APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: July 12, 2011

TITLE: Appointment of City Council Ad Hoc Subcommittee for the Purpose of Reestablishing July 4th Events for 2012

RECOMMENDED ACTION

Staff recommends that the City Council appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012.

BACKGROUND

City Resolution 2003-17 enacted the *Rules of Procedure for Council Meetings and Related Functions and Activities.* Section 9.3 Other Committees states "The City Council may by resolution create other standing committees and by motion or resolution may appoint ad hoc committees for particular temporary purposes."

DISCUSSION

During the development of the Fiscal Year 2010/11 budget, the City Council removed funding for the annual July 4th parade and Family Fun Fest due to a significant budget deficit. The budget for the annual July 4th activities in previous years has exceeded $100,000. At the June 14th Council meeting the Mayor and City Council directed City staff to bring back for their consideration options to form a planning and fund raising committee in hopes of resuming the July 4th activities in 2012. Staff recommends the City Council appoint two of its members to an Ad Hoc Subcommittee for the purpose of reestablishing July 4th events for 2012. By definition Ad Hoc Subcommittees are appointed for particular temporary purposes. The proposed Ad Hoc Subcommittee would seek donations to fund the July 4th events and work with Parks and Community Services staff in planning the events.

ALTERNATIVES

1) Appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012. *Staff recommends this alternative as the proposed Ad Hoc Subcommittee would provide fund raising and planning to reestablish the City's annual July 4th community activities.*

2) Not appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012. *Staff does not recommend this alternative as the City's annual July 4th community activities are important to the City's image and promoting community spirit.*

FISCAL IMPACT

Appointing an Ad Hoc Subcommittee will have no fiscal impact to the City.

SUMMARY

During the development of the Fiscal Year 2010/11 budget, the City Council removed funding for the annual July 4th parade and Family Fun Fest due to budget challenges. At the June 14th Council meeting the Mayor and City Council directed City staff to bring back for their consideration options to form a planning and fund raising committee in hopes of resuming the July 4th activities in 2012. Staff recommends the City Council appoint two of its members to an Ad Hoc Subcommittee for the purpose of reestablishing July 4th events for 2012.

COUNCIL GOALS

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Mike McCarty
Parks and Community Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

*REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

July 12, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street
Teleconference: Phoenix Park Hotel, LLC
520 North Capitol Street, N.W.
Federal City Room
Washington, D.C. 20001

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00116475

***REVISED AGENDA**
CITY COUNCIL OF THE CITY OF MORENO VALLEY
July 12, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter presentation to Officer Kevin Dixon

2. Proclamation Recognizing Soroptimist International of Moreno Valley

3. Spotlight Business

***REVISED AGENDA**
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JULY 12, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Diane Gardner

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 22 - July 5, 2011.

A.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of

Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.5 APPROVE AGREEMENT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES WITH TRANSTECH ENGINEERS, INC. FOR STREET IMPROVEMENTS ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET AND ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Professional Construction Management and Construction Inspection Consultant Services with Transtech Engineers, Inc. (Transtech) 413 MacKay Drive, San Bernardino, CA 92408, for Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue;

2. Authorize the City Manager to execute a contract with Transtech;

3. Authorize the issuance a Purchase Order to Transtech in the amount of $999,200 ($868,870 for the agreement plus the 15% contingency amount of $130,330) when the Agreement has been signed by all parties; and

4. Authorize the City Engineer to execute any subsequent amendments to the Agreement with Transtech, up to but not to exceed the Purchase Order contingency, subject to the approval of the City Attorney.

A.6 P07-144 – APPROVE TRACT MAP NO. 35760, A SIX-LOT RESIDENTIAL SUBDIVISION OF TRACT MAP NO. 31129. DEVELOPER - WESTERN PACIFIC HOUSING, INC. IRVINE, CA 92606 (Report of: Public Works Department)

Recommendation:

1. Approve Tract Map No. 35760; and

2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.7 AUTHORIZATION TO AWARD AGREEMENT FOR CENTRAL TRAFFIC CONTROL SOFTWARE SERVICES IN SUPPORT OF THE TRANSPORTATION MANAGEMENT CENTER (PROJECT NO. 10-13768129) (Report of Public Works Department)

Recommendation:

1. Approve the agreement with Kimley-Horn and Associates, Inc., 7878 N. 16th Street, Phoenix, Arizona 85020, to provide a central traffic control software system;

2. Authorize the City Manager to execute said Agreement with Kimley-Horn and Associates, Inc.;

3. Authorize the issuance of a Purchase Order to Kimley-Horn and Associates, Inc., in the amount of $315,000; and

4. Authorize the Public Works Director to execute any subsequent amendments related to this agreement.

A.8 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH GIBBS, GIDEN, LOCHER, TURNER & SENET, LLP FOR LEGAL SERVICES FOR LOS ANGELES ENGINEERING, INC. V. CITY OF MORENO VALLEY RIVERSIDE SUPERIOR COURT CASE RIC 524877 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 36928 to Gibbs, Giden, Locher, Turner & Senet, LLP by the amount of $100,000 for a total not-to-exceed amount of $196,000 (Account No. 461.65325.7500);

2. Authorize payment to Gibbs, Giden, Locher, Turner & Senet, LLP in an amount of up to $196,000 for legal services for Los Angeles Engineering, Inc. v. City of Moreno Valley Riverside Superior Court Case RIC 524877; and

3. Authorize an appropriation of $100,000 from the unencumbered fund balance of Parkland Facilities DIF (Fund 205) to Account No. 461.65325 to allow for said increase to Purchase Order No. 36928.

A.9 TRACT MAP 32707 - REDUCE FAITHFUL PERFORMANCE BOND AND

ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: REDHAWK COMMUNITIES, INC. A CALIFORNIA CORPORATION, TEMECULA, CA 92590 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-72 authorizing the acceptance of the public improvements within Tract Map 32707 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system; and

   Resolution No. 2011-72

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32707 and Accepting the Portion of Lasselle Street Associated with the Project Into the City's Maintained Street System

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

A.10 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 CITYWIDE BRIDGE MAINTENANCE PROGRAM, PROJECT NO. 11-22679828, DIRECT THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed for the 2011 Citywide Bridge Maintenance Program, constructed by Beador Construction Company, Inc. (Beador), 26320 Lester Circle, Corona CA 92883;

2. Direct the City Clerk to record the Notice of Completion within ten (10)

calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Beador Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.11 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to

release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

A.12 FIRST AMENDMENT TO AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Overland, Pacific and Cutler, Inc. (OPC) to provide Professional Consultant Right of Way Services for various projects of the Capital Projects Division;

2. Authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with OPC; and

3. Authorize an increase to the purchase order to OPC, in the amount of $85,000 when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.13 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.14 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE TRAFFIC SIGNAL IMPROVEMENTS ON SUNNYMEAD RANCH PARKWAY AT VILLAGE ROAD (EAST) INTERSECTION PROJECT NO. 10-41779229, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AND AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east), constructed by SoCal Engineers, Inc., 17595 Harvard, Suite C2160, Irvine, CA 92614;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to SoCal Engineers, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.15 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL

CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.16 RESCIND RESOLUTION NO. 2005-30 AND RE-DESIGNATE AND AUTHORIZE SIGNATURE AUTHORITIES TO EXECUTE APPLICATIONS AND DOCUMENTS FOR PURPOSES OF OBTAINING FINANCIAL ASSISTANCE UNDER SECTION 404 OF PUBLIC LAW 93-288, AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ACT OF 1988. (Report of: Fire Department)

Recommendation:

Adopt Resolution No. 2011-73, rescinding Resolution No. 2005-30, and designating and authorizing certain City officials to execute applications and documents for purposes of obtaining financial assistance under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief

and Emergency Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

Resolution No. 2011-73

A Resolution Of The City Council Of The City Of Moreno Valley, California, Rescinding Resolution No. 2005-30, And Re-Designate And Authorize Certain City Officials To Execute Applications And Documents For Purposes Of Obtaining Financial Assistance Under Section 404 Of Public Law 93-288, As Amended By The Robert T. Stafford Disaster Relief And Emergency Act Of 1988

A.17 FIRST AMENDMENT TO AGREEMENT FOR ON-CALL PROJECT MANAGEMENT SERVICES WITH VAS ASSOCIATES, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for On-Call Project Management Services" with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide temporary professional project management services for budgeted Capital Improvement Plan (CIP) projects on an as-needed basis;

2. Authorize the City Manager to execute said "First Amendment to Agreement for On-Call Project Management Services" with VAS; and

3. Authorize a purchase order to VAS in the amount of $312,000 when "First Amendment to Agreement for On-Call Project Management Services" has been signed by all parties.

A.18 AGREEMENT FOR PROFESSIONAL CONSULTANT ADMINISTRATIVE SERVICES WITH DMC DESIGN GROUP, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Professional Consultant Administrative Services" with DMC Design Group, Inc. (DMC), 170 N. Maple Street, Corona, CA 92880-1703, to provide Professional Consultant Administrative Services for budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Agreement for Professional Consultant Administrative Services" with DMC; and

3. Authorize a purchase order to DMC in the amount of $139,000 when said "Agreement for Professional Consultant Administrative Services"

has been signed by all parties.

A.19 FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with SA; and

3. Authorize a Change Order to increase the Purchase Order to SA in the amount of $185,000 when "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

A.20 RESOLUTION DECLARING THE REAL PROPERTY AS EXCESS AND SETTING A PUBLIC HEARING AUTHORIZING SALE FOR REMAINDER OF PARCEL APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

Approve and adopt Resolution No. 2011-74 to declare the real property, APN 475-272-054, as excess, set a public hearing to identify any issues with the sale of the remainder parcel, and authorize staff to solicit offers for the purchase of said real property.

Resolution No. 2011-74

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Convenience Require the Sale of a Remainder Parcel Excess to Public Use

A.21 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2011-75 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2011-75

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

A.22 APPROVE THREE-YEAR AGREEMENT WITH CANON BUSINESS SOLUTIONS TO EXTEND THE CURRENT COPIER CONTRACT (Report of: Financial & Administrative Services Department)

Recommendation:
Approve the three-year agreement to extend the current contract with Canon Business Solutions in the total base amount of $261,828, representing a 23.75% price decrease or total savings of $81,540, as being in the best interest of the City.

A.23 STAFF ASSIGNMENTS IN SUPPORT OF COUNCIL MEMBER PARTICIPATION WITH REGIONAL AGENCIES (Report of: City Manager's Office)

Recommendation:
Approve the proposed staff assignments in support of Council Member participation with regional agencies.

A.24 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 PAVEMENT RESURFACING PROJECT NO. 11-12556330, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Pavement Resurfacing Project, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.25 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 LOCAL STREET PAVEMENT RESURFACING – PHASE 1 PROJECT NO. 11-22679728, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Local Street Pavement Resurfacing – Phase 1, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.26 CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD, DEVELOPER: CITY OF

MORENO VALLEY, MORENO VALLEY, CA 92552 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.27 PA07-0090 – EUCALYPTUS STREET IMPROVEMENTS - AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.28 PA07-0090 – EUCALYPTUS WATER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.29 PA07-0090 – EUCALYPTUS RECYCLED WATER – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.30 PA07-0090 – EUCALYPTUS SEWER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF

LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.31 PA07-0090 – LINE F STORM DRAIN IMPROVEMENTS – REQUEST TO RATIFY THE PARTIAL REDUCTION TO THE IMPROVEMENT SECURITY AND AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN PROPER CLEARANCES ARE RECEIVED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553. (Report of: Public Works Department)

Recommendation:

1. Ratify the partial reduction to the public improvement security provided by the City Engineer on March 3, 2011 for the Line F Storm Drain Improvements for PA07-0090;

2. Authorize the Public Works Director/City Engineer to accept the work as complete once the proper clearances are provided by Riverside County Flood Control and Water Conservation District; and

3. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to enter said improvements into the 12 month guarantee and warranty period, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM A.11) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

C.5 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO

ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.6 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM A.15) (Report of: Public Works

Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

C.7 AUTHORIZE FIRST AMENDMENT TO PROJECT SPECIFIC AGREEMENT AND AUTHORIZE CHANGE ORDER TO THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the First Amendment to the Project Agreement on behalf of the Community Redevelopment Agency; and

2. Authorize a Change Order to increase Purchase Order No. 37386 for VA Consulting, Inc., in the amount of $25,000 for additional professional consultant design services, bid design support services, and construction support services (Account No. 897.91725).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A DEVELOPMENT AGREEMENT (PA10-0029) FOR ROCKLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING, AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 (RESIDENTIAL 15) AND OS (OPEN SPACE) LAND USE DISTRICTS. THE PROJECT SITE IS ON THE SOUTHEAST CORNER OF FIR AVENUE AND EUCALYPTUS AVENUE. THE APPLICANT AND OWNER OF THE SITE IS BEAZER HOMES (Continued from March 22, 2011 and May 24, 2011) (Report of: Community & Economic Development Department)

Recommendation:

Introduce Ordinance No. 823, for adoption of a development agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 and conditional use permit/ planned unit development consisting of 275 residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use districts.

Ordinance No. 823

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Development Agreement (PA10-0029) for Rockcliffe at Stoneridge, an Approved Project Encompassing Tentative Tract Map No. 36340 and a Conditional Use Permit/Planned Unit Development Consisting of 275 Residential Lots, a Recreational Building and Private Open Space on Approximately 29 acres in the R15 (Residential 15) and OS (Open Space) Land Use Districts

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010,

316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, AND 316-200-029 BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
That the City Council, after conducting the individual Public Hearings and accepting public testimony:

a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for First Industrial;

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to Assessors Parcel Numbers (APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Recommendation: That the CSD:
That the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for First Industrial;

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APNs 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE

PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC. (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

   If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley,

California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the

resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

E.4 A PUBLIC HEARING FOR CONSIDERATION OF THE REVISION OF TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT, SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, APPLICATIONS FOR LIGHTING, SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK SKY PROVISIONS FOR GENERAL ON-SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING CITYWIDE. THE APPLICANT IS THE CITY OF MORENO VALLEY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no action is required. Should the City Council choose to adopt the new standards, the following actions are required:

   RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 831 approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

   Ordinance No. 831

   An Ordinance of the City Council of the City of Moreno Valley, California Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV

Applications for Hillside Development Section 9.16.235 “Hillside Design Guidelines”, Article VI Applications for Lighting and Section 9.16.280, “General Requirements” and Chapter 9.15, Section 9.15.030 “Definitions” Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a) Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 APPROVAL OF CONCESSIONAIRE AGREEMENT WITH PACIFICA UNIVERSITY, INC., FOR THE COTTONWOOD GOLF CENTER (Report of: Parks and Community Services)

Recommendation: That the City Council:
Acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, approve a long-term Concessionaire Agreement between the Moreno Valley Community Services District and Pacifica University, Inc., to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility.

G.3 "BEST PLACE TO DO BUSINESS" ACTION STEPS (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Approve the Action Steps formulated to help establish a foundation for making Moreno Valley a “Best Place to do Business”.

G.4 APPOINTMENT OF CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE PURPOSE OF REESTABLISHING JULY 4TH EVENTS FOR 2012 (Report of: City Manager's Office)

Recommendation: That the City Council:
Appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

3 SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property:	Fire Station No. 65 Replacement Site
APN:	APN 297-170-077
Owner:	Group V San Bernardino
City's/Buyer's Negotiator:	Chris Vogt
Under Negotiation:	Price and terms of payment

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia

Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00116506

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
JUNE 28, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of Morning Optimist Club of Moreno Valley

2. Volunteers of the Year 2010 - Steven Morel, Jarrett Wegelin, Trent Terrell, Jarred Endres, Kyle Dagenhart, and Tim Barnes

3. Spotlight Business

MINUTES
REGULAR MEETING OF CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES
SPECIAL MEETING OF MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC)

JUNE 28, 2011 - 6:30 PM

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE – Pledge of Allegiance was led by Mayor Stewart

INVOCATION - Deacon Richard Heames, St. Patrick's Roman Catholic Church

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem (left at 9:45 p.m.)
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Barry Foster	Community & Economic Development Director
Chris Vogt	Public Works Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 14, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 8-21, 2011.

A.4 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2011/2012 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2011/2012 Rate Adjustment.

A.5 NOTICE OF COMPLETION AND ACCEPTANCE OF THE DRACAEA AVENUE SIDEWALK IMPROVEMENTS BETWEEN MORRISON STREET AND MASCOT LANE PROJECT NO. 10-12567129 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Dracaea Avenue Sidewalk Improvements between Morrison Street and Mascot Lane, constructed by Mamco, Inc., 16840 Van Buren Boulevard, Suite 200, Riverside, CA 92504;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside

County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Mamco, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.6 APPROVAL OF CHECK REGISTER FOR APRIL, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2011-63, approving the Check Register for the month of April, 2011 in the amount of $13,104,818.91.

Resolution No. 2011-63

A Resolution of the City Council of the City of Moreno Valley, California, approving the Check Register for the Month of April, 2011

A.7 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $91,557 ALLOCATION TO THE CITY (Report of: Community and Economic Development Department)

Recommendation:

Approve Resolution No. 2011-64 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $91,557 allocated to the City.

Resolution No. 2011-64

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $91,557 Allocation

A.8 ORDINANCE NO. 827 - AN ORDINANCE AMENDING TITLE 8 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTER 8.10 STORM WATER/URBAN RUNOFF MANAGEMENT AND DISCHARGE CONTROLS, AND CHAPTER 8.21 GRADING REGULATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 14, 2011, BY A 5-0 VOTE) (Report of: Public Works Department)

Recommendation:

Adopt Ordinance No. 827 - An Ordinance of the City Council of the City of Moreno Valley, California amending Title 8 of the City of Moreno Valley Municipal Code (MVMC), repealing and reenacting Chapter 8.10 Storm Water/Urban Management and Discharge Controls and Chapter 8.21 Grading Regulations.

Ordinance No. 827

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 8 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 8.10 Storm Water/Urban Runoff Management and Discharge Controls and Chapter 8.21 Grading Regulations

A.9 SECOND AMENDMENT OF INDEPENDENT CONTRACTOR AGREEMENT FOR PLAN CHECK SERVICES - MELAD & ASSOCIATES (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the Second Amendment of Independent Contractor Agreement with Melad & Associates for Plan Check Services;

2. Authorize the Mayor to execute the Amendment;

3. Authorize the City Manager to approve the annual purchase orders through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and

4. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to Melad & Associates to cover the estimated costs for providing services for the Building & Safety Division for FY2011/2012.

A.10 THIRD AMENDMENT OF INDEPENDENT CONTRACTOR AGREEMENT FOR PLAN CHECK SERVICES - WILLDAN (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the Third Amendment of Independent Contractor Agreement with Willdan for Plan Check Services;

2. Authorize the Mayor to execute the Amendment;

3. Authorize the City Manager to approve the annual purchase orders

through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and

4. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to Willdan to cover the estimated costs for providing services for the Building & Safety Division for FY2011/2012.

A.11 APPROVAL OF AN AGREEMENT WITH DATATICKET, INC. FOR PARKING CONTROL PROGRAM SERVICES; AUTHORIZE THE CITY MANAGER TO APPROVE ANNUAL PURCHASE ORDERS THROUGH THE TERM OF THE AGREEMENT; AND AUTHORIZE THE PURCHASING & FACILITIES MANAGER TO ISSUE ANNUAL PURCHASE ORDERS (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the Agreement with DataTicket, Inc. for Parking Control Program Services for the City of Moreno Valley;

2. Authorize the City Manager to approve the annual purchase orders through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and

3. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to DataTicket, Inc. to cover the estimated costs for ticket processing, ticket printing, and other miscellaneous costs associated with the Parking Control Program for FY 2011/2012 and future years under the Agreement.

A.12 PA07-0090 – EXONERATION OF ROUGH GRADING AGREEMENT AND BOND, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:
Contingent upon completion of the remaining public improvements, authorize the City Engineer to execute the exoneration of the Faithful Performance security associated with the project PA07-0090 rough grading improvements.

A.13 AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR CYCLE 3 OF

THE FEDERAL SAFE ROUTES TO SCHOOL GRANT PROGRAM (Report of: Public Works Department)

Recommendation:

1. Review and approve project recommendations for Cycle 3 of the federal Safe Routes to School (SRTS) grant program; and

2. Adopt Resolution No. 2011-71 authorizing the submittal of applications for Cycle 3 of the federal Safe Routes to School (SRTS) Grant Program.

Resolution No. 2011-71

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Submittal of Applications for Cycle 3 of the Federal Safe Routes to School (SRTS) Grant Program

A.14 PA07-0090 – REDLANDS ROUGH GRADING – REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE REDLANDS DRAINAGE IMPROVEMENTS AS COMPLETE AND INTO THE CITY'S MAINTAINED SYSTEM, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Contingent upon completion of the remaining public improvements, adopt the proposed Resolution authorizing the acceptance of the Redlands Drainage public improvements within project PA07-0090 as complete and into the City's maintained system.; and

Resolution No. 2011-67

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Project Number PA07-0090 and Accepting the Redlands Drainage Improvements Associated with the Project into the City's Maintained System

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

A.15 PA07-0090 – EUCALYPTUS ELECTRICAL IMPROVEMENTS – ELECTRICAL UTILITY INFRASTRUCTURE – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE ELECTRICAL UTILITY INFRASTRUCTURE AS COMPLETE AND ACCEPTING THE UTILITY ELECTRICAL INFRASTRUCTURE INTO THE CITY'S MAINTAINED SYSTEM; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt the proposed Resolution accepting into the City's maintained system the Electrical Utility Infrastructure for PA07-0090 - Eucalyptus Electrical Improvements upon acceptance by the City Engineer as complete; and

Resolution No. 2011-68

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Utility Electrical Infrastructure for the Eucalyptus Electrical Improvements as Complete Within Project PA07-0090, and Accepting the Utility Electrical Infrastructure into the City's Maintained System

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

A.16 PA07-0090 – THEODORE STREET IMPROVEMENTS - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THEODORE STREET INTO THE CITY'S MAINTAINED STREET SYSTEM; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THE THEODORE STREET - DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt the proposed Resolution accepting into the City's maintained street system the Theodore Street public improvements within project PA07-0090 upon acceptance by the City Engineer as complete; and

Resolution No. 2011-69

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Project Number PA07-0090 and Accepting the Portion of Theodore Street Associated with the Project into the City's Maintained Street System

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

A.17 PA07-0090 – SINCLAIR OFF-SITE WATER IMPROVEMENTS – REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE PUBLIC IMPROVEMENTS AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Contingent upon completion of the remaining public improvements, accept the Sinclair Off-Site Water Improvements as complete but not into the City's maintained street system within project PA07-0090; and

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

A.18 PA07-0090 – REDLANDS SEWER IMPROVEMENTS – REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE PUBLIC IMPROVEMENTS AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Contingent upon completion of the remaining public improvements, accept the Redlands Sewer Improvements as complete but not into the City's maintained street system within project PA07-0090; and

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

A.19 PA07-0090 – REDLANDS WATER IMPROVEMENTS – REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE PUBLIC IMPROVEMENTS AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Contingent upon completion of the remaining public improvements, accept the Redlands Water Improvements as complete but not into the City's maintained street system within project PA07-0090; and

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

A.20 PA07-0090 (PM 35629) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D11-001 FOR PARCEL MAP NO. 35629 PHASE 1 IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D11-001 (DIF Agreement) for Parcel Map No. 35629 Phase 1 improvements and right-of-way dedications; and

2. Authorize the Mayor to execute the DIF Agreement.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 14, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 14, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 14, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve Joint Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Marcelo Co
Approved by a vote of 5-0.

ADJOURNED THE JOINT MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE SPECIAL MEETING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC)

SPECIAL MEETING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC)

CALL TO ORDER

CALL TO ORDER - The Special meeting of the Moreno Valley Public Facilities Financing Corporation was called to order at 6:50 p.m. by President Stewart in the Council Chamber located at 14177 Frederick St.

ROLL CALL

Board of Directors:

Richard A. Stewart	President
Jesse L. Molina	Vice-President
William H. Batey II	Board Member
Marcelo Co	Board Member
Robin N. Hastings	Board Member

PUBLIC COMMENTS ON THE SPECIAL MEETING AGENDA

President Stewart opened the agenda item for public comments, which were received from Pete Bleckert.

G. REPORTS

G.1 CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD; DEVELOPER: CITY OF MORENO VALLEY (Report of: Public Works Department)

Recommendation:

1. Authorize the President of the Board of Directors of the Moreno Valley Public Facilities Financing Corporation (MVPFFC) to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

Motion to pull the item from the agenda by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

ADJOURNED THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC) TO THE JOINT MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AT 6:53 P.M.

RECONVENED JOINT MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

President Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder (opposes).

Recommendation: That the CSD:

1. After conducting the public hearing for Tracts 19862, 19912, 20941, 21737, 22371, and 31591:

   Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charges for Tracts 19862, 19912, 20941, 21737, 22371, and 31591;

Motion to Approve by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

Item continued to a later time in the Council meeting to give the City Clerk the opportunity to tabulate the ballots.

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charges for Tracts 19862, 19912, 20941, 21737, 22371, and 31591.

E.2 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR A PROPOSED INCREASE IN THE CSD ZONE E (EXTENSIVE LANDSCAPE MAINTENANCE) ANNUAL PARCEL CHARGE FOR SELECTED SUB-ZONES (Report of: Public Works Department)

President Stewart opened the public testimony portion of the public hearing. Public testimony was received from Jeffrey Giba and Deanna Reeder.

Recommendation: That the CSD:

1. After conducting the public hearing for Zone E-1 (Towngate), Zone E-2 (Hidden Springs), Zone E-3A (Lasselle Powerline Parkway), and Zone E-4 (Moreno Valley Ranch-East):

   Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone E annual charges for Zone E-1, Zone E-2, Zone E-3A, and Zone E-4;

Motion to Approve by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

Item continued to a later time in the Council meeting to give the City Clerk the opportunity to tabulate the ballots.

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone E annual charges for Zone E-1, Zone E-2, Zone E-3A, and Zone E-4.

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation: That the City Council:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2011/2012 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health

and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

E.4 A PUBLIC HEARING FOR AN APPEAL OF A PLANNING COMMISSION DENIAL OF PA09-0027, A CONDITIONAL USE PERMIT REQUEST TO SELL ALCOHOL AND BEER AT A AN EXISTING CONVENIENCE STORE AT 21748 COTTONWOOD AVENUE. THE APPLICANT IS SOON-YI CHOI. (Report of: Community and Economic Development Department)

Recommendation: That the City Council:

Adopt Resolution No. 2011-66 approving PA09-0027, a Conditional Use Permit based on the findings in the Resolution.

Resolution No. 2011-66

Resolution of the City Council of the City of Moreno Valley Denying PA09-0027, A Conditional Use Permit to Allow Alcohol Sales (Beer and Wine) at the Existing Convenience Store Located at 21748 Cottonwood Avenue APN # 263-160-037

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Bob Walker (opposes), Maricela Lopez (opposes), and Justin Kim (representing applicant).

RECESS
RECONVENED

Motion to Approve as amended to allow alcohol sale during the hours between 8:00 a.m. and 8:30 p.m. by m/Council Member William H. Batey II, s/Council Member Marcelo Co
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)

Mayor Stewart reported that a nice reception for Mr. Holland, Deputy Secretary of the Air Force for Facilities, was held at Supervisor Marion Ashley's home; Mr. Holland was given a tour of March Joint Powers area and the base; a formal meeting with wing commander and military personnel, Joint Powers members and civil engineers will be held to discuss several issues, including the potential for the developer to actually relocate BX and the commissary to inside the base at the developer's expense and use that area for expansion of medical facilities.

G.2 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. Appoint those applicants who received majority vote by the City Council;

3. If vacancies are not filled by a majority vote of the City Council, authorize the City Clerk to re-advertise the positions as vacant and carry over the current applications for reconsideration of appointment at a future date.

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

Motion to make following appointments for terms expiring June 30, 2014:

The Arts Commission: Lorna Kendrick, Lauretta Phillips and Nina Heirs;
The Environmental & Historical Preservation Board: Gerald Michael Budlong and Gregory A. Hagans;
The Library Commission: Beverly A. Crockett, Kristina Dixon and Cathy Merkt;
The Parks & Recreation Commission: Bill Alvarez and George Brummer;
The Recreational Trails Board: Margie Breitkreuz and Gilbert Brooks;
The Senior Citizens' Board: Delorise Anderson, Donna Annetta and Thelma Dunn;
The Traffic Safety Commission: Lawrence Baird, Mary C. Cole and Arthur W. Higgs.

Motion to approve by m/Council Member William H. Batey II, s/Council Member Marcelo Co
Approved by a vote of 5-0.

G.3 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029 BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceeding for First Industrial—Assessor Parcel Numbers (APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

Recommendation: That the CSD:
Accept public comments regarding the mail ballot proceeding for First Industrial—APNs 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029 for inclusion into and approval of the annual charges for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

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

No action required.

G.4 AFFORDABLE HOUSING AGREEMENT BY AND BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV HEMLOCK LP (Report of: Community & Economic Development Department)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-70 consenting to the approval by the Community Redevelopment Agency of the City of Moreno Valley of an Affordable Housing Agreement by and between the Agency and MV Hemlock LP, a limited partnership; and

Resolution No. 2011-70

A Resolution of the City Council of the City of Moreno Valley Consenting to the Approval by the Community Redevelopment Agency of the City of Moreno Valley with MV Hemlock Limited Partnership, a California Limited Partnership and Approving and Authorizing Execution of an Affordable Housing Agreement (Home) Between the City and MV Hemlock Limited Partnership, a California Limited Partnership

Motion to approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

2. Approve an Affordable Housing Agreement for HOME by and between the City of Moreno Valley and MV Hemlock LP, a limited partnership; and

Recommendation: That the RDA:
Adopt Resolution No. RDA 2011-10 approving an Affordable Housing Agreement by and between the Agency and MV Hemlock LP.

Resolution No. RDA 2011-10

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Affordable Housing Agreement by and Between the Agency and MV Hemlock Limited Partnership, a California Limited Partnership

Motion to approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co
Approved by a vote of 5-0.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action) - none

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 825 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A FIRST AMENDMENT TO THE AQUABELLA DEVELOPMENT AGREEMENT (P11-029) TO REMOVE PLANNING AREA 2 (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 14, 2011 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of:

Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 825, for adoption of the First Amendment to the Aquabella Development Agreement (P11-029).

Ordinance No. 825

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a First Amendment to the Aquabella Development Agreement (P11-029) to Remove Planning Area 2

Mayor Stewart opened the agenda item for public comments, which were received from Deanna Reeder.

Motion to approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 4-0-1, Council Member Robin N. Hastings abstained.

H.2 .2 ORDINANCE NO. 826 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGARDING SECTIONS 9.03 RESIDENTIAL DEVELOPMENT, 9.08 GRADING, 9.11 PARKING, PEDESTRIAN AND LOADING, 9.16 DESIGN GUIDELINES AND 9.17, LANDSCAPE REQUIREMENTS AND LANDSCAPE STANDARDS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 14, 2011 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community and Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 826 approving PA10-0035, amending sections 9.03 Residential Development, 9.08 Grading, 9.11 Parking, Pedestrian and Loading, 9.16 Design Guidelines and 9.17 Landscape Requirements of Title 9 of the City of Moreno Valley Municipal Code (Attachment 3) and Landscape Standards (Attachment 4).

Ordinance No. 826

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9 of the City of Moreno Valley Municipal Code Regarding Sections 9.03 Residential Development, 9.08 Grading, 9.11 Parking, Pedestrian and Loading, 9.16 Design Guidelines and 9.17, Landscape Requirements and Landscape Standards

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

Motion to approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 4-0-1, Council Member Robin N. Hastings abstained.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Marie Hyta
1. Spending priorities; building a new fire station on Morrison; Station 58; salary of city administrator

Deanna Reeder
1. Redevelopment fund for the Aquabella project
2. Conduct during council meetings

Alicia Espinoza
1. DUI check points

Kenny Bell
1. Meetings of Home Owners Associations
2. Citizens' input/contributions

Librada Murillo
1. in Spanish

Jeffrey Giba
1. Increase of theft from recycle bins; thanked police officers for great job

Sue Gilchrist
1. Residents' contribution/input
2. Retirement benefits
3. Rancho Belago signs

Louise Palomarez
1. Red light camera on Day Street
2. Commended the Council for awarding alcohol business license and for supporting businesses
3. Rancho Belago signs

Victoria Baca
1. Fourth of July celebration
2. Cultural events in the City
3. Wished everyone a safe and happy 4th of July

Joe Bautista
1. Budget - reorganization in the City Clerk's Office

Pete Bleckert
1. Gate at Hemlock Street

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

Council Member Batey
1. Congratulated Council Member Hastings for being installed as the new Chair of the Western Riverside Council of Governments

Council Member Co
1. Inquires about the incident with the tow truck company and a lost car
2. Attended WRCOG General Assembly reception with Condoleezza Rice as a speaker; was very impressed with the speaker, who talked about real things in life, is very humble and direct when talking to people

Council Member Hastings
1. Thanked Mr. Bell for his kind comments and for attending the Moreno Valley Crime Prevention meeting; thanked Chief Anderson for attending the meeting to address concerns about the crime, and what can be done about it; it was a very productive and well-attended meeting; appreciates the opportunity to meet with residents
2. Will be participating in the July 12 City Council meeting via teleconference; will attend a WRCOG meeting in Washington, DC, for the AB 811 program; more information about the program can be found on WRCOG Web site; anticipates that applications will be available at the end of this month
3. Appreciates the support for the 4th of July program; Thanked City Manager Garcia for the seed money; encouraged residents to volunteer
3. Addressed speaker's comments opposing shooting rangers – stated that this is a valuable program - payment of fees will allow the center to stay open; emphasized that residents' comments are not ignored and they are appreciated

Mayor Stewart
1. Responded to speaker's comment regarding Redevelopment Agency's support for the Burlington Coat Factory; said that the City is assisting new and existing businesses, as businesses generate sales tax revenue; the Economic Development Plan was developed to improve infrastructure and to retain existing

businesses
2. Fourth of July celebration with fireworks is expensive; the City is going to work very hard to have the celebration the next year
3. Regarding concerts - last concert he attended a few weeks ago was a patriotic concert at the Conference and Recreation Center, and it was a standing room only; it is provided for free four times a year; other cultural events are also held in the City
4. The Council received only three applications for three openings on the Arts Commission - encouraged residents to apply, get involved and help out
5. Addressed comments regarding clapping during council meetings - we don't allow outburst of support or opposition, as it is intimidating to speakers

Adjourned to Closed Session at 9:41 p.m.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

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

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

RECONVENED Regular City Council Meeting at 10:02 p.m.

E.1 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

The Secretary announced the results as follows:

Tract 19862:	"Yes" - 3;	"No" - 6;	Invalid - 7	-failed
Tract 19912:	"Yes" - 7;	"No" - 24;	Invalid - 0	-failed
Tract 20941:	"Yes" - 10;	"No" - 14;	Invalid - 0	-failed
Tract 21737:	"Yes" - 0;	"No" - 3;	Invalid - 1	-failed
Tract 23371:	"Yes" – 3;	"No" - 7;	Invalid - 0	-failed
Tract 31591:	"Yes" – 1;	"No" - 6;	Invalid - 0	-failed

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charges for Tracts 19862, 19912, 20941, 21737, 22371, and 31591.

Motion to approve by m/Board Member William H. Batey II, s/Board Member Robin N. Hastings
Approved by a vote of 4-0-1, Vice President Pro Tem Molina absent.

E.2 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR A PROPOSED INCREASE IN THE CSD ZONE E (EXTENSIVE LANDSCAPE MAINTENANCE) ANNUAL PARCEL CHARGE FOR SELECTED SUB-ZONES (Report of: Public Works Department)

The Secretary announced the results as follows:

Tract No. E-1:	"Yes" - 440;	"No" - 542;	Invalid – 6;	-failed
Tract No. E-2:	"Yes" - 139;	"No" - 257;	Invalid – 11;	-failed
Tract No. E-3A:	"Yes" - 34;	"No" - 66;	Invalid – 2;	-failed
Tract No. E-4:	"Yes" - 212;	"No" - 393;	Invalid – 14;	-failed

2. Verify and accept the results of the mail ballot proceedings as

identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone E annual charges for Zone E-1, Zone E-2, Zone E-3A, and Zone E-4.

Motion to approve by m/Board Member William H. Batey II, s/Board Member Robin N. Hastings
Approved by a vote of 4-0-1, Vice President Pro Tem Molina absent.

Motion to Adjourn by m/Council Member William H. Batey II, s/Council Member Marcelo Co. Approved by a unanimous vote.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:10 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: July 12, 2011

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 22 – July 5, 2011.

Reports on Reimbursable Activities June 22 – July 5, 2011		
Council Member	Date	Meeting
William H. Batey II		None
Marcelo Co		None
Robin N. Hastings	6/22/11	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	6/23/11	Leadership Moreno Valley
Jesse L. Molina		None
Richard A. Stewart	6/23/11	Leadership Moreno Valley

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00116532

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code.

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

BACKGROUND

On July 13, 2010, the City Council awarded a construction contract to Riverside Construction Company, Inc. and authorized the issuance of a purchase order in the amount of $4,124,375.14. The work consisted of the construction of Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The work also included construction of street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, completion of missing portions of Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin and in Ironwood Avenue between Indian Street and Hubbard Street, and minor clearing for SCE poles on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard. On July 13, 2010, the City Council also approved the Reimbursement Agreement for the Eastern Municipal Water District improvements which appropriated sufficient funds from EMWD for relocation of four conflicting water lines.

The City issued a Notice to Proceed to Riverside Construction to start the work on October 4, 2010. The length of the contract is one hundred seventy (170) working days, which has been adjusted by Contract Change Order due to weather and other approved work. Riverside Construction anticipates completing the project by mid July 2011.

On April 26, 2011, the City Council approved a Cooperative Agreement with Riverside County Flood Control and Water Conservation District (RCFC&WCD) which set forth the City's responsibilities and the District's responsibilities for post-construction maintenance of the facilities.

DISCUSSION

Staff anticipates that all work will be completed by Riverside Construction Company by mid July 2011. Staff is in the process of negotiating Contract Change Orders and anticipates the final contract cost will be approximately $3,850,000 which is not expected to exceed the approved purchase order amount of $4,124,375.14. Since the City Council will not meet on July 26, 2011 and August 9, 2011, staff requests the City Council authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete, authorize the recordation of the Notice of Completion with the County Recorder after the Public Works Director/City Engineer accepts the improvements as complete, and authorize the release of retention to the Contractor thirty-five (35) calendar days after

the date of recordation of the Notice of Completion. These actions must be completed in a timely manner upon completion of the Contractor's work in accordance with the applicable laws.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501, direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code, authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete. *These alternatives will result in payment to the Contractor and acceptance of the improvements into the City's maintained system.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code, do not authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and do not authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete. *These alternatives will result in delaying payment to the Contractor, thereby delaying acceptance of the improvements into the City's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements were included in the Fiscal Year 2010/2011 budget, and financed by 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The project is also partially

funded with 2005 Lease Revenue Bonds (Account No. 501.82625), Development Impact Fee (DIF) program funds (Account No. 416.78727), and the EMWD water line facilities were reimbursed by EMWD through a revenue set-aside in fund 414 (Account Nos. 414.80423 and 414.80424). The funds utilized for this project were designated for the Indian Basin and Ironwood Avenue capital improvements only. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2010/2011 (Account No. 897.91726)	$3,153,000
Fiscal Year 2010/2011 (Account No. 501.82625)	$933,000
Fiscal Year 2010/2011 (Account No. 416.78727)	$962,000
Fiscal Year 2010/2011 (Account No. 414.80423)	$185,000
Fiscal Year 2010/2011 (Account No. 414.80424)	$109,000
Total Budgeted Funds	$5,342,000

FINAL CONSTRUCTION RELATED COSTS:

Contractor Construction Costs	$3,850,000
Design Support Costs during Construction	$109,000
Construction Geotechnical Services	$95,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Total Project Construction Costs	$4,299,000

*Public Works staff provided project administration and primary inspection services.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff anticipates Riverside Construction Company will complete construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive improvements by mid July 2011. Staff requests the City Council to authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are

completed, authorize the recordation of the Notice of Completion with the County Recorder after the Public Works Director/City Engineer accepts the improvements as complete, authorize the release of retention money to the Contractor thirty-five (35) calendar days after the date of recordation of the Notice of Completion, and authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Margery A. Lazarus, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Marge - 09-89791726 - Indian Basin\CC Reports\071211 Notice of Completion for Indian Basin (Rev 2).doc

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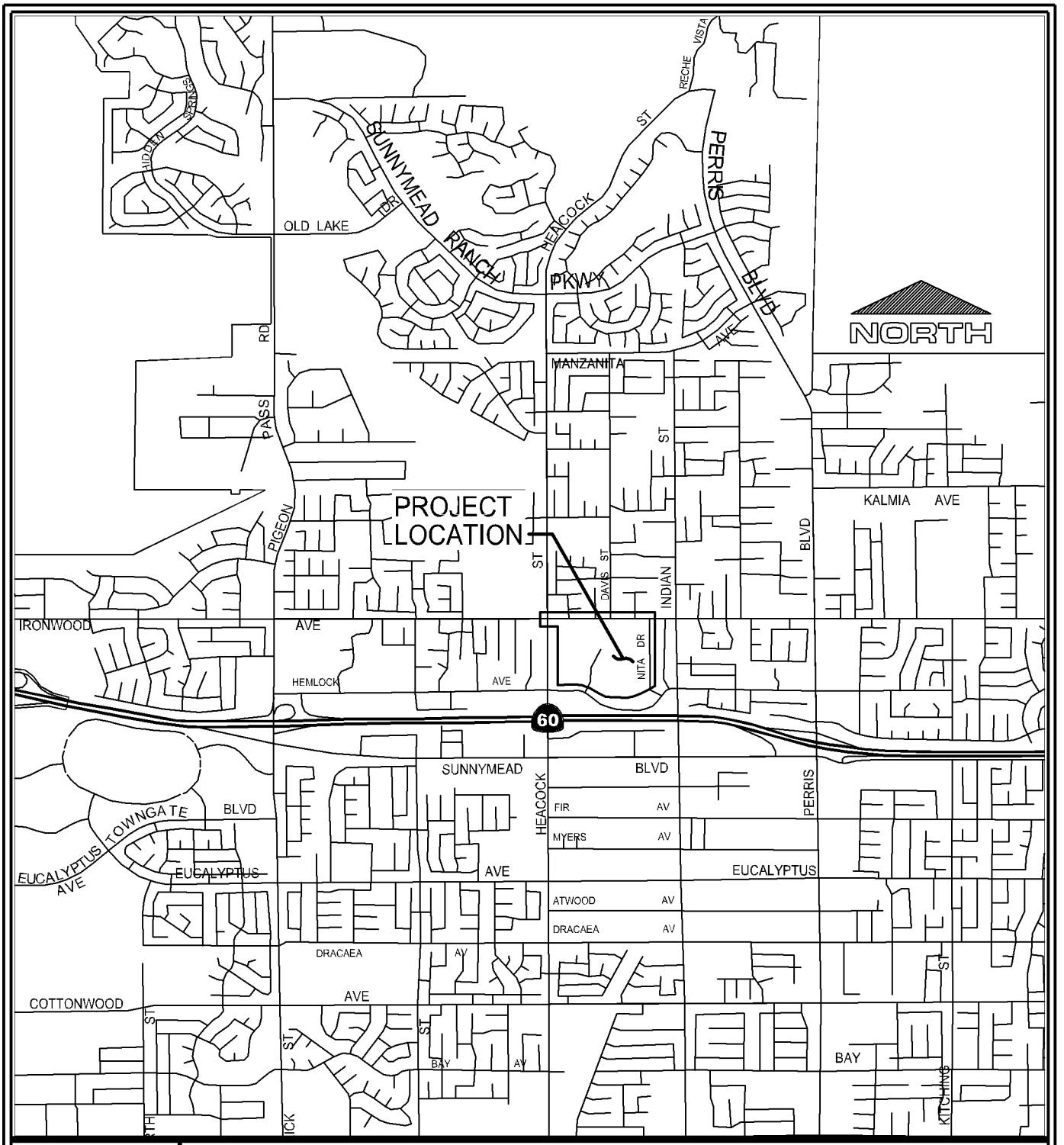

LOCATION MAP

Public WorksDepartment Capital Projects Division	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK STREET TO NITA DRIVE (SOUTH SIDE) PROJECT NUMBER 09-89791726
Scale: None	
ATTACHMENT "A"	

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MV00116540

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 20111

TITLE: APPROVE AGREEMENT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES WITH TRANSTECH ENGINEERS, INC. FOR STREET IMPROVEMENTS ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET AND ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Agreement for Professional Construction Management and Construction Inspection Consultant Services with Transtech Engineers, Inc. (Transtech) 413 MacKay Drive, San Bernardino, CA 92408, for Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue.

2. Authorize the City Manager to execute a contract with Transtech in the form attached hereto.

3. Authorize the issuance a Purchase Order to Transtech in the amount of $999,200 ($868,870 for the agreement plus the 15% contingency amount of $130,330) when the Agreement has been signed by all parties.

4. Authorize the City Engineer to execute any subsequent amendments to the Agreement with Transtech, up to but not to exceed the Purchase Order contingency, subject to the approval of the City Attorney.

BACKGROUND

On April 26, 2011, the City Council approved an Economic Development Action Plan that re-sequenced Capital Improvement projects to fast-track the street improvements on Cactus Avenue between Lasselle Street and Nason Street, and the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue.

On May 24, 2011, City Council authorized the City Engineer / Public Works Director to execute the Program Supplement Agreement with the California Department of Transportation (Caltrans) for the Cactus Avenue Improvements project. This agreement established the policies and procedures for Caltrans reimbursement of $1 million funding for the State-Local Partnership Program (SLPP) grant program.

On June 14, 2011, City Council approved the FY 11/12 budget pending funding for Cactus Avenue between Lasselle Street and Nason Street, and the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue.

DISCUSSION

The project consists of street improvements along 1) Cactus Avenue between Lasselle Street and Nason Street and 2) Nason Street between Cactus Avenue and Iris Avenue. The adjacent property owner and developer, Highland Fairview Properties (HFP), has been coordinating the preparation of the design plans for the street improvements as part of the 760 acre Aquabella Specific Plan (formerly Moreno Valley Field Station Specific Plan). Because these street segments are considered very strategic to the City's Economic Development Plan, the City is taking a proactive approach in assisting with the completion of the plans, specifications, and estimate (PS&E). The City will coordinate the bidding and construction of the project once HFP provides the City with full biddable plans. In general, the proposed improvements are intended to include curb, gutter, street pavement reconstruction and widening, street lights, sidewalk, water, sewer, reclaimed water and master planned storm drain improvements, traffic signal work, a bridge along Nason Street over flood control channel Line F and construction of a portion of flood control channel Line F.

On May 25, 2011, staff solicited proposals from professional consultants. Approximately 200 consultants in the Public Works Department database were notified of the availability of the City's request for proposal. Eight (8) proposals were received in response to the City's Request for Proposals. The scope of work for the project includes project management, constructability review of PS&E, construction management, and construction inspection for the project. Subsequently, the project management tasks of the overall project is being proposed to be performed by the City's in-house consultant VAS Associates to ensure higher levels of project controls and improved efficiencies resulting in cost savings. A selection review committee comprised of City staff representatives from the Public Works Department reviewed and rated each prospective firm based on their proposals and presentations. After interviewing the three top-ranked firms, Transtech was selected as the most qualified firm to undertake the project.

The final scope of work focuses on constructability review of PS&E, construction management, and construction inspection. Transtech will provide highly skilled and experienced team of three professionals on a full time basis for the duration of construction phase of the project, ensuring quality construction and timely completion of the project. Prior to finalization of the project Plans, Specifications and Estimates (PS&E) and bidding of the project, Transtech will perform a detailed constructability review of the PS&E including on-site field check to ensure that conflicts that results in costly delays during construction are minimized. During construction, a Construction Manager will coordinate with all project stakeholders, ensure that the project is progressing in accordance with the contract documents leading to timely completion of the project within budget, minimize inconvenience to travelling public, and in his capacity as a Bridge Engineer, will inspect the technical aspects of the bridge construction. An experienced Public Works inspector will ensure that quality construction is carried out in accordance with the project plans and specifications; while an Office Engineer will assist the project team with other necessary tasks including satisfying the SLPP grant's requirements for this fast paced and multi-faceted construction project.

ALTERNATIVES

1. Approve the Agreement for Professional Construction Management and Construction Inspection Consultant Services to Transtech Engineers, Inc. (Transtech) 413 MacKay Drive, San Bernardino, CA 92408, for Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue, authorize the City Manager to execute a contract with Transtech in the form attached hereto, authorize the issuance a Purchase Order to Transtech in the amount of $999,200 ($868,870 for the agreement plus the 15% contingency amount of $130,330) when the Agreement has been signed by all parties, and authorize the City Engineer to execute any subsequent amendments to the Agreement with Transtech, up to but not to exceed the Purchase Order contingency, subject to the approval of the City Attorney. *This recommendation will allow for much needed improvements that are integral to the City's Economic Development Plan.*

2. Do not approve the Agreement for Professional Construction Management and Construction Inspection Consultant Services to Transtech Engineers, Inc. (Transtech) 413 MacKay Drive, San Bernardino, CA 92408, for Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue, do not authorize the City Manager to execute a contract with Transtech in the form attached hereto, do not authorize the issuance a Purchase Order to Transtech in the amount of $999,200 ($868,870 for the agreement plus the 15% contingency amount of $130,330) when the Agreement has been signed by all parties, and do not authorize the City Engineer to execute any subsequent amendments to the Agreement with Transtech, up to but not to exceed the Purchase Order contingency, subject to the approval of the City Attorney. *This recommendation will delay much needed improvements that are integral to the City's Economic Development Plan.*

FISCAL IMPACT

The funding sources for this project are: RDA Tax Increment Fund 892 ($6M through an Agreement with Riverside County Flood Control and Water Conservation District), borrowed DIF Library and Corporate Yard Fund 412 ($6.5M), DIF Arterial Streets Fund 416 ($2.5M) - re-sequenced from Kitching Street Improvements project from Cactus Avenue to Gentian Avenue, General Fund 412 ($1.3M) - re-sequenced from Heacock Street and Cactus Avenue Channel Improvements, DIF Traffic Signals Fund 417 ($0.27M), Measure "A" Fund 125 ($3.1M) - re-sequenced from Reche Vista Drive Realignment project, and anticipated SLPP Grant monies Fund 125 ($1M). Total available funding is $20,672,000. Assumptions for this project include that the adjacent property owners will dedicate and be credited for an estimated $1M towards right of way.

BUDGETED FUNDS FOR DESIGN AND CONSTRUCTION:
Fiscal Year 2011/2012 Budget (Account No. 125.New) $20,672,000

ESTIMATED PROJECT COSTS:
Consultant Construction Management and Inspection Costs..... $999,000
City's Plan Check and Project Management Administration * $881,000
Construction Phase Technical Services (Survey, Geo, Design Support, etc.) .. $950,000
Construction and Utility Relocation Costs $17,842,000
Total Estimated Project Costs $20,672,000

* Public Works and in-house consultant staff will provide Plan Check and Project Administration.

ANTICIPATED PROJECT SCHEDULE:
Complete PS&E .....Fall 2011
Public Bid and Award of Construction .....Three Months Thereafter
Complete Construction.....Approximately Twelve Months

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project implements an initiative of the Economic Development Action Plan. The proposed improvements consists of the ultimate width street improvements along 1) Cactus Avenue between Lasselle Street and Nason Street and 2) Nason Street between Cactus Avenue and Iris Avenue. Staff is requesting that City Council approve the Agreement with Transtech for Professional Construction Management and Inspection Consultant Services so that these improvements can move forward.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement for Professional Services

Prepared By:
Viren A. Shah, P.E.
City's Program Manager

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00116546

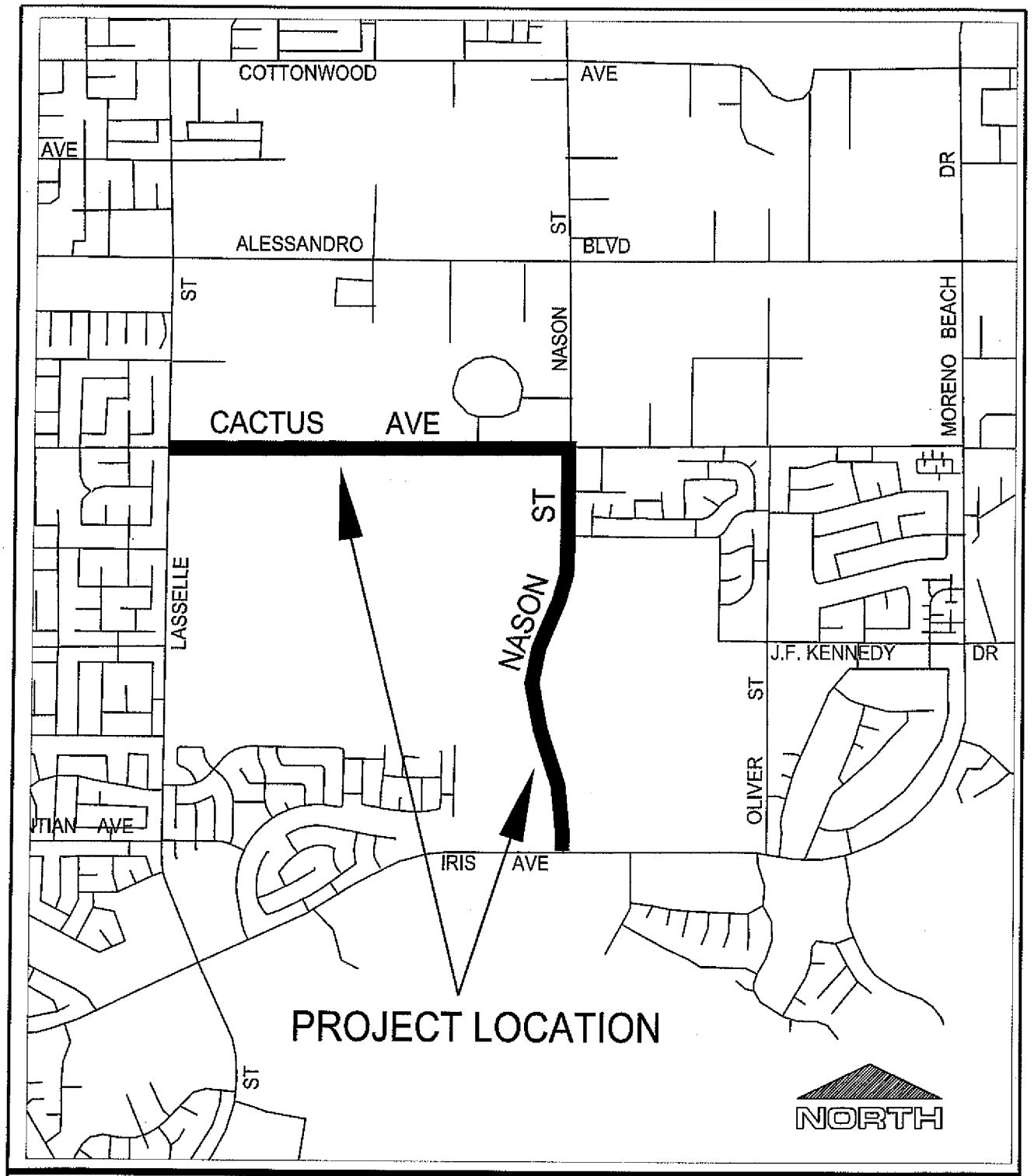

CITY OF MORENO VALLEY
DECEMBER 3, 1984

CAPITAL IMPROVEMENTS PROJECT

Public Works Department
Capital Projects Division

LOCATION MAP

STREET IMPROVEMENTS
CACTUS AVENUE AND NASON STREET

ATTACHMENT "A"

Item No. A.5

MV00116547

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MV00116548

AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Transtech Engineers, Inc., a California corporation, partnership, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

DESCRIPTION OF PROJECT

1. The Project is described as professional consultant Construction Management and Construction Inspection services for:

Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $995,595.00 in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **June 30, 2013** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10 (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation

to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with all applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA and CDS, their officers, agents or employees.

(b) The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of

the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, their officers, agents or employees.

(c) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

	General Liability
Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property

Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, RDA and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) The City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno

Valley Community Redevelopment Agency, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are legally employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his/her designated representative, immediately upon request in both hard copy and electronic format, all documents, drawings, models, presentation materials, renderings, calculations, specifications, permits and permit-related documents, surveys, materials tests, geotechnical reports, etc., if available, developed to date for the City's project and any other City-provided documents, which shall become the property of the City. The Consultant may retain for its files, at its expense, copies of any and all materials, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project. The City reserves the right to ask for a hard copy and/or an electronic copy of the documents developed to date at any time during the period of this agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any, for professional services related to the City's project.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without cause on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of

the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his/her designated representative, in both hard copy and electronic format, all documents, drawings, models, presentation materials, renderings, calculations, specifications, permits and permit-related documents, surveys, materials tests, geotechnical reports, etc., if available, developed to date for the City's project and any other City-provided documents, which shall become the property of the City. The Consultant may retain for its files, at its expense, copies of any and all materials, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any, for professional services related to the City's project.

(d) The City agrees to hold the Consultant harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall

assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree that, to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. Subject to the provisions of Section 19 (a) above, all plans, drawings, specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon demand by the City, be delivered to and become the property of the City for the limited use as set out above, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

Transtech Engineers, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Attachments: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

REQUEST FOR PROPOSAL
FOR PROFESSIONAL PROJECT MANAGEMENT, CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES
FOR STREET IMPROVEMENTS
1) ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET AND
2) ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE
FOR
THE CITY OF MORENO VALLEY'S CAPITAL PROJECTS DIVISION

I. INVITATION

You are hereby invited to submit a Proposal for: 1) Project Management Consultant (PMC) Services, Part 1; and 2) Construction Management Consultant (CMC) Services, Part 2, 3) Construction Inspection Consultant (CIC) Services, Part 3, associated with the above referenced project.

Five (5) copies (one of the copies shall be unbound and paper clipped, with no tabs, holes, perforations, or cardboard inserts, suitable for copying with an automatic-feed copy machine and one copy shall be on compact disk (CD) of your Proposal shall be submitted before **5:00 p.m., June 8, 2011** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (mail delivery), Attention: Viren Shah, City's Program Manager.

II. GENERAL PROJECT DESCRIPTION

The project in general consists of the ultimate width street improvements along 1) Cactus Avenue between Lasselle Street and Nason Street and 2) Nason Street between Cactus Avenue and Iris Avenue. The adjacent property owner and developer, Highland Fairview Properties (HFP), has been coordinating the preparation of the design plans for the ultimate street improvements as part of the 760 acre Aquabella Specific Plan (formerly Moreno Valley Field Station Specific Plan). The Aquabella development is on an indefinite hold due to the current depressed housing market. Because these street segments are considered very strategic to the City's Economic Development Plan approved by City Council in April 2011, the City is taking a proactive approach in assisting with the completion of the plans, specifications and estimate (PS&E). The intent is for the current designers to complete their PS&E in accordance with the "Greenbook" and consistent with the California Public Contract Code. The City will coordinate the bidding and construction of the project. In general, the proposed improvements are intended to be the "full street improvements with all dry and wet utilities included but no landscaping" (see attachments for more details). As the plans and specifications are being finalized and an accurate cost estimate is established, the project may be scaled down due to funding limitations.

III. PROJECT BUDGET AND SCHEDULE

The funding for both projects have been tagged at slightly below $20 Million including $1 Million in anticipated State Local Partnership Program (SLPP) grant monies for the Cactus Avenue project. Although the City intends to put both projects out to bid as one large project to take advantage of the anticipated "economies of scale", there is a possibility that the project may be bid as two separate projects with some time lag due to project readiness and therefore, the Consultant's proposal should reflect both possible scenarios. The goal is to complete the project construction within two years or less from the award date of this

Consultant contract.

The Tentative Schedule is as follows:
Anticipated Award of this Consultant Contract: Early July 2011
Biddable PS&E Complete: Early Fall 2011 or sooner
Public Bid and Award of Construction Contract(s): 3 months thereafter
Construction: Approximately 12 months

IV. SCOPE OF SERVICES

The Consultant shall perform all project management services necessary for a professionally completed project including but not limited to coordinating with all applicable design consultants, agencies and utilities to compile a final set of PS&E for the public bid process, award of construction contract(s), provide oversight during construction including construction management and/or construction inspection services and close out of the project at the end. The scope of work outlined below must be performed in accordance with City of Moreno Valley's processes and procedures, "Greenbook" and California Public Contract Code requirements.

DETAILED PROJECT DESCRIPTION:

The following scope of work is not a complete listing; it is intended to aid the consultant to identify a complete and comprehensive scope of work.

PART 1: PROJECT MANAGEMENT CONSULTANT (PMC) SERVICES

The designated Consultant Project Manager, under the general direction of the City Program Manager, shall be responsible for overseeing all aspects of project development and coordination.

Typical Project Management Services shall include, but not be limited to:

1. Prepare and maintain a project schedule identifying the critical path for expeditious project completion.
2. Conduct and attend all applicable meetings with all applicable stakeholders. At the conclusion of each meeting the Consultant shall prepare and distribute meeting minutes, within three (3) working days, to the satisfaction of the City Program Manager.
3. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.
4. Schedule, facilitate, and attend public meetings as necessary.
5. Provide progress reports at a minimum on a monthly basis.
6. Compose all correspondences to keep the project on schedule.
7. Attend and present the project to City Council as required.
8. Check all contract documents to ensure compliance with the Caltrans Local Assistance Procedure Manual (LAPM) and funding requirements, as required for the SLPP grant.

9. Prepare all submittals to Caltrans Local Assistance in accordance with the LAPM and other Caltrans requirements, as required for the SLPP grant.
10. Prepare reimbursement requests and invoices to Caltrans for the SLPP grant in accordance with the City - State Program Supplemental Agreement (PSA).
11. Prepare staff reports to City Council for authorization of agreements, amendments, Closed Session action items, etc.
12. Prepare agreements and assist with issuance of Purchase Orders.
13. Coordinate with all applicable agencies/utilities including the preparation of inter-agency agreements.
14. Coordinate with funding agencies and prepare reports, updates, funding reports, and grant applications as necessary for project funding.
15. Prepare project update write-ups for distribution to media and public.
16. Assist with annual Capital Improvement Program (CIP) budget update or funding programming where necessary.
17. Investigate and coordinate all utility conflicts with utility owners. Prepare applicable utility notices and coordinate with utility companies for relocation of interfering utilities.
18. Issue all necessary Notices to Proceed (NTP).
19. Assist with review and process of all invoices (City staff will approve).
20. Compose Requests for Proposals (RFP), Notices Inviting Proposals (NIP), and Scopes of Services to retain other related support services, services of specialty Consultants/Contractors needed during construction, such as Surveying, Geotechnical, Material Testing, Deputy Inspection, etc.; coordinate and schedule these services; and review proposals as necessary.
21. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.
22. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.
23. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.
24. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.
25. Oversee and provide review and concurrence of all applicable reports i.e. Geotechnical Report, Traffic Study, Environmental Documents, Final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, Easements incl. temporary construction easements and all other applicable project documents. The Consultant shall prepare the Notice of Intent (NOI) for the SWPPP Plan through the Regional Water Quality Control Board.

26. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

    a. Various City Council Staff Reports.

    b. Utility correspondence letters and e-mails.

    c. Federal, State and local correspondence.

    d. Federal, State and local documentation required for the project.

    e. Right-of-way related documents and correspondence.

    f. Necessary communication and reports to the funding agencies.

27. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claims avoidance emphasis.

    a. Review of existing geotechnical/geologic maps, reports or other related documents to ensure that the project Plans and Specifications have adequately addressed geotechnical evaluation and recommendations on, including, but not limited to, grading, earthwork, settlement, surface and subsurface drainage, foundation/column/slab design, slope stability, pavement design, trench backfill, retaining wall design, environmental concerns, removal of unsuitable materials, etc

    b. Verify that the plans and specifications adequately address the drainage and utility challenges of the project site.

    c. Confirm that the existing field topography conditions are correctly addressed in the final PS&E

    d. Evaluate the plans and specifications for ADA compliance

    e. Confirm all necessary rights of way needed for the project have been acquired and provide independent review of property surveys, plats, and legal descriptions to ensure accuracy of the documents.

    f. Confirm that all permit (incl. environmental mitigations) requirements are adequately addressed. The Consultant shall identify all environmental concerns for the specific improvements and coordinate with the applicable agencies for requirements to be addressed in the plans and specifications for applicable project conformance.

    g. Confirm that all traffic control requirements are adequately addressed in accordance with the latest update of the MUTCD.

    h. Confirm that the bid schedules including any additive alternatives adequately captures all scope of work required of the contractors.

    i. Confirm that the engineer's estimate for the various bid schedule items adequately reflect the ballpark costs for the work item at the time the project is advertised for bid.

    j. Confirm the PS&E package is complete and ready for public bidding

purposes. The latest edition of the Greenbook (Standard Specifications for Public Works Construction and subsequent amendments) shall be used on the project, except for traffic signals, striping, and traffic signs. The technical portion of the Caltrans Standard Specifications shall be used for the traffic signals, striping, and traffic signs

28. Coordinate and ensure that all stakeholders and City Divisions and Departments complete plan check of all appropriate project documents.

29. Review the Aquabella development's Conditions of Approval for conditions applicable to the street improvement designs.

30. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

31. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated to ensure a comprehensive set of Final PS&E is prepared ready for bid.

32. Consultant shall coordinate any adjustments to the final design plans and corresponding documents with the applicable design consultant/utility to reduce the scope of work to match available budget in accordance with City-specified priorities.

33. The PMC shall be responsible for administrating the advertising for construction bids and attending the bid opening of the project according to the California Public Contract Code for municipal agencies and shall provide support during bidding and construction. The required Design and Project Management Consultant Services shall include, but not be limited to:

    a) Prepare and coordinate bid notices to be advertised and posted at various plan rooms, trade publications and on the City's website.

    b) Prepare bid packages for distribution as necessary.

    c) Maintain plan holder's list

    d) Schedule and conduct pre-bid meetings and site visits, if held.

    e) Provide responses to bidders' questions.

    f) Prepare and issue addenda if required.

    g) Coordinate and attend construction bid opening at the City Clerk's Office. Evaluate and check all bids submitted are complete and consistent with established requirements.

    h) Evaluate and check all bids to establish the lowest responsive and responsible bidder.

    i) Check references and licenses of bidders.

    j) Draft City Council Staff Report for award of construction contract and process the contract agreement with the lowest responsible bidder.

    k) Attend the City Council meeting for award of the contract, available to answer questions, and defend the project.

    l) Prepare, coordinate, and process Notice of Award, Agreements, and

Purchase Order.

m) Review insurance, bonding, and other required documents.

n) Answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during bidding process and pre-construction meeting. The Project Manager Consultant shall coordinate with the applicable Design Consultant in preparation of addenda necessary due to omissions or conflicts in the design.

34. Provide all applicable project management oversight of the CMC (in accordance with Part 2 herein), CIC (in accordance with Part 3 herein), construction contractors, utilities, agencies and all construction related activities. This must include coordination of all conflicts in the design that may have been identified during the construction as well. The Consultant does not have authority to make changes or deviations from the Plans and Specifications, except as authorized by the City Program Manager with concurrence from the Design Consultant.

35. Review and process all reports, invoices, agreements, contracts, contract/construction change orders, request for information, claims, notices and other applicable documents during construction to ensure project is running smoothly within budget and on time. Coordinate and follow-up on all claims, notices, non compliance issues, etc. that may have occurred during the construction phase.

36. Coordinate all close-out activities after construction is completed including coordination with all jurisdictional environmental agencies, permitting agencies, utilities, etc.

37. Prepare and submit GASB 34 documentation in the City's format along with the as-built drawings. Prepare status report for project close-out, prepare Staff Report for project acceptance and assist with filing of Notice of Completion.

38. Present the City with a complete project close-out file including performing such other project related duties as may be required by the City.

39. Perform warranty walk within one (1) year of the Notice of Completion and coordinate all follow-up activities needed to ensure successful closure of project issues.

PART 2: CONSTRUCTION MANAGEMENT CONSULTANT (CMC) SERVICES

The Construction Management Services shall include general project management activities to project closure as well as full-service construction management during the construction phase of the project.

The Construction Management Services may also include Inspection Services or oversight of the Inspection Services. If more than one inspector is required to oversee the work, it is the responsibility of the Construction Manager to anticipate the need and to provide or recommend the additional services required. The City Program Manager will make the final decision with regard to utilizing the Inspection Services, or to select an Inspector through other accepted means.

**FOR PROFESSIONAL PROJECT MANAGEMENT,
CONSTRUCTION MANAGEMENT AND
CONSTRUCTION INSPECTION CONSULTANT SERVICES**

General Services

General Construction Management Services duties shall include, but not be limited to:

1. Prepare and maintain construction related specific schedule identifying the critical path for expeditious project completion.
2. Schedule and conduct the pre-construction meeting with all stakeholders, including preparations of agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.
3. Schedule, facilitate, and attend public meetings as necessary.
4. Attend and present the project to City Council as required.
5. Check all contract documents to ensure compliance with the Caltrans LAPM and funding requirements, as required for the SLPP grant.
6. Prepare all submittals to Caltrans Local Assistance in accordance with the LAPM and other Caltrans requirements, as required for the SLPP grant.
7. Prepare reimbursement requests and invoices for Caltrans and other funding agencies for the SLPP grant.
8. Prepare agreements and assist in processing Purchase Orders.
9. Issue all necessary Notices to Proceed (NTP).
10. Review and process all invoices (City staff will approve).
11. Compose RFP's, NIP's, and Scopes of Services to retain other related design services, services of specialty Consultants/Contractors needed during construction, such as Design Review, Surveying, Special Inspection, Geotechnical, Material Testing, etc.; coordinate and schedule these services; and review proposals as necessary.
12. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.
13. Maintain consistent communication (daily or weekly, depending on project activity/complexity) with the City Program Manager.
14. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.
15. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.
16. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

Construction Management Services

Typical Construction Management services shall include, but not be limited to:

1. Provide contract administration for the project and coordinate with other

construction, as required.

2. Coordinate and participate in pre-construction contract award activities, including conducting pre-construction meeting, and issuance of Notice to Proceed in accordance with the City's procedures.

3. Establish and maintain project controls and provide administrative, management, and related services necessary to coordinate the work of the Contractor and all sub-contractors in order to facilitate timely completion of the project in accordance with contract documents and City objectives.

4. Assist the Contractor in obtaining all building, grading, and other construction permits necessary for the project.

5. Provide, manage, coordinate, and ensure timely completion/approvals in response to all Requests for Information (RFI), shop drawings, product data samples, submittals, Change Notices, Intend to File Change Notices, and Construction Change Orders (CCO), as well as review, negotiations and issuance of the CCO to the Contractor.

   Follow the established City procedures in processing CCO. Following is a brief outline of the City's procedures:

   a. Review requests for CCO received from the Contractor to ensure validity and applicability of costs based on the scope of work.
   b. Recommend necessary or desirable project changes to the City with Design Consultant's concurrence.
   c. Assist the City with concurrence of the Design Consultant in CCO negotiations.
   d. Submit recommendations to the City relative to change order requests.
   e. Prepare the CCO, obtain project designer's concurrence, and obtain Contractor and Design Consultant's signature on the CCO forms for the City's consideration, review, and approval.
   f. Prepare staff report(s) for City Council approval of CCO, if necessary.

6. Ensure that contractor's daily work effort is documented.

7. Prepare agenda, conduct weekly construction progress meetings and distribute minutes within three (3) working days.

8. Ensure adequate inspection coverage for the project, coordinate and oversee project inspector(s).

9. Schedule Building and Safety inspection of Electrical Service/Cabinets, footings, specialty retaining walls, applicable structural components or as otherwise required.

10. Coordinate and schedule SCE service for applicable appurtenances.

11. Coordinate and schedule telephone service with the City's Telecommunications Engineer or directly with Verizon.

12. Coordinate and schedule needed water service, water meter(s), and re-location of water line etc. with the local water purveyor as necessary for the project.

13. Schedule with the City's Traffic Operations Supervisor to inspect new and modified traffic signals. The Consultant shall be responsible to document all work, including the Traffic Supervisor's inspection in the Consultant's Daily Diary.

14. Provide administrative, management, and related services as required to coordinate work and to complete the project in accordance with the City's objectives for cost, time, and quality. The Consultant shall provide sufficient qualified personnel and management to carry out the requirements of the Project.

15. Schedule and conduct pre-construction and construction progress meetings to discuss such matters as procedures, progress, problems, scheduling, and coordination and other project related items. The Consultant shall coordinate with the utility companies for the relocation of any of their facilities that conflict with the proposed improvements and continue coordination until the utility conflict is resolved. General construction progress meetings may be required on a weekly basis until the project is completed. Primary attendees will include: Utilities, Agencies, the City of Moreno Valley, and the Contractor. Prepare meeting agendas, and minutes for all meetings. The minutes shall be prepared and distributed to all attendees within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phone numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

16. Obtain building permits and special permits for the improvements. The Consultant shall verify that the applicable fees and assessments have been paid, and shall assist in obtaining approvals from authorities having jurisdiction over the permits.

17. Maintain continuous 24-hour telephone accessibility during construction activity for emergency use.

18. Maintain the record copies of the following:

    a. Plans, specifications, and contract documents with all changes and modifications.
    b. Permits.
    c. SWPPP and WQMP
    d. Addenda(s), change order(s), shop drawings, product data, submittals, and samples.
    e. Material testing and certification reports in accordance with the City's Quality Assurance Program (found on City's website)
    f. Progress payments, inventories, and applicable codes.
    g. Contractor's reports, correspondence, certified payrolls, and accident reports.
    h. Survey and layout data and certifications, photographs of as-built

locations and depths.

i. List of addresses, telephone and license numbers of General Contractor, all sub-contractors, material suppliers, and utility agencies.

19. Determine whether the work of the Contractor is being performed in accordance with the requirements of the contract documents, and endeavor to guard the City against defects and deficiencies in such work. The Consultant shall make recommendations to the City's Program Manager regarding special inspection or testing of work not in accordance with the provisions of the contract documents whether or not such work is then fabricated, installed or completed. The Consultant shall also inform the City of work that does not conform to the requirements of the contract documents. The Consultant shall review the Contractor's recommendations for corrective action on observed non-conforming work.

20. Consult with the Design Consultant and City Program Manager if any contractor requests interpretations of the meaning and intent of the PS&E, and shall assist in the resolution of questions which may arise.

21. Identify and report potential contractor claims and recommend resolution.

22. Prepare the weekly statement of working days and send to the Contractor on a weekly basis.

23. Conduct interviews with the Contractor's and subcontractor's employees to ensure labor compliance.

24. Compare Certified Payrolls with Inspection Reports, employee interview forms, and the Prevailing Wage Rates, and verify proper payment in compliance with the project Specifications.

25. The Consultant does not have authority to make changes or deviations from the Plans and Specifications, except as authorized by the City Program Manager with concurrence from the Design Consultant.

26. Incorporate approved changes as they occur.

27. Review, comment and recommend processing of invoices for progress and final payments.

28. Endeavor to achieve satisfactory performance from each of the contractors and recommend courses of action to the City Program Manager when requirements of a contract are not being fulfilled and the non-performing party will not take satisfactory corrective action from the CMC.

29. Provide regular monitoring of the approved estimates of Total Construction Cost, showing actual costs for activities in progress, and estimates for uncompleted tasks. The Consultant shall identify variances between actual and budgeted or estimated costs, and inform the City Program Manager whenever Project costs exceed budgets or estimates.

30. Maintain cost accounting records on authorized work performed under unit costs, additional work performed on the basis of actual costs of labor and materials, or other work requiring accounting records.

31. Ensure that safety programs are developed by the Contractor as required by their contract documents, and coordinate the safety programs for the project.

32. The Consultant shall not be responsible for the construction means, methods, techniques, sequences and procedures employed by the Contractor in performance of their contract with the City. The Consultant shall also not be responsible for the failure of the Contractor to carry out their work in accordance with the contract documents. The Consultant shall be responsible, however, for any reports, advice or information provided to the Design Consultant regarding the Project and the work of the Contractor, including any information regarding the compliance of their work with the contract documents.

33. The Consultant shall provide documentation (e.g. memorandum, letter, email, etc.) to the Contractor, City Program Manager, etc., regarding all important issues, decisions, and discussions within three (3) working days or immediately if the situation warrants.

34. The Consultant shall be required to document and submit weekly written progress reports to the PMC and City Program Manager on multiple construction phases of the project, which shall include information on the Contractor and the Contractor's work, as well as the entire Project.

35. Verify the Contractor's check-out of utilities, operational systems and equipment for readiness, and assist in their initial start-up and testing.

36. Determine when the Contractor's work or a designated portion thereof is complete. The Consultant shall prepare a list of incomplete or unsatisfactory items (punch list) and a schedule for their completion. The Consultant shall coordinate the correction and completion of the Work.

37. Evaluate the completion of the work of the Contractor and make recommendations to the City Program Manager when work is ready for final inspection. The Consultant shall assist the City Program Manager in conducting final inspections and shall secure and transmit to the City Program Manager required guarantees, affidavits, releases, and waivers. The Consultant shall also deliver keys, manuals, and record drawings to the City.

38. Perform any necessary management services during the warranty period of the construction contract.

39. Address any business owner's and property owner's concerns and inquiries.

40. Coordinate close-out of the project, obtain necessary operation manuals, warranties, guarantees, and other applicable necessary information. Provide all documentation in a well-organized (binders, folders, CDs, etc.) manner in both electronic and hard copies.

41. Obtain all releases and warranty bonds from the Contractor and sub-contractors. Provide all documentation in a well organized (binders, folders, CDs, etc.) manner in electronic and hard copies.

42. Deliver a final completed project to the City which is in compliance with the PS&E package, and all applicable codes, standards and requirements.

43. Coordinate all red-line comments prepared by the Contractor and project inspector through the Design Consultant to place as-built information on the Mylars. The as-built drawings must be obtained from the contractor prior to the release of the final retention payment.

44. Prepare status report for project close-out, prepare Staff Report for project acceptance and assist with filing of Notice of Completion.

45. Prepare and submit GASB 34 documentation in the City's format along with the as-built drawings

46. Present the City with a complete project close-out file.

47. Perform such other project related duties as may be required by the City.

48. Perform warranty walk within one (1) year of the Notice of Completion.

49. The extent of the duties, responsibilities, and limitations of authority of Consultant as a representative of the City during the construction shall not be modified or extended without the written consent of the City Program Manager.

PART 3: CONSTRUCTION INSPECTION CONSULTANT (CIC) SERVICES

In general, the Consultant Construction Inspector shall have the necessary experience and know-how of construction equipment, materials, methods, and workmanship for the specific work to be performed on the projects. The Consultant Inspector shall be able to understand and interpret Plans and Specifications and shall be familiar with the Greenbook (Standard Specifications for Public Works Construction), Caltrans Standard Specifications, City Standards, and OSHA Construction Safety Orders. The Consultant Inspector shall be able to interact professionally with contractors, engineers, property owners, business owners, and the public at large; coordinate with other City personnel; promote quality customer service; and respond promptly and courteously to requests. The Consultant Inspector shall be able to follow verbal and written instructions, communicate clearly and concisely, both orally and in writing.

Typical Consultant Inspection services shall include, but not be limited to:

1. Review the Plans and Specifications thoroughly prior to the pre-construction meeting.

2. Establish effective communications with the Contractor, other agencies, utilities, and business and property owners.

3. Ensure compliance with the Plans, Specifications, and other requirements,

such as, but not limited to, the Contract, Traffic Control, Cal/OSHA Standards, CCO, Permits, Standard Plans, checking line, grade, size, elevation, and location of improvements.

4. Monitor extra work.

5. Perform project oversight for the monitoring of traffic control, damage to infrastructure, and replacement of infrastructure to City Standards.

6. Attend the weekly construction meetings.

7. Keep daily dairies (log), fill out Incident (accident) Reports, and take pictures of the project. A daily Inspection Report identifying work done by the Contractor shall be submitted to the PMC, CMC and City Program Manager by the next business day. The Consultant shall also keep a daily log containing a record of weather, the Contractor, work on the site, number of workers, craft or trades, equipment, subcontractors, work accomplished, problems encountered, and other similar relevant data as the PMC, CMC and City Program Manager may require. The Consultant shall make the log available to the City.

8. Document all Contractor delays, reasons for delay, length of time for delay, and Phases of work.

9. Monitor and provide supporting documentation on the personnel and equipment that is involved with any extra work performed by the Contractor.

10. Coordinate and schedule with geotechnical, survey and special inspection firms or City Building and Safety inspectors based on project construction progress and contractors' requests.

11. During the course of inspection and monitoring of the work, if the Consultant Inspector observes an unsafe situation, he shall notify the Contractor of the violation and provide written notification of such infraction to the Contractor. If the Contractor refuses to comply, the Consultant Inspector shall notify the City and Cal OSHA.

12. Measure and tabulate contract quantities.

13. Review the Contractor's invoices and independently verify completed work and all quantities.

14. Prepare a list of items for correction (punch list) and prepare redlined as-built plans.

15. The Consultant Inspector does not have the authority to allow deviations from the Contract Plans and Specifications.

16. Possess a digital camera, and shall provide digital images of the project to the City of Moreno Valley in "jpg" format.

17. Possess a lap top with internet to access emails and electronic files in the

field.

18. Possess a vehicle and a mobile phone for immediate contact by the City, show proof of a valid California's driver's license, and insurance.

19. Normal working hours are from 7:00 a.m. to 3:30 p.m. with a ½ hour lunch break; however, the Contractor may be allowed to start earlier to minimize disruption to business and intersection work may be performed at night with written authorization from the City.

20. Perform other related duties as required.

V. CONSULTANT'S PROPOSAL AND COMPENSATION

The Consultant's Proposal shall be no more than 50 pages. The page limits exclude a cover letter of up to two pages, resumes up to two pages per person, dividers, certificates, and appendices. Resumes, billing rates, project schedule, resource matrix, certificates, and other required forms shall be attached in the appendices. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services and failing to comply with requirements and conditions of the Request for Proposal will not be given further consideration.

At a minimum, the Proposal shall include the following sections:

A. **Project Understanding:** This section should clearly convey clear understanding of the nature of the work, identification of major project issues, and proposed solutions thereof, from both the Consultant and the sub-consultants (consultant team).

B. **Approach and Management Plan:** This section provides the consultant team's proposed approach and management plan for providing services. Include an organization chart showing proposed relationship among consultant team/staff as well as any other parties that may have significant role in the delivery of this project.

C. **Qualifications and Experience:** Provide qualifications and experience of the team for this project. Emphasize the specific qualifications and experience from projects similar to this project for the key team members including references. Identify and provide in-depth information for the proposed PMC, CMC & CIC's qualifications, track record and relevant experience. A rate schedule *must* be submitted with the Proposal. The rate schedule must list titles, names, roles, and hourly billing rates in rows. A statement that said hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred shall also be included. All extra work will require prior approval from the City.

D. **Staffing Plan:** Discuss staffing plan, the workload, both current and anticipated, for all key team members, and their capacity to perform the requested services according to the proposed schedule. Discuss the firm/team's approach for completing the services required for this project within budget and schedule. The plan should show flexibility and consideration in resource loading due to the inherent variability in the schedule and performance of third parties. A resource allocation matrix *must* be submitted with the Proposal. The resource allocation matrix must list detailed tasks in rows and the appropriate individual (Job Title Only) as well as the

number of hours that these individuals (including administrative support services) will be working on each task listed, included in adjacent columns.

E. **Work Plan and Schedule:** Include a description of how each task of the project will be conducted, identification of deliverables for each task and implementation schedule. The work plan should include sufficient detail to demonstrate a clear understanding of the project. Discuss the consultant team's approach for completing the project taking into consideration how extra work is anticipated and incorporated into the contract from the onset. **An itemized cost breakdown for the work described herein must be submitted in a separate sealed envelope as part of the Proposal submittal**.

F. **Quality Control and Assurance:** Discuss QA/QC proposed for each phase/deliverable for this project, including various independent reviews and 95% plan biddability/constructability/claims avoidance reviews.

G. **Additional Relevant Information:** Provide additional relevant information that may be helpful in the selection process (not to exceed two pages).

The Consultant's Proposal shall include the following statements:

1. A statement that this Request for Proposal shall be incorporated in its entirety as a part of the Consultant's Proposal.

2. A statement that this Request for Proposal and the Consultant's Proposal will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley. **The City's standard Agreement will be executed without any proposed changes.**

3. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's Request for Proposal except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

4. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedent over this Request for Proposal for Professional Consultant Services.

5. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact. If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.

6. A statement of sub-consultant's (include relief personnel) qualifications applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.

   A statement that the Consultant acknowledges and understands that the Consultant will not be allowed to change the sub-consultant without written permission from the City.

7. A statement that all charges for Consultant services is a "Not-to-Exceed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.

8. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

9. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

10. A statement that the Consultant's hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this Request for Proposal. All extra work will require prior approval from the City.

11. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

12. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

13. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.

14. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.

15. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.

16. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

VI. GENERAL COMPLIANCE WITH LAWS AND WAGE RATES

The Consultant shall be required to comply with all federal, state, and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

The Consultant is required to submit certified payrolls weekly. This applies to all applicable field personnel working on the project. In accordance with Section 1771.5 (b) (5) of the California Labor Code, the City will withhold payments when the payroll records are delinquent or inadequate.

VII. FEDERAL EMPLOYEE BENEFIT

No member of, or delegate to, the Congress of the United States, and no Resident Commissioner shall be admitted to any share or part of the Agreement to the said project or to any benefit to arise from the same.

The Consultant shall complete and include the "Certification for Contracts, Grants, Loans, and Cooperative Agreements" and "Disclosure of Lobbying Activities" forms (attached) with the Proposal.

VIII. PAYMENT TO CONSULTANT

A. This work is to be performed for a "Not-to-Exceed Fee."

B. The Consultant shall provide a "Project Fee Schedule" indicating the fee for individual tasks with a "Not-to-Exceed Fee" which shall be the sum of all tasks by Part, phase, and milestone.

C. Tasks shall include, but not be limited to, all Professional Consultant Services (including administrative support services) necessary to complete the work covered by this Proposal.

D. The City will pay the Consultant for work completed based on milestones completed and accepted by the City. These Milestones are:

1. Work associated with Project Constructability Review only is completed.
2. PS&E completed and advertised.
3. Project Bidding and City Council award of contract.

4. PMC Services on a monthly basis once construction starts.
5. CMC Services on a monthly basis.
6. CIC Services on a monthly basis.
7. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment. Unless otherwise specifically mentioned, there will be no monthly payments until the milestone is reached at which point all applicable charges will be reviewed for applicability prior to payment. Consultant billing/invoices will commensurate with the pace of the construction work activities. The final 10% of the Consultant contract amount will be held back until all phases of the project is successfully closeout. The Consultant will not receive additional compensation for non-compliance or punch list items that were not identified in a timely manner in order to be addressed by the construction contractor(s).

E. All invoices will specifically identify job title, person-hours, and costs incurred by each task. Lump sump payments will not be accepted as all charges must be documented and justified.

F. Reimbursement costs such as mileage, computer usage, vehicle rates, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fee." However, all overhead and reimbursement costs must be included in the personnel hourly rate for all services rendered upon commencement of the construction phase.

G. All tasks including labor and reimbursable costs such as printing, postage, and delivery shall have supporting documentation presented at the time payment is requested.

H. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services."

I. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services," an "Amendment to the Agreement" will be executed between the City and Consultant.

J. The Consultant shall receive no compensation for any re-work necessary as result of the Consultant's errors or oversight.

IX. INSURANCE

A. The Consultant shall provide Errors and Omissions Professional Insurance. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

B. The Consultant shall have Public Liability and Property Damage Insurance in the amounts as follows:

GENERAL LIABILITY		
Bodily Injury	$1,000,000	per occurrence
Property Damage	$ 500,000	per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

C. The Consultant shall have Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment in the amount of not less than $1,000,000.

D. The Consultant shall have Workers' Compensation Insurance in the amounts as will fully comply with the laws of the State of California.

E. A Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers and employees and agents, under any third party liability policy."

F. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

G. The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverage's nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the Agency, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amount established.

H. It is the consultant's responsibility to ensure that all subconsultants comply with the following: Each subconsultant that encroaches within the City's right-of-way **and** affects (i.e., damages or impacts) City infrastructure must comply with the liability insurance requirements of the City's Land Development Division. Examples of such subconsultant work include soil sample borings, utility potholing, etc.

The "Application for Encroachment Permit" form (four pages), including "Application for Encroachment Permit Liability Insurance Requirements," is available in the Land Development Division and must be completed and submitted in full to the City. It is the Consultant's responsibility to ensure that all subconsultants submit the appropriate encroachment permit and insurance documentation at the same time

that the Consultant's insurance documentation is submitted.

X. INDEMNIFICATION

A. To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA and CDS, their officers, agents or employees.

B. The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, their officers, agents or employees.

C. The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

XI. TERMINATION FOR CONVENIENCE OF THE CITY

The City reserves the right to terminate the "Agreement for Professional Consultant Services" for the "convenience of the City" at any time by giving ten (10) days written notice to the Consultant of such termination and specifying the effective date thereof. All finished or unfinished drawings, maps, documents, field notes and other materials produced and procured by the Consultant under the said aforementioned Agreement is, at the option of the City, City property and shall be delivered to the City by the Consultant within ten (10) working days from the date of such termination. The City will reimburse the Consultant for all acceptable work performed as set forth in the executed Agreement.

XII. INDEPENDENT CONTRACTOR

The Consultant's relationship to the City in the performance of the Consultant's services for this project is that of an independent Contractor. The personnel performing the said Services shall at all times be under the Consultant's exclusive direction and control and shall be employees of the Consultant and not employees of the City. The Consultant shall pay all wages, salaries and other amounts due his employees in connection with the performance of said work shall be responsible for all employee reports and obligations, including but not necessarily restricted to, social security, income tax withholding, unemployment compensation, and Workers' Compensation.

XIII. CONTRACT

The Contract includes the Agreement for Professional Consultant Services, City's Request for Proposal, Consultant's Proposal, and Exhibits. **No changes to the City's standard Agreement will be entertained since there will be no time for negotiations between attorneys to establish a revised acceptable agreement.** All Consultants are required to have a City of Moreno Valley Business License in order to conduct business in the City.

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract.

XIV. GENERAL CONDITIONS

A. Pre-contractual expenses are defined as expenses incurred by the Consultant in: (1) preparing the Proposal; (2) submitting the Proposal to the City; (3) presentation during selection interview; (4) negotiating with the City any matter related to this Proposal; (5) any other expenses incurred by the Consultant prior to an executed Agreement.

   The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Consultant.

B. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any Agreement will be awarded to any Consultant responding to this RFP. The City expressly reserves the right to postpone reviewing the Proposal for its own convenience and to reject any and all Proposals responding to this RFP without indicating any reasons for such rejection(s).

C. The City reserves the right to reject any or all Proposals submitted. Any Contract awarded for these Consultant engagements will be made to the Consultant who, in the opinion of the City, is best qualified.

XV. SELECTION CRITERIA

The Proposals will be rated/ranked according to the following criteria:

1. The Firm's General Experience and Qualification Information (20 points) – Information about the company (and all sub-Consultants) including professional licenses held; ability to furnish required insurance and meet stipulations of the City's "boiler plate" agreement; details about comparable projects completed by the firm, as well as local experience; and its ability to provide the required services in an efficient and expeditious manner.

2. Experience of Key Personnel (40 points) – Background on key personnel (including all sub-consultants) qualifications, abilities, familiarity with state and federal procedures, local experience on comparable projects and length of service with the firm, reference information preferably with General Law City agencies, and proven track record and depth of understanding/ knowledge of the proposed PMC, CMC & CIC.

3. Project Approach/Understanding (40 points) – Understanding of project, discussion of major issues identified on the project and how the Consultant team plans to address them; the management approach and organization necessary to complete the specific project; and outline quality control measures to ensure delivery of a quality product on time, within budget that provides a cost efficient, timely and predictable execution of the project construction.

4. Expedited Schedule and Cost Controls (20 point bonus) – Elaborate based on experience with similar projects as to how the two projects can be completed based on an expedited schedule (please identify the shortened delivery timeline). Elaborate how the Consultant team can confidently deliver the project on time and within budget with specific focus that the Consultant can deliver this project within their executed contract agreement amount avoiding time consuming administrative efforts in processing contract amendments.

Due to the accelerated nature in retaining a Consultant for this project sometime in early to mid July 2011, interviews may not be conducted in selecting the preferred firm. However, if an interview is deemed needed to make the final selection, the Consultant must be prepared to gather the proposed team likely within 24 hours of notification. Only the key individuals assigned to have a significant role in the project will be allowed to make the presentation at the interview

Exhibits incorporated by reference:

1. City Standard Consultant Agreement (no changes to this agreement will be allowed)
2. Nason-Cactus CIP Exhibits dated April 10, 2011 - Compilation of Plans based on current status of completion
3. Improvement Plans Status Summary dated May 4, 2011
4. Addendum to Moreno Valley Field Station EIR and Supplemental EIR

Submitted to:

CITY OF MORENO VALLEY
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805
Attention: Viren Shah
City's Program Manager

TECHNICAL PROPOSAL

PROFESSIONAL PROJECT MANAGEMENT CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES FOR STREET IMPROVEMENTS

1) ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET
2) ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE

Submitted by:

TRANSTECH/MAPCO
Contact Person for this proposal:
David Mlynarski, Project Principal
E-mail: david.mlynarski@transtech.org
T: 909-384-7464; F: 909-384-7475
413 MacKay Drive, San Bernardino, CA 92408

EXHIBIT "B"

Item No. A.5 copy shall be unbound and paper clipped, with holes, perforations, or cardboard inserts, suitable for copying with an automatic feed copy machine and one copy shall be on CD. (As required, Fee Proposal is submitted in a separate envelope)

MV00116584

TRANSTECH/MAPCO ENGINEERS, INC.
413 Mackay Drive | San Bernardino CA 92408 | T 909 384 7464 | F 909 384 7475 | Transtech.org

TRANSTECH
MAPCO

June 20, 2011

CITY OF MORENO VALLEY
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805
Attention: Viren Shah, City's Program Manager

Subject: PROPOSAL FOR CONSULTING SERVICES FOR STREET IMPROVEMENTS
1) ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET
2) ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE

Dear Mr. Shah:

Thank you for the opportunity to present our qualifications to the City and for the subsequent meetings and discussions to develop a cost efficient approach for the subject project.

It is very obvious that the city desires to establish professional relationships with consultants and carry out projects in an efficient and practical fashion. We also see the value to the overall community and business environment that will result with the inducement of these public improvements.

We understand this project will require an efficient coordination with various public and private parties, including City of Moreno Valley, developer, design engineers (RBF, Psomas, Butsko, Arcon), Riverside County Flood Control District, EMWD and Utility Companies. Furthermore, it is also important to coordinate with the Riverside County Hospital (Trauma Center) and the County EMS to maintain emergency vehicle access to the hospital along Cactus Avenue during construction.

Our goal is to provide our services in an efficient manner and minimize inconveniences and deliver the project to the City and public in a cost effective manner.

Our original fee submitted with the proposal was $1,114,000. Based on the meetings with and clarifications provided by the City, we made necessary adjustment in our scope, and our fee was reduced to $914,600. We then provided an additional 5% reduction in our fees as a good will, which resulted in a final adjusted fee of $868,870.

Also, we made appropriate adjustments in the staffing allocation as follows:

- We will assign Kurt Pegg as the Project CM, RE and Bridge Structural Rep, and Mike Schnepf as the Project Inspector. We understand the City desires a commitment that these staff members will be assigned to this project. As we indicated in our proposal, and subsequent communications, our firm is fully committed to assign these staff members to this project. Also, you had indicated that in the event any of these staff members leave our employment for reasons beyond our control, the City would have the right to approve any replacement, and if the City is not satisfied with the proposed replacement, the City would have the right to terminate the contract.
- The level of effort is based on 12 month duration for construction and project closure after start of Construction and under a single construction contract (prime contractor) for both Cactus and Nason Street Projects.
- We allocated additional support that may be need during construction to support Kurt Pegg and Mike Schnepf.
- We deleted general project management services, as this task will be performed by City CIP staff as you indicated.
- The City will hire construction surveying, materials testing and specialty inspection firms under separate contracts.
- The City will have separate contracts with the design firms for the preparation of final PS&E Bid Package, as well as engineering support during construction.

The attached Resource Allocation Table provides detailed breakdown by task and staff as you requested.

Our staff and project team are very excited about the potential of delivering our best effort in support of this project.

Thank you again for your thoughtful consideration.

Sincerely,

David Mlynarski, Principal
david.mlynarski@transtech.org
C: 909-841-0071; T: 909 384 7464, Ext. 106
www.transtech.org

Ali Cayir, PE, Principal
ali.cayir@transtech.org
C: 714-883-8677; T: 909 595-8599, Ext. 121
www.transtech.org

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RESOURCE ALLOCATION

Task	Staff	Rate	Hrs	Fee
Constructability and PS&E Review, including field walk by Project RE, Inspector, and coordination with design team	***Sr Level Staff***	$145	160	$23,200
	Inspector Level Staff	$95	160	$15,200
	Admin Support (minimal, City will assign in-house Project Management Staff)	$65	70	$4,550
	Principal Time for Support (minimal, City will assign in-house Project Management Staff, and retain PS&E Design Consultants for Eng Support during construction)	$145	70	$10,150
	Subtotal		**460**	**$53,100**
Allocation to address unknown issues prior to finalization of PS&E	***Sr Level Staff***	$145	140	$20,300
	Inspector Level Staff	$95	60	$5,700
	Admin Support (minimal, City will assign in-house Project Management Staff)	$65	60	$3,900
	Principal Time for Support (minimal, City will assign in-house Project Management Staff, and retain PS&E Design Consultants for Eng Support during construction)	$145	60	$8,700
	Subtotal		**320**	**$38,600**
Bidding Phase Services to support City Proj Manager, PS&E Engineers for review of questions, field check, etc.	***Sr. Level Staff***	$145	40	$5,800
	Admin Support (minimal, City will assign in-house Project Management Staff)	$65	10	$650
	Principal In Charge Time for Support (minimal, City will assign in-house Project Management Staff, and retain PS&E Design Consultants for Eng Support during construction)	$145	10	$1,450
	Subtotal		**60**	**$7,900**
Construction Phase (12 month duration assumed)	***Project CM, RE, and Bridge Structural Rep:*** Kurt Pegg, PE	$145	2,200	$319,000
	IF NEEDED, EXTENDED HRS BUDGET ALLOCATION: Project CM, RE, and Bridge Structural Rep	$145	200	$29,000
	Project Public Works Inspector: Mike Schnepf	$95	2,200	$209,000
	IF NEEDED, EXTENDED HRS BUDGET ALLOCATION: Project Public Works Inspector	$95	200	$19,000
	Office Eng, Insp Support, State Funding Compliance Staff: Selim Bouhamidi	$65	2,200	$143,000
	Principal Time for Support (minimal, City will assign in-house Project Management Staff, and retain PS&E Design Consultants for Eng Support during construction)	$145	400	$58,000
	Subtotal		**7,400**	**$777,000**
Budget for Additional Inspections	***Budget for Additional Inspections during heavy work periods***	$95	400	$38,000
	Subtotal		**400**	**$38,000**
TOTALS			**8,640**	**$914,600**
Additional Reduction in Fee as a good will			**5%**	**$45,730**
TOTAL REDUCED FEE				**$868,870**

Original Fee submitted with the Proposal	**$1,114,000**
Final Submitted Fee after Meeting with City staff to fine tune scope, including adjustment in Project Management effort as the City will assign an in-house PM and plus an additional 5% reduction in the fee	**$868,870**
Total reduction in dollars between Originally submitted Fee and Final adjusted Fee	**$245,130**
Total reduction in % between Originally submitted Fee and Final adjusted Fee	**22.00%**

TRANSTECH/MAPCO ENGINEERS, INC.
413 Mackay Drive | San Bernardino CA 92408 | T 909 384 7464 | F 909 384 7475 | Transtech.org

TRANSTECH MAPCO

June 20, 2011

CITY OF MORENO VALLEY
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805
Attention: Viren Shah, City's Program Manager

Subject: TRANSTECH/MAPCO
PROPOSAL FOR CONSULTING SERVICES FOR STREET IMPROVEMENTS
1) ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET
2) ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE

Dear Mr. Shah:

This letter serves as a follow up to our conversation regarding company legal name.

As indicated, our operating brand name in Inland Empire is Transtech/Mapco. The legal name of the corporation from which the Insurance will be provided is Transtech Engineers, Inc.

Sincerely,

David Mlynarski, Principal
david.mlynarski@transtech.org
C: 909-841-0071; T: 909 384 7464, Ext. 106
www.transtech.org

Ali Cayir, PE, Principal
ali.cayir@transtech.org
C: 714-883-8677; T: 909 595-8599, Ext. 121
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TRANSTECH/MAPCO ENGINEERS, INC.
413 Mackay Drive | San Bernardino CA 92408 | T 909 384 7464 | F 909 384 7475 | Transtech.org

TRANSTECH
MAPCO

June 8, 2011

CITY OF MORENO VALLEY
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805
Attention: Viren Shah, City's Program Manager

Subject: TECHNICAL PROPOSAL
PROFESSIONAL PROJECT MANAGEMENT, CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES FOR STREET IMPROVEMENTS
1) ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET
2) ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE

Dear Mr. Shah:

Transtech/Mapco is pleased to submit this proposal for the subject project.

We are a multi-disciplinary engineering consulting firm which provides professional and technical services in engineering, planning and construction to governmental agencies, educational institutions and private sector. We serve as turn-key program manager/contractor on large and complex engineering projects by providing full service capability. We have managed and successfully delivered a number of similar assignments.

Our key project team members have extensive experience working for Public Agencies in capacities, such as Contract Building Official, Plans Examiner, Inspector, City Engineer, Planner, Construction Manager and Inspector. As contract City Engineer and Building Official for a number of Agencies, we manage all aspects project as Agency representatives, and provide turn-key services.

Our staff members are licensed as professional engineers, surveyors, plan checkers, building officials and inspectors. We are also licensed as General Contractor A (General Engineering) and B (General Building), and have the ability to function like a General Contractor and coordinate all aspects of construction of similar projects.

Our Firm is recognized as one of the foremost expert firms in the State and Federal funding programs and procedures. We have managed numerous projects under HUD/CDBG, FTA, DOT, FHWA Federal requirements. On most of the projects, our services were provided from design, through construction, including enforcement and monitoring of Davis-Bacon Act Wages, Labor Compliance, DBE/WBE.

Also, one of our unique expertise is in the area of public funds administration as demonstrated in our successfully track record in working with cities and local government agencies to secure funding for various local projects and programs. Since 2005, Transtech has secured approximately $100,000,000 in public funding for its clients.

We also provide our expertise in the construction field to law firms for construction claims. Some of our key staff members served as expert witnesses for construction claims and defects, and teach Engineering, Land Development, Planning, Construction and Project Management class at the Cal State.

Often, on large and complex projects, small local subcontractors and vendors do not participate in the bidding. We work with local Chamber of Commerce and organizations and conduct outreach to promote participation of local businesses in the bidding process as subcontractors and vendors, so that some project funds can be kept in local economy, resulting in the creation of more local jobs.

We understand the importance of providing services that can respond to the project needs based on work load and demand by adjusting level of staffing as necessary, and provide the services in an efficient and cost effective manner without sacrificing the quality and responsiveness.

We have extensive experience in managing similar complex and multi faceted/phased projects. We will develop an expedited schedule to deliver these projects in an efficient and expeditious manner, and within the executed contract agreement amount avoiding time consuming administrative efforts in processing contract amendments.

Our team has extensive experience in all aspects of similar projects, from design concept, design and regulatory agency approvals through construction. We have gained a solid reputation in the industry for delivering cost-efficient projects that are on schedule, within budget, and to the full satisfaction of the client. We have assembled an outstanding group of individuals we believe will provide the Agency with the precise services requested; combining strong technical skills, excellent communication, sensitivity to community values and efficient use of resources.

We have staff and resources readily available for the project.

Thank you for the opportunity to submit this proposal. If you have any questions or need additional information, please contact the undersigned.

Sincerely,

David Mlynarski, Principal
david.mlynarski@transtech.org; T: 909 384 7464, Ext. 106 F: 909 384 7475; www.transtech.org

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SECTION A:	**Project Understanding**	**A.1 – A.1**
SECTION B:	**Approach and Management Plan**	**B.1 – B.2**
SECTION C:	**Qualifications and Experience**	**C.1 – C.5**
SECTION D:	**Staffing Plan**	**D.1 – D.1**
SECTION E:	**Work Plan and Schedule**	**E.1 – E.17**
SECTION F:	**Quality Control and Assurance**	**F.1 – F.1**
SECTION G:	**Additional Relevant Information**	**G.1 – G.1**

APPENDIX — **Appendix 1 – Appendix 19**

City's RFP, Section V. CONSULTANT'S PROPOSAL AND COMPENSATION, states that resumes, billing rates, project schedule, resource matrix, certificates, and other required forms shall be attached in the Appendix Section of the proposal. Based on this requirement, the following applicable information is included in the Appendix:

Resumes	**Appendix 1 – Appendix 14**
Billing Rates	**Appendix 15 – Appendix 15**
Resource Matrix	**Appendix 16 – Appendix 16**
Other Required Forms (Required Statements per the RFP)	**Appendix 17 – Appendix 19**

SECTION A: Project Understanding

The project in general consists of the ultimate width street improvements along:

1. Cactus Avenue between Lasselle Street and Nason Street, and
2. Nason Street between Cactus Avenue and Iris Avenue

The adjacent property owner and developer, Highland Fairview Properties (HFP), has been coordinating the preparation of the design plans for the ultimate street improvements as part of the 760 acre Aquabella Specific Plan (formerly Moreno Valley Field Station Specific Plan). The Aquabella development is on an indefinite hold due to the current depressed housing market.

Because these street segments are considered very strategic to the City's Economic Development Plan approved by City Council in April 2011, the City is taking a proactive approach in assisting with the completion of the plans, specifications and estimate (PS&E). The intent is for the current designers to complete their PS&E in accordance with the "Greenbook" and consistent with the California Public Contract Code. The City will coordinate the bidding and construction of the project.

In general, the proposed improvements are intended to be the "full street improvements with all dry and wet utilities included but no landscaping". As the plans and specifications are being finalized and an accurate cost estimate is established, the project may be scaled down due to funding limitations.

The funding for both projects have been estimated at slightly below $20 Million, including $1 Million in anticipated State Local Partnership Program (SLPP) grant monies for the Cactus Avenue project. Although the City intends to put both projects out to bid as one large project to take advantage of the anticipated "economies of scale", there is a possibility that the project may be bid as two separate projects with some time lag due to project readiness and therefore, the Consultant's proposal should reflect both possible scenarios. The goal is to complete the project construction within two years or less from the award date of this Consultant contract.

The Tentative Schedule is as follows:

- Anticipated Award of this Consultant Contract: Early July 2011
- Biddable PS&E Complete: Early Fall 2011 or sooner
- Public Bid and Award of Construction Contract(s): 3 months thereafter
- Construction: Approximately 12 months

The general scope of work to be provided by the selected Consultant includes all project management services necessary for a professionally completed project, including, but not limited to coordinating with all applicable design consultants, agencies and utilities to compile a final set of PS&E for the public bid process, award of construction contract(s), provide oversight during construction including construction management and/or construction inspection services and close out of the project at the end.

The scope of work will be performed in accordance with City of Moreno Valley's processes and procedures, "Greenbook" and California Public Contract Code requirements.

SECTION B: Approach and Management Plan

B.1. APPROACH AND MANAGEMENT PLAN

Our goal is to deliver the project to the City in an efficient and cost effective manner.

Our approach is to be responsible and accountable for all aspects of the project. This will involve the appropriate level of communication with city staff required to address issues that may impact the project's delivery in a manner that will address any scope, schedule, or budget related issues in a prompt and efficient manner before they result in any major impacts to the project's delivery. Clear and well maintained channels of communication between Transtech and City staff will be critical in the efficient management of this project so that Transtech staff is provided with sufficient information and direction in a manner that does not overburden City staff.

Transtech has established guidelines and policies, including written manuals on quality control, project management, and design procedures for its staff. These guidelines ensure a consistent approach to the execution of assignments undertaken by our organization. They provide Project Managers specific instructions on critical items to check/recheck and allow them to efficiently finalize projects.

Quality Control and Assurance is an important process in our project management approach. This process provides for the objective and thorough review of completed work products at multiple levels. We provide an extensive check of the plans before each milestone submittal. This check is provided by senior engineers with experience in the applicable field. We have an extensive in-house Quality Control and Assurance program to prevent design errors and construction change orders.

Schedule control and management is a critical element. Our project manager conducts weekly in-house meetings with staff to review work progress, discuss any potential issues, and adjust staff resources as necessary to keep the project on schedule.

One of the most common schedule delays occurs during the review and approval process with the public and regulatory agencies. Our approach is to initiate communications with agency staffs early in the project development. Meeting with agency staff during design development and in order to gain a clear understanding of their specific requirements and standards, is key to avoiding any major revisions or conflicts in later project phases that may result in costly scope revisions. This early communication also establishes an understanding of the project schedule, when the plans will be submitted, so that the local approval agencies can plan ahead to review and approve the project plans in a timely manner.

Key project team members will attend regularly scheduled project status meetings with City staff throughout the project's duration. All project-related directions, and commitments made by city staff will be incorporated into the project's record of communication and the status of each issue.

In summary, our approach is to provide proactive management to control every aspect of a project in detail to identify potential issues and problems in advance and take corrective actions before they become problems. This requires extensive hands-on knowledge, experience and management skills of the people involved in managing and inspecting the project. Our team members have extensive experience and proven track record in managing such complex projects and bringing them to a completion on time and within budget. Our staff members have a strong educational background and are licensed and certified as engineers and inspectors.

B.2. PROJECT ORGANIZATION CHART

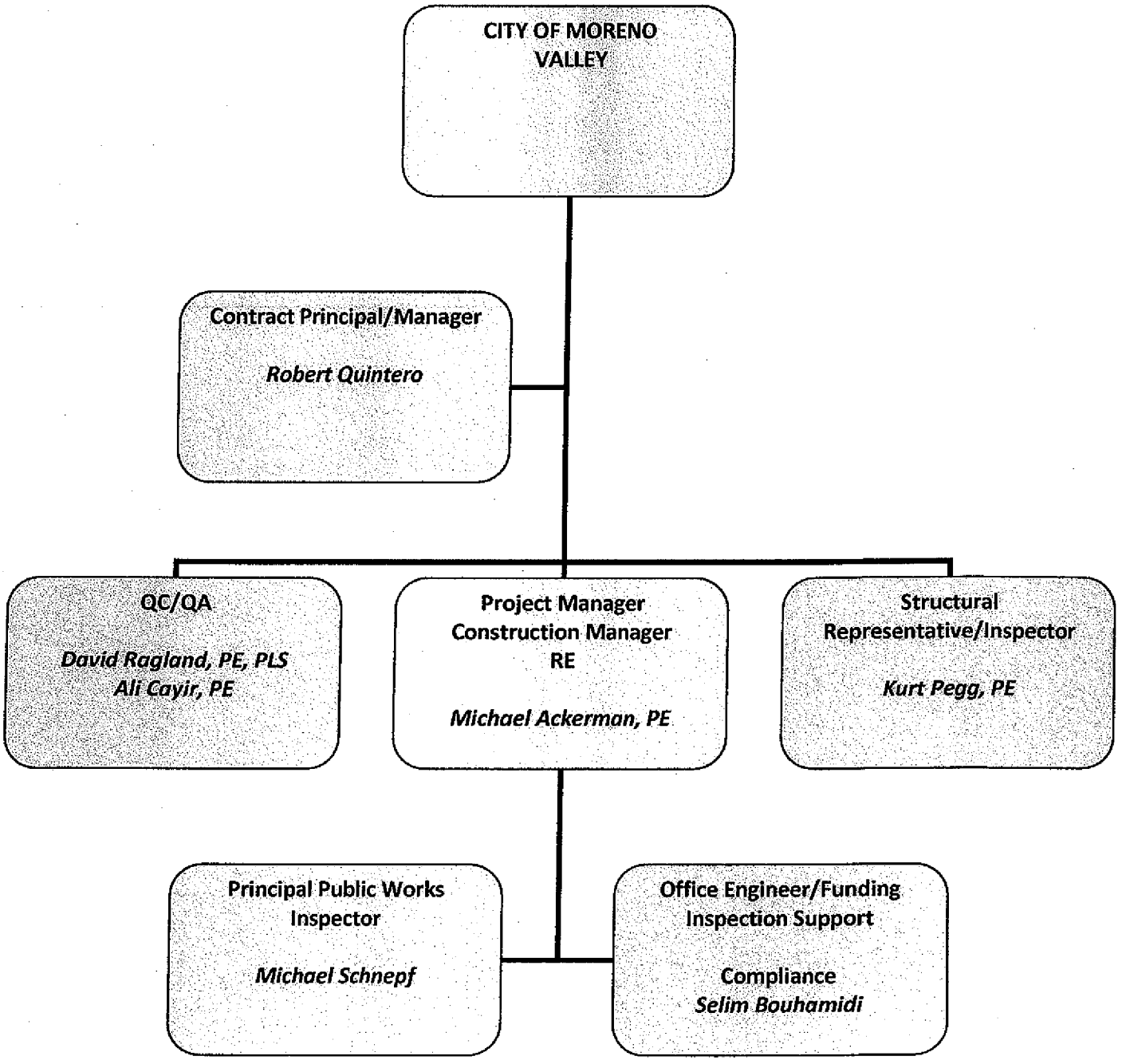

SECTION C: Qualifications and Experience

C.1. SIMILAR SERVICE EXPERIENCE

Following is a partial listing of similar projects where our firm provided similar services requested for this project:

- **Via Duct Boulevard Alignment and Reconstruction, Metrolink San Bernardino Parking Facility Project:** Served as Construction Manager/Resident Engineer. Federally funded project. Cost: $10m
- **Valley Boulevard Widening Project:** Served as Construction Manager/Resident Engineer. Federally funded project. Cost $5m.
- **State Route 710 Interim Improvements and Fremont Ave. Widening/Realignment:** Prepared PS&E as well as provided construction management and inspection services for 3 federally funded projects in Alhambra. Improvements included street, water, sewer, storm drain, landscape, street lighting, traffic signal, and signing and striping plans. The project involved coordination with Caltrans and encroachment permit processing/approval, as portions of the project was in Caltrans jurisdiction. These projects were all federally funded, requiring processing for E-76 through Caltrans Local Assistance. The total cost for 3 projects was $20m.
- **Mission Boulevard Widening:** Prepared PS&E as well as provided construction management and inspection services for Mission Boulevard widening and reconstruction. Improvements included street, water, sewer, storm drain, landscape, street lighting, traffic signal, and signing and striping plans. Transtech also provided construction management and inspection services for the project. The project involved coordination with Caltrans, and was federally funded and required processing for E-76 through Caltrans Local Assistance. Cost $3m.
- **City of Torrance Crenshaw and Skypark Reconstruction Projects:** Prepared PS&E as well as provided construction management and inspection services for Federally Funded reconstruction/rehabilitation of Crenshaw Boulevard and Skypark Avenue (2 separate projects). Cost: $3m.
- **Design and construction management of 3500 feet of 20 to 36 inch ductile iron water transmission main in the City of San Bernardino:** For the development of University Park. Design of over 10,000 feet of 8 thru 12 inch DIP water main for water distribution.
- **CSUSB (Cal State SB University) San Bernardino Campus Access Road:** Prepared PS&E as well as provided construction administration for the project. Improvements included approximately 1 mile street, water, landscape, grading, drainage, street lighting and various other improvements. Cost $6M.
- **Mission Bl and Rte 71 Grade Separation Project (currently under construction):** Serving as the Construction Manager for this regional project. The Mission Boulevard/State Route 71 Interchange project involves removing the existing at-grade Mission Boulevard/State Route 71 intersection and constructing an interchange by grade separating Mission Boulevard over State Route 71. Scope includes full construction and program management services as well as public relations, maintaining a construction website, and coordination will all parties. Cost $40,000,000.
- **Alhambra Civic Library Project:** The project involved construction of a 45,000 SF 2 story library with 2 levels of underground parking garage. The project also included off-site improvements, such as streets, curb, gutter, utilities, fiber optic communication. Transtech provided construction management services. Project Cost $30m.
- **Riverside County Transportation Commission, Corona Main Street Metrolink Parking Structure and Pedestrian Bridge:** Served as Construction Manager. The project involved construction of a 6 level, approximately 1,000 space parking structure, and a pedestrian bridge over rail road tracks, and various offsite improvements, such as pavement, curb, gutter, drainage, sewer, electrical.

Project cost $24,000,000.

- **Alhambra Renaissance Plaza Parking Structure and Entertainment Center:** Served as Turn-key Program Manager from initial design thru construction of the Project. The project involved construction of a 5 level, approximately 600 space parking structure, as well as a 10 plex movie theater, and 3 restaurants and retail stores. Total project value was $40m.

Experience in Federally Funded Projects and with Caltrans Local Assistance Procedures Manual:
A majority of the projects were federally funded. Transtech administered all projects through Caltrans' Local Assistance in compliance with the Local Assistance Procedures Manual (LAPM). Authorization to Proceed (E76) was successfully obtained for each project as well. Our scope in these projects involved public relations, including providing information flyer, setting up a web-site for public access to provide up to date information, community meetings, and responding to questions and complaints and making sure impacts to public is minimized. Communication and coordination with public is an important element on this project as well.

Experience in Working with Caltrans/Encroachment Permit Department:
Several of these projects also involved close coordination with Caltrans and encroachment permit processing/approval, as portions of some of the projects were in Caltrans jurisdiction.

C.2. PROJECT STAFF

The following table provides summary information for project staff:

Key Person	Project Role	Yrs of Exp	Yrs w Firm
Robert Quintero	Contract Principal/Manager	20	5
Michael Ackerman, PE	Project Manager, Construction Manager, RE	15	4
Kurt Pegg, PE	Structural Representative/Inspector	20	2
David Ragland, PE, PLS Ali Cayir, PE	QC/QA	30	12
Michael Schnepf	Principal Public Works Inspector	30	9
Selim Bouhamidi	Office Engineer/Funding Compliance and Inspection Support	5	3

As required by the City's RFP, Section V. CONSULTANT'S PROPOSAL AND COMPENSATION, **Resumes**, Billing Rates, Resource Matrix, and Other Required Forms (Required Statements per The RFP) are attached in the appendix section of the proposal.

C.3. REFERENCES

City of Rialto
Ahmad Ansari, Director of Public Works/City Engineer
909-772-1518

City of Alhambra
James Funk, Development Services Director
626-570-5041

City of Pomona
Daryl R. Grigsby, Director of Public Works
909-620-2261

CSUSB, Cal State University
Hamid Azhand, Director of Capital Planning and Design
909-537-5000

C.4. COMPANY QUALIFICATIONS

Established in 1989, the firm provides consulting engineering services to several municipalities throughout Southern California. The municipal services provided by our firm include Building and Safety, Plan Check, Inspection, Code Enforcement, City Engineering, City Traffic Engineering, CIP Design, Project and Construction Management, Program Management, Utility Company Coordination and Management, CDBG, HUD and Federally/State Funded Project Management, Services.

- *Service Capabilities:*

Municipal Consulting Services	City Engineer; City Traffic Engineer; Capital Improvement Projects; Development Review; Plan Check/Counter Services
Building and Safety	Inspection; Plan Check; City Building Official; Code Enforcement
Program and Construction Management	Contract Administration; Construction Inspection; Labor Compliance; Design-built Engineering and Construction
Civil Engineering	Freeways and Interchanges, Local Streets and Roads Design; Sewerage, Water and Storm Drain Design; Pavement Management System; Grading Studies, Design and Earthwork Analysis
Traffic and Transportation Planning and Engineering	Traffic Signal and Control Systems; Parking Facilities Study and Design; Street Lighting; Speed Zone Surveys; Traffic Control; Intelligent Vehicle Highway Systems; Signing and Striping; Traffic Management Plans; Bicycle and Pedestrian Facilities; Neighborhood Traffic Control

Water Resources Engineering	Hydrologic Studies, Hydraulic Design Best Management Practices Storm Water Pollution Prevention (SWPPP) Low Impact Development Design Sediment, Erosion Control & Detention Facilities Urban Water Quality Retrofit Hydrologic Rainfall/ Runoff Watershed Simulations Hydro modification Studies, Water Quality Management Plans (WQMP) Storm Drainage Infrastructure Design Floodplain Analysis, Mapping Preparation of FEMA Requests for Letters of Map Revisions
Surveying and Mapping	ALTA, Topographic, Boundary Surveys; Construction Surveying/Staking; Aerial Mapping; GIS; Right-of-way Engineering
Planning	Master Plan Circulation Studies; Transportation Planning and Modeling; Capacity Evaluations; Impact Assessments; Site Planning; Specific Plans
Land Development	Subdivision/Master-Planned Communities; Commercial and Industrial Development
Governmental Permit Processing	Support services to coordinate and process permits through governmental agencies .

- *Experience in Working with Local Cities:* Our key staff members have served public agencies in various capacities including City Engineer, City Traffic Engineer, Building Official, Project Manager, Planner, and Inspector. We are accustomed to working with governmental agencies in every facet of planning, building, and public works, and our staff has an unparalleled understanding of public agency issues, procedures, and policies.

- *Turn-Key Service Capability:* The Firm serves as turn-key program and construction manager on large and complex engineering projects by providing a full service capability of comprehensive services to its clients from initial planning and design, systems engineering and technical assistance, permitting, program and construction management, and operations and maintenance services. The Firm has participated on numerous multi-disciplinary teams dealing with the planning and development of civil and traffic engineering, urban and rural development, and public works projects, including Public Works and Infrastructure Improvements; Institutional Buildings; Commercial and Retail Buildings; Transportation and Parking Facilities; Sports and Recreational Facilities; Residential Development.

- *Experience in Federal and State Funding Programs and Requirements:* The Firm is recognized as one of the foremost expert firms in the State and Federal funding programs and procedures. We have managed numerous projects under HUD/CDBG, FTA, DOT, FHWA Federal requirements. On most of these projects, our services were provided from design, through construction, including enforcement and monitoring of Davis-Bacon Act Wages, Labor Compliance. The Firm's Grant Writing and Funds Management services enable our municipal and agency clients of any size to find potential funding sources, and to prepare competitive applications. Additionally, after funds are awarded to a client, The Firm can ensure compliance with state and federal funding requirements. In the past few years, The Firm has facilitated over $100 million in funds for our clients' public works projects and transportation improvements.

- *Experience in Construction Claims:* The Firm staff also provides their expertise in the construction

field to law firms and universities. Some of our key staff members serve as expert witnesses for construction claims and defects, and teach Engineering, Land Development, Planning, Construction and Project Management class at the Cal State San Bernardino University, International studies.

- *Quality Control/Quality Assurance (QC/QA):* The Firm has a proven track record in providing high quality engineering services which result in minimal problems during implementation of projects. Our extensive experience coupled with our in-house QA/QC program prevents design errors and change orders. Our approach is to provide proactive management to control every aspect of a project in detail to identify potential issues and problems in advance and take corrective actions before they become problems. This requires extensive hands-on knowledge, experience and management skills of the people involved in managing and inspecting the project. Our team members have extensive experience and proven track record in managing such complex projects and bringing them to a completion on time and budget

- *Federally Audit and Approved Accounting System:* Our firm is involved in major projects with various governmental agencies, including Federal Government. Our accounting system is audited and approved by federal Government and found in compliance with Generally Accepted Accounting Principles (GAAP), all applicable provisions of federal, state, and local laws, statues, ordinances, rules, regulations, and procedural requirements including Federal Acquisition Regulations (FAR).

SECTION D: Staffing Plan

Due to the inherent variability in the schedule and performance of third parties, our staffing approach is flexible. While we have assigned and are prepared full staffing as necessary to the project, our staff will work as necessary and flexible manner. We will adjust staffing levels as the project progresses and as needed, but, we will be responsive and add additional staffing when there is a need to ensure the project is managed in the most cost effective and efficient manner.

Our team members have the capacity to perform the requested services according to the proposed schedule, and complete the services required for this project within budget and schedule.

Our approach is to be responsible and accountable for all aspects of the project. This will involve the appropriate level of communication with City Staff required to address issues that may impact the project's delivery in a manner that will address any scope, schedule, or budget related issues in a prompt and efficient manner before they result in any major impacts to the project's delivery. Clear and well maintained channels of communication between Transtech and City Staff will be critical in the efficient management of this project so that Transtech staff is provided with sufficient information and direction in a manner that does not overburden City staff.

BILLING RATES AND RESOURCE MATRIX

As required by the City's RFP, Section V. CONSULTANT'S PROPOSAL AND COMPENSATION, Resumes, **Billing Rates**, **Resource Matrix**, and Other Required Forms (Required Statements per The RFP) are attached in the appendix section of the proposal.

SECTION E: Work Plan and Schedule

E.1. PROJECT MANAGEMENT AND DELIVERY APPROACH

Our approach is to be responsible and accountable for all aspects of the project in order to deliver the project on-time and on-budget. This will involve the appropriate level of communication with city staff required to address issues that may impact the project's delivery in a manner that will address any scope, schedule, or budget related issues in a prompt and efficient manner before the result in any major impacts to the project's delivery. Clear and well maintained channels of communication between Transtech and City staff will be critical in the efficient management of this project so that Transtech staff is provided with sufficient information and direction in a manner that does not overburden City staff.

We have a structured approach to execute projects in an efficient manner that makes Transtech capable of providing the client with the highest quality product. Transtech has established guidelines and policies, including written manuals on quality control, project management, and design procedures for its staff. These guidelines ensure a consistent approach to the execution of assignments undertaken by our organization. They provide Project Managers specific instructions on critical items to check/recheck and allow them to efficiently finalize projects. The following paragraphs describe our approach to deliver projects in an efficient and cost effective manner:

- **Project Management:** Our approach is to provide proactive management to control every aspect of a project in detail to identify potential issues and problems in advance and take corrective actions before they become major problems. This requires extensive hands-on knowledge, and management skills of the people involved in the project's management and inspection. Our team members have extensive experience and proven track record in managing such complex projects and bringing them to a completion on-time and on-budget. Our staff members have educational background and are licensed and certified as engineers and inspectors. They have been represented both public agencies and private developers/contractor on similar projects. They are seasoned industry veterans, and will manage this project in the most efficient manner. Key project team members will attend regularly-scheduled project status meetings with the City and other involved agencies throughout the project's duration. We will keep a detailed record of communication that will include directions given by City staff and actions taken by our team. These systems are structured such that recall of critical information is readily available. We will provide project status reports which updates, at a minimum, the status on the project's scope, schedule, budget, and pending issues requiring attention.

- **Quality Control and Assurance Program:** Quality Control and Assurance is an important process in our project management approach. This process provides for the objective and thorough review of completed work products at multiple levels. We provide an extensive check of the plans before each milestone submittal. This check is provided by senior engineers with experience in the applicable field. We have an extensive in-house Quality Control and Assurance Program to prevent design errors and construction change orders.

- **Design Review:** Our multi-disciplinary team of design professionals with extensive professional experience in similar projects. Our preferred approach is to engage in review documentation, response/reconciliation meeting cycle for each design phase. Each cycle's receipt of design documentation is the basis of design, plans, specifications and calculations. The documents are reviewed by each discipline along with the construction manager to validate design team approach to the project program requirements and identify code element, buildability items for consideration, adjustment and/or incorporated by the Design Team. Review comments are documented with our

web based review program and made available to the entire team through the web browser access and electronic files. After a short review period for the Design Team, a coordination/information meeting is held to discuss comments and ensure that the Design Team and other parties fully understand the intent and essence of the comments. Our teams early "catches" of these and similar design compliance issues have presented significant late phase document modification on numerous projects we have reviewed.

- **Constructability Reviews:** Our constructability reviews follow a similar process to design support review with a different focus. We prefer to do both reviews concurrently for efficiency, with early phase focus on design support issues moving to predominantly constructability, buildability and coordination in later phases. Our comprehensive database offers management tools that will allow all team members to review drawings simultaneously and track design progress and comment resolution.

- **Value Engineering:** We approach value engineering as a continuous and evolving function throughout the entire preliminary and design phases. Value engineering is treated as an integral part of developing design criteria and ultimate incorporation into the project plans, specifications and estimates. Integrating value engineering throughout the project significantly reduces the chance of a major design alternative being identified by a "value engineering team" after the project is designed, which would cause a tremendous redesign effort and considerable time delays.

- **Cost Estimating:** We use a variety of methods to generate accurate cost estimates. These include "Check Bids" developed from both internal and external private sources. Our estimators all have construction field backgrounds and pull in that additional perspective to cost estimating from project concept/feasibility through change orders to address your specific needs. A methodology of communication, technical resources, and analytical thinking shaped by experience is used to reflect projects in terms of costs. Our estimating database, based on our experience at construction, is continually reviewed and updated for current labor rates, equipment rates, and material pricing. We also utilize the construction schedule to determine cost escalation over the course of construction. Typically escalation is included to the mid-point of the construction schedule. We will work closely with our procurement team in order to track the trends in volatile materials such as steel and concrete. We also monitor local construction labor markets and unions to forecast trends in labor rates. These costs are tracked throughout the estimating process to insure there are no last minute surprises.

- **Third Party Coordination Public and Regulatory Agencies:** One of the most common schedule delays occurs during the review and approval process with the public and regulatory agencies . Our approach is to initiate communications with agency staffs early in the project development. Meeting with agency staff during design development and in order to gain a clear understanding of their specific requirements and standards, is key to avoiding any major revisions or conflicts in later project phases that may result in costly scope revisions. This early communication also establishes an understanding of the project schedule, when the plans will be submitted, so that the local approval agencies can plan ahead to review and approve the project plans in a timely manner.

- **Methodology for communication to inform City on work progress:** Key project team members will attend regularly scheduled project status meetings with City staff throughout the project's duration. All project-related directions, and commitments made by city staff will be incorporated into the project's record of communication and the status of each issue.

- **Approach to Cost Control and Change Orders**
  Two feasible methods exist for practical control of publicly funded construction costs. One is *proactive* and the other is *reactive*.
  - *Proactive* cost control is achieved by putting sufficient effort into the plan and specification preparation to minimize potential change orders.
  - *Reactive* cost control occurs during the review of change order requests submitted by the contractor. A variety of techniques are employed when reviewing submitted change order requests.

  We evaluate monthly costs/expenditures based on an actual field review and documentation. The documentation is used as both criteria for evaluating the accuracy of costs/expenditures, and as input for review of the cost-loaded monthly progress schedule. An accurate schedule of values and baseline schedule are fundamental to this analysis. Base contract work, as well as changes to the work, is also progressed and quantified. Any differences between the original estimates and actual costs/expenditures are identified. We evaluate project costs and develop feasible mitigation measures to minimize additional costs. We work as a team to solve problems or make modifications in the field to address unforeseen conditions or owner generated changes in a cost effective manner.

- **Approach to Scheduling and Timely Completion of Project and Schedule Recovery**
  Understanding how the component pieces of a Project and the necessary sequencing are critical to the successful completion of the Project. We use various project management software depending on the nature of the Project to ensure proper schedule development, document control, including RFI's, submittals and plan review. The regular maintenance and updating of the schedule quickly identifies areas that can be accelerated, and those items that may need additional attention and oversight. We ensure that the contractor's construction baseline schedule has properly identified the project scope, critical path, project milestones, target dates, phases, and sequences of work, activity durations, activity float and relationships between activities. Interrelationships with various projects phases, and interfaces with Owner activities are verified to ensure proper coordination with the existing operations. We ensure that the baseline schedule considers access coordination; staging and lay-down areas and seamless transition and interfaces between the new and existing facilities, and any operation to be maintained on-site. When significant activities show that they are slipping from the baseline, we work with the contractor to develop "recovery plans" and verify that the plans are achievable and are implemented to have the desired effect. We incorporate progress information recorded on the Inspector's Reports to verify actual progress in the monthly schedule. These reports clearly identify and document if any delays occurred and what caused the delays. This approach enables all involved parties to anticipate potential delays early in order to proactively manage the schedule.

- **Methodology for Generating Bidder Interest**
  The bids are advertised in various trade publications, such as McGraw-Hill Construction Dodge-Green Sheets, Contractors Info Network, Bid America, Reed Construction Data. We also contact qualified contractors and inform them of the upcoming project. By the time the construction documents area ready for bid advertisement we have a data base of contractors who have known about this project in advance. This increases bidder interest and participation significantly.

- **Promote participation in the bidding by local subcontractors and vendors**

Often, on large and complex projects, small local subcontractors and vendors do not participate in the bidding. We work with local Chamber of Commerce and organizations and conduct outreach to promote participation of local businesses in the bidding process as subcontractors and vendors, so that some project funds can be kept in local economy, resulting in the creation of more local jobs.

- **Contractor prequalifying**
  If desired by the City, we can conduct a contractor pre-qualifying process. Public Contract Code section 20101 authorizes local public agencies to prequalify contractors before allowing them to bid for public works projects. The key points are:
  - A public agency may require contractors to submit standardized questionnaires which seek information necessary to determine whether the contractors have met prequalifying standards. Uniform subjective rating systems must be used to determine the minimum requirements permitted for qualification to bid.
  - Agency must have procedures in place which allow contractors to appeal decisions that they are not qualified to bid, which will result in review and conclusion prior to the submission of bids.

- **Construction web-site:** If the City desires, we can establish a construction web-site and web-cams for real time monitoring of construction progress on internet. The following is a sample of our current website for the State Route 71 and Mission Interchange construction project. www.mission71project.com.

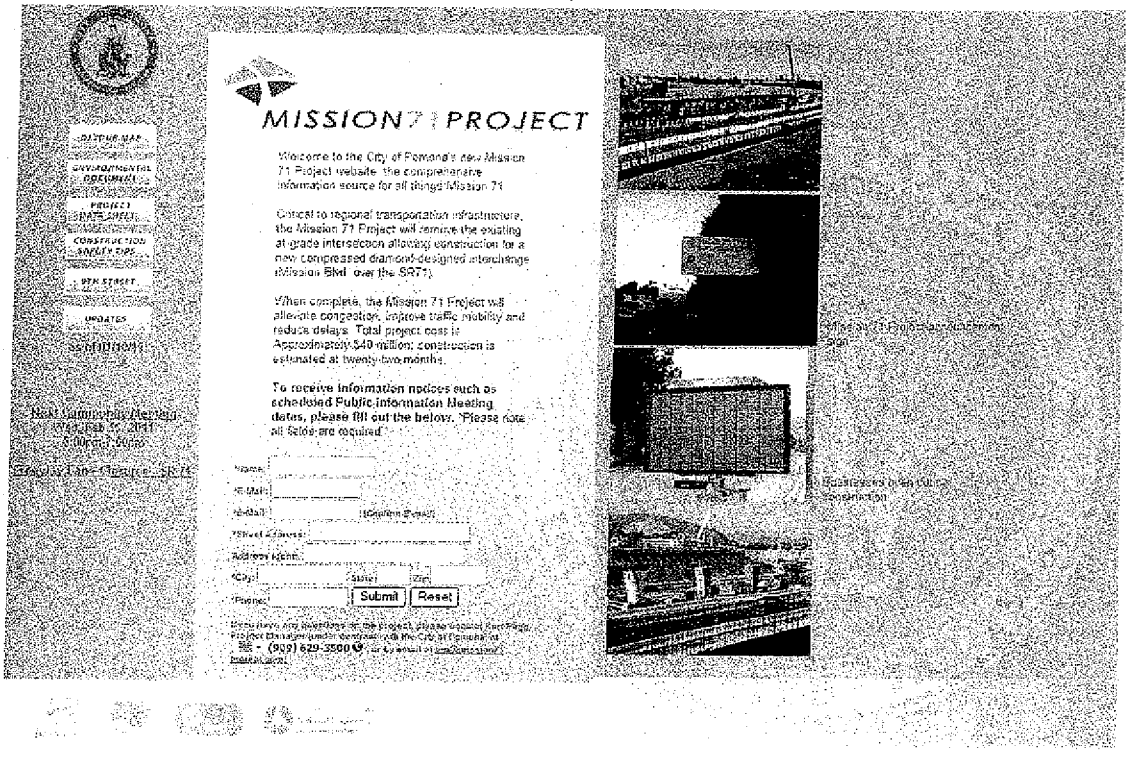

- **Quality Control and Assurance**
  Quality Control and Assurance will be consistently and thoroughly applied throughout project's duration. Assigned Quality Control and Assurance staff will be technically qualified to conduct the appropriate level of oversight, and demonstrate a concerted and sustained commitment to provide a high quality product. Concise written records will be maintained by the Consultant on all activities.

A detailed description for Quality Control and Assurance is provided in Section F of the proposal.

E.2. SCOPE OF WORK

E.2.1. Project Management Consultant (PMC) Services

The designated Consultant Project Manager, under the general direction of the City Program Manager, shall be responsible for overseeing all aspects of project development and coordination.

Typical Project Management Services shall include, but not be limited to:

1. Prepare and maintain a project schedule identifying the critical path for expeditious project completion.

2. Conduct and attend all applicable meetings with all applicable stakeholders. At the conclusion of each meeting the Consultant shall prepare and distribute meeting minutes, within three (3) working days, to the satisfaction of the City Program Manager.

3. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

4. Schedule, facilitate, and attend public meetings as necessary.

5. Provide progress reports at a minimum on a monthly basis.

6. Compose all correspondences to keep the project on schedule.

7. Attend and present the project to City Council as required.

8. Check all contract documents to ensure compliance with the Caltrans Local Assistance Procedure Manual (LAPM) and funding requirements, as required for the SLPP grant.

9. Prepare all submittals to Caltrans Local Assistance in accordance with the LAPM and other Caltrans requirements, as required for the SLPP grant.

10. Prepare reimbursement requests and invoices to Caltrans for the SLPP grant in accordance with the City - State Program Supplemental Agreement (PSA).

11. Prepare staff reports to City Council for authorization of agreements, amendments, Closed Session action items, etc.

12. Prepare agreements and assist with issuance of Purchase Orders.

13. Coordinate with all applicable agencies/utilities including the preparation of inter-agency agreements.

14. Coordinate with funding agencies and prepare reports, updates, funding reports, and grant applications as necessary for project funding.

15. Prepare project update write-ups for distribution to media and public.

16. Assist with annual Capital Improvement Program (CIP) budget update or funding programming where necessary.

17. Investigate and coordinate all utility conflicts with utility owners. Prepare applicable utility notices and coordinate with utility companies for relocation of interfering utilities.

18. Issue all necessary Notices to Proceed (NTP).

19. Assist with review and process of all invoices (City staff will approve).

20. Compose Requests for Proposals (RFP), Notices Inviting Proposals (NIP), and Scopes of Services to retain other related support services, services of specialty Consultants/Contractors needed during construction, such as Surveying, Geotechnical, Material Testing, Deputy Inspection, etc.; coordinate and schedule these services; and review proposals as necessary.

21. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

22. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

23. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

24. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

25. Oversee and provide review and concurrence of all applicable reports i.e. Geotechnical Report, Traffic Study, Environmental Documents, Final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, Easements incl. temporary construction easements and all other applicable project documents. The Consultant shall prepare the Notice of Intent (NOI) for the SWPPP Plan through the Regional Water Quality Control Board.

26. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:
    - Various City Council Staff Reports.
    - Utility correspondence letters and e-mails.
    - Federal, State and local correspondence.
    - Federal, State and local documentation required for the project.
    - Right-of-way related documents and correspondence.
    - Necessary communication and reports to the funding agencies.

27. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and bidability, constructability, and claims avoidance emphasis.

    a. Review of existing geotechnical/geologic maps, reports or other related documents to ensure that the project Plans and Specifications have adequately addressed geotechnical evaluation and recommendations on, including, but not limited to, grading, earthwork, settlement, surface and subsurface drainage, foundation/column/slab design, slope stability, pavement design, trench backfill, retaining wall design, environmental concerns, removal of unsuitable materials, etc

    b. Verify that the plans and specifications adequately address the drainage and utility challenges of the project site.

    c. Confirm that the existing field topography conditions are correctly addressed in the final PS&E

    d. Evaluate the plans and specifications for ADA compliance

    e. Confirm all necessary rights of way needed for the project have been acquired and provide independent review of property surveys, plats, and legal descriptions to ensure accuracy of the documents.

    f. Confirm that all permit (incl. environmental mitigations) requirements are adequately addressed. The Consultant shall identify all environmental concerns for the specific improvements and coordinate with the applicable agencies for requirements to be addressed in the plans and specifications for applicable project conformance.

    g. Confirm that all traffic control requirements are adequately addressed in accordance with the latest update of the MUTCD.

    h. Confirm that the bid schedules including any additive alternatives adequately captures all scope of work required of the contractors.

    i. Confirm that the engineer's estimate for the various bid schedule items adequately reflect the ballpark costs for the work item at the time the project is advertised for bid.

    j. Confirm the PS&E package is complete and ready for public bidding purposes. The latest edition of the Greenbook (Standard Specifications for Public Works Construction and subsequent amendments) shall be used on the project, except for traffic signals, striping, and traffic signs. The technical portion of the Caltrans Standard Specifications shall be used for the traffic signals, striping, and traffic signs

28. Coordinate and ensure that all stakeholders and City Divisions and Departments complete plan check of all appropriate project documents.

29. Review the Aquabella development's Conditions of Approval for conditions applicable to the street improvement designs.

30. Provide plan check summary update at each plan check level and meet with the City Program

Manager to review appropriate plan check redlines/comments.

31. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated to ensure a comprehensive set of Final PS&E is prepared ready for bid.

32. Consultant shall coordinate any adjustments to the final design plans and corresponding documents with the applicable design consultant/utility to reduce the scope of work to match available budget in accordance with City-specified priorities.

33. The PMC shall be responsible for administrating the advertising for construction bids and attending the bid opening of the project according to the California Public Contract Code for municipal agencies and shall provide support during bidding and construction. The required Design and Project Management Consultant Services shall include, but not be limited to:

    a. Prepare and coordinate bid notices to be advertised and posted at various plan rooms, trade publications and on the City's website.

    b. Prepare bid packages for distribution as necessary.

    c. Maintain plan holder's list

    d. Schedule and conduct pre-bid meetings and site visits, if held.

    e. Provide responses to bidders' questions.

    f. Prepare and issue addenda if required.

    g. Coordinate and attend construction bid opening at the City Clerk's Office. Evaluate and check all bids submitted are complete and consistent with established requirements.

    h. Evaluate and check all bids to establish the lowest responsive and responsible bidder.

    i. Check references and licenses of bidders.

    j. Draft City Council Staff Report for award of construction contract and process the contract agreement with the lowest responsible bidder.

    k. Attend the City Council meeting for award of the contract, available to answer questions, and defend the project.

    l. Prepare, coordinate, and process Notice of Award, Agreements, and Purchase Order.

    m. Review insurance, bonding, and other required documents.

    n. Answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during bidding process and pre-construction meeting. The Project Manager Consultant shall coordinate with the applicable Design Consultant in preparation of addenda necessary due to omissions or conflicts in the design.

34. Provide all applicable project management oversight of the CMC (in accordance with Part 2 herein), CIC (in accordance with Part 3 herein), construction contractors, utilities, agencies and all construction related activities. This must include coordination of all conflicts in the design that may have been identified during the construction as well. The Consultant does not have authority to make changes or deviations from the Plans and Specifications, except as authorized by the City Program Manager with concurrence from the Design Consultant.

35. Review and process all reports, invoices, agreements, contracts, contract/construction change orders, request for information, claims, notices and other applicable documents during construction to ensure project is running smoothly within budget and on time. Coordinate and follow-up on all claims, notices, non compliance issues, etc. that may have occurred during the construction phase.

36. Coordinate all close-out activities after construction is completed including coordination with all jurisdictional environmental agencies, permitting agencies, utilities, etc.

37. Prepare and submit GASB 34 documentation in the City's format along with the as-built drawings. Prepare status report for project close-out, prepare Staff Report for project acceptance and assist with filing of Notice of Completion.

38. Present the City with a complete project close-out file including performing such other project related duties as may be required by the City.

39. Perform warranty walk within one (1) year of the Notice of Completion and coordinate all follow-up activities needed to ensure successful closure of project issues.

E.2.2. Construction Management Consultant (CMC) Services

The Construction Management Services shall include general project management activities to project closure as well as full-service construction management during the construction phase of the project. The Construction Management Services may also include Inspection Services or oversight of the Inspection Services. If more than one inspector is required to oversee the work, it is the responsibility of the Construction Manager to anticipate the need and to provide or recommend the additional services required. The City Program Manager will make the final decision with regard to utilizing the Inspection Services, or to select an Inspector through other accepted means.

E.2.2.1. General Services

General Construction Management Services duties shall include, but not be limited to:

1. Prepare and maintain construction related specific schedule identifying the critical path for expeditious project completion.

2. Schedule and conduct the pre-construction meeting with all stakeholders, including preparations of agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

3. Schedule, facilitate, and attend public meetings as necessary.

4. Attend and present the project to City Council as required.

5. Check all contract documents to ensure compliance with the Caltrans LAPM and funding requirements, as required for the SLPP grant.

6. Prepare all submittals to Caltrans Local Assistance in accordance with the LAPM and other Caltrans requirements, as required for the SLPP grant.

7. Prepare reimbursement requests and invoices for Caltrans and other funding agencies for the SLPP grant.

8. Prepare agreements and assist in processing Purchase Orders.

9. Issue all necessary Notices to Proceed (NTP).

10. Review and process all invoices (City staff will approve).

11. Compose RFP's, NIP's, and Scopes of Services to retain other related design services, services of specialty Consultants/Contractors needed during construction, such as Design Review, Surveying, Special Inspection, Geotechnical, Material Testing, etc.; coordinate and schedule these services; and review proposals as necessary.

12. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager. At a minimum, Project files will be organized to include the information indicated below:
    - Project Personnel
    - Correspondence
    - Weekly record of working days
    - Materials Data
    - Engineer's Daily Reports
    - Contract Item Pay Quantity Documents
    - Contract Change Orders
    - Extra Work Reports
    - Progress Pay Estimates and Status of Funds
    - Labor Compliance and EEO records
    - Contractor's Payrolls
    - Final Report
    - Materials Certificate
    - DBE Records

13. Maintain consistent communication (daily or weekly, depending on project activity/complexity) with the City Program Manager.

14. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local

requirements.

15. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

16. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

E.2.2.2 Construction Management Services

Typical Construction Management services shall include, but not be limited to:

1. Provide contract administration for the project and coordinate with other construction, as required.

2. Coordinate and participate in pre-construction contract award activities, including conducting pre-construction meeting, and issuance of Notice to Proceed in accordance with the City's procedures.

3. Establish and maintain project controls and provide administrative, management, and related services necessary to coordinate the work of the Contractor and all sub-contractors in order to facilitate timely completion of the project in accordance with contract documents and City objectives.

4. Assist the Contractor in obtaining all building, grading, and other construction permits necessary for the project.

5. Provide, manage, coordinate, and ensure timely completion/approvals in response to all Requests for Information (RFI), shop drawings, product data samples, submittals, Change Notices, Intend to File Change Notices, and Construction Change Orders (CCO), as well as review, negotiations and issuance of the CCO to the Contractor.

   Follow the established City procedures in processing CCO. Following is a brief outline of the City's procedures:

   a. Review requests for CCO received from the Contractor to ensure validity and applicability of costs based on the scope of work.

   b. Recommend necessary or desirable project changes to the City with Design Consultant's concurrence.

   c. Assist the City with concurrence of the Design Consultant in CCO negotiations.

   d. Submit recommendations to the City relative to change order requests.

   e. Prepare the CCO, obtain project designer's concurrence, and obtain Contractor and Design Consultant's signature on the CCO forms for the City's consideration, review, and approval.

   f. Prepare staff report(s) for City Council approval of CCO, if necessary.

6. Ensure that contractor's daily work effort is documented.

7. Prepare agenda, conduct weekly construction progress meetings and distribute minutes within three (3) working days.

8. Ensure adequate inspection coverage for the project, coordinate and oversee project inspector(s).

9. Schedule Building and Safety inspection of Electrical Service/Cabinets, footings, specialty retaining walls, applicable structural components or as otherwise required.

10. Coordinate and schedule SCE service for applicable appurtenances.

11. Coordinate and schedule telephone service with the City's Telecommunications Engineer or directly with Verizon.

12. Coordinate and schedule needed water service, water meter(s), and re-location of water line etc. with the local water purveyor as necessary for the project.

13. Schedule with the City's Traffic Operations Supervisor to inspect new and modified traffic signals. The Consultant shall be responsible to document all work, including the Traffic Supervisor's inspection in the Consultant's Daily Diary.

14. Provide administrative, management, and related services as required to coordinate work and to complete the project in accordance with the City's objectives for cost, time, and quality. The Consultant shall provide sufficient qualified personnel and management to carry out the requirements of the Project.

15. Schedule and conduct pre-construction and construction progress meetings to discuss such matters as procedures, progress, problems, scheduling, and coordination and other project related items. The Consultant shall coordinate with the utility companies for the relocation of any of their facilities that conflict with the proposed improvements and continue coordination until the utility conflict is resolved. General construction progress meetings may be required on a weekly basis until the project is completed. Primary attendees will include: Utilities, Agencies, the City of Moreno Valley, and the Contractor. Prepare meeting agendas, and minutes for all meetings. The minutes shall be prepared and distributed to all attendees within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phone numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

16. Obtain building permits and special permits for the improvements. The Consultant shall verify that the applicable fees and assessments have been paid, and shall assist in obtaining approvals from authorities having jurisdiction over the permits.

17. Maintain continuous 24-hour telephone accessibility during construction activity for emergency use.

18. Maintain the record copies of the following:

    a. Plans, specifications, and contract documents with all changes and modifications.

b. Permits.

c. SWPPP and WQMP

d. Addenda(s), change order(s), shop drawings, product data, submittals, and samples.

e. Material testing and certification reports in accordance with the City's Quality Assurance Program (found on City's website)

f. Progress payments, inventories, and applicable codes.

g. Contractor's reports, correspondence, certified payrolls, and accident reports.

h. Survey and layout data and certifications, photographs of as-built locations and depths.

i. List of addresses, telephone and license numbers of General Contractor, all sub-contractors, material suppliers, and utility agencies.

19. Determine whether the work of the Contractor is being performed in accordance with the requirements of the contract documents, and endeavor to guard the City against defects and deficiencies in such work. The Consultant shall make recommendations to the City's Program Manager regarding special inspection or testing of work not in accordance with the provisions of the contract documents whether or not such work is then fabricated, installed or completed. The Consultant shall also inform the City of work that does not conform to the requirements of the contract documents. The Consultant shall review the Contractor's recommendations for corrective action on observed non-conforming work.

20. Consult with the Design Consultant and City Program Manager if any contractor requests interpretations of the meaning and intent of the PS&E, and shall assist in the resolution of questions which may arise.

21. Identify and report potential contractor claims and recommend resolution.

22. Prepare the weekly statement of working days and send to the Contractor on a weekly basis.

23. Conduct interviews with the Contractor's and subcontractor's employees to ensure labor compliance.

24. Compare Certified Payrolls with Inspection Reports, employee interview forms, and the Prevailing Wage Rates, and verify proper payment in compliance with the project Specifications.

25. The Consultant does not have authority to make changes or deviations from the Plans and Specifications, except as authorized by the City Program Manager with concurrence from the Design Consultant.

26. Incorporate approved changes as they occur.

27. Review, comment and recommend processing of invoices for progress and final payments.

28. Endeavor to achieve satisfactory performance from each of the contractors and recommend courses of action to the City Program Manager when requirements of a contract are not being fulfilled and the non-performing party will not take satisfactory corrective action from the CMC.

29. Provide regular monitoring of the approved estimates of Total Construction Cost, showing actual costs for activities in progress, and estimates for uncompleted tasks. The Consultant shall identify variances between actual and budgeted or estimated costs, and inform the City Program Manager whenever Project costs exceed budgets or estimates.

30. Maintain cost accounting records on authorized work performed under unit costs, additional work performed on the basis of actual costs of labor and materials, or other work requiring accounting records.

31. Ensure that safety programs are developed by the Contractor as required by their contract documents, and coordinate the safety programs for the project.

32. The Consultant shall not be responsible for the construction means, methods, techniques, sequences and procedures employed by the Contractor in performance of their contract with the City. The Consultant shall also not be responsible for the failure of the Contractor to carry out their work in accordance with the contract documents. The Consultant shall be responsible, however, for any reports, advice or information provided to the Design Consultant regarding the Project and the work of the Contractor, including any information regarding the compliance of their work with the contract documents.

33. The Consultant shall provide documentation (e.g. memorandum, letter, email, etc.) to the Contractor, City Program Manager, etc., regarding all important issues, decisions, and discussions within three (3) working days or immediately if the situation warrants.

34. The Consultant shall be required to document and submit weekly written progress reports to the PMC and City Program Manager on multiple construction phases of the project, which shall include information on the Contractor and the Contractor's work, as well as the entire Project.

35. Verify the Contractor's check-out of utilities, operational systems and equipment for readiness, and assist in their initial start-up and testing.

36. Determine when the Contractor's work or a designated portion thereof is complete. The Consultant shall prepare a list of incomplete or unsatisfactory items (punch list) and a schedule for their completion. The Consultant shall coordinate the correction and completion of the Work.

37. Evaluate the completion of the work of the Contractor and make recommendations to the City Program Manager when work is ready for final inspection. The Consultant shall assist the City Program Manager in conducting final inspections and shall secure and transmit to the City Program Manager required guarantees, affidavits, releases, and waivers. The Consultant shall also deliver keys, manuals, and record drawings to the City.

38. Perform any necessary management services during the warranty period of the construction

contract.

39. Address any business owner's and property owner's concerns and inquiries.

40. Coordinate close-out of the project, obtain necessary operation manuals, warranties, guarantees, and other applicable necessary information. Provide all documentation in a well-organized (binders, folders, CDs, etc.) manner in both electronic and hard copies.

41. Obtain all releases and warranty bonds from the Contractor and sub-contractors. Provide all documentation in a well organized (binders, folders, CDs, etc.) manner in electronic and hard copies.

42. Deliver a final completed project to the City which is in compliance with the PS&E package, and all applicable codes, standards and requirements.

43. Coordinate all red-line comments prepared by the Contractor and project inspector through the Design Consultant to place as-built information on the Mylars. The as-built drawings must be obtained from the contractor prior to the release of the final retention payment.

44. Prepare status report for project close-out, prepare Staff Report for project acceptance and assist with filing of Notice of Completion.

45. Prepare and submit GASB 34 documentation in the City's format along with the as-built drawings

46. Present the City with a complete project close-out file.

47. Perform such other project related duties as may be required by the City.

48. Perform warranty walk within one (1) year of the Notice of Completion.

49. The extent of the duties, responsibilities, and limitations of authority of Consultant as a representative of the City during the construction shall not be modified or extended without the written consent of the City Program Manager.

E.2.3. Construction Inspection Consultant (CIC) Services

In general, the Consultant Construction Inspector shall have the necessary experience and know-how of construction equipment, materials, methods, and workmanship for the specific work to be performed on the projects. The Consultant Inspector shall be able to understand and interpret Plans and Specifications and shall be familiar with the Greenbook (Standard Specifications for Public Works Construction), Caltrans Standard Specifications, City Standards, and OSHA Construction Safety Orders. The Consultant Inspector shall be able to interact professionally with contractors, engineers, property owners, business owners, and the public at large; coordinate with other City personnel; promote quality customer service; and respond promptly and courteously to requests. The Consultant Inspector shall be able to follow verbal and written instructions, communicate clearly and concisely, both orally and in writing.

Typical Consultant Inspection services shall include, but not be limited to:

1. Review the Plans and Specifications thoroughly prior to the pre-construction meeting.

2. Establish effective communications with the Contractor, other agencies, utilities, and business and property owners.

3. Ensure compliance with the Plans, Specifications, and other requirements, such as, but not limited to, the Contract, Traffic Control, Cal/OSHA Standards, CCO, Permits, Standard Plans, checking line, grade, size, elevation, and location of improvements.

4. Monitor extra work.

5. Perform project oversight for the monitoring of traffic control, damage to infrastructure, and replacement of infrastructure to City Standards.

6. Attend the weekly construction meetings.

7. Keep daily dairies (log), fill out Incident (accident) Reports, and take pictures of the project. A daily Inspection Report identifying work done by the Contractor shall be submitted to the PMC, CMC and City Program Manager by the next business day. The Consultant shall also keep a daily log containing a record of weather, the Contractor, work on the site, number of workers, craft or trades, equipment, subcontractors, work accomplished, problems encountered, and other similar relevant data as the PMC, CMC and City Program Manager may require. The Consultant shall make the log available to the City.

8. Document all Contractor delays, reasons for delay, length of time for delay, and Phases of work.

9. Monitor and provide supporting documentation on the personnel and equipment that is involved with any extra work performed by the Contractor.

10. Coordinate and schedule with geotechnical, survey and special inspection firms or City Building and Safety inspectors based on project construction progress and contractors' requests.

11. During the course of inspection and monitoring of the work, if the Consultant Inspector observes an unsafe situation, he shall notify the Contractor of the violation and provide written notification of such infraction to the Contractor. If the Contractor refuses to comply, the Consultant Inspector shall notify the City and Cal OSHA.

12. Measure and tabulate contract quantities.

13. Review the Contractor's invoices and independently verify completed work and all quantities.

14. Prepare a list of items for correction (punch list) and prepare redlined as-built plans.

15. The Consultant Inspector does not have the authority to allow deviations from the Contract Plans and Specifications.

16. Possess a digital camera, and shall provide digital images of the project to the City of Moreno Valley in "jpg" format.

17. Possess a lap top with internet to access emails and electronic files in the field.

18. Possess a vehicle and a mobile phone for immediate contact by the City, show proof of a valid California's driver's license, and insurance.

19. Normal working hours are from 7:00 a.m. to 3:30 p.m. with a ½ hour lunch break; however, the Contractor may be allowed to start earlier to minimize disruption to business and intersection work may be performed at night with written authorization from the City.

20. Perform other related duties as required.

SECTION F: Quality Control and Assurance

Quality Control and Assurance (QC/QA) will be consistently and thoroughly applied throughout project's duration. Assigned QC/QA staff will be technically qualified to conduct the appropriate level of oversight, and demonstrate a concerted and sustained commitment to provide a high quality product. Concise written records will be maintained by the Consultant on all activities. Firms considering proposal submittals are requested to have an in-house technical level of expertise to professionally address all aspects of the project.

Project Design meetings will be held twice a month. The Consultant will be responsible for preparing meeting agendas, minutes, and presentation materials. A Critical Path Method (CPM) network, based on activities to support all project milestones and subtasks will be prepared. The information will be in the form of a bar chart and show a deliverables schedule and other relevant data needed for the control of work, for City review of the work status and accomplishments occurring each month. Monthly updates will be furnished to the City's Project Manager.

The main objective of the Quality Control process for design projects is to provide a mechanism by which all construction plans can be subject to a systematic and consistent review. This process' outcome is the production of design plans and construction documents that accurately reflect the City's scope, schedule, and budget expectations for the project.

A secondary goal of the Quality Control process is to provide for a thorough documentation of the project's design process. A properly documented project file is a by-product of the quality control process. This will enable the City to substantiate its position from properly documented project files if any legal, political, or procedural issues arise regarding the project.

The Quality Control process includes comprehensive project planning, providing clear decisions and directions, constant supervision, immediate review of completed activities for accuracy and completeness, and documenting all decisions, assumptions and recommendations. Quality Control does not solely consist of a review after a product is completed. It is an approach and a realization that a product's ultimate quality is based on the quality of its production process.

As part of the initial project development, we will submit to the City for review and approval, a Project Specific Quality Control Plan, which will detail the proposed methods or processes of providing quality control for all work products. This plan will be kept current with the work requirements. The plan will include, but is not limited to, the following areas:

- Organization.
- Quality Control Reviews.
- Proposed method of documentation of comments, coordination responses and quality assurance records.

Submittals will be checked prior to presentation to the City for review. The review will include the following activities:

- Compliance with project requirements.
- Technical accuracy and adequacy.
- Compatibility with other associated project documents.
- Compliance with previous review comments.

In summary, our QC/QA is a systematic and documented review of each submittal phase/level, which will achieve a complete biddability/constructability/claims avoidance review and necessary revisions incorporated in the bid package at the 95% level completion.

SECTION G: Additional Relevant Information

TRANSTECH'S UNIQUE EXPERTISE AND SUCCESS IN FUNDING AND GRANTS

One of our unique expertise is in the area of public funds administration as demonstrated in our successfully track record in working with cities and local government agencies to secure funding for various local projects and programs. Since 2005, Transtech has secured approximately $100,000,000 in public funding for its clients.

Our practice and approach in this area involves maintaining an extensive knowledge and understanding of current regional, state, and federal funding programs and procedures, and monitoring the development of future program or funding opportunities.

We use this knowledge base to work with our clients to improve their ability to secure and administer project financing, and to implement the resulting projects in a timely and cost-effective manner. The approach differs significantly from a more traditional approach where consultant assistance is used merely to prepare competitive grant applications in hope of securing funding for a specific project. We feel that an agency's ability to secure funding for a project depends on several factors including the project's level of completeness (having a well defined and defensible budget, scope, and schedule), the level of consistency between the proposed project and local policies and a funding program's guidelines and requirements, the quality of the information contained in a grant application, and an agency's ability to implement the project in a timely manner. This approach, as a result, focuses on improving the ability of our clients to successfully compete for funding through a competitive process rather than simply providing assistance to complete the required funding requests.

APPENDIX

As required by the City's RFP, Section V. CONSULTANT'S PROPOSAL AND COMPENSATION, **Resumes**, **Billing Rates**, **Resource Matrix**, and **Other Required Forms (Required Statements per The RFP)** are attached in the appendix section of the proposal.

ROBERT QUINTERO
Contract Principal/Manager

EDUCATION

Master of Business Administration Degree, University of Redlands.

Bachelor of Science Degree in Urban and Regional Planning, California State Polytechnic University (Cal Poly), Pomona.

Edison International Executive Leadership Program

REGISTRATION

California Licensed General Contractor, B

SUMMARY

Mr. Quintero has approximately 20 years of experience in urban planning, management of municipal public works projects and operations, CIP (Capital Improvement Program), city administration, public and governmental affairs. He served as Principal Project Manager for the design, construction and management of a variety of Public Works and Infrastructure projects.

Prior to joining Transtech, Mr. Quintero worked for the City of Commerce and Southern California Edison (SCE), one of the largest energy utility firms in the world.

His experience at the City Commerce included working in various positions, including as Planner, Assistant to the City Administrator, Assistant Director of Public Services/Public Works, and finally as the City's Acting Director of Public Services/Public Works, and managed a department budget and infrastructure worth approximately $500 million.

At SCE, Mr. Quintero served as the company's Regional Manager for the Port of Long Beach and the cities of Avalon, Signal Hill, and Long Beach the fifth largest city in California and home to one of the largest commercial ports in the world.

As Vice President at Transtech, Mr. Quintero is responsible for corporate operations, business development, client relations, public and governmental affairs, project development and management oversight. With his ardent analytical and strategic management skills, Mr. Quintero provides strong leadership and exemplary public relations etiquette. Mr. Quintero develops and collaborates with primary contacts to protect and to enhance Transtech's position in specific proceedings; he ensures coordination with corporate policy and objectives on a broad range; he protects and transacts all phases of the company and customer business, and governmental affairs activities at the corporate level; and he facilitates and maintains close, long-term working relationships with governmental agencies.

PRIOR EXPERIENCE

City Of Commerce

Mr. Quintero started his professional career with the City of Commerce. While with the City, Mr. Quintero acquired an extensive management portfolio of economically, environmentally and technologically sound projects under the titles of Assistant Planner, Associate Planner, Assistant

Director of Public Services/ Public Works, Assistant to the City Administrator and finally as the City's Acting Director of Public Services/ Public Works. Robert was also responsible for representing the City of Commerce at the State Capitol in Sacramento as an advocate on legislative matters concerning land use, transportation, gaming and public works, are just a few of the myriad ways in which Mr. Quintero's leadership benefited the City of Commerce. In addition, Mr. Quintero was the Liaison and Political Ambassador to the City of Commerce/Aguascalientes Mexico Sister City Association.

Southern California Edison (SCE)

After several years with the City of Commerce, in 2002, Mr. Quintero joined Southern California Edison (SCE), as Region Manager of Public Affairs. At SCE, Mr. Quintero served as the company's representative to the Port of Long Beach and the cities of Avalon, Signal Hill and Long Beach, the fifth largest city in California and home to one of the largest commercial ports in the world. He managed the development of the company's position on federal, out-of-state and local legislative matters. He represented SCE before legislators, and industry organizations with regard to legislative and public affairs policy. He assists with the advocacy of the Company's position to provide advance notice of potentially significant legislative actions that may impact the company and took the necessary actions to protect the company's interests. He also organizes and coordinated with internal staff and resources, as well as took the lead in designing and implementing strategies to resolve issues affecting the company and its customers. As a SCE Region Manager, Mr. Quintero set standards of excellence with which the SCE name is proudly synonymous through his active support of and participation in programs that improve the lives of citizens in the community that SCE services. At SCE, Mr. Quintero successfully completed Leadership @ EIX Program. The Leadership @ EIX Program features a structural career development process for high performing employees who exhibit the corporate leadership competencies and may, with development, advance to a manager and senior leadership position.

Associations and Community Service

Founding Vice-President and currently serves as Senior Vice President to Embracing Latina Leadership Alliances (ELLAS) and is Vice President of the California Corporate Hispanic Council Leadership Institute (CCHCLI).

His memberships include the American Planning Association (APA), the American Public Works Association (APWA) and the American Water Works Association (AWWA).

MICHAEL ACKERMAN, PE
Project Manager, Construction Manager, RE

EDUCATION
- Bachelor of Science in Engineering, the University of Iowa

REGISTRATION
- Registered Civil Engineer

CERTIFICATIONS
- Resident Engineer Academy, Caltrans
- Water Pollution Control Compliance on Construction Sites for Resident Engineers, Caltrans
- Asphalt Pavement Fundamentals: Design, Construction, and Rehabilitation
- Construction Program Management Workshop, FHWA
- Field Office Procedures Course, Caltrans
- California Work Zone Inspection – High Speed, Caltrans
- Asphalt Concrete Inspection and Rehabilitation Strategies, Caltrans

HIGHLIGHTS
- Experience includes working for Caltrans.

SUMMARY

Mr. Ackerman has approximately 15 years of experience and participated on numerous multi-disciplinary teams dealing with the design and construction of civil and transportation engineering, urban and rural development, and public works projects. His prior experience includes working for the City of San Bernardino and Caltrans, District 8 in San Bernardino.

Recently, Mr. Ackerman has served as Deputy RE and Deputy Construction Manager for the State Route 71 and Mission Boulevard Grade Separation Project. The State Route 71/Mission Boulevard Interchange project involves removing the existing at-grade Mission Boulevard/State Route 71 intersection and constructing an interchange by grade separating Mission Boulevard over State Route 71. Scope includes full construction and program management services as well as public relations, maintaining a construction website, and coordination will all parties. Cost $40m.

PROFESSIONAL EXPERIENCE

City of San Bernardino: At the City of San Bernardino, Mr. Ackerman held the position of Associate Engineer under the City Engineer of the Division of Public Works in the Department of Development Services. There he was involved in a number of projects, including Development Review and Plan Check, design and review of Street Improvement Plans, Rough and Precise Grading Plans, Sewer Plans, Storm Drain Plans, Street Lighting Plans, Storm Water Pollution Prevention Plans, Water Quality Management Plans, Geotechnical Reports, and Hydrology/Hydraulic Studies, land development, industrial, commercial, residential, and transportation development projects including Tract and Parcel Maps. He also directed and performed plan check of improvement plans submitted by developers to the City. Also, he represented the City of San Bernardino at the South Tehachapi Management Team meetings, coordinated with San Bernardino County Flood Control and FEMA for the certification of City levees and updating of the Flood Insurance Rate Maps (FIRM), and oversaw permitting and tracking of Land Development Projects through the Division of Public Works/Engineering. In addition to this, Mr. Ackerman has worked intimately with Planning and Building and Safety Divisions on Land Development Projects.

Caltrans District 8: Mr. Ackerman was a civil transportation engineer for Caltrans District 8 where he was involved in the design and construction of various projects.

- ***Design Division:*** Designed plans, specifications, and estimates for the

rehabilitation of Route 10 freeway from the Riverside/San Bernardino County line to Beaumont.

- ***Traffic Operations Division:*** Performed studies and analyses to interpret and mitigate above average accident volume areas on highways and freeways. Also, he performed stop sign and traffic signal warrant studies.
- ***Construction Division:*** In the Construction Division, Mr. Ackerman was Resident Engineer for various projects including Watson Wash Bridge Replacement Right (Rte 40), Replacement of Drains and Earthwork (Rte 40), and Fenner Overhead Bridge Replacement (Replacement of two bridges over BNSF Railroad, Rte 40).

Mr. Ackerman served as Project Engineer and/or Construction Manager/Resident Engineer on a number of roadway projects. Recent similar projects include:

- City of San Bernardino, Via Duct Boulevard/2nd Street Realignment Project: Prepared PS&E and served as Construction Manager/Resident Engineer. Cost $1.5M.
- City of Alhambra, Polar Boulevard Rehabilitation Project: Federally funded project as part of Stimulus Program. Served as Construction Manager/Resident Engineer. Cost $1.2M.
- City of Baldwin Park, Francisquito Avenue Overlay Project; Ramona Boulevard Overlay Project: Federally funded projects as part of Stimulus Program. Prepared PS&E. Cost $3.5M.
- City of Commerce, Garfield Avenue Telegraph Road to Malt Avenue Street Improvements; Eastern Avenue Pavement Overlay Stevens Thru City Boundary; Garfield Avenue and Slauson Avenue Intersection Improvements; Washington/Ayers Intersection: Federally funded projects as part of Stimulus Program. Prepared PS&E. Cost $3M.
- CSUSB (Cal State SB University) San Bernardino Main Access Road: Prepared PS&E and provided construction administration for the project. Project involved design of a new roadway for a length of approximately 1.5 miles, and include street, medians, landscape, lighting, traffic signals, water, sewer, storm drain and various other utilities.
- City of Alhambra, Alhambra Road Rehabilitation and SRTS Project: Served as Construction Manager/Resident Engineer. Cost $1.2M.

KURT PEGG, PE
Structural Representative/Inspector

EDUCATION
- B.S. Civil Engineering, University of Calgary, Alberta, Canada

REGISTRATION
- Registered Civil Engineer

SUMMARY

Mr. Pegg has over 20 years of construction engineering experience related to highways, roadways and interchanges. He has served as a Senior Project Manager, Senior Estimator, Resident Engineer and Structural Representative. Mr. Pegg has been responsible for some of the largest freeway projects in Southern California, supervision of technical and field staff, change order negotiation and preparation, contract administration, critical path schedule development and review, storm water pollution prevention plan preparation and compliance, claims preparation and mitigation, cost estimating, reviewing and designing structure-related shop drawings, and assuring compliance with plans and specifications.

PROFESSIONAL EXPERIENCE

- **State Route 71 and Mission Boulevard Grade Separation Project:** Served as the Resident Engineer for this regional project. The State Route 71/Mission Boulevard Interchange project involves removing the existing at-grade Mission Boulevard/State Route 71 intersection and constructing an interchange by grade separating Mission Boulevard over State Route 71. Scope includes full construction and program management services as well as public relations, maintaining a construction website, and coordination will all parties. Cost $40m.
- **215/60 Riverside Interchange, Riverside, CA ($317 Million):** Senior Project Manager for the construction of 4 miles of high occupancy vehicle (HOV) lanes and widening of freeways on I-215, SR60 and SR91; Approximately 80 new sound walls and retaining walls throughout the project; major structural improvements at 8 local interchanges; 2 sweeping 'flyover' connector ramps between the I-215/SR60 and the SR91; Improvements to local drainage systems; new truck bypass connector leading from the eastbound SR 60 to the southbound I-215; new bridges at Linden, Iowa and Blaine Avenues providing better access to the University of Riverside. Funding for the project came from a combination of federal, state and local sources.
- **5/805 Interchange and Freeway Widening, San Diego, CA ($176 Million):** Project Manager for the construction of a separate freeway by-pass system from the junction of Interstate 5 and 805 to the Del Mar Heights Road Interchange. The Project also included the construction of a diamond type Interchange at Carmel Mountain Road, and adding of Auxiliary lanes to the existing main lanes. The projects goals were to reduce traffic through the corridor, improve safety through the addition of the by-pass system, and improve access to SR-56 and local roadway systems. Project innovations included building bridge foundations to better withstand earthquakes, eliminate merging and weaving traffic by separating SR-56 and local interchange

traffic from I-5 main lanes. Caltrans partnered with Contractors to ensure the project enabled cost effective construction methods and efficient staging in the interest of time saving to contractors and minimizing travel impact to motorists.

- **SR91/SR57 Interchange Widening, Anaheim, CA ($75 Million):** Project Manager for the construction of the widening of SR91 and SR57 freeways to construct a HOV connector almost a mile in length. The projects goal was to eliminate the weaving of traffic through the interchange caused by the transition from one freeway to the other of the HOV lanes. In order to accomplish this both freeways had to be widened and this required new bridges to be constructed at State College Boulevard, Placentia Avenue Overcrossing, Sunkist Avenue Overcrossing, Mira Loma Overcrossing, and La Jolla Overcrossing. New retaining walls and soundwalls were necessary to support the widening of the freeways along with new drainage improvements. The Contractor was awarded the gold medal in partnering from Caltrans for working through difficult construction issues and to expedite project bringing it in on time and under budget.
- **SR 55 Widening, Orange, CA ($40 Million):** Project Manager for the construction of approximately two and a half miles of freeway widening on SR 55. This project required the construction of two new bridges, retaining walls and soundwalls. Improvements were made to the interchange at Lincoln Ave and SR 55 to support the widening and the end result was an increase in traffic flow and a decrease in congestion on the SR 55 freeway.
- **Ave "H" Overcrossing, Lancaster, CA ($10 Million):** Project Manager for the construction of Avenue "H" Overcrossing. This project was part of the ever increasing development of the outer LA area. The project required street and drainage improvements to support the new bridge over SR 14 freeway.
- **I-10 Freeway at Palm Drive/Gene Autry Trail Interchange Project, Palm Springs, CA ($16 Million):** Resident Engineer / Structure Representative for the construction of a new cast in place post tensioned box girder bridge over the I-10 Freeway. A precast "I" girder widening over the BNSF railway tracks and the roadway widening of Palm Dr.

MICHAEL J. SCHNEPF
Principal Public Works Inspector

EDUCATION
- SDSU, CA 1977
- SDSU Extension: Construction Technology

Awards:
- Best Project, American Concrete Institute for The Falls at Rancho Bernardo

SUMMARY

Mr. Schnepf has approximately 30 years of experience in general engineering/public works and building construction projects. In these capacities, he has been responsible for more than $500 million worth of private and public works construction projects in Type A and Type B construction. He has inspected numerous federally funded projects in compliance with Local Assistance Procedures Manual, as well as projects under Caltrans' jurisdiction.

PROFESSIONAL EXPERIENCE

- **General Public Works Inspection:** Worked at various Cities under Transtech contracts as Senior Public Works Inspector. Projects inspected include, all aspects of new infrastructure construction and reconstruction, parks, ball fields, landscape aquatic facilities, fire stations, piers, skate parks, airports, coastal and recreational facilities, playgrounds, water and sewerage systems (including distribution mains (to 120 inch), mainlines, service laterals, lift & pump stations, domestic and reclaimed water systems, fire lines, backflows, pressure reducing stations, valve cut ins, line stops, line freezing, gravity and force mains and grease interceptors.
  - **Valley Boulevard Rehabilitation Project (Federally Funded), Alhambra:** Served as the Principal Inspector and Construction Manager for this federally funded, approx. $2,000,000 project, which involved reconstruction, pavement overlay, medians, landscape, curb and gutter, sidewalk, traffic signals and other misc. improvements. Project was inspected and managed in compliance with Caltrans Local Assistance Procedures Manual. Project also involved coordination with Caltrans for work at the 710 Freeway ramps under Caltrans Encroachment Permit. Project was completed in various phases, including nigh time construction for several phases, to minimize inconvenience to public on this heavily travelled major Arterial.
  - **New Avenue, from North to South City Limit Rehabilitation Project (Federally Funded), Alhambra:** Served as the Principal Inspector and Construction Manager for this federally funded, approx. $1,300,000 project, which involved reconstruction, pavement overlay, medians, landscape, curb and gutter, sidewalk, traffic signals and other misc. improvements. Project was inspected and managed in compliance with Caltrans Local Assistance Procedures Manual. Project also involved coordination with Caltrans for work at the I-10 Freeway ramps under Caltrans Encroachment Permit. Project was completed in 7 phases, including nigh time construction for several phases, to minimize inconvenience to public on this heavily travelled major Arterial.
  - **Avenida Pico Widening, San Clemente:** Widening of Avenida Pico from I-5 to Avenida Del Cerro including improvements to San Clemente High School. Widened arterial roadway within very limit time frame on a 24 hour a day schedule. High School kept open as were all businesses. Was

accepted by State Architect to perform all onsite inspection of improvements on school property.

- **Smart Corridor, Washington Avenue Culver City:** Coordinated and inspected the integrated Smart Corridor consisting of 51 fully reconstructed and signalized intersections with interconnect and monitoring in Culver City. Interfaced with Caltrans along the I-405 corridor.
- **Skypark Signalization and Widening, Torrance:** Provided construction management and inspection for widening and signalization of Skypark Drive and Madison Street. Interfaced with Edison for relocation of high voltage primary lines and street lighting, FAA personnel at Zamperini Field Airport and Administrative Staff at Torrance Memorial Medical Center. Twenty four hour access to all businesses and facilities were maintained.
- **City of San Clemente, multiple locations:** Provided inspection, design review and plan check for new and retrofits at over 40 intersections during a span of eleven years. Interconnect and camera detection systems. Interfaced with Caltrans along the I-5 corridor.

- **Grading:** Provided grading inspection from initial clearing & grubbing through rough grade and precise grading on projects ranging from 4,000 sq. ft. lots to 3200 acre master planned subdivisions. In many cases provided or assisted in engineering plan check processes. Provided all aspects of inspection for caissons, tie-backs, geotextiles, sub-drains, de-watering wells, wicking systems, benching, buttressing, minor & mass grading operations. Worked closely with Paleontologists and Archaeologists during grading operations. Sites have included the most fossil-rich find in Orange County. Retaining walls have included gravity/friction segmental walls, cmu, cast-in-place concrete and shotcrete applications.
- **Traffic Signals:** Project construction management and inspection of traffic signals and interconnect systems in conjunction with widening and total reconstruction of one of the most heavily utilized intersections in Los Angeles County, 190th & Crenshaw in the City of Torrance. Inspection, design review and plan check for new and retrofits at over 140 intersections during a span of eleven years. Interfaced with Caltrans along the I-5, I-10 and I-405 corridors.
- **Reservoir:** Reconstruction of Reservoir 5A and 8, San Clemente: Assisted in drafting specifications for the restoration, reconstruction of two reservoirs in San Clemente. Provided construction inspection services for all stages of construction and monitored deputy coating inspection team.
- **Storm drain systems:** Channel drains, local depressions, catch basins, main lines, head walls, box culverts, lined channels, desilters, detention basins, clarifiers, energy dissipaters, environmental containment, hydrocarbon filtration, in field testing.
- **Other Utilities:** All overhead and underground electrical, water, sewers, communications, gas, and fuel lines including storage facilities.

DAVID RAGLAND, PE, LS
QC/QA

EDUCATION
- Humboldt State University, CA, Bachelor of Science

REGISTRATION
- Registered Civil Engineer
- Licensed Land Surveyor

SUMMARY

Mr. Ragland is a civil engineer and land surveyor with approximately 30 years of diverse experience in a wide variety of projects in civil engineering. He has managed numerous multi-disciplinary teams dealing with the planning, engineering, entitlement, environmental permitting, development and construction of urban and rural development, and public works projects. His experience also includes special emphasis on complex grading and hillside developments (has worked on the civil engineering and development of more than 40,000 acres of hillside properties), preparation of due diligence and project feasibility analysis, through conceptual planning and design to entitlement and construction. Estimated valuation of projects that Mr. Ragland has been involved is approximately $1,000,000,000.

PROFESSIONAL EXPERIENCE

General Civil Engineering Projects:

- **CSUSB (Cal State SB University) San Bernardino Main Access Road:** Prepared PS&E and provided construction administration for the project. Project involved design of a new roadway for a length of approximately 1.5 miles, and include street, medians, landscape, lighting, traffic signals, water, sewer, storm drain and various other utilities.
- **Campus Parkway Roadway:** Design of a new roadway for a length of approximately 2 miles, and included street, medians, landscape, lighting, traffic signals, water, sewer, storm drain and various other utilities.
- **Cannon Roadway and Sewer:** Design of approximately 2 miles of roadway and 36 inch sewer pipe and pump station. This project required careful consideration to pipe buckling due to the extreme soils conditions of the Agua Hedionda Lagoon. Special bedding techniques were used along with special coupling of the pipes to allow for potential deflection as the bridge abutment and road fill settled.
- **Lopez Canyon Roadway and Sewer:** Design and construction of over 5 miles of roadway sewer ranging up to 36 inches in diameter.
- **Sorrento Valley Boulevard:** Design and construction of 4 miles of roadway.
- **University Development:** Development of a 135 acre site in association with the City of San Bernardino, Watson Development and Cal-State SB for the development of 200 residential, mixed use, live-work, retail, office and educational and training facilities and offices for Cal State SB University.
- **San Elijo Hills Development:** Development of 2000 acre master

planned community including golf course and hotel. Project included preparation of Specific Plan, TM, Final Map, construction plans for all necessary infrastructure, environmental permits and Communities Facilities District.

- **Parkway Business Centre:** Design and construction of the 460 Acre industrial park including South Poway Parkway for ADI Properties, Inc. Also served as Assessment Engineer for Communities Facilities District.

Drainage And Sewer Projects:

- **City of Commerce**: Master Sewer Study Telegraph Corridor re-vitalization project. Documentation of existing system. Design capacity analysis based upon land use designations. Produced master plan study report for the project along with cost estimates.
- **University Park Storm Drain Design:** Design of storm drain system with pipes ranging in size from 18 to 60 inches and trapezoidal channel design for 4500 cfs.
- **University of Riverside:** West Campus Infrastructure, including sewer, storm drain, water, design.
- **San Elijo Ranch Drainage, Sewer and Water Master Plan, San Marcos:** 2,000 acre / 3400 unit master planned community. The project included literally miles of storm drain, sewer and water lines, sedimentation areas, pump stations, booster stations, water reservoirs and force mains. Cannon Road Trunk Sewer and Pump Station - Design of 8-12 inch gravity sewer, 6 and 8 inch force main, pump station and wet well. City of Carlsbad
- **Penasquitos Canyon Trunk Sewer:** PS&E for two miles 36-inch gravity sewer including design study reports. City of San Diego
- **Otay River hydrology study and dam breach analysis:** 22,000 acre Otay Ranch project in Chula Vista. Flows up to 33,000 cfs were studied for the Otay River.

Water Projects:

- **City of San Diego:** Green Valley Water line design and construction. 5000 feet, 30" Reinforced concrete water line and pressure reducing station and details for connection to a 60-inch San Diego County Water Authority Pipeline. Structural arch and encasement designs for road crossings over various SDCWA pipelines up to 108 inches in diameter. Design and construction of Mercy Road pressure booster.
- **City of San Bernardino:** Design and construction management of 3500 feet of 20 to 36 inch ductile iron water transmission main in the City of San Bernardino for the development of University Park. Design of over 10,000 feet of 8 thru 12 inch DIP water main for water distribution. Structural arch design for road crossing over the Dept of Water Resources 109-inch Santa Ana pipeline.
- **City of Riverside:** Water distribution analysis and computer modeling for University of California Riverside West Campus expansion infrastructure project.

ALI CAYIR, PE
QC/QA

EDUCATION
- BS Engineering
- MBA, Project/Construction Management, UC Irvine

REGISTRATION
- Registered Civil Engineer
- Licensed Gen Contractor A
- Licensed Gen Contractor B

HIGHLIGHTS
- Served as Contract City/Traffic Engineer for Cities.
- Federally Funded Project Experience: Extensive experience in the state and federal programs and procedures, and in the management of federally and/or state funded projects in compliance with the Local Assistance Procedures Manual.
- Diversified experience in both design and construction.

SUMMARY

Mr. Cayir has approximately 30 years of experience in engineering and construction. He served as contract City Engineer/City Traffic Engineer for a number of municipalities in Southern California. He has a broad knowledge of municipal government operations, including preparation and presentation of staff reports/resolutions to city councils, committees and interaction with public, various city departments, city council and other governmental agencies. He has participated on numerous multi-disciplinary teams dealing with the planning and development of civil and traffic engineering, urban and rural development, and public works projects.

PROFESSIONAL EXPERIENCE

Civil Engineering Experience

- Project Principal for I-710 Freeway Interim Improvements and Fremont Widening and Reconstruction: Transtech provided Turn-key Services, including Program Management, Construction Management, Design, Surveying, Right-of-Way Engineering, and Environmental. The project included major roadway improvements, removal/demolition of various buildings for additional right-of-way and reconstruction of buildings behind new right-of-way, traffic signals, infrastructure, utilities, pavement, drainage, water, sewer, landscape, street lighting, traffic signal, pavement improvements. Project was funded by Federal Funds, and was managed and inspected in compliance with Caltrans Local Assistance Procedures Manual. (Cost $20m).
- Project Principal for University Park Development/San Bernardino: The project included 2 miles of new roadway, sewer, water, utility and extensive hill side grading for a master planned residential and commercial development on 130 acre site across from the San Bernardino State University. (Cost $20m).
- Project Principal for $20 m Carlsbad to San Diego Rail Trail Project Report, which is funded by State and Federal funds and required complete project and environmental report, including Right-of-Way, Relocation, SHPO, NEPA, SEQA, Noise, Parking, Economic, Hazardous Materials technical studies, and processed through Caltrans and FHWA.
- Alameda Corridor Agency East (ACE) Rail Grade Crossing Improvement Project encompassing 6 agencies and 14 locations in Los Angeles County. Work involved roadway realignment and reconstruction, signalization, traffic control, and construction phasing as well as related improvements such as storm drain, water, sewer landscaping, underground utilities, etc. Construction cost $5,000,000.

Construction Management Experience

- Project Principal for City of San Bernardino, Santa Fe Historic Train Depot

Renovation. Transtech is currently providing construction management services, including inspection, surveying, resident engineer, federal compliance, labor compliance. Construction Cost $13m

- Project Principal for City of Alhambra, Valley Boulevard Widening. Preparation of funding application, securing $5 million Federal, State and County funding, and design, and is currently providing construction management services, including inspection, surveying, resident engineer, federal compliance, labor compliance. Construction Cost $5m
- Project Principal for City of Commerce, Rosewood Community Center. Transtech was retained by the City to take over the management of this multimillion dollar facility which was 2 years behind schedule. Within 5 months, Transtech brought the construction to substantial completion level allowing the City start the move-in process, and 2 months after, the facility was opened to public use. Currently, Transtech is assisting the City in claims analysis and change order resolution. Construction Cost: $15m.
- Project Principal for City of Alhambra Chapel, First St and Garfield Parking Structures: Transtech served as turn-key project manager, including management of design, construction, building plan check and inspection, federal funds, labor compliance for 3 parking structure projects. Chapel: 4 story, 300 space structure; First Street: 4 story, 276 space structure; Garfield: 5 story, 800 space structure. (Cost $15m)

Traffic Engineering Experience

- Design and management of a variety of traffic and transportation engineering projects, including traffic signals (more than 1000 locations), traffic signal interconnect system, street lighting, traffic control, signing and striping design; signal timing and coordination studies; traffic signal management studies; traffic safety projects (OTS) including traffic control device inventories and speed surveys; traffic impact and parking studies for more than 100 projects; and feasibility studies for traffic control measures, freeway access, bikeways and street improvements. Mr. Cayir has also served as consultant Traffic Engineer for various agencies in Southern California.
- Project Manager/Engineer for the preparation of ramp metering, count station, traffic signal, highway lighting, sign lighting, construction signing, pavement delineation, communication, and other traffic related plans for several state highways and freeway improvement projects involving Caltrans Districts 7, 8 and 12.
- Project Manager for the preparation of traffic signal modifications for various arterials in Los Angeles County including Garvey Avenue, El Segundo Boulevard, Crenshaw Boulevard, Slauson Avenue, Rosecrans Avenue, Arrow Highway and Huntington Drive/Alosta Avenue/Foothill Boulevard.

SELIM BOUHAMIDI
Office Engineer/Funding Compliance and Inspection Support

EDUCATION

- MA, Urban Planning, University of California, Los Angeles.
- BA, Anthropology, University of California, Los Angeles

HIGHLIGHTS

- Extensive experience in federal funds and grants and working with Caltrans Local Assistance and local agencies.
- Well versed in Caltrans and Local Assistance construction filing and document system.
- As the primary coordinator of Transtech's federal-aid internal procedural tracking system, Mr. Bouhamidi has been and is responsible for the direction and coordination of several federally funded projects having worked with numerous local agencies including the cities of Inglewood, Baldwin Park, Pomona, Lawndale, and Long Beach.
- Also worked with the City of Riverside Urban Planning Department.

SUMMARY

Mr. Bouhamidi has approximately 5 years of experience, and provides office support to Project Managers and Resident Engineers. He is well versed in Caltrans and Local Assistance construction filing and document system. He also works closely with various Funding Agencies, including Caltrans Local Assistance, and local agencies to successfully secure federal-aid for various construction projects. Mr. Bouhamidi has also worked with the City of Riverside Urban Planning Department. He was responsible for updating the city's property database recording architectural descriptions, and recent demolitions.

PROFESSIONAL EXPERIENCE

- Valley Boulevard Rehabilitation Project (Federally Funded), Alhambra: Served as Office Engineer, provided Federal and Labor Compliance services and served as assistant inspector to support the principal inspector for this federally funded, approx. $2,000,000 project, which involved reconstruction, pavement overlay, medians, landscape, curb and gutter, sidewalk, traffic signals and other misc. improvements. Project was inspected and managed in compliance with Caltrans Local Assistance Procedures Manual. Project also involved coordination with Caltrans for work at the 710 Freeway ramps under Caltrans Encroachment Permit. Project was completed in various phases, including nigh time construction for several phases, to minimize inconvenience to public on this heavily travelled major Arterial.

- New Avenue, from North to South City Limit Rehabilitation Project (Federally Funded), Alhambra: Served as Office Engineer, provided Federal and Labor Compliance services and served as assistant inspector to support the principal inspector for this federally funded, approx. $1,300,000 project, which involved reconstruction, pavement overlay, medians, landscape, curb and gutter, sidewalk, traffic signals and other misc. improvements. Project was inspected and managed in compliance with Caltrans Local Assistance Procedures Manual. Project also involved coordination with Caltrans for work at the I-10 Freeway ramps under Caltrans Encroachment Permit. Project was completed in 7 phases, including nigh time construction for several phases, to minimize inconvenience to public on this heavily travelled major Arterial.

- City of Alhambra, Josylin Community Center Renovation Project funded by Federal Energy Efficiency and Conservation Block Grant: Served as office support engineer and provided labor compliance services.

- City of Alhambra, Valley Boulevard Reconstruction, Federally Funded Project: Served as office support engineer and provided labor compliance services.

- City of Pomona, Rte 71/Mission: Provided funding support, assisted in E76 processing of various phases, and assisted in labor compliance.

- Office Engineer Federal- and State-Aid Internal Procedural Tracking System: Development of an internal electronic procedural tracking system to fast-track, coordinate, and organize federally-aided projects. This multi-layered, holistic system is process-oriented and developed over a timeline—a steady departure from the topically based and more general approach of the Caltrans Local Assistance Procedures Manual. The system provides swift results by ensuring that a project stays fully on track and is carried out in a timely and efficient manner, while providing personnel with all key reference points, timelines, and resources to complete and track the various ongoing projects. Responsible for tracking all aspects of a federal- or state-funded project beginning with the initial submittal of the funding packet application and signatures. Every step in the transmittal process is reviewed, tracked, and updated. The tracking system also includes follow-ups on federal application forms, which are subject to change after submittal and must be updated so as not to hold up authorization of funding. Working closely with Caltrans Local Assistance procedures, responsible for managing, tracking, and monitoring various transportation projects from a diverse number of cities.

The following are Billing Rates for project staff:

Key Person	Project Role	Billing Rate
Robert Quintero	Contract Principal/Manager	$145
Kurt Pegg, PE	PM/CM, Resident Engineer, Structural Representative	$145
Michael Ackerman, PE	Deputy PM, CM, RE	$145
David Ragland, PE, PLS Ali Cayir, PE	QC/QA	$145
Michael Schnepf	Principal Public Works Inspector	$95
Selim Bouhamidi	Office Engineer/Funding Compliance	$65

As required in the RFP, we are providing the following billing statement:

The above hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred shall also be included. All extra work will require prior approval from the City.

The following is the Resource Matrix showing hrs per task for each project staff:

Resource Matrix		Project Management Consultant (PMC) Services	Construction Management Consultant (CMC) Services	Construction Inspection Consultant (CIC) Services	Totals
Staff	Position	Hrs	Hrs	Hrs	Hrs
Robert Quintero	Contract Principal/Manager	250	250	0	**500**
Michael Ackerman, PE	Project Manager, Construction Manager, RE	1,000	1,500	500	**3,000**
Kurt Pegg, PE	Structural Representative and Inspector	100	300	800	**1,200**
David Ragland, PE, PLS Ali Cayir, PE	QC/QA	500	100	0	**600**
Michael Schnepf	Principal Public Works Inspector	200	250	2,000	**2,450**
Selim Bouhamidi	Office Engineer, Funding Compliance and Inspection Support	100	1,000	750	**1,850**
Totals		**2,150**	**3,400**	**4,050**	**9,600**

The following are the required Statements to be included in the proposal per the City's RFP:

1. A statement that this Request for Proposal shall be incorporated in its entirety as a part of the Consultant's Proposal.
   We agree with the above statement.

2. A statement that this Request for Proposal and the Consultant's Proposal will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley. The City's standard Agreement will be executed without any proposed changes.
   We agree with the above statement.

3. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's Request for Proposal except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."
   We agree with the above statement, and do not have any "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

4. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedent over this Request for Proposal for Professional Consultant Services.
   We do not have any "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

5. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact.
   The above requested information is provided in "SECTION C: Qualifications and Experience" of our proposal.

   If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.
   We agree with the above statement.

6. A statement of sub-consultant's (include relief personnel) qualifications applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.
   The above requested information is provided in "SECTION C: Qualifications and Experience" of our proposal.

   A statement that the Consultant acknowledges and understands that the Consultant will not be allowed to change the sub-consultant without written permission from the City.
   We agree with the above statement.

7. A statement that all charges for Consultant services is a "Not-to-Exceed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.
   We agree with the above statement.

8. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.
   We agree with the above statement.

9. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.
   We agree with the above statement.

10. A statement that the Consultant's hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this Request for Proposal. All extra work will require prior approval from the City.
    We agree with the above statement.

11. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.
    We agree with the above statement.

12. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.
    We agree with the above statement.

13. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.
    We agree with the above statement.

14. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.
    We agree with the above statement.

15. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.
    We agree with the above statement.

16. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under

the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

We agree with the above statement.

EXHIBIT C

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT D

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $868,870.00.
2. The Consultant will submit an invoice to the City based on milestones completed and accepted by the City, which documentation evidencing milestones completed to date (refer to milestones identified in Section VIII, Payment to Consultant in Exhibit "A" – City's Request for Proposal). At no time will the City pay for more services than have been satisfactorily completed, and the City Engineer's (or his/her representative's) determination of the amount due for any progress payment shall be final.
3. The Consultant's invoice shall include all subconsultant invoices for the same period as the Consultant's invoice.
4. The City shall pay the Consultant for all invoiced, authorized professional services within thirty (30) days of completing the referenced milestones as determined by the City.

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Revised 10/13/09

EXHIBIT "D"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: P07-144 – APPROVE TRACT MAP NO. 35760, A SIX-LOT RESIDENTIAL SUBDIVISION OF TRACT MAP NO. 31129

NORTHWEST CORNER OF CACTUS AVENUE AND LANDON ROAD

DEVELOPER: WESTERN PACIFIC HOUSING, INC.
16755 VON KARMAN, SUITE 200
IRVINE, CA 92606

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Tract Map No. 35760.

2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 30, 2008, the Community Development Department of the City of Moreno Valley approved Tentative Tract Map No. 35760 as a revision to Tract Map No. 31129. The tentative tract map is a proposal to subdivide a 1.83-acre portion of previously approved Tract Map No. 31129 into six residential lots. The tentative tract map will allow for the subdivision of six lots, the elimination of a detention basin (Lot L of

Tract Map No. 31129), and the adjustment to existing lot lines previously approved on Tract Map No. 31129.

DISCUSSION

Tract Map No. 35760 is in conformance with the tentative tract map. The developer has requested that the tract map be approved for recordation. Most public street improvements were completed under Tract Map No. 31129. The remaining trail improvements adjacent to Lot 6 of Tract Map No. 35760 on Cactus Avenue and those along the west map boundary of Tract Map No. 35760 and Tract Map No. 31129 will be completed prior to occupancy of Tract Map No. 35760. The trail improvements include but are not limited to three-rail PVC fence, gates, bollards, decomposed granite, concrete curb, and related grading and drainage.

ALTERNATIVES

1. Approve Tract Map No. 35760 and authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation. *This alternative would allow the developer to proceed with the recordation of the six-lot subdivision.*

2. Do not approve Tract Map No. 35760 nor authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation. *This alternative would not allow the developer to proceed with their proposed residential subdivision development.*

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map

Prepared By
Clement Jimenez, P.E..
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E..
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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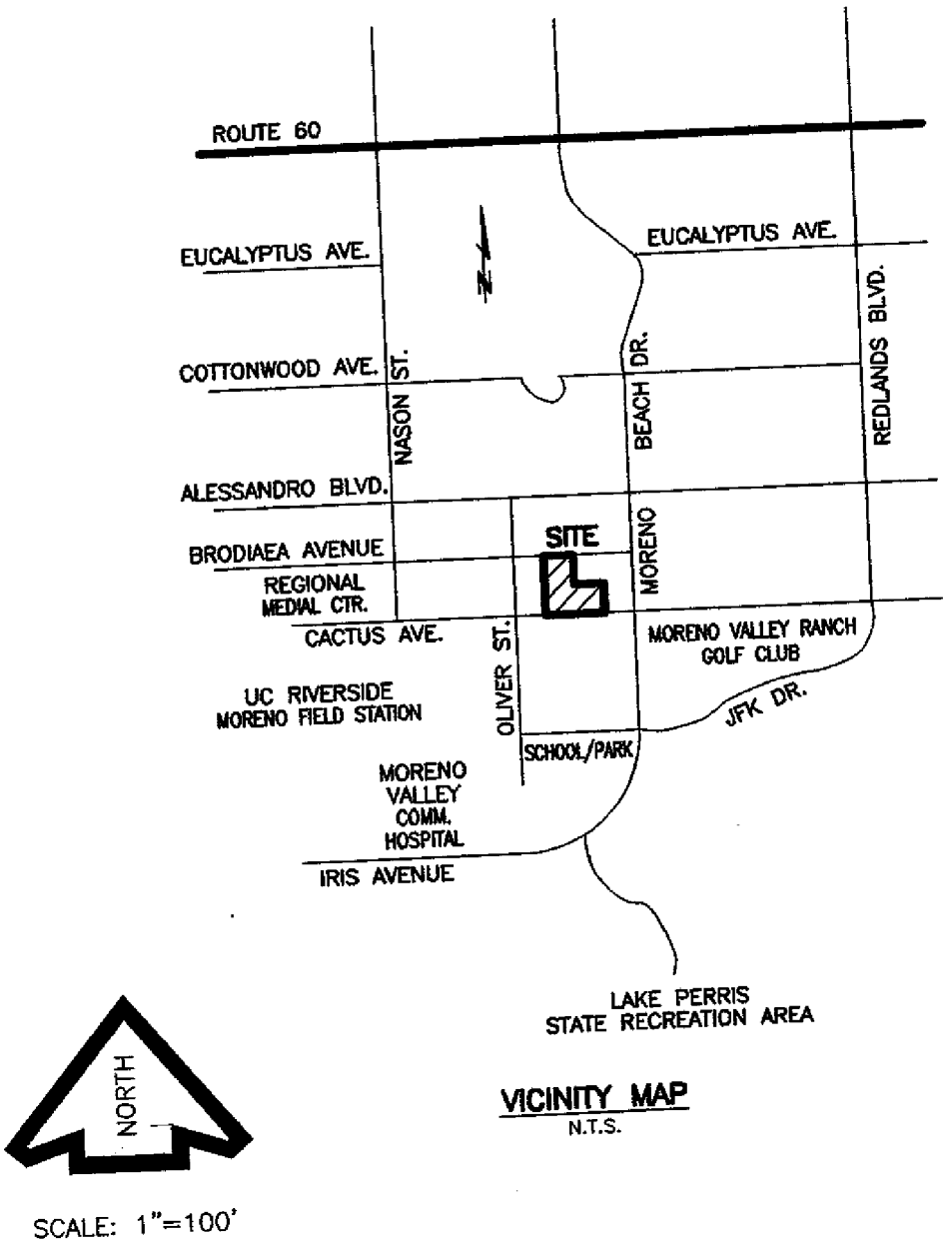

VICINITY MAP
N.T.S.

SCALE: 1"=100'

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT Exhibit "A"	P07-144 LOCATION MAP

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MV00116654

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZATION TO AWARD AGREEMENT FOR CENTRAL TRAFFIC CONTROL SOFTWARE SERVICES IN SUPPORT OF THE TRANSPORTATION MANAGEMENT CENTER (PROJECT NO. 10-13768129)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the agreement with Kimley-Horn and Associates, Inc., 7878 N. 16th Street, Phoenix, Arizona 85020, to provide a central traffic control software system.

2. Authorize the City Manager to execute said Agreement with Kimley-Horn and Associates, Inc., in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Kimley-Horn and Associates, Inc., in the amount of $315,000.

4. Authorize the Public Works Director to execute any subsequent amendments related to this agreement.

BACKGROUND

Local traffic congestion has become increasingly prevalent as the City continues to grow. Congestion hot spots are well-known and include most intersections adjacent to freeway interchanges and several arterial corridors. The current recession has slightly improved conditions, but as the economy improves, and travel increases once again, traffic flow optimization will increase in importance to the community. In the long term, Moreno Valley's population will almost double, substantially increasing the traffic loading on our roadways. To address current and future traffic demand, staff has proposed

implementation of Intelligent Transportation Systems (ITS) technology to systematically manage and optimize traffic flow.

In 2009, the City completed an ITS Master Plan which provided recommendations for a systems-based approach to updating the City's traffic control infrastructure. The Transportation Management Center (TMC) is an integral component of the ITS Master Plan.

The City's current traffic signal control system was procured in 1991. The platform, which consists of field controllers and a computer in City Hall, is obsolete. The controllers are no longer available for purchase, and the central software (which is MS-DOS-based) cannot be run on newer operating systems. Therefore, City staff has planned for a replacement system consisting of a TMC and new central traffic control software, new traffic signal controllers to be deployed in the field over time, and a citywide communication network.

DISCUSSION

A TMC provides the ability to centrally monitor roadway conditions and adjust traffic signal timing to optimize vehicle flow. Monitoring is accomplished through the use of closed-circuit television cameras, and data from traffic detectors used to display real-time vehicle speeds. Control is accomplished via fiber optic communication facilities which will be steadily deployed over time.

The TMC would be linked to the City of Riverside and Caltrans District 8 TMC's via high-bandwidth data connections, allowing Moreno Valley the capability of viewing video from those agency's CCTV cameras, as well as coordinating response in the event of incidents. Other nearby agencies with fully operational TMC's include Temecula, Corona, and Fontana. In other parts of Southern California, virtually all agencies with populations over 50,000 maintain active TMC's.

With existing staff levels, Public Works is capable of operating and maintaining the TMC as an extension of their current duties, so no additional employees would be required. The TMC would produce net labor savings by reducing the need to deploy field personnel to diagnose and correct traffic signal equipment problems. The TMC would enable faster response for maintenance issues through the use of standard features such as automated paging/emailing of alerts and remote access capability.

The TMC would have secondary benefits, in that an ITS deployment better positions Moreno Valley for grant funds since it represents a higher level of commitment to improving mobility. The TMC would be located in the current Fishbowl Conference Room adjacent to the entrance lobby of City Hall.

In January 2011, City staff released a Request for Qualifications for central traffic control software, which was mailed to nine firms known to provide such software, and was also advertised on the City's Web site. Eight submittals were received, indicating a high level of interest. A panel of four persons, including one representative from the

City's Technology Services Division and an expert in traffic control system deployment from outside the City, reviewed and scored the submittals. Based on the scoring of the responses, four firms were invited to interviews, which consisted of a live software system demonstration and presentation. The same panel scored the interviewees. All four panelists ranked Kimley-Horn and Associates highest. The panel felt that the system will be state of the art for years to come and thus represents an excellent investment. Kimley-Horn has deployed this software system for numerous Southern California agencies, including Beverly Hills, Culver City, Los Angeles County, Claremont, San Dimas, and the City of Commerce.

ALTERNATIVES

1. Approve the agreement with Kimley-Horn and Associates, Inc., 7878 N. 16th Street, Phoenix, Arizona 85020, to provide a central traffic control software system; authorize the City Manager to execute said Agreement with Kimley-Horn and Associates, Inc., in the form attached hereto; authorize the issuance of a Purchase Order to Kimley-Horn and Associates, Inc., in the amount of $315,000; and authorize the Public Works Director to execute any subsequent amendments related to this agreement. *This is the recommended alternative.*

2. Do not approve the agreement with Kimley-Horn and Associates, Inc., 7878 N. 16th Street, Phoenix, Arizona 85020, to provide a central traffic control software system; do not authorize the City Manager to execute said Agreement with Kimley-Horn and Associates, Inc., in the form attached hereto; do not authorize the issuance of a Purchase Order to Kimley-Horn and Associates, Inc., in the amount of $315,000; and do not authorize the Public Works Director to execute any subsequent amendments related to this agreement. *Staff does not recommend this alternative.*

FISCAL IMPACT

The Transportation Management Center Project (TMC) is included in the Fiscal Year 2011/2012 Capital Improvement Program budget and will be financed by the Traffic Signals Development Impact Fee fund (Fund 202) and the Air Quality Management Fund (Fund 137). These funds can only be used for traffic signal and air quality improvement purposes. There is no impact to the General Fund. FY 2011/2012 budget amounts are estimated, since final financial data for FY2010/2011 are not yet available.

AVAILABLE FUNDS

FY 2011/2012 Development Impact Fees— Account No. 417.79528	$	220,000
FY 2011/2012 Air Quality Management— Account No. 137.68129	$	215,000
Available Funds	**$**	**435,000**

ESTIMATED COSTS

Central Traffic Control System Software Contract	$	315,000
Modifications to Fishbowl Conference Room	$	40,000
Video display units, furniture and Incidentals	$	60,000
Staff time	$	20,000
Total:	**$**	**435,000**

ANTICIPATED PROJECT SCHEDULE

Prepare plans for space reallocation by:	October 2011
Complete software integration by:	March 2012
Complete space reallocation by:	March 2012

ATTACHMENT

Attachment "A" – Agreement for Professional Consultant Services

Prepared By:
John Kerenyi, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 10-13768129

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Kimley-Horn and Associates, Inc., a North Carolina Corporation, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "B" (Consultant's Scope of Work) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

DESCRIPTION OF PROJECT

1. The Project is described as the City of Moreno Valley Transportation Management Center (Project No. 10-13768129).

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "A" attached hereto and incorporated herein by this reference.

3. The City's responsibility is described on Exhibit "B" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $315,000.00 in accordance with the payment terms provided on Exhibit "C" attached hereto and incorporated herein by this reference.

TIME FOR PERFORMANCE

5. The Consultant shall commence services upon receipt of written direction to proceed from the City.

6. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "D" attached hereto and incorporated by this reference.

7. The Consultant and the City agree that the schedule in Paragraph 6 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

8. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified

delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

9. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

10. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

11. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

12. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

13. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

14. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents, or employees.

15. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure

and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

	General Liability
Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, RDA and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) The City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Community Redevelopment Agency, and the Moreno Valley Community Services District, its officers, employees and agents, under any

third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

16. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

17. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

18. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other work without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

19. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

20. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

21. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant

representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

22. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

23. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

24. The City and the Consultant agree, that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

25. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

26. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be

delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

27. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

SIGNATURE PAGE FOLLOWS

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley	Contractor/Consultant Name
BY: _____ City Manager	BY: _____
	TITLE: _____ (President or Vice President)
_____ Date	_____ Date
	BY: _____
	TITLE: _____ (Corporate Secretary)
	_____ Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

EXHIBIT B

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT B

EXHIBIT C

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $315,000.00.
2. The Consultant will submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final.
3. The City shall pay the Consultant for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.
4. Any fees for authorized professional services furnished by the Consultant which have not been paid or contested by the City within thirty (30) days of the City's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Consultant.

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MV00116672

MORENO VALLEY ATMS

Statement of Work

Prepared by:

Kimley-Horn and Associates, Inc.

For Review by:

City of Moreno Valley

Version 4.2

June 28, 2011

Exhibit A

PROJECT SCOPE

The following scope of services is for deployment and integration of KITS to meet the mandatory elements listed in KHA's response to the City's RFQ submitted on February 3, 2011.

SCOPE OF SERVICES

Task 1: Project Management

KHA's Project Manager shall act as the principal contact for the City and other involved agencies. KHA's Project Manager will be responsible for the completion of activities associated with the performance of this project. Additional responsibilities include management of project planning activities and tracking of resources associated with each aspect of the project. The Project Management task will be invoiced monthly based on percent complete. Target percentages should be outlined to ensure all parties understand the value of each task executed. KHA's Project Manager shall oversee and participate in the activities of the project.

Prepare Project Status Reports

KHA shall prepare and submit written monthly project status reports. The reports shall include the following information including a schedule outlining target dates for completion of items:

- Period covered by the report.
- Overview of the reporting period.
- Tasks, subtasks, deliverables, goods, services and other work scheduled for the reporting period which were completed.
- Action Items
- Updated Deliverables chart and completion schedule, if necessary.

KHA shall also prepare claims, invoices, billings, and other financial information for review and approval by the City, as required by this agreement.

Task 2: Preliminary Engineering

KHA will meet with City staff to discuss the existing condition of the City's internal network and field network along with future migration plans and schedule. KHA will provide input on communication equipment that the City is considering.

KHA shall collaborate with the City to determine the CCTV and signal controller hardware/firmware specifications for the pilot corridor. It is expected that the City will deploy a signal controller firmware protocol and CCTV encoder that has already been deployed with KITS. KHA will review and demonstrate existing KITS functionality currently deployed for specific firmware/hardware options. A document will be created that summarizes all of City's preliminary engineering decisions.

(continues)

Deliverables:
2.1 Communication Review
2.2 Firmware Specification and Existing Functionality Review
2.3 Signal Controller Hardware and Firmware Recommendations
2.4 CCTV Specification

Task 3: Procurement
Based on the information gathered during meetings with the City's Engineering and IT staff, KHA shall deliver complete equipment list ("Bill of Materials") for full system deployment and submit to the City for review. KHA will review options and provide input on reusing existing City server hardware and software licenses to fulfill the needs of the project. Upon KHA's approval of the equipment list and all system configurations, the City will procure system components, including supporting third party software, system hardware, network equipment, and peripherals. The equipment will remain at the City. The City will assist with the configuration of remote access into the network to enable authorized KHA staff to remotely diagnose the system. Using funds outside of this agreement, the City will purchase 3rd party software that is required for the deployment of the Integrated System. Anticipated software includes:

- SQL Server 2008
- ESRI ArcGIS
- MS Visio Standard
- Notepage PageGate

The workstations will be deployed on Windows XP or 7 and the servers on Windows Server 2008. The Integrated System will utilize SQL Server 2008 as its central database. The specific versions of the tools will be determined in conjunction with City IT preference.

Deliverables:
3.1 Identification of 3rd party software and hardware

Task 4: System Integration
Integration of KITS shall be performed in stages. The following sequence of events details the staged implementation of the KITS system.

1. KHA and the City will conduct multiple meetings to finalize the pilot corridor equipment.
2. The City will procure designated equipment.
3. Based on the City's preference for controller firmware and CCTV equipment, KHA will create a version of KITS that integrates existing modules to support the specified equipment and desired functionality. The source code, reports, registry, and database to support the functionality of the City's modules will be placed under configuration management and version control processes. No new software development is anticipated under this task.

4. A lab configuration will be created and maintained in KHA's facility to simulate the deployment environment.
5. An installation procedure will be generated by KHA. This will be a functional self-contained installation and automate many of the procedures used to install the KITS user interface. This automated installation will include most of the required 3rd party tools and may reference other supporting 3rd party documentation.
6. KHA will come to Moreno Valley to assist City personnel with the installation and configuration of the equipment and required 3rd party software.
7. A backup server will be identified by City staff and configured by KHA for backup and disaster recovery purposes.
8. City personnel, with assistance from KHA, will be responsible for converting and entering signal timing and configuration data into the system database. Preliminary testing will utilize controllers installed in the TMC and/or maintenance facility.
9. KHA will assist City personnel with the installation of 5 compatible BI Tran 233 intersections by assisting with the intersection graphics and configuration of these field signals within the Integrated System and by monitoring the operation of the System at the control center. This assistance will include preliminary training on the graphic configuration within the System.
10. KHA will demonstrate continuous successful communication with the traffic signal controllers and pan-tilt-zoom cameras.
11. KHA will configure compatible mobile devices with the KHA Mobile Performance Metric Collection application. This will allow up to 10 users to generate, high-resolution arterial performance metric data. Authorized users will be able to view and generate reports through a web browser. The arterial performance data will be stored on a server maintained by KHA.

Deliverables:

4.1 Software Configuration
4.2 KITS Installation Program and Procedures
4.3 Software Installation at City TMC
4.4 System Configuration and Integration for 5 Intersections
4.5 CCTV Integration
4.6 Mobile Performance Metrics Integration

Task 5: Documentation

KHA will provide KITS documentation for the City in the following form:

- System User's Manual – provides an overview description of the system, its components, how they are used or accessed by the operators as well as how to use the GUI's for all aspects of the system.
- Quick Start Guide – describes initial configuration and setup of the system. This brief document references the User's Guide, but presents the information in a simple format. The document focuses on data entry, map customization, and initial configuration.

Electronic copies of the final documentation will be provided.

Training topics include:

- On-line help
- Installing software updates
- Intersection phase configuration
- Data integrity
- Naming conventions
- System components
- Effective Monitoring

Deliverables:
5.1 Electronic copies of the System User's Manual and Quick Start Guide for KITS
5.2 Initial Operator Training

Task 6: Remote access configuration
KHA will facilitate meetings with City transportation and IT department to review cost-efficient solutions to allow authorized staff to view relevant signal system information remotely. KHA will assist with the implementation of a remote desktop solution to view and exchange relevant information.

Deliverables:
6.1 Documentation and Configuration Settings for Remote Access

Task 7: Final Training
The final training will be a comprehensive, hands-on review of all previous training sessions. In addition, the City may request additional topics that were not previously covered. The following topics will be discussed:

- Operation and Management of the Integrated System
- Overview of the KITS System
- Operations and System Maintenance
- Security
- Configuration and Customization
- Advanced Functionality

A training schedule will be delivered 2 weeks prior to the comprehensive training sessions that will detail the date and time for each topic. The City can provide input that will help determine the amount of time that is spent on each topic.

(continues)

Deliverables:
7.1 Electronic Copies of Training Documentation (syllabus, manuals, visual presentation materials)
7.2 Hands-on Two Day Workshop

Task 8: Warranty, Support, and Maintenance
The Consultant shall provide a warranty, support, and maintenance for the supplied software for a period of two years. Any ATMS software bugs found during this period will be corrected at no additional cost to the City. New functionality, additions, and enhancements made to the software, that do not constitute a separately packaged and marketed version or module of the system, developed by the Consultant during this period shall be offered to the City at no additional license fee. Upon approval by the City, these enhancements shall be installed and integrated based on current hourly rates.

The Consultant shall provide maintenance services, which will include phone and e-mail support during City's working hours. The Consultant shall perform periodic check-ups and tune-ups several times a year to validate System performance.

Deliverables:
8.1 Two Year Warranty, Support, and Maintenance

Project Deliverables
KHA shall use the standard City software set forth below when preparing deliverables. KHA shall provide deliverables in the appropriate file format (by downloads and/or via e-mail) as follows:

- Microsoft Word or Adobe PDF – Word Processing
- Microsoft Excel – Spreadsheet
- Microsoft PowerPoint – Presentation Materials

The City shall provide comments in electronic format using the same software as outline above.

Optional Operational Support
Other services may be provided in support of the system, its operations or the communication infrastructure for the City as additional services. Authorization by City is required prior to beginning any of these tasks. Services that are not included in this contract, but that may be provided as additional services may include but are not limited to:

- Integration services for additional intersections
- Database population
- Additional intersection graphic configuration
- Communication troubleshooting and integration
- Corridor retiming
- Before and after studies that quantify improvement from deploying the System

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH GIBBS, GIDEN, LOCHER, TURNER & SENET, LLP FOR LEGAL SERVICES FOR *LOS ANGELES ENGINEERING, INC. V. CITY OF MORENO VALLEY* RIVERSIDE SUPERIOR COURT CASE RIC 524877

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 36928 to Gibbs, Giden, Locher, Turner & Senet, LLP by the amount of $100,000 for a total not-to-exceed amount of $196,000 (Account No. 461.65325.7500).

2. Authorize payment to Gibbs, Giden, Locher, Turner & Senet, LLP in an amount of up to $196,000 for legal services for *Los Angeles Engineering, Inc. v. City of Moreno Valley* Riverside Superior Court Case RIC 524877.

3. Authorize an appropriation of $100,000 from the unencumbered fund balance of Parkland Facilities DIF (Fund 205) to Account No. 461.65325 to allow for said increase to Purchase Order No. 36928.

BACKGROUND

In 2007, the Community Services District awarded a contract to Los Angeles Engineering to renovate the Moreno Valley Community Park soccer fields. Five

Contract Change Orders were issued for various changes in the scope of the work and as a result of weather delays. Los Angeles Engineering completed the project later than the allowed and refused to process the last three Change Orders. Los Angeles Engineering filed a claim and then a lawsuit in 2009 alleging extra work and extended overhead cost. Gibbs, Giden, Locher, Turner & Senet (GGLTS) were retained to defend the lawsuit and bring the cross-complaint against Los Angeles Engineering.

DISCUSSION

Gibbs, Giden, Locher, Turner & Senet were retained as outside counsel for this case. In January 2009, the City issued a Purchase Order using unencumbered project funds for general legal services for the Moreno Valley Community Park Soccer Field Rehabilitation. Due to the ongoing nature of the litigation, the current Purchase Order is not sufficient to continue the defense of the case and the pursuit of the cross-complaint. Increasing the Purchase Order would allow the City to retain GGLTS to reach a conclusion in the lawsuit. Three sources of funding were used for the project: a State of California grant, Park Improvement Development Impact Fees, and Quimby In-Lieu Fees. In order to use Park Improvement Development Impact Fees for a project, the City must establish a nexus between the development projects paying the fees and the facilities being financed with the fees and the service level to be provided by the facility. Because the soccer fields were expanded by more than 50%, it was reasonable to fund half of the project with Park Improvement Development Impact Fees. The lawsuit is a direct result of the rehabilitation and expansion of the soccer fields. The use of Park Improvement Development Impact Fees for the City to continue to defend the lawsuit and pursue the cross-complaint is established as the result of the project's construction activities. Therefore, the use of Park Improvement Development Impact Fees for legal services against a claim resulting from the Soccer Field Renovations' construction activities is reasonable.

ALTERNATIVES

1. This alternative will allow Gibbs, Giden, Locher, Turner & Senet LLP, to be retained as legal counsel to continue the litigation.

2. This alternative will not allow Gibbs, Giden, Locher, Turner & Senet LLP, to be retained as legal counsel and may affect the outcome of potential litigation.

FISCAL IMPACT

Staff requests that an appropriation from Park Improvement Development Impact Fees (Fund 205) in the amount of $100,000 be authorized to allow for the purchase order increase and subsequent payments to GGLTS. There is no impact to the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2011/2012 Budget (Account No. 461.65325) $100,000
Total Available Funds $100,000

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Due to the ongoing litigation with Los Angeles Engineering, Inc. over the Moreno Valley Community Park Soccer Field Rehabilitation Project, Staff recommends an appropriation of $100,000 from Parkland Development Impact Fees (Fund 205) to allow for an increase to the Purchase Order to Gibbs, Giden, Locher, Turner and Senet, LLP. This increase will allow for the continuing payment of legal fees and costs due to the litigation with Los Angeles Engineering.

ATTACHMENTS

None

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

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MV00116682

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: TRACT MAP 32707 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – REDHAWK COMMUNITIES, INC. A CALIFORNIA CORPORATION
ONE BETTERWORLD CIRCLE, SUITE 300
TEMECULA, CA 92590

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-79 authorizing the acceptance of the public improvements within Tract Map 32707 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system.

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

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Tract Map 32707 is a 137-lot single family residential development to be constructed in the City of Perris just south of Moreno Valley's City limits, with a portion of Lasselle Street being improved within the City of Moreno Valley. The project was conditionally approved requiring construction of certain public improvements. The public improvements included asphalt paving, curb, gutter, sidewalk, landscaping, and sewer work. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $95,000 issued by Developers Surety and Indemnity Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Tract Map 32707 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Tract Map 32707 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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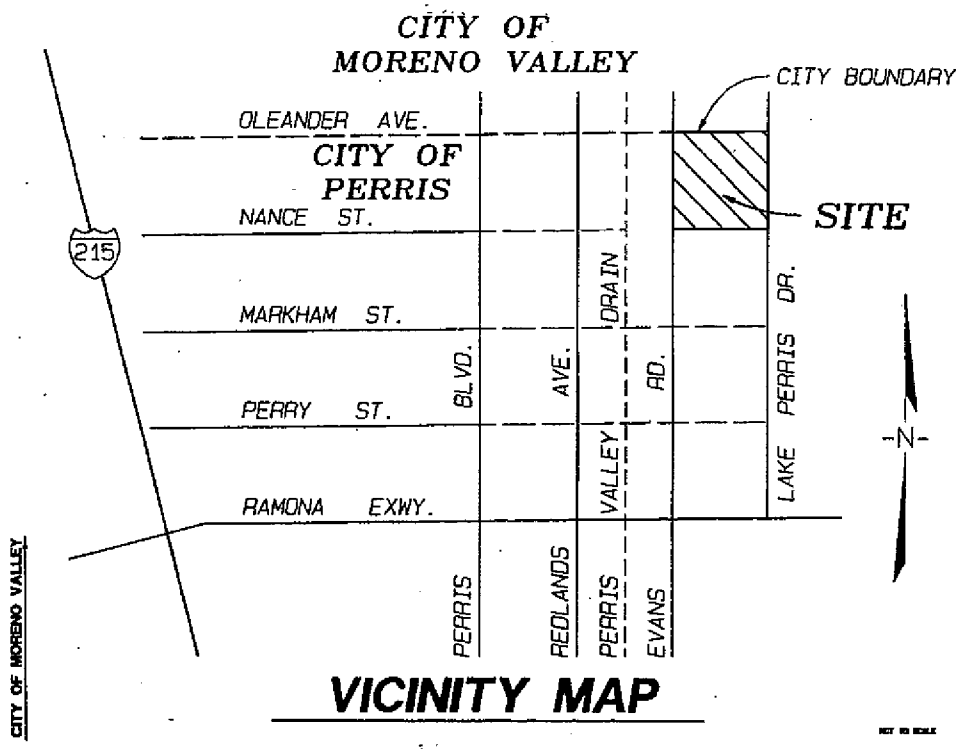

VICINITY MAP

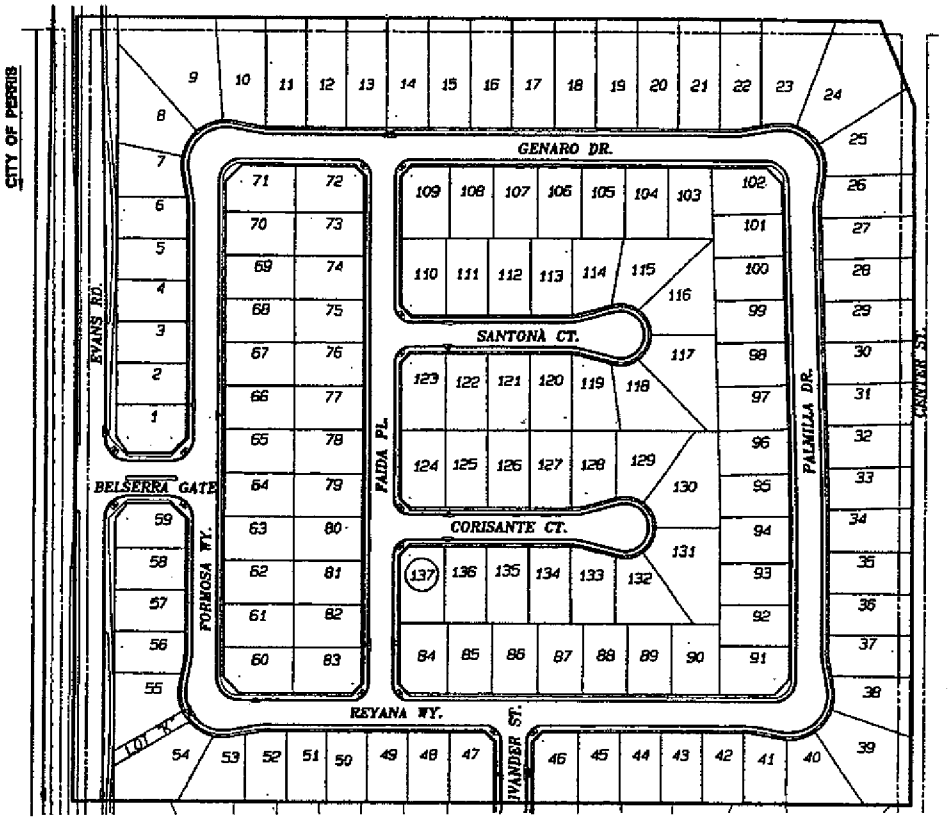

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** **EXHIBIT "A"**	**TRACT 32707** **VICINITY MAP**

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

Item No. A.9

MV00116687

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MV00116688

RESOLUTION NO. 2011-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN TRACT MAP 32707 AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Redhawk Communities. on the portion of Lasselle Street associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Tract Map 32707 and accept the portion of Lasselle Street associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the public improvements within Tract Map 32707 are complete, and the portion of Lasselle Street associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 12th day of July, 2011.

_____
Mayor of the City of Moreno Valley

EXHIBIT "B"

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00116692

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 CITYWIDE BRIDGE MAINTENANCE PROGRAM, PROJECT NO. 11-22679828, DIRECT THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed for the 2011 Citywide Bridge Maintenance Program, constructed by Beador Construction Company, Inc. (Beador), 26320 Lester Circle, Corona CA 92883.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Beador Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

BACKGROUND

On March 8, 2011, the City Council awarded a construction contract to Beador Construction Company, Inc. (Beador) and authorized the issuance of a purchase order in the amount of $243,960 for the 2011 Citywide Bridge Maintenance Program.

DISCUSSION

The 2011 Bridge Maintenance Program involved the application of Methacrylate Deck Treatment to three (3) bridges including Cactus Avenue Bridge, west side of Kitching Street (Bridge No. 56C0407), Bay Avenue Bridge, 0.25 mile east of Kitching Street, (Bridge No. 56C0401), Oliver Street Bridge, 500 feet north of John F. Kennedy Drive (Bridge No. 56C0559). Work on the remaining five (5) bridges included cold mill and pave back the existing asphalt concrete over the bridge deck and the bridge approaches at the following bridges: Cottonwood Avenue Bridge, 0.2 mile east of Heacock Street (Bridge No. 56C0214), Dracaea Avenue Bridge, 0.14 mile west of Indian Street (Bridge No. 56C0274), Cactus Avenue Bridge, 0.5 mile west of John F. Kennedy Drive (Bridge No. 56C0420), Cactus Avenue Bridge, 0.2 mile west of John F. Kennedy Drive (Bridge No. 56C0421), and Perris Boulevard Bridge Approaches, 1.0 mile south of Iris Avenue (Bridge No. 56C0464).

At the time of preparation of this Staff Report, the project is anticipated to be complete by June 30, 2011. Subsequently, staff will process all necessary paperwork and negotiate any remaining change orders to finalize the project quickly. The final contract cost will not exceed the approved purchase order amount of $243,960. Since the City Council will not meet on next two meetings after the July 12 meeting, staff is requesting the City Council to authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release of retention money to Beador thirty five (35) calendar days after the date of recordation of the Notice of Completion, and accept the improvements into the maintained road system. These actions must be completed in a timely manner upon completion of the contractor's work in accordance with the applicable laws.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed for the 2011 Citywide Bridge Maintenance Program, constructed by Beador Construction Company, Inc. (Beador), 26320 Lester Circle, Corona CA 92883, direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside

County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Beador Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed for the 2011 Citywide Bridge Maintenance Program, constructed by Beador Construction Company, Inc. (Beador), 26320 Lester Circle, Corona CA 92883, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Beador Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in Fiscal Year 2010-2011 Capital Improvement Project Budget and is funded with Proposition 1B (Fund 226) monies. The funding for this project is restricted for transportation projects and cannot be utilized for other activities. There is no impact to the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2010/2011 Budget (Account No. 226.79828)	$420,000
Total Available Funds	**$420,000**

ESTIMATED PROJECT COSTS:

Contractor Construction Costs*	$244,000
Project Administration, Design, and Inspection	$45,000
Miscellaneous Costs	$2,000
Total Estimated Project Costs	**$291,000**

*Staff anticipates that Contractor Construction Costs will not exceed purchase order amount.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Beador is anticipated to complete the 2011 Citywide Bridge Maintenance Program project by June 30, 2011. The City Council is requested to authorize the Public Works Director / City Engineer to accept the work as complete when all contract requirements and punch-list items are completed, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Beador, and accept the improvements into the City's maintained road system.

ATTACHMENTS

Attachment "A" – Vicinity Map

Prepared By:
Viren A. Shah, P.E.
Consultant Project Manager

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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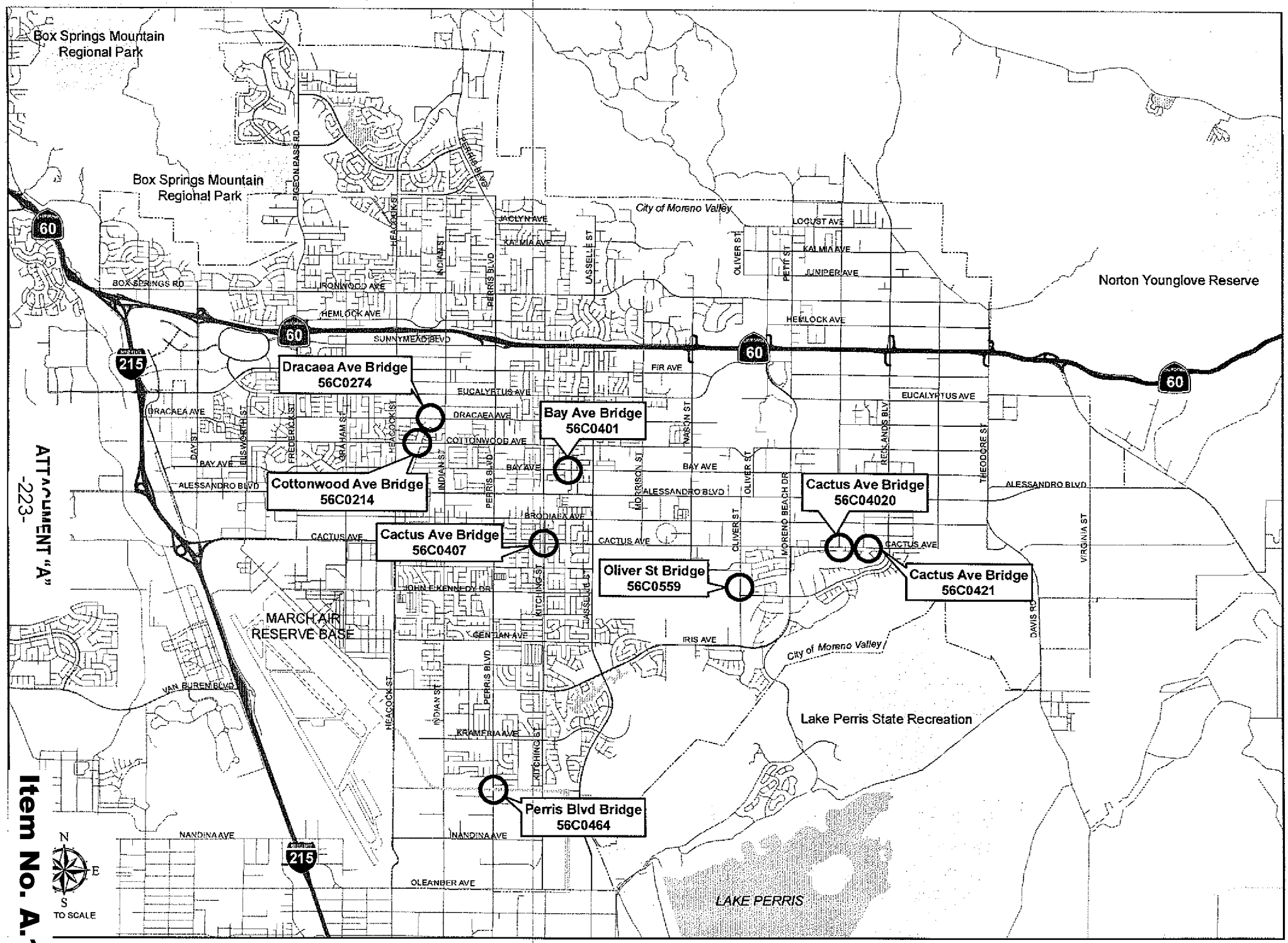

VICINITY MAP: 2011 CITYWIDE BRIDGE MAINTENANCE PROGRAM - MORENO VALLEY

ATTACHMENT "A"
-223-

Item No. A.10

MV00116697

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MV00116698

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Community and Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION

RECOMMENDED ACTION

Staff recommends that the City Council and Community Redevelopment Agency:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date

of recordation of the Notice of Completion if no claims are filed against the project.

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

BACKGROUND

On June 22, 2010, the City Council awarded a contract in the amount of $706,716 to San Pedro Sign Company (SPESCO) and authorized the issuance of a purchase order in the amount of $812,724 for the construction of the Moreno Valley Auto Mall Freeway Pylon Sign.

DISCUSSION

The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantageous by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The pylon sign is an integral element of the plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project replaced the existing aged and worn freeway sign with a new up-to-date high-tech two (2) sided sign that includes a larger video display. The sign is in conformance with the "Specific Plan No. 5 Sign," and is 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

At the time of preparation of this Staff Report, the construction of the pylon sign is anticipated to be completed at end of June 2010. Subsequently, Staff will process all necessary paperwork and negotiate any remaining change orders to finalize the project quickly. The final contract cost is estimated at approximately $725,000 which does not exceed the approved purchase order amount of $812,724. Since the City Council will not meet on next two meetings after the July 12 meeting, staff is requesting the City Council and the Redevelopment Agency to authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed, authorize the recordation of the Notice of Completion at the County Recorder, authorize the release to retention money to SPESCO thirty five (35) calendar days after the date of recordation of the Notice of Completion, and authorize the Community and Economic Development Director to release the pylon sign to the Moreno Valley Dealers Advertising Association. These actions must be completed in a timely manner upon completion of the Contractor's work in accordance with the applicable laws.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public

Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association. *This alternative will allow for timely payment to the Contractor and the release of the Pylon Sign to the Moreno Valley Auto Mall Dealers Association.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, do not authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and do not authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements, and delaying the release of the Pylon Sign to the Moreno Valley Auto Mall Dealers Association.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2010/2011 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2010/2011 Budget (Account No. 897.91725)..... $1,512,000

CONSTRUCTION RELATED COSTS:

Contractor Construction Costs	$725,000
Project Administration, Design Support, and Inspection Costs*	$ 46,000
Construction Support Services and Miscellaneous Costs	$ 15,000
Total Construction Related Costs	**$786,000**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

SPESCO has completed the Moreno Valley Auto Mall Freeway Pylon Sign project. The City Council and the Community Redevelopment Agency is requested to authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed, direct the City Clerk to record the Notice of Completion, authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion, and authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

ATTACHMENTS

Attachment "A" – Vicinity Map

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt
Public Works Director / City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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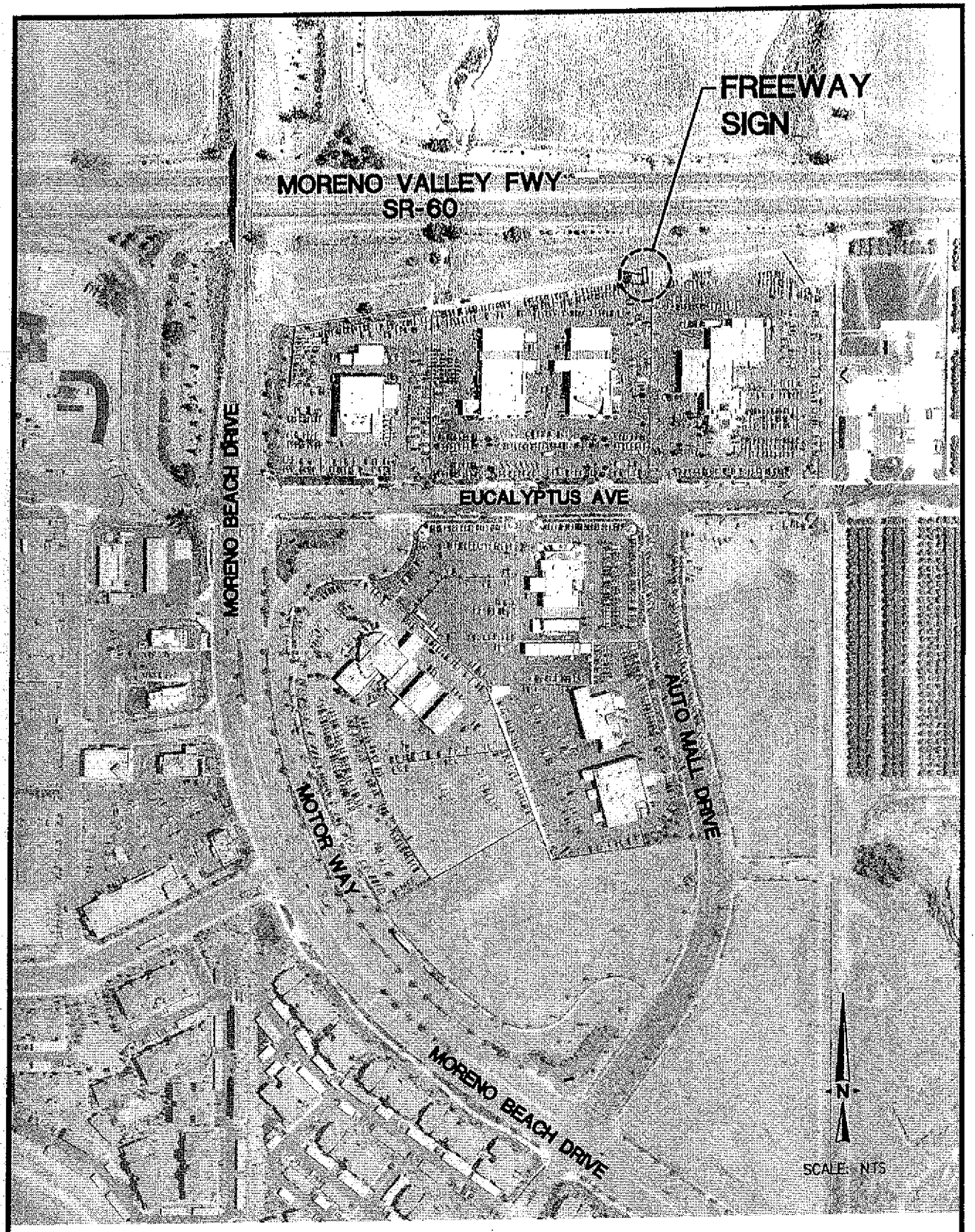
FREEWAY SIGN
MORENO VALLEY FWY
SR-60
MORENO BEACH DRIVE
EUCALYPTUS AVE
AUTO MALL DRIVE
MOTOR WAY
MORENO BEACH DRIVE
N
SCALE: NTS

VICINTY MAP

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MV00116704

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: FIRST AMENDMENT TO AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Overland, Pacific and Cutler, Inc. (OPC) to provide Professional Consultant Right of Way Services for various projects of the Capital Projects Division.

2. Authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with OPC, in the form attached hereto.

3. Authorize an increase to the purchase order to OPC, in the amount of $85,000 when the Project Agreement has been signed by all parties (Account No. 416.78526).

BACKGROUND

On July 13, 2010, City Council approved a Project Agreement in the amount of $99,000 with OPC for a one year period.

DISCUSSION

Due to the vacant City staff "Senior Real Property Agent" position, as well as an increase in project related right of way activities, additional resources are necessary. As a temporary solution to assist in expediting the completion of projects, the Capital Projects Division seeks to extend their Project Agreement with OPC.

OPC staff has an excellent track record of providing right of way services for budgeted capital improvement projects including, but not limited to, Kitching Street Improvements, Day Street Improvements, and Lasselle Street Widening Improvements. In the upcoming fiscal year, OPC staff will continue to work on right of way for projects such as the Perris Boulevard from PVSD Lateral "B" to Cactus Avenue Improvements, Perris Boulevard from Ironwood Avenue to Manzanita Avenue, acquisition of property for the future Industrial Fire Station and Fire Station No. 65, and other budgeted capital projects as assigned.

Staff recommends issuing an increase to the purchase order and executing the "First Amendment to Agreement for Professional Consultant Services" with OPC for a continuation of their services. The purchase order increase for $85,000 allows for additional right of way services by the in-house consultant staff on an as-needed basis with a revised contract expiration date of December 31, 2012.

ALTERNATIVES

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Overland, Pacific and Cutler, Inc. (OPC) to provide Professional Consultant Right of Way Services for various projects of the Capital Projects Division, authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with OPC, in the form attached hereto, and authorize an increase to the purchase order to OPC, in the amount of $85,000 when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will provide resources to assist staff to complete budgeted City capital improvement projects.*

2. Do not approve the "First Amendment to Agreement for Professional Consultant Services" with Overland, Pacific and Cutler, Inc. (OPC) to provide Professional Consultant Right of Way Services for various projects of the Capital Projects Division, do not authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with OPC, in the form attached hereto, and do not authorize an increase to the purchase order to OPC, in the amount of $85,000 when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will delay the design and construction of budgeted capital improvement projects.*

FISCAL IMPACT

The "Project Agreement for Professional Consultant Services" with OPC will be fully expended in September 2011. This First Amendment increases the purchase order by $85,000 to extend the as-needed temporary professional staffing services to December 31, 2012. Adequate funding is provided through the various budgeted capital improvement projects assigned to the temporary staff. The agreement provides the City

the ability to terminate the agreement by giving at least ten days written notice to the consultant.

As costs are incurred against this purchase order, the expenditures will be transferred to the capital projects for which services were performed. The anticipated associated costs for the purchase order increase will be funded through DIF Arterial Streets (Fund 416), TUMF Capital Projects (Fund 415), Fire Station Funds (Fund 434), and Measure "A" (Fund 125):

Perris Boulevard from PVSD Lateral "B" to Cactus Avenue (416.78526)..... $30,000
Perris Boulevard from Ironwood Avenue to Manzanita Avenue (415.78726)..... $29,000
Industrial Fire Station (434.67930)..... $11,000
Fire Station No. 65 (434.72526)..... $11,000
Highland Fire Station (434.67830)..... $4,000
Total..... $85,000

These funds are restricted to Capital Improvement Projects and cannot be utilized for operational activities. There is no impact on the General Fund.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

Due to the need for in-house right of way services on a variety of projects, the "First Amendment to Agreement for Professional Consultant Services" with OPC is necessary to continue the temporary professional staffing services for the Capital Projects Division. Staff recommends that the City Council authorize the execution of the Amendment and increase to the purchase order to OPC in the amount of $85,000.

ATTACHMENTS

Attachment "A" – First Amendment to Project Agreement for On-Call Professional Consultant Services

Prepared By:
Lorenz R. Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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FIRST AMENDMENT TO PROJECT AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

This First Amendment to Project Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and Overland, Pacific and Cutler, Inc., a California corporation, hereinafter referred to as "Consultant." This First Amendment to Project Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "PROJECT AGREEMENT for ON-CALL PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated July 22, 2010.

Whereas, the Consultant is providing Consultant Real Property and Right of Way Services for Various Projects of the Capital Projects Division (and other Divisions as needed).

Whereas, it is desirable to amend the Project Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this First Amendment.

Whereas, the Consultant has submitted a Proposal dated June 13, 2011, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A" and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL PROJECT AGREEMENT:

1.1 The Project Agreement termination date is extended to December 31, 2012.

FIRST AMENDMENT TO PROJECT AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

1.2 Exhibit “B” to the Project Agreement is hereby amended by adding to the scope of work section described in Exhibit “A”, entitled "Consultant Proposal.”

1.3 Exhibit “D” to the Project Agreement is hereby further amended by adding to the cost proposal section thereof Exhibit “B”, entitled “Cost Summary.”

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed” fee of $85,000, as set forth in the above-referenced Cost Summary, in consideration of the Consultant's performance of the work set forth in Exhibit “B”.

1.5 The total “Not to Exceed” fee for this contract is $184,000 ($99,000 for the Original Agreement, plus $85,000 for the First Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Project Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

FIRST AMENDMENT TO PROJECT AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Amendment to Project Agreement.

City of Moreno Valley	Overland, Pacific and Cutler, Inc.
BY: _____ City Manager	BY: _____
DATE: _____	TITLE: _____ (President or Vice President)
	BY: _____
	TITLE: _____ (Corporate Secretary)

Attachments: Exhibit "A" – Consultant Proposal
Exhibit "B" – Cost Summary

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Revised Dec 2010

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MV00116712

OVERLAND PACIFIC & CUTLER, INC.
www.OPCservices.com
2280 Market Street, Suite 340, Riverside, CA 92501
phone: (951)683-2353, fax: (951)683-3901

June 13, 2011

Ms. Kimberly Jester
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

RE: Continuation of In-House Right of Way Consulting Services 2011

Dear Ms. Jester:

In response to your request, Overland, Pacific & Cutler, Inc. (OPC) is pleased to present the City of Moreno Valley with this brief fee proposal for the continuation of in-house staffing services under our existing Professional On-Call Services Agreement.

OPC is proposing to continue with the existing arrangements and will assign Mr. Michael Green to the City for another one (1) year term beginning January 1, 2012 and expiring December 31, 2012. Mr. Green will be working at a rate of $105 per hour, Tuesdays and Thursdays, from 8:00 AM to 5:00 PM. At 16 hours per week for the year, we estimate the total annual cost to be $87,360, plus any reimbursable expenses pursuant to the Professional On-Call Services Agreement. Should the actual hours increase or decrease over the coming year, the estimated cost will adjust accordingly.

Should you have any questions or would like to discuss further, please do not hesitate to call me at (951) 683-2353.

Sincerely,

Overland, Pacific & Cutler, Inc.

Joey Mendoza, SR/WA
Principal/Vice-President

EXHIBIT "A"

Item No. A.12

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MV00116714

COST SUMMARY

1. The Consultant's compensation shall not exceed $184,000 ($99,000 for the Original Agreement, plus $85,000 for the First Amendment to Agreement).
2. The consultant will submit an invoice to the City once a month for work completed and accepted by the City. At no time will the City pay for more services than have been satisfactorily completed, and the City Engineer's (or his/her representative's) determination of the amount due for any progress payment shall be final.
3. The Consultant's invoice shall include all subconsultant invoices for the same period as the Consultant's invoice.
4. The City shall pay the Consultant for all invoiced, authorized professional services within thirty (30) days of completing the referenced milestones as determined by the City.

EXHIBIT "B"

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MV00116716

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code.

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

BACKGROUND

On October 12, 2010, the City Council awarded the construction contract and issued a purchase order in the amount of $1,768,222.35 to Riverside Construction Company, Inc., for the Ironwood Avenue improvements from Day Street to Barclay Drive. The project construction work began on December 6, 2010.

DISCUSSION

Staff anticipates that all work will be completed by Riverside Construction Company, Inc. by July 2011. Staff is in the process of negotiating Contract Change Orders and anticipates the final contract cost will be approximately $1,675,000 which is not expected to exceed the approved purchase order amount of $1,768,222.35. Since the City Council will not meet on July 26, 2011 and August 9, 2011, staff requests the City Council authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete, authorize the recordation of the Notice of Completion with the County Recorder after the Public Works Director/City Engineer accepts the improvements as complete, and authorize the release of retention to the Contractor thirty-five (35) calendar days after the date of recordation of the Notice of Completion. These actions must be completed in a timely manner upon completion of the Contractor's work in accordance with the applicable laws.

The project generally consisted of widening the south side of Ironwood Avenue from Day Street to Barclay Drive with the addition of one (1) lane plus a right turn lane, which included concrete curb, gutter, and sidewalk covering approximately 1,600 linear feet. Improvements included approximately 1,402 feet of new waterline in Ironwood Avenue beginning at Day Street and connecting to an existing waterline east of Athens Drive, a masonry block retaining wall along the southerly right of way line between Day Street and Athens Drive, storm drain improvements in Ironwood Avenue at the intersection of Athens Drive, a traffic signal modification at Day Street and Ironwood Avenue, a new traffic signal at Athens Drive and Ironwood Avenue, street lighting, and interconnect improvements. The modifications facilitate a smooth transition through the intersections for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue. Ironwood Avenue becomes Box Springs Road just west of Day Street.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501, direct the City Clerk to record the Notice of Completion

within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code, authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete. *This alternative will result in timely payment to the Contractor and acceptance of the improvements into the City's maintained system.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code, do not authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and do not authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

The Ironwood Avenue improvements from Day Street to Barclay Drive were included in the Fiscal Year 2010/2011 budget, and financed by 2007 RDA Tax Allocation Bonds (Account No. 897.91727). In accordance with the terms of the Reimbursement Agreement, EMWD deposited $100,273 to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue through fund 414 (Account No. 414.80422); this amount may be adjusted based on final construction costs for this portion of the work. The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2010/2011 (Account No. 897.91727)	$2,585,000
Fiscal Year 2010/2011 (Account No. 414.80422)	$150,000
Total Budgeted Funds	$2,735,000

FINAL CONSTRUCTION RELATED COSTS:

Contractor Construction Costs	**$1,675,000**

Design Support Costs during Construction	$60,000
Construction Geotechnical Services	$30,000
Construction Survey Services	$30,000
Project Administration and City Inspection*	$80,000
SCE Costs (Utility, Streetlights, and Permits)	$32,000
Total Project Construction Costs	**$**1,907,000

*Public Works staff provided project administration and primary inspection services. Additional consultant inspection support was provided for supplemental inspection.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
John Kerenyi
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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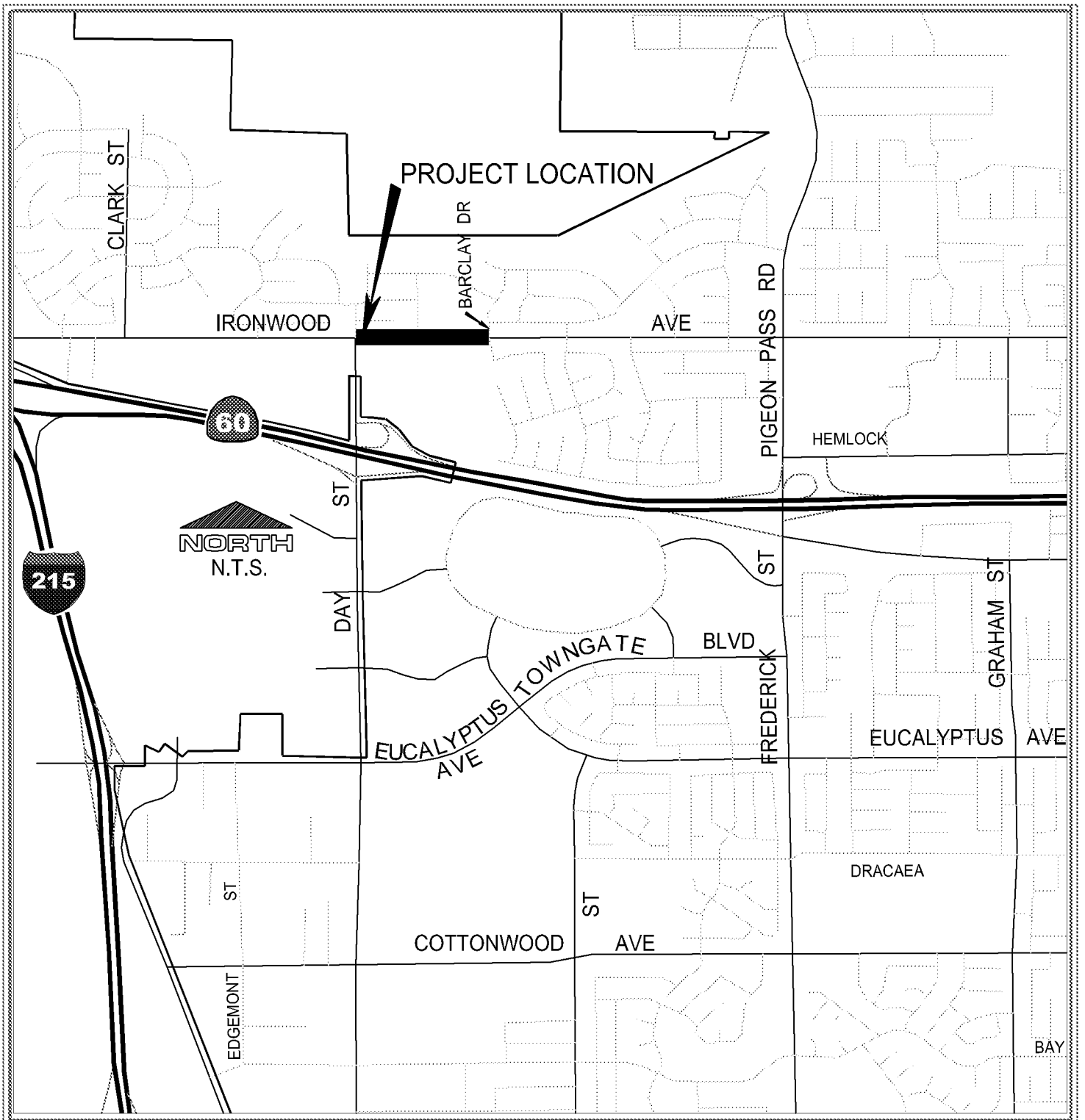

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

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MV00116722

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE TRAFFIC SIGNAL IMPROVEMENTS ON SUNNYMEAD RANCH PARKWAY AT VILLAGE ROAD (EAST) INTERSECTION PROJECT NO. 10-41779229, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AND AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east), constructed by SoCal Engineers, Inc., 17595 Harvard, Suite C2160, Irvine, CA 92614.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code.

3. Authorize the Financial and Administrative Services Director to release the retention to SoCal Engineers, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

BACKGROUND

On October 26, 2010, the City Council awarded the construction contract and issued a purchase order in the amount of $207,299 to SoCal Engineers, Inc., for the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east). The project construction work began on January 24, 2011.

DISCUSSION

Staff anticipates that all work will be completed by SoCal Engineers, Inc. in July 2011. Staff is in the process of negotiating Contract Change Orders and anticipates the final construction cost will be approximately $205,000 which is not expected to exceed the approved purchase order amount of $207,299. Since the City Council will not meet on July 26, 2011 and August 9, 2011, staff requests the City Council authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete, authorize the recordation of the Notice of Completion after the Public Works Director/City Engineer accepts the improvements as complete with the County Recorder, and authorize the release of retention to the Contractor thirty-five (35) calendar days after the date of recordation of the Notice of Completion. These actions must be completed in a timely manner upon completion of the Contractor's work in accordance with the applicable laws.

The project generally involved the installation of a new traffic signal at the intersection of Sunnymead Ranch Parkway and Village Road (east). The work also included the removal and construction of new asphalt concrete pavement, curb and gutter, sidewalk, access ramps, interconnect conduit, and a residential driveway approach, as well as restriping of the intersection, and the installation of signage.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east), constructed by SoCal Engineers, Inc., 17595 Harvard, Suite C2160, Irvine, CA 92614, direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code, authorize the Financial and Administrative Services Director to release the retention to SoCal Engineers, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and authorize the Public Works Director/City Engineer to accept the

improvements into the City's maintained system upon acceptance of the improvements as complete. *This alternative will result in timely payment to the Contractor and acceptance of the improvements into the City's maintained system.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east), constructed by SoCal Engineers, Inc., 17595 Harvard, Suite C2160, Irvine, CA 92614, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code, do not authorize the Financial and Administrative Services Director to release the retention to SoCal Engineers, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and do not authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

The traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east) were included in the Fiscal Year 2010/2011 budget, and financed by DIF Traffic Signal Capital Projects (Fund 417). The funding for this project is restricted to traffic signal capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2010/2011 (Account No. 417.79229)	$249,000

FINAL CONSTRUCTION RELATED COSTS:

Contractor Construction Cost	$205,000
Construction Surveying Cost	$2,000
Construction Geotechnical Cost	$2,000
City Furnished Equipment	$19,000
Project Administration and Inspection Services	$21,000
Total Project Construction Costs	**$249,000**

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
John Kerenyi
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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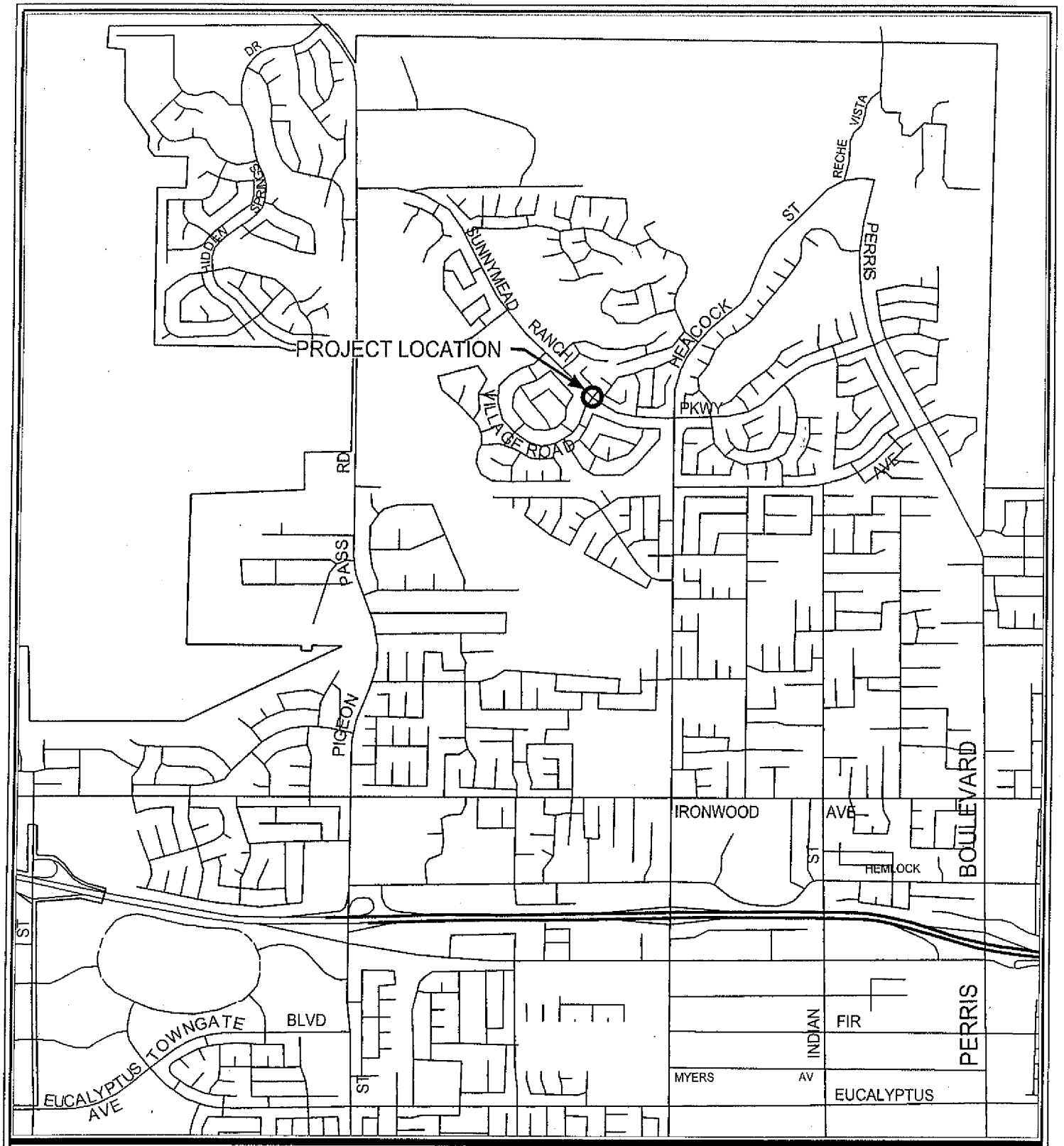

ATTACHMENT "A" - LOCATION MAP

Public Works Department Capital Projects Division	PROJECT NO. 10-41779229 TRAFFIC SIGNAL AT SUNNYMEAD RANCH PKWY AND VILLAGE RD (EAST)
Scale: None	
THOMAS GUIDE - PAGE 687, SECTION D6	

Item No. A.14

MV00116727

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MV00116728

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM

RECOMMENDED ACTION

Staff recommends that the City Council and Community Redevelopment Agency:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

BACKGROUND

On May 25, 2010, the City Council awarded a construction contract and authorized the issuance of a Purchase Order in the amount of $1,912,608.76 to Hillcrest Contracting, Inc. The work consisted of the construction of street, signing, striping, waterline, utility relocation, and other related road improvements on Day Street between Alessandro Boulevard and Cottonwood Avenue. The City issued a Notice to Proceed to Hillcrest Contracting, Inc. to start work on July 13, 2010.

On February 22, 2011, City Council and the Community Redevelopment Agency were informed that a design error was discovered pertaining to the design and construction of a portion of the street curb and gutter tied to a cross gutter to facilitate surface drainage, located on a short segment of the northerly end of Day Street, just south of Cottonwood Avenue. City Council also authorized an increase of the Purchase Order to a total amount of $2,104,608.76.

Staff is diligently working to resolve the drainage issue independently of this construction contract as part of a second phase of improvements for Day Street. This second phase, Storm Drain Improvements on Day Street South of Cottonwood Avenue, is included in the Fiscal Year 2011–12 CIP, which City Council adopted on June 14, 2011.

DISCUSSION

Hillcrest Contracting, Inc. completed all construction work per the plans and specifications in April 2011. In accordance with the contract documents, however, the date of acceptance of the work for this project by the City Council is contingent upon the satisfactory conclusion of the 90 day maintenance period, which is scheduled for the end of July 2011.

Staff is in the process of negotiating the final Contract Change Order and anticipates the final contract cost will be approximately $1,953,000.00 which does not exceed the approved purchase order amount of $2,104,608.76. Since the City Council will not meet on the next two meetings after the July 12 meeting, staff is requesting the City Council to authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed and accept the improvements into the City's maintained road system upon acceptance of the improvements as complete, authorize the recordation of the Notice of Completion at the County Recorder after the Public Works Director/City Engineer accepts the improvements as complete, and authorize the release of retention money to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice

of Completion. These actions must be completed in a timely manner upon completion of the contractor's work in accordance with the applicable laws.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete. *This alternative will allow payment to the Contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, do not authorize the Financial & Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and do not authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained road system and incurring extra costs to the City.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2010-2011 Budget and is financed by RDA 2007 Tax Allocation Bonds (TABS) funds (Fund 897). **These funds have been allocated for the Day Street from Alessandro Boulevard to Cottonwood Avenue Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

FISCAL YEAR 2010-2011 BUDGETED FUNDS (ACCOUNT NO. 897.91724):
RDA 2007 Tax Allocation Bonds (TABS) $2,413,377

FINAL CONSTRUCTION RELATED COSTS:

Design Support Services during Construction	$15,000
Anticipated Contractor Construction Costs	$1,953,000
Construction Geotechnical Services	$15,000
Construction Survey Services	$45,000
Construction Inspection Services	$12,000
Project Administration and City Inspection	$90,000
Total Project Construction Costs	$2,130,000

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Hillcrest Contracting, Inc. completed construction of the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue at the end of April 2011 and, anticipating the successful completion of the 90 day maintenance period, the project will be complete at the end of July 2011. Staff is requesting that City Council authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed and accept the improvements into the City's maintained road system upon acceptance of the improvements as complete, authorize the recordation of the Notice of Completion at the County Recorder after the Public Works Director/City Engineer accepts the improvements as complete, and authorize the release of retention money to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Lorenz R. Gonzales, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Community &Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00116734

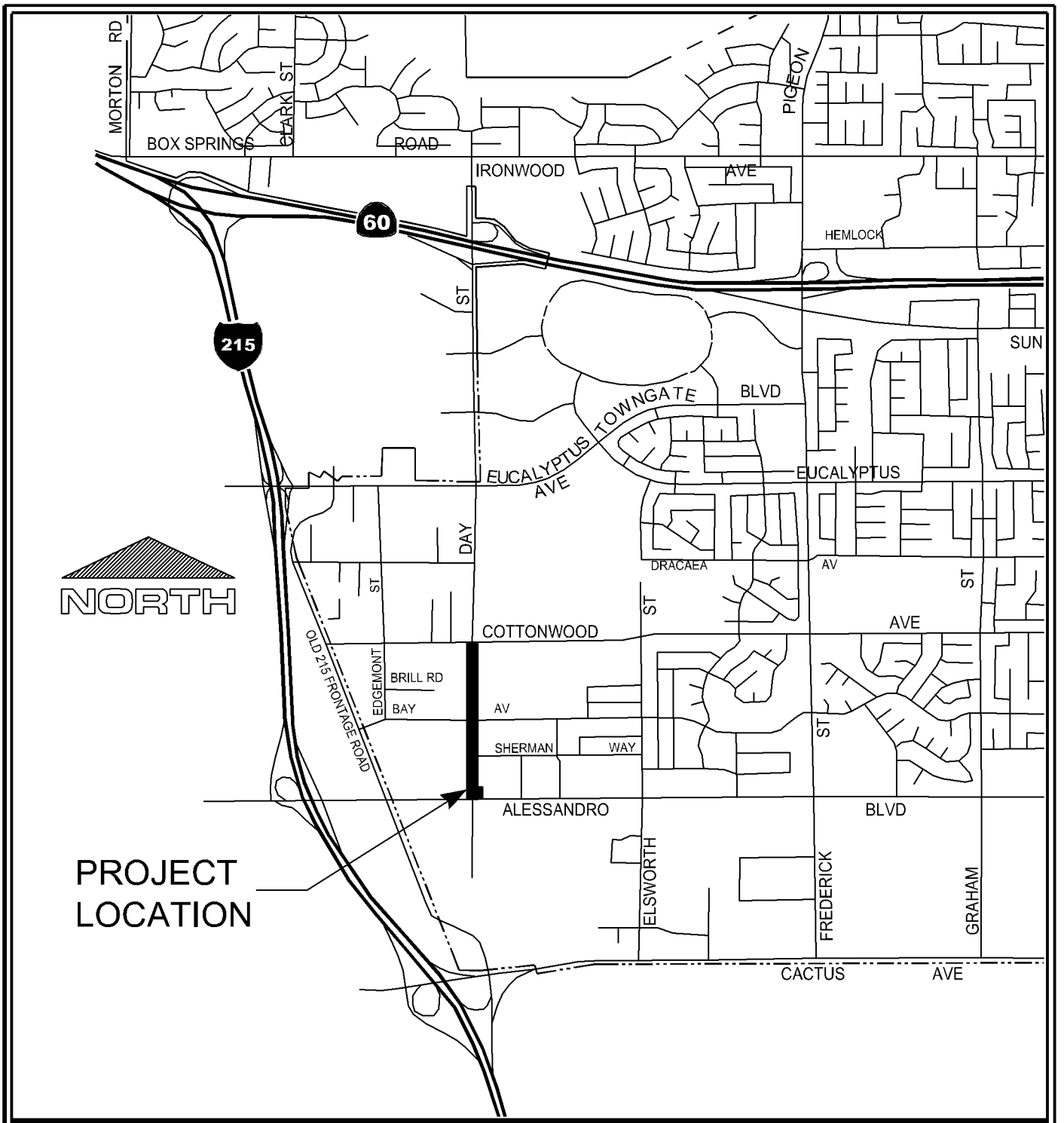

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

STREET IMPROVEMENTS FOR DAY STREET
FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE
PROJECT NUMBER 02-89266920

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MV00116736

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Curley, Fire Chief

AGENDA DATE: July 12, 2011

TITLE: RESCIND RESOLUTION NO. 2005-30 AND RE-DESIGNATE AND AUTHORIZE SIGNATURE AUTHORITIES TO EXECUTE APPLICATIONS AND DOCUMENTS FOR PURPOSES OF OBTAINING FINANCIAL ASSISTANCE UNDER SECTION 404 OF PUBLIC LAW 93-288, AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ACT OF 1988.

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-73, rescinding Resolution No. 2005-30, and designating and authorizing certain City officials to execute applications and documents for purposes of obtaining financial assistance under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

On April 12, 2005, Moreno Valley City Council adopted Resolution No. 2005-30, authorizing the City Manager, Assistant City Manager and the Public Works Director/City Engineer to execute documents on behalf of the City of Moreno Valley for the purpose of obtaining federal and state financial assistance.

California Emergency Management Agency has required that Moreno Valley City Council adopt a new resolution in place of Resolution No. 2005-30, designating and authorizing City officials to execute applications and documents.

DISCUSSION

To apply for and receive disaster relief and other financial funding offered under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and/or under the California Disaster Assistance Act, the City of Moreno Valley must designate City officials who are authorized to execute applications and documents on behalf of the City. Resolution No. 2011-xx rescinds Resolution 2005-30 and authorizes the City Manager, Assistant City Manager, Fire Chief or Public Works Director/City Engineer to execute documents on behalf of the City.

ALTERNATIVES

1. Adopt the proposed amended Resolution re-designating and authorizing signature authorities to execute applications and documents for purposes of obtaining financial assistance under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, and/or financial assistance under the California Disaster Assistance Act. **Staff recommends this alternative.**

2. Do not adopt the proposed Resolution. This alternative would prevent the City from receiving disaster relief and other financial funding.

3. Provide staff with further direction.

FISCAL IMPACT

Without a new Resolution, the City would not be eligible to receive disaster relief and other financial funding.

CITY COUNCIL GOALS

Public Safety:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

Publication of the Council Agenda.

ATTACHMENTS/EXHIBITS

Exhibit “A” - Proposed Resolution

Prepared By:
Name LeAnn M. Coletta, CEM
Title Office of Emergency Management Program Manager

Department Head Approval:
Name Steve Curley
Title Fire Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00116740

RESOLUTION NO. 2011-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, RESCINDING RESOLUTION NO. 2005-30, AND RE-DESIGNATE AND AUTHORIZE CERTAIN CITY OFFICIALS TO EXECUTE APPLICATIONS AND DOCUMENTS FOR PURPOSES OF OBTAINING FINANCIAL ASSISTANCE UNDER SECTION 404 OF PUBLIC LAW 93-288, AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ACT OF 1988.

WHEREAS, Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, requires a signature resolution designating and authorizing certain city officials to execute applications and documents necessary to obtain financial assistance; and

WHEREAS, the City Council of the City of Moreno Valley heretofore adopted Resolution No. 2005-30, designating and authorizing certain city officials to execute said applications and documents; and

WHEREAS, the California Emergency Management Agency has required that the Moreno Valley City Council update Resolution No. 2005-30 in order to be eligible for financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

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

1. That the City Manager, Assistant City Manager, Fire Chief or Public Works Director/City Engineer, is hereby authorized to execute for and on behalf of the City of Moreno Valley, a local government established under the laws of the State of California, applications and other related documents for filing in the California Emergency Management Agency for purpose of obtaining financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

2. That the City Council of the City of Moreno Valley, a local government established under the laws of the State of California, hereby authorizes its agent(s) to provide to the California Emergency Management Agency for all matters pertaining to such state disaster assistance the assurances and agreements required.

APPROVED AND ADOPTED this 12th day of July, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00116744

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director / City Engineer

AGENDA DATE: July 12, 2011

TITLE: FIRST AMENDMENT TO AGREEMENT FOR ON-CALL PROJECT MANAGEMENT SERVICES WITH VAS ASSOCIATES, INC.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "First Amendment to Agreement for On-Call Project Management Services" with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide temporary professional project management services for budgeted Capital Improvement Plan (CIP) projects on an as-needed basis.

2. Authorize the City Manager to execute said "First Amendment to Agreement for On-Call Project Management Services" with VAS, in the form attached hereto.

3. Authorize a purchase order to VAS in the amount of $312,000 when "First Amendment to Agreement for On-Call Project Management Services" has been signed by all parties.

BACKGROUND

On September 14, 2010, City Council approved an "Agreement for On-Call FY 10/11 Project Management Services" with VAS Associates, Inc. for $285,000 for various projects of the Capital Projects Division.

On June 14, 2011, the City Council approved an $85.773 million CIP Budget. Adequate personnel resources are required to ensure that these projects are successfully managed and completed in a timely manner and within budget.

DISCUSSION

VAS will serve as the Project Manager for the Cactus Avenue between Lasselle Street and Nason Street and Nason Street between Cactus Avenue and Iris Avenue Improvement Projects. These fast-tracked projects are part of the April 26, 2011 City Council approved Economic Development Action Plan. Furthermore, VAS will continue to work in the capacity of Consultant Project Manager for the Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue, which is anticipated to begin construction in the fall of 2011.

VAS currently provides Consultant Project Management services to the City for several design and construction projects under an existing professional consultant service contract. This action is necessary due to on-going heavy workload and shortage of qualified, experienced, and knowledgeable Project Managers to complete budgeted capital improvement projects funded by various revenue sources as depicted in the FY 11/12 CIP budget.

VAS staff possesses a unique combination of skills as well as 30-plus years of industry experience. Their in-depth knowledge of the Public Contract Code, Green Book Specifications, and public works contracting practices, coupled with a vast network of contacts and experience with various Riverside County regional agencies has contributed to the successful execution of many complex public works projects. Two of the projects completed for the City by VAS staff received the Project of the Year Award from the American Public Works Association, Southern California Chapter.

VAS has a long-standing and proven track record of managing high-profile construction projects that are completed on time and within budget. Within the recent past, VAS has successfully completed the Kitching Street Improvements from Cactus Avenue to Alessandro Boulevard, which improved 2,800 linear feet of roadway segment to its General Plan width of four (4) travel lanes; the Lasselle Street Widening project, the widening of a one-mile stretch of roadway to its ultimate General Plan width of four (4) travel lanes; and the 2011 Citywide Bridge Maintenance Program, a project that repaired eight (8) bridges within the City. Previously, VAS constructed Pigeon Pass Road Widening, which completed improvements for missing segments of a two-mile section of roadway. VAS successfully completed several traffic signal construction projects such as the traffic signals at Cottonwood Avenue and Pattilynn Drive, Lasselle Street and Bay Avenue, and Lasselle Street and Cottonwood Avenue.

ALTERNATIVES

1. Approve the "First Amendment to Agreement for On-Call Project Management Services" with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide temporary professional project management services for budgeted Capital Improvement Plan (CIP) projects on an as-needed basis, authorize the City Manager to execute said "First Amendment to Agreement for On-Call Project Management Services" with VAS, in the form attached hereto, and authorize a purchase order to VAS in the amount of $312,000 when "First Amendment to Agreement for On-Call Project Management Services" has been signed by all

parties. T*his alternative will provide resources to assist staff to complete budgeted City capital improvement projects.*

2. Do not approve the "First Amendment to Agreement for On-Call Project Management Services" with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide temporary professional project management services for budgeted Capital Improvement Plan (CIP) projects on an as-needed basis, do not authorize the City Manager to execute said "First Amendment to Agreement for On-Call Project Management Services" with VAS, in the form attached hereto, and do not authorize a purchase order to VAS in the amount of $312,000 when "First Amendment to Agreement for On-Call Project Management Services" has been signed by all parties. *This alternative will delay the design and construction of budgeted City capital improvement projects.*

FISCAL IMPACT

The current Agreement for Professional Consultant Services with VAS will be fully expended in by late 2011/early 2012. This new amendment to agreement in the amount of $312,000 is for on-going services throughout the anticipated duration of the Cactus Avenue between Lasselle Street and Nason Street and Nason Street between Cactus Avenue and Iris Avenue Improvement Projects. The new agreement termination date is June 30, 2013. Adequate funding is provided through the various budgeted capital improvement projects assigned to the consultant. The agreement provides the City with the ability to terminate the agreement by giving at least ten days written notice to the consultant.

Sufficient funds are available in the Cactus Avenue and Nason Avenue budgets (Account No. 125.New) to encumber the purchase order. As costs for projects other than Cactus and Nason Street projects are incurred, the expenditures will be transferred to the capital projects for which services were performed. The remaining associated costs for the Amendment to Agreement for Professional Consultant Services will be funded through TUMF Capital Projects (Fund 415).

Consultant Service Funding Allocation in FY 11/12

Cactus Avenue and Nason Avenue (Account No. 125.New)	$196,000
Perris Boulevard Widening (Account No. 415.70225)	$116,000
Total	**$312,000**

Funding for this project is restricted to capital improvements and cannot be utilized for operational activities. There is no impact on the General Fund.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Due to the need for additional temporary project management consultant services for the Cactus Avenue between Lasselle Street and Nason Street and Nason Street between Cactus Avenue and Iris Avenue Improvements Projects, the First Amendment to Agreement for Professional Consultant Services with VAS is necessary to extend temporary professional staffing services to the Capital Projects Division. Staff recommends issuance of a purchase order to VAS in the amount of $312,000.00.

ATTACHMENT

Attachment "A" – First Amendment to Project Agreement for On-Call Project Management Services for Various Projects of the Capital Projects Division

Prepared By:
Kimberly Jester
Consultant Contract Administrative Assistant

Department Head Approval:
Chris A. Vogt, P.E
Public Works Director / City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director / Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

c: File

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FIRST AMENDMENT TO PROJECT AGREEMENT FOR ON-CALL PROJECT MANAGEMENT SERVICES FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

This First Amendment to Project Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and VAS Associates, Inc., a California corporation, hereinafter referred to as "Consultant." This First Amendment to Project Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "PROJECT AGREEMENT FOR ON-CALL FY 10/11 PROJECT MANAGEMENT SERVICES FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION," hereinafter referred to as "Agreement," dated September 21, 2010.

Whereas, the Consultant is providing consultant Project Management services for budgeted Capital Improvement Plan (CIP) projects of the Capital Projects Division.

Whereas, it is desirable to amend the Project Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this First Amendment.

Whereas, the Consultant has submitted a Proposal dated June 14, 2011, for expansion of the scope of work to be performed. A copy of said Proposal is attached as “Exhibit A -- First Amendment” and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL PROJECT AGREEMENT:

1.1 The Project Agreement termination date is extended from March 31, 2012 to June 30, 2013.

1.2 Exhibit “B” to the Project Agreement is hereby amended by adding to the scope of work section described in Exhibit “A” -- First Amendment, entitled "Consultant Proposal."

1.3 Exhibit “D” to the Project Agreement is hereby further amended by adding to the cost proposal section thereof Exhibit “B” -- First Amendment, entitled “Cost Summary.”

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed” fee of $312,000, as set forth in the above-referenced Cost Summary, in consideration of the Consultant's performance of the work set forth in Exhibit “A” - First Amendment.

1.5 The total “Not to Exceed” fee for this contract is $597,000 ($285,000 for the original Agreement plus $312,000 for the First Amendment to Project Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Project Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO PROJECT AGREEMENT FOR ON-CALL PROJECT MANAGEMENT SERVICES FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Amendment to Project Agreement.

City of Moreno Valley

BY: _____
City Manager

DATE: _____

VAS Associates, Inc.

BY: _____

TITLE: _____
(President or Vice President)

BY: _____

TITLE: _____
(Corporate Secretary)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Attachment: Exhibit "A" – Consultant Proposal
Exhibit "B" – Cost Summary

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Revised Dec 2010

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MV00116752

VAS Associates, Inc.
571 Ruth Circle
Corona, CA 92879-8088
(951) 314 2288
Viren50@hotmail.com

June 14, 2011

Prem Kumar, PE
Deputy Public Works Director/Assistant City Engineer
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552

SUBJECT: Annual On-Call Professional Consultant Services-Project Management for Capital Improvements. Expansion of Services.

Dear Mr. Kumar:

VAS Associates, Inc. (VAS) is pleased to submit this proposal that expands services based on our recent discussions that identified needs of Capital Projects Division of Public Works Department based on recently adopted new set of priorities for the division in accordance with the following:

A) It is our understanding that previous assignment to VAS as identified in VAS letter dated August 2, 2010 to the City has now been expanded/revised to include the following projects:

- Design, Right of Way, Utilities Relocations and Construction phases for Perris Boulevard Widening from Ironwood to Manzanita Project.
- Completion of PS&E, Utilities Coordination and Construction phases for Cactus Avenue widening from Lasselle Street to Nason Street project.
- Completion of PS&E, Utilities Coordination and Construction phases for Nason Street improvements from Iris Avenue to Cactus Avenue project.
- Close out of 2011 Citywide Bridge Maintenance Program project.
- Completion of PS&E and Major Utilities Relocations for Kitching Street Improvements-Phase II from Gentian to Cactus project.
- Completion of PS&E including Utilities Relocation design for Reche Vista Drive Realignment project.

B) Our staff hourly billing rate will be $120/Hour. Standard Work Week will be based on a 40 Hours/Week.

C) VAS services are requested at least until June 30, 2013 to ensure completion of the above-mentioned project assignments.

D) All other terms of the "Agreement for Annual On-Call Professional Consultant Services – Project Management for Capital Improvements" between the City of Moreno Valley and VAS will remain in force.

We look forward to continue to provide quality project management services to the City of Moreno Valley. If you have any questions, please do not hesitate to contact me at 951.314.2288.

Sincerely,

Viren Shah, PE
Principal

COST SUMMARY

1. The Consultant's compensation shall not exceed $597,000 ($285,000 for the original Agreement, plus $312,000 for the First Amendment to Agreement).
2. The consultant will submit an invoice to the City once a month for work completed and accepted by the City. At no time will the City pay for more services than have been satisfactorily completed, and the City Engineer's (or his/her representative's) determination of the amount due for any progress payment shall be final.
3. The Consultant's invoice shall include all subconsultant invoices for the same period as the Consultant's invoice.
4. The City shall pay the Consultant for all invoiced, authorized professional services within thirty (30) days of receipt of invoice.

EXHIBIT "B"

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MV00116756

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director / City Engineer

AGENDA DATE: July 12, 2011

TITLE: AGREEMENT FOR PROFESSIONAL CONSULTANT ADMINISTRATIVE SERVICES WITH DMC DESIGN GROUP, INC.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Agreement for Professional Consultant Administrative Services" with DMC Design Group, Inc. (DMC), 170 N. Maple Street, Corona, CA 92880-1703, to provide Professional Consultant Administrative Services for budgeted Capital Improvement Plan (CIP) projects.

2. Authorize the City Manager to execute said "Agreement for Professional Consultant Administrative Services" with DMC, in the form attached hereto.

3. Authorize a purchase order to DMC in the amount of $139,000 when said "Agreement for Professional Consultant Administrative Services" has been signed by all parties.

BACKGROUND

On June 14, 2011, the City Council approved an $85.773 million CIP Budget. Adequate personnel resources are required to ensure that these projects are successfully managed and completed in a timely manner and within budget.

DISCUSSION

On April 26, 2011, City Council approved the Economic Development Action Plan that re-sequenced a number of Capital Improvements Projects, allowing for the funding of Cactus Avenue between Lasselle Street and Nason Street and Nason Street between Cactus Avenue and Iris Avenue Improvements Projects identified to cost up to $23 million. On June 14, 2011, City Council approved the FY 11/12 CIP budget including funding for the two referenced projects. These fast-tracked projects will require

dedicated, knowledgeable, and efficient support with experience in assisting with these types of projects.

The Capital Projects Division currently receives Consultant Administrative Specialist services for several design and construction projects under an existing professional consultant service contract with RLZ Engineering, Inc. which is anticipated to be fully expended shortly. The key individual with RLZ Engineering, Inc. will be moving over to DMC Design Group, Inc. (DMC) and proposes to provide similar services through a new agreement with DMC.

Consultant staff will directly assist the Project Manager for the Cactus Avenue and Nason Street projects with coordinating weekly meetings, permit and license processing, utility coordination, tracking consultant, vendor, and contractor progress, ensuring contract requirements are met, processing agreements and amendments, writing purchase requisitions and change orders, processing invoices for payment, labor and DBE compliance, as well as construction legal requirements.

Consultant staff has a unique background and skill set that is essential to the Division. Key experience includes proficient review of certified payroll and vast knowledge of Department of Industrial Relations requirements, long-standing and proven history of processing contractor payments within 30 days including dealing with Stop Notices and release of retention in line with City financial and accounting procedures, understanding of the public bidding procedures and contract administration per the Public Contract Code, as well as processing Stop Notices and fulfilling Public Records requests in coordination with the City Clerk's Office. The Consultant staff has five years experience in Capital Projects and an additional five years experience in the construction engineering field for the private sector.

Consultant staff has a long-standing and proven track record of providing administrative support to on-time and on-budget projects such as the Lasselle Street Widening, Kitching Street Phase I Improvements, and the last two cycles of the Annual Bridge Maintenance Program. In addition to the services provided for the Cactus Avenue and Nason Street projects, the consultant staff will assist with the contract administration, accounting, invoice processing, as well as the development of the Five-Year CIP Budget for other approved projects on an as-needed basis.

The consultant staff will work on a full-time, 36-hour per week schedule. The Agreement termination date is June 30, 2013. DMC has acknowledged the current economic downturn that the City faces, and has reduced the hourly rate by approximately 2%.

ALTERNATIVES

1. Approve the "Agreement for Professional Consultant Administrative Services" with DMC Design Group, Inc. (DMC), 170 N. Maple Street, Corona, CA 92880-1703, to provide Professional Consultant Administrative Services for budgeted

Capital Improvement Plan (CIP) projects, authorize the City Manager to execute said "Agreement for Professional Consultant Administrative Services" with DMC, in the form attached hereto, and authorize a purchase order to DMC in the amount of $139,000 when said "Agreement for Professional Consultant Administrative Services" has been signed by all parties. T*his alternative will provide resources to assist staff to complete budgeted City capital improvement projects.*

2. Do not approve the "Agreement for Professional Consultant Administrative Services" with DMC Design Group, Inc. (DMC), 170 N. Maple Street, Corona, CA 92880-1703, to provide Professional Consultant Administrative Services for budgeted Capital Improvement Plan (CIP) projects, do not authorize the City Manager to execute said "Agreement for Professional Consultant Administrative Services" with DMC, in the form attached hereto, and do not authorize a purchase order to DMC in the amount of $139,000 when said "Agreement for Professional Consultant Administrative Services" has been signed by all parties. *This alternative will delay the design and construction of budgeted City capital improvement projects.*

FISCAL IMPACT

This proposed "Agreement for Professional Consultant Administrative Services" with DMC in the amount of $139,000 is for on-going services throughout the anticipated duration of the Cactus Avenue and Nason Street projects. The agreement termination date is June 30, 2013. The agreement provides the City with the ability to terminate the agreement by giving at least ten days written notice to the consultant.

Sufficient funds are available in the Cactus Avenue and Nason Street budgets (Account No. 125.New) to encumber the purchase order. As costs for projects other than Cactus Avenue and Nason Street projects are incurred, the expenditures will be transferred to the capital projects for which services were performed. The remaining associated costs for the Agreement for Professional Consultant Services will be funded through Measure A Funds (Fund 125), TUMF Capital Projects (Fund 415), and DIF Arterial Streets (416).

Consultant Service Funding Allocation in FY 11/12

Cactus Avenue and Nason Avenue (Account No. 125.New)	$80,000
Perris Boulevard Widening (Account No. 415.70225)	$40,000
Moreno Beach Widening (Account No. 416.83428)	$7,000
Heacock Street Bridge Rehabilitation (Account No. 125.66825)	$12,000
Total	**$139,000**

Funding for this project is restricted to capital improvements and cannot be utilized for operational activities. There is no impact on the General Fund.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Due to the need for experienced consultant administrative services for the Cactus Avenue between Lasselle Street and Nason Street and Nason Street between Cactus Avenue and Iris Avenue Improvements Projects, staff recommends authorizing the Agreement for Professional Consultant Administrative Services with DMC Design Group, Inc. Staff also recommends issuance of a purchase order to DMC in the amount of $139,000.00.

ATTACHMENT

Attachment "A" – Agreement for Professional Consultant Administrative Services

Prepared By:
Viren A. Shah, P.E.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director / City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director / Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

c: File
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AGREEMENT FOR PROFESSIONAL
CONSULTANT ADMINISTRATIVE SERVICES

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and DMC Design Group, Inc., a California corporation, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Scope of Work) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

AGREEMENT FOR PROFESSIONAL CONSULTANT ADMINISTRATIVE SERVICES

DESCRIPTION OF PROJECT

1. The project involves temporary administrative services for the Capital Projects Division associated with applicable capital improvements. The work will include administrative and accounting support services and other project-related duties as assigned.

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Scope of Services shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$139,000** in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on June 30, 2013 unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth herein.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City

acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform

their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents, or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant, its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits

hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, RDA and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) The City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and

agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other work without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors

and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree that, to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement.

SIGNATURE PAGE FOLLOWS

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

DMC Design Group, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – Scope of Work
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed **$139,000.**
2. The Consultant will submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time or tasks performed and materials expended in furnishing authorized professional services during the preceding calendar month. Monthly invoices will specifically identify job title, person-hours and costs incurred by each task. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final.
3. The City shall pay the Consultant for all invoiced, authorized professional services within thirty (30) days of completing the referenced milestones as determined by the City.
4. Any payment request determined not to be a proper payment request suitable for payment may be returned as soon as seven calendar days, after receipt, specifying the reasons that the payment request is not a proper payment request.

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Revised 10/13/09

EXHIBIT "D"

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MV00116774

SCOPE OF WORK

Contract Administration Specialist

The Contract Administration Specialist is responsible for working with appropriate technical staff in overseeing, coordinating, administrating, and managing public works projects. The Contract Administration Specialist shall provide necessary services to assist technical staff on capital improvement projects in various phases of design and construction. Typically, these projects involve street, storm drain, traffic signal, and public facility improvements.

Duties consist of compiling, administering, and monitoring public works contracts and projects; administering project budgets; coordinating and mailing RFP's, addendums and documents for bidding; performing vendor solicitations; organizing pre-bid conferences; evaluating bids, performing reference checks and preparing recommendations for contract award; organizing and participating in meetings including preparation and distribution of minutes; coordinating and scheduling required inspections, surveys and geotechnical tests; monitoring and updating project schedules; obtaining necessary permits; tracking project progress ensuring compliance with project standards and specifications including California Construction law in labor compliance and DBE requirements; processing, transmitting and tracking plan checks, RFI's, submittal reviews, progress payments, change orders, punch lists, warranty issues and contractor claims; coordinating project website development; researching and preparing final reports to support billings to County, State & Federal agencies to support a variety of funding obligations; maintaining detailed project files and preparing project status reports; reviewing and processing consultant, contractor, and vendor invoices for payment; processing journal entries; and reviewing project expenditures. The Specialist will also assist in development of procedures, policies, record keeping and duties as required related to overall administration of Capital Improvement Projects.

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MV00116776

June 15, 2011

Prem Kumar, PE
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552

SUBJECT: Temporary Staffing for Professional Administrative Consultant Services

Dear Mr. Kumar:

DMC Design Group, Inc. is pleased to submit this proposal for Temporary Staffing for Professional Consultant Services for the City of Moreno Valley.

Kimberly Jester is currently providing Consultant Contract Administrative Specialist services through an agreement with RLZ Engineering, Inc. Ms. Jester has provided these services through RLZ as well as a City employee since October 2006. As of September 1, 2011, Ms. Jester proposes to begin performing through DMC Design Group, Inc. (DMC).

Scope of Services and Fees:

Ms. Jester will provide consultant administrative specialist services, on a full-time (36 hours per week) basis at a rate of $61.00 per hour (inclusive of all miscellaneous reimbursable expenses, such as mileage, mobile phone calls, etc.) or at Not to Exceed Fee of $139,000 for approximate fifteen months of service. Authorized work beyond normal 36 hours workweek will also be billed at $61.00 per hour.

Fees will be invoiced monthly based on actual time expended. Payment will be based on actual time expended in furnishing authorized professional services during the preceding calendar month and will include an hourly cost breakdown of assigned project numbers.

If you have any questions regarding this proposal, please contact me at 951.549.8100.

Sincerely,

Donna A. Cosper

Enclosure: Kimberly Jester Resume

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MV00116778

Kimberly J. Jester
25572 Mountain Glen Circle
Sun City, CA 92585
kj_jester@ hotmail.com 858.775.9318

EXPERIENCE

2008 - Present **City of Moreno Valley** ***Contract Administration Specialist, RLZ Engineering, Inc.***
2006 2008 **City of Moreno Valley** ***Management Assistant, City Staff***

- Prepare project-specific expenditure analyses; including routine review of reports to ensure available budget versus expenditures balance.
- Develop and utilize spreadsheets, databases and other computer applications to assist with assigned studies, projects and reports.
- Perform analytical and administrative assignments in connection with preparation and management of division budgets and grant-funded programs.
- Perform administrative, management, program and other analysis assignments in accordance with established procedures and practices.
- Write contracts for services and goods for approval by Department Head through City Manager approvals.
- Prepare and process purchase requisitions and change orders for services and goods for approval by Department Head through City Manager approvals.
- Process contractor and service invoices for payment; including detailed review and analysis of invoice to ensure that charges are correct and consistent with work done.
- Review certified payroll reports for construction projects.
- Write staff reports for presentation to City Council.
- Review, edit and proofread other staff members' reports for presentation to City Council.
- Prepare exhibits and attachments for staff reports, with high attention to the accuracy of detailed data from multiple sources.
- Conduct research, analyze data and draft policy and procedure documents to address identified needs and issues

2003 - 2006 **Masson & Associates, Inc.** ***Operations Manager***
Civil Engineering and Land Surveying Firm

- Create, write, edit and enforce standard operating procedures managing daily operations and the activities of administrative personnel including standard operating procedures for all business correspondence.
- Engage in promoting good will for the company by writing or selecting favorable publicity material and releasing it through various communications media.
- Research market conditions in local, regional, or national areas to determine potential sales of services.
- Provide training and assistance on a daily basis to ensure proper procedures are followed.
- Proofread and edit all business correspondence, checking for grammatical, punctuation, style and formatting errors.
- Provide quality assurance reviews of all marketing materials.
- Ensure all technical documents such as Due Diligence Reports are free of any typographical, grammatical, and punctuation errors.
- Write, edit, place and track job advertisements.
- Write, edit and format Corporate Statement of Qualifications and routinely revise based on target client.
- Responsible for maintaining updated database of all departmental job descriptions for existing positions and creating new ones for new position.
- Assist in the analysis of data from survey sources to determine salary competitiveness.
- Maintain electronic and manual employee benefits records for employees.
- Maintain employee manual and update as needed to ensure compliance.
- Suggest advertising placement.
- Organize special events.

Exhibit B-2

Kimberly J. Jester
25572 Mountain Glen Circle
Sun City, CA 92585
kj_jester@ hotmail.com 858.775.9318

1998-2003 **Mentus, *Office Manager***
Biotechnology Marketing Firm

- Proofread and edited all written material.
- Provided administrative support to five partners.
- Assisted with the dissemination of press releases four times monthly.
- Assisted media buyer with preliminary calls to publications for mechanical specifications, ad rates and editorial calendars.
- Assisted in creation of media plans.
- Assisted in client and product naming on a project basis.
- Coordinated travel for five employees, including CEO and Vice President of Creative, on a monthly basis.
- Organized special events for employees, clients and vendors, including, but not limited to annual holiday party for more than 60 guests.
- Created FileMaker Pro databases for prospecting new clients, travel coordination, and directory sales.
- Organized direct mailings to over 1,000 contacts.
- Facilitated, in conjunction with CFO, accounts payable and receivable, deposits, and the collection of past due accounts.
- Conducted ongoing Internet research for competitors of 30-plus current clients as well as researched industry trends.
- Coordinated weekly direct mailings to prospective clients for marketing team.
- Conducted orientation and training of newly hired employees.
- Updated Media Map and Online Media Atlas databases (web based data management program).

Education

San Diego State University, San Diego, CA

- Certification in Event and Meeting Planning
- Certification in Strategic Marketing in Action

University of San Diego, San Diego, CA
Sarah Lawrence College, Bronxville, NY

Professional Training Seminars

- Effective Proofreading and Business Writing, SkillPath Seminars
- Winning Proposals and Presentations, PSMJ
- Notary Public, State of California through 2010
- Strategies for Public Sector Contracting, Metropolitan Water District/San Diego County Water Authority
- Navigating the Maze of Leaves of Absence, Strategic HR
- Improving Employee Performance through Coaching, Strategic HR
- How to Manage the Front Desk, Skill Path Seminars

Computer Skills

Microsoft Office (including Project 2003, Publisher, Word, Excel, Outlook, PowerPoint), Adobe Acrobat, Internet, JD Edwards OneWorld

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

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MV00116782

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed **$139,000.**
2. The Consultant will submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time or tasks performed and materials expended in furnishing authorized professional services during the preceding calendar month. Monthly invoices will specifically identify job title, person-hours and costs incurred by each task. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final.
3. The City shall pay the Consultant for all invoiced, authorized professional services within thirty (30) days of completing the referenced milestones as determined by the City.
4. Any payment request determined not to be a proper payment request suitable for payment may be returned as soon as seven calendar days, after receipt, specifying the reasons that the payment request is not a proper payment request.

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Revised 10/13/09

EXHIBIT "D"

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MV00116784

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES, INC.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services budgeted Capital Improvement Plan (CIP) projects.

2. Authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with SA, in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order to SA in the amount of $185,000 when "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

BACKGROUND

On July 8, 2008, the City Council approved the "Agreement for Professional Consultant Services" with SA in the amount of $350,000 for temporary professional consultant services for the Capital Projects Division. On February 10, 2009, City Council approved the "First Amendment to Agreement for Professional Consultant Services" with SA for an additional $350,000. On November 11, 2009, the City executed the "Second Amendment to Agreement for Professional Consultant Services" with SA for a time extension only. On November 18, 2010, the City executed the "Third Amendment to Agreement for Professional Consultant Services" with SA for an additional time extension, extending the termination date of the contract to December 31, 2011.

On June 14, 2011, the City Council approved an $85.773 million CIP Budget. Adequate personnel resources are required to ensure that these projects are successfully managed and completed in a timely manner and within budget.

DISCUSSION

On April 26, 2011, City Council approved the Economic Development Action Plan that re-sequenced a number of Capital Improvements Projects, allowing for the funding of Cactus Avenue between Lasselle Street and Nason Street and Nason Street between Cactus Avenue and Iris Avenue Improvements Projects identified to cost up to $23 million. On June 14, 2011, City Council approved the FY 11/12 CIP budget including funding for the two referenced projects. These fast-tracked projects will require dedicated, knowledgeable, and efficient technical engineering support with experience in assisting with these types of projects.

SA Associates staff, in the capacity of in-house technical consultant, will directly assist the Project Manager for the Cactus Avenue and Nason Street projects with mapping including plot preparation and reproduction, preparation of project schedules, utility coordination, and other technical engineering related tasks as necessary for the successful completion of the projects. Such technical services will be rendered for other funded CIP projects on an as-needed basis.

Consultant staff has a unique background and skill set that is essential to the Division. Key experience includes extensive designing and drafting utilizing Auto Cad 3D Civil software, preparation of legal descriptions, plats, and boundary closures in coordination with right of way agents, and preparation of engineering cost estimates for multiple uses including the Development Impact Fee (DIF) Nexus Study Report. In addition, consultant staff has been integral in the securing of $1.3 million in grant monies including $900,000 for the Highway Safety Improvement Program (HSIP), $170,000 for the Bicycle Transportation Account (BTA), and $254,000 for the Safe Routes to School Program (SR2S).

The consultant staff has a long-standing and proven track record of providing exceptional support to projects such as the School Walkway Infill, Public Safety Building Tenant Improvements and Expansion, Emergency Operations Center construction, and Iris Street Improvements. The consultant staff also provides technical services for the 5-year Capital Improvements Plan (CIP) and will continue to assist with the design of Street Improvement Program (SIP) and Citywide Annual Pavement Resurfacing Program Plans.

The consultant will work on a full-time, 36-hour per week schedule. The Agreement termination date is extended to June 30, 2013.

ALTERNATIVES

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services budgeted Capital Improvement Plan (CIP) projects, authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with SA, in the form attached hereto, and authorize a Change Order to increase the

Purchase Order to SA in the amount of $185,000 when "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties. *This alternative will provide resources to assist staff to complete budgeted City capital improvement projects.*

2. Do not approve the "Fourth Amendment to Agreement for Professional Consultant Services" with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services budgeted Capital Improvement Plan (CIP) projects, do not authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with SA, in the form attached hereto, and do not authorize a Change Order to increase the Purchase Order to SA in the amount of $185,000 when "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties. *This alternative will delay the design and construction of budgeted capital improvement projects.*

FISCAL IMPACT

The current Amendment to the Agreement for Professional Consultant Services will be expended by September 2011. This proposed "Fourth Amendment to Agreement for Professional Consultant Services" with SA in the amount of $185,000 is for on-going services throughout the anticipated duration of the Cactus Avenue and Nason Street projects. The new agreement termination date is June 30, 2013. The agreement provides the City with the ability to terminate the agreement by giving at least ten days written notice to the consultant.

Sufficient funds are available in the Cactus Avenue and Nason Street budgets (Account No. 125.New) to encumber the purchase order. As costs for projects other than Cactus Avenue and Nason Street projects are incurred, the expenditures will be transferred to the capital projects for which services were performed. The remaining associated costs for the Agreement for Professional Consultant Services will be funded through Measure A Funds (Fund 125), TUMF Capital Projects (Fund 415), and DIF Arterial Streets (416).

Consultant Service Funding Allocation in FY 11/12

Cactus Avenue and Nason Avenue (Account No. 125.New)	$75,000
Perris Boulevard Widening (Account No. 415.70225)	$32,000
Perris Boulevard Widening (Account No. 415.70125)	$32,000
SR 60 Nason and Moreno Beach Improvements (Account No. 415.70024)	$24,000
Moreno Beach Widening (Account No. 416.83428)	$10,000
Heacock Street Bridge Rehabilitation (Account No. 125.66825)	$12,000
Total	**$185,000**

Funding for this project is restricted to capital improvements and cannot be utilized for operational activities. There is no impact on the General Fund.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Due to the need for experienced consultant services for the Cactus Avenue between Lasselle Street and Nason Street and Nason Street between Cactus Avenue and Iris Avenue Improvements Projects, staff recommends authorizing the Fourth Amendment to Agreement for Professional Consultant Services with SA Associates, Inc. Staff also recommends issuance of a purchase order to SA in the amount of $185,000.00.

ATTACHMENT

Attachment "A" - First Amendment to Agreement for Professional Consultant Services

Prepared By:
Viren A. Shah, P.E.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director / City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director / Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

c: File

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FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

This Fourth Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and **SA Associates, Inc.**, a California corporation hereinafter referred to as "Consultant." This Fourth Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "AGREEMENT for PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated July 29, 2008.

Whereas, the Consultant is providing professional consultant services for various projects of the Capital Projects Division.

Whereas, the Agreement was amended on February 10, 2009 to extend the professional consultant services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on November 11, 2009 to extend the termination date for professional consultant services in the Second Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on November 18, 2010 to extend the termination date for professional consultant services in the Third Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Fourth Amendment.

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES

Whereas, it is desirable to amend the Agreement termination date as is more particularly described in Section 1 of this Fourth Amendment.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date is extended from December 31, 2011 to June 30, 2013 by this Amendment.

1.2 Exhibit "A" to the July 29, 2008 Agreement is hereby amended by adding to the "Scope of Work" section described in Exhibit "A" to this Fourth Amendment, entitled "Amended Scope of Work".

1.3 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $185,000.00, as set forth in the above-referenced "Amended Scope of Work", in consideration of the Consultant's performance of the work set forth in Exhibit "A" to this Fourth Amendment.

1.4 The total "Not to Exceed" fee for this contract is $885,000.00 ($350,000.00 for the original Agreement plus $350,000.00 for the First Amendment to Agreement, plus $0.00 for the Second and Third Amendments to Agreement, plus $185,000.00 for the Fourth Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

SA Associates, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – Amended Scope of Work

W:\CapProj\CapProj\hirestaffconsultant\SA Associates\Agreement (June 2008)\Fourth Amendment 7-2011\Fourth Amendment SA Associates 07-2011.DOC
Revised Feb 2009

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MV00116792

Amended Scope of Work

Summary Scope of Work for Professional Consultant Services

SA Associates, Inc. staff will work as directed by the City Engineer in accordance with Page 1 of Exhibit "A" (inclusive of all miscellaneous reimbursable expenses, such as mileage, phone calls, etc.). The City may assign a variety of projects and tasks to the assigned SA Associates, Inc. staff members. The City Engineer has the right to review any proposed personnel replacement or additions and associated rate changes.

In addition to the scope of work defined in Exhibit "A" of the July 29, 2008 Agreement for Professional Consultant Services, the scope of work is amended as follows:

Tasks

1) Work on a variety of tasks and projects as assigned by the City Engineer.

2) The total "Not-to-Exceed" fee for the aforementioned services is $885,000 ($350,000 for original Agreement in July 2008, plus $350,000 for First Amendment to Agreement in February 2009, plus $0.00 for the Second and Third Amendments to Agreement in November 2009 and November 2010 respectively, plus $185,000 for the Fourth Amendment to Agreement).

3) The current assignment involves Deepak Solanki, Technical Consultant, at $75 per hour on an as-needed basis.

EXHIBIT "A"

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MV00116794

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: RESOLUTION DECLARING THE REAL PROPERTY AS EXCESS AND SETTING A PUBLIC HEARING AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD)

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve and adopt Resolution No. 2011-74 to declare the real property, APN 475-272-054, as excess, set a public hearing to identify any issues with the sale of the remainder parcel, and authorize staff to solicit offers for the purchase of said real property.

BACKGROUND

On May 25, 2010 the City Council approved acquisition of the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The City acquired title to the property on July 29, 2010. The house on the property was demolished in May 2011 to make way for the proposed improvements. The property was acquired utilizing TUMF funds due to the direct transportation corridor related improvements that are required.

DISCUSSION

The improvements fronting this property along Ironwood Avenue and Davis Street will include a new curb ramp, sidewalks, and the relocation of power poles fronting Ironwood Avenue. The ultimate public right of way will be 44 feet from the centerline

along Ironwood Avenue and 33 feet from the centerline along Davis Street at the northwest corner.

The original lot size was 7,759 square feet, and purchased at $124,500. The ultimate improvements at the northwest corner of Ironwood Avenue and Davis Street, abutting to this property will occupy 2,534 square feet. The remaining vacant land, with an area of 5,225 square feet, is excess, not needed for public purposes, and considered a substandard residential lot in the current zone R5. The potential use and development of this remaining land is very limited but a single family home may be constructed subject to review and approval of a variance by the Planning Division. If the City retains ownership and the land remains vacant, it will require periodic on-going maintenance and weed abatement services most likely funded with General Fund monies as the surplus property is not needed for transportation related purposes. Therefore, City Council is being asked to set a public hearing date for August 23, 2011 at 6:30 p.m. at City Hall to allow for the potential selling of the property as surplus land in accordance with Government Code section 54222. If there are no issues identified at the public hearing, the property would be offered for sale to qualified public agencies within a 60-day time frame. If there is no interest from a qualified public agency, the City could but would not be obligated, to put the property up for sale to the public at the expiration of the 60-day period.

The hearing is required by California Government Code, Section 37422. If City Council approves setting the hearing date, the Resolution will be published in the Press Enterprise, and the Resolution will be posted at the real property.

ALTERNATIVES

1. Adopt the Proposed Resolution to declare the real property, APN 475-272-054, as excess, set a public hearing to identify any issues with the sale of the remainder parcel, and authorize staff to solicit offers for the purchase of said real property. *This alternative would allow the City to have a hearing to potentially sell the excess land.*

2. Do not adopt the Proposed Resolution to declare the real property, APN 475-272-054, as excess, set a public hearing to identify any issues with the sale of the remainder parcel, and authorize staff to solicit offers for the purchase of said real property. *This alternative will result in delaying or stopping the potential sale of excess land.*

FISCAL IMPACT

There is no material fiscal impact to the adoption of the Proposed Resolution.

SUMMARY

The City acquired the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the

Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. Once the improvements are constructed, the remaining property area of 5,225 square feet can be disposed of as surplus property. If the City retains ownership of this property, it would require periodic on-going maintenance and weed abatement services. Therefore, City Council is being asked to set a public hearing date to allow for the potential selling of the property as surplus land in accordance with Government Code section 54222.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Proposed Resolution

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Henry - 06-50182625 Ironwood - Heacock to Perris\CC Reports\Real Property\7-12-11 Resolution for Surplus Land Sale APN 475-272-054 b.doc

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MV00116798

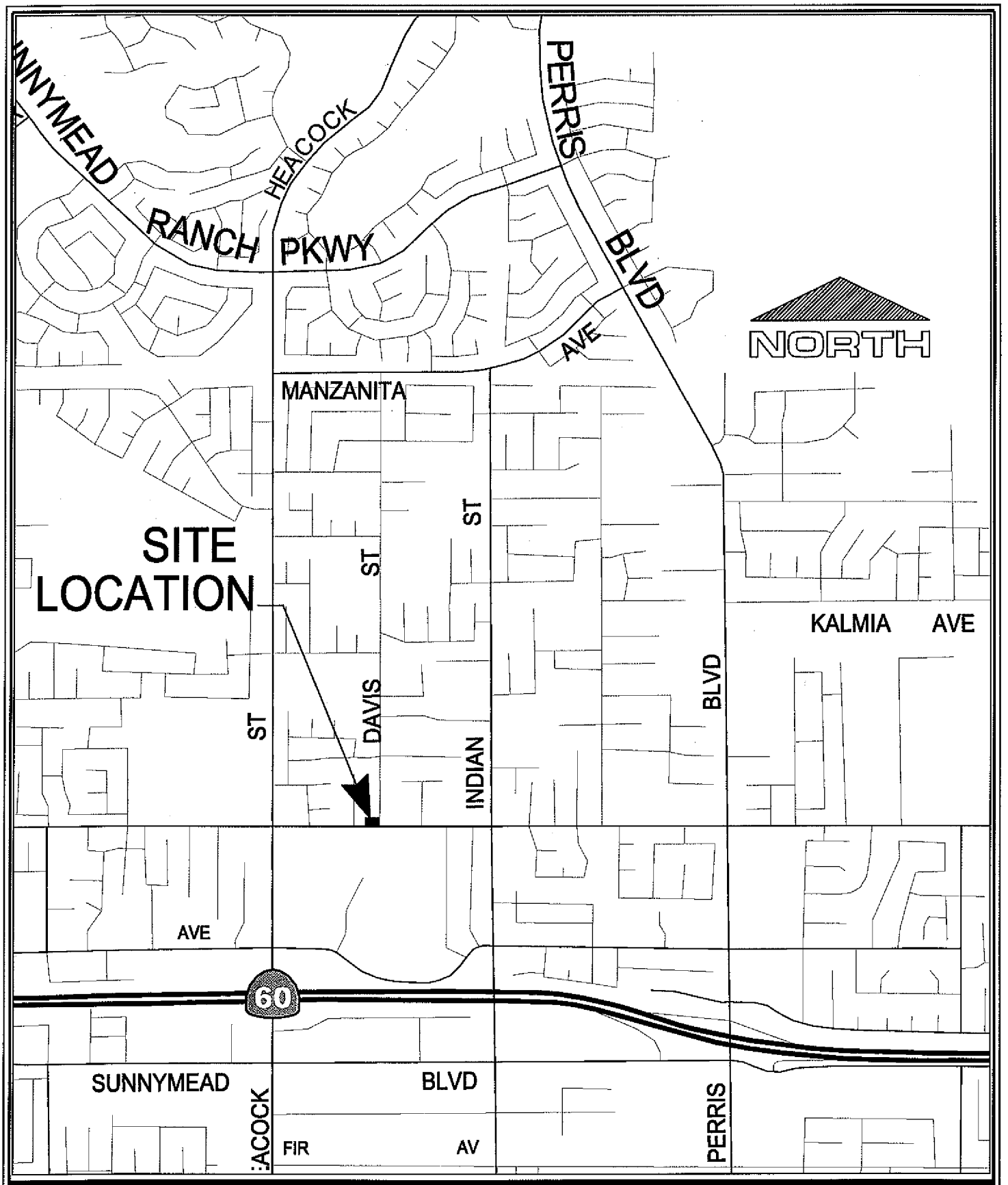

LOCATION MAP

Scale: None

ATTACHMENT "A"

11987 DAVIS STREET

APN 475-272-054

EXCESS PROPERTY- 0.12 ACRES

Item No. A.20

MV00116799

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MV00116800

RESOLUTION N0. 2011-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THE SALE OF A REMAINDER PARCEL EXCESS TO PUBLIC USE.

WHEREAS, the City Council of the City of Moreno Valley desires to sell the remainder parcel APN 475-272-054, total area of 5,225 square feet, as described in Exhibit "A", that is attached hereto; and

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

1. The time and place for hearing protests to the sale of said real property shall be held on August 23, 2011, at 6:30 p.m. at City Hall, located at 14177 Frederick Street, Moreno Valley, California.
2. The City Council finds that the public interest and convenience require the sale of the subject real property for the following reasons:
    a) The real property is excess to that needed for public purposes; and
    b) There is an on-going cost to maintain and weed abate if ownership is retained by the City; and
    c) It is advantageous to return the property to private ownership for use and maintenance.
3. The City Clerk shall publish a copy of this Resolution in the Press Enterprise, a daily newspaper and shall cause a copy of said Resolution to be posted at the real property.

Resolution No. 2011-74
Date Adopted: July 12, 2011

Attachment "B"

4. At the hearing, any interested person may protest to the proposed sale. Any protests must be overruled by a 4/5ths vote of the Council members.

APPROVED AND ADOPTED this 12th day of July 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2011-74
Date Adopted: July 12, 2011

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00116804

LEGAL DESCRIPTION

In the City of Moreno Valley, that remainder parcel of land being a portion of lot 63 as shown on the map of Moreno Acres, filed in Book 11 of Maps, Page 53, records of the County of Riverside, State of California, more particularly described as follows:

BEGINNING at the southwestly corner of the east half of the east half of said lot 63; thence North 00°07'15" East, a distance 14 feet to a point 44 feet northly of the centerline of Ironwood Avenue, said point being the **TRUE POINT OF BEGINNING**;

Thence North 00°07'15" East, 41.50 feet along the east property line; thence N 89°50'30" East, 132.48 feet along the north property line to a point on a line parallel with and distant 33.00 feet westerly of Davis Street centerline; thence South 00°06'30" West, 18.66 feet along said line; thence Southwestly, a distance of 33.13 feet to a point on a line parallel with and distant 44.00 feet northerly of Ironwood Avenue centerline; thence South 89°50'30" West, a distance of 108.60 feet, more or less, along said last mentioned parallel line to the **TRUE POINT OF BEGINNING.**

The land described herein contains approximately 5,225 square feet (0.12 acres).

See Sheet 2 of 2 for a plat depicting the above described property.

APN: 475-272-054

CITY OF MORENO VALLEY,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
POR. LOT 63 ON MAP OF MORENO ACRES
BOOK 11 PAGE 53

EXHIBIT "A"
SHEET 2 OF 2

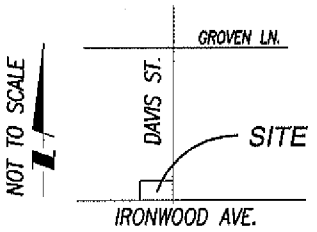

VICINITY MAP

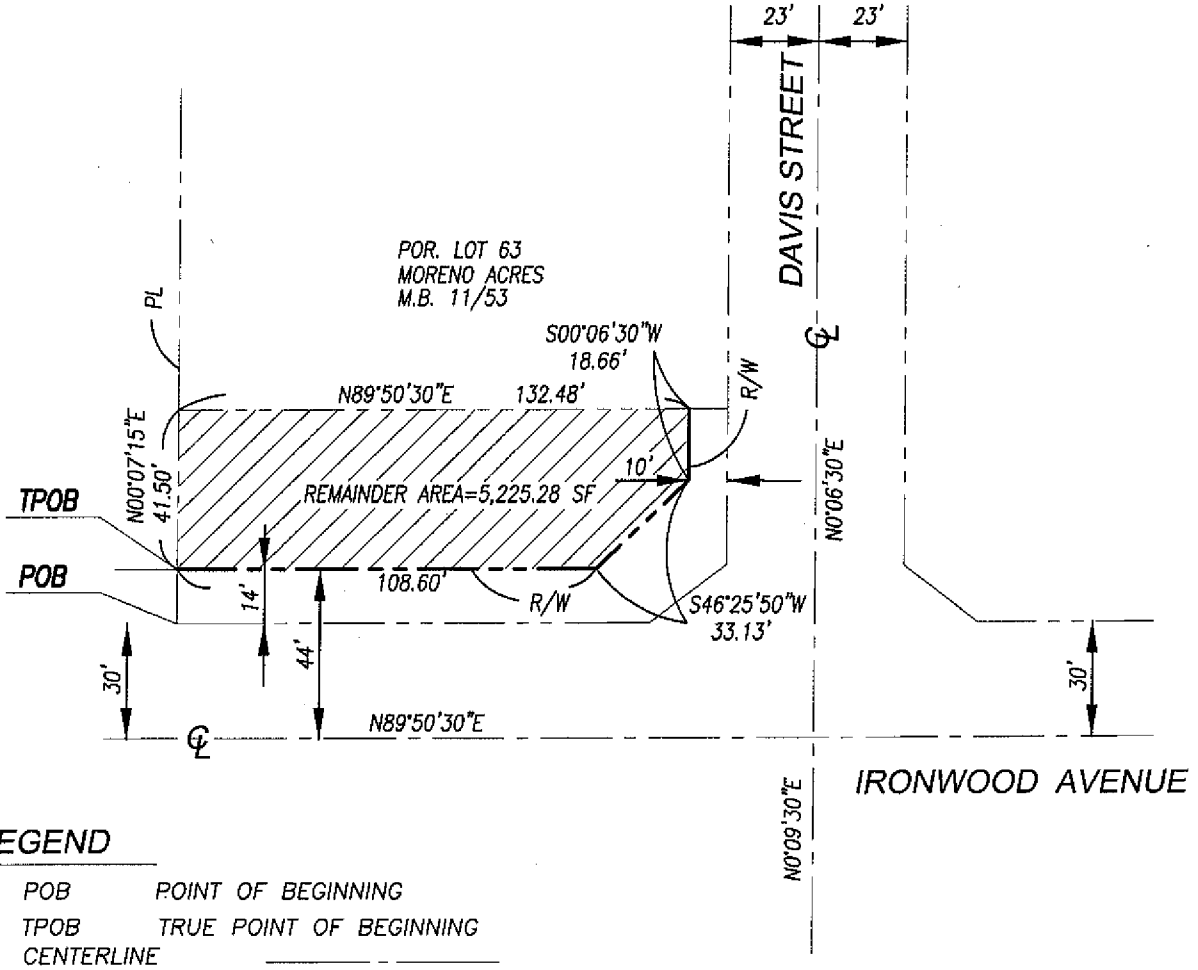

SCALE: 1"=50'

LEGEND

1. POB — POINT OF BEGINNING
2. TPOB — TRUE POINT OF BEGINNING
3. CENTERLINE
4. EXISTING ROW
5. NEW ROW
5. PROPERTY LINE

REMAINDER AREA = 5,225.28 SF

CITY OF MORENO VALLEY

PREPARED FOR:

PLAT MAP FOR
11987 DAVIS STREET
APN 475-272-054

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Resolution No. 2011-75 amending the Electric Rates for Moreno Valley Utility

BACKGROUND

On July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges for the City of Moreno Valley's Electric Utility, or Moreno Valley Utility (MVU). Electric Rule 12 entitled "Rates and Optional Rates" of that document states that the rates to be charged by and paid to the City's utility for electric service will be the rates legally in effect and on file with the Electric Utility Division, Department of Public Works. At its meeting on December 9, 2003, the City Council approved Ordinances 650 and 651 providing for the establishment and adjustment of electric rates by resolution.

DISCUSSION

Consistent with Ordinances 650 and 651, the resolution considered in this action amends MVU's Electric Rates. A complete copy of the proposed *Electric Rates* document is available for review in the Public Works Department, Electric Utility Division office. To ensure the City's rates are just and reasonable and to ensure that the City's rates are set at a level sufficient to cover the utility's costs, it will be necessary for the City Council to approve an adjustment of the rates that MVU charges customers for

service from time to time. Due to the structure of MVU's rates, the customer's usage will ultimately determine the impact of this proposed rate adjustment on their monthly bill.

For example, the proposed rate adjustment considered in this council action will affect a residential customer who uses 600 kWh in a month differently than a customer who uses 1000 kWh in a month. The proposed rate changes considered in the council action will result in an increase of MVU's rate schedules for both the summer season and winter season. Pursuant to MVU's rates, the summer season begins at 12:00 am on the first Sunday in June and continues until 12:00 am on the first Sunday in October. The winter season begins at 12:00 am on the first Sunday in October, and continues until 12:00 am on the first Sunday in June of the following year. In other words, there are four months in the summer season, and eight months in the winter season.

If the City Council approves the proposed rate adjustments, the impact to each class of customers is described in the tables below:

Average Residential Schedule A	**SUMMER**		**WINTER**	
600 kWh usage	-$1.68	-2.03%	-$3.52	-3.39%
1,000 kWh usage	-$6.56	-3.64%	-$9.02	-4.12%

Average Small Commercial Schedule B	**SUMMER**		**WINTER**	
2,978 kWh usage	-$43.64	-7.86%	-$24.11	-5.74%

Average Large Commercial Schedule C	**SUMMER**		**WINTER**	
24,531 kWh usage, Demand of 100 kW	-$407.22	-7.61%	-$133.35	-4.11%

Average Large Commercial, TOU Schedule TOU-LGS	**SUMMER**		**WINTER**	
386,896 kWh usage, Demand of 865 kW	-$5,369.69	-7.70%		
392,333 kWh usage, Demand of 666 kW			-$2,087.99	-5.48%

Average Traffic Controller Schedule TC-1	SUMMER		WINTER	
364 kWh usage	-$2.83	-4.77%	-$2.83	-4.77%

Average Streetlight	SUMMER		WINTER	
Schedule SL-1 9,500 Lumen (973 lights)	-$147.57	-1.15%	-$147.57	-1.15%
Schedule SL-1 22,000 Lumen (317 lights)	-$160.97	-2.89%	-$160.97	-2.89%
Schedule SL-2 27,500 Lumen (139 lights)	-$103.49	-5.88%	-$103.49	-5.88%
Schedule SL-3 (per lamp)	$2.18	0.51%	$2.18	0.51%

If approved by the City Council, these changes will become effective at 12:00 a.m. on July 13, 2011.

Pursuant to Section 5 of the Professional Services Agreement by and between the City of Moreno Valley and ENCO Utility Services Moreno Valley, LLC, the City is obligated to adjust its rates from time to time so that the City's electric rates remain roughly equivalent to the otherwise applicable investor owned utility rate schedules. This council action will true-up MVU's rates to comply with this obligation, and comply with State law. If adopted, the net impact upon MVU customers will be a reduction in rates.

ALTERNATIVES

1. Approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *The amendment of the Electric Rates will allow the City's utility to recover its costs for service, and to offer competitive rates.*

2. Do not approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *This would restrict the City's utility in its ability to recover utility costs, and also its ability to offer competitive rates.*

FISCAL IMPACT

As rates are adjusted, revenues will reflect the adjustments. Utility revenues are projected to decrease if the proposed changes are adopted by the City Council.

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
The municipal electric utility will generate revenues to provide funding for City programs and services over time. These revenues will help achieve important financial goals of the City.

POSITIVE ENVIRONMENT:
The proposed rate adjustments ensures timely changes to the rates of the City's utility, and helps to create a positive environment for economic development within the community. The City of Moreno Valley will offer competitive rates and will help the City create new, well paying jobs.

NOTIFICATION

Posting of the Agenda.

Attachments

Attachment 1 – Proposed Resolution

Prepared By: Jeannette Olko
Electric Utility Division Manager

Department Head Approval: Chris A. Vogt, P. E
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\Electric Utility\Administration - Finance\Staff Reports\2011 SR's\SR - Rate and Rules Adjustments 12 July 2011.doc

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MV00116812

RESOLUTION NO. 2011-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES, AND ELECTRIC SERVICE RULES, FEES, AND CHARGES FOR MORENO VALLEY UTILITY

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges document for Moreno Valley Utility which states, in part, that the rates to be charged by and paid to the City for electric service will be the rates legally in effect and on file with the City Council; and

WHEREAS, there are sections of the Electric Service Rules, Fees and Charges document that contain rules which define the terms and conditions under which electric service will be provided to the customer; and

WHEREAS, there are rules, fees, charges, and rates associated with providing the services identified in the document. These rules, fees, charges, and rates are deemed necessary and equitable for services rendered and are required to fund in whole or in part, all of the services required to facilitate the delivery of electric distribution pursuant to the rules; and

WHEREAS, Urgency Ordinance No. 651 was adopted by the City Council on December 9, 2003, allowing for the adoption of rates by resolution.

Resolution No. 2011-75
Date Adopted: July 12, 2011

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

1. The City Council hereby adopts the amended Moreno Valley Utility Electric Rates and Electric Service Rules, Fees, and Charges as on file in the Public Works Department.

APPROVED AND ADOPTED this 12th day of July 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2011-75
Date Adopted: July 12, 2011

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

Resolution No. 2011-75
Date Adopted: July 12, 2011

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MV00116816

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial and Administrative Services Director

AGENDA DATE: July 12, 2011

TITLE: Approve Three-Year Agreement with Canon Business Solutions to Extend the Current Copier Contract

RECOMMENDED ACTION

Staff recommends that the City Council approve the three-year agreement to extend the current contract with Canon Business Solutions in the total base amount of $261,828, representing a 23.75% price decrease or total savings of $81,540, as being in the best interest of the City.

SUMMARY

In June of 2006 the City awarded the copier agreement to the Canon Copier Company from the Request for Proposal No. 05/06-08. Canon has worked closely with the city to provide the latest technology for copying, printing and scanning from their machines. Canon support staff is very responsive and work well with city staff on handling any problems or concerns. The current and proposed extension agreement includes both a cost-per-copy and annual maintenance agreement.

BACKGROUND

The Purchasing & Facilities Division has the responsibility to provide copy machines and their necessary maintenance for City offices. The copier fleet consists of 26 machines throughout city facilities. The City utilizes the cost-per-copy method that allows for a not-to-exceed amount of copies per quarter. Payment for all copier operational costs is handled through division operating budgets via the internal service fund charge-back system. When applicable, overage copy counts are added to the base amount on a quarterly basis.

Digital state-of-the-art technology in modern copy machines provide electronic networking which will allow staff to send print to a copier from the desktop when desired. Additionally, scanning to server capabilities is built into the copiers. The agreement provides fixed base pricing for the duration of a three-year period based on a year-by-year annual approved encumbrance in the City budget. The agreement provides that the City may upgrade, add or delete functions, services or products to the program as needs change throughout the contract period.

DISCUSSION

During the city's effort of asking for vendor participation in a 10% pricing reduction, the Canon company offered a 23.75% ($9,538 per month vs. $7,273 per month) overall decrease in exchange for our three-year extension agreement. This represents a monthly savings of $2,265 and translates to $27,810 annually or a total of $81,540 over the 3 year contract extension period. Additionally, Canon will exchange a total of six existing older machines for brand new copiers, at no cost to the city, due to excessive meter counts.

ALTERNATIVES

1. Staff recommends that the City Council award the three-year extension agreement to Canon Business Solutions in the total amount of $261,828 as being in the best interest of the City.

2. Elect to not award the three-year extension agreement copier agreement to Canon and provide further direction to staff.

FISCAL IMPACT

Approval of Alternative No. 1 will obligate the City to a base annual expenditure in Account Number 00754.75440.6281 of:

- $174,552 ($87,276 for each of years one and two). These funds are provided for in the City Manager's recommended FY 2011/2012 and FY 2012/2013 budgets.
- $87,276 where budgets are subsequently approved in FY 2013/2014.

Approving this contract extension represents monthly savings of $2,265 from the existing base contract cost. This translates to $27,810 annually or a total of $81,540 over the 3 year contract extension period. This contract directly affects the Internal Service Fund – Facilities.

STAFF RECOMMENDATION

Staff recommends that the City Council approve the three-year agreement to extend the current contract with Canon Business Solutions in the total base amount of $261,828, representing a 23.75% price decrease or total savings of $81,540, as being in the best interest of the City.

ATTACHMENTS/EXHIBITS

Prepared By:
Name Rix Skonberg
Title Purchasing & Facilities Division Manager

Department Head Approval:
Name Richard Teichert
Title Financial & Administrative Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

AMENDMENT TO FACILITIES MANAGEMENT AND SERVICE AGREEMENT

This AMENDMENT No. 4 ("Amendment") is effective as of July 1, 2011 ("Effective Date") and supplements/modifies the Facilities Management and Service Agreement dated June 19, 2006, as amended (collectively, the "Agreement") between Canon Business Solutions Inc. ("CBS") and **the City of Moreno Valley** ("Customer") as follows:

1. All defined terms shall have the meanings set forth in the Agreement unless expressly defined herein.

2. Paragraph 2 of the Preamble of the Agreement is striken in its entirety and superseded by the following: Customer has during the term of the Agreement acquired by lease from a third party (or previously owned) the Items of equipment referenced in Addendum A to the Agreement ("Customer Owned Equipment").

3. As of the effective date, CBS agrees to provide to the Customer equipment ("Equipment") and FM Services for the Equipment and Customer Owned Equipment under the terms and conditions of the Agreement and as supplemented by this Amendment for an additional term of thirty-six (36) months concluding on July 5, 2014. The base quarterly charge shall be increased from $6,667.48 to $21,819.00, plus applicable taxes.

4. CBS will continue to provide the FM Services to the Customer Owned Equipment listed on Exhibit A currently on Customer site(s).

5. CBS will add the following Equipment in connection with the ongoing provision of FM Services under the Agreement :

Location	Model
CDD-Graphics Rm 104	IR 6065
Finance Rm 246	IR 6065
Doc Imaging Rm 207	IR 6065
Recreation Center 1st Floor	IR 6065
Police Dept	IR 6065
Employment Resource Center	IR 6065

The configuration for each main unit will be as follows:

Item Description	Item Code
IMAGERUNNER ADVANCE 6065 V2 BASE MODEL	3892B011
STAPLE FINISHER-E1	3894B001
PCL PRINTER KIT-AJ1 ELAN	3905B005
PS PRINTER KIT-AJ1 ELAN	3906B006
ESP NEXT GEN PCS POWER FILTER (120V/15A) XG-PCS-15D	1972V064
ESP NEXT GEN PCS POWER FILTER (120V/20A) XG-PCS-20D	1972V073

6. Customer hereby authorizes CBS to pick up the equipment listed below. Customer acknowledges that this equipment will be shipped to Canon Financial Services, Inc. and CBS' sole obligation is to use commercially reasonable efforts to pick-up and remove the return equipment and to arrange, on your behalf and at CBS' expense and risk (but only to the extent of obvious damage in transit), for the shipment of the equipment to Canon Financial Services, Inc.

Location	Remove Model	S/N
CDD-Graphics Rm 104	IR6570	SLP12175
Finance Rm 246	IR6570	SLP12176
Doc Imaging Rm 207	IR6570	SLP12333
Recreation Center 1st Floor	IR6570	SLP12434
Police Dept	IR6570	SLP12929
Employment Resource Center	IR5000	NRL03962

7. Customer agrees to the following per impression charges :
   $0.00716 per black and white impression in excess of 750,000 impressions per quarter; and
   $0.0484 per color impression in excess of 14,000 impressions per month.

   An 11 X 17 image shall count as two images

8. Customer agrees that CBS will issue a check in the amount of $37,225 ("Buy-Out Reimbursement") which will be paid directly to Canon Financial Services by CBS. The Buy-Out Reimbursement will be paid for the sole purpose of reimbursement of early termination charges or fees and associated expenses payable for early termination of the lease of Customer Owned Equipment noted in Section 6 above and in Exhibit A. Customer acknowledges and agrees that CBS' financial obligation with respect to the Buy-Out Reimbursement is limited to Thirty Seven Thousand Two Hundred Twenty Five ($37,225), and that Customer is responsible for any other obligations, including any charges which are not covered by the Buy-Out Reimbursement. In the event, Customer cancels the Agreement prior to the end of the then current term, Customer agrees to pay CBS the pro-rata amount of the Buy-Out Reimbursement based on the number of months remaining in the then current term.

9. The following supplemental terms and conditions are hereby added to the Agreement:
   i. CBS shall have full and free access to the Equipment and Customer Owned Equipment to provide service thereon and to perform meter readings. In addition, Customer authorizes CBS to use networked features of the Equipment and Customer Owned Equipment including imageWARE Remote to receive software updates, activate features/new licenses and/or transmit use and service data accumulated by the Equipment and Customer Owned Equipment over Customer's network by means of an HTTPS protocol and to store, analyze and use such data for purposes related to servicing the Equipment and product improvement. If CBS does not receive Customer's timely meter readings, Customer agrees to provide meter readings in accordance with the applicable billing cycle for each unit of Equipment and Customer Owned Equipment as specified in this Agreement.
   ii. Customer agrees neither to make any alteration in the Equipment nor to remove it from the location where installed by CBS without prior written approval of CBS. Customer shall bear all risk of loss or damage to Equipment while on Customer's premises. Customer further agrees to return the Equipment at the end of the Term in the same condition as when received except for reasonable wear and tear.
   iii. Title to the Equipment shall remain at all times with CBS, and the Customer agrees that the CBS plaque affixed to the Equipment will not be removed. Customer agrees to keep the Equipment free from all liens, security interests and encumbrances. CBS is hereby authorized to file a financing statement to evidence its ownership in the Equipment in the possession of the Customer.

iv. CBS warrants that it is the owner of the Equipment and that it has the right to perform the Services. Except for the foregoing warranty, CBS' OBLIGATIONS UNDER THIS AGREEMENT ARE IN LIEU OF ALL WARRANTIES, AND CBS EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, RELATING TO THE USE OR PERFORMANCE OF THE EQUIPMENT OR THE SERVICES.

v. Provision of toner includes replenishment of consumables for Equipment and Customer Owned Equipment only. Customer shall be deemed to have materially defaulted under the terms of this Agreement if any supplies provided hereunder are used for other than Equipment and Customer Owned Equipment supplied by CBS or for Customer Owned Equipment under the FM Services of the Agreement. In the event that usage of any such consumable supplies provided hereunder exceeds manufacturer specifications for conventional office imaging coverage by more than 10%, CBS may invoice Customer for such excess usage.

vi. If Customer fails to pay any invoice within thirty days of the Invoice date, Customer shall pay a monthly late charge equal to the lesser of one and one-half percent (1.5%) of the overdue amount, or the maximum amount allowed by law.

vii. Customer acknowledges that the hard drive on the Equipment and Customer Owned Equipment may retain images, content or other data during normal operation of the Equipment ("Data") and that exposure or access to the Data by CBS, if any, is purely incidental to the services performed by CBS. Neither CBS nor any of their affiliates has an obligation to erase or overwrite Data upon your return of the Equipment to CBS or any leasing company. Customer is solely responsible for: (i) compliance with applicable law and legal requirements pertaining to data privacy, security, retention and protection; and (ii) all decisions related to erasing or overwriting Data. Without limiting the foregoing, you should, prior to return or other disposition of the Equipment, utilize the Hard Disk Drive (HDD) (or comparable) formatting function (which may be referred to as "Initialized All Data/Settings" function) found on the Equipment to perform a one pass overwrite of Data or, if Customer has higher security requirements, Customer may purchase from CBS at current rates an available option for the Equipment and Customer Owned Equipment, which may include (a) an HDD Data Encryption Kit option which disguises information before it is written to the hard drive using encryption algorithms, (b) a HDD Data Erase Kit that can perform up to a 3-pass overwrite of Data or (c) a replacement hard drive (in which case Customer should properly destroy the replaced hard drive).

10. The following will be of no force or effect if the Customer is not a State or a Political Subdivision of a state within the meaning of Section 103(C) of the Internal Revenue Code of 1986, as amended.

i. The Customer warrants that it has funds available to pay the payments ("Payments") payable pursuant to Agreement between Customer and CBS until the end of its current appropriation period and warrants that it presently intends to make Payments in each appropriation period from now until the end of the Agreement. The officer of the Customer responsible for preparation of Customer's annual budget shall request from its legislative body or funding authority funds to be paid to CBS under the Agreement. If notwithstanding the making in good faith of such request in accordance with appropriate procedures and with the exercise of reasonable care and diligence, such legislative body or funding authority does not appropriate funds to be paid to the CBS for the Equipment, Customer may, upon prior written notice to CBS, effective upon the exhaustion of the funding authorized for the then current appropriation period, return the Equipment to CBS, in accordance with the Agreement, and thereupon, Customer shall be released of its obligations to make Payments to CBS due thereafter, provided: (1) the Equipment is returned to CBS as provided for in the Agreement, (2) the above described notice states the failure of the legislative body or funding authority to appropriate the necessary funds as the reason for cancellation; and (3) such notice is accompanied by payment of all amounts then due to the Lessor. In the event Customer returns the Equipment pursuant to the terms herein, CBS shall retain all sums paid by Customer. Customer's Payment obligations in any fiscal year shall constitute a current expense of Customer for such fiscal year, and shall not constitute indebtedness or a multiple fiscal year obligation of Customer under Customer's state constitution, state law or home rule charter. Nothing in this Agreement shall constitute a pledge by Customer of any taxes or other monies, other than as appropriated for a specific fiscal year for this Agreement and the Equipment.

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ii. The undersigned represents and warrants to CBS that all action required to authorize the execution and delivery of this Amendment on behalf of the above referenced Customer by the following signatory has been duly taken and remains in full force and effect.

11. For any and all amendments to the Agreement with regard to the provision of Equipment to Customer, whether entered into before, during or after the effective date of this amendment and where the expiration date of such amendment falls after the expiration date of the Agreement, the expiration date of the amendment shall control, unless the amendment expressly states that it is coterminous with the Agreement.

12. Customer agrees that CBS may accept an electronic image of this Amendment as an original, and that electronic copies of your signature will be treated as an original for all purposes.

13. Except as supplemented/modified hereby, all terms of the Agreement remain in full force and effect and are ratified and confirmed in all respects.

IN WITNESS WHEREOF, each of the undersigned have caused this AMENDMENT to be executed by their duly authorized officials effective the Effective Date, intending to be legally bound hereby.

CANON BUSINESS SOLUTIONS, INC.	City of Moreno Valley
By: [signature]	By: _____
Name: Timothy Robinson	Name: _____
Title: VP Operations	Title: _____
Date: 7/5/11	Date: _____

Approved Bus Ops
BAV
6/29/11

CITY ATTORNEY
Approved as to Form

By: [signature] 6/29/11
Date

Amendment 4 - Exhibit A

Room	Building	Model	Serial
Behind Front Counter	City Hall 1st Floor	IR3570	SKV55637
CDD-I.T side of foyer, Rm 132	City Hall 1st Floor	IR5570	SLQ22472
CDD - Graphics Rm 104		IRC2620	SHP10670
Small rm near Cap Prjcts Rm 253	City Hall 2nd Floor	IR3570	SKV55633
Finance Audit Rm 203	City Hall 2nd Floor	IR3570	SKV65067
City Clerk, outside door		IR2270	SLH27585
Storage next to Dco Img Rm 208		IR5570	SLQ22668
Front Office	City Yard 1st Floor	IR3570	SKV55636
1st Floor	Animal Services	IR3570	SKV55484
1st Floor	Senior Center	IR3570	SKV55491
1st Floor	Public Library	IR2270	SLH27639
	Recreation Center 1st Floor	IR3570	SKV55487
1st Floor Ste 1-3	TS Annex	IR2270	SLH27642
1st Floor Ste 4	Facilities	IR2270	SLH27597
1 st Floor Ste 9	Enterprise Services	IR3570	SKV55645
Whse Office	City Yard 1st Floor	IR2020	KRR05658
Volunteer Services - off chamber lobby	City Hall 1st Floor	IR2020	KRR05565
S.T.A.R.S	Employment Resourse Center	IR3570	SKV55471
Volunteer Services - off chamber lobby	Emergency Operations	IR3035	MUP07387
Police Dept	PD Accounting	IR3035	MUP11450

Approved Bus Ops

Canon

Canon Financial Services, Inc.

CONVERSION ADDENDUM

RE: Agreement Number See Attachment **(Existing Agreement) and**
Application Number _____ **(New Agreement)**

This Conversion Addendum ("Addendum") is entered into by and between Canon Financial Services, Inc. ("CFS") and City of Moreno Valley ("Customer") and is effective as of the date set forth below (the "Effective Date").

RECITALS

A. CFS and Customer are parties to that certain agreement (whether designated a Lease, Rental Agreement, Master Agreement Schedule, or otherwise) with the agreement number indicated above ("Existing Agreement") for the lease or rental of certain equipment ("Existing Equipment").

B. The initial term of the Existing Agreement has expired or will soon be expiring, and the Existing Agreement is currently or will soon be in a in a renewal term.

C. Canon Business Solutions, Inc. ("CBS") and Customer are also parties to that certain Facilities Management Agreement with the application number indicated above ("New Agreement"; and together with the Existing Agreement, the "Agreements") for the lease or rental of certain other equipment and the provision of certain services ("New Equipment").

D. As of the Effective Date, the New Equipment has not been delivered to Customer, and therefore the lease or rental of the New Equipment and the provision of services under the New Agreement has not commenced.

E. CFS and Customer desire to amend the Existing Agreement and the New Agreement to allow for the equipment lease portion of the Payments (as defined in the Existing Agreement) coming due during the renewal term of the Existing Agreement (collectively, the "Renewal Payments") that are due and paid during the Credit Period (defined below) to be applied to the New Agreement once the New Equipment has been delivered to and accepted by Customer, all pursuant to the terms and conditions of this Addendum.

NOW, THEREFORE, for good and valuable consideration, intending to be legally bound, CFS and Customer agree as follows:

1. During the period beginning on the Effective Date and ending on the date the New Equipment has been delivered to and accepted by Customer under the New Agreement (such period, the "Credit Period"), the Existing Agreement shall remain in effect pursuant to the applicable renewal provisions thereof. Customer shall continue to make its renewal term Payments to CFS under the Existing Agreement during the Credit Period.

2. When the New Equipment is delivered to Customer, Customer shall inspect and accept the New Equipment pursuant to the terms of the New Agreement. At such time, the Existing Agreement shall terminate, Customer shall return or purchase the Existing Equipment pursuant to the terms of the Existing Agreement, and the New Agreement shall commence.

3. Upon termination of the Existing Agreement and commencement of the New Agreement, CFS shall pay over to CBS the equipment lease portion of all Renewal Payments due under the Existing Agreement during the Credit Period and paid to CFS during the Credit Period (collectively, the "Credit Period Payments") to be applied by CBS to the payments that come due under the New Agreement. The Credit Period Payments shall not include (a) any amounts other than the equipment lease portion of the Payments under the Existing Agreement or (b) past due payments that were due prior to the Credit Period but received by CFS within the Credit Period. For example, and not by way of limitation, property taxes, late charges, insurance, overages, maintenance, and other such amounts shall not be deemed Credit Period Payments hereunder. For the avoidance of doubt, only the equipment lease portion of amounts that are both (i) due under the Existing Agreement during the Credit Period and (ii) received by CFS during the Credit Period will be credited to the New Agreement. In addition, if the Existing

Agreement is being upgraded into multiple transactions, only one of which is the New Agreement, only the portion of the payments made under the Existing Agreement with respect to Existing Equipment that is being upgraded to New Equipment under the New Agreement will be credited to the New Agreement. The eligible amount and Existing Equipment are listed below the signature blocks below.

4. Once all of the Credit Period Payments received by CFS have been applied to payments that have come due under the New Agreement, Customer will receive invoices from CBS for amounts due under the New Agreement for the remainder of the term (and any renewal term) of the New Agreement. Customer acknowledges that the first invoice Customer receives from CBS may be for less than a normal full monthly payment under the New Agreement, depending on the total amount of Credit Period Payments being applied; in such a case, the subsequent invoice would be for the normal full monthly payment under the New Agreement.

5. If Customer rejects the New Equipment for any reason, or otherwise cancels the New Agreement prior to its commencement, CFS shall be entitled to retain the Credit Period Payments as consideration for the use of the Existing Equipment during the Credit Period.

It is expressly agreed by the parties that this Addendum is supplemental to the Agreements and that the provisions thereof, unless specifically modified herein, shall remain in full force and effect and shall apply to this Addendum as though they were expressly set forth herein.

In the event of any conflict or inconsistency between the provisions of this Addendum and any provisions of the Agreements, the provisions of this Addendum shall in all respect govern and control.

Customer agrees that CFS may accept a facsimile copy of this Addendum as an original, and that such facsimile copy will be treated as an original for all purposes. THIS ADDENDUM SHALL BE EFFECTIVE WHEN IT HAS BEEN SIGNED BY CUSTOMER AND DEALER AND ACCEPTED BY CFS.

CFS:	Customer:
CANON FINANCIAL SERVICES, INC. By:_____ Title:_____ Date:_____	_____ (Customer Legal Name) By:_____ Printed Name:_____ Title:_____
Acknowledged and Agreed by CBS: **CANON BUSINESS SOLUTIONS, INC.** By:_____ Printed Name:_____ Title:_____	By:_____ Printed Name:_____ Title:_____

CITY ATTORNEY
Approved as to Form

By: _____ 6/27/11
Date

TO BE COMPLETED BY DEALER:
(check one)

- ☒ All Existing Agreement renewal payments to be credited to New Agreement. (100% Qualifying Equipment)
- ☐ Partial Existing Agreement renewal payments to be credited to New Agreement:
  - Payment amount under Existing Agreement: $_____ per billing period + applicable use taxes
  - Amount eligible as Credit Period Payments: $_____ per billing period + applicable use taxes
    (Contact CFS to verify portion of payment eligible for credit.)

List of eligible Existing Equipment:
See City of Moreno Valley/ Canon Amendment #4

4827-4551-0409\3 6/16/2011 5:02 PM

MV00116826

Canon

Canon Financial Services, Inc.

CONVERSION ADDENDUM

RE: Agreement Number See Attachment **(Existing Agreement) and**
Application Number _____ **(New Agreement)**

This Conversion Addendum ("Addendum") is entered into by and between Canon Financial Services, Inc. ("CFS") and City of Moreno Valley ("Customer") and is effective as of the date set forth below (the "Effective Date").

RECITALS

A. CFS and Customer are parties to that certain agreement (whether designated a Lease, Rental Agreement, Master Agreement Schedule, or otherwise) with the agreement number indicated above ("Existing Agreement") for the lease or rental of certain equipment ("Existing Equipment").

B. The initial term of the Existing Agreement has expired or will soon be expiring, and the Existing Agreement is currently or will soon be in a in a renewal term.

C. Canon Business Solutions, Inc. ("CBS") and Customer are also parties to that certain Facilities Management Agreement with the application number indicated above ("New Agreement"; and together with the Existing Agreement, the "Agreements") for the lease or rental of certain other equipment and the provision of certain services ("New Equipment").

D. As of the Effective Date, the New Equipment has not been delivered to Customer, and therefore the lease or rental of the New Equipment and the provision of services under the New Agreement has not commenced.

E. CFS and Customer desire to amend the Existing Agreement and the New Agreement to allow for the equipment lease portion of the Payments (as defined in the Existing Agreement) coming due during the renewal term of the Existing Agreement (collectively, the "Renewal Payments") that are due and paid during the Credit Period (defined below) to be applied to the New Agreement once the New Equipment has been delivered to and accepted by Customer, all pursuant to the terms and conditions of this Addendum.

NOW, THEREFORE, for good and valuable consideration, intending to be legally bound, CFS and Customer agree as follows:

1. During the period beginning on the Effective Date and ending on the date the New Equipment has been delivered to and accepted by Customer under the New Agreement (such period, the "Credit Period"), the Existing Agreement shall remain in effect pursuant to the applicable renewal provisions thereof. Customer shall continue to make its renewal term Payments to CFS under the Existing Agreement during the Credit Period.

2. When the New Equipment is delivered to Customer, Customer shall inspect and accept the New Equipment pursuant to the terms of the New Agreement. At such time, the Existing Agreement shall terminate, Customer shall return or purchase the Existing Equipment pursuant to the terms of the Existing Agreement, and the New Agreement shall commence.

3. Upon termination of the Existing Agreement and commencement of the New Agreement, CFS shall pay over to CBS the equipment lease portion of all Renewal Payments due under the Existing Agreement during the Credit Period and paid to CFS during the Credit Period (collectively, the "Credit Period Payments") to be applied by CBS to the payments that come due under the New Agreement. The Credit Period Payments shall not include (a) any amounts other than the equipment lease portion of the Payments under the Existing Agreement or (b) past due payments that were due prior to the Credit Period but received by CFS within the Credit Period. For example, and not by way of limitation, property taxes, late charges, insurance, overages, maintenance, and other such amounts shall not be deemed Credit Period Payments hereunder. For the avoidance of doubt, only the equipment lease portion of amounts that are both (i) due under the Existing Agreement during the Credit Period and (ii) received by CFS during the Credit Period will be credited to the New Agreement. In addition, if the Existing

Agreement is being upgraded into multiple transactions, only one of which is the New Agreement, only the portion of the payments made under the Existing Agreement with respect to Existing Equipment that is being upgraded to New Equipment under the New Agreement will be credited to the New Agreement. The eligible amount and Existing Equipment are listed below the signature blocks below.

4. Once all of the Credit Period Payments received by CFS have been applied to payments that have come due under the New Agreement, Customer will receive invoices from CBS for amounts due under the New Agreement for the remainder of the term (and any renewal term) of the New Agreement. Customer acknowledges that the first invoice Customer receives from CBS may be for less than a normal full monthly payment under the New Agreement, depending on the total amount of Credit Period Payments being applied; in such a case, the subsequent invoice would be for the normal full monthly payment under the New Agreement.

5. If Customer rejects the New Equipment for any reason, or otherwise cancels the New Agreement prior to its commencement, CFS shall be entitled to retain the Credit Period Payments as consideration for the use of the Existing Equipment during the Credit Period.

It is expressly agreed by the parties that this Addendum is supplemental to the Agreements and that the provisions thereof, unless specifically modified herein, shall remain in full force and effect and shall apply to this Addendum as though they were expressly set forth herein.

In the event of any conflict or inconsistency between the provisions of this Addendum and any provisions of the Agreements, the provisions of this Addendum shall in all respect govern and control.

Customer agrees that CFS may accept a facsimile copy of this Addendum as an original, and that such facsimile copy will be treated as an original for all purposes. THIS ADDENDUM SHALL BE EFFECTIVE WHEN IT HAS BEEN SIGNED BY CUSTOMER AND DEALER AND ACCEPTED BY CFS.

CFS:	Customer:
CANON FINANCIAL SERVICES, INC. By:_____ Title:_____ Date:_____	_____ (Customer Legal Name) By:_____ Printed Name:_____ Title:_____
Acknowledged and Agreed by CBS: **CANON BUSINESS SOLUTIONS, INC.** By: [signature] Printed Name: David Dunn Title: Director Business Operations	By:_____ Printed Name:_____ Title:_____

CITY ATTORNEY
Approved as to Form
By: [signature] 6/29/11
Date

TO BE COMPLETED BY DEALER:
(check one)

- ☒ All Existing Agreement renewal payments to be credited to New Agreement. (100% Qualifying Equipment)
- ☐ Partial Existing Agreement renewal payments to be credited to New Agreement:
  - Payment amount under Existing Agreement: $_____ per billing period + applicable use taxes
  - Amount eligible as Credit Period Payments: $_____ per billing period + applicable use taxes
    (Contact CFS to verify portion of payment eligible for credit.)

List of eligible Existing Equipment:
See City of Moreno Valley/ Canon Amendment #4

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: July 12, 2011

TITLE: STAFF ASSIGNMENTS IN SUPPORT OF COUNCIL MEMBER PARTICIPATION WITH REGIONAL AGENCIES

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed staff assignments in support of Council Member participation with regional agencies.

BACKGROUND

At their May 18, 2011 Goal Setting Workshop, the City Council identified the organization's Strengths, Weaknesses, Opportunities, and Threats (SWOT). While the City's existing transportation corridors were identified as a strength, the lack of adequate infrastructure and planning was acknowledged as a weakness. The City's regional presence was identified as an opportunity. The Council used the results of their SWOT Analysis to develop five prioritized goals, one of which was to "Maximize Transportation and Infrastructure Opportunities."

DISCUSSION

The third prioritized goal developed by the City Council in their May 18 Goal Setting Workshop was to "Maximize Transportation and Infrastructure Opportunities." Actions identified to help achieve this goal included increasing the City's regional presence. A specific task assigned to City staff was to increase staff assistance to the Council as well as increase participation with regional agencies by assigning staff liaisons to each committee. The proposed staff assignments are included in the "2011 City Council Regional Committees & Staff Assignments" attachment.

ALTERNATIVES

1) Approve the proposed staff assignments in support of Council Member participation with regional agencies. *Staff recommends this alternative as the proposed staff assignments will assist the City Council in achieving their prioritized goal to maximize transportation and infrastructure opportunities by increasing the City's regional presence.*

2) Not approve the proposed staff assignments in support of Council Member participation with regional agencies. *Staff does not recommend this alternative as the proposed action is a task related to the Council-adopted goal to maximize transportation and infrastructure opportunities.*

FISCAL IMPACT

The proposed staff assignments in support of Council Member participation with regional agencies will have no fiscal impact to the City.

COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

ATTACHMENTS

Attachment: "2011 City Council Regional Committees & Staff Assignments"

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Barry Foster
Community and Economic Director

Concurred By:
Chris Vogt
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00116832

2011 CITY COUNCIL REGIONAL COMMITTEES & STAFF ASSIGNMENTS

REGIONAL AGENCY:

March Joint Powers Commission (JPC)	STEWART/BATEY	CO
Staff: Community and Economic Development Director		
School Districts/City Joint Task Force	STEWART/MOLINA	CO
Staff: City Manager/Asst City Manager		
Riverside County Habitat Conservation Agency (RCHCA)	BATEY	MOLINA
Staff: Planning Official		
Riverside County Transportation Commission (RCTC)	CO	STEWART
Staff: City Manager/Asst City Manager		
Riverside Transit Agency (RTA)	MOLINA	CO
Staff: Public Works Director/Traffic Engineer		
Western Riverside Council of Governments (WRCOG)	HASTINGS	CO
Staff: City Manager		
Western Riverside County Regional Conservation Authority (RCA)	BATEY	MOLINA
Staff: Planning Official		

WRCOG COMMITTEES:

Executive Committee	Robin Hastings, Chair
Administration & Finance	Robin Hastings, Chair
Technical Advisory Committee	Henry Garcia, Chair
Planning Directors TAC	John Terell
Public Works Committee	Chris Vogt, Chair
Solid Waste Technical Committee	Robert Lemon
Western Riverside County Clean Air Coalition	Robert Lemon
Air Quality Task Force	Eric Lewis, Jeff Bradshaw

RCTC COMMITTEES:

Western Riverside County Programs and Projects Committee	Marcelo Co
San Jacinto Branch Line Ad Hoc Committee	Marcelo Co
Technical Advisory Committee	Chris Vogt

Attachment 1

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MV00116834

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 PAVEMENT RESURFACING PROJECT NO. 11-12556330, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Pavement Resurfacing Project, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

BACKGROUND

On March 8, 2011, the City Council awarded a construction contract and authorized the issuance of a Purchase Order in the amount of $1,729,200 to Hardy & Harper, Inc. The City issued a Notice to Proceed to Hardy & Harper, Inc. to start work on April 12, 2011.

As part of the Fiscal Year 2010/2011 CIP Budget, the City Council approved the use of the remaining Proposition 42 and Proposition 1B monies for pavement rehabilitation of the six arterial and collector streets identified in this report.

DISCUSSION

The project included the resurfacing of six (6) streets: Kitching Street from Fir Avenue to Cottonwood Avenue, Fir Avenue from Perris Boulevard to Lasselle Street, Perris Boulevard from Webster Avenue to Sunnymead Boulevard, Cactus Avenue from Commerce Center Drive to Elsworth Street, Indian Street from Ironwood Avenue to Sunnymead Boulevard, and Manzanita Avenue from Heacock Street to Perris Boulevard. Hardy & Harper's contracted work included removing existing asphalt concrete pavement, resurfacing with cold-in-place recycling (CIPR), pavement overlaying with rubberized asphalt concrete, reconstructing a number of access ramps along the listed streets to ADA requirements, re-establishment of traffic signal detector loops, utility covers, manholes, and re-striping. The resurfacing extends the life of the streets and provides a smoother riding surface.

The Contractor has completed all the paving work and anticipates completing the construction by mid July 2011. Staff anticipates the final contract cost will be approximately $1,631,000 which does not exceed the approved purchase order amount of $1,729,000. Since the City Council will not meet on July 26, 2011 and August 9, 2011, staff is requesting the City Council to authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed and accept the improvements into the City's maintained road system upon acceptance of the improvements as complete, authorize the recordation of the Notice of Completion at the County Recorder after the Public Works Director/City Engineer accepts the improvements as complete, and authorize the release of retention money to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion. These actions must be completed in a timely manner upon completion of the Contractor's work in accordance with the applicable laws.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Pavement Resurfacing Project, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works

Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete. *This alternative will allow payment to the Contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Pavement Resurfacing Project, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, do not authorize the Financial & Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and do not authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra costs to the City.*

FISCAL IMPACT

The construction phase of this project was included on the Fiscal Year 2010/2011 Capital Improvements Project Budget and financed by Measure A (Fund 125), Proposition 42 (Fund 225), and Proposition 1B (Fund 226). The funding for this project is restricted to street rehabilitation or improvements. There is no impact to the General Fund.

AVAILABLE FUNDS:

Annual Pavement Resurfacing Program (Acct. No. 125.56330)	$1,037,100
Annual Pavement Resurfacing Program (Acct. No. 225.68722)	$1,550,000
Annual Pavement Resurfacing Program (Acct. No. 226.79728)	$3,793,300
Total 2010/2011 Budgeted Funds	$6,380,400
Completed 2010 Pavement Resurfacing Project Costs	($1,244,000)
2011 Local Street Pavement Resurfacing Phase 1 (being constructed concurrently)	($2,684,000)
Remaining Funds Available	$2,452,400

PROJECT RELATED COSTS:

Design	$110,000
Anticipated Contractor Construction Costs	$1,631,000
Anticipated Construction Geotechnical Services	$22,000
Anticipated Construction Survey Services	$20,000
Anticipated Project Administration and City Inspection	$90,000
Anticipated Total Project Costs	$1,873,000

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Hardy & Harper anticipates completing the construction of the 2011 Pavement Resurfacing Project in mid July 2011. Staff is requesting that City Council authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed and accept the improvements into the City's maintained road system upon acceptance of the improvements as complete, authorize the recordation of the Notice of Completion at the County Recorder after the Public Works Director/City Engineer accepts the improvements as complete, and authorize the release of retention money to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion. The resurfacing extends the life of the streets and provides a smoother riding surface.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Quang - 11-12556330 - Citywide Annual Pavement Resurfacing Program\CC Reports\Notice of Completion\Staff Report - NOC- CC 07-12-11.doc

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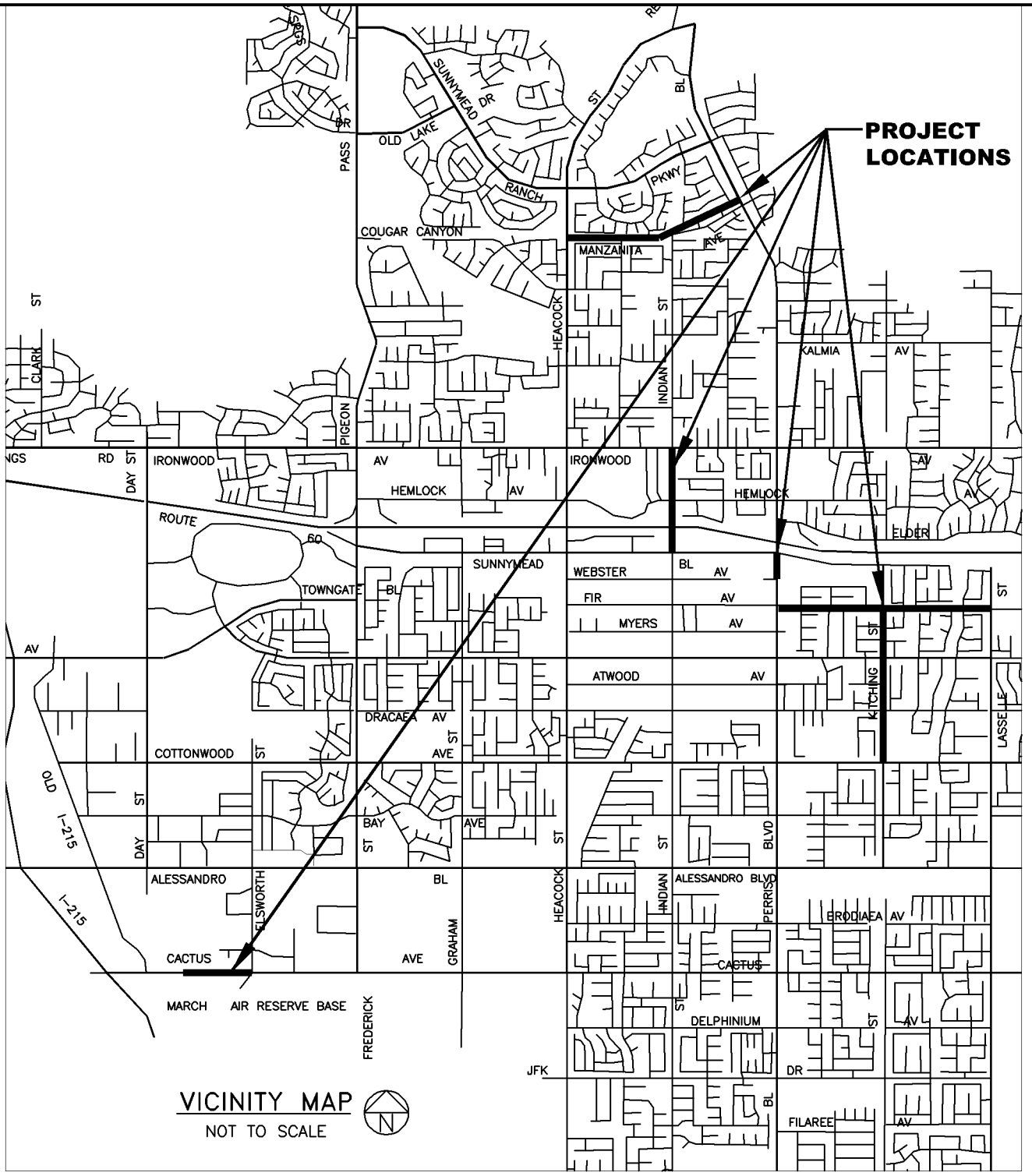

LOCATION MAP

LOCATION MAP
Public Works Department
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 11-12556330

2011 PAVEMENT RESURFACING PROJECT

Item No. A.24

MV00116841

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MV00116842

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 LOCAL STREET PAVEMENT RESURFACING – PHASE 1 PROJECT NO. 11-22679728, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Local Street Pavement Resurfacing – Phase 1, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

BACKGROUND

On March 8, 2011, the City Council awarded a construction contract and authorized the issuance of a Purchase Order in the amount of $2,410,400 to Hardy & Harper, Inc. The project includes the resurfacing a total of twenty six local streets which are included in the Fiscal Year 2010-2011 CIP Budget. The City issued a Notice to Proceed to Hardy & Harper, Inc. to start work on April 12, 2011.

As part of the Fiscal Year 2010/2011 CIP Budget, the City Council approved the use of the remaining Proposition 42 and Proposition 1B monies for pavement rehabilitation of these streets.

DISCUSSION

Hardy & Harper's contracted work includes removing existing asphalt concrete pavement, pavement resurfacing with cold central plant recycling (CCPR), pavement overlaying with rubberized asphalt concrete, reconstructing number of access ramps along the listed streets to ADA requirements, adjusting utility manholes and covers, and re-establishing traffic striping. The Contractor has completed all the paving work and anticipates completing rest of the work by mid July 2011. Staff anticipates the final contract cost will be approximately $2,391,000 which does not exceed the approved purchase order amount of $2,410,400. The resurfacing extends the life of the streets and provides a smoother riding surface.

Three additional streets (Vellanto Way, Mantee Place and Ormista Drive) were added to the original twenty six streets, bringing a total of twenty nine streets being resurfaced (approximately 131,000 square yards of pavement area.) These three streets (also included in the Fiscal Year 2010-2011 CIP Budget for resurfacing) are in the neighborhood of Searson Drive which is one of the original twenty six streets. These streets are added to be constructed at the same time as Searson Drive in an effort to avoid repeat construction disturbance to the neighborhood as these streets were previously approved by City Council for Phase 2 Local Street Pavement Resurfacing Project.

Since the City Council will not meet on the next two meetings after the July 12 meeting, staff is requesting the City Council to authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed and accept the improvements into the City's maintained road system upon acceptance of the improvements as complete, authorize the recordation of the Notice of Completion at the County Recorder after the Public Works Director/City Engineer accepts the improvements as complete, and authorize the release of retention money to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the

Notice of Completion. These actions must be completed in a timely manner upon completion of the Contractor's work in accordance with the applicable laws.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Local Street Pavement Resurfacing Project – Phase 1, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete. *This alternative will allow payment to the Contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Local Street Pavement Resurfacing Project – Phase 1, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, do not authorize the Financial & Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and do not authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained road system and incurring extra costs to the City.*

FISCAL IMPACT

The construction phase of this project is included on the Fiscal Year 2010/2011 Capital Improvements Project Budget and financed by Measure A (Fund 125), Proposition 42 (Fund 225), and Proposition 1B (Fund 226). The funding for this project is restricted to street rehabilitation or improvements. There is no impact to the General Fund.

AVAILABLE FUNDS:
Annual Pavement Resurfacing Program (Acct. No. 125.56330) $1,037,100
Annual Pavement Resurfacing Program (Acct. No. 225.68722) $1,550,000

Annual Pavement Resurfacing Program (Acct. No. 226.79728)	$3,793,300
Total 2010/2011 Budgeted Funds	$6,380,400
Completed 2010 Pavement Resurfacing Project Costs	($1,244,000)
2011 Pavement Resurfacing Project Anticipated Costs (being constructed concurrently)	($1,873,000)
Remaining Funds Available	$3,263,400

PROJECT RELATED COSTS:

Design	$93,000
Anticipated Contractor Construction Costs	$2,391,000
Anticipated Construction Geotechnical Services	$73,000
Anticipated Construction Survey Services	$37,000
Anticipated Project Administration and City Inspection	$90,000
Anticipated Total Project Costs	$2,684,000

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Hardy & Harper, Inc. anticipates completing the construction of the 2011 Local Street Pavement Resurfacing Project in mid July 2011. Staff is requesting that City Council authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed and accept the improvements into the City's maintained road system upon acceptance of the improvements as complete, authorize the recordation of the Notice of Completion at the County Recorder after the Public Works Director/City Engineer accepts the improvements as complete, and authorize the release of retention money to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Quang Nguyen, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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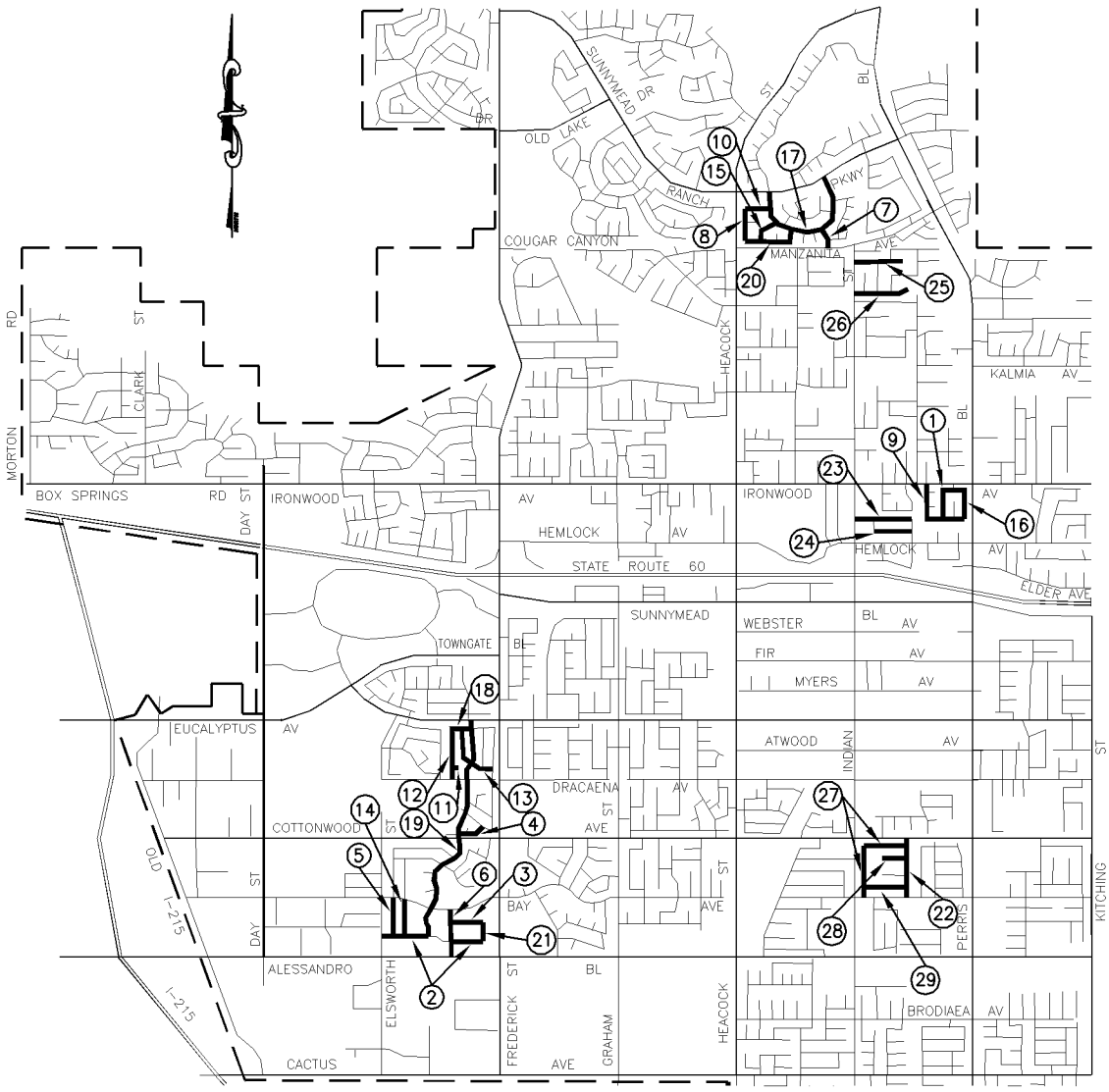

	STREET	LIMITS
1	AARON DR:	GASSEN PL TO HARCLARE DR
2	ADRIENNE AVE:	ELSWORTH ST TO PRIDE LN
3	ALLIES PL:	COURAGE ST TO PRIDE LN
4	BAYWOOD DR:	PAN AM BLVD TO AQUEDUCT WY
5	BOEING ST:	BAY AVE TO ADRIENNE AVE
6	COURAGE ST:	BAY AVE TO ALESSANDRO BLVD
7	DUCKBILL RD:	OLD COUNTRY RD TO MANZANITA AVE
8	FENTON RD:	IRONBARK RD TO PLEASANT RUN RD
9	HARCLARE DR:	ODESSA DR TO IRONWOOD AVE
10	IRONBARK RD:	FENTON RD TO OLD COUNTRY RD
11	KIOWA CT:	KIOWA DR TO EAST END
12	KIOWA DR:	PAHUTE DR TO DRACAENA AVE
13	LAKOTA DR:	PAHUTE DR TO OAK DELL ST
14	MCDONNEL ST;	BAY AVE TO ADRIENNE AVE
15	NOBLEWOOD RD:	OLD COUNTRY RD TO PLEASANT RUN RD
16	ODESSA DR:	GASSEN PL TO HARCLARE DR
17	OLD COUNTRY RD:	SUNNYMEAD RANCH TO SUNNYMEAD RANCH PKY
18	PAHUTE DR:	PAN AM BLVD TO KIOWA DR
19	PAN AM BLVD:	EUCALYPTUS AVE TO ADRIENNE AVE
20	PLEASANT RUN RD:	FENTON RD TO OLD COUNTRY RD
21	PRIDE LN:	ALLIES CT TO ADRIENNE AVE
22	SEARSON DR:	COTTONWOOD AVE TO BAY AVE
23	SINALOA ST:	INDIAN ST TO LEAHY DR
24	SINGER ST:	HANOVER AVE TO LEAHY DR
25	SUMMERFIELD DR:	INDIAN ST TO EAST END
26	SUNNY RIDGE DR:	INDIAN ST TO EAST END
27	VELLANTO WAY:	BAY AVE TO SEARSON DR
28	MANTEE PL:	WEST END TO SEARSON DR
29	ORMISTA DR:	VELLANTO WY TO SEARSON DR

CITY OF MORENO VALLEY
DECEMBER 3, 1984

2011 LOCAL STREET PAVEMENT RESURFACING - PHASE 1

Public Works Department
Capital Projects Division

LOCATION MAP

VARIOUS LOCATIONS
PROJECT NO. 11-22679728

ATTA(-375-ENT "A"

Item No. A.25

MV00116849

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MV00116850

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD

DEVELOPER – CITY OF MORENO VALLEY, CALIFORNIA
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard.

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 12, 2010, the City Council approved the Agreement for Design Professional Consultant Services to Provide Architectural and Engineering Services (A&E) for the Corporate Yard Phase 1 Office Building and Sewer Line. The Agreement requires that the consultant obtain approval (Planning Application PA10-0013) from the various City departments as part of the design phase of the project. On March 8, 2011, the project received final Conditions of Approval that require the owner (City of Moreno Valley, a municipal corporation) to record an Offer of Dedication for additional right-of-way. The additional right-of-way will be at the two proposed driveway approaches, located on the north side of Santiago Drive east of Perris Boulevard, in accordance with the City Standard for a commercial driveway approach.

DISCUSSION

The owner, the City of Moreno Valley, is required to dedicate four (4) feet of right-of-way around the driveway approaches, at the proposed project entrances on Santiago Drive, to accommodate a public sidewalk for pedestrian circulation in accordance with City Standards. The Offer of Dedication is necessary to construct public improvements along the driveway entrances to match the existing street improvements immediately to the east and west of the project. Once the Offer of Dedication is executed by the City Manager, the document will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard and to direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation. *This alternative would allow for the necessary public improvements for pedestrian circulation at the proposed driveway locations.*

2. Do not authorize the City Manager to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard and do not direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation. *This alternative would not allow for the necessary public improvements for pedestrian circulation at the proposed driveway locations.*

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Public Facilities and Capital Projects – Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment A – Vicinity Map
Attachment B – Offer of Dedication

Prepared By
Vince Giron
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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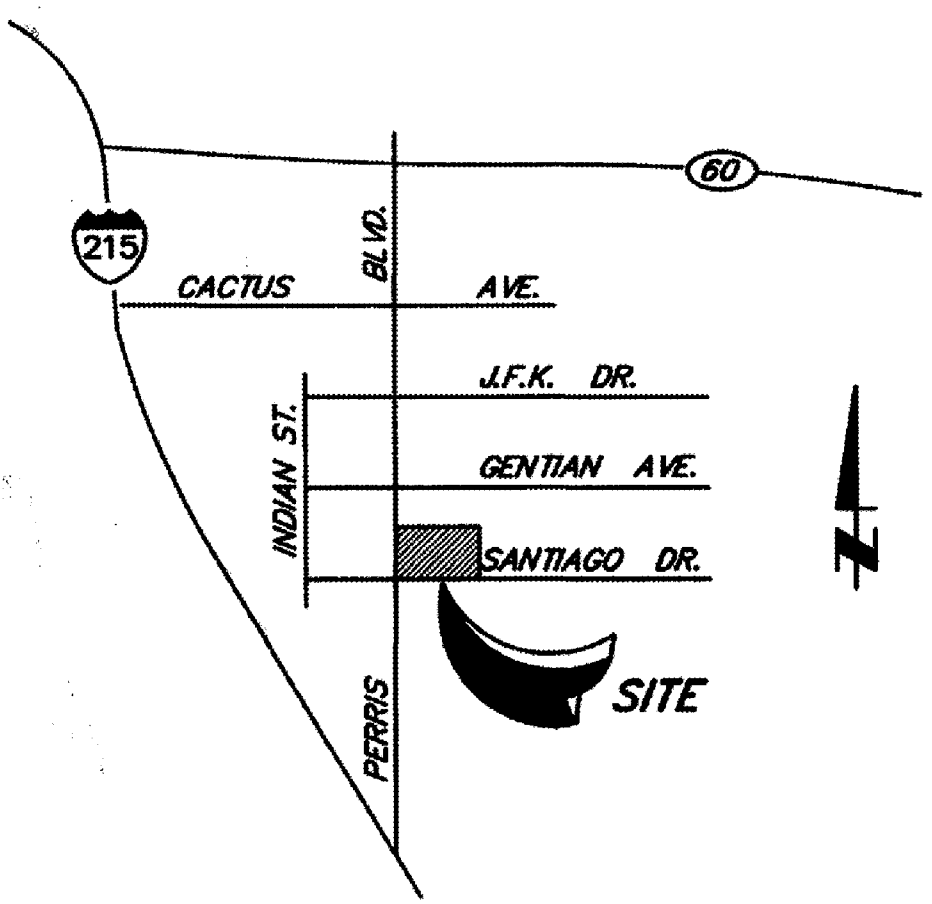

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment "A"	**PA10-0013** **VICINITY MAP**

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MV00116856

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 486-170-021 & 022

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CITY OF MORENO VALLEY, A MUNICIPAL CORPORATION

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

City of Moreno Valley, a Municipal Corporation

By: _____
HENRY GARCIA, City Manager

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk (SEAL)

Date _____

Attachment "B"

Item No. A.26

MV00116857

ACCEPTANCE CERTIFICATE

This is to certify that the interest in real property conveyed by the deed or grant dated **July 12, 2011** from the **City of Moreno Valley Moreno, a municipal corporation**, to the City of Moreno Valley, a municipal corporation, in the form attached hereto, is hereby accepted, subject to completion of improvements, and the street improvements being accepted into and becoming a part of the City maintained street system, by the undersigned City Engineer on behalf of the City of Moreno Valley, pursuant to authority conferred by Resolution No. 94-5 of the City Council of Moreno Valley, adopted on January 25, 1994, and the grantee consented to recordation thereof.

Date: _____

By: _____
Chris A. Vogt, P.E.
Public Works Director/City Engineer
City of Moreno Valley

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public in and for said State, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

EXHIBIT "A"

OFFER OF DEDICATION

LEGAL DESCRIPTION

PARCEL A

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 15686, ON FILE IN BOOK 93 OF PARCEL MAPS, PAGES 31 AND 32 THEREOF, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF SANTIAGO DRIVE AND THE CENTERLINE OF NAN AVENUE AS SHOWN BY MAP OF TRACT NO. 15433-2, ON FILE IN BOOK 151 OF MAPS, PAGES 67 THROUGH 70, INCLUSIVE, RECORDS OF SAID RIVERSIDE COUNTY, STATE OF CALIFORNIA;

THENCE NORTH 00°06'15" EAST ALONG A LINE BEING AT RIGHT ANGLES TO SAID CENTERLINE OF SANTIAGO DRIVE, A DISTANCE OF 30.00 FEET, TO THE NORTHERLY RIGHT OF WAY LINE OF SAID SANTIAGO DRIVE, BEING THE **POINT OF BEGINNING**;

THENCE NORTH 89°53'45" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 25.50 FEET;

THENCE NORTH 45°06'15" EAST, A DISTANCE OF 5.66 FEET, TO A LINE PARALLEL WITH AND DISTANT 4.00' NORTHERLY, MEASURED AT RIGHT ANGLES, OF SAID NORTHERLY RIGHT OF WAY LINE;

THENCE SOUTH 89°53'45" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 42.95 FEET;

THENCE SOUTH 45°02-14" EAST, A DISTANCE OF 5.67 FEET, TO SAID NORTHERLY RIGHT OF WAY LINE;

THENCE NORTH 89°53'45" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 25.47 FEET, TO THE **POINT OF BEGINNING.**

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 208 SQUARE FEET, MORE OR LESS.

PARCEL B

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 15686, ON FILE IN BOOK 93 OF PARCEL MAPS, PAGES 31 AND 32 THEREOF, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, BEING DESCRIBED AS FOLLOWS:

EXHIBIT "A"

OFFER OF DEDICATION

LEGAL DESCRIPTION

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF SANTIAGO DRIVE AND THE CENTERLINE OF COBRA DRIVE AS SHOWN BY MAP OF TRACT NO. 15433, ON FILE IN BOOK 151 OF MAPS, PAGES 71 THROUGH 75, INCLUSIVE, RECORDS OF SAID RIVERSIDE COUNTY, STATE OF CALIFORNIA;

THENCE NORTH 00°06'15" EAST ALONG A LINE BEING AT RIGHT ANGLES TO SAID CENTERLINE OF SANTIAGO DRIVE, A DISTANCE OF 30.00 FEET, TO THE NORTHERLY RIGHT OF WAY LINE OF SAID SANTIAGO DRIVE, BEING THE **POINT OF BEGINNING**;

THENCE NORTH 89°53'45" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 30.50 FEET;

THENCE NORTH 45°06'15" EAST, A DISTANCE OF 5.66 FEET, TO A LINE PARALLEL WITH AND DISTANT 4.00' NORTHERLY, MEASURED AT RIGHT ANGLES, OF SAID NORTHERLY RIGHT OF WAY LINE;

THENCE SOUTH 89°53'45" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 47.95 FEET;

THENCE SOUTH 45°02-14" EAST, A DISTANCE OF 5.67 FEET, TO SAID NORTHERLY RIGHT OF WAY LINE;

THENCE NORTH 89°53'45" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 25.47 FEET, TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 208 SQUARE FEET, MORE OR LESS.

ALL AS SHOWN ON EXHIBIT "B" ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

PREPARED UNDER THE DIRECTION OF:

5-3-11

MARISSA CROWTHER, PLS 6152
SB&O, INC.
41689 ENTERPRISE CIRCLE NORTH, SUITE 126
TEMECULA, CA. 92590

PROFESSIONAL LAND SURVEYOR
MARISSA CROWTHER
Exp. 3-31-12
No. 6152
STATE OF CALIFORNIA

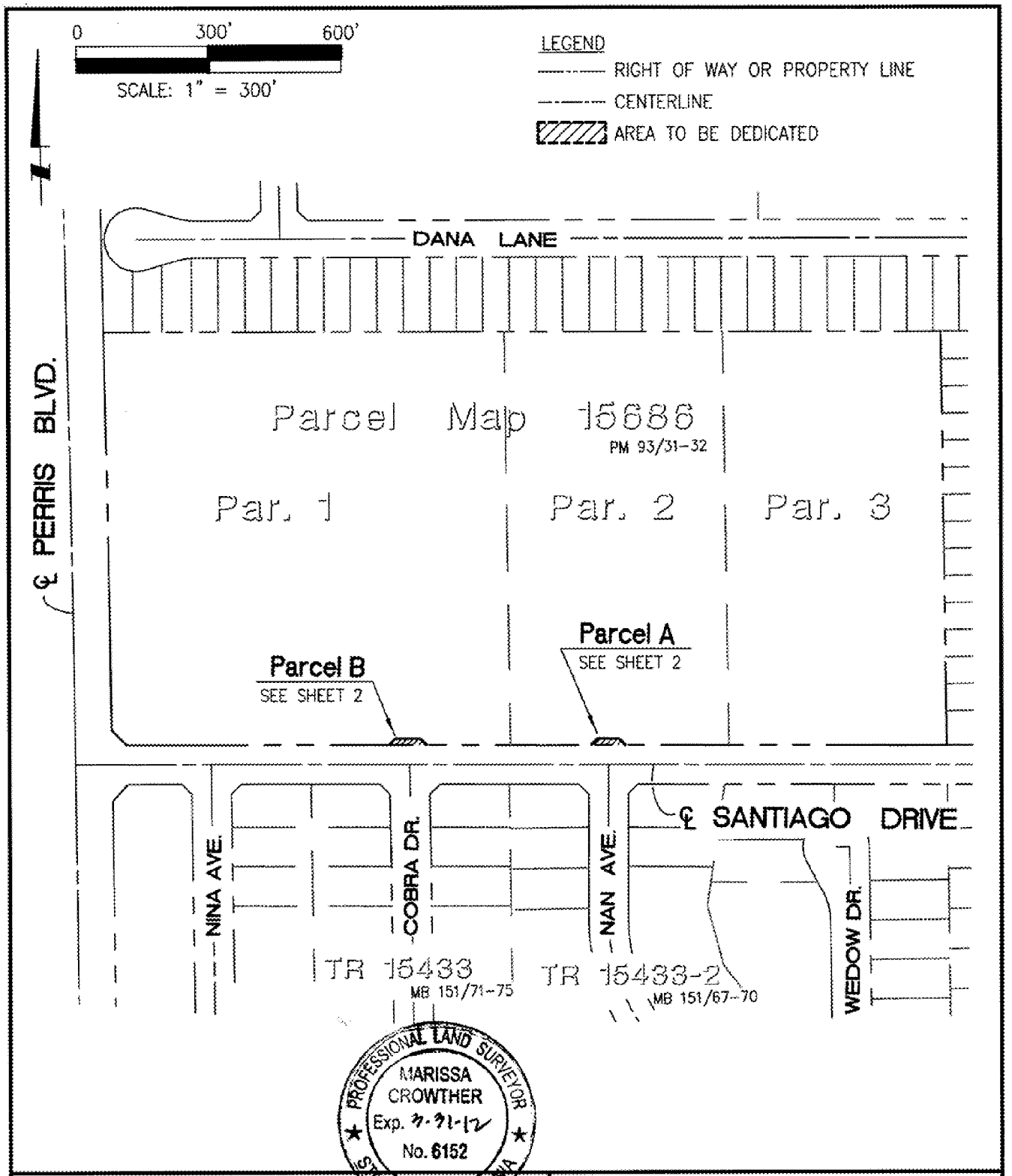

PROFESSIONAL LAND SURVEYOR
MARISSA CROWTHER
Exp. 3-31-12
No. 6152
STATE OF CALIFORNIA

PREPARED UNDER THE DIRECTION OF:
S.B. & O., INC.
41689 ENTERPRISE CIRCLE NORTH
TEMECULA, CA 92590

MARISSA CROWTHER, PLS 6152 (EXP 3-31-12)

5-3-11
DATE

CITY OF MORENO VALLEY
CORPORATE YARD DRIVEWAY EASEMENTS

APRIL 2011	EXHIBIT "B"
SB&O, INC. JN 68251	SHEET 1 OF 2

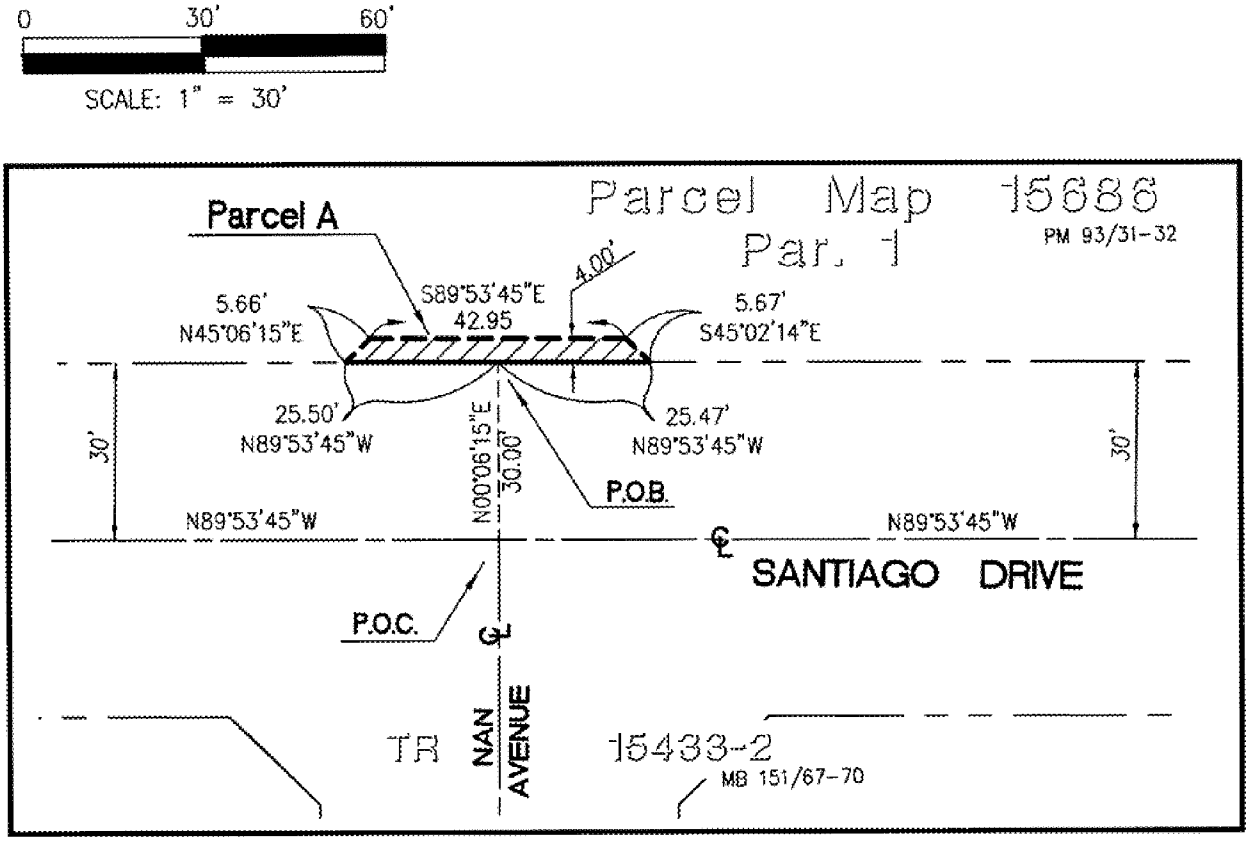

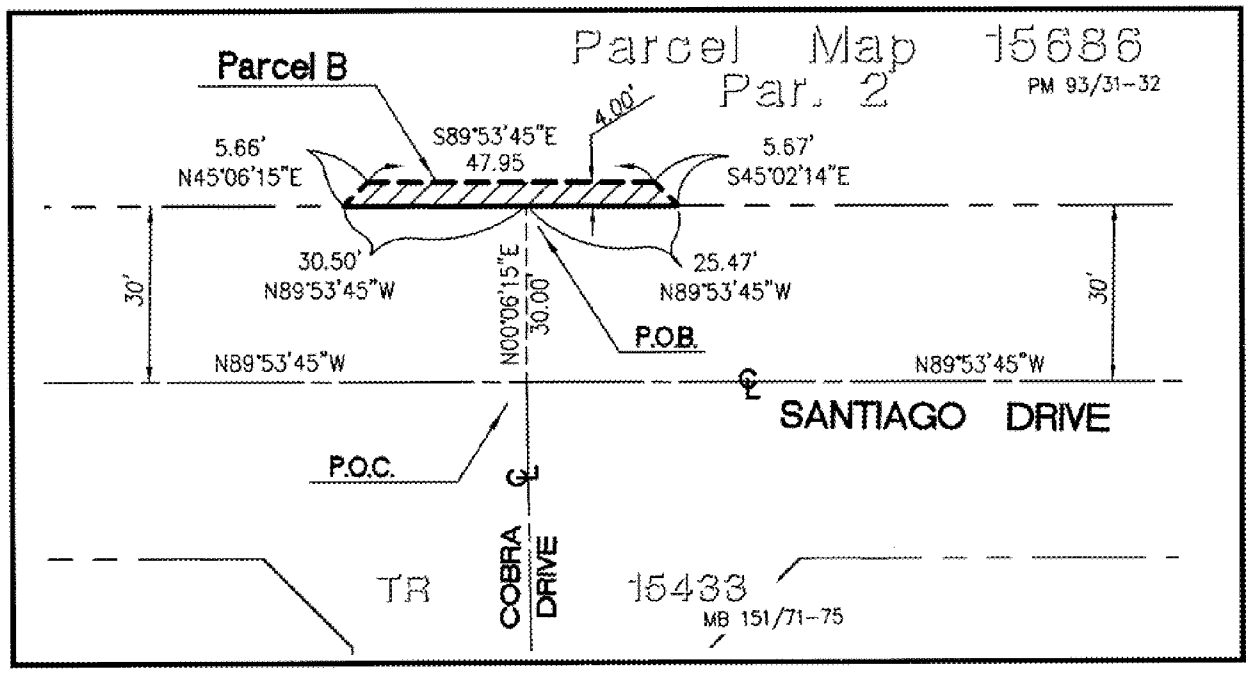

NOTES:

1. BEARINGS ARE BASED ON PARCEL MAP 15686.
2. P.O.C. INDICATES POINT OF COMMENCEMENT.
3. P.O.B. INDICATES POINT OF BEGINNING.

LEGEND

RIGHT OF WAY OR PROPERTY LINE

CENTERLINE

AREA TO BE DEDICATED

EXHIBIT "B"

SHEET 2 OF 2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: PA07-0090 – EUCALYPTUS STREET IMPROVEMENTS - AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed;

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

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. The Conditions of Approval for Tract Map 35629 require that the developer provide surety for the required public improvements.

On August 24, 2010 the City Council of the City of Moreno Valley approved the Public Improvement Agreement and security for the Eucalyptus Street improvements. The Conditions of Approval for this project required that the developer provide surety for street improvements. The security amount for the Eucalyptus Street improvements is Two Million Seven Hundred Seventy-Eight Thousand dollars ($2,778,000.00). The limits of the Eucalyptus Street improvements are within Eucalyptus Street between Redlands Boulevard and Theodore Street.

The public improvements included, but are not limited to, the following: 6-inch thick asphalt concrete over 12-inch thick aggregate base, 8-inch curb and gutter, 6-inch AC curb commercial driveway approaches, sidewalk, street lights, street medians, median drains and landscaping, local depressions, pipe, gates, interconnect conduit, pull boxies, and signing/striping. The improvements received on-going inspection during the construction process. Upon completion of improvements, Public Works/Land Development performed an inspection and a punch list was generated. The required corrective actions have been completed and the improvements are now eligible for acceptance into the City's maintained street system.

On May 3, 2011, the Eucalyptus Street improvements received a 60% reduction. The amount reduced was One Million Six Hundred Sixty-Six Thousand Eight Hundred Dollars ($1,666,800.00).

DISCUSSION

Upon completion of the Security Reduction Punch List, City staff will perform a final inspection of the improvements and verify that they are in accordance with the approved

plans and the standards of the City of Moreno Valley. City staff will also ensure that the improvements are in accordance with the Streets and Highway Code.

Staff is requesting the City Council to authorize the Public Works Director/City Engineer to accept the work as complete when all remaining public improvements and punch-list items are completed. It will then be appropriate to accept the improvements and provide a reduction to total 90% of the original bond amount to the Faithful Performance Bond issued by Safeco Insurance Company of America. As there has been one partial reduction provided earlier, the amount remaining to reach the 90% reduction is Eight Hundred Thirty-Three Thousand Four Hundred dollars ($833,400.00).

The Faithful Performance Bond will be reduced upon approval and acceptance of the improvements by the City Engineer. Ninety days after the Public Works Director/City Engineer approves the improvements, the Material & Labor Bond will be exonerated provided that there are no stop notices or liens on file with the City Clerk.

The remaining 10% of the original bond amount will be held for the one-year guarantee and warranty period. The guarantee and warranty period will commence on the date the Public Works Director/City Engineer accepts the improvements. At the end of the guarantee and warranty period, the bond will be released by the Public Works Director/City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *Once the required improvements have been completed according to City of Moreno Valley Standards, it will then be appropriate to provide a reduction to the security.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed. Do not authorize the Public Works Director/City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when

all clearances are received. *Once the required improvements have been completed according to City of Moreno Valley Standards, it will then be appropriate to provide a reduction to the security.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Security Reduction Punch List

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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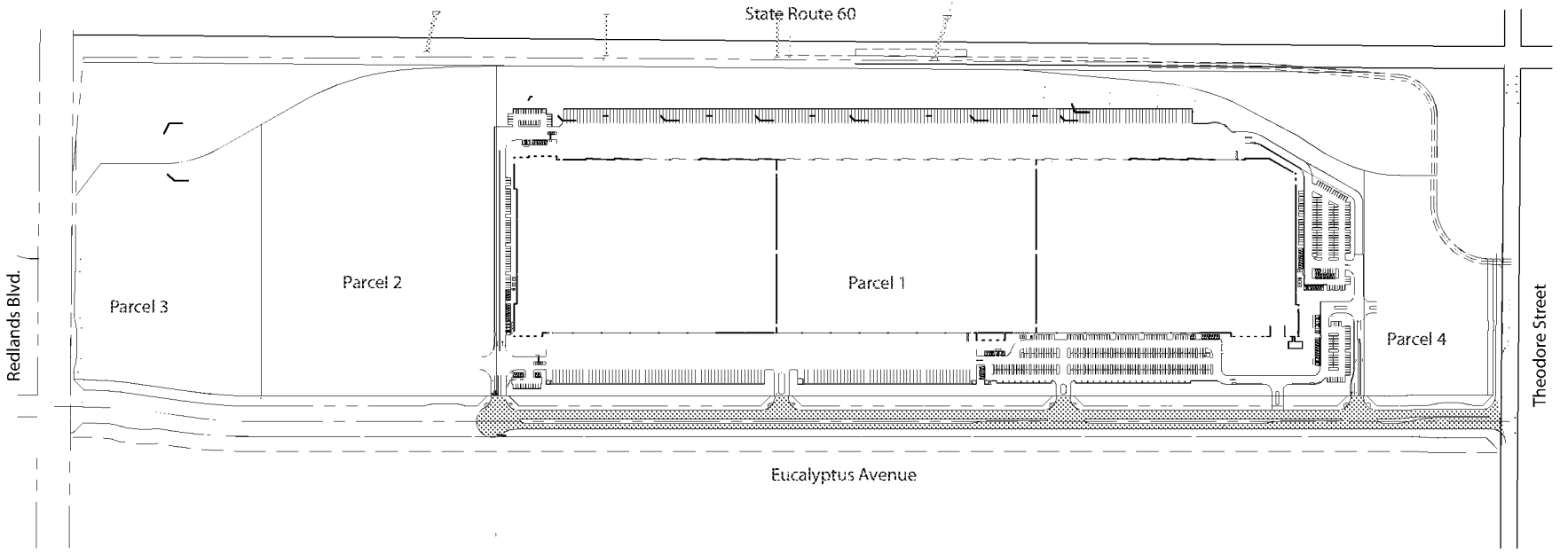

Exhibit "A"

PA07-0090 | HFCP-Eucalyptus Phase 1 Street Improvements | Vicinity Map

MV00116869

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MV00116870

Public Works Department
Land Development Division
14177 Fredrick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
TEL (951) 413-3120 FAX (951) 413-3158

SECURITY REDUCTION PUNCH LIST

Project No. : PA07-0090 (PM 35629) – Eucalyptus Street Improvements

Project Location: Eucalyptus between Redlands and Theodore

Inspection Performed by: Alex Ramirez

Date: 06-28-11

REPRESENTATION

Developer:	**Highland Fairview**
Contact Person/Superintendent:	**Scott Schwarz**
Phone Number:	**(951) 906-8369**

TYPE OF INSPECTION

90% Punch List [X] 10% Final Punch List [ ]

No.	ITEM/DESCRIPTION	COMPLETED
1	Notify Land Development for inspection request.	
2	A/C Cap Pave	
3	Install Signs/Striping as shown on sheets 11 -12, Eucalyptus St. Imp. Plans	
4	Complete Median Island Pavers Irrigation, Landscape	
5	Complete Irrigation, Landscape N/S Eucalyptus, Install pedestals	
6	Install City-Wide Communication Conduits, Construction Note #16, Eucalyptus S/I plan city std. 421 (Furnish & Install 6 pair No. 19 Interconnect Cable in one conduit (Black Conduit)	
7	Install Monumentation city std.# 601a, b, c, d & e.	
8	Complete swale @ S/S Eucalyptus shoulder.	
9	Submit As-builts	
10	Clearance from Planning Divisions	

Exhibit "B"

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MV00116872

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: PA07-0090 – EUCALYPTUS WATER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed;

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

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. The Conditions of Approval for Tract Map 35629 require that the developer provide surety for the required public improvements.

On August 24, 2010 the City Council of the City of Moreno Valley approved the Public Improvement Agreement and security for the Eucalyptus Water improvements. The Conditions of Approval for this project required that the developer provide surety for the improvements. The security amount for the Eucalyptus Water improvements is One Million Fifty Thousand dollars ($1,050,000.00). The limits of the Eucalyptus Water improvements are within Eucalyptus Avenue between Redlands Boulevard and Theodore Street.

The public improvements included, but is not limited to, the following: approximately 5,100 feet of 18-inch water main line, approximately 400 feet of 12-inch water laterals, twelve (12) fire hydrant assemblies, three (3) 4-inch service connections, three (3) 2-inch service connections, approximately 5,100 feet of telemetry (communication) cable, various fittings, restraint joints, adaptors, blow-offs, vac/air release assemblies, valves, and backflow prevention devices. The improvements received on-going inspection during the construction process. Upon completion of improvements, Public Works/Land Development performed an inspection and a Security Reduction Punch List was generated.

On December 15, 2010, the Eucalyptus Water improvements received an 80% reduction. The amount reduced was Eight Hundred Forty Thousand dollars ($840,000.00).

DISCUSSION

Upon completion of the Security Reduction Punch List, City staff will perform a final inspection of the improvements and verify that they are in accordance with the approved plans and the standards of the City of Moreno Valley. City staff will also ensure that the improvements are in accordance with Eastern Municipal Water District (EMWD) standards and plans.

Staff is requesting the City Council to authorize the Public Works Director/City Engineer to accept the work as complete when all remaining public improvements and punch-list items are completed. It will then be appropriate to accept those improvements and provide a reduction to total 90% of the original bond amount to the Faithful Performance Bond issued by Safeco Insurance Company of America. Once accepted by the City and EMWD, the Eucalyptus Water improvements will be maintained by EMWD. As there has been one partial reduction provided earlier, the amount remaining to reach the 90% reduction is One Thousand Five Hundred dollars ($105,000.00).

The Faithful Performance Bond will be reduced upon approval and acceptance of the improvements by the City Engineer. Ninety days after the Public Works Director/City Engineer approves the improvements, the Material & Labor Bond will be exonerated provided that there are no stop notices or liens on file with the City Clerk.

The remaining 10% of the original bond amount will be held for the one-year guarantee and warranty period. The guarantee and warranty period will commence on the date the Public Works Director/City Engineer accepts the improvements. At the end of the guarantee and warranty period, the bond will be released by the Public Works Director/City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *Once required improvements have been completed according to City of Moreno Valley and EMWD Standards, it will then be appropriate to provide a reduction to the security.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed. Do not authorize the Public Works Director/City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *Once required improvements have been completed*

according to City of Moreno Valley and EMWD Standards, it will then be appropriate to provide a reduction to the security.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Security Reduction Punch List

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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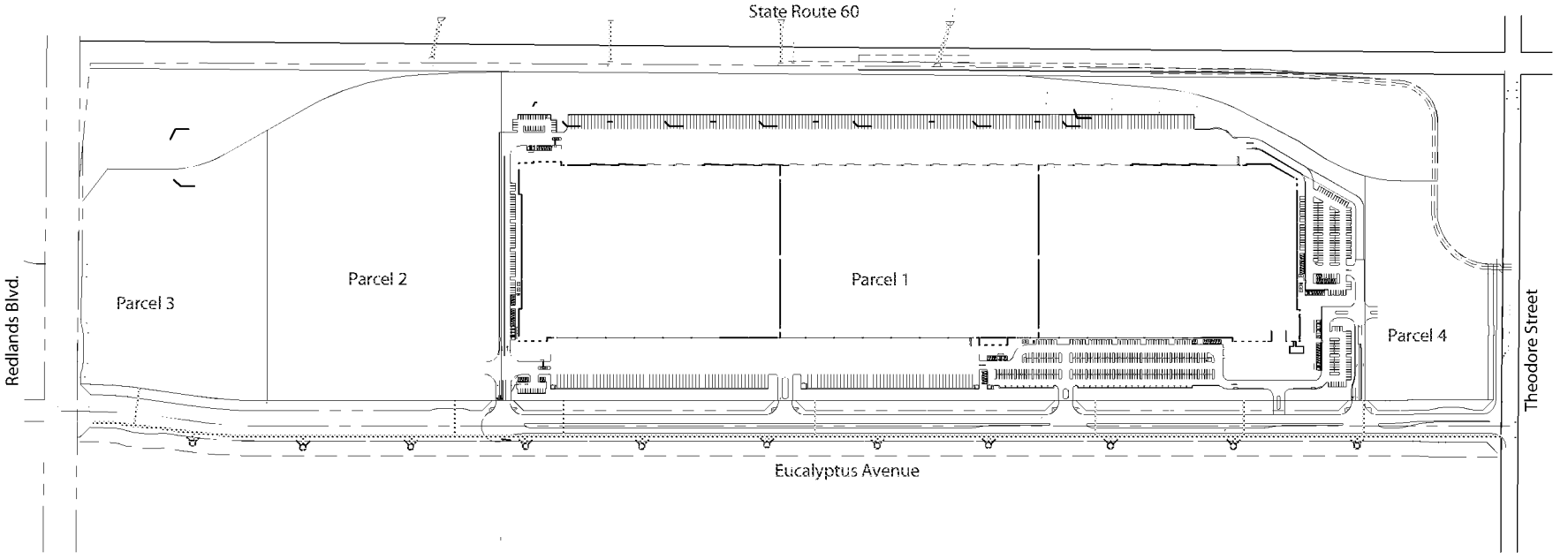

Exhibit "A"

PA07-0090 | HFCP-Eucalyptus Water Phase 1 Improvements | Vicinity Map

MV00116879

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MV00116880

Public Works Department
Land Development Division
14177 Fredrick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
TEL (951) 413-3120 FAX (951) 413-3158

SECURITY REDUCTION PUNCH LIST

Project No. : PA07-0090 (PM 35629) – Eucalyptus Water

Project Location: Eucalyptus between Redlands and Theodore

Inspection Performed by: Alex Ramirez

Date: 06-15-11

REPRESENTATION

Developer:	**Highland Fairview**
Contact Person/Superintendent:	**Scott Schwarz**
Phone Number:	**(951) 906-8369**

TYPE OF INSPECTION

90% Punch List [X] 10% Final Punch List [ ]

No.	ITEM/DESCRIPTION	COMPLETED
1	Submit EMWD Clearance Letter	
2	Submit As-builts	
3	Submit clearance letter for RCFC	
4	Clearance from Transportation Division	

Exhibit "B"

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MV00116882

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: PA07-0090 – EUCALYPTUS RECYCLED WATER – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed;

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

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. The Conditions of Approval for Tract Map 35629 require that the developer provide surety for the required public improvements.

On August 24, 2010 the City Council of the City of Moreno Valley approved the Public Improvement Agreement and security for the Eucalyptus Recycled Water improvements. The Conditions of Approval for this project required that the developer provide surety for the improvements. The security amount for the Eucalyptus Recycled Water improvements is Four Hundred Thirty-Four Thousand dollars ($434,000.00). The limits of the Eucalyptus Recycled Water improvements are within Eucalyptus Avenue between Redlands Boulevard and Theodore Street.

The public improvements included, but are not limited to, the following: approximately 5,100 feet of twelve (12) inch purple water main line, six (6) 2-inch service connections, one (1) 4-inch service connection, various fittings, restraint joints, adaptors, blow-offs, vac/air release assemblies, and backflow prevention devices. The improvements received on-going inspection during the construction process. Upon completion of improvements, Public Works/Land Development performed an inspection and a Security Reduction Punch List was generated.

On December 15, 2010, the Eucalyptus Recycled Water improvements received an 80% reduction. The amount reduced was Three Hundred Forty-Seven Thousand Two Hundred dollars ($347,200.00).

DISCUSSION

Upon completion of the Security Reduction Punch List, City staff will perform a final inspection of the improvements and verify that they are in accordance with the approved plans and the standards of the City of Moreno Valley. City staff will also ensure that the improvements are in accordance with Eastern Municipal Water District (EMWD) standards and plans.

Staff is requesting the City Council to authorize the Public Works Director/City Engineer to accept the work as complete when all remaining public improvements and punch-list items are completed. It will then be appropriate to accept those improvements and provide a reduction to total 90% of the original bond amount to the Faithful Performance Bond issued by Safeco Insurance Company of America. Once accepted by the City and EMWD, the Eucalyptus Recycled Water improvements will be maintained by EMWD. As there has been one partial reduction provided earlier, the amount remaining to reach the 90% reduction is Forty-Three Thousand Four Hundred dollars ($43,400.00).

The Faithful Performance Bond will be reduced upon approval and acceptance of the improvements by the City Engineer. Ninety days after the Public Works Director/City Engineer approves the improvements, the Material & Labor Bond will be exonerated provided that there are no stop notices or liens on file with the City Clerk.

The remaining 10% of the original bond amount will be held for the one-year guarantee and warranty period. The guarantee and warranty period will commence on the date the Public Works Director/City Engineer accepts the improvements. At the end of the guarantee and warranty period, the bond will be released by the Public Works Director/City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *Once required improvements have been completed according to City of Moreno Valley and EMWD Standards, it will then be appropriate to provide a reduction to the security.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed. D not authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *Once required*

improvements have been completed according to City of Moreno Valley and EMWD Standards, it will then be appropriate to provide a reduction to the security.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Security Reduction Punch List

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00116888

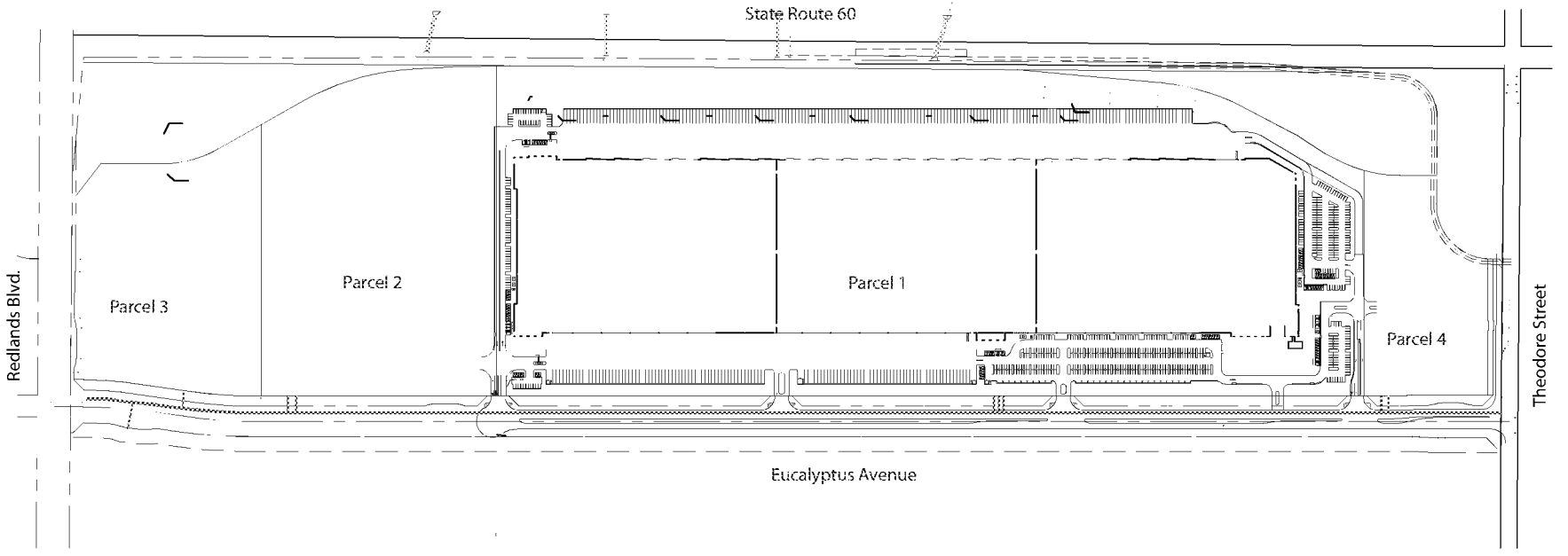

Exhibit "A"

PA07-0090 | HFCP-Eucalyptus Recycled Water Phase 1 Improvements | Vicinity Map

MV00116889

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MV00116890

Public Works Department
Land Development Division
14177 Fredrick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
TEL (951) 413-3120 FAX (951) 413-3158

SECURITY REDUCTION PUNCH LIST

Project No. : PA07-0090 (PM 35629) – Eucalyptus Recycled Water

Project Location: Eucalyptus between Redlands and Theodore

Inspection Performed by: Alex Ramirez

Date: 06-28-11

REPRESENTATION

Developer:	**Highland Fairview**
Contact Person/Superintendent:	**Scott Schwarz**
Phone Number:	**(951) 906-8369**

TYPE OF INSPECTION

90% Punch List [X] 10% Final Punch List [ ]

No.	ITEM/DESCRIPTION	COMPLETED
1	Submit EMWD clearance letter	
2	Submit As-builts	
3	Submit clearance letter for RCFC	
4	Clearance from Transportation Division	

Exhibit "B"

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MV00116892

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: PA07-0090 – EUCALYPTUS SEWER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed;

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

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. The Conditions of Approval for Tract Map 35629 require that the developer provide surety for the required public improvements.

On August 24, 2010 the City Council of the City of Moreno Valley approved the Public Improvement Agreement and security for the Eucalyptus Sewer improvements. The Conditions of Approval for this project required that the developer provide surety for the improvements. The security amount for the Eucalyptus Sewer improvements is Four Hundred Sixty-Seven Thousand dollars ($467,000.00). The limits of the Eucalyptus Sewer improvements are within Eucalyptus Avenue between Redlands Boulevard and Theodore Street.

The public improvements included, but are not limited to, the following: approximately 1,500 feet of fifteen (15) inch sewer main line, approximately 2,400 feet of twelve (12) inch sewer main line, approximately 650 feet of eight (8) inch sewer main, approximately 150 feet of six (6) inch sewer laterals, and installation of 14 manholes and 2 cleanouts along the sewer line. The improvements received on-going inspection during the construction process. Upon completion of improvements, Public Works/Land Development performed an inspection and a Security Reduction Punch List was generated.

On December 15, 2010, the Eucalyptus Sewer improvements received an 80% reduction. The amount reduced was Three Hundred Seventy-Three Thousand Six Hundred dollars ($373,600.00).

DISCUSSION

Upon completion of the Security Reduction Punch List, City staff will perform a final inspection of the improvements and verify that they are in accordance with the approved plans and the standards of the City of Moreno Valley. City staff will also ensure that the improvements are in accordance with Eastern Municipal Water District (EMWD) standards and plans.

Staff is requesting the City Council to authorize the Public Works Director/City Engineer to accept the work as complete when all remaining public improvements and punch-list items are completed. It will then be appropriate to provide a reduction to total 90% of the original bond amount to the Faithful Performance Bond issued by Safeco Insurance Company of America. Once accepted by the City and EMWD, the Eucalyptus Sewer improvements will be maintained by EMWD. As there has been one partial reduction provided earlier, the amount remaining to reach the 90% reduction is Forty-Six Thousand Seven Hundred dollars ($46,700.00).

The Faithful Performance Bond will be reduced upon approval and acceptance of the improvements by the Public Works Director/City Engineer. Ninety days after the Public Works Director/City Engineer approves the improvements, the Material & Labor Bond will be exonerated provided that there are no stop notices or liens on file with the City Clerk.

The remaining 10% of the original bond amount will be held for the one-year guarantee and warranty period. The guarantee and warranty period will commence on the date the Public Works Director/City Engineer accepts the improvements. At the end of the guarantee and warranty period, the bond will be released by the Public Works Director/City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *Once required improvements have been completed according to City of Moreno Valley and EMWD Standards, it will then be appropriate to provide a reduction to the security.*

2. Do not authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed. Do not authorize the Public Works Director/City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *Once required improvements have been completed*

according to City of Moreno Valley and EMWD Standards, it will then be appropriate to provide a reduction to the security.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Security Reduction Punch List

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00116898

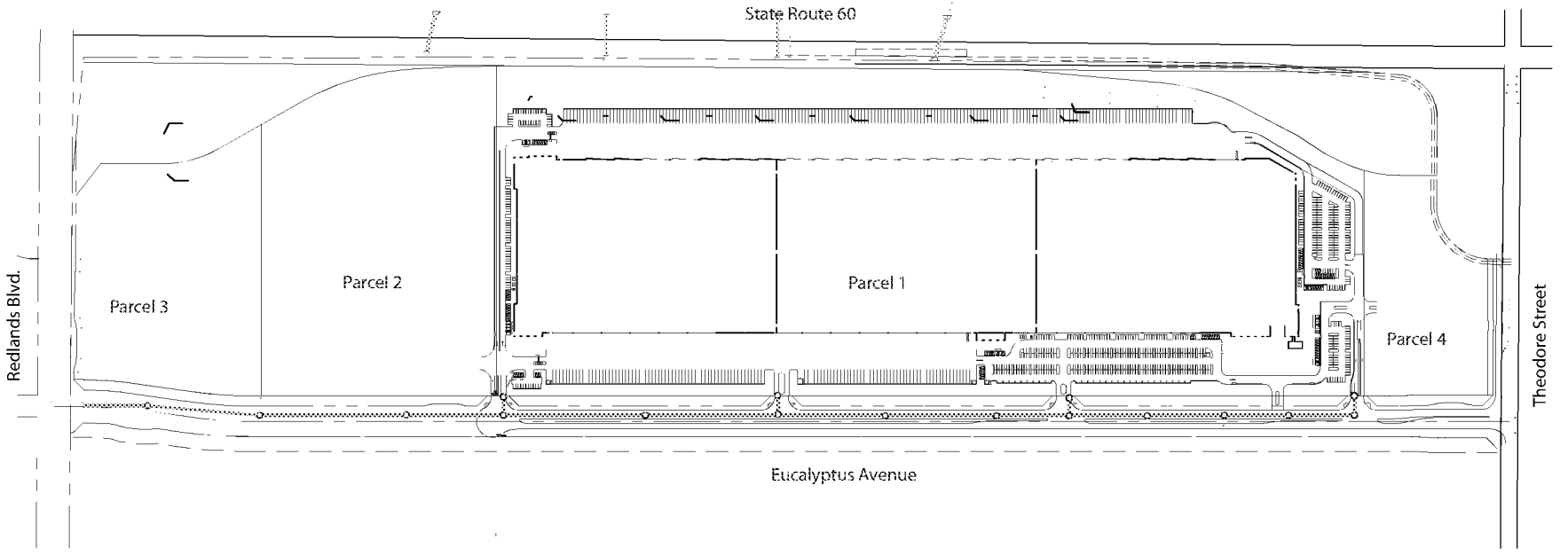

Exhibit "A"

PA07-0090 HFCP-Eucalyptus Sewer Phase 1 Improvements Vicinity Map

MV00116899

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MV00116900

Public Works Department
Land Development Division
14177 Fredrick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
TEL (951) 413-3120 FAX (951) 413-3158

SECURITY REDUCTION PUNCH LIST

Project No. : PA07-0090 (PM 35629) – Eucalyptus Sewer

Project Location: Eucalyptus between Redlands and Theodore

Inspection Performed by: Alex Ramirez

Date: 06-28-11

REPRESENTATION

Developer:	**Highland Fairview**
Contact Person/Superintendent:	**Scott Schwarz**
Phone Number:	**(951) 906-8369**

TYPE OF INSPECTION

90% Punch List [X] 10% Final Punch List [ ]

No.	ITEM/DESCRIPTION	COMPLETED
1	Submit EMWD clearance letter	
2	Submit As-builts	
3	Submit clearance letter for RCFC	
4	Clearance from Transportation Division	

Exhibit "B"

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MV00116902

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: PA07-0090 – LINE F STORM DRAIN IMPROVEMENTS – REQUEST TO RATIFY THE PARTIAL REDUCTION TO THE IMPROVEMENT SECURITY AND AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN PROPER CLEARANCES ARE RECEIVED

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Ratify the partial reduction to the public improvement security provided by the City Engineer on March 3, 2011 for the Line F Storm Drain Improvements for PA07-0090;

2. Authorize the Public Works Director/City Engineer to accept the work as complete once the proper clearances are provided by Riverside County Flood Control and Water Conservation District; and

3. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to enter said improvements into the 12 month guarantee and warranty period, exonerate the Material and Labor Bond in 90 days if there are no stop notices or

liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. The Conditions of Approval for Tract Map 35629 require that the developer provide surety for the required public improvements.

On June 8, 2010, the City Council of the City of Moreno Valley approved the Public Improvement Agreement and security for the Line F Storm Drain improvements. The Conditions of Approval for this project required that the developer provide surety for the improvements. The security amount for the Line F Storm Drain improvements is Six Million Eight Hundred Thirteen Thousand Five Hundred Ninety-Five dollars ($6,813,595.00).

On July 13, 2010, the City Council of the City of Moreno Valley approved the substitution agreement and replacement bonds for the Line F Storm Drain improvements.

The limits of the Line F Storm Drain improvements are within Route 60 to the north, Redlands Boulevard to the west, Eucalyptus Avenue to the south and Theodore Street to the east. The public improvements included, but is not limited to, the following: 2,600 feet of 24-inch RCP, 200 feet of 30-inch Reinforced Concrete Pipe (RCP), 1,900 feet of 36 -inch RCP, 1,500 feet of 42 -inch RCP, 650 feet of 48-inch RCP, 1050 feet of 10-ft by 8-ft Reinforced Concrete Box (RCB), 1,600 feet of 12-ft by 8-ft RCB, pipe inlets/outlets, wing walls, head walls, catch basins, local depressions, manholes, junction structures, transition structures, concrete bulkheads, trash racks, rip rap, fencing and gates. The improvements received on-going inspection during the construction process. Upon completion of improvements, Public Works/Land Development performed an inspection and a Punch List was generated.

On March 3, 2011, the Line F Storm Drain improvements received a 90% reduction. The amount reduced was Six Million One Hundred Thirty-Two Thousand Two Hundred Thirty-Six dollars ($6,132,236.00).

DISCUSSION

Contingent upon receiving the acceptance letter from Riverside County Flood Control and Water Conservation District (District), City Staff will perform a final inspection to ensure that the improvements are in accordance with the approved plans and the standards of the City of Moreno Valley and District.

Staff is requesting the City Council to authorize the Public Works Director/City Engineer to accept the Line F Storm Drain improvements as complete once the proper clearances are provided by the District. A portion of said improvements will be maintained by the District.

In accordance with the Cooperative Agreement approved by the City Council on August 24, 2010 and the storm drain plans approved by the City Engineer on June 14, 2010, the public storm drain improvements being accepted into the City Maintained system are as follows: a portion of Line D, Line G, Laterals F-2-A, F-8-A through F-8-K, F-8-M, F-8-N, F-8-P, F-9, F-9-A through F-9-D, and related appurtenances such as catch basins, inlets, outlets, headwalls, wingwalls, and rip-rap.

Ninety days after the City Engineer approves the improvements, the Material & Labor Bond will be exonerated provided that there are no stop notices or liens on file with the City Clerk.

The remaining 10% of the original bond amount will be held for the one-year guarantee and warranty period. The guarantee and warranty period will commence on the date the City Engineer accepts the improvements. At the end of the guarantee and warranty period, the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Ratify the partial reduction to the public improvement security provided by the Public Works Director/City Engineer on March 3, 2011 for the Line F Storm Drain Improvements for PA07-0090. Authorize the Public Works Director/City Engineer to accept the work as complete once the proper clearances are provided by Riverside County Flood Control and Water Conservation District. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to enter said improvements into the 12 month guarantee and warranty period, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley and District Standards*

and it is appropriate to accept the improvements once proper clearances are received.

2. Do not ratify the partial reduction to the public improvement security provided by the Public Works Director/City Engineer on March 3, 2011 for the Line F Storm Drain Improvements for PA07-0090. Do not authorize the Public Works Director/City Engineer to accept the work as complete once the proper clearances are provided by Riverside County Flood Control and Water Conservation District. Do not authorize the City Engineer, upon approval and acceptance of the improvements by the City Engineer, to enter said improvements into the 12 month warranty period, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all final approvals are received. *The required improvements have been completed according to City of Moreno Valley and District Standards and it is appropriate to accept the improvements once proper clearances are received.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00116908

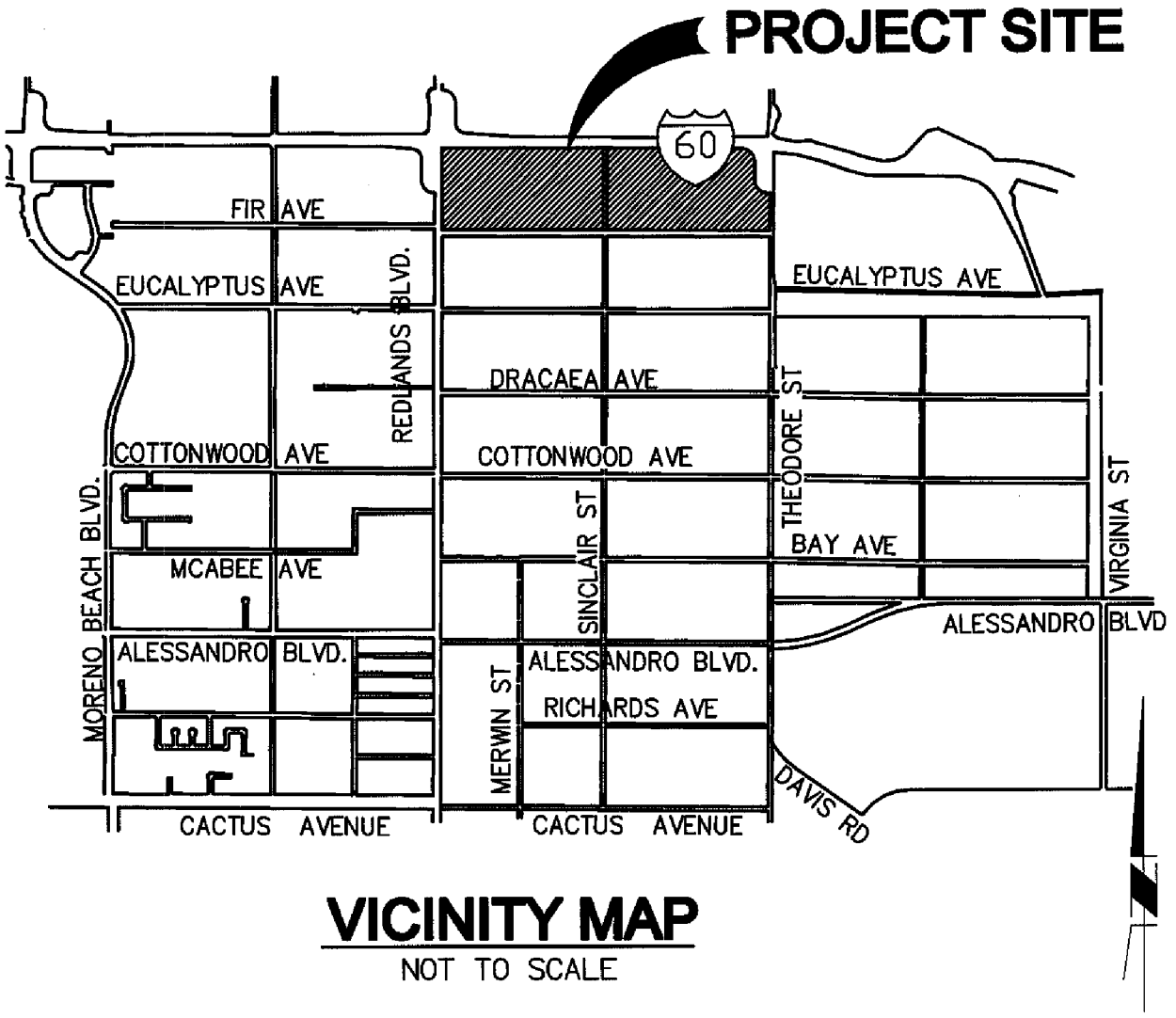

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

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MV00116910

MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00116912

MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00116914

SEE AGENDA ITEM A.4

C3. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM **(ALSO LISTED AS AGENDA ITEM A.4) (**Report of: Public Works Department)

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MV00116916

SEE AGENDA ITEM A.11

C4. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION **(ALSO LISTED AS AGENDA ITEM A.11)** (Report of: Public Works Department

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MV00116918

SEE AGENDA ITEM A.13

C5. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM **(ALSO LISTED AS AGENDA ITEM A.13)** (Report of: Public Works Department)

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MV00116920

SEE AGENDA ITEM A.15

C6. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM **(ALSO LISTED AS AGENDA ITEM A.15)** (Report of: Public Works Department)

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MV00116922

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: AUTHORIZE FIRST AMENDMENT TO PROJECT SPECIFIC AGREEMENT AND AUTHORIZE CHANGE ORDER TO THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the Community Redevelopment Agency (RDA):

1. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the First Amendment to the Project Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

2. Authorize a Change Order to increase Purchase Order No. 37386 for VA Consulting, Inc., in the amount of $25,000 for additional professional consultant design services, bid design support services, and construction support services (Account No. 897.91725).

BACKGROUND

On April 28, 2009, City Council authorized VA Consulting, Inc. (VA Consulting) to proceed with the final Auto Mall design plans and specifications. On July 13, 2010, City Council authorized the City Manager to execute a Project Specific Agreement and assign said Project Specific Agreement to the Community Redevelopment Agency. At this same meeting, the Community Redevelopment Agency approved an increase to Purchase Order No. 37386 for $50,000.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The pylon sign installation was completed on June 20, 2011.

Street improvement enhancements and revitalization are integral elements of the final Automall plans. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their Project Specific Agreement that expires May 1, 2012. Staff is recommending the First Amendment to the Project Agreement in order to increase the Project Specific Agreement amount by $25,000. The additional monies provide for 1) Finalization of the street improvement plans and specifications to reflect the construction scope of work based on available construction funds after the completion of the pylon sign, 2) bid support services during the advertising of the project for construction, and 3) design support services during the construction of the street improvements.

ALTERNATIVES

1. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the First Amendment to the Project Agreement in the form attached hereto on behalf of the Community Redevelopment Agency and authorize a Change Order to increase Purchase Order No. 37386 for VA Consulting, Inc., in the amount of $25,000 for additional professional consultant design services, bid design support services, and construction support services (Account No. 897.91725). *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the First Amendment to the Project Agreement in the form attached hereto on behalf of the Community Redevelopment Agency and do not authorize a Change Order to increase Purchase Order No. 37386 for VA Consulting, Inc., in the amount of $25,000 for additional professional consultant design services bid design support services, and construction support services (Account No.

897.91725). *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Street Improvements is included in Fiscal Year 2011/2012 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities. There is no impact on the General Fund.

Fiscal Year 2010/2011 Budget (Account No. 897.91725)	$1,512,000
Pylon Sign Construction Related Costs	$786,000
Construction Related Savings	$726,000

AVAILABLE FUNDS:

Fiscal Year 2011/2012 Budget (Account No. 897.91725)	$726,000
Estimated Additional Design Related Services	$25,000
Remaining Available Balance for Construction of Street Improvements	$701,000

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the Community Redevelopment Agency authorize the First Amendment to the Project Specific Agreement and furthermore authorize an increase to Purchase Order No. 37386 with VA Consulting in the amount of $25,000 for additional design services, bid design support services, and construction support services.

ATTACHMENTS

Attachment "A" – First Amendment to Project Specific Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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FIRST AMENDMENT TO PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES MORENO VALLEY AUTO MALL STREET IMPROVEMENTS PROJECT NO. 08-89791725

This First Amendment to Project Specific Agreement is by and between the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, hereinafter referred to as "RDA," and VA Consulting, Inc., a California corporation, hereinafter referred to as "Consultant." This First Amendment to Project Specific Agreement is made and entered into effective on the date the RDA signs this First Amendment.

RECITALS:

Whereas, the City of Moreno Valley and Consultant entered into an Agreement entitled "PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Project Agreement," dated November 1, 2010.

Whereas, the City assigned its interest in said Agreement to RDA on November 1, 2010.

Whereas, the Consultant is providing consultant engineering services for the Moreno Valley Auto Mall Street Improvement project.

Whereas, it is desirable to amend the Project Specific Agreement to expand the scope of services as is more particularly described in Section 1 of this First Amendment.

SECTION 1 AMENDMENT TO ORIGINAL PROJECT AGREEMENT:

1.1 The On-Call Agreement termination date of May 1, 2012 is not extended by this Amendment to the Project Agreement.

1.2 Exhibit “D” to the Project Agreement is hereby further amended by adding to the cost proposal section thereof Exhibit “A” -- First Amendment, entitled “Terms of Payment”.

1.4 The RDA agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed” fee of $25,000.00 as set forth in the above-referenced Terms of Payment, in

consideration of the Consultant's performance of the work set forth in Exhibit "A" - First Amendment.

1.5 The total "Not to Exceed" fee for this Agreement is $64,960.00 ($39,960.00 for the original Agreement plus $25,000.00 for the First Amendment to Project Specific Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Project Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO PROJECT AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 08-89791725

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this First Amendment to Project Agreement.

Community Redevelopment Agency

BY:_____
Executive Director

DATE:_____

VA Consulting, Inc.

BY:_____

TITLE:_____
(President or Vice President)

BY:_____

TITLE:_____
(Corporate Secretary)

RECOMMENDED FOR APPROVAL:

BY:_____
Chris A. Vogt, P.E.
Public Works Director/City Engineer

DATE:_____

APPROVED AS TO LEGAL FORM:

_____
General Counsel of the Community Redevelopment Agency of the City of Moreno Valley

DATE:_____

Attachment: Exhibit "A" – First Amendment (Terms of Payment)
Exhibit "B" – First Amendment (Assignment of Project Agreement)
Exhibit "C" – First Amendment (Project Agreement)

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Consultant -\Agreement\VA Consulting\Project Specific Agreement\Agmt A Street Improvements - $39K\1st Amendment\First Amendment to Project Agreement 7-2011.DOC

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MV00116930

TERMS OF PAYMENT

1. This First Amendment to Agreement shall have a Not-to-Exceed Fee of $25,000 for the First Amendment to the Project Specific Agreement.

2. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work for the Street Improvements covered by this Proposal including:

    a. Finalize Plans and Specifications to reflect Construction Scope of Work Based on Available Construction Funds.

    b. Bid Support Services During Construction Bid Advertisement

    c. Design Support Services During Construction

3. Work can only commence after this First Amendment to the Agreement has been executed and the City issues a notice to proceed.

4. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

5. Sub-categorization of tasks is permitted to better define the task for payment.

6. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

7. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

8. The City will pay the Consultant for all acceptable services rendered in accordance with the "Project Specific Agreement" and this First Amendment.

9. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Project Specific Agreement," or this First Amendment an "Amendment to the Agreement" will be executed between the City and Consultant.

10. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

EXHIBIT "A"

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MV00116932

MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00116934

Beazer Homes

June 15, 2011

John Terell, Planning Director
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Subject: Tract 36340 – Rockcliffe City Council Continuance

Dear Mr. Terell:

Beazer Homes would like to request a continuance from the July 12th City Council meeting regarding our proposed Development Agreement for Tract 36340. Beazer is looking to revisit some of the items within this agreement with the City of Moreno Valley. Beazer would like to be scheduled on the October 11th City Council meeting

Thank you for your time and efforts regarding this project. We look forward to working with the City of Moreno Valley. Should you have any questions, please do not hesitate to contact me at (714) 720-6304.

Sincerely,

Bryan Bergeron
Development Manager
Beazer Homes Southern California Division

Orange County Office

1800 E. Imperial Highway, Suite 200
Brea, CA 92821

O: 714-672-7000
F: 714-285-2925

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MV00116936

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: July 12, 2011 (Continued from May 24, 2011)

TITLE: A DEVELOPMENT AGREEMENT (PA10-0029) FOR ROCKCLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 (RESIDENTIAL 15) AND OS (OPEN SPACE) LAND USE DISTRICTS. THE PROJECT SITE IS LOCATED ON THE SOUTHEAST CORNER OF FIR AVENUE AND EUCALYPTUS AVENUE. THE APPLICANT AND OWNER OF THE SITE IS BEAZER HOMES.

RECOMMENDED ACTION

Staff recommends that the City Council introduce Ordinance No. 2011- ___, for adoption of a development agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 and conditional use permit/ planned unit development consisting of 275 residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use districts.

ADVISORY BOARD/COMMISSION RECOMMENDATION

On February 24, 2011, the Planning Commission reviewed and recommended approval to the City Council of a Development Agreement for a proposed small lot single-family residential project. At that meeting, the Planning Commission also approved PA10-0038 for Tentative Tract Map No. 36340 and PA10-0039 for a conditional use permit and planned unit development to subdivide a 29 acre site into 275 residential lots, a recreation building and multiple private open space lots.

BACKGROUND

The project applicant, Beazer Homes, is requesting using a separate Development Agreement in conjunction with a recently approved subdivision of land and planned unit development consisting of a small lot single-family tract with recreational amenities. Some of the amenities included with the tract include a recreation building, pool, tot lots, turf play areas, picnic and BBQ area and numerous private open space lots.

The recently approved residential project will provide a walkable community and provide pedestrian access to existing regional shopping centers (Stoneridge Town Center and Moreno Beach Plaza) to the north and east of the subject site, while promoting limited automobile trips and a reduction of vehicle miles traveled. The proposed project will also provide innovative residential opportunities of owning a home on a small lot for the first time home buyer and/or senior/empty nester.

As part of the small lot single-family residential project proposal reviewed and approved by the Planning Commission, a development agreement (PA10-0029) has been included to provide a temporary reduction of Development Impact fees (DIF). In the first two years after the commencement of the term of the agreement, the DIF shall be reduced by 50% from the current fees. In the third year after the effective date, the DIF shall be reduced by 40% from the current fees, while in the fourth year the DIF shall be reduced by 30% from the current fees. In return, the applicant proposes to construct all remaining project improvements, provide extensive recreation and open space amenities, and energy efficiency enhancements, all detailed in the Discussion section below.

DISCUSSION

With the proposed Development Agreement, the Developer has proposed a temporary reduction in Development Impact Fees (DIF) as necessary for the financial feasibility of proceeding with the project. The applicant has previously provided substantial public improvements in the vicinity of the project including improvements necessary to facilitate the development of the adjacent Stoneridge Towne Centre, which addressed the both direct and indirect impacts on public improvements from the proposed project. Development of the project at this time of economic uncertainty will support the continued vitality and growth of the shopping center as well as the adjacent Moreno Beach Plaza shopping center.

In return, the Developer agrees in part to build all required improvements in accordance with project approvals, including, but not limited to recreational facilities such as a recreation building, pool, play areas, seating areas, trails, greenbelts a high quality entry statement, perimeter walls and landscape, all remaining public street improvements, and all regional trail system improvements. In addition, the developer proposes to provide energy efficient features with the development which may include, but not be

limited to LED or similar energy efficient lighting in common areas, including exterior lighting on the front of housing units; solar water heating for the recreation building and pool. The project provides individual energy efficiency for all housing units, which will be at least ten (10%) beyond the requirement of the current Uniform Building code requirements.

The proposed Development Agreement will not change any aspects of the amended project approved under PA10-0038 (Tentative Tract Map No. 36340) and PA10-0039 (Conditional Use Permit/Planned Unit Development) on February 24, 2011 by the Planning Commission. The agreement is also within the scope of the addendum to the Negative Declaration approved for the original amended project and tentative map.

ALTERNATIVES

1. Approve the proposed Development Agreement for Rockcliffe at Stoneridge Ranch as submitted and attached.
2. Approve the proposed amendments to the proposed Development Agreement, with modifications to address City Council concerns.
3. Refer the proposed Development Agreement back to the Planning Commission for further review and revision.
4. Deny the proposed Development Agreement.

FISCAL IMPACT

As included in the Development Agreement, the applicant is requesting temporary reductions of development impact Fees (DIF), which will include a 50% reduction in DIF for the first two years after the commencement of the term of the agreement, a 40% reduction in fees for the third year and a 30% reduction in fees for the fourth year. There are no fiscal impacts from this project associated with the General Fund. The use of the Development Agreement is intended to jump-start the construction of the project. Having more housing develop in this area will ultimately produce more residents and enhance shopping opportunities and potential sales tax revenue in nearby shopping centers.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Notice of the project was provided to property owners within 300 feet of the project and to the general public through local newspaper publishing and on-site postings.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice

2. Development Agreement Ordinance, including Exhibit A, Rockcliffe at Stoneridge Ranch Development Agreement as attached
3. Zoning Map
4. Aerial Map
5. Planning Commission Report, excluding exhibits
6. Planning Commission Minutes of September 24, 2009
7. Reduced copy of illustrative landscape plan for Tentative Tract Map No. 36340

Prepared By:
Mark Gross, AICP
Senior Planner

Department Head Approval:
Barry Foster
Community & Economic
Development Department

Concurred By:
John Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: PA10-0029 (Development Agreement)

APPLICANT: Beazer Homes

OWNER: Beazer Homes

REPRESENTATIVE: MDS Consulting

LOCATION: The project is located on the southeast corner of Fir Avenue and Eucalyptus Avenue.

PROPOSAL: A Development Agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 (PA10-0038) and a Conditional Use Permit/ Planned Unit Development (PA10-0039) consisting of 275 single-family residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use district.

ENVIRONMENTAL DETERMINATION: This development agreement will not have a significant effect on the environment, while the item is within the scope of the approved addendum to the original project Negative Declaration per Section 15164 of the California Environmental Quality Act (CEQA) as adopted under PA10-0038 and PA10-0039.

REDEVELOPMENT AREA: Yes

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community and Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

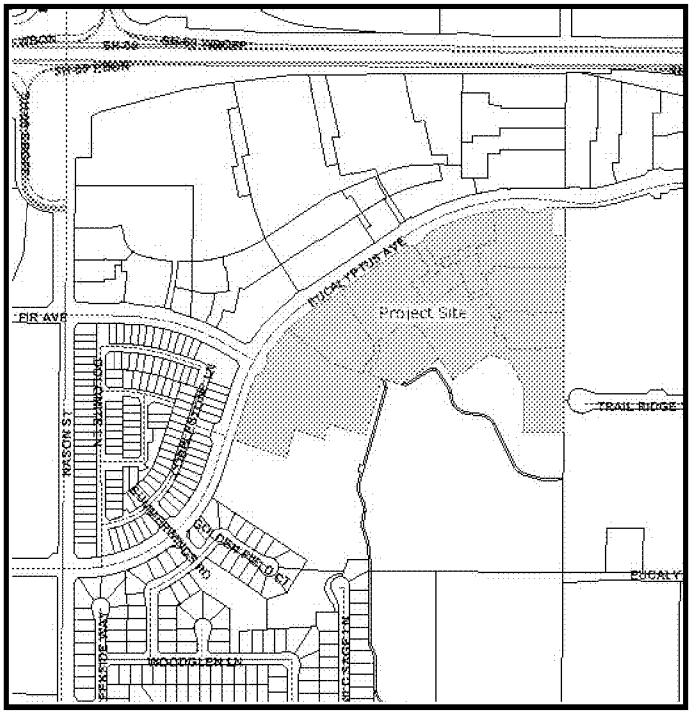

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chambers, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE & TIME: March 22, 2011 at 6:30 P.M.
CONTACT PLANNER: Mark Gross
PHONE: (951) 413-3215

ATTACHMENT 1

Item No. E.1

MV00116941

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MV00116942

ORDINANCE NO. 823

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT (PA10-0029) FOR ROCKCLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 (RESIDENTIAL 15) AND OS (OPEN SPACE) LAND USE DISTRICTS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1: RECITALS

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 The development agreement is attached hereto and incorporated herein as Exhibit A.

SECTION 2: FINDINGS

2.1 Based upon substantial evidence presented to this City Council during the above-referenced meeting on March 22, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **The proposed development agreement is consistent with the goals, objectives, policies, general land uses and programs specified in the general plan and any applicable specific plan.**

   FACT: Tract Map No. 36340 purposes to subdivide an approximate 29 acre parcel into 275 total single-family residential lots for development purposes. The applicant has proposed a development agreement to temporarily reduce development fees. The development agreement will allow for the development of detached single-family residential units consistent with permitted uses in the Residential 15 land use district. In the General Plan and all land uses included in the zoning ordinance.

ATTACHMENT 2

2. **The proposed development agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located.**

FACT: The applicant has proposed a tentative tract map, for the primary purposes of subdividing an approximate 29 acre site into 275 single-family residential lots consisting of individual common recreation lots and a recreation building. The General Plan land use designation for the site is R15 (Residential - 15) and OS (Open Space), while the project site does not lie within a designated specific plan area. The proposed single-family residential land use is a permitted use in the R15 land use district. The proposed development agreement is compatible with all uses included in the R15 land use district.

3. **The proposed development agreement will not be detrimental to the public health, safety or general welfare.**

FACT: As conditioned, the proposed land division for 275 single-family residential lots and PUD on an approximate 29 net-acre parcel is in conformance with the General Plan and zoning district and would not cause serious public health problems or be materially injurious to properties or improvements in the general vicinity. The proposed development agreement will also not affect or be detrimental to health, safety or general welfare of the subject site or surrounding properties. The development agreement is considered within the scope of the previously approved addendum to the tentative tract map and planned unit development/conditional use permit and would not cause serious health problems or significant environmental impacts to the site or surrounding sites.

4. The proposed development agreement is in conformity with public convenience, general welfare and good land use practice.

FACT: The project is consistent in density with current and future developments within the general vicinity. This would include surrounding residential land uses to the south and west and commercial/retail directly to the east and across Eucalyptus Avenue to the north. The proposed project and development agreement will allow a small lot single-family development in an area that will have direct pedestrian access to two regional shopping centers and would in turn reduce overall vehicle miles traveled for a multiple family residential project and create good land use practice. As part

of the proposed development agreement, the Developer agrees to build all required improvements in accordance with project approvals, including, but not limited to recreational facilities such as a recreation building, pool, play areas, seating areas, trails, and greenbelts. The Developer will also construct a high quality entry statement reasonably acceptable to City, perimeter walls and landscaping, all remaining public street improvements, including the ultimate design traffic signal at Fir and Eucalyptus Avenues, and all regional trail system improvements. In addition, the developer will incorporate energy efficient features into the development which may include LED or similar energy efficient lighting in common areas, including exterior lighting on the front of housing units; solar water heating for the recreation building and pool; as well as providing energy efficiency for all housing units that are demonstrated to be at least ten (10%) beyond the requirement of the current building code requirements.

5. **The proposed development agreement will not adversely affect the orderly development or the preservation of property values for the subject property or any other property.**

FACT: The proposal to protect the provisions and land uses of the General Plan, allow for the development of permitted uses established in the Municipal Code for the subject site and its subsequent entitlements, and provide provisions for implementation of the entitlements will further support the project's implementation which is compatible with the land uses in the general vicinity. The project is consistent in density with current and future developments within the general vicinity and is also consistent with the residential project approved in 2006 and the revised project approved on February 24, 2011 for the site. This would include surrounding residential land uses to the south and west and commercial/retail directly to the east and across Eucalyptus Avenue to the north.

SECTION 3: ADOPTION

Based on the foregoing recitals and findings, the City Council of the City of Moreno Valley does hereby adopt and approve the development agreement attached hereto as Exhibit A, and does hereby authorize the mayor to sign the development agreement on behalf of the City.

SECTION 4: EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. ____
Date Adopted:

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00116948

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

City of Moreno Valley
Attn: City Manager
P.O. Box 88005
Moreno Valley, California 92552-0805

(SPACE ABOVE FOR RECORDER'S USE ONLY)

BEAZER STONERIDGE DEVELOPMENT AGREEMENT

**DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF MORENO VALLEY
AND
BEAZER HOMES,
RELATIVE TO THE DEVELOPMENT KNOWN AS
ROCKCLIFFE TRACT 36340**

February 24, 2011

EXHIBIT A

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 2011 (the "Effective Date"), by and between the CITY OF MORENO VALLEY, a municipal corporation organized and existing under the laws of the State of California (the "City"), and BEAZER HOMES HOLDINGS CORP., a Delaware corporation (the "Developer"), pursuant to the authority of Sections 65864 through 65869.5 of the California Government Code. City and Developer may be referred to herein individually as a "Party" and collectively as the "Parties."

RECITALS

A. To strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Section 65864 et seq. of the California Government Code, which authorizes the City to enter into a development agreement with any person or entity having a legal or equitable interest in real property, providing for the development of such property and establishing certain reciprocal rights and obligations related to such development.

B. To implement the above-described state laws, the City adopted Section 9.02.110 of the Moreno Valley Municipal Code, establishing procedures and requirements for considering and approving development agreements.

C. The Developer has a legal and equitable interest in certain real property situated in the City, and therefore satisfies the statutory requirements to enter into this Agreement. This real property comprises the entirety of Tract 36340 (the "Property"), more particularly described in Exhibit "A" attached hereto.

D. The Developer is a sophisticated and experienced real estate developer with substantial experience in the development of high quality residential neighborhoods.

E. The City Council, on July 11, 2006, adopted Resolution No. 2006-84 approving the Moreno Valley General Plan (the "General Plan").

F. The City Planning Commission, on April 14, 2005, approved Tentative Tract Map 36340 ("the Map") and Plot Plan PA04-0176 for the aforementioned entitlements for the Property.

G. The Map and Plot Plan as heretofore approved, comprises the "Project Approvals," and is incorporated herein by this reference. The Developer desires to develop the Property in accordance with the Project Approvals and this Agreement. Such development of the Property, as contemplated by the Project Approvals and subject to any refinements agreed upon by the Parties, is referred to herein as the

"Project."

H. The implementation of this Agreement will provide the City with significant public benefits in the form of facilities, programs and revenues as set forth in Section 5 of this Agreement. Consequently, entering into this Agreement is acknowledged to be to the mutual benefit of the Parties.

I. The City Council, on_____, 2011, made all findings and determinations relating to this Agreement which are required by Municipal Code Section 9.02.110, and approved this Agreement by its adoption of Ordinance No. ___, on _____, 2011. In doing so, the City Council determined that this Agreement is consistent with the General Plan.

J. The City Council finds that execution of this Agreement and the performance of and compliance with the terms and conditions set forth herein by the Parties: (i) is in the best interests of the City; (ii) will promote the public convenience, general welfare and good land use practices in the City; (iii) will provide benefits to the City; (iv) will provide a high-quality residential community; (v) will encourage the development of the Project by providing a reasonable level of incentive to the Developer; and (vi) will provide for orderly growth and development in a manner consistent with the General Plan and other plans and regulations of the City.

NOW, THEREFORE, in consideration of the above Recitals, all of which are expressly incorporated into this Agreement, and the mutual promises and obligations of the Parties set forth herein, the Parties agree as follows:

AGREEMENT

SECTION 1: DEFINITIONS

The following terms when used in this Agreement shall be defined as follows:

1.1 "Agreement" means this Development Agreement.

1.2 "Assignee Developer" means a developer to whom any of the rights, duties or obligations of this Agreement have been assigned in conformity with all assignment provisions contained herein.

1.3 "City" means the City of Moreno Valley, a municipal corporation organized and existing pursuant to the laws of the State of California.

1.4 "City Council" means the City Council of the City of Moreno Valley.

1.5 "Covenants, Conditions and Restrictions" or "CC&Rs" shall mean the restrictions governing the use of real property. CC&Rs include, but are not limited to written rules, limitations and restrictions on use of real property mutually agreed to by all owners of real property in a common interest development as provided for in California Civil Code Section 1351 *et* seq. CC&Rs are enforceable by the homeowners association or by individual owners who can bring lawsuits against violators and are recorded, permanent and "run with the land" so future owners are bound to the same rules. A copy of the CC&Rs shall be recorded with the Riverside County Recorder and be provided to any prospective purchaser.

1.6 "Current Fees" means the September 23rd, 2009 Residential Impact Fees City-wide effective as of the date of this Agreement, as shown on the schedule attached as Exhibit "B" to this Agreement and made a part herein by this reference.

1.7 "Developer" means BEAZER HOMES HOLDINGS CORP., any City approved Assignee or successor in interest to BEAZER HOMES HOLDINGS CORP., and/or any City approved Assignee or successor in interest to the obligations of the Developer set forth in Section -- of this Agreement.

1.8 "Development" means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of residential dwelling units, buildings and structures; and the installation of landscaping. "Development" does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.9 "Development Approvals" means all entitlements for use subject to approval by City in connection with development of the Property including, but not limited to:

1.9.1 Tentative and final subdivision maps;

1.8.2 Conditional use permits, variances, plot plans

1.9 "Development Impact Fees" or "DIF" means all City adopted fees and monetary Exactions that are designed to pay for new or expanded public facilities needed to serve, or to mitigate the adverse effects of, a given development project and that are imposed by the City by ordinance or resolution of general application or as a condition of approval of discretionary or ministerial permits for, or in connection with, the implementation of that development project. The term "Development Impact Fees" (the "DIF") does not include processing fees and charges as described in this Agreement, or regional fees collected by the City and transmitted to other agencies, including but not limited to the Western Riverside Transportation Uniform Mitigation Fee (TUMF) and Riverside County Multiple Species Habitat Conservation Plan Fee (MSHCP).

1.10 "Effective Date" means the effective date of the ordinance approving this Agreement.

1.11 "Exaction" means any requirement of City in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of money in order to provide public benefit or lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests. The term "Exaction" shall not include City administrative, permit processing or other City-wide imposed fees to cover the estimated or actual costs to City of processing applications for Development Approvals, Subsequent Development Approvals, or costs associated with preparation or implementation of this Development Agreement or for monitoring compliance with any Development Approvals which may be granted or issued pursuant to this Agreement.

1.12 "Existing Project Approvals" means all Project Approvals approved or issued prior to the Effective Date and all other Approvals which are a matter of public record on the Effective Date.

1.13 "Existing Land Use Regulations" means all Land Use Regulations in effect on the Effective Date and all other Development Regulations which are a matter of public record on the Effective Date.

1.14 "Land Use Regulations" means all ordinances, resolutions, codes, rules, regulations and official policies of the City governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the Property. By way of example and not limitation, "Land Use Regulations" does not include any City ordinance, resolution, code, rule, regulation or official policy, governing:

1.14.1 The conduct of businesses, professions, and occupations;

1.14.2 Taxes, fees (including, without limitation, Processing Fees and Development Impact Fees) and assessments;

1.14.3 The control and abatement of nuisances;

1.14.4 The granting of encroachment permits and the conveyance of rights and interests which provide for the use of or the entry upon public property;

1.14.5 The exercise of the power of eminent domain.

1.15 "Mortgagee" means a beneficiary or any other security-device lender under a mortgage, deed of trust, sale-and-lease-back, pledges of ownership interests in the Developer, collateral assignments, or other forms of conveyance required for any reasonable method of financing requiring a security arrangement with respect to the Property, the Developer, or both, and as well as such entities' successors and assigns.

1.16 "Processing Fees" means City Council adopted fees and charges for processing applications for City actions or approvals.

1.17 "Project" means the development of the Property contemplated by the Tract Map and planned development as defined herein which may be further defined, enhanced or modified pursuant to the provisions of this Agreement. This Agreement pertains to Tract 36340, proposed to be developed as a single family planned development with common amenities to be maintained by a Homeowner's Association. The Project contemplates a maximum of two hundred seventy five (275) dwelling units.

1.18 "Project Approvals" means the Tract Map, Planned Development and all Subsequent Development Approvals including without limitation their respective conditions of approval.

1.19 "Property" means the real property described on Exhibit "A" to this Agreement and made a part herein by this reference.

1.20 "Subsequent Development Approvals" means all Development Approvals obtained subsequent to the Effective Date in connection with development of the Property.

1.21 "Subsequent Land Use Regulations" means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

SECTION 2: GENERAL PROVISIONS

2.1 Duration of Project Approvals. Project Approvals for the Project shall not have any time added to their duration or validity by this Agreement than what is already provided for in the applicable law governing such project approval or permit.

2.2 Term of Agreement.

2.2.1 Term. The Term of this Agreement shall commence twelve (12) months from the Effective Date of the ordinance approving this Agreement or the date of the issuance of the first building permit, whichever occurs first, and shall extend for a period of four (4) years thereafter, unless this Agreement is earlier terminated, modified or extended in accordance with the provisions of this Agreement.

2.2.2 Termination Upon Completion.

2.2.2.1 If not already terminated by reason of any other provision hereof, this Agreement shall automatically terminate upon: (i) total build-out of the Project pursuant to the Project Approvals and any amendments thereto; (ii) the issuance of all occupancy permits for structures requiring such permits, or final building inspections for improvements on the Property; and (iii) acceptance by the City of all dedications of public rights-of-way and public improvements (to the extent the City elects to accept dedication of public rights-of-way and public improvements).

2.2.2.2 This Agreement shall automatically terminate as to any individual dwelling unit upon close of escrow for a sale to an end user of that dwelling unit and issuance of a certificate of occupancy or final City inspection for that unit.

2.3 Binding Effect of Agreement.

2.3.1 Covenant. This Agreement shall bind, and inure to the benefit of, the respective Parties and their successors in interest, including their heirs, representatives, assigns, partners and investors. All of the provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land as to the Property. However, there shall be no third party beneficiaries of this Agreement, except that this Agreement shall be enforceable by the City on behalf of any of its subsidiary or affiliated public agencies or special districts, including without limitation, its Community Redevelopment Agency, Community Services Districts, or Community Facilities Districts.

2.3.2 No Property Interest. Nothing herein shall be construed as a dedication or transfer of any right or interest in, or as creating a lien with respect to, title to the Property.

SECTION 3: PROJECT DEVELOPMENT REQUIREMENTS

3.1 Property Ownership. The Developer represents and covenants that it is the owner of the fee simple title to the Property.

3.2 Development. The Developer shall develop the Project in accordance with the Project Approvals and this Agreement. During the term of this Agreement, the permitted uses within the Project, the density and intensity of use, maximum height and size of buildings, other zoning standards, the requirements for reservation or dedication of land for public purposes, the mitigation requirements and all other terms and

conditions of development of the Project shall be those set forth in the Project Approvals.

3.3 Rules and Regulations. Pursuant to Government Code Section 65866, and except as otherwise provided in this Agreement, the regulations, rules and official policies of the City governing (i) permitted uses within the Project, (ii) density and intensity of use, (iii) design, improvement and construction standards and specifications, and (iv) all other terms and conditions of development of the Project shall be those regulations, rules and official policies which are in effect on the effective date of the ordinance approving this Agreement, except as set forth under the Reservations of Authority below, (the "Applicable Regulations").

3.4 Building Permits. The Developer shall have the right to obtain building permits consistent with the Project Approvals, Land Use Regulations and Subsequent Land Use Regulations as set forth in this Agreement for the entire life of this Agreement and any extensions thereof.

3.5 Timing of Development. The parties acknowledge that the Developer cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of the Developer, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Because the California Supreme Court held in *Pardee Construction Co. v. City of Camarillo* (1984) 37 Cal. 3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that the Developer shall have the right to develop the Property in such order and at such rate and at such time as the Developer deems appropriate within the exercise of its subjective business judgment, subject only to any timing or phasing requirements set forth in the Project Approvals.

SECTION 4: RESERVATION OF AUTHORITY

4.1 Subsequent Land Use Regulations and Processing Requirements. Notwithstanding any other provision of this Agreement, the following Subsequent Land Use Regulations shall apply to the development of the Property:

4.1.1 City Council amended or adopted Processing Fees and charges applicable to all developments imposed by City to cover the estimated actual costs to City of processing applications for development approvals or for monitoring compliance with any development approvals granted or issued.

4.1.2 City Council amended or adopted DIF, except as otherwise provided for in this Agreement.

4.1.3 Fees adopted by the City Council to implement regional mitigation programs (e.g. Transportation Uniform Mitigation Fee (TUMF), Western Riverside County Multiple Species Habitat Conservation Plan, etc.).

4.1.4 Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

4.1.5 Regulations governing construction standards and specifications including, without limitation, the Uniform Building, Plumbing, Mechanical, Electrical, and Fire Codes as adopted, or amended and adopted, by the City.

4.1.6 Regulations which may be in conflict with the Project Approvals but which are reasonably necessary to protect the public health and safety. To the extent possible, any such regulations shall be applied and construed so as to provide the Developer with the rights and assurances provided under this Agreement.

4.1.7 Regulations imposed by State or Federal Law.

4.2 Moratoria. Regulations imposed by the City, whether adopted by City Council action, initiative or otherwise, imposing a development moratorium or limiting the rate or timing of development of the Property shall be deemed to conflict with this Agreement and shall therefore not be applicable to the Development of the Property. Development moratoria imposed by other government agencies or otherwise outside the City's reasonable control, or due to the lack of availability of water or other necessary facilities or services shall not create liability or default under this Agreement.

4.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date, prevent or preclude compliance with one or more of the provisions of this Agreement or render the City subject to liability, fine, penalty, charge, cost or restrictions on its authority or powers in order to comply with this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent such laws or regulations do not render such remaining provisions impractical to enforce.

SECTION 5: OBLIGATIONS OF AND CONTRIBUTIONS BY DEVELOPER

5.1 Acknowledgement. The Developer acknowledges that it receives a substantial benefit by entering into this Agreement. The approval and execution of this Agreement by the City will provide the Developer with substantial vested rights and assurances that it would otherwise not receive as part of the development process,

including without limitation, protection from City-imposed moratoria, and protection from changes in the Land Use Regulations and the Project Approvals that the City could otherwise have imposed in the exercise of its legitimate regulatory powers as a government agency. Under State law related to Development Agreements, by providing the protections of a development agreement, the City is entitled to receive from the Developer consideration in the form of benefits to the public that otherwise would or could not be imposed as conditions of approval for the Project. Therefore, as consideration for this Agreement, in addition to the other terms and conditions of this Agreement, the Developer shall provide to City the public benefits set forth herein.

5.1 Construction of Improvements. The Developer agrees to build all required improvements in accordance with the Project Approvals. The parties acknowledge that these improvements exceed the overall mitigation obligations of the Project for traffic, and agree that the accelerated timing of such improvements are a benefit to the public and a material inducement to the City to enter into this Agreement.

5.2 Operation and Maintenance of Common Areas by the Developer.

5.2.1 The Developer acknowledges that the maintenance and operation of the common area facilities are a matter of public interest to the City in that improper or inadequate maintenance and operation will cause an impact on surrounding public facilities and surrounding home and property owners. The Developer shall operate and maintain all common area facilities during the course of construction of the Project and until such time as a Homeowner's Association (HOA) for the Project shall be formed and the operation and maintenance obligations for such facilities are legally conveyed to and accepted by the HOA (hereinafter referred to as the "Transfer Date").

5.2.2 The Developer shall not be relieved of its obligations for the operation and maintenance of the Project's common area facilities until an HOA has been formed and the operation and maintenance responsibilities for the applicable common area facilities have been legally conveyed to and accepted by the HOA. Upon the Transfer Date, the HOA shall have the obligations described below.

5.3 Recreational Facilities and Trail System.

5.3.1 The Developer is developing the Project as a planned development. The Developer represents it will build will provide other recreational facilities and amenities throughout the Project, including, but not limited to, a recreation building, pool, play areas, seating areas, trails, and greenbelts. The standards for these other recreational facilities and amenities, including timing, size, number, types and quality of amenities and facilities, etc. shall be fully set forth in the planned development approval and shall be subject to the City's discretionary approval and shall be fully conditioned and implemented through the approvals.

5.3.2 The Project's Homeowners Association (HOA) documentation and CC&Rs shall make adequate provision for reasonable maintenance of the facilities.

5.4 Entry Statement. The Developer agrees to construct and provide legal and equitable assurance in the form of agreements, bonds, letters of credit, or other legally enforceable instruments for the construction and perpetual maintenance of a high quality entry statement reasonably acceptable to City. Such entry statement shall be located at the Project's main entry at Eucalyptus and Fir Avenues. The planned development shall require and provide standards and design for the entry statement. Construction of the entry statement shall commence prior to the issuance of any building permits, except for those related to model homes and the first 15 production units, and be completed prior to the issuance of occupancy permits for any production units homes in the Project. Further, the HOA documentation and CC&Rs for the Project shall provide for and financially assure perpetual maintenance of the entry statement.

5.5 Perimeter Walls and Landscaping. The Developer agrees to construct perimeter walls and landscaping consistent with the Project Approvals and provide legal and equitable assurance in the form of HOA documentation, CC&Rs, or other legally enforceable instruments reasonably acceptable to City for the construction and perpetual maintenance of such perimeter walls and landscaping prior to the issuance of occupancy permits for any production units in the Project in an approved phase adjacent or including such perimeter walls and landscaping, or earlier if required by any entitlement for the Property approved prior to the Effective Date.

5.6 Public Street Improvements. The Developer agrees to complete all remaining public street improvements for the Project, including the ultimate design traffic signal at Fir and Eucalyptus Avenues, prior to the issuance of occupancy permits for any production units in the Project, or earlier if required by any entitlement for the Property approved prior to the Effective Date.

5.7 Regional Trail System. The Developer agrees to complete all regional trail system improvements required of the Project to connect the Stoneridge trailhead to the adjacent Alliance development prior to the issuance of occupancy permits for any production units in the Project, or earlier if required by any entitlement for the Property approved prior to the Effective Date.

5.8 Energy Efficient Features. The Developer shall incorporate energy efficient features into the development in accordance with the Project Approvals, which may include the following: 1) LED or similar energy efficient lighting in common areas, including exterior lighting on the front of housing units; 2) solar water heating for the Project recreation building and pool; and 3) energy efficiency for all housing units that is demonstrated to be at least ten (10%) beyond the requirement of the building code requirements.

5.9 Nexus/Reasonable Relationship Challenges. The Developer consents to and waives any rights it may have as of the Effective Date of this Agreement to challenge the legal validity of the conditions, requirements, exactions, policies or programs required by the Existing Land Use Regulations, the Project Approvals (if already issued and finalized prior to the Effective Date), the DIF, or the Processing Fees including, without limitation, any claim that they constitute an abuse of the police power, violate substantive due process, deny equal protection of the laws, effect a taking of property without payment of just compensation, or impose an unlawful tax. Nothing in this Agreement shall be construed as a waiver of the Developer's right to challenge the Project Approvals (to the extent the same have not been issued and finalized prior to the Effective Date), future conditions, requirements, exactions, policies, or programs required by Subsequent Land Use Regulations, Subsequent Development Approvals, Project Approvals, or subsequently adopted DIF or Processing Fees that are different than those in effect as of the Effective Date of this Agreement. The Developer consents to and waives any rights it may now or in the future have to challenge the legal validity of this Agreement or any of its provisions on any grounds whatsoever.

5.10 Cooperation By The Developer. The Developer will, in a timely manner, provide City with all documents, applications, plans, and other information necessary for the City to carry out its obligations under this Agreement, and cause the Developer's planners, engineers, and all other consultants to submit in a timely manner all required materials and documents therefore.

5.11 Other Governmental Permits. The Developer shall apply in a timely manner for such other permits and approvals from other governmental or quasi-governmental agencies having jurisdiction over the Property as may be required for the development of, or provision of services to, the Project.

5.12 Material Breach. Failure on the part of the Developer to comply with any provision of this Section shall constitute a material breach of this Agreement. However, this provision is intended to reflect a specific intent with regard to provisions that might otherwise be later interpreted not to be material and to clarify that they are material inducements to the City entering into this Development Agreement. It shall not be construed to limit what otherwise would be deemed a material breach of this agreement.

SECTION 6: OBLIGATIONS OF CITY

6.1 Processing. Upon satisfactory completion by the Developer of all required preliminary actions and payments of appropriate processing fees, City shall commence and diligently proceed to complete all required steps necessary for the implementation of this Agreement and the development of the Project by the Developer in accordance with the City's ordinances, policies, procedures, protocol, and applicable state and federal law, including, but not limited to, the following:

6.1.1 The holding of all required public hearings; and

6.1.2 The processing of all Development Approvals and related matters as necessary for the completion of the development of the Project. In this regard, the Developer will, in a timely manner, provide City with all documents, applications, plans, and other information necessary for City to carry out its obligations under this Agreement and as required by existing ordinances, policies, procedures, protocol, and applicable state and federal law and shall cause the Developer's planners, engineers, and all other consultants to submit in a timely manner all required materials and documents as therefore required.

SECTION 7: FEES, FEE CREDITS AND REIMBURSEMENT

7.1 General Principles. The Parties recognize that fees which may be imposed by the City upon the Project fall within two categories: (i) fees for processing applications for City actions or approvals ("Processing Fees"); and (ii) fees or other monetary Exactions which are established or contemplated under City ordinances or resolutions in effect as of the Effective Date of this Agreement and which are intended to defray the costs of public facilities or other amenities related to development projects, including but not limited to parks, streets, libraries, traffic controls and other public facilities ("DIF").

7.2 Processing Fees. The Developer or Assignee Developer shall pay Processing Fees for the Project based upon the fees generally applicable to all development in the City at the time of the application for any City action or approval.

7.3 Development Impact Fees (DIF). Except as specifically set forth in this Agreement, the Developer or Assignee Developer shall pay DIF for the Project based upon the fees applicable in accordance with the City's then current ordinances, resolutions and policies in effect at the time such fees are due, including the application of fee credits and reimbursements, in the same manner as applied to projects in the City not subject to a development agreement. It is understood that the sole benefit conferred by this Agreement regarding DIF are reductions in otherwise payable fees as set forth in this Agreement, and that under no circumstances will any payments of monies be due from the City to any party on account of any DIF credit hereunder.

7.3.1 DIF Reduction. In the first two years after the commencement of the Term of the Agreement, the DIF shall be reduced by 50% from the Current Fees. In the third year after the Effective Date, the DIF shall be reduced by 40% from the Current Fees, and in the fourth year the DIF shall be reduced by 30% from the Current Fees. Any other credits for which the Developer is eligible under current City policy shall remain in-effect, and reductions to these credits due to the mitigation of DIF fees shall be applied per the applicable percentages mentioned above.

7.3.2 Prior to the issuance of the first residential building permit for any phase of the Project, the Developer shall:

7.3.3 Execute and deliver public improvement agreements in form and content reasonably acceptable to the City and the Developer for construction of all such improvements for that phase; and

7.3.4 Furnish bonds, letters of credit and/or other legally enforceable security in form, content, amounts, and with sureties reasonably acceptable to the City and the Developer securing all labor, materials, and the Developer's performance of all obligations for construction of such improvements for that phase; and

7.3.5 All such public improvement agreements and security shall remain in full force and effect until the completion and acceptance of offer of dedication of such improvements to the City.

7.3.6 All such improvements are actually constructed, completed, and accepted for dedication to the City in accordance with the applicable public improvement agreements, the Project Approvals, and this Agreement.

SECTION 8: ASSIGNMENT

8.1 Acknowledgement. The Developer has demonstrated, and the City finds, that the Developer possesses the experience, reputation, and financial resources to develop and maintain the Property in the manner contemplated by this Agreement. It is because of such qualifications, which assure the development of the Property to a high quality standard that the City is entering into this Agreement. Accordingly, restrictions on the right of the Developer to assign the rights and privileges contained in this Agreement are necessary in order to assure the achievement of the objectives of the City and this Agreement.

8.2 No Assignment Without City Consent. Except as otherwise specifically provided for in this Section, the Developer shall not assign any rights, obligations or duties under this Agreement without prior written consent from the City. Such consent shall not be unreasonably withheld by the City and shall be made in accordance with the provisions of this Section.

8.3 Restriction on Assignment. No assignment of any right, duty or obligation under this Agreement shall be made unless it is in conjunction with a sale, hypothecation or other transfer of a legal or equitable interest in the Property, or a portion thereof, including, but not limited to, any foreclosure of a mortgage or deed of trust or of a deed in lieu of foreclosure. However, except as specifically permitted in this Section, any assignment of this Agreement, or any portion of the rights, duties or obligations thereof, by the Developer, voluntary or involuntary, without both the prior written consent of the City and an unconditional assumption of the rights, duties and obligations under this Agreement by the Assignee in form and content reasonably acceptable to the City Attorney, shall constitute a material breach of this Agreement and the Developer shall remain legally liable to the City for all such rights, duties and

obligations. For purposes of this Section, contracting by the Developer or City Approved Assignee Developer for the construction of all or part of the Developer's obligations under Section 5 shall not constitute an assignment and the Developer or City approved Assignee Developer shall remain responsible, and legally liable to the City under this Agreement, for the satisfactory and timely completion of said obligations.

8.4 Restriction on Assignment Not an Unreasonable Restraint on Alienation. The Developer agrees that the restriction on its right to assign any of its rights, obligations or duties under this Agreement is not repugnant or unreasonable in that such a restriction is a material inducement to the City to enter into this Agreement because the restriction guarantees for the City that the Developer will provide those public benefits identified in Section 5 of this Agreement and reserves for the City the power to prevent the assignment of any of the rights, obligations or duties under this Agreement.

8.5 City Council Approval. Upon written request of the Developer for approval of an assignment, the matter shall be referred to the City Council. The City Council, or City Manager or designee on their behalf, may request further documentation from the Developer, and the Developer shall provide such documentation, as the City Council reasonably deems necessary to make its decision The City agrees, to the extent permissible by law, to maintain the confidentiality of any such documentation if requested by the Developer. The City Council shall have sixty (60) calendar days from the date of receipt of such request to approve or deny the requested assignment. Failure of the City Council to act within that sixty (60) calendar-day period shall automatically be deemed an approval of the request; provided however, that if there remains any obligation of the Developer under Section 5 of this Agreement and/or the Project Approvals that was required to be completed under the terms of this Agreement or the Project Approvals as of the date of the request, but has not been completed as of the date of the request, the request shall be deemed denied.

8.6 Conditions and Standards. The conditions and standards upon which consent to assign will be given are as follows:

8.6.1 Such Assignee possesses the experience, reputation and financial resources to cause the Property to be developed and maintained in the manner consistent with the Project Approvals and this Agreement;

8.6.2 Such Assignee enters into a written assumption agreement, in form and content reasonably acceptable to the City Attorney, expressly assuming and agreeing to be bound by the provisions of this Agreement; and

8.6.3 Such assignment will not impair the ability of City to achieve the objectives of the Project Approvals and this Agreement.

8.7 City Manager Approved Assignee Developers. Notwithstanding any other

provision of this Agreement, the City Manager shall have the authority to, and shall approve an assignment of all or part of the Developer's rights, benefits, covenants or obligations under this Agreement to an Assignee Developer, or its parent(s) if the proposed Assignee Developer is a subsidiary, upon the following terms:

8.7.1 The proposed Assignee Developer has developed to completion at least three (3) similarly sized planned residential communities within the immediately preceding ten (10) year period, at least one (1) of which is located within the Southwestern United States; and

8.7.2 The proposed Assignee Developer has a current group net worth of at least $200,000,000 (two hundred million dollars); and

8.7.3 The proposed Assignee Developer has not committed a breach of any development agreement to which the proposed Assignee Developer is a party for any project resulting in termination of such development agreement; and

8.7.4 The proposed Assignee Developer is not currently declared by a legislative body to be in default of any active development agreement to which the proposed Assignee Developer is a party; and

8.7.5 The proposed Assignee Developer provides the City Manager with adequate documentation to make the findings in this Section at the time of the request for assignment; and

8.7.6 The City Manager shall thereafter have thirty (30) calendar days to make a determination on the request for assignment. If the City Manager fails to make a determination within said thirty (30) calendar days, then the assignment shall be deemed approved.

8.8 Financing Exemption. Mortgages, deeds of trust, sales and lease-backs, pledges of ownership interests in the Developer, collateral assignments, or other forms of conveyance required for any reasonable method of financing requiring a security arrangement with respect to the Property are permitted without the consent of the City. The words "mortgage" and "deed of trust," as used herein, include all other modes of financing real estate acquisition, construction and land development commonly used by reputable land developers.

8.9 Notice of Assignment. Upon receiving approval of an assignment, the Developer shall provide City with written notice of such assignment and as part of such notice the Assignee must execute and deliver to City a written assumption agreement in form and content reasonably acceptable to the City Attorney in which the name and address of the Assignee is set forth and the Assignee expressly and unconditionally assumes all obligations of the assigned provisions of this Agreement.

8.10 Unapproved Assignments. If City reasonably makes the determination not to consent to the assignment of the rights, obligations and duties contained in this Agreement, and the Developer assigns this Agreement to a third party, in whole or in part, the Developer shall remain legally liable and responsible for all of the duties and obligations of this Agreement not previously assigned with City approval, in addition to all other rights and remedies the City may have on account of such breach.

8.11 Approved Assignments. If City consents to the assignment, the Developer shall remain liable and responsible for all of the rights, obligations and duties of this Agreement until City receives from the Assignee an executed written assumption agreement in form and content reasonably acceptable to the City Attorney. Upon receipt of an acceptable executed assumption agreement from the Assignee, the Developer shall be relieved of its rights, obligations and duties under this Agreement to the extent that such rights, obligations and duties have been specifically transferred to and accepted by the Assignee. As to those rights, obligations and duties not specifically accepted in writing by the Assignee, the Developer shall remain legally liable therefore to the City.

8.12 Notice of Sale of Property. The Developer shall give written notice to the City, within ten (10) calendar-days after close of escrow, of any sale or transfer of any portion of the Property that is not a Sale to an End User (as defined in Section 8.13), by specifying the name or names of the Purchaser, the Purchaser's mailing address, the amount and location of the land sold or transferred, and the name and address of a single person or entity to whom any notice relating to this Agreement shall be given.

8.13 Termination of Agreement with respect to Individual Lots or Parcels Sold. The provisions of this Section shall not apply to a sale, or lease for a period longer than one year, of individual parcels or lots which have been individually sold or leased to an ultimate end user in accordance with a recorded final tract map (including the sale to a member of the home-buying public or a transfer of title of any portion of the Property to the Project's Homeowners Association (collectively, "Sale to an End User"). Notwithstanding any other provision of this Agreement, this Agreement shall terminate with respect to any lot or parcel that is subject to a Sale to a End User without the execution or recordation of any further document upon satisfaction of the following conditions:

8.13.1 The lot or parcel has been finally subdivided and individually (not in "bulk") sold or leased for a period longer than one year to an ultimate end user; and

8.13.2 A certificate of occupancy or approval of final building inspection by the Building and Safety Division has been issued for a structure on the lot or parcel.

8.14 Material Breach. Failure on the part of the Developer to comply with any provision of this Section shall constitute a material breach of this Agreement. However, this provision is intended to reflect a specific intent with regard to provisions that might

otherwise be later interpreted not to be material and to clarify that they are material inducements to the City entering into this Development Agreement. It shall not be construed to limit what otherwise would be deemed a material breach of this agreement.

SECTION 9: DELAYS IN PERFORMANCE

9.1 Permitted Delays. In addition to any other provisions of this Agreement with respect to delay, the Developer and City shall be excused for performance of their obligations hereunder during any period of delay actually caused by natural disaster, acts of war, civil unrest, riots, strikes, picketing, or other labor disputes, shortage of materials or supplies, or damage to or prevention of work in process by reason of fire, floods, earthquake, or other casualties, litigation, acts or neglect of the other party, or restrictions imposed or mandated by governmental entities. Likewise, any delay caused by court action or proceeding brought by any third party to challenge this Agreement, or any other permit or approval required from City or any other governmental entity for development or construction of all or any portion of the Project, whether or not the Developer is a party to or real party in interest in such action or proceeding, shall constitute a Permitted Delay under this Section.

9.2 Effect of Permitted Delays. If written notice of such delay is given to either Party within thirty (30) days of the commencement of such delay, an extension of time for performance of affected obligations for such cause shall be granted in writing for the period of the enforced delay. However, any such delay shall not be deemed to extend the Term of this Agreement or any extension thereof beyond the expiration date of this Agreement.

SECTION 10: DEFAULT

10.1 Enforcement. Unless amended or canceled as herein provided, this Agreement is enforceable by any Party to it notwithstanding a change in the applicable General or Specific Plan or amendments thereto, zoning, subdivision, building regulations or other Land Use Regulations adopted by the City which otherwise would alter or amend the rules, regulations, or policies governing permitted uses of the Property, density, design, improvement, and construction standards and specifications applicable to the Project Approvals.

10.2 Event of Default. Subject to any extensions of time by mutual consent in writing, and subject to the provisions of the Section regarding Permitted Delays, the failure or unreasonable delay by either Party to perform any material term or provision of this Agreement for a period of thirty (30) calendar days after the dispatch of a written notice of default from the other Party shall constitute a default under this Agreement. If the nature of the alleged default is such that it cannot reasonably be cured within such thirty (30) calendar day period, the commencement of the cure within such time period and the diligent prosecution to completion of the cure shall be deemed a cure within such period.

10.3 Material Breach Existing at Time of Assignment or Transfer. Any material breach of the provisions of this Agreement by the Developer existing at the time of a proposed assignment shall be grounds for the City to not to approve such assignment. All obligations under this Agreement shall remain the obligations of the Developer unless and until such assignment is approved by the City according to the provisions of this Agreement, and the Assignee expressly accepts such obligation in form and content reasonably acceptable to the City Attorney.

10.4 Notice of Default. The Party claiming default shall provide written notice to the other Party specifying the Event of Default and the steps the other Party must take to cure the default in accordance with the terms and conditions of this Agreement.

10.5 Cure Period. During the time periods herein specified for cure of an Event of Default, the Party charged therewith shall not be considered to be in default for purposes of termination of this Agreement, institution of legal proceedings with respect thereto, or issuance of any building permit with respect to the Project.

10.6 General Default Remedies. After notice and expiration of the thirty (30) calendar day period without cure, the non-defaulting Party shall have such rights and remedies against the defaulting Party as it may have at law or in equity, including, but not limited to, the right to terminate this Agreement pursuant to Government Code Section 65868 or seek mandamus, specific performance, injunctive or declaratory relief.

10.7 Specific Default Remedies. In the Event of Default by the Developer, in addition to the General Default Remedies, City shall be entitled to retain fees, grants, dedications or improvements to public property which it may have received prior to the Developer's default without recourse.

10.8 Remedies Cumulative. Any rights or remedies available to non-defaulting Party under this Agreement and any other rights or remedies that such Party may have at law or in equity upon a default by the other Party under this Agreement shall be distinct, separate and cumulative rights and remedies available to such non-defaulting Party and none of such rights or remedies, whether or not exercised by the non-defaulting Party, shall be deemed to exclude any other rights or remedies available to the non-defaulting Party. The non-defaulting Party may, in its discretion, exercise any and all of its rights and remedies, at once or in succession, at such time or times as the non-defaulting Party considers appropriate.

10.9 Legal Action. Either Party may, in addition to any other rights or remedies, institute legal action to cure, correct or remedy a default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation hereof, or enforce by specific performance the obligations and rights of the Parties hereto.

10.10 No Monetary Damages Relief Against City. The parties acknowledge that City would not have entered into this Agreement had it been exposed to monetary damage claims from the Developer for any breach thereof. As such, the parties agree that in no event shall the Developer be entitled to recover monetary damages against City for breach of this Agreement but shall only be entitled to specific performance as determined by the court, and any fees and cost pursuant to Section 10.14 below.

10.11 Developer Default. The City shall have no obligation to issue any grading, building or other development permit nor accept any permit application for any activity on the Property after the Developer is determined by City to be in default of the provisions and conditions of this Agreement, and until such default thereafter is cured by the Developer or is waived by City. Provided that the delegation or transfer of obligations under this Agreement has been approved by the City, the default of the Developer or an approved Assignee of such obligations shall not be a default by the other parties having separate obligations under this Agreement. In such event, the City shall not be entitled to terminate or modify this Agreement with respect to the non-defaulting Party or the portions of the Property owned by the non-defaulting Party. Nothing in this provision shall limit the City's ability to enforce any condition of approval or other obligation of any of the Project Approvals, public improvement agreements, or bonds for the Project or any part thereof, including withholding of permits for any part of the Project for which any such obligations remain unfulfilled regardless of the party holding the obligation.

10.12 Waiver. All waivers must be in writing, signed by the waiving party, to be effective or binding upon the waiving Party, and no waiver shall be implied from any omission by a Party to take any action with respect to such Event of Default. Failure by a Party to insist upon the strict performance of any of the provisions of this Agreement by the other Party shall not constitute waiver of such Party's right to demand strict compliance by such other Party in the future.

10.13 Scope of Waiver. No express written waiver of any Event of Default shall affect any other Event of Default, or cover any other period of time than that specified in such express waiver.

10.14 Attorney's Fees. Should legal action be brought by either Party for breach of this Agreement or to enforce any provision herein, the prevailing party shall be entitled to reasonable attorneys fees (including attorneys' fees for in-house City Attorney services), court costs and such other costs as may be fixed by the court. Reasonable attorneys' fees of the City Attorney's Office or other in-house counsel shall be based on comparable fees of private attorneys practicing in Riverside County.

SECTION 11: TERMINATION

11.1 Effect of Termination. Upon termination of this Agreement, the rights, duties and obligations of the Parties hereunder shall, subject to the following provision, cease as of the date of such termination.

11.2 Termination by City. If City terminates this Agreement because of the Developer's default, then City shall retain any and all benefits, including money or land received by City hereunder.

SECTION 12: RELATIONSHIP OF PARTIES

12.1 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project Site is a separately undertaken private development.

12.2 Independent Contractors. The parties agree that the Project is a private development and that neither party is acting as the agent of the other in any respect hereunder.

12.3 No Joint Venture or Partnership. The City and the Developer hereby renounce the existence of any form of joint venture or partnership between them, and agree that nothing contained herein or in any document executed in connection herewith shall be construed as making the City and the Developer joint ventures or partners.

12.4 No Third Party Beneficiaries. The only Parties to this Agreement are the Developer and the City. There are no third party beneficiaries and this Agreement is not intended, and shall not be construed, to benefit, or be enforceable by any other person whatsoever except for City approved Assignee Developers of all or a portion of this Agreement. However, this Agreement shall be enforceable by the City on behalf of any of its affiliated agencies, including, without limitation, its Community Redevelopment Agency, Community Services District and Community Facilities Districts.

12.5 Ambiguities or Uncertainties. The parties hereto have mutually negotiated the terms and conditions of this Agreement and this has resulted in a product of the joint drafting efforts of both Parties. Neither Party is solely or independently responsible for the preparation or form of this Agreement. Therefore, any ambiguities or uncertainties are not to be construed against or in favor of either Party.

SECTION 13: AMENDMENT OF AGREEMENT

13.1 Amendment or Cancellation of Agreement. This Agreement may be amended or modified in whole or in part only by written consent of all Parties in the manner provided for in Government Code Section 65868.

13.2 Clarification. The Parties acknowledge that refinement and further development of the Project may require Subsequent Development Approvals and may demonstrate that changes are appropriate and mutually desirable in the Existing Project Approvals. In the event the Developer finds that a change in the Existing Project Approvals is necessary or appropriate, the Developer shall apply for a Subsequent Development Approval to effectuate such change and City shall process and act on such application in accordance with the Existing Land Use Regulations, except as otherwise provided by this Agreement including the Reservations of Authority. Unless otherwise required by law, as determined in City's reasonable discretion, a change to the Existing Project Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

13.2.1 Alter the permitted uses of the Property as a whole; or

13.2.2 Increase the density or intensity of use of Property as a whole; or

13.2.3 Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or

13.2.4 Constitute a project requiring a subsequent or supplemental environmental impact report pursuant to Section 21166 of the Public Resources Code.

13.3 Implementation Agreement. The foregoing notwithstanding, the Parties acknowledge that implementation of this Agreement will require close cooperation between them, and that, in the course of such implementation, it may be necessary to supplement this Agreement to address details of the Parties' performance and to otherwise effectuate the purposes of this Agreement and the intent of the Parties with respect thereto. If and when, from time to time, the Parties find it necessary or appropriate to clarify the application or implementation of this Agreement without amending any of its material terms, the Parties may do so by means of an implementing agreement which, after execution, shall be attached hereto as an addendum and become a part hereof. Any such implementing agreement may be executed by the City Manager on behalf of the City.

SECTION 14: PERIODIC REVIEW OF COMPLIANCE WITH AGREEMENT

14.1 Annual Review. This Agreement shall be subject to annual review, pursuant to California Government Code Section 65865.1. Within thirty (30) days following each anniversary of the date of recording of this Agreement, the Developer shall submit to the Planning Official of the City written documentation demonstrating

good-faith compliance with the terms of this Agreement ("Annual Report"). Inaction by the City on any such annual review shall not constitute a waiver on the part of the City to take any action or enforce any rights under this Agreement and shall not be a defense to the Developer for failing to perform any of its obligations under this Agreement.

14.2 Contents of Report. The Annual Report and any supporting documents shall describe (i) any permits or other Project Approvals which have been issued or for which application has been made and (ii) any development or construction activity which has commenced or has been completed since the Effective Date hereof or since the preceding annual review. The City shall review all the information contained in such report in determining the Developer's good faith compliance with this Agreement.

14.3 Procedure. The following procedure shall be followed in conducting an Annual Review:

14.3.1 During either an annual review or a special review, the Developer shall be required to demonstrate good faith compliance with the terms of the Agreement. The burden of proof on this issue shall be on the Developer.

14.3.2 During either an annual review or special review, City shall not be prohibited from raising repeated non-compliance with the Project Approvals or this Agreement as evidence of a pattern of non-compliance.

14.3.3 Upon completion of an annual review, the City Manager shall submit a report to the City Council setting forth the evidence concerning good faith compliance by the Developer with the terms of this Agreement and his or her recommended finding on that issue.

14.3.4 If the City Council finds on the basis of substantial evidence that the Developer has complied in good faith with the terms and conditions of this Agreement, the review shall be concluded.

14.3.5 If the City Council makes a preliminary finding that the Developer has not complied in good faith with the terms and conditions of this Agreement, the City Council may terminate this Agreement as provided in this Section and Section 11. Notice of default as provided under Section 11 of this Agreement shall be given to the Developer prior to or concurrent with proceedings under this Section and/or Section 11. Should the City fail to issue a notice pursuant to Section 11 of this Agreement within sixty (60) days of the filing of an annual report by the Developer, the Developer may demand in writing a response from City. Should City fail to respond to the Developer's written demand within fifteen (15) days of such demand, the Developer shall be deemed to be in good faith compliance with the terms of this Agreement.

14.4 Proceedings Upon Termination. If, upon a finding under this Section, City determines to proceed with termination of this Agreement, City shall give written notice to the Developer of its intention so to do. The notice shall be given at least ten (10) calendar days prior to the scheduled hearing and shall contain:

14.4.1 The time and place of the hearing; and

14.4.2 A statement as to whether or not City proposes to terminate the Agreement; and

14.4.3 Such other information as is reasonably necessary to inform the Developer of the nature of the proceeding.

14.5 Hearing on Termination. At the time and place set for the hearing on termination, the Developer shall be given an opportunity to be heard. The Developer shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. If the City Council finds, based upon substantial evidence, that the Developer has not complied in good faith with the terms or conditions of this Agreement, the City Council may terminate this Agreement to protect the interests of the City. The decision of the City Council shall be final, subject only to judicial review pursuant to applicable provisions of the California Code of Civil Procedure.

14.6 Estoppel. If City determines that the Developer is in compliance with the terms and provisions of this Agreement in its annual review of a timely filed Annual Report, City shall not be entitled to revisit any such year as grounds for default under this Agreement. As to any year that the Developer does not timely file an Annual Report, City may request at any time, and the Developer shall provide such Annual Report within thirty (30) calendar days of such request. However, as to any year that the Developer fails to file a timely Annual Report, City shall not be estopped from asserting any events of non-compliance for any such year as grounds for default under this Agreement.

14.7 Waiver. The City does not waive any claim of defect in performance by the Developer if, at the time of an annual review, the City does not propose immediately to exercise its remedies hereunder.

SECTION 15: NOTICE

15.1 Form of Notice. All notices between the City and either the Developer or any Assignee, given pursuant to the provisions of this Agreement, shall be in writing and shall be given by personal delivery or certified mail. Notice by personal delivery shall be deemed effective upon the delivery of such notice to the Party for whom it is intended at the address set forth below (or, in the case of an Assignee, at the address specified by such Assignee in a written notice to the City). Notice by mail shall be deemed effective

two (2) business days after depositing such notice, addressed as set forth below, properly sealed, postage prepaid, certified, return receipt requested, with the United States Postal Service, regardless of when the notice is actually received. The addresses to be used for purposes of Notice shall be:

To City: City of Moreno Valley
Attn: City Manager & Community Development Director
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552
Facsimile: (951) 413-3210 and (951) 413-3469

With a copy to: City Attorney
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552
Facsimile: (951) 413-3034

To Developer: Beazer Homes Holdings Corp.
1800 E. Imperial Highway, Suite 200
Brea, CA 92821
Facsimile: (866) 823-7480
Attn: Bryan Bergeron

15.2 Change of Address. Any Party (and any Assignee) may change the address to which notices are to be sent (and/or the person to whose attention notices are to be directed) at any time by giving written notice of such change in the manner provided above.

SECTION 16: INDEMNITY

16.1 Indemnity. The Developer shall indemnify, defend and hold City, its officers, agents, affiliated agencies and employees and independent contractors (the "City Parties") free and harmless from any claims or liability based or asserted upon any act or omission of the Developer, its officers, agents, employees, subcontractors and independent contractors for property damage, bodily injury, or death (the Developer's employees included) or any other damage of any kind or nature, relating to or in any way connected with or arising from the activities of Developer in building the Development as contemplated in this Agreement. The Developer shall defend, at its expense, including payment of reasonable attorneys' fees, the City Parties in any legal action based upon such alleged acts or omissions, except to the extent such claims are the result of the gross negligence or willful misconduct by any of the City Parties. City may, in its discretion, participate in the defense of any such legal action, and may

choose its own legal counsel, the costs of which shall be subject to this indemnification by the Developer.

16.2 Defense of Agreement & Project Approvals. The Developer shall defend, indemnify and hold the City, its officers, agents, affiliated agencies and employees harmless from any claims or liability based upon or arising from the approval, adoption and/or implementation of this Agreement, the Project Approvals, and/or any other approval, permit or other action undertaken by the City in approving or carrying out any part of the Project, including without limitation, actions based on the California Environmental Quality Act or other state statute or any provision of the California or United States Constitution.

16.3 Environmental Indemnity. The Developer shall defend, indemnify and hold the City Parties free and harmless from any claims or liability based upon or arising from the presence of any Hazardous Substance on any of the Property located in the Project, except to the extent such claims or liability are the result of acts or omissions by the City Parties. As used herein, "Hazardous Substance" shall mean any "hazardous substances," "toxic substance," "hazardous waste," or "hazardous material" as defined in one or more Environmental Laws, whether now in existence or hereinafter enacted; provided, however, that "Hazardous Substance" shall (i) include petroleum and petroleum products (other than naturally occurring crude oil and gas) and (ii) include radioactive substances which are not naturally occurring, and (iii) include any friable or non-friable asbestos or asbestos-containing material contained in or affixed to a structure existing on the Property or otherwise located in, on or about the Property as of the date of this Agreement. As used herein, "Environmental Laws" shall mean any and all federal, state, municipal and local laws, statutes, ordinances, rules, and regulations which are in effect as of the date of this Agreement, or any and all federal, or state laws, statutes, rules and regulations which may hereafter be enacted and which apply to the Property or any part thereof, pertaining to the use, generation, storage, disposal, release, treatment or removal of any Hazardous Substances, including without limitation, the Comprehensive Environmental Response Compensation Liability Act of 1980, 42 U.S.C. Sections 9601, et seq., the Resource Conservation and Recovery Act of 1976, 42 U.S.C. Sections 6901, et seq., ("RCRA"), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., the Clean Water Act, 33 U.S.C. Section 1251, et seq., and California Health and Safety Code Section 25100, et seq. Notwithstanding anything herein to the contrary, the Developer shall have no obligation to indemnify the City as herein provided with respect to any Hazardous Substances which are proven by the Developer to have been first brought onto the Property subsequent to sale by the Developer of the Property, or the affected portions thereof.

SECTION 17: MORTGAGEE PROTECTIONS

17.1 Right to Encumber. The Parties agree that nothing in this Agreement shall prevent or limit the Developer or Assignee Developer, in its sole discretion, from encumbering the Property, or any portion thereof, including without limitation any private improvements thereon, by any mortgage or other security device to a Mortgagee as

defined in Section 1.20 of this Agreement. The City acknowledges that the Mortgagee providing such financing may request certain modifications to this Agreement and the City agrees, upon request from time to time, to meet with the Developer, Assignee Developer, and/or such representatives of a Mortgagee to negotiate in good faith regarding such request for modification.

17.2 Mortgage Protection. This Agreement shall be superior and senior to any lien placed upon the Property, or any portion thereof, including the lien of any mortgagee. Notwithstanding the foregoing, no breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any Mortgagee made in good faith and for value and any acquisition or acceptance of title or any right or interest in or with respect to the Property, or any portion thereof, by a Mortgagee shall be subject to all of the terms and conditions contained in this Agreement.

17.3 Mortgagee Not Obligated. No Mortgagee of the Developer or Assignee Developer shall in any way be obligated by any provisions of this Agreement, nor shall any covenant or any other provision of this Agreement be construed or interpreted to obligate such Mortgagee. However, any provision or covenant of this Agreement to be performed by the Developer or Assignee Developer as a condition precedent to the performance of a provision or covenant of this Agreement by the City shall continue to be a condition precedent to City's performance under this Agreement.

17.4 Notice of Default to Mortgagee. If City receives written notice from a Mortgagee of the Developer or Assignee Developer requesting a copy of any notice of default given to the Developer or Assignee Developer under this Agreement and specifying the address for service thereof, then City shall deliver to such Mortgagee, concurrently with service thereon to the Developer or Assignee Developer, any notice given to the Developer or Assignee Developer with respect to any claim by City that the Developer or Assignee Developer has not complied in good faith with the terms of this Agreement or has committed an event of default. City shall only be obligated to serve such notice on any Mortgagee actually giving notice as provided for herein, and only at the address actually given by the Mortgagee in said notice. Mortgagees shall be required to provide City with a notice of change of address in the same manner as the original request for service of notice.

17.5 Mortgagee Rights and Obligations. Notwithstanding any default by the Developer or Assignee Developer, this Agreement shall not be terminated and any Mortgagee to whom notice has been given may assume all of the rights, benefits and obligations of the Developer or Assignee Developer in this Agreement as to the Property, or portion thereof, upon which the Mortgagee has a security interest if:

17.5.1 The Mortgagee notifies the City in writing within sixty (60) calendar days of the date the City gives notice of default to the Mortgagee of its intent to cure the default;

17.5.2 The Mortgagee thereafter commences to effectuate a cure of the default relative to the proportionate share of the Developer's or Assignee Developer's

obligation this Agreement allocable to that part of the Property in which the Mortgagee has an interest and diligently pursues completion of the cure within sixty (60) calendar days if the Mortgagee elects to cure without acquiring and obtaining possession of the Property, or any portion thereof; and

17.5.3 If the cure requires the Mortgagee to obtain title or possession of the Property, or any portion thereof, the Mortgagee shall:

17.5.3.1 Notify the City in writing within sixty (60) calendar days of the date the City gives notice of default to the Mortgagee of its intent to cure the default relative to the proportionate share of the Developer's or Assignee Developer's obligation under this Agreement allocable to that part of the Property in which the Mortgagee has an interest;

17.5.3.2 Commence foreclosure proceedings within sixty (60) calendar days of the date of the Mortgagee's written notice to City of intent to cure;

17.5.3.3 Diligently pursue foreclosure proceedings to conclusion and obtain title and/or possession of the Property, or portion thereof, on which the cure is to be effectuated; and

17.5.3.4 Diligently pursue to effectuate and complete a cure in a timely manner.

17.5.4 Subject to the foregoing and there being no notice of default given by the City, any Mortgagee of the Developer or Assignee Developer who records a notice of default as to its mortgage or other security instrument, City shall consent to the assignment of all of the Developer's or Assignee Developer's rights, benefits, covenants and obligations under this Agreement to said Mortgagee. As to any purchaser of the Property, or any portion thereof, at a foreclosure or trustee sale, and there being no default of the Developer or Assignee Developer under this Agreement, City shall consent to the assignment of all of the Developer's or Assignee Developer's rights, benefits, covenants and obligations under this Agreement to said purchaser. If there is any event of default of this Agreement as to the Property, or portion thereof, acquired by the purchaser at a foreclosure or trustee sale, the purchaser shall be required to cure the event of default according to the provisions of this Section prior to the City consenting to such assignment. The Developer shall remain liable, however, for any obligations under the Amended Agreement unless the Developer is released by City or the applicable portion of the Property is transferred with the consent of the City in accordance with Section 8 of this Agreement, provided that such Mortgagee or other purchaser assumes the Developer's obligations under this Agreement.

17.5.5 If the Mortgagee or foreclosure-sale purchaser complies with the provisions of this Section, the City shall approve an Assignment of this Agreement to the Mortgagee or foreclosure-sale purchaser as it affects the Property, or portion thereof, upon which the Mortgagee or foreclosure-sale purchaser has obtained title and/or possession if the Mortgagee so requests.

17.5.6 Notwithstanding the foregoing, as to the Property or portion thereof to which the Mortgagee has acquired title, if the Mortgagee elects to develop the Property, or any portion thereof, in accordance with the Project Approvals, the Mortgagee shall be required to assume and perform the obligations and other affirmative covenants of the Developer or Assignee Developer under this Agreement.

17.6 Developer Remains Liable. Unless expressly released by the City in writing, the Developer or Assignee Developer shall remain legally and contractually liable to the City for all of the Developer's or Assignee Developer's, respectively, covenants and obligations under this Agreement as to the Property, or portion thereof, that is acquired by a Mortgagee or subsequent approved purchaser at a foreclosure or trustee sale. Upon an approved Assignment of this Agreement to a Mortgagee or subsequent purchaser at a foreclosure or trustee sale, City shall release in writing the Developer or Assignee Developer from its covenants and obligations under this Agreement that are expressly assigned to or assumed by the Mortgagee or subsequent approved purchaser at a foreclosure or trustee sale as to the Property, or portion thereof, that is acquired.

17.7 Bankruptcy. Notwithstanding the foregoing provisions of this Section 18, if any Mortgagee of the Developer or Assignee Developer is prohibited from commencing or prosecuting foreclosure or other appropriate proceedings in the nature thereof by any process or injunction issued by any court or by reason of any action by any court having jurisdiction of any bankruptcy or insolvency proceeding involving the Developer or Assignee Developer, the times specified in Section 18.5 for commencing or prosecuting foreclosure or other proceedings shall be extended for the period of the prohibition, provided that such Mortgagee is proceeding expeditiously to terminate such prohibition and in no event for a period longer than one (1) year.

17.8 No Automatic Assignment to Mortgagee. Notwithstanding the foregoing provisions of this Section 18, no Mortgagee of the Developer or Assignee Developer shall become a party to this Agreement, or obtain any rights, privileges or obligations of this Agreement, except as provided for in this Section 18.

17.9 Assignment to Mortgagee. A Mortgagee or foreclosure-sale purchaser of the Developer or Assignee Developer who complies with the requirements of Section 17.5 shall be approved as an assignee of all the rights, benefits and obligations of this Agreement as it pertains to the Property, or portion thereof, that the Mortgagee or foreclosure-sale purchaser acquires.

17.10 Amendment. There shall be no amendment to or modification of this Agreement except as provided for in Section 13 of this Agreement governing amendments.

SECTION 18: INTERPRETATION AND ENFORCEMENT OF AGREEMENT

18.1 Complete Agreement. This Agreement represents the complete understanding between the Parties, and supersedes all prior agreements, discussions and negotiations relating to the subject matter hereof. No amendment, modification or cancellation of this Agreement shall be valid unless in writing and executed by the Parties.

18.2 Severability. If any terms, provisions, covenants or conditions of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provisions for development of the Property as set forth in this Agreement, including without limitation the payment of the fees and provision of improvements set forth therein, are essential elements of this Agreement and City and the Developer would not have entered into this Agreement but for such provisions and if determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

18.3 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed by interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

18.4 Applicable Law. This Agreement shall be construed, interpreted and enforced in accordance with the laws of the State of California and any applicable laws of the United States of America.

18.5 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

18.6 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

18.7 Authority of Signatories. All the Parties represent and warrant that the persons signing this Agreement on their behalves have full authority to bind the respective Parties.

18.8 Waiver and Delays. Failure by either Party to insist upon the strict performance of any of the provisions of this Agreement by the other Party, or failure by either Party to exercise its rights upon a default by the other Party, shall not constitute a waiver of any right to demand strict performance by such other Party in the future.

18.9 Third Party Actions. Nonperformance by either Party shall not be excused because of a failure of a third person, except as specifically provided herein.

18.10 Estoppel Certificates. Any Party may, at any time and from time to time, deliver written notice to another Party requesting certification in writing that, to the knowledge of the certifying Party: (i) this Agreement is in full force and effect and a binding obligation of the Parties; (ii) this Agreement has not been amended, or, if so amended, identifying the amendments; and (iii) the requesting Party is not in default in the performance of its obligations under this Agreement, or, if in default, describing the nature and extent of any such default. A Party receiving a request hereunder shall execute and return a certificate within thirty (30) days following the receipt thereof. The City Manager of the City shall have the authority to execute any such certificate requested by the Developer in form reasonably acceptable to the City Manager. The City acknowledges that a certificate hereunder may be relied upon by transferees and mortgagees.

18.11 Exhibits. All exhibits referred to in, and attached to, this Agreement are incorporated herein by such reference.

18.12 Adoption of Agreement. Adoption of this Agreement by the City shall be by ordinance.

18.13 Recording of Agreement. Within ten (10) days following the adoption by the City of the ordinance approving this Agreement, or any subsequent amendment hereof, the City Clerk shall submit for recordation a fully executed copy hereof with the County Recorder of Riverside County, State of California.

18.14 Further Assurances. The Parties each agree to do such other and further acts and things, and to execute and deliver such instruments and documents (not creating any obligations additional to those otherwise imposed by the Agreement) as either may reasonably request from time to time in furtherance of the purposes of this Agreement.

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IN WITNESS WHEREOF, the Parties have executed this Agreement, to be effective as of the date set forth in the first paragraph hereof.

"DEVELOPER"

Beazer Homes Holdings Corp.,
a Delaware corporation

By:_____

Name: _____

Its: _____

"CITY"

CITY OF MORENO VALLEY,
a municipal corporation

By: _____

_____, Mayor

ATTEST:

_____

City Clerk

APPROVED AS TO FORM:

_____

City Attorney

EXHIBIT "A"

PROPERTY LEGAL DESCRIPTION

EXHIBIT "B"

CURRENT FEES

Schedule Effective September 23, 2009

[attached]

Zoning Map

PA10-0038, 0039, 0029

Legend

- Selected Features
- Highways
- Townships
- Sections
- Parcels
- Roads
- Tracts
- Zoning
- Commercial
- Industrial/Business Park
- Large Lot Residential
- Multi-family
- Office
- Open Space/Park
- Planned Development
- Public Facilities
- Residential 2 Dwellings/Acre
- Residential Agriculture 2 Dwellings/Acre
- Suburban Residential
- Sphere of Influence
- Waterbodies
- City Boundaries
- Calimesa
- Moreno Valley
- Perris
- Riverside

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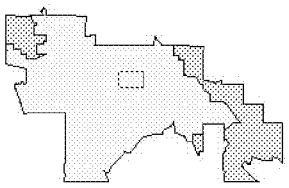

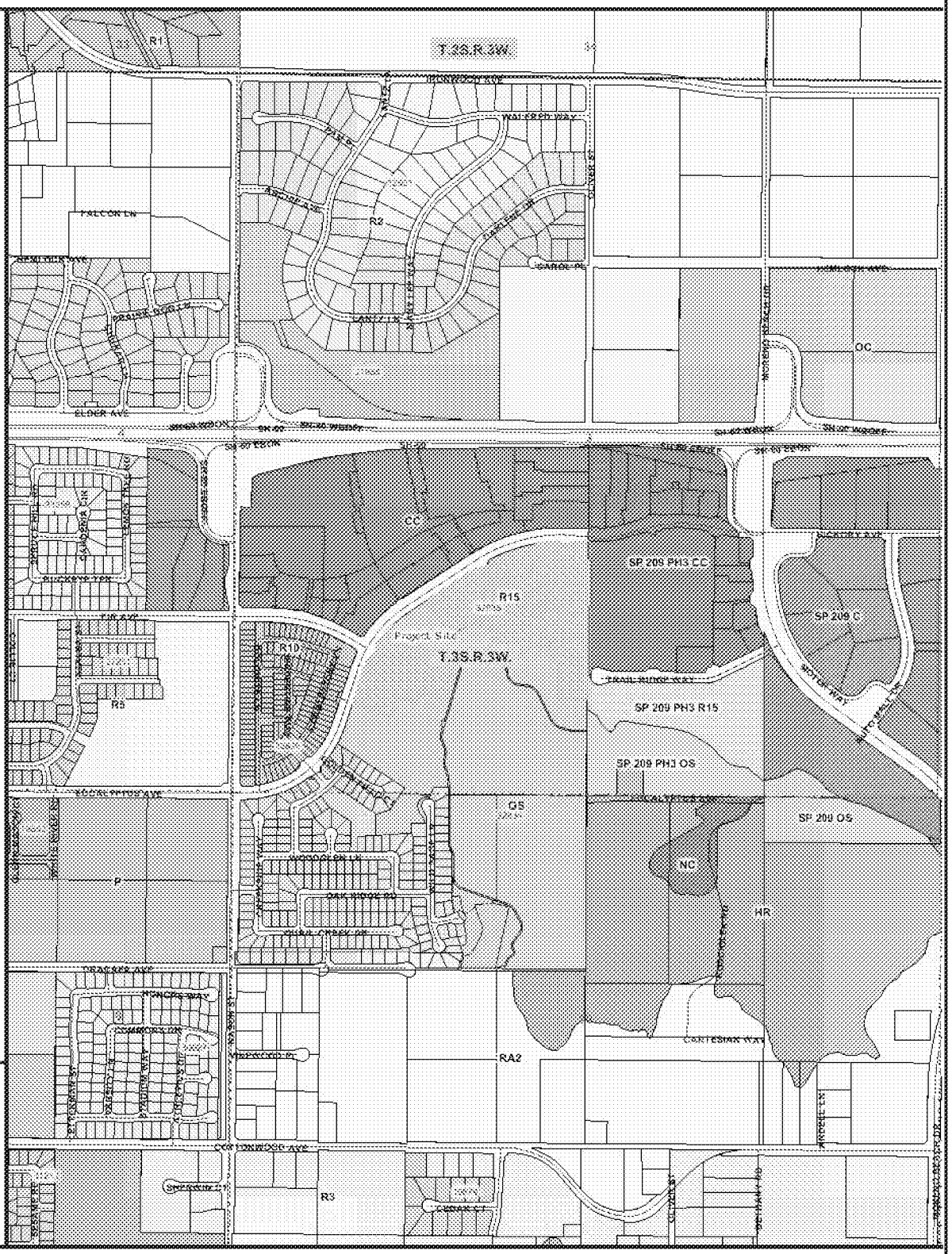

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 3

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MORENO VALLEY
WHERE DREAMS SOAR

Item No. E.1

MV00116983

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MV00116984

Aerial Map

PA10-0038, 0039, 0029

Legend

- Selected Features
- Highways
- Townships
- Sections
- Parcels
- Roads
- Tracts
- Sphere of Influence
- Waterbodies
- City Boundaries
- Calimesa
- Moreno Valley
- Perris
- Riverside

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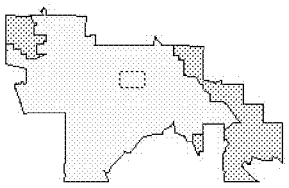

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ATTACHMENT 4

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MORENO VALLEY
WHERE DREAMS SOAR

Item No. E.1

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MV00116986

PLANNING COMMISSION
STAFF REPORT

Case:	PA10-0038 (Tentative Tract Map No. 36340), PA10-0039 (Conditional Use Permit) and PA10-0029 (Development Agreement).
Date:	February 24, 2011
Applicant:	Beazer Homes
Representative:	MDS Consulting
Location:	Southeast corner of Fir Avenue and Eucalyptus Avenue.
Proposal:	A Tentative Tract Map No. 36340 (PA10-0038) and Conditional Use Permit (PA10-0039) for a 275 small lot single-family residential detached Planned Unit Development (PUD) to include a community recreation building, private open space, drainage and various community open space lots on a 29.27 acre portion of land in the R15 (Residential 15) and OS (Open Space) land use districts. A development agreement (PA10-0029) is included with the project.
Redevelopment Area:	Yes
Recommendation:	Approval

SUMMARY

The applicant, Beazer Homes is requesting the approval of Tentative Tract Map No. 36340 for a 275 lot single-family residential detached subdivision on 29 acre site to include a community recreation facility with pool. The applicant is also requesting a Conditional Use Permit (CUP) for the approval of a Planned Unit Development (PUD) to include small residential lots with common open space lots for recreational opportunities within the R15 (Residential 15) land use district and the protection of existing rock outcroppings, private open space and a drainage basin within the OS (Open Space) land use district. The project will include a proposed development agreement and is consistent with surrounding land use density requirements.

BACKGROUND

A map (Tentative Tract Map No 32825) was originally approved at the same location under PA04-0146 in 2005, with a final condominium map recorded in 2006. This included approval of 276 condominium units and various open space, recreation and drainage lots on virtually the same amount of acreage. The site was graded and the construction of a condominium model home complex was commenced. Said model was demolished by Beazer in 2010. The applicant is requesting to revise the 276 unit condominium project approved in 2005 with a 275 unit single-family detached small lot community.

PROJECT DESCRIPTION

Project

The project consists of three discretionary components. The first component includes a tentative tract map (PA10-0038) with small lot single-family residential subdivision of approximately 29 acres of land. The second component is a proposed Conditional Use Permit or Planned Unit Development (PA09-0039) that provides standards for the small lot single family subdivision and also protects natural rock outcroppings and provides common open space and private/common recreational opportunities. The third component is a Development Agreement providing reductions in certain development impact fees in exchange for construction of the project in accordance with the current proposal.

The following summarizes the three (3) discretionary components for the project:

Tentative Tract Map

Tentative Tract Map No. 36340 is the mechanism to legally subdivide the project site into individual lots. The 29 acre site is broken up into two land use districts, Open Space (OS) and Residential-15 (R15). The following further summarizes the project from a zoning and land use perspective:

A. Open Space (OS)

Approximately four (4) acres of the site lies in the OS land use district, located primarily within the center of the tract. The OS land use district is limited to environmentally sensitive land uses and does not permit any housing development. A small rock outcropping is embedded between the two residential portions of the tract, and will remain intact as private open space labeled as "Nature Park" on the map. An existing multi-use trail and drainage basin with a point of access is located within the southern portion of the OS zone. In all cases, the proposed residential development portion of the tract map will occur at the base of the hill and would not encroach into the OS land use district or affect the steepest areas included on the map.

B. Residential 15 (R15)

Approximately 25 acres of the site lies within the R15 land use district. The site will [illegible] individual lots with detached single-family homes, common open space [illegible] private access roads. The [illegible]non open space includes a recreation

building and pool area. A total of 275 developable lots are proposed in this portion of the plan. The 275 lots/units include a density of approximately eleven (11) units per acre within the R15 land use district portion of the development.

The minimum lot size under the R15 land use district for multiple-family residential development is one acre. There are no specific minimum lot sizes imposed for single-family residential uses, which are allowed in multiple-family districts. Although individual lots within the tract will be small and range from 1,846 square feet to 3,181 square feet, the extension of open space surrounding the lots will provide additional space for recreational purposes and act as an extension of open space areas included on individual lots. Flexibility in lot size and design is allowed through a planned unit development as long as the density does not exceed the maximum for the district (fifteen units per acre in this case).

Planned Unit Development

To pursue the varied single-family residential design of the proposed small lot development, the applicant is proposing a conditional use permit (CUP) for a Planned Unit Development (PUD). The PUD section of the Municipal Code (Section 9.03.060) requires specific goals or design accomplishments of the project, while the proposed development adheres to the following finding:

- **Greater innovation in housing development and diversity of housing choices than would otherwise be possible according to the strict application of the site development regulations contained in this title.**

In the case of PA10-0038 (Tentative Tract Map 36340) and PA10-0039 (Conditional Use Permit), the proposed project meets the criteria established above, as it will include a mix of home sites, which includes a small single-family row concept at the density and with the amenities of a multiple family development. The concept will include two story homes between 1,377 to 1981 square feet, while adding many recreational opportunities as well as protecting the highest hillside/rock outcropping areas and other natural resources in the general vicinity. The dense residential development project will allow for a walkable community and pedestrian access to existing regional shopping centers to the east and north of the subject site. Pedestrian access will be provided at all three (3) driveways to Eucalyptus Avenue and will allow residents to enjoy surrounding retail amenities while at the same time limiting some automobile trips and vehicle miles traveled. The applicant is providing on-site recreation facilities such as private/common open space, a community center, a pool and tot lots. The proposed project will offer residential opportunities of owning a home on a small lot for the first time home buyer and/or senior.

The following are certain allowances for those developments approved under a planned unit development concept, or Section 9.03.060 of the Municipal Code, and a synopsis of how the proposed development concurs within the established language:

- **Permitted Uses and Density. Only those uses permitted within the applicable zoning district shall be allowed within any planned unit development. The average density of any planned unit development shall not exceed the number of dwelling units per acre allowed under the applicable zoning district regulations**.

First of all, the project will include detached single-family residential homes, a permitted use in an R15 land use district. Secondly, the proposed project will meet housing needs provided within the City's Housing Element of the General Plan by expanding the range of housing options in the community. Moreover, the project design and proposed density at 11 units per acre will not exceed the number of dwelling units per acre allowed under the R15 land use district. Due to the project including over 4 acres within the Open Space (OS) land use district, the protection of a natural rock outcropping and addition of a required drainage area, and with the addition of common open space areas designated for play grounds, recreation and a pool site, the applicant was unable to meet the minimum 12 units per acre of density currently required by the Municipal Code for the R15 land use district. Since the density remains consistent from what was approved with the original residential project in 2005, staff recommends approving the proposed eleven (11) units per acre density for land within the R15 land use district. No significant loss of density would be created by approval of the current proposal.

- **Deviations from Site Development Standards. Planned unit developments may deviate from the site development standards set forth in the applicable zoning district regarding lot area, lot dimensions, lot coverage, setbacks and building height. Any such deviation(s) shall be to the minimum degree necessary to achieve one or more of the purposes listed in the section**.

Deviations from the Municipal Code with the proposed project include lot area, lot dimensions, maximum floor area ratio, lot coverage and all setbacks. A Development Standards chart highlighting revised development standards/deviations has been included under the Planned Unit Development/ Conditional Use Permit (Attachment No. 3). Staff believes that proposed deviations for the project site are justified since the tract does not exceed the maximum density standards allowed under the underlying land use districts, provides community recreation opportunities and meets criteria established under Section 9.03.060 (Planned Unit Developments) of the Municipal Code.

Other Design Considerations

The design guideline of providing a minimum of five (5) feet of variation of residential units from their front and side yard setbacks along streetscapes would not be met for most units contained within the proposed small lot residential tract. In addition, street trees would not be able to be placed in all internal planter areas adjacent to the streetscape due to the size of the lot and limited front yard area. In order to break up the massing or housing product along streetscapes, corner housing units provide enhanced elevation details and embellishments. In addition, a variation of landscape materials, including larger shrub materials, will compensate for the lack of street trees [illegible] te streets and allow continual break-up of the project massing. In addition, [illegible] will be clustered in strategic [illegible]ons such as on corner lots, adjacent to

guest parking stalls and within visual common areas to further break up product massing and provide an attractive environment.

Site line distance along Eucalyptus Avenue has been determined to be based on a 50 miles per hour design, as specified by the City Traffic Engineer. Although the condition included by the Transportation Engineering Division to review street site line distance was required to be completed prior to map recordation, the site line study was conducted by the applicant prior to entitlement. In most instances, trees and some walls may need to be modified, however Lots 120 and 129 would also most likely be affected with lots required to be adjusted to the south or possibly eliminated to provide appropriate distance from the sight line. A condition of approval has been added to address any modifications prior to the final map.

As part of the conditional use permit application for a PUD, the applicant has provided conceptual elevation design plans of the single-family homes and recreation building proposed for the tract. Based on the number of lots and homes being proposed, a minimum of eleven (11) footprints and four (4) elevations is required per the Municipal Code Design Guidelines. Overall, the project meets or exceeds the minimum requirements for footprints and elevations. The Planning Commission has the opportunity to conceptually review and approve the proposed architectural renderings for the tract. Color elevations of the model homes are included within Exhibit 4 of this report and will be available at the Planning Commission meeting in larger context. If approved, the applicant will also be required to submit an administrative model home complex application that will include final architectural model plans.

Development Agreement

The applicant has proposed a development agreement (PA10-0029) with the small lot residential project. The term of this agreement shall commence twelve (12) months from the effective date of the final ordinance approving the development agreement or the date of the issuance of the first building permit, whichever occurs first, and shall extend for a period of four (4) years thereafter unless said agreement is earlier terminated or amended.

As part of the proposed development agreement, the Developer agrees to build all required improvements in accordance with project approvals, including, but not limited to recreational facilities to include a recreation building, pool, play areas, seating areas, trails, and greenbelts. The Developer will also construct a high quality entry statement reasonably acceptable to City, perimeter walls and landscaping, all remaining public street improvements, including the ultimate design traffic signal at Fir and Eucalyptus Avenues, and all regional trail system improvements. In addition, the developer will incorporate energy efficient features into the development which may include LED or similar energy efficient lighting in common areas, including exterior lighting on the front of housing units; solar water heating for the recreation building and pool; as well as providing energy efficiency for all housing units which will be at least ten (10%) beyond the requirement of the current building code requirements.

With the proposed development agreement, the Developer will get a reduction in Development Impact Fees (DIF). In the first two years after the commencement of the term of the agreement, the DIF shall be r[illegible]d by 50% from the Current Fe[illegible]

third year after the effective date, the DIF shall be reduced by 40% from the current fees, while in the fourth year the DIF shall be reduced by 30% from the current fees. The applicant has identified the DIF reductions as necessary for the financial feasibility of proceeding with the project at this time. The applicant has previously provided substantial public improvements in the vicinity of the project including improvements necessary to facilitate the development of the adjacent Stoneridge Towne Centre. Development of the project at this time will support the continued vitality and growth of that shopping center as well as the also adjacent Moreno Beach Plaza.

Site/Surrounding Area

The site consists of vacant parcels that were previously graded. Model homes for the previous condominium project were constructed on site, and have since been demolished due to the change in residential product.

In addition, the site was previously graded but did contain some weedy vegetation upon inspection. A rock outcropping and hilly terrain was included within the OS land use portions of the tract. Based on a staff site inspection of the site, there was no concentrated vegetation evident and no natural drainage area bisecting the site.

Many opportunities for recreation will be included within the tract and on the periphery of the development. Various lettered lots within the proposed tract will include common open space areas that are proposed to contain open turf play areas, tot lots, shade structures and picnic/BBQ areas. Improvements and easements for a multi-use trail will be included along the southern portion of the tract. In addition, a community center with pool is proposed for the interior of the tract.

Surrounded land uses include primarily residential and commercial development. Specifically, land uses include vacant land and single-family residential uses to the west, open space land immediately to the south with an apartment complex to the southeast, and regional commercial shopping centers to the north and east.

Access/Parking

Three (3) points of access have been provided for the tract from Eucalyptus Avenue. All proposed interior streets, drive aisles and courtyard areas would be gated off from general outside public access and will be maintained by a homeowners association. Pedestrian access will also be provided by gates to Eucalyptus Avenue.

Parking requirements for the project includes 2.5 spaces per unit or lot. The housing product will contain required minimum enclosed 20x20 two (2) car garages. A condition of approval has been added to require an adjustment of all 20x20 dimensioned garages to exclude any appurtenant structures such as water heaters and washer/dryers. Although street parking will be prohibited on internal roadways, an additional 138 guest parking stalls will be scattered throughout the site, providing the remaining 0.5 space per unit parking requirement.

Design/Landscaping

As development in the tract will only occur within the R15 portion, the site meets [illegible]nt standards as allowed [illegible]r Section 9.03.060 (Planned Unit

Developments) of the Municipal Code. For example, all walls and fences are conditioned to be consistent with the provisions for community walls and fences within the Municipal Code. The plans include a mixture of six (6) foot high solid decorative block wall with pilasters and a cap and open decorative wrought iron/tubular steel fence with pilasters along exterior and interior street frontages. A decorative wall with a cap and pilasters would be required to be extended along the eastern perimeter adjacent to the regional shopping center. Open fencing would be established for most areas adjacent to designated common open space areas. Internal fencing between units will include a poly-vinyl fencing material.

A minimum 10-foot wide on-site landscape area in addition to the right of way landscape is required to be installed along Eucalyptus Avenue. All frontage landscape and common open space landscape in the tract will be maintained by a homeowners association.

Conceptual designs of the proposed housing product are included as part of the project. A condition of approval has been included that requests administrative review of the recreation building elevations if not provided for review as part of the Planning Commission public hearing.

A water quality basin, for water quality and flood control was originally established within the OS district and is currently constructed. Landscape, including trees, shrubs and groundcover, as well as irrigation shall be installed and maintained by the HOA for all sides and or slopes of the basins and bio-ponds. A hydroseed mix with an irrigation system is acceptable for the bottom of all bio-ponds. A decorative wrought iron or tubular steel fence, or other fence/wall approved by the Community & Economic Development Director, is required at the top of basin/pond slopes to provide full security.

REVIEW PROCESS

The proposed project has undergone some design changes since the submittal of the initial application on to the Planning Division on October 27, 2010. The Project Review Staff Committee (PRSC) first reviewed the project application on November 16, 2010 within a staff only meeting and December 1, 2010 with the applicant present. After various redesigns, corrections were provided by the applicant. The revised map, along with the submittal of the required PUD, constituted an addition meeting with PRSC staff on January 19, 2011. Various comments throughout the review process included enhancements to product type and product embellishments, review of deviations provided by the project under the PUD standards and placement of required street trees. The applicant has since addressed the initial concerns identified by the reviewing departments, or certain items have been provided through project conditions of approval.

ENVIRONMENTAL

A tentative tract map (PA04-0146 – Tentative Tract Map No. 32835) was originally approved for a 276 unit condominium complex and various open space components on April 4, 2005, while the site was previously graded. At that time, a Negative Declaration was adopted pursuant to California Environmental Quality Ac[illegible] guidelines.

Historically, the project site was part of the Stoneridge Specific Plan (SP No. 211). The plan included 236 acres located south of Highway 60 in the central portion of Moreno Valley and included a mixture of commercial, office and medical–related land uses. On November 16, 2004, SP 211 and the associated environmental document were repealed. Projects including a 205 unit single-family residential Planned Unit Development (PUD) and a 139 unit small lot single-family residential Planned Unit Development were then developed to the west of the subject site. In addition the Stoneridge Towne Centre and Moreno Beach Plaza retail centers were developed to the east and north of the subject site.

The original project included 276 residential condominium units housed in multi-story buildings within the R15 portion of the 29 acre site. The proposed project (PA10-0038/39 – Tentative Tract Map No. 36340) includes approximately 275 single-family residential lots on the same amount of acreage disturbed. Grading previously occurred shortly after project entitlements were approved in 2005. Approval of a drainage basin and private open space will remain with this project in the OS land use district portion. Based on the comparisons of the two projects, the proposed project is not considered more intensive than the original project approved in 2005.

Pursuant to Section 15164 of CEQA, an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15161 calling for the preparation of a subsequent EIR or negative declaration have occurred. No substantial changes have occurred from the original project which would require major revisions of the environmental document or prior negative declaration, and no new significant environmental effects have been identified with the proposed 275 unit single-family residential project on roughly 29 gross acres of land.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the Press Enterprise newspaper on February 11, 2011 (Attachment No.1).

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all potentially affected reviewing agencies.

Agency	Response Date	Comments
1. The Gas Company	December 28, 2010	No Comments
2. Riverside County Flood Control and Water Conservation	November 30, 2010	The project would require applicable fees to be paid. The District would consider accepting ownership of any proposed channels, storm drains etc.

STAFF RECOMMENDATION

That the Planning Commission:

APPROVE Resolution Nos. 2011-05, 2011-06 and 2011-07 and thereby:

1. **ADOPT** an Addendum to a Negative Declaration: and,

2. **APPROVE** PA10-0038 (Tentative Tract Map No. 36340) and PA10-0039 (Conditional Use Permit/Planned Unit Development) for a 275 lot single-family residential development with common and natural open space areas and a community recreation building with pool on an approximately 29 gross-acre site in the R15 (Residential -15) and OS (Open Space) land use districts, based on the findings included in the resolutions, subject to the attached conditions of approval included as Exhibit A to the resolutions (Attachments 2 and 3); and,

3. **RECOMMEND** that the City Council **APPROVE** PA10-0029 (Development Agreement) based on the findings included in the resolution (Attachment 4).

Prepared by:

Mark Gross, AICP
Senior Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-05, with attached Conditions of Approval.
3. Planning Commission Resolution No. 2011-06 with attached Conditions of Approval and Development Standards Chart
4. Planning Commission No. 2011-07 with attached development agreement

5 Zoning Map
6. Aerial Map
7. Reduced Tentative Tract Map No 36340
8. Reduced Preliminary Grading Plan
9 Reduced Plot Plan/Planned Unit Development Maps
10. Reduced Preliminary Landscape Plans

EXHIBITS:

1. Tentative Tract Map No. 36340
2. Preliminary Grading Plan
3. Site Development Plan
4. Preliminary Landscape Plan
5. ation building floor and eleva

Item No. E.1

(provided in reduced format in Exhibit 6).

6. Tentative Tract Map No. 36340 Information Booklet.

2. Case Number: PA10-0038 Tentative Tract Map. No. 36340
PA10-0039 Conditional Use Permit
PA10-0029 Development Agreement

CHAIR DE JONG – Staff report please

SENIOR PLANNER GROSS – Yes, good evening Chair De Jong and members of the Planning Commission. I'm Mark Gross, Senior Planner, here to provide a report on the proposed residential project here before you this evening, which has definitely been a rarity around these parts for a while. The Applicant, Beazer Homes is requesting the approval of Tentative Tract Map No. 36340 as well as a Conditional Use Permit and a Planned Unit Development for a 275 lot single family residential small lot detached subdivision on 29 acres to include individual home sites and community recreation facilities within two land use districts; one of them the R15 land use district which is where the home sites will be located and then you have a protection of existing rock outcroppings and drainage basin which is existing on the OS (open space) land use district.

The project is located on the southeast corner of Eucalyptus and Iris and consists of a revision to an existing 276 unit condominium project approved back in 2005 for Beazer Homes and is consistent with surrounding land use density requirements and with current smaller lot single family and surrounding multiple family developments in the vicinity. The design and location of the project will allow for walkable communities; actually, a walkable community to two surrounding regional commercial centers which would likely reduce vehicle miles and trips, where it gives that walk ability to these particular sites. Conceptual plans of the models, map and the plot plan are located there on the far wall. The Applicant has also I believe and you should have this as a copy, booklets with additional elevation plans and project details and I believe that is in Exhibit 6 of the report.

Now what I'd like to do briefly is just summarize the three discretionary components of the project before you this evening. The first item is the Tentative Tract Map which is delineating land uses into approximately four acres within the OS land use district; again that is in the center of the tract to include open space and drainage basin uses and then you have the 25 acres within the R15 land use district, which would include the 275 individual lots for single family ownership and then you also have a number of lettered lots for common and private open space type areas.
The second component of the project is the Conditional Use Permit/Planned Unit Development. Now the project is meeting allowable Planned Unit Development requirements; will not exceed the maximum density of 15 units per acre and does provide for many amenities found which you would typically find in multiple family developments and that would include again the private open space, tot lots, community recreation building, a pool, picnic and barbecue areas and numerous turf play areas. Now the small lot single family development will provide in this

ATTACHMENT 6

case a greater innovation of housing and choice of ownership most likely in this case for the first time home buyer or senior.

Now the developer is asking for allowable deviations which are allowed within the Planned Unit Development portion and that is as long as amenities are included in the project, and I think there are quite a few amenities within this particular project. The deviations that we are talking about do include lot area, lot dimension, lot coverage and setbacks. Now an example of the size of the lots; we're talking the lots ranging from about 1,846 square feet to approximately 3,181 square feet; while the unit square footage will range from anywhere 1,377 square feet to 1,981 square feet.

The third component of this particular project is the development agreement. Now the developer had previously provided substantial public improvements in the vicinity of the original project necessary to facilitate the development of the adjacent Stone Ridge Town Center which is directly to the north. The Applicant has identified a temporary, in this case with the Development Agreement, a temporary reduction of development impact fees as necessary for the financial feasibility of providing with this revised project during this time of economic uncertainly. Now as part of the proposed agreement, the developer agrees to build all required improvements including a recreation building and I think some of the things we talked about; pool, play area; seating areas, trails, green belts, parking and such.

The developer will also incorporate energy efficient features into the development which may include LED or similar energy efficient lighting in common areas, solar water heater for heating for the recreation building and pool as well as providing energy efficiency for all housing units, which will be at least ten percent beyond the requirement of current building code requirements. Now the environmental determination for this project does include an addendum to the previous Negative Declaration in accordance with California Environmental Quality Act Guidelines. No substantial changes have occurred from the project which would require major revisions of the environmental document and no new significant environmental effects have been identified with this 275 unit residential single family project versus the 276 unit which is just one additional unit for the multiple family project which was previously approved out on that site.

The Public Notice was sent to all property owners on record surrounding the site, published in the newspaper and posted on site. Staff did not receive any public inquiries on the project. Now as a reminder this evening, Planning Commission will be making a decision on the Tentative Map and the Conditional Use Permit and will provide a recommendation to the City Council on the Development Agreement. The Development Agreement will then tier off from this and be presented to the City Council as an Ordinance. That concludes the Planning Division's portion of the report. At this time I'd like to turn it over Clement

Jimenez, the Senior Engineer to discuss a couple of minor modifications to Land Development Project conditions of approval.

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Hi, good evening Chair and members of the Planning Commission. My name is Clement Jimenez with the Land Development Division. In addition to the green sheet before you which revises one of our conditions of approval, to make it more applicable to this particular project where the maintenance of the water quality basin in going to be borne by the HOA and not by the City. We have eliminated some sections of our special standard condition of approval there as you can see and struck out font and in addition to that we have other conditions of approval that we would like to revise to reflect the currently submitted map before you, which we got after we wrote the conditions of approval and one of the conditions that we would like to revise is LD57(c). We would like it to read, "private storm drain easement retained by owner, his successors and assigns for storm drain line improvements from the end of Canyon Rock Court to the Eucalyptus Avenue south right-of-way". It is basically going to be a private storm drain versus a public storm drain as was previously stated. The other change is also to LD57 (g). We propose that that subsection be deleted entirely. It was a typo and then the other condition is LD65. That condition is no longer applicable because of the revised map before you. Before this latest version of the Tentative Map there was a two foot strip along the not a park area shown on sheet 3 of the Tentative Map. That no longer exists because of the negotiations that Beazer has had with the Eastern Municipal Water District, so it is no longer applicable and we are proposing to delete that condition and that concludes the changes from Land Development. Thank you.

CHAIR DE JONG – Okay thank you. Okay are there any Commissioner questions of staff? I have a question. Mark is there, I didn't see, is there a physical connection from the development to the public use trail and if not could there be one? I didn't see one.

PLANNING OFFICIAL TERELL – My understanding is that there is not and that is a standard or a preference on the part of the Parks and Recreation Department.

CHAIR DE JONG – They don't want a connection?

PLANNING OFFICIAL TERELL – They don't; they prefer not to have private connections right into the trail. If it's possible, if there is going to be one, I'm sure that has already been arranged with the prior approval, so the Applicant might be able to help us out because they worked more directly with the Parks and Recreation than Planning did.

CHAIR DE JONG – It just seems a shame that they can't have direct access to it at some point; it is such a large development.

PLANNING OFFICIAL TERELL – Right, there are access points but they are further around the corner.

CHAIR DE JONG – I know and my other question is that I noticed there is a lot of existing utilities and fire hydrants in place. Will those have to be relocated or are they sufficient for this development?

PRINCIPAL LAND DEVELOPMENT ENGINEER SAMBITO – Hello Mr. Commissioner. The answer to that is yes. Some of them will need to be modified to accommodate the new layout but the Applicant made a very good attempt to leave as many as they could in place to accommodate their new design.

CHAIR DE JONG – It makes sense, good. Are there any other questions?

COMMISSIONER GELLER – Yes, why are the DIF fees being reduced?

PLANNING OFFICIAL TERELL – Primarily due to the investment in the infrastructure Beazer already made in excess of what is required for their project. They put in a lot of infrastructure related to the development of Stone Ridge Shopping Center for which they could not get credit or reimbursement. The other is obviously to induce the project because Staff feels that it will have a beneficial impact on those two shopping centers and their continued growth.

COMMISSIONER GELLER – Okay

COMMISSIONER DOZIER – I was looking at the new condition where any of the bio-swales or any of the water treatment on the property is going to be paid for by the homeowners through the HOA. Is that typical to have the HOA pay for that?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, for multi-family residential projects that is typical as well as this project.

COMMISSIONER DOZIER – Alright because I noticed then there was dedicated maintenance easements the City of Moreno Valley, and then if they are taking care it the City is not taking care of it, so they don't need an easement. Do I understand that correctly?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – That's correct

COMMISSIONER DOZIER – I gotcha, okay

CHAIR DE JONG - Okay seeing no more questions I'll go ahead and open Public Testimony and call the Applicant forward. Good evening.

APPLICANT – Good evening Chair, Commissioners and Staff. First of all I want to thank you for your time today. I want to say a special thanks to Mark and John and the rest of the City Staff to inspect this review. Beazer has just finished off about 400 units just adjacent to this property and also helped build all the main infrastructure along Nason, Eucalyptus and Fir along with the commercial center and as Mark was mentioning before, this is a new development for us here. We started back in 2005. We actually built a model there; everything tanked and we find out now that condo's are hard to get financing for now so that's why we came up with this new detached single lot home. Beazer is really excited to be here. This is our third project here recently, so we hope this will be successful and hope that you guys are in favor of it also.

CHAIR DE JONG – Okay thank you. Are there any questions?

COMMISSIONER GELLER – I am concerned and I just want you to think about it. I am concerned with the left elevations. I understand I guess supposedly they are going to be back to back on the houses but I just don't think that's what we had in mind when we talked about four-sided architecture. I'm not sure that there is anything that we should do but I just wanted to bring that to your attention at this moment.

APPLICANT – If I could speak on that…

COMMISSIONER GELLER – Sure

APPLICANT – The reason why the left elevation is blank on that wall below the fence line is basically because the other parties patio is going to be right there, so it's kind of weird having a window looking out to your adjacent neighbor's patio. So it's kind of a privacy thing…

CHAIR DE JONG – That is in all cases?

APPLICANT – In all cases and then if see on the left elevation end units it is on the top. That's where we provided the additional windows on the elevation.

CHAIR DE JONG – So the blank wall would never be facing a street or a drive?

APPLICANT – Never be facing a street or a drive…

CHAIR DE JONG – Okay, does that make any difference down there?

COMMISSIONER GELLER – You know it's hard till you actually drive by them. That's been said many times and you drive through some of these neighborhoods and they look absolutely abysmal because you can see clearly between the houses and just all these blank walls. I'm not suggesting you put more windows in. I don't know, I just… the theory that no one sees it just never

seems to… but again I don't have the ability to visualize driving through the complex, but that's exactly what I didn't want to have to see.

PLANNING OFFICIAL TERELL – Yes we did and unfortunately that was so long ago I don't think I saved, but there were pictures… Beazer has built a similar project up in Sacramento and we had the opportunity to see pictures of it and what they had done there is they provided street scenes and in looking down the street what you could normally see was kind of the return on the houses and you can see on certainly the top one, the detailing is closest to the end of the unit where it's most likely to be seen, so we did as for that. Originally as I recall there was nothing on those walls, so it's a faux window, it's not a real window or a window with the shutters closed, so it's a little more detailed than you can see, but we tried to focus those on the ends of the units where you are most likely to see between the units. The difference between… there are probably some that are wider but the typical distance between them is feet between units. The typical distance between say single family tracts, where we realize you can see much more is 15 feet between homes, so it's much, much closer.

CHAIR DE JONG – And houses with 15 feet between them really do have the four-sided architecture addressed and that's a different story.

PLANNING OFFICIAL TERELL – Well we haven't see any since the Ordinance was… but that's the intent; yes; in those cases you would have windows on all four sides and those windows would all have detailing similar to what is on the front.

COMMISSIONER GELLER – I have a couple other questions. Is the HOA going to be responsible for the front yard maintenance?

APPLICANT – That is correct

COMMISSIONER GELLER – Okay, I know that had been done on many of these so they will have a consistent look. And how much guest parking is there and how far is it? I mean if someone has a party, where are the people going to park?

APPLICANT – There is a half-unit per… there is a half-space per resident and they are bay parking, so it's like in a standard parking lot and they are scattered pretty well throughout the site.

SENIOR PLANNER GROSS – There is a total I believe of 138

COMMISSIONER GELLER – They are well hidden

PLANNING OFFICIAL TERELL – When you start counting, there is like three here and four there and six there and it's up to 138.

COMMISSIONER GELLER – Okay that's all I have

CHAIR DE JONG – Thank you. Are there any Commissioners of the Applicant? Okay, I don't have any right now either

APPLICANT – Thank you

CHAIR DE JONG – Okay I'm going to close Public Testimony and open Commissioner Debate.

COMMISSIONER GELLER – Well I guess I'll go first to go last. Yes other than the left elevations, you know if they are always only going to be six feet apart I guess you're not going to see them. I'm certainly not going to have somebody do something for nothing; just you know again looking at the pictures they don't… but I think this is for whole array of reasons and all the reasons specified, that this is the development concept of the future in terms of keeping the costs down; keeping the energy efficiency down; walkability; closeness to the shopping center. I mean I'd say I think this is for a whole array of reasons probably the building style of the future and the PUD is a great concept to allow far more flexibility than just having rows and rows of identical lots of somewhat identical houses and I know this area well. I've spent the last 20 years hiking through there. I've been watching the trails develop over the years and trying to figure out how to get around the houses, but you know I certainly know this area well and like I say I think this kind of innovative design is really the future of detached houses as a practical matter. Nobody is going to be able afford anything else and I think they've done an excellent job. I think it is going to be a nice looking center and the other work that they have done in that center you know exceeded my expectations in terms of overall and I approved that whole thing a long, long time ago, so I'm in support of the project and I have no objection to the amendments to the conditions.

CHAIR DE JONG – Okay, George…

COMMISSIONER SALAS – Well I'm not happy with… I don't like the six feet houses every three feet apart or six feet apart, but I agree with Commissioner Geller on the economic times that I guess this is going to be what we are looking at. They've done a real good job of presentation and the elevations are nice looking, so I'll support the project.

COMMISSIONER GELLER – And lastly no one has to buy them, I mean if they don't want neighbors that close they don't buy this product.

CHAIR DE JONG – That's a better way to put it.

COMMISSIONER GELLER – Yes, that's what I meant to say. I wasn't…

COMMISSIONER DOZIER – I was very pleased to see this come forward because I thought that it was going to stay vacant for a longer period of time as the development community tried to figure out where the market was going to be, so I'm happy to see it come forward at this time. It's kind of the light at the end of tunnel kind of thing. We get some construction going in town and we take an area that is now vacant and looks unfinished and it gets finished and it will certainly improve the prospects for additional business for the center which is right across the street and around the corner. All of those are positives for the City. We are talking about jobs; we're talking about capital investment and this is a sign of the economic times. You can't pencil out the same kinds of projects that were penciled out just three years ago or four years ago in a different economy and I think these look very, very good and I've seen other projects like it that are designed similarly where the people work it out. They are happy to own their own home. They are happy and they show pride of ownership. The problems that you have with parking and closeness… actually the closeness forces you almost to know your neighbor a little better and so people just work it out. They have a big party; they work it out. They say hey I'm going to have a party this Saturday and I need your space and your space and your space and if it's okay for a few hours they work it out, so I'm happy to see it and I certainly am supportive of it. It is coming a lot sooner than I thought.

VICE CHAIR BAKER – Yes I think this is a great project for the area and we're moving towards getting some housing for people that is affordable. They are not going to have to mortgage the farm to get in here. In looking at this, there are a lot of amenities for these people in this close to 30 acres. I see there is a spa in there; a pool; a big open space. This is a great deal, so I'm behind it 100 percent and I see all those parking spaces in here when I go to the colored layout, which there is probably way over a hundred, so I'm always concerned when I see something like this because parking is a real problem when you have a couple of guests and they are sprinkled out here pretty nicely. I like the remote gated access; that is always good, so there are a lot of plusses to this project, so I'm for it and I think we need to move forward with it. Thank you

CHAIR DE JONG – I too am in support. I think this is another great product to our housing portfolio in the City. It's just another different product that people can choose from and I think that's what makes it so great. It is a sign of the times; the reduced size and the smaller side yards, but that is what a lot of people are going to be wanting. I had a question for Traffic. Is this going to put a pinch on the end of Eucalyptus there where it kind of dead ends to the right there down by Walmart? I know that is more out of our hands; it is more in Cal Trans getting that end of the street off-ramp kind of thing redesigned. Is that going to move forward any time soon any faster than was originally planned?

TRAFFIC ENGINEER LEWIS – Good evening; Eric Lewis, City Traffic Engineer. There aren't immediate plans to get that work done. It is a lot of money to build the interchange obviously so thankfully though Nason is moving along very

quickly here and so they'll be some bumps in the road so to speak for a little while and then a lot of progress and then the next phase will probably be Moreno Beach.

CHAIR DE JONG – Good, okay, I didn't mean to divert much on that. I really like keeping the open space. I'm glad that we as a City have decided to maintain the rocky boulder open spaces. I think it is going to be a great product and if I may bring my fellow Commissioner attention to this elevation here where it shows along the street, it has windows along the bottom of it, so it's a different elevation, so that's good. I was happy to see that too. With that I think we're ready for a motion.

COMMISSIONER DOZIER – When you alluded to traffic patterns, I just want to go on the public record and say we sometimes as planners, people say why did you approve all of those homes and all of those cars before the street intersections were done? This is some of the reason why. There is a need to move forward with kind of project and there are so many plusses for it that we can't wait to do those intersections; one, because of the cost and the times today and trying to get that money to do those kinds of improvements. Sure we would like to do them ahead of time and if we had the money and the power it would already be done before the project is approved, so for a little while it is going to be a little inconvenient. I know that stop light at Nason going onto the freeway; that bridge overpass is going to get backed up from time to time but the local residents are going to have to try to avoid it and go around it and figure out another way to traverse through there, but I want to go on record and say that we're aware of it; we know it; we're not doing this in a void, but sometimes things have to go forward first before we can get in a position to make it so that is really, really convenient for everybody.

CHAIR DE JONG – Well said

PLANNING OFFICIAL TERELL – Following onto that point, the development agreement as proposed, there are no reductions in the TUMF fee; the regional fee and those are the fees that really pay for those big improvements like interchanges as in the case of Nason and the design work for Moreno Beach which is actually pretty far along.

CHAIR DE JONG – Good, glad to hear that. Who would like to make a motion tonight or are we ready for one? I think we're ready for it.

COMMISSIONER GELLER – Well I'll make it since…

CHAIR DE JONG – Well this will be the last time

COMMISSIONER GELLER – Yes you won't have me to kick around so… alright… I'd like to make a motion that we **APPROVE** Resolution No. 2011-05, 2011-06 and 2011-07 and thereby:

1. **ADOPT** an Addendum to a Negative Declaration; and,
2. **APPROVE** PA10-0038 Tentative Tract Map No. 36340, PA10-0039 Conditional Use Permit/Planned Unit Development for a 275 lot single family residential development with common and natural open space areas and a community recreation building with pool on an approximately 29 gross-acre site in the R15 (Residential 15) and OS (Open Space) land use districts, based on the findings included in the Resolutions, subject to the attached conditions of approval as amended included as Exhibit A to the resolution, Attachments 2 and 3; and,
3. **RECOMMEND** that the City Council **APPROVE** PA10-0028 Development Agreement based on the findings included in the resolution, (Attachment 4).

VICE CHAIR BAKER - Second

CHAIR DE JONG – Thank you and we have a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries 5 – 0

CHAIR DE JONG – Staff wrap up please

PLANNING OFFICIAL TERELL – Yes the Tentative Tract Map and the Conditional Use Permit shall become final... Those approvals unless appealed to the City Council within 15 days or actually 10 days; I'm sorry, there is a Tentative Tract Map included and then the Development Agreement will go forward to the City Council for final review and action and that is scheduled for March 22nd.

CHAIR DE JONG – Okay thank you very much. Thank you and good luck.

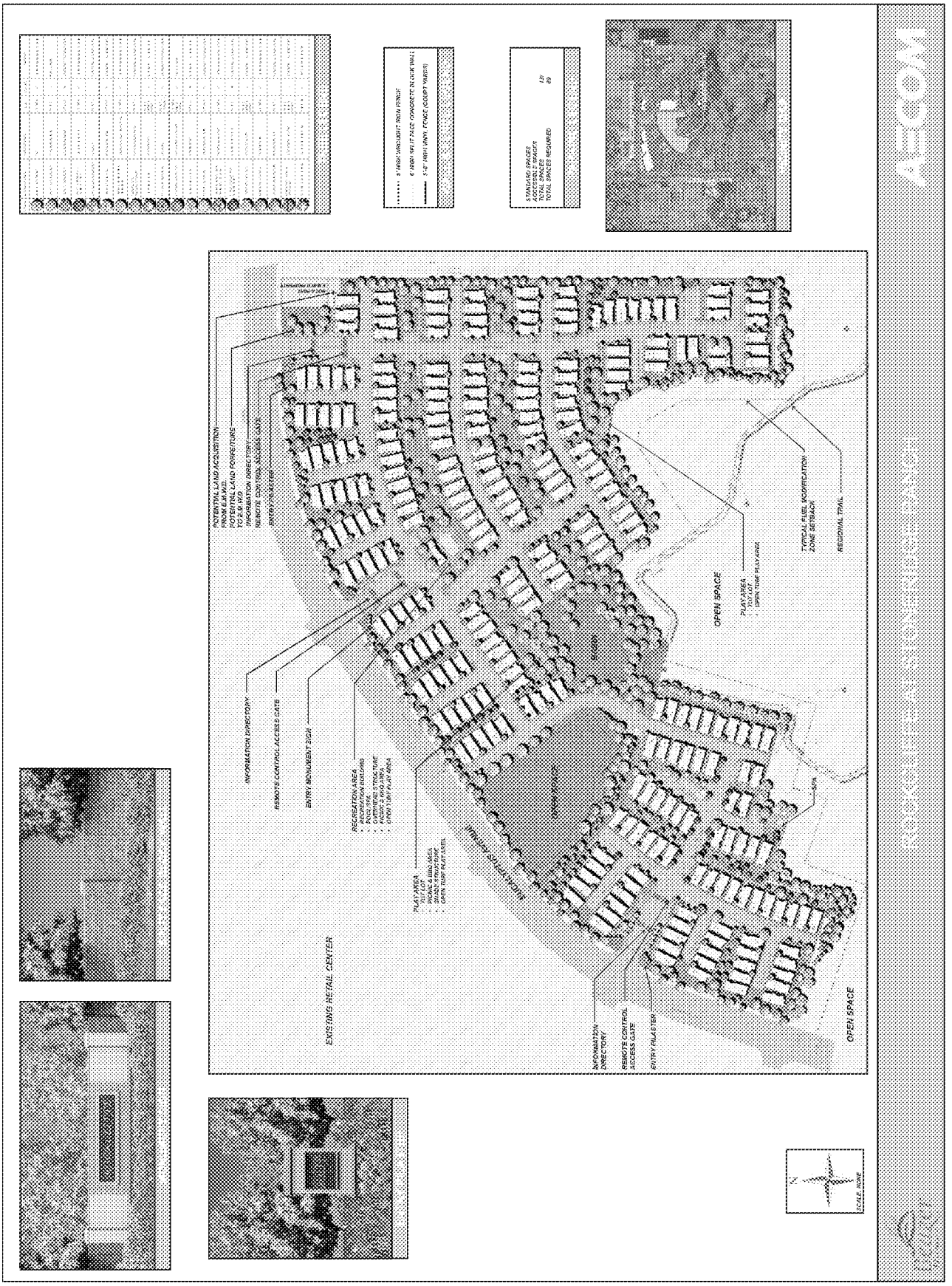

ATTACHMENT 7

Item No. E.1

MV00117007

PLANTING CONCEPT
Residential alleyway will be enhanced with various sizes of colorful shrubs and groundcovers to define streetscape theme and to screen portions of the building architecture.

MV00117008

PLANTING CONCEPT
Typical front yard landscape concept provides a private courtyard and accent landscaping in common areas. Common area landscaping includes colorful accent trees and shrubs to define areas and provides an aesthetically pleasing experience.

PLANTING CONCEPT
Corner lot streetscape landscape concept will consist of colorful accent trees and shrubs of various sizes to create a layered landscape to define street circulation, screen portions of corner lot buildings and provide a visually pleasing landscape experience.

ROCKCLIFFE AT STONERIDGE RANCH

AECOM

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MV00117010

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 12, 2011

TITLE: PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, AND 316-200-029 BALLOTING FOR NPDES AND CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the City Council, after conducting the individual Public Hearings and accepting public testimony:

   a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for First Industrial;
   b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and attached APN listing;
   c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
   d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to Assessors Parcel Numbers (APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

   a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for First Industrial;

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and attached APN listing;
c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APNs 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Public Works Department, requires that new development projects participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

First Industrial—APNs 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029 has Conditions of Approval that require them to provide a funding source to help support the Stormwater Management program and the CSD Zone M program. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charges for the CSD Zone M program. The property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 28, 2011 and the Public Hearing on July 12, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies

are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the property owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to pruning, trimming, fertilizing, replacing plant material(s) as necessary, litter removal, maintenance of the irrigation systems, weed control, payment of the water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. The CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges for APNs 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029 were estimated based on the proposed Perris Blvd. median adjacent to the parcels. Upon future development, parcels adjacent to the proposed median shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charges for balloting APNs shall be proportionally adjusted.

ALTERNATIVES

1. **Conduct the Public Hearing,** tabulate the ballots, verify, and accept the results of the mail ballot proceeding for First Industrial, receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing, and if approved, authorize and impose the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M annual charges for First Industrial. *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing,** tabulate the ballots, verify, or accept the results of the mail ballot proceeding for First Industrial. *This alternative would be contrary to Proposition 218 mandates and may not allow the property owners to comply with their conditions of approval.*

FISCAL IMPACT

For fiscal year (FY) 2010/11, the NPDES annual regulatory rate and estimated CSD Zone M charges for First Industrial are as follows:

Property Owner	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
First Industrial		
APN 316-200-003 (and any division thereof)	$205	$494.31
APN 316-200-009 (and any division thereof)	205	492.14
APN 316-200-010 (and any division thereof)	205	516.09
APN 316-200-011 (and any division thereof)	205	489.96
APN 316-200-012 (and any division thereof)	205	2,184.13
APN 316-200-013 (and any division thereof)	205	520.44
APN 316-200-014 (and any division thereof)	205	520.44
APN 316-200-018 (and any division thereof)	205	1040.89
APN 316-200-028 (and any division thereof)	205	435.52
APN 316-200-029 (and any division thereof)	205	1,796.51

Beginning in FY 2011/12, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.

There is no impact in the General Fund for the ongoing maintenance of the proposed median on Perris Blvd, north of Nandina Ave. The CSD Zone M annual charge, paid by the adjacent new developments, provides the necessary funding for the maintenance of newly constructed medians within the CSD. The collection of the CSD Zone M annual charge is restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public testimony, tabulate the returned ballots, verify, and accept the results of the mail ballot proceeding for First Industrial.

NOTIFICATION

On May 17, 2011, a ballot packet was mailed to the owner of each parcel associated with Tentative Parcel Map 35859. The packets included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, instructions, ballots, and postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the June 28, 2011, Public Meeting and July 12, 2011, Public Hearing was published in The Press-Enterprise on June 9, 2011. Additionally, the Public Hearing notification was published on June 23 and again on June 30, 2011.

ATTACHMENT

Attachment 1: First Industrial sample mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00117016

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

First Industrial
c/o First Industrial Realty Trust
Jeff Evans, Operations Director
898 N. Sepulveda Blvd., Suite 750
El Segundo, CA 90245

May 17, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 316-200-003, 316-200-011, 316-200-028, and 316-200-029

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APNs 316-200-003, 316-200-011, 316-200-028, and 316-200-029 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 316-200-003, 316-200-011, 316-200-028, and 316-200-029 are subdivided. If APNs are merged then the annual charges for those APNs shall be combined. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2010/11, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2010/11 for the proposed Perris Blvd. median is $494.31 for APN 316-200-003, $489.96 for APN 316-200-011, $435.52 for APN 316-200-028, and $1,796.51 for APN 316-200-029. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2011/12, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy

amount will be assessed to APN 316-200-003, 316-200-011, 316-200-028, and 316-200-029 (and any division thereof) and shall be placed on the 2011/12 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the median occurs. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, June 28, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, July 12, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the ballots are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if a simple majority of the returned valid weighted ballots approve the annual charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted ballots oppose the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and

return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, July 12, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

OFFICIAL MAIL BALLOT for ASSESSOR PARCEL NUMBERS (APNs) 316-200-003, 316-200-011, 316-200-028, and 316-200-029

Moreno Valley Community Services District (CSD) Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 316-200-003, 316-200-011, 316-200-028, and 316-200-029 (and any division thereof), **I approve** the annual CSD Zone M charges for FY 2010/11 for the proposed Perris Blvd. median of $494.31 for APN 316-200-003, $489.96 for APN 316-200-011, $435.52 for APN 316-200-028, and $1,796.51 for APN 316-200-029. Beginning FY 2011/12, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The CSD Zone M annual levy amounts shall be assessed on the Riverside County property tax bills as planning of the Perris Blvd median occurs. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 316-200-003, 316-200-011, 316-200-028, and 316-200-029, **I do not approve** the CSD Zone M annual parcel charges. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
316-200-003 (and any division thereof)	☐	☐	$494.31
316-200-011 (and any division thereof)	☐	☐	$489.96
316-200-028 (and any division thereof)	☐	☐	$435.52
316-200-029 (and any division thereof)	☐	☐	$1,796.51

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for TPM 35859 is $8,490.43.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on July 12, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for Assessor Parcel Numbers (APNs) 316-200-003, 316-200-011, 316-200-028, and 316-200-029

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 316-200-003, 316-200-011, 316-200-028, and 316-200-029, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2010/11, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2011/12, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APNs 316-200-003, 316-200-011, 316-200-028, and 316-200-029, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
316-200-003 (and any division thereof)	☐	☐	$205 per parcel
316-200-011 (and any division thereof)	☐	☐	$205 per parcel
316-200-028 (and any division thereof)	☐	☐	$205 per parcel
316-200-029 (and any division thereof)	☐	☐	$205 per parcel

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on July 12, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)

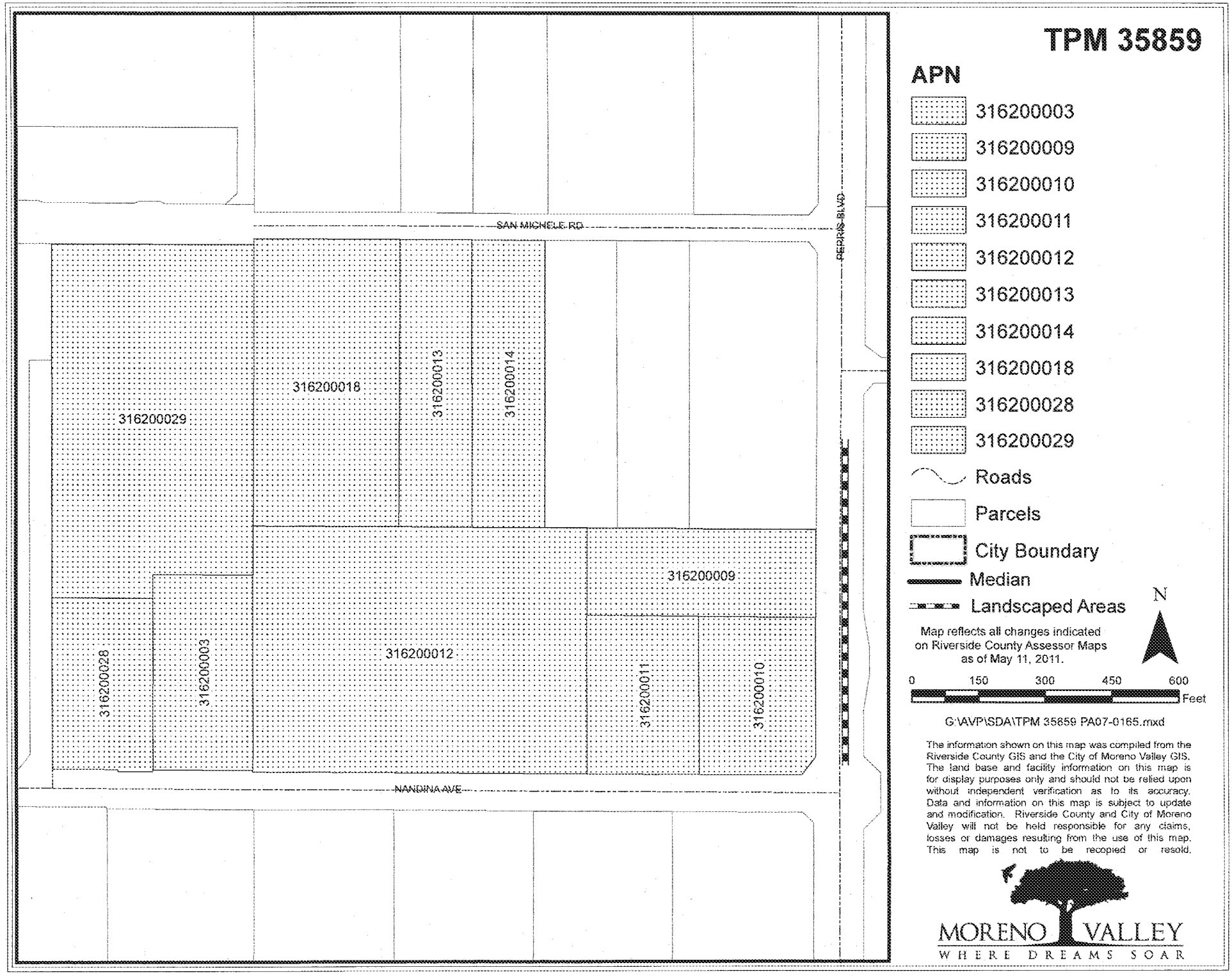
TPM 35859
APN
316200003
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316200010
316200011
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Roads
Parcels
City Boundary
Median
Landscaped Areas
Map reflects all changes indicated on Riverside County Assessor Maps as of May 11, 2011.
N
0 150 300 450 600 Feet
G:\AVP\SDA\TPM 35859 PA07-0165.mxd
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.
MORENO VALLEY
WHERE DREAMS SOAR
SAN MICHELE RD
PERRIS BLVD
NANDINA AVE
316200018
316200013
316200014
316200029
316200009
316200012
316200028
316200003
316200011
316200010

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

RIDGE PROPERTY TRUST

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- ☐ Administrative Plot Plan
- ☐ Administrative Variance
- ☐ Amended Conditional Use Permit
- ☐ Amended Plot Plan
- ☐ Change of Zone
- ☐ Conditional Use Permit
- ☐ Development Agreement
- ☐ Development Code Amendment
- ☐ Extension of Time
- ☐ General Plan Amendment
- ☐ Plot Plan
- ☐ Pre-Application Review
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Tentative Parcel Map
- ☐ Tentative Tract Map
- ☐ Variance
- ☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@ptrnet.com

Contact Person: Derek Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-226-0420

Address: 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson26@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name
Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60605

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈001194⑈ ⑆071000013⑆495693⑈

Item No. E.3

MV00117030

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: July 12, 2011

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. 2011-76
3. Environmental Impact Report Resolution No. 2011-77, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. 829 - Zone Change
5. Ordinance No. 830 - Municipal Code Amendment
6. Resolution No. 2011-78 - Plot Plan PA08-0097
7. Resolution No. 2011-79 - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00117040

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

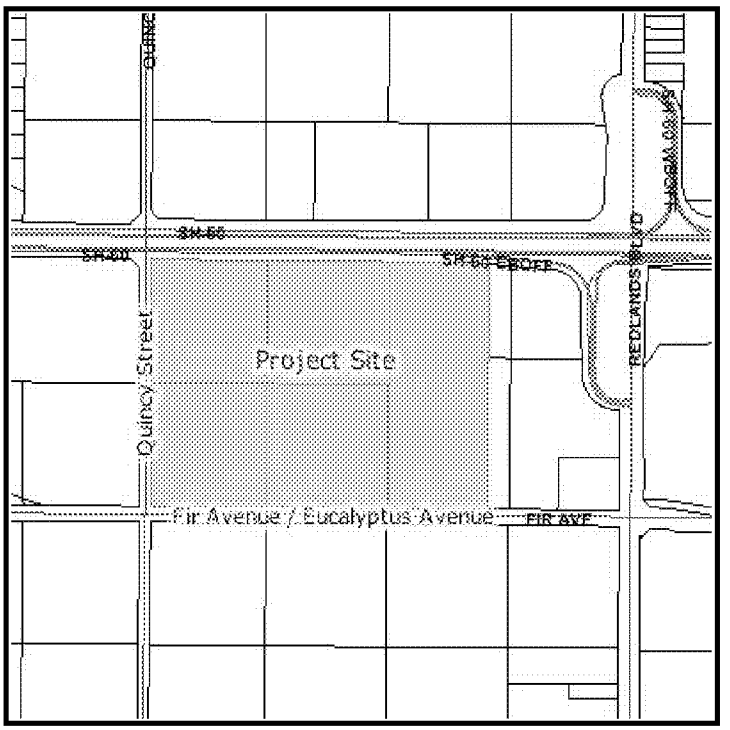

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

Item No. E.3

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MV00117042

RESOLUTION NO. 2011-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00117046

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. <u>Project Description</u>

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Land Use**

a. **General Plan Consistency**

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. **Zoning Consistency**

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. Hydrology and Water Quality

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. Biological Resources

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

c. **Freeway Mainline Segments**

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. **Air Quality**

a. **Short-Term Construction Emissions**

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00117143

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd)				
right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;				
• *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*				
• *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*				
• *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*				
The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00117151

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00117153

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of fi building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.19 (cont'd)			Department	
• *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*				
The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.				
Air Quality				
To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction
• *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*				
• *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*				

MV00117155

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti_g Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

MV00117157

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

MV00117159

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00117161

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

MV00117163

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) ○ *Installation of catalytic converters on gasoline-powered equipment.* ○ *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* ○ *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* ○ *Provision of preferential parking for EV and CNG vehicles;* ○ *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* ○ *Use of electric (instead of diesel or gasoline-powered) yard trucks;* ○ *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00117165

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building pe

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

MV00117167

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00117169

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of fi grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00117171

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00117184

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.
• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,
• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

P98. MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

P99. MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

P100. MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

P101. MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. **Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.**

LD67. **Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.**

LD68. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).**

LD69. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.**

LD70. **Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.**

LD71. **Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.**

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. **Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.**

f. **The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

ATTACHMENT 7

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

EXHIBIT A

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

~~PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION~~

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

~~General Conditions~~

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

~~PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION~~

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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MV00117298

PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

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MV00117308

3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

ATTACHMENT 9

separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it... they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans)** for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

4.3.~~6~~5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

4.3.~~7~~6 During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~ **utilized to** power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

4.3.~~8~~7 The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~ **"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be** consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

4.3.~~9~~8 Grading plans, construction specifications and bid documents shall **also** include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~ **the following notations:**

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**

- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

- ***All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.***

4.3.9 ***Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.***

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

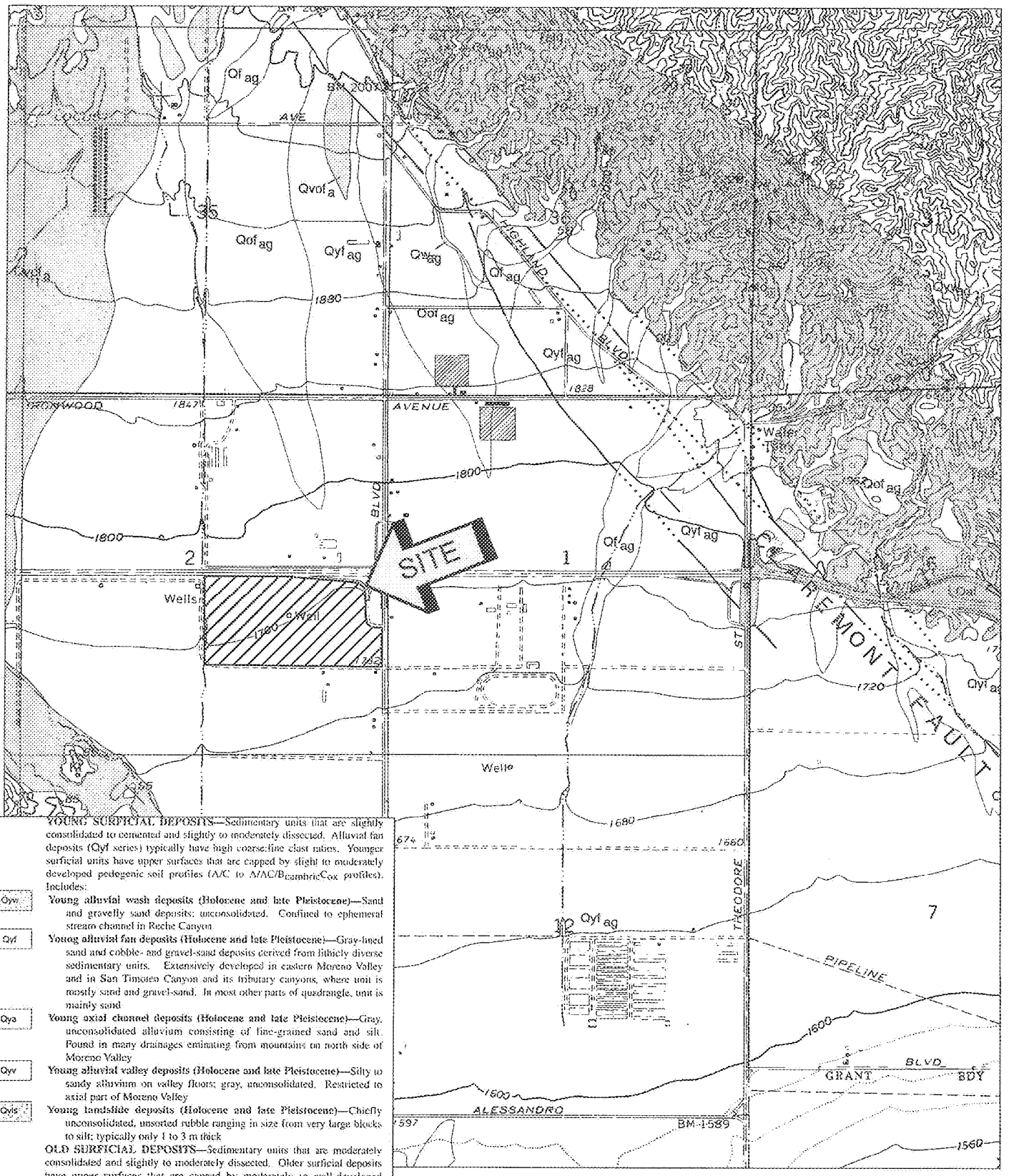

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to $A/AC/B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils ($A/AB/B/C_{ox}$ profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00117374

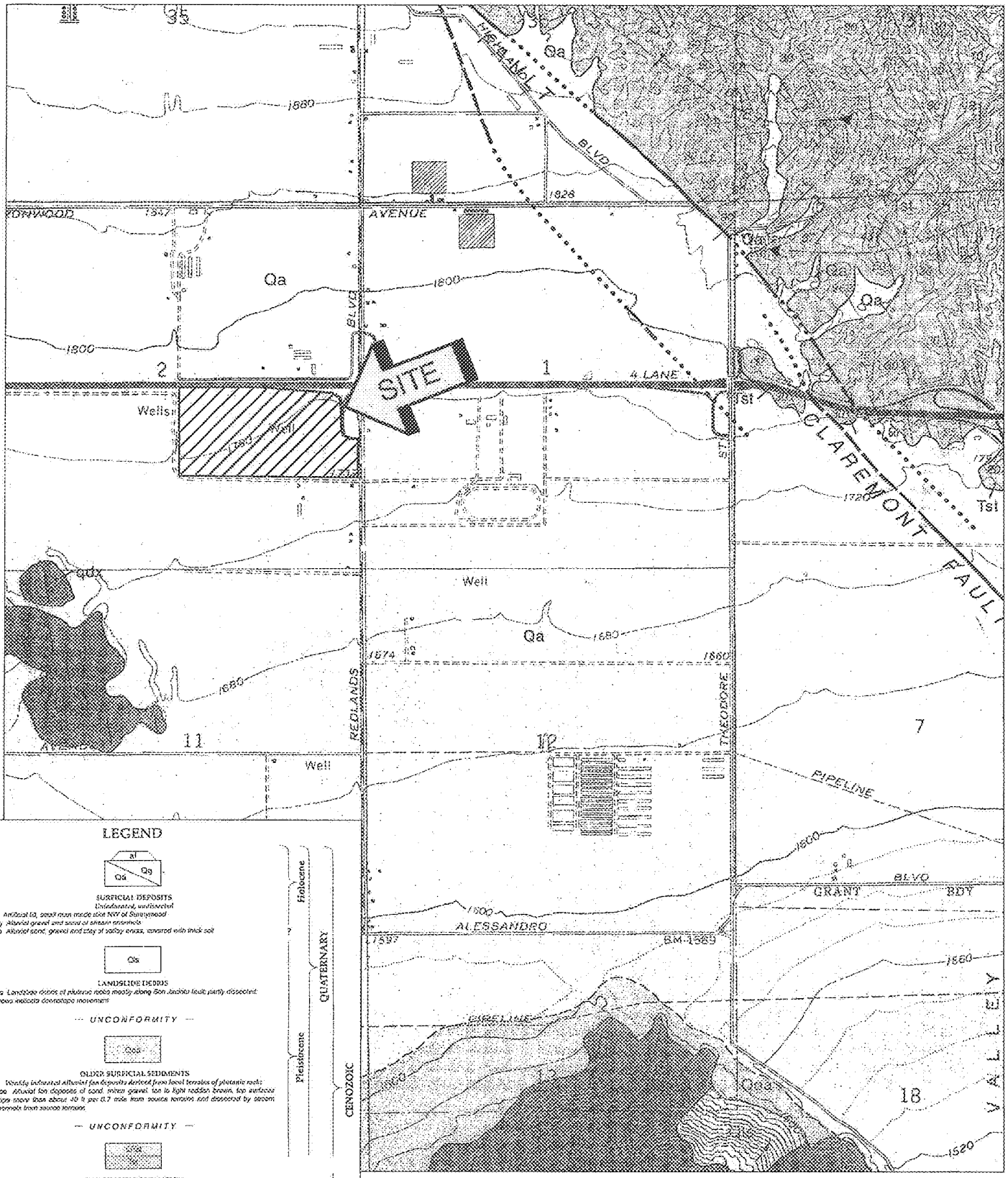

LEGEND

af / Qa / Qg

SURFICIAL DEPOSITS

Unconsolidated, undissected

af Artificial fill, small mass made due NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

Qls

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

Qoa

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, fan surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

Qsa / Tst

SAN timoteo FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Miall, 2004)

Qsa Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone, tentatively (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Miall, 2004), lithologically similar to upper part, within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'

DRAWN: DRK
CHKD: JAS

SCG PROJECT
06G285-2

PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00117375

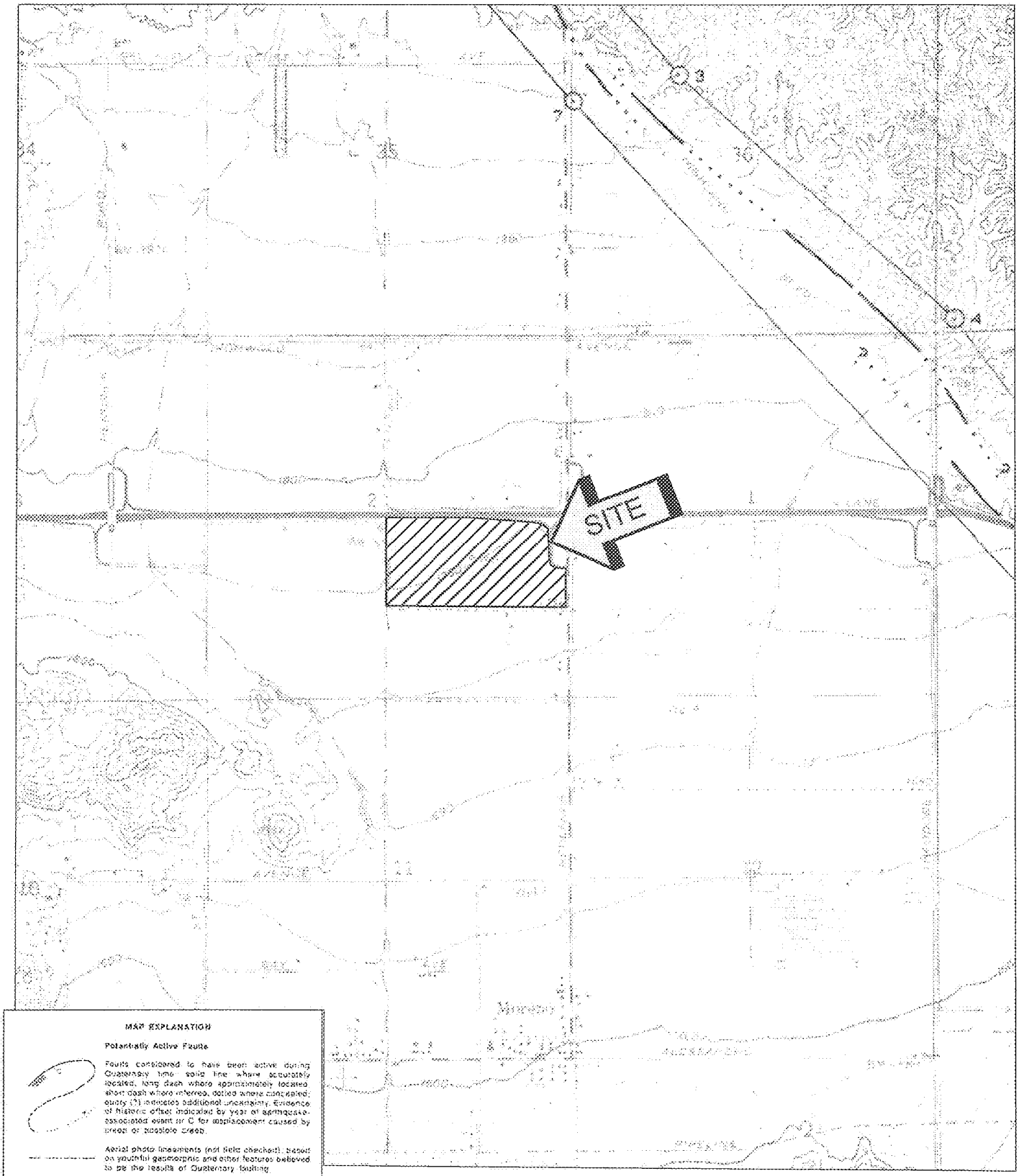

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00117377

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 3) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead age

Item No. E.3

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

---

[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

Board of Directors

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***): EMWD-2

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the***

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 6, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

Board of Directors

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Anthony J. Pack

Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time. More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> 4.5.3 *The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> 4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
2

truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
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Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
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> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

MA-11 cont'd.

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs".

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

---

3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

RECEIVED
DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

GB-5

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason. GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR? GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault? GB-9

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east. GB-10

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 · Calimesa, California 92320 · Telephone (909) 446-0041 · Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

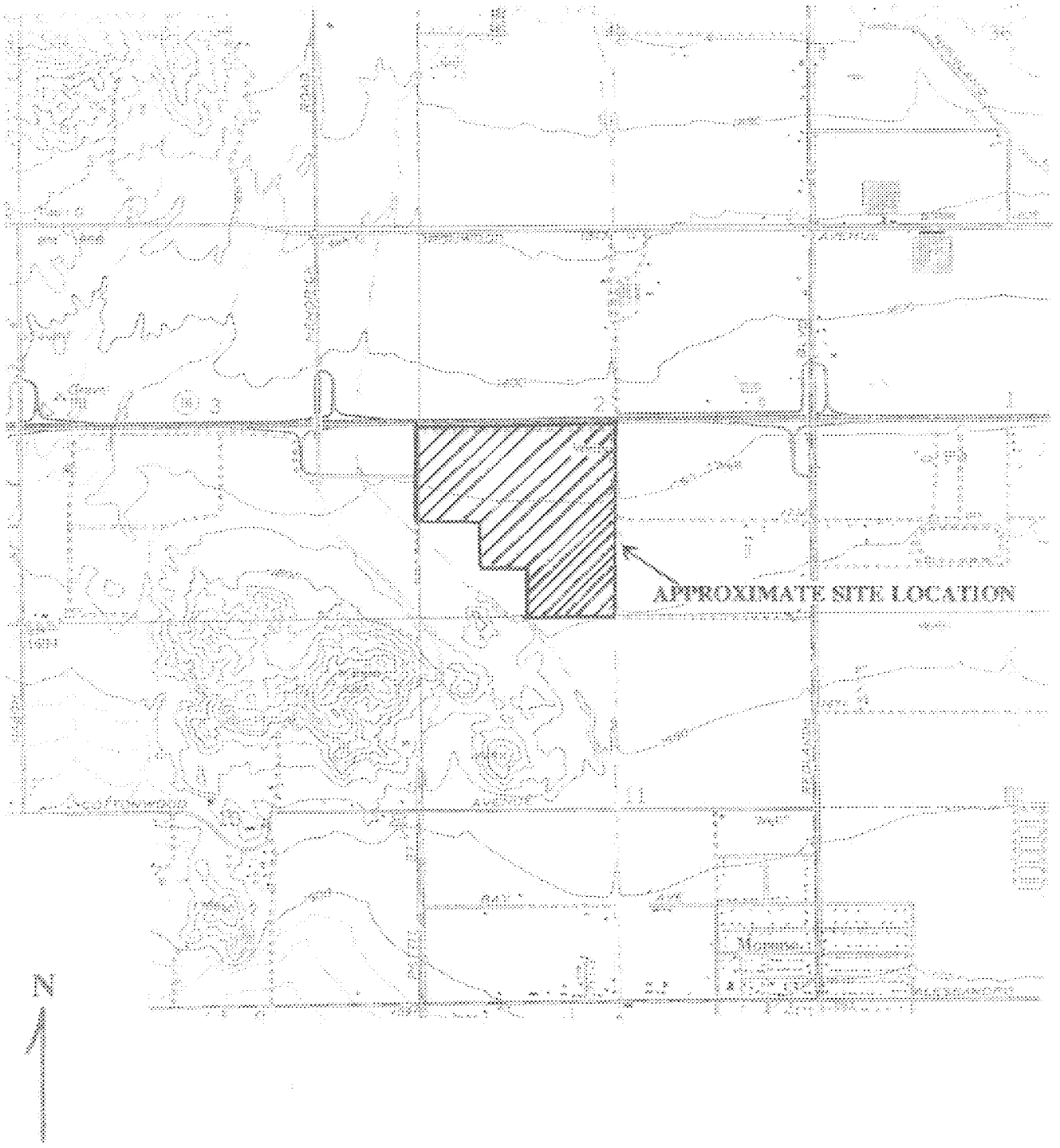

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 130± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

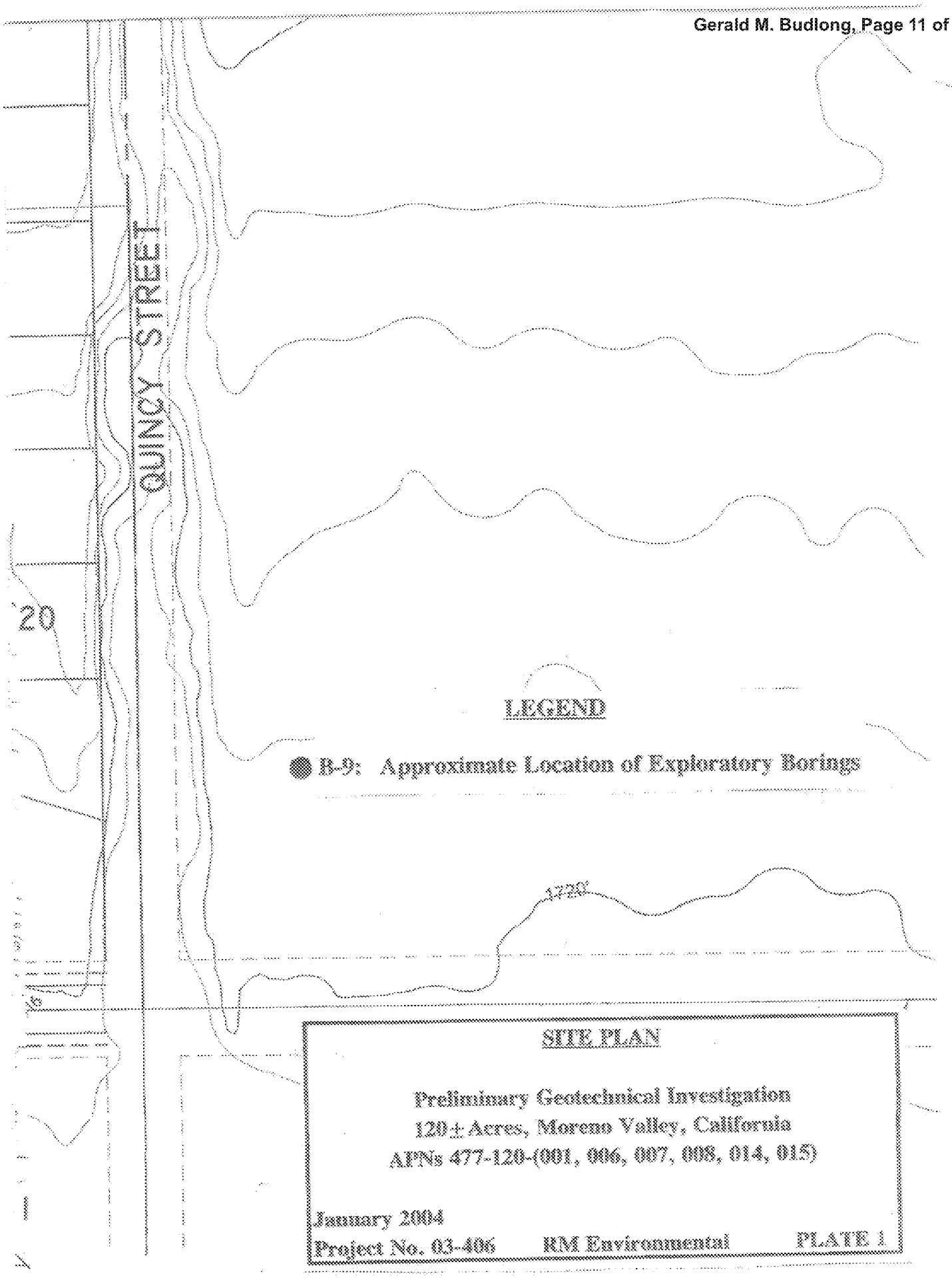

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

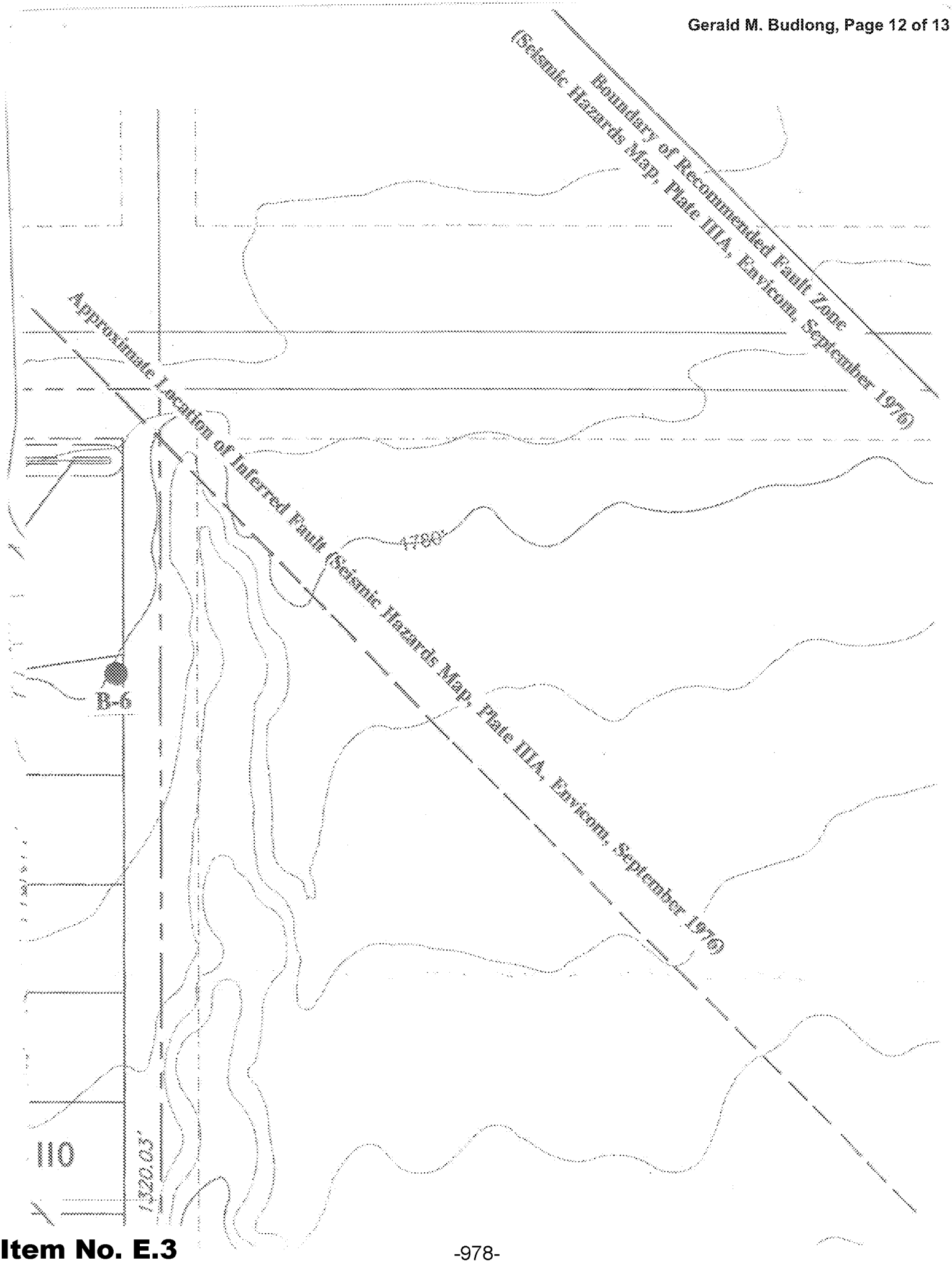
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcam, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcam, September 1976)
1780'
B-6
110
1320.03'

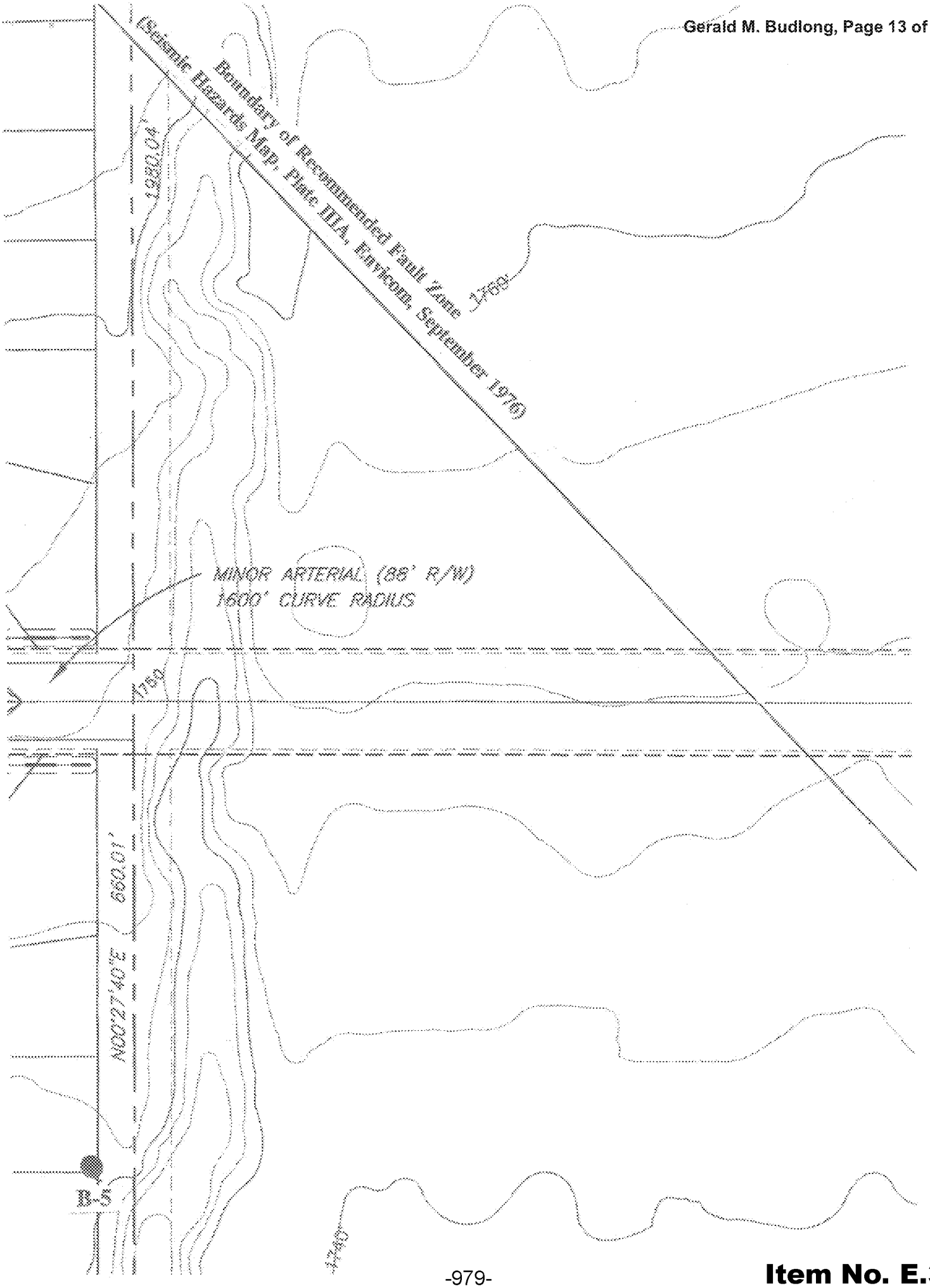
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harrison, September 1976
1920.04'
1760
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

Item No. E.3

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

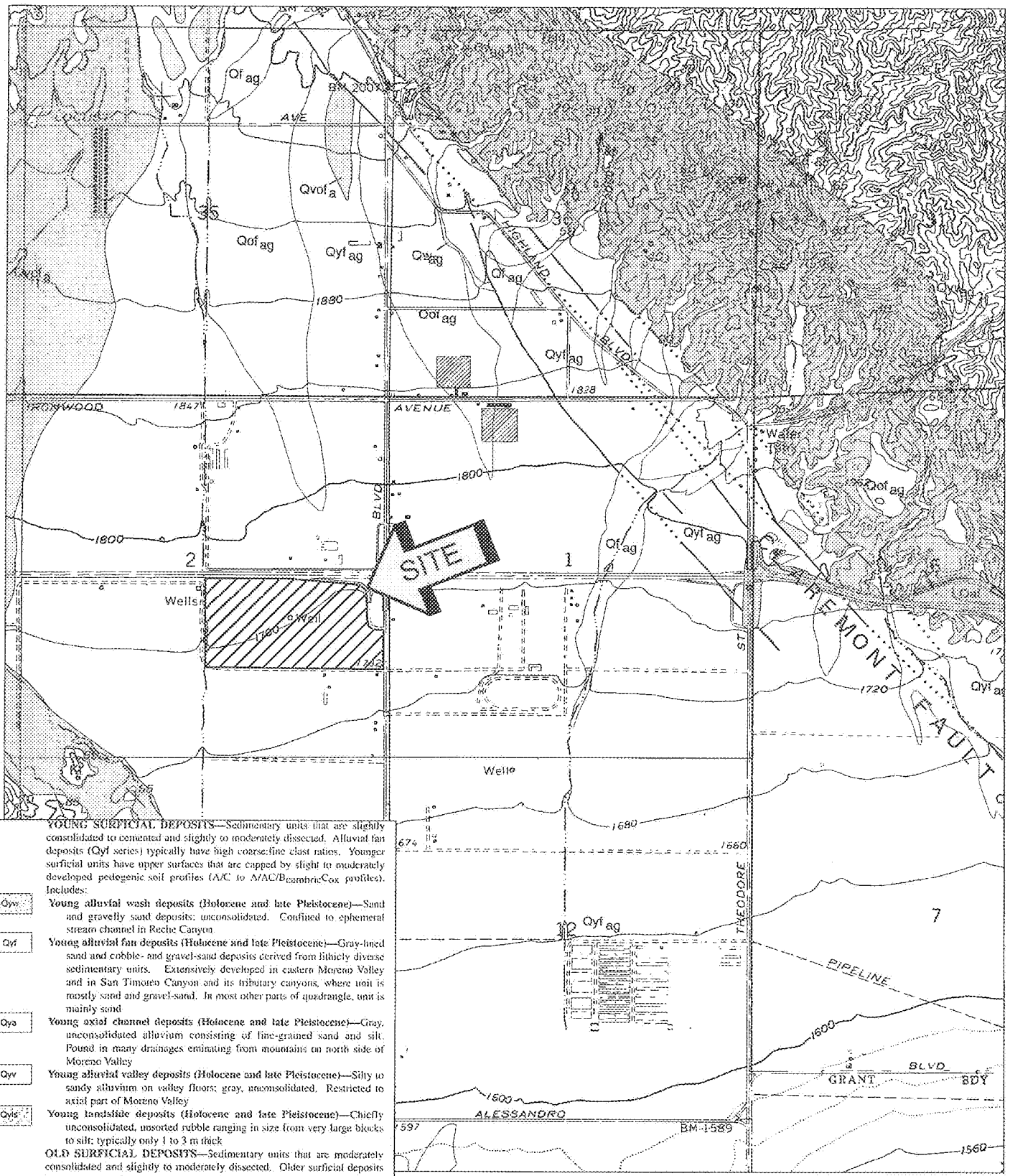

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to $A/AC/B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils ($A/AB/B/C_{ox}$ profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00117456

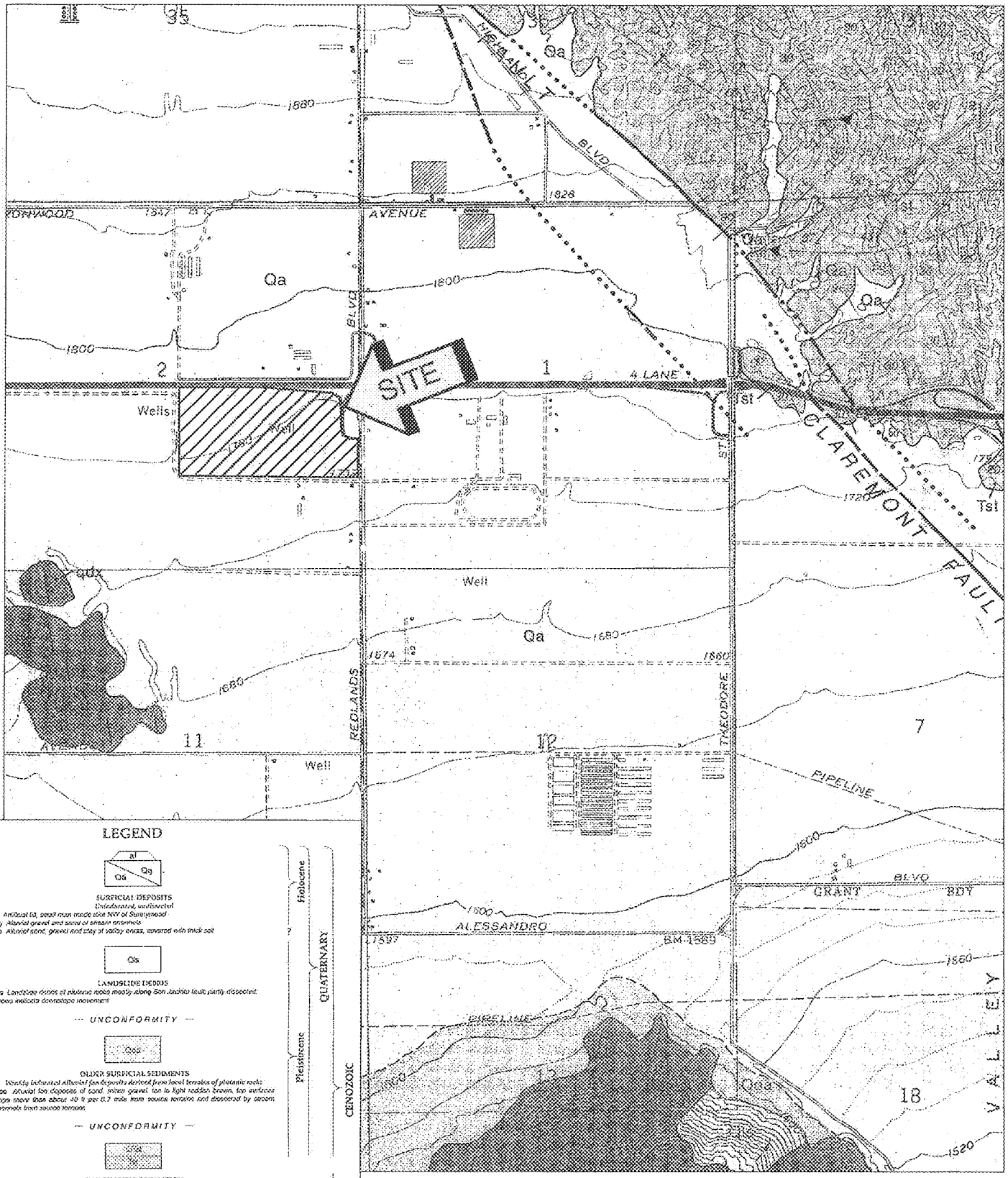

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made site NW of Sunnymead
Qg Alluvial gravel and sand of stream channels
Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:
Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, fan surfaces slope more than about 40 ft per 0.7 mile from source terrains and dissected by stream channels from source terrains

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); whole part referred to be of Pliocene age (Morton and Matti, 2001)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone, tentatively (?) overlain by Qoa in this quadrangle
Tst Main part (pebble part of Morton and Matti, 2001), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00117457

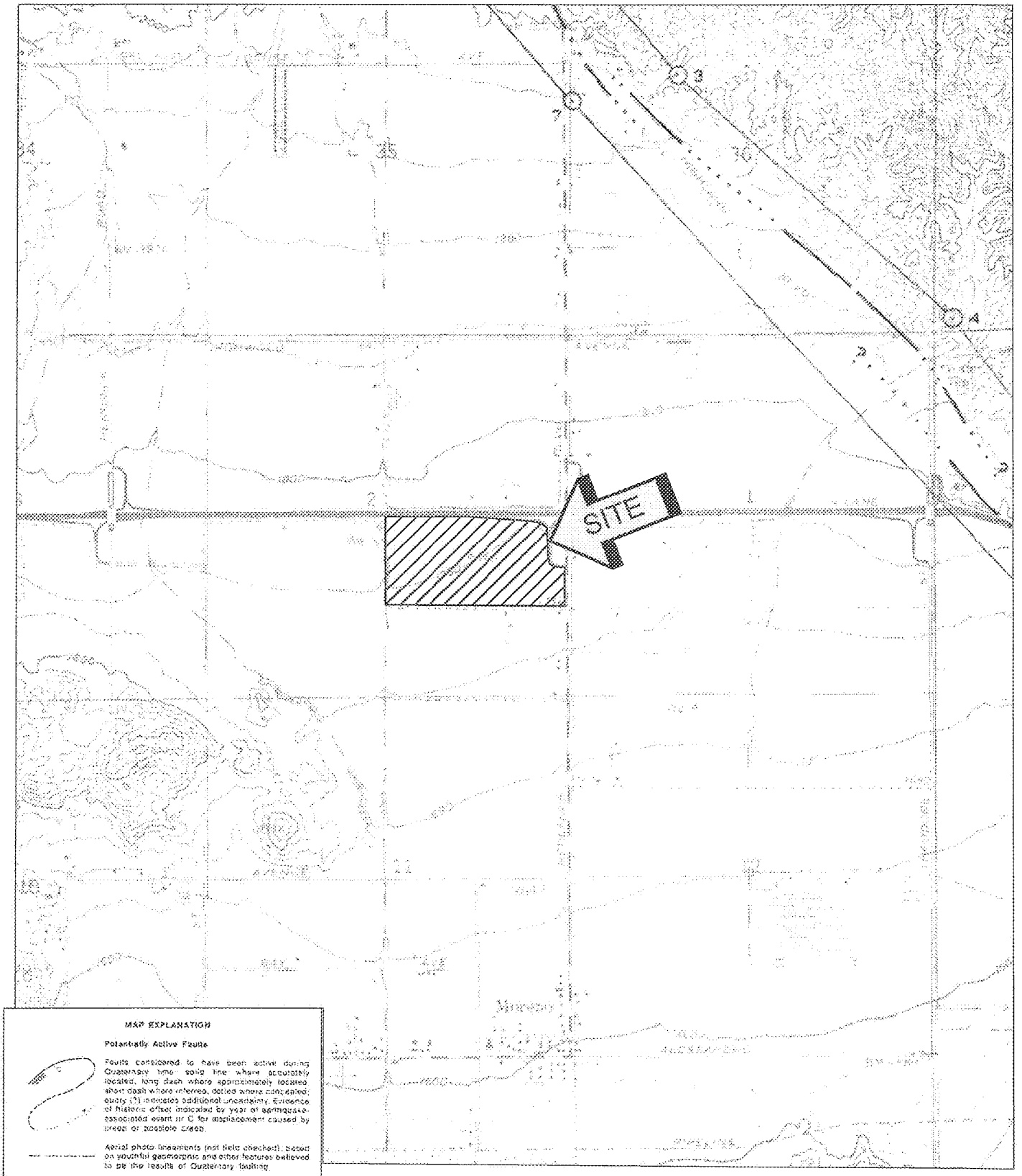

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00117458

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00117459

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

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[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

<u>Response FNSJ-23</u>

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

JS-14 (cont'd)

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts.

JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document.

JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of

JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is <u>not</u> the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

JS-54

(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

JS-55

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
>
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response JS-41

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> *4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

> **5.8 Direct impacts to wildlife**
>
> **5.8.1 Common Wildlife**
>
> The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

Common Wildlife Species

The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

Response JS-52

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

<u>Response JS-53</u>

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists [illegible] LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response NDN-9

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

<u>Response NDN-12</u>

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

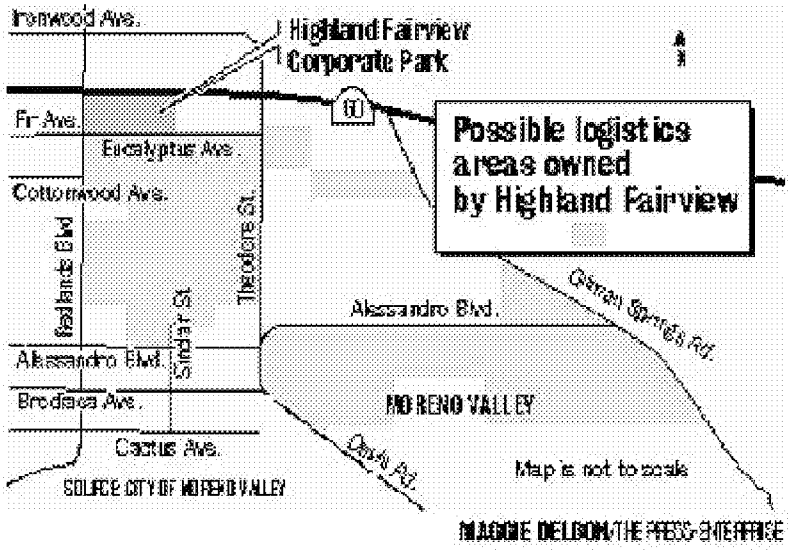

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools?

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

RLMV-2

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

RLMV-3

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- without factoring Moreno Highlands into the equation. SC-1

How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

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11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to show the impacted views from the 60 Freeway looking south across the project site to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

Recommendation: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

Building – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **mitigation measure reducing the height of the structure to preserve some of the scenic vistas should be imposed.** Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

Light and Glare – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: www.darksky.org lists lighting fixtures and methods to meet dark sky specifications. Add a Mitigation Measure (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

Screen Walls – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

Landscaping – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGahee Dr. Moreno Valley 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto Wildlife Area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

City of Moreno Valley
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*Name (Required): Richard Johnson Phone: 951-243-0804

*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

*Note: Your name and contact information will become part of the public record for this project.

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

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Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

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CITY OF MORENO VALLEY

Item No. E.3

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area.

This report must include all the impacts of all 35 million sq ft in order to be of actual value to the community. DR-C-2

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.3

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

APPENDICES

Please refer to accompanying CD-ROM

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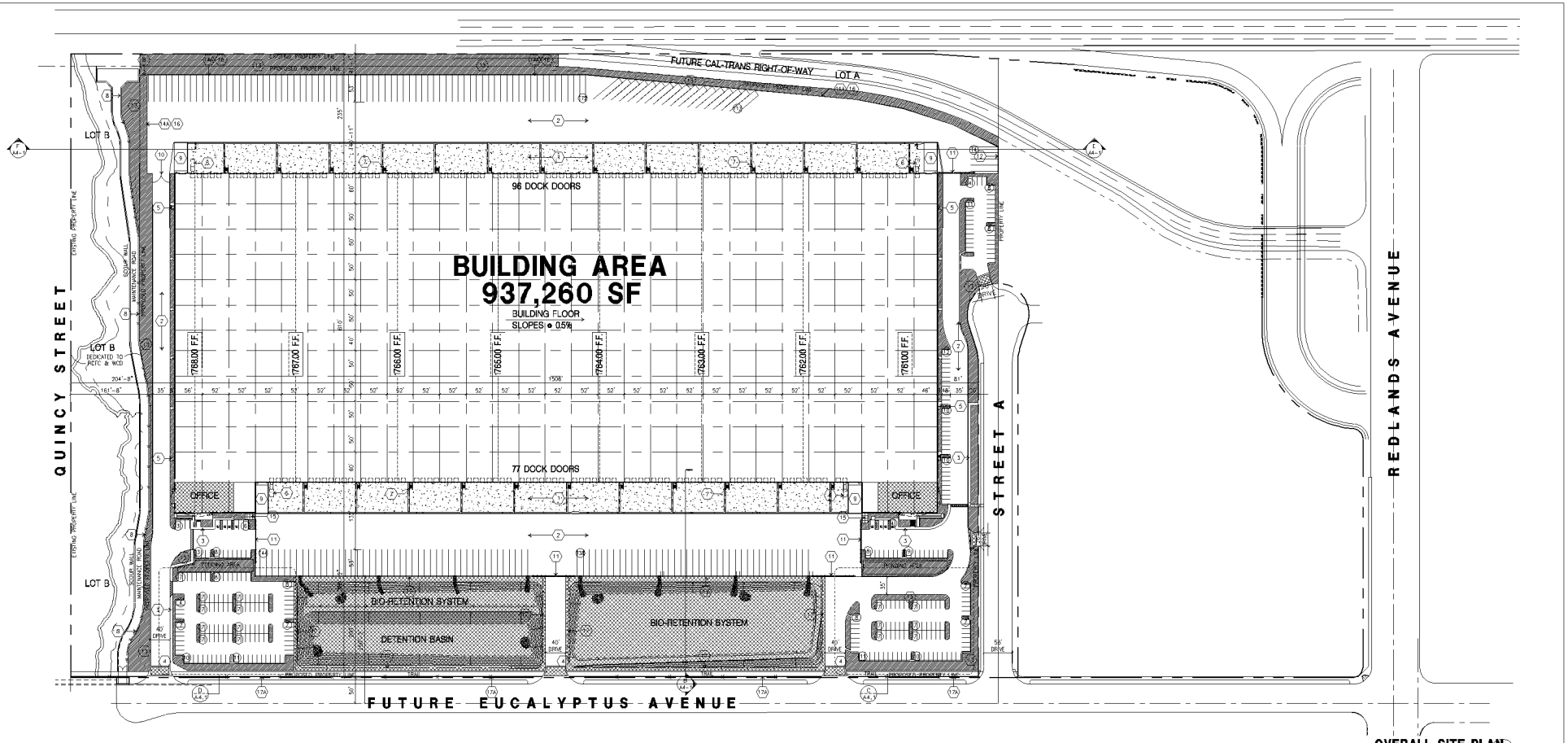

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

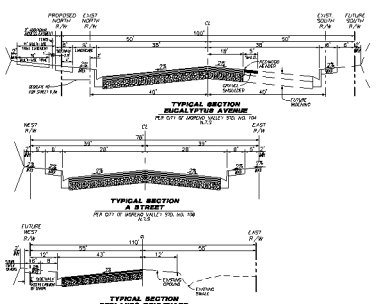

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.68
Net site area (in s.q.ft.)	2,269,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k@1/1,000 s.f.	20		
2nd. 20k@1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' WIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 6' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLAGIO, LLC
c/o PIERCE PROPERTY TRUST
301 CONVAL AVE. - STE. #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROE COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: GIL SWENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DRWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- P — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TINA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25500 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DALENHAUER

VICINITY MAP

N.T.S.

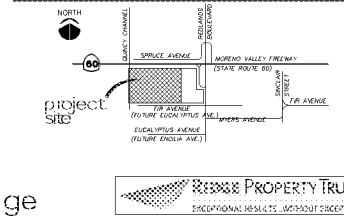

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge
Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

HPA# 6342

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A1.1

ATTACHMENT 11

MV00117729

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MV00117730

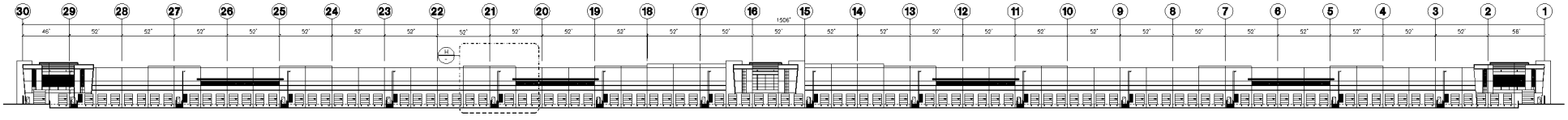

NORTH ELEVATION (A)
scale: 1"=40'-0"

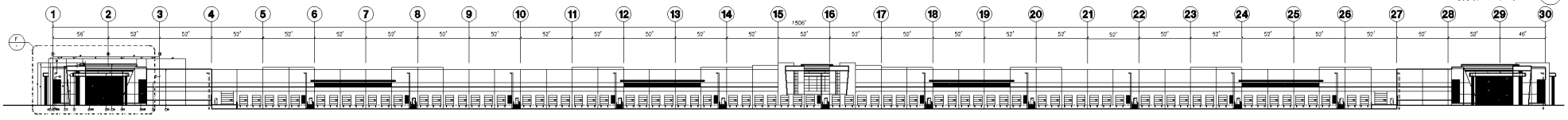

SOUTH ELEVATION (B)
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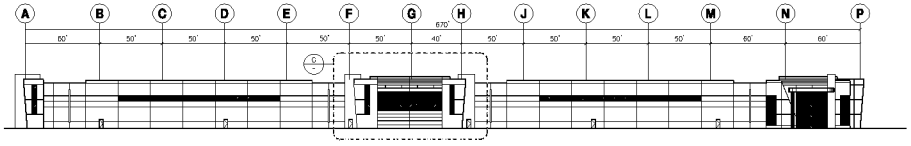

WEST ELEVATION (D)
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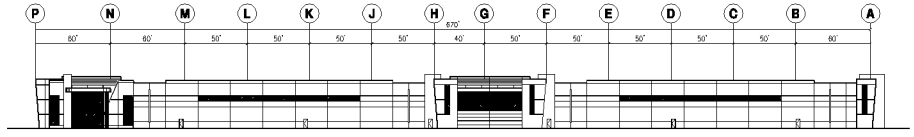

EAST ELEVATION (C)
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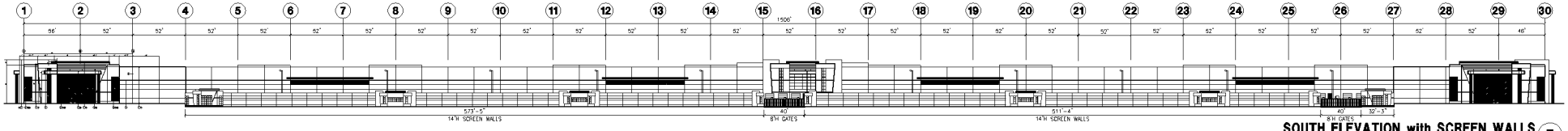

SOUTH ELEVATION with SCREEN WALLS (E)
scale: 1"=40'-0"

SCALE: 1"=40'
0 40' 80' 120'

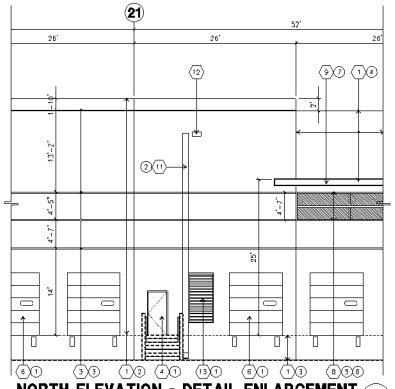

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
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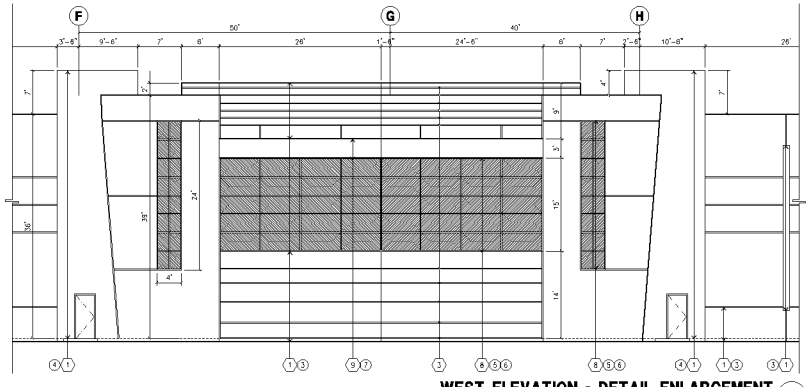

WEST ELEVATION - DETAIL ENLARGEMENT (G)
scale: 1/8"=1'-0"

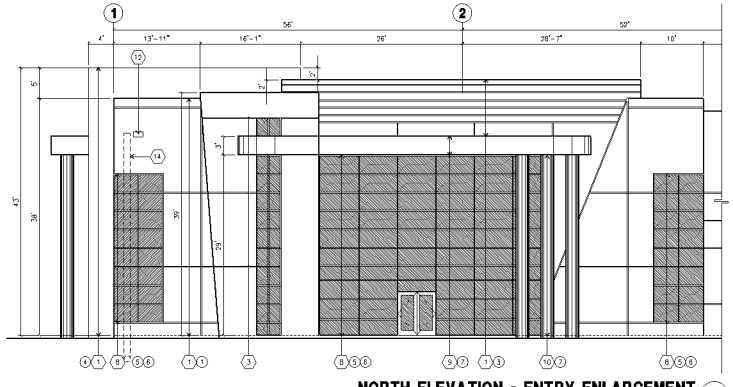

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS. SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173W EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566 DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

A3.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 12

MV00117731

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MV00117732

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

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MV00117734

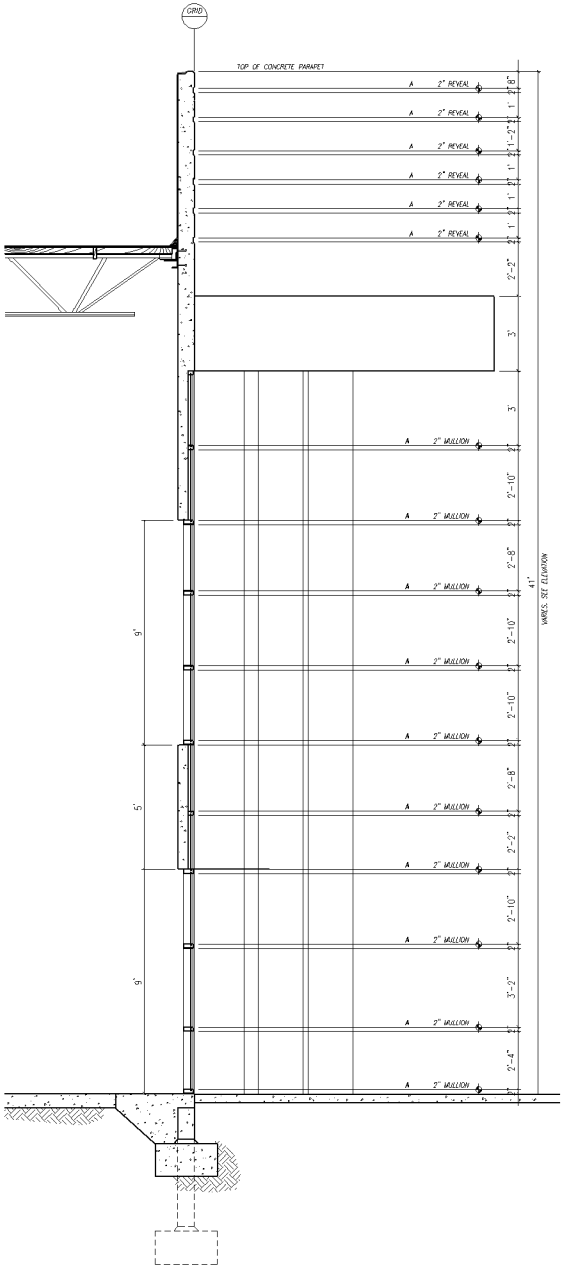

BUILDING SECTION @ OFFICE AREA (A)
scale: 1/2" = 1'-0"

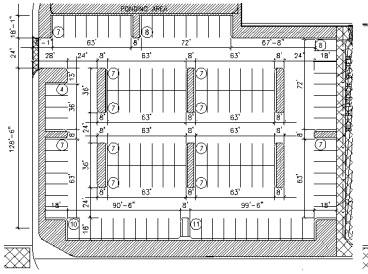

ENLARGED SITE PLAN @ SOUTHWEST (D)
scale: 1" = 40'-0"

1" = 40'-0"
0 40 80 120
NORTH

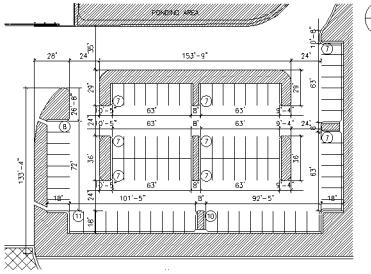

ENLARGED SITE PLAN @ SOUTHEAST (C)
scale: 1" = 40'-0"

1" = 40'-0"
0 40 80 120
NORTH

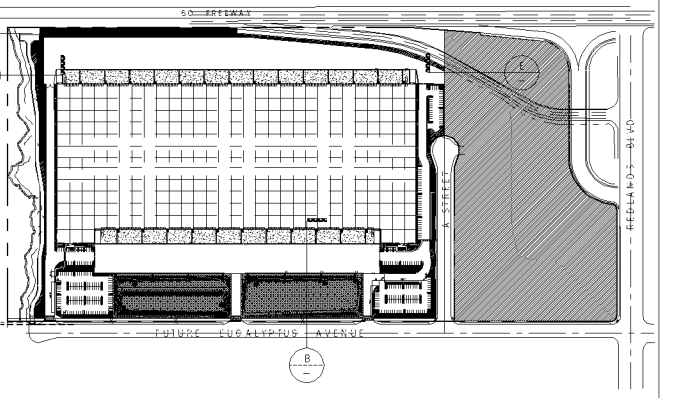

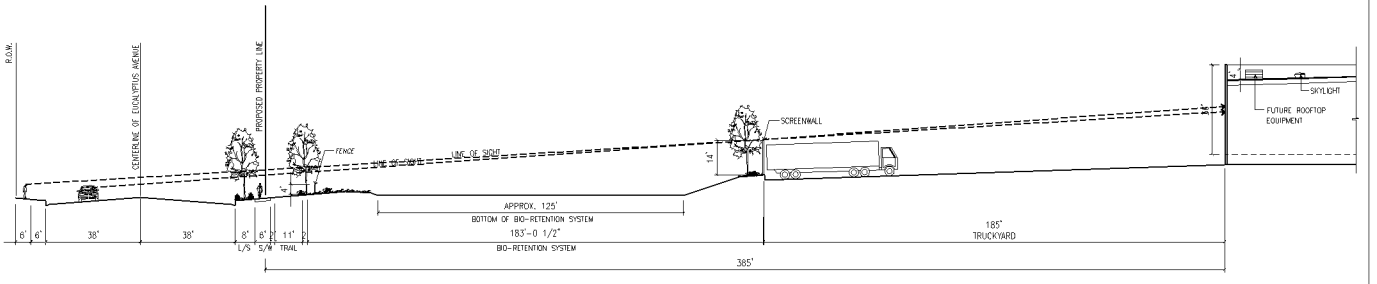

LINE OF SIGHT (B)
scale: 1" = 20'-0"

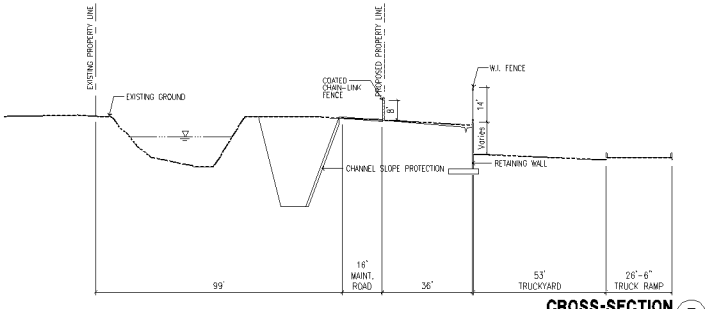

CROSS-SECTION (F)
scale: 1" = 20'-0"

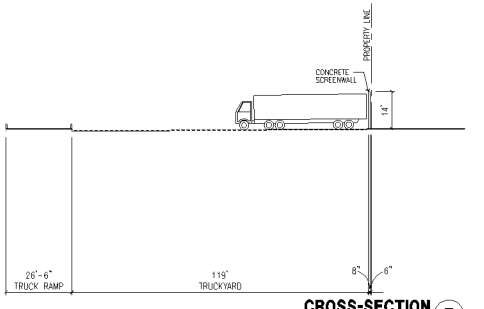

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

Rexford Property Trust
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A4.1

ATTACHMENT 14

MV00117735

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MV00117736

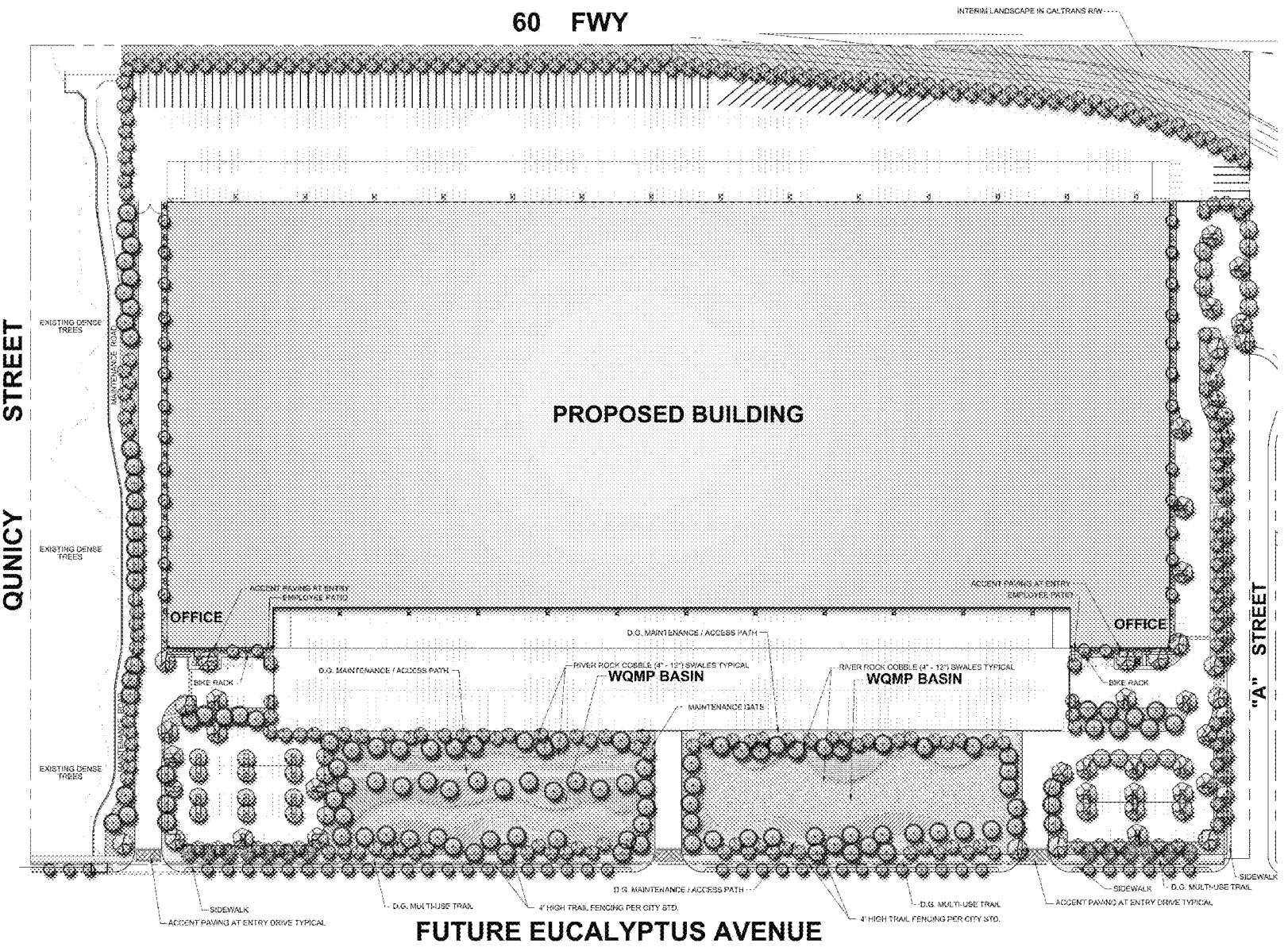

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus suber (Cork Oak)	15 GAL 24" BOX	30 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (Crimean Linden) Malia Trees	48" BOX	16
	Ulmus americana (Liberty and Pink) OR Pistacia atlantica (Shade Pro)	15 GAL 24" BOX	150 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Includes Street Tree)	24" BOX	13
	Pistacia chinensis (Chinese Pistache)	15 GAL	152
	Pistacia chinensis (Chinese Pistache) (Includes Street Tree)	24" BOX	21
	Quercus agrifolia (Coast Live Oak)	24" BOX	24
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 10' OF HARDSCAPE SHALL BE 18" X 4' SHADTOWN ROOT BARRIER 30" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Muhlenbergia lindheimeri (Muhly)	5 gallon	30" o.c. spacing
Acacia cultriformis (Knife Acacia)	5 gallon	6' o.c. spacing
Arbutus unedo 'Compacta' (Compact Strawberry Tree)	1 gallon	12" o.c. to 24" o.c. spacing
Agave americana (Century Plant)	5 & 15 gallon	6' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Nolina nelsoni (Nelson's Bunchgrass)	5 gallon	3' o.c. spacing
Arbutus unedo (Strawberry Tree)	5 gallon	5' o.c. spacing
Calocephalus (Silver Bush)	1 gallon	24" o.c. spacing
Carpenteria californica (Bush Anemone)	5 gallon	3' o.c. spacing
Cistus Sunrose Species (Rockrose)	5 gallon	4' o.c. spacing
Cistus Species (Rockrose)	5 gallon	4' o.c. spacing
Dodonaea viscosa (Hopseed)	5 gallon	3' o.c. spacing
Dodonaea viscosa 'Purpurea' (Purple Hopseed)	5 gallon	3' o.c. spacing
Elaeagnus pungens (Silverberry)	5 gallon	4' o.c. spacing
Fremontodendron (Flannelbush)	5 gallon	4' o.c. spacing
Galvezia speciosa (Island Bush Snapdragon)	5 gallon	3' o.c. spacing
Heteromeles arbutifolia (Toyon)	5 & 15 gallon	5' o.c. minimum
Juniperus species (Juniper)	1 and 5 gallon	varies
Leucadendron (Leucadendron)	1 and 5 gallon	24" o.c. to 30" o.c. spacing
Leucophyllum frutescens 'Rio Bravo'	5 gallon	4' o.c. spacing
Leucophyllum frutescens 'Green Cloud' (Texas Ranger)	5 gallon	4' o.c. spacing
Ligustrum lucidum (Wax Leaf Privet)	5 gallon	30" o.c. spacing
Macadamia integrifolia and tetraphylla (Macadamia Nut)	5 gallon	24" o.c. spacing
Mimulus aurantiacus (Bush)	1 gallon	24" o.c. spacing
Muhlenbergia rigida (Deer Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis (Species Myrtle)	5 gallon	24" o.c. spacing
Nandina domestica (Heavenly Bamboo)	5 gallon	24" 36" o.c. spacing
Photinia fraseri (Red Tipped Photinia)	5 gallon	4' 6" o.c. spacing
Pittosporum species	5 gallon	4' 6" o.c. spacing
Prunus ilicifolia (Holly Leaf Cherry)	5 gallon	4' 6" o.c. spacing
Rhamnus californica (California Coffeeberry)	5 gallon	4' 6" o.c. spacing
Rhus ovata (Sugar Sumac)	5 gallon	varies
Romneya coulteri (Matilija Poppy)	1 & 5 gallon	30" 36" o.c. spacing
Salvia clevelandii (Cleveland Sage)	5 gallon	5' o.c. spacing
Salvia greggii (Autumn Sage)	1 gallon	4' 6" o.c. spacing
Salvia mellifera (Black Sage)	5 gallon	4' 6" o.c. spacing
Salvia mellifera (Black Sage)	5 gallon	4' 6" o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (NCN)	1 and 5 gallon	48" o.c. spacing min.
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing min.
Carex tumulicola (Foothill Sedge)	1 gallon	42" o.c. spacing min.
Delosperma cooperi (Trailing Ice Plant)	1 gallon	24" o.c. spacing min.
Hedera helix (Ivy)	1 gallon	24" o.c. spacing
Juniperus species (Juniper)	1 gallon	30" o.c. spacing
Lonicera japonica 'Halliana' (Hall's Honeysuckle)	1 gallon and 1 gallon	18" o.c. spacing
Myoporum parvifolium (Myoporum)	1 gallon	24" 42" o.c. spacing
Myoporum species (Myoporum)	1 gallon	48" o.c. spacing
Rosmarinus officinalis prostratus (Rosemary)	1 gallon	30" o.c. spacing
Vinca major (Periwinkle) and Vinca minor (Dwarf periwinkle)	1 gallon and 1 gallon	18" o.c. spacing

INTERIM LANDSCAPE WITHIN CALTRANS R/W - PLANT 1 GAL., ACHIEVE BEGOLENE 12" O.C. WITH 3" INNER LAYER OFFICE DEVELOPER TO MAINTAIN SO AS IMPLEMENTED WITH CITY URBAN FOREST

SIDEWALK VINE VARIABLES NON-SIMULATED PURGE ESSING INC

0.25 AVG	ANTIGONON LEPTOPUS
0.50 AVG	MACFADYENA UNGUIS
0.75 AVG	MACFADYENA CAPREOLATA
1.00 AVG	MACFADYENA VERA-CRUZ
1.50 AVG	MACFADYENA MERIDIONALIS
2.00 AVG	VITIS RIVERSIA
0.75 AVG	MACFADYENA SACCHARISSA

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Ficus pumila (Creeping fig)	1 gallon	12" o.c. spacing
	Macfadyena unguis-cati (Cat claw)	1 gallon	12" o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Berberis thunbergii 'atropurpurea' (Red Barberry)	5 gallon	6' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM MATERIALS DIST. 800-0266

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

MV00117737

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MV00117738

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INCLUSIVE, BLOCK 35, OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT-ZOLLARS

NOVEMBER, 2010

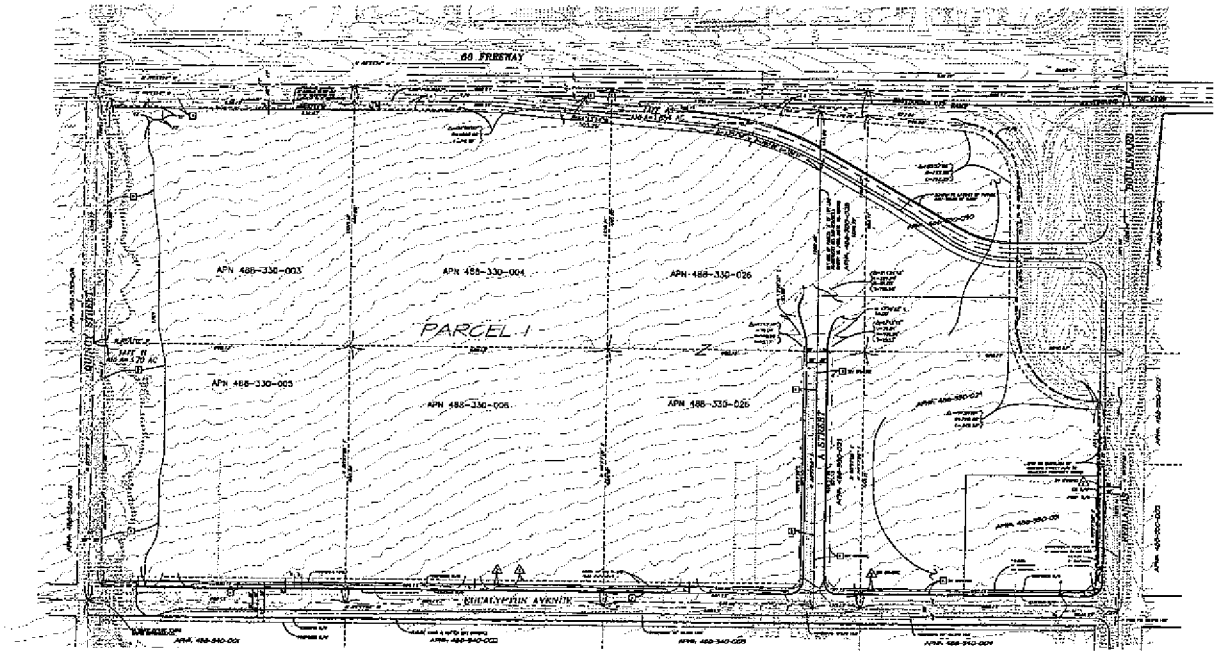

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: INDUSTRIAL/AGRICULTURAL TO THE EAST; AGRICULTURAL TO THE SOUTH; VACANT TO THE NORTH AND COMMERCIAL TO THE WEST
3. AVERAGE LOT SIZE: 1 ACRE
4. EXISTING ZONING: IP1 PROPOSED ZONING: IP1
5. FLOOD ZONE X PER FIRM NO. 06065C0736G EFF. DATE AUGUST 28, 2008
6. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
7. PROPOSED WATER SERVICE WILL BE PROVIDED BY EASTERN MUNICIPAL WATER DISTRICT
8. PROPOSED SEWER SERVICE WILL BE PROVIDED BY EASTERN MUNICIPAL WATER DISTRICT
9. ALL UTILITIES SHALL BE UNDERGROUNDED:
   GAS: SOUTHERN CALIFORNIA GAS COMPANY
   ELECTRIC: CITY OF MORENO VALLEY ELECTRIC UTILITY
   TELEPHONE: VERIZON TELEPHONE COMPANY
10. ALL SIGNS SHALL BE CONSTRUCTED AT A MINIMUM SIZE OF 24" UNLESS OTHERWISE PERMITTED
11. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS
12. AERIAL TOPOGRAPHY PROVIDED BY: DIGITAL MAPPING INC.
13. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
14. AREA=30.444 AC±

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELACO, LLC
[illegible]
LOS ALAMITOS, CA 90720
PH: [illegible]
FAX: [illegible]
CONTACT: [illegible]

PREPARED IN THE OFFICE OF
HUITT-ZOLLARS, INC.
[illegible]
PHONE: [illegible]

UTILITY PROVIDERS

WATER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]

GAS
SOUTHERN CALIFORNIA GAS COMPANY
[illegible]

ELECTRIC
MORENO VALLEY ELECTRIC UTILITY
[illegible]

TELEPHONE
VERIZON
[illegible]

CABLE - TV
MEDIACOM
[illegible]

SEWER
MORENO VALLEY UTILITIES
[illegible]

LAND USE
AP# _____ ±30.444 ACRES

CONTOURS
[illegible]

LEGEND / ABBREVIATIONS

	PROPOSED SEWER LINE
	PROPOSED FIRE WATER LINE
	PROPOSED DOMESTIC WATER LINE
	PROPOSED SEWER LINE
	PROPOSED STORM DRAIN
	EXISTING GAS LINE
	EXISTING WATER LINE
	EXISTING SEWER LINE
	EXISTING STORM DRAIN
	STORM DRAIN INLET
	CATCH BASIN
	BASIS OF BEARINGS BOUNDARY
	EXISTING RIGHT OF WAY/SITE BOUNDARY
	PROPOSED RIGHT OF WAY
	LOT LINE
	FIRE HYDRANT

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW HAVE BEEN EXTRACTED FROM A PRELIMINARY TITLE REPORT PREPARED BY [illegible] THE COMPANY DATED [illegible] AND [illegible]. [illegible]

PARCEL 1:

LOT 2, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

PARCEL 2:

LOT 3, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION OF SAID LOT 3 LYING WITHIN THE LINES OF THE STREET, ROAD OR HIGHWAY, LYING SOUTHERLY AND WESTERLY OF THE CENTERLINE OF SAID STREET, ROAD OR HIGHWAY, AS RESERVED IN THE DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

PARCEL 3:

LOT 4, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION OF SAID LOT 4 LYING WITHIN THE LINES OF THE STREET, ROAD OR HIGHWAY, LYING SOUTHERLY AND WESTERLY OF THE CENTERLINE OF SAID STREET, ROAD OR HIGHWAY, AS RESERVED IN THE DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

PARCEL 5:

LOT 5, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION OF SAID LOT 5 LYING WITHIN THE LINES OF THE STREET, ROAD OR HIGHWAY, LYING SOUTHERLY AND WESTERLY OF THE CENTERLINE OF SAID STREET, ROAD OR HIGHWAY, AS RESERVED IN THE DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

PARCEL 6:

LOT 6, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION OF SAID LOT 6 LYING WITHIN THE LINES OF THE STREET, ROAD OR HIGHWAY, LYING SOUTHERLY AND WESTERLY OF THE CENTERLINE OF SAID STREET, ROAD OR HIGHWAY, AS RESERVED IN THE DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

PARCEL 7:

LOT 7, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION OF SAID LOT 7 LYING WITHIN THE LINES OF THE STREET, ROAD OR HIGHWAY, LYING SOUTHERLY AND WESTERLY OF THE CENTERLINE OF SAID STREET, ROAD OR HIGHWAY, AS RESERVED IN THE DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

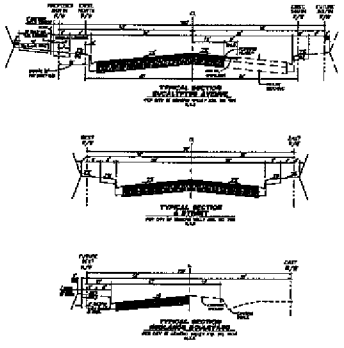

EASEMENT NOTES

(A) EASEMENT(S) FOR THE PURPOSES SHOWN BELOW AND HEREIN ACCEPTED, RESERVED OR GRANTED ON A MAP(S)/PARCEL MAP
PURPOSE: EASTERN MUNICIPAL WATER DISTRICT
PURPOSE: PUBLIC UTILITIES PURPOSES
RECORDED: DECEMBER 18, 1963, AS INSTRUMENT NO. 139944, BOOK 1263, PAGE 505, OF OFFICIAL RECORDS

PROPOSED EASEMENT

(1) 10' EASEMENT FOR WALK-ON USE TO THE CITY OF MORENO VALLEY
(2) 5' EASEMENT FOR THE PURPOSE OF DISTRIBUTION AND MAINTENANCE OF THE GAS TO THE CITY OF MORENO VALLEY

PROPOSED DEDICATION

(A) [illegible] FOR EUCALYPTUS STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY
(B) [illegible] FOR STREET PURPOSES TO THE CITY OF MORENO VALLEY
(C) [illegible] TO THE CITY OF MORENO VALLEY FOR FUTURE CULVERT A/B
(D) [illegible] FOR SLOPE CHANGE A/B (SEE SEPARATE DOCUMENTS)

LINE DATA

LINE	BEARING	DISTANCE
L1	[illegible]	[illegible]
L2	[illegible]	[illegible]
L3	[illegible]	[illegible]
L4	[illegible]	[illegible]
L5	[illegible]	[illegible]
L6	[illegible]	[illegible]
L7	[illegible]	[illegible]
L8	[illegible]	[illegible]
L9	[illegible]	[illegible]
L10	[illegible]	[illegible]
L11	[illegible]	[illegible]

PARCEL SUMMARY TABLE
[illegible]

CITY CASE NO. PM36-0022

HUITT-ZOLLARS
[illegible]

DESIGNED BY R.G.S.
DRAWN BY [illegible]
CHECKED BY R.G.S.
SCALE 1" = 1'
SHEET 1 OF 1 SHEETS
JOB NO. [illegible]

ATTACHMENT 16

Item No. E.3

MV00117739

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MV00117740

West Ridge Commece Center Project

Legend

- Highways
- Parcels
- Roads
- March Installation Area
- Waterbodies
- Sphere of Influence
- Ortho Photography

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside

Powered By GeoSmart.net

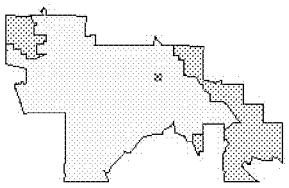

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

N

0 300 600 1200ft

MORENO VALLEY
WHERE DREAMS SOAR

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MV00117742

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. AQMD-5 cont'd.

  ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

  Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

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MV00117762

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

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MV00117768

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-325-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Dennis S. Rice 5-18-2011
Property Owner's Signature Date

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Dennis S. Rice 5-18-2011
Applicant's Signature Date

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 154912 3⑈

Item No. E.3

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MV00117776

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer. ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

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MV00117782

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

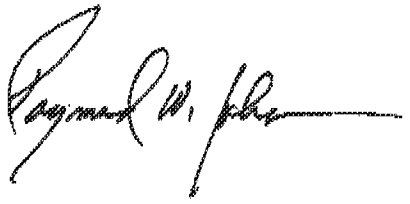

Raymond W. Johnson
JOHNSON & SEDLACK

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MV00117794

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

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MV00117800

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: July 12, 2011

TITLE: A PUBLIC HEARING FOR CONSIDERATION OF THE REVISION OF TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT, SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, APPLICATIONS FOR LIGHTING, SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK SKY PROVISIONS FOR GENERAL ON-SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING CITYWIDE. THE APPLICANT IS THE CITY OF MORENO VALLEY.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no action is required. Should the City Council choose to adopt the new standards, the following actions are required:

1. **RECOGNIZE** that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. **ADOPT** Ordinance No. 2011-831, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

ADVISORY BOARD RECOMMENDATIONS

On April 14, 2011, the Planning Commission conducted a public hearing to review proposed revisions related to lighting for general site, street and athletic field/park lighting citywide. At the conclusion of the public hearing and Commissioner debate, the Commission unanimously recommended that the City Council not amend lighting provisions within the Municipal Code to include a dark sky emphasis for general site, street and athletic field/park lighting.

The Planning Commission stated a number of reasons for their recommendation for denial including, but not limited to, their belief that the proposed dark sky ordinance revisions to existing Municipal Code lighting standards would be intrusive to both residential homeowners and commercial/industrial projects, curfew lighting having the potential to create reduced lighting conditions and the potential for reduced lighting within parking lot peripheries. The Commissioners mentioned that the reduction of lighting in the later night hours may lead to potential public safety issues and that some provisions such as the night lighting curfew and light wattage requirements may be difficult to enforce.

BACKGROUND

On October 20, 2009, the City Council provided direction for staff to review existing lighting standards and provide proposed dark sky provisions for consideration. The review of existing lighting ordinance standards is a direct result of the settlement agreement reached on January 7, 2010, between the Sierra Club, Highland Fairview and the City regarding approval of the Highland Fairview Corporate Park Project and the Skechers warehouse building.

The current City of Moreno Valley Municipal Code lighting requirements include provisions to curb on-site lighting such as the current limit for lighting at property lines to a maximum of 0.5 foot candle and residential lighting fixture limit of twelve feet in height. Some of the current lighting standards however, do not facilitate a dark sky approach or assist in promoting energy efficiency. For example, the City currently requires that parking lots and other public spaces be lit “from dusk to dawn” which exceeds the hours of operation for most retail and non-retail properties, especially office and religious establishments.

Research conducted by the Planning Division found that only a few cities had adopted dark sky ordinances. Surrounding cities such as Riverside, Perris and Redlands have not adopted dark sky ordinances. Although the settlement agreement suggested utilizing standards from the City of Palm Desert, a combination of ordinances from the cities of Palm Desert, Beaumont, Palm Springs, Encinitas, San Diego and other cities were reviewed. Standards within these ordinances and draft guidance standards by the International Dark-Sky Association were the basis for the revised lighting provisions.

The primary purposes of changing current lighting practices and drafting a dark sky ordinance include**:**

- Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night;
- Curtail and reverse any degradation of the nighttime visual environment and the night sky;
- Minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary;
- Conserve energy and resources to the greatest extent possible;
- Help protect the natural environment from the negative effects of night lighting.

DISCUSSION

Pursuant to the direction provided by the City Council, staff developed revised onsite and parking lot lighting, lighting required on streets and right of ways and lighting provided for sports activities within parks and athletic fields for City Council consideration. Based on provisions within the settlement agreement, staff was to report back to City Council with draft lighting requirements and recommendations for consideration without commitment to adopt an ordinance.

Some of the major modifications proposed to the existing lighting standards include:

- Revised development and performance standards including maximum wattage of light bulbs for single-family residential, multiple-family residential (100 watts) and non-residential (commercial and industrial) properties (250 watts);
- All lighting to include full cutoffs to prevent excess trespass for residential-multiple family and all non-residential properties.
- A further reduction of permitted light trespass or spillover lighting on adjacent properties for all non-residential and multi-family residential properties to not exceed 0.25 foot candle minimum maintained lighting measured from within five (5) feet of any property line consistent with language in the Palm Desert ordinance. This compares with the existing ordinance standard to not exceed 0.50 foot candle at the property line.
- The inclusion of height limits for hillside residential lighting of 8 feet, with all other residential areas not to exceed 12 feet; and non-residential lighting height limits of 30 feet, except within 100 feet of a residential use, where the maximum height would be 20 feet and walkway/courtyard lighting with a maximum of 12 feet in height.

- The addition of lighting curfews for outdoor lighting for non-residential uses requiring all lighting to be reduced by 50 percent beginning at 10:00 p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier.
- The addition of athletic field lighting standards to include horizontal cutoffs to reduce vertical lighting above the fixture for new lighting and retrofit fixtures and a maximum lighting value for lighting recreational athletic fields to be an average maintained 50 foot-candles.

- The modification of existing street light standards to indicate that the installation of street lighting is solely for the purpose of illuminating the public right of way in conformance to the city street lighting standards, which include the provision that the developer will pay all costs related to the installation of street lighting and establish a method for the payment of maintenance and operations.

In the process of updating current lighting standards, staff established a subcommittee with members from the departments involved with lighting, including Land Development, Transportation, Police, Special Districts, Moreno Valley Utility and Parks and Community Services. All department representatives of the subcommittee assisted in drafting revised lighting language, reviewed draft dark sky lighting standards, and have agreed to the proposed modifications as presented and attached to this report in cross-out/underline and clean copy formats.

ALTERNATIVES

1. Based on the recommendation of the Planning Commission, reject the proposed draft dark sky lighting modifications and not take action on the ordinance.

2. Approve the proposed draft dark sky lighting ordinance as written.

3. Approve the proposed draft dark sky lighting ordinance with modifications. The Council could elect to remove or modify items such as the lighting curfew, provisions modifying additional spill-over lighting adjacent to adjoining properties or restricting wattage of lighting for residential and/or non-residential properties.

4. Return the proposed dark sky lighting ordinance back to the Planning Commission with further direction.

NOTIFICATION

Public notice of the proposed Municipal Code Amendment was published in the local newspaper as a 1/8 page display ad on June 24, 2011, and was mailed to the Sierra Club.

ATTACHMENTS

1. Public hearing notice
2. City Council Ordinance, including clean copies of the Ordinance amendment
3. Strikeout/underline version of Chapter 9, Section 9.08.100 "Lighting" of the Municipal Code
4. Strikeout/underline version of Chapter 9, Section 9.08.190, "Street Lighting" of the Municipal Code
5. Strikeout/underline version of Chapter 9.16, Article IV, "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines" of the Municipal Code
6. Strikeout/underline version of Chapter 9.16, "Applications for Lighting" Section 9.16.280 "General Requirements" of the Municipal Code.
7. Strikeout/underline version of Chapter 9.15, Section 9.15.030 "Definitions" of the Municipal Code.
8. Planning Commission Report dated April 14, 2011, excluding attachments
9. Planning Commission Minutes of April 14, 2011

Prepared By:
Mark Gross, AICP,
Senior Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00117806

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER A CITYWIDE AMENDMENT (PA10-0022) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE, TITLE 9 OF THE MORENO VALLEY MUNICIPAL CODE, CHAPTER 9.08, SECTION 9.08.100 "LIGHTING" AND SECTION 9.08.190 "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV "APPLICATIONS FOR HILLSIDE DEVELOPMENT", SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES", ARTICLE VI "APPLICATIONS FOR LIGHTING", SECTION 9.16.280, "GENERAL REQUIREMENTS", AND CHAPTER 9.15, SECTION 9.15.030 "DEFINITIONS" RELATING TO MODIFICATIONS OF GENERAL SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING WITH AN EMPHASIS ON DARK SKY STANDARDS CITYWIDE

The amendment would modify current lighting provisions including, but not limited to the refinement of existing code standards for general site, athletic field and street lighting to provide a further reduction of light spillover onto adjacent properties and a dark sky approach citywide.

The City Council may consider any appropriate modifications or alternatives to the amendment or environmental determination. The amendment is exempt under California Environmental Quality Act Guidelines Section 15061 in that there is no possibility that the proposed activity may have potential for a significant impact upon the environment.

Any person interested in the proposed project may contact Mark Gross at (951) 413-3215 or at the Community & Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Clerk or City Council on or before the following meeting date:

Tuesday, July 12, 2011
6:30 P.M.
City Council Chamber
14177 Frederick Street.
Moreno Valley, CA 92552-0805

A7 **Item No. E.4**

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MV00117808

ORDINANCE NO. 831

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA APPROVING PA10-0022 TO AMEND TITLE 9 OF THE MORENO VALLEY MUNICIPAL CODE, CHAPTER 9.08, SECTION 9.08.100 "LIGHTING" AND SECTION 9.08.190 "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV APPLICATIONS FOR HILLSIDE DEVELOPMENT SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES", ARTICLE VI APPLICATIONS FOR LIGHTING AND SECTION 9.16.280, "GENERAL REQUIREMENTS" AND CHAPTER 9.15, SECTION 9.15.030 "DEFINITIONS" RELATING TO MODIFICATIONS OF GENERAL SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING WITH AN EMPHASIS ON DARK SKY STANDARDS CITYWIDE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1: RECITALS

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 The ordinance amendment is attached hereto and incorporated herein as Exhibit A.

SECTION 2: FINDINGS

2.1 Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modifications to the Municipal Code are consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The citywide project consists of modifications to existing lighting standards established in the City of Moreno Valley Municipal Code. Numerous sections of the Code will be modified regarding lighting for general site, athletic field and street lighting to provide a further reduction of light spillover onto adjacent properties, a dark sky approach and a reduction of overall energy/electricity use.

ATTACHMENT 2

All of the proposed clarifications and modifications included within the Municipal Code amendment are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan. Particularly, Objective 2.10.7 of the General Plan indicates that on-site lighting should not cause nuisance levels of light or glare on adjacent properties.

2. **Conformance with Zoning Regulations –** The proposed modifications to the Municipal Code comply with all applicable zoning and other regulations.

   FACT: The primary purpose of modifying current lighting ordinance practices is to permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night, curtail and reverse any degradation of the nighttime visual environment and the night sky, minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary and conserve energy. The amendments to the Municipal Code are consistent with applicable zoning standards and all other regulations within the Code. The newly established language within the amendment are internally consistent and compatible with the purpose and intent of Title 9, and will refine the language within the existing lighting and design standards within the various sections of the Code. The amendments are also internally compatible with other regulations established within the Moreno Valley Development Code.

3. **Health, Safety and Welfare –** The proposed modifications to the Municipal Code will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The modification and enhancement of existing Municipal Code general and design standards for on-site and street lighting with an emphasis on maintaining dark night skies creates a positive environment for the development of Moreno Valley's future and allows for the preservation of night skies and reduction of glare and light in more environmental sensitive land use areas such as residential hillside and open space areas. Pursuant to Section 15061 of the CEQA Guidelines, the project meets requirements for project exemption as there is no possibility that the modification of existing light standards to further prevent light spillover into adjacent properties and into the night sky may have a significant effect on the environmental, while the activity is not subject to CEQA requirements. The proposed amendment also does not have the potential to

adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions.

SECTION 3: ADOPTION

Based on the foregoing recitals and findings, the City Council of the City of Moreno Valley does hereby adopt and approve the ordinance amendment attached hereto as Exhibit A.

SECTION 4: EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

9.08.100 Lighting.

A. Purpose and Intent. The purpose of this section is to establish regulations and standards for outdoor lighting which will reduce light pollution and trespass generated by residential and non-residential lighting fixtures and devices, while maintaining dark skies. It is also the intent of this section to encourage, through the regulation of the types, construction, installation and uses of outdoor illuminating devices, lighting practices and systems to conserve energy without decreasing safety, security and productivity.

B. Applicability. Lighting standards included in this chapter shall apply to:

1. All new development

2. Any existing development or parking area providing five or more spaces, which is enlarged, reconstructed, altered or changed from its previous configuration shall be subject to illumination requirements included in this chapter.

3. Existing land uses are exempt from specific lighting requirements included in this chapter, except that they are subject either to general lighting intensity standards (i.e. foot candle requirements) in place prior to the effective date of this ordinance or standards of a prior point by point or photometric lighting plan approved by the City. Any general modifications to existing on-site lighting structures or fixtures and/or intensity of lighting may be subject to the regulations provided in the entirety of this chapter as determined by the submittal and review of a new or revised photometric lighting plan.

C. Minimum Development and Performance Standards. All exterior lighting shall meet the following requirements:

1. Single Family Residential Uses.

a. In all single family residential areas, light should be shielded such that the lamp itself or the lamp image is not directly visible outside the property perimeter.

b. The maximum wattage for residential lighting shall be 100 watts incandescent and 26 watts compact fluorescent, except for recreational courts.

c. Lighting standards for recreational courts are subject to Section 9.09.190 "Swimming pools, spas and recreational courts", while approval of all recreational court lighting is subject to a point by point photometric lighting plan submittal.

EXHIBIT A

2. Multiple Family Residential Uses.

a. All outdoor lighting associated with residential uses shall be fully shielded and directed away from adjacent residential properties. Such lighting shall not exceed one-quarter (0.25) foot candle minimum maintained lighting measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness.

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.

c. The maximum wattage for residential lighting shall be 100 watts incandescent and 26 watts compact fluorescent, except as allowed for parking lot lighting and recreational courts.

d. Parking lot lighting for designated multiple family residential parking areas shall meet the requirements included in item (4) (a-c) below.

3. Non-Residential Uses.

a. All outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses. Such lighting shall not exceed one quarter (0.25) foot candle minimum maintained lighting measured from within five feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for non residential uses shall be 250 watts of high intensity discharge (HID) lighting.

4. Off-Street Parking.

a. All parking lots or structures providing more than five spaces for use by the general public and their pedestrian links shall be provided with a minimum coverage of one (1) foot candle of light with a maximum of eight (8) foot candles on the parking or walkway surface, unless otherwise approved, for visibility and security. Such lighting shall not exceed one quarter (0.25) foot candle minimum maintained lighting measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness. All wiring shall be underground;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for parking lot lighting shall be 250 watts of high intensity discharge (HID) lighting;

5. Public Parks, Trails and Athletic Field Lighting.

a. The illumination of outdoor public recreational (sports) facilities, unless a specific recreational activity requiring the lighting is already in progress is prohibited between midnight and dawn. Lighting shall be provided as specified in this chapter. All lighting shall be designed and installed in compliance with the Parks and Community Services document titled "LIGHTING STANDARDS FOR PARKS AND RELATED PUBLIC FACILITIES".

b. Public Parks: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. New lighting for parks and related facilities should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

c. Trails: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. Lighted trails not incorporated in the roadway shall be illuminated with a minimum maintained twenty-five one-hundredths (0.25) foot-candles of light at ground level during the hours of darkness. New lighting for trails should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

d. Athletic Field Lighting: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. The maximum lighting value that shall be used in lighting recreational athletic fields shall be an average maintained 50 foot candles. Minimum lighting values shall be per Parks and Community Services Standards. New lighting for athletic fields should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

*Where the adjacent property line is another City facility, the foot-candles may exceed the maximum requirements.

6. Street Lighting

a. Purpose. The purpose of this section is to establish a set of guidelines with which to regulate the installation, operation and maintenance of overhead street lighting in the City. The City seeks to make provisions for street lighting that will be

beneficial to City residents, and to provide for this lighting in an orderly, efficient and equitable manner. This section serves to establish a uniform standard for location of lights and illumination levels within the City, and clarifies responsibilities for payment of the various costs involved.

b. General Requirements. Unless otherwise waived by the public works director/city engineer for developments within the OS, HR, RR and R1 districts, the provision of streetlights shall be a requirement of all development proposals. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system. The following specifications apply to all street lighting in the City, on all public and private roadways. The City has adopted the Southern California Edison (SCE) scheduled rates LS-1, LS-2 and LS-3 or comparable Moreno Valley Utility (MVU) rate standards. Prior to any planning, design, or installation of street lighting, the developer shall confirm the applicable rate schedule with the City. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by either SCE or MVU and the public works director/city engineer. (Ord. 359 (part), 1992). The developer will pay all costs related to the installation of the street lighting and establish a method for the payment of maintenance and operations. All street lighting installed shall be solely for the purpose of illuminating the public way and shall conform to the city street lighting standards.

c. Luminaire and Lamp Requirements.

1. All street lighting in residential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

2. All street lighting in nonresidential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

3. All street lighting for arterial roadways shall not exceed 22,000 lumen (two hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

4. All street lighting shall utilize full-cutoff luminaries and be fully shielded.

5. All street lighting shall meet the current City street lighting standards, unless otherwise approved by the public works director/city engineer.

d. Specific Warrants for Lighting Locations.

The City street lighting standards shall be used to determine locations for all street lighting, unless otherwise approved by the public works director/city engineer.

D. Lighting Height Limits

1. Hillside Residential Areas – Outdoor on-site lighting on hillside residential properties, except for street lighting, shall be mounted on a post with full cutoff not to exceed eight (8) feet above finished grade, or on a building wall or structure not to exceed eight (8) feet above finished grade and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to a single family residential structure shall not exceed the height of the roof eave.

2. All Other Residential Areas – Outdoor on-site lighting within all other residential areas, except for street lighting, shall be on poles or other supports not exceeding twelve (12) feet in height and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to all residential structures shall not exceed the height of the roof eave.

3. Non-Residential Areas – Outdoor on-site lighting on commercial and industrial properties, except for street lighting, shall be mounted on a post and fully shielded not to exceed a maximum height of thirty (30) feet, except within 100 feet of a residential use, where the post shall not exceed a maximum height of twenty (20) feet. Posts shall be appropriately scaled for small buildings and lots. All lighting fixtures shall be in scale with the proposed building height. Lighting attached to a building shall not exceed the height of the roof eave or twenty feet, whichever is less.

4. Walkway and Courtyard Lighting - Outdoor on-site lighting for all residential and non-residential walkway and courtyard lighting shall be directed downward and mounted on a post or adjacent structure not to exceed a maximum height of twelve (12) feet or the height of the eaves, whichever is less.

E. Light Trespass Standards. Light trespass shall be minimized by complying with the following standards:

1. Light spillover or trespass for all multiple family residential and non-residential properties shall not exceed one-quarter (0.25) foot candle minimum maintained of illumination measured from within five (5) feet of any property line.

2. All exterior lighting shall be full-cutoff type_and fully shielded to prevent spillover onto adjacent properties.

3. All wall pack lighting shall be full-cutoff type and non-adjustable, with light directed away from surrounding properties. Wall packs shall incorporate internal house (wall) side shields, baffles or reflectors to minimize wall brightness.

F. General Guidelines

1. All exterior commercial doors during the hours of darkness shall be illuminated with one (1) to a maximum of three (3) foot candles of maintained lighting.

2. Aisles and passageways related to and within a building complex, during the hours of darkness, shall be illuminated with a maximum of one-half (0.50) to one (1) foot candles of maintained lighting.

3. All lighting shall be enclosed in vandal-resistant fixtures.

4. Lighting shall be adequate to help ensure a safe environment, but not to cause excessive glare or intense light.

5. For safety, identification and convenience, the entrances of building and parking areas shall be illuminated.

6. In multifamily developments, laundry rooms shall be well-lit at all times as they are intended for tenant use. Lights shall be placed on photo cell or automatic timers, and no switches shall be available to tenants to turn the lights off.

G. Lighting Curfew

1. Except as specified elsewhere in this Section, outdoor lighting systems in non-residential areas shall be turned off or reduced by at least fifty percent (50%) beginning at 10:00 p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier. The reduction of lighting shall be determined as an overall average for the parcel. When possible, the lighting system shall be turned off rather than reduced in lighting levels. Lighting shall be equipped with controls for photocell on and timer off.

2. All walkway, security and street lighting may remain on all night.

H. Lighting Prohibitions

1. Overhead roof lighting is prohibited.

2. The installation of mercury vapor outdoor lighting fixtures is prohibited.

3. Adjustable outdoor lighting fixture mounts are prohibited. All fixtures shall be permanently installed so as to maintain shielding requirements, except that landscape and ornamental lighting may use flexible or adjustable mounting systems.

4 Lighting fixtures mounted in such a way as to aim only towards a property line are prohibited.

5. Lighting which interferes with the safe operation of a motor vehicle as determined by the Police Chief or City Engineer is prohibited.

6. Billboard lighting which is pointed upward is prohibited.

I. Lighting Exemptions. The following lighting is exempt from this Chapter:

1. Swimming pool lighting

2. Lighting for exit signs and other illumination required by the building code

3. Lighting for exterior stairs and ramps, as required by the building code

4. Decorative lighting, as approved by the Community and Economic Development Director

5. Holiday and temporary lighting

6. Low voltage landscape lighting

7. Lights used for the illumination of flags as required by law.

8. Portable temporary lighting used by law enforcement or emergency services personnel to protect life or property.

9. Motion detector lighting fixtures are exempt provided that there is no light trespass onto adjacent residential properties.

10. Exposed string outdoor lighting is exempt provided that:

a. Lighting shall consist exclusively of white light with a clear bulb;

b. Installation of such lighting shall be limited to the lighting of living landscape features (shrubs and trees) in outside dining areas or within parking areas of a commercial center or plaza.

J. Lighting plans and evidence of lighting compliance. The application for any required city approval involving residential and non-residential nonexempt outdoor light fixtures shall include evidence that the proposed work will comply with this chapter. The submission shall contain the following:

1. The location of the site where the outdoor light fixtures will be installed;

2. Plans showing the location and type of all fixtures, both existing and proposed, on the premises, including point by point photometric lighting levels;

3. A description of the outdoor light fixtures including, but not limited to manufacturer's catalog cuts, photometric reports with candela distribution, drawings, and shielding information;

4. Submittal drawings shall be signed by a licensed professional engineer or by the licensed electrical contractor that is performing the work. This engineer or contractor shall be held responsible for the content and accuracy of the submittal design. Submittals must contain the name of the company that prepared the drawings and the name, title, and telephone number of the person that performed the design work.

5. All plans resubmitted for approval shall include a written description of all changes and comments attached to the plan check comments.

9.16.235 Hillside design standards.

A. Site Plan Design. Each structure shall be located in the most accessible, least visually prominent, most geologically stable portion or portions of the site, and at the lowest feasible elevation. Structures shall also be aligned with the natural contours of the site. Locating structures in the least prominent locations is particularly important on open hillsides where the high visibility of construction should be minimized by placing structures so that they will be screened by existing vegetation, depressions in topography, or other natural features. In addition, the following standards shall apply:

1. Significantly visible rock outcroppings should be preserved and incorporated into the site plan.

2. All pads and driveways shall, to the fullest extent practicable, follow and utilize the natural contours of the land to minimize disturbance and shall not be located on the crest of a natural ridgeline.

3. Clustering of development on flatter areas of the site is strongly encouraged.

4. Dwelling units and structures shall be sited in a manner that will:

a. Retain outward views from each unit;

b. Preserve or enhance vistas and ridgelines, particularly those seen from public places and rights-of-way in the valley below;

c. Preserve natural hydrology, native plant materials and areas of historic significance.

5. In areas adjacent to a ridgeline or in moderate slope areas, dwelling units and structures shall be sited to:

a. Use the natural ridgeline as a backdrop for structures;

b. Use landscape plant materials as a backdrop;

c. Use the structure to conceal cut slopes;

d. Retain major natural skyline profiles;

e. The topmost point of a proposed structure and all site grading shall be at least thirty (30) feet below the top of the nearest ridge or knoll.

6. Encourage smaller pad to lot size ratios for all dwelling units.

7. Streets, both public and private, shall be developed below the crest of a natural ridgeline.

B. Architectural Design. The following architectural design standards shall apply:

1. Building development color palettes, including roofing, fencing and exterior building materials, shall be "earth tones" compatible with the natural color of the terrain and vegetation, and shall be approved by the community development director.

2. The design of the structure should give consideration to the lot's size and configuration in order to avoid the appearance of overbuilding and to minimize the blocking of views.

3. Large expanses of a single material on walls, roofs or paving areas should be avoided. Create interesting small scale patterns by breaking up building mass, varying building materials, etc. Building plans and elevations should be varied throughout a development to avoid a monotonous "cookie-cutter" look.

4. Horizontal and vertical architecture detailing of building articulation, such as overhangs, projections, alcoves, varied roof-plains, building offsets, etc. should be used to avoid large expanses of a wall in a single plain and to create light and shadow.

5. Brightly colored structures and roofs and reflective glass or building materials are expressly prohibited. Materials and colors shall blend with the natural hillside environment to the greatest degree feasible. Specific materials that are encouraged are those with natural colors and textures, including stone, wood, textured stucco and brick.

6. Where it will not result in increased grading and landform alteration, the limitation of structures to a single story is strongly encouraged.

7. The use of undulating walls that follow the land form are highly encouraged.

8. Detaching the garage shall be encouraged, while retaining walls shall be integrated into the garage walls on sloping lots to reduce grading and minimize visibility of walls.

9. Include architectural enrichments and variations in roof massing. Roofs should have low profiles to minimize their visual impact. On sloping land, the roof pitch should follow the slope of the hillside, instead of being perpendicular to the hillside or opposing hillside slope. Upper stories should not be cantilevered out of the opposite direction of the hillside slope.

C. Lighting Design. The intent of lighting standards for designated hillside properties is to preserve the low light level conditions that are inherently characteristic of hillside areas. The following lighting design standards shall apply:

1. Lights shall not be located on the portion(s) of the site that has not been disturbed.

2. Lights mounted on dwellings, buildings or structures shall be fully shielded and directed away from adjacent developments.

3. All light fixtures should be directed downward and properly aimed on the targeted areas to maximize their effectiveness and minimize the total number of light fixtures.

4. All lighting shall be low scale and low intensity and directed downward and away from the view of others.

5. Road, driveway and walkway lights should be located on the "downhill" side and aimed toward the "uphill" side and should be fully shielded from below and only light the driveway surface.

6. Lighting fixtures on properties should be mounted on a post not to exceed a height of eight (8) feet above finished grade, or on a building wall not to exceed a height of eight (8) feet above finished grade and fully shielded, or on a structure not to exceed a height of eight (8) feet above finished grade and fully shielded for security lighting.

7. Street lighting shall be limited to the greatest degree feasible to maintain a "dark sky" environment. Typically, streetlights should be limited to street intersections or other locations where safety concerns predicate the need for illumination. (Ord. 773 § 3, 2008)

9.16.280 General requirements.

A. Purpose and Intent Lighting shall serves both safety and aesthetic purposes, while reducing unnecessary light pollution and maintaining dark skies. Effective lighting will highlight building features, and add emphasis to important spaces and entryways, while limiting glare and light trespass onto adjacent properties. The intent of these guidelines is to encourage effective and innovative lighting as an integral design component of a project.

B. General Guidelines.

1. Exterior lighting should relate to the design the project, highlighting architectural elements and details without deflecting unnecessary light and glare onto surrounding properties.

2. Lighting should improve the visual identification of residences and businesses.

3. Energy efficient lighting of buildings is encouraged.

4. High-intensity security lighting fixtures should be concealed by landscaping or building architectural elements.

5. The location, color and intensity of private lighting should relate to and complement public lighting.

6. Lighting fixture design should complement the overall design theme of the project in which they are located.

7. At hazardous locations such as changes of grade, low level supplemental lighting units should be used.

8. Where low level lighting (below five feet) is used, fixtures should be placed so that they do not produce glare.

"Land use ordinance" means the city of Moreno Valley development code as amended.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

9.15.030

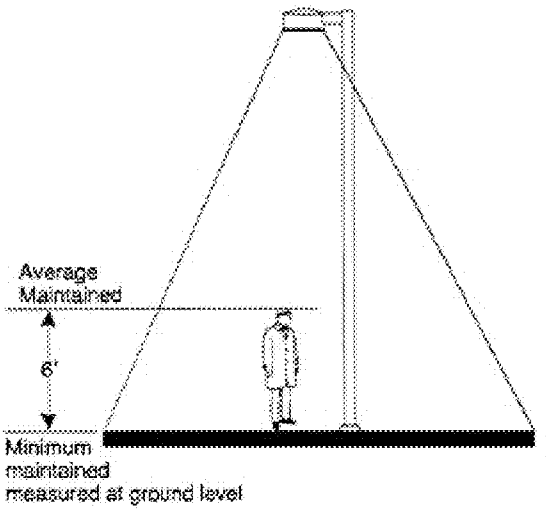

Figure 9.15.030-10

Lighting (Minimum Maintained)

"Light Trespass" means any artificial light or glare from a light fixture onto neighboring property that interferes with viewing of the night sky, or eliminates the ability to have darkness on the adjacent property, or shines into neighboring windows, properties or structures.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

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9.08.100 Lighting.

A. Purpose and Intent. The purpose of this section is to establish regulations and standards for outdoor lighting which will reduce light pollution and trespass generated by residential and non-residential lighting fixtures and devices, while maintaining dark skies. It is also the intent of this section to encourage, through the regulation of the types, construction, installation and uses of outdoor illuminating devices, lighting practices and systems to conserve energy without decreasing safety, security and productivity.

B. Applicability. Lighting standards included in this chapter shall apply to:

1. All new development

2. ~~Each~~ Any existing development or parking area providing five or more spaces, which is enlarged, reconstructed, altered or changed from its previous configuration shall be subject to ~~these~~ illumination requirements included in this chapter.

3. Existing land uses are exempt from specific lighting requirements included in this chapter, except that they are subject either to general lighting intensity standards (i.e. foot candle requirements) in place prior to the effective date of this ordinance or standards of a prior point by point or photometric lighting plan approved by the City. Any general modifications to existing on-site lighting structures or fixtures and/or intensity of lighting may be subject to the regulations provided in the entirety of this chapter as determined by the submittal and review of a new or revised photometric lighting plan.

C. Minimum Development and Performance Standards. All exterior lighting shall meet the following requirements:

1. Single Family Residential Uses.

a. In all single family residential areas, light should be shielded such that the lamp itself or the lamp image is not directly visible outside the property perimeter.

b. The maximum wattage for residential lighting shall be 100 watts incandescent and 26 watts compact fluorescent, except for recreational courts.

c. Lighting standards for recreational courts are subject to Section 9.09.190 "Swimming pools, spas and recreational courts", while approval of all recreational court lighting is subject to a point by point photometric lighting plan submittal.

ATTACHMENT 3

2. Multiple Family Residential Uses.

a. All outdoor lighting associated with residential uses shall be fully shielded and directed away from adjacent residential properties. Such lighting shall not exceed one-quarter (0.25) foot candle minimum maintained lighting measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness.

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.

c. The maximum wattage for residential lighting shall be 100 watts incandescent and 26 watts compact fluorescent, except as allowed for parking lot lighting and recreational courts.

d. Parking lot lighting for designated multiple family residential parking areas shall meet the requirements included in item (4) (a-c) below.

3. Non-Residential Uses.

~~A.~~ a. All outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses. Such lighting shall not exceed ~~one-half (0.50)~~ one quarter (0.25) foot candle minimum maintained lighting ~~beyond the property containing the nonresidential use~~ measured from within five feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for non residential uses shall be 250 watts of high intensity discharge (HID) lighting.

4. Off-Street Parking.

~~B.~~ a. All parking lots or structures providing more than five spaces for use by the general public and their pedestrian links shall be provided with a minimum coverage of one (1) foot candle of light with a maximum of eight (8) foot candles on the parking or walkway surface ~~from dusk until dawn~~, unless otherwise approved, for visibility and security ~~over the entire parking surface~~. ~~Wiring shall be underground unless existing overhead lines can serve the need without any additional overhead lines~~. ~~Each parking area of five or more spaces existing prior to the effective date of the ordinance codified in this chapter which is enlarged, constructed, altered, or changed from its previous configuration shall be subject to these illumination requirements.~~ Such lighting shall not exceed ~~one-half (0.50)~~ one quarter (0.25) foot candle minimum maintained lighting ~~beyond the property containing the non-residential use~~ measured from within

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five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness. All wiring shall be underground;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for parking lot lighting shall be 250 watts of high intensity discharge (HID) lighting;

5. Public Parks, Trails and Athletic Field Lighting.

a. The illumination of outdoor public recreational (sports) facilities, unless a specific recreational activity requiring the lighting is already in progress is prohibited between midnight and dawn. Lighting shall be provided as specified in this chapter. All lighting shall be designed and installed in compliance with the Parks and Community Services document titled "LIGHTING STANDARDS FOR PARKS AND RELATED PUBLIC FACILITIES".

b. Public Parks: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. New lighting for parks and related facilities should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

c. Trails: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. Lighted trails not incorporated in the roadway shall be illuminated with a minimum maintained twenty-five one-hundredths (0.25) foot-candles of light at ground level during the hours of darkness. New lighting for trails should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

d. Athletic Field Lighting: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. The maximum lighting value that shall be used in lighting recreational athletic fields shall be an average maintained 50 foot candles. Minimum lighting values shall be per Parks and Community Services Standards. New lighting for athletic fields should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

*Where the adjacent property line is another City facility, the foot-candles may exceed the maximum requirements.

6. Street Lighting

a. Purpose. The purpose of this section is to establish a set of guidelines with which to regulate the installation, operation and maintenance of overhead street lighting in the City. The City seeks to make provisions for street lighting that will be beneficial to City residents, and to provide for this lighting in an orderly, efficient and equitable manner. This section serves to establish a uniform standard for location of lights and illumination levels within the City, and clarifies responsibilities for payment of the various costs involved.

b. General Requirements. Unless otherwise waived by the public works director/city engineer for developments within the OS, HR, RR and R1 districts, the provision of streetlights shall be a requirement of all development proposals. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system. The following specifications apply to all street lighting in the City, on all public and private roadways. The City has adopted the Southern California Edison (SCE) scheduled rates LS-1, LS-2 and LS-3 or comparable Moreno Valley Utility (MVU) rate standards. Prior to any planning, design, or installation of street lighting, the developer shall confirm the applicable rate schedule with the City. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by either SCE or MVU and the public works director/city engineer. (Ord. 359 (part), 1992). The developer will pay all costs related to the installation of the street lighting and establish a method for the payment of maintenance and operations. All street lighting installed shall be solely for the purpose of illuminating the public way and shall conform to the city street lighting standards.

c. Luminaire and Lamp Requirements.

1. All street lighting in residential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

2. All street lighting in nonresidential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

3. All street lighting for arterial roadways shall not exceed 22,000 lumen (two hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

4. All street lighting shall utilize full-cutoff luminaries and be fully shielded.

5. All street lighting shall meet the current City street lighting standards, unless otherwise approved by the public works director/city engineer.

d. Specific Warrants for Lighting Locations.

The City street lighting standards shall be used to determine locations for all street lighting, unless otherwise approved by the public works director/city engineer.

D. Lighting Height Limits

1. Hillside Residential Areas – Outdoor on-site lighting on hillside residential properties, except for street lighting, shall be mounted on a post with full cutoff not to exceed eight (8) feet above finished grade, or on a building wall or structure not to exceed eight (8) feet above finished grade and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to a single family residential structure shall not exceed the height of the roof eave.

2. All Other Residential Areas – Outdoor on-site lighting within all other residential areas, except for street lighting, shall be on poles or other supports not exceeding twelve (12) feet in height and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to all residential structures shall not exceed the height of the roof eave.

3. Non-Residential Areas – Outdoor on-site lighting on commercial and industrial properties, except for street lighting, shall be mounted on a post and fully shielded not to exceed a maximum height of thirty (30) feet, except within 100 feet of a residential use, where the post shall not exceed a maximum height of twenty (20) feet. Posts shall be appropriately scaled for small buildings and lots. All lighting fixtures shall be in scale with the proposed building height. Lighting attached to a building shall not exceed the height of the roof eave or twenty feet, whichever is less.

4. Walkway and Courtyard Lighting - Outdoor on-site lighting for all residential and non-residential walkway and courtyard lighting shall be directed downward and mounted on a post or adjacent structure not to exceed a maximum height of twelve (12) feet or the height of the eaves, whichever is less.

E. Light Trespass Standards. Light trespass shall be minimized by complying with the following standards:

1. Light spillover or trespass for all multiple family residential and non-residential properties shall not exceed one-quarter (0.25) foot candle minimum maintained of illumination measured from within five (5) feet of any property line.

2. All exterior lighting shall be full-cutoff type and fully shielded to prevent spillover onto adjacent properties.

3. All wall pack lighting shall be full-cutoff type and non-adjustable, with light directed away from surrounding properties. Wall packs shall incorporate internal house (wall) side shields, baffles or reflectors to minimize wall brightness.

F. General Guidelines

1. All exterior commercial doors during the hours of darkness shall be illuminated with one (1) to a maximum of three (3) foot candles of ~~minimum~~ maintained lighting.

2. Aisles and passageways ~~and recesses~~ related to and within a building complex, during the hours of darkness, shall be illuminated ~~to~~ with a maximum of one-half (0.50) to one (1) foot candles of ~~minimum~~ maintained lighting.

3. All lighting shall be enclosed in vandal-resistant fixtures.

4. Lighting shall be adequate to help ensure a safe environment, but not to cause excessive glare or intense light.

5. For safety, identification and convenience, the entrances of building and parking areas shall be illuminated.

6. In multifamily developments, laundry rooms shall be well-lit at all times as they are intended for tenant use. Lights shall be placed on photo cell or automatic timers, and no switches shall be available to tenants to turn the lights off.

~~7. All residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be consistently located on each dwelling throughout the development. The numerals shall be no less than four inches in height and shall be of low voltage lighted address fixtures. (Ord. 698 § 3.1(d), 2005; Ord. 359 (part), 1992)~~

G. Lighting Curfew

1. Except as specified elsewhere in this Section, outdoor lighting systems in non-residential areas shall be turned off or reduced by at least fifty percent (50%) beginning at 10:00 p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier. The reduction of lighting shall be determined as an overall average for the parcel. When possible, the lighting system shall be turned off rather than reduced in lighting levels. Lighting shall be equipped with controls for photocell on and timer off.

2. All walkway, security and street lighting may remain on all night.

H. Lighting Prohibitions

1. Overhead roof lighting is prohibited.

2. The installation of mercury vapor outdoor lighting fixtures is prohibited.

3. Adjustable outdoor lighting fixture mounts are prohibited. All fixtures shall be permanently installed so as to maintain shielding requirements, except that landscape and ornamental lighting may use flexible or adjustable mounting systems.

4 Lighting fixtures mounted in such a way as to aim only towards a property line are prohibited.

5. Lighting which interferes with the safe operation of a motor vehicle as determined by the Police Chief or City Engineer is prohibited.

6. Billboard lighting which is pointed upward is prohibited.

I. Lighting Exemptions. The following lighting is exempt from this Chapter:

1. Swimming pool lighting

2. Lighting for exit signs and other illumination required by the building code

3. Lighting for exterior stairs and ramps, as required by the building code

4. Decorative lighting, as approved by the Community and Economic Development Director

5. Holiday and temporary lighting

6. Low voltage landscape lighting

7. Lights used for the illumination of flags as required by law.

8. Portable temporary lighting used by law enforcement or emergency services personnel to protect life or property.

9. Motion detector lighting fixtures are exempt provided that there is no light trespass onto adjacent residential properties.

10. Exposed string outdoor lighting is exempt provided that:

a. Lighting shall consist exclusively of white light with a clear bulb;

b. Installation of such lighting shall be limited to the lighting of living landscape features (shrubs and trees) in outside dining areas or within parking areas of a commercial center or plaza.

J. Lighting plans and evidence of lighting compliance. The application for any required city approval involving residential and non-residential nonexempt outdoor

light fixtures shall include evidence that the proposed work will comply with this chapter. The submission shall contain the following:

1. The location of the site where the outdoor light fixtures will be installed;

2. Plans showing the location and type of all fixtures, both existing and proposed, on the premises, including point by point photometric lighting levels;

3. A description of the outdoor light fixtures including, but not limited to manufacturer's catalog cuts, photometric reports with candela distribution, drawings, and shielding information;

4. Submittal drawings shall be signed by a licensed professional engineer or by the licensed electrical contractor that is performing the work. This engineer or contractor shall be held responsible for the content and accuracy of the submittal design. Submittals must contain the name of the company that prepared the drawings and the name, title, and telephone number of the person that performed the design work.

5. All plans resubmitted for approval shall include a written description of all changes and comments attached to the plan check comments.

~~C. Use of the following forms of outdoor lighting shall be prohibited between midnight and dawn:~~

~~1. The operation of searchlights for advertising purposes; and~~

~~2. The illumination of outdoor public recreational facilities, unless a specific recreational activity requiring the lighting is already in progress. Security lighting shall be provided.~~

~~D. Overhead roof lighting is prohibited.~~

~~E. Outdoor lighting within residential areas, except for street lighting, shall be on poles or other supports not exceeding twelve (12) feet in height. Such lighting shall be designed to project downward and shall not create glare on adjacent properties.~~

~~F. All exterior commercial doors during the hours of darkness shall be illuminated with one footcandle, minimum maintained of light on the surface.~~

~~G. Aisles, passageways and recesses related to and within a building complex, during the hours of darkness, shall be illuminated to one-half footcandle, minimum maintained on the surface.~~

~~H. All lighting shall be enclosed in vandal-resistant fixtures~~.

~~I. General Guidelines.~~

~~1. Lighting shall be adequate to help ensure a safe environment, but not to cause excessive glare or intense light.~~

~~2. For safety, identification and convenience, the entrances of building and parking areas shall be illuminated. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.~~

~~3. All exterior lighting shall be shielded to prevent spillover onto adjacent properties.~~

~~4. Industrial and manufacturing developments shall provide adequate lighting for safe and secure on-site parking, loading, storage, receiving and pedestrian areas.~~

~~5. All exterior doors on commercial structures shall be illuminated with a "minimum maintained" of one footcandle of light on the door surface during hours of darkness.~~

~~6. Aisles, passageways and recesses within a building complex shall be illuminated with a "minimum maintained" of one-half footcandle of light during hours of darkness.~~

~~7. All lighting shall be enclosed in vandal-resistant fixtures.~~

~~8. In multifamily developments, laundry rooms shall be well-lit at all times they are intended for tenant use. Lights shall be placed on photo cell or automatic timers, and no switches shall be available to tenants to turn the lights off.~~

~~9. All residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be consistently located on each dwelling throughout the development. The numerals shall be no less than four inches in height and shall be of low voltage lighted address fixtures. (Ord. 698 § 3.1(d), 2005; Ord. 359 (part), 1992)~~

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MV00117836

~~9.08.190 Street lighting.~~

~~A. Unless otherwise waived by the public works director for developments within the OS, HR, RR and R1 districts, the provision of street lights shall be a requirement of all development proposals.~~

~~B. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system of either:~~

~~1. A utility-owned ornamental system consisting of standard ornamental electroliers customarily furnished by the utility or other design approved by the utility and the public works director; or~~

~~2. A municipally-owned ornamental system consisting of reinforced concrete or steel standards with underground wiring or other design approved by the public works director.~~

~~C. If a utility-owned ornamental system is installed, the developer shall be liable for and shall pay all charges attributable to such installation.~~

~~D. If a municipally-owned underground ornamental system is installed, the developer shall be liable for and shall pay all costs incurred in installing the entire system.~~

~~E. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by the utility-owned system and the public works director. (Ord. 359 (part), 1992)~~

ATTACHMENT 4

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MV00117838

9.16.235 Hillside design standards.

A. Site Plan Design. Each structure shall be located in the most accessible, least visually prominent, most geologically stable portion or portions of the site, and at the lowest feasible elevation. Structures shall also be aligned with the natural contours of the site. Locating structures in the least prominent locations is particularly important on open hillsides where the high visibility of construction should be minimized by placing structures so that they will be screened by existing vegetation, depressions in topography, or other natural features. In addition, the following standards shall apply:

1. Significantly visible rock outcroppings should be preserved and incorporated into the site plan.

2. All pads and driveways shall, to the fullest extent practicable, follow and utilize the natural contours of the land to minimize disturbance and shall not be located on the crest of a natural ridgeline.

3. Clustering of development on flatter areas of the site is strongly encouraged.

4. Dwelling units and structures shall be sited in a manner that will:

a. Retain outward views from each unit;

b. Preserve or enhance vistas and ridgelines, particularly those seen from public places and rights-of-way in the valley below;

c. Preserve natural hydrology, native plant materials and areas of historic significance.

5. In areas adjacent to a ridgeline or in moderate slope areas, dwelling units and structures shall be sited to:

a. Use the natural ridgeline as a backdrop for structures;

b. Use landscape plant materials as a backdrop;

c. Use the structure to conceal cut slopes;

d. Retain major natural skyline profiles;

e. The topmost point of a proposed structure and all site grading shall be at least thirty (30) feet below the top of the nearest ridge or knoll.

ATTACHMENT 5

6. Encourage smaller pad to lot size ratios for all dwelling units.

7. Streets, both public and private, shall be developed below the crest of a natural ridgeline.

B. Architectural Design. The following architectural design standards shall apply:

1. Building development color palettes, including roofing, fencing and exterior building materials, shall be "earth tones" compatible with the natural color of the terrain and vegetation, and shall be approved by the community development director.

2. The design of the structure should give consideration to the lot's size and configuration in order to avoid the appearance of overbuilding and to minimize the blocking of views.

3. Large expanses of a single material on walls, roofs or paving areas should be avoided. Create interesting small scale patterns by breaking up building mass, varying building materials, etc. Building plans and elevations should be varied throughout a development to avoid a monotonous "cookie-cutter" look.

4. Horizontal and vertical architecture detailing of building articulation, such as overhangs, projections, alcoves, varied roof-plains, building offsets, etc. should be used to avoid large expanses of a wall in a single plain and to create light and shadow.

5. Brightly colored structures and roofs and reflective glass or building materials are expressly prohibited. Materials and colors shall blend with the natural hillside environment to the greatest degree feasible. Specific materials that are encouraged are those with natural colors and textures, including stone, wood, textured stucco and brick.

6. Where it will not result in increased grading and landform alteration, the limitation of structures to a single story is strongly encouraged.

7. The use of undulating walls that follow the land form are highly encouraged.

8. Detaching the garage shall be encouraged, while retaining walls shall be integrated into the garage walls on sloping lots to reduce grading and minimize visibility of walls.

9. Include architectural enrichments and variations in roof massing. Roofs should have low profiles to minimize their visual impact. On sloping land, the roof pitch should follow the slope of the hillside, instead of being perpendicular to the hillside or opposing hillside slope. Upper stories should not be cantilevered out of the opposite direction of the hillside slope.

C. Lighting Design. The intent of lighting standards for designated hillside properties is to preserve the low light level conditions that are inherently characteristic of hillside areas. The following lighting design standards shall apply:

1. Lights shall not be located on the portion(s) of the site that has not been disturbed.

2. Lights mounted on dwellings, buildings or structures shall be fully shielded and directed away from adjacent developments.

3. All light fixtures should be directed downward and properly aimed on the targeted areas to maximize their effectiveness and minimize the total number of light fixtures.

4. All lighting shall be low scale and low intensity and directed downward and away from the view of others.

5. Road, driveway and walkway lights should be located on the "downhill" side and aimed toward the "uphill" side and should be fully shielded from below and only light the driveway surface.

6. Lighting fixtures on properties should be mounted on a post not to exceed a height of eight (8) feet above finished grade, or on a building wall not to exceed a height of eight (8) feet above finished grade and fully shielded, or on a structure ~~of not more than~~ not to exceed a height of ~~twelve (12~~) eight (8) feet above finished grade and fully shielded for security lighting.

7. Street lighting shall be limited to the greatest degree feasible to maintain a "dark sky" environment. Typically, streetlights should be limited to street intersections or other locations where safety concerns predicate the need for illumination. (Ord. 773 § 3, 2008)

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MV00117842

9.16.280 General requirements.

A. Purpose and Intent Lighting shall serves both safety and aesthetic purposes, while reducing unnecessary light pollution and maintaining dark skies. Effective lighting will highlight building features, and add emphasis to important spaces and entryways, while limiting glare and light trespass onto adjacent properties. The intent of these guidelines is to encourage effective and innovative lighting as an integral design component of a project.

B. General Guidelines.

1. Exterior lighting should relate to the design the project, highlighting architectural elements and details without deflecting unnecessary light and glare onto surrounding properties.

~~2. Parking lot and walkway lighting fixture height and brightness should conform to the following table:~~

~~Table 9.16.280A~~

~~Site Lighting~~

-

~~Lamp Types and Characteristics~~

~~Type~~	~~Characteristics~~
~~Low Level~~	~~Heights below eye level~~
-	~~Very finite patterns with hour wattage capabilities~~
-	~~Incandescent, fluorescent~~
-	~~Lowest maintenance requirements, but highly susceptible to vandals~~
~~Mall and Walkway~~	~~10′ – 15′ heights average~~
-	~~Multi-use because of extreme variety of fixtures and light pattern~~
-	~~Incandescent, high pressure sodium~~
-	~~Susceptible to vandalism~~
~~Special Purpose~~	~~20′ – 30′ heights average~~
-	~~Recreational, commercial, residential, industrial~~
-	~~Metal halide, high or low pressure sodium~~
-	~~Fixtures monitored by sentry~~

ATTACHMENT 6

~~3.~~ 2. Lighting should improve the visual identification of residences and businesses. ~~Within commercial areas, lighting should help to create a festive atmosphere by encouraging nighttime pedestrian use.~~

~~4.~~ 3. Energy efficient lighting of buildings is encouraged.

~~5~~. 4. High-intensity security lighting fixtures should be concealed by landscaping or building architectural elements. ~~and should be de-signed either to uplight structures from the ground or to downlight structures from projecting or detached architectural elements.~~

~~6.~~ 5. The location, color and intensity of private lighting should relate to and complement public lighting.

~~7~~. 6. Lighting fixture design should complement the overall design theme of the project in which they are located.

~~8. Fixtures should be placed so that light patterns overlap at a height of seven feet, which is sufficiently high to illuminate a person's body vertically. This is a particularly important consideration now that lighting fixture manufacturers are designing luminaries with highly controlled light patterns.~~

~~9~~ 7. At hazardous locations such as changes of grade, low level supplemental lighting units should be used.

~~10~~ 8. Where low level lighting (below five feet) is used, fixtures should be placed so that they do not produce glare. ~~Most eye levels occur between three feet eight inches (for wheelchair users) and six feet for standing adults.~~

~~11. When walkway lighting is provided primarily by low fixtures, there should be sufficient peripheral lighting to illuminate the immediate surroundings. Peripheral lighting provides for a better feeling of security for individuals because they can see into their surroundings to determine whether passage through an area is safe. Such lighting should be approached from one of two ways:~~

~~a. By lighting the area so that an object or person may be seen directly; or~~

~~b. By lighting the area to place an object or a person in silhouette. (Ord. 698 § 3.1(g), 2005; Ord. 359 (Attach. 2 (part)), 1992)~~

"Land use ordinance" means the city of Moreno Valley development code as amended.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

9.15.030

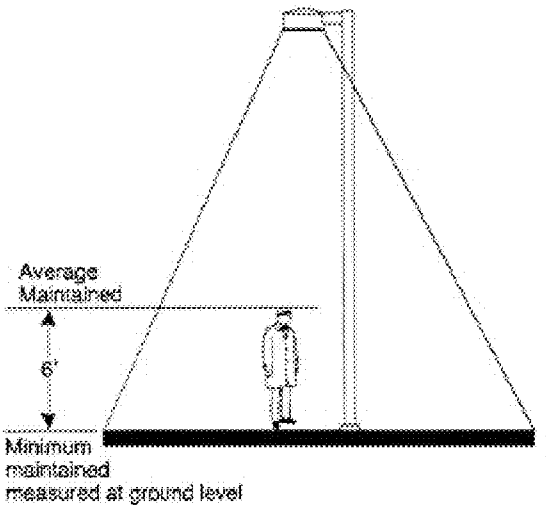

Figure 9.15.030-10

Lighting (Minimum Maintained)

<u>"Light Trespass" means any artificial light or glare from a light fixture onto neighboring property that interferes with viewing of the night sky, or eliminates the ability to have darkness on the adjacent property, or shines into neighboring windows, properties or structures.</u>

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

ATTACHMENT 7

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MV00117846

PLANNING COMMISSION STAFF REPORT

Case:	PA10-0022
Date:	April 14, 2011
Applicant:	City of Moreno Valley
Representative:	Same as above
Location:	Citywide
Proposal:	Revision of Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general site, street and athletic field/park lighting citywide.
Redevelopment Area:	N/A
Recommendation:	Recommend ordinance amendment to City Council

SUMMARY
The Planning Division of the City of Moreno Valley proposes modifications to various sections of Title 9 of the Municipal code to refine existing lighting standards to provide for better viewing of the night sky ("dark sky"). The amendment proposes modifications to onsite, athletic field/park and street lighting to minimize light pollution and trespass. All newly establish developments citywide will be subject to the proposed revisions to the code.

BACKGROUND

At the October 20, 2009, Study Session, the City Council provided direction to review the City's lighting standards based on the International Dark-Sky Association (IDA) recommendations and dark sky ordinances from other communities. This review was identified in the Settlement Agreement between the Sierra Club, Highland Fairview and the City regarding approval of the Highland Fairview Corporate Park Project. The review also reflects previous development review projects located within the rural and hillside residential areas within the north and east portions of the City.

The underlying principles of the proposed lighting standards/dark sky ordinance are to:

- Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night sky;
- Curtail and reverse degradation of the nighttime visual environment and the night sky;
- Minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary;
- Conserve energy and resources to the greatest extent possible;
- Help protect the natural environment from the damaging effects of night lighting.

Based on information from the IDA, the assumption that more light always results in better safety and security is not supported. Only the right amount of light, in the right place, at the right time should be necessary. In most instances, providing more light or creating bright areas often leads to glare and reduced visibility as well as wasted light and energy. The IDA recommendations call for the use of the lowest feasible wattage lamp. The maximum wattage recommended for most commercial applications is 250 watts of high intensity discharge lighting.

The current City Municipal Code includes provisions to curb on-site lighting. The Municipal Code requires that "lighting shall be adequate to help ensure a safe environment, but not cause excessive glare or intense light." All non-residential lighting is required to be shielded to avoid glare and prevent light spillage over property lines or into the public right of way. The lighting at property lines is limited to a maximum of 0.5 foot candle. The minimum lighting required in parking lots, pedestrian walkways and other areas accessible to the general public is 1 foot-candle and the maximum is 8 foot-candle to provide adequate nighttime visibility without creating excessive glare. Lighting standards are verified by a review of a point by point lighting plan showing the foot-candle lighting for closely spaced points across a site based on the fixtures proposed for the on-site use. Residential lighting is limited to twelve feet in height, below the typical eave line for a house. Finally, the stated intent of lighting standards for designated hillside properties is to preserve the low light level conditions that are an inherently characteristic of hillside areas.

PROJECT ANALYSIS

In order to comply with the direction provided by the City Council at their October 20, 2009 Study Session meeting and the Settlement Agreement between the Sierra Club, Highland Fairview and the City of Moreno Valley, staff is presenting the Planning Commission with revised Municipal Code standards for lighting. Staff has included specific updated standards relating to onsite and parking lot lighting, lighting required on streets and right of ways and lighting provided for sports activities within parks and athletic fields.

Research conducted by the Planning Division found that very few cities had adopted dark sky ordinances. For example, surrounding cities such as Riverside, Perris and Redlands did not have adopted dark sky ordinances. The majority of the cities who have adopted dark sky ordinances were found to be more rural, desert and tourist areas where climate conditions more easily allow the viewing of the stars and night sky. While the Settlement Agreement specifically identified consideration of standards from the City of Palm Desert, staff also reviewed ordinances from the cities of Palm Desert, Beaumont, Palm Springs, Encinitas and San Diego and other cities, and the IDA recommendations.

Based on the review of existing Municipal Code standards and other communities dark sky ordinances, staff has proposed updated standards in Attachment 3 of this report. Many of the standards in the existing ordinance were used; however a number of items from IDA recommendations and ordinances such as Palm Desert's were utilized to incorporate dark sky practices. The major modifications to the existing lighting ordinance include:

- Revised development and performance standards to include maximum wattage for light bulbs on single-family residential, multiple-family residential (100 watts) and non-residential (commercial and industrial) properties (250 watts);

- All lighting designed with full cutoffs to fully shield light fixtures on residential-multiple family and all non-residential properties.

- A further reduction of permitted light trespass or spillover lighting onto adjacent properties for all non-residential (commercial and industrial) and multi-family residential properties to a maximum of 0.25 foot candle maintained lighting measured from within five (5) feet of any property line. The existing City standard is 0.50 foot candle. The revised standard is consistent with language provided within the Palm Desert Ordinance.

- The inclusion of lighting height limits on hillside residential lighting of 8 feet, with all other residential areas not to exceed 12 feet. Non-residential lighting height limits shall be a maximum of 30 feet, except within 100 feet of a residential use, where lighting shall be reduced to a height of 20 feet and walkway/courtyard lighting to a maximum of 12 feet in height.

- The addition of lighting curfews for outdoor lighting systems in non-residential areas requiring all lighting to be reduced by 50 percent beginning at 10:00 p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier.

- The addition of athletic field lighting standards to include horizontal cutoffs to reduce lighting above the fixture for new and retrofit lighting designs and a maximum lighting value used in lighting recreational athletic fields of an average maintained 50 foot-candles.

- The modification of existing street light standards to include the installation of street lighting solely for the purpose of illuminating the public right of way and conformance to the city street lighting standards, including the provision that the developer will pay all costs related to the installation of street lighting and establish a method for the payment of maintenance and operations.

The dark sky standards would apply to all new development and to existing development/parking areas that are enlarged or altered. Any general modifications to existing on-site lighting structures or fixtures and/or intensity of lighting may be subject to review of a new or revised point by point photometric lighting plan.

Specific language of the above sections of the Municipal Code can be found in Attachment 3 of this report, which includes a strikeout/underline version of the language added and subtracted.

REVIEW PROCESS

Staff originally presented the item to the City Council at the October 20, 2009, Study Session meeting as in conjunction an overall review of City efforts included in the Highland Fairview Corporate Park Settlement Agreement. During the study session meeting, existing and proposed standards were discussed, with the City Council recommending that staff bring back proposals to incorporate guidelines of the International Dark Sky Association and exterior lighting standards of jurisdictions such as Palm Desert which have created dark sky ordinances.

Subsequently, staff established a subcommittee of members from various internal departments involved with lighting, including Land Development, Transportation, Police, Special Districts, Moreno Valley Utilities and Parks and Community Services. Collectively, all internal departments and representatives of the subcommittee have drafted revised lighting language and/or reviewed draft dark sky lighting standards. All members of the subcommittee have agreed to modify the ordinance as is presented and attached to this report.

The next step in the process is to have the Planning Commission review the proposed amended lighting standards and recommend to the City Council for final review and action.

ENVIRONMENTAL

The proposed Municipal Code Amendment (PA10-0022) is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines in that there is no possibility that the proposed activity and the modification of existing light standards to further prevent light spillover into adjacent properties and the night sky would create the potential for a significant impact upon the environment.

NOTIFICATION

A 1/8 page public hearing notice for this development code amendment was published in the local newspaper. The Sierra Club was also notified of the meeting.

REVIEW COMMENTS

Staff sent out the final draft of the modified lighting ordinance to eleven (11) lighting designers and experts in the field that have previously submitted photometric lighting plans to the City, inviting any comments on the draft language to be provided. Staff did not receive any comments during or since the 30 day transmittal period.

STAFF RECOMMENDATION

APPROVE Planning Commission Resolution No. 2011-10 and thereby **RECOMMEND** that the City Council:

1. **RECOGNIZE** that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. **APPROVE** revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

Prepared by:	Approved by:
Mark Gross, AICP Senior Planner	John C. Terell, AICP Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-10
3. Strikeout/underline version of Chapter 9, Section 9.08.100 "Lighting" of the Municipal Code.
4. Strikeout/underline version of Chapter 9, Section 9.08.190, "Street Lighting" of the Municipal Code
5. Strikeout/underline version of Chapter 9.16, Article IV, "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines" of the Municipal Code
6. Strikeout/underline version of Chapter 9.16, "Applications for Lighting" Section 9.16.280 "General Requirements" of the Municipal Code.
7. Strikeout/underline version of Chapter 9.15, Section 9.15.030 "Definitions" of the Municipal Code.

2. Case Number: PA10-0022 Modifications to Title 9 of the Municipal Code for Dark Sky

Case Planner: Mark Gross, Senior Planner

ASSOCIATE PLANNER GROSS – Good evening Vice Chair Baker and members of the Planning Commission. I'm Mark Gross, Senior Planner. Staff is presenting the proposed amendment to current lighting standards found in five sections of the Municipal Code. The amendments relate to additions of dark sky, provisions for the general site street and recreational lighting Citywide. Now you may ask why we're actually going through the provisions of updating our Code. There are a number of reasons actually why we are doing this at this particular time.

First of all, the lighting standard modifications are a direct result of a settlement agreement reached in January 2010 between the Sierra Club, Highland Fairview and the City of Moreno Valley regarding the approval of the Highland Corporate Park Project and so we had to actually come back and look at the current lighting standards and see what we can do to make it a little more dark sky in this particular instance. It is also the result of review of concerns of various development projects located in more hillside residential areas in the north and east portions of the City.

Now the addition of the modification of existing lighting standards in this case is going to, for the most part, curtail and revise any degradation of the night time visual environment; the night sky. It is going to minimize or help to minimize glare and obtrusive light by eliminating outdoor lighting that is either misdirected or excessive or in some instances unnecessary. It will also conserve energy and resources to the greatest extent possible and it is also going to help protect the natural environment from the damaging effects of night lighting.

Staff has in this process reviewed existing standards and local jurisdiction and dark sky ordinances and there were a few out there; not a lot of dark sky ordinances out there, but what we did is we focused on a couple of items. First of all, the international dark sky ordinance, and there were sample ordinances that the settlement agreement looked at which wanted us to look at Palm Desert, and there were other cities out east of us that actually had dark sky ordinances, but again few and far between. What I would like to do at this point in time is just to highlight some of the changes that you are going to see with this particular lighting ordinance amendment.

Now the first item that it is going to provide is it is going to revise the development and performance standards to include maximum wattage of light bulbs for single family residential and multiple family residential and that would be 100 watts of incandescent lighting and 26 watts of fluorescent and also for

non-residential; the commercial and industrial properties there will be a maximum lighting standard of 250 watts of high intensity discharge lighting. The design of all the lighting will be with full cutoffs; so you are going have any lighting with projects that would have full cutoffs and would be fully shielded for residential, multiple family and non-residential properties; so that would be industrial and commercial type properties.

There will be further reduction of light trespass from one property to another so you'll get again a reduction of spill-over lighting from adjacent properties for all non-residential, commercial and industrial and multiple family residential, which is currently measured from within five feet of the property line, and it is now going to be at a quarter foot candle minimum maintained lighting for that area.

Now this does differ from the standard that we have currently, which the measurement is actually at the property line and it is a half a foot candle, so it is reducing the lighting. It is also going to include height limits on hillside residential lighting and not exceeding eight feet with all other residential areas; excuse me that would be hillside residential areas and then all other residential areas not to exceed twelve feet. Non residential lighting height limits shall be a maximum of thirty feet except within 100 feet of the residential use where lighting shall be reduced to a height of 20 feet and there will be a reduction of courtyard and walkway lighting, which would be a maximum of twelve feet in height.

Now in addition, there are going to be a couple of modifications into the general lighting section of the code and two additions you are going to have for lighting for parks, athletic field and trails and it is pretty much taking the standards of what we have and it is minimizing the spillover of lights and it is also going to be providing fully shielded lighting and horizontal cutoffs that would be required and you also have the street lighting section that is actually moving over from one section in 9.08.190 to actually this section, which will again include installation of street lighting solely for the purpose of illuminating public right-of-way and conformance to the City street lighting standards.

Now there will be provisions in this particular code for the addition of lighting curfews for outdoor lighting systems in non-residential areas requiring all lighting to be reduced by 50 percent beginning at 10 pm or the close of business, whichever is later and until dawn or the start of business, whichever is earlier and I did want to stress with these particular standards that we are looking at, the standards in this ordinance is applying only to new projects and existing projects that are either modified, enlarged, reconstructed or changed from previous configurations. So again, existing standards or existing development will not have to meet these particular standards, they will meet what is in place currently before this standard would go into effect.
Now tonight the Planning Commission would be required to review and provide a recommendation to City Council on the proposed lighting development code amendment. I did want to mention that based on the environmental review of the

proposed amendment, the item is exempt from California Environmental Quality Act, CEQA Guidelines, pursuant to Section 15061 in that there is no possibility that the proposed activity may have the potential for a significant impact upon the environment.

Noticing was provided for this amendment as a 1/8th page display ad in the local newspaper. A copy of the notice was also mailed to Sierra Club and George Hague who was involved in the initial law suit and subsequent settlement agreement and we did tonight or today I should say, receive a couple of… we actually had one call and we had two emails and I believe you would have gotten a couple of those emails. One actually is from the Sierra Club that pretty much is recommending support of the ordinance amendment as recommended by Staff and presented this evening. That concludes Staff's Report and I'll be happy to answer any questions.

COMMISSIONER OWINGS – Mr. Chairman, may I address some questions?

VICE CHAIR BAKER – Yes, surely

COMMISSIONER OWINGS – Mr. Gross, just some background information for this; for my behalf and maybe possibly for the other Commissioners just to clarify. Out of the lawsuit, it was agreed with the City or in the settlement agreement that we would just look at these standards. I notice in your Staff Report that you made a survey of several cities; surrounding cities; Redlands, Riverside I believe do not have a similar ordinance. In your survey of those cities was there any information from the staff of those cities why they do not have this?

SENIOR PLANNER GROSS – Well that is correct, that the surrounding cities did not have a dark sky ordinance. They were some provisions like Riverside I think have some very minor provisions in their Code, but I did not see anything or any specific dark sky requirements for the other two cities.

COMMISSIONER OWINGS – Were any of those concerns possibly potentially public safety concerns or economic impact and development concerns that cities do not have these because who is against dark skies, so there must be some reason why the cities around us have chosen not to adopt these standards.

SENIOR PLANNER GROSS – Well, I think you are seeing more and more opportunity to provide these types of standards. I think in my review of what I looked at as far as a survey, the majority of the cities that I looked at other than Beaumont which is very close to us, there was a full dark sky ordinance involved with that city. Of course Palm Desert and some of the desert communities had it. From what I see the majority of the areas that actually provided these standards were more rural in nature and they were more of a kind of I guess recreational-type community. John may want to add to that.

PLANNING OFFICIAL TERELL – Yes, if I can interject…we're calling this a dark sky ordinance. If you've been to some place like Prescott, Arizona or Sedona, Arizona, this is not that type of a dark sky ordinance. The minimum and maximum foot candle in the proposed ordinance is exactly the same thing as the proposed ordinance, so we're not reducing any amount of light but basically directing and shielding it. There is a proposal in here which actually matches what we do in City parks currently which is a reduction of 50 percent of the lighting after a business is closed. That is exactly what happens in the city parks today.

COMMISSIONER OWINGS – Mr. Terrell has there been any estimation about the additional cost to the City in terms of enforcement. In yours and my tours of the City, it seems like the City is so strapped in terms of enforcement that it can't even enforce the City sign ordinances, so every block you go to you see a violation of the City's current sign ordinances, so has there been any estimation about the additional cost placed on the City for enforcement and also has there been any study done in terms of public safety. I mean this is a community that is much different than Prescott, Arizona…

PLANNING OFFICIAL TERELL – Yes and that's why I was pointing out that it was different. The Police Department was part and Mark didn't say this but it was I think in his report, we had an inter-staff committee that included members from the Police Department, our street lighting folks, public works; all the folks that are involved and some parks and recreation and so this was vetted through them. There was not a particular concern from the Police Department that this was going to cause issues as long as there was still lighting over doorways and entrance ways and that is not required to reduce by 50 percent at night.

COMMISSIONER OWINGS – Was there any survey or study done that would give us some indication as to the possible or the potential cost to the new developers to the community who are thinking about developing here? If you can go to Redlands and not meet these standards or you can go here and have to meet the standards. Was there any type of discussion along those lines?

PLANNING OFFICIAL TERELL – We did not. The other thing that is in Mark's report was we did send this out to all the lighting companies that have done business in the City in the last three years with a copy of the ordinance requesting their input and unfortunately none of them chose to provide any input, which you can say they were too busy or you can say they didn't have a major concern, so we can't interpret why they didn't respond, but we did make that outreach. I would pause it that since we're reducing the lighting requirements potentially, that it is not increasing the costs. There is a cost for shielding the lights. We already require shielding of lights so this is just putting it in the code something that is pretty much required on every development already, so I understand your concern. If I had to pause at a reason why say the City of Redlands doesn't have this, it is probably because they require these things

through some other venue or they have a very old code. I don't believe that there is anything in Redlands or Riverside where you drive through neighborhoods and there are glaring light problems there, so this is not meant to be revolutionary. I was at and you are correct though, this is the study; this Staff's recommendation based on looking at these other communities, it our recommendation on reducing lighting levels to potentially create a better aesthetic and not affect public safety, because that was very important and that's why we included the Police Department in the review of this ordinance.

COMMISSIONER OWINGS – Well thank you very much, I appreciate it.

COMMISSIONER DOZIER – I didn't understand full cutoff? Could you explain what that means by full cutoff? I assumed it just meant cutting the light off but you know…

COMMISSIONER OWINGS – It has to do with cutting the lighting off and shielding yes.

COMMISSIONER DOZIER – Okay, so full cutoff versus what half cutoff.... I mean…

PLANNING OFFICIAL TERRELL – It means that and if you look at most lighting fixtures in newer developments or even in older developments like Town Gate Project, it means that there is a shield that goes around the four sides of the light. There certainly are lights where they are cutoff; ball field lighting is a good example where it doesn't have full cutoffs because they are trying to cover a much wider area and full cutoff is like this; ball field lights or some other lights you might find something like this. The opposite of that is the kind of lights that people have that tilt up and shine directly out and that's not a full cutoff, so the idea is that all four sides of the light focus the light down towards the ground where you are trying to provide visibility.

COMMISSIONER DOZIER – I think I understand that. Now if you are taking a light bulb that is 250 watts and you are putting full cutoff and you are directing the looms down to the ground you are getting less lighting out around that, so if I'm in a parking lot the light is coming down but it's not necessarily going out in that direction. I understand the desire to want to cut and diffuse lights so that we can see the sky; I guess that's the Sierra Club's position. In some of our newer shopping centers I think we've used this full cutoff lighting and I get a little concerned because in a parking lot where people have to go some distance to their car, it does cut down on the visibility within that parking lot.
In some parking lots and I'm going to use an example; I'm going to use Fresh N Easy on Iris and Perris. I've been in that shopping center in the evenings and it is very dimly lit once you leave the light even around the store. Even around the store there is not a lot of lighting, so I find it a little hard to accept that there wouldn't be a problem with Police enforcement because it's just not as lit and I

even have concerns about my wife if she is parked too far away from the front of that Fresh N Easy getting to her car because the looms are different and the lighting is different from other shopping centers that don't have those.

So I kind of would feel a lot more comfortable if someone would categorically say to me that cutting in a public shopping center, the ability to light that parking center parking lot that that is not increasing the potential for more crime or illegal activity. Everybody would like to see the sky but we would also like to be safe when we go out at night. A lot of the communities that we used as an example are more rural and they are out in the desert, they have clear skies and they see more stars than we might ever see, so it might be little unfair to use those cities who are trying to get that view, especially if you got out to Arizona or places in the desert. I just feel more comfortable if I thought that the overall policy wasn't going to cause situations that would put the public perhaps in more peril because of the lack of light at night. I don't get that based on what I read in your report. I understand the reason for it and I understand why the Sierra Club is pushing for it, but I'm not so convinced that the safety factor is there.

COMMISSIONER OWINGS – Mr. Chairman, I follow your remarks. It's not only in the urban areas or in the developed areas because there is plenty of examples of what you are talking about; the new Target on Nason. There are parts of that area out there you know, you could probably steal the bank and no one would know, but talking that a step further to your own personal residence, shouldn't you be the judge of what wattage or lighting is necessary for your home to be protected and be safe and this ordinance seems to take or these changes to the proposed ordinance seem to take those discretions away from the homeowner and the property owner. Now I was a 23 year resident of Redlands; you're a resident of Redlands now, there are plenty of areas in Redlands that have just as many problems as this City has and those are people with the main deterrent of crime in those areas is well lit properties and you can into those areas of Redlands and you will see they are lit and I'm sure it's the same in Moreno Valley, so I think it's more broad than just a question of the developed areas. It is the personal safety of the people in their own homes.

PLANNING OFFICIAL TERELL – But again to respond I guess, is that we did have the Police Department review this proposal. They did not express any particular concerns. Their main concern was lighting as far as crime, lighting over doorways. The minimum lighting standard isn't changing based on this ordinance.

COMMISSIONER OWINGS – But Mr. Chair it does have a minimum on the property owner for I think you said it was 100 watt.

PLANNING OFFICIAL TERELL – Well the minimum lighting that is required is one foot candle in a commercial center, so I think that was Commissioner Dozier's concern in a commercial center. The minimum lighting standard is not

changing. As far as yes on single family residential, there is a maximum wattage. You asked about compliance and the cost of doing that, like any ordinance that we have; voluntary compliance is 99 percent of what occurs. This would only most likely come into play; this would only come into play for obviously industrial and commercial where we would actually review the lighting the plans and make sure they meet the standards and that is not changing, but on single family residential, we don't have lighting plans for single family residential unless they are building something like a lighted tennis court and then in fact the code has always had a requirement plan where people are putting in a lighted tennis court.

COMMISSIONER OWINGS – So to clarify, is this portion just a revision, redundant, unnecessary or all of the above.

PLANNING OFFICIAL TERELL – Redundant… it provides an opportunity for people that are bothered by high light levels to have a fixed standard so that when there is a complaint, we actually have something; a specific standard to…

COMMISSIONER OWINGS – And that comes to my next point, because if you are not willing to take care and enforce the thing across the board to all people concerned, then I really have a problem with ordinances and laws that go unenforced. I don't believe we really need a law that isn't enforced. Your comments to me about the sign ordinance; why have one if we don't enforce it. I think there are a lot of priorities in the City that should come first before this priority and I intend to vote no on this and I appreciate the Staff's work on it and your honest portrayal of it. Thank you.

VICE CHAIR BAKER – Okay who is up next?

COMMISSIONER VAN NATTA – I kind of see some truth in what he is saying there. I was listening to this and you know you are saying eliminate unnecessary lighting and you're talking about residential lighting and I'm like who decides what is unnecessary. If we're going to put something in place that enables my neighbor to call in for enforcement because they feel that my porch light is a little too bright, you know it is getting a little bit too intrusive and I didn't write down what you said was the maximum watts allowed in residential, but what was it; 110 or 120…

PLANNING OFFICIAL TERELL – 100 per light bulb.

COMMISSIONER VAN NATTA – 100 watts?

PLANNING OFFICIAL TERELL – Yes 100 watt light bulb

COMMISSIONER VAN NATTA – I don't like that. I mean if I want a really bright light in my house I should be able to have it without having some sort of rule

saying that I'm not going to, but if you are going to tell me that and you're not going to enforce it anyway, why even put it in. That doesn't make sense. The other question that I had is how is this going to affect somebody who is going to bring a business in and then they are told or by the way you may feel it is necessary to leave the exterior of your building well lit at night to cut down on vandalism and graffiti and trespassing and all that kind of stuff, but we're going to tell you that at 10 o'clock you are going cut that way down. The same was mentioned about the parking lot lights. Maybe we don't have numbers that say that a less well lit parking lot is going to reduce crime, but if I'm walking through a parking lot, I like to be able to see where I'm going and not worrying about tripping and can I see what I'm doing when I'm putting my groceries in my trunk and things like that. It's all very well and good to say that as a City when we are installing the City lights; the street lights; the exterior lights and everything; those be shielded, but is it really necessary to put all of these restrictions that might affect the willingness of somebody to bring more business to the City.

PLANNING OFFICIAL TERELL – Yes I agree. This is from our research, I anticipated that requiring the reduction of the lights after 10 o'clock might be one of the more controversial elements of this and it is certainly within the purview of the Planning Commission to make that voluntary rather than mandatory or to say we're not going to do it at all, but the current standard requires people to have their lights on all night long even if their business is closed, so this is kind of saying going the other way that we're going to require that you lower the light levels for energy conservation, but certainly the Planning Commission if you so chose could say don't do it at all or make it voluntary. You're the advisory board and we're just making the recommendation.

COMMISSIONER VAN NATTA – Well then if it is not necessary to have the lights on all night long, why can't you just make that simply optional; you can have your lights at night or you can turn them off. It is your choice as a business owner how well you want to have your building lit and how much you want to pay for your electricity.

COMMISSIONER OWINGS – Well I think as a business owner; speaking as a business owner, we have the ability to make those decisions on our own without the City telling us and as having the distinction of having the single largest one day loss in the history of American road insurance; 625 thousand dollars for 23 vehicles stolen, lighting is certainly proven to be… it was the silliest conservation thing we've ever done was to cut the lighting off at midnight and suffer a 625 hundred thousand dollar catastrophic loss of which the insurance covered it, but the deductible was several hundred thousand dollars and so I think each businessman has to make that consideration.

The second thing is this, a new business coming into town, you said you'd grandfather certain businesses; well lighting for fast food and things of that nature is certainly a plus for a new business would be at a disadvantage to an old

business as a result of the fact that one business across the street would be able to brightly light himself through all his hours of operation and a guy across the street might not. So those are all considerations and it is a little bit like getting closing the barn door after the cows are gone. This is a City of 150 to whatever estimate you believe thousand and to start making these now you know in anticipation of us doubling or tripling I think is unrealistic.

COMMISSIONER CROTHERS – I definitely like the idea of the dark sky for communities where you go to expect to see the dark sky. Communities such as Palm Desert, Palm Springs, Beaumont, Encinitas and San Diego; those are all cities where you go specifically to see the dark sky; to see the ocean; to see the views; to see Tempe, Arizona where you see all the rocks around you and those formations. This City is not like those cities. This City is very well populated and there are businesses all over our City and I think my main concern is safety and security. I don't want the light in the parking lot facing down and shining on my feet. That is not where the person's face is that may potentially attack me. I want that face well lit so that you know if anything happens there is a camera around and that face can be caught on camera. I don't think that me being a single female you know, working and shopping in our City, I don't think it is safe to cut off the lights. I can't get over that and I can't vote for this project knowing that I could be putting people at risk and I think that the lighting standards that we have already in place are doing just fine. I don't think that I've ever been somewhere and thought to myself oh my gosh it is just so bright and I wish they would cut these lights off at 10 pm. In fact in a lot of places at 10 pm I'm thinking to myself I wish there were a lot more lights around here because I don't feel safe getting out of my car or driving around the neighborhood.

PLANNING OFFICIAL TERELL – I'm sorry I didn't mean to interrupt but we're not in the deliberation stage of it yet, we're in the question stage, but understood, but I will remind everybody that the cutoffs are a current standard. They're not a new standard and the lights are at 20 or 30 feet in a shopping center, so the idea is the coverage is I believe it is a one foot candle at a certain distance above the pavement. It is not at the pavement, so just to clarify, but we are still in the question/answering stage and I believe you may have a Speaker Slip so we need to kind of avoid deliberation yet.

COMMISSIONER CROTHERS – Okay I think I have one more question.

VICE CHAIR BAKER – Okay one more question here.

COMMISSIONER VAN NATTA – So a couple of things you say we already have this in place and we already have that in place, can you maybe very simply tell us exactly what is changing with this rather than just reading the whole thing because now you are saying we already have a cutoff at 10 o'clock or whatever. What is different; what part is different?

PLANNING OFFICIAL TERELL – I think Mark identified those and I'll reiterate them. The first change is limiting specifically the wattage of the bulbs that can be used in residential and commercial. So that is a change. Currently we rely on the minimum and maximum foot candle, so the minimum and maximum foot candle aren't changing but the type of fixture you can have is limited by this proposal. So that's a proposed change.

The second is this concept right now we allow a half foot candle at the property line. This would reduce that to a quarter foot candle five feet back from the property line. That is usually the landscaping, so that is a standard that is more stringent than the current code.

The third I believe has to do with the height of the fixtures. In a hillside area I believe it is currently 12 feet and we're suggesting 8 feet as the maximum height of a light fixture in a hillside area. The residential limit of 12 feet isn't changing. The maximum in a shopping center of 30 feet isn't changing. The stepping it down to 20 feet closer to the property line is a change and for courtyards; we usually refer to this as pedestrian level lighting in the courtyard of an apartment building, that would be a maximum of 12 feet and the current standard is 15 feet.

Reducing the lighting by 50 percent at 10pm or when the business closes, whichever is later, that is a change. The current standard actually requires the lights to be on all night long, so the property owner doesn't have the option of turning them off or reducing them under the current code. Adding in specific standards for public parks; we have standards for public parks but they are in the Public Works Code but this adds it into the code to kind of provide consistency and so the public can go and say what is the standard for that and it will be in the code, so that's not a change, but we're putting it in the code. The street lighting is not changing at all. That is a section of the code that we're moving from one area of the code to another. The wording is changed slightly but again street lighting is a public works standard and…

COMMISSIONER OWINGS – Mr. Terrell, not to interrupt your thoughts…

PLANNING OFFICIAL TERELL – No, those are all of them

COMMISSIONER OWINGS – But how would this affect future development in the Moreno Valley Auto Mall?

PLANNING OFFICIAL TERELL – The Auto Mall is exempt because it is in a Specific Plan that has its own lighting standards, but the lighting standards currently in the Auto Mall don't meet the City standards. They were unique standards specifically because of the use that is there, so they are exempt from this.

COMMISSIONER VAN NATTA – So basically we could make all these changes and because existing things are exempt and certain specific areas are exempt, it really wouldn't make much change at all except for in a few places.

PLANNING OFFICIAL TERELL – The changes I would say are relatively minor but there a few of those points that you all have had some significant discussion on, so we're starting to get into deliberations so I'm trying to stop short of that, but I just wanted to point out what the specific changes are and as Mark said they do only affect new development. There a few areas that are exempt and the Auto Mall is specifically one that is exempt and it is primarily for new development but those areas that I mentioned, those are the areas that are changing. The other thing we tried to do here is really integrate the whole lighting standard so they are all in one place just to make easier for people to find them. That has nothing to do with dark sky; it has to do with making it a more accessible code section.

COMMISSIONER VAN NATTA – Okay so the full cutoff and the full shielding and stuff you were talking about, that isn't a change that is already in place?

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER VAN NATTA – Okay so if you have full cutoff for full shielding, what is the difference between an 8 foot light and a 12 foot light as far as the dark sky is concerned?

PLANNING OFFICIAL TERELL – Well obviously the closer you have the light to the ground the less spillage you have because the light is still going to spill out, but it doesn't make a big difference. Having a lower standard on a hillside is… when you are a hillside and our hillside ordinance is very stringent; the idea is that if you look up at the hill you will more likely see the lights of the houses as opposed to street lights or lights sticking up above them. That is not a significant change, but it is meant to reduce the light levels in the hillside areas only.

COMMISSIONER VAN NATTA – But doesn't that bring the light down to where like you know maybe a vehicle passing under them can hit them or I mean I can reach 8 feet myself and touch a light. Wouldn't that be more prone to damage or something if it was shorter?

PLANNING OFFICIAL TERELL – Well it doesn't refer to street lighting, so street lighting standards are different, but the private lighting; yes even a 12 foot light… there are vehicles that certainly could hit those but the intent is that most lighting in a residential area neighborhood is either on a post that it is on the front yard or along the side of the driveway or it is on the building itself and it just lowers it a little bit. The 12 foot standard for single family has always been in the code and that's typically right over the garage door would be about 12 feet.

COMMISSIONER VAN NATTA – But then if you lower that to 8 feet then they wouldn't be able to put it in the eave of a house to eliminate the backyard…

PLANNING OFFICIAL TERELL – That is correct. In the hillside area that would be restricted so that's certainly something that you may want to consider.

VICE CHAIR BAKER – Are there any other questions? Okay we're going to open this item up to our Public Comments. The first one will be Michael Geller.

SPEAKER GELLER – Good evening. You know this is a time when you just say no. This kind of garbage; this is extortion by the environmentalists who don't care about anybody but themselves. The light is out of the bottle. Who is kidding who? You're not going to see the sky in this City. Anyone who thinks they are, are living in fantasy land. You can pass all these new ordinances to just make it harder for anyone to develop; create a double standard or so called double standard; create an enforcement nightmare and you're still not going to see any stars. You know get out and look.

I was here 26 years ago when you used to be able to see the stars. It's gone. It's done. I regret it to some extent although we didn't have any street lights; that's why we could see the stars. There were no street lights and the street was pitch black. We've chosen public safety over some things and that's the way it goes, but you know this extortion by these environmentalists to force the cities to do things that aren't necessary; aren't needed; don't need to be here; just adding new enforcement mechanisms and new little games to play and more ways to challenge developments is not a positive way to move things along.

We need to tell people if you want to get an ordinance passed then fine lobby and get it passed, but hold a gun to someone's head to try to get an ordinance passed and that's exactly what happened here. The Sierra Club held a gun to try and prevent development in the City. Enough is enough. Tell them no. The City did their part. All the Settlement Agreement said was you had to look at it; you've looked at it; say no; recommend to City Council and turn it down in full and be done with it and you know let's show that the residents in the City; not the three members of Sierra Club are going to run the City and tell the City what to do and you know we have rights too. You know all the rest of the residents; our Sierra Club members also have rights; people that own land have rights and enough is enough. You know there is nothing wrong with saying no.

You have a lot of legitimate concerns, but the biggest thing is that it is unneeded; it is unnecessary. It is not going to serve one iota of good. We're not going to see any stars. You know if they want to see the stars they are going to have to go out to the desert. It is an unfortunate truth. It's just the way it is, but this isn't going to change it and why do get into these fantasies that we're going to fix problems that can't be fixed by all these band aid ordinances. All it does is to make… instead of 400 conditions, they'll be 500 conditions of approval to get a

stupid project approved and you know you can say enough. The City has done its part and I would hope that you'll just tell the City Council no and if they want to pass it then they'll pass it, it's ultimately their choice, but you know it is your choice to tell them we don't think it's needed. Anyway thank you and I have to go pick my wife up from the airport.

VICE CHAIR BAKER – Thank you Michael. Our next speaker is Steve Jiannino. If you just state your name and address so we can have that on the record.

SPEAKER JIANNINO – Okay I'm Steve Jiannino and my address is 24701 Valley Ranch Road, Moreno Valley and I have to disagree with Mr. Geller. I can see the stars. I live in the hillside. I live off of Ritchie Vista. I can see the stars and I would like to continue to see the stars. It's a wonderful thing, so I want you to recommend approval of this to the City Council. Thank you.

VICE CHAIR BAKER – Okay, thank you. Okay we have no more Speaker Slips, so I'll close Public Testimony and now we are going to go into Commissioner Debate.

COMMISSIONER CROTHERS – I won't take up too much time saying what I've already said at the wrong time in the meeting, however my standing is that in cities such as Palm Springs, Encinitas and San Diego; those are the cities where you really go to see the dark sky; you go to see… you know if you went to the desert and didn't see the stars, you would be sorely disappointed in your visit in the desert. That is just one of the attractions to it. I think that Moreno Valley as a whole has a good lighting position already in place and I don't think that this will serve to provide any more dark sky to the people who already live here. For Mr. Jinnino I envy you, I wish I could see the stars from my house, however you know I live in the middle of a development and I'm not lucky enough to live on the outskirts or in the hills; maybe someday, if I'm here that long. But you know, I do have to say that we've looked it; I've read it and I'm going to have to say no.

COMMISSIONER RAMIREZ – Thank you. In the wake of the most recent events that have taken place in our community, I'm very concerned that eliminating or reducing any kind of lighting is going to help our community as far as security goes. Having served in the Marines and having served in combat I know that strategically in order to operate efficiently it is easier to do it in the dark where you can't be seen. That's where you can operate and get away with things, so reducing lighting is not only going to promote crime but I believe it is going to make it more difficult for people to witness crimes as well, so I understand all sides and I can hear all sides of the discussion, but as a whole and for the utmost security of our community and given the wake of things that have happened and transpired in the last six months, I don't believe that reducing any lighting is going to help us here, so that's all I have to say and therefore I will be voting no against this. Thank you.

COMMISSIONER DOZIER – Well the first condition or the first change was limiting the bulb wattage for residences. I think that's kind of intrusive. I think I agree with my fellow Commissioner Mr. Thomas Owings that that is intrusive and I don't like that. I just feel like for my own personal safety and the safety of my family that I should be able to decide how much light I need in my front or my back, so I don't agree with the first change right there and you know if you pass an ordinance like this, the Home Depot and all of the different stores are going to know that ordinance exists and they are going to change their stock and they are going to make it more difficult for me to light my house the way I want to light it. I just don't see; I just couldn't go along with that I'm going to vote it down even just for that one reason. I don't hold any avarice against a Sierra Club for trying to save the natural world so to speak; that's their mission; that's what they do; but there are some limitations. There are some limitations when they are forcing some of us who aren't quite as passionate about some of those issues as they are and they certainly have tried to impose some of those on us that I think in this case affect our personal liberties and some of our choices and I don't appreciate that. I think you can be over-zealous and you can love something with so much of a passion that you infringe on the rights of others to make those decisions for them and that's unfortunate. I think that is happening in this case and I will vote against it as well.

VICE CHAIR BAKER – Thank you

COMMISSIONER VAN NATTA – I think I already said it too. I think we'll begin learning when to ask questions and when to debate, but this is our first night so we're granted a little bit of leeway I think. Yes just going through the points where changes are being made, I don't see any need; any reason for these changes. I don't personally have any 100 watt bulbs in my house, but I reserve to put one in if I want to or 150 watt or whatever I can find if I decide for some reason I want more light. I think when you start cutting down the amount of lighting that the business owner can have around the perimeter; around their building or restricting the owners decision about when to have lights on and not to have lights on around their business, that should be the business owner's decision. I don't like the current requirement that they keep them on all night long either; you know let the business owner decide how much light they need for protection of their premises and as for the hillsides; if I have a two story house or even a one story house on a hillside and I want to put a light where I can illuminate my landscaping or my patio area or whatever and I'm restricted to putting it at 8 feet which is just a couple feet above the top of my head, you know it is very restrictive. I'd have to put in twice as many lights to get the coverage for my landscaped backyard or whatever for those patio parties and all that, so I just don't need to say anything more about it. I don't like it.

VICE CHAIR BAKER – Thank you

COMMISSIONER SALAS – Yes I'll be short. I just don't… I'm not behind approving an ordinance that I think it is impossible to enforce. How are we going to enforce this? We don't have enough code enforcement and for a lot of other stuff that is a lot more important than this, so I'm not for it either.

COMMISSIONER OWINGS – I just would like to address the City Staff that lifted an eyebrow when they thought that my comments were slipping and away from questioning and into deliberation. Those were rhetorical remarks and meant to be rhetorical questions. You know one thing you said when you were talking to me in the questioning period when the real questioning period was, that there was some consolidation and Staff felt comfortable about those consolidations of getting all these type of lighting type issues into one area. You know I would really recommend and support a move to do that because anything that makes it easier and clarifies those things for developers and citizens makes sense, so I would hope that we wouldn't have to come to one of these type of ordinances in order to do those kind of consolidations and would recommend that Staff do that whenever possible and bring those to the Planning Commission and the City Council on their own volition when those changes need to be addressed. I've already made myself clear as to how I'm going to vote against recommending this to City Council and thank you very much for your good work.

VICE CHAIR BAKER – Okay on this lighting ordinance I'm of the position that more light is better than less for our security issue and with things that happen. We need the lighting level. I can appreciate maybe consolidating some of that together. I don't know how we do that without rearranging our ordinance or something. How is that done? I can see if you move something over from public works into the lighting deals but do you have to change the whole ordinance to do it?

PLANNING OFFICIAL TERELL – Yes well based on your discussion and this is the kind of discussion that we are supposed to have at Planning Commission, so what I would recommend for your consideration is that you approve the ordinance excluding of the provisions that increase the regulation; so those specific changes that I mentioned. You can approve the consolidation aspect and the wordsmithing; what I call wordsmithing and fortunately based on staffing levels this is when we have the opportunity to suggest some of these things because there is urgency to do something so we can… when we look at an ordinance, we don't sit back and say they want a recommendation on dark sky and that's all we're going to do; we kind of look at where we can fix what is not necessarily broken but might not be as clear as it could be, so I mean I would suggest that you might want to approve the consolidation aspect of the ordinance and delete those items that are changes that increase the regulation on the lighting levels and based on that the Council can agree or disagree, but then what we would do is we would go back and revise the ordinance and this is maybe what we might want to do now, is we could take your input into consideration; revise this ordinance; bring it back to you and then you could

recommend that ordinance to the City Council. They would also see the original proposal and they could decide Plan A or Plan B.

VICE CHAIR BAKER – I think that makes a lot of sense.

COMMISSIONER OWINGS – I think that makes more sense because I would not want to be in a situation where we are sending mixed messages to the Council. The message this Planning Commission should send to the Council is this. We don't want the Dark Sky Ordinance period but we do recognize that Staff needs to have some consolidations of these. It is unfortunate that you chose this as the vehicle to do that in my opinion. I appreciate your situation…

VICE CHAIR BAKER – Part of it we were mandated by the Sierra Club right, so that was part of it.

COMMISSIONER OWINGS – But it was our choice to try to and consolidate ordinances using it as a vehicle. It was an opportunity that presented itself to you guys to do something that needed to be done and for that you should be applauded. But I just really wouldn't want to put the same message out to the City Council that we liked it in any way shape or form.

PLANNING OFFICIAL TERELL – And again as I said you choose to, you could ask Staff take your comments into consideration and come back with a revised ordinance that incorporates those comments and then you get to review it again and you could recommend that there is no urgency for it go…

COMMISSIONER OWINGS – Speaking for myself, I would prefer not to do that. I would prefer to vote the recommendation down with the recommendation that the Staff come back with those consolidation efforts in a second ordinance.

PLANNING OFFICIAL TERELL – The only reason I'm suggesting doing it this way is because we've got to go Council anyway, so we're going to Council and then theoretically they would generally, I think support…

COMMISSIONER OWINGS - I know you guys think is form over substance but really the message has to be clear from the Planning Commission that it doesn't in my opinion; that it does not want this ordinance and mixed messages in any way shape or form. It just needs to make a clear statement that that is what we stand for and if you guys want to consolidate those types of ordinances we can do those separately. I realize that it is more efficient your way but I think it sends the wrong message.

VICE CHAIR BAKER – We're not under the hammer to move on. I mean we can deny this tonight and then at a later date if you want to bring that back like Tom says to consolidate, we can look at that at a different time. We can get this thing off the board here.

PLANNING OFFICIAL TERELL – Yes you can do that but you're making a recommendation of denial so for us is potentially…

VICE CHAIR BAKER – We're going to need some help here whoever makes this because if we move to approve then we move against the approval.

PLANNING OFFICIAL TERELL – No, we'll work on that in a minute

VICE CHAIR BAKER – It gets a little hairy in these deals

PLANNING OFFICIAL TERELL – You can take whatever action you like to send, but the message you're sending… you're recommendation is going to City Council and…

VICE CHAIR BAKER – They can override that too

PLANNING OFFICIAL TERELL – They can override that or change that, yes

VICE CHAIR BAKER – And they have before

COMMISSIONER VAN NATTA – The only thing that I wanted to say that I didn't; that I would like to see that is kind of hinted to in this is that the lighting being reduced after the business closes and you're saying the current code requires them to stay open to stay lit all night long; that they have the option of reducing their lighting after closing or after 10 pm, whichever is later or whichever is earlier; sorry.

PLANNING OFFICIAL TERELL – Okay and as you know and any… we do verbatim minutes of the meeting, so whatever you said tonight will be in the packet for the City Council, so we'll see all your discussion.

COMMISSIONER OWINGS – We have to hope that they read that though

PLANNING OFFICIAL TERELL – And certainly to the extent and Mark is an expert at this; what we would do as part of the Staff Report is we would highlight the concerns and certainly that one or more Commissioners mentioned this or that. We try to characterize that in there, so it's very helpful to note that there is something there that is maybe a current change from the code that you might want to recommend.

COMMISSIONER VAN NATTA – If everyone else feels the same way as I do about it.

COMMISSIONER OWINGS – So some housekeeping here a little bit… when the Planning Commission as a group wishes the Staff to take a look at these types of

inconsistencies in the ordinances and to try to correct those is there a mechanism that you suggest we do in terms of do we pass a resolution; do we…

PLANNING OFFICIAL TERELL – No pretty much what we do is when we have discussions like this; I have a list in my office. I write things on my list and someday when we get to them. Literally that is what happens because we try to do what I call a cleanup ordinance. We used to be able to do them every year and now it is like every other year, so we add these kind of clarifications in with that, so it will go on the list regardless, so you don't need to take a formal action.

COMMISSIONER OWINGS – So then in terms of just a matter of procedure for my knowledge, when you have a negative, I noticed the previous minutes there is just this tremendous agonizing over how to vote yes when you are meaning no and can a simple motion to deny; couldn't someone make a simple motion here to recommend that the City Council not approve this ordinance pure and simple?

PLANNING OFFICIAL TERELL – Yes you can and what you'll need to do based on that is we'll bring back a resolution for validation at your next meeting that is I guess…

COMMISSIONER OWINGS – That would be more reflective of our thoughts

PLANNING OFFICIAL TERELL – … that you're not recommending and so your action tonight if I understand and I think I pretty well understand and the consensus here is that you would deny the proposed… so it's really deny… well don't deny the resolution; basically recommend; take number 2 there and change approve to deny and that's what you do and then based on that we'll bring back a resolution that reflects that action. You'll adopt that resolution of recommending denial and then we'll bring that forward to City Council.

COMMISSIONER SALAS – So we approve to deny

PLANNING OFFICIAL TERELL – No you would just read number 2 and your' action would be to deny the revisions and so it's that number 2 and then based on that we'll bring back a resolution that reflects your viewpoint and then you'll approve that resolution.

COMMISSIONER RAMIREZ – In essence that motion then would not read the preamble and the number 1, you would just move to and then start reading number 2 with the word deny to accomplish what you are asking.

VICE CHAIR BAKER – Okay so are we ready for a motion to move forward on that?

COMMISSIONER SALAS – So I'm going to read 2, right?

VICE CHAIR BAKER – Change Approve to deny

COMMISSIONER SALAS – Okay… **DENY** revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

VICE CHAIR BAKER – Very good; do we have a second?

COMMISSIONER OWINGS – Second

VICE CHAIR BAKER – Okay, do a wrap up vote; all in favor?

Opposed – 0

Motion carries 7 – 0

VICE CHAIR BAKER – Staff wrap-up…

PLANNING OFFICIAL TERELL – Okay I have a question and I just want to just kind of a… on Commissioner Van Natta's suggestion, is there general support for doing that or allowing flexibility in having a property owner able to reduce their lighting after they close their business or is that not a consensus?

COMMISSIONER OWINGS – I need to ask a question of you? The purpose of that ordinance is that for public safety; was that the intent of it to cause businesses to keep their lights on so that it would aid in law enforcement?

PLANNING OFFICIAL TERELL – We're not sure because when we posed that question to the representative of the Police Department, they said it wasn't their requirement, so it may have been someone's intent to do that but…

COMMISSIONER OWINGS – Well would it have been their recommendation I guess would have been the appropriate response from them would have been, it's not their requirement but we would like to see it. Guessing would it be their…

PLANNING OFFICIAL TERELL – No, actually in talking with the Police Department the amount of lighting wasn't the key, it was that it was the type of lighting. They were very concerned about the type of fixtures so that you know it was a white light that actually…

COMMISSIONER OWINGS – Right, as opposed to the amber…

PLANNING OFFICIAL TERELL - … amber and the most critical was when businesses are closed, the most critical was the lighting over the doorways and that's what they were very concerned about. They weren't concerned about…

COMMISSIONER OWINGS – But they would like to see that on 24 hrs. a day if they could or at least at night time.

PLANNING OFFICIAL TERELL – Well the idea is this doesn't recommend that the lights be turned off, it just allows them to reduce to 50 percent. If you want to go further and say you know you can turn the lights off…

COMMISSIONER OWINGS – I think it requires further… I like the spirit of the Commissioners, but I think we really need to look into that.

PLANNING OFFICIAL TERELL – Yes, so if the consensus is just to kind of leave that as kind of a suggestion and not as recommendation. I just wanted to clarify that.

COMMISSIONER VAN NATTA – Well I think what you had said earlier when you were speaking to the representatives from the Police Department; they said their only concern was that the doorways be lit, that I think that could be something we could say give the business owner the option after closing or after 10 o'clock to reduce the lighting as long as the doorways remain lit.

COMMISSIONER OWINGS – That's closer to being agreeable.

PLANNING OFFICIAL TERELL – Okay, yes. Does that seem like a general consensus? Just nod.

COMMISSIONER OWINGS – But you probably should put the provison on it that you do have this discussion with the Police Department and make sure that is the way.

PLANNING OFFICIAL TERELL – Right and any final recommendation; any final ordinance should be reviewed, because that is somewhat of a change from what we suggested, so we would still want to review that with the Police Department before anything was actually adopted. So with that, what we'll do is this item will be coming back to you at your next meeting with a resolution that reflects your action tonight and then based on that then we'll go forward to City Council.

VICE CHAIR BAKER – Okay, thank you.

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)

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MV00117874

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 12, 2011

TITLE: Approval of Concessionaire Agreement with Pacifica University, Inc., for the Cottonwood Golf Center

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, approve a long-term Concessionaire Agreement between the Moreno Valley Community Services District and Pacifica University, Inc., to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility.

BACKGROUND

The City has owned the Cottonwood Golf Center since incorporation. During this time, the City has contracted with two concessionaires to operate the clubhouse/pro shop portion of the course. Whether operated by contract or in-house the golf course has always shown an annual deficit. At one time the operational deficit at the Center was more than $350,000 per year. While the deficit has been reduced significantly, it is anticipated that the deficit will be approximately $199,000 for the current fiscal year.

The City has been operating Cottonwood for the last nine years and has been able to somewhat reduce the deficit; however, we have been unable to make the course cost effective. The proposed contract with Pacifica University indicates their interest in being the concessionaire at Cottonwood including the operation and maintenance of the golf course and the management and operation of the adjacent banquet facility. The proposal, if approved, will immediately reduce the deficit by approximately $70,000 and will completely create a self sufficient golf course within four to five years.

DISCUSSION

At the City Council Study Session in April 2010, staff was directed to retain the maintenance and operation of the Cottonwood Golf Center, while trying to reduce the deficit it incurs. For fiscal year 2009/10, expenditures at the golf course were $336,726 while revenues came in around $71,000 for an annual deficit of $265,726. With some aggressive maintenance changes, staff immediately reduced the fiscal year 2010/11 expenditure budget to approximately $289,886. This reduced the overall annul deficit to $199,886.

Staff met regularly with a newly established Golf Course Committee, comprised of residents that utilize the golf course. Working with this committee, the City adjusted the fee schedule, improved marketing to increase play, and brainstormed as to what would be best for the Cottonwood Golf Center. Along with this staff repaired a massive drainage problem, originally projected to cost more than $300,000, but was completed for approximately $20,000.

On February 23, 2011 staff advertised a request for proposal, subsequently receiving four inquiries. Staff and elected members from the Golf Course Committee conducted in person interviews with all interested parties which resulted in a unanimous decision to begin negotiations with Pacifica University.

Pacifica University is a newly formed athletic and sports management institution currently based in Riverside. Staff has a positive working relationship with the college as their men's basketball and baseball teams have been renting the gymnasium at the Conference and Recreation Center as well as Sunnymead Park's Salas Field. Pacifica University is in the midst of forming women's basketball, soccer, and volleyball along with men's soccer and rugby with more teams on the horizon. The proposal from Pacifica University involves the college golf team assuming responsibility for the maintenance and operation of the golf course as well as responsibility for the adjacent banquet area.

There are many advantages to this unique opportunity including the following:

1. Pacifica University will relocate to Moreno Valley with the name Pacifica University of Moreno Valley.
2. Upon expansion the college will be leasing other facilities within the City for their classrooms.
3. Pacifica University has other money backing this endeavor (tuition and investors) which gives the City an opportunity to have a golf course out of debt.
4. Staff at the course (golf team) will have knowledge of this sport which will be great for the players that frequent Cottonwood.
5. Pacifica University is enthusiastic about immediately helping the CSD in constructing a practice hitting area and eventually improving the kitchen to serve prepared food.

6. The University golf team will be promoting the course in the community especially amongst our youth, providing tournaments and leagues in hopes of increasing play at Cottonwood.
7. Lastly the university students and staff will be frequenting Moreno Valley restaurants, stores, and gas stations which obviously help the City's economy.

The details of the proposed agreement are attached but in short allows the University to retain all revenues for the first three years while freeing up staff expenditures, contractual services, and supply expenses currently incurred by City.

It will be necessary for staff to address certain building deficiencies to get this facility up to code and operating efficiently, while the University will be constructing improvements that will make Cottonwood a more inviting place to visit.

ALTERNATIVES

1. Approve the Concessionaire Agreement with Pacifica University, Inc., to maintain and operate Cottonwood Golf Center for a period of five (5) years with a renewal opportunity for 20 additional years.

2. Not approve the Concessionaire Agreement and direct staff to identify alternatives to reduce funding deficit.

FISCAL IMPACT

By approving staff's recommendation, Cottonwood Golf Center will reduce annual expenses by approximately $70,000 this fiscal year, while eventually eliminating the deficit at the course for the first time in the history of its existence.

SUMMARY

Staff and the Golf Course Committee believe the City has a unique and creative opportunity that benefits the entire community and will help the Cottonwood Golf Center become a successful, more attractive area for residents and non-residents to spend their leisure time. Pacifica University is excited about not only operating the course but also becoming part of Moreno Valley.

NOTIFICATION

Posting of the agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Proposed Concessionaire Agreement with Pacifica University

Prepared By:
Michael McCarty
Director of Parks and Community Services

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT A

CONCESSION SERVICES AGREEMENT BETWEEN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AND PACIFICA UNIVERSITY, INC.
(Cottonwood Golf Center)

THIS AGREEMENT is made and entered into this 1st day of August, 2011, by and between the Moreno Valley Community Services District, a Municipal corporation (hereinafter called the "CSD") and Pacifica University, Inc. (hereinafter called the "Concessionaire") whereby said parties agreed upon the following terms and conditions:

RECITALS.

CSD owns a golf course facility and recreation center and related facilities and property located at 13671 Frederick Street in the City of Moreno Valley, County of Riverside, State of California, known as Cottonwood Golf Center ("Golf Course"). The Golf Course includes a 9-hole golf course consisting of fairways, roughs, sand traps, driving range, water areas, maintenance yard, fencing, lawn, restroom facilities, a golf clubhouse, a pro shop, a parking lot, and the adjacent banquet room. Concessionaire will not have use or be permitted into the two rooms north of the banquet room, and the restrooms in this area can only be utilized until outside restrooms at the Golf Course are repaired. Upon repair the restrooms located inside banquet facility will be closed or reconstructed as monies allow.

Concessionaire represents that it is qualified in the management, operation, supervision, and maintenance of all aspects of golf course properties and their related facilities, and that Concessionaire is qualified to manage, operate, supervise, and maintain the Golf Course.

CSD desires Concessionaire to manage, operate, supervise, and maintain the Golf Course on behalf of the CSD, and Concessionaire desires to and has agreed to do so upon the terms and conditions hereinafter set forth.

AGREEMENT.

1.1 Agreement to Manage and Operate Golf Course.

CSD hereby appoints Concessionaire, and Concessionaire hereby accepts such appointment as the operator of the Golf Course during the Term, with full power and authority to carry out all the duties and responsibilities specified herein, upon the terms and subject to conditions hereinafter set forth.

1.2 Standards of Performance; Fiduciary Duty.

Concessionaire acknowledges that there is a relationship of trust and confidence between Concessionaire and CSD, and that Concessionaire has a fiduciary duty to CSD pursuant to this Agreement. Concessionaire shall use Concessionaire's best skill and judgment in performing its duties and obligations hereunder, and shall at all times provide such management, operating, supervision, and maintenance services in a manner which maintains the good name of the CSD; perform its duties and obligations under this Agreement in an efficient, expeditious, prudent, and economical manner, consistent with the best interest of the CSD, in accordance with generally approved practices and standards followed by similarly situated public golf courses in California.

2.1 General Duties and Obligations.

A. Throughout the term, subject to any restrictions or limitations set forth elsewhere in this Agreement and subject to CSD's approval, Concessionaire shall, at a minimum, do the following:

(1) Fully comply, and cause the Golf Course and all Equipment and Supplies and operation thereof to fully comply with all legal requirements including all laws, statutes, ordinances, codes, orders, rules, regulations, permits, licenses, authorizations, entitlements, and conditions imposed by all federal, state, and local governmental

regulatory agencies and authorities which are applicable as of the date hereof and hereafter become applicable to the Golf Course, the Equipment and Supplies, or the operation thereof, including without limitation, environmental laws.

(2) Apply for, obtain, and maintain in full force and effect, at Concessionaire's expense, all permits, licenses, and authorizations required, whether by CSD, City of Moreno Valley, or by any other governmental agency, that are necessary or appropriate for the management, operation and maintenance of the Golf Course.

(3) Obtain and maintain in full force and effect all insurance required to be maintained by Concessionaire pursuant to this Agreement.

(4) Concessionaire shall diligently and faithfully perform the following services (among others) during the term of this Agreement:

(a) Promote the sport of golf in such a manner that will encourage, and thereby cause, the public to engage in such sport at the Golf Course.

(b) Promote, manage, and arrange for golf tournaments and recreation programs related to the sport of golf at Golf Course.

(c) Manage and conduct the play of golf at Golf Course in such a manner that will permit the public to play in an orderly and non-obtrusive fashion at said golf course.

(d) Operate a pro shop and practice hitting/driving area including, but not limited to, sale and/or rental of golf equipment, non-motorized golf carts, motorized golf carts, and golf-related apparel items.

(e) Maintain an adequate stock of golf merchandise, supplies, and equipment necessary for the operation of a golf shop and in keeping with the demand.

(f) All golf merchandise, supplies, and equipment used in the pro shop operation and practice hitting/driving area shall be the responsibility of the

Concessionaire.

(g) Be responsible for selection, training, and supervision of all pro shop personnel described herein. All payroll related costs, including workers compensation insurance, sick leave, and vacation pay shall be the sole responsibility of the Concessionaire.

(h) Provide close liaison between pro shop management and CSD management in order to aggressively develop methods to improve golf service and build a high level of customer satisfaction.

(i) Generate sufficient revenue to cover expenses of the pro shop operation with a pricing structure partially established by CSD resolution with respect to greens fees, with related prices to be justified by current local market conditions comparable from facility to facility within the county, as per City Council.

(j) Charge and collect from all members of the public who desire to use and play upon said golf course, greens, practice hitting/driving area, and/or lesson fees as from time to time may be established by resolution of the City Council. Fees established by the City Council shall be the maximum fee charged to use and play upon said golf course. Concessionaire may from time to time, with the approval of the Director of Parks and Community Services or his/her representative, provide "discount" and/or "special" rates as a marketing tool to attract additional play. Concessionaire shall not permit, or cause to be permitted, any members of the public to play upon said golf course unless such established greens fees have been collected in advance from such persons.

(k) Concessionaire to maintain a "tee sheet" listing type of fee paid and player's name. Concessionaire shall provide each customer with a receipt for their transaction.

(l) Provide for the sale of food and beverages including beer and

wine in the pro shop located at the Golf Course. Drinking of beer and wine shall be limited to the pro shop/restaurant and not be permitted on the course.

2.2. Throughout the Term, Concessionaire shall, subject to any restrictions or limitations set forth elsewhere in this Agreement, perform or cause to be performed all tasks necessary or appropriate in connection with the ongoing operation, management, supervision, maintenance, repair, and upkeep of the Golf Course. In performing such tasks Concessionaire shall, at a minimum, do each of the following:

Golf Course

A. Be responsible for and control the play at the Golf Course, including making reservations, starting players, supervision of all of Concessionaire's personnel on the Golf Course, and all other aspects involving use of the Golf Course by members of the public.

B. Provide and supervise all personnel necessary to properly fulfill Concessionaire's requirements under this Agreement, including but not limited to golfing instructors, pro shop staff, driving range staff, putting green staff, and any other persons necessary for the successful and efficient operation of the Golf Course. Concessionaire shall take care to ensure that all staff persons are qualified for their positions and have the ability to relate to the public in the context of a municipal golf course.

C. Concessionaire shall also perform the following services under the direction and supervision of CSD staff as needed:

(1) Water greens, tees, fairways, practice range and landscaped areas.

(2) Change cup locations daily.

(3) Rake traps and repair divots daily.

(4) Edge all sand traps twice monthly.

(5) Verticut all greens not less than four times per year, and more frequently if required.

(6) Aerate greens twice annually, or more if required.

(7) Top dress all greens twice per year.

(8) Mow greens at least four times per week in the months of March through October, and at least twice per week in the months of November through February, or more if required.

(9) Fertilize greens and heavy traffic areas every eight weeks.

(10) Repair tees, including divots, and move tee markers daily.

(11) Spray greens as needed.

(12) Mow fairways twice weekly during the months of March through October, and at least once a week during the months of November through February, or more if required.

(13) Operate the Golf Course and all related facilities during all daylight hours, seven days per week, on all days when the Golf Course is playable. The course may be closed or hours adjusted as per authorization from Director of Parks and Community Services or his/her representative.

Golf Course General Maintenance and Repair.

A. Maintain the clubhouse, pro shop, golf cart storage building, banquet facility, and all other facilities related to the Golf Course in a safe, neat, and orderly condition.

B. Maintain all restroom facilities to ensure that they are constantly and fully equipped and in a clean, sanitary, safe, and orderly condition. Concessionaire shall provide all supplies and materials reasonably necessary for the proper maintenance of

restroom facilities by Concessionaire.

C. Maintain and perform minor repairs to the premises, including but not limited to greens, fairways, tees, roughs, driving range, water areas, maintenance yard, irrigation systems, landscaping, shrubs, trees, planter areas, fencing, lawns, restroom facilities, golf clubhouse, pro shop, parking lot, all personal property related thereto, and all other portions of the grounds and related facilities in accordance with industry standards and established minimum maintenance levels for the Golf Course.

Pro Shop

Concessionaire shall manage and operate the pro shop consistent with the following requirements:

A. At all times maintain a reasonable and adequate inventory of new and used golfing equipment in order to provide Golf Course patrons with a reasonable variety of golfing equipment for purchase or rent. All of the inventory in the pro shop shall be purchased by Concessionaire at Concessionaire's sole cost and expense, and shall be owned by Concessionaire.

B. Maintain the pro shop in neat, clean, safe, and orderly condition

C. Provide golf instruction and other services typically provided to a golf course.

D. Maintain adequate, qualified, and competent supervision of the Golf Course and all related facilities at all times.

2.3 Equipment and Supplies.

A. Equipment.

(1) Definition of Equipment. An inventory of the minimum equipment necessary for the performance of this Agreement by Concessionaire (hereafter

"Equipment") pertains to the following list: one of each, Gang Mower 5 Reel Ground master, Sidewinder 3 Reel Toro, Greens Mower 3250 3 Reel Green master, Tee Mower 3200 Green master, Cushman 01-770, Reel Sharpener. Said inventory may be updated from time to time by written agreement between Concessionaire and the CSD.

(2) Maintenance and Repair. CSD and Concessionaire agree that the inventory of Equipment currently located at the Golf Center is all the equipment and parts necessary for the performance of this Agreement by Concessionaire. Concessionaire shall keep all such Equipment in good maintenance and repair throughout its useful life. Equipment and parts damaged by the Concessionaire shall be repaired or replaced by Concessionaire, at Concessionaire's sole expense.

(3) Maintenance Buildings. Concessionaire is hereby permitted to utilize the maintenance buildings on the Golf Course to store Equipment and Supplies for the maintenance and repair of the Golf Course and related facilities, and Concessionaire shall keep these buildings in neat, safe, clean, and orderly conditions. Concessionaire shall maintain and repair these maintenance buildings, and all damage to said buildings shall be repaired by Concessionaire at Concessionaire's sole expense.

B. Supplies.

Concessionaire shall, at Concessionaire's sole expense, purchase all of the supplies, including but not limited to: gas, oil, grease, all small tools, shovels, rakes, hoes, brooms, fertilizers, weed control products, chemicals, grass seed, cups, flags, flagpoles, tee markers, trash receptacles, sand, special tools to maintain Equipment, and all top dress materials. Concessionaire may purchases such supplies from CSD inventory, if available.

2.4 Additional Repairs and Improvements.

Notwithstanding anything to the contrary in this Agreement, in the event Concessionaire is engaged to perform improvements that are outside the scope of this Agreement, such as installation of kitchen improvements and banquet facility enhancement. CSD and Concessionaire shall agree to the terms of such engagement.

CSD shall be responsible for and bear the cost of all major improvements including but not limited to parking lot improvements, exterior restroom improvements, building access improvements from public right away installation of driving range area, and completion of roof improvements. Concessionaire shall be responsible to provide labor for all minor Equipment repairs, tune-ups, grinding, belt and chain replacements, and all scheduled or manufacturer recommended servicing of Equipment.

Concessionaire and CSD will work together on adding patio cover in back area of golf course, trim scraping, and building paint as needed.

2.5 Utilities.

The Concessionaire shall pay for all utilities and services necessary to carry out Concessionaire's obligations of this Agreement, including but not limited to pest control and janitorial services. Furthermore, internet service, television cable or satellite service, and similar non-essential utilities shall be furnished at the sole cost and expense of Concessionaire.

2.6 Alterations and Fixtures.

A. Concessionaire shall have the right to install and maintain in the pro shop display cases and all other fixtures reasonably necessary for proper operation of the pro shop. Before installing any such fixtures or making any alteration to the pro shop,

Concessionaire shall submit plans and designs for the installation to the CSD for its approval which shall not be unreasonably withheld. Concessionaire shall maintain an up-to-date list of all fixtures, alterations, and improvements installed at the pro shop and shall furnish a copy to the CSD each time Concessionaire removes a fixture or improvement so that both parties have a current list of all alterations and fixtures installed by Concessionaire. At the end of the Term, at CSD's sole discretion, Concessionaire shall restore the pro shop to the same condition as before the alterations and fixtures, as required by the CSD, and Concessionaire will indemnify and defend CSD for all liens, stop notices, claims, or damages caused by the alterations, improvements, fixtures, additions, and removal thereof from the pro shop. In the event Concessionaire fails to remove all of Concessionaire's fixtures and alterations as requested by CSD within five (5) business days of the end of the Term, and restore the pro shop to its original condition, all such fixtures, alterations, and improvements shall become the property of the CSD.

B. Concessionaire shall design to CSD's reasonable satisfaction and approval a fully enclosed practice hitting/driving area. Such improvements, and any other improvements, alterations, and installation of fixtures, to be undertaken by Concessionaire, shall have the prior written approval of the CSD after Concessionaire has submitted to the CSD proposed construction plans and specifications therefore, in writing. Such approval by the CSD shall not be unreasonably withheld. Upon such approval, Concessionaire shall complete such improvements in strict compliance with said plans and specifications.

(1) Following completion of such improvements, Concessionaire shall submit to the CSD:

(a) Itemized statements showing the entire cost of such

improvements, alterations, and fixtures, and

(b) A complete set of "as-built" drawings showing every detail, latent or otherwise, of such improvements, alterations, and fixtures, including, but not limited to, electrical circuitry and plumbing.

(c) All such improvements, alterations, and fixtures (except trade fixtures as that term is used in Section 1019 of the Civil Code) shall be the property of the CSD; provided, however, that Concessionaire may remove, at its expense, such trade fixtures at or prior to the expiration of this Agreement and restore the premises to its original shape and condition as nearly as practicable. In the event Concessionaire does not so remove such trade fixtures, they shall become the property of the CSD for no further consideration of any kind, and Concessionaire shall execute any documents that may be required or necessitated in conveying their interest in such improvements, alterations, and fixtures to the CSD.

2.7 Revenue and Compensation.

A. For the first three (3) years of this agreement, the Concessionaire shall keep all revenues generated at Golf Course including all green fees, hitting area revenue, sale of food and beverages, sale of golf products, and all rentals.

B. In years four (4) and five (5), Concessionaire shall remit to the CSD the following amounts.

(1) Ten percent (10%) of all revenues generated from green fees, sale of food, beverages, golf related products, and by rentals.

(2) Fifty percent (50%) of all revenues generated from City installed driving range area.

C. The CSD shall have no responsibility for collection of any monies due the Concessionaire as a result of pro shop operations. The Concessionaire may offer promotional programs and other financial incentives in order to generate additional participation and/or sales including promotional green fees.

2.8 Taxes, Licenses, Permits and Fees.

The Concessionaire shall be responsible for payment of any taxes, duties, fees, or other governmental charges levied or assessed on the food service operation or property. The Concessionaire shall also be required to purchase any applicable permits and licenses (including City business license and any licenses required for alcohol).

2.9 Prohibited Activities.

Concessionaire shall not do, nor cause nor permit to be done, any of the following:

A. Lease, sell, transfer, assign, convey, pledge, encumber or otherwise dispose of the Golf Course, related facilities, Equipment, or Supplies.

B. Violate any of the legal requirements or engage in or permit, suffer, or allow the occurrence of, any storage, holding, release, emission, discharge, generation, abatement, disposition, handling, or transportation of any hazardous substance.

C. Make any deletion, modification, alteration, or improvement to the Golf Course or related facilities other than expressly authorized.

D. Except for fertilizers, pesticides, and fuel and motor oil reasonably necessary for operation and maintenance of the Golf Course, and except for any other substances and materials reasonably necessary for the operation and maintenance of the Golf Course (all of which shall be used, installed, kept, and maintained in compliance with all applicable legal requirements), place or cause to be placed in, on, under or around the Golf Course or

any related facilities any hazardous substance. Concessionaire hereby agrees to indemnify, defend (through counsel reasonably satisfactory to the CSD), and hold CSD harmless from any cost, expense, loss, damage, or other liability, including all costs of testing, monitoring, and remediation incurred by CSD as a result of any breach of Concessionaire of its obligations under this section.

3.1 Books and Reports.

A. Throughout the Term, Concessionaire shall maintain in accordance with generally accepted accounting principles, consistently applied, full and separate books and records for the Golf Course with entries supported by documentation sufficient to allow CSD to ascertain the accuracy of such books and records. Concessionaire shall provide legible, complete copies of such books and records to CSD at such times at CSD request. Concessionaire shall ensure the necessary control over accounting and financial transactions as is necessary to protect CSD's assets from theft, error or fraudulent activity by Concessionaire's staff.

B. Concessionaire shall prepare and submit to CSD, no later than ninety (90) days after the end of each fiscal year, an Annual Operating Report for the immediately preceding fiscal year which shall be in such form and contain such information as CSD may require.

3.2 CSD's Right to Audit.

All books, records, and supporting documentation maintained by Concessionaire pursuant to this Agreement and/or relating to the Concessionaire's operation of the Golf Course, shall be the sole and exclusive property of the CSD, and shall be made available to CSD at CSD's request at reasonable times during normal business hours. CSD may

examine all books, records, and supporting documentation maintained by Concessionaire relating to the Golf Course.

3.3. Annual Meeting.

During each fiscal year, Concessionaire and CSD shall meet a minimum of one time to establish such things as the contract details relating to maintenance and operation and fee structure.

4. Indemnity.

To the maximum extent permitted by law, Concessionaire and Concessionaire's Parties ("Concessionaire's Parties" mean Concessionaire and Concessionaire's officers, shareholders, partners, trustees, members, agents, employees and independent contractors, as well as all persons and entities claiming through any of these persons or entities) and hold CSD (including CSD's officers, employees, agents, representatives, and their respective successors and assigns) harmless from, and CSD shall not be liable from any and all liability, loss, cost, expense or damage (including but not limited to damage to CSD's property, third party claims, and CSD's attorneys' fees and expenses) resulting from or arising out of (a) the negligent acts or omissions or willful misconduct in the performance by the Concessionaire or Concessionaire's staff or agents hereunder, or (b) any acts by Concessionaire or Concessionaire's staff or agents which are beyond the scope of authority which Concessionaire reasonably believes it has been granted pursuant to this Agreement in connection or relating to Concessionaire's performance of its obligations under this Agreement. Concessionaire shall be obligated to indemnify CSD as described in this paragraph, whether or not there is concurrent negligence on the part of the CSD, but shall not be so obligated to the extent that a court of competent jurisdiction

has established that said liability was caused by CSD's sole active gross negligence or willful misconduct.

5. EXEMPTION OF CSD FROM LIABILITY.

To the fullest extent permitted by law, Concessionaire, and on its behalf and on behalf of all Concessionaire Parties, as a material part of the consideration to CSD, hereby waives all claims (in law, equity, or otherwise) against CSD arising out of, knowingly and voluntarily assumes the risk of, and agrees that CSD shall not be liable to Concessionaire or Concessionaire Parties for (i) injury to or death of any person; or (ii) loss of, injury or damage to, or destruction of any tangible or intangible property, including the resulting loss of use, economic losses, and consequential or resulting damage of any kind from any cause, including without limitation for injury to CSD property or vehicles, or other property or vehicles of the public, and to Concessionaire or Concessionaire's Parties business, or any loss of income there from, or for damage to the goods, wares, merchandise, or other property of Concessionaire or Concessionaire's Parties, or any other person in or about the Golf Course, whether such damage or injury is caused by or results from theft, fire, steam, electricity, gas, earthquake, water or rain, or from the breakage, leaking, obstruction, or other defects of pipes, sprinklers, wires, appliances, plumbing, air conditioning or lighting fixtures, of from any other cause, whether said damage or injury results from conditions arising on or around the Golf Course or from other sources or places, or from construction or repair, alteration or improvement of any part of the Golf Course or any related structures, or of the equipment, fixtures or appurtenances applicable thereto, and regardless of whether the cause of such damage or injury or the means of repairing the same is inaccessible to Concessionaire or Concessionaire's Parties. CSD shall not be liable for

any damages arising from any act or neglect of any occupant or user of the Golf Course, nor from the failure of Concessionaire or Concessionaire's Parties to comply with the provisions of this Agreement. CSD shall not be liable regardless of whether liability results from any active or passive act, error, omission or negligence of CSD or any of its officers, employees or agents. The foregoing exculpation shall (a) not apply to claims against CSD to the extent that a final judgment of a court of competent jurisdiction establishes that the injury, loss, damage, or destruction was proximately caused by fraud, willful injury to person or property or violation of law by CSD, or (b) not be interpreted or construed as an attempt by CSD to be relieved of liability arising out of a non-delegable duty on the part of the CSD.

6.1 Commercial General Liability Insurance.

Concessionaire shall, at no expense to CSD, maintain commercial general liability insurance, including products liability and completed operation, and contractual liability coverage, in the amount of Three Million Dollars ($3,000,000) per occurrence on account of bodily or personal injuries, including death, or on account of property damage, arising from or related to the Golf Course, or directly or indirectly, by Concessionaire's acts or omissions in the performance of this Agreement. This insurance shall be a per occurrence policy. The policy shall also cover Operations, Independent Contractors, Products and Completed Operations, Contractual Liability covering Concessionaire's indemnity obligations contained in this Agreement, severability, and cross liability clauses. The limits of liability of the insurance coverage specified in this paragraph may be provided by any combination of primary and excess liability policies carried by Concessionaire.

6.2 Automobile Liability Insurance.

Concessionaire shall, at no expense to the CSD, maintain business automobile insurance in the amount of One Million Dollars ($1,000,000) per occurrence on account of bodily or personal injuries, including death, or on account of property damage arising from or caused, directly or indirectly, by Concessionaire's acts or omissions in the performance of this Agreement and covering the use of all automobiles, trucks and other motor vehicles utilized by Concessionaire or Concessionaire's Parties in connection with this Agreement. This insurance shall be a per occurrence policy.

6.3 Additional Insured Endorsement.

Under the public liability, property damage, and automobile liability insurance required in this Agreement, the CSD and the City of Moreno Valley, their officers, agents, and employees shall be named as additional insured by endorsement and as to such additional insured, the insurance shall be primary and the policies shall contain by endorsement a cross liability clause.

6.4 Workers' Compensation and Employer's Liability Insurance.

Concessionaire shall, at no expense to the CSD, maintain workers' compensation insurance, as required by law, and employer's liability insurance (at a minimum limit of One Million Dollars ($1,000,000) for all Concessionaire's officers, agents, employees, and staff.

6.5 Comprehensive Dishonesty, Destruction, and Disappearance Coverage.

Concessionaire shall, at no expense to the CSD, maintain coverage for comprehensive dishonesty, destruction, and disappearance or the equivalent crime or other coverage, in an amount not less than Twenty-five Thousand Dollars ($25,000), covering, at a minimum, depositor's forgery and theft and dishonesty by all

Concessionaire's employees or agents or staff who may handle funds or property in connection with the Agreement.

6.6 Deductible Self-Insurance Retention.

Any deductible or self-insurance retention shall be certified on a certificate of insurance and approved by the CSD. CSD may require Concessionaire either (1) reduce or eliminate such deductible or self-insurance retention as it applies to the CSD, or (2) procure a bond guaranteeing payment of losses and all costs associated with investigation, administration and defense of claims and/or lawsuits. The bond shall be in a form acceptable to the CSD.

6.7 Certificates.

The insurance required above shall be evidenced by certificate(s) submitted to the CSD which shall be executed by the insurance company or companies involved and which shall state that this insurance may not be terminated without 30 days prior written notice being received by CSD. The certificates shall be submitted to CSD before or at the time Concessionaire executes this Agreement.

6.8 No Representation of Adequate Coverage.

CSD makes no representation that the limits or forms of coverage of insurance specified in this Agreement are adequate to cover Concessionaire's obligation under this Agreement.

7.1 Term of Agreement.

The term of this Lease Agreement will be August 1, 2011 through July 31, 2016. Options to extend this agreement are available upon both parties agreeing on terms for up to 20 additional years.

7.2 Early Termination Without Cause.

Either party may terminate this Agreement upon one hundred eighty (180) days advance written notice to the other party, without penalty or cause.

7.3 Termination Upon Default by Concessionaire.

Upon the occurrence of an Event of Default by Concessionaire, as described herein, CSD may, at its option, and in addition to any and all other rights to which it may be entitled under this Agreement or applicable law, elect to terminate this Agreement. Any such termination shall be effective on the date specified by the CSD in such election; provided, however, in no event shall such date be later than thirty (30) days following the date CSD elects to terminate this Agreement.

The following shall constitute an Event of Default with respect to Concessionaire under this Agreement:

A. Any failure by Concessionaire to perform any of the terms, conditions, or covenants of this Agreement to be observed or performed by Concessionaire within thirty (30) days after written notice from CSD.

B If Concessionaire shall become insolvent or files any debtor proceedings, or any adjudication of bankruptcy is rendered against Concessionaire, or if Concessionaire takes or there is taken against Concessionaire in any court pursuant to any statute of the United Stated or of any state a petition in bankruptcy or insolvency, or for reorganization or for the appointment of a receiver or trustee of all or a portion of Concessionaire's property, and if the foregoing proceedings are not discharged within sixty (60) days thereof.

C. If Concessionaire makes an assignment for the benefit of creditors, or petitions for or enters into an arrangement of its debts, or it Concessionaire shall permit or

suffer this Agreement to be taken under any writ of attachment or execution, and the same is not discharged within thirty (30) days thereafter;

D. If Concessionaire assigns this Agreement in violation thereof.

7.4 Actions Following Termination.

A. Immediately following any termination of this Agreement for any reason whatsoever, Concessionaire shall assign, convey, transfer, and deliver to CSD, pursuant to an assignment in form and content satisfactory to CSD, all of Concessionaire's right, title, and interest in and to all Operating Contracts then in effect and in Concessionaire's name with respect to the Golf Course as requested by CSD, and Concessionaire shall transfer to CSD possession of all Equipment and Supplies owned by, purchased by or supplied by CSD.

B. Upon any termination of this Agreement for any reason whatsoever, Concessionaire shall, for a period of two (2) months following such termination, assist, and cooperate with CSD to the extent deemed necessary by CSD to ensure an orderly and efficient transfer of the operations of the Golf Course by Concessionaire to CSD or to CSD's designee. This covenant of Concessionaire contained herein shall survive and remain in full force and effect following any such termination of this Agreement.

C. Upon termination of this Agreement for any reason whatsoever, Concessionaire shall surrender the Golf Course and all related structures, improvements, and alterations, in good condition, and in accordance with all other provisions of this Agreement regarding fixtures, alteration, and improvements.

8. Transfer and Assignment.

Concessionaire may not, voluntarily or involuntarily, sell, convey, assign, transfer,

hypothecate, pledge, or otherwise dispose of (or agree to do any of the foregoing) all or any part of its interest, if any, in this Agreement, or any contractual rights or obligations related hereto without the prior written consent of CSD, which may be granted or withheld in CSD's sole discretion. Any assignment by Concessionaire without CSD's consent shall be considered any Event of Default and the assignment shall be of no force or effect.

9. Prohibition of Advertising and Certain Displays.

Concessionaire shall not display, nor shall Concessionaire permit the displaying of any advertising or any other postings at the Golf Course that are unrelated to golfing activities, without the prior written consent of CSD, in CSD's sole discretion.

10. Warranties and Representations.

Concessionaire hereby represents and warrants that in entering into this Agreement, Concessionaire has not relied on any statements from CSD or any representative thereof, and has conducted such due diligence and investigations as Concessionaire deems appropriate before entering into this Agreement.

11. Independent Contractor.

Concessionaire and CSD hereby acknowledge and agree that Concessionaire, in performing this Agreement, will be and will at all times act as an independent contractor in the performance of its duties and responsibilities set forth herein, and that Concessionaire will have control of its work and the manner in which it is performed. Concessionaire shall not be considered as an agent or employee of the CSD or the City of Moreno Valley. None of the provisions of this Agreement are intended to nor shall they be interpreted to create a partnership or joint venture between Concessionaire and CSD with respect to the Golf Course or otherwise, and neither party shall have the power to bind or obligate the other

party, except as expressly set forth in this Agreement. Concessionaire shall timely pay all taxes and impositions and for all other benefits required by law and relating to Concessionaire's staff.

12. Right to Inspection.

The CSD shall have the right to enter and inspect the Golf Course and the buildings and the premises as well as any Concessionaire-operated equipment, at any time during business hours.

13. Applicable Law.

This Agreement and all provisions hereof, irrespective of the place of execution or performance, shall be construed and enforced in accordance with the laws of the State of California. The sole and exclusive venue for any legal action under this Agreement or in any way related to the Golf Course shall be the Superior Court in and for the County of Riverside, and CSD and Concessionaire agree to submit to the jurisdiction of such court.

14. Savings Clause.

Any Provision of this Agreement, the deletion of which would not adversely affect the receipt of any material benefit by any party hereunder, or substantially increase the burden on any party hereto, shall be held to be invalid or unenforceable to any extent, the same shall not affect in any respect whatsoever the validity or enforceability of the remainder of this Agreement.

15. Attorneys' Fees and Expenses.

In the event of any dispute or litigation concerning the enforcement, validity, or interpretation of this Agreement, or any part thereof, the losing party shall pay all costs, charges, fees, and expenses (including reasonable attorneys' fees and costs) paid or

incurred by the prevailing party, regardless of whether any such litigation is prosecuted to judgment.

16. Non- Waiver.

The waiver by the CSD of any breach of any term, covenant, or consideration herein contained shall not be deemed to be a waiver of such term, covenant, or consideration or any subsequent breach of the same or any other term, covenant, or condition therein contained. No covenant, term, or condition of this Agreement shall be deemed to have been waived by CSD or Concessionaire, unless such waiver is in writing signed by the party against whom such waiver is asserted.

17. Compliance with Applicable Laws.

In the performance of services hereunder, Concessionaire shall comply with all applicable local, state, and federal statutes, regulations, ordinances, and orders now in force or which may be hereafter in force, to include public health sanitation requirements.

18. Equal Employment/Discrimination.

A. Concessionaire shall not discriminate in its recruiting, hiring, promotion, demotion, or termination practices on the basis of race, religious creed, color, national origin, ancestry, sex, age, physical handicap, medical condition, or marital status with respect to the services to be performed hereunder, and Concessionaire shall comply with the provisions of the California Fair Employment Practice Act (commencing with Section 1410 of the Labor Code), the Federal Civil Rights Act of 1964 (P.L. 88-352), and all amendments thereto, Executive Order No. 11246 (30 Federal Register 12319), as amended, and all Administrative Rules and Regulations issues pursuant to said Acts and Orders.

B. Concessionaire shall not discriminate against or cause the segregation of any person or group of persons on account of race, color, creed, national origin, or ancestry with respect to the services to be performed hereunder, nor shall the Concessionaire or any person claiming under or through it, establish or permit any such practice or practices of discrimination or segregation with reference to the services to be performed hereunder.

19. Food and Beverage Laws.

With respect to any food or beverage sales or distribution operation conducted by Concessionaire as a golf play related service, Concessionaire shall keep the pro shop premises in a neat and sanitary condition and shall comply with the California Restaurant Act (Section 28529, et. seq. of the Health and Safety Code) and all applicable laws regarding the sale or distribution of intoxicating liquors. Health grade shall not be lower than an "A" rating.

20. Notices.

Any notices required or desired to be served by either party upon the other shall be addressed to the respective parties, or to such other addresses as from time to time shall be designated by the respective parties, as set forth as follows:

CSD:
City of Moreno Valley
Parks and Community Services Department
14075 Frederick Street
Post Office Box 88005
Moreno Valley, Ca 92552-0805

CONCESSIONAIRE:
Pacifica University, Inc.
Attention: William Meyers
2764 Ridgeline Dr #101
Corona, Ca 92882

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement on the 1st day of August, 2011_.

MORENO VALLEY
COMMUNITY SERVICES DISTRICT
Municipal Corporation

BY: _____

TITLE: _____

DATE: _____

ATTEST:

_____
City Clerk, in the capacity of Secretary to the Board of Directors of the Moreno Valley Community Services District

Approved as to form this

____ day of

City Attorney, in the capacity of general legal counsel to the Moreno Valley Community Services District

PACIFICA UNIVERSITY, INC.

BY: _____

TITLE: _____

DATE: _____

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MV00117904

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: July 12, 2011

TITLE: "BEST PLACE TO DO BUSINESS" ACTION STEPS

RECOMMENDED ACTION

Staff recommends that the City Council approve the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

ADVISORY BOARD RECOMMENDATION

On June 8, 2011 the Economic Development Subcommittee approved the recommended "Best Place to do Business" Action Steps.

BACKGROUND

The City of Moreno Valley is moving to improve the economic condition of the community through a variety of methods.

On March 22, 2011, the City Council reviewed and provided input for an Economic Development Plan- Areas of Opportunity brought forth by the Community & Economic Development Department. The twelve specific Areas of Opportunity provide a broad roadmap for the City of Moreno Valley to become a major business development area by creating major employment hubs, successful retail centers and pursuing redevelopment opportunities.

Continuing the process of refining and developing a short-term Economic Development Plan, on April 26, 2011 the City Council adopted a 2-year Economic Development Action Plan containing five initiatives focusing economic development efforts on the Areas of Opportunity that include TownGate, Centerpointe Business Park, South Industrial Area, East Moreno Valley-Rancho Belago, and City Center. Included in the adoption of the 2-year Action Plan was the re-sequencing of specified Capital

Improvement Program projects bolstering the economic impacts within the five key initiatives.

Prior to, and in conjunction with the adoption of the Economic Development Action Plan, many economic development activities were in motion including:

- Reformation of the City Council Economic Development Subcommittee
- Updating of the City's Housing Element
- Conduct a Developer's Workshop
- Collaboration with key Developers to advance development projects
- Study of best practices to make Moreno Valley a "Best Place to do Business"

DISCUSSION

The study of best practices to make Moreno Valley a "Best Place to do Business" was undertaken to identify attributes of successful U.S. cities and some of the methods used to create that success. The results of the study led to the formation of recommendations that are identified for use as the foundation for establishing a broad array of program and/or process changes or new program developments. The recommendations (Attachment A) will be further developed for more specific application to the City of Moreno Valley ensuring they align with the established priorities and goals established by the City Council.

The following searches were used to identify the communities that were reviewed and the practices that were identified:

- Economic Development best practices
- Economic Development award winners
- Cities recognized for being a best place to do business

Of the hundreds of cities considered in the search, thirty communities across the U.S. were selected based on similar populations and/or those within California. They were representative of top U.S. communities utilizing best practices or receiving awards and/ or recognition for being a "Best Place to do Business". Of the thirty communities studied, the Economic Development Subcommittee evaluated 5 cities including Austin, TX; Chico, CA; Raleigh, NC; Santa Clarita, CA; and Seattle WA. Examples of the program ideas shared by these cities include: e-permitting, user-friendly (yet content rich) websites, social media, targeted and effective marketing programs, incentive programs, workforce training, fast-track development services, local vendor preference programs, industry groups, and methods to improve overall quality of life creating a "sense of place".

The recommendations listed on Attachment A are based on the evaluations of the programs and characteristics of those five cities and direction from the Economic Development Subcommittee.

ALTERNATIVES

1) Approve the Action Steps to make Moreno Valley a "Best Place to do Business". *Staff recommends this alternative.*

2) Do not approve the Action Steps to make Moreno Valley a "Best Place to do Business". *Staff does not recommend this alternative.*

FISCAL IMPACT

The implementation of the Action Steps to make Moreno Valley a "Best Place to do Business" will create a positive environment whereby businesses can thrive and quality development can occur, thus improving the potential for a stronger local economy. Specific actions including implementing program changes related to the Action Steps shall be further analyzed on a case by case basis consistent with appropriate funding sources.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and polices to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

SUMMARY

As part of the effort to improve the City's efforts with economic development, the Community & Economic Development Department studied best practices to make Moreno Valley a "Best Place to do Business". The study identified attributes of successful U.S. cities and some of the methods used to create that success. The results of the study led to the formation of recommendations, with the help of the Economic Development Subcommittee, that are recommended shall be used as the foundation for establishing a broad array of program and/or process changes or new program developments. The recommendations (Attachment A) will be further developed for more specific application to the City of Moreno Valley ensuring they align with the established priorities and goals established by the City Council.

ATTACHMENTS/EXHIBITS

Attachment A: Recommendations for Action Steps to make Moreno Valley a "Best Place to do Business".

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Recommendations for Action Steps

to Make Moreno Valley a "Best Place to do Business"

Development Services

- Implement the use of "E-permitting" to accelerate the process of doing business in Moreno Valley

- Expand and strengthen business and development ombudsperson program to include new or expanding small businesses.

- Host quarterly workshops with contractors and developers aimed at improving development processes in Moreno Valley.

- Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business.

- Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

Business Attraction

- Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

- Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Business Retention and Expansion

- Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

- Pursue ways to increase local vendor preference, including expanding existing procurement policy.

- Implement a new meeting program with local businesses to discuss business opportunities. The Program would be held once a year in each Council District and include the opportunity to talk to the Councilmember, City Manager, and Community & Economic Development Director. The Program will compliment the existing Business Roundtable.

- Enhance the Business Resource Guide.

Marketing and Communication

- Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

- Develop a re-tooled marketing plan to incorporate the following:
    - Cooperative marketing opportunities with targeted area developers to attract tenants
    - Identifying the City as a medical community
    - Brand the City as a job center

- Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

- Increase use of social media.

- Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

- Explore use of Smartphone apps for improved communication and connectivity.

- Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

Community Vitality

The best places to do business also reflect characteristics of the best places to live. These places tend to exude a "sense of place" reflected in aspects of quality of life including activity, arts and culture, and beauty in the environment.

- Explore additional community events- things to do.

- Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

- Enhance neighborhood groups by implementing community update meetings.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: July 12, 2011

TITLE: Appointment of City Council Ad Hoc Subcommittee for the Purpose of Reestablishing July 4th Events for 2012

RECOMMENDED ACTION

Staff recommends that the City Council appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012.

BACKGROUND

City Resolution 2003-17 enacted the *Rules of Procedure for Council Meetings and Related Functions and Activities.* Section 9.3 Other Committees states "The City Council may by resolution create other standing committees and by motion or resolution may appoint ad hoc committees for particular temporary purposes."

DISCUSSION

During the development of the Fiscal Year 2010/11 budget, the City Council removed funding for the annual July 4th parade and Family Fun Fest due to a significant budget deficit. The budget for the annual July 4th activities in previous years has exceeded $100,000. At the June 14th Council meeting the Mayor and City Council directed City staff to bring back for their consideration options to form a planning and fund raising committee in hopes of resuming the July 4th activities in 2012. Staff recommends the City Council appoint two of its members to an Ad Hoc Subcommittee for the purpose of reestablishing July 4th events for 2012. By definition Ad Hoc Subcommittees are appointed for particular temporary purposes. The proposed Ad Hoc Subcommittee would seek donations to fund the July 4th events and work with Parks and Community Services staff in planning the events.

ALTERNATIVES

1) Appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012. *Staff recommends this alternative as the proposed Ad Hoc Subcommittee would provide fund raising and planning to reestablish the City's annual July 4th community activities.*

2) Not appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012. *Staff does not recommend this alternative as the City's annual July 4th community activities are important to the City's image and promoting community spirit.*

FISCAL IMPACT

Appointing an Ad Hoc Subcommittee will have no fiscal impact to the City.

SUMMARY

During the development of the Fiscal Year 2010/11 budget, the City Council removed funding for the annual July 4th parade and Family Fun Fest due to budget challenges. At the June 14th Council meeting the Mayor and City Council directed City staff to bring back for their consideration options to form a planning and fund raising committee in hopes of resuming the July 4th activities in 2012. Staff recommends the City Council appoint two of its members to an Ad Hoc Subcommittee for the purpose of reestablishing July 4th events for 2012.

COUNCIL GOALS

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Mike McCarty
Parks and Community Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.5

MV00117913

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MV00117914

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 10, 2011

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:58 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

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

INVOCATION – Mayor Richard A. Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Acting Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF

THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF APRIL 19, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 MINUTES - REGULAR MEETING OF APRIL 12, 2011 (Continued from April 26, 2011) (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.5 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 20 - May 3, 2011.

A.6 PA07-0021 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF SUNNYMEAD BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: WESTERN STATES CONSTRUCTION, INC., ANAHEIM, CA 92807 (Report of: Public Works Department)

Recommendation:

MV00119180

1. Adopt Resolution No. 2011-37 authorizing the acceptance of the public improvements within PA07-0021 as complete and accepting the portion of Sunnymead Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2011-37

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA07-0021, and Accepting the Portion of Sunnymead Boulevard Associated with the Project into the City's Maintained Street System

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

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT - PROJECT NO. 04-89280221-2 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Sunnymead Boulevard Beautification and Enhancement from Frederick Street to Perris Boulevard constructed by PALP Inc. dba Excel Paving Company (Excel), 2230 Lemon Avenue, Long Beach, CA 90806;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to assess liquidated damages and withhold further payment to Contractor; and

4. Accept the improvements into the City's maintained system.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR WIDENING OF PERRIS BOULEVARD SOUTHBOUND AT STATE ROUTE 60 WESTBOUND RAMP PROJECT NO. 08-12566627 (Report of: Public Works Department)

Recommendation:

1. Grant LSC Construction's request for relief of bid proposal due to a mistake made in filling out the bid;

2. Award the construction contract for Widening of Perris Boulevard Southbound at State Route 60 Westbound Ramp to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92878, the lowest responsible bidder;

3. Authorize the City Manager to execute a contract with Hillcrest Contracting, Inc.;

4. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $297,060.00 ($247,550.00 for the bid amount plus 20% contingency) when the contract has been signed by all parties; and

5. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hillcrest Contracting, Inc., up to, but not exceeding, the total contingency amount of $49,510.00, subject to the approval of the City Attorney.

A.9 PA09-0043 (PM 36262) – COMMERCIAL – ACCEPT FINAL MAP, AGREEMENT, AND BONDS FOR PUBLIC IMPROVEMENTS; DEVELOPER: FRANK POZGAJ & MARIA POZGAJ FAMILY TRUST, RANCHO MIRAGE AND MORENO BEACH STATION, LLC, MORENO VALLEY, CA. (Report of: Public Works Department)

Recommendation:

1. Approve PA09-0043, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

2. Accept the Agreement and Bonds for Public Improvements;

3. Authorize the Mayor to execute the Agreement;

4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.10 PERSONNEL RULES AND REGULATIONS REVISION (Report of: Human Resources Department)

Recommendation:
Approve the Personnel Rules and Regulations.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 MINUTES - SPECIAL MEETING OF APRIL 19, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.4 MINUTES - REGULAR MEETING OF APRIL 12, 2011 (Continued from April 26, 2011) (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 MINUTES - SPECIAL MEETING OF APRIL 19, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

MV00119183

C.4 MINUTES - REGULAR MEETING OF APRIL 12, 2011 (Continued from April 26, 2011) (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.5 REVISIONS TO THE RDA HOMEBUYER ASSISTANCE PROGRAM (Report of: Community & Economic Development Department)

Recommendation:
Approve amendments to the Homebuyer's Assistance Program (HAP) to allow the loan term to be reduced to 20 years and allow the loan to be forgiven upon the expiration of the loan term.

D. CONSENT CALENDAR – BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D.3 MINUTES - REGULAR MEETING OF APRIL 12, 2011 (Continued from April 26, 2011) (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2011/12 (Report of: Community & Economic Development Department)

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

MV00119184

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2011/12 Annual Action Plan; and

2. Approve the proposed 2011/12 Annual Action Plan.

Motion to approve the proposed 2011/12 Annual Action Plan with flexibility in adjustment of 5% plus or minus by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from April 26, 2011)

March Joint Powers Commission flew to Washington, D.C. and made several appointments over a series of days. Several issues were resolved. The letter of final approval on the Free Trade Zone has been signed. Tried to resolve the issue of moving the Marine Corp Navy Reserve facility to the area next to the Army Reserve, but all land swaps have been stopped for now. The Base is going to LED lights, and $2M was asked for to retrofit the light system for the ILS. There is the possibility we will have to go back to the regular basic landing system. The Vice-Chief of the Air Force Reserve was asked about Fourth Air Force reduction, and he would not confirm or deny it. The Heacock Channel was discussed. Talked to the VA about a presence at March Health Care with some type of clinic. A Council Member in Riverside is rallying constituents on the other side of Riverside against the general aviation use at March. Under the FAA rules, with the millions of dollars accepted to improve the taxi ways, the lighting, the ILS, etc. night flights can't be restricted, and there needs to be a general aviation element, which March has.

G.2 RESOLUTION REGARDING THE LIBERTY QUARRY (Continued from April 12, 2011) (Report of: City Manager's Office)

Mayor Stewart opened the agenda item for public comments; which were received from Jerry Huffaker, Betsy Lowrey, Mike McFarland, Ken Johnson,

MV00119185

Betty Johnson, Fred Bartz, Pete Bleckert, Gary Johnson, Kenny Bell, Crystal Howard, Nelly Hernandez and William Stout.

Recommendation: That the City Council:
Discuss and consider adopting Resolution No. 2011-31 regarding the Liberty Quarry.

Resolution No. 2011-31

A Resolution of the City Council of the City of Moreno Valley, California, in Support of the Need for and Benefits of Liberty Quarry

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.3 APPROVAL OF ERP SYSTEM REPLACEMENT PROJECT BUDGET AND FUNDING PLAN; AND AUTHORIZATION FOR CITY MANAGER TO EXECUTE CONTRACT WITH NEW WORLD SYSTEMS (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:

1. Approve the ERP System Replacement Project Budget and Funding Plan in the amount of $1,999,060; and

2. Authorize the City Manager to execute a contract and purchase order with New World Systems (NWS) for a one-time project cost not-to-exceed $1,322,490 and annual maintenance according to the not-to-exceed schedule below:

Year 1 maintenance	No Charge
Year 2 maintenance	$164,640
Year 3 maintenance	$174,930
Year 4 maintenance	$185,220
Year 5 maintenance	$195,510
Year 6 maintenance	$205,800

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.4 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 1.10.080 AND 11.80.060

MV00119186

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO CIVIL CITATIONS AND NOISE ENFORCEMENT (Report of: City Attorney)

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

Recommendation: That the City Council:

1. Consider the following alternatives:

   Adopt the proposed changes to Moreno Valley Municipal Code Sections 1.10.080 and 11.80.060; and introduce Ordinance No. 824; or

   Ordinance No. 824

   An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sections 1.10.080 and 11.80.060 of the City of Moreno Valley Municipal Code, Relating to Civil Citations and Noise Enforcement

2. Direct staff to make changes to the ordinance and return to a City Council meeting or study session on a later date with a revised Ordinance; or

3. Take no action. The existing Ordinances will remain in effect

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pete Bleckert

1. Traffic Signals on Davis
2. Sunnymead Boulevard
3. Public Comments
4. Housing Market

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

Council Member Robin N. Hastings

1) Attended the Ramona Pageant. It celebrates the history of the area, and it's a great event. It clearly demonstrates the ethnic diversity and where it came from.

2) Attended the League of California Cities Inland Empire Division in Temecula. The speaker discussed State and Federal redistricting. The population in Riverside County would warrant more State Senators and Assembly Members that live in the county. The current Commission is listening to people. The next meeting is May 12 at 6:00 p.m. at City Hall in Palm Springs. Go to wedrawthelines.ca.gov and submit comments. There are no elected officials on the Commission.

3) The Sonny Bono Memorial Interchange cannot be named after Norma Lopez as it was named by the State of California.

Council Member Marcelo Co

1) No public comments.

Mayor Pro Tem Jesse L. Molina

1) Attended the VFW Loyalty Day.

2) Attended Moreno Valley Appreciation Dinner. There are many Hispanic volunteers. It was an honor being there. Volunteers are a great asset to the community. Encourage citizens to volunteer.

3) Went to a 7-11 Grand Opening.

Council Member William H. Batey II

1) Apologized to Mike McCarty for not recognizing him during the Special Presentation for the top readers. The leadership is needed

MV00119188

to make the program work. It's a great program, and thank you to the Council for supporting it.

2) There have been a couple of nasty accidents on Eucalyptus and Pan Am. A resident had cars in her backyard on two separate occasions. Need to look at potentially putting up stop signs to slow down the traffic. Davis Street could use a signal.

3) Will talk to the City Manager in the near future to take the business concerns to him, and let him address those concerns.

Mayor Richard A. Stewart

1) Met with the School Task Force and explained the Economic Action Plan to the School Superintendent and Facilities people. There was a good discussion on the planning aspects. Where there are major changes, that is the forum to communicate them to.

2) Attended Loyalty Day at the VFW. President Eisenhower made it an official day. There was a flag ceremony and patriotic songs.

3) There is a sign up log at the table, so if someone is going to turn in a speaker slip, put your name on the sheet, too. Regardless of the speaker slip, if your name is on the sheet, you will be allowed to speak.

4) Attended the Volunteer Appreciation Dinner. Mark Sambito was Reserve Police Officer of the Year. The volunteers volunteered over 18,000 hours of service.

5) The west side of the Conference and Recreation Center has mixed grass and cement blocks. Mike McCarty indicated if the area was all grass there would be more opportunities to do lawn wedding receptions and other lawn events which would generate revenue.

There being no further business to conduct, the meeting was adjourned at 9:00 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Mayor Stewart opened the agenda items for public comments; there being none, public comments were closed.

a) Property: SR-60/Moreno Beach Dr. Interchange Project

MV00119189

City Negotiator: Chris A. Vogt
Under Negotiation: Price and terms of payment
Owner: ,
Owners Negotiator:
APN

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:52 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MV00119190

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

August 23, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00119191

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
August 23, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter - Investigator Duke Viveros

2. Employee of the Quarter - Patty Posey

3. Recognition of 2011 Summer Reading Program Super Readers, by Moreno Valley Friends of the Library

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
AUGUST 23, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor O. J. Philpot - Christ Community Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of July 6 - August 16, 2011.

A.5 AMENDMENT TO THE RULE 20A UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2. Approve the reprioritized Rule 20A priority list.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE

STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE. (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive. All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained electric utility system.

A.7 APPROVAL OF CHECK REGISTER FOR MAY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

Resolution No. 2011-85

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2011

A.8 APPROVAL OF CHECK REGISTER FOR JUNE, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

Resolution No. 2011-86

A Resolution of the City Council of the City Of Moreno Valley, California, Approving the Check Register for the Month of June, 2011

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED JUNE 30, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY (Report of: Community & Economic Development Department)

Recommendation:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

Resolution No. 2011-87

A Resolution of the City Council of the City of Moreno Valley, California, in Support of and Participation with the Southern California Association of Governments as a Compass Blueprint Strategy Demonstration Community.

A.11 ADOPT A RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321;

   Resolution No. 2011-88

   A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intent to Vacate Motor Way Between Auto Mall Drive and Eucalyptus Avenue

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323;

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323; and

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

A.12 ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING –SEPTEMBER 23, 2011 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

Resolution No. 2011-89

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2011 Annual Conference

A.13 PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT, AND ROLANDA DRIVE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

Resolution No. 2011-90

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Pattilyn Drive, Challis Court and Rolanda Drive.

A.14 PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS; BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET DEVELOPER: IDS REAL ESTATE GROUP, LOS ANGELES, CA 90071 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements;

2. Authorize the Mayor to execute the DIF Agreement in the form; and

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

A.15 ORDINANCE NO. 832, AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE (RECEIVED FIRST READING AND INTRODUCTION ON JULY 26, 2011, BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation:

Adopt Ordinance No. 832, an Ordinance of the City of Moreno Valley electing to comply with and participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code.

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

A.16 AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS - PROJECT NO. LED-229-80510 (Report of: Public Works Department)

Recommendation:

1. Award the contract for the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, CA. 91763; and

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

A.17 ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON SEPTEMBER 30, 2011 AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CALPERS (Report of: Human Resources Department)

Recommendation:

1. Adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after September 30, 2011, and conduct the first reading of the related ordinance as required by CalPERS.

Resolution No. 2011-59

A Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Moreno Valley, California

2. Introduce Ordinance No. 828.

Ordinance No. 828

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

A.18 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12 (ATTACHMENT A TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Human Resources Department)

Recommendation:
Approve the successor Memoranda of Understanding (MOU's) between the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.4 EXTENSION OF CONTRACT - APPROVE SECOND AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS

OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and; TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.5 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2001-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

Resolution No. CSD 2011-23

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2011/12

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING FOR PA11- 0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES

LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres;

   Resolution No. 2011-91

   A Resolution of the City Council of the City of Moreno Valley, California, Approving the Detachment of two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley to allow for Concurrent Annexation to the City of Perris

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels; and

   Resolution No. CSD 2011-24

   A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California to request the Riverside Local Agency Formation Commission Initiate Proceedings for a City Boundary Amendment involving a Detachment of Parcels from the Moreno Valley Community Services District

3. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

   Resolution No. 2011-92

   A Resolution of the City Council of the City of Moreno Valley, California, approving a Property Tax Transfer Agreement between the City of Moreno Valley and City of Perris regarding the Detachment of Two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley and concurrent Annexation to the City of Perris

E.2 PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE

FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property; and

2. Authorize staff to solicit offers for the purchase of said real property.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM JULY 12, 2011 BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

   If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre

site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

Resolution No. 2011-77

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

E.4 A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (TO BE PROVIDED UNDER SEPARATE COVER)(Report of: Community & Economic Development Department)

Recommendation: That the RDA:

1. Adopt Resolution No. RDA 2011-12, approving an Enforceable Obligation Payment Schedule; and

Resolution No. RDA 2011-12

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Enforceable Obligation Schedule And Authorizing the Executive Director to Make Modifications Thereto

2. Authorize the Executive Director of the Redevelopment Agency and the Finance Director to make modifications to the Enforceable Obligation Payment Schedule, as needed.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR

SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)
b. Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

G.2 RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS (Report of: City Clerk's Department)

Recommendation: That the City Council:

Adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected.

Resolution No. 2011-93

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Criteria to Guide the Process of Revising the Boundaries of the Districts from which Members of the City Council are Elected

G.3 CITIZENS' PARTICIPATION ON-LINE REDISTRICTING (PRESENTATION BY NATIONAL DEMOGRAPHICS CONSULTANT, ALAN HESLOP)

G.4 APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER) (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.5 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNs 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

G.6 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.7 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

G.8 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
July 12, 2011

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Pastor Diane Gardner

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member (via conference call)

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Barry Foster	Community & Economic Development Director
Chris Vogt	Public Works Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A23) and Deanna Reeder (Items A5, A17, A18, and A19).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 22 - July 5, 2011.

A.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:
1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction

Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.5 APPROVE AGREEMENT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES WITH TRANSTECH ENGINEERS, INC. FOR STREET IMPROVEMENTS ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET AND ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Professional Construction Management and Construction Inspection Consultant Services with Transtech Engineers, Inc. (Transtech) 413 MacKay Drive, San Bernardino, CA 92408, for Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue;

2. Authorize the City Manager to execute a contract with Transtech;

3. Authorize the issuance a Purchase Order to Transtech in the amount of $999,200 ($868,870 for the agreement plus the 15% contingency amount of $130,330) when the Agreement has been signed by all parties; and

4. Authorize the City Engineer to execute any subsequent amendments to the Agreement with Transtech, up to but not to exceed the Purchase Order contingency, subject to the approval of the City Attorney.

A.6 P07-144 – APPROVE TRACT MAP NO. 35760, A SIX-LOT RESIDENTIAL SUBDIVISION OF TRACT MAP NO. 31129. DEVELOPER - WESTERN

PACIFIC HOUSING, INC. IRVINE, CA 92606 (Report of: Public Works Department)

Recommendation:

1. Approve Tract Map No. 35760; and

2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.7 AUTHORIZATION TO AWARD AGREEMENT FOR CENTRAL TRAFFIC CONTROL SOFTWARE SERVICES IN SUPPORT OF THE TRANSPORTATION MANAGEMENT CENTER (PROJECT NO. 10-13768129) (Report of Public Works Department)

Recommendation:

1. Approve the agreement with Kimley-Horn and Associates, Inc., 7878 N. 16th Street, Phoenix, Arizona 85020, to provide a central traffic control software system;

2. Authorize the City Manager to execute said Agreement with Kimley-Horn and Associates, Inc.;

3. Authorize the issuance of a Purchase Order to Kimley-Horn and Associates, Inc., in the amount of $315,000; and

4. Authorize the Public Works Director to execute any subsequent amendments related to this agreement.

A.8 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH GIBBS, GIDEN, LOCHER, TURNER & SENET, LLP FOR LEGAL SERVICES FOR LOS ANGELES ENGINEERING, INC. V. CITY OF MORENO VALLEY RIVERSIDE SUPERIOR COURT CASE RIC 524877 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 36928 to Gibbs, Giden, Locher, Turner & Senet, LLP by the amount of $100,000 for a total not-to-exceed amount of $196,000 (Account No. 461.65325.7500);

2. Authorize payment to Gibbs, Giden, Locher, Turner & Senet, LLP in an amount of up to $196,000 for legal services for Los Angeles Engineering, Inc. v. City of Moreno Valley Riverside Superior Court Case RIC 524877; and

3. Authorize an appropriation of $100,000 from the unencumbered fund

balance of Parkland Facilities DIF (Fund 205) to Account No. 461.65325 to allow for said increase to Purchase Order No. 36928.

A.9 TRACT MAP 32707 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: REDHAWK COMMUNITIES, INC. A CALIFORNIA CORPORATION, TEMECULA, CA 92590 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-72 authorizing the acceptance of the public improvements within Tract Map 32707 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system; and

   Resolution No. 2011-72

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32707 and Accepting the Portion of Lasselle Street Associated with the Project Into the City's Maintained Street System

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

A.10 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 CITYWIDE BRIDGE MAINTENANCE PROGRAM, PROJECT NO. 11-22679828, DIRECT THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed for the 2011 Citywide Bridge Maintenance Program, constructed by Beador Construction Company, Inc. (Beador), 26320 Lester Circle, Corona CA 92883;

2. Direct the City Clerk to record the Notice of Completion within ten (10) alendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Beador Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.11 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

A.12 FIRST AMENDMENT TO AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Overland, Pacific and Cutler, Inc. (OPC) to provide Professional Consultant Right of Way Services for various projects of the Capital Projects Division;

2. Authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with OPC; and

3. Authorize an increase to the purchase order to OPC, in the amount of $85,000 when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.13 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;
3. Authorize the Financial and Administrative Services Director to release

the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.14 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE TRAFFIC SIGNAL IMPROVEMENTS ON SUNNYMEAD RANCH PARKWAY AT VILLAGE ROAD (EAST) INTERSECTION PROJECT NO. 10-41779229, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AND AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east), constructed by SoCal Engineers, Inc., 17595 Harvard, Suite C2160, Irvine, CA 92614;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to SoCal Engineers, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.15 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS

FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.16 RESCIND RESOLUTION NO. 2005-30 AND RE-DESIGNATE AND AUTHORIZE SIGNATURE AUTHORITIES TO EXECUTE APPLICATIONS AND DOCUMENTS FOR PURPOSES OF OBTAINING FINANCIAL ASSISTANCE UNDER SECTION 404 OF PUBLIC LAW 93-288, AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ACT OF 1988. (Report of: Fire Department)

Recommendation:

Adopt Resolution No. 2011-73, rescinding Resolution No. 2005-30, and designating and authorizing certain City officials to execute applications and documents for purposes of obtaining financial assistance under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

Resolution No. 2011-73

A Resolution Of The City Council Of The City Of Moreno Valley, California, Rescinding Resolution No. 2005-30, And Re-Designate And Authorize Certain City Officials To Execute Applications And Documents For Purposes Of Obtaining Financial Assistance Under Section 404 Of Public Law 93-288, As Amended By The Robert T. Stafford Disaster Relief And Emergency Act Of 1988

A.17 FIRST AMENDMENT TO AGREEMENT FOR ON-CALL PROJECT MANAGEMENT SERVICES WITH VAS ASSOCIATES, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for On-Call Project Management Services" with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide temporary professional project management services for budgeted Capital Improvement Plan (CIP) projects on an as-needed basis;

2. Authorize the City Manager to execute said "First Amendment to Agreement for On-Call Project Management Services" with VAS; and

3. Authorize a purchase order to VAS in the amount of $312,000 when "First Amendment to Agreement for On-Call Project Management Services" has been signed by all parties.

A.18 AGREEMENT FOR PROFESSIONAL CONSULTANT ADMINISTRATIVE SERVICES WITH DMC DESIGN GROUP, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Professional Consultant Administrative Services" with DMC Design Group, Inc. (DMC), 170 N. Maple Street, Corona, CA 92880-1703, to provide Professional Consultant Administrative Services for budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Agreement for Professional Consultant Administrative Services" with DMC; and

3. Authorize a purchase order to DMC in the amount of $139,000 when said "Agreement for Professional Consultant Administrative Services" has been signed by all parties.

A.19 FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES, INC. (Report of:

Public Works Department)

Recommendation:

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with SA; and

3. Authorize a Change Order to increase the Purchase Order to SA in the amount of $185,000 when "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

A.20 RESOLUTION DECLARING THE REAL PROPERTY AS EXCESS AND SETTING A PUBLIC HEARING AUTHORIZING SALE FOR REMAINDER OF PARCEL APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

Approve and adopt Resolution No. 2011-74 to declare the real property, APN 475-272-054, as excess, set a public hearing to identify any issues with the sale of the remainder parcel, and authorize staff to solicit offers for the purchase of said real property.

Resolution No. 2011-74

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Convenience Require the Sale of a Remainder Parcel Excess to Public Use

A.21 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2011-75 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2011-75

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

A.22 APPROVE THREE-YEAR AGREEMENT WITH CANON BUSINESS SOLUTIONS TO EXTEND THE CURRENT COPIER CONTRACT (Report of: Financial & Administrative Services Department)

Recommendation:
Approve the three-year agreement to extend the current contract with Canon Business Solutions in the total base amount of $261,828, representing a 23.75% price decrease or total savings of $81,540, as being in the best interest of the City.

A.23 STAFF ASSIGNMENTS IN SUPPORT OF COUNCIL MEMBER PARTICIPATION WITH REGIONAL AGENCIES (Report of: City Manager's Office)

Recommendation:
Approve the proposed staff assignments in support of Council Member participation with regional agencies.

A.24 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 PAVEMENT RESURFACING PROJECT NO. 11-12556330, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Pavement Resurfacing Project, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release he retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.25 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 LOCAL STREET PAVEMENT RESURFACING – PHASE 1 PROJECT NO. 11-22679728, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Local Street Pavement Resurfacing – Phase, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.26 CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD, DEVELOPER: CITY OF MORENO VALLEY, MORENO VALLEY, CA 92552 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.27 PA07-0090 – EUCALYPTUS STREET IMPROVEMENTS - AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.28 PA07-0090 – EUCALYPTUS WATER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.29 PA07-0090 – EUCALYPTUS RECYCLED WATER – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALUPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.30 PA07-0090 – EUCALYPTUS SEWER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the

remaining public improvements are completed and punch-list items have been addressed; and

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

A.31 PA07-0090 – LINE F STORM DRAIN IMPROVEMENTS – REQUEST TO RATIFY THE PARTIAL REDUCTION TO THE IMPROVEMENT SECURITY AND AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN PROPER CLEARANCES ARE RECEIVED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553. (Report of: Public Works Department)

Recommendation:

1. Ratify the partial reduction to the public improvement security provided by the City Engineer on March 3, 2011 for the Line F Storm Drain Improvements for PA07-0090;

2. Authorize the Public Works Director/City Engineer to accept the work as complete once the proper clearances are provided by Riverside County Flood Control and Water Conservation District; and

3. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to enter said improvements into the 12 month guarantee and warranty period, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM A.11) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

C.5 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME,

AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.6 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM A.15) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro

Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

C.7 AUTHORIZE FIRST AMENDMENT TO PROJECT SPECIFIC AGREEMENT AND AUTHORIZE CHANGE ORDER TO THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the First Amendment to the Project Agreement on behalf of the Community Redevelopment Agency; and

2. Authorize a Change Order to increase Purchase Order No. 37386 for VA Consulting, Inc., in the amount of $25,000 for additional professional consultant design services, bid design support services, and construction support services (Account No. 897.91725).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A DEVELOPMENT AGREEMENT (PA10-0029) FOR ROCKLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING, AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 (RESIDENTIAL 15) AND OS (OPEN SPACE) LAND USE DISTRICTS. THE PROJECT SITE IS ON THE SOUTHEAST CORNER OF FIR AVENUE AND EUCALYPTUS AVENUE. THE APPLICANT AND OWNER OF THE SITE IS BEAZER HOMES (Continued from March 22, 2011 and May 24, 2011) (Report of: Community & Economic Development Department)

Recommendation:

Introduce Ordinance No. 823, for adoption of a development agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 and conditional use permit/ planned unit development consisting of 275 residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use districts.

Ordinance No. 823

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Development Agreement (PA10-0029) for Rockcliffe at Stoneridge, an Approved Project Encompassing Tentative Tract Map No. 36340 and a Conditional Use Permit/Planned Unit Development Consisting of 275 Residential Lots, a Recreational Building and Private Open Space on Approximately 29 acres in the R15 (Residential 15) and OS (Open Space) Land Use Districts

Motion to Continue to October 11, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, AND 316-200-029 BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

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

Recommendation: That the City Council:

After conducting the individual Public Hearings and accepting public testimony:

a: Direct the City Clerk to tabulate the national Pollutant Discharge Elimination System (NPDES) ballots for First Industrial;

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

10 – "yes" 0 – "no", 0 – "invalid"

b: Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing:

c: Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

d: If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to Assessors Parcel Numbers (APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

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

Recommendation: That the CSD:
That the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conduction the Public Hearing and accepting public testimony:

a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD

Zone M ballot for First Industrial;

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

8,490.43 – "Yes", 0 – "no", 0 – "invalid"

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC. (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

Resolution No. 2011-76

A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

Resolution No. 2011-77

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Ecualyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Continue to August 23, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.4 A PUBLIC HEARING FOR CONSIDERATION OF THE REVISION OF TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT, SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, APPLICATIONS FOR LIGHTING, SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK

SKY PROVISIONS FOR GENERAL ON-SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING CITYWIDE. THE APPLICANT IS THE CITY OF MORENO VALLEY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no action is required. Should the City Council choose to adopt the new standards, the following actions are required:

   RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 831 approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

   Ordinance No. 831

   An Ordinance of the City Council of the City of Moreno Valley, California Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI Applications for Lighting and Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030 "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

   Bring back to a Study session after the implementation of the new Federal law, incorporate any changes in the use of LED or solar and include a review of the impact, if any, of the Federal law.

   Motion to Approve to continue to March 2012 Study Session by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
   Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR

SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a) Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)

An audit is being conducted. The contract management of the residential area of Green Acres was dismissed, and now there is in-house management. The first part of the agreement with March Health Care is being looked at for approval. There is no specific timeline for the dedication of a fire station or a funding mechanism for funding of fire fighters. A fire station will be built. There is no decision on when and where it will be located. The developer needs to pick a site before all the land is dedicated away. A fire protection district might be formed.

G.2 APPROVAL OF CONCESSIONAIRE AGREEMENT WITH PACIFICA UNIVERSITY, INC., FOR THE COTTONWOOD GOLF CENTER (Report of: Parks and Community Services)

President Stewart opened the agenda item for public comments, which were received from Rick Madott, Mick Rood, Kenny Bell, L. T. Duffy, and Tom Jerele, Sr.

Recommendation: That the City Council:
Acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, approve a long-term Concessionaire Agreement between the Moreno Valley Community Services District and Pacifica University, Inc., to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility.

Motion to Approve as amended between the Moreno Valley Community Services District and Pacifica University, Inc. to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

G.3 "BEST PLACE TO DO BUSINESS" ACTION STEPS (Report of: Community & Economic Development Department)
Recommendation: That the City Council:
Approve the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

Mayor Stewart opened the agenda item for public comments, which were received

from Tom Jerele, Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Marcelo Co
Approved by a vote of 5-0.

G.4 APPOINTMENT OF CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE PURPOSE OF REESTABLISHING JULY 4TH EVENTS FOR 2012 (Report of: City Manager's Office)

Recommendation: That the City Council:
Appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012.

Mayor Stewart opened the agenda item for public comments, which were received from Debra Craig, Pete Bleckert, Deanna Reeder, and Tom Jerele, Sr.

Motion to Approve appointment of Council Member Hastings and Mayor Pro Tem Molina to serve as City Council Ad Hoc Subcommittee by m/Mayor Richard A. Stewart, s/Council Member Marcelo Co
Approved by a vote of 5-0.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder
1. August 2 National Night Out
2. Main Street Has Talent

Pete Bleckert
1. Chamber of Commerce

Susan Gilchrist
1. Sound Study

Tom Jerele, Jr.
1. 4th of July Committee
2. Joint Task Force Meetings

Jose Chavez
1. Fireworks

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,

COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Robin N. Hastings

1. Main Street Has Talent is located by Bob's Big Boy at Stoneridge. There are a variety of events to celebrate our young people and to provide a place for them to keep safe in the city. National Night Out will be held there.

2. Attended a Grab and Go event at the ABC Market on the corner of Perris and Alessandro. It is a partnership with the Department of Public Health, and they are putting fruits and vegetables in small convenience markets. Juvenile Diabetes is on the rise. The largest at risk group is our African American community, and they constitute 60% of obesity in the state.

3. In Washington, DC promoting the AB811 Energy Efficiency Program for Moreno Valley. The entire funding model was approved by the Court, and contractors will be trained starting August 2. Applications will be available in August. There is a link at WRCOG.ca.gov that will provide information, applications, what the program is about, and what is going to be available. There is $325M available that was bonded for Western Riverside County. It's the largest program of its type in the United States.

Council Member Marcelo Co

1. Will try very hard to provide the July 4 event. Please ask the business people to participate. They will be more likely to promote their business. Apologize for not having the event, but there weren't any funds. The committee will have a big task to make sure the next one is twice as good as the ones in the past. Everyone is asked to participate. Your help is needed.

Council Member William H. Batey II

1. On August 2 everyone is encouraged to get to know their neighbors and find out who lives in their neighborhood. That's what National Night Out is about. If you know who your neighbors are, you know who does and doesn't belong in your neighborhood. There are three groups getting together in District 5 that evening.

Mayor Pro Tem Jesse L. Molina

1. There will be a Prayer Walk for Hearts for Victims on Friday, July 15, at 5:00 p.m. at Stoneridge on Main Street at Bob's Big Boy in honor of Norma Lopez. (Mayor Pro Tem Molina speaks in Spanish.) Somebody out there knows something, and anyone with information, please go to the police. No one will rest until it is solved.

2. On July 1 the new city of Jurupa Valley held its first council meeting.

3. Still recuperating.

Mayor Richard A. Stewart

1. Impressed with the Golf Course Committee and the way they operated.

2. The Police Department received an Office Traffic Safety grant for approximately $190,000.

3. Through the California Law Enforcement Challenge, the Traffic Division took First Place in Traffic Safety.

4. The International Association of Chiefs of Police notified the Police Department they received First Place at the national level in a category dealing with Traffic Safety.

AGENDA ORDER

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

Meeting Resumed

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:42 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:02 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

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MV00119242

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 5:00 PM
July 26, 2011

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 5:03 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Pro Tem Jesse Molina

INVOCATION – Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem (left at 9:15 p.m.)
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES

DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (A5), and Ruthee Goldkorn (A.3).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.3 PM 35629 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION FOR A PORTION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT DESIGNATED AS EASEMENT NOTE "B" DEDICATED ON PARCEL MAP NO. 35629 RECORDED AS INSTRUMENT NO. 2010-0408448 LOCATED ON LOTS B, C, AND D OF PARCEL MAP NO. 35629 AND APPROVAL OF AN OFFER OF DEDICATION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT REPLACING THE ONE BEING SUMMARILY VACATED ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt the proposed Resolution, a summary vacation of a portion of the pedestrian access and sidewalk easement designated as Easement Note "B" dedicated on Parcel Map No. 35629 recorded as Instrument No. 2010-0408448 located on Lots B, C, and D of Parcel Map No. 35629;

Resolution No. 2011-80

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of a Pedestrian Access and Sidewalk Easement Designated as Easement "B" Dedicated on Parcel Map No. 35629 Recorded as Instrument No. 2010-0408448 Located on Lots B, C, and D of Parcel Map No. 35629

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for

recording;

3. Approve the Offer of Dedication of a pedestrian access and sidewalk easement as described in the Offer of Dedication; and

4. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate.

A.5 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY CITY EMPLOYEES' ASSOCIATION FOR FISCAL YEAR 2011-12 (Report of: Human Resources Department)

Recommendation:
Approve the successor Memoranda of Understanding (MOU) between the City of Moreno Valley and the Moreno Valley City Employees Association (MVCEA) for Fiscal Year 2011-12 (Attachment A).

A.6 CREATION OF NEW FIRE PREVENTION JOB TITLE (Report of: Fire Department)

Recommendation:
Approve the position title, description and salary schedule for the temporary part-time position of Fire Prevention Technician within the Fire Prevention Bureau.

A.7 RELOCATION AGREEMENT FOR THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) BOOSTER STATION LOCATED AT THE NORTHWEST CORNER OF NASON STREET AND DRACAEA AVENUE (Report of: Public Works Department)

Recommendation:
1. Approve the Relocation Agreement for the relocation of the existing Eastern Municipal Water District (EMWD) booster station at the northwest corner of Nason Street and Dracaea Avenue;

2. Authorize the City Manager to execute the Relocation Agreement; and

3. Direct the City Clerk to forward the signed Relocation Agreement to Eastern Municipal Water District for execution.

A.8 CREATION OF AN NSP-FUNDED HOMEBUYER ASSISTANCE PROGRAM (NSP-HAP) (Report of: Community & Economic

Development Department)

Recommendation:

1. Approve the creation of an Neighborhood Stabilization Program (NSP) grant-funded Homebuyer's Assistance Program (HAP), modeled after the existing Community Redevelopment Agency (RDA) funded HAP; and

2. Appropriate $250,000 from the NSP fund balance for the NSP-HAP.

Motion to Approve Joint Consent Calendar Items A.1 through D.2, except Items A.2 and A.4 pulled for a separate vote by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings Approved by a vote of 5-0.

AGENDA ORDER

A.2 APPROVAL OF TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT BETWEEN NEXTG NETWORKS OF CALIFORNIA AND THE CITY OF MORENO VALLEY; APPLICANT: NEXTG NETWORKS OF CALIFORNIA, INC., A DELAWARE CORP. MILPITAS, CA (Report of: Public Works Department)

Recommendation:

1. Approve the Telecommunication Network License and Encroachment Agreement between NextG Networks of California and the City of Moreno Valley;

2. Authorize the City Manager to execute the Agreement, subject to City Attorney approval; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

Motion to Approve Item A.2 contingent upon the satisfactory submission of insurance and security in the form acceptable to the City by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A.4 PARCEL MAP NO. 35859 – FIRST SAN MICHELLE LOGISTICS COMPLEX – APPROVE FINAL MAP AND ACCEPT THE AGREEMENT, AND SECURITY FOR PUBLIC IMPROVEMENTS; WEST SIDE OF PERRIS BOULEVARD, EAST SIDE OF KNOX STREET, NORTH SIDE OF NANDINA AVENUE, SOUTH SIDE OF SAN MICHELLE ROAD;

DEVELOPER: FIRST INDUSTRIAL, L.P., A DELAWARE LIMITED PARTNERSHIP, EL SEGUNDO, CA 90245 (Report of: Public Works Department)

Mayor Stewart opened the Agenda Item A.4 for public comments, which were received from George Acosta, Deanna Reeder and Ruthee Goldkorn.

Recommendation:

1. Approve Parcel Map 35859, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

2. Accept the Agreement and Security for Public Improvements;

3. Authorize the Mayor to execute the Agreement;

4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

AGENDA ORDER

G.2 RESOLUTION TO CREATE A JULY 4TH ADVISORY BOARD (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-82 creating the July 4th Advisory Committee; and

Resolution No. 2011-82

A Resolution of the City Council of the City of Moreno Valley, California, to Create a July 4th Advisory Committee

2. Establish trust account 00359.359.2239.16 for receiving donations from the community to fund the City's July 4th Festivities.

Mayor Stewart opened the agenda item for public comments, which received from Deanna Reeder.

Motion to Approve as amended to change the name from "Board" to "Committee" by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

AGENDA ORDER

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND AUTHORIZATION RESOLUTION FOR EXECUTION AND DELIVERY OF CALIFORNIA COMMUNITIES GAS TAX REVENUE CERTIFICATES OF PARTICIPATION, SERIES 2011B TOTAL ROAD IMPROVEMENT PROGRAM (TRIP)

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder.

Recess;
Reconvened

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-81 approving the sale, execution, and delivery of not more than $20 million in principal amount of California Communities Gas Tax Revenue Certificates of Participation, Series 2011B (TRIP – Total Road Improvement Program) (the "COPs" or "Certificates") and approving certain actions in connection therewith, and authorizing judicial validation proceedings relating thereto;

Resolution No. 2011-81

Approving the Execution and Delivery of California Communities Gas Tax Revenue Certificates of Participation, Series 2011b (T.R.I.P. – Total Road Improvement Program) Pursuant to a Trust Agreement, Authorizing the Execution and Delivery of a Trust Agreement, Certificate Purchase Agreement and an Installment Sale Agreement, Authorizing the Distribution of an Official Statement in Connection with the Offering and Sale of

Such Certificates, and Authorizing the Filing of a Validation Action and Other Matters Relating Thereto

Motion to Approve including amended page 8 (providing code section number 2103) by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

2. Approve the proposed budget adjustments as identified on Attachment 6 for Gas Tax and Measure A funded projects/programs as a modification of the approved FY 2011-12 and FY 2012-13 Operating Budget and FY 2011-12 Capital Improvement Plan (CIP);

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

3. Approve the annual transfer of $1,256,000 from the Measure A Fund to the COP Series 2011B Principal and Interest Payment Fund to fund the Installment Payments and reflect the following in Riverside County Transportation Commission's (RCTC) Measure A 5-year Local Streets and Roads CIP:

   a) Transfer from Measure A to the COP Series 2011B Principal and Interest Payment Fund;
   b) Proposed budget adjustments for Measure A funded projects/programs as identified on Attachment 6;

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

4. Authorize the Public Works Director / City Engineer to submit an amended FY 2012-2016 Measure "A" Local Streets and Roads Five-Year CIP to the Riverside County Transportation Commission (RCTC) to include the addition of the Nason Street Project from Fir Avenue to Cactus Avenue;

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

5. Appropriate $1,256,000 in the COP Series 2011 B Principal and Interest Payment Fund expense budget for installment payments; and

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

6. Authorization the addition of the Nason Street Project from Fir Avenue to Cactus Avenue in the FY 2011-12 CIP and authorize the appropriation of up to $15,000,000 for this project.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

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

G. REPORTS

G.1 REDISTRICTING PRESENTATION BY NATIONAL DEMOGRAPHICS CORPORATION FOUNDER ALAN HESLOP (ORAL PRESENTATION) (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Clerk's Department)

Mayor Stewart opened the agenda item for public comments, which were received from Ruthie Goldkorn, Deanna Reeder, Pete Bleckert, Tom Jerele, and Christopher Baca.

No action required.

G.3 RESOLUTION OF THE CITY COUNCIL DECLARING ITS INTENTION TO ENACT AN ORDINANCE WHEREBY THE CITY SHALL ELECT TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING THE CITY TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; AND RESOLUTIONS OF THE CITY COUNCIL AND OF THE COMMUNITY REDEVELOPMENT AGENCY APPROVING THE AGREEMENT TO TRANSFER TAX INCREMENT (Report of: Community & Economic Development Department)

Mayor Stewart opened the agenda item for public comments, which were received from Susan Gilchrist and Deanna Reeder.

Recommendation: That the City Council:

1. Introduce an Ordinance No. 832 for first reading and schedule adoption of the Ordinance for August 23, 2011 whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

Motion to Amend the proposed Ordinance No. 832 to include the following language:

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, the City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be or has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1x 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay.

Amend paragraph 3 to read as follows:

The City hereby ordains that the City, under protest, shall comply with the Constitution and the laws of the State of California, including Part 1.9 of Division 24 of the Health and Safety Code, including the determination of remittance amounts, appeal rights in relation thereto, and the making of the remittances referred to in CRL Section 34194(b) and (c) at the times and in the manner described in Part 1.9, without prejudice to the rights of the City (a) to challenge or join with other entities challenging the validity of the Dissolution Act and the Alternative Voluntary Redevelopment Program, (b) to review and appeal the amounts of community remittances required by the Alternative Voluntary Redevelopment Program, (c) in the event a court of competent jurisdiction grants an injunction or stay enjoining the effectiveness of the Dissolution Act and/or the Alternative Voluntary Redevelopment Program, to withhold community remittances while that injunction or stay is in effect, (d) in the event the Dissolution Act and/or the Alternative Voluntary Redevelopment Program is declared invalid by a court of competent jurisdiction, to obtain a refund of any community remittances paid pursuant to the Alternative Voluntary Redevelopment Program and this Ordinance and this Ordinance will immediately become null and void and have no further force or effect, and (e) to subsequently determine, based on circumstance and information then available to the City Council, including the amounts of required community remittances, that is not in the best interests of the City to continue to participate in the Alternative Voluntary Redevelopment Program, in which case the City Council shall formally repeal this Ordinance and the Agency shall be subject to the Dissolution Act. This Ordinance is that ordinance referred to in CRL Section 34193 and shall be interpreted and applied in all respects so as to fully comply with Part 1.9, to the fullest extent required by law.

Motion to Approve the amendment to the proposed Ordinance No. 832 by m/Robin N. Hastings, s/William H. Batey II
Approved by a vote of 5-0.

Motion to Introduce Ordinance No. 832 as amended by m/Robin N. Hastings, s/Marcelo Co
Approved by a vote of 5-0.

2. Adopt Resolution No. 2011-83 declaring its intention to enact an Ordinance whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Resolution No. 2011-83

A Resolution of the City Council of the City of Moreno Valley

Declaring its Intention to Enact an Ordinance Whereby the City Shall
Elect Comply with and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

3. Adopt Resolution No. 2011-84, a resolution of the City of Moreno Valley approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. 2011-84

A Resolution of the City of Moreno Valley Approving an Agreement to Transfer Tax Increment by and Between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley Dated as of August 30, 2011 and Making Certain Findings in Connection Therewith

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

4. That the Community Redevelopment Agency Board of Directors adopt RDA Resolution No. 2011-11, a resolution of the Community Redevelopment Agency approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. RDA 2011-11

A Resolution Of The Community Redevelopment Agency Of The City Of Moreno Valley Approving The Agreement To Transfer Tax Increment By And Between The Agency And The City Of Moreno Valley Dated As Of August 30, 2011 And Making Certain Findings In Connection Therewith

Motion to Approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co

Approved by a vote of 5-0.

5. That the City Council and the Redevelopment Agency Board of Directors authorize the City Manager, the Executive Director of the Redevelopment Agency and the Finance and Administrative Services Director to execute documents necessary to comply with the adopted Resolutions and Ordinance;

Motion to Approve by m/Council Member and Agency Member Robin N. Hastings, s/Council Member and Agency Member Marcelo Co
Approved by a vote of 5-0.

6. Authorize the transfer of $6,169,642 from RDA Tax Increment fund balance to General Fund fund balance to comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code; and

Motion to Approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co
Approved by a vote of 5-0.

7. Authorize the appropriation of $6,169,642 from General Fund fund balance and remit payments to the County Auditor-Controller, as stated per ABX1 27.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Ray Hicks
1. Relocation of steam generators emitting very low radiation

Pete Bleckert
1. Improvement of roads

Ruthie Goldkorn
1. Infrastructure of Nason area

Deanna Reeder
1. Public record request regarding City Manger's expenditure
2. Spending on infrastructure

Adolf Kruger
1. Enforcing Ordinance 740, which regulate excessive noise

Susan Gilchrist
1. Enforcement of Moreno Valley Municipal Code
2. Sketchers

Narem Qureshi
1. Selective enforcement of Code Compliance

Kenny Bell
1. Attracting businesses; action of the Planning Commissioners

Tom Jerele on behalf of himself and Sundance Plaza Shopping Center
1. Thanked the Council for voting on Item G.3 (redevelopment program)
2. Burglary at the Sundae Center
3. State of the City Address - a great event
4. Edison company bringing radioactive materials

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

Mayor Stewart
1. Responded to speaker's comments: portion that is going to be changed is not part of the original Aquabella senior housing project
2. Suggested setting up a seminar to educate new Planning Commissioners about their roles and responsibilities
3. Infrastructure on Nason was overlooked in the past; big users didn't pay for infrastructure

CLOSED SESSION - canceled

ADJOURNMENT

Motion to Adjourn: there being no further business to conduct, the meeting was adjourned at 9:34 p.m. by unanimous informal consent by Council Member Robin N. Hastings, s/Council Member Marcelo Co. Molina

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of July 6 – August 16, 2011.

Reports on Reimbursable Activities July 6 – August 16, 2011		
Council Member	Date	Meeting
William H. Batey II	8/16/11	Lori Schiefelbein's Retirement Lunch
Marcelo Co	8/16/11	Lori Schiefelbein's Retirement Lunch
Robin N. Hastings	8/16/11	Lori Schiefelbein's Retirement Lunch
Jesse L. Molina		None
Richard A. Stewart	7/27/11	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	8/2/11	Moreno Valley Hispanic Chamber of Commerce Adelante

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00119258

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: AMENDMENT TO THE RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST

RECOMMENDED ACTION

Staff recommends that the City Council:

1) Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2) Approve the reprioritized Rule 20A priority list.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The California Public Utilities Commission (CPUC) Rule 20 establishes the policies and procedures for the conversion of overhead power lines and facilities to underground lines and facilities in a process called "undergrounding". Within the CPUC's Rule 20, is Rule 20A, which is a program that allows conversion projects to be paid through a utility provider's utility rate funds. Using CPUC formulas, Southern California Edison (SCE) designates to each city and county government in its service territory an annual monetary allowance for the purpose of undergrounding overhead electric facilities through the Rule 20A program. The City identifies overhead power line project sites for SCE consideration. If SCE concurs that the project site meets a minimum of one of the approved CPUC Rule 20A project criteria, steps may proceed toward the establishment of an underground utility district and construction of the project. Currently there are

several locations throughout the City that qualify for undergrounding overhead facilities. In 1999, in an effort to determine a priority of the project areas, the City Council approved the Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (General Management Policy # 2.33) along with a priority list of project areas.

DISCUSSION

On October 12, 1999, the City Council adopted General Policy # 2.33, Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy.

In an effort to further refine and define the Rule 20A policy, the following modifications are being proposed to the General Management Policy # 2.33 (See Exhibit A for the redline copy):

1. Modifying the policy to incorporate the CPUC's addition of a fourth qualifying criteria to the Rule 20 tariff. This qualification allows any arterial or major collector road in a local government's general plan to qualify for Rule 20A funding of overhead utilities. By adding this qualifying criterion, the policy can accurately reflect all the current options that satisfy a project for the possibility of Rule 20A funding;

2. Modifying the policy to provide the City Council the ability to prioritize the undergrounding of overhead utilities as necessary to meet the current goals of the Capital Improvement Plan (CIP) and the Economic Development Action Plan adopted by the City Council on April 26, 2011. By allowing the City Council the ability to provide direction in the selection of overhead utility areas to be undergrounded, the City has the flexibility to proceed with the selection of undergrounding projects that are in the best interests of the City at large; and

3. Modifying the policy to include clarity to certain procedural requirements for the creation of an underground district and to account for updated SCE estimates and scheduling changes that have developed over time.

Additionally, the Rule 20A priority list has been revised to reflect the removal of those areas where conversions of overhead utility equipment have been completed, along with reordering to accommodate the goals as outlined in the CIP and Economic Development plans. This revised priority list provides a current overview of the areas throughout the City that will benefit from the undergrounding of overhead utilities.

ALTERNATIVES

1. Approve and adopt the amended General Management Policy # 2.33 (Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy) and approve the revised Rule 20A project priority list. *By adopting the proposed amendments to General Management Policy # 2.33 and approving the revised priority list, the City Council will bring the policy current and in accordance with the CPUC*

approved Rule 20A guidelines, which will provide the City Council flexibility within Policy # 2.33 guidelines to select areas to receive Rule 20A funding of overhead facilities. These modifications will help to support the goals as outlined in the CIP and Economic Development plans, and as may be amended from time to time.

2. Do not adopt the proposed amends to the General Management Policy # 2.33 (Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy) and do not approve the revised Rule 20A project priority list. *By not approving and adopting the proposed amendments nor approving the revised priority list, the City Council will continue to operate in accordance with the current criteria and guidelines of General Management Policy # 2.33, which is deficient in listing all CPUC approved qualifying Rule 20A criteria for the selection of underground project areas. Additionally the policy in the present form contains outdated cost and scheduling estimates for project completion and limits Council's flexibility in determining project selection, which may run contrary to the City's goals as outlined in the current, or as may be amended, CIP and Economic Development plans.*

FISCAL IMPACT

Using CPUC formulas, SCE designates an annual Rule 20A allocation of funds to city and county governments within their service territory for the purpose of undergrounding overhead facilities. The designation of funds is based on several factors and can vary from year to year. In accordance with CPUC guidelines, to accommodate the completion of larger projects, local governments may, with SCE approval, borrow up to five years of anticipated Rule 20A allocations based on anticipated future year allocations, to complete a Rule 20A project. There is **no fiscal impact** on the General Fund for approving and adopting the amended policy or the priority list.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness

The Rule 20A program helps to promote a sense of pride in the community and foster an excellent image by placing necessary utility lines and facilities underground where they will continue to provide the community with essential services, yet provide an uncluttered and unobtrusive appearance.

SUMMARY

The action before the City Council is to approve and adopt the proposed amendments to the Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy and approve the revised Rule 20A priority list.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A – Amended Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (Redline copy)

Exhibit B – Amended Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (Clean copy)

Exhibit C – Revised Rule 20A Priority List

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Candace E. Cassel
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

PURPOSE: To establish procedures and criteria for prioritizing electric utility-funded projects pertaining to overhead utility equipment conversion to underground service.

POLICY:

I. Definition of Overhead Utility Equipment Conversion

The California Public Utilities Commission requires Southern California Edison (SCE) to designate funds for each county and city in its service territory to fund~~spend~~ the ~~replacing~~ replacement of overhead electrical lines and associated power poles with underground equipment. SCE refers to the utility-funded overhead utility equipment conversion program as "Rule 20A". Funds are allocated to the City of Moreno Valley for expenditures on City-identified projects, provided that the City Council has:

A. Determined that such undergrounding is in the general public interest by satisfying ~~for~~ one or more of the following reasons to qualify for funding under Rule 20A:

1. The proposed undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; ~~or~~

3. The street or road or right-of-way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public; or

4. The location qualifies as an arterial or major collector road in a local government's general plan.

B. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located.

II. Process

The responsible City department will:

A. Develop a list of potential projects by identifying streets, civic areas, or public recreation areas near overhead utility equipment. Categorize streets as Image Corridors (primary priority) or Transportation Corridors (secondary priority) classifications.

At the discretion of the City Council, projects located on either primary or secondary roadways may be given a higher priority if they are located within areas of the City that promote the goals of the City's Capital Improvement Plan (CIP) and/or the City's Economic Development Plan, as may be subsequently amended.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

B. Projects not receiving a high priority status from the City Council (per Section IIA) will be evaluated ~~Evaluate streets on primary~~ and prioritized ~~priority list~~ according to the following weighted criteria.

1. Traffic Counts: 15% of total score

   This category recognizes the benefit received by citizens passing proposed utility line conversion sites. Streets with higher traffic counts receive higher scores.

2. Percent Commercial/Parkway Land Uses: 15% of total score

   This category recognizes the benefit received by property owners and citizens visiting parcels adjacent to proposed utility line conversion sites. Commercial land uses directly facing the street receive higher scores because traffic to a commercial property is typically higher than to a similarly situated residential property. Therefore, more citizens benefit from the improved aesthetic environment near commercial property or in a neighborhood. Streets with higher proportions of adjacent commercial and/or parkway land uses receive higher scores.

3. Percent Drops/Parcels Benefited: 15% of total score

   A drop is any structure that receives power directly from the overhead power distribution line to be undergrounded. If the distribution line is converted, SCE must change the way the structure receives power. SCE may hang a new overhead line to the building (usually from a pole set back from the street). However, if another overhead power source cannot be secured, the structure's electrical panel and power connection would be converted/undergrounded. Rule 20A funds cannot pay for upgrades to individual parcels so the City would have to identify another funding source.

   Project sites with fewer drops receive higher scores.

4. Estimated Cost @ $500~~250~~ per linear foot: 15% of total score

   SCE staff currently estimate construction costs at approximately $500~~250~~ per linear foot of overhead line to be undergrounded. Potential sites shall be measured and estimated costs shall be calculated. Project completion time from site selection through construction is approximately ~~two~~four years~~. In two years, the City of Moreno Valley receives approximately $500,000. Projects estimated to cost less than $500,000 receive higher scores.~~

5. Percent of Front Footage Fully Improved 10% of total score

   Projects along fully improved streets (including curb and gutter) receive higher scores.

6. Percent of Parcels Developed 10% of total score

   Underground electrical cable adjacent to a fully developed parcel is less likely to later interfere with construction and/or require relocation. Projects with greater percentages of developed adjacent parcels receive higher scores.

7. Availability of Outside Participation (In-Lieu fees): 10% of total score

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

Newly developing parcels are usually required to install electrical facilities underground. However, where neighboring parcels have not yet converted electrical facilities, developers/property owners often prefer to deposit funds with the City in lieu of paying to convert a small distance of overhead line. Project sites with available "In-Lieu" fees receive higher scores.

8. Coordinates with Other Improvements 5% of total score

Projects that coincide with another public improvement project receive higher scores.

9. Conflicting Utilities: 5% of total score

Other utility companies use Edison power poles to suspend overhead lines. Projects without other utility involvement receive higher scores.

C. Establish a priority list based on City Council priorities first and then based on calculated scores per Section II B (if applicable). Projects will be ~~.S~~scheduled ~~projects~~ according to City Council priorities and then based on the ~~to~~highest average group score.

D. As SCE Rule 20A funding accumulates, pursue conversion of overhead utility equipment to underground facilities according to the established priority list as determined by the City Council.

1 Communicate City consideration of a selected site with all utilities.

2 Adopt an ordinance or resolution creating an underground utility district.

E. Re-evaluate potential project sites as City Council priorities and project site conditions change.

F. Survey and score project sites on the ~~secondary~~ priority lists as ~~the primary list~~ projects near~~s~~ completion.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

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MV00119266

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

PURPOSE: To establish procedures and criteria for prioritizing electric utility-funded projects pertaining to overhead utility equipment conversion to underground service.

POLICY:

I. Definition of Overhead Utility Equipment Conversion

The California Public Utilities Commission requires Southern California Edison (SCE) to designate funds for each county and city in its service territory to fund the replacement of overhead electrical lines and associated power poles with underground equipment. SCE refers to the utility-funded overhead utility equipment conversion program as "Rule 20A". Funds are allocated to the City of Moreno Valley for expenditures on City-identified projects, provided that the City Council has:

A. Determined that such undergrounding is in the general public interest by satisfying one or more of the following reasons to qualify for funding under Rule 20A:

1. The proposed undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;

3. The street or road or right-of-way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public; or

4. The location qualifies as an arterial or major collector road in a local government's general plan.

B. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located.

II. Process

The responsible City department will:

A. Develop a list of potential projects by identifying streets, civic areas, or public recreation areas near overhead utility equipment. Categorize streets as Image Corridors (primary priority) or Transportation Corridors (secondary priority) classifications.

At the discretion of the City Council, projects located on either primary or secondary roadways may be given a higher priority if they are located within areas of the City that promote the goals of the City's Capital Improvement Plan (CIP) and/or the City's Economic Development Plan, as may be subsequently amended.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit B

B. Projects not receiving a high priority status from the City Council (per Section IIA) will be evaluated and prioritized according to the following weighted criteria.

1. Traffic Counts: 15% of total score

   This category recognizes the benefit received by citizens passing proposed utility line conversion sites. Streets with higher traffic counts receive higher scores.

2. Percent Commercial/Parkway Land Uses: 15% of total score

   This category recognizes the benefit received by property owners and citizens visiting parcels adjacent to proposed utility line conversion sites. Commercial land uses directly facing the street receive higher scores because traffic to a commercial property is typically higher than to a similarly situated residential property. Therefore, more citizens benefit from the improved aesthetic environment near commercial property or in a neighborhood. Streets with higher proportions of adjacent commercial and/or parkway land uses receive higher scores.

3. Percent Drops/Parcels Benefited: 15% of total score

   A drop is any structure that receives power directly from the overhead power distribution line to be undergrounded. If the distribution line is converted, SCE must change the way the structure receives power. SCE may hang a new overhead line to the building (usually from a pole set back from the street). However, if another overhead power source cannot be secured, the structure's electrical panel and power connection would be converted/undergrounded. Rule 20A funds cannot pay for upgrades to individual parcels so the City would have to identify another funding source.

   Project sites with fewer drops receive higher scores.

4. Estimated Cost @ $500 per linear foot: 15% of total score

   SCE staff currently estimate construction costs at approximately $500 per linear foot of overhead line to be undergrounded. Potential sites shall be measured and estimated costs shall be calculated. Project completion time from site selection through construction is approximately four years.

5. Percent of Front Footage Fully Improved 10% of total score

   Projects along fully improved streets (including curb and gutter) receive higher scores.

6. Percent of Parcels Developed 10% of total score

   Underground electrical cable adjacent to a fully developed parcel is less likely to later interfere with construction and/or require relocation. Projects with greater percentages of developed adjacent parcels receive higher scores.

7. Availability of Outside Participation (In-Lieu fees): 10% of total score

   Newly developing parcels are usually required to install electrical facilities underground. However, where neighboring parcels have not yet converted electrical facilities, developers/property owners often prefer to deposit funds with the City in lieu of paying to

convert a small distance of overhead line. Project sites with available "In-Lieu" fees receive higher scores.

8. Coordinates with Other Improvements — 5% of total score

   Projects that coincide with another public improvement project receive higher scores.

9. Conflicting Utilities: — 5% of total score

   Other utility companies use Edison power poles to suspend overhead lines. Projects without other utility involvement receive higher scores.

C. Establish a priority list based on City Council priorities first and then based on calculated scores per Section II B (if applicable). Projects will be scheduled according to City Council priorities and then based on the highest average group score.

D. As SCE Rule 20A funding accumulates, pursue conversion of overhead utility equipment to underground facilities according to the established priority list as determined by the City Council.

   1 Communicate City consideration of a selected site with all utilities.

   2 Adopt an ordinance or resolution creating an underground utility district.

E. Re-evaluate potential project sites as City Council priorities and project site conditions change.

F. Survey and score project sites on the priority lists as projects near completion.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit B

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MV00119270

Rule 20A Priority List

High Priority

STREET NAME	STRETCH TO BE UNDERGROUNDED
Cactus Avenue	Lasselle Street to Moreno Beach Drive
Nason Street	State Highway 60 to Alessandro Boulevard
Nason Street	Alessandro Boulevard to Cactus Avenue

Medium Priority*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Alessandro Boulevard	Old State Highway 215 to Day Street
Alessandro Boulevard	Day Street to Elsworth Street
Alessandro Boulevard	Elsworth Street to Frederick Street
Alessandro Boulevard**	Nason Street to Wilmont Street
Cottonwood Avenue**	Day Street to Elsworth Street
Cottonwood Avenue**	Morrison Street to Moreno Beach Drive
Frederick Street	Cottonwood Avenue to Bay Avenue
Frederick Street	Bay Avenue to Alessandro Boulevard
Indian Street**	Iris Avenue to the Southern City Limits
Perris Boulevard	Fir Avenue to Eucalyptus Avenue
Perris Boulevard	Eucalyptus Avenue to Dracaea Avenue
Perris Boulevard	Dracaea Avenue to Cottonwood Avenue
Perris Boulevard	W/S Cottonwood Avenue to Bay Avenue
Perris Boulevard	W/S Bay Avenue to Alessandro Avenue
Redlands Boulevard**	Most of Redlands Boulevard from Ironwood Ave to Bay Avenue and Brodiaea Avenue to John F. Kennedy Drive
Sunnymead Boulevard	S/S Heacock Street to Indian Street
Sunnymead Boulevard	S/S Indian Street to Perris Boulevard

Low Priority*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Alessandro Boulevard	Perris Boulevard to Lasselle Street
Alessandro Boulevard	Nason Street to the Eastern City Limits
Alessandro Boulevard**	Perris Boulevard to Kitching Street (small stretches)
Alessandro Boulevard**	Kitching Street to Lasselle Street
Alessandro Boulevard**	Merwin Street to the Eastern City Limits
Cactus Avenue	Indian Street to Perris Boulevard
Cactus Avenue	Kitching Street to Lasselle Street

Approved by:
Date:

Rule 20A Priority List

Low Priority List (Continued)*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Cactus Avenue**	Ponder Street to Perris Boulevard
Cottonwood Avenue**	Perris Boulevard to Silver Lane
Cottonwood Avenue**	W/O Lasselle Street to E/O Lasselle Street (small stretch)
Cottonwood Avenue	State Highway 215 to W/O Heacock Street
Cottonwood Avenue	E/O Heacock Street to Moreno Beach Drive
Eucalyptus Avenue	Heacock to E/O Perris Boulevard
Eucalyptus Avenue	Kitching Street to Lasselle Street
Graham Street	Dracaea Avenue to Cottonwood Avenue
Graham Street**	Alessandro Boulevard to Cactus
Heacock Street	Between Reche Vista & Sunnymead Ranch Parkway
Heacock Street**	Between Reche Vista and Mountainside Road
Indian Street	Manzanita Avenue to Bay Avenue
Indian Street	Alessandro Boulevard to the Southern City Limits
Indian Street**	Dracaea Avenue to Cottonwood Avenue
Indian Street**	Iris Avenue to the Southern City Limits
Iris Avenue**	Most of Iris Avenue Indian Street to Perris Boulevard
Ironwood Avenue	Morton Road to Clark Street
Ironwood Avenue	Kitching Street to Pettit Street
Ironwood Avenue**	Morton Road to Clark Street
Ironwood Avenue**	W/O Nason Street to Moreno Beach Drive
Locust Street **	Various stretches between Moreno Beach Drive and Redlands Boulevard
Nandina Avenue**	Indian Avenue to Perris Boulevard
Perris Boulevard**	Select stretches: Manzanita Avenue to Ironwood Avenue Cactus Avenue to Delphinium Avenue John F. Kennedy Drive to Filaree Avenue Gentian Avenue to Iris Avenue Krameria Avenue to Northern Dancer Drive Suburban Lane to the City Limits

* Street Names sorted alphabetically. Project selection will be determined based on General Management Policy #2.33, once funding is available.

** Portions adjacent to undeveloped parcels may involve property owner participation.

Approved by:
Date:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive.

   All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained electric utility system.

BACKGROUND

On October 12, 2010, the City Council awarded the construction contract to H & H General Contractors, Inc., for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, (Account Numbers are listed under Fiscal Impact) and authorized the issuance of a Purchase Order in the amount of $2,413,664.00 (the base bid amount plus 10% contingency) was issued to the Contractor.

To ensure the safety and reliability of the MVU electric grid, it was necessary to construct a new electric distribution line extension circuit to accommodate the increased demand on the system.

DISCUSSION

H & H Contractors, Inc. completed construction on June 7, 2011, of the electrical conduits, manholes, vaults and switches and/or installation and energizing of 1000 KCMIL, 12kV cable on the following Projects:

Project No's. MVU-0003, 0006, and 0008:
Cottonwood Ave – Moreno Beach Drive to Quincy Street;

Project No's. MVU-0010, 0011, 0012, 0014:
John F. Kennedy Drive – Perris Boulevard to Lasselle Street;
Lasselle Street – John F Kennedy Drive to Cactus Avenue;
Cactus Avenue – Lasselle Street to Nason Street;
Nason Street – Cactus Avenue to Alessandro Boulevard;
Alessandro Boulevard – Morrison Street to Moreno Beach Drive

The Contractor completed the project at a total construction cost of $2,176,673.66, inclusive of Contract Change Order No. 1 and Change Order No. 2 (Final) in the amount of $110,548.86. The improvements were completed on schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive, which was constructed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project. Accept the improvements into the City's maintained electric utility system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained electric utility system.*

2. Do not accept the work as complete for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive, which was constructed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536. Do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code. Do not authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project. Do not accept the improvements into the City's maintained electric utility system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained electric utility system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2010-2011 Capital Improvements Project Budget. This project is funded through the 2007 Lease Revenue Bonds approved by the City Council on March 13, 2007. MVU will receive various reimbursements from other development for some of the capital costs.

Fiscal Year 2010/2011 Capital Improvement Budget:

MVU – 0003 (Account No. 602.61829)	$489,814
MVU – 0006 (Account No. 602.61832)	$ 32,367
MVU – 0008 (Account No. 602.61827)	$482,099
MVU – 0010 (Account No. 602.61835)	$806,260
MVU – 0011 (Account No. 602.61836)	$525,500
MVU – 0012 (Account No. 602.61837)	$551,660
MVU – 0014 (Account No. 602.61839)	$448,907
Total Budgeted Funds	**$3,336,607**

FINAL CONSTRUCTION RELATED COSTS:

Construction Contract	$2,176,674
Project Administration and Inspection (City Staff and Consultant)	$ 137,376
Total Project Construction Costs	$2,314,050

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community. *The construction of these facilities will expand the MVU electrical distribution system.*

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained. *The expansion of the MVU electrical distribution system will foster a positive environment and potentially help contribute to development of Moreno Valley's future.*

SUMMARY

H & H Contractors, Inc. completed the construction of the required structures, conduits, conductors, switches, and related electrical apparatus necessary to transfer load from the Cactus, Lasselle, Iris, and Globe 12kV interconnections and provide operational flexibility within the MVU electric grid on June 7, 2011. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to H & H General Contractors, Inc., and accept the improvements into the City's maintained electric utility system.

ATTACHMENTS

Attachment “A” – Location Map

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Jeanette Olko
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MVU-0003,MVU-0006 ,MVU-0008 MVU-0010,MVU-0011,MVU-0012 & MVU-0014

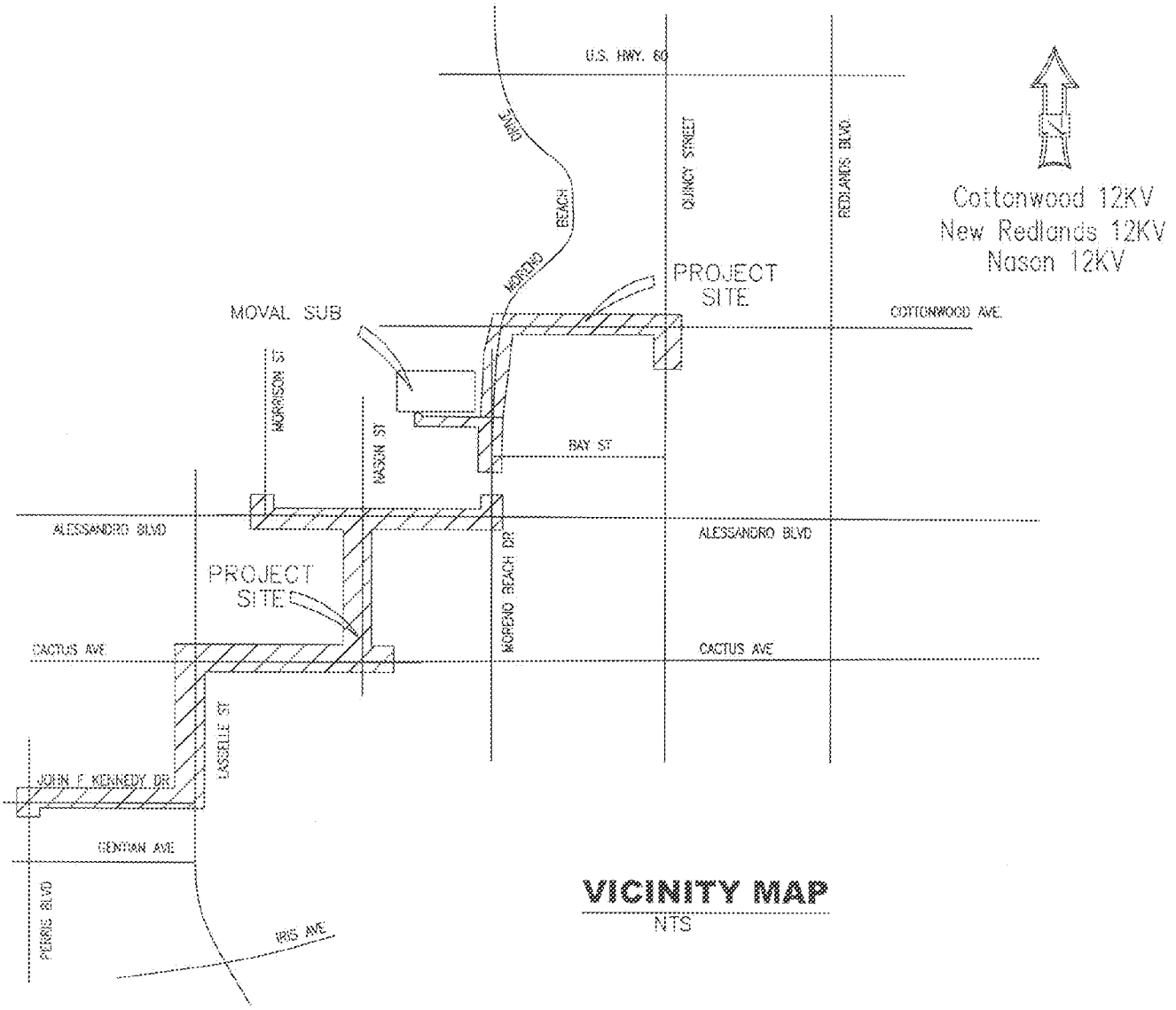

VICINITY MAP
NTS

Attachment "A"

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MV00119280

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2010-11 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-85
Check Register for Month of May, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2011 through May 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2011 through May 31, 2011, in the total amount of $10,409,143.31 is approved.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC			Remit to: **SANTA FE SPRINGS**	**CA**
5/16/2011	207795	35,418.28		
			REHAB COSTS-14131 ST TROPEZ CT	15,585.51
			REHAB COSTS-25263 DRAKE DR	19,832.77
	Vendor Total	**35,418.28**		
FYTD for A N R INDUSTRIES, INC		**382,295.79**		
AFTERSCHOOL STORE.COM			Remit to: **PALMDALE**	**CA**
5/2/2011	207603	44,826.18		
			AFTERSCHOOL SNACKS-STARS	33,563.18
			AFTERSCHOOL SNACKS-STARS	11,263.00
	Vendor Total	**44,826.18**		
FYTD for AFTERSCHOOL STORE.COM		**321,570.52**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
5/23/2011	207904	248,346.99		
			SR-60/NASON ST INTRCHNG PROJ	198,677.59
			SR-60/NASON ST INTRCHNG PROJ	49,669.40
	Vendor Total	**248,346.99**		
FYTD for ALL AMERICAN ASPHALT, INC.		**248,346.99**		
BANC OF AMERICA PUBLIC CAPITAL CORP			Remit to: **ATLANTA**	**GA**
5/2/2011	110503	32,556.40		
			DBT SVC-2011 PRIV PL REF 97LRB	32,556.40
	Vendor Total	**32,556.40**		
FYTD for BANC OF AMERICA PUBLIC CAPITAL CORP		**32,556.40**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/31/2011	882802	40,899.18		
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-S AQDCT B	735.00
				LANDSCAPE MAINT-SENIOR CTR	262.50
				LANDSCAPE MAINT-N AQDCT	525.00
				LANDSCAPE MAINT-S AQDCT A	850.50
				LANDSCAPE MAINT-SCE/OLD LAKE D	1,785.00
				LANDSCAPE MAINT-PAN AM SECT	600.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MVU SUB	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-E3	10,625.00
				LANDSCAPE MAINT-E3A	1,000.00
	Vendor Total		**40,899.18**		
FYTD for BEMUS LANDSCAPE, INC.			**519,366.45**		
CITY OF RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208026	125,000.00		
				TRAFFIC SIG COORD/SYNC PROJECT	125,000.00
	Vendor Total		**125,000.00**		
FYTD for CITY OF RIVERSIDE			**133,610.09**		
COUNTY OF RIVERSIDE AUDITOR				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208031	29,927.35		
				PARKING CONTROL FEES	26,895.35
				PARKING CONTROL FEES	3,032.00
	Vendor Total		**29,927.35**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**243,752.62**		
COUNTY OF RIVERSIDE AUDITOR CONTROLLER				Remit to: **RIVERSIDE** **CA**	
	5/10/2011	110504	1,082,578.00		
				SERAF PAYMENT FOR F/Y2010-11	1,082,578.00
	Vendor Total		**1,082,578.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR CONTROLLER			**1,082,578.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE FIRE DEPT				Remit to: **PERRIS** **CA**	
	5/31/2011	882807	3,035,253.64		
				FPARC-MV 230920,10-11,Q3	3,035,253.64
	Vendor Total		**3,035,253.64**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT			**12,744,604.32**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/16/2011	882738	36,862.28		
				CITATION PRCSSNG SVCS-CODE	14,408.16
				CITATION PRCSSNG SVCS-CODE	22,454.12
	Vendor Total		**36,862.28**		
FYTD for DATA TICKET, INC.			**241,885.62**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/16/2011	207822	38,247.25		
			WATER CHARGES	488.74
			WATER CHARGES	193.77
			WATER CHARGES	257.29
			WATER CHARGES	2,000.26
			WATER CHARGES	33.60
			WATER CHARGES	660.57
			WATER CHARGES	2,195.53
			WATER CHARGES	95.26
			WATER CHARGES	11,015.75
			WATER CHARGES	942.47
			WATER CHARGES	5,384.64
			WATER CHARGES	3,245.14
			WATER CHARGES	2,829.22
			WATER CHARGES	3,738.70
			WATER CHARGES	1,023.79
			WATER CHARGES	1,302.35
			WATER CHARGES	702.41
			WATER CHARGES	426.21
			WATER CHARGES	319.15
			WATER CHARGES	219.06
			WATER CHARGES	799.63
			WATER CHARGES	373.71
5/23/2011	207934	35,064.14		
			WATER CHARGES	1,117.91
			WATER CHARGES	635.96
			WATER CHARGES	488.31
			WATER CHARGES	9,153.60
			WATER CHARGES	1,632.23
			WATER CHARGES	1,704.82
			WATER CHARGES	2,701.45
			WATER CHARGES	7,004.05
			WATER CHARGES	520.46
			WATER CHARGES	248.48
			WATER CHARGES	52.62
			WATER CHARGES	1,510.65
			WATER CHARGES	2,391.75
			WATER CHARGES	205.35
			WATER CHARGES	1,777.94
			WATER CHARGES	1,230.78
			WATER CHARGES	345.84
			WATER CHARGES	219.74
			WATER CHARGES	297.43
			WATER CHARGES	1,330.83
			WATER CHARGES	493.94
	Vendor Total	**73,311.39**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,287,449.35**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ECONOMIC DEVELOPMENT AGENCY			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207722	33,275.00		
			AUTOMATION SVCS-LIBRARY	33,275.00
	Vendor Total	**33,275.00**		
FYTD for ECONOMIC DEVELOPMENT AGENCY		**127,050.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
5/6/2011	2855	34,213.77		
			STATE INCOME TAX W/H 5/6/11	34,213.77
5/20/2011	2863	34,186.81		
			STATE INCOME TAX W/H 5/20/11	34,186.81
	Vendor Total	**68,400.58**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**976,215.46**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM**	**CA**
5/9/2011	882655	192,533.98		
			DISTRIBUTION CHARGES	168,447.20
			SPCL/TEMP CHARGES	8,842.00
			BAD DEBT REDUCTION	-4,241.93
			ONLINE UTILITY SERVICES	199.20
			ELECTRIC METER CHARGES-UT	7,215.00
			ELECTRIC METER CHARGES-UT	425.00
			WORK AUTH SVCS-WASTE MGT	1,744.53
			WORK AUTH SVCS-HIGHLAND FRVW	5,432.08
			WORK AUTH SVCS-HIGHLAND FRVW	222.23
			WORK AUTH SVCS-DSP	1,466.85
			WORK AUTH SVCS-HARBOR FREIGHT	1,214.34
			WORK AUTH SVCS-BEAZER TR 36340	1,567.48
5/31/2011	882810	35,174.70		
			WORK AUTH SVCS-HIGHLAND FRVW	7,487.92
			WORK AUTH SVCS-DSP	1,135.39
			WORK AUTH SVCS-TR 36340	24.64
			ELECT METER CHARGES	4,890.00
			CORP YARD ADM BLDG ELECTR WORK	118.52
			12KV NEW REDLAND CKT WORK	21,044.23
			METER FEES-SOLAR CUST	474.00
	Vendor Total	**227,708.68**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,519.17**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON**	**CA**
5/16/2011	207827	110,036.25		
			PREFAB RESTROOM-SHADOW MTN PRK	110,036.25
	Vendor Total	**110,036.25**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**110,036.25**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
5/2/2011	207634	434,340.00		
			MV UTIL. PROJ CONSTRUCT. SVCS	21,611.82
			MV UTIL. PROJ CONSTRUCT. SVCS	289,903.09
			MV UTIL. PROJ CONSTRUCT. SVCS	14,199.18
			MV UTIL. PROJ CONSTRUCT. SVCS	2,838.21
			MV UTIL. PROJ CONSTRUCT. SVCS	44,352.77
			MV UTIL. PROJ CONSTRUCT. SVCS	61,434.93
5/31/2011	208110	435,380.67		
			MV UTIL. PROJ CONSTRUCT. SVCS	413,383.85
			MV UTIL. PROJ CONSTRUCT. SVCS	21,996.82
	Vendor Total	**869,720.67**		
FYTD for H & H GENERAL CONTRACTORS		**1,714,649.31**		
INTERNAL REVENUE SERVICE			Remit to:	
5/6/2011	2854	144,300.39		
			FED INCOME TAX W/H 5/6/11	144,300.39
5/20/2011	2862	146,860.40		
			FED INCOME TAX W/H 5/20/11	146,860.40
	Vendor Total	**291,160.79**		
FYTD for INTERNAL REVENUE SERVICE		**3,212,602.33**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
5/23/2011	207960	117,616.64		
			ENERGY PURCHASE	25,033.36
			ENERGY PURCHASE	92,583.28
	Vendor Total	**117,616.64**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**357,491.28**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
5/6/2011	110502	215,675.33		
			EMPLOYEE HEALTH INS 5/6/11	215,675.33
	Vendor Total	**215,675.33**		
FYTD for PERS HEALTH INSURANCE		**2,247,353.58**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
5/13/2011	2856	202,371.65		
			PERS RETIREMENT 5/13/11	202,371.65
5/27/2011	2864	202,825.11		
			PERS RETIREMENT 5/27/11	202,825.11
	Vendor Total	**405,196.76**		
FYTD for PERS RETIREMENT		**4,802,210.68**		

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RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	882704	121,531.50		
				IRONWD AVE-DAY TO BARCLAY PROJ	121,531.50
	5/16/2011	882751	272,449.80		
				IRONWOOD AVE/STORM DRAIN PROJ	49,299.75
				IRONWOOD AVE/STORM DRAIN PROJ	54,716.39
				IRONWOOD AVE/STORM DRAIN PROJ	15,196.52
				IRONWOOD AVE/STORM DRAIN PROJ	153,237.14
	5/19/2011	110506	30,272.20		
				RETENTN PYMT PER ESCROW AGRMNT	30,272.20
	Vendor Total		**424,253.50**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**3,393,302.50**		
SHELL ENERGY NORTH AMERICA (US) L.P.				Remit to: **PHILADELPHIA** **PA**	
	5/2/2011	207660	451,052.00		
				ELECTRIC ENERGY PURCHASE	451,052.00
	5/31/2011	208086	455,537.60		
				ENERGY PURCHASE	455,537.60
	Vendor Total		**906,589.60**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**5,942,469.20**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/16/2011	207875	30,600.30		
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	4,312.93
			WDAT CHARGES-GLOBE	8,321.85
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	2,245.68
			WDAT CHARGES-SUBSTATION	10,447.31
5/16/2011	207876	161,216.02		
			IFA CHARGES-SUBSTATION	14,146.73
			ELECTRICITY	791.26
			ELECTRICITY	22.97
			ELECTRICITY	307.54
			ELECTRICITY	44.76
			ELECTRICITY	741.27
			ELECTRICITY	134.08
			ELECTRICITY	767.06
			ELECTRICITY	1,016.96
			ELECTRICITY	2,046.55
			ELECTRICITY	2,395.73
			ELECTRICITY	1,089.02
			ELECTRICITY	21.84
			ELECTRICITY	95,531.38
			ELECTRICITY	37,276.15
			ELECTRICITY	4,518.94
			ELECTRICITY	66.97
			ELECTRICITY	22.05
			ELECTRICITY	23.01
			ELECTRICITY	23.68
			ELECTRICITY	71.60
			ELECTRICITY	112.77
			ELECTRICITY	43.70
	Vendor Total	**191,816.32**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,062,356.10**		
SPECTRUM CARE			Remit to: **FOOTHILL RANCH**	**CA**
5/31/2011	882828	27,739.17		
			LANDSCAPE MAINT-E1	10,540.00
			LANDSCAPE MAINT-E1	1,793.33
			PALM TREE INSTALL-E1	15,405.84
	Vendor Total	**27,739.17**		
FYTD for SPECTRUM CARE		**155,648.52**		

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STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
5/9/2011	207772	30,118.95		
			LIFE & DISABILITY INSURANCE	11,803.49
			LIFE & DISABILITY INSURANCE	18,420.25
			LIFE & DISABILITY INSURANCE	-104.79
5/31/2011	208091	30,087.09		
			LIFE & DISABILITY INSURANCE	11,770.46
			LIFE & DISABILITY INSURANCE	18,368.44
			LIFE & DISABILITY INSURANCE	-51.81
	Vendor Total	**60,206.04**		
FYTD for STANDARD INSURANCE CO		**386,673.79**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH**	**CA**
5/16/2011	207877	37,638.15		
			LEGAL SERVICES-RDA	960.00
			LEGAL SERVICES-RDA	3,675.00
			LEGAL SERVICES-NSP	325.00
			LEGAL SERVICES-HOUSING	2,625.00
			LEGAL SERVICES-HOUSING	3,700.00
			LEGAL SERVICES	14,873.15
			LEGAL SERVICES	11,480.00
5/31/2011	208093	25,440.15		
			PROF SERVICES-SPCL DIST	18,120.15
			PROF SERVICES-SPCL DIST	7,320.00
	Vendor Total	**63,078.30**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**117,202.08**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
5/24/2011	110507	138,275.95		
			CALCARD PYMT CYCLE END 5/9/11	138,275.95
	Vendor Total	**138,275.95**		
FYTD for U.S. BANK/CALCARDS		**1,874,349.12**		
	Subtotal	**8,935,729.27**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

FORREST CORMANY				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207601	200.00		
				BAGPIPER FOR MEMORIAL DAY 5/30	200.00
	Vendor Total		**200.00**		
FYTD for FORREST CORMANY			**200.00**		
LEAL, ANAHI				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207688	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LEAL, ANAHI			**20.00**		
NIELSEN LLC, CLARITAS				Remit to: **CHARLOTTE** **NC**	
	5/31/2011	208014	3,090.00		
				MEMBERSHIP RNWL-EDD	3,090.00
	Vendor Total		**3,090.00**		
FYTD for NIELSEN LLC, CLARITAS			**3,090.00**		
SHEPARD, SUZIE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207689	175.00		
				REFUND-RNTL DEP 4/16/11	175.00
	Vendor Total		**175.00**		
FYTD for SHEPARD, SUZIE			**175.00**		
A & I REPROGRAPHICS	**2406362**			Remit to: **ONTARIO** **CA**	
	5/23/2011	207898	152.52		
				RPRGRPHC SVCS-SPEED HUMP PRGM	152.52
	Vendor Total		**152.52**		
FYTD for A & I REPROGRAPHICS	**2406362**		**25,313.07**		
A & R WHOLESALE DISTRIBUTORS, INC				Remit to: **ANAHEIM** **CA**	
	5/9/2011	207690	202.02		
				COOKING CLUB SNACKS-STARS	202.02
	Vendor Total		**202.02**		
FYTD for A & R WHOLESALE DISTRIBUTORS, INC			**202.02**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ABILITY COUNTS, INC				Remit to: **CORONA** **CA**	
	5/2/2011	207602	2,880.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	5/23/2011	207899	1,440.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	Vendor Total		**4,320.00**		
FYTD for ABILITY COUNTS, INC			**4,320.00**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	5/9/2011	882640	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,506.03**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	882760	283.34		
				TRAINING FOR PD K-9	283.34
	5/31/2011	882798	1,500.00		
				K-9 TRACKING SEMINAR	750.00
				K-9 TRACKING SEMINAR	750.00
	Vendor Total		**1,783.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**21,527.43**		
ADMINSURE				Remit to: **DIAMOND BAR** **CA**	
	5/16/2011	207796	2,600.00		
				WORKMANS COMP ADMIN SVCS-RM	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**28,600.00**		
ADRIATICO, ISABELITA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207797	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for ADRIATICO, ISABELITA			**30.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCE REFRIGERATION & ICE SYSTEMS, INC			Remit to: **RIVERSIDE**	**CA**
5/9/2011	882641	717.00		
			ICE MACHINE MAINT-CONF & REC C	195.00
			ICE MACHINE MAINT-FS #58	195.00
			ICE MACHINE MAINT-SENIOR CTR	195.00
			ICE MACHINE MAINT-FS #48	132.00
5/31/2011	882799	875.00		
			ICE MACH MAINT-FS #6	195.00
			ICE MACH MAINT-PSB	195.00
			ICE MACH MAINT-CITY YARD	290.00
			ICE MACH MAINT-TOWNGATE	195.00
	Vendor Total	**1,592.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**18,188.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207691	1,914.00		
			ELECT REPAIRS-PSB	124.00
			ELECT REPAIRS-PSB	186.00
			ELECT REPAIRS-PSB	124.00
			BULBS/LIGHT RPLCMNT-PSB	1,480.00
5/23/2011	207901	11,278.00		
			ELECT SVCS-AUTO SHOP	1,261.00
			ELECT SVCS/RPRS-PSB	194.00
			ELECT SVCS/RPRS-CONF & REC CTR	218.00
			ELECT SVCS/RPRS-CITY HALL	951.00
			ELECT SVCS/RPRS-PARKS	1,491.00
			ELECT SVCS/RPRS-PARKS	236.00
			ELECT SVCS/RPRS-PARKS	243.00
			ELECT SVCS/RPRS-PARKS	282.00
			ELECT SVCS/RPRS-PARKS	238.00
			ELECT SVCS/RPRS-PARKS	212.00
			ELECT SVCS/RPRS-PARKS	687.00
			ELECT SVCS/RPRS-PARKS	361.00
			ELECT SVCS/RPRS-PARKS	401.00
			ELECT SVCS/RPRS-PARKS	367.00
			ELECT SVCS/RPRS-PARKS	820.00
			ELECT SVCS/RPRS-CFD #1	362.00
			ELECT SVCS/RPRS-CFD #1	368.00
			ELECT SVCS/RPRS-CFD #1	217.00
			ELECT SVCS/RPRS-CFD #1	217.00
			ELECT SVCS/RPRS-CFD #1	421.00
			ELECT SVCS/RPRS-FS #48	582.00
			ELECT SVC/REPAIRS-FS #48	870.00
			ELECT SVC/REPAIRS-FS #65	279.00
5/31/2011	208015	532.00		
			ELECTRICAL REPAIRS-PSB	127.00
			POWER CIRCUITS FOR GYM-EDD	405.00
	Vendor Total	**13,724.00**		
FYTD for ADVANCED ELECTRIC		**93,562.60**		

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AEI-CASC ENGINEERING			Remit to: **COLTON** **CA**	
5/2/2011	882616	1,451.05		
			CONSULTING SVCS-WQMP	958.80
			CONSULTING SVCS-WQMP	492.25
5/31/2011	882800	6,085.05		
			IRONWD AVE/DAY ST-BARCLAY PROJ	596.70
			IRONWD AVE/DAY ST-BARCLAY PROJ	5,488.35
	Vendor Total	**7,536.10**		
FYTD for AEI-CASC ENGINEERING		**232,139.79**		
AHLERS, ROSCEAL			Remit to: **HEMET** **CA**	
5/23/2011	207902	228.00		
			INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total	**228.00**		
FYTD for AHLERS, ROSCEAL		**1,444.00**		
ALBERTO'S MEXICAN FOOD			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207692	32.79		
			REFUND-BUS LIC OVRPMT	32.79
	Vendor Total	**32.79**		
FYTD for ALBERTO'S MEXICAN FOOD		**88.76**		
ALICEA, RICHARD			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207903	81.09		
			MILEAGE REIMBURSEMENT	81.09
	Vendor Total	**81.09**		
FYTD for ALICEA, RICHARD		**1,040.19**		
ALLIANCE BUS LINES INC			Remit to: **ONTARIO** **CA**	
5/16/2011	207798	257.64		
			BUS SERVICES-PARKS	257.64
	Vendor Total	**257.64**		
FYTD for ALLIANCE BUS LINES INC		**11,545.41**		
ALLIANT INSURANCE SERVICES, INC.			Remit to: **NEWPORT BEACH** **CA**	
5/16/2011	207799	2,199.36		
			INSURANCE PREMIUM	2,199.36
	Vendor Total	**2,199.36**		
FYTD for ALLIANT INSURANCE SERVICES, INC.		**2,199.36**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALLIANZ LIFE INSURANCE CO			Remit to: **NEWARK** **NJ**	
5/9/2011	207693	75.00		
			NON-EXEMPT ANNUITY	75.00
	Vendor Total	**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**825.00**		
ALPHA AUTOMATION			Remit to: **LOS ANGELES** **CA**	
5/16/2011	207800	46.38		
			FUEL TANK MONITORING	46.38
	Vendor Total	**46.38**		
FYTD for ALPHA AUTOMATION		**46.38**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207604	70.00		
			SPORTS OFFICIATING SVCS	70.00
5/23/2011	207905	70.00		
			SPORTS OFFICIATING SVCS	70.00
	Vendor Total	**140.00**		
FYTD for ALVAREZ, JUAN C		**350.00**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS** **CA**	
5/23/2011	882761	3,439.80		
			BLOOD DRAWS-PD	3,439.80
5/31/2011	882801	1,427.40		
			BLOOD DRAWS-PD	1,427.40
	Vendor Total	**4,867.20**		
FYTD for AMERICAN FORENSIC NURSES		**33,939.54**		
AMERICAN TOWERS			Remit to: **CHARLOTTE** **NC**	
5/9/2011	207694	2,573.48		
			ATC TOWER LEASE-TECH SVCS	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**20,587.84**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM** **CA**	
5/9/2011	207695	121.92		
			ELEVATOR SVC-CITY HALL	121.92
	Vendor Total	**121.92**		
FYTD for AMTECH ELEVATOR SERVICES		**1,866.10**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ANDREAS, SHARISSA			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207696	95.00		
			REFUND-RABIES/SPAY DEPOSIT	20.00
			REFUND-RABIES/SPAY DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for ANDREAS, SHARISSA		**95.00**		
ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE** **CA**	
5/23/2011	882762	130.00		
			EMERGENCY VET SVCS-ANML SHLTR	75.00
			EMERGENCY VET SVCS-ANML SHLTR	55.00
	Vendor Total	**130.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**2,465.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO** **CA**	
5/23/2011	207906	1,790.00		
			PEST CONTROL SVCS-PARKS	665.00
			PEST CONTROL SVCS-PARKS	255.00
			PEST CONTROL SVCS-MVEC/MARCH F	330.00
			PEST CONTROL SVCS-PAL	100.00
			PEST CONTROL SVCS-CFD #1	160.00
			PEST CONTROL SVCS-GOLF COURSE	180.00
			PEST CONTROL SVCS-STARS	100.00
	Vendor Total	**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**19,690.00**		
ARBY'S			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207697	60.78		
			REFUND-BUS LIC OVRPMT	60.78
	Vendor Total	**60.78**		
FYTD for ARBY'S		**60.78**		
ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
5/16/2011	882733	1,229.26		
			OFFSITE STORAGE SVCS-CITY CLRK	1,229.26
	Vendor Total	**1,229.26**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**15,129.83**		
ARELLANO, EDGAR			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207907	429.50		
			REFUND-CITATION DISMISSED	429.50
	Vendor Total	**429.50**		
FYTD for ARELLANO, EDGAR		**429.50**		

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For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	5/2/2011	207605	365.78		
				WATER PURIF RNTL-CITY HALL	125.01
				WATER PURIF RNTL-CITY YARD	25.00
				WATER PURIF RNTL-TRFFC TRLR	25.00
				WATER PURIF RNTL-LIBRARY	25.00
				WATER PURIF RNTL-FS #6	25.00
				WATER PURIF RNTL-FS #48	25.00
				WATER PURIF RNTL-FS #2	25.00
				WATER PURIF RNTL-FS #58	15.77
				WATER PURIF RNTL-FS #91	25.00
				WATER PURIF RNTL-FS #65	25.00
				WATER PURIF RNTL-EOC	25.00
	5/23/2011	207908	175.01		
				WATER PURIF RNTL-SPCL DIST	25.00
				WATER PURIF RNTL-CONF & REC CT	25.00
				WATER PURIF RNTL-TS ANNEX	25.00
				WATER PURIF RNTL-SENIOR CTR	25.00
				WATER PURIF RNTL-ANML SHLTR	50.01
				WATER PURIF RNTL-FACILITIES	25.00
	Vendor Total		**540.79**		
FYTD for ARROWHEAD WATER			**6,131.22**		
ARROYAVE, KIARA				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208016	95.00		
				REFUND-SPAY DEPOSIT	95.00
	Vendor Total		**95.00**		
FYTD for ARROYAVE, KIARA			**95.00**		
AT&T MOBILITY				Remit to: **CAROL STREAM** **IL**	
	5/2/2011	207606	91.82		
				CELL PHONE SVCS-PD MBL COMM CT	91.82
	5/31/2011	208017	91.25		
				CELL PH CHARGES-PD MBL CMMND C	91.25
	Vendor Total		**183.07**		
FYTD for AT&T MOBILITY			**1,101.81**		
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	5/9/2011	207698	183.36		
				COMMUNICATION SVCS-PD	183.36
	Vendor Total		**183.36**		
FYTD for AT&T/MCI			**2,018.10**		

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ATOM, INC				Remit to: **HEMET** **CA**	
	5/2/2011	207607	1,397.90		
				RETENT RLS-SUNNYMD/FREDERICK	1,397.90
	Vendor Total		**1,397.90**		
FYTD for ATOM, INC			**13,979.00**		
BABUGLIA, SILVAVNA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207909	60.00		
				REFUND-OIL PAINTING CLASS	60.00
	Vendor Total		**60.00**		
FYTD for BABUGLIA, SILVAVNA			**60.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	5/9/2011	207699	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,427.25**		
BALANCIER, EARL				Remit to: **PERRIS** **CA**	
	5/2/2011	207608	684.00		
				INSTRUCTION SVCS-18 DAYS	684.00
	5/23/2011	207910	608.00		
				INSTRUCTION SVCS-16 DAYS	608.00
	Vendor Total		**1,292.00**		
FYTD for BALANCIER, EARL			**2,584.00**		
BANK OF AMERICA, N.A.				Remit to: **CHARLOTTE** **NC**	
	5/16/2011	207801	90.00		
				REFUND-FALSE ALARM FEE	90.00
	5/23/2011	207911	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**120.00**		
FYTD for BANK OF AMERICA, N.A.			**410.00**		
BARRAZA/FLORES, BULMARO/ERNESTINA				Remit to: **PERRIS** **CA**	
	5/9/2011	207700	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARRAZA/FLORES, BULMARO/ERNESTINA			**20.00**		

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BARWINSKI, CHRISTOPHER				Remit to: **MORENO VALLEY CA**	
	5/2/2011	882617	70.00		
				SPORTS OFFICIATING SVCS	70.00
	5/23/2011	882763	35.00		
				SPORTS OFFICIATING SVCS	35.00
	Vendor Total		**105.00**		
FYTD for BARWINSKI, CHRISTOPHER			**1,417.50**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO CA**	
	5/9/2011	882642	137.20		
				BACKFLOW TESTING-PARKS	77.20
				BACKFLOW TESTING-PARKS	60.00
	Vendor Total		**137.20**		
FYTD for BASIC BACKFLOW			**2,753.26**		
BATE, CHERISE				Remit to: **MORENO VALLEY CA**	
	5/2/2011	207609	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATE, CHERISE			**100.00**		
BAYANI, CHRISTOPHER				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207802	155.00		
				PER DIEM-VEH. HOMICIDE SEMINAR	155.00
	Vendor Total		**155.00**		
FYTD for BAYANI, CHRISTOPHER			**155.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY CA**	
	5/31/2011	208018	250.00		
				RES APPRAISAL SVC-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**2,400.00**		
BEAS, GABRIEL				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207803	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BEAS, GABRIEL			**75.00**		

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BECKNER, PATRICK				Remit to: **MURRIETA** **CA**	
	5/9/2011	207701	796.56		
				RETIREE MED FEB-MAY '11	796.56
	Vendor Total		**796.56**		
FYTD for BECKNER, PATRICK			**2,810.49**		
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/9/2011	882643	4,868.50		
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX #1	300.00
				LANDSCAPE MAINT-E4	74.35
				LANDSCAPE MAINT-E4	41.59
				LANDSCAPE MAINT-CFD #1	60.00
	5/23/2011	882764	854.30		
				LANDSCAPE MAINT-E3A	589.30
				LANDSCAPE MAINT-E3A	265.00
	Vendor Total		**5,722.80**		
FYTD for BEMUS LANDSCAPE, INC.			**519,366.45**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	5/16/2011	207895	415.30		
				FLEX ADMIN SVCS-HR	210.30
				COBRA ADMIN SVCS-HR	205.00
	5/31/2011	882803	415.30		
				COBRA ADMIN SVCS-HR	205.00
				FLEX ADMIN SVCS-HR	210.30
	Vendor Total		**830.60**		
FYTD for BENESYST, INC.			**6,138.70**		
BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207702	7,888.29		
				TOXICOLOGY TESTING-PD	930.59
				TOXICOLOGY TESTING-PD	6,957.70
	Vendor Total		**7,888.29**		
FYTD for BIO-TOX LABORATORIES			**68,075.03**		
BISHOP COMPANY				Remit to: **WHITTIER** **CA**	
	5/23/2011	207912	771.99		
				MISC TOOLS-PARKS MAINT	771.99
	Vendor Total		**771.99**		
FYTD for BISHOP COMPANY			**771.99**		

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BLAIR, CHERYL				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207610	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**1,971.00**		
BLANCO, MANNY				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207804	3.00		
				REFUND-CITATION OVRPMT	3.00
	Vendor Total		**3.00**		
FYTD for BLANCO, MANNY			**3.00**		
BOBO II, FELIX				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207913	100.98		
				MILEAGE REIMBURSEMENT	100.98
	Vendor Total		**100.98**		
FYTD for BOBO II, FELIX			**1,201.57**		
BOOKLETTERS				Remit to: **COLUMBUS** **OH**	
	5/9/2011	207703	3,450.00		
				WEB SITE SVCS-LIBRARY	3,450.00
	Vendor Total		**3,450.00**		
FYTD for BOOKLETTERS			**7,172.00**		
BOSE, TIFFANY				Remit to: **CORONA** **CA**	
	5/9/2011	207704	39.27		
				MILEAGE REIMBURSEMENT	39.27
	5/23/2011	207914	42.33		
				MILEAGE REIMBURSEMENT	42.33
	Vendor Total		**81.60**		
FYTD for BOSE, TIFFANY			**318.75**		
BRAY, JR., LYLE DEAN				Remit to: **CORONA** **CA**	
	5/31/2011	208019	608.00		
				INSTRUCTION SVCS-16 DAYS	608.00
	Vendor Total		**608.00**		
FYTD for BRAY, JR., LYLE DEAN			**1,824.00**		
BREITKREUZ, THOMAS F.				Remit to: **REDLANDS** **CA**	
	5/9/2011	207705	538.18		
				RETIREE MED FEB-MAR '11	538.18
	Vendor Total		**538.18**		
FYTD for BREITKREUZ, THOMAS F.			**2,255.25**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BROCKMUELLER, REGINA				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207706	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROCKMUELLER, REGINA			**50.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.				Remit to: **WILLIAMSPORT PA**	
	5/23/2011	882765	3,068.09		
				MISC BOOKS-LIBRARY	40.74
				MISC BOOKS-LIBRARY	144.53
				MISC BOOKS-LIBRARY	18.34
				MISC BOOKS-LIBRARY	443.76
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	204.66
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	107.21
				MISC BOOKS-LIBRARY	214.55
				MISC BOOKS-LIBRARY	38.61
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	92.80
				MISC BOOKS-LIBRARY	50.66
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	39.55
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	20.15
				MISC BOOKS-LIBRARY	17.74
				MISC BOOKS-LIBRARY	15.33
				MISC BOOKS-LIBRARY	41.34
				MISC BOOKS-LIBRARY	88.68
				MISC BOOKS-LIBRARY	185.13
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	28.44
				MISC BOOKS-LIBRARY	41.36
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	61.56
				MISC BOOKS-LIBRARY	32.14
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	94.39
				MISC BOOKS-LIBRARY	212.65
				MISC BOOKS-LIBRARY	110.15
				MISC BOOKS-LIBRARY	293.70
				MISC BOOKS-LIBRARY	47.85
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	21.96
	5/31/2011	882804	5,057.59		
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	34.73
				MISC BOOKS-LIBRARY	52.16
				MISC BOOKS-LIBRARY	156.37
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	446.75
				MISC BOOKS-LIBRARY	79.52
				MISC BOOKS-LIBRARY	42.55
				MISC BOOKS-LIBRARY	1,960.10
				MISC BOOKS-LIBRARY	92.80
				MISC BOOKS-LIBRARY	41.36
				MISC BOOKS-LIBRARY	48.78

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	23.85
			MISC BOOKS-LIBRARY	56.81
			MISC BOOKS-LIBRARY	24.79
			MISC BOOKS-LIBRARY	38.35
			MISC BOOKS-LIBRARY	164.52
			MISC BOOKS-LIBRARY	24.78
			MISC BOOKS-LIBRARY	427.96
			MISC BOOKS-LIBRARY	23.20
			MISC BOOKS-LIBRARY	26.59
			MISC BOOKS-LIBRARY	27.40
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	286.15
			MISC BOOKS-LIBRARY	467.83
			MISC BOOKS-LIBRARY	24.78
			MISC BOOKS-LIBRARY	34.86
			MISC BOOKS-LIBRARY	41.17
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	92.78
			MISC BOOKS-LIBRARY	21.38
			MISC BOOKS-LIBRARY	42.57
			MISC BOOKS-LIBRARY	70.89
			MISC BOOKS-LIBRARY	49.29
	Vendor Total	**8,125.68**		
FYTD for BRODART CO.		**41,966.88**		
BROWN, DANIEL			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207805	75.00		
			REFUND-NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for BROWN, DANIEL		**75.00**		
BROWN, TRACY			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207611	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for BROWN, TRACY		**20.00**		
BUCKINGHAM, STAN			Remit to: **TEMECULA**	**CA**
5/9/2011	207707	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**3,506.03**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES** **CA**	
5/16/2011	882735	3,923.10		
			LEGAL SERVICES-HR	1,277.00
			LEGAL SERVICES-HR	2,646.10
5/31/2011	882805	7,683.40		
			LEGAL SERVICES-HR	1,680.14
			LEGAL SERVICES-HR	3,383.76
			LEGAL SERVICES-HR	2,619.50
	Vendor Total	**11,606.50**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**84,802.80**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
5/23/2011	207915	2,397.28		
			MISC BOOKS-LIBRARY	154.28
			MISC BOOKS-LIBRARY	226.47
			MISC BOOKS-LIBRARY	218.16
			MISC BOOKS-LIBRARY	41.90
			MISC BOOKS-LIBRARY	77.35
			MISC BOOKS-LIBRARY	118.73
			MISC BOOKS-LIBRARY	53.35
			MISC BOOKS-LIBRARY	13.05
			MISC BOOKS-LIBRARY	1,119.53
			MISC BOOKS-LIBRARY	374.46
5/31/2011	208020	1,621.10		
			MISC BOOKS-LIBRARY	67.96
			MISC BOOKS-LIBRARY	117.03
			MISC BOOKS-LIBRARY	439.81
			MISC BOOKS-LIBRARY	643.44
			MISC BOOKS-LIBRARY	117.02
			MISC BOOKS-LIBRARY	85.16
			MISC BOOKS-LIBRARY	18.70
			MISC BOOKS-LIBRARY	97.39
			MISC BOOKS-LIBRARY	34.59
	Vendor Total	**4,018.38**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**20,516.95**		
CA CONSTRUCTION AND RUCKER TILE			Remit to:	
5/31/2011	208021	14,321.99		
			RETENT/STOP NOTICE PYMT-PSB PR	14,321.99
	Vendor Total	**14,321.99**		
FYTD for CA CONSTRUCTION AND RUCKER TILE		**14,321.99**		

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CAD ZONE, THE				Remit to: **BEAVERTON** **OR**	
	5/23/2011	207916	1,140.00		
				CRIMEZONE-PD	1,130.00
				CRIMEZONE-PD	10.00
				CRIMEZONE-PD	99.75
				USED TAX ACCRUAL-PD	-99.75
	Vendor Total		**1,140.00**		
FYTD for CAD ZONE, THE			**1,140.00**		
CAIN, GREGORY				Remit to: **TAMPA** **FL**	
	5/9/2011	882644	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**3,506.03**		
CAL DEPT OF FORESTRY & FIRE PROTECTION				Remit to: **SACRAMENTO** **CA**	
	5/16/2011	207806	664.56		
				WEED ABATEMENT SVCS	664.56
	Vendor Total		**664.56**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION			**664.56**		
CALIFORNIA CENTERS MAGAZINE, INC.				Remit to: **LAGUNA HILLS** **CA**	
	5/31/2011	208022	3,780.00		
				ADVERTISING SVCS-EDD	3,780.00
	Vendor Total		**3,780.00**		
FYTD for CALIFORNIA CENTERS MAGAZINE, INC.			**7,560.00**		
CALIFORNIA DEPARTMENT OF FISH AND GAME				Remit to: **LOS ALAMITOS** **CA**	
	5/31/2011	208023	168.00		
				STREAMBED ALT AGRMNT AMNDMNT	168.00
	Vendor Total		**168.00**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**168.00**		
CALIFORNIA FACILITY SPECIALTIES				Remit to: **SAN DIMAS** **CA**	
	5/31/2011	208024	4,172.00		
				BASKETBALL EQUIP-PARKS	4,172.00
	Vendor Total		**4,172.00**		
FYTD for CALIFORNIA FACILITY SPECIALTIES			**10,685.00**		

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CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
5/9/2011	207708	7.64		
			UNCLAIMED PROPERTY (WAGES)	7.64
	Vendor Total	**7.64**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**7.64**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
5/2/2011	882618	2,666.50		
			CONSULTING SVCS-WQMP	2,666.50
	Vendor Total	**2,666.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**12,134.00**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208025	100.00		
			REFUND-RNTL DEP 4/24/11	100.00
	Vendor Total	**100.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**100.00**		
CAMBERLY GILLMAN			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207612	11,827.20		
			SOLAR INCENTIVE REBATE	11,827.20
	Vendor Total	**11,827.20**		
FYTD for CAMBERLY GILLMAN		**11,827.20**		
CAMPBELL, LARRY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207917	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for CAMPBELL, LARRY		**100.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
5/9/2011	882645	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**3,331.48**		
CANON BUSINESS SOLUTIONS, INC.			Remit to: **BURLINGTON** **NJ**	
5/9/2011	882646	7,250.88		
			COPY SERVICES	6,667.48
			COPY SERVICES	583.40
	Vendor Total	**7,250.88**		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**35,503.75**		

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CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
5/9/2011	207709	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**83,497.48**		
CANTU, TRACY			Remit to: **ONTARIO** **CA**	
5/16/2011	207807	75.00		
			REFUND-SPAY DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CANTU, TRACY		**75.00**		
CAREER CARE INSTITUTE			Remit to: **LANCATER** **CA**	
5/23/2011	207918	500.00		
			REFUND-RNTL DEP 4/8/11	500.00
	Vendor Total	**500.00**		
FYTD for CAREER CARE INSTITUTE		**500.00**		
CARRERA, EFRAIN			Remit to: **PERRIS** **CA**	
5/23/2011	207919	646.00		
			INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total	**646.00**		
FYTD for CARRERA, EFRAIN		**646.00**		
CARTER, LINDA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207808	54.50		
			REFUND-CITATION OVRPMT	54.50
	Vendor Total	**54.50**		
FYTD for CARTER, LINDA		**54.50**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882647	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**3,600.10**		
CASA FOR RIVERSIDE COUNTY, INC.			Remit to: **INDIO** **CA**	
5/16/2011	882736	1,247.47		
			SPCL ADVOCATES PRGM-CDBG	757.91
			SPCL ADVOCATES PRGM-CDBG	489.56
	Vendor Total	**1,247.47**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.		**4,229.83**		

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CATHCART, KATHERINE			Remit to: **BERMUDA DUNES** **CA**	
5/16/2011	207809	54.50		
			REFUND-CITATION DISMISSED	54.50
	Vendor Total	**54.50**		
FYTD for CATHCART, KATHERINE		**54.50**		
CATHOLIC CHARITIES			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207810	22,366.80		
			RENTAL ASST SVCS-HPRP	22,366.80
	Vendor Total	**22,366.80**		
FYTD for CATHOLIC CHARITIES		**126,600.31**		
CAUTHEN, CHARLES			Remit to: **RIVERSIDE** **CA**	
5/16/2011	207811	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for CAUTHEN, CHARLES		**404.50**		
CELLEBRITE USA, CORP			Remit to: **GLEN ROCK** **NJ**	
5/23/2011	207920	9,072.00		
			UNIV FORENSIC EXT DEVICE-PD	4,499.00
			UNIV FORENSIC EXT DEVICE-PD	3,996.00
			UNIV FORENSIC EXT DEVICE-PD	65.00
			UNIV FORENSIC EXT DEVICE-PD	393.66
			UNIV FORENSIC EXT DEVICE-PD	737.32
			USED TAX ACCRUAL-PD	-618.98
	Vendor Total	**9,072.00**		
FYTD for CELLEBRITE USA, CORP		**9,072.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
5/9/2011	207710	487.86		
			CEMENT PURCHASE	487.86
5/23/2011	207921	406.51		
			CEMENT PURCHASE	406.51
	Vendor Total	**894.37**		
FYTD for CEMEX		**9,035.59**		

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CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207613	4,558.00		
			PRE-EMPLOYMENT PHYSICALS-HR	25.00
			PRE-EMPLOYMENT PHYSICALS-STARS	709.00
			PRE-EMPLOYMENT PHYSICALS-STARS	3,824.00
5/16/2011	207812	70.00		
			PRE-EMPLYMNT PHYSICALS-HR	45.00
			PRE-EMPLYMNT PHYSICALS-HR	25.00
	Vendor Total	**4,628.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS		**13,215.00**		
CHANCY, CHIZURU			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207922	138.60		
			INSTRUCTOR SVCS-HAWAIIAN DANCE	93.60
			INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
	Vendor Total	**138.60**		
FYTD for CHANCY, CHIZURU		**1,443.45**		
CHANDLER ASSET MANAGEMENT, INC			Remit to: **SAN DIEGO** **CA**	
5/23/2011	882766	8,861.00		
			INVESTMENT MGT SVCS	8,861.00
	Vendor Total	**8,861.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC		**96,999.00**		
CHAPMAN, STEVE			Remit to: **REDLANDS** **CA**	
5/9/2011	207711	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CHAPMAN, STEVE		**3,506.03**		
CHAPPELL, ISAAC			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882648	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CHAPPELL, ISAAC		**3,506.03**		
CHERRY VALLEY FEED			Remit to: **CHERRY VALLEY** **CA**	
5/23/2011	207923	151.71		
			MISC FOOD FOR PD K-9	151.71
	Vendor Total	**151.71**		
FYTD for CHERRY VALLEY FEED		**1,091.11**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHRISTIAN, BRENDA				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207813	72.00		
				REFUND-PICNIC SHLTR FEE	72.00
	Vendor Total		**72.00**		
FYTD for CHRISTIAN, BRENDA			**72.00**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY CA**	
	5/9/2011	882649	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**2,316.58**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO**	**CA**
5/2/2011	882619	188.53		
			UNIFORM RNTL SVC-PARKS	54.39
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	57.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
5/9/2011	882650	275.91		
			UNIFORM RNTL SVC-TRFFC MAINT	12.82
			UNIFORM RNTL SVC-TRFFC MAINT	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/16/2011	882737	98.50		
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/23/2011	882767	364.48		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-TRFFC SGNL MA	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/31/2011	882806	84.99		
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS STAFF	50.19
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
	Vendor Total	**1,012.41**		
FYTD for CINTAS CORPORATION		**11,335.94**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882651	4,212.50		
			EXEMPT VEBA	4,212.50
	Vendor Total	**4,212.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**45,462.50**		
CITY OF RIVERSIDE PUBLIC UTILITIES DEPT.			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207614	150.00		
			SPRING CONF.-CA MUNI RATES GRP	150.00
5/5/2011	207685	150.00		
			SPRING CONF.-CA MUNI RATES GRP	150.00
	Vendor Total	**300.00**		
FYTD for CITY OF RIVERSIDE PUBLIC UTILITIES DEPT.		**300.00**		
CITY OF TEMECULA			Remit to: **TEMECULA**	**CA**
5/5/2011	207686	150.00		
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
	Vendor Total	**150.00**		
FYTD for CITY OF TEMECULA		**150.00**		
COASTLINE CONSTRUCTION & AWNING CO.			Remit to: **HUNTINGTON BEACH**	**CA**
5/2/2011	207615	18,750.00		
			MOBILE HOMES DEMO & DISPOSAL	18,750.00
	Vendor Total	**18,750.00**		
FYTD for COASTLINE CONSTRUCTION & AWNING CO.		**29,568.65**		

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COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
5/9/2011	207712	2.50		
			CHC CONTRIBUTIONS	2.50
5/9/2011	207713	183.81		
			CHC CONTRIBUTIONS	183.81
5/23/2011	207924	183.81		
			CHC CONTRIBUTIONS	183.81
	Vendor Total	**370.12**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,181.18**		
COMPUTER POWER SOLUTIONS, INC.			Remit to: **LOS ALAMITOS** **CA**	
5/16/2011	207814	4,730.40		
			RPLCMNT BATTERIES-TELECOMM	4,176.00
			RPLCMNT BATTERIES-TELECOMM	365.40
			RPLCMNT BATTERIES-TELECOMM	189.00
	Vendor Total	**4,730.40**		
FYTD for COMPUTER POWER SOLUTIONS, INC.		**4,730.40**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
5/9/2011	207714	5,780.11		
			ASPHALTIC MATERIALS	5,780.11
	Vendor Total	**5,780.11**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**15,214.25**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207616	210.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
5/31/2011	208027	70.00		
			SPORTS OFFICIATING SVCS	70.00
	Vendor Total	**280.00**		
FYTD for CONTRERAS, BIANCA		**385.00**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207617	140.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
5/23/2011	207925	35.00		
			SPORTS OFFICIATING SVCS	35.00
5/31/2011	208028	105.00		
			SPORTS OFFICIATING SVCS	105.00
	Vendor Total	**280.00**		
FYTD for CONTRERAS, JOSE		**860.00**		

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COSEY JR., JAMES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207618	165.00		
				INSTRUCTOR SVCS-KARATE	165.00
	Vendor Total		**165.00**		
FYTD for COSEY JR., JAMES			**516.00**		
COSTCO				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207619	1,727.27		
				MISC SUPPLIES-STARS	390.55
				MISC SUPPLIES-STARS	137.53
				MISC SUPPLIES-STARS	107.95
				MISC SUPPLIES-STARS	319.63
				MISC SUPPLIES-CHILDS PLACE	771.61
	5/9/2011	207715	366.24		
				MISC SUPPLIES-STARS	170.07
				MISC SUPPLIES-STARS	196.17
	5/16/2011	207815	790.68		
				MISC SUPPLIES-STARS	176.51
				MISC SUPPLIES-STARS	199.63
				MISC SUPPLIES-STARS	414.54
	5/23/2011	207926	1,557.91		
				MISC SUPPLIES-STARS	34.46
				MISC SUPPLIES-STARS	135.59
				MISC SUPPLIES-STARS	402.32
				MISC SUPPLIES-STARS	871.55
				MISC SUPPLIES-STARS	113.99
	5/31/2011	208029	3,534.20		
				MISC SUPPLIES-STARS	251.65
				MISC SUPPLIES-STARS	102.29
				MISC SUPPLIES-STARS	151.73
				MISC SUPPLIES-STARS	138.87
				MISC SUPPLIES-STARS	188.67
				MISC SUPPLIES-STARS	109.68
				MISC SUPPLIES-STARS	1,627.27
				MISC SUPPLIES-STARS	164.44
				MISC SUPPLIES-STARS	304.91
				MISC SUPPLIES-CHILDS PLACE	494.69
	Vendor Total		**7,976.30**		
FYTD for COSTCO			**51,111.04**		
COTTONWOOD PLACE IV RENTAL				Remit to: **ANAHEIM** **CA**	
	5/23/2011	207927	60.00		
				REFUND-FALSE ALARM FEE	30.00
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**60.00**		
FYTD for COTTONWOOD PLACE IV RENTAL			**60.00**		

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COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO CA**	
5/16/2011	207816	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
5/23/2011	207928	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**2,500.00**		
FYTD for COUNSELING TEAM, THE		**16,250.00**		
COUNTS UNLIMITED, INC.			Remit to: **CORONA CA**	
5/23/2011	207929	3,120.00		
			TRAFFIC DATA COLLECTION SVCS	3,120.00
	Vendor Total	**3,120.00**		
FYTD for COUNTS UNLIMITED, INC.		**3,620.00**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE CA**	
5/31/2011	208030	42.70		
			RECORDATION RQST SVCS-LAND DEV	42.70
	Vendor Total	**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**490.25**		
COVARRUBIAS, ALFREDO			Remit to: **MORENO VALLEY CA**	
5/16/2011	207817	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for COVARRUBIAS, ALFREDO		**20.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS CA**	
5/2/2011	882620	110.31		
			DOG FOOD FOR K9-PD	101.43
			DOG FOOD FOR K9-PD	8.88
	Vendor Total	**110.31**		
FYTD for COVENTRY PET RESORT		**883.09**		
CRAWFORD, JOANNE			Remit to: **MORENO VALLEY CA**	
5/31/2011	208032	14,072.80		
			SOLAR INCENTIVE	14,072.80
	Vendor Total	**14,072.80**		
FYTD for CRAWFORD, JOANNE		**14,072.80**		

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CREATIVE PROMOTIONAL IDEAS			Remit to: **UPLAND** **CA**	
5/2/2011	207620	4,567.50		
			WRISTBANDS-SOLID WASTE PRGM	4,200.00
			WRISTBANDS-SOLID WASTE PRGM	367.50
	Vendor Total	**4,567.50**		
FYTD for CREATIVE PROMOTIONAL IDEAS		**9,764.27**		
CRIME SCENE STERI-CLEAN, LLC			Remit to: **RANCHO CUCAMONGA** **CA**	
5/2/2011	207621	500.00		
			BIO HAZARD CLEAN UP-PD	500.00
5/9/2011	207716	500.00		
			BIO HAZARD CLEAN UP SVC-PD	500.00
5/31/2011	208033	500.00		
			BIO-HAZARD CLEAN UP	500.00
	Vendor Total	**1,500.00**		
FYTD for CRIME SCENE STERI-CLEAN, LLC		**2,500.00**		
CROWN PRINTERS			Remit to: **SAN BERNARDINO** **CA**	
5/2/2011	207622	2,806.28		
			PRINTING SVCS-FINANCE	2,580.49
			PRINTING SVCS-FINANCE	225.79
	Vendor Total	**2,806.28**		
FYTD for CROWN PRINTERS		**8,024.44**		
CRUZ, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208034	85.68		
			REIMB.-CFEDWEST CONF./EXPO	85.68
	Vendor Total	**85.68**		
FYTD for CRUZ, MICHAEL		**813.68**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208035	1,087.50		
			VECTOR CONTROL SVCS-CODE	1,087.50
	Vendor Total	**1,087.50**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**25,533.08**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
5/23/2011	207930	745.00		
			DISPOSAL SVCS-ANML SVCS	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**10,195.00**		

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DA SILVA, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207931	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DA SILVA, ROBERT			**50.00**		
DACOLIAS, RAYMOND				Remit to: **SAN JACINTO** **CA**	
	5/23/2011	207932	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for DACOLIAS, RAYMOND			**1,558.00**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882652	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**3,487.19**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/2/2011	882621	3,532.41		
				CITATION PRCSSNG SVC-ANML SVCS	3,532.41
	5/9/2011	882653	5,944.26		
				CITATION PRCSSNG-PD	5,839.26
				PARKING CODE APP-TECH SVCS	105.00
	5/23/2011	882768	1,100.56		
				CITATION PRCSSNG SVCS-BLDG/SFT	1,100.56
	5/31/2011	882808	2,889.13		
				TICKET STOCK-CODE	2,856.60
				TICKET STOCK-CODE	32.53
	Vendor Total		**13,466.36**		
FYTD for DATA TICKET, INC.			**241,885.62**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	5/23/2011	207933	130.50		
				ONLINE SUBSCRIPTION SVC-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,435.50**		
DE LA CRUZ, JOSE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207623	104.00		
				REFUND-DRUMS CLASS CANC.	104.00
	Vendor Total		**104.00**		
FYTD for DE LA CRUZ, JOSE			**104.00**		

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DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	207717	11,966.97		
				EMPLOYEE DENTAL INSURANCE	11,966.97
	Vendor Total		**11,966.97**		
FYTD for DELTA DENTAL			**127,868.05**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207818	6,069.35		
				EMPLOYEE DENTAL INSURANCE	6,069.35
	Vendor Total		**6,069.35**		
FYTD for DELTACARE USA			**68,578.98**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	5/2/2011	882622	5,650.00		
				PLAN REVIEW SVCS-FIRE PREV	5,240.00
				PLAN REVIEW SVCS-FIRE PREV	410.00
	5/31/2011	882809	6,455.00		
				PLAN REVIEW SVCS-FIRE PREV	2,080.00
				PLAN REVIEW SVCS-FIRE PREV	845.00
				PLAN REVIEW SVCS-FIRE PREV	3,530.00
	Vendor Total		**12,105.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**103,915.00**		
DESIGN WORKS				Remit to: **SAN JACINTO** **CA**	
	5/31/2011	208036	501.45		
				YTH SPORTS UNIFORMS-PARKS	375.27
				SPORTS AWARDS-PARKS	126.18
	Vendor Total		**501.45**		
FYTD for DESIGN WORKS			**12,796.33**		
DIAZ, RAQUEL				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207819	429.50		
				REFUND-CITATION DISMISSED	429.50
	Vendor Total		**429.50**		
FYTD for DIAZ, RAQUEL			**429.50**		

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DISTINCTIVELY YOURS			Remit to: **MORENO VALLEY**	**CA**
5/31/2011	208037	1,640.14		
			ADVERTISING SVCS-EDD	1,330.00
			ADVERTISING SVCS-EDD	62.50
			ADVERTISING SVCS-EDD	-133.00
			ADVERTISING SVCS-EDD	24.14
			ADVERTISING SVCS-EDD	110.21
			ADVERTISING SVCS-EDD	190.00
			ADVERTISING SVCS-EDD	25.00
			ADVERTISING SVCS-EDD	12.48
			ADVERTISING SVCS-EDD	18.81
	Vendor Total	**1,640.14**		
FYTD for DISTINCTIVELY YOURS		**3,652.02**		
DIVISION OF LABOR STANDARDS ENFORCMENT			Remit to: **LONG BEACH**	**CA**
5/9/2011	207718	1,856.25		
			CWPA PYMT-EMERG OPS CTR PROJ	1,856.25
	Vendor Total	**1,856.25**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT		**47,971.39**		
DLS LANDSCAPE, INC			Remit to: **REDLANDS**	**CA**
5/23/2011	882769	12,390.00		
			LANDSCAPE MAINT-CFD #1	2,160.00
			LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total	**12,390.00**		
FYTD for DLS LANDSCAPE, INC		**136,290.00**		
DORY, ALLEEN F.			Remit to: **HEMET**	**CA**
5/9/2011	207719	229.88		
			RETIREE MED MAY '11	229.88
	Vendor Total	**229.88**		
FYTD for DORY, ALLEEN F.		**3,311.08**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			Remit to: **SACRAMENTO**	**CA**
5/31/2011	208038	100.00		
			ANNUAL REGIST-P HUNTER	100.00
	Vendor Total	**100.00**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL		**100.00**		
DUNN, LAURA ISABEL GARCIA			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	882770	304.00		
			INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total	**304.00**		
FYTD for DUNN, LAURA ISABEL GARCIA		**1,444.00**		

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DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207820	189.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**2,751.00**		
E.R. BLOCK PLUMBING & HEATING, INC.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207720	838.09		
				BACKFLOW RPLCMNT-SPCL DIST	650.59
				BACKFLOW RPLCMNT-SPCL DIST	187.50
	5/16/2011	207821	2,084.02		
				BACKFLOW REPLCMNT-ZONE D	597.19
				BACKFLOW REPLCMNT-ZONE D	187.50
				BACKFLOW REPLCMNT-ZONE D	327.14
				BACKFLOW REPLCMNT-ZONE D	187.50
				BACKFLOW REPLCMNT-ZONE D	597.19
				BACKFLOW REPLCMNT-ZONE D	187.50
	5/31/2011	208039	2,433.89		
				BACKFLOW TESTING-E2	60.00
				BACKFLOW TESTING-E3	20.00
				BACKFLOW TESTING-E38	20.00
				BACKFLOW TESTING-ZONE D	340.00
				BACKFLOW TESTING-ZONE D	40.00
				BACKFLOW TESTING-ZONE M	60.00
				BACKFLOW RPLCMNT-ZONE M	477.14
				BACKFLOW RPLCMNT-ZONE M	262.50
				BACKFLOW RPLCMNT-E1	891.75
				BACKFLOW RPLCMNT-E1	262.50
	Vendor Total		**5,356.00**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**29,081.83**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/2/2011	207624	16,496.82		
			WATER CHARGES	136.12
			WATER CHARGES	279.72
			WATER CHARGES	387.86
			WATER CHARGES	2,981.43
			WATER CHARGES	453.65
			WATER CHARGES	263.89
			WATER CHARGES	5,686.91
			WATER CHARGES	2,036.65
			WATER CHARGES	3,159.57
			WATER CHARGES	38.24
			WATER CHARGES	189.88
			WATER CHARGES	68.86
			WATER CHARGES	401.51
			WATER CHARGES	104.20
			WATER CHARGES	149.74
			WATER CHARGES	72.00
			WATER CHARGES	86.59
5/9/2011	207721	5,576.05		
			WATER CHARGES	62.84
			WATER CHARGES	249.81
			WATER CHARGES	2,408.30
			WATER CHARGES	251.39
			WATER CHARGES	2,270.07
			WATER CHARGES	74.15
			WATER CHARGES	19.90
			WATER CHARGES	239.59
5/31/2011	208040	19,912.76		
			WATER CHARGES	25.94
			WATER CHARGES	196.37
			WATER CHARGES	136.84
			WATER CHARGES	357.96
			WATER CHARGES	331.56
			WATER CHARGES	6,413.59
			WATER CHARGES	1,355.43
			WATER CHARGES	393.71
			WATER CHARGES	7,210.74
			WATER CHARGES	1,774.81
			WATER CHARGES	395.17
			WATER CHARGES	43.91
			WATER CHARGES	37.59
			WATER CHARGES	196.12
			WATER CHARGES	451.18
			WATER CHARGES	128.61
			WATER CHARGES	264.06
			WATER CHARGES	67.50
			WATER CHARGES	131.67
	Vendor Total	**41,985.63**		

FYTD for EASTERN MUNICIPAL WATER DISTRICT	**1,287,449.35**

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EDGELANE MOBILE PARK				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882654	23.60		
				REFUND-UT USER TAXES	23.60
	Vendor Total		**23.60**		
FYTD for EDGELANE MOBILE PARK			**138.51**		
EGGERSTEN, ANNE				Remit to: **RANCHO MIRAGE** **CA**	
	5/9/2011	207723	325.66		
				RETIREE MED MAY '11	325.66
	Vendor Total		**325.66**		
FYTD for EGGERSTEN, ANNE			**3,461.90**		
ELLIOTT, NISHA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207625	156.00		
				INSTRUCTOR SVCS-KICK BOXING	132.00
				INSTRUCTOR SVCS-KICK BOXING	24.00
	5/31/2011	208041	268.80		
				INSTRUCTOR SVCS-KICKBOXING	220.80
				INSTRUCTOR SVCS-KICKBOXING	48.00
	Vendor Total		**424.80**		
FYTD for ELLIOTT, NISHA			**1,995.60**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	5/2/2011	882623	18,583.90		
				CABINET LEASE-INDIAN	11.95
				CABINET LEASE-INDIAN	1,238.05
				CABINET LEASE-IRIS	29.67
				CABINET LEASE-IRIS	1,220.33
				12KV NEW REDLAND CKT WORK	14,713.29
				MORRISON FS ELECTR DESIGN WORK	916.11
				CORP YARD ADM BLDG ELECTR WORK	454.50
	5/16/2011	882739	2,974.00		
				CABINET LEASE-INDIAN	6.47
				CABINET LEASE-INDIAN	1,243.53
				CABINET LEASE-IRIS	23.79
				CABINET LEASE-IRIS	1,226.21
				METER FEES-SOLAR CUST	474.00
	Vendor Total		**21,557.90**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**2,058,519.17**		
ESI ACQUISITION, INC.				Remit to: **AUGUSTA** **GA**	
	5/31/2011	882811	8,800.00		
				SOFTWARE SUPPORT-TECH SVCS	4,900.00
				SOFTWARE SUPPORT-TECH SVCS	3,900.00
	Vendor Total		**8,800.00**		
FYTD for ESI ACQUISITION, INC.			**17,600.00**		

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ESRI, INC.				Remit to: **REDLANDS** **CA**	
	5/2/2011	882624	761.25		
				ARCPAD LICENSE-PW MAINT	700.00
				ARCPAD LICENSE-PW MAINT	61.25
	Vendor Total		**761.25**		
FYTD for ESRI, INC.			**42,037.05**		
ESTRADA, PATRICIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207823	200.00		
				REFUND-RNTL DEP 4/30/11	200.00
	Vendor Total		**200.00**		
FYTD for ESTRADA, PATRICIA			**200.00**		
EVANS ENGRAVING & AWARDS				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	882625	31.45		
				ENGRAVING SVCS-PD	31.45
	5/23/2011	882771	185.97		
				ENGRAVING SVCS-PLANNING COMM	84.00
				ENGRAVING SVCS-PLANNING COMM	7.35
				ENGRAVING SVCS-PLANNING COMM	60.00
				ENGRAVING SVCS-PLANNING COMM	5.25
				ENGRAVING SVCS-FIRE	29.37
	5/31/2011	882812	39.15		
				ENGRAVING SVCS-HR	35.78
				ENGRAVING SVCS-HR	3.37
	Vendor Total		**256.57**		
FYTD for EVANS ENGRAVING & AWARDS			**1,265.58**		
EWING IRRIGATION PRODUCTS, INC.				Remit to: **PHOENIX** **AZ**	
	5/2/2011	207626	51.56		
				IRRIGATION SUPPLIES-PARKS	51.56
	5/9/2011	207724	5,413.13		
				IRRIGATION SUPPLIES-PARKS	2,964.31
				IRRIGATION SUPPLIES-PARKS	2,448.82
	Vendor Total		**5,464.69**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**16,189.39**		

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EXCEL LANDSCAPE, INC				Remit to: **CORONA** **CA**	
	5/9/2011	207725	3,978.92		
				LANDSCAPE MAINT-WQB	1,494.90
				LANDSCAPE MAINT-WQB	809.28
				LANDSCAPE MAINT-WQB	1,674.74
	5/23/2011	207935	13,314.50		
				LANDSCAPE MAINT-E7	2,777.17
				LANDSCAPE MAINT-E15	1,070.36
				LANDSCAPE MAINT-E8	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQB	4,503.92
	Vendor Total		**17,293.42**		
FYTD for EXCEL LANDSCAPE, INC			**150,353.16**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882740	14,032.99		
				LANDLORD/TENANT MEDIATION-CDBG	4,804.74
				LANDLORD/TENANT MEDIATION-CDBG	4,356.64
				LANDLORD/TENANT MEDIATION-CDBG	4,871.61
	Vendor Total		**14,032.99**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**62,154.13**		
FEENSTRA, JOHN				Remit to: **REDLANDS** **CA**	
	5/9/2011	882656	361.25		
				RETIREE MED MAY '11	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		
FENDER, SHAUNA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207824	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FENDER, SHAUNA			**75.00**		
FERNANDES, MARCUS				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207825	109.00		
				REFUND-CITATION OVRPMT	109.00
	Vendor Total		**109.00**		
FYTD for FERNANDES, MARCUS			**109.00**		

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FIDELITY NATIONAL TITLE CO			Remit to: **MURRIETTA**	**CA**
5/2/2011	207627	1,724.00		
			REFUND-CITATION/RE-INSPECT FEE	1,000.00
			REFUND-CITATION/RE-INSPECT FEE	724.00
	Vendor Total	**1,724.00**		
FYTD for FIDELITY NATIONAL TITLE CO		**1,724.00**		
FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA**	**CA**
5/16/2011	207826	514.00		
			ONLINE PROP INFO-CODE	241.00
			ONLINE PROP INFO-CDD	103.00
			ONLINE PROP INFO-EDD	170.00
5/31/2011	208042	484.00		
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-CDD	217.00
			ONLINE PROP INFO SVCS-EDD	182.00
	Vendor Total	**998.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**7,212.00**		
FIRST CHOICE FIRE PROTECTION			Remit to: **GARDENA**	**CA**
5/2/2011	207628	90.81		
			REFUND-BUS LIC OVRPMT	90.81
	Vendor Total	**90.81**		
FYTD for FIRST CHOICE FIRE PROTECTION		**90.81**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO**	**CA**
5/9/2011	882657	654.06		
			COFFEE SVCS-EMP PAID	132.66
			COFFEE SVCS-EMP PAID	12.93
			COFFEE SVCS-EMP PAID	37.80
			COFFEE SVCS-EMP PAID	115.41
			COFFEE SVCS-EMP PAID	136.94
			COFFEE SVCS-EMP PAID	112.68
			COFFEE SVCS-EMP PAID	55.70
			COFFEE SVCS-EMP PAID	49.94
	Vendor Total	**654.06**		
FYTD for FIRST CHOICE SERVICES		**7,224.69**		
FITNESS 19 CA 155 11C			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	207936	265.00		
			GYM MEMBERSHIP DEDUCTIONS	265.00
	Vendor Total	**265.00**		
FYTD for FITNESS 19 CA 155 11C		**2,836.00**		

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FLINT-PETERSON				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207629	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for FLINT-PETERSON			**20.00**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	207937	1,365.93		
				ADMIN CITATIONS-ANML SVCS	1,231.40
				ADMIN CITATIONS-ANML SVCS	107.75
				ADMIN CITATIONS-ANML SVCS	26.78
	Vendor Total		**1,365.93**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**23,273.99**		
FORNISS, BRANDON/JAMIE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207828	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FORNISS, BRANDON/JAMIE			**75.00**		
FOSTER, JAMES BARRY				Remit to: **RIVERSIDE** **CA**	
	5/19/2011	207897	248.50		
				PER DIEM-ICSC RECON CONVENTION	248.50
	Vendor Total		**248.50**		
FYTD for FOSTER, JAMES BARRY			**712.99**		
FOSTER, NANCY A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882658	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for FOSTER, NANCY A.			**3,487.19**		
FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	207726	33.95		
				GARNISHMENT	33.95
	5/23/2011	207938	178.14		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	38.14
	Vendor Total		**212.09**		
FYTD for FRANCHISE TAX BOARD			**3,178.77**		

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FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	5/16/2011	207829	191.25		
				MILEAGE REIMBURSEMENT	191.25
	Vendor Total		**191.25**		
FYTD for FRANKLIN, L. C.			**1,590.96**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207630	4,941.32		
				TRAFFIC PAINT-BICYCLE LANE PRJ	2,691.56
				GLASS BEADS-BICYCLE LANE PROJ	2,249.76
	Vendor Total		**4,941.32**		
FYTD for FRAZEE INDUSTRIES, INC			**123,905.38**		
FRISBIE, AAPRIS				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207830	75.00		
				REFUND-NEUTER DEPOSIT	55.00
				REFUND-NEUTER DEPOSIT	20.00
	Vendor Total		**75.00**		
FYTD for FRISBIE, AAPRIS			**75.00**		
FROST, JOAN CHENG				Remit to: **TEMECULA** **CA**	
	5/23/2011	207939	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for FROST, JOAN CHENG			**1,938.00**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882659	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,506.03**		

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GENERAL SECURITY SERVICES, INC.				Remit to: **WILMINGTON** **CA**	
	5/9/2011	882660	483.21		
				SECURITY SVCS-CONF & REC CTR	122.72
				SECURITY SVCS-SENIOR CTR	214.76
				SECURITY SVCS-TOWNGATE	145.73
	5/16/2011	882741	2,730.53		
				SECURITY SVCS-UTILITIES	276.12
				SECURITY SVCS-UTILITIES	276.12
				SECURITY SVCS-SENIOR CTR	153.40
				SECURITY SVCS-SENIOR CTR	184.08
				SECURITY SVCS-LIBRARY	245.45
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	245.44
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
	5/23/2011	882772	3,497.52		
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-TOWNGATE	107.38
				SECURITY SVCS-TOWNGATE	107.38
				SECURITY SVCS-TOWNGATE	107.38
				SECURITY SVCS-CONF & REC CTR	61.36
				SECURITY SVCS-CONF & REC CTR	92.04
				SECURITY SVCS-CONF & REC CTR	76.70
	Vendor Total		**6,711.26**		
FYTD for GENERAL SECURITY SERVICES, INC.			**48,553.06**		
GERMAN, CATINA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207940	10.99		
				REFUND-LOST BOOK FEE	10.99
	Vendor Total		**10.99**		
FYTD for GERMAN, CATINA			**10.99**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
5/2/2011	882626	641.94		
			LEGAL SVCS	641.94
5/16/2011	882742	20,888.45		
			LEGAL SVCS	18,633.45
			LEGAL SVCS	1,940.50
			LEGAL SVCS	314.50
5/23/2011	882773	4,508.25		
			LEGAL SVCS	4,508.25
	Vendor Total	**26,038.64**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**230,458.37**		
GILES, STELLA			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207631	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for GILES, STELLA		**20.00**		
GITONGA, LUCY			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207632	77.08		
			REFUND-CAMP REGISTR.	77.08
	Vendor Total	**77.08**		
FYTD for GITONGA, LUCY		**77.08**		
GLADWELL GOVERNMENTAL SVCS, INC.			Remit to: **LAKE ARROWHEAD**	**CA**
5/31/2011	208043	100.00		
			CONSULTING SVCS-TECH SVCS	100.00
	Vendor Total	**100.00**		
FYTD for GLADWELL GOVERNMENTAL SVCS, INC.		**100.00**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882661	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for GONZALES, DOMILENA R.		**2,741.59**		
GONZALEZ, GUILLERMINA			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207633	37.00		
			REFUND-PICNIC SHLTR FEE ERROR	37.00
	Vendor Total	**37.00**		
FYTD for GONZALEZ, GUILLERMINA		**37.00**		

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GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	882627	405.00		
				INSTRUCTOR SVCS-KUNG FU	189.00
				INSTRUCTOR SVCS-KUNG FU	216.00
	Vendor Total		**405.00**		
FYTD for GOZDECKI, DAN			**6,777.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	207727	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for GRANICUS, INC.			**11,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	5/9/2011	882662	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,427.25**		
GUIDA SURVEYING, INC.				Remit to: **IRVINE** **CA**	
	5/16/2011	882743	6,448.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	6,448.00
	Vendor Total		**6,448.00**		
FYTD for GUIDA SURVEYING, INC.			**107,733.00**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	5/16/2011	207831	168.00		
				INSTRUCTOR SVCS-ZUMBA	168.00
	Vendor Total		**168.00**		
FYTD for GUILIANO, MARIA			**1,108.80**		
GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	5/9/2011	882663	275.67		
				RETIREE MED MAY '11	275.67
	Vendor Total		**275.67**		
FYTD for GUILLAN, REBECCA S.			**3,295.96**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	5/9/2011	882664	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,506.03**		

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GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882744	4,049.00		
				CART RETRVL SVCS-CODE	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	5/9/2011	882665	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,487.19**		
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882666	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HANSEN, ROBERT L.				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208044	344.25		
				REIMB.-CITY ATTYS CONFERENCE	344.25
	Vendor Total		**344.25**		
FYTD for HANSEN, ROBERT L.			**734.75**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	5/9/2011	207728	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HARRIS & ASSOCIATES				Remit to: **CONCORD** **CA**	
	5/9/2011	882667	625.00		
				PROF SERVICES-CFD #4	375.00
				PROF SERVICES-CFD #4	250.00
	Vendor Total		**625.00**		
FYTD for HARRIS & ASSOCIATES			**32,992.50**		
HARRISON, WALTER				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207832	264.00		
				REFUND-RNTL DEP 6/26/11	200.00
				REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total		**264.00**		
FYTD for HARRISON, WALTER			**264.00**		

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HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	5/9/2011	207729	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**22,196.36**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208045	126.00		
				INSTRUCTOR SVCS-BODY SCULPTING	126.00
	Vendor Total		**126.00**		
FYTD for HASS, MINA			**126.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	5/9/2011	882668	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,506.03**		
HAUSER, ADRIANA				Remit to: **SAN BERNARDINO** **CA**	
	5/23/2011	207941	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for HAUSER, ADRIANA			**5,244.00**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	5/9/2011	882669	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,506.03**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207730	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,506.03**		
HERRING, COURTNEY				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208046	64.00		
				REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total		**64.00**		
FYTD for HERRING, COURTNEY			**64.00**		

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HETHERMAN, ANTHONY CHRISTOPHER				Remit to: **TEMECULA** **CA**	
	5/9/2011	882670	35.70		
				MILEAGE REIMBURSEMENT	35.70
	Vendor Total		**35.70**		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER			**276.84**		
HICKMAN, LANISE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208047	319.20		
				INSTRUCTOR SVCS-BOOTCAMP	319.20
	Vendor Total		**319.20**		
FYTD for HICKMAN, LANISE			**355.20**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207635	72.00		
				INSTRUCTOR SVCS-OIL PAINTING	72.00
	Vendor Total		**72.00**		
FYTD for HIGGS, DEBRA			**612.00**		
HO, KEVIN CHINH				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	207942	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for HO, KEVIN CHINH			**950.00**		
HOGARD, JOHN T.				Remit to: **CORONA** **CA**	
	5/9/2011	882671	300.00		
				RETIREE MED JAN-MAR '11	300.00
	Vendor Total		**300.00**		
FYTD for HOGARD, JOHN T.			**2,633.50**		
HOKANSON, VINTON				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208048	16.00		
				REFUND-LICENSE FEE	16.00
	Vendor Total		**16.00**		
FYTD for HOKANSON, VINTON			**16.00**		
HOTEL SOLAMAR				Remit to: **SAN DIEGO** **CA**	
	5/31/2011	208049	607.88		
				D. LIENHARD-CHAMELEON CONF.	607.88
	Vendor Total		**607.88**		
FYTD for HOTEL SOLAMAR			**607.88**		

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HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207731	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,506.03**		
HOUSTON & HARRIS PCS, INC.				Remit to: **GRAND TERRACE** **CA**	
	5/9/2011	207732	860.00		
				VIDEO INSPECTION-STORM DRAIN	860.00
	Vendor Total		**860.00**		
FYTD for HOUSTON & HARRIS PCS, INC.			**860.00**		
HOWARD, DIANE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207733	47.00		
				REFUND-PIANO CLASS	47.00
	Vendor Total		**47.00**		
FYTD for HOWARD, DIANE			**47.00**		
ICC FOOTHILL CHAPTER OF BLDNG OFFICIALS				Remit to: **ONTARIO** **CA**	
	5/31/2011	208050	200.00		
				ACCESSIBILITY TRNG 6/7/11	100.00
				ACCESSIBILITY TRNG 6/7/11	100.00
	Vendor Total		**200.00**		
FYTD for ICC FOOTHILL CHAPTER OF BLDNG OFFICIALS			**350.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	5/6/2011	2853	9,110.37		
				DEF COMP-457 5/6/11	9,110.37
	5/20/2011	2861	9,110.37		
				DEF COMP-457 5/20/11	9,110.37
	Vendor Total		**18,220.74**		
FYTD for ICMA RETIREMENT CORP 457			**226,138.63**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207833	144.97		
				REFUND-UT USER TAXES	144.97
	Vendor Total		**144.97**		
FYTD for IL SORRENTO MOBILE PARK			**1,483.89**		

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IMMIGRATION LAW OFFICES OF HADLEY BAJRAM			Remit to: **RIVERSIDE**	**CA**
5/23/2011	207943	74.20		
			REFUND-BUS LIC OVRPMT	74.20
Vendor Total		**74.20**		
FYTD for IMMIGRATION LAW OFFICES OF HADLEY BAJRAM		**74.20**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES**	**IA**
5/9/2011	207734	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,225.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE**	**CA**
5/2/2011	882628	526.00		
			NUISANCE ABTMNT SVC-CODE	526.00
5/16/2011	882745	1,354.23		
			NUISANCE ABTMNT SVC-CODE	189.23
			NUISANCE ABTMNT SVC-CODE	233.00
			NUISANCE ABTMNT SVC-CODE	232.00
			NUISANCE ABTMNT SVC-CODE	700.00
5/23/2011	882774	356.00		
			NUISANCE ABTMNT SVC-22862 ADRI	125.00
			NUISANCE ABTMNT SVC-12032 SWEA	231.00
Vendor Total		**2,236.23**		
FYTD for INLAND CONTRACTORS, INC.		**29,576.91**		
INLAND EMPIRE ARCHITECTURAL SPECIALTIES,			Remit to: **RIVERSIDE**	**CA**
5/23/2011	207944	48.72		
			REFUND-BUS LIC OVRPMT	48.72
Vendor Total		**48.72**		
FYTD for INLAND EMPIRE ARCHITECTURAL SPECIALTIES,		**48.72**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS**	**CA**
5/31/2011	208051	975.00		
			ADVERTISING SVCS-EDD	975.00
Vendor Total		**975.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**6,150.00**		

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INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	882746	4,568.00		
			WEED ABATEMENT SVCS-PARKS	4,568.00
5/23/2011	882775	446.00		
			NUISANCE ABTMNT SVC-14344 SAYA	446.00
5/31/2011	882814	239.80		
			NUISANCE ABTMNT SVC-CODE	239.80
	Vendor Total	**5,253.80**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**60,131.42**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207834	12,500.00		
			BUS COUNSELING SVCS-EDD	12,500.00
	Vendor Total	**12,500.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**47,500.00**		
INSIDE PLANTS, INC.			Remit to: **CORONA** **CA**	
5/16/2011	882747	326.00		
			PLANT MAINT-CONF & REC CTR	326.00
	Vendor Total	**326.00**		
FYTD for INSIDE PLANTS, INC.		**3,541.00**		
INTERNATIONAL CRIME FREE ASSOC.			Remit to: **EL CAJON** **CA**	
5/16/2011	207835	500.00		
			INTL CRIME FREE CONF-JULY10-13	250.00
			INTL CRIME FREE CONF-JULY10-13	250.00
	Vendor Total	**500.00**		
FYTD for INTERNATIONAL CRIME FREE ASSOC.		**500.00**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION			Remit to: **CERRITOS** **CA**	
5/9/2011	207735	1,087.88		
			OFFSITE DATA STORAGE-TECH SVCS	1,087.88
	Vendor Total	**1,087.88**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**10,898.59**		

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ISG INFRASYS				Remit to: **LAWRENCEVILLE GA**	
	5/2/2011	207636	1,197.25		
				THERMAL CAMERA REPAIR-PD	340.00
				THERMAL CAMERA REPAIR-PD	827.25
				THERMAL CAMERA REPAIR-PD	30.00
				CA USE TAX/ACCRUAL	75.01
				CA USE TAX/ACCRUAL	-75.01
	5/31/2011	208052	342.00		
				BATTERY REPAIR-FIRE	342.00
	Vendor Total		**1,539.25**		
FYTD for ISG INFRASYS			**2,156.50**		
J D H CONTRACTING				Remit to: **RIVERSIDE CA**	
	5/23/2011	882776	5,182.00		
				ROOF REPAIR-FS #2	5,182.00
	5/31/2011	882815	1,820.00		
				SKYLIGHT REPAIR-CONF & REC CTR	1,820.00
	Vendor Total		**7,002.00**		
FYTD for J D H CONTRACTING			**149,293.50**		
JACKSON, JAYE				Remit to: **RIVERSIDE CA**	
	5/16/2011	207836	44.00		
				SPORTS OFFICIATING SVCS	44.00
	5/23/2011	207945	32.00		
				SPORTS OFFICIATING SVCS	32.00
	Vendor Total		**76.00**		
FYTD for JACKSON, JAYE			**76.00**		
JAMESON, ROY				Remit to: **RIVERSIDE CA**	
	5/16/2011	207837	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for JAMESON, ROY			**54.50**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				Remit to: **RIVERSIDE CA**	
	5/9/2011	207736	75.00		
				COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,433.65**		

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JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	5/23/2011	882777	2,410.00		
				CONSULTING SVCS-TECH SVCS	1,815.00
				CONSULTING SVCS-TECH SVCS	595.00
	Vendor Total		**2,410.00**		
FYTD for JDEDGE SOFTWARE, LLC			**24,537.50**		
JEHOVAH'S WITTNESSES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207637	500.00		
				REFUND-RNTL DEP 4/17/11 EVENT	500.00
	Vendor Total		**500.00**		
FYTD for JEHOVAH'S WITTNESSES			**500.00**		
JIANG, WEI				Remit to: **FREMONT** **CA**	
	5/2/2011	207638	400.00		
				REFUND-ADMIN CITATION	400.00
	Vendor Total		**400.00**		
FYTD for JIANG, WEI			**400.00**		
JOBS AVAILABLE, INC.				Remit to: **MODESTO** **CA**	
	5/16/2011	207838	717.50		
				ADVERTISING SVCS-HR	717.50
	Vendor Total		**717.50**		
FYTD for JOBS AVAILABLE, INC.			**1,732.50**		
JOE A. GONSALVES & SON				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	882672	3,150.00		
				REPRESENTATION SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**31,680.00**		
JOHNSON-FLORENCE, DEBORAH				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207839	404.50		
				REFUND-CITATION DISMISSED	404.50
	Vendor Total		**404.50**		
FYTD for JOHNSON-FLORENCE, DEBORAH			**404.50**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	5/2/2011	207639	98.94		
				MILEAGE REIMBURSEMENT	98.94
	Vendor Total		**98.94**		
FYTD for JONES III, JOSEPH			**431.44**		

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JONES, MAEGAN				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207840	35.00		
				REFUND-ELECT USE FEE	35.00
	Vendor Total		**35.00**		
FYTD for JONES, MAEGAN			**35.00**		
JONES, RONNIE				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207841	0.50		
				REFUND-CITATION OVRPMT	0.50
	Vendor Total		**0.50**		
FYTD for JONES, RONNIE			**0.50**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882673	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,506.03**		
JORDAN, JENNIFER				Remit to: **CORONA** **CA**	
	5/31/2011	208053	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for JORDAN, JENNIFER			**75.00**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	5/9/2011	207791	10,657.51		
				TRAFFIC SIGNAL SUPPLIES	2,446.88
				BATTERY BACK UP SVC CABINET	8,210.63
	Vendor Total		**10,657.51**		
FYTD for JTB SUPPLY CO., INC.			**42,263.54**		
KEYSER MARSTON ASSOCIATES, INC.				Remit to: **SAN FRANCISCO** **CA**	
	5/2/2011	207640	1,406.25		
				CONSULTING SVCS-EDD	375.00
				CONSULTING SVCS-EDD	1,031.25
	5/16/2011	207842	4,915.00		
				CONSULTING SVCS-EDD	4,915.00
	5/31/2011	208054	2,240.00		
				CONSULTING SVCS-EDD	2,240.00
	Vendor Total		**8,561.25**		
FYTD for KEYSER MARSTON ASSOCIATES, INC.			**18,188.13**		

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KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	5/9/2011	207737	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**3,353.48**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	5/23/2011	207946	393.58		
				MISC SUPPLIES-PARKS MAINT	393.58
	Vendor Total		**393.58**		
FYTD for KNORR SYSTEMS, INC			**393.58**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882675	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882676	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,506.03**		
KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	5/9/2011	207738	674.22		
				LASER GUN REPAIR-PD	200.00
				LASER GUN REPAIR-PD	399.15
				LASER GUN REPAIR-PD	75.07
	Vendor Total		**674.22**		
FYTD for KUSTOM SIGNALS, INC.			**2,269.71**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	5/9/2011	882677	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**3,506.03**		

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LA FOLLETTE, JOHNSON, DE HAAS, ET AL			Remit to: **LOS ANGELES**	**CA**
5/31/2011	208055	13,113.00		
			LEGAL SERVICES-RISK MGT	6,037.49
			LEGAL SERVICES-RISK MGT	7,075.51
	Vendor Total	**13,113.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL		**60,099.16**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882678	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,487.19**		
LANG, TRACEY			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	207947	152.00		
			INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total	**152.00**		
FYTD for LANG, TRACEY		**912.00**		
LANGENDORF, BENJAMIN			Remit to: **PERRIS**	**CA**
5/9/2011	882679	442.80		
			RETIREE MED MAR '11	442.80
	Vendor Total	**442.80**		
FYTD for LANGENDORF, BENJAMIN		**2,307.16**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES**	**CA**
5/2/2011	207641	1,522.50		
			LEGAL SERVICES-LAND DEV	1,522.50
	Vendor Total	**1,522.50**		
FYTD for LATHAM & WATKINS, LLP		**2,465.00**		
LAW ENFORCEMENT APPRECIATION COMMITTEE			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207739	100.00		
			AWARDS CEREMONY	50.00
			AWARDS CEREMONY	50.00
	Vendor Total	**100.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE		**100.00**		

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LAW ENFORCEMENT ASSOCIATES			Remit to: **RALEIGH** **NC**	
5/9/2011	207740	1,484.08		
			MEMORY CARDS-PD	1,567.44
			MEMORY CARDS-PD	-202.77
			MEMORY CARDS-PD	119.41
	Vendor Total	**1,484.08**		
FYTD for LAW ENFORCEMENT ASSOCIATES		**14,025.91**		
LAW OFFICE OF BRENDA L. DIEDERICHS			Remit to: **CHINO** **CA**	
5/16/2011	207843	22,474.56		
			LEGAL SERVICES-HR	20,449.56
			LEGAL SERVICES-HR	2,025.00
	Vendor Total	**22,474.56**		
FYTD for LAW OFFICE OF BRENDA L. DIEDERICHS		**63,024.56**		
LAWN TECH EQUIPMENT			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882629	147.00		
			CHAIN SHARPENING-PW MAINT	147.00
	Vendor Total	**147.00**		
FYTD for LAWN TECH EQUIPMENT		**2,779.41**		
LEFEVRE, FRAN			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207844	175.00		
			PER DIEM-LAW ENFORC TRNG NEEDS	175.00
	Vendor Total	**175.00**		
FYTD for LEFEVRE, FRAN		**175.00**		
LEWIS BRISBOIS BISGAARD & SMITH LLP			Remit to: **SAN BERNARDINO** **CA**	
5/31/2011	882816	6,342.94		
			LEGAL SERVICES-RISK MGT	6,342.94
	Vendor Total	**6,342.94**		
FYTD for LEWIS BRISBOIS BISGAARD & SMITH LLP		**12,804.79**		
LEWIS, CAROLYN S.			Remit to: **BEAUMONT** **CA**	
5/9/2011	882680	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LEWIS, CAROLYN S.		**3,487.19**		

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LIEBERT, CASSIDY, WHITMORE			Remit to: **LOS ANGELES** **CA**	
5/16/2011	207845	210.00		
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
	Vendor Total	**210.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE		**3,874.00**		
LIENHARD, DORI A.			Remit to: **RANCHO MIRAGE** **CA**	
5/31/2011	208056	341.97		
			TRAVEL EXP.-CHAMELEON CONF.	93.47
			TRAVEL EXP.-CHAMELEON CONF.	248.50
	Vendor Total	**341.97**		
FYTD for LIENHARD, DORI A.		**646.47**		
LIM & NASCIMENTO ENGINEERING CORP.			Remit to: **CHICAGO** **IL**	
5/23/2011	207948	8,533.91		
			PERRIS BL WIDENING FROM RAM XP	8,533.91
	Vendor Total	**8,533.91**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		**314,904.80**		
LLANOS, ADRIANA			Remit to: **NUEVO** **CA**	
5/16/2011	207846	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for LLANOS, ADRIANA		**20.00**		
LOCKWOOD, MELISSA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207847	31.00		
			REFUND-PICNIC SHLTR FEE	31.00
	Vendor Total	**31.00**		
FYTD for LOCKWOOD, MELISSA		**31.00**		
LOGAN, CHARLES			Remit to: **LAS VEGAS** **NV**	
5/9/2011	882681	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LOGAN, CHARLES		**3,506.03**		

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LONDON, CHARLES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207642	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LONDON, CHARLES			**50.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	882817	3,022.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	3,022.00
	Vendor Total		**3,022.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**80,777.00**		
LOS ANGELES COUNTY AUDITOR CONTROLLER				Remit to: **LOS ANGELES** **CA**	
	5/31/2011	208057	502.00		
				RESIDUE KIT-PD	502.00
	Vendor Total		**502.00**		
FYTD for LOS ANGELES COUNTY AUDITOR CONTROLLER			**502.00**		
LUDWIG, BRITTANY				Remit to: **LOS ANGELES** **CA**	
	5/23/2011	207949	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LUDWIG, BRITTANY			**75.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882682	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,506.03**		
LUNDBERG, GEORGINA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207848	86.29		
				CACFP MGMT COURSE/PIN TRNG	86.29
	Vendor Total		**86.29**		
FYTD for LUNDBERG, GEORGINA			**86.29**		
MALONE, LAWRENCE				Remit to: **ALISO VIEGO** **CA**	
	5/9/2011	207741	174.00		
				REFUND-ADMIN CITATION	174.00
	Vendor Total		**174.00**		
FYTD for MALONE, LAWRENCE			**174.00**		

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MANHOLE ADJUSTING, INC			Remit to: **PICO RIVERA** **CA**	
5/31/2011	208058	49.68		
			REFUND-BUS LIC OVRPMT	49.68
	Vendor Total	**49.68**		
FYTD for MANHOLE ADJUSTING, INC		**49.68**		
MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207643	8.50		
			GAS CHARGES-MFP COMM CTR	6.95
			GAS CHARGES-MFP COMM CTR	1.55
5/31/2011	208059	7.17		
			GAS CHARGES-MARCH FIELD	5.86
			GAS CHARGES-MARCH FIELD	1.31
	Vendor Total	**15.67**		
FYTD for MARCH JOINT POWERS AUTHORITY		**80.63**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
5/31/2011	882818	9,419.95		
			LANDSCAPE MAINT-DSG2N	4,425.04
			LANDSCAPE MAINT-DSG2S	440.64
			LANDSCAPE MAINT-DSG2S	4,554.27
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**86,347.75**		
MARKHAM, RHONDA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207644	250.00		
			REFUND-RNTL DEP 4/9/11 EVENT	250.00
	Vendor Total	**250.00**		
FYTD for MARKHAM, RHONDA		**250.00**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207645	56.00		
			INSTRUCTOR SVCS-KICK BOXING	56.00
	Vendor Total	**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**560.00**		

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MARTINEZ, REGGIE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207742	105.00		
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	20.00
				SPORTS OFFICIATING SVCS	15.00
	5/31/2011	208060	70.00		
				SPORTS OFFICIATING SVCS	70.00
	Vendor Total		**175.00**		
FYTD for MARTINEZ, REGGIE			**1,085.00**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	5/9/2011	882683	290.00		
				RETIREE MED MAR '11	290.00
	Vendor Total		**290.00**		
FYTD for MATHIS, NOLAN			**3,238.00**		
MATICH CORPORATION				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	882684	6,889.68		
				ASPHALTIC MATERIALS	6,889.68
	Vendor Total		**6,889.68**		
FYTD for MATICH CORPORATION			**38,910.62**		
MATUTE, OMAR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207950	67.00		
				REFUND-TIME 4 TOTS	67.00
	Vendor Total		**67.00**		
FYTD for MATUTE, OMAR			**67.00**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	5/9/2011	882685	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MAYER HOFFMAN MCCANN P.C.				Remit to: **IRVINE** **CA**	
	5/16/2011	207849	15,562.00		
				AUDITING SVCS-CITY	9,888.00
				AUDITING SVCS-CITY	757.00
				AUDITING SVCS-CITY	4,917.00
	Vendor Total		**15,562.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**85,919.00**		

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MCCAIN TRAFFIC SUPPLY				Remit to: **VISTA** **CA**	
	5/9/2011	207743	2,351.35		
				TRAFFIC SIGNAL SUPPLIES	2,351.35
	5/16/2011	207850	10,146.14		
				TRAF SIG CONTRLLR-SUNNYMD RNCH	10,146.14
	5/31/2011	208061	10,550.92		
				TRAF SIG CONTROLLER CABINET	9,702.00
				CA SALES TAX	848.92
	Vendor Total		**23,048.41**		
FYTD for MCCAIN TRAFFIC SUPPLY			**24,437.16**		
MCCULLUM, JOE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207851	37.00		
				REFUND-PICNIC SHLTR FEE	37.00
	Vendor Total		**37.00**		
FYTD for MCCULLUM, JOE			**37.00**		
McDONALD, CHRIS				Remit to: **PERRIS** **CA**	
	5/23/2011	207951	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for McDONALD, CHRIS			**2,280.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	5/23/2011	882778	40.00		
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**40.00**		
FYTD for MEEKS, DANIEL			**1,820.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	5/16/2011	207852	2,115.00		
				PLAN CHECK SVCS-BLDG/SFTY	2,115.00
	5/31/2011	208062	2,070.00		
				PLAN CHECK SVCS-BLDG/SFTY	2,070.00
	Vendor Total		**4,185.00**		
FYTD for MELAD & ASSOCIATES, INC			**40,177.12**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207853	131.07		
				MILEAGE REIMBURSEMENT	131.07
	Vendor Total		**131.07**		
FYTD for MENGISTU, YESHIALEM			**1,052.21**		

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MENOS CUSTOMS				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207646	26.81		
				REFUND-BUS LIC OVRPMT	26.81
	Vendor Total		**26.81**		
FYTD for MENOS CUSTOMS			**26.81**		
MESA CONTRACTING CORPORATION				Remit to: **ORANGE** **CA**	
	5/16/2011	207854	52.00		
				REFUND-BUS LIC OVRPMT	52.00
	Vendor Total		**52.00**		
FYTD for MESA CONTRACTING CORPORATION			**52.00**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	5/9/2011	882686	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,506.03**		
METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	5/23/2011	207952	100.00		
				TEXT MSSG RTRVL SVC-PD	100.00
	Vendor Total		**100.00**		
FYTD for METROPCS WIRELESS, INC.			**200.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207647	147.00		
				INSTRUCTOR SVCS-DRAWING	147.00
	Vendor Total		**147.00**		
FYTD for MEYERS, ROBERT			**2,247.00**		
MGT OF AMERICA, INC.				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	882687	3,000.00		
				STATE MANDATED COST CLAIMING	3,000.00
	Vendor Total		**3,000.00**		
FYTD for MGT OF AMERICA, INC.			**12,000.00**		
MICHAEL LANE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207855	1,500.00		
				SETTLEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for MICHAEL LANE			**1,500.00**		

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MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882688	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**2,316.58**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	5/9/2011	882689	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,442.67**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	5/9/2011	882690	178.47		
				PLAYGROUND EQUIP-PARKS	178.47
	Vendor Total		**178.47**		
FYTD for MIRACLE RECREATION EQUIPMENT			**7,909.18**		
MISTRETTA, ARTHUR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	882779	414.00		
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	18.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	48.00
				SPORTS OFFICIATING SVCS	24.00
				SPORTS OFFICIATING SVCS	36.00
	5/31/2011	882819	36.00		
				SPORTS OFFICIATING SVCS	36.00
	Vendor Total		**450.00**		
FYTD for MISTRETTA, ARTHUR			**3,096.00**		
MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	5/9/2011	882691	401.42		
				RETIREE MED MAY '11	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,415.62**		

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MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY CA**	
	5/9/2011	207744	4,216.25		
				EMERG PLUMBING REPAIRS-FS#91	380.00
				EMERG PLUMBING REPAIRS-FS#91	387.50
				EMERG PLUMBING REPAIRS-FS#91	246.25
				SHOWER REPAIR-FS #91	2,000.00
				SHOWER REPAIR-FS #91	600.00
				PLUMBING REPAIRS-PSB	100.00
				PLUMBING REPAIRS-PSB	502.50
	5/23/2011	207953	272.50		
				PLUMBING RPRS-FS #58	272.50
	Vendor Total		**4,488.75**		
FYTD for MONTGOMERY PLUMBING INC			**6,851.07**		
MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	5/9/2011	882692	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,506.03**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207856	120.00		
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
	Vendor Total		**120.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**28,840.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	5/6/2011	2852	1,562.00		
				MVCEA DUES 5/6/11	1,562.00
	5/20/2011	2860	1,556.50		
				MVCEA DUES 5/20/11	1,556.50
	Vendor Total		**3,118.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**37,602.50**		

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MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO CA**	
5/23/2011	882780	7,934.87		
			LEASE-FACILITIES ANNEX	2,458.97
			LEASE-TECH SVCS ANNEX	5,475.90
5/31/2011	882820	9,207.72		
			BLDG LEASE-SPCL DIST	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**188,568.49**		
MORENO VALLEY HISPANIC CHAMBER			Remit to: **MORENO VALLEY CA**	
5/23/2011	207954	100.00		
			REFUND-MBL STG RNTL DEP	100.00
	Vendor Total	**100.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER		**100.00**		
MORENO VALLEY PLUMBING SUPPLIES			Remit to: **MORENO VALLEY CA**	
5/16/2011	207857	38.02		
			REPAIR PARTS-WATER TRUCK	38.02
	Vendor Total	**38.02**		
FYTD for MORENO VALLEY PLUMBING SUPPLIES		**38.02**		
MORENO VALLEY UTILITY			Remit to: **HEMET CA**	
5/23/2011	207955	99.16		
			ELECTRICITY-UT FLD OFFICE	99.16
	Vendor Total	**99.16**		
FYTD for MORENO VALLEY UTILITY		**686,219.59**		
MORENO, MARIO			Remit to:	
5/9/2011	207745	590.00		
			PER DIEM-NARCOTIC INVESTIG TRN	590.00
	Vendor Total	**590.00**		
FYTD for MORENO, MARIO		**800.00**		
MORGAN, LISA A.			Remit to: **MENTONE CA**	
5/9/2011	882693	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,506.03**		

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MOSER, KEVIN				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207648	86.00		
				REFUND-ANIMAL SVCS FEES	30.00
				REFUND-ANIMAL SVCS FEES	10.00
				REFUND-ANIMAL SVCS FEES	20.00
				REFUND-ANIMAL SVCS FEES	16.00
				REFUND-ANIMAL SVCS FEES	10.00
	Vendor Total		**86.00**		
FYTD for MOSER, KEVIN			**86.00**		
MR. CLEAN, INC.				Remit to: **COLTON** **CA**	
	5/23/2011	207956	428.00		
				PRESSURE WASHING SVC-CRC	428.00
	Vendor Total		**428.00**		
FYTD for MR. CLEAN, INC.			**2,759.57**		
MUSICK, PEELER & GARRETT, LLP				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207858	3,200.00		
				LEGAL SERVICES-HR	2,800.00
				LEGAL SERVICES-HR	400.00
	Vendor Total		**3,200.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP			**30,299.34**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207859	1,053.00		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	81.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	243.00
	Vendor Total		**1,053.00**		
FYTD for MUSICSTAR			**7,139.97**		
MVBSA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208063	500.00		
				REFUND-RNTL DEP 5/13/11	500.00
	Vendor Total		**500.00**		
FYTD for MVBSA			**500.00**		

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NATIONAL LAW ENFORCEMENT SUPPLY, INC.			Remit to: **ALBANY** **NY**	
5/23/2011	207957	79.28		
			FORENSIC SUPPLIES-PD	69.81
			FORENSIC SUPPLIES-PD	9.47
			FORENSIC SUPPLIES-PD	6.94
			USED TAX ACCRUAL-PD	-6.94
	Vendor Total	**79.28**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.		**445.98**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
5/6/2011	2850	12,563.63		
			PST DEF COMP FOR FICA 5/6/11	12,563.63
5/6/2011	2851	24,738.16		
			DEF COMP-457 & 401(A) 5/6/11	24,738.16
5/20/2011	2858	13,615.20		
			PST DEF COMP FOR FICA 5/20/11	13,615.20
5/20/2011	2859	24,648.41		
			DEF COMP-457 & 401(A) 5/20/11	24,648.41
	Vendor Total	**75,565.40**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**762,631.06**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
5/9/2011	882694	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**3,506.03**		
NELSON, MICHELE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207649	106.91		
			GAS CHGS-4/4-4/8/11 TRNG CLASS	106.91
	Vendor Total	**106.91**		
FYTD for NELSON, MICHELE		**356.91**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
5/9/2011	882695	325.66		
			RETIREE MED MAY '11	325.66
	Vendor Total	**325.66**		
FYTD for NELSON, ROBERT		**3,461.90**		

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NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	5/9/2011	882696	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NELSON, TIMOTHY IVAN				Remit to: **GRAND TERRACE** **CA**	
	5/23/2011	207958	456.00		
				INSTRUCTION SVCS-12 DAYS	456.00
	Vendor Total		**456.00**		
FYTD for NELSON, TIMOTHY IVAN			**3,572.00**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	5/9/2011	207746	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882697	9.89		
				REFUND-UT USER TAXES	9.89
	Vendor Total		**9.89**		
FYTD for NEW HORIZON MOBILE HOME PARK			**68.38**		
NEW WORLD LANGUAGE SERVICES, INC				Remit to: **SAN BERNARDINO** **CA**	
	5/31/2011	208064	650.00		
				INTERPRETER SVCS-EDD	650.00
	Vendor Total		**650.00**		
FYTD for NEW WORLD LANGUAGE SERVICES, INC			**650.00**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207747	401.42		
				RETIREE MED MAY '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	5/23/2011	207959	6,079.12		
				NIGHT OPTICS-PD	5,590.00
				NIGHT OPTICS-PD	489.12
	Vendor Total		**6,079.12**		
FYTD for NIGHT GALAXY, INC.			**6,079.12**		

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NINYO & MOORE GEOTECHNICAL			Remit to: **SAN DIEGO** **CA**	
5/16/2011	207860	11,855.50		
			IRONWOOD AVE/STORM DRAIN PROJ	9,959.50
			IRONWOOD AVE/STORM DRAIN PROJ	1,896.00
	Vendor Total	**11,855.50**		
FYTD for NINYO & MOORE GEOTECHNICAL		**72,641.50**		
NOBLES, GARRETT			Remit to: **HEMET** **CA**	
5/23/2011	207961	69.87		
			MILEAGE REIMBURSEMENT	69.87
	Vendor Total	**69.87**		
FYTD for NOBLES, GARRETT		**683.05**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE** **CA**	
5/31/2011	882821	947.00		
			LEGAL SERVICES-RISK MGT	385.95
			LEGAL SERVICES-RISK MGT	561.05
	Vendor Total	**947.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**13,616.23**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH** **CA**	
5/9/2011	882698	6,800.00		
			PROPERTY APPRAISAL SVCS-FS #65	6,800.00
5/16/2011	882748	67.50		
			SR-60/NASON ST INTRCHNG PROJ	67.50
5/31/2011	882822	8,400.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	8,400.00
	Vendor Total	**15,267.50**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**131,305.25**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND** **CA**	
5/9/2011	882699	989.00		
			FERTILIZATION SVCS-ZONE E	302.97
			FERTILIZATION SVCS-ZONE E	550.15
			FERTILIZATION SVCS-ZONE E	112.61
			FERTILIZATION SVCS-ZONE E	23.27
	Vendor Total	**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**8,515.83**		
PACIFIC SAFETY COUNCIL			Remit to: **SAN DIEGO** **CA**	
5/16/2011	882749	380.00		
			ANNUAL MEMBERSHIP	380.00
	Vendor Total	**380.00**		
FYTD for PACIFIC SAFETY COUNCIL		**3,815.75**		

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PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
5/9/2011	882700	438.48		
			PAYPHONE SVCS	375.84
			PAYPHONE SVCS-PD	62.64
	Vendor Total	**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**4,823.28**		
PADILLA, JHOANA LIZBETH			Remit to: **EL MONTE** **CA**	
5/16/2011	207861	36.00		
			REFUND-CITATION OVRPMT	36.00
	Vendor Total	**36.00**		
FYTD for PADILLA, JHOANA LIZBETH		**36.00**		
PALAU, SHANNA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207862	248.50		
			PER DIEM-ICSC RECON CONVENTION	248.50
	Vendor Total	**248.50**		
FYTD for PALAU, SHANNA		**735.67**		
PALLIRETO, JANE			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207863	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for PALLIRETO, JANE		**404.50**		
PARKS, ALYSSIA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207864	47.00		
			REFUND-BELLY DANCING CLASS	47.00
	Vendor Total	**47.00**		
FYTD for PARKS, ALYSSIA		**47.00**		
PARSONS TRANSPORTATION GROUP, INC.			Remit to: **IRVINE** **CA**	
5/2/2011	207650	19,215.35		
			SR-60/MOR BCH DR INTRCHNG PROJ	2,286.05
			SR-60/MOR BCH DR INTRCHNG PROJ	16,929.30
	Vendor Total	**19,215.35**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**510,132.29**		
PATTERSON, ALFREY			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207748	229.88		
			RETIREE MED MAY '11	229.88
	Vendor Total	**229.88**		
FYTD for PATTERSON, ALFREY		**2,316.58**		

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PATTERSON, MICHAEL				Remit to: **PERRIS** **CA**	
	5/9/2011	207749	100.00		
				SPORTS OFFICIATING SVCS	40.00
				SPORTS OFFICIATING SVCS	60.00
	5/11/2011	207794	160.00		
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**260.00**		
FYTD for PATTERSON, MICHAEL			**820.00**		
PB AMERICAS, INC.				Remit to: **SAN BERNARDINO** **CA**	
	5/31/2011	208065	9,601.32		
				SR-60/NASON ST INTRCHNG PROJ	9,601.32
	Vendor Total		**9,601.32**		
FYTD for PB AMERICAS, INC.			**60,785.05**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	882630	5,621.00		
				VETERINARY SVCS-ANML SHLTR	5,621.00
	5/31/2011	882823	4,282.00		
				VETERINARY SVCS-ANML SHLTR	4,282.00
	Vendor Total		**9,903.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**87,965.00**		
PEERY, MATHEW				Remit to: **MENIFEE** **CA**	
	5/23/2011	207962	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PEERY, MATHEW			**20.00**		
PENA, IRIS				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207963	42.99		
				MILEAGE REIMBURSEMENT	42.99
	Vendor Total		**42.99**		
FYTD for PENA, IRIS			**688.88**		
PEREZ, DOMINIQUE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207865	55.00		
				REFUND-CITATION DISMISSED	55.00
	Vendor Total		**55.00**		
FYTD for PEREZ, DOMINIQUE			**55.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERRIS VALLEY PRINTING CO.				Remit to: **MENIFEE** **CA**	
	5/9/2011	207750	111.67		
				ENVELOPES-BLDG & SAFETY	111.67
	Vendor Total		**111.67**		
FYTD for PERRIS VALLEY PRINTING CO.			**1,670.97**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	5/9/2011	207751	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	5/9/2011	207752	458.63		
				LONG TERM CARE INSURANCE	458.63
	5/23/2011	207964	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**11,177.16**		

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PETTY CASH - FINANCE			Remit to: **MORENO VALLEY**	**CA**
5/31/2011	208066	964.43		
			PETTY CASH FUND REPLENISHMENT	33.32
			PETTY CASH FUND REPLENISHMENT	23.73
			PETTY CASH FUND REPLENISHMENT	22.96
			PETTY CASH FUND REPLENISHMENT	24.09
			PETTY CASH FUND REPLENISHMENT	23.73
			PETTY CASH FUND REPLENISHMENT	33.69
			PETTY CASH FUND REPLENISHMENT	35.00
			PETTY CASH FUND REPLENISHMENT	7.50
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.50
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	7.50
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	1.50
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	99.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	3.50
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	20.64
			PETTY CASH FUND REPLENISHMENT	10.71
			PETTY CASH FUND REPLENISHMENT	25.50
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	8.00
			PETTY CASH FUND REPLENISHMENT	25.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	23.75
			PETTY CASH FUND REPLENISHMENT	27.03
			PETTY CASH FUND REPLENISHMENT	21.42
			PETTY CASH FUND REPLENISHMENT	58.14
			PETTY CASH FUND REPLENISHMENT	41.82
			PETTY CASH FUND REPLENISHMENT	10.86
			PETTY CASH FUND REPLENISHMENT	56.98
			PETTY CASH FUND REPLENISHMENT	23.25
			PETTY CASH FUND REPLENISHMENT	65.61
			PETTY CASH FUND REPLENISHMENT	5.59
			PETTY CASH FUND REPLENISHMENT	5.47
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	37.64

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	964.43		
FYTD for PETTY CASH - FINANCE		5,984.24		
PEYREFITTE, OLIVIA			Remit to: **MORENO VALLEY CA**	
5/16/2011	207866	72.00		
			REFUND-PICNIC SHLTR FEE	35.00
			REFUND-PICNIC SHLTR FEE	37.00
	Vendor Total	72.00		
FYTD for PEYREFITTE, OLIVIA		72.00		
PIP PRINTING			Remit to: **MORENO VALLEY CA**	
5/31/2011	882824	4,123.97		
			PRINTING SVCS-SPCL DIST	4,015.27
			PRINTING SVCS-SPCL DIST	108.70
	Vendor Total	4,123.97		
FYTD for PIP PRINTING		7,548.20		
PIPS TECHNOLOGY, INC.			Remit to: **KNOXVILLE TN**	
5/23/2011	207965	3,215.82		
			REPAIR SVCS-PD	2,865.00
			REPAIR SVCS-PD	295.00
			REPAIR SVCS-PD	30.00
			REPAIR SVCS-PD	25.82
	Vendor Total	3,215.82		
FYTD for PIPS TECHNOLOGY, INC.		3,539.89		
PLAN TAG, INC.			Remit to: **WELLINGTON FL**	
5/31/2011	208067	39.45		
			PLAN TAGS-FIRE PREV	39.45
			PLAN TAGS-FIRE PREV	3.45
			PLAN TAGS-FIRE PREV	-3.45
	Vendor Total	39.45		
FYTD for PLAN TAG, INC.		39.45		
POIEMA LANDSCAPE, INC.			Remit to: **COLTON CA**	
5/23/2011	882781	3,843.15		
			LANDSCAPE MAINT-E12	2,131.00
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		46,426.35		

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POSTMASTER				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207651	2,340.00		
				POSTAGE FOR 2011-12 BALLOTS	100.00
				POSTAGE FOR 2011-12 BALLOTS	2,240.00
	Vendor Total		**2,340.00**		
FYTD for POSTMASTER			**38,499.87**		
PRICE, GEORGE E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882701	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,506.03**		
PRINCE, CHARLOTTE				Remit to: **MENIFEE** **CA**	
	5/23/2011	207966	140.00		
				REFUND-KICKBOXING	140.00
	Vendor Total		**140.00**		
FYTD for PRINCE, CHARLOTTE			**140.00**		
PROACTIVE ENGINEERING CONSULTANTS, INC.				Remit to: **CORONA** **CA**	
	5/16/2011	882750	3,978.00		
				CACTUS AVE WIDENING PROJ-STG 1	3,978.00
	Vendor Total		**3,978.00**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**66,229.94**		
PROPAC				Remit to: **CHARLESTON** **SC**	
	5/9/2011	207753	3,000.00		
				CERT KITS-EMERG MGT/VOL SVCS	2,567.50
				CERT KITS-EMERG MGT/VOL SVCS	432.50
				CERT KITS-EMERG MGT/VOL SVCS	224.65
				USED TAX ACCRUAL-EOC	-224.65
	Vendor Total		**3,000.00**		
FYTD for PROPAC			**3,000.00**		
PROTECTION ONE, INC.				Remit to: **WITCHITA** **KS**	
	5/23/2011	207967	42.00		
				MONITORING SVCS-PRO SHOP	21.00
				MONITORING SVCS-MVTV STUDIO	21.00
	Vendor Total		**42.00**		
FYTD for PROTECTION ONE, INC.			**446.00**		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	5/9/2011	882702	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,506.03**		
PVP COMMUNICATIONS, INC.				Remit to: **TORRANCE** **CA**	
	5/23/2011	207968	17,291.25		
				HELMET KITS-PD	7,950.00
				MOTOR KITS-PD	7,950.00
				SALES TAX-PD	1,391.25
	Vendor Total		**17,291.25**		
FYTD for PVP COMMUNICATIONS, INC.			**17,291.25**		
QUALITY CODE PUBLISHING, LLC				Remit to: **SEATTLE** **WA**	
	5/2/2011	882631	2,778.28		
				MUN CODE SUPPLEMENTS-CITY CLKS	358.22
				MUN CODE SUPPLEMENTS-CITY CLKS	2,420.06
	Vendor Total		**2,778.28**		
FYTD for QUALITY CODE PUBLISHING, LLC			**7,320.06**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207867	155.00		
				PER DIEM-VEH. HOMICIDE SEMINAR	155.00
	Vendor Total		**155.00**		
FYTD for RAFAEL LOPEZ			**155.00**		
RAINBOW VALLEY HEROES				Remit to: **KANSAS CITY** **MO**	
	5/31/2011	208068	449.95		
				SAFETY EDUC VIDEOS-PD	449.95
				SAFETY EDUC VIDEOS-PD	39.37
				SAFETY EDUC VIDEOS-USED TAX	-39.37
	Vendor Total		**449.95**		
FYTD for RAINBOW VALLEY HEROES			**449.95**		
RALLY MANAGEMENT SERVICES, LLC				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/2/2011	882632	754.92		
				TEMP SVCS-J RODRIGUEZ W/E 4/10	754.92
	5/9/2011	882703	1,114.56		
				TEMP SVCS-R HENDERSON W/E 4/17	359.64
				TEMP SVCS-J RODRIGUEZ W/E 4/17	138.72
				TEMP SVCS-J RODRIGUEZ W/E 4/17	616.20
	Vendor Total		**1,869.48**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**65,000.03**		

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RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207868	297.00		
				INSTRUCTOR SVCS-TAE KWON DO	270.00
				INSTRUCTOR SVCS-TAE KWON DO	7.00
				INSTRUCTOR SVCS-TAE KWON DO	20.00
	5/31/2011	208069	663.00		
				INSTRUCTOR SVCS-TAE KWON DO	216.00
				INSTRUCTOR SVCS-TAE KWON DO	27.00
				INSTRUCTOR SVCS-TAE KWON DO	420.00
	Vendor Total		**960.00**		
FYTD for RAMOS, ROBERTO			**1,683.00**		
RANSOM RENTALS				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207652	55.29		
				REFUND-BUS LIC OVRPMT	55.29
	Vendor Total		**55.29**		
FYTD for RANSOM RENTALS			**55.29**		
RAYMOND, DENISE M.				Remit to: **REDLANDS** **CA**	
	5/31/2011	208070	413.34		
				TRAVEL EXP.-CHAMELEON CONF.	93.84
				TRAVEL EXP.-CHAMELEON CONF.	319.50
	Vendor Total		**413.34**		
FYTD for RAYMOND, DENISE M.			**413.34**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207754	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**2,231.11**		
REDBOX AUTOMATED RETAIL, LLC				Remit to: **OAKBROOK TERRACE** **IL**	
	5/9/2011	207755	61.00		
				REFUND-BUS LIC OVRPMT	61.00
	Vendor Total		**61.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**309.00**		
REED, ALICIA S.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207756	9,580.36		
				RETIREE MED JAN'08-DEC'10	9,580.36
	Vendor Total		**9,580.36**		
FYTD for REED, ALICIA S.			**9,580.36**		

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RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207757	75.00		
			SHADOW MTN PARK LIGHTING PROJ	75.00
	Vendor Total	**75.00**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**17,607.94**		
RIGHTWAY SITE SERVICES, INC.			Remit to: **LAKE ELSINORE** **CA**	
5/23/2011	207969	194.13		
			PORTABLE RNTL-GOLF COURSE	72.38
			PORTABLE RNTL-PW	20.00
			PORTABLE RNTL-PW	100.00
			PORTABLE RNTL-PW	1.75
	Vendor Total	**194.13**		
FYTD for RIGHTWAY SITE SERVICES, INC.		**338.89**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207653	5,000.00		
			ENCR PERMIT 3276 FILE FEE/DEP.	5,000.00
5/23/2011	207970	50.40		
			REQ 53959-ELECTR UTIL-DRAWINGS	50.40
	Vendor Total	**5,050.40**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**99,469.62**		
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
5/19/2011	110505	13,503.50		
			RETENTN PYMT PER ESCROW AGRMNT	13,503.50
	Vendor Total	**13,503.50**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**3,393,302.50**		
RIVERSIDE COUNTY ASSESSOR			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207758	3.00		
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
	Vendor Total	**3.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR		**327.00**		
RIVERSIDE COUNTY CLERK			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208071	2,108.00		
			NEG DECLAR.-IRONWOOD AVE PROJ	2,108.00
	Vendor Total	**2,108.00**		
FYTD for RIVERSIDE COUNTY CLERK		**4,216.00**		

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RIVERSIDE COUNTY CLERK/RECORDER			Remit to: **RIVERSIDE**	**CA**
5/23/2011	207971	0.00		
			LIEN RELEASE FEE-CODE	13.00
			LIEN RELEASE FEE-FIRE PREV	13.00
			LIEN RELEASE FEE-FIRE PREV	13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
5/31/2011	208072	13.00		
			LIEN RELEASE FEE-CODE	13.00
5/31/2011	208073	13.00		
			LIEN RELEASE FEE-FIRE PREV	13.00
5/31/2011	208074	13.00		
			LIEN RELEASE FEE-FIRE PREV	13.00
5/31/2011	208075	13.00		
			LIEN RELEASE	13.00
5/31/2011	208076	13.00		
			LIEN RELEASE	13.00
5/31/2011	208077	133.00		
			COPY FEES-EDD	133.00
	Vendor Total	**198.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**698.00**		
RIVERSIDE COUNTY ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE**	**CA**
5/16/2011	207869	145.00		
			COTTONWOOD GOLF CTR INSPECTION	145.00
	Vendor Total	**145.00**		
FYTD for RIVERSIDE COUNTY ENVIRONMENTAL HEALTH		**145.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207759	1,769.45		
			RADIOS SERVICE-PD	1,769.45
5/31/2011	208078	2,012.38		
			RADIO LEASE/MAINT-TELECOMM	170.10
			RADIO LEASE/MAINT-TELECOMM	9.45
			RADIO LEASE/MAINT-TELECOMM	33.12
			RADIO SVCS-PD	1,769.45
			VPN CONNECTION-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**23,293.43**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
5/31/2011	882825	8,523.69		
			BOOKING FEES-PD	8,523.69
	Vendor Total	**8,523.69**		
FYTD for RIVERSIDE COUNTY SHERIFF		**22,423,469.84**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207654	444.00		
			REGISTR-T.C.I.-BASIC COURSE	182.00
			REGISTR-BICYCLE PATROL COURSE	131.00
			REGISTR-BICYCLE PATROL COURSE	131.00
5/9/2011	207760	435.00		
			REG.-FIELD TRNG OFFICER UPDATE	75.00
			REG.-FIELD TRNG OFFICER UPDATE	75.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
5/23/2011	207972	88.00		
			REGISTR-RADAR OPER. TRNG CLASS	88.00
	Vendor Total	**967.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**11,485.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207761	1,041.25		
			GARNISHMENT	141.31
			GARNISHMENT	170.95
			GARNISHMENT	206.22
			GARNISHMENT	522.77
5/23/2011	207973	851.85		
			GARNISHMENT	131.46
			GARNISHMENT	167.28
			GARNISHMENT	34.58
			GARNISHMENT	518.53
	Vendor Total	**1,893.10**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**19,254.13**		
RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	207974	1,244.68		
			EXTRA DUTY SVC-PD	282.68
			EXTRA DUTY SVC-PD	312.00
			EXTRA DUTY SVC-PD	650.00
	Vendor Total	**1,244.68**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**180,133.97**		

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RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
5/23/2011	882782	41.28		
			GREEN STAMP-PW LAND DEV	13.46
			GREEN STAMP-PW LAND DEV	6.00
			GREEN STAMP-PW LAND DEV	1.18
			GREEN STAMP-PW SOLID WASTE	13.46
			GREEN STAMP-PW SOLID WASTE	6.00
			GREEN STAMP-PW SOLID WASTE	1.18
	Vendor Total	**41.28**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**208.27**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
5/23/2011	882783	5,704.00		
			TEMP STAFFING SVCS-CAP PROJCTS	5,704.00
	Vendor Total	**5,704.00**		
FYTD for RLZ ENGINEERING		**66,681.00**		
ROBINSON, JOAQUIN DIEGO			Remit to: **RIVERSIDE** **CA**	
5/23/2011	207975	228.00		
			INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total	**228.00**		
FYTD for ROBINSON, JOAQUIN DIEGO		**1,976.00**		
ROBINSON-DAVIS, YAVONNE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207655	270.81		
			MILEAGE REIMBURSEMENT	57.12
			MILEAGE REIMBURSEMENT	67.32
			MILEAGE REIMBURSEMENT	146.37
5/23/2011	207976	157.59		
			MILEAGE REIMBURSEMENT	157.59
	Vendor Total	**428.40**		
FYTD for ROBINSON-DAVIS, YAVONNE		**428.40**		
ROCHA, ASHLEY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207977	54.50		
			REFUND-CITATION DISMISSED	54.50
	Vendor Total	**54.50**		
FYTD for ROCHA, ASHLEY		**54.50**		
RODRIGUEZ, HECTOR			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207978	80.00		
			SPORTS OFFICIATING SVCS	80.00
	Vendor Total	**80.00**		
FYTD for RODRIGUEZ, HECTOR		**1,240.00**		

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RODRIGUEZ, LAUREN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208079	70.89		
				MILEAGE REIMBURSEMENT	70.89
	Vendor Total		**70.89**		
FYTD for RODRIGUEZ, LAUREN			**853.92**		
RODRIGUEZ, WILLIAM				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207870	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for RODRIGUEZ, WILLIAM			**54.50**		
ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	5/9/2011	882705	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**3,506.03**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207871	59.67		
				MILEAGE REIMBURSEMENT	59.67
	Vendor Total		**59.67**		
FYTD for ROGERS, KIANNA			**1,135.20**		
ROMO, SANDRA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207656	57.00		
				REFUND-CLASS REGISTR FEES`	57.00
	Vendor Total		**57.00**		
FYTD for ROMO, SANDRA			**57.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882706	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,506.03**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	5/9/2011	882707	270.80		
				RETIREE MED MAY '11	174.30
				RETIREE MED MAY '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**3,188.76**		

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RUPPLE, KRISTIN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208080	175.00		
				REFUND-RNTL DEP 5/7/11	175.00
	Vendor Total		**175.00**		
FYTD for RUPPLE, KRISTIN			**175.00**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	5/9/2011	882708	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**3,417.18**		
RUVALCABA, RAFAEL				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207979	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for RUVALCABA, RAFAEL			**1,824.00**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	5/9/2011	207762	980.33		
				LIGHTING MAINT-ZONE M	125.00
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHT REPAIRS-E7	250.33
				LIGHT REPAIRS-E1	105.00
	Vendor Total		**980.33**		
FYTD for RYMAX ELECTRIC, INC.			**9,567.95**		
S & S CONSTRUCTION				Remit to: **GRAND TERRACE** **CA**	
	5/9/2011	207763	1,400.76		
				DEMO/REPLACE 3 DOORS-GATEWY PK	1,400.76
	Vendor Total		**1,400.76**		
FYTD for S & S CONSTRUCTION			**1,400.76**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	5/31/2011	882826	7,500.00		
				TEMP STAFFING SVCS-CAP PROJCTS	7,500.00
	Vendor Total		**7,500.00**		
FYTD for SA ASSOCIATES			**117,675.00**		

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SABRE LIGHTING AND SIGNS				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208081	508.49		
				SIGNS-STARS	508.49
	Vendor Total		**508.49**		
FYTD for SABRE LIGHTING AND SIGNS			**17,782.98**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	5/9/2011	207792	1,750.33		
				TRAFFIC SIGNS	1,750.33
	Vendor Total		**1,750.33**		
FYTD for SAFEWAY SIGN CO.			**8,484.63**		
SAGASTUME, MARIO				Remit to: **HEMET** **CA**	
	5/23/2011	207980	418.00		
				INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total		**418.00**		
FYTD for SAGASTUME, MARIO			**1,482.00**		
SALGADO, LIZETH				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207764	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SALGADO, LIZETH			**75.00**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207657	195.60		
				INSTRUCTOR SVCS-ZUMBA	195.60
	5/31/2011	208082	264.00		
				INSTRUCTOR SVCS-ZUMBA	264.00
	Vendor Total		**459.60**		
FYTD for SALMAN, CLAUDIA			**982.80**		
SAN MIGUEL, HENRY				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207765	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SAN MIGUEL, HENRY			**50.00**		
SANCHEZ, ALBERTO				Remit to: **SOUTH GATE** **CA**	
	5/31/2011	208083	200.00		
				REFUND-ADMIN CITATION	200.00
	Vendor Total		**200.00**		
FYTD for SANCHEZ, ALBERTO			**200.00**		

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SANTANA, VIRGINIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207872	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SANTANA, VIRGINIA			**20.00**		
SCHOENFELDER, LAURA				Remit to: **PERRIS** **CA**	
	5/31/2011	208084	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for SCHOENFELDER, LAURA			**532.00**		
SCMAF - INLAND VALLEY				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/2/2011	207658	525.00		
				YTH BASKETBALL TOURN-PARKS	525.00
	Vendor Total		**525.00**		
FYTD for SCMAF - INLAND VALLEY			**645.00**		
SECRETARY OF STATE - STMT OF INFO UNIT				Remit to: **SACRAMENTO** **CA**	
	5/5/2011	207687	20.00		
				SI-100 FILING FEE	20.00
	Vendor Total		**20.00**		
FYTD for SECRETARY OF STATE - STMT OF INFO UNIT			**20.00**		
SECTRAN SECURITY, INC				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	207659	477.00		
				TRANSPORT SVCS-PARKS	159.00
				TRANSPORT SVCS-UTILITY	159.00
				TRANSPORT SVCS-TREASURY	159.00
	5/31/2011	208085	477.00		
				TRANSPORT SVCS-PARKS	159.00
				TRANSPORT SVCS-MVU	159.00
				TRANSPORT SVCS-TREASURY	159.00
	Vendor Total		**954.00**		
FYTD for SECTRAN SECURITY, INC			**5,598.00**		
SECURITY LOCK & KEY				Remit to: **YUCAIPA** **CA**	
	5/9/2011	882710	60.00		
				REKEYING SVCS-EOC	60.00
	5/16/2011	882752	187.88		
				LOCK SERVICE-PARKS	67.88
				LOCK SERVICE-PARKS	120.00
	Vendor Total		**247.88**		
FYTD for SECURITY LOCK & KEY			**4,203.10**		

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SHAH, JAGDISH				Remit to: **DIAMOND BAR** **CA**	
	5/31/2011	882827	720.00		
				TEMP STAFFING SVCS-CAP PROJCTS	720.00
	Vendor Total		**720.00**		
FYTD for SHAH, JAGDISH			**151,920.00**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	5/9/2011	207766	174.30		
				RETIREE MED MAY '11	174.30
	Vendor Total		**174.30**		
FYTD for SHARRETT, SHARON K.			**2,031.66**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	5/9/2011	207767	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	5/2/2011	207661	1,918.07		
				FUEL PURCHASES	1,918.07
	5/23/2011	207981	1,578.73		
				FUEL PURCHASES	1,578.73
	5/23/2011	207982	193.47		
				FUEL PURCHASES	193.47
	Vendor Total		**3,690.27**		
FYTD for SHELL OIL CO.			**18,188.84**		
SHINDLEDECKER, EMILY				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207662	47.00		
				REFUND-GUITAR CLASS CANC.	47.00
	Vendor Total		**47.00**		
FYTD for SHINDLEDECKER, EMILY			**47.00**		
SHURTLEFF, JEANNETTE L.				Remit to: **LAKE ELSINORE** **CA**	
	5/23/2011	882784	418.00		
				INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total		**418.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**5,092.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SINGLETON-DECUIR, JANISHEIA				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	882785	47.43		
				MILEAGE REIMBURSEMENT	47.43
	Vendor Total		**47.43**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**723.89**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207768	525.00		
				ADVERTISING SVCS-PW SOLID WST	525.00
	5/31/2011	208087	8,770.00		
				PRINTING SVCS-PARKS	8,770.00
	Vendor Total		**9,295.00**		
FYTD for SKY PUBLISHING			**64,324.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882711	53.67		
				REFUND-UT USER TAXES	53.67
	Vendor Total		**53.67**		
FYTD for SKY TRAILS MOBILE VILLAGE			**462.94**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882712	637.46		
				RETIREE MED MAR-APR '11	637.46
	Vendor Total		**637.46**		
FYTD for SLAGERMAN, SUSAN A.			**3,506.03**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882713	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,487.19**		
SMUS, PAULA				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207873	59.47		
				MILEAGE REIMBURSEMENT	59.47
	Vendor Total		**59.47**		
FYTD for SMUS, PAULA			**383.55**		
SOCALS SIGNS & DESIGNS, INC				Remit to: **MONTCLAIR** **CA**	
	5/16/2011	207874	154.00		
				PERMIT FEES-EOC ADDRSS NUMBERS	154.00
	Vendor Total		**154.00**		
FYTD for SOCALS SIGNS & DESIGNS, INC			**2,147.13**		

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SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	5/2/2011	882633	8,810.76		
				FUEL PURCHASE	8,810.76
	5/16/2011	882753	23,935.96		
				FUEL PURCHASE	8,922.16
				FUEL PURCHASE	9,283.11
				FUEL PURCHASE	8,670.59
				CREDIT ON ACCOUNT	-2,939.90
	5/23/2011	882786	8,768.33		
				FUEL PURCHASE	8,768.33
	Vendor Total		**41,515.05**		
FYTD for SOCO GROUP, INC			**318,053.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207663	180.60		
				INSTRUCTOR SVCS-YOGA	180.60
	Vendor Total		**180.60**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**980.40**		
SOSA, HUGO				Remit to: **ELK GROVE** **CA**	
	5/23/2011	207983	600.00		
				INSTRUCTOR SVCS-KARATEDO	210.00
				INSTRUCTOR SVCS-KARATEDO	150.00
				INSTRUCTOR SVCS-KARATEDO	240.00
	Vendor Total		**600.00**		
FYTD for SOSA, HUGO			**1,530.00**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/2/2011	207664	4,475.08		
			ELECTRICITY	21.11
			ELECTRICITY	22.19
			ELECTRICITY	912.18
			ELECTRICITY	1,270.25
			ELECTRICITY	113.57
			ELECTRICITY	174.99
			ELECTRICITY	737.25
			ELECTRICITY	139.86
			ELECTRICITY	810.54
			ELECTRICITY	110.28
			ELECTRICITY	96.20
			ELECTRICITY	66.66
5/9/2011	207769	6,412.86		
			ELECTRICITY	134.38
			ELECTRICITY	159.09
			ELECTRICITY	22.57
			ELECTRICITY	1,467.28
			ELECTRICITY	471.64
			ELECTRICITY	907.23
			ELECTRICITY	883.73
			ELECTRICITY	362.78
			ELECTRICITY	381.99
			ELECTRICITY	300.62
			ELECTRICITY	22.33
			ELECTRICITY	958.98
			ELECTRICITY	189.86
			ELECTRICITY	86.90
			ELECTRICITY	63.48
5/9/2011	207770	1,179.58		
			LINE EXT.-SUNNYMD RANCH T/SIG.	1,179.58
5/23/2011	207984	515.78		
			SVC FEED FOR TRAF CONTROLLER	515.78
5/23/2011	207985	4,705.86		
			ST. LIGHTS INSTALL.-HEACOCK ST	4,705.86
5/23/2011	207986	22,877.97		
			ELECTRIC CHARGES	329.73
			ELECTRICITY	181.82
			ELECTRICITY	5,317.44
			ELECTRICITY	749.79
			ELECTRICITY	2,168.32
			ELECTRICITY	19.24
			ELECTRICITY	2,228.10
			ELECTRICITY	618.19
			ELECTRICITY	1,945.14
			ELECTRICITY	817.07
			ELECTRICITY	162.17
			ELECTRICITY	4,568.74
			ELECTRICITY	195.86
			ELECTRICITY	303.66
			ELECTRICITY	1,775.17

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	279.84
			ELECTRICITY	408.41
			ELECTRICITY	484.32
			ELECTRICITY	174.52
			ELECTRICITY	150.44
5/31/2011	208088	3,275.03		
			ELECTRICITY	53.21
			ELECTRICITY	29.47
			ELECTRICITY	21.11
			ELECTRICITY	23.79
			ELECTRICITY	811.91
			ELECTRICITY	647.52
			ELECTRICITY	112.61
			ELECTRICITY	174.19
			ELECTRICITY	666.70
			ELECTRICITY	138.69
			ELECTRICITY	374.75
			ELECTRICITY	107.03
			ELECTRICITY	47.63
			ELECTRICITY	66.42
	Vendor Total	**43,442.16**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,062,356.10**		

SOUTHERN CALIFORNIA GAS CO. Remit to: **MONTEREY PARK CA**

5/23/2011	207987	6,502.01		
			GAS CHARGES	1,126.14
			GAS CHARGES	2,920.32
			GAS CHARGES	21.19
			GAS CHARGES	32.19
			GAS CHARGES	445.30
			GAS CHARGES	200.01
			GAS CHARGES	64.73
			GAS CHARGES	281.31
			GAS CHARGES	95.31
			GAS CHARGES	119.37
			GAS CHARGES	122.82
			GAS CHARGES	113.38
			GAS CHARGES	243.90
			GAS CHARGES	137.09
			GAS CHARGES	28.44
			GAS CHARGES	550.51
	Vendor Total	**6,502.01**		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**74,546.69**		

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SPARKLETTS				Remit to: **DALLAS** **TX**	
	5/2/2011	207665	28.03		
				WATER SVCS-ARAMADA ELEM	14.39
				WATER SVCS-CREEKSIDE ELEM	13.64
	5/9/2011	207771	14.00		
				WATER SVCS-EOC	4.50
				WATER SVCS-EOC	4.50
				WATER SVCS-PARKS MAINT	5.00
	5/23/2011	207988	9.61		
				WATER SVCS-SNNYMD ELEM	9.61
	5/31/2011	208089	25.32		
				WATER SVCS-PARKS	14.46
				WATER SVCS-PARKS	10.86
	Vendor Total		**76.96**		
FYTD for SPARKLETTS			**643.45**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882714	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,506.03**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882715	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**2,316.58**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	5/31/2011	208090	30.00		
				SUBPOENA COMPLIANCE	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	5/2/2011	882634	670.52		
				CELL PHONE SVCS-GANG TASK FRC	61.57
				CELL PHONE SVCS-PD/SET	608.95
	5/23/2011	882787	608.19		
				CELL PH CHARGES-PD/SET	608.19
	Vendor Total		**1,278.71**		
FYTD for SPRINT/NEXTEL			**5,191.62**		

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ST. CHRISTOPHER CHURCH			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207666	750.00		
			REFUND-RNTL DEP 4/15/11 EVENT	750.00
	Vendor Total	**750.00**		
FYTD for ST. CHRISTOPHER CHURCH		**1,500.00**		
STANDARD INSURANCE CO			Remit to: **PORTLAND** **OR**	
5/2/2011	207667	1,888.14		
			SUPPLEMENTAL INSURANCE	1,888.14
	Vendor Total	**1,888.14**		
FYTD for STANDARD INSURANCE CO		**386,673.79**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882635	400.08		
			MONITORING SVCS-MORRISON PARK	227.16
			MONITORING SVCS-BETHUNE PARK	172.92
5/9/2011	882716	2,599.15		
			MONITORING SVCS-FS #58	596.00
			MONITORING SVCS-FS #58	117.10
			MONITORING SVCS-EOC	110.00
			MONITORING SVCS-TECH SVCS	234.00
			MONITORING SVCS-RED MAPLE PRTB	354.00
			MONITORING SVCS-FAC ANNEX	207.00
			MONITORING SVCS-CITY HALL	376.50
			MONITORING SVCS-LIBRARY	329.55
			MONITORING SVCS-STARS	275.00
	Vendor Total	**2,999.23**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**25,942.84**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
5/2/2011	207668	5,834.21		
			ELECTRICAL ENERGY SURCHARGE	5,834.21
5/26/2011	43011	4,455.00		
			SALES & USE TAX 4/1-4/30/11	4,455.00
	Vendor Total	**10,289.21**		
FYTD for STATE BOARD OF EQUALIZATION		**38,774.52**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
5/12/2011	2849	2,133.09		
			CHILD SUPPORT W/H 5/12/11	2,133.09
5/26/2011	2857	2,195.46		
			CHILD SUPPORT W/H 5/26/11	2,195.46
	Vendor Total	**4,328.55**		
FYTD for STATE DISBURSEMENT UNIT		**38,260.13**		

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STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO**	**CA**
5/23/2011	207989	125.00		
			CIVIL ENG LICENSE RNWL-VOGT	125.00
5/31/2011	208092	375.00		
			CIVIL ENG LICENSE RNWL-SAMBITO	125.00
			CIVIL ENG LICENSE RNWL-JIMENEZ	125.00
			CIVIL ENG LICENSE RNWL-NGUYEN	125.00
	Vendor Total	**500.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**500.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO**	**CA**
5/9/2011	207773	665.00		
			BLOOD ALCHL ANLYS-PD	665.00
	Vendor Total	**665.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**57,322.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO**	**CA**
5/23/2011	207990	625.00		
			REFUND-MVU/T MAXWELL	33.62
			REFUND-MVU/M WILLIAMS	80.06
			REFUND-MVU/K THORNTON	200.55
			REFUND-MVU/N AVERY	250.59
			REFUND-MVU/L HERNANDEZ	60.18
	Vendor Total	**625.00**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,493.73**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA**	**CA**
5/23/2011	207991	3,445.44		
			TRANSCRIPTION SVCS-PD	3,445.44
	Vendor Total	**3,445.44**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**33,200.80**		
STERICYCLE (BFI)			Remit to: **LOUISVILLE**	**KY**
5/23/2011	882788	622.78		
			WASTE PICK UP SVCS	622.78
	Vendor Total	**622.78**		
FYTD for STERICYCLE (BFI)		**6,454.21**		

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STEWART, CASSIE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207669	20.00		
				REFUND-RABIES DEPOSIT	20.00
	5/23/2011	207992	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for STEWART, CASSIE			**95.00**		
STEWART, CLIFFORD				Remit to: **GLENDALE** **AZ**	
	5/9/2011	882717	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for STEWART, CLIFFORD			**2,845.94**		
STK ARCHITECTURE, INC.				Remit to: **SAN JACINTO** **CA**	
	5/9/2011	882718	12,054.75		
				MORRISON PRK FIRE STATION PROJ	12,054.75
	Vendor Total		**12,054.75**		
FYTD for STK ARCHITECTURE, INC.			**364,857.55**		
STOWERS, FREDERICK				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207993	300.00		
				REFUND-RNTL DEP 3/28/11	300.00
	Vendor Total		**300.00**		
FYTD for STOWERS, FREDERICK			**300.00**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	5/16/2011	882754	4,452.50		
				CONSULTING SVCS-EDD	4,452.50
	5/23/2011	882789	260.00		
				CONSULTING SVCS-TREASURY	260.00
	Vendor Total		**4,712.50**		
FYTD for STRICKLER ASSOCIATION, THE			**37,017.50**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	882719	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**3,506.03**		

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STROM, BONNIE				Remit to: **COLTON** **CA**	
	5/9/2011	207793	1,158.00		
				RETIREE MED JAN-DEC '10	1,158.00
	Vendor Total		**1,158.00**		
FYTD for STROM, BONNIE			**1,158.00**		
STUCKEY, HARRIETTE				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207670	134.40		
				INSTRUCTOR SVCS-LINE DANCING	50.40
				INSTRUCTOR SVCS-LINE DANCING	33.60
				INSTRUCTOR SVCS-LINE DANCING	50.40
	Vendor Total		**134.40**		
FYTD for STUCKEY, HARRIETTE			**688.80**		
STUMPS, EDITH				Remit to: **CORONA** **CA**	
	5/31/2011	208094	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for STUMPS, EDITH			**95.00**		
SUMI, ERIC				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207878	47.00		
				REFUND-GUITAR CLASS	47.00
	Vendor Total		**47.00**		
FYTD for SUMI, ERIC			**47.00**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207671	18.48		
				MISC SUPPLIES-PD	18.48
	5/9/2011	207774	36.05		
				MISC SUPPLIES-PD	36.05
	5/23/2011	207994	57.28		
				MISC SUPPLIES-PD	3.68
				MISC SUPPLIES-PD	29.86
				MISC SUPPLIES-PD	26.34
				CREDIT ON ACCOUNT	-2.60
	5/31/2011	208095	88.90		
				MISC SUPPLIES-FIRE	29.33
				MISC SUPPLIES-PD	26.43
				MISC SUPPLIES-PD	23.37
				MISC SUPPLIES-PD	9.77
	Vendor Total		**200.71**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,075.16**		

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SYNNOTT, MARY				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207775	161.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	16.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**161.00**		
FYTD for SYNNOTT, MARY			**161.00**		
TAMAS, JOCELYNE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207776	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for TAMAS, JOCELYNE			**20.00**		
TARMAN, KANDYCE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207879	76.00		
				REFUND-ANIMAL ADOPTION FEES	30.00
				REFUND-ANIMAL ADOPTION FEES	10.00
				REFUND-ANIMAL ADOPTION FEES	20.00
				REFUND-ANIMAL ADOPTION FEES	16.00
	Vendor Total		**76.00**		
FYTD for TARMAN, KANDYCE			**76.00**		
TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	5/31/2011	208096	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**62,500.00**		
THE WALKING MAN, INC				Remit to: **LOS ANGELES** **CA**	
	5/23/2011	207995	685.00		
				DISTR. OF DOOR HANGERS-E1 & E4	685.00
	Vendor Total		**685.00**		
FYTD for THE WALKING MAN, INC			**19,775.00**		

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THERMAL-COOL INC.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207777	100.00		
				AC UNIT SVC-SUNNYMD SNACK BAR	100.00
	5/23/2011	207996	230.00		
				SMOKE DET REPAIRS-ANIMAL SHLTR	115.00
				THERMOSTAT REPAIR-CITY MGR OFF	115.00
	Vendor Total		**330.00**		
FYTD for THERMAL-COOL INC.			**6,943.02**		
TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	5/9/2011	207778	19,137.50		
				CITY HALL HVAC SYSTEM REDESIGN	19,137.50
	Vendor Total		**19,137.50**		
FYTD for TMAD TAYLOR & GAINES			**34,732.50**		
TORRES, GABBY				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207880	750.00		
				REFUND-RNTL DEP 4/30/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for TORRES, GABBY			**750.00**		
TOUCHARD, GWENDOLYN G.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207779	413.08		
				GARNISHMENT REFUND	413.08
	Vendor Total		**413.08**		
FYTD for TOUCHARD, GWENDOLYN G.			**413.08**		
TOVAR, CHRISTINE				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207997	750.00		
				REFUND-RNTL DEP 5/7/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for TOVAR, CHRISTINE			**750.00**		
TRACSYSTEMS, INC.				Remit to: **ADDISON** **TX**	
	5/16/2011	207881	1,500.00		
				PHAROS SOFTWARE REMOTE INSTALL	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TRACSYSTEMS, INC.			**5,419.50**		

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TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208098	1,864.80		
				INSTRUCTOR SVCS-BALLET INTERMD	111.00
				INSTRUCTOR SVCS-BALLET	199.80
				INSTRUCTOR SVCS-BALLET/ACRO	155.40
				INSTRUCTOR SVCS-BALLET/JAZZ	177.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	288.60
				INSTRUCTOR SVCS-HIP HOP DANCE	288.60
	Vendor Total		**1,864.80**		
FYTD for TRICHE, TARA			**19,904.52**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207672	95.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR EVENT-CTR#18062	45.00
	5/16/2011	207882	25.00		
				LINEN SVCS FOR CRC	25.00
	5/23/2011	207998	91.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR EVENT-CTR#18037	66.00
	5/31/2011	208097	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**261.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,974.55**		
TROPICAL PLAZA NURSERY, INC.				Remit to: **VILLA PARK** **CA**	
	5/16/2011	207883	16,131.76		
				LNDSCP MAINT-ZONE E-2	15,700.00
				IRRIG REPAIRS-ZONE E-2	431.76
	Vendor Total		**16,131.76**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**195,845.16**		

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TRUGREEN LANDCARE				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882755	2,485.00		
				LNDSCP MAINT-ZONE E-16	2,485.00
	5/23/2011	882790	400.00		
				EMERG. RMVL OF TREES-TR. 30027	400.00
	5/23/2011	882791	11,485.38		
				LNDSCP MAINT-ZONE M	5,409.85
				LNDSCP MAINT-ZONE DSG-1	6,075.53
	Vendor Total		**14,370.38**		
FYTD for TRUGREEN LANDCARE			**243,063.28**		
TRUJILLO, PETE				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207999	77.00		
				REFUND-DOG TRNG CLASS CANC.	77.00
	Vendor Total		**77.00**		
FYTD for TRUJILLO, PETE			**77.00**		
TULDANES, JOSELENE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208099	112.00		
				REFUND-GED TEST CLASS	112.00
	Vendor Total		**112.00**		
FYTD for TULDANES, JOSELENE			**112.00**		
TUNTLAND, JAMES				Remit to: **PRESCOTT** **AZ**	
	5/9/2011	882721	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for TUNTLAND, JAMES			**2,845.94**		
TURBOSCAPE, INC.				Remit to: **SANTA CLARA** **UT**	
	5/9/2011	882722	0.00		
				MULCHING IN ZONE E-1	1,338.50
				MULCHING IN ZONE E-4	13,385.00
				MULCHING IN ZONE E-12	2,275.45
				VOIDED CHECK #882722 - 5/16/11	-1,338.50
				VOIDED CHECK #882722 - 5/16/11	-13,385.00
				VOIDED CHECK #882722 - 5/16/11	-2,275.45
	5/16/2011	207896	16,998.95		
				MULCHING IN ZONE E-1	1,338.50
				MULCHING IN ZONE E-4	13,385.00
				MULCHING IN ZONE E-12	2,275.45
	Vendor Total		**16,998.95**		
FYTD for TURBOSCAPE, INC.			**21,817.55**		

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TURNBOW, LISA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207884	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TURNBOW, LISA			**1,500.00**		
U.S. HEALTHWORKS MEDICAL GROUP				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207885	750.00		
				EMPLOYEE DOT EXAM	65.00
				PRE-EMPLOYMENT PHYSICALS	245.00
				PRE-EMPLOYMENT PHYSICALS	330.00
				PRE-EMPLOYMENT PHYSICALS	110.00
	5/23/2011	208000	200.00		
				PRE-EMPLOYMENT PHYSICALS	200.00
	5/31/2011	208100	65.00		
				EMPLOYEE DOT EXAM	65.00
	Vendor Total		**1,015.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**13,170.00**		
UNION BANK OF CALIFORNIA				Remit to: **MONTEREY PARK** **CA**	
	5/16/2011	207886	510.00		
				STANDBY LOC TRANSFER FEES	170.00
				STANDBY LOC TRANSFER FEES	170.00
				STANDBY LOC TRANSFER FEES	170.00
	Vendor Total		**510.00**		
FYTD for UNION BANK OF CALIFORNIA			**60,899.90**		
UNITED POWER GENERATION, INC.				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	208001	337.50		
				GENERATOR REPAIRS-ANIMAL SHLTR	337.50
	Vendor Total		**337.50**		
FYTD for UNITED POWER GENERATION, INC.			**9,790.13**		
UNITED ROTARY BRUSH CORP				Remit to: **ESCONDIDO** **CA**	
	5/2/2011	882636	521.39		
				BROOM KITS-STREET SWEEPER	227.76
				BROOM KITS-STREET SWEEPER	293.63
	5/9/2011	882723	341.64		
				BROOM KITS-STREET SWEEPER	341.64
	5/31/2011	882829	2,105.03		
				BROOM KITS-STREET SWEEPER	181.76
				BROOM KITS-STREET SWEEPER	1,183.63
				BROOM KITS-STREET SWEEPER	739.64
	Vendor Total		**2,968.06**		
FYTD for UNITED ROTARY BRUSH CORP			**34,129.97**		

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UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
5/16/2011	882757	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**3,071.46**		
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
5/9/2011	207780	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
5/23/2011	208002	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
5/23/2011	208003	141.50		
			PAYROLL DEDUCTION AGREEMENT	141.50
	Vendor Total	**241.50**		
FYTD for UNITED STATES TREASURY		**1,341.50**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207781	502.19		
			UNITED WAY CONTRIBUTIONS	2.50
			UNITED WAY CONTRIBUTIONS	499.69
5/23/2011	208004	499.69		
			UNITED WAY CONTRIBUTIONS	499.69
	Vendor Total	**1,001.88**		
FYTD for UNITED WAY OF INLAND VALLEYS		**13,904.92**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
5/2/2011	207673	1,371.70		
			HERBICIDE/AG CHEMICALS - PARKS	1,371.70
	Vendor Total	**1,371.70**		
FYTD for UNIVAR USA, INC		**4,161.52**		
URIBE, JOY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	208005	168.85		
			REFUND-RNTL DEP 5/9/11 EVENT	168.85
	Vendor Total	**168.85**		
FYTD for URIBE, JOY		**168.85**		
USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
5/23/2011	882792	36.59		
			PAGER SVC-PARK RANGERS	2.01
			PAGER SVC-TRANSP. DIV.	4.66
			PAGER SVC-ANIMAL SVCS.	29.92
	Vendor Total	**36.59**		
FYTD for USA MOBILITY/ARCH WIRELESS		**654.28**		

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VA CONSULTING, INC.			Remit to: **IRVINE** **CA**	
5/9/2011	882724	917.75		
			AUTO MALL IMPRVMNTS PROJ SVCS	917.75
	Vendor Total	**917.75**		
FYTD for VA CONSULTING, INC.		**131,816.64**		
VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	882637	310.00		
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			TREATED FOR BEES IN TREE	150.00
5/23/2011	882793	1,395.00		
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL. FIELD OFFICE	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-FIRE ST. #48	45.00
			PEST CNTRL-FIRE ST. #58	45.00
			PEST CNTRL-FIRE ST. #65	45.00
			PEST CNTRL-FIRE ST. #2	45.00
			PEST CNTRL-FIRE ST. #6	45.00
			PEST CNTRL-FIRE ST. #91	45.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP TRAILER	45.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,705.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**17,430.00**		
VAL VERDE UNIFIED SCHOOL DISTRICT			Remit to: **PERRIS** **CA**	
5/2/2011	207674	25.00		
			5/13/11 STUDENT OF YEAR DINNER	25.00
	Vendor Total	**25.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT		**6,318.96**		

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VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
5/31/2011	882830	11,340.00		
			TEMP STAFFING SVCS-CAP PROJCTS	11,340.00
	Vendor Total	**11,340.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**119,765.00**		
VARIABLE SPEEDS SOLUTIONS INC			Remit to: **HUNTINGTON BEACH**	**CA**
5/9/2011	207782	285.00		
			LABOR TO REPAIR PUMP-ZONE E-14	285.00
	Vendor Total	**285.00**		
FYTD for VARIABLE SPEEDS SOLUTIONS INC		**7,309.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO**	**CA**
5/9/2011	207783	16,715.00		
			ACCOUNTING SVCS	8,925.00
			ACCOUNTING SVCS	7,790.00
	Vendor Total	**16,715.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**22,790.00**		
VAZQUEZ, ADRIANA			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207887	200.00		
			REFUND-RNTL DEP 4/23/11 EVENT	200.00
	Vendor Total	**200.00**		
FYTD for VAZQUEZ, ADRIANA		**200.00**		
VCD CORPORATION			Remit to: **GLENDORA**	**CA**
5/2/2011	882638	11,500.00		
			PROP REHAB-13711 FLAMING ARROW	11,500.00
5/23/2011	208013	17,219.57		
			PROP REHAB-12242 ZINNIA ST.	17,219.57
	Vendor Total	**28,719.57**		
FYTD for VCD CORPORATION		**46,770.46**		
VEHICLE REGISTRATION COLLECTIONS			Remit to: **RANCHO CORDOVA**	**CA**
5/9/2011	207784	128.36		
			GARNISHMENT	24.58
			GARNISHMENT	86.41
			GARNISHMENT	17.37
5/23/2011	208006	21.57		
			GARNISHMENT	21.57
	Vendor Total	**149.93**		
FYTD for VEHICLE REGISTRATION COLLECTIONS		**1,399.96**		

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VERDUZCO, JUAN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208101	300.00		
				REFUND-RNTL DEP 3/28/11 EVENT	300.00
	Vendor Total		**300.00**		
FYTD for VERDUZCO, JUAN			**300.00**		
VERIZON				Remit to: **TRENTON** **NJ**	
	5/31/2011	208102	1,712.84		
				BACKBONE CHRGS	1,712.84
	Vendor Total		**1,712.84**		
FYTD for VERIZON			**18,740.70**		
VERIZON CALIFORNIA				Remit to: **DALLAS** **TX**	
	5/2/2011	207675	41.56		
				ANNUAL PHONE DIRECTORY AD	41.56
	5/31/2011	208103	617.47		
				PHONE CHARGES-ERC	617.47
	Vendor Total		**659.03**		
FYTD for VERIZON CALIFORNIA			**7,568.34**		
VICTOR MEDICAL CO				Remit to: **LAKE FOREST** **CA**	
	5/2/2011	207676	648.15		
				ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total		**648.15**		
FYTD for VICTOR MEDICAL CO			**12,650.90**		
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882725	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VILLALOBOS, PAUL				Remit to: **NUEVO** **CA**	
	5/16/2011	207888	621.95		
				TUITION REIMBURSEMENT	481.95
				TUITION REIMBURSEMENT	140.00
	Vendor Total		**621.95**		
FYTD for VILLALOBOS, PAUL			**984.95**		

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VISION SERVICE PLAN				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	882726	4,337.58		
				EMPLOYEE VISION INSURANCE	4,337.58
	Vendor Total		**4,337.58**		
FYTD for VISION SERVICE PLAN			**47,764.89**		
VISTA PAINT CORPORATION				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207785	1,061.08		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	1,000.87
				PAINT/SUPPL-GRAFFITI RMVL PRGM	60.21
	5/16/2011	207889	91.89		
				PAINT FOR PARKS	1.23
				PAINT FOR PARKS	90.66
	5/23/2011	208007	650.78		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	650.78
	Vendor Total		**1,803.75**		
FYTD for VISTA PAINT CORPORATION			**10,641.72**		
VOLUNTEER CENTER OF RIVERSIDE COUTY				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207677	475.00		
				REFUND-RNTL DEP 4/13/11 EVENT	475.00
	Vendor Total		**475.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUTY			**475.00**		
VOYAGER FLEET SYSTEM, INC.				Remit to: **HOUSTON** **TX**	
	5/9/2011	882727	1,220.97		
				CNG FUEL PURCHASES	1,146.05
				CNG FUEL PURCHASES	74.92
	Vendor Total		**1,220.97**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**21,448.25**		

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VULCAN MATERIALS CO, INC.				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	207786	590.55		
				ASPHALTIC MATERIALS	138.12
				ASPHALTIC MATERIALS	104.54
				ASPHALTIC MATERIALS	173.06
				ASPHALTIC MATERIALS	104.54
				ASPHALTIC MATERIALS	70.29
	5/23/2011	208008	2,085.08		
				ASPHALTIC MATERIALS	103.85
				ASPHALTIC MATERIALS	137.43
				ASPHALTIC MATERIALS	70.29
				ASPHALTIC MATERIALS	983.10
				ASPHALTIC MATERIALS	652.29
				ASPHALTIC MATERIALS	138.12
	Vendor Total		**2,675.63**		
FYTD for VULCAN MATERIALS CO, INC.			**25,145.15**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882728	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,487.19**		
WAGONER, ROBERT				Remit to: **ZEPHYRHILLS** **FL**	
	5/9/2011	882729	360.40		
				RETIREE MED APR-MAY '11	360.40
	Vendor Total		**360.40**		
FYTD for WAGONER, ROBERT			**2,162.40**		
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207787	318.73		
				RETIREE MED APR '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WALKER, DONNA JEAN				Remit to: **PERRIS** **CA**	
	5/23/2011	882795	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for WALKER, DONNA JEAN			**646.00**		

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WALLACE LABORATORIES				Remit to: **EL SEGUNDO** **CA**	
	5/2/2011	207678	210.00		
				AGRICULT SOIL SUITABILITY TEST	75.00
				SOIL ORGANIC MATTER EVALUATION	50.00
				TOTAL ANALYSIS OF HEAVY METALS	85.00
	Vendor Total		**210.00**		
FYTD for WALLACE LABORATORIES			**285.00**		
WASSON, KIRK				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	882796	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WASSON, KIRK			**1,862.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	5/31/2011	208104	353.08		
				DUMPSTER-NEIGHBORHD CLEAN-UP	71.36
				DUMPSTER PICK UP & RECYCLE FEE	230.38
				DUMPSTER SET UP FEE	25.09
				DISPOSAL OF TIRES	26.25
	Vendor Total		**353.08**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**12,798.18**		
WATER SPECIALIST CONSULTANTS				Remit to: **LA MESA** **CA**	
	5/2/2011	207679	90.00		
				5/24 RECYC WATER SITE SUPV TRN	45.00
				5/24 RECYC WATER SITE SUPV TRN	45.00
	Vendor Total		**90.00**		
FYTD for WATER SPECIALIST CONSULTANTS			**180.00**		
WAXIE SANITARY SUPPLY				Remit to: **SAN DIEGO** **CA**	
	5/2/2011	207680	178.18		
				TIME METERED AIR FRESHENER	56.06
				TIME METERED AIR FRESHENER	34.01
				TIME METERED AIR FRESHENER	4.99
				TIME METERED AIR FRESHENER	4.99
				CA SALES TAX	8.75
				JANITORIAL SUPPLIES	69.38
	Vendor Total		**178.18**		
FYTD for WAXIE SANITARY SUPPLY			**276.13**		

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WEBB, DAVID				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207788	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for WEBB, DAVID			**115.00**		
WEISGERBER, RHONDA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208105	112.00		
				REFUND-KARATE CLASSES	112.00
	Vendor Total		**112.00**		
FYTD for WEISGERBER, RHONDA			**112.00**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	5/31/2011	208106	2,000.00		
				TRUSTEE ANNL ADMIN CHGS-CFD#5	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**18,500.00**		
WELLS FARGO CORPORATE TRUST				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	110501	1,027.08		
				INT ON 97 CH COP VAR RATE BOND	1,027.08
	Vendor Total		**1,027.08**		
FYTD for WELLS FARGO CORPORATE TRUST			**8,874,030.64**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207789	18,727.42		
				SUNNYMD BLVD PED ACCESS RAMP	1,664.37
				SUNNYMD BLVD PED ACCESS RAMP	12,617.49
				SUNNYMD BLVD PED ACCESS RAMP	4,445.56
	5/16/2011	207890	6,120.88		
				RETENT-SUNNYMD PED ACCESS RAMP	3,394.41
				RETENT-SUNNYMD PED ACCESS RAMP	493.95
				RETENT-SUNNYMD PED ACCESS RAMP	2,232.52
	5/31/2011	208107	7,475.11		
				RETENT RLS-SUNNYMD PED RAMP	7,475.11
	Vendor Total		**32,323.41**		
FYTD for WEST COAST STRUCTURES INC			**61,208.68**		
WEST PUBLISHING CORPORATION				Remit to: **ST. PAUL** **MN**	
	5/31/2011	208108	535.00		
				AUTO TRACK SVCS FOR PD	535.00
	Vendor Total		**535.00**		
FYTD for WEST PUBLISHING CORPORATION			**5,850.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
5/23/2011	208009	1,909.52		
			WATER CHARGES	693.83
			WATER CHARGES	3.65
			WATER CHARGES	1,155.78
			WATER CHARGES	56.26
	Vendor Total	**1,909.52**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**19,926.43**		
WESTON, KATY			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207891	58.00		
			REFUND-BELLY DANCING CLASS	58.00
	Vendor Total	**58.00**		
FYTD for WESTON, KATY		**58.00**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
5/9/2011	882730	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,506.03**		
WILLDAN AND ASSOCIATES			Remit to: **SAN BERNARDINO** **CA**	
5/2/2011	207681	7,035.00		
			PLAN CHECK SVCS-BLDG & SFTY	7,035.00
5/9/2011	207790	1,080.00		
			EASTRIDGE CTR EIR REVIEW SVCS	1,080.00
5/31/2011	208109	7,973.48		
			PLAN CHECK SVCS-BLDG & SFTY	7,973.48
	Vendor Total	**16,088.48**		
FYTD for WILLDAN AND ASSOCIATES		**125,311.03**		
WILLIAMS, JANE L.			Remit to: **GRAND FORKS** **ND**	
5/9/2011	882731	187.68		
			RETIREE MED APR-MAY '11	187.68
	Vendor Total	**187.68**		
FYTD for WILLIAMS, JANE L.		**1,966.96**		
WILLIS, ROBERT H			Remit to: **PERRIS** **CA**	
5/23/2011	208010	144.00		
			SPORTS OFFICIATING SVCS	72.00
			SPORTS OFFICIATING SVCS	72.00
	Vendor Total	**144.00**		
FYTD for WILLIS, ROBERT H		**432.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLOUGHBY, LORIA				Remit to: **MORENO VALLEY CA**	
	5/16/2011	882758	70.89		
				MILEAGE REIMBURSEMENT	70.89
	Vendor Total		**70.89**		
FYTD for WILLOUGHBY, LORIA			**397.39**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA CA**	
	5/9/2011	882732	20,710.00		
				TEMP STAFFING SVCS-MV UTIL.	5,700.00
				TEMP STAFFING SVCS-MV UTIL.	7,410.00
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	5/31/2011	882831	9,500.00		
				TEMP STAFFING SVCS-MV UTIL.	9,500.00
	Vendor Total		**30,210.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**82,267.50**		
WOODS, ALICIA/ROMNEY				Remit to: **MORENO VALLEY CA**	
	5/2/2011	207682	7.00		
				REFUND-ANIMAL LICENSE FEE	7.00
	Vendor Total		**7.00**		
FYTD for WOODS, ALICIA/ROMNEY			**7.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	5/2/2011	882639	1,495.00		
				CLEANING OF UPHOLSTERED CHAIRS	75.00
				MAINT. DAY PORTER SVCS	1,140.00
				CLEANING OF UPHOLSTERED CHAIRS	150.00
				JANITORIAL SVCS-SR CTR RENTALS	130.00
	5/16/2011	882759	1,450.11		
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-GANG TASK FRC	112.82
				JANITORIAL SVCS-SUNNYMD ELEM.	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
	5/23/2011	882797	22,536.29		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRAILER	98.40
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MARCH FLD C.C.	955.70
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	5/31/2011	882832	112.82		
				JANITORIAL SVCS-GANG TASK FRC	112.82
	Vendor Total		**25,594.22**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**300,732.01**		
XEROX				Remit to: **DALLAS** **TX**	
	5/16/2011	207892	212.33		
				COPIER RNTL/MAINT-PD	70.20
				COPIER RNTL/MAINT-PD	77.54
				COPIER RNTL/MAINT-PD	64.59
	5/23/2011	208011	3,188.11		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,208.13
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/MAINT-PARKS	359.34
				COPIER BILLABLE PRINTS-PARKS	443.37
				COPIER RNTL/MAINT-PARKS	779.48
	Vendor Total		**3,400.44**		
FYTD for XEROX			**69,781.29**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
YAHOO!				Remit to: **SUNNYVALE** **CA**	
	5/23/2011	208012	30.44		
				SUBSCRIBER INFO SEARCH FOR PD	30.44
	Vendor Total		**30.44**		
FYTD for YAHOO!			**30.44**		
YANEZ, ANDREA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207683	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for YANEZ, ANDREA			**50.00**		
YENULONIS, LAURA				Remit to: **COLTON** **CA**	
	5/2/2011	207684	97.60		
				REFUND-PERMIT FEE 80%	97.60
	Vendor Total		**97.60**		
FYTD for YENULONIS, LAURA			**97.60**		
YOUNG, BONITA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207893	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for YOUNG, BONITA			**54.50**		
ZARATE, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207894	47.00		
				REFUND-GUITAR CLASS CANC.	47.00
	Vendor Total		**47.00**		
FYTD for ZARATE, VERONICA			**47.00**		

Subtotal **1,473,414.04**

GRAND TOTAL **10,409,143.31**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JUNE, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2010-11 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-86
Check Register for Month of June, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JUNE, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period June 1, 2011 through June 30, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period June 1, 2011 through June 30, 2011, in the total amount of $16,100,598.73 is approved.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ACCESS ELECTRIC SUPPLY			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208293	40,601.81		
			IEM SWITCHGEAR-SHADOW MTN PROJ	16,030.08
			CA SALES TAX	1,402.63
			IEM SWITCHGEAR-SHADOW MTN PROJ	21,304.92
			CA SALES TAX	1,864.18
	Vendor Total	**40,601.81**		
FYTD for ACCESS ELECTRIC SUPPLY		**40,843.24**		
AFTERSCHOOL STORE.COM			Remit to: **PALMDALE**	**CA**
6/6/2011	208113	42,476.32		
			AFTERSCHOOL SNACKS-STARS PRGM	33,116.32
			AFTERSCHOOL SNACKS-STARS PRGM	9,360.00
	Vendor Total	**42,476.32**		
FYTD for AFTERSCHOOL STORE.COM		**364,046.84**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
6/6/2011	208114	320,467.06		
			SR-60/NASON ST INTRCHNG PROJ	256,373.65
			SR-60/NASON ST INTRCHNG PROJ	64,093.41
6/28/2011	1106101	35,607.45		
			RETENTN PMT PER ESCRW AGREEMNT	35,607.45
6/28/2011	1106102	27,594.11		
			RETENTN PMT PER ESCRW AGREEMNT	27,594.11
	Vendor Total	**383,668.62**		
FYTD for ALL AMERICAN ASPHALT, INC.		**632,015.61**		
AVI-CON INC.			Remit to: **RIVERSIDE**	**CA**
6/6/2011	882834	93,173.49		
			PUB SFTY BLDG RENOVATION PROJ	64,266.33
			RETENT RLS PYMT-PUB SFTY BLDG	28,907.16
	Vendor Total	**93,173.49**		
FYTD for AVI-CON INC.		**384,476.18**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	6/20/2011	882961	40,833.74		
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MV ELECT SUBST	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-ZONE E3	10,625.00
				LANDSCAPE MAINT-ZONE E3A	1,000.00
	Vendor Total		**40,833.74**		
FYTD for BEMUS LANDSCAPE, INC.			**577,144.70**		
COMPU COM				Remit to: **RANCHO CORDOVA** **CA**	
	6/6/2011	208144	113,901.13		
				ENROLLMENT	113,901.13
	Vendor Total		**113,901.13**		
FYTD for COMPU COM			**114,902.68**		
COUNTY OF RIVERSIDE AUDITOR				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208319	33,585.46		
				PARKING CONTROL FEES	4,990.96
				PARKING CONTROL FEES	1,906.00
				PARKING CONTROL FEES	26,688.50
	Vendor Total		**33,585.46**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**277,338.08**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/21/2011	208423	80,470.23		
			WATER CHARGES	1,512.76
			WATER CHARGES	215.89
			WATER CHARGES	886.93
			WATER CHARGES	3,295.26
			WATER CHARGES	39.60
			WATER CHARGES	731.92
			WATER CHARGES	3,405.73
			WATER CHARGES	112.11
			WATER CHARGES	20,226.01
			WATER CHARGES	1,914.50
			WATER CHARGES	10,318.64
			WATER CHARGES	6,429.68
			WATER CHARGES	4,365.06
			WATER CHARGES	8,640.00
			WATER CHARGES	4,553.69
			WATER CHARGES	2,441.82
			WATER CHARGES	51.73
			WATER CHARGES	1,462.00
			WATER CHARGES	3,118.14
			WATER CHARGES	867.38
			WATER CHARGES	246.46
			WATER CHARGES	525.26
			WATER CHARGES	402.73
			WATER CHARGES	316.75
			WATER CHARGES	254.04
			WATER CHARGES	282.11
			WATER CHARGES	359.58
			WATER CHARGES	83.22
			WATER CHARGES	246.06
			WATER CHARGES	109.66
			WATER CHARGES	2,168.37
			WATER CHARGES	887.14
6/30/2011	208525	53,587.02		
			WATER CHARGES	9,471.17
			WATER CHARGES	2,926.22
			WATER CHARGES	1,456.52
			WATER CHARGES	2,165.28
			WATER CHARGES	4,138.94
			WATER CHARGES	246.92
			WATER CHARGES	1,481.59
			WATER CHARGES	1,075.06
			WATER CHARGES	332.34
			WATER CHARGES	327.92
			WATER CHARGES	107.29
			WATER CHARGES	302.06
			WATER CHARGES	461.94
			WATER CHARGES	8,992.50
			WATER CHARGES	2,099.15
			WATER CHARGES	684.66
			WATER CHARGES	9,012.43
			WATER CHARGES	2,803.13
			WATER CHARGES	4,040.37

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHARGES	55.10
			WATER CHARGES	137.73
			WATER CHARGES	106.75
			WATER CHARGES	534.70
			WATER CHARGES	177.61
			WATER CHARGES	263.22
			WATER CHARGES	74.25
			WATER CHARGES	112.17
	Vendor Total	**134,057.25**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,434,949.17**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to: **SACRAMENTO**	**CA**
6/6/2011	208156	37,419.42		
			UNEMPLOYMENT INS CLAIMS	37,419.42
6/3/2011	2871	34,820.34		
			STATE INCOME TAX W/H 6/3/11	34,820.34
6/17/2011	2881	32,346.18		
			STATE INCOME TAX W/H 6/17/11	32,346.18
	Vendor Total	**104,585.94**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,082,776.56**		
FIRST AMERICAN TRUST, FSB			Remit to: **SANTA ANA**	**CA**
6/9/2011	110604	25,500.00		
			HAP LOAN: BRIAN EDWARD RABE	25,500.00
	Vendor Total	**25,500.00**		
FYTD for FIRST AMERICAN TRUST, FSB		**289,206.40**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON**	**CA**
6/20/2011	208330	31,818.28		
			SHADOW MTN PARK LIGHTING PROJ	16,492.72
			SHADOW MTN PARK RESTROOM PROJ	15,325.56
	Vendor Total	**31,818.28**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**141,854.53**		
HARDY & HARPER, INC.			Remit to: **SANTA ANA**	**CA**
6/27/2011	208524	2,161,392.82		
			PAVEMENT RESURF PROJ-CITYWIDE	1,151,114.02
			2011 LOCAL ST PAVEMNT RESURF.	1,010,278.80
	Vendor Total	**2,161,392.82**		
FYTD for HARDY & HARPER, INC.		**3,369,931.27**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INTERNAL REVENUE SERVICE				Remit to:	
	6/3/2011	2870	146,902.26		
				FED INCOME TAX W/H 6/3/11	146,902.26
	6/17/2011	2880	132,159.21		
				FED INCOME TAX W/H 6/17/11	132,159.21
	Vendor Total		**279,061.47**		
FYTD for INTERNAL REVENUE SERVICE			**3,497,189.37**		
KATHLEEN A. MULLIGAN				Remit to: **MORENO VALLEY**	**CA**
	6/27/2011	208464	25,053.94		
				PURCH PRICE DIFFRNTL PYMT	10,750.00
				DOWNPYMT ASSIST-PERRIS BL PROJ	14,303.94
	Vendor Total		**25,053.94**		
FYTD for KATHLEEN A. MULLIGAN			**33,978.94**		
LIM & NASCIMENTO ENGINEERING CORP.				Remit to: **DIAMOND BAR**	**CA**
	6/6/2011	208186	29,556.96		
				IRONWD AVE/HEACOCK-PERRIS PROJ	9,772.42
				IRONWD AVE/HEACOCK-PERRIS PROJ	19,784.54
	Vendor Total		**29,556.96**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**346,880.11**		
MAMCO, INC				Remit to: **RIVERSIDE**	**CA**
	6/6/2011	208189	112,089.67		
				DRACAEA AVE SIDEWLK IMPRV PROJ	107,207.27
				DRACAEA AVE SIDEWLK IMPRV PROJ	4,882.40
	Vendor Total		**112,089.67**		
FYTD for MAMCO, INC			**112,089.67**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA**	**CA**
	6/20/2011	882976	85,414.14		
				DEMO OLD/INSTLL NEW PLAY EQUIP	81,967.47
				CA SALES TAX	3,446.67
	Vendor Total		**85,414.14**		
FYTD for MIRACLE PLAYGROUND SALES			**262,357.27**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY				Remit to: **HEMET**	**CA**
	6/6/2011	208192	60,337.78		
				ELECTRICITY	161.44
				ELECTRICITY	1,310.10
				ELECTRICITY	331.76
				ELECTRICITY	2,008.11
				ELECTRICITY	11,439.98
				ELECTRICITY	11,632.08
				ELECTRICITY	3,136.87
				ELECTRICITY	5,827.53
				ELECTRICITY	956.75
				ELECTRICITY	1,584.13
				ELECTRICITY	11,751.74
				ELECTRICITY	7,345.32
				ELECTRICITY	251.79
				ELECTRICITY	154.65
				ELECTRICITY	317.00
				ELECTRICITY	74.25
				ELECTRICITY	74.38
				ELECTRICITY	170.70
				ELECTRICITY	105.70
				ELECTRICITY	1,703.50
	6/27/2011	208476	55,258.96		
				ELECTRICITY	143.43
				ELECTRICITY	1,286.03
				ELECTRICITY	280.93
				ELECTRICITY	1,736.74
				ELECTRICITY	10,069.20
				ELECTRICITY	10,081.56
				ELECTRICITY	2,571.05
				ELECTRICITY	5,349.15
				ELECTRICITY	905.52
				ELECTRICITY	1,511.50
				ELECTRICITY	11,751.39
				ELECTRICITY	7,345.79
				ELECTRICITY	220.79
				ELECTRICITY	137.23
				ELECTRICITY	66.18
				ELECTRICITY	66.31
				ELECTRICITY	66.18
				ELECTRICITY	149.71
				ELECTRICITY	90.41
				ELECTRICITY	1,429.86
	Vendor Total		**115,596.74**		
FYTD for MORENO VALLEY UTILITY			**801,816.33**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MUSCO SPORTS LIGHTING, LLC			Remit to: **OSKALOOSA** **IA**	
6/13/2011	882941	259,912.50		
			SPORTS FIELD LIGHTS-SHADOW MTN	239,000.00
			CA SALES TAX	20,912.50
	Vendor Total	**259,912.50**		
FYTD for MUSCO SPORTS LIGHTING, LLC		**259,912.50**		
NEXUS IS, INC.			Remit to: **VALENCIA** **CA**	
6/27/2011	208478	25,691.00		
			PBX PHONE SYSTEM MAINT/SUPPORT	25,691.00
	Vendor Total	**25,691.00**		
FYTD for NEXUS IS, INC.		**43,386.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
6/13/2011	208273	134,585.97		
			ENERGY PURCHASE-ELECTR UTILITY	134,585.97
	Vendor Total	**134,585.97**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**492,077.25**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
6/8/2011	110602	212,262.83		
			EMPLOYEE HEALTH INS 6/8/11	212,262.83
	Vendor Total	**212,262.83**		
FYTD for PERS HEALTH INSURANCE		**2,459,616.41**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
6/10/2011	2872	203,291.28		
			PERS RETIREMENT 6/10/11	203,291.28
6/24/2011	2884	199,418.38		
			PERS RETIREMENT 6/24/11	199,418.38
	Vendor Total	**402,709.66**		
FYTD for PERS RETIREMENT		**5,204,920.34**		
PRICE FAMILY CHARITABLE TRUST			Remit to: **LA JOLLA** **CA**	
6/20/2011	208369	136,748.00		
			SALES TAX REIMBURSEMENT	136,748.00
	Vendor Total	**136,748.00**		
FYTD for PRICE FAMILY CHARITABLE TRUST		**435,477.50**		

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RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	882983	635,089.35		
				IRONWD AVE/DAY ST-BARCLAY PROJ	299,444.07
				IRONWOOD AVE/STORM DRAIN PROJ	223,071.26
				IRONWOOD AVE/STORM DRAIN PROJ	22,121.96
				IRONWOOD AVE/STORM DRAIN PROJ	79,652.06
				IRONWOOD AVE/STORM DRAIN PROJ	10,800.00
	6/28/2011	110611	33,271.56		
				RETENTN PMT PER ESCRW AGREEMNT	33,271.56
	Vendor Total		**668,360.91**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**4,098,957.33**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
6/13/2011	882945	2,744,284.93		
			CONTRACT LAW ENF BILL #8	44,174.01
			CONTRACT LAW ENF BILL #8	658.50
			CONTRACT LAW ENF BILL #8	1,542,338.03
			CONTRACT LAW ENF BILL #8	66,500.01
			CONTRACT LAW ENF BILL #8	346,180.58
			CONTRACT LAW ENF BILL #8	6,275.28
			CONTRACT LAW ENF BILL #8	75,659.98
			CONTRACT LAW ENF BILL #8	8,189.85
			CONTRACT LAW ENF BILL #8	72,591.71
			CONTRACT LAW ENF BILL #8	1,632.40
			CONTRACT LAW ENF BILL #8	184,148.35
			CONTRACT LAW ENF BILL #8	3,852.64
			CONTRACT LAW ENF BILL #8	325,553.74
			CONTRACT LAW ENF BILL #8	8,091.96
			CONTRACT LAW ENF BILL #8	35,387.62
			CONTRACT LAW ENF BILL #8	249.04
			CONTRACT LAW ENF BILL #8	10,279.29
			CONTRACT LAW ENF BILL #8	870.24
			CONTRACT LAW ENF BILL #8	10,750.85
			CONTRACT LAW ENF BILL #8	633.60
			CONTRACT LAW ENF BILL #8	267.25
6/30/2011	883042	3,232,609.38		
			CONTRACT LAW ENF BILL #9	44,201.82
			CONTRACT LAW ENF BILL #9	346.09
			CONTRACT LAW ENF BILL #9	2,074,264.50
			CONTRACT LAW ENF BILL #9	74,161.69
			CONTRACT LAW ENF BILL #9	334,189.22
			CONTRACT LAW ENF BILL #9	6,678.32
			CONTRACT LAW ENF BILL #9	76,221.60
			CONTRACT LAW ENF BILL #9	3,245.46
			CONTRACT LAW ENF BILL #9	72,301.85
			CONTRACT LAW ENF BILL #9	716.32
			CONTRACT LAW ENF BILL #9	175,606.73
			CONTRACT LAW ENF BILL #9	2,002.00
			CONTRACT LAW ENF BILL #9	315,569.45
			CONTRACT LAW ENF BILL #9	3,659.40
			CONTRACT LAW ENF BILL #9	34,151.60
			CONTRACT LAW ENF BILL #9	245.52
			CONTRACT LAW ENF BILL #9	3,205.09
			CONTRACT LAW ENF BILL #9	11,171.28
			CONTRACT LAW ENF BILL #9	671.44
	Vendor Total	**5,976,894.31**		

FYTD for RIVERSIDE COUNTY SHERIFF	**28,410,270.06**

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208489	98,195.07		
			FY10/11 FACILITIES EXPENSES	98,195.07
	Vendor Total	**98,195.07**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**102,437.49**		
SAN PEDRO SIGN COMPANY			Remit to: **WILMINGTON** **CA**	
6/27/2011	883030	88,200.00		
			AUTO MALL PYLON SIGN PROJECT	88,200.00
	Vendor Total	**88,200.00**		
FYTD for SAN PEDRO SIGN COMPANY		**373,500.00**		
SHEFFIELD FORECLOSURE RENOVATION			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208494	34,168.43		
			PROP REHAB COSTS-25241 TODD DR	34,168.43
	Vendor Total	**34,168.43**		
FYTD for SHEFFIELD FORECLOSURE RENOVATION		**34,168.43**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA** **PA**	
6/30/2011	208527	520,329.60		
			ENERGY PURCHASE	520,329.60
	Vendor Total	**520,329.60**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**6,462,798.80**		
SHPIGLER GROUP, THE			Remit to: **MONTEBELLO** **NY**	
6/13/2011	208282	29,936.40		
			SMART GRID/ELECT VEHICLE-SPCL	29,936.40
	Vendor Total	**29,936.40**		
FYTD for SHPIGLER GROUP, THE		**29,936.40**		
SOCAL ENGINEERS, INC.			Remit to: **IRVINE** **CA**	
6/20/2011	208389	71,033.40		
			TRAF SIG-SUNNYMD RNCH PKWY	71,033.40
	Vendor Total	**71,033.40**		
FYTD for SOCAL ENGINEERS, INC.		**156,290.40**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/20/2011	208391	151,279.03		
			ELECTRICITY	912.42
			ELECTRICITY	23.77
			ELECTRICITY	324.50
			ELECTRICITY	22.43
			ELECTRICITY	627.67
			ELECTRICITY	1,000.38
			ELECTRICITY	134.59
			ELECTRICITY	2,474.96
			ELECTRICITY	755.66
			ELECTRICITY	1,667.94
			ELECTRICITY	816.57
			ELECTRICITY	1,126.31
			ELECTRICITY	21.87
			ELECTRICITY	96,318.22
			ELECTRICITY	40,411.15
			ELECTRICITY	4,314.08
			ELECTRICITY	21.87
			ELECTRICITY	45.40
			ELECTRICITY	25.72
			ELECTRICITY	23.81
			ELECTRICITY	68.41
			ELECTRICITY	92.57
			ELECTRICITY	48.73
6/20/2011	208392	30,299.19		
			WDAT CHARGES-GRAHAM	3,975.65
			WDAT CHARGES-IRIS	2,752.38
			WDAT CHARGES-GLOBE	8,120.97
			WDAT CHARGES-SUBSTATION	10,447.31
			WDAT CHARGES-FREDERICK	2,107.17
			WDAT CHARGES-NANDINA	2,647.31
			ELECTRICITY	248.40
6/27/2011	208500	32,672.14		
			ELECTRICITY	44.81
			ELECTRICITY	288.85
			ELECTRICITY	89.64
			ELECTRICITY	45.93
			ELECTRICITY	126.58
			ELECTRICITY	440.67
			ELECTRICITY	65.95
			ELECTRICITY	96.83
			ELECTRICITY	100.12
			ELECTRICITY	31.32
			ELECTRICITY	44.15
			ELECTRICITY	33.20
			ELECTRICITY	43.11
			ELECTRICITY	26.27
			ELECTRICITY	142.91
			ELECTRICITY	4,802.74
			ELECTRICITY	2,354.67
			ELECTRICITY	19.24
			ELECTRICITY	636.99

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	2,094.46
			ELECTRICITY	120.85
			ELECTRICITY	3,984.66
			ELECTRICITY	154.17
			ELECTRICITY	48.14
			ELECTRICITY	1,324.48
			ELECTRICITY	297.26
			ELECTRICITY	420.07
			ELECTRICITY	406.47
			ELECTRICITY	99.04
			ELECTRICITY	141.83
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**214,250.36**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,296,774.93**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
6/2/2011	110603	103,461.56		
			CALCARD PYMT CYCLE END 5/23/11	103,461.56
6/15/2011	110606	125,570.90		
			CALCARD PYMT CYCLE END 6/7/11	125,570.90
6/28/2011	110614	95,888.40		
			CALCARD PYMT CYCLE END 6/22/11	95,888.40
	Vendor Total	**324,920.86**		
FYTD for U.S. BANK/CALCARDS		**2,199,269.98**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
6/13/2011	208291	86,415.00		
			2011 PAVEMENT RESURF. PROJ	86,415.00
	Vendor Total	**86,415.00**		
FYTD for UNITED INSPECTION & TESTING INC		**94,691.80**		
WASTE MANAGEMENT			Remit to: **CORONA**	**CA**
6/6/2011	208234	739,548.87		
			SOLID WASTE DELINQ. LESS FEES	841,639.78
			SOLID WASTE DELINQ. LESS FEES	-102,090.91
	Vendor Total	**739,548.87**		
FYTD for WASTE MANAGEMENT		**1,623,802.71**		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
6/28/2011	110607	940,287.92		
			DEBT SERVICE-SPECIAL TAXES	940,287.92
	Vendor Total	**940,287.92**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,815,753.74**		
	Subtotal	**14,816,818.87**		

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CHECKS LESS THAN $25,000

NIELSEN LLC, CLARITAS				Remit to: **CHARLOTTE**	**NC**
	6/13/2011	208240	500.00		
				DATA REQUEST FOR ICSC PREP.	500.00
	Vendor Total		**500.00**		
FYTD for NIELSEN LLC, CLARITAS			**3,590.00**		
7-ELEVEN, INC				Remit to: **DALLAS**	**TX**
	6/20/2011	208292	120.00		
				REFUND-FALSE ALARM OVERPAYMENT	120.00
	Vendor Total		**120.00**		
FYTD for 7-ELEVEN, INC			**120.00**		
ABILITY COUNTS, INC				Remit to: **CORONA**	**CA**
	6/27/2011	208431	1,440.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	Vendor Total		**1,440.00**		
FYTD for ABILITY COUNTS, INC			**5,760.00**		
ABSOLUTE SURVEILLANCE				Remit to: **CANYON LAKE**	**CA**
	6/20/2011	882954	5,844.90		
				TRACKING DEVICE-PD	909.02
				TRACKING DEVICE-PD	59.90
				TRACKING DEVICE-PD	4,218.00
				TRACKING DEVICE-PD	531.90
				TRACKING DEVICE-PD	126.08
	Vendor Total		**5,844.90**		
FYTD for ABSOLUTE SURVEILLANCE			**5,844.90**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ACTIVE NETWORK, INC., THE			Remit to: **LOS ANGELES**	**CA**
6/27/2011	883002	17,278.56		
			CLASS SFTWARE MAINT/SUPP RNWL	3,750.00
			DEPT CONNECTOR MAINT/SUPP RNWL	2,500.00
			CRYSTAL REPORTS MAINT/SUPP RNW	600.00
			PYMT SERVER-EFT MAINT/SUPP RNW	1,575.00
			DISCOUNT	-1,263.75
			CLASS SFTWARE MAINT/SUPP RNWL	578.80
			CLASS SFTWARE MAINT/SUPP RNWL	506.46
			CLASS SFTWARE MAINT/SUPP RNWL	144.70
			CLASS SFTWARE MAINT/SUPP RNWL	72.35
			CLASS SFTWARE MAINT/SUPP RNWL	1,447.03
			CLASS SFTWARE MAINT/SUPP RNWL	1,050.00
			CLASS SFTWARE MAINT/SUPP RNWL	4,051.68
			CLASS SFTWARE MAINT/SUPP RNWL	2,532.30
			CLASS SFTWARE MAINT/SUPP RNWL	1,519.38
			DISCOUNT	-1,785.39
	Vendor Total	**17,278.56**		
FYTD for ACTIVE NETWORK, INC., THE		**17,278.56**		
ADAMS, MARK L.			Remit to: **REDLANDS**	**CA**
6/6/2011	882833	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for ADAMS, MARK L.		**3,824.76**		
ADDUS HEALTH CARE			Remit to: **RIVERSIDE**	**CA**
6/27/2011	208432	500.00		
			REFUND-RENTAL DEPOSIT	500.00
	Vendor Total	**500.00**		
FYTD for ADDUS HEALTH CARE		**1,000.00**		
ADLERHORST INTERNATIONAL INC.			Remit to: **RIVERSIDE**	**CA**
6/20/2011	882955	283.24		
			K9 TRAINING-PD	283.24
6/27/2011	883003	16,971.88		
			PURCHASE OF NEW K9 (URGAN)	8,971.88
			PURCHASE OF NEW K9 (URGAN)	8,000.00
	Vendor Total	**17,255.12**		
FYTD for ADLERHORST INTERNATIONAL INC.		**38,782.55**		
ADMINSURE			Remit to: **DIAMOND BAR**	**CA**
6/6/2011	208111	2,600.00		
			WORKMANS COMP ADMIN	2,600.00
	Vendor Total	**2,600.00**		
FYTD for ADMINSURE		**31,200.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCE REFRIGERATION & ICE SYSTEMS, INC			Remit to: **RIVERSIDE**	**CA**
6/13/2011	882922	780.00		
			ICE MACHINE MAINT-FIRE ST #2	40.00
			ICE MACHINE MAINT-FIRE ST #2	155.00
			ICE MACHINE MAINT-CITY HALL	5.00
			ICE MACHINE MAINT-CITY HALL	190.00
			ICE MACHINE MAINT-FIRE ST #65	40.00
			ICE MACHINE MAINT-FIRE ST #65	155.00
			ICE MACHINE MAINT-FIRE ST #91	72.00
			ICE MACHINE MAINT-FIRE ST #91	123.00
6/20/2011	882956	195.00		
			ICE MACH MAINT-FS #48	63.00
			ICE MACH MAINT-FS #48	132.00
	Vendor Total	**975.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**19,163.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE**	**CA**
6/13/2011	208241	3,219.00		
			SIGN LIGHTS REPAIRED-EOC	1,512.00
			INSTALL LIGHTING-SR CTR POOLRM	1,497.00
			LIGHTING REPAIRS-ANIMAL SHLTR	210.00
6/27/2011	208433	625.00		
			ELECT REPAIRS-PARKS	625.00
	Vendor Total	**3,844.00**		
FYTD for ADVANCED ELECTRIC		**97,406.60**		
ADVANTAGE BUSINESS EQUIPMENT, INC			Remit to: **SAN DIEGO**	**CA**
6/13/2011	882923	713.86		
			MICR TONER FOR HP 9050 PRINTER	229.00
			BLANK CHECK STOCK FOR PAYROLL	125.00
			SHIPPING CHARGES	19.00
			CA SALES TAX FOR PAYROLL CHKS	10.94
			CA SALES TAX FOR MICR TONER	20.04
			BLANK CHECK STOCK FOR A/P	250.00
			SHIPPING CHARGES	25.00
			SHIPPING CHARGES	13.00
			CA SALES TAX	21.88
	Vendor Total	**713.86**		
FYTD for ADVANTAGE BUSINESS EQUIPMENT, INC		**2,791.81**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANTAGE GRAPHICS AND PROMOTIONS			Remit to: **CAPISTRANO BEACH**	**CA**
6/6/2011	208112	2,638.81		
			PARKING CITATIONS-CODE	1,438.60
			PARKING CITATIONS-CODE	791.23
			PARKING CITATIONS-CODE	135.00
			PARKING CITATIONS-CODE	78.87
			PARKING CITATIONS-CODE	195.11
	Vendor Total	**2,638.81**		
FYTD for ADVANTAGE GRAPHICS AND PROMOTIONS		**2,638.81**		
AEI-CASC ENGINEERING			Remit to: **COLTON**	**CA**
6/20/2011	882957	6,645.68		
			IRONWD AVE/DAY ST-BARCLAY PROJ	6,645.68
	Vendor Total	**6,645.68**		
FYTD for AEI-CASC ENGINEERING		**238,785.47**		
AHLERS, ROSCEAL			Remit to: **HEMET**	**CA**
6/20/2011	208294	76.00		
			INSTRUCTION SVCS-2 DAYS	76.00
	Vendor Total	**76.00**		
FYTD for AHLERS, ROSCEAL		**1,520.00**		
AINSWORTH, NADINE			Remit to: **HIGHLAND**	**CA**
6/20/2011	208295	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for AINSWORTH, NADINE		**95.00**		
AIR CLEANING SYSTEMS INC.			Remit to: **POMONA**	**CA**
6/13/2011	882924	401.63		
			FIRE PLYMOVENT MAINT.-LABOR	170.00
			FIRE PLYMOVENT MAINT.-PARTS	231.63
6/27/2011	883004	366.09		
			PLYMOVENT MAINT-FIRE PREV	170.00
			PLYMOVENT MAINT-FIRE PREV	76.47
			PLYMOVENT MAINT-FIRE PREV	119.62
	Vendor Total	**767.72**		
FYTD for AIR CLEANING SYSTEMS INC.		**5,123.43**		
ALARCON SONS, INC			Remit to: **BALDWIN PARK**	**CA**
6/13/2011	208242	25.60		
			REFUND-BUS. LIC. OVERPAYMENT	25.60
	Vendor Total	**25.60**		
FYTD for ALARCON SONS, INC		**25.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALICEA, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208434	107.61		
				MILEAGE REIMBURSEMENT	107.61
	Vendor Total		**107.61**		
FYTD for ALICEA, RICHARD			**1,147.80**		
ALLEN, VICTOR				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208296	200.00		
				REFUND-TWNGTE RENTAL DEPOSIT	200.00
	Vendor Total		**200.00**		
FYTD for ALLEN, VICTOR			**200.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	6/21/2011	208420	1,519.79		
				BUS SVCS-STARS PRGM CHEER COMP	1,519.79
	Vendor Total		**1,519.79**		
FYTD for ALLIANCE BUS LINES INC			**13,065.20**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	6/6/2011	208115	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**900.00**		
ALVAREZ, THOMAS				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208297	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALVAREZ, THOMAS			**95.00**		
AMERICAN FORENSIC NURSES				Remit to: **PALM SPRINGS** **CA**	
	6/20/2011	882958	1,150.24		
				BLOOD DRAWS-PD	123.24
				BLOOD DRAWS-PD	1,027.00
	6/27/2011	883005	1,978.76		
				BLOOD DRAWS-PD	1,937.68
				BLOOD DRAWS-PD	41.08
	Vendor Total		**3,129.00**		
FYTD for AMERICAN FORENSIC NURSES			**37,068.54**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AMERICAN TOWERS				Remit to: **CHARLOTTE** **NC**	
	6/6/2011	208116	2,573.48		
				ATC TOWER LEASE-TECH SVCS	2,573.48
	Vendor Total		**2,573.48**		
FYTD for AMERICAN TOWERS			**23,161.32**		
ANIMAL EMERGENCY CLINIC, INC.				Remit to: **GRAND TERRACE** **CA**	
	6/20/2011	882959	165.00		
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	55.00
	Vendor Total		**165.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.			**2,630.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				Remit to: **CHINO** **CA**	
	6/20/2011	208298	1,285.00		
				PEST CONTRAL SVCS-PARKS	255.00
				PEST CONTRAL SVCS-MARB/EQUESTR	330.00
				PEST CONTRAL SVCS-PAL	100.00
				BEE REMOVAL-PARKS	300.00
				BEE REMOVAL-PARKS	300.00
	6/27/2011	208435	1,105.00		
				PEST CNTRL SVCS-PARKS	665.00
				PEST CNTRL SVCS-CFD #1	160.00
				PEST CNTRL SVCS-GOLF CT	180.00
				PEST CNTRL SVCS-STARS	100.00
	Vendor Total		**2,390.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.			**22,080.00**		
ARAMBUL, JUAN				Remit to: **NUEVO** **CA**	
	6/27/2011	208436	47.50		
				REFUND-CITATION FEE	47.50
	Vendor Total		**47.50**		
FYTD for ARAMBUL, JUAN			**47.50**		
ARCHIVE MANAGEMENT SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	882925	1,256.31		
				OFFSITE STORAGE SVCS-CITY CLRK	1,256.31
	Vendor Total		**1,256.31**		
FYTD for ARCHIVE MANAGEMENT SERVICE			**16,386.14**		

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ARMSTRONG, CHARIS				Remit to: **NUEVO** **CA**	
	6/6/2011	208117	75.00		
				REFUND- SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for ARMSTRONG, CHARIS			**75.00**		
ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	6/6/2011	208118	25.00		
				WATER PURIF RNTL-STARS	25.00
	6/13/2011	208243	515.79		
				WATER PURIF RNTL-CITY HALL	125.01
				WATER PURIF RNTL-CITY YARD	25.00
				WATER PURIF RNTL-TRAFFIC TRLR	25.00
				WATER PURIF RNTL-LIBRARY	25.00
				WATER PURIF RNTL-ANIMAL SHLTR	50.01
				WATER PURIF RNTL-SENIOR CTR	25.00
				WATER PURIF RNTL-SPECIAL DIST.	25.00
				WATER PURIF RNTL-TS ANNEX	25.00
				WATER PURIF RNTL-FACIL. ANNEX	25.00
				WATER PURIF RNTL-CONF&REC CTR	25.00
				WATER PURIF RNTL-FIRE ST #6	25.00
				WATER PURIF RNTL-FIRE ST #48	25.00
				WATER PURIF RNTL-FIRE ST #2	25.00
				WATER PURIF RNTL-FIRE ST #58	15.77
				WATER PURIF RNTL-FIRE ST #91	25.00
				WATER PURIF RNTL-FIRE ST #65	25.00
	6/20/2011	208299	50.00		
				WATER PURIF RNTL-STARS	25.00
				WATER PURIF RNTL-EOC	25.00
	Vendor Total		**590.79**		
FYTD for ARROWHEAD WATER			**6,722.01**		
AT & T STATE CALLING SERVICE				Remit to: **CAROL STREAM** **IL**	
	6/27/2011	208437	0.04		
				PHONE CHARGES	0.04
	Vendor Total		**0.04**		
FYTD for AT & T STATE CALLING SERVICE			**7.91**		
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	6/6/2011	208119	183.10		
				COMMUNICATIONS SVCS	183.10
	Vendor Total		**183.10**		
FYTD for AT&T/MCI			**2,201.20**		

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AUGUST, MARGARET				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208120	66.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	16.00
				REFUND-VARIOUS A/C FEES	10.00
	Vendor Total		**66.00**		
FYTD for AUGUST, MARGARET			**66.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	6/6/2011	208121	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,745.98**		
BALANCIER, EARL				Remit to: **PERRIS** **CA**	
	6/20/2011	208300	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**722.00**		
FYTD for BALANCIER, EARL			**3,306.00**		
BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	6/6/2011	882835	359.19		
				RETIREE MED APR-JUN '11, PD JU	359.19
	Vendor Total		**359.19**		
FYTD for BARNES, DARLENE			**1,625.47**		
BARNES, DULCE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208301	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for BARNES, DULCE			**95.00**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	6/20/2011	208302	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BARTUCCIO, ERICA			**75.00**		

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BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882836	60.00		
				BACKFLOW TESTING-PARKS	16.74
				BACKFLOW TESTING-PARKS	43.26
	6/13/2011	882926	149.83		
				BACKFLOW TESTING-PARKS	149.83
	6/20/2011	882960	345.33		
				BACKFLOW TESTING-MORRISON PRK	345.33
	Vendor Total		**555.16**		
FYTD for BASIC BACKFLOW			**3,308.42**		
BEDOY, BEATRIZ				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208122	95.00		
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	75.00
	Vendor Total		**95.00**		
FYTD for BEDOY, BEATRIZ			**95.00**		
BEMIS, NIKKI				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208123	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BEMIS, NIKKI			**20.00**		

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BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
6/13/2011	882927	4,957.56		
			LNDSCP MAINT-VETRNS MEMORIAL	250.00
			LNDSCP MAINT-FIRE STATIONS	3,150.00
			LNDSCP MAINT-CITY HALL	992.56
			LNDSCP MAINT-ANNEX BLDG 1	300.00
			REPLC DMGD TREE-IRIS/KITCHING	265.00
6/27/2011	883006	11,986.95		
			LANDSCAPE MAINT-E4	158.99
			LANDSCAPE MAINT-E4	114.75
			LANDSCAPE MAINT-E4	242.63
			LANDSCAPE MAINT-CITY YARD	250.00
			LANDSCAPE MAINT-ANML SHLTR	520.00
			LANDSCAPE MAINT-STARS BLDG	300.00
			LANDSCAPE MAINT-MV ELECT SUBST	630.00
			LANDSCAPE MAINT-MVU	480.00
			LANDSCAPE MAINT-LIBRARY	520.00
			LANDSCAPE MAINT-CONF & REC CTR	1,900.00
			LANDSCAPE MAINT-PSB	226.62
			LANDSCAPE MAINT-PSB	970.96
			LANDSCAPE MAINT-CFD #1	400.00
			LANDSCAPE MAINT-CFD #1	1,900.00
			LANDSCAPE MAINT-CFD #1	400.00
			LNDSCP MAINT-S AQDCT "B"	735.00
			LNDSCP MAINT-SENIOR CT	262.50
			LNDSCP MAINT-N AQDCT	525.00
			LNDSCP MAINT-S AQDCT "A"	850.50
			LNDSCP MAINT-PAN AM SECT	600.00
	Vendor Total	**16,944.51**		
FYTD for BEMUS LANDSCAPE, INC.		**577,144.70**		
BENESYST, INC.			Remit to: **MINNEAPOLIS**	**MN**
6/27/2011	883007	205.57		
			FLEX ADMIN SVCS-HR	205.57
6/30/2011	883041	205.00		
			COBRA ADMIN SVCS-HR	31.00
			COBRA ADMIN SVCS-HR	174.00
	Vendor Total	**410.57**		
FYTD for BENESYST, INC.		**6,549.27**		
BIO-TOX LABORATORIES			Remit to: **RIVERSIDE**	**CA**
6/6/2011	208124	11,821.58		
			TOXICOLOGY TESTING-PD	2,696.88
			TOXICOLOGY TESTING-PD	9,124.70
	Vendor Total	**11,821.58**		
FYTD for BIO-TOX LABORATORIES		**79,896.61**		

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BISHOP COMPANY				Remit to: **WHITTIER** **CA**	
	6/6/2011	208125	57.70		
				MISC TOOLS-PARKS	57.70
	Vendor Total		**57.70**		
FYTD for BISHOP COMPANY			**829.69**		
BLACK, CHRISTINA				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208126	65.00		
				REFUND-BLS HEALTHCARE CLASS	65.00
	Vendor Total		**65.00**		
FYTD for BLACK, CHRISTINA			**65.00**		
BOBO II, FELIX				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208303	69.36		
				MILEAGE REIMBURSEMENT	69.36
	Vendor Total		**69.36**		
FYTD for BOBO II, FELIX			**1,270.93**		
BOSE, TIFFANY				Remit to: **CORONA** **CA**	
	6/13/2011	208244	32.64		
				MILEAGE REIMBURSEMENT	32.64
	Vendor Total		**32.64**		
FYTD for BOSE, TIFFANY			**351.39**		
BOWLUS PACIFIC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208127	607.00		
				REFUND-PLANNING FEES	607.00
	Vendor Total		**607.00**		
FYTD for BOWLUS PACIFIC			**607.00**		
BRAUN BLAISING MCLAUGHLIN				Remit to: **SACRAMENTO** **CA**	
	6/6/2011	208128	386.00		
				LEGAL SERVICES-UT	386.00
	Vendor Total		**386.00**		
FYTD for BRAUN BLAISING MCLAUGHLIN			**386.00**		
BRAY, JR., LYLE DEAN				Remit to: **CORONA** **CA**	
	6/20/2011	208304	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for BRAY, JR., LYLE DEAN			**2,470.00**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	6/27/2011	883008	3,466.88		
				MISC BOOKS-LIBRARY	29.37
				MISC BOOKS-LIBRARY	23.85
				MISC BOOKS-LIBRARY	49.29
				MISC BOOKS-LIBRARY	97.04
				MISC BOOKS-LIBRARY	372.48
				MISC BOOKS-LIBRARY	32.14
				MISC BOOKS-LIBRARY	488.87
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	28.93
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	27.55
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	188.15
				MISC BOOKS-LIBRARY	75.22
				MISC BOOKS-LIBRARY	491.81
				MISC BOOKS-LIBRARY	122.49
				MISC BOOKS-LIBRARY	38.65
				MISC BOOKS-LIBRARY	34.03
				MISC BOOKS-LIBRARY	41.95
				MISC BOOKS-LIBRARY	83.84
				MISC BOOKS-LIBRARY	101.87
				MISC BOOKS-LIBRARY	23.78
				MISC BOOKS-LIBRARY	62.55
				MISC BOOKS-LIBRARY	75.82
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	60.75
				MISC BOOKS-LIBRARY	38.61
				MISC BOOKS-LIBRARY	24.40
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	78.12
				MISC BOOKS-LIBRARY	88.73
				MISC BOOKS-LIBRARY	151.47
				MISC BOOKS-LIBRARY	36.48
				MISC BOOKS-LIBRARY	69.32
				MISC BOOKS-LIBRARY	120.36
				MISC BOOKS-LIBRARY	22.57
	Vendor Total		**3,466.88**		
FYTD for BRODART CO.			**45,433.76**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	6/6/2011	208129	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**3,824.76**		

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BURCIAGA-LOPEZ, ROSSY			Remit to: **MORENO VALLEY**	**CA**
6/27/2011	208438	8.95		
			REFUND-LOST BOOK FEE	8.95
	Vendor Total	**8.95**		
FYTD for BURCIAGA-LOPEZ, ROSSY		**8.95**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
6/6/2011	882837	21,399.60		
			LEGAL SERVICES-HR	1,818.10
			LEGAL SERVICES-HR	19,581.50
6/27/2011	883009	100.00		
			GEN SPECIAL COUNSEL SVCS	100.00
	Vendor Total	**21,499.60**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**106,302.40**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY**	**IL**
6/27/2011	208439	3,963.42		
			MISC BOOKS-LIBRARY	258.00
			MISC BOOKS-LIBRARY	254.49
			MISC BOOKS-LIBRARY	1,820.41
			MISC BOOKS-LIBRARY	721.05
			MISC BOOKS-LIBRARY	57.80
			MISC BOOKS-LIBRARY	851.67
	Vendor Total	**3,963.42**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**24,480.37**		
CA CONSTRUCTION AND FLOOR TECH AMERICA,			Remit to:	
6/6/2011	208130	1,883.00		
			RETENT/STOP NOTICE PYMT-PSB PR	1,883.00
	Vendor Total	**1,883.00**		
FYTD for CA CONSTRUCTION AND FLOOR TECH AMERICA,		**1,883.00**		
CA CONSTRUCTION AND GLOBAL SPECIALTIES			Remit to:	
6/6/2011	208131	968.40		
			RETENT/STOP NOTICE PYMT-PSB PR	968.40
	Vendor Total	**968.40**		
FYTD for CA CONSTRUCTION AND GLOBAL SPECIALTIES		**968.40**		
CA CONSTRUCTION AND MURRAY MECHANICAL			Remit to:	
6/6/2011	208132	4,531.84		
			RETENT/STOP NOTICE PYMT-PSB PR	4,531.84
	Vendor Total	**4,531.84**		
FYTD for CA CONSTRUCTION AND MURRAY MECHANICAL		**4,531.84**		

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CA CONSTRUCTION AND RGB			Remit to:	
6/6/2011	208133	1,982.60		
			RETENT/STOP NOTICE PYMT-PSB PR	1,982.60
Vendor Total		**1,982.60**		
FYTD for CA CONSTRUCTION AND RGB		**1,982.60**		
CA CONSTRUCTION AND TANDEM WEST GLASS,			Remit to:	
6/6/2011	208134	3,480.00		
			RETENT/STOP NOTICE PYMT-PSB PR	3,480.00
Vendor Total		**3,480.00**		
FYTD for CA CONSTRUCTION AND TANDEM WEST GLASS,		**3,480.00**		
CA DEPT OF FORESTRY & PROTECTION			Remit to: **YUCAIPA** **CA**	
6/13/2011	208245	3,705.19		
			MATERIALS FOR LOCKERS AT FS#48	3,705.19
Vendor Total		**3,705.19**		
FYTD for CA DEPT OF FORESTRY & PROTECTION		**3,705.19**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
6/6/2011	882838	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for CAIN, GREGORY		**3,824.76**		
CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
6/7/2011	208238	2,278.08		
			UNCLAIMED VENDOR CHECKS	717.75
			UNCLAIMED VENDOR CHECKS	1,594.33
			UNCLAIMED VENDOR CHECKS	-34.00
Vendor Total		**2,278.08**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,285.72**		
CALIFORNIA TRANSCRIPTION, LLC			Remit to: **RIVERSIDE** **CA**	
6/27/2011	883010	130.01		
			TRANSCRIPTION SVCS-CDD	130.01
Vendor Total		**130.01**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**772.58**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
6/6/2011	882839	4,773.00		
			CONSULTING SVCS-NPDES	4,773.00
Vendor Total		**4,773.00**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**16,907.00**		

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CAMACHO, FELIX				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208246	4,819.00		
				REFUND-TRUST FUND DEPOSIT	4,819.00
	Vendor Total		**4,819.00**		
FYTD for CAMACHO, FELIX			**4,819.00**		
CANNON, ANA M.				Remit to: **HASLET** **TX**	
	6/6/2011	882840	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**3,650.21**		
CANON BUSINESS SOLUTIONS, INC.				Remit to: **BURLINGTON** **NJ**	
	6/20/2011	882962	2,002.20		
				COPIER SERVICE-STARS	2,002.20
	Vendor Total		**2,002.20**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**37,505.95**		
CANON FINANCIAL SERVICES, INC.				Remit to: **CHICAGO** **IL**	
	6/20/2011	208305	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**91,088.16**		
CARRERA, EFRAIN				Remit to: **PERRIS** **CA**	
	6/6/2011	208135	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	6/20/2011	208306	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**1,368.00**		
FYTD for CARRERA, EFRAIN			**2,014.00**		
CARTER, ROSALYN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882841	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for CARTER, ROSALYN			**3,918.83**		

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CELLEBRITE USA, CORP				Remit to: **GLEN ROCK** **NJ**	
	6/21/2011	208421	9,072.00		
				UNIV FORENSIC EXTRACT. DEVICE	6,999.00
				UFED SOFTWARE UPGRADES	1,998.00
				SHIPPING & HANDLING	75.00
				CA USE TAX	612.41
				CA USE TAX ACCRUAL	-612.41
	Vendor Total		**9,072.00**		
FYTD for CELLEBRITE USA, CORP			**18,144.00**		
CEMEX				Remit to: **ONTARIO** **CA**	
	6/6/2011	208136	745.03		
				CEMENT PURCHASE	376.32
				CEMENT PURCHASE	368.71
	6/20/2011	208307	1,092.42		
				CEMENT PURCHASE	301.35
				CEMENT PURCHASE	320.18
				CEMENT PURCHASE	470.89
	Vendor Total		**1,837.45**		
FYTD for CEMEX			**10,873.04**		
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208137	360.00		
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	70.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	55.00
	Vendor Total		**360.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			**13,575.00**		
CERTIFIED CREDIT REPORTING, INC				Remit to: **CORONA** **CA**	
	6/20/2011	208308	18.96		
				CREDIT PROFILE SERVICES	18.96
	Vendor Total		**18.96**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**83.84**		
CHAN, PAULINE				Remit to: **LAKE ELSINORE** **CA**	
	6/6/2011	208138	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CHAN, PAULINE			**95.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	6/20/2011	882963	8,918.00		
				INVESTMENT MGT SVCS	8,918.00
	Vendor Total		**8,918.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**105,917.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	6/6/2011	208139	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,824.76**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882842	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,824.76**		
CHERRY VALLEY FEED				Remit to: **CHERRY VALLEY** **CA**	
	6/27/2011	208440	117.43		
				FOOD FOR PD K9	117.43
	Vendor Total		**117.43**		
FYTD for CHERRY VALLEY FEED			**1,208.54**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882843	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**2,546.46**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO**	**CA**
6/6/2011	882844	155.57		
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-TRFFC SGNL MA	16.42
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	18.60
			UNIFORM RNTL SVC-ST MAINT	36.38
			UNIFORM RNTL SVC-CONC MAINT	9.58
6/13/2011	882928	253.14		
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-FAC MAINT	12.40
			UNIFORM RNTL SVC-FAC MAINT	12.40
			UNIFORM RNTL SVC-PARKS STAFF	50.19
			UNIFORM RNTL SVC-TRF SIG MAINT	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT CREW	51.92
			UNIFORM RNTL SVC-CONCRETE CREW	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
6/20/2011	882964	347.33		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PARKS	85.38
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-FACILITIES	12.40
6/27/2011	883011	375.09		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-CONC MAINT	10.18
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	12.40
			UNIFORM RNTL SVC-GOLF COURSE	5.56
	Vendor Total	1,131.13		
FYTD for CINTAS CORPORATION		12,467.07		

CITY OF MORENO VALLEY VEBA TRUST — Remit to: **MORENO VALLEY** **CA**

6/6/2011	882845	4,200.00		
			EXEMPT VEBA	4,200.00
	Vendor Total	4,200.00		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		49,662.50		

CLAMMER, JOYCE — Remit to: **LAKEWOOD** **CA**

6/20/2011	208309	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	20.00		
FYTD for CLAMMER, JOYCE		20.00		

CLONINGER, JASON — Remit to: **MORENO VALLEY** **CA**

6/20/2011	208310	59.52		
			REFUND-PARKS CLASS REGIS FEE	59.52
	Vendor Total	59.52		
FYTD for CLONINGER, JASON		59.52		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COAST FITNESS REPAIR SHOP			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208140	284.33		
			REPAIR WEIGHT MACH-SENIOR CTR	120.00
			REPAIR WEIGHT MACH-SENIOR CTR	60.00
			REPAIR WEIGHT MACH-SENIOR CTR	18.00
			REPAIR WEIGHT MACH-SENIOR CTR	69.00
			REPAIR WEIGHT MACH-SENIOR CTR	17.33
	Vendor Total	**284.33**		
FYTD for COAST FITNESS REPAIR SHOP		**379.33**		
COAST TO COAST LASER			Remit to: **MURRIETA** **CA**	
6/27/2011	208441	32.63		
			LONGEVITY AWARD-O. RODRIGUEZ	32.63
	Vendor Total	**32.63**		
FYTD for COAST TO COAST LASER		**65.26**		
COASTLINE CONSTRUCTION & AWNING CO.			Remit to: **HUNTINGTON BEACH** **CA**	
6/20/2011	208311	1,459.09		
			CONSTR OF STEPS-PERRIS BL PROJ	1,459.09
	Vendor Total	**1,459.09**		
FYTD for COASTLINE CONSTRUCTION & AWNING CO.		**31,027.74**		
COHENS, BEVERLY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208312	39.00		
			REFUND-PARKS CLASS REGIS FEE	39.00
	Vendor Total	**39.00**		
FYTD for COHENS, BEVERLY		**39.00**		
COLGAN CONSULTING CORPORATION			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208141	2,956.45		
			CONSULTING SVCS-PW LAND DV	2,956.45
	Vendor Total	**2,956.45**		
FYTD for COLGAN CONSULTING CORPORATION		**2,956.45**		
COLONIAL SUPPLEMENTAL INSURANCE			Remit to: **COLUMBIA** **SC**	
6/6/2011	208142	7,079.44		
			SUPPLEMENTAL INSURANCE	7,079.44
	Vendor Total	**7,079.44**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**84,878.79**		

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COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
6/6/2011	208143	183.81		
			CHC CONTRIBUTIONS	183.81
6/20/2011	208313	178.81		
			CHC CONTRIBUTIONS	178.81
	Vendor Total	**362.62**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,543.80**		
CONEJO, LEONARDO			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208314	75.00		
			REFUND-SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CONEJO, LEONARDO		**75.00**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
6/6/2011	208145	2,908.90		
			ASPHALTIC MATERIALS	2,908.90
6/13/2011	208247	2,886.29		
			ASPHALTIC MATERIALS	2,886.29
	Vendor Total	**5,795.19**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**21,009.44**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208315	35.00		
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**35.00**		
FYTD for CONTRERAS, BIANCA		**420.00**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208316	87.50		
			SPORTS OFFICIATING SVCS	35.00
			SPORTS OFFICIATING SVCS	17.50
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**87.50**		
FYTD for CONTRERAS, JOSE		**947.50**		
CONVERT-A-DOC			Remit to: **MURRIETA** **CA**	
6/13/2011	208248	818.32		
			SCANNING SERVICES-LAND DEV	818.32
	Vendor Total	**818.32**		
FYTD for CONVERT-A-DOC		**5,472.70**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COPELAND, PATRICIA				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208317	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for COPELAND, PATRICIA			**50.00**		
COSEY JR., JAMES				Remit to: **MORENO VALLEY CA**	
	6/27/2011	208442	297.00		
				INSTRUCTOR SVCS-KEMPO CLASSES	132.00
				INSTRUCTOR SVCS-KEMPO CLASSES	165.00
	Vendor Total		**297.00**		
FYTD for COSEY JR., JAMES			**813.00**		
COSTCO				Remit to: **MORENO VALLEY CA**	
	6/6/2011	208146	28.41		
				MISC SUPPLIES-STARS	28.41
	6/13/2011	208249	1,124.37		
				MISC SUPPLIES-STARS	82.18
				MISC SUPPLIES-STARS	191.10
				MISC SUPPLIES-STARS	48.30
				MISC SUPPLIES-STARS	119.63
				MISC SUPPLIES-SKATE PARK	683.16
	6/20/2011	208318	3,935.34		
				MISC SUPPLIES-CHILDS PLC	892.15
				MISC SUPPLIES-CHILDS PLC	879.91
				MISC SUPPLIES-CHILDS PLC	1,082.97
				MISC SUPPLIES-STARS	324.02
				MISC SUPPLIES-STARS	18.05
				MISC SUPPLIES-STARS	534.66
				MISC SUPPLIES-STARS	68.46
				MISC SUPPLIES-STARS	135.12
	6/27/2011	208443	289.10		
				MISC SUPPLIES-STARS	80.53
				MISC SUPPLIES-STARS	61.37
				MISC SUPPLIES-STARS	94.02
				MISC SUPPLIES-STARS	53.18
	Vendor Total		**5,377.22**		
FYTD for COSTCO			**56,488.26**		
COUNSELING TEAM, THE				Remit to: **SAN BERNARDINO CA**	
	6/27/2011	208444	1,250.00		
				EMP COUNSELING SRVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**17,500.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
6/6/2011	208147	65.58		
			REFUND-UUT USER TAXES	65.58
	Vendor Total	**65.58**		
FYTD for COUNTRY SQUIRE ESTATES		**816.96**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208250	42.70		
			RECORDATION REQUESTS-LAND DEV	42.70
	Vendor Total	**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**532.95**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
6/6/2011	882846	110.31		
			PD K-9 FOOD	101.43
			PD K-9 FOOD	8.88
	Vendor Total	**110.31**		
FYTD for COVENTRY PET RESORT		**993.40**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208148	871.00		
			HEALTH PERMIT-CONF & REC CTR	871.00
	Vendor Total	**871.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**26,404.08**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
6/20/2011	208320	745.00		
			DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**10,940.00**		
D H TAD LOWREY & GAYLE A LOWREY			Remit to: **PASADENA** **CA**	
6/6/2011	882847	2,400.82		
			BOND HOLDER PAYMENT	1,786.19
			BOND HOLDER PAYMENT	614.63
	Vendor Total	**2,400.82**		
FYTD for D H TAD LOWREY & GAYLE A LOWREY		**3,408.82**		
DACOLIAS, RAYMOND			Remit to: **SAN JACINTO** **CA**	
6/20/2011	208321	190.00		
			INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total	**190.00**		
FYTD for DACOLIAS, RAYMOND		**1,748.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DAILY JOURNAL CORPORATION			Remit to: **LOS ANGELES** **CA**	
6/6/2011	208149	784.08		
			RENEWAL SUBSCRIPTION-12 MOS.	784.08
	Vendor Total	**784.08**		
FYTD for DAILY JOURNAL CORPORATION		**784.08**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882848	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for DALE, KATHLEEN		**3,805.92**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH** **CA**	
6/6/2011	882849	4,861.50		
			CITATION PRCSSNG-PD	3,518.35
			CITATION PRCSSNG-ANML SVCS	595.55
			CITATION PRCSSNG-BLDG/SFTY	747.60
6/13/2011	882929	105.00		
			PARKING CODE APP-TECH SVCS	105.00
	Vendor Total	**4,966.50**		
FYTD for DATA TICKET, INC.		**246,852.12**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO** **CA**	
6/27/2011	208445	130.50		
			ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total	**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**1,566.00**		
DE LA CRUZ, JAZMINE			Remit to: **MONTEBELLO** **CA**	
6/6/2011	208150	65.00		
			REFUND-BLS HEALTHCARE CLASS	65.00
	Vendor Total	**65.00**		
FYTD for DE LA CRUZ, JAZMINE		**65.00**		
DEFINITIVE FINANCIAL SOLUTIONS, LLC			Remit to: **PARIS** **MO**	
6/13/2011	208251	1,800.00		
			CONSULTING SVCS-TECH SVCS	1,800.00
	Vendor Total	**1,800.00**		
FYTD for DEFINITIVE FINANCIAL SOLUTIONS, LLC		**6,675.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	6/13/2011	208252	12,027.29		
				EMPLOYEE DENTAL INSURANCE	12,027.29
	Vendor Total		**12,027.29**		
FYTD for DELTA DENTAL			**139,895.34**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	6/27/2011	883012	4,315.00		
				PLAN REVIEW SVCS-FIRE PREV	780.00
				PLAN REVIEW SVCS-FIRE PREV	3,275.00
				PLAN REVIEW SVCS-FIRE PREV	260.00
	Vendor Total		**4,315.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**108,230.00**		
DIVISION OF LABOR STANDARDS ENFORCMENT				Remit to: **LONG BEACH** **CA**	
	6/21/2011	208422	5,568.75		
				CWPA PYMT-EMERG OPS CTR PROJ	5,568.75
	Vendor Total		**5,568.75**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT			**53,540.14**		
DLS LANDSCAPE, INC				Remit to: **REDLANDS** **CA**	
	6/27/2011	883013	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**12,390.00**		
FYTD for DLS LANDSCAPE, INC			**148,680.00**		
DMV				Remit to: **SACRAMENTO** **CA**	
	6/13/2011	208253	104.00		
				RENEWAL REGISTRATION	52.00
				RENEWAL REGISTRATION	52.00
	Vendor Total		**104.00**		
FYTD for DMV			**104.00**		
DORIS GRAVITTE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208151	73.00		
				REFUND-BUS. LIC. OVERPAYMENT	57.00
				REFUND-BUS. LIC. OVERPAYMENT	16.00
	Vendor Total		**73.00**		
FYTD for DORIS GRAVITTE			**73.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	6/6/2011	208152	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**3,540.96**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL				Remit to: **SACRAMENTO** **CA**	
	6/20/2011	208322	15.00		
				2010 MANIFEST FEES-FIRE ST #6	15.00
	Vendor Total		**15.00**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			**115.00**		
DUNN, LAURA ISABEL GARCIA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	882965	304.00		
				INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for DUNN, LAURA ISABEL GARCIA			**1,748.00**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208153	252.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	252.00
	Vendor Total		**252.00**		
FYTD for DURAN, BLANCA			**3,003.00**		
DYE, COLUMBUS				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208254	444.23		
				REFUND-A/C CITATION CHRGS	444.23
	Vendor Total		**444.23**		
FYTD for DYE, COLUMBUS			**444.23**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/6/2011	208154	12,942.57		
			WATER CHARGES	269.72
			WATER CHARGES	6,541.37
			WATER CHARGES	354.84
			WATER CHARGES	2,034.55
			WATER CHARGES	607.12
			WATER CHARGES	2,958.60
			WATER CHARGES	176.37
6/20/2011	208323	0.00		
			WATER CHARGES-SUBSTATION	109.70
			WATER CHARGES	1,512.76
			WATER CHARGES	215.89
			WATER CHARGES	886.93
			WATER CHARGES	3,295.26
			WATER CHARGES	39.60
			WATER CHARGES	731.92
			WATER CHARGES	3,405.73
			WATER CHARGES	112.11
			WATER CHARGES	20,226.01
			WATER CHARGES	1,914.50
			WATER CHARGES	10,318.64
			WATER CHARGES	6,429.68
			WATER CHARGES	4,365.06
			WATER CHARGES	8,640.00
			WATER CHARGES	4,553.69
			WATER CHARGES	2,441.82
			WATER CHARGES	51.73
			WATER CHARGES	1,462.00
			WATER CHARGES	3,118.14
			WATER CHARGES	867.38
			WATER CHARGES	246.46
			WATER CHARGES	525.26
			WATER CHARGES	402.73
			WATER CHARGES	316.75
			WATER CHARGES	254.04
			WATER CHARGES	282.11
			WATER CHARGES	359.58
			WATER CHARGES	83.22
			WATER CHARGES	246.06
			WATER CHARGES	109.66
			WATER CHARGES	2,168.37
			WATER CHARGES	887.14
			VOIDED CHECK #208323 - 6/21/11	-109.70
			VOIDED CHECK #208323 - 6/21/11	-1,512.76
			VOIDED CHECK #208323 - 6/21/11	-215.89
			VOIDED CHECK #208323 - 6/21/11	-886.93
			VOIDED CHECK #208323 - 6/21/11	-3,295.26
			VOIDED CHECK #208323 - 6/21/11	-39.60
			VOIDED CHECK #208323 - 6/21/11	-731.92
			VOIDED CHECK #208323 - 6/21/11	-3,405.73
			VOIDED CHECK #208323 - 6/21/11	-112.11
			VOIDED CHECK #208323 - 6/21/11	-20,226.01
			VOIDED CHECK #208323 - 6/21/11	-1,914.50

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			VOIDED CHECK #208323 - 6/21/11	-10,318.64
			VOIDED CHECK #208323 - 6/21/11	-6,429.68
			VOIDED CHECK #208323 - 6/21/11	-4,365.06
			VOIDED CHECK #208323 - 6/21/11	-8,640.00
			VOIDED CHECK #208323 - 6/21/11	-4,553.69
			VOIDED CHECK #208323 - 6/21/11	-2,441.82
			VOIDED CHECK #208323 - 6/21/11	-51.73
			VOIDED CHECK #208323 - 6/21/11	-1,462.00
			VOIDED CHECK #208323 - 6/21/11	-3,118.14
			VOIDED CHECK #208323 - 6/21/11	-867.38
			VOIDED CHECK #208323 - 6/21/11	-246.46
			VOIDED CHECK #208323 - 6/21/11	-525.26
			VOIDED CHECK #208323 - 6/21/11	-402.73
			VOIDED CHECK #208323 - 6/21/11	-316.75
			VOIDED CHECK #208323 - 6/21/11	-254.04
			VOIDED CHECK #208323 - 6/21/11	-282.11
			VOIDED CHECK #208323 - 6/21/11	-359.58
			VOIDED CHECK #208323 - 6/21/11	-83.22
			VOIDED CHECK #208323 - 6/21/11	-246.06
			VOIDED CHECK #208323 - 6/21/11	-109.66
			VOIDED CHECK #208323 - 6/21/11	-2,168.37
			VOIDED CHECK #208323 - 6/21/11	-887.14
6/21/2011	208424	500.00		
			MORRISON PRK FIRE STATION PROJ	500.00
	Vendor Total	**13,442.57**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,434,949.17**		

EASTMAN, MARK F — Remit to: **MURRIETA** **CA**

6/27/2011	208446	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for EASTMAN, MARK F		**57.50**		

EDGELANE MOBILE PARK — Remit to: **LOS ANGELES** **CA**

6/20/2011	882966	35.66		
			REFUND-UUT FOR EXEMPT RESIDNTS	35.66
	Vendor Total	**35.66**		
FYTD for EDGELANE MOBILE PARK		**174.17**		

EGGERSTEN, ANNE — Remit to: **RANCHO MIRAGE** **CA**

6/6/2011	208155	325.66		
			RETIREE MED JUN '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**3,787.56**		

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EMERGENT BATTERY TECHNOLOGIES			Remit to: **YORBA LINDA** **CA**	
6/20/2011	208324	6,090.00		
			ES-12-24 AMG BATTERIES	5,600.00
			CALIF SALES TAX	490.00
	Vendor Total	**6,090.00**		
FYTD for EMERGENT BATTERY TECHNOLOGIES		**11,701.50**		
EMPIRE TRANSPORTATION SERVICES, INC			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208325	3,387.50		
			BUS SVC-STARS PRGM CHEER COMP.	3,387.50
	Vendor Total	**3,387.50**		
FYTD for EMPIRE TRANSPORTATION SERVICES, INC		**3,387.50**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
6/15/2011	2874	1,975.16		
			STATE INCOME TAX W/H 6/15/11	1,975.16
	Vendor Total	**1,975.16**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,082,776.56**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
6/27/2011	883014	948.00		
			METER FEES-SOLAR CUST INSTALL	474.00
			METER FEES-SOLAR CUST INSTALL	474.00
	Vendor Total	**948.00**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,059,467.17**		
ENVIRONMENTAL CONSTRUCTION, INC.			Remit to: **WOODLAND HILLS** **CA**	
6/21/2011	208425	2,560.00		
			STOP NOTICE RLS-SUNNYMD BL PRJ	2,560.00
	Vendor Total	**2,560.00**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**2,560.00**		
ESKEL/PORTER CONSULTING, INC.			Remit to: **SACRAMENTO** **CA**	
6/6/2011	882850	660.00		
			CONSULTING SVCS-TECH SVCS	660.00
	Vendor Total	**660.00**		
FYTD for ESKEL/PORTER CONSULTING, INC.		**3,307.50**		
ESQUIVEL, JOSEFINA			Remit to: **BAKERSFIELD** **CA**	
6/27/2011	208447	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for ESQUIVEL, JOSEFINA		**57.50**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	882851	73.94		
			ENGRAVING SVCS-PD	48.94
			ENGRAVING SVCS-PD	25.00
6/20/2011	882967	30.45		
			ENGRAVING SVCS-PARKS COMM	14.14
			ENGRAVING SVCS-PARKS COMM	16.31
	Vendor Total	**104.39**		
FYTD for EVANS ENGRAVING & AWARDS		**1,369.97**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
6/20/2011	208326	235.62		
			IRRIGATION SUPPLIES-PARKS	235.62
	Vendor Total	**235.62**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**16,425.01**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
6/13/2011	208255	4,503.92		
			LANDSCAPE MAINT-WQB	3,988.34
			LANDSCAPE MAINT-WQB	515.58
6/20/2011	208327	8,885.58		
			LANDSCAPE MAINT-E7	2,777.17
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-E7	75.00
			LANDSCAPE MAINT-E-15	1,070.36
			LANDSCAPE MAINT-E-8	1,501.98
	Vendor Total	**13,389.50**		
FYTD for EXCEL LANDSCAPE, INC		**163,742.66**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	208157	30.00		
			REFUND-FALSE ALARM CITATION	30.00
	Vendor Total	**30.00**		
FYTD for FAMILY SERVICE ASSOCIATION		**73,333.83**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
6/6/2011	882852	361.25		
			RETIREE MED JUN '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**4,335.00**		

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FINISTER, ZAMORA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208328	8.95		
				REFUND-LOST BOOK FEE	8.95
	Vendor Total		**8.95**		
FYTD for FINISTER, ZAMORA			**8.95**		
FIRST CHOICE SERVICES				Remit to: **ONTARIO** **CA**	
	6/13/2011	882930	673.86		
				COFFEE SVCS-EMP PAID	74.00
				COFFEE SVCS-EMP PAID	34.62
				COFFEE SVCS-EMP PAID	126.32
				COFFEE SVCS-EMP PAID	170.64
				COFFEE SVCS-EMP PAID	105.14
				COFFEE SVCS-EMP PAID	67.38
				COFFEE SVCS-EMP PAID	95.76
	Vendor Total		**673.86**		
FYTD for FIRST CHOICE SERVICES			**7,898.55**		
FITNESS 19 CA 155 11C				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208329	253.00		
				GYM MEMBERSHIP DEDUCTIONS	253.00
	Vendor Total		**253.00**		
FYTD for FITNESS 19 CA 155 11C			**3,089.00**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208158	11,890.44		
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.87
				PRNTED SUPPLIES-CSD ANNL BROCH	38.87
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.22
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
	6/13/2011	208256	2,499.08		
				DOOR HANGERS-SPCL DIST	2,335.75
				DOOR HANGERS-SPCL DIST	163.33
	Vendor Total		**14,389.52**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**37,663.51**		

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FORNISS, BRANDON/JAMIE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208331	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for FORNISS, BRANDON/JAMIE		**95.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882853	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**3,805.92**		
FRANCE PUBLICATIONS, INC			Remit to: **ATLANTA** **GA**	
6/20/2011	208332	3,200.00		
			ADVERTISING SERVICES	3,200.00
	Vendor Total	**3,200.00**		
FYTD for FRANCE PUBLICATIONS, INC		**6,400.00**		
FRANCHISE TAX BOARD			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208159	144.64		
			GARNISHMENT	25.00
			GARNISHMENT	115.00
			GARNISHMENT	4.64
6/20/2011	208333	153.13		
			GARNISHMENT	115.00
			GARNISHMENT	38.13
	Vendor Total	**297.77**		
FYTD for FRANCHISE TAX BOARD		**3,476.54**		
FRANKLIN, L. C.			Remit to: **PERRIS** **CA**	
6/27/2011	208448	91.29		
			MILEAGE REIMBURSEMENT	91.29
	Vendor Total	**91.29**		
FYTD for FRANKLIN, L. C.		**1,682.25**		
FRAZEE INDUSTRIES, INC			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208160	9,689.62		
			TRAFFIC PAINT	6,456.16
			TRAFFIC PAINT	3,233.46
6/30/2011	208526	3,233.46		
			TRAFFIC PAINT	3,233.46
	Vendor Total	**12,923.08**		
FYTD for FRAZEE INDUSTRIES, INC		**136,828.46**		

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FRAZIER, HAROLD				Remit to: **PERRIS** **CA**	
	6/20/2011	208334	200.00		
				REFUND-TENNIS CLASS REGIS FEE	100.00
				REFUND-TENNIS CLASS REGIS FEE	100.00
	Vendor Total		**200.00**		
FYTD for FRAZIER, HAROLD			**200.00**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208161	100.00		
				SPORTS OFFICIATING SVCS	100.00
	Vendor Total		**100.00**		
FYTD for FRESQUEZ, JOHN			**864.00**		
FROST, JOAN CHENG				Remit to: **TEMECULA** **CA**	
	6/20/2011	208335	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for FROST, JOAN CHENG			**2,318.00**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	208257	6,138.00		
				SIGNS INSTALLATION-TRANSP	6,138.00
	6/27/2011	208449	22,576.01		
				FREESTANDING COMM ID SIGN	10,326.07
				LIGHT POLE MTD COMM ID SIGN	2,354.87
				LIGHT POLE MTD ID BANNERS	4,143.57
				FREESTANDING AMENITY DIR SIGN	2,879.40
				LIGHT POLE MTD DIRECT. SIGN	1,055.64
				CA SALES TAX	1,816.46
	Vendor Total		**28,714.01**		
FYTD for FUSION SIGN AND DESIGN, INC			**28,714.01**		
G/M BUSINESS INTERIORS, INC.				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	208450	1,276.40		
				REUPHOLSTER PANELS/MOLDING-CRC	1,276.40
	Vendor Total		**1,276.40**		
FYTD for G/M BUSINESS INTERIORS, INC.			**7,486.42**		

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GALLS INC., INLAND UNIFORM			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208162	141.77		
			UNIFORMS-PD POP TEAM	141.77
6/20/2011	208336	353.14		
			UNIFORMS-PD POP TEAM	211.37
			UNIFORMS-PD POP TEAM	141.77
6/27/2011	208451	120.72		
			UNIFORMS-POP TEAM	60.36
			UNIFORMS-POP TEAM	60.36
	Vendor Total	**615.63**		
FYTD for GALLS INC., INLAND UNIFORM		**4,902.56**		
GARCIA, BRENDA			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208337	45.00		
			REFUND-VARIOUS A/C FEES	19.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
	Vendor Total	**45.00**		
FYTD for GARCIA, BRENDA		**45.00**		
GASTON, RICHARD			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882854	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for GASTON, RICHARD		**3,824.76**		
GATES CAPITAL CORPORATION			Remit to: **NEW YORK** **NY**	
6/27/2011	208523	436.48		
			REMARKETING AGENT FEE-FINAL	436.48
	Vendor Total	**436.48**		
FYTD for GATES CAPITAL CORPORATION		**436.48**		
GE FLEET SERVICES			Remit to: **EDEN PRAIRIE** **MI**	
6/27/2011	208452	127.00		
			REFUND-CITATION FEE	127.00
	Vendor Total	**127.00**		
FYTD for GE FLEET SERVICES		**127.00**		

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GENERAL SECURITY SERVICES, INC.				Remit to: **WILMINGTON**	**CA**
	6/6/2011	882855	1,994.20		
				SECURITY SVCS-CRC SPCL EVNTS	337.48
				SECURITY SVCS-SENIOR CTR	184.08
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
	6/13/2011	882931	1,645.22		
				SECURITY SRVCS-CITY HALL	299.13
				SECURITY SRVCS-LIBRARY	245.44
				SECURITY SRVCS-CONF & REC CTR	302.97
				SECURITY SVCS-TOWNGATE CTR	122.72
				SECURITY SVCS-SENIOR CTR	214.76
				SECURITY SVCS-CRC SPCL EVNTS	368.16
				SECURITY SVCS-CRC SPCL EVNTS	92.04
	6/20/2011	882968	337.48		
				SECURITY SVCS-TWNGATE CTR	76.70
				SECURITY SVCS-TWNGATE CTR	76.70
				SECURITY SVCS-TWNGATE CTR	76.70
				SECURITY SVCS-TWNGATE CTR	107.38
	6/27/2011	883016	1,871.49		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	245.44
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-UTILITY	276.13
	Vendor Total		**5,848.39**		
FYTD for GENERAL SECURITY SERVICES, INC.			**54,401.45**		
GERALD GRAVITTE				Remit to: **MORENO VALLEY**	**CA**
	6/6/2011	208163	90.00		
				REFUND-BUS. LIC. OVERPAYMENT	63.00
				REFUND-BUS. LIC. OVERPAYMENT	27.00
	Vendor Total		**90.00**		
FYTD for GERALD GRAVITTE			**90.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				Remit to: **LOS ANGELES**	**CA**
	6/27/2011	883017	15,712.07		
				LEGAL SVCS	9,060.00
				LEGAL SVCS	6,652.07
	Vendor Total		**15,712.07**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			**246,170.44**		

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GLOBAL SOFTWARE, INC			Remit to: **RALEIGH** **NC**	
6/13/2011	882932	9,900.00		
			SERVER MAINT-TECH SVCS	4,000.00
			SERVER MAINT-TECH SVCS	800.00
			SERVER MAINT-TECH SVCS	800.00
			SERVER MAINT-TECH SVCS	800.00
			MAINT/SUPPORT-SPCL DIST	1,000.00
			MAINT/SUPPORT-TECH SVCS	2,500.00
6/20/2011	882969	2,000.00		
			MAINT/SUPPORT-SPREADSHT SERVER	500.00
			MAINT/SUPPORT-SPREADSHT SERVER	1,500.00
6/27/2011	883018	500.00		
			SPREADSHEET SERVER-PW ST MAINT	500.00
	Vendor Total	**12,400.00**		
FYTD for GLOBAL SOFTWARE, INC		**55,120.00**		
GONG ENTERPRISES, INC.			Remit to: **HUNTINGTON BEACH** **CA**	
6/20/2011	208338	5,940.00		
			CONSULTING SVCS-PM 35859	5,670.00
			CONSULTING SVCS-FM35760	270.00
	Vendor Total	**5,940.00**		
FYTD for GONG ENTERPRISES, INC.		**45,795.40**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882856	318.73		
			RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total	**318.73**		
FYTD for GONZALES, DOMILENA R.		**3,060.32**		
GOUDEAU, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208453	51.00		
			REFUND-PARKS CLASS REGIS FEE	51.00
	Vendor Total	**51.00**		
FYTD for GOUDEAU, MICHELLE		**51.00**		
GOZDECKI, DAN			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882857	432.00		
			INSTRUCTOR SVCS-KUNG FU	189.00
			INSTRUCTOR SVCS-KUNG FU	243.00
	Vendor Total	**432.00**		
FYTD for GOZDECKI, DAN		**7,209.00**		

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GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	6/13/2011	208258	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for GRANICUS, INC.			**12,000.00**		
GRAY, TYLON				Remit to: **STOCKTON** **CA**	
	6/6/2011	208164	503.88		
				REFUND-CITATION CHRGS	503.88
	Vendor Total		**503.88**		
FYTD for GRAY, TYLON			**503.88**		
GRID ALTERNATIVE				Remit to: **OAKLAND** **CA**	
	6/27/2011	208454	57.00		
				REFUND-BUS LIC OVERPAYMENT	57.00
	Vendor Total		**57.00**		
FYTD for GRID ALTERNATIVE			**57.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	6/6/2011	882858	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,745.98**		
GROUP DELTA CONSULTANTS, INC				Remit to: **IRVINE** **CA**	
	6/20/2011	882970	1,355.50		
				DAY ST IMPRVMNTS PROJ SVCS	1,355.50
	Vendor Total		**1,355.50**		
FYTD for GROUP DELTA CONSULTANTS, INC			**16,673.50**		
GRUBE, PATTY				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208165	24.48		
				MILEAGE REIMBURSEMENT	24.48
	Vendor Total		**24.48**		
FYTD for GRUBE, PATTY			**24.48**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	6/27/2011	208455	518.40		
				INSTRUCTOR SVCS-ZUMBA	362.40
				INSTRUCTOR SVCS-ZUMBA	156.00
	Vendor Total		**518.40**		
FYTD for GUILIANO, MARIA			**1,627.20**		

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GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	6/6/2011	882859	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,824.76**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	882971	4,049.00		
				CART RETRVL SVCS-CODE	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**48,588.00**		
HABITAT FOR HUMANITY RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	6/28/2011	110609	15,000.00		
				DOWN PMT ASSIST/DRIVEWAY REIMB	15,000.00
	6/28/2011	110608	15,000.00		
				DOWN PMT ASSIST/DRIVEWAY REIMB	15,000.00
	Vendor Total		**30,000.00**		
FYTD for HABITAT FOR HUMANITY RIVERSIDE			**59,752.70**		
HAMARI, MICHAEL				Remit to: **FOUNTAIN VALLEY** **CA**	
	6/6/2011	208166	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for HAMARI, MICHAEL			**95.00**		
HAMBURG, IRENE				Remit to: **OTIS** **OR**	
	6/6/2011	882860	1,232.58		
				RETIREE MED DEC '10-MAR '11, P	1,232.58
	Vendor Total		**1,232.58**		
FYTD for HAMBURG, IRENE			**3,782.42**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	6/6/2011	882861	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,805.92**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882862	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,824.76**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	6/6/2011	208167	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,824.76**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	6/6/2011	208168	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**22,515.09**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	882863	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,824.76**		
HAUSER, ADRIANA				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	208339	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**722.00**		
FYTD for HAUSER, ADRIANA			**5,966.00**		
HDL COREN & CONE				Remit to: **DIAMOND BAR** **CA**	
	6/13/2011	208259	4,387.50		
				PROP TAX SOFTWARE-TECH SVCS	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**17,550.00**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES				Remit to: **DIAMOND BAR** **CA**	
	6/6/2011	208169	2,522.54		
				SALES TAX CONSULTING SVCS	900.00
				SALES TAX AUDIT SVCS	1,622.54
	Vendor Total		**2,522.54**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**20,144.48**		

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HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	6/6/2011	882864	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,824.76**		
HEISTERBERG, ANTHONY				Remit to: **TEMECULA** **CA**	
	6/6/2011	208170	1,630.18		
				RETIREE MED OCT '10-MAY '11, P	1,630.18
	Vendor Total		**1,630.18**		
FYTD for HEISTERBERG, ANTHONY			**2,437.36**		
HELP PROGRAM, THE				Remit to: **TEMECULA** **CA**	
	6/20/2011	208340	3,500.00		
				FORECLOSURE PREV WORKSHOP SVCS	3,500.00
	Vendor Total		**3,500.00**		
FYTD for HELP PROGRAM, THE			**3,500.00**		
HERNANDEZ, CHRISTIAN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208456	16.15		
				REFUND-VARIOUS A/C FEES	14.85
				REFUND-VARIOUS A/C FEES	1.30
	Vendor Total		**16.15**		
FYTD for HERNANDEZ, CHRISTIAN			**16.15**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208171	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,824.76**		
HICKMAN, LANISE				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208457	144.00		
				INSTRUCTOR SVCS-FITNESS	144.00
	Vendor Total		**144.00**		
FYTD for HICKMAN, LANISE			**499.20**		
HO, KEVIN CHINH				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208341	114.00		
				INSTRUCTIONAL SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for HO, KEVIN CHINH			**1,064.00**		

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HOGLE-IRELAND, INC.			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208172	500.00		
			REFUND-PLANNING FEES	500.00
	Vendor Total	**500.00**		
FYTD for HOGLE-IRELAND, INC.		**500.00**		
HONDA YAMAHA OF REDLANDS			Remit to: **REDLANDS** **CA**	
6/6/2011	208173	2,632.36		
			PD MTRCYCLE MAINT/REPAIR-LABOR	308.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	366.19
			PD MTRCYCLE MAINT/REPAIR-LABOR	441.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	560.81
			PD MTRCYCLE MAINT/REPAIR-LABOR	154.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	324.40
			PD MTRCYCLE MAINT/REPAIR-LABOR	161.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	129.59
			PD MTRCYCLE MAINT/REPAIR-LABOR	49.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	138.37
6/13/2011	208260	2,089.69		
			TRAFFIC CYCLE MAINT/RPR-PD	140.00
			TRAFFIC CYCLE MAINT/RPR-PD	462.58
			TRAFFIC CYCLE MAINT/RPR-PD	175.00
			TRAFFIC CYCLE MAINT/RPR-PD	522.51
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
6/20/2011	208342	344.00		
			PD MTRCYCLE MAINT/REPAIR-LABOR	98.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	246.00
	Vendor Total	**5,066.05**		
FYTD for HONDA YAMAHA OF REDLANDS		**5,066.05**		
HORIZON UNDERGROUND INC.			Remit to: **CORONA** **CA**	
6/27/2011	208458	134.00		
			REFUND-VARIOUS PERMIT FEES	82.00
			REFUND-VARIOUS PERMIT FEES	52.00
	Vendor Total	**134.00**		
FYTD for HORIZON UNDERGROUND INC.		**134.00**		
HOUSER, EDITH E.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208174	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for HOUSER, EDITH E.		**3,824.76**		

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HOWARD, CHAD				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208175	325.00		
				PER DIEM-INVESTIG INTERVW TRNG	325.00
	Vendor Total		**325.00**		
FYTD for HOWARD, CHAD			**325.00**		
HUERTA, ELIZABETH				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208343	61.60		
				REFUND-PARKS CLASS REGIS FEE	61.60
	6/27/2011	208459	15.40		
				REFUND-PARKS CLASS REGIS FEE	15.40
	Vendor Total		**77.00**		
FYTD for HUERTA, ELIZABETH			**77.00**		
HUNTINGTON BEACH HONDA				Remit to: **HUNTINGTON BEACH** **CA**	
	6/20/2011	208344	263.11		
				REPAIR-PD TRAFFIC MOTORBIKE	192.50
				REPAIR-PD TRAFFIC MOTORBIKE	70.61
	Vendor Total		**263.11**		
FYTD for HUNTINGTON BEACH HONDA			**27,562.31**		
HURTADO, GENEVIEVE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208345	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for HURTADO, GENEVIEVE			**75.00**		
I.E. BIKES, INC.				Remit to: **MURRIETA** **CA**	
	6/13/2011	208261	5,437.07		
				BIKE ACCESSORIES-PD	3,589.90
				BIKE ACCESSORIES-PD	599.90
				BIKE ACCESSORIES-PD	289.90
				BIKE ACCESSORIES-PD	519.90
				BIKE ACCESSORIES-PD	437.47
	6/21/2011	208426	632.49		
				BIKE REPAIRS-PD POP	65.00
				9-SPEED CHAIN	26.99
				LABOR TO INSTALL CHAIN	8.00
				CA SALES TAX	2.36
				BIKE REPAIRS-PD POP	65.00
				RUBBER	59.90
				CA SALES TAX	5.24
				LABOR-TUNE MTB/ROAD BIKES-PD	400.00
	Vendor Total		**6,069.56**		
FYTD for I.E. BIKES, INC.			**6,069.56**		

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ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
6/3/2011	2869	9,110.37		
			DEF COMP 457 6/3/11	9,110.37
6/17/2011	2879	8,785.37		
			DEF COMP 457 6/17/11	8,785.37
	Vendor Total	**17,895.74**		
FYTD for ICMA RETIREMENT CORP 457		**244,034.37**		
ICSC-INT'L. COUNCIL OF SHOPPING CENTERS			Remit to: **NEW YORK** **NY**	
6/20/2011	208346	3,308.62		
			ADVERTISING SERVICES	3,308.62
	Vendor Total	**3,308.62**		
FYTD for ICSC-INT'L. COUNCIL OF SHOPPING CENTERS		**6,617.24**		
IL SORRENTO MOBILE PARK			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208176	102.23		
			REFUND-UUT USER TAXES	102.23
	Vendor Total	**102.23**		
FYTD for IL SORRENTO MOBILE PARK		**1,586.12**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
6/6/2011	208177	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,700.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882972	11,826.80		
			DEMO & DISPOSAL OF RESIDENCE	11,150.00
			WEED ABATEMENT-11987 DAVIS ST	676.80
	Vendor Total	**11,826.80**		
FYTD for INLAND CONTRACTORS, INC.		**41,403.71**		

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INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	882865	4,219.00		
			NUISANCE ABTMNT SVC-CODE	187.00
			WEED ABATEMENT SVCS-PARKS	4,032.00
6/13/2011	882933	4,119.17		
			WEED ABTMNT SVCS-FACILITIES	439.00
			WEED ABTMNT SVCS-FACILITIES	759.00
			CLEAN UP SVCS-RDA	1,026.67
			CLEAN UP SVCS-RDA	856.00
			CLEAN UP SVCS-RDA	253.50
			CLEAN UP SVCS-RDA	257.50
			CLEAN UP SVCS-RDA	150.00
			CLEAN UP SVCS-RDA	229.50
			CLEAN UP SVCS-RDA	148.00
6/20/2011	882973	4,040.00		
			WEED ABATEMENT SVCS	825.00
			WEED ABATEMENT SVCS-PARKS	1,026.00
			WEED ABATEMENT SVCS-PARKS	2,189.00
	Vendor Total	**12,378.17**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**72,509.59**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON**	**CA**
6/13/2011	882934	1,095.70		
			PERFORM CARB VAPOR RECOV TEST	393.00
			MISC REPAIR MATERIALS	309.70
			PERFORM CARB VAPOR RECOV TEST	393.00
6/20/2011	882974	499.30		
			PERFORM CARB VAPOR RECOV TEST	393.00
			PERFORM CARB VAPOR RECOV TEST	106.30
	Vendor Total	**1,595.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**2,245.59**		
INSIDE PLANTS, INC.			Remit to: **CORONA**	**CA**
6/13/2011	882935	326.00		
			PLANT MAINT-CONF & REC CTR	251.00
			PLANT MAINT-CONF & REC CTR	75.00
	Vendor Total	**326.00**		
FYTD for INSIDE PLANTS, INC.		**3,867.00**		
INTERNAL REVENUE SERVICE			Remit to:	
6/15/2011	2873	5,525.57		
			FED INCOME TAX W/H 6/15/11	5,525.57
	Vendor Total	**5,525.57**		
FYTD for INTERNAL REVENUE SERVICE		**3,497,189.37**		

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IRON MOUNTAIN OFF-SITE DATA PROTECTION				Remit to: **CERRITOS** **CA**	
	6/6/2011	208178	979.11		
				OFFSITE DATA STORAGE-TECH SVCS	979.11
	6/27/2011	208460	954.67		
				OFFSITE DATA STORAGE-TECH SVCS	954.67
	Vendor Total		**1,933.78**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION			**12,832.37**		
J D H CONTRACTING				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	882936	1,549.00		
				WOMEN'S LOCKER RM REPAIRS-CRC	1,549.00
	6/27/2011	883020	635.00		
				REPLACE BROKEN SLATE TILES-CRC	635.00
	Vendor Total		**2,184.00**		
FYTD for J D H CONTRACTING			**151,477.50**		
JABARA, MONA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208461	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for JABARA, MONA			**62.00**		
JACKSON, JAYE				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208179	80.00		
				SPORTS OFFICIATING SVCS	40.00
				SPORTS OFFICIATING SVCS	40.00
	6/20/2011	208347	40.00		
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**120.00**		
FYTD for JACKSON, JAYE			**196.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208180	174.00		
				COURIER SVCS-CITY ATTRNYS	95.00
				COURIER SVCS-CITY ATTRNYS	79.00
	6/13/2011	208262	35.00		
				COURIER SVCS-CITY ATTRNYS	35.00
	6/20/2011	208348	135.00		
				COURIER SVCS-CITY ATTRNYS	60.00
				COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total		**344.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,777.65**		

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JDEDGE SOFTWARE, LLC			Remit to: **KRUGERVILLE** **TX**	
6/13/2011	882937	1,395.00		
			CONSULTING SVCS-TECH. SVCS	1,395.00
6/27/2011	883021	1,615.00		
			CONSULTING SVCS-TECH SVCS	1,615.00
	Vendor Total	**3,010.00**		
FYTD for JDEDGE SOFTWARE, LLC		**27,547.50**		
JEANNETTE RODRIGUEZ			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208462	195.60		
			INSTRUCTOR SVCS-BEG JR TENNIS	92.40
			INSTRUCTOR SVCS-ADV. TENNIS	51.60
			INSTRUCTOR SVCS-ADV. TENNIS	51.60
	Vendor Total	**195.60**		
FYTD for JEANNETTE RODRIGUEZ		**195.60**		
JEFFERSON, ALICIA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208463	79.00		
			REFUND-PARKS CLASS REGIS FEE	79.00
	Vendor Total	**79.00**		
FYTD for JEFFERSON, ALICIA		**79.00**		
JOE A. GONSALVES & SON			Remit to: **SACRAMENTO** **CA**	
6/13/2011	882938	6,345.00		
			REPRESENTATION SVCS	3,150.00
			REPRESENTATION SVCS	2,970.00
			REPRESENTATION SVCS	225.00
	Vendor Total	**6,345.00**		
FYTD for JOE A. GONSALVES & SON		**38,025.00**		
JONES, SUSAN			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882866	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for JONES, SUSAN		**3,824.76**		
JTB SUPPLY CO., INC.			Remit to: **ORANGE** **CA**	
6/6/2011	882867	570.94		
			TRAFFIC SIGNAL SUPPLIES	570.94
	Vendor Total	**570.94**		
FYTD for JTB SUPPLY CO., INC.		**42,834.48**		

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KAMMERDIENER, PEGGY				Remit to: **PERRIS** **CA**	
	6/6/2011	208181	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for KAMMERDIENER, PEGGY			**75.00**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	208349	3,187.65		
				CONSULTANT SVC-HOMES DOC PREP	3,187.65
	Vendor Total		**3,187.65**		
FYTD for KANE, BALLMER & BERKMAN			**3,187.65**		
KHOURY, HANNA R				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208465	407.50		
				REFUND-CITATION FEE	407.50
	Vendor Total		**407.50**		
FYTD for KHOURY, HANNA R			**407.50**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	208182	267.88		
				RETIREE MED JUN '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**3,621.36**		
KITNELCA, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208350	52.00		
				REFUND-PARKS CLASS REGIS FEE	52.00
	Vendor Total		**52.00**		
FYTD for KITNELCA, DANIEL			**52.00**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882868	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,824.76**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882869	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,824.76**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KRUEGER, KIMBERLEE			Remit to: **TEMECULA** **CA**	
6/21/2011	208427	63.24		
			SIRE REGIONAL USER CONF.	63.24
	Vendor Total	**63.24**		
FYTD for KRUEGER, KIMBERLEE		**368.24**		
KUSTOM SIGNALS, INC.			Remit to: **LENEXA** **KS**	
6/20/2011	208351	12,206.69		
			RAPTOR, DUAL K-BANK ANTENNA	11,025.00
			SHIPPING & HANDLING	217.00
			CALIF SALES TAX	964.69
	Vendor Total	**12,206.69**		
FYTD for KUSTOM SIGNALS, INC.		**14,476.40**		
KYBURZ, JIM			Remit to: **PALM SPRINGS** **CA**	
6/20/2011	208352	50.00		
			REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for KYBURZ, JIM		**50.00**		
KYLE, GARY M.			Remit to: **PRESCOTT VALLEY** **AZ**	
6/6/2011	882870	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for KYLE, GARY M.		**3,824.76**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882871	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,805.92**		
LANCE, SOLL & LUNGHARD, LLP			Remit to: **BREA** **CA**	
6/20/2011	208353	21,000.00		
			AUDITING SVCS	18,000.00
			AUDITING SVCS-RDA	3,000.00
	Vendor Total	**21,000.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP		**21,050.00**		
LANG, TRACEY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208354	76.00		
			INSTRUCTION SVCS-2 DAYS	76.00
	Vendor Total	**76.00**		
FYTD for LANG, TRACEY		**988.00**		

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LANGSTON MOTORSPORTS			Remit to: **PERRIS** **CA**	
6/6/2011	208183	154.10		
			PD MTRCYCLE MAINT/REPAIR-LABOR	32.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	45.99
			POP OFF-RD VEHICLE REPAIR PART	69.99
			CA SALES TAX	6.12
	Vendor Total	**154.10**		
FYTD for LANGSTON MOTORSPORTS		**154.10**		
LARA, JOSEPH R.			Remit to: **MURRIETA** **CA**	
6/27/2011	208466	62.22		
			REIMB-FIBER OPTIC TESTING TRNG	62.22
	Vendor Total	**62.22**		
FYTD for LARA, JOSEPH R.		**151.66**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES** **CA**	
6/27/2011	208467	362.50		
			LEGAL FEES THRU MAR-SOMERGATE	217.50
			LEGAL FEES THRU MAR-PACIFIC	145.00
	Vendor Total	**362.50**		
FYTD for LATHAM & WATKINS, LLP		**2,827.50**		
LAWN TECH EQUIPMENT			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882939	22.48		
			TREE TRIMMING EQUIP RPR-LABOR	15.00
			TREE TRIMMING EQUIP RPR-PARTS	7.48
6/27/2011	883022	22.48		
			TREE TRIMMING EQUIP SVC	15.00
			TREE TRIMMING EQUIP SVC	7.48
	Vendor Total	**44.96**		
FYTD for LAWN TECH EQUIPMENT		**2,824.37**		
LEADING EDGE LEARNING CENTER			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208355	2,730.60		
			INSTRUCTOR SVCS-READING RASCAL	345.60
			INSTRUCTOR SVCS-ESL CLASS	66.00
			INSTRUCTOR SVCS-READING RASCAL	460.80
			INSTRUCTOR SVCS-GED TEST CLASS	613.80
			INSTRUCTOR SVCS-LEADERSHP ACAD	132.00
			INSTRUCTOR SVCS-READING RASCAL	518.40
			INSTRUCTOR SVCS-GED TEST CLASS	462.00
			INSTRUCTOR SVCS-ESL CLASS	132.00
	Vendor Total	**2,730.60**		
FYTD for LEADING EDGE LEARNING CENTER		**3,859.61**		

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LEFEVRE, FRAN				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208263	56.30		
				REIMB.-LAW ENF TRNG NEEDS CONF	56.30
	Vendor Total		**56.30**		
FYTD for LEFEVRE, FRAN			**231.30**		
LEONARD, NATALIE				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208184	20.00		
				REFUND-RABIES DEPOSIT	20.00
	6/20/2011	208356	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for LEONARD, NATALIE			**95.00**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	6/6/2011	882872	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**3,805.92**		
LEWIS, LANDIN/DAPHINE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208185	6.00		
				REFUND-LIC LOST	6.00
	Vendor Total		**6.00**		
FYTD for LEWIS, LANDIN/DAPHINE			**6.00**		
LEXISNEXIS				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	882873	1,480.00		
				ONLINE LEGAL SVCS-CITY ATTYS	740.00
				ONLINE LEGAL SVCS-CITY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	6/27/2011	883023	1,480.00		
				ONLINE LEGAL SVCS-CITY ATTYS	740.00
				ONLINE LEGAL SVCS-CITY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	Vendor Total		**2,960.00**		
FYTD for LEXISNEXIS			**19,240.00**		
LIM & NASCIMENTO ENGINEERING CORP.				Remit to: **DIAMOND BAR** **CA**	
	6/13/2011	208264	2,418.35		
				INDIAN BASIN STORM DRAIN PROJ	2,418.35
	Vendor Total		**2,418.35**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**346,880.11**		

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LIMO, JOSE M. MD				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208468	1,555.51		
				REFUND-BAL OF TRUST ACCT	1,555.51
	Vendor Total		**1,555.51**		
FYTD for LIMO, JOSE M. MD			**1,555.51**		
LOCKE, NICOLE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208187	75.00		
				REFUND-SN DEPOSIT	75.00
	6/27/2011	208469	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**95.00**		
FYTD for LOCKE, NICOLE			**95.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	882874	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**3,824.76**		
LOGGERHEAD NAVIGATION				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208188	4,490.95		
				TRIMBLE YUMA UNIT	3,799.00
				TRIMBLE YUMA OFFICE DOCK	749.00
				LOGGERHEAD DISCOUNT	-455.00
				CA SALES TAX	397.95
	Vendor Total		**4,490.95**		
FYTD for LOGGERHEAD NAVIGATION			**15,297.38**		
LONTHAIR, PAUL				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208265	585.00		
				PER DIEM-DRUG RECOG EVAL TRNG	585.00
	Vendor Total		**585.00**		
FYTD for LONTHAIR, PAUL			**660.00**		
LOS ANGELES TIMES				Remit to: **PHOENIX** **AZ**	
	6/13/2011	208266	23.92		
				RENEWAL SUBS-CITY MGR	23.92
	6/27/2011	208470	43.72		
				RENEWAL SUBS THROUGH 6/6/12	43.72
	Vendor Total		**67.64**		
FYTD for LOS ANGELES TIMES			**115.48**		

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LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882875	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,824.76**		
LYNCH. PATRICK				Remit to: **MORENO VALLEY** **CA**	
	6/22/2011	208430	325.00		
				PER DIEM-CRASH DATA RTRVL TRNG	325.00
	Vendor Total		**325.00**		
FYTD for LYNCH. PATRICK			**325.00**		
M B I EXCAVATION				Remit to: **SAN DIMAS** **CA**	
	6/20/2011	208357	88.50		
				REFUND-BUS LIC OVRPMT	88.50
	Vendor Total		**88.50**		
FYTD for M B I EXCAVATION			**88.50**		
MAGANA'S AUTO UPHOLSTERY				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208267	357.87		
				REUPHOLSTER CHAIRS-LIBRARY	357.87
	Vendor Total		**357.87**		
FYTD for MAGANA'S AUTO UPHOLSTERY			**357.87**		
MARINA LANDSCAPE, INC				Remit to: **ANAHEIM** **CA**	
	6/20/2011	882975	4,994.91		
				LNDSCP MAINT-ZONE DSG-2S	4,994.91
	Vendor Total		**4,994.91**		
FYTD for MARINA LANDSCAPE, INC			**91,342.66**		
MARTINEZ, REGGIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208358	17.50		
				SPORTS OFFICIATING SVCS	17.50
	Vendor Total		**17.50**		
FYTD for MARTINEZ, REGGIE			**1,102.50**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	6/6/2011	882876	290.00		
				RETIREE MED APR '11, PD JUN '1	290.00
	Vendor Total		**290.00**		
FYTD for MATHIS, NOLAN			**3,528.00**		

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MATICH CORPORATION				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882877	14,224.99		
				ASPHALTIC MATERIALS	6,153.01
				ASPHALTIC MATERIALS	5,240.44
				ASPHALTIC MATERIALS	2,831.54
	6/13/2011	882940	19,668.08		
				ASPHALTIC MATERIALS	9,723.00
				ASPHALTIC MATERIALS	9,945.08
	Vendor Total		**33,893.07**		
FYTD for MATICH CORPORATION			**72,803.69**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	6/6/2011	882878	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,824.76**		
MAYER, DAWN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208471	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for MAYER, DAWN			**62.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	6/6/2011	882879	240.00		
				SPORTS OFFICIATING SVCS	100.00
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	60.00
	Vendor Total		**240.00**		
FYTD for MEEKS, DANIEL			**2,060.00**		
MEHTA, MADHUR				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208190	29.60		
				REFUND-PICNIC SHELTER RESERVTN	29.60
	Vendor Total		**29.60**		
FYTD for MEHTA, MADHUR			**29.60**		
MENDOZA, MEGAN				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208359	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MENDOZA, MEGAN			**20.00**		

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MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208472	62.73		
				MILEAGE REIMBURSEMENT	62.73
	Vendor Total		**62.73**		
FYTD for MENGISTU, YESHIALEM			**1,114.94**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	6/6/2011	882880	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,824.76**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208360	399.00		
				INSTRUCTOR SVCS-DRAWING 4 KIDS	173.00
				INSTRUCTOR SVCS-DRAWING 4 KIDS	58.00
				INSTRUCTOR SVCS-PHOTOGRAPHY	168.00
	Vendor Total		**399.00**		
FYTD for MEYERS, ROBERT			**2,646.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882881	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**2,546.46**		
MILLER, GUILIANA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208361	125.60		
				REFUND-PARKS CLASS REGIS FEE	125.60
	Vendor Total		**125.60**		
FYTD for MILLER, GUILIANA			**125.60**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	6/6/2011	882882	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,761.40**		
MOCTEZUMA, STEFANY				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208362	29.60		
				REFUND-PARKS CLASS REGIS FEE	29.60
	Vendor Total		**29.60**		
FYTD for MOCTEZUMA, STEFANY			**29.60**		

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MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	6/6/2011	882883	401.42		
				RETIREE MED JUN '11	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,817.04**		
MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208268	297.50		
				PLUMBING REPAIRS-SENIOR CTR	100.00
				PLUMBING REPAIRS-SENIOR CTR	197.50
	6/20/2011	208363	333.00		
				EMRGNCY PLUMBING REPAIRS	92.25
				EMRGNCY PLUMBING REPAIRS-FS#2	240.75
	Vendor Total		**630.50**		
FYTD for MONTGOMERY PLUMBING INC			**7,481.57**		
MOORE, CHANE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208364	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for MOORE, CHANE			**200.00**		
MORA, PATRICIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882884	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,824.76**		
MORALES, JOSE				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	208269	200.00		
				REFUND-RENTAL DEP CTRCT#19406	200.00
	Vendor Total		**200.00**		
FYTD for MORALES, JOSE			**200.00**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208473	50.00		
				5/27/11 WALKER AWARDS LUNCHEON	50.00
	6/27/2011	208474	50.00		
				5/27/11 WALKER AWARDS LUNCHEON	50.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE			**100.00**		

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MORENO VALLEY CHAMBER OF COMMERCE			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	208191	410.00		
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING SPONSORSHP-6/9	350.00
	Vendor Total	**410.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**29,250.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.			Remit to: **MORENO VALLEY**	**CA**
6/3/2011	2868	1,562.00		
			MVCEA DUES 6/3/11	1,562.00
6/17/2011	2878	1,549.00		
			MVCEA DUES 6/17/11	1,549.00
	Vendor Total	**3,111.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**40,713.50**		
MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO**	**CA**
6/27/2011	883024	17,142.59		
			LEASE-FACILITIES ANNEX-JULY11	2,458.97
			LEASE-TECH SVCS ANNEX-JULY11	5,475.90
			LEASE-SPEC DIST ANNEX-JULY11	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**205,711.08**		
MORENO VALLEY LODGE # 804			Remit to: **MORENO VALLEY**	**CA**
6/8/2011	208239	50.00		
			MASONIC LODGE 50TH ANNIV EVENT	25.00
			MASONIC LODGE 50TH ANNIV EVENT	25.00
	Vendor Total	**50.00**		
FYTD for MORENO VALLEY LODGE # 804		**50.00**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT			Remit to: **MORENO VALLEY**	**CA**
6/27/2011	208475	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**26,609.95**		
MORGAN, LISA A.			Remit to: **MENTONE**	**CA**
6/6/2011	882885	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,824.76**		

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MUSICK, PEELER & GARRETT, LLP				Remit to: **LOS ANGELES** **CA**	
	6/13/2011	208270	1,080.00		
				LEGAL SERVICES-HR	1,080.00
	Vendor Total		**1,080.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP			**31,379.34**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	208477	2,430.00		
				INSTRUCTOR SVCS-PIANO	324.00
				INSTRUCTOR SVCS-PIANO	270.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	270.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	81.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	243.00
	Vendor Total		**2,430.00**		
FYTD for MUSICSTAR			**9,569.97**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.				Remit to: **ALBANY** **NY**	
	6/13/2011	208271	788.41		
				FORENSIC SUPPLIES	152.00
				SHIPPING	9.61
				CA USE TAX	14.14
				USE TAX ACCRUAL	-14.14
				FORENSIC SUPPLIES	563.00
				SHIPPING	63.80
				CA USE TAX	54.85
				USE TAX ACCRUAL	-54.85
	Vendor Total		**788.41**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.			**1,234.39**		

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NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
6/3/2011	2866	13,359.19		
			PST DEF COMP FOR FICA 6/3/11	13,359.19
6/3/2011	2867	24,748.03		
			DEF COMP 457 & 401(A) 6/3/11	24,748.03
6/17/2011	2876	7,721.92		
			PST DEF COMP FOR FICA 6/17/11	7,721.92
6/17/2011	2877	24,535.92		
			DEF COMP 457 6/17/11	24,535.92
	Vendor Total	**70,365.06**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**832,996.12**		
NATURE'S IMAGE, INC.			Remit to: **LAKE FOREST** **CA**	
6/13/2011	208272	10,877.50		
			DETENTION BASIN MAINTENANCE	10,877.50
	Vendor Total	**10,877.50**		
FYTD for NATURE'S IMAGE, INC.		**30,761.00**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
6/6/2011	882886	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**3,824.76**		
NAVCO NETWORKS & SECURITY			Remit to: **ANAHEIM** **CA**	
6/20/2011	882977	392.00		
			LABOR FOR DVR #3 REPAIR	392.00
	Vendor Total	**392.00**		
FYTD for NAVCO NETWORKS & SECURITY		**7,705.35**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
6/6/2011	882887	325.66		
			RETIREE MED JUN '11	325.66
	Vendor Total	**325.66**		
FYTD for NELSON, ROBERT		**3,787.56**		
NELSON, RUTH L.			Remit to: **PERRIS** **CA**	
6/6/2011	882888	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for NELSON, RUTH L.		**3,824.76**		

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NELSON, TIMOTHY IVAN				Remit to: **GRAND TERRACE** **CA**	
	6/20/2011	208365	494.00		
				INSTRUCTIONAL SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for NELSON, TIMOTHY IVAN			**4,066.00**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	6/6/2011	208193	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,824.76**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	882978	9.08		
				REFUND-UUT FOR EXEMPT RESIDNTS	9.08
	Vendor Total		**9.08**		
FYTD for NEW HORIZON MOBILE HOME PARK			**77.46**		
NGUYEN, QUANG				Remit to: **AZUSA** **CA**	
	6/13/2011	882942	165.24		
				MILEAGE REIMBURSEMENT	165.24
	Vendor Total		**165.24**		
FYTD for NGUYEN, QUANG			**627.48**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208194	401.42		
				RETIREE MED JUN '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,817.04**		
NOBEL SYSTEMS				Remit to: **SAN BERNARDINO** **CA**	
	6/27/2011	883025	1,440.00		
				BID AMERICA PLAN CONVERSIONS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for NOBEL SYSTEMS			**54,792.00**		
NOBLES, GARRETT				Remit to: **HEMET** **CA**	
	6/20/2011	208366	41.31		
				MILEAGE REIMBURSEMENT	41.31
	Vendor Total		**41.31**		
FYTD for NOBLES, GARRETT			**724.36**		

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NUNEZ-MERRILL, DAISY			Remit to: **MORENO VALLEY CA**	
6/20/2011	208367	62.00		
			REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total	**62.00**		
FYTD for NUNEZ-MERRILL, DAISY		**62.00**		
OAKRIDGE DATA MINING			Remit to: **MORENO VALLEY CA**	
6/13/2011	208274	400.00		
			CONSULTING SVCS-TECH SVCS	400.00
6/27/2011	208479	2,230.00		
			CONSULTING SVCS-PAYROLL	2,230.00
	Vendor Total	**2,630.00**		
FYTD for OAKRIDGE DATA MINING		**2,630.00**		
OFFICE OF THE DISTRICT ATTORNEY			Remit to: **RIVERSIDE CA**	
6/6/2011	208195	10,000.00		
			LEGAL SVCS-CASE PROSECUTION	10,000.00
	Vendor Total	**10,000.00**		
FYTD for OFFICE OF THE DISTRICT ATTORNEY		**10,000.00**		
OLIVAS, PRESCILLA DENISE			Remit to: **MORENO VALLEY CA**	
6/27/2011	208480	103.00		
			REFUND-CITATION FEE	103.00
	Vendor Total	**103.00**		
FYTD for OLIVAS, PRESCILLA DENISE		**103.00**		
ORANTES, ERICK			Remit to: **MORENO VALLEY CA**	
6/27/2011	208481	45.00		
			REFUND-PARKS CLASS REGIS FEE	45.00
	Vendor Total	**45.00**		
FYTD for ORANTES, ERICK		**45.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE CA**	
6/13/2011	882943	134.30		
			LEGAL SERVICES-RISK MGT	134.30
	Vendor Total	**134.30**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**13,750.53**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH CA**	
6/6/2011	882889	5,565.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	5,565.00
	Vendor Total	**5,565.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**136,870.25**		

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PACIFIC SAFETY COUNCIL				Remit to: **SAN DIEGO** **CA**	
	6/27/2011	883026	8.70		
				SAFETY TRAINING-VIDEO	8.70
	Vendor Total		**8.70**		
FYTD for PACIFIC SAFETY COUNCIL			**3,824.45**		
PACIFIC TELEMANAGEMENT SERVICES				Remit to: **SAN RAMON** **CA**	
	6/27/2011	883027	375.84		
				PAYPHONE SVCS	313.20
				PAYPHONE SVCS-PD	62.64
	Vendor Total		**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**5,199.12**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208196	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**2,546.46**		
PATTERSON, MORGAN				Remit to: **NEWPORT BEACH** **CA**	
	6/27/2011	208482	1,000.00		
				STAFF ASSIST. SVCS-ICSC RECON	1,000.00
	Vendor Total		**1,000.00**		
FYTD for PATTERSON, MORGAN			**1,000.00**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	6/6/2011	208197	308.00		
				SPORTS OFFICIATING SVCS	33.00
				SPORTS OFFICIATING SVCS	55.00
				SPORTS OFFICIATING SVCS	66.00
				SPORTS OFFICIATING SVCS	44.00
				SPORTS OFFICIATING SVCS	110.00
	Vendor Total		**308.00**		
FYTD for PAUL, MICHAEL			**2,275.00**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	883028	5,579.00		
				VETERINARY SVCS-ANML SHLTR	5,579.00
	Vendor Total		**5,579.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**93,544.00**		

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PENA, IRIS				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208483	107.25		
				MILEAGE REIMBURSEMENT	107.25
	Vendor Total		**107.25**		
FYTD for PENA, IRIS			**796.13**		
PENTON MEDIA, INC.				Remit to: **OVERLAND PARK** **KS**	
	6/20/2011	882979	2,500.00		
				ADVERTISING SVCS-EDD	2,500.00
	Vendor Total		**2,500.00**		
FYTD for PENTON MEDIA, INC.			**7,500.00**		
PEREZ, ERNIE				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	208198	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PEREZ, ERNIE			**20.00**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	6/6/2011	208199	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,824.76**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	6/6/2011	208200	458.63		
				LONG TERM CARE INSURANCE	458.63
	6/20/2011	208368	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**12,094.42**		
PLYLEY & PLYLEY, LLC				Remit to: **UPLAND** **CA**	
	6/6/2011	208201	576.92		
				REFUND-PLAN CHECK FEES	191.22
				REFUND-PLAN CHECK FEES	194.48
				REFUND-PLAN CHECK FEES	191.22
	Vendor Total		**576.92**		
FYTD for PLYLEY & PLYLEY, LLC			**576.92**		

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POIEMA LANDSCAPE, INC.			Remit to: **COLTON** **CA**	
6/20/2011	882980	1,712.15		
			LANDSCAPE MAINT-ZONE S	596.85
			LANDSCAPE MAINT-ZONE S	1,115.30
	Vendor Total	**1,712.15**		
FYTD for POIEMA LANDSCAPE, INC.		**48,138.50**		
POWER MINISTRIES CHRISTIAN CENTER			Remit to: **MORENO VALLEY** **CA**	
6/13/2011	208275	700.00		
			REFUND-RENTAL DEP CTRCT#18292	700.00
	Vendor Total	**700.00**		
FYTD for POWER MINISTRIES CHRISTIAN CENTER		**700.00**		
PRICE, GEORGE E.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882890	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for PRICE, GEORGE E.		**3,824.76**		
PRINCE, GARY			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208484	51.00		
			REFUND-PARKS CLASS REGIS FEE	51.00
	Vendor Total	**51.00**		
FYTD for PRINCE, GARY		**51.00**		
PRO RIDER, INC. (CNS PROGRAM)			Remit to: **KENT** **WA**	
6/20/2011	208370	356.40		
			BIKE HELMETS	284.40
			SHIPPING CHARGES	72.00
			CALIF SALES TAX	24.89
			SALES TAX ACCRUAL	-24.89
6/27/2011	208485	356.40		
			BIKE HELMETS-PD/CHILD SAFETY	387.59
			BIKE HELMETS-PD/CHILD SAFETY	-31.19
	Vendor Total	**712.80**		
FYTD for PRO RIDER, INC. (CNS PROGRAM)		**712.80**		
PULLIAM, TRENT D.			Remit to: **MISSION VIEJO** **CA**	
6/6/2011	882891	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for PULLIAM, TRENT D.		**3,824.76**		

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QUIJADA, BEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208202	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for QUIJADA, BEN			**20.00**		
QUINN AME CHURCH				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208276	225.00		
				REFUND-RENTAL DEP CTRCT#18723	200.00
				REFUND-RENTAL DEP/ CTRCT#18723	25.00
	Vendor Total		**225.00**		
FYTD for QUINN AME CHURCH			**225.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	6/13/2011	882944	481.00		
				DOOR MAINT-PSB	481.00
	6/20/2011	882981	450.50		
				DOOR MAINT-FS #6	61.25
				DOOR MAINT-FS #6	389.25
	Vendor Total		**931.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**21,328.75**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208277	585.00		
				PER DIEM-DRUG RECOG EVAL TRNG	585.00
	6/21/2011	208428	73.00		
				SEMINAR PARKING/TICKET EXCHNG.	73.00
	Vendor Total		**658.00**		
FYTD for RAFAEL LOPEZ			**813.00**		
RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208486	814.80		
				INSTRUCTOR SVCS-KARATE	317.00
				INSTRUCTOR SVCS-KARATE	50.80
				INSTRUCTOR SVCS-KARATE	42.00
				INSTRUCTOR SVCS-TAE KWON DO	405.00
	Vendor Total		**814.80**		
FYTD for RAMOS, ROBERTO			**2,497.80**		
RANDAL R. MORRISON OF SABINE & MORRISON				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208203	10,000.00		
				LEGAL SVCS	10,000.00
	Vendor Total		**10,000.00**		
FYTD for RANDAL R. MORRISON OF SABINE & MORRISON			**10,000.00**		

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RANDHAWA, KANWAI				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208371	77.00		
				REFUND-PARKS CLASS REGIS FEE	77.00
	Vendor Total		**77.00**		
FYTD for RANDHAWA, KANWAI			**77.00**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208204	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**2,549.84**		
REDBOX AUTOMATED RETAIL, LLC				Remit to: **OAKBROOK TERRACE** **IL**	
	6/27/2011	208487	61.00		
				REFUND-BUS LIC OVERPAYMENT	61.00
	Vendor Total		**61.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**370.00**		
REYES, ARIANNA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208205	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for REYES, ARIANNA			**50.00**		
RICK ENGINEERING COMPANY				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	882892	1,155.00		
				KITCHING ST IMPRVMNTS PROJ	1,155.00
	6/20/2011	882982	2,070.00		
				T/S-SUNNYMD RANCH/VILLAGE RD	130.00
				DRACAEA AVE SIDEWLK IMPRVMNTS	1,940.00
	Vendor Total		**3,225.00**		
FYTD for RICK ENGINEERING COMPANY			**41,738.16**		
RIGHTWAY SITE SERVICES, INC.				Remit to: **LAKE ELSINORE** **CA**	
	6/13/2011	208278	72.38		
				PORTABLE TOILET-GOLF COURSE	72.38
	Vendor Total		**72.38**		
FYTD for RIGHTWAY SITE SERVICES, INC.			**411.27**		

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RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208372	2,000.00		
			INITIAL DEPOSIT-MORRISON PK FS	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**101,469.62**		
RIVERA, MARIA			Remit to: **PERRIS** **CA**	
6/20/2011	208373	30.00		
			REFUND-RABIES DEP & LIC FEES	20.00
			REFUND-RABIES DEP & LIC FEES	10.00
	Vendor Total	**30.00**		
FYTD for RIVERA, MARIA		**30.00**		
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
6/28/2011	1106121	24,785.69		
			RETENTN PMT PER ESCRW AGREEMNT	24,785.69
6/28/2011	1106122	1,200.00		
			RETENTN PMT PER ESCRW AGREEMNT	1,200.00
6/28/2011	1106123	8,850.23		
			RETENTN PMT PER ESCRW AGREEMNT	8,850.23
6/28/2011	1106124	2,458.00		
			RETENTN PMT PER ESCRW AGREEMNT	2,458.00
	Vendor Total	**37,293.92**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**4,098,957.33**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208374	150.00		
			DFA FOR RABIES-ANML SVCS	50.00
			DFA FOR RABIES-ANML SVCS	100.00
	Vendor Total	**150.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**650.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208488	242.93		
			VPN CONNECTION-TECH SVCS	30.26
			RADIO LEASE/MAINT-TELECOMM	170.10
			RADIO LEASE/MAINT-TELECOMM	9.45
			RADIO LEASE/MAINT-TELECOMM	33.12
	Vendor Total	**242.93**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**23,536.36**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882984	9,905.91		
			BOOKING FEES-PD	9,905.91
	Vendor Total	**9,905.91**		
FYTD for RIVERSIDE COUNTY SHERIFF		**28,410,270.06**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
6/21/2011	208429	95.00		
			REG.-SEARCH WARR PREP & EXECTN	95.00
	Vendor Total	**95.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**11,580.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208206	793.02		
			GARNISHMENT	102.97
			GARNISHMENT	167.28
			GARNISHMENT	522.77
6/20/2011	208375	684.19		
			GARNISHMENT	7.83
			GARNISHMENT	157.83
			GARNISHMENT	518.53
	Vendor Total	**1,477.21**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**20,731.34**		
RIVERSIDE COUNTY TREAS. OF RIVERSIDE, CA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208490	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for RIVERSIDE COUNTY TREAS. OF RIVERSIDE, CA		**100.00**		
RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882985	35.28		
			GREEN STAMP-STARS	29.28
			GREEN STAMP-STARS	6.00
	Vendor Total	**35.28**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**243.55**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
6/20/2011	882986	6,200.00		
			TEMP STAFFING SVCS-CAP PROJS	6,200.00
	Vendor Total	**6,200.00**		
FYTD for RLZ ENGINEERING		**72,881.00**		

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ROBINSON, JOAQUIN DIEGO			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208376	190.00		
			INSTRUCTIONAL SVCS-5 DAYS	190.00
	Vendor Total	**190.00**		
FYTD for ROBINSON, JOAQUIN DIEGO		**2,166.00**		
ROBINSON-DAVIS, YAVONNE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208377	119.34		
			MILEAGE REIMBURSEMENT	119.34
	Vendor Total	**119.34**		
FYTD for ROBINSON-DAVIS, YAVONNE		**547.74**		
ROBLES, ARIANA			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208207	75.00		
			REFUND-SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for ROBLES, ARIANA		**75.00**		
RODRIGUEZ, LAUREN			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208491	105.06		
			MILEAGE REIMBURSEMENT	105.06
	Vendor Total	**105.06**		
FYTD for RODRIGUEZ, LAUREN		**958.98**		
RODRIGUEZ, LESLIE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208378	60.00		
			REFUND-PARKS CLASS REGIS FEE	60.00
	Vendor Total	**60.00**		
FYTD for RODRIGUEZ, LESLIE		**60.00**		
RODRIGUEZ, SYLVIA			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208208	318.73		
			RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total	**318.73**		
FYTD for RODRIGUEZ, SYLVIA		**318.73**		
ROGERS, EUGENE			Remit to: **PALM SPRINGS** **CA**	
6/6/2011	882893	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for ROGERS, EUGENE		**3,824.76**		

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ROGERS, KIANNA				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208379	47.94		
				MILEAGE REIMBURSEMENT	47.94
	6/27/2011	208492	83.13		
				MILEAGE REIMBURSEMENT	83.13
	Vendor Total		**131.07**		
FYTD for ROGERS, KIANNA			**1,266.27**		
ROSAS, DAISY				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208380	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ROSAS, DAISY			**95.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY CA**	
	6/6/2011	882894	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,824.76**		
ROSSON, LOUIS A.				Remit to: **PERRIS CA**	
	6/6/2011	882895	270.80		
				RETIREE MED JUN '11	174.30
				RETIREE MED JUN '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**3,459.56**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA CA**	
	6/6/2011	882896	510.00		
				PLUMBING REPAIRS-PARKS	510.00
	Vendor Total		**510.00**		
FYTD for ROTO-ROOTER PLUMBERS			**1,038.00**		
RUIZ, NARDUSLIBIA				Remit to: **MORENO VALLEY CA**	
	6/27/2011	208493	55.00		
				REFUND-CITATION FEE	55.00
	Vendor Total		**55.00**		
FYTD for RUIZ, NARDUSLIBIA			**55.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	6/6/2011	882897	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**3,647.06**		
RUVALCABA, RAFAEL				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208381	570.00		
				INSTRUCTIONAL SVCS-15 DAYS	570.00
	Vendor Total		**570.00**		
FYTD for RUVALCABA, RAFAEL			**2,394.00**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	6/13/2011	208279	1,007.98		
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHTING MAINT-ZONE M	125.00
				LIGHTING MAINT-E3	382.98
	Vendor Total		**1,007.98**		
FYTD for RYMAX ELECTRIC, INC.			**10,575.93**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	6/27/2011	883029	6,600.00		
				TEMP STAFFING SVCS-CAP PROJS.	6,600.00
	Vendor Total		**6,600.00**		
FYTD for SA ASSOCIATES			**124,275.00**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	6/6/2011	882898	3,329.82		
				TRAFFIC SIGNS/HARDWARE	2,195.23
				TRAFFIC SIGNS/HARDWARE	606.12
				TRAFFIC SIGNS/HARDWARE	528.47
	6/20/2011	882987	995.98		
				TRAFFIC SIGNS/HARDWARE	995.98
	Vendor Total		**4,325.80**		
FYTD for SAFEWAY SIGN CO.			**12,810.43**		
SAGASTUME, MARIO				Remit to: **HEMET** **CA**	
	6/20/2011	208382	494.00		
				INSTRUCTIONAL SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for SAGASTUME, MARIO			**1,976.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SALGADO, JULIAN M.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208209	400.00		
				REFUND-ADMIN CITATION	400.00
	Vendor Total		**400.00**		
FYTD for SALGADO, JULIAN M.			**400.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	882988	100.88		
				FIRE EXTINGUISHERS-SENIOR CTR	4.00
				FIRE EXTINGUISHERS-SENIOR CTR	96.88
	Vendor Total		**100.88**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**4,094.29**		
SANCHEZ, CAROLINA				Remit to: **PERRIS** **CA**	
	6/20/2011	208383	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for SANCHEZ, CAROLINA			**200.00**		
SANDS, ROBIN				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208384	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SANDS, ROBIN			**50.00**		
SCHOENFELDER, LAURA				Remit to: **PERRIS** **CA**	
	6/20/2011	208385	190.00		
				INSTRUCTIONAL SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for SCHOENFELDER, LAURA			**722.00**		
SECURITY LOCK & KEY				Remit to: **YUCAIPA** **CA**	
	6/6/2011	882899	82.50		
				LOCK SERVICE-PARKS	82.50
	6/20/2011	882989	80.00		
				DOOR LOCK REPAIRS AT FS#48	80.00
	Vendor Total		**162.50**		
FYTD for SECURITY LOCK & KEY			**4,365.60**		

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SERTA MATTRESS				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208280	1,032.00		
				BOX SPRNGS & BED FRAMES FOR FS	1,032.00
	Vendor Total		**1,032.00**		
FYTD for SERTA MATTRESS			**5,975.60**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	6/6/2011	208210	174.30		
				RETIREE MED JUN '11	174.30
	Vendor Total		**174.30**		
FYTD for SHARRETT, SHARON K.			**2,205.96**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	6/6/2011	208211	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,824.76**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	6/13/2011	208281	64.81		
				FUEL PURCHASE	64.81
	6/27/2011	208495	1,737.74		
				FUEL PURCHASES	1,737.74
	6/27/2011	208496	60.81		
				FUEL PURCHASES	60.81
	6/27/2011	208497	59.14		
				FUEL PURCHASES	59.14
	Vendor Total		**1,922.50**		
FYTD for SHELL OIL CO.			**20,111.34**		
SHURTLEFF, JEANNETTE L.				Remit to: **LAKE ELSINORE** **CA**	
	6/20/2011	882990	532.00		
				INSTRUCTIONAL SVCS-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**5,624.00**		
SIERRA PACIFIC ELECTRICAL CONTRACTING				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208212	4,960.00		
				TRAFFIC LOOP RPLCMNT SVCS	1,860.00
				TRAFFIC LOOP RPLCMNT SVCS	3,100.00
	Vendor Total		**4,960.00**		
FYTD for SIERRA PACIFIC ELECTRICAL CONTRACTING			**6,820.00**		

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SIMPLOT PARTNERS				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	208386	2,213.28		
				FERTILIZER/CHEMICALS FOR PARKS	2,213.28
	Vendor Total		**2,213.28**		
FYTD for SIMPLOT PARTNERS			**2,213.28**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208213	875.00		
				ADVERTISING SVCS-PW SOLID WST	875.00
	6/20/2011	208387	1,650.00		
				ADVERTISING SVCS-EDD	1,650.00
	Vendor Total		**2,525.00**		
FYTD for SKY PUBLISHING			**66,849.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	882991	57.59		
				REFUND-UUT FOR EXEMPT RESIDNTS	57.59
	Vendor Total		**57.59**		
FYTD for SKY TRAILS MOBILE VILLAGE			**520.53**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882900	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,824.76**		
SLATTERY, TED				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208498	75.00		
				REFUND-RENTAL DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SLATTERY, TED			**225.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882901	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,805.92**		
SMITH, MARKITA				Remit to: **HESPERIA** **CA**	
	6/20/2011	208388	84.56		
				MILEAGE REIMBURSEMENT	84.56
	Vendor Total		**84.56**		
FYTD for SMITH, MARKITA			**84.56**		

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SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	6/6/2011	882902	7,896.35		
				FUEL PURCHASE	887.95
				FUEL PURCHASE	7,008.40
	6/13/2011	882946	8,269.11		
				FUEL PURCHASE	8,269.11
	6/20/2011	882992	7,871.03		
				FUEL PURCHASE	7,871.03
	6/27/2011	883031	13,644.01		
				FUEL-CITY VEHICLES	7,056.03
				FUEL-CITY VEHICLES	6,587.98
	Vendor Total		**37,680.50**		
FYTD for SOCO GROUP, INC			**355,733.80**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208214	154.80		
				INSTRUCTOR SVCS-YOGA	154.80
	Vendor Total		**154.80**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**1,135.20**		
SOTELO, MARIA E				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208499	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for SOTELO, MARIA E			**62.00**		

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SOUTHERN CALIFORNIA EDISON				Remit to: **ROSEMEAD**	**CA**
	6/6/2011	208215	3,622.40		
				ELECTRICITY	65.10
				ELECTRICITY	67.28
				ELECTRICITY	1,345.09
				ELECTRICITY	557.81
				ELECTRICITY	298.70
				ELECTRICITY	22.43
				ELECTRICITY	963.93
				ELECTRICITY	124.31
				ELECTRICITY	114.17
				ELECTRICITY	63.58
	6/13/2011	208283	6,546.07		
				ELECTRICITY	44.76
				ELECTRICITY	85.78
				ELECTRICITY	44.97
				ELECTRICITY	1,145.60
				ELECTRICITY	932.62
				ELECTRICITY	910.21
				ELECTRICITY	765.80
				ELECTRICITY	385.10
				ELECTRICITY	368.49
				ELECTRICITY	1,036.58
				ELECTRICITY	644.40
				ELECTRICITY	137.10
				ELECTRICITY	44.66
	6/20/2011	208390	10,000.00		
				ADV ENG FEE TO RELOCATE FACIL.	10,000.00
	Vendor Total		**20,168.47**		

FYTD for SOUTHERN CALIFORNIA EDISON	**4,296,774.93**

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK** **CA**	
	6/27/2011	208501	5,648.05		
				GAS CHARGES	1,039.25
				GAS CHARGES	2,681.90
				GAS CHARGES	15.78
				GAS CHARGES	39.01
				GAS CHARGES	349.86
				GAS CHARGES	125.08
				GAS CHARGES	25.86
				GAS CHARGES	211.24
				GAS CHARGES	75.21
				GAS CHARGES	106.73
				GAS CHARGES	85.70
				GAS CHARGES	112.48
				GAS CHARGES	119.83
				GAS CHARGES	103.11
				GAS CHARGES	26.35
				GAS CHARGES	530.66
	Vendor Total		**5,648.05**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**80,194.74**		
SPARKLETTS				Remit to: **DALLAS** **TX**	
	6/6/2011	208216	9.50		
				WATER SVCS-EOC	4.50
				WATER SVCS-CTTNWOOD GOLF CTR	5.00
	6/20/2011	208393	18.29		
				WATER SVCS-PARKS	18.29
	6/27/2011	208502	9.50		
				WATER SERVICE-GOLF COURSE	5.00
				WATER SERVICE-EOC	4.50
	Vendor Total		**37.29**		
FYTD for SPARKLETTS			**680.74**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882903	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,824.76**		
SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	6/20/2011	882993	12,333.33		
				LANDSCAPE MAINT-E1	12,333.33
	Vendor Total		**12,333.33**		
FYTD for SPECTRUM CARE			**167,981.85**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882904	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**2,546.46**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	6/6/2011	208217	60.00		
				SUBPOENA COMPLIANCE	30.00
				SUBPOENA COMPLIANCE	30.00
	6/20/2011	208394	30.00		
				SUBPOENA COMPLNCE-MV110950324	30.00
	6/27/2011	208503	30.00		
				SUBPOENA COMPLNCE-MV111660125	30.00
	Vendor Total		**120.00**		
FYTD for SPRINT			**150.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	6/6/2011	882905	45.60		
				CELL PHONE SVCS-GANG TASK FRC	45.60
	6/27/2011	883032	545.86		
				CELL PHONE SVCS-PD/SET	545.86
	Vendor Total		**591.46**		
FYTD for SPRINT/NEXTEL			**5,783.08**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	6/6/2011	208218	2,635.82		
				SUPPLEMENTAL INSURANCE	2,635.82
	Vendor Total		**2,635.82**		
FYTD for STANDARD INSURANCE CO			**389,309.61**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	882906	172.92		
				MONITORING SVCS-PARK SNCK BARS	172.92
	6/13/2011	882947	110.00		
				MONITORING SVCS-EOC	110.00
	6/27/2011	883033	710.80		
				SECURITY SVCS-FIRE STATION 58	245.00
				SECURITY SVCS-CITY HALL	143.00
				SECURITY SVCS-CITY HALL	182.80
				SECURITY SYS SVC CALL-EOC	80.00
				SECURITY SYS SVC CALL-EOC	60.00
	Vendor Total		**993.72**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**26,936.56**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
6/24/2011	53111	4,047.00		
			SALES & USE TAX 5/1-6/15/11	4,047.00
	Vendor Total	**4,047.00**		
FYTD for STATE BOARD OF EQUALIZATION		**42,821.52**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
6/9/2011	2865	2,287.33		
			CHILD SUPPORT WITHHOLDING	2,287.33
6/23/2011	2875	2,084.53		
			CHILD SUPPORT W/H 6/23/11	2,084.53
	Vendor Total	**4,371.86**		
FYTD for STATE DISBURSEMENT UNIT		**42,631.99**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208219	125.00		
			PROF LICENSE RENWL-L. GONZALES	125.00
6/13/2011	208284	125.00		
			PROF LICENSE RENWL-H. KASHEFIP	125.00
	Vendor Total	**250.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**750.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208220	5,636.00		
			BLOOD ALCOHOL ANALYSIS SVCS-PD	630.00
			FINGERPRINTING SVCS-PD	5,006.00
6/27/2011	208504	594.00		
			BLOOD ALCHL ANLYS-PD	35.00
			BLOOD ALCHL ANLYS-PD	70.00
			BLOOD ALCHL ANLYS-PD	35.00
			BLOOD ALCHL ANLYS-PD	70.00
			FINGERPRINTING SVC-TREASURY	128.00
			FINGERPRINTING SVC-HR	64.00
			FINGERPRINTING SVC-STARS	32.00
			FINGERPRINTING SVC-EMERG MGT	64.00
			FINGERPRINTING SVC-PD	96.00
	Vendor Total	**6,230.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**63,552.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
6/27/2011	208505	453.06		
			REFUND-MVU/D. GATLING	16.24
			REFUND-MVU/E. GRAYSON	73.63
			REFUND-MVU/R. HAMILTON	363.19
	Vendor Total	**453.06**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,946.79**		
STATE TREASURER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
6/13/2011	110605	19,400.00		
			EMINENT DOMAIN DEPOSIT	19,400.00
	Vendor Total	**19,400.00**		
FYTD for STATE TREASURER'S OFFICE		**19,400.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
6/20/2011	208395	2,951.04		
			TRANSCRIPTION SVCS-PD	2,951.04
	Vendor Total	**2,951.04**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**36,151.84**		
STERICYCLE (BFI)			Remit to: **LOUISVILLE** **KY**	
6/27/2011	883034	621.97		
			HAZARDOUS WASTE PICK UP	621.97
	Vendor Total	**621.97**		
FYTD for STERICYCLE (BFI)		**7,076.18**		
STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
6/6/2011	882907	267.88		
			RETIREE MED JUN '11	267.88
	Vendor Total	**267.88**		
FYTD for STEWART, CLIFFORD		**3,113.82**		
STK ARCHITECTURE, INC.			Remit to: **SAN JACINTO** **CA**	
6/27/2011	883035	1,050.00		
			SPACE PLAN ANALYSIS-ANNEX 1&4	1,050.00
	Vendor Total	**1,050.00**		
FYTD for STK ARCHITECTURE, INC.		**365,907.55**		
STONEGATE 552, LLC			Remit to: **SAN DIEGO** **CA**	
6/6/2011	208221	37.50		
			FALSE ALARM REFUND-DUP PYMT	37.50
	Vendor Total	**37.50**		
FYTD for STONEGATE 552, LLC		**37.50**		

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STOUFER, JUDY A				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208506	727.09		
				REFUND-PERMIT FEES	529.89
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	0.20
				REFUND-PERMIT FEES	1.80
	Vendor Total		**727.09**		
FYTD for STOUFER, JUDY A			**727.09**		
STRADLING, YOCCA, CARLSON & RAUTH				Remit to: **NEWPORT BEACH** **CA**	
	6/20/2011	208396	9,481.83		
				LEGAL SERVICES-HOUSING	250.30
				LEGAL SERVICES-HOUSING	5,878.03
				LEGAL SERVICES-HOUSING	2,499.30
				LEGAL SERVICES-RDA	854.20
	Vendor Total		**9,481.83**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**126,683.91**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	882994	3,802.50		
				CONSULTING SVCS-EDD	3,802.50
	Vendor Total		**3,802.50**		
FYTD for STRICKLER ASSOCIATION, THE			**40,820.00**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882908	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**3,824.76**		
STUMPS, EDITH				Remit to: **CORONA** **CA**	
	6/6/2011	208222	34.00		
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	4.00
	Vendor Total		**34.00**		
FYTD for STUMPS, EDITH			**129.00**		

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SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY**	**CA**
6/13/2011	208285	99.35		
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-PD	77.71
6/20/2011	208397	98.88		
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-FIRE	6.19
			MISC SUPPLIES-FIRE	6.51
			MISC SUPPLIES-FIRE	51.46
			MISC SUPPLIES-FIRE	23.90
6/27/2011	208507	17.36		
			MISC SUPPLIES-FIRE	17.36
	Vendor Total	**215.59**		
FYTD for SUNNYMEAD ACE HARDWARE		**2,290.75**		
SUNNYMEAD ANIMAL HOSPITAL			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208398	245.00		
			PHYSICAL EXAM SVCS-K9 LEX	245.00
6/27/2011	208508	281.00		
			PHYSICAL EXAMS/VACC-K9-OZZIE	269.00
			PHYSICAL EXAMS/VACC-K9-OZZIE	12.00
	Vendor Total	**526.00**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL		**550.00**		
SVACINA, JASON			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208399	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for SVACINA, JASON		**20.00**		
SYSTEMS SOURCE, INC.			Remit to: **IRVINE**	**CA**
6/20/2011	208400	2,189.15		
			STATION FURNITURE	1,413.03
			INSTALLATION	600.00
			CALIF SALES TAX	176.12
	Vendor Total	**2,189.15**		
FYTD for SYSTEMS SOURCE, INC.		**2,189.15**		
TARGET SPECIALTY PRODUCTS			Remit to: **SANTA FE SPRINGS**	**CA**
6/27/2011	883036	3,789.72		
			ROUNDUP PROMAX HERBICIDE	1,210.28
			ROUNDUP PROMAX HERBICIDE	2,579.44
	Vendor Total	**3,789.72**		
FYTD for TARGET SPECIALTY PRODUCTS		**7,579.44**		

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TARVER, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208509	35.00		
				REFUND-PICNIC SHLTR ELECTRICAL	35.00
	Vendor Total		**35.00**		
FYTD for TARVER, BARBARA			**35.00**		
TAYLOR'S APPLIANCE				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208401	286.54		
				EMERGENCY REPAIRS AT FS#6	286.54
	Vendor Total		**286.54**		
FYTD for TAYLOR'S APPLIANCE			**509.50**		
TEICHERT, RICHARD				Remit to: **HIGHLAND** **CA**	
	6/13/2011	208286	500.00		
				UCLA FORECST ECON OUTLOOK CONF	250.00
				UCLA FORECST ECON OUTLOOK CONF	250.00
	Vendor Total		**500.00**		
FYTD for TEICHERT, RICHARD			**1,080.53**		
TEK WORKS				Remit to: **POWAY** **CA**	
	6/20/2011	882995	2,984.96		
				EOC CARD READER INSTLLTN-BAL.	1,331.07
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.10
	Vendor Total		**2,984.96**		
FYTD for TEK WORKS			**88,121.87**		
THOMAS, REGINA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208402	14.00		
				REFUND-BOARDING OVERCHRG	14.00
	Vendor Total		**14.00**		
FYTD for THOMAS, REGINA			**14.00**		
THOMPSON, LINDSAY				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208403	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for THOMPSON, LINDSAY			**75.00**		
THOMPSON, SAMMIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208404	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for THOMPSON, SAMMIE			**50.00**		

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THOMSON REUTERS INC				Remit to: **ENCINO** **CA**	
	6/6/2011	208223	321.72		
				LEGAL INFORMATION ONLINE CHRGS	156.40
				LEGAL PUBLICATION SUBSCRIP SVC	165.32
	6/27/2011	208510	371.97		
				LEGAL PUBLICATION SUBSCRPTNS	371.97
	Vendor Total		**693.69**		
FYTD for THOMSON REUTERS INC			**7,744.69**		
TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	6/6/2011	208224	19,137.50		
				CITY HALL HVAC SYSTEM REDESIGN	19,137.50
	Vendor Total		**19,137.50**		
FYTD for TMAD TAYLOR & GAINES			**53,870.00**		
TRANE				Remit to: **CITY OF INDUSTRY** **CA**	
	6/20/2011	208405	4,575.29		
				2 SPLIT SYS AC UNITS-CITY HALL	2,745.10
				CA SALES TAX	240.20
				2 SPLIT SYS AC UNITS-CITY HALL	1,160.90
				2 SPLIT SYS AC UNITS-CITY HALL	301.16
				CA SALES TAX	127.93
	Vendor Total		**4,575.29**		
FYTD for TRANE			**4,575.29**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208511	2,841.60		
				INSTRUCTOR SVCS-BALLET INTERMD	88.80
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	244.20
				INSTRUCTOR SVCS-BALLET/JAZZ	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	244.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	355.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-HIP HOP DANCE	666.00
	Vendor Total		**2,841.60**		
FYTD for TRICHE, TARA			**22,746.12**		

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TRI-CITY LINEN SUPPLY, INC.			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208287	25.00		
			LINEN SVC FOR CRC	25.00
6/20/2011	208406	50.00		
			LINEN SVCS FOR CRC	25.00
			LINEN SVCS FOR CRC	25.00
	Vendor Total	**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.		**2,049.55**		
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK** **CA**	
6/20/2011	208407	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
6/27/2011	208512	373.32		
			IRRIG REPAIRS-ZONE E-2	373.32
	Vendor Total	**16,073.32**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**211,918.48**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882948	580.00		
			INSTL. PLANTS-PERRIS BL MEDIAN	580.00
6/20/2011	882996	11,808.25		
			LNDSCP MAINT-ZONE M	5,532.72
			LNDSCP MAINT-ZONE DSG-1	6,075.53
			TREE RMVL-NASON/COTTONWOOD	200.00
6/27/2011	883037	2,485.00		
			LNDSCP MAINT-ZONE E-16	2,485.00
	Vendor Total	**14,873.25**		
FYTD for TRUGREEN LANDCARE		**257,936.53**		
TUNTLAND, JAMES			Remit to: **PRESCOTT** **AZ**	
6/6/2011	882909	267.88		
			RETIREE MED JUN '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**3,113.82**		
TURNER, DEBRA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208513	17,976.00		
			SOLAR INCENTIVE REBATE	17,976.00
	Vendor Total	**17,976.00**		
FYTD for TURNER, DEBRA		**17,976.00**		

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TWRITE, INC.				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208225	4,696.25		
				CITY WEBSITE MAINT/JAN-MAR '11	4,696.25
	Vendor Total		**4,696.25**		
FYTD for TWRITE, INC.			**24,577.50**		
U.S. BANK				Remit to: **ROBBINSDALE** **MN**	
	6/20/2011	208408	30.00		
				REFUND FALSE ALARM DUP PYMT	30.00
	Vendor Total		**30.00**		
FYTD for U.S. BANK			**30.00**		
U.S. HEALTHWORKS MEDICAL GROUP				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	208226	885.00		
				PRE-EMPLOYMENT PHYSICALS	560.00
				PRE-EMPLOYMENT PHYSICALS	325.00
	6/20/2011	208409	90.00		
				PRE-EMPLOYMENT PHYSICAL	90.00
	Vendor Total		**975.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**14,145.00**		
UNDERGROUND SERVICE ALERT				Remit to: **CORONA** **CA**	
	6/6/2011	208237	394.50		
				DIGALERT TICKETS SUBSCRPTN SVC	98.62
				DIGALERT TICKETS SUBSCRPTN SVC	98.63
				DIGALERT TICKETS SUBSCRPTN SVC	98.62
				DIGALERT TICKETS SUBSCRPTN SVC	38.74
				DIGALERT TICKETS SUBSCRPTN SVC	59.89
	Vendor Total		**394.50**		
FYTD for UNDERGROUND SERVICE ALERT			**4,788.50**		
UNION BANK OF CALIFORNIA				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208227	291.67		
				INVESTMENT SAFEKEEPING SVCS	291.67
	6/13/2011	208288	170.00		
				STANDBY LOC TRANSFER FEES	170.00
	Vendor Total		**461.67**		
FYTD for UNION BANK OF CALIFORNIA			**61,361.57**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
6/6/2011	882911	1,707.03		
			BROOM KITS-STREET SWEEPER	967.39
			BROOM KITS-STREET SWEEPER	739.64
6/27/2011	883038	2,271.66		
			BROOM KITS-STREET SWEEPER	784.59
			BROOM KITS-STREET SWEEPER	227.76
			BROOM KITS-STREET SWEEPER	750.51
			BROOM KITS-STREET SWEEPER	455.51
			BROOM KITS-STREET SWEEPER	53.29
	Vendor Total	**3,978.69**		
FYTD for UNITED ROTARY BRUSH CORP		**38,108.66**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
6/13/2011	882950	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**3,178.85**		
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
6/6/2011	208228	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
6/6/2011	208229	117.73		
			PAYROLL DEDUCTION AGREEMENT	117.73
6/20/2011	208410	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**217.73**		
FYTD for UNITED STATES TREASURY		**1,559.23**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208230	499.69		
			UNITED WAY CONTRIBUTIONS	499.69
6/20/2011	208411	494.69		
			UNITED WAY CONTRIBUTIONS	494.69
	Vendor Total	**994.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**14,899.30**		
US POLE COMPANY, INC			Remit to: **PALMDALE** **CA**	
6/27/2011	208514	14,599.69		
			LAMP/POLE/HARDWARE ASSY-PARKS	8,950.00
			LAMP/POLE/HARDWARE ASSY-PARKS	4,475.00
			CA SALES TAX	1,174.69
	Vendor Total	**14,599.69**		
FYTD for US POLE COMPANY, INC		**14,599.69**		

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USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
6/13/2011	882951	36.59		
			PAGER SVC-PARK RANGERS	1.83
			PAGER SVC-TRANSP. DIV.	4.68
			PAGER SVC-ANIMAL SVCS.	30.08
	Vendor Total	**36.59**		
FYTD for USA MOBILITY/ARCH WIRELESS		**690.87**		
VA CONSULTING, INC.			Remit to: **IRVINE** **CA**	
6/20/2011	882997	4,963.74		
			AUTO MALL ST. IMPRVMNTS PROJ	4,507.49
			AUTO MALL FREEWAY SIGN PROJ	456.25
	Vendor Total	**4,963.74**		
FYTD for VA CONSULTING, INC.		**136,780.38**		

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VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	882998	3,765.00		
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-UTILITY FLD OFFICE	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES STARS BLDG	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			TERMITE INSPECTION-MRCH FLD PK	155.00
			TERMITE INSPECTION-CITY YARD	65.00
			TERMITE INSPECTION-SENIOR CTR	200.00
			TERMITE INSPECTION-UTIL OFFICE	65.00
			TERMITE INSPECTION-ASES BLDG	120.00
			TERMITE INSPECTION-TOWNGT C.C.	120.00
			TERMITE INSPECTION-CITY HALL	675.00
			TERMITE INSPECTION-FIRE ST #6	190.00
			TERMITE INSPECTION-FIRE ST #48	130.00
			TERMITE INSPECTION-FIRE ST #65	130.00
			TERMITE INSPCTN/TRTMNT-LIBRARY	595.00
6/27/2011	883039	75.00		
			PEST CNTRL-CONF & REC CTR	25.00
			PEST CNTRL-CONF & REC CTR	50.00
	Vendor Total	**3,840.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**21,270.00**		
VAS ASSOCIATES, INC.			Remit to: **CORONA**	**CA**
6/6/2011	882912	18,960.00		
			TEMP STAFFING SVCS-CAP PROJS	18,960.00
	Vendor Total	**18,960.00**		
FYTD for VAS ASSOCIATES, INC.		**203,160.00**		

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VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208231	15,055.00		
			ACCOUNTING SVCS	15,055.00
	Vendor Total	**15,055.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**37,845.00**		
VCD CORPORATION			Remit to: **GLENDORA** **CA**	
6/6/2011	882913	15,143.14		
			PROP REHAB-13714 FLAMING ARROW	15,143.14
	Vendor Total	**15,143.14**		
FYTD for VCD CORPORATION		**61,913.60**		
VEHICLE REGISTRATION COLLECTIONS			Remit to: **RANCHO CORDOVA** **CA**	
6/20/2011	208412	82.59		
			GARNISHMENT	82.59
	Vendor Total	**82.59**		
FYTD for VEHICLE REGISTRATION COLLECTIONS		**1,482.55**		
VERIZON			Remit to: **TRENTON** **NJ**	
6/20/2011	208413	1,712.84		
			BACKBONE CHARGES	1,712.84
	Vendor Total	**1,712.84**		
FYTD for VERIZON		**20,453.54**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
6/27/2011	208515	617.47		
			PHONE CHARGES-ERC	617.47
	Vendor Total	**617.47**		
FYTD for VERIZON CALIFORNIA		**8,185.81**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
6/20/2011	208414	648.15		
			ANIMAL MEDICAL SUPPLIES	127.75
			ANIMAL MEDICAL SUPPLIES	520.40
	Vendor Total	**648.15**		
FYTD for VICTOR MEDICAL CO		**13,299.05**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882914	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST		**3,824.76**		

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VILLANUEVA, CARLOS			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208516	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for VILLANUEVA, CARLOS		**57.50**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
6/6/2011	882915	4,287.77		
			EMPLOYEE VISION INSURANCE	4,287.77
	Vendor Total	**4,287.77**		
FYTD for VISION SERVICE PLAN		**52,052.66**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208517	758.32		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	35.69
			PAINT/SUPPL-GRAFFITI RMVL PRGM	107.04
			PAINT/SUPPL-GRAFFITI RMVL PRGM	615.59
	Vendor Total	**758.32**		
FYTD for VISTA PAINT CORPORATION		**11,400.04**		
VOYAGER FLEET SYSTEM, INC.			Remit to: **HOUSTON** **TX**	
6/13/2011	882952	2,400.34		
			CNG FUEL PURCHASES	2,100.23
			CNG FUEL PURCHASES	300.11
	Vendor Total	**2,400.34**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**23,848.59**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
6/6/2011	208232	795.10		
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	104.54
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	138.79
			ASPHALTIC MATERIALS	138.79
6/13/2011	208289	207.03		
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	69.60
6/27/2011	208518	814.55		
			ASPHALTIC MATERIALS	105.23
			ASPHALTIC MATERIALS	103.17
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	103.17
			ASPHALTIC MATERIALS	365.55
	Vendor Total	**1,816.68**		
FYTD for VULCAN MATERIALS CO, INC.		**26,961.83**		

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W R SMITH, INC				Remit to: **WHITTIER** **CA**	
	6/6/2011	208233	20.83		
				REFUND-BUS. LIC. OVERPAYMENT	20.83
	Vendor Total		**20.83**		
FYTD for W R SMITH, INC			**20.83**		
WAGGONER JR., GLENN C.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882916	914.99		
				RETIREE MED APR-JUN '11, PD JU	914.99
	Vendor Total		**914.99**		
FYTD for WAGGONER JR., GLENN C.			**3,751.76**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882917	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,805.92**		
WALKER, DONNA JEAN				Remit to: **PERRIS** **CA**	
	6/20/2011	882999	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WALKER, DONNA JEAN			**798.00**		
WASSON, KIRK				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	883000	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for WASSON, KIRK			**2,090.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	6/6/2011	208235	1,244.51		
				ROLL-OFF STORAGE BIN RENTALS	1,244.51
	6/27/2011	208519	1,244.51		
				ROLL-OFF STORAGE BIN RENTALS	1,244.51
	Vendor Total		**2,489.02**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**15,287.20**		
WEBBER, MIKE				Remit to: **COSTA MESA** **CA**	
	6/20/2011	208415	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WEBBER, MIKE			**75.00**		

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WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES** **CA**	
6/1/2011	110601	867.18		
			INT ON 97 CH COP VAR RATE BOND	867.18
6/28/2011	1106071	568.00		
			STONRDGE CFD#5 BS FD 223-33500	568.00
	Vendor Total	**1,435.18**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,815,753.74**		
WEST PUBLISHING CORPORATION			Remit to: **ST. PAUL** **MN**	
6/27/2011	208520	535.00		
			AUTO TRACK SVCS-PD	110.00
			AUTO TRACK SVCS-PD	425.00
	Vendor Total	**535.00**		
FYTD for WEST PUBLISHING CORPORATION		**6,385.00**		
WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
6/30/2011	208528	3,241.25		
			WATER CHARGES	1,388.03
			WATER CHARGES	32.81
			WATER CHARGES	1,750.08
			WATER CHARGES	70.33
	Vendor Total	**3,241.25**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**23,167.68**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
6/6/2011	882918	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,824.76**		
WILLETTE, EVELYN			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208416	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for WILLETTE, EVELYN		**50.00**		
WILLIAMS, AUBREY GERALD			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208417	80.00		
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**80.00**		
FYTD for WILLIAMS, AUBREY GERALD		**168.00**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	6/6/2011	882919	187.68		
				RETIREE MED MAY '11, PD JUN '1	187.68
	Vendor Total		**187.68**		
FYTD for WILLIAMS, JANE L.			**2,154.64**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	6/20/2011	208418	54.00		
				SPORTS OFFICIATING SVCS	54.00
	Vendor Total		**54.00**		
FYTD for WILLIS, ROBERT H			**486.00**		
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	6/6/2011	882920	3,355.00		
				MAINT. DAY PORTER SVCS	960.00
				JANITORIAL SVCS-TOWNGT RENTALS	480.00
				JANITORIAL SVCS-SR CTR RENTALS	260.00
				JANITORIAL SVCS-CRC RENTALS	1,655.00
	6/13/2011	882953	900.00		
				MAINT. DAY PORTER SVCS	900.00
	6/20/2011	883001	23,986.40		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRLR	98.40
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MARCH FLD PRK	955.70
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-SUNNYMD ELEM	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C. C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	6/27/2011	883040	2,140.00		
				JANITORIAL SVCS-CRC RENTALS	2,140.00
	Vendor Total		**30,381.40**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**331,113.41**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	6/13/2011	208290	1,910.34		
				COPIER RNTL/MAINT-STARS	114.49
				COPIER BILLABLE PRINTS-STARS	510.69
				COPIER BILLABLE PRINTS-STARS	925.82
				COPIER BILLABLE PRINTS-PARKS	359.34
	6/20/2011	208419	1,678.84		
				COPIER RNTL/MAINT-PD	70.20
				COPIER RNTL/MAINT-PD	77.54
				COPIER RNTL/MAINT-PD	64.59
				COPIER RNTL/MAINT-GRAPHICS	397.79
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,068.72
	6/27/2011	208521	4,717.79		
				COPIER RNTL/MAINT/PRINTS-STARS	20.56
				COPIER RNTL/MAINT/PRINTS-STARS	2,394.91
				COPIER RNTL/MAINT/PRINTS-PARKS	993.89
				COPIER RNTL/MAINT/PRINTS-PARKS	779.48
				COPIER RNTL/MAINT/PRINTS-PARKS	528.95
	Vendor Total		**8,306.97**		
FYTD for XEROX			**78,088.26**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	6/6/2011	882921	323.00		
				RETIREE MED MAR-APR '11, PD JU	323.00
	Vendor Total		**323.00**		
FYTD for YAMASHITA, JULIA J.			**2,038.30**		
YANG, JIANG				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208522	124.00		
				REFUND-PARKS CLASS REGIS FEE	124.00
	Vendor Total		**124.00**		
FYTD for YANG, JIANG			**124.00**		
YENULONIS, LAURA				Remit to: **COLTON** **CA**	
	6/6/2011	208236	2,256.40		
				REIMB. CREDIT CARD CHGS ERROR	324.40
				REIMB. CREDIT CARD CHGS ERROR	1,123.00
				REIMB. CREDIT CARD CHGS ERROR	326.00
				REIMB. CREDIT CARD CHGS ERROR	109.00
				REIMB. CREDIT CARD CHGS ERROR	220.00
				REIMB. CREDIT CARD CHGS ERROR	32.00
				REIMB. CREDIT CARD CHGS ERROR	122.00
	Vendor Total		**2,256.40**		
FYTD for YENULONIS, LAURA			**2,354.00**		
	Subtotal		**1,283,779.86**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GRAND TOTAL		**16,100,598.73**		

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MV00119514

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, City Treasurer

AGENDA DATE: August 23, 2011

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2011

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

In response to the Orange County bankruptcy and investment problems, and in order to deal with tightening regulations and controls over local investment of public funds, Senate Bills 866 and 564 were signed into law and became effective January 1, 1996, creating California Government Code Sections 53601 and 53646 respectively. The City's Investment Policy, adopted December 17, 1996 (and revised most recently on March 23, 2010), is in full compliance with the requirements of both of the above-mentioned Code Sections in addressing the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the quarterly reporting requirements.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2011. This is the fourth quarterly report submitted for the 2010-11 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's

Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City has now transitioned the management of its general investment portfolio to Chandler Asset Management. As a result, the City's investment approach has changed from *passive* to *active*, as discussed in past meetings with the Finance Sub-Committee and the City Council. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 2.07 years.

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds, Voluntary Employee Beneficiary Association (VEBA) funds and California Employer Retiree Benefit Trust (CERBT) funds are held and invested by the respective plan administrators with the funds also placed in a trust separate from City funds.

FISCAL IMPACT

None

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2011. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section

53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – June 2011
Attachment 2 – Chandler Asset Management Bond Market Review – July 2011

Prepared By:
Brooke McKinney
Treasury Operations Division Manager

Department Head Approval:
Richard Teichert
City Treasurer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00119518

CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report

June 2011

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Yield at Maturity	Average Duration
Bank Accounts	1,914,624	1,914,624	1,914,624			
State of California LAIF Pool	42,568,573	42,568,573	42,568,573	0.66	0.59%	
Investments	177,894,127	172,127,027	172,127,027	2.07	1.53%	1.81
Total General Portfolio	**222,255,828**	**222,377,324**	**216,610,224**	**Years**		**Years**

Bond Proceeds with Fiscal Agents	Market Value
Construction Funds	8,162,119
Principal & Interest Accounts	683,243
Debt Service Reserve Funds	7,503,994
Custody Accounts	0
Arbitrage Rebate Accounts	0
Other Accounts	552,763
Total Bond Proceeds	**16,902,119**

Deferred Compensation Funds	Market Value as of Mar 31, 2011
Nationwide	9,203,462
ICMA	4,086,291
Total Deferred Compensation Funds	**13,289,753**
Total Investment Portfolio	**252,569,196**

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment advisor, Chandler Asset Management.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Richard Teichert
City Treasurer

MV00119519

Portfolio Summary

As of 6/30/2011

PORTFOLIO CHARACTERISTICS

Average Duration	1.81
Average Coupon	2.38 %
Average Purchase YTM	1.53 %
Average Market YTM	0.88 %
Average S&P Rating	AAA
Average Final Maturity	2.07 yrs
Average Life	1.94 yrs

ACCOUNT SUMMARY

	Beg. Values as of 5/31/11	End Values as of 6/30/11
Market Value	215,904,478	222,377,324
Accrued Interest	1,220,106	1,201,522
Total Market Value	**217,124,584**	**223,578,846**
Income Earned	268,561	274,561
Cont/WD		
Par	209,640,112	216,610,224
Book Value	213,508,118	220,442,714
Cost Value	215,206,920	222,255,828

TOP ISSUERS

Issuer	% Portfolio
Local Agency Investment Fund	19.1 %
Government of United States	14.1 %
Federal Farm Credit Bank	10.5 %
Federal Home Loan Mortgage Corp	10.0 %
Federal National Mortgage Assoc	7.5 %
Federal Home Loan Bank	5.9 %
Tennessee Valley Authority	3.7 %
US Bank Corp FDIC Insured	2.3 %
	73.2 %

SECTOR ALLOCATION

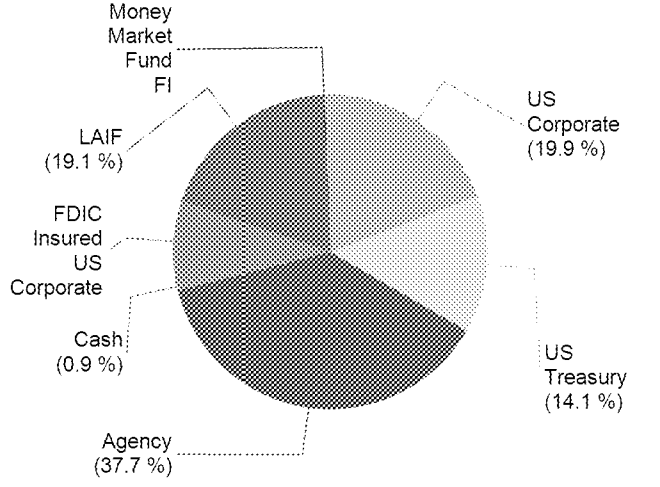

MATURITY DISTRIBUTION

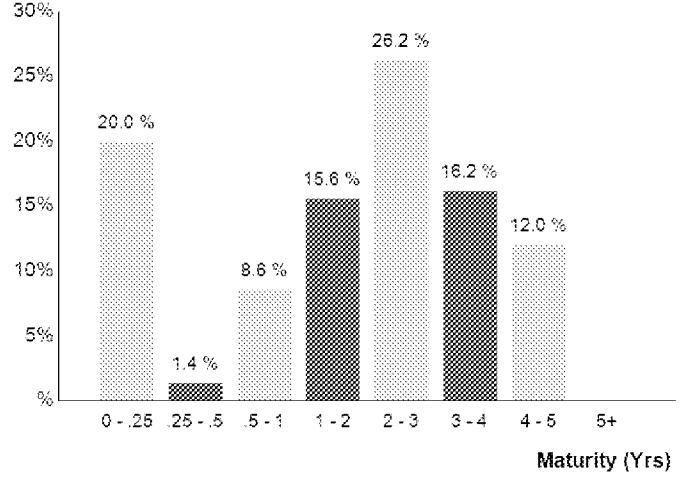

CREDIT QUALITY

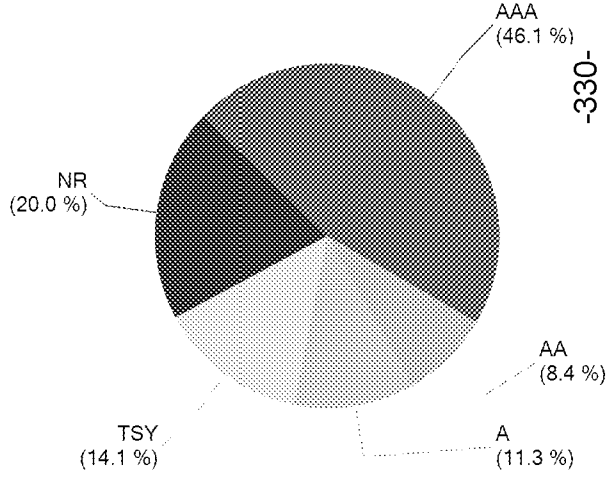

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Item No. A.9

MV00119520

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Yrs) ion
AGENCY									
3133XSWM6	FHLB Note 2.1% Due 1/23/2012	1,000,000.00	01/23/2009 2.10 %	1,000,000.00 1,000,000.00	101.02 0.30 %	1,010,150.00 9,216.67	0.46 % 10,150.00	Aaa AAA	0.57 0.56
3133XT2T2	FHLB Note 2.25% Due 2/10/2012	1,000,000.00	02/10/2009 2.25 %	1,000,000.00 1,000,000.00	101.19 0.29 %	1,011,940.00 8,812.50	0.46 % 11,940.00	Aaa AAA	0.62 0.60
31331XG30	FFCB Note 5.45% Due 6/21/2012	1,000,000.00	06/29/2007 5.33 %	1,005,380.00 1,001,052.93	104.97 0.34 %	1,049,683.00 1,513.89	0.47 % 48,630.07	Aaa AAA	0.98 0.96
31331XT36	FFCB Note 5.25% Due 8/1/2012	450,000.00	08/01/2007 5.25 %	450,000.00 450,000.00	105.30 0.36 %	473,848.65 9,843.75	0.22 % 23,848.65	Aaa AAA	1.09 1.05
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	102.34 0.35 %	1,023,386.00 9,391.67	0.46 % 23,386.00	Aaa AAA	1.12 1.10
3133XYWB7	FHLB Note 0.875% Due 8/22/2012	3,500,000.00	11/23/2010 0.51 %	3,521,892.50 3,514,365.88	100.59 0.35 %	3,520,772.50 10,973.96	1.58 % 6,406.62	Aaa AAA	1.15 1.14
3133XUUJ0	FHLB Note 1.625% Due 9/26/2012	3,450,000.00	12/22/2010 0.69 %	3,506,166.00 3,489,817.21	101.55 0.37 %	3,503,392.20 14,794.27	1.57 % 13,574.99	Aaa AAA	1.24 1.22
31331GZ44	FFCB Note 1.55% Due 10/15/2012	1,000,000.00	10/15/2009 1.55 %	1,000,000.00 1,000,000.00	101.51 0.38 %	1,015,063.00 3,272.22	0.46 % 15,063.00	Aaa AAA	1.30 1.28
31398A4T6	FNMA Note 0.5% Due 10/30/2012	1,000,000.00	12/22/2010 0.73 %	995,834.00 996,985.38	100.16 0.38 %	1,001,630.00 847.22	0.45 % 4,644.62	Aaa AAA	1.34 1.33
3137EACQ0	FHLMC Note 0.625% Due 12/28/2012	3,450,000.00	12/22/2010 0.75 %	3,441,354.30 3,443,551.16	100.33 0.40 %	3,461,550.60 179.69	1.55 % 17,999.44	Aaa AAA	1.50 1.49
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.88 %	4,194,744.63 3,978,090.89	109.08 0.64 %	4,063,345.48 65,808.34	1.85 % 85,254.59	Aaa AAA	1.71 1.62
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	103.03 0.48 %	1,030,342.00 5,072.22	0.46 % 30,342.00	Aaa AAA	1.78 1.74
3134A4TZ7	FHLMC Note 4.5% Due 7/15/2013	3,250,000.00	05/12/2010 1.59 %	3,541,690.75 3,437,497.51	108.12 0.50 %	3,513,981.25 67,437.50	1.60 % 76,483.74	Aaa AAA	2.04 1.94
880591DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 3,964,474.59	108.36 0.71 %	4,063,496.25 74,218.75	1.85 % 99,021.66	Aaa AAA	2.09 1.97
3133XUEC3	FHLB Callable Note Cont 8/12/11 2.65% Due 8/12/2013	1,000,000.00	08/12/2009 2.65 %	1,000,000.00 1,000,000.00	100.25 0.48 %	1,002,526.00 10,231.94	0.45 % 2,526.00	Aaa AAA	0.12 0.12
31331KET3	FFCB Note 0.98% Due 9/23/2013	1,970,000.00	03/28/2011 1.10 %	1,964,227.90 1,964,819.10	100.78 0.63 %	1,985,299.02 5,255.52	0.89 % 20,479.92	Aaa AAA	2.24 2.20
31398A4A7	FNMA Callable Note 1X 9/27/11 1.2% Due 9/27/2013	3,525,000.00	09/10/2010 1.20 %	3,525,000.00 3,525,000.00	100.21 0.35 %	3,532,229.78 11,045.00	1.58 % 7,229.78	Aaa AAA	0.24 0.24
3134G1PP3	FHLMC Callable Note 1X 8/18/11 1.4% Due 11/18/2013	1,855,000.00	08/18/2010 0.98 %	1,862,698.25 1,856,015.15	100.14 0.37 %	1,857,533.93 9,594.47	0.84 % 1,518.78	Aaa AAA	0.13 0.13
3133XHW57	FHLB Note 4.875% Due 12/13/2013	1,000,000.00	06/18/2009 2.96 %	1,080,060.00 1,043,766.78	110.02 0.75 %	1,100,170.00 2,437.50	0.49 % 56,403.22	Aaa AAA	2.46 2.33
3137EABX6	FHLMC Note 2.5% Due 1/7/2014	3,350,000.00	03/17/2010 2.09 %	3,399,734.10 3,382,929.62	104.40 0.74 %	3,497,326.30 40,479.17	1.58 % 114,396.68	Aaa AAA	2.53 2.42

MV00119521

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
3136FHGK5	FNMA Callable Note 1X 4/16/12 3% Due 4/16/2014	1,000,000.00	04/16/2009 3.00 %	1,000,000.00 1,000,000.00	101.90 0.60 %	1,018,995.00 6,250.00	0.46 % 18,995.00	Aaa AAA	0.80 0.78
31331GTJ8	FFCB Note 2.625% Due 4/17/2014	3,300,000.00	10/05/2010 1.02 %	3,483,678.00 3,445,488.94	104.81 0.88 %	3,458,858.70 17,806.25	1.56 % 13,369.76	Aaa AAA	2.80 2.69
31331KHF0	FFCB Callable Note Cont 4/25/12 1.62% Due 4/25/2014	3,695,000.00	04/13/2011 1.62 %	3,694,630.50 3,694,653.09	100.91 1.29 %	3,728,576.47 10,974.15	1.67 % 33,923.38	Aaa AAA	2.82 1.26
3136FHMK8	FNMA Callable Note 1X 5/1/12 2.25% Due 5/1/2014	1,000,000.00	05/01/2009 2.25 %	1,000,000.00 1,000,000.00	101.46 0.50 %	1,014,559.00 3,750.00	0.46 % 14,559.00	Aaa AAA	0.84 0.83
3136FHPX7	FNMA Callable Note 1X 11/14/2011 2.125% Due 5/14/2014	1,000,000.00	05/14/2009 2.13 %	1,000,000.00 1,000,000.00	100.52 0.72 %	1,005,198.00 2,774.31	0.45 % 5,198.00	Aaa AAA	0.38 0.37
31398AXJ6	FNMA Note 2.5% Due 5/15/2014	1,250,000.00	Various 2.32 %	1,258,880.25 1,256,300.04	104.39 0.95 %	1,304,857.50 3,993.05	0.59 % 48,557.46	Aaa AAA	2.88 2.77
31331JQA4	FFCB Note 1.9% Due 6/2/2014	4,300,000.00	06/08/2010 1.96 %	4,289,551.00 4,292,305.67	102.77 0.94 %	4,419,208.90 6,581.39	1.98 % 126,903.23	Aaa AAA	2.93 2.84
3133XTXW1	FHLB Callable Note 1X 1/9/12 2.5% Due 7/9/2014	1,000,000.00	07/09/2009 2.50 %	1,000,000.00 1,000,000.00	101.17 0.28 %	1,011,658.00 11,944.44	0.46 % 11,658.00	Aaa AAA	0.53 0.52
3137EACD9	FHLMC Note 3% Due 7/28/2014	4,000,000.00	03/15/2010 2.41 %	4,097,476.00 4,068,630.44	105.83 1.07 %	4,233,252.00 51,000.00	1.92 % 164,621.56	Aaa AAA	3.08 2.92
31398AYY2	FNMA Note 3% Due 9/16/2014	1,500,000.00	04/15/2010 2.50 %	1,531,365.00 1,522,795.01	106.16 1.04 %	1,592,449.50 13,125.00	0.72 % 69,654.49	Aaa AAA	3.22 3.05
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,064,805.68	106.02 1.10 %	4,240,828.00 33,000.00	1.91 % 176,022.32	Aaa AAA	3.23 3.07
31398AZV7	FNMA Note 2.625% Due 11/20/2014	4,100,000.00	03/12/2010 2.54 %	4,114,723.10 4,110,652.95	104.87 1.16 %	4,299,698.70 12,257.29	1.93 % 189,045.75	Aaa AAA	3.39 3.24
3134G2EF5	FHLMC Callable Note 1X 1/26/12 2.1% Due 1/26/2015	2,065,000.00	04/04/2011 2.09 %	2,065,206.50 2,065,156.94	100.88 0.56 %	2,083,169.94 7,829.79	0.94 % 18,013.00	Aaa AAA	0.58 1.03
3136FPEQ6	FNMA Callable Note 1X 9/9/11 1.85% Due 9/9/2015	2,015,000.00	09/16/2010 1.89 %	2,011,473.75 2,012,030.42	99.57 1.96 %	2,006,333.49 11,597.44	0.90 % (5,696.93)	Aaa AAA	4.20 2.00
31331J6C2	FFCB Note 2.35% Due 12/22/2015	2,000,000.00	03/28/2011 2.27 %	2,007,240.00 2,006,846.39	102.18 1.84 %	2,043,548.00 1,175.00	0.91 % 36,701.61	Aaa AAA	4.48 4.24
3137EACT4	FHLMC Note 2.5% Due 5/27/2016	3,475,000.00	06/14/2011 1.86 %	3,579,229.15 3,578,421.17	102.56 1.95 %	3,563,883.55 20,029.51	1.60 % (14,537.62)	Aaa AAA	4.91 4.59
Total Agency		**80,975,000.00**	**1.84 %**	**82,810,200.68 82,166,452.94**	**0.81 %**	**83,742,740.71 574,513.87**	**37.71 % 1,576,287.77**	**Aaa AAA**	**2.20 2.00**
CASH									
90CASH$00	Cash Custodial Cash Account	1,914,624.27	Various 0.00 %	1,914,624.27 1,914,624.27	1.00 0.00 %	1,914,624.27 0.00	0.86 % 0.00	NR NR	0.00 0.00
Total Cash		**1,914,624.27**	**N/A**	**1,914,624.27 1,914,624.27**	**0.00 %**	**1,914,624.27 0.00**	**0.86 % 0.00**	**NR NR**	**0.00 0.00**

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Item No. A.9

MV00119522

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Yrs) ion
FDIC INSURED US CORPORATE									
949744AA4	Wells Fargo & Company FDIC Guaranteed Note 3% Due 12/9/2011	3,050,000.00	03/12/2010 0.95 %	3,157,094.65 3,077,282.02	101.25 0.18 %	3,087,996.90 5,591.67	1.38 % 10,714.88	Aaa AAA	).44).44
06050BAG6	Bank of America Corp FDIC Guaranteed Note 2.1% Due 4/30/2012	3,310,000.00	Various 1.20 %	3,371,727.28 3,334,365.08	101.57 0.22 %	3,361,890.88 11,778.08	1.51 % 27,525.80	Aaa AAA	0.84 0.83
91160HAC1	US Bancorp FDIC Guaranteed Note 1.8% Due 5/15/2012	5,070,000.00	Various 1.39 %	5,111,546.49 5,087,926.04	101.40 0.20 %	5,140,762.00 11,661.00	2.30 % 52,835.96	Aaa AAA	0.88 0.87
38146FAA9	Goldman Sachs FDIC Guaranteed Note 3.25% Due 6/15/2012	3,205,000.00	Various 1.26 %	3,344,909.12 3,264,869.13	102.81 0.31 %	3,294,941.91 4,629.45	1.48 % 30,072.78	Aaa AAA	0.96 0.95
36967HAV9	GE Capital Corp FDIC Guaranteed Note 2.125% Due 12/21/2012	3,645,000.00	05/19/2010 1.27 %	3,723,710.13 3,690,036.90	102.38 0.50 %	3,731,878.58 2,151.56	1.67 % 41,841.68	Aaa AAA	1.48 1.46
Total FDIC Insured US Corporate		**18,280,000.00**	**1.23 %**	**18,708,987.67 18,454,479.17**	**0.28 %**	**18,617,470.27 35,811.76**	**8.34 % 162,991.10**	**Aaa AAA**	**0.93 0.92**
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	42,568,572.69	Various 0.39 %	42,568,572.69 42,568,572.69	1.00 0.39 %	42,568,572.69 34,512.20	19.06 % 0.00	NR NR	0.00 00
Total LAIF		**42,568,572.69**	**0.39 %**	**42,568,572.69 42,568,572.69**	**0.39 %**	**42,568,572.69 34,512.20**	**19.06 % 0.00**	**NR NR**	**00 00**
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	209,026.69	Various 0.01 %	209,026.69 209,026.69	1.00 0.01 %	209,026.69 0.00	0.09 % 0.00	Aaa AAA	0.00 0.00
Total Money Market Fund FI		**209,026.69**	**0.01 %**	**209,026.69 209,026.69**	**0.01 %**	**209,026.69 0.00**	**0.09 % 0.00**	**Aaa AAA**	**0.00 0.00**
US CORPORATE									
52517PR60	Lehman Brothers Holdings Note 5.25% Due 2/6/2012	1,000,000.00	02/06/2007 5.34 %	996,000.00 996,000.00	26.13 0.00 %	261,250.00 0.00	0.12 % (734,750.00)	NR NR	0.61 0.00
931142CL5	Wal-Mart Stores Note 4.25% Due 4/15/2013	3,260,000.00	Various 1.54 %	3,491,366.25 3,414,427.32	106.22 0.75 %	3,462,732.88 29,249.45	1.56 % 48,305.56	Aa2 AA	1.79 1.73
459200GR6	IBM Corp Note 2.1% Due 5/6/2013	1,725,000.00	01/27/2011 1.00 %	1,767,624.75 1,759,706.52	102.55 0.71 %	1,768,966.80 5,534.38	0.79 % 9,260.28	Aa3 A+	1.85 1.81
91159HGY0	US Bancorp Callable Note Cont 8/13/13 1.375% Due 9/13/2013	2,665,000.00	Various 1.32 %	2,668,966.65 2,667,927.62	100.45 1.16 %	2,677,064.45 10,993.13	1.20 % 9,136.83	Aa3 A+	2.12 2.08
254687AW6	Walt Disney Corp Note 4.5% Due 12/15/2013	1,720,000.00	Various 1.23 %	1,873,880.60 1,855,375.78	108.53 0.98 %	1,866,800.28 3,440.00	0.84 % 11,424.50	A2 A	2.46 2.34
24422ERA9	John Deere Capital Corp Note 1.6% Due 3/3/2014	440,000.00	02/28/2011 1.63 %	439,564.40 439,612.09	101.12 1.17 %	444,935.92 2,307.56	0.20 % 5,323.83	A2 A	2.68 2.60

MV00119523

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
US CORPORATE									
166751AH0	ChevronTexaco Corp Note 3.95% Due 3/3/2014	2,473,000.00	Various 1.56 %	2,644,928.56 2,626,639.24	107.76 1.00 %	2,664,996.31 32,018.48	1.21 % 38,357.07	Aa1 AA	2.68 2.53
665859AK0	Northern Trust Company Note 4.625% Due 5/1/2014	1,850,000.00	10/20/2010 1.33 %	2,058,421.00 2,018,002.91	109.21 1.31 %	2,020,309.15 14,260.42	0.91 % 2,306.24	A1 AA-	2.84 2.66
36962G4C5	General Electric Capital Corp Note 5.9% Due 5/13/2014	3,075,000.00	Various 2.88 %	3,411,681.00 3,325,111.96	111.09 1.91 %	3,416,045.18 24,190.00	1.54 % 90,933.22	Aa2 AA+	2.87 2.65
61747YCF0	Morgan Stanley Note 6% Due 5/13/2014	2,370,000.00	Various 3.98 %	2,534,751.20 2,495,808.78	108.91 2.75 %	2,581,214.40 18,960.00	1.16 % 85,405.62	A2 A	2.87 2.63
428236AV5	Hewlett Packard Company Note 4.75% Due 6/2/2014	1,700,000.00	01/27/2011 1.74 %	1,865,393.00 1,844,532.62	109.13 1.54 %	1,855,143.70 6,504.86	0.83 % 10,611.08	A2 A	2.93 2.74
74005PAQ7	Praxair Note 5.25% Due 11/15/2014	850,000.00	09/24/2010 1.60 %	973,471.00 950,954.74	112.33 1.49 %	954,785.45 5,702.08	0.43 % 3,830.71	A2 A	3.38 3.11
09247XAD3	Blackrock Inc Note 3.5% Due 12/10/2014	1,630,000.00	Various 2.84 %	1,674,920.75 1,664,394.51	105.39 1.88 %	1,717,801.58 3,327.92	0.77 % 53,407.07	A1 A+	3.45 3.24
713448BM9	Pepsico Inc. Note 3.1% Due 1/15/2015	2,530,000.00	Various 2.04 %	2,641,540.25 2,620,173.06	104.97 1.65 %	2,655,695.46 36,164.95	1.20 % 35,522.40	Aa3 A-	3.55 3.31
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	2,550,000.00	Various 3.34 %	2,584,656.00 2,580,539.72	103.98 2.52 %	2,651,507.86 42,195.42	1.20 % 70,968.14	Aa3 A+	3.56 3.28
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	2,475,000.00	Various 3.65 %	2,584,316.50 2,564,913.75	106.96 2.71 %	2,647,222.88 46,371.87	1.20 % 82,309.13	Aa3 AA-	3.62 3.27
084670AV0	Berkshire Hathaway Note 3.2% Due 2/11/2015	2,485,000.00	06/09/2010 2.65 %	2,545,012.75 2,531,551.29	104.23 1.98 %	2,589,998.71 30,924.44	1.17 % 58,447.42	Aa2 AA+	3.62 3.37
06406JHB4	Bank of New York Mellon Note 4.95% Due 3/15/2015	2,360,000.00	Various 2.11 %	2,645,950.90 2,595,406.68	109.67 2.22 %	2,588,278.08 34,397.01	1.17 % (7,128.60)	Aa3 A+	3.71 3.37
717081DA8	Pfizer Inc. Note 5.35% Due 3/15/2015	1,550,000.00	02/18/2011 2.33 %	1,730,497.50 1,715,008.86	112.75 1.78 %	1,747,590.90 24,416.81	0.79 % 32,582.04	A1 AA	3.71 3.36
74005PAR5	Praxair Note 4.625% Due 3/30/2015	740,000.00	Various 2.58 %	807,780.55 793,124.89	110.26 1.78 %	815,907.72 8,651.32	0.37 % 22,782.83	A2 A	3.75 3.44
278642AB9	Ebay Inc Note 1.625% Due 10/15/2015	2,670,000.00	10/22/2010 1.66 %	2,665,327.50 2,665,961.50	97.71 2.19 %	2,608,939.77 9,159.58	1.17 % (57,021.73)	A2 A	4.30 4.10
Total US Corporate		**42,118,000.00**	**2.28 %**	**44,606,051.11 44,125,173.84**	**1.71 %**	**43,997,187.48 388,769.68**	**19.85 % (127,986.36)**	**A1 AA-**	**3.05 2.84**
US TREASURY									
912828GQ7	US Treasury Note 4.5% Due 4/30/2012	3,775,000.00	03/12/2010 1.00 %	4,051,944.29 3,883,354.01	103.57 0.22 %	3,909,631.60 28,620.24	1.76 % 26,277.59	TSY TSY	0.84 0.82
912828HE3	US Treasury Note 4.25% Due 9/30/2012	3,775,000.00	03/12/2010 1.22 %	4,061,086.87 3,915,582.47	104.94 0.29 %	3,961,390.63 40,328.55	1.79 % 45,808.16	TSY TSY	.25 .22
912828HM5	US Treasury Note 3.625% Due 12/31/2012	2,550,000.00	03/12/2010 1.35 %	2,708,785.88 2,635,296.92	104.88 0.36 %	2,674,411.95 251.19	1.20 % 39,115.03	TSY TSY	.51 .47

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Yrs) ion
US TREASURY									
912828JQ4	US Treasury Note 2.75% Due 10/31/2013	4,000,000.00	05/10/2010 1.65 %	4,148,281.25 4,099,672.11	105.00 0.59 %	4,200,000.00 18,532.61	1.89 % 100,327.89	TSY TSY	2.34 2.26
912828NP1	US Treasury Note 1.75% Due 7/31/2015	4,050,000.00	04/06/2011 1.99 %	4,009,355.36 4,011,547.49	101.70 1.32 %	4,118,647.50 29,563.88	1.86 % 107,100.01	TSY TSY	4.09 3.91
912828PE4	US Treasury Note 1.25% Due 10/31/2015	3,600,000.00	Various 1.35 %	3,584,379.25 3,584,617.67	99.16 1.45 %	3,569,623.20 7,581.52	1.60 % (14,994.47)	TSY TSY	4.34 4.19
912828PJ3	US Treasury Note 1.375% Due 11/30/2015	3,590,000.00	05/16/2011 1.63 %	3,549,905.00 3,550,946.11	99.51 1.49 %	3,572,330.02 4,180.98	1.60 % 21,383.91	TSY TSY	4.42 4.26
912828PS3	US Treasury Note 2% Due 1/31/2016	3,505,000.00	05/16/2011 1.70 %	3,551,973.24 3,550,797.54	101.95 1.56 %	3,573,182.77 29,240.61	1.61 % 22,385.23	TSY TSY	4.59 4.34
912828QA1	US Treasury Note 2.25% Due 3/31/2016	1,700,000.00	06/27/2011 1.32 %	1,772,654.14 1,772,570.49	102.85 1.62 %	1,748,484.00 9,614.75	0.79 % (24,086.49)	TSY TSY	4.76 4.48
Total US Treasury		**30,545,000.00**	**1.48 %**	**31,438,365.28 31,004,384.81**	**0.95 %**	**31,327,701.67 167,914.33**	**14.09 % 323,316.86**	**TSY TSY**	**3.03 2.91**
TOTAL PORTFOLIO		**216,610,223.65**	**1.53 %**	**222,255,828.39 220,442,714.41**	**0.88 %**	**222,377,323.78 1,201,521.84**	**100.00 % 1,934,609.37**	**Aa1 AAA**	**1.94 1.81**
TOTAL MARKET VALUE PLUS ACCRUED						**223,578,845.62**			

MV00119525

City of Moreno Valley

June 30, 2011

COMPLIANCE WITH INVESTMENT POLICY

Assets managed by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

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Holdings Report Glossary

CUSIP (Committee on Uniform Securities Identification Procedures) – A unique identification number assigned to all securities.

Security Description - The issuer name, coupon (periodic interest payment rate) and maturity.

Par Value/Units - The face value or number of units held in the portfolio.

Purchase Date - The settlement date on which the security was purchased.

Book Yield - The YTM that equates the current amortized value of the security to its periodic future cash flows.

Cost Value - The value at which the securities were purchased, excluding purchased interest.

Book Value - The value at which an asset is carried on a balance sheet. To calculate, take the cost of an asset + net accretion/amortization.

Mkt Price - The current fair value market price.

Mkt YTM – The internal rate of return that equates the periodic future cash flows (interest payments and redemption value) to the market price, assuming that all cash flows are invested at the YTM rate.

Market Value - The current fair value of an investment as determined by transactions between willing buyers and sellers.

Accrued Int. - The interest that has accumulated on a bond since the last interest payment up to, but not including, the settlement date.

% of Port. - The % of the portfolio that the security represents based on market value, including accrued interest.

Gain/Loss – The unrealized gain or loss on the security, compared to either cost or amortized value, as of the date of the report.

Moody - The Moody's rating for the security.

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Holdings Report Glossary (continued)

S&P - The Standard and Poor's rating for the security.

Term (yrs) - The time, in years, until maturity.

Duration - The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

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MV00119528

CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report

BOND PROCEEDS WITH FISCAL AGENTS

Account Name	Account Number	Investment	Issuer	Purchase Date	Maturity Date	Market Value	Stated Rate	Yield	Price	% of of Portfolio
Wells Fargo	Community Facilities District 87-1 (A-1)									
special tax funds	22631800	money market fund	WF Govt Fund	06/30/11	07/01/11	1,022,258	0.01%	0.01%	1.00000	6.048%
reserve fund	22631804	money market fund	WF Govt Fund	06/30/11	07/01/11	1,028,889	0.01%	0.01%	1.00000	6.087%
admin exp acct	22631805	money market fund	WF Govt Fund	06/30/11	07/01/11	377	0.01%	0.01%	1.00000	0.002%
debt service acct	22631809	money market fund	WF Govt Fund	06/30/11	07/01/11	535,889	0.01%	0.01%	1.00000	3.171%
special tax funds	22631900	money market fund	WF Govt Fund	06/30/11	07/01/11	388,431	0.01%	0.01%	1.00000	2.298%
reserve fund	22631904	money market fund	WF Govt Fund	06/30/11	07/01/11	365,376	0.01%	0.01%	1.00000	2.162%
admin exp acct	22631905	money market fund	WF Govt Fund	06/30/11	07/01/11	15,923	0.01%	0.01%	1.00000	0.094%
						3,357,143				
Wells Fargo	SARA's									
Series B Revenue	22333500	money mkt fund	WF Govt Fund	06/30/11	07/01/11	137,116	0.01%	0.01%	1.00000	0.811%
Series A Principal	22333501	money mkt fund	WF Govt Fund	06/30/11	07/01/11	300	0.01%	2.71%	1.00000	0.002%
Series B reserve	22333503	money mkt fund	WF Govt Fund	06/30/11	07/01/11	527,622	0.01%	0.01%	1.00000	3.122%
Series A interest	22333504	money mkt fund	WF Govt Fund	06/30/11	07/01/11	27,002	0.01%	0.01%	1.00000	0.160%
						692,040				
Wells Fargo	1997 Lease Revenue Bonds - Public Safety									
rebate account	12526104	money mkt fund	WF Govt Fund	06/30/11	07/01/11	0	0.01%	0.01%	1.00000	0.000%
						0				
Wells Fargo	2007 Redevelopment Agency Tax Allocation Bonds Series A									
debt service fund	22631700	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2	0.01%	0.01%	1.00000	0.000%
						2				
Wells Fargo	2005 Lease Revenue Bond									
bond fund	18042800	money mkt fund	WF Govt Fund	06/30/11	07/01/11	131	0.01%	0.01%	1.00000	0.001%
reserve fund	18042804	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2,992,753	0.01%	0.01%	1.00000	17.706%
construction fund	18042806	money mkt fund	WF Govt Fund	06/30/11	07/01/11	1,315,143	0.01%	0.01%	1.00000	7.781%
						4,308,027				25.488%
Wells Fargo	2007 Public Lease Revenue Bonds - Electric Utility									
bond fund	22277600	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2	0.01%	0.01%	1.00000	0.000%
construction fund	22277604	money mkt fund	WF Govt Fund	06/30/11	07/01/11	6,846,976	0.01%	0.01%	1.00000	40.510%
cost of issuance	22277606	money mkt fund	WF Govt Fund	06/30/11	07/01/11	368,071	0.01%	0.01%	1.00000	2.178%
						7,215,049				
Wells Fargo	Auto mall Refinancing									
revenue fund	20350300	revenue	WF Govt Fund	06/30/11	07/01/11	120,219	0.01%	0.01%	1.00000	0.711%
reserve fund	20350303	reserve	WF Govt Fund	06/30/11	07/01/11	1,178,363	0.01%	0.01%	1.00000	6.972%
admin expenses	20350304	admin expenses	WF Govt Fund	06/30/11	07/01/11	31,276	0.01%	0.01%	1.00000	0.185%
						1,329,858				7.868%
			Totals			16,902,119				100.000%

Type	Business at Bank Research with Fiscal Agents	
1	Construction Funds	8,162,119
2	Principal & Interest Accounts	683,243
3	Debt Service Reserve Funds	7,503,994
4	Custody Accounts	0
5	Arbitrage Rebate Accounts	0
6	Other Accounts	552,763
	Total Fiscal Agent Funds	16,902,119

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DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value as of Mar 31, 2011
Liquid Savings	**$1,106,228**
Nationwide Fixed (Part Time Employee)	585,077
Liquid Savings (Part Time Employees)	**388,691**
Certificates of Deposit 3 years	15,948
Certificates of Deposit 5 years	**43,117**
Bond Fund Of America	58,053
Growth Fund of America	**93,121**
Investment Co. of America	35,018
Income Fund of America	**224,208**
Brown Cap Mgmt Inc SM Co	93,010
Fidelity Independence	**1,776**
Fidelity Equity Income	29,528
Fidelity Magellan	**261,770**
JP Morgan Mid Cap Value A	146,992
Fidelity Puritan	**80,105**
Fidelity Contrafund	262,695
Janus Fund	**48,290**
Janus Advisor Forty	85,441

Fund	Market Value as of Mar 31, 2011
Drey SmCap I	**7**
American Century Balanced	30
Am Century Growth	**52,868**
Am Century Select	91,717
Am Century Ultra	**0**
Vanguard Index 500	81,652
Vanguard Institutional Index	**388,497**
Vanguard Wellington	15,541
Vanguard Windsor II	**50,195**
Vanguard Total Bond Index	208,348
Washington Mutual Inv	**41,443**
Templeton Foreign I	0
EuroPacific Growth	**321,160**
Stable Fund C	1,720,348
PBHG Growth Fund	**0**
DWS High Income Fund A	61,105
DWS Strategic Value	**47,788**
Oppenheimer Global Fund A	205,524

Fund	Market Value as of Mar 31, 2011
N B Socially Responsive Fund	**15,830**
DFA US Micro Cap Port	87,664
Federated Kaufmann Fund	**553,573**
Invesco Mid Cap Core Equity	14,770
Nationwide Ret Inc Inst Svc	**13,593**
Nationwide InvDes Mod Cons Fund SC	10,501
Nationwide InvDes Mod Aggr Fund	**677,616**
Nationwide InvDes Aggr Fund	73,398
Nationwide InvDes Mod Fd	**413,221**
Nationwide Inv Des Cons	84,202
Nationwide Large Cap Growth	**45,532**
Nationwide Inter Val Inst Svc	29,408
Nationwide US Sm Cap Val Ins Svc	**1,767**
YL Account	166,257
Nationwide Dest 2020 Inst Svc	**102,674**
Nationwide Dest 2025 Inst Svc	61,307
Nationwide Dest 2030 Inst Svc	**6,858**
Total Nationwide Deferred	**$9,203,462**

ICMA

Fund	Market Value as of Mar 31, 2011
Aggressive Oppor.	**$165,157**
International	168,394
All Equity Growth	**98,264**
Growth and Income	200,817
Broad Market	**55,743**
500 Stock Index	63,218
Equity Income	**292,538**
Asset Allocation	
Core Bond	**15,560**
Cash Management	26,090
Plus Fund	**1,209,847**
Savings Oriented	6,565
Conservative Growth	**118,259**
Traditional Growth	272,424
Long-Term Growth	**315,616**
Milestone 2010	34,309
Milestone 2015	**1,255**
Milestone 2025	14,444
Milestone 2030	**12,173**
Milestone 2035	11,278
Milestone 2040	**1,519**
Growth Fund	219,063

Fund	Market Value as of Mar 31, 2011
VT Royce Premeir	2,028
VT Ranier Small/Mid Cap Eq	**33,631**
VT Fidelity Contrafund	157,896
VT Vantagepoint Overseas Equity Index Fund	**66,564**
VT Fidelity Diversified International	58,006
VT Allianz NFJ Div Value	**45,955**
VT Legg Mason Value	1,793
VT Fidelity Puritan	**4,680**
VT Royce Value Plus Service	8,295
VT TR Price Growth Stock Adv	**16,064**
VT Nuveen Real Estate Secs	28,183
VT TR Price Small Cap Value	**122,859**
VT Vantagepoint MS Ret Inc	38,277
Inflation Protected Securities	**18,360**
VT Vantage Point Select Value	77
VT Vantagepoint Mid/Sm Index	**7,688**
VT PIMCO Total Return	50,850
VT PIMCO High Yield	**110,621**
VT Harbor International Admi	11,853
VT Harbour Mid Cap Growth Admin	**78**
Total ICMA	**$4,086,291**

Summary by Plan

Deferred Compensation Plan	Market Value as of Mar 31, 2011
Total Nationwide	$9,203,462
Total ICMA	4,086,291
Total Deferred Compensation Plans	**$13,289,753**

Summary by Investment Type

Investment Type	Market Value as of Mar 31, 2011
Savings Deposits and CD's	$3,859,409
Mutual Funds	9,430,344
Total Deferred Compensation Plans	**$13,289,753**

MV00119530

CHANDLER ASSET MANAGEMENT

July 2011

BOND MARKET REVIEW

A MONTHLY REVIEW OF FIXED INCOME MARKETS

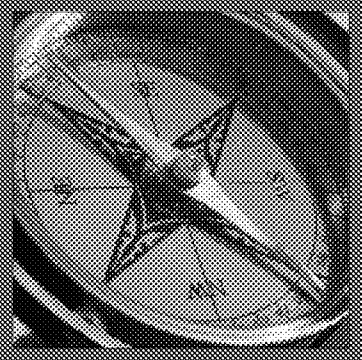

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Since 1988, Chandler Asset Management has specialized in the management of fixed income portfolios. Chandler's mission is to provide fully customizable, client-centered portfolio management that preserves principal, manages risk and generates income in our clients' portfolios.

Market Summary

Treasury yields were modestly higher in June as market participants debated whether weaker economic data is only temporary, or if it is a sign of another economic slowdown. The market is also paying close attention to the European sovereign debt crisis, a situation which is likely to drag on for quite a while.

Economic data continues to reflect a sluggish and uneven economic recovery. The June non-farm payrolls report was very disappointing, showing an increase of only 18,000 jobs and an increase in the unemployment rate to 9.2%. The housing market remains very weak, and higher gas prices continue to affect consumer spending (although there is some hope that this effect may begin to moderate). On the positive side, manufacturing activity rebounded slightly in June, with the ISM manufacturing index rebounding to 55.3 (versus 53.5 the previous month). Although inflation has risen, the Federal Reserve continues to believe that this is a temporary development reflecting higher food and energy prices.

Although they have concluded their second round of large-scale asset purchases (QE2), the Federal Reserve maintains its exceptionally easy monetary policy. The Fed Funds rate remains near 0% and the Fed will continue to reinvest principal and interest payments from its securities portfolio. The next scheduled Fed meeting is August 9.

TREASURY YIELDS HIGHER IN JUNE

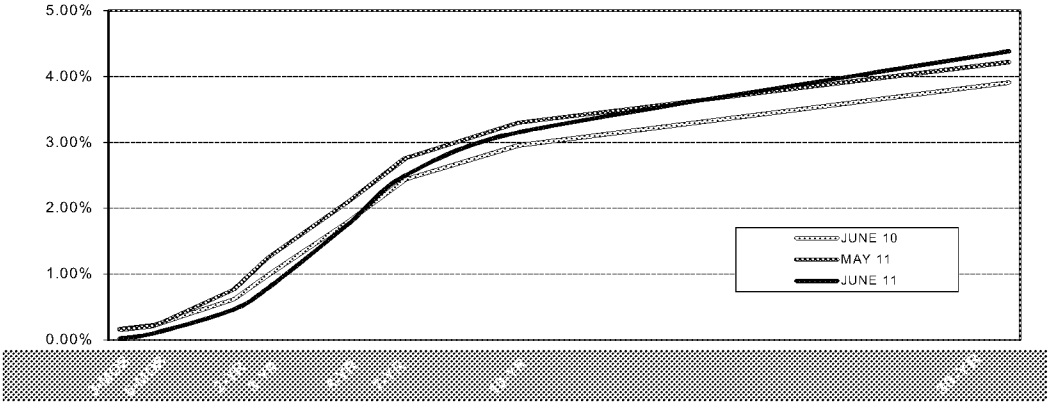

Treasury yields ended the month modestly higher, with yields on longer securities rising more than those on shorter securities.

YIELDS	6/30/11	5/31/11	CHANGE
3 Month	0.02	0.05	(0.03)
2 Year	0.46	0.46	0.00
3 Year	0.79	0.76	0.02
5 Year	1.75	1.69	0.06
7 Year	2.49	2.38	0.11
10 Year	3.15	3.05	0.10
30 Year	4.38	4.22	

Consumer Prices

In May, the CPI showed that consumer prices increased 3.6% on a year-over-year basis. The year-over-year Core CPI (CPI less food and energy) increased at a 1.5% rate. Although some producer prices have begun to rise, prices on consumer goods are not expected to increase sharply in the months ahead. The Federal Reserve has noted that it is monitoring commodity price increases, but does not believe that they will flow through to sharply higher consumer prices.

Retail Sales

In May, Retail Sales rose 7.7% on a year-over-year basis. Consumer spending has rebounded from the depths of the recession and recent activity has been moderate; however, activity is still far short of the heights of the previous economic expansion as a weak job market and high energy prices restrain consumer spending.

Labor Markets

The June employment report showed that the economy added only 18,000 jobs and the previous two months' totals were revised lower. The unemployment rate rose to 9.2%, and the average weekly hours worked figure also declined. Taken as a whole, this was a very weak report and cast doubt on the strength and durability of the economic recovery. Even though the economic recovery is two years old, the pace of recovery in the labor market is extremely weak by historical standards, and is one of the primary reasons why the recovery has been tepid.

Housing Starts

Single-family housing starts increased 3.7% in May to 419,000, compared to 404,000 in April. On a year-over-year basis, single-family housing starts were down 8.9% compared to May 2010. This report indicates that the housing market remains relatively weak and continues to struggle to gain momentum.

Credit Spreads Mixed

CREDIT SPREADS	Spread to Treasuries (%)	One Month Ago (%)	Change
3-month top-rated commercial paper	0.17	0.18	(0.01)
2-year AA corporate note	0.37	0.39	(0.02)
5-year AA corporate note	0.58	0.57	0.01
5-year Agency note	0.36	0.34	0.02

Source: Bloomberg

Data as of 6/30/2011

Mixed Economic Data

ECONOMIC INDICATOR	Current Release	Prior Release	One Year Ago
Trade Balance	(50.2) $Bln MAY 11	(43.6) $Bln APR 11	(42.2) $Bln MAY 10
GDP	1.9% MAR 11	3.1% DEC 10	3.7% MAR 10
Unemployment Rate	9.2% JUN 11	9.1% MAY 11	9.5% JUN 10
Prime Rate	3.25% JUN 11	3.25% MAY 11	3.25% JUN 10
CRB Index	338.05 JUN 11	350.06 MAY 11	258.52 JUN 10
Oil (West Texas Int.)	$95.42 JUN 11	$102.70 MAY 11	$75.63 JUN 10
Consumer Price Index (y/o/y)	3.6% MAY 11	3.2% APR 11	2.0% MAY 10
Producer Price Index (y/o/y)	7.3% MAY 11	6.8% APR 11	5.1% MAY 10
Dollar / EURO	1.45 JUN 11	1.44 MAY 11	1.22 JUN 10

Source: Bloomberg

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AGEMENT ⁘ 6225 Lusk Blvd ⁘ S -342- o, CA 92121 ⁘ 800 317 4747 ⁘ www.chandlerasset.com

Corporate Credit – Current Trends and Outlook

Corporate credit fundamentals have improved significantly since the financial crisis and economic recession. Many corporate credit issuers have seen a dramatic improvement in their key credit ratios over the past two years (including interest coverage, free cash flow to debt, return on equity, total debt to capital, etc.), leading to a number of credit rating upgrades over that time frame and a significant contraction in overall credit spreads. Since the spring of 2009, investment grade option adjusted credit spreads (OAS)[1] have tightened approximately 350 basis points on average. The average OAS for investment grade corporate debt, according to data based on the Bank of America Merrill Lynch US Corporate Index, now stands at about 155, which is just moderately higher than the 10-year median investment grade corporate OAS. Considering that this data set includes the financial crisis, when corporate OAS rose to unusually high levels, we believe current corporate bond valuation remains compelling.

We also believe the overall credit cycle remains favorable. However, we see less upside in credit fundamentals in the current environment and expect credit trends to be more stable over the near- to intermediate-term. We remain constructive on the economy and believe that ongoing demand recovery will continue to benefit corporate earnings and credit trends. We anticipate that the pace of earnings growth and corporate credit rating upgrades may slow, in light of an uncertain economic environment, rising cost pressures, increased capital deployment, and heightened event risk. Year-over-year revenue, margin, and earnings comparisons are also becoming more challenging as the economy is now entering the third year of expansion since the official end of the recession in June 2009.

Second Quarter Earnings Preview

We are expecting second quarter earnings to show solid year-over-year growth on average and to be relatively in-line or better than analysts' consensus views. However, we expect that the magnitude of upside earnings surprises will be less significant in 2Q11 than the past few quarters. We also anticipate that some companies may have a more cautious outlook on the second half of the year, particularly in light of recent weakness in economic data and intensifying margin pressures.

In spite of mixed economic data during the second quarter, many corporate management teams remained optimistic about corporate earnings and business trends. Several management teams hosted their annual analyst and investor conferences during the second quarter, and a number of them provided a bullish forecast of longer-term growth opportunities, driven in large part by international expansion, capital investments, and an ongoing recovery in demand. However, few companies raised their near-term earnings guidance during the quarter. Many of them either affirmed their forecasts or did not update their earnings outlook.

While we believe that an ongoing recovery in demand has, and will continue to, fuel earnings growth for many companies, there were some factors which pressured second quarter earnings and may limit the magnitude of upside surprises. In the consumer sector, we expect that higher-end retailers outperformed mid- and lower-tier retailers, which likely had a more difficult time of passing along price increases to their customers whose wallets have been stretched by high food and gas prices. In the food and grocery sectors, we expect that price increases helped to drive revenue growth in the second quarter but anticipate that margins continue to be pressured by high commodity costs. In the insurance industry, we expect second quarter earnings were hampered by unusually high catastrophe losses, as most of the large domestic insurance companies have already issued intra-quarter guidance about these charges. Meanwhile, we expect earnings in the banking sector were hindered by legal charges and sluggish loan activity, which was likely somewhat offset by improving credit trends and the continued reversal of loss provisions. For those with a manufacturing or supply chain and/or a significant customer base in Japan (such as the automotive and technology sectors), we expect that ongoing disruption related to the earthquake had a negative impact on earnings in the quarter.

Although managements' tones may be somewhat more cautious, we still expect second quarter earnings will show solid year-over-year growth on average. According to a senior earnings analyst at FactSet Research Systems, Wall Street analysts are projecting 14% year-over-year growth in S&P 500 earnings in the quarter. Energy and

[1] OAS, calculated at the spread over the Treasury yield curve that equates the present value of a bond's cash flows to its market price, is a measure of a bond's additional return over the return of a comparable Treasury bond, net of the cost of any embedded options. A higher relative OAS may signal that a security is undervalued, while a lower relative OAS may signal that a security is overvalued.

materials companies, in particular, may be poised to report strong earnings and potentially raise guidance because of high energy and commodity prices during the quarter. Meanwhile, companies with significant international exposure may have a more optimistic tone about future earnings, as growth in developing countries is likely to continue outpacing domestic operating trends. We also expect that in some cases, strategic deployment of capital (via share repurchases and acquisitions) will help to drive future earnings growth and prompt some companies to raise their forward-looking guidance.

Second Half 2011 Outlook

Looking ahead, we believe there are a few key factors that are likely to have an important impact on corporate credit in the second half of the year; employment trends, rising cost pressures, and event risk.

Employment. Employment is likely to remain one of the most closely watched economic data points in the second half of 2011. The unemployment rate as of June 2011, was 9.2%, which remains high but marks a significant improvement from the third quarter of 2009 when the unemployment rate reached 10.1%. According to Bloomberg data, market participants expect a slow but steady decline in the unemployment rate throughout the remainder of this year and are calling for a rate of 8.5% by the first quarter of 2012. We expect that an improving labor market will help to drive slow and steady demand and corporate earnings growth and will continue to support corporate credit quality.

Margin Pressure. While the Fed continues to downplay the threat of inflation, rising input prices have begun to pressure corporate earnings. Rising commodity, energy, healthcare, wage (especially for those who have operations in China), and regulatory costs are likely to stifle earnings to some degree in the back half of this year. This presents a particular hardship to companies that are unable or unwilling to pass along price increases to their customers in the face of a still sluggish economic recovery. Some companies are forecasting double-digit percentage increases in their costs over the next year. While some companies have had success in offsetting cost pressures and/or passing along initial price increases to their customers, cost pressure is expected to be more significant in the second half of the year.

Event Risk. Event risk is currently one of the most significant risks to corporate credit. While several companies hoarded cash during the credit crisis and continued to conserve cash in the early stages of the recovery, many companies are now deploying cash towards share repurchases, higher dividend payments, and acquisitions. These events are generally unfavorable from a fundamental credit perspective. Share repurchases and dividends, in particular, have little benefit to bondholders. Meanwhile, acquisitions, especially if financed with cash or new debt, can negatively impact a company's credit ratios. Even if a merger or acquisition is beneficial to longer-term earnings growth or cash flow, there is often some execution risk or increased debt load in the early stages of the deal. We believe the industries with the greatest level of this type of event risk include the food, technology, financials, and energy industries, where there has already been meaningful consolidation over the past year. According to a report by PricewaterhouseCoopers (PwC), the value of U.S. merger and acquisition deals in the first five months of 2011 was up 39% from a year earlier, and PwC expects activity to continue to pick up throughout the rest of the year.

Conclusion

Overall, we believe the second half 2011 outlook for corporate credit remains favorable. Though we anticipate that the pace of earnings growth and corporate credit rating upgrades may slow in the latter half of the year, in light of ongoing economic uncertainty, market volatility, and increased headwinds to corporate earnings, we still expect earnings growth to remain healthy and the overall economy to continue growing at a slow but steady pace.

Shelly Henbest
Credit Analyst

MV00119534

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY.

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

BACKGROUND

In 2001, the Southern California Association of Governments (SCAG) started a regional visioning process that culminated in a strategy for regional growth that would

accommodate the coming growth while providing for livability, mobility, prosperity, and sustainability. This strategy, called "Compass Blueprint" promotes a stronger link between region wide transportation and land use planning and encourages creative, forward-thinking and sustainable development solutions that fit local needs and support shared regional values. The strategy is broadly based on the following four key principles, which can be referred to as the "Compass Principles."

- Livability - *Creating positive communities*
- Mobility - *Getting where we want to go*
- Prosperity - *Long-term health for the region*
- Sustainability - *Promoting efficient use of natural resources*

Compass Blueprint Planning Services are provided through Demonstration Projects, opportunities for local planning efforts to become regional showcases for superior planning. Demonstration Projects enable cities and counties to better evaluate planning options and stimulate sustainable development opportunities. The City of Moreno Valley applied for a Demonstration Project Grant Award in October 2010.

DISCUSSION

The Compass Blueprint Demonstration Project Grant Award covers the cost of the following as related to completion of the study:

- consultant services
- SCAG staff time
- financial resources
- technical assistance

The proposed "Alessandro Boulevard Corridor Implementation Project" is based on the recently completed "Alessandro Boulevard Corridor Demonstration Project" (SCAG sponsored Demonstration Project completed in June 2010) and promotes the Compass Principles by encouraging strategies to integrate transportation and community. That Project explored opportunities for mixed use transit-oriented development along Alessandro Boulevard, an important regional transportation link for Moreno Valley. The City of Moreno Valley would like to further promote the use of Alessandro Boulevard as a way to reduce the impacts of transportation on the environment and to provide efficient access to jobs and services. The amount of contractual services to be provided by SCAG is approximately $165,000. Any necessary staff support costs will be provided within the existing Planning Division budget will be nominal.

To assist the City in the implementation of a vision for the Alessandro Boulevard area, this proposed demonstration project will:

- Create an overlay district for the Alessandro Boulevard corridors to identify areas suited for Multiple Use Districts (MUD1 and MUD2);
- Create requirements for selecting Multiple Use Districts (MUD1 and MUD2) sites;
- Create urban design strategies to intensify land uses;
- Rezone areas along Alessandro Boulevard to Residential 30 (R30) as identified in the draft General Plan Housing Element;
- Develop a set of street section standards for the Alessandro Boulevard corridor;
- Identify nodes along the Alessandro Boulevard corridor suited for specialized street section standards;
- Create a prototype design for covered bus stops along the Alessandro Boulevard corridor;
- Amend the General Plan to include new standards; and
- Identify next steps for guiding future changes along the corridor.

A consultant, RBF Consulting, has been selected for the proposed Alessandro Boulevard Corridor Demonstration Project. SCAG is currently working on finalizing the drafting of the contract and acceptance of the award by City Council is required prior to the contract's execution.

ALTERNATIVES

1. Authorize acceptance of the Compass Blueprint Demonstration Project Grant Award; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

RECOMMENDATION

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

NOTIFICATION

Posting of the Agenda

ATTACHMENTS/EXHIBITS

1. Resolution No. 2011-87

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, IN SUPPORT OF AND PARTICIPATION WITH THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS AS A COMPASS BLUEPRINT STRATEGY DEMONSTRATION COMMUNITY

WHEREAS, the City of Moreno Valley is participating with the Southern California Association of Governments (SCAG) in a Compass Blueprint Strategy study to examine the potential for transit-oriented development around an emerging rapid transit bus line along Alessandro Boulevard (proposal for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"); and

WHEREAS, the City of Moreno Valley's Alessandro Boulevard Corridor is located in a 2% Strategy Opportunity Area; and

WHEREAS, Compass Blueprint supports communities with technical assistance for local planning projects consistent with the regional vision of mobility, livability, sustainability and prosperity.

WHEREAS, the Southern California Association of Governments (SCAG) has awarded Demonstration Community Status to the City of Moreno Valley along with consultant services that will be used to perform a Compass Blueprint Strategy study to explore opportunities for transit-oriented development around an emerging rapid transit bus line along Alessandro Boulevard, a coordinated work effort that will take place directly between the consultants and City staff.

WHEREAS, the planning effort will emphasize strategies to better coordinate land use and transportation decision-making, targeting growth around existing and planned transit stations; and specifically:

1. Create an overlay district for the Alessandro Boulevard corridors to identify areas suited for Multiple Use Districts (MUD1 and MUD2);
2. Create requirements for selecting Multiple Use Districts (MUD1 and MUD2) sites;
3. Create urban design strategies to intensify land uses;
4. Rezone areas along Alessandro Boulevard to Residential 30 (R30) as identified in the draft General Plan Housing Element;
5. Develop a set of street section standards for the Alessandro Boulevard corridor;
6. Identify nodes along the Alessandro Boulevard corridor suited for specialized street section standards;

ATTACHMENT 1

7. Create a prototype design for covered bus stops along the Alessandro Boulevard corridor;
8. Amend the General Plan to include new standards; and
9. Identify next steps for guiding future changes along the corridor.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley HEREBY accepts the designation as a 2% Strategy Demonstration Community and is willing to participate and guide the planning work, and to provide in-kind staff services to support the contract planning efforts.

APPROVED AND ADOPTED this 23rd day of August 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00119542

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: ADOPT RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321.

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323.

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323.

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. At this time, the City desires to move forward with the intention to vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highway Code – Chapter 3, Sections 8320 through 8325.

DISCUSSION

The Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno Beach Drive) already serves and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Brothers Auto Group and Majestic Realty, who own the properties fronting Motor Way. Both owners support the proposed vacation of Motor Way.

Being that PM 23244 was recorded in December 28, 1989, it does not fall under Section 66477.5 of the Map Act, effective January 1, 1990, which requires the vacation of dedicated land to be conveyed back to the original sub-divider. Therefore, the City will retain the property for utilities and public access until it determines the disposition of the property.

The action before the City Council is to begin the process for vacation of Motor Way. The initial step is for Council to adopt a resolution giving notice of the intent to vacate Motor Way and setting the public hearing as September 27, 2011, at 6:30 p.m. in the City Council Chambers. The City Clerk will publish and advertise the hearing notice and the City Engineer will post Motor Way giving notice of the date time of the public hearing as required by the California Streets and Highway Code – Chapter 3, Sections 8322- and 8323. If there are no objections to the general vacation, City Council may adopt the resolution and the City Clerk will forward a copy of the resolution to the office of the County Recorder for recordation at which time the vacation is deemed to be complete in accordance with California Streets and Highway Code – Chapter 3, Sections 8325.

ALTERNATIVES

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321, set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323, direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323, direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325. *Adopting the Resolution for the notice of intent to vacate will allow the City to continue the process for the general vacation as part of the Auto Mall enhancements and to finish the proposed street improvements.*

2. Do not adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321, do not set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323, do not direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323, do not direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.*Not adopting the Resolution for the notice of intent to vacate will not allow the City to continue the process for the general vacation as part of the Auto Mall enhancement, finish the proposed street improvements along Motor Way, and will cause the City to continue maintenance of the street.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution for the notice of intent to vacate. There is long-term minimal cost savings due to the elimination of the future maintenance of this roadway.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that City Council approve and adopt the proposed Resolution No. 2011-88 for notice of intent to vacate Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving any easement for existing public utilities and public access, set the date for the public hearing of the vacation proceeding, instruct the City Clerk to publish and advertise the hearing notice, direct the City Engineer to post Motor Way giving notice of the public hearing, and direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording.

NOTIFICATION

Notice has been given to various utility agencies. The public has been notified by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Proposed Resolution No. 2011-88

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\NOI of Vacation for Motor Way 8-23-11 Final.docx

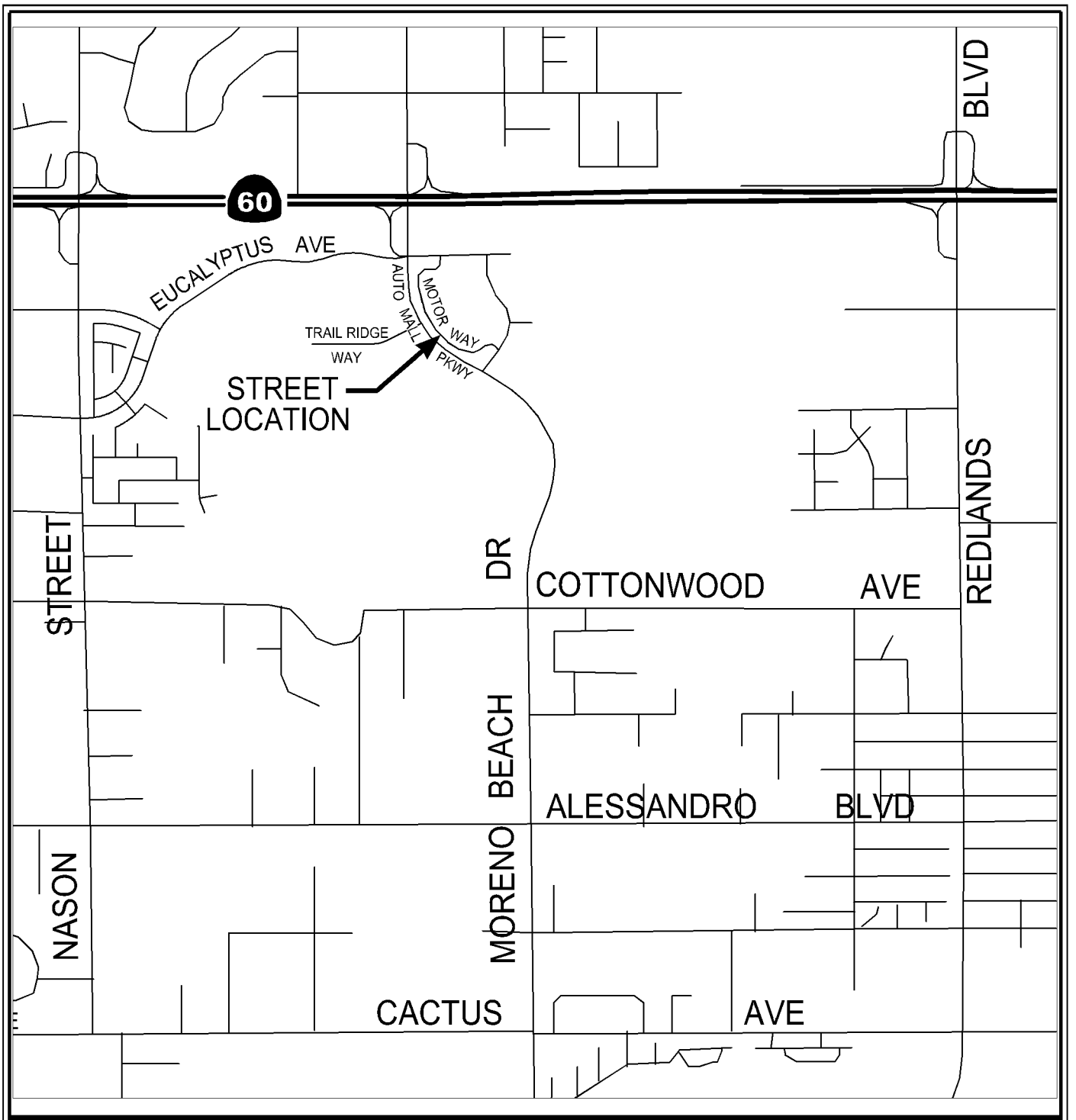

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

Item No. A.11

MV00119547

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MV00119548

RESOLUTION NO. 2011-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DECLARING ITS INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City of Moreno Valley, California, acquired certain right-of-way for road and public utility purposes located on Motor Way between Auto Mall Drive and Eucalyptus Avenue; and

WHEREAS, a portion of this right-of-way is no longer, nor in the future will be, useful for road purposes;

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

Section 1

That the City Council of the City of Moreno Valley, California intends to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described as Lot "B" of Parcel Map 23244 as shown on Exhibit "A" attached hereto and made a part thereof.

Section 2

This vacation proceeding is conducted pursuant to the provisions of Chapter 3, Part 3 of Division 9 of the Streets and Highways Code of the State of California, designated "General Vacation Procedure" (beginning at Section 8320 of said Code).

Section 3

Notice is hereby given that September 27, 2011 at 6:30 p.m. in the Council Chambers of City Hall of the City of Moreno Valley, California, is the time and place fixed for hearing all persons interested in or objecting to the proposed street vacation.

Section 4

The City Engineer of the said City of Moreno Valley shall cause to be conspicuously posted, along the line of the street proposed to be vacated, notices of the passage of this Resolution of Intent, which notices shall be posted at least fourteen

days before the day set for the hearing. Notices shall be posted not more than 300 feet apart but at least three notices shall be posted. The notices shall state the day, hour, and place of the hearing, and describe the street or public service easement proposed to be vacated.

Section 5

In addition, pursuant to Section 8322 of the Streets and Highways Code, this Resolution shall be posted by the City Clerk in public places designated by the City Council for posting of resolutions of the City, and published in a newspaper of general circulation within the City for at least fourteen days prior to the hearing.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00119552

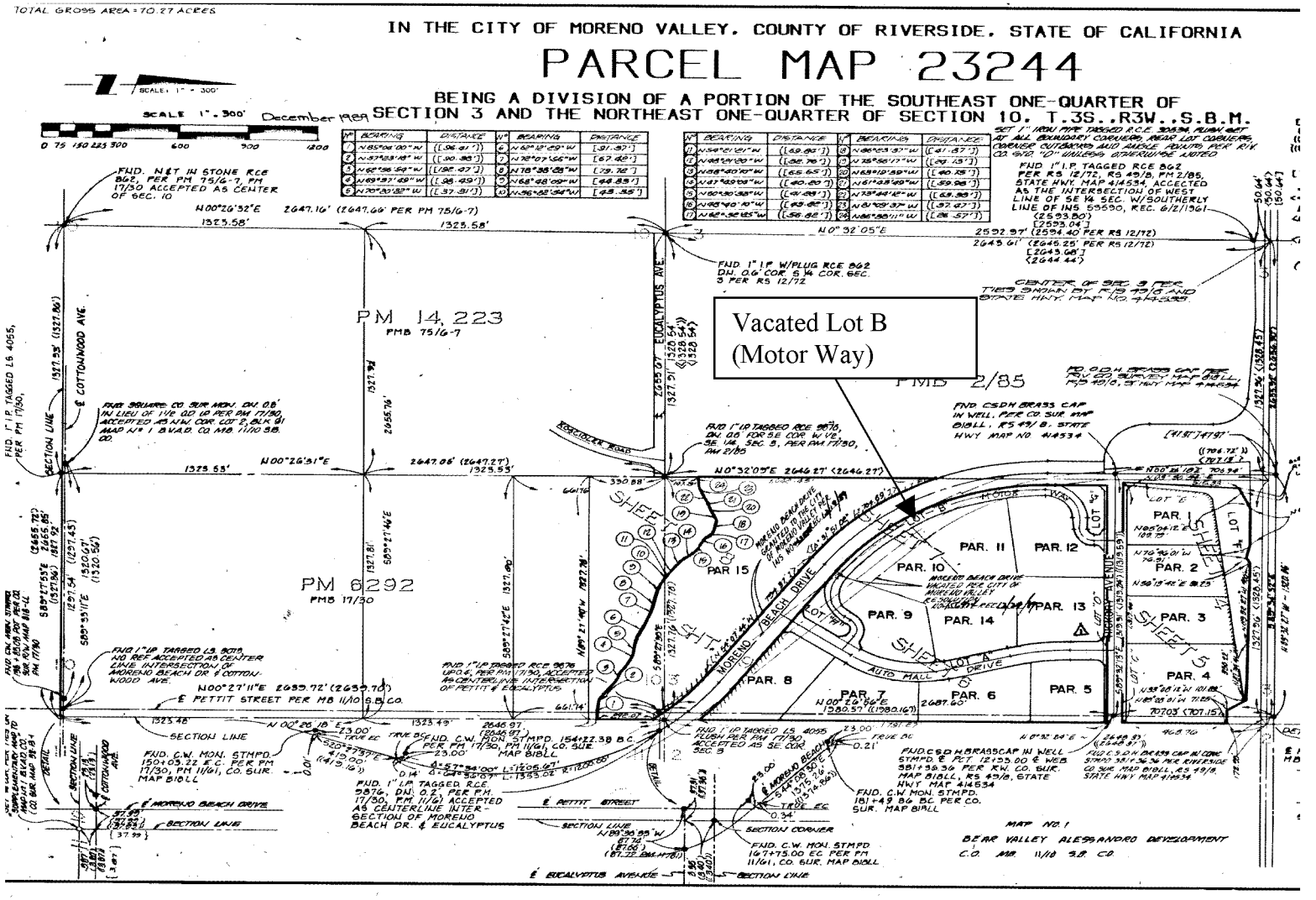

EXHIBIT A

Item No. A.11

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MV00119554

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING – SEPTEMBER 23, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 21-23, 2011 in San Francisco. At this meeting, the League membership will consider and take action on resolutions that establish League policy. The city must designate a voting delegate and may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve. Designation of a voting delegate must be done by City Council action.

ALTERNATIVES

1. Adopt the proposed resolution appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting (recommended by staff)

2. Do not adopt the proposed resolution appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting (not recommended by staff)

FISCAL IMPACT

Funds for this conference are found in the City Council 2011-12 Operating Budget account 11110.6221.

NOTIFICATION

Agenda publication

ATTACHMENTS/EXHIBITS

Attachment A – Voting Delegate Proposed Resolution
Attachment B – Voting Delegate Form

Prepared By:
Jane Halstead
City Clerk

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2011 ANNUAL CONFERENCE

WHEREAS, the City of Moreno Valley is a member city of the League of California Cities ("League"); and

WHEREAS, as a member, each city has one vote at the League's annual conference pertaining to League policy; and

WHEREAS, prior to the 2011 annual conference and by August 26, 2011, each City Council may designate a voting delegate and up to two alternates; and

WHEREAS, Mayor Richard A. Stewart of the City of Moreno Valley will be attending the business meeting on Friday, September 23, 2011 at the San Francisco Moscone West Convention Center in San Francisco, California.

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

That Mayor Richard A. Stewart, voting delegate and Mayor Pro Tem Jesse L. Molina, voting alternate are designated for the City of Moreno Valley at the League of California Cities 2011 Annual Conference at the San Francisco Moscone West Convention Center in San Francisco, California.

That the City Clerk is authorized and directed to complete and attest to the Voting Delegate/Alternate Form and transmit it to the League of Cities by August 26, 2011.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

CITY COUNCIL
SHENO VALLEY
RECEIVED
11 JUN 16 PM

LEAGUE OF CALIFORNIA CITIES

WWW.CACITIES.ORG

Council Action Advised by August 26, 2011

June 9, 2011

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 21–23, San Francisco

The League's 2011 Annual Conference is scheduled for September 21-23 in San Francisco. An important part of the Annual Conference is the Annual Business Meeting *(at the closing General Assembly)*, scheduled for 2:30 p.m., Friday, September 23, at the San Francisco Moscone West Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 26, 2011. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up

-more-

Item No. A.12

MV00119559

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Francisco Moscone West Convention Center, will be open at the following times: Wednesday, September 21, 8:30 a.m. – 6:00 p.m.; Thursday, September 22, 7:30 a.m. – 4:00 p.m.; and September 23, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 26th. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2011 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

MV00119560

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures
2011 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

LEAGUE OF CALIFORNIA CITIES

CITY: _____

2011 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 26, 2011. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 26 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247

VotingDelegateLetter11.doc

Item No. A.12

MV00119562

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT AND ROLANDA DRIVE

RECOMMENDED ACTION

Staff recommends that the City Council approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

ADVISORY BOARD/COMMISSION RECOMMENDATION

A public hearing was conducted at the Traffic Safety Commission (TSC) meeting on August 3rd, as required by the Municipal Code. The Commission approved staff's recommendation to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

BACKGROUND

In 1989, the City Council adopted Ordinance 199, establishing permit parking in the Municipal Code. In 2007, the City Council updated the Municipal Code to reflect current state law for permit parking, and enacted a fee schedule for permit parking.

DISCUSSION

Staff has reviewed this permit parking request and has determined that permit parking is appropriate for this location.

The residents along Pattilyn Drive, Challis Court and Rolanda Drive have been impacted by the students and parents of Moreno Valley High School. In response to this, the residents have submitted a request to the Public Works Department to

implement permit parking in front of their residences to allow them to maintain parking for guests, contractors/maintenance vehicles, and personal use.

A field review of the area has confirmed that students are parking into the adjacent subject streets. The review also identified that adequate on-site parking is available for Moreno Valley High School students to park.

To help improve the parking situation along the subject streets, staff recommends implementing the City's permit parking program for the subject area. The implementation of permit parking will benefit the residents of Pattilyn Drive, Challis Court and Rolanda Drive and will encourage Moreno Valley High School Students to park within the high school's parking lot. The installation will allow the residents of Pattilyn Drive, Challis Court and Rolanda Drive to have uninterrupted access to parking in front of their homes, which has been greatly impacted by the high school students.

ALTERNATIVES

1. Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive. This alternative is recommended to improve the condition for the residents.

2. Do not adopt proposed resolution, thereby not implementing permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

3. Provide staff with further direction.

FISCAL IMPACT

The estimated annual cost to implement the permit parking on Pattilyn Drive, Challis Court and Rolanda Drive will be borne by the Public Works Department's signing and striping adopted operations budget (Account 121.55430). The estimated cost of the FY11/12 work associated with this permit parking implementation is $6,400.

CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of Agenda-Letter to each affected address

ATTACHMENTS/EXHIBITS

Attachment A – Vicinity Map
Attachment B - Resolution

Prepared By:
Edward I. Init
Senior Engineering Technician

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

V:\VDRIVE\Permit Parking\CityStaffReport-PermitParkingPattilynDrive.doc

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MV00119566

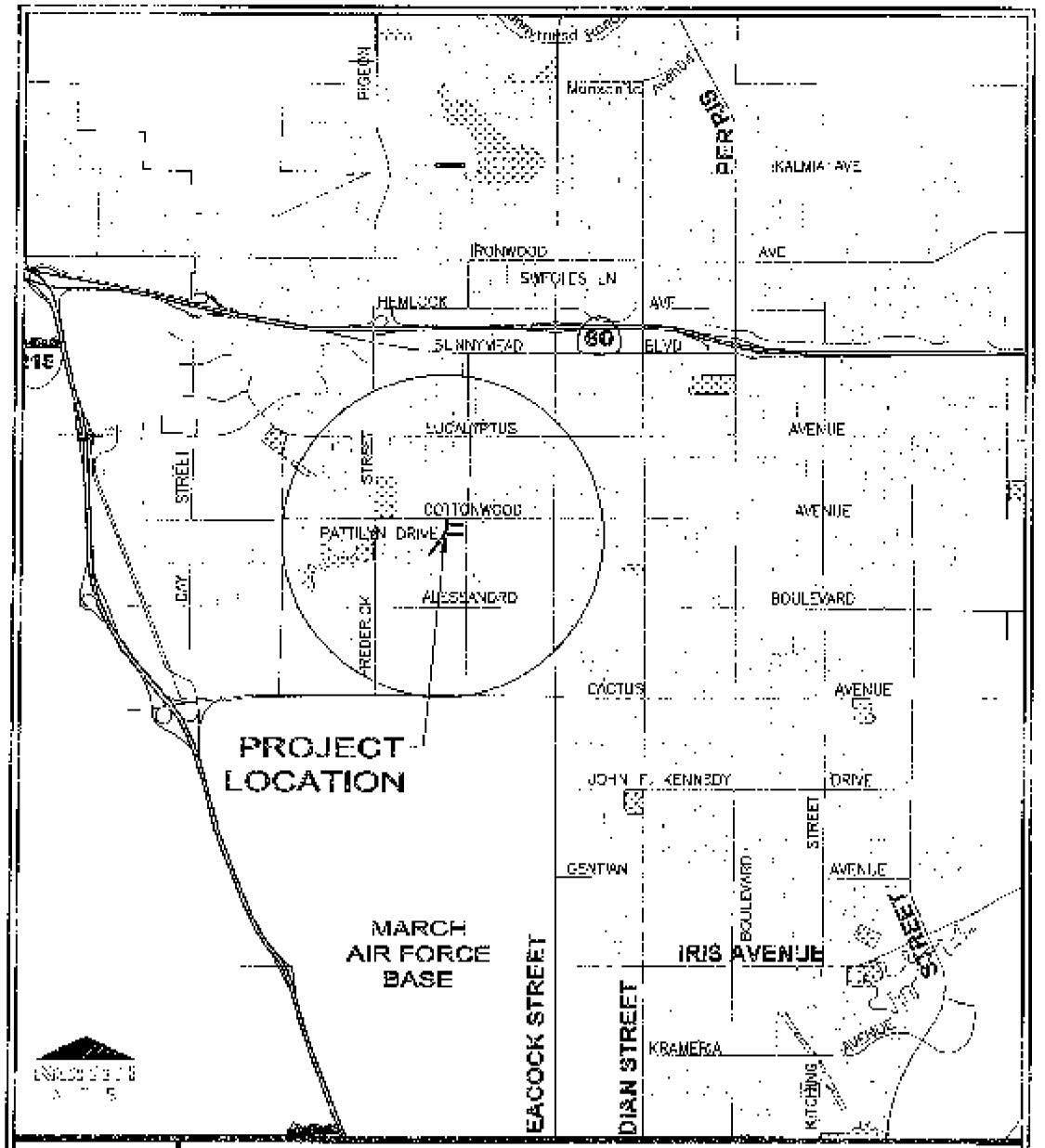

MORENO VALLEY

LOCATION MAP

Public Works Department
Transportation Division

ATTACHMENT "A"

CITYWIDE PERMIT PARKING PROGRAM

Item No. A.13

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MV00119568

RESOLUTION NO. 2011-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON PATTILYN DRIVE, CHALLIS COURT AND ROLANDA DRIVE

WHEREAS, the City Municipal code section 12.08.030 allows for establishing permit parking areas in residential and commercial zones, subject to a public hearing before the traffic safety commission; and

WHEREAS, the residents on Pattilyn Drive, Challis Court and Rolanda Drive submitted an application and requested permit parking along the frontage of their residences; and

WHEREAS, a public hearing was conducted during the regular August 3, 2011, meeting of the Traffic Safety Commission regarding this request; and

WHEREAS, on August 3, 2011, the Traffic Safety Commission reviewed and unanimously approved the recommended permit parking on Pattilyn Drive, Challis Court and Rolanda Drive; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

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

1. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

2. This City Council hereby authorizes and directs staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00119572

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS

BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET

DEVELOPER: IDS REAL ESTATE GROUP
515 S. FIGUEROA STREET, 16TH FLOOR
LOS ANGELES, CA 90071

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements.

2. Authorize the Mayor to execute the DIF Agreement in the form attached hereto.

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 12, 2007, the City Council of the City of Moreno Valley approved Tentative Parcel Map 35150 (PA06-0152). The tentative parcel map is a proposal to subdivide 53 net acres into two parcels, for industrial warehouse building use.

On July 8, 2008, the City Council of the City of Moreno Valley accepted the Agreement for Public Improvements and bonds in the amount of $7,721,000 for Faithful Performance and $3,860,500 for Material and Labor. The bonds were issued by Travelers Casualty and Surety Company of America.

On March 3, 2008 an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map 35150 was executed between the City of Moreno Valley and FR/CAL Moreno Valley, LLC, the previous land owner, and a deposit account was established according to the Agreement. Said Agreement was created because at the time, the City was in the process of creating a new DIF policy and related credit and reimbursement agreements. It was mutually decided that absent the ability of the developer to enter into a DIF Improvement Credit Agreement, there was a need to provide a means by which the City could be assured that the obligations would be met. As part of said Agreement instructions, the monies were to remain on deposit until the developer was in compliance with the terms of said Agreement, which included execution of both a DIF Improvement Credit Agreement and a TUMF Improvement Credit/Reimbursement Agreement.

On July 8, 2008, the City Council of the City of Moreno Valley approved the TUMF Improvement Credit/Reimbursement Agreement. The Western Regional Council of Governments (WRCOG) has since eliminated San Michele Road and Indian Street from their program.

On August 26, 2008, the City Council of the City of Moreno Valley approved the DIF Credit and Reimbursement Policy. A DIF Improvement Credit/Reimbursement Agreement was approved on October 23, 2008. On August 26, 2009, at the request of the City Attorney's Office, the DIF Improvement Credit/Reimbursement Agreement was separated into two agreements without changing the content of said Agreement, one for Credits and the other for Reimbursements.

The developer has now executed the DIF Improvement Credit Agreement in order to release funds they deposited pursuant to the Agreement for Deposit of Cash Security to Defer Payment of DIF and TUMF Obligations.

DISCUSSION

The City's Municipal Code, Chapter 3.42, "Commercial and Industrial Development Impact Fees" requires the developer to pay Development Impact Fees (DIF). The DIF covers the developer's fair share of the costs to construct improvements and right-of-way dedications that help mitigate the traffic impacts and burdens on the City's network of arterial streets and traffic signals generated by the project.

As part of the project conditions of approval, the developer will be constructing required DIF-related public improvements on San Michele Road and Indian Street. In accordance with the City's Municipal Code, Section 3.42.110, the "Credit for Improvements provided by Developer" will allow the developer to receive an initial credit for the applicable public improvements made to the designated arterial street(s) and/or traffic signals, based on the qualifying construction items as identified therein. The developer's initial credit amount is based on the lower of the DIF Study Costs, the Engineer's Cost Estimate provided by the developer, and the DIF Fee Obligation.

The developer is eligible to receive initial DIF Credits for specific improvements identified in the DIF Study for San Michele Road and Indian Street improvements, including earthwork, construction of new pavement and base, grinding and paving, sawcut and removal of existing pavement, traffic control, signing and striping, curb, gutter, sidewalk, relocation of power poles, and drainage improvements including catch basins, local depressions, and storm drain lines not maintained by Riverside County Flood Control and Water Conservation District.

The developer agrees to perform and complete all of the required public improvements in accordance with the Agreement for Public Improvements. Per the DIF Improvement Credit Agreement, the initial credit is the least of the DIF Study Costs, Engineer's Cost Estimate provided by the developer, and DIF Fee Obligation. Refer to Exhibit "C" – DIF Credit Calculation Table of the DIF Improvement Credit Agreement. The DIF Improvement Credit Agreement is attached to this Staff Report as Exhibit "B". Based on the information provided by the developer, the initial DIF Credit for this project is $1,515,318 for Arterial Streets.

If it is determined at the completion of the project that the developer constructed improvements above and beyond the project obligation, a DIF Improvement Reimbursement Agreement will be presented to City Council at that time. Any reimbursements may either be paid per the City policy or used as credits towards any other future project's DIF fee obligations.

ALTERNATIVES

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 and authorize the Mayor to execute the DIF Agreement in the form attached hereto. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

2. Do not accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 and do not authorize the Mayor to execute the DIF Improvement Credit Agreement in the form attached hereto. Do not authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150. *Not approving staff's recommendation would result in no DIF credit being provided to the developer and will not allow the release of developer funds deposited.*

FISCAL IMPACT

No fiscal impact is anticipated. The recommended action involves the release of funds from a developer funded deposit account.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" – DIF Improvement Credit Agreement
Exhibit "C" – Reference Copy of Agreement for Deposit of Cash Security to Defer Payment of DIF and TUMF Obligations for PM 35150

Prepared By
Clement Jimenez, P.E..
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E..
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00119578

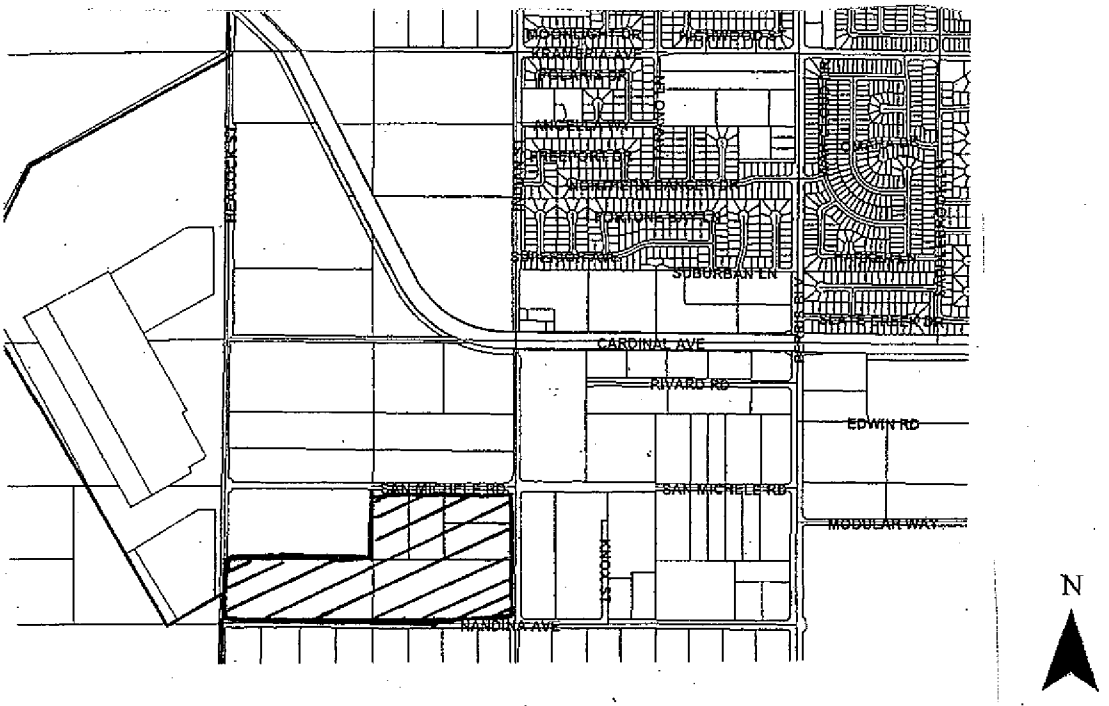

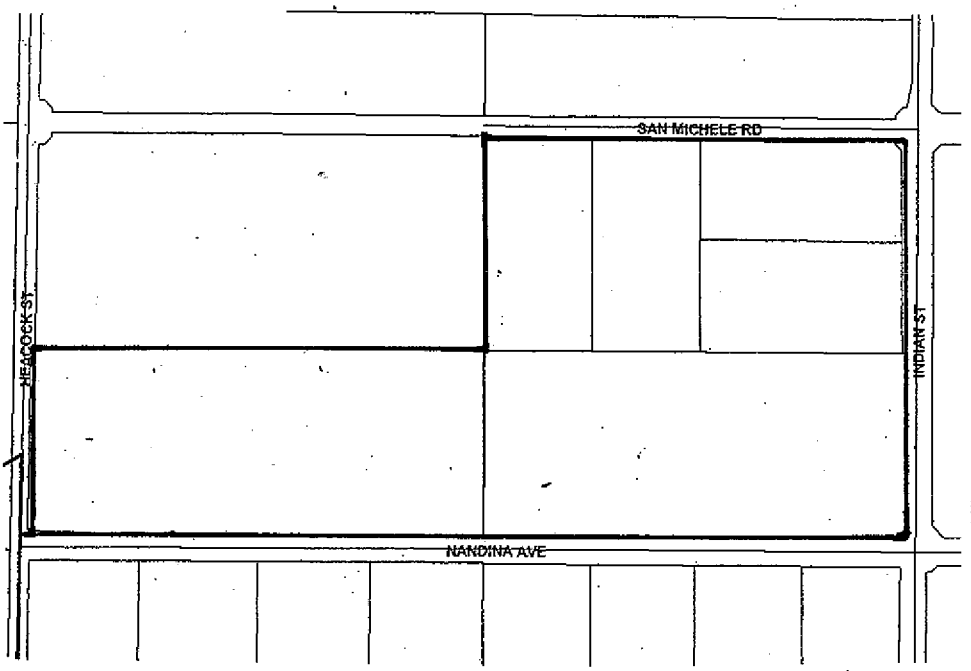

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PARCEL MAP 35150 VICINITY MAP

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EXHIBIT "A"

Item No. A.14

MV00119579

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MV00119580

DEVELOPMENT IMPACT FEES

IMPROVEMENT CREDIT AGREEMENT

NUMBER D07-007

PA06-0152 (PM 35150)

PA06-0153 (PLOT PLAN FOR 2 BUILDINGS; 1,182,918 SQ FT)

This Development Impact Fees Improvement Credit Agreement is made and entered into as of the date the City signs this Agreement, by and between the City of Moreno Valley, a municipal corporation, hereinafter referred to as "City" and the undersigned Developer, hereinafter referred to as "Developer."

RECITALS

WHEREAS, Developer and City have entered into an Agreement for Public Improvements (attached hereto as Exhibit "A"), dated July 8, 2008, which Agreement for Public Improvements sets forth all obligations of the Developer for Public Improvements that are a condition of approval for the above-titled development (hereinafter referred to as the "Project"), some of which may be eligible for Development Impact Fees (hereinafter referred to as "DIF") Credit under this Agreement; and

WHEREAS, the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees" and Chapter 3.42 "Commercial and Industrial Development Impact Fees" requires Developer to pay the DIF for projects identified in the most recently adopted DIF study (hereinafter referred to as "DIF Obligation") which covers the

Project's fair share of the costs to construct improvements that help mitigate the impacts and burdens on the City's local systems generated by the Project and that are necessary to provide City services and protect the safety, health, and welfare of residential and non-residential users; and

WHEREAS, certain improvements set forth in the Agreement for Public Improvements are also identified in the City's DIF Program as improvements that are to be funded from DIF, which identified improvements are set forth in Exhibit B attached hereto and hereby incorporated by reference and are hereinafter referred to as the DIF Improvements; and

WHEREAS, if the City or some other third party constructs the DIF improvements set forth in the Agreement for Public Improvements prior to Developer, then this Improvement Credit Agreement shall become null and void and the Developer shall be required to pay the full DIF Obligation of the Project; and

WHEREAS, the City and Developer now desire to enter into this Improvement Credit Agreement to provide a means by which the Developer may receive a Credit for required DIF improvements actually constructed by the Developer for the subject Project subject to the terms and limitations set forth in this Agreement.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

1.0 General Provisions.

1.1 Incorporation of Recitals. The Parties hereby affirm the facts and provisions set forth in the above Recitals and agree to their incorporation herein as though set forth in full.

1.2 Incorporation of the Agreement for Public Improvements. The Parties hereby affirm the terms, conditions and requirements set forth in the Agreement for Public Improvements (Exhibit "A") and agree to their incorporation herein as though set forth in full.

2.0 DIF Obligation.

2.1 Developer's DIF Obligation. Developer hereby agrees and accepts that, as of February 15, 2011, the Developer is obligated to pay DIF for the Project to City in the amount of two million two hundred two thousand five hundred ninety three and thirty two one hundredths dollars ($2,202,593.32) (hereinbefore and hereinafter referred to as the "DIF Obligation"), and of that amount $1,515,317.96 is the "Street" component of the DIF Obligation for which the developer may be eligible to receive credits.

2.2 Effect of Agreement. Notwithstanding anything in this Agreement, Developer acknowledges that the DIF Obligation is established by the provisions of the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees," or Chapter 3.42 "Commercial and Industrial Development Impact Fees," and that this Agreement does not alter, limit, increase or reduce the obligations under those code sections nor prevent City from adjusting or correcting the DIF Obligation amount to conform to the requirements of the Municipal Code.

3.0 DIF Credit Limitations.

3.1 Calculation of DIF Credit. Pursuant to City of Moreno Valley Municipal Code Sections 3.38.150 "Credit for Improvements Provided by Developers" (residential), or 3.42.110 "Credit for Improvements Provided by Developers" (commercial and industrial), and in accordance with the City's Development Impact Fee Credit and Reimbursement Policy, as adopted by the City Council on August 26, 2008, (the "Credit and Reimbursement Policy") and in consideration of Developer's obligations under the Conditions of Approval for the Project and the Agreement for Public Improvements to construct the DIF improvements, the maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be as defined in Sections 4.0 of this Agreement and the Credit and Reimbursement Policy.

3.2 Effect of Agreement. Notwithstanding the foregoing, Developer acknowledges that the amounts of DIF Credits are established by the provisions of the City of Moreno Valley Municipal Code and the DIF Credit and Reimbursement Policy and this Agreement shall not prevent City from adjusting or correcting the DIF Credit

amounts set forth in this Agreement to conform to the requirements of the Municipal Code and the Credit and Reimbursement policy.

4.0 DIF Credit

4.1 Maximum DIF Credit. City shall apply DIF Credit to offset, in whole or in part, the Project's DIF Obligation. The maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be equal to the least of: (A) the City Engineer's Estimate of the actual cost of the DIF Improvements (hereinafter collectively referred to as "Engineer's Estimate"), or (B) project costs as identified in the DIF study in effect at the time of the issuance of a building permit, or (C) the actual DIF Obligation. In no event shall a DIF Credit exceed the actual DIF Obligation.

4.2 DIF Credit Offset to DIF Obligation. The DIF Credit shall be applied at the time DIF obligation is due and payable. If the project is to be developed by phases, by specific units, or by specific buildings, DIF Credit shall be applied according to a Public Improvements Phasing Schedule approved by the City and attached and incorporated to this agreement.

4.3 Submittal Timeframe. The Developer shall submit to the City Engineer any and all documentation the Developer deems relevant in substantiating the claim for DIF Credit for the DIF Qualifying Improvements to be constructed by the Developer. Such documentation may include contracts, bids, estimates, or any other relevant documents pertaining to the actual cost of the Qualifying Improvements. The City Engineer shall take into consideration, but shall not be bound by, any such documentation submitted by the Developer in formulating the Engineer's Estimate. All

such documentation shall be submitted by the Developer to the City Engineer no later than ninety (90) calendar days prior to the date for payment of DIF for the project. The City Engineer will use his or her best efforts and professional judgment in formulating an Engineer's Estimate and shall endeavor to provide said estimate to the Developer in writing within sixty (60) calendar days after submittal of the last document submitted by the Developer.

4.4 DIF Credit Calculation *(completed by City).*

As of the date hereof, the amount of DIF Credit for which Developer is potentially eligible is set forth in Exhibit C "DIF Credit Calculation Table" attached hereto and hereby incorporated by reference.

4.5 Reconciliation - Final DIF Credit. If the dollar amount of the actual DIF Credit is less than the amount of the actual unpaid DIF Obligation (hereinafter referred to as "DIF Balance"), the City shall notify the Developer in writing of the amount of the DIF Balance and Developer shall pay the DIF Balance to fully satisfy the DIF Obligation at the time DIF payments are due. If the dollar amount of the actual DIF Credit exceeds the amount of the actual DIF Obligation, Developer will be deemed to have fully satisfied the DIF Obligation. If the Developer has actually paid DIF and completed DIF Improvements, but has not received full DIF Credit for which the Developer would have been otherwise eligible under the DIF Credit and Reimbursement Policy, the Developer *may* be eligible for a Reimbursement Agreement, to the extent applicable, as provided in a separate Development Impact Fees Improvement Reimbursement Agreement.

4.6 Credit Transfer for Unfunded DIF Reimbursement Eligibility. To the extent that Developer has Reimbursement Eligibility Amounts which are both unpaid and unfunded by the City and which have not expired under the ten (10) year limitation set forth in the Development Impact Fee Credit and Reimbursement Policy No. 3.24, Section F – Time Limitation, Developer may apply to receive partial or full DIF Credits for the same component of DIF on another development project within the City owned or controlled by that Developer and which has received all necessary approvals, on a dollar for dollar basis. Written application shall be made to the City and Developer shall provide any and all documentation and other information the City may reasonably request. The City shall not unreasonably withhold approval of such a Credit Transfer.

5.0 No Interest. Developer shall not be entitled to any interest, or any other cost or time value adjustment, for DIF paid to the City whether or not subsequently credited under Section 4.6 or reimbursed.

6.0 Term of Agreement. For purposes of Reimbursement Eligibility and Credit Transfer, this Agreement shall remain in effect for a period not to exceed ten (10) years from the date of execution by the City.

7.0 General.

7.1 Assignment. Except as specifically set forth in this Agreement, this Agreement shall not be assigned by any Party without the prior written consent of the non-assigning Party, which consent shall not be unreasonably withheld. All

assignees and successors in interest shall assume and become obligated to perform all obligations and be entitled to all benefits of the original Party.

7.2 Amendment. This Agreement may only be amended in writing signed by the Parties.

7.3 Law, Venue and Jurisdiction. This Agreement shall be governed by the laws of the State of California. Venue and Jurisdiction of all matters arising out, pertaining to, or in any way related to this Agreement shall be vested in the Superior Court of the State of California, in and for the County of Riverside, California.

7.4 Notices. Any notices to be given pursuant to this Agreement shall be in writing and delivered by First Class Mail addressed to the Parties as follows:

City: City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: Patrick D. Spillane, Senior Vice President
IDS Real Estate Group
515 S. Figueroa Street, 16th Floor
Los Angeles, CA 90071

7.5 Entire Agreement. This Agreement is the final, complete and exclusive statement of the Agreement of the Parties with respect to the subject matter

hereof and supersedes and replaces any prior oral or written agreements between the Parties addressing the same subject matter.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

CITY OF MORENO VALLEY,
a California municipal corporation

By: _____
Chris A. Vogt
Its: _____

Date: _____

ATTEST: _____
City Clerk

Date: _____

APPROVED AS TO FORM:

_____
City Attorney

Date: _____

FR/Cal Moreno Valley, LLC
a Delaware limited liability company

By: FirstCal Industrial, LLC
a Delaware limited liability company,
its sole member

By: California State Teacher's Retirement System, a public entity, its manager

By: Principal Real Estate Investors, LLC, a Delaware limited liability company, its authorized agent

By: _____
Name: William G. Williams III
Title: Investment Director – Asset Management

Date: _____

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

EXHIBIT "A"

PUBLIC IMPROVEMENT AGREEMENT

WITH BONDS

(ATTACHED BEHIND THIS PAGE)

EXHIBIT "A"

Revised 092508

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PM 35150

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **FR/CAL Moreno Valley, LLC,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 35150** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
FR/CAL Moreno Valley, LLC
114 Pacifica, Suite 220
Irvine, CA 92618

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: 7/8/08

FR/CAL Moreno Valley, LLC:
Developer

BY: _____
Signature

Matt Englhard
Print/Type Name

Regional Development Officer
Title

BY: _____
Signature

John Grace
Print/Type Name

Development Manager
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 7/9/08

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

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FINAL
5-5-08

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			12288	C.Y.	20.00	245,760
A.B. Class II - Street 1	1	Thickness (ft.)				
	331770	S.F.	24053	Ton	55.00	1,322,933
A.C. - Street 1	0.5	Thickness (ft.)				
	331770	S.F.	12027	Ton	90.00	1,082,400
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0.5	Thickness (ft.)				
	29489	S.F.	641	Ton	55.00	35,276
A.C. - Street 2	0.7	Thickness (ft.)				
	29489	S.F.	1497	Ton	90.00	134,691
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	2,821,060

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	954	Ton	90.00	85,860
Slurry Seal (Based on $150/Ton Type II)	51934	S.Y.	2.25	116,852
Sawcut & Join Exist. AC Pavement	11611	L.F.	1.50	17,417
Sawcut & Join Exist. Conc Pavement	1611	L.F.	1.50	2,417
Utility Trench	0	L.F.	17.00	0
Backfill Trench with Slurry Concrete	44	C.Y.	100.00	4,400
Trench Repaving	0	S.F.	12.00	0
Redwood Header	5376	L.F.	6.00	32,256
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	27562	S.F.	14.00	385,868
P.C.C. Paving - 8"	0	S.F.	16.00	0
P.C.C. Removal	27562	S.F.	5.00	137,810
Curb and Gutter - 6"	0	L.F.		0
Curb and Gutter - 8"	4770	L.F.	25.00	119,250
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	0	S.F.	15.00	0
Sidewalk	26262	S.F.	7.00	183,834
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	15223	S.F.	16.00	243,568
Wheelchair Ramp	7	EA.	1,200.00	8,400
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Remove Curb & Gutter / Sidewalk	3846	S.F.	2.00	7,692
AC Removal	202050	SY	1.00	202,050
			SUBTOTAL:	1,547,673

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	30	EA.	5,000.00	150,000
Electrical Utility Infrastructure	1	L.S.	563,229.00	563,229
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	713,229
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordinati	1	LS.	307,400.00	307,400
Traffic Signal Interconnect (Existing Signals Only)	1	LS.	140,000.00	140,000
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	4	EA.	100.00	400
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
Relocate Guard Rail	69	L.F.	35	2,415
	0		--	0
			SUBTOTAL:	450,215
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	16	EA.	30,000.00	480,000
Cluster Mail Boxes	0	EA.	4,500.00	0
Erosion Control	0	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	0	EA.	100.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	480,000

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	755	L.F.	160.00	120,800
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	668	L.F.	180.00	120,240
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	4	EA.	5000.00	20,000
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	1	EA.	7000.00	7,000
	0		---	0
Catch Basins				
Catch Basin (3.5')	2	EA.	3100.00	6,200
Catch Basin (7')	5	EA.	5500.00	27,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	7	EA.	535.00	3,745
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	1	EA.	5000.00	5,000
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

M.S.

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/05
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	7	EA.	6000.00	42,000
Type IX Inlet Structure	3	EA.	2500.00	7,500
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		—	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		—	0
			SUBTOTAL:	365,985

M. S.

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	0		50.00	0
10" PVC C-900	0		55.00	0
12" PVC C-900	0		60.00	0
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	0	EA.	1,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	0	EA.	2,000.00	0
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	0	EA.	3,000.00	0
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	0	EA.	2,500.00	0
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	14	EA.	2,800.00	39,200
6" Super Fire Hydrants	4	EA.	3,000.00	12,000
	0		---	0
Services Connections				
1" Service	0	EA.	500.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	0	EA.	2,800.00	0
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0		---	0
			SUBTOTAL:	51,200

M.S

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	700.00	0
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,000.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	5	EA.	800.00	4,000
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	4,000

M. S.

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PM35150

DATE: 04/15/06
PREPARED BY: Mike Schuman

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$2,821,060
STREET WORK	:	$2,027,673
STORM DRAIN SYSTEM	:	$365,985
WATER SYSTEM	:	$51,200
SEWER SYSTEM	:	$4,000
ENTERPRISE SERVICES ADMIN	:	$713,229
TRANSPORTATION ENGNRNG	:	$450,215
TOTAL COST (VALUE) OF IMPROVEMENTS:		$6,433,361
+20% CONTINGENCY:		$1,286,672
GRAND TOTAL:		$7,720,033

BOND AMOUNT: $7,721,000

M.S.

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $7,721,000

Bond No. 105063246

Surety Travelers Casualty And Surety Company Of America

Address One Tower Square

City/Zip Hartford, CT 06183

Project No. PM 35150

Premium $61,768.00

Principal FR/CAL Moreno Valley, LLC

Address 114 Pacifica, Suite 220

City/Zip Irvine, CA 92618

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **FR/CAL Moreno Valley, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PM 35150**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty And Surety Company Of America, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 35150

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on May 16, 20 08.

Regina M O'Neill
Notary Public

"OFFICIAL SEAL"
REGINA M. O'NEILL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/5/2008

NAME OF PRINCIPAL: FR/CAL Moreno Valley, LLC
Company Name

AUTHORIZED SIGNATURE(S): By

Name Title

Bernard A. Bak
Name Authorized Signatory Title

NAME OF SURETY: Travelers Casualty And Surety Company Of America
Company Name

AUTHORIZED SIGNATURE:
Patricia M. Doyle, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Faithful Performance Bond.DOC

RISK MANAGEMENT
Approved
6/2/08

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF WILL

On this 16th day of May, 2008, before me, Anna L. Formhals, a Notary Public, within and for said County and State, personally appeared Patricia M. Doyle to me personally known to be the Attorney-in-Fact of and for Travelers Casualty and Surety Company of America and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
ANNA L. FORMHALS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES DEC. 13, 2009

Item No. A.14

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 215800

Certificate No. 002241599

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas J. Joslin, Karen Daniel, Kathleen J. Mailes, Linda Iser, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Geoffrey E. Heekin, Marcia K. Cesatsky, Patricia M. Doyle, and Richard A. Moore Jr.

of the City of Chicago, State of Illinois, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 11th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-5-07 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Item No. A.14

MV00119606

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of May, 2008

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

CERTIFICATE OF AUTHORITY
FIRSTCAL INDUSTRIAL, LLC

I, John Clayton, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Vice President-Corporate Legal and Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation"), and as such officer I am authorized to make the certifications herein made;

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc., "FII"); FII is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno Valley").

3. Bernard A. Bak is a Vice President – Development Operations and Due Diligence of the Corporation, with signature authority for and on behalf of the Corporation and its affiliates, including, without limitation, FirstCal in its capacity as sole member of Moreno Valley, which signature authority extends to agreements and other documents ancillary thereto related to the development of land owned by Moreno Valley.

IN WITNESS WHEREOF, I have signed this Certificate this 27th day of May, 2008.

John Clayton

Sworn to and subscribed before me this 27th day of May, 2008.

Notary Public

My commission expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

[NOTARIAL SEAL]

Certificate of Authority - FirstCal Industrial LLC (JV)1

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $3,860,500

Project No. PM 35150

Bond No. 105063246

Premium $61,768.00

Surety Travelers Casualty And Surety Company Of America A+XII(CA)

Principal FR/CAL Moreno Valley, LLC

Address One Tower Square

Address 114 Pacifica, Suite 220

City/Zip Hartford, CT 06183

City/Zip Irvine, CA 92618

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **FR/CAL Moreno Valley, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PM 35150**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **THREE MILLION EIGHT HUNDRED SIXTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$3,860,500.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 35150

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change; extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on May 16, 20 08.

NAME OF PRINCIPAL: FR/CAL Moreno Valley, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

Regina M. O'Neill
Notary Public

Name Bernard A. Bak Title

Name Authorized Signatory Title

"OFFICIAL SEAL"
REGINA M. O'NEILL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/5/2008

NAME OF SURETY: Travelers Casualty And Surety Company Of America
Company Name

AUTHORIZED SIGNATURE: Patricia M. Doyle, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Material Labor Bond.DOC

RISK MANAGEMENT
Approved
6/2/08

Item No. A.14

MV00119610

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF WILL

On this 16th day of May, 2008, before me, Anna L. Formhals, a Notary Public, within and for said County and State, personally appeared Patricia M. Doyle to me personally known to be the Attorney-in-Fact of and for Travelers Casualty and Surety Company of America and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Anna L. Formhals

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
ANNA L. FORMHALS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES DEC. 13, 2009

Item No. A.14

MV00119611

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Certificate No. 002241598

Attorney-In Fact No. 215800

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas J. Joslin, Karen Daniel, Kathleen J. Malles, Linda Iser, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Geoffrey E. Heekin, Marcia K. Cesafsky, Patricia M. Doyle, and Richard A. Moore Jr.

of the City of Chicago, State of Illinois, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 11th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-5-07 Printed in U.S.A.

Item No. A.14

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of May, 2008

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

Item No. A.14

CERTIFICATE OF AUTHORITY
FIRSTCAL INDUSTRIAL, LLC

I, John Clayton, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Vice President-Corporate Legal and Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation"), and as such officer I am authorized to make the certifications herein made;

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc., "FII"); FII is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno Valley").

3. Bernard A. Bak is a Vice President – Development Operations and Due Diligence of the Corporation, with signature authority for and on behalf of the Corporation and its affiliates, including, without limitation, FirstCal in its capacity as sole member of Moreno Valley, which signature authority extends to agreements and other documents ancillary thereto related to the development of land owned by Moreno Valley.

IN WITNESS WHEREOF, I have signed this Certificate this 27th day of May, 2008.

John Clayton

Sworn to and subscribed before me this 27th day of May, 2008.

Notary Public

My commission expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

[NOTARIAL SEAL]

Certificate of Authority - FirstCal Industrial LLC (JV)1

EXHIBIT "B"

DIF IMPROVEMENTS

EXHIBIT "B"

DIF Reimbursable Items
PARCEL MAP NO. 35150, PA06-0152,3
Indian Street

ITEM	QTY	UNITS	UNIT RATE	ITEM COST
Lane - includes the following:				
Traffic Control	1	LS	$ 12,000	$ 12,000
Excavation (based on structural section)	1552	CY	$ 29	$ 45,008
Curb and Gutter	1241	LF	$ 30	$ 37,230
Asphalt Concrete	21044	SF		
Thickness	0.50	ft.		
	763	TON	$ 80	$ 61,040
Aggregate Base	21044	SF		
Thickness	1.00	ft.		
	1526	TON	$ 33	$ 50,358
Portland Cement Concrete	9825	SF		
Thickness	0.70	ft.		
	255	CY	$ 425	$ 108,375
Aggregate Base	9825	SF		
Thickness	0.35	ft.		
	249	TON	$ 33	$ 8,217
Signing and Striping	1	LS	$ 2,000	$ 2,000
Sidewalk	8214	SF	$ 4.25	$ 34,910
Storm Drain - includes the following:				
24" Reinforced Concrete Pipe	63	LF	$ 160	$ 10,080
Headwall	1	EA	$ 5,500	$ 5,500
4' Catch Basin	3	EA	$ 3,100	$ 9,300
Local Depression	3	EA	$ 535	$ 1,605
Drop Inlet	1	EA	$ 2,500	$ 2,500
Junction Structure	3	EA	$ 6,500	$ 19,500
Overhead Utility Undergrounding	2329	LF	$ 178	$ 414,562
SUBTOTAL				**$ 822,185**
Planning Cost (10% of Subtotal)			10%	$ 82,219
Engineering Cost (25% of Subtotal)			25%	$ 205,546
Contingency Cost (10% of Subtotal)			10%	$ 82,219
TOTAL				**$ 1,192,169**

DIF Reimbursable Items
PARCEL MAP NO. 35150, PA06-0152,3
San Michele Road

ITEM	QTY	UNITS	UNIT RATE	ITEM COST
Lane - includes the following:				
Traffic Control	1	LS	$ 11,000	$ 11,000
Excavation (based on structural section)	1128	CY	$ 29	$ 32,712
Curb and Gutter	1325	LF	$ 30	$ 39,750
Asphalt Concrete	17718	SF		
Thickness	0.50	ft.		
	642	TON	$ 80	$ 51,360
Aggregate Base	17718	SF		
Thickness	1.00	ft.		
	1285	TON	$ 33	$ 42,405
Portland Cement Concrete	3713	SF		
Thickness	0.70	ft.		
	96	CY	$ 425	$ 40,800
Aggregate Base	3713	SF		
Thickness	0.35	ft.		
	94	TON	$ 33	$ 3,102
Signing and Striping	1	LS	$ 2,000	$ 2,000
Sidewalk	7621	SF	$ 4.25	$ 32,389
Storm Drain - includes the following:				
24" Reinforced Concrete Pipe	85	LF	$ 160	$ 13,600
Headwall	0	EA	$ 5,500	$ -
4' Catch Basin	2	EA	$ 3,100	$ 6,200
Local Depression	2	EA	$ 535	$ 1,070
Drop Inlet	1	EA	$ 2,500	$ 2,500
Junction Structure	2	EA	$ 6,500	$ 13,000
Overhead Utility Undergrounding	2410	LF	$ 178	$ 428,980
SUBTOTAL				**$ 720,868**
Planning Cost (10% of Subtotal)			10%	$ 72,087
Engineering Cost (25% of Subtotal)			25%	$ 180,217
Contingency Cost (10% of Subtotal)			10%	$ 72,087
TOTAL				**$ 1,045,259**

Item No. A.14

EXHIBIT "C" – DIF Credit Calculation Table

Item	Process for DIF Credit Calculation	Streets	Traffic Signals	Police	Fire	Libraries	Parks	Community / Rec Centers	Public Facilities*	Inter-change Improve-ments	Electric Utility
1	Engineer's Estimate	$2,237,428	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Project costs as identified in DIF study	$1,712,161	$0	$0	$0	$0	$0	$0	$0	$0	$0
3	Actual DIF Obligation	$1,515,318	$229,486	$49,683	$68,609	$0	$0	$0	$108,828	$230,669	$0
4	Developer's Credit Amount** - Least of Lines 1 2 & 3	$1,515,318	$0	$0	$0	$0	$0	$0	$0	$0	$0

*may include, but not be limited to, City Hall, Corporate Yard, Animal Shelter, and/or maintenance equipment.

** credit amount shall not exceed obligation.

EXHIBIT "C"

MV00119618

Final 3/3/08

AGREEMENT FOR DEPOSIT OF CASH SECURITY
TO DEFER PAYMENT OF
DEVELOPMENT IMPACT FEE (DIF) AND TRANSPORTATION UNIFORM
MITIGATION FEE (TUMF) OBLIGATIONS
NO. D07-007, NO. T07-002, PROJECT NOS. PM 35150, PA06-0152, PA06-0153

This Agreement ("Agreement") is made and entered into on the date the City signs this Agreement. This Agreement is by and between the City of Moreno Valley, whose address is 14177 Frederick Street, Moreno Valley, CA 92553, (hereinafter called "City"); and FR/CAL MORENO VALLEY, LLC, a Delaware limited liability company, whose address is 114 Pacifica, Suite 220, Irvine, CA 92618 (hereinafter called "Developer") (City and Developer collectively, the "Parties," and individually, a "Party") with reference to the following facts:

A. Developer owns approximately 54 acres of property subject to Tentative Parcel Map 35150 (the "Project"). Said property is subject to Conditions of Approval for said parcel map and a Plot Plan approval. The City's project identification numbers for the parcel map and plot plan are PA06-0152 and PA06-0153. Developer's Final Parcel Map has not yet been approved.

B. Developer wishes to pull permits to begin construction of parts of the project, including onsite grading and offsite street improvements, however, plans for such offsite improvements have not yet been approved by the City.

C. As a condition of approval of development of the property, and as requirements of City ordinances, Developer is required to pay Development Impact Fees (DIF) to mitigate the impacts of the development project on local public facilities, including without limitation, streets, traffic signals, bridges and thoroughfares, parks, etc., and Transportation Uniform Mitigation Fees (TUMF) to mitigate such impacts on regional transportation improvements.

D. In addition to such fee obligations, Developer is required by the conditions of approval and City ordinances to build certain public improvements, some of which are included in facilities eligible for funding from DIF and/or TUMF, under applicable "nexus" studies for such fees. Construction of facilities included in such nexus studies may make the Developer eligible for some amount of credits or refunds of DIF or TUMF.

E. The amount of such potential credits or refunds the Developer could be eligible for cannot be fully determined at this date.

1) TUMF credits and refunds are subject to adopted policies and procedures of the City and the Western Riverside Council of Governments, which include a form of credit and/or refund agreement ("TUMF agreement") already approved by both agencies. However the form of agreement cannot be entered into at this time because the amount of the TUMF fee and the value of improvements that may qualify for credits against the

TUMF fee cannot be calculated until final project and improvement plans have been reviewed and approved.

2) DIF credits and refunds are subject to polices and procedures of the City not yet fully adopted and implemented, and a form of credit and/or refund agreement ("DIF agreement") not yet approved by the City Council. However the form of agreement cannot be entered into at this time because the form of agreement has not yet been finalized and approved by the City and the the amount of the DIF fee and the value of improvements that may qualify for credits against the DIF fee cannot be calculated until final project and improvement plans have been reviewed and approved.

F. The City's normal practice has been to require Developers to wait for permits until final project approvals have been granted and the standard TUMF agreement has been executed and/or all TUMF and DIF fees have been finally calculated and fully paid and/or credited per approved agreements.

G. Developer has requested that the City permit Developer to pull permits prior to such final approvals and pay estimated DIF and TUMF into a segregated account with the City to be held as security for the performance of Developer's DIF and TUMF obligations for the Project.

Now, therefore, the City and Developer agree as follows:

A. Developer shall have the option to deposit 100% of the estimated DIF obligation amount of **$1,515,318** as estimated on Exhibit B attached hereto and 100% of the estimated TUMF obligation amount of **$1,081, 736** as estimated on Exhibit C attached hereto (collectively, the "Funds"), as a cash security with the City as a substitute for payment of the DIF and TUMF obligations otherwise required to be paid prior to permits for and/or occupancy of the Project.

B. When the Developer has deposited the Funds with the City, they shall be held by the City for the purposes of this Agreement and shall at all times be separately accounted for and held only for the purposes of this Agreement and the underlying DIF and TUMF obligations of the Developer. The Funds shall only be withdrawn by the City (i) for the payment of DIF and/or TUMF obligations due and owing the City under the terms of the DIF and/or TUMF agreements subsequently entered into between the Parties; (ii) for the payment of DIF and/or TUMF obligations left due and owing under City ordinances and resolutions at time of application for final inspection/certificate of occupancy for any part of the project in the event that DIF and TUMF agreements are not executed prior to such application; (iii) upon Developer's written authorization provided to the City, that the Funds or portions of the Funds may be withdrawn; or (iv) under the

provisions of section D of this Agreement. While so held, such funds shall bear interest at then current Local Agency Investment Fund (LAIF) rate. Such interest shall accrue to the benefit of the trust Funds and shall be used only for satisfaction of the Developer's DIF and/or TUMF obligations with any excess being paid to the Developer at the time of final accounting and termination of this Agreement.

The Parties agree that, for tax reporting purposes, all interest and other income from investment of the Funds shall, as of the end of each calendar year and to the extent required by the Internal Revenue Service, be reported as having been earned by Developer, whether or not such income was disbursed during such a calendar year.

Prior to final accounting and termination of this Agreement, the Developer shall provide the City with certified tax identification numbers by furnishing appropriate forms W-9 or W-8 and such other forms and documents that the City may request. The Parties understand that if such tax reporting documentation is not provided and certified to the City, the City may be required by the Internal Revenue Code of 1986, as amended, and the Regulations promulgated thereunder, to withhold a portion of any interest or other income earned on the investment of the Funds for payment of taxes.

To the extent that the City becomes liable for the payment of any taxes in respect of income derived from the investment of the Funds, the City shall satisfy such liability to the extent possible from the income of the Funds. The Developer shall indemnify, defend and hold the City harmless from and against any tax, late payment, interest, penalty or other cost or expense that may be assessed against the City on or with respect to the Funds and the investment thereof unless such tax, late payment, interest, penalty or other expense was directly and solely caused by the gross negligence or willful misconduct of the City.

C. This Agreement extends the time for execution of DIF and TUMF agreements that are, or would normally be, required prior to the issuance of building permits or occupancy of the Project. This Agreement is valid for a period of 180 days from City execution of this Agreement or until the execution, delivery to and final acceptance by the City of both a DIF agreement and a TUMF agreement, whichever comes first. If mutually agreed upon, this agreement may be extended. This Agreement may also be extended subject to the below conditions:

   a. If the sole reason for the Developer not submitting an acceptable DIF agreement is that the City has not adopted and presented to the Developer an approved form for such Agreement, the Developer shall be entitled to an extension of this Agreement until 10 days after such form

agreement is presented by the City to the Developer, or Developer applies for the first final inspection/certificate of occupancy for the Project, whichever shall first occur. Any extension under this subparagraph 1 shall not apply to the Developer's obligations to timely pay TUMF or to enter into a TUMF agreement, nor to the City's obligation to hold such TUMF fees in the segregated account under this Agreement

b. If the reason that the Developer has not submitted executed DIF and/or TUMF agreements is that the Developer has timely submitted complete plans in proper form for the Project and the DIF and/or TUMF eligible improvements such that the Developer's DIF and/or TUMF obligation can be properly calculated but the City has not yet acted to approve such plans and/or calculate the DIF and/or TUMF obligation, and/or execute the Public Improvement Agreement/bond acceptance as stipulated in the DIF and TUMF agreements, the Developer shall be entitled to an extension until such time as the City has either approved such plans and executed a corresponding DIF and/or TUMF agreement, or rejected the submitted plans in the ordinary course of exercising its governmental authority.

c. Notwithstanding any other provision of this Agreement, this Agreement shall expire upon the earlier of when the developer applies for the first certificate of occupancy for the Project, or the parties execute the DIF and TUMF agreements.

D. Subject to the provisions of section C of this Agreement, if the Developer has not executed and submitted to the City both a DIF Credit and Refund Agreement and a TUMF Credit/Reimbursement Agreement in form and substance acceptable to the City within 180 days of City execution of this Agreement or within any extension of this Agreement, this Agreement becomes null and void, the full DIF and TUMF obligations for the Project become immediately due and payable and the Funds shall be applied against such DIF and TUMF obligations. The Developer shall remain liable for any shortfall in payment of such obligations, which shall likewise become immediately due and payable.

E. The Developer shall be responsible for paying the City's administrative costs ("Administrative Costs") for the expenses incurred by the City in administering the Funds under this Agreement as set forth in Exhibit A. Administrative Costs shall be based on the actual costs incurred by the City. City shall provide Developer with written documentation that the Administrative Costs have been incurred by the City. Developer shall pay City the Administrative Costs actually incurred by the City within 30 (thirty) days of receipt of the written documentation of the Administrative Costs from the City. The Administrative Costs may be withheld by

the City from the Funds at the time of final accounting and termination of this Agreement.

F. The City reserves the right to require that the cash security deposit be increased if it determines in good faith that the Funds are inadequate to account for the Developer's DIF and TUMF obligations and/or the City's administrative costs for administering the Funds under this Agreement, including, but not limited to any inadequacy caused by a modification to construction plans (an increase in building square footage) subsequent to the final calculation of DIF and TUMF under City ordinances and adopted policies, upon issuance of building permits for the Project. Developer agrees to deposit the amount of any such increase in cash within ten (10) days after being notified by the City Engineer that the surety is insufficient and the additional amount required. If Developer fails to make such a timely deposit, the City may withhold or suspend permits for the Project until such deposit is made.

F. The Developer hereby indemnifies, defends and holds harmless the City from any and all claims, obligations, liabilities, losses and costs of any nature (including attorneys' fees) which the City may incur to any third party or agency, including specifically but without limitation the County of Riverside, the Riverside County Transportation Authority, WRCOG and/or any constituent agency of WRCOG, arising from this Agreement, from any act or omission by any party in compliance with or in breach of this Agreement, or from any failure to collect, account for or remit to any such agency any TUMF that would have been received by such agency absent this Agreement, any breach of this Agreement or any failure of Developer to pay or account for its full TUMF obligation, including losses related to any transportation funding withheld from the City by any such agency due to any alleged non-compliance with TUMF requirements for Developer's Project.

G. Upon termination of this Agreement under its terms, the City will provide an accounting of the Funds, including accrued interest, to identify the amounts that will be distributed to the Developer for credit and the amount that will be deposited into the City's DIF and/or TUMF account for the DIF and TUMF obligations of the Project.

H. The names of the persons who are authorized to give written notice or to receive written notice on behalf of the City and on behalf of Developer in connection with the foregoing, and exemplars of their respective signatures, are as follows:

City: Chris A. Vogt Signature: _____
Public Works Director/City Engineer Date: 2/21/08
(and/or)
Steve M. Chapman Signature: _____
Finance Director/City Treasurer Date: 2-21-08

City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: Phil Bowman, Senior VP Signature: _____
First Industrial Realty Trust Date: 2-14-08
114 Pacifica, Suite 220
Irvine, CA 92618

I. City Not Trustee or Fiduciary. This Agreement is purely an Agreement to accept a deposit of the Funds to secure obligations due and owing the City by the Developer. The City's purpose in entering into this Agreement is to protect its own interests and not those of the Developer. Under no circumstances will the City be deemed to be a trustee or fiduciary to the Developer or any other person under this Agreement.

J. Successors and Assigns. This Agreement shall be binding on and inure to the benefit of the Parties and their respective successors and permitted assigns. No other persons shall have any rights under this Agreement. Neither party shall assign or transfer any interest under this Agreement without the express prior written approval of the other party, which may be given or withheld in the other party's sole and absolute discretion.

K. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

L. This Agreement is the final, complete and exclusive statement of the agreement of the parties with respect to the subject matter hereof and supersedes and replaces any prior oral or written agreements between the parties addressing the same subject matter. However, this Agreement does not replace, vitiate, waive or supersede any obligation of the Developer under any present or hereafter adopted law, ordinance, resolution or policy of the City, which obligations shall remain in full force and effect, except only as to the timing of such obligations and only during the term of this Agreement.

SIGNATURE PAGE TO FOLLOW

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }

On 2-14-08 (Date) before me, Rita C. Webber, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Phil Bowman (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

RITA C. WEBBER
Commission # 1661187
Notary Public - California
Orange County
My Comm. Expires Apr 25, 2010

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Rita C. Webber (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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Agreement to Hold Separately
DIF Obligation No. D07-007
TUMF Obligation No. T07-002
Project Nos. PM 35150, PA06-0152, PA06-0153

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

FR/CAL MORENO VALLEY, LLC,
A Delaware limited liability company

By: FirstCal Industrial, LLC, a Delaware limited liability company, its sole member

By: FR FirstCal, LLC, a Delaware limited liability company, its managing member

By: First Industrial Investment, Inc., a Maryland corporation, its sole member

BY: _____
Signature

Phil Bowman
Print/Type Name

Senior Vice Presiden
Title

BY: _____
Signature

Matt Englhardt
Print/Type Name

Regional Development Officer
Title

CITY OF MORENO VALLEY,
A California Municipal Corporation

BY: _____
Signature

Rick Hartmann, Deputy City Manager

For Robert G. Gutierrez
Print/Type Name

City Manager
Title

NATASHA Y. BURDINE
Commission # 1731839
Notary Public - California
Riverside County
My Comm. Expires Mar 16, 2011

Approved as to Form this

28TH day of February 2008

_____
City Attorney
City of Moreno Valley

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

W:\LandDev\CREDIT-REIMBURSEMENT AGREEMENTS\DIF & TUMF\PM 35150 - DIF & TUMF - Agreement to Hold Separate 2.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 2/29/08 (Date) before me, Natasha Y. Burdine, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Rick Hartmann (Name(s) of Signer(s)),

NATASHA Y. BURDINE
Commission # 1731839
Notary Public - California
Riverside County
My Comm. Expires Mar 16, 2011

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Natasha Y. Burdine (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement to Hold Separately DIF obligation NO D07-007 TUMF obligation NO T07-002

Document Date: 2/28/08 Number of Pages: 7

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }
On 2-14-08 (Date) before me, Rita C. Webber, Notary Public (Here Insert Name and Title of the Officer),
personally appeared Phil Bowman, Matt Englhard (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in his/her/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS ~~my~~ hand and official seal.

Signature Rita C. Webber (Signature of Notary Public)

RITA C. WEBBER
Commission # 1661187
Notary Public - California
Orange County
My Comm. Expires Apr 25, 2010

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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EXHIBIT A

CITY ADMINISTRATIVE COSTS

EXHIBIT B

CALCULATION OF ESTIMATED DIF OBLIGATION

Building A = 413,598 sq. ft.
Building B = 769,320 sq. ft.

413,598 sq. ft. X $1.281 (industrial general) = $529,819

769,320 sq. ft. X $1.281 (industrial general) = $985,499

Total DIF Obligation = $1,515,318

(as of August 15, 2007)

EXHIBIT C

CALCULATION OF ESTIMATED TUMF OBLIGATION

Building A = 413,598 sq. ft.
Building B = 769,320 sq. ft.

Building A = (*industrial general & high cube) = $462,324

Building B = (*industrial general & high cube) = $619,412

Total TUMF Obligation = $1,081,736

(as of February 6, 2008)

**Calculation for industrial general – high cube: There is a discounted rate for all square footage above 200,000 square feet.*

CERTIFICATE OF AUTHORITY
FIRST INDUSTRIAL REALTY TRUST, INC.
FIRST INDUSTRIAL INVESTMENT, INC.

I, JOHN H. CLAYTON, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation") and First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc.), a Maryland corporation ("FIDS"), and as such officer I am authorized to make the certifications herein made.

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of FIDS; FIDS is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno"). Accordingly, the Corporation, through FILP, FIDS, FRFC and FirstCal, has the authority to cause Moreno to enter into any and all agreements in connection with improvements to be made on or about a total of approximately 54 acres (acquired in 3 parcels of 35.97, 9.53 and 9.1 acres) in Moreno Valley, California at Indian Avenue, San Michele Avenue and Nandina Avenue, including, without limitation, that certain Improvement and Reimbursement Agreement (Transportation Uniform Mitigation Fee Program) with the City of Moreno Valley (the "Agreement").

3. The following are duly authorized signatories of the Corporation and its subsidiaries, including, without limitation, FirstCal and Moreno, with full authority to execute the Agreement and any documents ancillary thereto:

Title	Name
Senior VP Development	Phil Bowman
Regional Development Officer	Matt Englhard

IN WITNESS WHEREOF, I have signed this Certificate this 18th day of September 2007.

John H. Clayton, Secretary

Sworn to and subscribed before
me this 18th day of September 2007.

Notary Public
My Commission Expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

CertificateofAuthority(FR-Cal Moreno Valley (Bowman-Englhard) 9-18-07)

Delaware

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "FR/CAL MORENO VALLEY, LLC", FILED IN THIS OFFICE ON THE ELEVENTH DAY OF APRIL, A.D. 2006, AT 2:52 O'CLOCK P.M.

4140538 8100

060339861

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4660762

DATE: 04-11-06

Item No. A.14

State of Delaware
Secretary of State
Division of Corporations
Delivered 02:48 PM 04/11/2006
FILED 02:52 PM 04/11/2006
SRV 060339861 - 4140538 FILE

CERTIFICATE OF FORMATION

FR/CAL MORENO VALLEY, LLC

The undersigned, an authorized person, for the purpose of forming a limited liability company, under the provisions and subject to the requirements of the State of Delaware (particularly Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified, and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

ARTICLE I. The name of the limited liability company is FR/Cal Moreno Valley, LLC (the "Company").

ARTICLE II. The address of the registered office and the name and the address of the registered agent of the limited liability company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act are Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware, County of New Castle, 19808.

ARTICLE III. The debts, obligations and liabilities of the Company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the Company; and no member or manager of the Company shall be obligated personally for any such debt, obligation or liability of the Company solely by reason of being a member or acting as a manager of the Company.

ARTICLE IV. The Company may establish one or more designated series of members, managers or membership interests. In the event said series are established, then the debts, liabilities, and obligations and expenses incurred by, contracted for or otherwise existing with respect to a particular series shall not be enforceable against the assets of any other series or the assets of the Company generally, and none of the debts, liabilities, and obligations and expenses incurred by, contracted for or otherwise existing with respect to the Company generally or any other series shall be enforceable against the assets of such series.

Dated as of the 11th day of April, 2006.

By: Rondi C. Simmons
Rondi C. Simmons, Authorized Person

347080_1.DOC

State of California
Secretary of State

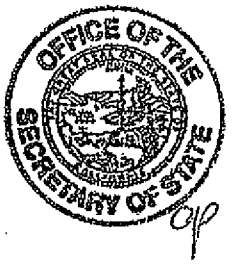

I, BRUCE McPHERSON, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

APR 14 2006

BRUCE McPHERSON
Secretary of State

Sec/State Form CE-107 (REV 03/31/05)

OSP 05 94200

Item No. A.14

MV00119635

State of California
Secretary of State

File # 200610410073

LIMITED LIABILITY COMPANY APPLICATION FOR REGISTRATION

ENDORSED - FILED
In the office of the Secretary of State of the State of California

APR 13 2006

This Space For Filing Use Only

A $70.00 filing fee AND a certificate of good standing from an authorized public official of the jurisdiction of formation must accompany this form.

IMPORTANT – Read instructions before completing this form.

ENTITY NAME (End the name in item 1 with the words "Limited Liability Company," "Ltd. Liability Co." or the abbreviations "LLC" or "L.L.C.")

1. NAME UNDER WHICH THE FOREIGN LIMITED LIABILITY COMPANY PROPOSES TO REGISTER AND TRANSACT BUSINESS IN CALIFORNIA
   PR/Cal Moreno Valley, LLC
2. NAME OF THE FOREIGN LIMITED LIABILITY COMPANY, IF DIFFERENT FROM THAT ENTERED IN ITEM 1 ABOVE

DATE AND PLACE OF ORGANIZATION

3. THIS FOREIGN LIMITED LIABILITY COMPANY WAS FORMED ON 04 (MONTH) - 11 (DAY) - 06 (YEAR) IN Delaware (STATE OR COUNTRY)
   AND IS AUTHORIZED TO EXERCISE ITS POWERS AND PRIVILEGES IN THAT STATE OR COUNTRY.

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and both items 4 and 5 must be completed. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and item 4 must be completed (leave item 5 blank).

4. NAME OF AGENT FOR SERVICE OF PROCESS
   Corporation Service Company which will do business in California as CSC-Lawyers Incorporating Service
5. IF AN INDIVIDUAL, ADDRESS OF INITIAL AGENT FOR SERVICE OF PROCESS IN CALIFORNIA — CITY — STATE: CA — ZIP CODE

APPOINTMENT (The following statement is required by statute and may not be altered.)

6. IN THE EVENT THE ABOVE AGENT FOR SERVICE OF PROCESS RESIGNS AND IS NOT REPLACED, OR IF THE AGENT CANNOT BE FOUND OR SERVED WITH THE EXERCISE OF REASONABLE DILIGENCE, THE SECRETARY OF STATE OF THE STATE OF CALIFORNIA IS HEREBY APPOINTED AS THE AGENT FOR SERVICE OF PROCESS OF THIS FOREIGN LIMITED LIABILITY COMPANY.

OFFICE ADDRESSES (Do not abbreviate the name of the city.)

7. ADDRESS OF THE PRINCIPAL EXECUTIVE OFFICE — CITY AND STATE: Chicago, Illinois — ZIP CODE: 60606
   311 South Wacker Drive, Suite 4000
8. ADDRESS OF THE PRINCIPAL OFFICE IN CALIFORNIA, IF ANY — CITY — STATE: CA — ZIP CODE

EXECUTION

9. I DECLARE I AM THE PERSON WHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION IS MY ACT AND DEED.

Rondi C. Simmons — SIGNATURE OF AUTHORIZED PERSON

April 11, 2006 — DATE

Rondi C. Simmons — TYPE OR PRINT NAME OF AUTHORIZED PERSON

Authorized Person — TITLE OF AUTHORIZED PERSON

RETURN TO (Enter the name and the address of the person or firm to whom a copy of the filed document should be returned.)

10. NAME
    FIRM
    ADDRESS
    CITY/STATE/ZIP

APPROVED BY SECRETARY OF STATE

LLC-5 (REV 03/2005)

Item No. A.14

MV00119636

Delaware

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "FR/CAL MORENO VALLEY, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE ELEVENTH DAY OF APRIL, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "FR/CAL MORENO VALLEY, LLC" WAS FORMED ON THE ELEVENTH DAY OF APRIL, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

OFFICE OF THE SECRETARY OF STATE

4140538 8300

060339861

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4660763

DATE: 04-11-06

Item No. A.14

LIMITED LIABILITY COMPANY AGREEMENT

OF

FR/CAL MORENO VALLEY, LLC

This Limited Liability Company Agreement (this "Agreement") of FR/Cal Moreno Valley, LLC, is entered into on April 11, 2006 by FirstCal Industrial, LLC, a Delaware limited liability company, as the member (the "Member").

The Member hereby forms a limited liability company pursuant to and in accordance with the Delaware Limited Liability Company Act (6 Del.C. §18-101, et seq.), as amended from time to time (the "Act"), and hereby agrees as follows:

1. Name. The name of the limited liability company formed hereby is FR/Cal Moreno Valley, LLC (the "Company").

2. Purpose. The Company is formed for the object and purpose of, and the nature of the business to be conducted and promoted by the Company is, engaging in any lawful act or activity for which limited liability companies may be formed under the Act and engaging in any and all activities necessary or incidental to the foregoing.

3. Registered Office. The address of the registered office of the Company in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, New Castle County, Delaware 19808.

4. Registered Agent. The name and address of the registered agent of the Company for service of process on the Company in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

5. Member. The name and the business address of the Member are as follows:

Name	Address
FirstCal Industrial, LLC	311 South Wacker Drive Suite 4000 Chicago, Illinois 60606

6. Powers. The business and affairs of the Company shall be managed by the Member. The Member shall have the power to do any and all acts necessary or convenient to, or for the furtherance of, the purposes described herein, including all powers, statutory or otherwise, possessed by members under the laws of the State of Delaware. Notwithstanding any other provisions of this Agreement, any officer or authorized signatory of the Member, acting alone, is authorized to execute and deliver any document on behalf of the Company without any vote or consent of any other person.

Each of Rondi Simmons (for so long as she is an employee of Barack Ferrazzano Kirschbaum Perlman & Nagelberg LLP, counsel to the Member) or Scott Musil, acting individually, is hereby designated as an authorized person, within the meaning of the Act, to execute, deliver and file the certificate of formation of the Company (and any amendments and/or restatements thereof) and any other certificates (and any amendments and/or restatements thereof) necessary for the Company to qualify to do business in a jurisdiction in which the Company may wish to conduct business.

7. Dissolution. The Company shall dissolve, and its affairs shall be wound up upon the first to occur of the following: (a) December 31, 2050, (b) the written consent of the Member, (c) the bankruptcy or dissolution of the Member, (d) the occurrence of any other event that terminates the continued membership of the Member in the Company, or (e) the entry of a decree of judicial dissolution under Section 18-802 of the Act.

8. Capital Contributions. The Member has contributed the sum of $100.00, in cash, and no other property, to the Company.

9. Additional Contributions. The Member is not required to make any additional capital contribution to the Company.

10. Allocation of Profits and Losses. All of the Company's profits and losses shall be allocated to the Member.

11. Distributions. All distributions shall be made to the Member at the times and in the aggregate amounts determined by the Member.

12. Assignments. The Member may freely assign its limited liability company interest, whether in whole or in part.

13. Resignation. The Member may not resign from the Company.

14. Admission of Additional Members. One (1) or more additional members of the Company may be admitted to the Company, with the consent of the Member.

15. Liability of Members. The Member shall not have any liability for the obligations or liabilities of the Company, except to the extent provided in the Act.

16. Governing Law. This Agreement shall be governed by, and construed under, the laws of the State of Delaware, all rights and remedies being governed by said laws.

IN WITNESS WHEREOF, the undersigned, intending to be legally bound hereby, has duly executed this Limited Liability Company Agreement as of the date first written above.

MEMBER:

FirstCal Industrial, LLC, a Delaware limited liability company

By: FR FirstCal, LLC, a Delaware limited liability company, its managing member

By: First Industrial Development Services, Inc., a Maryland corporation, its sole member

By: _____
Name: John Clayton, Secretary

LEGAL DESCRIPTION
TENTATIVE PARCEL MAP NO. 35150 (PA06-0152 & PA06-0153)
PERTAINING TO AGREEMENT FOR DEPOSIT OF CASH SECURITY TO DEFER PAYMENT OF DIF AND TUMF OBLIGATION

SAID TENTATIVE PARCEL MAP NO. 35150, BEING A DIVISION OF PARCELS 1, 2, 3 AND 4 AND LOT "B" (SAN MICHELE ROAD), OF PARCEL MAP NO. 16849 AS SHOWN BY MAP ON FILE IN BOOK 107 OF PARCEL MAPS AT PAGE 71 AND 72, AND LOT 13 AND A PORTION OF LOT 14 IN BLOCK 1 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, AS SHOWN BY MAP ON FILE IN BOOK 8 OF MAPS AT PAGE 21, BOTH RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN SECTION 31, T. 3 S., A. 3 W., S.B.M.

W:\LandDev\Lee Ann\E-mail pending\35150\2-29-08 LEGAL DESCRIPTION.doc

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MV00119642

ORDINANCE NO. 832

AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley, ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the State Fiscal Year 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011, and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain "enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, the dissolution of the Agency would be detrimental to the health, safety, and economic well-being of the residents of the City and cause irreparable harm

to the community, because, among other reasons, the redevelopment activities and projects made possible, implemented, and funded by the Agency are highly significant and of enduring benefit to the community and the City, and are a critical component of its future; and

WHEREAS, Part 1.9 of the CRL ("Part 1.9") provides that a redevelopment agency may continue in operation if a city or county that includes a redevelopment agency adopts an ordinance agreeing to comply with and participate in the Alternative Voluntary Redevelopment Program established in Part 1.9 ("Program"); and

WHEREAS, as a condition of the Agency's continued existence and operation of its redevelopment agency, the City is required to make certain annual remittances to the county auditor-controller pursuant to Chapter 3 of Part 1.9, beginning with a larger upfront remittance for the 2011-2012 fiscal year ("First Remittance"), to be paid in two equal installments on January 15, 2012 and May 15, 2012; and

WHEREAS, the City will have sufficient moneys and revenues to fund an amount equal to the City's payment of the First Remittance and expects to have sufficient moneys and revenues to fund the subsequent annual remittances required by Part 1.9; and

WHEREAS, the City's needs are such that it can commit to spend the funds received from the Agency pursuant to an Agreement to Transfer Tax Increment (defined below) to finance activities within the Redevelopment Project that are related to accomplishing the goals of the Redevelopment Project, including without limitation: (i) the elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes, ordinances following exactly the State and Federal Redevelopment Laws; (ii) the promotion of new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the capture of commercial sales activity, including the development of a regional mall within the Project Areas and the creation of a regional public transportation center and facilities, auto center arid freeway frontage roads; (iii) the achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for both business and residential areas to help achieve the objectives of the Redevelopment Plan by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area; (iv) maximizing the tax base; (v) adding and upgrading interchanges; (vi) the retention and/or expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area; (vii) increasing revenues to the City of Moreno Valley; (viii) creating and developing local job opportunities and the preserving

and expanding of the City's existing employment base; (ix) improving certain environmental deficiencies, such as substandard traffic circulation patterns to have all streets, roads and intersections to be the best possible level of service; inadequate water, sewer and storm drainage systems; and insufficient off-street commercial parking, and utility deficiencies adversely affecting the Project Area; (x) improving the community's supply of housing, including opportunities for low and moderate-income households and providing improved park land that is easily, and safely accessible to these residents; (xi) increasing revenues for adequate public services and facilities, including but not limited to, fire protection, parks and recreation, libraries, bike and equestrian trails; (xii) provision of transportation improvements; (xiii) retention and expansion of business activities; (xiv) improvement of environmental deficiencies, such as substandard traffic circulation patterns, inadequate water, sewer and storm drainage systems, insufficient commercial parking and utility deficiencies; (xv) increasing revenues for adequate public services and facilities, including but not limited to fire protection, parks and recreation, libraries, and bike and equestrian trails; and (xvi) creating a balanced community; and

WHEREAS, the City and Agency intend to execute an agreement pursuant to CRL Section 34194.2, whereby the Agency shall make an initial transfer of a portion of its tax increment to the City in an amount equal to the First Remittance, and thereafter to transfer amounts of tax increment equal to any subsequent remittance which the City is required to make to the county auditor-controller pursuant to the City's participation in the Program ("Agreement to Transfer Tax Increment"); and

WHEREAS, the City is aware that the validity, passage, and applicability of ABX1 26 and ABX1 27 may become the subject of a judicial challenge; and

WHEREAS, the City, by the adoption of this Ordinance, does not represent, disclaim, or take any position whatsoever on the issue of the validity of ABX1 26 or ABX1 27, but rather the City seeks to comply with the Constitution and laws of the State of California, including Part 1.9, in order to preserve the ability of the Agency to continue to operate and thereby benefit the community; and

WHEREAS, the City is the lead agency concerning this Ordinance pursuant to the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq*) ("CEQA") and the State CEQA Guidelines; and

WHEREAS, City staff has determined that the Ordinance is exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such authorizations are not considered a project subject to CEQA review. The community remittance is a government funding mechanism and fiscal activity, which does not involve any

commitment to any specific project which may result in a potentially significant environmental impact; and

WHEREAS, the City has duly considered all other related matters and has determined that the City's participation in the Program is in the best interests of the City, and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, the City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be or has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1x 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:

1. The foregoing recitals are true and correct.

2. The City hereby finds that (i) the dissolution of the Agency would be detrimental and cause irreparable harm to the community and to the health, safety, and economic well-being of the citizens of the City, and (ii) the types of activities and projects made possible, implemented, and funded by the Agency are highly significant

and of enduring benefit to the community and the City, and are a critical component of its future.

3. The City hereby ordains that the City, under protest, shall comply with the Constitution and the laws of the State of California, including Part 1.9 of Division 24 of the Health and Safety Code, including the determination of remittance amounts, appeal rights in relation thereto, and the making of the remittances referred to in CRL Section 34194(b) and (c) at the times and in the manner described in Part 1.9, without prejudice to the rights of the City (a) to challenge or join with other entities challenging the validity of the Dissolution Act and the Alternative Voluntary Redevelopment Program, (b) to review and appeal the amounts of community remittances required by the Alternative Voluntary Redevelopment Program, (c) in the event a court of competent jurisdiction grants an injunction or stay enjoining the effectiveness of the Dissolution Act and/or the Alternative Voluntary Redevelopment Program, to withhold community remittances while that injunction or stay is in effect, (d) in the event the Dissolution Act and/or the Alternative Voluntary Redevelopment Program is declared invalid by a court of competent jurisdiction, to obtain a refund of any community remittances paid pursuant to the Alternative Voluntary Redevelopment Program and this Ordinance and this Ordinance will immediately become null and void and have no further force or effect, and (e) to subsequently determine, based on circumstance and information then available to the City Council, including the amounts of required community remittances, that is not in the best interests of the City to continue to participate in the Alternative Voluntary Redevelopment Program, in which case the City Council shall formally repeal this Ordinance and the Agency shall be subject to the Dissolution Act. This Ordinance is that ordinance referred to in CRL Section 34193 and shall be interpreted and applied in all respects so as to fully comply with Part 1.9, to the fullest extent required by law.

4. On or before November 1, 2011, the City Manager is hereby authorized and directed to notify the county auditor-controller, the Controller of the State, and the State Department of Finance that the City agrees to comply with the provisions of Part 1.9 as provided under Section 34193, such notice to be in accordance with CRL Section 34193.1.

5. The City's remittances to the county auditor-controller made pursuant to Part 1.9 may be paid from any legally available funds of the City not otherwise obligated for other uses in accordance with Section 34194.1. Nothing herein is intended or shall be interpreted to require any payments or impose any financial or other obligation of the City other than in accordance with the Constitution and laws of the State of California, including Part 1.9.

6. The City Council determines that approval of this Ordinance exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such approval is not considered a project subject to CEQA review. The payment is a government funding

mechanism and fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant environmental impact.

7. The City Council hereby authorizes and directs that a Notice of Exemption shall be filed with the Clerk of the Board of Supervisors of the County of Riverside, California, within five (5) working days following the date of adoption of this Ordinance.

8. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Moreno Valley, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code § 36933.

9. This Ordinance shall become effective thirty (30) days after the date of the final passage and adoption hereof.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

STATE OF CALIFORNIA)
COUNTY OF _____RIVERSIDE) ss
CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, do hereby certify that the foregoing Ordinance No.____ was duly passed and adopted at a _____ meeting of the City Council of the City of Moreno Valley held on the ____ day of _____, 2011.

Upon motion of City Council Member _____, seconded by City Council Member _____, the foregoing Ordinance No. _____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of _____ this _____ day of _____, 2011.

_____
Jane Halstead, City Clerk

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MV00119650

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS PROJECT NO. LED-229-80510

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763.

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

BACKGROUND

The Energy Efficiency & Conservation Block Grant (EECBG) program offered by U.S. Department of Energy has awarded funding to the City for energy saving projects. The funding is intended to assist cities, counties, states, territories, and Indian tribes to develop, promote, implement, and manage energy efficiency and conservation projects/programs. Emphasis of these programs is to achieve and improve energy efficiency in transportation, building, and other appropriate sectors.

On January 10, 2010, the City Council accepted the EECBG awarded to the City, in the amount of $1,684,300. The retrofitting of Internally Illuminated Street Name Signs (IISNS) with LED light engines is one of the intended uses of the EECBG grant. LED light engines are a proven enhancement to visibility, highway safety, and are

environmentally friendly due to the longevity of the LED. An annual cost saving of approximately 50% is realized with the retrofit of LED light engines. The savings is due to less use of electricity and less maintenance due to life expectancy of the LED.

DISCUSSION

Using the EECBG grant funding, Public Works staff replaced approximately 40% of the existing fluorescent bulbs in the Internally Illuminated Street Name Signs with LED light engines. This retrofit of 69 intersections was completed in October 2010. However, through competitive pricing received on the other energy retrofit related projects; surplus funds are available within the original grant award amount. These additional monies have been designated to complete the IISNS retrofit of the remaining 104 signalized intersections throughout the City.

As prescribed by the Department of Energy grant, formal bidding procedures shall conform to the local agency's Purchasing Ordinance and Public Contract Code. In determining the award, the City's Purchasing Ordinance and the Public Contract Code have been followed. The City Clerk received and opened bids at 2:00 p.m., on Wednesday, June 29, 2011. A total of four (4) bids were received. The lowest bidder's product fails to meet the City's specifications in terms of operating voltage and having a non-integrated power converter. Staff evaluated the product from the lowest bidder but consider that the safety of maintenance staff could be diminished and overall future replacement costs would be higher and therefore that the lowest bidder's product does not meet the City's specification. Therefore, it is the recommendation of staff to accept the bid results from the second lowest bidder, Archipelago Lighting of Montclair, California, as their product meets the specifications and requirements of the City. No outstanding issues were identified through review of the references submitted by the Archipelago Lighting and the vendor is not recorded on the Federal Debarment list.

The anticipated project schedule to complete the retrofit project is December, 2011.

ALTERNATIVES

1. Award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, and authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to Archipelago Lighting in the amount of $156,457.00, (Account No. 229.80510.7200). *This alternative will allow the project to commence.*

2. Do not award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, and do not authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to Archipelago Lighting in the amount of $156,457.00, (Account No. 229.80510.7200) and provide direction to staff. *This alternative will delay the commencement of the project.*

FISCAL IMPACT

Funding for the purchase of LED lamp modules for Project No. LED-229-80510 is included in the awarded Department of Energy EECBG grant and is accounted for in Fiscal Year 2011-2012 (Fund 229) budget. Although the price differential between the first and second lowest bids is $8,118.96, this funding gap will be absorbed by the grant and there will be no impact to the General Fund.

TOTAL ESTIMATED COSTS FOR PROJECT NO. LED-229-80510

Material Cost (EECBG Grant Funded)	$156,457.00
Installation and Administration by City staff	$0.00
Total Estimated Project Related Costs	$156,457.00

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

Prepared By
Alan Kashefi, P.E.
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Eric Lewis, P.E. ,T.E.
City Traffic Engineer

Concurred By
Rix Skonberg
Purchasing & Facilities Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00119654

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: August 23, 2011

TITLE: ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CalPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON OR AFTER SEPTEMBER 30, 2011, AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CalPERS.

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after September 30, 2011, and conduct the first reading of the related ordinance as required by CalPERS.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

During the Meet & Confer Process for the FY 2011/12 successor MOU's for the City three employees associations, the City's labor negotiating team introduced the proposal of providing the 2% at Age 55 and Three-Year Final Compensation Calculation CalPERS retirement benefits for new hires starting on or after September 30, 2011.

DISCUSSION

There is a three-month schedule that CalPERS requires for an amendment to the City's current contract with CalPERS for the provision of retirement benefits. The first step in

the process is the adoption of a Resolution of Intent and the first reading of the related ordinance. This staff report and City Council action will start the schedule process. On September 13, 2011, a follow-up staff report will be submitted for City Council recommending the approval of a Resolution Adopting the Amendment to the CalPERS Contract, and the adoption of the related ordinance. It is anticipated that the Meet & Confer process with the three employees associations will be concluded prior to the actual effective date of the amendment to the City's CalPERS Contract. If for any reason the Meet & Confer process is not completed prior to the City Council meeting on September 13, 2011, City staff will postpone the final adoption of the resolution and the adoption of the related ordinance.

ALTERNATIVES

The action of the City Council to approve the attached resolution and to conduct the first reading of the related ordinance relates to the current labor negotiations with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The implementation of the 2% at Age 55 and Three Years Highest Average Compensation Calculation CalPERS retirement benefits for new hires is expected to reduce the cost to the City budget for benefits between a range of $1,710.00 to $3,000.00 per employee per year, depending on the employees' compensation levels. The City's CalPERS Employer Rate will be reduced from 19.344% to 15.922% for the new hires. The newly hired employees will be required to pay for the 7% employee's member contribution, and the City will not pay any portion of the employee's member contribution.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future."

NOTIFICATION

The three employee associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and related ordinance. Copies of this staff report and attached resolution were sent to the employee associations and all three concur with the recommended City Council action, pending ratification of the successor MVMA MOU and MVCME MOU for Fiscal Year 2011/12.

ATTACHMENTS/EXHIBITS

1. Resolution of Intent to Approve an Amendment to the CalPERS Contract.
2. Ordinance related to the amendment of the CalPERS Contract.

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00119658

RESOLUTION NO. 2011-59

RESOLUTION OF INTENTION

TO APPROVE AN AMENDMENT TO CONTRACT

BETWEEN THE

BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

AND THE

CITY COUNCIL
CITY OF MORENO VALLEY

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

> To provide Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By:_____
Presiding Officer

_____
Title

Resolution No. 2011-59
Date Adopted: September 13, 2011

_____
Date adopted and approved

(Amendment)
CON-302 (Rev. 4/96)

ATTACHMENT 1

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

ORDINANCE NO. 828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MORENO VALLEY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1.

That an amendment to the contract between the City of Moreno Valley and the Board of Administration, California Public Employees' Retirement system is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit A, and by such reference made a part hereof as though herein set out in full.

SECTION 2.

The Mayor of the City of Moreno Valley is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3.

This Ordinance shall take effect thirty (30) days after the date of its adoption, and prior to the expiration of fifteen (15) days from passage thereof shall be published at least in the Press Enterprise, a newspaper of general circulation, published and circulated in the County of Riverside and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AND ADOPTED this 13th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____

City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00119664

CalPERS

EXHIBIT: A

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Moreno Valley

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective October 16, 1985, and witnessed October 15, 1985, and as amended effective February 14, 1992, July 5, 1995, July 15, 1997, January 6, 1999, July 18, 2003, January 13, 2007 and March 27, 2009 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective March 27, 2009, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after October 16, 1985 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

Item No. A.17

3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:

   (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.

   (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.

   (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.

   (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.

   (e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.

   (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.

   (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.

4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:

   a. Employees other than local safety members (herein referred to as local miscellaneous members).

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

   a. **SAFETY EMPLOYEES.**

6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after January 13, 2007 shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

7. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after January 13, 2007 and not entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).

8. The percentage of final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

9. Public Agency elected and elects to be subject to the following optional provisions:

   a. Section 20042 (One-Year Final Compensation) for those local miscellaneous members entering membership on or prior to the effective date of this amendment to contract.

   b. Section 20938 (Limit Prior Service to Members Employed on Contract Date).

   c. Section 21574 (Fourth Level of 1959 Survivor Benefits).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

d. Section 21024 (Military Service Credit as Public Service).

e. Section 20965 (Credit for Unused Sick Leave).

f. Section 20903 (Two Years Additional Service Credit).

g. Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

10. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.

11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members of said Retirement System.

12. Public Agency shall also contribute to said Retirement System as follows:

a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members.

b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY_____
DARRYL WATSON, CHIEF
CUSTOMER ACCOUNT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF MORENO VALLEY

BY_____
PRESIDING OFFICER

_____
Witness Date

Attest:

_____
Clerk

PLEASE DO NOT SIGN "EXHIBIT ONLY"
PLEASE DO NOT SIGN "EXHIBIT ONLY"

AMENDMENT ER# 1384
PERS-CON-702A

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
Actuarial and Employer Services Branch
Public Agency Contract Services
(888) CalPERS (225-7377)

SUMMARY OF MAJOR PROVISIONS
2% @ 55 Formula (Section 21354)
Local Miscellaneous Members

SERVICE RETIREMENT

To be eligible for service retirement, a member must be at least age 50 and have five years of CalPERS credited service. There is no compulsory retirement age.

The monthly retirement allowance is determined by age at retirement, years of service credit and final compensation. The basic benefit is 2% of final compensation for each year of credited service upon retirement at age 55. If retirement is earlier than age 55, the percentage of final compensation decreases for each quarter year of attained age to 1.426% at age 50. If retirement is deferred beyond age 55, the percentage of final compensation increases for each quarter year of attained age to 2.418% at age 63.

Final compensation is the average monthly pay rate during the last consecutive 36 months of employment, or 12 months if provided by the employer's contract, unless the member designates a different period of 36 or 12 consecutive months when the average pay rate was higher.

DISABILITY RETIREMENT

Members substantially incapacitated from performing the usual duties for the position for his/her current employer, and from performing the usual duties of the position for other CalPERS covered employers (including State agencies, schools, and local public agencies), and where similar positions with these other employers with reasonably comparable in pay, benefits, and promotional opportunities are not available, would be eligible for disability retirement provided they have at least five years of service credit. The monthly retirement allowance is 1.8% of final compensation for each year of service. The maximum percentage for members who have between 10.000 and 18.518 years of service credit is one-third of their final compensation. If the member is eligible for service retirement the member will receive the highest allowance payable, service or disability. If provided by the employer's contract, the benefit would be a minimum of 30% of final compensation for the first five years of service credit, plus 1% for each additional year of service to a maximum benefit of 50% of final compensation.

INDUSTRIAL DISABILITY RETIREMENT

If provided by the employer's contract, members permanently incapacitated from performing their duties, as defined above under Disability Retirement, and the disability is a result of a job-related injury or illness may receive an Industrial Disability Retirement benefit equal to 50% of their final compensation. If provided in the employer's contract and the member is totally disabled, the disability retirement allowance would equal 75% of final compensation in lieu of the disability retirement allowance otherwise provided. If the member is eligible for service retirement, the service retirement allowance is payable. The total allowance cannot exceed 90% of final compensation.

PRE-RETIREMENT DEATH BENEFITS

Basic Death Benefit: This benefit is a refund of the member's contributions plus interest and up to six months' pay (one month's salary rate for each year of current service to a maximum of six months).

1957 Survivor Benefit: An eligible beneficiary may elect to receive either the Basic Death Benefit or the 1957 Survivor Benefit. The 1957 Survivor Benefit provides a monthly allowance equal to one-half of the highest service retirement allowance the member would have received had he/she retired on the date of death. The 1957 Survivor Benefit is payable to the surviving spouse or registered domestic partner until death or to eligible unmarried children until age 18.

1959 Survivor Benefit: (If provided by the employer's contract and the member is not covered under social security.) A surviving spouse or registered domestic partner and eligible children may receive a monthly allowance as determine by the level of coverage. This benefit is payable in addition to the Basic Death Benefit or 1957 Survivor Benefit. Children are eligible if under age 22 and unmarried.

Pre-Retirement Optional Settlement 2 Death Benefit: (If provided by the employer's contract.) The spouse or registered domestic partner of a deceased member, who was eligible to retire for service at the time of death, may to elect to receive the Pre-Retirement Optional Settlement 2 Death Benefit in lieu of the lump sum Basic Death Benefit. The benefit is a monthly allowance equal to the amount the member would have received if he/she had retired for service on the date of death and elected Optional Settlement 2, the highest monthly allowance a member can leave a spouse or registered domestic partner.

COST-OF-LIVING ADJUSTMENTS

The cost of living allowance increases are limited to a maximum of 2% compounded annually unless the employer's contract provides a 3, 4, or 5% increase.

DEATH AFTER RETIREMENT

The lump sum death benefit is $500 (or $600, $2,000, $3,000, $4,000 or $5,000 if provided by the employer's contract) regardless of the retirement plan chosen by the member at the time of retirement.

TERMINATION OF EMPLOYMENT

Members who have separated from employment may elect to leave their contributions on deposit or request a refund of contributions and interest. Those who leave their contributions on deposit may apply at a later date for a monthly retirement allowance if the minimum service and age requirements are met. Members who request a refund of their contributions terminate their membership and are not eligible for any future benefits unless they return to CalPERS membership.

EMPLOYEE CONTRIBUTIONS

Miscellaneous members covered by the 2% @ 55 formula contribute 7% of reportable earnings. Those covered under a modified formula (coordinated with Social Security) do not contribute on the first $133.33 earned.

The employer also contributes toward the cost of the benefits. The amount contributed by the employer for current service retirement benefits generally exceeds the cost to the employee. In addition, the employer bears the entire cost of prior service benefits (the period of time before the employer provided retirement coverage under CalPERS). All employer contribution rates are subject to adjustment by the CalPERS Board of Administration.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12

RECOMMENDED ACTION

Staff recommends that the City Council approve the successor Memoranda of Understanding (MOU's) between the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

During the period of March through August 2011, the City's and labor negotiations team met and conferred with the labor negotiation teams of the Moreno Valley Management Association (MVMA) and the Moreno Valley Confidential Management Employees (MVCME) regarding their successor MOU's for Fiscal Year 2011-12. During the Closed Session of City Council at its Study Session meeting on August 16, 2011, the City Council authorized the City's Chief Negotiator to proceed to finalize and present back to the City Council for approval the successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12. The City's, MVMA's and MVCME's labor negotiations teams have met and conferred on the language of the MOU's, and the attached MOU's are in final format for City Council approval.

DISCUSSION

The following is a summary of the main points that are contained in both the successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12:

- No merit pay increases for current employees.
- Deferral of Cost of Living Adjustment (COLA), and there is no expectation that the COLA will be retroactive.
- Tier III reduced benefits for employees hired on or after September 30, 2011:
  1. Retirement Benefits: 2% @ 55 Benefit and Highest 3 Years Average
  2. Retiree Medical:
     a. Provide access to the City's group rates, guaranteed coverage.
     b. PERS Retiree Medical Insurance City paid access fee.
     c. VEBA increased to $75/mo. for MVMA and MVCEA members.
  3. Cafeteria Benefit Bank Reduction by 25%
     a. Full-time employees: $787.50/mo. and $9,450/yr.
     b. Part-time employees: $318.75/mo. and $3,825/yr.
  4. Annual Leave Reduction
     a. Reduction of Maximum Annual Accrual to 800 hours per year
     b. New accrual rates:

	0-5 Years	6-10 Years	11+ Years
PAM	234	274	314
Division Mgmt	252	292	332
PAM Confidential	250	290	330
Div Mgmt Confidential	252	302	332
Exec Mgmt	256	296	336

- Retiree Medical Vesting Period for current MVMA and MVCME members:
  - Increase vesting period from 2 years to 5 years for Tier I
  - Increase vesting period from 2 years to 5 years for Tier II
- Continuation of work schedule reduction furlough (4/9 work week).
- Extension of the recall period from 2 to 3 years effective with the June 30, 2011 layoffs.
- Closure of City offices between Christmas and New Year's.
- All new employees are required to have direct deposit for payroll or to apply for this service through the City's bank; if they are accepted they agree to participate, if denied this requirement will be waived.
- Correct Personnel Rules reference to IRS Section 414 (h) (2) for pretax payments of employees' member contribution to PERS for new hires on or after July 1, 2009.
- City will include an exemption in the PERS Contract for temporary employees for new hires within the classifications of Crossing Guard and Recreation Aide.
- Extension of the current MVMA MOU and MVCME MOU through August 23, 2011.
- Provide an additional $50/month to MVMA and MVCME members for family medical insurance Premiums beginning on January 1, 2012.
- Move the Risk Division Manager from the MVMA bargaining unit to the MVCME bargaining unit.

- Develop long-term strategies to implement merit pay increases after economic recovery.
- Review rehire procedure and rehire compensation levels.

The only item in the MVMA MOU that is not in the MVCME MOU is the application of seniority as a the first factor for decisions regarding layoff order and recall order in the Layoff/Recall Policy for MVCME bargaining unit members. For MVMA bargaining unit members, the policy will remain in effect and apply as it was in place on July 1, 2011, except for the deletion of the January 1, 2012 initiation of use of the "exceeds expectations" and "outstanding" rating categories for order of layoff decisions.

ALTERNATIVES

The action of the City Council to approve the attached MVMA MOU and MVCME MOU will fulfill the City's employer/employee relations resolution with the Moreno Valley Management Association and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The cost to the City to provide an additional $50.00 per month to MVMA and MVCME members for family medical insurance premiums effective January 1, 2012, is estimated to be approximately $10,200.00 for Fiscal Year 2011-12. However, the overall net savings to the City due to the reduction of benefits for newly hired employees beginning on September 30, 2011, is expected to result in approximately $9,600.00 annual savings per employee. The expected overall savings to the City for Fiscal Year 2011-12 is expected to exceed the cost of providing the additional $50.00 per month for MVMA and MVCME members for family medical insurance premiums.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future."

NOTIFICATION

The Moreno Valley Management Association and the Moreno Valley Confidential Management Employees have been notified of the staff report and staff recommendation for City Council to approve the attached successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12. Copies of this staff report and attached MVMA MOU and MVCME MOU were sent to the employee associations, and they concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

Attachment A is the successor MVMA MOU for Fiscal Year 2011-12.
Attachment B is the successor MVCME MOU for Fiscal Year 2011-12.

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF MORENO VALLEY AND THE
MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES

The agreement entered into between the City of Moreno Valley and those employees designated as "Confidential Management" (MVCME) covers provisions related to Fiscal Year 2011-12. The following is a list of provisions agreed to between the parties.

1. TERM

The term of this agreement shall be July 1, 2011 through June 30, 2012.

2. INSURANCE

Effective January 1, 2012, employees who are hired prior to September 30, 2011, are enrolled in the City's CalPERS medical insurance program, have family coverage and are covered by this agreement will receive an increase of $50.00 per month to the City's flexible benefit contribution for all full time employees.

3. THIRD TIER OF BENEFITS FOR NEW EMPLOYEES

The City and MVCME agree to have a third tier of benefits for new employees hired on or after September 30, 2011 (PERS retirement benefits effective date subject to PERS requirements):

Retirement Benefits:

a. 2% @ 55 Benefit
b. 3 Year Average Pay Calculation
c. Employee pays full 7% - City does not pay any part of employee contribution which eliminates the EPMC benefit (this is consistent with Tier 2)

Cafeteria Benefit Bank:

a. Full-time employees: $787.50/mo. and $9,450/yr.
b. Part-time employees: $318.75/mo. and $3,825/yr.

Management Benefits Differentials:

a. Division Management Confidential: 3%
b. PAM Confidential: 1.5%

Annual Leave Accrual:

a. Maximum Annual Accrual to 800 hours per year

b. New accrual rates:

	0-5 Years	6-10 Years	11+ Years
PAM Confidential	250	290	330
Division Mgmt Conf.	252	302	332

Retiree Medical Revisions

a. Provide access to the City's group rates, guaranteed coverage.

b. PERS Retiree Medical Insurance monthly access fee paid 100% by City

c. City paid VEBA of $75/mo. for PAM Confidential and DM Confidential

4. FURLOUGH

Beginning on July 1, 2011 and ending on June 30, 2012, MVCME unit employees will continue the 10% (208 hours) work furlough that was in effect during fiscal years 2009/10 and 2010/11.

5. HOLIDAY SCHEDULE

City offices will be closed between Christmas and New Years Day. The City will grant 27 hours of Holiday time to full-time MVCEA unit employees for 12/23/11, 12/26/11, and 1/1/12 for those accruing leave, at a rate of 9 hours per day. Employees may apply this Holiday Leave, and/or other leave, to cover their normal workdays during the holiday closing.

6. RETIREMENT BENEFITS

The City will correct the City's Personnel Rules and Regulations reference to IRS Section 414 (h) (2) for pretax payments of employees' member contribution to CalPERS for new hires after on or after July 1, 2009.

MVCME unit employees laid off and on a recall list will be reinstated under the same retirement benefits (including cost sharing levels) when recalled as they were under at the time of lay-off.

The City will amend its contract with CalPERS and revise the City's Personnel Rules and Regulations Sections 14.15, 14.20 and 14.25 to implement a reduction in the retirement benefits, and thereby creating a Tier III. This Tier III includes reduced benefits for employees hired on or after September 30, 2011, as follows:

a. Retirement Benefits Formula: 2% @ Age 55 Benefit and Average of 3 Highest Years of Compensation.

b. Retiree Medical: Provide access to the City's group rates, guaranteed coverage. The City will only pay 100% of the PERS Retiree Medical Insurance monthly access fee for eligible employees. The City will not pay any monthly contribution for medical insurance premium. The City will pay $75.00 per month towards the employees' Voluntary Employees' Benefits Association (VEBA) account for retirement health insurance expenses. Employees do not serve a minimum period of full-time employment with the City, in order to become vested and eligible to use their VEBA account upon retirement.

The following sections of the Personnel Rules reflect the changes agreed to in this MOU:

14.15 POST RETIREMENT MEDICAL BENEFITS

A. Annuity Programs: Effective January 1, 2001, the City of Moreno Valley shall contribute a monthly amount to each non-exempt full-time career employee for an annuity program for 20 years or until termination or retirement, for the purpose of funding retiree medical premiums. New hire probationary employees shall not be eligible to receive the monthly contribution until the successful completion of their probationary period. The effective date of their first contribution will commence the next full month after they have passed probation.

Effective January 1, 2002, after two full years of employment, the monthly contribution to the annuity program shall increase per the negotiated language as approved by City Council. This shall go into effect the next month after their two-year-anniversary date has passed.

Each bargaining unit has selected separate annuity programs.

1. Contributions for the MVCEA bargaining unit are being paid into the Benefit Bank.

   In the event MVCEA ceases to be the recognized representative of bargaining unit employees, the control and administration of this program shall transfer to management and the responsibility for same shall be the exclusive jurisdiction of management.

   Employees may at their option contribute a portion of their compensation to the annuity subject to IRS restrictions through payroll deductions.

2. Contributions for the management bargaining unit are being paid into a Voluntary Employee Beneficiary Trust (VEBA), which manages the investment and distribution of the funds.

B. City Paid Retiree Medical Benefit: Effective January 1, 2001, upon retiring, the City shall pay a minimum of the monthly fee required by PERS for enrollment of retirees. Effective September 30, 2011, employees hired prior to July 1, 2009, who retire under the CalPERS retirement benefits system with a minimum of five full-time years of service with the City, and employees hired on or after July 1, 2009, who retire under the CalPERS retirement benefits system with a minimum of ten full-time years of service with the City, shall be eligible to receive a benefit which is the lesser of the cost of

medical coverage for the retiree and spouse, or the amount stipulated in the following table:

EFFECTIVE DATE	MAXIMUM EMPLOYER CONTRIBUTIONS
January 2, 2009	up to $318.73 per month

To receive the Retiree Medical Benefit, the retiree must submit documentation of payment for medical insurance coverage. Documentation for those enrolled with PERS Health is provided by PERS. In the event of the retiree's death, the surviving spouse continues to be eligible to receive the benefit.

Employees hired on or after September 30, 2011 will not be provided the City paid retiree medical benefit described in the above. For these employees, the City will pay $75.00 per month towards the employees Voluntary Employees' Benefits Association (VEBA) account for retirement health insurance expenses. Employees do not serve a minimum years of full-time employment with the City, in order to become vested and eligible to use their VEBA account upon retirement.

14.20 PERS MEDICAL COVERAGE FOR RETIREES

All employees who retire under both the City of Moreno Valley and CalPERS retirement benefits system are eligible to participate in the CalPERS medical insurance program under the Public Employees Medical and Hospital Care Act (PEMCHA), and the City pays the monthly minimum fee required for each retired City of Moreno Valley employee who participates in PEMCHA.

The City shall contribute a monthly employer fee (access fee) for retiree medical coverage with the Public Employees Retirement System (PERS), per negotiated contract language as approved by City Council. Retirees must convert to Medicare at age 65.

14.25 CITY RETIREMENT PLAN

The City provides retirement benefits for all employees through the Public Employees Retirement System (PERS). The City pays both the employee's and employer's contributions into the plan for employees hired prior to July 1, 2009. Employees hired on or after July 1, 2009 pay their own employee's contribution into the plan, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax contributions. This does not apply to promotional hires, whose original hire date was prior to July 1, 2009. At its option, the City may change its retirement system provider upon adoption by the City Council. Prior to any changes in retirement benefits, those eligible for retirement must be notified at least 30 days in advance. Current retirement benefits are available as follows:

A. Career Full-time Employees hired prior to July 1, 2009 receive fully-paid PERS retirement benefits. Career Full-time Employees hired on or after July 1, 2009 pay for their own employee's contribution for PERS retirement benefits, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax contributions, and at no point will the employer pay any portion of the employee's contribution.

B. Career Part-time Employees hired prior to July 1, 2009 receive fully paid PERS retirement benefits after 1,000 hours. Before that point, the employee will have the employee's portion deducted from salary. Career Part-time Employees hired on or after July 1, 2009 pay for their own employee's contribution for PERS retirement benefits, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax

contributions, and at no point will the employer pay any portion of the employee's contribution.

C. Part-time/Seasonal, Temporary Employees, and Crossing Guards who are not eligible for PERS, are required to contribute 7.5% of earnings to a PST "457" deferred compensation program. Contributions to this plan will be made through payroll deduction. Employees are eligible for participation in the PERS retirement plan after 1,000 hours worked in a fiscal year; however, they are responsible for the cost of their employee portion of PERS payment.

PERS refunds may be issued ONLY if the member has permanently separated from all PERS-covered or reciprocal employment. Or, if members have been on an unpaid leave of absence for at least six (6) months, they may request a refund of their contributions prior to returning to active employment.

D. Any employee hired prior to July 1, 2009, if promoted on or after July 1, 2009, will still be eligible for all benefit rates provided for employees hired prior to July 1, 2009 for the bargaining unit the employee is in on or after July 1, 2009.

Although the affected positions are not in the MVCME bargaining unit, the MVCME acknowledge and agree with the City amending the PERS Contract to exempt from PERS membership Recreation Aides and Crossing Guards.

7. DIRECT DEPOSIT FOR PAYROLL

Effective July 1, 2011, all new employees will be required to have direct deposit for payroll, or to apply for this service through the City's bank; if they are accepted by the City's bank, they agree to participate. If the employee is denied this service by the City's bank, the direct deposit requirement for payroll will be waived.

8. RISK DIVISION MANAGER ADDED TO BARGAINING UNIT

The City may move the Risk Division Manager from MVMA to MVCME with same pay and receive individual benefits of the Division Manager or Confidential Unit group, whichever is higher, effective September 2, 2011.

9. LAYOFF, REDUCTION IN FORCE, RECALL

The City will revise the Personnel Rules and Regulations Section 3.45, in order to implement seniority as the main basis for the order of layoff and recall, and extension of the recall period from 2 to 3 years effective with the June 30, 2011 layoffs. Policy change to be effective for layoffs and recalls.

The City will maintain adherence to the elimination of temporary employees and consultants prior to layoff of full-time career employees when possible.

In the event of reduction in force, no new employees will be hired until employees on a recall list or scheduled for a layoff who are available, possessing the required, qualifications and capable and of performing the

assignments of the position being filled have been offered the assignment (position).

MVCME unit employees to be laid off or on a recall list shall be afforded cross-training necessary to allow him/her to fill a vacant position for which they generally meet the minimum qualifications. Please see Attachment A.

12. MERIT PAY

The City and MVCME agree that merit pay increases will not be provided to employees who are covered by this agreement during the term of this agreement.

Any merit pay increase frozen for employees during the entire period of FY 2008/2009 through FY 2011/12, are not to be retroactively credited, owed or otherwise be held for the future or credit, and are therefore forfeited and terminated. The City may, however, decide to implement merit pay increases for employees when the City can afford to do so, subject to the meet and confer process.

13. COST OF LIVING ADJUSTMENT

The City and MVCME agree that no Cost of Living Adjustment (COLA) pay increases will be provided to employees who are covered by this agreement during the term of this agreement. A 2% COLA pay increase is being deferred for employees who are covered by this agreement during the term of this agreement.

Any COLA increases deferred for employees during the entire period of FY 2008/2009 through FY 2011/12, are not to be retroactively credited, owed or otherwise be held for the future or credit, and are therefore forfeited and terminated. The City may, however, decide to implement COLA's pay increases for employees when the City can afford to do so, subject to the meet and confer process.

14. MATTERS FOR FOLLOW-UP DISCUSSION

The City and MVCEA agree to meet during Fiscal Year 2011-12 to discuss the following two items: 1) Develop long-term strategies to fairly implement merit pay increases after the City's economic and budget recovery; and 2) Review the rehire procedure and rehire compensation levels.

15. ASSOCIATION MEETINGS

The Association may hold two regular meetings annually with its members during regular business hours. Additional meetings to discuss changes to the existing labor contract raised during the fiscal year would be granted,

as necessary. These additional meetings would be held above and beyond the two regular meetings.

14. PREVIOUS MOU PROVISIONS

All other provisions of the contract would remain the same as detailed in the Fiscal Year 2010-11 memorandum of understanding.

15. PARITY

During the term of this agreement, MVCME shall have the right to incorporate into this agreement any elements of Memoranda of Understanding entered into between the City of Moreno Valley and any of its other bargaining units as specified in the previous agreement.

16. RATIFICATION AND EXECUTION

The City and MVCME acknowledge that this Memorandum of Understanding shall not be in full force and effective until ratified by the bargaining unit and signed by the Mayor and City Manager of the City of Moreno Valley. Subject to the foregoing, this Memorandum of Understanding is hereby executed by the authorized representatives of the City and Association, and entered into this 23rd day of August 2011. The MVCME MOU for Fiscal Year 2010/11 will remain in effect, pending approval by City Council of the successor MVCME MOU.

CITY OF MORENO VALLEY

Richard Stewart, Mayor

Henry Garcia,
City Manager

Michelle Dawson,
Assistant City Manager

Richard Teichert,
Financial & Administrative
Service Director

Sonny Morkus
Human Resources Director

MVCMA

Bridgette Montgomery, MVCME

Carol Vasquez, MVCME

3.45 LAYOFFS/REDUCTION-IN-FORCE/RECALL

The City Manager may lay off permanent and probationary workers at any time for lack of work, budgetary reasons, technological changes, or other City actions that necessitate a reduction in the work force. At least four weeks notice shall be given to any employee who is to be laid off. At the City Manager's discretion, a demotion or transfer to another department or classification may be made to prevent a layoff provided the employee is qualified by education and/or experience and is capable of performing the duties of the classification. The Department Heads, in consultation with the Human Resources Director, and as approved by the City Manager, will effect the layoffs.

Reduction in Force:

When it becomes necessary to reduce the work force in the City, the City Manager shall designate the job classification, division, department, or other organizational unit in order to effect a reduction in the work force. Contract, temporary, seasonal, or initial probationary employees in the same job classification as ones proposed to be reduced within the City shall be laid off first. Probationary promotional employees who are laid off shall be returned to their former classification. Employees who accept lower positions or transfers in lieu of lay-off shall be placed at a pay level within the salary range of the new position, which yields a salary closest to current salary.

Order of Layoff for MVCEA and MVCME Employees:

Effective July 1, 2011, the order of layoff of MVCEA and MVCME career employees shall be made in accordance with a system which favors retention of the employees with the most seniority, based upon evaluation of the following factors in the listed order of implementation:

A. Seniority (length of service in a career position):

1. in the city
2. in the classification
3. in the department

For MVCEA and MVCME employees who are equal in seniority, as established in A 1 though 3 above, preference will be given to those with higher overall performance reviews during the past twelve months, then free of disciplinary action during the past twelve months and then proof of honorable military discharge.

Order of Layoff for MVMA Employees:

The order of layoff of MVMA unit career employees shall be made in accordance with a system which favors retention of the more meritorious employees, based upon evaluation of the following factors in the listed order of implementation:

A. An overall rating of "unsatisfactory" or "needs improvement" on the most recent performance evaluation once finalized and filed in Human Resources except

when an employee has less than one year seniority with the City. In that case, only seniority will be used.

B. Documented disciplinary actions during the preceding twelve (12) months.

C. Seniority (length of service in a career position):

1. in the city
2. in the classification
3. in the department

For MVMA employees who are equal in performance and seniority, as established in A-C above, preference will be given to those with proof of honorable military discharge.

Seniority:

Seniority is determined from the day of official appointment to a City department as a career employee, provided that any career employee, who, as a result of promotion, transfer, or voluntary demotion, is appointed to a career position in another department, shall for purposes of layoff, carry seniority previously acquired over to the new department.

Seniority shall continue to accrue during periods of Annual Leave, layoff not exceeding three (3) years, any authorized leave of absence of less than three (3) months, or any call to military service for the duration of the call to duty. Seniority shall not accrue during any other break in continuous service.

Other Policies:

The City may call back as a temporary employee, within the first year after layoff, any laid off employee who is on the recall list when the employee is qualified to fill a vacancy of a full-time position.

Any employee who receives an involuntary transfer shall have the option to be reinstated to a vacated position in the classification said employee was involuntarily transferred from for up to six (6) months from the effective date of the involuntary transfer in the event of layoff.

An employee who chooses to terminate and have his/her name placed on the Reinstatement List under this section shall notify the department in writing of his/her decision at least three (3) working days prior to the effective date of reassignment. Such termination shall be on the same date as the reassignment would have been effective.

Recall List:

The name of every career employee who is laid off, transfers, or elects to demote to a formerly held classification in the same department for longer than one pay period due to a Reduction-in-Force, shall be placed on the Recall List, except that the names of those MVMA unit employees laid off under Sections A & B under in "Order of Layoff for MVMA Employees" above, shall not be placed on the recall list. Vacancies to be filled within a

department shall be offered, to individuals named on the Recall List who at the time of the Reduction-in-Force, held a position in the same job classification within the department as the vacancy to be filled. Order of recall shall be same as order of layoff.

Individual names may be removed from the Recall List for any of the following reasons:

A. The expiration of three (3) years from the date of placement on the list, effective June 30, 2011.

B. Re-employment with the City in a career full-time position in a department other than that from which the employee was laid off.

C. Failure to respond within 14 calendar days of mailing a certified letter regarding availability for employment.

D. Failure to report to work within 14 calendar days of mailing of a certified letter containing a notice of reinstatement to a position, absent mitigating circumstances.

E. Request in writing, including e-mail, to be removed from the list.

Status on Re-employment:

Effective June 30, 2011, a career employee who has been laid off or terminates in lieu of reassignment and is re-employed in a career position within three (3) years from the date of his layoff or termination shall be entitled to:

A. Buy back and thereby restore all or a portion of Annual Leave credited to the employees' account on the date of layoff or termination and at the same rate as it was sold originally. This restoration must be requested in writing within 30 days of returning to work and must be fully paid back within six (6) months of the return to work.

B. Restoration of seniority accrued prior to and accrued during layoff.

C. Credit for all service prior to layoff for the purpose of determining the rate of accrual of Annual Leave.

D. Placement in the salary range as if the employee had been on a leave of absence without pay if he/she is reinstated to the same job classification in the same department from which he/she was laid off or terminated.

E. In accordance with CalPERS regulations, restoration to the same level of CalPERS benefits and City paid member contribution that the employee received prior to being laid off or terminated.

F. Restoration to the same level of flexible benefits (i.e. benefit bank) that the employee received prior to being laid off or terminated.

In the event of a vacancy, if there are no individuals on the recall list who formerly occupied the vacant classification, those individuals on the recall list who possess the

necessary qualifications for the vacant classification shall be eligible for recall to the vacancy. Eligibility order shall be the same as the order of lay-off.

No person from outside City employment shall be hired in a career position in the deleted classification until all those displaced due to layoffs or transfers are recalled to their former classification or one classification lower in the same career ladder as the one in which the employee was laid off.

Continuation of Benefits:

Those who are laid off shall have their medical insurance benefits continued to the end of the second month following the date of their layoff in the event that they are not covered by another medical plan at that time.

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MV00119688

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00119690

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 23, 2011

TITLE: **EXTENSION OF CONTRACT** - Approve Second Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the second of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expired on June 30, 2011. On July 6, 2011, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the second term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the second of four, twelve-month extensions. The contract amount for the second extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the Second Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2011-2012. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the Second Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this Second Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2011-2012 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this Second Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchasing and Facilities Division Manager to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: Second Amendment to Agreement
Attachment 2: First Amendment to Agreement
Attachment 3: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

SECOND AMENDMENT TO AGREEMENT

This Second Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as “CSD”), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the second twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2011 and finish on June 30, 2012.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 2

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 7/13/10

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 5/24/2010

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: July 1, 2010

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-24-10

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 3

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. **TERMINATION.**

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. **OWNERSHIP OF DOCUMENTS.** All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. **PUBLICATION OF DOCUMENTS.** Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. **INDEMNIFICATION.** Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. **PUBLIC RECORDS ACT.** The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. **ASSIGNABILITY.** This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. **INDEPENDENT CONTRACTOR.** The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. **AUDIT OF RECORDS.** Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. **SOLICITATION.** Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. **THIRD PARTY BENEFICIARIES.** This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. **INTERPRETATION.** This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. **JURISDICTION/VENUE.** Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. **COMPLIANCE WITH LAW.** Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. **RULES OF CONSTRUCTION.** Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. **SEVERABILITY.** If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

44. **ENTIRE AGREEMENT.** This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

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barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.
   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

MV00119720

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

MV00119722

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

MV00119724

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

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MV00119726

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 23, 2011

TITLE: ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Adopt Resolution No. CSD 2011-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The State of California appropriated a total of $6.6 million to be utilized statewide as a continuous funding source for services to school age children, in the range of kindergarten to 14 years of age. However, the Budget Act of 2003 eliminated child care services to children 13 years and older. Of the $6.6 million allocated statewide, Riverside County was appropriated $950,000 based on service level needs. In an effort to provide an increased level of services for Moreno Valley youth through diverse funding, staff submitted a competitive grant application to the California Department of Education, Child Development Division, requesting funding for an after school child care program. The City of Moreno Valley Parks and Community Services Department was one of ten agencies in Riverside County who competed for this funding. The Parks and Community Services Department was awarded funding.

On November 26, 1996, the City Council authorized the acceptance of a grant in the amount of $427,683 for the calendar years 1997 and 1998 for the purpose of providing an after school child care program for children ages 5 to 14. Since that time, the City has applied for and received grant funding every fiscal year for this program. Although the City must apply for the grant funding each year, when the funding was made available to agencies for youth programs in 1987, those agencies that have received this type of grant funding have continued to receive funding for their youth programs.

DISCUSSION

The focus of the grant submitted by the City of Moreno Valley Parks and Community Services Department was based on the high demands assessed by the department within its own programs. This included the need for after school care during the traditional school year and full day care on school vacation days. The program utilizes five elementary schools: Creekside, Sunnymead, Rainbow Ridge, Armada, and Red Maple. The program accommodates 170 children between the ages of kindergarten up to 12 years of age and has been in effect since January 1997.

This program is state licensed and operates under the following conditions. The healthy social and emotional development of every child is addressed by providing activities, schedules, materials and equipment to ensure that children are both challenged and successful. Programming for the students includes a nutritious snack served daily, arts and crafts, indoor and outdoor games, story time, homework time, and social time. The program also includes field trips with bus transportation, parent conferences, and special parenting classes and programs with topics including health issues, substance abuse, nutrition, personal safety, community awareness, literacy and more. The program works closely with parents and school site staff to incorporate applicable school rules into the program and provide emotional support for children.

The program operates at schools utilizing the "modified traditional" school schedule between the hours of 2:00 p.m. and 6:00 p.m. on school days and 7:00 a.m. to 6:00 p.m. on school vacation days, Monday through Friday.

As part of the City's policy, the City Council must formally accept this funding from the California Department of Education, Child Development Services and adopt the corresponding resolution.

ALTERNATIVES

1. Approving staff's recommendation would authorize the acceptance of grant monies in the amount of $605,496 for FY 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Not approving staff's recommendation would eliminate the Child Care Grant Program.

FISCAL IMPACT

The proposed grant funds program expenditures on a cost reimbursement basis. The grant funds as well as food program revenue, Federal Grant Revenue, and program fees are used for providing school age child care and development services and are restricted to this program. There is no impact to the General Fund. Funds are budgeted in the FY2011-12 Operating Budget (160.75710).

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By:
Patty Grube
Management Analyst I

Department Head Approval:
Mike McCarty
Parks and Community Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00119730

RESOLUTION NO. CSD 2011-23

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD TO ENTER INTO A TRANSACTION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES AND TO AUTHORIZE DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FY 2011/12

WHEREAS, the Moreno Valley Community Services District Board of Directors desires to provide school age child care services to the citizens of Moreno Valley during FY 2011/12;

WHEREAS, the Moreno Valley Community Services District Board of Directors further desire to enter into this transaction with the California Department of Education for the purpose of providing child care and development services;

WHEREAS, the Moreno Valley Community Services District Board of Directors authorize the persons listed to sign the transaction for the Governing Board;

Michael McCarty, Director of Parks and Community Services _____

Henry Garcia, City Manager _____

Richard Teichert, Financial & Administrative Services Director _____

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Accept the grant monies from the California Department of Education, Child Development Division, in the amount of $605,496 per fiscal year to provide child care services for FY 2011/2012;

2. Adopt a resolution to certify the approval of the governing board to enter into local agreement number/s CCTR-1195, Project Number 33-2186-00-0 with the California Department of Education for the purpose of providing child care and development services;

3. Authorize designated personnel to sign contract documents on behalf of the Governing Board for FY 2011/12.

APPROVED AND ADOPTED this 23th day of August, 2011.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
Jane Halstead, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney acting
in the capacity of General Legal
Counsel of the Moreno Valley
Community Services District

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00119734

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00119736

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: A PUBLIC HEARING FOR PA11-0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY.

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels.

3. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

BACKGROUND

The applicant is proposing to de-annex (detach) 1.4 acres currently in the City of Moreno Valley to permit annexation into the City of Perris. The subject property is located south of the Perris Valley storm channel and east of Perris Boulevard at the City limit and is part of a large development site which is primarily within the City of Perris. The area to be de-annexed includes the 70-feet northerly of the City of Moreno Valley boundary line between the two cities. A previous de-annexation moved the City boundary in a similar fashion south of the Perris Valley storm channel west of Perris Boulevard.

The project is Exempt under section 15061 b. 3 of the California Environmental Quality Act Guidelines as this activity is not a project that has the potential for a significant affect on the environment.

DISCUSSION

On June 9, 2011, Mission Pacific Land Company submitted an application requesting the de-annexation. The detachment was requested to allow for the orderly development of the applicant's property within a single municipal jurisdiction. The City of Perris is currently processing an annexation application for the same property. Both the detachment and annexation are subject to final action by the Riverside County Local Agency Formation Commission after both cities have taken action.

ALTERNATIVES

1. The City Council could approve the proposal as recommended.
2. The City Council could take no action on the proposal. This would leave the boundaries between the cities as they are today.

FISCAL IMPACT

The impacts are the loss of minimal property tax revenue which will be collected by the City of Perris. Based on the location and the small lot size, the site is un-developable solely within the City of Moreno Valley based on the standards of the existing Industrial (Specific Plan 208I) zoning.

NOTIFICATION

Notice of the City Council public hearing appeared in the Press Enterprise newspaper on August 13, 2011, and mailed to all surrounding property owners of record within 300 feet of the affected property.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Existing Boundary
3. City Resolution-Detachment
4. CSD Resolution
5. City Resolution-Tax Release
6. New proposed City limit boundary map

Prepared By:
Julia Descoteaux
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00119740

Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s)

CASE : **PA11-0021 Deannexation (Detachment)**

APPLICANT: Mission Pacific Land Company

OWNER: Stratford Ranch Investors, LLC

REPRESENTATIVE: Ted Weggeland

LOCATION: South of Harley Knox Blvd, east of Redlands Avenue
(APN: 302-170-002 & 302-170-004))

PROPOSAL: A public hearing for PA11-0021, an application to deannex parcels 302-170-002 and 302-170-004, a total of 1.4 acres located on the south side of the Perris Valley Channel from the City of Moreno Valley to allow these undevelopable parcels to be integrated into the adjoining parcels by facilitating annexation to the City of Perris.

ENVIRONMENTAL DETERMINATION: The project is Exempt under section 15061 b. 3 of the California Environmental Quality Act Guidelines as this activity is not a project that has the potential for a significant affect on the environment.

COUNCIL DISTRICT: No 4

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

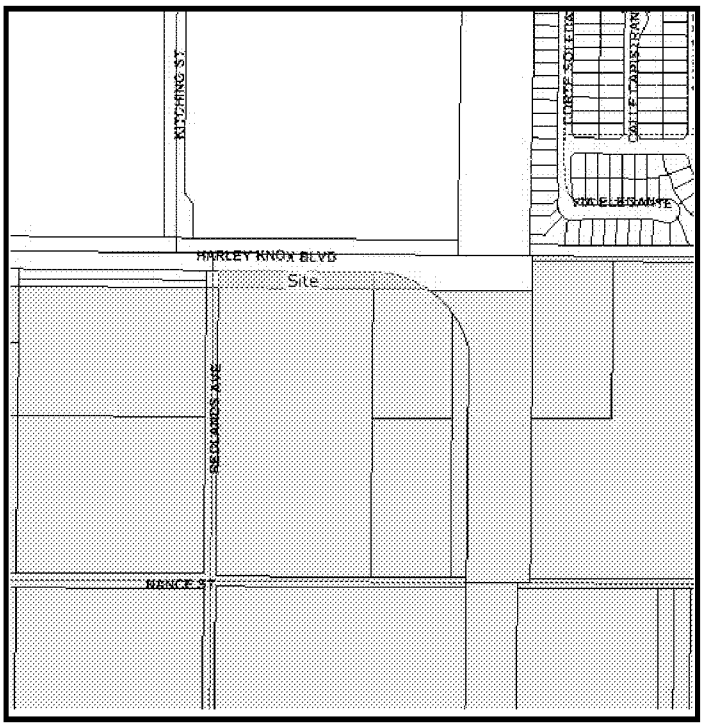

LOCATION **N↑**

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: August 23, 2011 at 6:30 PM

CONTACT PLANNER: Julia Descoteaux

PHONE: (951) 413-3209

ATTACHMENT 1

Item No. E.1

MV00119741

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MV00119742

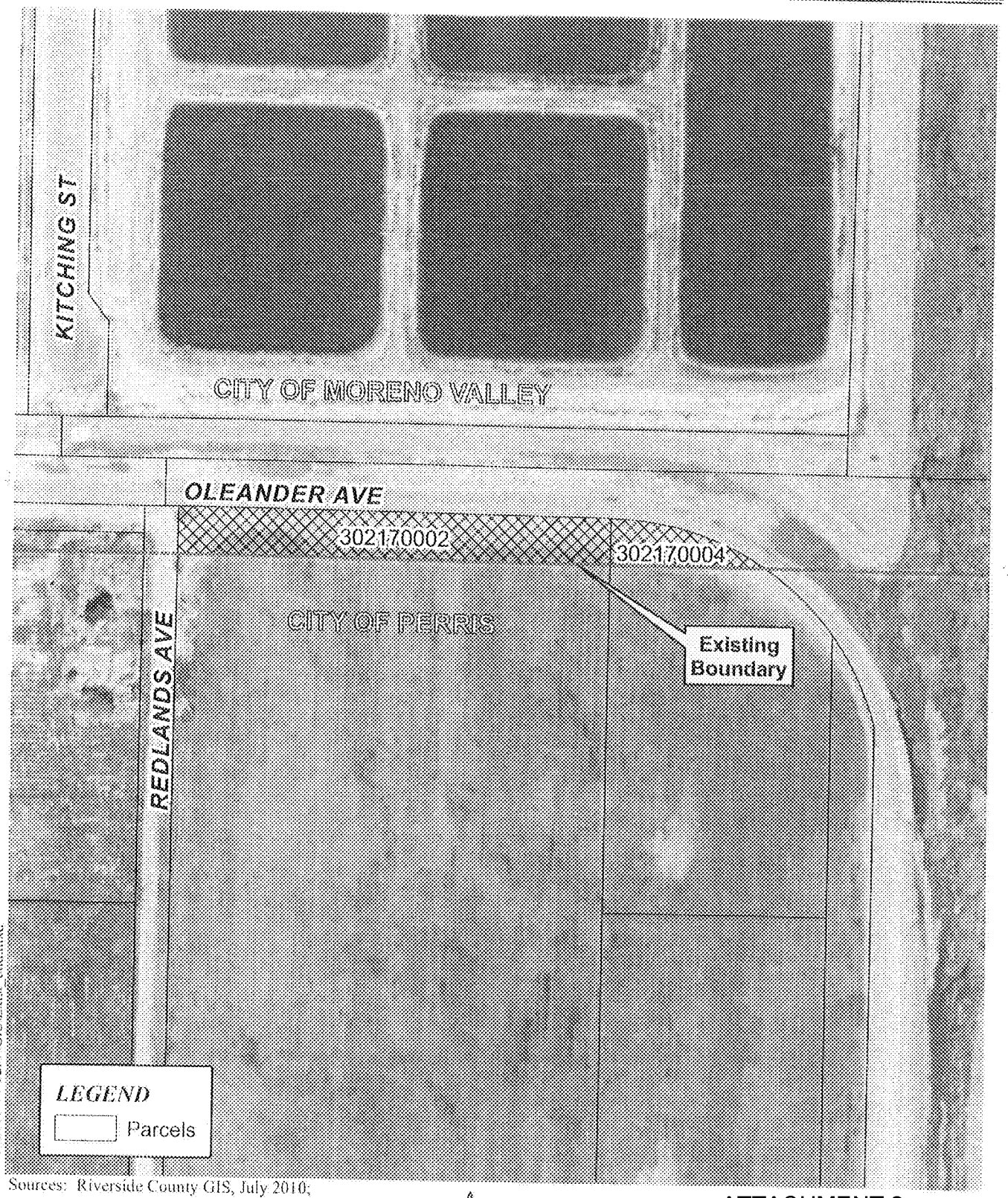

G:\2010\10-0207\GIS\Exist_bnd.mxd

Sources: Riverside County GIS, July 2010;
Digital Globe, March 2008.

ALBERT A. WEBB ASSOCIATES

N

0 100 200 300 Feet

ATTACHMENT 2

Existing Boundary

Item No. E.1

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MV00119744

RESOLUTION NO. 2011-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE DETACHMENT OF TWO PARCELS (302-170-002 & 302-170-004) WITH A TOTAL OF 1.4 ACRES FROM THE CITY OF MORENO VALLEY TO ALLOW FOR CONCURRENT ANNEXATION TO THE CITY OF PERRIS

WHEREAS, the City Council of the City of Moreno Valley desires to initiate a proposal pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the detachment of certain property identified in Attachment 2; and

WHEREAS, the territory proposed for detachment is uninhabited pursuant to the definition contained within Government Code Section 56046, and the proposed property is identified in Attachment 2:and

WHEREAS, the City Council finds that the proposed boundary reorganization will facilitate carrying out its responsibility for future planning and the logical and orderly development of the City; and

WHEREAS, discussions have ensued with the City of Perris staff and the City of Perris staff would present a companion resolution requesting the initiation of proceedings; and,

WHEREAS, the reasons for the proposed detachment are as follows:

1. The detachment from the City of Moreno Valley and the attachment to the City of Perris would modify the city boundary to the north property line of parcels 302-170-002 and 302-170-004 to increase the size of the parcel to the south which is in the City of Perris allowing development to occur.

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

1. That an application for amendment of the city boundary reorganization shall be submitted for consideration by the Riverside County Local Agency Formation Commission ("LAFCO") for the area shown in the attached map (Attachment 2).

2. The City Clerk is authorized and directed to file a certified copy of this Resolution with the Executive Officer of LAFCO together with such other information and documents as may be required by the Executive Officer.

ATTACHMENT 3

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00119748

RESOLUTION NO. CSD 2011-24

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS OF THE CITY OF MORENO VALLEY, CALIFORNIA TO REQUEST THE RIVERSIDE LOCAL AGENCY FORMATION COMMISSION INITIATE PROCEEDINGS FOR A CITY BOUNDARY AMENDMENT INVOLVING A DETACHMENT OF PARCELS FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

WHEREAS, the Moreno Valley Community Services District (CSD) desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act, commencing with Section 56000 of the California Government Code, for an amendment to the Community Services District boundary; and,

WHEREAS, the territory proposed to be included within the reduction of the Community Services District is uninhabited, and the boundaries of the said territory are as set forth in Attachment 2; and,

WHEREAS, the CSD Board of Directors finds that the proposed detachment and reorganization of the Community Services District are consistent with the planned modifications to the City's boundary and deannexation; and,

WHERAS, the CSD Board of Directors finds that future needs for public facilities and services relating to the said parcels will be no longer be applicable; and,

WHEREAS, the reorganization (deannexation) proceedings with the Local Agency Formation Commission (LAFCO) shall modify adjustments to the Moreno Valley Community Services District boundaries for Zones A, B, C, D, and M to exclude said parcels; and,

WHEREAS, upon the deannexation of said parcels, the Moreno Valley CSD Zones A (Parks & Community Services) and C (Arterial Street Lighting) annual parcel charges shall no longer be applicable; and

WHERAS, said parcels shall not longer be subject to the annexation boundaries for Community Facilities District No. 1 to finance public services related to new neighborhood parks; and,

WHERAS, the CSD Board of Directors finds that the proposed detachment from the Community Services District is exempt under Section 15061 (b) (3) of the California Environmental Quality Act.

ATTACHMENT 4

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that CSD Resolution No. _____ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vise-President and President)

_____

SECRETARY

(SEAL)

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MV00119752

RESOLUTION NO. 2011-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A PROPERTY TAX TRANSFER AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND CITY OF PERRIS REGARDING THE DETACHMENT OF TWO PARCELS (302-170-002 & 302-170-004) WITH A TOTAL OF 1.4 ACRES FROM THE CITY OF MORENO VALLEY AND CONCURRENT ANNEXATION TO THE CITY OF PERRIS

WHEREAS, the City of Moreno Valley (Moreno Valley) and the City of Perris (Perris) are agencies whose public services might be affected by the detachment from Moreno Valley and concurrent annexation to City of Perris; and,

WHEREAS, representatives of Perris and Moreno Valley have negotiated a property tax transfer agreement to become effective for the area to be detached from City of Moreno Valley and to be concurrently annexed to City of Perris; and,

WHEREAS, the territory affected by LAFCO 2011-06-5 is described in Resolution No. 2011- _____ of the City Council of the City of Moreno Valley; and,

WHEREAS, an agreement for the exchange of property tax revenues is in the best interests of Moreno Valley and of its citizens; and,

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

1. When the City of Perris assumes the service responsibility for the suppression and prevention of structural fires in the area to be annexed, from that time, Perris shall receive one hundred percent of that portion of the property tax revenue generated within the territory annexed and identified as a structural fire protection tax; and,

2. When the City of Perris assumes the service responsibility for providing such other municipal services to the area to be annexed as are provided to areas already within Perris, from that time, Perris shall received Moreno Valley's share of that portion of the property tax revenue generated within the territory to be annexed pursuant to Article XIIA of the California Constitution; and,

ATTACHMENT 5

3. The County Auditor is hereby requested to convert the above established percentage figures into actual dollars, and thereafter to allocate~~d~~ such property tax revenue in accordance with the provisions of Section 95 and following of the California Revenue and Taxation Code; and,

4. The City Council of the City of Moreno Valley here~~e~~by agrees to the exchange of property tax revenue set forth above and approves the property tax agreement with the City of Perris pursuant hereto; and,

5. The City Clerk shall transmit a certified copy of this resolution to the Executive Officer of the Local Agency Formation Commission and to the City of Perris.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00119756

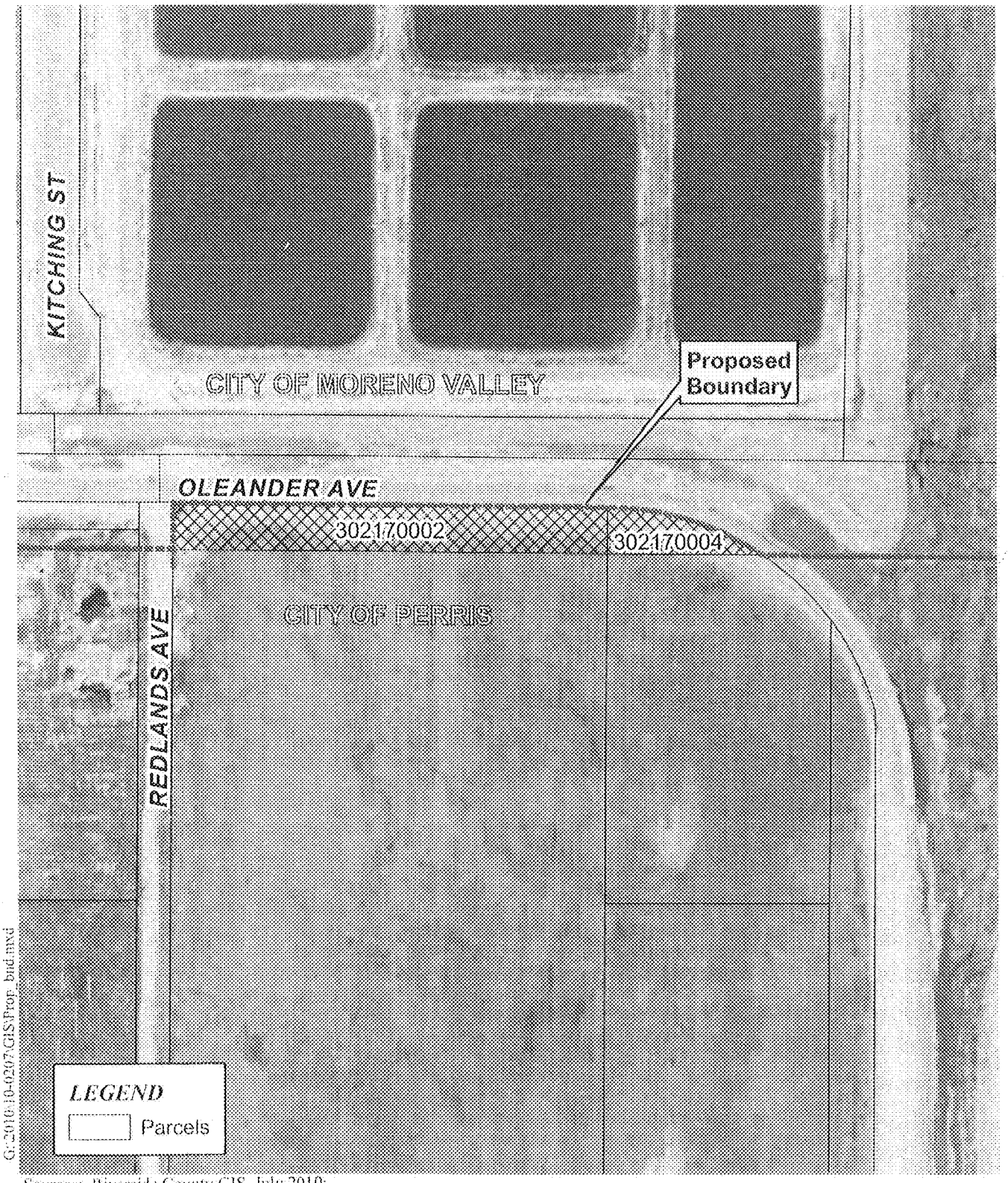

G:\2010\10-0207\GIS\Prop_bnd.mxd

Sources: Riverside County GIS, July 2010; Digital Globe, March 2008.

ASBURY A. WEBB ASSOCIATES

N

0 100 200 300 Feet

ATTACHMENT 6

Proposed Boundary

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MV00119758

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property.

2. Authorize staff to solicit offers for the purchase of said real property.

BACKGROUND

On May 25, 2010 the City Council approved acquisition of the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The City acquired title to the property on July 29, 2010. The house on the property was demolished in May 2011 to make way for the proposed improvements. The property was acquired utilizing TUMF funds due to the direct transportation corridor related improvements that are required.

On July 12, 2011 the City Council approved Resolution No. 2011-74 declaring the real property, APN 475-272-054, as excess, setting August 23, 2011 as the public hearing

date to identify any issues with the sale of the remainder parcel, and authorizing staff to solicit offers for the purchase of said real property.

DISCUSSION

The improvements fronting this property along Ironwood Avenue and Davis Street will include a new curb ramp, sidewalks, and the relocation of power poles fronting Ironwood Avenue. The ultimate public right of way will be 44 feet from the centerline along Ironwood Avenue and 33 feet from the centerline along Davis Street at the northwest corner. The Ironwood Avenue ultimate street improvements project between Heacock Street and Perris Boulevard is anticipated to be advertised in mid-August for construction bids. Construction is anticipated to start in Fall 2011.

The original lot size of 7,759 square feet along with a single family residential house was purchased at $124,500 utilizing Transportation Uniform Mitigation Fee (TUMF) funds. The ultimate street improvements at the northwest corner of Ironwood Avenue and Davis Street, abutting to this property will occupy 2,534 square feet. The house had to be demolished in order to make way for the necessary street improvements. The remaining vacant land, with an area of 5,225 square feet, is deemed excess, not needed for City public purposes, and considered a substandard residential lot in the current zone R5. The potential use and development of this remaining land is very limited but a single family home may be constructed subject to review and approval of a variance by the Planning Division. If the City retains ownership and the land remains vacant, it will require periodic on-going maintenance and weed abatement services most likely funded with General Fund monies as the surplus property is not needed for transportation related purposes.

If there are no issues identified at the public hearing, the property will be offered for sale to qualified public agencies, and if an agency wants to purchase the property, it must respond within a 60-day time frame, in accordance with Government Code 54222. If there is no interest from a qualified public agency at the expiration of the 60-day period, the City could but would not be obligated, to put the property up for sale to the public.

The hearing is required by California Government Code, Section 37422. The Resolution was published in the Press Enterprise, and the Resolution was posted at the real property site located at 11987 Davis Street in Moreno Valley.

ALTERNATIVES

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property, and authorize staff to solicit offers for the purchase of said real property. *This alternative would allow the City to potentially sell the excess land.*

2. Do not conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the

proposed sale of excess property, and do not authorize staff to solicit offers for the purchase of said real property. *This alternative will result in the City not conforming to Government Code Section 37422 and therefore delaying or stopping the potential sale of excess land and incur weed abatement costs.*

FISCAL IMPACT

When City Council approves and accepts a purchase offer, if one is received, the net proceeds will be remitted back in the TUMF fund associated with this street improvement project.

SUMMARY

The City acquired the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The remaining property area of 5,225 square feet can be disposed of as surplus property. If the City retains ownership of this property, it would require periodic on-going maintenance and weed abatement services. Therefore, City Council is being asked conduct this public hearing to allow for the potential selling of the property as surplus land in accordance with Government Code section 54222, and authorize staff to solicit offers for the purchase of said real property.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Resolution No. 2011-74

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Henry - 06-50182625 Ironwood - Heacock to Perris\CC Reports\Real Property\8-23-11 Public Hearing for Excess Property APN 475-272-054.doc

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MV00119762

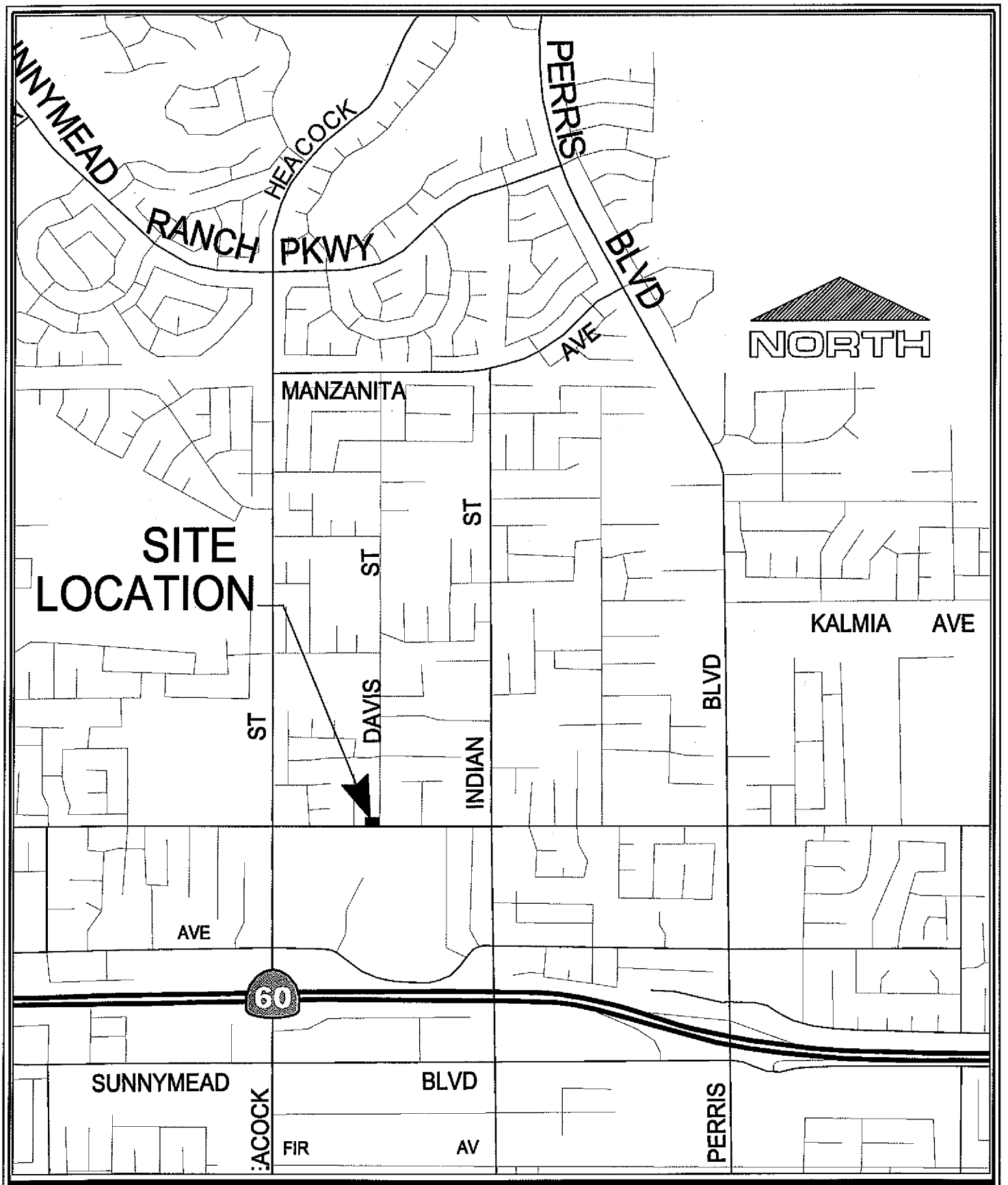

LOCATION MAP

Scale: None

ATTACHMENT "A"

11987 DAVIS STREET

APN 475-272-054

EXCESS PROPERTY- 0.12 ACRES

Item No. E.2

MV00119763

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MV00119764

RESOLUTION N0. 2011-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THE SALE OF A REMAINDER PARCEL EXCESS TO PUBLIC USE.

WHEREAS, the City Council of the City of Moreno Valley desires to sell the remainder parcel APN 475-272-054, total area of 5,225 square feet, as described in Exhibit "A", that is attached hereto; and

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

1. The time and place for hearing protests to the sale of said real property shall be held on August 23, 2011, at 6:30 p.m. at City Hall, located at 14177 Frederick Street, Moreno Valley, California.

2. The City Council finds that the public interest and convenience require the sale of the subject real property for the following reasons:

   a) The real property is excess to that needed for public purposes; and
   b) There is an on-going cost to maintain and weed abate if ownership is retained by the City; and
   c) It is advantageous to return the property to private ownership for use and maintenance.

3. The City Clerk shall publish a copy of this Resolution in the Press Enterprise, a daily newspaper and shall cause a copy of said Resolution to be posted at the real property.

4. At the hearing, any interested person may protest to the proposed sale. Any protests must be overruled by a 4/5ths vote of the Council members.

APPROVED AND ADOPTED this 12th day of July 2011.

Resolution No. 2011-74
Date Adopted: July 12, 2011

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2011-74
Date Adopted: July 12, 2011

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-74 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 12th day of July, 2011 by the following vote:

AYES: Council Members Batey, Co, Hastings, Mayor Pro Tem Molina and Mayor Stewart

NOES: None

ABSENT: None

ABSTAIN: None

CITY CLERK

(SEAL)

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MV00119768

LEGAL DESCRIPTION

In the City of Moreno Valley, that remainder parcel of land being a portion of lot 63 as shown on the map of Moreno Acres, filed in Book 11 of Maps, Page 53, records of the County of Riverside, State of California, more particularly described as follows:

BEGINNING at the southwestly corner of the east half of the east half of said lot 63; thence North 00°07'15" East, a distance 14 feet to a point 44 feet northly of the centerline of Ironwood Avenue, said point being the **TRUE POINT OF BEGINNING**;

Thence North 00°07'15" East, 41.50 feet along the east property line; thence N 89°50'30" East, 132.48 feet along the north property line to a point on a line parallel with and distant 33.00 feet westerly of Davis Street centerline; thence South 00°06'30" West, 18.66 feet along said line; thence Southwestly, a distance of 33.13 feet to a point on a line parallel with and distant 44.00 feet northerly of Ironwood Avenue centerline; thence South 89°50'30" West, a distance of 108.60 feet, more or less, along said last mentioned parallel line to the **TRUE POINT OF BEGINNING.**

The land described herein contains approximately 5,225 square feet (0.12 acres).

See Sheet 2 of 2 for a plat depicting the above described property.

APN: 475-272-054

CITY OF MORENO VALLEY,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
POR. LOT 63 ON MAP OF MORENO ACRES
BOOK 11 PAGE 53

EXHIBIT "A"
SHEET 2 OF 2

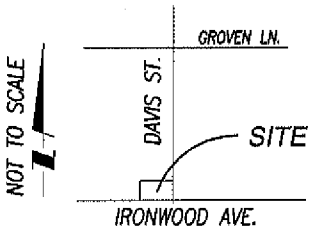

VICINITY MAP

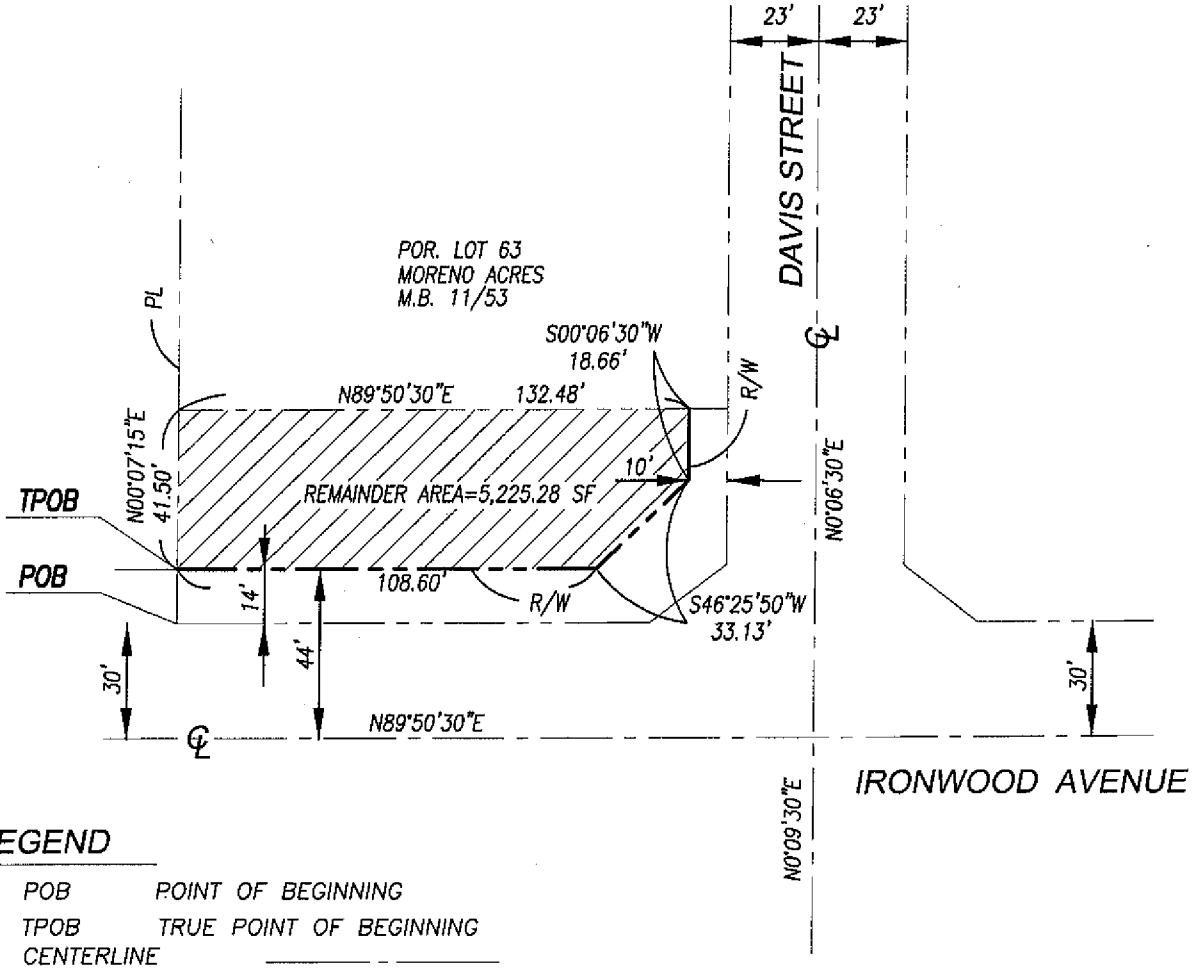

SCALE: 1"=50'

LEGEND

1. POB — POINT OF BEGINNING
2. TPOB — TRUE POINT OF BEGINNING
3. CENTERLINE
4. EXISTING ROW
5. NEW ROW
5. PROPERTY LINE

REMAINDER AREA = 5,225.28 SF

CITY OF MORENO VALLEY

PREPARED FOR:

PLAT MAP FOR
11987 DAVIS STREET
APN 475-272-054

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011 (Continued from July 12, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. _____ denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. _____ APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. _____ APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. _____ APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. _____ APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. _____ APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. _____
3. Environmental Impact Report Resolution No. _____, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. _____ - Zone Change
5. Ordinance No. _____ - Municipal Code Amendment
6. Resolution No. _____ - Plot Plan PA08-0097
7. Resolution No. _____ - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00119780

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

RIDGE PROPERTY TRUST

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- ☐ Administrative Plot Plan
- ☐ Administrative Variance
- ☐ Amended Conditional Use Permit
- ☐ Amended Plot Plan
- ☐ Change of Zone
- ☐ Conditional Use Permit
- ☐ Development Agreement
- ☐ Development Code Amendment
- ☐ Extension of Time
- ☐ General Plan Amendment
- ☐ Plot Plan
- ☐ Pre-Application Review
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Tentative Parcel Map
- ☐ Tentative Tract Map
- ☐ Variance
- ☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@ptrnet.com

Contact Person: Derek Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services LLC — Telephone: (951) 845-1003 cell 909-226-0420

Address 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson26@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Dennis S. Rice 5-18-2011
Property Owner's Signature Date

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Dennis S. Rice 5-18-2011
Applicant's Signature Date

W:\CDD Admin\lists\FORMS - Development Services\Planning forms\ProjectApplication rev FEB11.doc Revised: 2/1/2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60605

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈001194⑈ ⑆071000013⑆495693⑈

Item No. E.3

MV00119786

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

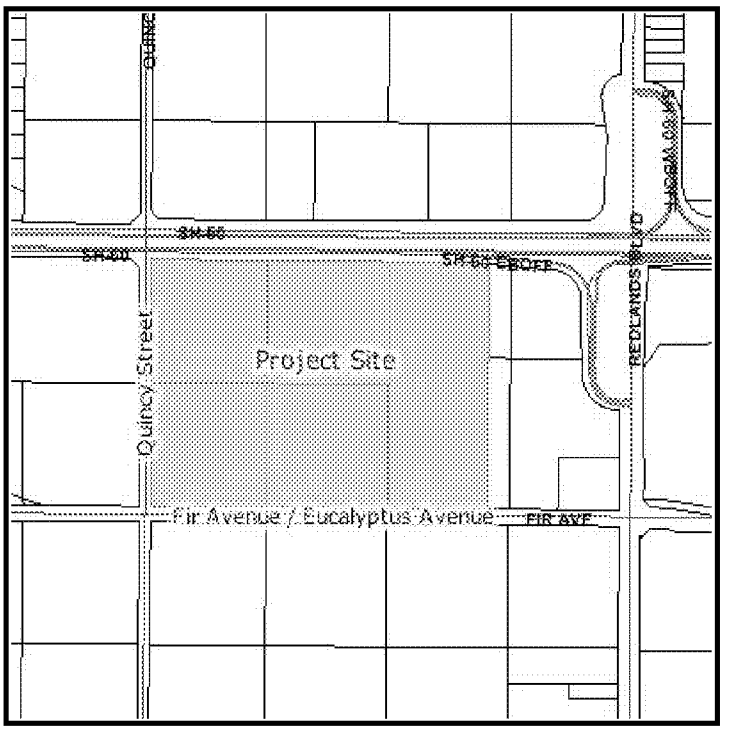

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

Item No. E.3

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MV00119788

RESOLUTION NO. 2011-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00119792

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. <u>Project Description</u>

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Land Use**

a. **General Plan Consistency**

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. **Zoning Consistency**

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. Hydrology and Water Quality

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. Biological Resources

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 *Redlands Boulevard at Cottonwood Avenue Improvements:*

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

c. Freeway Mainline Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. <u>Air Quality</u>

a. Short-Term Construction Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00119883

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00119885

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

MV00119887

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00119889

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00119891

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd)				
right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;				
• *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*				
• *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*				
• *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*				
The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.				

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00119899

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of fi building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.19 (cont'd)			Department	
• *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*				
The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.				
Air Quality				
To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction
• *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*				
• *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*				

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

MV00119905

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00119907

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) ○ *Installation of catalytic converters on gasoline-powered equipment.* ○ *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* ○ *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* ○ *Provision of preferential parking for EV and CNG vehicles;* ○ *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* ○ *Use of electric (instead of diesel or gasoline-powered) yard trucks;* ○ *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building pe

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Item No. E.3
MV00119912

Item No. E.3

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

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MV00119913

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00119915

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of fi grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00119917

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Item No. E.3

MV00119918

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00119930

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.
• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,
• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. **MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.**

P98. **MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.**

P99. **MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.**

P100. **MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.**

P101. **MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:**

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. **Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.**

LD67. **Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.**

LD68. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).**

LD69. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.**

LD70. **Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.**

LD71. **Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.**

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. **Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.**

f. **The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

ATTACHMENT 7

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

EXHIBIT A

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

~~PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION~~

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

~~General Conditions~~

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

~~PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION~~

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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MV00120044

PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

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MV00120054

3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

ATTACHMENT 9

separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

Item No. E.3

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans)** for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

4.3.~~6~~5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

4.3.~~7~~6 During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~ **utilized to** power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

4.3.~~8~~7 The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~ **"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be** consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

4.3.~~9~~8 Grading plans, construction specifications and bid documents shall **also** include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~ **the following notations:**

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**

- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****~~A~~ll recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

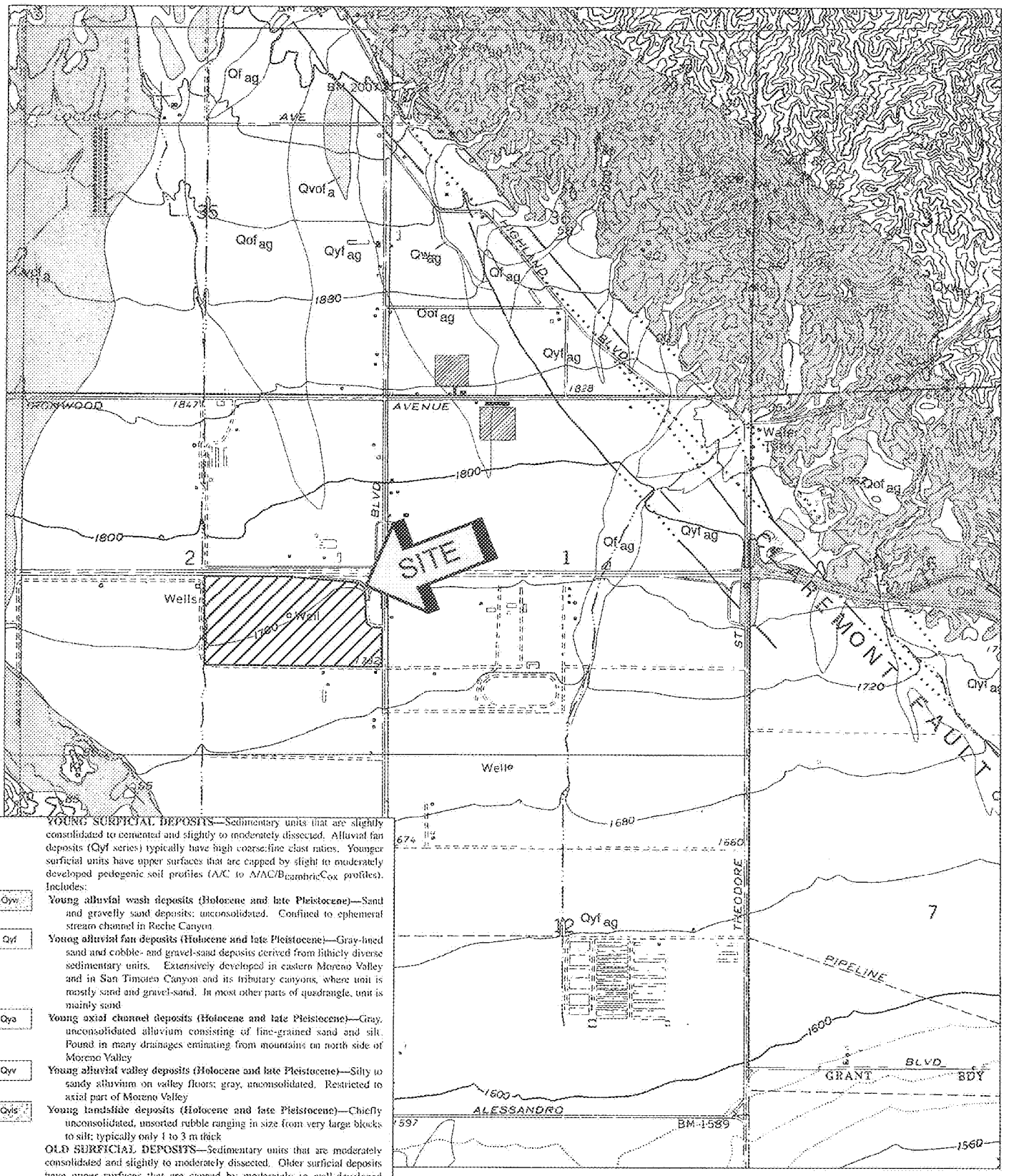

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/B$_{cambric}$C$_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C$_{ox}$ profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

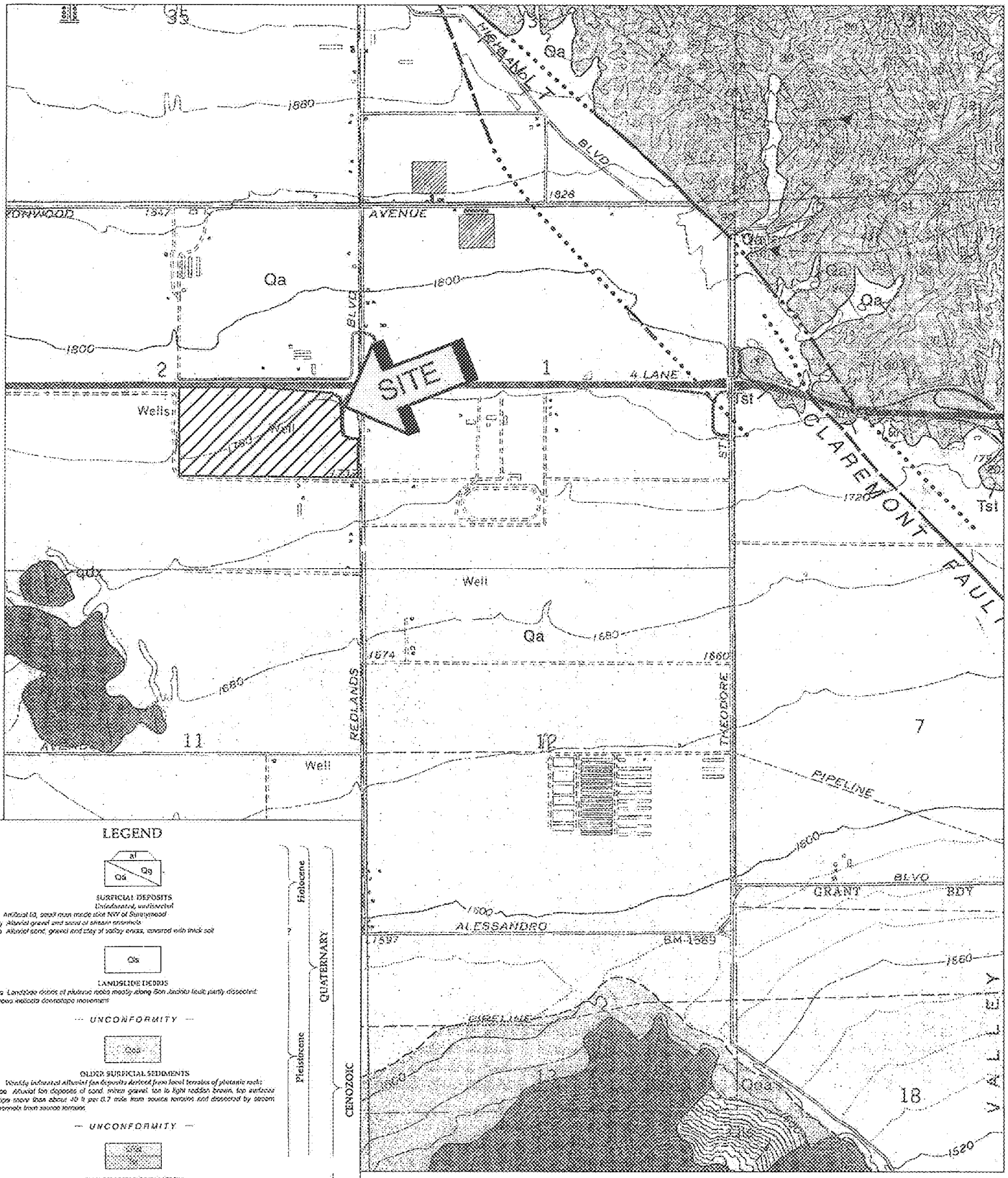

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small man made site NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terrains and dissected by stream channels from source terrains

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Miall, 2004)

QTsa Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone, tentatively (?) overlain by Qoa in this quadrangle

Tsi Main part (pebble part of Morton and Miall, 2004), lithologically similar to upper part, within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00120121

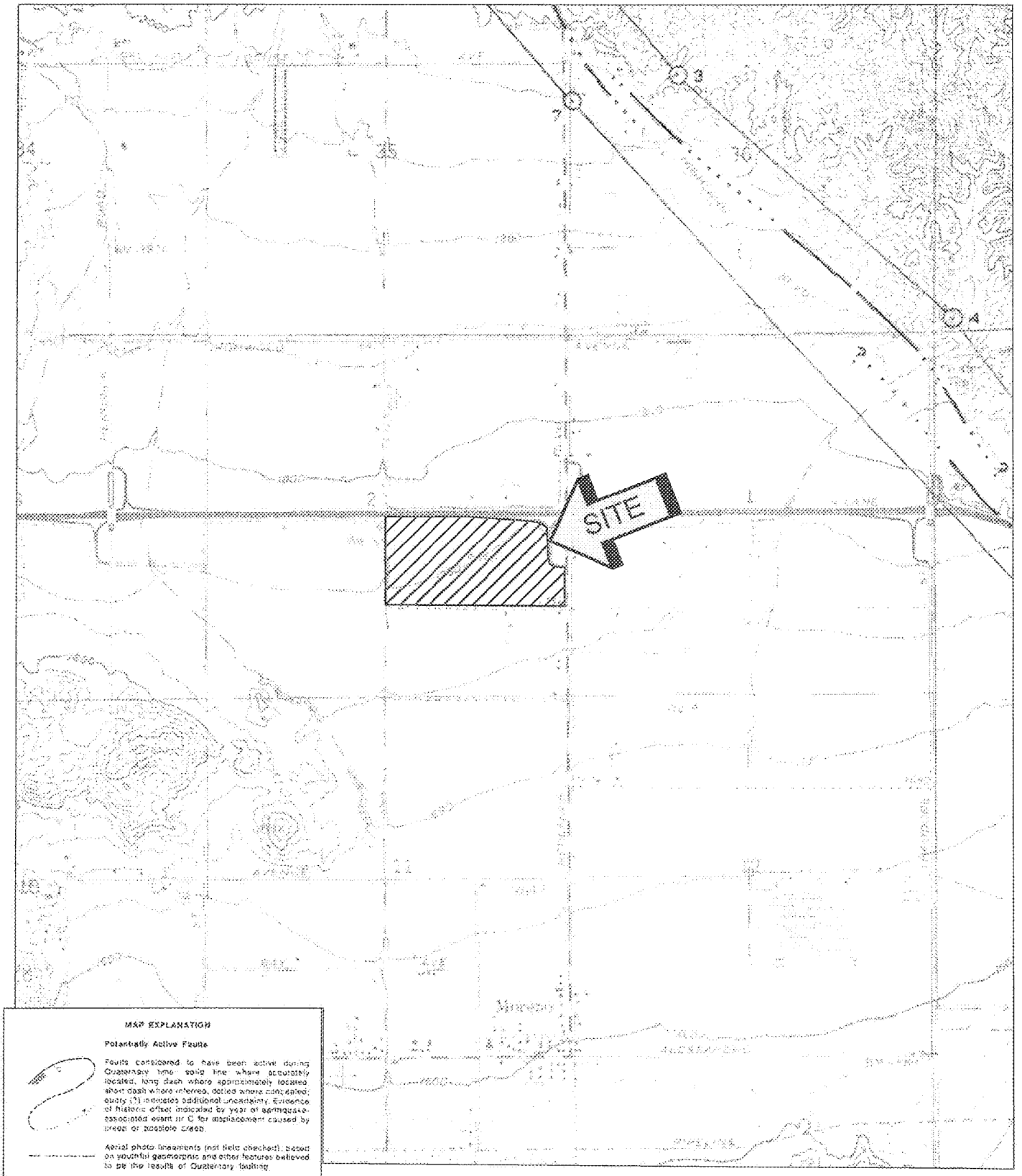

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00120122

FAULT ZONES
03/16/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00120123

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Item No. E.3

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

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Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

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Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead age

Item No. E.3

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

---

[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***): EMWD-2

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the***

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 9, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

Board of Directors

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Anthony J. Pack

Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time.
More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet: www.emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> 4.5.3 *The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> 4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

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Moreno Valley Planning Division

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truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

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Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
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> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

MA-11 cont'd.

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs".

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

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3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

RECEIVED
DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

GB-5

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason.

GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR?

GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault?

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

GB-9

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east.

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

GB-10

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 · Calimesa, California 92320 · Telephone (909) 446-0041 · Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

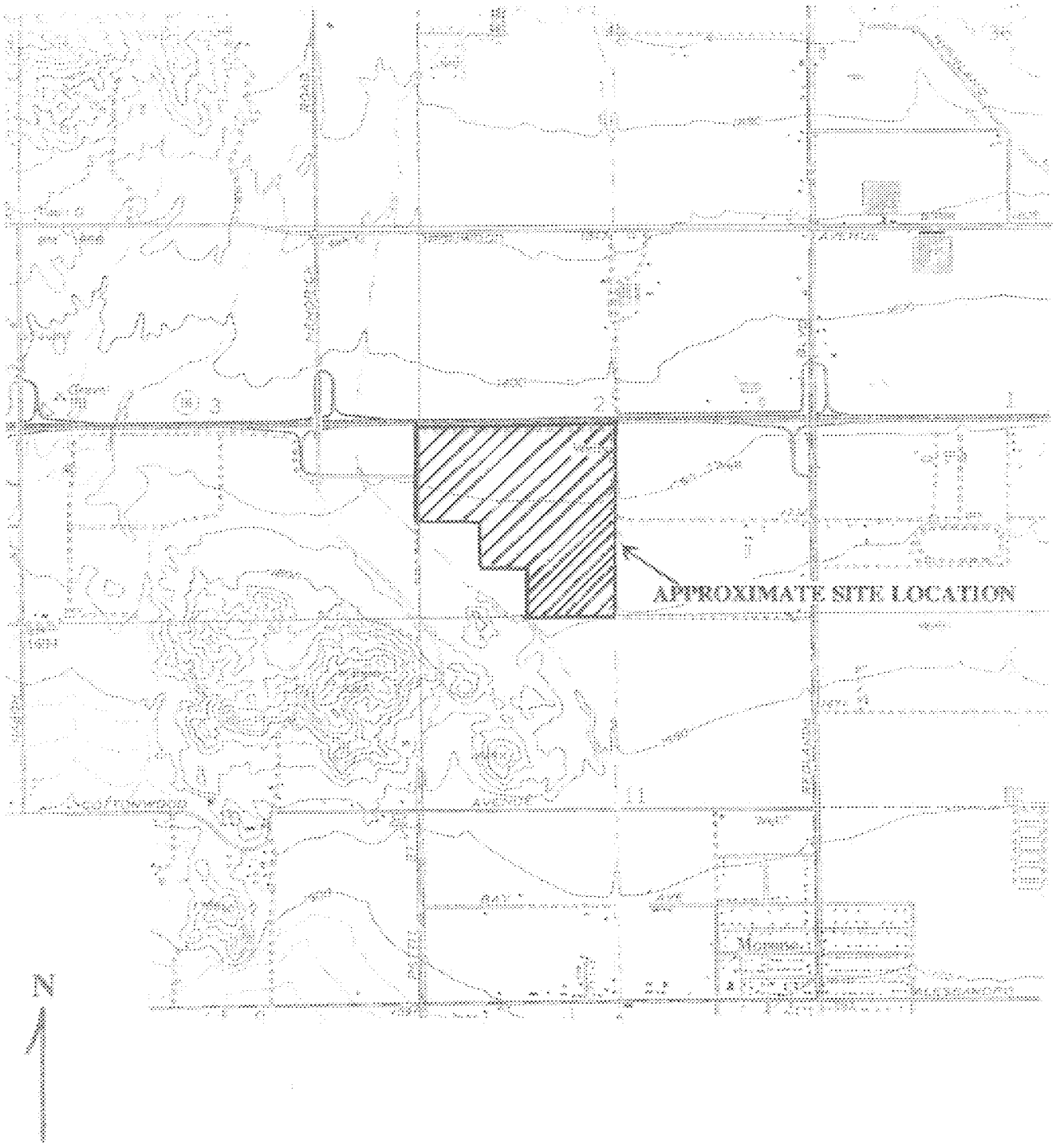

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 130± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

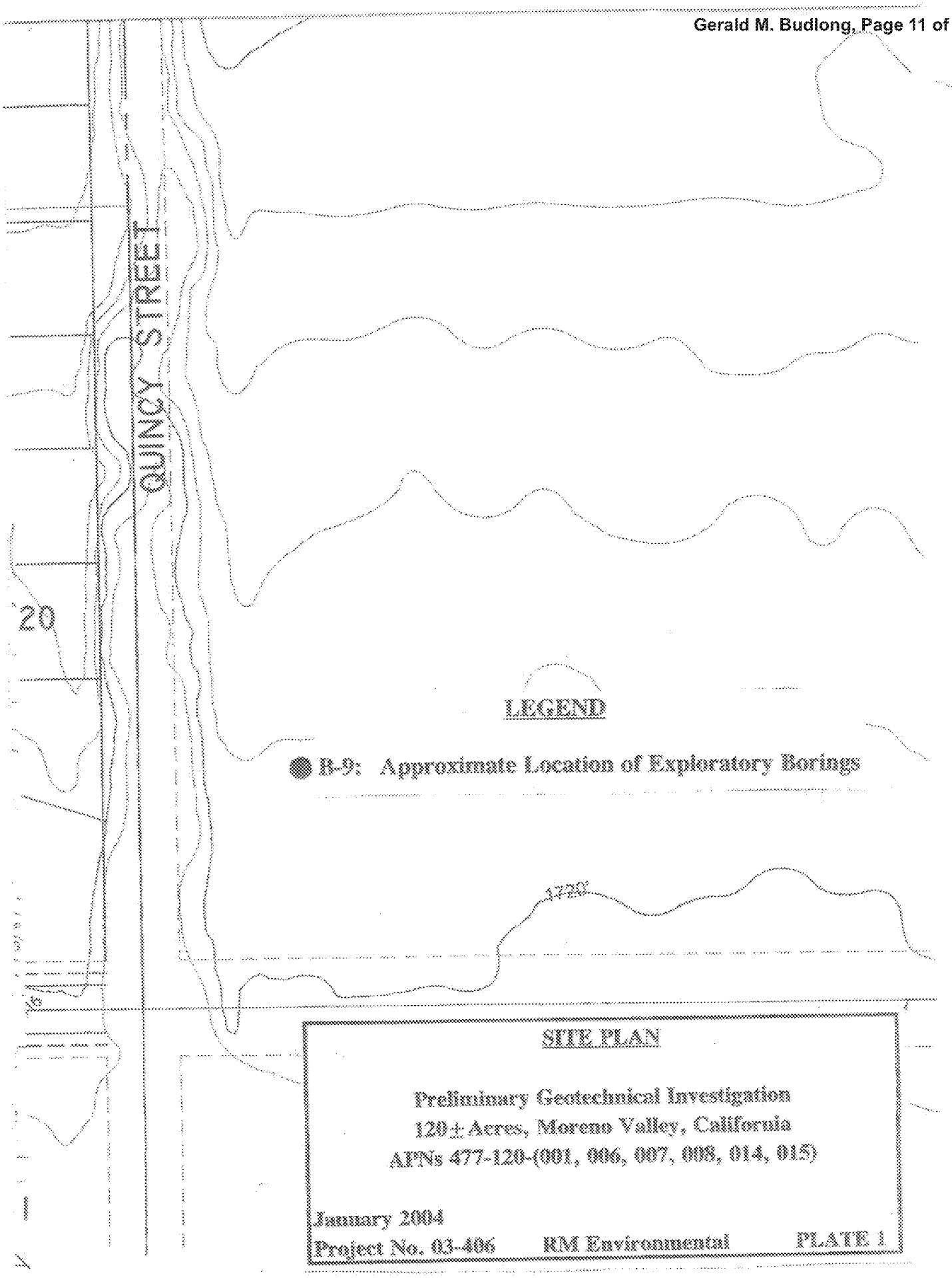

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

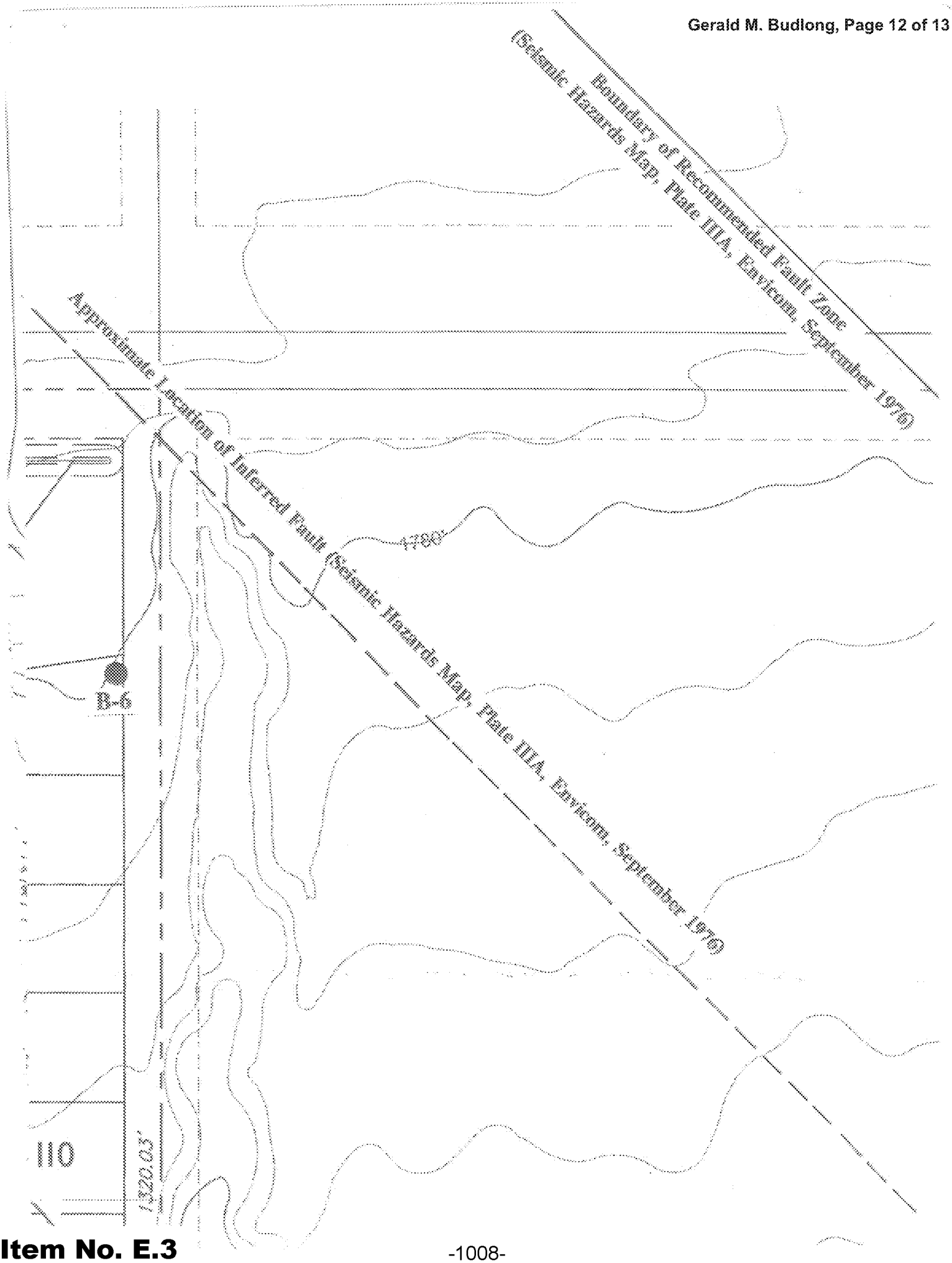
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcam, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcam, September 1976)
1780'
B-6
110
1320.03'

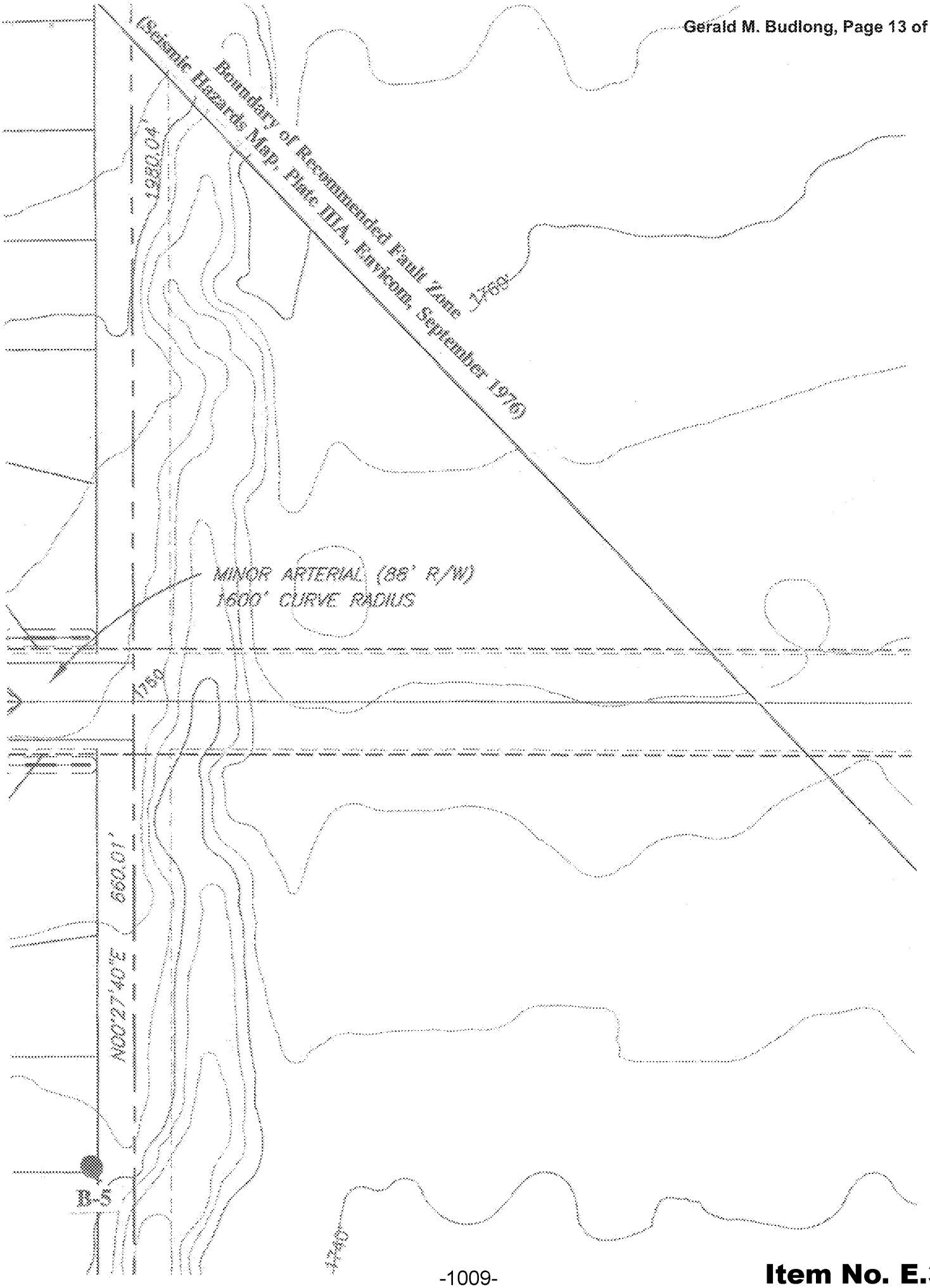
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harrison, September 1976
1920.04'
1769'
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

Item No. E.3

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

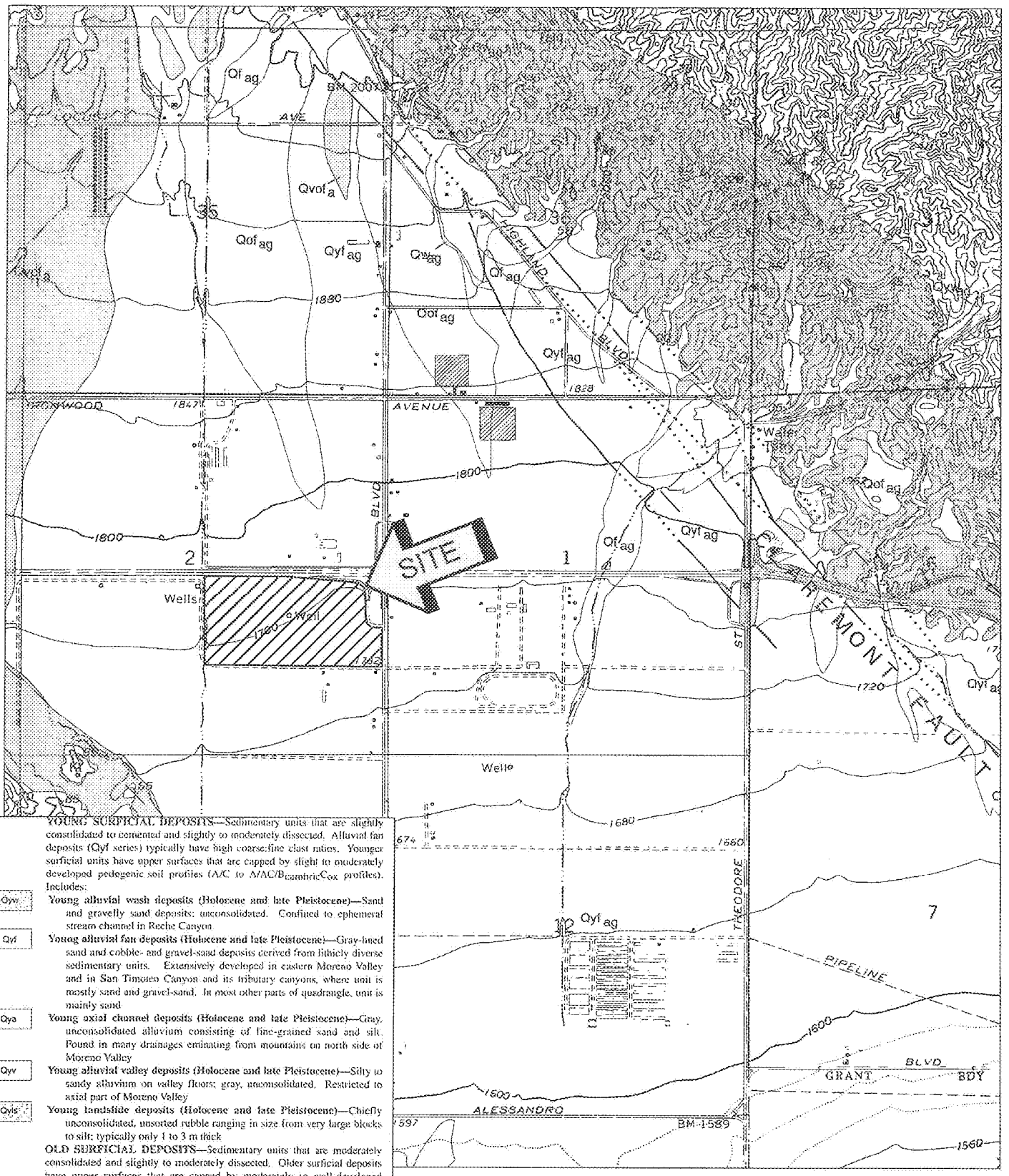

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to $A/AC/B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils ($A/AB/B/C_{ox}$ profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

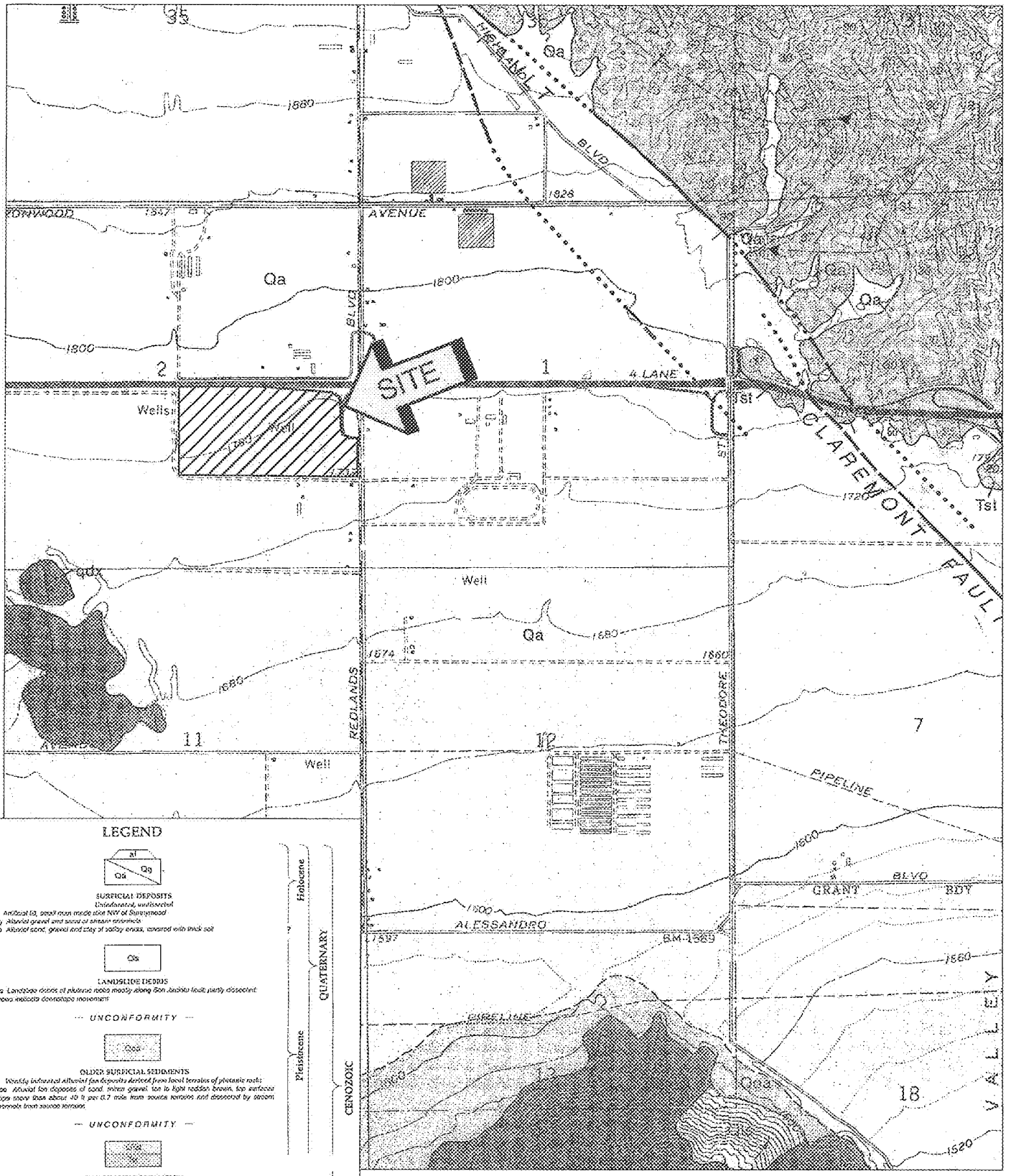

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made site NW of Sunnymead
Qg Alluvial gravel and sand of stream channels
Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:
Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Hills of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); whole part referred to be of Pliocene age (Morton and Miall, 2004)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone, tentatively (?) overlain by Qoa in this quadrangle
Tst Main part (pebble part of Morton and Miall, 2004), lithologically similar to upper part, within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene
Pleistocene
Pliocene
QUATERNARY
TERTIARY
CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00120203

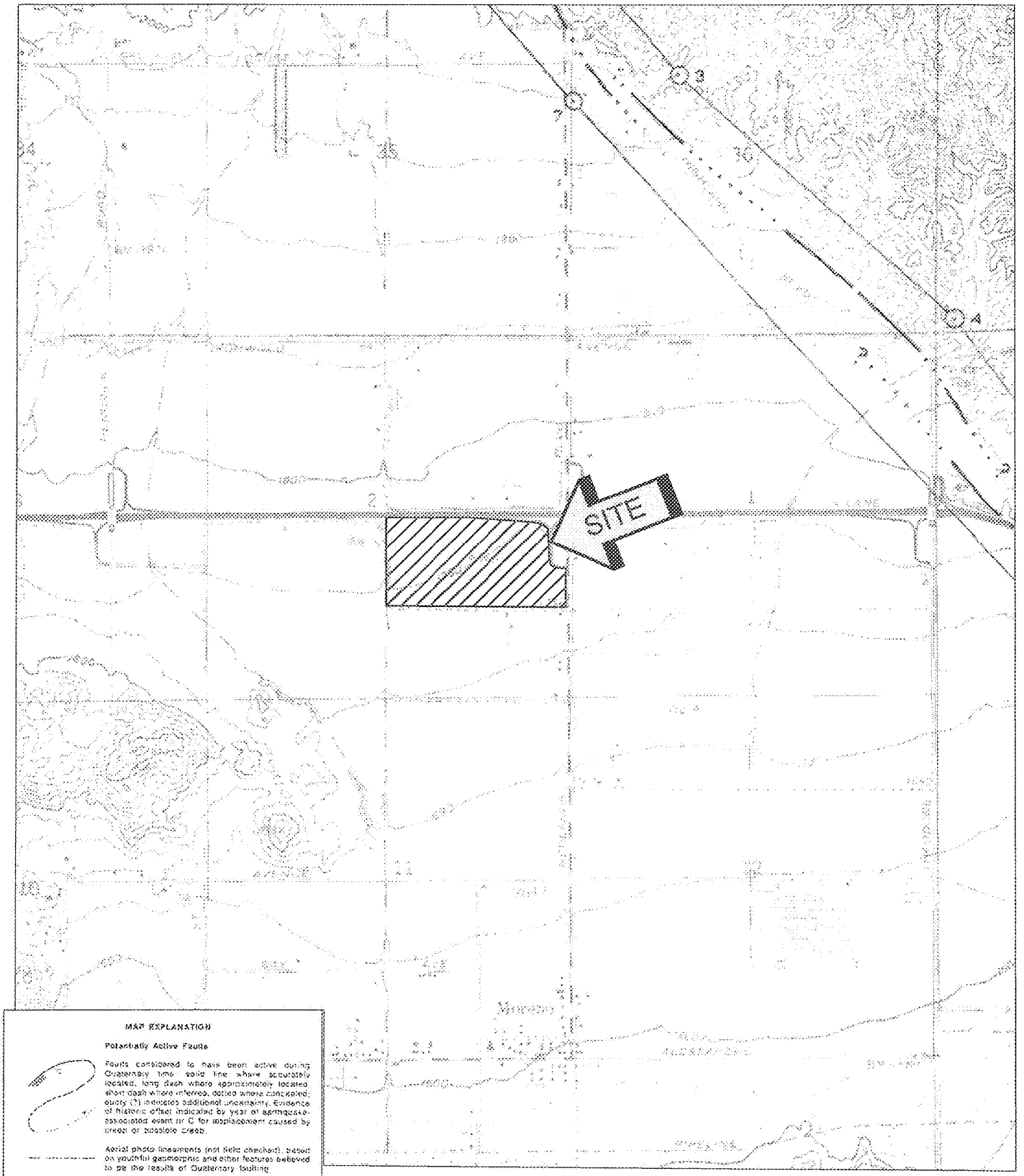

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'

DRAWN: DRK
CHKD: JAS

SCG PROJECT
09G285-2

PLATE 3

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00120204

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00120205

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

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[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

<u>Response FNSJ-23</u>

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

JS-14 (cont'd)

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts.

JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document.

JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of

JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is not the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

JS-54

(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

JS-55

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
>
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response JS-41

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> 4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

> **5.8 Direct impacts to wildlife**
>
> **5.8.1 Common Wildlife**
>
> The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

Common Wildlife Species

The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

Response JS-52

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

<u>Response JS-53</u>

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists [illegible] LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Response NDN-12

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

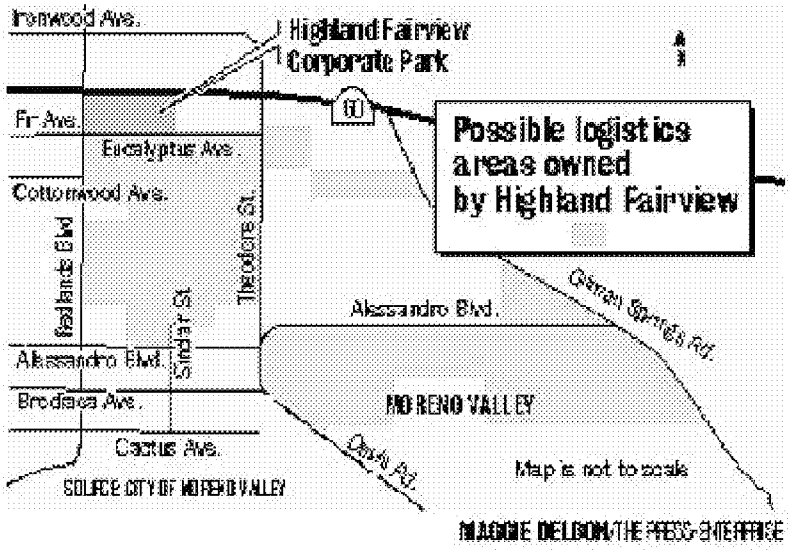

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools?

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

RLMV-2

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

RLMV-3

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- SC-1
without factoring Moreno Highlands into the equation. How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

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11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to <u>show the impacted views from the 60 Freeway looking south across the project site</u> to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

<u>Recommendation</u>: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

<u>*Building*</u> – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a <u>**mitigation measure** reducing the height of the structure to preserve some of the scenic vistas should be imposed.</u> Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

<u>*Light and Glare*</u> – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: www.darksky.org lists lighting fixtures and methods to meet dark sky specifications. <u>Add a Mitigation Measure</u> (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

Screen Walls – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

Landscaping – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGahee Dr. Moreno Valley 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto Wildlife Area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

City of Moreno Valley
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*Name (Required): Richard Johnson Phone: 951-243-0804

*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

*Note: Your name and contact information will become part of the public record for this project.

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

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Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

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CITY OF MORENO VALLEY

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

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*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area.

This report most include all the impacts of all 35 million sq ft in order to be of actual value to the community. DR-C-2

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.3

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
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Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

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Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.3

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

APPENDICES

Please refer to accompanying CD-ROM

Item No. E.3

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MV00120474

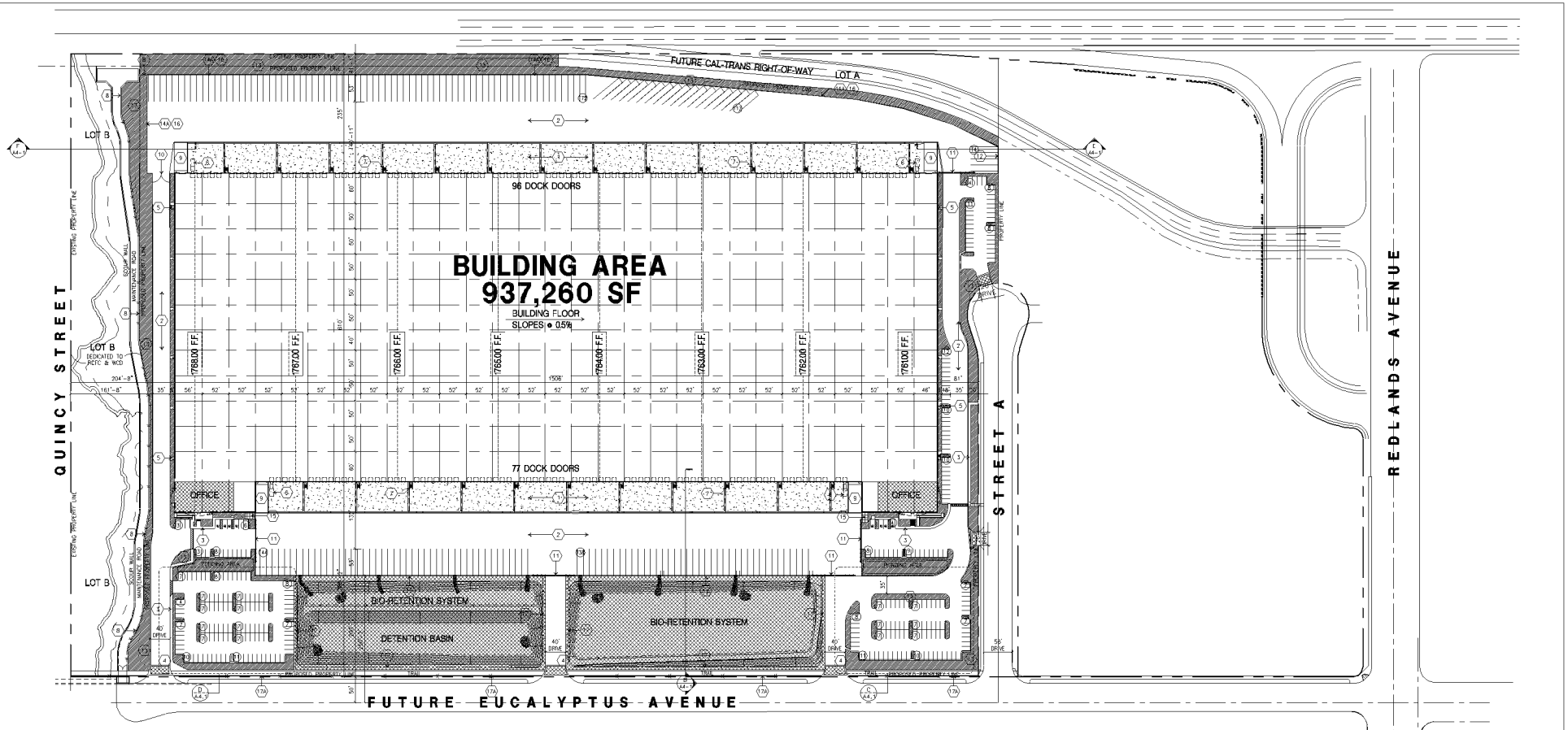

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

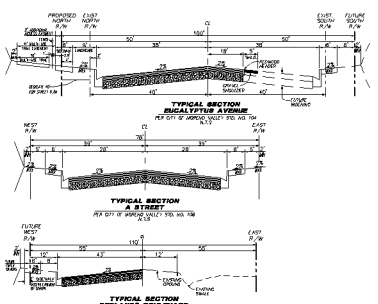

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.68
Net site area (in s.q.ft.)	2,269,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k@1/1,000 s.f.	20		
2nd. 20k@1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' WIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 6' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLOS, LLC
c/o PIERCE PROPERTY TRUST
301 CONVAL AVE. - STE. #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROE COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: GIL SWENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DRWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- P — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TINA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25500 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DALENHAUER

VICINITY MAP

N.T.S.

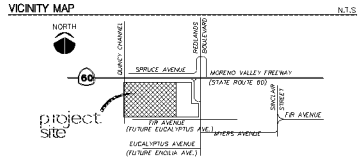

WestRidge

Commerce Center

MORENO VALLEY, CALIFORNIA

PIERCE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

HPA# 6342

NOVEMBER 5, 2010

A1.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

ATTACHMENT 11

MV00120475

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MV00120476

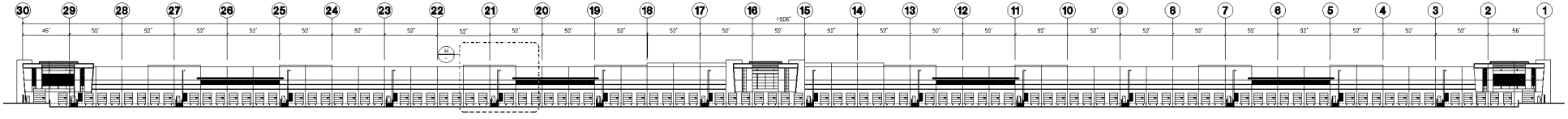

NORTH ELEVATION (A)
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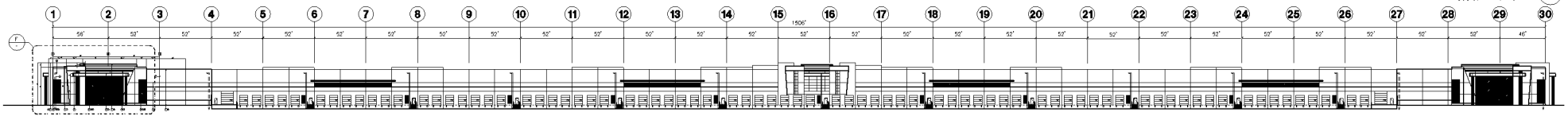

SOUTH ELEVATION (B)
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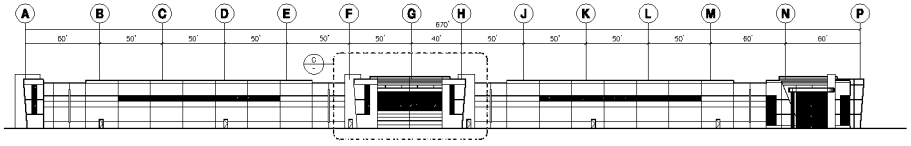

WEST ELEVATION (D)
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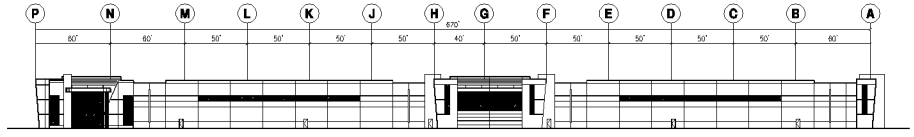

EAST ELEVATION (C)
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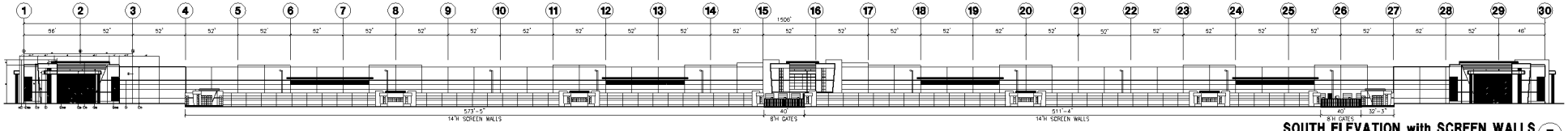

SOUTH ELEVATION with SCREEN WALLS (E)
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SCALE: 1"=40'
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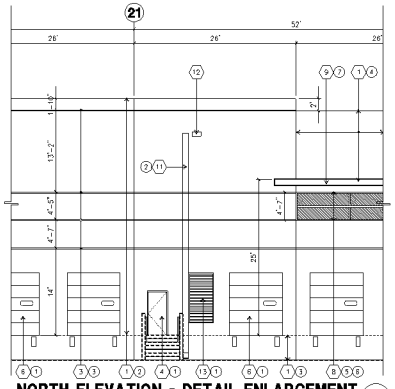

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
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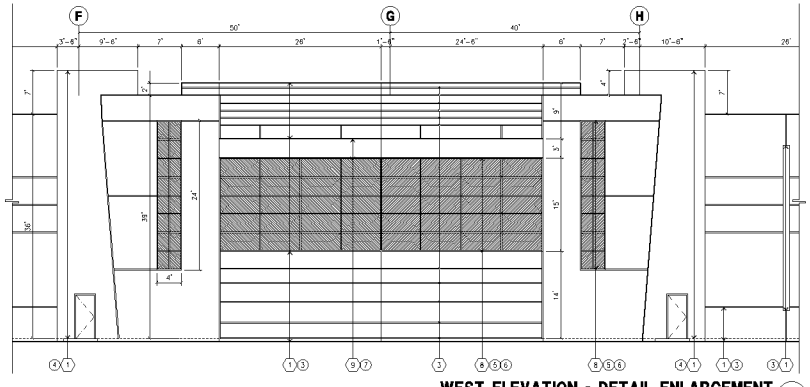

WEST ELEVATION - DETAIL ENLARGEMENT (G)
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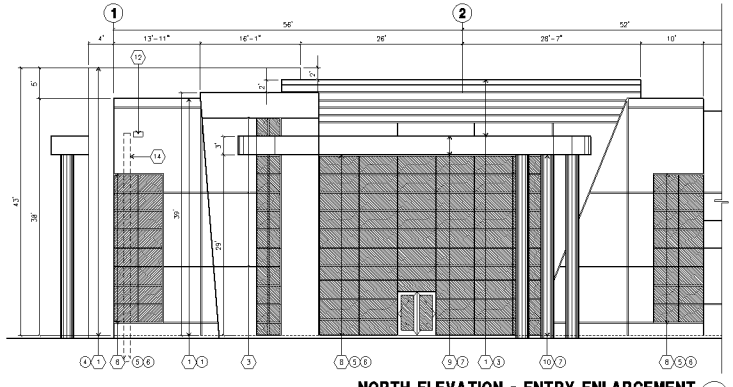

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173M EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566A DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

A3.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 12

MV00120477

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MV00120478

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

MV00120479

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MV00120480

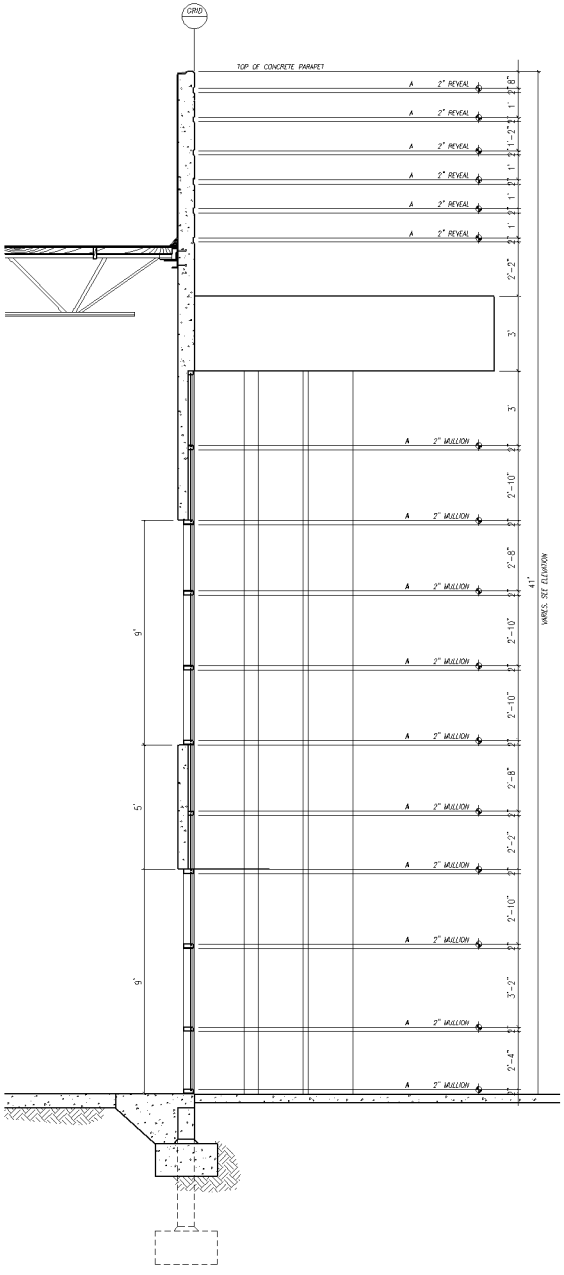

BUILDING SECTION @ OFFICE AREA (A)
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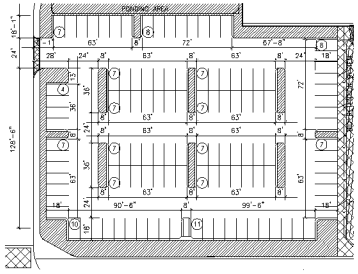

ENLARGED SITE PLAN @ SOUTHWEST (D)
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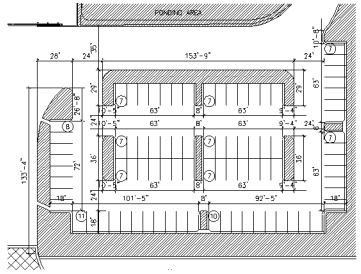

ENLARGED SITE PLAN @ SOUTHEAST (C)
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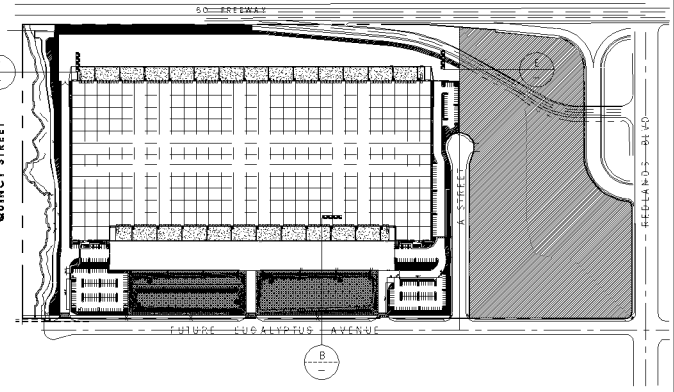

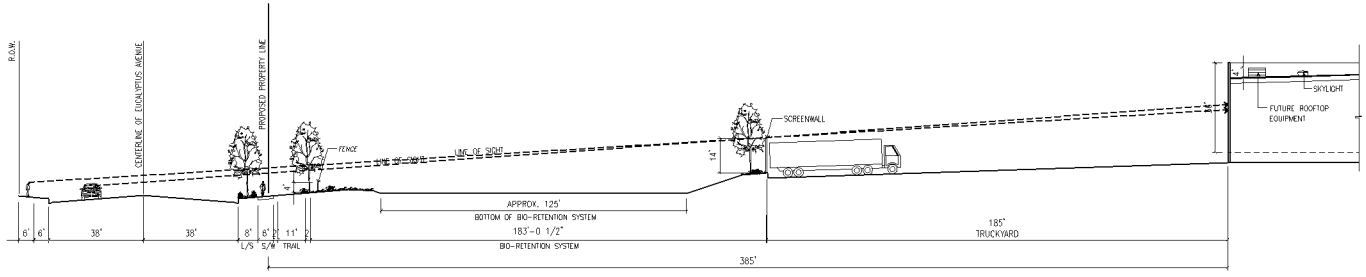

LINE OF SIGHT (B)
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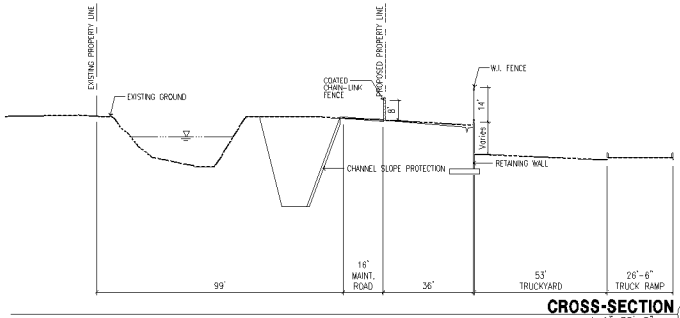

CROSS-SECTION (F)
scale: 1" = 20'-0"

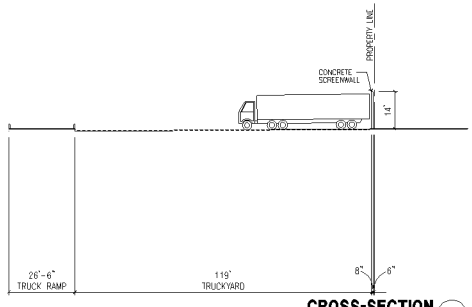

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

Rexford Property Trust
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A4.1

ATTACHMENT 14

MV00120481

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MV00120482

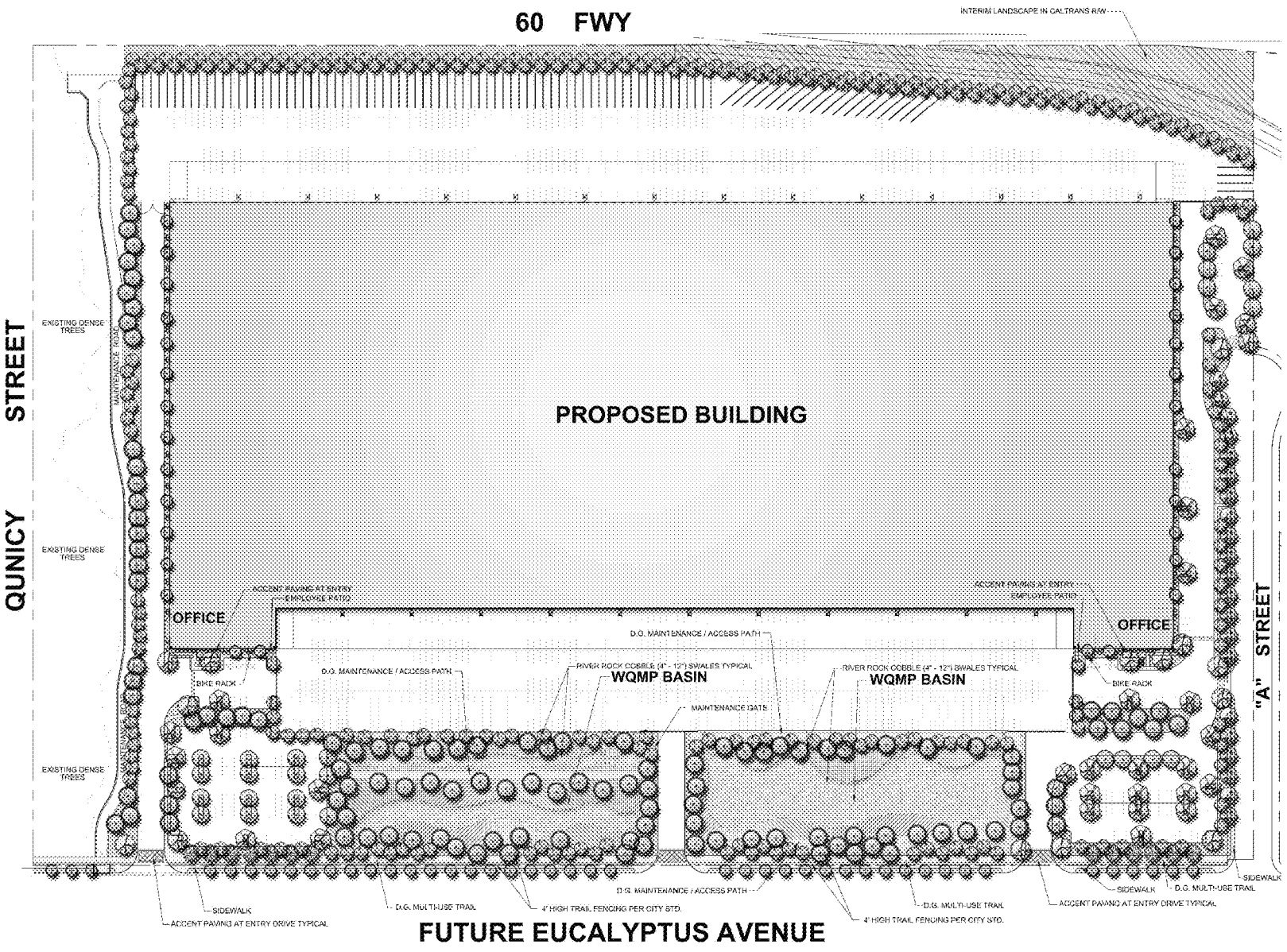

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus suber (Cork Oak)	15 GAL 24" BOX	30 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (Crimean Linden) Multi Trunk	48" BOX	16
	Ulmus americana (Liberty and Pink) OR Pistacia atlantica (Atlantic Pist)	15 GAL 24" BOX	150 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Includes Street Tree)	24" BOX	13
	Pistacia chinensis (Chinese Pistache)	15 GAL	152
	Pistacia chinensis (Chinese Pistache) (Includes Street Tree)	24" BOX	21
	Quercus agrifolia (Coast Live Oak)	24" BOX	24
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 5' OF HARDSCAPE SHALL BE 24" X 2 GRAINTOWN ROOT BARRIER 24" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Abelia grandiflora 'full Scarlet' (ACR)	5 gallon	30" o.c. spacing
Acacia cf. (Shrub Type Acacia)	5 gallon	6' o.c. spacing
Adenanthos sericeus (Coast Woolly)	1 gallon	12" o.c. (Staggered)
Agave americana (Century Plant)	5 & 15 gallon	6' o.c. spacing
Agave attenuata (Fence Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Artemisia pycnocephala (Sandhill Sagebrush)	5 gallon	3' o.c. spacing
Arctostaphylos (Manzanita Species)	5 gallon	5' o.c. spacing
Baccharis pilularis (Dwarf Coyote Bush)	5 gallon	5' o.c. spacing
Calliandra (Fairy Duster)	5 gallon	3' o.c. spacing
Carex divulsa (Grey Sedge)	1 gallon	12" o.c. (Staggered)
Carex tumulicola (Foothill Sedge)	1 gallon	12" o.c. (Staggered)
Ceanothus (Wild Lilac)	5 gallon	4' o.c. spacing
Cistus (Rock Rose)	5 gallon	4' o.c. spacing
Cotoneaster (Cotoneaster)	5 gallon	3' o.c. spacing
Dianella (Flax Lily)	5 gallon	3' o.c. spacing
Dodonaea viscosa 'purpurea' (Purple Hop Bush)	5 gallon	3' o.c. spacing
Elaeagnus pungens (Silverberry)	5 gallon	4' o.c. spacing
Fremontodendron (Flannelbush)	5 gallon	4' o.c. spacing
Galvezia speciosa (Island Snapdragon)	5 gallon	3' o.c. spacing
Heteromeles arbutifolia (Red Berry)	5 & 15 gallon	6' o.c. minimum
Juniperus species (various)	1 and 5 gallon	varies
Leucadendron (Leucadendron)	1 and 5 gallon	24" o.c. to 36" o.c. spacing
Leucophyllum frutescens 'Rio Grande'	5 gallon	4' o.c. spacing
Leucophyllum frutescens 'Green Cloud' (Texas Ranger)	5 gallon	4' o.c. spacing
Ligustrum lucidum (Wax Leaf Privet)	5 gallon	30" o.c. spacing
Macadamia integrifolia and tetraphylla (Macadamia Nut)	5 gallon	24" o.c. spacing
Mimulus species (MIM)	1 gallon	24" o.c. spacing
Muhlenbergia capillaris (Pink Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis 'Compacta' (Tree Myrtle)	5 gallon	36" o.c. spacing
Nandina domestica (Heavenly Bamboo)	5 gallon	24" 36" o.c. spacing
Pittosporum tobira 'Wheeler's Dwarf' (Tobira)	5 gallon	4' 0" o.c. spacing
Prunus ilicifolia (Holly Leaf Cherry)	5 gallon	4' 0" o.c. spacing
Rhamnus californica (Coffeeberry)	5 gallon	4' 0" o.c. spacing
Rhus integrifolia (Lemonadeberry)	5 gallon	4' 0" o.c. spacing
Ribes speciosum (Fuchsia Flowering Gooseberry)	5 gallon	4' 0" o.c. spacing
Rosa californica (California Wild Rose)	5 gallon	varies
Rosmarinus officinalis (Rosemary)	1 & 5 gallon	30" 36" o.c. spacing
Salvia clevelandii (Cleveland Sage)	5 gallon	5' o.c. spacing
Salvia greggii 'Purpurea' (Purple Sage)	5 gallon	4' 0" o.c. spacing
Salvia mellifera (Black Sage)	5 gallon	4' 0" o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (ACRN)	1 and 5 gallon	48" o.c. spacing min
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing min
Carex divulsa (Berkeley)	1 gallon	42" o.c. spacing min
Delosperma cooperi (Trailing Ice Plant)	1 gallon	24" o.c. spacing min
Hedera helix (Ivy)	1 gallon	24" o.c. spacing
Juniperus species (various)	1 gallon	36" o.c. spacing
Lantana montevidensis (Trailing Lantana)	1 gallon	18" o.c. spacing
Myoporum parvifolium (Myoporum)	1 gallon	24" 42" o.c. spacing
Pachysandra terminalis (Japanese Spurge)	1 gallon	18" o.c. spacing
Rosmarinus prostratus (Prostrate Rosemary)	1 gallon	48" o.c. spacing
Santolina chamaecyparissus (Lavender Cotton)	1 gallon	18" o.c. spacing
Trachelospermum jasminoides (Star Jasmine)	Flats and 1 gallon	18" o.c. spacing

INTERIM LANDSCAPE WITHIN CALTRANS R/W - PLANT 1 GAL., ACHIEVE BEGOLENE 12" O.C. WITH 3" INNER LAYER OFFICIAL DESIGN TO BE IRRIGATED WITH DRIP IRRIGATION

SIDEWALK VINE - INVISIBLE NON-SPARSE PURGE SEEDING MIX

0.25 LBS	ACHNATHERUM LENE	
0.50 LBS	NASSELLA CERNUA	
0.25 LBS	MONOLENEA FOXII	
0.50 LBS	NASSELLA PULCHRA	
0.50 LBS	MULGEDIUM CARDUNCULA	
0.50 LBS	VULPIA MICROSTACHYS	
0.25 LBS	MONOLENEA SUNCHOSPRIMA	

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Ficus repens (Creeping fig)	1 gallon	12" o.c. spacing
	Bougainvillea (varieties) (Cascading)	1 gallon	12" o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Dendrocalamus latiflorus (Giant Timber Bamboo)	5 gallon	6' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM NATIONAL CORP. 951-270-0200

Environsi

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

MV00120483

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MV00120484

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INCLUSIVE, BLOCK 35, OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT-ZOLLARS

NOVEMBER, 2010

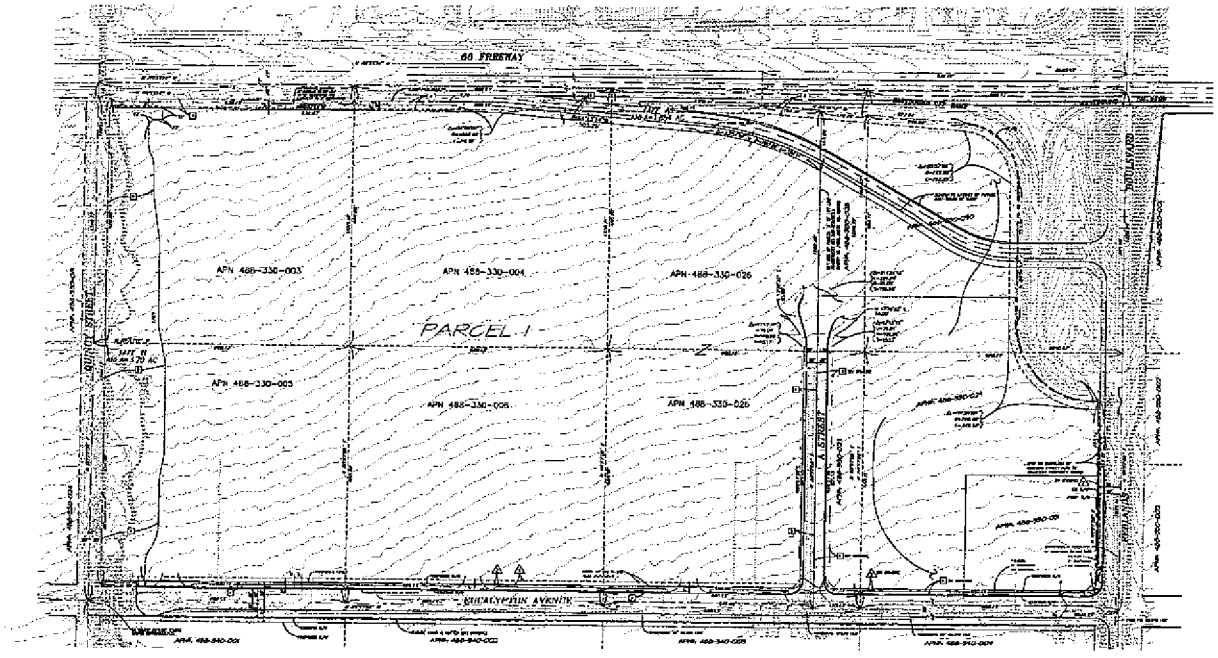

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: INDUSTRIAL, AND IS FAMILY TO THE EAST; AGRICULTURE TO THE SOUTH, WITHIN THE MORENO AND TEMECULA, TO THE EAST
3. AVERAGE LOT SIZE: 1 ACRE
4. EXISTING ZONING: IP1 PROPOSED ZONING: IL
5. FLOOD ZONE: X PANEL NO. 06065C0766G EFF. DATE: AUGUST 28, 2008
6. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
7. PROPOSED WATER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
8. PROPOSED SEWER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
9. ALL UTILITIES SHALL BE UNDERGROUND:
   GAS: SOUTHERN CALIFORNIA GAS COMPANY
   ELECTRIC: CITY OF MORENO VALLEY ELECTRIC UTILITY
   TELEPHONE: VERIZON TELEPHONE COMPANY
10. ALL SLOPES SHALL BE CONSTRUCTED AT A MAXIMUM RATIO OF 2:1 UNLESS OTHERWISE PERMITTED
11. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS
12. AERIAL TOPOGRAPHY PROVIDED BY: DIGITAL MAPPING INC.
13. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
14. AREA=30.444 AC±

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELACO, LLC
[illegible]
[illegible]
PH: [illegible]
FAX: [illegible]
CONTACT: ROBERT BECK

PREPARED IN THE OFFICE OF
HUITT-ZOLLARS, INC.
[illegible]
[illegible]
PHONE: (949) 341-7700

ROBERT E. SCHAFFER R.E. 64473

UTILITY PROVIDERS
WATER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]
[illegible]
[illegible]

GAS
SOUTHERN CALIFORNIA GAS COMPANY
[illegible]
[illegible]
[illegible]

SEWER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]
[illegible]
[illegible]

TELEPHONE
VERIZON
[illegible]
[illegible]

ELECTRIC
MORENO VALLEY UTILITIES
[illegible]
MORENO VALLEY, CA. 92552
[illegible]

CABLE - TV
MEDIACOM COMMUNICATIONS
[illegible]
[illegible]
[illegible]

LAND USE
AP ____ GROSS ACRES

EARTHWORK
CUT [illegible] = [illegible] CY
FILL [illegible] = [illegible] CY
IMPORT [illegible] CY
EXPORT [illegible] CY

LEGEND / ABBREVIATIONS

	PROPOSED BOUNDARY LINE
	PROPOSED FIRE WATER LINE
	PROPOSED DOMESTIC WATER LINE
	PROPOSED SEWER LINE
	PROPOSED STORM DRAIN
	EXISTING GAS LINE
	EXISTING WATER LINE
	EXISTING SEWER LINE
	EXISTING STORM DRAIN
	STORM DRAIN INLET
	CATCH BASIN
	BASIS OF BEARINGS BOUNDARY
	EXISTING RIGHT OF WAY/SITE BOUNDARY
	EXISTING SIDE LINE
	LOT LINE
	FIRE HYDRANT

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW HAVE BEEN EXTRACTED FROM A PRELIMINARY TITLE REPORT PREPARED BY [illegible] FOR THE COMPANY NAMED AS [illegible] DATED [illegible] THE [illegible] DAY OF [illegible] 2010 AT [illegible] PM. PURSUANT TO GOVERNMENT CODE SECTION [illegible] THE [illegible] DAY OF [illegible] 2010 AT [illegible] PM.

PARCEL 1:

LOT 2, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NEVERTHELESS THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

PARCEL 2:

LOT 3, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION DESCRIBED IN DEED RECORDED JANUARY 3, 1962, IN BOOK 1265, PAGE 506, OF OFFICIAL RECORDS, LYING SOUTHERLY AND WESTERLY OF THE NORTHERLY AND EASTERLY LINE OF THE COUNTY RECORDED OF SAID COUNTY.

EXCEPT NEVERTHELESS THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1265, PAGE 506 OF OFFICIAL RECORDS.

PARCEL 3:

LOT 4, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION DESCRIBED IN DEED RECORDED JANUARY 3, 1962, IN BOOK 1265, PAGE 506, OF OFFICIAL RECORDS, LYING SOUTHERLY AND WESTERLY OF THE NORTHERLY AND EASTERLY LINE OF THE COUNTY RECORDED OF SAID COUNTY.

PARCEL 4:

LOT 5, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION DESCRIBED IN DEED RECORDED JANUARY 3, 1962, IN BOOK 1265, PAGE 506, OF OFFICIAL RECORDS, LYING SOUTHERLY AND WESTERLY OF THE NORTHERLY AND EASTERLY LINE OF THE COUNTY RECORDED OF SAID COUNTY.

PARCEL 5:

A PORTION OF LOTS 6 AND 7 BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 6 BLOCK 35 OF SAID MAP; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 6 BLOCK 35 OF SAID MAP, 1 [illegible] FEET; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 6 BLOCK 35 OF SAID MAP, [illegible] FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID LOT 6 BLOCK 35 OF SAID MAP, [illegible] FEET TO THE SOUTH LINE OF SAID LOT 6 BLOCK 35 OF SAID MAP; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 6 BLOCK 35 OF SAID MAP, [illegible] FEET TO THE POINT OF BEGINNING.

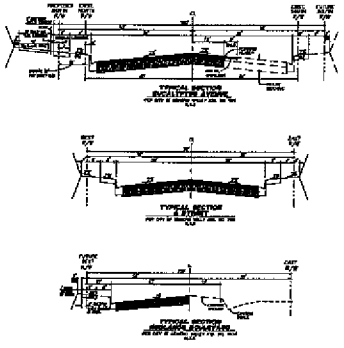

EASEMENT NOTES

(A) EASEMENT(S) FOR THE PURPOSES SHOWN BELOW AND HEREIN ACCEPTED, RESERVED OR GRANTED AS SHOWN ON A MAP RECORDED
GRANTED TO: EASTERN MUNICIPAL WATER DISTRICT
PURPOSE: PUBLIC UTILITY PURPOSES
RECORDED: DECEMBER 18, 1963, AS INSTRUMENT NO. 139944, BOOK 1263, PAGE 1007, OF OFFICIAL RECORDS

PROPOSED EASEMENT

(A) 10' EASEMENT FOR WALKWAY AND PUBLIC UTILITIES
(A) 5' EASEMENT FOR THE PURPOSE OF DISTRIBUTING FIRE WATER OF THE MAIN TO THE CITY OF MORENO VALLEY

PROPOSED DEDICATION

(B) DEDICATE 30' ADDITIONAL STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY
(B) DEDICATE 30' STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY
(C) LOT A, BLOCK 35 TO BE DEDICATED TO THE CITY OF MORENO VALLEY FOR FUTURE CALTRANS R/W
(D) LOT B, BLOCK 35 TO BE DEDICATED TO THE CITY OF MORENO VALLEY FOR SLOPE CHANGE R/W (SEE EARTHWORK SUMMARY)

LINE DATA

LINE	BEARING	DISTANCE
L1	[illegible]	[illegible]
L2	[illegible]	[illegible]
L3	[illegible]	[illegible]
L4	[illegible]	[illegible]
L5	[illegible]	[illegible]
L6	[illegible]	[illegible]
L7	[illegible]	[illegible]
L8	[illegible]	[illegible]
L9	[illegible]	[illegible]
L10	[illegible]	[illegible]

PARCEL SUMMARY TABLE
[illegible]

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1" = 100'

CITY CASE NO. PA09-0022

HUITT-ZOLLARS
HUITT-ZOLLARS, INC.
[illegible]

DESIGNED BY R.E.S.
DRAWN BY T.T. SUN
CHECKED BY R.E.S.
SHEET 1 OF 1 SHEETS
DATE [illegible]
JOB NO. [illegible]

ATTACHMENT 16

Item No. E.3

MV00120485

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MV00120486

West Ridge Commece Center Project

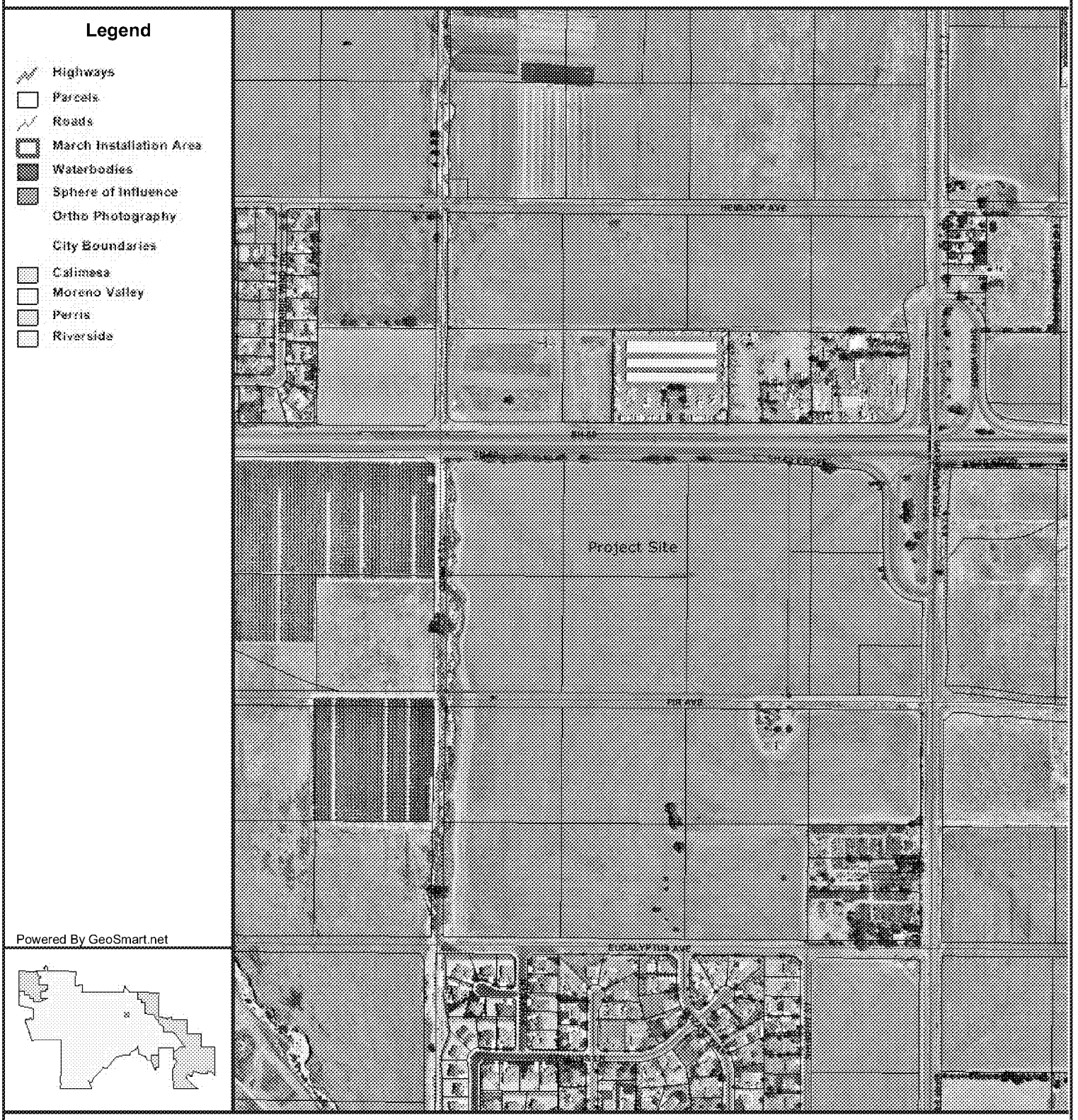

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

N

0 300 600 1200ft

MORENO VALLEY
WHERE DREAMS SOAR

Printed 1:52:36 AM

Item No. E.3

MV00120487

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MV00120488

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. <u>This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.</u>

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  - ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. AQMD-5 cont'd.

  - ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

  Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

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MV00120508

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

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MV00120514

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-325-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 154912 3⑈

Item No. E.3

MV00120521

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MV00120522

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer. ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

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MV00120528

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

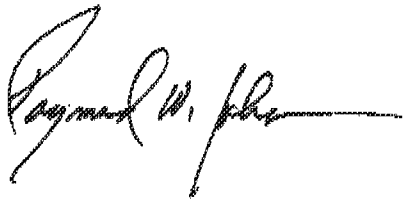

Raymond W. Johnson
JOHNSON & SEDLACK

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MV00120540

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

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MV00120546

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. **Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)**

b. **Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)**

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MV00120548

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS

RECOMMENDED ACTION

1. Staff recommends that the City Council adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the council districts from which members of the City Council are elected.

BACKGROUND/DISCUSSION

The California Elections Code provides that following each decennial federal census, the council shall by ordinance or resolution, adjust the boundaries of any or all of the council districts of the city so that the districts shall be as nearly equal in population as may be and shall comply with the applicable provisions of Section 1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, continuity, integrity and compactness of territory, and (d) community of interests within the districts. The timeline of adjustment of the boundaries shall be before the first day of November of the year following the year in which each decennial federal census is taken.

An initial step in undertaking the revision of district boundaries is to establish criteria which will be used to guide the redistricting process. The concepts reflected in the proposed criteria were presented by Alan Heslop, Founder of National Demographics Corporation (NDC), at the July 26, 2011 Special Meeting. National Demographics Corporation nationally recognized as a leader in the districting field has been contracted

by the City to conduct the required redistricting process. The timeline is provided accordingly.

Scheduled Timeline:

July – August 10
Creation of Public Participation Paper Kits

July – August 10
Creation of an On-line Redistricting Application for public use and submission of plans

August 23
Regular City Council Meeting - Adoption of Criteria

September 1
Creation and on-line interactive posting of 2 or 3 draft plans for citizens' review

September 12th and 15th
Citizens' Community Meetings in two areas of the city: one at the east end and one at the west end (citizen participation)

September 27
City Council Public Hearing - Review of suggested final map from citizens' input

October 11
City Council Public Hearing and Final Adoption of Resolution

ALTERNATIVES

There are no alternatives as redistricting is required in order to comply with applicable state law.

FISCAL IMPACT

National Demographics Corporation submitted a proposal for $27,500, not to exceed $45,000. Basic Elements include: development of redistricting database including U.S. Census and California Statewide Database data; incorporation of GIS data that the City wishes to include and provides; development of 2 or 3 "Consultant Plans" for Council consideration; analysis and preparation for Council consideration of all whole or partial-plans submitted by the public; any relatively minor corrections requested to a Council preferred Draft plan; and work with the Riverside County Registrar of Voters office to implement the final adopted plan.

The Optional Elements are additional cost items that can only be implemented by written approval from the City. The Optional Elements include: In-person Council and/or

public meetings*; Citizens' Community Meetings*; (consultant suggests a minimum of two meetings at $2,000 per meeting; if Council desires more citizens' community meetings, please provide staff direction); development of each new plan from scratch or nearly from scratch, beyond the 2 or 3 "Consultant Plans" in the basic package; creation of a "Public Participation Kit" in paper/Acrobat PDF-only and paper-plus-Excel formats*; on-line redistricting application for the public to use to design and submit redistricting plans for NDC review and Council consideration*; and translation of any project materials in Spanish*.

This expenditure has been included in the City Clerk's budget for FY 2011/12.

* Denotes Optional Elements that have been or will be implemented

NOTIFICATION

Publication of the agenda.

ATTACHMENTS/EXHIBITS

1. Proposed Resolution
2. Proposed City of Moreno Valley Criteria
3. City of Glendale, Arizona Criteria
4. City of Mesa, Arizona Criteria

Prepared By:
Jane Halstead
City Clerk

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00120552

RESOLUTION NO. 2011-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF THE COUNCIL DISTRICTS FROM WHICH MEMBERS OF THE CITY COUNCIL ARE ELECTED

WHEREAS, the Council Members of the City of Moreno Valley are elected from five districts within the City; and

WHEREAS, §21601 of the California Elections Code provides that following each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended; and

WHEREAS, in an effort to ensure a fair and orderly process for redrawing the district boundaries and to promote public confidence in the process, the City Council has decided to adopt criteria to guide the boundary revision process before revised district boundary proposals are drawn;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the redistricting criteria described in Exhibit A, attached hereto and incorporated herein by this reference, are adopted by the City Council and shall guide the City Council in the process of revising the Council districts from which Council Members are elected.

BE IT FURTHER RESOLVED that the City Council reserves the right to modify these criteria by further resolution or minute order to address issues or concerns raised during the redistricting process upon which the City is about to engage.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

CITY OF MORENO VALLEY
REDISTRICTING CRITERIA

Issues of Equality and Fairness

1. **Equal Population:** Each district shall contain a nearly equal number of inhabitants;

2. **Adherence to the Voting Rights Act:** District borders shall be drawn in a manner that complies with Section 2 and Section 5 of the Federal Voting Rights Act;

Councilmanic Districts:

3. **Councilmanic Districts**: District borders shall be drawn to avoid locating more than one current Council member in any one district as much as possible;

Good Government Criteria:

4. Each district shall consist of contiguous territory in as compact form as possible;

5. Each district shall respect communities of interest as much as possible;

6. District borders shall follow visible natural and man-made geographical and topographical features as much as possible;

7. Each new district shall preserve the corresponding existing district's population and territory as much as possible;

8. Districts known to be areas of higher-than-average population growth in the two to five years following redistricting may be under populated within the population deviation amounts allowed by law.

Exhibit A

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00120556

City of Glendale, Arizona

Redistricting Criteria Adopted by Council

Each district shall respect communities of interest as much as possible;

District borders shall follow visible natural and man-made geographical and topographical features as much as possible;

District borders shall be drawn to avoid locating more than one current Councilmember in any one district as much as possible;

Each new district shall preserve the corresponding existing district's population and territory as much as possible;

Districts known to be areas of higher-than-average population growth in the two to five years following redistricting, based on development projects that have received final plat approval from the City, may be under populated within the population deviation amounts allowed by law;

To the extent possible, consistent with constitutional law and the requirements of federal and state statutes, each district shall contain a substantially equal number of electors.

Attachment 2

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MV00120558

City of Mesa, Arizona

Redistricting 2011 Criteria

Issues of Equality and Fairness

1. Equal Population – Under the federal mandate of one-person one-vote, each person's vote is equal to that of any other person; therefore, districts must be equal in population. Arizona state law also speaks to this criterion stating that districts should be "nearly equal."
2. Adherence to the Voting Rights Act – The rights of minority communities should be respected and not be abridged. This means that minority communities must not be improperly packed or divided, and a full faith effort should be made to assure opportunities for minority representation. Race cannot, however, be the primary criterion in drawing boundaries.
3. Compactness and Contiguity – Arizona statute requires that districts "shall consist of contiguous territory in as compact form as possible."

Councilmanic Districts

4. The City Charter requires that, "The redrawing of district boundaries shall not remove the residence of an incumbent Councilmember from the district he was elected to represent during his term in that office."

Good Government Criteria

5. Respect Community of Interest – Self-identifying communities should be recognized and kept whole to the extent possible; and community centers (e.g., schools) should be used wherever possible in revising districts.
6. Follow Natural and Man-Made Boundaries to the Extent Possible – This is to assure ease of access, recognizable boundaries and to give respect to existing geography.
7. Citizen Input – Citizen opinions should be expressed through the use of citizen kits,

Attachment 3

at public meetings and hearings and through the City's hotline and should receive due consideration in the redistricting process.

8. Population Growth – Recognizing that the 2010 Census was taken more than one year ago and that the City continues to grow, to the extent possible population growth should be factored in when creating the revised boundaries.

9. Existing Districts – Mesa established its current district plan in 2001. Because of rapid population change, it will be impossible to prevent significant change in the existing boundaries; but, nevertheless, there is an advantage to both citizens and their representatives in maintaining to the extent possible the general configuration of the current plan.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: August 23, 2011

TITLE: APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

BACKGROUND

The City Clerk's Office posted a Notice of Opening to fill the vacancy for the teen member position on the Parks and Recreation Commission with a term expiring on January 27, 2013. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointee will serve without compensation for a designated term.

The City Clerk's Office received one application for this position. Application was submitted by Sierra Marrero.

The application was reviewed by the Parks and Recreation Commission staff liaison, Tony Hetherman, who recommends that the City Council appoint Sierra Marrero to the

Parks and Recreation Commission as a teenage member with a term expiring January 27, 2013.

ALTERNATIVES

A teenage member on the Parks and Recreation Commission provides input on activities and programs for teenagers in and around the City. By not appointing a teen representative, contributions from the teenage population would be greatly reduced, which is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council appoint a teen member to the Parks and Recreation Commission.

NOTIFICATION

1. Posting of Notice of Opening
2. Publication of the agenda
3. Report and agenda mailed to the applicant

ATTACHMENTS

None

Prepared by:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Oasis Community Church (APNs 296-300-005 and 296-300-007) and Buddhadhammo Temple (APN 488-210-014), (collectively "Property Owners"), have Conditions of Approval that require them to provide a funding source to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

A mail ballot proceeding was conducted earlier this year for Buddhadhammo Temple. The City Clerk did not receive the ballots prior to the close of the public hearing. In order to satisfy the Conditions of Approval, at the request of the property owner another mail ballot proceeding is being conducted.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the Property Owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. Property Owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owners, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES

maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges were estimated based on the parcel's front linear footage to the existing Alessandro Blvd. and the future Nason St. medians. Upon approval of the charges, APNs 296-300-005, 296-300-007, and 488-210-014 will be subject to the annual charges; however, the annual charge for APN 488-210-014 shall not be levied until such time as the planning of the median begins. Any future development of parcels adjacent to the medians in questions shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charge for APNs 296-300-005, 296-300-007, and 488-210-014 shall be proportionally adjusted.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceedings to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charges for Oasis Community Church and Buddhadhammo Temple are as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
Oasis Community Church		
APNs 296-300-005 (and any division thereof)	$212	$2,322.35
296-300-007 (and any division thereof)	212	608.10
Buddhadhammo Temple		
APN 488-210-014 (and any division thereof)	212	1,270.91

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APNs 296-300-005 and 296-300-007 is being balloted to provide a funding source to supplement the maintenance costs of an existing median funded by the General Fund, which will reduce the General Fund obligation for this median. The property owner of APN 488-210-014 is being balloted for maintenance costs of a future median that is planned to be constructed on Nason St. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple.

NOTIFICATION

The Property Owners were given more than the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots,

instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachments 1 and 2.)

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Oasis Community Church mail ballot packet
Attachment 2: Buddhadhammo Temple mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00120568

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Oasis Community Church
23750 Alessandro Blvd, No. C
Moreno Valley, CA 92553

June 15, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 296-300-005 and 296-300-007

******* OFFICIAL BALLOTS ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 296-300-005 and 296-300-007 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charges include maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APNs 296-300-005 and 296-300-007 are subdivided. If the APNs are merged then the annual charges for those APNs shall be combined. The charges levied shall not exceed the charges previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 296-300-005 and 296-300-007 (and any division thereof) and shall

be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the APNs are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if a simple majority of the weighted value of APNs are marked in favor of the annual charges.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted APNs oppose the CSD Zone M annual charges, then the annual charges will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

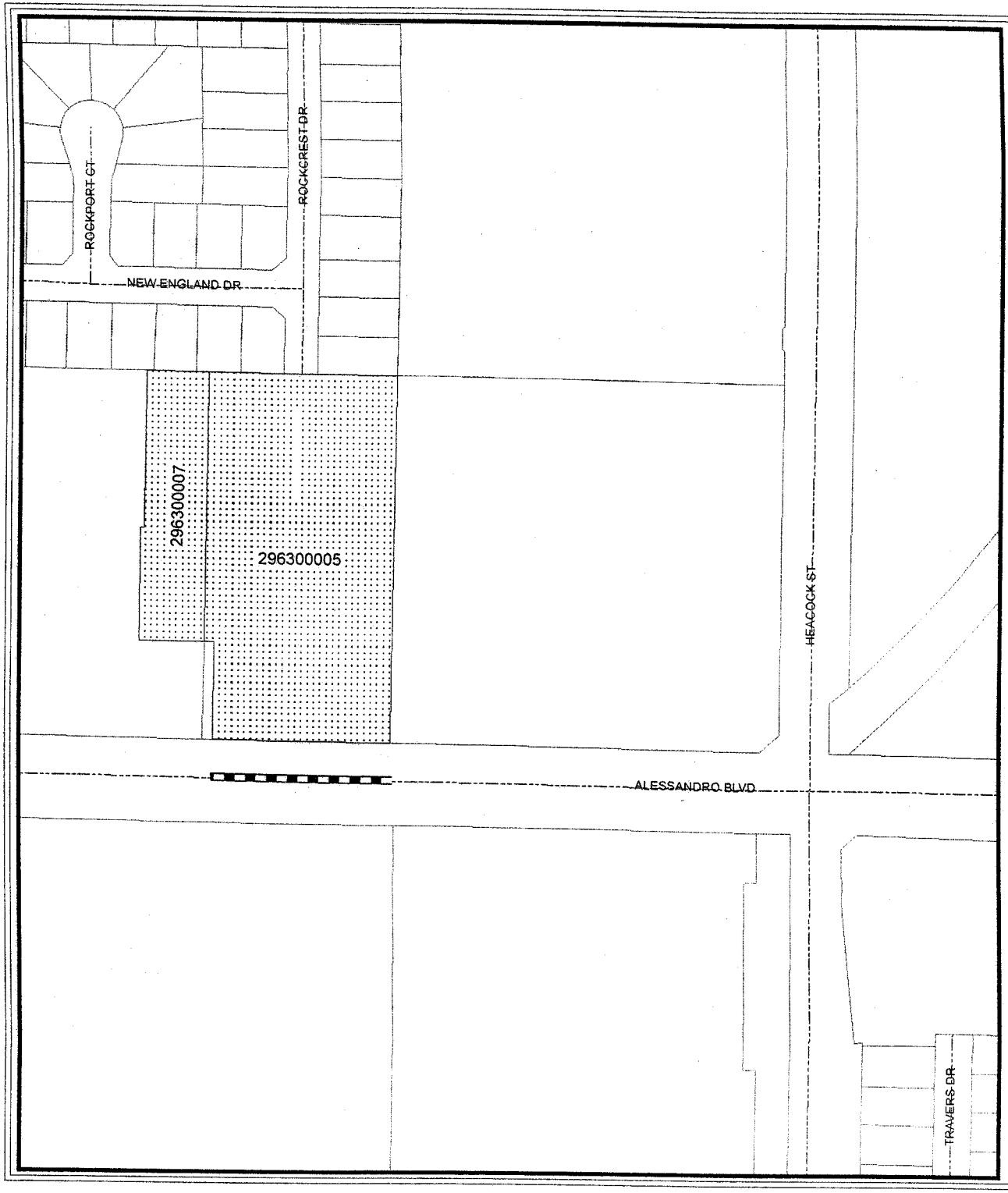

Oasis Community Church

APN

- 296300005
- 296300007
- Roads
- Parcels
- City Boundary
- Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of June 14, 2011.

N

0 150 300 450 600 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 296-300-005 and 296-300-007, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-300-005 (and any division thereof)	☐	☐	$212
296-300-007 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 296-300-005 and 296-300-007, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the CSD Zone M annual parcel charges. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
296-300-005 (and any division thereof)	☐	☐	$2,322.35
296-300-007 (and any division thereof)	☐	☐	608.10

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for Oasis Community Church is $2,930.45.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Albot Nikom
c/o Buddhadhammo Temple
13920 Nason St.
Moreno Valley, CA 92555

July 11, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 488-210-014

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APN 488-210-014 (and any division thereof) the opportunity to express support or opposition for approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 2

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 488-210-014 is subdivided. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M parcel charge for FY 2011/12 is $1,270.91 for the proposed Nason St. median. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 488-210-014 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual

levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and the proposed inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballots are marked in favor of the charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval. If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

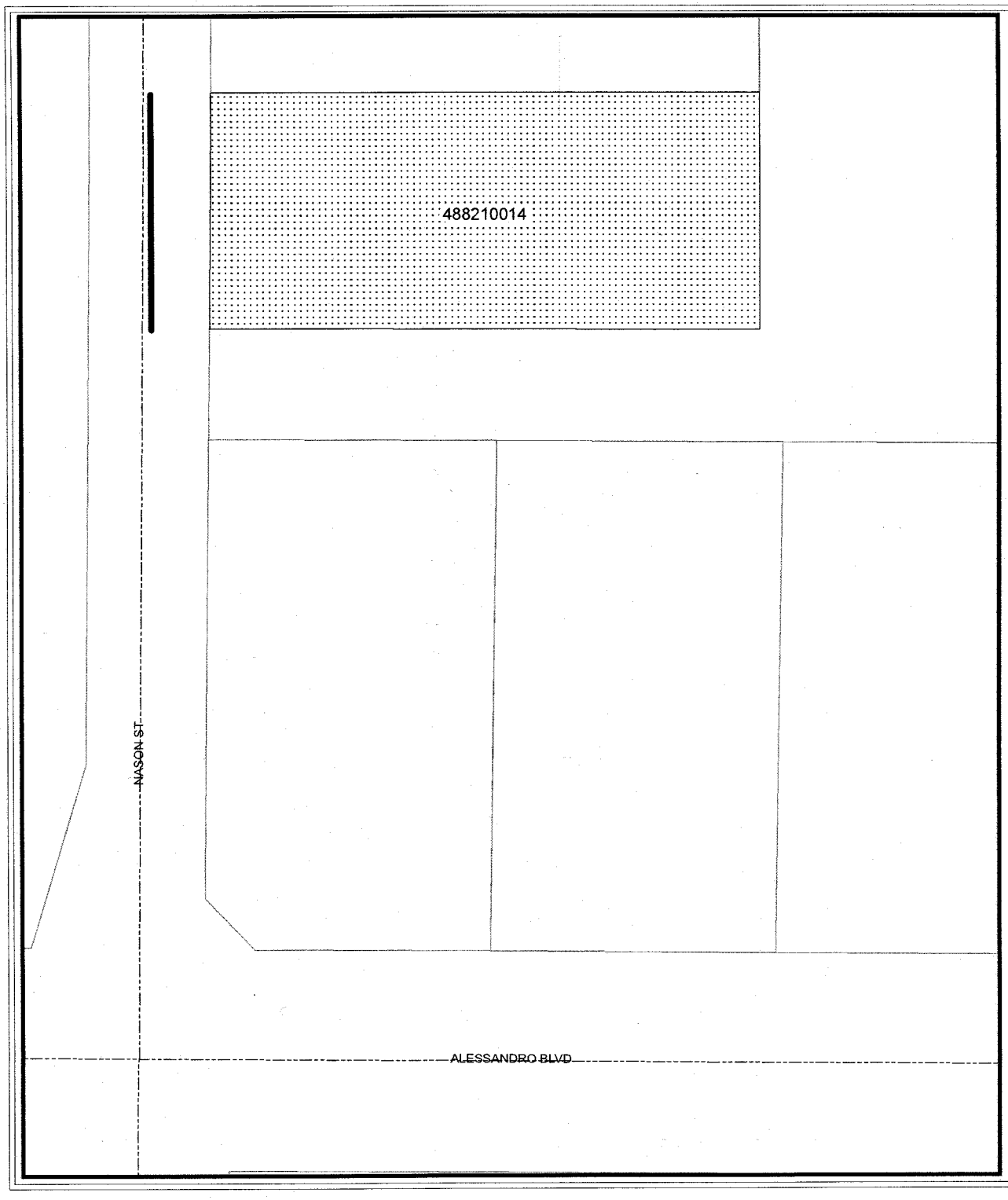

Buddhadhammo Temple
APN 488-210-014

APN

- 488210014
- Roads
- Parcels
- City Boundary
- Future Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of February 2, 2011.

N

0 50 100 150 200 Feet

G:\AVP\SDA\PA08-0091 Buddhadhammo Temple.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00120582

OFFICIAL MAIL BALLOT for
ASSESSOR PARCEL NUMBER (APN) 488-210-014

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 488-210-014 (and any division thereof), **I approve** the annual CSD Zone M charge of $1,270.91 for fiscal year (FY) 2011/12. Beginning FY 2012/13, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 488-210-014, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-210-014 (and any division thereof)	☐	☐	$1,270.91

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 488-210-014

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 488-210-014, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2011/12 the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 488-210-014, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-210-014 (and any division thereof)	☐	☐	$212 per parcel

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Oasis Community Church (APNs 296-300-005 and 296-300-007) and Buddhadhammo Temple (APN 488-210-014), (collectively "Property Owners"), have Conditions of Approval that require them to provide a funding source to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

A mail ballot proceeding was conducted earlier this year for Buddhadhammo Temple. The City Clerk did not receive the ballots prior to the close of the public hearing. In order to satisfy the Conditions of Approval, at the request of the property owner another mail ballot proceeding is being conducted.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the Property Owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. Property Owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owners, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES

maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges were estimated based on the parcel's front linear footage to the existing Alessandro Blvd. and the future Nason St. medians. Upon approval of the charges, APNs 296-300-005, 296-300-007, and 488-210-014 will be subject to the annual charges; however, the annual charge for APN 488-210-014 shall not be levied until such time as the planning of the median begins. Any future development of parcels adjacent to the medians in questions shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charge for APNs 296-300-005, 296-300-007, and 488-210-014 shall be proportionally adjusted.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceedings to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charges for Oasis Community Church and Buddhadhammo Temple are as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
Oasis Community Church		
APNs 296-300-005 (and any division thereof)	$212	$2,322.35
296-300-007 (and any division thereof)	212	608.10
Buddhadhammo Temple		
APN 488-210-014 (and any division thereof)	212	1,270.91

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APNs 296-300-005 and 296-300-007 is being balloted to provide a funding source to supplement the maintenance costs of an existing median funded by the General Fund, which will reduce the General Fund obligation for this median. The property owner of APN 488-210-014 is being balloted for maintenance costs of a future median that is planned to be constructed on Nason St. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple.

NOTIFICATION

The Property Owners were given more than the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots,

instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachments 1 and 2.)

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Oasis Community Church mail ballot packet
Attachment 2: Buddhadhammo Temple mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 11.12\Zone M NPDES\Oasis Community Church P10-020\Stfrpt PM 08.23.11.doc

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MV00120590

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Oasis Community Church
23750 Alessandro Blvd, No. C
Moreno Valley, CA 92553

June 15, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 296-300-005 and 296-300-007

******* OFFICIAL BALLOTS ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 296-300-005 and 296-300-007 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charges include maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APNs 296-300-005 and 296-300-007 are subdivided. If the APNs are merged then the annual charges for those APNs shall be combined. The charges levied shall not exceed the charges previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 296-300-005 and 296-300-007 (and any division thereof) and shall

be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the APNs are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if a simple majority of the weighted value of APNs are marked in favor of the annual charges.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted APNs oppose the CSD Zone M annual charges, then the annual charges will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

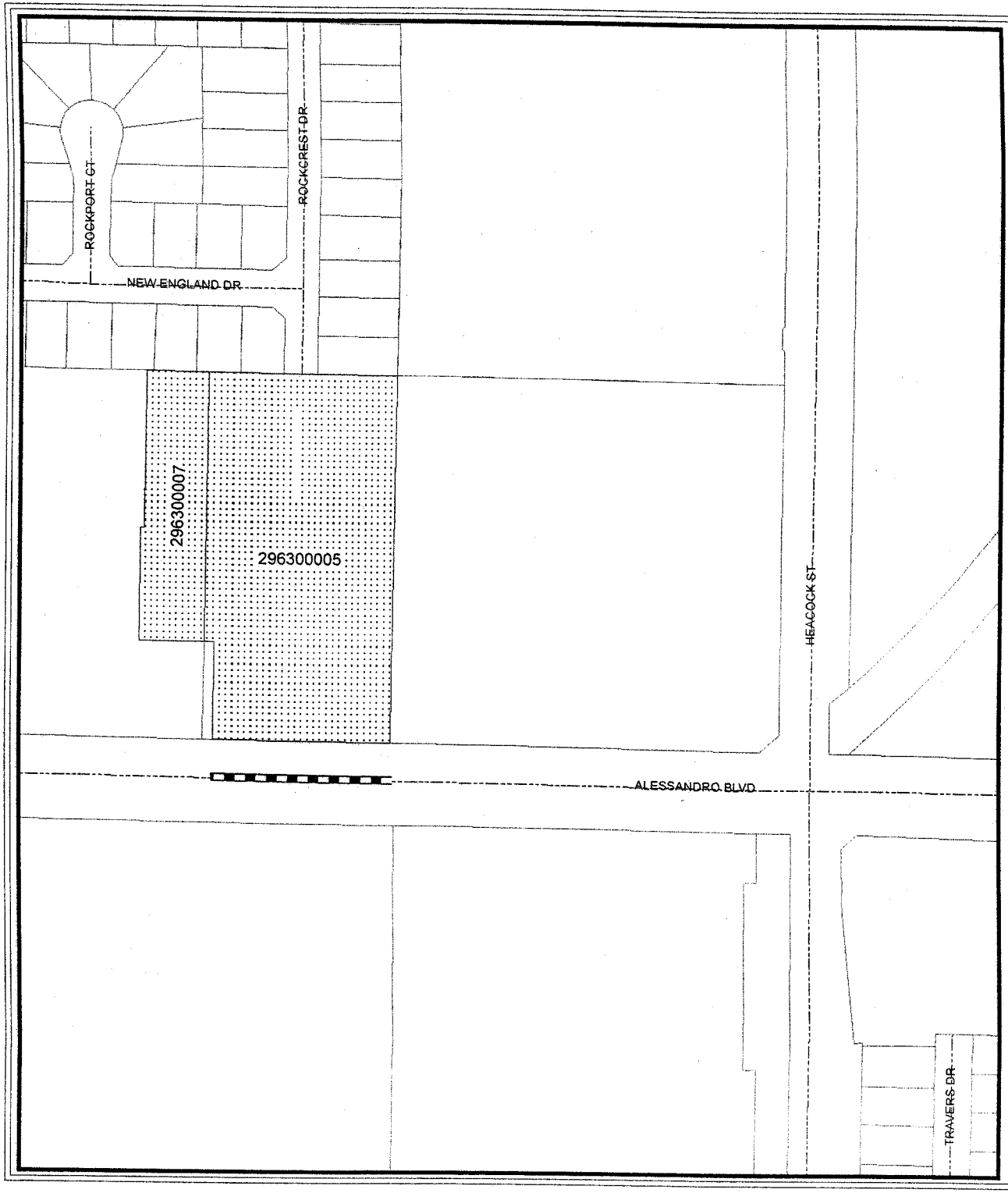

Oasis Community Church

APN

- 296300005
- 296300007
- Roads
- Parcels
- City Boundary
- Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of June 14, 2011.

N

0 150 300 450 600 Feet

G:\AVP\SDA\Oasis Community Church.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 296-300-005 and 296-300-007, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-300-005 (and any division thereof)	☐	☐	$212
296-300-007 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 296-300-005 and 296-300-007, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the CSD Zone M annual parcel charges. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
296-300-005 (and any division thereof)	☐	☐	$2,322.35
296-300-007 (and any division thereof)	☐	☐	608.10

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for Oasis Community Church is $2,930.45.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

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TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Albot Nikom
c/o Buddhadhammo Temple
13920 Nason St.
Moreno Valley, CA 92555

July 11, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 488-210-014

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APN 488-210-014 (and any division thereof) the opportunity to express support or opposition for approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 2

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 488-210-014 is subdivided. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M parcel charge for FY 2011/12 is $1,270.91 for the proposed Nason St. median. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 488-210-014 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual

levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and the proposed inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballots are marked in favor of the charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval. If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

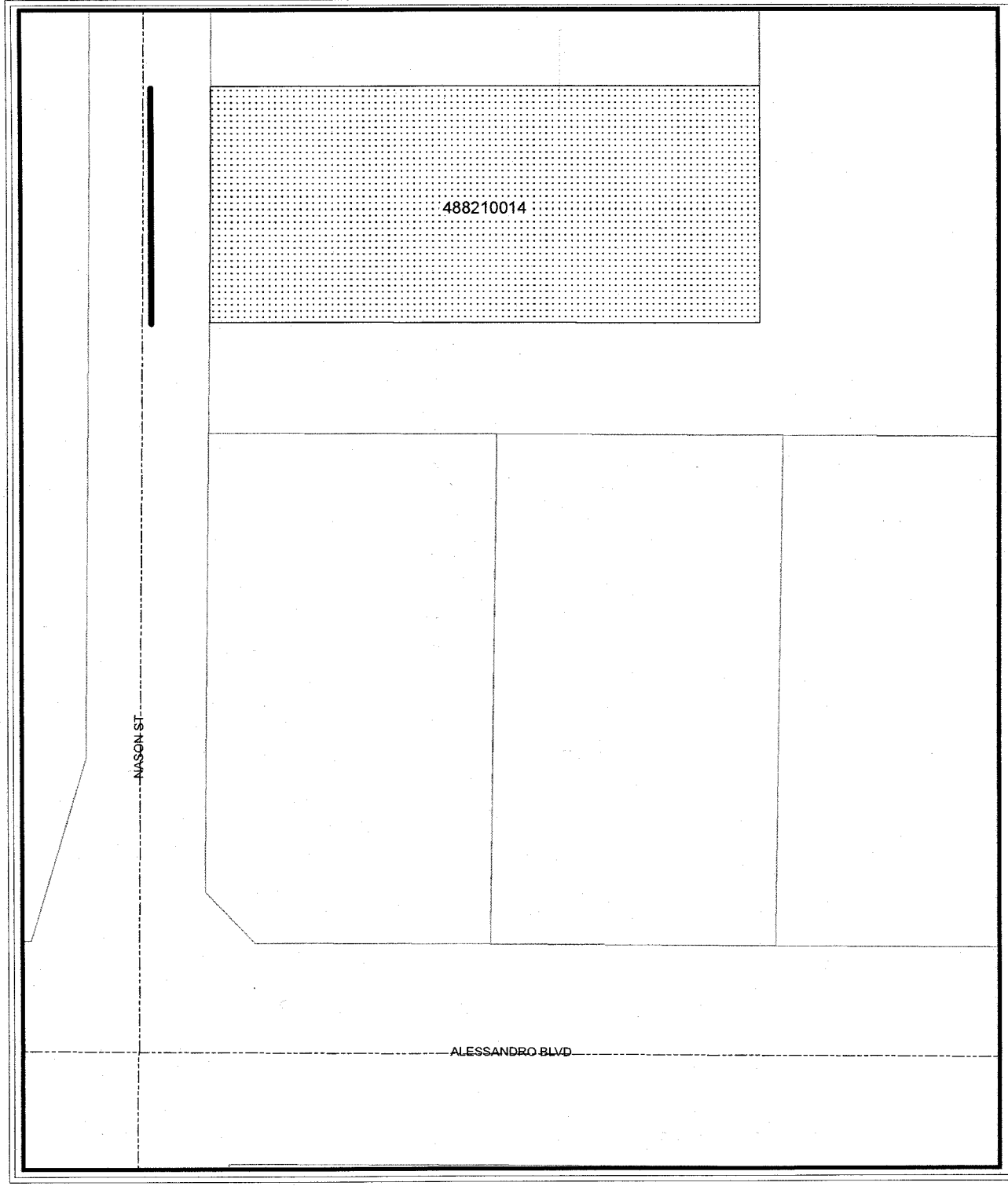

Buddhadhammo Temple
APN 488-210-014

APN

- 488210014
- Roads
- Parcels
- City Boundary
- Future Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of February 2, 2011.

N

0 50 100 150 200 Feet

G:\AVP\SDA\PA08-0091 Buddhadhammo Temple.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00120604

OFFICIAL MAIL BALLOT for
ASSESSOR PARCEL NUMBER (APN) 488-210-014

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 488-210-014 (and any division thereof), **I approve** the annual CSD Zone M charge of $1,270.91 for fiscal year (FY) 2011/12. Beginning FY 2012/13, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 488-210-014, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-210-014 (and any division thereof)	☐	☐	$1,270.91

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 488-210-014

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 488-210-014, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2011/12 the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 488-210-014, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-210-014 (and any division thereof)	☐	☐	$212 per parcel

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary,

maintaining the irrigation systems, weed control, litter removal, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

The CSD currently maintains the landscaping in the parkway for Tract 31129 on the north side Cactus Ave. east of Landon Rd. extending one lot beyond Dusty Coyote Ave. The parkway area west of Landon Rd. has not been completed by the developer due to circumstances related to completion of the adjacent lots. The developer has resolved the issues and is now prepared to complete the parkway. Installation of the parkway landscaping will add approximately 1,200 square feet of landscape area to maintain. The current parcel charge collected from the property owners in Tract 31129 will not support the acceptance of any additional area for landscape maintenance. Staff from Special Districts has asked the developer to complete the installation of the hardscape and irrigation in the parkway but to hold off on installing the plant material until it is determined that there is adequate funding to maintain the additional landscape area.

A mail ballot proceeding is being conducted to allow the property owners within Tract 31129 the opportunity to approve or oppose a proposed increase in the CSD Zone D annual charge to fund the additional costs to maintain the increase in the area of landscaping. The property owners in the tract are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge for Zone D, there shall be an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. The approved charge, which is subject to an annual inflation adjustment, shall be levied on the 2011/12 property tax bill. If there is a tie or if a majority of the returned valid ballots oppose the increase in the annual charge for Zone D, landscape maintenance services shall be reduced to a level consistent with available funding and the CSD will not accept any additional area to maintain. Each parcel in the tract will still be subject to the previously approved charge.

ALTERNATIVES

1. **Accept public comments** regarding the reballot of Tract 31129 for the proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the reballot of Tract 31129 for the proposed increase in the Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

There is no impact on the General Fund for the operation of the CSD Zone D program. The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D service in the landscaped parkway for Tract 31129 shall allow the CSD to maintain the current appearance of the neighborhood.

Revenue Diversification and Preservation
The proposed increase in the CSD Zone D parcel charge for Tract 31129 is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceeding for Tract 31129.

NOTIFICATION

A ballot packet was mailed to each property owner within Tract 31129 the week of July 25, 2011. The packet included a notice to property owner, calculation of the 2011/12 standard service charge, map, CSD Zone D service guidelines, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet is included as Attachment 1.

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 31129

Prepared by:
Jennifer Terry
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 11.12\Stfrpt Zone D Tract 31129 PM 08.23.11.doc

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Español al reverso

July 28, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) - TRACT 31129 REGARDING ACCEPTANCE OF ADDITIONAL LANDSCAPED AREA AND A PROPOSED INCREASE TO THE ANNUAL CHARGE

******* OFFICIAL BALLOT ENCLOSED *******
YOUR BALLOT MUST BE RETURNED TO BE COUNTED

Introduction

The Moreno Valley Community Services District (CSD) Zone D program funds administration and service costs for maintenance of designated common landscaped areas on the north side of Cactus Ave. To maintain landscape services at the standard service level, the CSD submits to you the enclosed ballot along with this notification. *Only returned ballots will determine whether the increase in the annual charge and the acceptance of the additional area to be maintained is approved.* The ballot provides property owners an opportunity to approve or oppose the proposed acceptance of additional parkway landscape along Cactus Ave., west of Landon Rd. and the increase to the annual charges to maintain the new and existing areas (see attached map). If approved, beginning in FY 2011/12 the landscaped service area will increase by approximately 1,200 square feet and each parcel's annual charge shall be **increased by approximately $4.54 per month** to meet estimated costs. The Zone D charges are collected on the County of Riverside property tax bills. The Zone D annual charge is a direct-benefit charge for your community; there are no other revenue sources to offset the costs to the property owners.

Background

The Moreno Valley CSD was formed when the City incorporated in 1984. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from designated CSD programs. The Zone D (Parkway Landscape Maintenance) program provides landscape maintenance services to designated areas that have landscaped perimeters and/or entry statements. See enclosed map for the location of these landscaped areas. In compliance with Proposition 218, "The Right to Vote on Taxes Act", the CSD is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support of or opposition to the acceptance of the additional landscaped area and the proposed increase to the annual charge to maintain the new and existing areas.

Services Provided

The Zone D annual charges fund administration and service costs for the landscape maintenance, which includes: mowing, trimming, pruning, weed control, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas. Included with this notice is a description of the general service level guidelines which may be performed for each service level.

How is the Amount of the Charge Determined?

The CSD zones are structured to be full cost recovery programs. The annual expenses per tract are divided by the number of parcels in the tract to determine the annual charge per parcel.

ATTACHMENT 1

Tel: 951.413.3480
Fax: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 Frederick Street, Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

NOTICIA A LOS PROPIETARIOS DE HOGAR – PROCEDIMIENTO DE VOTACION POR CORREO PARA EL DISTRITO DE SERVICIOS COMUNITARIOS ZONA D (MANTENIMIENTO DE LAS AREAS AJARDINADAS) FRACCIONAMIENTO 31129 REFERENTE A LA ACEPTACIÓN DE PAISAJE ADICIONAL Y A UN PROPUESTO INCREMENTO DEL CARGO ANUAL

******* BOLETA OFICIAL ADJUNTA*******
SU VOTACIÓN DEBE SER DEVUELTA PARA SER CONTADO

Introducción

El programa de la zona D del districto de los servicios de comunidad de Moreno Valley (CSD) financia el costo de administración y del servicio para el mantenimiento de áreas ajardinadas comunes en el lado norte de la avenida Cactus. Para mantener servicios del paisaje en el porcentaje de disponibilidad , CSD somete a usted la baleta incluida junto con esta notificación. Solamente las boletas devueltas se determinarán si el aumento en la carga anual y la aceptación del área adicional que se mantendrá es aprobado. La boleta le proporciona a propietarios una oportunidad de aprobar o de oponer la aceptación propuesta de paisaje adicional carretera ajardinada a lo largo de la avenida Cactus., al oeste de Landon Rd. y el aumento a la carga anual para mantener las nuevas y existentes áreas (véa el mapa adjunto). Si está aprobado, comenzará el año fiscal 2011/12 el área de servicio ajardinada aumentará aproximadamente 1.200 pies cuadrados y la carga anual de cada propiedad será aumentada aproximadamente $4.54 por mes para resolver costos estimados. Los cargos de zona D se recogen por el condado de Riverside cuentas de impuesto sobre la propiedad. La carga anual de la zona D es un cargo con ventaja directa para su comunidad; no hay otras fuentes de ingresos para compensar los costos a los propietarios.

Historial

El CSD de Moreno Valley fue formado cuando la Ciudad se incorporo en 1984. El CSD estableció subsidios para asignar los costos de servicios especializados a aquellas parcelas que reciban beneficios de ciertos programas designados por el CSD. El programa de la Zona D (Mantenimiento de las Áreas Ajardinadas) provee servicio de mantenimiento a áreas designadas que tengan jardín en los camellones, perímetro o monumentos en las entradas. Véase el mapa adjunto para localizar las áreas ajardinadas dentro de su comunidad. En cumplimiento con la Proposición 218, que estipula el derecho de voto en cuanto a impuestos a la propiedad, "The Right to Vote on Taxes Act", el CSD esta llevando a cabo este procedimiento electoral brindando la oportunidad a los propietarios de presentar su boleta a favor u oposición a la aceptación del paisaje adicional y el aumento propuesto al precio anual para mantener las áreas nuevas y existentes.

Los Servicios que se Proveen

El programa Zona D del Distrito de Servicios Comunitario de Moreno Valley (CSD) costea los costos relacionados con la administración y servicios de mantenimiento: corte de césped, podado de árboles y arbustos, fertilización, control de hierbas y basura, mantenimiento y reparación al sistema de irrigación, el costo de agua y electricidad, personal, al igual que otros elementos necesarios para el mantenimiento del jardín. Adjunta con esta nota, encontrara un resumen de los servicios que se proveen dependiendo del nivel de servicio.

Reason for the Increase

Since 2005 when the original parcel charge was estimated, higher costs for electricity, water, and maintenance have impacted the overall program costs for the current landscaped area. Sufficient funding is no longer available to offset the difference between the actual costs and the annual parcel charges paid by the property owners. There are no other revenue sources to pay for landscape maintenance. The CSD has been asked to accept approximately 1,200 square feet of additional landscaping located on the north side of Cactus Ave., west of Landon Rd. Pending property owner approval, the landscaping and irrigation is scheduled to be installed by the developer with the ongoing maintenance to be paid for by the property owners in the benefitting tract. Since the current parcel charges do not provide adequate funding for the full cost of landscape maintenance the CSD is required to ballot the property owners to seek approval for an increase to the annual charge to maintain services for both the existing and new landscaped areas at the standard service level.

Current Charge

The 2010/11 Tract 31129 annual charge for standard landscape maintenance services was $82.48 per parcel. For FY 2011/12 an annual inflation adjustment was applied, which increased the annual charge to $83.58 per parcel. The annual charges are collected on the County of Riverside property tax bills. The total amount levied for all tracts within the Zone D program for FY 2010/11 was $1,104,179.22; the total charges levied for Tract 31129 for FY 2010/11 was $8,990.32.

Proposed Charge

To meet current costs and to allow for the acceptance and ongoing maintenance of the additional landscaped area, the Zone D annual charge is proposed to be adjusted to $138.00 per parcel. This equates to an estimated annual increase of approximately 65% or $54.42 per parcel (or approximately $4.54 per month).

Annual Adjustment

The charge shall be subject to an annual inflation adjustment based on the percentage increase calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics in future years.

Zone D Parcel Charge History

The following table sets forth the history of the annual Zone D charge for Tract 31129.

Fiscal Year	Annual Charge
2009-10	$81.00
2010-11	$82.48
2011-12	$83.58

Duration of the Charge

If approved, the increase in the charge shall be levied on the County of Riverside property tax bills beginning with the FY 2011/12 tax bills, and each following year at the property owner approved charge.

Public Hearing

To provide information concerning the proposed mail ballot proceeding for the Zone D (Parkway Landscape Maintenance) program the CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

¿Como se Determina la Cantidad del Cargo Anual?

Los programas de las zonas CSD, son programas de recuperación de costo total. Los egresos anuales de cada fraccionamiento son divididos en proporción al número de parcelas acres para determinar el costo anual por parcela.

¿La Razón por el Incremento?

Desde 2005 cuando el precio de propiedad originalmente fue estimado, gastos más altos de electricidad, agua, y el mantenimiento han afectado los gastos del programa totales para la propiedad corriente. Fondos suficientes ya no estan disponibles para compensar la diferencia entre los gastos actuales y los gastos anuales pagados por los dueños de la propiedad. No hay otros fondos de ingresos para pagar el mantenimiento de propiedad. Se ha pedido que el CSD acepte aproximadamente 1,200 pies cuadrados de la jardinería ornamental adicional localizada en el lado norte de la avenida Cactus, al Oeste de Landon Rd. La aprobación del dueño de propiedad esta pendiente, la propiedad ornamental y la irrigación esta programada para ser instalado por el revelador y los gastos del mantenimiento sera pagado por los dueños de la propiedad para beneficiar el fraccionamiento. Ya que los gastos de la propiedad corrientes no proporcionan la financiación adecuada para el gasto entero del mantenimiento de paisaje se requiere que el CSD someta una votación a los dueños de propiedad para buscar la aprobación para un aumento al precio anual para mantener servicios tanto para la existencia como para nuevas propiedades en el nivel del servicio estándar.

Cargo Actual

Para el año 2010/11 el cargo anual para los servicios de mantenimiento estándar del fraccionamiento 31129 es de $82.48 por parcela. Para el año fiscal 2011/12 un ajuste de inflación anual fue aplicado, que aumentó el precio anual a $83.58 dólares por propiedad. El cargo anual se colecta mediante la factura de impuesto a la propiedad que se paga al Condado de Riverside. La cantidad total que se recaudo para el programa de la Zona D durante el año fiscal 2010/11 es de $1,104,179.22, los gastos totales de impuestos para el Fraccionamiento 31129 para año fiscal 2010/11 eran $8,990.32 dólares.

Cargo Que Se Propone

Para mantener gastos corrientes y tener la aceptación y continuar el mantenimiento del paisaje adicional,la Zona D precio anual es propuesta para ser ajustado a $138.00 dólares por propiedad. Se compara con un aumento anual estimado aproximadamente del 65 % o 54.42 dólares por propiedad (o aproximadamente $4.54 dólares por mes).

Ajuste Anual

El cargo anual estará sujeto ha un ajuste anual basado en el cambio a el porcentaje calculado durante el año anterior al Índice Regional de Precio al Consumidor para Todos Los Consumidores Urbanos de los Condados de Los Ángeles-Riverside y Orange, publicado por la Oficina de Estadísticas Laborales del Departamento de Trabajo en los próximos anos.

Historial de Cargos Por Parcela Para La Zona D

La siguiente tabla estadística refleja el historial de los cargos anuales de la Zona D, Fraccionamiento 31129.

Año Fiscal	Cargo Anual
2009-10	$81.00
2010-11	$82.48
2011-12	$83.58

Public Meeting	**Public Hearing**
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing, at a time and location as confirmed by the CSD Board. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors (City Clerk) in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Increase is Approved

If a simple majority (50%+1) of the returned valid weighted ballots approve the acceptance of the additional landscaped area and the increase in the annual charge, landscape maintenance services shall continue at the current level. The total approved charge of $138.00 per parcel shall be placed on the 2011/12 Riverside County property tax bill.

Effect if Increase is Not Approved

If there is a tie or if a majority of the returned valid weighted ballots oppose the increase in the annual charge, the additional landscaped area will not be planted and the landscape maintenance service level for the existing area shall be reduced to a level consistent with available funding. The net result may be that the overall appearance of these landscaped areas will be reduced from their present condition. If available funding cannot support the lowest level of service, property owners will be notified and maintenance services may be discontinued.

For More Information

If you have any questions about the proposed increase in the annual charge, the landscape maintenance services, about the mail ballot proceeding process, would like to schedule a community meeting for a detailed briefing, or would like to request additional supporting documentation such as detailed budget information, please contact the City's Special Districts Division, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

Completing Your Ballot

Property owners may submit the enclosed ballot to the CSD in support of or opposition to the proposed increase to the landscape service area and the annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballot in support of or opposition to the proposed increase to the annual charge **by placing a mark in the corresponding box.**
2. Sign your name on the ballot. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballot in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

Duración del Cargo

De ser aprobado, el incremento al cargo anual será colectado mediante el impuesto a la propiedad, que colecta el Condado de Riverside, comenzando con el año fiscal 2011/12 y cada siguiente año.

Audiencia Pública

Para proveer mas información en cuanto al procedimiento de votación por correo propuesto para la Zona D (Mantenimiento de Áreas Ajardinadas) se ha programado una Junta Publica y una Audiencia Publica, que se llevaran a cabo en la **Cámara de Ayuntamiento de la Ciudad de Moreno Valley (City Hall Council Chamber) localizada en el 14177 Frederick Street, Moreno Valley**.

Junta Publica	Audiencia Publica
Martes, 23 de Agosto , 2011	Martes, 13 de Septiembre , 2011
6:30 P.M. (o tan pronto come el asunto sea presentado)	6:30 P.M. (o tan pronto come el asunto sea presentado)

Las boletas regresadas serán tabuladas después del cierre de la Audiencia Publica, a una hora y lugar que sea confirmado por el Comité Ejecutivo de CSD. Todas las boletas recibidas serán tabuladas bajo la dirección del Secretario del Comité Ejecutivo del CSD (Secretario de la Ciudad) en conformidad con la corriente Política Para Conducir Procedimientos De Votación Por Correo 1.12.

El Efecto de Ser Aprobado el Incremento

Si una simple mayoría (50%+1) de las boletas validas aprueban aceptación del paisaje adicional y el incremento al cargo anual, el nivel de servicio de mantenimiento continuara vigente. El cargo anual aprobado de $138.00 por parcela será colectado mediante el impuesto a la propiedad, que colecta el Condado de Riverside, comenzando con el año fiscal 2011/12.

El Efecto Si el Incremento No Es Aprobado

Si la mayoría de las boletas validas regresadas se oponen al incremento al cargo anual o si hay un empate, el paisaje adicional no será plantada y el servicio de mantenimiento para el área existente será reducido a un nivel basado en los fondos disponibles. Si los fondos disponibles no llegasen a cubrir el nivel de servicio mínimo, los propietarios recibirán un comunicado por carta que los servicios serán descontinuados. El resultado final seria que la apariencia actual de las áreas ajardinadas se verá afectada.

Para Más Información

Si tiene alguna pregunta acerca del incremento anual propuesto, los servicios de mantenimiento, le gustaría organizar una junta comunitaria para mas detalles, o incurrir mas detalles sobre el presupuesto, por favor llame al la División de Distritos Especiales de la Ciudad de Lunes a Jueves, 7:30 a.m. a 5:30 p.m. al 951.413.4380.

Como Llenar La Boleta

Los propietarios podrán enviar la boleta adjunta al CSD en apoyo u oposición al propuesto aumento al área de servicio de paisaje y al cargo anual. Por favor siga las siguientes instrucciones en cuanto a como llenar y devolver la boleta correctamente. También, podrá encontrar información en cuanto a los procedimientos de cómo llenar, regresar y como se tabulan las boletas en la oficina de Secretaria de la Ciudad (City Clerk)

4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing which will be held on Tuesday**, September 13, 2011,** at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time prior to the conclusion of public testimony at the Public Hearing. The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.

1. En la boleta **ponga una marca en la caja correspondiente**, ya sea que este votando a favor o en contra
2. Firme la boleta. Cualquier boleta que sea devuelta sin firma(s) será considerada invalida y *por lo tanto no será contada.*
3. Envié la boleta en el sobre adjunto a la oficina de Secretaria de la Ciudad (City Clerk's office) a la siguiente dirección, 14177 Frederick Street, Moreno Valley, CA, 92553. Para su conveniencia, el sobre incluido tiene el franqueo pagado. También puede traer su boleta personalmente si así lo desea a la misma dirección.
4. Las boletas deberán ser **recibidas** por el Secretario de la Ciudad antes del cierre de la Audiencia Publica que se llevara a cabo el **Martes, 13 de Septiembre del 2011**,en la Cámara de Ayuntamiento de Moreno Valley (Moreno Valley City Hall Council Chamber). La audiencia comenzara a las 6:30 p.m. o en tanto sea posible tratar el asunto. Legalmente, las boletas que sean recibidas después del cierre de la Audiencia Publica, no podrán ser contadas

Marcas Validas

Los siguientes son ejemplos de marcas que se consideran apropiadas para votar Si/Aprobado o No/No Aprobado en su boleta electoral.

Una marca que este mayormente dentro de la caja;

Una X que este mayormente dentro de la caja;

Un punto o marca ovalada que este mayormente dentro de la caja;

Llenar la caja completamente mayormente dentro de las líneas;

Una línea, llena o quebrada, o combinación de líneas. Podrá usar líneas verticales, horizontales o diagonales. Puede marcar de una esquina a otra. Sin embargo, para que su voto sea valido, siempre manténgase mayormente dentro de la caja que este marcando sin marcar la quede vacía;

Un circulo alrededor de la caja y/o la cláusula asociada; o

Un cuadro o rectángulo alrededor de la caja y/o cláusula asociada.

Las marcas en las boletas no deberán extenderse mas allá del área de la caja que ha escogido. Si la marca de una caja se extiende a la otra o al la porción que explica el significado de esta, la boleta será considerada nula y por lo tanto no será contada.

Cambios o revisiones a las marcas de la boleta

Si comete un error al marcar su voto en la boleta o simplemente desea cambiar su voto, podrá hacerlo mediante poner sus iniciales claramente marcadas al derecho de la selección que halla ajustado. Cualquier cambio deberá ser iniciado por el propietario solamente. Solo se aceptaran estos cambios o ajustes a las boletas si son recibidas antes del cierre del testimonio publico en la Audiencia Publica.

CSD ZONE D, TRACT 31129
FY 2011/12 BUDGET

	Current	Proposed
LANDSCAPE AREA		
Existing Square Feet	12,395	12,395
Additional Square Feet	-	1,185
Total Acres	0.28	0.31
REVENUES		
Approximate Charge Per Month	**$ 6.97**	**$ 11.50**
	x 12 months	x 12 months
Total Annual Zone D Charge	**$ 83.58**	**$ 138.00**
Number of parcels	109	109
Total Revenue	**$ 9,110.22**	**$ 15,042.00**
EXPENSES		
Direct Costs		
Base Maintenance Contract	$ 3,480.48	$ 3,829.56
Water (Eastern Municipal Water District)	2,286.27	2,504.83
Electricity (SCE)	116.83	116.83
Vandalism Repair	-	-
Repair and Replacement/Miscellaneous Direct Expenses	435.91	477.59
Landscape Inspectors/Technicians and Support Services	5,058.24	5,539.51
Parts and Equipment	331.51	363.05
Subtotal Direct Costs	$ 11,709.24	$ 12,831.37
Indirect Costs		
Miscellaneous Indirect Expenses	$ 239.89	$ 262.72
Special Districts Program Administration	588.28	644.25
City Administration	1,187.41	1,300.39
Subtotal Indirect Costs	$ 2,015.58	$ 2,207.36
Total Expenses	**$ 13,724.82**	**$ 15,038.73**
Shortfall	**$ (4,614.60) ***	**$ 3.27**

* Based on the current square feet of landscaped area, the annual parcel charge required to meet meet current expenses would be $126.00.

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. Services may include mowing, trimming, pruning, fertilizing, weed control, litter removal, and maintaining the irrigation systems.

Vandalism Repair: includes abatement of nuisance and necessary repairs due to vandalism.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Inspectors/Technicians and Support Services: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Administrative staff manages maintenance contracts, ensures timely payment of all invoices, creates and monitors the annual program budget, and applies the annual charges on the property tax rolls.

Parts and Equipment: landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle, fuel and telecommunications equipment.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

Special Districts Administration: includes accounting, management, reporting and regulation compliance, Riverside County fees, and other municipal agency services.

City Administration: includes cost for Council and administrative services, liability insurance, technology, and facilities.

CSD ZONA D, FRACCIONAMIENTO 31129
PRESUPUESTO DEL ANO FISCAL 2011/12

		Corriente		Propuesto
ÁREA AJARDINADA				
	Pies Cuadrados Existentes	12,395		12,395
	Pies Cuadrados Adicionales	-		1,185
	Acres Totales	0.28		0.31
INGRESOS				
	Precio aproximado por mes	**$ 6.97**	**$**	**11.50**
		x 12 meses		x 12 meses
	Precio total anual de zona D	**$ 83.58**	**$**	**138.00**
	Cantidad de propiedades	109		109
Total de Ingresos		**$ 9,110.22**	**$**	**15,042.00**
EGRESOS				
Costos Directos				
Contrato de Mantenimiento Base		$ 3,480.48	$	3,829.56
Agua (Eastern Municipal Water District)		2,286.27		2,504.83
Electricidad (SCE)		116.83		116.83
Reparación de Vandalismo		-		-
Reparación o Reemplazo/Egresos Misceláneos Directos		435.91		477.59
Inspectores de Jardinería/Servicios de Apoyo Técnicos		5,058.24		5,539.51
Partes y Equipo		331.51		363.05
Subtotal de Costos Directos		$ 11,709.24	$	12,831.37
Costos Indirectos				
Egresos Misceláneos Indirectos		$ 239.89	$	262.72
Administración de Programa de Servicios Especiales		588.28		644.25
Administración de la Ciudad		1,187.41		1,300.39
Subtotal de Costos Indirectos		$ 2,015.58	$	2,207.36
Total de Egresos		**$ 13,724.82**	**$**	**15,038.73**
		$ (4,614.60) *	**$**	**3.27**

* Basado a los pies cuadrados corrientes del área de paisaje, el precio de propiedad anual requerido para mantener los gastos corrientes sería $126.00 dólares.

Contrato de Mantenimiento Base: incluye el total de costo anual de los servicios contratados de las compañías de mantenimiento, basado en salarios prevalecientes requeridos. Los servicios incluyen corte de césped, podado de árboles y arbustos, fertilización, control de hierbas y basura, mantenimiento y reparación al sistema de irrigación.

Reparación de Vandalismo: incluye reparaciones y alivio de molestias publicas.

Reparación o Reemplazo: pudiera incluir, pero no limitado a, rehabilitación del sistema de riego, sea de índole mayor o intermediaria y/o proyecto de renovación (incluyendo partes necesaria), reemplazo de plantas, fertilizantes y pesticidas, podado de árboles e instalación de mantillo.

Inspectores/Técnicos de Paisaje y Servicios de Apoyo: el costo del personal por descuido del contratista al paisaje, tiempo de trabajo manual para la ayuda con reparaciones principales y menores, renovación, y proyectos de reemplazo/retiro de paisaje. El personal administrativo maneja contratos de mantenimiento, asegura el pago oportuno de todas las facturas, crea y supervisa el presupuesto de programa anual, y aplica los gastos anuales de impuestos sobre la propiedad.

Partes y Equipo/Egresos Misceláneos Directos: Partes para el sistema de irrigación y equipo (usado por el personal) para reparaciones menores o de emergencia. Servicio de los vehículos, combustible y equipo de telecomunicación.

Egresos Misceláneos Indirectos: herramientas, uniformes, entrenamientos, gastos de envió, etc.

Administración de Distritos Especiales: incluye contabilidad, dirección, informe y conformidad de regulación, honorarios de Riverside County, y otros servicios de agencia municipales.

Administración de Ciudad: incluye el costo para el Consejo y servicios administrativos, seguro de responsabilidad civil, tecnología, e instalaciones.

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) GENERAL SERVICE LEVEL GUIDELINES *			
DESCRIPTION OF LANDSCAPE MAINTENANCE SERVICE	**STANDARD MAINTENANCE SERVICE**	**REDUCED MAINTENANCE SERVICE**	**STREET TREE MAINTENANCE SERVICE**
Mowing, Edging & Trimming (Of Turf Areas Only)	Weekly	Monthly (or Bi-monthly as needed)	N/A
Aeration	3 times per year	As needed	N/A
Tree Trimming	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
Shrub Trimming	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
Ground Cover Trimming	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
Weed Control	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
Irrigation	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
Litter Removal	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
Turf Fertilizer	7 applications per year	3 applications per year	N/A
Shrub Fertilizer	2 applications per year	1 application per year	N/A
Tree Fertilizer	As needed	As needed	As needed
Pesticides:			
Shrubs/Ground Covers (pre-emergent)	2 times per year	As needed (budget permitting)	N/A
Shrubs/Ground Covers (insect/disease control)	As needed	As needed (budget permitting)	N/A
Shrubs/Ground Covers (vertebrate pest control)	As needed	As needed (budget permitting)	N/A
Turf (weed control)	As needed	As needed (budget permitting)	N/A
Turf (vertebrate pest control)	As needed	As needed (budget permitting)	N/A

* The table sets forth the general guidelines for landscape maintenance services. Since every service area is unique and may require adjusted services based on seasonal demands and available funding, the actual services provided shall be determined by the Special Districts Division Manager. The service level for each service area is contingent upon available funding to support the designated level of service.

DISTRITO DE SERVICIOS COMUNITARIOS ZONA D (Mantenimiento de Área Ajardinada) PAUTAS DE NIVEL DE SERVICIO GENERAL*			
DESCRIPCIÓN DE LOS NIVELES DE SERVICIO DE MANTENIMIENTO	**SERVICIO DE MANTENIMIENTO ESTANDAR**	**SERVICIO DE MANTENIMIENTO REDUCIDO**	**SERVICIO DE MANTENIMIENTO STREET TREE**
CORTADO DEL CESPED	Semanalmente	Mensual (o bimensual como sea necesario)	N/A
AERACIÓN DEL CESPED	3 veces por año	Como sea necesario	N/A
PODADO DE ÁRBOLES	1 vez cada 3-4 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía	1 vez cada 5-7 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía	1 vez cada 5-7 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía
PODADO DE ARBUSTOS	1 vez por año (mínimo) para eliminar peligros/o invasión al derecho de vía	1 vez por año para eliminar peligros/o invasión al derecho de vía	1 vez por año para eliminar peligros/o invasión al derecho de vía
PODADO DE CUBIERTA VEGETAL	4 veces por año (trimestralmente) para eliminar peligros/o invasión al derecho de vía	2 veces por año para eliminar peligros/o invasión al derecho de vía	2 veces por año para eliminar peligros/o invasión al derecho de vía
CONTROL DE HIERBAS	Mensualmente	4 veces por año (trimestralmente)	4 veces por año (trimestralmente)
IRRIGACIÓN	Semanalmente (inspección/ajuste/reparar)	Mensualmente (inspección/ajuste/reparar)	Mensualmente (inspección/ajuste/reparar)
RECOGIMIENTO DE BASURA	Semanalmente	1 vez por mes o por lo menos 1 vez cada 2 meses	1 vez por mes o por lo menos 1 vez cada 2 meses
FERTILIZACIÓN DE CÉSPED	7 aplicaciones por año (mínimo)	3 aplicaciones por año	N/A
FERTILIZACIÓN DE ARBUSTOS	2 aplicaciones por año	1 aplicación por año	N/A
FERTILIZACIÓN DE ÁRBOLES	Como sea necesario	Como sea necesario	Como sea necesario
Pesticidas:			
ARBUSTOS/CUBIERTA VEGETAL	2 aplicaciones por año	Como sea necesario (de acuerdo al presupuesto)	N/A
ARBUSTOS/ CUBIERTA VEGETAL	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
ARBUSTOS/ CUBIERTA VEGETAL	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
CÉSPED	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
CÉSPED	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A

* La tabla refleja las pautas estipuladas par los servicios de mantenimiento. Debido a que cada área es distinta y el que los servicios podrían ser ajustados debido a la temporada del año o debido a fondos disponibles, el Gerente de la División de Distritos Especiales dictara que tipo de servicios serán apropiados. El nivel de servicio para cada área será sujeto a un ajuste dependiendo los fondos disponibles.

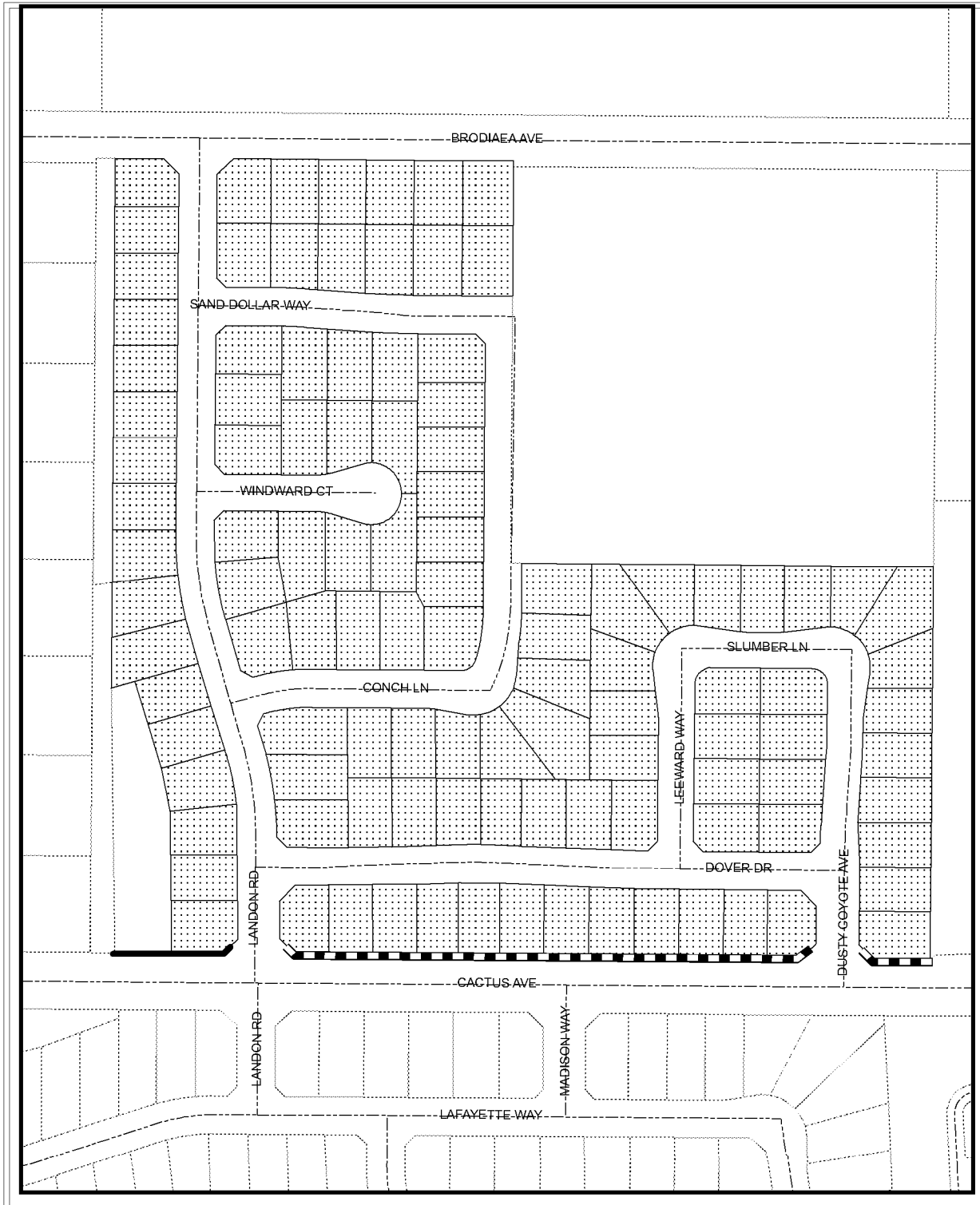

Tract/Fraccionamiento 31129

New Landscaped Areas/
Nuevo Areas de jardin

Landscaped Areas/Areas de jardin

Roads/Calles

Parcels/Parcelas

City Boundary/Limite de la ciudad

Tract/Fraccionamiento 31129

Map reflects all changes indicated on Riverside County Assessor Maps as of July 26, 2011.

N

G:\AVP\SDA\Zone D Tract 31129.mxd

0 175 350 525 700 Feet

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

Community Briefing

Get Information about the Mail Ballot for Common Area Landscaping

Residential Housing Tract 31129

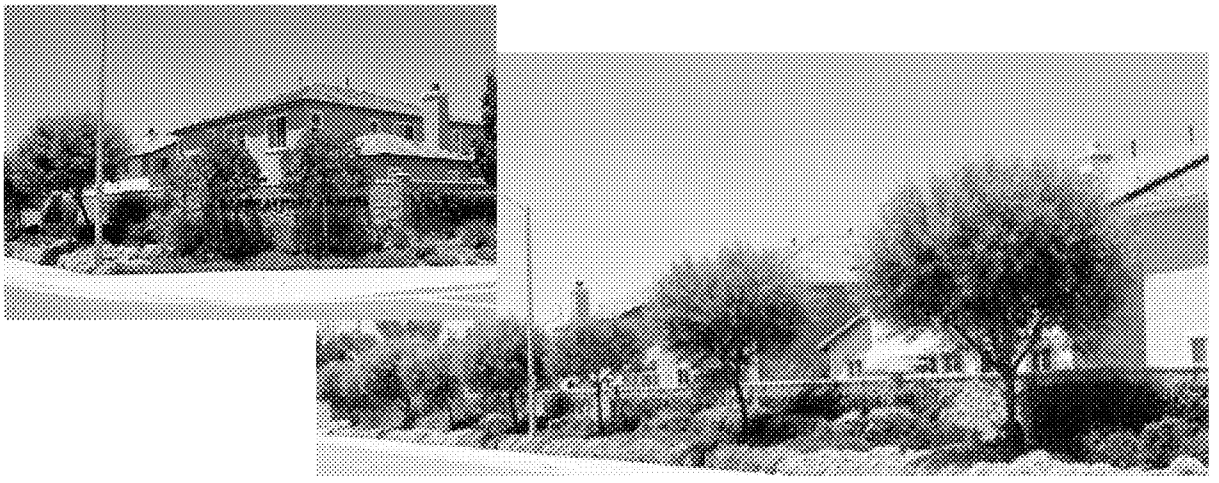

Date	August 2, 2011
Time	5:00 pm–6:00 pm
Location	Corner of Cactus Avenue and Landon Road
For	Property Owners in Residential Housing Tract 31129
What	City Staff will be available to answer questions about the upcoming Mail Ballot proceeding. In addition to a request to increase the landscaped area around your housing tract, costs to maintain the landscaping have increased. Property owners need to decide whether they want to accept the new area and to keep the current level of service by approving an increase or whether they want to reduce services and keep the parcel charge currently paid as part of their property tax bill the same.

City of Moreno Valley
Public Works Department
Special Districts Division
14325 Frederick Street, Suite 9
Moreno Valley, Ca 92553

Phone: 951-413-3480
E-mail: specialdistricts@moval.org

MORENO VALLEY
WHERE DREAMS SOAR

OFFICIAL BALLOT/BOLETA OFICIAL for Assessor Parcel No. 486551004
CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – TRACT 31129

Mark the enclosed ballot in support of or opposition to the proposed increase in the Zone D annual charge by placing a mark in the corresponding box and signing your name on the adjacent signature line. An unmarked or unsigned ballot will be considered invalid and will not be counted. This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

Marque la boleta en el recuadro correspondiente si esta a favor o en contra al incremento propuesto al cargo anual para la Zona D. Después, firme en la línea que corresponda al recuadro elegido solamente. Cualquier boleta que sea devuelta sin voto o firma(s) o ambas será considerada invalida y por lo tanto no será contada. Esta boleta deberá ser recibida por el Secretario del Comité de CSD (Secretario de la Ciudad) antes del cierre de la Audiencia Publica que se llevara a cabo el 13 de Septiembre del 2011, en la Cámara de Ayuntamiento de Moreno Valley (Moreno Valley City Hall Council Chamber), a las 6:30 p.m. o en tanto sea posible tratar el asunto.

☐ **Yes/Si**

PROPERTY OWNER SIGNATURE/FIRMA DEL PROPIETARIO DATE/FECHA

Yes, ***I approve*** the increase in the maintained landscaped area and an increase in annual charge for Zone D services of $54.42 per parcel **(approximately $4.54 per month)**. The increase will adjust the approved annual charge from $83.58 to $138.00 per parcel for fiscal year 2011/12. The approved charge shall be subject to an annual inflation adjustment based on the percentage increase calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics in future years.

Si, ***yo apruebo*** el incremento en el paisaje mantenido y en el incremento anual a los servicios de la Zona D de $54.42 por parcela **(aproximadamente $4.54 mensual).** Dicho incremento resultara en un ajuste al cargo anual aprobado de $83.58 a $138.00 por parcela para el próximo año fiscal 2011/2012. Este cargo esta sujeto a un ajuste inflacionario basado en el cambio al porcentaje calculado durante el año anterior al Índice Regional de Precio al Consumidor para Todos Los Consumidores Urbanos de los Condados de Los Ángeles-Riverside y Orange, publicado por la Oficina de Estadísticas Laborales para los anos venideros del Departamento de Trabajo.

☐ **No/No**

PROPERTY OWNER SIGNATURE/FIRMA DEL PROPIETARIO DATE/FECHA

No, ***I do not approve*** the increase in the maintained landscaped area or the increase in the annual charge for Zone D services of $54.42 per parcel. I understand landscaping services for Zone D shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, maintenance services may be discontinued.

No, ***yo no apruebo*** el incremento en el paisaje mantenido o el incremento anual a los servicios de la Zona D de $54.42 por parcela. Entiendo que los servicios de jardinería de la Zona D serán reducidos a un nivel basado en los fondos disponibles. El servicio de mantenimiento de las áreas ajardinadas podría ser descontinuado si los fondos disponibles no llegasen a costear el servicio más básico.

Weighted Ballot Count: 1

THIS IS YOUR OFFICIAL BALLOT

ADELIA A BELUSO

27729 DOVER DR
MORENO VALLEY, CA 92555

Item No. G.7

MV00120625

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MV00120626

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.8

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MV00120628

REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

August 23, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00120629

REVISED AGENDA *
CITY COUNCIL OF THE CITY OF MORENO VALLEY
August 23, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter - Investigator Duke Viveros

2. Employee of the Quarter - Patty Posey

3. Recognition of 2011 Summer Reading Program Super Readers, by Moreno Valley Friends of the Library

REVISED AGENDA *
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
AUGUST 23, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor O. J. Philpot - Christ Community Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of July 6 - August 16, 2011.

A.5 AMENDMENT TO THE RULE 20A UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2. Approve the reprioritized Rule 20A priority list.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE

STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE. (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive. All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained electric utility system.

A.7 APPROVAL OF CHECK REGISTER FOR MAY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

Resolution No. 2011-85

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2011

A.8 APPROVAL OF CHECK REGISTER FOR JUNE, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

Resolution No. 2011-86

A Resolution of the City Council of the City Of Moreno Valley, California, Approving the Check Register for the Month of June, 2011

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED JUNE 30, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY (Report of: Community & Economic Development Department)

Recommendation:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

Resolution No. 2011-87

A Resolution of the City Council of the City of Moreno Valley, California, in Support of and Participation with the Southern California Association of Governments as a Compass Blueprint Strategy Demonstration Community.

A.11 ADOPT A RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321;

   Resolution No. 2011-88

   A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intent to Vacate Motor Way Between Auto Mall Drive and Eucalyptus Avenue

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323;

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323; and

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

A.12 ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING –SEPTEMBER 23, 2011 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

Resolution No. 2011-89

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2011 Annual Conference

A.13 PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT, AND ROLANDA DRIVE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

Resolution No. 2011-90

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Pattilyn Drive, Challis Court and Rolanda Drive.

A.14 PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS; BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET DEVELOPER: IDS REAL ESTATE GROUP, LOS ANGELES, CA 90071 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements;

2. Authorize the Mayor to execute the DIF Agreement in the form; and

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

A.15 ORDINANCE NO. 832, AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE (RECEIVED FIRST READING AND INTRODUCTION ON JULY 26, 2011, BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation:

Adopt Ordinance No. 832, an Ordinance of the City of Moreno Valley electing to comply with and participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code.

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

A.16 AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS - PROJECT NO. LED-229-80510 (Report of: Public Works Department)

Recommendation:

1. Award the contract for the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, CA. 91763; and

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

A.17 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12 (ATTACHMENT A TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Human Resources Department)

Recommendation:
Approve the successor Memoranda of Understanding (MOU's) between the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.4 EXTENSION OF CONTRACT - APPROVE SECOND AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and; TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.5 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2001-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

Resolution No. CSD 2011-23

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2011/12

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk

Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING FOR PA11- 0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres;

Resolution No. 2011-91

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Detachment of two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley to allow for Concurrent Annexation to the City of Perris

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels; and

Resolution No. CSD 2011-24

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California to request the Riverside Local Agency Formation Commission Initiate Proceedings for a City Boundary Amendment involving a Detachment of Parcels from the Moreno Valley Community Services District

3. Staff recommends that the Mayor and City Council Adopt Resolution

No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

Resolution No. 2011-92

A Resolution of the City Council of the City of Moreno Valley, California, approving a Property Tax Transfer Agreement between the City of Moreno Valley and City of Perris regarding the Detachment of Two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley and concurrent Annexation to the City of Perris

E.2 PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property; and

2. Authorize staff to solicit offers for the purchase of said real property.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM JULY 12, 2011 BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

   If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

   Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)
b. Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

G.2 RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS (Report of: City Clerk's Department)

Recommendation: That the City Council:

Adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected.

Resolution No. 2011-93

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Criteria to Guide the Process of Revising the Boundaries of the Districts from which Members of the City Council are Elected

G.3 CITIZENS' PARTICIPATION ON-LINE REDISTRICTING (PRESENTATION BY NATIONAL DEMOGRAPHICS CONSULTANT, ALAN HESLOP)

G.4 APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER) (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.5 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNs 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceedings for Oasis

Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

G.6 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.7 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

*G.8 ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON SEPTEMBER 30, 2011 AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CALPERS (Report of: Human Resources Department)

Recommendation:

1. Adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after

September 30, 2011, and conduct the first reading of the related ordinance as required by CALPERS.

Resolution No. 2011-59

A Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Moreno Valley, California

2. Introduce Ordinance No. 828.

Ordinance No. 828

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

*G.9 A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (Report of: Community & Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution No. RDA 2011-12, approving an Enforceable Obligation Payment Schedule.

Resolution No. RDA 2011-12

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Enforceable Obligation Schedule

G.10 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

***Revision to Agenda**

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
July 12, 2011

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Pastor Diane Gardner

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member (via conference call)

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Barry Foster	Community & Economic Development Director
Chris Vogt	Public Works Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A23) and Deanna Reeder (Items A5, A17, A18, and A19).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 22 - July 5, 2011.

A.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:
1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction

Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.5 APPROVE AGREEMENT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES WITH TRANSTECH ENGINEERS, INC. FOR STREET IMPROVEMENTS ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET AND ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Professional Construction Management and Construction Inspection Consultant Services with Transtech Engineers, Inc. (Transtech) 413 MacKay Drive, San Bernardino, CA 92408, for Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue;

2. Authorize the City Manager to execute a contract with Transtech;

3. Authorize the issuance a Purchase Order to Transtech in the amount of $999,200 ($868,870 for the agreement plus the 15% contingency amount of $130,330) when the Agreement has been signed by all parties; and

4. Authorize the City Engineer to execute any subsequent amendments to the Agreement with Transtech, up to but not to exceed the Purchase Order contingency, subject to the approval of the City Attorney.

A.6 P07-144 – APPROVE TRACT MAP NO. 35760, A SIX-LOT RESIDENTIAL SUBDIVISION OF TRACT MAP NO. 31129. DEVELOPER - WESTERN

PACIFIC HOUSING, INC. IRVINE, CA 92606 (Report of: Public Works Department)

Recommendation:

1. Approve Tract Map No. 35760; and

2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.7 AUTHORIZATION TO AWARD AGREEMENT FOR CENTRAL TRAFFIC CONTROL SOFTWARE SERVICES IN SUPPORT OF THE TRANSPORTATION MANAGEMENT CENTER (PROJECT NO. 10-13768129) (Report of Public Works Department)

Recommendation:

1. Approve the agreement with Kimley-Horn and Associates, Inc., 7878 N. 16th Street, Phoenix, Arizona 85020, to provide a central traffic control software system;

2. Authorize the City Manager to execute said Agreement with Kimley-Horn and Associates, Inc.;

3. Authorize the issuance of a Purchase Order to Kimley-Horn and Associates, Inc., in the amount of $315,000; and

4. Authorize the Public Works Director to execute any subsequent amendments related to this agreement.

A.8 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH GIBBS, GIDEN, LOCHER, TURNER & SENET, LLP FOR LEGAL SERVICES FOR LOS ANGELES ENGINEERING, INC. V. CITY OF MORENO VALLEY RIVERSIDE SUPERIOR COURT CASE RIC 524877 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 36928 to Gibbs, Giden, Locher, Turner & Senet, LLP by the amount of $100,000 for a total not-to-exceed amount of $196,000 (Account No. 461.65325.7500);

2. Authorize payment to Gibbs, Giden, Locher, Turner & Senet, LLP in an amount of up to $196,000 for legal services for Los Angeles Engineering, Inc. v. City of Moreno Valley Riverside Superior Court Case RIC 524877; and

3. Authorize an appropriation of $100,000 from the unencumbered fund

balance of Parkland Facilities DIF (Fund 205) to Account No. 461.65325 to allow for said increase to Purchase Order No. 36928.

A.9 TRACT MAP 32707 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: REDHAWK COMMUNITIES, INC. A CALIFORNIA CORPORATION, TEMECULA, CA 92590 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-72 authorizing the acceptance of the public improvements within Tract Map 32707 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system; and

   Resolution No. 2011-72

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32707 and Accepting the Portion of Lasselle Street Associated with the Project Into the City's Maintained Street System

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

A.10 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 CITYWIDE BRIDGE MAINTENANCE PROGRAM, PROJECT NO. 11-22679828, DIRECT THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed for the 2011 Citywide Bridge Maintenance Program, constructed by Beador Construction Company, Inc. (Beador), 26320 Lester Circle, Corona CA 92883;

2. Direct the City Clerk to record the Notice of Completion within ten (10) alendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Beador Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.11 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

A.12 FIRST AMENDMENT TO AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Overland, Pacific and Cutler, Inc. (OPC) to provide Professional Consultant Right of Way Services for various projects of the Capital Projects Division;

2. Authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with OPC; and

3. Authorize an increase to the purchase order to OPC, in the amount of $85,000 when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.13 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;
3. Authorize the Financial and Administrative Services Director to release

the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.14 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE TRAFFIC SIGNAL IMPROVEMENTS ON SUNNYMEAD RANCH PARKWAY AT VILLAGE ROAD (EAST) INTERSECTION PROJECT NO. 10-41779229, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AND AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east), constructed by SoCal Engineers, Inc., 17595 Harvard, Suite C2160, Irvine, CA 92614;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to SoCal Engineers, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.15 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS

FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.16 RESCIND RESOLUTION NO. 2005-30 AND RE-DESIGNATE AND AUTHORIZE SIGNATURE AUTHORITIES TO EXECUTE APPLICATIONS AND DOCUMENTS FOR PURPOSES OF OBTAINING FINANCIAL ASSISTANCE UNDER SECTION 404 OF PUBLIC LAW 93-288, AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ACT OF 1988. (Report of: Fire Department)

Recommendation:

Adopt Resolution No. 2011-73, rescinding Resolution No. 2005-30, and designating and authorizing certain City officials to execute applications and documents for purposes of obtaining financial assistance under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

Resolution No. 2011-73

A Resolution Of The City Council Of The City Of Moreno Valley, California, Rescinding Resolution No. 2005-30, And Re-Designate And Authorize Certain City Officials To Execute Applications And Documents For Purposes Of Obtaining Financial Assistance Under Section 404 Of Public Law 93-288, As Amended By The Robert T. Stafford Disaster Relief And Emergency Act Of 1988

A.17 FIRST AMENDMENT TO AGREEMENT FOR ON-CALL PROJECT MANAGEMENT SERVICES WITH VAS ASSOCIATES, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for On-Call Project Management Services" with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide temporary professional project management services for budgeted Capital Improvement Plan (CIP) projects on an as-needed basis;

2. Authorize the City Manager to execute said "First Amendment to Agreement for On-Call Project Management Services" with VAS; and

3. Authorize a purchase order to VAS in the amount of $312,000 when "First Amendment to Agreement for On-Call Project Management Services" has been signed by all parties.

A.18 AGREEMENT FOR PROFESSIONAL CONSULTANT ADMINISTRATIVE SERVICES WITH DMC DESIGN GROUP, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Professional Consultant Administrative Services" with DMC Design Group, Inc. (DMC), 170 N. Maple Street, Corona, CA 92880-1703, to provide Professional Consultant Administrative Services for budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Agreement for Professional Consultant Administrative Services" with DMC; and

3. Authorize a purchase order to DMC in the amount of $139,000 when said "Agreement for Professional Consultant Administrative Services" has been signed by all parties.

A.19 FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES, INC. (Report of:

Public Works Department)

Recommendation:

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with SA; and

3. Authorize a Change Order to increase the Purchase Order to SA in the amount of $185,000 when "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

A.20 RESOLUTION DECLARING THE REAL PROPERTY AS EXCESS AND SETTING A PUBLIC HEARING AUTHORIZING SALE FOR REMAINDER OF PARCEL APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

Approve and adopt Resolution No. 2011-74 to declare the real property, APN 475-272-054, as excess, set a public hearing to identify any issues with the sale of the remainder parcel, and authorize staff to solicit offers for the purchase of said real property.

Resolution No. 2011-74

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Convenience Require the Sale of a Remainder Parcel Excess to Public Use

A.21 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2011-75 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2011-75

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

A.22 APPROVE THREE-YEAR AGREEMENT WITH CANON BUSINESS SOLUTIONS TO EXTEND THE CURRENT COPIER CONTRACT (Report of: Financial & Administrative Services Department)

Recommendation:
Approve the three-year agreement to extend the current contract with Canon Business Solutions in the total base amount of $261,828, representing a 23.75% price decrease or total savings of $81,540, as being in the best interest of the City.

A.23 STAFF ASSIGNMENTS IN SUPPORT OF COUNCIL MEMBER PARTICIPATION WITH REGIONAL AGENCIES (Report of: City Manager's Office)

Recommendation:
Approve the proposed staff assignments in support of Council Member participation with regional agencies.

A.24 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 PAVEMENT RESURFACING PROJECT NO. 11-12556330, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Pavement Resurfacing Project, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release he retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.25 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 LOCAL STREET PAVEMENT RESURFACING – PHASE 1 PROJECT NO. 11-22679728, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Local Street Pavement Resurfacing – Phase, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.26 CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD, DEVELOPER: CITY OF MORENO VALLEY, MORENO VALLEY, CA 92552 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.27 PA07-0090 – EUCALYPTUS STREET IMPROVEMENTS - AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.28 PA07-0090 – EUCALYPTUS WATER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.29 PA07-0090 – EUCALYPTUS RECYCLED WATER – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALUPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.30 PA07-0090 – EUCALYPTUS SEWER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the

remaining public improvements are completed and punch-list items have been addressed; and

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

A.31 PA07-0090 – LINE F STORM DRAIN IMPROVEMENTS – REQUEST TO RATIFY THE PARTIAL REDUCTION TO THE IMPROVEMENT SECURITY AND AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN PROPER CLEARANCES ARE RECEIVED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553. (Report of: Public Works Department)

Recommendation:

1. Ratify the partial reduction to the public improvement security provided by the City Engineer on March 3, 2011 for the Line F Storm Drain Improvements for PA07-0090;

2. Authorize the Public Works Director/City Engineer to accept the work as complete once the proper clearances are provided by Riverside County Flood Control and Water Conservation District; and

3. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to enter said improvements into the 12 month guarantee and warranty period, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM A.11) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

C.5 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME,

AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.6 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM A.15) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro

Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

C.7 AUTHORIZE FIRST AMENDMENT TO PROJECT SPECIFIC AGREEMENT AND AUTHORIZE CHANGE ORDER TO THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the First Amendment to the Project Agreement on behalf of the Community Redevelopment Agency; and

2. Authorize a Change Order to increase Purchase Order No. 37386 for VA Consulting, Inc., in the amount of $25,000 for additional professional consultant design services, bid design support services, and construction support services (Account No. 897.91725).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A DEVELOPMENT AGREEMENT (PA10-0029) FOR ROCKLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING, AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 (RESIDENTIAL 15) AND OS (OPEN SPACE) LAND USE DISTRICTS. THE PROJECT SITE IS ON THE SOUTHEAST CORNER OF FIR AVENUE AND EUCALYPTUS AVENUE. THE APPLICANT AND OWNER OF THE SITE IS BEAZER HOMES (Continued from March 22, 2011 and May 24, 2011) (Report of: Community & Economic Development Department)

Recommendation:

Introduce Ordinance No. 823, for adoption of a development agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 and conditional use permit/ planned unit development consisting of 275 residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use districts.

Ordinance No. 823

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Development Agreement (PA10-0029) for Rockcliffe at Stoneridge, an Approved Project Encompassing Tentative Tract Map No. 36340 and a Conditional Use Permit/Planned Unit Development Consisting of 275 Residential Lots, a Recreational Building and Private Open Space on Approximately 29 acres in the R15 (Residential 15) and OS (Open Space) Land Use Districts

Motion to Continue to October 11, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, AND 316-200-029 BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

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

Recommendation: That the City Council:

After conducting the individual Public Hearings and accepting public testimony:

a: Direct the City Clerk to tabulate the national Pollutant Discharge Elimination System (NPDES) ballots for First Industrial;

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

10 – "yes" 0 – "no", 0 – "invalid"

b: Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing:

c: Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

d: If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to Assessors Parcel Numbers (APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

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

Recommendation: That the CSD:
That the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conduction the Public Hearing and accepting public testimony:

a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD

Zone M ballot for First Industrial;

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

8,490.43 – "Yes", 0 – "no", 0 – "invalid"

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC. (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

Resolution No. 2011-76

A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

Resolution No. 2011-77

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Ecualyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Continue to August 23, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.4 A PUBLIC HEARING FOR CONSIDERATION OF THE REVISION OF TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT, SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, APPLICATIONS FOR LIGHTING, SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK

SKY PROVISIONS FOR GENERAL ON-SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING CITYWIDE. THE APPLICANT IS THE CITY OF MORENO VALLEY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no action is required. Should the City Council choose to adopt the new standards, the following actions are required:

   RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 831 approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

   Ordinance No. 831

   An Ordinance of the City Council of the City of Moreno Valley, California Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI Applications for Lighting and Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030 "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

   Bring back to a Study session after the implementation of the new Federal law, incorporate any changes in the use of LED or solar and include a review of the impact, if any, of the Federal law.

   Motion to Approve to continue to March 2012 Study Session by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
   Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR

SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a) Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)

An audit is being conducted. The contract management of the residential area of Green Acres was dismissed, and now there is in-house management. The first part of the agreement with March Health Care is being looked at for approval. There is no specific timeline for the dedication of a fire station or a funding mechanism for funding of fire fighters. A fire station will be built. There is no decision on when and where it will be located. The developer needs to pick a site before all the land is dedicated away. A fire protection district might be formed.

G.2 APPROVAL OF CONCESSIONAIRE AGREEMENT WITH PACIFICA UNIVERSITY, INC., FOR THE COTTONWOOD GOLF CENTER (Report of: Parks and Community Services)

President Stewart opened the agenda item for public comments, which were received from Rick Madott, Mick Rood, Kenny Bell, L. T. Duffy, and Tom Jerele, Sr.

Recommendation: That the City Council:
Acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, approve a long-term Concessionaire Agreement between the Moreno Valley Community Services District and Pacifica University, Inc., to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility.

Motion to Approve as amended between the Moreno Valley Community Services District and Pacifica University, Inc. to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

G.3 "BEST PLACE TO DO BUSINESS" ACTION STEPS (Report of: Community & Economic Development Department)
Recommendation: That the City Council:
Approve the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

Mayor Stewart opened the agenda item for public comments, which were received

from Tom Jerele, Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Marcelo Co
Approved by a vote of 5-0.

G.4 APPOINTMENT OF CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE PURPOSE OF REESTABLISHING JULY 4TH EVENTS FOR 2012 (Report of: City Manager's Office)

Recommendation: That the City Council:
Appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012.

Mayor Stewart opened the agenda item for public comments, which were received from Debra Craig, Pete Bleckert, Deanna Reeder, and Tom Jerele, Sr.

Motion to Approve appointment of Council Member Hastings and Mayor Pro Tem Molina to serve as City Council Ad Hoc Subcommittee by m/Mayor Richard A. Stewart, s/Council Member Marcelo Co
Approved by a vote of 5-0.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder
1. August 2 National Night Out
2. Main Street Has Talent

Pete Bleckert
1. Chamber of Commerce

Susan Gilchrist
1. Sound Study

Tom Jerele, Jr.
1. 4th of July Committee
2. Joint Task Force Meetings

Jose Chavez
1. Fireworks

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,

COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Robin N. Hastings

1. Main Street Has Talent is located by Bob's Big Boy at Stoneridge. There are a variety of events to celebrate our young people and to provide a place for them to keep safe in the city. National Night Out will be held there.

2. Attended a Grab and Go event at the ABC Market on the corner of Perris and Alessandro. It is a partnership with the Department of Public Health, and they are putting fruits and vegetables in small convenience markets. Juvenile Diabetes is on the rise. The largest at risk group is our African American community, and they constitute 60% of obesity in the state.

3. In Washington, DC promoting the AB811 Energy Efficiency Program for Moreno Valley. The entire funding model was approved by the Court, and contractors will be trained starting August 2. Applications will be available in August. There is a link at WRCOG.ca.gov that will provide information, applications, what the program is about, and what is going to be available. There is $325M available that was bonded for Western Riverside County. It's the largest program of its type in the United States.

Council Member Marcelo Co

1. Will try very hard to provide the July 4 event. Please ask the business people to participate. They will be more likely to promote their business. Apologize for not having the event, but there weren't any funds. The committee will have a big task to make sure the next one is twice as good as the ones in the past. Everyone is asked to participate. Your help is needed.

Council Member William H. Batey II

1. On August 2 everyone is encouraged to get to know their neighbors and find out who lives in their neighborhood. That's what National Night Out is about. If you know who your neighbors are, you know who does and doesn't belong in your neighborhood. There are three groups getting together in District 5 that evening.

Mayor Pro Tem Jesse L. Molina

1. There will be a Prayer Walk for Hearts for Victims on Friday, July 15, at 5:00 p.m. at Stoneridge on Main Street at Bob's Big Boy in honor of Norma Lopez. (Mayor Pro Tem Molina speaks in Spanish.) Somebody out there knows something, and anyone with information, please go to the police. No one will rest until it is solved.

2. On July 1 the new city of Jurupa Valley held its first council meeting.

3. Still recuperating.

Mayor Richard A. Stewart

1. Impressed with the Golf Course Committee and the way they operated.

2. The Police Department received an Office Traffic Safety grant for approximately $190,000.

3. Through the California Law Enforcement Challenge, the Traffic Division took First Place in Traffic Safety.

4. The International Association of Chiefs of Police notified the Police Department they received First Place at the national level in a category dealing with Traffic Safety.

AGENDA ORDER

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

Meeting Resumed

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:42 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:02 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

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MV00120680

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 5:00 PM
July 26, 2011

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 5:03 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Pro Tem Jesse Molina

INVOCATION – Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem (left at 9:15 p.m.)
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES

DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (A5), and Ruthee Goldkorn (A.3).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.3 PM 35629 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION FOR A PORTION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT DESIGNATED AS EASEMENT NOTE "B" DEDICATED ON PARCEL MAP NO. 35629 RECORDED AS INSTRUMENT NO. 2010-0408448 LOCATED ON LOTS B, C, AND D OF PARCEL MAP NO. 35629 AND APPROVAL OF AN OFFER OF DEDICATION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT REPLACING THE ONE BEING SUMMARILY VACATED ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt the proposed Resolution, a summary vacation of a portion of the pedestrian access and sidewalk easement designated as Easement Note "B" dedicated on Parcel Map No. 35629 recorded as Instrument No. 2010-0408448 located on Lots B, C, and D of Parcel Map No. 35629;

Resolution No. 2011-80

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of a Pedestrian Access and Sidewalk Easement Designated as Easement "B" Dedicated on Parcel Map No. 35629 Recorded as Instrument No. 2010-0408448 Located on Lots B, C, and D of Parcel Map No. 35629

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for

recording;

3. Approve the Offer of Dedication of a pedestrian access and sidewalk easement as described in the Offer of Dedication; and

4. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate.

A.5 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY CITY EMPLOYEES' ASSOCIATION FOR FISCAL YEAR 2011-12 (Report of: Human Resources Department)

Recommendation:
Approve the successor Memoranda of Understanding (MOU) between the City of Moreno Valley and the Moreno Valley City Employees Association (MVCEA) for Fiscal Year 2011-12 (Attachment A).

A.6 CREATION OF NEW FIRE PREVENTION JOB TITLE (Report of: Fire Department)

Recommendation:
Approve the position title, description and salary schedule for the temporary part-time position of Fire Prevention Technician within the Fire Prevention Bureau.

A.7 RELOCATION AGREEMENT FOR THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) BOOSTER STATION LOCATED AT THE NORTHWEST CORNER OF NASON STREET AND DRACAEA AVENUE (Report of: Public Works Department)

Recommendation:
1. Approve the Relocation Agreement for the relocation of the existing Eastern Municipal Water District (EMWD) booster station at the northwest corner of Nason Street and Dracaea Avenue;

2. Authorize the City Manager to execute the Relocation Agreement; and

3. Direct the City Clerk to forward the signed Relocation Agreement to Eastern Municipal Water District for execution.

A.8 CREATION OF AN NSP-FUNDED HOMEBUYER ASSISTANCE PROGRAM (NSP-HAP) (Report of: Community & Economic

Development Department)

Recommendation:

1. Approve the creation of an Neighborhood Stabilization Program (NSP) grant-funded Homebuyer's Assistance Program (HAP), modeled after the existing Community Redevelopment Agency (RDA) funded HAP; and

2. Appropriate $250,000 from the NSP fund balance for the NSP-HAP.

Motion to Approve Joint Consent Calendar Items A.1 through D.2, except Items A.2 and A.4 pulled for a separate vote by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings Approved by a vote of 5-0.

AGENDA ORDER

A.2 APPROVAL OF TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT BETWEEN NEXTG NETWORKS OF CALIFORNIA AND THE CITY OF MORENO VALLEY; APPLICANT: NEXTG NETWORKS OF CALIFORNIA, INC., A DELAWARE CORP. MILPITAS, CA (Report of: Public Works Department)

Recommendation:

1. Approve the Telecommunication Network License and Encroachment Agreement between NextG Networks of California and the City of Moreno Valley;

2. Authorize the City Manager to execute the Agreement, subject to City Attorney approval; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

Motion to Approve Item A.2 contingent upon the satisfactory submission of insurance and security in the form acceptable to the City by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A.4 PARCEL MAP NO. 35859 – FIRST SAN MICHELLE LOGISTICS COMPLEX – APPROVE FINAL MAP AND ACCEPT THE AGREEMENT, AND SECURITY FOR PUBLIC IMPROVEMENTS; WEST SIDE OF PERRIS BOULEVARD, EAST SIDE OF KNOX STREET, NORTH SIDE OF NANDINA AVENUE, SOUTH SIDE OF SAN MICHELLE ROAD;

DEVELOPER: FIRST INDUSTRIAL, L.P., A DELAWARE LIMITED PARTNERSHIP, EL SEGUNDO, CA 90245 (Report of: Public Works Department)

Mayor Stewart opened the Agenda Item A.4 for public comments, which were received from George Acosta, Deanna Reeder and Ruthee Goldkorn.

Recommendation:

1. Approve Parcel Map 35859, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

2. Accept the Agreement and Security for Public Improvements;

3. Authorize the Mayor to execute the Agreement;

4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

AGENDA ORDER

G.2 RESOLUTION TO CREATE A JULY 4TH ADVISORY BOARD (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-82 creating the July 4th Advisory Committee; and

Resolution No. 2011-82

A Resolution of the City Council of the City of Moreno Valley, California, to Create a July 4th Advisory Committee

2. Establish trust account 00359.359.2239.16 for receiving donations from the community to fund the City's July 4th Festivities.

Mayor Stewart opened the agenda item for public comments, which received from Deanna Reeder.

Motion to Approve as amended to change the name from "Board" to "Committee" by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

AGENDA ORDER

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND AUTHORIZATION RESOLUTION FOR EXECUTION AND DELIVERY OF CALIFORNIA COMMUNITIES GAS TAX REVENUE CERTIFICATES OF PARTICIPATION, SERIES 2011B TOTAL ROAD IMPROVEMENT PROGRAM (TRIP)

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder.

Recess;
Reconvened

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-81 approving the sale, execution, and delivery of not more than $20 million in principal amount of California Communities Gas Tax Revenue Certificates of Participation, Series 2011B (TRIP – Total Road Improvement Program) (the "COPs" or "Certificates") and approving certain actions in connection therewith, and authorizing judicial validation proceedings relating thereto;

Resolution No. 2011-81

Approving the Execution and Delivery of California Communities Gas Tax Revenue Certificates of Participation, Series 2011b (T.R.I.P. – Total Road Improvement Program) Pursuant to a Trust Agreement, Authorizing the Execution and Delivery of a Trust Agreement, Certificate Purchase Agreement and an Installment Sale Agreement, Authorizing the Distribution of an Official Statement in Connection with the Offering and Sale of

Such Certificates, and Authorizing the Filing of a Validation Action and Other Matters Relating Thereto

Motion to Approve including amended page 8 (providing code section number 2103) by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

2. Approve the proposed budget adjustments as identified on Attachment 6 for Gas Tax and Measure A funded projects/programs as a modification of the approved FY 2011-12 and FY 2012-13 Operating Budget and FY 2011-12 Capital Improvement Plan (CIP);

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

3. Approve the annual transfer of $1,256,000 from the Measure A Fund to the COP Series 2011B Principal and Interest Payment Fund to fund the Installment Payments and reflect the following in Riverside County Transportation Commission's (RCTC) Measure A 5-year Local Streets and Roads CIP:

   a) Transfer from Measure A to the COP Series 2011B Principal and Interest Payment Fund;
   b) Proposed budget adjustments for Measure A funded projects/programs as identified on Attachment 6;

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

4. Authorize the Public Works Director / City Engineer to submit an amended FY 2012-2016 Measure "A" Local Streets and Roads Five-Year CIP to the Riverside County Transportation Commission (RCTC) to include the addition of the Nason Street Project from Fir Avenue to Cactus Avenue;

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

5. Appropriate $1,256,000 in the COP Series 2011 B Principal and Interest Payment Fund expense budget for installment payments; and

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

6. Authorization the addition of the Nason Street Project from Fir Avenue to Cactus Avenue in the FY 2011-12 CIP and authorize the appropriation of up to $15,000,000 for this project.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

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

G. REPORTS

G.1 REDISTRICTING PRESENTATION BY NATIONAL DEMOGRAPHICS CORPORATION FOUNDER ALAN HESLOP (ORAL PRESENTATION) (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Clerk's Department)

Mayor Stewart opened the agenda item for public comments, which were received from Ruthie Goldkorn, Deanna Reeder, Pete Bleckert, Tom Jerele, and Christopher Baca.

No action required.

G.3 RESOLUTION OF THE CITY COUNCIL DECLARING ITS INTENTION TO ENACT AN ORDINANCE WHEREBY THE CITY SHALL ELECT TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING THE CITY TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; AND RESOLUTIONS OF THE CITY COUNCIL AND OF THE COMMUNITY REDEVELOPMENT AGENCY APPROVING THE AGREEMENT TO TRANSFER TAX INCREMENT (Report of: Community & Economic Development Department)

Mayor Stewart opened the agenda item for public comments, which were received from Susan Gilchrist and Deanna Reeder.

Recommendation: That the City Council:

1. Introduce an Ordinance No. 832 for first reading and schedule adoption of the Ordinance for August 23, 2011 whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

Motion to Amend the proposed Ordinance No. 832 to include the following language:

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, the City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be or has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1x 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay.

Amend paragraph 3 to read as follows:

The City hereby ordains that the City, under protest, shall comply with the Constitution and the laws of the State of California, including Part 1.9 of Division 24 of the Health and Safety Code, including the determination of remittance amounts, appeal rights in relation thereto, and the making of the remittances referred to in CRL Section 34194(b) and (c) at the times and in the manner described in Part 1.9, without prejudice to the rights of the City (a) to challenge or join with other entities challenging the validity of the Dissolution Act and the Alternative Voluntary Redevelopment Program, (b) to review and appeal the amounts of community remittances required by the Alternative Voluntary Redevelopment Program, (c) in the event a court of competent jurisdiction grants an injunction or stay enjoining the effectiveness of the Dissolution Act and/or the Alternative Voluntary Redevelopment Program, to withhold community remittances while that injunction or stay is in effect, (d) in the event the Dissolution Act and/or the Alternative Voluntary Redevelopment Program is declared invalid by a court of competent jurisdiction, to obtain a refund of any community remittances paid pursuant to the Alternative Voluntary Redevelopment Program and this Ordinance and this Ordinance will immediately become null and void and have no further force or effect, and (e) to subsequently determine, based on circumstance and information then available to the City Council, including the amounts of required community remittances, that is not in the best interests of the City to continue to participate in the Alternative Voluntary Redevelopment Program, in which case the City Council shall formally repeal this Ordinance and the Agency shall be subject to the Dissolution Act. This Ordinance is that ordinance referred to in CRL Section 34193 and shall be interpreted and applied in all respects so as to fully comply with Part 1.9, to the fullest extent required by law.

Motion to Approve the amendment to the proposed Ordinance No. 832 by m/Robin N. Hastings, s/William H. Batey II
Approved by a vote of 5-0.

Motion to Introduce Ordinance No. 832 as amended by m/Robin N. Hastings, s/Marcelo Co
Approved by a vote of 5-0.

2. Adopt Resolution No. 2011-83 declaring its intention to enact an Ordinance whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Resolution No. 2011-83

A Resolution of the City Council of the City of Moreno Valley

Declaring its Intention to Enact an Ordinance Whereby the City Shall
Elect Comply with and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

3. Adopt Resolution No. 2011-84, a resolution of the City of Moreno Valley approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. 2011-84

A Resolution of the City of Moreno Valley Approving an Agreement to Transfer Tax Increment by and Between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley Dated as of August 30, 2011 and Making Certain Findings in Connection Therewith

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

4. That the Community Redevelopment Agency Board of Directors adopt RDA Resolution No. 2011-11, a resolution of the Community Redevelopment Agency approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. RDA 2011-11

A Resolution Of The Community Redevelopment Agency Of The City Of Moreno Valley Approving The Agreement To Transfer Tax Increment By And Between The Agency And The City Of Moreno Valley Dated As Of August 30, 2011 And Making Certain Findings In Connection Therewith

Motion to Approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co

Approved by a vote of 5-0.

5. That the City Council and the Redevelopment Agency Board of Directors authorize the City Manager, the Executive Director of the Redevelopment Agency and the Finance and Administrative Services Director to execute documents necessary to comply with the adopted Resolutions and Ordinance;

Motion to Approve by m/Council Member and Agency Member Robin N. Hastings, s/Council Member and Agency Member Marcelo Co
Approved by a vote of 5-0.

6. Authorize the transfer of $6,169,642 from RDA Tax Increment fund balance to General Fund fund balance to comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code; and

Motion to Approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co
Approved by a vote of 5-0.

7. Authorize the appropriation of $6,169,642 from General Fund fund balance and remit payments to the County Auditor-Controller, as stated per ABX1 27.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Ray Hicks
1. Relocation of steam generators emitting very low radiation

Pete Bleckert
1. Improvement of roads

Ruthie Goldkorn
1. Infrastructure of Nason area

Deanna Reeder
1. Public record request regarding City Manger's expenditure
2. Spending on infrastructure

Adolf Kruger
1. Enforcing Ordinance 740, which regulate excessive noise

Susan Gilchrist
1. Enforcement of Moreno Valley Municipal Code
2. Sketchers

Narem Qureshi
1. Selective enforcement of Code Compliance

Kenny Bell
1. Attracting businesses; action of the Planning Commissioners

Tom Jerele on behalf of himself and Sundance Plaza Shopping Center
1. Thanked the Council for voting on Item G.3 (redevelopment program)
2. Burglary at the Sundae Center
3. State of the City Address - a great event
4. Edison company bringing radioactive materials

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

Mayor Stewart
1. Responded to speaker's comments: portion that is going to be changed is not part of the original Aquabella senior housing project
2. Suggested setting up a seminar to educate new Planning Commissioners about their roles and responsibilities
3. Infrastructure on Nason was overlooked in the past; big users didn't pay for infrastructure

CLOSED SESSION - canceled

ADJOURNMENT

Motion to Adjourn: there being no further business to conduct, the meeting was adjourned at 9:34 p.m. by unanimous informal consent by Council Member Robin N. Hastings, s/Council Member Marcelo Co. Molina

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of July 6 – August 16, 2011.

Reports on Reimbursable Activities July 6 – August 16, 2011		
Council Member	Date	Meeting
William H. Batey II	8/16/11	Lori Schiefelbein's Retirement Lunch
Marcelo Co	8/16/11	Lori Schiefelbein's Retirement Lunch
Robin N. Hastings	8/16/11	Lori Schiefelbein's Retirement Lunch
Jesse L. Molina		None
Richard A. Stewart	7/27/11	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	8/2/11	Moreno Valley Hispanic Chamber of Commerce Adelante

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00120696

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: AMENDMENT TO THE RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST

RECOMMENDED ACTION

Staff recommends that the City Council:

1) Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2) Approve the reprioritized Rule 20A priority list.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The California Public Utilities Commission (CPUC) Rule 20 establishes the policies and procedures for the conversion of overhead power lines and facilities to underground lines and facilities in a process called "undergrounding". Within the CPUC's Rule 20, is Rule 20A, which is a program that allows conversion projects to be paid through a utility provider's utility rate funds. Using CPUC formulas, Southern California Edison (SCE) designates to each city and county government in its service territory an annual monetary allowance for the purpose of undergrounding overhead electric facilities through the Rule 20A program. The City identifies overhead power line project sites for SCE consideration. If SCE concurs that the project site meets a minimum of one of the approved CPUC Rule 20A project criteria, steps may proceed toward the establishment of an underground utility district and construction of the project. Currently there are

several locations throughout the City that qualify for undergrounding overhead facilities. In 1999, in an effort to determine a priority of the project areas, the City Council approved the Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (General Management Policy # 2.33) along with a priority list of project areas.

DISCUSSION

On October 12, 1999, the City Council adopted General Policy # 2.33, Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy.

In an effort to further refine and define the Rule 20A policy, the following modifications are being proposed to the General Management Policy # 2.33 (See Exhibit A for the redline copy):

1. Modifying the policy to incorporate the CPUC's addition of a fourth qualifying criteria to the Rule 20 tariff. This qualification allows any arterial or major collector road in a local government's general plan to qualify for Rule 20A funding of overhead utilities. By adding this qualifying criterion, the policy can accurately reflect all the current options that satisfy a project for the possibility of Rule 20A funding;

2. Modifying the policy to provide the City Council the ability to prioritize the undergrounding of overhead utilities as necessary to meet the current goals of the Capital Improvement Plan (CIP) and the Economic Development Action Plan adopted by the City Council on April 26, 2011. By allowing the City Council the ability to provide direction in the selection of overhead utility areas to be undergrounded, the City has the flexibility to proceed with the selection of undergrounding projects that are in the best interests of the City at large; and

3. Modifying the policy to include clarity to certain procedural requirements for the creation of an underground district and to account for updated SCE estimates and scheduling changes that have developed over time.

Additionally, the Rule 20A priority list has been revised to reflect the removal of those areas where conversions of overhead utility equipment have been completed, along with reordering to accommodate the goals as outlined in the CIP and Economic Development plans. This revised priority list provides a current overview of the areas throughout the City that will benefit from the undergrounding of overhead utilities.

ALTERNATIVES

1. Approve and adopt the amended General Management Policy # 2.33 (Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy) and approve the revised Rule 20A project priority list. *By adopting the proposed amendments to General Management Policy # 2.33 and approving the revised priority list, the City Council will bring the policy current and in accordance with the CPUC*

approved Rule 20A guidelines, which will provide the City Council flexibility within Policy # 2.33 guidelines to select areas to receive Rule 20A funding of overhead facilities. These modifications will help to support the goals as outlined in the CIP and Economic Development plans, and as may be amended from time to time.

2. Do not adopt the proposed amends to the General Management Policy # 2.33 (Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy) and do not approve the revised Rule 20A project priority list. *By not approving and adopting the proposed amendments nor approving the revised priority list, the City Council will continue to operate in accordance with the current criteria and guidelines of General Management Policy # 2.33, which is deficient in listing all CPUC approved qualifying Rule 20A criteria for the selection of underground project areas. Additionally the policy in the present form contains outdated cost and scheduling estimates for project completion and limits Council's flexibility in determining project selection, which may run contrary to the City's goals as outlined in the current, or as may be amended, CIP and Economic Development plans.*

FISCAL IMPACT

Using CPUC formulas, SCE designates an annual Rule 20A allocation of funds to city and county governments within their service territory for the purpose of undergrounding overhead facilities. The designation of funds is based on several factors and can vary from year to year. In accordance with CPUC guidelines, to accommodate the completion of larger projects, local governments may, with SCE approval, borrow up to five years of anticipated Rule 20A allocations based on anticipated future year allocations, to complete a Rule 20A project. There is **no fiscal impact** on the General Fund for approving and adopting the amended policy or the priority list.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness

The Rule 20A program helps to promote a sense of pride in the community and foster an excellent image by placing necessary utility lines and facilities underground where they will continue to provide the community with essential services, yet provide an uncluttered and unobtrusive appearance.

SUMMARY

The action before the City Council is to approve and adopt the proposed amendments to the Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy and approve the revised Rule 20A priority list.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A – Amended Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (Redline copy)

Exhibit B – Amended Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (Clean copy)

Exhibit C – Revised Rule 20A Priority List

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Candace E. Cassel
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

PURPOSE: To establish procedures and criteria for prioritizing electric utility-funded projects pertaining to overhead utility equipment conversion to underground service.

POLICY:

I. Definition of Overhead Utility Equipment Conversion

The California Public Utilities Commission requires Southern California Edison (SCE) to designate funds for each county and city in its service territory to fund~~spend~~ the ~~replacing~~ replacement of overhead electrical lines and associated power poles with underground equipment. SCE refers to the utility-funded overhead utility equipment conversion program as "Rule 20A". Funds are allocated to the City of Moreno Valley for expenditures on City-identified projects, provided that the City Council has:

A. Determined that such undergrounding is in the general public interest by satisfying ~~for~~ one or more of the following reasons to qualify for funding under Rule 20A:

1. The proposed undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; ~~or~~

3. The street or road or right-of-way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public; or

4. The location qualifies as an arterial or major collector road in a local government's general plan.

B. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located.

II. Process

The responsible City department will:

A. Develop a list of potential projects by identifying streets, civic areas, or public recreation areas near overhead utility equipment. Categorize streets as Image Corridors (primary priority) or Transportation Corridors (secondary priority) classifications.

At the discretion of the City Council, projects located on either primary or secondary roadways may be given a higher priority if they are located within areas of the City that promote the goals of the City's Capital Improvement Plan (CIP) and/or the City's Economic Development Plan, as may be subsequently amended.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

B. Projects not receiving a high priority status from the City Council (per Section IIA) will be evaluated ~~Evaluate streets on primary~~ and prioritized ~~priority list~~ according to the following weighted criteria.

1. Traffic Counts: 15% of total score

   This category recognizes the benefit received by citizens passing proposed utility line conversion sites. Streets with higher traffic counts receive higher scores.

2. Percent Commercial/Parkway Land Uses: 15% of total score

   This category recognizes the benefit received by property owners and citizens visiting parcels adjacent to proposed utility line conversion sites. Commercial land uses directly facing the street receive higher scores because traffic to a commercial property is typically higher than to a similarly situated residential property. Therefore, more citizens benefit from the improved aesthetic environment near commercial property or in a neighborhood. Streets with higher proportions of adjacent commercial and/or parkway land uses receive higher scores.

3. Percent Drops/Parcels Benefited: 15% of total score

   A drop is any structure that receives power directly from the overhead power distribution line to be undergrounded. If the distribution line is converted, SCE must change the way the structure receives power. SCE may hang a new overhead line to the building (usually from a pole set back from the street). However, if another overhead power source cannot be secured, the structure's electrical panel and power connection would be converted/undergrounded. Rule 20A funds cannot pay for upgrades to individual parcels so the City would have to identify another funding source.

   Project sites with fewer drops receive higher scores.

4. Estimated Cost @ $500~~250~~ per linear foot: 15% of total score

   SCE staff currently estimate construction costs at approximately $500~~250~~ per linear foot of overhead line to be undergrounded. Potential sites shall be measured and estimated costs shall be calculated. Project completion time from site selection through construction is approximately ~~two~~four years~~. In two years, the City of Moreno Valley receives approximately $500,000. Projects estimated to cost less than $500,000 receive higher scores.~~

5. Percent of Front Footage Fully Improved 10% of total score

   Projects along fully improved streets (including curb and gutter) receive higher scores.

6. Percent of Parcels Developed 10% of total score

   Underground electrical cable adjacent to a fully developed parcel is less likely to later interfere with construction and/or require relocation. Projects with greater percentages of developed adjacent parcels receive higher scores.

7. Availability of Outside Participation (In-Lieu fees): 10% of total score

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

Newly developing parcels are usually required to install electrical facilities underground. However, where neighboring parcels have not yet converted electrical facilities, developers/property owners often prefer to deposit funds with the City in lieu of paying to convert a small distance of overhead line. Project sites with available "In-Lieu" fees receive higher scores.

8. Coordinates with Other Improvements 5% of total score

Projects that coincide with another public improvement project receive higher scores.

9. Conflicting Utilities: 5% of total score

Other utility companies use Edison power poles to suspend overhead lines. Projects without other utility involvement receive higher scores.

C. Establish a priority list based on City Council priorities first and then based on calculated scores per Section II B (if applicable). Projects will be ~~.S~~scheduled ~~projects~~ according to City Council priorities and then based on the ~~to~~highest average group score.

D. As SCE Rule 20A funding accumulates, pursue conversion of overhead utility equipment to underground facilities according to the established priority list as determined by the City Council.

1 Communicate City consideration of a selected site with all utilities.

2 Adopt an ordinance or resolution creating an underground utility district.

E. Re-evaluate potential project sites as City Council priorities and project site conditions change.

F. Survey and score project sites on the ~~secondary~~ priority lists as ~~the primary list~~ projects near~~s~~ completion.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

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MV00120704

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

PURPOSE: To establish procedures and criteria for prioritizing electric utility-funded projects pertaining to overhead utility equipment conversion to underground service.

POLICY:

I. Definition of Overhead Utility Equipment Conversion

The California Public Utilities Commission requires Southern California Edison (SCE) to designate funds for each county and city in its service territory to fund the replacement of overhead electrical lines and associated power poles with underground equipment. SCE refers to the utility-funded overhead utility equipment conversion program as "Rule 20A". Funds are allocated to the City of Moreno Valley for expenditures on City-identified projects, provided that the City Council has:

A. Determined that such undergrounding is in the general public interest by satisfying one or more of the following reasons to qualify for funding under Rule 20A:

1. The proposed undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;

3. The street or road or right-of-way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public; or

4. The location qualifies as an arterial or major collector road in a local government's general plan.

B. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located.

II. Process

The responsible City department will:

A. Develop a list of potential projects by identifying streets, civic areas, or public recreation areas near overhead utility equipment. Categorize streets as Image Corridors (primary priority) or Transportation Corridors (secondary priority) classifications.

At the discretion of the City Council, projects located on either primary or secondary roadways may be given a higher priority if they are located within areas of the City that promote the goals of the City's Capital Improvement Plan (CIP) and/or the City's Economic Development Plan, as may be subsequently amended.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit B

B. Projects not receiving a high priority status from the City Council (per Section IIA) will be evaluated and prioritized according to the following weighted criteria.

1. Traffic Counts: 15% of total score

   This category recognizes the benefit received by citizens passing proposed utility line conversion sites. Streets with higher traffic counts receive higher scores.

2. Percent Commercial/Parkway Land Uses: 15% of total score

   This category recognizes the benefit received by property owners and citizens visiting parcels adjacent to proposed utility line conversion sites. Commercial land uses directly facing the street receive higher scores because traffic to a commercial property is typically higher than to a similarly situated residential property. Therefore, more citizens benefit from the improved aesthetic environment near commercial property or in a neighborhood. Streets with higher proportions of adjacent commercial and/or parkway land uses receive higher scores.

3. Percent Drops/Parcels Benefited: 15% of total score

   A drop is any structure that receives power directly from the overhead power distribution line to be undergrounded. If the distribution line is converted, SCE must change the way the structure receives power. SCE may hang a new overhead line to the building (usually from a pole set back from the street). However, if another overhead power source cannot be secured, the structure's electrical panel and power connection would be converted/undergrounded. Rule 20A funds cannot pay for upgrades to individual parcels so the City would have to identify another funding source.

   Project sites with fewer drops receive higher scores.

4. Estimated Cost @ $500 per linear foot: 15% of total score

   SCE staff currently estimate construction costs at approximately $500 per linear foot of overhead line to be undergrounded. Potential sites shall be measured and estimated costs shall be calculated. Project completion time from site selection through construction is approximately four years.

5. Percent of Front Footage Fully Improved 10% of total score

   Projects along fully improved streets (including curb and gutter) receive higher scores.

6. Percent of Parcels Developed 10% of total score

   Underground electrical cable adjacent to a fully developed parcel is less likely to later interfere with construction and/or require relocation. Projects with greater percentages of developed adjacent parcels receive higher scores.

7. Availability of Outside Participation (In-Lieu fees): 10% of total score

   Newly developing parcels are usually required to install electrical facilities underground. However, where neighboring parcels have not yet converted electrical facilities, developers/property owners often prefer to deposit funds with the City in lieu of paying to

convert a small distance of overhead line. Project sites with available "In-Lieu" fees receive higher scores.

8. Coordinates with Other Improvements 5% of total score

Projects that coincide with another public improvement project receive higher scores.

9. Conflicting Utilities: 5% of total score

Other utility companies use Edison power poles to suspend overhead lines. Projects without other utility involvement receive higher scores.

C. Establish a priority list based on City Council priorities first and then based on calculated scores per Section II B (if applicable). Projects will be scheduled according to City Council priorities and then based on the highest average group score.

D. As SCE Rule 20A funding accumulates, pursue conversion of overhead utility equipment to underground facilities according to the established priority list as determined by the City Council.

1 Communicate City consideration of a selected site with all utilities.

2 Adopt an ordinance or resolution creating an underground utility district.

E. Re-evaluate potential project sites as City Council priorities and project site conditions change.

F. Survey and score project sites on the priority lists as projects near completion.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit B

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MV00120708

Rule 20A Priority List

High Priority

STREET NAME	STRETCH TO BE UNDERGROUNDED
Cactus Avenue	Lasselle Street to Moreno Beach Drive
Nason Street	State Highway 60 to Alessandro Boulevard
Nason Street	Alessandro Boulevard to Cactus Avenue

Medium Priority*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Alessandro Boulevard	Old State Highway 215 to Day Street
Alessandro Boulevard	Day Street to Elsworth Street
Alessandro Boulevard	Elsworth Street to Frederick Street
Alessandro Boulevard**	Nason Street to Wilmont Street
Cottonwood Avenue**	Day Street to Elsworth Street
Cottonwood Avenue**	Morrison Street to Moreno Beach Drive
Frederick Street	Cottonwood Avenue to Bay Avenue
Frederick Street	Bay Avenue to Alessandro Boulevard
Indian Street**	Iris Avenue to the Southern City Limits
Perris Boulevard	Fir Avenue to Eucalyptus Avenue
Perris Boulevard	Eucalyptus Avenue to Dracaea Avenue
Perris Boulevard	Dracaea Avenue to Cottonwood Avenue
Perris Boulevard	W/S Cottonwood Avenue to Bay Avenue
Perris Boulevard	W/S Bay Avenue to Alessandro Avenue
Redlands Boulevard**	Most of Redlands Boulevard from Ironwood Ave to Bay Avenue and Brodiaea Avenue to John F. Kennedy Drive
Sunnymead Boulevard	S/S Heacock Street to Indian Street
Sunnymead Boulevard	S/S Indian Street to Perris Boulevard

Low Priority*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Alessandro Boulevard	Perris Boulevard to Lasselle Street
Alessandro Boulevard	Nason Street to the Eastern City Limits
Alessandro Boulevard**	Perris Boulevard to Kitching Street (small stretches)
Alessandro Boulevard**	Kitching Street to Lasselle Street
Alessandro Boulevard**	Merwin Street to the Eastern City Limits
Cactus Avenue	Indian Street to Perris Boulevard
Cactus Avenue	Kitching Street to Lasselle Street

Approved by:
Date:

Rule 20A Priority List

Low Priority List (Continued)*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Cactus Avenue**	Ponder Street to Perris Boulevard
Cottonwood Avenue**	Perris Boulevard to Silver Lane
Cottonwood Avenue**	W/O Lasselle Street to E/O Lasselle Street (small stretch)
Cottonwood Avenue	State Highway 215 to W/O Heacock Street
Cottonwood Avenue	E/O Heacock Street to Moreno Beach Drive
Eucalyptus Avenue	Heacock to E/O Perris Boulevard
Eucalyptus Avenue	Kitching Street to Lasselle Street
Graham Street	Dracaea Avenue to Cottonwood Avenue
Graham Street**	Alessandro Boulevard to Cactus
Heacock Street	Between Reche Vista & Sunnymead Ranch Parkway
Heacock Street**	Between Reche Vista and Mountainside Road
Indian Street	Manzanita Avenue to Bay Avenue
Indian Street	Alessandro Boulevard to the Southern City Limits
Indian Street**	Dracaea Avenue to Cottonwood Avenue
Indian Street**	Iris Avenue to the Southern City Limits
Iris Avenue**	Most of Iris Avenue Indian Street to Perris Boulevard
Ironwood Avenue	Morton Road to Clark Street
Ironwood Avenue	Kitching Street to Pettit Street
Ironwood Avenue**	Morton Road to Clark Street
Ironwood Avenue**	W/O Nason Street to Moreno Beach Drive
Locust Street **	Various stretches between Moreno Beach Drive and Redlands Boulevard
Nandina Avenue**	Indian Avenue to Perris Boulevard
Perris Boulevard**	Select stretches: Manzanita Avenue to Ironwood Avenue Cactus Avenue to Delphinium Avenue John F. Kennedy Drive to Filaree Avenue Gentian Avenue to Iris Avenue Krameria Avenue to Northern Dancer Drive Suburban Lane to the City Limits

* Street Names sorted alphabetically. Project selection will be determined based on General Management Policy #2.33, once funding is available.

** Portions adjacent to undeveloped parcels may involve property owner participation.

Approved by:
Date:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive.

   All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained electric utility system.

BACKGROUND

On October 12, 2010, the City Council awarded the construction contract to H & H General Contractors, Inc., for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, (Account Numbers are listed under Fiscal Impact) and authorized the issuance of a Purchase Order in the amount of $2,413,664.00 (the base bid amount plus 10% contingency) was issued to the Contractor.

To ensure the safety and reliability of the MVU electric grid, it was necessary to construct a new electric distribution line extension circuit to accommodate the increased demand on the system.

DISCUSSION

H & H Contractors, Inc. completed construction on June 7, 2011, of the electrical conduits, manholes, vaults and switches and/or installation and energizing of 1000 KCMIL, 12kV cable on the following Projects:

Project No's. MVU-0003, 0006, and 0008:
Cottonwood Ave – Moreno Beach Drive to Quincy Street;

Project No's. MVU-0010, 0011, 0012, 0014:
John F. Kennedy Drive – Perris Boulevard to Lasselle Street;
Lasselle Street – John F Kennedy Drive to Cactus Avenue;
Cactus Avenue – Lasselle Street to Nason Street;
Nason Street – Cactus Avenue to Alessandro Boulevard;
Alessandro Boulevard – Morrison Street to Moreno Beach Drive

The Contractor completed the project at a total construction cost of $2,176,673.66, inclusive of Contract Change Order No. 1 and Change Order No. 2 (Final) in the amount of $110,548.86. The improvements were completed on schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive, which was constructed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project. Accept the improvements into the City's maintained electric utility system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained electric utility system.*

2. Do not accept the work as complete for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive, which was constructed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536. Do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code. Do not authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project. Do not accept the improvements into the City's maintained electric utility system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained electric utility system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2010-2011 Capital Improvements Project Budget. This project is funded through the 2007 Lease Revenue Bonds approved by the City Council on March 13, 2007. MVU will receive various reimbursements from other development for some of the capital costs.

Fiscal Year 2010/2011 Capital Improvement Budget:

MVU – 0003 (Account No. 602.61829)	$489,814
MVU – 0006 (Account No. 602.61832)	$ 32,367
MVU – 0008 (Account No. 602.61827)	$482,099
MVU – 0010 (Account No. 602.61835)	$806,260
MVU – 0011 (Account No. 602.61836)	$525,500
MVU – 0012 (Account No. 602.61837)	$551,660
MVU – 0014 (Account No. 602.61839)	$448,907
Total Budgeted Funds	**$3,336,607**

FINAL CONSTRUCTION RELATED COSTS:

Construction Contract	$2,176,674
Project Administration and Inspection (City Staff and Consultant)	$ 137,376
Total Project Construction Costs	$2,314,050

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community. *The construction of these facilities will expand the MVU electrical distribution system.*

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained. *The expansion of the MVU electrical distribution system will foster a positive environment and potentially help contribute to development of Moreno Valley's future.*

SUMMARY

H & H Contractors, Inc. completed the construction of the required structures, conduits, conductors, switches, and related electrical apparatus necessary to transfer load from the Cactus, Lasselle, Iris, and Globe 12kV interconnections and provide operational flexibility within the MVU electric grid on June 7, 2011. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to H & H General Contractors, Inc., and accept the improvements into the City's maintained electric utility system.

ATTACHMENTS

Attachment “A” – Location Map

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Jeanette Olko
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MVU-0003,MVU-0006 ,MVU-0008 MVU-0010,MVU-0011,MVU-0012 & MVU-0014

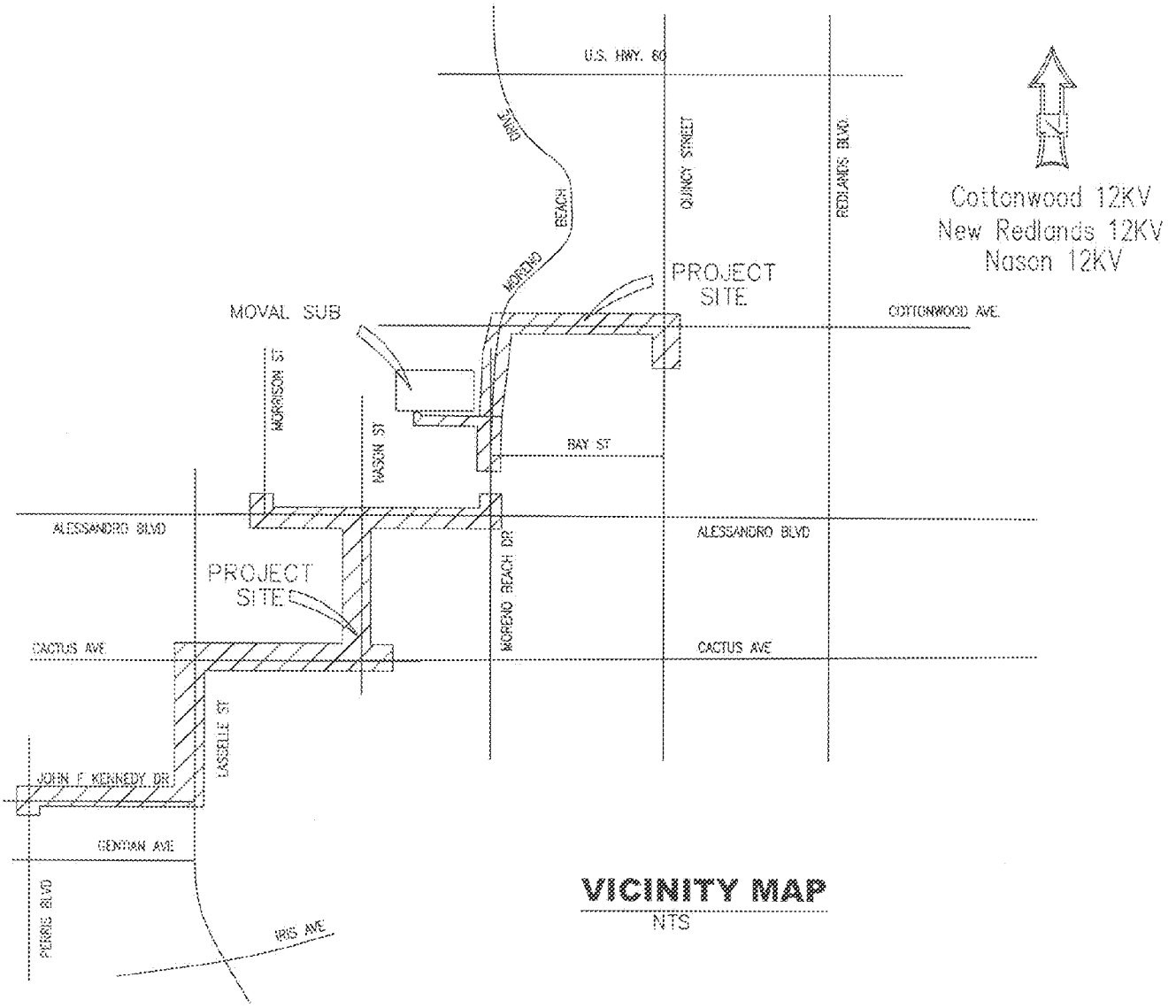

VICINITY MAP
NTS

Attachment "A"

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MV00120718

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2010-11 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-85
Check Register for Month of May, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2011 through May 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2011 through May 31, 2011, in the total amount of $10,409,143.31 is approved.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	5/16/2011	207795	35,418.28		
				REHAB COSTS-14131 ST TROPEZ CT	15,585.51
				REHAB COSTS-25263 DRAKE DR	19,832.77
	Vendor Total		**35,418.28**		
FYTD for A N R INDUSTRIES, INC			**382,295.79**		
AFTERSCHOOL STORE.COM				Remit to: **PALMDALE**	**CA**
	5/2/2011	207603	44,826.18		
				AFTERSCHOOL SNACKS-STARS	33,563.18
				AFTERSCHOOL SNACKS-STARS	11,263.00
	Vendor Total		**44,826.18**		
FYTD for AFTERSCHOOL STORE.COM			**321,570.52**		
ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	5/23/2011	207904	248,346.99		
				SR-60/NASON ST INTRCHNG PROJ	198,677.59
				SR-60/NASON ST INTRCHNG PROJ	49,669.40
	Vendor Total		**248,346.99**		
FYTD for ALL AMERICAN ASPHALT, INC.			**248,346.99**		
BANC OF AMERICA PUBLIC CAPITAL CORP				Remit to: **ATLANTA**	**GA**
	5/2/2011	110503	32,556.40		
				DBT SVC-2011 PRIV PL REF 97LRB	32,556.40
	Vendor Total		**32,556.40**		
FYTD for BANC OF AMERICA PUBLIC CAPITAL CORP			**32,556.40**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/31/2011	882802	40,899.18		
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-S AQDCT B	735.00
				LANDSCAPE MAINT-SENIOR CTR	262.50
				LANDSCAPE MAINT-N AQDCT	525.00
				LANDSCAPE MAINT-S AQDCT A	850.50
				LANDSCAPE MAINT-SCE/OLD LAKE D	1,785.00
				LANDSCAPE MAINT-PAN AM SECT	600.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MVU SUB	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-E3	10,625.00
				LANDSCAPE MAINT-E3A	1,000.00
	Vendor Total		**40,899.18**		
FYTD for BEMUS LANDSCAPE, INC.			**519,366.45**		
CITY OF RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208026	125,000.00		
				TRAFFIC SIG COORD/SYNC PROJECT	125,000.00
	Vendor Total		**125,000.00**		
FYTD for CITY OF RIVERSIDE			**133,610.09**		
COUNTY OF RIVERSIDE AUDITOR				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208031	29,927.35		
				PARKING CONTROL FEES	26,895.35
				PARKING CONTROL FEES	3,032.00
	Vendor Total		**29,927.35**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**243,752.62**		
COUNTY OF RIVERSIDE AUDITOR CONTROLLER				Remit to: **RIVERSIDE** **CA**	
	5/10/2011	110504	1,082,578.00		
				SERAF PAYMENT FOR F/Y2010-11	1,082,578.00
	Vendor Total		**1,082,578.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR CONTROLLER			**1,082,578.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE FIRE DEPT				Remit to: **PERRIS** **CA**	
	5/31/2011	882807	3,035,253.64		
				FPARC-MV 230920,10-11,Q3	3,035,253.64
	Vendor Total		**3,035,253.64**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT			**12,744,604.32**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/16/2011	882738	36,862.28		
				CITATION PRCSSNG SVCS-CODE	14,408.16
				CITATION PRCSSNG SVCS-CODE	22,454.12
	Vendor Total		**36,862.28**		
FYTD for DATA TICKET, INC.			**241,885.62**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/16/2011	207822	38,247.25		
			WATER CHARGES	488.74
			WATER CHARGES	193.77
			WATER CHARGES	257.29
			WATER CHARGES	2,000.26
			WATER CHARGES	33.60
			WATER CHARGES	660.57
			WATER CHARGES	2,195.53
			WATER CHARGES	95.26
			WATER CHARGES	11,015.75
			WATER CHARGES	942.47
			WATER CHARGES	5,384.64
			WATER CHARGES	3,245.14
			WATER CHARGES	2,829.22
			WATER CHARGES	3,738.70
			WATER CHARGES	1,023.79
			WATER CHARGES	1,302.35
			WATER CHARGES	702.41
			WATER CHARGES	426.21
			WATER CHARGES	319.15
			WATER CHARGES	219.06
			WATER CHARGES	799.63
			WATER CHARGES	373.71
5/23/2011	207934	35,064.14		
			WATER CHARGES	1,117.91
			WATER CHARGES	635.96
			WATER CHARGES	488.31
			WATER CHARGES	9,153.60
			WATER CHARGES	1,632.23
			WATER CHARGES	1,704.82
			WATER CHARGES	2,701.45
			WATER CHARGES	7,004.05
			WATER CHARGES	520.46
			WATER CHARGES	248.48
			WATER CHARGES	52.62
			WATER CHARGES	1,510.65
			WATER CHARGES	2,391.75
			WATER CHARGES	205.35
			WATER CHARGES	1,777.94
			WATER CHARGES	1,230.78
			WATER CHARGES	345.84
			WATER CHARGES	219.74
			WATER CHARGES	297.43
			WATER CHARGES	1,330.83
			WATER CHARGES	493.94
	Vendor Total	**73,311.39**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,287,449.35**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ECONOMIC DEVELOPMENT AGENCY			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207722	33,275.00		
			AUTOMATION SVCS-LIBRARY	33,275.00
	Vendor Total	**33,275.00**		
FYTD for ECONOMIC DEVELOPMENT AGENCY		**127,050.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
5/6/2011	2855	34,213.77		
			STATE INCOME TAX W/H 5/6/11	34,213.77
5/20/2011	2863	34,186.81		
			STATE INCOME TAX W/H 5/20/11	34,186.81
	Vendor Total	**68,400.58**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**976,215.46**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
5/9/2011	882655	192,533.98		
			DISTRIBUTION CHARGES	168,447.20
			SPCL/TEMP CHARGES	8,842.00
			BAD DEBT REDUCTION	-4,241.93
			ONLINE UTILITY SERVICES	199.20
			ELECTRIC METER CHARGES-UT	7,215.00
			ELECTRIC METER CHARGES-UT	425.00
			WORK AUTH SVCS-WASTE MGT	1,744.53
			WORK AUTH SVCS-HIGHLAND FRVW	5,432.08
			WORK AUTH SVCS-HIGHLAND FRVW	222.23
			WORK AUTH SVCS-DSP	1,466.85
			WORK AUTH SVCS-HARBOR FREIGHT	1,214.34
			WORK AUTH SVCS-BEAZER TR 36340	1,567.48
5/31/2011	882810	35,174.70		
			WORK AUTH SVCS-HIGHLAND FRVW	7,487.92
			WORK AUTH SVCS-DSP	1,135.39
			WORK AUTH SVCS-TR 36340	24.64
			ELECT METER CHARGES	4,890.00
			CORP YARD ADM BLDG ELECTR WORK	118.52
			12KV NEW REDLAND CKT WORK	21,044.23
			METER FEES-SOLAR CUST	474.00
	Vendor Total	**227,708.68**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,519.17**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON** **CA**	
5/16/2011	207827	110,036.25		
			PREFAB RESTROOM-SHADOW MTN PRK	110,036.25
	Vendor Total	**110,036.25**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**110,036.25**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
5/2/2011	207634	434,340.00		
			MV UTIL. PROJ CONSTRUCT. SVCS	21,611.82
			MV UTIL. PROJ CONSTRUCT. SVCS	289,903.09
			MV UTIL. PROJ CONSTRUCT. SVCS	14,199.18
			MV UTIL. PROJ CONSTRUCT. SVCS	2,838.21
			MV UTIL. PROJ CONSTRUCT. SVCS	44,352.77
			MV UTIL. PROJ CONSTRUCT. SVCS	61,434.93
5/31/2011	208110	435,380.67		
			MV UTIL. PROJ CONSTRUCT. SVCS	413,383.85
			MV UTIL. PROJ CONSTRUCT. SVCS	21,996.82
	Vendor Total	**869,720.67**		
FYTD for H & H GENERAL CONTRACTORS		**1,714,649.31**		
INTERNAL REVENUE SERVICE			Remit to:	
5/6/2011	2854	144,300.39		
			FED INCOME TAX W/H 5/6/11	144,300.39
5/20/2011	2862	146,860.40		
			FED INCOME TAX W/H 5/20/11	146,860.40
	Vendor Total	**291,160.79**		
FYTD for INTERNAL REVENUE SERVICE		**3,212,602.33**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
5/23/2011	207960	117,616.64		
			ENERGY PURCHASE	25,033.36
			ENERGY PURCHASE	92,583.28
	Vendor Total	**117,616.64**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**357,491.28**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
5/6/2011	110502	215,675.33		
			EMPLOYEE HEALTH INS 5/6/11	215,675.33
	Vendor Total	**215,675.33**		
FYTD for PERS HEALTH INSURANCE		**2,247,353.58**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
5/13/2011	2856	202,371.65		
			PERS RETIREMENT 5/13/11	202,371.65
5/27/2011	2864	202,825.11		
			PERS RETIREMENT 5/27/11	202,825.11
	Vendor Total	**405,196.76**		
FYTD for PERS RETIREMENT		**4,802,210.68**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE**	**CA**
5/9/2011	882704	121,531.50		
			IRONWD AVE-DAY TO BARCLAY PROJ	121,531.50
5/16/2011	882751	272,449.80		
			IRONWOOD AVE/STORM DRAIN PROJ	49,299.75
			IRONWOOD AVE/STORM DRAIN PROJ	54,716.39
			IRONWOOD AVE/STORM DRAIN PROJ	15,196.52
			IRONWOOD AVE/STORM DRAIN PROJ	153,237.14
5/19/2011	110506	30,272.20		
			RETENTN PYMT PER ESCROW AGRMNT	30,272.20
	Vendor Total	**424,253.50**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**3,393,302.50**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA**	**PA**
5/2/2011	207660	451,052.00		
			ELECTRIC ENERGY PURCHASE	451,052.00
5/31/2011	208086	455,537.60		
			ENERGY PURCHASE	455,537.60
	Vendor Total	**906,589.60**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**5,942,469.20**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/16/2011	207875	30,600.30		
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	4,312.93
			WDAT CHARGES-GLOBE	8,321.85
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	2,245.68
			WDAT CHARGES-SUBSTATION	10,447.31
5/16/2011	207876	161,216.02		
			IFA CHARGES-SUBSTATION	14,146.73
			ELECTRICITY	791.26
			ELECTRICITY	22.97
			ELECTRICITY	307.54
			ELECTRICITY	44.76
			ELECTRICITY	741.27
			ELECTRICITY	134.08
			ELECTRICITY	767.06
			ELECTRICITY	1,016.96
			ELECTRICITY	2,046.55
			ELECTRICITY	2,395.73
			ELECTRICITY	1,089.02
			ELECTRICITY	21.84
			ELECTRICITY	95,531.38
			ELECTRICITY	37,276.15
			ELECTRICITY	4,518.94
			ELECTRICITY	66.97
			ELECTRICITY	22.05
			ELECTRICITY	23.01
			ELECTRICITY	23.68
			ELECTRICITY	71.60
			ELECTRICITY	112.77
			ELECTRICITY	43.70
	Vendor Total	**191,816.32**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,062,356.10**		
SPECTRUM CARE			Remit to: **FOOTHILL RANCH**	**CA**
5/31/2011	882828	27,739.17		
			LANDSCAPE MAINT-E1	10,540.00
			LANDSCAPE MAINT-E1	1,793.33
			PALM TREE INSTALL-E1	15,405.84
	Vendor Total	**27,739.17**		
FYTD for SPECTRUM CARE		**155,648.52**		

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STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
5/9/2011	207772	30,118.95		
			LIFE & DISABILITY INSURANCE	11,803.49
			LIFE & DISABILITY INSURANCE	18,420.25
			LIFE & DISABILITY INSURANCE	-104.79
5/31/2011	208091	30,087.09		
			LIFE & DISABILITY INSURANCE	11,770.46
			LIFE & DISABILITY INSURANCE	18,368.44
			LIFE & DISABILITY INSURANCE	-51.81
	Vendor Total	**60,206.04**		
FYTD for STANDARD INSURANCE CO		**386,673.79**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH**	**CA**
5/16/2011	207877	37,638.15		
			LEGAL SERVICES-RDA	960.00
			LEGAL SERVICES-RDA	3,675.00
			LEGAL SERVICES-NSP	325.00
			LEGAL SERVICES-HOUSING	2,625.00
			LEGAL SERVICES-HOUSING	3,700.00
			LEGAL SERVICES	14,873.15
			LEGAL SERVICES	11,480.00
5/31/2011	208093	25,440.15		
			PROF SERVICES-SPCL DIST	18,120.15
			PROF SERVICES-SPCL DIST	7,320.00
	Vendor Total	**63,078.30**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**117,202.08**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
5/24/2011	110507	138,275.95		
			CALCARD PYMT CYCLE END 5/9/11	138,275.95
	Vendor Total	**138,275.95**		
FYTD for U.S. BANK/CALCARDS		**1,874,349.12**		
	Subtotal	**8,935,729.27**		

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CHECKS LESS THAN $25,000

FORREST CORMANY				Remit to: **RIVERSIDE**	**CA**
	5/2/2011	207601	200.00		
				BAGPIPER FOR MEMORIAL DAY 5/30	200.00
	Vendor Total		**200.00**		
FYTD for FORREST CORMANY			**200.00**		
LEAL, ANAHI				Remit to: **RIVERSIDE**	**CA**
	5/9/2011	207688	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LEAL, ANAHI			**20.00**		
NIELSEN LLC, CLARITAS				Remit to: **CHARLOTTE**	**NC**
	5/31/2011	208014	3,090.00		
				MEMBERSHIP RNWL-EDD	3,090.00
	Vendor Total		**3,090.00**		
FYTD for NIELSEN LLC, CLARITAS			**3,090.00**		
SHEPARD, SUZIE				Remit to: **MORENO VALLEY**	**CA**
	5/9/2011	207689	175.00		
				REFUND-RNTL DEP 4/16/11	175.00
	Vendor Total		**175.00**		
FYTD for SHEPARD, SUZIE			**175.00**		
A & I REPROGRAPHICS	**2406362**			Remit to: **ONTARIO**	**CA**
	5/23/2011	207898	152.52		
				RPRGRPHC SVCS-SPEED HUMP PRGM	152.52
	Vendor Total		**152.52**		
FYTD for A & I REPROGRAPHICS	**2406362**		**25,313.07**		
A & R WHOLESALE DISTRIBUTORS, INC				Remit to: **ANAHEIM**	**CA**
	5/9/2011	207690	202.02		
				COOKING CLUB SNACKS-STARS	202.02
	Vendor Total		**202.02**		
FYTD for A & R WHOLESALE DISTRIBUTORS, INC			**202.02**		

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ABILITY COUNTS, INC				Remit to: **CORONA** **CA**	
	5/2/2011	207602	2,880.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	5/23/2011	207899	1,440.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	Vendor Total		**4,320.00**		
FYTD for ABILITY COUNTS, INC			**4,320.00**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	5/9/2011	882640	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,506.03**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	882760	283.34		
				TRAINING FOR PD K-9	283.34
	5/31/2011	882798	1,500.00		
				K-9 TRACKING SEMINAR	750.00
				K-9 TRACKING SEMINAR	750.00
	Vendor Total		**1,783.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**21,527.43**		
ADMINSURE				Remit to: **DIAMOND BAR** **CA**	
	5/16/2011	207796	2,600.00		
				WORKMANS COMP ADMIN SVCS-RM	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**28,600.00**		
ADRIATICO, ISABELITA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207797	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for ADRIATICO, ISABELITA			**30.00**		

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ADVANCE REFRIGERATION & ICE SYSTEMS, INC			Remit to: **RIVERSIDE**	**CA**
5/9/2011	882641	717.00		
			ICE MACHINE MAINT-CONF & REC C	195.00
			ICE MACHINE MAINT-FS #58	195.00
			ICE MACHINE MAINT-SENIOR CTR	195.00
			ICE MACHINE MAINT-FS #48	132.00
5/31/2011	882799	875.00		
			ICE MACH MAINT-FS #6	195.00
			ICE MACH MAINT-PSB	195.00
			ICE MACH MAINT-CITY YARD	290.00
			ICE MACH MAINT-TOWNGATE	195.00
	Vendor Total	**1,592.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**18,188.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207691	1,914.00		
			ELECT REPAIRS-PSB	124.00
			ELECT REPAIRS-PSB	186.00
			ELECT REPAIRS-PSB	124.00
			BULBS/LIGHT RPLCMNT-PSB	1,480.00
5/23/2011	207901	11,278.00		
			ELECT SVCS-AUTO SHOP	1,261.00
			ELECT SVCS/RPRS-PSB	194.00
			ELECT SVCS/RPRS-CONF & REC CTR	218.00
			ELECT SVCS/RPRS-CITY HALL	951.00
			ELECT SVCS/RPRS-PARKS	1,491.00
			ELECT SVCS/RPRS-PARKS	236.00
			ELECT SVCS/RPRS-PARKS	243.00
			ELECT SVCS/RPRS-PARKS	282.00
			ELECT SVCS/RPRS-PARKS	238.00
			ELECT SVCS/RPRS-PARKS	212.00
			ELECT SVCS/RPRS-PARKS	687.00
			ELECT SVCS/RPRS-PARKS	361.00
			ELECT SVCS/RPRS-PARKS	401.00
			ELECT SVCS/RPRS-PARKS	367.00
			ELECT SVCS/RPRS-PARKS	820.00
			ELECT SVCS/RPRS-CFD #1	362.00
			ELECT SVCS/RPRS-CFD #1	368.00
			ELECT SVCS/RPRS-CFD #1	217.00
			ELECT SVCS/RPRS-CFD #1	217.00
			ELECT SVCS/RPRS-CFD #1	421.00
			ELECT SVCS/RPRS-FS #48	582.00
			ELECT SVC/REPAIRS-FS #48	870.00
			ELECT SVC/REPAIRS-FS #65	279.00
5/31/2011	208015	532.00		
			ELECTRICAL REPAIRS-PSB	127.00
			POWER CIRCUITS FOR GYM-EDD	405.00
	Vendor Total	**13,724.00**		
FYTD for ADVANCED ELECTRIC		**93,562.60**		

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AEI-CASC ENGINEERING			Remit to: **COLTON** **CA**	
5/2/2011	882616	1,451.05		
			CONSULTING SVCS-WQMP	958.80
			CONSULTING SVCS-WQMP	492.25
5/31/2011	882800	6,085.05		
			IRONWD AVE/DAY ST-BARCLAY PROJ	596.70
			IRONWD AVE/DAY ST-BARCLAY PROJ	5,488.35
	Vendor Total	**7,536.10**		
FYTD for AEI-CASC ENGINEERING		**232,139.79**		
AHLERS, ROSCEAL			Remit to: **HEMET** **CA**	
5/23/2011	207902	228.00		
			INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total	**228.00**		
FYTD for AHLERS, ROSCEAL		**1,444.00**		
ALBERTO'S MEXICAN FOOD			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207692	32.79		
			REFUND-BUS LIC OVRPMT	32.79
	Vendor Total	**32.79**		
FYTD for ALBERTO'S MEXICAN FOOD		**88.76**		
ALICEA, RICHARD			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207903	81.09		
			MILEAGE REIMBURSEMENT	81.09
	Vendor Total	**81.09**		
FYTD for ALICEA, RICHARD		**1,040.19**		
ALLIANCE BUS LINES INC			Remit to: **ONTARIO** **CA**	
5/16/2011	207798	257.64		
			BUS SERVICES-PARKS	257.64
	Vendor Total	**257.64**		
FYTD for ALLIANCE BUS LINES INC		**11,545.41**		
ALLIANT INSURANCE SERVICES, INC.			Remit to: **NEWPORT BEACH** **CA**	
5/16/2011	207799	2,199.36		
			INSURANCE PREMIUM	2,199.36
	Vendor Total	**2,199.36**		
FYTD for ALLIANT INSURANCE SERVICES, INC.		**2,199.36**		

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ALLIANZ LIFE INSURANCE CO			Remit to: **NEWARK** **NJ**	
5/9/2011	207693	75.00		
			NON-EXEMPT ANNUITY	75.00
	Vendor Total	**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**825.00**		
ALPHA AUTOMATION			Remit to: **LOS ANGELES** **CA**	
5/16/2011	207800	46.38		
			FUEL TANK MONITORING	46.38
	Vendor Total	**46.38**		
FYTD for ALPHA AUTOMATION		**46.38**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207604	70.00		
			SPORTS OFFICIATING SVCS	70.00
5/23/2011	207905	70.00		
			SPORTS OFFICIATING SVCS	70.00
	Vendor Total	**140.00**		
FYTD for ALVAREZ, JUAN C		**350.00**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS** **CA**	
5/23/2011	882761	3,439.80		
			BLOOD DRAWS-PD	3,439.80
5/31/2011	882801	1,427.40		
			BLOOD DRAWS-PD	1,427.40
	Vendor Total	**4,867.20**		
FYTD for AMERICAN FORENSIC NURSES		**33,939.54**		
AMERICAN TOWERS			Remit to: **CHARLOTTE** **NC**	
5/9/2011	207694	2,573.48		
			ATC TOWER LEASE-TECH SVCS	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**20,587.84**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM** **CA**	
5/9/2011	207695	121.92		
			ELEVATOR SVC-CITY HALL	121.92
	Vendor Total	**121.92**		
FYTD for AMTECH ELEVATOR SERVICES		**1,866.10**		

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ANDREAS, SHARISSA			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207696	95.00		
			REFUND-RABIES/SPAY DEPOSIT	20.00
			REFUND-RABIES/SPAY DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for ANDREAS, SHARISSA		**95.00**		
ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE** **CA**	
5/23/2011	882762	130.00		
			EMERGENCY VET SVCS-ANML SHLTR	75.00
			EMERGENCY VET SVCS-ANML SHLTR	55.00
	Vendor Total	**130.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**2,465.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO** **CA**	
5/23/2011	207906	1,790.00		
			PEST CONTROL SVCS-PARKS	665.00
			PEST CONTROL SVCS-PARKS	255.00
			PEST CONTROL SVCS-MVEC/MARCH F	330.00
			PEST CONTROL SVCS-PAL	100.00
			PEST CONTROL SVCS-CFD #1	160.00
			PEST CONTROL SVCS-GOLF COURSE	180.00
			PEST CONTROL SVCS-STARS	100.00
	Vendor Total	**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**19,690.00**		
ARBY'S			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207697	60.78		
			REFUND-BUS LIC OVRPMT	60.78
	Vendor Total	**60.78**		
FYTD for ARBY'S		**60.78**		
ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
5/16/2011	882733	1,229.26		
			OFFSITE STORAGE SVCS-CITY CLRK	1,229.26
	Vendor Total	**1,229.26**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**15,129.83**		
ARELLANO, EDGAR			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207907	429.50		
			REFUND-CITATION DISMISSED	429.50
	Vendor Total	**429.50**		
FYTD for ARELLANO, EDGAR		**429.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	5/2/2011	207605	365.78		
				WATER PURIF RNTL-CITY HALL	125.01
				WATER PURIF RNTL-CITY YARD	25.00
				WATER PURIF RNTL-TRFFC TRLR	25.00
				WATER PURIF RNTL-LIBRARY	25.00
				WATER PURIF RNTL-FS #6	25.00
				WATER PURIF RNTL-FS #48	25.00
				WATER PURIF RNTL-FS #2	25.00
				WATER PURIF RNTL-FS #58	15.77
				WATER PURIF RNTL-FS #91	25.00
				WATER PURIF RNTL-FS #65	25.00
				WATER PURIF RNTL-EOC	25.00
	5/23/2011	207908	175.01		
				WATER PURIF RNTL-SPCL DIST	25.00
				WATER PURIF RNTL-CONF & REC CT	25.00
				WATER PURIF RNTL-TS ANNEX	25.00
				WATER PURIF RNTL-SENIOR CTR	25.00
				WATER PURIF RNTL-ANML SHLTR	50.01
				WATER PURIF RNTL-FACILITIES	25.00
	Vendor Total		**540.79**		
FYTD for ARROWHEAD WATER			**6,131.22**		
ARROYAVE, KIARA				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208016	95.00		
				REFUND-SPAY DEPOSIT	95.00
	Vendor Total		**95.00**		
FYTD for ARROYAVE, KIARA			**95.00**		
AT&T MOBILITY				Remit to: **CAROL STREAM** **IL**	
	5/2/2011	207606	91.82		
				CELL PHONE SVCS-PD MBL COMM CT	91.82
	5/31/2011	208017	91.25		
				CELL PH CHARGES-PD MBL CMMND C	91.25
	Vendor Total		**183.07**		
FYTD for AT&T MOBILITY			**1,101.81**		
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	5/9/2011	207698	183.36		
				COMMUNICATION SVCS-PD	183.36
	Vendor Total		**183.36**		
FYTD for AT&T/MCI			**2,018.10**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ATOM, INC				Remit to: **HEMET** **CA**	
	5/2/2011	207607	1,397.90		
				RETENT RLS-SUNNYMD/FREDERICK	1,397.90
	Vendor Total		**1,397.90**		
FYTD for ATOM, INC			**13,979.00**		
BABUGLIA, SILVAVNA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207909	60.00		
				REFUND-OIL PAINTING CLASS	60.00
	Vendor Total		**60.00**		
FYTD for BABUGLIA, SILVAVNA			**60.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	5/9/2011	207699	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,427.25**		
BALANCIER, EARL				Remit to: **PERRIS** **CA**	
	5/2/2011	207608	684.00		
				INSTRUCTION SVCS-18 DAYS	684.00
	5/23/2011	207910	608.00		
				INSTRUCTION SVCS-16 DAYS	608.00
	Vendor Total		**1,292.00**		
FYTD for BALANCIER, EARL			**2,584.00**		
BANK OF AMERICA, N.A.				Remit to: **CHARLOTTE** **NC**	
	5/16/2011	207801	90.00		
				REFUND-FALSE ALARM FEE	90.00
	5/23/2011	207911	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**120.00**		
FYTD for BANK OF AMERICA, N.A.			**410.00**		
BARRAZA/FLORES, BULMARO/ERNESTINA				Remit to: **PERRIS** **CA**	
	5/9/2011	207700	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARRAZA/FLORES, BULMARO/ERNESTINA			**20.00**		

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BARWINSKI, CHRISTOPHER				Remit to: **MORENO VALLEY CA**	
	5/2/2011	882617	70.00		
				SPORTS OFFICIATING SVCS	70.00
	5/23/2011	882763	35.00		
				SPORTS OFFICIATING SVCS	35.00
	Vendor Total		**105.00**		
FYTD for BARWINSKI, CHRISTOPHER			**1,417.50**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO CA**	
	5/9/2011	882642	137.20		
				BACKFLOW TESTING-PARKS	77.20
				BACKFLOW TESTING-PARKS	60.00
	Vendor Total		**137.20**		
FYTD for BASIC BACKFLOW			**2,753.26**		
BATE, CHERISE				Remit to: **MORENO VALLEY CA**	
	5/2/2011	207609	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATE, CHERISE			**100.00**		
BAYANI, CHRISTOPHER				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207802	155.00		
				PER DIEM-VEH. HOMICIDE SEMINAR	155.00
	Vendor Total		**155.00**		
FYTD for BAYANI, CHRISTOPHER			**155.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY CA**	
	5/31/2011	208018	250.00		
				RES APPRAISAL SVC-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**2,400.00**		
BEAS, GABRIEL				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207803	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BEAS, GABRIEL			**75.00**		

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BECKNER, PATRICK				Remit to: **MURRIETA** **CA**	
	5/9/2011	207701	796.56		
				RETIREE MED FEB-MAY '11	796.56
	Vendor Total		**796.56**		
FYTD for BECKNER, PATRICK			**2,810.49**		
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/9/2011	882643	4,868.50		
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX #1	300.00
				LANDSCAPE MAINT-E4	74.35
				LANDSCAPE MAINT-E4	41.59
				LANDSCAPE MAINT-CFD #1	60.00
	5/23/2011	882764	854.30		
				LANDSCAPE MAINT-E3A	589.30
				LANDSCAPE MAINT-E3A	265.00
	Vendor Total		**5,722.80**		
FYTD for BEMUS LANDSCAPE, INC.			**519,366.45**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	5/16/2011	207895	415.30		
				FLEX ADMIN SVCS-HR	210.30
				COBRA ADMIN SVCS-HR	205.00
	5/31/2011	882803	415.30		
				COBRA ADMIN SVCS-HR	205.00
				FLEX ADMIN SVCS-HR	210.30
	Vendor Total		**830.60**		
FYTD for BENESYST, INC.			**6,138.70**		
BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207702	7,888.29		
				TOXICOLOGY TESTING-PD	930.59
				TOXICOLOGY TESTING-PD	6,957.70
	Vendor Total		**7,888.29**		
FYTD for BIO-TOX LABORATORIES			**68,075.03**		
BISHOP COMPANY				Remit to: **WHITTIER** **CA**	
	5/23/2011	207912	771.99		
				MISC TOOLS-PARKS MAINT	771.99
	Vendor Total		**771.99**		
FYTD for BISHOP COMPANY			**771.99**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BLAIR, CHERYL				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207610	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**1,971.00**		
BLANCO, MANNY				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207804	3.00		
				REFUND-CITATION OVRPMT	3.00
	Vendor Total		**3.00**		
FYTD for BLANCO, MANNY			**3.00**		
BOBO II, FELIX				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207913	100.98		
				MILEAGE REIMBURSEMENT	100.98
	Vendor Total		**100.98**		
FYTD for BOBO II, FELIX			**1,201.57**		
BOOKLETTERS				Remit to: **COLUMBUS** **OH**	
	5/9/2011	207703	3,450.00		
				WEB SITE SVCS-LIBRARY	3,450.00
	Vendor Total		**3,450.00**		
FYTD for BOOKLETTERS			**7,172.00**		
BOSE, TIFFANY				Remit to: **CORONA** **CA**	
	5/9/2011	207704	39.27		
				MILEAGE REIMBURSEMENT	39.27
	5/23/2011	207914	42.33		
				MILEAGE REIMBURSEMENT	42.33
	Vendor Total		**81.60**		
FYTD for BOSE, TIFFANY			**318.75**		
BRAY, JR., LYLE DEAN				Remit to: **CORONA** **CA**	
	5/31/2011	208019	608.00		
				INSTRUCTION SVCS-16 DAYS	608.00
	Vendor Total		**608.00**		
FYTD for BRAY, JR., LYLE DEAN			**1,824.00**		
BREITKREUZ, THOMAS F.				Remit to: **REDLANDS** **CA**	
	5/9/2011	207705	538.18		
				RETIREE MED FEB-MAR '11	538.18
	Vendor Total		**538.18**		
FYTD for BREITKREUZ, THOMAS F.			**2,255.25**		

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BROCKMUELLER, REGINA				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207706	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROCKMUELLER, REGINA			**50.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.				Remit to: **WILLIAMSPORT PA**	
	5/23/2011	882765	3,068.09		
				MISC BOOKS-LIBRARY	40.74
				MISC BOOKS-LIBRARY	144.53
				MISC BOOKS-LIBRARY	18.34
				MISC BOOKS-LIBRARY	443.76
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	204.66
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	107.21
				MISC BOOKS-LIBRARY	214.55
				MISC BOOKS-LIBRARY	38.61
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	92.80
				MISC BOOKS-LIBRARY	50.66
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	39.55
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	20.15
				MISC BOOKS-LIBRARY	17.74
				MISC BOOKS-LIBRARY	15.33
				MISC BOOKS-LIBRARY	41.34
				MISC BOOKS-LIBRARY	88.68
				MISC BOOKS-LIBRARY	185.13
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	28.44
				MISC BOOKS-LIBRARY	41.36
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	61.56
				MISC BOOKS-LIBRARY	32.14
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	94.39
				MISC BOOKS-LIBRARY	212.65
				MISC BOOKS-LIBRARY	110.15
				MISC BOOKS-LIBRARY	293.70
				MISC BOOKS-LIBRARY	47.85
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	21.96
	5/31/2011	882804	5,057.59		
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	34.73
				MISC BOOKS-LIBRARY	52.16
				MISC BOOKS-LIBRARY	156.37
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	446.75
				MISC BOOKS-LIBRARY	79.52
				MISC BOOKS-LIBRARY	42.55
				MISC BOOKS-LIBRARY	1,960.10
				MISC BOOKS-LIBRARY	92.80
				MISC BOOKS-LIBRARY	41.36
				MISC BOOKS-LIBRARY	48.78

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	23.85
			MISC BOOKS-LIBRARY	56.81
			MISC BOOKS-LIBRARY	24.79
			MISC BOOKS-LIBRARY	38.35
			MISC BOOKS-LIBRARY	164.52
			MISC BOOKS-LIBRARY	24.78
			MISC BOOKS-LIBRARY	427.96
			MISC BOOKS-LIBRARY	23.20
			MISC BOOKS-LIBRARY	26.59
			MISC BOOKS-LIBRARY	27.40
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	286.15
			MISC BOOKS-LIBRARY	467.83
			MISC BOOKS-LIBRARY	24.78
			MISC BOOKS-LIBRARY	34.86
			MISC BOOKS-LIBRARY	41.17
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	92.78
			MISC BOOKS-LIBRARY	21.38
			MISC BOOKS-LIBRARY	42.57
			MISC BOOKS-LIBRARY	70.89
			MISC BOOKS-LIBRARY	49.29
	Vendor Total	**8,125.68**		
FYTD for BRODART CO.		**41,966.88**		
BROWN, DANIEL			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207805	75.00		
			REFUND-NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for BROWN, DANIEL		**75.00**		
BROWN, TRACY			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207611	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for BROWN, TRACY		**20.00**		
BUCKINGHAM, STAN			Remit to: **TEMECULA**	**CA**
5/9/2011	207707	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**3,506.03**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES** **CA**	
5/16/2011	882735	3,923.10		
			LEGAL SERVICES-HR	1,277.00
			LEGAL SERVICES-HR	2,646.10
5/31/2011	882805	7,683.40		
			LEGAL SERVICES-HR	1,680.14
			LEGAL SERVICES-HR	3,383.76
			LEGAL SERVICES-HR	2,619.50
	Vendor Total	**11,606.50**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**84,802.80**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
5/23/2011	207915	2,397.28		
			MISC BOOKS-LIBRARY	154.28
			MISC BOOKS-LIBRARY	226.47
			MISC BOOKS-LIBRARY	218.16
			MISC BOOKS-LIBRARY	41.90
			MISC BOOKS-LIBRARY	77.35
			MISC BOOKS-LIBRARY	118.73
			MISC BOOKS-LIBRARY	53.35
			MISC BOOKS-LIBRARY	13.05
			MISC BOOKS-LIBRARY	1,119.53
			MISC BOOKS-LIBRARY	374.46
5/31/2011	208020	1,621.10		
			MISC BOOKS-LIBRARY	67.96
			MISC BOOKS-LIBRARY	117.03
			MISC BOOKS-LIBRARY	439.81
			MISC BOOKS-LIBRARY	643.44
			MISC BOOKS-LIBRARY	117.02
			MISC BOOKS-LIBRARY	85.16
			MISC BOOKS-LIBRARY	18.70
			MISC BOOKS-LIBRARY	97.39
			MISC BOOKS-LIBRARY	34.59
	Vendor Total	**4,018.38**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**20,516.95**		
CA CONSTRUCTION AND RUCKER TILE			Remit to:	
5/31/2011	208021	14,321.99		
			RETENT/STOP NOTICE PYMT-PSB PR	14,321.99
	Vendor Total	**14,321.99**		
FYTD for CA CONSTRUCTION AND RUCKER TILE		**14,321.99**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CAD ZONE, THE				Remit to: **BEAVERTON** **OR**	
	5/23/2011	207916	1,140.00		
				CRIMEZONE-PD	1,130.00
				CRIMEZONE-PD	10.00
				CRIMEZONE-PD	99.75
				USED TAX ACCRUAL-PD	-99.75
	Vendor Total		**1,140.00**		
FYTD for CAD ZONE, THE			**1,140.00**		
CAIN, GREGORY				Remit to: **TAMPA** **FL**	
	5/9/2011	882644	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**3,506.03**		
CAL DEPT OF FORESTRY & FIRE PROTECTION				Remit to: **SACRAMENTO** **CA**	
	5/16/2011	207806	664.56		
				WEED ABATEMENT SVCS	664.56
	Vendor Total		**664.56**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION			**664.56**		
CALIFORNIA CENTERS MAGAZINE, INC.				Remit to: **LAGUNA HILLS** **CA**	
	5/31/2011	208022	3,780.00		
				ADVERTISING SVCS-EDD	3,780.00
	Vendor Total		**3,780.00**		
FYTD for CALIFORNIA CENTERS MAGAZINE, INC.			**7,560.00**		
CALIFORNIA DEPARTMENT OF FISH AND GAME				Remit to: **LOS ALAMITOS** **CA**	
	5/31/2011	208023	168.00		
				STREAMBED ALT AGRMNT AMNDMNT	168.00
	Vendor Total		**168.00**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**168.00**		
CALIFORNIA FACILITY SPECIALTIES				Remit to: **SAN DIMAS** **CA**	
	5/31/2011	208024	4,172.00		
				BASKETBALL EQUIP-PARKS	4,172.00
	Vendor Total		**4,172.00**		
FYTD for CALIFORNIA FACILITY SPECIALTIES			**10,685.00**		

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CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
5/9/2011	207708	7.64		
			UNCLAIMED PROPERTY (WAGES)	7.64
	Vendor Total	**7.64**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**7.64**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
5/2/2011	882618	2,666.50		
			CONSULTING SVCS-WQMP	2,666.50
	Vendor Total	**2,666.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**12,134.00**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208025	100.00		
			REFUND-RNTL DEP 4/24/11	100.00
	Vendor Total	**100.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**100.00**		
CAMBERLY GILLMAN			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207612	11,827.20		
			SOLAR INCENTIVE REBATE	11,827.20
	Vendor Total	**11,827.20**		
FYTD for CAMBERLY GILLMAN		**11,827.20**		
CAMPBELL, LARRY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207917	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for CAMPBELL, LARRY		**100.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
5/9/2011	882645	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**3,331.48**		
CANON BUSINESS SOLUTIONS, INC.			Remit to: **BURLINGTON** **NJ**	
5/9/2011	882646	7,250.88		
			COPY SERVICES	6,667.48
			COPY SERVICES	583.40
	Vendor Total	**7,250.88**		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**35,503.75**		

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CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
5/9/2011	207709	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**83,497.48**		
CANTU, TRACY			Remit to: **ONTARIO** **CA**	
5/16/2011	207807	75.00		
			REFUND-SPAY DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CANTU, TRACY		**75.00**		
CAREER CARE INSTITUTE			Remit to: **LANCATER** **CA**	
5/23/2011	207918	500.00		
			REFUND-RNTL DEP 4/8/11	500.00
	Vendor Total	**500.00**		
FYTD for CAREER CARE INSTITUTE		**500.00**		
CARRERA, EFRAIN			Remit to: **PERRIS** **CA**	
5/23/2011	207919	646.00		
			INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total	**646.00**		
FYTD for CARRERA, EFRAIN		**646.00**		
CARTER, LINDA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207808	54.50		
			REFUND-CITATION OVRPMT	54.50
	Vendor Total	**54.50**		
FYTD for CARTER, LINDA		**54.50**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882647	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**3,600.10**		
CASA FOR RIVERSIDE COUNTY, INC.			Remit to: **INDIO** **CA**	
5/16/2011	882736	1,247.47		
			SPCL ADVOCATES PRGM-CDBG	757.91
			SPCL ADVOCATES PRGM-CDBG	489.56
	Vendor Total	**1,247.47**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.		**4,229.83**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CATHCART, KATHERINE			Remit to: **BERMUDA DUNES** **CA**	
5/16/2011	207809	54.50		
			REFUND-CITATION DISMISSED	54.50
	Vendor Total	**54.50**		
FYTD for CATHCART, KATHERINE		**54.50**		
CATHOLIC CHARITIES			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207810	22,366.80		
			RENTAL ASST SVCS-HPRP	22,366.80
	Vendor Total	**22,366.80**		
FYTD for CATHOLIC CHARITIES		**126,600.31**		
CAUTHEN, CHARLES			Remit to: **RIVERSIDE** **CA**	
5/16/2011	207811	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for CAUTHEN, CHARLES		**404.50**		
CELLEBRITE USA, CORP			Remit to: **GLEN ROCK** **NJ**	
5/23/2011	207920	9,072.00		
			UNIV FORENSIC EXT DEVICE-PD	4,499.00
			UNIV FORENSIC EXT DEVICE-PD	3,996.00
			UNIV FORENSIC EXT DEVICE-PD	65.00
			UNIV FORENSIC EXT DEVICE-PD	393.66
			UNIV FORENSIC EXT DEVICE-PD	737.32
			USED TAX ACCRUAL-PD	-618.98
	Vendor Total	**9,072.00**		
FYTD for CELLEBRITE USA, CORP		**9,072.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
5/9/2011	207710	487.86		
			CEMENT PURCHASE	487.86
5/23/2011	207921	406.51		
			CEMENT PURCHASE	406.51
	Vendor Total	**894.37**		
FYTD for CEMEX		**9,035.59**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207613	4,558.00		
			PRE-EMPLOYMENT PHYSICALS-HR	25.00
			PRE-EMPLOYMENT PHYSICALS-STARS	709.00
			PRE-EMPLOYMENT PHYSICALS-STARS	3,824.00
5/16/2011	207812	70.00		
			PRE-EMPLYMNT PHYSICALS-HR	45.00
			PRE-EMPLYMNT PHYSICALS-HR	25.00
	Vendor Total	**4,628.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS		**13,215.00**		
CHANCY, CHIZURU			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207922	138.60		
			INSTRUCTOR SVCS-HAWAIIAN DANCE	93.60
			INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
	Vendor Total	**138.60**		
FYTD for CHANCY, CHIZURU		**1,443.45**		
CHANDLER ASSET MANAGEMENT, INC			Remit to: **SAN DIEGO** **CA**	
5/23/2011	882766	8,861.00		
			INVESTMENT MGT SVCS	8,861.00
	Vendor Total	**8,861.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC		**96,999.00**		
CHAPMAN, STEVE			Remit to: **REDLANDS** **CA**	
5/9/2011	207711	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CHAPMAN, STEVE		**3,506.03**		
CHAPPELL, ISAAC			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882648	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CHAPPELL, ISAAC		**3,506.03**		
CHERRY VALLEY FEED			Remit to: **CHERRY VALLEY** **CA**	
5/23/2011	207923	151.71		
			MISC FOOD FOR PD K-9	151.71
	Vendor Total	**151.71**		
FYTD for CHERRY VALLEY FEED		**1,091.11**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHRISTIAN, BRENDA				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207813	72.00		
				REFUND-PICNIC SHLTR FEE	72.00
	Vendor Total		**72.00**		
FYTD for CHRISTIAN, BRENDA			**72.00**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY CA**	
	5/9/2011	882649	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**2,316.58**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO**	**CA**
5/2/2011	882619	188.53		
			UNIFORM RNTL SVC-PARKS	54.39
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	57.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
5/9/2011	882650	275.91		
			UNIFORM RNTL SVC-TRFFC MAINT	12.82
			UNIFORM RNTL SVC-TRFFC MAINT	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/16/2011	882737	98.50		
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/23/2011	882767	364.48		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-TRFFC SGNL MA	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/31/2011	882806	84.99		
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS STAFF	50.19
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
	Vendor Total	**1,012.41**		
FYTD for CINTAS CORPORATION		**11,335.94**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882651	4,212.50		
			EXEMPT VEBA	4,212.50
	Vendor Total	**4,212.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**45,462.50**		
CITY OF RIVERSIDE PUBLIC UTILITIES DEPT.			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207614	150.00		
			SPRING CONF.-CA MUNI RATES GRP	150.00
5/5/2011	207685	150.00		
			SPRING CONF.-CA MUNI RATES GRP	150.00
	Vendor Total	**300.00**		
FYTD for CITY OF RIVERSIDE PUBLIC UTILITIES DEPT.		**300.00**		
CITY OF TEMECULA			Remit to: **TEMECULA**	**CA**
5/5/2011	207686	150.00		
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
	Vendor Total	**150.00**		
FYTD for CITY OF TEMECULA		**150.00**		
COASTLINE CONSTRUCTION & AWNING CO.			Remit to: **HUNTINGTON BEACH**	**CA**
5/2/2011	207615	18,750.00		
			MOBILE HOMES DEMO & DISPOSAL	18,750.00
	Vendor Total	**18,750.00**		
FYTD for COASTLINE CONSTRUCTION & AWNING CO.		**29,568.65**		

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COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
5/9/2011	207712	2.50		
			CHC CONTRIBUTIONS	2.50
5/9/2011	207713	183.81		
			CHC CONTRIBUTIONS	183.81
5/23/2011	207924	183.81		
			CHC CONTRIBUTIONS	183.81
	Vendor Total	**370.12**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,181.18**		
COMPUTER POWER SOLUTIONS, INC.			Remit to: **LOS ALAMITOS** **CA**	
5/16/2011	207814	4,730.40		
			RPLCMNT BATTERIES-TELECOMM	4,176.00
			RPLCMNT BATTERIES-TELECOMM	365.40
			RPLCMNT BATTERIES-TELECOMM	189.00
	Vendor Total	**4,730.40**		
FYTD for COMPUTER POWER SOLUTIONS, INC.		**4,730.40**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
5/9/2011	207714	5,780.11		
			ASPHALTIC MATERIALS	5,780.11
	Vendor Total	**5,780.11**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**15,214.25**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207616	210.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
5/31/2011	208027	70.00		
			SPORTS OFFICIATING SVCS	70.00
	Vendor Total	**280.00**		
FYTD for CONTRERAS, BIANCA		**385.00**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207617	140.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
5/23/2011	207925	35.00		
			SPORTS OFFICIATING SVCS	35.00
5/31/2011	208028	105.00		
			SPORTS OFFICIATING SVCS	105.00
	Vendor Total	**280.00**		
FYTD for CONTRERAS, JOSE		**860.00**		

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COSEY JR., JAMES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207618	165.00		
				INSTRUCTOR SVCS-KARATE	165.00
	Vendor Total		**165.00**		
FYTD for COSEY JR., JAMES			**516.00**		
COSTCO				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207619	1,727.27		
				MISC SUPPLIES-STARS	390.55
				MISC SUPPLIES-STARS	137.53
				MISC SUPPLIES-STARS	107.95
				MISC SUPPLIES-STARS	319.63
				MISC SUPPLIES-CHILDS PLACE	771.61
	5/9/2011	207715	366.24		
				MISC SUPPLIES-STARS	170.07
				MISC SUPPLIES-STARS	196.17
	5/16/2011	207815	790.68		
				MISC SUPPLIES-STARS	176.51
				MISC SUPPLIES-STARS	199.63
				MISC SUPPLIES-STARS	414.54
	5/23/2011	207926	1,557.91		
				MISC SUPPLIES-STARS	34.46
				MISC SUPPLIES-STARS	135.59
				MISC SUPPLIES-STARS	402.32
				MISC SUPPLIES-STARS	871.55
				MISC SUPPLIES-STARS	113.99
	5/31/2011	208029	3,534.20		
				MISC SUPPLIES-STARS	251.65
				MISC SUPPLIES-STARS	102.29
				MISC SUPPLIES-STARS	151.73
				MISC SUPPLIES-STARS	138.87
				MISC SUPPLIES-STARS	188.67
				MISC SUPPLIES-STARS	109.68
				MISC SUPPLIES-STARS	1,627.27
				MISC SUPPLIES-STARS	164.44
				MISC SUPPLIES-STARS	304.91
				MISC SUPPLIES-CHILDS PLACE	494.69
	Vendor Total		**7,976.30**		
FYTD for COSTCO			**51,111.04**		
COTTONWOOD PLACE IV RENTAL				Remit to: **ANAHEIM** **CA**	
	5/23/2011	207927	60.00		
				REFUND-FALSE ALARM FEE	30.00
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**60.00**		
FYTD for COTTONWOOD PLACE IV RENTAL			**60.00**		

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COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO CA**	
5/16/2011	207816	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
5/23/2011	207928	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**2,500.00**		
FYTD for COUNSELING TEAM, THE		**16,250.00**		
COUNTS UNLIMITED, INC.			Remit to: **CORONA CA**	
5/23/2011	207929	3,120.00		
			TRAFFIC DATA COLLECTION SVCS	3,120.00
	Vendor Total	**3,120.00**		
FYTD for COUNTS UNLIMITED, INC.		**3,620.00**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE CA**	
5/31/2011	208030	42.70		
			RECORDATION RQST SVCS-LAND DEV	42.70
	Vendor Total	**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**490.25**		
COVARRUBIAS, ALFREDO			Remit to: **MORENO VALLEY CA**	
5/16/2011	207817	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for COVARRUBIAS, ALFREDO		**20.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS CA**	
5/2/2011	882620	110.31		
			DOG FOOD FOR K9-PD	101.43
			DOG FOOD FOR K9-PD	8.88
	Vendor Total	**110.31**		
FYTD for COVENTRY PET RESORT		**883.09**		
CRAWFORD, JOANNE			Remit to: **MORENO VALLEY CA**	
5/31/2011	208032	14,072.80		
			SOLAR INCENTIVE	14,072.80
	Vendor Total	**14,072.80**		
FYTD for CRAWFORD, JOANNE		**14,072.80**		

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CREATIVE PROMOTIONAL IDEAS			Remit to: **UPLAND** **CA**	
5/2/2011	207620	4,567.50		
			WRISTBANDS-SOLID WASTE PRGM	4,200.00
			WRISTBANDS-SOLID WASTE PRGM	367.50
	Vendor Total	**4,567.50**		
FYTD for CREATIVE PROMOTIONAL IDEAS		**9,764.27**		
CRIME SCENE STERI-CLEAN, LLC			Remit to: **RANCHO CUCAMONGA** **CA**	
5/2/2011	207621	500.00		
			BIO HAZARD CLEAN UP-PD	500.00
5/9/2011	207716	500.00		
			BIO HAZARD CLEAN UP SVC-PD	500.00
5/31/2011	208033	500.00		
			BIO-HAZARD CLEAN UP	500.00
	Vendor Total	**1,500.00**		
FYTD for CRIME SCENE STERI-CLEAN, LLC		**2,500.00**		
CROWN PRINTERS			Remit to: **SAN BERNARDINO** **CA**	
5/2/2011	207622	2,806.28		
			PRINTING SVCS-FINANCE	2,580.49
			PRINTING SVCS-FINANCE	225.79
	Vendor Total	**2,806.28**		
FYTD for CROWN PRINTERS		**8,024.44**		
CRUZ, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208034	85.68		
			REIMB.-CFEDWEST CONF./EXPO	85.68
	Vendor Total	**85.68**		
FYTD for CRUZ, MICHAEL		**813.68**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208035	1,087.50		
			VECTOR CONTROL SVCS-CODE	1,087.50
	Vendor Total	**1,087.50**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**25,533.08**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
5/23/2011	207930	745.00		
			DISPOSAL SVCS-ANML SVCS	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**10,195.00**		

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DA SILVA, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207931	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DA SILVA, ROBERT			**50.00**		
DACOLIAS, RAYMOND				Remit to: **SAN JACINTO** **CA**	
	5/23/2011	207932	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for DACOLIAS, RAYMOND			**1,558.00**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882652	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**3,487.19**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/2/2011	882621	3,532.41		
				CITATION PRCSSNG SVC-ANML SVCS	3,532.41
	5/9/2011	882653	5,944.26		
				CITATION PRCSSNG-PD	5,839.26
				PARKING CODE APP-TECH SVCS	105.00
	5/23/2011	882768	1,100.56		
				CITATION PRCSSNG SVCS-BLDG/SFT	1,100.56
	5/31/2011	882808	2,889.13		
				TICKET STOCK-CODE	2,856.60
				TICKET STOCK-CODE	32.53
	Vendor Total		**13,466.36**		
FYTD for DATA TICKET, INC.			**241,885.62**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	5/23/2011	207933	130.50		
				ONLINE SUBSCRIPTION SVC-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,435.50**		
DE LA CRUZ, JOSE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207623	104.00		
				REFUND-DRUMS CLASS CANC.	104.00
	Vendor Total		**104.00**		
FYTD for DE LA CRUZ, JOSE			**104.00**		

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DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	207717	11,966.97		
				EMPLOYEE DENTAL INSURANCE	11,966.97
	Vendor Total		**11,966.97**		
FYTD for DELTA DENTAL			**127,868.05**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207818	6,069.35		
				EMPLOYEE DENTAL INSURANCE	6,069.35
	Vendor Total		**6,069.35**		
FYTD for DELTACARE USA			**68,578.98**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	5/2/2011	882622	5,650.00		
				PLAN REVIEW SVCS-FIRE PREV	5,240.00
				PLAN REVIEW SVCS-FIRE PREV	410.00
	5/31/2011	882809	6,455.00		
				PLAN REVIEW SVCS-FIRE PREV	2,080.00
				PLAN REVIEW SVCS-FIRE PREV	845.00
				PLAN REVIEW SVCS-FIRE PREV	3,530.00
	Vendor Total		**12,105.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**103,915.00**		
DESIGN WORKS				Remit to: **SAN JACINTO** **CA**	
	5/31/2011	208036	501.45		
				YTH SPORTS UNIFORMS-PARKS	375.27
				SPORTS AWARDS-PARKS	126.18
	Vendor Total		**501.45**		
FYTD for DESIGN WORKS			**12,796.33**		
DIAZ, RAQUEL				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207819	429.50		
				REFUND-CITATION DISMISSED	429.50
	Vendor Total		**429.50**		
FYTD for DIAZ, RAQUEL			**429.50**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DISTINCTIVELY YOURS			Remit to: **MORENO VALLEY**	**CA**
5/31/2011	208037	1,640.14		
			ADVERTISING SVCS-EDD	1,330.00
			ADVERTISING SVCS-EDD	62.50
			ADVERTISING SVCS-EDD	-133.00
			ADVERTISING SVCS-EDD	24.14
			ADVERTISING SVCS-EDD	110.21
			ADVERTISING SVCS-EDD	190.00
			ADVERTISING SVCS-EDD	25.00
			ADVERTISING SVCS-EDD	12.48
			ADVERTISING SVCS-EDD	18.81
	Vendor Total	**1,640.14**		
FYTD for DISTINCTIVELY YOURS		**3,652.02**		
DIVISION OF LABOR STANDARDS ENFORCMENT			Remit to: **LONG BEACH**	**CA**
5/9/2011	207718	1,856.25		
			CWPA PYMT-EMERG OPS CTR PROJ	1,856.25
	Vendor Total	**1,856.25**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT		**47,971.39**		
DLS LANDSCAPE, INC			Remit to: **REDLANDS**	**CA**
5/23/2011	882769	12,390.00		
			LANDSCAPE MAINT-CFD #1	2,160.00
			LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total	**12,390.00**		
FYTD for DLS LANDSCAPE, INC		**136,290.00**		
DORY, ALLEEN F.			Remit to: **HEMET**	**CA**
5/9/2011	207719	229.88		
			RETIREE MED MAY '11	229.88
	Vendor Total	**229.88**		
FYTD for DORY, ALLEEN F.		**3,311.08**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			Remit to: **SACRAMENTO**	**CA**
5/31/2011	208038	100.00		
			ANNUAL REGIST-P HUNTER	100.00
	Vendor Total	**100.00**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL		**100.00**		
DUNN, LAURA ISABEL GARCIA			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	882770	304.00		
			INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total	**304.00**		
FYTD for DUNN, LAURA ISABEL GARCIA		**1,444.00**		

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DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207820	189.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**2,751.00**		
E.R. BLOCK PLUMBING & HEATING, INC.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207720	838.09		
				BACKFLOW RPLCMNT-SPCL DIST	650.59
				BACKFLOW RPLCMNT-SPCL DIST	187.50
	5/16/2011	207821	2,084.02		
				BACKFLOW REPLCMNT-ZONE D	597.19
				BACKFLOW REPLCMNT-ZONE D	187.50
				BACKFLOW REPLCMNT-ZONE D	327.14
				BACKFLOW REPLCMNT-ZONE D	187.50
				BACKFLOW REPLCMNT-ZONE D	597.19
				BACKFLOW REPLCMNT-ZONE D	187.50
	5/31/2011	208039	2,433.89		
				BACKFLOW TESTING-E2	60.00
				BACKFLOW TESTING-E3	20.00
				BACKFLOW TESTING-E38	20.00
				BACKFLOW TESTING-ZONE D	340.00
				BACKFLOW TESTING-ZONE D	40.00
				BACKFLOW TESTING-ZONE M	60.00
				BACKFLOW RPLCMNT-ZONE M	477.14
				BACKFLOW RPLCMNT-ZONE M	262.50
				BACKFLOW RPLCMNT-E1	891.75
				BACKFLOW RPLCMNT-E1	262.50
	Vendor Total		**5,356.00**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**29,081.83**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/2/2011	207624	16,496.82		
			WATER CHARGES	136.12
			WATER CHARGES	279.72
			WATER CHARGES	387.86
			WATER CHARGES	2,981.43
			WATER CHARGES	453.65
			WATER CHARGES	263.89
			WATER CHARGES	5,686.91
			WATER CHARGES	2,036.65
			WATER CHARGES	3,159.57
			WATER CHARGES	38.24
			WATER CHARGES	189.88
			WATER CHARGES	68.86
			WATER CHARGES	401.51
			WATER CHARGES	104.20
			WATER CHARGES	149.74
			WATER CHARGES	72.00
			WATER CHARGES	86.59
5/9/2011	207721	5,576.05		
			WATER CHARGES	62.84
			WATER CHARGES	249.81
			WATER CHARGES	2,408.30
			WATER CHARGES	251.39
			WATER CHARGES	2,270.07
			WATER CHARGES	74.15
			WATER CHARGES	19.90
			WATER CHARGES	239.59
5/31/2011	208040	19,912.76		
			WATER CHARGES	25.94
			WATER CHARGES	196.37
			WATER CHARGES	136.84
			WATER CHARGES	357.96
			WATER CHARGES	331.56
			WATER CHARGES	6,413.59
			WATER CHARGES	1,355.43
			WATER CHARGES	393.71
			WATER CHARGES	7,210.74
			WATER CHARGES	1,774.81
			WATER CHARGES	395.17
			WATER CHARGES	43.91
			WATER CHARGES	37.59
			WATER CHARGES	196.12
			WATER CHARGES	451.18
			WATER CHARGES	128.61
			WATER CHARGES	264.06
			WATER CHARGES	67.50
			WATER CHARGES	131.67
	Vendor Total	**41,985.63**		

FYTD for EASTERN MUNICIPAL WATER DISTRICT	**1,287,449.35**

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EDGELANE MOBILE PARK				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882654	23.60		
				REFUND-UT USER TAXES	23.60
	Vendor Total		**23.60**		
FYTD for EDGELANE MOBILE PARK			**138.51**		
EGGERSTEN, ANNE				Remit to: **RANCHO MIRAGE** **CA**	
	5/9/2011	207723	325.66		
				RETIREE MED MAY '11	325.66
	Vendor Total		**325.66**		
FYTD for EGGERSTEN, ANNE			**3,461.90**		
ELLIOTT, NISHA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207625	156.00		
				INSTRUCTOR SVCS-KICK BOXING	132.00
				INSTRUCTOR SVCS-KICK BOXING	24.00
	5/31/2011	208041	268.80		
				INSTRUCTOR SVCS-KICKBOXING	220.80
				INSTRUCTOR SVCS-KICKBOXING	48.00
	Vendor Total		**424.80**		
FYTD for ELLIOTT, NISHA			**1,995.60**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	5/2/2011	882623	18,583.90		
				CABINET LEASE-INDIAN	11.95
				CABINET LEASE-INDIAN	1,238.05
				CABINET LEASE-IRIS	29.67
				CABINET LEASE-IRIS	1,220.33
				12KV NEW REDLAND CKT WORK	14,713.29
				MORRISON FS ELECTR DESIGN WORK	916.11
				CORP YARD ADM BLDG ELECTR WORK	454.50
	5/16/2011	882739	2,974.00		
				CABINET LEASE-INDIAN	6.47
				CABINET LEASE-INDIAN	1,243.53
				CABINET LEASE-IRIS	23.79
				CABINET LEASE-IRIS	1,226.21
				METER FEES-SOLAR CUST	474.00
	Vendor Total		**21,557.90**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**2,058,519.17**		
ESI ACQUISITION, INC.				Remit to: **AUGUSTA** **GA**	
	5/31/2011	882811	8,800.00		
				SOFTWARE SUPPORT-TECH SVCS	4,900.00
				SOFTWARE SUPPORT-TECH SVCS	3,900.00
	Vendor Total		**8,800.00**		
FYTD for ESI ACQUISITION, INC.			**17,600.00**		

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ESRI, INC.				Remit to: **REDLANDS** **CA**	
	5/2/2011	882624	761.25		
				ARCPAD LICENSE-PW MAINT	700.00
				ARCPAD LICENSE-PW MAINT	61.25
	Vendor Total		**761.25**		
FYTD for ESRI, INC.			**42,037.05**		
ESTRADA, PATRICIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207823	200.00		
				REFUND-RNTL DEP 4/30/11	200.00
	Vendor Total		**200.00**		
FYTD for ESTRADA, PATRICIA			**200.00**		
EVANS ENGRAVING & AWARDS				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	882625	31.45		
				ENGRAVING SVCS-PD	31.45
	5/23/2011	882771	185.97		
				ENGRAVING SVCS-PLANNING COMM	84.00
				ENGRAVING SVCS-PLANNING COMM	7.35
				ENGRAVING SVCS-PLANNING COMM	60.00
				ENGRAVING SVCS-PLANNING COMM	5.25
				ENGRAVING SVCS-FIRE	29.37
	5/31/2011	882812	39.15		
				ENGRAVING SVCS-HR	35.78
				ENGRAVING SVCS-HR	3.37
	Vendor Total		**256.57**		
FYTD for EVANS ENGRAVING & AWARDS			**1,265.58**		
EWING IRRIGATION PRODUCTS, INC.				Remit to: **PHOENIX** **AZ**	
	5/2/2011	207626	51.56		
				IRRIGATION SUPPLIES-PARKS	51.56
	5/9/2011	207724	5,413.13		
				IRRIGATION SUPPLIES-PARKS	2,964.31
				IRRIGATION SUPPLIES-PARKS	2,448.82
	Vendor Total		**5,464.69**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**16,189.39**		

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EXCEL LANDSCAPE, INC				Remit to: **CORONA** **CA**	
	5/9/2011	207725	3,978.92		
				LANDSCAPE MAINT-WQB	1,494.90
				LANDSCAPE MAINT-WQB	809.28
				LANDSCAPE MAINT-WQB	1,674.74
	5/23/2011	207935	13,314.50		
				LANDSCAPE MAINT-E7	2,777.17
				LANDSCAPE MAINT-E15	1,070.36
				LANDSCAPE MAINT-E8	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQB	4,503.92
	Vendor Total		**17,293.42**		
FYTD for EXCEL LANDSCAPE, INC			**150,353.16**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882740	14,032.99		
				LANDLORD/TENANT MEDIATION-CDBG	4,804.74
				LANDLORD/TENANT MEDIATION-CDBG	4,356.64
				LANDLORD/TENANT MEDIATION-CDBG	4,871.61
	Vendor Total		**14,032.99**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**62,154.13**		
FEENSTRA, JOHN				Remit to: **REDLANDS** **CA**	
	5/9/2011	882656	361.25		
				RETIREE MED MAY '11	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		
FENDER, SHAUNA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207824	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FENDER, SHAUNA			**75.00**		
FERNANDES, MARCUS				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207825	109.00		
				REFUND-CITATION OVRPMT	109.00
	Vendor Total		**109.00**		
FYTD for FERNANDES, MARCUS			**109.00**		

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FIDELITY NATIONAL TITLE CO			Remit to: **MURRIETTA**	**CA**
5/2/2011	207627	1,724.00		
			REFUND-CITATION/RE-INSPECT FEE	1,000.00
			REFUND-CITATION/RE-INSPECT FEE	724.00
	Vendor Total	**1,724.00**		
FYTD for FIDELITY NATIONAL TITLE CO		**1,724.00**		
FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA**	**CA**
5/16/2011	207826	514.00		
			ONLINE PROP INFO-CODE	241.00
			ONLINE PROP INFO-CDD	103.00
			ONLINE PROP INFO-EDD	170.00
5/31/2011	208042	484.00		
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-CDD	217.00
			ONLINE PROP INFO SVCS-EDD	182.00
	Vendor Total	**998.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**7,212.00**		
FIRST CHOICE FIRE PROTECTION			Remit to: **GARDENA**	**CA**
5/2/2011	207628	90.81		
			REFUND-BUS LIC OVRPMT	90.81
	Vendor Total	**90.81**		
FYTD for FIRST CHOICE FIRE PROTECTION		**90.81**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO**	**CA**
5/9/2011	882657	654.06		
			COFFEE SVCS-EMP PAID	132.66
			COFFEE SVCS-EMP PAID	12.93
			COFFEE SVCS-EMP PAID	37.80
			COFFEE SVCS-EMP PAID	115.41
			COFFEE SVCS-EMP PAID	136.94
			COFFEE SVCS-EMP PAID	112.68
			COFFEE SVCS-EMP PAID	55.70
			COFFEE SVCS-EMP PAID	49.94
	Vendor Total	**654.06**		
FYTD for FIRST CHOICE SERVICES		**7,224.69**		
FITNESS 19 CA 155 11C			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	207936	265.00		
			GYM MEMBERSHIP DEDUCTIONS	265.00
	Vendor Total	**265.00**		
FYTD for FITNESS 19 CA 155 11C		**2,836.00**		

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FLINT-PETERSON				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207629	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for FLINT-PETERSON			**20.00**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	207937	1,365.93		
				ADMIN CITATIONS-ANML SVCS	1,231.40
				ADMIN CITATIONS-ANML SVCS	107.75
				ADMIN CITATIONS-ANML SVCS	26.78
	Vendor Total		**1,365.93**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**23,273.99**		
FORNISS, BRANDON/JAMIE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207828	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FORNISS, BRANDON/JAMIE			**75.00**		
FOSTER, JAMES BARRY				Remit to: **RIVERSIDE** **CA**	
	5/19/2011	207897	248.50		
				PER DIEM-ICSC RECON CONVENTION	248.50
	Vendor Total		**248.50**		
FYTD for FOSTER, JAMES BARRY			**712.99**		
FOSTER, NANCY A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882658	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for FOSTER, NANCY A.			**3,487.19**		
FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	207726	33.95		
				GARNISHMENT	33.95
	5/23/2011	207938	178.14		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	38.14
	Vendor Total		**212.09**		
FYTD for FRANCHISE TAX BOARD			**3,178.77**		

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FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	5/16/2011	207829	191.25		
				MILEAGE REIMBURSEMENT	191.25
	Vendor Total		**191.25**		
FYTD for FRANKLIN, L. C.			**1,590.96**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207630	4,941.32		
				TRAFFIC PAINT-BICYCLE LANE PRJ	2,691.56
				GLASS BEADS-BICYCLE LANE PROJ	2,249.76
	Vendor Total		**4,941.32**		
FYTD for FRAZEE INDUSTRIES, INC			**123,905.38**		
FRISBIE, AAPRIS				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207830	75.00		
				REFUND-NEUTER DEPOSIT	55.00
				REFUND-NEUTER DEPOSIT	20.00
	Vendor Total		**75.00**		
FYTD for FRISBIE, AAPRIS			**75.00**		
FROST, JOAN CHENG				Remit to: **TEMECULA** **CA**	
	5/23/2011	207939	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for FROST, JOAN CHENG			**1,938.00**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882659	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,506.03**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
5/9/2011	882660	483.21		
			SECURITY SVCS-CONF & REC CTR	122.72
			SECURITY SVCS-SENIOR CTR	214.76
			SECURITY SVCS-TOWNGATE	145.73
5/16/2011	882741	2,730.53		
			SECURITY SVCS-UTILITIES	276.12
			SECURITY SVCS-UTILITIES	276.12
			SECURITY SVCS-SENIOR CTR	153.40
			SECURITY SVCS-SENIOR CTR	184.08
			SECURITY SVCS-LIBRARY	245.45
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	245.44
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
5/23/2011	882772	3,497.52		
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-TOWNGATE	107.38
			SECURITY SVCS-TOWNGATE	107.38
			SECURITY SVCS-TOWNGATE	107.38
			SECURITY SVCS-CONF & REC CTR	61.36
			SECURITY SVCS-CONF & REC CTR	92.04
			SECURITY SVCS-CONF & REC CTR	76.70
	Vendor Total	**6,711.26**		
FYTD for GENERAL SECURITY SERVICES, INC.		**48,553.06**		
GERMAN, CATINA			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	207940	10.99		
			REFUND-LOST BOOK FEE	10.99
	Vendor Total	**10.99**		
FYTD for GERMAN, CATINA		**10.99**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
5/2/2011	882626	641.94		
			LEGAL SVCS	641.94
5/16/2011	882742	20,888.45		
			LEGAL SVCS	18,633.45
			LEGAL SVCS	1,940.50
			LEGAL SVCS	314.50
5/23/2011	882773	4,508.25		
			LEGAL SVCS	4,508.25
	Vendor Total	**26,038.64**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**230,458.37**		
GILES, STELLA			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207631	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for GILES, STELLA		**20.00**		
GITONGA, LUCY			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207632	77.08		
			REFUND-CAMP REGISTR.	77.08
	Vendor Total	**77.08**		
FYTD for GITONGA, LUCY		**77.08**		
GLADWELL GOVERNMENTAL SVCS, INC.			Remit to: **LAKE ARROWHEAD**	**CA**
5/31/2011	208043	100.00		
			CONSULTING SVCS-TECH SVCS	100.00
	Vendor Total	**100.00**		
FYTD for GLADWELL GOVERNMENTAL SVCS, INC.		**100.00**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882661	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for GONZALES, DOMILENA R.		**2,741.59**		
GONZALEZ, GUILLERMINA			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207633	37.00		
			REFUND-PICNIC SHLTR FEE ERROR	37.00
	Vendor Total	**37.00**		
FYTD for GONZALEZ, GUILLERMINA		**37.00**		

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GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	882627	405.00		
				INSTRUCTOR SVCS-KUNG FU	189.00
				INSTRUCTOR SVCS-KUNG FU	216.00
	Vendor Total		**405.00**		
FYTD for GOZDECKI, DAN			**6,777.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	207727	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for GRANICUS, INC.			**11,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	5/9/2011	882662	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,427.25**		
GUIDA SURVEYING, INC.				Remit to: **IRVINE** **CA**	
	5/16/2011	882743	6,448.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	6,448.00
	Vendor Total		**6,448.00**		
FYTD for GUIDA SURVEYING, INC.			**107,733.00**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	5/16/2011	207831	168.00		
				INSTRUCTOR SVCS-ZUMBA	168.00
	Vendor Total		**168.00**		
FYTD for GUILIANO, MARIA			**1,108.80**		
GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	5/9/2011	882663	275.67		
				RETIREE MED MAY '11	275.67
	Vendor Total		**275.67**		
FYTD for GUILLAN, REBECCA S.			**3,295.96**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	5/9/2011	882664	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,506.03**		

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GUZMAN'S CART SERVICE			Remit to: **RIVERSIDE** **CA**	
5/16/2011	882744	4,049.00		
			CART RETRVL SVCS-CODE	4,049.00
	Vendor Total	**4,049.00**		
FYTD for GUZMAN'S CART SERVICE		**44,539.00**		
HAMLIN, WILLIAM R.			Remit to: **BEAUMONT** **CA**	
5/9/2011	882665	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for HAMLIN, WILLIAM R.		**3,487.19**		
HANES, MARTIN D.			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882666	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for HANES, MARTIN D.		**3,506.03**		
HANSEN, ROBERT L.			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208044	344.25		
			REIMB.-CITY ATTYS CONFERENCE	344.25
	Vendor Total	**344.25**		
FYTD for HANSEN, ROBERT L.		**734.75**		
HARDING, JOHN S.			Remit to: **BANNING** **CA**	
5/9/2011	207728	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for HARDING, JOHN S.		**3,506.03**		
HARRIS & ASSOCIATES			Remit to: **CONCORD** **CA**	
5/9/2011	882667	625.00		
			PROF SERVICES-CFD #4	375.00
			PROF SERVICES-CFD #4	250.00
	Vendor Total	**625.00**		
FYTD for HARRIS & ASSOCIATES		**32,992.50**		
HARRISON, WALTER			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207832	264.00		
			REFUND-RNTL DEP 6/26/11	200.00
			REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total	**264.00**		
FYTD for HARRISON, WALTER		**264.00**		

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HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	5/9/2011	207729	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**22,196.36**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208045	126.00		
				INSTRUCTOR SVCS-BODY SCULPTING	126.00
	Vendor Total		**126.00**		
FYTD for HASS, MINA			**126.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	5/9/2011	882668	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,506.03**		
HAUSER, ADRIANA				Remit to: **SAN BERNARDINO** **CA**	
	5/23/2011	207941	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for HAUSER, ADRIANA			**5,244.00**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	5/9/2011	882669	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,506.03**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207730	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,506.03**		
HERRING, COURTNEY				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208046	64.00		
				REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total		**64.00**		
FYTD for HERRING, COURTNEY			**64.00**		

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HETHERMAN, ANTHONY CHRISTOPHER				Remit to: **TEMECULA** **CA**	
	5/9/2011	882670	35.70		
				MILEAGE REIMBURSEMENT	35.70
	Vendor Total		**35.70**		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER			**276.84**		
HICKMAN, LANISE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208047	319.20		
				INSTRUCTOR SVCS-BOOTCAMP	319.20
	Vendor Total		**319.20**		
FYTD for HICKMAN, LANISE			**355.20**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207635	72.00		
				INSTRUCTOR SVCS-OIL PAINTING	72.00
	Vendor Total		**72.00**		
FYTD for HIGGS, DEBRA			**612.00**		
HO, KEVIN CHINH				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	207942	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for HO, KEVIN CHINH			**950.00**		
HOGARD, JOHN T.				Remit to: **CORONA** **CA**	
	5/9/2011	882671	300.00		
				RETIREE MED JAN-MAR '11	300.00
	Vendor Total		**300.00**		
FYTD for HOGARD, JOHN T.			**2,633.50**		
HOKANSON, VINTON				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208048	16.00		
				REFUND-LICENSE FEE	16.00
	Vendor Total		**16.00**		
FYTD for HOKANSON, VINTON			**16.00**		
HOTEL SOLAMAR				Remit to: **SAN DIEGO** **CA**	
	5/31/2011	208049	607.88		
				D. LIENHARD-CHAMELEON CONF.	607.88
	Vendor Total		**607.88**		
FYTD for HOTEL SOLAMAR			**607.88**		

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HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207731	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,506.03**		
HOUSTON & HARRIS PCS, INC.				Remit to: **GRAND TERRACE** **CA**	
	5/9/2011	207732	860.00		
				VIDEO INSPECTION-STORM DRAIN	860.00
	Vendor Total		**860.00**		
FYTD for HOUSTON & HARRIS PCS, INC.			**860.00**		
HOWARD, DIANE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207733	47.00		
				REFUND-PIANO CLASS	47.00
	Vendor Total		**47.00**		
FYTD for HOWARD, DIANE			**47.00**		
ICC FOOTHILL CHAPTER OF BLDNG OFFICIALS				Remit to: **ONTARIO** **CA**	
	5/31/2011	208050	200.00		
				ACCESSIBILITY TRNG 6/7/11	100.00
				ACCESSIBILITY TRNG 6/7/11	100.00
	Vendor Total		**200.00**		
FYTD for ICC FOOTHILL CHAPTER OF BLDNG OFFICIALS			**350.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	5/6/2011	2853	9,110.37		
				DEF COMP-457 5/6/11	9,110.37
	5/20/2011	2861	9,110.37		
				DEF COMP-457 5/20/11	9,110.37
	Vendor Total		**18,220.74**		
FYTD for ICMA RETIREMENT CORP 457			**226,138.63**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207833	144.97		
				REFUND-UT USER TAXES	144.97
	Vendor Total		**144.97**		
FYTD for IL SORRENTO MOBILE PARK			**1,483.89**		

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IMMIGRATION LAW OFFICES OF HADLEY BAJRAM			Remit to: **RIVERSIDE**	**CA**
5/23/2011	207943	74.20		
			REFUND-BUS LIC OVRPMT	74.20
Vendor Total		**74.20**		
FYTD for IMMIGRATION LAW OFFICES OF HADLEY BAJRAM		**74.20**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES**	**IA**
5/9/2011	207734	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,225.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE**	**CA**
5/2/2011	882628	526.00		
			NUISANCE ABTMNT SVC-CODE	526.00
5/16/2011	882745	1,354.23		
			NUISANCE ABTMNT SVC-CODE	189.23
			NUISANCE ABTMNT SVC-CODE	233.00
			NUISANCE ABTMNT SVC-CODE	232.00
			NUISANCE ABTMNT SVC-CODE	700.00
5/23/2011	882774	356.00		
			NUISANCE ABTMNT SVC-22862 ADRI	125.00
			NUISANCE ABTMNT SVC-12032 SWEA	231.00
Vendor Total		**2,236.23**		
FYTD for INLAND CONTRACTORS, INC.		**29,576.91**		
INLAND EMPIRE ARCHITECTURAL SPECIALTIES,			Remit to: **RIVERSIDE**	**CA**
5/23/2011	207944	48.72		
			REFUND-BUS LIC OVRPMT	48.72
Vendor Total		**48.72**		
FYTD for INLAND EMPIRE ARCHITECTURAL SPECIALTIES,		**48.72**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS**	**CA**
5/31/2011	208051	975.00		
			ADVERTISING SVCS-EDD	975.00
Vendor Total		**975.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**6,150.00**		

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INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	882746	4,568.00		
			WEED ABATEMENT SVCS-PARKS	4,568.00
5/23/2011	882775	446.00		
			NUISANCE ABTMNT SVC-14344 SAYA	446.00
5/31/2011	882814	239.80		
			NUISANCE ABTMNT SVC-CODE	239.80
	Vendor Total	**5,253.80**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**60,131.42**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207834	12,500.00		
			BUS COUNSELING SVCS-EDD	12,500.00
	Vendor Total	**12,500.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**47,500.00**		
INSIDE PLANTS, INC.			Remit to: **CORONA** **CA**	
5/16/2011	882747	326.00		
			PLANT MAINT-CONF & REC CTR	326.00
	Vendor Total	**326.00**		
FYTD for INSIDE PLANTS, INC.		**3,541.00**		
INTERNATIONAL CRIME FREE ASSOC.			Remit to: **EL CAJON** **CA**	
5/16/2011	207835	500.00		
			INTL CRIME FREE CONF-JULY10-13	250.00
			INTL CRIME FREE CONF-JULY10-13	250.00
	Vendor Total	**500.00**		
FYTD for INTERNATIONAL CRIME FREE ASSOC.		**500.00**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION			Remit to: **CERRITOS** **CA**	
5/9/2011	207735	1,087.88		
			OFFSITE DATA STORAGE-TECH SVCS	1,087.88
	Vendor Total	**1,087.88**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**10,898.59**		

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ISG INFRASYS				Remit to: **LAWRENCEVILLE GA**	
	5/2/2011	207636	1,197.25		
				THERMAL CAMERA REPAIR-PD	340.00
				THERMAL CAMERA REPAIR-PD	827.25
				THERMAL CAMERA REPAIR-PD	30.00
				CA USE TAX/ACCRUAL	75.01
				CA USE TAX/ACCRUAL	-75.01
	5/31/2011	208052	342.00		
				BATTERY REPAIR-FIRE	342.00
	Vendor Total		**1,539.25**		
FYTD for ISG INFRASYS			**2,156.50**		
J D H CONTRACTING				Remit to: **RIVERSIDE CA**	
	5/23/2011	882776	5,182.00		
				ROOF REPAIR-FS #2	5,182.00
	5/31/2011	882815	1,820.00		
				SKYLIGHT REPAIR-CONF & REC CTR	1,820.00
	Vendor Total		**7,002.00**		
FYTD for J D H CONTRACTING			**149,293.50**		
JACKSON, JAYE				Remit to: **RIVERSIDE CA**	
	5/16/2011	207836	44.00		
				SPORTS OFFICIATING SVCS	44.00
	5/23/2011	207945	32.00		
				SPORTS OFFICIATING SVCS	32.00
	Vendor Total		**76.00**		
FYTD for JACKSON, JAYE			**76.00**		
JAMESON, ROY				Remit to: **RIVERSIDE CA**	
	5/16/2011	207837	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for JAMESON, ROY			**54.50**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				Remit to: **RIVERSIDE CA**	
	5/9/2011	207736	75.00		
				COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,433.65**		

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JDEDGE SOFTWARE, LLC			Remit to: **KRUGERVILLE** **TX**	
5/23/2011	882777	2,410.00		
			CONSULTING SVCS-TECH SVCS	1,815.00
			CONSULTING SVCS-TECH SVCS	595.00
	Vendor Total	**2,410.00**		
FYTD for JDEDGE SOFTWARE, LLC		**24,537.50**		
JEHOVAH'S WITTNESSES			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207637	500.00		
			REFUND-RNTL DEP 4/17/11 EVENT	500.00
	Vendor Total	**500.00**		
FYTD for JEHOVAH'S WITTNESSES		**500.00**		
JIANG, WEI			Remit to: **FREMONT** **CA**	
5/2/2011	207638	400.00		
			REFUND-ADMIN CITATION	400.00
	Vendor Total	**400.00**		
FYTD for JIANG, WEI		**400.00**		
JOBS AVAILABLE, INC.			Remit to: **MODESTO** **CA**	
5/16/2011	207838	717.50		
			ADVERTISING SVCS-HR	717.50
	Vendor Total	**717.50**		
FYTD for JOBS AVAILABLE, INC.		**1,732.50**		
JOE A. GONSALVES & SON			Remit to: **SACRAMENTO** **CA**	
5/9/2011	882672	3,150.00		
			REPRESENTATION SVCS	3,150.00
	Vendor Total	**3,150.00**		
FYTD for JOE A. GONSALVES & SON		**31,680.00**		
JOHNSON-FLORENCE, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207839	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for JOHNSON-FLORENCE, DEBORAH		**404.50**		
JONES III, JOSEPH			Remit to: **FONTANA** **CA**	
5/2/2011	207639	98.94		
			MILEAGE REIMBURSEMENT	98.94
	Vendor Total	**98.94**		
FYTD for JONES III, JOSEPH		**431.44**		

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JONES, MAEGAN				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207840	35.00		
				REFUND-ELECT USE FEE	35.00
		Vendor Total	**35.00**		
FYTD for JONES, MAEGAN			**35.00**		
JONES, RONNIE				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207841	0.50		
				REFUND-CITATION OVRPMT	0.50
		Vendor Total	**0.50**		
FYTD for JONES, RONNIE			**0.50**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882673	318.73		
				RETIREE MED MAY '11	318.73
		Vendor Total	**318.73**		
FYTD for JONES, SUSAN			**3,506.03**		
JORDAN, JENNIFER				Remit to: **CORONA** **CA**	
	5/31/2011	208053	75.00		
				REFUND-NEUTER DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for JORDAN, JENNIFER			**75.00**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	5/9/2011	207791	10,657.51		
				TRAFFIC SIGNAL SUPPLIES	2,446.88
				BATTERY BACK UP SVC CABINET	8,210.63
		Vendor Total	**10,657.51**		
FYTD for JTB SUPPLY CO., INC.			**42,263.54**		
KEYSER MARSTON ASSOCIATES, INC.				Remit to: **SAN FRANCISCO** **CA**	
	5/2/2011	207640	1,406.25		
				CONSULTING SVCS-EDD	375.00
				CONSULTING SVCS-EDD	1,031.25
	5/16/2011	207842	4,915.00		
				CONSULTING SVCS-EDD	4,915.00
	5/31/2011	208054	2,240.00		
				CONSULTING SVCS-EDD	2,240.00
		Vendor Total	**8,561.25**		
FYTD for KEYSER MARSTON ASSOCIATES, INC.			**18,188.13**		

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KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	5/9/2011	207737	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**3,353.48**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	5/23/2011	207946	393.58		
				MISC SUPPLIES-PARKS MAINT	393.58
	Vendor Total		**393.58**		
FYTD for KNORR SYSTEMS, INC			**393.58**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882675	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882676	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,506.03**		
KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	5/9/2011	207738	674.22		
				LASER GUN REPAIR-PD	200.00
				LASER GUN REPAIR-PD	399.15
				LASER GUN REPAIR-PD	75.07
	Vendor Total		**674.22**		
FYTD for KUSTOM SIGNALS, INC.			**2,269.71**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	5/9/2011	882677	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**3,506.03**		

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LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	5/31/2011	208055	13,113.00		
				LEGAL SERVICES-RISK MGT	6,037.49
				LEGAL SERVICES-RISK MGT	7,075.51
	Vendor Total		**13,113.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**60,099.16**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882678	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**3,487.19**		
LANG, TRACEY				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207947	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for LANG, TRACEY			**912.00**		
LANGENDORF, BENJAMIN				Remit to: **PERRIS** **CA**	
	5/9/2011	882679	442.80		
				RETIREE MED MAR '11	442.80
	Vendor Total		**442.80**		
FYTD for LANGENDORF, BENJAMIN			**2,307.16**		
LATHAM & WATKINS, LLP				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	207641	1,522.50		
				LEGAL SERVICES-LAND DEV	1,522.50
	Vendor Total		**1,522.50**		
FYTD for LATHAM & WATKINS, LLP			**2,465.00**		
LAW ENFORCEMENT APPRECIATION COMMITTEE				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207739	100.00		
				AWARDS CEREMONY	50.00
				AWARDS CEREMONY	50.00
	Vendor Total		**100.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE			**100.00**		

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LAW ENFORCEMENT ASSOCIATES			Remit to: **RALEIGH** **NC**	
5/9/2011	207740	1,484.08		
			MEMORY CARDS-PD	1,567.44
			MEMORY CARDS-PD	-202.77
			MEMORY CARDS-PD	119.41
	Vendor Total	**1,484.08**		
FYTD for LAW ENFORCEMENT ASSOCIATES		**14,025.91**		
LAW OFFICE OF BRENDA L. DIEDERICHS			Remit to: **CHINO** **CA**	
5/16/2011	207843	22,474.56		
			LEGAL SERVICES-HR	20,449.56
			LEGAL SERVICES-HR	2,025.00
	Vendor Total	**22,474.56**		
FYTD for LAW OFFICE OF BRENDA L. DIEDERICHS		**63,024.56**		
LAWN TECH EQUIPMENT			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882629	147.00		
			CHAIN SHARPENING-PW MAINT	147.00
	Vendor Total	**147.00**		
FYTD for LAWN TECH EQUIPMENT		**2,779.41**		
LEFEVRE, FRAN			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207844	175.00		
			PER DIEM-LAW ENFORC TRNG NEEDS	175.00
	Vendor Total	**175.00**		
FYTD for LEFEVRE, FRAN		**175.00**		
LEWIS BRISBOIS BISGAARD & SMITH LLP			Remit to: **SAN BERNARDINO** **CA**	
5/31/2011	882816	6,342.94		
			LEGAL SERVICES-RISK MGT	6,342.94
	Vendor Total	**6,342.94**		
FYTD for LEWIS BRISBOIS BISGAARD & SMITH LLP		**12,804.79**		
LEWIS, CAROLYN S.			Remit to: **BEAUMONT** **CA**	
5/9/2011	882680	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LEWIS, CAROLYN S.		**3,487.19**		

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LIEBERT, CASSIDY, WHITMORE			Remit to: **LOS ANGELES** **CA**	
5/16/2011	207845	210.00		
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
	Vendor Total	**210.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE		**3,874.00**		
LIENHARD, DORI A.			Remit to: **RANCHO MIRAGE** **CA**	
5/31/2011	208056	341.97		
			TRAVEL EXP.-CHAMELEON CONF.	93.47
			TRAVEL EXP.-CHAMELEON CONF.	248.50
	Vendor Total	**341.97**		
FYTD for LIENHARD, DORI A.		**646.47**		
LIM & NASCIMENTO ENGINEERING CORP.			Remit to: **CHICAGO** **IL**	
5/23/2011	207948	8,533.91		
			PERRIS BL WIDENING FROM RAM XP	8,533.91
	Vendor Total	**8,533.91**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		**314,904.80**		
LLANOS, ADRIANA			Remit to: **NUEVO** **CA**	
5/16/2011	207846	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for LLANOS, ADRIANA		**20.00**		
LOCKWOOD, MELISSA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207847	31.00		
			REFUND-PICNIC SHLTR FEE	31.00
	Vendor Total	**31.00**		
FYTD for LOCKWOOD, MELISSA		**31.00**		
LOGAN, CHARLES			Remit to: **LAS VEGAS** **NV**	
5/9/2011	882681	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LOGAN, CHARLES		**3,506.03**		

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LONDON, CHARLES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207642	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LONDON, CHARLES			**50.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	882817	3,022.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	3,022.00
	Vendor Total		**3,022.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**80,777.00**		
LOS ANGELES COUNTY AUDITOR CONTROLLER				Remit to: **LOS ANGELES** **CA**	
	5/31/2011	208057	502.00		
				RESIDUE KIT-PD	502.00
	Vendor Total		**502.00**		
FYTD for LOS ANGELES COUNTY AUDITOR CONTROLLER			**502.00**		
LUDWIG, BRITTANY				Remit to: **LOS ANGELES** **CA**	
	5/23/2011	207949	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LUDWIG, BRITTANY			**75.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882682	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,506.03**		
LUNDBERG, GEORGINA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207848	86.29		
				CACFP MGMT COURSE/PIN TRNG	86.29
	Vendor Total		**86.29**		
FYTD for LUNDBERG, GEORGINA			**86.29**		
MALONE, LAWRENCE				Remit to: **ALISO VIEGO** **CA**	
	5/9/2011	207741	174.00		
				REFUND-ADMIN CITATION	174.00
	Vendor Total		**174.00**		
FYTD for MALONE, LAWRENCE			**174.00**		

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MANHOLE ADJUSTING, INC			Remit to: **PICO RIVERA** **CA**	
5/31/2011	208058	49.68		
			REFUND-BUS LIC OVRPMT	49.68
	Vendor Total	**49.68**		
FYTD for MANHOLE ADJUSTING, INC		**49.68**		
MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207643	8.50		
			GAS CHARGES-MFP COMM CTR	6.95
			GAS CHARGES-MFP COMM CTR	1.55
5/31/2011	208059	7.17		
			GAS CHARGES-MARCH FIELD	5.86
			GAS CHARGES-MARCH FIELD	1.31
	Vendor Total	**15.67**		
FYTD for MARCH JOINT POWERS AUTHORITY		**80.63**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
5/31/2011	882818	9,419.95		
			LANDSCAPE MAINT-DSG2N	4,425.04
			LANDSCAPE MAINT-DSG2S	440.64
			LANDSCAPE MAINT-DSG2S	4,554.27
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**86,347.75**		
MARKHAM, RHONDA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207644	250.00		
			REFUND-RNTL DEP 4/9/11 EVENT	250.00
	Vendor Total	**250.00**		
FYTD for MARKHAM, RHONDA		**250.00**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207645	56.00		
			INSTRUCTOR SVCS-KICK BOXING	56.00
	Vendor Total	**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**560.00**		

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MARTINEZ, REGGIE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207742	105.00		
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	20.00
				SPORTS OFFICIATING SVCS	15.00
	5/31/2011	208060	70.00		
				SPORTS OFFICIATING SVCS	70.00
	Vendor Total		**175.00**		
FYTD for MARTINEZ, REGGIE			**1,085.00**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	5/9/2011	882683	290.00		
				RETIREE MED MAR '11	290.00
	Vendor Total		**290.00**		
FYTD for MATHIS, NOLAN			**3,238.00**		
MATICH CORPORATION				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	882684	6,889.68		
				ASPHALTIC MATERIALS	6,889.68
	Vendor Total		**6,889.68**		
FYTD for MATICH CORPORATION			**38,910.62**		
MATUTE, OMAR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207950	67.00		
				REFUND-TIME 4 TOTS	67.00
	Vendor Total		**67.00**		
FYTD for MATUTE, OMAR			**67.00**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	5/9/2011	882685	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MAYER HOFFMAN MCCANN P.C.				Remit to: **IRVINE** **CA**	
	5/16/2011	207849	15,562.00		
				AUDITING SVCS-CITY	9,888.00
				AUDITING SVCS-CITY	757.00
				AUDITING SVCS-CITY	4,917.00
	Vendor Total		**15,562.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**85,919.00**		

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MCCAIN TRAFFIC SUPPLY				Remit to: **VISTA** **CA**	
	5/9/2011	207743	2,351.35		
				TRAFFIC SIGNAL SUPPLIES	2,351.35
	5/16/2011	207850	10,146.14		
				TRAF SIG CONTRLLR-SUNNYMD RNCH	10,146.14
	5/31/2011	208061	10,550.92		
				TRAF SIG CONTROLLER CABINET	9,702.00
				CA SALES TAX	848.92
	Vendor Total		**23,048.41**		
FYTD for MCCAIN TRAFFIC SUPPLY			**24,437.16**		
MCCULLUM, JOE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207851	37.00		
				REFUND-PICNIC SHLTR FEE	37.00
	Vendor Total		**37.00**		
FYTD for MCCULLUM, JOE			**37.00**		
McDONALD, CHRIS				Remit to: **PERRIS** **CA**	
	5/23/2011	207951	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for McDONALD, CHRIS			**2,280.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	5/23/2011	882778	40.00		
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**40.00**		
FYTD for MEEKS, DANIEL			**1,820.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	5/16/2011	207852	2,115.00		
				PLAN CHECK SVCS-BLDG/SFTY	2,115.00
	5/31/2011	208062	2,070.00		
				PLAN CHECK SVCS-BLDG/SFTY	2,070.00
	Vendor Total		**4,185.00**		
FYTD for MELAD & ASSOCIATES, INC			**40,177.12**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207853	131.07		
				MILEAGE REIMBURSEMENT	131.07
	Vendor Total		**131.07**		
FYTD for MENGISTU, YESHIALEM			**1,052.21**		

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MENOS CUSTOMS				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207646	26.81		
				REFUND-BUS LIC OVRPMT	26.81
	Vendor Total		**26.81**		
FYTD for MENOS CUSTOMS			**26.81**		
MESA CONTRACTING CORPORATION				Remit to: **ORANGE** **CA**	
	5/16/2011	207854	52.00		
				REFUND-BUS LIC OVRPMT	52.00
	Vendor Total		**52.00**		
FYTD for MESA CONTRACTING CORPORATION			**52.00**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	5/9/2011	882686	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,506.03**		
METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	5/23/2011	207952	100.00		
				TEXT MSSG RTRVL SVC-PD	100.00
	Vendor Total		**100.00**		
FYTD for METROPCS WIRELESS, INC.			**200.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207647	147.00		
				INSTRUCTOR SVCS-DRAWING	147.00
	Vendor Total		**147.00**		
FYTD for MEYERS, ROBERT			**2,247.00**		
MGT OF AMERICA, INC.				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	882687	3,000.00		
				STATE MANDATED COST CLAIMING	3,000.00
	Vendor Total		**3,000.00**		
FYTD for MGT OF AMERICA, INC.			**12,000.00**		
MICHAEL LANE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207855	1,500.00		
				SETTLEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for MICHAEL LANE			**1,500.00**		

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MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882688	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**2,316.58**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	5/9/2011	882689	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,442.67**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	5/9/2011	882690	178.47		
				PLAYGROUND EQUIP-PARKS	178.47
	Vendor Total		**178.47**		
FYTD for MIRACLE RECREATION EQUIPMENT			**7,909.18**		
MISTRETTA, ARTHUR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	882779	414.00		
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	18.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	48.00
				SPORTS OFFICIATING SVCS	24.00
				SPORTS OFFICIATING SVCS	36.00
	5/31/2011	882819	36.00		
				SPORTS OFFICIATING SVCS	36.00
	Vendor Total		**450.00**		
FYTD for MISTRETTA, ARTHUR			**3,096.00**		
MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	5/9/2011	882691	401.42		
				RETIREE MED MAY '11	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,415.62**		

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MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY CA**	
5/9/2011	207744	4,216.25		
			EMERG PLUMBING REPAIRS-FS#91	380.00
			EMERG PLUMBING REPAIRS-FS#91	387.50
			EMERG PLUMBING REPAIRS-FS#91	246.25
			SHOWER REPAIR-FS #91	2,000.00
			SHOWER REPAIR-FS #91	600.00
			PLUMBING REPAIRS-PSB	100.00
			PLUMBING REPAIRS-PSB	502.50
5/23/2011	207953	272.50		
			PLUMBING RPRS-FS #58	272.50
	Vendor Total	**4,488.75**		
FYTD for MONTGOMERY PLUMBING INC		**6,851.07**		
MORA, PATRICIA A.			Remit to: **MORENO VALLEY CA**	
5/9/2011	882692	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for MORA, PATRICIA A.		**3,506.03**		
MORENO VALLEY CHAMBER OF COMMERCE			Remit to: **MORENO VALLEY CA**	
5/16/2011	207856	120.00		
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
	Vendor Total	**120.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**28,840.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.			Remit to: **MORENO VALLEY CA**	
5/6/2011	2852	1,562.00		
			MVCEA DUES 5/6/11	1,562.00
5/20/2011	2860	1,556.50		
			MVCEA DUES 5/20/11	1,556.50
	Vendor Total	**3,118.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**37,602.50**		

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MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO CA**	
5/23/2011	882780	7,934.87		
			LEASE-FACILITIES ANNEX	2,458.97
			LEASE-TECH SVCS ANNEX	5,475.90
5/31/2011	882820	9,207.72		
			BLDG LEASE-SPCL DIST	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**188,568.49**		
MORENO VALLEY HISPANIC CHAMBER			Remit to: **MORENO VALLEY CA**	
5/23/2011	207954	100.00		
			REFUND-MBL STG RNTL DEP	100.00
	Vendor Total	**100.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER		**100.00**		
MORENO VALLEY PLUMBING SUPPLIES			Remit to: **MORENO VALLEY CA**	
5/16/2011	207857	38.02		
			REPAIR PARTS-WATER TRUCK	38.02
	Vendor Total	**38.02**		
FYTD for MORENO VALLEY PLUMBING SUPPLIES		**38.02**		
MORENO VALLEY UTILITY			Remit to: **HEMET CA**	
5/23/2011	207955	99.16		
			ELECTRICITY-UT FLD OFFICE	99.16
	Vendor Total	**99.16**		
FYTD for MORENO VALLEY UTILITY		**686,219.59**		
MORENO, MARIO			Remit to:	
5/9/2011	207745	590.00		
			PER DIEM-NARCOTIC INVESTIG TRN	590.00
	Vendor Total	**590.00**		
FYTD for MORENO, MARIO		**800.00**		
MORGAN, LISA A.			Remit to: **MENTONE CA**	
5/9/2011	882693	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,506.03**		

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MOSER, KEVIN				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207648	86.00		
				REFUND-ANIMAL SVCS FEES	30.00
				REFUND-ANIMAL SVCS FEES	10.00
				REFUND-ANIMAL SVCS FEES	20.00
				REFUND-ANIMAL SVCS FEES	16.00
				REFUND-ANIMAL SVCS FEES	10.00
	Vendor Total		**86.00**		
FYTD for MOSER, KEVIN			**86.00**		
MR. CLEAN, INC.				Remit to: **COLTON** **CA**	
	5/23/2011	207956	428.00		
				PRESSURE WASHING SVC-CRC	428.00
	Vendor Total		**428.00**		
FYTD for MR. CLEAN, INC.			**2,759.57**		
MUSICK, PEELER & GARRETT, LLP				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207858	3,200.00		
				LEGAL SERVICES-HR	2,800.00
				LEGAL SERVICES-HR	400.00
	Vendor Total		**3,200.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP			**30,299.34**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207859	1,053.00		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	81.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	243.00
	Vendor Total		**1,053.00**		
FYTD for MUSICSTAR			**7,139.97**		
MVBSA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208063	500.00		
				REFUND-RNTL DEP 5/13/11	500.00
	Vendor Total		**500.00**		
FYTD for MVBSA			**500.00**		

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NATIONAL LAW ENFORCEMENT SUPPLY, INC.			Remit to: **ALBANY** **NY**	
5/23/2011	207957	79.28		
			FORENSIC SUPPLIES-PD	69.81
			FORENSIC SUPPLIES-PD	9.47
			FORENSIC SUPPLIES-PD	6.94
			USED TAX ACCRUAL-PD	-6.94
	Vendor Total	**79.28**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.		**445.98**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
5/6/2011	2850	12,563.63		
			PST DEF COMP FOR FICA 5/6/11	12,563.63
5/6/2011	2851	24,738.16		
			DEF COMP-457 & 401(A) 5/6/11	24,738.16
5/20/2011	2858	13,615.20		
			PST DEF COMP FOR FICA 5/20/11	13,615.20
5/20/2011	2859	24,648.41		
			DEF COMP-457 & 401(A) 5/20/11	24,648.41
	Vendor Total	**75,565.40**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**762,631.06**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
5/9/2011	882694	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**3,506.03**		
NELSON, MICHELE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207649	106.91		
			GAS CHGS-4/4-4/8/11 TRNG CLASS	106.91
	Vendor Total	**106.91**		
FYTD for NELSON, MICHELE		**356.91**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
5/9/2011	882695	325.66		
			RETIREE MED MAY '11	325.66
	Vendor Total	**325.66**		
FYTD for NELSON, ROBERT		**3,461.90**		

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NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	5/9/2011	882696	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NELSON, TIMOTHY IVAN				Remit to: **GRAND TERRACE** **CA**	
	5/23/2011	207958	456.00		
				INSTRUCTION SVCS-12 DAYS	456.00
	Vendor Total		**456.00**		
FYTD for NELSON, TIMOTHY IVAN			**3,572.00**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	5/9/2011	207746	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882697	9.89		
				REFUND-UT USER TAXES	9.89
	Vendor Total		**9.89**		
FYTD for NEW HORIZON MOBILE HOME PARK			**68.38**		
NEW WORLD LANGUAGE SERVICES, INC				Remit to: **SAN BERNARDINO** **CA**	
	5/31/2011	208064	650.00		
				INTERPRETER SVCS-EDD	650.00
	Vendor Total		**650.00**		
FYTD for NEW WORLD LANGUAGE SERVICES, INC			**650.00**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207747	401.42		
				RETIREE MED MAY '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	5/23/2011	207959	6,079.12		
				NIGHT OPTICS-PD	5,590.00
				NIGHT OPTICS-PD	489.12
	Vendor Total		**6,079.12**		
FYTD for NIGHT GALAXY, INC.			**6,079.12**		

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NINYO & MOORE GEOTECHNICAL			Remit to: **SAN DIEGO** **CA**	
5/16/2011	207860	11,855.50		
			IRONWOOD AVE/STORM DRAIN PROJ	9,959.50
			IRONWOOD AVE/STORM DRAIN PROJ	1,896.00
	Vendor Total	**11,855.50**		
FYTD for NINYO & MOORE GEOTECHNICAL		**72,641.50**		
NOBLES, GARRETT			Remit to: **HEMET** **CA**	
5/23/2011	207961	69.87		
			MILEAGE REIMBURSEMENT	69.87
	Vendor Total	**69.87**		
FYTD for NOBLES, GARRETT		**683.05**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE** **CA**	
5/31/2011	882821	947.00		
			LEGAL SERVICES-RISK MGT	385.95
			LEGAL SERVICES-RISK MGT	561.05
	Vendor Total	**947.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**13,616.23**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH** **CA**	
5/9/2011	882698	6,800.00		
			PROPERTY APPRAISAL SVCS-FS #65	6,800.00
5/16/2011	882748	67.50		
			SR-60/NASON ST INTRCHNG PROJ	67.50
5/31/2011	882822	8,400.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	8,400.00
	Vendor Total	**15,267.50**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**131,305.25**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND** **CA**	
5/9/2011	882699	989.00		
			FERTILIZATION SVCS-ZONE E	302.97
			FERTILIZATION SVCS-ZONE E	550.15
			FERTILIZATION SVCS-ZONE E	112.61
			FERTILIZATION SVCS-ZONE E	23.27
	Vendor Total	**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**8,515.83**		
PACIFIC SAFETY COUNCIL			Remit to: **SAN DIEGO** **CA**	
5/16/2011	882749	380.00		
			ANNUAL MEMBERSHIP	380.00
	Vendor Total	**380.00**		
FYTD for PACIFIC SAFETY COUNCIL		**3,815.75**		

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PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
5/9/2011	882700	438.48		
			PAYPHONE SVCS	375.84
			PAYPHONE SVCS-PD	62.64
	Vendor Total	**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**4,823.28**		
PADILLA, JHOANA LIZBETH			Remit to: **EL MONTE** **CA**	
5/16/2011	207861	36.00		
			REFUND-CITATION OVRPMT	36.00
	Vendor Total	**36.00**		
FYTD for PADILLA, JHOANA LIZBETH		**36.00**		
PALAU, SHANNA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207862	248.50		
			PER DIEM-ICSC RECON CONVENTION	248.50
	Vendor Total	**248.50**		
FYTD for PALAU, SHANNA		**735.67**		
PALLIRETO, JANE			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207863	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for PALLIRETO, JANE		**404.50**		
PARKS, ALYSSIA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207864	47.00		
			REFUND-BELLY DANCING CLASS	47.00
	Vendor Total	**47.00**		
FYTD for PARKS, ALYSSIA		**47.00**		
PARSONS TRANSPORTATION GROUP, INC.			Remit to: **IRVINE** **CA**	
5/2/2011	207650	19,215.35		
			SR-60/MOR BCH DR INTRCHNG PROJ	2,286.05
			SR-60/MOR BCH DR INTRCHNG PROJ	16,929.30
	Vendor Total	**19,215.35**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**510,132.29**		
PATTERSON, ALFREY			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207748	229.88		
			RETIREE MED MAY '11	229.88
	Vendor Total	**229.88**		
FYTD for PATTERSON, ALFREY		**2,316.58**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PATTERSON, MICHAEL				Remit to: **PERRIS** **CA**	
	5/9/2011	207749	100.00		
				SPORTS OFFICIATING SVCS	40.00
				SPORTS OFFICIATING SVCS	60.00
	5/11/2011	207794	160.00		
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**260.00**		
FYTD for PATTERSON, MICHAEL			**820.00**		
PB AMERICAS, INC.				Remit to: **SAN BERNARDINO** **CA**	
	5/31/2011	208065	9,601.32		
				SR-60/NASON ST INTRCHNG PROJ	9,601.32
	Vendor Total		**9,601.32**		
FYTD for PB AMERICAS, INC.			**60,785.05**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	882630	5,621.00		
				VETERINARY SVCS-ANML SHLTR	5,621.00
	5/31/2011	882823	4,282.00		
				VETERINARY SVCS-ANML SHLTR	4,282.00
	Vendor Total		**9,903.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**87,965.00**		
PEERY, MATHEW				Remit to: **MENIFEE** **CA**	
	5/23/2011	207962	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PEERY, MATHEW			**20.00**		
PENA, IRIS				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207963	42.99		
				MILEAGE REIMBURSEMENT	42.99
	Vendor Total		**42.99**		
FYTD for PENA, IRIS			**688.88**		
PEREZ, DOMINIQUE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207865	55.00		
				REFUND-CITATION DISMISSED	55.00
	Vendor Total		**55.00**		
FYTD for PEREZ, DOMINIQUE			**55.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERRIS VALLEY PRINTING CO.				Remit to: **MENIFEE** **CA**	
	5/9/2011	207750	111.67		
				ENVELOPES-BLDG & SAFETY	111.67
	Vendor Total		**111.67**		
FYTD for PERRIS VALLEY PRINTING CO.			**1,670.97**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	5/9/2011	207751	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	5/9/2011	207752	458.63		
				LONG TERM CARE INSURANCE	458.63
	5/23/2011	207964	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**11,177.16**		

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PETTY CASH - FINANCE			Remit to: **MORENO VALLEY**	**CA**
5/31/2011	208066	964.43		
			PETTY CASH FUND REPLENISHMENT	33.32
			PETTY CASH FUND REPLENISHMENT	23.73
			PETTY CASH FUND REPLENISHMENT	22.96
			PETTY CASH FUND REPLENISHMENT	24.09
			PETTY CASH FUND REPLENISHMENT	23.73
			PETTY CASH FUND REPLENISHMENT	33.69
			PETTY CASH FUND REPLENISHMENT	35.00
			PETTY CASH FUND REPLENISHMENT	7.50
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.50
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	7.50
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	1.50
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	99.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	3.50
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	20.64
			PETTY CASH FUND REPLENISHMENT	10.71
			PETTY CASH FUND REPLENISHMENT	25.50
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	8.00
			PETTY CASH FUND REPLENISHMENT	25.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	23.75
			PETTY CASH FUND REPLENISHMENT	27.03
			PETTY CASH FUND REPLENISHMENT	21.42
			PETTY CASH FUND REPLENISHMENT	58.14
			PETTY CASH FUND REPLENISHMENT	41.82
			PETTY CASH FUND REPLENISHMENT	10.86
			PETTY CASH FUND REPLENISHMENT	56.98
			PETTY CASH FUND REPLENISHMENT	23.25
			PETTY CASH FUND REPLENISHMENT	65.61
			PETTY CASH FUND REPLENISHMENT	5.59
			PETTY CASH FUND REPLENISHMENT	5.47
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	37.64

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	964.43		
FYTD for PETTY CASH - FINANCE		5,984.24		
PEYREFITTE, OLIVIA			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207866	72.00		
			REFUND-PICNIC SHLTR FEE	35.00
			REFUND-PICNIC SHLTR FEE	37.00
	Vendor Total	72.00		
FYTD for PEYREFITTE, OLIVIA		72.00		
PIP PRINTING			Remit to: **MORENO VALLEY**	**CA**
5/31/2011	882824	4,123.97		
			PRINTING SVCS-SPCL DIST	4,015.27
			PRINTING SVCS-SPCL DIST	108.70
	Vendor Total	4,123.97		
FYTD for PIP PRINTING		7,548.20		
PIPS TECHNOLOGY, INC.			Remit to: **KNOXVILLE**	**TN**
5/23/2011	207965	3,215.82		
			REPAIR SVCS-PD	2,865.00
			REPAIR SVCS-PD	295.00
			REPAIR SVCS-PD	30.00
			REPAIR SVCS-PD	25.82
	Vendor Total	3,215.82		
FYTD for PIPS TECHNOLOGY, INC.		3,539.89		
PLAN TAG, INC.			Remit to: **WELLINGTON**	**FL**
5/31/2011	208067	39.45		
			PLAN TAGS-FIRE PREV	39.45
			PLAN TAGS-FIRE PREV	3.45
			PLAN TAGS-FIRE PREV	-3.45
	Vendor Total	39.45		
FYTD for PLAN TAG, INC.		39.45		
POIEMA LANDSCAPE, INC.			Remit to: **COLTON**	**CA**
5/23/2011	882781	3,843.15		
			LANDSCAPE MAINT-E12	2,131.00
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		46,426.35		

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POSTMASTER				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207651	2,340.00		
				POSTAGE FOR 2011-12 BALLOTS	100.00
				POSTAGE FOR 2011-12 BALLOTS	2,240.00
	Vendor Total		**2,340.00**		
FYTD for POSTMASTER			**38,499.87**		
PRICE, GEORGE E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882701	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,506.03**		
PRINCE, CHARLOTTE				Remit to: **MENIFEE** **CA**	
	5/23/2011	207966	140.00		
				REFUND-KICKBOXING	140.00
	Vendor Total		**140.00**		
FYTD for PRINCE, CHARLOTTE			**140.00**		
PROACTIVE ENGINEERING CONSULTANTS, INC.				Remit to: **CORONA** **CA**	
	5/16/2011	882750	3,978.00		
				CACTUS AVE WIDENING PROJ-STG 1	3,978.00
	Vendor Total		**3,978.00**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**66,229.94**		
PROPAC				Remit to: **CHARLESTON** **SC**	
	5/9/2011	207753	3,000.00		
				CERT KITS-EMERG MGT/VOL SVCS	2,567.50
				CERT KITS-EMERG MGT/VOL SVCS	432.50
				CERT KITS-EMERG MGT/VOL SVCS	224.65
				USED TAX ACCRUAL-EOC	-224.65
	Vendor Total		**3,000.00**		
FYTD for PROPAC			**3,000.00**		
PROTECTION ONE, INC.				Remit to: **WITCHITA** **KS**	
	5/23/2011	207967	42.00		
				MONITORING SVCS-PRO SHOP	21.00
				MONITORING SVCS-MVTV STUDIO	21.00
	Vendor Total		**42.00**		
FYTD for PROTECTION ONE, INC.			**446.00**		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	5/9/2011	882702	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,506.03**		
PVP COMMUNICATIONS, INC.				Remit to: **TORRANCE** **CA**	
	5/23/2011	207968	17,291.25		
				HELMET KITS-PD	7,950.00
				MOTOR KITS-PD	7,950.00
				SALES TAX-PD	1,391.25
	Vendor Total		**17,291.25**		
FYTD for PVP COMMUNICATIONS, INC.			**17,291.25**		
QUALITY CODE PUBLISHING, LLC				Remit to: **SEATTLE** **WA**	
	5/2/2011	882631	2,778.28		
				MUN CODE SUPPLEMENTS-CITY CLKS	358.22
				MUN CODE SUPPLEMENTS-CITY CLKS	2,420.06
	Vendor Total		**2,778.28**		
FYTD for QUALITY CODE PUBLISHING, LLC			**7,320.06**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207867	155.00		
				PER DIEM-VEH. HOMICIDE SEMINAR	155.00
	Vendor Total		**155.00**		
FYTD for RAFAEL LOPEZ			**155.00**		
RAINBOW VALLEY HEROES				Remit to: **KANSAS CITY** **MO**	
	5/31/2011	208068	449.95		
				SAFETY EDUC VIDEOS-PD	449.95
				SAFETY EDUC VIDEOS-PD	39.37
				SAFETY EDUC VIDEOS-USED TAX	-39.37
	Vendor Total		**449.95**		
FYTD for RAINBOW VALLEY HEROES			**449.95**		
RALLY MANAGEMENT SERVICES, LLC				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/2/2011	882632	754.92		
				TEMP SVCS-J RODRIGUEZ W/E 4/10	754.92
	5/9/2011	882703	1,114.56		
				TEMP SVCS-R HENDERSON W/E 4/17	359.64
				TEMP SVCS-J RODRIGUEZ W/E 4/17	138.72
				TEMP SVCS-J RODRIGUEZ W/E 4/17	616.20
	Vendor Total		**1,869.48**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**65,000.03**		

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RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207868	297.00		
				INSTRUCTOR SVCS-TAE KWON DO	270.00
				INSTRUCTOR SVCS-TAE KWON DO	7.00
				INSTRUCTOR SVCS-TAE KWON DO	20.00
	5/31/2011	208069	663.00		
				INSTRUCTOR SVCS-TAE KWON DO	216.00
				INSTRUCTOR SVCS-TAE KWON DO	27.00
				INSTRUCTOR SVCS-TAE KWON DO	420.00
	Vendor Total		**960.00**		
FYTD for RAMOS, ROBERTO			**1,683.00**		
RANSOM RENTALS				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207652	55.29		
				REFUND-BUS LIC OVRPMT	55.29
	Vendor Total		**55.29**		
FYTD for RANSOM RENTALS			**55.29**		
RAYMOND, DENISE M.				Remit to: **REDLANDS** **CA**	
	5/31/2011	208070	413.34		
				TRAVEL EXP.-CHAMELEON CONF.	93.84
				TRAVEL EXP.-CHAMELEON CONF.	319.50
	Vendor Total		**413.34**		
FYTD for RAYMOND, DENISE M.			**413.34**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207754	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**2,231.11**		
REDBOX AUTOMATED RETAIL, LLC				Remit to: **OAKBROOK TERRACE** **IL**	
	5/9/2011	207755	61.00		
				REFUND-BUS LIC OVRPMT	61.00
	Vendor Total		**61.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**309.00**		
REED, ALICIA S.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207756	9,580.36		
				RETIREE MED JAN'08-DEC'10	9,580.36
	Vendor Total		**9,580.36**		
FYTD for REED, ALICIA S.			**9,580.36**		

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RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207757	75.00		
			SHADOW MTN PARK LIGHTING PROJ	75.00
	Vendor Total	**75.00**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**17,607.94**		
RIGHTWAY SITE SERVICES, INC.			Remit to: **LAKE ELSINORE** **CA**	
5/23/2011	207969	194.13		
			PORTABLE RNTL-GOLF COURSE	72.38
			PORTABLE RNTL-PW	20.00
			PORTABLE RNTL-PW	100.00
			PORTABLE RNTL-PW	1.75
	Vendor Total	**194.13**		
FYTD for RIGHTWAY SITE SERVICES, INC.		**338.89**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207653	5,000.00		
			ENCR PERMIT 3276 FILE FEE/DEP.	5,000.00
5/23/2011	207970	50.40		
			REQ 53959-ELECTR UTIL-DRAWINGS	50.40
	Vendor Total	**5,050.40**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**99,469.62**		
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
5/19/2011	110505	13,503.50		
			RETENTN PYMT PER ESCROW AGRMNT	13,503.50
	Vendor Total	**13,503.50**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**3,393,302.50**		
RIVERSIDE COUNTY ASSESSOR			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207758	3.00		
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
	Vendor Total	**3.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR		**327.00**		
RIVERSIDE COUNTY CLERK			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208071	2,108.00		
			NEG DECLAR.-IRONWOOD AVE PROJ	2,108.00
	Vendor Total	**2,108.00**		
FYTD for RIVERSIDE COUNTY CLERK		**4,216.00**		

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RIVERSIDE COUNTY CLERK/RECORDER			Remit to: **RIVERSIDE**	**CA**
5/23/2011	207971	0.00		
			LIEN RELEASE FEE-CODE	13.00
			LIEN RELEASE FEE-FIRE PREV	13.00
			LIEN RELEASE FEE-FIRE PREV	13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
5/31/2011	208072	13.00		
			LIEN RELEASE FEE-CODE	13.00
5/31/2011	208073	13.00		
			LIEN RELEASE FEE-FIRE PREV	13.00
5/31/2011	208074	13.00		
			LIEN RELEASE FEE-FIRE PREV	13.00
5/31/2011	208075	13.00		
			LIEN RELEASE	13.00
5/31/2011	208076	13.00		
			LIEN RELEASE	13.00
5/31/2011	208077	133.00		
			COPY FEES-EDD	133.00
	Vendor Total	**198.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**698.00**		
RIVERSIDE COUNTY ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE**	**CA**
5/16/2011	207869	145.00		
			COTTONWOOD GOLF CTR INSPECTION	145.00
	Vendor Total	**145.00**		
FYTD for RIVERSIDE COUNTY ENVIRONMENTAL HEALTH		**145.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207759	1,769.45		
			RADIOS SERVICE-PD	1,769.45
5/31/2011	208078	2,012.38		
			RADIO LEASE/MAINT-TELECOMM	170.10
			RADIO LEASE/MAINT-TELECOMM	9.45
			RADIO LEASE/MAINT-TELECOMM	33.12
			RADIO SVCS-PD	1,769.45
			VPN CONNECTION-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**23,293.43**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
5/31/2011	882825	8,523.69		
			BOOKING FEES-PD	8,523.69
	Vendor Total	**8,523.69**		
FYTD for RIVERSIDE COUNTY SHERIFF		**22,423,469.84**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207654	444.00		
			REGISTR-T.C.I.-BASIC COURSE	182.00
			REGISTR-BICYCLE PATROL COURSE	131.00
			REGISTR-BICYCLE PATROL COURSE	131.00
5/9/2011	207760	435.00		
			REG.-FIELD TRNG OFFICER UPDATE	75.00
			REG.-FIELD TRNG OFFICER UPDATE	75.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
5/23/2011	207972	88.00		
			REGISTR-RADAR OPER. TRNG CLASS	88.00
	Vendor Total	**967.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**11,485.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207761	1,041.25		
			GARNISHMENT	141.31
			GARNISHMENT	170.95
			GARNISHMENT	206.22
			GARNISHMENT	522.77
5/23/2011	207973	851.85		
			GARNISHMENT	131.46
			GARNISHMENT	167.28
			GARNISHMENT	34.58
			GARNISHMENT	518.53
	Vendor Total	**1,893.10**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**19,254.13**		
RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	207974	1,244.68		
			EXTRA DUTY SVC-PD	282.68
			EXTRA DUTY SVC-PD	312.00
			EXTRA DUTY SVC-PD	650.00
	Vendor Total	**1,244.68**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**180,133.97**		

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RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
5/23/2011	882782	41.28		
			GREEN STAMP-PW LAND DEV	13.46
			GREEN STAMP-PW LAND DEV	6.00
			GREEN STAMP-PW LAND DEV	1.18
			GREEN STAMP-PW SOLID WASTE	13.46
			GREEN STAMP-PW SOLID WASTE	6.00
			GREEN STAMP-PW SOLID WASTE	1.18
	Vendor Total	**41.28**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**208.27**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
5/23/2011	882783	5,704.00		
			TEMP STAFFING SVCS-CAP PROJCTS	5,704.00
	Vendor Total	**5,704.00**		
FYTD for RLZ ENGINEERING		**66,681.00**		
ROBINSON, JOAQUIN DIEGO			Remit to: **RIVERSIDE** **CA**	
5/23/2011	207975	228.00		
			INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total	**228.00**		
FYTD for ROBINSON, JOAQUIN DIEGO		**1,976.00**		
ROBINSON-DAVIS, YAVONNE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207655	270.81		
			MILEAGE REIMBURSEMENT	57.12
			MILEAGE REIMBURSEMENT	67.32
			MILEAGE REIMBURSEMENT	146.37
5/23/2011	207976	157.59		
			MILEAGE REIMBURSEMENT	157.59
	Vendor Total	**428.40**		
FYTD for ROBINSON-DAVIS, YAVONNE		**428.40**		
ROCHA, ASHLEY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207977	54.50		
			REFUND-CITATION DISMISSED	54.50
	Vendor Total	**54.50**		
FYTD for ROCHA, ASHLEY		**54.50**		
RODRIGUEZ, HECTOR			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207978	80.00		
			SPORTS OFFICIATING SVCS	80.00
	Vendor Total	**80.00**		
FYTD for RODRIGUEZ, HECTOR		**1,240.00**		

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RODRIGUEZ, LAUREN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208079	70.89		
				MILEAGE REIMBURSEMENT	70.89
	Vendor Total		**70.89**		
FYTD for RODRIGUEZ, LAUREN			**853.92**		
RODRIGUEZ, WILLIAM				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207870	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for RODRIGUEZ, WILLIAM			**54.50**		
ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	5/9/2011	882705	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**3,506.03**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207871	59.67		
				MILEAGE REIMBURSEMENT	59.67
	Vendor Total		**59.67**		
FYTD for ROGERS, KIANNA			**1,135.20**		
ROMO, SANDRA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207656	57.00		
				REFUND-CLASS REGISTR FEES`	57.00
	Vendor Total		**57.00**		
FYTD for ROMO, SANDRA			**57.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882706	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,506.03**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	5/9/2011	882707	270.80		
				RETIREE MED MAY '11	174.30
				RETIREE MED MAY '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**3,188.76**		

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RUPPLE, KRISTIN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208080	175.00		
				REFUND-RNTL DEP 5/7/11	175.00
	Vendor Total		**175.00**		
FYTD for RUPPLE, KRISTIN			**175.00**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	5/9/2011	882708	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**3,417.18**		
RUVALCABA, RAFAEL				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207979	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for RUVALCABA, RAFAEL			**1,824.00**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	5/9/2011	207762	980.33		
				LIGHTING MAINT-ZONE M	125.00
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHT REPAIRS-E7	250.33
				LIGHT REPAIRS-E1	105.00
	Vendor Total		**980.33**		
FYTD for RYMAX ELECTRIC, INC.			**9,567.95**		
S & S CONSTRUCTION				Remit to: **GRAND TERRACE** **CA**	
	5/9/2011	207763	1,400.76		
				DEMO/REPLACE 3 DOORS-GATEWY PK	1,400.76
	Vendor Total		**1,400.76**		
FYTD for S & S CONSTRUCTION			**1,400.76**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	5/31/2011	882826	7,500.00		
				TEMP STAFFING SVCS-CAP PROJCTS	7,500.00
	Vendor Total		**7,500.00**		
FYTD for SA ASSOCIATES			**117,675.00**		

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SABRE LIGHTING AND SIGNS				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208081	508.49		
				SIGNS-STARS	508.49
	Vendor Total		**508.49**		
FYTD for SABRE LIGHTING AND SIGNS			**17,782.98**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	5/9/2011	207792	1,750.33		
				TRAFFIC SIGNS	1,750.33
	Vendor Total		**1,750.33**		
FYTD for SAFEWAY SIGN CO.			**8,484.63**		
SAGASTUME, MARIO				Remit to: **HEMET** **CA**	
	5/23/2011	207980	418.00		
				INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total		**418.00**		
FYTD for SAGASTUME, MARIO			**1,482.00**		
SALGADO, LIZETH				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207764	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SALGADO, LIZETH			**75.00**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207657	195.60		
				INSTRUCTOR SVCS-ZUMBA	195.60
	5/31/2011	208082	264.00		
				INSTRUCTOR SVCS-ZUMBA	264.00
	Vendor Total		**459.60**		
FYTD for SALMAN, CLAUDIA			**982.80**		
SAN MIGUEL, HENRY				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207765	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SAN MIGUEL, HENRY			**50.00**		
SANCHEZ, ALBERTO				Remit to: **SOUTH GATE** **CA**	
	5/31/2011	208083	200.00		
				REFUND-ADMIN CITATION	200.00
	Vendor Total		**200.00**		
FYTD for SANCHEZ, ALBERTO			**200.00**		

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SANTANA, VIRGINIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207872	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SANTANA, VIRGINIA			**20.00**		
SCHOENFELDER, LAURA				Remit to: **PERRIS** **CA**	
	5/31/2011	208084	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for SCHOENFELDER, LAURA			**532.00**		
SCMAF - INLAND VALLEY				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/2/2011	207658	525.00		
				YTH BASKETBALL TOURN-PARKS	525.00
	Vendor Total		**525.00**		
FYTD for SCMAF - INLAND VALLEY			**645.00**		
SECRETARY OF STATE - STMT OF INFO UNIT				Remit to: **SACRAMENTO** **CA**	
	5/5/2011	207687	20.00		
				SI-100 FILING FEE	20.00
	Vendor Total		**20.00**		
FYTD for SECRETARY OF STATE - STMT OF INFO UNIT			**20.00**		
SECTRAN SECURITY, INC				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	207659	477.00		
				TRANSPORT SVCS-PARKS	159.00
				TRANSPORT SVCS-UTILITY	159.00
				TRANSPORT SVCS-TREASURY	159.00
	5/31/2011	208085	477.00		
				TRANSPORT SVCS-PARKS	159.00
				TRANSPORT SVCS-MVU	159.00
				TRANSPORT SVCS-TREASURY	159.00
	Vendor Total		**954.00**		
FYTD for SECTRAN SECURITY, INC			**5,598.00**		
SECURITY LOCK & KEY				Remit to: **YUCAIPA** **CA**	
	5/9/2011	882710	60.00		
				REKEYING SVCS-EOC	60.00
	5/16/2011	882752	187.88		
				LOCK SERVICE-PARKS	67.88
				LOCK SERVICE-PARKS	120.00
	Vendor Total		**247.88**		
FYTD for SECURITY LOCK & KEY			**4,203.10**		

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SHAH, JAGDISH				Remit to: **DIAMOND BAR** **CA**	
	5/31/2011	882827	720.00		
				TEMP STAFFING SVCS-CAP PROJCTS	720.00
	Vendor Total		**720.00**		
FYTD for SHAH, JAGDISH			**151,920.00**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	5/9/2011	207766	174.30		
				RETIREE MED MAY '11	174.30
	Vendor Total		**174.30**		
FYTD for SHARRETT, SHARON K.			**2,031.66**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	5/9/2011	207767	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	5/2/2011	207661	1,918.07		
				FUEL PURCHASES	1,918.07
	5/23/2011	207981	1,578.73		
				FUEL PURCHASES	1,578.73
	5/23/2011	207982	193.47		
				FUEL PURCHASES	193.47
	Vendor Total		**3,690.27**		
FYTD for SHELL OIL CO.			**18,188.84**		
SHINDLEDECKER, EMILY				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207662	47.00		
				REFUND-GUITAR CLASS CANC.	47.00
	Vendor Total		**47.00**		
FYTD for SHINDLEDECKER, EMILY			**47.00**		
SHURTLEFF, JEANNETTE L.				Remit to: **LAKE ELSINORE** **CA**	
	5/23/2011	882784	418.00		
				INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total		**418.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**5,092.00**		

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SINGLETON-DECUIR, JANISHEIA				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	882785	47.43		
				MILEAGE REIMBURSEMENT	47.43
	Vendor Total		**47.43**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**723.89**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207768	525.00		
				ADVERTISING SVCS-PW SOLID WST	525.00
	5/31/2011	208087	8,770.00		
				PRINTING SVCS-PARKS	8,770.00
	Vendor Total		**9,295.00**		
FYTD for SKY PUBLISHING			**64,324.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882711	53.67		
				REFUND-UT USER TAXES	53.67
	Vendor Total		**53.67**		
FYTD for SKY TRAILS MOBILE VILLAGE			**462.94**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882712	637.46		
				RETIREE MED MAR-APR '11	637.46
	Vendor Total		**637.46**		
FYTD for SLAGERMAN, SUSAN A.			**3,506.03**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882713	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,487.19**		
SMUS, PAULA				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207873	59.47		
				MILEAGE REIMBURSEMENT	59.47
	Vendor Total		**59.47**		
FYTD for SMUS, PAULA			**383.55**		
SOCALS SIGNS & DESIGNS, INC				Remit to: **MONTCLAIR** **CA**	
	5/16/2011	207874	154.00		
				PERMIT FEES-EOC ADDRSS NUMBERS	154.00
	Vendor Total		**154.00**		
FYTD for SOCALS SIGNS & DESIGNS, INC			**2,147.13**		

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SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	5/2/2011	882633	8,810.76		
				FUEL PURCHASE	8,810.76
	5/16/2011	882753	23,935.96		
				FUEL PURCHASE	8,922.16
				FUEL PURCHASE	9,283.11
				FUEL PURCHASE	8,670.59
				CREDIT ON ACCOUNT	-2,939.90
	5/23/2011	882786	8,768.33		
				FUEL PURCHASE	8,768.33
	Vendor Total		**41,515.05**		
FYTD for SOCO GROUP, INC			**318,053.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207663	180.60		
				INSTRUCTOR SVCS-YOGA	180.60
	Vendor Total		**180.60**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**980.40**		
SOSA, HUGO				Remit to: **ELK GROVE** **CA**	
	5/23/2011	207983	600.00		
				INSTRUCTOR SVCS-KARATEDO	210.00
				INSTRUCTOR SVCS-KARATEDO	150.00
				INSTRUCTOR SVCS-KARATEDO	240.00
	Vendor Total		**600.00**		
FYTD for SOSA, HUGO			**1,530.00**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/2/2011	207664	4,475.08		
			ELECTRICITY	21.11
			ELECTRICITY	22.19
			ELECTRICITY	912.18
			ELECTRICITY	1,270.25
			ELECTRICITY	113.57
			ELECTRICITY	174.99
			ELECTRICITY	737.25
			ELECTRICITY	139.86
			ELECTRICITY	810.54
			ELECTRICITY	110.28
			ELECTRICITY	96.20
			ELECTRICITY	66.66
5/9/2011	207769	6,412.86		
			ELECTRICITY	134.38
			ELECTRICITY	159.09
			ELECTRICITY	22.57
			ELECTRICITY	1,467.28
			ELECTRICITY	471.64
			ELECTRICITY	907.23
			ELECTRICITY	883.73
			ELECTRICITY	362.78
			ELECTRICITY	381.99
			ELECTRICITY	300.62
			ELECTRICITY	22.33
			ELECTRICITY	958.98
			ELECTRICITY	189.86
			ELECTRICITY	86.90
			ELECTRICITY	63.48
5/9/2011	207770	1,179.58		
			LINE EXT.-SUNNYMD RANCH T/SIG.	1,179.58
5/23/2011	207984	515.78		
			SVC FEED FOR TRAF CONTROLLER	515.78
5/23/2011	207985	4,705.86		
			ST. LIGHTS INSTALL.-HEACOCK ST	4,705.86
5/23/2011	207986	22,877.97		
			ELECTRIC CHARGES	329.73
			ELECTRICITY	181.82
			ELECTRICITY	5,317.44
			ELECTRICITY	749.79
			ELECTRICITY	2,168.32
			ELECTRICITY	19.24
			ELECTRICITY	2,228.10
			ELECTRICITY	618.19
			ELECTRICITY	1,945.14
			ELECTRICITY	817.07
			ELECTRICITY	162.17
			ELECTRICITY	4,568.74
			ELECTRICITY	195.86
			ELECTRICITY	303.66
			ELECTRICITY	1,775.17

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	279.84
			ELECTRICITY	408.41
			ELECTRICITY	484.32
			ELECTRICITY	174.52
			ELECTRICITY	150.44
5/31/2011	208088	3,275.03		
			ELECTRICITY	53.21
			ELECTRICITY	29.47
			ELECTRICITY	21.11
			ELECTRICITY	23.79
			ELECTRICITY	811.91
			ELECTRICITY	647.52
			ELECTRICITY	112.61
			ELECTRICITY	174.19
			ELECTRICITY	666.70
			ELECTRICITY	138.69
			ELECTRICITY	374.75
			ELECTRICITY	107.03
			ELECTRICITY	47.63
			ELECTRICITY	66.42
	Vendor Total	**43,442.16**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,062,356.10**		

SOUTHERN CALIFORNIA GAS CO. Remit to: **MONTEREY PARK CA**

5/23/2011	207987	6,502.01		
			GAS CHARGES	1,126.14
			GAS CHARGES	2,920.32
			GAS CHARGES	21.19
			GAS CHARGES	32.19
			GAS CHARGES	445.30
			GAS CHARGES	200.01
			GAS CHARGES	64.73
			GAS CHARGES	281.31
			GAS CHARGES	95.31
			GAS CHARGES	119.37
			GAS CHARGES	122.82
			GAS CHARGES	113.38
			GAS CHARGES	243.90
			GAS CHARGES	137.09
			GAS CHARGES	28.44
			GAS CHARGES	550.51
	Vendor Total	**6,502.01**		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**74,546.69**		

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SPARKLETTS				Remit to: **DALLAS** **TX**	
	5/2/2011	207665	28.03		
				WATER SVCS-ARAMADA ELEM	14.39
				WATER SVCS-CREEKSIDE ELEM	13.64
	5/9/2011	207771	14.00		
				WATER SVCS-EOC	4.50
				WATER SVCS-EOC	4.50
				WATER SVCS-PARKS MAINT	5.00
	5/23/2011	207988	9.61		
				WATER SVCS-SNNYMD ELEM	9.61
	5/31/2011	208089	25.32		
				WATER SVCS-PARKS	14.46
				WATER SVCS-PARKS	10.86
	Vendor Total		**76.96**		
FYTD for SPARKLETTS			**643.45**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882714	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,506.03**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882715	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**2,316.58**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	5/31/2011	208090	30.00		
				SUBPOENA COMPLIANCE	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	5/2/2011	882634	670.52		
				CELL PHONE SVCS-GANG TASK FRC	61.57
				CELL PHONE SVCS-PD/SET	608.95
	5/23/2011	882787	608.19		
				CELL PH CHARGES-PD/SET	608.19
	Vendor Total		**1,278.71**		
FYTD for SPRINT/NEXTEL			**5,191.62**		

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ST. CHRISTOPHER CHURCH			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207666	750.00		
			REFUND-RNTL DEP 4/15/11 EVENT	750.00
	Vendor Total	**750.00**		
FYTD for ST. CHRISTOPHER CHURCH		**1,500.00**		
STANDARD INSURANCE CO			Remit to: **PORTLAND** **OR**	
5/2/2011	207667	1,888.14		
			SUPPLEMENTAL INSURANCE	1,888.14
	Vendor Total	**1,888.14**		
FYTD for STANDARD INSURANCE CO		**386,673.79**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882635	400.08		
			MONITORING SVCS-MORRISON PARK	227.16
			MONITORING SVCS-BETHUNE PARK	172.92
5/9/2011	882716	2,599.15		
			MONITORING SVCS-FS #58	596.00
			MONITORING SVCS-FS #58	117.10
			MONITORING SVCS-EOC	110.00
			MONITORING SVCS-TECH SVCS	234.00
			MONITORING SVCS-RED MAPLE PRTB	354.00
			MONITORING SVCS-FAC ANNEX	207.00
			MONITORING SVCS-CITY HALL	376.50
			MONITORING SVCS-LIBRARY	329.55
			MONITORING SVCS-STARS	275.00
	Vendor Total	**2,999.23**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**25,942.84**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
5/2/2011	207668	5,834.21		
			ELECTRICAL ENERGY SURCHARGE	5,834.21
5/26/2011	43011	4,455.00		
			SALES & USE TAX 4/1-4/30/11	4,455.00
	Vendor Total	**10,289.21**		
FYTD for STATE BOARD OF EQUALIZATION		**38,774.52**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
5/12/2011	2849	2,133.09		
			CHILD SUPPORT W/H 5/12/11	2,133.09
5/26/2011	2857	2,195.46		
			CHILD SUPPORT W/H 5/26/11	2,195.46
	Vendor Total	**4,328.55**		
FYTD for STATE DISBURSEMENT UNIT		**38,260.13**		

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STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO**	**CA**
5/23/2011	207989	125.00		
			CIVIL ENG LICENSE RNWL-VOGT	125.00
5/31/2011	208092	375.00		
			CIVIL ENG LICENSE RNWL-SAMBITO	125.00
			CIVIL ENG LICENSE RNWL-JIMENEZ	125.00
			CIVIL ENG LICENSE RNWL-NGUYEN	125.00
	Vendor Total	**500.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**500.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO**	**CA**
5/9/2011	207773	665.00		
			BLOOD ALCHL ANLYS-PD	665.00
	Vendor Total	**665.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**57,322.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO**	**CA**
5/23/2011	207990	625.00		
			REFUND-MVU/T MAXWELL	33.62
			REFUND-MVU/M WILLIAMS	80.06
			REFUND-MVU/K THORNTON	200.55
			REFUND-MVU/N AVERY	250.59
			REFUND-MVU/L HERNANDEZ	60.18
	Vendor Total	**625.00**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,493.73**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA**	**CA**
5/23/2011	207991	3,445.44		
			TRANSCRIPTION SVCS-PD	3,445.44
	Vendor Total	**3,445.44**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**33,200.80**		
STERICYCLE (BFI)			Remit to: **LOUISVILLE**	**KY**
5/23/2011	882788	622.78		
			WASTE PICK UP SVCS	622.78
	Vendor Total	**622.78**		
FYTD for STERICYCLE (BFI)		**6,454.21**		

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STEWART, CASSIE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207669	20.00		
				REFUND-RABIES DEPOSIT	20.00
	5/23/2011	207992	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for STEWART, CASSIE			**95.00**		
STEWART, CLIFFORD				Remit to: **GLENDALE** **AZ**	
	5/9/2011	882717	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for STEWART, CLIFFORD			**2,845.94**		
STK ARCHITECTURE, INC.				Remit to: **SAN JACINTO** **CA**	
	5/9/2011	882718	12,054.75		
				MORRISON PRK FIRE STATION PROJ	12,054.75
	Vendor Total		**12,054.75**		
FYTD for STK ARCHITECTURE, INC.			**364,857.55**		
STOWERS, FREDERICK				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207993	300.00		
				REFUND-RNTL DEP 3/28/11	300.00
	Vendor Total		**300.00**		
FYTD for STOWERS, FREDERICK			**300.00**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	5/16/2011	882754	4,452.50		
				CONSULTING SVCS-EDD	4,452.50
	5/23/2011	882789	260.00		
				CONSULTING SVCS-TREASURY	260.00
	Vendor Total		**4,712.50**		
FYTD for STRICKLER ASSOCIATION, THE			**37,017.50**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	882719	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**3,506.03**		

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STROM, BONNIE				Remit to: **COLTON** **CA**	
	5/9/2011	207793	1,158.00		
				RETIREE MED JAN-DEC '10	1,158.00
	Vendor Total		**1,158.00**		
FYTD for STROM, BONNIE			**1,158.00**		
STUCKEY, HARRIETTE				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207670	134.40		
				INSTRUCTOR SVCS-LINE DANCING	50.40
				INSTRUCTOR SVCS-LINE DANCING	33.60
				INSTRUCTOR SVCS-LINE DANCING	50.40
	Vendor Total		**134.40**		
FYTD for STUCKEY, HARRIETTE			**688.80**		
STUMPS, EDITH				Remit to: **CORONA** **CA**	
	5/31/2011	208094	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for STUMPS, EDITH			**95.00**		
SUMI, ERIC				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207878	47.00		
				REFUND-GUITAR CLASS	47.00
	Vendor Total		**47.00**		
FYTD for SUMI, ERIC			**47.00**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207671	18.48		
				MISC SUPPLIES-PD	18.48
	5/9/2011	207774	36.05		
				MISC SUPPLIES-PD	36.05
	5/23/2011	207994	57.28		
				MISC SUPPLIES-PD	3.68
				MISC SUPPLIES-PD	29.86
				MISC SUPPLIES-PD	26.34
				CREDIT ON ACCOUNT	-2.60
	5/31/2011	208095	88.90		
				MISC SUPPLIES-FIRE	29.33
				MISC SUPPLIES-PD	26.43
				MISC SUPPLIES-PD	23.37
				MISC SUPPLIES-PD	9.77
	Vendor Total		**200.71**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,075.16**		

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SYNNOTT, MARY				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207775	161.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	16.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**161.00**		
FYTD for SYNNOTT, MARY			**161.00**		
TAMAS, JOCELYNE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207776	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for TAMAS, JOCELYNE			**20.00**		
TARMAN, KANDYCE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207879	76.00		
				REFUND-ANIMAL ADOPTION FEES	30.00
				REFUND-ANIMAL ADOPTION FEES	10.00
				REFUND-ANIMAL ADOPTION FEES	20.00
				REFUND-ANIMAL ADOPTION FEES	16.00
	Vendor Total		**76.00**		
FYTD for TARMAN, KANDYCE			**76.00**		
TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	5/31/2011	208096	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**62,500.00**		
THE WALKING MAN, INC				Remit to: **LOS ANGELES** **CA**	
	5/23/2011	207995	685.00		
				DISTR. OF DOOR HANGERS-E1 & E4	685.00
	Vendor Total		**685.00**		
FYTD for THE WALKING MAN, INC			**19,775.00**		

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THERMAL-COOL INC.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207777	100.00		
				AC UNIT SVC-SUNNYMD SNACK BAR	100.00
	5/23/2011	207996	230.00		
				SMOKE DET REPAIRS-ANIMAL SHLTR	115.00
				THERMOSTAT REPAIR-CITY MGR OFF	115.00
	Vendor Total		**330.00**		
FYTD for THERMAL-COOL INC.			**6,943.02**		
TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	5/9/2011	207778	19,137.50		
				CITY HALL HVAC SYSTEM REDESIGN	19,137.50
	Vendor Total		**19,137.50**		
FYTD for TMAD TAYLOR & GAINES			**34,732.50**		
TORRES, GABBY				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207880	750.00		
				REFUND-RNTL DEP 4/30/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for TORRES, GABBY			**750.00**		
TOUCHARD, GWENDOLYN G.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207779	413.08		
				GARNISHMENT REFUND	413.08
	Vendor Total		**413.08**		
FYTD for TOUCHARD, GWENDOLYN G.			**413.08**		
TOVAR, CHRISTINE				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207997	750.00		
				REFUND-RNTL DEP 5/7/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for TOVAR, CHRISTINE			**750.00**		
TRACSYSTEMS, INC.				Remit to: **ADDISON** **TX**	
	5/16/2011	207881	1,500.00		
				PHAROS SOFTWARE REMOTE INSTALL	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TRACSYSTEMS, INC.			**5,419.50**		

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TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208098	1,864.80		
				INSTRUCTOR SVCS-BALLET INTERMD	111.00
				INSTRUCTOR SVCS-BALLET	199.80
				INSTRUCTOR SVCS-BALLET/ACRO	155.40
				INSTRUCTOR SVCS-BALLET/JAZZ	177.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	288.60
				INSTRUCTOR SVCS-HIP HOP DANCE	288.60
	Vendor Total		**1,864.80**		
FYTD for TRICHE, TARA			**19,904.52**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207672	95.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR EVENT-CTR#18062	45.00
	5/16/2011	207882	25.00		
				LINEN SVCS FOR CRC	25.00
	5/23/2011	207998	91.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR EVENT-CTR#18037	66.00
	5/31/2011	208097	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**261.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,974.55**		
TROPICAL PLAZA NURSERY, INC.				Remit to: **VILLA PARK** **CA**	
	5/16/2011	207883	16,131.76		
				LNDSCP MAINT-ZONE E-2	15,700.00
				IRRIG REPAIRS-ZONE E-2	431.76
	Vendor Total		**16,131.76**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**195,845.16**		

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TRUGREEN LANDCARE				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882755	2,485.00		
				LNDSCP MAINT-ZONE E-16	2,485.00
	5/23/2011	882790	400.00		
				EMERG. RMVL OF TREES-TR. 30027	400.00
	5/23/2011	882791	11,485.38		
				LNDSCP MAINT-ZONE M	5,409.85
				LNDSCP MAINT-ZONE DSG-1	6,075.53
	Vendor Total		**14,370.38**		
FYTD for TRUGREEN LANDCARE			**243,063.28**		
TRUJILLO, PETE				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207999	77.00		
				REFUND-DOG TRNG CLASS CANC.	77.00
	Vendor Total		**77.00**		
FYTD for TRUJILLO, PETE			**77.00**		
TULDANES, JOSELENE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208099	112.00		
				REFUND-GED TEST CLASS	112.00
	Vendor Total		**112.00**		
FYTD for TULDANES, JOSELENE			**112.00**		
TUNTLAND, JAMES				Remit to: **PRESCOTT** **AZ**	
	5/9/2011	882721	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for TUNTLAND, JAMES			**2,845.94**		
TURBOSCAPE, INC.				Remit to: **SANTA CLARA** **UT**	
	5/9/2011	882722	0.00		
				MULCHING IN ZONE E-1	1,338.50
				MULCHING IN ZONE E-4	13,385.00
				MULCHING IN ZONE E-12	2,275.45
				VOIDED CHECK #882722 - 5/16/11	-1,338.50
				VOIDED CHECK #882722 - 5/16/11	-13,385.00
				VOIDED CHECK #882722 - 5/16/11	-2,275.45
	5/16/2011	207896	16,998.95		
				MULCHING IN ZONE E-1	1,338.50
				MULCHING IN ZONE E-4	13,385.00
				MULCHING IN ZONE E-12	2,275.45
	Vendor Total		**16,998.95**		
FYTD for TURBOSCAPE, INC.			**21,817.55**		

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TURNBOW, LISA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207884	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TURNBOW, LISA			**1,500.00**		
U.S. HEALTHWORKS MEDICAL GROUP				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207885	750.00		
				EMPLOYEE DOT EXAM	65.00
				PRE-EMPLOYMENT PHYSICALS	245.00
				PRE-EMPLOYMENT PHYSICALS	330.00
				PRE-EMPLOYMENT PHYSICALS	110.00
	5/23/2011	208000	200.00		
				PRE-EMPLOYMENT PHYSICALS	200.00
	5/31/2011	208100	65.00		
				EMPLOYEE DOT EXAM	65.00
	Vendor Total		**1,015.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**13,170.00**		
UNION BANK OF CALIFORNIA				Remit to: **MONTEREY PARK** **CA**	
	5/16/2011	207886	510.00		
				STANDBY LOC TRANSFER FEES	170.00
				STANDBY LOC TRANSFER FEES	170.00
				STANDBY LOC TRANSFER FEES	170.00
	Vendor Total		**510.00**		
FYTD for UNION BANK OF CALIFORNIA			**60,899.90**		
UNITED POWER GENERATION, INC.				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	208001	337.50		
				GENERATOR REPAIRS-ANIMAL SHLTR	337.50
	Vendor Total		**337.50**		
FYTD for UNITED POWER GENERATION, INC.			**9,790.13**		
UNITED ROTARY BRUSH CORP				Remit to: **ESCONDIDO** **CA**	
	5/2/2011	882636	521.39		
				BROOM KITS-STREET SWEEPER	227.76
				BROOM KITS-STREET SWEEPER	293.63
	5/9/2011	882723	341.64		
				BROOM KITS-STREET SWEEPER	341.64
	5/31/2011	882829	2,105.03		
				BROOM KITS-STREET SWEEPER	181.76
				BROOM KITS-STREET SWEEPER	1,183.63
				BROOM KITS-STREET SWEEPER	739.64
	Vendor Total		**2,968.06**		
FYTD for UNITED ROTARY BRUSH CORP			**34,129.97**		

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UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
5/16/2011	882757	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**3,071.46**		
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
5/9/2011	207780	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
5/23/2011	208002	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
5/23/2011	208003	141.50		
			PAYROLL DEDUCTION AGREEMENT	141.50
	Vendor Total	**241.50**		
FYTD for UNITED STATES TREASURY		**1,341.50**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207781	502.19		
			UNITED WAY CONTRIBUTIONS	2.50
			UNITED WAY CONTRIBUTIONS	499.69
5/23/2011	208004	499.69		
			UNITED WAY CONTRIBUTIONS	499.69
	Vendor Total	**1,001.88**		
FYTD for UNITED WAY OF INLAND VALLEYS		**13,904.92**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
5/2/2011	207673	1,371.70		
			HERBICIDE/AG CHEMICALS - PARKS	1,371.70
	Vendor Total	**1,371.70**		
FYTD for UNIVAR USA, INC		**4,161.52**		
URIBE, JOY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	208005	168.85		
			REFUND-RNTL DEP 5/9/11 EVENT	168.85
	Vendor Total	**168.85**		
FYTD for URIBE, JOY		**168.85**		
USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
5/23/2011	882792	36.59		
			PAGER SVC-PARK RANGERS	2.01
			PAGER SVC-TRANSP. DIV.	4.66
			PAGER SVC-ANIMAL SVCS.	29.92
	Vendor Total	**36.59**		
FYTD for USA MOBILITY/ARCH WIRELESS		**654.28**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VA CONSULTING, INC.			Remit to: **IRVINE** **CA**	
5/9/2011	882724	917.75		
			AUTO MALL IMPRVMNTS PROJ SVCS	917.75
	Vendor Total	**917.75**		
FYTD for VA CONSULTING, INC.		**131,816.64**		
VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	882637	310.00		
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			TREATED FOR BEES IN TREE	150.00
5/23/2011	882793	1,395.00		
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL. FIELD OFFICE	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-FIRE ST. #48	45.00
			PEST CNTRL-FIRE ST. #58	45.00
			PEST CNTRL-FIRE ST. #65	45.00
			PEST CNTRL-FIRE ST. #2	45.00
			PEST CNTRL-FIRE ST. #6	45.00
			PEST CNTRL-FIRE ST. #91	45.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP TRAILER	45.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,705.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**17,430.00**		
VAL VERDE UNIFIED SCHOOL DISTRICT			Remit to: **PERRIS** **CA**	
5/2/2011	207674	25.00		
			5/13/11 STUDENT OF YEAR DINNER	25.00
	Vendor Total	**25.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT		**6,318.96**		

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VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
5/31/2011	882830	11,340.00		
			TEMP STAFFING SVCS-CAP PROJCTS	11,340.00
	Vendor Total	**11,340.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**119,765.00**		
VARIABLE SPEEDS SOLUTIONS INC			Remit to: **HUNTINGTON BEACH**	**CA**
5/9/2011	207782	285.00		
			LABOR TO REPAIR PUMP-ZONE E-14	285.00
	Vendor Total	**285.00**		
FYTD for VARIABLE SPEEDS SOLUTIONS INC		**7,309.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO**	**CA**
5/9/2011	207783	16,715.00		
			ACCOUNTING SVCS	8,925.00
			ACCOUNTING SVCS	7,790.00
	Vendor Total	**16,715.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**22,790.00**		
VAZQUEZ, ADRIANA			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207887	200.00		
			REFUND-RNTL DEP 4/23/11 EVENT	200.00
	Vendor Total	**200.00**		
FYTD for VAZQUEZ, ADRIANA		**200.00**		
VCD CORPORATION			Remit to: **GLENDORA**	**CA**
5/2/2011	882638	11,500.00		
			PROP REHAB-13711 FLAMING ARROW	11,500.00
5/23/2011	208013	17,219.57		
			PROP REHAB-12242 ZINNIA ST.	17,219.57
	Vendor Total	**28,719.57**		
FYTD for VCD CORPORATION		**46,770.46**		
VEHICLE REGISTRATION COLLECTIONS			Remit to: **RANCHO CORDOVA**	**CA**
5/9/2011	207784	128.36		
			GARNISHMENT	24.58
			GARNISHMENT	86.41
			GARNISHMENT	17.37
5/23/2011	208006	21.57		
			GARNISHMENT	21.57
	Vendor Total	**149.93**		
FYTD for VEHICLE REGISTRATION COLLECTIONS		**1,399.96**		

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VERDUZCO, JUAN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208101	300.00		
				REFUND-RNTL DEP 3/28/11 EVENT	300.00
	Vendor Total		**300.00**		
FYTD for VERDUZCO, JUAN			**300.00**		
VERIZON				Remit to: **TRENTON** **NJ**	
	5/31/2011	208102	1,712.84		
				BACKBONE CHRGS	1,712.84
	Vendor Total		**1,712.84**		
FYTD for VERIZON			**18,740.70**		
VERIZON CALIFORNIA				Remit to: **DALLAS** **TX**	
	5/2/2011	207675	41.56		
				ANNUAL PHONE DIRECTORY AD	41.56
	5/31/2011	208103	617.47		
				PHONE CHARGES-ERC	617.47
	Vendor Total		**659.03**		
FYTD for VERIZON CALIFORNIA			**7,568.34**		
VICTOR MEDICAL CO				Remit to: **LAKE FOREST** **CA**	
	5/2/2011	207676	648.15		
				ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total		**648.15**		
FYTD for VICTOR MEDICAL CO			**12,650.90**		
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882725	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VILLALOBOS, PAUL				Remit to: **NUEVO** **CA**	
	5/16/2011	207888	621.95		
				TUITION REIMBURSEMENT	481.95
				TUITION REIMBURSEMENT	140.00
	Vendor Total		**621.95**		
FYTD for VILLALOBOS, PAUL			**984.95**		

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VISION SERVICE PLAN				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	882726	4,337.58		
				EMPLOYEE VISION INSURANCE	4,337.58
	Vendor Total		**4,337.58**		
FYTD for VISION SERVICE PLAN			**47,764.89**		
VISTA PAINT CORPORATION				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207785	1,061.08		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	1,000.87
				PAINT/SUPPL-GRAFFITI RMVL PRGM	60.21
	5/16/2011	207889	91.89		
				PAINT FOR PARKS	1.23
				PAINT FOR PARKS	90.66
	5/23/2011	208007	650.78		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	650.78
	Vendor Total		**1,803.75**		
FYTD for VISTA PAINT CORPORATION			**10,641.72**		
VOLUNTEER CENTER OF RIVERSIDE COUTY				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207677	475.00		
				REFUND-RNTL DEP 4/13/11 EVENT	475.00
	Vendor Total		**475.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUTY			**475.00**		
VOYAGER FLEET SYSTEM, INC.				Remit to: **HOUSTON** **TX**	
	5/9/2011	882727	1,220.97		
				CNG FUEL PURCHASES	1,146.05
				CNG FUEL PURCHASES	74.92
	Vendor Total		**1,220.97**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**21,448.25**		

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VULCAN MATERIALS CO, INC.				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	207786	590.55		
				ASPHALTIC MATERIALS	138.12
				ASPHALTIC MATERIALS	104.54
				ASPHALTIC MATERIALS	173.06
				ASPHALTIC MATERIALS	104.54
				ASPHALTIC MATERIALS	70.29
	5/23/2011	208008	2,085.08		
				ASPHALTIC MATERIALS	103.85
				ASPHALTIC MATERIALS	137.43
				ASPHALTIC MATERIALS	70.29
				ASPHALTIC MATERIALS	983.10
				ASPHALTIC MATERIALS	652.29
				ASPHALTIC MATERIALS	138.12
	Vendor Total		**2,675.63**		
FYTD for VULCAN MATERIALS CO, INC.			**25,145.15**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882728	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,487.19**		
WAGONER, ROBERT				Remit to: **ZEPHYRHILLS** **FL**	
	5/9/2011	882729	360.40		
				RETIREE MED APR-MAY '11	360.40
	Vendor Total		**360.40**		
FYTD for WAGONER, ROBERT			**2,162.40**		
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207787	318.73		
				RETIREE MED APR '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WALKER, DONNA JEAN				Remit to: **PERRIS** **CA**	
	5/23/2011	882795	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for WALKER, DONNA JEAN			**646.00**		

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WALLACE LABORATORIES				Remit to: **EL SEGUNDO** **CA**	
	5/2/2011	207678	210.00		
				AGRICULT SOIL SUITABILITY TEST	75.00
				SOIL ORGANIC MATTER EVALUATION	50.00
				TOTAL ANALYSIS OF HEAVY METALS	85.00
	Vendor Total		**210.00**		
FYTD for WALLACE LABORATORIES			**285.00**		
WASSON, KIRK				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	882796	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WASSON, KIRK			**1,862.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	5/31/2011	208104	353.08		
				DUMPSTER-NEIGHBORHD CLEAN-UP	71.36
				DUMPSTER PICK UP & RECYCLE FEE	230.38
				DUMPSTER SET UP FEE	25.09
				DISPOSAL OF TIRES	26.25
	Vendor Total		**353.08**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**12,798.18**		
WATER SPECIALIST CONSULTANTS				Remit to: **LA MESA** **CA**	
	5/2/2011	207679	90.00		
				5/24 RECYC WATER SITE SUPV TRN	45.00
				5/24 RECYC WATER SITE SUPV TRN	45.00
	Vendor Total		**90.00**		
FYTD for WATER SPECIALIST CONSULTANTS			**180.00**		
WAXIE SANITARY SUPPLY				Remit to: **SAN DIEGO** **CA**	
	5/2/2011	207680	178.18		
				TIME METERED AIR FRESHENER	56.06
				TIME METERED AIR FRESHENER	34.01
				TIME METERED AIR FRESHENER	4.99
				TIME METERED AIR FRESHENER	4.99
				CA SALES TAX	8.75
				JANITORIAL SUPPLIES	69.38
	Vendor Total		**178.18**		
FYTD for WAXIE SANITARY SUPPLY			**276.13**		

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WEBB, DAVID				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207788	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for WEBB, DAVID			**115.00**		
WEISGERBER, RHONDA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208105	112.00		
				REFUND-KARATE CLASSES	112.00
	Vendor Total		**112.00**		
FYTD for WEISGERBER, RHONDA			**112.00**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	5/31/2011	208106	2,000.00		
				TRUSTEE ANNL ADMIN CHGS-CFD#5	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**18,500.00**		
WELLS FARGO CORPORATE TRUST				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	110501	1,027.08		
				INT ON 97 CH COP VAR RATE BOND	1,027.08
	Vendor Total		**1,027.08**		
FYTD for WELLS FARGO CORPORATE TRUST			**8,874,030.64**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207789	18,727.42		
				SUNNYMD BLVD PED ACCESS RAMP	1,664.37
				SUNNYMD BLVD PED ACCESS RAMP	12,617.49
				SUNNYMD BLVD PED ACCESS RAMP	4,445.56
	5/16/2011	207890	6,120.88		
				RETENT-SUNNYMD PED ACCESS RAMP	3,394.41
				RETENT-SUNNYMD PED ACCESS RAMP	493.95
				RETENT-SUNNYMD PED ACCESS RAMP	2,232.52
	5/31/2011	208107	7,475.11		
				RETENT RLS-SUNNYMD PED RAMP	7,475.11
	Vendor Total		**32,323.41**		
FYTD for WEST COAST STRUCTURES INC			**61,208.68**		
WEST PUBLISHING CORPORATION				Remit to: **ST. PAUL** **MN**	
	5/31/2011	208108	535.00		
				AUTO TRACK SVCS FOR PD	535.00
	Vendor Total		**535.00**		
FYTD for WEST PUBLISHING CORPORATION			**5,850.00**		

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Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
5/23/2011	208009	1,909.52		
			WATER CHARGES	693.83
			WATER CHARGES	3.65
			WATER CHARGES	1,155.78
			WATER CHARGES	56.26
	Vendor Total	**1,909.52**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**19,926.43**		
WESTON, KATY			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207891	58.00		
			REFUND-BELLY DANCING CLASS	58.00
	Vendor Total	**58.00**		
FYTD for WESTON, KATY		**58.00**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
5/9/2011	882730	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,506.03**		
WILLDAN AND ASSOCIATES			Remit to: **SAN BERNARDINO** **CA**	
5/2/2011	207681	7,035.00		
			PLAN CHECK SVCS-BLDG & SFTY	7,035.00
5/9/2011	207790	1,080.00		
			EASTRIDGE CTR EIR REVIEW SVCS	1,080.00
5/31/2011	208109	7,973.48		
			PLAN CHECK SVCS-BLDG & SFTY	7,973.48
	Vendor Total	**16,088.48**		
FYTD for WILLDAN AND ASSOCIATES		**125,311.03**		
WILLIAMS, JANE L.			Remit to: **GRAND FORKS** **ND**	
5/9/2011	882731	187.68		
			RETIREE MED APR-MAY '11	187.68
	Vendor Total	**187.68**		
FYTD for WILLIAMS, JANE L.		**1,966.96**		
WILLIS, ROBERT H			Remit to: **PERRIS** **CA**	
5/23/2011	208010	144.00		
			SPORTS OFFICIATING SVCS	72.00
			SPORTS OFFICIATING SVCS	72.00
	Vendor Total	**144.00**		
FYTD for WILLIS, ROBERT H		**432.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLOUGHBY, LORIA				Remit to: **MORENO VALLEY CA**	
	5/16/2011	882758	70.89		
				MILEAGE REIMBURSEMENT	70.89
	Vendor Total		**70.89**		
FYTD for WILLOUGHBY, LORIA			**397.39**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA CA**	
	5/9/2011	882732	20,710.00		
				TEMP STAFFING SVCS-MV UTIL.	5,700.00
				TEMP STAFFING SVCS-MV UTIL.	7,410.00
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	5/31/2011	882831	9,500.00		
				TEMP STAFFING SVCS-MV UTIL.	9,500.00
	Vendor Total		**30,210.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**82,267.50**		
WOODS, ALICIA/ROMNEY				Remit to: **MORENO VALLEY CA**	
	5/2/2011	207682	7.00		
				REFUND-ANIMAL LICENSE FEE	7.00
	Vendor Total		**7.00**		
FYTD for WOODS, ALICIA/ROMNEY			**7.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	5/2/2011	882639	1,495.00		
				CLEANING OF UPHOLSTERED CHAIRS	75.00
				MAINT. DAY PORTER SVCS	1,140.00
				CLEANING OF UPHOLSTERED CHAIRS	150.00
				JANITORIAL SVCS-SR CTR RENTALS	130.00
	5/16/2011	882759	1,450.11		
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-GANG TASK FRC	112.82
				JANITORIAL SVCS-SUNNYMD ELEM.	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
	5/23/2011	882797	22,536.29		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRAILER	98.40
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MARCH FLD C.C.	955.70
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	5/31/2011	882832	112.82		
				JANITORIAL SVCS-GANG TASK FRC	112.82
	Vendor Total		**25,594.22**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**300,732.01**		
XEROX				Remit to: **DALLAS** **TX**	
	5/16/2011	207892	212.33		
				COPIER RNTL/MAINT-PD	70.20
				COPIER RNTL/MAINT-PD	77.54
				COPIER RNTL/MAINT-PD	64.59
	5/23/2011	208011	3,188.11		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,208.13
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/MAINT-PARKS	359.34
				COPIER BILLABLE PRINTS-PARKS	443.37
				COPIER RNTL/MAINT-PARKS	779.48
	Vendor Total		**3,400.44**		
FYTD for XEROX			**69,781.29**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
YAHOO!				Remit to: **SUNNYVALE** **CA**	
	5/23/2011	208012	30.44		
				SUBSCRIBER INFO SEARCH FOR PD	30.44
	Vendor Total		**30.44**		
FYTD for YAHOO!			**30.44**		
YANEZ, ANDREA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207683	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for YANEZ, ANDREA			**50.00**		
YENULONIS, LAURA				Remit to: **COLTON** **CA**	
	5/2/2011	207684	97.60		
				REFUND-PERMIT FEE 80%	97.60
	Vendor Total		**97.60**		
FYTD for YENULONIS, LAURA			**97.60**		
YOUNG, BONITA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207893	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for YOUNG, BONITA			**54.50**		
ZARATE, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207894	47.00		
				REFUND-GUITAR CLASS CANC.	47.00
	Vendor Total		**47.00**		
FYTD for ZARATE, VERONICA			**47.00**		

Subtotal **1,473,414.04**

GRAND TOTAL **10,409,143.31**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JUNE, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2010-11 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-86
Check Register for Month of June, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JUNE, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period June 1, 2011 through June 30, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period June 1, 2011 through June 30, 2011, in the total amount of $16,100,598.73 is approved.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ACCESS ELECTRIC SUPPLY			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208293	40,601.81		
			IEM SWITCHGEAR-SHADOW MTN PROJ	16,030.08
			CA SALES TAX	1,402.63
			IEM SWITCHGEAR-SHADOW MTN PROJ	21,304.92
			CA SALES TAX	1,864.18
	Vendor Total	**40,601.81**		
FYTD for ACCESS ELECTRIC SUPPLY		**40,843.24**		
AFTERSCHOOL STORE.COM			Remit to: **PALMDALE**	**CA**
6/6/2011	208113	42,476.32		
			AFTERSCHOOL SNACKS-STARS PRGM	33,116.32
			AFTERSCHOOL SNACKS-STARS PRGM	9,360.00
	Vendor Total	**42,476.32**		
FYTD for AFTERSCHOOL STORE.COM		**364,046.84**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
6/6/2011	208114	320,467.06		
			SR-60/NASON ST INTRCHNG PROJ	256,373.65
			SR-60/NASON ST INTRCHNG PROJ	64,093.41
6/28/2011	1106101	35,607.45		
			RETENTN PMT PER ESCRW AGREEMNT	35,607.45
6/28/2011	1106102	27,594.11		
			RETENTN PMT PER ESCRW AGREEMNT	27,594.11
	Vendor Total	**383,668.62**		
FYTD for ALL AMERICAN ASPHALT, INC.		**632,015.61**		
AVI-CON INC.			Remit to: **RIVERSIDE**	**CA**
6/6/2011	882834	93,173.49		
			PUB SFTY BLDG RENOVATION PROJ	64,266.33
			RETENT RLS PYMT-PUB SFTY BLDG	28,907.16
	Vendor Total	**93,173.49**		
FYTD for AVI-CON INC.		**384,476.18**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	6/20/2011	882961	40,833.74		
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MV ELECT SUBST	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-ZONE E3	10,625.00
				LANDSCAPE MAINT-ZONE E3A	1,000.00
	Vendor Total		**40,833.74**		
FYTD for BEMUS LANDSCAPE, INC.			**577,144.70**		
COMPU COM				Remit to: **RANCHO CORDOVA** **CA**	
	6/6/2011	208144	113,901.13		
				ENROLLMENT	113,901.13
	Vendor Total		**113,901.13**		
FYTD for COMPU COM			**114,902.68**		
COUNTY OF RIVERSIDE AUDITOR				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208319	33,585.46		
				PARKING CONTROL FEES	4,990.96
				PARKING CONTROL FEES	1,906.00
				PARKING CONTROL FEES	26,688.50
	Vendor Total		**33,585.46**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**277,338.08**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/21/2011	208423	80,470.23		
			WATER CHARGES	1,512.76
			WATER CHARGES	215.89
			WATER CHARGES	886.93
			WATER CHARGES	3,295.26
			WATER CHARGES	39.60
			WATER CHARGES	731.92
			WATER CHARGES	3,405.73
			WATER CHARGES	112.11
			WATER CHARGES	20,226.01
			WATER CHARGES	1,914.50
			WATER CHARGES	10,318.64
			WATER CHARGES	6,429.68
			WATER CHARGES	4,365.06
			WATER CHARGES	8,640.00
			WATER CHARGES	4,553.69
			WATER CHARGES	2,441.82
			WATER CHARGES	51.73
			WATER CHARGES	1,462.00
			WATER CHARGES	3,118.14
			WATER CHARGES	867.38
			WATER CHARGES	246.46
			WATER CHARGES	525.26
			WATER CHARGES	402.73
			WATER CHARGES	316.75
			WATER CHARGES	254.04
			WATER CHARGES	282.11
			WATER CHARGES	359.58
			WATER CHARGES	83.22
			WATER CHARGES	246.06
			WATER CHARGES	109.66
			WATER CHARGES	2,168.37
			WATER CHARGES	887.14
6/30/2011	208525	53,587.02		
			WATER CHARGES	9,471.17
			WATER CHARGES	2,926.22
			WATER CHARGES	1,456.52
			WATER CHARGES	2,165.28
			WATER CHARGES	4,138.94
			WATER CHARGES	246.92
			WATER CHARGES	1,481.59
			WATER CHARGES	1,075.06
			WATER CHARGES	332.34
			WATER CHARGES	327.92
			WATER CHARGES	107.29
			WATER CHARGES	302.06
			WATER CHARGES	461.94
			WATER CHARGES	8,992.50
			WATER CHARGES	2,099.15
			WATER CHARGES	684.66
			WATER CHARGES	9,012.43
			WATER CHARGES	2,803.13
			WATER CHARGES	4,040.37

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHARGES	55.10
			WATER CHARGES	137.73
			WATER CHARGES	106.75
			WATER CHARGES	534.70
			WATER CHARGES	177.61
			WATER CHARGES	263.22
			WATER CHARGES	74.25
			WATER CHARGES	112.17
	Vendor Total	**134,057.25**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,434,949.17**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to: **SACRAMENTO**	**CA**
6/6/2011	208156	37,419.42		
			UNEMPLOYMENT INS CLAIMS	37,419.42
6/3/2011	2871	34,820.34		
			STATE INCOME TAX W/H 6/3/11	34,820.34
6/17/2011	2881	32,346.18		
			STATE INCOME TAX W/H 6/17/11	32,346.18
	Vendor Total	**104,585.94**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,082,776.56**		
FIRST AMERICAN TRUST, FSB			Remit to: **SANTA ANA**	**CA**
6/9/2011	110604	25,500.00		
			HAP LOAN: BRIAN EDWARD RABE	25,500.00
	Vendor Total	**25,500.00**		
FYTD for FIRST AMERICAN TRUST, FSB		**289,206.40**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON**	**CA**
6/20/2011	208330	31,818.28		
			SHADOW MTN PARK LIGHTING PROJ	16,492.72
			SHADOW MTN PARK RESTROOM PROJ	15,325.56
	Vendor Total	**31,818.28**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**141,854.53**		
HARDY & HARPER, INC.			Remit to: **SANTA ANA**	**CA**
6/27/2011	208524	2,161,392.82		
			PAVEMENT RESURF PROJ-CITYWIDE	1,151,114.02
			2011 LOCAL ST PAVEMNT RESURF.	1,010,278.80
	Vendor Total	**2,161,392.82**		
FYTD for HARDY & HARPER, INC.		**3,369,931.27**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INTERNAL REVENUE SERVICE				Remit to:	
	6/3/2011	2870	146,902.26		
				FED INCOME TAX W/H 6/3/11	146,902.26
	6/17/2011	2880	132,159.21		
				FED INCOME TAX W/H 6/17/11	132,159.21
	Vendor Total		**279,061.47**		
FYTD for INTERNAL REVENUE SERVICE			**3,497,189.37**		
KATHLEEN A. MULLIGAN				Remit to: **MORENO VALLEY**	**CA**
	6/27/2011	208464	25,053.94		
				PURCH PRICE DIFFRNTL PYMT	10,750.00
				DOWNPYMT ASSIST-PERRIS BL PROJ	14,303.94
	Vendor Total		**25,053.94**		
FYTD for KATHLEEN A. MULLIGAN			**33,978.94**		
LIM & NASCIMENTO ENGINEERING CORP.				Remit to: **DIAMOND BAR**	**CA**
	6/6/2011	208186	29,556.96		
				IRONWD AVE/HEACOCK-PERRIS PROJ	9,772.42
				IRONWD AVE/HEACOCK-PERRIS PROJ	19,784.54
	Vendor Total		**29,556.96**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**346,880.11**		
MAMCO, INC				Remit to: **RIVERSIDE**	**CA**
	6/6/2011	208189	112,089.67		
				DRACAEA AVE SIDEWLK IMPRV PROJ	107,207.27
				DRACAEA AVE SIDEWLK IMPRV PROJ	4,882.40
	Vendor Total		**112,089.67**		
FYTD for MAMCO, INC			**112,089.67**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA**	**CA**
	6/20/2011	882976	85,414.14		
				DEMO OLD/INSTLL NEW PLAY EQUIP	81,967.47
				CA SALES TAX	3,446.67
	Vendor Total		**85,414.14**		
FYTD for MIRACLE PLAYGROUND SALES			**262,357.27**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY			Remit to: **HEMET**	**CA**
6/6/2011	208192	60,337.78		
			ELECTRICITY	161.44
			ELECTRICITY	1,310.10
			ELECTRICITY	331.76
			ELECTRICITY	2,008.11
			ELECTRICITY	11,439.98
			ELECTRICITY	11,632.08
			ELECTRICITY	3,136.87
			ELECTRICITY	5,827.53
			ELECTRICITY	956.75
			ELECTRICITY	1,584.13
			ELECTRICITY	11,751.74
			ELECTRICITY	7,345.32
			ELECTRICITY	251.79
			ELECTRICITY	154.65
			ELECTRICITY	317.00
			ELECTRICITY	74.25
			ELECTRICITY	74.38
			ELECTRICITY	170.70
			ELECTRICITY	105.70
			ELECTRICITY	1,703.50
6/27/2011	208476	55,258.96		
			ELECTRICITY	143.43
			ELECTRICITY	1,286.03
			ELECTRICITY	280.93
			ELECTRICITY	1,736.74
			ELECTRICITY	10,069.20
			ELECTRICITY	10,081.56
			ELECTRICITY	2,571.05
			ELECTRICITY	5,349.15
			ELECTRICITY	905.52
			ELECTRICITY	1,511.50
			ELECTRICITY	11,751.39
			ELECTRICITY	7,345.79
			ELECTRICITY	220.79
			ELECTRICITY	137.23
			ELECTRICITY	66.18
			ELECTRICITY	66.31
			ELECTRICITY	66.18
			ELECTRICITY	149.71
			ELECTRICITY	90.41
			ELECTRICITY	1,429.86
	Vendor Total	**115,596.74**		
FYTD for MORENO VALLEY UTILITY		**801,816.33**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MUSCO SPORTS LIGHTING, LLC			Remit to: **OSKALOOSA** **IA**	
6/13/2011	882941	259,912.50		
			SPORTS FIELD LIGHTS-SHADOW MTN	239,000.00
			CA SALES TAX	20,912.50
	Vendor Total	**259,912.50**		
FYTD for MUSCO SPORTS LIGHTING, LLC		**259,912.50**		
NEXUS IS, INC.			Remit to: **VALENCIA** **CA**	
6/27/2011	208478	25,691.00		
			PBX PHONE SYSTEM MAINT/SUPPORT	25,691.00
	Vendor Total	**25,691.00**		
FYTD for NEXUS IS, INC.		**43,386.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
6/13/2011	208273	134,585.97		
			ENERGY PURCHASE-ELECTR UTILITY	134,585.97
	Vendor Total	**134,585.97**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**492,077.25**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
6/8/2011	110602	212,262.83		
			EMPLOYEE HEALTH INS 6/8/11	212,262.83
	Vendor Total	**212,262.83**		
FYTD for PERS HEALTH INSURANCE		**2,459,616.41**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
6/10/2011	2872	203,291.28		
			PERS RETIREMENT 6/10/11	203,291.28
6/24/2011	2884	199,418.38		
			PERS RETIREMENT 6/24/11	199,418.38
	Vendor Total	**402,709.66**		
FYTD for PERS RETIREMENT		**5,204,920.34**		
PRICE FAMILY CHARITABLE TRUST			Remit to: **LA JOLLA** **CA**	
6/20/2011	208369	136,748.00		
			SALES TAX REIMBURSEMENT	136,748.00
	Vendor Total	**136,748.00**		
FYTD for PRICE FAMILY CHARITABLE TRUST		**435,477.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	882983	635,089.35		
				IRONWD AVE/DAY ST-BARCLAY PROJ	299,444.07
				IRONWOOD AVE/STORM DRAIN PROJ	223,071.26
				IRONWOOD AVE/STORM DRAIN PROJ	22,121.96
				IRONWOOD AVE/STORM DRAIN PROJ	79,652.06
				IRONWOOD AVE/STORM DRAIN PROJ	10,800.00
	6/28/2011	110611	33,271.56		
				RETENTN PMT PER ESCRW AGREEMNT	33,271.56
	Vendor Total		**668,360.91**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**4,098,957.33**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
6/13/2011	882945	2,744,284.93		
			CONTRACT LAW ENF BILL #8	44,174.01
			CONTRACT LAW ENF BILL #8	658.50
			CONTRACT LAW ENF BILL #8	1,542,338.03
			CONTRACT LAW ENF BILL #8	66,500.01
			CONTRACT LAW ENF BILL #8	346,180.58
			CONTRACT LAW ENF BILL #8	6,275.28
			CONTRACT LAW ENF BILL #8	75,659.98
			CONTRACT LAW ENF BILL #8	8,189.85
			CONTRACT LAW ENF BILL #8	72,591.71
			CONTRACT LAW ENF BILL #8	1,632.40
			CONTRACT LAW ENF BILL #8	184,148.35
			CONTRACT LAW ENF BILL #8	3,852.64
			CONTRACT LAW ENF BILL #8	325,553.74
			CONTRACT LAW ENF BILL #8	8,091.96
			CONTRACT LAW ENF BILL #8	35,387.62
			CONTRACT LAW ENF BILL #8	249.04
			CONTRACT LAW ENF BILL #8	10,279.29
			CONTRACT LAW ENF BILL #8	870.24
			CONTRACT LAW ENF BILL #8	10,750.85
			CONTRACT LAW ENF BILL #8	633.60
			CONTRACT LAW ENF BILL #8	267.25
6/30/2011	883042	3,232,609.38		
			CONTRACT LAW ENF BILL #9	44,201.82
			CONTRACT LAW ENF BILL #9	346.09
			CONTRACT LAW ENF BILL #9	2,074,264.50
			CONTRACT LAW ENF BILL #9	74,161.69
			CONTRACT LAW ENF BILL #9	334,189.22
			CONTRACT LAW ENF BILL #9	6,678.32
			CONTRACT LAW ENF BILL #9	76,221.60
			CONTRACT LAW ENF BILL #9	3,245.46
			CONTRACT LAW ENF BILL #9	72,301.85
			CONTRACT LAW ENF BILL #9	716.32
			CONTRACT LAW ENF BILL #9	175,606.73
			CONTRACT LAW ENF BILL #9	2,002.00
			CONTRACT LAW ENF BILL #9	315,569.45
			CONTRACT LAW ENF BILL #9	3,659.40
			CONTRACT LAW ENF BILL #9	34,151.60
			CONTRACT LAW ENF BILL #9	245.52
			CONTRACT LAW ENF BILL #9	3,205.09
			CONTRACT LAW ENF BILL #9	11,171.28
			CONTRACT LAW ENF BILL #9	671.44
	Vendor Total	**5,976,894.31**		

FYTD for RIVERSIDE COUNTY SHERIFF **28,410,270.06**

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208489	98,195.07		
			FY10/11 FACILITIES EXPENSES	98,195.07
	Vendor Total	**98,195.07**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**102,437.49**		
SAN PEDRO SIGN COMPANY			Remit to: **WILMINGTON** **CA**	
6/27/2011	883030	88,200.00		
			AUTO MALL PYLON SIGN PROJECT	88,200.00
	Vendor Total	**88,200.00**		
FYTD for SAN PEDRO SIGN COMPANY		**373,500.00**		
SHEFFIELD FORECLOSURE RENOVATION			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208494	34,168.43		
			PROP REHAB COSTS-25241 TODD DR	34,168.43
	Vendor Total	**34,168.43**		
FYTD for SHEFFIELD FORECLOSURE RENOVATION		**34,168.43**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA** **PA**	
6/30/2011	208527	520,329.60		
			ENERGY PURCHASE	520,329.60
	Vendor Total	**520,329.60**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**6,462,798.80**		
SHPIGLER GROUP, THE			Remit to: **MONTEBELLO** **NY**	
6/13/2011	208282	29,936.40		
			SMART GRID/ELECT VEHICLE-SPCL	29,936.40
	Vendor Total	**29,936.40**		
FYTD for SHPIGLER GROUP, THE		**29,936.40**		
SOCAL ENGINEERS, INC.			Remit to: **IRVINE** **CA**	
6/20/2011	208389	71,033.40		
			TRAF SIG-SUNNYMD RNCH PKWY	71,033.40
	Vendor Total	**71,033.40**		
FYTD for SOCAL ENGINEERS, INC.		**156,290.40**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/20/2011	208391	151,279.03		
			ELECTRICITY	912.42
			ELECTRICITY	23.77
			ELECTRICITY	324.50
			ELECTRICITY	22.43
			ELECTRICITY	627.67
			ELECTRICITY	1,000.38
			ELECTRICITY	134.59
			ELECTRICITY	2,474.96
			ELECTRICITY	755.66
			ELECTRICITY	1,667.94
			ELECTRICITY	816.57
			ELECTRICITY	1,126.31
			ELECTRICITY	21.87
			ELECTRICITY	96,318.22
			ELECTRICITY	40,411.15
			ELECTRICITY	4,314.08
			ELECTRICITY	21.87
			ELECTRICITY	45.40
			ELECTRICITY	25.72
			ELECTRICITY	23.81
			ELECTRICITY	68.41
			ELECTRICITY	92.57
			ELECTRICITY	48.73
6/20/2011	208392	30,299.19		
			WDAT CHARGES-GRAHAM	3,975.65
			WDAT CHARGES-IRIS	2,752.38
			WDAT CHARGES-GLOBE	8,120.97
			WDAT CHARGES-SUBSTATION	10,447.31
			WDAT CHARGES-FREDERICK	2,107.17
			WDAT CHARGES-NANDINA	2,647.31
			ELECTRICITY	248.40
6/27/2011	208500	32,672.14		
			ELECTRICITY	44.81
			ELECTRICITY	288.85
			ELECTRICITY	89.64
			ELECTRICITY	45.93
			ELECTRICITY	126.58
			ELECTRICITY	440.67
			ELECTRICITY	65.95
			ELECTRICITY	96.83
			ELECTRICITY	100.12
			ELECTRICITY	31.32
			ELECTRICITY	44.15
			ELECTRICITY	33.20
			ELECTRICITY	43.11
			ELECTRICITY	26.27
			ELECTRICITY	142.91
			ELECTRICITY	4,802.74
			ELECTRICITY	2,354.67
			ELECTRICITY	19.24
			ELECTRICITY	636.99

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	2,094.46
			ELECTRICITY	120.85
			ELECTRICITY	3,984.66
			ELECTRICITY	154.17
			ELECTRICITY	48.14
			ELECTRICITY	1,324.48
			ELECTRICITY	297.26
			ELECTRICITY	420.07
			ELECTRICITY	406.47
			ELECTRICITY	99.04
			ELECTRICITY	141.83
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**214,250.36**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,296,774.93**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
6/2/2011	110603	103,461.56		
			CALCARD PYMT CYCLE END 5/23/11	103,461.56
6/15/2011	110606	125,570.90		
			CALCARD PYMT CYCLE END 6/7/11	125,570.90
6/28/2011	110614	95,888.40		
			CALCARD PYMT CYCLE END 6/22/11	95,888.40
	Vendor Total	**324,920.86**		
FYTD for U.S. BANK/CALCARDS		**2,199,269.98**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
6/13/2011	208291	86,415.00		
			2011 PAVEMENT RESURF. PROJ	86,415.00
	Vendor Total	**86,415.00**		
FYTD for UNITED INSPECTION & TESTING INC		**94,691.80**		
WASTE MANAGEMENT			Remit to: **CORONA**	**CA**
6/6/2011	208234	739,548.87		
			SOLID WASTE DELINQ. LESS FEES	841,639.78
			SOLID WASTE DELINQ. LESS FEES	-102,090.91
	Vendor Total	**739,548.87**		
FYTD for WASTE MANAGEMENT		**1,623,802.71**		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
6/28/2011	110607	940,287.92		
			DEBT SERVICE-SPECIAL TAXES	940,287.92
	Vendor Total	**940,287.92**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,815,753.74**		
	Subtotal	**14,816,818.87**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

NIELSEN LLC, CLARITAS				Remit to: **CHARLOTTE**	**NC**
	6/13/2011	208240	500.00		
				DATA REQUEST FOR ICSC PREP.	500.00
	Vendor Total		**500.00**		
FYTD for NIELSEN LLC, CLARITAS			**3,590.00**		
7-ELEVEN, INC				Remit to: **DALLAS**	**TX**
	6/20/2011	208292	120.00		
				REFUND-FALSE ALARM OVERPAYMENT	120.00
	Vendor Total		**120.00**		
FYTD for 7-ELEVEN, INC			**120.00**		
ABILITY COUNTS, INC				Remit to: **CORONA**	**CA**
	6/27/2011	208431	1,440.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	Vendor Total		**1,440.00**		
FYTD for ABILITY COUNTS, INC			**5,760.00**		
ABSOLUTE SURVEILLANCE				Remit to: **CANYON LAKE**	**CA**
	6/20/2011	882954	5,844.90		
				TRACKING DEVICE-PD	909.02
				TRACKING DEVICE-PD	59.90
				TRACKING DEVICE-PD	4,218.00
				TRACKING DEVICE-PD	531.90
				TRACKING DEVICE-PD	126.08
	Vendor Total		**5,844.90**		
FYTD for ABSOLUTE SURVEILLANCE			**5,844.90**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ACTIVE NETWORK, INC., THE			Remit to: **LOS ANGELES**	**CA**
6/27/2011	883002	17,278.56		
			CLASS SFTWARE MAINT/SUPP RNWL	3,750.00
			DEPT CONNECTOR MAINT/SUPP RNWL	2,500.00
			CRYSTAL REPORTS MAINT/SUPP RNW	600.00
			PYMT SERVER-EFT MAINT/SUPP RNW	1,575.00
			DISCOUNT	-1,263.75
			CLASS SFTWARE MAINT/SUPP RNWL	578.80
			CLASS SFTWARE MAINT/SUPP RNWL	506.46
			CLASS SFTWARE MAINT/SUPP RNWL	144.70
			CLASS SFTWARE MAINT/SUPP RNWL	72.35
			CLASS SFTWARE MAINT/SUPP RNWL	1,447.03
			CLASS SFTWARE MAINT/SUPP RNWL	1,050.00
			CLASS SFTWARE MAINT/SUPP RNWL	4,051.68
			CLASS SFTWARE MAINT/SUPP RNWL	2,532.30
			CLASS SFTWARE MAINT/SUPP RNWL	1,519.38
			DISCOUNT	-1,785.39
	Vendor Total	**17,278.56**		
FYTD for ACTIVE NETWORK, INC., THE		**17,278.56**		
ADAMS, MARK L.			Remit to: **REDLANDS**	**CA**
6/6/2011	882833	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for ADAMS, MARK L.		**3,824.76**		
ADDUS HEALTH CARE			Remit to: **RIVERSIDE**	**CA**
6/27/2011	208432	500.00		
			REFUND-RENTAL DEPOSIT	500.00
	Vendor Total	**500.00**		
FYTD for ADDUS HEALTH CARE		**1,000.00**		
ADLERHORST INTERNATIONAL INC.			Remit to: **RIVERSIDE**	**CA**
6/20/2011	882955	283.24		
			K9 TRAINING-PD	283.24
6/27/2011	883003	16,971.88		
			PURCHASE OF NEW K9 (URGAN)	8,971.88
			PURCHASE OF NEW K9 (URGAN)	8,000.00
	Vendor Total	**17,255.12**		
FYTD for ADLERHORST INTERNATIONAL INC.		**38,782.55**		
ADMINSURE			Remit to: **DIAMOND BAR**	**CA**
6/6/2011	208111	2,600.00		
			WORKMANS COMP ADMIN	2,600.00
	Vendor Total	**2,600.00**		
FYTD for ADMINSURE		**31,200.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCE REFRIGERATION & ICE SYSTEMS, INC			Remit to: **RIVERSIDE**	**CA**
6/13/2011	882922	780.00		
			ICE MACHINE MAINT-FIRE ST #2	40.00
			ICE MACHINE MAINT-FIRE ST #2	155.00
			ICE MACHINE MAINT-CITY HALL	5.00
			ICE MACHINE MAINT-CITY HALL	190.00
			ICE MACHINE MAINT-FIRE ST #65	40.00
			ICE MACHINE MAINT-FIRE ST #65	155.00
			ICE MACHINE MAINT-FIRE ST #91	72.00
			ICE MACHINE MAINT-FIRE ST #91	123.00
6/20/2011	882956	195.00		
			ICE MACH MAINT-FS #48	63.00
			ICE MACH MAINT-FS #48	132.00
	Vendor Total	**975.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**19,163.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE**	**CA**
6/13/2011	208241	3,219.00		
			SIGN LIGHTS REPAIRED-EOC	1,512.00
			INSTALL LIGHTING-SR CTR POOLRM	1,497.00
			LIGHTING REPAIRS-ANIMAL SHLTR	210.00
6/27/2011	208433	625.00		
			ELECT REPAIRS-PARKS	625.00
	Vendor Total	**3,844.00**		
FYTD for ADVANCED ELECTRIC		**97,406.60**		
ADVANTAGE BUSINESS EQUIPMENT, INC			Remit to: **SAN DIEGO**	**CA**
6/13/2011	882923	713.86		
			MICR TONER FOR HP 9050 PRINTER	229.00
			BLANK CHECK STOCK FOR PAYROLL	125.00
			SHIPPING CHARGES	19.00
			CA SALES TAX FOR PAYROLL CHKS	10.94
			CA SALES TAX FOR MICR TONER	20.04
			BLANK CHECK STOCK FOR A/P	250.00
			SHIPPING CHARGES	25.00
			SHIPPING CHARGES	13.00
			CA SALES TAX	21.88
	Vendor Total	**713.86**		
FYTD for ADVANTAGE BUSINESS EQUIPMENT, INC		**2,791.81**		

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ADVANTAGE GRAPHICS AND PROMOTIONS			Remit to: **CAPISTRANO BEACH**	**CA**
6/6/2011	208112	2,638.81		
			PARKING CITATIONS-CODE	1,438.60
			PARKING CITATIONS-CODE	791.23
			PARKING CITATIONS-CODE	135.00
			PARKING CITATIONS-CODE	78.87
			PARKING CITATIONS-CODE	195.11
	Vendor Total	**2,638.81**		
FYTD for ADVANTAGE GRAPHICS AND PROMOTIONS		**2,638.81**		
AEI-CASC ENGINEERING			Remit to: **COLTON**	**CA**
6/20/2011	882957	6,645.68		
			IRONWD AVE/DAY ST-BARCLAY PROJ	6,645.68
	Vendor Total	**6,645.68**		
FYTD for AEI-CASC ENGINEERING		**238,785.47**		
AHLERS, ROSCEAL			Remit to: **HEMET**	**CA**
6/20/2011	208294	76.00		
			INSTRUCTION SVCS-2 DAYS	76.00
	Vendor Total	**76.00**		
FYTD for AHLERS, ROSCEAL		**1,520.00**		
AINSWORTH, NADINE			Remit to: **HIGHLAND**	**CA**
6/20/2011	208295	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for AINSWORTH, NADINE		**95.00**		
AIR CLEANING SYSTEMS INC.			Remit to: **POMONA**	**CA**
6/13/2011	882924	401.63		
			FIRE PLYMOVENT MAINT.-LABOR	170.00
			FIRE PLYMOVENT MAINT.-PARTS	231.63
6/27/2011	883004	366.09		
			PLYMOVENT MAINT-FIRE PREV	170.00
			PLYMOVENT MAINT-FIRE PREV	76.47
			PLYMOVENT MAINT-FIRE PREV	119.62
	Vendor Total	**767.72**		
FYTD for AIR CLEANING SYSTEMS INC.		**5,123.43**		
ALARCON SONS, INC			Remit to: **BALDWIN PARK**	**CA**
6/13/2011	208242	25.60		
			REFUND-BUS. LIC. OVERPAYMENT	25.60
	Vendor Total	**25.60**		
FYTD for ALARCON SONS, INC		**25.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALICEA, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208434	107.61		
				MILEAGE REIMBURSEMENT	107.61
	Vendor Total		**107.61**		
FYTD for ALICEA, RICHARD			**1,147.80**		
ALLEN, VICTOR				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208296	200.00		
				REFUND-TWNGTE RENTAL DEPOSIT	200.00
	Vendor Total		**200.00**		
FYTD for ALLEN, VICTOR			**200.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	6/21/2011	208420	1,519.79		
				BUS SVCS-STARS PRGM CHEER COMP	1,519.79
	Vendor Total		**1,519.79**		
FYTD for ALLIANCE BUS LINES INC			**13,065.20**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	6/6/2011	208115	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**900.00**		
ALVAREZ, THOMAS				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208297	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALVAREZ, THOMAS			**95.00**		
AMERICAN FORENSIC NURSES				Remit to: **PALM SPRINGS** **CA**	
	6/20/2011	882958	1,150.24		
				BLOOD DRAWS-PD	123.24
				BLOOD DRAWS-PD	1,027.00
	6/27/2011	883005	1,978.76		
				BLOOD DRAWS-PD	1,937.68
				BLOOD DRAWS-PD	41.08
	Vendor Total		**3,129.00**		
FYTD for AMERICAN FORENSIC NURSES			**37,068.54**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AMERICAN TOWERS				Remit to: **CHARLOTTE** **NC**	
	6/6/2011	208116	2,573.48		
				ATC TOWER LEASE-TECH SVCS	2,573.48
	Vendor Total		**2,573.48**		
FYTD for AMERICAN TOWERS			**23,161.32**		
ANIMAL EMERGENCY CLINIC, INC.				Remit to: **GRAND TERRACE** **CA**	
	6/20/2011	882959	165.00		
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	55.00
	Vendor Total		**165.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.			**2,630.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				Remit to: **CHINO** **CA**	
	6/20/2011	208298	1,285.00		
				PEST CONTRAL SVCS-PARKS	255.00
				PEST CONTRAL SVCS-MARB/EQUESTR	330.00
				PEST CONTRAL SVCS-PAL	100.00
				BEE REMOVAL-PARKS	300.00
				BEE REMOVAL-PARKS	300.00
	6/27/2011	208435	1,105.00		
				PEST CNTRL SVCS-PARKS	665.00
				PEST CNTRL SVCS-CFD #1	160.00
				PEST CNTRL SVCS-GOLF CT	180.00
				PEST CNTRL SVCS-STARS	100.00
	Vendor Total		**2,390.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.			**22,080.00**		
ARAMBUL, JUAN				Remit to: **NUEVO** **CA**	
	6/27/2011	208436	47.50		
				REFUND-CITATION FEE	47.50
	Vendor Total		**47.50**		
FYTD for ARAMBUL, JUAN			**47.50**		
ARCHIVE MANAGEMENT SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	882925	1,256.31		
				OFFSITE STORAGE SVCS-CITY CLRK	1,256.31
	Vendor Total		**1,256.31**		
FYTD for ARCHIVE MANAGEMENT SERVICE			**16,386.14**		

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ARMSTRONG, CHARIS			Remit to: **NUEVO** **CA**	
6/6/2011	208117	75.00		
			REFUND- SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for ARMSTRONG, CHARIS		**75.00**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
6/6/2011	208118	25.00		
			WATER PURIF RNTL-STARS	25.00
6/13/2011	208243	515.79		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRAFFIC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-ANIMAL SHLTR	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPECIAL DIST.	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FACIL. ANNEX	25.00
			WATER PURIF RNTL-CONF&REC CTR	25.00
			WATER PURIF RNTL-FIRE ST #6	25.00
			WATER PURIF RNTL-FIRE ST #48	25.00
			WATER PURIF RNTL-FIRE ST #2	25.00
			WATER PURIF RNTL-FIRE ST #58	15.77
			WATER PURIF RNTL-FIRE ST #91	25.00
			WATER PURIF RNTL-FIRE ST #65	25.00
6/20/2011	208299	50.00		
			WATER PURIF RNTL-STARS	25.00
			WATER PURIF RNTL-EOC	25.00
	Vendor Total	**590.79**		
FYTD for ARROWHEAD WATER		**6,722.01**		
AT & T STATE CALLING SERVICE			Remit to: **CAROL STREAM** **IL**	
6/27/2011	208437	0.04		
			PHONE CHARGES	0.04
	Vendor Total	**0.04**		
FYTD for AT & T STATE CALLING SERVICE		**7.91**		
AT&T/MCI			Remit to: **WEST SACRAMENTO** **CA**	
6/6/2011	208119	183.10		
			COMMUNICATIONS SVCS	183.10
	Vendor Total	**183.10**		
FYTD for AT&T/MCI		**2,201.20**		

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AUGUST, MARGARET				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208120	66.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	16.00
				REFUND-VARIOUS A/C FEES	10.00
	Vendor Total		**66.00**		
FYTD for AUGUST, MARGARET			**66.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	6/6/2011	208121	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,745.98**		
BALANCIER, EARL				Remit to: **PERRIS** **CA**	
	6/20/2011	208300	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**722.00**		
FYTD for BALANCIER, EARL			**3,306.00**		
BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	6/6/2011	882835	359.19		
				RETIREE MED APR-JUN '11, PD JU	359.19
	Vendor Total		**359.19**		
FYTD for BARNES, DARLENE			**1,625.47**		
BARNES, DULCE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208301	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for BARNES, DULCE			**95.00**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	6/20/2011	208302	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BARTUCCIO, ERICA			**75.00**		

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BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882836	60.00		
				BACKFLOW TESTING-PARKS	16.74
				BACKFLOW TESTING-PARKS	43.26
	6/13/2011	882926	149.83		
				BACKFLOW TESTING-PARKS	149.83
	6/20/2011	882960	345.33		
				BACKFLOW TESTING-MORRISON PRK	345.33
	Vendor Total		**555.16**		
FYTD for BASIC BACKFLOW			**3,308.42**		
BEDOY, BEATRIZ				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208122	95.00		
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	75.00
	Vendor Total		**95.00**		
FYTD for BEDOY, BEATRIZ			**95.00**		
BEMIS, NIKKI				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208123	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BEMIS, NIKKI			**20.00**		

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BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	6/13/2011	882927	4,957.56		
				LNDSCP MAINT-VETRNS MEMORIAL	250.00
				LNDSCP MAINT-FIRE STATIONS	3,150.00
				LNDSCP MAINT-CITY HALL	992.56
				LNDSCP MAINT-ANNEX BLDG 1	300.00
				REPLC DMGD TREE-IRIS/KITCHING	265.00
	6/27/2011	883006	11,986.95		
				LANDSCAPE MAINT-E4	158.99
				LANDSCAPE MAINT-E4	114.75
				LANDSCAPE MAINT-E4	242.63
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MV ELECT SUBST	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	226.62
				LANDSCAPE MAINT-PSB	970.96
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LNDSCP MAINT-S AQDCT "B"	735.00
				LNDSCP MAINT-SENIOR CT	262.50
				LNDSCP MAINT-N AQDCT	525.00
				LNDSCP MAINT-S AQDCT "A"	850.50
				LNDSCP MAINT-PAN AM SECT	600.00
	Vendor Total		**16,944.51**		
FYTD for BEMUS LANDSCAPE, INC.			**577,144.70**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	6/27/2011	883007	205.57		
				FLEX ADMIN SVCS-HR	205.57
	6/30/2011	883041	205.00		
				COBRA ADMIN SVCS-HR	31.00
				COBRA ADMIN SVCS-HR	174.00
	Vendor Total		**410.57**		
FYTD for BENESYST, INC.			**6,549.27**		
BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208124	11,821.58		
				TOXICOLOGY TESTING-PD	2,696.88
				TOXICOLOGY TESTING-PD	9,124.70
	Vendor Total		**11,821.58**		
FYTD for BIO-TOX LABORATORIES			**79,896.61**		

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BISHOP COMPANY				Remit to: **WHITTIER** **CA**	
	6/6/2011	208125	57.70		
				MISC TOOLS-PARKS	57.70
	Vendor Total		**57.70**		
FYTD for BISHOP COMPANY			**829.69**		
BLACK, CHRISTINA				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208126	65.00		
				REFUND-BLS HEALTHCARE CLASS	65.00
	Vendor Total		**65.00**		
FYTD for BLACK, CHRISTINA			**65.00**		
BOBO II, FELIX				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208303	69.36		
				MILEAGE REIMBURSEMENT	69.36
	Vendor Total		**69.36**		
FYTD for BOBO II, FELIX			**1,270.93**		
BOSE, TIFFANY				Remit to: **CORONA** **CA**	
	6/13/2011	208244	32.64		
				MILEAGE REIMBURSEMENT	32.64
	Vendor Total		**32.64**		
FYTD for BOSE, TIFFANY			**351.39**		
BOWLUS PACIFIC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208127	607.00		
				REFUND-PLANNING FEES	607.00
	Vendor Total		**607.00**		
FYTD for BOWLUS PACIFIC			**607.00**		
BRAUN BLAISING MCLAUGHLIN				Remit to: **SACRAMENTO** **CA**	
	6/6/2011	208128	386.00		
				LEGAL SERVICES-UT	386.00
	Vendor Total		**386.00**		
FYTD for BRAUN BLAISING MCLAUGHLIN			**386.00**		
BRAY, JR., LYLE DEAN				Remit to: **CORONA** **CA**	
	6/20/2011	208304	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for BRAY, JR., LYLE DEAN			**2,470.00**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	6/27/2011	883008	3,466.88		
				MISC BOOKS-LIBRARY	29.37
				MISC BOOKS-LIBRARY	23.85
				MISC BOOKS-LIBRARY	49.29
				MISC BOOKS-LIBRARY	97.04
				MISC BOOKS-LIBRARY	372.48
				MISC BOOKS-LIBRARY	32.14
				MISC BOOKS-LIBRARY	488.87
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	28.93
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	27.55
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	188.15
				MISC BOOKS-LIBRARY	75.22
				MISC BOOKS-LIBRARY	491.81
				MISC BOOKS-LIBRARY	122.49
				MISC BOOKS-LIBRARY	38.65
				MISC BOOKS-LIBRARY	34.03
				MISC BOOKS-LIBRARY	41.95
				MISC BOOKS-LIBRARY	83.84
				MISC BOOKS-LIBRARY	101.87
				MISC BOOKS-LIBRARY	23.78
				MISC BOOKS-LIBRARY	62.55
				MISC BOOKS-LIBRARY	75.82
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	60.75
				MISC BOOKS-LIBRARY	38.61
				MISC BOOKS-LIBRARY	24.40
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	78.12
				MISC BOOKS-LIBRARY	88.73
				MISC BOOKS-LIBRARY	151.47
				MISC BOOKS-LIBRARY	36.48
				MISC BOOKS-LIBRARY	69.32
				MISC BOOKS-LIBRARY	120.36
				MISC BOOKS-LIBRARY	22.57
	Vendor Total		**3,466.88**		
FYTD for BRODART CO.			**45,433.76**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	6/6/2011	208129	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**3,824.76**		

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BURCIAGA-LOPEZ, ROSSY			Remit to: **MORENO VALLEY**	**CA**
6/27/2011	208438	8.95		
			REFUND-LOST BOOK FEE	8.95
	Vendor Total	**8.95**		
FYTD for BURCIAGA-LOPEZ, ROSSY		**8.95**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
6/6/2011	882837	21,399.60		
			LEGAL SERVICES-HR	1,818.10
			LEGAL SERVICES-HR	19,581.50
6/27/2011	883009	100.00		
			GEN SPECIAL COUNSEL SVCS	100.00
	Vendor Total	**21,499.60**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**106,302.40**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY**	**IL**
6/27/2011	208439	3,963.42		
			MISC BOOKS-LIBRARY	258.00
			MISC BOOKS-LIBRARY	254.49
			MISC BOOKS-LIBRARY	1,820.41
			MISC BOOKS-LIBRARY	721.05
			MISC BOOKS-LIBRARY	57.80
			MISC BOOKS-LIBRARY	851.67
	Vendor Total	**3,963.42**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**24,480.37**		
CA CONSTRUCTION AND FLOOR TECH AMERICA,			Remit to:	
6/6/2011	208130	1,883.00		
			RETENT/STOP NOTICE PYMT-PSB PR	1,883.00
	Vendor Total	**1,883.00**		
FYTD for CA CONSTRUCTION AND FLOOR TECH AMERICA,		**1,883.00**		
CA CONSTRUCTION AND GLOBAL SPECIALTIES			Remit to:	
6/6/2011	208131	968.40		
			RETENT/STOP NOTICE PYMT-PSB PR	968.40
	Vendor Total	**968.40**		
FYTD for CA CONSTRUCTION AND GLOBAL SPECIALTIES		**968.40**		
CA CONSTRUCTION AND MURRAY MECHANICAL			Remit to:	
6/6/2011	208132	4,531.84		
			RETENT/STOP NOTICE PYMT-PSB PR	4,531.84
	Vendor Total	**4,531.84**		
FYTD for CA CONSTRUCTION AND MURRAY MECHANICAL		**4,531.84**		

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CA CONSTRUCTION AND RGB			Remit to:	
6/6/2011	208133	1,982.60		
			RETENT/STOP NOTICE PYMT-PSB PR	1,982.60
Vendor Total		**1,982.60**		
FYTD for CA CONSTRUCTION AND RGB		**1,982.60**		
CA CONSTRUCTION AND TANDEM WEST GLASS,			Remit to:	
6/6/2011	208134	3,480.00		
			RETENT/STOP NOTICE PYMT-PSB PR	3,480.00
Vendor Total		**3,480.00**		
FYTD for CA CONSTRUCTION AND TANDEM WEST GLASS,		**3,480.00**		
CA DEPT OF FORESTRY & PROTECTION			Remit to: **YUCAIPA** **CA**	
6/13/2011	208245	3,705.19		
			MATERIALS FOR LOCKERS AT FS#48	3,705.19
Vendor Total		**3,705.19**		
FYTD for CA DEPT OF FORESTRY & PROTECTION		**3,705.19**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
6/6/2011	882838	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for CAIN, GREGORY		**3,824.76**		
CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
6/7/2011	208238	2,278.08		
			UNCLAIMED VENDOR CHECKS	717.75
			UNCLAIMED VENDOR CHECKS	1,594.33
			UNCLAIMED VENDOR CHECKS	-34.00
Vendor Total		**2,278.08**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,285.72**		
CALIFORNIA TRANSCRIPTION, LLC			Remit to: **RIVERSIDE** **CA**	
6/27/2011	883010	130.01		
			TRANSCRIPTION SVCS-CDD	130.01
Vendor Total		**130.01**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**772.58**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
6/6/2011	882839	4,773.00		
			CONSULTING SVCS-NPDES	4,773.00
Vendor Total		**4,773.00**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**16,907.00**		

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CAMACHO, FELIX				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208246	4,819.00		
				REFUND-TRUST FUND DEPOSIT	4,819.00
	Vendor Total		**4,819.00**		
FYTD for CAMACHO, FELIX			**4,819.00**		
CANNON, ANA M.				Remit to: **HASLET** **TX**	
	6/6/2011	882840	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**3,650.21**		
CANON BUSINESS SOLUTIONS, INC.				Remit to: **BURLINGTON** **NJ**	
	6/20/2011	882962	2,002.20		
				COPIER SERVICE-STARS	2,002.20
	Vendor Total		**2,002.20**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**37,505.95**		
CANON FINANCIAL SERVICES, INC.				Remit to: **CHICAGO** **IL**	
	6/20/2011	208305	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**91,088.16**		
CARRERA, EFRAIN				Remit to: **PERRIS** **CA**	
	6/6/2011	208135	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	6/20/2011	208306	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**1,368.00**		
FYTD for CARRERA, EFRAIN			**2,014.00**		
CARTER, ROSALYN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882841	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for CARTER, ROSALYN			**3,918.83**		

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CELLEBRITE USA, CORP				Remit to: **GLEN ROCK** **NJ**	
	6/21/2011	208421	9,072.00		
				UNIV FORENSIC EXTRACT. DEVICE	6,999.00
				UFED SOFTWARE UPGRADES	1,998.00
				SHIPPING & HANDLING	75.00
				CA USE TAX	612.41
				CA USE TAX ACCRUAL	-612.41
	Vendor Total		**9,072.00**		
FYTD for CELLEBRITE USA, CORP			**18,144.00**		
CEMEX				Remit to: **ONTARIO** **CA**	
	6/6/2011	208136	745.03		
				CEMENT PURCHASE	376.32
				CEMENT PURCHASE	368.71
	6/20/2011	208307	1,092.42		
				CEMENT PURCHASE	301.35
				CEMENT PURCHASE	320.18
				CEMENT PURCHASE	470.89
	Vendor Total		**1,837.45**		
FYTD for CEMEX			**10,873.04**		
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208137	360.00		
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	70.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	55.00
	Vendor Total		**360.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			**13,575.00**		
CERTIFIED CREDIT REPORTING, INC				Remit to: **CORONA** **CA**	
	6/20/2011	208308	18.96		
				CREDIT PROFILE SERVICES	18.96
	Vendor Total		**18.96**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**83.84**		
CHAN, PAULINE				Remit to: **LAKE ELSINORE** **CA**	
	6/6/2011	208138	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CHAN, PAULINE			**95.00**		

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CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	6/20/2011	882963	8,918.00		
				INVESTMENT MGT SVCS	8,918.00
	Vendor Total		**8,918.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**105,917.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	6/6/2011	208139	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,824.76**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882842	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,824.76**		
CHERRY VALLEY FEED				Remit to: **CHERRY VALLEY** **CA**	
	6/27/2011	208440	117.43		
				FOOD FOR PD K9	117.43
	Vendor Total		**117.43**		
FYTD for CHERRY VALLEY FEED			**1,208.54**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882843	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**2,546.46**		

City of Moreno Valley

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For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO**	**CA**
6/6/2011	882844	155.57		
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-TRFFC SGNL MA	16.42
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	18.60
			UNIFORM RNTL SVC-ST MAINT	36.38
			UNIFORM RNTL SVC-CONC MAINT	9.58
6/13/2011	882928	253.14		
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-FAC MAINT	12.40
			UNIFORM RNTL SVC-FAC MAINT	12.40
			UNIFORM RNTL SVC-PARKS STAFF	50.19
			UNIFORM RNTL SVC-TRF SIG MAINT	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT CREW	51.92
			UNIFORM RNTL SVC-CONCRETE CREW	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
6/20/2011	882964	347.33		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PARKS	85.38
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-FACILITIES	12.40
6/27/2011	883011	375.09		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-CONC MAINT	10.18
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	12.40
			UNIFORM RNTL SVC-GOLF COURSE	5.56
	Vendor Total	1,131.13		
FYTD for CINTAS CORPORATION		12,467.07		

CITY OF MORENO VALLEY VEBA TRUST — Remit to: **MORENO VALLEY** **CA**

6/6/2011	882845	4,200.00		
			EXEMPT VEBA	4,200.00
	Vendor Total	4,200.00		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		49,662.50		

CLAMMER, JOYCE — Remit to: **LAKEWOOD** **CA**

6/20/2011	208309	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	20.00		
FYTD for CLAMMER, JOYCE		20.00		

CLONINGER, JASON — Remit to: **MORENO VALLEY** **CA**

6/20/2011	208310	59.52		
			REFUND-PARKS CLASS REGIS FEE	59.52
	Vendor Total	59.52		
FYTD for CLONINGER, JASON		59.52		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COAST FITNESS REPAIR SHOP			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208140	284.33		
			REPAIR WEIGHT MACH-SENIOR CTR	120.00
			REPAIR WEIGHT MACH-SENIOR CTR	60.00
			REPAIR WEIGHT MACH-SENIOR CTR	18.00
			REPAIR WEIGHT MACH-SENIOR CTR	69.00
			REPAIR WEIGHT MACH-SENIOR CTR	17.33
	Vendor Total	**284.33**		
FYTD for COAST FITNESS REPAIR SHOP		**379.33**		
COAST TO COAST LASER			Remit to: **MURRIETA** **CA**	
6/27/2011	208441	32.63		
			LONGEVITY AWARD-O. RODRIGUEZ	32.63
	Vendor Total	**32.63**		
FYTD for COAST TO COAST LASER		**65.26**		
COASTLINE CONSTRUCTION & AWNING CO.			Remit to: **HUNTINGTON BEACH** **CA**	
6/20/2011	208311	1,459.09		
			CONSTR OF STEPS-PERRIS BL PROJ	1,459.09
	Vendor Total	**1,459.09**		
FYTD for COASTLINE CONSTRUCTION & AWNING CO.		**31,027.74**		
COHENS, BEVERLY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208312	39.00		
			REFUND-PARKS CLASS REGIS FEE	39.00
	Vendor Total	**39.00**		
FYTD for COHENS, BEVERLY		**39.00**		
COLGAN CONSULTING CORPORATION			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208141	2,956.45		
			CONSULTING SVCS-PW LAND DV	2,956.45
	Vendor Total	**2,956.45**		
FYTD for COLGAN CONSULTING CORPORATION		**2,956.45**		
COLONIAL SUPPLEMENTAL INSURANCE			Remit to: **COLUMBIA** **SC**	
6/6/2011	208142	7,079.44		
			SUPPLEMENTAL INSURANCE	7,079.44
	Vendor Total	**7,079.44**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**84,878.79**		

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COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
6/6/2011	208143	183.81		
			CHC CONTRIBUTIONS	183.81
6/20/2011	208313	178.81		
			CHC CONTRIBUTIONS	178.81
	Vendor Total	**362.62**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,543.80**		
CONEJO, LEONARDO			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208314	75.00		
			REFUND-SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CONEJO, LEONARDO		**75.00**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
6/6/2011	208145	2,908.90		
			ASPHALTIC MATERIALS	2,908.90
6/13/2011	208247	2,886.29		
			ASPHALTIC MATERIALS	2,886.29
	Vendor Total	**5,795.19**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**21,009.44**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208315	35.00		
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**35.00**		
FYTD for CONTRERAS, BIANCA		**420.00**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208316	87.50		
			SPORTS OFFICIATING SVCS	35.00
			SPORTS OFFICIATING SVCS	17.50
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**87.50**		
FYTD for CONTRERAS, JOSE		**947.50**		
CONVERT-A-DOC			Remit to: **MURRIETA** **CA**	
6/13/2011	208248	818.32		
			SCANNING SERVICES-LAND DEV	818.32
	Vendor Total	**818.32**		
FYTD for CONVERT-A-DOC		**5,472.70**		

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COPELAND, PATRICIA				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208317	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for COPELAND, PATRICIA			**50.00**		
COSEY JR., JAMES				Remit to: **MORENO VALLEY CA**	
	6/27/2011	208442	297.00		
				INSTRUCTOR SVCS-KEMPO CLASSES	132.00
				INSTRUCTOR SVCS-KEMPO CLASSES	165.00
	Vendor Total		**297.00**		
FYTD for COSEY JR., JAMES			**813.00**		
COSTCO				Remit to: **MORENO VALLEY CA**	
	6/6/2011	208146	28.41		
				MISC SUPPLIES-STARS	28.41
	6/13/2011	208249	1,124.37		
				MISC SUPPLIES-STARS	82.18
				MISC SUPPLIES-STARS	191.10
				MISC SUPPLIES-STARS	48.30
				MISC SUPPLIES-STARS	119.63
				MISC SUPPLIES-SKATE PARK	683.16
	6/20/2011	208318	3,935.34		
				MISC SUPPLIES-CHILDS PLC	892.15
				MISC SUPPLIES-CHILDS PLC	879.91
				MISC SUPPLIES-CHILDS PLC	1,082.97
				MISC SUPPLIES-STARS	324.02
				MISC SUPPLIES-STARS	18.05
				MISC SUPPLIES-STARS	534.66
				MISC SUPPLIES-STARS	68.46
				MISC SUPPLIES-STARS	135.12
	6/27/2011	208443	289.10		
				MISC SUPPLIES-STARS	80.53
				MISC SUPPLIES-STARS	61.37
				MISC SUPPLIES-STARS	94.02
				MISC SUPPLIES-STARS	53.18
	Vendor Total		**5,377.22**		
FYTD for COSTCO			**56,488.26**		
COUNSELING TEAM, THE				Remit to: **SAN BERNARDINO CA**	
	6/27/2011	208444	1,250.00		
				EMP COUNSELING SRVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**17,500.00**		

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COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
6/6/2011	208147	65.58		
			REFUND-UUT USER TAXES	65.58
	Vendor Total	**65.58**		
FYTD for COUNTRY SQUIRE ESTATES		**816.96**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208250	42.70		
			RECORDATION REQUESTS-LAND DEV	42.70
	Vendor Total	**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**532.95**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
6/6/2011	882846	110.31		
			PD K-9 FOOD	101.43
			PD K-9 FOOD	8.88
	Vendor Total	**110.31**		
FYTD for COVENTRY PET RESORT		**993.40**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208148	871.00		
			HEALTH PERMIT-CONF & REC CTR	871.00
	Vendor Total	**871.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**26,404.08**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
6/20/2011	208320	745.00		
			DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**10,940.00**		
D H TAD LOWREY & GAYLE A LOWREY			Remit to: **PASADENA** **CA**	
6/6/2011	882847	2,400.82		
			BOND HOLDER PAYMENT	1,786.19
			BOND HOLDER PAYMENT	614.63
	Vendor Total	**2,400.82**		
FYTD for D H TAD LOWREY & GAYLE A LOWREY		**3,408.82**		
DACOLIAS, RAYMOND			Remit to: **SAN JACINTO** **CA**	
6/20/2011	208321	190.00		
			INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total	**190.00**		
FYTD for DACOLIAS, RAYMOND		**1,748.00**		

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DAILY JOURNAL CORPORATION				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	208149	784.08		
				RENEWAL SUBSCRIPTION-12 MOS.	784.08
	Vendor Total		**784.08**		
FYTD for DAILY JOURNAL CORPORATION			**784.08**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882848	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**3,805.92**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	6/6/2011	882849	4,861.50		
				CITATION PRCSSNG-PD	3,518.35
				CITATION PRCSSNG-ANML SVCS	595.55
				CITATION PRCSSNG-BLDG/SFTY	747.60
	6/13/2011	882929	105.00		
				PARKING CODE APP-TECH SVCS	105.00
	Vendor Total		**4,966.50**		
FYTD for DATA TICKET, INC.			**246,852.12**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	6/27/2011	208445	130.50		
				ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,566.00**		
DE LA CRUZ, JAZMINE				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208150	65.00		
				REFUND-BLS HEALTHCARE CLASS	65.00
	Vendor Total		**65.00**		
FYTD for DE LA CRUZ, JAZMINE			**65.00**		
DEFINITIVE FINANCIAL SOLUTIONS, LLC				Remit to: **PARIS** **MO**	
	6/13/2011	208251	1,800.00		
				CONSULTING SVCS-TECH SVCS	1,800.00
	Vendor Total		**1,800.00**		
FYTD for DEFINITIVE FINANCIAL SOLUTIONS, LLC			**6,675.00**		

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DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	6/13/2011	208252	12,027.29		
				EMPLOYEE DENTAL INSURANCE	12,027.29
	Vendor Total		**12,027.29**		
FYTD for DELTA DENTAL			**139,895.34**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	6/27/2011	883012	4,315.00		
				PLAN REVIEW SVCS-FIRE PREV	780.00
				PLAN REVIEW SVCS-FIRE PREV	3,275.00
				PLAN REVIEW SVCS-FIRE PREV	260.00
	Vendor Total		**4,315.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**108,230.00**		
DIVISION OF LABOR STANDARDS ENFORCMENT				Remit to: **LONG BEACH** **CA**	
	6/21/2011	208422	5,568.75		
				CWPA PYMT-EMERG OPS CTR PROJ	5,568.75
	Vendor Total		**5,568.75**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT			**53,540.14**		
DLS LANDSCAPE, INC				Remit to: **REDLANDS** **CA**	
	6/27/2011	883013	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**12,390.00**		
FYTD for DLS LANDSCAPE, INC			**148,680.00**		
DMV				Remit to: **SACRAMENTO** **CA**	
	6/13/2011	208253	104.00		
				RENEWAL REGISTRATION	52.00
				RENEWAL REGISTRATION	52.00
	Vendor Total		**104.00**		
FYTD for DMV			**104.00**		
DORIS GRAVITTE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208151	73.00		
				REFUND-BUS. LIC. OVERPAYMENT	57.00
				REFUND-BUS. LIC. OVERPAYMENT	16.00
	Vendor Total		**73.00**		
FYTD for DORIS GRAVITTE			**73.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	6/6/2011	208152	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**3,540.96**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL				Remit to: **SACRAMENTO** **CA**	
	6/20/2011	208322	15.00		
				2010 MANIFEST FEES-FIRE ST #6	15.00
	Vendor Total		**15.00**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			**115.00**		
DUNN, LAURA ISABEL GARCIA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	882965	304.00		
				INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for DUNN, LAURA ISABEL GARCIA			**1,748.00**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208153	252.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	252.00
	Vendor Total		**252.00**		
FYTD for DURAN, BLANCA			**3,003.00**		
DYE, COLUMBUS				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208254	444.23		
				REFUND-A/C CITATION CHRGS	444.23
	Vendor Total		**444.23**		
FYTD for DYE, COLUMBUS			**444.23**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/6/2011	208154	12,942.57		
			WATER CHARGES	269.72
			WATER CHARGES	6,541.37
			WATER CHARGES	354.84
			WATER CHARGES	2,034.55
			WATER CHARGES	607.12
			WATER CHARGES	2,958.60
			WATER CHARGES	176.37
6/20/2011	208323	0.00		
			WATER CHARGES-SUBSTATION	109.70
			WATER CHARGES	1,512.76
			WATER CHARGES	215.89
			WATER CHARGES	886.93
			WATER CHARGES	3,295.26
			WATER CHARGES	39.60
			WATER CHARGES	731.92
			WATER CHARGES	3,405.73
			WATER CHARGES	112.11
			WATER CHARGES	20,226.01
			WATER CHARGES	1,914.50
			WATER CHARGES	10,318.64
			WATER CHARGES	6,429.68
			WATER CHARGES	4,365.06
			WATER CHARGES	8,640.00
			WATER CHARGES	4,553.69
			WATER CHARGES	2,441.82
			WATER CHARGES	51.73
			WATER CHARGES	1,462.00
			WATER CHARGES	3,118.14
			WATER CHARGES	867.38
			WATER CHARGES	246.46
			WATER CHARGES	525.26
			WATER CHARGES	402.73
			WATER CHARGES	316.75
			WATER CHARGES	254.04
			WATER CHARGES	282.11
			WATER CHARGES	359.58
			WATER CHARGES	83.22
			WATER CHARGES	246.06
			WATER CHARGES	109.66
			WATER CHARGES	2,168.37
			WATER CHARGES	887.14
			VOIDED CHECK #208323 - 6/21/11	-109.70
			VOIDED CHECK #208323 - 6/21/11	-1,512.76
			VOIDED CHECK #208323 - 6/21/11	-215.89
			VOIDED CHECK #208323 - 6/21/11	-886.93
			VOIDED CHECK #208323 - 6/21/11	-3,295.26
			VOIDED CHECK #208323 - 6/21/11	-39.60
			VOIDED CHECK #208323 - 6/21/11	-731.92
			VOIDED CHECK #208323 - 6/21/11	-3,405.73
			VOIDED CHECK #208323 - 6/21/11	-112.11
			VOIDED CHECK #208323 - 6/21/11	-20,226.01
			VOIDED CHECK #208323 - 6/21/11	-1,914.50

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			VOIDED CHECK #208323 - 6/21/11	-10,318.64
			VOIDED CHECK #208323 - 6/21/11	-6,429.68
			VOIDED CHECK #208323 - 6/21/11	-4,365.06
			VOIDED CHECK #208323 - 6/21/11	-8,640.00
			VOIDED CHECK #208323 - 6/21/11	-4,553.69
			VOIDED CHECK #208323 - 6/21/11	-2,441.82
			VOIDED CHECK #208323 - 6/21/11	-51.73
			VOIDED CHECK #208323 - 6/21/11	-1,462.00
			VOIDED CHECK #208323 - 6/21/11	-3,118.14
			VOIDED CHECK #208323 - 6/21/11	-867.38
			VOIDED CHECK #208323 - 6/21/11	-246.46
			VOIDED CHECK #208323 - 6/21/11	-525.26
			VOIDED CHECK #208323 - 6/21/11	-402.73
			VOIDED CHECK #208323 - 6/21/11	-316.75
			VOIDED CHECK #208323 - 6/21/11	-254.04
			VOIDED CHECK #208323 - 6/21/11	-282.11
			VOIDED CHECK #208323 - 6/21/11	-359.58
			VOIDED CHECK #208323 - 6/21/11	-83.22
			VOIDED CHECK #208323 - 6/21/11	-246.06
			VOIDED CHECK #208323 - 6/21/11	-109.66
			VOIDED CHECK #208323 - 6/21/11	-2,168.37
			VOIDED CHECK #208323 - 6/21/11	-887.14
6/21/2011	208424	500.00		
			MORRISON PRK FIRE STATION PROJ	500.00
	Vendor Total	**13,442.57**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,434,949.17**		

EASTMAN, MARK F — Remit to: **MURRIETA** **CA**

6/27/2011	208446	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for EASTMAN, MARK F		**57.50**		

EDGELANE MOBILE PARK — Remit to: **LOS ANGELES** **CA**

6/20/2011	882966	35.66		
			REFUND-UUT FOR EXEMPT RESIDNTS	35.66
	Vendor Total	**35.66**		
FYTD for EDGELANE MOBILE PARK		**174.17**		

EGGERSTEN, ANNE — Remit to: **RANCHO MIRAGE** **CA**

6/6/2011	208155	325.66		
			RETIREE MED JUN '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**3,787.56**		

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EMERGENT BATTERY TECHNOLOGIES			Remit to: **YORBA LINDA** **CA**	
6/20/2011	208324	6,090.00		
			ES-12-24 AMG BATTERIES	5,600.00
			CALIF SALES TAX	490.00
	Vendor Total	**6,090.00**		
FYTD for EMERGENT BATTERY TECHNOLOGIES		**11,701.50**		
EMPIRE TRANSPORTATION SERVICES, INC			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208325	3,387.50		
			BUS SVC-STARS PRGM CHEER COMP.	3,387.50
	Vendor Total	**3,387.50**		
FYTD for EMPIRE TRANSPORTATION SERVICES, INC		**3,387.50**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
6/15/2011	2874	1,975.16		
			STATE INCOME TAX W/H 6/15/11	1,975.16
	Vendor Total	**1,975.16**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,082,776.56**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
6/27/2011	883014	948.00		
			METER FEES-SOLAR CUST INSTALL	474.00
			METER FEES-SOLAR CUST INSTALL	474.00
	Vendor Total	**948.00**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,059,467.17**		
ENVIRONMENTAL CONSTRUCTION, INC.			Remit to: **WOODLAND HILLS** **CA**	
6/21/2011	208425	2,560.00		
			STOP NOTICE RLS-SUNNYMD BL PRJ	2,560.00
	Vendor Total	**2,560.00**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**2,560.00**		
ESKEL/PORTER CONSULTING, INC.			Remit to: **SACRAMENTO** **CA**	
6/6/2011	882850	660.00		
			CONSULTING SVCS-TECH SVCS	660.00
	Vendor Total	**660.00**		
FYTD for ESKEL/PORTER CONSULTING, INC.		**3,307.50**		
ESQUIVEL, JOSEFINA			Remit to: **BAKERSFIELD** **CA**	
6/27/2011	208447	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for ESQUIVEL, JOSEFINA		**57.50**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	882851	73.94		
			ENGRAVING SVCS-PD	48.94
			ENGRAVING SVCS-PD	25.00
6/20/2011	882967	30.45		
			ENGRAVING SVCS-PARKS COMM	14.14
			ENGRAVING SVCS-PARKS COMM	16.31
	Vendor Total	**104.39**		
FYTD for EVANS ENGRAVING & AWARDS		**1,369.97**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
6/20/2011	208326	235.62		
			IRRIGATION SUPPLIES-PARKS	235.62
	Vendor Total	**235.62**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**16,425.01**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
6/13/2011	208255	4,503.92		
			LANDSCAPE MAINT-WQB	3,988.34
			LANDSCAPE MAINT-WQB	515.58
6/20/2011	208327	8,885.58		
			LANDSCAPE MAINT-E7	2,777.17
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-E7	75.00
			LANDSCAPE MAINT-E-15	1,070.36
			LANDSCAPE MAINT-E-8	1,501.98
	Vendor Total	**13,389.50**		
FYTD for EXCEL LANDSCAPE, INC		**163,742.66**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	208157	30.00		
			REFUND-FALSE ALARM CITATION	30.00
	Vendor Total	**30.00**		
FYTD for FAMILY SERVICE ASSOCIATION		**73,333.83**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
6/6/2011	882852	361.25		
			RETIREE MED JUN '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**4,335.00**		

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FINISTER, ZAMORA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208328	8.95		
				REFUND-LOST BOOK FEE	8.95
	Vendor Total		**8.95**		
FYTD for FINISTER, ZAMORA			**8.95**		
FIRST CHOICE SERVICES				Remit to: **ONTARIO** **CA**	
	6/13/2011	882930	673.86		
				COFFEE SVCS-EMP PAID	74.00
				COFFEE SVCS-EMP PAID	34.62
				COFFEE SVCS-EMP PAID	126.32
				COFFEE SVCS-EMP PAID	170.64
				COFFEE SVCS-EMP PAID	105.14
				COFFEE SVCS-EMP PAID	67.38
				COFFEE SVCS-EMP PAID	95.76
	Vendor Total		**673.86**		
FYTD for FIRST CHOICE SERVICES			**7,898.55**		
FITNESS 19 CA 155 11C				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208329	253.00		
				GYM MEMBERSHIP DEDUCTIONS	253.00
	Vendor Total		**253.00**		
FYTD for FITNESS 19 CA 155 11C			**3,089.00**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208158	11,890.44		
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.87
				PRNTED SUPPLIES-CSD ANNL BROCH	38.87
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.22
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
	6/13/2011	208256	2,499.08		
				DOOR HANGERS-SPCL DIST	2,335.75
				DOOR HANGERS-SPCL DIST	163.33
	Vendor Total		**14,389.52**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**37,663.51**		

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FORNISS, BRANDON/JAMIE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208331	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for FORNISS, BRANDON/JAMIE		**95.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882853	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**3,805.92**		
FRANCE PUBLICATIONS, INC			Remit to: **ATLANTA** **GA**	
6/20/2011	208332	3,200.00		
			ADVERTISING SERVICES	3,200.00
	Vendor Total	**3,200.00**		
FYTD for FRANCE PUBLICATIONS, INC		**6,400.00**		
FRANCHISE TAX BOARD			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208159	144.64		
			GARNISHMENT	25.00
			GARNISHMENT	115.00
			GARNISHMENT	4.64
6/20/2011	208333	153.13		
			GARNISHMENT	115.00
			GARNISHMENT	38.13
	Vendor Total	**297.77**		
FYTD for FRANCHISE TAX BOARD		**3,476.54**		
FRANKLIN, L. C.			Remit to: **PERRIS** **CA**	
6/27/2011	208448	91.29		
			MILEAGE REIMBURSEMENT	91.29
	Vendor Total	**91.29**		
FYTD for FRANKLIN, L. C.		**1,682.25**		
FRAZEE INDUSTRIES, INC			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208160	9,689.62		
			TRAFFIC PAINT	6,456.16
			TRAFFIC PAINT	3,233.46
6/30/2011	208526	3,233.46		
			TRAFFIC PAINT	3,233.46
	Vendor Total	**12,923.08**		
FYTD for FRAZEE INDUSTRIES, INC		**136,828.46**		

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FRAZIER, HAROLD				Remit to: **PERRIS** **CA**	
	6/20/2011	208334	200.00		
				REFUND-TENNIS CLASS REGIS FEE	100.00
				REFUND-TENNIS CLASS REGIS FEE	100.00
	Vendor Total		**200.00**		
FYTD for FRAZIER, HAROLD			**200.00**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208161	100.00		
				SPORTS OFFICIATING SVCS	100.00
	Vendor Total		**100.00**		
FYTD for FRESQUEZ, JOHN			**864.00**		
FROST, JOAN CHENG				Remit to: **TEMECULA** **CA**	
	6/20/2011	208335	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for FROST, JOAN CHENG			**2,318.00**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	208257	6,138.00		
				SIGNS INSTALLATION-TRANSP	6,138.00
	6/27/2011	208449	22,576.01		
				FREESTANDING COMM ID SIGN	10,326.07
				LIGHT POLE MTD COMM ID SIGN	2,354.87
				LIGHT POLE MTD ID BANNERS	4,143.57
				FREESTANDING AMENITY DIR SIGN	2,879.40
				LIGHT POLE MTD DIRECT. SIGN	1,055.64
				CA SALES TAX	1,816.46
	Vendor Total		**28,714.01**		
FYTD for FUSION SIGN AND DESIGN, INC			**28,714.01**		
G/M BUSINESS INTERIORS, INC.				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	208450	1,276.40		
				REUPHOLSTER PANELS/MOLDING-CRC	1,276.40
	Vendor Total		**1,276.40**		
FYTD for G/M BUSINESS INTERIORS, INC.			**7,486.42**		

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GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208162	141.77		
				UNIFORMS-PD POP TEAM	141.77
	6/20/2011	208336	353.14		
				UNIFORMS-PD POP TEAM	211.37
				UNIFORMS-PD POP TEAM	141.77
	6/27/2011	208451	120.72		
				UNIFORMS-POP TEAM	60.36
				UNIFORMS-POP TEAM	60.36
	Vendor Total		**615.63**		
FYTD for GALLS INC., INLAND UNIFORM			**4,902.56**		
GARCIA, BRENDA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208337	45.00		
				REFUND-VARIOUS A/C FEES	19.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	16.00
	Vendor Total		**45.00**		
FYTD for GARCIA, BRENDA			**45.00**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882854	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,824.76**		
GATES CAPITAL CORPORATION				Remit to: **NEW YORK** **NY**	
	6/27/2011	208523	436.48		
				REMARKETING AGENT FEE-FINAL	436.48
	Vendor Total		**436.48**		
FYTD for GATES CAPITAL CORPORATION			**436.48**		
GE FLEET SERVICES				Remit to: **EDEN PRAIRIE** **MI**	
	6/27/2011	208452	127.00		
				REFUND-CITATION FEE	127.00
	Vendor Total		**127.00**		
FYTD for GE FLEET SERVICES			**127.00**		

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GENERAL SECURITY SERVICES, INC.				Remit to: **WILMINGTON**	**CA**
	6/6/2011	882855	1,994.20		
				SECURITY SVCS-CRC SPCL EVNTS	337.48
				SECURITY SVCS-SENIOR CTR	184.08
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
	6/13/2011	882931	1,645.22		
				SECURITY SRVCS-CITY HALL	299.13
				SECURITY SRVCS-LIBRARY	245.44
				SECURITY SRVCS-CONF & REC CTR	302.97
				SECURITY SVCS-TOWNGATE CTR	122.72
				SECURITY SVCS-SENIOR CTR	214.76
				SECURITY SVCS-CRC SPCL EVNTS	368.16
				SECURITY SVCS-CRC SPCL EVNTS	92.04
	6/20/2011	882968	337.48		
				SECURITY SVCS-TWNGATE CTR	76.70
				SECURITY SVCS-TWNGATE CTR	76.70
				SECURITY SVCS-TWNGATE CTR	76.70
				SECURITY SVCS-TWNGATE CTR	107.38
	6/27/2011	883016	1,871.49		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	245.44
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-UTILITY	276.13
	Vendor Total		**5,848.39**		
FYTD for GENERAL SECURITY SERVICES, INC.			**54,401.45**		
GERALD GRAVITTE				Remit to: **MORENO VALLEY**	**CA**
	6/6/2011	208163	90.00		
				REFUND-BUS. LIC. OVERPAYMENT	63.00
				REFUND-BUS. LIC. OVERPAYMENT	27.00
	Vendor Total		**90.00**		
FYTD for GERALD GRAVITTE			**90.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				Remit to: **LOS ANGELES**	**CA**
	6/27/2011	883017	15,712.07		
				LEGAL SVCS	9,060.00
				LEGAL SVCS	6,652.07
	Vendor Total		**15,712.07**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			**246,170.44**		

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GLOBAL SOFTWARE, INC			Remit to: **RALEIGH** **NC**	
6/13/2011	882932	9,900.00		
			SERVER MAINT-TECH SVCS	4,000.00
			SERVER MAINT-TECH SVCS	800.00
			SERVER MAINT-TECH SVCS	800.00
			SERVER MAINT-TECH SVCS	800.00
			MAINT/SUPPORT-SPCL DIST	1,000.00
			MAINT/SUPPORT-TECH SVCS	2,500.00
6/20/2011	882969	2,000.00		
			MAINT/SUPPORT-SPREADSHT SERVER	500.00
			MAINT/SUPPORT-SPREADSHT SERVER	1,500.00
6/27/2011	883018	500.00		
			SPREADSHEET SERVER-PW ST MAINT	500.00
	Vendor Total	**12,400.00**		
FYTD for GLOBAL SOFTWARE, INC		**55,120.00**		
GONG ENTERPRISES, INC.			Remit to: **HUNTINGTON BEACH** **CA**	
6/20/2011	208338	5,940.00		
			CONSULTING SVCS-PM 35859	5,670.00
			CONSULTING SVCS-FM35760	270.00
	Vendor Total	**5,940.00**		
FYTD for GONG ENTERPRISES, INC.		**45,795.40**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882856	318.73		
			RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total	**318.73**		
FYTD for GONZALES, DOMILENA R.		**3,060.32**		
GOUDEAU, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208453	51.00		
			REFUND-PARKS CLASS REGIS FEE	51.00
	Vendor Total	**51.00**		
FYTD for GOUDEAU, MICHELLE		**51.00**		
GOZDECKI, DAN			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882857	432.00		
			INSTRUCTOR SVCS-KUNG FU	189.00
			INSTRUCTOR SVCS-KUNG FU	243.00
	Vendor Total	**432.00**		
FYTD for GOZDECKI, DAN		**7,209.00**		

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GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	6/13/2011	208258	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for GRANICUS, INC.			**12,000.00**		
GRAY, TYLON				Remit to: **STOCKTON** **CA**	
	6/6/2011	208164	503.88		
				REFUND-CITATION CHRGS	503.88
	Vendor Total		**503.88**		
FYTD for GRAY, TYLON			**503.88**		
GRID ALTERNATIVE				Remit to: **OAKLAND** **CA**	
	6/27/2011	208454	57.00		
				REFUND-BUS LIC OVERPAYMENT	57.00
	Vendor Total		**57.00**		
FYTD for GRID ALTERNATIVE			**57.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	6/6/2011	882858	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,745.98**		
GROUP DELTA CONSULTANTS, INC				Remit to: **IRVINE** **CA**	
	6/20/2011	882970	1,355.50		
				DAY ST IMPRVMNTS PROJ SVCS	1,355.50
	Vendor Total		**1,355.50**		
FYTD for GROUP DELTA CONSULTANTS, INC			**16,673.50**		
GRUBE, PATTY				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208165	24.48		
				MILEAGE REIMBURSEMENT	24.48
	Vendor Total		**24.48**		
FYTD for GRUBE, PATTY			**24.48**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	6/27/2011	208455	518.40		
				INSTRUCTOR SVCS-ZUMBA	362.40
				INSTRUCTOR SVCS-ZUMBA	156.00
	Vendor Total		**518.40**		
FYTD for GUILIANO, MARIA			**1,627.20**		

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GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	6/6/2011	882859	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,824.76**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	882971	4,049.00		
				CART RETRVL SVCS-CODE	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**48,588.00**		
HABITAT FOR HUMANITY RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	6/28/2011	110609	15,000.00		
				DOWN PMT ASSIST/DRIVEWAY REIMB	15,000.00
	6/28/2011	110608	15,000.00		
				DOWN PMT ASSIST/DRIVEWAY REIMB	15,000.00
	Vendor Total		**30,000.00**		
FYTD for HABITAT FOR HUMANITY RIVERSIDE			**59,752.70**		
HAMARI, MICHAEL				Remit to: **FOUNTAIN VALLEY** **CA**	
	6/6/2011	208166	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for HAMARI, MICHAEL			**95.00**		
HAMBURG, IRENE				Remit to: **OTIS** **OR**	
	6/6/2011	882860	1,232.58		
				RETIREE MED DEC '10-MAR '11, P	1,232.58
	Vendor Total		**1,232.58**		
FYTD for HAMBURG, IRENE			**3,782.42**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	6/6/2011	882861	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,805.92**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882862	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,824.76**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	6/6/2011	208167	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,824.76**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	6/6/2011	208168	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**22,515.09**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	882863	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,824.76**		
HAUSER, ADRIANA				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	208339	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**722.00**		
FYTD for HAUSER, ADRIANA			**5,966.00**		
HDL COREN & CONE				Remit to: **DIAMOND BAR** **CA**	
	6/13/2011	208259	4,387.50		
				PROP TAX SOFTWARE-TECH SVCS	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**17,550.00**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES				Remit to: **DIAMOND BAR** **CA**	
	6/6/2011	208169	2,522.54		
				SALES TAX CONSULTING SVCS	900.00
				SALES TAX AUDIT SVCS	1,622.54
	Vendor Total		**2,522.54**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**20,144.48**		

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HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	6/6/2011	882864	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,824.76**		
HEISTERBERG, ANTHONY				Remit to: **TEMECULA** **CA**	
	6/6/2011	208170	1,630.18		
				RETIREE MED OCT '10-MAY '11, P	1,630.18
	Vendor Total		**1,630.18**		
FYTD for HEISTERBERG, ANTHONY			**2,437.36**		
HELP PROGRAM, THE				Remit to: **TEMECULA** **CA**	
	6/20/2011	208340	3,500.00		
				FORECLOSURE PREV WORKSHOP SVCS	3,500.00
	Vendor Total		**3,500.00**		
FYTD for HELP PROGRAM, THE			**3,500.00**		
HERNANDEZ, CHRISTIAN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208456	16.15		
				REFUND-VARIOUS A/C FEES	14.85
				REFUND-VARIOUS A/C FEES	1.30
	Vendor Total		**16.15**		
FYTD for HERNANDEZ, CHRISTIAN			**16.15**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208171	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,824.76**		
HICKMAN, LANISE				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208457	144.00		
				INSTRUCTOR SVCS-FITNESS	144.00
	Vendor Total		**144.00**		
FYTD for HICKMAN, LANISE			**499.20**		
HO, KEVIN CHINH				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208341	114.00		
				INSTRUCTIONAL SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for HO, KEVIN CHINH			**1,064.00**		

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HOGLE-IRELAND, INC.			Remit to: **RIVERSIDE**	**CA**
6/6/2011	208172	500.00		
			REFUND-PLANNING FEES	500.00
Vendor Total		**500.00**		
FYTD for HOGLE-IRELAND, INC.		**500.00**		
HONDA YAMAHA OF REDLANDS			Remit to: **REDLANDS**	**CA**
6/6/2011	208173	2,632.36		
			PD MTRCYCLE MAINT/REPAIR-LABOR	308.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	366.19
			PD MTRCYCLE MAINT/REPAIR-LABOR	441.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	560.81
			PD MTRCYCLE MAINT/REPAIR-LABOR	154.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	324.40
			PD MTRCYCLE MAINT/REPAIR-LABOR	161.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	129.59
			PD MTRCYCLE MAINT/REPAIR-LABOR	49.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	138.37
6/13/2011	208260	2,089.69		
			TRAFFIC CYCLE MAINT/RPR-PD	140.00
			TRAFFIC CYCLE MAINT/RPR-PD	462.58
			TRAFFIC CYCLE MAINT/RPR-PD	175.00
			TRAFFIC CYCLE MAINT/RPR-PD	522.51
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
6/20/2011	208342	344.00		
			PD MTRCYCLE MAINT/REPAIR-LABOR	98.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	246.00
Vendor Total		**5,066.05**		
FYTD for HONDA YAMAHA OF REDLANDS		**5,066.05**		
HORIZON UNDERGROUND INC.			Remit to: **CORONA**	**CA**
6/27/2011	208458	134.00		
			REFUND-VARIOUS PERMIT FEES	82.00
			REFUND-VARIOUS PERMIT FEES	52.00
Vendor Total		**134.00**		
FYTD for HORIZON UNDERGROUND INC.		**134.00**		
HOUSER, EDITH E.			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	208174	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.		**3,824.76**		

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HOWARD, CHAD				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208175	325.00		
				PER DIEM-INVESTIG INTERVW TRNG	325.00
	Vendor Total		**325.00**		
FYTD for HOWARD, CHAD			**325.00**		
HUERTA, ELIZABETH				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208343	61.60		
				REFUND-PARKS CLASS REGIS FEE	61.60
	6/27/2011	208459	15.40		
				REFUND-PARKS CLASS REGIS FEE	15.40
	Vendor Total		**77.00**		
FYTD for HUERTA, ELIZABETH			**77.00**		
HUNTINGTON BEACH HONDA				Remit to: **HUNTINGTON BEACH** **CA**	
	6/20/2011	208344	263.11		
				REPAIR-PD TRAFFIC MOTORBIKE	192.50
				REPAIR-PD TRAFFIC MOTORBIKE	70.61
	Vendor Total		**263.11**		
FYTD for HUNTINGTON BEACH HONDA			**27,562.31**		
HURTADO, GENEVIEVE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208345	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for HURTADO, GENEVIEVE			**75.00**		
I.E. BIKES, INC.				Remit to: **MURRIETA** **CA**	
	6/13/2011	208261	5,437.07		
				BIKE ACCESSORIES-PD	3,589.90
				BIKE ACCESSORIES-PD	599.90
				BIKE ACCESSORIES-PD	289.90
				BIKE ACCESSORIES-PD	519.90
				BIKE ACCESSORIES-PD	437.47
	6/21/2011	208426	632.49		
				BIKE REPAIRS-PD POP	65.00
				9-SPEED CHAIN	26.99
				LABOR TO INSTALL CHAIN	8.00
				CA SALES TAX	2.36
				BIKE REPAIRS-PD POP	65.00
				RUBBER	59.90
				CA SALES TAX	5.24
				LABOR-TUNE MTB/ROAD BIKES-PD	400.00
	Vendor Total		**6,069.56**		
FYTD for I.E. BIKES, INC.			**6,069.56**		

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ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
6/3/2011	2869	9,110.37		
			DEF COMP 457 6/3/11	9,110.37
6/17/2011	2879	8,785.37		
			DEF COMP 457 6/17/11	8,785.37
	Vendor Total	**17,895.74**		
FYTD for ICMA RETIREMENT CORP 457		**244,034.37**		
ICSC-INT'L. COUNCIL OF SHOPPING CENTERS			Remit to: **NEW YORK** **NY**	
6/20/2011	208346	3,308.62		
			ADVERTISING SERVICES	3,308.62
	Vendor Total	**3,308.62**		
FYTD for ICSC-INT'L. COUNCIL OF SHOPPING CENTERS		**6,617.24**		
IL SORRENTO MOBILE PARK			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208176	102.23		
			REFUND-UUT USER TAXES	102.23
	Vendor Total	**102.23**		
FYTD for IL SORRENTO MOBILE PARK		**1,586.12**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
6/6/2011	208177	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,700.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882972	11,826.80		
			DEMO & DISPOSAL OF RESIDENCE	11,150.00
			WEED ABATEMENT-11987 DAVIS ST	676.80
	Vendor Total	**11,826.80**		
FYTD for INLAND CONTRACTORS, INC.		**41,403.71**		

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INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY CA**	
6/6/2011	882865	4,219.00		
			NUISANCE ABTMNT SVC-CODE	187.00
			WEED ABATEMENT SVCS-PARKS	4,032.00
6/13/2011	882933	4,119.17		
			WEED ABTMNT SVCS-FACILITIES	439.00
			WEED ABTMNT SVCS-FACILITIES	759.00
			CLEAN UP SVCS-RDA	1,026.67
			CLEAN UP SVCS-RDA	856.00
			CLEAN UP SVCS-RDA	253.50
			CLEAN UP SVCS-RDA	257.50
			CLEAN UP SVCS-RDA	150.00
			CLEAN UP SVCS-RDA	229.50
			CLEAN UP SVCS-RDA	148.00
6/20/2011	882973	4,040.00		
			WEED ABATEMENT SVCS	825.00
			WEED ABATEMENT SVCS-PARKS	1,026.00
			WEED ABATEMENT SVCS-PARKS	2,189.00
	Vendor Total	**12,378.17**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**72,509.59**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON CA**	
6/13/2011	882934	1,095.70		
			PERFORM CARB VAPOR RECOV TEST	393.00
			MISC REPAIR MATERIALS	309.70
			PERFORM CARB VAPOR RECOV TEST	393.00
6/20/2011	882974	499.30		
			PERFORM CARB VAPOR RECOV TEST	393.00
			PERFORM CARB VAPOR RECOV TEST	106.30
	Vendor Total	**1,595.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**2,245.59**		
INSIDE PLANTS, INC.			Remit to: **CORONA CA**	
6/13/2011	882935	326.00		
			PLANT MAINT-CONF & REC CTR	251.00
			PLANT MAINT-CONF & REC CTR	75.00
	Vendor Total	**326.00**		
FYTD for INSIDE PLANTS, INC.		**3,867.00**		
INTERNAL REVENUE SERVICE			Remit to:	
6/15/2011	2873	5,525.57		
			FED INCOME TAX W/H 6/15/11	5,525.57
	Vendor Total	**5,525.57**		
FYTD for INTERNAL REVENUE SERVICE		**3,497,189.37**		

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IRON MOUNTAIN OFF-SITE DATA PROTECTION			Remit to: **CERRITOS** **CA**	
6/6/2011	208178	979.11		
			OFFSITE DATA STORAGE-TECH SVCS	979.11
6/27/2011	208460	954.67		
			OFFSITE DATA STORAGE-TECH SVCS	954.67
	Vendor Total	**1,933.78**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**12,832.37**		
J D H CONTRACTING			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882936	1,549.00		
			WOMEN'S LOCKER RM REPAIRS-CRC	1,549.00
6/27/2011	883020	635.00		
			REPLACE BROKEN SLATE TILES-CRC	635.00
	Vendor Total	**2,184.00**		
FYTD for J D H CONTRACTING		**151,477.50**		
JABARA, MONA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208461	62.00		
			REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total	**62.00**		
FYTD for JABARA, MONA		**62.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208179	80.00		
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	40.00
6/20/2011	208347	40.00		
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**120.00**		
FYTD for JACKSON, JAYE		**196.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208180	174.00		
			COURIER SVCS-CITY ATTRNYS	95.00
			COURIER SVCS-CITY ATTRNYS	79.00
6/13/2011	208262	35.00		
			COURIER SVCS-CITY ATTRNYS	35.00
6/20/2011	208348	135.00		
			COURIER SVCS-CITY ATTRNYS	60.00
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**344.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,777.65**		

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JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	6/13/2011	882937	1,395.00		
				CONSULTING SVCS-TECH. SVCS	1,395.00
	6/27/2011	883021	1,615.00		
				CONSULTING SVCS-TECH SVCS	1,615.00
	Vendor Total		**3,010.00**		
FYTD for JDEDGE SOFTWARE, LLC			**27,547.50**		
JEANNETTE RODRIGUEZ				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208462	195.60		
				INSTRUCTOR SVCS-BEG JR TENNIS	92.40
				INSTRUCTOR SVCS-ADV. TENNIS	51.60
				INSTRUCTOR SVCS-ADV. TENNIS	51.60
	Vendor Total		**195.60**		
FYTD for JEANNETTE RODRIGUEZ			**195.60**		
JEFFERSON, ALICIA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208463	79.00		
				REFUND-PARKS CLASS REGIS FEE	79.00
	Vendor Total		**79.00**		
FYTD for JEFFERSON, ALICIA			**79.00**		
JOE A. GONSALVES & SON				Remit to: **SACRAMENTO** **CA**	
	6/13/2011	882938	6,345.00		
				REPRESENTATION SVCS	3,150.00
				REPRESENTATION SVCS	2,970.00
				REPRESENTATION SVCS	225.00
	Vendor Total		**6,345.00**		
FYTD for JOE A. GONSALVES & SON			**38,025.00**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882866	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,824.76**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	6/6/2011	882867	570.94		
				TRAFFIC SIGNAL SUPPLIES	570.94
	Vendor Total		**570.94**		
FYTD for JTB SUPPLY CO., INC.			**42,834.48**		

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KAMMERDIENER, PEGGY				Remit to: **PERRIS** **CA**	
	6/6/2011	208181	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for KAMMERDIENER, PEGGY			**75.00**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	208349	3,187.65		
				CONSULTANT SVC-HOMES DOC PREP	3,187.65
	Vendor Total		**3,187.65**		
FYTD for KANE, BALLMER & BERKMAN			**3,187.65**		
KHOURY, HANNA R				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208465	407.50		
				REFUND-CITATION FEE	407.50
	Vendor Total		**407.50**		
FYTD for KHOURY, HANNA R			**407.50**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	208182	267.88		
				RETIREE MED JUN '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**3,621.36**		
KITNELCA, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208350	52.00		
				REFUND-PARKS CLASS REGIS FEE	52.00
	Vendor Total		**52.00**		
FYTD for KITNELCA, DANIEL			**52.00**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882868	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,824.76**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882869	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,824.76**		

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KRUEGER, KIMBERLEE			Remit to: **TEMECULA** **CA**	
6/21/2011	208427	63.24		
			SIRE REGIONAL USER CONF.	63.24
	Vendor Total	**63.24**		
FYTD for KRUEGER, KIMBERLEE		**368.24**		
KUSTOM SIGNALS, INC.			Remit to: **LENEXA** **KS**	
6/20/2011	208351	12,206.69		
			RAPTOR, DUAL K-BANK ANTENNA	11,025.00
			SHIPPING & HANDLING	217.00
			CALIF SALES TAX	964.69
	Vendor Total	**12,206.69**		
FYTD for KUSTOM SIGNALS, INC.		**14,476.40**		
KYBURZ, JIM			Remit to: **PALM SPRINGS** **CA**	
6/20/2011	208352	50.00		
			REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for KYBURZ, JIM		**50.00**		
KYLE, GARY M.			Remit to: **PRESCOTT VALLEY** **AZ**	
6/6/2011	882870	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for KYLE, GARY M.		**3,824.76**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882871	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,805.92**		
LANCE, SOLL & LUNGHARD, LLP			Remit to: **BREA** **CA**	
6/20/2011	208353	21,000.00		
			AUDITING SVCS	18,000.00
			AUDITING SVCS-RDA	3,000.00
	Vendor Total	**21,000.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP		**21,050.00**		
LANG, TRACEY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208354	76.00		
			INSTRUCTION SVCS-2 DAYS	76.00
	Vendor Total	**76.00**		
FYTD for LANG, TRACEY		**988.00**		

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LANGSTON MOTORSPORTS			Remit to: **PERRIS** **CA**	
6/6/2011	208183	154.10		
			PD MTRCYCLE MAINT/REPAIR-LABOR	32.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	45.99
			POP OFF-RD VEHICLE REPAIR PART	69.99
			CA SALES TAX	6.12
	Vendor Total	**154.10**		
FYTD for LANGSTON MOTORSPORTS		**154.10**		
LARA, JOSEPH R.			Remit to: **MURRIETA** **CA**	
6/27/2011	208466	62.22		
			REIMB-FIBER OPTIC TESTING TRNG	62.22
	Vendor Total	**62.22**		
FYTD for LARA, JOSEPH R.		**151.66**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES** **CA**	
6/27/2011	208467	362.50		
			LEGAL FEES THRU MAR-SOMERGATE	217.50
			LEGAL FEES THRU MAR-PACIFIC	145.00
	Vendor Total	**362.50**		
FYTD for LATHAM & WATKINS, LLP		**2,827.50**		
LAWN TECH EQUIPMENT			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882939	22.48		
			TREE TRIMMING EQUIP RPR-LABOR	15.00
			TREE TRIMMING EQUIP RPR-PARTS	7.48
6/27/2011	883022	22.48		
			TREE TRIMMING EQUIP SVC	15.00
			TREE TRIMMING EQUIP SVC	7.48
	Vendor Total	**44.96**		
FYTD for LAWN TECH EQUIPMENT		**2,824.37**		
LEADING EDGE LEARNING CENTER			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208355	2,730.60		
			INSTRUCTOR SVCS-READING RASCAL	345.60
			INSTRUCTOR SVCS-ESL CLASS	66.00
			INSTRUCTOR SVCS-READING RASCAL	460.80
			INSTRUCTOR SVCS-GED TEST CLASS	613.80
			INSTRUCTOR SVCS-LEADERSHP ACAD	132.00
			INSTRUCTOR SVCS-READING RASCAL	518.40
			INSTRUCTOR SVCS-GED TEST CLASS	462.00
			INSTRUCTOR SVCS-ESL CLASS	132.00
	Vendor Total	**2,730.60**		
FYTD for LEADING EDGE LEARNING CENTER		**3,859.61**		

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LEFEVRE, FRAN				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208263	56.30		
				REIMB.-LAW ENF TRNG NEEDS CONF	56.30
	Vendor Total		**56.30**		
FYTD for LEFEVRE, FRAN			**231.30**		
LEONARD, NATALIE				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208184	20.00		
				REFUND-RABIES DEPOSIT	20.00
	6/20/2011	208356	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for LEONARD, NATALIE			**95.00**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	6/6/2011	882872	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**3,805.92**		
LEWIS, LANDIN/DAPHINE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208185	6.00		
				REFUND-LIC LOST	6.00
	Vendor Total		**6.00**		
FYTD for LEWIS, LANDIN/DAPHINE			**6.00**		
LEXISNEXIS				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	882873	1,480.00		
				ONLINE LEGAL SVCS-CITY ATTYS	740.00
				ONLINE LEGAL SVCS-CITY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	6/27/2011	883023	1,480.00		
				ONLINE LEGAL SVCS-CITY ATTYS	740.00
				ONLINE LEGAL SVCS-CITY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	Vendor Total		**2,960.00**		
FYTD for LEXISNEXIS			**19,240.00**		
LIM & NASCIMENTO ENGINEERING CORP.				Remit to: **DIAMOND BAR** **CA**	
	6/13/2011	208264	2,418.35		
				INDIAN BASIN STORM DRAIN PROJ	2,418.35
	Vendor Total		**2,418.35**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**346,880.11**		

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LIMO, JOSE M. MD				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208468	1,555.51		
				REFUND-BAL OF TRUST ACCT	1,555.51
	Vendor Total		**1,555.51**		
FYTD for LIMO, JOSE M. MD			**1,555.51**		
LOCKE, NICOLE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208187	75.00		
				REFUND-SN DEPOSIT	75.00
	6/27/2011	208469	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**95.00**		
FYTD for LOCKE, NICOLE			**95.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	882874	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**3,824.76**		
LOGGERHEAD NAVIGATION				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208188	4,490.95		
				TRIMBLE YUMA UNIT	3,799.00
				TRIMBLE YUMA OFFICE DOCK	749.00
				LOGGERHEAD DISCOUNT	-455.00
				CA SALES TAX	397.95
	Vendor Total		**4,490.95**		
FYTD for LOGGERHEAD NAVIGATION			**15,297.38**		
LONTHAIR, PAUL				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208265	585.00		
				PER DIEM-DRUG RECOG EVAL TRNG	585.00
	Vendor Total		**585.00**		
FYTD for LONTHAIR, PAUL			**660.00**		
LOS ANGELES TIMES				Remit to: **PHOENIX** **AZ**	
	6/13/2011	208266	23.92		
				RENEWAL SUBS-CITY MGR	23.92
	6/27/2011	208470	43.72		
				RENEWAL SUBS THROUGH 6/6/12	43.72
	Vendor Total		**67.64**		
FYTD for LOS ANGELES TIMES			**115.48**		

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LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882875	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,824.76**		
LYNCH. PATRICK				Remit to: **MORENO VALLEY** **CA**	
	6/22/2011	208430	325.00		
				PER DIEM-CRASH DATA RTRVL TRNG	325.00
	Vendor Total		**325.00**		
FYTD for LYNCH. PATRICK			**325.00**		
M B I EXCAVATION				Remit to: **SAN DIMAS** **CA**	
	6/20/2011	208357	88.50		
				REFUND-BUS LIC OVRPMT	88.50
	Vendor Total		**88.50**		
FYTD for M B I EXCAVATION			**88.50**		
MAGANA'S AUTO UPHOLSTERY				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208267	357.87		
				REUPHOLSTER CHAIRS-LIBRARY	357.87
	Vendor Total		**357.87**		
FYTD for MAGANA'S AUTO UPHOLSTERY			**357.87**		
MARINA LANDSCAPE, INC				Remit to: **ANAHEIM** **CA**	
	6/20/2011	882975	4,994.91		
				LNDSCP MAINT-ZONE DSG-2S	4,994.91
	Vendor Total		**4,994.91**		
FYTD for MARINA LANDSCAPE, INC			**91,342.66**		
MARTINEZ, REGGIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208358	17.50		
				SPORTS OFFICIATING SVCS	17.50
	Vendor Total		**17.50**		
FYTD for MARTINEZ, REGGIE			**1,102.50**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	6/6/2011	882876	290.00		
				RETIREE MED APR '11, PD JUN '1	290.00
	Vendor Total		**290.00**		
FYTD for MATHIS, NOLAN			**3,528.00**		

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MATICH CORPORATION				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882877	14,224.99		
				ASPHALTIC MATERIALS	6,153.01
				ASPHALTIC MATERIALS	5,240.44
				ASPHALTIC MATERIALS	2,831.54
	6/13/2011	882940	19,668.08		
				ASPHALTIC MATERIALS	9,723.00
				ASPHALTIC MATERIALS	9,945.08
	Vendor Total		**33,893.07**		
FYTD for MATICH CORPORATION			**72,803.69**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	6/6/2011	882878	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,824.76**		
MAYER, DAWN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208471	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for MAYER, DAWN			**62.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	6/6/2011	882879	240.00		
				SPORTS OFFICIATING SVCS	100.00
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	60.00
	Vendor Total		**240.00**		
FYTD for MEEKS, DANIEL			**2,060.00**		
MEHTA, MADHUR				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208190	29.60		
				REFUND-PICNIC SHELTER RESERVTN	29.60
	Vendor Total		**29.60**		
FYTD for MEHTA, MADHUR			**29.60**		
MENDOZA, MEGAN				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208359	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MENDOZA, MEGAN			**20.00**		

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MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208472	62.73		
				MILEAGE REIMBURSEMENT	62.73
	Vendor Total		**62.73**		
FYTD for MENGISTU, YESHIALEM			**1,114.94**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	6/6/2011	882880	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,824.76**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208360	399.00		
				INSTRUCTOR SVCS-DRAWING 4 KIDS	173.00
				INSTRUCTOR SVCS-DRAWING 4 KIDS	58.00
				INSTRUCTOR SVCS-PHOTOGRAPHY	168.00
	Vendor Total		**399.00**		
FYTD for MEYERS, ROBERT			**2,646.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882881	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**2,546.46**		
MILLER, GUILIANA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208361	125.60		
				REFUND-PARKS CLASS REGIS FEE	125.60
	Vendor Total		**125.60**		
FYTD for MILLER, GUILIANA			**125.60**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	6/6/2011	882882	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,761.40**		
MOCTEZUMA, STEFANY				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208362	29.60		
				REFUND-PARKS CLASS REGIS FEE	29.60
	Vendor Total		**29.60**		
FYTD for MOCTEZUMA, STEFANY			**29.60**		

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MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	6/6/2011	882883	401.42		
				RETIREE MED JUN '11	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,817.04**		
MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208268	297.50		
				PLUMBING REPAIRS-SENIOR CTR	100.00
				PLUMBING REPAIRS-SENIOR CTR	197.50
	6/20/2011	208363	333.00		
				EMRGNCY PLUMBING REPAIRS	92.25
				EMRGNCY PLUMBING REPAIRS-FS#2	240.75
	Vendor Total		**630.50**		
FYTD for MONTGOMERY PLUMBING INC			**7,481.57**		
MOORE, CHANE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208364	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for MOORE, CHANE			**200.00**		
MORA, PATRICIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882884	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,824.76**		
MORALES, JOSE				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	208269	200.00		
				REFUND-RENTAL DEP CTRCT#19406	200.00
	Vendor Total		**200.00**		
FYTD for MORALES, JOSE			**200.00**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208473	50.00		
				5/27/11 WALKER AWARDS LUNCHEON	50.00
	6/27/2011	208474	50.00		
				5/27/11 WALKER AWARDS LUNCHEON	50.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE			**100.00**		

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MORENO VALLEY CHAMBER OF COMMERCE			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	208191	410.00		
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING SPONSORSHP-6/9	350.00
	Vendor Total	**410.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**29,250.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.			Remit to: **MORENO VALLEY**	**CA**
6/3/2011	2868	1,562.00		
			MVCEA DUES 6/3/11	1,562.00
6/17/2011	2878	1,549.00		
			MVCEA DUES 6/17/11	1,549.00
	Vendor Total	**3,111.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**40,713.50**		
MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO**	**CA**
6/27/2011	883024	17,142.59		
			LEASE-FACILITIES ANNEX-JULY11	2,458.97
			LEASE-TECH SVCS ANNEX-JULY11	5,475.90
			LEASE-SPEC DIST ANNEX-JULY11	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**205,711.08**		
MORENO VALLEY LODGE # 804			Remit to: **MORENO VALLEY**	**CA**
6/8/2011	208239	50.00		
			MASONIC LODGE 50TH ANNIV EVENT	25.00
			MASONIC LODGE 50TH ANNIV EVENT	25.00
	Vendor Total	**50.00**		
FYTD for MORENO VALLEY LODGE # 804		**50.00**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT			Remit to: **MORENO VALLEY**	**CA**
6/27/2011	208475	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**26,609.95**		
MORGAN, LISA A.			Remit to: **MENTONE**	**CA**
6/6/2011	882885	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,824.76**		

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MUSICK, PEELER & GARRETT, LLP				Remit to: **LOS ANGELES**	**CA**
	6/13/2011	208270	1,080.00		
				LEGAL SERVICES-HR	1,080.00
	Vendor Total		**1,080.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP			**31,379.34**		
MUSICSTAR				Remit to: **RIVERSIDE**	**CA**
	6/27/2011	208477	2,430.00		
				INSTRUCTOR SVCS-PIANO	324.00
				INSTRUCTOR SVCS-PIANO	270.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	270.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	81.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	243.00
	Vendor Total		**2,430.00**		
FYTD for MUSICSTAR			**9,569.97**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.				Remit to: **ALBANY**	**NY**
	6/13/2011	208271	788.41		
				FORENSIC SUPPLIES	152.00
				SHIPPING	9.61
				CA USE TAX	14.14
				USE TAX ACCRUAL	-14.14
				FORENSIC SUPPLIES	563.00
				SHIPPING	63.80
				CA USE TAX	54.85
				USE TAX ACCRUAL	-54.85
	Vendor Total		**788.41**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.			**1,234.39**		

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NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
6/3/2011	2866	13,359.19		
			PST DEF COMP FOR FICA 6/3/11	13,359.19
6/3/2011	2867	24,748.03		
			DEF COMP 457 & 401(A) 6/3/11	24,748.03
6/17/2011	2876	7,721.92		
			PST DEF COMP FOR FICA 6/17/11	7,721.92
6/17/2011	2877	24,535.92		
			DEF COMP 457 6/17/11	24,535.92
	Vendor Total	**70,365.06**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**832,996.12**		
NATURE'S IMAGE, INC.			Remit to: **LAKE FOREST** **CA**	
6/13/2011	208272	10,877.50		
			DETENTION BASIN MAINTENANCE	10,877.50
	Vendor Total	**10,877.50**		
FYTD for NATURE'S IMAGE, INC.		**30,761.00**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
6/6/2011	882886	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**3,824.76**		
NAVCO NETWORKS & SECURITY			Remit to: **ANAHEIM** **CA**	
6/20/2011	882977	392.00		
			LABOR FOR DVR #3 REPAIR	392.00
	Vendor Total	**392.00**		
FYTD for NAVCO NETWORKS & SECURITY		**7,705.35**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
6/6/2011	882887	325.66		
			RETIREE MED JUN '11	325.66
	Vendor Total	**325.66**		
FYTD for NELSON, ROBERT		**3,787.56**		
NELSON, RUTH L.			Remit to: **PERRIS** **CA**	
6/6/2011	882888	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for NELSON, RUTH L.		**3,824.76**		

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NELSON, TIMOTHY IVAN				Remit to: **GRAND TERRACE** **CA**	
	6/20/2011	208365	494.00		
				INSTRUCTIONAL SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for NELSON, TIMOTHY IVAN			**4,066.00**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	6/6/2011	208193	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,824.76**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	882978	9.08		
				REFUND-UUT FOR EXEMPT RESIDNTS	9.08
	Vendor Total		**9.08**		
FYTD for NEW HORIZON MOBILE HOME PARK			**77.46**		
NGUYEN, QUANG				Remit to: **AZUSA** **CA**	
	6/13/2011	882942	165.24		
				MILEAGE REIMBURSEMENT	165.24
	Vendor Total		**165.24**		
FYTD for NGUYEN, QUANG			**627.48**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208194	401.42		
				RETIREE MED JUN '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,817.04**		
NOBEL SYSTEMS				Remit to: **SAN BERNARDINO** **CA**	
	6/27/2011	883025	1,440.00		
				BID AMERICA PLAN CONVERSIONS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for NOBEL SYSTEMS			**54,792.00**		
NOBLES, GARRETT				Remit to: **HEMET** **CA**	
	6/20/2011	208366	41.31		
				MILEAGE REIMBURSEMENT	41.31
	Vendor Total		**41.31**		
FYTD for NOBLES, GARRETT			**724.36**		

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NUNEZ-MERRILL, DAISY			Remit to: **MORENO VALLEY CA**	
6/20/2011	208367	62.00		
			REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total	**62.00**		
FYTD for NUNEZ-MERRILL, DAISY		**62.00**		
OAKRIDGE DATA MINING			Remit to: **MORENO VALLEY CA**	
6/13/2011	208274	400.00		
			CONSULTING SVCS-TECH SVCS	400.00
6/27/2011	208479	2,230.00		
			CONSULTING SVCS-PAYROLL	2,230.00
	Vendor Total	**2,630.00**		
FYTD for OAKRIDGE DATA MINING		**2,630.00**		
OFFICE OF THE DISTRICT ATTORNEY			Remit to: **RIVERSIDE CA**	
6/6/2011	208195	10,000.00		
			LEGAL SVCS-CASE PROSECUTION	10,000.00
	Vendor Total	**10,000.00**		
FYTD for OFFICE OF THE DISTRICT ATTORNEY		**10,000.00**		
OLIVAS, PRESCILLA DENISE			Remit to: **MORENO VALLEY CA**	
6/27/2011	208480	103.00		
			REFUND-CITATION FEE	103.00
	Vendor Total	**103.00**		
FYTD for OLIVAS, PRESCILLA DENISE		**103.00**		
ORANTES, ERICK			Remit to: **MORENO VALLEY CA**	
6/27/2011	208481	45.00		
			REFUND-PARKS CLASS REGIS FEE	45.00
	Vendor Total	**45.00**		
FYTD for ORANTES, ERICK		**45.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE CA**	
6/13/2011	882943	134.30		
			LEGAL SERVICES-RISK MGT	134.30
	Vendor Total	**134.30**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**13,750.53**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH CA**	
6/6/2011	882889	5,565.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	5,565.00
	Vendor Total	**5,565.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**136,870.25**		

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PACIFIC SAFETY COUNCIL				Remit to: **SAN DIEGO** **CA**	
	6/27/2011	883026	8.70		
				SAFETY TRAINING-VIDEO	8.70
	Vendor Total		**8.70**		
FYTD for PACIFIC SAFETY COUNCIL			**3,824.45**		
PACIFIC TELEMANAGEMENT SERVICES				Remit to: **SAN RAMON** **CA**	
	6/27/2011	883027	375.84		
				PAYPHONE SVCS	313.20
				PAYPHONE SVCS-PD	62.64
	Vendor Total		**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**5,199.12**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208196	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**2,546.46**		
PATTERSON, MORGAN				Remit to: **NEWPORT BEACH** **CA**	
	6/27/2011	208482	1,000.00		
				STAFF ASSIST. SVCS-ICSC RECON	1,000.00
	Vendor Total		**1,000.00**		
FYTD for PATTERSON, MORGAN			**1,000.00**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	6/6/2011	208197	308.00		
				SPORTS OFFICIATING SVCS	33.00
				SPORTS OFFICIATING SVCS	55.00
				SPORTS OFFICIATING SVCS	66.00
				SPORTS OFFICIATING SVCS	44.00
				SPORTS OFFICIATING SVCS	110.00
	Vendor Total		**308.00**		
FYTD for PAUL, MICHAEL			**2,275.00**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	883028	5,579.00		
				VETERINARY SVCS-ANML SHLTR	5,579.00
	Vendor Total		**5,579.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**93,544.00**		

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PENA, IRIS				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208483	107.25		
				MILEAGE REIMBURSEMENT	107.25
	Vendor Total		**107.25**		
FYTD for PENA, IRIS			**796.13**		
PENTON MEDIA, INC.				Remit to: **OVERLAND PARK** **KS**	
	6/20/2011	882979	2,500.00		
				ADVERTISING SVCS-EDD	2,500.00
	Vendor Total		**2,500.00**		
FYTD for PENTON MEDIA, INC.			**7,500.00**		
PEREZ, ERNIE				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	208198	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PEREZ, ERNIE			**20.00**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	6/6/2011	208199	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,824.76**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	6/6/2011	208200	458.63		
				LONG TERM CARE INSURANCE	458.63
	6/20/2011	208368	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**12,094.42**		
PLYLEY & PLYLEY, LLC				Remit to: **UPLAND** **CA**	
	6/6/2011	208201	576.92		
				REFUND-PLAN CHECK FEES	191.22
				REFUND-PLAN CHECK FEES	194.48
				REFUND-PLAN CHECK FEES	191.22
	Vendor Total		**576.92**		
FYTD for PLYLEY & PLYLEY, LLC			**576.92**		

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POIEMA LANDSCAPE, INC.			Remit to: **COLTON** **CA**	
6/20/2011	882980	1,712.15		
			LANDSCAPE MAINT-ZONE S	596.85
			LANDSCAPE MAINT-ZONE S	1,115.30
	Vendor Total	**1,712.15**		
FYTD for POIEMA LANDSCAPE, INC.		**48,138.50**		
POWER MINISTRIES CHRISTIAN CENTER			Remit to: **MORENO VALLEY** **CA**	
6/13/2011	208275	700.00		
			REFUND-RENTAL DEP CTRCT#18292	700.00
	Vendor Total	**700.00**		
FYTD for POWER MINISTRIES CHRISTIAN CENTER		**700.00**		
PRICE, GEORGE E.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882890	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for PRICE, GEORGE E.		**3,824.76**		
PRINCE, GARY			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208484	51.00		
			REFUND-PARKS CLASS REGIS FEE	51.00
	Vendor Total	**51.00**		
FYTD for PRINCE, GARY		**51.00**		
PRO RIDER, INC. (CNS PROGRAM)			Remit to: **KENT** **WA**	
6/20/2011	208370	356.40		
			BIKE HELMETS	284.40
			SHIPPING CHARGES	72.00
			CALIF SALES TAX	24.89
			SALES TAX ACCRUAL	-24.89
6/27/2011	208485	356.40		
			BIKE HELMETS-PD/CHILD SAFETY	387.59
			BIKE HELMETS-PD/CHILD SAFETY	-31.19
	Vendor Total	**712.80**		
FYTD for PRO RIDER, INC. (CNS PROGRAM)		**712.80**		
PULLIAM, TRENT D.			Remit to: **MISSION VIEJO** **CA**	
6/6/2011	882891	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for PULLIAM, TRENT D.		**3,824.76**		

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QUIJADA, BEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208202	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for QUIJADA, BEN			**20.00**		
QUINN AME CHURCH				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208276	225.00		
				REFUND-RENTAL DEP CTRCT#18723	200.00
				REFUND-RENTAL DEP/ CTRCT#18723	25.00
	Vendor Total		**225.00**		
FYTD for QUINN AME CHURCH			**225.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	6/13/2011	882944	481.00		
				DOOR MAINT-PSB	481.00
	6/20/2011	882981	450.50		
				DOOR MAINT-FS #6	61.25
				DOOR MAINT-FS #6	389.25
	Vendor Total		**931.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**21,328.75**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208277	585.00		
				PER DIEM-DRUG RECOG EVAL TRNG	585.00
	6/21/2011	208428	73.00		
				SEMINAR PARKING/TICKET EXCHNG.	73.00
	Vendor Total		**658.00**		
FYTD for RAFAEL LOPEZ			**813.00**		
RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208486	814.80		
				INSTRUCTOR SVCS-KARATE	317.00
				INSTRUCTOR SVCS-KARATE	50.80
				INSTRUCTOR SVCS-KARATE	42.00
				INSTRUCTOR SVCS-TAE KWON DO	405.00
	Vendor Total		**814.80**		
FYTD for RAMOS, ROBERTO			**2,497.80**		
RANDAL R. MORRISON OF SABINE & MORRISON				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208203	10,000.00		
				LEGAL SVCS	10,000.00
	Vendor Total		**10,000.00**		
FYTD for RANDAL R. MORRISON OF SABINE & MORRISON			**10,000.00**		

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RANDHAWA, KANWAI			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208371	77.00		
			REFUND-PARKS CLASS REGIS FEE	77.00
Vendor Total		**77.00**		
FYTD for RANDHAWA, KANWAI		**77.00**		
RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208204	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.		**2,549.84**		
REDBOX AUTOMATED RETAIL, LLC			Remit to: **OAKBROOK TERRACE** **IL**	
6/27/2011	208487	61.00		
			REFUND-BUS LIC OVERPAYMENT	61.00
Vendor Total		**61.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC		**370.00**		
REYES, ARIANNA			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208205	50.00		
			REFUND-TRAP DEPOSIT	50.00
Vendor Total		**50.00**		
FYTD for REYES, ARIANNA		**50.00**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE** **CA**	
6/6/2011	882892	1,155.00		
			KITCHING ST IMPRVMNTS PROJ	1,155.00
6/20/2011	882982	2,070.00		
			T/S-SUNNYMD RANCH/VILLAGE RD	130.00
			DRACAEA AVE SIDEWLK IMPRVMNTS	1,940.00
Vendor Total		**3,225.00**		
FYTD for RICK ENGINEERING COMPANY		**41,738.16**		
RIGHTWAY SITE SERVICES, INC.			Remit to: **LAKE ELSINORE** **CA**	
6/13/2011	208278	72.38		
			PORTABLE TOILET-GOLF COURSE	72.38
Vendor Total		**72.38**		
FYTD for RIGHTWAY SITE SERVICES, INC.		**411.27**		

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RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208372	2,000.00		
			INITIAL DEPOSIT-MORRISON PK FS	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**101,469.62**		
RIVERA, MARIA			Remit to: **PERRIS** **CA**	
6/20/2011	208373	30.00		
			REFUND-RABIES DEP & LIC FEES	20.00
			REFUND-RABIES DEP & LIC FEES	10.00
	Vendor Total	**30.00**		
FYTD for RIVERA, MARIA		**30.00**		
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
6/28/2011	1106121	24,785.69		
			RETENTN PMT PER ESCRW AGREEMNT	24,785.69
6/28/2011	1106122	1,200.00		
			RETENTN PMT PER ESCRW AGREEMNT	1,200.00
6/28/2011	1106123	8,850.23		
			RETENTN PMT PER ESCRW AGREEMNT	8,850.23
6/28/2011	1106124	2,458.00		
			RETENTN PMT PER ESCRW AGREEMNT	2,458.00
	Vendor Total	**37,293.92**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**4,098,957.33**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208374	150.00		
			DFA FOR RABIES-ANML SVCS	50.00
			DFA FOR RABIES-ANML SVCS	100.00
	Vendor Total	**150.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**650.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208488	242.93		
			VPN CONNECTION-TECH SVCS	30.26
			RADIO LEASE/MAINT-TELECOMM	170.10
			RADIO LEASE/MAINT-TELECOMM	9.45
			RADIO LEASE/MAINT-TELECOMM	33.12
	Vendor Total	**242.93**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**23,536.36**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
6/20/2011	882984	9,905.91		
			BOOKING FEES-PD	9,905.91
	Vendor Total	**9,905.91**		
FYTD for RIVERSIDE COUNTY SHERIFF		**28,410,270.06**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE**	**CA**
6/21/2011	208429	95.00		
			REG.-SEARCH WARR PREP & EXECTN	95.00
	Vendor Total	**95.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**11,580.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE**	**CA**
6/6/2011	208206	793.02		
			GARNISHMENT	102.97
			GARNISHMENT	167.28
			GARNISHMENT	522.77
6/20/2011	208375	684.19		
			GARNISHMENT	7.83
			GARNISHMENT	157.83
			GARNISHMENT	518.53
	Vendor Total	**1,477.21**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**20,731.34**		
RIVERSIDE COUNTY TREAS. OF RIVERSIDE, CA			Remit to: **MORENO VALLEY**	**CA**
6/27/2011	208490	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for RIVERSIDE COUNTY TREAS. OF RIVERSIDE, CA		**100.00**		
RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE**	**CA**
6/20/2011	882985	35.28		
			GREEN STAMP-STARS	29.28
			GREEN STAMP-STARS	6.00
	Vendor Total	**35.28**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**243.55**		
RLZ ENGINEERING			Remit to: **CORONA**	**CA**
6/20/2011	882986	6,200.00		
			TEMP STAFFING SVCS-CAP PROJS	6,200.00
	Vendor Total	**6,200.00**		
FYTD for RLZ ENGINEERING		**72,881.00**		

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ROBINSON, JOAQUIN DIEGO			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208376	190.00		
			INSTRUCTIONAL SVCS-5 DAYS	190.00
	Vendor Total	**190.00**		
FYTD for ROBINSON, JOAQUIN DIEGO		**2,166.00**		
ROBINSON-DAVIS, YAVONNE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208377	119.34		
			MILEAGE REIMBURSEMENT	119.34
	Vendor Total	**119.34**		
FYTD for ROBINSON-DAVIS, YAVONNE		**547.74**		
ROBLES, ARIANA			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208207	75.00		
			REFUND-SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for ROBLES, ARIANA		**75.00**		
RODRIGUEZ, LAUREN			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208491	105.06		
			MILEAGE REIMBURSEMENT	105.06
	Vendor Total	**105.06**		
FYTD for RODRIGUEZ, LAUREN		**958.98**		
RODRIGUEZ, LESLIE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208378	60.00		
			REFUND-PARKS CLASS REGIS FEE	60.00
	Vendor Total	**60.00**		
FYTD for RODRIGUEZ, LESLIE		**60.00**		
RODRIGUEZ, SYLVIA			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208208	318.73		
			RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total	**318.73**		
FYTD for RODRIGUEZ, SYLVIA		**318.73**		
ROGERS, EUGENE			Remit to: **PALM SPRINGS** **CA**	
6/6/2011	882893	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for ROGERS, EUGENE		**3,824.76**		

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ROGERS, KIANNA				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208379	47.94		
				MILEAGE REIMBURSEMENT	47.94
	6/27/2011	208492	83.13		
				MILEAGE REIMBURSEMENT	83.13
	Vendor Total		**131.07**		
FYTD for ROGERS, KIANNA			**1,266.27**		
ROSAS, DAISY				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208380	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ROSAS, DAISY			**95.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY CA**	
	6/6/2011	882894	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,824.76**		
ROSSON, LOUIS A.				Remit to: **PERRIS CA**	
	6/6/2011	882895	270.80		
				RETIREE MED JUN '11	174.30
				RETIREE MED JUN '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**3,459.56**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA CA**	
	6/6/2011	882896	510.00		
				PLUMBING REPAIRS-PARKS	510.00
	Vendor Total		**510.00**		
FYTD for ROTO-ROOTER PLUMBERS			**1,038.00**		
RUIZ, NARDUSLIBIA				Remit to: **MORENO VALLEY CA**	
	6/27/2011	208493	55.00		
				REFUND-CITATION FEE	55.00
	Vendor Total		**55.00**		
FYTD for RUIZ, NARDUSLIBIA			**55.00**		

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RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	6/6/2011	882897	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**3,647.06**		
RUVALCABA, RAFAEL				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208381	570.00		
				INSTRUCTIONAL SVCS-15 DAYS	570.00
	Vendor Total		**570.00**		
FYTD for RUVALCABA, RAFAEL			**2,394.00**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	6/13/2011	208279	1,007.98		
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHTING MAINT-ZONE M	125.00
				LIGHTING MAINT-E3	382.98
	Vendor Total		**1,007.98**		
FYTD for RYMAX ELECTRIC, INC.			**10,575.93**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	6/27/2011	883029	6,600.00		
				TEMP STAFFING SVCS-CAP PROJS.	6,600.00
	Vendor Total		**6,600.00**		
FYTD for SA ASSOCIATES			**124,275.00**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	6/6/2011	882898	3,329.82		
				TRAFFIC SIGNS/HARDWARE	2,195.23
				TRAFFIC SIGNS/HARDWARE	606.12
				TRAFFIC SIGNS/HARDWARE	528.47
	6/20/2011	882987	995.98		
				TRAFFIC SIGNS/HARDWARE	995.98
	Vendor Total		**4,325.80**		
FYTD for SAFEWAY SIGN CO.			**12,810.43**		
SAGASTUME, MARIO				Remit to: **HEMET** **CA**	
	6/20/2011	208382	494.00		
				INSTRUCTIONAL SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for SAGASTUME, MARIO			**1,976.00**		

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SALGADO, JULIAN M.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208209	400.00		
				REFUND-ADMIN CITATION	400.00
	Vendor Total		**400.00**		
FYTD for SALGADO, JULIAN M.			**400.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	882988	100.88		
				FIRE EXTINGUISHERS-SENIOR CTR	4.00
				FIRE EXTINGUISHERS-SENIOR CTR	96.88
	Vendor Total		**100.88**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**4,094.29**		
SANCHEZ, CAROLINA				Remit to: **PERRIS** **CA**	
	6/20/2011	208383	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for SANCHEZ, CAROLINA			**200.00**		
SANDS, ROBIN				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208384	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SANDS, ROBIN			**50.00**		
SCHOENFELDER, LAURA				Remit to: **PERRIS** **CA**	
	6/20/2011	208385	190.00		
				INSTRUCTIONAL SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for SCHOENFELDER, LAURA			**722.00**		
SECURITY LOCK & KEY				Remit to: **YUCAIPA** **CA**	
	6/6/2011	882899	82.50		
				LOCK SERVICE-PARKS	82.50
	6/20/2011	882989	80.00		
				DOOR LOCK REPAIRS AT FS#48	80.00
	Vendor Total		**162.50**		
FYTD for SECURITY LOCK & KEY			**4,365.60**		

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SERTA MATTRESS				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208280	1,032.00		
				BOX SPRNGS & BED FRAMES FOR FS	1,032.00
	Vendor Total		**1,032.00**		
FYTD for SERTA MATTRESS			**5,975.60**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	6/6/2011	208210	174.30		
				RETIREE MED JUN '11	174.30
	Vendor Total		**174.30**		
FYTD for SHARRETT, SHARON K.			**2,205.96**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	6/6/2011	208211	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,824.76**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	6/13/2011	208281	64.81		
				FUEL PURCHASE	64.81
	6/27/2011	208495	1,737.74		
				FUEL PURCHASES	1,737.74
	6/27/2011	208496	60.81		
				FUEL PURCHASES	60.81
	6/27/2011	208497	59.14		
				FUEL PURCHASES	59.14
	Vendor Total		**1,922.50**		
FYTD for SHELL OIL CO.			**20,111.34**		
SHURTLEFF, JEANNETTE L.				Remit to: **LAKE ELSINORE** **CA**	
	6/20/2011	882990	532.00		
				INSTRUCTIONAL SVCS-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**5,624.00**		
SIERRA PACIFIC ELECTRICAL CONTRACTING				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208212	4,960.00		
				TRAFFIC LOOP RPLCMNT SVCS	1,860.00
				TRAFFIC LOOP RPLCMNT SVCS	3,100.00
	Vendor Total		**4,960.00**		
FYTD for SIERRA PACIFIC ELECTRICAL CONTRACTING			**6,820.00**		

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SIMPLOT PARTNERS				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	208386	2,213.28		
				FERTILIZER/CHEMICALS FOR PARKS	2,213.28
	Vendor Total		**2,213.28**		
FYTD for SIMPLOT PARTNERS			**2,213.28**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208213	875.00		
				ADVERTISING SVCS-PW SOLID WST	875.00
	6/20/2011	208387	1,650.00		
				ADVERTISING SVCS-EDD	1,650.00
	Vendor Total		**2,525.00**		
FYTD for SKY PUBLISHING			**66,849.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	882991	57.59		
				REFUND-UUT FOR EXEMPT RESIDNTS	57.59
	Vendor Total		**57.59**		
FYTD for SKY TRAILS MOBILE VILLAGE			**520.53**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882900	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,824.76**		
SLATTERY, TED				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208498	75.00		
				REFUND-RENTAL DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SLATTERY, TED			**225.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882901	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,805.92**		
SMITH, MARKITA				Remit to: **HESPERIA** **CA**	
	6/20/2011	208388	84.56		
				MILEAGE REIMBURSEMENT	84.56
	Vendor Total		**84.56**		
FYTD for SMITH, MARKITA			**84.56**		

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SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	6/6/2011	882902	7,896.35		
				FUEL PURCHASE	887.95
				FUEL PURCHASE	7,008.40
	6/13/2011	882946	8,269.11		
				FUEL PURCHASE	8,269.11
	6/20/2011	882992	7,871.03		
				FUEL PURCHASE	7,871.03
	6/27/2011	883031	13,644.01		
				FUEL-CITY VEHICLES	7,056.03
				FUEL-CITY VEHICLES	6,587.98
	Vendor Total		**37,680.50**		
FYTD for SOCO GROUP, INC			**355,733.80**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208214	154.80		
				INSTRUCTOR SVCS-YOGA	154.80
	Vendor Total		**154.80**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**1,135.20**		
SOTELO, MARIA E				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208499	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for SOTELO, MARIA E			**62.00**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/6/2011	208215	3,622.40		
			ELECTRICITY	65.10
			ELECTRICITY	67.28
			ELECTRICITY	1,345.09
			ELECTRICITY	557.81
			ELECTRICITY	298.70
			ELECTRICITY	22.43
			ELECTRICITY	963.93
			ELECTRICITY	124.31
			ELECTRICITY	114.17
			ELECTRICITY	63.58
6/13/2011	208283	6,546.07		
			ELECTRICITY	44.76
			ELECTRICITY	85.78
			ELECTRICITY	44.97
			ELECTRICITY	1,145.60
			ELECTRICITY	932.62
			ELECTRICITY	910.21
			ELECTRICITY	765.80
			ELECTRICITY	385.10
			ELECTRICITY	368.49
			ELECTRICITY	1,036.58
			ELECTRICITY	644.40
			ELECTRICITY	137.10
			ELECTRICITY	44.66
6/20/2011	208390	10,000.00		
			ADV ENG FEE TO RELOCATE FACIL.	10,000.00
	Vendor Total	**20,168.47**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,296,774.93**		

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK** **CA**	
	6/27/2011	208501	5,648.05		
				GAS CHARGES	1,039.25
				GAS CHARGES	2,681.90
				GAS CHARGES	15.78
				GAS CHARGES	39.01
				GAS CHARGES	349.86
				GAS CHARGES	125.08
				GAS CHARGES	25.86
				GAS CHARGES	211.24
				GAS CHARGES	75.21
				GAS CHARGES	106.73
				GAS CHARGES	85.70
				GAS CHARGES	112.48
				GAS CHARGES	119.83
				GAS CHARGES	103.11
				GAS CHARGES	26.35
				GAS CHARGES	530.66
	Vendor Total		**5,648.05**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**80,194.74**		
SPARKLETTS				Remit to: **DALLAS** **TX**	
	6/6/2011	208216	9.50		
				WATER SVCS-EOC	4.50
				WATER SVCS-CTTNWOOD GOLF CTR	5.00
	6/20/2011	208393	18.29		
				WATER SVCS-PARKS	18.29
	6/27/2011	208502	9.50		
				WATER SERVICE-GOLF COURSE	5.00
				WATER SERVICE-EOC	4.50
	Vendor Total		**37.29**		
FYTD for SPARKLETTS			**680.74**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882903	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,824.76**		
SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	6/20/2011	882993	12,333.33		
				LANDSCAPE MAINT-E1	12,333.33
	Vendor Total		**12,333.33**		
FYTD for SPECTRUM CARE			**167,981.85**		

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SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882904	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**2,546.46**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	6/6/2011	208217	60.00		
				SUBPOENA COMPLIANCE	30.00
				SUBPOENA COMPLIANCE	30.00
	6/20/2011	208394	30.00		
				SUBPOENA COMPLNCE-MV110950324	30.00
	6/27/2011	208503	30.00		
				SUBPOENA COMPLNCE-MV111660125	30.00
	Vendor Total		**120.00**		
FYTD for SPRINT			**150.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	6/6/2011	882905	45.60		
				CELL PHONE SVCS-GANG TASK FRC	45.60
	6/27/2011	883032	545.86		
				CELL PHONE SVCS-PD/SET	545.86
	Vendor Total		**591.46**		
FYTD for SPRINT/NEXTEL			**5,783.08**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	6/6/2011	208218	2,635.82		
				SUPPLEMENTAL INSURANCE	2,635.82
	Vendor Total		**2,635.82**		
FYTD for STANDARD INSURANCE CO			**389,309.61**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	882906	172.92		
				MONITORING SVCS-PARK SNCK BARS	172.92
	6/13/2011	882947	110.00		
				MONITORING SVCS-EOC	110.00
	6/27/2011	883033	710.80		
				SECURITY SVCS-FIRE STATION 58	245.00
				SECURITY SVCS-CITY HALL	143.00
				SECURITY SVCS-CITY HALL	182.80
				SECURITY SYS SVC CALL-EOC	80.00
				SECURITY SYS SVC CALL-EOC	60.00
	Vendor Total		**993.72**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**26,936.56**		

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STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
6/24/2011	53111	4,047.00		
			SALES & USE TAX 5/1-6/15/11	4,047.00
	Vendor Total	**4,047.00**		
FYTD for STATE BOARD OF EQUALIZATION		**42,821.52**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
6/9/2011	2865	2,287.33		
			CHILD SUPPORT WITHHOLDING	2,287.33
6/23/2011	2875	2,084.53		
			CHILD SUPPORT W/H 6/23/11	2,084.53
	Vendor Total	**4,371.86**		
FYTD for STATE DISBURSEMENT UNIT		**42,631.99**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208219	125.00		
			PROF LICENSE RENWL-L. GONZALES	125.00
6/13/2011	208284	125.00		
			PROF LICENSE RENWL-H. KASHEFIP	125.00
	Vendor Total	**250.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**750.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208220	5,636.00		
			BLOOD ALCOHOL ANALYSIS SVCS-PD	630.00
			FINGERPRINTING SVCS-PD	5,006.00
6/27/2011	208504	594.00		
			BLOOD ALCHL ANLYS-PD	35.00
			BLOOD ALCHL ANLYS-PD	70.00
			BLOOD ALCHL ANLYS-PD	35.00
			BLOOD ALCHL ANLYS-PD	70.00
			FINGERPRINTING SVC-TREASURY	128.00
			FINGERPRINTING SVC-HR	64.00
			FINGERPRINTING SVC-STARS	32.00
			FINGERPRINTING SVC-EMERG MGT	64.00
			FINGERPRINTING SVC-PD	96.00
	Vendor Total	**6,230.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**63,552.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
6/27/2011	208505	453.06		
			REFUND-MVU/D. GATLING	16.24
			REFUND-MVU/E. GRAYSON	73.63
			REFUND-MVU/R. HAMILTON	363.19
	Vendor Total	**453.06**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,946.79**		
STATE TREASURER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
6/13/2011	110605	19,400.00		
			EMINENT DOMAIN DEPOSIT	19,400.00
	Vendor Total	**19,400.00**		
FYTD for STATE TREASURER'S OFFICE		**19,400.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
6/20/2011	208395	2,951.04		
			TRANSCRIPTION SVCS-PD	2,951.04
	Vendor Total	**2,951.04**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**36,151.84**		
STERICYCLE (BFI)			Remit to: **LOUISVILLE** **KY**	
6/27/2011	883034	621.97		
			HAZARDOUS WASTE PICK UP	621.97
	Vendor Total	**621.97**		
FYTD for STERICYCLE (BFI)		**7,076.18**		
STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
6/6/2011	882907	267.88		
			RETIREE MED JUN '11	267.88
	Vendor Total	**267.88**		
FYTD for STEWART, CLIFFORD		**3,113.82**		
STK ARCHITECTURE, INC.			Remit to: **SAN JACINTO** **CA**	
6/27/2011	883035	1,050.00		
			SPACE PLAN ANALYSIS-ANNEX 1&4	1,050.00
	Vendor Total	**1,050.00**		
FYTD for STK ARCHITECTURE, INC.		**365,907.55**		
STONEGATE 552, LLC			Remit to: **SAN DIEGO** **CA**	
6/6/2011	208221	37.50		
			FALSE ALARM REFUND-DUP PYMT	37.50
	Vendor Total	**37.50**		
FYTD for STONEGATE 552, LLC		**37.50**		

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STOUFER, JUDY A				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208506	727.09		
				REFUND-PERMIT FEES	529.89
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	0.20
				REFUND-PERMIT FEES	1.80
	Vendor Total		**727.09**		
FYTD for STOUFER, JUDY A			**727.09**		
STRADLING, YOCCA, CARLSON & RAUTH				Remit to: **NEWPORT BEACH** **CA**	
	6/20/2011	208396	9,481.83		
				LEGAL SERVICES-HOUSING	250.30
				LEGAL SERVICES-HOUSING	5,878.03
				LEGAL SERVICES-HOUSING	2,499.30
				LEGAL SERVICES-RDA	854.20
	Vendor Total		**9,481.83**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**126,683.91**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	882994	3,802.50		
				CONSULTING SVCS-EDD	3,802.50
	Vendor Total		**3,802.50**		
FYTD for STRICKLER ASSOCIATION, THE			**40,820.00**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882908	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**3,824.76**		
STUMPS, EDITH				Remit to: **CORONA** **CA**	
	6/6/2011	208222	34.00		
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	4.00
	Vendor Total		**34.00**		
FYTD for STUMPS, EDITH			**129.00**		

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SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY**	**CA**
6/13/2011	208285	99.35		
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-PD	77.71
6/20/2011	208397	98.88		
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-FIRE	6.19
			MISC SUPPLIES-FIRE	6.51
			MISC SUPPLIES-FIRE	51.46
			MISC SUPPLIES-FIRE	23.90
6/27/2011	208507	17.36		
			MISC SUPPLIES-FIRE	17.36
	Vendor Total	**215.59**		
FYTD for SUNNYMEAD ACE HARDWARE		**2,290.75**		
SUNNYMEAD ANIMAL HOSPITAL			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208398	245.00		
			PHYSICAL EXAM SVCS-K9 LEX	245.00
6/27/2011	208508	281.00		
			PHYSICAL EXAMS/VACC-K9-OZZIE	269.00
			PHYSICAL EXAMS/VACC-K9-OZZIE	12.00
	Vendor Total	**526.00**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL		**550.00**		
SVACINA, JASON			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208399	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for SVACINA, JASON		**20.00**		
SYSTEMS SOURCE, INC.			Remit to: **IRVINE**	**CA**
6/20/2011	208400	2,189.15		
			STATION FURNITURE	1,413.03
			INSTALLATION	600.00
			CALIF SALES TAX	176.12
	Vendor Total	**2,189.15**		
FYTD for SYSTEMS SOURCE, INC.		**2,189.15**		
TARGET SPECIALTY PRODUCTS			Remit to: **SANTA FE SPRINGS**	**CA**
6/27/2011	883036	3,789.72		
			ROUNDUP PROMAX HERBICIDE	1,210.28
			ROUNDUP PROMAX HERBICIDE	2,579.44
	Vendor Total	**3,789.72**		
FYTD for TARGET SPECIALTY PRODUCTS		**7,579.44**		

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TARVER, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208509	35.00		
				REFUND-PICNIC SHLTR ELECTRICAL	35.00
	Vendor Total		**35.00**		
FYTD for TARVER, BARBARA			**35.00**		
TAYLOR'S APPLIANCE				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208401	286.54		
				EMERGENCY REPAIRS AT FS#6	286.54
	Vendor Total		**286.54**		
FYTD for TAYLOR'S APPLIANCE			**509.50**		
TEICHERT, RICHARD				Remit to: **HIGHLAND** **CA**	
	6/13/2011	208286	500.00		
				UCLA FORECST ECON OUTLOOK CONF	250.00
				UCLA FORECST ECON OUTLOOK CONF	250.00
	Vendor Total		**500.00**		
FYTD for TEICHERT, RICHARD			**1,080.53**		
TEK WORKS				Remit to: **POWAY** **CA**	
	6/20/2011	882995	2,984.96		
				EOC CARD READER INSTLLTN-BAL.	1,331.07
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.10
	Vendor Total		**2,984.96**		
FYTD for TEK WORKS			**88,121.87**		
THOMAS, REGINA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208402	14.00		
				REFUND-BOARDING OVERCHRG	14.00
	Vendor Total		**14.00**		
FYTD for THOMAS, REGINA			**14.00**		
THOMPSON, LINDSAY				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208403	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for THOMPSON, LINDSAY			**75.00**		
THOMPSON, SAMMIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208404	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for THOMPSON, SAMMIE			**50.00**		

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THOMSON REUTERS INC				Remit to: **ENCINO** **CA**	
	6/6/2011	208223	321.72		
				LEGAL INFORMATION ONLINE CHRGS	156.40
				LEGAL PUBLICATION SUBSCRIP SVC	165.32
	6/27/2011	208510	371.97		
				LEGAL PUBLICATION SUBSCRPTNS	371.97
	Vendor Total		**693.69**		
FYTD for THOMSON REUTERS INC			**7,744.69**		
TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	6/6/2011	208224	19,137.50		
				CITY HALL HVAC SYSTEM REDESIGN	19,137.50
	Vendor Total		**19,137.50**		
FYTD for TMAD TAYLOR & GAINES			**53,870.00**		
TRANE				Remit to: **CITY OF INDUSTRY** **CA**	
	6/20/2011	208405	4,575.29		
				2 SPLIT SYS AC UNITS-CITY HALL	2,745.10
				CA SALES TAX	240.20
				2 SPLIT SYS AC UNITS-CITY HALL	1,160.90
				2 SPLIT SYS AC UNITS-CITY HALL	301.16
				CA SALES TAX	127.93
	Vendor Total		**4,575.29**		
FYTD for TRANE			**4,575.29**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208511	2,841.60		
				INSTRUCTOR SVCS-BALLET INTERMD	88.80
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	244.20
				INSTRUCTOR SVCS-BALLET/JAZZ	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	244.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	355.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-HIP HOP DANCE	666.00
	Vendor Total		**2,841.60**		
FYTD for TRICHE, TARA			**22,746.12**		

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TRI-CITY LINEN SUPPLY, INC.			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208287	25.00		
			LINEN SVC FOR CRC	25.00
6/20/2011	208406	50.00		
			LINEN SVCS FOR CRC	25.00
			LINEN SVCS FOR CRC	25.00
	Vendor Total	**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.		**2,049.55**		
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK** **CA**	
6/20/2011	208407	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
6/27/2011	208512	373.32		
			IRRIG REPAIRS-ZONE E-2	373.32
	Vendor Total	**16,073.32**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**211,918.48**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882948	580.00		
			INSTL. PLANTS-PERRIS BL MEDIAN	580.00
6/20/2011	882996	11,808.25		
			LNDSCP MAINT-ZONE M	5,532.72
			LNDSCP MAINT-ZONE DSG-1	6,075.53
			TREE RMVL-NASON/COTTONWOOD	200.00
6/27/2011	883037	2,485.00		
			LNDSCP MAINT-ZONE E-16	2,485.00
	Vendor Total	**14,873.25**		
FYTD for TRUGREEN LANDCARE		**257,936.53**		
TUNTLAND, JAMES			Remit to: **PRESCOTT** **AZ**	
6/6/2011	882909	267.88		
			RETIREE MED JUN '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**3,113.82**		
TURNER, DEBRA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208513	17,976.00		
			SOLAR INCENTIVE REBATE	17,976.00
	Vendor Total	**17,976.00**		
FYTD for TURNER, DEBRA		**17,976.00**		

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TWRITE, INC.				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208225	4,696.25		
				CITY WEBSITE MAINT/JAN-MAR '11	4,696.25
	Vendor Total		**4,696.25**		
FYTD for TWRITE, INC.			**24,577.50**		
U.S. BANK				Remit to: **ROBBINSDALE** **MN**	
	6/20/2011	208408	30.00		
				REFUND FALSE ALARM DUP PYMT	30.00
	Vendor Total		**30.00**		
FYTD for U.S. BANK			**30.00**		
U.S. HEALTHWORKS MEDICAL GROUP				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	208226	885.00		
				PRE-EMPLOYMENT PHYSICALS	560.00
				PRE-EMPLOYMENT PHYSICALS	325.00
	6/20/2011	208409	90.00		
				PRE-EMPLOYMENT PHYSICAL	90.00
	Vendor Total		**975.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**14,145.00**		
UNDERGROUND SERVICE ALERT				Remit to: **CORONA** **CA**	
	6/6/2011	208237	394.50		
				DIGALERT TICKETS SUBSCRPTN SVC	98.62
				DIGALERT TICKETS SUBSCRPTN SVC	98.63
				DIGALERT TICKETS SUBSCRPTN SVC	98.62
				DIGALERT TICKETS SUBSCRPTN SVC	38.74
				DIGALERT TICKETS SUBSCRPTN SVC	59.89
	Vendor Total		**394.50**		
FYTD for UNDERGROUND SERVICE ALERT			**4,788.50**		
UNION BANK OF CALIFORNIA				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208227	291.67		
				INVESTMENT SAFEKEEPING SVCS	291.67
	6/13/2011	208288	170.00		
				STANDBY LOC TRANSFER FEES	170.00
	Vendor Total		**461.67**		
FYTD for UNION BANK OF CALIFORNIA			**61,361.57**		

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UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
6/6/2011	882911	1,707.03		
			BROOM KITS-STREET SWEEPER	967.39
			BROOM KITS-STREET SWEEPER	739.64
6/27/2011	883038	2,271.66		
			BROOM KITS-STREET SWEEPER	784.59
			BROOM KITS-STREET SWEEPER	227.76
			BROOM KITS-STREET SWEEPER	750.51
			BROOM KITS-STREET SWEEPER	455.51
			BROOM KITS-STREET SWEEPER	53.29
	Vendor Total	**3,978.69**		
FYTD for UNITED ROTARY BRUSH CORP		**38,108.66**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
6/13/2011	882950	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**3,178.85**		
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
6/6/2011	208228	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
6/6/2011	208229	117.73		
			PAYROLL DEDUCTION AGREEMENT	117.73
6/20/2011	208410	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**217.73**		
FYTD for UNITED STATES TREASURY		**1,559.23**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208230	499.69		
			UNITED WAY CONTRIBUTIONS	499.69
6/20/2011	208411	494.69		
			UNITED WAY CONTRIBUTIONS	494.69
	Vendor Total	**994.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**14,899.30**		
US POLE COMPANY, INC			Remit to: **PALMDALE** **CA**	
6/27/2011	208514	14,599.69		
			LAMP/POLE/HARDWARE ASSY-PARKS	8,950.00
			LAMP/POLE/HARDWARE ASSY-PARKS	4,475.00
			CA SALES TAX	1,174.69
	Vendor Total	**14,599.69**		
FYTD for US POLE COMPANY, INC		**14,599.69**		

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USA MOBILITY/ARCH WIRELESS				Remit to: **ALEXANDRIA** **VA**	
	6/13/2011	882951	36.59		
				PAGER SVC-PARK RANGERS	1.83
				PAGER SVC-TRANSP. DIV.	4.68
				PAGER SVC-ANIMAL SVCS.	30.08
	Vendor Total		**36.59**		
FYTD for USA MOBILITY/ARCH WIRELESS			**690.87**		
VA CONSULTING, INC.				Remit to: **IRVINE** **CA**	
	6/20/2011	882997	4,963.74		
				AUTO MALL ST. IMPRVMNTS PROJ	4,507.49
				AUTO MALL FREEWAY SIGN PROJ	456.25
	Vendor Total		**4,963.74**		
FYTD for VA CONSULTING, INC.			**136,780.38**		

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VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	882998	3,765.00		
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-UTILITY FLD OFFICE	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES STARS BLDG	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			TERMITE INSPECTION-MRCH FLD PK	155.00
			TERMITE INSPECTION-CITY YARD	65.00
			TERMITE INSPECTION-SENIOR CTR	200.00
			TERMITE INSPECTION-UTIL OFFICE	65.00
			TERMITE INSPECTION-ASES BLDG	120.00
			TERMITE INSPECTION-TOWNGT C.C.	120.00
			TERMITE INSPECTION-CITY HALL	675.00
			TERMITE INSPECTION-FIRE ST #6	190.00
			TERMITE INSPECTION-FIRE ST #48	130.00
			TERMITE INSPECTION-FIRE ST #65	130.00
			TERMITE INSPCTN/TRTMNT-LIBRARY	595.00
6/27/2011	883039	75.00		
			PEST CNTRL-CONF & REC CTR	25.00
			PEST CNTRL-CONF & REC CTR	50.00
	Vendor Total	**3,840.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**21,270.00**		
VAS ASSOCIATES, INC.			Remit to: **CORONA**	**CA**
6/6/2011	882912	18,960.00		
			TEMP STAFFING SVCS-CAP PROJS	18,960.00
	Vendor Total	**18,960.00**		
FYTD for VAS ASSOCIATES, INC.		**203,160.00**		

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VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208231	15,055.00		
			ACCOUNTING SVCS	15,055.00
	Vendor Total	**15,055.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**37,845.00**		
VCD CORPORATION			Remit to: **GLENDORA** **CA**	
6/6/2011	882913	15,143.14		
			PROP REHAB-13714 FLAMING ARROW	15,143.14
	Vendor Total	**15,143.14**		
FYTD for VCD CORPORATION		**61,913.60**		
VEHICLE REGISTRATION COLLECTIONS			Remit to: **RANCHO CORDOVA** **CA**	
6/20/2011	208412	82.59		
			GARNISHMENT	82.59
	Vendor Total	**82.59**		
FYTD for VEHICLE REGISTRATION COLLECTIONS		**1,482.55**		
VERIZON			Remit to: **TRENTON** **NJ**	
6/20/2011	208413	1,712.84		
			BACKBONE CHARGES	1,712.84
	Vendor Total	**1,712.84**		
FYTD for VERIZON		**20,453.54**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
6/27/2011	208515	617.47		
			PHONE CHARGES-ERC	617.47
	Vendor Total	**617.47**		
FYTD for VERIZON CALIFORNIA		**8,185.81**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
6/20/2011	208414	648.15		
			ANIMAL MEDICAL SUPPLIES	127.75
			ANIMAL MEDICAL SUPPLIES	520.40
	Vendor Total	**648.15**		
FYTD for VICTOR MEDICAL CO		**13,299.05**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882914	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST		**3,824.76**		

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VILLANUEVA, CARLOS			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208516	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for VILLANUEVA, CARLOS		**57.50**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
6/6/2011	882915	4,287.77		
			EMPLOYEE VISION INSURANCE	4,287.77
	Vendor Total	**4,287.77**		
FYTD for VISION SERVICE PLAN		**52,052.66**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208517	758.32		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	35.69
			PAINT/SUPPL-GRAFFITI RMVL PRGM	107.04
			PAINT/SUPPL-GRAFFITI RMVL PRGM	615.59
	Vendor Total	**758.32**		
FYTD for VISTA PAINT CORPORATION		**11,400.04**		
VOYAGER FLEET SYSTEM, INC.			Remit to: **HOUSTON** **TX**	
6/13/2011	882952	2,400.34		
			CNG FUEL PURCHASES	2,100.23
			CNG FUEL PURCHASES	300.11
	Vendor Total	**2,400.34**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**23,848.59**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
6/6/2011	208232	795.10		
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	104.54
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	138.79
			ASPHALTIC MATERIALS	138.79
6/13/2011	208289	207.03		
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	69.60
6/27/2011	208518	814.55		
			ASPHALTIC MATERIALS	105.23
			ASPHALTIC MATERIALS	103.17
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	103.17
			ASPHALTIC MATERIALS	365.55
	Vendor Total	**1,816.68**		
FYTD for VULCAN MATERIALS CO, INC.		**26,961.83**		

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W R SMITH, INC				Remit to: **WHITTIER** **CA**	
	6/6/2011	208233	20.83		
				REFUND-BUS. LIC. OVERPAYMENT	20.83
	Vendor Total		**20.83**		
FYTD for W R SMITH, INC			**20.83**		
WAGGONER JR., GLENN C.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882916	914.99		
				RETIREE MED APR-JUN '11, PD JU	914.99
	Vendor Total		**914.99**		
FYTD for WAGGONER JR., GLENN C.			**3,751.76**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882917	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,805.92**		
WALKER, DONNA JEAN				Remit to: **PERRIS** **CA**	
	6/20/2011	882999	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WALKER, DONNA JEAN			**798.00**		
WASSON, KIRK				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	883000	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for WASSON, KIRK			**2,090.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	6/6/2011	208235	1,244.51		
				ROLL-OFF STORAGE BIN RENTALS	1,244.51
	6/27/2011	208519	1,244.51		
				ROLL-OFF STORAGE BIN RENTALS	1,244.51
	Vendor Total		**2,489.02**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**15,287.20**		
WEBBER, MIKE				Remit to: **COSTA MESA** **CA**	
	6/20/2011	208415	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WEBBER, MIKE			**75.00**		

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WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES** **CA**	
6/1/2011	110601	867.18		
			INT ON 97 CH COP VAR RATE BOND	867.18
6/28/2011	1106071	568.00		
			STONRDGE CFD#5 BS FD 223-33500	568.00
	Vendor Total	**1,435.18**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,815,753.74**		
WEST PUBLISHING CORPORATION			Remit to: **ST. PAUL** **MN**	
6/27/2011	208520	535.00		
			AUTO TRACK SVCS-PD	110.00
			AUTO TRACK SVCS-PD	425.00
	Vendor Total	**535.00**		
FYTD for WEST PUBLISHING CORPORATION		**6,385.00**		
WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
6/30/2011	208528	3,241.25		
			WATER CHARGES	1,388.03
			WATER CHARGES	32.81
			WATER CHARGES	1,750.08
			WATER CHARGES	70.33
	Vendor Total	**3,241.25**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**23,167.68**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
6/6/2011	882918	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,824.76**		
WILLETTE, EVELYN			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208416	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for WILLETTE, EVELYN		**50.00**		
WILLIAMS, AUBREY GERALD			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208417	80.00		
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**80.00**		
FYTD for WILLIAMS, AUBREY GERALD		**168.00**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	6/6/2011	882919	187.68		
				RETIREE MED MAY '11, PD JUN '1	187.68
	Vendor Total		**187.68**		
FYTD for WILLIAMS, JANE L.			**2,154.64**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	6/20/2011	208418	54.00		
				SPORTS OFFICIATING SVCS	54.00
	Vendor Total		**54.00**		
FYTD for WILLIS, ROBERT H			**486.00**		
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	6/6/2011	882920	3,355.00		
				MAINT. DAY PORTER SVCS	960.00
				JANITORIAL SVCS-TOWNGT RENTALS	480.00
				JANITORIAL SVCS-SR CTR RENTALS	260.00
				JANITORIAL SVCS-CRC RENTALS	1,655.00
	6/13/2011	882953	900.00		
				MAINT. DAY PORTER SVCS	900.00
	6/20/2011	883001	23,986.40		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRLR	98.40
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MARCH FLD PRK	955.70
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-SUNNYMD ELEM	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C. C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	6/27/2011	883040	2,140.00		
				JANITORIAL SVCS-CRC RENTALS	2,140.00
	Vendor Total		**30,381.40**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**331,113.41**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	6/13/2011	208290	1,910.34		
				COPIER RNTL/MAINT-STARS	114.49
				COPIER BILLABLE PRINTS-STARS	510.69
				COPIER BILLABLE PRINTS-STARS	925.82
				COPIER BILLABLE PRINTS-PARKS	359.34
	6/20/2011	208419	1,678.84		
				COPIER RNTL/MAINT-PD	70.20
				COPIER RNTL/MAINT-PD	77.54
				COPIER RNTL/MAINT-PD	64.59
				COPIER RNTL/MAINT-GRAPHICS	397.79
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,068.72
	6/27/2011	208521	4,717.79		
				COPIER RNTL/MAINT/PRINTS-STARS	20.56
				COPIER RNTL/MAINT/PRINTS-STARS	2,394.91
				COPIER RNTL/MAINT/PRINTS-PARKS	993.89
				COPIER RNTL/MAINT/PRINTS-PARKS	779.48
				COPIER RNTL/MAINT/PRINTS-PARKS	528.95
	Vendor Total		**8,306.97**		
FYTD for XEROX			**78,088.26**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	6/6/2011	882921	323.00		
				RETIREE MED MAR-APR '11, PD JU	323.00
	Vendor Total		**323.00**		
FYTD for YAMASHITA, JULIA J.			**2,038.30**		
YANG, JIANG				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208522	124.00		
				REFUND-PARKS CLASS REGIS FEE	124.00
	Vendor Total		**124.00**		
FYTD for YANG, JIANG			**124.00**		
YENULONIS, LAURA				Remit to: **COLTON** **CA**	
	6/6/2011	208236	2,256.40		
				REIMB. CREDIT CARD CHGS ERROR	324.40
				REIMB. CREDIT CARD CHGS ERROR	1,123.00
				REIMB. CREDIT CARD CHGS ERROR	326.00
				REIMB. CREDIT CARD CHGS ERROR	109.00
				REIMB. CREDIT CARD CHGS ERROR	220.00
				REIMB. CREDIT CARD CHGS ERROR	32.00
				REIMB. CREDIT CARD CHGS ERROR	122.00
	Vendor Total		**2,256.40**		
FYTD for YENULONIS, LAURA			**2,354.00**		
	Subtotal		**1,283,779.86**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GRAND TOTAL		**16,100,598.73**		

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MV00120952

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, City Treasurer

AGENDA DATE: August 23, 2011

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2011

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

In response to the Orange County bankruptcy and investment problems, and in order to deal with tightening regulations and controls over local investment of public funds, Senate Bills 866 and 564 were signed into law and became effective January 1, 1996, creating California Government Code Sections 53601 and 53646 respectively. The City's Investment Policy, adopted December 17, 1996 (and revised most recently on March 23, 2010), is in full compliance with the requirements of both of the above-mentioned Code Sections in addressing the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the quarterly reporting requirements.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2011. This is the fourth quarterly report submitted for the 2010-11 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's

Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City has now transitioned the management of its general investment portfolio to Chandler Asset Management. As a result, the City's investment approach has changed from *passive* to *active*, as discussed in past meetings with the Finance Sub-Committee and the City Council. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 2.07 years.

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds, Voluntary Employee Beneficiary Association (VEBA) funds and California Employer Retiree Benefit Trust (CERBT) funds are held and invested by the respective plan administrators with the funds also placed in a trust separate from City funds.

FISCAL IMPACT

None

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2011. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section

53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – June 2011
Attachment 2 – Chandler Asset Management Bond Market Review – July 2011

Prepared By:
Brooke McKinney
Treasury Operations Division Manager

Department Head Approval:
Richard Teichert
City Treasurer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00120956

CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report

June 2011

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Yield at Maturity	Average Duration
Bank Accounts	1,914,624	1,914,624	1,914,624			
State of California LAIF Pool	42,568,573	42,568,573	42,568,573	0.66	0.59%	
Investments	177,894,127	172,127,027	172,127,027	2.07	1.53%	1.81
Total General Portfolio	**222,255,828**	**222,377,324**	**216,610,224**	**Years**		**Years**

Bond Proceeds with Fiscal Agents	Market Value
Construction Funds	8,162,119
Principal & Interest Accounts	683,243
Debt Service Reserve Funds	7,503,994
Custody Accounts	0
Arbitrage Rebate Accounts	0
Other Accounts	552,763
Total Bond Proceeds	**16,902,119**

Deferred Compensation Funds	Market Value as of Mar 31, 2011
Nationwide	9,203,462
ICMA	4,086,291
Total Deferred Compensation Funds	**13,289,753**
Total Investment Portfolio	**252,569,196**

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment advisor, Chandler Asset Management.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Richard Teichert
City Treasurer

MV00120957

Portfolio Summary

As of 6/30/2011

PORTFOLIO CHARACTERISTICS

Average Duration	1.81
Average Coupon	2.38 %
Average Purchase YTM	1.53 %
Average Market YTM	0.88 %
Average S&P Rating	AAA
Average Final Maturity	2.07 yrs
Average Life	1.94 yrs

ACCOUNT SUMMARY

	Beg. Values as of 5/31/11	End Values as of 6/30/11
Market Value	215,904,478	222,377,324
Accrued Interest	1,220,106	1,201,522
Total Market Value	**217,124,584**	**223,578,846**
Income Earned	268,561	274,561
Cont/WD		
Par	209,640,112	216,610,224
Book Value	213,508,118	220,442,714
Cost Value	215,206,920	222,255,828

TOP ISSUERS

Issuer	% Portfolio
Local Agency Investment Fund	19.1 %
Government of United States	14.1 %
Federal Farm Credit Bank	10.5 %
Federal Home Loan Mortgage Corp	10.0 %
Federal National Mortgage Assoc	7.5 %
Federal Home Loan Bank	5.9 %
Tennessee Valley Authority	3.7 %
US Bank Corp FDIC Insured	2.3 %
	73.2 %

SECTOR ALLOCATION

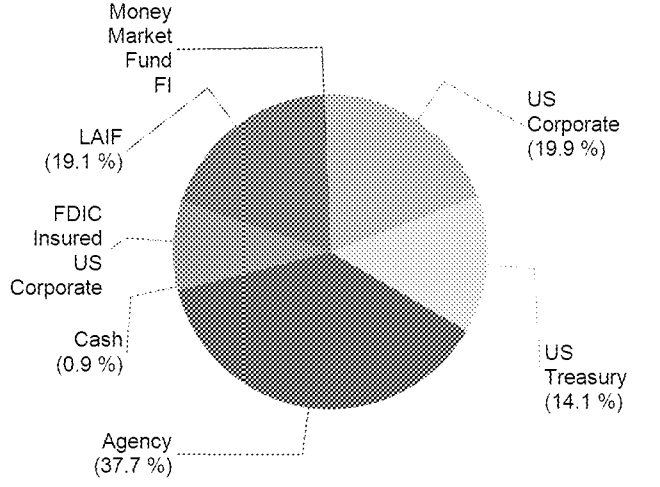

MATURITY DISTRIBUTION

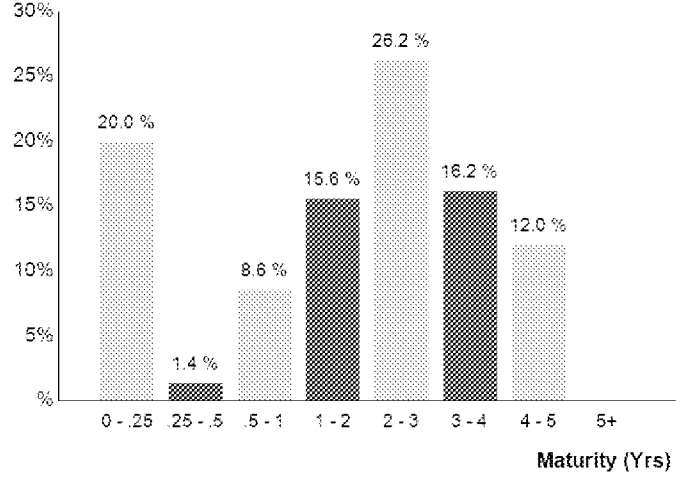

CREDIT QUALITY

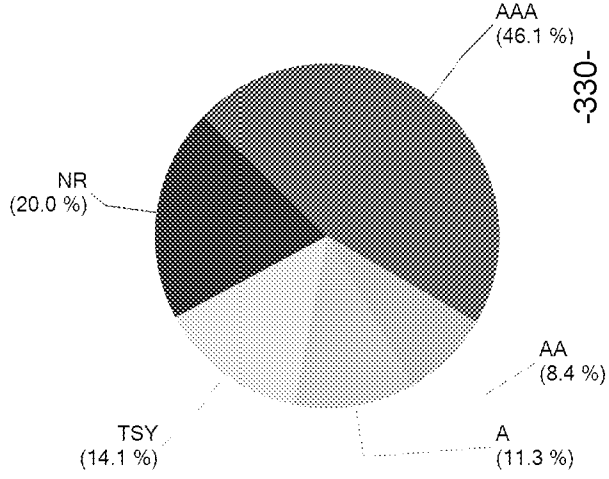

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Item No. A.9

MV00120958

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Yrs) ion
AGENCY									
3133XSWM6	FHLB Note 2.1% Due 1/23/2012	1,000,000.00	01/23/2009 2.10 %	1,000,000.00 1,000,000.00	101.02 0.30 %	1,010,150.00 9,216.67	0.46 % 10,150.00	Aaa AAA	0.57 0.56
3133XT2T2	FHLB Note 2.25% Due 2/10/2012	1,000,000.00	02/10/2009 2.25 %	1,000,000.00 1,000,000.00	101.19 0.29 %	1,011,940.00 8,812.50	0.46 % 11,940.00	Aaa AAA	0.62 0.60
31331XG30	FFCB Note 5.45% Due 6/21/2012	1,000,000.00	06/29/2007 5.33 %	1,005,380.00 1,001,052.93	104.97 0.34 %	1,049,683.00 1,513.89	0.47 % 48,630.07	Aaa AAA	0.98 0.96
31331XT36	FFCB Note 5.25% Due 8/1/2012	450,000.00	08/01/2007 5.25 %	450,000.00 450,000.00	105.30 0.36 %	473,848.65 9,843.75	0.22 % 23,848.65	Aaa AAA	1.09 1.05
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	102.34 0.35 %	1,023,386.00 9,391.67	0.46 % 23,386.00	Aaa AAA	1.12 1.10
3133XYWB7	FHLB Note 0.875% Due 8/22/2012	3,500,000.00	11/23/2010 0.51 %	3,521,892.50 3,514,365.88	100.59 0.35 %	3,520,772.50 10,973.96	1.58 % 6,406.62	Aaa AAA	1.15 1.14
3133XUUJ0	FHLB Note 1.625% Due 9/26/2012	3,450,000.00	12/22/2010 0.69 %	3,506,166.00 3,489,817.21	101.55 0.37 %	3,503,392.20 14,794.27	1.57 % 13,574.99	Aaa AAA	1.24 1.22
31331GZ44	FFCB Note 1.55% Due 10/15/2012	1,000,000.00	10/15/2009 1.55 %	1,000,000.00 1,000,000.00	101.51 0.38 %	1,015,063.00 3,272.22	0.46 % 15,063.00	Aaa AAA	1.30 1.28
31398A4T6	FNMA Note 0.5% Due 10/30/2012	1,000,000.00	12/22/2010 0.73 %	995,834.00 996,985.38	100.16 0.38 %	1,001,630.00 847.22	0.45 % 4,644.62	Aaa AAA	1.34 1.33
3137EACQ0	FHLMC Note 0.625% Due 12/28/2012	3,450,000.00	12/22/2010 0.75 %	3,441,354.30 3,443,551.16	100.33 0.40 %	3,461,550.60 179.69	1.55 % 17,999.44	Aaa AAA	1.50 1.49
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.88 %	4,194,744.63 3,978,090.89	109.08 0.64 %	4,063,345.48 65,808.34	1.85 % 85,254.59	Aaa AAA	1.71 1.62
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	103.03 0.48 %	1,030,342.00 5,072.22	0.46 % 30,342.00	Aaa AAA	1.78 1.74
3134A4TZ7	FHLMC Note 4.5% Due 7/15/2013	3,250,000.00	05/12/2010 1.59 %	3,541,690.75 3,437,497.51	108.12 0.50 %	3,513,981.25 67,437.50	1.60 % 76,483.74	Aaa AAA	2.04 1.94
880591DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 3,964,474.59	108.36 0.71 %	4,063,496.25 74,218.75	1.85 % 99,021.66	Aaa AAA	2.09 1.97
3133XUEC3	FHLB Callable Note Cont 8/12/11 2.65% Due 8/12/2013	1,000,000.00	08/12/2009 2.65 %	1,000,000.00 1,000,000.00	100.25 0.48 %	1,002,526.00 10,231.94	0.45 % 2,526.00	Aaa AAA	0.12 0.12
31331KET3	FFCB Note 0.98% Due 9/23/2013	1,970,000.00	03/28/2011 1.10 %	1,964,227.90 1,964,819.10	100.78 0.63 %	1,985,299.02 5,255.52	0.89 % 20,479.92	Aaa AAA	2.24 2.20
31398A4A7	FNMA Callable Note 1X 9/27/11 1.2% Due 9/27/2013	3,525,000.00	09/10/2010 1.20 %	3,525,000.00 3,525,000.00	100.21 0.35 %	3,532,229.78 11,045.00	1.58 % 7,229.78	Aaa AAA	0.24 0.24
3134G1PP3	FHLMC Callable Note 1X 8/18/11 1.4% Due 11/18/2013	1,855,000.00	08/18/2010 0.98 %	1,862,698.25 1,856,015.15	100.14 0.37 %	1,857,533.93 9,594.47	0.84 % 1,518.78	Aaa AAA	0.13 0.13
3133XHW57	FHLB Note 4.875% Due 12/13/2013	1,000,000.00	06/18/2009 2.96 %	1,080,060.00 1,043,766.78	110.02 0.75 %	1,100,170.00 2,437.50	0.49 % 56,403.22	Aaa AAA	2.46 2.33
3137EABX6	FHLMC Note 2.5% Due 1/7/2014	3,350,000.00	03/17/2010 2.09 %	3,399,734.10 3,382,929.62	104.40 0.74 %	3,497,326.30 40,479.17	1.58 % 114,396.68	Aaa AAA	2.53 2.42

MV00120959

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
3136FHGK5	FNMA Callable Note 1X 4/16/12 3% Due 4/16/2014	1,000,000.00	04/16/2009 3.00 %	1,000,000.00 1,000,000.00	101.90 0.60 %	1,018,995.00 6,250.00	0.46 % 18,995.00	Aaa AAA	0.80 0.78
31331GTJ8	FFCB Note 2.625% Due 4/17/2014	3,300,000.00	10/05/2010 1.02 %	3,483,678.00 3,445,488.94	104.81 0.88 %	3,458,858.70 17,806.25	1.56 % 13,369.76	Aaa AAA	2.80 2.69
31331KHF0	FFCB Callable Note Cont 4/25/12 1.62% Due 4/25/2014	3,695,000.00	04/13/2011 1.62 %	3,694,630.50 3,694,653.09	100.91 1.29 %	3,728,576.47 10,974.15	1.67 % 33,923.38	Aaa AAA	2.82 1.26
3136FHMK8	FNMA Callable Note 1X 5/1/12 2.25% Due 5/1/2014	1,000,000.00	05/01/2009 2.25 %	1,000,000.00 1,000,000.00	101.46 0.50 %	1,014,559.00 3,750.00	0.46 % 14,559.00	Aaa AAA	0.84 0.83
3136FHPX7	FNMA Callable Note 1X 11/14/2011 2.125% Due 5/14/2014	1,000,000.00	05/14/2009 2.13 %	1,000,000.00 1,000,000.00	100.52 0.72 %	1,005,198.00 2,774.31	0.45 % 5,198.00	Aaa AAA	0.38 0.37
31398AXJ6	FNMA Note 2.5% Due 5/15/2014	1,250,000.00	Various 2.32 %	1,258,880.25 1,256,300.04	104.39 0.95 %	1,304,857.50 3,993.05	0.59 % 48,557.46	Aaa AAA	2.88 2.77
31331JQA4	FFCB Note 1.9% Due 6/2/2014	4,300,000.00	06/08/2010 1.96 %	4,289,551.00 4,292,305.67	102.77 0.94 %	4,419,208.90 6,581.39	1.98 % 126,903.23	Aaa AAA	2.93 2.84
3133XTXW1	FHLB Callable Note 1X 1/9/12 2.5% Due 7/9/2014	1,000,000.00	07/09/2009 2.50 %	1,000,000.00 1,000,000.00	101.17 0.28 %	1,011,658.00 11,944.44	0.46 % 11,658.00	Aaa AAA	0.53 0.52
3137EACD9	FHLMC Note 3% Due 7/28/2014	4,000,000.00	03/15/2010 2.41 %	4,097,476.00 4,068,630.44	105.83 1.07 %	4,233,252.00 51,000.00	1.92 % 164,621.56	Aaa AAA	3.08 2.92
31398AYY2	FNMA Note 3% Due 9/16/2014	1,500,000.00	04/15/2010 2.50 %	1,531,365.00 1,522,795.01	106.16 1.04 %	1,592,449.50 13,125.00	0.72 % 69,654.49	Aaa AAA	3.22 3.05
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,064,805.68	106.02 1.10 %	4,240,828.00 33,000.00	1.91 % 176,022.32	Aaa AAA	3.23 3.07
31398AZV7	FNMA Note 2.625% Due 11/20/2014	4,100,000.00	03/12/2010 2.54 %	4,114,723.10 4,110,652.95	104.87 1.16 %	4,299,698.70 12,257.29	1.93 % 189,045.75	Aaa AAA	3.39 3.24
3134G2EF5	FHLMC Callable Note 1X 1/26/12 2.1% Due 1/26/2015	2,065,000.00	04/04/2011 2.09 %	2,065,206.50 2,065,156.94	100.88 0.56 %	2,083,169.94 7,829.79	0.94 % 18,013.00	Aaa AAA	0.58 1.03
3136FPEQ6	FNMA Callable Note 1X 9/9/11 1.85% Due 9/9/2015	2,015,000.00	09/16/2010 1.89 %	2,011,473.75 2,012,030.42	99.57 1.96 %	2,006,333.49 11,597.44	0.90 % (5,696.93)	Aaa AAA	4.20 2.00
31331J6C2	FFCB Note 2.35% Due 12/22/2015	2,000,000.00	03/28/2011 2.27 %	2,007,240.00 2,006,846.39	102.18 1.84 %	2,043,548.00 1,175.00	0.91 % 36,701.61	Aaa AAA	4.48 4.24
3137EACT4	FHLMC Note 2.5% Due 5/27/2016	3,475,000.00	06/14/2011 1.86 %	3,579,229.15 3,578,421.17	102.56 1.95 %	3,563,883.55 20,029.51	1.60 % (14,537.62)	Aaa AAA	4.91 4.59
Total Agency		**80,975,000.00**	**1.84 %**	**82,810,200.68 82,166,452.94**	**0.81 %**	**83,742,740.71 574,513.87**	**37.71 % 1,576,287.77**	**Aaa AAA**	**2.20 2.00**
CASH									
90CASH$00	Cash Custodial Cash Account	1,914,624.27	Various 0.00 %	1,914,624.27 1,914,624.27	1.00 0.00 %	1,914,624.27 0.00	0.86 % 0.00	NR NR	0.00 0.00
Total Cash		**1,914,624.27**	**N/A**	**1,914,624.27 1,914,624.27**	**0.00 %**	**1,914,624.27 0.00**	**0.86 % 0.00**	**NR NR**	**0.00 0.00**

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MV00120960

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	(Yrs) tion
FDIC INSURED US CORPORATE									
949744AA4	Wells Fargo & Company FDIC Guaranteed Note 3% Due 12/9/2011	3,050,000.00	03/12/2010 0.95 %	3,157,094.65 3,077,282.02	101.25 0.18 %	3,087,996.90 5,591.67	1.38 % 10,714.88	Aaa AAA	0.44 0.44
06050BAG6	Bank of America Corp FDIC Guaranteed Note 2.1% Due 4/30/2012	3,310,000.00	Various 1.20 %	3,371,727.28 3,334,365.08	101.57 0.22 %	3,361,890.88 11,778.08	1.51 % 27,525.80	Aaa AAA	0.84 0.83
91160HAC1	US Bancorp FDIC Guaranteed Note 1.8% Due 5/15/2012	5,070,000.00	Various 1.39 %	5,111,546.49 5,087,926.04	101.40 0.20 %	5,140,762.00 11,661.00	2.30 % 52,835.96	Aaa AAA	0.88 0.87
38146FAA9	Goldman Sachs FDIC Guaranteed Note 3.25% Due 6/15/2012	3,205,000.00	Various 1.26 %	3,344,909.12 3,264,869.13	102.81 0.31 %	3,294,941.91 4,629.45	1.48 % 30,072.78	Aaa AAA	0.96 0.95
36967HAV9	GE Capital Corp FDIC Guaranteed Note 2.125% Due 12/21/2012	3,645,000.00	05/19/2010 1.27 %	3,723,710.13 3,690,036.90	102.38 0.50 %	3,731,878.58 2,151.56	1.67 % 41,841.68	Aaa AAA	1.48 1.46
Total FDIC Insured US Corporate		**18,280,000.00**	**1.23 %**	**18,708,987.67 18,454,479.17**	**0.28 %**	**18,617,470.27 35,811.76**	**8.34 % 162,991.10**	**Aaa AAA**	**0.93 0.92**
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	42,568,572.69	Various 0.39 %	42,568,572.69 42,568,572.69	1.00 0.39 %	42,568,572.69 34,512.20	19.06 % 0.00	NR NR	0.00 00
Total LAIF		**42,568,572.69**	**0.39 %**	**42,568,572.69 42,568,572.69**	**0.39 %**	**42,568,572.69 34,512.20**	**19.06 % 0.00**	**NR NR**	**00 00**
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	209,026.69	Various 0.01 %	209,026.69 209,026.69	1.00 0.01 %	209,026.69 0.00	0.09 % 0.00	Aaa AAA	0.00 0.00
Total Money Market Fund FI		**209,026.69**	**0.01 %**	**209,026.69 209,026.69**	**0.01 %**	**209,026.69 0.00**	**0.09 % 0.00**	**Aaa AAA**	**0.00 0.00**
US CORPORATE									
52517PR60	Lehman Brothers Holdings Note 5.25% Due 2/6/2012	1,000,000.00	02/06/2007 5.34 %	996,000.00 996,000.00	26.13 0.00 %	261,250.00 0.00	0.12 % (734,750.00)	NR NR	0.61 0.00
931142CL5	Wal-Mart Stores Note 4.25% Due 4/15/2013	3,260,000.00	Various 1.54 %	3,491,366.25 3,414,427.32	106.22 0.75 %	3,462,732.88 29,249.45	1.56 % 48,305.56	Aa2 AA	1.79 1.73
459200GR6	IBM Corp Note 2.1% Due 5/6/2013	1,725,000.00	01/27/2011 1.00 %	1,767,624.75 1,759,706.52	102.55 0.71 %	1,768,966.80 5,534.38	0.79 % 9,260.28	Aa3 A+	1.85 1.81
91159HGY0	US Bancorp Callable Note Cont 8/13/13 1.375% Due 9/13/2013	2,665,000.00	Various 1.32 %	2,668,966.65 2,667,927.62	100.45 1.16 %	2,677,064.45 10,993.13	1.20 % 9,136.83	Aa3 A+	2.12 2.08
254687AW6	Walt Disney Corp Note 4.5% Due 12/15/2013	1,720,000.00	Various 1.23 %	1,873,880.60 1,855,375.78	108.53 0.98 %	1,866,800.28 3,440.00	0.84 % 11,424.50	A2 A	2.46 2.34
24422ERA9	John Deere Capital Corp Note 1.6% Due 3/3/2014	440,000.00	02/28/2011 1.63 %	439,564.40 439,612.09	101.12 1.17 %	444,935.92 2,307.56	0.20 % 5,323.83	A2 A	2.68 2.60

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
US CORPORATE									
166751AH0	ChevronTexaco Corp Note 3.95% Due 3/3/2014	2,473,000.00	Various 1.56 %	2,644,928.56 2,626,639.24	107.76 1.00 %	2,664,996.31 32,018.48	1.21 % 38,357.07	Aa1 AA	2.68 2.53
665859AK0	Northern Trust Company Note 4.625% Due 5/1/2014	1,850,000.00	10/20/2010 1.33 %	2,058,421.00 2,018,002.91	109.21 1.31 %	2,020,309.15 14,260.42	0.91 % 2,306.24	A1 AA-	2.84 2.66
36962G4C5	General Electric Capital Corp Note 5.9% Due 5/13/2014	3,075,000.00	Various 2.88 %	3,411,681.00 3,325,111.96	111.09 1.91 %	3,416,045.18 24,190.00	1.54 % 90,933.22	Aa2 AA+	2.87 2.65
61747YCF0	Morgan Stanley Note 6% Due 5/13/2014	2,370,000.00	Various 3.98 %	2,534,751.20 2,495,808.78	108.91 2.75 %	2,581,214.40 18,960.00	1.16 % 85,405.62	A2 A	2.87 2.63
428236AV5	Hewlett Packard Company Note 4.75% Due 6/2/2014	1,700,000.00	01/27/2011 1.74 %	1,865,393.00 1,844,532.62	109.13 1.54 %	1,855,143.70 6,504.86	0.83 % 10,611.08	A2 A	2.93 2.74
74005PAQ7	Praxair Note 5.25% Due 11/15/2014	850,000.00	09/24/2010 1.60 %	973,471.00 950,954.74	112.33 1.49 %	954,785.45 5,702.08	0.43 % 3,830.71	A2 A	3.38 3.11
09247XAD3	Blackrock Inc Note 3.5% Due 12/10/2014	1,630,000.00	Various 2.84 %	1,674,920.75 1,664,394.51	105.39 1.88 %	1,717,801.58 3,327.92	0.77 % 53,407.07	A1 A+	3.45 3.24
713448BM9	Pepsico Inc. Note 3.1% Due 1/15/2015	2,530,000.00	Various 2.04 %	2,641,540.25 2,620,173.06	104.97 1.65 %	2,655,695.46 36,164.95	1.20 % 35,522.40	Aa3 A-	3.55 3.31
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	2,550,000.00	Various 3.34 %	2,584,656.00 2,580,539.72	103.98 2.52 %	2,651,507.86 42,195.42	1.20 % 70,968.14	Aa3 A+	3.56 3.28
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	2,475,000.00	Various 3.65 %	2,584,316.50 2,564,913.75	106.96 2.71 %	2,647,222.88 46,371.87	1.20 % 82,309.13	Aa3 AA-	3.62 3.27
084670AV0	Berkshire Hathaway Note 3.2% Due 2/11/2015	2,485,000.00	06/09/2010 2.65 %	2,545,012.75 2,531,551.29	104.23 1.98 %	2,589,998.71 30,924.44	1.17 % 58,447.42	Aa2 AA+	3.62 3.37
06406JHB4	Bank of New York Mellon Note 4.95% Due 3/15/2015	2,360,000.00	Various 2.11 %	2,645,950.90 2,595,406.68	109.67 2.22 %	2,588,278.08 34,397.01	1.17 % (7,128.60)	Aa3 A+	3.71 3.37
717081DA8	Pfizer Inc. Note 5.35% Due 3/15/2015	1,550,000.00	02/18/2011 2.33 %	1,730,497.50 1,715,008.86	112.75 1.78 %	1,747,590.90 24,416.81	0.79 % 32,582.04	A1 AA	3.71 3.36
74005PAR5	Praxair Note 4.625% Due 3/30/2015	740,000.00	Various 2.58 %	807,780.55 793,124.89	110.26 1.78 %	815,907.72 8,651.32	0.37 % 22,782.83	A2 A	3.75 3.44
278642AB9	Ebay Inc Note 1.625% Due 10/15/2015	2,670,000.00	10/22/2010 1.66 %	2,665,327.50 2,665,961.50	97.71 2.19 %	2,608,939.77 9,159.58	1.17 % (57,021.73)	A2 A	4.30 4.10
Total US Corporate		**42,118,000.00**	**2.28 %**	**44,606,051.11 44,125,173.84**	**1.71 %**	**43,997,187.48 388,769.68**	**19.85 % (127,986.36)**	**A1 AA-**	**3.05 2.84**
US TREASURY									
912828GQ7	US Treasury Note 4.5% Due 4/30/2012	3,775,000.00	03/12/2010 1.00 %	4,051,944.29 3,883,354.01	103.57 0.22 %	3,909,631.60 28,620.24	1.76 % 26,277.59	TSY TSY	0.84 0.82
912828HE3	US Treasury Note 4.25% Due 9/30/2012	3,775,000.00	03/12/2010 1.22 %	4,061,086.87 3,915,582.47	104.94 0.29 %	3,961,390.63 40,328.55	1.79 % 45,808.16	TSY TSY	.25 .22
912828HM5	US Treasury Note 3.625% Due 12/31/2012	2,550,000.00	03/12/2010 1.35 %	2,708,785.88 2,635,296.92	104.88 0.36 %	2,674,411.95 251.19	1.20 % 39,115.03	TSY TSY	.51 .47

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Yrs) ion
US TREASURY									
912828JQ4	US Treasury Note 2.75% Due 10/31/2013	4,000,000.00	05/10/2010 1.65 %	4,148,281.25 4,099,672.11	105.00 0.59 %	4,200,000.00 18,532.61	1.89 % 100,327.89	TSY TSY	2.34 2.26
912828NP1	US Treasury Note 1.75% Due 7/31/2015	4,050,000.00	04/06/2011 1.99 %	4,009,355.36 4,011,547.49	101.70 1.32 %	4,118,647.50 29,563.88	1.86 % 107,100.01	TSY TSY	4.09 3.91
912828PE4	US Treasury Note 1.25% Due 10/31/2015	3,600,000.00	Various 1.35 %	3,584,379.25 3,584,617.67	99.16 1.45 %	3,569,623.20 7,581.52	1.60 % (14,994.47)	TSY TSY	4.34 4.19
912828PJ3	US Treasury Note 1.375% Due 11/30/2015	3,590,000.00	05/16/2011 1.63 %	3,549,905.00 3,550,946.11	99.51 1.49 %	3,572,330.02 4,180.98	1.60 % 21,383.91	TSY TSY	4.42 4.26
912828PS3	US Treasury Note 2% Due 1/31/2016	3,505,000.00	05/16/2011 1.70 %	3,551,973.24 3,550,797.54	101.95 1.56 %	3,573,182.77 29,240.61	1.61 % 22,385.23	TSY TSY	4.59 4.34
912828QA1	US Treasury Note 2.25% Due 3/31/2016	1,700,000.00	06/27/2011 1.32 %	1,772,654.14 1,772,570.49	102.85 1.62 %	1,748,484.00 9,614.75	0.79 % (24,086.49)	TSY TSY	4.76 4.48
Total US Treasury		**30,545,000.00**	**1.48 %**	**31,438,365.28 31,004,384.81**	**0.95 %**	**31,327,701.67 167,914.33**	**14.09 % 323,316.86**	**TSY TSY**	**3.03 2.91**
TOTAL PORTFOLIO		**216,610,223.65**	**1.53 %**	**222,255,828.39 220,442,714.41**	**0.88 %**	**222,377,323.78 1,201,521.84**	**100.00 % 1,934,609.37**	**Aa1 AAA**	**1.94 1.81**
TOTAL MARKET VALUE PLUS ACCRUED						**223,578,845.62**			

City of Moreno Valley

June 30, 2011

COMPLIANCE WITH INVESTMENT POLICY

Assets managed by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

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Holdings Report Glossary

CUSIP (Committee on Uniform Securities Identification Procedures) – A unique identification number assigned to all securities.

Security Description - The issuer name, coupon (periodic interest payment rate) and maturity.

Par Value/Units - The face value or number of units held in the portfolio.

Purchase Date - The settlement date on which the security was purchased.

Book Yield - The YTM that equates the current amortized value of the security to its periodic future cash flows.

Cost Value - The value at which the securities were purchased, excluding purchased interest.

Book Value - The value at which an asset is carried on a balance sheet. To calculate, take the cost of an asset + net accretion/amortization.

Mkt Price - The current fair value market price.

Mkt YTM – The internal rate of return that equates the periodic future cash flows (interest payments and redemption value) to the market price, assuming that all cash flows are invested at the YTM rate.

Market Value - The current fair value of an investment as determined by transactions between willing buyers and sellers.

Accrued Int. - The interest that has accumulated on a bond since the last interest payment up to, but not including, the settlement date.

% of Port. - The % of the portfolio that the security represents based on market value, including accrued interest.

Gain/Loss – The unrealized gain or loss on the security, compared to either cost or amortized value, as of the date of the report.

Moody - The Moody's rating for the security.

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Holdings Report Glossary (continued)

S&P - The Standard and Poor's rating for the security.

Term (yrs) - The time, in years, until maturity.

Duration - The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

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MV00120966

CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report

BOND PROCEEDS WITH FISCAL AGENTS

Account Name	Account Number	Investment	Issuer	Purchase Date	Maturity Date	Market Value	Stated Rate	Yield	Price	% of of Portfolio
Wells Fargo	**Community Facilities District 87-1 (A-1)**									
special tax funds	22631800	money market fund	WF Govt Fund	06/30/11	07/01/11	1,022,258	0.01%	0.01%	1.00000	6.048%
reserve fund	22631804	money market fund	WF Govt Fund	06/30/11	07/01/11	1,028,889	0.01%	0.01%	1.00000	6.087%
admin exp acct	22631805	money market fund	WF Govt Fund	06/30/11	07/01/11	377	0.01%	0.01%	1.00000	0.002%
debt service acct	22631809	money market fund	WF Govt Fund	06/30/11	07/01/11	535,889	0.01%	0.01%	1.00000	3.171%
special tax funds	22631900	money market fund	WF Govt Fund	06/30/11	07/01/11	388,431	0.01%	0.01%	1.00000	2.298%
reserve fund	22631904	money market fund	WF Govt Fund	06/30/11	07/01/11	365,376	0.01%	0.01%	1.00000	2.162%
admin exp acct	22631905	money market fund	WF Govt Fund	06/30/11	07/01/11	15,923	0.01%	0.01%	1.00000	0.094%
						3,357,143				
Wells Fargo	**SARA's**									
Series B Revenue	22333500	money mkt fund	WF Govt Fund	06/30/11	07/01/11	137,116	0.01%	0.01%	1.00000	0.811%
Series A Principal	22333501	money mkt fund	WF Govt Fund	06/30/11	07/01/11	300	0.01%	2.71%	1.00000	0.002%
Series B reserve	22333503	money mkt fund	WF Govt Fund	06/30/11	07/01/11	527,622	0.01%	0.01%	1.00000	3.122%
Series A interest	22333504	money mkt fund	WF Govt Fund	06/30/11	07/01/11	27,002	0.01%	0.01%	1.00000	0.160%
						692,040				
Wells Fargo	**1997 Lease Revenue Bonds - Public Safety**									
rebate account	12526104	money mkt fund	WF Govt Fund	06/30/11	07/01/11	0	0.01%	0.01%	1.00000	0.000%
						0				
Wells Fargo	**2007 Redevelopment Agency Tax Allocation Bonds Series A**									
debt service fund	22631700	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2	0.01%	0.01%	1.00000	0.000%
						2				
Wells Fargo	**2003 Lease Revenue Bond**									
bond fund	18042800	money mkt fund	WF Govt Fund	06/30/11	07/01/11	131	0.01%	0.01%	1.00000	0.001%
reserve fund	18042804	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2,992,753	0.01%	0.01%	1.00000	17.706%
construction fund	18042806	money mkt fund	WF Govt Fund	06/30/11	07/01/11	1,315,143	0.01%	0.01%	1.00000	7.781%
						4,308,027				25.488%
Wells Fargo	**2007 Municipal Lease Revenue Bonds - Electric Utility**									
bond fund	22277600	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2	0.01%	0.01%	1.00000	0.000%
construction fund	22277604	money mkt fund	WF Govt Fund	06/30/11	07/01/11	6,846,976	0.01%	0.01%	1.00000	40.510%
cost of issuance	22277606	money mkt fund	WF Govt Fund	06/30/11	07/01/11	368,071	0.01%	0.01%	1.00000	2.178%
						7,215,049				
Wells Fargo	**Auto mall Refinancing**									
revenue fund	20350300	revenue	WF Govt Fund	06/30/11	07/01/11	120,219	0.01%	0.01%	1.00000	0.711%
reserve fund	20350303	reserve	WF Govt Fund	06/30/11	07/01/11	1,178,363	0.01%	0.01%	1.00000	6.972%
admin expenses	20350304	admin expenses	WF Govt Fund	06/30/11	07/01/11	31,276	0.01%	0.01%	1.00000	0.185%
						1,329,858				7.868%
			Totals			**16,902,119**				**100.000%**

Type	Business at Bank Research with Fiscal Agents	
1	Construction Funds	8,162,119
2	Principal & Interest Accounts	683,243
3	Debt Service Reserve Funds	7,503,994
4	Custody Accounts	0
5	Arbitrage Rebate Accounts	0
6	Other Accounts	552,763
	Total Fiscal Agent Funds	**16,902,119**

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DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value as of Mar 31, 2011
Liquid Savings	**$1,106,228**
Nationwide Fixed (Part Time Employee)	585,077
Liquid Savings (Part Time Employees)	**388,691**
Certificates of Deposit 3 years	15,948
Certificates of Deposit 5 years	**43,117**
Bond Fund Of America	58,053
Growth Fund of America	**93,121**
Investment Co. of America	35,018
Income Fund of America	**224,208**
Brown Cap Mgmt Inc SM Co	93,010
Fidelity Independence	**1,776**
Fidelity Equity Income	29,528
Fidelity Magellan	**261,770**
JP Morgan Mid Cap Value A	146,992
Fidelity Puritan	**80,105**
Fidelity Contrafund	262,695
Janus Fund	**48,290**
Janus Advisor Forty	85,441

Fund	Market Value as of Mar 31, 2011
Drey SmCap I	**7**
American Century Balanced	30
Am Century Growth	**52,868**
Am Century Select	91,717
Am Century Ultra	**0**
Vanguard Index 500	81,652
Vanguard Institutional Index	**388,497**
Vanguard Wellington	15,541
Vanguard Windsor II	**50,195**
Vanguard Total Bond Index	208,348
Washington Mutual Inv	**41,443**
Templeton Foreign I	0
EuroPacific Growth	**321,160**
Stable Fund C	1,720,348
PBHG Growth Fund	**0**
DWS High Income Fund A	61,105
DWS Strategic Value	**47,788**
Oppenheimer Global Fund A	205,524

Fund	Market Value as of Mar 31, 2011
N B Socially Responsive Fund	**15,830**
DFA US Micro Cap Port	87,664
Federated Kaufmann Fund	**553,573**
Invesco Mid Cap Core Equity	14,770
Nationwide Ret Inc Inst Svc	**13,593**
Nationwide InvDes Mod Cons Fund SC	10,501
Nationwide InvDes Mod Aggr Fund	**677,616**
Nationwide InvDes Aggr Fund	73,398
Nationwide InvDes Mod Fd	**413,221**
Nationwide Inv Des Cons	84,202
Nationwide Large Cap Growth	**45,532**
Nationwide Inter Val Inst Svc	29,408
Nationwide US Sm Cap Val Ins Svc	**1,767**
YL Account	166,257
Nationwide Dest 2020 Inst Svc	**102,674**
Nationwide Dest 2025 Inst Svc	61,307
Nationwide Dest 2030 Inst Svc	**6,858**
Total Nationwide Deferred	**$9,203,462**

ICMA

Fund	Market Value as of Mar 31, 2011
Aggressive Oppor.	**$165,157**
International	168,394
All Equity Growth	**98,264**
Growth and Income	200,817
Broad Market	**55,743**
500 Stock Index	63,218
Equity Income	**292,538**
Asset Allocation	
Core Bond	**15,560**
Cash Management	26,090
Plus Fund	**1,209,847**
Savings Oriented	6,565
Conservative Growth	**118,259**
Traditional Growth	272,424
Long-Term Growth	**315,616**
Milestone 2010	34,309
Milestone 2015	**1,255**
Milestone 2025	14,444
Milestone 2030	**12,173**
Milestone 2035	11,278
Milestone 2040	**1,519**
Growth Fund	219,063

Fund	Market Value as of Mar 31, 2011
VT Royce Premeir	2,028
VT Ranier Small/Mid Cap Eq	**33,631**
VT Fidelity Contrafund	157,896
VT Vantagepoint Overseas Equity Index Fund	**66,564**
VT Fidelity Diversified International	58,006
VT Allianz NFJ Div Value	**45,955**
VT Legg Mason Value	1,793
VT Fidelity Puritan	**4,680**
VT Royce Value Plus Service	8,295
VT TR Price Growth Stock Adv	**16,064**
VT Nuveen Real Estate Secs	28,183
VT TR Price Small Cap Value	**122,859**
VT Vantagepoint MS Ret Inc	38,277
Inflation Protected Securities	**18,360**
VT Vantage Point Select Value	77
VT Vantagepoint Mid/Sm Index	**7,688**
VT PIMCO Total Return	50,850
VT PIMCO High Yield	**110,621**
VT Harbor International Admi	11,853
VT Harbour Mid Cap Growth Admin	**78**
Total ICMA	**$4,086,291**

Summary by Plan

Deferred Compensation Plan	Market Value as of Mar 31, 2011
Total Nationwide	$9,203,462
Total ICMA	4,086,291
Total Deferred Compensation Plans	**$13,289,753**

Summary by Investment Type

Investment Type	Market Value as of Mar 31, 2011
Savings Deposits and CD's	$3,859,409
Mutual Funds	9,430,344
Total Deferred Compensation Plans	**$13,289,753**

MV00120968

CHANDLER ASSET MANAGEMENT

July 2011

BOND MARKET REVIEW

A MONTHLY REVIEW OF FIXED INCOME MARKETS

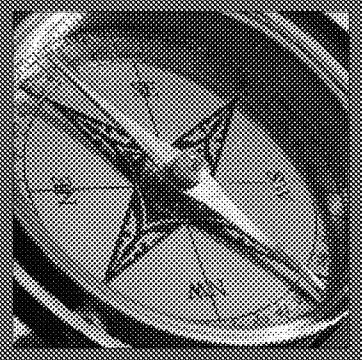

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Since 1988, Chandler Asset Management has specialized in the management of fixed income portfolios. Chandler's mission is to provide fully customizable, client-centered portfolio management that preserves principal, manages risk and generates income in our clients' portfolios.

Market Summary

Treasury yields were modestly higher in June as market participants debated whether weaker economic data is only temporary, or if it is a sign of another economic slowdown. The market is also paying close attention to the European sovereign debt crisis, a situation which is likely to drag on for quite a while.

Economic data continues to reflect a sluggish and uneven economic recovery. The June non-farm payrolls report was very disappointing, showing an increase of only 18,000 jobs and an increase in the unemployment rate to 9.2%. The housing market remains very weak, and higher gas prices continue to affect consumer spending (although there is some hope that this effect may begin to moderate). On the positive side, manufacturing activity rebounded slightly in June, with the ISM manufacturing index rebounding to 55.3 (versus 53.5 the previous month). Although inflation has risen, the Federal Reserve continues to believe that this is a temporary development reflecting higher food and energy prices.

Although they have concluded their second round of large-scale asset purchases (QE2), the Federal Reserve maintains its exceptionally easy monetary policy. The Fed Funds rate remains near 0% and the Fed will continue to reinvest principal and interest payments from its securities portfolio. The next scheduled Fed meeting is August 9.

TREASURY YIELDS HIGHER IN JUNE

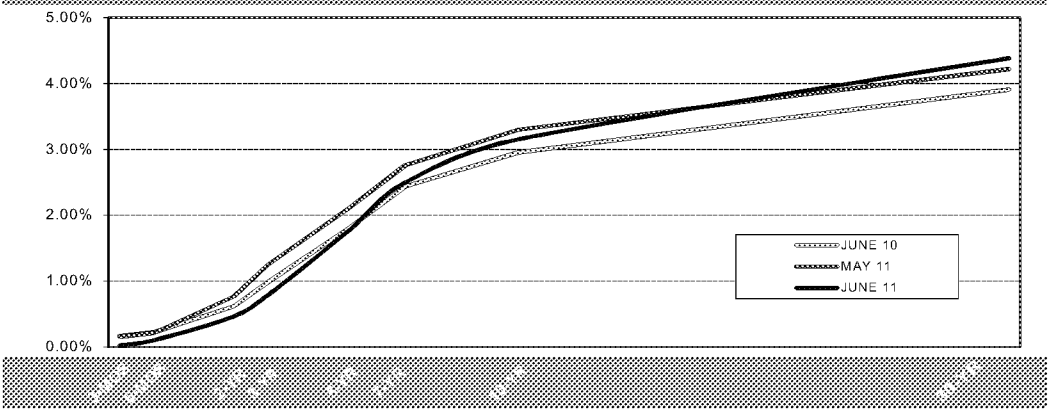

Treasury yields ended the month modestly higher, with yields on longer securities rising more than those on shorter securities.

YIELDS	6/30/11	5/31/11	CHANGE
3 Month	0.02	0.05	(0.03)
2 Year	0.46	0.46	0.00
3 Year	0.79	0.76	0.02
5 Year	1.75	1.69	0.06
7 Year	2.49	2.38	0.11
10 Year	3.15	3.05	0.10
30 Year	4.38	4.22	

Item No. A.9

Consumer Prices

In May, the CPI showed that consumer prices increased 3.6% on a year-over-year basis. The year-over-year Core CPI (CPI less food and energy) increased at a 1.5% rate. Although some producer prices have begun to rise, prices on consumer goods are not expected to increase sharply in the months ahead. The Federal Reserve has noted that it is monitoring commodity price increases, but does not believe that they will flow through to sharply higher consumer prices.

Retail Sales

In May, Retail Sales rose 7.7% on a year-over-year basis. Consumer spending has rebounded from the depths of the recession and recent activity has been moderate; however, activity is still far short of the heights of the previous economic expansion as a weak job market and high energy prices restrain consumer spending.

Labor Markets

The June employment report showed that the economy added only 18,000 jobs and the previous two months' totals were revised lower. The unemployment rate rose to 9.2%, and the average weekly hours worked figure also declined. Taken as a whole, this was a very weak report and cast doubt on the strength and durability of the economic recovery. Even though the economic recovery is two years old, the pace of recovery in the labor market is extremely weak by historical standards, and is one of the primary reasons why the recovery has been tepid.

Housing Starts

Single-family housing starts increased 3.7% in May to 419,000, compared to 404,000 in April. On a year-over-year basis, single-family housing starts were down 8.9% compared to May 2010. This report indicates that the housing market remains relatively weak and continues to struggle to gain momentum.

Credit Spreads Mixed

CREDIT SPREADS	Spread to Treasuries (%)	One Month Ago (%)	Change
3-month top-rated commercial paper	0.17	0.18	(0.01)
2-year AA corporate note	0.37	0.39	(0.02)
5-year AA corporate note	0.58	0.57	0.01
5-year Agency note	0.36	0.34	0.02

Source: Bloomberg

Data as of 6/30/2011

Mixed Economic Data

ECONOMIC INDICATOR	Current Release	Prior Release	One Year Ago
Trade Balance	(50.2) $Bln MAY 11	(43.6) $Bln APR 11	(42.2) $Bln MAY 10
GDP	1.9% MAR 11	3.1% DEC 10	3.7% MAR 10
Unemployment Rate	9.2% JUN 11	9.1% MAY 11	9.5% JUN 10
Prime Rate	3.25% JUN 11	3.25% MAY 11	3.25% JUN 10
CRB Index	338.05 JUN 11	350.06 MAY 11	258.52 JUN 10
Oil (West Texas Int.)	$95.42 JUN 11	$102.70 MAY 11	$75.63 JUN 10
Consumer Price Index (y/o/y)	3.6% MAY 11	3.2% APR 11	2.0% MAY 10
Producer Price Index (y/o/y)	7.3% MAY 11	6.8% APR 11	5.1% MAY 10
Dollar / EURO	1.45 JUN 11	1.44 MAY 11	1.22 JUN 10

Source: Bloomberg

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AGEMENT ⁘ 6225 Lusk Blvd ⁘ S -342- o, CA 92121 ⁘ 800 317 4747 ⁘ www.chandlerasset.com

Corporate Credit – Current Trends and Outlook

Corporate credit fundamentals have improved significantly since the financial crisis and economic recession. Many corporate credit issuers have seen a dramatic improvement in their key credit ratios over the past two years (including interest coverage, free cash flow to debt, return on equity, total debt to capital, etc.), leading to a number of credit rating upgrades over that time frame and a significant contraction in overall credit spreads. Since the spring of 2009, investment grade option adjusted credit spreads (OAS)[1] have tightened approximately 350 basis points on average. The average OAS for investment grade corporate debt, according to data based on the Bank of America Merrill Lynch US Corporate Index, now stands at about 155, which is just moderately higher than the 10-year median investment grade corporate OAS. Considering that this data set includes the financial crisis, when corporate OAS rose to unusually high levels, we believe current corporate bond valuation remains compelling.

We also believe the overall credit cycle remains favorable. However, we see less upside in credit fundamentals in the current environment and expect credit trends to be more stable over the near- to intermediate-term. We remain constructive on the economy and believe that ongoing demand recovery will continue to benefit corporate earnings and credit trends. We anticipate that the pace of earnings growth and corporate credit rating upgrades may slow, in light of an uncertain economic environment, rising cost pressures, increased capital deployment, and heightened event risk. Year-over-year revenue, margin, and earnings comparisons are also becoming more challenging as the economy is now entering the third year of expansion since the official end of the recession in June 2009.

Second Quarter Earnings Preview

We are expecting second quarter earnings to show solid year-over-year growth on average and to be relatively in-line or better than analysts' consensus views. However, we expect that the magnitude of upside earnings surprises will be less significant in 2Q11 than the past few quarters. We also anticipate that some companies may have a more cautious outlook on the second half of the year, particularly in light of recent weakness in economic data and intensifying margin pressures.

In spite of mixed economic data during the second quarter, many corporate management teams remained optimistic about corporate earnings and business trends. Several management teams hosted their annual analyst and investor conferences during the second quarter, and a number of them provided a bullish forecast of longer-term growth opportunities, driven in large part by international expansion, capital investments, and an ongoing recovery in demand. However, few companies raised their near-term earnings guidance during the quarter. Many of them either affirmed their forecasts or did not update their earnings outlook.

While we believe that an ongoing recovery in demand has, and will continue to, fuel earnings growth for many companies, there were some factors which pressured second quarter earnings and may limit the magnitude of upside surprises. In the consumer sector, we expect that higher-end retailers outperformed mid- and lower-tier retailers, which likely had a more difficult time of passing along price increases to their customers whose wallets have been stretched by high food and gas prices. In the food and grocery sectors, we expect that price increases helped to drive revenue growth in the second quarter but anticipate that margins continue to be pressured by high commodity costs. In the insurance industry, we expect second quarter earnings were hampered by unusually high catastrophe losses, as most of the large domestic insurance companies have already issued intra-quarter guidance about these charges. Meanwhile, we expect earnings in the banking sector were hindered by legal charges and sluggish loan activity, which was likely somewhat offset by improving credit trends and the continued reversal of loss provisions. For those with a manufacturing or supply chain and/or a significant customer base in Japan (such as the automotive and technology sectors), we expect that ongoing disruption related to the earthquake had a negative impact on earnings in the quarter.

Although managements' tones may be somewhat more cautious, we still expect second quarter earnings will show solid year-over-year growth on average. According to a senior earnings analyst at FactSet Research Systems, Wall Street analysts are projecting 14% year-over-year growth in S&P 500 earnings in the quarter. Energy and

[1] OAS, calculated at the spread over the Treasury yield curve that equates the present value of a bond's cash flows to its market price, is a measure of a bond's additional return over the return of a comparable Treasury bond, net of the cost of any embedded options. A higher relative OAS may signal that a security is undervalued, while a lower relative OAS may signal that a security is overvalued.

materials companies, in particular, may be poised to report strong earnings and potentially raise guidance because of high energy and commodity prices during the quarter. Meanwhile, companies with significant international exposure may have a more optimistic tone about future earnings, as growth in developing countries is likely to continue outpacing domestic operating trends. We also expect that in some cases, strategic deployment of capital (via share repurchases and acquisitions) will help to drive future earnings growth and prompt some companies to raise their forward-looking guidance.

Second Half 2011 Outlook

Looking ahead, we believe there are a few key factors that are likely to have an important impact on corporate credit in the second half of the year; employment trends, rising cost pressures, and event risk.

Employment. Employment is likely to remain one of the most closely watched economic data points in the second half of 2011. The unemployment rate as of June 2011, was 9.2%, which remains high but marks a significant improvement from the third quarter of 2009 when the unemployment rate reached 10.1%. According to Bloomberg data, market participants expect a slow but steady decline in the unemployment rate throughout the remainder of this year and are calling for a rate of 8.5% by the first quarter of 2012. We expect that an improving labor market will help to drive slow and steady demand and corporate earnings growth and will continue to support corporate credit quality.

Margin Pressure. While the Fed continues to downplay the threat of inflation, rising input prices have begun to pressure corporate earnings. Rising commodity, energy, healthcare, wage (especially for those who have operations in China), and regulatory costs are likely to stifle earnings to some degree in the back half of this year. This presents a particular hardship to companies that are unable or unwilling to pass along price increases to their customers in the face of a still sluggish economic recovery. Some companies are forecasting double-digit percentage increases in their costs over the next year. While some companies have had success in offsetting cost pressures and/or passing along initial price increases to their customers, cost pressure is expected to be more significant in the second half of the year.

Event Risk. Event risk is currently one of the most significant risks to corporate credit. While several companies hoarded cash during the credit crisis and continued to conserve cash in the early stages of the recovery, many companies are now deploying cash towards share repurchases, higher dividend payments, and acquisitions. These events are generally unfavorable from a fundamental credit perspective. Share repurchases and dividends, in particular, have little benefit to bondholders. Meanwhile, acquisitions, especially if financed with cash or new debt, can negatively impact a company's credit ratios. Even if a merger or acquisition is beneficial to longer-term earnings growth or cash flow, there is often some execution risk or increased debt load in the early stages of the deal. We believe the industries with the greatest level of this type of event risk include the food, technology, financials, and energy industries, where there has already been meaningful consolidation over the past year. According to a report by PricewaterhouseCoopers (PwC), the value of U.S. merger and acquisition deals in the first five months of 2011 was up 39% from a year earlier, and PwC expects activity to continue to pick up throughout the rest of the year.

Conclusion

Overall, we believe the second half 2011 outlook for corporate credit remains favorable. Though we anticipate that the pace of earnings growth and corporate credit rating upgrades may slow in the latter half of the year, in light of ongoing economic uncertainty, market volatility, and increased headwinds to corporate earnings, we still expect earnings growth to remain healthy and the overall economy to continue growing at a slow but steady pace.

Shelly Henbest
Credit Analyst

MV00120972

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY.

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

BACKGROUND

In 2001, the Southern California Association of Governments (SCAG) started a regional visioning process that culminated in a strategy for regional growth that would

accommodate the coming growth while providing for livability, mobility, prosperity, and sustainability. This strategy, called "Compass Blueprint" promotes a stronger link between region wide transportation and land use planning and encourages creative, forward-thinking and sustainable development solutions that fit local needs and support shared regional values. The strategy is broadly based on the following four key principles, which can be referred to as the "Compass Principles."

- Livability - *Creating positive communities*
- Mobility - *Getting where we want to go*
- Prosperity - *Long-term health for the region*
- Sustainability - *Promoting efficient use of natural resources*

Compass Blueprint Planning Services are provided through Demonstration Projects, opportunities for local planning efforts to become regional showcases for superior planning. Demonstration Projects enable cities and counties to better evaluate planning options and stimulate sustainable development opportunities. The City of Moreno Valley applied for a Demonstration Project Grant Award in October 2010.

DISCUSSION

The Compass Blueprint Demonstration Project Grant Award covers the cost of the following as related to completion of the study:

- consultant services
- SCAG staff time
- financial resources
- technical assistance

The proposed "Alessandro Boulevard Corridor Implementation Project" is based on the recently completed "Alessandro Boulevard Corridor Demonstration Project" (SCAG sponsored Demonstration Project completed in June 2010) and promotes the Compass Principles by encouraging strategies to integrate transportation and community. That Project explored opportunities for mixed use transit-oriented development along Alessandro Boulevard, an important regional transportation link for Moreno Valley. The City of Moreno Valley would like to further promote the use of Alessandro Boulevard as a way to reduce the impacts of transportation on the environment and to provide efficient access to jobs and services. The amount of contractual services to be provided by SCAG is approximately $165,000. Any necessary staff support costs will be provided within the existing Planning Division budget will be nominal.

To assist the City in the implementation of a vision for the Alessandro Boulevard area, this proposed demonstration project will:

- Create an overlay district for the Alessandro Boulevard corridors to identify areas suited for Multiple Use Districts (MUD1 and MUD2);
- Create requirements for selecting Multiple Use Districts (MUD1 and MUD2) sites;
- Create urban design strategies to intensify land uses;
- Rezone areas along Alessandro Boulevard to Residential 30 (R30) as identified in the draft General Plan Housing Element;
- Develop a set of street section standards for the Alessandro Boulevard corridor;
- Identify nodes along the Alessandro Boulevard corridor suited for specialized street section standards;
- Create a prototype design for covered bus stops along the Alessandro Boulevard corridor;
- Amend the General Plan to include new standards; and
- Identify next steps for guiding future changes along the corridor.

A consultant, RBF Consulting, has been selected for the proposed Alessandro Boulevard Corridor Demonstration Project. SCAG is currently working on finalizing the drafting of the contract and acceptance of the award by City Council is required prior to the contract's execution.

ALTERNATIVES

1. Authorize acceptance of the Compass Blueprint Demonstration Project Grant Award; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

RECOMMENDATION

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

NOTIFICATION

Posting of the Agenda

ATTACHMENTS/EXHIBITS

1. Resolution No. 2011-87

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, IN SUPPORT OF AND PARTICIPATION WITH THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS AS A COMPASS BLUEPRINT STRATEGY DEMONSTRATION COMMUNITY

WHEREAS, the City of Moreno Valley is participating with the Southern California Association of Governments (SCAG) in a Compass Blueprint Strategy study to examine the potential for transit-oriented development around an emerging rapid transit bus line along Alessandro Boulevard (proposal for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"); and

WHEREAS, the City of Moreno Valley's Alessandro Boulevard Corridor is located in a 2% Strategy Opportunity Area; and

WHEREAS, Compass Blueprint supports communities with technical assistance for local planning projects consistent with the regional vision of mobility, livability, sustainability and prosperity.

WHEREAS, the Southern California Association of Governments (SCAG) has awarded Demonstration Community Status to the City of Moreno Valley along with consultant services that will be used to perform a Compass Blueprint Strategy study to explore opportunities for transit-oriented development around an emerging rapid transit bus line along Alessandro Boulevard, a coordinated work effort that will take place directly between the consultants and City staff.

WHEREAS, the planning effort will emphasize strategies to better coordinate land use and transportation decision-making, targeting growth around existing and planned transit stations; and specifically:

1. Create an overlay district for the Alessandro Boulevard corridors to identify areas suited for Multiple Use Districts (MUD1 and MUD2);
2. Create requirements for selecting Multiple Use Districts (MUD1 and MUD2) sites;
3. Create urban design strategies to intensify land uses;
4. Rezone areas along Alessandro Boulevard to Residential 30 (R30) as identified in the draft General Plan Housing Element;
5. Develop a set of street section standards for the Alessandro Boulevard corridor;
6. Identify nodes along the Alessandro Boulevard corridor suited for specialized street section standards;

ATTACHMENT 1

7. Create a prototype design for covered bus stops along the Alessandro Boulevard corridor;
8. Amend the General Plan to include new standards; and
9. Identify next steps for guiding future changes along the corridor.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley HEREBY accepts the designation as a 2% Strategy Demonstration Community and is willing to participate and guide the planning work, and to provide in-kind staff services to support the contract planning efforts.

APPROVED AND ADOPTED this 23rd day of August 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00120980

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: ADOPT RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321.

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323.

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323.

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. At this time, the City desires to move forward with the intention to vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highway Code – Chapter 3, Sections 8320 through 8325.

DISCUSSION

The Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno Beach Drive) already serves and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Brothers Auto Group and Majestic Realty, who own the properties fronting Motor Way. Both owners support the proposed vacation of Motor Way.

Being that PM 23244 was recorded in December 28, 1989, it does not fall under Section 66477.5 of the Map Act, effective January 1, 1990, which requires the vacation of dedicated land to be conveyed back to the original sub-divider. Therefore, the City will retain the property for utilities and public access until it determines the disposition of the property.

The action before the City Council is to begin the process for vacation of Motor Way. The initial step is for Council to adopt a resolution giving notice of the intent to vacate Motor Way and setting the public hearing as September 27, 2011, at 6:30 p.m. in the City Council Chambers. The City Clerk will publish and advertise the hearing notice and the City Engineer will post Motor Way giving notice of the date time of the public hearing as required by the California Streets and Highway Code – Chapter 3, Sections 8322- and 8323. If there are no objections to the general vacation, City Council may adopt the resolution and the City Clerk will forward a copy of the resolution to the office of the County Recorder for recordation at which time the vacation is deemed to be complete in accordance with California Streets and Highway Code – Chapter 3, Sections 8325.

ALTERNATIVES

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321, set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323, direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323, direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325. *Adopting the Resolution for the notice of intent to vacate will allow the City to continue the process for the general vacation as part of the Auto Mall enhancements and to finish the proposed street improvements.*

2. Do not adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321, do not set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323, do not direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323, do not direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.*Not adopting the Resolution for the notice of intent to vacate will not allow the City to continue the process for the general vacation as part of the Auto Mall enhancement, finish the proposed street improvements along Motor Way, and will cause the City to continue maintenance of the street.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution for the notice of intent to vacate. There is long-term minimal cost savings due to the elimination of the future maintenance of this roadway.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that City Council approve and adopt the proposed Resolution No. 2011-88 for notice of intent to vacate Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving any easement for existing public utilities and public access, set the date for the public hearing of the vacation proceeding, instruct the City Clerk to publish and advertise the hearing notice, direct the City Engineer to post Motor Way giving notice of the public hearing, and direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording.

NOTIFICATION

Notice has been given to various utility agencies. The public has been notified by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Proposed Resolution No. 2011-88

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\NOI of Vacation for Motor Way 8-23-11 Final.docx

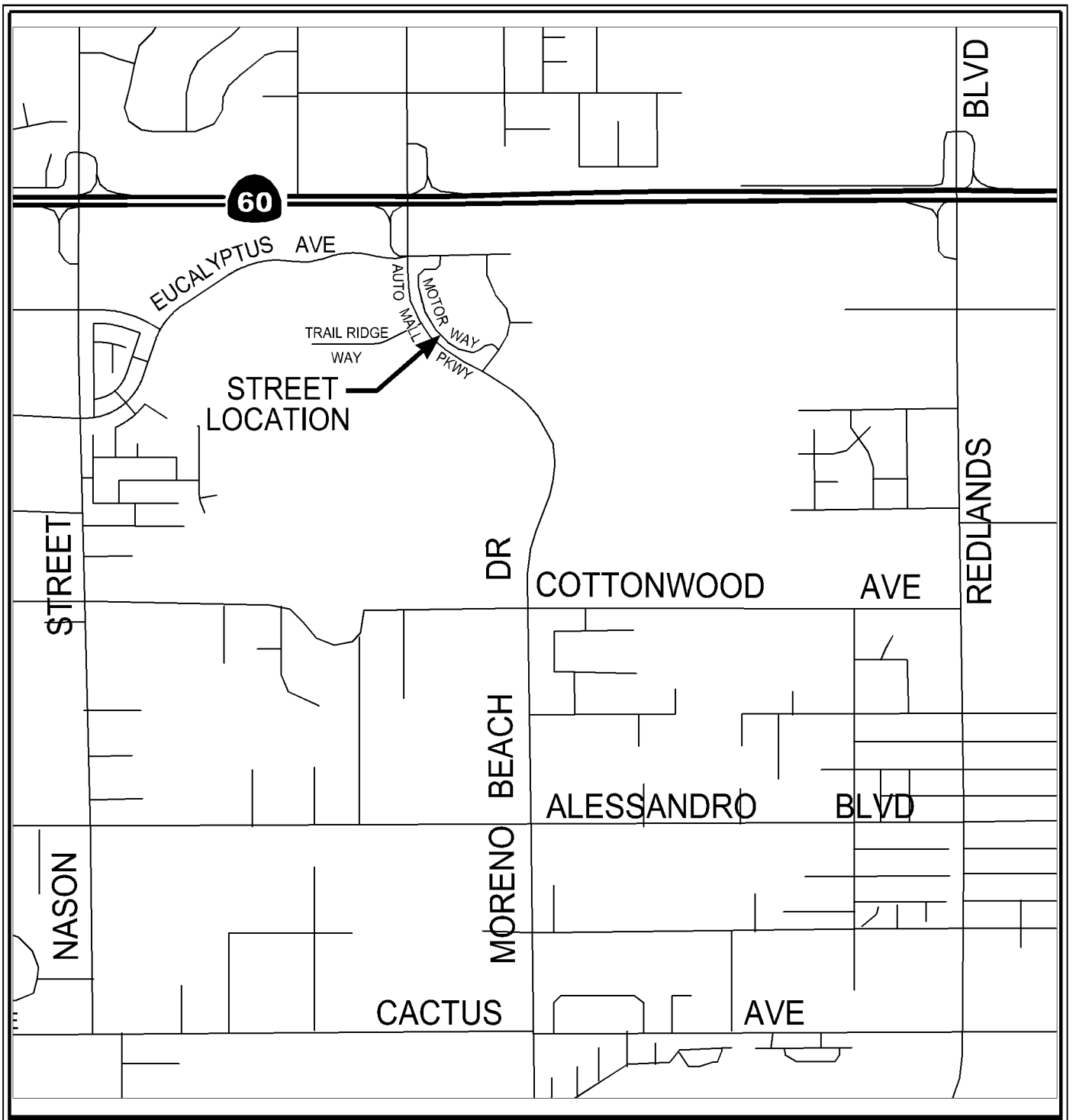

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

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MV00120986

RESOLUTION NO. 2011-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DECLARING ITS INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City of Moreno Valley, California, acquired certain right-of-way for road and public utility purposes located on Motor Way between Auto Mall Drive and Eucalyptus Avenue; and

WHEREAS, a portion of this right-of-way is no longer, nor in the future will be, useful for road purposes;

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

Section 1

That the City Council of the City of Moreno Valley, California intends to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described as Lot "B" of Parcel Map 23244 as shown on Exhibit "A" attached hereto and made a part thereof.

Section 2

This vacation proceeding is conducted pursuant to the provisions of Chapter 3, Part 3 of Division 9 of the Streets and Highways Code of the State of California, designated "General Vacation Procedure" (beginning at Section 8320 of said Code).

Section 3

Notice is hereby given that September 27, 2011 at 6:30 p.m. in the Council Chambers of City Hall of the City of Moreno Valley, California, is the time and place fixed for hearing all persons interested in or objecting to the proposed street vacation.

Section 4

The City Engineer of the said City of Moreno Valley shall cause to be conspicuously posted, along the line of the street proposed to be vacated, notices of the passage of this Resolution of Intent, which notices shall be posted at least fourteen

days before the day set for the hearing. Notices shall be posted not more than 300 feet apart but at least three notices shall be posted. The notices shall state the day, hour, and place of the hearing, and describe the street or public service easement proposed to be vacated.

Section 5

In addition, pursuant to Section 8322 of the Streets and Highways Code, this Resolution shall be posted by the City Clerk in public places designated by the City Council for posting of resolutions of the City, and published in a newspaper of general circulation within the City for at least fourteen days prior to the hearing.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00120990

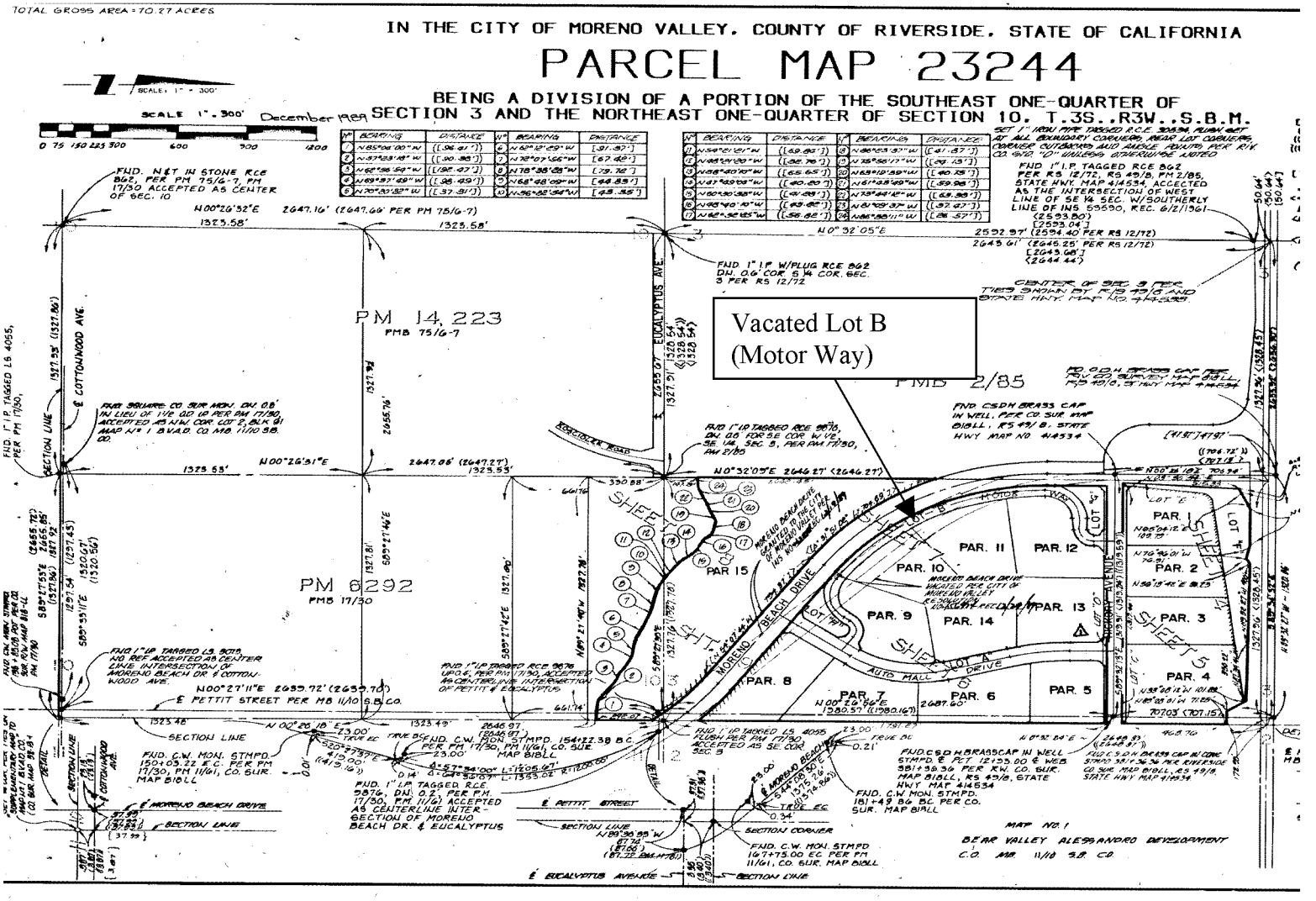

EXHIBIT A

Item No. A.11

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MV00120992

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING – SEPTEMBER 23, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 21-23, 2011 in San Francisco. At this meeting, the League membership will consider and take action on resolutions that establish League policy. The city must designate a voting delegate and may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve. Designation of a voting delegate must be done by City Council action.

ALTERNATIVES

1. Adopt the proposed resolution appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting (recommended by staff)

2. Do not adopt the proposed resolution appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting (not recommended by staff)

FISCAL IMPACT

Funds for this conference are found in the City Council 2011-12 Operating Budget account 11110.6221.

NOTIFICATION

Agenda publication

ATTACHMENTS/EXHIBITS

Attachment A – Voting Delegate Proposed Resolution
Attachment B – Voting Delegate Form

Prepared By:
Jane Halstead
City Clerk

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2011 ANNUAL CONFERENCE

WHEREAS, the City of Moreno Valley is a member city of the League of California Cities ("League"); and

WHEREAS, as a member, each city has one vote at the League's annual conference pertaining to League policy; and

WHEREAS, prior to the 2011 annual conference and by August 26, 2011, each City Council may designate a voting delegate and up to two alternates; and

WHEREAS, Mayor Richard A. Stewart of the City of Moreno Valley will be attending the business meeting on Friday, September 23, 2011 at the San Francisco Moscone West Convention Center in San Francisco, California.

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

That Mayor Richard A. Stewart, voting delegate and Mayor Pro Tem Jesse L. Molina, voting alternate are designated for the City of Moreno Valley at the League of California Cities 2011 Annual Conference at the San Francisco Moscone West Convention Center in San Francisco, California.

That the City Clerk is authorized and directed to complete and attest to the Voting Delegate/Alternate Form and transmit it to the League of Cities by August 26, 2011.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

CITY COUNCIL
CHENO VALLEY
RECEIVED
11 JUN 16 PM

LEAGUE OF CALIFORNIA CITIES

WWW.CACITIES.ORG

Council Action Advised by August 26, 2011

June 9, 2011

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 21–23, San Francisco

The League's 2011 Annual Conference is scheduled for September 21-23 in San Francisco. An important part of the Annual Conference is the Annual Business Meeting *(at the closing General Assembly)*, scheduled for 2:30 p.m., Friday, September 23, at the San Francisco Moscone West Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 26, 2011. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up

-more-

Item No. A.12

MV00120997

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Francisco Moscone West Convention Center, will be open at the following times: Wednesday, September 21, 8:30 a.m. – 6:00 p.m.; Thursday, September 22, 7:30 a.m. – 4:00 p.m.; and September 23, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 26th. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2011 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

MV00120998

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures
2011 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

LEAGUE OF CALIFORNIA CITIES

CITY: _____

2011 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 26, 2011. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 26 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247

VotingDelegateLetter11.doc

Item No. A.12

MV00121000

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT AND ROLANDA DRIVE

RECOMMENDED ACTION

Staff recommends that the City Council approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

ADVISORY BOARD/COMMISSION RECOMMENDATION

A public hearing was conducted at the Traffic Safety Commission (TSC) meeting on August 3rd, as required by the Municipal Code. The Commission approved staff's recommendation to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

BACKGROUND

In 1989, the City Council adopted Ordinance 199, establishing permit parking in the Municipal Code. In 2007, the City Council updated the Municipal Code to reflect current state law for permit parking, and enacted a fee schedule for permit parking.

DISCUSSION

Staff has reviewed this permit parking request and has determined that permit parking is appropriate for this location.

The residents along Pattilyn Drive, Challis Court and Rolanda Drive have been impacted by the students and parents of Moreno Valley High School. In response to this, the residents have submitted a request to the Public Works Department to

implement permit parking in front of their residences to allow them to maintain parking for guests, contractors/maintenance vehicles, and personal use.

A field review of the area has confirmed that students are parking into the adjacent subject streets. The review also identified that adequate on-site parking is available for Moreno Valley High School students to park.

To help improve the parking situation along the subject streets, staff recommends implementing the City's permit parking program for the subject area. The implementation of permit parking will benefit the residents of Pattilyn Drive, Challis Court and Rolanda Drive and will encourage Moreno Valley High School Students to park within the high school's parking lot. The installation will allow the residents of Pattilyn Drive, Challis Court and Rolanda Drive to have uninterrupted access to parking in front of their homes, which has been greatly impacted by the high school students.

ALTERNATIVES

1. Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive. This alternative is recommended to improve the condition for the residents.

2. Do not adopt proposed resolution, thereby not implementing permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

3. Provide staff with further direction.

FISCAL IMPACT

The estimated annual cost to implement the permit parking on Pattilyn Drive, Challis Court and Rolanda Drive will be borne by the Public Works Department's signing and striping adopted operations budget (Account 121.55430). The estimated cost of the FY11/12 work associated with this permit parking implementation is $6,400.

CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of Agenda-Letter to each affected address

ATTACHMENTS/EXHIBITS

Attachment A – Vicinity Map
Attachment B - Resolution

Prepared By:
Edward I. Init
Senior Engineering Technician

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00121004

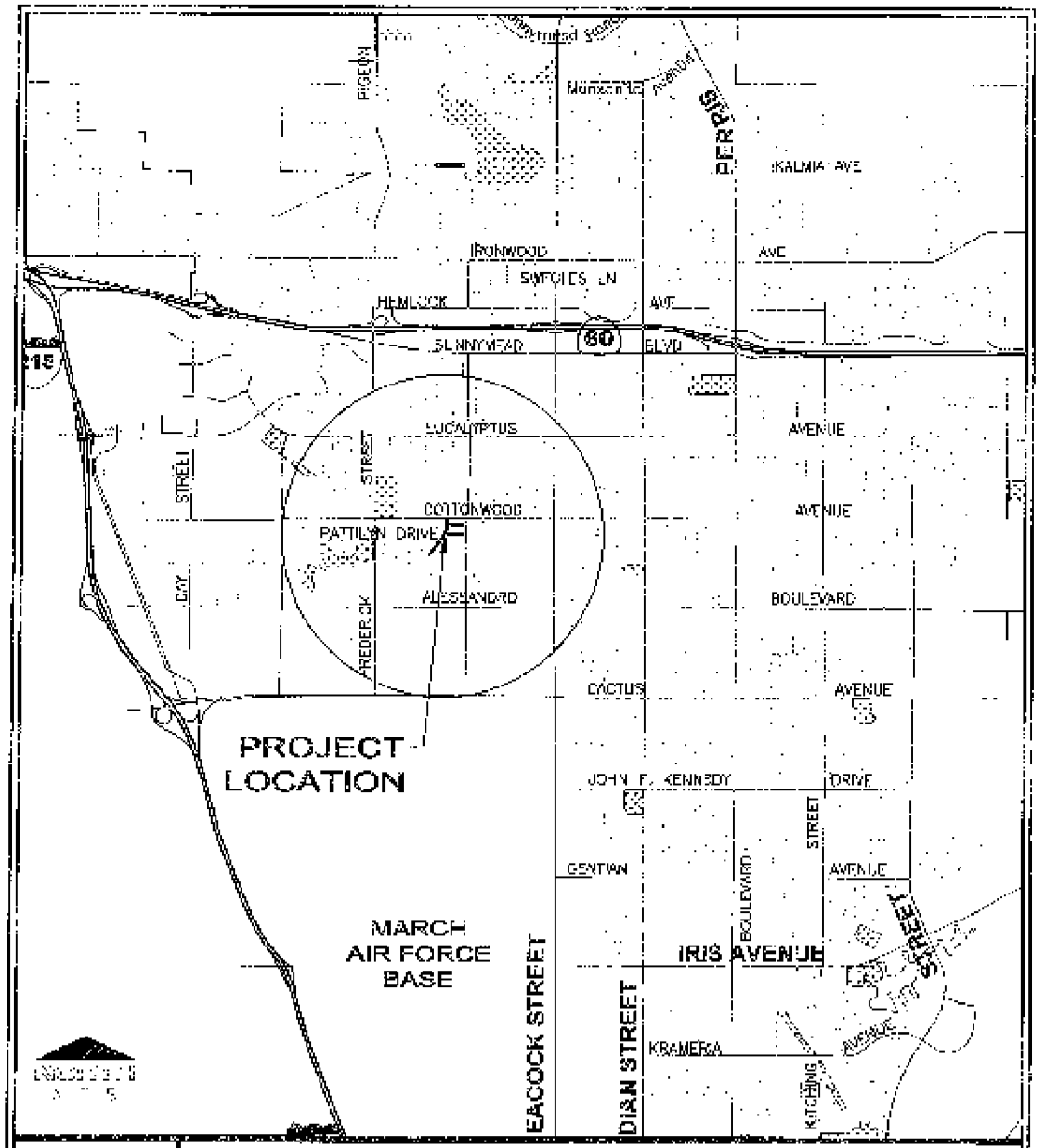

MORENO VALLEY

LOCATION MAP

Public Works Department
Transportation Division

ATTACHMENT "A"

CITYWIDE PERMIT PARKING PROGRAM

Item No. A.13

MV00121005

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MV00121006

RESOLUTION NO. 2011-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON PATTILYN DRIVE, CHALLIS COURT AND ROLANDA DRIVE

WHEREAS, the City Municipal code section 12.08.030 allows for establishing permit parking areas in residential and commercial zones, subject to a public hearing before the traffic safety commission; and

WHEREAS, the residents on Pattilyn Drive, Challis Court and Rolanda Drive submitted an application and requested permit parking along the frontage of their residences; and

WHEREAS, a public hearing was conducted during the regular August 3, 2011, meeting of the Traffic Safety Commission regarding this request; and

WHEREAS, on August 3, 2011, the Traffic Safety Commission reviewed and unanimously approved the recommended permit parking on Pattilyn Drive, Challis Court and Rolanda Drive; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

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

1. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

2. This City Council hereby authorizes and directs staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00121010

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS

BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET

DEVELOPER: IDS REAL ESTATE GROUP
515 S. FIGUEROA STREET, 16TH FLOOR
LOS ANGELES, CA 90071

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements.

2. Authorize the Mayor to execute the DIF Agreement in the form attached hereto.

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 12, 2007, the City Council of the City of Moreno Valley approved Tentative Parcel Map 35150 (PA06-0152). The tentative parcel map is a proposal to subdivide 53 net acres into two parcels, for industrial warehouse building use.

On July 8, 2008, the City Council of the City of Moreno Valley accepted the Agreement for Public Improvements and bonds in the amount of $7,721,000 for Faithful Performance and $3,860,500 for Material and Labor. The bonds were issued by Travelers Casualty and Surety Company of America.

On March 3, 2008 an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map 35150 was executed between the City of Moreno Valley and FR/CAL Moreno Valley, LLC, the previous land owner, and a deposit account was established according to the Agreement. Said Agreement was created because at the time, the City was in the process of creating a new DIF policy and related credit and reimbursement agreements. It was mutually decided that absent the ability of the developer to enter into a DIF Improvement Credit Agreement, there was a need to provide a means by which the City could be assured that the obligations would be met. As part of said Agreement instructions, the monies were to remain on deposit until the developer was in compliance with the terms of said Agreement, which included execution of both a DIF Improvement Credit Agreement and a TUMF Improvement Credit/Reimbursement Agreement.

On July 8, 2008, the City Council of the City of Moreno Valley approved the TUMF Improvement Credit/Reimbursement Agreement. The Western Regional Council of Governments (WRCOG) has since eliminated San Michele Road and Indian Street from their program.

On August 26, 2008, the City Council of the City of Moreno Valley approved the DIF Credit and Reimbursement Policy. A DIF Improvement Credit/Reimbursement Agreement was approved on October 23, 2008. On August 26, 2009, at the request of the City Attorney's Office, the DIF Improvement Credit/Reimbursement Agreement was separated into two agreements without changing the content of said Agreement, one for Credits and the other for Reimbursements.

The developer has now executed the DIF Improvement Credit Agreement in order to release funds they deposited pursuant to the Agreement for Deposit of Cash Security to Defer Payment of DIF and TUMF Obligations.

DISCUSSION

The City's Municipal Code, Chapter 3.42, "Commercial and Industrial Development Impact Fees" requires the developer to pay Development Impact Fees (DIF). The DIF covers the developer's fair share of the costs to construct improvements and right-of-way dedications that help mitigate the traffic impacts and burdens on the City's network of arterial streets and traffic signals generated by the project.

As part of the project conditions of approval, the developer will be constructing required DIF-related public improvements on San Michele Road and Indian Street. In accordance with the City's Municipal Code, Section 3.42.110, the "Credit for Improvements provided by Developer" will allow the developer to receive an initial credit for the applicable public improvements made to the designated arterial street(s) and/or traffic signals, based on the qualifying construction items as identified therein. The developer's initial credit amount is based on the lower of the DIF Study Costs, the Engineer's Cost Estimate provided by the developer, and the DIF Fee Obligation.

The developer is eligible to receive initial DIF Credits for specific improvements identified in the DIF Study for San Michele Road and Indian Street improvements, including earthwork, construction of new pavement and base, grinding and paving, sawcut and removal of existing pavement, traffic control, signing and striping, curb, gutter, sidewalk, relocation of power poles, and drainage improvements including catch basins, local depressions, and storm drain lines not maintained by Riverside County Flood Control and Water Conservation District.

The developer agrees to perform and complete all of the required public improvements in accordance with the Agreement for Public Improvements. Per the DIF Improvement Credit Agreement, the initial credit is the least of the DIF Study Costs, Engineer's Cost Estimate provided by the developer, and DIF Fee Obligation. Refer to Exhibit "C" – DIF Credit Calculation Table of the DIF Improvement Credit Agreement. The DIF Improvement Credit Agreement is attached to this Staff Report as Exhibit "B". Based on the information provided by the developer, the initial DIF Credit for this project is $1,515,318 for Arterial Streets.

If it is determined at the completion of the project that the developer constructed improvements above and beyond the project obligation, a DIF Improvement Reimbursement Agreement will be presented to City Council at that time. Any reimbursements may either be paid per the City policy or used as credits towards any other future project's DIF fee obligations.

ALTERNATIVES

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 and authorize the Mayor to execute the DIF Agreement in the form attached hereto. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

2. Do not accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 and do not authorize the Mayor to execute the DIF Improvement Credit Agreement in the form attached hereto. Do not authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150. *Not approving staff's recommendation would result in no DIF credit being provided to the developer and will not allow the release of developer funds deposited.*

FISCAL IMPACT

No fiscal impact is anticipated. The recommended action involves the release of funds from a developer funded deposit account.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" – DIF Improvement Credit Agreement
Exhibit "C" – Reference Copy of Agreement for Deposit of Cash Security to Defer Payment of DIF and TUMF Obligations for PM 35150

Prepared By
Clement Jimenez, P.E..
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E..
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00121016

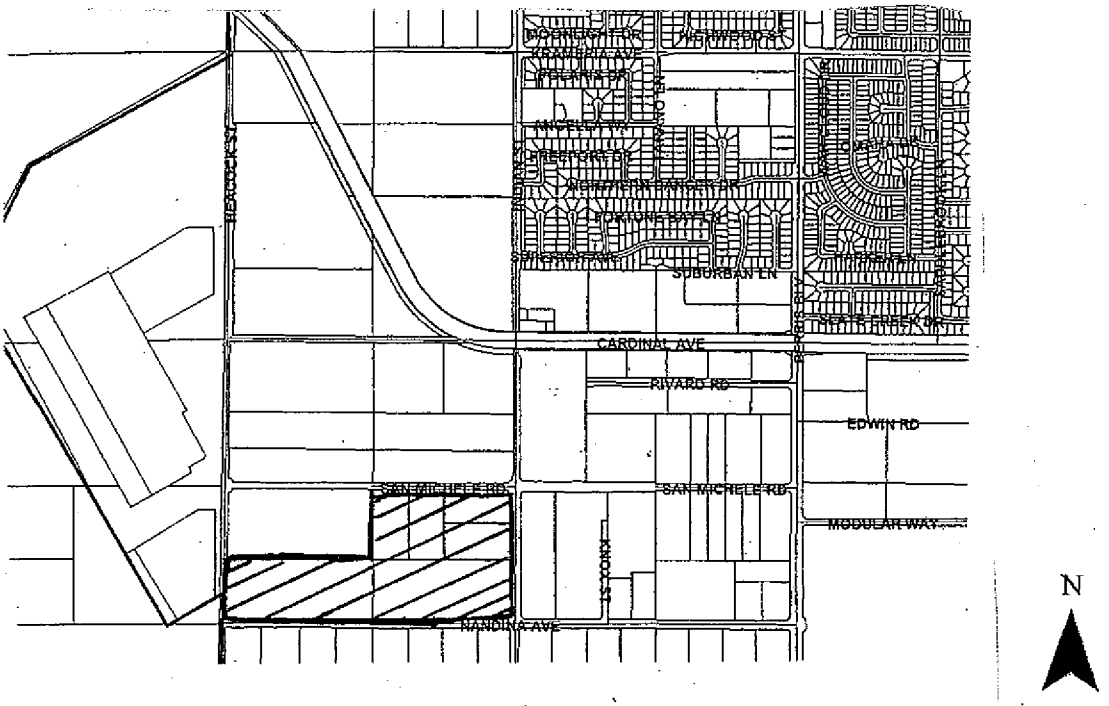

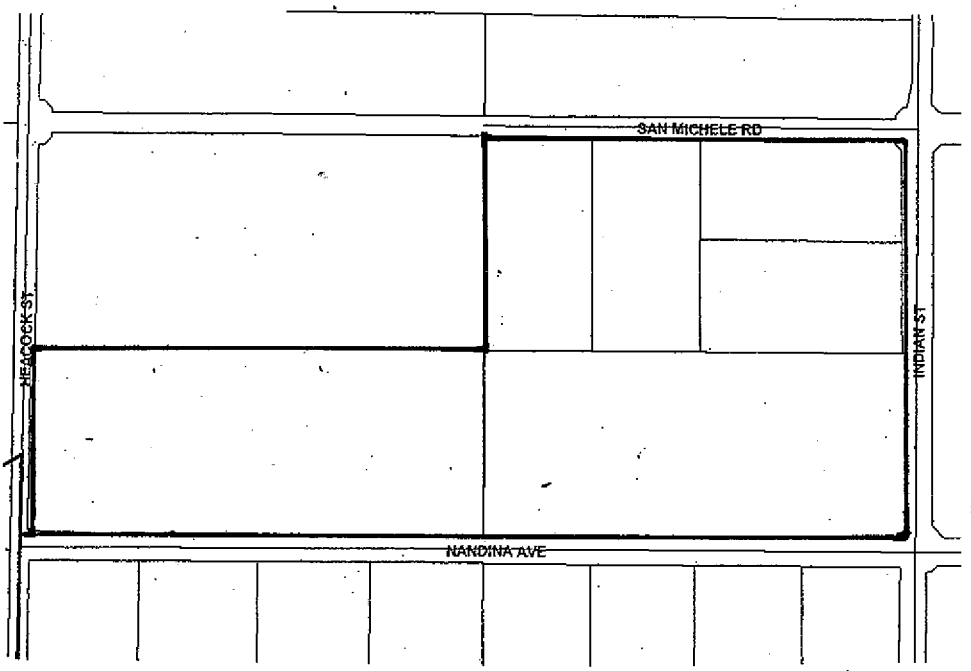

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PARCEL MAP 35150 VICINITY MAP

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EXHIBIT "A"

Item No. A.14

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DEVELOPMENT IMPACT FEES

IMPROVEMENT CREDIT AGREEMENT

NUMBER D07-007

PA06-0152 (PM 35150)

PA06-0153 (PLOT PLAN FOR 2 BUILDINGS; 1,182,918 SQ FT)

This Development Impact Fees Improvement Credit Agreement is made and entered into as of the date the City signs this Agreement, by and between the City of Moreno Valley, a municipal corporation, hereinafter referred to as "City" and the undersigned Developer, hereinafter referred to as "Developer."

RECITALS

WHEREAS, Developer and City have entered into an Agreement for Public Improvements (attached hereto as Exhibit "A"), dated July 8, 2008, which Agreement for Public Improvements sets forth all obligations of the Developer for Public Improvements that are a condition of approval for the above-titled development (hereinafter referred to as the "Project"), some of which may be eligible for Development Impact Fees (hereinafter referred to as "DIF") Credit under this Agreement; and

WHEREAS, the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees" and Chapter 3.42 "Commercial and Industrial Development Impact Fees" requires Developer to pay the DIF for projects identified in the most recently adopted DIF study (hereinafter referred to as "DIF Obligation") which covers the

Item No. A.14

Project's fair share of the costs to construct improvements that help mitigate the impacts and burdens on the City's local systems generated by the Project and that are necessary to provide City services and protect the safety, health, and welfare of residential and non-residential users; and

WHEREAS, certain improvements set forth in the Agreement for Public Improvements are also identified in the City's DIF Program as improvements that are to be funded from DIF, which identified improvements are set forth in Exhibit B attached hereto and hereby incorporated by reference and are hereinafter referred to as the DIF Improvements; and

WHEREAS, if the City or some other third party constructs the DIF improvements set forth in the Agreement for Public Improvements prior to Developer, then this Improvement Credit Agreement shall become null and void and the Developer shall be required to pay the full DIF Obligation of the Project; and

WHEREAS, the City and Developer now desire to enter into this Improvement Credit Agreement to provide a means by which the Developer may receive a Credit for required DIF improvements actually constructed by the Developer for the subject Project subject to the terms and limitations set forth in this Agreement.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

1.0 General Provisions.

1.1 Incorporation of Recitals. The Parties hereby affirm the facts and provisions set forth in the above Recitals and agree to their incorporation herein as though set forth in full.

1.2 Incorporation of the Agreement for Public Improvements. The Parties hereby affirm the terms, conditions and requirements set forth in the Agreement for Public Improvements (Exhibit "A") and agree to their incorporation herein as though set forth in full.

2.0 DIF Obligation.

2.1 Developer's DIF Obligation. Developer hereby agrees and accepts that, as of February 15, 2011, the Developer is obligated to pay DIF for the Project to City in the amount of two million two hundred two thousand five hundred ninety three and thirty two one hundredths dollars ($2,202,593.32) (hereinbefore and hereinafter referred to as the "DIF Obligation"), and of that amount $1,515,317.96 is the "Street" component of the DIF Obligation for which the developer may be eligible to receive credits.

2.2 Effect of Agreement. Notwithstanding anything in this Agreement, Developer acknowledges that the DIF Obligation is established by the provisions of the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees," or Chapter 3.42 "Commercial and Industrial Development Impact Fees," and that this Agreement does not alter, limit, increase or reduce the obligations under those code sections nor prevent City from adjusting or correcting the DIF Obligation amount to conform to the requirements of the Municipal Code.

3.0 DIF Credit Limitations.

3.1 Calculation of DIF Credit. Pursuant to City of Moreno Valley Municipal Code Sections 3.38.150 "Credit for Improvements Provided by Developers" (residential), or 3.42.110 "Credit for Improvements Provided by Developers" (commercial and industrial), and in accordance with the City's Development Impact Fee Credit and Reimbursement Policy, as adopted by the City Council on August 26, 2008, (the "Credit and Reimbursement Policy") and in consideration of Developer's obligations under the Conditions of Approval for the Project and the Agreement for Public Improvements to construct the DIF improvements, the maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be as defined in Sections 4.0 of this Agreement and the Credit and Reimbursement Policy.

3.2 Effect of Agreement. Notwithstanding the foregoing, Developer acknowledges that the amounts of DIF Credits are established by the provisions of the City of Moreno Valley Municipal Code and the DIF Credit and Reimbursement Policy and this Agreement shall not prevent City from adjusting or correcting the DIF Credit

amounts set forth in this Agreement to conform to the requirements of the Municipal Code and the Credit and Reimbursement policy.

4.0 DIF Credit

4.1 Maximum DIF Credit. City shall apply DIF Credit to offset, in whole or in part, the Project's DIF Obligation. The maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be equal to the least of: (A) the City Engineer's Estimate of the actual cost of the DIF Improvements (hereinafter collectively referred to as "Engineer's Estimate"), or (B) project costs as identified in the DIF study in effect at the time of the issuance of a building permit, or (C) the actual DIF Obligation. In no event shall a DIF Credit exceed the actual DIF Obligation.

4.2 DIF Credit Offset to DIF Obligation. The DIF Credit shall be applied at the time DIF obligation is due and payable. If the project is to be developed by phases, by specific units, or by specific buildings, DIF Credit shall be applied according to a Public Improvements Phasing Schedule approved by the City and attached and incorporated to this agreement.

4.3 Submittal Timeframe. The Developer shall submit to the City Engineer any and all documentation the Developer deems relevant in substantiating the claim for DIF Credit for the DIF Qualifying Improvements to be constructed by the Developer. Such documentation may include contracts, bids, estimates, or any other relevant documents pertaining to the actual cost of the Qualifying Improvements. The City Engineer shall take into consideration, but shall not be bound by, any such documentation submitted by the Developer in formulating the Engineer's Estimate. All

such documentation shall be submitted by the Developer to the City Engineer no later than ninety (90) calendar days prior to the date for payment of DIF for the project. The City Engineer will use his or her best efforts and professional judgment in formulating an Engineer's Estimate and shall endeavor to provide said estimate to the Developer in writing within sixty (60) calendar days after submittal of the last document submitted by the Developer.

4.4 DIF Credit Calculation *(completed by City).*

As of the date hereof, the amount of DIF Credit for which Developer is potentially eligible is set forth in Exhibit C "DIF Credit Calculation Table" attached hereto and hereby incorporated by reference.

4.5 Reconciliation - Final DIF Credit. If the dollar amount of the actual DIF Credit is less than the amount of the actual unpaid DIF Obligation (hereinafter referred to as "DIF Balance"), the City shall notify the Developer in writing of the amount of the DIF Balance and Developer shall pay the DIF Balance to fully satisfy the DIF Obligation at the time DIF payments are due. If the dollar amount of the actual DIF Credit exceeds the amount of the actual DIF Obligation, Developer will be deemed to have fully satisfied the DIF Obligation. If the Developer has actually paid DIF and completed DIF Improvements, but has not received full DIF Credit for which the Developer would have been otherwise eligible under the DIF Credit and Reimbursement Policy, the Developer *may* be eligible for a Reimbursement Agreement, to the extent applicable, as provided in a separate Development Impact Fees Improvement Reimbursement Agreement.

4.6 Credit Transfer for Unfunded DIF Reimbursement Eligibility. To the extent that Developer has Reimbursement Eligibility Amounts which are both unpaid and unfunded by the City and which have not expired under the ten (10) year limitation set forth in the Development Impact Fee Credit and Reimbursement Policy No. 3.24, Section F – Time Limitation, Developer may apply to receive partial or full DIF Credits for the same component of DIF on another development project within the City owned or controlled by that Developer and which has received all necessary approvals, on a dollar for dollar basis. Written application shall be made to the City and Developer shall provide any and all documentation and other information the City may reasonably request. The City shall not unreasonably withhold approval of such a Credit Transfer.

5.0 No Interest. Developer shall not be entitled to any interest, or any other cost or time value adjustment, for DIF paid to the City whether or not subsequently credited under Section 4.6 or reimbursed.

6.0 Term of Agreement. For purposes of Reimbursement Eligibility and Credit Transfer, this Agreement shall remain in effect for a period not to exceed ten (10) years from the date of execution by the City.

7.0 General.

7.1 Assignment. Except as specifically set forth in this Agreement, this Agreement shall not be assigned by any Party without the prior written consent of the non-assigning Party, which consent shall not be unreasonably withheld. All

assignees and successors in interest shall assume and become obligated to perform all obligations and be entitled to all benefits of the original Party.

7.2 Amendment. This Agreement may only be amended in writing signed by the Parties.

7.3 Law, Venue and Jurisdiction. This Agreement shall be governed by the laws of the State of California. Venue and Jurisdiction of all matters arising out, pertaining to, or in any way related to this Agreement shall be vested in the Superior Court of the State of California, in and for the County of Riverside, California.

7.4 Notices. Any notices to be given pursuant to this Agreement shall be in writing and delivered by First Class Mail addressed to the Parties as follows:

City: City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: Patrick D. Spillane, Senior Vice President
IDS Real Estate Group
515 S. Figueroa Street, 16th Floor
Los Angeles, CA 90071

7.5 Entire Agreement. This Agreement is the final, complete and exclusive statement of the Agreement of the Parties with respect to the subject matter

hereof and supersedes and replaces any prior oral or written agreements between the Parties addressing the same subject matter.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

CITY OF MORENO VALLEY,
a California municipal corporation

By: _____
Chris A. Vogt
Its: _____

Date: _____

ATTEST: _____
City Clerk

Date: _____

APPROVED AS TO FORM:

_____
City Attorney

Date: _____

FR/Cal Moreno Valley, LLC
a Delaware limited liability company

By: FirstCal Industrial, LLC
a Delaware limited liability company,
its sole member

By: California State Teacher's Retirement System, a public entity, its manager

By: Principal Real Estate Investors, LLC, a Delaware limited liability company, its authorized agent

By: _____
Name: William G. Williams III
Title: Investment Director – Asset Management

Date: _____

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

EXHIBIT "A"

PUBLIC IMPROVEMENT AGREEMENT

WITH BONDS

(ATTACHED BEHIND THIS PAGE)

EXHIBIT "A"

Revised 092508

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PM 35150

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **FR/CAL Moreno Valley, LLC,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 35150** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
FR/CAL Moreno Valley, LLC
114 Pacifica, Suite 220
Irvine, CA 92618

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: 7/8/08

FR/CAL Moreno Valley, LLC:
Developer

BY: _____
Signature

Matt Englhard
Print/Type Name

Regional Development Officer
Title

BY: _____
Signature

John Grace
Print/Type Name

Development Manager
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 7/9/08

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

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FINAL
5-5-08

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			12288	C.Y.	20.00	245,760
A.B. Class II - Street 1	1	Thickness (ft.)				
	331770	S.F.	24053	Ton	55.00	1,322,933
A.C. - Street 1	0.5	Thickness (ft.)				
	331770	S.F.	12027	Ton	90.00	1,082,400
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0.5	Thickness (ft.)				
	29489	S.F.	641	Ton	55.00	35,276
A.C. - Street 2	0.7	Thickness (ft.)				
	29489	S.F.	1497	Ton	90.00	134,691
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	2,821,060

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	954	Ton	90.00	85,860
Slurry Seal (Based on $150/Ton Type II)	51934	S.Y.	2.25	116,852
Sawcut & Join Exist. AC Pavement	11611	L.F.	1.50	17,417
Sawcut & Join Exist. Conc Pavement	1611	L.F.	1.50	2,417
Utility Trench	0	L.F.	17.00	0
Backfill Trench with Slurry Concrete	44	C.Y.	100.00	4,400
Trench Repaving	0	S.F.	12.00	0
Redwood Header	5376	L.F.	6.00	32,256
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	27562	S.F.	14.00	385,868
P.C.C. Paving - 8"	0	S.F.	16.00	0
P.C.C. Removal	27562	S.F.	5.00	137,810
Curb and Gutter - 6"	0	L.F.		0
Curb and Gutter - 8"	4770	L.F.	25.00	119,250
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	0	S.F.	15.00	0
Sidewalk	26262	S.F.	7.00	183,834
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	15223	S.F.	16.00	243,568
Wheelchair Ramp	7	EA.	1,200.00	8,400
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Remove Curb & Gutter / Sidewalk	3846	S.F.	2.00	7,692
AC Removal	202050	SY	1.00	202,050
			SUBTOTAL:	1,547,673

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	30	EA.	5,000.00	150,000
Electrical Utility Infrastructure	1	L.S.	563,229.00	563,229
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	713,229
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordinati	1	LS.	307,400.00	307,400
Traffic Signal Interconnect (Existing Signals Only)	1	LS.	140,000.00	140,000
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	4	EA.	100.00	400
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
Relocate Guard Rail	69	L.F.	35	2,415
	0		--	0
			SUBTOTAL:	450,215
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	16	EA.	30,000.00	480,000
Cluster Mail Boxes	0	EA.	4,500.00	0
Erosion Control	0	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	0	EA.	100.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	480,000

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	755	L.F.	160.00	120,800
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	668	L.F.	180.00	120,240
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	4	EA.	5000.00	20,000
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	1	EA.	7000.00	7,000
	0		---	0
Catch Basins				
Catch Basin (3.5')	2	EA.	3100.00	6,200
Catch Basin (7')	5	EA.	5500.00	27,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	7	EA.	535.00	3,745
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	1	EA.	5000.00	5,000
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

M.B.

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/05
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	7	EA.	6000.00	42,000
Type IX Inlet Structure	3	EA.	2500.00	7,500
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		—	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		—	0
			SUBTOTAL:	365,985

M. S.

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	0		50.00	0
10" PVC C-900	0		55.00	0
12" PVC C-900	0		60.00	0
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	0	EA.	1,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	0	EA.	2,000.00	0
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	0	EA.	3,000.00	0
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	0	EA.	2,500.00	0
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	14	EA.	2,800.00	39,200
6" Super Fire Hydrants	4	EA.	3,000.00	12,000
	0		---	0
Services Connections				
1" Service	0	EA.	500.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	0	EA.	2,800.00	0
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0		---	0
			SUBTOTAL:	51,200

M.S

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	700.00	0
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,000.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	5	EA.	800.00	4,000
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	4,000

M. S.

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PM35150

DATE: 04/15/06
PREPARED BY: Mike Schuman

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$2,821,060
STREET WORK	:	$2,027,673
STORM DRAIN SYSTEM	:	$365,985
WATER SYSTEM	:	$51,200
SEWER SYSTEM	:	$4,000
ENTERPRISE SERVICES ADMIN	:	$713,229
TRANSPORTATION ENGNRNG	:	$450,215
TOTAL COST (VALUE) OF IMPROVEMENTS:		$6,433,361
+20% CONTINGENCY:		$1,286,672
GRAND TOTAL:		$7,720,033

BOND AMOUNT: $7,721,000

M.S.

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements	$7,721,000	Project No.	PM 35150
Bond No.	105063246	Premium	$61,768.00
Surety	Travelers Casualty And Surety Company Of America	Principal	FR/CAL Moreno Valley, LLC
Address	One Tower Square	Address	114 Pacifica, Suite 220
City/Zip	Hartford, CT 06183	City/Zip	Irvine, CA 92618

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **FR/CAL Moreno Valley, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PM 35150**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty And Surety Company Of America, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 35150

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on May 16, 20 08.

Regina M. O'Neill
Notary Public

"OFFICIAL SEAL"
REGINA M. O'NEILL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/5/2008

NAME OF PRINCIPAL: FR/CAL Moreno Valley, LLC
Company Name

AUTHORIZED SIGNATURE(S): By

Name Bernard A. Bak Title

Name Authorized Signatory Title

NAME OF SURETY: Travelers Casualty And Surety Company Of America
Company Name

AUTHORIZED SIGNATURE: Patricia M. Doyle, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Faithful Performance Bond.DOC

RISK MANAGEMENT
Approved
6/2/08

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF WILL

On this 16th day of May, 2008, before me, Anna L. Formhals, a Notary Public, within and for said County and State, personally appeared Patricia M. Doyle to me personally known to be the Attorney-in-Fact of and for Travelers Casualty and Surety Company of America and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
ANNA L. FORMHALS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES DEC. 13, 2009

Item No. A.14

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 215800

Certificate No. 002241599

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas J. Joslin, Karen Daniel, Kathleen J. Mailes, Linda Iser, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Geoffrey E. Heekin, Marcia K. Cesatsky, Patricia M. Doyle, and Richard A. Moore Jr.

of the City of Chicago, State of Illinois, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 11th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-5-07 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Item No. A.14

MV00121044

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of May, 2008

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

CERTIFICATE OF AUTHORITY
FIRSTCAL INDUSTRIAL, LLC

I, John Clayton, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Vice President-Corporate Legal and Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation"), and as such officer I am authorized to make the certifications herein made;

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc., "FII"); FII is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno Valley").

3. Bernard A. Bak is a Vice President – Development Operations and Due Diligence of the Corporation, with signature authority for and on behalf of the Corporation and its affiliates, including, without limitation, FirstCal in its capacity as sole member of Moreno Valley, which signature authority extends to agreements and other documents ancillary thereto related to the development of land owned by Moreno Valley.

IN WITNESS WHEREOF, I have signed this Certificate this 27th day of May, 2008.

John Clayton

Sworn to and subscribed before me this 27th day of May, 2008.

Notary Public

My commission expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

[NOTARIAL SEAL]

Certificate of Authority - FirstCal Industrial LLC (JV)1

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $3,860,500

Bond No. 105063246

Surety Travelers Casualty And Surety Company Of America A+XII(CA)

Address One Tower Square

City/Zip Hartford, CT 06183

Project No. PM 35150

Premium $61,768.00

Principal FR/CAL Moreno Valley, LLC

Address 114 Pacifica, Suite 220

City/Zip Irvine, CA 92618

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **FR/CAL Moreno Valley, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PM 35150**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **THREE MILLION EIGHT HUNDRED SIXTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$3,860,500.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 35150

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change; extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on May 16, 2008.

NAME OF PRINCIPAL: FR/CAL Moreno Valley, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

Regina M. O'Neill
Notary Public

Name Bernard A. Bak Title

Name Authorized Signatory Title

"OFFICIAL SEAL"
REGINA M. O'NEILL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/5/2008

NAME OF SURETY: Travelers Casualty And Surety Company Of America
Company Name

AUTHORIZED SIGNATURE: Patricia M. Doyle, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Material Labor Bond.DOC

RISK MANAGEMENT
Approved
6/2/08

Item No. A.14

MV00121048

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF WILL

On this 16th day of May, 2008, before me, Anna L. Formhals, a Notary Public, within and for said County and State, personally appeared Patricia M. Doyle to me personally known to be the Attorney-in-Fact of and for Travelers Casualty and Surety Company of America and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Anna L. Formhals

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
ANNA L. FORMHALS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES DEC. 13, 2009

Item No. A.14

MV00121049

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Certificate No. 002241598

Attorney-In Fact No. 215800

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas J. Joslin, Karen Daniel, Kathleen J. Malles, Linda Iser, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Geoffrey E. Heekin, Marcia K. Cesafsky, Patricia M. Doyle, and Richard A. Moore Jr.

of the City of Chicago, State of Illinois, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 11th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-5-07 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Item No. A.14

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of May, 2008

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

CERTIFICATE OF AUTHORITY
FIRSTCAL INDUSTRIAL, LLC

I, John Clayton, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Vice President-Corporate Legal and Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation"), and as such officer I am authorized to make the certifications herein made;

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc., "FII"); FII is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno Valley").

3. Bernard A. Bak is a Vice President – Development Operations and Due Diligence of the Corporation, with signature authority for and on behalf of the Corporation and its affiliates, including, without limitation, FirstCal in its capacity as sole member of Moreno Valley, which signature authority extends to agreements and other documents ancillary thereto related to the development of land owned by Moreno Valley.

IN WITNESS WHEREOF, I have signed this Certificate this 27th day of May, 2008.

John Clayton

Sworn to and subscribed before me this 27th day of May, 2008.

Notary Public

My commission expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

[NOTARIAL SEAL]

Certificate of Authority - FirstCal Industrial LLC (JV)1

EXHIBIT "B"

DIF IMPROVEMENTS

EXHIBIT "B"

DIF Reimbursable Items
PARCEL MAP NO. 35150, PA06-0152,3
Indian Street

ITEM	QTY	UNITS	UNIT RATE	ITEM COST
Lane - includes the following:				
Traffic Control	1	LS	$ 12,000	$ 12,000
Excavation (based on structural section)	1552	CY	$ 29	$ 45,008
Curb and Gutter	1241	LF	$ 30	$ 37,230
Asphalt Concrete	21044	SF		
Thickness	0.50	ft.		
	763	TON	$ 80	$ 61,040
Aggregate Base	21044	SF		
Thickness	1.00	ft.		
	1526	TON	$ 33	$ 50,358
Portland Cement Concrete	9825	SF		
Thickness	0.70	ft.		
	255	CY	$ 425	$ 108,375
Aggregate Base	9825	SF		
Thickness	0.35	ft.		
	249	TON	$ 33	$ 8,217
Signing and Striping	1	LS	$ 2,000	$ 2,000
Sidewalk	8214	SF	$ 4.25	$ 34,910
Storm Drain - includes the following:				
24" Reinforced Concrete Pipe	63	LF	$ 160	$ 10,080
Headwall	1	EA	$ 5,500	$ 5,500
4' Catch Basin	3	EA	$ 3,100	$ 9,300
Local Depression	3	EA	$ 535	$ 1,605
Drop Inlet	1	EA	$ 2,500	$ 2,500
Junction Structure	3	EA	$ 6,500	$ 19,500
Overhead Utility Undergrounding	2329	LF	$ 178	$ 414,562
SUBTOTAL				**$ 822,185**
Planning Cost (10% of Subtotal)			10%	$ 82,219
Engineering Cost (25% of Subtotal)			25%	$ 205,546
Contingency Cost (10% of Subtotal)			10%	$ 82,219
TOTAL				**$ 1,192,169**

DIF Reimbursable Items
PARCEL MAP NO. 35150, PA06-0152,3
San Michele Road

ITEM	QTY	UNITS	UNIT RATE	ITEM COST
Lane - includes the following:				
Traffic Control	1	LS	$ 11,000	$ 11,000
Excavation (based on structural section)	1128	CY	$ 29	$ 32,712
Curb and Gutter	1325	LF	$ 30	$ 39,750
Asphalt Concrete	17718	SF		
Thickness	0.50	ft.		
	642	TON	$ 80	$ 51,360
Aggregate Base	17718	SF		
Thickness	1.00	ft.		
	1285	TON	$ 33	$ 42,405
Portland Cement Concrete	3713	SF		
Thickness	0.70	ft.		
	96	CY	$ 425	$ 40,800
Aggregate Base	3713	SF		
Thickness	0.35	ft.		
	94	TON	$ 33	$ 3,102
Signing and Striping	1	LS	$ 2,000	$ 2,000
Sidewalk	7621	SF	$ 4.25	$ 32,389
Storm Drain - includes the following:				
24" Reinforced Concrete Pipe	85	LF	$ 160	$ 13,600
Headwall	0	EA	$ 5,500	$ -
4' Catch Basin	2	EA	$ 3,100	$ 6,200
Local Depression	2	EA	$ 535	$ 1,070
Drop Inlet	1	EA	$ 2,500	$ 2,500
Junction Structure	2	EA	$ 6,500	$ 13,000
Overhead Utility Undergrounding	2410	LF	$ 178	$ 428,980
SUBTOTAL				**$ 720,868**
Planning Cost (10% of Subtotal)			10%	$ 72,087
Engineering Cost (25% of Subtotal)			25%	$ 180,217
Contingency Cost (10% of Subtotal)			10%	$ 72,087
TOTAL				**$ 1,045,259**

Item No. A.14

EXHIBIT "C" – DIF Credit Calculation Table

Item	Process for DIF Credit Calculation	Streets	Traffic Signals	Police	Fire	Libraries	Parks	Community / Rec Centers	Public Facilities*	Inter-change Improve-ments	Electric Utility
1	Engineer's Estimate	$2,237,428	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Project costs as identified in DIF study	$1,712,161	$0	$0	$0	$0	$0	$0	$0	$0	$0
3	Actual DIF Obligation	$1,515,318	$229,486	$49,683	$68,609	$0	$0	$0	$108,828	$230,669	$0
4	Developer's Credit Amount** - Least of Lines 1 2 & 3	$1,515,318	$0	$0	$0	$0	$0	$0	$0	$0	$0

*may include, but not be limited to, City Hall, Corporate Yard, Animal Shelter, and/or maintenance equipment.

** credit amount shall not exceed obligation.

EXHIBIT "C"

MV00121056

Final 3/3/08

AGREEMENT FOR DEPOSIT OF CASH SECURITY
TO DEFER PAYMENT OF
DEVELOPMENT IMPACT FEE (DIF) AND TRANSPORTATION UNIFORM
MITIGATION FEE (TUMF) OBLIGATIONS
NO. D07-007, NO. T07-002, PROJECT NOS. PM 35150, PA06-0152, PA06-0153

This Agreement ("Agreement") is made and entered into on the date the City signs this Agreement. This Agreement is by and between the City of Moreno Valley, whose address is 14177 Frederick Street, Moreno Valley, CA 92553, (hereinafter called "City"); and FR/CAL MORENO VALLEY, LLC, a Delaware limited liability company, whose address is 114 Pacifica, Suite 220, Irvine, CA 92618 (hereinafter called "Developer") (City and Developer collectively, the "Parties," and individually, a "Party") with reference to the following facts:

A. Developer owns approximately 54 acres of property subject to Tentative Parcel Map 35150 (the "Project"). Said property is subject to Conditions of Approval for said parcel map and a Plot Plan approval. The City's project identification numbers for the parcel map and plot plan are PA06-0152 and PA06-0153. Developer's Final Parcel Map has not yet been approved.

B. Developer wishes to pull permits to begin construction of parts of the project, including onsite grading and offsite street improvements, however, plans for such offsite improvements have not yet been approved by the City.

C. As a condition of approval of development of the property, and as requirements of City ordinances, Developer is required to pay Development Impact Fees (DIF) to mitigate the impacts of the development project on local public facilities, including without limitation, streets, traffic signals, bridges and thoroughfares, parks, etc., and Transportation Uniform Mitigation Fees (TUMF) to mitigate such impacts on regional transportation improvements.

D. In addition to such fee obligations, Developer is required by the conditions of approval and City ordinances to build certain public improvements, some of which are included in facilities eligible for funding from DIF and/or TUMF, under applicable "nexus" studies for such fees. Construction of facilities included in such nexus studies may make the Developer eligible for some amount of credits or refunds of DIF or TUMF.

E. The amount of such potential credits or refunds the Developer could be eligible for cannot be fully determined at this date.

1) TUMF credits and refunds are subject to adopted policies and procedures of the City and the Western Riverside Council of Governments, which include a form of credit and/or refund agreement ("TUMF agreement") already approved by both agencies. However the form of agreement cannot be entered into at this time because the amount of the TUMF fee and the value of improvements that may qualify for credits against the

TUMF fee cannot be calculated until final project and improvement plans have been reviewed and approved.

2) DIF credits and refunds are subject to polices and procedures of the City not yet fully adopted and implemented, and a form of credit and/or refund agreement ("DIF agreement") not yet approved by the City Council. However the form of agreement cannot be entered into at this time because the form of agreement has not yet been finalized and approved by the City and the the amount of the DIF fee and the value of improvements that may qualify for credits against the DIF fee cannot be calculated until final project and improvement plans have been reviewed and approved.

F. The City's normal practice has been to require Developers to wait for permits until final project approvals have been granted and the standard TUMF agreement has been executed and/or all TUMF and DIF fees have been finally calculated and fully paid and/or credited per approved agreements.

G. Developer has requested that the City permit Developer to pull permits prior to such final approvals and pay estimated DIF and TUMF into a segregated account with the City to be held as security for the performance of Developer's DIF and TUMF obligations for the Project.

Now, therefore, the City and Developer agree as follows:

A. Developer shall have the option to deposit 100% of the estimated DIF obligation amount of **$1,515,318** as estimated on Exhibit B attached hereto and 100% of the estimated TUMF obligation amount of **$1,081, 736** as estimated on Exhibit C attached hereto (collectively, the "Funds"), as a cash security with the City as a substitute for payment of the DIF and TUMF obligations otherwise required to be paid prior to permits for and/or occupancy of the Project.

B. When the Developer has deposited the Funds with the City, they shall be held by the City for the purposes of this Agreement and shall at all times be separately accounted for and held only for the purposes of this Agreement and the underlying DIF and TUMF obligations of the Developer. The Funds shall only be withdrawn by the City (i) for the payment of DIF and/or TUMF obligations due and owing the City under the terms of the DIF and/or TUMF agreements subsequently entered into between the Parties; (ii) for the payment of DIF and/or TUMF obligations left due and owing under City ordinances and resolutions at time of application for final inspection/certificate of occupancy for any part of the project in the event that DIF and TUMF agreements are not executed prior to such application; (iii) upon Developer's written authorization provided to the City, that the Funds or portions of the Funds may be withdrawn; or (iv) under the

provisions of section D of this Agreement. While so held, such funds shall bear interest at then current Local Agency Investment Fund (LAIF) rate. Such interest shall accrue to the benefit of the trust Funds and shall be used only for satisfaction of the Developer's DIF and/or TUMF obligations with any excess being paid to the Developer at the time of final accounting and termination of this Agreement.

The Parties agree that, for tax reporting purposes, all interest and other income from investment of the Funds shall, as of the end of each calendar year and to the extent required by the Internal Revenue Service, be reported as having been earned by Developer, whether or not such income was disbursed during such a calendar year.

Prior to final accounting and termination of this Agreement, the Developer shall provide the City with certified tax identification numbers by furnishing appropriate forms W-9 or W-8 and such other forms and documents that the City may request. The Parties understand that if such tax reporting documentation is not provided and certified to the City, the City may be required by the Internal Revenue Code of 1986, as amended, and the Regulations promulgated thereunder, to withhold a portion of any interest or other income earned on the investment of the Funds for payment of taxes.

To the extent that the City becomes liable for the payment of any taxes in respect of income derived from the investment of the Funds, the City shall satisfy such liability to the extent possible from the income of the Funds. The Developer shall indemnify, defend and hold the City harmless from and against any tax, late payment, interest, penalty or other cost or expense that may be assessed against the City on or with respect to the Funds and the investment thereof unless such tax, late payment, interest, penalty or other expense was directly and solely caused by the gross negligence or willful misconduct of the City.

C. This Agreement extends the time for execution of DIF and TUMF agreements that are, or would normally be, required prior to the issuance of building permits or occupancy of the Project. This Agreement is valid for a period of 180 days from City execution of this Agreement or until the execution, delivery to and final acceptance by the City of both a DIF agreement and a TUMF agreement, whichever comes first. If mutually agreed upon, this agreement may be extended. This Agreement may also be extended subject to the below conditions:

   a. If the sole reason for the Developer not submitting an acceptable DIF agreement is that the City has not adopted and presented to the Developer an approved form for such Agreement, the Developer shall be entitled to an extension of this Agreement until 10 days after such form

agreement is presented by the City to the Developer, or Developer applies for the first final inspection/certificate of occupancy for the Project, whichever shall first occur. Any extension under this subparagraph 1 shall not apply to the Developer's obligations to timely pay TUMF or to enter into a TUMF agreement, nor to the City's obligation to hold such TUMF fees in the segregated account under this Agreement

b. If the reason that the Developer has not submitted executed DIF and/or TUMF agreements is that the Developer has timely submitted complete plans in proper form for the Project and the DIF and/or TUMF eligible improvements such that the Developer's DIF and/or TUMF obligation can be properly calculated but the City has not yet acted to approve such plans and/or calculate the DIF and/or TUMF obligation, and/or execute the Public Improvement Agreement/bond acceptance as stipulated in the DIF and TUMF agreements, the Developer shall be entitled to an extension until such time as the City has either approved such plans and executed a corresponding DIF and/or TUMF agreement, or rejected the submitted plans in the ordinary course of exercising its governmental authority.

c. Notwithstanding any other provision of this Agreement, this Agreement shall expire upon the earlier of when the developer applies for the first certificate of occupancy for the Project, or the parties execute the DIF and TUMF agreements.

D. Subject to the provisions of section C of this Agreement, if the Developer has not executed and submitted to the City both a DIF Credit and Refund Agreement and a TUMF Credit/Reimbursement Agreement in form and substance acceptable to the City within 180 days of City execution of this Agreement or within any extension of this Agreement, this Agreement becomes null and void, the full DIF and TUMF obligations for the Project become immediately due and payable and the Funds shall be applied against such DIF and TUMF obligations. The Developer shall remain liable for any shortfall in payment of such obligations, which shall likewise become immediately due and payable.

E. The Developer shall be responsible for paying the City's administrative costs ("Administrative Costs") for the expenses incurred by the City in administering the Funds under this Agreement as set forth in Exhibit A. Administrative Costs shall be based on the actual costs incurred by the City. City shall provide Developer with written documentation that the Administrative Costs have been incurred by the City. Developer shall pay City the Administrative Costs actually incurred by the City within 30 (thirty) days of receipt of the written documentation of the Administrative Costs from the City. The Administrative Costs may be withheld by

the City from the Funds at the time of final accounting and termination of this Agreement.

F. The City reserves the right to require that the cash security deposit be increased if it determines in good faith that the Funds are inadequate to account for the Developer's DIF and TUMF obligations and/or the City's administrative costs for administering the Funds under this Agreement, including, but not limited to any inadequacy caused by a modification to construction plans (an increase in building square footage) subsequent to the final calculation of DIF and TUMF under City ordinances and adopted policies, upon issuance of building permits for the Project. Developer agrees to deposit the amount of any such increase in cash within ten (10) days after being notified by the City Engineer that the surety is insufficient and the additional amount required. If Developer fails to make such a timely deposit, the City may withhold or suspend permits for the Project until such deposit is made.

F. The Developer hereby indemnifies, defends and holds harmless the City from any and all claims, obligations, liabilities, losses and costs of any nature (including attorneys' fees) which the City may incur to any third party or agency, including specifically but without limitation the County of Riverside, the Riverside County Transportation Authority, WRCOG and/or any constituent agency of WRCOG, arising from this Agreement, from any act or omission by any party in compliance with or in breach of this Agreement, or from any failure to collect, account for or remit to any such agency any TUMF that would have been received by such agency absent this Agreement, any breach of this Agreement or any failure of Developer to pay or account for its full TUMF obligation, including losses related to any transportation funding withheld from the City by any such agency due to any alleged non-compliance with TUMF requirements for Developer's Project.

G. Upon termination of this Agreement under its terms, the City will provide an accounting of the Funds, including accrued interest, to identify the amounts that will be distributed to the Developer for credit and the amount that will be deposited into the City's DIF and/or TUMF account for the DIF and TUMF obligations of the Project.

H. The names of the persons who are authorized to give written notice or to receive written notice on behalf of the City and on behalf of Developer in connection with the foregoing, and exemplars of their respective signatures, are as follows:

City: Chris A. Vogt Signature: _____
Public Works Director/City Engineer Date: 2/21/08
(and/or)
Steve M. Chapman Signature: _____
Finance Director/City Treasurer Date: 2-21-08

City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: Phil Bowman, Senior VP Signature: _____
First Industrial Realty Trust Date: 2-14-08
114 Pacifica, Suite 220
Irvine, CA 92618

I. City Not Trustee or Fiduciary. This Agreement is purely an Agreement to accept a deposit of the Funds to secure obligations due and owing the City by the Developer. The City's purpose in entering into this Agreement is to protect its own interests and not those of the Developer. Under no circumstances will the City be deemed to be a trustee or fiduciary to the Developer or any other person under this Agreement.

J. Successors and Assigns. This Agreement shall be binding on and inure to the benefit of the Parties and their respective successors and permitted assigns. No other persons shall have any rights under this Agreement. Neither party shall assign or transfer any interest under this Agreement without the express prior written approval of the other party, which may be given or withheld in the other party's sole and absolute discretion.

K. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

L. This Agreement is the final, complete and exclusive statement of the agreement of the parties with respect to the subject matter hereof and supersedes and replaces any prior oral or written agreements between the parties addressing the same subject matter. However, this Agreement does not replace, vitiate, waive or supersede any obligation of the Developer under any present or hereafter adopted law, ordinance, resolution or policy of the City, which obligations shall remain in full force and effect, except only as to the timing of such obligations and only during the term of this Agreement.

SIGNATURE PAGE TO FOLLOW

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }

On 2-14-08 (Date) before me, Rita C. Webber, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Phil Bowman (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

RITA C. WEBBER
Commission # 1661187
Notary Public - California
Orange County
My Comm. Expires Apr 25, 2010

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Rita C. Webber (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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Agreement to Hold Separately
DIF Obligation No. D07-007
TUMF Obligation No. T07-002
Project Nos. PM 35150, PA06-0152, PA06-0153

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

FR/CAL MORENO VALLEY, LLC,
A Delaware limited liability company

By: FirstCal Industrial, LLC, a Delaware limited liability company, its sole member

By: FR FirstCal, LLC, a Delaware limited liability company, its managing member

By: First Industrial Investment, Inc., a Maryland corporation, its sole member

BY: _____
Signature
Phil Bowman
Print/Type Name
Senior Vice Presiden
Title

BY: _____
Signature
Matt Englhard
Print/Type Name
Regional Development Officer
Title

CITY OF MORENO VALLEY,
A California Municipal Corporation

BY: _____
Signature
Rick Hartmann, Deputy City Manager

For Robert G. Gutierrez
Print/Type Name

City Manager
Title

NATASHA Y. BURDINE
Commission # 1731839
Notary Public - California
Riverside County
My Comm. Expires Mar 16, 2011

Approved as to Form this

28TH day of February 2008

_____
City Attorney
City of Moreno Valley

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

W:\LandDev\CREDIT-REIMBURSEMENT AGREEMENTS\DIF & TUMF\PM 35150 - DIF & TUMF - Agreement to Hold Separate 2.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 2/29/08 (Date) before me, Natasha Y. Burdine, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Rick Hartmann (Name(s) of Signer(s)),

NATASHA Y. BURDINE
Commission # 1731839
Notary Public - California
Riverside County
My Comm. Expires Mar 16, 2011

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Natasha Y. Burdine (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement to Hold Separately DIF obligation NO D07-007 TUMF obligation NO T07-002

Document Date: 2/28/08 Number of Pages: 7

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }
On 2-14-08 (Date) before me, Rita C. Webber, Notary Public (Here Insert Name and Title of the Officer),
personally appeared Phil Bowman, Matt Englhard (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in his/her/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS ~~my~~ hand and official seal.

Signature Rita C. Webber (Signature of Notary Public)

RITA C. WEBBER
Commission # 1661187
Notary Public - California
Orange County
My Comm. Expires Apr 25, 2010

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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EXHIBIT A

CITY ADMINISTRATIVE COSTS

EXHIBIT B

CALCULATION OF ESTIMATED DIF OBLIGATION

Building A = 413,598 sq. ft.
Building B = 769,320 sq. ft.

413,598 sq. ft. X $1.281 (industrial general) = $529,819

769,320 sq. ft. X $1.281 (industrial general) = $985,499

Total DIF Obligation = $1,515,318

(as of August 15, 2007)

EXHIBIT C

CALCULATION OF ESTIMATED TUMF OBLIGATION

Building A = 413,598 sq. ft.
Building B = 769,320 sq. ft.

Building A = (*industrial general & high cube) = $462,324

Building B = (*industrial general & high cube) = $619,412

Total TUMF Obligation = $1,081,736

(as of February 6, 2008)

**Calculation for industrial general – high cube: There is a discounted rate for all square footage above 200,000 square feet.*

CERTIFICATE OF AUTHORITY
FIRST INDUSTRIAL REALTY TRUST, INC.
FIRST INDUSTRIAL INVESTMENT, INC.

I, JOHN H. CLAYTON, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation") and First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc.), a Maryland corporation ("FIDS"), and as such officer I am authorized to make the certifications herein made.

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of FIDS; FIDS is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno"). Accordingly, the Corporation, through FILP, FIDS, FRFC and FirstCal, has the authority to cause Moreno to enter into any and all agreements in connection with improvements to be made on or about a total of approximately 54 acres (acquired in 3 parcels of 35.97, 9.53 and 9.1 acres) in Moreno Valley, California at Indian Avenue, San Michele Avenue and Nandina Avenue, including, without limitation, that certain Improvement and Reimbursement Agreement (Transportation Uniform Mitigation Fee Program) with the City of Moreno Valley (the "Agreement").

3. The following are duly authorized signatories of the Corporation and its subsidiaries, including, without limitation, FirstCal and Moreno, with full authority to execute the Agreement and any documents ancillary thereto:

Title	Name
Senior VP Development	Phil Bowman
Regional Development Officer	Matt Englhard

IN WITNESS WHEREOF, I have signed this Certificate this 18th day of September 2007.

John H. Clayton, Secretary

Sworn to and subscribed before
me this 18th day of September 2007.

Notary Public
My Commission Expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

CertificateofAuthority(FR-Cal Moreno Valley (Bowman-Englhard) 9-18-07)

Delaware

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "FR/CAL MORENO VALLEY, LLC", FILED IN THIS OFFICE ON THE ELEVENTH DAY OF APRIL, A.D. 2006, AT 2:52 O'CLOCK P.M.

4140538 8100

060339861

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4660762

DATE: 04-11-06

Item No. A.14

State of Delaware
Secretary of State
Division of Corporations
Delivered 02:48 PM 04/11/2006
FILED 02:52 PM 04/11/2006
SRV 060339861 - 4140538 FILE

CERTIFICATE OF FORMATION

FR/CAL MORENO VALLEY, LLC

The undersigned, an authorized person, for the purpose of forming a limited liability company, under the provisions and subject to the requirements of the State of Delaware (particularly Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified, and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

ARTICLE I. The name of the limited liability company is FR/Cal Moreno Valley, LLC (the "Company").

ARTICLE II. The address of the registered office and the name and the address of the registered agent of the limited liability company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act are Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware, County of New Castle, 19808.

ARTICLE III. The debts, obligations and liabilities of the Company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the Company; and no member or manager of the Company shall be obligated personally for any such debt, obligation or liability of the Company solely by reason of being a member or acting as a manager of the Company.

ARTICLE IV. The Company may establish one or more designated series of members, managers or membership interests. In the event said series are established, then the debts, liabilities, and obligations and expenses incurred by, contracted for or otherwise existing with respect to a particular series shall not be enforceable against the assets of any other series or the assets of the Company generally, and none of the debts, liabilities, and obligations and expenses incurred by, contracted for or otherwise existing with respect to the Company generally or any other series shall be enforceable against the assets of such series.

Dated as of the 11th day of April, 2006.

By: Rondi C. Simmons
Rondi C. Simmons, Authorized Person

347080_1.DOC

State of California
Secretary of State

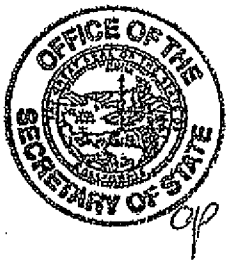

I, BRUCE McPHERSON, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

APR 14 2006

BRUCE McPHERSON
Secretary of State

State of California
Secretary of State

File # 200610410073

LIMITED LIABILITY COMPANY APPLICATION FOR REGISTRATION

ENDORSED - FILED
In the office of the Secretary of State of the State of California

APR 13 2006

This Space For Filing Use Only

A $70.00 filing fee AND a certificate of good standing from an authorized public official of the jurisdiction of formation must accompany this form.

IMPORTANT – Read instructions before completing this form.

ENTITY NAME (End the name in item 1 with the words "Limited Liability Company," "Ltd. Liability Co." or the abbreviations "LLC" or "L.L.C.")

1. NAME UNDER WHICH THE FOREIGN LIMITED LIABILITY COMPANY PROPOSES TO REGISTER AND TRANSACT BUSINESS IN CALIFORNIA
   PR/Cal Moreno Valley, LLC
2. NAME OF THE FOREIGN LIMITED LIABILITY COMPANY, IF DIFFERENT FROM THAT ENTERED IN ITEM 1 ABOVE

DATE AND PLACE OF ORGANIZATION

3. THIS FOREIGN LIMITED LIABILITY COMPANY WAS FORMED ON 04 (MONTH) - 11 (DAY) - 06 (YEAR) IN Delaware (STATE OR COUNTRY)
   AND IS AUTHORIZED TO EXERCISE ITS POWERS AND PRIVILEGES IN THAT STATE OR COUNTRY.

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and both items 4 and 5 must be completed. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and item 4 must be completed (leave item 5 blank).

4. NAME OF AGENT FOR SERVICE OF PROCESS
   Corporation Service Company which will do business in California as CSC-Lawyers Incorporating Service
5. IF AN INDIVIDUAL, ADDRESS OF INITIAL AGENT FOR SERVICE OF PROCESS IN CALIFORNIA — CITY — STATE: CA — ZIP CODE

APPOINTMENT (The following statement is required by statute and may not be altered.)

6. IN THE EVENT THE ABOVE AGENT FOR SERVICE OF PROCESS RESIGNS AND IS NOT REPLACED, OR IF THE AGENT CANNOT BE FOUND OR SERVED WITH THE EXERCISE OF REASONABLE DILIGENCE, THE SECRETARY OF STATE OF THE STATE OF CALIFORNIA IS HEREBY APPOINTED AS THE AGENT FOR SERVICE OF PROCESS OF THIS FOREIGN LIMITED LIABILITY COMPANY.

OFFICE ADDRESSES (Do not abbreviate the name of the city.)

7. ADDRESS OF THE PRINCIPAL EXECUTIVE OFFICE — CITY AND STATE: Chicago, Illinois — ZIP CODE: 60606
   311 South Wacker Drive, Suite 4000
8. ADDRESS OF THE PRINCIPAL OFFICE IN CALIFORNIA, IF ANY — CITY — STATE: CA — ZIP CODE

EXECUTION

9. I DECLARE I AM THE PERSON WHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION IS MY ACT AND DEED.

Rondi C. Simmons — SIGNATURE OF AUTHORIZED PERSON

April 11, 2006 — DATE

Rondi C. Simmons — TYPE OR PRINT NAME OF AUTHORIZED PERSON

Authorized Person — TITLE OF AUTHORIZED PERSON

RETURN TO (Enter the name and the address of the person or firm to whom a copy of the filed document should be returned.)

10. NAME
    FIRM
    ADDRESS
    CITY/STATE/ZIP

APPROVED BY SECRETARY OF STATE

LLC-5 (REV 03/2005)

Item No. A.14

MV00121074

Delaware

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "FR/CAL MORENO VALLEY, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE ELEVENTH DAY OF APRIL, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "FR/CAL MORENO VALLEY, LLC" WAS FORMED ON THE ELEVENTH DAY OF APRIL, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

OFFICE OF THE SECRETARY OF STATE

4140538 8300

060339861

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4660763

DATE: 04-11-06

Item No. A.14

LIMITED LIABILITY COMPANY AGREEMENT

OF

FR/CAL MORENO VALLEY, LLC

This Limited Liability Company Agreement (this "Agreement") of FR/Cal Moreno Valley, LLC, is entered into on April 11, 2006 by FirstCal Industrial, LLC, a Delaware limited liability company, as the member (the "Member").

The Member hereby forms a limited liability company pursuant to and in accordance with the Delaware Limited Liability Company Act (6 Del.C. §18-101, et seq.), as amended from time to time (the "Act"), and hereby agrees as follows:

1. Name. The name of the limited liability company formed hereby is FR/Cal Moreno Valley, LLC (the "Company").

2. Purpose. The Company is formed for the object and purpose of, and the nature of the business to be conducted and promoted by the Company is, engaging in any lawful act or activity for which limited liability companies may be formed under the Act and engaging in any and all activities necessary or incidental to the foregoing.

3. Registered Office. The address of the registered office of the Company in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, New Castle County, Delaware 19808.

4. Registered Agent. The name and address of the registered agent of the Company for service of process on the Company in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

5. Member. The name and the business address of the Member are as follows:

Name	Address
FirstCal Industrial, LLC	311 South Wacker Drive Suite 4000 Chicago, Illinois 60606

6. Powers. The business and affairs of the Company shall be managed by the Member. The Member shall have the power to do any and all acts necessary or convenient to, or for the furtherance of, the purposes described herein, including all powers, statutory or otherwise, possessed by members under the laws of the State of Delaware. Notwithstanding any other provisions of this Agreement, any officer or authorized signatory of the Member, acting alone, is authorized to execute and deliver any document on behalf of the Company without any vote or consent of any other person.

Each of Rondi Simmons (for so long as she is an employee of Barack Ferrazzano Kirschbaum Perlman & Nagelberg LLP, counsel to the Member) or Scott Musil, acting individually, is hereby designated as an authorized person, within the meaning of the Act, to execute, deliver and file the certificate of formation of the Company (and any amendments and/or restatements thereof) and any other certificates (and any amendments and/or restatements thereof) necessary for the Company to qualify to do business in a jurisdiction in which the Company may wish to conduct business.

7. Dissolution. The Company shall dissolve, and its affairs shall be wound up upon the first to occur of the following: (a) December 31, 2050, (b) the written consent of the Member, (c) the bankruptcy or dissolution of the Member, (d) the occurrence of any other event that terminates the continued membership of the Member in the Company, or (e) the entry of a decree of judicial dissolution under Section 18-802 of the Act.

8. Capital Contributions. The Member has contributed the sum of $100.00, in cash, and no other property, to the Company.

9. Additional Contributions. The Member is not required to make any additional capital contribution to the Company.

10. Allocation of Profits and Losses. All of the Company's profits and losses shall be allocated to the Member.

11. Distributions. All distributions shall be made to the Member at the times and in the aggregate amounts determined by the Member.

12. Assignments. The Member may freely assign its limited liability company interest, whether in whole or in part.

13. Resignation. The Member may not resign from the Company.

14. Admission of Additional Members. One (1) or more additional members of the Company may be admitted to the Company, with the consent of the Member.

15. Liability of Members. The Member shall not have any liability for the obligations or liabilities of the Company, except to the extent provided in the Act.

16. Governing Law. This Agreement shall be governed by, and construed under, the laws of the State of Delaware, all rights and remedies being governed by said laws.

IN WITNESS WHEREOF, the undersigned, intending to be legally bound hereby, has duly executed this Limited Liability Company Agreement as of the date first written above.

MEMBER:

FirstCal Industrial, LLC, a Delaware limited liability company

By: FR FirstCal, LLC, a Delaware limited liability company, its managing member

By: First Industrial Development Services, Inc., a Maryland corporation, its sole member

By: _____
Name: John Clayton, Secretary

LEGAL DESCRIPTION
TENTATIVE PARCEL MAP NO. 35150 (PA06-0152 & PA06-0153)
PERTAINING TO AGREEMENT FOR DEPOSIT OF CASH SECURITY TO DEFER PAYMENT OF DIF AND TUMF OBLIGATION

SAID TENTATIVE PARCEL MAP NO. 35150, BEING A DIVISION OF PARCELS 1, 2, 3 AND 4 AND LOT "B" (SAN MICHELE ROAD), OF PARCEL MAP NO. 16849 AS SHOWN BY MAP ON FILE IN BOOK 107 OF PARCEL MAPS AT PAGE 71 AND 72, AND LOT 13 AND A PORTION OF LOT 14 IN BLOCK 1 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, AS SHOWN BY MAP ON FILE IN BOOK 8 OF MAPS AT PAGE 21, BOTH RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN SECTION 31, T. 3 S., A. 3 W., S.B.M.

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MV00121080

ORDINANCE NO. 832

AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley, ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the State Fiscal Year 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011, and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain "enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, the dissolution of the Agency would be detrimental to the health, safety, and economic well-being of the residents of the City and cause irreparable harm

to the community, because, among other reasons, the redevelopment activities and projects made possible, implemented, and funded by the Agency are highly significant and of enduring benefit to the community and the City, and are a critical component of its future; and

WHEREAS, Part 1.9 of the CRL ("Part 1.9") provides that a redevelopment agency may continue in operation if a city or county that includes a redevelopment agency adopts an ordinance agreeing to comply with and participate in the Alternative Voluntary Redevelopment Program established in Part 1.9 ("Program"); and

WHEREAS, as a condition of the Agency's continued existence and operation of its redevelopment agency, the City is required to make certain annual remittances to the county auditor-controller pursuant to Chapter 3 of Part 1.9, beginning with a larger upfront remittance for the 2011-2012 fiscal year ("First Remittance"), to be paid in two equal installments on January 15, 2012 and May 15, 2012; and

WHEREAS, the City will have sufficient moneys and revenues to fund an amount equal to the City's payment of the First Remittance and expects to have sufficient moneys and revenues to fund the subsequent annual remittances required by Part 1.9; and

WHEREAS, the City's needs are such that it can commit to spend the funds received from the Agency pursuant to an Agreement to Transfer Tax Increment (defined below) to finance activities within the Redevelopment Project that are related to accomplishing the goals of the Redevelopment Project, including without limitation: (i) the elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes, ordinances following exactly the State and Federal Redevelopment Laws; (ii) the promotion of new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the capture of commercial sales activity, including the development of a regional mall within the Project Areas and the creation of a regional public transportation center and facilities, auto center arid freeway frontage roads; (iii) the achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for both business and residential areas to help achieve the objectives of the Redevelopment Plan by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area; (iv) maximizing the tax base; (v) adding and upgrading interchanges; (vi) the retention and/or expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area; (vii) increasing revenues to the City of Moreno Valley; (viii) creating and developing local job opportunities and the preserving

and expanding of the City's existing employment base; (ix) improving certain environmental deficiencies, such as substandard traffic circulation patterns to have all streets, roads and intersections to be the best possible level of service; inadequate water, sewer and storm drainage systems; and insufficient off-street commercial parking, and utility deficiencies adversely affecting the Project Area; (x) improving the community's supply of housing, including opportunities for low and moderate-income households and providing improved park land that is easily, and safely accessible to these residents; (xi) increasing revenues for adequate public services and facilities, including but not limited to, fire protection, parks and recreation, libraries, bike and equestrian trails; (xii) provision of transportation improvements; (xiii) retention and expansion of business activities; (xiv) improvement of environmental deficiencies, such as substandard traffic circulation patterns, inadequate water, sewer and storm drainage systems, insufficient commercial parking and utility deficiencies; (xv) increasing revenues for adequate public services and facilities, including but not limited to fire protection, parks and recreation, libraries, and bike and equestrian trails; and (xvi) creating a balanced community; and

WHEREAS, the City and Agency intend to execute an agreement pursuant to CRL Section 34194.2, whereby the Agency shall make an initial transfer of a portion of its tax increment to the City in an amount equal to the First Remittance, and thereafter to transfer amounts of tax increment equal to any subsequent remittance which the City is required to make to the county auditor-controller pursuant to the City's participation in the Program ("Agreement to Transfer Tax Increment"); and

WHEREAS, the City is aware that the validity, passage, and applicability of ABX1 26 and ABX1 27 may become the subject of a judicial challenge; and

WHEREAS, the City, by the adoption of this Ordinance, does not represent, disclaim, or take any position whatsoever on the issue of the validity of ABX1 26 or ABX1 27, but rather the City seeks to comply with the Constitution and laws of the State of California, including Part 1.9, in order to preserve the ability of the Agency to continue to operate and thereby benefit the community; and

WHEREAS, the City is the lead agency concerning this Ordinance pursuant to the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq*) ("CEQA") and the State CEQA Guidelines; and

WHEREAS, City staff has determined that the Ordinance is exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such authorizations are not considered a project subject to CEQA review. The community remittance is a government funding mechanism and fiscal activity, which does not involve any

commitment to any specific project which may result in a potentially significant environmental impact; and

WHEREAS, the City has duly considered all other related matters and has determined that the City's participation in the Program is in the best interests of the City, and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, the City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be or has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1x 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:

1. The foregoing recitals are true and correct.

2. The City hereby finds that (i) the dissolution of the Agency would be detrimental and cause irreparable harm to the community and to the health, safety, and economic well-being of the citizens of the City, and (ii) the types of activities and projects made possible, implemented, and funded by the Agency are highly significant

and of enduring benefit to the community and the City, and are a critical component of its future.

3. The City hereby ordains that the City, under protest, shall comply with the Constitution and the laws of the State of California, including Part 1.9 of Division 24 of the Health and Safety Code, including the determination of remittance amounts, appeal rights in relation thereto, and the making of the remittances referred to in CRL Section 34194(b) and (c) at the times and in the manner described in Part 1.9, without prejudice to the rights of the City (a) to challenge or join with other entities challenging the validity of the Dissolution Act and the Alternative Voluntary Redevelopment Program, (b) to review and appeal the amounts of community remittances required by the Alternative Voluntary Redevelopment Program, (c) in the event a court of competent jurisdiction grants an injunction or stay enjoining the effectiveness of the Dissolution Act and/or the Alternative Voluntary Redevelopment Program, to withhold community remittances while that injunction or stay is in effect, (d) in the event the Dissolution Act and/or the Alternative Voluntary Redevelopment Program is declared invalid by a court of competent jurisdiction, to obtain a refund of any community remittances paid pursuant to the Alternative Voluntary Redevelopment Program and this Ordinance and this Ordinance will immediately become null and void and have no further force or effect, and (e) to subsequently determine, based on circumstance and information then available to the City Council, including the amounts of required community remittances, that is not in the best interests of the City to continue to participate in the Alternative Voluntary Redevelopment Program, in which case the City Council shall formally repeal this Ordinance and the Agency shall be subject to the Dissolution Act. This Ordinance is that ordinance referred to in CRL Section 34193 and shall be interpreted and applied in all respects so as to fully comply with Part 1.9, to the fullest extent required by law.

4. On or before November 1, 2011, the City Manager is hereby authorized and directed to notify the county auditor-controller, the Controller of the State, and the State Department of Finance that the City agrees to comply with the provisions of Part 1.9 as provided under Section 34193, such notice to be in accordance with CRL Section 34193.1.

5. The City's remittances to the county auditor-controller made pursuant to Part 1.9 may be paid from any legally available funds of the City not otherwise obligated for other uses in accordance with Section 34194.1. Nothing herein is intended or shall be interpreted to require any payments or impose any financial or other obligation of the City other than in accordance with the Constitution and laws of the State of California, including Part 1.9.

6. The City Council determines that approval of this Ordinance exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such approval is not considered a project subject to CEQA review. The payment is a government funding

mechanism and fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant environmental impact.

7. The City Council hereby authorizes and directs that a Notice of Exemption shall be filed with the Clerk of the Board of Supervisors of the County of Riverside, California, within five (5) working days following the date of adoption of this Ordinance.

8. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Moreno Valley, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code § 36933.

9. This Ordinance shall become effective thirty (30) days after the date of the final passage and adoption hereof.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

STATE OF CALIFORNIA)
COUNTY OF _____RIVERSIDE) ss
CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, do hereby certify that the foregoing Ordinance No.____ was duly passed and adopted at a _____ meeting of the City Council of the City of Moreno Valley held on the ____ day of _____, 2011.

Upon motion of City Council Member _____, seconded by City Council Member _____, the foregoing Ordinance No. _____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of _____ this _____ day of _____, 2011.

_____
Jane Halstead, City Clerk

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MV00121088

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS PROJECT NO. LED-229-80510

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763.

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

BACKGROUND

The Energy Efficiency & Conservation Block Grant (EECBG) program offered by U.S. Department of Energy has awarded funding to the City for energy saving projects. The funding is intended to assist cities, counties, states, territories, and Indian tribes to develop, promote, implement, and manage energy efficiency and conservation projects/programs. Emphasis of these programs is to achieve and improve energy efficiency in transportation, building, and other appropriate sectors.

On January 10, 2010, the City Council accepted the EECBG awarded to the City, in the amount of $1,684,300. The retrofitting of Internally Illuminated Street Name Signs (IISNS) with LED light engines is one of the intended uses of the EECBG grant. LED light engines are a proven enhancement to visibility, highway safety, and are

environmentally friendly due to the longevity of the LED. An annual cost saving of approximately 50% is realized with the retrofit of LED light engines. The savings is due to less use of electricity and less maintenance due to life expectancy of the LED.

DISCUSSION

Using the EECBG grant funding, Public Works staff replaced approximately 40% of the existing fluorescent bulbs in the Internally Illuminated Street Name Signs with LED light engines. This retrofit of 69 intersections was completed in October 2010. However, through competitive pricing received on the other energy retrofit related projects; surplus funds are available within the original grant award amount. These additional monies have been designated to complete the IISNS retrofit of the remaining 104 signalized intersections throughout the City.

As prescribed by the Department of Energy grant, formal bidding procedures shall conform to the local agency's Purchasing Ordinance and Public Contract Code. In determining the award, the City's Purchasing Ordinance and the Public Contract Code have been followed. The City Clerk received and opened bids at 2:00 p.m., on Wednesday, June 29, 2011. A total of four (4) bids were received. The lowest bidder's product fails to meet the City's specifications in terms of operating voltage and having a non-integrated power converter. Staff evaluated the product from the lowest bidder but consider that the safety of maintenance staff could be diminished and overall future replacement costs would be higher and therefore that the lowest bidder's product does not meet the City's specification. Therefore, it is the recommendation of staff to accept the bid results from the second lowest bidder, Archipelago Lighting of Montclair, California, as their product meets the specifications and requirements of the City. No outstanding issues were identified through review of the references submitted by the Archipelago Lighting and the vendor is not recorded on the Federal Debarment list.

The anticipated project schedule to complete the retrofit project is December, 2011.

ALTERNATIVES

1. Award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, and authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to Archipelago Lighting in the amount of $156,457.00, (Account No. 229.80510.7200). *This alternative will allow the project to commence.*

2. Do not award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, and do not authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to Archipelago Lighting in the amount of $156,457.00, (Account No. 229.80510.7200) and provide direction to staff. *This alternative will delay the commencement of the project.*

FISCAL IMPACT

Funding for the purchase of LED lamp modules for Project No. LED-229-80510 is included in the awarded Department of Energy EECBG grant and is accounted for in Fiscal Year 2011-2012 (Fund 229) budget. Although the price differential between the first and second lowest bids is $8,118.96, this funding gap will be absorbed by the grant and there will be no impact to the General Fund.

TOTAL ESTIMATED COSTS FOR PROJECT NO. LED-229-80510

Material Cost (EECBG Grant Funded)	$156,457.00
Installation and Administration by City staff	$0.00
Total Estimated Project Related Costs	$156,457.00

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

Prepared By
Alan Kashefi, P.E.
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Eric Lewis, P.E. ,T.E.
City Traffic Engineer

Concurred By
Rix Skonberg
Purchasing & Facilities Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00121092

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12

RECOMMENDED ACTION

Staff recommends that the City Council approve the successor Memoranda of Understanding (MOU's) between the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

During the period of March through August 2011, the City's and labor negotiations team met and conferred with the labor negotiation teams of the Moreno Valley Management Association (MVMA) and the Moreno Valley Confidential Management Employees (MVCME) regarding their successor MOU's for Fiscal Year 2011-12. During the Closed Session of City Council at its Study Session meeting on August 16, 2011, the City Council authorized the City's Chief Negotiator to proceed to finalize and present back to the City Council for approval the successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12. The City's, MVMA's and MVCME's labor negotiations teams have met and conferred on the language of the MOU's, and the attached MOU's are in final format for City Council approval.

DISCUSSION

The following is a summary of the main points that are contained in both the successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12:

- No merit pay increases for current employees.
- Deferral of Cost of Living Adjustment (COLA), and there is no expectation that the COLA will be retroactive.
- Tier III reduced benefits for employees hired on or after September 30, 2011:
  1. Retirement Benefits: 2% @ 55 Benefit and Highest 3 Years Average
  2. Retiree Medical:
     a. Provide access to the City's group rates, guaranteed coverage.
     b. PERS Retiree Medical Insurance City paid access fee.
     c. VEBA increased to $75/mo. for MVMA and MVCEA members.
  3. Cafeteria Benefit Bank Reduction by 25%
     a. Full-time employees: $787.50/mo. and $9,450/yr.
     b. Part-time employees: $318.75/mo. and $3,825/yr.
  4. Annual Leave Reduction
     a. Reduction of Maximum Annual Accrual to 800 hours per year
     b. New accrual rates:

	0-5 Years	6-10 Years	11+ Years
PAM	234	274	314
Division Mgmt	252	292	332
PAM Confidential	250	290	330
Div Mgmt Confidential	252	302	332
Exec Mgmt	256	296	336

- Retiree Medical Vesting Period for current MVMA and MVCME members:
  - Increase vesting period from 2 years to 5 years for Tier I
  - Increase vesting period from 2 years to 5 years for Tier II
- Continuation of work schedule reduction furlough (4/9 work week).
- Extension of the recall period from 2 to 3 years effective with the June 30, 2011 layoffs.
- Closure of City offices between Christmas and New Year's.
- All new employees are required to have direct deposit for payroll or to apply for this service through the City's bank; if they are accepted they agree to participate, if denied this requirement will be waived.
- Correct Personnel Rules reference to IRS Section 414 (h) (2) for pretax payments of employees' member contribution to PERS for new hires on or after July 1, 2009.
- City will include an exemption in the PERS Contract for temporary employees for new hires within the classifications of Crossing Guard and Recreation Aide.
- Extension of the current MVMA MOU and MVCME MOU through August 23, 2011.
- Provide an additional $50/month to MVMA and MVCME members for family medical insurance Premiums beginning on January 1, 2012.
- Move the Risk Division Manager from the MVMA bargaining unit to the MVCME bargaining unit.

- Develop long-term strategies to implement merit pay increases after economic recovery.
- Review rehire procedure and rehire compensation levels.

The only item in the MVCME MOU that is not in the MVMA MOU is the application of seniority as the first factor for decisions regarding layoff order and recall order in the Layoff/Recall Policy for MVCME bargaining unit members. For MVMA bargaining unit members, the policy will remain in effect and apply as it was in place on July 1, 2011, except for the deletion of the January 1, 2012 initiation of use of the "exceeds expectations" and "outstanding" rating categories for order of layoff decisions.

ALTERNATIVES

The action of the City Council to approve the attached MVMA MOU and MVCME MOU will fulfill the City's employer/employee relations resolution with the Moreno Valley Management Association and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The cost to the City to provide an additional $50.00 per month to MVMA and MVCME members for family medical insurance premiums effective January 1, 2012, is estimated to be approximately $10,200.00 for Fiscal Year 2011-12. However, the overall net savings to the City due to the reduction of benefits for newly hired employees beginning on September 30, 2011, is expected to result in approximately $9,600.00 annual savings per employee. The expected overall savings to the City for Fiscal Year 2011-12 is expected to exceed the cost of providing the additional $50.00 per month for MVMA and MVCME members for family medical insurance premiums.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future."

NOTIFICATION

The Moreno Valley Management Association and the Moreno Valley Confidential Management Employees have been notified of the staff report and staff recommendation for City Council to approve the attached successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12. Copies of this staff report and attached MVMA MOU and MVCME MOU were sent to the employee associations, and they concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

Attachment A is the successor MVMA MOU for Fiscal Year 2011-12.
Attachment B is the successor MVCME MOU for Fiscal Year 2011-12.

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF MORENO VALLEY AND THE
MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES

The agreement entered into between the City of Moreno Valley and those employees designated as "Confidential Management" (MVCME) covers provisions related to Fiscal Year 2011-12. The following is a list of provisions agreed to between the parties.

1. TERM

The term of this agreement shall be July 1, 2011 through June 30, 2012.

2. INSURANCE

Effective January 1, 2012, employees who are hired prior to September 30, 2011, are enrolled in the City's CalPERS medical insurance program, have family coverage and are covered by this agreement will receive an increase of $50.00 per month to the City's flexible benefit contribution for all full time employees.

3. THIRD TIER OF BENEFITS FOR NEW EMPLOYEES

The City and MVCME agree to have a third tier of benefits for new employees hired on or after September 30, 2011 (PERS retirement benefits effective date subject to PERS requirements):

Retirement Benefits:

a. 2% @ 55 Benefit
b. 3 Year Average Pay Calculation
c. Employee pays full 7% - City does not pay any part of employee contribution which eliminates the EPMC benefit (this is consistent with Tier 2)

Cafeteria Benefit Bank:

a. Full-time employees: $787.50/mo. and $9,450/yr.
b. Part-time employees: $318.75/mo. and $3,825/yr.

Management Benefits Differentials:

a. Division Management Confidential: 3%
b. PAM Confidential: 1.5%

Annual Leave Accrual:

a. Maximum Annual Accrual to 800 hours per year

b. New accrual rates:

	0-5 Years	6-10 Years	11+ Years
PAM Confidential	250	290	330
Division Mgmt Conf.	252	302	332

Retiree Medical Revisions

a. Provide access to the City's group rates, guaranteed coverage.

b. PERS Retiree Medical Insurance monthly access fee paid 100% by City

c. City paid VEBA of $75/mo. for PAM Confidential and DM Confidential

4. FURLOUGH

Beginning on July 1, 2011 and ending on June 30, 2012, MVCME unit employees will continue the 10% (208 hours) work furlough that was in effect during fiscal years 2009/10 and 2010/11.

5. HOLIDAY SCHEDULE

City offices will be closed between Christmas and New Years Day. The City will grant 27 hours of Holiday time to full-time MVCEA unit employees for 12/23/11, 12/26/11, and 1/1/12 for those accruing leave, at a rate of 9 hours per day. Employees may apply this Holiday Leave, and/or other leave, to cover their normal workdays during the holiday closing.

6. RETIREMENT BENEFITS

The City will correct the City's Personnel Rules and Regulations reference to IRS Section 414 (h) (2) for pretax payments of employees' member contribution to CalPERS for new hires after on or after July 1, 2009.

MVCME unit employees laid off and on a recall list will be reinstated under the same retirement benefits (including cost sharing levels) when recalled as they were under at the time of lay-off.

The City will amend its contract with CalPERS and revise the City's Personnel Rules and Regulations Sections 14.15, 14.20 and 14.25 to implement a reduction in the retirement benefits, and thereby creating a Tier III. This Tier III includes reduced benefits for employees hired on or after September 30, 2011, as follows:

a. Retirement Benefits Formula: 2% @ Age 55 Benefit and Average of 3 Highest Years of Compensation.

b. Retiree Medical: Provide access to the City's group rates, guaranteed coverage. The City will only pay 100% of the PERS Retiree Medical Insurance monthly access fee for eligible employees. The City will not pay any monthly contribution for medical insurance premium. The City will pay $75.00 per month towards the employees' Voluntary Employees' Benefits Association (VEBA) account for retirement health insurance expenses. Employees do not serve a minimum period of full-time employment with the City, in order to become vested and eligible to use their VEBA account upon retirement.

The following sections of the Personnel Rules reflect the changes agreed to in this MOU:

14.15 POST RETIREMENT MEDICAL BENEFITS

A. Annuity Programs: Effective January 1, 2001, the City of Moreno Valley shall contribute a monthly amount to each non-exempt full-time career employee for an annuity program for 20 years or until termination or retirement, for the purpose of funding retiree medical premiums. New hire probationary employees shall not be eligible to receive the monthly contribution until the successful completion of their probationary period. The effective date of their first contribution will commence the next full month after they have passed probation.

Effective January 1, 2002, after two full years of employment, the monthly contribution to the annuity program shall increase per the negotiated language as approved by City Council. This shall go into effect the next month after their two-year-anniversary date has passed.

Each bargaining unit has selected separate annuity programs.

1. Contributions for the MVCEA bargaining unit are being paid into the Benefit Bank.

   In the event MVCEA ceases to be the recognized representative of bargaining unit employees, the control and administration of this program shall transfer to management and the responsibility for same shall be the exclusive jurisdiction of management.

   Employees may at their option contribute a portion of their compensation to the annuity subject to IRS restrictions through payroll deductions.

2. Contributions for the management bargaining unit are being paid into a Voluntary Employee Beneficiary Trust (VEBA), which manages the investment and distribution of the funds.

B. City Paid Retiree Medical Benefit: Effective January 1, 2001, upon retiring, the City shall pay a minimum of the monthly fee required by PERS for enrollment of retirees. Effective September 30, 2011, employees hired prior to July 1, 2009, who retire under the CalPERS retirement benefits system with a minimum of five full-time years of service with the City, and employees hired on or after July 1, 2009, who retire under the CalPERS retirement benefits system with a minimum of ten full-time years of service with the City, shall be eligible to receive a benefit which is the lesser of the cost of

medical coverage for the retiree and spouse, or the amount stipulated in the following table:

EFFECTIVE DATE	MAXIMUM EMPLOYER CONTRIBUTIONS
January 2, 2009	up to $318.73 per month

To receive the Retiree Medical Benefit, the retiree must submit documentation of payment for medical insurance coverage. Documentation for those enrolled with PERS Health is provided by PERS. In the event of the retiree's death, the surviving spouse continues to be eligible to receive the benefit.

Employees hired on or after September 30, 2011 will not be provided the City paid retiree medical benefit described in the above. For these employees, the City will pay $75.00 per month towards the employees Voluntary Employees' Benefits Association (VEBA) account for retirement health insurance expenses. Employees do not serve a minimum years of full-time employment with the City, in order to become vested and eligible to use their VEBA account upon retirement.

14.20 PERS MEDICAL COVERAGE FOR RETIREES

All employees who retire under both the City of Moreno Valley and CalPERS retirement benefits system are eligible to participate in the CalPERS medical insurance program under the Public Employees Medical and Hospital Care Act (PEMCHA), and the City pays the monthly minimum fee required for each retired City of Moreno Valley employee who participates in PEMCHA.

The City shall contribute a monthly employer fee (access fee) for retiree medical coverage with the Public Employees Retirement System (PERS), per negotiated contract language as approved by City Council. Retirees must convert to Medicare at age 65.

14.25 CITY RETIREMENT PLAN

The City provides retirement benefits for all employees through the Public Employees Retirement System (PERS). The City pays both the employee's and employer's contributions into the plan for employees hired prior to July 1, 2009. Employees hired on or after July 1, 2009 pay their own employee's contribution into the plan, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax contributions. This does not apply to promotional hires, whose original hire date was prior to July 1, 2009. At its option, the City may change its retirement system provider upon adoption by the City Council. Prior to any changes in retirement benefits, those eligible for retirement must be notified at least 30 days in advance. Current retirement benefits are available as follows:

A. Career Full-time Employees hired prior to July 1, 2009 receive fully-paid PERS retirement benefits. Career Full-time Employees hired on or after July 1, 2009 pay for their own employee's contribution for PERS retirement benefits, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax contributions, and at no point will the employer pay any portion of the employee's contribution.

B. Career Part-time Employees hired prior to July 1, 2009 receive fully paid PERS retirement benefits after 1,000 hours. Before that point, the employee will have the employee's portion deducted from salary. Career Part-time Employees hired on or after July 1, 2009 pay for their own employee's contribution for PERS retirement benefits, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax

contributions, and at no point will the employer pay any portion of the employee's contribution.

C. Part-time/Seasonal, Temporary Employees, and Crossing Guards who are not eligible for PERS, are required to contribute 7.5% of earnings to a PST "457" deferred compensation program. Contributions to this plan will be made through payroll deduction. Employees are eligible for participation in the PERS retirement plan after 1,000 hours worked in a fiscal year; however, they are responsible for the cost of their employee portion of PERS payment.

PERS refunds may be issued ONLY if the member has permanently separated from all PERS-covered or reciprocal employment. Or, if members have been on an unpaid leave of absence for at least six (6) months, they may request a refund of their contributions prior to returning to active employment.

D. Any employee hired prior to July 1, 2009, if promoted on or after July 1, 2009, will still be eligible for all benefit rates provided for employees hired prior to July 1, 2009 for the bargaining unit the employee is in on or after July 1, 2009.

Although the affected positions are not in the MVCME bargaining unit, the MVCME acknowledge and agree with the City amending the PERS Contract to exempt from PERS membership Recreation Aides and Crossing Guards.

7. DIRECT DEPOSIT FOR PAYROLL

Effective July 1, 2011, all new employees will be required to have direct deposit for payroll, or to apply for this service through the City's bank; if they are accepted by the City's bank, they agree to participate. If the employee is denied this service by the City's bank, the direct deposit requirement for payroll will be waived.

8. RISK DIVISION MANAGER ADDED TO BARGAINING UNIT

The City may move the Risk Division Manager from MVMA to MVCME with same pay and receive individual benefits of the Division Manager or Confidential Unit group, whichever is higher, effective September 2, 2011.

9. LAYOFF, REDUCTION IN FORCE, RECALL

The City will revise the Personnel Rules and Regulations Section 3.45, in order to implement seniority as the main basis for the order of layoff and recall, and extension of the recall period from 2 to 3 years effective with the June 30, 2011 layoffs. Policy change to be effective for layoffs and recalls.

The City will maintain adherence to the elimination of temporary employees and consultants prior to layoff of full-time career employees when possible.

In the event of reduction in force, no new employees will be hired until employees on a recall list or scheduled for a layoff who are available, possessing the required, qualifications and capable and of performing the

assignments of the position being filled have been offered the assignment (position).

MVCME unit employees to be laid off or on a recall list shall be afforded cross-training necessary to allow him/her to fill a vacant position for which they generally meet the minimum qualifications. Please see Attachment A.

12. MERIT PAY

The City and MVCME agree that merit pay increases will not be provided to employees who are covered by this agreement during the term of this agreement.

Any merit pay increase frozen for employees during the entire period of FY 2008/2009 through FY 2011/12, are not to be retroactively credited, owed or otherwise be held for the future or credit, and are therefore forfeited and terminated. The City may, however, decide to implement merit pay increases for employees when the City can afford to do so, subject to the meet and confer process.

13. COST OF LIVING ADJUSTMENT

The City and MVCME agree that no Cost of Living Adjustment (COLA) pay increases will be provided to employees who are covered by this agreement during the term of this agreement. A 2% COLA pay increase is being deferred for employees who are covered by this agreement during the term of this agreement.

Any COLA increases deferred for employees during the entire period of FY 2008/2009 through FY 2011/12, are not to be retroactively credited, owed or otherwise be held for the future or credit, and are therefore forfeited and terminated. The City may, however, decide to implement COLA's pay increases for employees when the City can afford to do so, subject to the meet and confer process.

14. MATTERS FOR FOLLOW-UP DISCUSSION

The City and MVCEA agree to meet during Fiscal Year 2011-12 to discuss the following two items: 1) Develop long-term strategies to fairly implement merit pay increases after the City's economic and budget recovery; and 2) Review the rehire procedure and rehire compensation levels.

15. ASSOCIATION MEETINGS

The Association may hold two regular meetings annually with its members during regular business hours. Additional meetings to discuss changes to the existing labor contract raised during the fiscal year would be granted,

as necessary. These additional meetings would be held above and beyond the two regular meetings.

14. PREVIOUS MOU PROVISIONS

All other provisions of the contract would remain the same as detailed in the Fiscal Year 2010-11 memorandum of understanding.

15. PARITY

During the term of this agreement, MVCME shall have the right to incorporate into this agreement any elements of Memoranda of Understanding entered into between the City of Moreno Valley and any of its other bargaining units as specified in the previous agreement.

16. RATIFICATION AND EXECUTION

The City and MVCME acknowledge that this Memorandum of Understanding shall not be in full force and effective until ratified by the bargaining unit and signed by the Mayor and City Manager of the City of Moreno Valley. Subject to the foregoing, this Memorandum of Understanding is hereby executed by the authorized representatives of the City and Association, and entered into this 23rd day of August 2011. The MVCME MOU for Fiscal Year 2010/11 will remain in effect, pending approval by City Council of the successor MVCME MOU.

CITY OF MORENO VALLEY

Richard Stewart, Mayor

Henry Garcia,
City Manager

Michelle Dawson,
Assistant City Manager

Richard Teichert,
Financial & Administrative
Service Director

Sonny Morkus
Human Resources Director

MVCMA

Bridgette Montgomery, MVCME

Carol Vasquez, MVCME

3.45 LAYOFFS/REDUCTION-IN-FORCE/RECALL

The City Manager may lay off permanent and probationary workers at any time for lack of work, budgetary reasons, technological changes, or other City actions that necessitate a reduction in the work force. At least four weeks notice shall be given to any employee who is to be laid off. At the City Manager's discretion, a demotion or transfer to another department or classification may be made to prevent a layoff provided the employee is qualified by education and/or experience and is capable of performing the duties of the classification. The Department Heads, in consultation with the Human Resources Director, and as approved by the City Manager, will effect the layoffs.

Reduction in Force:

When it becomes necessary to reduce the work force in the City, the City Manager shall designate the job classification, division, department, or other organizational unit in order to effect a reduction in the work force. Contract, temporary, seasonal, or initial probationary employees in the same job classification as ones proposed to be reduced within the City shall be laid off first. Probationary promotional employees who are laid off shall be returned to their former classification. Employees who accept lower positions or transfers in lieu of lay-off shall be placed at a pay level within the salary range of the new position, which yields a salary closest to current salary.

Order of Layoff for MVCEA and MVCME Employees:

Effective July 1, 2011, the order of layoff of MVCEA and MVCME career employees shall be made in accordance with a system which favors retention of the employees with the most seniority, based upon evaluation of the following factors in the listed order of implementation:

A. Seniority (length of service in a career position):

1. in the city
2. in the classification
3. in the department

For MVCEA and MVCME employees who are equal in seniority, as established in A 1 though 3 above, preference will be given to those with higher overall performance reviews during the past twelve months, then free of disciplinary action during the past twelve months and then proof of honorable military discharge.

Order of Layoff for MVMA Employees:

The order of layoff of MVMA unit career employees shall be made in accordance with a system which favors retention of the more meritorious employees, based upon evaluation of the following factors in the listed order of implementation:

A. An overall rating of "unsatisfactory" or "needs improvement" on the most recent performance evaluation once finalized and filed in Human Resources except

when an employee has less than one year seniority with the City. In that case, only seniority will be used.

B. Documented disciplinary actions during the preceding twelve (12) months.

C. Seniority (length of service in a career position):

1. in the city
2. in the classification
3. in the department

For MVMA employees who are equal in performance and seniority, as established in A-C above, preference will be given to those with proof of honorable military discharge.

Seniority:

Seniority is determined from the day of official appointment to a City department as a career employee, provided that any career employee, who, as a result of promotion, transfer, or voluntary demotion, is appointed to a career position in another department, shall for purposes of layoff, carry seniority previously acquired over to the new department.

Seniority shall continue to accrue during periods of Annual Leave, layoff not exceeding three (3) years, any authorized leave of absence of less than three (3) months, or any call to military service for the duration of the call to duty. Seniority shall not accrue during any other break in continuous service.

Other Policies:

The City may call back as a temporary employee, within the first year after layoff, any laid off employee who is on the recall list when the employee is qualified to fill a vacancy of a full-time position.

Any employee who receives an involuntary transfer shall have the option to be reinstated to a vacated position in the classification said employee was involuntarily transferred from for up to six (6) months from the effective date of the involuntary transfer in the event of layoff.

An employee who chooses to terminate and have his/her name placed on the Reinstatement List under this section shall notify the department in writing of his/her decision at least three (3) working days prior to the effective date of reassignment. Such termination shall be on the same date as the reassignment would have been effective.

Recall List:

The name of every career employee who is laid off, transfers, or elects to demote to a formerly held classification in the same department for longer than one pay period due to a Reduction-in-Force, shall be placed on the Recall List, except that the names of those MVMA unit employees laid off under Sections A & B under in "Order of Layoff for MVMA Employees" above, shall not be placed on the recall list. Vacancies to be filled within a

department shall be offered, to individuals named on the Recall List who at the time of the Reduction-in-Force, held a position in the same job classification within the department as the vacancy to be filled. Order of recall shall be same as order of layoff.

Individual names may be removed from the Recall List for any of the following reasons:

A. The expiration of three (3) years from the date of placement on the list, effective June 30, 2011.

B. Re-employment with the City in a career full-time position in a department other than that from which the employee was laid off.

C. Failure to respond within 14 calendar days of mailing a certified letter regarding availability for employment.

D. Failure to report to work within 14 calendar days of mailing of a certified letter containing a notice of reinstatement to a position, absent mitigating circumstances.

E. Request in writing, including e-mail, to be removed from the list.

Status on Re-employment:

Effective June 30, 2011, a career employee who has been laid off or terminates in lieu of reassignment and is re-employed in a career position within three (3) years from the date of his layoff or termination shall be entitled to:

A. Buy back and thereby restore all or a portion of Annual Leave credited to the employees' account on the date of layoff or termination and at the same rate as it was sold originally. This restoration must be requested in writing within 30 days of returning to work and must be fully paid back within six (6) months of the return to work.

B. Restoration of seniority accrued prior to and accrued during layoff.

C. Credit for all service prior to layoff for the purpose of determining the rate of accrual of Annual Leave.

D. Placement in the salary range as if the employee had been on a leave of absence without pay if he/she is reinstated to the same job classification in the same department from which he/she was laid off or terminated.

E. In accordance with CalPERS regulations, restoration to the same level of CalPERS benefits and City paid member contribution that the employee received prior to being laid off or terminated.

F. Restoration to the same level of flexible benefits (i.e. benefit bank) that the employee received prior to being laid off or terminated.

In the event of a vacancy, if there are no individuals on the recall list who formerly occupied the vacant classification, those individuals on the recall list who possess the

necessary qualifications for the vacant classification shall be eligible for recall to the vacancy. Eligibility order shall be the same as the order of lay-off.

No person from outside City employment shall be hired in a career position in the deleted classification until all those displaced due to layoffs or transfers are recalled to their former classification or one classification lower in the same career ladder as the one in which the employee was laid off.

Continuation of Benefits:

Those who are laid off shall have their medical insurance benefits continued to the end of the second month following the date of their layoff in the event that they are not covered by another medical plan at that time.

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MV00121108

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00121110

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 23, 2011

TITLE: **EXTENSION OF CONTRACT** - Approve Second Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the second of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expired on June 30, 2011. On July 6, 2011, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the second term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the second of four, twelve-month extensions. The contract amount for the second extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the Second Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2011-2012. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the Second Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this Second Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2011-2012 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this Second Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchasing and Facilities Division Manager to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: Second Amendment to Agreement
Attachment 2: First Amendment to Agreement
Attachment 3: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

SECOND AMENDMENT TO AGREEMENT

This Second Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as “CSD”), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the second twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2011 and finish on June 30, 2012.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 2

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 7/13/10

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 5/24/2010

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: July 1, 2010

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-24-10

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 3

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. **TERMINATION.**

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. **OWNERSHIP OF DOCUMENTS.** All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. **PUBLICATION OF DOCUMENTS.** Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. **INDEMNIFICATION.** Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. **PUBLIC RECORDS ACT.** The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. **ASSIGNABILITY.** This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. **INDEPENDENT CONTRACTOR.** The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. **AUDIT OF RECORDS.** Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. **SOLICITATION.** Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. **THIRD PARTY BENEFICIARIES.** This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. **INTERPRETATION.** This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. **JURISDICTION/VENUE.** Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. **COMPLIANCE WITH LAW.** Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. **RULES OF CONSTRUCTION.** Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. **SEVERABILITY.** If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

44. **ENTIRE AGREEMENT.** This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.

   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

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BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

MV00121142

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

MV00121144

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

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MV00121146

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 23, 2011

TITLE: ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Adopt Resolution No. CSD 2011-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The State of California appropriated a total of $6.6 million to be utilized statewide as a continuous funding source for services to school age children, in the range of kindergarten to 14 years of age. However, the Budget Act of 2003 eliminated child care services to children 13 years and older. Of the $6.6 million allocated statewide, Riverside County was appropriated $950,000 based on service level needs. In an effort to provide an increased level of services for Moreno Valley youth through diverse funding, staff submitted a competitive grant application to the California Department of Education, Child Development Division, requesting funding for an after school child care program. The City of Moreno Valley Parks and Community Services Department was one of ten agencies in Riverside County who competed for this funding. The Parks and Community Services Department was awarded funding.

On November 26, 1996, the City Council authorized the acceptance of a grant in the amount of $427,683 for the calendar years 1997 and 1998 for the purpose of providing an after school child care program for children ages 5 to 14. Since that time, the City has applied for and received grant funding every fiscal year for this program. Although the City must apply for the grant funding each year, when the funding was made available to agencies for youth programs in 1987, those agencies that have received this type of grant funding have continued to receive funding for their youth programs.

DISCUSSION

The focus of the grant submitted by the City of Moreno Valley Parks and Community Services Department was based on the high demands assessed by the department within its own programs. This included the need for after school care during the traditional school year and full day care on school vacation days. The program utilizes five elementary schools: Creekside, Sunnymead, Rainbow Ridge, Armada, and Red Maple. The program accommodates 170 children between the ages of kindergarten up to 12 years of age and has been in effect since January 1997.

This program is state licensed and operates under the following conditions. The healthy social and emotional development of every child is addressed by providing activities, schedules, materials and equipment to ensure that children are both challenged and successful. Programming for the students includes a nutritious snack served daily, arts and crafts, indoor and outdoor games, story time, homework time, and social time. The program also includes field trips with bus transportation, parent conferences, and special parenting classes and programs with topics including health issues, substance abuse, nutrition, personal safety, community awareness, literacy and more. The program works closely with parents and school site staff to incorporate applicable school rules into the program and provide emotional support for children.

The program operates at schools utilizing the "modified traditional" school schedule between the hours of 2:00 p.m. and 6:00 p.m. on school days and 7:00 a.m. to 6:00 p.m. on school vacation days, Monday through Friday.

As part of the City's policy, the City Council must formally accept this funding from the California Department of Education, Child Development Services and adopt the corresponding resolution.

ALTERNATIVES

1. Approving staff's recommendation would authorize the acceptance of grant monies in the amount of $605,496 for FY 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Not approving staff's recommendation would eliminate the Child Care Grant Program.

FISCAL IMPACT

The proposed grant funds program expenditures on a cost reimbursement basis. The grant funds as well as food program revenue, Federal Grant Revenue, and program fees are used for providing school age child care and development services and are restricted to this program. There is no impact to the General Fund. Funds are budgeted in the FY2011-12 Operating Budget (160.75710).

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By:
Patty Grube
Management Analyst I

Department Head Approval:
Mike McCarty
Parks and Community Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00121150

RESOLUTION NO. CSD 2011-23

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD TO ENTER INTO A TRANSACTION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES AND TO AUTHORIZE DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FY 2011/12

WHEREAS, the Moreno Valley Community Services District Board of Directors desires to provide school age child care services to the citizens of Moreno Valley during FY 2011/12;

WHEREAS, the Moreno Valley Community Services District Board of Directors further desire to enter into this transaction with the California Department of Education for the purpose of providing child care and development services;

WHEREAS, the Moreno Valley Community Services District Board of Directors authorize the persons listed to sign the transaction for the Governing Board;

Michael McCarty, Director of Parks and Community Services _____

Henry Garcia, City Manager _____

Richard Teichert, Financial & Administrative Services Director _____

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Accept the grant monies from the California Department of Education, Child Development Division, in the amount of $605,496 per fiscal year to provide child care services for FY 2011/2012;

2. Adopt a resolution to certify the approval of the governing board to enter into local agreement number/s CCTR-1195, Project Number 33-2186-00-0 with the California Department of Education for the purpose of providing child care and development services;

3. Authorize designated personnel to sign contract documents on behalf of the Governing Board for FY 2011/12.

APPROVED AND ADOPTED this 23th day of August, 2011.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
Jane Halstead, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney acting
in the capacity of General Legal
Counsel of the Moreno Valley
Community Services District

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00121154

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00121156

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: A PUBLIC HEARING FOR PA11-0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY.

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels.

3. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

BACKGROUND

The applicant is proposing to de-annex (detach) 1.4 acres currently in the City of Moreno Valley to permit annexation into the City of Perris. The subject property is located south of the Perris Valley storm channel and east of Perris Boulevard at the City limit and is part of a large development site which is primarily within the City of Perris. The area to be de-annexed includes the 70-feet northerly of the City of Moreno Valley boundary line between the two cities. A previous de-annexation moved the City boundary in a similar fashion south of the Perris Valley storm channel west of Perris Boulevard.

The project is Exempt under section 15061 b. 3 of the California Environmental Quality Act Guidelines as this activity is not a project that has the potential for a significant affect on the environment.

DISCUSSION

On June 9, 2011, Mission Pacific Land Company submitted an application requesting the de-annexation. The detachment was requested to allow for the orderly development of the applicant's property within a single municipal jurisdiction. The City of Perris is currently processing an annexation application for the same property. Both the detachment and annexation are subject to final action by the Riverside County Local Agency Formation Commission after both cities have taken action.

ALTERNATIVES

1. The City Council could approve the proposal as recommended.
2. The City Council could take no action on the proposal. This would leave the boundaries between the cities as they are today.

FISCAL IMPACT

The impacts are the loss of minimal property tax revenue which will be collected by the City of Perris. Based on the location and the small lot size, the site is un-developable solely within the City of Moreno Valley based on the standards of the existing Industrial (Specific Plan 208I) zoning.

NOTIFICATION

Notice of the City Council public hearing appeared in the Press Enterprise newspaper on August 13, 2011, and mailed to all surrounding property owners of record within 300 feet of the affected property.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Existing Boundary
3. City Resolution-Detachment
4. CSD Resolution
5. City Resolution-Tax Release
6. New proposed City limit boundary map

Prepared By:
Julia Descoteaux
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00121160

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s)

CASE : **PA11-0021 Deannexation (Detachment)**

APPLICANT: Mission Pacific Land Company

OWNER: Stratford Ranch Investors, LLC

REPRESENTATIVE: Ted Weggeland

LOCATION: South of Harley Knox Blvd, east of Redlands Avenue
(APN: 302-170-002 & 302-170-004))

PROPOSAL: A public hearing for PA11-0021, an application to deannex parcels 302-170-002 and 302-170-004, a total of 1.4 acres located on the south side of the Perris Valley Channel from the City of Moreno Valley to allow these undevelopable parcels to be integrated into the adjoining parcels by facilitating annexation to the City of Perris.

ENVIRONMENTAL DETERMINATION: The project is Exempt under section 15061 b. 3 of the California Environmental Quality Act Guidelines as this activity is not a project that has the potential for a significant affect on the environment.

COUNCIL DISTRICT: No 4

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

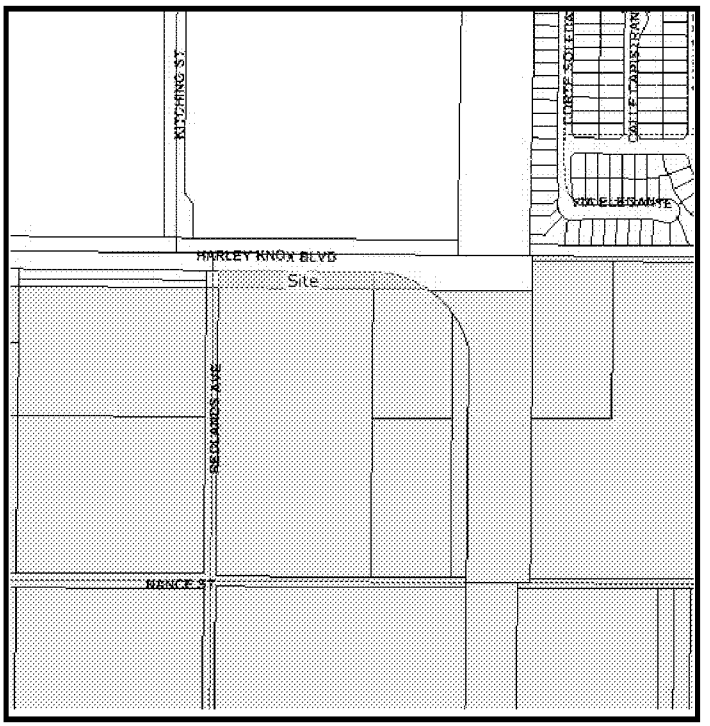

LOCATION **N↑**

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: August 23, 2011 at 6:30 PM

CONTACT PLANNER: Julia Descoteaux

PHONE: (951) 413-3209

ATTACHMENT 1

Item No. E.1

MV00121161

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MV00121162

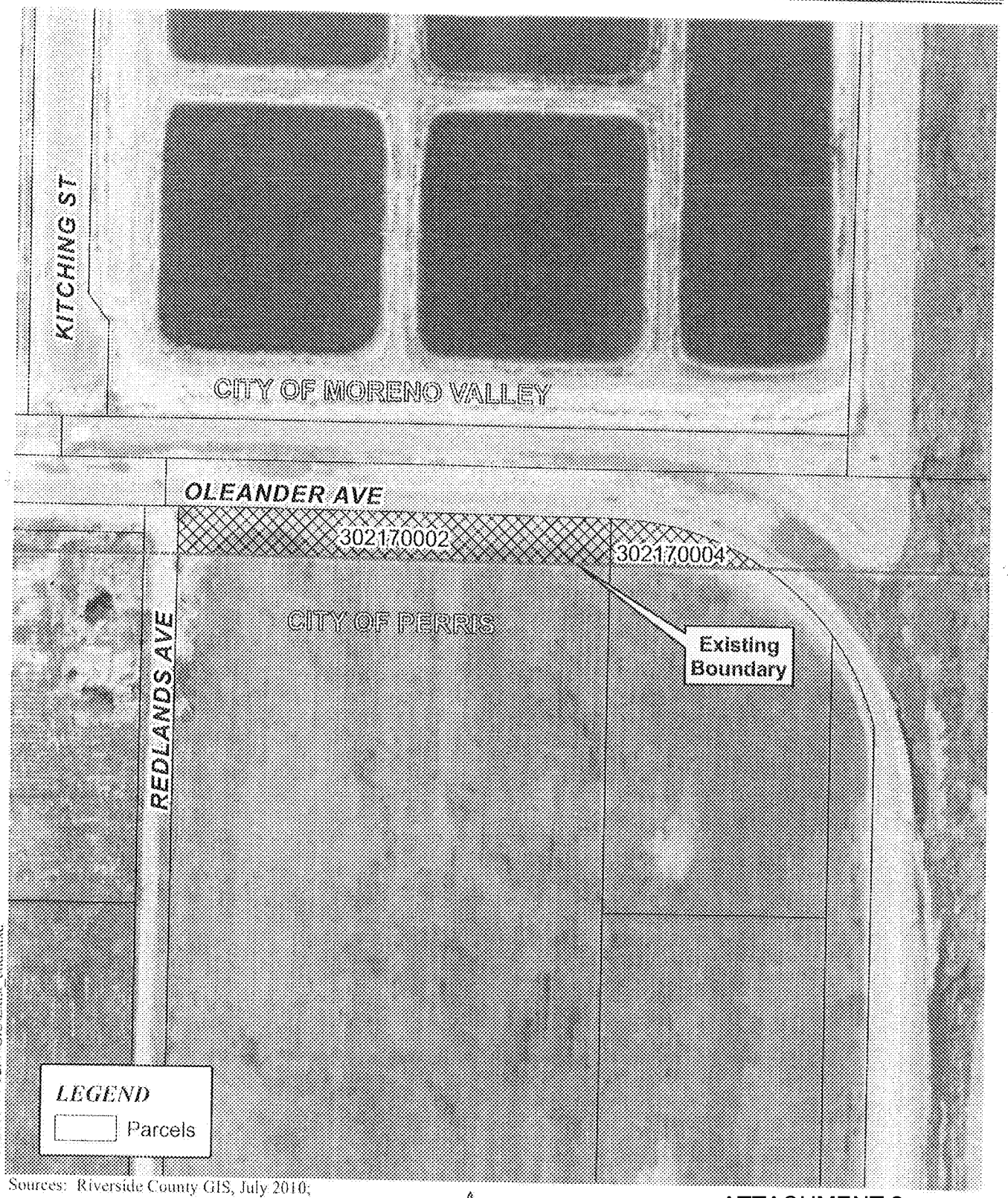

G:\2010\10-0207\GIS\Exist_bnd.mxd

Sources: Riverside County GIS, July 2010; Digital Globe, March 2008.

ATTACHMENT 2

Existing Boundary

ALBERT A. WEBB ASSOCIATES

0 100 200 300 Feet

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MV00121164

RESOLUTION NO. 2011-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE DETACHMENT OF TWO PARCELS (302-170-002 & 302-170-004) WITH A TOTAL OF 1.4 ACRES FROM THE CITY OF MORENO VALLEY TO ALLOW FOR CONCURRENT ANNEXATION TO THE CITY OF PERRIS

WHEREAS, the City Council of the City of Moreno Valley desires to initiate a proposal pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the detachment of certain property identified in Attachment 2; and

WHEREAS, the territory proposed for detachment is uninhabited pursuant to the definition contained within Government Code Section 56046, and the proposed property is identified in Attachment 2:and

WHEREAS, the City Council finds that the proposed boundary reorganization will facilitate carrying out its responsibility for future planning and the logical and orderly development of the City; and

WHEREAS, discussions have ensued with the City of Perris staff and the City of Perris staff would present a companion resolution requesting the initiation of proceedings; and,

WHEREAS, the reasons for the proposed detachment are as follows:

1. The detachment from the City of Moreno Valley and the attachment to the City of Perris would modify the city boundary to the north property line of parcels 302-170-002 and 302-170-004 to increase the size of the parcel to the south which is in the City of Perris allowing development to occur.

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

1. That an application for amendment of the city boundary reorganization shall be submitted for consideration by the Riverside County Local Agency Formation Commission ("LAFCO") for the area shown in the attached map (Attachment 2).

2. The City Clerk is authorized and directed to file a certified copy of this Resolution with the Executive Officer of LAFCO together with such other information and documents as may be required by the Executive Officer.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00121168

RESOLUTION NO. CSD 2011-24

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS OF THE CITY OF MORENO VALLEY, CALIFORNIA TO REQUEST THE RIVERSIDE LOCAL AGENCY FORMATION COMMISSION INITIATE PROCEEDINGS FOR A CITY BOUNDARY AMENDMENT INVOLVING A DETACHMENT OF PARCELS FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

WHEREAS, the Moreno Valley Community Services District (CSD) desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act, commencing with Section 56000 of the California Government Code, for an amendment to the Community Services District boundary; and,

WHEREAS, the territory proposed to be included within the reduction of the Community Services District is uninhabited, and the boundaries of the said territory are as set forth in Attachment 2; and,

WHEREAS, the CSD Board of Directors finds that the proposed detachment and reorganization of the Community Services District are consistent with the planned modifications to the City's boundary and deannexation; and,

WHERAS, the CSD Board of Directors finds that future needs for public facilities and services relating to the said parcels will be no longer be applicable; and,

WHEREAS, the reorganization (deannexation) proceedings with the Local Agency Formation Commission (LAFCO) shall modify adjustments to the Moreno Valley Community Services District boundaries for Zones A, B, C, D, and M to exclude said parcels; and,

WHEREAS, upon the deannexation of said parcels, the Moreno Valley CSD Zones A (Parks & Community Services) and C (Arterial Street Lighting) annual parcel charges shall no longer be applicable; and

WHERAS, said parcels shall not longer be subject to the annexation boundaries for Community Facilities District No. 1 to finance public services related to new neighborhood parks; and,

WHERAS, the CSD Board of Directors finds that the proposed detachment from the Community Services District is exempt under Section 15061 (b) (3) of the California Environmental Quality Act.

ATTACHMENT 4

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that CSD Resolution No. _____ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vise-President and President)

_____

SECRETARY

(SEAL)

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MV00121172

RESOLUTION NO. 2011-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A PROPERTY TAX TRANSFER AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND CITY OF PERRIS REGARDING THE DETACHMENT OF TWO PARCELS (302-170-002 & 302-170-004) WITH A TOTAL OF 1.4 ACRES FROM THE CITY OF MORENO VALLEY AND CONCURRENT ANNEXATION TO THE CITY OF PERRIS

WHEREAS, the City of Moreno Valley (Moreno Valley) and the City of Perris (Perris) are agencies whose public services might be affected by the detachment from Moreno Valley and concurrent annexation to City of Perris; and,

WHEREAS, representatives of Perris and Moreno Valley have negotiated a property tax transfer agreement to become effective for the area to be detached from City of Moreno Valley and to be concurrently annexed to City of Perris; and,

WHEREAS, the territory affected by LAFCO 2011-06-5 is described in Resolution No. 2011- _____ of the City Council of the City of Moreno Valley; and,

WHEREAS, an agreement for the exchange of property tax revenues is in the best interests of Moreno Valley and of its citizens; and,

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

1. When the City of Perris assumes the service responsibility for the suppression and prevention of structural fires in the area to be annexed, from that time, Perris shall receive one hundred percent of that portion of the property tax revenue generated within the territory annexed and identified as a structural fire protection tax; and,

2. When the City of Perris assumes the service responsibility for providing such other municipal services to the area to be annexed as are provided to areas already within Perris, from that time, Perris shall received Moreno Valley's share of that portion of the property tax revenue generated within the territory to be annexed pursuant to Article XIIA of the California Constitution; and,

ATTACHMENT 5

3. The County Auditor is hereby requested to convert the above established percentage figures into actual dollars, and thereafter to allocate~~d~~ such property tax revenue in accordance with the provisions of Section 95 and following of the California Revenue and Taxation Code; and,

4. The City Council of the City of Moreno Valley here~~e~~by agrees to the exchange of property tax revenue set forth above and approves the property tax agreement with the City of Perris pursuant hereto; and,

5. The City Clerk shall transmit a certified copy of this resolution to the Executive Officer of the Local Agency Formation Commission and to the City of Perris.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00121176

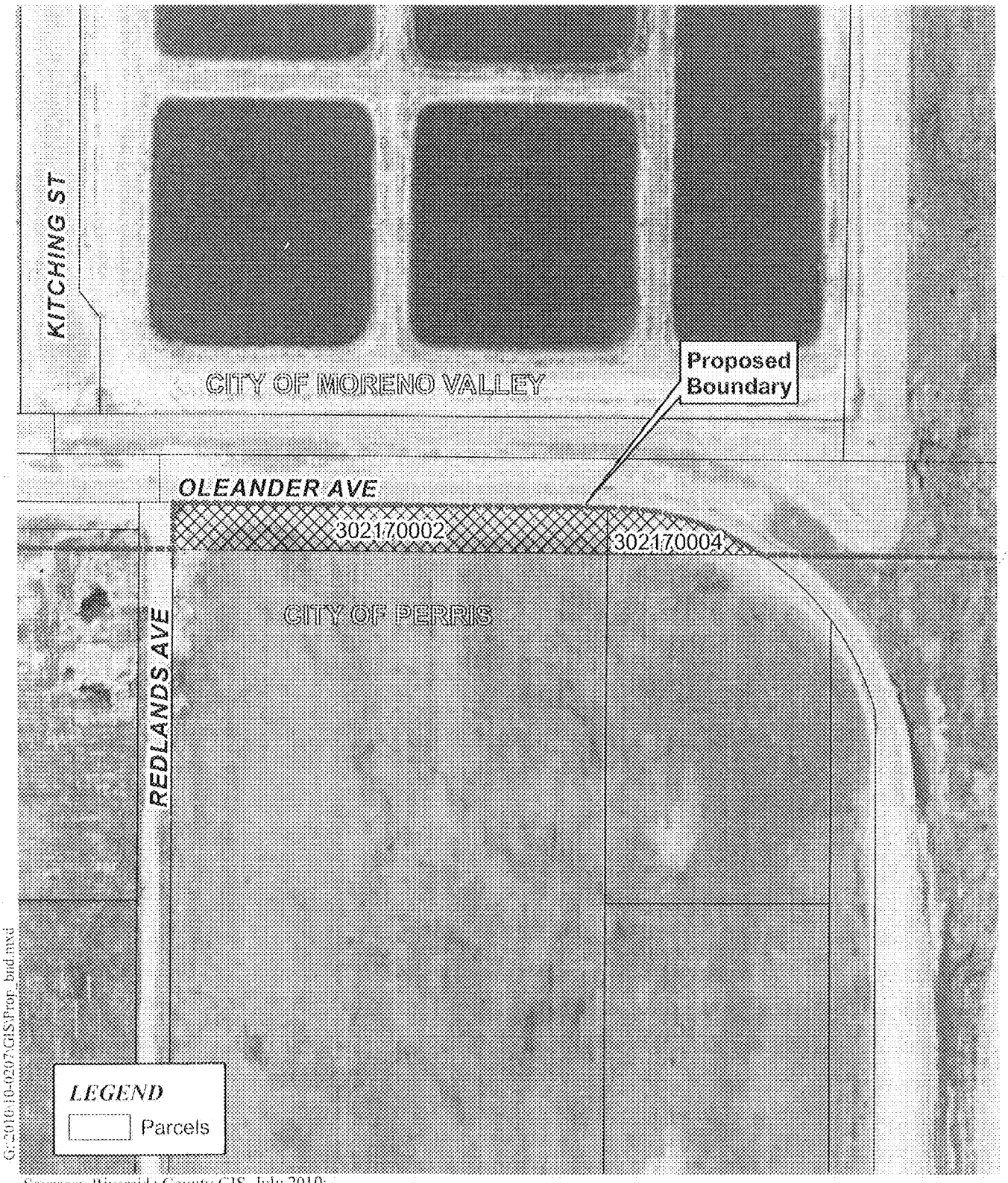

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Sources: Riverside County GIS, July 2010; Digital Globe, March 2008.

ASBURY A. WEBB ASSOCIATES

N

0 100 200 300 Feet

ATTACHMENT 6

Proposed Boundary

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MV00121178

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property.

2. Authorize staff to solicit offers for the purchase of said real property.

BACKGROUND

On May 25, 2010 the City Council approved acquisition of the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The City acquired title to the property on July 29, 2010. The house on the property was demolished in May 2011 to make way for the proposed improvements. The property was acquired utilizing TUMF funds due to the direct transportation corridor related improvements that are required.

On July 12, 2011 the City Council approved Resolution No. 2011-74 declaring the real property, APN 475-272-054, as excess, setting August 23, 2011 as the public hearing

date to identify any issues with the sale of the remainder parcel, and authorizing staff to solicit offers for the purchase of said real property.

DISCUSSION

The improvements fronting this property along Ironwood Avenue and Davis Street will include a new curb ramp, sidewalks, and the relocation of power poles fronting Ironwood Avenue. The ultimate public right of way will be 44 feet from the centerline along Ironwood Avenue and 33 feet from the centerline along Davis Street at the northwest corner. The Ironwood Avenue ultimate street improvements project between Heacock Street and Perris Boulevard is anticipated to be advertised in mid-August for construction bids. Construction is anticipated to start in Fall 2011.

The original lot size of 7,759 square feet along with a single family residential house was purchased at $124,500 utilizing Transportation Uniform Mitigation Fee (TUMF) funds. The ultimate street improvements at the northwest corner of Ironwood Avenue and Davis Street, abutting to this property will occupy 2,534 square feet. The house had to be demolished in order to make way for the necessary street improvements. The remaining vacant land, with an area of 5,225 square feet, is deemed excess, not needed for City public purposes, and considered a substandard residential lot in the current zone R5. The potential use and development of this remaining land is very limited but a single family home may be constructed subject to review and approval of a variance by the Planning Division. If the City retains ownership and the land remains vacant, it will require periodic on-going maintenance and weed abatement services most likely funded with General Fund monies as the surplus property is not needed for transportation related purposes.

If there are no issues identified at the public hearing, the property will be offered for sale to qualified public agencies, and if an agency wants to purchase the property, it must respond within a 60-day time frame, in accordance with Government Code 54222. If there is no interest from a qualified public agency at the expiration of the 60-day period, the City could but would not be obligated, to put the property up for sale to the public.

The hearing is required by California Government Code, Section 37422. The Resolution was published in the Press Enterprise, and the Resolution was posted at the real property site located at 11987 Davis Street in Moreno Valley.

ALTERNATIVES

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property, and authorize staff to solicit offers for the purchase of said real property. *This alternative would allow the City to potentially sell the excess land.*

2. Do not conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the

proposed sale of excess property, and do not authorize staff to solicit offers for the purchase of said real property. *This alternative will result in the City not conforming to Government Code Section 37422 and therefore delaying or stopping the potential sale of excess land and incur weed abatement costs.*

FISCAL IMPACT

When City Council approves and accepts a purchase offer, if one is received, the net proceeds will be remitted back in the TUMF fund associated with this street improvement project.

SUMMARY

The City acquired the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The remaining property area of 5,225 square feet can be disposed of as surplus property. If the City retains ownership of this property, it would require periodic on-going maintenance and weed abatement services. Therefore, City Council is being asked conduct this public hearing to allow for the potential selling of the property as surplus land in accordance with Government Code section 54222, and authorize staff to solicit offers for the purchase of said real property.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Resolution No. 2011-74

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Henry - 06-50182625 Ironwood - Heacock to Perris\CC Reports\Real Property\8-23-11 Public Hearing for Excess Property APN 475-272-054.doc

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MV00121182

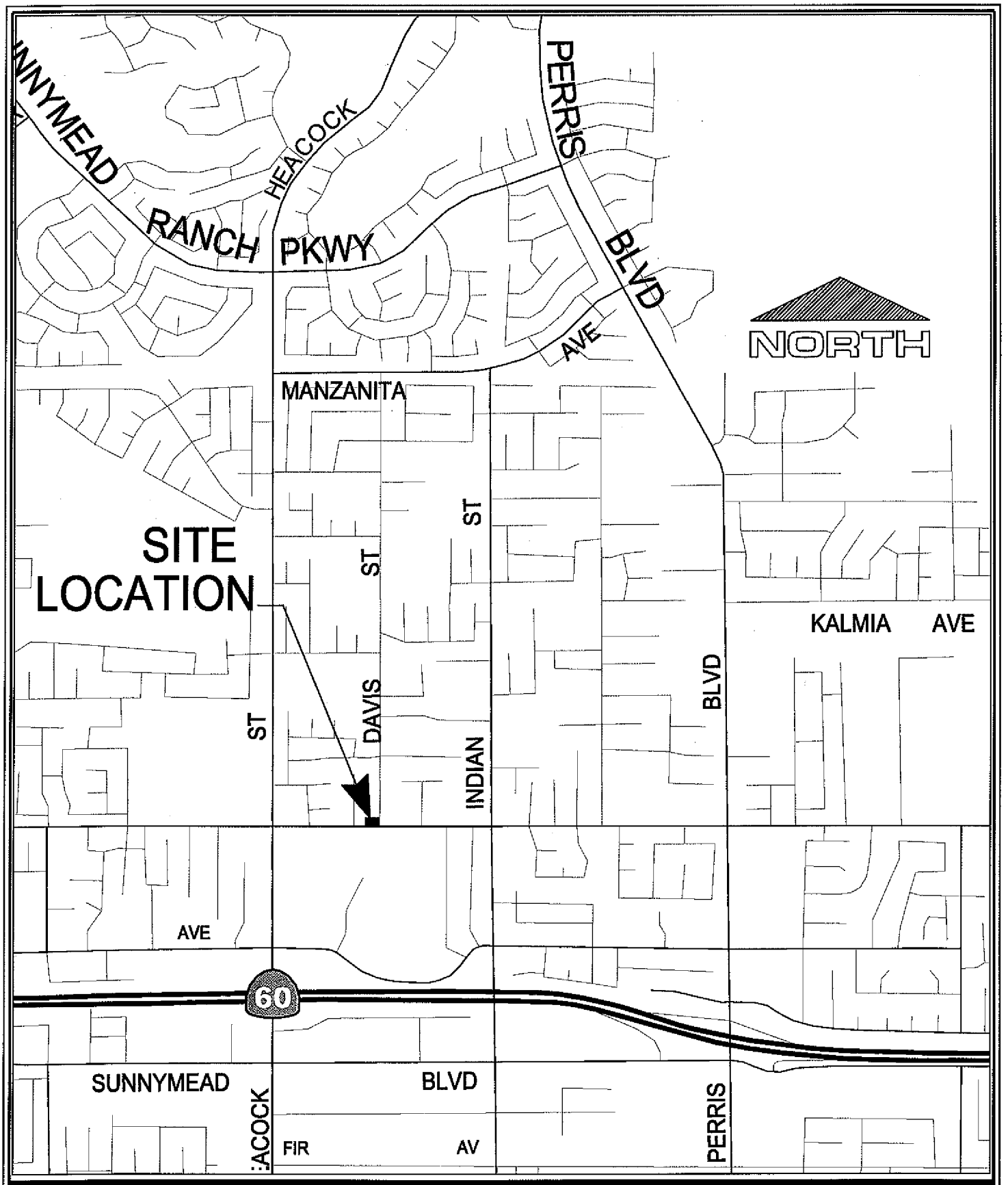

LOCATION MAP

Scale: None

ATTACHMENT "A"

11987 DAVIS STREET

APN 475-272-054

EXCESS PROPERTY- 0.12 ACRES

Item No. E.2

MV00121183

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MV00121184

RESOLUTION N0. 2011-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THE SALE OF A REMAINDER PARCEL EXCESS TO PUBLIC USE.

WHEREAS, the City Council of the City of Moreno Valley desires to sell the remainder parcel APN 475-272-054, total area of 5,225 square feet, as described in Exhibit "A", that is attached hereto; and

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

1. The time and place for hearing protests to the sale of said real property shall be held on August 23, 2011, at 6:30 p.m. at City Hall, located at 14177 Frederick Street, Moreno Valley, California.

2. The City Council finds that the public interest and convenience require the sale of the subject real property for the following reasons:

   a) The real property is excess to that needed for public purposes; and
   b) There is an on-going cost to maintain and weed abate if ownership is retained by the City; and
   c) It is advantageous to return the property to private ownership for use and maintenance.

3. The City Clerk shall publish a copy of this Resolution in the Press Enterprise, a daily newspaper and shall cause a copy of said Resolution to be posted at the real property.

4. At the hearing, any interested person may protest to the proposed sale. Any protests must be overruled by a 4/5ths vote of the Council members.

APPROVED AND ADOPTED this 12th day of July 2011.

Resolution No. 2011-74
Date Adopted: July 12, 2011

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2011-74
Date Adopted: July 12, 2011

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-74 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 12th day of July, 2011 by the following vote:

AYES:	Council Members Batey, Co, Hastings, Mayor Pro Tem Molina and Mayor Stewart
NOES:	None
ABSENT:	None
ABSTAIN:	None

CITY CLERK

(SEAL)

Resolution No. 2011-74
Date Adopted: July 12, 2011

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MV00121188

LEGAL DESCRIPTION

In the City of Moreno Valley, that remainder parcel of land being a portion of lot 63 as shown on the map of Moreno Acres, filed in Book 11 of Maps, Page 53, records of the County of Riverside, State of California, more particularly described as follows:

BEGINNING at the southwestly corner of the east half of the east half of said lot 63; thence North 00°07'15" East, a distance 14 feet to a point 44 feet northly of the centerline of Ironwood Avenue, said point being the **TRUE POINT OF BEGINNING**;

Thence North 00°07'15" East, 41.50 feet along the east property line; thence N 89°50'30" East, 132.48 feet along the north property line to a point on a line parallel with and distant 33.00 feet westerly of Davis Street centerline; thence South 00°06'30" West, 18.66 feet along said line; thence Southwestly, a distance of 33.13 feet to a point on a line parallel with and distant 44.00 feet northerly of Ironwood Avenue centerline; thence South 89°50'30" West, a distance of 108.60 feet, more or less, along said last mentioned parallel line to the **TRUE POINT OF BEGINNING.**

The land described herein contains approximately 5,225 square feet (0.12 acres).

See Sheet 2 of 2 for a plat depicting the above described property.

APN: 475-272-054

CITY OF MORENO VALLEY,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
POR. LOT 63 ON MAP OF MORENO ACRES
BOOK 11 PAGE 53

EXHIBIT "A"
SHEET 2 OF 2

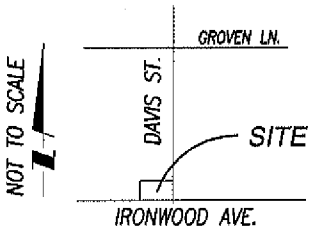

VICINITY MAP

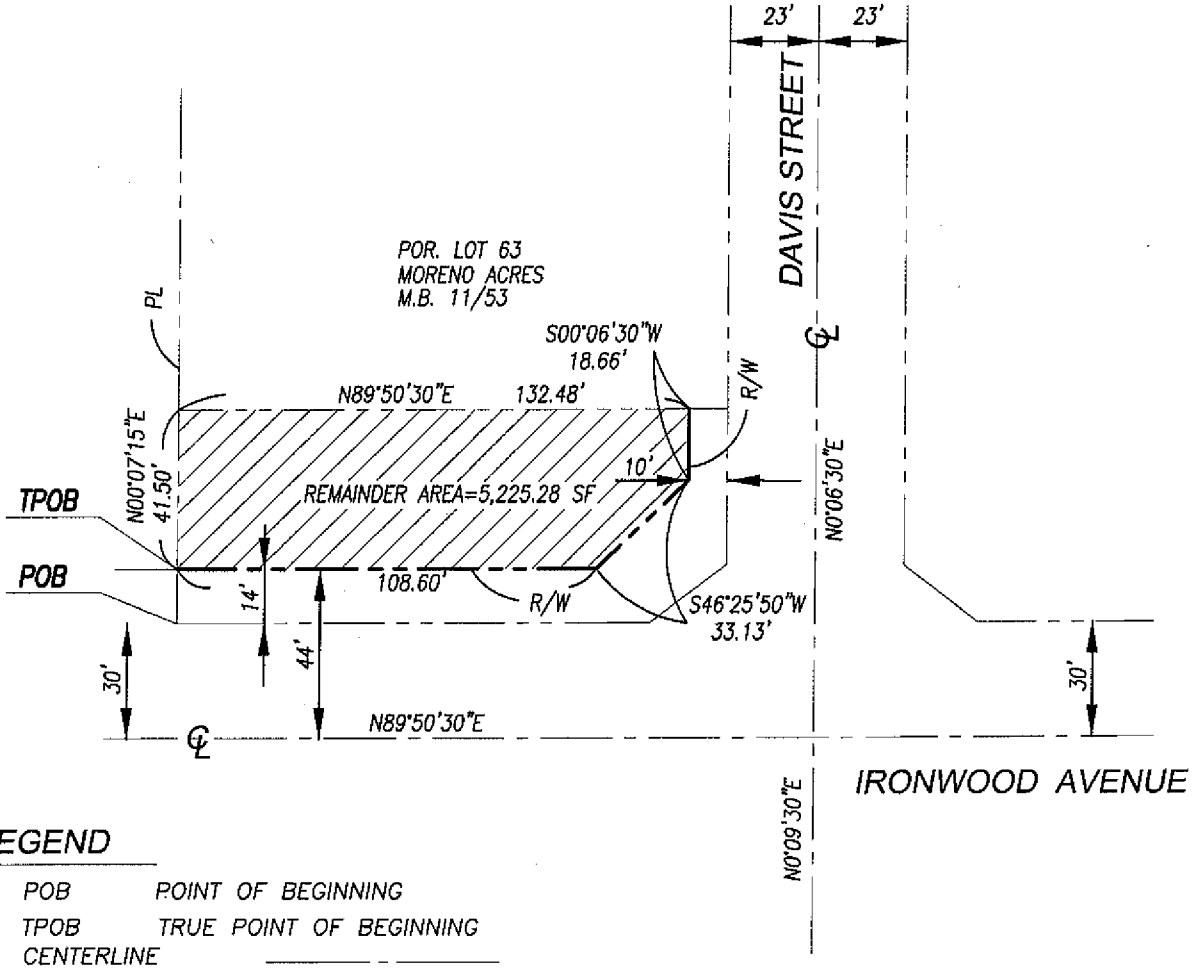

SCALE: 1"=50'

LEGEND

1. POB — POINT OF BEGINNING
2. TPOB — TRUE POINT OF BEGINNING
3. CENTERLINE
4. EXISTING ROW
5. NEW ROW
5. PROPERTY LINE

REMAINDER AREA = 5,225.28 SF

CITY OF MORENO VALLEY

PREPARED FOR:

PLAT MAP FOR
11987 DAVIS STREET
APN 475-272-054

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011 (Continued from July 12, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. _____ denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. _____ APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. _____ APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. _____ APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. _____ APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. _____ APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. _____
3. Environmental Impact Report Resolution No. _____, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. _____ - Zone Change
5. Ordinance No. _____ - Municipal Code Amendment
6. Resolution No. _____ - Plot Plan PA08-0097
7. Resolution No. _____ - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00121200

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

RIDGE PROPERTY TRUST

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- ☐ Administrative Plot Plan
- ☐ Administrative Variance
- ☐ Amended Conditional Use Permit
- ☐ Amended Plot Plan
- ☐ Change of Zone
- ☐ Conditional Use Permit
- ☐ Development Agreement
- ☐ Development Code Amendment
- ☐ Extension of Time
- ☐ General Plan Amendment
- ☐ Plot Plan
- ☐ Pre-Application Review
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Tentative Parcel Map
- ☐ Tentative Tract Map
- ☐ Variance
- ☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@ptrnet.com

Contact Person: Derek Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services LLC — Telephone: (951) 845-1003 cell 909-226-0420

Address 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson26@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name
Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Dennis S. Rice 5-18-2011
Property Owner's Signature Date

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Dennis S. Rice 5-18-2011
Applicant's Signature Date

W:\CDD Admin\lists\FORMS - Development Services\Planning forms\ProjectApplication rev FEB11.doc Revised: 2/1/2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60605

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈001194⑈ ⑆071000013⑆495693⑈

Item No. E.3

MV00121206

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

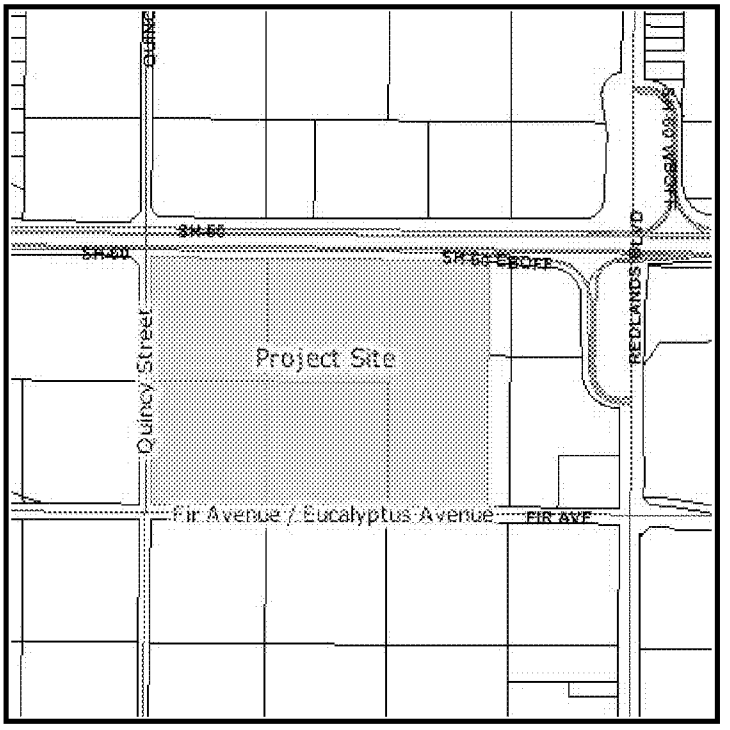

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

Item No. E.3

MV00121207

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MV00121208

RESOLUTION NO. 2011-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00121212

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. <u>Project Description</u>

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Land Use**

a. **General Plan Consistency**

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. **Zoning Consistency**

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. Hydrology and Water Quality

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. Biological Resources

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.4 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

c. Freeway Mainline Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. <u>Air Quality</u>

a. Short-Term Construction Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce* PM_{10} *and* $PM_{2.5}$ *fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti_g Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00121305

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

MV00121307

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00121309

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00121311

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd)				
right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;				
• *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*				
• *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*				
• *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*				
The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00121313

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00121315

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00121317

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00121319

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of fi building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.19 (cont'd)			Department	
• *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*				
The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.				
Air Quality				
To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction
• *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*				
• *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*				

MV00121321

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

MV00121323

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

MV00121325

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00121327

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

MV00121329

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) ○ *Installation of catalytic converters on gasoline-powered equipment.* ○ *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* ○ *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* ○ *Provision of preferential parking for EV and CNG vehicles;* ○ *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* ○ *Use of electric (instead of diesel or gasoline-powered) yard trucks;* ○ *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building pe

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MV00121332

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

MV00121333

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00121335

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of fi grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00121337

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00121350

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.
• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,
• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

P98. MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

P99. MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

P100. MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

P101. MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. **Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.**

f. **The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

ATTACHMENT 7

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

EXHIBIT A

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

~~PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION~~

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

~~General Conditions~~

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

~~PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION~~

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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MV00121464

PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

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3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

ATTACHMENT 9

separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

Item No. E.3

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans**) for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

4.3.~~6~~5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.~~7~~6 *During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.~~8~~7 *The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~* ***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be*** *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.~~9~~8 *Grading plans, construction specifications and bid documents shall* ***also*** *include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~* ***the following notations:***

- ***Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;***

- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

- ***All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.***

4.3.9 ***Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.***

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

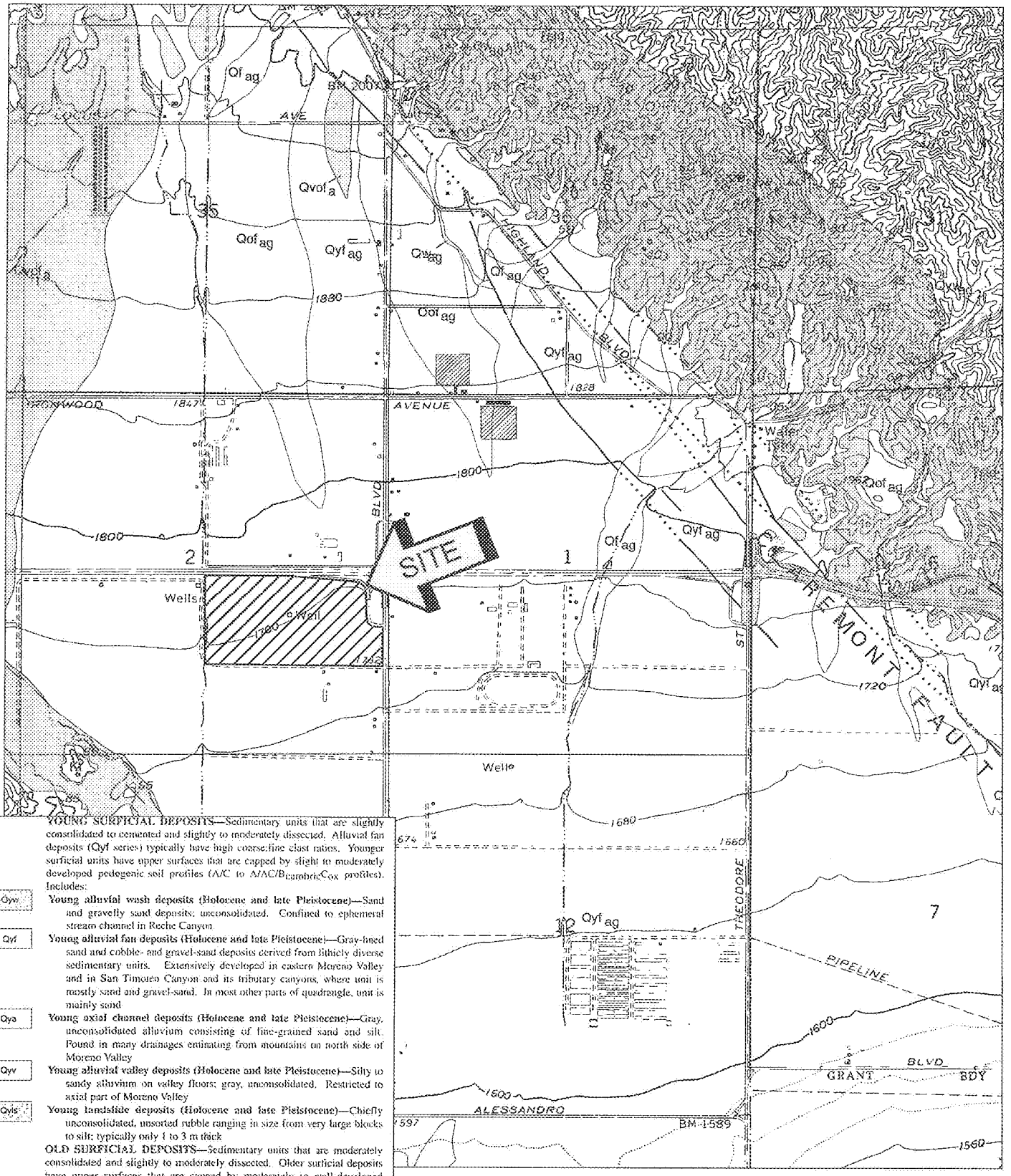

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00121540

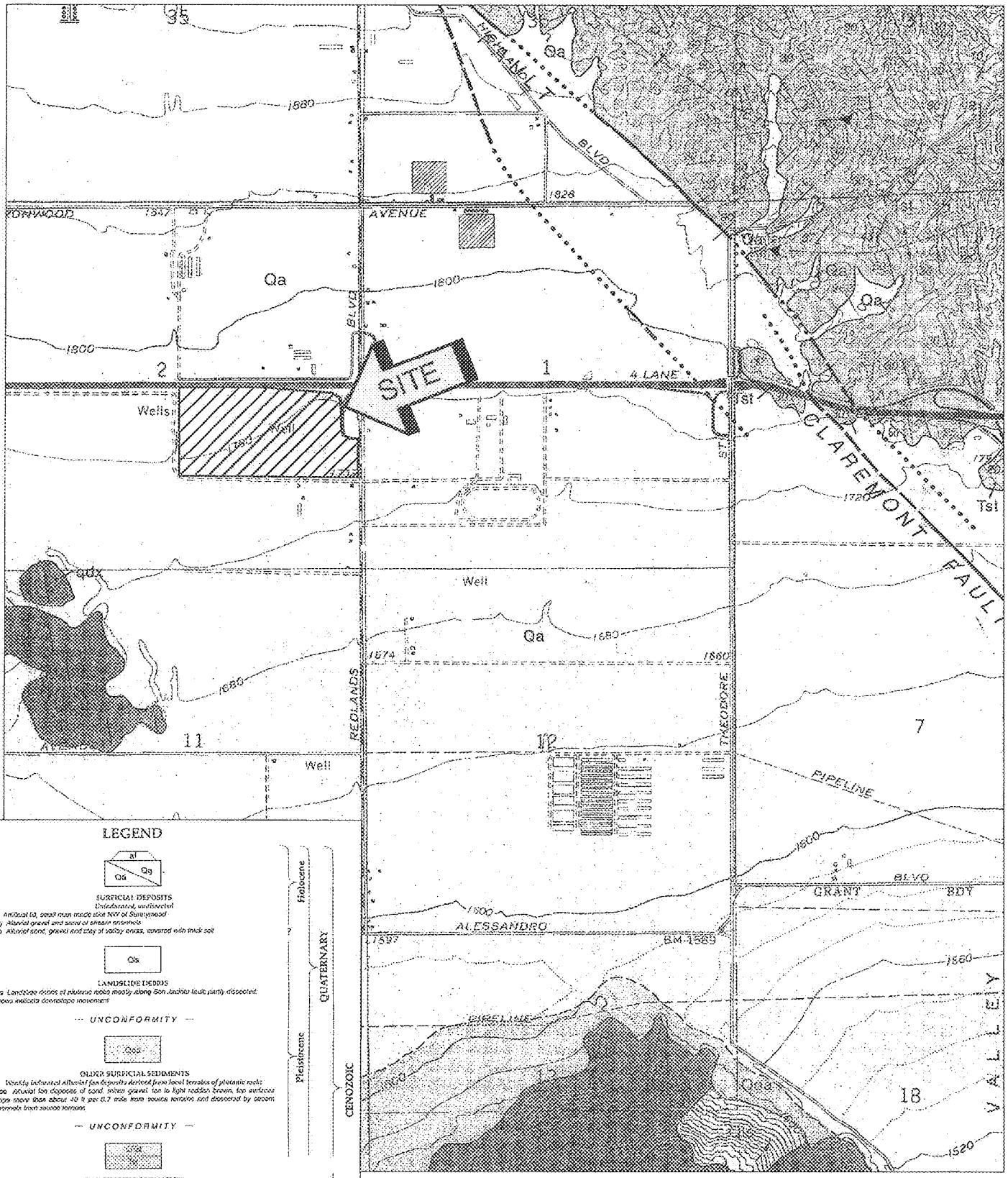

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made site NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, fan surfaces slope more than about 40 ft per 0.7 mile from source terrains and dissected by stream channels from source terrains

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); whole part referred to be of Pliocene age (Morton and Matti, 2001)

QTsa Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Matti, 2001), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00121541

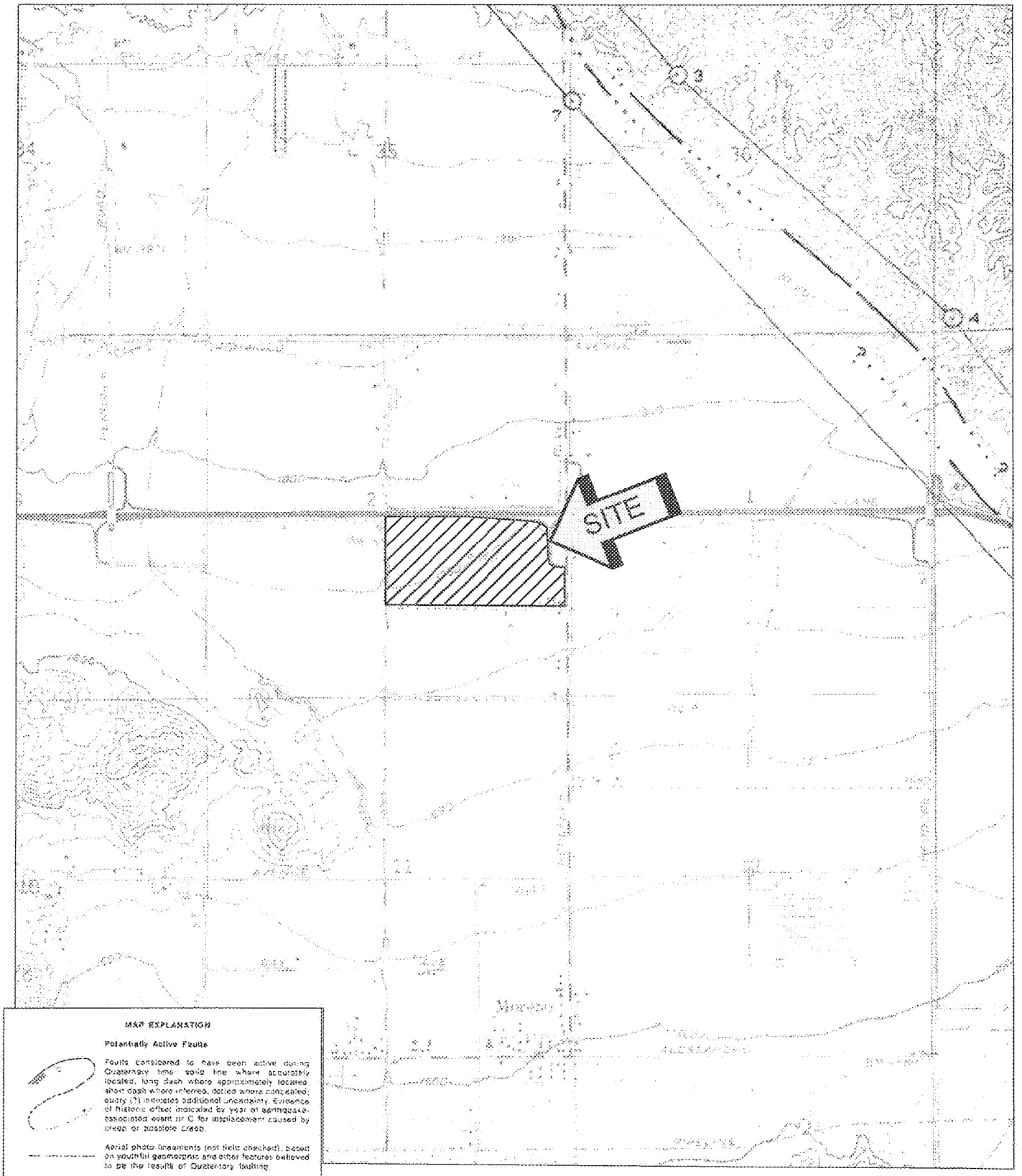

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP	
PROPOSED WEST RIDGE BUSINESS CENTER	
MORENO VALLEY, CALIFORNIA	
SCALE: 1" = 2000'	SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00121543

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead age

Item No. E.3

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

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[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

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Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***):

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the*** EMWD-2

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 6, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

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Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time. More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> 4.5.3 *The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> 4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
2

truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
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> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

MA-11 cont'd.

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs".

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

---

3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

RECEIVED
DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

GB-5

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason. GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR? GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault? GB-9

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east. GB-10

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 · Calimesa, California 92320 · Telephone (909) 446-0041 · Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

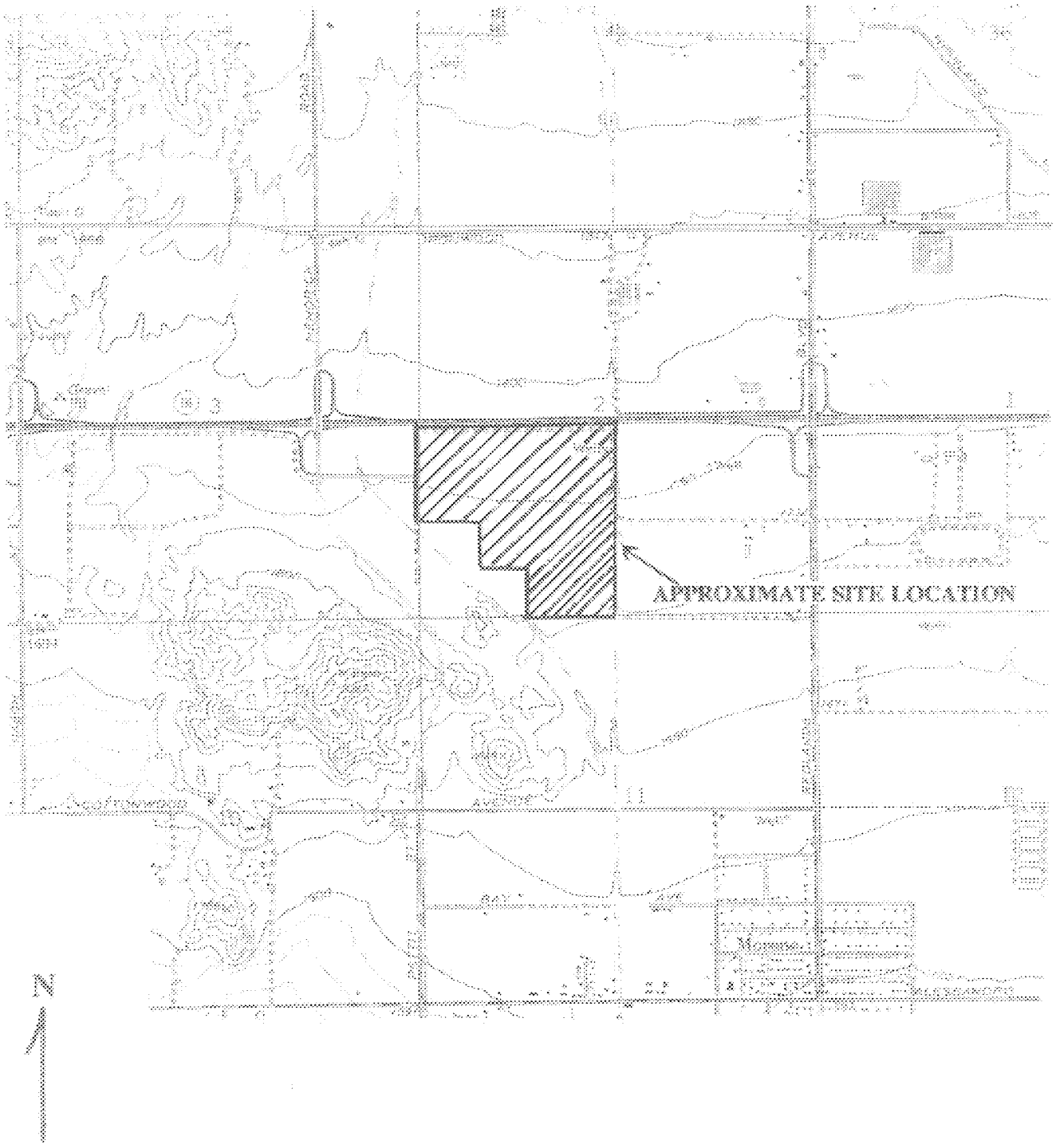

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 130± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

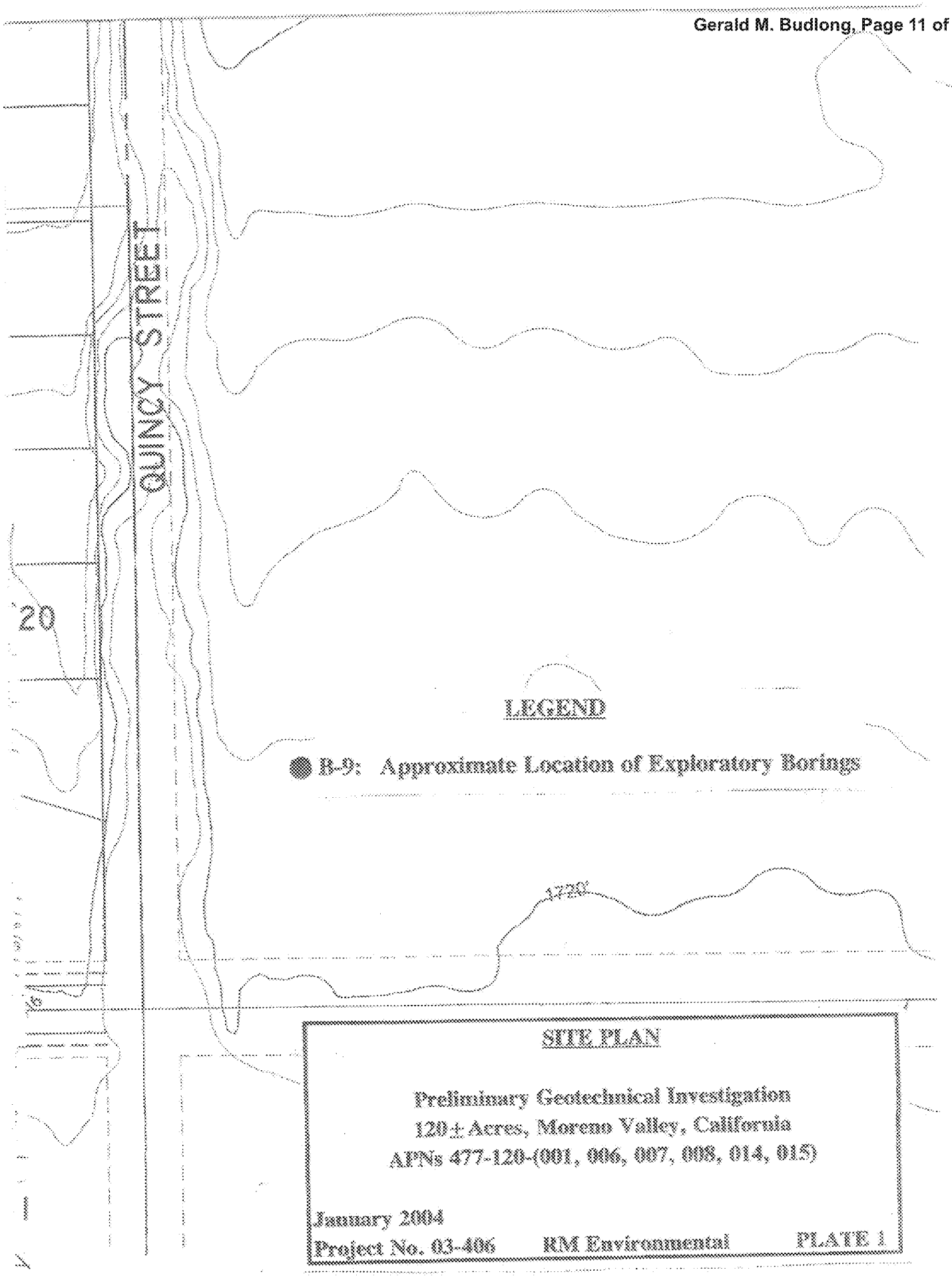

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

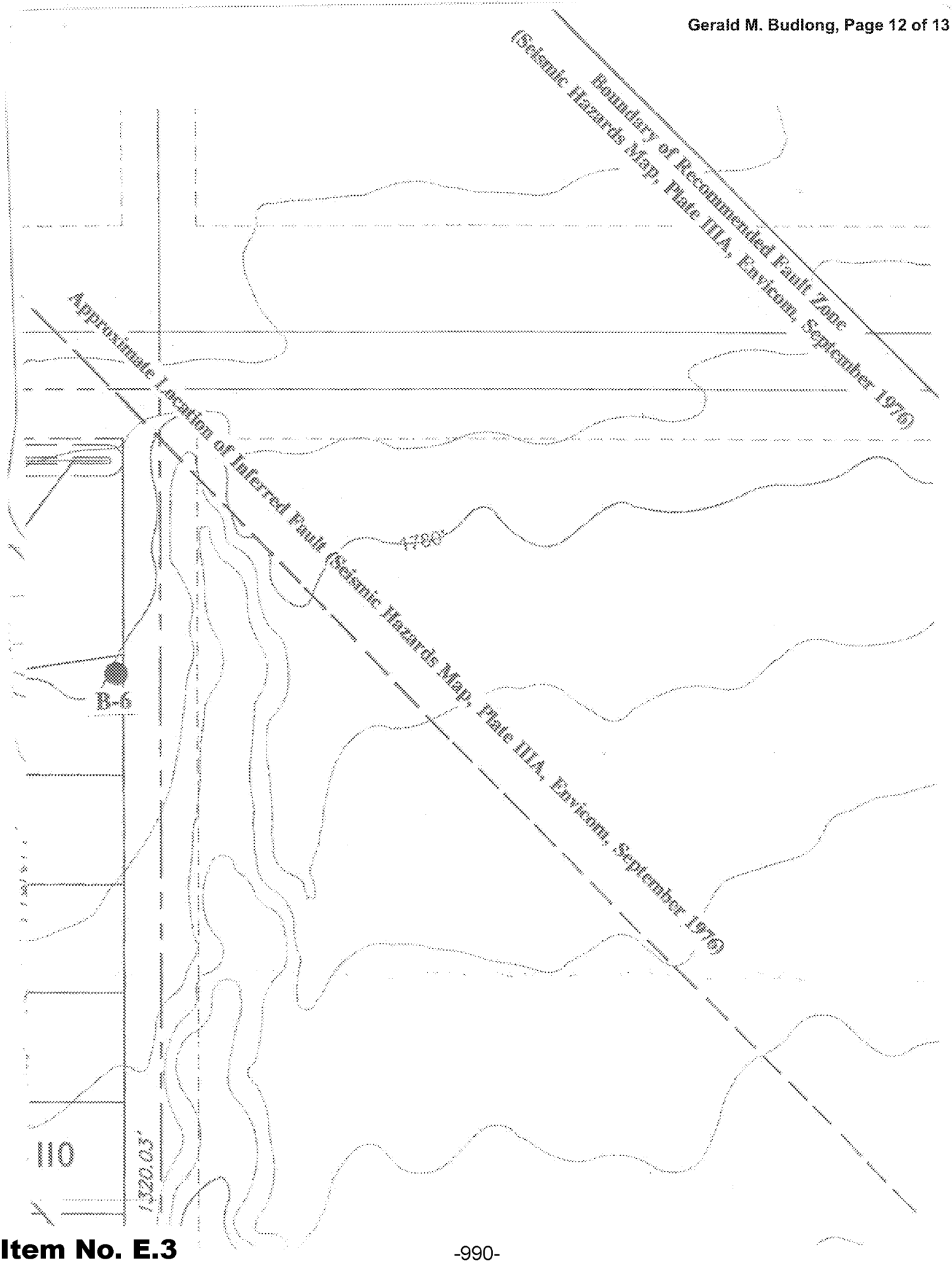
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
1780'
B-6
110
1320.03'

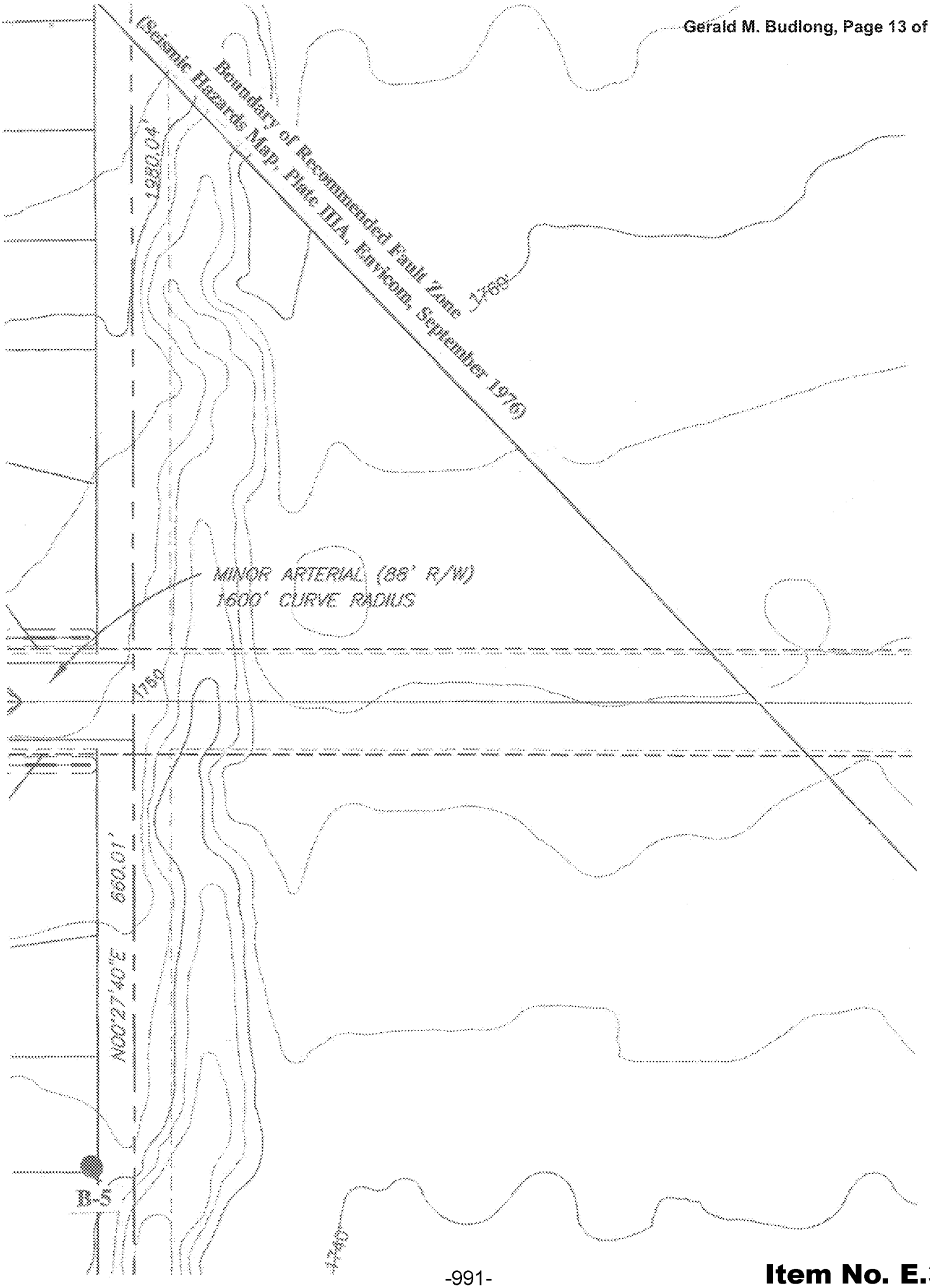
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harlsom, September 1976
1920.04'
1769'
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

Item No. E.3

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

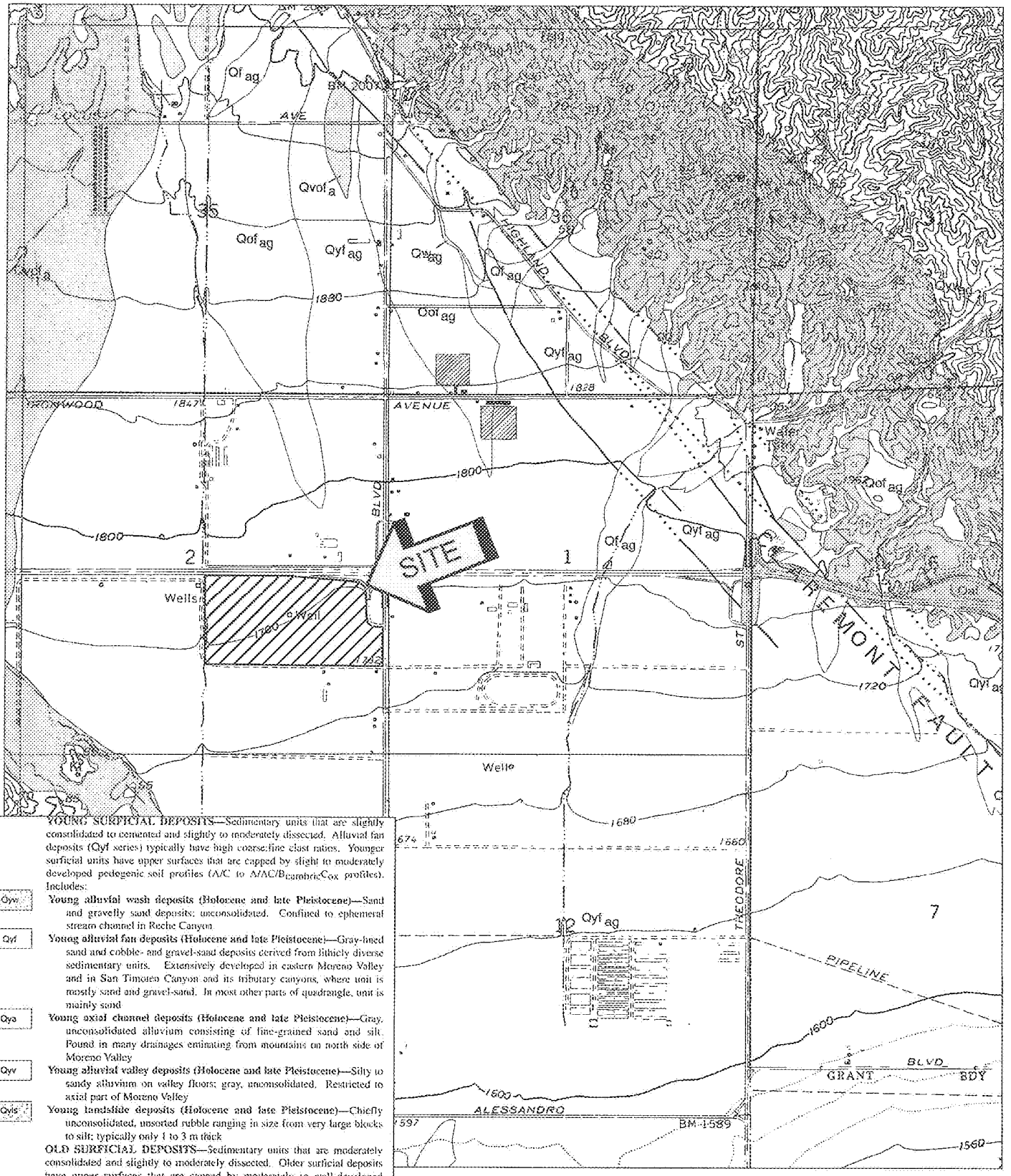

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00121622

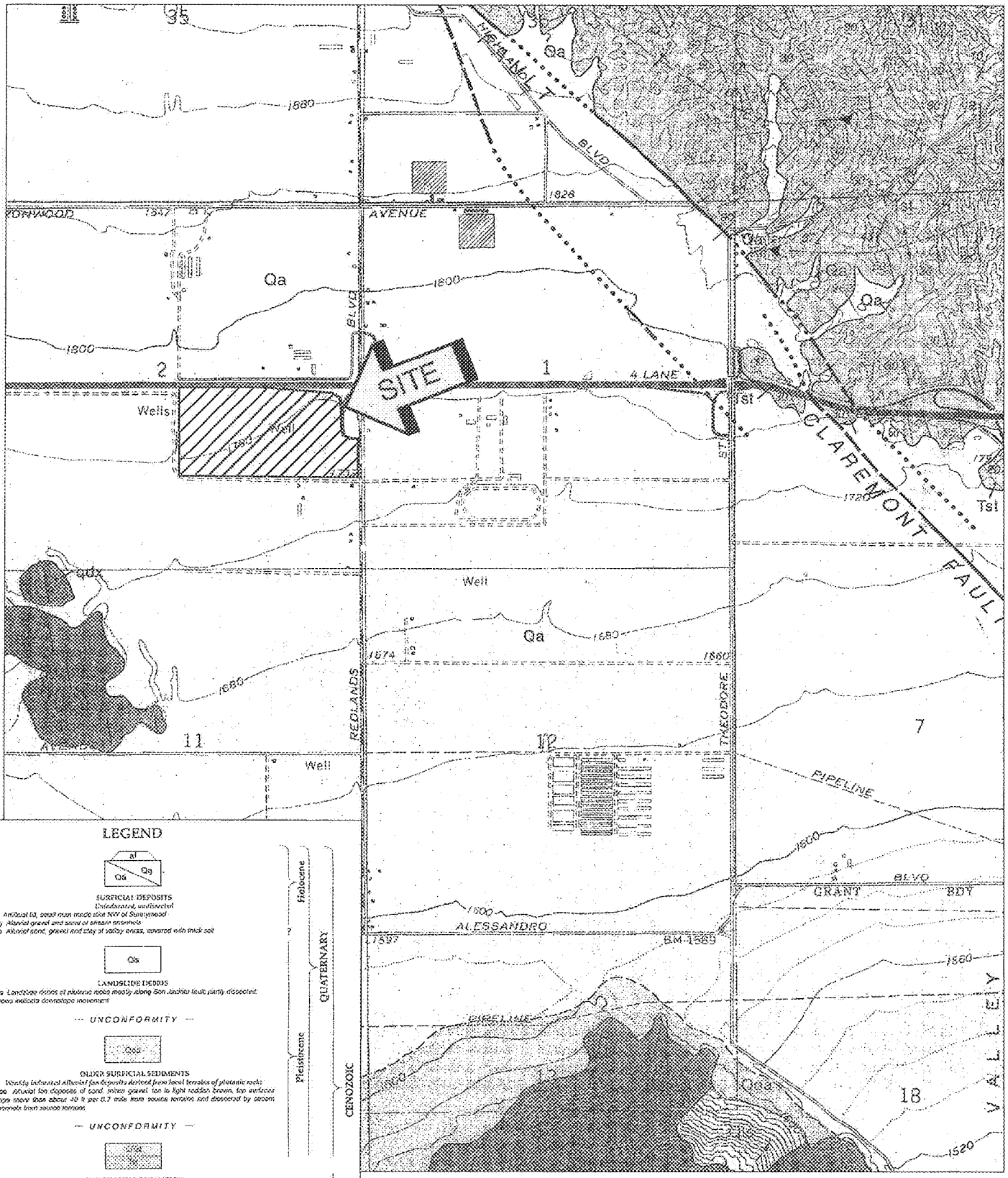

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made due NW of Sunnymead
Qg Alluvial gravel and sand of stream channels
Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:
Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, fan surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Hills of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1951), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Matti, 2001)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle
Tst Main part (pebble part of Morton and Matti, 2001), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00121623

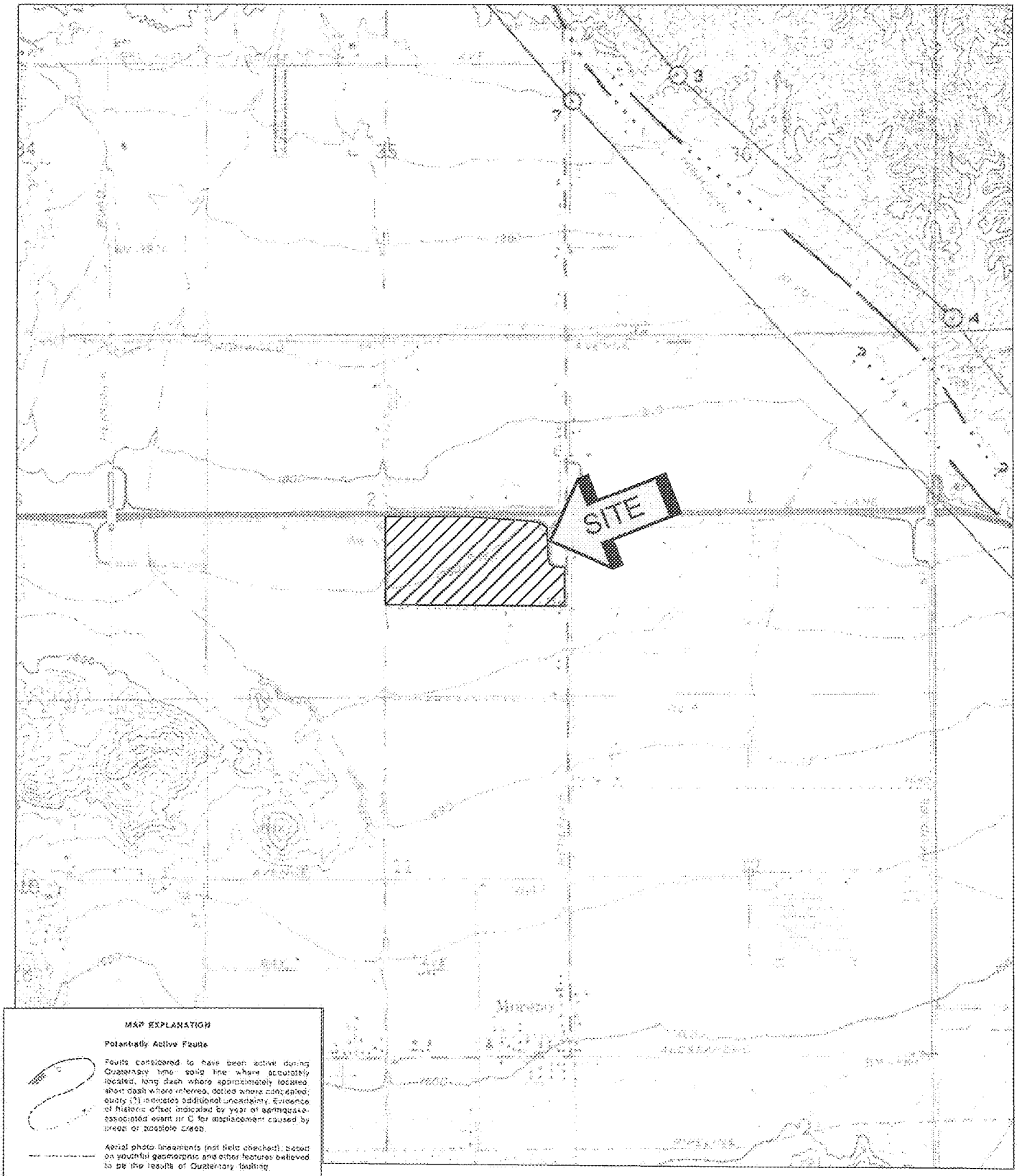

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00121625

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

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[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

Item No. E.3

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

EXHIBITS
(Incorporated by Reference)

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

Response FNSJ-23

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

JS-14 (cont'd)

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts.

JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document.

JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of

JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is not the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

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(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

JS-55

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
>
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response JS-41

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> 4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

> **5.8 Direct impacts to wildlife**
>
> **5.8.1 Common Wildlife**
>
> The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

Common Wildlife Species

The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

Response JS-52

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

<u>Response JS-53</u>

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists [illegible] LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

<u>Response NDN-12</u>

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

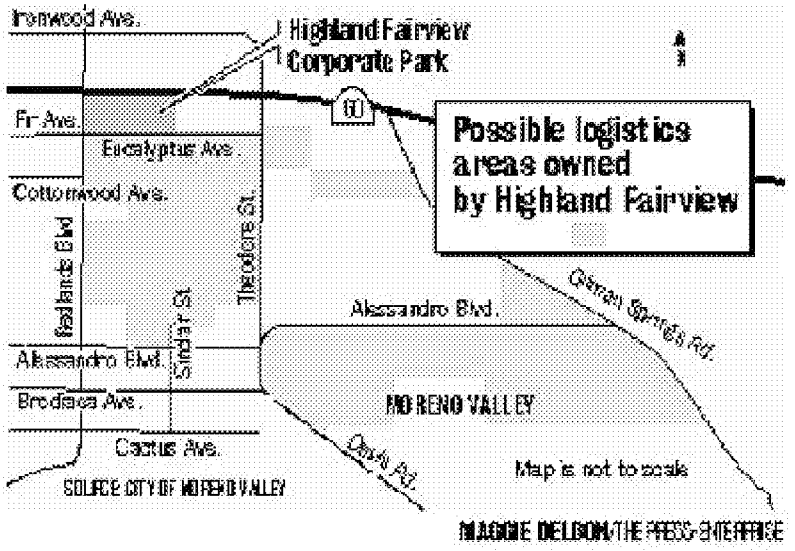

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

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DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools? RLMV-2

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic? RLMV-3
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- SC-1
without factoring Moreno Highlands into the equation. How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

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11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to show the impacted views from the 60 Freeway looking south across the project site to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

Recommendation: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

Building – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **mitigation measure reducing the height of the structure to preserve some of the scenic vistas should be imposed.** Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

Light and Glare – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: www.darksky.org lists lighting fixtures and methods to meet dark sky specifications. Add a Mitigation Measure (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

Screen Walls – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

Landscaping – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGahee Dr. Moreno Valley 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto Wildlife Area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.3

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Richard Johnson Phone: 951-243-0804

*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

*Note: Your name and contact information will become part of the public record for this project.

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area.

This report must include all the impacts of all 35 million sq ft in order to be of actual value to the community. DR-C-2

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

APPENDICES

Please refer to accompanying CD-ROM

Item No. E.3

MV00121893

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MV00121894

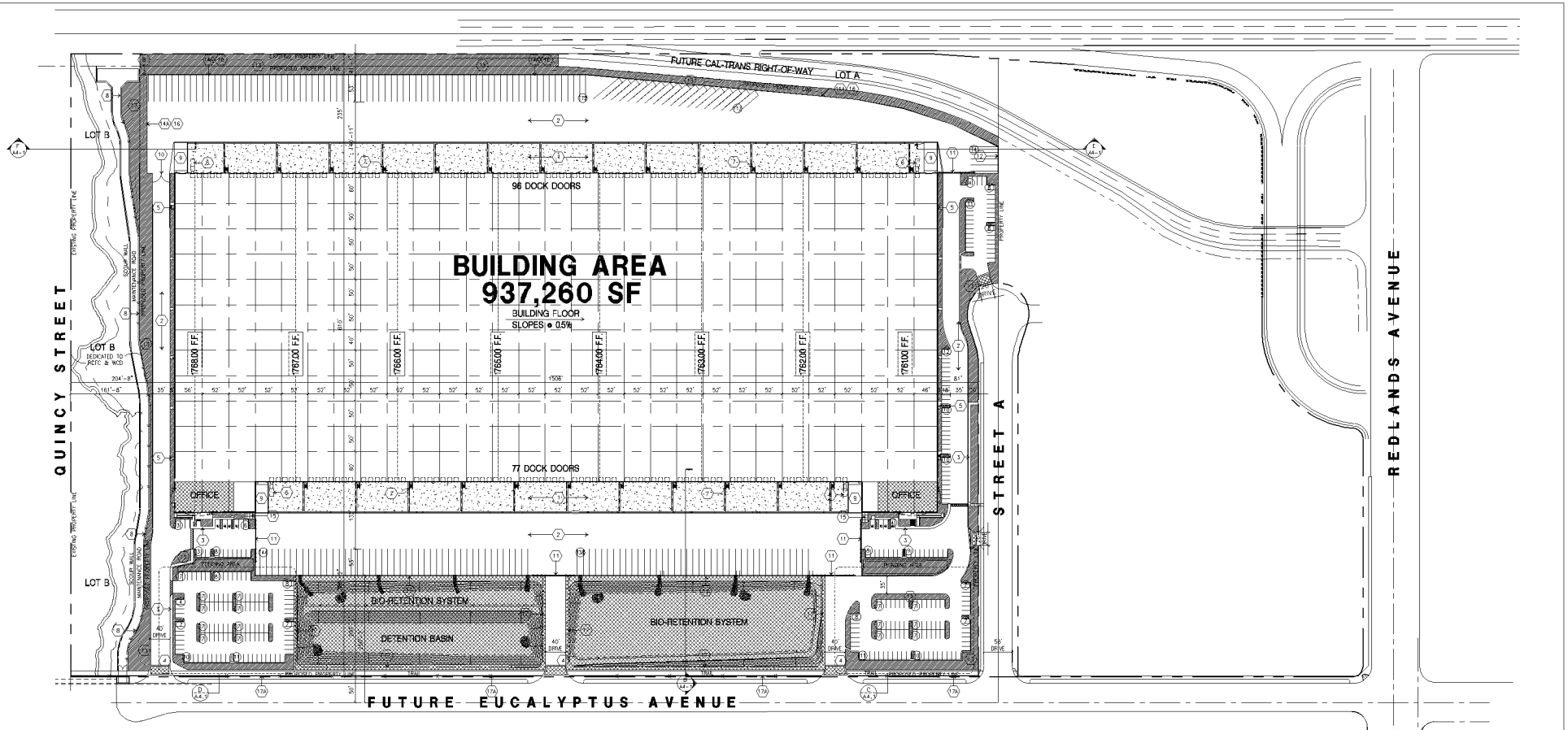

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

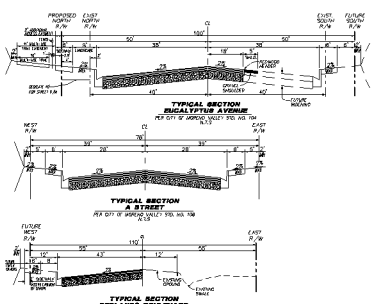

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.68
Net site area (in s.q.ft.)	2,266,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k @1/1,000 s.f.	20		
2nd. 20k @1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' WIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 6' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLAGIO, LLC
c/o PIERCE PROPERTY TRUST
301 CONVAL AVE. - STE #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROVIA COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: CH. SHENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILLIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DRWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- P — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TINA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25500 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DAUENHAUER

VICINITY MAP

N.T.S.

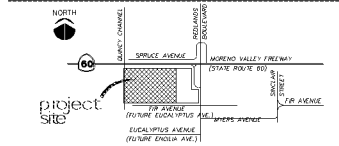

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge
Commerce Center
MORENO VALLEY, CALIFORNIA

PIERCE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION
HPA# 6342

NOVEMBER 5, 2010

A1.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 11

MV00121895

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MV00121896

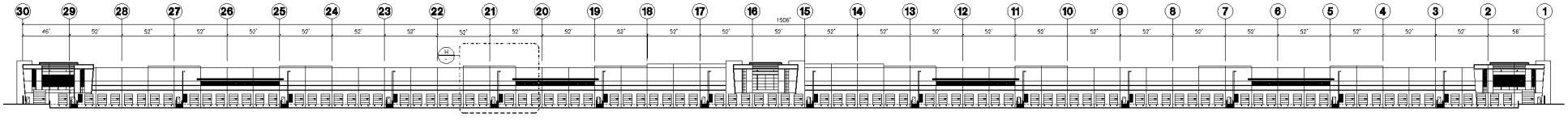

NORTH ELEVATION (A)
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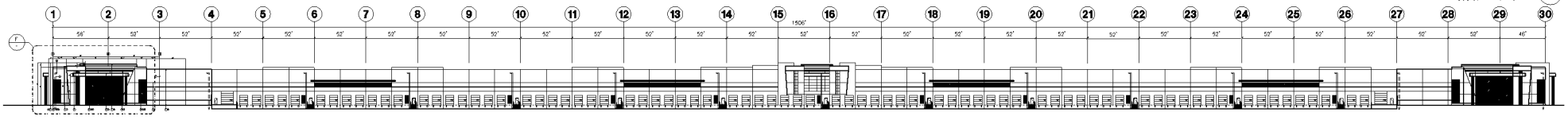

SOUTH ELEVATION (B)
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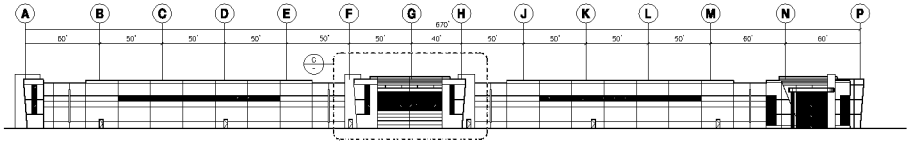

WEST ELEVATION (D)
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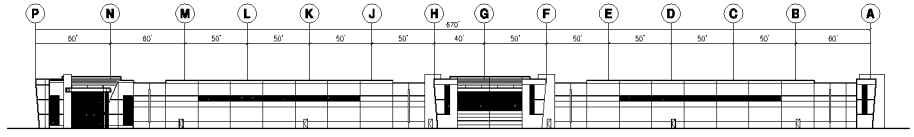

EAST ELEVATION (C)
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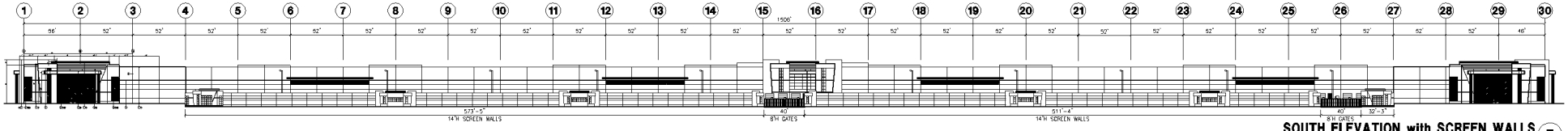

SOUTH ELEVATION with SCREEN WALLS (E)
scale: 1"=40'-0"

SCALE: 1"=40'
0 40' 80' 120'

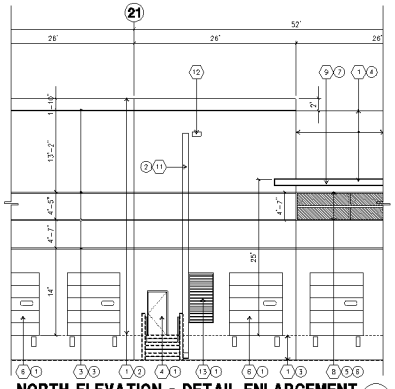

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
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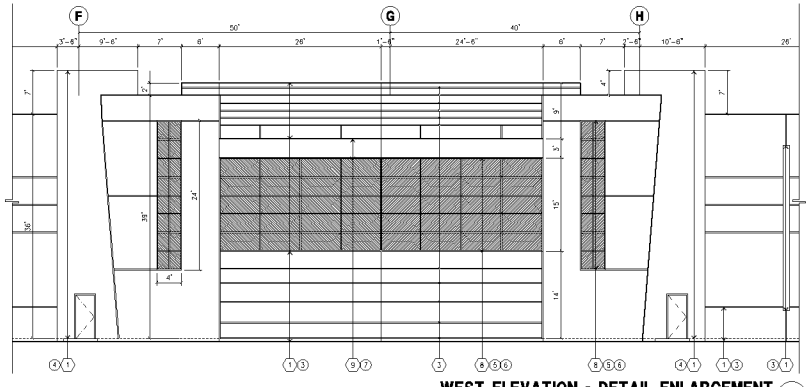

WEST ELEVATION - DETAIL ENLARGEMENT (G)
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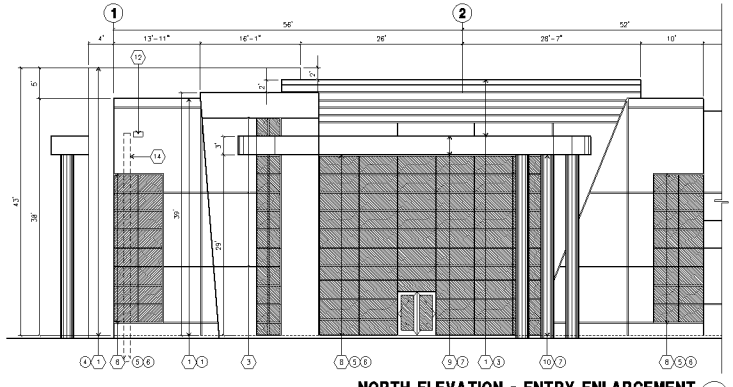

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS. SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173M EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566A DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

A3.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 12

MV00121897

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MV00121898

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

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MV00121900

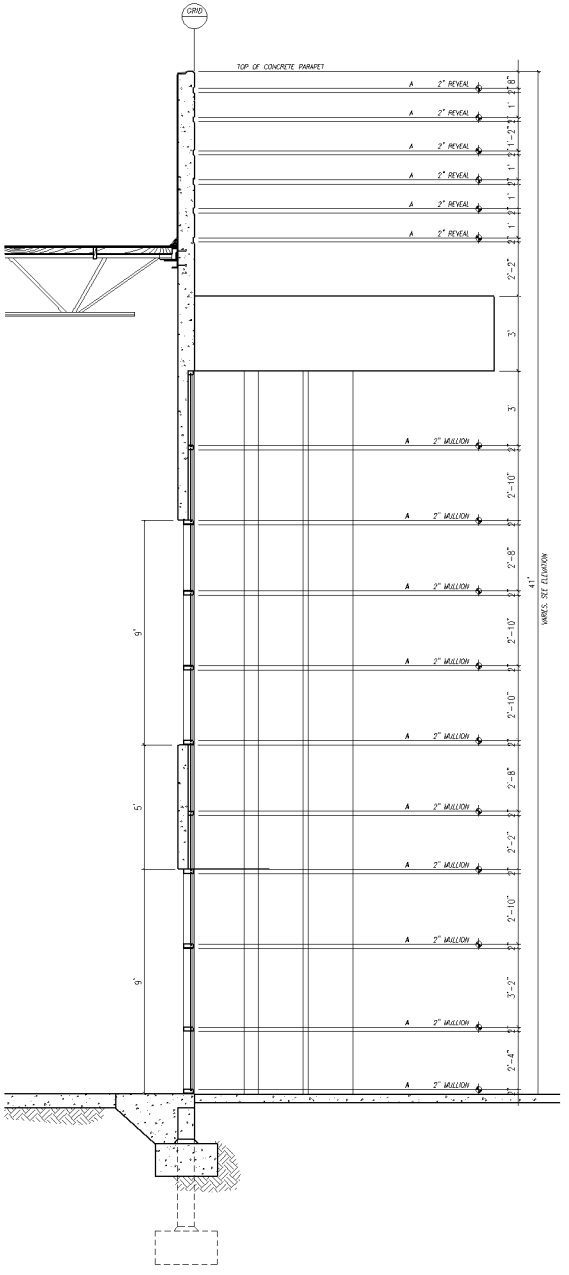

BUILDING SECTION @ OFFICE AREA (A)
scale: 1/2" = 1'-0"

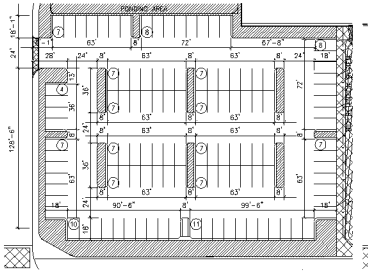

ENLARGED SITE PLAN @ SOUTHWEST (D)
scale: 1" = 40'-0"

1" = 40'-0"
0 40 80 120
NORTH

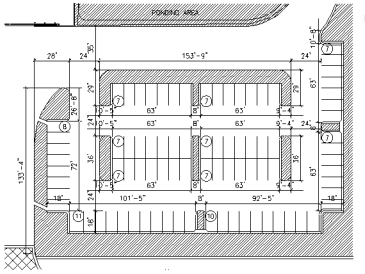

ENLARGED SITE PLAN @ SOUTHEAST (C)
scale: 1" = 40'-0"

1" = 40'-0"
0 40 80 120
NORTH

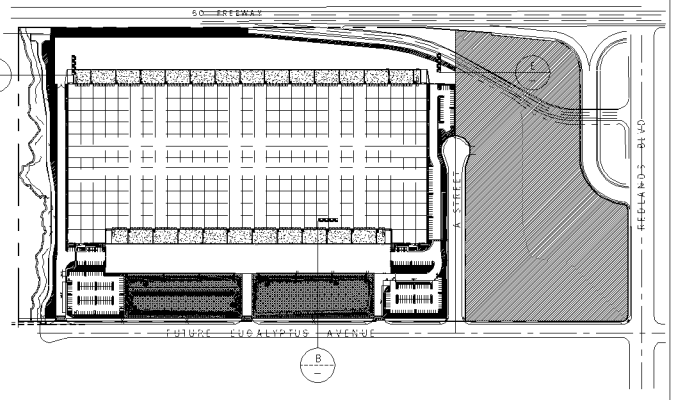

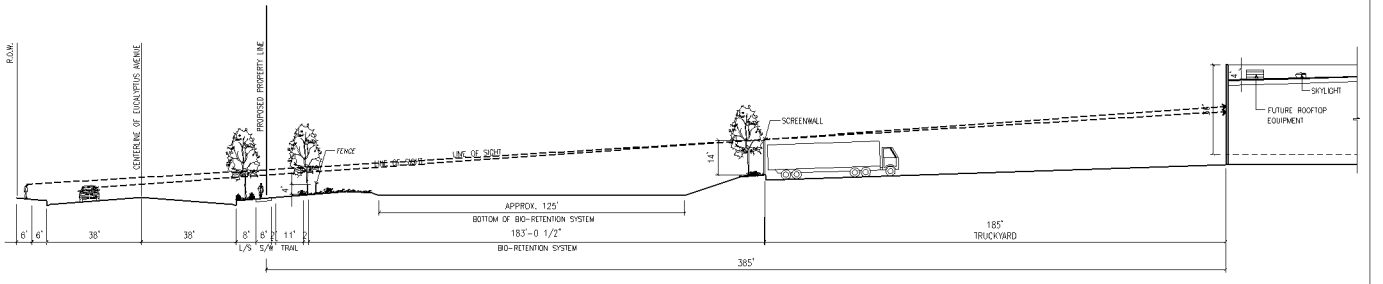

LINE OF SIGHT (B)
scale: 1" = 20'-0"

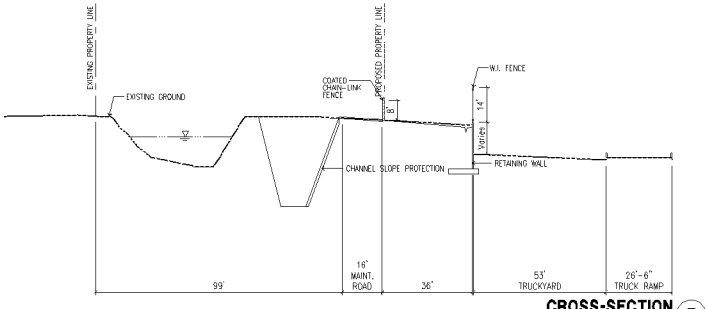

CROSS-SECTION (F)
scale: 1" = 20'-0"

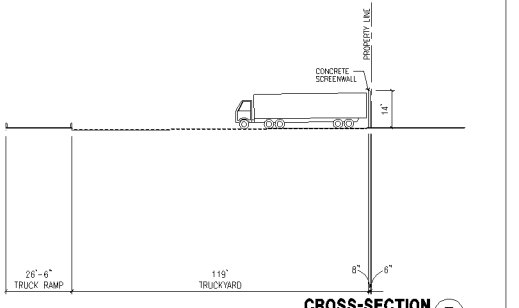

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

Rexford Property Trust
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A4.1

ATTACHMENT 14

MV00121901

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MV00121902

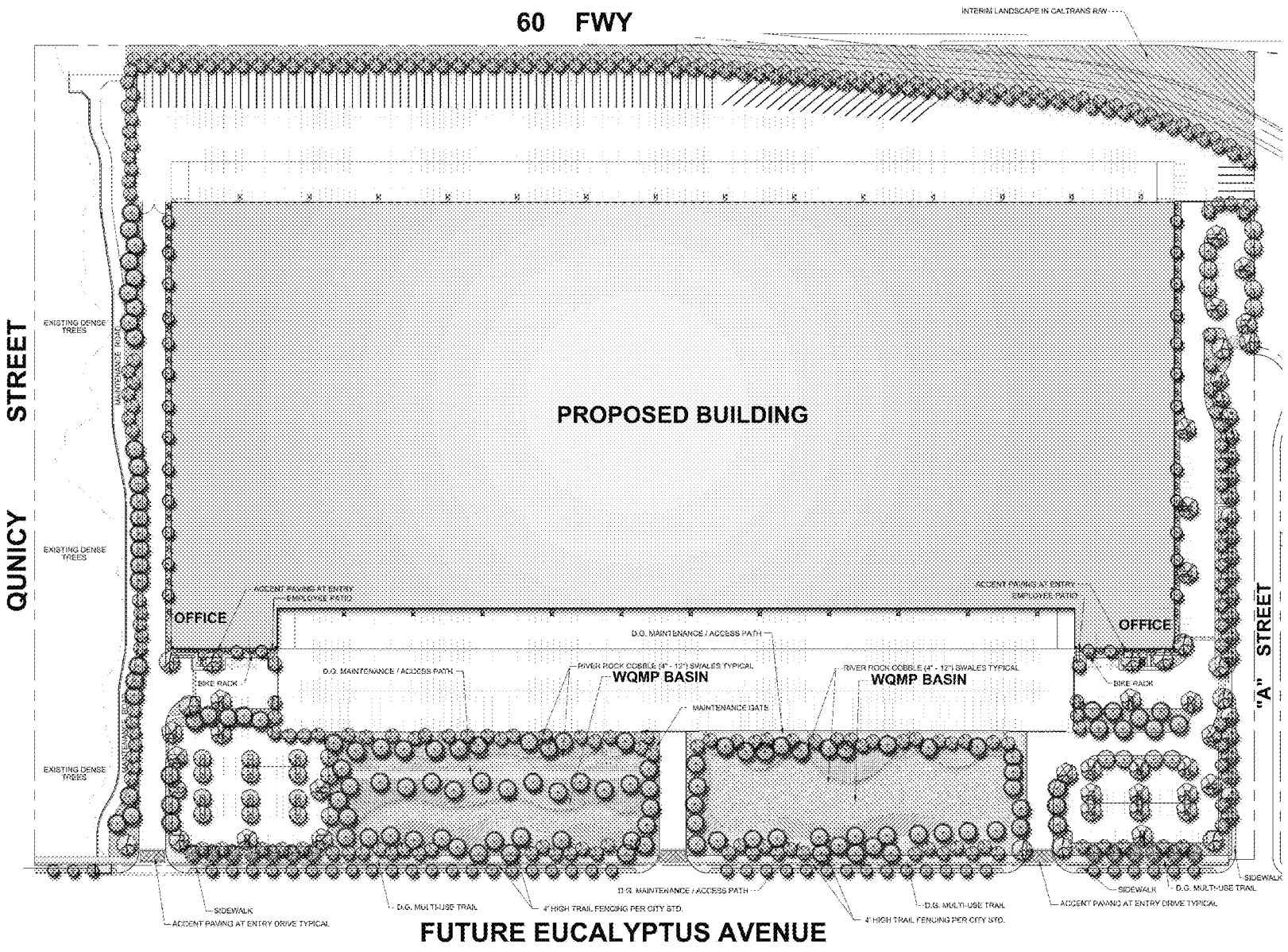

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus suber (Cork Oak)	15 GAL 24" BOX	30 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (Crimean Linden)	48" BOX	16
	Ulmus americana (Liberty and Pink) OR Pistacia atlantica (Atlantic Pist)	15 GAL 24" BOX	150 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Includes Street Tree)	24" BOX	13
	Pinus canariensis (Canary Island Pine)	15 GAL	152
	Pistachia chinensis (Chinese Pistache) (Includes Street Tree)	24" BOX	21
	Quercus agrifolia (Coast Live Oak)	24" BOX	24
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 5' OF HARDSCAPE SHALL BE 18" X 4' SHALLOW ROOT BARRIER 24" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Abelia grandiflora 'full Scarlet' (ACR)	5 gallon	30" o.c. spacing
Acacia cf. (Sticks Tick Acacia)	5 gallon	8' o.c. spacing
Adenanthos sericeus (Woolly Bush)	5 gallon	72" o.c. to 84" o.c. spacing
Agave americana (Century Plant)	15 & 5 gallon	8' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Anigozanthos flavidus (Kangaroo Paw)	5 gallon	3' o.c. spacing
Arbutus unedo (Strawberry Tree)	5 gallon	5' o.c. spacing
Calocephalus (Silver Bush)	5 gallon	3' o.c. spacing
Carpenteria californica (Bush Anemone)	5 gallon	3' o.c. spacing
Ceanothus cuneatus (Buckbrush)	5 gallon	4' o.c. spacing
Cistus Species (Rock rose)	5 gallon	4' o.c. spacing
Dodonaea Species (Hopseed)	5 gallon	3' o.c. spacing
Dymondia cf. (Silver Carpet)	5 gallon	3' o.c. spacing
Elaeagnus pungens (Silverberry)	5 gallon	5' o.c. spacing
Fragaria chiloensis (Strawberry Guava)	5 gallon	4' o.c. spacing
Galvezia speciosa (Island Snapdragon)	5 gallon	3' o.c. spacing
Heteromeles arbutifolia (Red Berry)	5 & 15 gallon	5' o.c. spacing
Juniperus species (various)	1 and 5 gallon	varies
Leucadendron (Leucadendron)	1 and 5 gallon	24" o.c. to 48" o.c. spacing
Leucophyllum frutescens 'Rio Grande'	5 gallon	4' o.c. spacing
Leucophyllum frutescens 'Green Cloud' (Texas Ranger)	5 gallon	4.5' o.c. spacing
Ligustrum lucidum (Wax-leaf Privet)	5 gallon	30" o.c. spacing
Macadamia integrifolia and tetraphylla (Macadamia Nut)	5 gallon	24" o.c. spacing
Melaleuca nesophila (BOTA)	5 gallon	24" o.c. spacing
Muhlenbergia capillaris (Pink Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis (Species Tree Myrtle)	5 gallon	24" o.c. spacing
Nandina domestica (Heavenly Bamboo)	5 gallon	24" 36" o.c. spacing
Pittosporum tobira (Tobira, Mock Orange)	5 gallon	4.0' o.c. spacing
Polygala myrtifolia	5 gallon	4.0' o.c. spacing
Rhamnus californica (Coast Buckthorn)	5 gallon	4.0' o.c. spacing
Rhaphiolepis indica (Indian Hawthorn)	5 gallon	4.0' o.c. spacing
Rhamnus californica (California)	5 gallon	48" 42" o.c. spacing
Rosmarinus officinalis (Rosemary)	5 gallon	48" o.c. spacing
Salvia clevelandii (Cleveland Sage)	5 gallon	36" o.c. spacing
Salvia greggii (Autumn Sage)	5 gallon	30" o.c. spacing
Verbena lilacina (Lilac Verbena)	5 gallon	48" o.c. spacing
Xylosma congestum (Shiny Xylosma)	5 gallon	48" o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (ACRN)	1 and 5 gallon	48" o.c. spacing, min
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing min.
Carex divulsa (Berkeley)	1 gallon	42" o.c. spacing min.
Dichondra repens (Kidneywort) (Groundcover)	1 gallon	24" o.c. spacing min.
Hedera helix (Ivy) (Ivy)	1 gallon	24" o.c. spacing
Juniperus conferta (Shore)	1 gallon	30" o.c. spacing
Lonicera japonica 'Halliana' (Hall's Honeysuckle)	1 gallon	18" o.c. spacing
Myoporum parvifolium (Myoporum)	1 gallon	24" 42" o.c. spacing
Myoporum laetum (Myoporum)	1 gallon	48" o.c. spacing
Rosmarinus officinalis prostratus (Rosemary)	1 gallon	30" o.c. spacing
Vinca major (periwinkle) (Vinca major)	From and 1 gallon	18" o.c. spacing

INTERIM LANDSCAPE IN THE CALTRANS R/W - PLANT 1 GAL., ACHIEVE RESOLVE TO 2' O.C. WITH 3" INNER LAYER OF DECORATIVE ROCK. THAT IS TO BE IRRIGATED WITH DRIP IRRIGATION.

SIDEWALK VIEW AVAILABLE NON-SAMPLE PURCHASE SIGNS, INC.

0.25 AC	ACROSTICHUM ITALICUM	
0.25 AC	MUSCELLA CERULA	
0.25 AC	MONUMENTOCIA CUBENS	
0.25 AC	MONUMA MARMORATUM	
0.25 AC	MOLUCCA MOCCIRA CA	
0.25 AC	COLUMNA COSTARICENSE	
0.25 AC	MONUMENTOCIA SANCTIPRISA	

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Kiwi vine (Chinese fig)	1 gallon	10' o.c. spacing
	Bougainvillea (Bougainvillea) (Cascade)	1 gallon	10' o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Dendrocalamus strictus (Red Tropical Bamboo)	5 gallon	8' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTING AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM KURTH MULCHES (951) 970-0266

Environsul

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

MV00121903

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MV00121904

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INCLUSIVE, BLOCK 35, OF MAP NO. 7 OF REDLANDS VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT-ZOLLARS

NOVEMBER, 2010

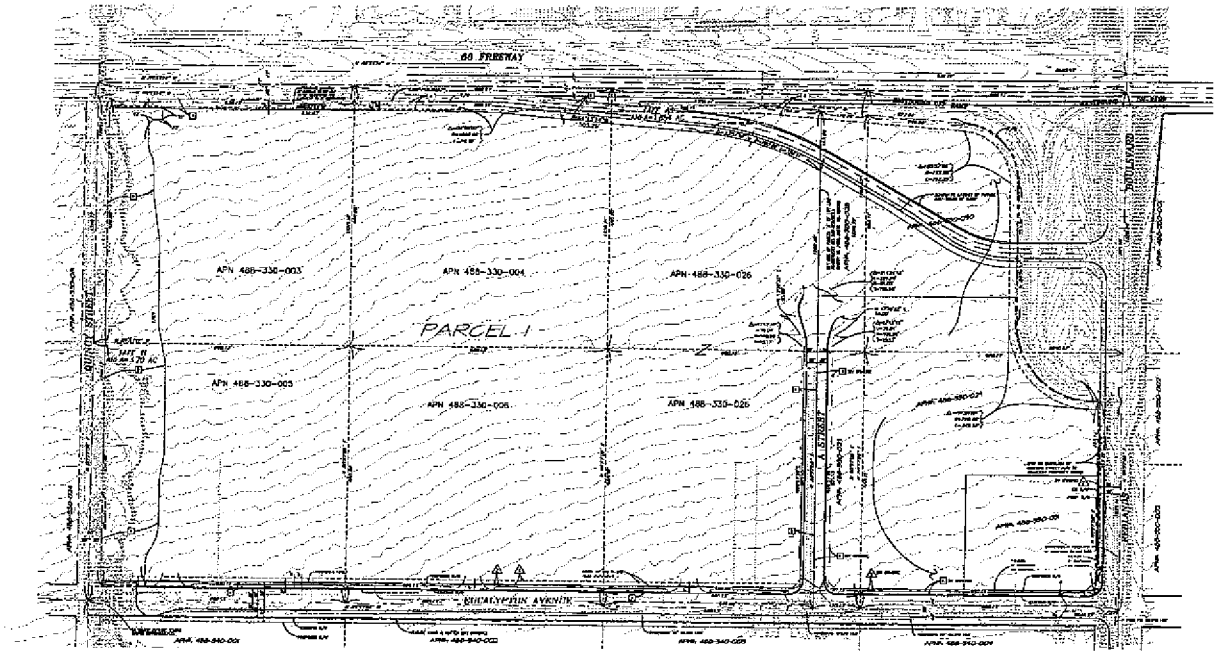

TYPICAL SECTION
EUCALYPTUS AVENUE

TYPICAL SECTION
A STREET

TYPICAL SECTION
MORENO BEACH DRIVE

EASEMENT NOTES

(A) EASEMENTS FOR THE PURPOSES SHOWN BELOW AND HEREIN INCLUDED, SHALL BE GRANTED AS SHOWN ON A MAP/PLAT.

GRANTED TO: CASTAIC MUNICIPAL WATER DISTRICT
PURPOSE: PUBLIC PIPELINE PURPOSES
RECORDED: DECEMBER 18, 1963, AS INSTRUMENT NO. 139944, BOOK 1633, PAGE 162, OF OFFICIAL RECORDS

PROPOSED EASEMENT

(A) 10' EASEMENT FOR WALK-ON USE, TO BE THE CITY OF MORENO VALLEY.

(A) 5' EASEMENT FOR THE PURPOSE OF DISTRIBUTING FIRE WATER TO BE GRANTED TO THE CITY OF MORENO VALLEY.

PROPOSED DEDICATION

(B) 30' INCLUSIVE OF EXISTING STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

(B) 25' INCLUSIVE OF STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

(C) 1' OF A, BEGINNING ON THE CITY OF MORENO VALLEY FOR FUTURE CULTURAL USE.

(D) 1' OF A, BEGINNING ON THE STATE OF CALIFORNIA FOR FUTURE CULTURAL USE.

LINE DATA:		
LINE	BEARING	DISTANCE
L1	N 89°59'00" E	30.00'
L2	N 89°59'00" E	30.00'
L3	N 89°59'00" E	30.00'
L4	N 89°59'00" E	30.00'
L5	N 89°59'00" E	30.00'
L6	N 89°59'00" E	30.00'
L7	N 89°59'00" E	30.00'
L8	N 89°59'00" E	30.00'
L9	N 89°59'00" E	30.00'
L10	N 89°59'00" E	30.00'
L11	N 89°59'00" E	30.00'

PARCEL SUMMARY TABLE
PARCEL 1 - 20.00 AC
TOTAL - 20.00 AC

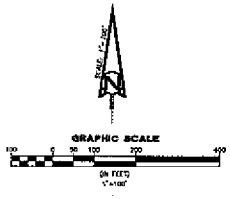

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: AGRICULTURAL/VACANT TO THE WEST; AGRICULTURAL TO THE SOUTH; VACANT TO THE NORTH AND COMMERCIAL TO THE EAST
3. MINIMUM LOT SIZE: 1 ACRE
4. EXISTING ZONING: IP1 PROPOSED ZONING: IP1
5. FLOOD ZONE X: PANEL NO. 06065C0729G EFF. DATE: AUGUST 28, 2008
6. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
7. PROPOSED WATER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
8. PROPOSED SEWER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
9. ALL UTILITIES SHALL BE UNDERGROUND:
   GAS: SOUTHERN CALIFORNIA GAS COMPANY
   ELECTRIC: CITY OF MORENO VALLEY ELECTRIC UTILITY
   TELEPHONE: VERIZON TELEPHONE COMPANY
10. ALL SIGNS SHALL BE CONSTRUCTED AT A MINIMUM SIZE OF 24" UNLESS OTHERWISE PERMITTED
11. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS
12. AERIAL TOPOGRAPHY PROVIDED BY: DIGITAL MAPPING INC.
13. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
14. AREA=20.000 ACS

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELACO, LLC
701 HOWARD AVENUE, SUITE A
LONG BEACH, CA 90803
PH: 562-494-2012
FAX: 949-364-3600
CONTACT: ROBERT BRIZ

PREPARED IN THE OFFICE OF
HUITT-ZOLLARS, INC.
3990 CONCOURSE, SUITE 150
ONTARIO, CALIFORNIA 91764
PHONE: (909) 941-7700

UTILITY PROVIDERS

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

GAS
SOUTHERN CALIFORNIA GAS COMPANY
9520 TRADING NO. 3C 8030
MORENO VALLEY, 92555
(800) 427-2200

TELEPHONE
VERIZON
9505 ORANGE WAY, LAND, 92, 100
FONTANA, CA. 92335

ELECTRIC
MORENO VALLEY UTILITIES
14075 PERIS BLVD.
MORENO VALLEY, CA. 92555
(951) 413-3500

CABLE - TV
MEDIACOM COMMUNICATIONS
9500 ARTESIA CENTER DR.
DOWNEY, CA. 90241
(562) 929-2500

SURVEYOR
R.B.S.
SURVEY
11-2 SURV
PROJECT MGR
R.B.S.

SURVEYOR'S NOTES

1. BASIS OF BEARINGS: THE BEARING OF THE SOUTHERLY LINE OF PARCEL 1 OF PARCEL MAP NO. 36207 AS SHOWN ON PARCEL MAP NO. 36207 IS TAKEN AS N 89°59'00" E.
2. ALL DISTANCES ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.
3. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
4. ALL CURVES ARE TANGENT UNLESS OTHERWISE NOTED.
5. ALL CURVES ARE CONCENTRIC UNLESS OTHERWISE NOTED.
6. ALL CURVE DATA ARE RADIAL UNLESS OTHERWISE NOTED.
7. ALL CURVE DATA ARE IN DEGREES, MINUTES AND SECONDS UNLESS OTHERWISE NOTED.
8. ALL CURVE DATA ARE IN DECIMALS THEREOF UNLESS OTHERWISE NOTED.

LEGEND / ABBREVIATIONS

W	PROPOSED WATER LINE
W	PROPOSED FIRE WATER LINE
W	PROPOSED DOMESTIC WATER LINE
S	PROPOSED SEWER LINE
D	PROPOSED STORM DRAIN
G	EXISTING GAS LINE
W	EXISTING WATER LINE
S	EXISTING SEWER LINE
D	EXISTING STORM DRAIN
	STORM DRAIN INLET
	CATCH BASIN
	BOUNDARY OF SUBJECT PROPERTY
	EXISTING RIGHT OF WAY/SITE BOUNDARY
	EXISTING SIDE LINE
	LOT LINE
	FIRE HYDRANT

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW HAVE BEEN CONTRACTED FROM A PRELIMINARY TITLE REPORT PREPARED BY FIDELITY NATIONAL TITLE COMPANY, ORDER NO. 00-0200000-00-JA, EFFECTIVE DATE: MARCH 31, 2010. ANY AND ALL EXCEPTIONS SHOWN THEREIN ARE INCLUDED AS PART OF THIS PROJECT. THE LEGAL DESCRIPTIONS SHOWN BELOW ARE THE EXCEPTIONS SHOWN ON THE PRELIMINARY TITLE REPORT.

PARCEL 1:

LOT 2, BLOCK 35 OF MAP NO. 7 OF REDLANDS VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1633, PAGE 162 OF OFFICIAL RECORDS.

PARCEL 2:

LOT 3, BLOCK 35 OF MAP NO. 7 OF REDLANDS VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION OF SAID LOT 3 LYING WITHIN THE LINES OF A STREET, AS SHOWN ON MAP OF REDLANDS VALLEY, UNIT NUMBER ONE, RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1633, PAGE 162 OF OFFICIAL RECORDS.

PARCEL 3:

LOT 4, BLOCK 35 OF MAP NO. 7 OF REDLANDS VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION OF SAID LOT 4 LYING WITHIN THE LINES OF A STREET, AS SHOWN ON MAP OF REDLANDS VALLEY, UNIT NUMBER ONE, RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1633, PAGE 162 OF OFFICIAL RECORDS.

PARCEL 4:

LOT 5, BLOCK 35 OF MAP NO. 7 OF REDLANDS VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION OF SAID LOT 5 LYING WITHIN THE LINES OF A STREET, AS SHOWN ON MAP OF REDLANDS VALLEY, UNIT NUMBER ONE, RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 5:

LOT 6, BLOCK 35 OF MAP NO. 7 OF REDLANDS VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION OF SAID LOT 6 LYING WITHIN THE LINES OF A STREET, AS SHOWN ON MAP OF REDLANDS VALLEY, UNIT NUMBER ONE, RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 6:

A PORTION OF LOTS 7, UNIT 7 BLOCK 35 OF MAP NO. 7 OF REDLANDS VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION OF SAID LOT 7 LYING WITHIN THE LINES OF A STREET, AS SHOWN ON MAP OF REDLANDS VALLEY, UNIT NUMBER ONE, RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 7; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 7, 1 FOOT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID LOT 7, 1 FOOT; THENCE SOUTH TO THE SOUTH LINE OF SAID LOT 7; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 7, 1 FOOT TO THE POINT OF BEGINNING.

CITY CASE NO. PA09-0022

HUITT-ZOLLARS
HUITT-ZOLLARS, INC.
3990 CONCOURSE STREET, SUITE 150 / ONTARIO, CALIFORNIA 91764 / (909) 941-7700

SHEET 1 OF 1 SHEETS

ATTACHMENT 16

Item No. E.3

MV00121905

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MV00121906

West Ridge Commece Center Project

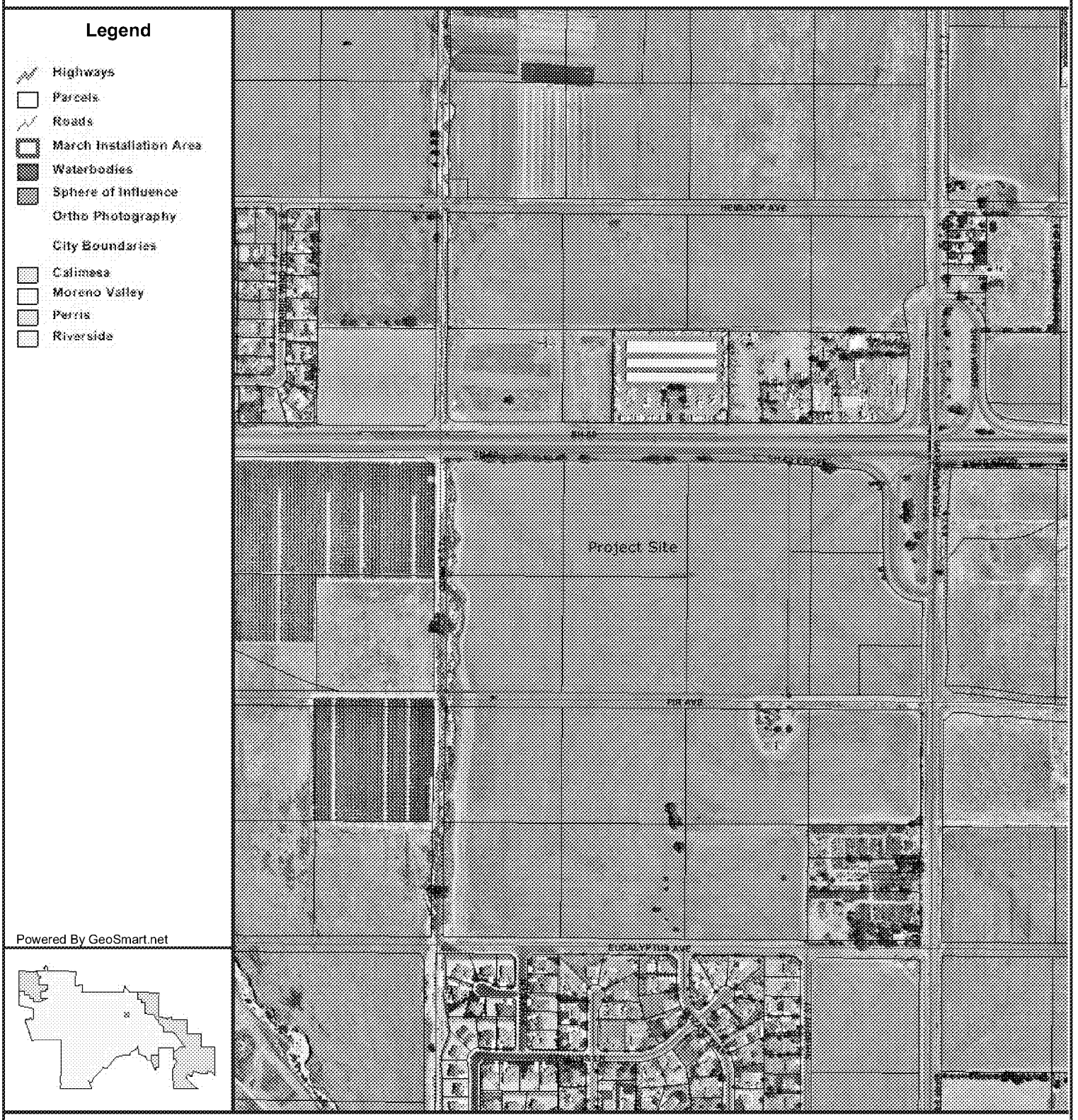

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

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MORENO VALLEY
WHERE DREAMS SOAR

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MV00121907

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MV00121908

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. <u>This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.</u>

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. AQMD-5 cont'd.

  ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

  Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

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MV00121928

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

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MV00121934

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-325-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

Item No. E.3

MV00121939

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 154912 3⑈

Item No. E.3

MV00121941

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MV00121942

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer. ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

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MV00121948

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

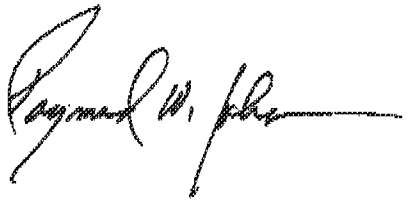

Raymond W. Johnson
JOHNSON & SEDLACK

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MV00121960

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

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MV00121966

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. **Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)**

b. **Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)**

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MV00121968

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS

RECOMMENDED ACTION

1. Staff recommends that the City Council adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the council districts from which members of the City Council are elected.

BACKGROUND/DISCUSSION

The California Elections Code provides that following each decennial federal census, the council shall by ordinance or resolution, adjust the boundaries of any or all of the council districts of the city so that the districts shall be as nearly equal in population as may be and shall comply with the applicable provisions of Section 1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, continuity, integrity and compactness of territory, and (d) community of interests within the districts. The timeline of adjustment of the boundaries shall be before the first day of November of the year following the year in which each decennial federal census is taken.

An initial step in undertaking the revision of district boundaries is to establish criteria which will be used to guide the redistricting process. The concepts reflected in the proposed criteria were presented by Alan Heslop, Founder of National Demographics Corporation (NDC), at the July 26, 2011 Special Meeting. National Demographics Corporation nationally recognized as a leader in the districting field has been contracted

by the City to conduct the required redistricting process. The timeline is provided accordingly.

Scheduled Timeline:

July – August 10
Creation of Public Participation Paper Kits

July – August 10
Creation of an On-line Redistricting Application for public use and submission of plans

August 23
Regular City Council Meeting - Adoption of Criteria

September 1
Creation and on-line interactive posting of 2 or 3 draft plans for citizens' review

September 12th and 15th
Citizens' Community Meetings in two areas of the city: one at the east end and one at the west end (citizen participation)

September 27
City Council Public Hearing - Review of suggested final map from citizens' input

October 11
City Council Public Hearing and Final Adoption of Resolution

ALTERNATIVES

There are no alternatives as redistricting is required in order to comply with applicable state law.

FISCAL IMPACT

National Demographics Corporation submitted a proposal for $27,500, not to exceed $45,000. Basic Elements include: development of redistricting database including U.S. Census and California Statewide Database data; incorporation of GIS data that the City wishes to include and provides; development of 2 or 3 "Consultant Plans" for Council consideration; analysis and preparation for Council consideration of all whole or partial-plans submitted by the public; any relatively minor corrections requested to a Council preferred Draft plan; and work with the Riverside County Registrar of Voters office to implement the final adopted plan.

The Optional Elements are additional cost items that can only be implemented by written approval from the City. The Optional Elements include: In-person Council and/or

public meetings*; Citizens' Community Meetings*; (consultant suggests a minimum of two meetings at $2,000 per meeting; if Council desires more citizens' community meetings, please provide staff direction); development of each new plan from scratch or nearly from scratch, beyond the 2 or 3 "Consultant Plans" in the basic package; creation of a "Public Participation Kit" in paper/Acrobat PDF-only and paper-plus-Excel formats*; on-line redistricting application for the public to use to design and submit redistricting plans for NDC review and Council consideration*; and translation of any project materials in Spanish*.

This expenditure has been included in the City Clerk's budget for FY 2011/12.

* Denotes Optional Elements that have been or will be implemented

NOTIFICATION

Publication of the agenda.

ATTACHMENTS/EXHIBITS

1. Proposed Resolution
2. Proposed City of Moreno Valley Criteria
3. City of Glendale, Arizona Criteria
4. City of Mesa, Arizona Criteria

Prepared By:
Jane Halstead
City Clerk

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00121972

RESOLUTION NO. 2011-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF THE COUNCIL DISTRICTS FROM WHICH MEMBERS OF THE CITY COUNCIL ARE ELECTED

WHEREAS, the Council Members of the City of Moreno Valley are elected from five districts within the City; and

WHEREAS, §21601 of the California Elections Code provides that following each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended; and

WHEREAS, in an effort to ensure a fair and orderly process for redrawing the district boundaries and to promote public confidence in the process, the City Council has decided to adopt criteria to guide the boundary revision process before revised district boundary proposals are drawn;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the redistricting criteria described in Exhibit A, attached hereto and incorporated herein by this reference, are adopted by the City Council and shall guide the City Council in the process of revising the Council districts from which Council Members are elected.

BE IT FURTHER RESOLVED that the City Council reserves the right to modify these criteria by further resolution or minute order to address issues or concerns raised during the redistricting process upon which the City is about to engage.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

CITY OF MORENO VALLEY
REDISTRICTING CRITERIA

Issues of Equality and Fairness

1. **Equal Population:** Each district shall contain a nearly equal number of inhabitants;

2. **Adherence to the Voting Rights Act:** District borders shall be drawn in a manner that complies with Section 2 and Section 5 of the Federal Voting Rights Act;

Councilmanic Districts:

3. **Councilmanic Districts**: District borders shall be drawn to avoid locating more than one current Council member in any one district as much as possible;

Good Government Criteria:

4. Each district shall consist of contiguous territory in as compact form as possible;

5. Each district shall respect communities of interest as much as possible;

6. District borders shall follow visible natural and man-made geographical and topographical features as much as possible;

7. Each new district shall preserve the corresponding existing district's population and territory as much as possible;

8. Districts known to be areas of higher-than-average population growth in the two to five years following redistricting may be under populated within the population deviation amounts allowed by law.

Exhibit A

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00121976

City of Glendale, Arizona

Redistricting Criteria Adopted by Council

Each district shall respect communities of interest as much as possible;

District borders shall follow visible natural and man-made geographical and topographical features as much as possible;

District borders shall be drawn to avoid locating more than one current Councilmember in any one district as much as possible;

Each new district shall preserve the corresponding existing district's population and territory as much as possible;

Districts known to be areas of higher-than-average population growth in the two to five years following redistricting, based on development projects that have received final plat approval from the City, may be under populated within the population deviation amounts allowed by law;

To the extent possible, consistent with constitutional law and the requirements of federal and state statutes, each district shall contain a substantially equal number of electors.

Attachment 2

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MV00121978

City of Mesa, Arizona

Redistricting 2011 Criteria

Issues of Equality and Fairness

1. Equal Population – Under the federal mandate of one-person one-vote, each person's vote is equal to that of any other person; therefore, districts must be equal in population. Arizona state law also speaks to this criterion stating that districts should be "nearly equal."
2. Adherence to the Voting Rights Act – The rights of minority communities should be respected and not be abridged. This means that minority communities must not be improperly packed or divided, and a full faith effort should be made to assure opportunities for minority representation. Race cannot, however, be the primary criterion in drawing boundaries.
3. Compactness and Contiguity – Arizona statute requires that districts "shall consist of contiguous territory in as compact form as possible."

Councilmanic Districts

4. The City Charter requires that, "The redrawing of district boundaries shall not remove the residence of an incumbent Councilmember from the district he was elected to represent during his term in that office."

Good Government Criteria

5. Respect Community of Interest – Self-identifying communities should be recognized and kept whole to the extent possible; and community centers (e.g., schools) should be used wherever possible in revising districts.
6. Follow Natural and Man-Made Boundaries to the Extent Possible – This is to assure ease of access, recognizable boundaries and to give respect to existing geography.
7. Citizen Input – Citizen opinions should be expressed through the use of citizen kits,

Attachment 3

at public meetings and hearings and through the City's hotline and should receive due consideration in the redistricting process.

8. Population Growth – Recognizing that the 2010 Census was taken more than one year ago and that the City continues to grow, to the extent possible population growth should be factored in when creating the revised boundaries.

9. Existing Districts – Mesa established its current district plan in 2001. Because of rapid population change, it will be impossible to prevent significant change in the existing boundaries; but, nevertheless, there is an advantage to both citizens and their representatives in maintaining to the extent possible the general configuration of the current plan.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: August 23, 2011

TITLE: APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

BACKGROUND

The City Clerk's Office posted a Notice of Opening to fill the vacancy for the teen member position on the Parks and Recreation Commission with a term expiring on January 27, 2013. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointee will serve without compensation for a designated term.

The City Clerk's Office received one application for this position. Application was submitted by Sierra Marrero.

The application was reviewed by the Parks and Recreation Commission staff liaison, Tony Hetherman, who recommends that the City Council appoint Sierra Marrero to the

Parks and Recreation Commission as a teenage member with a term expiring January 27, 2013.

ALTERNATIVES

A teenage member on the Parks and Recreation Commission provides input on activities and programs for teenagers in and around the City. By not appointing a teen representative, contributions from the teenage population would be greatly reduced, which is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council appoint a teen member to the Parks and Recreation Commission.

NOTIFICATION

1. Posting of Notice of Opening
2. Publication of the agenda
3. Report and agenda mailed to the applicant

ATTACHMENTS

None

Prepared by:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Oasis Community Church (APNs 296-300-005 and 296-300-007) and Buddhadhammo Temple (APN 488-210-014), (collectively "Property Owners"), have Conditions of Approval that require them to provide a funding source to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

A mail ballot proceeding was conducted earlier this year for Buddhadhammo Temple. The City Clerk did not receive the ballots prior to the close of the public hearing. In order to satisfy the Conditions of Approval, at the request of the property owner another mail ballot proceeding is being conducted.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the Property Owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. Property Owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owners, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES

maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges were estimated based on the parcel's front linear footage to the existing Alessandro Blvd. and the future Nason St. medians. Upon approval of the charges, APNs 296-300-005, 296-300-007, and 488-210-014 will be subject to the annual charges; however, the annual charge for APN 488-210-014 shall not be levied until such time as the planning of the median begins. Any future development of parcels adjacent to the medians in questions shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charge for APNs 296-300-005, 296-300-007, and 488-210-014 shall be proportionally adjusted.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceedings to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charges for Oasis Community Church and Buddhadhammo Temple are as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
Oasis Community Church		
APNs 296-300-005 (and any division thereof)	$212	$2,322.35
296-300-007 (and any division thereof)	212	608.10
Buddhadhammo Temple		
APN 488-210-014 (and any division thereof)	212	1,270.91

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APNs 296-300-005 and 296-300-007 is being balloted to provide a funding source to supplement the maintenance costs of an existing median funded by the General Fund, which will reduce the General Fund obligation for this median. The property owner of APN 488-210-014 is being balloted for maintenance costs of a future median that is planned to be constructed on Nason St. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple.

NOTIFICATION

The Property Owners were given more than the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots,

instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachments 1 and 2.)

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Oasis Community Church mail ballot packet
Attachment 2: Buddhadhammo Temple mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00121988

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Oasis Community Church
23750 Alessandro Blvd, No. C
Moreno Valley, CA 92553

June 15, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 296-300-005 and 296-300-007

******* OFFICIAL BALLOTS ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 296-300-005 and 296-300-007 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charges include maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APNs 296-300-005 and 296-300-007 are subdivided. If the APNs are merged then the annual charges for those APNs shall be combined. The charges levied shall not exceed the charges previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 296-300-005 and 296-300-007 (and any division thereof) and shall

be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the APNs are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if a simple majority of the weighted value of APNs are marked in favor of the annual charges.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted APNs oppose the CSD Zone M annual charges, then the annual charges will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

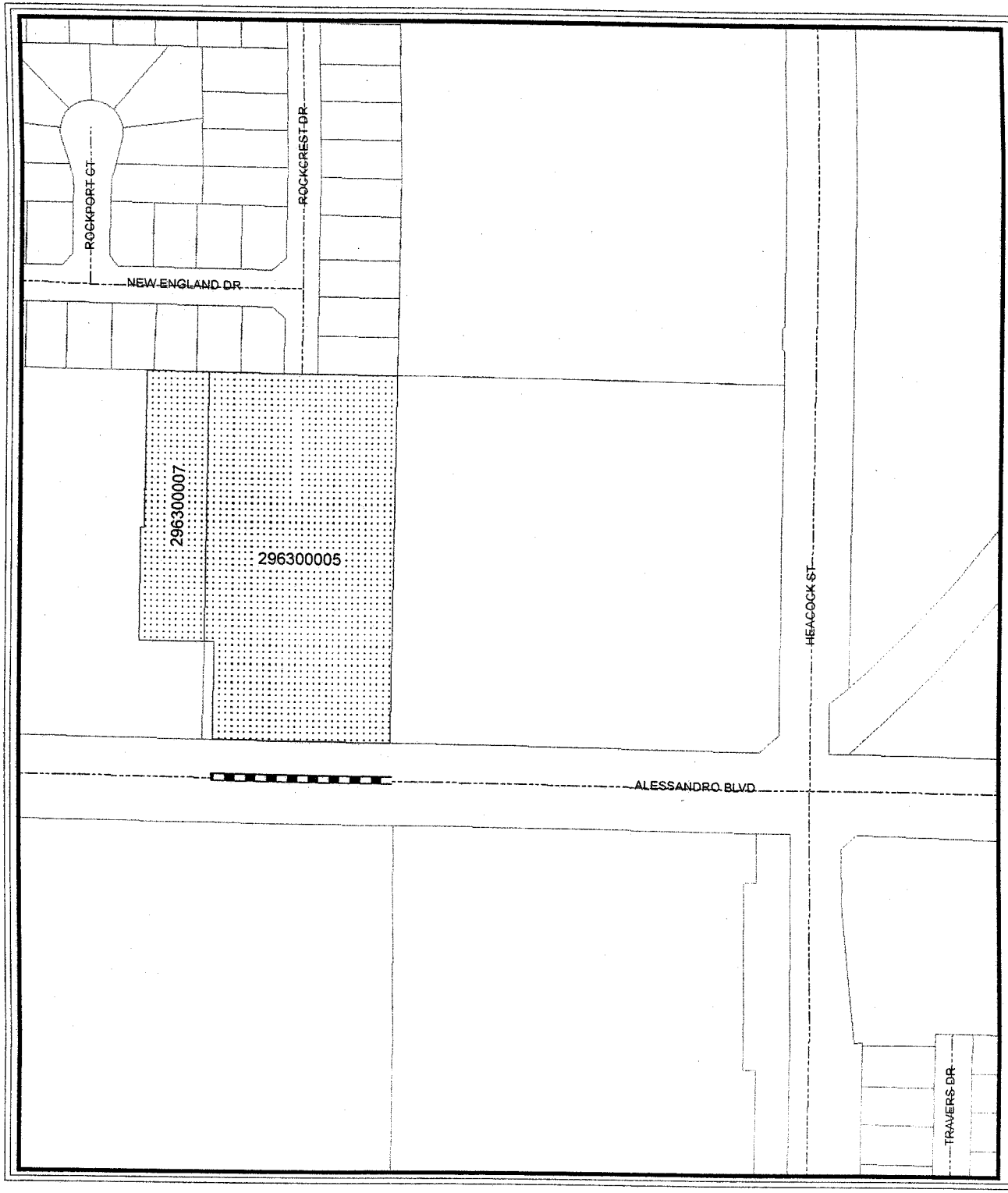

Oasis Community Church

APN

- 296300005
- 296300007
- Roads
- Parcels
- City Boundary
- Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of June 14, 2011.

N

0 150 300 450 600 Feet

G:\AVP\SDA\Oasis Community Church.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 296-300-005 and 296-300-007, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-300-005 (and any division thereof)	☐	☐	$212
296-300-007 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 296-300-005 and 296-300-007, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the CSD Zone M annual parcel charges. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
296-300-005 (and any division thereof)	☐	☐	$2,322.35
296-300-007 (and any division thereof)	☐	☐	608.10

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for Oasis Community Church is $2,930.45.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Albot Nikom
c/o Buddhadhammo Temple
13920 Nason St.
Moreno Valley, CA 92555

July 11, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 488-210-014

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APN 488-210-014 (and any division thereof) the opportunity to express support or opposition for approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 2

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 488-210-014 is subdivided. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M parcel charge for FY 2011/12 is $1,270.91 for the proposed Nason St. median. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 488-210-014 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual

levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and the proposed inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballots are marked in favor of the charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval. If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

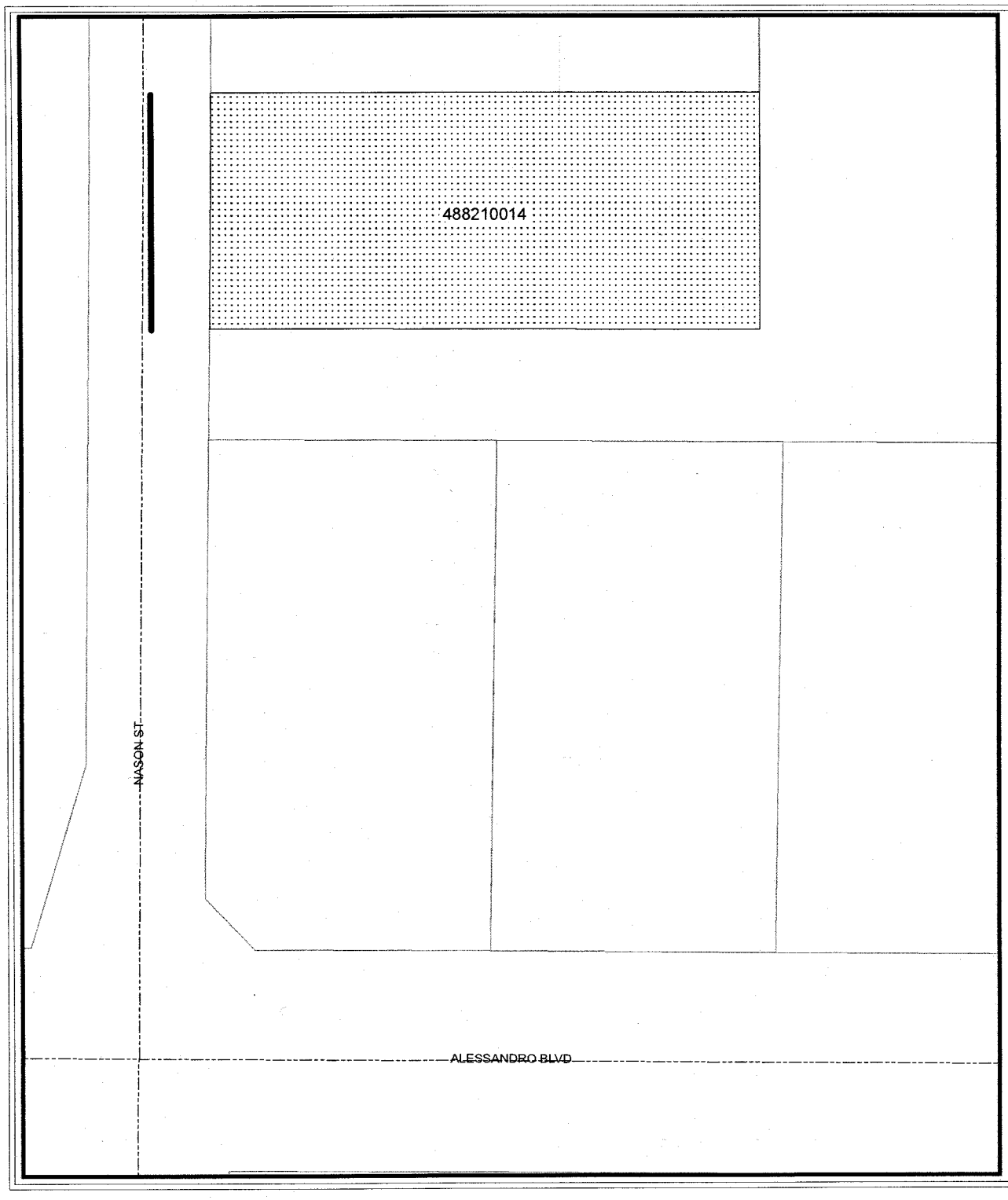

Buddhadhammo Temple
APN 488-210-014

APN

- 488210014
- Roads
- Parcels
- City Boundary
- Future Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of February 2, 2011.

N

0 50 100 150 200 Feet

G:\AVP\SDA\PA08-0091 Buddhadhammo Temple.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00122002

OFFICIAL MAIL BALLOT for
ASSESSOR PARCEL NUMBER (APN) 488-210-014

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 488-210-014 (and any division thereof), **I approve** the annual CSD Zone M charge of $1,270.91 for fiscal year (FY) 2011/12. Beginning FY 2012/13, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 488-210-014, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-210-014 (and any division thereof)	☐	☐	$1,270.91

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 488-210-014

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 488-210-014, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2011/12 the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 488-210-014, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-210-014 (and any division thereof)	☐	☐	$212 per parcel

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Oasis Community Church (APNs 296-300-005 and 296-300-007) and Buddhadhammo Temple (APN 488-210-014), (collectively "Property Owners"), have Conditions of Approval that require them to provide a funding source to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

A mail ballot proceeding was conducted earlier this year for Buddhadhammo Temple. The City Clerk did not receive the ballots prior to the close of the public hearing. In order to satisfy the Conditions of Approval, at the request of the property owner another mail ballot proceeding is being conducted.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the Property Owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. Property Owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owners, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES

maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges were estimated based on the parcel's front linear footage to the existing Alessandro Blvd. and the future Nason St. medians. Upon approval of the charges, APNs 296-300-005, 296-300-007, and 488-210-014 will be subject to the annual charges; however, the annual charge for APN 488-210-014 shall not be levied until such time as the planning of the median begins. Any future development of parcels adjacent to the medians in questions shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charge for APNs 296-300-005, 296-300-007, and 488-210-014 shall be proportionally adjusted.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceedings to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charges for Oasis Community Church and Buddhadhammo Temple are as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
Oasis Community Church		
APNs 296-300-005 (and any division thereof)	$212	$2,322.35
296-300-007 (and any division thereof)	212	608.10
Buddhadhammo Temple		
APN 488-210-014 (and any division thereof)	212	1,270.91

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APNs 296-300-005 and 296-300-007 is being balloted to provide a funding source to supplement the maintenance costs of an existing median funded by the General Fund, which will reduce the General Fund obligation for this median. The property owner of APN 488-210-014 is being balloted for maintenance costs of a future median that is planned to be constructed on Nason St. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple.

NOTIFICATION

The Property Owners were given more than the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots,

instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachments 1 and 2.)

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Oasis Community Church mail ballot packet
Attachment 2: Buddhadhammo Temple mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 11.12\Zone M NPDES\Oasis Community Church P10-020\Stfrpt PM 08.23.11.doc

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MV00122010

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Oasis Community Church
23750 Alessandro Blvd, No. C
Moreno Valley, CA 92553

June 15, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 296-300-005 and 296-300-007

******* OFFICIAL BALLOTS ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 296-300-005 and 296-300-007 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charges include maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APNs 296-300-005 and 296-300-007 are subdivided. If the APNs are merged then the annual charges for those APNs shall be combined. The charges levied shall not exceed the charges previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 296-300-005 and 296-300-007 (and any division thereof) and shall

be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the APNs are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if a simple majority of the weighted value of APNs are marked in favor of the annual charges.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted APNs oppose the CSD Zone M annual charges, then the annual charges will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

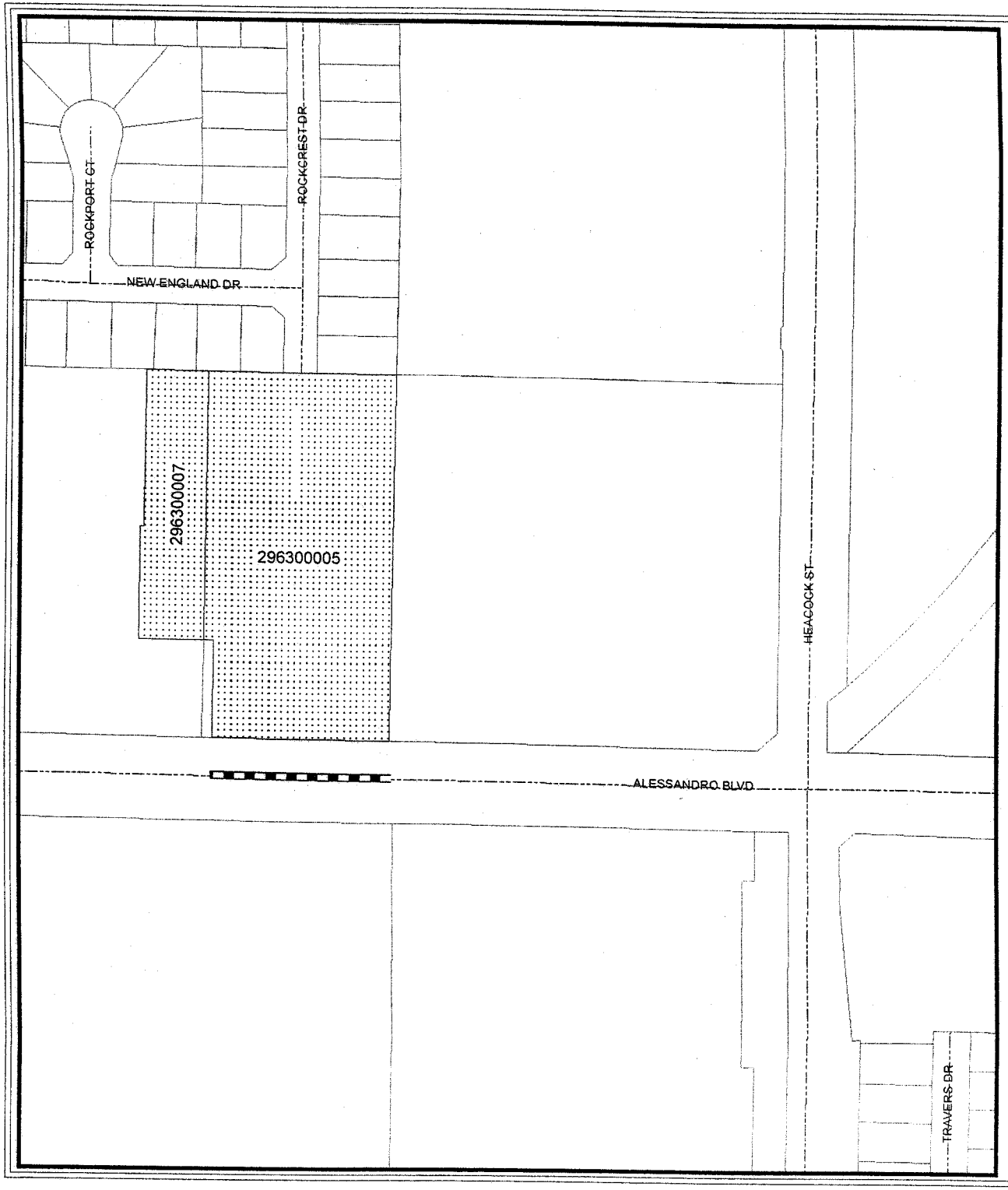

Oasis Community Church

APN

- 296300005
- 296300007
- Roads
- Parcels
- City Boundary
- Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of June 14, 2011.

N

0 150 300 450 600 Feet

G:\AVP\SDA\Oasis Community Church.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 296-300-005 and 296-300-007, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-300-005 (and any division thereof)	☐	☐	$212
296-300-007 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 296-300-005 and 296-300-007, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the CSD Zone M annual parcel charges. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
296-300-005 (and any division thereof)	☐	☐	$2,322.35
296-300-007 (and any division thereof)	☐	☐	608.10

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for Oasis Community Church is $2,930.45.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Albot Nikom
c/o Buddhadhammo Temple
13920 Nason St.
Moreno Valley, CA 92555

July 11, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 488-210-014

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APN 488-210-014 (and any division thereof) the opportunity to express support or opposition for approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 2

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 488-210-014 is subdivided. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M parcel charge for FY 2011/12 is $1,270.91 for the proposed Nason St. median. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 488-210-014 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual

levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and the proposed inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballots are marked in favor of the charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval. If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

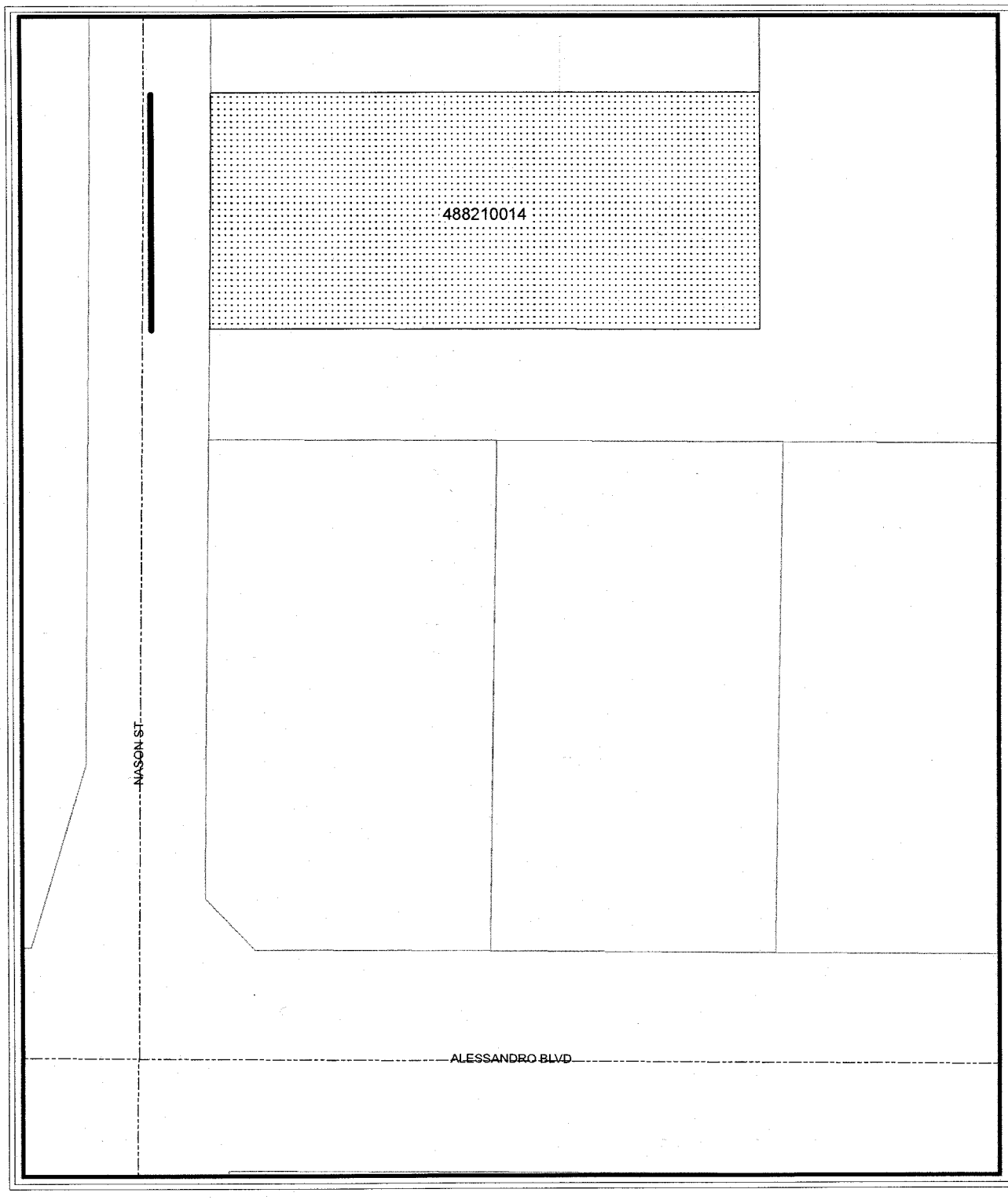

Buddhadhammo Temple
APN 488-210-014

APN

- 488210014
- Roads
- Parcels
- City Boundary
- Future Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of February 2, 2011.

N

0 50 100 150 200 Feet

G:\AVP\SDA\PA08-0091 Buddhadhammo Temple.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00122024

OFFICIAL MAIL BALLOT for
ASSESSOR PARCEL NUMBER (APN) 488-210-014

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 488-210-014 (and any division thereof), **I approve** the annual CSD Zone M charge of $1,270.91 for fiscal year (FY) 2011/12. Beginning FY 2012/13, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 488-210-014, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-210-014 (and any division thereof)	☐	☐	$1,270.91

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 488-210-014

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 488-210-014, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2011/12 the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 488-210-014, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-210-014 (and any division thereof)	☐	☐	$212 per parcel

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary,

maintaining the irrigation systems, weed control, litter removal, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

The CSD currently maintains the landscaping in the parkway for Tract 31129 on the north side Cactus Ave. east of Landon Rd. extending one lot beyond Dusty Coyote Ave. The parkway area west of Landon Rd. has not been completed by the developer due to circumstances related to completion of the adjacent lots. The developer has resolved the issues and is now prepared to complete the parkway. Installation of the parkway landscaping will add approximately 1,200 square feet of landscape area to maintain. The current parcel charge collected from the property owners in Tract 31129 will not support the acceptance of any additional area for landscape maintenance. Staff from Special Districts has asked the developer to complete the installation of the hardscape and irrigation in the parkway but to hold off on installing the plant material until it is determined that there is adequate funding to maintain the additional landscape area.

A mail ballot proceeding is being conducted to allow the property owners within Tract 31129 the opportunity to approve or oppose a proposed increase in the CSD Zone D annual charge to fund the additional costs to maintain the increase in the area of landscaping. The property owners in the tract are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge for Zone D, there shall be an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. The approved charge, which is subject to an annual inflation adjustment, shall be levied on the 2011/12 property tax bill. If there is a tie or if a majority of the returned valid ballots oppose the increase in the annual charge for Zone D, landscape maintenance services shall be reduced to a level consistent with available funding and the CSD will not accept any additional area to maintain. Each parcel in the tract will still be subject to the previously approved charge.

ALTERNATIVES

1. **Accept public comments** regarding the reballot of Tract 31129 for the proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the reballot of Tract 31129 for the proposed increase in the Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

There is no impact on the General Fund for the operation of the CSD Zone D program. The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D service in the landscaped parkway for Tract 31129 shall allow the CSD to maintain the current appearance of the neighborhood.

Revenue Diversification and Preservation
The proposed increase in the CSD Zone D parcel charge for Tract 31129 is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceeding for Tract 31129.

NOTIFICATION

A ballot packet was mailed to each property owner within Tract 31129 the week of July 25, 2011. The packet included a notice to property owner, calculation of the 2011/12 standard service charge, map, CSD Zone D service guidelines, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet is included as Attachment 1.

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 31129

Prepared by:
Jennifer Terry
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 11.12\Stfrpt Zone D Tract 31129 PM 08.23.11.doc

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Español al reverso

July 28, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) - TRACT 31129 REGARDING ACCEPTANCE OF ADDITIONAL LANDSCAPED AREA AND A PROPOSED INCREASE TO THE ANNUAL CHARGE

******* OFFICIAL BALLOT ENCLOSED *******
YOUR BALLOT MUST BE RETURNED TO BE COUNTED

Introduction

The Moreno Valley Community Services District (CSD) Zone D program funds administration and service costs for maintenance of designated common landscaped areas on the north side of Cactus Ave. To maintain landscape services at the standard service level, the CSD submits to you the enclosed ballot along with this notification. *Only returned ballots will determine whether the increase in the annual charge and the acceptance of the additional area to be maintained is approved.* The ballot provides property owners an opportunity to approve or oppose the proposed acceptance of additional parkway landscape along Cactus Ave., west of Landon Rd. and the increase to the annual charges to maintain the new and existing areas (see attached map). If approved, beginning in FY 2011/12 the landscaped service area will increase by approximately 1,200 square feet and each parcel's annual charge shall be **increased by approximately $4.54 per month** to meet estimated costs. The Zone D charges are collected on the County of Riverside property tax bills. The Zone D annual charge is a direct-benefit charge for your community; there are no other revenue sources to offset the costs to the property owners.

Background

The Moreno Valley CSD was formed when the City incorporated in 1984. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from designated CSD programs. The Zone D (Parkway Landscape Maintenance) program provides landscape maintenance services to designated areas that have landscaped perimeters and/or entry statements. See enclosed map for the location of these landscaped areas. In compliance with Proposition 218, "The Right to Vote on Taxes Act", the CSD is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support of or opposition to the acceptance of the additional landscaped area and the proposed increase to the annual charge to maintain the new and existing areas.

Services Provided

The Zone D annual charges fund administration and service costs for the landscape maintenance, which includes: mowing, trimming, pruning, weed control, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas. Included with this notice is a description of the general service level guidelines which may be performed for each service level.

How is the Amount of the Charge Determined?

The CSD zones are structured to be full cost recovery programs. The annual expenses per tract are divided by the number of parcels in the tract to determine the annual charge per parcel.

ATTACHMENT 1

Tel: 951.413.3480
Fax: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 Frederick Street, Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

NOTICIA A LOS PROPIETARIOS DE HOGAR – PROCEDIMIENTO DE VOTACION POR CORREO PARA EL DISTRITO DE SERVICIOS COMUNITARIOS ZONA D (MANTENIMIENTO DE LAS AREAS AJARDINADAS) FRACCIONAMIENTO 31129 REFERENTE A LA ACEPTACIÓN DE PAISAJE ADICIONAL Y A UN PROPUESTO INCREMENTO DEL CARGO ANUAL

******* BOLETA OFICIAL ADJUNTA*******
SU VOTACIÓN DEBE SER DEVUELTA PARA SER CONTADO

Introducción

El programa de la zona D del districto de los servicios de comunidad de Moreno Valley (CSD) financia el costo de administración y del servicio para el mantenimiento de áreas ajardinadas comunes en el lado norte de la avenida Cactus. Para mantener servicios del paisaje en el porcentaje de disponibilidad , CSD somete a usted la baleta incluida junto con esta notificación. Solamente las boletas devueltas se determinarán si el aumento en la carga anual y la aceptación del área adicional que se mantendrá es aprobado. La boleta le proporciona a propietarios una oportunidad de aprobar o de oponer la aceptación propuesta de paisaje adicional carretera ajardinada a lo largo de la avenida Cactus., al oeste de Landon Rd. y el aumento a la carga anual para mantener las nuevas y existentes áreas (véa el mapa adjunto). Si está aprobado, comenzará el año fiscal 2011/12 el área de servicio ajardinada aumentará aproximadamente 1.200 pies cuadrados y la carga anual de cada propiedad será aumentada aproximadamente $4.54 por mes para resolver costos estimados. Los cargos de zona D se recogen por el condado de Riverside cuentas de impuesto sobre la propiedad. La carga anual de la zona D es un cargo con ventaja directa para su comunidad; no hay otras fuentes de ingresos para compensar los costos a los propietarios.

Historial

El CSD de Moreno Valley fue formado cuando la Ciudad se incorporo en 1984. El CSD estableció subsidios para asignar los costos de servicios especializados a aquellas parcelas que reciban beneficios de ciertos programas designados por el CSD. El programa de la Zona D (Mantenimiento de las Áreas Ajardinadas) provee servicio de mantenimiento a áreas designadas que tengan jardín en los camellones, perímetro o monumentos en las entradas. Véase el mapa adjunto para localizar las áreas ajardinadas dentro de su comunidad. En cumplimiento con la Proposición 218, que estipula el derecho de voto en cuanto a impuestos a la propiedad, "The Right to Vote on Taxes Act", el CSD esta llevando a cabo este procedimiento electoral brindando la oportunidad a los propietarios de presentar su boleta a favor u oposición a la aceptación del paisaje adicional y el aumento propuesto al precio anual para mantener las áreas nuevas y existentes.

Los Servicios que se Proveen

El programa Zona D del Distrito de Servicios Comunitario de Moreno Valley (CSD) costea los costos relacionados con la administración y servicios de mantenimiento: corte de césped, podado de árboles y arbustos, fertilización, control de hierbas y basura, mantenimiento y reparación al sistema de irrigación, el costo de agua y electricidad, personal, al igual que otros elementos necesarios para el mantenimiento del jardín. Adjunta con esta nota, encontrara un resumen de los servicios que se proveen dependiendo del nivel de servicio.

Reason for the Increase

Since 2005 when the original parcel charge was estimated, higher costs for electricity, water, and maintenance have impacted the overall program costs for the current landscaped area. Sufficient funding is no longer available to offset the difference between the actual costs and the annual parcel charges paid by the property owners. There are no other revenue sources to pay for landscape maintenance. The CSD has been asked to accept approximately 1,200 square feet of additional landscaping located on the north side of Cactus Ave., west of Landon Rd. Pending property owner approval, the landscaping and irrigation is scheduled to be installed by the developer with the ongoing maintenance to be paid for by the property owners in the benefitting tract. Since the current parcel charges do not provide adequate funding for the full cost of landscape maintenance the CSD is required to ballot the property owners to seek approval for an increase to the annual charge to maintain services for both the existing and new landscaped areas at the standard service level.

Current Charge

The 2010/11 Tract 31129 annual charge for standard landscape maintenance services was $82.48 per parcel. For FY 2011/12 an annual inflation adjustment was applied, which increased the annual charge to $83.58 per parcel. The annual charges are collected on the County of Riverside property tax bills. The total amount levied for all tracts within the Zone D program for FY 2010/11 was $1,104,179.22; the total charges levied for Tract 31129 for FY 2010/11 was $8,990.32.

Proposed Charge

To meet current costs and to allow for the acceptance and ongoing maintenance of the additional landscaped area, the Zone D annual charge is proposed to be adjusted to $138.00 per parcel. This equates to an estimated annual increase of approximately 65% or $54.42 per parcel (or approximately $4.54 per month).

Annual Adjustment

The charge shall be subject to an annual inflation adjustment based on the percentage increase calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics in future years.

Zone D Parcel Charge History

The following table sets forth the history of the annual Zone D charge for Tract 31129.

Fiscal Year	Annual Charge
2009-10	$81.00
2010-11	$82.48
2011-12	$83.58

Duration of the Charge

If approved, the increase in the charge shall be levied on the County of Riverside property tax bills beginning with the FY 2011/12 tax bills, and each following year at the property owner approved charge.

Public Hearing

To provide information concerning the proposed mail ballot proceeding for the Zone D (Parkway Landscape Maintenance) program the CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

¿Como se Determina la Cantidad del Cargo Anual?

Los programas de las zonas CSD, son programas de recuperación de costo total. Los egresos anuales de cada fraccionamiento son divididos en proporción al número de parcelas acres para determinar el costo anual por parcela.

¿La Razón por el Incremento?

Desde 2005 cuando el precio de propiedad originalmente fue estimado, gastos más altos de electricidad, agua, y el mantenimiento han afectado los gastos del programa totales para la propiedad corriente. Fondos suficientes ya no estan disponibles para compensar la diferencia entre los gastos actuales y los gastos anuales pagados por los dueños de la propiedad. No hay otros fondos de ingresos para pagar el mantenimiento de propiedad. Se ha pedido que el CSD acepte aproximadamente 1,200 pies cuadrados de la jardinería ornamental adicional localizada en el lado norte de la avenida Cactus, al Oeste de Landon Rd. La aprobación del dueño de propiedad esta pendiente, la propiedad ornamental y la irrigación esta programada para ser instalado por el revelador y los gastos del mantenimiento sera pagado por los dueños de la propiedad para beneficiar el fraccionamiento. Ya que los gastos de la propiedad corrientes no proporcionan la financiación adecuada para el gasto entero del mantenimiento de paisaje se requiere que el CSD someta una votación a los dueños de propiedad para buscar la aprobación para un aumento al precio anual para mantener servicios tanto para la existencia como para nuevas propiedades en el nivel del servicio estándar.

Cargo Actual

Para el año 2010/11 el cargo anual para los servicios de mantenimiento estándar del fraccionamiento 31129 es de $82.48 por parcela. Para el año fiscal 2011/12 un ajuste de inflación anual fue aplicado, que aumentó el precio anual a $83.58 dólares por propiedad. El cargo anual se colecta mediante la factura de impuesto a la propiedad que se paga al Condado de Riverside. La cantidad total que se recaudo para el programa de la Zona D durante el año fiscal 2010/11 es de $1,104,179.22, los gastos totales de impuestos para el Fraccionamiento 31129 para año fiscal 2010/11 eran $8,990.32 dólares.

Cargo Que Se Propone

Para mantener gastos corrientes y tener la aceptación y continuar el mantenimiento del paisaje adicional,la Zona D precio anual es propuesta para ser ajustado a $138.00 dólares por propiedad. Se compara con un aumento anual estimado aproximadamente del 65 % o 54.42 dólares por propiedad (o aproximadamente $4.54 dólares por mes).

Ajuste Anual

El cargo anual estará sujeto ha un ajuste anual basado en el cambio a el porcentaje calculado durante el año anterior al Índice Regional de Precio al Consumidor para Todos Los Consumidores Urbanos de los Condados de Los Ángeles-Riverside y Orange, publicado por la Oficina de Estadísticas Laborales del Departamento de Trabajo en los próximos anos.

Historial de Cargos Por Parcela Para La Zona D

La siguiente tabla estadística refleja el historial de los cargos anuales de la Zona D, Fraccionamiento 31129.

Año Fiscal	Cargo Anual
2009-10	$81.00
2010-11	$82.48
2011-12	$83.58

Public Meeting	**Public Hearing**
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing, at a time and location as confirmed by the CSD Board. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors (City Clerk) in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Increase is Approved

If a simple majority (50%+1) of the returned valid weighted ballots approve the acceptance of the additional landscaped area and the increase in the annual charge, landscape maintenance services shall continue at the current level. The total approved charge of $138.00 per parcel shall be placed on the 2011/12 Riverside County property tax bill.

Effect if Increase is Not Approved

If there is a tie or if a majority of the returned valid weighted ballots oppose the increase in the annual charge, the additional landscaped area will not be planted and the landscape maintenance service level for the existing area shall be reduced to a level consistent with available funding. The net result may be that the overall appearance of these landscaped areas will be reduced from their present condition. If available funding cannot support the lowest level of service, property owners will be notified and maintenance services may be discontinued.

For More Information

If you have any questions about the proposed increase in the annual charge, the landscape maintenance services, about the mail ballot proceeding process, would like to schedule a community meeting for a detailed briefing, or would like to request additional supporting documentation such as detailed budget information, please contact the City's Special Districts Division, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

Completing Your Ballot

Property owners may submit the enclosed ballot to the CSD in support of or opposition to the proposed increase to the landscape service area and the annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballot in support of or opposition to the proposed increase to the annual charge **by placing a mark in the corresponding box.**
2. Sign your name on the ballot. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballot in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

Duración del Cargo

De ser aprobado, el incremento al cargo anual será colectado mediante el impuesto a la propiedad, que colecta el Condado de Riverside, comenzando con el año fiscal 2011/12 y cada siguiente año.

Audiencia Pública

Para proveer mas información en cuanto al procedimiento de votación por correo propuesto para la Zona D (Mantenimiento de Áreas Ajardinadas) se ha programado una Junta Publica y una Audiencia Publica, que se llevaran a cabo en la **Cámara de Ayuntamiento de la Ciudad de Moreno Valley (City Hall Council Chamber) localizada en el 14177 Frederick Street, Moreno Valley**.

Junta Publica	Audiencia Publica
Martes, 23 de Agosto , 2011	Martes, 13 de Septiembre , 2011
6:30 P.M. (o tan pronto come el asunto sea presentado)	6:30 P.M. (o tan pronto come el asunto sea presentado)

Las boletas regresadas serán tabuladas después del cierre de la Audiencia Publica, a una hora y lugar que sea confirmado por el Comité Ejecutivo de CSD. Todas las boletas recibidas serán tabuladas bajo la dirección del Secretario del Comité Ejecutivo del CSD (Secretario de la Ciudad) en conformidad con la corriente Política Para Conducir Procedimientos De Votación Por Correo 1.12.

El Efecto de Ser Aprobado el Incremento

Si una simple mayoría (50%+1) de las boletas validas aprueban aceptación del paisaje adicional y el incremento al cargo anual, el nivel de servicio de mantenimiento continuara vigente. El cargo anual aprobado de $138.00 por parcela será colectado mediante el impuesto a la propiedad, que colecta el Condado de Riverside, comenzando con el año fiscal 2011/12.

El Efecto Si el Incremento No Es Aprobado

Si la mayoría de las boletas validas regresadas se oponen al incremento al cargo anual o si hay un empate, el paisaje adicional no será plantada y el servicio de mantenimiento para el área existente será reducido a un nivel basado en los fondos disponibles. Si los fondos disponibles no llegasen a cubrir el nivel de servicio mínimo, los propietarios recibirán un comunicado por carta que los servicios serán descontinuados. El resultado final seria que la apariencia actual de las áreas ajardinadas se verá afectada.

Para Más Información

Si tiene alguna pregunta acerca del incremento anual propuesto, los servicios de mantenimiento, le gustaría organizar una junta comunitaria para mas detalles, o incurrir mas detalles sobre el presupuesto, por favor llame al la División de Distritos Especiales de la Ciudad de Lunes a Jueves, 7:30 a.m. a 5:30 p.m. al 951.413.4380.

Como Llenar La Boleta

Los propietarios podrán enviar la boleta adjunta al CSD en apoyo u oposición al propuesto aumento al área de servicio de paisaje y al cargo anual. Por favor siga las siguientes instrucciones en cuanto a como llenar y devolver la boleta correctamente. También, podrá encontrar información en cuanto a los procedimientos de cómo llenar, regresar y como se tabulan las boletas en la oficina de Secretaria de la Ciudad (City Clerk)

4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing which will be held on Tuesday**, September 13, 2011,** at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time prior to the conclusion of public testimony at the Public Hearing. The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.

1. En la boleta **ponga una marca en la caja correspondiente**, ya sea que este votando a favor o en contra
2. Firme la boleta. Cualquier boleta que sea devuelta sin firma(s) será considerada invalida y *por lo tanto no será contada.*
3. Envié la boleta en el sobre adjunto a la oficina de Secretaria de la Ciudad (City Clerk's office) a la siguiente dirección, 14177 Frederick Street, Moreno Valley, CA, 92553. Para su conveniencia, el sobre incluido tiene el franqueo pagado. También puede traer su boleta personalmente si así lo desea a la misma dirección.
4. Las boletas deberán ser **recibidas** por el Secretario de la Ciudad antes del cierre de la Audiencia Publica que se llevara a cabo el **Martes, 13 de Septiembre del 2011**,en la Cámara de Ayuntamiento de Moreno Valley (Moreno Valley City Hall Council Chamber). La audiencia comenzara a las 6:30 p.m. o en tanto sea posible tratar el asunto. Legalmente, las boletas que sean recibidas después del cierre de la Audiencia Publica, no podrán ser contadas

Marcas Validas

Los siguientes son ejemplos de marcas que se consideran apropiadas para votar Si/Aprobado o No/No Aprobado en su boleta electoral.

Una marca que este mayormente dentro de la caja;

Una X que este mayormente dentro de la caja;

Un punto o marca ovalada que este mayormente dentro de la caja;

Llenar la caja completamente mayormente dentro de las líneas;

Una línea, llena o quebrada, o combinación de líneas. Podrá usar líneas verticales, horizontales o diagonales. Puede marcar de una esquina a otra. Sin embargo, para que su voto sea valido, siempre manténgase mayormente dentro de la caja que este marcando sin marcar la quede vacía;

Un circulo alrededor de la caja y/o la cláusula asociada; o

Un cuadro o rectángulo alrededor de la caja y/o cláusula asociada.

Las marcas en las boletas no deberán extenderse mas allá del área de la caja que ha escogido. Si la marca de una caja se extiende a la otra o al la porción que explica el significado de esta, la boleta será considerada nula y por lo tanto no será contada.

Cambios o revisiones a las marcas de la boleta

Si comete un error al marcar su voto en la boleta o simplemente desea cambiar su voto, podrá hacerlo mediante poner sus iniciales claramente marcadas al derecho de la selección que halla ajustado. Cualquier cambio deberá ser iniciado por el propietario solamente. Solo se aceptaran estos cambios o ajustes a las boletas si son recibidas antes del cierre del testimonio publico en la Audiencia Publica.

CSD ZONE D, TRACT 31129
FY 2011/12 BUDGET

	Current	Proposed
LANDSCAPE AREA		
Existing Square Feet	12,395	12,395
Additional Square Feet	-	1,185
Total Acres	0.28	0.31
REVENUES		
Approximate Charge Per Month	**$ 6.97**	**$ 11.50**
	x 12 months	x 12 months
Total Annual Zone D Charge	**$ 83.58**	**$ 138.00**
Number of parcels	109	109
Total Revenue	**$ 9,110.22**	**$ 15,042.00**
EXPENSES		
Direct Costs		
Base Maintenance Contract	$ 3,480.48	$ 3,829.56
Water (Eastern Municipal Water District)	2,286.27	2,504.83
Electricity (SCE)	116.83	116.83
Vandalism Repair	-	-
Repair and Replacement/Miscellaneous Direct Expenses	435.91	477.59
Landscape Inspectors/Technicians and Support Services	5,058.24	5,539.51
Parts and Equipment	331.51	363.05
Subtotal Direct Costs	$ 11,709.24	$ 12,831.37
Indirect Costs		
Miscellaneous Indirect Expenses	$ 239.89	$ 262.72
Special Districts Program Administration	588.28	644.25
City Administration	1,187.41	1,300.39
Subtotal Indirect Costs	$ 2,015.58	$ 2,207.36
Total Expenses	**$ 13,724.82**	**$ 15,038.73**
Shortfall	**$ (4,614.60) ***	**$ 3.27**

* Based on the current square feet of landscaped area, the annual parcel charge required to meet meet current expenses would be $126.00.

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. Services may include mowing, trimming, pruning, fertilizing, weed control, litter removal, and maintaining the irrigation systems.

Vandalism Repair: includes abatement of nuisance and necessary repairs due to vandalism.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Inspectors/Technicians and Support Services: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Administrative staff manages maintenance contracts, ensures timely payment of all invoices, creates and monitors the annual program budget, and applies the annual charges on the property tax rolls.

Parts and Equipment: landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle, fuel and telecommunications equipment.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

Special Districts Administration: includes accounting, management, reporting and regulation compliance, Riverside County fees, and other municipal agency services.

City Administration: includes cost for Council and administrative services, liability insurance, technology, and facilities.

CSD ZONA D, FRACCIONAMIENTO 31129
PRESUPUESTO DEL ANO FISCAL 2011/12

		Corriente		Propuesto
ÁREA AJARDINADA				
	Pies Cuadrados Existentes	12,395		12,395
	Pies Cuadrados Adicionales	-		1,185
	Acres Totales	0.28		0.31
INGRESOS				
	Precio aproximado por mes	**$ 6.97**	**$**	**11.50**
		x 12 meses		x 12 meses
	Precio total anual de zona D	**$ 83.58**	**$**	**138.00**
	Cantidad de propiedades	109		109
Total de Ingresos		**$ 9,110.22**	**$**	**15,042.00**
EGRESOS				
Costos Directos				
Contrato de Mantenimiento Base		$ 3,480.48	$	3,829.56
Agua (Eastern Municipal Water District)		2,286.27		2,504.83
Electricidad (SCE)		116.83		116.83
Reparación de Vandalismo		-		-
Reparación o Reemplazo/Egresos Misceláneos Directos		435.91		477.59
Inspectores de Jardinería/Servicios de Apoyo Técnicos		5,058.24		5,539.51
Partes y Equipo		331.51		363.05
Subtotal de Costos Directos		$ 11,709.24	$	12,831.37
Costos Indirectos				
Egresos Misceláneos Indirectos		$ 239.89	$	262.72
Administración de Programa de Servicios Especiales		588.28		644.25
Administración de la Ciudad		1,187.41		1,300.39
Subtotal de Costos Indirectos		$ 2,015.58	$	2,207.36
Total de Egresos		**$ 13,724.82**	**$**	**15,038.73**
		$ (4,614.60)	*** $**	**3.27**

* Basado a los pies cuadrados corrientes del área de paisaje, el precio de propiedad anual requerido para mantener los gastos corrientes sería $126.00 dólares.

Contrato de Mantenimiento Base: incluye el total de costo anual de los servicios contratados de las compañías de mantenimiento, basado en salarios prevalecientes requeridos. Los servicios incluyen corte de césped, podado de árboles y arbustos, fertilización, control de hierbas y basura, mantenimiento y reparación al sistema de irrigación.

Reparación de Vandalismo: incluye reparaciones y alivio de molestias publicas.

Reparación o Reemplazo: pudiera incluir, pero no limitado a, rehabilitación del sistema de riego, sea de índole mayor o intermediaria y/o proyecto de renovación (incluyendo partes necesaria), reemplazo de plantas, fertilizantes y pesticidas, podado de árboles e instalación de mantillo.

Inspectores/Técnicos de Paisaje y Servicios de Apoyo: el costo del personal por descuido del contratista al paisaje, tiempo de trabajo manual para la ayuda con reparaciones principales y menores, renovación, y proyectos de reemplazo/retiro de paisaje. El personal administrativo maneja contratos de mantenimiento, asegura el pago oportuno de todas las facturas, crea y supervisa el presupuesto de programa anual, y aplica los gastos anuales de impuestos sobre la propiedad.

Partes y Equipo/Egresos Misceláneos Directos: Partes para el sistema de irrigación y equipo (usado por el personal) para reparaciones menores o de emergencia. Servicio de los vehículos, combustible y equipo de telecomunicación.

Egresos Misceláneos Indirectos: herramientas, uniformes, entrenamientos, gastos de envió, etc.

Administración de Distritos Especiales: incluye contabilidad, dirección, informe y conformidad de regulación, honorarios de Riverside County, y otros servicios de agencia municipales.

Administración de Ciudad: incluye el costo para el Consejo y servicios administrativos, seguro de responsabilidad civil, tecnología, e instalaciones.

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) GENERAL SERVICE LEVEL GUIDELINES *			
DESCRIPTION OF LANDSCAPE MAINTENANCE SERVICE	**STANDARD MAINTENANCE SERVICE**	**REDUCED MAINTENANCE SERVICE**	**STREET TREE MAINTENANCE SERVICE**
Mowing, Edging & Trimming (Of Turf Areas Only)	Weekly	Monthly (or Bi-monthly as needed)	N/A
Aeration	3 times per year	As needed	N/A
Tree Trimming	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
Shrub Trimming	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
Ground Cover Trimming	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
Weed Control	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
Irrigation	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
Litter Removal	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
Turf Fertilizer	7 applications per year	3 applications per year	N/A
Shrub Fertilizer	2 applications per year	1 application per year	N/A
Tree Fertilizer	As needed	As needed	As needed
Pesticides:			
Shrubs/Ground Covers (pre-emergent)	2 times per year	As needed (budget permitting)	N/A
Shrubs/Ground Covers (insect/disease control)	As needed	As needed (budget permitting)	N/A
Shrubs/Ground Covers (vertebrate pest control)	As needed	As needed (budget permitting)	N/A
Turf (weed control)	As needed	As needed (budget permitting)	N/A
Turf (vertebrate pest control)	As needed	As needed (budget permitting)	N/A

* The table sets forth the general guidelines for landscape maintenance services. Since every service area is unique and may require adjusted services based on seasonal demands and available funding, the actual services provided shall be determined by the Special Districts Division Manager. The service level for each service area is contingent upon available funding to support the designated level of service.

DISTRITO DE SERVICIOS COMUNITARIOS ZONA D (Mantenimiento de Área Ajardinada) PAUTAS DE NIVEL DE SERVICIO GENERAL*			
DESCRIPCIÓN DE LOS NIVELES DE SERVICIO DE MANTENIMIENTO	**SERVICIO DE MANTENIMIENTO ESTANDAR**	**SERVICIO DE MANTENIMIENTO REDUCIDO**	**SERVICIO DE MANTENIMIENTO STREET TREE**
CORTADO DEL CESPED	Semanalmente	Mensual (o bimensual como sea necesario)	N/A
AERACIÓN DEL CESPED	3 veces por año	Como sea necesario	N/A
PODADO DE ÁRBOLES	1 vez cada 3-4 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía	1 vez cada 5-7 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía	1 vez cada 5-7 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía
PODADO DE ARBUSTOS	1 vez por año (mínimo) para eliminar peligros/o invasión al derecho de vía	1 vez por año para eliminar peligros/o invasión al derecho de vía	1 vez por año para eliminar peligros/o invasión al derecho de vía
PODADO DE CUBIERTA VEGETAL	4 veces por año (trimestralmente) para eliminar peligros/o invasión al derecho de vía	2 veces por año para eliminar peligros/o invasión al derecho de vía	2 veces por año para eliminar peligros/o invasión al derecho de vía
CONTROL DE HIERBAS	Mensualmente	4 veces por año (trimestralmente)	4 veces por año (trimestralmente)
IRRIGACIÓN	Semanalmente (inspección/ajuste/reparar)	Mensualmente (inspección/ajuste/reparar)	Mensualmente (inspección/ajuste/reparar)
RECOGIMIENTO DE BASURA	Semanalmente	1 vez por mes o por lo menos 1 vez cada 2 meses	1 vez por mes o por lo menos 1 vez cada 2 meses
FERTILIZACIÓN DE CÉSPED	7 aplicaciones por año (mínimo)	3 aplicaciones por año	N/A
FERTILIZACIÓN DE ARBUSTOS	2 aplicaciones por año	1 aplicación por año	N/A
FERTILIZACIÓN DE ÁRBOLES	Como sea necesario	Como sea necesario	Como sea necesario
Pesticidas:			
ARBUSTOS/CUBIERTA VEGETAL	2 aplicaciones por año	Como sea necesario (de acuerdo al presupuesto)	N/A
ARBUSTOS/ CUBIERTA VEGETAL	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
ARBUSTOS/ CUBIERTA VEGETAL	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
CÉSPED	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
CÉSPED	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A

* La tabla refleja las pautas estipuladas par los servicios de mantenimiento. Debido a que cada área es distinta y el que los servicios podrían ser ajustados debido a la temporada del año o debido a fondos disponibles, el Gerente de la División de Distritos Especiales dictara que tipo de servicios serán apropiados. El nivel de servicio para cada área será sujeto a un ajuste dependiendo los fondos disponibles.

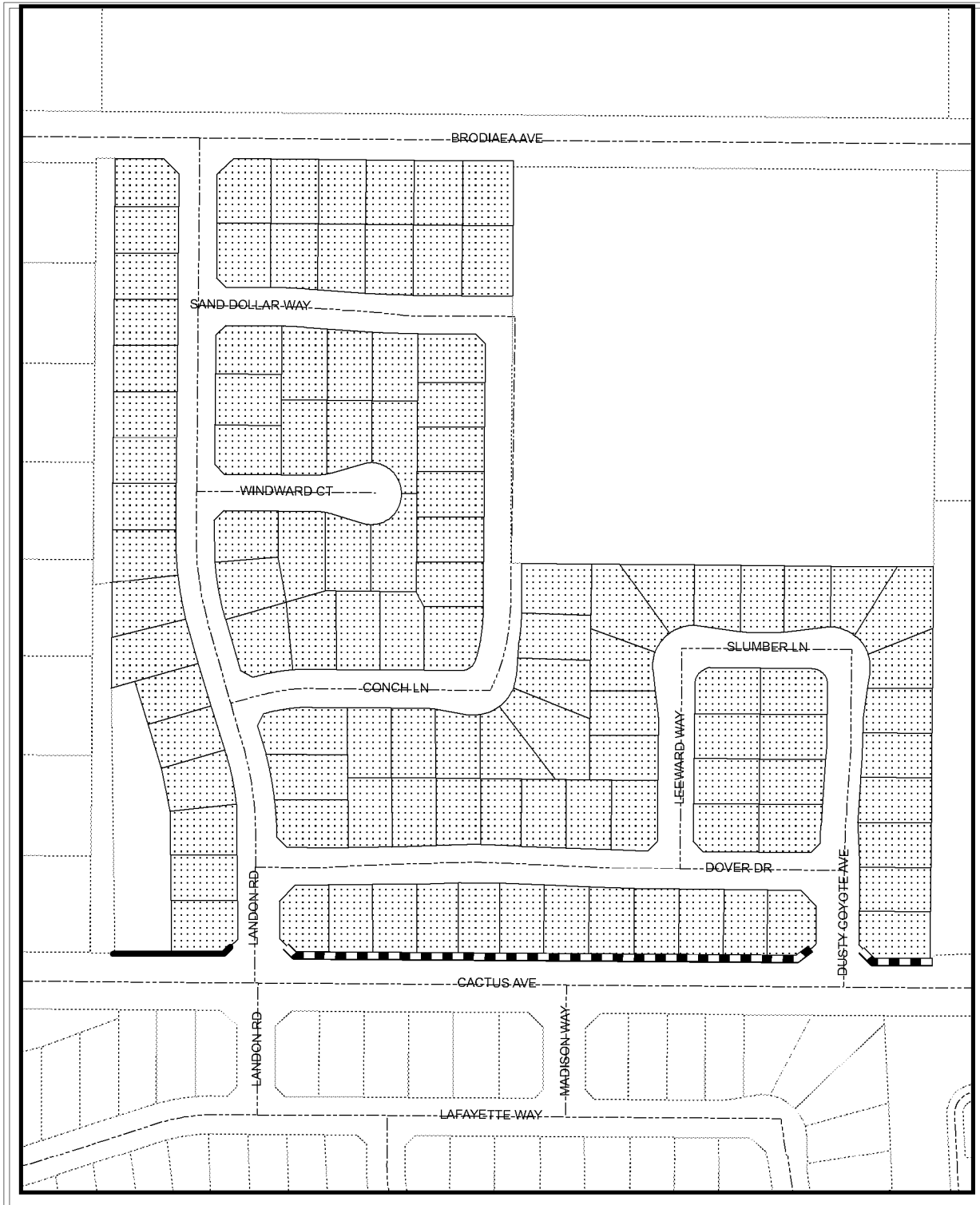

Tract/Fraccionamiento 31129

New Landscaped Areas/
Nuevo Areas de jardin

Landscaped Areas/Areas de jardin

Roads/Calles

Parcels/Parcelas

City Boundary/Limite de la ciudad

Tract/Fraccionamiento 31129

Map reflects all changes indicated on Riverside County Assessor Maps as of July 26, 2011.

N

G:\AVP\SDA\Zone D Tract 31129.mxd

0 175 350 525 700 Feet

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

Community Briefing

Get Information about the Mail Ballot for Common Area Landscaping

Residential Housing Tract 31129

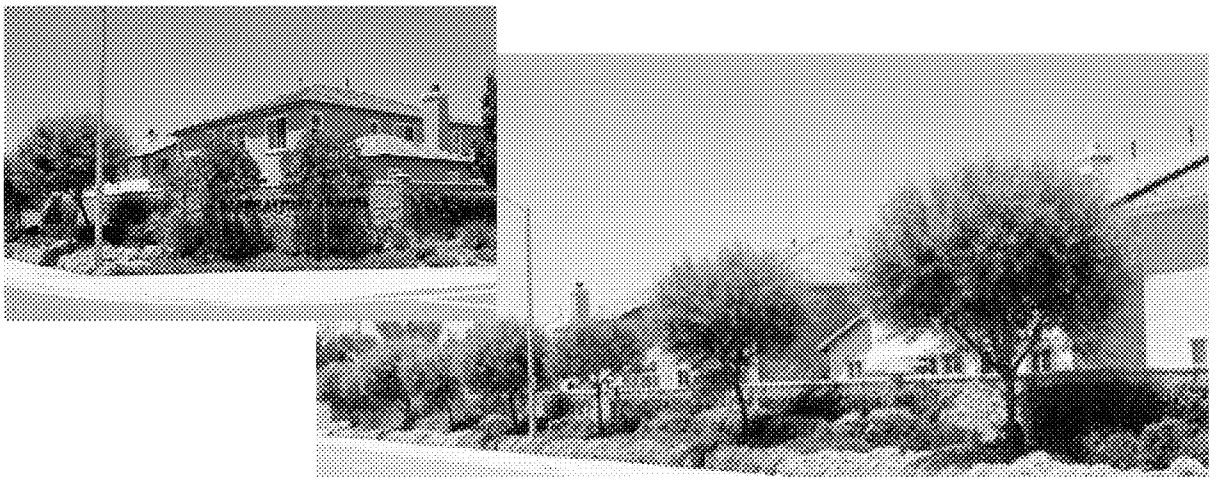

Date	August 2, 2011
Time	5:00 pm–6:00 pm
Location	Corner of Cactus Avenue and Landon Road
For	Property Owners in Residential Housing Tract 31129
What	City Staff will be available to answer questions about the upcoming Mail Ballot proceeding. In addition to a request to increase the landscaped area around your housing tract, costs to maintain the landscaping have increased. Property owners need to decide whether they want to accept the new area and to keep the current level of service by approving an increase or whether they want to reduce services and keep the parcel charge currently paid as part of their property tax bill the same.

City of Moreno Valley
Public Works Department
Special Districts Division
14325 Frederick Street, Suite 9
Moreno Valley, Ca 92553

Phone: 951-413-3480
E-mail: specialdistricts@moval.org

MORENO VALLEY
WHERE DREAMS SOAR

OFFICIAL BALLOT/BOLETA OFICIAL for Assessor Parcel No. 486551004
CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – TRACT 31129

Mark the enclosed ballot in support of or opposition to the proposed increase in the Zone D annual charge by placing a mark in the corresponding box and signing your name on the adjacent signature line. An unmarked or unsigned ballot will be considered invalid and will not be counted. This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

Marque la boleta en el recuadro correspondiente si esta a favor o en contra al incremento propuesto al cargo anual para la Zona D. Después, firme en la línea que corresponda al recuadro elegido solamente. Cualquier boleta que sea devuelta sin voto o firma(s) o ambas será considerada invalida y por lo tanto no será contada. Esta boleta deberá ser recibida por el Secretario del Comité de CSD (Secretario de la Ciudad) antes del cierre de la Audiencia Publica que se llevara a cabo el 13 de Septiembre del 2011, en la Cámara de Ayuntamiento de Moreno Valley (Moreno Valley City Hall Council Chamber), a las 6:30 p.m. o en tanto sea posible tratar el asunto.

☐ **Yes/Si**

PROPERTY OWNER SIGNATURE/FIRMA DEL PROPIETARIO DATE/FECHA

Yes, ***I approve*** the increase in the maintained landscaped area and an increase in annual charge for Zone D services of $54.42 per parcel **(approximately $4.54 per month)**. The increase will adjust the approved annual charge from $83.58 to $138.00 per parcel for fiscal year 2011/12. The approved charge shall be subject to an annual inflation adjustment based on the percentage increase calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics in future years.

Si, ***yo apruebo*** el incremento en el paisaje mantenido y en el incremento anual a los servicios de la Zona D de $54.42 por parcela **(aproximadamente $4.54 mensual).** Dicho incremento resultara en un ajuste al cargo anual aprobado de $83.58 a $138.00 por parcela para el próximo año fiscal 2011/2012. Este cargo esta sujeto a un ajuste inflacionario basado en el cambio al porcentaje calculado durante el año anterior al Índice Regional de Precio al Consumidor para Todos Los Consumidores Urbanos de los Condados de Los Ángeles-Riverside y Orange, publicado por la Oficina de Estadísticas Laborales para los anos venideros del Departamento de Trabajo.

☐ **No/No**

PROPERTY OWNER SIGNATURE/FIRMA DEL PROPIETARIO DATE/FECHA

No, ***I do not approve*** the increase in the maintained landscaped area or the increase in the annual charge for Zone D services of $54.42 per parcel. I understand landscaping services for Zone D shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, maintenance services may be discontinued.

No, ***yo no apruebo*** el incremento en el paisaje mantenido o el incremento anual a los servicios de la Zona D de $54.42 por parcela. Entiendo que los servicios de jardinería de la Zona D serán reducidos a un nivel basado en los fondos disponibles. El servicio de mantenimiento de las áreas ajardinadas podría ser descontinuado si los fondos disponibles no llegasen a costear el servicio más básico.

Weighted Ballot Count: 1

THIS IS YOUR OFFICIAL BALLOT

ADELIA A BELUSO

27729 DOVER DR
MORENO VALLEY, CA 92555

Item No. G.7

MV00122045

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MV00122046

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: August 23, 2011

TITLE: ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CalPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON OR AFTER SEPTEMBER 30, 2011, AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CalPERS.

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after September 30, 2011, and conduct the first reading of the related ordinance as required by CalPERS.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

During the Meet & Confer Process for the FY 2011/12 successor MOU's for the City three employees associations, the City's labor negotiating team introduced the proposal of providing the 2% at Age 55 and Three-Year Final Compensation Calculation CalPERS retirement benefits for new hires starting on or after September 30, 2011.

DISCUSSION

There is a three-month schedule that CalPERS requires for an amendment to the City's current contract with CalPERS for the provision of retirement benefits. The first step in

the process is the adoption of a Resolution of Intent and the first reading of the related ordinance. This staff report and City Council action will start the schedule process. On September 13, 2011, a follow-up staff report will be submitted for City Council recommending the approval of a Resolution Adopting the Amendment to the CalPERS Contract, and the adoption of the related ordinance. It is anticipated that the Meet & Confer process with the three employees associations will be concluded prior to the actual effective date of the amendment to the City's CalPERS Contract. If for any reason the Meet & Confer process is not completed prior to the City Council meeting on September 13, 2011, City staff will postpone the final adoption of the resolution and the adoption of the related ordinance.

ALTERNATIVES

The action of the City Council to approve the attached resolution and to conduct the first reading of the related ordinance relates to the current labor negotiations with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The implementation of the 2% at Age 55 and Three Years Highest Average Compensation Calculation CalPERS retirement benefits for new hires is expected to reduce the cost to the City budget for benefits between a range of $1,710.00 to $3,000.00 per employee per year, depending on the employees' compensation levels. The City's CalPERS Employer Rate will be reduced from 19.344% to 15.922% for the new hires. The newly hired employees will be required to pay for the 7% employee's member contribution, and the City will not pay any portion of the employee's member contribution.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future."

NOTIFICATION

The three employee associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and related ordinance. Copies of this staff report and attached resolution were sent to the employee associations and all three concur with the recommended City Council action, pending ratification of the successor MVMA MOU and MVCME MOU for Fiscal Year 2011/12.

ATTACHMENTS/EXHIBITS

1. Resolution of Intent to Approve an Amendment to the CalPERS Contract.
2. Ordinance related to the amendment of the CalPERS Contract.

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00122050

RESOLUTION NO. 2011-59

RESOLUTION OF INTENTION

TO APPROVE AN AMENDMENT TO CONTRACT

BETWEEN THE

BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

AND THE

CITY COUNCIL
CITY OF MORENO VALLEY

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

> To provide Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By:_____
Presiding Officer

_____
Title

Resolution No. 2011-59
Date Adopted: September 13, 2011

_____
Date adopted and approved

(Amendment)
CON-302 (Rev. 4/96)

ATTACHMENT 1

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

ORDINANCE NO. 828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MORENO VALLEY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1.

That an amendment to the contract between the City of Moreno Valley and the Board of Administration, California Public Employees' Retirement system is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit A, and by such reference made a part hereof as though herein set out in full.

SECTION 2.

The Mayor of the City of Moreno Valley is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3.

This Ordinance shall take effect thirty (30) days after the date of its adoption, and prior to the expiration of fifteen (15) days from passage thereof shall be published at least in the Press Enterprise, a newspaper of general circulation, published and circulated in the County of Riverside and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AND ADOPTED this 13th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____

City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00122056

CalPERS

EXHIBIT: A

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Moreno Valley

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective October 16, 1985, and witnessed October 15, 1985, and as amended effective February 14, 1992, July 5, 1995, July 15, 1997, January 6, 1999, July 18, 2003, January 13, 2007 and March 27, 2009 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective March 27, 2009, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after October 16, 1985 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:

   (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.

   (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.

   (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.

   (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.

   (e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.

   (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.

   (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.

4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:

   a. Employees other than local safety members (herein referred to as local miscellaneous members).

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

   a. **SAFETY EMPLOYEES.**

6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after January 13, 2007 shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

7. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after January 13, 2007 and not entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).

8. The percentage of final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

9. Public Agency elected and elects to be subject to the following optional provisions:

   a. Section 20042 (One-Year Final Compensation) for those local miscellaneous members entering membership on or prior to the effective date of this amendment to contract.

   b. Section 20938 (Limit Prior Service to Members Employed on Contract Date).

   c. Section 21574 (Fourth Level of 1959 Survivor Benefits).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

d. Section 21024 (Military Service Credit as Public Service).

e. Section 20965 (Credit for Unused Sick Leave).

f. Section 20903 (Two Years Additional Service Credit).

g. Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

10. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.

11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members of said Retirement System.

12. Public Agency shall also contribute to said Retirement System as follows:

a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members.

b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY_____
DARRYL WATSON, CHIEF
CUSTOMER ACCOUNT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF MORENO VALLEY

BY_____
PRESIDING OFFICER

_____
Witness Date

Attest:

_____
Clerk

PLEASE DO NOT SIGN "EXHIBIT ONLY"
PLEASE DO NOT SIGN "EXHIBIT ONLY"

AMENDMENT ER# 1384
PERS-CON-702A

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
Actuarial and Employer Services Branch
Public Agency Contract Services
(888) CalPERS (225-7377)

SUMMARY OF MAJOR PROVISIONS
2% @ 55 Formula (Section 21354)
Local Miscellaneous Members

SERVICE RETIREMENT

To be eligible for service retirement, a member must be at least age 50 and have five years of CalPERS credited service. There is no compulsory retirement age.

The monthly retirement allowance is determined by age at retirement, years of service credit and final compensation. The basic benefit is 2% of final compensation for each year of credited service upon retirement at age 55. If retirement is earlier than age 55, the percentage of final compensation decreases for each quarter year of attained age to 1.426% at age 50. If retirement is deferred beyond age 55, the percentage of final compensation increases for each quarter year of attained age to 2.418% at age 63.

Final compensation is the average monthly pay rate during the last consecutive 36 months of employment, or 12 months if provided by the employer's contract, unless the member designates a different period of 36 or 12 consecutive months when the average pay rate was higher.

DISABILITY RETIREMENT

Members substantially incapacitated from performing the usual duties for the position for his/her current employer, and from performing the usual duties of the position for other CalPERS covered employers (including State agencies, schools, and local public agencies), and where similar positions with these other employers with reasonably comparable in pay, benefits, and promotional opportunities are not available, would be eligible for disability retirement provided they have at least five years of service credit. The monthly retirement allowance is 1.8% of final compensation for each year of service. The maximum percentage for members who have between 10.000 and 18.518 years of service credit is one-third of their final compensation. If the member is eligible for service retirement the member will receive the highest allowance payable, service or disability. If provided by the employer's contract, the benefit would be a minimum of 30% of final compensation for the first five years of service credit, plus 1% for each additional year of service to a maximum benefit of 50% of final compensation.

INDUSTRIAL DISABILITY RETIREMENT

If provided by the employer's contract, members permanently incapacitated from performing their duties, as defined above under Disability Retirement, and the disability is a result of a job-related injury or illness may receive an Industrial Disability Retirement benefit equal to 50% of their final compensation. If provided in the employer's contract and the member is totally disabled, the disability retirement allowance would equal 75% of final compensation in lieu of the disability retirement allowance otherwise provided. If the member is eligible for service retirement, the service retirement allowance is payable. The total allowance cannot exceed 90% of final compensation.

PRE-RETIREMENT DEATH BENEFITS

Basic Death Benefit: This benefit is a refund of the member's contributions plus interest and up to six months' pay (one month's salary rate for each year of current service to a maximum of six months).

1957 Survivor Benefit: An eligible beneficiary may elect to receive either the Basic Death Benefit or the 1957 Survivor Benefit. The 1957 Survivor Benefit provides a monthly allowance equal to one-half of the highest service retirement allowance the member would have received had he/she retired on the date of death. The 1957 Survivor Benefit is payable to the surviving spouse or registered domestic partner until death or to eligible unmarried children until age 18.

1959 Survivor Benefit: (If provided by the employer's contract and the member is not covered under social security.) A surviving spouse or registered domestic partner and eligible children may receive a monthly allowance as determine by the level of coverage. This benefit is payable in addition to the Basic Death Benefit or 1957 Survivor Benefit. Children are eligible if under age 22 and unmarried.

Pre-Retirement Optional Settlement 2 Death Benefit: (If provided by the employer's contract.) The spouse or registered domestic partner of a deceased member, who was eligible to retire for service at the time of death, may to elect to receive the Pre-Retirement Optional Settlement 2 Death Benefit in lieu of the lump sum Basic Death Benefit. The benefit is a monthly allowance equal to the amount the member would have received if he/she had retired for service on the date of death and elected Optional Settlement 2, the highest monthly allowance a member can leave a spouse or registered domestic partner.

COST-OF-LIVING ADJUSTMENTS

The cost of living allowance increases are limited to a maximum of 2% compounded annually unless the employer's contract provides a 3, 4, or 5% increase.

DEATH AFTER RETIREMENT

The lump sum death benefit is $500 (or $600, $2,000, $3,000, $4,000 or $5,000 if provided by the employer's contract) regardless of the retirement plan chosen by the member at the time of retirement.

TERMINATION OF EMPLOYMENT

Members who have separated from employment may elect to leave their contributions on deposit or request a refund of contributions and interest. Those who leave their contributions on deposit may apply at a later date for a monthly retirement allowance if the minimum service and age requirements are met. Members who request a refund of their contributions terminate their membership and are not eligible for any future benefits unless they return to CalPERS membership.

EMPLOYEE CONTRIBUTIONS

Miscellaneous members covered by the 2% @ 55 formula contribute 7% of reportable earnings. Those covered under a modified formula (coordinated with Social Security) do not contribute on the first $133.33 earned.

The employer also contributes toward the cost of the benefits. The amount contributed by the employer for current service retirement benefits generally exceeds the cost to the employee. In addition, the employer bears the entire cost of prior service benefits (the period of time before the employer provided retirement coverage under CalPERS). All employer contribution rates are subject to adjustment by the CalPERS Board of Administration.

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MV00122064

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Members of the Board of Directors

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board of Directors Adopt Resolution No. RDA 2011-12 approving an Enforceable Obligation Payment Schedule.

BACKGROUND

On June 30, 2011, the Governor signed the following two bills that became effective immediately.

- ABX1 26 eliminates California redevelopment agencies (RDA's) as of October 1, 2011, and
- ABX1 27 exempts from elimination any RDA within a City or County that agrees to make an annual payment to the Special District Allocation Fund and Educational Revenue Augmentation Fund.

On July 18, the California Redevelopment Association, the League of California Cities, and the cities of San Jose and Union City filed a petition with the California Supreme Court to overturn AB 1X 26 and AB 1X 27 based on claims that the bills violate the Constitution.

On August 11, 2011, the California Supreme Court issued a partial stay on the implementation of ABx1 26 and ABx1 27 until the Court can rule on the constitutionality of the two bills. As a result of the partial stay, sections of ABx1 26 remain in effect that suspend non-administrative redevelopment agency activities and require RDA's to adopt an Enforceable Obligation Payment Schedule (EOPS). The EOPS must be filed with the County Auditor-Controller, the State Controller, and the State Department of Finance by August 28, 2011. After this date, RDA's may only pay for obligations listed on the EOPS unless another payment is necessary to meet bonded indebtedness.

DISCUSSION

As a result of ABx1 26, ABx1 27, and the Supreme Court's partial stay, it is recommended that even agencies that have adopted a resolution that declares the intent to make the voluntary payments to the Special District Allocation Fund and Educational Revenue Augmentation Fund adopt an EOPS to ensure they have the authority to make payments on indebtedness after August 28, 2011. Staff recommends that the RDA Board of Directors adopt Resolution No. RDA 2011-12 (Attachment A) approving an Enforceable Obligation Payment Schedule (Attachment B).

ALTERNATIVES

1. Enact and adopt the attached resolution, which approves the Enforceable Obligation Payment Schedule. *Staff recommends this alternative because it allows the RDA to make required RDA debt service payments in accordance with the State legislation.*

2. Decline to enact and adopt the attached resolution, which approves the Enforceable Obligation Payment Schedule. *Staff does not recommend this alternative since without the EOPS, RDA debt service payments may not be authorized.*

FISCAL IMPACT

The EOPS summarizes the RDA's legally binding and enforceable agreements. There is no fiscal impact associated with adopting the proposed resolution that authorizes filing of an Enforceable Obligation Payment Schedule with the County Auditor-Controller, the State Controller, and the State Department of Finance.

SUMMARY

The Governor has signed two bills, one that eliminates RDA's and a second which provides for a voluntary alternative redevelopment program exempting an RDA from elimination if the City Council enacts an ordinance before November 1, 2011 to comply with the State legislation and make payments to the County-Auditor Controller as required by the legislation. A lawsuit was filed with the California Supreme Court asserting the claim that the bills are unconstitutional and the Supreme Court has issued a partial stay of the bills' implementation. Since the stay is not comprehensive,

compliance with the requirement that RDA's adopt an Enforceable Obligation Payment Schedule is necessary for timely filing with the County Auditor-Controller, the State Controller, and the State Department of Finance. The resolution adopting the Enforceable Obligation Payment Schedule is attached hereto for RDA Board consideration.

NOTIFICATION

Other than posting of the Agenda, no public notice is required prior to the Redevelopment Agency taking action on this item. The agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council and RDA Board meeting agendas.

ATTACHMENTS/EXHIBITS

Attachment A: Resolution No. RDA 2011-12
Attachment B: Enforceable Obligation Payment Schedule

Prepared By:
Michele Patterson
Redevelopment & Neighborhood
Programs Administrator

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00122068

RESOLUTION NO. RDA 2011-12

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, et seq. ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011, and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain "enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, the dissolution of the Agency would be detrimental to the health, safety, and economic well-being of the residents of the City and cause irreparable harm to the community and the Redevelopment Project, because, among other reasons, the

redevelopment activities and projects made possible, implemented, and funded by the Agency are highly significant and of enduring benefit to the community and the City, and are a critical component of its future; and

WHEREAS, Part 1.9 of the CRL ("Part 1.9") provides that a redevelopment agency may continue in operation if a city or county that includes a redevelopment agency adopts an ordinance agreeing to comply with and participate in the Alternative Voluntary Redevelopment Program established in Part 1.9 ("Program"); and

WHEREAS, the City intends to adopt the ordinance required by Part 1.9, in order to allow the Agency to continue in operation and performing its functions; and

WHEREAS, the Agency is aware that the validity, passage, and applicability of ABX1 26 and ABX1 27 have become the subject of a judicial challenge; and

WHEREAS, the Agency, by the adoption of this resolution, does not represent, disclaim, or take any position whatsoever on the issue of the validity of ABX1 26 or ABX1 27, but rather the City seeks to comply with the Constitution and laws of the State of California, including Part 1.9, in order to preserve the ability of the Agency to continue to operate and thereby benefit the community; and

WHEREAS, various petitioners have filed an action in the matter of *California Redevelopment Association et al. v. Ana Matosantos, as Director, etc., et al* (the "Redevelopment Lawsuit") which challenges the validity of ABX1 26 and ABX1 27; and

WHEREAS, the Supreme Court has issued a partial stay in connection with the Redevelopment Lawsuit; and

WHEREAS, while the intention of the City and the Agency is that the Agency continue in existence, in the interests of seeking compliance with those provisions of ABX1 26 which require the adoption of an enforceable obligation payment schedule, the Agency desires to approve an enforceable obligation payment schedule in the form submitted herewith (the "Enforceable Obligation Payment Schedule"); and

WHEREAS, given the adoption of ABX1 26, the Agency has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That certain Enforceable Obligation Payment Schedule in the form submitted herewith is hereby approved as the enforceable obligation payment schedule of the Agency for purposes of Part 1.8 and Part 1.85.

Section 3. This Resolution shall be effective immediately upon adoption.

Section 4. The Agency Secretary shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the
Community Redevelopment Agency of the
City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Community
Redevelopment Agency of the
City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the
City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. _____ was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the _____ day of _____, _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Agency Members, Vice Chairman and Chairman)

_____

SECRETARY

(SEAL)

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	2007 Tax Allocation Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	83,920,389.38	2,253,483.75	1,233,841.88					$ 1,233,841.88
2)	2007 Special Tax Refunding Bonds - Towngate 87-1	Well Fargo Bank	Bonds issue to fund non-housing projects	13,069,701.97	1,162,857.57					1,162,857.57	$ 1,162,857.57
3)	Improvement Area No. 1 Special Tax Refunding Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	3,631,051.55	273,920.77					273,920.77	$ 273,920.77
4)	Auto Mall Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	2,389,960.61	143,437.50					143,437.50	$ 143,437.50
5)	2005 Lease Revenue Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	14,130,257.91	594,597.50					594,597.50	$ 594,597.50
6)	2011 Refunding Bonds	Bank of America	Bonds issue to fund non-housing projects	1,650,000.00	150,000.00					150,000.00	$ 150,000.00
7)	Employee Costs - RDA Admin	Employees of Agency	Payroll for employees	700,000.00	700,000.00	58,333.33	58,333.33	58,333.33	58,333.33	58,333.33	$ 291,666.65
8)	Employee Costs - RDA Housing	Employees of Agency	Payroll for employees	900,000.00	900,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	$ 375,000.00
9)	Contract for consulting services	Strickler Association	Professional Services	45,000.00	45,000.00	3,750.00	3,750.00	3,750.00	3,750.00	3,750.00	$ 18,750.00
10)	Contract for legal services	Stradling, Yocca, Carlson & Rauth	Legal Services	160,000.00	160,000.00	13,333.33	13,333.33	13,333.33	13,333.33	13,333.33	$ 66,666.65
11)	Contract for professional services	Certified Credit Reporting	Professional Service	500.00	500.00	100.00	100.00	100.00	100.00	100.00	$ 500.00
12)	Contract for professional services	Keyser Marston Assoc	Professional Service	20,000.00	20,000.00	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	$ 8,333.35
13)	Contract for professional services	Home Safe Environmental	Professional Service	1,400.00	1,400.00	116.67	116.67	116.67	116.67	116.67	$ 583.35
14)	Contract for professional services	Diane Hadland	Professional Service	5,000.00	5,000.00	416.67	416.67	416.67	416.67	416.67	$ 2,083.35
15)	Oakwood Apartments	One Moreno Valley 240, L.P.	Affordable Housing Agreement	750,000.00	750,000.00					750,000.00	$ 750,000.00
16)	Rancho Dorado Apts - South	Moreno Valley Rancho Dorado II LTD	Affordable Housing Agreement	6,950,000.00	100,000.00					100,000.00	$ 100,000.00
17)	Hemlock Family Apartments	Rancho Belago, Inc.	Affordable Housing Agreement	6,300,000.00	5,300,000.00					5,300,000.00	$ 5,300,000.00
18)	Indian Basin, Appurtenant	Lim & Nascimento Engineering	Contractual Services	42,152.84	42,152.84	3,512.74	3,512.74	3,512.74	3,512.74	3,512.74	$ 17,563.70
19)	Indian Basin, Appurtenant	Ninyo & Moore Geotech	Contractual Services	31,530.00	31,530.00	2,627.50	2,627.50	2,627.50	2,627.50	2,627.50	$ 13,137.50
20)	Indian Basin, Appurtenant	Caltrop Engineering	Contractual Services	3,194.50	3,194.50	266.21	266.21	266.21	266.21	266.21	$ 1,331.05
21)	Indian Basin, Appurtenant	Hillcress Construction	Contractual Services	84,407.40	84,407.40	7,033.95	7,033.95	7,033.95	7,033.95	7,033.95	$ 35,169.75
22)	Indian Basin, Appurtenant	Guida Surveying	Contractual Services	906.00	906.00	75.50	75.50	75.50	75.50	75.50	$ 377.50
23)	Indian Basin, Appurtenant	Riverside Construction	Contractual Services	189,477.77	189,477.77	15,789.81	15,789.81	15,789.81	15,789.81	15,789.81	$ 78,949.05
24)	Day StreetAlessandro Blvd	DMC Design	Contractual Services	52,559.76	52,559.76	4,379.98	4,379.98	4,379.98	4,379.98	4,379.98	$ 21,899.90
25)	Day StreetAlessandro Blvd	Hillcrest Contract	Contractual Services	105,502.96	105,502.96	8,791.91	8,791.91	8,791.91	8,791.91	8,791.91	$ 43,959.55
26)	Day StreetAlessandro Blvd	SCE	Contratual Services	18,001.11	18,001.11	1,500.09	1,500.09	1,500.09	1,500.09	1,500.09	$ 7,500.45
27)	Day StreetAlessandro Blvd	Donahue Appraisal	Contratual Services	1,050.00	1,050.00	87.50	87.50	87.50	87.50	87.50	$ 437.50
28)	Day StreetAlessandro Blvd	Vali Cooper & Assoc	Contratual Services	10,896.20	10,896.20	908.02	908.02	908.02	908.02	908.02	$ 4,540.10
29)	Day StreetAlessandro Blvd	Gibbs, Giden, Locher	Contratual Services	12,183.25	12,183.25	1,015.27	1,015.27	1,015.27	1,015.27	1,015.27	$ 5,076.35
30)	Day StreetAlessandro Blvd	Time Warner	Contratual Services	3,343.84	3,343.84	278.65	278.65	278.65	278.65	278.65	$ 1,393.25
31)	Day StreetAlessandro Blvd	Verizon	Contratual Services	4,067.27	4,067.27	338.94	338.94	338.94	338.94	338.94	$ 1,694.70
	Totals - This Page			$ 135,182,534.32	$ 13,119,469.99	$ 1,433,164.62	$ 199,322.74	$ 199,322.74	$ 199,322.74	$ 8,674,136.08	$ 10,705,268.92
	Totals - Page 2			$ 1,323,436.49	$ 1,323,436.49	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 551,431.90
	Totals - Page 3			$ 751,680,224.00	$ 20,469,273.00	$ -	$ -	$ -	$ -	$ 10,486,120.50	$ 10,486,120.50
	Totals - Page 4										
	Totals - Other Obligations										
	Grand total - All Pages			$ 888,186,194.81	$ 34,912,179.48	$ 1,543,451.00	$ 309,609.12	$ 309,609.12	$ 309,609.12	$ 19,270,542.96	$ 21,742,821.32

*** This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11.)**

ATTACHMENT B

MV00122073

Name of Redevelopment Agency The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	Day StreetAlessandro Blvd	AIE Enginerring	Contratual Services	9,125.83	9,125.83	760.49	760.49	760.49	760.49	760.49	$ 3,802.45
2)	Day StreetAlessandro Blvd	Group Delta	Contratual Services	11,754.00	11,754.00	979.50	979.50	979.50	979.50	979.50	$ 4,897.50
3)	Auto Mall	Cal Trop Engineering	Contratual Services	9,200.00	9,200.00	766.67	766.67	766.67	766.67	766.67	$ 3,833.35
4)	Auto Mall	United Inspection	Contratual Services	2,646.00	2,646.00	220.50	220.50	220.50	220.50	220.50	$ 1,102.50
5)	Auto Mall	VA Consulting	Contratual Services	7,371.60	7,371.60	614.30	614.30	614.30	614.30	614.30	$ 3,071.50
6)	Auto Mall	San Pedro Sigh	Contratual Services	122,596.37	122,596.37	10,216.36	10,216.36	10,216.36	10,216.36	10,216.36	$ 51,081.80
7)	Ironwood Ave-Day	AIE Enginerring	Contratual Services	69,298.78	69,298.78	5,774.90	5,774.90	5,774.90	5,774.90	5,774.90	$ 28,874.50
8)	Ironwood Ave-Day	Lor Geotech	Contratual Services	1,500.00	1,500.00	125.00	125.00	125.00	125.00	125.00	$ 625.00
9)	Ironwood Ave-Day	JTB Supply	Contratual Services	8,210.63	8,210.63	684.22	684.22	684.22	684.22	684.22	$ 3,421.10
10)	Ironwood Ave-Day	Guida Supply	Contratual Services	8,377.00	8,377.00	698.08	698.08	698.08	698.08	698.08	$ 3,490.40
11)	Ironwood Ave-Day	Riverside Contruction	Contratual Services	225,797.03	225,797.03	18,816.42	18,816.42	18,816.42	18,816.42	18,816.42	$ 94,082.10
12)	Nason/SR-60 Bridge	Enco	Contratual Services	459.91	459.91	38.33	38.33	38.33	38.33	38.33	$ 191.65
13)	Nason/SR-60 Bridge	Singer & Coffin, APC	Contratual Services	4,310.00	4,310.00	359.17	359.17	359.17	359.17	359.17	$ 1,795.85
14)	Nason/SR-60 Bridge	Parsons Transportation	Contratual Services	428,956.97	428,956.97	35,746.41	35,746.41	35,746.41	35,746.41	35,746.41	$ 178,732.05
15)	Morrison Park Fire Station	Lor Geotech	Contratual Services	9,350.00	9,350.00	779.17	779.17	779.17	779.17	779.17	$ 3,895.85
16)	Morrison Park Fire Station	STK Architechture	Contratual Services	395,644.00	395,644.00	32,970.33	32,970.33	32,970.33	32,970.33	32,970.33	$ 164,851.65
17)	Morrison Park Fire Station	JTB Supply Co.	Contratual Services	8,135.13	8,135.13	677.93	677.93	677.93	677.93	677.93	$ 3,389.65
18)	Morrison Park Fire Station	Enco Utility	Contratual Services	703.24	703.24	58.60	58.60	58.60	58.60	58.60	$ 293.00
19)											$ -
20)											$ -
21)											$ -
22)											$ -
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30)											$ -
31)											$ -
32)											$ -
33)											$ -
34)											$ -
											$ -
											$ -
	Totals - This Page			$ 1,323,436.49	$ 1,323,436.49	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 551,431.90

*** This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by ATTACHMENT B**
If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.
**** Include only payments to be made after the adoption of the EOPS.**

MV00122074

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

OTHER OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	Section 33676 Payments	Moreno Valley & Val Verde Unified SDs	Payments per former CRL 33676	29,000,000.00	880,000.00					440,000.00	$ 440,000.00
2)	Section 33676 Payments	Riverside City Comm College	Payments per former CRL 33676	6,000,000.00	170,000.00					85,000.00	$ 85,000.00
3)	Section 33676 Payments	School Funds	Payments per former CRL 33676	170,000.00	5,500.00					2,750.00	$ 2,750.00
4)	Section 33676 Payments	Co Supt of Schools	Payments per former CRL 33676	4,800,000.00	130,000.00					65,000.00	$ 65,000.00
5)	Pass Through Agreement	County of Riverside	Per Pass Through Agreement	411,848,046.00	8,000,000.00					4,000,000.00	$ 4,000,000.00
6)	Pass Through Agreement	Riverside Flood Control	Per Pass Through Agreement	47,190,566.00	808,500.00					404,250.00	$ 404,250.00
7)	LMIH Fund	RDA Housing Set-Aside	20% Set-Aside Fund	197,830,000.00	3,600,000.00					1,800,000.00	$ 1,800,000.00
8)	SB 2557 County Admin Fees	County of Riverside	County Administrative Fees	7,000,000.00	250,000.00					125,000.00	$ 125,000.00
9)	Conference & Recreation Cnt	City of Moreno Valley	MOU	35,971,807.00	307,468.00					307,468.00	$ 307,468.00
10)	Land Repayment to Housing	LMHF	Repayment of Land Transfer	3,387,000.00	195,500.00					195,500.00	$ 195,500.00
11)	Cactus/Day/Old 215 Land	City of Moreno Valley	Land purchased - Loan	2,360,500.00							$ -
12)	AB 1X 27 Payments	City of Moreno Valley	Transfer Agreement	6,122,305.00	6,122,305.00					3,061,152.50	$ 3,061,152.50
13)											$ -
14)											$ -
15)											$ -
16)											$ -
17)											$ -
18)											$ -
19)											$ -
20)											$ -
21)											$ -
22)											$ -
23)											$ -
24)											$ -
25)											$ -
26)											$ -
27)											$ -
28)											$ -
29)											$ -
30)											$ -
	Totals - Other Obligations			**$ 751,680,224.00**	**$ 20,469,273.00**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 10,486,120.50**	**$ 10,486,120.50**

*** This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11.) If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.**

MV00122075

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MV00122076

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.10

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MV00122078

REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

August 23, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

REVISED AGENDA *
CITY COUNCIL OF THE CITY OF MORENO VALLEY
August 23, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter - Investigator Duke Viveros

2. Employee of the Quarter - Patty Posey

3. Recognition of 2011 Summer Reading Program Super Readers, by Moreno Valley Friends of the Library

MV00122080

REVISED AGENDA *
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
AUGUST 23, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor O. J. Philpot - Christ Community Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00122081

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of July 6 - August 16, 2011.

A.5 AMENDMENT TO THE RULE 20A UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2. Approve the reprioritized Rule 20A priority list.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE

MV00122082

STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE. (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive. All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained electric utility system.

A.7 APPROVAL OF CHECK REGISTER FOR MAY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

Resolution No. 2011-85

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2011

A.8 APPROVAL OF CHECK REGISTER FOR JUNE, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

Resolution No. 2011-86

A Resolution of the City Council of the City Of Moreno Valley, California, Approving the Check Register for the Month of June, 2011

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED JUNE 30, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY (Report of: Community & Economic Development Department)

Recommendation:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

Resolution No. 2011-87

A Resolution of the City Council of the City of Moreno Valley, California, in Support of and Participation with the Southern California Association of Governments as a Compass Blueprint Strategy Demonstration Community.

A.11 ADOPT A RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321;

   Resolution No. 2011-88

   A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intent to Vacate Motor Way Between Auto Mall Drive and Eucalyptus Avenue

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323;

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323; and

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

A.12 ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING –SEPTEMBER 23, 2011 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

Resolution No. 2011-89

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2011 Annual Conference

A.13 PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT, AND ROLANDA DRIVE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

Resolution No. 2011-90

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Pattilyn Drive, Challis Court and Rolanda Drive.

A.14 PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS; BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET DEVELOPER: IDS REAL ESTATE GROUP, LOS ANGELES, CA 90071 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements;

2. Authorize the Mayor to execute the DIF Agreement in the form; and

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

A.15 ORDINANCE NO. 832, AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE (RECEIVED FIRST READING AND INTRODUCTION ON JULY 26, 2011, BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation:

Adopt Ordinance No. 832, an Ordinance of the City of Moreno Valley electing to comply with and participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code.

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

A.16 AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS - PROJECT NO. LED-229-80510 (Report of: Public Works Department)

Recommendation:

1. Award the contract for the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, CA. 91763; and

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

A.17 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12 (ATTACHMENT A TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Human Resources Department)

Recommendation:
Approve the successor Memoranda of Understanding (MOU's) between the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.4 EXTENSION OF CONTRACT - APPROVE SECOND AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and; TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.5 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2001-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

Resolution No. CSD 2011-23

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2011/12

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk

Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING FOR PA11- 0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres;

Resolution No. 2011-91

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Detachment of two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley to allow for Concurrent Annexation to the City of Perris

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels; and

Resolution No. CSD 2011-24

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California to request the Riverside Local Agency Formation Commission Initiate Proceedings for a City Boundary Amendment involving a Detachment of Parcels from the Moreno Valley Community Services District

3. Staff recommends that the Mayor and City Council Adopt Resolution

No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

Resolution No. 2011-92

A Resolution of the City Council of the City of Moreno Valley, California, approving a Property Tax Transfer Agreement between the City of Moreno Valley and City of Perris regarding the Detachment of Two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley and concurrent Annexation to the City of Perris

E.2 PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property; and

2. Authorize staff to solicit offers for the purchase of said real property.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM JULY 12, 2011 BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

   If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

   Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)
b. Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

G.2 RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS (Report of: City Clerk's Department)

Recommendation: That the City Council:

Adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected.

Resolution No. 2011-93

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Criteria to Guide the Process of Revising the Boundaries of the Districts from which Members of the City Council are Elected

G.3 CITIZENS' PARTICIPATION ON-LINE REDISTRICTING (PRESENTATION BY NATIONAL DEMOGRAPHICS CONSULTANT, ALAN HESLOP)

G.4 APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER) (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.5 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNs 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceedings for Oasis

Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

G.6 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.7 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

*G.8 ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON SEPTEMBER 30, 2011 AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CALPERS (Report of: Human Resources Department)

Recommendation:

1. Adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after

September 30, 2011, and conduct the first reading of the related ordinance as required by CALPERS.

Resolution No. 2011-59

A Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Moreno Valley, California

2. Introduce Ordinance No. 828.

Ordinance No. 828

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

*G.9 A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (Report of: Community & Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution No. RDA 2011-12, approving an Enforceable Obligation Payment Schedule.

Resolution No. RDA 2011-12

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Enforceable Obligation Schedule

G.10 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

***Revision to Agenda**

MV00122097

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
July 12, 2011

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Pastor Diane Gardner

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member (via conference call)

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Barry Foster	Community & Economic Development Director
Chris Vogt	Public Works Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A23) and Deanna Reeder (Items A5, A17, A18, and A19).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 22 - July 5, 2011.

A.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:
1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction

Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.5 APPROVE AGREEMENT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES WITH TRANSTECH ENGINEERS, INC. FOR STREET IMPROVEMENTS ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET AND ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Professional Construction Management and Construction Inspection Consultant Services with Transtech Engineers, Inc. (Transtech) 413 MacKay Drive, San Bernardino, CA 92408, for Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue;

2. Authorize the City Manager to execute a contract with Transtech;

3. Authorize the issuance a Purchase Order to Transtech in the amount of $999,200 ($868,870 for the agreement plus the 15% contingency amount of $130,330) when the Agreement has been signed by all parties; and

4. Authorize the City Engineer to execute any subsequent amendments to the Agreement with Transtech, up to but not to exceed the Purchase Order contingency, subject to the approval of the City Attorney.

A.6 P07-144 – APPROVE TRACT MAP NO. 35760, A SIX-LOT RESIDENTIAL SUBDIVISION OF TRACT MAP NO. 31129. DEVELOPER - WESTERN

PACIFIC HOUSING, INC. IRVINE, CA 92606 (Report of: Public Works Department)

Recommendation:

1. Approve Tract Map No. 35760; and

2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.7 AUTHORIZATION TO AWARD AGREEMENT FOR CENTRAL TRAFFIC CONTROL SOFTWARE SERVICES IN SUPPORT OF THE TRANSPORTATION MANAGEMENT CENTER (PROJECT NO. 10-13768129) (Report of Public Works Department)

Recommendation:

1. Approve the agreement with Kimley-Horn and Associates, Inc., 7878 N. 16th Street, Phoenix, Arizona 85020, to provide a central traffic control software system;

2. Authorize the City Manager to execute said Agreement with Kimley-Horn and Associates, Inc.;

3. Authorize the issuance of a Purchase Order to Kimley-Horn and Associates, Inc., in the amount of $315,000; and

4. Authorize the Public Works Director to execute any subsequent amendments related to this agreement.

A.8 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH GIBBS, GIDEN, LOCHER, TURNER & SENET, LLP FOR LEGAL SERVICES FOR LOS ANGELES ENGINEERING, INC. V. CITY OF MORENO VALLEY RIVERSIDE SUPERIOR COURT CASE RIC 524877 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 36928 to Gibbs, Giden, Locher, Turner & Senet, LLP by the amount of $100,000 for a total not-to-exceed amount of $196,000 (Account No. 461.65325.7500);

2. Authorize payment to Gibbs, Giden, Locher, Turner & Senet, LLP in an amount of up to $196,000 for legal services for Los Angeles Engineering, Inc. v. City of Moreno Valley Riverside Superior Court Case RIC 524877; and

3. Authorize an appropriation of $100,000 from the unencumbered fund

balance of Parkland Facilities DIF (Fund 205) to Account No. 461.65325 to allow for said increase to Purchase Order No. 36928.

A.9 TRACT MAP 32707 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: REDHAWK COMMUNITIES, INC. A CALIFORNIA CORPORATION, TEMECULA, CA 92590 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-72 authorizing the acceptance of the public improvements within Tract Map 32707 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system; and

   Resolution No. 2011-72

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32707 and Accepting the Portion of Lasselle Street Associated with the Project Into the City's Maintained Street System

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

A.10 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 CITYWIDE BRIDGE MAINTENANCE PROGRAM, PROJECT NO. 11-22679828, DIRECT THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed for the 2011 Citywide Bridge Maintenance Program, constructed by Beador Construction Company, Inc. (Beador), 26320 Lester Circle, Corona CA 92883;

2. Direct the City Clerk to record the Notice of Completion within ten (10) alendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Beador Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.11 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

A.12 FIRST AMENDMENT TO AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Overland, Pacific and Cutler, Inc. (OPC) to provide Professional Consultant Right of Way Services for various projects of the Capital Projects Division;

2. Authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with OPC; and

3. Authorize an increase to the purchase order to OPC, in the amount of $85,000 when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.13 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;
3. Authorize the Financial and Administrative Services Director to release

the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.14 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE TRAFFIC SIGNAL IMPROVEMENTS ON SUNNYMEAD RANCH PARKWAY AT VILLAGE ROAD (EAST) INTERSECTION PROJECT NO. 10-41779229, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AND AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east), constructed by SoCal Engineers, Inc., 17595 Harvard, Suite C2160, Irvine, CA 92614;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to SoCal Engineers, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.15 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS

FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.16 RESCIND RESOLUTION NO. 2005-30 AND RE-DESIGNATE AND AUTHORIZE SIGNATURE AUTHORITIES TO EXECUTE APPLICATIONS AND DOCUMENTS FOR PURPOSES OF OBTAINING FINANCIAL ASSISTANCE UNDER SECTION 404 OF PUBLIC LAW 93-288, AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ACT OF 1988. (Report of: Fire Department)

Recommendation:

Adopt Resolution No. 2011-73, rescinding Resolution No. 2005-30, and designating and authorizing certain City officials to execute applications and documents for purposes of obtaining financial assistance under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

Resolution No. 2011-73

A Resolution Of The City Council Of The City Of Moreno Valley, California, Rescinding Resolution No. 2005-30, And Re-Designate And Authorize Certain City Officials To Execute Applications And Documents For Purposes Of Obtaining Financial Assistance Under Section 404 Of Public Law 93-288, As Amended By The Robert T. Stafford Disaster Relief And Emergency Act Of 1988

A.17 FIRST AMENDMENT TO AGREEMENT FOR ON-CALL PROJECT MANAGEMENT SERVICES WITH VAS ASSOCIATES, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for On-Call Project Management Services" with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide temporary professional project management services for budgeted Capital Improvement Plan (CIP) projects on an as-needed basis;

2. Authorize the City Manager to execute said "First Amendment to Agreement for On-Call Project Management Services" with VAS; and

3. Authorize a purchase order to VAS in the amount of $312,000 when "First Amendment to Agreement for On-Call Project Management Services" has been signed by all parties.

A.18 AGREEMENT FOR PROFESSIONAL CONSULTANT ADMINISTRATIVE SERVICES WITH DMC DESIGN GROUP, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Professional Consultant Administrative Services" with DMC Design Group, Inc. (DMC), 170 N. Maple Street, Corona, CA 92880-1703, to provide Professional Consultant Administrative Services for budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Agreement for Professional Consultant Administrative Services" with DMC; and

3. Authorize a purchase order to DMC in the amount of $139,000 when said "Agreement for Professional Consultant Administrative Services" has been signed by all parties.

A.19 FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES, INC. (Report of:

Public Works Department)

Recommendation:

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with SA; and

3. Authorize a Change Order to increase the Purchase Order to SA in the amount of $185,000 when "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

A.20 RESOLUTION DECLARING THE REAL PROPERTY AS EXCESS AND SETTING A PUBLIC HEARING AUTHORIZING SALE FOR REMAINDER OF PARCEL APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

Approve and adopt Resolution No. 2011-74 to declare the real property, APN 475-272-054, as excess, set a public hearing to identify any issues with the sale of the remainder parcel, and authorize staff to solicit offers for the purchase of said real property.

Resolution No. 2011-74

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Convenience Require the Sale of a Remainder Parcel Excess to Public Use

A.21 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2011-75 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2011-75

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

A.22 APPROVE THREE-YEAR AGREEMENT WITH CANON BUSINESS SOLUTIONS TO EXTEND THE CURRENT COPIER CONTRACT (Report of: Financial & Administrative Services Department)

Recommendation:
Approve the three-year agreement to extend the current contract with Canon Business Solutions in the total base amount of $261,828, representing a 23.75% price decrease or total savings of $81,540, as being in the best interest of the City.

A.23 STAFF ASSIGNMENTS IN SUPPORT OF COUNCIL MEMBER PARTICIPATION WITH REGIONAL AGENCIES (Report of: City Manager's Office)

Recommendation:
Approve the proposed staff assignments in support of Council Member participation with regional agencies.

A.24 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 PAVEMENT RESURFACING PROJECT NO. 11-12556330, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Pavement Resurfacing Project, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release he retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.25 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 LOCAL STREET PAVEMENT RESURFACING – PHASE 1 PROJECT NO. 11-22679728, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Local Street Pavement Resurfacing – Phase, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.26 CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD, DEVELOPER: CITY OF MORENO VALLEY, MORENO VALLEY, CA 92552 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.27 PA07-0090 – EUCALYPTUS STREET IMPROVEMENTS - AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.28 PA07-0090 – EUCALYPTUS WATER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.29 PA07-0090 – EUCALYPTUS RECYCLED WATER – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALUPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.30 PA07-0090 – EUCALYPTUS SEWER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the

remaining public improvements are completed and punch-list items have been addressed; and

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

A.31 PA07-0090 – LINE F STORM DRAIN IMPROVEMENTS – REQUEST TO RATIFY THE PARTIAL REDUCTION TO THE IMPROVEMENT SECURITY AND AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN PROPER CLEARANCES ARE RECEIVED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553. (Report of: Public Works Department)

Recommendation:

1. Ratify the partial reduction to the public improvement security provided by the City Engineer on March 3, 2011 for the Line F Storm Drain Improvements for PA07-0090;

2. Authorize the Public Works Director/City Engineer to accept the work as complete once the proper clearances are provided by Riverside County Flood Control and Water Conservation District; and

3. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to enter said improvements into the 12 month guarantee and warranty period, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM A.11) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

C.5 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME,

AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.6 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM A.15) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro

Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

C.7 AUTHORIZE FIRST AMENDMENT TO PROJECT SPECIFIC AGREEMENT AND AUTHORIZE CHANGE ORDER TO THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the First Amendment to the Project Agreement on behalf of the Community Redevelopment Agency; and

2. Authorize a Change Order to increase Purchase Order No. 37386 for VA Consulting, Inc., in the amount of $25,000 for additional professional consultant design services, bid design support services, and construction support services (Account No. 897.91725).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A DEVELOPMENT AGREEMENT (PA10-0029) FOR ROCKLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING, AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 (RESIDENTIAL 15) AND OS (OPEN SPACE) LAND USE DISTRICTS. THE PROJECT SITE IS ON THE SOUTHEAST CORNER OF FIR AVENUE AND EUCALYPTUS AVENUE. THE APPLICANT AND OWNER OF THE SITE IS BEAZER HOMES (Continued from March 22, 2011 and May 24, 2011) (Report of: Community & Economic Development Department)

Recommendation:

Introduce Ordinance No. 823, for adoption of a development agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 and conditional use permit/ planned unit development consisting of 275 residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use districts.

Ordinance No. 823

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Development Agreement (PA10-0029) for Rockcliffe at Stoneridge, an Approved Project Encompassing Tentative Tract Map No. 36340 and a Conditional Use Permit/Planned Unit Development Consisting of 275 Residential Lots, a Recreational Building and Private Open Space on Approximately 29 acres in the R15 (Residential 15) and OS (Open Space) Land Use Districts

Motion to Continue to October 11, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, AND 316-200-029 BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

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

Recommendation: That the City Council:

After conducting the individual Public Hearings and accepting public testimony:

a: Direct the City Clerk to tabulate the national Pollutant Discharge Elimination System (NPDES) ballots for First Industrial;

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

10 – "yes" 0 – "no", 0 – "invalid"

b: Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing:

c: Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

d: If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to Assessors Parcel Numbers (APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

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

Recommendation: That the CSD:
That the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conduction the Public Hearing and accepting public testimony:

a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD

Zone M ballot for First Industrial;

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

8,490.43 – "Yes", 0 – "no", 0 – "invalid"

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC. (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

Resolution No. 2011-76

A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

Resolution No. 2011-77

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Ecualyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Continue to August 23, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.4 A PUBLIC HEARING FOR CONSIDERATION OF THE REVISION OF TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT, SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, APPLICATIONS FOR LIGHTING, SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK

SKY PROVISIONS FOR GENERAL ON-SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING CITYWIDE. THE APPLICANT IS THE CITY OF MORENO VALLEY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no action is required. Should the City Council choose to adopt the new standards, the following actions are required:

   RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 831 approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

   Ordinance No. 831

   An Ordinance of the City Council of the City of Moreno Valley, California Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI Applications for Lighting and Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030 "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

   Bring back to a Study session after the implementation of the new Federal law, incorporate any changes in the use of LED or solar and include a review of the impact, if any, of the Federal law.

   Motion to Approve to continue to March 2012 Study Session by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
   Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR

SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a) Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)

An audit is being conducted. The contract management of the residential area of Green Acres was dismissed, and now there is in-house management. The first part of the agreement with March Health Care is being looked at for approval. There is no specific timeline for the dedication of a fire station or a funding mechanism for funding of fire fighters. A fire station will be built. There is no decision on when and where it will be located. The developer needs to pick a site before all the land is dedicated away. A fire protection district might be formed.

G.2 APPROVAL OF CONCESSIONAIRE AGREEMENT WITH PACIFICA UNIVERSITY, INC., FOR THE COTTONWOOD GOLF CENTER (Report of: Parks and Community Services)

President Stewart opened the agenda item for public comments, which were received from Rick Madott, Mick Rood, Kenny Bell, L. T. Duffy, and Tom Jerele, Sr.

Recommendation: That the City Council:
Acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, approve a long-term Concessionaire Agreement between the Moreno Valley Community Services District and Pacifica University, Inc., to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility.

Motion to Approve as amended between the Moreno Valley Community Services District and Pacifica University, Inc. to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

G.3 "BEST PLACE TO DO BUSINESS" ACTION STEPS (Report of: Community & Economic Development Department)
Recommendation: That the City Council:
Approve the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

Mayor Stewart opened the agenda item for public comments, which were received

from Tom Jerele, Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Marcelo Co
Approved by a vote of 5-0.

G.4 APPOINTMENT OF CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE PURPOSE OF REESTABLISHING JULY 4TH EVENTS FOR 2012 (Report of: City Manager's Office)

Recommendation: That the City Council:
Appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012.

Mayor Stewart opened the agenda item for public comments, which were received from Debra Craig, Pete Bleckert, Deanna Reeder, and Tom Jerele, Sr.

Motion to Approve appointment of Council Member Hastings and Mayor Pro Tem Molina to serve as City Council Ad Hoc Subcommittee by m/Mayor Richard A. Stewart, s/Council Member Marcelo Co
Approved by a vote of 5-0.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder
1. August 2 National Night Out
2. Main Street Has Talent

Pete Bleckert
1. Chamber of Commerce

Susan Gilchrist
1. Sound Study

Tom Jerele, Jr.
1. 4th of July Committee
2. Joint Task Force Meetings

Jose Chavez
1. Fireworks

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,

COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Robin N. Hastings

1. Main Street Has Talent is located by Bob's Big Boy at Stoneridge. There are a variety of events to celebrate our young people and to provide a place for them to keep safe in the city. National Night Out will be held there.

2. Attended a Grab and Go event at the ABC Market on the corner of Perris and Alessandro. It is a partnership with the Department of Public Health, and they are putting fruits and vegetables in small convenience markets. Juvenile Diabetes is on the rise. The largest at risk group is our African American community, and they constitute 60% of obesity in the state.

3. In Washington, DC promoting the AB811 Energy Efficiency Program for Moreno Valley. The entire funding model was approved by the Court, and contractors will be trained starting August 2. Applications will be available in August. There is a link at WRCOG.ca.gov that will provide information, applications, what the program is about, and what is going to be available. There is $325M available that was bonded for Western Riverside County. It's the largest program of its type in the United States.

Council Member Marcelo Co

1. Will try very hard to provide the July 4 event. Please ask the business people to participate. They will be more likely to promote their business. Apologize for not having the event, but there weren't any funds. The committee will have a big task to make sure the next one is twice as good as the ones in the past. Everyone is asked to participate. Your help is needed.

Council Member William H. Batey II

1. On August 2 everyone is encouraged to get to know their neighbors and find out who lives in their neighborhood. That's what National Night Out is about. If you know who your neighbors are, you know who does and doesn't belong in your neighborhood. There are three groups getting together in District 5 that evening.

Mayor Pro Tem Jesse L. Molina

1. There will be a Prayer Walk for Hearts for Victims on Friday, July 15, at 5:00 p.m. at Stoneridge on Main Street at Bob's Big Boy in honor of Norma Lopez. (Mayor Pro Tem Molina speaks in Spanish.) Somebody out there knows something, and anyone with information, please go to the police. No one will rest until it is solved.

2. On July 1 the new city of Jurupa Valley held its first council meeting.

3. Still recuperating.

Mayor Richard A. Stewart

1. Impressed with the Golf Course Committee and the way they operated.

2. The Police Department received an Office Traffic Safety grant for approximately $190,000.

3. Through the California Law Enforcement Challenge, the Traffic Division took First Place in Traffic Safety.

4. The International Association of Chiefs of Police notified the Police Department they received First Place at the national level in a category dealing with Traffic Safety.

AGENDA ORDER

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

Meeting Resumed

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at _9:42_ p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:02 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 5:00 PM
July 26, 2011

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 5:03 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Pro Tem Jesse Molina

INVOCATION – Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem (left at 9:15 p.m.)
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES

DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (A5), and Ruthee Goldkorn (A.3).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.3 PM 35629 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION FOR A PORTION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT DESIGNATED AS EASEMENT NOTE "B" DEDICATED ON PARCEL MAP NO. 35629 RECORDED AS INSTRUMENT NO. 2010-0408448 LOCATED ON LOTS B, C, AND D OF PARCEL MAP NO. 35629 AND APPROVAL OF AN OFFER OF DEDICATION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT REPLACING THE ONE BEING SUMMARILY VACATED ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt the proposed Resolution, a summary vacation of a portion of the pedestrian access and sidewalk easement designated as Easement Note "B" dedicated on Parcel Map No. 35629 recorded as Instrument No. 2010-0408448 located on Lots B, C, and D of Parcel Map No. 35629;

Resolution No. 2011-80

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of a Pedestrian Access and Sidewalk Easement Designated as Easement "B" Dedicated on Parcel Map No. 35629 Recorded as Instrument No. 2010-0408448 Located on Lots B, C, and D of Parcel Map No. 35629

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for

MV00122131

recording;

3. Approve the Offer of Dedication of a pedestrian access and sidewalk easement as described in the Offer of Dedication; and

4. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate.

A.5 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY CITY EMPLOYEES' ASSOCIATION FOR FISCAL YEAR 2011-12 (Report of: Human Resources Department)

Recommendation:
Approve the successor Memoranda of Understanding (MOU) between the City of Moreno Valley and the Moreno Valley City Employees Association (MVCEA) for Fiscal Year 2011-12 (Attachment A).

A.6 CREATION OF NEW FIRE PREVENTION JOB TITLE (Report of: Fire Department)

Recommendation:
Approve the position title, description and salary schedule for the temporary part-time position of Fire Prevention Technician within the Fire Prevention Bureau.

A.7 RELOCATION AGREEMENT FOR THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) BOOSTER STATION LOCATED AT THE NORTHWEST CORNER OF NASON STREET AND DRACAEA AVENUE (Report of: Public Works Department)

Recommendation:
1. Approve the Relocation Agreement for the relocation of the existing Eastern Municipal Water District (EMWD) booster station at the northwest corner of Nason Street and Dracaea Avenue;

2. Authorize the City Manager to execute the Relocation Agreement; and

3. Direct the City Clerk to forward the signed Relocation Agreement to Eastern Municipal Water District for execution.

A.8 CREATION OF AN NSP-FUNDED HOMEBUYER ASSISTANCE PROGRAM (NSP-HAP) (Report of: Community & Economic

MV00122132

Development Department)

Recommendation:

1. Approve the creation of an Neighborhood Stabilization Program (NSP) grant-funded Homebuyer's Assistance Program (HAP), modeled after the existing Community Redevelopment Agency (RDA) funded HAP; and

2. Appropriate $250,000 from the NSP fund balance for the NSP-HAP.

Motion to Approve Joint Consent Calendar Items A.1 through D.2, except Items A.2 and A.4 pulled for a separate vote by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings Approved by a vote of 5-0.

AGENDA ORDER

A.2 APPROVAL OF TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT BETWEEN NEXTG NETWORKS OF CALIFORNIA AND THE CITY OF MORENO VALLEY; APPLICANT: NEXTG NETWORKS OF CALIFORNIA, INC., A DELAWARE CORP. MILPITAS, CA (Report of: Public Works Department)

Recommendation:

1. Approve the Telecommunication Network License and Encroachment Agreement between NextG Networks of California and the City of Moreno Valley;

2. Authorize the City Manager to execute the Agreement, subject to City Attorney approval; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

Motion to Approve Item A.2 contingent upon the satisfactory submission of insurance and security in the form acceptable to the City by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A.4 PARCEL MAP NO. 35859 – FIRST SAN MICHELLE LOGISTICS COMPLEX – APPROVE FINAL MAP AND ACCEPT THE AGREEMENT, AND SECURITY FOR PUBLIC IMPROVEMENTS; WEST SIDE OF PERRIS BOULEVARD, EAST SIDE OF KNOX STREET, NORTH SIDE OF NANDINA AVENUE, SOUTH SIDE OF SAN MICHELLE ROAD;

MV00122133

DEVELOPER: FIRST INDUSTRIAL, L.P., A DELAWARE LIMITED PARTNERSHIP, EL SEGUNDO, CA 90245 (Report of: Public Works Department)

Mayor Stewart opened the Agenda Item A.4 for public comments, which were received from George Acosta, Deanna Reeder and Ruthee Goldkorn.

Recommendation:

1. Approve Parcel Map 35859, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

2. Accept the Agreement and Security for Public Improvements;

3. Authorize the Mayor to execute the Agreement;

4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

AGENDA ORDER

G.2 RESOLUTION TO CREATE A JULY 4TH ADVISORY BOARD (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-82 creating the July 4th Advisory Committee; and

Resolution No. 2011-82

A Resolution of the City Council of the City of Moreno Valley, California, to Create a July 4th Advisory Committee

MV00122134

2. Establish trust account 00359.359.2239.16 for receiving donations from the community to fund the City's July 4th Festivities.

Mayor Stewart opened the agenda item for public comments, which received from Deanna Reeder.

Motion to Approve as amended to change the name from "Board" to "Committee" by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

AGENDA ORDER

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND AUTHORIZATION RESOLUTION FOR EXECUTION AND DELIVERY OF CALIFORNIA COMMUNITIES GAS TAX REVENUE CERTIFICATES OF PARTICIPATION, SERIES 2011B TOTAL ROAD IMPROVEMENT PROGRAM (TRIP)

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder.

Recess;
Reconvened

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-81 approving the sale, execution, and delivery of not more than $20 million in principal amount of California Communities Gas Tax Revenue Certificates of Participation, Series 2011B (TRIP – Total Road Improvement Program) (the "COPs" or "Certificates") and approving certain actions in connection therewith, and authorizing judicial validation proceedings relating thereto;

Resolution No. 2011-81

Approving the Execution and Delivery of California Communities Gas Tax Revenue Certificates of Participation, Series 2011b (T.R.I.P. – Total Road Improvement Program) Pursuant to a Trust Agreement, Authorizing the Execution and Delivery of a Trust Agreement, Certificate Purchase Agreement and an Installment Sale Agreement, Authorizing the Distribution of an Official Statement in Connection with the Offering and Sale of

MV00122135

Such Certificates, and Authorizing the Filing of a Validation Action and Other Matters Relating Thereto

Motion to Approve including amended page 8 (providing code section number 2103) by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

2. Approve the proposed budget adjustments as identified on Attachment 6 for Gas Tax and Measure A funded projects/programs as a modification of the approved FY 2011-12 and FY 2012-13 Operating Budget and FY 2011-12 Capital Improvement Plan (CIP);

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

3. Approve the annual transfer of $1,256,000 from the Measure A Fund to the COP Series 2011B Principal and Interest Payment Fund to fund the Installment Payments and reflect the following in Riverside County Transportation Commission's (RCTC) Measure A 5-year Local Streets and Roads CIP:

   a) Transfer from Measure A to the COP Series 2011B Principal and Interest Payment Fund;
   b) Proposed budget adjustments for Measure A funded projects/programs as identified on Attachment 6;

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

4. Authorize the Public Works Director / City Engineer to submit an amended FY 2012-2016 Measure "A" Local Streets and Roads Five-Year CIP to the Riverside County Transportation Commission (RCTC) to include the addition of the Nason Street Project from Fir Avenue to Cactus Avenue;

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

MV00122136

5. Appropriate $1,256,000 in the COP Series 2011 B Principal and Interest Payment Fund expense budget for installment payments; and

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

6. Authorization the addition of the Nason Street Project from Fir Avenue to Cactus Avenue in the FY 2011-12 CIP and authorize the appropriation of up to $15,000,000 for this project.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

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

G. REPORTS

G.1 REDISTRICTING PRESENTATION BY NATIONAL DEMOGRAPHICS CORPORATION FOUNDER ALAN HESLOP (ORAL PRESENTATION) (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Clerk's Department)

Mayor Stewart opened the agenda item for public comments, which were received from Ruthie Goldkorn, Deanna Reeder, Pete Bleckert, Tom Jerele, and Christopher Baca.

No action required.

G.3 RESOLUTION OF THE CITY COUNCIL DECLARING ITS INTENTION TO ENACT AN ORDINANCE WHEREBY THE CITY SHALL ELECT TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING THE CITY TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; AND RESOLUTIONS OF THE CITY COUNCIL AND OF THE COMMUNITY REDEVELOPMENT AGENCY APPROVING THE AGREEMENT TO TRANSFER TAX INCREMENT (Report of: Community & Economic Development Department)

MV00122137

Mayor Stewart opened the agenda item for public comments, which were received from Susan Gilchrist and Deanna Reeder.

Recommendation: That the City Council:

1. Introduce an Ordinance No. 832 for first reading and schedule adoption of the Ordinance for August 23, 2011 whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

Motion to Amend the proposed Ordinance No. 832 to include the following language:

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, the City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be or has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1x 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay.

Amend paragraph 3 to read as follows:

The City hereby ordains that the City, under protest, shall comply with the Constitution and the laws of the State of California, including Part 1.9 of Division 24 of the Health and Safety Code, including the determination of remittance amounts, appeal rights in relation thereto, and the making of the remittances referred to in CRL Section 34194(b) and (c) at the times and in the manner described in Part 1.9, without prejudice to the rights of the City (a) to challenge or join with other entities challenging the validity of the Dissolution Act and the Alternative Voluntary Redevelopment Program, (b) to review and appeal the amounts of community remittances required by the Alternative Voluntary Redevelopment Program, (c) in the event a court of competent jurisdiction grants an injunction or stay enjoining the effectiveness of the Dissolution Act and/or the Alternative Voluntary Redevelopment Program, to withhold community remittances while that injunction or stay is in effect, (d) in the event the Dissolution Act and/or the Alternative Voluntary Redevelopment Program is declared invalid by a court of competent jurisdiction, to obtain a refund of any community remittances paid pursuant to the Alternative Voluntary Redevelopment Program and this Ordinance and this Ordinance will immediately become null and void and have no further force or effect, and (e) to subsequently determine, based on circumstance and information then available to the City Council, including the amounts of required community remittances, that is not in the best interests of the City to continue to participate in the Alternative Voluntary Redevelopment Program, in which case the City Council shall formally repeal this Ordinance and the Agency shall be subject to the Dissolution Act. This Ordinance is that ordinance referred to in CRL Section 34193 and shall be interpreted and applied in all respects so as to fully comply with Part 1.9, to the fullest extent required by law.

Motion to Approve the amendment to the proposed Ordinance No. 832 by m/Robin N. Hastings, s/William H. Batey II
Approved by a vote of 5-0.

Motion to Introduce Ordinance No. 832 as amended by m/Robin N. Hastings, s/Marcelo Co
Approved by a vote of 5-0.

2. Adopt Resolution No. 2011-83 declaring its intention to enact an Ordinance whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Resolution No. 2011-83

A Resolution of the City Council of the City of Moreno Valley

MV00122139

Declaring its Intention to Enact an Ordinance Whereby the City Shall
Elect Comply with and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

3. Adopt Resolution No. 2011-84, a resolution of the City of Moreno Valley approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. 2011-84

A Resolution of the City of Moreno Valley Approving an Agreement to Transfer Tax Increment by and Between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley Dated as of August 30, 2011 and Making Certain Findings in Connection Therewith

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

4. That the Community Redevelopment Agency Board of Directors adopt RDA Resolution No. 2011-11, a resolution of the Community Redevelopment Agency approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. RDA 2011-11

A Resolution Of The Community Redevelopment Agency Of The City Of Moreno Valley Approving The Agreement To Transfer Tax Increment By And Between The Agency And The City Of Moreno Valley Dated As Of August 30, 2011 And Making Certain Findings In Connection Therewith

Motion to Approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co

MV00122140

Approved by a vote of 5-0.

5. That the City Council and the Redevelopment Agency Board of Directors authorize the City Manager, the Executive Director of the Redevelopment Agency and the Finance and Administrative Services Director to execute documents necessary to comply with the adopted Resolutions and Ordinance;

Motion to Approve by m/Council Member and Agency Member Robin N. Hastings, s/Council Member and Agency Member Marcelo Co
Approved by a vote of 5-0.

6. Authorize the transfer of $6,169,642 from RDA Tax Increment fund balance to General Fund fund balance to comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code; and

Motion to Approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co
Approved by a vote of 5-0.

7. Authorize the appropriation of $6,169,642 from General Fund fund balance and remit payments to the County Auditor-Controller, as stated per ABX1 27.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Ray Hicks
1. Relocation of steam generators emitting very low radiation

MV00122141

Pete Bleckert
1. Improvement of roads

Ruthie Goldkorn
1. Infrastructure of Nason area

Deanna Reeder
1. Public record request regarding City Manger's expenditure
2. Spending on infrastructure

Adolf Kruger
1. Enforcing Ordinance 740, which regulate excessive noise

Susan Gilchrist
1. Enforcement of Moreno Valley Municipal Code
2. Sketchers

Narem Qureshi
1. Selective enforcement of Code Compliance

Kenny Bell
1. Attracting businesses; action of the Planning Commissioners

Tom Jerele on behalf of himself and Sundance Plaza Shopping Center
1. Thanked the Council for voting on Item G.3 (redevelopment program)
2. Burglary at the Sundae Center
3. State of the City Address - a great event
4. Edison company bringing radioactive materials

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

Mayor Stewart
1. Responded to speaker's comments: portion that is going to be changed is not part of the original Aquabella senior housing project
2. Suggested setting up a seminar to educate new Planning Commissioners about their roles and responsibilities
3. Infrastructure on Nason was overlooked in the past; big users didn't pay for infrastructure

CLOSED SESSION - canceled

ADJOURNMENT

Motion to Adjourn: there being no further business to conduct, the meeting was adjourned at 9:34 p.m. by unanimous informal consent by Council Member Robin N. Hastings, s/Council Member Marcelo Co. Molina

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

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MV00122143

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of July 6 – August 16, 2011.

Reports on Reimbursable Activities July 6 – August 16, 2011		
Council Member	Date	Meeting
William H. Batey II	8/16/11	Lori Schiefelbein's Retirement Lunch
Marcelo Co	8/16/11	Lori Schiefelbein's Retirement Lunch
Robin N. Hastings	8/16/11	Lori Schiefelbein's Retirement Lunch
Jesse L. Molina		None
Richard A. Stewart	7/27/11	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	8/2/11	Moreno Valley Hispanic Chamber of Commerce Adelante

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: AMENDMENT TO THE RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST

RECOMMENDED ACTION

Staff recommends that the City Council:

1) Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2) Approve the reprioritized Rule 20A priority list.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The California Public Utilities Commission (CPUC) Rule 20 establishes the policies and procedures for the conversion of overhead power lines and facilities to underground lines and facilities in a process called "undergrounding". Within the CPUC's Rule 20, is Rule 20A, which is a program that allows conversion projects to be paid through a utility provider's utility rate funds. Using CPUC formulas, Southern California Edison (SCE) designates to each city and county government in its service territory an annual monetary allowance for the purpose of undergrounding overhead electric facilities through the Rule 20A program. The City identifies overhead power line project sites for SCE consideration. If SCE concurs that the project site meets a minimum of one of the approved CPUC Rule 20A project criteria, steps may proceed toward the establishment of an underground utility district and construction of the project. Currently there are

several locations throughout the City that qualify for undergrounding overhead facilities. In 1999, in an effort to determine a priority of the project areas, the City Council approved the Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (General Management Policy # 2.33) along with a priority list of project areas.

DISCUSSION

On October 12, 1999, the City Council adopted General Policy # 2.33, Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy.

In an effort to further refine and define the Rule 20A policy, the following modifications are being proposed to the General Management Policy # 2.33 (See Exhibit A for the redline copy):

1. Modifying the policy to incorporate the CPUC's addition of a fourth qualifying criteria to the Rule 20 tariff. This qualification allows any arterial or major collector road in a local government's general plan to qualify for Rule 20A funding of overhead utilities. By adding this qualifying criterion, the policy can accurately reflect all the current options that satisfy a project for the possibility of Rule 20A funding;

2. Modifying the policy to provide the City Council the ability to prioritize the undergrounding of overhead utilities as necessary to meet the current goals of the Capital Improvement Plan (CIP) and the Economic Development Action Plan adopted by the City Council on April 26, 2011. By allowing the City Council the ability to provide direction in the selection of overhead utility areas to be undergrounded, the City has the flexibility to proceed with the selection of undergrounding projects that are in the best interests of the City at large; and

3. Modifying the policy to include clarity to certain procedural requirements for the creation of an underground district and to account for updated SCE estimates and scheduling changes that have developed over time.

Additionally, the Rule 20A priority list has been revised to reflect the removal of those areas where conversions of overhead utility equipment have been completed, along with reordering to accommodate the goals as outlined in the CIP and Economic Development plans. This revised priority list provides a current overview of the areas throughout the City that will benefit from the undergrounding of overhead utilities.

ALTERNATIVES

1. Approve and adopt the amended General Management Policy # 2.33 (Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy) and approve the revised Rule 20A project priority list. *By adopting the proposed amendments to General Management Policy # 2.33 and approving the revised priority list, the City Council will bring the policy current and in accordance with the CPUC*

approved Rule 20A guidelines, which will provide the City Council flexibility within Policy # 2.33 guidelines to select areas to receive Rule 20A funding of overhead facilities. These modifications will help to support the goals as outlined in the CIP and Economic Development plans, and as may be amended from time to time.

2. Do not adopt the proposed amends to the General Management Policy # 2.33 (Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy) and do not approve the revised Rule 20A project priority list. *By not approving and adopting the proposed amendments nor approving the revised priority list, the City Council will continue to operate in accordance with the current criteria and guidelines of General Management Policy # 2.33, which is deficient in listing all CPUC approved qualifying Rule 20A criteria for the selection of underground project areas. Additionally the policy in the present form contains outdated cost and scheduling estimates for project completion and limits Council's flexibility in determining project selection, which may run contrary to the City's goals as outlined in the current, or as may be amended, CIP and Economic Development plans.*

FISCAL IMPACT

Using CPUC formulas, SCE designates an annual Rule 20A allocation of funds to city and county governments within their service territory for the purpose of undergrounding overhead facilities. The designation of funds is based on several factors and can vary from year to year. In accordance with CPUC guidelines, to accommodate the completion of larger projects, local governments may, with SCE approval, borrow up to five years of anticipated Rule 20A allocations based on anticipated future year allocations, to complete a Rule 20A project. There is **no fiscal impact** on the General Fund for approving and adopting the amended policy or the priority list.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness

The Rule 20A program helps to promote a sense of pride in the community and foster an excellent image by placing necessary utility lines and facilities underground where they will continue to provide the community with essential services, yet provide an uncluttered and unobtrusive appearance.

SUMMARY

The action before the City Council is to approve and adopt the proposed amendments to the Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy and approve the revised Rule 20A priority list.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A – Amended Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (Redline copy)

Exhibit B – Amended Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (Clean copy)

Exhibit C – Revised Rule 20A Priority List

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Candace E. Cassel
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

PURPOSE: To establish procedures and criteria for prioritizing electric utility-funded projects pertaining to overhead utility equipment conversion to underground service.

POLICY:

I. Definition of Overhead Utility Equipment Conversion

The California Public Utilities Commission requires Southern California Edison (SCE) to designate funds for each county and city in its service territory to fund~~spend~~ the ~~replacing~~ replacement of overhead electrical lines and associated power poles with underground equipment. SCE refers to the utility-funded overhead utility equipment conversion program as "Rule 20A". Funds are allocated to the City of Moreno Valley for expenditures on City-identified projects, provided that the City Council has:

A. Determined that such undergrounding is in the general public interest by satisfying ~~for~~ one or more of the following reasons to qualify for funding under Rule 20A:

1. The proposed undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; ~~or~~

3. The street or road or right-of-way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public; or

4. The location qualifies as an arterial or major collector road in a local government's general plan.

B. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located.

II. Process

The responsible City department will:

A. Develop a list of potential projects by identifying streets, civic areas, or public recreation areas near overhead utility equipment. Categorize streets as Image Corridors (primary priority) or Transportation Corridors (secondary priority) classifications.

At the discretion of the City Council, projects located on either primary or secondary roadways may be given a higher priority if they are located within areas of the City that promote the goals of the City's Capital Improvement Plan (CIP) and/or the City's Economic Development Plan, as may be subsequently amended.

B. Projects not receiving a high priority status from the City Council (per Section IIA) will be evaluated ~~Evaluate streets on primary~~ and prioritized ~~priority list~~ according to the following weighted criteria.

1. Traffic Counts: 15% of total score

   This category recognizes the benefit received by citizens passing proposed utility line conversion sites. Streets with higher traffic counts receive higher scores.

2. Percent Commercial/Parkway Land Uses: 15% of total score

   This category recognizes the benefit received by property owners and citizens visiting parcels adjacent to proposed utility line conversion sites. Commercial land uses directly facing the street receive higher scores because traffic to a commercial property is typically higher than to a similarly situated residential property. Therefore, more citizens benefit from the improved aesthetic environment near commercial property or in a neighborhood. Streets with higher proportions of adjacent commercial and/or parkway land uses receive higher scores.

3. Percent Drops/Parcels Benefited: 15% of total score

   A drop is any structure that receives power directly from the overhead power distribution line to be undergrounded. If the distribution line is converted, SCE must change the way the structure receives power. SCE may hang a new overhead line to the building (usually from a pole set back from the street). However, if another overhead power source cannot be secured, the structure's electrical panel and power connection would be converted/undergrounded. Rule 20A funds cannot pay for upgrades to individual parcels so the City would have to identify another funding source.

   Project sites with fewer drops receive higher scores.

4. Estimated Cost @ $500~~250~~ per linear foot: 15% of total score

   SCE staff currently estimate construction costs at approximately $500~~250~~ per linear foot of overhead line to be undergrounded. Potential sites shall be measured and estimated costs shall be calculated. Project completion time from site selection through construction is approximately ~~two~~four years~~. In two years, the City of Moreno Valley receives approximately $500,000. Projects estimated to cost less than $500,000 receive higher scores.~~

5. Percent of Front Footage Fully Improved 10% of total score

   Projects along fully improved streets (including curb and gutter) receive higher scores.

6. Percent of Parcels Developed 10% of total score

   Underground electrical cable adjacent to a fully developed parcel is less likely to later interfere with construction and/or require relocation. Projects with greater percentages of developed adjacent parcels receive higher scores.

7. Availability of Outside Participation (In-Lieu fees): 10% of total score

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

Newly developing parcels are usually required to install electrical facilities underground. However, where neighboring parcels have not yet converted electrical facilities, developers/property owners often prefer to deposit funds with the City in lieu of paying to convert a small distance of overhead line. Project sites with available "In-Lieu" fees receive higher scores.

8. Coordinates with Other Improvements 5% of total score

Projects that coincide with another public improvement project receive higher scores.

9. Conflicting Utilities: 5% of total score

Other utility companies use Edison power poles to suspend overhead lines. Projects without other utility involvement receive higher scores.

C. Establish a priority list based on City Council priorities first and then based on calculated scores per Section II B (if applicable). Projects will be ~~.S~~scheduled ~~projects~~ according to City Council priorities and then based on the ~~to~~highest average group score.

D. As SCE Rule 20A funding accumulates, pursue conversion of overhead utility equipment to underground facilities according to the established priority list as determined by the City Council.

1 Communicate City consideration of a selected site with all utilities.

2 Adopt an ordinance or resolution creating an underground utility district.

E. Re-evaluate potential project sites as City Council priorities and project site conditions change.

F. Survey and score project sites on the ~~secondary~~ priority lists as ~~the primary list~~ projects near~~s~~ completion.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

PURPOSE: To establish procedures and criteria for prioritizing electric utility-funded projects pertaining to overhead utility equipment conversion to underground service.

POLICY:

I. Definition of Overhead Utility Equipment Conversion

The California Public Utilities Commission requires Southern California Edison (SCE) to designate funds for each county and city in its service territory to fund the replacement of overhead electrical lines and associated power poles with underground equipment. SCE refers to the utility-funded overhead utility equipment conversion program as "Rule 20A". Funds are allocated to the City of Moreno Valley for expenditures on City-identified projects, provided that the City Council has:

A. Determined that such undergrounding is in the general public interest by satisfying one or more of the following reasons to qualify for funding under Rule 20A:

1. The proposed undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;

3. The street or road or right-of-way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public; or

4. The location qualifies as an arterial or major collector road in a local government's general plan.

B. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located.

II. Process

The responsible City department will:

A. Develop a list of potential projects by identifying streets, civic areas, or public recreation areas near overhead utility equipment. Categorize streets as Image Corridors (primary priority) or Transportation Corridors (secondary priority) classifications.

At the discretion of the City Council, projects located on either primary or secondary roadways may be given a higher priority if they are located within areas of the City that promote the goals of the City's Capital Improvement Plan (CIP) and/or the City's Economic Development Plan, as may be subsequently amended.

B. Projects not receiving a high priority status from the City Council (per Section IIA) will be evaluated and prioritized according to the following weighted criteria.

1. Traffic Counts: 15% of total score

   This category recognizes the benefit received by citizens passing proposed utility line conversion sites. Streets with higher traffic counts receive higher scores.

2. Percent Commercial/Parkway Land Uses: 15% of total score

   This category recognizes the benefit received by property owners and citizens visiting parcels adjacent to proposed utility line conversion sites. Commercial land uses directly facing the street receive higher scores because traffic to a commercial property is typically higher than to a similarly situated residential property. Therefore, more citizens benefit from the improved aesthetic environment near commercial property or in a neighborhood. Streets with higher proportions of adjacent commercial and/or parkway land uses receive higher scores.

3. Percent Drops/Parcels Benefited: 15% of total score

   A drop is any structure that receives power directly from the overhead power distribution line to be undergrounded. If the distribution line is converted, SCE must change the way the structure receives power. SCE may hang a new overhead line to the building (usually from a pole set back from the street). However, if another overhead power source cannot be secured, the structure's electrical panel and power connection would be converted/undergrounded. Rule 20A funds cannot pay for upgrades to individual parcels so the City would have to identify another funding source.

   Project sites with fewer drops receive higher scores.

4. Estimated Cost @ $500 per linear foot: 15% of total score

   SCE staff currently estimate construction costs at approximately $500 per linear foot of overhead line to be undergrounded. Potential sites shall be measured and estimated costs shall be calculated. Project completion time from site selection through construction is approximately four years.

5. Percent of Front Footage Fully Improved 10% of total score

   Projects along fully improved streets (including curb and gutter) receive higher scores.

6. Percent of Parcels Developed 10% of total score

   Underground electrical cable adjacent to a fully developed parcel is less likely to later interfere with construction and/or require relocation. Projects with greater percentages of developed adjacent parcels receive higher scores.

7. Availability of Outside Participation (In-Lieu fees): 10% of total score

   Newly developing parcels are usually required to install electrical facilities underground. However, where neighboring parcels have not yet converted electrical facilities, developers/property owners often prefer to deposit funds with the City in lieu of paying to

Exhibit B

MV00122153

convert a small distance of overhead line. Project sites with available "In-Lieu" fees receive higher scores.

8. Coordinates with Other Improvements 5% of total score

   Projects that coincide with another public improvement project receive higher scores.

9. Conflicting Utilities: 5% of total score

   Other utility companies use Edison power poles to suspend overhead lines. Projects without other utility involvement receive higher scores.

C. Establish a priority list based on City Council priorities first and then based on calculated scores per Section II B (if applicable). Projects will be scheduled according to City Council priorities and then based on the highest average group score.

D. As SCE Rule 20A funding accumulates, pursue conversion of overhead utility equipment to underground facilities according to the established priority list as determined by the City Council.

   1 Communicate City consideration of a selected site with all utilities.

   2 Adopt an ordinance or resolution creating an underground utility district.

E. Re-evaluate potential project sites as City Council priorities and project site conditions change.

F. Survey and score project sites on the priority lists as projects near completion.

Exhibit B

MV00122154

Rule 20A Priority List

High Priority

STREET NAME	STRETCH TO BE UNDERGROUNDED
Cactus Avenue	Lasselle Street to Moreno Beach Drive
Nason Street	State Highway 60 to Alessandro Boulevard
Nason Street	Alessandro Boulevard to Cactus Avenue

Medium Priority*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Alessandro Boulevard	Old State Highway 215 to Day Street
Alessandro Boulevard	Day Street to Elsworth Street
Alessandro Boulevard	Elsworth Street to Frederick Street
Alessandro Boulevard**	Nason Street to Wilmont Street
Cottonwood Avenue**	Day Street to Elsworth Street
Cottonwood Avenue**	Morrison Street to Moreno Beach Drive
Frederick Street	Cottonwood Avenue to Bay Avenue
Frederick Street	Bay Avenue to Alessandro Boulevard
Indian Street**	Iris Avenue to the Southern City Limits
Perris Boulevard	Fir Avenue to Eucalyptus Avenue
Perris Boulevard	Eucalyptus Avenue to Dracaea Avenue
Perris Boulevard	Dracaea Avenue to Cottonwood Avenue
Perris Boulevard	W/S Cottonwood Avenue to Bay Avenue
Perris Boulevard	W/S Bay Avenue to Alessandro Avenue
Redlands Boulevard**	Most of Redlands Boulevard from Ironwood Ave to Bay Avenue and Brodiaea Avenue to John F. Kennedy Drive
Sunnymead Boulevard	S/S Heacock Street to Indian Street
Sunnymead Boulevard	S/S Indian Street to Perris Boulevard

Low Priority*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Alessandro Boulevard	Perris Boulevard to Lasselle Street
Alessandro Boulevard	Nason Street to the Eastern City Limits
Alessandro Boulevard**	Perris Boulevard to Kitching Street (small stretches)
Alessandro Boulevard**	Kitching Street to Lasselle Street
Alessandro Boulevard**	Merwin Street to the Eastern City Limits
Cactus Avenue	Indian Street to Perris Boulevard
Cactus Avenue	Kitching Street to Lasselle Street

Approved by:
Date:

MV00122155

Rule 20A Priority List

Low Priority List (Continued)*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Cactus Avenue**	Ponder Street to Perris Boulevard
Cottonwood Avenue**	Perris Boulevard to Silver Lane
Cottonwood Avenue**	W/O Lasselle Street to E/O Lasselle Street (small stretch)
Cottonwood Avenue	State Highway 215 to W/O Heacock Street
Cottonwood Avenue	E/O Heacock Street to Moreno Beach Drive
Eucalyptus Avenue	Heacock to E/O Perris Boulevard
Eucalyptus Avenue	Kitching Street to Lasselle Street
Graham Street	Dracaea Avenue to Cottonwood Avenue
Graham Street**	Alessandro Boulevard to Cactus
Heacock Street	Between Reche Vista & Sunnymead Ranch Parkway
Heacock Street**	Between Reche Vista and Mountainside Road
Indian Street	Manzanita Avenue to Bay Avenue
Indian Street	Alessandro Boulevard to the Southern City Limits
Indian Street**	Dracaea Avenue to Cottonwood Avenue
Indian Street**	Iris Avenue to the Southern City Limits
Iris Avenue**	Most of Iris Avenue Indian Street to Perris Boulevard
Ironwood Avenue	Morton Road to Clark Street
Ironwood Avenue	Kitching Street to Pettit Street
Ironwood Avenue**	Morton Road to Clark Street
Ironwood Avenue**	W/O Nason Street to Moreno Beach Drive
Locust Street **	Various stretches between Moreno Beach Drive and Redlands Boulevard
Nandina Avenue**	Indian Avenue to Perris Boulevard
Perris Boulevard**	Select stretches: Manzanita Avenue to Ironwood Avenue Cactus Avenue to Delphinium Avenue John F. Kennedy Drive to Filaree Avenue Gentian Avenue to Iris Avenue Krameria Avenue to Northern Dancer Drive Suburban Lane to the City Limits

* Street Names sorted alphabetically. Project selection will be determined based on General Management Policy #2.33, once funding is available.

** Portions adjacent to undeveloped parcels may involve property owner participation.

Approved by:
Date:

MV00122156

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive.

   All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained electric utility system.

BACKGROUND

On October 12, 2010, the City Council awarded the construction contract to H & H General Contractors, Inc., for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, (Account Numbers are listed under Fiscal Impact) and authorized the issuance of a Purchase Order in the amount of $2,413,664.00 (the base bid amount plus 10% contingency) was issued to the Contractor.

To ensure the safety and reliability of the MVU electric grid, it was necessary to construct a new electric distribution line extension circuit to accommodate the increased demand on the system.

DISCUSSION

H & H Contractors, Inc. completed construction on June 7, 2011, of the electrical conduits, manholes, vaults and switches and/or installation and energizing of 1000 KCMIL, 12kV cable on the following Projects:

Project No's. MVU-0003, 0006, and 0008:
Cottonwood Ave – Moreno Beach Drive to Quincy Street;

Project No's. MVU-0010, 0011, 0012, 0014:
John F. Kennedy Drive – Perris Boulevard to Lasselle Street;
Lasselle Street – John F Kennedy Drive to Cactus Avenue;
Cactus Avenue – Lasselle Street to Nason Street;
Nason Street – Cactus Avenue to Alessandro Boulevard;
Alessandro Boulevard – Morrison Street to Moreno Beach Drive

The Contractor completed the project at a total construction cost of $2,176,673.66, inclusive of Contract Change Order No. 1 and Change Order No. 2 (Final) in the amount of $110,548.86. The improvements were completed on schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive, which was constructed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project. Accept the improvements into the City's maintained electric utility system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained electric utility system.*

2. Do not accept the work as complete for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive, which was constructed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536. Do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code. Do not authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project. Do not accept the improvements into the City's maintained electric utility system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained electric utility system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2010-2011 Capital Improvements Project Budget. This project is funded through the 2007 Lease Revenue Bonds approved by the City Council on March 13, 2007. MVU will receive various reimbursements from other development for some of the capital costs.

Fiscal Year 2010/2011 Capital Improvement Budget:

MVU – 0003 (Account No. 602.61829)	$489,814
MVU – 0006 (Account No. 602.61832)	$ 32,367
MVU – 0008 (Account No. 602.61827)	$482,099
MVU – 0010 (Account No. 602.61835)	$806,260
MVU – 0011 (Account No. 602.61836)	$525,500
MVU – 0012 (Account No. 602.61837)	$551,660
MVU – 0014 (Account No. 602.61839)	$448,907
Total Budgeted Funds	**$3,336,607**

FINAL CONSTRUCTION RELATED COSTS:

Construction Contract	$2,176,674
Project Administration and Inspection (City Staff and Consultant)	$ 137,376
Total Project Construction Costs	$2,314,050

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community. *The construction of these facilities will expand the MVU electrical distribution system.*

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained. *The expansion of the MVU electrical distribution system will foster a positive environment and potentially help contribute to development of Moreno Valley's future.*

SUMMARY

H & H Contractors, Inc. completed the construction of the required structures, conduits, conductors, switches, and related electrical apparatus necessary to transfer load from the Cactus, Lasselle, Iris, and Globe 12kV interconnections and provide operational flexibility within the MVU electric grid on June 7, 2011. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to H & H General Contractors, Inc., and accept the improvements into the City's maintained electric utility system.

ATTACHMENTS

Attachment “A” – Location Map

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Jeanette Olko
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MVU-0003,MVU-0006 ,MVU-0008 MVU-0010,MVU-0011,MVU-0012 & MVU-0014

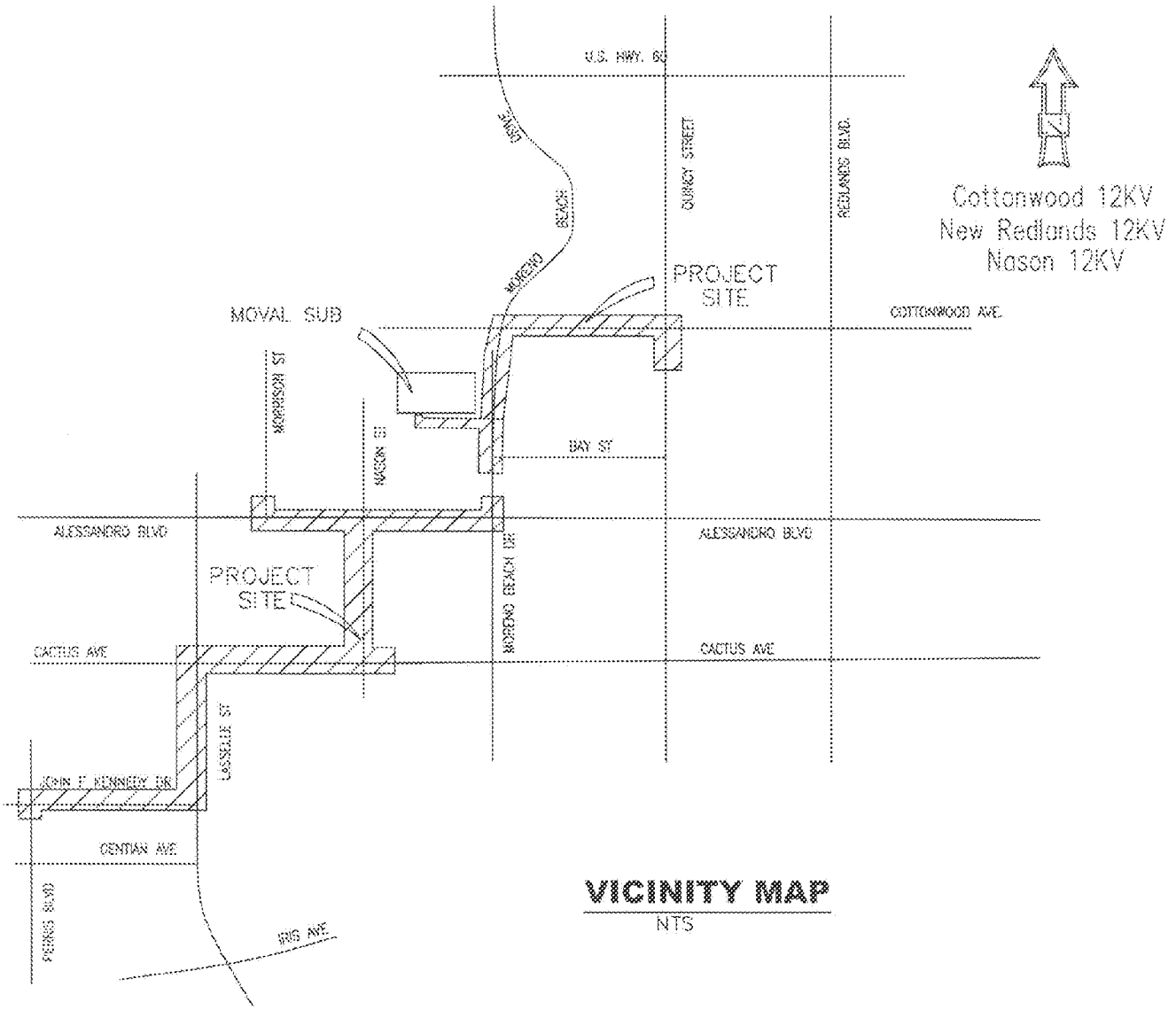

VICINITY MAP
NTS

Attachment "A"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2010-11 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-85
Check Register for Month of May, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2011 through May 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2011 through May 31, 2011, in the total amount of $10,409,143.31 is approved.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00122166

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC			Remit to: **SANTA FE SPRINGS**	**CA**
5/16/2011	207795	35,418.28		
			REHAB COSTS-14131 ST TROPEZ CT	15,585.51
			REHAB COSTS-25263 DRAKE DR	19,832.77
	Vendor Total	**35,418.28**		
FYTD for A N R INDUSTRIES, INC		**382,295.79**		
AFTERSCHOOL STORE.COM			Remit to: **PALMDALE**	**CA**
5/2/2011	207603	44,826.18		
			AFTERSCHOOL SNACKS-STARS	33,563.18
			AFTERSCHOOL SNACKS-STARS	11,263.00
	Vendor Total	**44,826.18**		
FYTD for AFTERSCHOOL STORE.COM		**321,570.52**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
5/23/2011	207904	248,346.99		
			SR-60/NASON ST INTRCHNG PROJ	198,677.59
			SR-60/NASON ST INTRCHNG PROJ	49,669.40
	Vendor Total	**248,346.99**		
FYTD for ALL AMERICAN ASPHALT, INC.		**248,346.99**		
BANC OF AMERICA PUBLIC CAPITAL CORP			Remit to: **ATLANTA**	**GA**
5/2/2011	110503	32,556.40		
			DBT SVC-2011 PRIV PL REF 97LRB	32,556.40
	Vendor Total	**32,556.40**		
FYTD for BANC OF AMERICA PUBLIC CAPITAL CORP		**32,556.40**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/31/2011	882802	40,899.18		
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-S AQDCT B	735.00
				LANDSCAPE MAINT-SENIOR CTR	262.50
				LANDSCAPE MAINT-N AQDCT	525.00
				LANDSCAPE MAINT-S AQDCT A	850.50
				LANDSCAPE MAINT-SCE/OLD LAKE D	1,785.00
				LANDSCAPE MAINT-PAN AM SECT	600.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MVU SUB	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-E3	10,625.00
				LANDSCAPE MAINT-E3A	1,000.00
	Vendor Total		**40,899.18**		
FYTD for BEMUS LANDSCAPE, INC.			**519,366.45**		
CITY OF RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208026	125,000.00		
				TRAFFIC SIG COORD/SYNC PROJECT	125,000.00
	Vendor Total		**125,000.00**		
FYTD for CITY OF RIVERSIDE			**133,610.09**		
COUNTY OF RIVERSIDE AUDITOR				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208031	29,927.35		
				PARKING CONTROL FEES	26,895.35
				PARKING CONTROL FEES	3,032.00
	Vendor Total		**29,927.35**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**243,752.62**		
COUNTY OF RIVERSIDE AUDITOR CONTROLLER				Remit to: **RIVERSIDE** **CA**	
	5/10/2011	110504	1,082,578.00		
				SERAF PAYMENT FOR F/Y2010-11	1,082,578.00
	Vendor Total		**1,082,578.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR CONTROLLER			**1,082,578.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE FIRE DEPT				Remit to: **PERRIS** **CA**	
	5/31/2011	882807	3,035,253.64		
				FPARC-MV 230920,10-11,Q3	3,035,253.64
	Vendor Total		**3,035,253.64**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT			**12,744,604.32**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/16/2011	882738	36,862.28		
				CITATION PRCSSNG SVCS-CODE	14,408.16
				CITATION PRCSSNG SVCS-CODE	22,454.12
	Vendor Total		**36,862.28**		
FYTD for DATA TICKET, INC.			**241,885.62**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/16/2011	207822	38,247.25		
			WATER CHARGES	488.74
			WATER CHARGES	193.77
			WATER CHARGES	257.29
			WATER CHARGES	2,000.26
			WATER CHARGES	33.60
			WATER CHARGES	660.57
			WATER CHARGES	2,195.53
			WATER CHARGES	95.26
			WATER CHARGES	11,015.75
			WATER CHARGES	942.47
			WATER CHARGES	5,384.64
			WATER CHARGES	3,245.14
			WATER CHARGES	2,829.22
			WATER CHARGES	3,738.70
			WATER CHARGES	1,023.79
			WATER CHARGES	1,302.35
			WATER CHARGES	702.41
			WATER CHARGES	426.21
			WATER CHARGES	319.15
			WATER CHARGES	219.06
			WATER CHARGES	799.63
			WATER CHARGES	373.71
5/23/2011	207934	35,064.14		
			WATER CHARGES	1,117.91
			WATER CHARGES	635.96
			WATER CHARGES	488.31
			WATER CHARGES	9,153.60
			WATER CHARGES	1,632.23
			WATER CHARGES	1,704.82
			WATER CHARGES	2,701.45
			WATER CHARGES	7,004.05
			WATER CHARGES	520.46
			WATER CHARGES	248.48
			WATER CHARGES	52.62
			WATER CHARGES	1,510.65
			WATER CHARGES	2,391.75
			WATER CHARGES	205.35
			WATER CHARGES	1,777.94
			WATER CHARGES	1,230.78
			WATER CHARGES	345.84
			WATER CHARGES	219.74
			WATER CHARGES	297.43
			WATER CHARGES	1,330.83
			WATER CHARGES	493.94
	Vendor Total	**73,311.39**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,287,449.35**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ECONOMIC DEVELOPMENT AGENCY			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207722	33,275.00		
			AUTOMATION SVCS-LIBRARY	33,275.00
Vendor Total		**33,275.00**		
FYTD for ECONOMIC DEVELOPMENT AGENCY		**127,050.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
5/6/2011	2855	34,213.77		
			STATE INCOME TAX W/H 5/6/11	34,213.77
5/20/2011	2863	34,186.81		
			STATE INCOME TAX W/H 5/20/11	34,186.81
Vendor Total		**68,400.58**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**976,215.46**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
5/9/2011	882655	192,533.98		
			DISTRIBUTION CHARGES	168,447.20
			SPCL/TEMP CHARGES	8,842.00
			BAD DEBT REDUCTION	-4,241.93
			ONLINE UTILITY SERVICES	199.20
			ELECTRIC METER CHARGES-UT	7,215.00
			ELECTRIC METER CHARGES-UT	425.00
			WORK AUTH SVCS-WASTE MGT	1,744.53
			WORK AUTH SVCS-HIGHLAND FRVW	5,432.08
			WORK AUTH SVCS-HIGHLAND FRVW	222.23
			WORK AUTH SVCS-DSP	1,466.85
			WORK AUTH SVCS-HARBOR FREIGHT	1,214.34
			WORK AUTH SVCS-BEAZER TR 36340	1,567.48
5/31/2011	882810	35,174.70		
			WORK AUTH SVCS-HIGHLAND FRVW	7,487.92
			WORK AUTH SVCS-DSP	1,135.39
			WORK AUTH SVCS-TR 36340	24.64
			ELECT METER CHARGES	4,890.00
			CORP YARD ADM BLDG ELECTR WORK	118.52
			12KV NEW REDLAND CKT WORK	21,044.23
			METER FEES-SOLAR CUST	474.00
Vendor Total		**227,708.68**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,519.17**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON** **CA**	
5/16/2011	207827	110,036.25		
			PREFAB RESTROOM-SHADOW MTN PRK	110,036.25
Vendor Total		**110,036.25**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**110,036.25**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
5/2/2011	207634	434,340.00		
			MV UTIL. PROJ CONSTRUCT. SVCS	21,611.82
			MV UTIL. PROJ CONSTRUCT. SVCS	289,903.09
			MV UTIL. PROJ CONSTRUCT. SVCS	14,199.18
			MV UTIL. PROJ CONSTRUCT. SVCS	2,838.21
			MV UTIL. PROJ CONSTRUCT. SVCS	44,352.77
			MV UTIL. PROJ CONSTRUCT. SVCS	61,434.93
5/31/2011	208110	435,380.67		
			MV UTIL. PROJ CONSTRUCT. SVCS	413,383.85
			MV UTIL. PROJ CONSTRUCT. SVCS	21,996.82
	Vendor Total	**869,720.67**		
FYTD for H & H GENERAL CONTRACTORS		**1,714,649.31**		
INTERNAL REVENUE SERVICE			Remit to:	
5/6/2011	2854	144,300.39		
			FED INCOME TAX W/H 5/6/11	144,300.39
5/20/2011	2862	146,860.40		
			FED INCOME TAX W/H 5/20/11	146,860.40
	Vendor Total	**291,160.79**		
FYTD for INTERNAL REVENUE SERVICE		**3,212,602.33**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
5/23/2011	207960	117,616.64		
			ENERGY PURCHASE	25,033.36
			ENERGY PURCHASE	92,583.28
	Vendor Total	**117,616.64**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**357,491.28**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
5/6/2011	110502	215,675.33		
			EMPLOYEE HEALTH INS 5/6/11	215,675.33
	Vendor Total	**215,675.33**		
FYTD for PERS HEALTH INSURANCE		**2,247,353.58**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
5/13/2011	2856	202,371.65		
			PERS RETIREMENT 5/13/11	202,371.65
5/27/2011	2864	202,825.11		
			PERS RETIREMENT 5/27/11	202,825.11
	Vendor Total	**405,196.76**		
FYTD for PERS RETIREMENT		**4,802,210.68**		

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RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
5/9/2011	882704	121,531.50		
			IRONWD AVE-DAY TO BARCLAY PROJ	121,531.50
5/16/2011	882751	272,449.80		
			IRONWOOD AVE/STORM DRAIN PROJ	49,299.75
			IRONWOOD AVE/STORM DRAIN PROJ	54,716.39
			IRONWOOD AVE/STORM DRAIN PROJ	15,196.52
			IRONWOOD AVE/STORM DRAIN PROJ	153,237.14
5/19/2011	110506	30,272.20		
			RETENTN PYMT PER ESCROW AGRMNT	30,272.20
	Vendor Total	**424,253.50**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**3,393,302.50**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA** **PA**	
5/2/2011	207660	451,052.00		
			ELECTRIC ENERGY PURCHASE	451,052.00
5/31/2011	208086	455,537.60		
			ENERGY PURCHASE	455,537.60
	Vendor Total	**906,589.60**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**5,942,469.20**		

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SOUTHERN CALIFORNIA EDISON				Remit to: **ROSEMEAD** **CA**	
	5/16/2011	207875	30,600.30		
				WDAT CHARGES-IRIS	2,625.22
				WDAT CHARGES-GRAHAM	4,312.93
				WDAT CHARGES-GLOBE	8,321.85
				WDAT CHARGES-NANDINA	2,647.31
				WDAT CHARGES-FREDERICK	2,245.68
				WDAT CHARGES-SUBSTATION	10,447.31
	5/16/2011	207876	161,216.02		
				IFA CHARGES-SUBSTATION	14,146.73
				ELECTRICITY	791.26
				ELECTRICITY	22.97
				ELECTRICITY	307.54
				ELECTRICITY	44.76
				ELECTRICITY	741.27
				ELECTRICITY	134.08
				ELECTRICITY	767.06
				ELECTRICITY	1,016.96
				ELECTRICITY	2,046.55
				ELECTRICITY	2,395.73
				ELECTRICITY	1,089.02
				ELECTRICITY	21.84
				ELECTRICITY	95,531.38
				ELECTRICITY	37,276.15
				ELECTRICITY	4,518.94
				ELECTRICITY	66.97
				ELECTRICITY	22.05
				ELECTRICITY	23.01
				ELECTRICITY	23.68
				ELECTRICITY	71.60
				ELECTRICITY	112.77
				ELECTRICITY	43.70
	Vendor Total		**191,816.32**		
FYTD for SOUTHERN CALIFORNIA EDISON			**4,062,356.10**		
SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	5/31/2011	882828	27,739.17		
				LANDSCAPE MAINT-E1	10,540.00
				LANDSCAPE MAINT-E1	1,793.33
				PALM TREE INSTALL-E1	15,405.84
	Vendor Total		**27,739.17**		
FYTD for SPECTRUM CARE			**155,648.52**		

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STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
5/9/2011	207772	30,118.95		
			LIFE & DISABILITY INSURANCE	11,803.49
			LIFE & DISABILITY INSURANCE	18,420.25
			LIFE & DISABILITY INSURANCE	-104.79
5/31/2011	208091	30,087.09		
			LIFE & DISABILITY INSURANCE	11,770.46
			LIFE & DISABILITY INSURANCE	18,368.44
			LIFE & DISABILITY INSURANCE	-51.81
	Vendor Total	**60,206.04**		
FYTD for STANDARD INSURANCE CO		**386,673.79**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH**	**CA**
5/16/2011	207877	37,638.15		
			LEGAL SERVICES-RDA	960.00
			LEGAL SERVICES-RDA	3,675.00
			LEGAL SERVICES-NSP	325.00
			LEGAL SERVICES-HOUSING	2,625.00
			LEGAL SERVICES-HOUSING	3,700.00
			LEGAL SERVICES	14,873.15
			LEGAL SERVICES	11,480.00
5/31/2011	208093	25,440.15		
			PROF SERVICES-SPCL DIST	18,120.15
			PROF SERVICES-SPCL DIST	7,320.00
	Vendor Total	**63,078.30**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**117,202.08**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
5/24/2011	110507	138,275.95		
			CALCARD PYMT CYCLE END 5/9/11	138,275.95
	Vendor Total	**138,275.95**		
FYTD for U.S. BANK/CALCARDS		**1,874,349.12**		
	Subtotal	**8,935,729.27**		

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CHECKS LESS THAN $25,000

FORREST CORMANY				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207601	200.00		
				BAGPIPER FOR MEMORIAL DAY 5/30	200.00
	Vendor Total		**200.00**		
FYTD for FORREST CORMANY			**200.00**		
LEAL, ANAHI				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207688	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LEAL, ANAHI			**20.00**		
NIELSEN LLC, CLARITAS				Remit to: **CHARLOTTE** **NC**	
	5/31/2011	208014	3,090.00		
				MEMBERSHIP RNWL-EDD	3,090.00
	Vendor Total		**3,090.00**		
FYTD for NIELSEN LLC, CLARITAS			**3,090.00**		
SHEPARD, SUZIE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207689	175.00		
				REFUND-RNTL DEP 4/16/11	175.00
	Vendor Total		**175.00**		
FYTD for SHEPARD, SUZIE			**175.00**		
A & I REPROGRAPHICS	**2406362**			Remit to: **ONTARIO** **CA**	
	5/23/2011	207898	152.52		
				RPRGRPHC SVCS-SPEED HUMP PRGM	152.52
	Vendor Total		**152.52**		
FYTD for A & I REPROGRAPHICS	**2406362**		**25,313.07**		
A & R WHOLESALE DISTRIBUTORS, INC				Remit to: **ANAHEIM** **CA**	
	5/9/2011	207690	202.02		
				COOKING CLUB SNACKS-STARS	202.02
	Vendor Total		**202.02**		
FYTD for A & R WHOLESALE DISTRIBUTORS, INC			**202.02**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ABILITY COUNTS, INC				Remit to: **CORONA** **CA**	
	5/2/2011	207602	2,880.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	5/23/2011	207899	1,440.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	Vendor Total		**4,320.00**		
FYTD for ABILITY COUNTS, INC			**4,320.00**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	5/9/2011	882640	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,506.03**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	882760	283.34		
				TRAINING FOR PD K-9	283.34
	5/31/2011	882798	1,500.00		
				K-9 TRACKING SEMINAR	750.00
				K-9 TRACKING SEMINAR	750.00
	Vendor Total		**1,783.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**21,527.43**		
ADMINSURE				Remit to: **DIAMOND BAR** **CA**	
	5/16/2011	207796	2,600.00		
				WORKMANS COMP ADMIN SVCS-RM	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**28,600.00**		
ADRIATICO, ISABELITA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207797	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for ADRIATICO, ISABELITA			**30.00**		

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ADVANCE REFRIGERATION & ICE SYSTEMS, INC			Remit to: **RIVERSIDE**	**CA**
5/9/2011	882641	717.00		
			ICE MACHINE MAINT-CONF & REC C	195.00
			ICE MACHINE MAINT-FS #58	195.00
			ICE MACHINE MAINT-SENIOR CTR	195.00
			ICE MACHINE MAINT-FS #48	132.00
5/31/2011	882799	875.00		
			ICE MACH MAINT-FS #6	195.00
			ICE MACH MAINT-PSB	195.00
			ICE MACH MAINT-CITY YARD	290.00
			ICE MACH MAINT-TOWNGATE	195.00
	Vendor Total	**1,592.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**18,188.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207691	1,914.00		
			ELECT REPAIRS-PSB	124.00
			ELECT REPAIRS-PSB	186.00
			ELECT REPAIRS-PSB	124.00
			BULBS/LIGHT RPLCMNT-PSB	1,480.00
5/23/2011	207901	11,278.00		
			ELECT SVCS-AUTO SHOP	1,261.00
			ELECT SVCS/RPRS-PSB	194.00
			ELECT SVCS/RPRS-CONF & REC CTR	218.00
			ELECT SVCS/RPRS-CITY HALL	951.00
			ELECT SVCS/RPRS-PARKS	1,491.00
			ELECT SVCS/RPRS-PARKS	236.00
			ELECT SVCS/RPRS-PARKS	243.00
			ELECT SVCS/RPRS-PARKS	282.00
			ELECT SVCS/RPRS-PARKS	238.00
			ELECT SVCS/RPRS-PARKS	212.00
			ELECT SVCS/RPRS-PARKS	687.00
			ELECT SVCS/RPRS-PARKS	361.00
			ELECT SVCS/RPRS-PARKS	401.00
			ELECT SVCS/RPRS-PARKS	367.00
			ELECT SVCS/RPRS-PARKS	820.00
			ELECT SVCS/RPRS-CFD #1	362.00
			ELECT SVCS/RPRS-CFD #1	368.00
			ELECT SVCS/RPRS-CFD #1	217.00
			ELECT SVCS/RPRS-CFD #1	217.00
			ELECT SVCS/RPRS-CFD #1	421.00
			ELECT SVCS/RPRS-FS #48	582.00
			ELECT SVC/REPAIRS-FS #48	870.00
			ELECT SVC/REPAIRS-FS #65	279.00
5/31/2011	208015	532.00		
			ELECTRICAL REPAIRS-PSB	127.00
			POWER CIRCUITS FOR GYM-EDD	405.00
	Vendor Total	**13,724.00**		
FYTD for ADVANCED ELECTRIC		**93,562.60**		

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AEI-CASC ENGINEERING			Remit to: **COLTON** **CA**	
5/2/2011	882616	1,451.05		
			CONSULTING SVCS-WQMP	958.80
			CONSULTING SVCS-WQMP	492.25
5/31/2011	882800	6,085.05		
			IRONWD AVE/DAY ST-BARCLAY PROJ	596.70
			IRONWD AVE/DAY ST-BARCLAY PROJ	5,488.35
	Vendor Total	**7,536.10**		
FYTD for AEI-CASC ENGINEERING		**232,139.79**		
AHLERS, ROSCEAL			Remit to: **HEMET** **CA**	
5/23/2011	207902	228.00		
			INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total	**228.00**		
FYTD for AHLERS, ROSCEAL		**1,444.00**		
ALBERTO'S MEXICAN FOOD			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207692	32.79		
			REFUND-BUS LIC OVRPMT	32.79
	Vendor Total	**32.79**		
FYTD for ALBERTO'S MEXICAN FOOD		**88.76**		
ALICEA, RICHARD			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207903	81.09		
			MILEAGE REIMBURSEMENT	81.09
	Vendor Total	**81.09**		
FYTD for ALICEA, RICHARD		**1,040.19**		
ALLIANCE BUS LINES INC			Remit to: **ONTARIO** **CA**	
5/16/2011	207798	257.64		
			BUS SERVICES-PARKS	257.64
	Vendor Total	**257.64**		
FYTD for ALLIANCE BUS LINES INC		**11,545.41**		
ALLIANT INSURANCE SERVICES, INC.			Remit to: **NEWPORT BEACH** **CA**	
5/16/2011	207799	2,199.36		
			INSURANCE PREMIUM	2,199.36
	Vendor Total	**2,199.36**		
FYTD for ALLIANT INSURANCE SERVICES, INC.		**2,199.36**		

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ALLIANZ LIFE INSURANCE CO			Remit to: **NEWARK** **NJ**	
5/9/2011	207693	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**825.00**		
ALPHA AUTOMATION			Remit to: **LOS ANGELES** **CA**	
5/16/2011	207800	46.38		
			FUEL TANK MONITORING	46.38
Vendor Total		**46.38**		
FYTD for ALPHA AUTOMATION		**46.38**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207604	70.00		
			SPORTS OFFICIATING SVCS	70.00
5/23/2011	207905	70.00		
			SPORTS OFFICIATING SVCS	70.00
Vendor Total		**140.00**		
FYTD for ALVAREZ, JUAN C		**350.00**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS** **CA**	
5/23/2011	882761	3,439.80		
			BLOOD DRAWS-PD	3,439.80
5/31/2011	882801	1,427.40		
			BLOOD DRAWS-PD	1,427.40
Vendor Total		**4,867.20**		
FYTD for AMERICAN FORENSIC NURSES		**33,939.54**		
AMERICAN TOWERS			Remit to: **CHARLOTTE** **NC**	
5/9/2011	207694	2,573.48		
			ATC TOWER LEASE-TECH SVCS	2,573.48
Vendor Total		**2,573.48**		
FYTD for AMERICAN TOWERS		**20,587.84**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM** **CA**	
5/9/2011	207695	121.92		
			ELEVATOR SVC-CITY HALL	121.92
Vendor Total		**121.92**		
FYTD for AMTECH ELEVATOR SERVICES		**1,866.10**		

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ANDREAS, SHARISSA			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207696	95.00		
			REFUND-RABIES/SPAY DEPOSIT	20.00
			REFUND-RABIES/SPAY DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for ANDREAS, SHARISSA		**95.00**		
ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE** **CA**	
5/23/2011	882762	130.00		
			EMERGENCY VET SVCS-ANML SHLTR	75.00
			EMERGENCY VET SVCS-ANML SHLTR	55.00
	Vendor Total	**130.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**2,465.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO** **CA**	
5/23/2011	207906	1,790.00		
			PEST CONTROL SVCS-PARKS	665.00
			PEST CONTROL SVCS-PARKS	255.00
			PEST CONTROL SVCS-MVEC/MARCH F	330.00
			PEST CONTROL SVCS-PAL	100.00
			PEST CONTROL SVCS-CFD #1	160.00
			PEST CONTROL SVCS-GOLF COURSE	180.00
			PEST CONTROL SVCS-STARS	100.00
	Vendor Total	**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**19,690.00**		
ARBY'S			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207697	60.78		
			REFUND-BUS LIC OVRPMT	60.78
	Vendor Total	**60.78**		
FYTD for ARBY'S		**60.78**		
ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
5/16/2011	882733	1,229.26		
			OFFSITE STORAGE SVCS-CITY CLRK	1,229.26
	Vendor Total	**1,229.26**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**15,129.83**		
ARELLANO, EDGAR			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207907	429.50		
			REFUND-CITATION DISMISSED	429.50
	Vendor Total	**429.50**		
FYTD for ARELLANO, EDGAR		**429.50**		

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ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	5/2/2011	207605	365.78		
				WATER PURIF RNTL-CITY HALL	125.01
				WATER PURIF RNTL-CITY YARD	25.00
				WATER PURIF RNTL-TRFFC TRLR	25.00
				WATER PURIF RNTL-LIBRARY	25.00
				WATER PURIF RNTL-FS #6	25.00
				WATER PURIF RNTL-FS #48	25.00
				WATER PURIF RNTL-FS #2	25.00
				WATER PURIF RNTL-FS #58	15.77
				WATER PURIF RNTL-FS #91	25.00
				WATER PURIF RNTL-FS #65	25.00
				WATER PURIF RNTL-EOC	25.00
	5/23/2011	207908	175.01		
				WATER PURIF RNTL-SPCL DIST	25.00
				WATER PURIF RNTL-CONF & REC CT	25.00
				WATER PURIF RNTL-TS ANNEX	25.00
				WATER PURIF RNTL-SENIOR CTR	25.00
				WATER PURIF RNTL-ANML SHLTR	50.01
				WATER PURIF RNTL-FACILITIES	25.00
	Vendor Total		**540.79**		
FYTD for ARROWHEAD WATER			**6,131.22**		
ARROYAVE, KIARA				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208016	95.00		
				REFUND-SPAY DEPOSIT	95.00
	Vendor Total		**95.00**		
FYTD for ARROYAVE, KIARA			**95.00**		
AT&T MOBILITY				Remit to: **CAROL STREAM** **IL**	
	5/2/2011	207606	91.82		
				CELL PHONE SVCS-PD MBL COMM CT	91.82
	5/31/2011	208017	91.25		
				CELL PH CHARGES-PD MBL CMMND C	91.25
	Vendor Total		**183.07**		
FYTD for AT&T MOBILITY			**1,101.81**		
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	5/9/2011	207698	183.36		
				COMMUNICATION SVCS-PD	183.36
	Vendor Total		**183.36**		
FYTD for AT&T/MCI			**2,018.10**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ATOM, INC				Remit to: **HEMET** **CA**	
	5/2/2011	207607	1,397.90		
				RETENT RLS-SUNNYMD/FREDERICK	1,397.90
	Vendor Total		**1,397.90**		
FYTD for ATOM, INC			**13,979.00**		
BABUGLIA, SILVAVNA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207909	60.00		
				REFUND-OIL PAINTING CLASS	60.00
	Vendor Total		**60.00**		
FYTD for BABUGLIA, SILVAVNA			**60.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	5/9/2011	207699	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,427.25**		
BALANCIER, EARL				Remit to: **PERRIS** **CA**	
	5/2/2011	207608	684.00		
				INSTRUCTION SVCS-18 DAYS	684.00
	5/23/2011	207910	608.00		
				INSTRUCTION SVCS-16 DAYS	608.00
	Vendor Total		**1,292.00**		
FYTD for BALANCIER, EARL			**2,584.00**		
BANK OF AMERICA, N.A.				Remit to: **CHARLOTTE** **NC**	
	5/16/2011	207801	90.00		
				REFUND-FALSE ALARM FEE	90.00
	5/23/2011	207911	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**120.00**		
FYTD for BANK OF AMERICA, N.A.			**410.00**		
BARRAZA/FLORES, BULMARO/ERNESTINA				Remit to: **PERRIS** **CA**	
	5/9/2011	207700	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARRAZA/FLORES, BULMARO/ERNESTINA			**20.00**		

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BARWINSKI, CHRISTOPHER				Remit to: **MORENO VALLEY CA**	
	5/2/2011	882617	70.00		
				SPORTS OFFICIATING SVCS	70.00
	5/23/2011	882763	35.00		
				SPORTS OFFICIATING SVCS	35.00
	Vendor Total		**105.00**		
FYTD for BARWINSKI, CHRISTOPHER			**1,417.50**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO CA**	
	5/9/2011	882642	137.20		
				BACKFLOW TESTING-PARKS	77.20
				BACKFLOW TESTING-PARKS	60.00
	Vendor Total		**137.20**		
FYTD for BASIC BACKFLOW			**2,753.26**		
BATE, CHERISE				Remit to: **MORENO VALLEY CA**	
	5/2/2011	207609	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATE, CHERISE			**100.00**		
BAYANI, CHRISTOPHER				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207802	155.00		
				PER DIEM-VEH. HOMICIDE SEMINAR	155.00
	Vendor Total		**155.00**		
FYTD for BAYANI, CHRISTOPHER			**155.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY CA**	
	5/31/2011	208018	250.00		
				RES APPRAISAL SVC-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**2,400.00**		
BEAS, GABRIEL				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207803	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BEAS, GABRIEL			**75.00**		

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BECKNER, PATRICK				Remit to: **MURRIETA** **CA**	
	5/9/2011	207701	796.56		
				RETIREE MED FEB-MAY '11	796.56
	Vendor Total		**796.56**		
FYTD for BECKNER, PATRICK			**2,810.49**		
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/9/2011	882643	4,868.50		
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX #1	300.00
				LANDSCAPE MAINT-E4	74.35
				LANDSCAPE MAINT-E4	41.59
				LANDSCAPE MAINT-CFD #1	60.00
	5/23/2011	882764	854.30		
				LANDSCAPE MAINT-E3A	589.30
				LANDSCAPE MAINT-E3A	265.00
	Vendor Total		**5,722.80**		
FYTD for BEMUS LANDSCAPE, INC.			**519,366.45**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	5/16/2011	207895	415.30		
				FLEX ADMIN SVCS-HR	210.30
				COBRA ADMIN SVCS-HR	205.00
	5/31/2011	882803	415.30		
				COBRA ADMIN SVCS-HR	205.00
				FLEX ADMIN SVCS-HR	210.30
	Vendor Total		**830.60**		
FYTD for BENESYST, INC.			**6,138.70**		
BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207702	7,888.29		
				TOXICOLOGY TESTING-PD	930.59
				TOXICOLOGY TESTING-PD	6,957.70
	Vendor Total		**7,888.29**		
FYTD for BIO-TOX LABORATORIES			**68,075.03**		
BISHOP COMPANY				Remit to: **WHITTIER** **CA**	
	5/23/2011	207912	771.99		
				MISC TOOLS-PARKS MAINT	771.99
	Vendor Total		**771.99**		
FYTD for BISHOP COMPANY			**771.99**		

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BLAIR, CHERYL				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207610	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**1,971.00**		
BLANCO, MANNY				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207804	3.00		
				REFUND-CITATION OVRPMT	3.00
	Vendor Total		**3.00**		
FYTD for BLANCO, MANNY			**3.00**		
BOBO II, FELIX				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207913	100.98		
				MILEAGE REIMBURSEMENT	100.98
	Vendor Total		**100.98**		
FYTD for BOBO II, FELIX			**1,201.57**		
BOOKLETTERS				Remit to: **COLUMBUS** **OH**	
	5/9/2011	207703	3,450.00		
				WEB SITE SVCS-LIBRARY	3,450.00
	Vendor Total		**3,450.00**		
FYTD for BOOKLETTERS			**7,172.00**		
BOSE, TIFFANY				Remit to: **CORONA** **CA**	
	5/9/2011	207704	39.27		
				MILEAGE REIMBURSEMENT	39.27
	5/23/2011	207914	42.33		
				MILEAGE REIMBURSEMENT	42.33
	Vendor Total		**81.60**		
FYTD for BOSE, TIFFANY			**318.75**		
BRAY, JR., LYLE DEAN				Remit to: **CORONA** **CA**	
	5/31/2011	208019	608.00		
				INSTRUCTION SVCS-16 DAYS	608.00
	Vendor Total		**608.00**		
FYTD for BRAY, JR., LYLE DEAN			**1,824.00**		
BREITKREUZ, THOMAS F.				Remit to: **REDLANDS** **CA**	
	5/9/2011	207705	538.18		
				RETIREE MED FEB-MAR '11	538.18
	Vendor Total		**538.18**		
FYTD for BREITKREUZ, THOMAS F.			**2,255.25**		

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BROCKMUELLER, REGINA				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207706	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROCKMUELLER, REGINA			**50.00**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	5/23/2011	882765	3,068.09		
				MISC BOOKS-LIBRARY	40.74
				MISC BOOKS-LIBRARY	144.53
				MISC BOOKS-LIBRARY	18.34
				MISC BOOKS-LIBRARY	443.76
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	204.66
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	107.21
				MISC BOOKS-LIBRARY	214.55
				MISC BOOKS-LIBRARY	38.61
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	92.80
				MISC BOOKS-LIBRARY	50.66
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	39.55
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	20.15
				MISC BOOKS-LIBRARY	17.74
				MISC BOOKS-LIBRARY	15.33
				MISC BOOKS-LIBRARY	41.34
				MISC BOOKS-LIBRARY	88.68
				MISC BOOKS-LIBRARY	185.13
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	28.44
				MISC BOOKS-LIBRARY	41.36
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	61.56
				MISC BOOKS-LIBRARY	32.14
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	94.39
				MISC BOOKS-LIBRARY	212.65
				MISC BOOKS-LIBRARY	110.15
				MISC BOOKS-LIBRARY	293.70
				MISC BOOKS-LIBRARY	47.85
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	21.96
	5/31/2011	882804	5,057.59		
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	34.73
				MISC BOOKS-LIBRARY	52.16
				MISC BOOKS-LIBRARY	156.37
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	446.75
				MISC BOOKS-LIBRARY	79.52
				MISC BOOKS-LIBRARY	42.55
				MISC BOOKS-LIBRARY	1,960.10
				MISC BOOKS-LIBRARY	92.80
				MISC BOOKS-LIBRARY	41.36
				MISC BOOKS-LIBRARY	48.78

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	23.85
			MISC BOOKS-LIBRARY	56.81
			MISC BOOKS-LIBRARY	24.79
			MISC BOOKS-LIBRARY	38.35
			MISC BOOKS-LIBRARY	164.52
			MISC BOOKS-LIBRARY	24.78
			MISC BOOKS-LIBRARY	427.96
			MISC BOOKS-LIBRARY	23.20
			MISC BOOKS-LIBRARY	26.59
			MISC BOOKS-LIBRARY	27.40
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	286.15
			MISC BOOKS-LIBRARY	467.83
			MISC BOOKS-LIBRARY	24.78
			MISC BOOKS-LIBRARY	34.86
			MISC BOOKS-LIBRARY	41.17
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	92.78
			MISC BOOKS-LIBRARY	21.38
			MISC BOOKS-LIBRARY	42.57
			MISC BOOKS-LIBRARY	70.89
			MISC BOOKS-LIBRARY	49.29
	Vendor Total	**8,125.68**		
FYTD for BRODART CO.		**41,966.88**		
BROWN, DANIEL			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207805	75.00		
			REFUND-NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for BROWN, DANIEL		**75.00**		
BROWN, TRACY			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207611	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for BROWN, TRACY		**20.00**		
BUCKINGHAM, STAN			Remit to: **TEMECULA**	**CA**
5/9/2011	207707	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**3,506.03**		

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BURKE, WILLIAMS & SORENSEN, LLP.				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	882735	3,923.10		
				LEGAL SERVICES-HR	1,277.00
				LEGAL SERVICES-HR	2,646.10
	5/31/2011	882805	7,683.40		
				LEGAL SERVICES-HR	1,680.14
				LEGAL SERVICES-HR	3,383.76
				LEGAL SERVICES-HR	2,619.50
	Vendor Total		**11,606.50**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**84,802.80**		
BWI - BOOK WHOLESALERS, INC.				Remit to: **MCHENRY** **IL**	
	5/23/2011	207915	2,397.28		
				MISC BOOKS-LIBRARY	154.28
				MISC BOOKS-LIBRARY	226.47
				MISC BOOKS-LIBRARY	218.16
				MISC BOOKS-LIBRARY	41.90
				MISC BOOKS-LIBRARY	77.35
				MISC BOOKS-LIBRARY	118.73
				MISC BOOKS-LIBRARY	53.35
				MISC BOOKS-LIBRARY	13.05
				MISC BOOKS-LIBRARY	1,119.53
				MISC BOOKS-LIBRARY	374.46
	5/31/2011	208020	1,621.10		
				MISC BOOKS-LIBRARY	67.96
				MISC BOOKS-LIBRARY	117.03
				MISC BOOKS-LIBRARY	439.81
				MISC BOOKS-LIBRARY	643.44
				MISC BOOKS-LIBRARY	117.02
				MISC BOOKS-LIBRARY	85.16
				MISC BOOKS-LIBRARY	18.70
				MISC BOOKS-LIBRARY	97.39
				MISC BOOKS-LIBRARY	34.59
	Vendor Total		**4,018.38**		
FYTD for BWI - BOOK WHOLESALERS, INC.			**20,516.95**		
CA CONSTRUCTION AND RUCKER TILE				Remit to:	
	5/31/2011	208021	14,321.99		
				RETENT/STOP NOTICE PYMT-PSB PR	14,321.99
	Vendor Total		**14,321.99**		
FYTD for CA CONSTRUCTION AND RUCKER TILE			**14,321.99**		

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CAD ZONE, THE				Remit to: **BEAVERTON** **OR**	
	5/23/2011	207916	1,140.00		
				CRIMEZONE-PD	1,130.00
				CRIMEZONE-PD	10.00
				CRIMEZONE-PD	99.75
				USED TAX ACCRUAL-PD	-99.75
	Vendor Total		**1,140.00**		
FYTD for CAD ZONE, THE			**1,140.00**		
CAIN, GREGORY				Remit to: **TAMPA** **FL**	
	5/9/2011	882644	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**3,506.03**		
CAL DEPT OF FORESTRY & FIRE PROTECTION				Remit to: **SACRAMENTO** **CA**	
	5/16/2011	207806	664.56		
				WEED ABATEMENT SVCS	664.56
	Vendor Total		**664.56**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION			**664.56**		
CALIFORNIA CENTERS MAGAZINE, INC.				Remit to: **LAGUNA HILLS** **CA**	
	5/31/2011	208022	3,780.00		
				ADVERTISING SVCS-EDD	3,780.00
	Vendor Total		**3,780.00**		
FYTD for CALIFORNIA CENTERS MAGAZINE, INC.			**7,560.00**		
CALIFORNIA DEPARTMENT OF FISH AND GAME				Remit to: **LOS ALAMITOS** **CA**	
	5/31/2011	208023	168.00		
				STREAMBED ALT AGRMNT AMNDMNT	168.00
	Vendor Total		**168.00**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**168.00**		
CALIFORNIA FACILITY SPECIALTIES				Remit to: **SAN DIMAS** **CA**	
	5/31/2011	208024	4,172.00		
				BASKETBALL EQUIP-PARKS	4,172.00
	Vendor Total		**4,172.00**		
FYTD for CALIFORNIA FACILITY SPECIALTIES			**10,685.00**		

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CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
5/9/2011	207708	7.64		
			UNCLAIMED PROPERTY (WAGES)	7.64
Vendor Total		**7.64**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**7.64**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
5/2/2011	882618	2,666.50		
			CONSULTING SVCS-WQMP	2,666.50
Vendor Total		**2,666.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**12,134.00**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208025	100.00		
			REFUND-RNTL DEP 4/24/11	100.00
Vendor Total		**100.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**100.00**		
CAMBERLY GILLMAN			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207612	11,827.20		
			SOLAR INCENTIVE REBATE	11,827.20
Vendor Total		**11,827.20**		
FYTD for CAMBERLY GILLMAN		**11,827.20**		
CAMPBELL, LARRY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207917	50.00		
			REFUND-TRAP DEPOSIT	50.00
Vendor Total		**50.00**		
FYTD for CAMPBELL, LARRY		**100.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
5/9/2011	882645	318.73		
			RETIREE MED MAY '11	318.73
Vendor Total		**318.73**		
FYTD for CANNON, ANA M.		**3,331.48**		
CANON BUSINESS SOLUTIONS, INC.			Remit to: **BURLINGTON** **NJ**	
5/9/2011	882646	7,250.88		
			COPY SERVICES	6,667.48
			COPY SERVICES	583.40
Vendor Total		**7,250.88**		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**35,503.75**		

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CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
5/9/2011	207709	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**83,497.48**		
CANTU, TRACY			Remit to: **ONTARIO** **CA**	
5/16/2011	207807	75.00		
			REFUND-SPAY DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CANTU, TRACY		**75.00**		
CAREER CARE INSTITUTE			Remit to: **LANCATER** **CA**	
5/23/2011	207918	500.00		
			REFUND-RNTL DEP 4/8/11	500.00
	Vendor Total	**500.00**		
FYTD for CAREER CARE INSTITUTE		**500.00**		
CARRERA, EFRAIN			Remit to: **PERRIS** **CA**	
5/23/2011	207919	646.00		
			INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total	**646.00**		
FYTD for CARRERA, EFRAIN		**646.00**		
CARTER, LINDA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207808	54.50		
			REFUND-CITATION OVRPMT	54.50
	Vendor Total	**54.50**		
FYTD for CARTER, LINDA		**54.50**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882647	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**3,600.10**		
CASA FOR RIVERSIDE COUNTY, INC.			Remit to: **INDIO** **CA**	
5/16/2011	882736	1,247.47		
			SPCL ADVOCATES PRGM-CDBG	757.91
			SPCL ADVOCATES PRGM-CDBG	489.56
	Vendor Total	**1,247.47**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.		**4,229.83**		

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CATHCART, KATHERINE				Remit to: **BERMUDA DUNES** **CA**	
	5/16/2011	207809	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for CATHCART, KATHERINE			**54.50**		
CATHOLIC CHARITIES				Remit to: **SAN BERNARDINO** **CA**	
	5/16/2011	207810	22,366.80		
				RENTAL ASST SVCS-HPRP	22,366.80
	Vendor Total		**22,366.80**		
FYTD for CATHOLIC CHARITIES			**126,600.31**		
CAUTHEN, CHARLES				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207811	404.50		
				REFUND-CITATION DISMISSED	404.50
	Vendor Total		**404.50**		
FYTD for CAUTHEN, CHARLES			**404.50**		
CELLEBRITE USA, CORP				Remit to: **GLEN ROCK** **NJ**	
	5/23/2011	207920	9,072.00		
				UNIV FORENSIC EXT DEVICE-PD	4,499.00
				UNIV FORENSIC EXT DEVICE-PD	3,996.00
				UNIV FORENSIC EXT DEVICE-PD	65.00
				UNIV FORENSIC EXT DEVICE-PD	393.66
				UNIV FORENSIC EXT DEVICE-PD	737.32
				USED TAX ACCRUAL-PD	-618.98
	Vendor Total		**9,072.00**		
FYTD for CELLEBRITE USA, CORP			**9,072.00**		
CEMEX				Remit to: **ONTARIO** **CA**	
	5/9/2011	207710	487.86		
				CEMENT PURCHASE	487.86
	5/23/2011	207921	406.51		
				CEMENT PURCHASE	406.51
	Vendor Total		**894.37**		
FYTD for CEMEX			**9,035.59**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207613	4,558.00		
			PRE-EMPLOYMENT PHYSICALS-HR	25.00
			PRE-EMPLOYMENT PHYSICALS-STARS	709.00
			PRE-EMPLOYMENT PHYSICALS-STARS	3,824.00
5/16/2011	207812	70.00		
			PRE-EMPLYMNT PHYSICALS-HR	45.00
			PRE-EMPLYMNT PHYSICALS-HR	25.00
	Vendor Total	**4,628.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS		**13,215.00**		
CHANCY, CHIZURU			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207922	138.60		
			INSTRUCTOR SVCS-HAWAIIAN DANCE	93.60
			INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
	Vendor Total	**138.60**		
FYTD for CHANCY, CHIZURU		**1,443.45**		
CHANDLER ASSET MANAGEMENT, INC			Remit to: **SAN DIEGO** **CA**	
5/23/2011	882766	8,861.00		
			INVESTMENT MGT SVCS	8,861.00
	Vendor Total	**8,861.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC		**96,999.00**		
CHAPMAN, STEVE			Remit to: **REDLANDS** **CA**	
5/9/2011	207711	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CHAPMAN, STEVE		**3,506.03**		
CHAPPELL, ISAAC			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882648	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CHAPPELL, ISAAC		**3,506.03**		
CHERRY VALLEY FEED			Remit to: **CHERRY VALLEY** **CA**	
5/23/2011	207923	151.71		
			MISC FOOD FOR PD K-9	151.71
	Vendor Total	**151.71**		
FYTD for CHERRY VALLEY FEED		**1,091.11**		

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CHRISTIAN, BRENDA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207813	72.00		
				REFUND-PICNIC SHLTR FEE	72.00
	Vendor Total		**72.00**		
FYTD for CHRISTIAN, BRENDA			**72.00**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882649	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**2,316.58**		

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CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
5/2/2011	882619	188.53		
			UNIFORM RNTL SVC-PARKS	54.39
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	57.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
5/9/2011	882650	275.91		
			UNIFORM RNTL SVC-TRFFC MAINT	12.82
			UNIFORM RNTL SVC-TRFFC MAINT	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/16/2011	882737	98.50		
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/23/2011	882767	364.48		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-TRFFC SGNL MA	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/31/2011	882806	84.99		
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS STAFF	50.19
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
	Vendor Total	**1,012.41**		
FYTD for CINTAS CORPORATION		**11,335.94**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882651	4,212.50		
			EXEMPT VEBA	4,212.50
	Vendor Total	**4,212.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**45,462.50**		
CITY OF RIVERSIDE PUBLIC UTILITIES DEPT.			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207614	150.00		
			SPRING CONF.-CA MUNI RATES GRP	150.00
5/5/2011	207685	150.00		
			SPRING CONF.-CA MUNI RATES GRP	150.00
	Vendor Total	**300.00**		
FYTD for CITY OF RIVERSIDE PUBLIC UTILITIES DEPT.		**300.00**		
CITY OF TEMECULA			Remit to: **TEMECULA**	**CA**
5/5/2011	207686	150.00		
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
	Vendor Total	**150.00**		
FYTD for CITY OF TEMECULA		**150.00**		
COASTLINE CONSTRUCTION & AWNING CO.			Remit to: **HUNTINGTON BEACH**	**CA**
5/2/2011	207615	18,750.00		
			MOBILE HOMES DEMO & DISPOSAL	18,750.00
	Vendor Total	**18,750.00**		
FYTD for COASTLINE CONSTRUCTION & AWNING CO.		**29,568.65**		

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COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
5/9/2011	207712	2.50		
			CHC CONTRIBUTIONS	2.50
5/9/2011	207713	183.81		
			CHC CONTRIBUTIONS	183.81
5/23/2011	207924	183.81		
			CHC CONTRIBUTIONS	183.81
	Vendor Total	**370.12**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,181.18**		
COMPUTER POWER SOLUTIONS, INC.			Remit to: **LOS ALAMITOS** **CA**	
5/16/2011	207814	4,730.40		
			RPLCMNT BATTERIES-TELECOMM	4,176.00
			RPLCMNT BATTERIES-TELECOMM	365.40
			RPLCMNT BATTERIES-TELECOMM	189.00
	Vendor Total	**4,730.40**		
FYTD for COMPUTER POWER SOLUTIONS, INC.		**4,730.40**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
5/9/2011	207714	5,780.11		
			ASPHALTIC MATERIALS	5,780.11
	Vendor Total	**5,780.11**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**15,214.25**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207616	210.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
5/31/2011	208027	70.00		
			SPORTS OFFICIATING SVCS	70.00
	Vendor Total	**280.00**		
FYTD for CONTRERAS, BIANCA		**385.00**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207617	140.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
5/23/2011	207925	35.00		
			SPORTS OFFICIATING SVCS	35.00
5/31/2011	208028	105.00		
			SPORTS OFFICIATING SVCS	105.00
	Vendor Total	**280.00**		
FYTD for CONTRERAS, JOSE		**860.00**		

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COSEY JR., JAMES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207618	165.00		
				INSTRUCTOR SVCS-KARATE	165.00
	Vendor Total		**165.00**		
FYTD for COSEY JR., JAMES			**516.00**		
COSTCO				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207619	1,727.27		
				MISC SUPPLIES-STARS	390.55
				MISC SUPPLIES-STARS	137.53
				MISC SUPPLIES-STARS	107.95
				MISC SUPPLIES-STARS	319.63
				MISC SUPPLIES-CHILDS PLACE	771.61
	5/9/2011	207715	366.24		
				MISC SUPPLIES-STARS	170.07
				MISC SUPPLIES-STARS	196.17
	5/16/2011	207815	790.68		
				MISC SUPPLIES-STARS	176.51
				MISC SUPPLIES-STARS	199.63
				MISC SUPPLIES-STARS	414.54
	5/23/2011	207926	1,557.91		
				MISC SUPPLIES-STARS	34.46
				MISC SUPPLIES-STARS	135.59
				MISC SUPPLIES-STARS	402.32
				MISC SUPPLIES-STARS	871.55
				MISC SUPPLIES-STARS	113.99
	5/31/2011	208029	3,534.20		
				MISC SUPPLIES-STARS	251.65
				MISC SUPPLIES-STARS	102.29
				MISC SUPPLIES-STARS	151.73
				MISC SUPPLIES-STARS	138.87
				MISC SUPPLIES-STARS	188.67
				MISC SUPPLIES-STARS	109.68
				MISC SUPPLIES-STARS	1,627.27
				MISC SUPPLIES-STARS	164.44
				MISC SUPPLIES-STARS	304.91
				MISC SUPPLIES-CHILDS PLACE	494.69
	Vendor Total		**7,976.30**		
FYTD for COSTCO			**51,111.04**		
COTTONWOOD PLACE IV RENTAL				Remit to: **ANAHEIM** **CA**	
	5/23/2011	207927	60.00		
				REFUND-FALSE ALARM FEE	30.00
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**60.00**		
FYTD for COTTONWOOD PLACE IV RENTAL			**60.00**		

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COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO CA**	
5/16/2011	207816	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
5/23/2011	207928	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
Vendor Total		**2,500.00**		
FYTD for COUNSELING TEAM, THE		**16,250.00**		
COUNTS UNLIMITED, INC.			Remit to: **CORONA CA**	
5/23/2011	207929	3,120.00		
			TRAFFIC DATA COLLECTION SVCS	3,120.00
Vendor Total		**3,120.00**		
FYTD for COUNTS UNLIMITED, INC.		**3,620.00**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE CA**	
5/31/2011	208030	42.70		
			RECORDATION RQST SVCS-LAND DEV	42.70
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**490.25**		
COVARRUBIAS, ALFREDO			Remit to: **MORENO VALLEY CA**	
5/16/2011	207817	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for COVARRUBIAS, ALFREDO		**20.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS CA**	
5/2/2011	882620	110.31		
			DOG FOOD FOR K9-PD	101.43
			DOG FOOD FOR K9-PD	8.88
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**883.09**		
CRAWFORD, JOANNE			Remit to: **MORENO VALLEY CA**	
5/31/2011	208032	14,072.80		
			SOLAR INCENTIVE	14,072.80
Vendor Total		**14,072.80**		
FYTD for CRAWFORD, JOANNE		**14,072.80**		

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CREATIVE PROMOTIONAL IDEAS			Remit to: **UPLAND** **CA**	
5/2/2011	207620	4,567.50		
			WRISTBANDS-SOLID WASTE PRGM	4,200.00
			WRISTBANDS-SOLID WASTE PRGM	367.50
Vendor Total		**4,567.50**		
FYTD for CREATIVE PROMOTIONAL IDEAS		**9,764.27**		
CRIME SCENE STERI-CLEAN, LLC			Remit to: **RANCHO CUCAMONGA** **CA**	
5/2/2011	207621	500.00		
			BIO HAZARD CLEAN UP-PD	500.00
5/9/2011	207716	500.00		
			BIO HAZARD CLEAN UP SVC-PD	500.00
5/31/2011	208033	500.00		
			BIO-HAZARD CLEAN UP	500.00
Vendor Total		**1,500.00**		
FYTD for CRIME SCENE STERI-CLEAN, LLC		**2,500.00**		
CROWN PRINTERS			Remit to: **SAN BERNARDINO** **CA**	
5/2/2011	207622	2,806.28		
			PRINTING SVCS-FINANCE	2,580.49
			PRINTING SVCS-FINANCE	225.79
Vendor Total		**2,806.28**		
FYTD for CROWN PRINTERS		**8,024.44**		
CRUZ, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208034	85.68		
			REIMB.-CFEDWEST CONF./EXPO	85.68
Vendor Total		**85.68**		
FYTD for CRUZ, MICHAEL		**813.68**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208035	1,087.50		
			VECTOR CONTROL SVCS-CODE	1,087.50
Vendor Total		**1,087.50**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**25,533.08**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
5/23/2011	207930	745.00		
			DISPOSAL SVCS-ANML SVCS	745.00
Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**10,195.00**		

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DA SILVA, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207931	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DA SILVA, ROBERT			**50.00**		
DACOLIAS, RAYMOND				Remit to: **SAN JACINTO** **CA**	
	5/23/2011	207932	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for DACOLIAS, RAYMOND			**1,558.00**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882652	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**3,487.19**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/2/2011	882621	3,532.41		
				CITATION PRCSSNG SVC-ANML SVCS	3,532.41
	5/9/2011	882653	5,944.26		
				CITATION PRCSSNG-PD	5,839.26
				PARKING CODE APP-TECH SVCS	105.00
	5/23/2011	882768	1,100.56		
				CITATION PRCSSNG SVCS-BLDG/SFT	1,100.56
	5/31/2011	882808	2,889.13		
				TICKET STOCK-CODE	2,856.60
				TICKET STOCK-CODE	32.53
	Vendor Total		**13,466.36**		
FYTD for DATA TICKET, INC.			**241,885.62**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	5/23/2011	207933	130.50		
				ONLINE SUBSCRIPTION SVC-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,435.50**		
DE LA CRUZ, JOSE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207623	104.00		
				REFUND-DRUMS CLASS CANC.	104.00
	Vendor Total		**104.00**		
FYTD for DE LA CRUZ, JOSE			**104.00**		

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DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	207717	11,966.97		
				EMPLOYEE DENTAL INSURANCE	11,966.97
	Vendor Total		**11,966.97**		
FYTD for DELTA DENTAL			**127,868.05**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207818	6,069.35		
				EMPLOYEE DENTAL INSURANCE	6,069.35
	Vendor Total		**6,069.35**		
FYTD for DELTACARE USA			**68,578.98**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	5/2/2011	882622	5,650.00		
				PLAN REVIEW SVCS-FIRE PREV	5,240.00
				PLAN REVIEW SVCS-FIRE PREV	410.00
	5/31/2011	882809	6,455.00		
				PLAN REVIEW SVCS-FIRE PREV	2,080.00
				PLAN REVIEW SVCS-FIRE PREV	845.00
				PLAN REVIEW SVCS-FIRE PREV	3,530.00
	Vendor Total		**12,105.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**103,915.00**		
DESIGN WORKS				Remit to: **SAN JACINTO** **CA**	
	5/31/2011	208036	501.45		
				YTH SPORTS UNIFORMS-PARKS	375.27
				SPORTS AWARDS-PARKS	126.18
	Vendor Total		**501.45**		
FYTD for DESIGN WORKS			**12,796.33**		
DIAZ, RAQUEL				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207819	429.50		
				REFUND-CITATION DISMISSED	429.50
	Vendor Total		**429.50**		
FYTD for DIAZ, RAQUEL			**429.50**		

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DISTINCTIVELY YOURS			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208037	1,640.14		
			ADVERTISING SVCS-EDD	1,330.00
			ADVERTISING SVCS-EDD	62.50
			ADVERTISING SVCS-EDD	-133.00
			ADVERTISING SVCS-EDD	24.14
			ADVERTISING SVCS-EDD	110.21
			ADVERTISING SVCS-EDD	190.00
			ADVERTISING SVCS-EDD	25.00
			ADVERTISING SVCS-EDD	12.48
			ADVERTISING SVCS-EDD	18.81
	Vendor Total	**1,640.14**		
FYTD for DISTINCTIVELY YOURS		**3,652.02**		
DIVISION OF LABOR STANDARDS ENFORCMENT			Remit to: **LONG BEACH** **CA**	
5/9/2011	207718	1,856.25		
			CWPA PYMT-EMERG OPS CTR PROJ	1,856.25
	Vendor Total	**1,856.25**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT		**47,971.39**		
DLS LANDSCAPE, INC			Remit to: **REDLANDS** **CA**	
5/23/2011	882769	12,390.00		
			LANDSCAPE MAINT-CFD #1	2,160.00
			LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total	**12,390.00**		
FYTD for DLS LANDSCAPE, INC		**136,290.00**		
DORY, ALLEEN F.			Remit to: **HEMET** **CA**	
5/9/2011	207719	229.88		
			RETIREE MED MAY '11	229.88
	Vendor Total	**229.88**		
FYTD for DORY, ALLEEN F.		**3,311.08**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			Remit to: **SACRAMENTO** **CA**	
5/31/2011	208038	100.00		
			ANNUAL REGIST-P HUNTER	100.00
	Vendor Total	**100.00**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL		**100.00**		
DUNN, LAURA ISABEL GARCIA			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	882770	304.00		
			INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total	**304.00**		
FYTD for DUNN, LAURA ISABEL GARCIA		**1,444.00**		

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DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207820	189.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**2,751.00**		
E.R. BLOCK PLUMBING & HEATING, INC.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207720	838.09		
				BACKFLOW RPLCMNT-SPCL DIST	650.59
				BACKFLOW RPLCMNT-SPCL DIST	187.50
	5/16/2011	207821	2,084.02		
				BACKFLOW REPLCMNT-ZONE D	597.19
				BACKFLOW REPLCMNT-ZONE D	187.50
				BACKFLOW REPLCMNT-ZONE D	327.14
				BACKFLOW REPLCMNT-ZONE D	187.50
				BACKFLOW REPLCMNT-ZONE D	597.19
				BACKFLOW REPLCMNT-ZONE D	187.50
	5/31/2011	208039	2,433.89		
				BACKFLOW TESTING-E2	60.00
				BACKFLOW TESTING-E3	20.00
				BACKFLOW TESTING-E38	20.00
				BACKFLOW TESTING-ZONE D	340.00
				BACKFLOW TESTING-ZONE D	40.00
				BACKFLOW TESTING-ZONE M	60.00
				BACKFLOW RPLCMNT-ZONE M	477.14
				BACKFLOW RPLCMNT-ZONE M	262.50
				BACKFLOW RPLCMNT-E1	891.75
				BACKFLOW RPLCMNT-E1	262.50
	Vendor Total		**5,356.00**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**29,081.83**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/2/2011	207624	16,496.82		
			WATER CHARGES	136.12
			WATER CHARGES	279.72
			WATER CHARGES	387.86
			WATER CHARGES	2,981.43
			WATER CHARGES	453.65
			WATER CHARGES	263.89
			WATER CHARGES	5,686.91
			WATER CHARGES	2,036.65
			WATER CHARGES	3,159.57
			WATER CHARGES	38.24
			WATER CHARGES	189.88
			WATER CHARGES	68.86
			WATER CHARGES	401.51
			WATER CHARGES	104.20
			WATER CHARGES	149.74
			WATER CHARGES	72.00
			WATER CHARGES	86.59
5/9/2011	207721	5,576.05		
			WATER CHARGES	62.84
			WATER CHARGES	249.81
			WATER CHARGES	2,408.30
			WATER CHARGES	251.39
			WATER CHARGES	2,270.07
			WATER CHARGES	74.15
			WATER CHARGES	19.90
			WATER CHARGES	239.59
5/31/2011	208040	19,912.76		
			WATER CHARGES	25.94
			WATER CHARGES	196.37
			WATER CHARGES	136.84
			WATER CHARGES	357.96
			WATER CHARGES	331.56
			WATER CHARGES	6,413.59
			WATER CHARGES	1,355.43
			WATER CHARGES	393.71
			WATER CHARGES	7,210.74
			WATER CHARGES	1,774.81
			WATER CHARGES	395.17
			WATER CHARGES	43.91
			WATER CHARGES	37.59
			WATER CHARGES	196.12
			WATER CHARGES	451.18
			WATER CHARGES	128.61
			WATER CHARGES	264.06
			WATER CHARGES	67.50
			WATER CHARGES	131.67
	Vendor Total	**41,985.63**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,287,449.35**		

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EDGELANE MOBILE PARK				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882654	23.60		
				REFUND-UT USER TAXES	23.60
	Vendor Total		**23.60**		
FYTD for EDGELANE MOBILE PARK			**138.51**		
EGGERSTEN, ANNE				Remit to: **RANCHO MIRAGE** **CA**	
	5/9/2011	207723	325.66		
				RETIREE MED MAY '11	325.66
	Vendor Total		**325.66**		
FYTD for EGGERSTEN, ANNE			**3,461.90**		
ELLIOTT, NISHA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207625	156.00		
				INSTRUCTOR SVCS-KICK BOXING	132.00
				INSTRUCTOR SVCS-KICK BOXING	24.00
	5/31/2011	208041	268.80		
				INSTRUCTOR SVCS-KICKBOXING	220.80
				INSTRUCTOR SVCS-KICKBOXING	48.00
	Vendor Total		**424.80**		
FYTD for ELLIOTT, NISHA			**1,995.60**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	5/2/2011	882623	18,583.90		
				CABINET LEASE-INDIAN	11.95
				CABINET LEASE-INDIAN	1,238.05
				CABINET LEASE-IRIS	29.67
				CABINET LEASE-IRIS	1,220.33
				12KV NEW REDLAND CKT WORK	14,713.29
				MORRISON FS ELECTR DESIGN WORK	916.11
				CORP YARD ADM BLDG ELECTR WORK	454.50
	5/16/2011	882739	2,974.00		
				CABINET LEASE-INDIAN	6.47
				CABINET LEASE-INDIAN	1,243.53
				CABINET LEASE-IRIS	23.79
				CABINET LEASE-IRIS	1,226.21
				METER FEES-SOLAR CUST	474.00
	Vendor Total		**21,557.90**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**2,058,519.17**		
ESI ACQUISITION, INC.				Remit to: **AUGUSTA** **GA**	
	5/31/2011	882811	8,800.00		
				SOFTWARE SUPPORT-TECH SVCS	4,900.00
				SOFTWARE SUPPORT-TECH SVCS	3,900.00
	Vendor Total		**8,800.00**		
FYTD for ESI ACQUISITION, INC.			**17,600.00**		

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ESRI, INC.				Remit to: **REDLANDS** **CA**	
	5/2/2011	882624	761.25		
				ARCPAD LICENSE-PW MAINT	700.00
				ARCPAD LICENSE-PW MAINT	61.25
	Vendor Total		**761.25**		
FYTD for ESRI, INC.			**42,037.05**		
ESTRADA, PATRICIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207823	200.00		
				REFUND-RNTL DEP 4/30/11	200.00
	Vendor Total		**200.00**		
FYTD for ESTRADA, PATRICIA			**200.00**		
EVANS ENGRAVING & AWARDS				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	882625	31.45		
				ENGRAVING SVCS-PD	31.45
	5/23/2011	882771	185.97		
				ENGRAVING SVCS-PLANNING COMM	84.00
				ENGRAVING SVCS-PLANNING COMM	7.35
				ENGRAVING SVCS-PLANNING COMM	60.00
				ENGRAVING SVCS-PLANNING COMM	5.25
				ENGRAVING SVCS-FIRE	29.37
	5/31/2011	882812	39.15		
				ENGRAVING SVCS-HR	35.78
				ENGRAVING SVCS-HR	3.37
	Vendor Total		**256.57**		
FYTD for EVANS ENGRAVING & AWARDS			**1,265.58**		
EWING IRRIGATION PRODUCTS, INC.				Remit to: **PHOENIX** **AZ**	
	5/2/2011	207626	51.56		
				IRRIGATION SUPPLIES-PARKS	51.56
	5/9/2011	207724	5,413.13		
				IRRIGATION SUPPLIES-PARKS	2,964.31
				IRRIGATION SUPPLIES-PARKS	2,448.82
	Vendor Total		**5,464.69**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**16,189.39**		

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EXCEL LANDSCAPE, INC			Remit to: **CORONA** **CA**	
5/9/2011	207725	3,978.92		
			LANDSCAPE MAINT-WQB	1,494.90
			LANDSCAPE MAINT-WQB	809.28
			LANDSCAPE MAINT-WQB	1,674.74
5/23/2011	207935	13,314.50		
			LANDSCAPE MAINT-E7	2,777.17
			LANDSCAPE MAINT-E15	1,070.36
			LANDSCAPE MAINT-E8	1,501.98
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-WQB	4,503.92
	Vendor Total	**17,293.42**		
FYTD for EXCEL LANDSCAPE, INC		**150,353.16**		
FAIR HOUSING COUNCIL OF RIV CO, INC.			Remit to: **RIVERSIDE** **CA**	
5/16/2011	882740	14,032.99		
			LANDLORD/TENANT MEDIATION-CDBG	4,804.74
			LANDLORD/TENANT MEDIATION-CDBG	4,356.64
			LANDLORD/TENANT MEDIATION-CDBG	4,871.61
	Vendor Total	**14,032.99**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**62,154.13**		
FEENSTRA, JOHN			Remit to: **REDLANDS** **CA**	
5/9/2011	882656	361.25		
			RETIREE MED MAY '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**3,973.75**		
FENDER, SHAUNA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207824	75.00		
			REFUND-NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for FENDER, SHAUNA		**75.00**		
FERNANDES, MARCUS			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207825	109.00		
			REFUND-CITATION OVRPMT	109.00
	Vendor Total	**109.00**		
FYTD for FERNANDES, MARCUS		**109.00**		

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FIDELITY NATIONAL TITLE CO			Remit to: **MURRIETTA** **CA**	
5/2/2011	207627	1,724.00		
			REFUND-CITATION/RE-INSPECT FEE	1,000.00
			REFUND-CITATION/RE-INSPECT FEE	724.00
Vendor Total		**1,724.00**		
FYTD for FIDELITY NATIONAL TITLE CO		**1,724.00**		
FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
5/16/2011	207826	514.00		
			ONLINE PROP INFO-CODE	241.00
			ONLINE PROP INFO-CDD	103.00
			ONLINE PROP INFO-EDD	170.00
5/31/2011	208042	484.00		
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-CDD	217.00
			ONLINE PROP INFO SVCS-EDD	182.00
Vendor Total		**998.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**7,212.00**		
FIRST CHOICE FIRE PROTECTION			Remit to: **GARDENA** **CA**	
5/2/2011	207628	90.81		
			REFUND-BUS LIC OVRPMT	90.81
Vendor Total		**90.81**		
FYTD for FIRST CHOICE FIRE PROTECTION		**90.81**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
5/9/2011	882657	654.06		
			COFFEE SVCS-EMP PAID	132.66
			COFFEE SVCS-EMP PAID	12.93
			COFFEE SVCS-EMP PAID	37.80
			COFFEE SVCS-EMP PAID	115.41
			COFFEE SVCS-EMP PAID	136.94
			COFFEE SVCS-EMP PAID	112.68
			COFFEE SVCS-EMP PAID	55.70
			COFFEE SVCS-EMP PAID	49.94
Vendor Total		**654.06**		
FYTD for FIRST CHOICE SERVICES		**7,224.69**		
FITNESS 19 CA 155 11C			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207936	265.00		
			GYM MEMBERSHIP DEDUCTIONS	265.00
Vendor Total		**265.00**		
FYTD for FITNESS 19 CA 155 11C		**2,836.00**		

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FLINT-PETERSON				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207629	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for FLINT-PETERSON			**20.00**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	207937	1,365.93		
				ADMIN CITATIONS-ANML SVCS	1,231.40
				ADMIN CITATIONS-ANML SVCS	107.75
				ADMIN CITATIONS-ANML SVCS	26.78
	Vendor Total		**1,365.93**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**23,273.99**		
FORNISS, BRANDON/JAMIE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207828	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FORNISS, BRANDON/JAMIE			**75.00**		
FOSTER, JAMES BARRY				Remit to: **RIVERSIDE** **CA**	
	5/19/2011	207897	248.50		
				PER DIEM-ICSC RECON CONVENTION	248.50
	Vendor Total		**248.50**		
FYTD for FOSTER, JAMES BARRY			**712.99**		
FOSTER, NANCY A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882658	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for FOSTER, NANCY A.			**3,487.19**		
FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	207726	33.95		
				GARNISHMENT	33.95
	5/23/2011	207938	178.14		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	38.14
	Vendor Total		**212.09**		
FYTD for FRANCHISE TAX BOARD			**3,178.77**		

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FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	5/16/2011	207829	191.25		
				MILEAGE REIMBURSEMENT	191.25
	Vendor Total		**191.25**		
FYTD for FRANKLIN, L. C.			**1,590.96**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207630	4,941.32		
				TRAFFIC PAINT-BICYCLE LANE PRJ	2,691.56
				GLASS BEADS-BICYCLE LANE PROJ	2,249.76
	Vendor Total		**4,941.32**		
FYTD for FRAZEE INDUSTRIES, INC			**123,905.38**		
FRISBIE, AAPRIS				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207830	75.00		
				REFUND-NEUTER DEPOSIT	55.00
				REFUND-NEUTER DEPOSIT	20.00
	Vendor Total		**75.00**		
FYTD for FRISBIE, AAPRIS			**75.00**		
FROST, JOAN CHENG				Remit to: **TEMECULA** **CA**	
	5/23/2011	207939	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for FROST, JOAN CHENG			**1,938.00**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882659	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,506.03**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
5/9/2011	882660	483.21		
			SECURITY SVCS-CONF & REC CTR	122.72
			SECURITY SVCS-SENIOR CTR	214.76
			SECURITY SVCS-TOWNGATE	145.73
5/16/2011	882741	2,730.53		
			SECURITY SVCS-UTILITIES	276.12
			SECURITY SVCS-UTILITIES	276.12
			SECURITY SVCS-SENIOR CTR	153.40
			SECURITY SVCS-SENIOR CTR	184.08
			SECURITY SVCS-LIBRARY	245.45
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	245.44
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
5/23/2011	882772	3,497.52		
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-TOWNGATE	107.38
			SECURITY SVCS-TOWNGATE	107.38
			SECURITY SVCS-TOWNGATE	107.38
			SECURITY SVCS-CONF & REC CTR	61.36
			SECURITY SVCS-CONF & REC CTR	92.04
			SECURITY SVCS-CONF & REC CTR	76.70
	Vendor Total	**6,711.26**		
FYTD for GENERAL SECURITY SERVICES, INC.		**48,553.06**		
GERMAN, CATINA			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	207940	10.99		
			REFUND-LOST BOOK FEE	10.99
	Vendor Total	**10.99**		
FYTD for GERMAN, CATINA		**10.99**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES** **CA**	
5/2/2011	882626	641.94		
			LEGAL SVCS	641.94
5/16/2011	882742	20,888.45		
			LEGAL SVCS	18,633.45
			LEGAL SVCS	1,940.50
			LEGAL SVCS	314.50
5/23/2011	882773	4,508.25		
			LEGAL SVCS	4,508.25
	Vendor Total	**26,038.64**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**230,458.37**		
GILES, STELLA			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207631	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for GILES, STELLA		**20.00**		
GITONGA, LUCY			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207632	77.08		
			REFUND-CAMP REGISTR.	77.08
	Vendor Total	**77.08**		
FYTD for GITONGA, LUCY		**77.08**		
GLADWELL GOVERNMENTAL SVCS, INC.			Remit to: **LAKE ARROWHEAD** **CA**	
5/31/2011	208043	100.00		
			CONSULTING SVCS-TECH SVCS	100.00
	Vendor Total	**100.00**		
FYTD for GLADWELL GOVERNMENTAL SVCS, INC.		**100.00**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882661	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for GONZALES, DOMILENA R.		**2,741.59**		
GONZALEZ, GUILLERMINA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207633	37.00		
			REFUND-PICNIC SHLTR FEE ERROR	37.00
	Vendor Total	**37.00**		
FYTD for GONZALEZ, GUILLERMINA		**37.00**		

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GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	882627	405.00		
				INSTRUCTOR SVCS-KUNG FU	189.00
				INSTRUCTOR SVCS-KUNG FU	216.00
	Vendor Total		**405.00**		
FYTD for GOZDECKI, DAN			**6,777.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	207727	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for GRANICUS, INC.			**11,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	5/9/2011	882662	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,427.25**		
GUIDA SURVEYING, INC.				Remit to: **IRVINE** **CA**	
	5/16/2011	882743	6,448.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	6,448.00
	Vendor Total		**6,448.00**		
FYTD for GUIDA SURVEYING, INC.			**107,733.00**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	5/16/2011	207831	168.00		
				INSTRUCTOR SVCS-ZUMBA	168.00
	Vendor Total		**168.00**		
FYTD for GUILIANO, MARIA			**1,108.80**		
GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	5/9/2011	882663	275.67		
				RETIREE MED MAY '11	275.67
	Vendor Total		**275.67**		
FYTD for GUILLAN, REBECCA S.			**3,295.96**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	5/9/2011	882664	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,506.03**		

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GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882744	4,049.00		
				CART RETRVL SVCS-CODE	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	5/9/2011	882665	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,487.19**		
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882666	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HANSEN, ROBERT L.				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208044	344.25		
				REIMB.-CITY ATTYS CONFERENCE	344.25
	Vendor Total		**344.25**		
FYTD for HANSEN, ROBERT L.			**734.75**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	5/9/2011	207728	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HARRIS & ASSOCIATES				Remit to: **CONCORD** **CA**	
	5/9/2011	882667	625.00		
				PROF SERVICES-CFD #4	375.00
				PROF SERVICES-CFD #4	250.00
	Vendor Total		**625.00**		
FYTD for HARRIS & ASSOCIATES			**32,992.50**		
HARRISON, WALTER				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207832	264.00		
				REFUND-RNTL DEP 6/26/11	200.00
				REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total		**264.00**		
FYTD for HARRISON, WALTER			**264.00**		

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HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	5/9/2011	207729	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**22,196.36**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208045	126.00		
				INSTRUCTOR SVCS-BODY SCULPTING	126.00
	Vendor Total		**126.00**		
FYTD for HASS, MINA			**126.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	5/9/2011	882668	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,506.03**		
HAUSER, ADRIANA				Remit to: **SAN BERNARDINO** **CA**	
	5/23/2011	207941	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for HAUSER, ADRIANA			**5,244.00**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	5/9/2011	882669	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,506.03**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207730	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,506.03**		
HERRING, COURTNEY				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208046	64.00		
				REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total		**64.00**		
FYTD for HERRING, COURTNEY			**64.00**		

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HETHERMAN, ANTHONY CHRISTOPHER				Remit to: **TEMECULA** **CA**	
	5/9/2011	882670	35.70		
				MILEAGE REIMBURSEMENT	35.70
	Vendor Total		**35.70**		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER			**276.84**		
HICKMAN, LANISE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208047	319.20		
				INSTRUCTOR SVCS-BOOTCAMP	319.20
	Vendor Total		**319.20**		
FYTD for HICKMAN, LANISE			**355.20**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207635	72.00		
				INSTRUCTOR SVCS-OIL PAINTING	72.00
	Vendor Total		**72.00**		
FYTD for HIGGS, DEBRA			**612.00**		
HO, KEVIN CHINH				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	207942	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for HO, KEVIN CHINH			**950.00**		
HOGARD, JOHN T.				Remit to: **CORONA** **CA**	
	5/9/2011	882671	300.00		
				RETIREE MED JAN-MAR '11	300.00
	Vendor Total		**300.00**		
FYTD for HOGARD, JOHN T.			**2,633.50**		
HOKANSON, VINTON				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208048	16.00		
				REFUND-LICENSE FEE	16.00
	Vendor Total		**16.00**		
FYTD for HOKANSON, VINTON			**16.00**		
HOTEL SOLAMAR				Remit to: **SAN DIEGO** **CA**	
	5/31/2011	208049	607.88		
				D. LIENHARD-CHAMELEON CONF.	607.88
	Vendor Total		**607.88**		
FYTD for HOTEL SOLAMAR			**607.88**		

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HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207731	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,506.03**		
HOUSTON & HARRIS PCS, INC.				Remit to: **GRAND TERRACE** **CA**	
	5/9/2011	207732	860.00		
				VIDEO INSPECTION-STORM DRAIN	860.00
	Vendor Total		**860.00**		
FYTD for HOUSTON & HARRIS PCS, INC.			**860.00**		
HOWARD, DIANE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207733	47.00		
				REFUND-PIANO CLASS	47.00
	Vendor Total		**47.00**		
FYTD for HOWARD, DIANE			**47.00**		
ICC FOOTHILL CHAPTER OF BLDNG OFFICIALS				Remit to: **ONTARIO** **CA**	
	5/31/2011	208050	200.00		
				ACCESSIBILITY TRNG 6/7/11	100.00
				ACCESSIBILITY TRNG 6/7/11	100.00
	Vendor Total		**200.00**		
FYTD for ICC FOOTHILL CHAPTER OF BLDNG OFFICIALS			**350.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	5/6/2011	2853	9,110.37		
				DEF COMP-457 5/6/11	9,110.37
	5/20/2011	2861	9,110.37		
				DEF COMP-457 5/20/11	9,110.37
	Vendor Total		**18,220.74**		
FYTD for ICMA RETIREMENT CORP 457			**226,138.63**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207833	144.97		
				REFUND-UT USER TAXES	144.97
	Vendor Total		**144.97**		
FYTD for IL SORRENTO MOBILE PARK			**1,483.89**		

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IMMIGRATION LAW OFFICES OF HADLEY BAJRAM			Remit to: **RIVERSIDE** **CA**	
5/23/2011	207943	74.20		
			REFUND-BUS LIC OVRPMT	74.20
Vendor Total		**74.20**		
FYTD for IMMIGRATION LAW OFFICES OF HADLEY BAJRAM		**74.20**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
5/9/2011	207734	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,225.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882628	526.00		
			NUISANCE ABTMNT SVC-CODE	526.00
5/16/2011	882745	1,354.23		
			NUISANCE ABTMNT SVC-CODE	189.23
			NUISANCE ABTMNT SVC-CODE	233.00
			NUISANCE ABTMNT SVC-CODE	232.00
			NUISANCE ABTMNT SVC-CODE	700.00
5/23/2011	882774	356.00		
			NUISANCE ABTMNT SVC-22862 ADRI	125.00
			NUISANCE ABTMNT SVC-12032 SWEA	231.00
Vendor Total		**2,236.23**		
FYTD for INLAND CONTRACTORS, INC.		**29,576.91**		
INLAND EMPIRE ARCHITECTURAL SPECIALTIES,			Remit to: **RIVERSIDE** **CA**	
5/23/2011	207944	48.72		
			REFUND-BUS LIC OVRPMT	48.72
Vendor Total		**48.72**		
FYTD for INLAND EMPIRE ARCHITECTURAL SPECIALTIES,		**48.72**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS** **CA**	
5/31/2011	208051	975.00		
			ADVERTISING SVCS-EDD	975.00
Vendor Total		**975.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**6,150.00**		

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INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	882746	4,568.00		
			WEED ABATEMENT SVCS-PARKS	4,568.00
5/23/2011	882775	446.00		
			NUISANCE ABTMNT SVC-14344 SAYA	446.00
5/31/2011	882814	239.80		
			NUISANCE ABTMNT SVC-CODE	239.80
	Vendor Total	**5,253.80**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**60,131.42**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207834	12,500.00		
			BUS COUNSELING SVCS-EDD	12,500.00
	Vendor Total	**12,500.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**47,500.00**		
INSIDE PLANTS, INC.			Remit to: **CORONA** **CA**	
5/16/2011	882747	326.00		
			PLANT MAINT-CONF & REC CTR	326.00
	Vendor Total	**326.00**		
FYTD for INSIDE PLANTS, INC.		**3,541.00**		
INTERNATIONAL CRIME FREE ASSOC.			Remit to: **EL CAJON** **CA**	
5/16/2011	207835	500.00		
			INTL CRIME FREE CONF-JULY10-13	250.00
			INTL CRIME FREE CONF-JULY10-13	250.00
	Vendor Total	**500.00**		
FYTD for INTERNATIONAL CRIME FREE ASSOC.		**500.00**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION			Remit to: **CERRITOS** **CA**	
5/9/2011	207735	1,087.88		
			OFFSITE DATA STORAGE-TECH SVCS	1,087.88
	Vendor Total	**1,087.88**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**10,898.59**		

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ISG INFRASYS				Remit to: **LAWRENCEVILLE GA**	
	5/2/2011	207636	1,197.25		
				THERMAL CAMERA REPAIR-PD	340.00
				THERMAL CAMERA REPAIR-PD	827.25
				THERMAL CAMERA REPAIR-PD	30.00
				CA USE TAX/ACCRUAL	75.01
				CA USE TAX/ACCRUAL	-75.01
	5/31/2011	208052	342.00		
				BATTERY REPAIR-FIRE	342.00
	Vendor Total		**1,539.25**		
FYTD for ISG INFRASYS			**2,156.50**		
J D H CONTRACTING				Remit to: **RIVERSIDE CA**	
	5/23/2011	882776	5,182.00		
				ROOF REPAIR-FS #2	5,182.00
	5/31/2011	882815	1,820.00		
				SKYLIGHT REPAIR-CONF & REC CTR	1,820.00
	Vendor Total		**7,002.00**		
FYTD for J D H CONTRACTING			**149,293.50**		
JACKSON, JAYE				Remit to: **RIVERSIDE CA**	
	5/16/2011	207836	44.00		
				SPORTS OFFICIATING SVCS	44.00
	5/23/2011	207945	32.00		
				SPORTS OFFICIATING SVCS	32.00
	Vendor Total		**76.00**		
FYTD for JACKSON, JAYE			**76.00**		
JAMESON, ROY				Remit to: **RIVERSIDE CA**	
	5/16/2011	207837	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for JAMESON, ROY			**54.50**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				Remit to: **RIVERSIDE CA**	
	5/9/2011	207736	75.00		
				COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,433.65**		

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JDEDGE SOFTWARE, LLC			Remit to: **KRUGERVILLE** **TX**	
5/23/2011	882777	2,410.00		
			CONSULTING SVCS-TECH SVCS	1,815.00
			CONSULTING SVCS-TECH SVCS	595.00
	Vendor Total	**2,410.00**		
FYTD for JDEDGE SOFTWARE, LLC		**24,537.50**		
JEHOVAH'S WITTNESSES			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207637	500.00		
			REFUND-RNTL DEP 4/17/11 EVENT	500.00
	Vendor Total	**500.00**		
FYTD for JEHOVAH'S WITTNESSES		**500.00**		
JIANG, WEI			Remit to: **FREMONT** **CA**	
5/2/2011	207638	400.00		
			REFUND-ADMIN CITATION	400.00
	Vendor Total	**400.00**		
FYTD for JIANG, WEI		**400.00**		
JOBS AVAILABLE, INC.			Remit to: **MODESTO** **CA**	
5/16/2011	207838	717.50		
			ADVERTISING SVCS-HR	717.50
	Vendor Total	**717.50**		
FYTD for JOBS AVAILABLE, INC.		**1,732.50**		
JOE A. GONSALVES & SON			Remit to: **SACRAMENTO** **CA**	
5/9/2011	882672	3,150.00		
			REPRESENTATION SVCS	3,150.00
	Vendor Total	**3,150.00**		
FYTD for JOE A. GONSALVES & SON		**31,680.00**		
JOHNSON-FLORENCE, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207839	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for JOHNSON-FLORENCE, DEBORAH		**404.50**		
JONES III, JOSEPH			Remit to: **FONTANA** **CA**	
5/2/2011	207639	98.94		
			MILEAGE REIMBURSEMENT	98.94
	Vendor Total	**98.94**		
FYTD for JONES III, JOSEPH		**431.44**		

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JONES, MAEGAN				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207840	35.00		
				REFUND-ELECT USE FEE	35.00
	Vendor Total		**35.00**		
FYTD for JONES, MAEGAN			**35.00**		
JONES, RONNIE				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207841	0.50		
				REFUND-CITATION OVRPMT	0.50
	Vendor Total		**0.50**		
FYTD for JONES, RONNIE			**0.50**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882673	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,506.03**		
JORDAN, JENNIFER				Remit to: **CORONA** **CA**	
	5/31/2011	208053	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for JORDAN, JENNIFER			**75.00**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	5/9/2011	207791	10,657.51		
				TRAFFIC SIGNAL SUPPLIES	2,446.88
				BATTERY BACK UP SVC CABINET	8,210.63
	Vendor Total		**10,657.51**		
FYTD for JTB SUPPLY CO., INC.			**42,263.54**		
KEYSER MARSTON ASSOCIATES, INC.				Remit to: **SAN FRANCISCO** **CA**	
	5/2/2011	207640	1,406.25		
				CONSULTING SVCS-EDD	375.00
				CONSULTING SVCS-EDD	1,031.25
	5/16/2011	207842	4,915.00		
				CONSULTING SVCS-EDD	4,915.00
	5/31/2011	208054	2,240.00		
				CONSULTING SVCS-EDD	2,240.00
	Vendor Total		**8,561.25**		
FYTD for KEYSER MARSTON ASSOCIATES, INC.			**18,188.13**		

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KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	5/9/2011	207737	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**3,353.48**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	5/23/2011	207946	393.58		
				MISC SUPPLIES-PARKS MAINT	393.58
	Vendor Total		**393.58**		
FYTD for KNORR SYSTEMS, INC			**393.58**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882675	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882676	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,506.03**		
KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	5/9/2011	207738	674.22		
				LASER GUN REPAIR-PD	200.00
				LASER GUN REPAIR-PD	399.15
				LASER GUN REPAIR-PD	75.07
	Vendor Total		**674.22**		
FYTD for KUSTOM SIGNALS, INC.			**2,269.71**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	5/9/2011	882677	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**3,506.03**		

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LA FOLLETTE, JOHNSON, DE HAAS, ET AL			Remit to: **LOS ANGELES** **CA**	
5/31/2011	208055	13,113.00		
			LEGAL SERVICES-RISK MGT	6,037.49
			LEGAL SERVICES-RISK MGT	7,075.51
	Vendor Total	**13,113.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL		**60,099.16**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882678	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,487.19**		
LANG, TRACEY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207947	152.00		
			INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total	**152.00**		
FYTD for LANG, TRACEY		**912.00**		
LANGENDORF, BENJAMIN			Remit to: **PERRIS** **CA**	
5/9/2011	882679	442.80		
			RETIREE MED MAR '11	442.80
	Vendor Total	**442.80**		
FYTD for LANGENDORF, BENJAMIN		**2,307.16**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES** **CA**	
5/2/2011	207641	1,522.50		
			LEGAL SERVICES-LAND DEV	1,522.50
	Vendor Total	**1,522.50**		
FYTD for LATHAM & WATKINS, LLP		**2,465.00**		
LAW ENFORCEMENT APPRECIATION COMMITTEE			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207739	100.00		
			AWARDS CEREMONY	50.00
			AWARDS CEREMONY	50.00
	Vendor Total	**100.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE		**100.00**		

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LAW ENFORCEMENT ASSOCIATES			Remit to: **RALEIGH** **NC**	
5/9/2011	207740	1,484.08		
			MEMORY CARDS-PD	1,567.44
			MEMORY CARDS-PD	-202.77
			MEMORY CARDS-PD	119.41
	Vendor Total	**1,484.08**		
FYTD for LAW ENFORCEMENT ASSOCIATES		**14,025.91**		
LAW OFFICE OF BRENDA L. DIEDERICHS			Remit to: **CHINO** **CA**	
5/16/2011	207843	22,474.56		
			LEGAL SERVICES-HR	20,449.56
			LEGAL SERVICES-HR	2,025.00
	Vendor Total	**22,474.56**		
FYTD for LAW OFFICE OF BRENDA L. DIEDERICHS		**63,024.56**		
LAWN TECH EQUIPMENT			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882629	147.00		
			CHAIN SHARPENING-PW MAINT	147.00
	Vendor Total	**147.00**		
FYTD for LAWN TECH EQUIPMENT		**2,779.41**		
LEFEVRE, FRAN			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207844	175.00		
			PER DIEM-LAW ENFORC TRNG NEEDS	175.00
	Vendor Total	**175.00**		
FYTD for LEFEVRE, FRAN		**175.00**		
LEWIS BRISBOIS BISGAARD & SMITH LLP			Remit to: **SAN BERNARDINO** **CA**	
5/31/2011	882816	6,342.94		
			LEGAL SERVICES-RISK MGT	6,342.94
	Vendor Total	**6,342.94**		
FYTD for LEWIS BRISBOIS BISGAARD & SMITH LLP		**12,804.79**		
LEWIS, CAROLYN S.			Remit to: **BEAUMONT** **CA**	
5/9/2011	882680	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LEWIS, CAROLYN S.		**3,487.19**		

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LIEBERT, CASSIDY, WHITMORE			Remit to: **LOS ANGELES** **CA**	
5/16/2011	207845	210.00		
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
	Vendor Total	**210.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE		**3,874.00**		
LIENHARD, DORI A.			Remit to: **RANCHO MIRAGE** **CA**	
5/31/2011	208056	341.97		
			TRAVEL EXP.-CHAMELEON CONF.	93.47
			TRAVEL EXP.-CHAMELEON CONF.	248.50
	Vendor Total	**341.97**		
FYTD for LIENHARD, DORI A.		**646.47**		
LIM & NASCIMENTO ENGINEERING CORP.			Remit to: **CHICAGO** **IL**	
5/23/2011	207948	8,533.91		
			PERRIS BL WIDENING FROM RAM XP	8,533.91
	Vendor Total	**8,533.91**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		**314,904.80**		
LLANOS, ADRIANA			Remit to: **NUEVO** **CA**	
5/16/2011	207846	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for LLANOS, ADRIANA		**20.00**		
LOCKWOOD, MELISSA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207847	31.00		
			REFUND-PICNIC SHLTR FEE	31.00
	Vendor Total	**31.00**		
FYTD for LOCKWOOD, MELISSA		**31.00**		
LOGAN, CHARLES			Remit to: **LAS VEGAS** **NV**	
5/9/2011	882681	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LOGAN, CHARLES		**3,506.03**		

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LONDON, CHARLES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207642	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LONDON, CHARLES			**50.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	882817	3,022.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	3,022.00
	Vendor Total		**3,022.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**80,777.00**		
LOS ANGELES COUNTY AUDITOR CONTROLLER				Remit to: **LOS ANGELES** **CA**	
	5/31/2011	208057	502.00		
				RESIDUE KIT-PD	502.00
	Vendor Total		**502.00**		
FYTD for LOS ANGELES COUNTY AUDITOR CONTROLLER			**502.00**		
LUDWIG, BRITTANY				Remit to: **LOS ANGELES** **CA**	
	5/23/2011	207949	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LUDWIG, BRITTANY			**75.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882682	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,506.03**		
LUNDBERG, GEORGINA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207848	86.29		
				CACFP MGMT COURSE/PIN TRNG	86.29
	Vendor Total		**86.29**		
FYTD for LUNDBERG, GEORGINA			**86.29**		
MALONE, LAWRENCE				Remit to: **ALISO VIEGO** **CA**	
	5/9/2011	207741	174.00		
				REFUND-ADMIN CITATION	174.00
	Vendor Total		**174.00**		
FYTD for MALONE, LAWRENCE			**174.00**		

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MANHOLE ADJUSTING, INC			Remit to: **PICO RIVERA** **CA**	
5/31/2011	208058	49.68		
			REFUND-BUS LIC OVRPMT	49.68
Vendor Total		**49.68**		
FYTD for MANHOLE ADJUSTING, INC		**49.68**		
MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207643	8.50		
			GAS CHARGES-MFP COMM CTR	6.95
			GAS CHARGES-MFP COMM CTR	1.55
5/31/2011	208059	7.17		
			GAS CHARGES-MARCH FIELD	5.86
			GAS CHARGES-MARCH FIELD	1.31
Vendor Total		**15.67**		
FYTD for MARCH JOINT POWERS AUTHORITY		**80.63**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
5/31/2011	882818	9,419.95		
			LANDSCAPE MAINT-DSG2N	4,425.04
			LANDSCAPE MAINT-DSG2S	440.64
			LANDSCAPE MAINT-DSG2S	4,554.27
Vendor Total		**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**86,347.75**		
MARKHAM, RHONDA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207644	250.00		
			REFUND-RNTL DEP 4/9/11 EVENT	250.00
Vendor Total		**250.00**		
FYTD for MARKHAM, RHONDA		**250.00**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207645	56.00		
			INSTRUCTOR SVCS-KICK BOXING	56.00
Vendor Total		**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**560.00**		

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MARTINEZ, REGGIE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207742	105.00		
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	20.00
				SPORTS OFFICIATING SVCS	15.00
	5/31/2011	208060	70.00		
				SPORTS OFFICIATING SVCS	70.00
	Vendor Total		**175.00**		
FYTD for MARTINEZ, REGGIE			**1,085.00**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	5/9/2011	882683	290.00		
				RETIREE MED MAR '11	290.00
	Vendor Total		**290.00**		
FYTD for MATHIS, NOLAN			**3,238.00**		
MATICH CORPORATION				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	882684	6,889.68		
				ASPHALTIC MATERIALS	6,889.68
	Vendor Total		**6,889.68**		
FYTD for MATICH CORPORATION			**38,910.62**		
MATUTE, OMAR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207950	67.00		
				REFUND-TIME 4 TOTS	67.00
	Vendor Total		**67.00**		
FYTD for MATUTE, OMAR			**67.00**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	5/9/2011	882685	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MAYER HOFFMAN MCCANN P.C.				Remit to: **IRVINE** **CA**	
	5/16/2011	207849	15,562.00		
				AUDITING SVCS-CITY	9,888.00
				AUDITING SVCS-CITY	757.00
				AUDITING SVCS-CITY	4,917.00
	Vendor Total		**15,562.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**85,919.00**		

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MCCAIN TRAFFIC SUPPLY			Remit to: **VISTA** **CA**	
5/9/2011	207743	2,351.35		
			TRAFFIC SIGNAL SUPPLIES	2,351.35
5/16/2011	207850	10,146.14		
			TRAF SIG CONTRLLR-SUNNYMD RNCH	10,146.14
5/31/2011	208061	10,550.92		
			TRAF SIG CONTROLLER CABINET	9,702.00
			CA SALES TAX	848.92
	Vendor Total	**23,048.41**		
FYTD for MCCAIN TRAFFIC SUPPLY		**24,437.16**		
MCCULLUM, JOE			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207851	37.00		
			REFUND-PICNIC SHLTR FEE	37.00
	Vendor Total	**37.00**		
FYTD for MCCULLUM, JOE		**37.00**		
McDONALD, CHRIS			Remit to: **PERRIS** **CA**	
5/23/2011	207951	38.00		
			INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total	**38.00**		
FYTD for McDONALD, CHRIS		**2,280.00**		
MEEKS, DANIEL			Remit to: **PERRIS** **CA**	
5/23/2011	882778	40.00		
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**40.00**		
FYTD for MEEKS, DANIEL		**1,820.00**		
MELAD & ASSOCIATES, INC			Remit to: **HUNTINGTON BEACH** **CA**	
5/16/2011	207852	2,115.00		
			PLAN CHECK SVCS-BLDG/SFTY	2,115.00
5/31/2011	208062	2,070.00		
			PLAN CHECK SVCS-BLDG/SFTY	2,070.00
	Vendor Total	**4,185.00**		
FYTD for MELAD & ASSOCIATES, INC		**40,177.12**		
MENGISTU, YESHIALEM			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207853	131.07		
			MILEAGE REIMBURSEMENT	131.07
	Vendor Total	**131.07**		
FYTD for MENGISTU, YESHIALEM		**1,052.21**		

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MENOS CUSTOMS				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207646	26.81		
				REFUND-BUS LIC OVRPMT	26.81
	Vendor Total		**26.81**		
FYTD for MENOS CUSTOMS			**26.81**		
MESA CONTRACTING CORPORATION				Remit to: **ORANGE** **CA**	
	5/16/2011	207854	52.00		
				REFUND-BUS LIC OVRPMT	52.00
	Vendor Total		**52.00**		
FYTD for MESA CONTRACTING CORPORATION			**52.00**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	5/9/2011	882686	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,506.03**		
METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	5/23/2011	207952	100.00		
				TEXT MSSG RTRVL SVC-PD	100.00
	Vendor Total		**100.00**		
FYTD for METROPCS WIRELESS, INC.			**200.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207647	147.00		
				INSTRUCTOR SVCS-DRAWING	147.00
	Vendor Total		**147.00**		
FYTD for MEYERS, ROBERT			**2,247.00**		
MGT OF AMERICA, INC.				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	882687	3,000.00		
				STATE MANDATED COST CLAIMING	3,000.00
	Vendor Total		**3,000.00**		
FYTD for MGT OF AMERICA, INC.			**12,000.00**		
MICHAEL LANE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207855	1,500.00		
				SETTLEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for MICHAEL LANE			**1,500.00**		

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MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882688	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**2,316.58**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	5/9/2011	882689	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,442.67**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	5/9/2011	882690	178.47		
				PLAYGROUND EQUIP-PARKS	178.47
	Vendor Total		**178.47**		
FYTD for MIRACLE RECREATION EQUIPMENT			**7,909.18**		
MISTRETTA, ARTHUR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	882779	414.00		
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	18.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	48.00
				SPORTS OFFICIATING SVCS	24.00
				SPORTS OFFICIATING SVCS	36.00
	5/31/2011	882819	36.00		
				SPORTS OFFICIATING SVCS	36.00
	Vendor Total		**450.00**		
FYTD for MISTRETTA, ARTHUR			**3,096.00**		
MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	5/9/2011	882691	401.42		
				RETIREE MED MAY '11	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,415.62**		

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MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	207744	4,216.25		
			EMERG PLUMBING REPAIRS-FS#91	380.00
			EMERG PLUMBING REPAIRS-FS#91	387.50
			EMERG PLUMBING REPAIRS-FS#91	246.25
			SHOWER REPAIR-FS #91	2,000.00
			SHOWER REPAIR-FS #91	600.00
			PLUMBING REPAIRS-PSB	100.00
			PLUMBING REPAIRS-PSB	502.50
5/23/2011	207953	272.50		
			PLUMBING RPRS-FS #58	272.50
Vendor Total		**4,488.75**		
FYTD for MONTGOMERY PLUMBING INC		**6,851.07**		
MORA, PATRICIA A.			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882692	318.73		
			RETIREE MED MAY '11	318.73
Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.		**3,506.03**		
MORENO VALLEY CHAMBER OF COMMERCE			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207856	120.00		
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
Vendor Total		**120.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**28,840.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.			Remit to: **MORENO VALLEY**	**CA**
5/6/2011	2852	1,562.00		
			MVCEA DUES 5/6/11	1,562.00
5/20/2011	2860	1,556.50		
			MVCEA DUES 5/20/11	1,556.50
Vendor Total		**3,118.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**37,602.50**		

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MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRAN(CA**	
5/23/2011	882780	7,934.87		
			LEASE-FACILITIES ANNEX	2,458.97
			LEASE-TECH SVCS ANNEX	5,475.90
5/31/2011	882820	9,207.72		
			BLDG LEASE-SPCL DIST	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**188,568.49**		
MORENO VALLEY HISPANIC CHAMBER			Remit to: **MORENO VALLEY CA**	
5/23/2011	207954	100.00		
			REFUND-MBL STG RNTL DEP	100.00
	Vendor Total	**100.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER		**100.00**		
MORENO VALLEY PLUMBING SUPPLIES			Remit to: **MORENO VALLEY CA**	
5/16/2011	207857	38.02		
			REPAIR PARTS-WATER TRUCK	38.02
	Vendor Total	**38.02**		
FYTD for MORENO VALLEY PLUMBING SUPPLIES		**38.02**		
MORENO VALLEY UTILITY			Remit to: **HEMET CA**	
5/23/2011	207955	99.16		
			ELECTRICITY-UT FLD OFFICE	99.16
	Vendor Total	**99.16**		
FYTD for MORENO VALLEY UTILITY		**686,219.59**		
MORENO, MARIO			Remit to:	
5/9/2011	207745	590.00		
			PER DIEM-NARCOTIC INVESTIG TRN	590.00
	Vendor Total	**590.00**		
FYTD for MORENO, MARIO		**800.00**		
MORGAN, LISA A.			Remit to: **MENTONE CA**	
5/9/2011	882693	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,506.03**		

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MOSER, KEVIN				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207648	86.00		
				REFUND-ANIMAL SVCS FEES	30.00
				REFUND-ANIMAL SVCS FEES	10.00
				REFUND-ANIMAL SVCS FEES	20.00
				REFUND-ANIMAL SVCS FEES	16.00
				REFUND-ANIMAL SVCS FEES	10.00
	Vendor Total		**86.00**		
FYTD for MOSER, KEVIN			**86.00**		
MR. CLEAN, INC.				Remit to: **COLTON** **CA**	
	5/23/2011	207956	428.00		
				PRESSURE WASHING SVC-CRC	428.00
	Vendor Total		**428.00**		
FYTD for MR. CLEAN, INC.			**2,759.57**		
MUSICK, PEELER & GARRETT, LLP				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207858	3,200.00		
				LEGAL SERVICES-HR	2,800.00
				LEGAL SERVICES-HR	400.00
	Vendor Total		**3,200.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP			**30,299.34**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207859	1,053.00		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	81.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	243.00
	Vendor Total		**1,053.00**		
FYTD for MUSICSTAR			**7,139.97**		
MVBSA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208063	500.00		
				REFUND-RNTL DEP 5/13/11	500.00
	Vendor Total		**500.00**		
FYTD for MVBSA			**500.00**		

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NATIONAL LAW ENFORCEMENT SUPPLY, INC.			Remit to: **ALBANY** **NY**	
5/23/2011	207957	79.28		
			FORENSIC SUPPLIES-PD	69.81
			FORENSIC SUPPLIES-PD	9.47
			FORENSIC SUPPLIES-PD	6.94
			USED TAX ACCRUAL-PD	-6.94
	Vendor Total	**79.28**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.		**445.98**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
5/6/2011	2850	12,563.63		
			PST DEF COMP FOR FICA 5/6/11	12,563.63
5/6/2011	2851	24,738.16		
			DEF COMP-457 & 401(A) 5/6/11	24,738.16
5/20/2011	2858	13,615.20		
			PST DEF COMP FOR FICA 5/20/11	13,615.20
5/20/2011	2859	24,648.41		
			DEF COMP-457 & 401(A) 5/20/11	24,648.41
	Vendor Total	**75,565.40**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**762,631.06**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
5/9/2011	882694	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**3,506.03**		
NELSON, MICHELE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207649	106.91		
			GAS CHGS-4/4-4/8/11 TRNG CLASS	106.91
	Vendor Total	**106.91**		
FYTD for NELSON, MICHELE		**356.91**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
5/9/2011	882695	325.66		
			RETIREE MED MAY '11	325.66
	Vendor Total	**325.66**		
FYTD for NELSON, ROBERT		**3,461.90**		

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NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	5/9/2011	882696	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NELSON, TIMOTHY IVAN				Remit to: **GRAND TERRACE** **CA**	
	5/23/2011	207958	456.00		
				INSTRUCTION SVCS-12 DAYS	456.00
	Vendor Total		**456.00**		
FYTD for NELSON, TIMOTHY IVAN			**3,572.00**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	5/9/2011	207746	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882697	9.89		
				REFUND-UT USER TAXES	9.89
	Vendor Total		**9.89**		
FYTD for NEW HORIZON MOBILE HOME PARK			**68.38**		
NEW WORLD LANGUAGE SERVICES, INC				Remit to: **SAN BERNARDINO** **CA**	
	5/31/2011	208064	650.00		
				INTERPRETER SVCS-EDD	650.00
	Vendor Total		**650.00**		
FYTD for NEW WORLD LANGUAGE SERVICES, INC			**650.00**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207747	401.42		
				RETIREE MED MAY '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	5/23/2011	207959	6,079.12		
				NIGHT OPTICS-PD	5,590.00
				NIGHT OPTICS-PD	489.12
	Vendor Total		**6,079.12**		
FYTD for NIGHT GALAXY, INC.			**6,079.12**		

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NINYO & MOORE GEOTECHNICAL			Remit to: **SAN DIEGO** **CA**	
5/16/2011	207860	11,855.50		
			IRONWOOD AVE/STORM DRAIN PROJ	9,959.50
			IRONWOOD AVE/STORM DRAIN PROJ	1,896.00
	Vendor Total	**11,855.50**		
FYTD for NINYO & MOORE GEOTECHNICAL		**72,641.50**		
NOBLES, GARRETT			Remit to: **HEMET** **CA**	
5/23/2011	207961	69.87		
			MILEAGE REIMBURSEMENT	69.87
	Vendor Total	**69.87**		
FYTD for NOBLES, GARRETT		**683.05**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE** **CA**	
5/31/2011	882821	947.00		
			LEGAL SERVICES-RISK MGT	385.95
			LEGAL SERVICES-RISK MGT	561.05
	Vendor Total	**947.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**13,616.23**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH** **CA**	
5/9/2011	882698	6,800.00		
			PROPERTY APPRAISAL SVCS-FS #65	6,800.00
5/16/2011	882748	67.50		
			SR-60/NASON ST INTRCHNG PROJ	67.50
5/31/2011	882822	8,400.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	8,400.00
	Vendor Total	**15,267.50**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**131,305.25**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND** **CA**	
5/9/2011	882699	989.00		
			FERTILIZATION SVCS-ZONE E	302.97
			FERTILIZATION SVCS-ZONE E	550.15
			FERTILIZATION SVCS-ZONE E	112.61
			FERTILIZATION SVCS-ZONE E	23.27
	Vendor Total	**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**8,515.83**		
PACIFIC SAFETY COUNCIL			Remit to: **SAN DIEGO** **CA**	
5/16/2011	882749	380.00		
			ANNUAL MEMBERSHIP	380.00
	Vendor Total	**380.00**		
FYTD for PACIFIC SAFETY COUNCIL		**3,815.75**		

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PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
5/9/2011	882700	438.48		
			PAYPHONE SVCS	375.84
			PAYPHONE SVCS-PD	62.64
	Vendor Total	**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**4,823.28**		
PADILLA, JHOANA LIZBETH			Remit to: **EL MONTE** **CA**	
5/16/2011	207861	36.00		
			REFUND-CITATION OVRPMT	36.00
	Vendor Total	**36.00**		
FYTD for PADILLA, JHOANA LIZBETH		**36.00**		
PALAU, SHANNA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207862	248.50		
			PER DIEM-ICSC RECON CONVENTION	248.50
	Vendor Total	**248.50**		
FYTD for PALAU, SHANNA		**735.67**		
PALLIRETO, JANE			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207863	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for PALLIRETO, JANE		**404.50**		
PARKS, ALYSSIA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207864	47.00		
			REFUND-BELLY DANCING CLASS	47.00
	Vendor Total	**47.00**		
FYTD for PARKS, ALYSSIA		**47.00**		
PARSONS TRANSPORTATION GROUP, INC.			Remit to: **IRVINE** **CA**	
5/2/2011	207650	19,215.35		
			SR-60/MOR BCH DR INTRCHNG PROJ	2,286.05
			SR-60/MOR BCH DR INTRCHNG PROJ	16,929.30
	Vendor Total	**19,215.35**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**510,132.29**		
PATTERSON, ALFREY			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207748	229.88		
			RETIREE MED MAY '11	229.88
	Vendor Total	**229.88**		
FYTD for PATTERSON, ALFREY		**2,316.58**		

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PATTERSON, MICHAEL				Remit to: **PERRIS** **CA**	
	5/9/2011	207749	100.00		
				SPORTS OFFICIATING SVCS	40.00
				SPORTS OFFICIATING SVCS	60.00
	5/11/2011	207794	160.00		
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**260.00**		
FYTD for PATTERSON, MICHAEL			**820.00**		
PB AMERICAS, INC.				Remit to: **SAN BERNARDINO** **CA**	
	5/31/2011	208065	9,601.32		
				SR-60/NASON ST INTRCHNG PROJ	9,601.32
	Vendor Total		**9,601.32**		
FYTD for PB AMERICAS, INC.			**60,785.05**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	882630	5,621.00		
				VETERINARY SVCS-ANML SHLTR	5,621.00
	5/31/2011	882823	4,282.00		
				VETERINARY SVCS-ANML SHLTR	4,282.00
	Vendor Total		**9,903.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**87,965.00**		
PEERY, MATHEW				Remit to: **MENIFEE** **CA**	
	5/23/2011	207962	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PEERY, MATHEW			**20.00**		
PENA, IRIS				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207963	42.99		
				MILEAGE REIMBURSEMENT	42.99
	Vendor Total		**42.99**		
FYTD for PENA, IRIS			**688.88**		
PEREZ, DOMINIQUE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207865	55.00		
				REFUND-CITATION DISMISSED	55.00
	Vendor Total		**55.00**		
FYTD for PEREZ, DOMINIQUE			**55.00**		

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PERRIS VALLEY PRINTING CO.				Remit to: **MENIFEE** **CA**	
	5/9/2011	207750	111.67		
				ENVELOPES-BLDG & SAFETY	111.67
	Vendor Total		**111.67**		
FYTD for PERRIS VALLEY PRINTING CO.			**1,670.97**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	5/9/2011	207751	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	5/9/2011	207752	458.63		
				LONG TERM CARE INSURANCE	458.63
	5/23/2011	207964	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**11,177.16**		

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PETTY CASH - FINANCE			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208066	964.43		
			PETTY CASH FUND REPLENISHMENT	33.32
			PETTY CASH FUND REPLENISHMENT	23.73
			PETTY CASH FUND REPLENISHMENT	22.96
			PETTY CASH FUND REPLENISHMENT	24.09
			PETTY CASH FUND REPLENISHMENT	23.73
			PETTY CASH FUND REPLENISHMENT	33.69
			PETTY CASH FUND REPLENISHMENT	35.00
			PETTY CASH FUND REPLENISHMENT	7.50
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.50
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	7.50
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	1.50
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	99.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	3.50
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	20.64
			PETTY CASH FUND REPLENISHMENT	10.71
			PETTY CASH FUND REPLENISHMENT	25.50
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	8.00
			PETTY CASH FUND REPLENISHMENT	25.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	23.75
			PETTY CASH FUND REPLENISHMENT	27.03
			PETTY CASH FUND REPLENISHMENT	21.42
			PETTY CASH FUND REPLENISHMENT	58.14
			PETTY CASH FUND REPLENISHMENT	41.82
			PETTY CASH FUND REPLENISHMENT	10.86
			PETTY CASH FUND REPLENISHMENT	56.98
			PETTY CASH FUND REPLENISHMENT	23.25
			PETTY CASH FUND REPLENISHMENT	65.61
			PETTY CASH FUND REPLENISHMENT	5.59
			PETTY CASH FUND REPLENISHMENT	5.47
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	37.64

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	Vendor Total	964.43		
FYTD for PETTY CASH - FINANCE		5,984.24		
PEYREFITTE, OLIVIA			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207866	72.00		
			REFUND-PICNIC SHLTR FEE	35.00
			REFUND-PICNIC SHLTR FEE	37.00
	Vendor Total	72.00		
FYTD for PEYREFITTE, OLIVIA		72.00		
PIP PRINTING			Remit to: **MORENO VALLEY**	**CA**
5/31/2011	882824	4,123.97		
			PRINTING SVCS-SPCL DIST	4,015.27
			PRINTING SVCS-SPCL DIST	108.70
	Vendor Total	4,123.97		
FYTD for PIP PRINTING		7,548.20		
PIPS TECHNOLOGY, INC.			Remit to: **KNOXVILLE**	**TN**
5/23/2011	207965	3,215.82		
			REPAIR SVCS-PD	2,865.00
			REPAIR SVCS-PD	295.00
			REPAIR SVCS-PD	30.00
			REPAIR SVCS-PD	25.82
	Vendor Total	3,215.82		
FYTD for PIPS TECHNOLOGY, INC.		3,539.89		
PLAN TAG, INC.			Remit to: **WELLINGTON**	**FL**
5/31/2011	208067	39.45		
			PLAN TAGS-FIRE PREV	39.45
			PLAN TAGS-FIRE PREV	3.45
			PLAN TAGS-FIRE PREV	-3.45
	Vendor Total	39.45		
FYTD for PLAN TAG, INC.		39.45		
POIEMA LANDSCAPE, INC.			Remit to: **COLTON**	**CA**
5/23/2011	882781	3,843.15		
			LANDSCAPE MAINT-E12	2,131.00
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		46,426.35		

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POSTMASTER				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207651	2,340.00		
				POSTAGE FOR 2011-12 BALLOTS	100.00
				POSTAGE FOR 2011-12 BALLOTS	2,240.00
	Vendor Total		**2,340.00**		
FYTD for POSTMASTER			**38,499.87**		
PRICE, GEORGE E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882701	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,506.03**		
PRINCE, CHARLOTTE				Remit to: **MENIFEE** **CA**	
	5/23/2011	207966	140.00		
				REFUND-KICKBOXING	140.00
	Vendor Total		**140.00**		
FYTD for PRINCE, CHARLOTTE			**140.00**		
PROACTIVE ENGINEERING CONSULTANTS, INC.				Remit to: **CORONA** **CA**	
	5/16/2011	882750	3,978.00		
				CACTUS AVE WIDENING PROJ-STG 1	3,978.00
	Vendor Total		**3,978.00**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**66,229.94**		
PROPAC				Remit to: **CHARLESTON** **SC**	
	5/9/2011	207753	3,000.00		
				CERT KITS-EMERG MGT/VOL SVCS	2,567.50
				CERT KITS-EMERG MGT/VOL SVCS	432.50
				CERT KITS-EMERG MGT/VOL SVCS	224.65
				USED TAX ACCRUAL-EOC	-224.65
	Vendor Total		**3,000.00**		
FYTD for PROPAC			**3,000.00**		
PROTECTION ONE, INC.				Remit to: **WITCHITA** **KS**	
	5/23/2011	207967	42.00		
				MONITORING SVCS-PRO SHOP	21.00
				MONITORING SVCS-MVTV STUDIO	21.00
	Vendor Total		**42.00**		
FYTD for PROTECTION ONE, INC.			**446.00**		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	5/9/2011	882702	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,506.03**		
PVP COMMUNICATIONS, INC.				Remit to: **TORRANCE** **CA**	
	5/23/2011	207968	17,291.25		
				HELMET KITS-PD	7,950.00
				MOTOR KITS-PD	7,950.00
				SALES TAX-PD	1,391.25
	Vendor Total		**17,291.25**		
FYTD for PVP COMMUNICATIONS, INC.			**17,291.25**		
QUALITY CODE PUBLISHING, LLC				Remit to: **SEATTLE** **WA**	
	5/2/2011	882631	2,778.28		
				MUN CODE SUPPLEMENTS-CITY CLKS	358.22
				MUN CODE SUPPLEMENTS-CITY CLKS	2,420.06
	Vendor Total		**2,778.28**		
FYTD for QUALITY CODE PUBLISHING, LLC			**7,320.06**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207867	155.00		
				PER DIEM-VEH. HOMICIDE SEMINAR	155.00
	Vendor Total		**155.00**		
FYTD for RAFAEL LOPEZ			**155.00**		
RAINBOW VALLEY HEROES				Remit to: **KANSAS CITY** **MO**	
	5/31/2011	208068	449.95		
				SAFETY EDUC VIDEOS-PD	449.95
				SAFETY EDUC VIDEOS-PD	39.37
				SAFETY EDUC VIDEOS-USED TAX	-39.37
	Vendor Total		**449.95**		
FYTD for RAINBOW VALLEY HEROES			**449.95**		
RALLY MANAGEMENT SERVICES, LLC				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/2/2011	882632	754.92		
				TEMP SVCS-J RODRIGUEZ W/E 4/10	754.92
	5/9/2011	882703	1,114.56		
				TEMP SVCS-R HENDERSON W/E 4/17	359.64
				TEMP SVCS-J RODRIGUEZ W/E 4/17	138.72
				TEMP SVCS-J RODRIGUEZ W/E 4/17	616.20
	Vendor Total		**1,869.48**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**65,000.03**		

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RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207868	297.00		
				INSTRUCTOR SVCS-TAE KWON DO	270.00
				INSTRUCTOR SVCS-TAE KWON DO	7.00
				INSTRUCTOR SVCS-TAE KWON DO	20.00
	5/31/2011	208069	663.00		
				INSTRUCTOR SVCS-TAE KWON DO	216.00
				INSTRUCTOR SVCS-TAE KWON DO	27.00
				INSTRUCTOR SVCS-TAE KWON DO	420.00
	Vendor Total		**960.00**		
FYTD for RAMOS, ROBERTO			**1,683.00**		
RANSOM RENTALS				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207652	55.29		
				REFUND-BUS LIC OVRPMT	55.29
	Vendor Total		**55.29**		
FYTD for RANSOM RENTALS			**55.29**		
RAYMOND, DENISE M.				Remit to: **REDLANDS** **CA**	
	5/31/2011	208070	413.34		
				TRAVEL EXP.-CHAMELEON CONF.	93.84
				TRAVEL EXP.-CHAMELEON CONF.	319.50
	Vendor Total		**413.34**		
FYTD for RAYMOND, DENISE M.			**413.34**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207754	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**2,231.11**		
REDBOX AUTOMATED RETAIL, LLC				Remit to: **OAKBROOK TERRACE** **IL**	
	5/9/2011	207755	61.00		
				REFUND-BUS LIC OVRPMT	61.00
	Vendor Total		**61.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**309.00**		
REED, ALICIA S.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207756	9,580.36		
				RETIREE MED JAN'08-DEC'10	9,580.36
	Vendor Total		**9,580.36**		
FYTD for REED, ALICIA S.			**9,580.36**		

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RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207757	75.00		
			SHADOW MTN PARK LIGHTING PROJ	75.00
Vendor Total		**75.00**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**17,607.94**		
RIGHTWAY SITE SERVICES, INC.			Remit to: **LAKE ELSINORE** **CA**	
5/23/2011	207969	194.13		
			PORTABLE RNTL-GOLF COURSE	72.38
			PORTABLE RNTL-PW	20.00
			PORTABLE RNTL-PW	100.00
			PORTABLE RNTL-PW	1.75
Vendor Total		**194.13**		
FYTD for RIGHTWAY SITE SERVICES, INC.		**338.89**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207653	5,000.00		
			ENCR PERMIT 3276 FILE FEE/DEP.	5,000.00
5/23/2011	207970	50.40		
			REQ 53959-ELECTR UTIL-DRAWINGS	50.40
Vendor Total		**5,050.40**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**99,469.62**		
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
5/19/2011	110505	13,503.50		
			RETENTN PYMT PER ESCROW AGRMNT	13,503.50
Vendor Total		**13,503.50**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**3,393,302.50**		
RIVERSIDE COUNTY ASSESSOR			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207758	3.00		
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
Vendor Total		**3.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR		**327.00**		
RIVERSIDE COUNTY CLERK			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208071	2,108.00		
			NEG DECLAR.-IRONWOOD AVE PROJ	2,108.00
Vendor Total		**2,108.00**		
FYTD for RIVERSIDE COUNTY CLERK		**4,216.00**		

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RIVERSIDE COUNTY CLERK/RECORDER			Remit to: **RIVERSIDE** **CA**	
5/23/2011	207971	0.00		
			LIEN RELEASE FEE-CODE	13.00
			LIEN RELEASE FEE-FIRE PREV	13.00
			LIEN RELEASE FEE-FIRE PREV	13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
5/31/2011	208072	13.00		
			LIEN RELEASE FEE-CODE	13.00
5/31/2011	208073	13.00		
			LIEN RELEASE FEE-FIRE PREV	13.00
5/31/2011	208074	13.00		
			LIEN RELEASE FEE-FIRE PREV	13.00
5/31/2011	208075	13.00		
			LIEN RELEASE	13.00
5/31/2011	208076	13.00		
			LIEN RELEASE	13.00
5/31/2011	208077	133.00		
			COPY FEES-EDD	133.00
	Vendor Total	**198.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**698.00**		
RIVERSIDE COUNTY ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
5/16/2011	207869	145.00		
			COTTONWOOD GOLF CTR INSPECTION	145.00
	Vendor Total	**145.00**		
FYTD for RIVERSIDE COUNTY ENVIRONMENTAL HEALTH		**145.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207759	1,769.45		
			RADIOS SERVICE-PD	1,769.45
5/31/2011	208078	2,012.38		
			RADIO LEASE/MAINT-TELECOMM	170.10
			RADIO LEASE/MAINT-TELECOMM	9.45
			RADIO LEASE/MAINT-TELECOMM	33.12
			RADIO SVCS-PD	1,769.45
			VPN CONNECTION-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**23,293.43**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE** **CA**	
5/31/2011	882825	8,523.69		
			BOOKING FEES-PD	8,523.69
Vendor Total		**8,523.69**		
FYTD for RIVERSIDE COUNTY SHERIFF		**22,423,469.84**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207654	444.00		
			REGISTR-T.C.I.-BASIC COURSE	182.00
			REGISTR-BICYCLE PATROL COURSE	131.00
			REGISTR-BICYCLE PATROL COURSE	131.00
5/9/2011	207760	435.00		
			REG.-FIELD TRNG OFFICER UPDATE	75.00
			REG.-FIELD TRNG OFFICER UPDATE	75.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
5/23/2011	207972	88.00		
			REGISTR-RADAR OPER. TRNG CLASS	88.00
Vendor Total		**967.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**11,485.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207761	1,041.25		
			GARNISHMENT	141.31
			GARNISHMENT	170.95
			GARNISHMENT	206.22
			GARNISHMENT	522.77
5/23/2011	207973	851.85		
			GARNISHMENT	131.46
			GARNISHMENT	167.28
			GARNISHMENT	34.58
			GARNISHMENT	518.53
Vendor Total		**1,893.10**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**19,254.13**		
RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207974	1,244.68		
			EXTRA DUTY SVC-PD	282.68
			EXTRA DUTY SVC-PD	312.00
			EXTRA DUTY SVC-PD	650.00
Vendor Total		**1,244.68**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**180,133.97**		

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RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
5/23/2011	882782	41.28		
			GREEN STAMP-PW LAND DEV	13.46
			GREEN STAMP-PW LAND DEV	6.00
			GREEN STAMP-PW LAND DEV	1.18
			GREEN STAMP-PW SOLID WASTE	13.46
			GREEN STAMP-PW SOLID WASTE	6.00
			GREEN STAMP-PW SOLID WASTE	1.18
Vendor Total		**41.28**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**208.27**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
5/23/2011	882783	5,704.00		
			TEMP STAFFING SVCS-CAP PROJCTS	5,704.00
Vendor Total		**5,704.00**		
FYTD for RLZ ENGINEERING		**66,681.00**		
ROBINSON, JOAQUIN DIEGO			Remit to: **RIVERSIDE** **CA**	
5/23/2011	207975	228.00		
			INSTRUCTION SVCS-6 DAYS	228.00
Vendor Total		**228.00**		
FYTD for ROBINSON, JOAQUIN DIEGO		**1,976.00**		
ROBINSON-DAVIS, YAVONNE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207655	270.81		
			MILEAGE REIMBURSEMENT	57.12
			MILEAGE REIMBURSEMENT	67.32
			MILEAGE REIMBURSEMENT	146.37
5/23/2011	207976	157.59		
			MILEAGE REIMBURSEMENT	157.59
Vendor Total		**428.40**		
FYTD for ROBINSON-DAVIS, YAVONNE		**428.40**		
ROCHA, ASHLEY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207977	54.50		
			REFUND-CITATION DISMISSED	54.50
Vendor Total		**54.50**		
FYTD for ROCHA, ASHLEY		**54.50**		
RODRIGUEZ, HECTOR			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207978	80.00		
			SPORTS OFFICIATING SVCS	80.00
Vendor Total		**80.00**		
FYTD for RODRIGUEZ, HECTOR		**1,240.00**		

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RODRIGUEZ, LAUREN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208079	70.89		
				MILEAGE REIMBURSEMENT	70.89
	Vendor Total		**70.89**		
FYTD for RODRIGUEZ, LAUREN			**853.92**		
RODRIGUEZ, WILLIAM				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207870	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for RODRIGUEZ, WILLIAM			**54.50**		
ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	5/9/2011	882705	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**3,506.03**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207871	59.67		
				MILEAGE REIMBURSEMENT	59.67
	Vendor Total		**59.67**		
FYTD for ROGERS, KIANNA			**1,135.20**		
ROMO, SANDRA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207656	57.00		
				REFUND-CLASS REGISTR FEES`	57.00
	Vendor Total		**57.00**		
FYTD for ROMO, SANDRA			**57.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882706	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,506.03**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	5/9/2011	882707	270.80		
				RETIREE MED MAY '11	174.30
				RETIREE MED MAY '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**3,188.76**		

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RUPPLE, KRISTIN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208080	175.00		
				REFUND-RNTL DEP 5/7/11	175.00
	Vendor Total		**175.00**		
FYTD for RUPPLE, KRISTIN			**175.00**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	5/9/2011	882708	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**3,417.18**		
RUVALCABA, RAFAEL				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207979	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for RUVALCABA, RAFAEL			**1,824.00**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	5/9/2011	207762	980.33		
				LIGHTING MAINT-ZONE M	125.00
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHT REPAIRS-E7	250.33
				LIGHT REPAIRS-E1	105.00
	Vendor Total		**980.33**		
FYTD for RYMAX ELECTRIC, INC.			**9,567.95**		
S & S CONSTRUCTION				Remit to: **GRAND TERRACE** **CA**	
	5/9/2011	207763	1,400.76		
				DEMO/REPLACE 3 DOORS-GATEWY PK	1,400.76
	Vendor Total		**1,400.76**		
FYTD for S & S CONSTRUCTION			**1,400.76**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	5/31/2011	882826	7,500.00		
				TEMP STAFFING SVCS-CAP PROJCTS	7,500.00
	Vendor Total		**7,500.00**		
FYTD for SA ASSOCIATES			**117,675.00**		

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SABRE LIGHTING AND SIGNS				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208081	508.49		
				SIGNS-STARS	508.49
	Vendor Total		**508.49**		
FYTD for SABRE LIGHTING AND SIGNS			**17,782.98**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	5/9/2011	207792	1,750.33		
				TRAFFIC SIGNS	1,750.33
	Vendor Total		**1,750.33**		
FYTD for SAFEWAY SIGN CO.			**8,484.63**		
SAGASTUME, MARIO				Remit to: **HEMET** **CA**	
	5/23/2011	207980	418.00		
				INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total		**418.00**		
FYTD for SAGASTUME, MARIO			**1,482.00**		
SALGADO, LIZETH				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207764	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SALGADO, LIZETH			**75.00**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207657	195.60		
				INSTRUCTOR SVCS-ZUMBA	195.60
	5/31/2011	208082	264.00		
				INSTRUCTOR SVCS-ZUMBA	264.00
	Vendor Total		**459.60**		
FYTD for SALMAN, CLAUDIA			**982.80**		
SAN MIGUEL, HENRY				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207765	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SAN MIGUEL, HENRY			**50.00**		
SANCHEZ, ALBERTO				Remit to: **SOUTH GATE** **CA**	
	5/31/2011	208083	200.00		
				REFUND-ADMIN CITATION	200.00
	Vendor Total		**200.00**		
FYTD for SANCHEZ, ALBERTO			**200.00**		

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SANTANA, VIRGINIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207872	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SANTANA, VIRGINIA			**20.00**		
SCHOENFELDER, LAURA				Remit to: **PERRIS** **CA**	
	5/31/2011	208084	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for SCHOENFELDER, LAURA			**532.00**		
SCMAF - INLAND VALLEY				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/2/2011	207658	525.00		
				YTH BASKETBALL TOURN-PARKS	525.00
	Vendor Total		**525.00**		
FYTD for SCMAF - INLAND VALLEY			**645.00**		
SECRETARY OF STATE - STMT OF INFO UNIT				Remit to: **SACRAMENTO** **CA**	
	5/5/2011	207687	20.00		
				SI-100 FILING FEE	20.00
	Vendor Total		**20.00**		
FYTD for SECRETARY OF STATE - STMT OF INFO UNIT			**20.00**		
SECTRAN SECURITY, INC				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	207659	477.00		
				TRANSPORT SVCS-PARKS	159.00
				TRANSPORT SVCS-UTILITY	159.00
				TRANSPORT SVCS-TREASURY	159.00
	5/31/2011	208085	477.00		
				TRANSPORT SVCS-PARKS	159.00
				TRANSPORT SVCS-MVU	159.00
				TRANSPORT SVCS-TREASURY	159.00
	Vendor Total		**954.00**		
FYTD for SECTRAN SECURITY, INC			**5,598.00**		
SECURITY LOCK & KEY				Remit to: **YUCAIPA** **CA**	
	5/9/2011	882710	60.00		
				REKEYING SVCS-EOC	60.00
	5/16/2011	882752	187.88		
				LOCK SERVICE-PARKS	67.88
				LOCK SERVICE-PARKS	120.00
	Vendor Total		**247.88**		
FYTD for SECURITY LOCK & KEY			**4,203.10**		

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SHAH, JAGDISH				Remit to: **DIAMOND BAR** **CA**	
	5/31/2011	882827	720.00		
				TEMP STAFFING SVCS-CAP PROJCTS	720.00
	Vendor Total		**720.00**		
FYTD for SHAH, JAGDISH			**151,920.00**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	5/9/2011	207766	174.30		
				RETIREE MED MAY '11	174.30
	Vendor Total		**174.30**		
FYTD for SHARRETT, SHARON K.			**2,031.66**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	5/9/2011	207767	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	5/2/2011	207661	1,918.07		
				FUEL PURCHASES	1,918.07
	5/23/2011	207981	1,578.73		
				FUEL PURCHASES	1,578.73
	5/23/2011	207982	193.47		
				FUEL PURCHASES	193.47
	Vendor Total		**3,690.27**		
FYTD for SHELL OIL CO.			**18,188.84**		
SHINDLEDECKER, EMILY				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207662	47.00		
				REFUND-GUITAR CLASS CANC.	47.00
	Vendor Total		**47.00**		
FYTD for SHINDLEDECKER, EMILY			**47.00**		
SHURTLEFF, JEANNETTE L.				Remit to: **LAKE ELSINORE** **CA**	
	5/23/2011	882784	418.00		
				INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total		**418.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**5,092.00**		

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SINGLETON-DECUIR, JANISHEIA			Remit to: **RIVERSIDE** **CA**	
5/23/2011	882785	47.43		
			MILEAGE REIMBURSEMENT	47.43
Vendor Total		**47.43**		
FYTD for SINGLETON-DECUIR, JANISHEIA		**723.89**		
SKY PUBLISHING			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207768	525.00		
			ADVERTISING SVCS-PW SOLID WST	525.00
5/31/2011	208087	8,770.00		
			PRINTING SVCS-PARKS	8,770.00
Vendor Total		**9,295.00**		
FYTD for SKY PUBLISHING		**64,324.00**		
SKY TRAILS MOBILE VILLAGE			Remit to: **LOS ANGELES** **CA**	
5/9/2011	882711	53.67		
			REFUND-UT USER TAXES	53.67
Vendor Total		**53.67**		
FYTD for SKY TRAILS MOBILE VILLAGE		**462.94**		
SLAGERMAN, SUSAN A.			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882712	637.46		
			RETIREE MED MAR-APR '11	637.46
Vendor Total		**637.46**		
FYTD for SLAGERMAN, SUSAN A.		**3,506.03**		
SMITH, MARIA A.			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882713	318.73		
			RETIREE MED MAY '11	318.73
Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.		**3,487.19**		
SMUS, PAULA			Remit to: **RIVERSIDE** **CA**	
5/16/2011	207873	59.47		
			MILEAGE REIMBURSEMENT	59.47
Vendor Total		**59.47**		
FYTD for SMUS, PAULA		**383.55**		
SOCALS SIGNS & DESIGNS, INC			Remit to: **MONTCLAIR** **CA**	
5/16/2011	207874	154.00		
			PERMIT FEES-EOC ADDRSS NUMBERS	154.00
Vendor Total		**154.00**		
FYTD for SOCALS SIGNS & DESIGNS, INC		**2,147.13**		

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For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	5/2/2011	882633	8,810.76		
				FUEL PURCHASE	8,810.76
	5/16/2011	882753	23,935.96		
				FUEL PURCHASE	8,922.16
				FUEL PURCHASE	9,283.11
				FUEL PURCHASE	8,670.59
				CREDIT ON ACCOUNT	-2,939.90
	5/23/2011	882786	8,768.33		
				FUEL PURCHASE	8,768.33
	Vendor Total		**41,515.05**		
FYTD for SOCO GROUP, INC			**318,053.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207663	180.60		
				INSTRUCTOR SVCS-YOGA	180.60
	Vendor Total		**180.60**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**980.40**		
SOSA, HUGO				Remit to: **ELK GROVE** **CA**	
	5/23/2011	207983	600.00		
				INSTRUCTOR SVCS-KARATEDO	210.00
				INSTRUCTOR SVCS-KARATEDO	150.00
				INSTRUCTOR SVCS-KARATEDO	240.00
	Vendor Total		**600.00**		
FYTD for SOSA, HUGO			**1,530.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/2/2011	207664	4,475.08		
			ELECTRICITY	21.11
			ELECTRICITY	22.19
			ELECTRICITY	912.18
			ELECTRICITY	1,270.25
			ELECTRICITY	113.57
			ELECTRICITY	174.99
			ELECTRICITY	737.25
			ELECTRICITY	139.86
			ELECTRICITY	810.54
			ELECTRICITY	110.28
			ELECTRICITY	96.20
			ELECTRICITY	66.66
5/9/2011	207769	6,412.86		
			ELECTRICITY	134.38
			ELECTRICITY	159.09
			ELECTRICITY	22.57
			ELECTRICITY	1,467.28
			ELECTRICITY	471.64
			ELECTRICITY	907.23
			ELECTRICITY	883.73
			ELECTRICITY	362.78
			ELECTRICITY	381.99
			ELECTRICITY	300.62
			ELECTRICITY	22.33
			ELECTRICITY	958.98
			ELECTRICITY	189.86
			ELECTRICITY	86.90
			ELECTRICITY	63.48
5/9/2011	207770	1,179.58		
			LINE EXT.-SUNNYMD RANCH T/SIG.	1,179.58
5/23/2011	207984	515.78		
			SVC FEED FOR TRAF CONTROLLER	515.78
5/23/2011	207985	4,705.86		
			ST. LIGHTS INSTALL.-HEACOCK ST	4,705.86
5/23/2011	207986	22,877.97		
			ELECTRIC CHARGES	329.73
			ELECTRICITY	181.82
			ELECTRICITY	5,317.44
			ELECTRICITY	749.79
			ELECTRICITY	2,168.32
			ELECTRICITY	19.24
			ELECTRICITY	2,228.10
			ELECTRICITY	618.19
			ELECTRICITY	1,945.14
			ELECTRICITY	817.07
			ELECTRICITY	162.17
			ELECTRICITY	4,568.74
			ELECTRICITY	195.86
			ELECTRICITY	303.66
			ELECTRICITY	1,775.17

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	279.84
			ELECTRICITY	408.41
			ELECTRICITY	484.32
			ELECTRICITY	174.52
			ELECTRICITY	150.44
5/31/2011	208088	3,275.03		
			ELECTRICITY	53.21
			ELECTRICITY	29.47
			ELECTRICITY	21.11
			ELECTRICITY	23.79
			ELECTRICITY	811.91
			ELECTRICITY	647.52
			ELECTRICITY	112.61
			ELECTRICITY	174.19
			ELECTRICITY	666.70
			ELECTRICITY	138.69
			ELECTRICITY	374.75
			ELECTRICITY	107.03
			ELECTRICITY	47.63
			ELECTRICITY	66.42
Vendor Total		**43,442.16**		

FYTD for SOUTHERN CALIFORNIA EDISON **4,062,356.10**

SOUTHERN CALIFORNIA GAS CO. Remit to: **MONTEREY PARK CA**

5/23/2011	207987	6,502.01		
			GAS CHARGES	1,126.14
			GAS CHARGES	2,920.32
			GAS CHARGES	21.19
			GAS CHARGES	32.19
			GAS CHARGES	445.30
			GAS CHARGES	200.01
			GAS CHARGES	64.73
			GAS CHARGES	281.31
			GAS CHARGES	95.31
			GAS CHARGES	119.37
			GAS CHARGES	122.82
			GAS CHARGES	113.38
			GAS CHARGES	243.90
			GAS CHARGES	137.09
			GAS CHARGES	28.44
			GAS CHARGES	550.51
Vendor Total		**6,502.01**		

FYTD for SOUTHERN CALIFORNIA GAS CO. **74,546.69**

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SPARKLETTS				Remit to: **DALLAS** **TX**	
	5/2/2011	207665	28.03		
				WATER SVCS-ARAMADA ELEM	14.39
				WATER SVCS-CREEKSIDE ELEM	13.64
	5/9/2011	207771	14.00		
				WATER SVCS-EOC	4.50
				WATER SVCS-EOC	4.50
				WATER SVCS-PARKS MAINT	5.00
	5/23/2011	207988	9.61		
				WATER SVCS-SNNYMD ELEM	9.61
	5/31/2011	208089	25.32		
				WATER SVCS-PARKS	14.46
				WATER SVCS-PARKS	10.86
	Vendor Total		**76.96**		
FYTD for SPARKLETTS			**643.45**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882714	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,506.03**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882715	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**2,316.58**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	5/31/2011	208090	30.00		
				SUBPOENA COMPLIANCE	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	5/2/2011	882634	670.52		
				CELL PHONE SVCS-GANG TASK FRC	61.57
				CELL PHONE SVCS-PD/SET	608.95
	5/23/2011	882787	608.19		
				CELL PH CHARGES-PD/SET	608.19
	Vendor Total		**1,278.71**		
FYTD for SPRINT/NEXTEL			**5,191.62**		

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ST. CHRISTOPHER CHURCH				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207666	750.00		
				REFUND-RNTL DEP 4/15/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for ST. CHRISTOPHER CHURCH			**1,500.00**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	5/2/2011	207667	1,888.14		
				SUPPLEMENTAL INSURANCE	1,888.14
	Vendor Total		**1,888.14**		
FYTD for STANDARD INSURANCE CO			**386,673.79**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	882635	400.08		
				MONITORING SVCS-MORRISON PARK	227.16
				MONITORING SVCS-BETHUNE PARK	172.92
	5/9/2011	882716	2,599.15		
				MONITORING SVCS-FS #58	596.00
				MONITORING SVCS-FS #58	117.10
				MONITORING SVCS-EOC	110.00
				MONITORING SVCS-TECH SVCS	234.00
				MONITORING SVCS-RED MAPLE PRTB	354.00
				MONITORING SVCS-FAC ANNEX	207.00
				MONITORING SVCS-CITY HALL	376.50
				MONITORING SVCS-LIBRARY	329.55
				MONITORING SVCS-STARS	275.00
	Vendor Total		**2,999.23**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**25,942.84**		
STATE BOARD OF EQUALIZATION				Remit to: **SACRAMENTO** **CA**	
	5/2/2011	207668	5,834.21		
				ELECTRICAL ENERGY SURCHARGE	5,834.21
	5/26/2011	43011	4,455.00		
				SALES & USE TAX 4/1-4/30/11	4,455.00
	Vendor Total		**10,289.21**		
FYTD for STATE BOARD OF EQUALIZATION			**38,774.52**		
STATE DISBURSEMENT UNIT				Remit to: **WEST SACRAMENTO** **CA**	
	5/12/2011	2849	2,133.09		
				CHILD SUPPORT W/H 5/12/11	2,133.09
	5/26/2011	2857	2,195.46		
				CHILD SUPPORT W/H 5/26/11	2,195.46
	Vendor Total		**4,328.55**		
FYTD for STATE DISBURSEMENT UNIT			**38,260.13**		

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STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO** **CA**	
5/23/2011	207989	125.00		
			CIVIL ENG LICENSE RNWL-VOGT	125.00
5/31/2011	208092	375.00		
			CIVIL ENG LICENSE RNWL-SAMBITO	125.00
			CIVIL ENG LICENSE RNWL-JIMENEZ	125.00
			CIVIL ENG LICENSE RNWL-NGUYEN	125.00
	Vendor Total	**500.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**500.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
5/9/2011	207773	665.00		
			BLOOD ALCHL ANLYS-PD	665.00
	Vendor Total	**665.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**57,322.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
5/23/2011	207990	625.00		
			REFUND-MVU/T MAXWELL	33.62
			REFUND-MVU/M WILLIAMS	80.06
			REFUND-MVU/K THORNTON	200.55
			REFUND-MVU/N AVERY	250.59
			REFUND-MVU/L HERNANDEZ	60.18
	Vendor Total	**625.00**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,493.73**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
5/23/2011	207991	3,445.44		
			TRANSCRIPTION SVCS-PD	3,445.44
	Vendor Total	**3,445.44**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**33,200.80**		
STERICYCLE (BFI)			Remit to: **LOUISVILLE** **KY**	
5/23/2011	882788	622.78		
			WASTE PICK UP SVCS	622.78
	Vendor Total	**622.78**		
FYTD for STERICYCLE (BFI)		**6,454.21**		

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STEWART, CASSIE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207669	20.00		
				REFUND-RABIES DEPOSIT	20.00
	5/23/2011	207992	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for STEWART, CASSIE			**95.00**		
STEWART, CLIFFORD				Remit to: **GLENDALE** **AZ**	
	5/9/2011	882717	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for STEWART, CLIFFORD			**2,845.94**		
STK ARCHITECTURE, INC.				Remit to: **SAN JACINTO** **CA**	
	5/9/2011	882718	12,054.75		
				MORRISON PRK FIRE STATION PROJ	12,054.75
	Vendor Total		**12,054.75**		
FYTD for STK ARCHITECTURE, INC.			**364,857.55**		
STOWERS, FREDERICK				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207993	300.00		
				REFUND-RNTL DEP 3/28/11	300.00
	Vendor Total		**300.00**		
FYTD for STOWERS, FREDERICK			**300.00**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	5/16/2011	882754	4,452.50		
				CONSULTING SVCS-EDD	4,452.50
	5/23/2011	882789	260.00		
				CONSULTING SVCS-TREASURY	260.00
	Vendor Total		**4,712.50**		
FYTD for STRICKLER ASSOCIATION, THE			**37,017.50**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	882719	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**3,506.03**		

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STROM, BONNIE				Remit to: **COLTON** **CA**	
	5/9/2011	207793	1,158.00		
				RETIREE MED JAN-DEC '10	1,158.00
	Vendor Total		**1,158.00**		
FYTD for STROM, BONNIE			**1,158.00**		
STUCKEY, HARRIETTE				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207670	134.40		
				INSTRUCTOR SVCS-LINE DANCING	50.40
				INSTRUCTOR SVCS-LINE DANCING	33.60
				INSTRUCTOR SVCS-LINE DANCING	50.40
	Vendor Total		**134.40**		
FYTD for STUCKEY, HARRIETTE			**688.80**		
STUMPS, EDITH				Remit to: **CORONA** **CA**	
	5/31/2011	208094	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for STUMPS, EDITH			**95.00**		
SUMI, ERIC				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207878	47.00		
				REFUND-GUITAR CLASS	47.00
	Vendor Total		**47.00**		
FYTD for SUMI, ERIC			**47.00**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207671	18.48		
				MISC SUPPLIES-PD	18.48
	5/9/2011	207774	36.05		
				MISC SUPPLIES-PD	36.05
	5/23/2011	207994	57.28		
				MISC SUPPLIES-PD	3.68
				MISC SUPPLIES-PD	29.86
				MISC SUPPLIES-PD	26.34
				CREDIT ON ACCOUNT	-2.60
	5/31/2011	208095	88.90		
				MISC SUPPLIES-FIRE	29.33
				MISC SUPPLIES-PD	26.43
				MISC SUPPLIES-PD	23.37
				MISC SUPPLIES-PD	9.77
	Vendor Total		**200.71**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,075.16**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SYNNOTT, MARY				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207775	161.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	16.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**161.00**		
FYTD for SYNNOTT, MARY			**161.00**		
TAMAS, JOCELYNE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207776	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for TAMAS, JOCELYNE			**20.00**		
TARMAN, KANDYCE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207879	76.00		
				REFUND-ANIMAL ADOPTION FEES	30.00
				REFUND-ANIMAL ADOPTION FEES	10.00
				REFUND-ANIMAL ADOPTION FEES	20.00
				REFUND-ANIMAL ADOPTION FEES	16.00
	Vendor Total		**76.00**		
FYTD for TARMAN, KANDYCE			**76.00**		
TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	5/31/2011	208096	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**62,500.00**		
THE WALKING MAN, INC				Remit to: **LOS ANGELES** **CA**	
	5/23/2011	207995	685.00		
				DISTR. OF DOOR HANGERS-E1 & E4	685.00
	Vendor Total		**685.00**		
FYTD for THE WALKING MAN, INC			**19,775.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
THERMAL-COOL INC.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207777	100.00		
				AC UNIT SVC-SUNNYMD SNACK BAR	100.00
	5/23/2011	207996	230.00		
				SMOKE DET REPAIRS-ANIMAL SHLTR	115.00
				THERMOSTAT REPAIR-CITY MGR OFF	115.00
	Vendor Total		**330.00**		
FYTD for THERMAL-COOL INC.			**6,943.02**		
TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	5/9/2011	207778	19,137.50		
				CITY HALL HVAC SYSTEM REDESIGN	19,137.50
	Vendor Total		**19,137.50**		
FYTD for TMAD TAYLOR & GAINES			**34,732.50**		
TORRES, GABBY				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207880	750.00		
				REFUND-RNTL DEP 4/30/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for TORRES, GABBY			**750.00**		
TOUCHARD, GWENDOLYN G.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207779	413.08		
				GARNISHMENT REFUND	413.08
	Vendor Total		**413.08**		
FYTD for TOUCHARD, GWENDOLYN G.			**413.08**		
TOVAR, CHRISTINE				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207997	750.00		
				REFUND-RNTL DEP 5/7/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for TOVAR, CHRISTINE			**750.00**		
TRACSYSTEMS, INC.				Remit to: **ADDISON** **TX**	
	5/16/2011	207881	1,500.00		
				PHAROS SOFTWARE REMOTE INSTALL	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TRACSYSTEMS, INC.			**5,419.50**		

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TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208098	1,864.80		
				INSTRUCTOR SVCS-BALLET INTERMD	111.00
				INSTRUCTOR SVCS-BALLET	199.80
				INSTRUCTOR SVCS-BALLET/ACRO	155.40
				INSTRUCTOR SVCS-BALLET/JAZZ	177.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	288.60
				INSTRUCTOR SVCS-HIP HOP DANCE	288.60
	Vendor Total		**1,864.80**		
FYTD for TRICHE, TARA			**19,904.52**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207672	95.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR EVENT-CTR#18062	45.00
	5/16/2011	207882	25.00		
				LINEN SVCS FOR CRC	25.00
	5/23/2011	207998	91.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR EVENT-CTR#18037	66.00
	5/31/2011	208097	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**261.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,974.55**		
TROPICAL PLAZA NURSERY, INC.				Remit to: **VILLA PARK** **CA**	
	5/16/2011	207883	16,131.76		
				LNDSCP MAINT-ZONE E-2	15,700.00
				IRRIG REPAIRS-ZONE E-2	431.76
	Vendor Total		**16,131.76**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**195,845.16**		

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TRUGREEN LANDCARE				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882755	2,485.00		
				LNDSCP MAINT-ZONE E-16	2,485.00
	5/23/2011	882790	400.00		
				EMERG. RMVL OF TREES-TR. 30027	400.00
	5/23/2011	882791	11,485.38		
				LNDSCP MAINT-ZONE M	5,409.85
				LNDSCP MAINT-ZONE DSG-1	6,075.53
	Vendor Total		**14,370.38**		
FYTD for TRUGREEN LANDCARE			**243,063.28**		
TRUJILLO, PETE				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207999	77.00		
				REFUND-DOG TRNG CLASS CANC.	77.00
	Vendor Total		**77.00**		
FYTD for TRUJILLO, PETE			**77.00**		
TULDANES, JOSELENE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208099	112.00		
				REFUND-GED TEST CLASS	112.00
	Vendor Total		**112.00**		
FYTD for TULDANES, JOSELENE			**112.00**		
TUNTLAND, JAMES				Remit to: **PRESCOTT** **AZ**	
	5/9/2011	882721	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for TUNTLAND, JAMES			**2,845.94**		
TURBOSCAPE, INC.				Remit to: **SANTA CLARA** **UT**	
	5/9/2011	882722	0.00		
				MULCHING IN ZONE E-1	1,338.50
				MULCHING IN ZONE E-4	13,385.00
				MULCHING IN ZONE E-12	2,275.45
				VOIDED CHECK #882722 - 5/16/11	-1,338.50
				VOIDED CHECK #882722 - 5/16/11	-13,385.00
				VOIDED CHECK #882722 - 5/16/11	-2,275.45
	5/16/2011	207896	16,998.95		
				MULCHING IN ZONE E-1	1,338.50
				MULCHING IN ZONE E-4	13,385.00
				MULCHING IN ZONE E-12	2,275.45
	Vendor Total		**16,998.95**		
FYTD for TURBOSCAPE, INC.			**21,817.55**		

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TURNBOW, LISA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207884	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TURNBOW, LISA			**1,500.00**		
U.S. HEALTHWORKS MEDICAL GROUP				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207885	750.00		
				EMPLOYEE DOT EXAM	65.00
				PRE-EMPLOYMENT PHYSICALS	245.00
				PRE-EMPLOYMENT PHYSICALS	330.00
				PRE-EMPLOYMENT PHYSICALS	110.00
	5/23/2011	208000	200.00		
				PRE-EMPLOYMENT PHYSICALS	200.00
	5/31/2011	208100	65.00		
				EMPLOYEE DOT EXAM	65.00
	Vendor Total		**1,015.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**13,170.00**		
UNION BANK OF CALIFORNIA				Remit to: **MONTEREY PARK** **CA**	
	5/16/2011	207886	510.00		
				STANDBY LOC TRANSFER FEES	170.00
				STANDBY LOC TRANSFER FEES	170.00
				STANDBY LOC TRANSFER FEES	170.00
	Vendor Total		**510.00**		
FYTD for UNION BANK OF CALIFORNIA			**60,899.90**		
UNITED POWER GENERATION, INC.				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	208001	337.50		
				GENERATOR REPAIRS-ANIMAL SHLTR	337.50
	Vendor Total		**337.50**		
FYTD for UNITED POWER GENERATION, INC.			**9,790.13**		
UNITED ROTARY BRUSH CORP				Remit to: **ESCONDIDO** **CA**	
	5/2/2011	882636	521.39		
				BROOM KITS-STREET SWEEPER	227.76
				BROOM KITS-STREET SWEEPER	293.63
	5/9/2011	882723	341.64		
				BROOM KITS-STREET SWEEPER	341.64
	5/31/2011	882829	2,105.03		
				BROOM KITS-STREET SWEEPER	181.76
				BROOM KITS-STREET SWEEPER	1,183.63
				BROOM KITS-STREET SWEEPER	739.64
	Vendor Total		**2,968.06**		
FYTD for UNITED ROTARY BRUSH CORP			**34,129.97**		

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UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
5/16/2011	882757	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**3,071.46**		
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
5/9/2011	207780	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
5/23/2011	208002	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
5/23/2011	208003	141.50		
			PAYROLL DEDUCTION AGREEMENT	141.50
	Vendor Total	**241.50**		
FYTD for UNITED STATES TREASURY		**1,341.50**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207781	502.19		
			UNITED WAY CONTRIBUTIONS	2.50
			UNITED WAY CONTRIBUTIONS	499.69
5/23/2011	208004	499.69		
			UNITED WAY CONTRIBUTIONS	499.69
	Vendor Total	**1,001.88**		
FYTD for UNITED WAY OF INLAND VALLEYS		**13,904.92**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
5/2/2011	207673	1,371.70		
			HERBICIDE/AG CHEMICALS - PARKS	1,371.70
	Vendor Total	**1,371.70**		
FYTD for UNIVAR USA, INC		**4,161.52**		
URIBE, JOY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	208005	168.85		
			REFUND-RNTL DEP 5/9/11 EVENT	168.85
	Vendor Total	**168.85**		
FYTD for URIBE, JOY		**168.85**		
USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
5/23/2011	882792	36.59		
			PAGER SVC-PARK RANGERS	2.01
			PAGER SVC-TRANSP. DIV.	4.66
			PAGER SVC-ANIMAL SVCS.	29.92
	Vendor Total	**36.59**		
FYTD for USA MOBILITY/ARCH WIRELESS		**654.28**		

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VA CONSULTING, INC.			Remit to: **IRVINE** **CA**	
5/9/2011	882724	917.75		
			AUTO MALL IMPRVMNTS PROJ SVCS	917.75
Vendor Total		**917.75**		
FYTD for VA CONSULTING, INC.		**131,816.64**		
VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	882637	310.00		
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			TREATED FOR BEES IN TREE	150.00
5/23/2011	882793	1,395.00		
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL. FIELD OFFICE	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-FIRE ST. #48	45.00
			PEST CNTRL-FIRE ST. #58	45.00
			PEST CNTRL-FIRE ST. #65	45.00
			PEST CNTRL-FIRE ST. #2	45.00
			PEST CNTRL-FIRE ST. #6	45.00
			PEST CNTRL-FIRE ST. #91	45.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP TRAILER	45.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
Vendor Total		**1,705.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**17,430.00**		
VAL VERDE UNIFIED SCHOOL DISTRICT			Remit to: **PERRIS** **CA**	
5/2/2011	207674	25.00		
			5/13/11 STUDENT OF YEAR DINNER	25.00
Vendor Total		**25.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT		**6,318.96**		

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VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND CA**	
5/31/2011	882830	11,340.00		
			TEMP STAFFING SVCS-CAP PROJCTS	11,340.00
	Vendor Total	**11,340.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**119,765.00**		
VARIABLE SPEEDS SOLUTIONS INC			Remit to: **HUNTINGTON BEACH CA**	
5/9/2011	207782	285.00		
			LABOR TO REPAIR PUMP-ZONE E-14	285.00
	Vendor Total	**285.00**		
FYTD for VARIABLE SPEEDS SOLUTIONS INC		**7,309.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO CA**	
5/9/2011	207783	16,715.00		
			ACCOUNTING SVCS	8,925.00
			ACCOUNTING SVCS	7,790.00
	Vendor Total	**16,715.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**22,790.00**		
VAZQUEZ, ADRIANA			Remit to: **MORENO VALLEY CA**	
5/16/2011	207887	200.00		
			REFUND-RNTL DEP 4/23/11 EVENT	200.00
	Vendor Total	**200.00**		
FYTD for VAZQUEZ, ADRIANA		**200.00**		
VCD CORPORATION			Remit to: **GLENDORA CA**	
5/2/2011	882638	11,500.00		
			PROP REHAB-13711 FLAMING ARROW	11,500.00
5/23/2011	208013	17,219.57		
			PROP REHAB-12242 ZINNIA ST.	17,219.57
	Vendor Total	**28,719.57**		
FYTD for VCD CORPORATION		**46,770.46**		
VEHICLE REGISTRATION COLLECTIONS			Remit to: **RANCHO CORDOVA CA**	
5/9/2011	207784	128.36		
			GARNISHMENT	24.58
			GARNISHMENT	86.41
			GARNISHMENT	17.37
5/23/2011	208006	21.57		
			GARNISHMENT	21.57
	Vendor Total	**149.93**		
FYTD for VEHICLE REGISTRATION COLLECTIONS		**1,399.96**		

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VERDUZCO, JUAN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208101	300.00		
				REFUND-RNTL DEP 3/28/11 EVENT	300.00
	Vendor Total		**300.00**		
FYTD for VERDUZCO, JUAN			**300.00**		
VERIZON				Remit to: **TRENTON** **NJ**	
	5/31/2011	208102	1,712.84		
				BACKBONE CHRGS	1,712.84
	Vendor Total		**1,712.84**		
FYTD for VERIZON			**18,740.70**		
VERIZON CALIFORNIA				Remit to: **DALLAS** **TX**	
	5/2/2011	207675	41.56		
				ANNUAL PHONE DIRECTORY AD	41.56
	5/31/2011	208103	617.47		
				PHONE CHARGES-ERC	617.47
	Vendor Total		**659.03**		
FYTD for VERIZON CALIFORNIA			**7,568.34**		
VICTOR MEDICAL CO				Remit to: **LAKE FOREST** **CA**	
	5/2/2011	207676	648.15		
				ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total		**648.15**		
FYTD for VICTOR MEDICAL CO			**12,650.90**		
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882725	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VILLALOBOS, PAUL				Remit to: **NUEVO** **CA**	
	5/16/2011	207888	621.95		
				TUITION REIMBURSEMENT	481.95
				TUITION REIMBURSEMENT	140.00
	Vendor Total		**621.95**		
FYTD for VILLALOBOS, PAUL			**984.95**		

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VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
5/9/2011	882726	4,337.58		
			EMPLOYEE VISION INSURANCE	4,337.58
Vendor Total		**4,337.58**		
FYTD for VISION SERVICE PLAN		**47,764.89**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207785	1,061.08		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	1,000.87
			PAINT/SUPPL-GRAFFITI RMVL PRGM	60.21
5/16/2011	207889	91.89		
			PAINT FOR PARKS	1.23
			PAINT FOR PARKS	90.66
5/23/2011	208007	650.78		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	650.78
Vendor Total		**1,803.75**		
FYTD for VISTA PAINT CORPORATION		**10,641.72**		
VOLUNTEER CENTER OF RIVERSIDE COUTY			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207677	475.00		
			REFUND-RNTL DEP 4/13/11 EVENT	475.00
Vendor Total		**475.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUTY		**475.00**		
VOYAGER FLEET SYSTEM, INC.			Remit to: **HOUSTON** **TX**	
5/9/2011	882727	1,220.97		
			CNG FUEL PURCHASES	1,146.05
			CNG FUEL PURCHASES	74.92
Vendor Total		**1,220.97**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**21,448.25**		

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VULCAN MATERIALS CO, INC.				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	207786	590.55		
				ASPHALTIC MATERIALS	138.12
				ASPHALTIC MATERIALS	104.54
				ASPHALTIC MATERIALS	173.06
				ASPHALTIC MATERIALS	104.54
				ASPHALTIC MATERIALS	70.29
	5/23/2011	208008	2,085.08		
				ASPHALTIC MATERIALS	103.85
				ASPHALTIC MATERIALS	137.43
				ASPHALTIC MATERIALS	70.29
				ASPHALTIC MATERIALS	983.10
				ASPHALTIC MATERIALS	652.29
				ASPHALTIC MATERIALS	138.12
	Vendor Total		**2,675.63**		
FYTD for VULCAN MATERIALS CO, INC.			**25,145.15**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882728	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,487.19**		
WAGONER, ROBERT				Remit to: **ZEPHYRHILLS** **FL**	
	5/9/2011	882729	360.40		
				RETIREE MED APR-MAY '11	360.40
	Vendor Total		**360.40**		
FYTD for WAGONER, ROBERT			**2,162.40**		
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207787	318.73		
				RETIREE MED APR '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WALKER, DONNA JEAN				Remit to: **PERRIS** **CA**	
	5/23/2011	882795	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for WALKER, DONNA JEAN			**646.00**		

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WALLACE LABORATORIES			Remit to: **EL SEGUNDO** **CA**	
5/2/2011	207678	210.00		
			AGRICULT SOIL SUITABILITY TEST	75.00
			SOIL ORGANIC MATTER EVALUATION	50.00
			TOTAL ANALYSIS OF HEAVY METALS	85.00
Vendor Total		**210.00**		
FYTD for WALLACE LABORATORIES		**285.00**		
WASSON, KIRK			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	882796	152.00		
			INSTRUCTION SVCS-4 DAYS	152.00
Vendor Total		**152.00**		
FYTD for WASSON, KIRK		**1,862.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE			Remit to: **PHOENIX** **AZ**	
5/31/2011	208104	353.08		
			DUMPSTER-NEIGHBORHD CLEAN-UP	71.36
			DUMPSTER PICK UP & RECYCLE FEE	230.38
			DUMPSTER SET UP FEE	25.09
			DISPOSAL OF TIRES	26.25
Vendor Total		**353.08**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE		**12,798.18**		
WATER SPECIALIST CONSULTANTS			Remit to: **LA MESA** **CA**	
5/2/2011	207679	90.00		
			5/24 RECYC WATER SITE SUPV TRN	45.00
			5/24 RECYC WATER SITE SUPV TRN	45.00
Vendor Total		**90.00**		
FYTD for WATER SPECIALIST CONSULTANTS		**180.00**		
WAXIE SANITARY SUPPLY			Remit to: **SAN DIEGO** **CA**	
5/2/2011	207680	178.18		
			TIME METERED AIR FRESHENER	56.06
			TIME METERED AIR FRESHENER	34.01
			TIME METERED AIR FRESHENER	4.99
			TIME METERED AIR FRESHENER	4.99
			CA SALES TAX	8.75
			JANITORIAL SUPPLIES	69.38
Vendor Total		**178.18**		
FYTD for WAXIE SANITARY SUPPLY		**276.13**		

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WEBB, DAVID				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207788	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for WEBB, DAVID			**115.00**		
WEISGERBER, RHONDA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208105	112.00		
				REFUND-KARATE CLASSES	112.00
	Vendor Total		**112.00**		
FYTD for WEISGERBER, RHONDA			**112.00**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	5/31/2011	208106	2,000.00		
				TRUSTEE ANNL ADMIN CHGS-CFD#5	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**18,500.00**		
WELLS FARGO CORPORATE TRUST				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	110501	1,027.08		
				INT ON 97 CH COP VAR RATE BOND	1,027.08
	Vendor Total		**1,027.08**		
FYTD for WELLS FARGO CORPORATE TRUST			**8,874,030.64**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207789	18,727.42		
				SUNNYMD BLVD PED ACCESS RAMP	1,664.37
				SUNNYMD BLVD PED ACCESS RAMP	12,617.49
				SUNNYMD BLVD PED ACCESS RAMP	4,445.56
	5/16/2011	207890	6,120.88		
				RETENT-SUNNYMD PED ACCESS RAMP	3,394.41
				RETENT-SUNNYMD PED ACCESS RAMP	493.95
				RETENT-SUNNYMD PED ACCESS RAMP	2,232.52
	5/31/2011	208107	7,475.11		
				RETENT RLS-SUNNYMD PED RAMP	7,475.11
	Vendor Total		**32,323.41**		
FYTD for WEST COAST STRUCTURES INC			**61,208.68**		
WEST PUBLISHING CORPORATION				Remit to: **ST. PAUL** **MN**	
	5/31/2011	208108	535.00		
				AUTO TRACK SVCS FOR PD	535.00
	Vendor Total		**535.00**		
FYTD for WEST PUBLISHING CORPORATION			**5,850.00**		

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WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
5/23/2011	208009	1,909.52		
			WATER CHARGES	693.83
			WATER CHARGES	3.65
			WATER CHARGES	1,155.78
			WATER CHARGES	56.26
	Vendor Total	**1,909.52**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**19,926.43**		
WESTON, KATY			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207891	58.00		
			REFUND-BELLY DANCING CLASS	58.00
	Vendor Total	**58.00**		
FYTD for WESTON, KATY		**58.00**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
5/9/2011	882730	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,506.03**		
WILLDAN AND ASSOCIATES			Remit to: **SAN BERNARDINO** **CA**	
5/2/2011	207681	7,035.00		
			PLAN CHECK SVCS-BLDG & SFTY	7,035.00
5/9/2011	207790	1,080.00		
			EASTRIDGE CTR EIR REVIEW SVCS	1,080.00
5/31/2011	208109	7,973.48		
			PLAN CHECK SVCS-BLDG & SFTY	7,973.48
	Vendor Total	**16,088.48**		
FYTD for WILLDAN AND ASSOCIATES		**125,311.03**		
WILLIAMS, JANE L.			Remit to: **GRAND FORKS** **ND**	
5/9/2011	882731	187.68		
			RETIREE MED APR-MAY '11	187.68
	Vendor Total	**187.68**		
FYTD for WILLIAMS, JANE L.		**1,966.96**		
WILLIS, ROBERT H			Remit to: **PERRIS** **CA**	
5/23/2011	208010	144.00		
			SPORTS OFFICIATING SVCS	72.00
			SPORTS OFFICIATING SVCS	72.00
	Vendor Total	**144.00**		
FYTD for WILLIS, ROBERT H		**432.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLOUGHBY, LORIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	882758	70.89		
				MILEAGE REIMBURSEMENT	70.89
	Vendor Total		**70.89**		
FYTD for WILLOUGHBY, LORIA			**397.39**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA** **CA**	
	5/9/2011	882732	20,710.00		
				TEMP STAFFING SVCS-MV UTIL.	5,700.00
				TEMP STAFFING SVCS-MV UTIL.	7,410.00
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	5/31/2011	882831	9,500.00		
				TEMP STAFFING SVCS-MV UTIL.	9,500.00
	Vendor Total		**30,210.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**82,267.50**		
WOODS, ALICIA/ROMNEY				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207682	7.00		
				REFUND-ANIMAL LICENSE FEE	7.00
	Vendor Total		**7.00**		
FYTD for WOODS, ALICIA/ROMNEY			**7.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.			Remit to: **CORONA** **CA**	
5/2/2011	882639	1,495.00		
			CLEANING OF UPHOLSTERED CHAIRS	75.00
			MAINT. DAY PORTER SVCS	1,140.00
			CLEANING OF UPHOLSTERED CHAIRS	150.00
			JANITORIAL SVCS-SR CTR RENTALS	130.00
5/16/2011	882759	1,450.11		
			JANITORIAL SVCS-EMP RES CTR	532.81
			JANITORIAL SVCS-GANG TASK FRC	112.82
			JANITORIAL SVCS-SUNNYMD ELEM.	184.10
			JANITORIAL SVCS-RAINBOW RIDGE	310.19
			JANITORIAL SVCS-RED MAPLE ELEM	310.19
5/23/2011	882797	22,536.29		
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-EOC	688.36
			JANITORIAL SVCS-ESA ANNEX	735.73
			JANITORIAL SVCS-FACIL. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-MARCH FLD C.C.	955.70
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-STARS HDQTRS	298.87
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-TS ANNEX	453.43
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
5/31/2011	882832	112.82		
			JANITORIAL SVCS-GANG TASK FRC	112.82
	Vendor Total	**25,594.22**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**300,732.01**		
XEROX			Remit to: **DALLAS** **TX**	
5/16/2011	207892	212.33		
			COPIER RNTL/MAINT-PD	70.20
			COPIER RNTL/MAINT-PD	77.54
			COPIER RNTL/MAINT-PD	64.59
5/23/2011	208011	3,188.11		
			COPIER RNTL/MAINT/PRNTS-GRPHCS	1,208.13
			COPIER RNTL/MAINT-GRAPHICS DIV	397.79
			COPIER RNTL/MAINT-PARKS	359.34
			COPIER BILLABLE PRINTS-PARKS	443.37
			COPIER RNTL/MAINT-PARKS	779.48
	Vendor Total	**3,400.44**		
FYTD for XEROX		**69,781.29**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
YAHOO!				Remit to: **SUNNYVALE** **CA**	
	5/23/2011	208012	30.44		
				SUBSCRIBER INFO SEARCH FOR PD	30.44
	Vendor Total		**30.44**		
FYTD for YAHOO!			**30.44**		
YANEZ, ANDREA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207683	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for YANEZ, ANDREA			**50.00**		
YENULONIS, LAURA				Remit to: **COLTON** **CA**	
	5/2/2011	207684	97.60		
				REFUND-PERMIT FEE 80%	97.60
	Vendor Total		**97.60**		
FYTD for YENULONIS, LAURA			**97.60**		
YOUNG, BONITA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207893	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for YOUNG, BONITA			**54.50**		
ZARATE, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207894	47.00		
				REFUND-GUITAR CLASS CANC.	47.00
	Vendor Total		**47.00**		
FYTD for ZARATE, VERONICA			**47.00**		

Subtotal **1,473,414.04**

GRAND TOTAL **10,409,143.31**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JUNE, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2010-11 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-86
Check Register for Month of June, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JUNE, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period June 1, 2011 through June 30, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period June 1, 2011 through June 30, 2011, in the total amount of $16,100,598.73 is approved.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ACCESS ELECTRIC SUPPLY			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208293	40,601.81		
			IEM SWITCHGEAR-SHADOW MTN PROJ	16,030.08
			CA SALES TAX	1,402.63
			IEM SWITCHGEAR-SHADOW MTN PROJ	21,304.92
			CA SALES TAX	1,864.18
	Vendor Total	**40,601.81**		
FYTD for ACCESS ELECTRIC SUPPLY		**40,843.24**		
AFTERSCHOOL STORE.COM			Remit to: **PALMDALE**	**CA**
6/6/2011	208113	42,476.32		
			AFTERSCHOOL SNACKS-STARS PRGM	33,116.32
			AFTERSCHOOL SNACKS-STARS PRGM	9,360.00
	Vendor Total	**42,476.32**		
FYTD for AFTERSCHOOL STORE.COM		**364,046.84**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
6/6/2011	208114	320,467.06		
			SR-60/NASON ST INTRCHNG PROJ	256,373.65
			SR-60/NASON ST INTRCHNG PROJ	64,093.41
6/28/2011	1106101	35,607.45		
			RETENTN PMT PER ESCRW AGREEMNT	35,607.45
6/28/2011	1106102	27,594.11		
			RETENTN PMT PER ESCRW AGREEMNT	27,594.11
	Vendor Total	**383,668.62**		
FYTD for ALL AMERICAN ASPHALT, INC.		**632,015.61**		
AVI-CON INC.			Remit to: **RIVERSIDE**	**CA**
6/6/2011	882834	93,173.49		
			PUB SFTY BLDG RENOVATION PROJ	64,266.33
			RETENT RLS PYMT-PUB SFTY BLDG	28,907.16
	Vendor Total	**93,173.49**		
FYTD for AVI-CON INC.		**384,476.18**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	6/20/2011	882961	40,833.74		
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MV ELECT SUBST	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-ZONE E3	10,625.00
				LANDSCAPE MAINT-ZONE E3A	1,000.00
	Vendor Total		**40,833.74**		
FYTD for BEMUS LANDSCAPE, INC.			**577,144.70**		
COMPU COM				Remit to: **RANCHO CORDOVA** **CA**	
	6/6/2011	208144	113,901.13		
				ENROLLMENT	113,901.13
	Vendor Total		**113,901.13**		
FYTD for COMPU COM			**114,902.68**		
COUNTY OF RIVERSIDE AUDITOR				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208319	33,585.46		
				PARKING CONTROL FEES	4,990.96
				PARKING CONTROL FEES	1,906.00
				PARKING CONTROL FEES	26,688.50
	Vendor Total		**33,585.46**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**277,338.08**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/21/2011	208423	80,470.23		
			WATER CHARGES	1,512.76
			WATER CHARGES	215.89
			WATER CHARGES	886.93
			WATER CHARGES	3,295.26
			WATER CHARGES	39.60
			WATER CHARGES	731.92
			WATER CHARGES	3,405.73
			WATER CHARGES	112.11
			WATER CHARGES	20,226.01
			WATER CHARGES	1,914.50
			WATER CHARGES	10,318.64
			WATER CHARGES	6,429.68
			WATER CHARGES	4,365.06
			WATER CHARGES	8,640.00
			WATER CHARGES	4,553.69
			WATER CHARGES	2,441.82
			WATER CHARGES	51.73
			WATER CHARGES	1,462.00
			WATER CHARGES	3,118.14
			WATER CHARGES	867.38
			WATER CHARGES	246.46
			WATER CHARGES	525.26
			WATER CHARGES	402.73
			WATER CHARGES	316.75
			WATER CHARGES	254.04
			WATER CHARGES	282.11
			WATER CHARGES	359.58
			WATER CHARGES	83.22
			WATER CHARGES	246.06
			WATER CHARGES	109.66
			WATER CHARGES	2,168.37
			WATER CHARGES	887.14
6/30/2011	208525	53,587.02		
			WATER CHARGES	9,471.17
			WATER CHARGES	2,926.22
			WATER CHARGES	1,456.52
			WATER CHARGES	2,165.28
			WATER CHARGES	4,138.94
			WATER CHARGES	246.92
			WATER CHARGES	1,481.59
			WATER CHARGES	1,075.06
			WATER CHARGES	332.34
			WATER CHARGES	327.92
			WATER CHARGES	107.29
			WATER CHARGES	302.06
			WATER CHARGES	461.94
			WATER CHARGES	8,992.50
			WATER CHARGES	2,099.15
			WATER CHARGES	684.66
			WATER CHARGES	9,012.43
			WATER CHARGES	2,803.13
			WATER CHARGES	4,040.37

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHARGES	55.10
			WATER CHARGES	137.73
			WATER CHARGES	106.75
			WATER CHARGES	534.70
			WATER CHARGES	177.61
			WATER CHARGES	263.22
			WATER CHARGES	74.25
			WATER CHARGES	112.17
	Vendor Total	134,057.25		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		1,434,949.17		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to: **SACRAMENTO**	**CA**
6/6/2011	208156	37,419.42		
			UNEMPLOYMENT INS CLAIMS	37,419.42
6/3/2011	2871	34,820.34		
			STATE INCOME TAX W/H 6/3/11	34,820.34
6/17/2011	2881	32,346.18		
			STATE INCOME TAX W/H 6/17/11	32,346.18
	Vendor Total	104,585.94		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		1,082,776.56		
FIRST AMERICAN TRUST, FSB			Remit to: **SANTA ANA**	**CA**
6/9/2011	110604	25,500.00		
			HAP LOAN: BRIAN EDWARD RABE	25,500.00
	Vendor Total	25,500.00		
FYTD for FIRST AMERICAN TRUST, FSB		289,206.40		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON**	**CA**
6/20/2011	208330	31,818.28		
			SHADOW MTN PARK LIGHTING PROJ	16,492.72
			SHADOW MTN PARK RESTROOM PROJ	15,325.56
	Vendor Total	31,818.28		
FYTD for FLEMING ENVIRONMENTAL, INC.		141,854.53		
HARDY & HARPER, INC.			Remit to: **SANTA ANA**	**CA**
6/27/2011	208524	2,161,392.82		
			PAVEMENT RESURF PROJ-CITYWIDE	1,151,114.02
			2011 LOCAL ST PAVEMNT RESURF.	1,010,278.80
	Vendor Total	2,161,392.82		
FYTD for HARDY & HARPER, INC.		3,369,931.27		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INTERNAL REVENUE SERVICE				Remit to:	
	6/3/2011	2870	146,902.26		
				FED INCOME TAX W/H 6/3/11	146,902.26
	6/17/2011	2880	132,159.21		
				FED INCOME TAX W/H 6/17/11	132,159.21
	Vendor Total		**279,061.47**		
FYTD for INTERNAL REVENUE SERVICE			**3,497,189.37**		
KATHLEEN A. MULLIGAN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208464	25,053.94		
				PURCH PRICE DIFFRNTL PYMT	10,750.00
				DOWNPYMT ASSIST-PERRIS BL PROJ	14,303.94
	Vendor Total		**25,053.94**		
FYTD for KATHLEEN A. MULLIGAN			**33,978.94**		
LIM & NASCIMENTO ENGINEERING CORP.				Remit to: **DIAMOND BAR** **CA**	
	6/6/2011	208186	29,556.96		
				IRONWD AVE/HEACOCK-PERRIS PROJ	9,772.42
				IRONWD AVE/HEACOCK-PERRIS PROJ	19,784.54
	Vendor Total		**29,556.96**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**346,880.11**		
MAMCO, INC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208189	112,089.67		
				DRACAEA AVE SIDEWLK IMPRV PROJ	107,207.27
				DRACAEA AVE SIDEWLK IMPRV PROJ	4,882.40
	Vendor Total		**112,089.67**		
FYTD for MAMCO, INC			**112,089.67**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA** **CA**	
	6/20/2011	882976	85,414.14		
				DEMO OLD/INSTLL NEW PLAY EQUIP	81,967.47
				CA SALES TAX	3,446.67
	Vendor Total		**85,414.14**		
FYTD for MIRACLE PLAYGROUND SALES			**262,357.27**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	6/6/2011	208192	60,337.78		
				ELECTRICITY	161.44
				ELECTRICITY	1,310.10
				ELECTRICITY	331.76
				ELECTRICITY	2,008.11
				ELECTRICITY	11,439.98
				ELECTRICITY	11,632.08
				ELECTRICITY	3,136.87
				ELECTRICITY	5,827.53
				ELECTRICITY	956.75
				ELECTRICITY	1,584.13
				ELECTRICITY	11,751.74
				ELECTRICITY	7,345.32
				ELECTRICITY	251.79
				ELECTRICITY	154.65
				ELECTRICITY	317.00
				ELECTRICITY	74.25
				ELECTRICITY	74.38
				ELECTRICITY	170.70
				ELECTRICITY	105.70
				ELECTRICITY	1,703.50
	6/27/2011	208476	55,258.96		
				ELECTRICITY	143.43
				ELECTRICITY	1,286.03
				ELECTRICITY	280.93
				ELECTRICITY	1,736.74
				ELECTRICITY	10,069.20
				ELECTRICITY	10,081.56
				ELECTRICITY	2,571.05
				ELECTRICITY	5,349.15
				ELECTRICITY	905.52
				ELECTRICITY	1,511.50
				ELECTRICITY	11,751.39
				ELECTRICITY	7,345.79
				ELECTRICITY	220.79
				ELECTRICITY	137.23
				ELECTRICITY	66.18
				ELECTRICITY	66.31
				ELECTRICITY	66.18
				ELECTRICITY	149.71
				ELECTRICITY	90.41
				ELECTRICITY	1,429.86
	Vendor Total		**115,596.74**		
FYTD for MORENO VALLEY UTILITY			**801,816.33**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MUSCO SPORTS LIGHTING, LLC			Remit to: **OSKALOOSA** **IA**	
6/13/2011	882941	259,912.50		
			SPORTS FIELD LIGHTS-SHADOW MTN	239,000.00
			CA SALES TAX	20,912.50
	Vendor Total	**259,912.50**		
FYTD for MUSCO SPORTS LIGHTING, LLC		**259,912.50**		
NEXUS IS, INC.			Remit to: **VALENCIA** **CA**	
6/27/2011	208478	25,691.00		
			PBX PHONE SYSTEM MAINT/SUPPORT	25,691.00
	Vendor Total	**25,691.00**		
FYTD for NEXUS IS, INC.		**43,386.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
6/13/2011	208273	134,585.97		
			ENERGY PURCHASE-ELECTR UTILITY	134,585.97
	Vendor Total	**134,585.97**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**492,077.25**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
6/8/2011	110602	212,262.83		
			EMPLOYEE HEALTH INS 6/8/11	212,262.83
	Vendor Total	**212,262.83**		
FYTD for PERS HEALTH INSURANCE		**2,459,616.41**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
6/10/2011	2872	203,291.28		
			PERS RETIREMENT 6/10/11	203,291.28
6/24/2011	2884	199,418.38		
			PERS RETIREMENT 6/24/11	199,418.38
	Vendor Total	**402,709.66**		
FYTD for PERS RETIREMENT		**5,204,920.34**		
PRICE FAMILY CHARITABLE TRUST			Remit to: **LA JOLLA** **CA**	
6/20/2011	208369	136,748.00		
			SALES TAX REIMBURSEMENT	136,748.00
	Vendor Total	**136,748.00**		
FYTD for PRICE FAMILY CHARITABLE TRUST		**435,477.50**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882983	635,089.35		
			IRONWD AVE/DAY ST-BARCLAY PROJ	299,444.07
			IRONWOOD AVE/STORM DRAIN PROJ	223,071.26
			IRONWOOD AVE/STORM DRAIN PROJ	22,121.96
			IRONWOOD AVE/STORM DRAIN PROJ	79,652.06
			IRONWOOD AVE/STORM DRAIN PROJ	10,800.00
6/28/2011	110611	33,271.56		
			RETENTN PMT PER ESCRW AGREEMNT	33,271.56
	Vendor Total	**668,360.91**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**4,098,957.33**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
6/13/2011	882945	2,744,284.93		
			CONTRACT LAW ENF BILL #8	44,174.01
			CONTRACT LAW ENF BILL #8	658.50
			CONTRACT LAW ENF BILL #8	1,542,338.03
			CONTRACT LAW ENF BILL #8	66,500.01
			CONTRACT LAW ENF BILL #8	346,180.58
			CONTRACT LAW ENF BILL #8	6,275.28
			CONTRACT LAW ENF BILL #8	75,659.98
			CONTRACT LAW ENF BILL #8	8,189.85
			CONTRACT LAW ENF BILL #8	72,591.71
			CONTRACT LAW ENF BILL #8	1,632.40
			CONTRACT LAW ENF BILL #8	184,148.35
			CONTRACT LAW ENF BILL #8	3,852.64
			CONTRACT LAW ENF BILL #8	325,553.74
			CONTRACT LAW ENF BILL #8	8,091.96
			CONTRACT LAW ENF BILL #8	35,387.62
			CONTRACT LAW ENF BILL #8	249.04
			CONTRACT LAW ENF BILL #8	10,279.29
			CONTRACT LAW ENF BILL #8	870.24
			CONTRACT LAW ENF BILL #8	10,750.85
			CONTRACT LAW ENF BILL #8	633.60
			CONTRACT LAW ENF BILL #8	267.25
6/30/2011	883042	3,232,609.38		
			CONTRACT LAW ENF BILL #9	44,201.82
			CONTRACT LAW ENF BILL #9	346.09
			CONTRACT LAW ENF BILL #9	2,074,264.50
			CONTRACT LAW ENF BILL #9	74,161.69
			CONTRACT LAW ENF BILL #9	334,189.22
			CONTRACT LAW ENF BILL #9	6,678.32
			CONTRACT LAW ENF BILL #9	76,221.60
			CONTRACT LAW ENF BILL #9	3,245.46
			CONTRACT LAW ENF BILL #9	72,301.85
			CONTRACT LAW ENF BILL #9	716.32
			CONTRACT LAW ENF BILL #9	175,606.73
			CONTRACT LAW ENF BILL #9	2,002.00
			CONTRACT LAW ENF BILL #9	315,569.45
			CONTRACT LAW ENF BILL #9	3,659.40
			CONTRACT LAW ENF BILL #9	34,151.60
			CONTRACT LAW ENF BILL #9	245.52
			CONTRACT LAW ENF BILL #9	3,205.09
			CONTRACT LAW ENF BILL #9	11,171.28
			CONTRACT LAW ENF BILL #9	671.44
	Vendor Total	**5,976,894.31**		
FYTD for RIVERSIDE COUNTY SHERIFF		**28,410,270.06**		

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RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208489	98,195.07		
			FY10/11 FACILITIES EXPENSES	98,195.07
Vendor Total		**98,195.07**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**102,437.49**		
SAN PEDRO SIGN COMPANY			Remit to: **WILMINGTON** **CA**	
6/27/2011	883030	88,200.00		
			AUTO MALL PYLON SIGN PROJECT	88,200.00
Vendor Total		**88,200.00**		
FYTD for SAN PEDRO SIGN COMPANY		**373,500.00**		
SHEFFIELD FORECLOSURE RENOVATION			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208494	34,168.43		
			PROP REHAB COSTS-25241 TODD DR	34,168.43
Vendor Total		**34,168.43**		
FYTD for SHEFFIELD FORECLOSURE RENOVATION		**34,168.43**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA** **PA**	
6/30/2011	208527	520,329.60		
			ENERGY PURCHASE	520,329.60
Vendor Total		**520,329.60**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**6,462,798.80**		
SHPIGLER GROUP, THE			Remit to: **MONTEBELLO** **NY**	
6/13/2011	208282	29,936.40		
			SMART GRID/ELECT VEHICLE-SPCL	29,936.40
Vendor Total		**29,936.40**		
FYTD for SHPIGLER GROUP, THE		**29,936.40**		
SOCAL ENGINEERS, INC.			Remit to: **IRVINE** **CA**	
6/20/2011	208389	71,033.40		
			TRAF SIG-SUNNYMD RNCH PKWY	71,033.40
Vendor Total		**71,033.40**		
FYTD for SOCAL ENGINEERS, INC.		**156,290.40**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/20/2011	208391	151,279.03		
			ELECTRICITY	912.42
			ELECTRICITY	23.77
			ELECTRICITY	324.50
			ELECTRICITY	22.43
			ELECTRICITY	627.67
			ELECTRICITY	1,000.38
			ELECTRICITY	134.59
			ELECTRICITY	2,474.96
			ELECTRICITY	755.66
			ELECTRICITY	1,667.94
			ELECTRICITY	816.57
			ELECTRICITY	1,126.31
			ELECTRICITY	21.87
			ELECTRICITY	96,318.22
			ELECTRICITY	40,411.15
			ELECTRICITY	4,314.08
			ELECTRICITY	21.87
			ELECTRICITY	45.40
			ELECTRICITY	25.72
			ELECTRICITY	23.81
			ELECTRICITY	68.41
			ELECTRICITY	92.57
			ELECTRICITY	48.73
6/20/2011	208392	30,299.19		
			WDAT CHARGES-GRAHAM	3,975.65
			WDAT CHARGES-IRIS	2,752.38
			WDAT CHARGES-GLOBE	8,120.97
			WDAT CHARGES-SUBSTATION	10,447.31
			WDAT CHARGES-FREDERICK	2,107.17
			WDAT CHARGES-NANDINA	2,647.31
			ELECTRICITY	248.40
6/27/2011	208500	32,672.14		
			ELECTRICITY	44.81
			ELECTRICITY	288.85
			ELECTRICITY	89.64
			ELECTRICITY	45.93
			ELECTRICITY	126.58
			ELECTRICITY	440.67
			ELECTRICITY	65.95
			ELECTRICITY	96.83
			ELECTRICITY	100.12
			ELECTRICITY	31.32
			ELECTRICITY	44.15
			ELECTRICITY	33.20
			ELECTRICITY	43.11
			ELECTRICITY	26.27
			ELECTRICITY	142.91
			ELECTRICITY	4,802.74
			ELECTRICITY	2,354.67
			ELECTRICITY	19.24
			ELECTRICITY	636.99

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	2,094.46
			ELECTRICITY	120.85
			ELECTRICITY	3,984.66
			ELECTRICITY	154.17
			ELECTRICITY	48.14
			ELECTRICITY	1,324.48
			ELECTRICITY	297.26
			ELECTRICITY	420.07
			ELECTRICITY	406.47
			ELECTRICITY	99.04
			ELECTRICITY	141.83
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**214,250.36**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,296,774.93**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
6/2/2011	110603	103,461.56		
			CALCARD PYMT CYCLE END 5/23/11	103,461.56
6/15/2011	110606	125,570.90		
			CALCARD PYMT CYCLE END 6/7/11	125,570.90
6/28/2011	110614	95,888.40		
			CALCARD PYMT CYCLE END 6/22/11	95,888.40
	Vendor Total	**324,920.86**		
FYTD for U.S. BANK/CALCARDS		**2,199,269.98**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
6/13/2011	208291	86,415.00		
			2011 PAVEMENT RESURF. PROJ	86,415.00
	Vendor Total	**86,415.00**		
FYTD for UNITED INSPECTION & TESTING INC		**94,691.80**		
WASTE MANAGEMENT			Remit to: **CORONA**	**CA**
6/6/2011	208234	739,548.87		
			SOLID WASTE DELINQ. LESS FEES	841,639.78
			SOLID WASTE DELINQ. LESS FEES	-102,090.91
	Vendor Total	**739,548.87**		
FYTD for WASTE MANAGEMENT		**1,623,802.71**		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
6/28/2011	110607	940,287.92		
			DEBT SERVICE-SPECIAL TAXES	940,287.92
	Vendor Total	**940,287.92**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,815,753.74**		
	Subtotal	**14,816,818.87**		

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CHECKS LESS THAN $25,000

NIELSEN LLC, CLARITAS				Remit to: **CHARLOTTE**	**NC**
	6/13/2011	208240	500.00		
				DATA REQUEST FOR ICSC PREP.	500.00
	Vendor Total		**500.00**		
FYTD for NIELSEN LLC, CLARITAS			**3,590.00**		
7-ELEVEN, INC				Remit to: **DALLAS**	**TX**
	6/20/2011	208292	120.00		
				REFUND-FALSE ALARM OVERPAYMENT	120.00
	Vendor Total		**120.00**		
FYTD for 7-ELEVEN, INC			**120.00**		
ABILITY COUNTS, INC				Remit to: **CORONA**	**CA**
	6/27/2011	208431	1,440.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	Vendor Total		**1,440.00**		
FYTD for ABILITY COUNTS, INC			**5,760.00**		
ABSOLUTE SURVEILLANCE				Remit to: **CANYON LAKE**	**CA**
	6/20/2011	882954	5,844.90		
				TRACKING DEVICE-PD	909.02
				TRACKING DEVICE-PD	59.90
				TRACKING DEVICE-PD	4,218.00
				TRACKING DEVICE-PD	531.90
				TRACKING DEVICE-PD	126.08
	Vendor Total		**5,844.90**		
FYTD for ABSOLUTE SURVEILLANCE			**5,844.90**		

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ACTIVE NETWORK, INC., THE				Remit to: **LOS ANGELES** **CA**	
	6/27/2011	883002	17,278.56		
				CLASS SFTWARE MAINT/SUPP RNWL	3,750.00
				DEPT CONNECTOR MAINT/SUPP RNWL	2,500.00
				CRYSTAL REPORTS MAINT/SUPP RNW	600.00
				PYMT SERVER-EFT MAINT/SUPP RNW	1,575.00
				DISCOUNT	-1,263.75
				CLASS SFTWARE MAINT/SUPP RNWL	578.80
				CLASS SFTWARE MAINT/SUPP RNWL	506.46
				CLASS SFTWARE MAINT/SUPP RNWL	144.70
				CLASS SFTWARE MAINT/SUPP RNWL	72.35
				CLASS SFTWARE MAINT/SUPP RNWL	1,447.03
				CLASS SFTWARE MAINT/SUPP RNWL	1,050.00
				CLASS SFTWARE MAINT/SUPP RNWL	4,051.68
				CLASS SFTWARE MAINT/SUPP RNWL	2,532.30
				CLASS SFTWARE MAINT/SUPP RNWL	1,519.38
				DISCOUNT	-1,785.39
	Vendor Total		**17,278.56**		
FYTD for ACTIVE NETWORK, INC., THE			**17,278.56**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	6/6/2011	882833	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,824.76**		
ADDUS HEALTH CARE				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	208432	500.00		
				REFUND-RENTAL DEPOSIT	500.00
	Vendor Total		**500.00**		
FYTD for ADDUS HEALTH CARE			**1,000.00**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	882955	283.24		
				K9 TRAINING-PD	283.24
	6/27/2011	883003	16,971.88		
				PURCHASE OF NEW K9 (URGAN)	8,971.88
				PURCHASE OF NEW K9 (URGAN)	8,000.00
	Vendor Total		**17,255.12**		
FYTD for ADLERHORST INTERNATIONAL INC.			**38,782.55**		
ADMINSURE				Remit to: **DIAMOND BAR** **CA**	
	6/6/2011	208111	2,600.00		
				WORKMANS COMP ADMIN	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**31,200.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCE REFRIGERATION & ICE SYSTEMS, INC			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882922	780.00		
			ICE MACHINE MAINT-FIRE ST #2	40.00
			ICE MACHINE MAINT-FIRE ST #2	155.00
			ICE MACHINE MAINT-CITY HALL	5.00
			ICE MACHINE MAINT-CITY HALL	190.00
			ICE MACHINE MAINT-FIRE ST #65	40.00
			ICE MACHINE MAINT-FIRE ST #65	155.00
			ICE MACHINE MAINT-FIRE ST #91	72.00
			ICE MACHINE MAINT-FIRE ST #91	123.00
6/20/2011	882956	195.00		
			ICE MACH MAINT-FS #48	63.00
			ICE MACH MAINT-FS #48	132.00
Vendor Total		**975.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**19,163.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208241	3,219.00		
			SIGN LIGHTS REPAIRED-EOC	1,512.00
			INSTALL LIGHTING-SR CTR POOLRM	1,497.00
			LIGHTING REPAIRS-ANIMAL SHLTR	210.00
6/27/2011	208433	625.00		
			ELECT REPAIRS-PARKS	625.00
Vendor Total		**3,844.00**		
FYTD for ADVANCED ELECTRIC		**97,406.60**		
ADVANTAGE BUSINESS EQUIPMENT, INC			Remit to: **SAN DIEGO** **CA**	
6/13/2011	882923	713.86		
			MICR TONER FOR HP 9050 PRINTER	229.00
			BLANK CHECK STOCK FOR PAYROLL	125.00
			SHIPPING CHARGES	19.00
			CA SALES TAX FOR PAYROLL CHKS	10.94
			CA SALES TAX FOR MICR TONER	20.04
			BLANK CHECK STOCK FOR A/P	250.00
			SHIPPING CHARGES	25.00
			SHIPPING CHARGES	13.00
			CA SALES TAX	21.88
Vendor Total		**713.86**		
FYTD for ADVANTAGE BUSINESS EQUIPMENT, INC		**2,791.81**		

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ADVANTAGE GRAPHICS AND PROMOTIONS			Remit to: **CAPISTRANO BEACH CA**	
6/6/2011	208112	2,638.81		
			PARKING CITATIONS-CODE	1,438.60
			PARKING CITATIONS-CODE	791.23
			PARKING CITATIONS-CODE	135.00
			PARKING CITATIONS-CODE	78.87
			PARKING CITATIONS-CODE	195.11
	Vendor Total	**2,638.81**		
FYTD for ADVANTAGE GRAPHICS AND PROMOTIONS		**2,638.81**		
AEI-CASC ENGINEERING			Remit to: **COLTON CA**	
6/20/2011	882957	6,645.68		
			IRONWD AVE/DAY ST-BARCLAY PROJ	6,645.68
	Vendor Total	**6,645.68**		
FYTD for AEI-CASC ENGINEERING		**238,785.47**		
AHLERS, ROSCEAL			Remit to: **HEMET CA**	
6/20/2011	208294	76.00		
			INSTRUCTION SVCS-2 DAYS	76.00
	Vendor Total	**76.00**		
FYTD for AHLERS, ROSCEAL		**1,520.00**		
AINSWORTH, NADINE			Remit to: **HIGHLAND CA**	
6/20/2011	208295	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for AINSWORTH, NADINE		**95.00**		
AIR CLEANING SYSTEMS INC.			Remit to: **POMONA CA**	
6/13/2011	882924	401.63		
			FIRE PLYMOVENT MAINT.-LABOR	170.00
			FIRE PLYMOVENT MAINT.-PARTS	231.63
6/27/2011	883004	366.09		
			PLYMOVENT MAINT-FIRE PREV	170.00
			PLYMOVENT MAINT-FIRE PREV	76.47
			PLYMOVENT MAINT-FIRE PREV	119.62
	Vendor Total	**767.72**		
FYTD for AIR CLEANING SYSTEMS INC.		**5,123.43**		
ALARCON SONS, INC			Remit to: **BALDWIN PARK CA**	
6/13/2011	208242	25.60		
			REFUND-BUS. LIC. OVERPAYMENT	25.60
	Vendor Total	**25.60**		
FYTD for ALARCON SONS, INC		**25.60**		

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ALICEA, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208434	107.61		
				MILEAGE REIMBURSEMENT	107.61
	Vendor Total		**107.61**		
FYTD for ALICEA, RICHARD			**1,147.80**		
ALLEN, VICTOR				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208296	200.00		
				REFUND-TWNGTE RENTAL DEPOSIT	200.00
	Vendor Total		**200.00**		
FYTD for ALLEN, VICTOR			**200.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	6/21/2011	208420	1,519.79		
				BUS SVCS-STARS PRGM CHEER COMP	1,519.79
	Vendor Total		**1,519.79**		
FYTD for ALLIANCE BUS LINES INC			**13,065.20**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	6/6/2011	208115	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**900.00**		
ALVAREZ, THOMAS				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208297	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALVAREZ, THOMAS			**95.00**		
AMERICAN FORENSIC NURSES				Remit to: **PALM SPRINGS** **CA**	
	6/20/2011	882958	1,150.24		
				BLOOD DRAWS-PD	123.24
				BLOOD DRAWS-PD	1,027.00
	6/27/2011	883005	1,978.76		
				BLOOD DRAWS-PD	1,937.68
				BLOOD DRAWS-PD	41.08
	Vendor Total		**3,129.00**		
FYTD for AMERICAN FORENSIC NURSES			**37,068.54**		

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AMERICAN TOWERS			Remit to: **CHARLOTTE** **NC**	
6/6/2011	208116	2,573.48		
			ATC TOWER LEASE-TECH SVCS	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**23,161.32**		
ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE** **CA**	
6/20/2011	882959	165.00		
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
	Vendor Total	**165.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**2,630.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO** **CA**	
6/20/2011	208298	1,285.00		
			PEST CONTRAL SVCS-PARKS	255.00
			PEST CONTRAL SVCS-MARB/EQUESTR	330.00
			PEST CONTRAL SVCS-PAL	100.00
			BEE REMOVAL-PARKS	300.00
			BEE REMOVAL-PARKS	300.00
6/27/2011	208435	1,105.00		
			PEST CNTRL SVCS-PARKS	665.00
			PEST CNTRL SVCS-CFD #1	160.00
			PEST CNTRL SVCS-GOLF CT	180.00
			PEST CNTRL SVCS-STARS	100.00
	Vendor Total	**2,390.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**22,080.00**		
ARAMBUL, JUAN			Remit to: **NUEVO** **CA**	
6/27/2011	208436	47.50		
			REFUND-CITATION FEE	47.50
	Vendor Total	**47.50**		
FYTD for ARAMBUL, JUAN		**47.50**		
ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882925	1,256.31		
			OFFSITE STORAGE SVCS-CITY CLRK	1,256.31
	Vendor Total	**1,256.31**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**16,386.14**		

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ARMSTRONG, CHARIS			Remit to: **NUEVO** **CA**	
6/6/2011	208117	75.00		
			REFUND- SN DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for ARMSTRONG, CHARIS		**75.00**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
6/6/2011	208118	25.00		
			WATER PURIF RNTL-STARS	25.00
6/13/2011	208243	515.79		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRAFFIC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-ANIMAL SHLTR	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPECIAL DIST.	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FACIL. ANNEX	25.00
			WATER PURIF RNTL-CONF&REC CTR	25.00
			WATER PURIF RNTL-FIRE ST #6	25.00
			WATER PURIF RNTL-FIRE ST #48	25.00
			WATER PURIF RNTL-FIRE ST #2	25.00
			WATER PURIF RNTL-FIRE ST #58	15.77
			WATER PURIF RNTL-FIRE ST #91	25.00
			WATER PURIF RNTL-FIRE ST #65	25.00
6/20/2011	208299	50.00		
			WATER PURIF RNTL-STARS	25.00
			WATER PURIF RNTL-EOC	25.00
Vendor Total		**590.79**		
FYTD for ARROWHEAD WATER		**6,722.01**		
AT & T STATE CALLING SERVICE			Remit to: **CAROL STREAM** **IL**	
6/27/2011	208437	0.04		
			PHONE CHARGES	0.04
Vendor Total		**0.04**		
FYTD for AT & T STATE CALLING SERVICE		**7.91**		
AT&T/MCI			Remit to: **WEST SACRAMENTO** **CA**	
6/6/2011	208119	183.10		
			COMMUNICATIONS SVCS	183.10
Vendor Total		**183.10**		
FYTD for AT&T/MCI		**2,201.20**		

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AUGUST, MARGARET				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208120	66.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	16.00
				REFUND-VARIOUS A/C FEES	10.00
	Vendor Total		**66.00**		
FYTD for AUGUST, MARGARET			**66.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	6/6/2011	208121	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,745.98**		
BALANCIER, EARL				Remit to: **PERRIS** **CA**	
	6/20/2011	208300	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**722.00**		
FYTD for BALANCIER, EARL			**3,306.00**		
BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	6/6/2011	882835	359.19		
				RETIREE MED APR-JUN '11, PD JU	359.19
	Vendor Total		**359.19**		
FYTD for BARNES, DARLENE			**1,625.47**		
BARNES, DULCE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208301	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for BARNES, DULCE			**95.00**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	6/20/2011	208302	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BARTUCCIO, ERICA			**75.00**		

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BASIC BACKFLOW				Remit to: **SAN BERNARDINO CA**	
	6/6/2011	882836	60.00		
				BACKFLOW TESTING-PARKS	16.74
				BACKFLOW TESTING-PARKS	43.26
	6/13/2011	882926	149.83		
				BACKFLOW TESTING-PARKS	149.83
	6/20/2011	882960	345.33		
				BACKFLOW TESTING-MORRISON PRK	345.33
	Vendor Total		**555.16**		
FYTD for BASIC BACKFLOW			**3,308.42**		
BEDOY, BEATRIZ				Remit to: **MONTEBELLO CA**	
	6/6/2011	208122	95.00		
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	75.00
	Vendor Total		**95.00**		
FYTD for BEDOY, BEATRIZ			**95.00**		
BEMIS, NIKKI				Remit to: **RIVERSIDE CA**	
	6/6/2011	208123	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BEMIS, NIKKI			**20.00**		

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BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
6/13/2011	882927	4,957.56		
			LNDSCP MAINT-VETRNS MEMORIAL	250.00
			LNDSCP MAINT-FIRE STATIONS	3,150.00
			LNDSCP MAINT-CITY HALL	992.56
			LNDSCP MAINT-ANNEX BLDG 1	300.00
			REPLC DMGD TREE-IRIS/KITCHING	265.00
6/27/2011	883006	11,986.95		
			LANDSCAPE MAINT-E4	158.99
			LANDSCAPE MAINT-E4	114.75
			LANDSCAPE MAINT-E4	242.63
			LANDSCAPE MAINT-CITY YARD	250.00
			LANDSCAPE MAINT-ANML SHLTR	520.00
			LANDSCAPE MAINT-STARS BLDG	300.00
			LANDSCAPE MAINT-MV ELECT SUBST	630.00
			LANDSCAPE MAINT-MVU	480.00
			LANDSCAPE MAINT-LIBRARY	520.00
			LANDSCAPE MAINT-CONF & REC CTR	1,900.00
			LANDSCAPE MAINT-PSB	226.62
			LANDSCAPE MAINT-PSB	970.96
			LANDSCAPE MAINT-CFD #1	400.00
			LANDSCAPE MAINT-CFD #1	1,900.00
			LANDSCAPE MAINT-CFD #1	400.00
			LNDSCP MAINT-S AQDCT "B"	735.00
			LNDSCP MAINT-SENIOR CT	262.50
			LNDSCP MAINT-N AQDCT	525.00
			LNDSCP MAINT-S AQDCT "A"	850.50
			LNDSCP MAINT-PAN AM SECT	600.00
	Vendor Total	**16,944.51**		
FYTD for BEMUS LANDSCAPE, INC.		**577,144.70**		
BENESYST, INC.			Remit to: **MINNEAPOLIS**	**MN**
6/27/2011	883007	205.57		
			FLEX ADMIN SVCS-HR	205.57
6/30/2011	883041	205.00		
			COBRA ADMIN SVCS-HR	31.00
			COBRA ADMIN SVCS-HR	174.00
	Vendor Total	**410.57**		
FYTD for BENESYST, INC.		**6,549.27**		
BIO-TOX LABORATORIES			Remit to: **RIVERSIDE**	**CA**
6/6/2011	208124	11,821.58		
			TOXICOLOGY TESTING-PD	2,696.88
			TOXICOLOGY TESTING-PD	9,124.70
	Vendor Total	**11,821.58**		
FYTD for BIO-TOX LABORATORIES		**79,896.61**		

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BISHOP COMPANY				Remit to: **WHITTIER** **CA**	
	6/6/2011	208125	57.70		
				MISC TOOLS-PARKS	57.70
	Vendor Total		**57.70**		
FYTD for BISHOP COMPANY			**829.69**		
BLACK, CHRISTINA				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208126	65.00		
				REFUND-BLS HEALTHCARE CLASS	65.00
	Vendor Total		**65.00**		
FYTD for BLACK, CHRISTINA			**65.00**		
BOBO II, FELIX				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208303	69.36		
				MILEAGE REIMBURSEMENT	69.36
	Vendor Total		**69.36**		
FYTD for BOBO II, FELIX			**1,270.93**		
BOSE, TIFFANY				Remit to: **CORONA** **CA**	
	6/13/2011	208244	32.64		
				MILEAGE REIMBURSEMENT	32.64
	Vendor Total		**32.64**		
FYTD for BOSE, TIFFANY			**351.39**		
BOWLUS PACIFIC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208127	607.00		
				REFUND-PLANNING FEES	607.00
	Vendor Total		**607.00**		
FYTD for BOWLUS PACIFIC			**607.00**		
BRAUN BLAISING MCLAUGHLIN				Remit to: **SACRAMENTO** **CA**	
	6/6/2011	208128	386.00		
				LEGAL SERVICES-UT	386.00
	Vendor Total		**386.00**		
FYTD for BRAUN BLAISING MCLAUGHLIN			**386.00**		
BRAY, JR., LYLE DEAN				Remit to: **CORONA** **CA**	
	6/20/2011	208304	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for BRAY, JR., LYLE DEAN			**2,470.00**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	6/27/2011	883008	3,466.88		
				MISC BOOKS-LIBRARY	29.37
				MISC BOOKS-LIBRARY	23.85
				MISC BOOKS-LIBRARY	49.29
				MISC BOOKS-LIBRARY	97.04
				MISC BOOKS-LIBRARY	372.48
				MISC BOOKS-LIBRARY	32.14
				MISC BOOKS-LIBRARY	488.87
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	28.93
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	27.55
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	188.15
				MISC BOOKS-LIBRARY	75.22
				MISC BOOKS-LIBRARY	491.81
				MISC BOOKS-LIBRARY	122.49
				MISC BOOKS-LIBRARY	38.65
				MISC BOOKS-LIBRARY	34.03
				MISC BOOKS-LIBRARY	41.95
				MISC BOOKS-LIBRARY	83.84
				MISC BOOKS-LIBRARY	101.87
				MISC BOOKS-LIBRARY	23.78
				MISC BOOKS-LIBRARY	62.55
				MISC BOOKS-LIBRARY	75.82
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	60.75
				MISC BOOKS-LIBRARY	38.61
				MISC BOOKS-LIBRARY	24.40
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	78.12
				MISC BOOKS-LIBRARY	88.73
				MISC BOOKS-LIBRARY	151.47
				MISC BOOKS-LIBRARY	36.48
				MISC BOOKS-LIBRARY	69.32
				MISC BOOKS-LIBRARY	120.36
				MISC BOOKS-LIBRARY	22.57
	Vendor Total		**3,466.88**		
FYTD for BRODART CO.			**45,433.76**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	6/6/2011	208129	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**3,824.76**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BURCIAGA-LOPEZ, ROSSY			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208438	8.95		
			REFUND-LOST BOOK FEE	8.95
Vendor Total		**8.95**		
FYTD for BURCIAGA-LOPEZ, ROSSY		**8.95**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES** **CA**	
6/6/2011	882837	21,399.60		
			LEGAL SERVICES-HR	1,818.10
			LEGAL SERVICES-HR	19,581.50
6/27/2011	883009	100.00		
			GEN SPECIAL COUNSEL SVCS	100.00
Vendor Total		**21,499.60**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**106,302.40**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
6/27/2011	208439	3,963.42		
			MISC BOOKS-LIBRARY	258.00
			MISC BOOKS-LIBRARY	254.49
			MISC BOOKS-LIBRARY	1,820.41
			MISC BOOKS-LIBRARY	721.05
			MISC BOOKS-LIBRARY	57.80
			MISC BOOKS-LIBRARY	851.67
Vendor Total		**3,963.42**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**24,480.37**		
CA CONSTRUCTION AND FLOOR TECH AMERICA,			Remit to:	
6/6/2011	208130	1,883.00		
			RETENT/STOP NOTICE PYMT-PSB PR	1,883.00
Vendor Total		**1,883.00**		
FYTD for CA CONSTRUCTION AND FLOOR TECH AMERICA,		**1,883.00**		
CA CONSTRUCTION AND GLOBAL SPECIALTIES			Remit to:	
6/6/2011	208131	968.40		
			RETENT/STOP NOTICE PYMT-PSB PR	968.40
Vendor Total		**968.40**		
FYTD for CA CONSTRUCTION AND GLOBAL SPECIALTIES		**968.40**		
CA CONSTRUCTION AND MURRAY MECHANICAL			Remit to:	
6/6/2011	208132	4,531.84		
			RETENT/STOP NOTICE PYMT-PSB PR	4,531.84
Vendor Total		**4,531.84**		
FYTD for CA CONSTRUCTION AND MURRAY MECHANICAL		**4,531.84**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CA CONSTRUCTION AND RGB			Remit to:	
6/6/2011	208133	1,982.60		
			RETENT/STOP NOTICE PYMT-PSB PR	1,982.60
Vendor Total		**1,982.60**		
FYTD for CA CONSTRUCTION AND RGB		**1,982.60**		
CA CONSTRUCTION AND TANDEM WEST GLASS,			Remit to:	
6/6/2011	208134	3,480.00		
			RETENT/STOP NOTICE PYMT-PSB PR	3,480.00
Vendor Total		**3,480.00**		
FYTD for CA CONSTRUCTION AND TANDEM WEST GLASS,		**3,480.00**		
CA DEPT OF FORESTRY & PROTECTION			Remit to: **YUCAIPA** **CA**	
6/13/2011	208245	3,705.19		
			MATERIALS FOR LOCKERS AT FS#48	3,705.19
Vendor Total		**3,705.19**		
FYTD for CA DEPT OF FORESTRY & PROTECTION		**3,705.19**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
6/6/2011	882838	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for CAIN, GREGORY		**3,824.76**		
CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
6/7/2011	208238	2,278.08		
			UNCLAIMED VENDOR CHECKS	717.75
			UNCLAIMED VENDOR CHECKS	1,594.33
			UNCLAIMED VENDOR CHECKS	-34.00
Vendor Total		**2,278.08**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,285.72**		
CALIFORNIA TRANSCRIPTION, LLC			Remit to: **RIVERSIDE** **CA**	
6/27/2011	883010	130.01		
			TRANSCRIPTION SVCS-CDD	130.01
Vendor Total		**130.01**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**772.58**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
6/6/2011	882839	4,773.00		
			CONSULTING SVCS-NPDES	4,773.00
Vendor Total		**4,773.00**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**16,907.00**		

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CAMACHO, FELIX				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208246	4,819.00		
				REFUND-TRUST FUND DEPOSIT	4,819.00
	Vendor Total		**4,819.00**		
FYTD for CAMACHO, FELIX			**4,819.00**		
CANNON, ANA M.				Remit to: **HASLET** **TX**	
	6/6/2011	882840	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**3,650.21**		
CANON BUSINESS SOLUTIONS, INC.				Remit to: **BURLINGTON** **NJ**	
	6/20/2011	882962	2,002.20		
				COPIER SERVICE-STARS	2,002.20
	Vendor Total		**2,002.20**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**37,505.95**		
CANON FINANCIAL SERVICES, INC.				Remit to: **CHICAGO** **IL**	
	6/20/2011	208305	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**91,088.16**		
CARRERA, EFRAIN				Remit to: **PERRIS** **CA**	
	6/6/2011	208135	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	6/20/2011	208306	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**1,368.00**		
FYTD for CARRERA, EFRAIN			**2,014.00**		
CARTER, ROSALYN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882841	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for CARTER, ROSALYN			**3,918.83**		

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CELLEBRITE USA, CORP				Remit to: **GLEN ROCK** **NJ**	
	6/21/2011	208421	9,072.00		
				UNIV FORENSIC EXTRACT. DEVICE	6,999.00
				UFED SOFTWARE UPGRADES	1,998.00
				SHIPPING & HANDLING	75.00
				CA USE TAX	612.41
				CA USE TAX ACCRUAL	-612.41
	Vendor Total		**9,072.00**		
FYTD for CELLEBRITE USA, CORP			**18,144.00**		
CEMEX				Remit to: **ONTARIO** **CA**	
	6/6/2011	208136	745.03		
				CEMENT PURCHASE	376.32
				CEMENT PURCHASE	368.71
	6/20/2011	208307	1,092.42		
				CEMENT PURCHASE	301.35
				CEMENT PURCHASE	320.18
				CEMENT PURCHASE	470.89
	Vendor Total		**1,837.45**		
FYTD for CEMEX			**10,873.04**		
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208137	360.00		
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	70.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	55.00
	Vendor Total		**360.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			**13,575.00**		
CERTIFIED CREDIT REPORTING, INC				Remit to: **CORONA** **CA**	
	6/20/2011	208308	18.96		
				CREDIT PROFILE SERVICES	18.96
	Vendor Total		**18.96**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**83.84**		
CHAN, PAULINE				Remit to: **LAKE ELSINORE** **CA**	
	6/6/2011	208138	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CHAN, PAULINE			**95.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	6/20/2011	882963	8,918.00		
				INVESTMENT MGT SVCS	8,918.00
	Vendor Total		**8,918.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**105,917.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	6/6/2011	208139	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,824.76**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882842	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,824.76**		
CHERRY VALLEY FEED				Remit to: **CHERRY VALLEY** **CA**	
	6/27/2011	208440	117.43		
				FOOD FOR PD K9	117.43
	Vendor Total		**117.43**		
FYTD for CHERRY VALLEY FEED			**1,208.54**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882843	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**2,546.46**		

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CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
6/6/2011	882844	155.57		
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-TRFFC SGNL MA	16.42
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	18.60
			UNIFORM RNTL SVC-ST MAINT	36.38
			UNIFORM RNTL SVC-CONC MAINT	9.58
6/13/2011	882928	253.14		
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-FAC MAINT	12.40
			UNIFORM RNTL SVC-FAC MAINT	12.40
			UNIFORM RNTL SVC-PARKS STAFF	50.19
			UNIFORM RNTL SVC-TRF SIG MAINT	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT CREW	51.92
			UNIFORM RNTL SVC-CONCRETE CREW	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
6/20/2011	882964	347.33		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PARKS	85.38
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-FACILITIES	12.40
6/27/2011	883011	375.09		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-CONC MAINT	10.18
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	12.40
			UNIFORM RNTL SVC-GOLF COURSE	5.56
	Vendor Total	**1,131.13**		
FYTD for CINTAS CORPORATION		**12,467.07**		

CITY OF MORENO VALLEY VEBA TRUST — Remit to: **MORENO VALLEY** **CA**

6/6/2011	882845	4,200.00		
			EXEMPT VEBA	4,200.00
	Vendor Total	**4,200.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**49,662.50**		

CLAMMER, JOYCE — Remit to: **LAKEWOOD** **CA**

6/20/2011	208309	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CLAMMER, JOYCE		**20.00**		

CLONINGER, JASON — Remit to: **MORENO VALLEY** **CA**

6/20/2011	208310	59.52		
			REFUND-PARKS CLASS REGIS FEE	59.52
	Vendor Total	**59.52**		
FYTD for CLONINGER, JASON		**59.52**		

City of Moreno Valley

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For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COAST FITNESS REPAIR SHOP			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208140	284.33		
			REPAIR WEIGHT MACH-SENIOR CTR	120.00
			REPAIR WEIGHT MACH-SENIOR CTR	60.00
			REPAIR WEIGHT MACH-SENIOR CTR	18.00
			REPAIR WEIGHT MACH-SENIOR CTR	69.00
			REPAIR WEIGHT MACH-SENIOR CTR	17.33
	Vendor Total	**284.33**		
FYTD for COAST FITNESS REPAIR SHOP		**379.33**		
COAST TO COAST LASER			Remit to: **MURRIETA** **CA**	
6/27/2011	208441	32.63		
			LONGEVITY AWARD-O. RODRIGUEZ	32.63
	Vendor Total	**32.63**		
FYTD for COAST TO COAST LASER		**65.26**		
COASTLINE CONSTRUCTION & AWNING CO.			Remit to: **HUNTINGTON BEACH** **CA**	
6/20/2011	208311	1,459.09		
			CONSTR OF STEPS-PERRIS BL PROJ	1,459.09
	Vendor Total	**1,459.09**		
FYTD for COASTLINE CONSTRUCTION & AWNING CO.		**31,027.74**		
COHENS, BEVERLY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208312	39.00		
			REFUND-PARKS CLASS REGIS FEE	39.00
	Vendor Total	**39.00**		
FYTD for COHENS, BEVERLY		**39.00**		
COLGAN CONSULTING CORPORATION			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208141	2,956.45		
			CONSULTING SVCS-PW LAND DV	2,956.45
	Vendor Total	**2,956.45**		
FYTD for COLGAN CONSULTING CORPORATION		**2,956.45**		
COLONIAL SUPPLEMENTAL INSURANCE			Remit to: **COLUMBIA** **SC**	
6/6/2011	208142	7,079.44		
			SUPPLEMENTAL INSURANCE	7,079.44
	Vendor Total	**7,079.44**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**84,878.79**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
6/6/2011	208143	183.81		
			CHC CONTRIBUTIONS	183.81
6/20/2011	208313	178.81		
			CHC CONTRIBUTIONS	178.81
	Vendor Total	**362.62**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,543.80**		
CONEJO, LEONARDO			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208314	75.00		
			REFUND-SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CONEJO, LEONARDO		**75.00**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
6/6/2011	208145	2,908.90		
			ASPHALTIC MATERIALS	2,908.90
6/13/2011	208247	2,886.29		
			ASPHALTIC MATERIALS	2,886.29
	Vendor Total	**5,795.19**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**21,009.44**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208315	35.00		
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**35.00**		
FYTD for CONTRERAS, BIANCA		**420.00**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208316	87.50		
			SPORTS OFFICIATING SVCS	35.00
			SPORTS OFFICIATING SVCS	17.50
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**87.50**		
FYTD for CONTRERAS, JOSE		**947.50**		
CONVERT-A-DOC			Remit to: **MURRIETA** **CA**	
6/13/2011	208248	818.32		
			SCANNING SERVICES-LAND DEV	818.32
	Vendor Total	**818.32**		
FYTD for CONVERT-A-DOC		**5,472.70**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COPELAND, PATRICIA				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208317	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for COPELAND, PATRICIA			**50.00**		
COSEY JR., JAMES				Remit to: **MORENO VALLEY CA**	
	6/27/2011	208442	297.00		
				INSTRUCTOR SVCS-KEMPO CLASSES	132.00
				INSTRUCTOR SVCS-KEMPO CLASSES	165.00
	Vendor Total		**297.00**		
FYTD for COSEY JR., JAMES			**813.00**		
COSTCO				Remit to: **MORENO VALLEY CA**	
	6/6/2011	208146	28.41		
				MISC SUPPLIES-STARS	28.41
	6/13/2011	208249	1,124.37		
				MISC SUPPLIES-STARS	82.18
				MISC SUPPLIES-STARS	191.10
				MISC SUPPLIES-STARS	48.30
				MISC SUPPLIES-STARS	119.63
				MISC SUPPLIES-SKATE PARK	683.16
	6/20/2011	208318	3,935.34		
				MISC SUPPLIES-CHILDS PLC	892.15
				MISC SUPPLIES-CHILDS PLC	879.91
				MISC SUPPLIES-CHILDS PLC	1,082.97
				MISC SUPPLIES-STARS	324.02
				MISC SUPPLIES-STARS	18.05
				MISC SUPPLIES-STARS	534.66
				MISC SUPPLIES-STARS	68.46
				MISC SUPPLIES-STARS	135.12
	6/27/2011	208443	289.10		
				MISC SUPPLIES-STARS	80.53
				MISC SUPPLIES-STARS	61.37
				MISC SUPPLIES-STARS	94.02
				MISC SUPPLIES-STARS	53.18
	Vendor Total		**5,377.22**		
FYTD for COSTCO			**56,488.26**		
COUNSELING TEAM, THE				Remit to: **SAN BERNARDINO CA**	
	6/27/2011	208444	1,250.00		
				EMP COUNSELING SRVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**17,500.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
6/6/2011	208147	65.58		
			REFUND-UUT USER TAXES	65.58
Vendor Total		**65.58**		
FYTD for COUNTRY SQUIRE ESTATES		**816.96**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208250	42.70		
			RECORDATION REQUESTS-LAND DEV	42.70
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**532.95**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
6/6/2011	882846	110.31		
			PD K-9 FOOD	101.43
			PD K-9 FOOD	8.88
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**993.40**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208148	871.00		
			HEALTH PERMIT-CONF & REC CTR	871.00
Vendor Total		**871.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**26,404.08**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
6/20/2011	208320	745.00		
			DISPOSAL SVCS-ANML SHLTR	745.00
Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**10,940.00**		
D H TAD LOWREY & GAYLE A LOWREY			Remit to: **PASADENA** **CA**	
6/6/2011	882847	2,400.82		
			BOND HOLDER PAYMENT	1,786.19
			BOND HOLDER PAYMENT	614.63
Vendor Total		**2,400.82**		
FYTD for D H TAD LOWREY & GAYLE A LOWREY		**3,408.82**		
DACOLIAS, RAYMOND			Remit to: **SAN JACINTO** **CA**	
6/20/2011	208321	190.00		
			INSTRUCTION SVCS-5 DAYS	190.00
Vendor Total		**190.00**		
FYTD for DACOLIAS, RAYMOND		**1,748.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DAILY JOURNAL CORPORATION				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	208149	784.08		
				RENEWAL SUBSCRIPTION-12 MOS.	784.08
	Vendor Total		**784.08**		
FYTD for DAILY JOURNAL CORPORATION			**784.08**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882848	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**3,805.92**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	6/6/2011	882849	4,861.50		
				CITATION PRCSSNG-PD	3,518.35
				CITATION PRCSSNG-ANML SVCS	595.55
				CITATION PRCSSNG-BLDG/SFTY	747.60
	6/13/2011	882929	105.00		
				PARKING CODE APP-TECH SVCS	105.00
	Vendor Total		**4,966.50**		
FYTD for DATA TICKET, INC.			**246,852.12**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	6/27/2011	208445	130.50		
				ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,566.00**		
DE LA CRUZ, JAZMINE				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208150	65.00		
				REFUND-BLS HEALTHCARE CLASS	65.00
	Vendor Total		**65.00**		
FYTD for DE LA CRUZ, JAZMINE			**65.00**		
DEFINITIVE FINANCIAL SOLUTIONS, LLC				Remit to: **PARIS** **MO**	
	6/13/2011	208251	1,800.00		
				CONSULTING SVCS-TECH SVCS	1,800.00
	Vendor Total		**1,800.00**		
FYTD for DEFINITIVE FINANCIAL SOLUTIONS, LLC			**6,675.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	6/13/2011	208252	12,027.29		
				EMPLOYEE DENTAL INSURANCE	12,027.29
	Vendor Total		**12,027.29**		
FYTD for DELTA DENTAL			**139,895.34**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	6/27/2011	883012	4,315.00		
				PLAN REVIEW SVCS-FIRE PREV	780.00
				PLAN REVIEW SVCS-FIRE PREV	3,275.00
				PLAN REVIEW SVCS-FIRE PREV	260.00
	Vendor Total		**4,315.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**108,230.00**		
DIVISION OF LABOR STANDARDS ENFORCMENT				Remit to: **LONG BEACH** **CA**	
	6/21/2011	208422	5,568.75		
				CWPA PYMT-EMERG OPS CTR PROJ	5,568.75
	Vendor Total		**5,568.75**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT			**53,540.14**		
DLS LANDSCAPE, INC				Remit to: **REDLANDS** **CA**	
	6/27/2011	883013	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**12,390.00**		
FYTD for DLS LANDSCAPE, INC			**148,680.00**		
DMV				Remit to: **SACRAMENTO** **CA**	
	6/13/2011	208253	104.00		
				RENEWAL REGISTRATION	52.00
				RENEWAL REGISTRATION	52.00
	Vendor Total		**104.00**		
FYTD for DMV			**104.00**		
DORIS GRAVITTE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208151	73.00		
				REFUND-BUS. LIC. OVERPAYMENT	57.00
				REFUND-BUS. LIC. OVERPAYMENT	16.00
	Vendor Total		**73.00**		
FYTD for DORIS GRAVITTE			**73.00**		

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DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	6/6/2011	208152	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**3,540.96**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL				Remit to: **SACRAMENTO** **CA**	
	6/20/2011	208322	15.00		
				2010 MANIFEST FEES-FIRE ST #6	15.00
	Vendor Total		**15.00**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			**115.00**		
DUNN, LAURA ISABEL GARCIA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	882965	304.00		
				INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for DUNN, LAURA ISABEL GARCIA			**1,748.00**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208153	252.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	252.00
	Vendor Total		**252.00**		
FYTD for DURAN, BLANCA			**3,003.00**		
DYE, COLUMBUS				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208254	444.23		
				REFUND-A/C CITATION CHRGS	444.23
	Vendor Total		**444.23**		
FYTD for DYE, COLUMBUS			**444.23**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/6/2011	208154	12,942.57		
			WATER CHARGES	269.72
			WATER CHARGES	6,541.37
			WATER CHARGES	354.84
			WATER CHARGES	2,034.55
			WATER CHARGES	607.12
			WATER CHARGES	2,958.60
			WATER CHARGES	176.37
6/20/2011	208323	0.00		
			WATER CHARGES-SUBSTATION	109.70
			WATER CHARGES	1,512.76
			WATER CHARGES	215.89
			WATER CHARGES	886.93
			WATER CHARGES	3,295.26
			WATER CHARGES	39.60
			WATER CHARGES	731.92
			WATER CHARGES	3,405.73
			WATER CHARGES	112.11
			WATER CHARGES	20,226.01
			WATER CHARGES	1,914.50
			WATER CHARGES	10,318.64
			WATER CHARGES	6,429.68
			WATER CHARGES	4,365.06
			WATER CHARGES	8,640.00
			WATER CHARGES	4,553.69
			WATER CHARGES	2,441.82
			WATER CHARGES	51.73
			WATER CHARGES	1,462.00
			WATER CHARGES	3,118.14
			WATER CHARGES	867.38
			WATER CHARGES	246.46
			WATER CHARGES	525.26
			WATER CHARGES	402.73
			WATER CHARGES	316.75
			WATER CHARGES	254.04
			WATER CHARGES	282.11
			WATER CHARGES	359.58
			WATER CHARGES	83.22
			WATER CHARGES	246.06
			WATER CHARGES	109.66
			WATER CHARGES	2,168.37
			WATER CHARGES	887.14
			VOIDED CHECK #208323 - 6/21/11	-109.70
			VOIDED CHECK #208323 - 6/21/11	-1,512.76
			VOIDED CHECK #208323 - 6/21/11	-215.89
			VOIDED CHECK #208323 - 6/21/11	-886.93
			VOIDED CHECK #208323 - 6/21/11	-3,295.26
			VOIDED CHECK #208323 - 6/21/11	-39.60
			VOIDED CHECK #208323 - 6/21/11	-731.92
			VOIDED CHECK #208323 - 6/21/11	-3,405.73
			VOIDED CHECK #208323 - 6/21/11	-112.11
			VOIDED CHECK #208323 - 6/21/11	-20,226.01
			VOIDED CHECK #208323 - 6/21/11	-1,914.50

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			VOIDED CHECK #208323 - 6/21/11	-10,318.64
			VOIDED CHECK #208323 - 6/21/11	-6,429.68
			VOIDED CHECK #208323 - 6/21/11	-4,365.06
			VOIDED CHECK #208323 - 6/21/11	-8,640.00
			VOIDED CHECK #208323 - 6/21/11	-4,553.69
			VOIDED CHECK #208323 - 6/21/11	-2,441.82
			VOIDED CHECK #208323 - 6/21/11	-51.73
			VOIDED CHECK #208323 - 6/21/11	-1,462.00
			VOIDED CHECK #208323 - 6/21/11	-3,118.14
			VOIDED CHECK #208323 - 6/21/11	-867.38
			VOIDED CHECK #208323 - 6/21/11	-246.46
			VOIDED CHECK #208323 - 6/21/11	-525.26
			VOIDED CHECK #208323 - 6/21/11	-402.73
			VOIDED CHECK #208323 - 6/21/11	-316.75
			VOIDED CHECK #208323 - 6/21/11	-254.04
			VOIDED CHECK #208323 - 6/21/11	-282.11
			VOIDED CHECK #208323 - 6/21/11	-359.58
			VOIDED CHECK #208323 - 6/21/11	-83.22
			VOIDED CHECK #208323 - 6/21/11	-246.06
			VOIDED CHECK #208323 - 6/21/11	-109.66
			VOIDED CHECK #208323 - 6/21/11	-2,168.37
			VOIDED CHECK #208323 - 6/21/11	-887.14
6/21/2011	208424	500.00		
			MORRISON PRK FIRE STATION PROJ	500.00
Vendor Total		**13,442.57**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,434,949.17**		
EASTMAN, MARK F			Remit to: **MURRIETA**	**CA**
6/27/2011	208446	57.50		
			REFUND-CITATION FEE	57.50
Vendor Total		**57.50**		
FYTD for EASTMAN, MARK F		**57.50**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
6/20/2011	882966	35.66		
			REFUND-UUT FOR EXEMPT RESIDNTS	35.66
Vendor Total		**35.66**		
FYTD for EDGELANE MOBILE PARK		**174.17**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
6/6/2011	208155	325.66		
			RETIREE MED JUN '11	325.66
Vendor Total		**325.66**		
FYTD for EGGERSTEN, ANNE		**3,787.56**		

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EMERGENT BATTERY TECHNOLOGIES			Remit to: **YORBA LINDA** **CA**	
6/20/2011	208324	6,090.00		
			ES-12-24 AMG BATTERIES	5,600.00
			CALIF SALES TAX	490.00
	Vendor Total	**6,090.00**		
FYTD for EMERGENT BATTERY TECHNOLOGIES		**11,701.50**		
EMPIRE TRANSPORTATION SERVICES, INC			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208325	3,387.50		
			BUS SVC-STARS PRGM CHEER COMP.	3,387.50
	Vendor Total	**3,387.50**		
FYTD for EMPIRE TRANSPORTATION SERVICES, INC		**3,387.50**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
6/15/2011	2874	1,975.16		
			STATE INCOME TAX W/H 6/15/11	1,975.16
	Vendor Total	**1,975.16**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,082,776.56**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
6/27/2011	883014	948.00		
			METER FEES-SOLAR CUST INSTALL	474.00
			METER FEES-SOLAR CUST INSTALL	474.00
	Vendor Total	**948.00**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,059,467.17**		
ENVIRONMENTAL CONSTRUCTION, INC.			Remit to: **WOODLAND HILLS** **CA**	
6/21/2011	208425	2,560.00		
			STOP NOTICE RLS-SUNNYMD BL PRJ	2,560.00
	Vendor Total	**2,560.00**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**2,560.00**		
ESKEL/PORTER CONSULTING, INC.			Remit to: **SACRAMENTO** **CA**	
6/6/2011	882850	660.00		
			CONSULTING SVCS-TECH SVCS	660.00
	Vendor Total	**660.00**		
FYTD for ESKEL/PORTER CONSULTING, INC.		**3,307.50**		
ESQUIVEL, JOSEFINA			Remit to: **BAKERSFIELD** **CA**	
6/27/2011	208447	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for ESQUIVEL, JOSEFINA		**57.50**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882851	73.94		
			ENGRAVING SVCS-PD	48.94
			ENGRAVING SVCS-PD	25.00
6/20/2011	882967	30.45		
			ENGRAVING SVCS-PARKS COMM	14.14
			ENGRAVING SVCS-PARKS COMM	16.31
Vendor Total		**104.39**		
FYTD for EVANS ENGRAVING & AWARDS		**1,369.97**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX** **AZ**	
6/20/2011	208326	235.62		
			IRRIGATION SUPPLIES-PARKS	235.62
Vendor Total		**235.62**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**16,425.01**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA** **CA**	
6/13/2011	208255	4,503.92		
			LANDSCAPE MAINT-WQB	3,988.34
			LANDSCAPE MAINT-WQB	515.58
6/20/2011	208327	8,885.58		
			LANDSCAPE MAINT-E7	2,777.17
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-E7	75.00
			LANDSCAPE MAINT-E-15	1,070.36
			LANDSCAPE MAINT-E-8	1,501.98
Vendor Total		**13,389.50**		
FYTD for EXCEL LANDSCAPE, INC		**163,742.66**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208157	30.00		
			REFUND-FALSE ALARM CITATION	30.00
Vendor Total		**30.00**		
FYTD for FAMILY SERVICE ASSOCIATION		**73,333.83**		
FEENSTRA, JOHN			Remit to: **REDLANDS** **CA**	
6/6/2011	882852	361.25		
			RETIREE MED JUN '11	361.25
Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN		**4,335.00**		

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FINISTER, ZAMORA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208328	8.95		
				REFUND-LOST BOOK FEE	8.95
	Vendor Total		**8.95**		
FYTD for FINISTER, ZAMORA			**8.95**		
FIRST CHOICE SERVICES				Remit to: **ONTARIO** **CA**	
	6/13/2011	882930	673.86		
				COFFEE SVCS-EMP PAID	74.00
				COFFEE SVCS-EMP PAID	34.62
				COFFEE SVCS-EMP PAID	126.32
				COFFEE SVCS-EMP PAID	170.64
				COFFEE SVCS-EMP PAID	105.14
				COFFEE SVCS-EMP PAID	67.38
				COFFEE SVCS-EMP PAID	95.76
	Vendor Total		**673.86**		
FYTD for FIRST CHOICE SERVICES			**7,898.55**		
FITNESS 19 CA 155 11C				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208329	253.00		
				GYM MEMBERSHIP DEDUCTIONS	253.00
	Vendor Total		**253.00**		
FYTD for FITNESS 19 CA 155 11C			**3,089.00**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208158	11,890.44		
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.87
				PRNTED SUPPLIES-CSD ANNL BROCH	38.87
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.22
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
	6/13/2011	208256	2,499.08		
				DOOR HANGERS-SPCL DIST	2,335.75
				DOOR HANGERS-SPCL DIST	163.33
	Vendor Total		**14,389.52**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**37,663.51**		

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FORNISS, BRANDON/JAMIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208331	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for FORNISS, BRANDON/JAMIE			**95.00**		
FOSTER, NANCY A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882853	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for FOSTER, NANCY A.			**3,805.92**		
FRANCE PUBLICATIONS, INC				Remit to: **ATLANTA** **GA**	
	6/20/2011	208332	3,200.00		
				ADVERTISING SERVICES	3,200.00
	Vendor Total		**3,200.00**		
FYTD for FRANCE PUBLICATIONS, INC			**6,400.00**		
FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	6/6/2011	208159	144.64		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	4.64
	6/20/2011	208333	153.13		
				GARNISHMENT	115.00
				GARNISHMENT	38.13
	Vendor Total		**297.77**		
FYTD for FRANCHISE TAX BOARD			**3,476.54**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	6/27/2011	208448	91.29		
				MILEAGE REIMBURSEMENT	91.29
	Vendor Total		**91.29**		
FYTD for FRANKLIN, L. C.			**1,682.25**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208160	9,689.62		
				TRAFFIC PAINT	6,456.16
				TRAFFIC PAINT	3,233.46
	6/30/2011	208526	3,233.46		
				TRAFFIC PAINT	3,233.46
	Vendor Total		**12,923.08**		
FYTD for FRAZEE INDUSTRIES, INC			**136,828.46**		

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FRAZIER, HAROLD				Remit to: **PERRIS** **CA**	
	6/20/2011	208334	200.00		
				REFUND-TENNIS CLASS REGIS FEE	100.00
				REFUND-TENNIS CLASS REGIS FEE	100.00
	Vendor Total		**200.00**		
FYTD for FRAZIER, HAROLD			**200.00**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208161	100.00		
				SPORTS OFFICIATING SVCS	100.00
	Vendor Total		**100.00**		
FYTD for FRESQUEZ, JOHN			**864.00**		
FROST, JOAN CHENG				Remit to: **TEMECULA** **CA**	
	6/20/2011	208335	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for FROST, JOAN CHENG			**2,318.00**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	208257	6,138.00		
				SIGNS INSTALLATION-TRANSP	6,138.00
	6/27/2011	208449	22,576.01		
				FREESTANDING COMM ID SIGN	10,326.07
				LIGHT POLE MTD COMM ID SIGN	2,354.87
				LIGHT POLE MTD ID BANNERS	4,143.57
				FREESTANDING AMENITY DIR SIGN	2,879.40
				LIGHT POLE MTD DIRECT. SIGN	1,055.64
				CA SALES TAX	1,816.46
	Vendor Total		**28,714.01**		
FYTD for FUSION SIGN AND DESIGN, INC			**28,714.01**		
G/M BUSINESS INTERIORS, INC.				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	208450	1,276.40		
				REUPHOLSTER PANELS/MOLDING-CRC	1,276.40
	Vendor Total		**1,276.40**		
FYTD for G/M BUSINESS INTERIORS, INC.			**7,486.42**		

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GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208162	141.77		
				UNIFORMS-PD POP TEAM	141.77
	6/20/2011	208336	353.14		
				UNIFORMS-PD POP TEAM	211.37
				UNIFORMS-PD POP TEAM	141.77
	6/27/2011	208451	120.72		
				UNIFORMS-POP TEAM	60.36
				UNIFORMS-POP TEAM	60.36
	Vendor Total		**615.63**		
FYTD for GALLS INC., INLAND UNIFORM			**4,902.56**		
GARCIA, BRENDA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208337	45.00		
				REFUND-VARIOUS A/C FEES	19.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	16.00
	Vendor Total		**45.00**		
FYTD for GARCIA, BRENDA			**45.00**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882854	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,824.76**		
GATES CAPITAL CORPORATION				Remit to: **NEW YORK** **NY**	
	6/27/2011	208523	436.48		
				REMARKETING AGENT FEE-FINAL	436.48
	Vendor Total		**436.48**		
FYTD for GATES CAPITAL CORPORATION			**436.48**		
GE FLEET SERVICES				Remit to: **EDEN PRAIRIE** **MI**	
	6/27/2011	208452	127.00		
				REFUND-CITATION FEE	127.00
	Vendor Total		**127.00**		
FYTD for GE FLEET SERVICES			**127.00**		

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GENERAL SECURITY SERVICES, INC.				Remit to: **WILMINGTON** **CA**	
	6/6/2011	882855	1,994.20		
				SECURITY SVCS-CRC SPCL EVNTS	337.48
				SECURITY SVCS-SENIOR CTR	184.08
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
	6/13/2011	882931	1,645.22		
				SECURITY SRVCS-CITY HALL	299.13
				SECURITY SRVCS-LIBRARY	245.44
				SECURITY SRVCS-CONF & REC CTR	302.97
				SECURITY SVCS-TOWNGATE CTR	122.72
				SECURITY SVCS-SENIOR CTR	214.76
				SECURITY SVCS-CRC SPCL EVNTS	368.16
				SECURITY SVCS-CRC SPCL EVNTS	92.04
	6/20/2011	882968	337.48		
				SECURITY SVCS-TWNGATE CTR	76.70
				SECURITY SVCS-TWNGATE CTR	76.70
				SECURITY SVCS-TWNGATE CTR	76.70
				SECURITY SVCS-TWNGATE CTR	107.38
	6/27/2011	883016	1,871.49		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	245.44
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-UTILITY	276.13
	Vendor Total		**5,848.39**		
FYTD for GENERAL SECURITY SERVICES, INC.			**54,401.45**		
GERALD GRAVITTE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208163	90.00		
				REFUND-BUS. LIC. OVERPAYMENT	63.00
				REFUND-BUS. LIC. OVERPAYMENT	27.00
	Vendor Total		**90.00**		
FYTD for GERALD GRAVITTE			**90.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				Remit to: **LOS ANGELES** **CA**	
	6/27/2011	883017	15,712.07		
				LEGAL SVCS	9,060.00
				LEGAL SVCS	6,652.07
	Vendor Total		**15,712.07**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			**246,170.44**		

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GLOBAL SOFTWARE, INC			Remit to: **RALEIGH** **NC**	
6/13/2011	882932	9,900.00		
			SERVER MAINT-TECH SVCS	4,000.00
			SERVER MAINT-TECH SVCS	800.00
			SERVER MAINT-TECH SVCS	800.00
			SERVER MAINT-TECH SVCS	800.00
			MAINT/SUPPORT-SPCL DIST	1,000.00
			MAINT/SUPPORT-TECH SVCS	2,500.00
6/20/2011	882969	2,000.00		
			MAINT/SUPPORT-SPREADSHT SERVER	500.00
			MAINT/SUPPORT-SPREADSHT SERVER	1,500.00
6/27/2011	883018	500.00		
			SPREADSHEET SERVER-PW ST MAINT	500.00
Vendor Total		**12,400.00**		
FYTD for GLOBAL SOFTWARE, INC		**55,120.00**		
GONG ENTERPRISES, INC.			Remit to: **HUNTINGTON BEACH** **CA**	
6/20/2011	208338	5,940.00		
			CONSULTING SVCS-PM 35859	5,670.00
			CONSULTING SVCS-FM35760	270.00
Vendor Total		**5,940.00**		
FYTD for GONG ENTERPRISES, INC.		**45,795.40**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882856	318.73		
			RETIREE MED MAY '11, PD JUN '1	318.73
Vendor Total		**318.73**		
FYTD for GONZALES, DOMILENA R.		**3,060.32**		
GOUDEAU, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208453	51.00		
			REFUND-PARKS CLASS REGIS FEE	51.00
Vendor Total		**51.00**		
FYTD for GOUDEAU, MICHELLE		**51.00**		
GOZDECKI, DAN			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882857	432.00		
			INSTRUCTOR SVCS-KUNG FU	189.00
			INSTRUCTOR SVCS-KUNG FU	243.00
Vendor Total		**432.00**		
FYTD for GOZDECKI, DAN		**7,209.00**		

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GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	6/13/2011	208258	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for GRANICUS, INC.			**12,000.00**		
GRAY, TYLON				Remit to: **STOCKTON** **CA**	
	6/6/2011	208164	503.88		
				REFUND-CITATION CHRGS	503.88
	Vendor Total		**503.88**		
FYTD for GRAY, TYLON			**503.88**		
GRID ALTERNATIVE				Remit to: **OAKLAND** **CA**	
	6/27/2011	208454	57.00		
				REFUND-BUS LIC OVERPAYMENT	57.00
	Vendor Total		**57.00**		
FYTD for GRID ALTERNATIVE			**57.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	6/6/2011	882858	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,745.98**		
GROUP DELTA CONSULTANTS, INC				Remit to: **IRVINE** **CA**	
	6/20/2011	882970	1,355.50		
				DAY ST IMPRVMNTS PROJ SVCS	1,355.50
	Vendor Total		**1,355.50**		
FYTD for GROUP DELTA CONSULTANTS, INC			**16,673.50**		
GRUBE, PATTY				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208165	24.48		
				MILEAGE REIMBURSEMENT	24.48
	Vendor Total		**24.48**		
FYTD for GRUBE, PATTY			**24.48**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	6/27/2011	208455	518.40		
				INSTRUCTOR SVCS-ZUMBA	362.40
				INSTRUCTOR SVCS-ZUMBA	156.00
	Vendor Total		**518.40**		
FYTD for GUILIANO, MARIA			**1,627.20**		

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GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	6/6/2011	882859	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,824.76**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	882971	4,049.00		
				CART RETRVL SVCS-CODE	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**48,588.00**		
HABITAT FOR HUMANITY RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	6/28/2011	110609	15,000.00		
				DOWN PMT ASSIST/DRIVEWAY REIMB	15,000.00
	6/28/2011	110608	15,000.00		
				DOWN PMT ASSIST/DRIVEWAY REIMB	15,000.00
	Vendor Total		**30,000.00**		
FYTD for HABITAT FOR HUMANITY RIVERSIDE			**59,752.70**		
HAMARI, MICHAEL				Remit to: **FOUNTAIN VALLEY** **CA**	
	6/6/2011	208166	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for HAMARI, MICHAEL			**95.00**		
HAMBURG, IRENE				Remit to: **OTIS** **OR**	
	6/6/2011	882860	1,232.58		
				RETIREE MED DEC '10-MAR '11, P	1,232.58
	Vendor Total		**1,232.58**		
FYTD for HAMBURG, IRENE			**3,782.42**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	6/6/2011	882861	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,805.92**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882862	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,824.76**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	6/6/2011	208167	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,824.76**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	6/6/2011	208168	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**22,515.09**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	882863	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,824.76**		
HAUSER, ADRIANA				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	208339	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**722.00**		
FYTD for HAUSER, ADRIANA			**5,966.00**		
HDL COREN & CONE				Remit to: **DIAMOND BAR** **CA**	
	6/13/2011	208259	4,387.50		
				PROP TAX SOFTWARE-TECH SVCS	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**17,550.00**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES				Remit to: **DIAMOND BAR** **CA**	
	6/6/2011	208169	2,522.54		
				SALES TAX CONSULTING SVCS	900.00
				SALES TAX AUDIT SVCS	1,622.54
	Vendor Total		**2,522.54**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**20,144.48**		

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HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	6/6/2011	882864	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,824.76**		
HEISTERBERG, ANTHONY				Remit to: **TEMECULA** **CA**	
	6/6/2011	208170	1,630.18		
				RETIREE MED OCT '10-MAY '11, P	1,630.18
	Vendor Total		**1,630.18**		
FYTD for HEISTERBERG, ANTHONY			**2,437.36**		
HELP PROGRAM, THE				Remit to: **TEMECULA** **CA**	
	6/20/2011	208340	3,500.00		
				FORECLOSURE PREV WORKSHOP SVCS	3,500.00
	Vendor Total		**3,500.00**		
FYTD for HELP PROGRAM, THE			**3,500.00**		
HERNANDEZ, CHRISTIAN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208456	16.15		
				REFUND-VARIOUS A/C FEES	14.85
				REFUND-VARIOUS A/C FEES	1.30
	Vendor Total		**16.15**		
FYTD for HERNANDEZ, CHRISTIAN			**16.15**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208171	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,824.76**		
HICKMAN, LANISE				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208457	144.00		
				INSTRUCTOR SVCS-FITNESS	144.00
	Vendor Total		**144.00**		
FYTD for HICKMAN, LANISE			**499.20**		
HO, KEVIN CHINH				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208341	114.00		
				INSTRUCTIONAL SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for HO, KEVIN CHINH			**1,064.00**		

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HOGLE-IRELAND, INC.			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208172	500.00		
			REFUND-PLANNING FEES	500.00
Vendor Total		**500.00**		
FYTD for HOGLE-IRELAND, INC.		**500.00**		
HONDA YAMAHA OF REDLANDS			Remit to: **REDLANDS** **CA**	
6/6/2011	208173	2,632.36		
			PD MTRCYCLE MAINT/REPAIR-LABOR	308.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	366.19
			PD MTRCYCLE MAINT/REPAIR-LABOR	441.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	560.81
			PD MTRCYCLE MAINT/REPAIR-LABOR	154.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	324.40
			PD MTRCYCLE MAINT/REPAIR-LABOR	161.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	129.59
			PD MTRCYCLE MAINT/REPAIR-LABOR	49.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	138.37
6/13/2011	208260	2,089.69		
			TRAFFIC CYCLE MAINT/RPR-PD	140.00
			TRAFFIC CYCLE MAINT/RPR-PD	462.58
			TRAFFIC CYCLE MAINT/RPR-PD	175.00
			TRAFFIC CYCLE MAINT/RPR-PD	522.51
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
6/20/2011	208342	344.00		
			PD MTRCYCLE MAINT/REPAIR-LABOR	98.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	246.00
Vendor Total		**5,066.05**		
FYTD for HONDA YAMAHA OF REDLANDS		**5,066.05**		
HORIZON UNDERGROUND INC.			Remit to: **CORONA** **CA**	
6/27/2011	208458	134.00		
			REFUND-VARIOUS PERMIT FEES	82.00
			REFUND-VARIOUS PERMIT FEES	52.00
Vendor Total		**134.00**		
FYTD for HORIZON UNDERGROUND INC.		**134.00**		
HOUSER, EDITH E.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208174	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.		**3,824.76**		

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HOWARD, CHAD				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208175	325.00		
				PER DIEM-INVESTIG INTERVW TRNG	325.00
	Vendor Total		**325.00**		
FYTD for HOWARD, CHAD			**325.00**		
HUERTA, ELIZABETH				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208343	61.60		
				REFUND-PARKS CLASS REGIS FEE	61.60
	6/27/2011	208459	15.40		
				REFUND-PARKS CLASS REGIS FEE	15.40
	Vendor Total		**77.00**		
FYTD for HUERTA, ELIZABETH			**77.00**		
HUNTINGTON BEACH HONDA				Remit to: **HUNTINGTON BEACH** **CA**	
	6/20/2011	208344	263.11		
				REPAIR-PD TRAFFIC MOTORBIKE	192.50
				REPAIR-PD TRAFFIC MOTORBIKE	70.61
	Vendor Total		**263.11**		
FYTD for HUNTINGTON BEACH HONDA			**27,562.31**		
HURTADO, GENEVIEVE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208345	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for HURTADO, GENEVIEVE			**75.00**		
I.E. BIKES, INC.				Remit to: **MURRIETA** **CA**	
	6/13/2011	208261	5,437.07		
				BIKE ACCESSORIES-PD	3,589.90
				BIKE ACCESSORIES-PD	599.90
				BIKE ACCESSORIES-PD	289.90
				BIKE ACCESSORIES-PD	519.90
				BIKE ACCESSORIES-PD	437.47
	6/21/2011	208426	632.49		
				BIKE REPAIRS-PD POP	65.00
				9-SPEED CHAIN	26.99
				LABOR TO INSTALL CHAIN	8.00
				CA SALES TAX	2.36
				BIKE REPAIRS-PD POP	65.00
				RUBBER	59.90
				CA SALES TAX	5.24
				LABOR-TUNE MTB/ROAD BIKES-PD	400.00
	Vendor Total		**6,069.56**		
FYTD for I.E. BIKES, INC.			**6,069.56**		

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ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
6/3/2011	2869	9,110.37		
			DEF COMP 457 6/3/11	9,110.37
6/17/2011	2879	8,785.37		
			DEF COMP 457 6/17/11	8,785.37
Vendor Total		**17,895.74**		
FYTD for ICMA RETIREMENT CORP 457		**244,034.37**		
ICSC-INT'L. COUNCIL OF SHOPPING CENTERS			Remit to: **NEW YORK** **NY**	
6/20/2011	208346	3,308.62		
			ADVERTISING SERVICES	3,308.62
Vendor Total		**3,308.62**		
FYTD for ICSC-INT'L. COUNCIL OF SHOPPING CENTERS		**6,617.24**		
IL SORRENTO MOBILE PARK			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208176	102.23		
			REFUND-UUT USER TAXES	102.23
Vendor Total		**102.23**		
FYTD for IL SORRENTO MOBILE PARK		**1,586.12**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
6/6/2011	208177	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,700.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882972	11,826.80		
			DEMO & DISPOSAL OF RESIDENCE	11,150.00
			WEED ABATEMENT-11987 DAVIS ST	676.80
Vendor Total		**11,826.80**		
FYTD for INLAND CONTRACTORS, INC.		**41,403.71**		

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INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882865	4,219.00		
			NUISANCE ABTMNT SVC-CODE	187.00
			WEED ABATEMENT SVCS-PARKS	4,032.00
6/13/2011	882933	4,119.17		
			WEED ABTMNT SVCS-FACILITIES	439.00
			WEED ABTMNT SVCS-FACILITIES	759.00
			CLEAN UP SVCS-RDA	1,026.67
			CLEAN UP SVCS-RDA	856.00
			CLEAN UP SVCS-RDA	253.50
			CLEAN UP SVCS-RDA	257.50
			CLEAN UP SVCS-RDA	150.00
			CLEAN UP SVCS-RDA	229.50
			CLEAN UP SVCS-RDA	148.00
6/20/2011	882973	4,040.00		
			WEED ABATEMENT SVCS	825.00
			WEED ABATEMENT SVCS-PARKS	1,026.00
			WEED ABATEMENT SVCS-PARKS	2,189.00
Vendor Total		**12,378.17**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**72,509.59**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON** **CA**	
6/13/2011	882934	1,095.70		
			PERFORM CARB VAPOR RECOV TEST	393.00
			MISC REPAIR MATERIALS	309.70
			PERFORM CARB VAPOR RECOV TEST	393.00
6/20/2011	882974	499.30		
			PERFORM CARB VAPOR RECOV TEST	393.00
			PERFORM CARB VAPOR RECOV TEST	106.30
Vendor Total		**1,595.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**2,245.59**		
INSIDE PLANTS, INC.			Remit to: **CORONA** **CA**	
6/13/2011	882935	326.00		
			PLANT MAINT-CONF & REC CTR	251.00
			PLANT MAINT-CONF & REC CTR	75.00
Vendor Total		**326.00**		
FYTD for INSIDE PLANTS, INC.		**3,867.00**		
INTERNAL REVENUE SERVICE			Remit to:	
6/15/2011	2873	5,525.57		
			FED INCOME TAX W/H 6/15/11	5,525.57
Vendor Total		**5,525.57**		
FYTD for INTERNAL REVENUE SERVICE		**3,497,189.37**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
IRON MOUNTAIN OFF-SITE DATA PROTECTION			Remit to: **CERRITOS** **CA**	
6/6/2011	208178	979.11		
			OFFSITE DATA STORAGE-TECH SVCS	979.11
6/27/2011	208460	954.67		
			OFFSITE DATA STORAGE-TECH SVCS	954.67
	Vendor Total	**1,933.78**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**12,832.37**		
J D H CONTRACTING			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882936	1,549.00		
			WOMEN'S LOCKER RM REPAIRS-CRC	1,549.00
6/27/2011	883020	635.00		
			REPLACE BROKEN SLATE TILES-CRC	635.00
	Vendor Total	**2,184.00**		
FYTD for J D H CONTRACTING		**151,477.50**		
JABARA, MONA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208461	62.00		
			REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total	**62.00**		
FYTD for JABARA, MONA		**62.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208179	80.00		
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	40.00
6/20/2011	208347	40.00		
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**120.00**		
FYTD for JACKSON, JAYE		**196.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208180	174.00		
			COURIER SVCS-CITY ATTRNYS	95.00
			COURIER SVCS-CITY ATTRNYS	79.00
6/13/2011	208262	35.00		
			COURIER SVCS-CITY ATTRNYS	35.00
6/20/2011	208348	135.00		
			COURIER SVCS-CITY ATTRNYS	60.00
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**344.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,777.65**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	6/13/2011	882937	1,395.00		
				CONSULTING SVCS-TECH. SVCS	1,395.00
	6/27/2011	883021	1,615.00		
				CONSULTING SVCS-TECH SVCS	1,615.00
	Vendor Total		**3,010.00**		
FYTD for JDEDGE SOFTWARE, LLC			**27,547.50**		
JEANNETTE RODRIGUEZ				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208462	195.60		
				INSTRUCTOR SVCS-BEG JR TENNIS	92.40
				INSTRUCTOR SVCS-ADV. TENNIS	51.60
				INSTRUCTOR SVCS-ADV. TENNIS	51.60
	Vendor Total		**195.60**		
FYTD for JEANNETTE RODRIGUEZ			**195.60**		
JEFFERSON, ALICIA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208463	79.00		
				REFUND-PARKS CLASS REGIS FEE	79.00
	Vendor Total		**79.00**		
FYTD for JEFFERSON, ALICIA			**79.00**		
JOE A. GONSALVES & SON				Remit to: **SACRAMENTO** **CA**	
	6/13/2011	882938	6,345.00		
				REPRESENTATION SVCS	3,150.00
				REPRESENTATION SVCS	2,970.00
				REPRESENTATION SVCS	225.00
	Vendor Total		**6,345.00**		
FYTD for JOE A. GONSALVES & SON			**38,025.00**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882866	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,824.76**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	6/6/2011	882867	570.94		
				TRAFFIC SIGNAL SUPPLIES	570.94
	Vendor Total		**570.94**		
FYTD for JTB SUPPLY CO., INC.			**42,834.48**		

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KAMMERDIENER, PEGGY				Remit to: **PERRIS** **CA**	
	6/6/2011	208181	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for KAMMERDIENER, PEGGY			**75.00**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	208349	3,187.65		
				CONSULTANT SVC-HOMES DOC PREP	3,187.65
	Vendor Total		**3,187.65**		
FYTD for KANE, BALLMER & BERKMAN			**3,187.65**		
KHOURY, HANNA R				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208465	407.50		
				REFUND-CITATION FEE	407.50
	Vendor Total		**407.50**		
FYTD for KHOURY, HANNA R			**407.50**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	208182	267.88		
				RETIREE MED JUN '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**3,621.36**		
KITNELCA, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208350	52.00		
				REFUND-PARKS CLASS REGIS FEE	52.00
	Vendor Total		**52.00**		
FYTD for KITNELCA, DANIEL			**52.00**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882868	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,824.76**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882869	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,824.76**		

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KRUEGER, KIMBERLEE			Remit to: **TEMECULA** **CA**	
6/21/2011	208427	63.24		
			SIRE REGIONAL USER CONF.	63.24
	Vendor Total	**63.24**		
FYTD for KRUEGER, KIMBERLEE		**368.24**		
KUSTOM SIGNALS, INC.			Remit to: **LENEXA** **KS**	
6/20/2011	208351	12,206.69		
			RAPTOR, DUAL K-BANK ANTENNA	11,025.00
			SHIPPING & HANDLING	217.00
			CALIF SALES TAX	964.69
	Vendor Total	**12,206.69**		
FYTD for KUSTOM SIGNALS, INC.		**14,476.40**		
KYBURZ, JIM			Remit to: **PALM SPRINGS** **CA**	
6/20/2011	208352	50.00		
			REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for KYBURZ, JIM		**50.00**		
KYLE, GARY M.			Remit to: **PRESCOTT VALLEY** **AZ**	
6/6/2011	882870	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for KYLE, GARY M.		**3,824.76**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882871	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,805.92**		
LANCE, SOLL & LUNGHARD, LLP			Remit to: **BREA** **CA**	
6/20/2011	208353	21,000.00		
			AUDITING SVCS	18,000.00
			AUDITING SVCS-RDA	3,000.00
	Vendor Total	**21,000.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP		**21,050.00**		
LANG, TRACEY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208354	76.00		
			INSTRUCTION SVCS-2 DAYS	76.00
	Vendor Total	**76.00**		
FYTD for LANG, TRACEY		**988.00**		

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LANGSTON MOTORSPORTS			Remit to: **PERRIS** **CA**	
6/6/2011	208183	154.10		
			PD MTRCYCLE MAINT/REPAIR-LABOR	32.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	45.99
			POP OFF-RD VEHICLE REPAIR PART	69.99
			CA SALES TAX	6.12
	Vendor Total	**154.10**		
FYTD for LANGSTON MOTORSPORTS		**154.10**		
LARA, JOSEPH R.			Remit to: **MURRIETA** **CA**	
6/27/2011	208466	62.22		
			REIMB-FIBER OPTIC TESTING TRNG	62.22
	Vendor Total	**62.22**		
FYTD for LARA, JOSEPH R.		**151.66**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES** **CA**	
6/27/2011	208467	362.50		
			LEGAL FEES THRU MAR-SOMERGATE	217.50
			LEGAL FEES THRU MAR-PACIFIC	145.00
	Vendor Total	**362.50**		
FYTD for LATHAM & WATKINS, LLP		**2,827.50**		
LAWN TECH EQUIPMENT			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882939	22.48		
			TREE TRIMMING EQUIP RPR-LABOR	15.00
			TREE TRIMMING EQUIP RPR-PARTS	7.48
6/27/2011	883022	22.48		
			TREE TRIMMING EQUIP SVC	15.00
			TREE TRIMMING EQUIP SVC	7.48
	Vendor Total	**44.96**		
FYTD for LAWN TECH EQUIPMENT		**2,824.37**		
LEADING EDGE LEARNING CENTER			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208355	2,730.60		
			INSTRUCTOR SVCS-READING RASCAL	345.60
			INSTRUCTOR SVCS-ESL CLASS	66.00
			INSTRUCTOR SVCS-READING RASCAL	460.80
			INSTRUCTOR SVCS-GED TEST CLASS	613.80
			INSTRUCTOR SVCS-LEADERSHP ACAD	132.00
			INSTRUCTOR SVCS-READING RASCAL	518.40
			INSTRUCTOR SVCS-GED TEST CLASS	462.00
			INSTRUCTOR SVCS-ESL CLASS	132.00
	Vendor Total	**2,730.60**		
FYTD for LEADING EDGE LEARNING CENTER		**3,859.61**		

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LEFEVRE, FRAN				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208263	56.30		
				REIMB.-LAW ENF TRNG NEEDS CONF	56.30
	Vendor Total		**56.30**		
FYTD for LEFEVRE, FRAN			**231.30**		
LEONARD, NATALIE				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208184	20.00		
				REFUND-RABIES DEPOSIT	20.00
	6/20/2011	208356	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for LEONARD, NATALIE			**95.00**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	6/6/2011	882872	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**3,805.92**		
LEWIS, LANDIN/DAPHINE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208185	6.00		
				REFUND-LIC LOST	6.00
	Vendor Total		**6.00**		
FYTD for LEWIS, LANDIN/DAPHINE			**6.00**		
LEXISNEXIS				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	882873	1,480.00		
				ONLINE LEGAL SVCS-CITY ATTYS	740.00
				ONLINE LEGAL SVCS-CITY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	6/27/2011	883023	1,480.00		
				ONLINE LEGAL SVCS-CITY ATTYS	740.00
				ONLINE LEGAL SVCS-CITY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	Vendor Total		**2,960.00**		
FYTD for LEXISNEXIS			**19,240.00**		
LIM & NASCIMENTO ENGINEERING CORP.				Remit to: **DIAMOND BAR** **CA**	
	6/13/2011	208264	2,418.35		
				INDIAN BASIN STORM DRAIN PROJ	2,418.35
	Vendor Total		**2,418.35**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**346,880.11**		

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LIMO, JOSE M. MD				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208468	1,555.51		
				REFUND-BAL OF TRUST ACCT	1,555.51
	Vendor Total		**1,555.51**		
FYTD for LIMO, JOSE M. MD			**1,555.51**		
LOCKE, NICOLE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208187	75.00		
				REFUND-SN DEPOSIT	75.00
	6/27/2011	208469	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**95.00**		
FYTD for LOCKE, NICOLE			**95.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	882874	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**3,824.76**		
LOGGERHEAD NAVIGATION				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208188	4,490.95		
				TRIMBLE YUMA UNIT	3,799.00
				TRIMBLE YUMA OFFICE DOCK	749.00
				LOGGERHEAD DISCOUNT	-455.00
				CA SALES TAX	397.95
	Vendor Total		**4,490.95**		
FYTD for LOGGERHEAD NAVIGATION			**15,297.38**		
LONTHAIR, PAUL				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208265	585.00		
				PER DIEM-DRUG RECOG EVAL TRNG	585.00
	Vendor Total		**585.00**		
FYTD for LONTHAIR, PAUL			**660.00**		
LOS ANGELES TIMES				Remit to: **PHOENIX** **AZ**	
	6/13/2011	208266	23.92		
				RENEWAL SUBS-CITY MGR	23.92
	6/27/2011	208470	43.72		
				RENEWAL SUBS THROUGH 6/6/12	43.72
	Vendor Total		**67.64**		
FYTD for LOS ANGELES TIMES			**115.48**		

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LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882875	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,824.76**		
LYNCH. PATRICK				Remit to: **MORENO VALLEY** **CA**	
	6/22/2011	208430	325.00		
				PER DIEM-CRASH DATA RTRVL TRNG	325.00
	Vendor Total		**325.00**		
FYTD for LYNCH. PATRICK			**325.00**		
M B I EXCAVATION				Remit to: **SAN DIMAS** **CA**	
	6/20/2011	208357	88.50		
				REFUND-BUS LIC OVRPMT	88.50
	Vendor Total		**88.50**		
FYTD for M B I EXCAVATION			**88.50**		
MAGANA'S AUTO UPHOLSTERY				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208267	357.87		
				REUPHOLSTER CHAIRS-LIBRARY	357.87
	Vendor Total		**357.87**		
FYTD for MAGANA'S AUTO UPHOLSTERY			**357.87**		
MARINA LANDSCAPE, INC				Remit to: **ANAHEIM** **CA**	
	6/20/2011	882975	4,994.91		
				LNDSCP MAINT-ZONE DSG-2S	4,994.91
	Vendor Total		**4,994.91**		
FYTD for MARINA LANDSCAPE, INC			**91,342.66**		
MARTINEZ, REGGIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208358	17.50		
				SPORTS OFFICIATING SVCS	17.50
	Vendor Total		**17.50**		
FYTD for MARTINEZ, REGGIE			**1,102.50**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	6/6/2011	882876	290.00		
				RETIREE MED APR '11, PD JUN '1	290.00
	Vendor Total		**290.00**		
FYTD for MATHIS, NOLAN			**3,528.00**		

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MATICH CORPORATION				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882877	14,224.99		
				ASPHALTIC MATERIALS	6,153.01
				ASPHALTIC MATERIALS	5,240.44
				ASPHALTIC MATERIALS	2,831.54
	6/13/2011	882940	19,668.08		
				ASPHALTIC MATERIALS	9,723.00
				ASPHALTIC MATERIALS	9,945.08
	Vendor Total		**33,893.07**		
FYTD for MATICH CORPORATION			**72,803.69**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	6/6/2011	882878	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,824.76**		
MAYER, DAWN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208471	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for MAYER, DAWN			**62.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	6/6/2011	882879	240.00		
				SPORTS OFFICIATING SVCS	100.00
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	60.00
	Vendor Total		**240.00**		
FYTD for MEEKS, DANIEL			**2,060.00**		
MEHTA, MADHUR				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208190	29.60		
				REFUND-PICNIC SHELTER RESERVTN	29.60
	Vendor Total		**29.60**		
FYTD for MEHTA, MADHUR			**29.60**		
MENDOZA, MEGAN				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208359	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MENDOZA, MEGAN			**20.00**		

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MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208472	62.73		
				MILEAGE REIMBURSEMENT	62.73
	Vendor Total		**62.73**		
FYTD for MENGISTU, YESHIALEM			**1,114.94**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	6/6/2011	882880	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,824.76**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208360	399.00		
				INSTRUCTOR SVCS-DRAWING 4 KIDS	173.00
				INSTRUCTOR SVCS-DRAWING 4 KIDS	58.00
				INSTRUCTOR SVCS-PHOTOGRAPHY	168.00
	Vendor Total		**399.00**		
FYTD for MEYERS, ROBERT			**2,646.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882881	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**2,546.46**		
MILLER, GUILIANA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208361	125.60		
				REFUND-PARKS CLASS REGIS FEE	125.60
	Vendor Total		**125.60**		
FYTD for MILLER, GUILIANA			**125.60**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	6/6/2011	882882	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,761.40**		
MOCTEZUMA, STEFANY				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208362	29.60		
				REFUND-PARKS CLASS REGIS FEE	29.60
	Vendor Total		**29.60**		
FYTD for MOCTEZUMA, STEFANY			**29.60**		

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MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	6/6/2011	882883	401.42		
				RETIREE MED JUN '11	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,817.04**		
MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208268	297.50		
				PLUMBING REPAIRS-SENIOR CTR	100.00
				PLUMBING REPAIRS-SENIOR CTR	197.50
	6/20/2011	208363	333.00		
				EMRGNCY PLUMBING REPAIRS	92.25
				EMRGNCY PLUMBING REPAIRS-FS#2	240.75
	Vendor Total		**630.50**		
FYTD for MONTGOMERY PLUMBING INC			**7,481.57**		
MOORE, CHANE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208364	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for MOORE, CHANE			**200.00**		
MORA, PATRICIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882884	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,824.76**		
MORALES, JOSE				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	208269	200.00		
				REFUND-RENTAL DEP CTRCT#19406	200.00
	Vendor Total		**200.00**		
FYTD for MORALES, JOSE			**200.00**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208473	50.00		
				5/27/11 WALKER AWARDS LUNCHEON	50.00
	6/27/2011	208474	50.00		
				5/27/11 WALKER AWARDS LUNCHEON	50.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE			**100.00**		

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MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208191	410.00		
				WAKE-UP MEETING-5/25/11	15.00
				WAKE-UP MEETING-5/25/11	15.00
				WAKE-UP MEETING-5/25/11	15.00
				WAKE-UP MEETING-5/25/11	15.00
				WAKE-UP MEETING SPONSORSHP-6/9	350.00
	Vendor Total		**410.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**29,250.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY** **CA**	
	6/3/2011	2868	1,562.00		
				MVCEA DUES 6/3/11	1,562.00
	6/17/2011	2878	1,549.00		
				MVCEA DUES 6/17/11	1,549.00
	Vendor Total		**3,111.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**40,713.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRAN(** **CA**	
	6/27/2011	883024	17,142.59		
				LEASE-FACILITIES ANNEX-JULY11	2,458.97
				LEASE-TECH SVCS ANNEX-JULY11	5,475.90
				LEASE-SPEC DIST ANNEX-JULY11	9,207.72
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**205,711.08**		
MORENO VALLEY LODGE # 804				Remit to: **MORENO VALLEY** **CA**	
	6/8/2011	208239	50.00		
				MASONIC LODGE 50TH ANNIV EVENT	25.00
				MASONIC LODGE 50TH ANNIV EVENT	25.00
	Vendor Total		**50.00**		
FYTD for MORENO VALLEY LODGE # 804			**50.00**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208475	100.00		
				REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT			**26,609.95**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	6/6/2011	882885	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,824.76**		

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MUSICK, PEELER & GARRETT, LLP			Remit to: **LOS ANGELES**	**CA**
6/13/2011	208270	1,080.00		
			LEGAL SERVICES-HR	1,080.00
Vendor Total		**1,080.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP		**31,379.34**		
MUSICSTAR			Remit to: **RIVERSIDE**	**CA**
6/27/2011	208477	2,430.00		
			INSTRUCTOR SVCS-PIANO	324.00
			INSTRUCTOR SVCS-PIANO	270.00
			INSTRUCTOR SVCS-PIANO	162.00
			INSTRUCTOR SVCS-PIANO	162.00
			INSTRUCTOR SVCS-PIANO	162.00
			INSTRUCTOR SVCS-PIANO	270.00
			INSTRUCTOR SVCS-PIANO	216.00
			INSTRUCTOR SVCS-PIANO	81.00
			INSTRUCTOR SVCS-PIANO	189.00
			INSTRUCTOR SVCS-PIANO	135.00
			INSTRUCTOR SVCS-PIANO	216.00
			INSTRUCTOR SVCS-PIANO	243.00
Vendor Total		**2,430.00**		
FYTD for MUSICSTAR		**9,569.97**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.			Remit to: **ALBANY**	**NY**
6/13/2011	208271	788.41		
			FORENSIC SUPPLIES	152.00
			SHIPPING	9.61
			CA USE TAX	14.14
			USE TAX ACCRUAL	-14.14
			FORENSIC SUPPLIES	563.00
			SHIPPING	63.80
			CA USE TAX	54.85
			USE TAX ACCRUAL	-54.85
Vendor Total		**788.41**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.		**1,234.39**		

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NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
6/3/2011	2866	13,359.19		
			PST DEF COMP FOR FICA 6/3/11	13,359.19
6/3/2011	2867	24,748.03		
			DEF COMP 457 & 401(A) 6/3/11	24,748.03
6/17/2011	2876	7,721.92		
			PST DEF COMP FOR FICA 6/17/11	7,721.92
6/17/2011	2877	24,535.92		
			DEF COMP 457 6/17/11	24,535.92
	Vendor Total	**70,365.06**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**832,996.12**		
NATURE'S IMAGE, INC.			Remit to: **LAKE FOREST** **CA**	
6/13/2011	208272	10,877.50		
			DETENTION BASIN MAINTENANCE	10,877.50
	Vendor Total	**10,877.50**		
FYTD for NATURE'S IMAGE, INC.		**30,761.00**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
6/6/2011	882886	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**3,824.76**		
NAVCO NETWORKS & SECURITY			Remit to: **ANAHEIM** **CA**	
6/20/2011	882977	392.00		
			LABOR FOR DVR #3 REPAIR	392.00
	Vendor Total	**392.00**		
FYTD for NAVCO NETWORKS & SECURITY		**7,705.35**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
6/6/2011	882887	325.66		
			RETIREE MED JUN '11	325.66
	Vendor Total	**325.66**		
FYTD for NELSON, ROBERT		**3,787.56**		
NELSON, RUTH L.			Remit to: **PERRIS** **CA**	
6/6/2011	882888	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for NELSON, RUTH L.		**3,824.76**		

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NELSON, TIMOTHY IVAN				Remit to: **GRAND TERRACE** **CA**	
	6/20/2011	208365	494.00		
				INSTRUCTIONAL SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for NELSON, TIMOTHY IVAN			**4,066.00**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	6/6/2011	208193	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,824.76**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	882978	9.08		
				REFUND-UUT FOR EXEMPT RESIDNTS	9.08
	Vendor Total		**9.08**		
FYTD for NEW HORIZON MOBILE HOME PARK			**77.46**		
NGUYEN, QUANG				Remit to: **AZUSA** **CA**	
	6/13/2011	882942	165.24		
				MILEAGE REIMBURSEMENT	165.24
	Vendor Total		**165.24**		
FYTD for NGUYEN, QUANG			**627.48**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208194	401.42		
				RETIREE MED JUN '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,817.04**		
NOBEL SYSTEMS				Remit to: **SAN BERNARDINO** **CA**	
	6/27/2011	883025	1,440.00		
				BID AMERICA PLAN CONVERSIONS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for NOBEL SYSTEMS			**54,792.00**		
NOBLES, GARRETT				Remit to: **HEMET** **CA**	
	6/20/2011	208366	41.31		
				MILEAGE REIMBURSEMENT	41.31
	Vendor Total		**41.31**		
FYTD for NOBLES, GARRETT			**724.36**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NUNEZ-MERRILL, DAISY			Remit to: **MORENO VALLEY CA**	
6/20/2011	208367	62.00		
			REFUND-PARKS CLASS REGIS FEE	62.00
Vendor Total		**62.00**		
FYTD for NUNEZ-MERRILL, DAISY		**62.00**		
OAKRIDGE DATA MINING			Remit to: **MORENO VALLEY CA**	
6/13/2011	208274	400.00		
			CONSULTING SVCS-TECH SVCS	400.00
6/27/2011	208479	2,230.00		
			CONSULTING SVCS-PAYROLL	2,230.00
Vendor Total		**2,630.00**		
FYTD for OAKRIDGE DATA MINING		**2,630.00**		
OFFICE OF THE DISTRICT ATTORNEY			Remit to: **RIVERSIDE CA**	
6/6/2011	208195	10,000.00		
			LEGAL SVCS-CASE PROSECUTION	10,000.00
Vendor Total		**10,000.00**		
FYTD for OFFICE OF THE DISTRICT ATTORNEY		**10,000.00**		
OLIVAS, PRESCILLA DENISE			Remit to: **MORENO VALLEY CA**	
6/27/2011	208480	103.00		
			REFUND-CITATION FEE	103.00
Vendor Total		**103.00**		
FYTD for OLIVAS, PRESCILLA DENISE		**103.00**		
ORANTES, ERICK			Remit to: **MORENO VALLEY CA**	
6/27/2011	208481	45.00		
			REFUND-PARKS CLASS REGIS FEE	45.00
Vendor Total		**45.00**		
FYTD for ORANTES, ERICK		**45.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE CA**	
6/13/2011	882943	134.30		
			LEGAL SERVICES-RISK MGT	134.30
Vendor Total		**134.30**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**13,750.53**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH CA**	
6/6/2011	882889	5,565.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	5,565.00
Vendor Total		**5,565.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**136,870.25**		

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PACIFIC SAFETY COUNCIL			Remit to: **SAN DIEGO** **CA**	
6/27/2011	883026	8.70		
			SAFETY TRAINING-VIDEO	8.70
	Vendor Total	**8.70**		
FYTD for PACIFIC SAFETY COUNCIL		**3,824.45**		
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
6/27/2011	883027	375.84		
			PAYPHONE SVCS	313.20
			PAYPHONE SVCS-PD	62.64
	Vendor Total	**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**5,199.12**		
PATTERSON, ALFREY			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208196	229.88		
			RETIREE MED JUN '11	229.88
	Vendor Total	**229.88**		
FYTD for PATTERSON, ALFREY		**2,546.46**		
PATTERSON, MORGAN			Remit to: **NEWPORT BEACH** **CA**	
6/27/2011	208482	1,000.00		
			STAFF ASSIST. SVCS-ICSC RECON	1,000.00
	Vendor Total	**1,000.00**		
FYTD for PATTERSON, MORGAN		**1,000.00**		
PAUL, MICHAEL			Remit to: **SAN JACINTO** **CA**	
6/6/2011	208197	308.00		
			SPORTS OFFICIATING SVCS	33.00
			SPORTS OFFICIATING SVCS	55.00
			SPORTS OFFICIATING SVCS	66.00
			SPORTS OFFICIATING SVCS	44.00
			SPORTS OFFICIATING SVCS	110.00
	Vendor Total	**308.00**		
FYTD for PAUL, MICHAEL		**2,275.00**		
PEDLEY SQUARE VETERINARY CLINIC			Remit to: **RIVERSIDE** **CA**	
6/27/2011	883028	5,579.00		
			VETERINARY SVCS-ANML SHLTR	5,579.00
	Vendor Total	**5,579.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC		**93,544.00**		

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PENA, IRIS				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208483	107.25		
				MILEAGE REIMBURSEMENT	107.25
	Vendor Total		**107.25**		
FYTD for PENA, IRIS			**796.13**		
PENTON MEDIA, INC.				Remit to: **OVERLAND PARK** **KS**	
	6/20/2011	882979	2,500.00		
				ADVERTISING SVCS-EDD	2,500.00
	Vendor Total		**2,500.00**		
FYTD for PENTON MEDIA, INC.			**7,500.00**		
PEREZ, ERNIE				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	208198	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PEREZ, ERNIE			**20.00**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	6/6/2011	208199	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,824.76**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	6/6/2011	208200	458.63		
				LONG TERM CARE INSURANCE	458.63
	6/20/2011	208368	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**12,094.42**		
PLYLEY & PLYLEY, LLC				Remit to: **UPLAND** **CA**	
	6/6/2011	208201	576.92		
				REFUND-PLAN CHECK FEES	191.22
				REFUND-PLAN CHECK FEES	194.48
				REFUND-PLAN CHECK FEES	191.22
	Vendor Total		**576.92**		
FYTD for PLYLEY & PLYLEY, LLC			**576.92**		

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POIEMA LANDSCAPE, INC.			Remit to: **COLTON** **CA**	
6/20/2011	882980	1,712.15		
			LANDSCAPE MAINT-ZONE S	596.85
			LANDSCAPE MAINT-ZONE S	1,115.30
	Vendor Total	**1,712.15**		
FYTD for POIEMA LANDSCAPE, INC.		**48,138.50**		
POWER MINISTRIES CHRISTIAN CENTER			Remit to: **MORENO VALLEY** **CA**	
6/13/2011	208275	700.00		
			REFUND-RENTAL DEP CTRCT#18292	700.00
	Vendor Total	**700.00**		
FYTD for POWER MINISTRIES CHRISTIAN CENTER		**700.00**		
PRICE, GEORGE E.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882890	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for PRICE, GEORGE E.		**3,824.76**		
PRINCE, GARY			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208484	51.00		
			REFUND-PARKS CLASS REGIS FEE	51.00
	Vendor Total	**51.00**		
FYTD for PRINCE, GARY		**51.00**		
PRO RIDER, INC. (CNS PROGRAM)			Remit to: **KENT** **WA**	
6/20/2011	208370	356.40		
			BIKE HELMETS	284.40
			SHIPPING CHARGES	72.00
			CALIF SALES TAX	24.89
			SALES TAX ACCRUAL	-24.89
6/27/2011	208485	356.40		
			BIKE HELMETS-PD/CHILD SAFETY	387.59
			BIKE HELMETS-PD/CHILD SAFETY	-31.19
	Vendor Total	**712.80**		
FYTD for PRO RIDER, INC. (CNS PROGRAM)		**712.80**		
PULLIAM, TRENT D.			Remit to: **MISSION VIEJO** **CA**	
6/6/2011	882891	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for PULLIAM, TRENT D.		**3,824.76**		

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QUIJADA, BEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208202	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for QUIJADA, BEN			**20.00**		
QUINN AME CHURCH				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208276	225.00		
				REFUND-RENTAL DEP CTRCT#18723	200.00
				REFUND-RENTAL DEP/ CTRCT#18723	25.00
	Vendor Total		**225.00**		
FYTD for QUINN AME CHURCH			**225.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	6/13/2011	882944	481.00		
				DOOR MAINT-PSB	481.00
	6/20/2011	882981	450.50		
				DOOR MAINT-FS #6	61.25
				DOOR MAINT-FS #6	389.25
	Vendor Total		**931.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**21,328.75**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208277	585.00		
				PER DIEM-DRUG RECOG EVAL TRNG	585.00
	6/21/2011	208428	73.00		
				SEMINAR PARKING/TICKET EXCHNG.	73.00
	Vendor Total		**658.00**		
FYTD for RAFAEL LOPEZ			**813.00**		
RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208486	814.80		
				INSTRUCTOR SVCS-KARATE	317.00
				INSTRUCTOR SVCS-KARATE	50.80
				INSTRUCTOR SVCS-KARATE	42.00
				INSTRUCTOR SVCS-TAE KWON DO	405.00
	Vendor Total		**814.80**		
FYTD for RAMOS, ROBERTO			**2,497.80**		
RANDAL R. MORRISON OF SABINE & MORRISON				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208203	10,000.00		
				LEGAL SVCS	10,000.00
	Vendor Total		**10,000.00**		
FYTD for RANDAL R. MORRISON OF SABINE & MORRISON			**10,000.00**		

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RANDHAWA, KANWAI				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208371	77.00		
				REFUND-PARKS CLASS REGIS FEE	77.00
	Vendor Total		**77.00**		
FYTD for RANDHAWA, KANWAI			**77.00**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208204	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**2,549.84**		
REDBOX AUTOMATED RETAIL, LLC				Remit to: **OAKBROOK TERRACE** **IL**	
	6/27/2011	208487	61.00		
				REFUND-BUS LIC OVERPAYMENT	61.00
	Vendor Total		**61.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**370.00**		
REYES, ARIANNA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208205	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for REYES, ARIANNA			**50.00**		
RICK ENGINEERING COMPANY				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	882892	1,155.00		
				KITCHING ST IMPRVMNTS PROJ	1,155.00
	6/20/2011	882982	2,070.00		
				T/S-SUNNYMD RANCH/VILLAGE RD	130.00
				DRACAEA AVE SIDEWLK IMPRVMNTS	1,940.00
	Vendor Total		**3,225.00**		
FYTD for RICK ENGINEERING COMPANY			**41,738.16**		
RIGHTWAY SITE SERVICES, INC.				Remit to: **LAKE ELSINORE** **CA**	
	6/13/2011	208278	72.38		
				PORTABLE TOILET-GOLF COURSE	72.38
	Vendor Total		**72.38**		
FYTD for RIGHTWAY SITE SERVICES, INC.			**411.27**		

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RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208372	2,000.00		
			INITIAL DEPOSIT-MORRISON PK FS	2,000.00
Vendor Total		**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**101,469.62**		
RIVERA, MARIA			Remit to: **PERRIS** **CA**	
6/20/2011	208373	30.00		
			REFUND-RABIES DEP & LIC FEES	20.00
			REFUND-RABIES DEP & LIC FEES	10.00
Vendor Total		**30.00**		
FYTD for RIVERA, MARIA		**30.00**		
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
6/28/2011	1106121	24,785.69		
			RETENTN PMT PER ESCRW AGREEMNT	24,785.69
6/28/2011	1106122	1,200.00		
			RETENTN PMT PER ESCRW AGREEMNT	1,200.00
6/28/2011	1106123	8,850.23		
			RETENTN PMT PER ESCRW AGREEMNT	8,850.23
6/28/2011	1106124	2,458.00		
			RETENTN PMT PER ESCRW AGREEMNT	2,458.00
Vendor Total		**37,293.92**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**4,098,957.33**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208374	150.00		
			DFA FOR RABIES-ANML SVCS	50.00
			DFA FOR RABIES-ANML SVCS	100.00
Vendor Total		**150.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**650.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208488	242.93		
			VPN CONNECTION-TECH SVCS	30.26
			RADIO LEASE/MAINT-TELECOMM	170.10
			RADIO LEASE/MAINT-TELECOMM	9.45
			RADIO LEASE/MAINT-TELECOMM	33.12
Vendor Total		**242.93**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**23,536.36**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882984	9,905.91		
			BOOKING FEES-PD	9,905.91
	Vendor Total	**9,905.91**		
FYTD for RIVERSIDE COUNTY SHERIFF		**28,410,270.06**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
6/21/2011	208429	95.00		
			REG.-SEARCH WARR PREP & EXECTN	95.00
	Vendor Total	**95.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**11,580.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208206	793.02		
			GARNISHMENT	102.97
			GARNISHMENT	167.28
			GARNISHMENT	522.77
6/20/2011	208375	684.19		
			GARNISHMENT	7.83
			GARNISHMENT	157.83
			GARNISHMENT	518.53
	Vendor Total	**1,477.21**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**20,731.34**		
RIVERSIDE COUNTY TREAS. OF RIVERSIDE, CA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208490	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for RIVERSIDE COUNTY TREAS. OF RIVERSIDE, CA		**100.00**		
RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882985	35.28		
			GREEN STAMP-STARS	29.28
			GREEN STAMP-STARS	6.00
	Vendor Total	**35.28**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**243.55**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
6/20/2011	882986	6,200.00		
			TEMP STAFFING SVCS-CAP PROJS	6,200.00
	Vendor Total	**6,200.00**		
FYTD for RLZ ENGINEERING		**72,881.00**		

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ROBINSON, JOAQUIN DIEGO				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208376	190.00		
				INSTRUCTIONAL SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for ROBINSON, JOAQUIN DIEGO			**2,166.00**		
ROBINSON-DAVIS, YAVONNE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208377	119.34		
				MILEAGE REIMBURSEMENT	119.34
	Vendor Total		**119.34**		
FYTD for ROBINSON-DAVIS, YAVONNE			**547.74**		
ROBLES, ARIANA				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208207	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for ROBLES, ARIANA			**75.00**		
RODRIGUEZ, LAUREN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208491	105.06		
				MILEAGE REIMBURSEMENT	105.06
	Vendor Total		**105.06**		
FYTD for RODRIGUEZ, LAUREN			**958.98**		
RODRIGUEZ, LESLIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208378	60.00		
				REFUND-PARKS CLASS REGIS FEE	60.00
	Vendor Total		**60.00**		
FYTD for RODRIGUEZ, LESLIE			**60.00**		
RODRIGUEZ, SYLVIA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208208	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for RODRIGUEZ, SYLVIA			**318.73**		
ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	6/6/2011	882893	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**3,824.76**		

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ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208379	47.94		
				MILEAGE REIMBURSEMENT	47.94
	6/27/2011	208492	83.13		
				MILEAGE REIMBURSEMENT	83.13
	Vendor Total		**131.07**		
FYTD for ROGERS, KIANNA			**1,266.27**		
ROSAS, DAISY				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208380	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ROSAS, DAISY			**95.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882894	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,824.76**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	6/6/2011	882895	270.80		
				RETIREE MED JUN '11	174.30
				RETIREE MED JUN '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**3,459.56**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA** **CA**	
	6/6/2011	882896	510.00		
				PLUMBING REPAIRS-PARKS	510.00
	Vendor Total		**510.00**		
FYTD for ROTO-ROOTER PLUMBERS			**1,038.00**		
RUIZ, NARDUSLIBIA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208493	55.00		
				REFUND-CITATION FEE	55.00
	Vendor Total		**55.00**		
FYTD for RUIZ, NARDUSLIBIA			**55.00**		

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RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	6/6/2011	882897	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**3,647.06**		
RUVALCABA, RAFAEL				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208381	570.00		
				INSTRUCTIONAL SVCS-15 DAYS	570.00
	Vendor Total		**570.00**		
FYTD for RUVALCABA, RAFAEL			**2,394.00**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	6/13/2011	208279	1,007.98		
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHTING MAINT-ZONE M	125.00
				LIGHTING MAINT-E3	382.98
	Vendor Total		**1,007.98**		
FYTD for RYMAX ELECTRIC, INC.			**10,575.93**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	6/27/2011	883029	6,600.00		
				TEMP STAFFING SVCS-CAP PROJS.	6,600.00
	Vendor Total		**6,600.00**		
FYTD for SA ASSOCIATES			**124,275.00**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	6/6/2011	882898	3,329.82		
				TRAFFIC SIGNS/HARDWARE	2,195.23
				TRAFFIC SIGNS/HARDWARE	606.12
				TRAFFIC SIGNS/HARDWARE	528.47
	6/20/2011	882987	995.98		
				TRAFFIC SIGNS/HARDWARE	995.98
	Vendor Total		**4,325.80**		
FYTD for SAFEWAY SIGN CO.			**12,810.43**		
SAGASTUME, MARIO				Remit to: **HEMET** **CA**	
	6/20/2011	208382	494.00		
				INSTRUCTIONAL SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for SAGASTUME, MARIO			**1,976.00**		

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SALGADO, JULIAN M.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208209	400.00		
				REFUND-ADMIN CITATION	400.00
	Vendor Total		**400.00**		
FYTD for SALGADO, JULIAN M.			**400.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	882988	100.88		
				FIRE EXTINGUISHERS-SENIOR CTR	4.00
				FIRE EXTINGUISHERS-SENIOR CTR	96.88
	Vendor Total		**100.88**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**4,094.29**		
SANCHEZ, CAROLINA				Remit to: **PERRIS** **CA**	
	6/20/2011	208383	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for SANCHEZ, CAROLINA			**200.00**		
SANDS, ROBIN				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208384	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SANDS, ROBIN			**50.00**		
SCHOENFELDER, LAURA				Remit to: **PERRIS** **CA**	
	6/20/2011	208385	190.00		
				INSTRUCTIONAL SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for SCHOENFELDER, LAURA			**722.00**		
SECURITY LOCK & KEY				Remit to: **YUCAIPA** **CA**	
	6/6/2011	882899	82.50		
				LOCK SERVICE-PARKS	82.50
	6/20/2011	882989	80.00		
				DOOR LOCK REPAIRS AT FS#48	80.00
	Vendor Total		**162.50**		
FYTD for SECURITY LOCK & KEY			**4,365.60**		

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SERTA MATTRESS				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208280	1,032.00		
				BOX SPRNGS & BED FRAMES FOR FS	1,032.00
	Vendor Total		**1,032.00**		
FYTD for SERTA MATTRESS			**5,975.60**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	6/6/2011	208210	174.30		
				RETIREE MED JUN '11	174.30
	Vendor Total		**174.30**		
FYTD for SHARRETT, SHARON K.			**2,205.96**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	6/6/2011	208211	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,824.76**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	6/13/2011	208281	64.81		
				FUEL PURCHASE	64.81
	6/27/2011	208495	1,737.74		
				FUEL PURCHASES	1,737.74
	6/27/2011	208496	60.81		
				FUEL PURCHASES	60.81
	6/27/2011	208497	59.14		
				FUEL PURCHASES	59.14
	Vendor Total		**1,922.50**		
FYTD for SHELL OIL CO.			**20,111.34**		
SHURTLEFF, JEANNETTE L.				Remit to: **LAKE ELSINORE** **CA**	
	6/20/2011	882990	532.00		
				INSTRUCTIONAL SVCS-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**5,624.00**		
SIERRA PACIFIC ELECTRICAL CONTRACTING				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208212	4,960.00		
				TRAFFIC LOOP RPLCMNT SVCS	1,860.00
				TRAFFIC LOOP RPLCMNT SVCS	3,100.00
	Vendor Total		**4,960.00**		
FYTD for SIERRA PACIFIC ELECTRICAL CONTRACTING			**6,820.00**		

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SIMPLOT PARTNERS				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	208386	2,213.28		
				FERTILIZER/CHEMICALS FOR PARKS	2,213.28
	Vendor Total		**2,213.28**		
FYTD for SIMPLOT PARTNERS			**2,213.28**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208213	875.00		
				ADVERTISING SVCS-PW SOLID WST	875.00
	6/20/2011	208387	1,650.00		
				ADVERTISING SVCS-EDD	1,650.00
	Vendor Total		**2,525.00**		
FYTD for SKY PUBLISHING			**66,849.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	882991	57.59		
				REFUND-UUT FOR EXEMPT RESIDNTS	57.59
	Vendor Total		**57.59**		
FYTD for SKY TRAILS MOBILE VILLAGE			**520.53**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882900	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,824.76**		
SLATTERY, TED				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208498	75.00		
				REFUND-RENTAL DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SLATTERY, TED			**225.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882901	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,805.92**		
SMITH, MARKITA				Remit to: **HESPERIA** **CA**	
	6/20/2011	208388	84.56		
				MILEAGE REIMBURSEMENT	84.56
	Vendor Total		**84.56**		
FYTD for SMITH, MARKITA			**84.56**		

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SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	6/6/2011	882902	7,896.35		
				FUEL PURCHASE	887.95
				FUEL PURCHASE	7,008.40
	6/13/2011	882946	8,269.11		
				FUEL PURCHASE	8,269.11
	6/20/2011	882992	7,871.03		
				FUEL PURCHASE	7,871.03
	6/27/2011	883031	13,644.01		
				FUEL-CITY VEHICLES	7,056.03
				FUEL-CITY VEHICLES	6,587.98
	Vendor Total		**37,680.50**		
FYTD for SOCO GROUP, INC			**355,733.80**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208214	154.80		
				INSTRUCTOR SVCS-YOGA	154.80
	Vendor Total		**154.80**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**1,135.20**		
SOTELO, MARIA E				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208499	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for SOTELO, MARIA E			**62.00**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/6/2011	208215	3,622.40		
			ELECTRICITY	65.10
			ELECTRICITY	67.28
			ELECTRICITY	1,345.09
			ELECTRICITY	557.81
			ELECTRICITY	298.70
			ELECTRICITY	22.43
			ELECTRICITY	963.93
			ELECTRICITY	124.31
			ELECTRICITY	114.17
			ELECTRICITY	63.58
6/13/2011	208283	6,546.07		
			ELECTRICITY	44.76
			ELECTRICITY	85.78
			ELECTRICITY	44.97
			ELECTRICITY	1,145.60
			ELECTRICITY	932.62
			ELECTRICITY	910.21
			ELECTRICITY	765.80
			ELECTRICITY	385.10
			ELECTRICITY	368.49
			ELECTRICITY	1,036.58
			ELECTRICITY	644.40
			ELECTRICITY	137.10
			ELECTRICITY	44.66
6/20/2011	208390	10,000.00		
			ADV ENG FEE TO RELOCATE FACIL.	10,000.00
	Vendor Total	**20,168.47**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,296,774.93**		

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK CA**	
	6/27/2011	208501	5,648.05		
				GAS CHARGES	1,039.25
				GAS CHARGES	2,681.90
				GAS CHARGES	15.78
				GAS CHARGES	39.01
				GAS CHARGES	349.86
				GAS CHARGES	125.08
				GAS CHARGES	25.86
				GAS CHARGES	211.24
				GAS CHARGES	75.21
				GAS CHARGES	106.73
				GAS CHARGES	85.70
				GAS CHARGES	112.48
				GAS CHARGES	119.83
				GAS CHARGES	103.11
				GAS CHARGES	26.35
				GAS CHARGES	530.66
	Vendor Total		**5,648.05**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**80,194.74**		
SPARKLETTS				Remit to: **DALLAS TX**	
	6/6/2011	208216	9.50		
				WATER SVCS-EOC	4.50
				WATER SVCS-CTTNWOOD GOLF CTR	5.00
	6/20/2011	208393	18.29		
				WATER SVCS-PARKS	18.29
	6/27/2011	208502	9.50		
				WATER SERVICE-GOLF COURSE	5.00
				WATER SERVICE-EOC	4.50
	Vendor Total		**37.29**		
FYTD for SPARKLETTS			**680.74**		
SPECK, GARY B.				Remit to: **MORENO VALLEY CA**	
	6/6/2011	882903	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,824.76**		
SPECTRUM CARE				Remit to: **FOOTHILL RANCH CA**	
	6/20/2011	882993	12,333.33		
				LANDSCAPE MAINT-E1	12,333.33
	Vendor Total		**12,333.33**		
FYTD for SPECTRUM CARE			**167,981.85**		

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SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882904	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**2,546.46**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	6/6/2011	208217	60.00		
				SUBPOENA COMPLIANCE	30.00
				SUBPOENA COMPLIANCE	30.00
	6/20/2011	208394	30.00		
				SUBPOENA COMPLNCE-MV110950324	30.00
	6/27/2011	208503	30.00		
				SUBPOENA COMPLNCE-MV111660125	30.00
	Vendor Total		**120.00**		
FYTD for SPRINT			**150.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	6/6/2011	882905	45.60		
				CELL PHONE SVCS-GANG TASK FRC	45.60
	6/27/2011	883032	545.86		
				CELL PHONE SVCS-PD/SET	545.86
	Vendor Total		**591.46**		
FYTD for SPRINT/NEXTEL			**5,783.08**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	6/6/2011	208218	2,635.82		
				SUPPLEMENTAL INSURANCE	2,635.82
	Vendor Total		**2,635.82**		
FYTD for STANDARD INSURANCE CO			**389,309.61**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	882906	172.92		
				MONITORING SVCS-PARK SNCK BARS	172.92
	6/13/2011	882947	110.00		
				MONITORING SVCS-EOC	110.00
	6/27/2011	883033	710.80		
				SECURITY SVCS-FIRE STATION 58	245.00
				SECURITY SVCS-CITY HALL	143.00
				SECURITY SVCS-CITY HALL	182.80
				SECURITY SYS SVC CALL-EOC	80.00
				SECURITY SYS SVC CALL-EOC	60.00
	Vendor Total		**993.72**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**26,936.56**		

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STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
6/24/2011	53111	4,047.00		
			SALES & USE TAX 5/1-6/15/11	4,047.00
Vendor Total		**4,047.00**		
FYTD for STATE BOARD OF EQUALIZATION		**42,821.52**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
6/9/2011	2865	2,287.33		
			CHILD SUPPORT WITHHOLDING	2,287.33
6/23/2011	2875	2,084.53		
			CHILD SUPPORT W/H 6/23/11	2,084.53
Vendor Total		**4,371.86**		
FYTD for STATE DISBURSEMENT UNIT		**42,631.99**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208219	125.00		
			PROF LICENSE RENWL-L. GONZALES	125.00
6/13/2011	208284	125.00		
			PROF LICENSE RENWL-H. KASHEFIP	125.00
Vendor Total		**250.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**750.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208220	5,636.00		
			BLOOD ALCOHOL ANALYSIS SVCS-PD	630.00
			FINGERPRINTING SVCS-PD	5,006.00
6/27/2011	208504	594.00		
			BLOOD ALCHL ANLYS-PD	35.00
			BLOOD ALCHL ANLYS-PD	70.00
			BLOOD ALCHL ANLYS-PD	35.00
			BLOOD ALCHL ANLYS-PD	70.00
			FINGERPRINTING SVC-TREASURY	128.00
			FINGERPRINTING SVC-HR	64.00
			FINGERPRINTING SVC-STARS	32.00
			FINGERPRINTING SVC-EMERG MGT	64.00
			FINGERPRINTING SVC-PD	96.00
Vendor Total		**6,230.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**63,552.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
6/27/2011	208505	453.06		
			REFUND-MVU/D. GATLING	16.24
			REFUND-MVU/E. GRAYSON	73.63
			REFUND-MVU/R. HAMILTON	363.19
	Vendor Total	**453.06**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,946.79**		
STATE TREASURER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
6/13/2011	110605	19,400.00		
			EMINENT DOMAIN DEPOSIT	19,400.00
	Vendor Total	**19,400.00**		
FYTD for STATE TREASURER'S OFFICE		**19,400.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
6/20/2011	208395	2,951.04		
			TRANSCRIPTION SVCS-PD	2,951.04
	Vendor Total	**2,951.04**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**36,151.84**		
STERICYCLE (BFI)			Remit to: **LOUISVILLE** **KY**	
6/27/2011	883034	621.97		
			HAZARDOUS WASTE PICK UP	621.97
	Vendor Total	**621.97**		
FYTD for STERICYCLE (BFI)		**7,076.18**		
STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
6/6/2011	882907	267.88		
			RETIREE MED JUN '11	267.88
	Vendor Total	**267.88**		
FYTD for STEWART, CLIFFORD		**3,113.82**		
STK ARCHITECTURE, INC.			Remit to: **SAN JACINTO** **CA**	
6/27/2011	883035	1,050.00		
			SPACE PLAN ANALYSIS-ANNEX 1&4	1,050.00
	Vendor Total	**1,050.00**		
FYTD for STK ARCHITECTURE, INC.		**365,907.55**		
STONEGATE 552, LLC			Remit to: **SAN DIEGO** **CA**	
6/6/2011	208221	37.50		
			FALSE ALARM REFUND-DUP PYMT	37.50
	Vendor Total	**37.50**		
FYTD for STONEGATE 552, LLC		**37.50**		

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STOUFER, JUDY A				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208506	727.09		
				REFUND-PERMIT FEES	529.89
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	0.20
				REFUND-PERMIT FEES	1.80
	Vendor Total		**727.09**		
FYTD for STOUFER, JUDY A			**727.09**		
STRADLING, YOCCA, CARLSON & RAUTH				Remit to: **NEWPORT BEACH** **CA**	
	6/20/2011	208396	9,481.83		
				LEGAL SERVICES-HOUSING	250.30
				LEGAL SERVICES-HOUSING	5,878.03
				LEGAL SERVICES-HOUSING	2,499.30
				LEGAL SERVICES-RDA	854.20
	Vendor Total		**9,481.83**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**126,683.91**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	882994	3,802.50		
				CONSULTING SVCS-EDD	3,802.50
	Vendor Total		**3,802.50**		
FYTD for STRICKLER ASSOCIATION, THE			**40,820.00**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882908	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**3,824.76**		
STUMPS, EDITH				Remit to: **CORONA** **CA**	
	6/6/2011	208222	34.00		
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	4.00
	Vendor Total		**34.00**		
FYTD for STUMPS, EDITH			**129.00**		

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SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY**	**CA**
6/13/2011	208285	99.35		
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-PD	77.71
6/20/2011	208397	98.88		
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-FIRE	6.19
			MISC SUPPLIES-FIRE	6.51
			MISC SUPPLIES-FIRE	51.46
			MISC SUPPLIES-FIRE	23.90
6/27/2011	208507	17.36		
			MISC SUPPLIES-FIRE	17.36
	Vendor Total	**215.59**		
FYTD for SUNNYMEAD ACE HARDWARE		**2,290.75**		
SUNNYMEAD ANIMAL HOSPITAL			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208398	245.00		
			PHYSICAL EXAM SVCS-K9 LEX	245.00
6/27/2011	208508	281.00		
			PHYSICAL EXAMS/VACC-K9-OZZIE	269.00
			PHYSICAL EXAMS/VACC-K9-OZZIE	12.00
	Vendor Total	**526.00**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL		**550.00**		
SVACINA, JASON			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208399	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for SVACINA, JASON		**20.00**		
SYSTEMS SOURCE, INC.			Remit to: **IRVINE**	**CA**
6/20/2011	208400	2,189.15		
			STATION FURNITURE	1,413.03
			INSTALLATION	600.00
			CALIF SALES TAX	176.12
	Vendor Total	**2,189.15**		
FYTD for SYSTEMS SOURCE, INC.		**2,189.15**		
TARGET SPECIALTY PRODUCTS			Remit to: **SANTA FE SPRINGS**	**CA**
6/27/2011	883036	3,789.72		
			ROUNDUP PROMAX HERBICIDE	1,210.28
			ROUNDUP PROMAX HERBICIDE	2,579.44
	Vendor Total	**3,789.72**		
FYTD for TARGET SPECIALTY PRODUCTS		**7,579.44**		

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TARVER, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208509	35.00		
				REFUND-PICNIC SHLTR ELECTRICAL	35.00
	Vendor Total		**35.00**		
FYTD for TARVER, BARBARA			**35.00**		
TAYLOR'S APPLIANCE				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208401	286.54		
				EMERGENCY REPAIRS AT FS#6	286.54
	Vendor Total		**286.54**		
FYTD for TAYLOR'S APPLIANCE			**509.50**		
TEICHERT, RICHARD				Remit to: **HIGHLAND** **CA**	
	6/13/2011	208286	500.00		
				UCLA FORECST ECON OUTLOOK CONF	250.00
				UCLA FORECST ECON OUTLOOK CONF	250.00
	Vendor Total		**500.00**		
FYTD for TEICHERT, RICHARD			**1,080.53**		
TEK WORKS				Remit to: **POWAY** **CA**	
	6/20/2011	882995	2,984.96		
				EOC CARD READER INSTLLTN-BAL.	1,331.07
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.10
	Vendor Total		**2,984.96**		
FYTD for TEK WORKS			**88,121.87**		
THOMAS, REGINA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208402	14.00		
				REFUND-BOARDING OVERCHRG	14.00
	Vendor Total		**14.00**		
FYTD for THOMAS, REGINA			**14.00**		
THOMPSON, LINDSAY				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208403	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for THOMPSON, LINDSAY			**75.00**		
THOMPSON, SAMMIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208404	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for THOMPSON, SAMMIE			**50.00**		

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THOMSON REUTERS INC				Remit to: **ENCINO** **CA**	
	6/6/2011	208223	321.72		
				LEGAL INFORMATION ONLINE CHRGS	156.40
				LEGAL PUBLICATION SUBSCRIP SVC	165.32
	6/27/2011	208510	371.97		
				LEGAL PUBLICATION SUBSCRPTNS	371.97
	Vendor Total		**693.69**		
FYTD for THOMSON REUTERS INC			**7,744.69**		
TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	6/6/2011	208224	19,137.50		
				CITY HALL HVAC SYSTEM REDESIGN	19,137.50
	Vendor Total		**19,137.50**		
FYTD for TMAD TAYLOR & GAINES			**53,870.00**		
TRANE				Remit to: **CITY OF INDUSTRY** **CA**	
	6/20/2011	208405	4,575.29		
				2 SPLIT SYS AC UNITS-CITY HALL	2,745.10
				CA SALES TAX	240.20
				2 SPLIT SYS AC UNITS-CITY HALL	1,160.90
				2 SPLIT SYS AC UNITS-CITY HALL	301.16
				CA SALES TAX	127.93
	Vendor Total		**4,575.29**		
FYTD for TRANE			**4,575.29**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208511	2,841.60		
				INSTRUCTOR SVCS-BALLET INTERMD	88.80
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	244.20
				INSTRUCTOR SVCS-BALLET/JAZZ	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	244.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	355.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-HIP HOP DANCE	666.00
	Vendor Total		**2,841.60**		
FYTD for TRICHE, TARA			**22,746.12**		

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TRI-CITY LINEN SUPPLY, INC.			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208287	25.00		
			LINEN SVC FOR CRC	25.00
6/20/2011	208406	50.00		
			LINEN SVCS FOR CRC	25.00
			LINEN SVCS FOR CRC	25.00
Vendor Total		**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.		**2,049.55**		
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK** **CA**	
6/20/2011	208407	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
6/27/2011	208512	373.32		
			IRRIG REPAIRS-ZONE E-2	373.32
Vendor Total		**16,073.32**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**211,918.48**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882948	580.00		
			INSTL. PLANTS-PERRIS BL MEDIAN	580.00
6/20/2011	882996	11,808.25		
			LNDSCP MAINT-ZONE M	5,532.72
			LNDSCP MAINT-ZONE DSG-1	6,075.53
			TREE RMVL-NASON/COTTONWOOD	200.00
6/27/2011	883037	2,485.00		
			LNDSCP MAINT-ZONE E-16	2,485.00
Vendor Total		**14,873.25**		
FYTD for TRUGREEN LANDCARE		**257,936.53**		
TUNTLAND, JAMES			Remit to: **PRESCOTT** **AZ**	
6/6/2011	882909	267.88		
			RETIREE MED JUN '11	267.88
Vendor Total		**267.88**		
FYTD for TUNTLAND, JAMES		**3,113.82**		
TURNER, DEBRA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208513	17,976.00		
			SOLAR INCENTIVE REBATE	17,976.00
Vendor Total		**17,976.00**		
FYTD for TURNER, DEBRA		**17,976.00**		

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TWRITE, INC.				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208225	4,696.25		
				CITY WEBSITE MAINT/JAN-MAR '11	4,696.25
	Vendor Total		**4,696.25**		
FYTD for TWRITE, INC.			**24,577.50**		
U.S. BANK				Remit to: **ROBBINSDALE** **MN**	
	6/20/2011	208408	30.00		
				REFUND FALSE ALARM DUP PYMT	30.00
	Vendor Total		**30.00**		
FYTD for U.S. BANK			**30.00**		
U.S. HEALTHWORKS MEDICAL GROUP				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	208226	885.00		
				PRE-EMPLOYMENT PHYSICALS	560.00
				PRE-EMPLOYMENT PHYSICALS	325.00
	6/20/2011	208409	90.00		
				PRE-EMPLOYMENT PHYSICAL	90.00
	Vendor Total		**975.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**14,145.00**		
UNDERGROUND SERVICE ALERT				Remit to: **CORONA** **CA**	
	6/6/2011	208237	394.50		
				DIGALERT TICKETS SUBSCRPTN SVC	98.62
				DIGALERT TICKETS SUBSCRPTN SVC	98.63
				DIGALERT TICKETS SUBSCRPTN SVC	98.62
				DIGALERT TICKETS SUBSCRPTN SVC	38.74
				DIGALERT TICKETS SUBSCRPTN SVC	59.89
	Vendor Total		**394.50**		
FYTD for UNDERGROUND SERVICE ALERT			**4,788.50**		
UNION BANK OF CALIFORNIA				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208227	291.67		
				INVESTMENT SAFEKEEPING SVCS	291.67
	6/13/2011	208288	170.00		
				STANDBY LOC TRANSFER FEES	170.00
	Vendor Total		**461.67**		
FYTD for UNION BANK OF CALIFORNIA			**61,361.57**		

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UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
6/6/2011	882911	1,707.03		
			BROOM KITS-STREET SWEEPER	967.39
			BROOM KITS-STREET SWEEPER	739.64
6/27/2011	883038	2,271.66		
			BROOM KITS-STREET SWEEPER	784.59
			BROOM KITS-STREET SWEEPER	227.76
			BROOM KITS-STREET SWEEPER	750.51
			BROOM KITS-STREET SWEEPER	455.51
			BROOM KITS-STREET SWEEPER	53.29
	Vendor Total	**3,978.69**		
FYTD for UNITED ROTARY BRUSH CORP		**38,108.66**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
6/13/2011	882950	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**3,178.85**		
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
6/6/2011	208228	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
6/6/2011	208229	117.73		
			PAYROLL DEDUCTION AGREEMENT	117.73
6/20/2011	208410	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**217.73**		
FYTD for UNITED STATES TREASURY		**1,559.23**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208230	499.69		
			UNITED WAY CONTRIBUTIONS	499.69
6/20/2011	208411	494.69		
			UNITED WAY CONTRIBUTIONS	494.69
	Vendor Total	**994.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**14,899.30**		
US POLE COMPANY, INC			Remit to: **PALMDALE** **CA**	
6/27/2011	208514	14,599.69		
			LAMP/POLE/HARDWARE ASSY-PARKS	8,950.00
			LAMP/POLE/HARDWARE ASSY-PARKS	4,475.00
			CA SALES TAX	1,174.69
	Vendor Total	**14,599.69**		
FYTD for US POLE COMPANY, INC		**14,599.69**		

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USA MOBILITY/ARCH WIRELESS				Remit to: **ALEXANDRIA** **VA**	
	6/13/2011	882951	36.59		
				PAGER SVC-PARK RANGERS	1.83
				PAGER SVC-TRANSP. DIV.	4.68
				PAGER SVC-ANIMAL SVCS.	30.08
	Vendor Total		**36.59**		
FYTD for USA MOBILITY/ARCH WIRELESS			**690.87**		
VA CONSULTING, INC.				Remit to: **IRVINE** **CA**	
	6/20/2011	882997	4,963.74		
				AUTO MALL ST. IMPRVMNTS PROJ	4,507.49
				AUTO MALL FREEWAY SIGN PROJ	456.25
	Vendor Total		**4,963.74**		
FYTD for VA CONSULTING, INC.			**136,780.38**		

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VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	882998	3,765.00		
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-UTILITY FLD OFFICE	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES STARS BLDG	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			TERMITE INSPECTION-MRCH FLD PK	155.00
			TERMITE INSPECTION-CITY YARD	65.00
			TERMITE INSPECTION-SENIOR CTR	200.00
			TERMITE INSPECTION-UTIL OFFICE	65.00
			TERMITE INSPECTION-ASES BLDG	120.00
			TERMITE INSPECTION-TOWNGT C.C.	120.00
			TERMITE INSPECTION-CITY HALL	675.00
			TERMITE INSPECTION-FIRE ST #6	190.00
			TERMITE INSPECTION-FIRE ST #48	130.00
			TERMITE INSPECTION-FIRE ST #65	130.00
			TERMITE INSPCTN/TRTMNT-LIBRARY	595.00
6/27/2011	883039	75.00		
			PEST CNTRL-CONF & REC CTR	25.00
			PEST CNTRL-CONF & REC CTR	50.00
	Vendor Total	**3,840.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**21,270.00**		
VAS ASSOCIATES, INC.			Remit to: **CORONA**	**CA**
6/6/2011	882912	18,960.00		
			TEMP STAFFING SVCS-CAP PROJS	18,960.00
	Vendor Total	**18,960.00**		
FYTD for VAS ASSOCIATES, INC.		**203,160.00**		

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VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208231	15,055.00		
			ACCOUNTING SVCS	15,055.00
Vendor Total		**15,055.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**37,845.00**		
VCD CORPORATION			Remit to: **GLENDORA** **CA**	
6/6/2011	882913	15,143.14		
			PROP REHAB-13714 FLAMING ARROW	15,143.14
Vendor Total		**15,143.14**		
FYTD for VCD CORPORATION		**61,913.60**		
VEHICLE REGISTRATION COLLECTIONS			Remit to: **RANCHO CORDOVA** **CA**	
6/20/2011	208412	82.59		
			GARNISHMENT	82.59
Vendor Total		**82.59**		
FYTD for VEHICLE REGISTRATION COLLECTIONS		**1,482.55**		
VERIZON			Remit to: **TRENTON** **NJ**	
6/20/2011	208413	1,712.84		
			BACKBONE CHARGES	1,712.84
Vendor Total		**1,712.84**		
FYTD for VERIZON		**20,453.54**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
6/27/2011	208515	617.47		
			PHONE CHARGES-ERC	617.47
Vendor Total		**617.47**		
FYTD for VERIZON CALIFORNIA		**8,185.81**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
6/20/2011	208414	648.15		
			ANIMAL MEDICAL SUPPLIES	127.75
			ANIMAL MEDICAL SUPPLIES	520.40
Vendor Total		**648.15**		
FYTD for VICTOR MEDICAL CO		**13,299.05**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882914	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST		**3,824.76**		

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VILLANUEVA, CARLOS				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208516	57.50		
				REFUND-CITATION FEE	57.50
	Vendor Total		**57.50**		
FYTD for VILLANUEVA, CARLOS			**57.50**		
VISION SERVICE PLAN				Remit to: **SAN FRANCISCO** **CA**	
	6/6/2011	882915	4,287.77		
				EMPLOYEE VISION INSURANCE	4,287.77
	Vendor Total		**4,287.77**		
FYTD for VISION SERVICE PLAN			**52,052.66**		
VISTA PAINT CORPORATION				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208517	758.32		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	35.69
				PAINT/SUPPL-GRAFFITI RMVL PRGM	107.04
				PAINT/SUPPL-GRAFFITI RMVL PRGM	615.59
	Vendor Total		**758.32**		
FYTD for VISTA PAINT CORPORATION			**11,400.04**		
VOYAGER FLEET SYSTEM, INC.				Remit to: **HOUSTON** **TX**	
	6/13/2011	882952	2,400.34		
				CNG FUEL PURCHASES	2,100.23
				CNG FUEL PURCHASES	300.11
	Vendor Total		**2,400.34**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**23,848.59**		
VULCAN MATERIALS CO, INC.				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	208232	795.10		
				ASPHALTIC MATERIALS	137.43
				ASPHALTIC MATERIALS	138.12
				ASPHALTIC MATERIALS	104.54
				ASPHALTIC MATERIALS	137.43
				ASPHALTIC MATERIALS	138.79
				ASPHALTIC MATERIALS	138.79
	6/13/2011	208289	207.03		
				ASPHALTIC MATERIALS	137.43
				ASPHALTIC MATERIALS	69.60
	6/27/2011	208518	814.55		
				ASPHALTIC MATERIALS	105.23
				ASPHALTIC MATERIALS	103.17
				ASPHALTIC MATERIALS	137.43
				ASPHALTIC MATERIALS	103.17
				ASPHALTIC MATERIALS	365.55
	Vendor Total		**1,816.68**		
FYTD for VULCAN MATERIALS CO, INC.			**26,961.83**		

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W R SMITH, INC				Remit to: **WHITTIER** **CA**	
	6/6/2011	208233	20.83		
				REFUND-BUS. LIC. OVERPAYMENT	20.83
	Vendor Total		**20.83**		
FYTD for W R SMITH, INC			**20.83**		
WAGGONER JR., GLENN C.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882916	914.99		
				RETIREE MED APR-JUN '11, PD JU	914.99
	Vendor Total		**914.99**		
FYTD for WAGGONER JR., GLENN C.			**3,751.76**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882917	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,805.92**		
WALKER, DONNA JEAN				Remit to: **PERRIS** **CA**	
	6/20/2011	882999	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WALKER, DONNA JEAN			**798.00**		
WASSON, KIRK				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	883000	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for WASSON, KIRK			**2,090.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	6/6/2011	208235	1,244.51		
				ROLL-OFF STORAGE BIN RENTALS	1,244.51
	6/27/2011	208519	1,244.51		
				ROLL-OFF STORAGE BIN RENTALS	1,244.51
	Vendor Total		**2,489.02**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**15,287.20**		
WEBBER, MIKE				Remit to: **COSTA MESA** **CA**	
	6/20/2011	208415	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WEBBER, MIKE			**75.00**		

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WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES** **CA**	
6/1/2011	110601	867.18		
			INT ON 97 CH COP VAR RATE BOND	867.18
6/28/2011	1106071	568.00		
			STONRDGE CFD#5 BS FD 223-33500	568.00
	Vendor Total	**1,435.18**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,815,753.74**		
WEST PUBLISHING CORPORATION			Remit to: **ST. PAUL** **MN**	
6/27/2011	208520	535.00		
			AUTO TRACK SVCS-PD	110.00
			AUTO TRACK SVCS-PD	425.00
	Vendor Total	**535.00**		
FYTD for WEST PUBLISHING CORPORATION		**6,385.00**		
WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
6/30/2011	208528	3,241.25		
			WATER CHARGES	1,388.03
			WATER CHARGES	32.81
			WATER CHARGES	1,750.08
			WATER CHARGES	70.33
	Vendor Total	**3,241.25**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**23,167.68**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
6/6/2011	882918	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,824.76**		
WILLETTE, EVELYN			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208416	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for WILLETTE, EVELYN		**50.00**		
WILLIAMS, AUBREY GERALD			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208417	80.00		
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**80.00**		
FYTD for WILLIAMS, AUBREY GERALD		**168.00**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	6/6/2011	882919	187.68		
				RETIREE MED MAY '11, PD JUN '1	187.68
	Vendor Total		**187.68**		
FYTD for WILLIAMS, JANE L.			**2,154.64**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	6/20/2011	208418	54.00		
				SPORTS OFFICIATING SVCS	54.00
	Vendor Total		**54.00**		
FYTD for WILLIS, ROBERT H			**486.00**		
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	6/6/2011	882920	3,355.00		
				MAINT. DAY PORTER SVCS	960.00
				JANITORIAL SVCS-TOWNGT RENTALS	480.00
				JANITORIAL SVCS-SR CTR RENTALS	260.00
				JANITORIAL SVCS-CRC RENTALS	1,655.00
	6/13/2011	882953	900.00		
				MAINT. DAY PORTER SVCS	900.00
	6/20/2011	883001	23,986.40		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRLR	98.40
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MARCH FLD PRK	955.70
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-SUNNYMD ELEM	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C. C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	6/27/2011	883040	2,140.00		
				JANITORIAL SVCS-CRC RENTALS	2,140.00
	Vendor Total		**30,381.40**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**331,113.41**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	6/13/2011	208290	1,910.34		
				COPIER RNTL/MAINT-STARS	114.49
				COPIER BILLABLE PRINTS-STARS	510.69
				COPIER BILLABLE PRINTS-STARS	925.82
				COPIER BILLABLE PRINTS-PARKS	359.34
	6/20/2011	208419	1,678.84		
				COPIER RNTL/MAINT-PD	70.20
				COPIER RNTL/MAINT-PD	77.54
				COPIER RNTL/MAINT-PD	64.59
				COPIER RNTL/MAINT-GRAPHICS	397.79
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,068.72
	6/27/2011	208521	4,717.79		
				COPIER RNTL/MAINT/PRINTS-STARS	20.56
				COPIER RNTL/MAINT/PRINTS-STARS	2,394.91
				COPIER RNTL/MAINT/PRINTS-PARKS	993.89
				COPIER RNTL/MAINT/PRINTS-PARKS	779.48
				COPIER RNTL/MAINT/PRINTS-PARKS	528.95
	Vendor Total		**8,306.97**		
FYTD for XEROX			**78,088.26**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	6/6/2011	882921	323.00		
				RETIREE MED MAR-APR '11, PD JU	323.00
	Vendor Total		**323.00**		
FYTD for YAMASHITA, JULIA J.			**2,038.30**		
YANG, JIANG				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208522	124.00		
				REFUND-PARKS CLASS REGIS FEE	124.00
	Vendor Total		**124.00**		
FYTD for YANG, JIANG			**124.00**		
YENULONIS, LAURA				Remit to: **COLTON** **CA**	
	6/6/2011	208236	2,256.40		
				REIMB. CREDIT CARD CHGS ERROR	324.40
				REIMB. CREDIT CARD CHGS ERROR	1,123.00
				REIMB. CREDIT CARD CHGS ERROR	326.00
				REIMB. CREDIT CARD CHGS ERROR	109.00
				REIMB. CREDIT CARD CHGS ERROR	220.00
				REIMB. CREDIT CARD CHGS ERROR	32.00
				REIMB. CREDIT CARD CHGS ERROR	122.00
	Vendor Total		**2,256.40**		
FYTD for YENULONIS, LAURA			**2,354.00**		
	Subtotal		**1,283,779.86**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GRAND TOTAL		**16,100,598.73**		

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, City Treasurer

AGENDA DATE: August 23, 2011

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2011

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

In response to the Orange County bankruptcy and investment problems, and in order to deal with tightening regulations and controls over local investment of public funds, Senate Bills 866 and 564 were signed into law and became effective January 1, 1996, creating California Government Code Sections 53601 and 53646 respectively. The City's Investment Policy, adopted December 17, 1996 (and revised most recently on March 23, 2010), is in full compliance with the requirements of both of the above-mentioned Code Sections in addressing the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the quarterly reporting requirements.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2011. This is the fourth quarterly report submitted for the 2010-11 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's

Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City has now transitioned the management of its general investment portfolio to Chandler Asset Management. As a result, the City's investment approach has changed from *passive* to *active*, as discussed in past meetings with the Finance Sub-Committee and the City Council. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 2.07 years.

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds, Voluntary Employee Beneficiary Association (VEBA) funds and California Employer Retiree Benefit Trust (CERBT) funds are held and invested by the respective plan administrators with the funds also placed in a trust separate from City funds.

FISCAL IMPACT

None

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2011. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section

53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – June 2011
Attachment 2 – Chandler Asset Management Bond Market Review – July 2011

Prepared By:
Brooke McKinney
Treasury Operations Division Manager

Department Head Approval:
Richard Teichert
City Treasurer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report

June 2011

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Yield to Maturity	Average Duration
Bank Accounts	1,914,624	1,914,624	1,914,624			
State of California LAIF Pool	42,568,573	42,568,573	42,568,573	0.66	0.59%	
Investments	177,894,127	172,127,027	172,127,027	2.07	1.53%	1.81
Total General Portfolio	**222,255,828**	**222,377,324**	**216,610,224**	**Years**		**Years**

Bond Proceeds with Fiscal Agents	Market Value
Construction Funds	8,162,119
Principal & Interest Accounts	683,243
Debt Service Reserve Funds	7,503,994
Custody Accounts	0
Arbitrage Rebate Accounts	0
Other Accounts	552,763
Total Bond Proceeds	**16,902,119**

Deferred Compensation Funds	Market Value as of Mar 31, 2011
Nationwide	9,203,462
ICMA	4,086,291
Total Deferred Compensation Funds	**13,289,753**
Total Investment Portfolio	**252,569,196**

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment advisor, Chandler Asset Management.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Richard Teichert
City Treasurer

MV00122400

Portfolio Summary

As of 6/30/2011

PORTFOLIO CHARACTERISTICS

Average Duration	1.81
Average Coupon	2.38 %
Average Purchase YTM	1.53 %
Average Market YTM	0.88 %
Average S&P Rating	AAA
Average Final Maturity	2.07 yrs
Average Life	1.94 yrs

ACCOUNT SUMMARY

	Beg. Values as of 5/31/11	End Values as of 6/30/11
Market Value	215,904,478	222,377,324
Accrued Interest	1,220,106	1,201,522
Total Market Value	**217,124,584**	**223,578,846**
Income Earned	268,561	274,561
Cont/WD		
Par	209,640,112	216,610,224
Book Value	213,508,118	220,442,714
Cost Value	215,206,920	222,255,828

TOP ISSUERS

Issuer	% Portfolio
Local Agency Investment Fund	19.1 %
Government of United States	14.1 %
Federal Farm Credit Bank	10.5 %
Federal Home Loan Mortgage Corp	10.0 %
Federal National Mortgage Assoc	7.5 %
Federal Home Loan Bank	5.9 %
Tennessee Valley Authority	3.7 %
US Bank Corp FDIC Insured	2.3 %
	73.2 %

SECTOR ALLOCATION

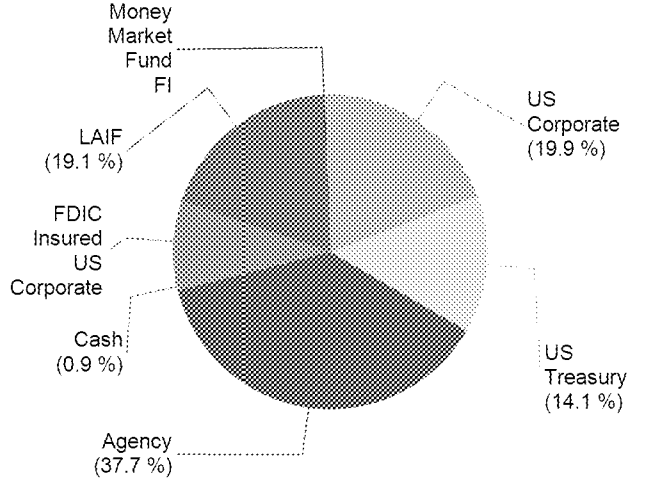

MATURITY DISTRIBUTION

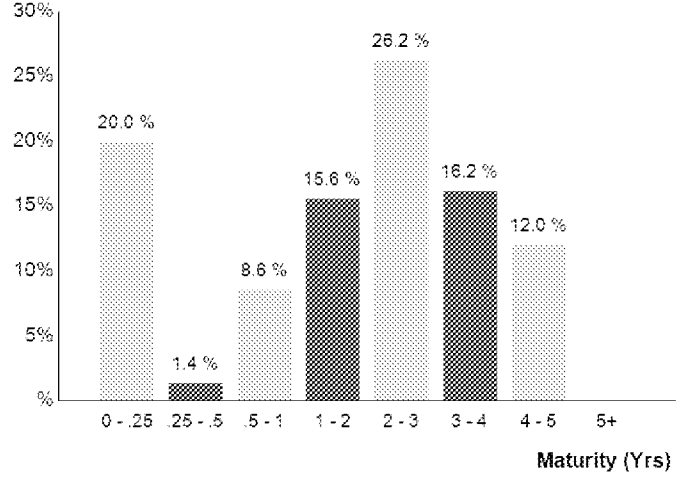

CREDIT QUALITY

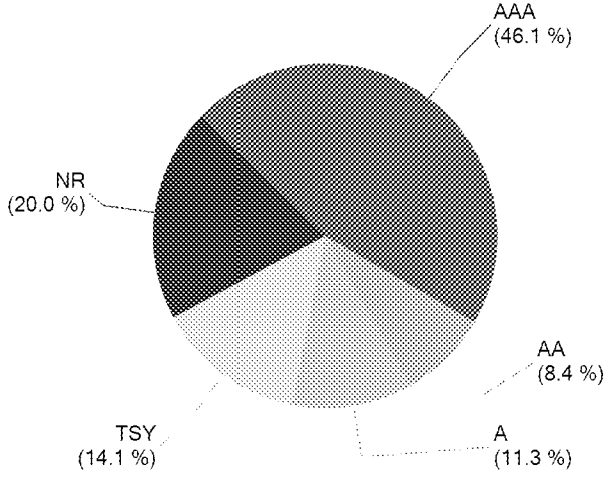

MV00122401

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
3133XSWM6	FHLB Note 2.1% Due 1/23/2012	1,000,000.00	01/23/2009 2.10 %	1,000,000.00 1,000,000.00	101.02 0.30 %	1,010,150.00 9,216.67	0.46 % 10,150.00	Aaa AAA	0.57 0.56
3133XT2T2	FHLB Note 2.25% Due 2/10/2012	1,000,000.00	02/10/2009 2.25 %	1,000,000.00 1,000,000.00	101.19 0.29 %	1,011,940.00 8,812.50	0.46 % 11,940.00	Aaa AAA	0.62 0.60
31331XG30	FFCB Note 5.45% Due 6/21/2012	1,000,000.00	06/29/2007 5.33 %	1,005,380.00 1,001,052.93	104.97 0.34 %	1,049,683.00 1,513.89	0.47 % 48,630.07	Aaa AAA	0.98 0.96
31331XT36	FFCB Note 5.25% Due 8/1/2012	450,000.00	08/01/2007 5.25 %	450,000.00 450,000.00	105.30 0.36 %	473,848.65 9,843.75	0.22 % 23,848.65	Aaa AAA	1.09 1.05
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	102.34 0.35 %	1,023,386.00 9,391.67	0.46 % 23,386.00	Aaa AAA	1.12 1.10
3133XYWB7	FHLB Note 0.875% Due 8/22/2012	3,500,000.00	11/23/2010 0.51 %	3,521,892.50 3,514,365.88	100.59 0.35 %	3,520,772.50 10,973.96	1.58 % 6,406.62	Aaa AAA	1.15 1.14
3133XUUJ0	FHLB Note 1.625% Due 9/26/2012	3,450,000.00	12/22/2010 0.69 %	3,506,166.00 3,489,817.21	101.55 0.37 %	3,503,392.20 14,794.27	1.57 % 13,574.99	Aaa AAA	1.24 1.22
31331GZ44	FFCB Note 1.55% Due 10/15/2012	1,000,000.00	10/15/2009 1.55 %	1,000,000.00 1,000,000.00	101.51 0.38 %	1,015,063.00 3,272.22	0.46 % 15,063.00	Aaa AAA	1.30 1.28
31398A4T6	FNMA Note 0.5% Due 10/30/2012	1,000,000.00	12/22/2010 0.73 %	995,834.00 996,985.38	100.16 0.38 %	1,001,630.00 847.22	0.45 % 4,644.62	Aaa AAA	1.34 1.33
3137EACQ0	FHLMC Note 0.625% Due 12/28/2012	3,450,000.00	12/22/2010 0.75 %	3,441,354.30 3,443,551.16	100.33 0.40 %	3,461,550.60 179.69	1.55 % 17,999.44	Aaa AAA	1.50 1.49
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.88 %	4,194,744.63 3,978,090.89	109.08 0.64 %	4,063,345.48 65,808.34	1.85 % 85,254.59	Aaa AAA	1.71 1.62
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	103.03 0.48 %	1,030,342.00 5,072.22	0.46 % 30,342.00	Aaa AAA	1.78 1.74
3134A4TZ7	FHLMC Note 4.5% Due 7/15/2013	3,250,000.00	05/12/2010 1.59 %	3,541,690.75 3,437,497.51	108.12 0.50 %	3,513,981.25 67,437.50	1.60 % 76,483.74	Aaa AAA	2.04 1.94
880591DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 3,964,474.59	108.36 0.71 %	4,063,496.25 74,218.75	1.85 % 99,021.66	Aaa AAA	2.09 1.97
3133XUEC3	FHLB Callable Note Cont 8/12/11 2.65% Due 8/12/2013	1,000,000.00	08/12/2009 2.65 %	1,000,000.00 1,000,000.00	100.25 0.48 %	1,002,526.00 10,231.94	0.45 % 2,526.00	Aaa AAA	0.12 0.12
31331KET3	FFCB Note 0.98% Due 9/23/2013	1,970,000.00	03/28/2011 1.10 %	1,964,227.90 1,964,819.10	100.78 0.63 %	1,985,299.02 5,255.52	0.89 % 20,479.92	Aaa AAA	2.24 2.20
31398A4A7	FNMA Callable Note 1X 9/27/11 1.2% Due 9/27/2013	3,525,000.00	09/10/2010 1.20 %	3,525,000.00 3,525,000.00	100.21 0.35 %	3,532,229.78 11,045.00	1.58 % 7,229.78	Aaa AAA	0.24 0.24
3134G1PP3	FHLMC Callable Note 1X 8/18/11 1.4% Due 11/18/2013	1,855,000.00	08/18/2010 0.98 %	1,862,698.25 1,856,015.15	100.14 0.37 %	1,857,533.93 9,594.47	0.84 % 1,518.78	Aaa AAA	0.13 0.13
3133XHW57	FHLB Note 4.875% Due 12/13/2013	1,000,000.00	06/18/2009 2.96 %	1,080,060.00 1,043,766.78	110.02 0.75 %	1,100,170.00 2,437.50	0.49 % 56,403.22	Aaa AAA	2.46 2.33
3137EABX6	FHLMC Note 2.5% Due 1/7/2014	3,350,000.00	03/17/2010 2.09 %	3,399,734.10 3,382,929.62	104.40 0.74 %	3,497,326.30 40,479.17	1.58 % 114,396.68	Aaa AAA	2.53 2.42

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
3136FHGK5	FNMA Callable Note 1X 4/16/12 3% Due 4/16/2014	1,000,000.00	04/16/2009 3.00 %	1,000,000.00 1,000,000.00	101.90 0.60 %	1,018,995.00 6,250.00	0.46 % 18,995.00	Aaa AAA	0.80 0.78
31331GTJ8	FFCB Note 2.625% Due 4/17/2014	3,300,000.00	10/05/2010 1.02 %	3,483,678.00 3,445,488.94	104.81 0.88 %	3,458,858.70 17,806.25	1.56 % 13,369.76	Aaa AAA	2.80 2.69
31331KHF0	FFCB Callable Note Cont 4/25/12 1.62% Due 4/25/2014	3,695,000.00	04/13/2011 1.62 %	3,694,630.50 3,694,653.09	100.91 1.29 %	3,728,576.47 10,974.15	1.67 % 33,923.38	Aaa AAA	2.82 1.26
3136FHMK8	FNMA Callable Note 1X 5/1/12 2.25% Due 5/1/2014	1,000,000.00	05/01/2009 2.25 %	1,000,000.00 1,000,000.00	101.46 0.50 %	1,014,559.00 3,750.00	0.46 % 14,559.00	Aaa AAA	0.84 0.83
3136FHPX7	FNMA Callable Note 1X 11/14/2011 2.125% Due 5/14/2014	1,000,000.00	05/14/2009 2.13 %	1,000,000.00 1,000,000.00	100.52 0.72 %	1,005,198.00 2,774.31	0.45 % 5,198.00	Aaa AAA	0.38 0.37
31398AXJ6	FNMA Note 2.5% Due 5/15/2014	1,250,000.00	Various 2.32 %	1,258,880.25 1,256,300.04	104.39 0.95 %	1,304,857.50 3,993.05	0.59 % 48,557.46	Aaa AAA	2.88 2.77
31331JQA4	FFCB Note 1.9% Due 6/2/2014	4,300,000.00	06/08/2010 1.96 %	4,289,551.00 4,292,305.67	102.77 0.94 %	4,419,208.90 6,581.39	1.98 % 126,903.23	Aaa AAA	2.93 2.84
3133XTXW1	FHLB Callable Note 1X 1/9/12 2.5% Due 7/9/2014	1,000,000.00	07/09/2009 2.50 %	1,000,000.00 1,000,000.00	101.17 0.28 %	1,011,658.00 11,944.44	0.46 % 11,658.00	Aaa AAA	0.53 0.52
3137EACD9	FHLMC Note 3% Due 7/28/2014	4,000,000.00	03/15/2010 2.41 %	4,097,476.00 4,068,630.44	105.83 1.07 %	4,233,252.00 51,000.00	1.92 % 164,621.56	Aaa AAA	3.08 2.92
31398AYY2	FNMA Note 3% Due 9/16/2014	1,500,000.00	04/15/2010 2.50 %	1,531,365.00 1,522,795.01	106.16 1.04 %	1,592,449.50 13,125.00	0.72 % 69,654.49	Aaa AAA	3.22 3.05
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,064,805.68	106.02 1.10 %	4,240,828.00 33,000.00	1.91 % 176,022.32	Aaa AAA	3.23 3.07
31398AZV7	FNMA Note 2.625% Due 11/20/2014	4,100,000.00	03/12/2010 2.54 %	4,114,723.10 4,110,652.95	104.87 1.16 %	4,299,698.70 12,257.29	1.93 % 189,045.75	Aaa AAA	3.39 3.24
3134G2EF5	FHLMC Callable Note 1X 1/26/12 2.1% Due 1/26/2015	2,065,000.00	04/04/2011 2.09 %	2,065,206.50 2,065,156.94	100.88 0.56 %	2,083,169.94 7,829.79	0.94 % 18,013.00	Aaa AAA	0.58 1.03
3136FPEQ6	FNMA Callable Note 1X 9/9/11 1.85% Due 9/9/2015	2,015,000.00	09/16/2010 1.89 %	2,011,473.75 2,012,030.42	99.57 1.96 %	2,006,333.49 11,597.44	0.90 % (5,696.93)	Aaa AAA	4.20 2.00
31331J6C2	FFCB Note 2.35% Due 12/22/2015	2,000,000.00	03/28/2011 2.27 %	2,007,240.00 2,006,846.39	102.18 1.84 %	2,043,548.00 1,175.00	0.91 % 36,701.61	Aaa AAA	4.48 4.24
3137EACT4	FHLMC Note 2.5% Due 5/27/2016	3,475,000.00	06/14/2011 1.86 %	3,579,229.15 3,578,421.17	102.56 1.95 %	3,563,883.55 20,029.51	1.60 % (14,537.62)	Aaa AAA	4.91 4.59
Total Agency		**80,975,000.00**	**1.84 %**	**82,810,200.68 82,166,452.94**	**0.81 %**	**83,742,740.71 574,513.87**	**37.71 % 1,576,287.77**	**Aaa AAA**	**2.20 2.00**
CASH									
90CASH$00	Cash Custodial Cash Account	1,914,624.27	Various 0.00 %	1,914,624.27 1,914,624.27	1.00 0.00 %	1,914,624.27 0.00	0.86 % 0.00	NR NR	0.00 0.00
Total Cash		**1,914,624.27**	**N/A**	**1,914,624.27 1,914,624.27**	**0.00 %**	**1,914,624.27 0.00**	**0.86 % 0.00**	**NR NR**	**0.00 0.00**

MV00122403

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
FDIC INSURED US CORPORATE									
949744AA4	Wells Fargo & Company FDIC Guaranteed Note 3% Due 12/9/2011	3,050,000.00	03/12/2010 0.95 %	3,157,094.65 3,077,282.02	101.25 0.18 %	3,087,996.90 5,591.67	1.38 % 10,714.88	Aaa AAA	0.44 0.44
06050BAG6	Bank of America Corp FDIC Guaranteed Note 2.1% Due 4/30/2012	3,310,000.00	Various 1.20 %	3,371,727.28 3,334,365.08	101.57 0.22 %	3,361,890.88 11,778.08	1.51 % 27,525.80	Aaa AAA	0.84 0.83
91160HAC1	US Bancorp FDIC Guaranteed Note 1.8% Due 5/15/2012	5,070,000.00	Various 1.39 %	5,111,546.49 5,087,926.04	101.40 0.20 %	5,140,762.00 11,661.00	2.30 % 52,835.96	Aaa AAA	0.88 0.87
38146FAA9	Goldman Sachs FDIC Guaranteed Note 3.25% Due 6/15/2012	3,205,000.00	Various 1.26 %	3,344,909.12 3,264,869.13	102.81 0.31 %	3,294,941.91 4,629.45	1.48 % 30,072.78	Aaa AAA	0.96 0.95
36967HAV9	GE Capital Corp FDIC Guaranteed Note 2.125% Due 12/21/2012	3,645,000.00	05/19/2010 1.27 %	3,723,710.13 3,690,036.90	102.38 0.50 %	3,731,878.58 2,151.56	1.67 % 41,841.68	Aaa AAA	1.48 1.46
Total FDIC Insured US Corporate		**18,280,000.00**	**1.23 %**	**18,708,987.67 18,454,479.17**	**0.28 %**	**18,617,470.27 35,811.76**	**8.34 % 162,991.10**	**Aaa AAA**	**0.93 0.92**
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	42,568,572.69	Various 0.39 %	42,568,572.69 42,568,572.69	1.00 0.39 %	42,568,572.69 34,512.20	19.06 % 0.00	NR NR	0.00 0.00
Total LAIF		**42,568,572.69**	**0.39 %**	**42,568,572.69 42,568,572.69**	**0.39 %**	**42,568,572.69 34,512.20**	**19.06 % 0.00**	**NR NR**	**0.00 0.00**
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	209,026.69	Various 0.01 %	209,026.69 209,026.69	1.00 0.01 %	209,026.69 0.00	0.09 % 0.00	Aaa AAA	0.00 0.00
Total Money Market Fund FI		**209,026.69**	**0.01 %**	**209,026.69 209,026.69**	**0.01 %**	**209,026.69 0.00**	**0.09 % 0.00**	**Aaa AAA**	**0.00 0.00**
US CORPORATE									
52517PR60	Lehman Brothers Holdings Note 5.25% Due 2/6/2012	1,000,000.00	02/06/2007 5.34 %	996,000.00 996,000.00	26.13 0.00 %	261,250.00 0.00	0.12 % (734,750.00)	NR NR	0.61 0.00
931142CL5	Wal-Mart Stores Note 4.25% Due 4/15/2013	3,260,000.00	Various 1.54 %	3,491,366.25 3,414,427.32	106.22 0.75 %	3,462,732.88 29,249.45	1.56 % 48,305.56	Aa2 AA	1.79 1.73
459200GR6	IBM Corp Note 2.1% Due 5/6/2013	1,725,000.00	01/27/2011 1.00 %	1,767,624.75 1,759,706.52	102.55 0.71 %	1,768,966.80 5,534.38	0.79 % 9,260.28	Aa3 A+	1.85 1.81
91159HGY0	US Bancorp Callable Note Cont 8/13/13 1.375% Due 9/13/2013	2,665,000.00	Various 1.32 %	2,668,966.65 2,667,927.62	100.45 1.16 %	2,677,064.45 10,993.13	1.20 % 9,136.83	Aa3 A+	2.12 2.08
254687AW6	Walt Disney Corp Note 4.5% Due 12/15/2013	1,720,000.00	Various 1.23 %	1,873,880.60 1,855,375.78	108.53 0.98 %	1,866,800.28 3,440.00	0.84 % 11,424.50	A2 A	2.46 2.34
24422ERA9	John Deere Capital Corp Note 1.6% Due 3/3/2014	440,000.00	02/28/2011 1.63 %	439,564.40 439,612.09	101.12 1.17 %	444,935.92 2,307.56	0.20 % 5,323.83	A2 A	2.68 2.60

MV00122404

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
US CORPORATE									
166751AH0	ChevronTexaco Corp Note 3.95% Due 3/3/2014	2,473,000.00	Various 1.56 %	2,644,928.56 2,626,639.24	107.76 1.00 %	2,664,996.31 32,018.48	1.21 % 38,357.07	Aa1 AA	2.68 2.53
665859AK0	Northern Trust Company Note 4.625% Due 5/1/2014	1,850,000.00	10/20/2010 1.33 %	2,058,421.00 2,018,002.91	109.21 1.31 %	2,020,309.15 14,260.42	0.91 % 2,306.24	A1 AA-	2.84 2.66
36962G4C5	General Electric Capital Corp Note 5.9% Due 5/13/2014	3,075,000.00	Various 2.88 %	3,411,681.00 3,325,111.96	111.09 1.91 %	3,416,045.18 24,190.00	1.54 % 90,933.22	Aa2 AA+	2.87 2.65
61747YCF0	Morgan Stanley Note 6% Due 5/13/2014	2,370,000.00	Various 3.98 %	2,534,751.20 2,495,808.78	108.91 2.75 %	2,581,214.40 18,960.00	1.16 % 85,405.62	A2 A	2.87 2.63
428236AV5	Hewlett Packard Company Note 4.75% Due 6/2/2014	1,700,000.00	01/27/2011 1.74 %	1,865,393.00 1,844,532.62	109.13 1.54 %	1,855,143.70 6,504.86	0.83 % 10,611.08	A2 A	2.93 2.74
74005PAQ7	Praxair Note 5.25% Due 11/15/2014	850,000.00	09/24/2010 1.60 %	973,471.00 950,954.74	112.33 1.49 %	954,785.45 5,702.08	0.43 % 3,830.71	A2 A	3.38 3.11
09247XAD3	Blackrock Inc Note 3.5% Due 12/10/2014	1,630,000.00	Various 2.84 %	1,674,920.75 1,664,394.51	105.39 1.88 %	1,717,801.58 3,327.92	0.77 % 53,407.07	A1 A+	3.45 3.24
713448BM9	Pepsico Inc. Note 3.1% Due 1/15/2015	2,530,000.00	Various 2.04 %	2,641,540.25 2,620,173.06	104.97 1.65 %	2,655,695.46 36,164.95	1.20 % 35,522.40	Aa3 A-	3.55 3.31
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	2,550,000.00	Various 3.34 %	2,584,656.00 2,580,539.72	103.98 2.52 %	2,651,507.86 42,195.42	1.20 % 70,968.14	Aa3 A+	3.56 3.28
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	2,475,000.00	Various 3.65 %	2,584,316.50 2,564,913.75	106.96 2.71 %	2,647,222.88 46,371.87	1.20 % 82,309.13	Aa3 AA-	3.62 3.27
084670AV0	Berkshire Hathaway Note 3.2% Due 2/11/2015	2,485,000.00	06/09/2010 2.65 %	2,545,012.75 2,531,551.29	104.23 1.98 %	2,589,998.71 30,924.44	1.17 % 58,447.42	Aa2 AA+	3.62 3.37
06406JHB4	Bank of New York Mellon Note 4.95% Due 3/15/2015	2,360,000.00	Various 2.11 %	2,645,950.90 2,595,406.68	109.67 2.22 %	2,588,278.08 34,397.01	1.17 % (7,128.60)	Aa3 A+	3.71 3.37
717081DA8	Pfizer Inc. Note 5.35% Due 3/15/2015	1,550,000.00	02/18/2011 2.33 %	1,730,497.50 1,715,008.86	112.75 1.78 %	1,747,590.90 24,416.81	0.79 % 32,582.04	A1 AA	3.71 3.36
74005PAR5	Praxair Note 4.625% Due 3/30/2015	740,000.00	Various 2.58 %	807,780.55 793,124.89	110.26 1.78 %	815,907.72 8,651.32	0.37 % 22,782.83	A2 A	3.75 3.44
278642AB9	Ebay Inc Note 1.625% Due 10/15/2015	2,670,000.00	10/22/2010 1.66 %	2,665,327.50 2,665,961.50	97.71 2.19 %	2,608,939.77 9,159.58	1.17 % (57,021.73)	A2 A	4.30 4.10
Total US Corporate		**42,118,000.00**	**2.28 %**	**44,606,051.11 44,125,173.84**	**1.71 %**	**43,997,187.48 388,769.68**	**19.85 % (127,986.36)**	**A1 AA-**	**3.05 2.84**
US TREASURY									
912828GQ7	US Treasury Note 4.5% Due 4/30/2012	3,775,000.00	03/12/2010 1.00 %	4,051,944.29 3,883,354.01	103.57 0.22 %	3,909,631.60 28,620.24	1.76 % 26,277.59	TSY TSY	0.84 0.82
912828HE3	US Treasury Note 4.25% Due 9/30/2012	3,775,000.00	03/12/2010 1.22 %	4,061,086.87 3,915,582.47	104.94 0.29 %	3,961,390.63 40,328.55	1.79 % 45,808.16	TSY TSY	1.25 1.22
912828HM5	US Treasury Note 3.625% Due 12/31/2012	2,550,000.00	03/12/2010 1.35 %	2,708,785.88 2,635,296.92	104.88 0.36 %	2,674,411.95 251.19	1.20 % 39,115.03	TSY TSY	1.51 1.47

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
US TREASURY									
912828JQ4	US Treasury Note 2.75% Due 10/31/2013	4,000,000.00	05/10/2010 1.65 %	4,148,281.25 4,099,672.11	105.00 0.59 %	4,200,000.00 18,532.61	1.89 % 100,327.89	TSY TSY	2.34 2.26
912828NP1	US Treasury Note 1.75% Due 7/31/2015	4,050,000.00	04/06/2011 1.99 %	4,009,355.36 4,011,547.49	101.70 1.32 %	4,118,647.50 29,563.88	1.86 % 107,100.01	TSY TSY	4.09 3.91
912828PE4	US Treasury Note 1.25% Due 10/31/2015	3,600,000.00	Various 1.35 %	3,584,379.25 3,584,617.67	99.16 1.45 %	3,569,623.20 7,581.52	1.60 % (14,994.47)	TSY TSY	4.34 4.19
912828PJ3	US Treasury Note 1.375% Due 11/30/2015	3,590,000.00	05/16/2011 1.63 %	3,549,905.00 3,550,946.11	99.51 1.49 %	3,572,330.02 4,180.98	1.60 % 21,383.91	TSY TSY	4.42 4.26
912828PS3	US Treasury Note 2% Due 1/31/2016	3,505,000.00	05/16/2011 1.70 %	3,551,973.24 3,550,797.54	101.95 1.56 %	3,573,182.77 29,240.61	1.61 % 22,385.23	TSY TSY	4.59 4.34
912828QA1	US Treasury Note 2.25% Due 3/31/2016	1,700,000.00	06/27/2011 1.32 %	1,772,654.14 1,772,570.49	102.85 1.62 %	1,748,484.00 9,614.75	0.79 % (24,086.49)	TSY TSY	4.76 4.48
Total US Treasury		**30,545,000.00**	**1.48 %**	**31,438,365.28 31,004,384.81**	**0.95 %**	**31,327,701.67 167,914.33**	**14.09 % 323,316.86**	**TSY TSY**	**3.03 2.91**
TOTAL PORTFOLIO		**216,610,223.65**	**1.53 %**	**222,255,828.39 220,442,714.41**	**0.88 %**	**222,377,323.78 1,201,521.84**	**100.00 % 1,934,609.37**	**Aa1 AAA**	**1.94 1.81**
TOTAL MARKET VALUE PLUS ACCRUED						**223,578,845.62**			

MV00122406

City of Moreno Valley

June 30, 2011

COMPLIANCE WITH INVESTMENT POLICY

Assets managed by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

MV00122407

Holdings Report Glossary

CUSIP (Committee on Uniform Securities Identification Procedures) – A unique identification number assigned to all securities.

Security Description - The issuer name, coupon (periodic interest payment rate) and maturity.

Par Value/Units - The face value or number of units held in the portfolio.

Purchase Date - The settlement date on which the security was purchased.

Book Yield - The YTM that equates the current amortized value of the security to its periodic future cash flows.

Cost Value - The value at which the securities were purchased, excluding purchased interest.

Book Value - The value at which an asset is carried on a balance sheet. To calculate, take the cost of an asset +/- net accretion/amortization.

Mkt Price - The current fair value market price.

Mkt YTM – The internal rate of return that equates the periodic future cash flows (interest payments and redemption value) to the market price, assuming that all cash flows are invested at the YTM rate.

Market Value - The current fair value of an investment as determined by transactions between willing buyers and sellers.

Accrued Int. - The interest that has accumulated on a bond since the last interest payment up to, but not including, the settlement date.

% of Port. - The % of the portfolio that the security represents based on market value, including accrued interest.

Gain/Loss – The unrealized gain or loss on the security, compared to either cost or amortized value, as of the date of the report.

Moody - The Moody's rating for the security.

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Holdings Report Glossary (continued)

S&P - The Standard and Poor's rating for the security.

Term (yrs) - The time, in years, until maturity.

Duration - The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

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CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report

BOND PROCEEDS WITH FISCAL AGENTS

Account Name	Account Number	Investment	Issuer	Purchase Date	Maturity Date	Market Value	Stated Rate	Yield	Price	% of of Portfolio
Wells Fargo	Community Facilities District 87-1 (A-1)									
special tax funds	22631800	money market fund	WF Govt Fund	06/30/11	07/01/11	1,022,258	0.01%	0.01%	1.00000	6.048%
reserve fund	22631804	money market fund	WF Govt Fund	06/30/11	07/01/11	1,028,889	0.01%	0.01%	1.00000	6.087%
admin exp acct	22631805	money market fund	WF Govt Fund	06/30/11	07/01/11	377	0.01%	0.01%	1.00000	0.002%
debt service acct	22631809	money market fund	WF Govt Fund	06/30/11	07/01/11	535,889	0.01%	0.01%	1.00000	3.171%
special tax funds	22631900	money market fund	WF Govt Fund	06/30/11	07/01/11	388,431	0.01%	0.01%	1.00000	2.298%
reserve fund	22631904	money market fund	WF Govt Fund	06/30/11	07/01/11	365,376	0.01%	0.01%	1.00000	2.162%
admin exp acct	22631905	money market fund	WF Govt Fund	06/30/11	07/01/11	15,923	0.01%	0.01%	1.00000	0.094%
						3,357,143				
Wells Fargo	SARA's									
Series B Revenue	22333500	money mkt fund	WF Govt Fund	06/30/11	07/01/11	137,116	0.01%	0.01%	1.00000	0.811%
Series A Principal	22333501	money mkt fund	WF Govt Fund	06/30/11	07/01/11	300	0.01%	2.71%	1.00000	0.002%
Series B reserve	22333503	money mkt fund	WF Govt Fund	06/30/11	07/01/11	527,622	0.01%	0.01%	1.00000	3.122%
Series A interest	22333504	money mkt fund	WF Govt Fund	06/30/11	07/01/11	27,002	0.01%	0.01%	1.00000	0.160%
						692,040				
Wells Fargo	1997 Lease Revenue Bonds - Public Safety									
rebate account	12526104	money mkt fund	WF Govt Fund	06/30/11	07/01/11	0	0.01%	0.01%	1.00000	0.000%
						0				
Wells Fargo	2002 Redevelopment Agency Tax Allocation Bonds Series A									
debt service fund	22631700	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2	0.01%	0.01%	1.00000	0.000%
						2				
Wells Fargo	2003 Lease Revenue Bond									
bond fund	18042800	money mkt fund	WF Govt Fund	06/30/11	07/01/11	131	0.01%	0.01%	1.00000	0.001%
reserve fund	18042804	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2,992,753	0.01%	0.01%	1.00000	17.706%
construction fund	18042806	money mkt fund	WF Govt Fund	06/30/11	07/01/11	1,315,143	0.01%	0.01%	1.00000	7.781%
						4,308,027				25.488%
Wells Fargo	2007 Municipal Lease Revenue Bonds - Electric Utility									
bond fund	22277600	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2	0.01%	0.01%	1.00000	0.000%
construction fund	22277604	money mkt fund	WF Govt Fund	06/30/11	07/01/11	6,846,976	0.01%	0.01%	1.00000	40.510%
cost of issuance	22277606	money mkt fund	WF Govt Fund	06/30/11	07/01/11	368,071	0.01%	0.01%	1.00000	2.178%
						7,215,049				
Wells Fargo	Automall Refinancing									
revenue fund	20350300	revenue	WF Govt Fund	06/30/11	07/01/11	120,219	0.01%	0.01%	1.00000	0.711%
reserve fund	20350303	reserve	WF Govt Fund	06/30/11	07/01/11	1,178,363	0.01%	0.01%	1.00000	6.972%
admin expenses	20350304	admin expenses	WF Govt Fund	06/30/11	07/01/11	31,276	0.01%	0.01%	1.00000	0.185%
						1,329,858				7.868%
			Totals			16,902,119				100.000%

Type	Business at Bond Proceeds with Fiscal Agents	
1	Construction Funds	8,162,119
2	Principal & Interest Accounts	683,243
3	Debt Service Reserve Funds	7,503,994
4	Custody Accounts	0
5	Arbitrage Rebate Accounts	0
6	Other Accounts	552,763
	Total Fiscal Agent Funds	16,902,119

MV00122410

DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value as of Mar 31, 2011
Liquid Savings	**$1,106,228**
Nationwide Fixed (Part Time Employee)	585,077
Liquid Savings (Part Time Employees)	**388,691**
Certificates of Deposit 3 years	15,948
Certificates of Deposit 5 years	**43,117**
Bond Fund Of America	58,053
Growth Fund of America	**93,121**
Investment Co. of America	35,018
Income Fund of America	**224,208**
Brown Cap Mgmt Inc SM Co	93,010
Fidelity Independence	**1,776**
Fidelity Equity Income	29,528
Fidelity Magellan	**261,770**
JP Morgan Mid Cap Value A	146,992
Fidelity Puritan	**80,105**
Fidelity Contrafund	262,695
Janus Fund	**48,290**
Janus Advisor Forty	85,441

Fund	Market Value as of Mar 31, 2011
Drey SmCap I	**7**
American Century Balanced	30
Am Century Growth	**52,868**
Am Century Select	91,717
Am Century Ultra	**0**
Vanguard Index 500	81,652
Vanguard Institutional Index	**388,497**
Vanguard Wellington	15,541
Vanguard Windsor II	**50,195**
Vanguard Total Bond Index	208,348
Washington Mutual Inv	**41,443**
Templeton Foreign I	0
EuroPacific Growth	**321,160**
Stable Fund C	1,720,348
PBHG Growth Fund	**0**
DWS High Income Fund A	61,105
DWS Strategic Value	**47,788**
Oppenheimer Global Fund A	205,524

Fund	Market Value as of Mar 31, 2011
N B Socially Responsive Fund	**15,830**
DFA US Micro Cap Port	87,664
Federated Kaufmann Fund	**553,573**
Invesco Mid Cap Core Equity	14,770
Nationwide Ret Inc Inst Svc	**13,593**
Nationwide InvDes Mod Cons Fund SC	10,501
Nationwide InvDes Mod Aggr Fund	**677,616**
Nationwide InvDes Aggr Fund	73,398
Nationwide InvDes Mod Fd	**413,221**
Nationwide Inv Des Cons	84,202
Nationwide Large Cap Growth	**45,532**
Nationwide Inter Val Inst Svc	29,408
Nationwide US Sm Cap Val Ins Svc	**1,767**
YL Account	166,257
Nationwide Dest 2020 Inst Svc	**102,674**
Nationwide Dest 2025 Inst Svc	61,307
Nationwide Dest 2030 Inst Svc	**6,858**
Total Nationwide Deferred	**$9,203,462**

ICMA

Fund	Market Value as of Mar 31, 2011
Aggressive Oppor.	**$165,157**
International	168,394
All Equity Growth	**98,264**
Growth and Income	200,817
Broad Market	**55,743**
500 Stock Index	63,218
Equity Income	**292,538**
Asset Allocation	
Core Bond	**15,560**
Cash Management	26,090
Plus Fund	**1,209,847**
Savings Oriented	6,565
Conservative Growth	**118,259**
Traditional Growth	272,424
Long-Term Growth	**315,616**
Milestone 2010	34,309
Milestone 2015	**1,255**
Milestone 2025	14,444
Milestone 2030	**12,173**
Milestone 2035	11,278
Milestone 2040	**1,519**
Growth Fund	219,063

Fund	Market Value as of Mar 31, 2011
VT Royce Premeir	2,028
VT Ranier Small/Mid Cap Eq	**33,631**
VT Fidelity Contrafund	157,896
VT Vantagepoint Overseas Equity Index Fund	**66,564**
VT Fidelity Diversified International	58,006
VT Allianz NFJ Div Value	**45,955**
VT Legg Mason Value	1,793
VT Fidelity Puritan	**4,680**
VT Royce Value Plus Service	8,295
VT TR Price Growth Stock Adv	**16,064**
VT Nuveen Real Estate Secs	28,183
VT TR Price Small Cap Value	**122,859**
VT Vantagepoint MS Ret Inc	38,277
Inflation Protected Securities	**18,360**
VT Vantage Point Select Value	77
VT Vantagepoint Mid/Sm Index	**7,688**
VT PIMCO Total Return	50,850
VT PIMCO High Yield	**110,621**
VT Harbor International Admi	11,853
VT Harbour Mid Cap Growth Admin	**78**
Total ICMA	**$4,086,291**

Summary by Plan

Deferred Compensation Plan	Market Value as of Mar 31, 2011
Total Nationwide	$9,203,462
Total ICMA	4,086,291
Total Deferred Compensation Plans	**$13,289,753**

Summary by Investment Type

Investment Type	Market Value as of Mar 31, 2011
Savings Deposits and CD's	$3,859,409
Mutual Funds	9,430,344
Total Deferred Compensation Plans	**$13,289,753**

MV00122411

CHANDLER ASSET MANAGEMENT

July 2011

BOND MARKET REVIEW

A MONTHLY REVIEW OF FIXED INCOME MARKETS

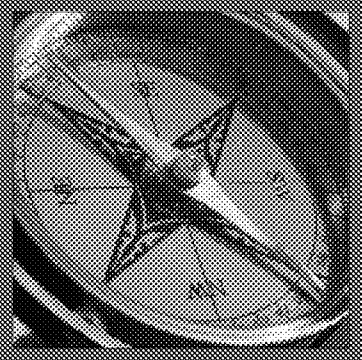

WHAT'S INSIDE

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Current Yields

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Corporate Credit: 2Q Earnings Preview and Second Half 2011 Outlook 3

Since 1988, Chandler Asset Management has specialized in the management of fixed income portfolios. Chandler's mission is to provide fully customizable, client-centered portfolio management that preserves principal, manages risk and generates income in our clients portfolios.

Market Summary

Treasury yields were modestly higher in June as market participants debated whether weaker economic data is only temporary, or if it is a sign of another economic slowdown. The market is also paying close attention to the European sovereign debt crisis, a situation which is likely to drag on for quite a while.

Economic data continues to reflect a sluggish and uneven economic recovery. The June non-farm payrolls report was very disappointing, showing an increase of only 18,000 jobs and an increase in the unemployment rate to 9.2%. The housing market remains very weak, and higher gas prices continue to affect consumer spending (although there is some hope that this effect may begin to moderate). On the positive side, manufacturing activity rebounded slightly in June, with the ISM manufacturing index rebounding to 55.3 (versus 53.5 the previous month). Although inflation has risen, the Federal Reserve continues to believe that this is a temporary development reflecting higher food and energy prices.

Although they have concluded their second round of large-scale asset purchases (QE2), the Federal Reserve maintains its exceptionally easy monetary policy. The Fed Funds rate remains near 0% and the Fed will continue to reinvest principal and interest payments from its securities portfolio. The next scheduled Fed meeting is August 9.

TREASURY YIELDS HIGHER IN JUNE

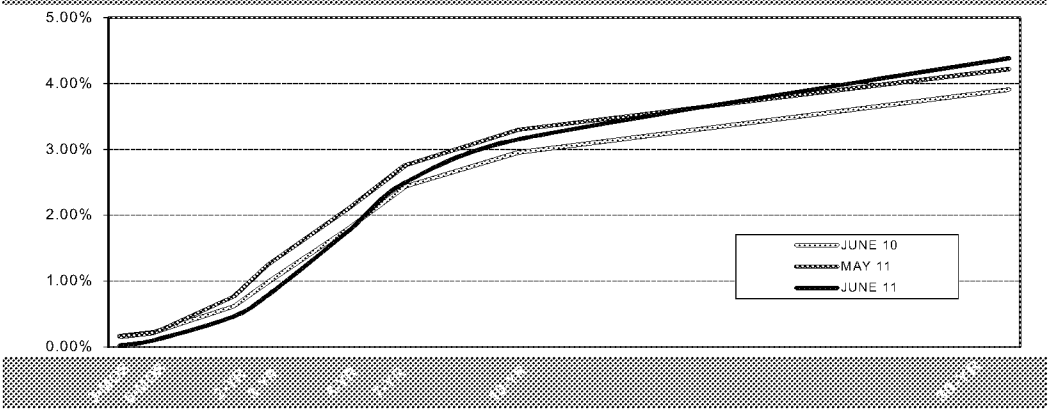

Treasury yields ended the month modestly higher, with yields on longer securities rising more than those on shorter securities.

YIELDS	6/30/11	5/31/11	CHANGE
3 Month	0.02	0.05	(0.03)
2 Year	0.46	0.46	0.00
3 Year	0.79	0.76	0.02
5 Year	1.75	1.69	0.06
7 Year	2.49	2.38	0.11
10 Year	3.15	3.05	0.10
30 Year	4.38	4.22	0.16

Consumer Prices

In May, the CPI showed that consumer prices increased 3.6% on a year-over-year basis. The year-over-year Core CPI (CPI less food and energy) increased at a 1.5% rate. Although some producer prices have begun to rise, prices on consumer goods are not expected to increase sharply in the months ahead. The Federal Reserve has noted that it is monitoring commodity price increases, but does not believe that they will flow through to sharply higher consumer prices.

Retail Sales

In May, Retail Sales rose 7.7% on a year-over-year basis. Consumer spending has rebounded from the depths of the recession and recent activity has been moderate; however, activity is still far short of the heights of the previous economic expansion as a weak job market and high energy prices restrain consumer spending.

Labor Markets

The June employment report showed that the economy added only 18,000 jobs and the previous two months' totals were revised lower. The unemployment rate rose to 9.2%, and the average weekly hours worked figure also declined. Taken as a whole, this was a very weak report and cast doubt on the strength and durability of the economic recovery. Even though the economic recovery is two years old, the pace of recovery in the labor market is extremely weak by historical standards, and is one of the primary reasons why the recovery has been tepid.

Housing Starts

Single-family housing starts increased 3.7% in May to 419,000, compared to 404,000 in April. On a year-over-year basis, single-family housing starts were down 8.9% compared to May 2010. This report indicates that the housing market remains relatively weak and continues to struggle to gain momentum.

Credit Spreads Mixed

CREDIT SPREADS	Spread to Treasuries (%)	One Month Ago (%)	Change
3-month top-rated commercial paper	0.17	0.18	(0.01)
2-year AA corporate note	0.37	0.39	(0.02)
5-year AA corporate note	0.58	0.57	0.01
5-year Agency note	0.36	0.34	0.02

Source: Bloomberg

Data as of 6/30/2011

Mixed Economic Data

ECONOMIC INDICATOR	Current Release	Prior Release	One Year Ago
Trade Balance	(50.2) $Bln MAY 11	(43.6) $Bln APR 11	(42.2) $Bln MAY 10
GDP	1.9% MAR 11	3.1% DEC 10	3.7% MAR 10
Unemployment Rate	9.2% JUN 11	9.1% MAY 11	9.5% JUN 10
Prime Rate	3.25% JUN 11	3.25% MAY 11	3.25% JUN 10
CRB Index	338.05 JUN 11	350.06 MAY 11	258.52 JUN 10
Oil (West Texas Int.)	$95.42 JUN 11	$102.70 MAY 11	$75.63 JUN 10
Consumer Price Index (y/o/y)	3.6% MAY 11	3.2% APR 11	2.0% MAY 10
Producer Price Index (y/o/y)	7.3% MAY 11	6.8% APR 11	5.1% MAY 10
Dollar / EURO	1.45 JUN 11	1.44 MAY 11	1.22 JUN 10

Source: Bloomberg

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The information contained herein was obtained from sources we believe to be reliable, but we do not guarantee its accuracy. Opinions and forecasts regarding industries, companies, and/or the economy are all subject to change at any time, based on market and other conditions, and should not be construed as a recommendation.

CHANDLER ASSET MANAGEMENT ※ 6225 Lusk Blvd ※ San Diego, CA 92121 ※ 800 317 4747 ※ www.chandlerasset.com

MV00122413

Corporate Credit – Current Trends and Outlook

Corporate credit fundamentals have improved significantly since the financial crisis and economic recession. Many corporate credit issuers have seen a dramatic improvement in their key credit ratios over the past two years (including interest coverage, free cash flow to debt, return on equity, total debt to capital, etc.), leading to a number of credit rating upgrades over that time frame and a significant contraction in overall credit spreads. Since the spring of 2009, investment grade option adjusted credit spreads (OAS)[1] have tightened approximately 350 basis points on average. The average OAS for investment grade corporate debt, according to data based on the Bank of America Merrill Lynch US Corporate Index, now stands at about 155, which is just moderately higher than the 10-year median investment grade corporate OAS. Considering that this data set includes the financial crisis, when corporate OAS rose to unusually high levels, we believe current corporate bond valuation remains compelling.

We also believe the overall credit cycle remains favorable. However, we see less upside in credit fundamentals in the current environment and expect credit trends to be more stable over the near- to intermediate-term. We remain constructive on the economy and believe that ongoing demand recovery will continue to benefit corporate earnings and credit trends. We anticipate that the pace of earnings growth and corporate credit rating upgrades may slow, in light of an uncertain economic environment, rising cost pressures, increased capital deployment, and heightened event risk. Year-over-year revenue, margin, and earnings comparisons are also becoming more challenging as the economy is now entering the third year of expansion since the official end of the recession in June 2009.

Second Quarter Earnings Preview

We are expecting second quarter earnings to show solid year-over-year growth on average and to be relatively in-line or better than analysts' consensus views. However, we expect that the magnitude of upside earnings surprises will be less significant in 2Q11 than the past few quarters. We also anticipate that some companies may have a more cautious outlook on the second half of the year, particularly in light of recent weakness in economic data and intensifying margin pressures.

In spite of mixed economic data during the second quarter, many corporate management teams remained optimistic about corporate earnings and business trends. Several management teams hosted their annual analyst and investor conferences during the second quarter, and a number of them provided a bullish forecast of longer-term growth opportunities, driven in large part by international expansion, capital investments, and an ongoing recovery in demand. However, few companies raised their near-term earnings guidance during the quarter. Many of them either affirmed their forecasts or did not update their earnings outlook.

While we believe that an ongoing recovery in demand has, and will continue to, fuel earnings growth for many companies, there were some factors which pressured second quarter earnings and may limit the magnitude of upside surprises. In the consumer sector, we expect that higher-end retailers outperformed mid- and lower-tier retailers, which likely had a more difficult time of passing along price increases to their customers whose wallets have been stretched by high food and gas prices. In the food and grocery sectors, we expect that price increases helped to drive revenue growth in the second quarter but anticipate that margins continue to be pressured by high commodity costs. In the insurance industry, we expect second quarter earnings were hampered by unusually high catastrophe losses, as most of the large domestic insurance companies have already issued intra-quarter guidance about these charges. Meanwhile, we expect earnings in the banking sector were hindered by legal charges and sluggish loan activity, which was likely somewhat offset by improving credit trends and the continued reversal of loss provisions. For those with a manufacturing or supply chain and/or a significant customer base in Japan (such as the automotive and technology sectors), we expect that ongoing disruption related to the earthquake had a negative impact on earnings in the quarter.

Although managements' tones may be somewhat more cautious, we still expect second quarter earnings will show solid year-over-year growth on average. According to a senior earnings analyst at FactSet Research Systems, Wall Street analysts are projecting 14% year-over-year growth in S&P 500 earnings in the quarter. Energy and

[1] OAS, calculated at the spread over the Treasury yield curve that equates the present value of a bond's cash flows to its market price, is a measure of a bond's additional return over the return of a comparable Treasury bond, net of the cost of any embedded options. A higher relative OAS may signal that a security is undervalued, while a lower relative OAS may signal that a security is overvalued.

MV00122414

materials companies, in particular, may be poised to report strong earnings and potentially raise guidance because of high energy and commodity prices during the quarter. Meanwhile, companies with significant international exposure may have a more optimistic tone about future earnings, as growth in developing countries is likely to continue outpacing domestic operating trends. We also expect that in some cases, strategic deployment of capital (via share repurchases and acquisitions) will help to drive future earnings growth and prompt some companies to raise their forward-looking guidance.

Second Half 2011 Outlook

Looking ahead, we believe there are a few key factors that are likely to have an important impact on corporate credit in the second half of the year; employment trends, rising cost pressures, and event risk.

Employment. Employment is likely to remain one of the most closely watched economic data points in the second half of 2011. The unemployment rate as of June 2011, was 9.2%, which remains high but marks a significant improvement from the third quarter of 2009 when the unemployment rate reached 10.1%. According to Bloomberg data, market participants expect a slow but steady decline in the unemployment rate throughout the remainder of this year and are calling for a rate of 8.5% by the first quarter of 2012. We expect that an improving labor market will help to drive slow and steady demand and corporate earnings growth and will continue to support corporate credit quality.

Margin Pressure. While the Fed continues to downplay the threat of inflation, rising input prices have begun to pressure corporate earnings. Rising commodity, energy, healthcare, wage (especially for those who have operations in China), and regulatory costs are likely to stifle earnings to some degree in the back half of this year. This presents a particular hardship to companies that are unable or unwilling to pass along price increases to their customers in the face of a still sluggish economic recovery. Some companies are forecasting double-digit percentage increases in their costs over the next year. While some companies have had success in offsetting cost pressures and/or passing along initial price increases to their customers, cost pressure is expected to be more significant in the second half of the year.

Event Risk. Event risk is currently one of the most significant risks to corporate credit. While several companies hoarded cash during the credit crisis and continued to conserve cash in the early stages of the recovery, many companies are now deploying cash towards share repurchases, higher dividend payments, and acquisitions. These events are generally unfavorable from a fundamental credit perspective. Share repurchases and dividends, in particular, have little benefit to bondholders. Meanwhile, acquisitions, especially if financed with cash or new debt, can negatively impact a company's credit ratios. Even if a merger or acquisition is beneficial to longer-term earnings growth or cash flow, there is often some execution risk or increased debt load in the early stages of the deal. We believe the industries with the greatest level of this type of event risk include the food, technology, financials, and energy industries, where there has already been meaningful consolidation over the past year. According to a report by PricewaterhouseCoopers (PwC), the value of U.S. merger and acquisition deals in the first five months of 2011 was up 39% from a year earlier, and PwC expects activity to continue to pick up throughout the rest of the year.

Conclusion

Overall, we believe the second half 2011 outlook for corporate credit remains favorable. Though we anticipate that the pace of earnings growth and corporate credit rating upgrades may slow in the latter half of the year, in light of ongoing economic uncertainty, market volatility, and increased headwinds to corporate earnings, we still expect earnings growth to remain healthy and the overall economy to continue growing at a slow but steady pace.

Shelly Henbest
Credit Analyst

MV00122415

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY.

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

BACKGROUND

In 2001, the Southern California Association of Governments (SCAG) started a regional visioning process that culminated in a strategy for regional growth that would

accommodate the coming growth while providing for livability, mobility, prosperity, and sustainability. This strategy, called "Compass Blueprint" promotes a stronger link between region wide transportation and land use planning and encourages creative, forward-thinking and sustainable development solutions that fit local needs and support shared regional values. The strategy is broadly based on the following four key principles, which can be referred to as the "Compass Principles."

- Livability - *Creating positive communities*
- Mobility - *Getting where we want to go*
- Prosperity - *Long-term health for the region*
- Sustainability - *Promoting efficient use of natural resources*

Compass Blueprint Planning Services are provided through Demonstration Projects, opportunities for local planning efforts to become regional showcases for superior planning. Demonstration Projects enable cities and counties to better evaluate planning options and stimulate sustainable development opportunities. The City of Moreno Valley applied for a Demonstration Project Grant Award in October 2010.

DISCUSSION

The Compass Blueprint Demonstration Project Grant Award covers the cost of the following as related to completion of the study:

- consultant services
- SCAG staff time
- financial resources
- technical assistance

The proposed "Alessandro Boulevard Corridor Implementation Project" is based on the recently completed "Alessandro Boulevard Corridor Demonstration Project" (SCAG sponsored Demonstration Project completed in June 2010) and promotes the Compass Principles by encouraging strategies to integrate transportation and community. That Project explored opportunities for mixed use transit-oriented development along Alessandro Boulevard, an important regional transportation link for Moreno Valley. The City of Moreno Valley would like to further promote the use of Alessandro Boulevard as a way to reduce the impacts of transportation on the environment and to provide efficient access to jobs and services. The amount of contractual services to be provided by SCAG is approximately $165,000. Any necessary staff support costs will be provided within the existing Planning Division budget will be nominal.

To assist the City in the implementation of a vision for the Alessandro Boulevard area, this proposed demonstration project will:

- Create an overlay district for the Alessandro Boulevard corridors to identify areas suited for Multiple Use Districts (MUD1 and MUD2);
- Create requirements for selecting Multiple Use Districts (MUD1 and MUD2) sites;
- Create urban design strategies to intensify land uses;
- Rezone areas along Alessandro Boulevard to Residential 30 (R30) as identified in the draft General Plan Housing Element;
- Develop a set of street section standards for the Alessandro Boulevard corridor;
- Identify nodes along the Alessandro Boulevard corridor suited for specialized street section standards;
- Create a prototype design for covered bus stops along the Alessandro Boulevard corridor;
- Amend the General Plan to include new standards; and
- Identify next steps for guiding future changes along the corridor.

A consultant, RBF Consulting, has been selected for the proposed Alessandro Boulevard Corridor Demonstration Project. SCAG is currently working on finalizing the drafting of the contract and acceptance of the award by City Council is required prior to the contract's execution.

ALTERNATIVES

1. Authorize acceptance of the Compass Blueprint Demonstration Project Grant Award; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

RECOMMENDATION

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

NOTIFICATION

Posting of the Agenda

ATTACHMENTS/EXHIBITS

1. Resolution No. 2011-87

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, IN SUPPORT OF AND PARTICIPATION WITH THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS AS A COMPASS BLUEPRINT STRATEGY DEMONSTRATION COMMUNITY

WHEREAS, the City of Moreno Valley is participating with the Southern California Association of Governments (SCAG) in a Compass Blueprint Strategy study to examine the potential for transit-oriented development around an emerging rapid transit bus line along Alessandro Boulevard (proposal for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"); and

WHEREAS, the City of Moreno Valley's Alessandro Boulevard Corridor is located in a 2% Strategy Opportunity Area; and

WHEREAS, Compass Blueprint supports communities with technical assistance for local planning projects consistent with the regional vision of mobility, livability, sustainability and prosperity.

WHEREAS, the Southern California Association of Governments (SCAG) has awarded Demonstration Community Status to the City of Moreno Valley along with consultant services that will be used to perform a Compass Blueprint Strategy study to explore opportunities for transit-oriented development around an emerging rapid transit bus line along Alessandro Boulevard, a coordinated work effort that will take place directly between the consultants and City staff.

WHEREAS, the planning effort will emphasize strategies to better coordinate land use and transportation decision-making, targeting growth around existing and planned transit stations; and specifically:

1. Create an overlay district for the Alessandro Boulevard corridors to identify areas suited for Multiple Use Districts (MUD1 and MUD2);
2. Create requirements for selecting Multiple Use Districts (MUD1 and MUD2) sites;
3. Create urban design strategies to intensify land uses;
4. Rezone areas along Alessandro Boulevard to Residential 30 (R30) as identified in the draft General Plan Housing Element;
5. Develop a set of street section standards for the Alessandro Boulevard corridor;
6. Identify nodes along the Alessandro Boulevard corridor suited for specialized street section standards;

ATTACHMENT 1

MV00122420

7. Create a prototype design for covered bus stops along the Alessandro Boulevard corridor;
8. Amend the General Plan to include new standards; and
9. Identify next steps for guiding future changes along the corridor.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley HEREBY accepts the designation as a 2% Strategy Demonstration Community and is willing to participate and guide the planning work, and to provide in-kind staff services to support the contract planning efforts.

APPROVED AND ADOPTED this 23rd day of August 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00122421

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: ADOPT RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321.

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323.

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323.

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. At this time, the City desires to move forward with the intention to vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highway Code – Chapter 3, Sections 8320 through 8325.

DISCUSSION

The Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno Beach Drive) already serves and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Brothers Auto Group and Majestic Realty, who own the properties fronting Motor Way. Both owners support the proposed vacation of Motor Way.

Being that PM 23244 was recorded in December 28, 1989, it does not fall under Section 66477.5 of the Map Act, effective January 1, 1990, which requires the vacation of dedicated land to be conveyed back to the original sub-divider. Therefore, the City will retain the property for utilities and public access until it determines the disposition of the property.

The action before the City Council is to begin the process for vacation of Motor Way. The initial step is for Council to adopt a resolution giving notice of the intent to vacate Motor Way and setting the public hearing as September 27, 2011, at 6:30 p.m. in the City Council Chambers. The City Clerk will publish and advertise the hearing notice and the City Engineer will post Motor Way giving notice of the date time of the public hearing as required by the California Streets and Highway Code – Chapter 3, Sections 8322- and 8323. If there are no objections to the general vacation, City Council may adopt the resolution and the City Clerk will forward a copy of the resolution to the office of the County Recorder for recordation at which time the vacation is deemed to be complete in accordance with California Streets and Highway Code – Chapter 3, Sections 8325.

ALTERNATIVES

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321, set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323, direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323, direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325. *Adopting the Resolution for the notice of intent to vacate will allow the City to continue the process for the general vacation as part of the Auto Mall enhancements and to finish the proposed street improvements.*

2. Do not adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321, do not set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323, do not direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323, do not direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.*Not adopting the Resolution for the notice of intent to vacate will not allow the City to continue the process for the general vacation as part of the Auto Mall enhancement, finish the proposed street improvements along Motor Way, and will cause the City to continue maintenance of the street.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution for the notice of intent to vacate. There is long-term minimal cost savings due to the elimination of the future maintenance of this roadway.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that City Council approve and adopt the proposed Resolution No. 2011-88 for notice of intent to vacate Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving any easement for existing public utilities and public access, set the date for the public hearing of the vacation proceeding, instruct the City Clerk to publish and advertise the hearing notice, direct the City Engineer to post Motor Way giving notice of the public hearing, and direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording.

NOTIFICATION

Notice has been given to various utility agencies. The public has been notified by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Proposed Resolution No. 2011-88

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\NOI of Vacation for Motor Way 8-23-11 Final.docx

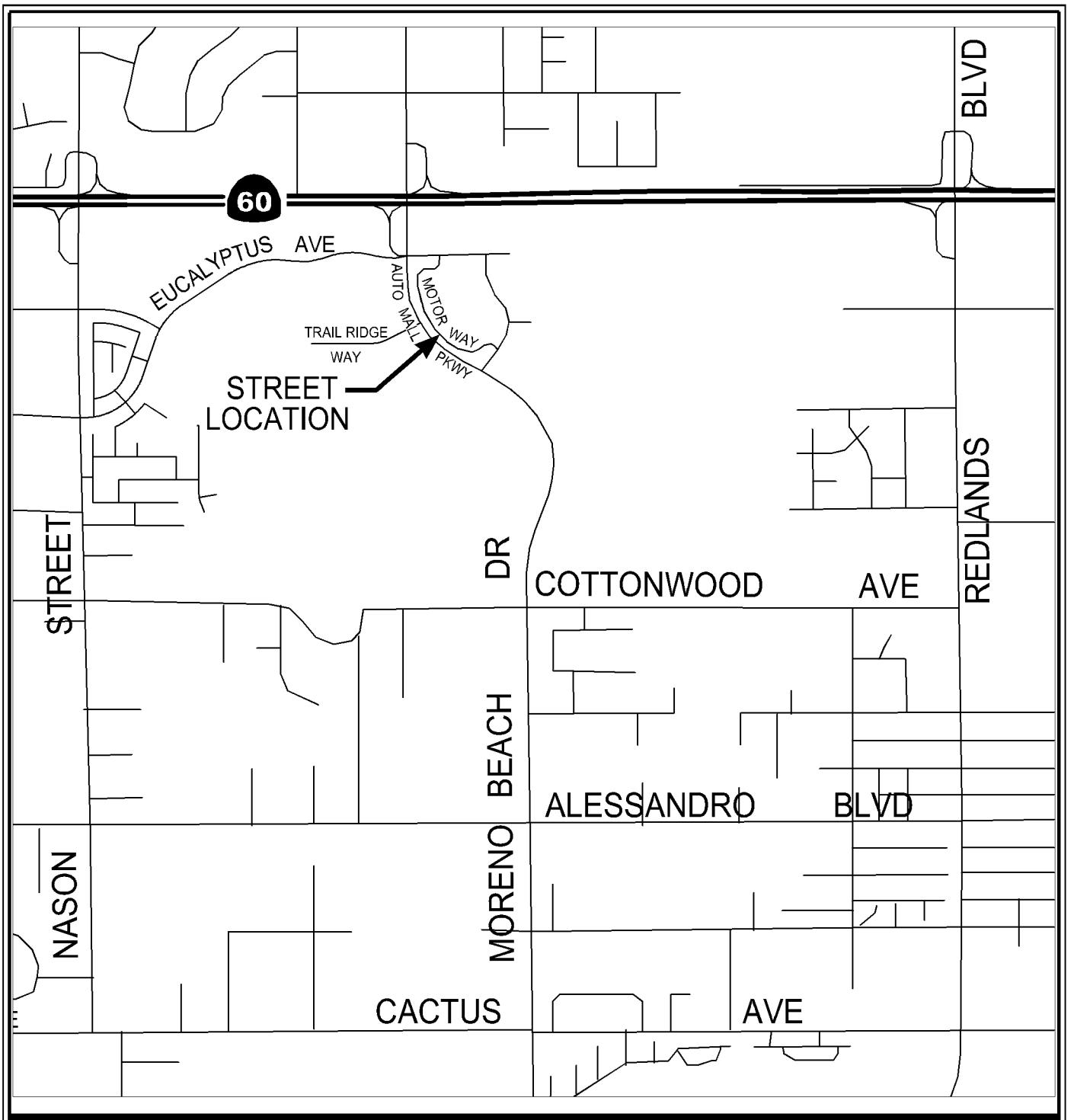

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

RESOLUTION NO. 2011-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DECLARING ITS INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City of Moreno Valley, California, acquired certain right-of-way for road and public utility purposes located on Motor Way between Auto Mall Drive and Eucalyptus Avenue; and

WHEREAS, a portion of this right-of-way is no longer, nor in the future will be, useful for road purposes;

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

Section 1

That the City Council of the City of Moreno Valley, California intends to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described as Lot "B" of Parcel Map 23244 as shown on Exhibit "A" attached hereto and made a part thereof.

Section 2

This vacation proceeding is conducted pursuant to the provisions of Chapter 3, Part 3 of Division 9 of the Streets and Highways Code of the State of California, designated "General Vacation Procedure" (beginning at Section 8320 of said Code).

Section 3

Notice is hereby given that September 27, 2011 at 6:30 p.m. in the Council Chambers of City Hall of the City of Moreno Valley, California, is the time and place fixed for hearing all persons interested in or objecting to the proposed street vacation.

Section 4

The City Engineer of the said City of Moreno Valley shall cause to be conspicuously posted, along the line of the street proposed to be vacated, notices of the

passage of this Resolution of Intent, which notices shall be posted at least fourteen

days before the day set for the hearing. Notices shall be posted not more than 300 feet apart but at least three notices shall be posted. The notices shall state the day, hour, and place of the hearing, and describe the street or public service easement proposed to be vacated.

Section 5

In addition, pursuant to Section 8322 of the Streets and Highways Code, this Resolution shall be posted by the City Clerk in public places designated by the City Council for posting of resolutions of the City, and published in a newspaper of general circulation within the City for at least fourteen days prior to the hearing.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

TOTAL GROSS AREA = 70.27 ACRES

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PARCEL MAP 23244

BEING A DIVISION OF A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 3 AND THE NORTHEAST ONE-QUARTER OF SECTION 10, T.3S., R3W., S.B.M.

SCALE 1" = 300' December 1989

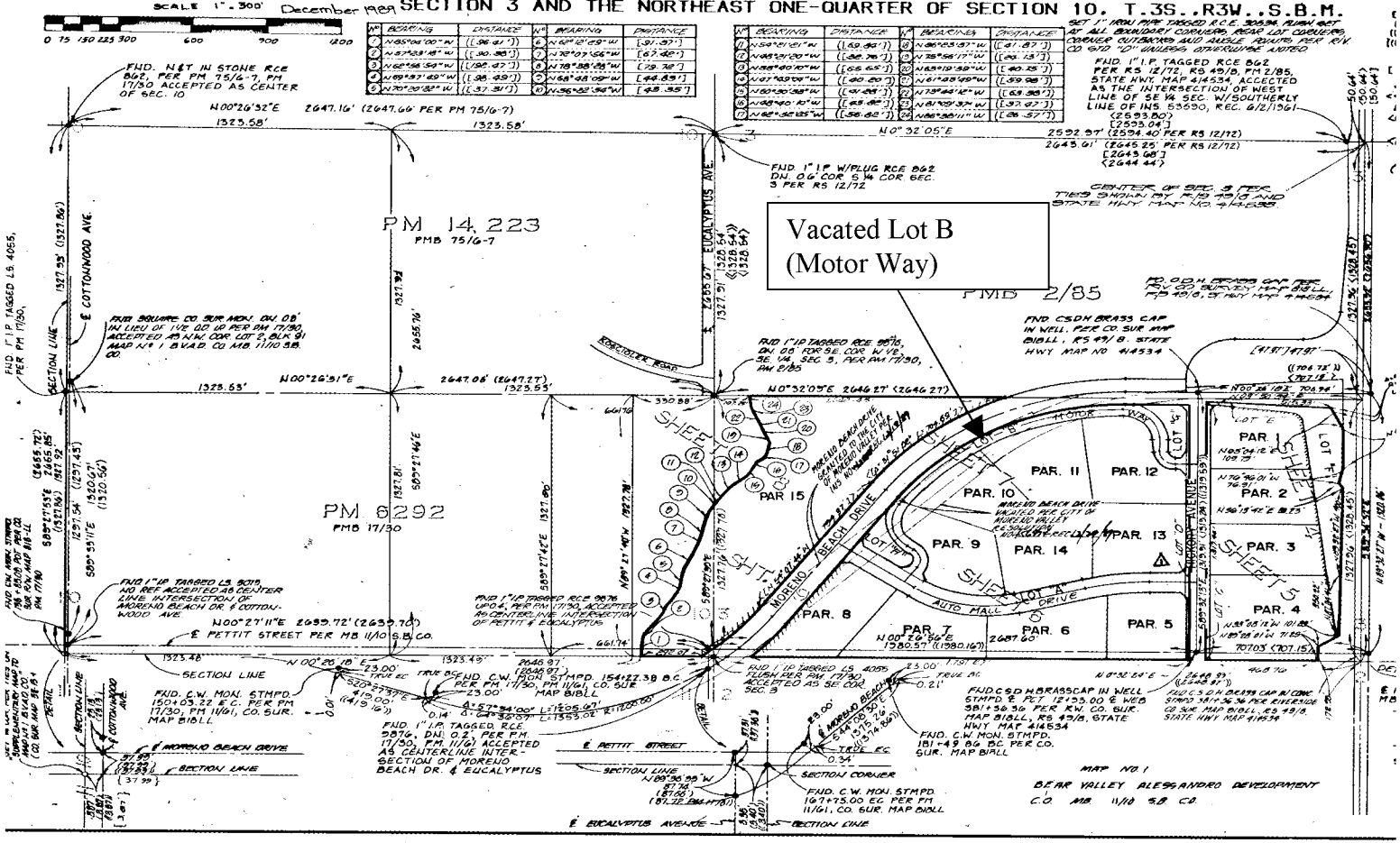

EXHIBIT A

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING – SEPTEMBER 23, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 21-23, 2011 in San Francisco. At this meeting, the League membership will consider and take action on resolutions that establish League policy. The city must designate a voting delegate and may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve. Designation of a voting delegate must be done by City Council action.

ALTERNATIVES

1. Adopt the proposed resolution appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting (recommended by staff)

2. Do not adopt the proposed resolution appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting (not recommended by staff)

FISCAL IMPACT

Funds for this conference are found in the City Council 2011-12 Operating Budget account 11110.6221.

NOTIFICATION

Agenda publication

ATTACHMENTS/EXHIBITS

Attachment A – Voting Delegate Proposed Resolution
Attachment B – Voting Delegate Form

Prepared By:
Jane Halstead
City Clerk

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2011 ANNUAL CONFERENCE

WHEREAS, the City of Moreno Valley is a member city of the League of California Cities ("League"); and

WHEREAS, as a member, each city has one vote at the League's annual conference pertaining to League policy; and

WHEREAS, prior to the 2011 annual conference and by August 26, 2011, each City Council may designate a voting delegate and up to two alternates; and

WHEREAS, Mayor Richard A. Stewart of the City of Moreno Valley will be attending the business meeting on Friday, September 23, 2011 at the San Francisco Moscone West Convention Center in San Francisco, California.

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

That Mayor Richard A. Stewart, voting delegate and Mayor Pro Tem Jesse L. Molina, voting alternate are designated for the City of Moreno Valley at the League of California Cities 2011 Annual Conference at the San Francisco Moscone West Convention Center in San Francisco, California.

That the City Clerk is authorized and directed to complete and attest to the Voting Delegate/Alternate Form and transmit it to the League of Cities by August 26, 2011.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

CITY COUNCIL
FRESNO VALLEY
RECEIVED
11 JUN 16 PM

LEAGUE OF CALIFORNIA CITIES

WWW.CACITIES.ORG

Council Action Advised by August 26, 2011

June 9, 2011

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 21–23, San Francisco

The League's 2011 Annual Conference is scheduled for September 21-23 in San Francisco. An important part of the Annual Conference is the Annual Business Meeting *(at the closing General Assembly)*, scheduled for 2:30 p.m., Friday, September 23, at the San Francisco Moscone West Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 26, 2011. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up

-more-

MV00122437

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Francisco Moscone West Convention Center, will be open at the following times: Wednesday, September 21, 8:30 a.m. – 6:00 p.m.; Thursday, September 22, 7:30 a.m. – 4:00 p.m.; and September 23, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 26th. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2011 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures
2011 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

LEAGUE OF CALIFORNIA CITIES

CITY: _____

2011 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 26, 2011. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 26 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247

VotingDelegateLetter11.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT AND ROLANDA DRIVE

RECOMMENDED ACTION

Staff recommends that the City Council approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

ADVISORY BOARD/COMMISSION RECOMMENDATION

A public hearing was conducted at the Traffic Safety Commission (TSC) meeting on August 3rd, as required by the Municipal Code. The Commission approved staff's recommendation to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

BACKGROUND

In 1989, the City Council adopted Ordinance 199, establishing permit parking in the Municipal Code. In 2007, the City Council updated the Municipal Code to reflect current state law for permit parking, and enacted a fee schedule for permit parking.

DISCUSSION

Staff has reviewed this permit parking request and has determined that permit parking is appropriate for this location.

The residents along Pattilyn Drive, Challis Court and Rolanda Drive have been impacted by the students and parents of Moreno Valley High School. In response to this, the residents have submitted a request to the Public Works Department to

implement permit parking in front of their residences to allow them to maintain parking for guests, contractors/maintenance vehicles, and personal use.

A field review of the area has confirmed that students are parking into the adjacent subject streets. The review also identified that adequate on-site parking is available for Moreno Valley High School students to park.

To help improve the parking situation along the subject streets, staff recommends implementing the City's permit parking program for the subject area. The implementation of permit parking will benefit the residents of Pattilyn Drive, Challis Court and Rolanda Drive and will encourage Moreno Valley High School Students to park within the high school's parking lot. The installation will allow the residents of Pattilyn Drive, Challis Court and Rolanda Drive to have uninterrupted access to parking in front of their homes, which has been greatly impacted by the high school students.

ALTERNATIVES

1. Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive. This alternative is recommended to improve the condition for the residents.

2. Do not adopt proposed resolution, thereby not implementing permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

3. Provide staff with further direction.

FISCAL IMPACT

The estimated annual cost to implement the permit parking on Pattilyn Drive, Challis Court and Rolanda Drive will be borne by the Public Works Department's signing and striping adopted operations budget (Account 121.55430). The estimated cost of the FY11/12 work associated with this permit parking implementation is $6,400.

CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of Agenda-Letter to each affected address

ATTACHMENTS/EXHIBITS

Attachment A – Vicinity Map
Attachment B - Resolution

Prepared By:
Edward I. Init
Senior Engineering Technician

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

V:\VDRIVE\Permit Parking\CityStaffReport-PermitParkingPattilynDrive.doc

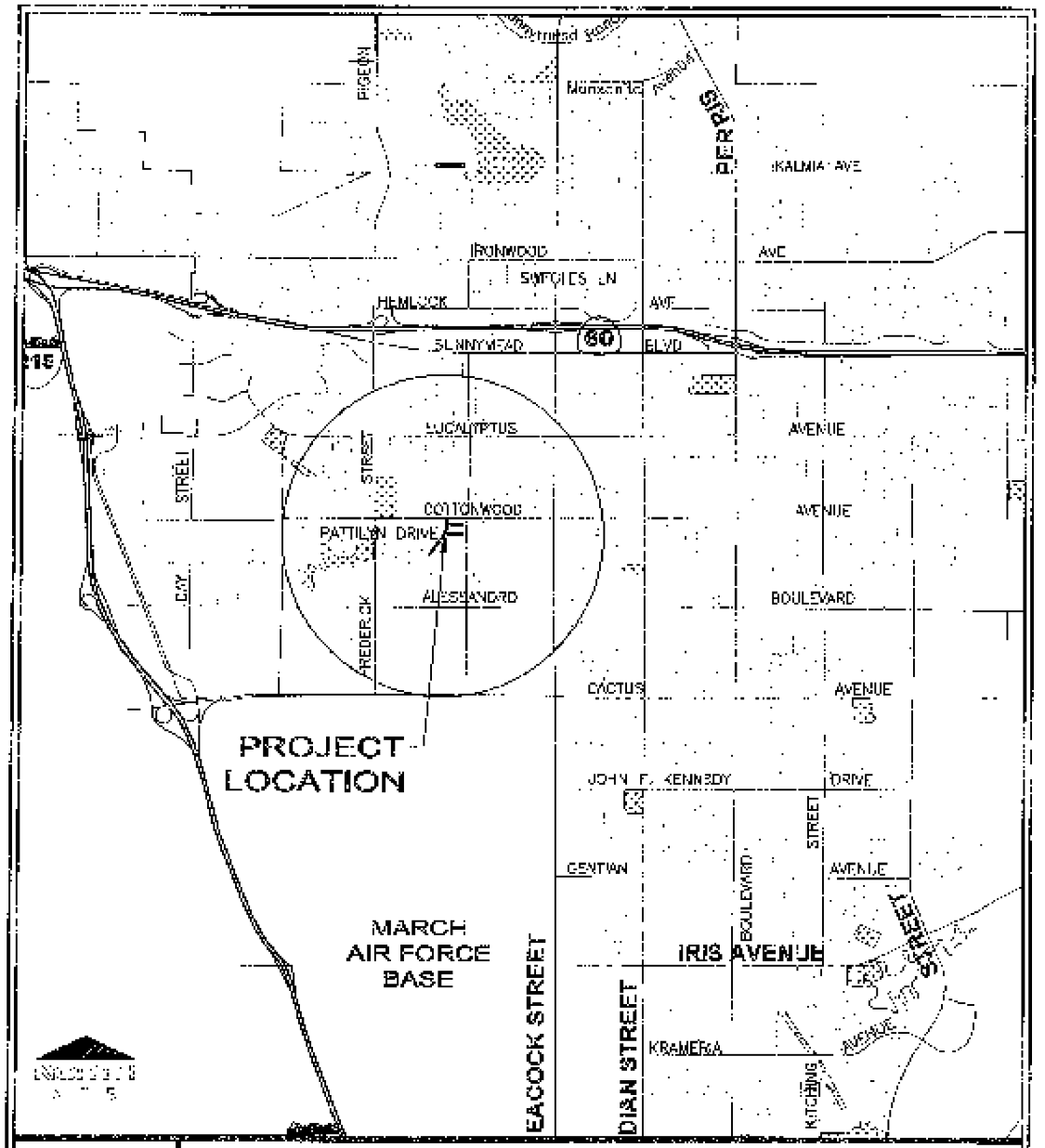

MORENO VALLEY

LOCATION MAP

Public Works Department
Transportation Division

ATTACHMENT "A"

CITYWIDE PERMIT PARKING PROGRAM

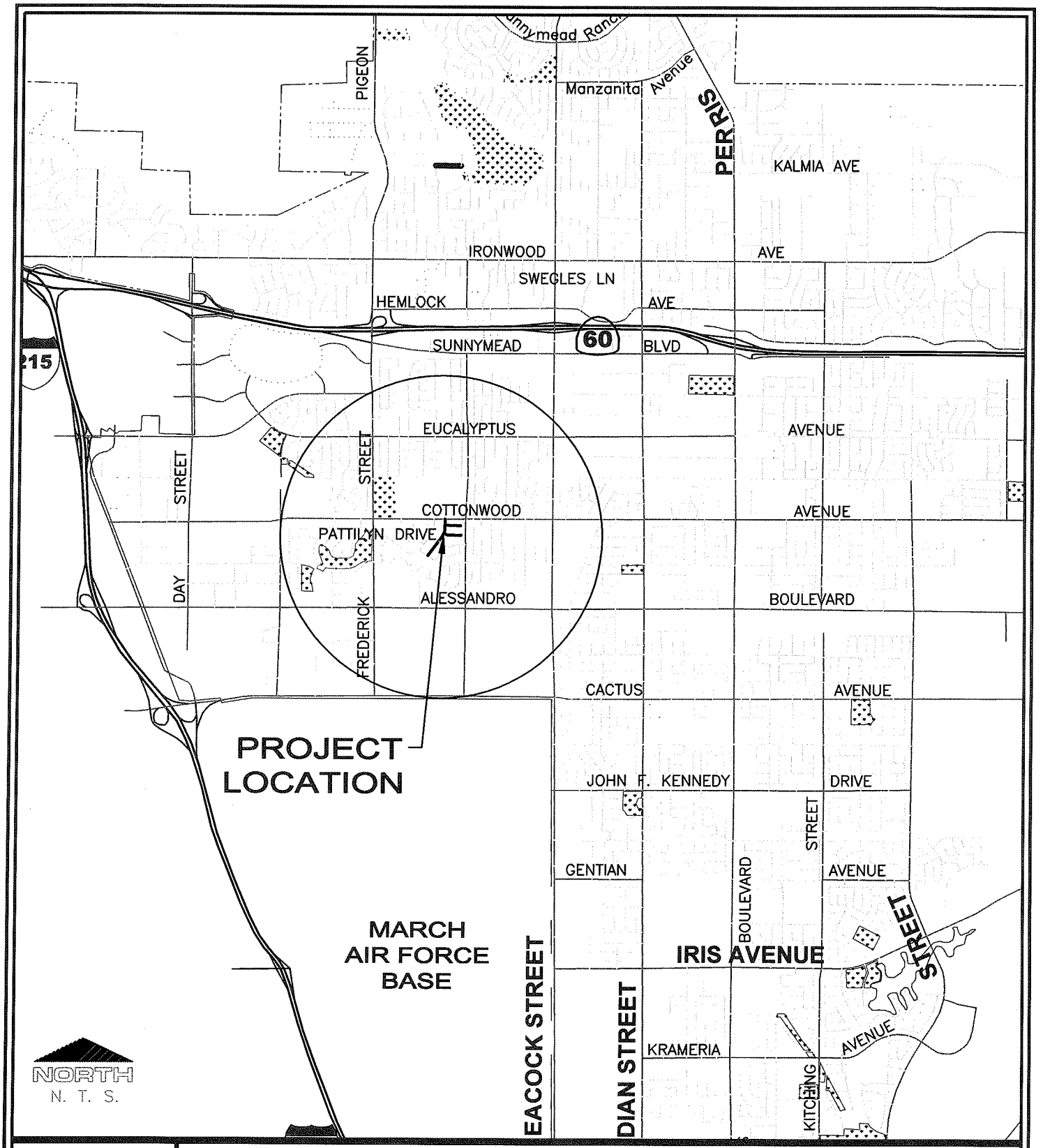

MORENO VALLEY

LOCATION MAP

Public Works Department
Transportation Division

ATTACHMENT "A"

CITYWIDE PERMIT PARKING PROGRAM

MV00122445

RESOLUTION NO. 2011-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON PATTILYN DRIVE, CHALLIS COURT AND ROLANDA DRIVE

WHEREAS, the City Municipal code section 12.08.030 allows for establishing permit parking areas in residential and commercial zones, subject to a public hearing before the traffic safety commission; and

WHEREAS, the residents on Pattilyn Drive, Challis Court and Rolanda Drive submitted an application and requested permit parking along the frontage of their residences; and

WHEREAS, a public hearing was conducted during the regular August 3, 2011, meeting of the Traffic Safety Commission regarding this request; and

WHEREAS, on August 3, 2011, the Traffic Safety Commission reviewed and unanimously approved the recommended permit parking on Pattilyn Drive, Challis Court and Rolanda Drive; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

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

1. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

2. This City Council hereby authorizes and directs staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS

BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET

DEVELOPER: IDS REAL ESTATE GROUP
515 S. FIGUEROA STREET, 16TH FLOOR
LOS ANGELES, CA 90071

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements.

2. Authorize the Mayor to execute the DIF Agreement in the form attached hereto.

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 12, 2007, the City Council of the City of Moreno Valley approved Tentative Parcel Map 35150 (PA06-0152). The tentative parcel map is a proposal to subdivide 53 net acres into two parcels, for industrial warehouse building use.

On July 8, 2008, the City Council of the City of Moreno Valley accepted the Agreement for Public Improvements and bonds in the amount of $7,721,000 for Faithful Performance and $3,860,500 for Material and Labor. The bonds were issued by Travelers Casualty and Surety Company of America.

On March 3, 2008 an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map 35150 was executed between the City of Moreno Valley and FR/CAL Moreno Valley, LLC, the previous land owner, and a deposit account was established according to the Agreement. Said Agreement was created because at the time, the City was in the process of creating a new DIF policy and related credit and reimbursement agreements. It was mutually decided that absent the ability of the developer to enter into a DIF Improvement Credit Agreement, there was a need to provide a means by which the City could be assured that the obligations would be met. As part of said Agreement instructions, the monies were to remain on deposit until the developer was in compliance with the terms of said Agreement, which included execution of both a DIF Improvement Credit Agreement and a TUMF Improvement Credit/Reimbursement Agreement.

On July 8, 2008, the City Council of the City of Moreno Valley approved the TUMF Improvement Credit/Reimbursement Agreement. The Western Regional Council of Governments (WRCOG) has since eliminated San Michele Road and Indian Street from their program.

On August 26, 2008, the City Council of the City of Moreno Valley approved the DIF Credit and Reimbursement Policy. A DIF Improvement Credit/Reimbursement Agreement was approved on October 23, 2008. On August 26, 2009, at the request of the City Attorney's Office, the DIF Improvement Credit/Reimbursement Agreement was separated into two agreements without changing the content of said Agreement, one for Credits and the other for Reimbursements.

The developer has now executed the DIF Improvement Credit Agreement in order to release funds they deposited pursuant to the Agreement for Deposit of Cash Security to Defer Payment of DIF and TUMF Obligations.

DISCUSSION

The City's Municipal Code, Chapter 3.42, "Commercial and Industrial Development Impact Fees" requires the developer to pay Development Impact Fees (DIF). The DIF covers the developer's fair share of the costs to construct improvements and right-of-way dedications that help mitigate the traffic impacts and burdens on the City's network of arterial streets and traffic signals generated by the project.

As part of the project conditions of approval, the developer will be constructing required DIF-related public improvements on San Michele Road and Indian Street. In accordance with the City's Municipal Code, Section 3.42.110, the "Credit for Improvements provided by Developer" will allow the developer to receive an initial credit for the applicable public improvements made to the designated arterial street(s) and/or traffic signals, based on the qualifying construction items as identified therein. The developer's initial credit amount is based on the lower of the DIF Study Costs, the Engineer's Cost Estimate provided by the developer, and the DIF Fee Obligation.

The developer is eligible to receive initial DIF Credits for specific improvements identified in the DIF Study for San Michele Road and Indian Street improvements, including earthwork, construction of new pavement and base, grinding and paving, sawcut and removal of existing pavement, traffic control, signing and striping, curb, gutter, sidewalk, relocation of power poles, and drainage improvements including catch basins, local depressions, and storm drain lines not maintained by Riverside County Flood Control and Water Conservation District.

The developer agrees to perform and complete all of the required public improvements in accordance with the Agreement for Public Improvements. Per the DIF Improvement Credit Agreement, the initial credit is the least of the DIF Study Costs, Engineer's Cost Estimate provided by the developer, and DIF Fee Obligation. Refer to Exhibit "C" – DIF Credit Calculation Table of the DIF Improvement Credit Agreement. The DIF Improvement Credit Agreement is attached to this Staff Report as Exhibit "B". Based on the information provided by the developer, the initial DIF Credit for this project is $1,515,318 for Arterial Streets.

If it is determined at the completion of the project that the developer constructed improvements above and beyond the project obligation, a DIF Improvement Reimbursement Agreement will be presented to City Council at that time. Any reimbursements may either be paid per the City policy or used as credits towards any other future project's DIF fee obligations.

ALTERNATIVES

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 and authorize the Mayor to execute the DIF Agreement in the form attached hereto. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

2. Do not accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 and do not authorize the Mayor to execute the DIF Improvement Credit Agreement in the form attached hereto. Do not authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150. *Not approving staff's recommendation would result in no DIF credit being provided to the developer and will not allow the release of developer funds deposited.*

FISCAL IMPACT

No fiscal impact is anticipated. The recommended action involves the release of funds from a developer funded deposit account.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" – DIF Improvement Credit Agreement
Exhibit "C" – Reference Copy of Agreement for Deposit of Cash Security to Defer Payment of DIF and TUMF Obligations for PM 35150

Prepared By
Clement Jimenez, P.E..
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E..
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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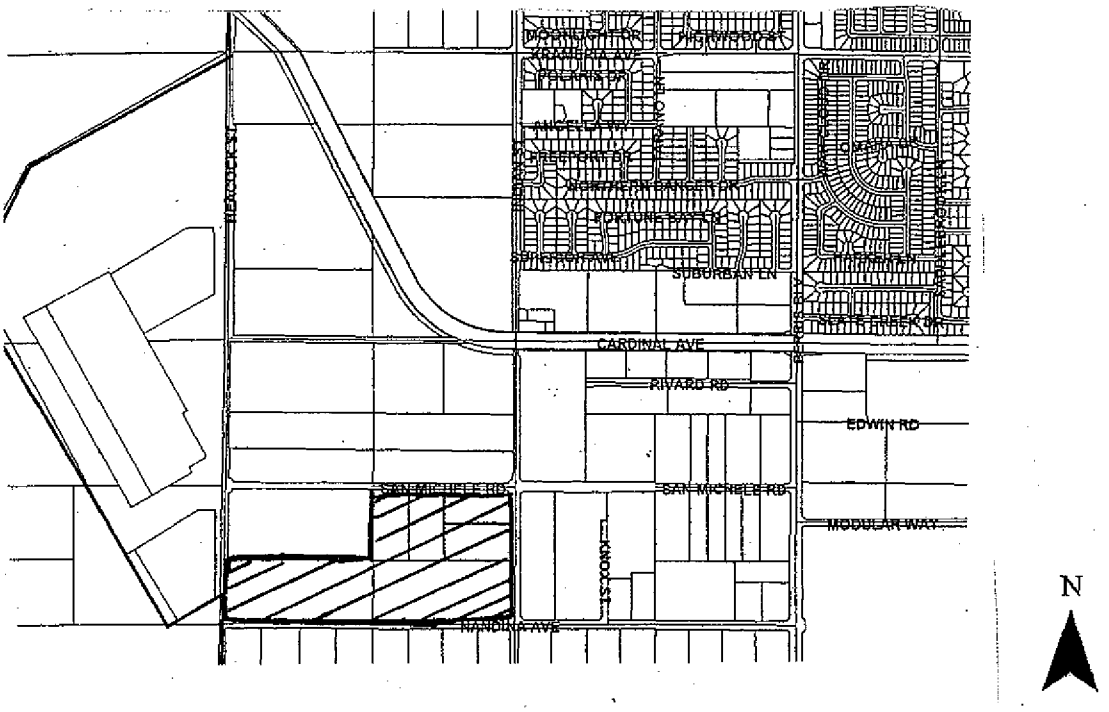

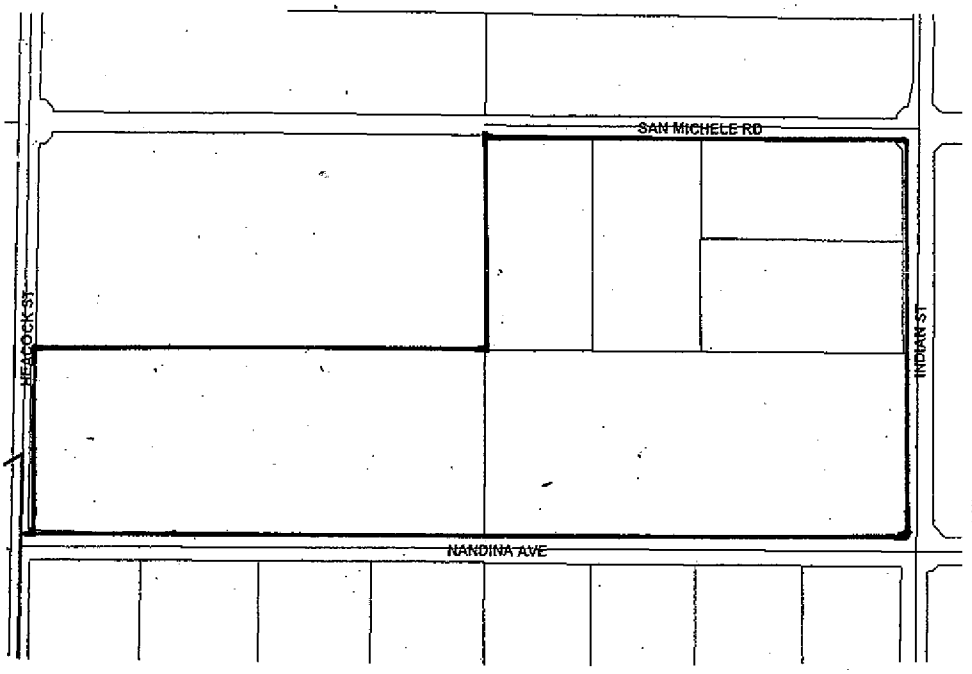

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PARCEL MAP 35150 VICINITY MAP

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EXHIBIT "A"

DEVELOPMENT IMPACT FEES

IMPROVEMENT CREDIT AGREEMENT

NUMBER D07-007

PA06-0152 (PM 35150)

PA06-0153 (PLOT PLAN FOR 2 BUILDINGS; 1,182,918 SQ FT)

This Development Impact Fees Improvement Credit Agreement is made and entered into as of the date the City signs this Agreement, by and between the City of Moreno Valley, a municipal corporation, hereinafter referred to as "City" and the undersigned Developer, hereinafter referred to as "Developer."

RECITALS

WHEREAS, Developer and City have entered into an Agreement for Public Improvements (attached hereto as Exhibit "A"), dated July 8, 2008, which Agreement for Public Improvements sets forth all obligations of the Developer for Public Improvements that are a condition of approval for the above-titled development (hereinafter referred to as the "Project"), some of which may be eligible for Development Impact Fees (hereinafter referred to as "DIF") Credit under this Agreement; and

WHEREAS, the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees" and Chapter 3.42 "Commercial and Industrial Development Impact Fees" requires Developer to pay the DIF for projects identified in the most recently adopted DIF study (hereinafter referred to as "DIF Obligation") which covers the

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Project's fair share of the costs to construct improvements that help mitigate the impacts and burdens on the City's local systems generated by the Project and that are necessary to provide City services and protect the safety, health, and welfare of residential and non-residential users; and

WHEREAS, certain improvements set forth in the Agreement for Public Improvements are also identified in the City's DIF Program as improvements that are to be funded from DIF, which identified improvements are set forth in Exhibit B attached hereto and hereby incorporated by reference and are hereinafter referred to as the DIF Improvements; and

WHEREAS, if the City or some other third party constructs the DIF improvements set forth in the Agreement for Public Improvements prior to Developer, then this Improvement Credit Agreement shall become null and void and the Developer shall be required to pay the full DIF Obligation of the Project; and

WHEREAS, the City and Developer now desire to enter into this Improvement Credit Agreement to provide a means by which the Developer may receive a Credit for required DIF improvements actually constructed by the Developer for the subject Project subject to the terms and limitations set forth in this Agreement.

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NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

1.0 General Provisions.

1.1 Incorporation of Recitals. The Parties hereby affirm the facts and provisions set forth in the above Recitals and agree to their incorporation herein as though set forth in full.

1.2 Incorporation of the Agreement for Public Improvements. The Parties hereby affirm the terms, conditions and requirements set forth in the Agreement for Public Improvements (Exhibit "A") and agree to their incorporation herein as though set forth in full.

2.0 DIF Obligation.

2.1 Developer's DIF Obligation. Developer hereby agrees and accepts that, as of February 15, 2011, the Developer is obligated to pay DIF for the Project to City in the amount of two million two hundred two thousand five hundred ninety three and thirty two one hundredths dollars ($2,202,593.32) (hereinbefore and hereinafter referred to as the "DIF Obligation"), and of that amount $1,515,317.96 is the "Street" component of the DIF Obligation for which the developer may be eligible to receive credits.

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2.2 Effect of Agreement. Notwithstanding anything in this Agreement, Developer acknowledges that the DIF Obligation is established by the provisions of the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees," or Chapter 3.42 "Commercial and Industrial Development Impact Fees," and that this Agreement does not alter, limit, increase or reduce the obligations under those code sections nor prevent City from adjusting or correcting the DIF Obligation amount to conform to the requirements of the Municipal Code.

3.0 DIF Credit Limitations.

3.1 Calculation of DIF Credit. Pursuant to City of Moreno Valley Municipal Code Sections 3.38.150 "Credit for Improvements Provided by Developers" (residential), or 3.42.110 "Credit for Improvements Provided by Developers" (commercial and industrial), and in accordance with the City's Development Impact Fee Credit and Reimbursement Policy, as adopted by the City Council on August 26, 2008, (the "Credit and Reimbursement Policy") and in consideration of Developer's obligations under the Conditions of Approval for the Project and the Agreement for Public Improvements to construct the DIF improvements, the maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be as defined in Sections 4.0 of this Agreement and the Credit and Reimbursement Policy.

3.2 Effect of Agreement. Notwithstanding the foregoing, Developer acknowledges that the amounts of DIF Credits are established by the provisions of the City of Moreno Valley Municipal Code and the DIF Credit and Reimbursement Policy and this Agreement shall not prevent City from adjusting or correcting the DIF Credit

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amounts set forth in this Agreement to conform to the requirements of the Municipal Code and the Credit and Reimbursement policy.

4.0 DIF Credit

4.1 Maximum DIF Credit. City shall apply DIF Credit to offset, in whole or in part, the Project's DIF Obligation. The maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be equal to the least of: (A) the City Engineer's Estimate of the actual cost of the DIF Improvements (hereinafter collectively referred to as "Engineer's Estimate"), or (B) project costs as identified in the DIF study in effect at the time of the issuance of a building permit, or (C) the actual DIF Obligation. In no event shall a DIF Credit exceed the actual DIF Obligation.

4.2 DIF Credit Offset to DIF Obligation. The DIF Credit shall be applied at the time DIF obligation is due and payable. If the project is to be developed by phases, by specific units, or by specific buildings, DIF Credit shall be applied according to a Public Improvements Phasing Schedule approved by the City and attached and incorporated to this agreement.

4.3 Submittal Timeframe. The Developer shall submit to the City Engineer any and all documentation the Developer deems relevant in substantiating the claim for DIF Credit for the DIF Qualifying Improvements to be constructed by the Developer. Such documentation may include contracts, bids, estimates, or any other relevant documents pertaining to the actual cost of the Qualifying Improvements. The City Engineer shall take into consideration, but shall not be bound by, any such documentation submitted by the Developer in formulating the Engineer's Estimate. All

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such documentation shall be submitted by the Developer to the City Engineer no later than ninety (90) calendar days prior to the date for payment of DIF for the project. The City Engineer will use his or her best efforts and professional judgment in formulating an Engineer's Estimate and shall endeavor to provide said estimate to the Developer in writing within sixty (60) calendar days after submittal of the last document submitted by the Developer.

4.4 DIF Credit Calculation *(completed by City).*

As of the date hereof, the amount of DIF Credit for which Developer is potentially eligible is set forth in Exhibit C "DIF Credit Calculation Table" attached hereto and hereby incorporated by reference.

4.5 Reconciliation - Final DIF Credit. If the dollar amount of the actual DIF Credit is less than the amount of the actual unpaid DIF Obligation (hereinafter referred to as "DIF Balance"), the City shall notify the Developer in writing of the amount of the DIF Balance and Developer shall pay the DIF Balance to fully satisfy the DIF Obligation at the time DIF payments are due. If the dollar amount of the actual DIF Credit exceeds the amount of the actual DIF Obligation, Developer will be deemed to have fully satisfied the DIF Obligation. If the Developer has actually paid DIF and completed DIF Improvements, but has not received full DIF Credit for which the Developer would have been otherwise eligible under the DIF Credit and Reimbursement Policy, the Developer *may* be eligible for a Reimbursement Agreement, to the extent applicable, as provided in a separate Development Impact Fees Improvement Reimbursement Agreement.

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4.6 Credit Transfer for Unfunded DIF Reimbursement Eligibility. To the extent that Developer has Reimbursement Eligibility Amounts which are both unpaid and unfunded by the City and which have not expired under the ten (10) year limitation set forth in the Development Impact Fee Credit and Reimbursement Policy No. 3.24, Section F – Time Limitation, Developer may apply to receive partial or full DIF Credits for the same component of DIF on another development project within the City owned or controlled by that Developer and which has received all necessary approvals, on a dollar for dollar basis. Written application shall be made to the City and Developer shall provide any and all documentation and other information the City may reasonably request. The City shall not unreasonably withhold approval of such a Credit Transfer.

5.0 No Interest. Developer shall not be entitled to any interest, or any other cost or time value adjustment, for DIF paid to the City whether or not subsequently credited under Section 4.6 or reimbursed.

6.0 Term of Agreement. For purposes of Reimbursement Eligibility and Credit Transfer, this Agreement shall remain in effect for a period not to exceed ten (10) years from the date of execution by the City.

7.0 General.

7.1 Assignment. Except as specifically set forth in this Agreement, this Agreement shall not be assigned by any Party without the prior written consent of the non-assigning Party, which consent shall not be unreasonably withheld. All

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assignees and successors in interest shall assume and become obligated to perform all obligations and be entitled to all benefits of the original Party.

7.2 Amendment. This Agreement may only be amended in writing signed by the Parties.

7.3 Law, Venue and Jurisdiction. This Agreement shall be governed by the laws of the State of California. Venue and Jurisdiction of all matters arising out, pertaining to, or in any way related to this Agreement shall be vested in the Superior Court of the State of California, in and for the County of Riverside, California.

7.4 Notices. Any notices to be given pursuant to this Agreement shall be in writing and delivered by First Class Mail addressed to the Parties as follows:

City: City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: Patrick D. Spillane, Senior Vice President
IDS Real Estate Group
515 S. Figueroa Street, 16th Floor
Los Angeles, CA 90071

7.5 Entire Agreement. This Agreement is the final, complete and exclusive statement of the Agreement of the Parties with respect to the subject matter

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hereof and supersedes and replaces any prior oral or written agreements between the Parties addressing the same subject matter.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

CITY OF MORENO VALLEY,
a California municipal corporation

By: _____
Chris A. Vogt
Its: _____

Date: _____

ATTEST: _____
City Clerk

Date: _____

APPROVED AS TO FORM:

_____
City Attorney

Date: _____

FR/Cal Moreno Valley, LLC
a Delaware limited liability company

By: FirstCal Industrial, LLC
a Delaware limited liability company,
its sole member

By: California State Teacher's Retirement System, a public entity, its manager

By: Principal Real Estate Investors, LLC, a Delaware limited liability company, its authorized agent

By: _____
Name: William G. Williams III
Title: Investment Director – Asset Management

Date: _____

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

EXHIBIT "A"

PUBLIC IMPROVEMENT AGREEMENT

WITH BONDS

(ATTACHED BEHIND THIS PAGE)

EXHIBIT "A"

Revised 092508

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PM 35150

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **FR/CAL Moreno Valley, LLC,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 35150** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
FR/CAL Moreno Valley, LLC
114 Pacifica, Suite 220
Irvine, CA 92618

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: 7/8/08

FR/CAL Moreno Valley, LLC:
Developer

BY: _____
Signature

Matt Englhard
Print/Type Name

Regional Development Officer
Title

BY: _____
Signature

John Grace
Print/Type Name

Development Manager
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 7/9/08

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

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FINAL
5-5-08

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			12288	C.Y.	20.00	245,760
A.B. Class II - Street 1	1	Thickness (ft.)				
	331770	S.F.	24053	Ton	55.00	1,322,933
A.C. - Street 1	0.5	Thickness (ft.)				
	331770	S.F.	12027	Ton	90.00	1,082,400
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0.5	Thickness (ft.)				
	29489	S.F.	641	Ton	55.00	35,276
A.C. - Street 2	0.7	Thickness (ft.)				
	29489	S.F.	1497	Ton	90.00	134,691
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	2,821,060

M.J.

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	954	Ton	90.00	85,860
Slurry Seal (Based on $150/Ton Type II)	51934	S.Y.	2.25	116,852
Sawcut & Join Exist. AC Pavement	11611	L.F.	1.50	17,417
Sawcut & Join Exist. Conc Pavement	1611	L.F.	1.50	2,417
Utility Trench	0	L.F.	17.00	0
Backfill Trench with Slurry Concrete	44	C.Y.	100.00	4,400
Trench Repaving	0	S.F.	12.00	0
Redwood Header	5376	L.F.	6.00	32,256
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	27562	S.F.	14.00	385,868
P.C.C. Paving - 8"	0	S.F.	16.00	0
P.C.C. Removal	27562	S.F.	5.00	137,810
Curb and Gutter - 6"	0	L.F.		0
Curb and Gutter - 8"	4770	L.F.	25.00	119,250
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	0	S.F.	15.00	0
Sidewalk	26262	S.F.	7.00	183,834
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	15223	S.F.	16.00	243,568
Wheelchair Ramp	7	EA.	1,200.00	8,400
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Remove Curb & Gutter / Sidewalk	3846	S.F.	2.00	7,692
AC Removal	202050	SY	1.00	202,050
			SUBTOTAL:	1,547,673

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	30	EA.	5,000.00	150,000
Electrical Utility Infrastructure	1	L.S.	563,229.00	563,229
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	713,229
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordinati	1	LS.	307,400.00	307,400
Traffic Signal Interconnect (Existing Signals Only)	1	LS.	140,000.00	140,000
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	4	EA.	100.00	400
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
Relocate Guard Rail	69	L.F.	35	2,415
	0		--	0
			SUBTOTAL:	450,215
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	16	EA.	30,000.00	480,000
Cluster Mail Boxes	0	EA.	4,500.00	0
Erosion Control	0	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	0	EA.	100.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	480,000

MS

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	755	L.F.	160.00	120,800
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	668	L.F.	180.00	120,240
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	4	EA.	5000.00	20,000
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	1	EA.	7000.00	7,000
	0		---	0
Catch Basins				
Catch Basin (3.5')	2	EA.	3100.00	6,200
Catch Basin (7')	5	EA.	5500.00	27,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	7	EA.	535.00	3,745
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	1	EA.	5000.00	5,000
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

M.S.

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/05
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	7	EA.	6000.00	42,000
Type IX Inlet Structure	3	EA.	2500.00	7,500
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		—	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		—	0
			SUBTOTAL:	365,985

M. S.

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	0		50.00	0
10" PVC C-900	0		55.00	0
12" PVC C-900	0		60.00	0
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	0	EA.	1,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	0	EA.	2,000.00	0
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	0	EA.	3,000.00	0
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	0	EA.	2,500.00	0
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	14	EA.	2,800.00	39,200
6" Super Fire Hydrants	4	EA.	3,000.00	12,000
	0		---	0
Services Connections				
1" Service	0	EA.	500.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	0	EA.	2,800.00	0
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0		---	0
			SUBTOTAL:	51,200

M.S

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	700.00	0
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,000.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	5	EA.	800.00	4,000
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	4,000

M. S.

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PM35150

DATE: 04/15/06
PREPARED BY: Mike Schuman

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$2,821,060
STREET WORK	:	$2,027,673
STORM DRAIN SYSTEM	:	$365,985
WATER SYSTEM	:	$51,200
SEWER SYSTEM	:	$4,000
ENTERPRISE SERVICES ADMIN	:	$713,229
TRANSPORTATION ENGNRNG	:	$450,215
TOTAL COST (VALUE) OF IMPROVEMENTS:		$6,433,361
+20% CONTINGENCY:		$1,286,672
GRAND TOTAL:		$7,720,033

BOND AMOUNT: $7,721,000

MS.

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $7,721,000

Bond No. 105063246

Surety Travelers Casualty And Surety Company Of America

Address One Tower Square

City/Zip Hartford, CT 06183

Project No. PM 35150

Premium $61,768.00

Principal FR/CAL Moreno Valley, LLC

Address 114 Pacifica, Suite 220

City/Zip Irvine, CA 92618

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **FR/CAL Moreno Valley, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PM 35150**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty And Surety Company Of America, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 35150

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on May 16, 20 08.

Regina M O'Neill
Notary Public

"OFFICIAL SEAL"
REGINA M. O'NEILL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/5/2008

NAME OF PRINCIPAL: FR/CAL Moreno Valley, LLC
Company Name

AUTHORIZED SIGNATURE(S): By

Name Title

Bernard A. Bak
Name Authorized Signatory Title

NAME OF SURETY: Travelers Casualty And Surety Company Of America
Company Name

AUTHORIZED SIGNATURE: Patricia M. Doyle, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Faithful Performance Bond.DOC

RISK MANAGEMENT
Approved
6/2/08

MV00122478

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF WILL

On this 16th day of May, 2008, before me, Anna L. Formhals, a Notary Public, within and for said County and State, personally appeared Patricia M. Doyle to me personally known to be the Attorney-in-Fact of and for Travelers Casualty and Surety Company of America and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
ANNA L. FORMHALS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES DEC. 13, 2009

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 215800

Certificate No. 002241599

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas J. Joslin, Karen Daniel, Kathleen J. Mailes, Linda Iser, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Geoffrey E. Heekin, Marcia K. Cesatsky, Patricia M. Doyle, and Richard A. Moore Jr.

of the City of Chicago, State of Illinois, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 11th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

MARIE C. TETREAULT NOTARY PUBLIC CONNECTICUT

Marie C. Tetreault, Notary Public

58440-5-07 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

MV00122480

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of May, 2008

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

CERTIFICATE OF AUTHORITY
FIRSTCAL INDUSTRIAL, LLC

I, John Clayton, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Vice President-Corporate Legal and Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation"), and as such officer I am authorized to make the certifications herein made;

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc., "FII"); FII is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno Valley").

3. Bernard A. Bak is a Vice President – Development Operations and Due Diligence of the Corporation, with signature authority for and on behalf of the Corporation and its affiliates, including, without limitation, FirstCal in its capacity as sole member of Moreno Valley, which signature authority extends to agreements and other documents ancillary thereto related to the development of land owned by Moreno Valley.

IN WITNESS WHEREOF, I have signed this Certificate this 27th day of May, 2008.

John Clayton

Sworn to and subscribed before me this 27th day of May, 2008.

Notary Public

My commission expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

[NOTARIAL SEAL]

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $3,860,500

Project No. PM 35150

Bond No. 105063246

Premium $61,768.00

Surety Travelers Casualty And Surety Company Of America A+XII(CA)

Principal FR/CAL Moreno Valley, LLC

Address One Tower Square

Address 114 Pacifica, Suite 220

City/Zip Hartford, CT 06183

City/Zip Irvine, CA 92618

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **FR/CAL Moreno Valley, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PM 35150**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **THREE MILLION EIGHT HUNDRED SIXTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$3,860,500.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 35150

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on May 16, 2008.

NAME OF PRINCIPAL: FR/CAL Moreno Valley, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

Regina M. O'Neill
Notary Public

Name Bernard A. Bak Title

Name Authorized Signatory Title

"OFFICIAL SEAL"
REGINA M. O'NEILL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/5/2008

NAME OF SURETY: Travelers Casualty And Surety Company Of America
Company Name

AUTHORIZED SIGNATURE: Patricia M. Doyle, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Material Labor Bond.DOC

RISK MANAGEMENT
Approved
6/2/08

MV00122484

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF WILL

On this 16th day of May, 2008, before me, Anna L. Formhals, a Notary Public, within and for said County and State, personally appeared Patricia M. Doyle to me personally known to be the Attorney-in-Fact of and for Travelers Casualty and Surety Company of America and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Anna L. Formhals

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
ANNA L. FORMHALS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES DEC. 13, 2009

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Certificate No. 002241598

Attorney-In Fact No. 215800

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas J. Joslin, Karen Daniel, Kathleen J. Malles, Linda Iser, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Geoffrey E. Heekin, Marcia K. Cesafsky, Patricia M. Doyle, and Richard A. Moore Jr.

of the City of Chicago, State of Illinois, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 11th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

MARIE C. TETREAULT NOTARY PUBLIC CONNECTICUT

Marie C. Tetreault, Notary Public

58440-5-07 Printed in U.S.A.

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of May, 2008

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

CERTIFICATE OF AUTHORITY
FIRSTCAL INDUSTRIAL, LLC

I, John Clayton, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Vice President-Corporate Legal and Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation"), and as such officer I am authorized to make the certifications herein made;

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc., "FII"); FII is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno Valley").

3. Bernard A. Bak is a Vice President – Development Operations and Due Diligence of the Corporation, with signature authority for and on behalf of the Corporation and its affiliates, including, without limitation, FirstCal in its capacity as sole member of Moreno Valley, which signature authority extends to agreements and other documents ancillary thereto related to the development of land owned by Moreno Valley.

IN WITNESS WHEREOF, I have signed this Certificate this 27th day of May, 2008.

John Clayton

Sworn to and subscribed before me this 27th day of May, 2008.

Notary Public

My commission expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

[NOTARIAL SEAL]

MV00122488

EXHIBIT "B"

DIF IMPROVEMENTS

EXHIBIT "B"

DIF Reimbursable Items
PARCEL MAP NO. 35150, PA06-0152,3
Indian Street

ITEM	QTY	UNITS	UNIT RATE	ITEM COST
Lane - includes the following:				
Traffic Control	1	LS	$ 12,000	$ 12,000
Excavation (based on structural section)	1552	CY	$ 29	$ 45,008
Curb and Gutter	1241	LF	$ 30	$ 37,230
Asphalt Concrete	21044	SF		
Thickness	0.50	ft.		
	763	TON	$ 80	$ 61,040
Aggregate Base	21044	SF		
Thickness	1.00	ft.		
	1526	TON	$ 33	$ 50,358
Portland Cement Concrete	9825	SF		
Thickness	0.70	ft.		
	255	CY	$ 425	$ 108,375
Aggregate Base	9825	SF		
Thickness	0.35	ft.		
	249	TON	$ 33	$ 8,217
Signing and Striping	1	LS	$ 2,000	$ 2,000
Sidewalk	8214	SF	$ 4.25	$ 34,910
Storm Drain - includes the following:				
24" Reinforced Concrete Pipe	63	LF	$ 160	$ 10,080
Headwall	1	EA	$ 5,500	$ 5,500
4' Catch Basin	3	EA	$ 3,100	$ 9,300
Local Depression	3	EA	$ 535	$ 1,605
Drop Inlet	1	EA	$ 2,500	$ 2,500
Junction Structure	3	EA	$ 6,500	$ 19,500
Overhead Utility Undergrounding	2329	LF	$ 178	$ 414,562
SUBTOTAL				**$ 822,185**
Planning Cost (10% of Subtotal)			10%	$ 82,219
Engineering Cost (25% of Subtotal)			25%	$ 205,546
Contingency Cost (10% of Subtotal)			10%	$ 82,219
TOTAL				**$ 1,192,169**

DIF Reimbursable Items
PARCEL MAP NO. 35150, PA06-0152,3
San Michele Road

ITEM	QTY	UNITS	UNIT RATE	ITEM COST
Lane - includes the following:				
Traffic Control	1	LS	$ 11,000	$ 11,000
Excavation (based on structural section)	1128	CY	$ 29	$ 32,712
Curb and Gutter	1325	LF	$ 30	$ 39,750
Asphalt Concrete	17718	SF		
Thickness	0.50	ft.		
	642	TON	$ 80	$ 51,360
Aggregate Base	17718	SF		
Thickness	1.00	ft.		
	1285	TON	$ 33	$ 42,405
Portland Cement Concrete	3713	SF		
Thickness	0.70	ft.		
	96	CY	$ 425	$ 40,800
Aggregate Base	3713	SF		
Thickness	0.35	ft.		
	94	TON	$ 33	$ 3,102
Signing and Striping	1	LS	$ 2,000	$ 2,000
Sidewalk	7621	SF	$ 4.25	$ 32,389
Storm Drain - includes the following:				
24" Reinforced Concrete Pipe	85	LF	$ 160	$ 13,600
Headwall	0	EA	$ 5,500	$ -
4' Catch Basin	2	EA	$ 3,100	$ 6,200
Local Depression	2	EA	$ 535	$ 1,070
Drop Inlet	1	EA	$ 2,500	$ 2,500
Junction Structure	2	EA	$ 6,500	$ 13,000
Overhead Utility Undergrounding	2410	LF	$ 178	$ 428,980
SUBTOTAL				**$ 720,868**
Planning Cost (10% of Subtotal)			10%	$ 72,087
Engineering Cost (25% of Subtotal)			25%	$ 180,217
Contingency Cost (10% of Subtotal)			10%	$ 72,087
TOTAL				**$ 1,045,259**

EXHIBIT "C" – DIF Credit Calculation Table

Item	Process for DIF Credit Calculation	Streets	Traffic Signals	Police	Fire	Libraries	Parks	Community / Rec Centers	Public Facilities*	Inter-change Improve-ments	Electric Utility
1	Engineer's Estimate	$2,237,428	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Project costs as identified in DIF study	$1,712,161	$0	$0	$0	$0	$0	$0	$0	$0	$0
3	Actual DIF Obligation	$1,515,318	$229,486	$49,683	$68,609	$0	$0	$0	$108,828	$230,669	$0
4	Developer's Credit Amount** - Least of Lines 1 2 & 3	$1,515,318	$0	$0	$0	$0	$0	$0	$0	$0	$0

*may include, but not be limited to, City Hall, Corporate Yard, Animal Shelter, and/or maintenance equipment.

** credit amount shall not exceed obligation.

MV00122492

Final 3/3/08

AGREEMENT FOR DEPOSIT OF CASH SECURITY
TO DEFER PAYMENT OF
DEVELOPMENT IMPACT FEE (DIF) AND TRANSPORTATION UNIFORM
MITIGATION FEE (TUMF) OBLIGATIONS
NO. D07-007, NO. T07-002, PROJECT NOS. PM 35150, PA06-0152, PA06-0153

This Agreement ("Agreement") is made and entered into on the date the City signs this Agreement. This Agreement is by and between the City of Moreno Valley, whose address is 14177 Frederick Street, Moreno Valley, CA 92553, (hereinafter called "City"); and FR/CAL MORENO VALLEY, LLC, a Delaware limited liability company, whose address is 114 Pacifica, Suite 220, Irvine, CA 92618 (hereinafter called "Developer") (City and Developer collectively, the "Parties," and individually, a "Party") with reference to the following facts:

A. Developer owns approximately 54 acres of property subject to Tentative Parcel Map 35150 (the "Project"). Said property is subject to Conditions of Approval for said parcel map and a Plot Plan approval. The City's project identification numbers for the parcel map and plot plan are PA06-0152 and PA06-0153. Developer's Final Parcel Map has not yet been approved.

B. Developer wishes to pull permits to begin construction of parts of the project, including onsite grading and offsite street improvements, however, plans for such offsite improvements have not yet been approved by the City.

C. As a condition of approval of development of the property, and as requirements of City ordinances, Developer is required to pay Development Impact Fees (DIF) to mitigate the impacts of the development project on local public facilities, including without limitation, streets, traffic signals, bridges and thoroughfares, parks, etc., and Transportation Uniform Mitigation Fees (TUMF) to mitigate such impacts on regional transportation improvements.

D. In addition to such fee obligations, Developer is required by the conditions of approval and City ordinances to build certain public improvements, some of which are included in facilities eligible for funding from DIF and/or TUMF, under applicable "nexus" studies for such fees. Construction of facilities included in such nexus studies may make the Developer eligible for some amount of credits or refunds of DIF or TUMF.

E. The amount of such potential credits or refunds the Developer could be eligible for cannot be fully determined at this date.

1) TUMF credits and refunds are subject to adopted policies and procedures of the City and the Western Riverside Council of Governments, which include a form of credit and/or refund agreement ("TUMF agreement") already approved by both agencies. However the form of agreement cannot be entered into at this time because the amount of the TUMF fee and the value of improvements that may qualify for credits against the

Exhibit "C"

TUMF fee cannot be calculated until final project and improvement plans have been reviewed and approved.

2) DIF credits and refunds are subject to polices and procedures of the City not yet fully adopted and implemented, and a form of credit and/or refund agreement ("DIF agreement") not yet approved by the City Council. However the form of agreement cannot be entered into at this time because the form of agreement has not yet been finalized and approved by the City and the the amount of the DIF fee and the value of improvements that may qualify for credits against the DIF fee cannot be calculated until final project and improvement plans have been reviewed and approved.

F. The City's normal practice has been to require Developers to wait for permits until final project approvals have been granted and the standard TUMF agreement has been executed and/or all TUMF and DIF fees have been finally calculated and fully paid and/or credited per approved agreements.

G. Developer has requested that the City permit Developer to pull permits prior to such final approvals and pay estimated DIF and TUMF into a segregated account with the City to be held as security for the performance of Developer's DIF and TUMF obligations for the Project.

Now, therefore, the City and Developer agree as follows:

A. Developer shall have the option to deposit 100% of the estimated DIF obligation amount of **$1,515,318** as estimated on Exhibit B attached hereto and 100% of the estimated TUMF obligation amount of **$1,081, 736** as estimated on Exhibit C attached hereto (collectively, the "Funds"), as a cash security with the City as a substitute for payment of the DIF and TUMF obligations otherwise required to be paid prior to permits for and/or occupancy of the Project.

B. When the Developer has deposited the Funds with the City, they shall be held by the City for the purposes of this Agreement and shall at all times be separately accounted for and held only for the purposes of this Agreement and the underlying DIF and TUMF obligations of the Developer. The Funds shall only be withdrawn by the City (i) for the payment of DIF and/or TUMF obligations due and owing the City under the terms of the DIF and/or TUMF agreements subsequently entered into between the Parties; (ii) for the payment of DIF and/or TUMF obligations left due and owing under City ordinances and resolutions at time of application for final inspection/certificate of occupancy for any part of the project in the event that DIF and TUMF agreements are not executed prior to such application; (iii) upon Developer's written authorization provided to the City, that the Funds or portions of the Funds may be withdrawn; or (iv) under the

provisions of section D of this Agreement. While so held, such funds shall bear interest at then current Local Agency Investment Fund (LAIF) rate. Such interest shall accrue to the benefit of the trust Funds and shall be used only for satisfaction of the Developer's DIF and/or TUMF obligations with any excess being paid to the Developer at the time of final accounting and termination of this Agreement.

The Parties agree that, for tax reporting purposes, all interest and other income from investment of the Funds shall, as of the end of each calendar year and to the extent required by the Internal Revenue Service, be reported as having been earned by Developer, whether or not such income was disbursed during such a calendar year.

Prior to final accounting and termination of this Agreement, the Developer shall provide the City with certified tax identification numbers by furnishing appropriate forms W-9 or W-8 and such other forms and documents that the City may request. The Parties understand that if such tax reporting documentation is not provided and certified to the City, the City may be required by the Internal Revenue Code of 1986, as amended, and the Regulations promulgated thereunder, to withhold a portion of any interest or other income earned on the investment of the Funds for payment of taxes.

To the extent that the City becomes liable for the payment of any taxes in respect of income derived from the investment of the Funds, the City shall satisfy such liability to the extent possible from the income of the Funds. The Developer shall indemnify, defend and hold the City harmless from and against any tax, late payment, interest, penalty or other cost or expense that may be assessed against the City on or with respect to the Funds and the investment thereof unless such tax, late payment, interest, penalty or other expense was directly and solely caused by the gross negligence or willful misconduct of the City.

C. This Agreement extends the time for execution of DIF and TUMF agreements that are, or would normally be, required prior to the issuance of building permits or occupancy of the Project. This Agreement is valid for a period of 180 days from City execution of this Agreement or until the execution, delivery to and final acceptance by the City of both a DIF agreement and a TUMF agreement, whichever comes first. If mutually agreed upon, this agreement may be extended. This Agreement may also be extended subject to the below conditions:

   a. If the sole reason for the Developer not submitting an acceptable DIF agreement is that the City has not adopted and presented to the Developer an approved form for such Agreement, the Developer shall be entitled to an extension of this Agreement until 10 days after such form

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agreement is presented by the City to the Developer, or Developer applies for the first final inspection/certificate of occupancy for the Project, whichever shall first occur. Any extension under this subparagraph 1 shall not apply to the Developer's obligations to timely pay TUMF or to enter into a TUMF agreement, nor to the City's obligation to hold such TUMF fees in the segregated account under this Agreement

b. If the reason that the Developer has not submitted executed DIF and/or TUMF agreements is that the Developer has timely submitted complete plans in proper form for the Project and the DIF and/or TUMF eligible improvements such that the Developer's DIF and/or TUMF obligation can be properly calculated but the City has not yet acted to approve such plans and/or calculate the DIF and/or TUMF obligation, and/or execute the Public Improvement Agreement/bond acceptance as stipulated in the DIF and TUMF agreements, the Developer shall be entitled to an extension until such time as the City has either approved such plans and executed a corresponding DIF and/or TUMF agreement, or rejected the submitted plans in the ordinary course of exercising its governmental authority.

c. Notwithstanding any other provision of this Agreement, this Agreement shall expire upon the earlier of when the developer applies for the first certificate of occupancy for the Project, or the parties execute the DIF and TUMF agreements.

D. Subject to the provisions of section C of this Agreement, if the Developer has not executed and submitted to the City both a DIF Credit and Refund Agreement and a TUMF Credit/Reimbursement Agreement in form and substance acceptable to the City within 180 days of City execution of this Agreement or within any extension of this Agreement, this Agreement becomes null and void, the full DIF and TUMF obligations for the Project become immediately due and payable and the Funds shall be applied against such DIF and TUMF obligations. The Developer shall remain liable for any shortfall in payment of such obligations, which shall likewise become immediately due and payable.

E. The Developer shall be responsible for paying the City's administrative costs ("Administrative Costs") for the expenses incurred by the City in administering the Funds under this Agreement as set forth in Exhibit A. Administrative Costs shall be based on the actual costs incurred by the City. City shall provide Developer with written documentation that the Administrative Costs have been incurred by the City. Developer shall pay City the Administrative Costs actually incurred by the City within 30 (thirty) days of receipt of the written documentation of the Administrative Costs from the City. The Administrative Costs may be withheld by

MV00122496

the City from the Funds at the time of final accounting and termination of this Agreement.

F. The City reserves the right to require that the cash security deposit be increased if it determines in good faith that the Funds are inadequate to account for the Developer's DIF and TUMF obligations and/or the City's administrative costs for administering the Funds under this Agreement, including, but not limited to any inadequacy caused by a modification to construction plans (an increase in building square footage) subsequent to the final calculation of DIF and TUMF under City ordinances and adopted policies, upon issuance of building permits for the Project. Developer agrees to deposit the amount of any such increase in cash within ten (10) days after being notified by the City Engineer that the surety is insufficient and the additional amount required. If Developer fails to make such a timely deposit, the City may withhold or suspend permits for the Project until such deposit is made.

F. The Developer hereby indemnifies, defends and holds harmless the City from any and all claims, obligations, liabilities, losses and costs of any nature (including attorneys' fees) which the City may incur to any third party or agency, including specifically but without limitation the County of Riverside, the Riverside County Transportation Authority, WRCOG and/or any constituent agency of WRCOG, arising from this Agreement, from any act or omission by any party in compliance with or in breach of this Agreement, or from any failure to collect, account for or remit to any such agency any TUMF that would have been received by such agency absent this Agreement, any breach of this Agreement or any failure of Developer to pay or account for its full TUMF obligation, including losses related to any transportation funding withheld from the City by any such agency due to any alleged non-compliance with TUMF requirements for Developer's Project.

G. Upon termination of this Agreement under its terms, the City will provide an accounting of the Funds, including accrued interest, to identify the amounts that will be distributed to the Developer for credit and the amount that will be deposited into the City's DIF and/or TUMF account for the DIF and TUMF obligations of the Project.

H. The names of the persons who are authorized to give written notice or to receive written notice on behalf of the City and on behalf of Developer in connection with the foregoing, and exemplars of their respective signatures, are as follows:

MV00122497

City: Chris A. Vogt Signature: _____
Public Works Director/City Engineer Date: 2/21/08
(and/or)
Steve M. Chapman Signature: _____
Finance Director/City Treasurer Date: 2-21-08

City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: Phil Bowman, Senior VP Signature: _____
First Industrial Realty Trust Date: 2-14-08
114 Pacifica, Suite 220
Irvine, CA 92618

I. City Not Trustee or Fiduciary. This Agreement is purely an Agreement to accept a deposit of the Funds to secure obligations due and owing the City by the Developer. The City's purpose in entering into this Agreement is to protect its own interests and not those of the Developer. Under no circumstances will the City be deemed to be a trustee or fiduciary to the Developer or any other person under this Agreement.

J. Successors and Assigns. This Agreement shall be binding on and inure to the benefit of the Parties and their respective successors and permitted assigns. No other persons shall have any rights under this Agreement. Neither party shall assign or transfer any interest under this Agreement without the express prior written approval of the other party, which may be given or withheld in the other party's sole and absolute discretion.

K. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

L. This Agreement is the final, complete and exclusive statement of the agreement of the parties with respect to the subject matter hereof and supersedes and replaces any prior oral or written agreements between the parties addressing the same subject matter. However, this Agreement does not replace, vitiate, waive or supersede any obligation of the Developer under any present or hereafter adopted law, ordinance, resolution or policy of the City, which obligations shall remain in full force and effect, except only as to the timing of such obligations and only during the term of this Agreement.

SIGNATURE PAGE TO FOLLOW

MV00122498

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }

On 2-14-08 (Date) before me, Rita C. Webber, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Phil Bowman (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

RITA C. WEBBER
Commission # 1661187
Notary Public - California
Orange County
My Comm. Expires Apr 25, 2010

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Rita C. Webber (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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Agreement to Hold Separately
DIF Obligation No. D07-007
TUMF Obligation No. T07-002
Project Nos. PM 35150, PA06-0152, PA06-0153

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

FR/CAL MORENO VALLEY, LLC,
A Delaware limited liability company

By: FirstCal Industrial, LLC, a Delaware limited liability company, its sole member

By: FR FirstCal, LLC, a Delaware limited liability company, its managing member

By: First Industrial Investment, Inc., a Maryland corporation, its sole member

BY: _____
Signature

Phil Bowman
Print/Type Name

Senior Vice Presiden
Title

BY: _____
Signature

Matt Englhardt
Print/Type Name

Regional Development Officer
Title

CITY OF MORENO VALLEY,
A California Municipal Corporation

BY: _____
Signature

Rick Hartmann, Deputy City Manager

For Robert G. Gutierrez
Print/Type Name

City Manager
Title

NATASHA Y. BURDINE
Commission # 1731839
Notary Public - California
Riverside County
My Comm. Expires Mar 16, 2011

Approved as to Form this

28TH day of February 2008

_____
City Attorney
City of Moreno Valley

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

W:\LandDev\CREDIT-REIMBURSEMENT AGREEMENTS\DIF & TUMF\PM 35150 - DIF & TUMF - Agreement to Hold Separate 2.doc

MV00122500

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 2/29/08 (Date) before me, Natasha Y. Burdine, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Rick Hartmann (Name(s) of Signer(s)),

NATASHA Y. BURDINE
Commission # 1731839
Notary Public - California
Riverside County
My Comm. Expires Mar 16, 2011

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Natasha Y. Burdine (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement to Hold Separately DIF obligation NO D07-007 TUMF obligation NO T07-002

Document Date: 2/28/08 Number of Pages: 7

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }
On 2-14-08 (Date) before me, Rita C. Webber, Notary Public (Here Insert Name and Title of the Officer),
personally appeared Phil Bowman, Matt Englhard (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in his/her/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS ~~my~~ hand and official seal.

Signature Rita C. Webber
Signature of Notary Public

RITA C. WEBBER
Commission # 1661187
Notary Public - California
Orange County
My Comm. Expires Apr 25, 2010

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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EXHIBIT A

CITY ADMINISTRATIVE COSTS

EXHIBIT B

CALCULATION OF ESTIMATED DIF OBLIGATION

Building A = 413,598 sq. ft.
Building B = 769,320 sq. ft.

413,598 sq. ft. X $1.281 (industrial general) = $529,819

769,320 sq. ft. X $1.281 (industrial general) = $985,499

Total DIF Obligation = $1,515,318

(as of August 15, 2007)

EXHIBIT C

CALCULATION OF ESTIMATED TUMF OBLIGATION

Building A = 413,598 sq. ft.
Building B = 769,320 sq. ft.

Building A = (*industrial general & high cube) = $462,324

Building B = (*industrial general & high cube) = $619,412

Total TUMF Obligation = $1,081,736

(as of February 6, 2008)

**Calculation for industrial general – high cube: There is a discounted rate for all square footage above 200,000 square feet.*

CERTIFICATE OF AUTHORITY
FIRST INDUSTRIAL REALTY TRUST, INC.
FIRST INDUSTRIAL INVESTMENT, INC.

I, JOHN H. CLAYTON, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation") and First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc.), a Maryland corporation ("FIDS"), and as such officer I am authorized to make the certifications herein made.

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of FIDS; FIDS is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno"). Accordingly, the Corporation, through FILP, FIDS, FRFC and FirstCal, has the authority to cause Moreno to enter into any and all agreements in connection with improvements to be made on or about a total of approximately 54 acres (acquired in 3 parcels of 35.97, 9.53 and 9.1 acres) in Moreno Valley, California at Indian Avenue, San Michele Avenue and Nandina Avenue, including, without limitation, that certain Improvement and Reimbursement Agreement (Transportation Uniform Mitigation Fee Program) with the City of Moreno Valley (the "Agreement").

3. The following are duly authorized signatories of the Corporation and its subsidiaries, including, without limitation, FirstCal and Moreno, with full authority to execute the Agreement and any documents ancillary thereto:

Title	Name
Senior VP Development	Phil Bowman
Regional Development Officer	Matt Englhard

IN WITNESS WHEREOF, I have signed this Certificate this 18th day of September 2007.

John H. Clayton, Secretary

Sworn to and subscribed before
me this 18th day of September 2007.

Fay Lockwood
Notary Public
My Commission Expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

CertificateofAuthority(FR-Cal Moreno Valley (Bowman-Englhard) 9-18-07)

Delaware

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "FR/CAL MORENO VALLEY, LLC", FILED IN THIS OFFICE ON THE ELEVENTH DAY OF APRIL, A.D. 2006, AT 2:52 O'CLOCK P.M.

4140538 8100

060339861

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4660762

DATE: 04-11-06

State of Delaware
Secretary of State
Division of Corporations
Delivered 02:48 PM 04/11/2006
FILED 02:52 PM 04/11/2006
SRV 060339861 - 4140538 FILE

CERTIFICATE OF FORMATION

FR/CAL MORENO VALLEY, LLC

The undersigned, an authorized person, for the purpose of forming a limited liability company, under the provisions and subject to the requirements of the State of Delaware (particularly Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified, and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

ARTICLE I. The name of the limited liability company is FR/Cal Moreno Valley, LLC (the "Company").

ARTICLE II. The address of the registered office and the name and the address of the registered agent of the limited liability company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act are Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware, County of New Castle, 19808.

ARTICLE III. The debts, obligations and liabilities of the Company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the Company; and no member or manager of the Company shall be obligated personally for any such debt, obligation or liability of the Company solely by reason of being a member or acting as a manager of the Company.

ARTICLE IV. The Company may establish one or more designated series of members, managers or membership interests. In the event said series are established, then the debts, liabilities, and obligations and expenses incurred by, contracted for or otherwise existing with respect to a particular series shall not be enforceable against the assets of any other series or the assets of the Company generally, and none of the debts, liabilities, and obligations and expenses incurred by, contracted for or otherwise existing with respect to the Company generally or any other series shall be enforceable against the assets of such series.

Dated as of the 11th day of April, 2006.

By: Rondi C. Simmons
Rondi C. Simmons, Authorized Person

347080_1.DOC

State of California
Secretary of State

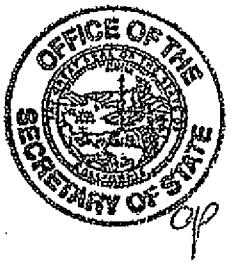

I, BRUCE McPHERSON, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

APR 14 2006

BRUCE McPHERSON
Secretary of State

Sec/State Form CE-107 (REV 03/31/05)

OSP 05 94200

MV00122509

State of California
Secretary of State

File # 200610410073

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

APR 13 2006

This Space For Filing Use Only

LIMITED LIABILITY COMPANY
APPLICATION FOR REGISTRATION

A $70.00 filing fee AND a certificate of good standing from an authorized public official of the jurisdiction of formation must accompany this form.

IMPORTANT – Read instructions before completing this form.

ENTITY NAME (End the name in item 1 with the words "Limited Liability Company," "Ltd. Liability Co." or the abbreviations "LLC" or "L.L.C.")

1. NAME UNDER WHICH THE FOREIGN LIMITED LIABILITY COMPANY PROPOSES TO REGISTER AND TRANSACT BUSINESS IN CALIFORNIA
   PR/Cal Moreno Valley, LLC
2. NAME OF THE FOREIGN LIMITED LIABILITY COMPANY, IF DIFFERENT FROM THAT ENTERED IN ITEM 1 ABOVE

DATE AND PLACE OF ORGANIZATION

3. THIS FOREIGN LIMITED LIABILITY COMPANY WAS FORMED ON 04 (MONTH) - 11 (DAY) - 06 (YEAR) IN Delaware (STATE OR COUNTRY)
   AND IS AUTHORIZED TO EXERCISE ITS POWERS AND PRIVILEGES IN THAT STATE OR COUNTRY.

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and both items 4 and 5 must be completed. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and item 4 must be completed (leave item 5 blank).

4. NAME OF AGENT FOR SERVICE OF PROCESS
   Corporation Service Company which will do business in California as CSC-Lawyers Incorporating Service
5. IF AN INDIVIDUAL, ADDRESS OF INITIAL AGENT FOR SERVICE OF PROCESS IN CALIFORNIA — CITY — STATE: CA — ZIP CODE

APPOINTMENT (The following statement is required by statute and may not be altered.)

6. IN THE EVENT THE ABOVE AGENT FOR SERVICE OF PROCESS RESIGNS AND IS NOT REPLACED, OR IF THE AGENT CANNOT BE FOUND OR SERVED WITH THE EXERCISE OF REASONABLE DILIGENCE, THE SECRETARY OF STATE OF THE STATE OF CALIFORNIA IS HEREBY APPOINTED AS THE AGENT FOR SERVICE OF PROCESS OF THIS FOREIGN LIMITED LIABILITY COMPANY.

OFFICE ADDRESSES (Do not abbreviate the name of the city.)

7. ADDRESS OF THE PRINCIPAL EXECUTIVE OFFICE — CITY AND STATE: Chicago, Illinois — ZIP CODE: 60606
   311 South Wacker Drive, Suite 4000
8. ADDRESS OF THE PRINCIPAL OFFICE IN CALIFORNIA, IF ANY — CITY — STATE: CA — ZIP CODE

EXECUTION

9. I DECLARE I AM THE PERSON WHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION IS MY ACT AND DEED.

Rondi C. Simmons — SIGNATURE OF AUTHORIZED PERSON

April 11, 2006 — DATE

Rondi C. Simmons — TYPE OR PRINT NAME OF AUTHORIZED PERSON

Authorized Person — TITLE OF AUTHORIZED PERSON

RETURN TO (Enter the name and the address of the person or firm to whom a copy of the filed document should be returned.)

10. NAME
    FIRM
    ADDRESS
    CITY/STATE/ZIP

APPROVED BY SECRETARY OF STATE

LLC-5 (REV 03/2005)

Delaware

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "FR/CAL MORENO VALLEY, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE ELEVENTH DAY OF APRIL, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "FR/CAL MORENO VALLEY, LLC" WAS FORMED ON THE ELEVENTH DAY OF APRIL, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

OFFICE OF THE SECRETARY OF STATE

4140538 8300

060339861

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4660763

DATE: 04-11-06

LIMITED LIABILITY COMPANY AGREEMENT

OF

FR/CAL MORENO VALLEY, LLC

This Limited Liability Company Agreement (this "Agreement") of FR/Cal Moreno Valley, LLC, is entered into on April 11, 2006 by FirstCal Industrial, LLC, a Delaware limited liability company, as the member (the "Member").

The Member hereby forms a limited liability company pursuant to and in accordance with the Delaware Limited Liability Company Act (6 Del.C. §18-101, et seq.), as amended from time to time (the "Act"), and hereby agrees as follows:

1. Name. The name of the limited liability company formed hereby is FR/Cal Moreno Valley, LLC (the "Company").

2. Purpose. The Company is formed for the object and purpose of, and the nature of the business to be conducted and promoted by the Company is, engaging in any lawful act or activity for which limited liability companies may be formed under the Act and engaging in any and all activities necessary or incidental to the foregoing.

3. Registered Office. The address of the registered office of the Company in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, New Castle County, Delaware 19808.

4. Registered Agent. The name and address of the registered agent of the Company for service of process on the Company in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

5. Member. The name and the business address of the Member are as follows:

Name	Address
FirstCal Industrial, LLC	311 South Wacker Drive Suite 4000 Chicago, Illinois 60606

MV00122512

6. Powers. The business and affairs of the Company shall be managed by the Member. The Member shall have the power to do any and all acts necessary or convenient to, or for the furtherance of, the purposes described herein, including all powers, statutory or otherwise, possessed by members under the laws of the State of Delaware. Notwithstanding any other provisions of this Agreement, any officer or authorized signatory of the Member, acting alone, is authorized to execute and deliver any document on behalf of the Company without any vote or consent of any other person.

Each of Rondi Simmons (for so long as she is an employee of Barack Ferrazzano Kirschbaum Perlman & Nagelberg LLP, counsel to the Member) or Scott Musil, acting individually, is hereby designated as an authorized person, within the meaning of the Act, to execute, deliver and file the certificate of formation of the Company (and any amendments and/or restatements thereof) and any other certificates (and any amendments and/or restatements thereof) necessary for the Company to qualify to do business in a jurisdiction in which the Company may wish to conduct business.

7. Dissolution. The Company shall dissolve, and its affairs shall be wound up upon the first to occur of the following: (a) December 31, 2050, (b) the written consent of the Member, (c) the bankruptcy or dissolution of the Member, (d) the occurrence of any other event that terminates the continued membership of the Member in the Company, or (e) the entry of a decree of judicial dissolution under Section 18-802 of the Act.

8. Capital Contributions. The Member has contributed the sum of $100.00, in cash, and no other property, to the Company.

9. Additional Contributions. The Member is not required to make any additional capital contribution to the Company.

10. Allocation of Profits and Losses. All of the Company's profits and losses shall be allocated to the Member.

11. Distributions. All distributions shall be made to the Member at the times and in the aggregate amounts determined by the Member.

12. Assignments. The Member may freely assign its limited liability company interest, whether in whole or in part.

13. Resignation. The Member may not resign from the Company.

MV00122513

14. Admission of Additional Members. One (1) or more additional members of the Company may be admitted to the Company, with the consent of the Member.

15. Liability of Members. The Member shall not have any liability for the obligations or liabilities of the Company, except to the extent provided in the Act.

16. Governing Law. This Agreement shall be governed by, and construed under, the laws of the State of Delaware, all rights and remedies being governed by said laws.

IN WITNESS WHEREOF, the undersigned, intending to be legally bound hereby, has duly executed this Limited Liability Company Agreement as of the date first written above.

MEMBER:

FirstCal Industrial, LLC, a Delaware limited liability company

By: FR FirstCal, LLC, a Delaware limited liability company, its managing member

By: First Industrial Development Services, Inc., a Maryland corporation, its sole member

By: _____
Name: John Clayton, Secretary

MV00122514

LEGAL DESCRIPTION
TENTATIVE PARCEL MAP NO. 35150 (PA06-0152 & PA06-0153)
PERTAINING TO AGREEMENT FOR DEPOSIT OF CASH SECURITY TO DEFER PAYMENT OF DIF AND TUMF OBLIGATION

SAID TENTATIVE PARCEL MAP NO. 35150, BEING A DIVISION OF PARCELS 1, 2, 3 AND 4 AND LOT "B" (SAN MICHELE ROAD), OF PARCEL MAP NO. 16849 AS SHOWN BY MAP ON FILE IN BOOK 107 OF PARCEL MAPS AT PAGE 71 AND 72, AND LOT 13 AND A PORTION OF LOT 14 IN BLOCK 1 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, AS SHOWN BY MAP ON FILE IN BOOK 8 OF MAPS AT PAGE 21, BOTH RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN SECTION 31, T. 3 S., A. 3 W., S.B.M.

W:\LandDev\Lee Ann\E-mail pending\35150\2-29-08 LEGAL DESCRIPTION.doc

ORDINANCE NO. 832

AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley, ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the State Fiscal Year 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011, and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain "enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, the dissolution of the Agency would be detrimental to the health, safety, and economic well-being of the residents of the City and cause irreparable harm

to the community, because, among other reasons, the redevelopment activities and projects made possible, implemented, and funded by the Agency are highly significant and of enduring benefit to the community and the City, and are a critical component of its future; and

WHEREAS, Part 1.9 of the CRL ("Part 1.9") provides that a redevelopment agency may continue in operation if a city or county that includes a redevelopment agency adopts an ordinance agreeing to comply with and participate in the Alternative Voluntary Redevelopment Program established in Part 1.9 ("Program"); and

WHEREAS, as a condition of the Agency's continued existence and operation of its redevelopment agency, the City is required to make certain annual remittances to the county auditor-controller pursuant to Chapter 3 of Part 1.9, beginning with a larger upfront remittance for the 2011-2012 fiscal year ("First Remittance"), to be paid in two equal installments on January 15, 2012 and May 15, 2012; and

WHEREAS, the City will have sufficient moneys and revenues to fund an amount equal to the City's payment of the First Remittance and expects to have sufficient moneys and revenues to fund the subsequent annual remittances required by Part 1.9; and

WHEREAS, the City's needs are such that it can commit to spend the funds received from the Agency pursuant to an Agreement to Transfer Tax Increment (defined below) to finance activities within the Redevelopment Project that are related to accomplishing the goals of the Redevelopment Project, including without limitation: (i) the elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes, ordinances following exactly the State and Federal Redevelopment Laws; (ii) the promotion of new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the capture of commercial sales activity, including the development of a regional mall within the Project Areas and the creation of a regional public transportation center and facilities, auto center arid freeway frontage roads; (iii) the achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for both business and residential areas to help achieve the objectives of the Redevelopment Plan by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area; (iv) maximizing the tax base; (v) adding and upgrading interchanges; (vi) the retention and/or expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area; (vii) increasing revenues to the City of Moreno Valley; (viii) creating and developing local job opportunities and the preserving

and expanding of the City's existing employment base; (ix) improving certain environmental deficiencies, such as substandard traffic circulation patterns to have all streets, roads and intersections to be the best possible level of service; inadequate water, sewer and storm drainage systems; and insufficient off-street commercial parking, and utility deficiencies adversely affecting the Project Area; (x) improving the community's supply of housing, including opportunities for low and moderate-income households and providing improved park land that is easily, and safely accessible to these residents; (xi) increasing revenues for adequate public services and facilities, including but not limited to, fire protection, parks and recreation, libraries, bike and equestrian trails; (xii) provision of transportation improvements; (xiii) retention and expansion of business activities; (xiv) improvement of environmental deficiencies, such as substandard traffic circulation patterns, inadequate water, sewer and storm drainage systems, insufficient commercial parking and utility deficiencies; (xv) increasing revenues for adequate public services and facilities, including but not limited to fire protection, parks and recreation, libraries, and bike and equestrian trails; and (xvi) creating a balanced community; and

WHEREAS, the City and Agency intend to execute an agreement pursuant to CRL Section 34194.2, whereby the Agency shall make an initial transfer of a portion of its tax increment to the City in an amount equal to the First Remittance, and thereafter to transfer amounts of tax increment equal to any subsequent remittance which the City is required to make to the county auditor-controller pursuant to the City's participation in the Program ("Agreement to Transfer Tax Increment"); and

WHEREAS, the City is aware that the validity, passage, and applicability of ABX1 26 and ABX1 27 may become the subject of a judicial challenge; and

WHEREAS, the City, by the adoption of this Ordinance, does not represent, disclaim, or take any position whatsoever on the issue of the validity of ABX1 26 or ABX1 27, but rather the City seeks to comply with the Constitution and laws of the State of California, including Part 1.9, in order to preserve the ability of the Agency to continue to operate and thereby benefit the community; and

WHEREAS, the City is the lead agency concerning this Ordinance pursuant to the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq*) ("CEQA") and the State CEQA Guidelines; and

WHEREAS, City staff has determined that the Ordinance is exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such authorizations are not considered a project subject to CEQA review. The community remittance is a government funding mechanism and fiscal activity, which does not involve any

commitment to any specific project which may result in a potentially significant environmental impact; and

WHEREAS, the City has duly considered all other related matters and has determined that the City's participation in the Program is in the best interests of the City, and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, the City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be or has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1x 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:

1. The foregoing recitals are true and correct.

2. The City hereby finds that (i) the dissolution of the Agency would be detrimental and cause irreparable harm to the community and to the health, safety, and economic well-being of the citizens of the City, and (ii) the types of activities and projects made possible, implemented, and funded by the Agency are highly significant

and of enduring benefit to the community and the City, and are a critical component of its future.

3. The City hereby ordains that the City, under protest, shall comply with the Constitution and the laws of the State of California, including Part 1.9 of Division 24 of the Health and Safety Code, including the determination of remittance amounts, appeal rights in relation thereto, and the making of the remittances referred to in CRL Section 34194(b) and (c) at the times and in the manner described in Part 1.9, without prejudice to the rights of the City (a) to challenge or join with other entities challenging the validity of the Dissolution Act and the Alternative Voluntary Redevelopment Program, (b) to review and appeal the amounts of community remittances required by the Alternative Voluntary Redevelopment Program, (c) in the event a court of competent jurisdiction grants an injunction or stay enjoining the effectiveness of the Dissolution Act and/or the Alternative Voluntary Redevelopment Program, to withhold community remittances while that injunction or stay is in effect, (d) in the event the Dissolution Act and/or the Alternative Voluntary Redevelopment Program is declared invalid by a court of competent jurisdiction, to obtain a refund of any community remittances paid pursuant to the Alternative Voluntary Redevelopment Program and this Ordinance and this Ordinance will immediately become null and void and have no further force or effect, and (e) to subsequently determine, based on circumstance and information then available to the City Council, including the amounts of required community remittances, that is not in the best interests of the City to continue to participate in the Alternative Voluntary Redevelopment Program, in which case the City Council shall formally repeal this Ordinance and the Agency shall be subject to the Dissolution Act. This Ordinance is that ordinance referred to in CRL Section 34193 and shall be interpreted and applied in all respects so as to fully comply with Part 1.9, to the fullest extent required by law.

4. On or before November 1, 2011, the City Manager is hereby authorized and directed to notify the county auditor-controller, the Controller of the State, and the State Department of Finance that the City agrees to comply with the provisions of Part 1.9 as provided under Section 34193, such notice to be in accordance with CRL Section 34193.1.

5. The City's remittances to the county auditor-controller made pursuant to Part 1.9 may be paid from any legally available funds of the City not otherwise obligated for other uses in accordance with Section 34194.1. Nothing herein is intended or shall be interpreted to require any payments or impose any financial or other obligation of the City other than in accordance with the Constitution and laws of the State of California, including Part 1.9.

6. The City Council determines that approval of this Ordinance exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such approval is not considered a project subject to CEQA review. The payment is a government funding

mechanism and fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant environmental impact.

7. The City Council hereby authorizes and directs that a Notice of Exemption shall be filed with the Clerk of the Board of Supervisors of the County of Riverside, California, within five (5) working days following the date of adoption of this Ordinance.

8. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Moreno Valley, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code § 36933.

9. This Ordinance shall become effective thirty (30) days after the date of the final passage and adoption hereof.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

STATE OF CALIFORNIA)
COUNTY OF _____RIVERSIDE) ss
CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, do hereby certify that the foregoing Ordinance No.____ was duly passed and adopted at a _____ meeting of the City Council of the City of Moreno Valley held on the ____ day of _____, 2011.

Upon motion of City Council Member _____, seconded by City Council Member _____, the foregoing Ordinance No. _____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of _____ this _____ day of _____, 2011.

_____
Jane Halstead, City Clerk

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS PROJECT NO. LED-229-80510

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763.

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

BACKGROUND

The Energy Efficiency & Conservation Block Grant (EECBG) program offered by U.S. Department of Energy has awarded funding to the City for energy saving projects. The funding is intended to assist cities, counties, states, territories, and Indian tribes to develop, promote, implement, and manage energy efficiency and conservation projects/programs. Emphasis of these programs is to achieve and improve energy efficiency in transportation, building, and other appropriate sectors.

On January 10, 2010, the City Council accepted the EECBG awarded to the City, in the amount of $1,684,300. The retrofitting of Internally Illuminated Street Name Signs (IISNS) with LED light engines is one of the intended uses of the EECBG grant. LED light engines are a proven enhancement to visibility, highway safety, and are

environmentally friendly due to the longevity of the LED. An annual cost saving of approximately 50% is realized with the retrofit of LED light engines. The savings is due to less use of electricity and less maintenance due to life expectancy of the LED.

DISCUSSION

Using the EECBG grant funding, Public Works staff replaced approximately 40% of the existing fluorescent bulbs in the Internally Illuminated Street Name Signs with LED light engines. This retrofit of 69 intersections was completed in October 2010. However, through competitive pricing received on the other energy retrofit related projects; surplus funds are available within the original grant award amount. These additional monies have been designated to complete the IISNS retrofit of the remaining 104 signalized intersections throughout the City.

As prescribed by the Department of Energy grant, formal bidding procedures shall conform to the local agency's Purchasing Ordinance and Public Contract Code. In determining the award, the City's Purchasing Ordinance and the Public Contract Code have been followed. The City Clerk received and opened bids at 2:00 p.m., on Wednesday, June 29, 2011. A total of four (4) bids were received. The lowest bidder's product fails to meet the City's specifications in terms of operating voltage and having a non-integrated power converter. Staff evaluated the product from the lowest bidder but consider that the safety of maintenance staff could be diminished and overall future replacement costs would be higher and therefore that the lowest bidder's product does not meet the City's specification. Therefore, it is the recommendation of staff to accept the bid results from the second lowest bidder, Archipelago Lighting of Montclair, California, as their product meets the specifications and requirements of the City. No outstanding issues were identified through review of the references submitted by the Archipelago Lighting and the vendor is not recorded on the Federal Debarment list.

The anticipated project schedule to complete the retrofit project is December, 2011.

ALTERNATIVES

1. Award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, and authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to Archipelago Lighting in the amount of $156,457.00, (Account No. 229.80510.7200). *This alternative will allow the project to commence.*

2. Do not award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, and do not authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to Archipelago Lighting in the amount of $156,457.00, (Account No. 229.80510.7200) and provide direction to staff. *This alternative will delay the commencement of the project.*

FISCAL IMPACT

Funding for the purchase of LED lamp modules for Project No. LED-229-80510 is included in the awarded Department of Energy EECBG grant and is accounted for in Fiscal Year 2011-2012 (Fund 229) budget. Although the price differential between the first and second lowest bids is $8,118.96, this funding gap will be absorbed by the grant and there will be no impact to the General Fund.

TOTAL ESTIMATED COSTS FOR PROJECT NO. LED-229-80510

Material Cost (EECBG Grant Funded)	$156,457.00
Installation and Administration by City staff	$0.00
Total Estimated Project Related Costs	$156,457.00

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

Prepared By
Alan Kashefi, P.E.
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Eric Lewis, P.E. ,T.E.
City Traffic Engineer

Concurred By
Rix Skonberg
Purchasing & Facilities Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12

RECOMMENDED ACTION

Staff recommends that the City Council approve the successor Memoranda of Understanding (MOU's) between the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

During the period of March through August 2011, the City's and labor negotiations team met and conferred with the labor negotiation teams of the Moreno Valley Management Association (MVMA) and the Moreno Valley Confidential Management Employees (MVCME) regarding their successor MOU's for Fiscal Year 2011-12. During the Closed Session of City Council at its Study Session meeting on August 16, 2011, the City Council authorized the City's Chief Negotiator to proceed to finalize and present back to the City Council for approval the successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12. The City's, MVMA's and MVCME's labor negotiations teams have met and conferred on the language of the MOU's, and the attached MOU's are in final format for City Council approval.

DISCUSSION

The following is a summary of the main points that are contained in both the successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12:

- No merit pay increases for current employees.
- Deferral of Cost of Living Adjustment (COLA), and there is no expectation that the COLA will be retroactive.
- Tier III reduced benefits for employees hired on or after September 30, 2011:
  1. Retirement Benefits: 2% @ 55 Benefit and Highest 3 Years Average
  2. Retiree Medical:
     a. Provide access to the City's group rates, guaranteed coverage.
     b. PERS Retiree Medical Insurance City paid access fee.
     c. VEBA increased to $75/mo. for MVMA and MVCEA members.
  3. Cafeteria Benefit Bank Reduction by 25%
     a. Full-time employees: $787.50/mo. and $9,450/yr.
     b. Part-time employees: $318.75/mo. and $3,825/yr.
  4. Annual Leave Reduction
     a. Reduction of Maximum Annual Accrual to 800 hours per year
     b. New accrual rates:

	0-5 Years	6-10 Years	11+ Years
PAM	234	274	314
Division Mgmt	252	292	332
PAM Confidential	250	290	330
Div Mgmt Confidential	252	302	332
Exec Mgmt	256	296	336

- Retiree Medical Vesting Period for current MVMA and MVCME members:
  - Increase vesting period from 2 years to 5 years for Tier I
  - Increase vesting period from 2 years to 5 years for Tier II
- Continuation of work schedule reduction furlough (4/9 work week).
- Extension of the recall period from 2 to 3 years effective with the June 30, 2011 layoffs.
- Closure of City offices between Christmas and New Year's.
- All new employees are required to have direct deposit for payroll or to apply for this service through the City's bank; if they are accepted they agree to participate, if denied this requirement will be waived.
- Correct Personnel Rules reference to IRS Section 414 (h) (2) for pretax payments of employees' member contribution to PERS for new hires on or after July 1, 2009.
- City will include an exemption in the PERS Contract for temporary employees for new hires within the classifications of Crossing Guard and Recreation Aide.
- Extension of the current MVMA MOU and MVCME MOU through August 23, 2011.
- Provide an additional $50/month to MVMA and MVCME members for family medical insurance Premiums beginning on January 1, 2012.
- Move the Risk Division Manager from the MVMA bargaining unit to the MVCME bargaining unit.

- Develop long-term strategies to implement merit pay increases after economic recovery.
- Review rehire procedure and rehire compensation levels.

The only item in the MVCME MOU that is not in the MVMA MOU is the application of seniority as the first factor for decisions regarding layoff order and recall order in the Layoff/Recall Policy for MVCME bargaining unit members. For MVMA bargaining unit members, the policy will remain in effect and apply as it was in place on July 1, 2011, except for the deletion of the January 1, 2012 initiation of use of the "exceeds expectations" and "outstanding" rating categories for order of layoff decisions.

ALTERNATIVES

The action of the City Council to approve the attached MVMA MOU and MVCME MOU will fulfill the City's employer/employee relations resolution with the Moreno Valley Management Association and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The cost to the City to provide an additional $50.00 per month to MVMA and MVCME members for family medical insurance premiums effective January 1, 2012, is estimated to be approximately $10,200.00 for Fiscal Year 2011-12. However, the overall net savings to the City due to the reduction of benefits for newly hired employees beginning on September 30, 2011, is expected to result in approximately $9,600.00 annual savings per employee. The expected overall savings to the City for Fiscal Year 2011-12 is expected to exceed the cost of providing the additional $50.00 per month for MVMA and MVCME members for family medical insurance premiums.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future."

NOTIFICATION

The Moreno Valley Management Association and the Moreno Valley Confidential Management Employees have been notified of the staff report and staff recommendation for City Council to approve the attached successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12. Copies of this staff report and attached MVMA MOU and MVCME MOU were sent to the employee associations, and they concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

Attachment A is the successor MVMA MOU for Fiscal Year 2011-12.
Attachment B is the successor MVCME MOU for Fiscal Year 2011-12.

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF MORENO VALLEY AND THE
MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES

The agreement entered into between the City of Moreno Valley and those employees designated as "Confidential Management" (MVCME) covers provisions related to Fiscal Year 2011-12. The following is a list of provisions agreed to between the parties.

1. TERM

The term of this agreement shall be July 1, 2011 through June 30, 2012.

2. INSURANCE

Effective January 1, 2012, employees who are hired prior to September 30, 2011, are enrolled in the City's CalPERS medical insurance program, have family coverage and are covered by this agreement will receive an increase of $50.00 per month to the City's flexible benefit contribution for all full time employees.

3. THIRD TIER OF BENEFITS FOR NEW EMPLOYEES

The City and MVCME agree to have a third tier of benefits for new employees hired on or after September 30, 2011 (PERS retirement benefits effective date subject to PERS requirements):

Retirement Benefits:

a. **2% @ 55 Benefit**
b. **3 Year Average Pay Calculation**
c. **Employee pays full 7% - City does not pay any part of employee contribution which eliminates the EPMC benefit (this is consistent with Tier 2)**

Cafeteria Benefit Bank:

a. **Full-time employees: $787.50/mo. and $9,450/yr.**
b. **Part-time employees: $318.75/mo. and $3,825/yr.**

Management Benefits Differentials:

a. **Division Management Confidential: 3%**
b. **PAM Confidential: 1.5%**

Annual Leave Accrual:

a. Maximum Annual Accrual to 800 hours per year

b. New accrual rates:

	0-5 Years	6-10 Years	11+ Years
PAM Confidential	250	290	330
Division Mgmt Conf.	252	302	332

Retiree Medical Revisions

a. Provide access to the City's group rates, guaranteed coverage.

b. PERS Retiree Medical Insurance monthly access fee paid 100% by City

c. City paid VEBA of $75/mo. for PAM Confidential and DM Confidential

4. FURLOUGH

Beginning on July 1, 2011 and ending on June 30, 2012, MVCME unit employees will continue the 10% (208 hours) work furlough that was in effect during fiscal years 2009/10 and 2010/11.

5. HOLIDAY SCHEDULE

City offices will be closed between Christmas and New Years Day. The City will grant 27 hours of Holiday time to full-time MVCEA unit employees for 12/23/11, 12/26/11, and 1/1/12 for those accruing leave, at a rate of 9 hours per day. Employees may apply this Holiday Leave, and/or other leave, to cover their normal workdays during the holiday closing.

6. RETIREMENT BENEFITS

The City will correct the City's Personnel Rules and Regulations reference to IRS Section 414 (h) (2) for pretax payments of employees' member contribution to CalPERS for new hires after on or after July 1, 2009.

MVCME unit employees laid off and on a recall list will be reinstated under the same retirement benefits (including cost sharing levels) when recalled as they were under at the time of lay-off.

The City will amend its contract with CalPERS and revise the City's Personnel Rules and Regulations Sections 14.15, 14.20 and 14.25 to implement a reduction in the retirement benefits, and thereby creating a Tier III. This Tier III includes reduced benefits for employees hired on or after September 30, 2011, as follows:

a. Retirement Benefits Formula: 2% @ Age 55 Benefit and Average of 3 Highest Years of Compensation.

b. Retiree Medical: Provide access to the City's group rates, guaranteed coverage. The City will only pay 100% of the PERS Retiree Medical Insurance monthly access fee for eligible employees. The City will not pay any monthly contribution for medical insurance premium. The City will pay $75.00 per month towards the employees' Voluntary Employees' Benefits Association (VEBA) account for retirement health insurance expenses. Employees do not serve a minimum period of full-time employment with the City, in order to become vested and eligible to use their VEBA account upon retirement.

The following sections of the Personnel Rules reflect the changes agreed to in this MOU:

14.15 POST RETIREMENT MEDICAL BENEFITS

A. Annuity Programs: Effective January 1, 2001, the City of Moreno Valley shall contribute a monthly amount to each non-exempt full-time career employee for an annuity program for 20 years or until termination or retirement, for the purpose of funding retiree medical premiums. New hire probationary employees shall not be eligible to receive the monthly contribution until the successful completion of their probationary period. The effective date of their first contribution will commence the next full month after they have passed probation.

Effective January 1, 2002, after two full years of employment, the monthly contribution to the annuity program shall increase per the negotiated language as approved by City Council. This shall go into effect the next month after their two-year-anniversary date has passed.

Each bargaining unit has selected separate annuity programs.

1. Contributions for the MVCEA bargaining unit are being paid into the Benefit Bank.

   In the event MVCEA ceases to be the recognized representative of bargaining unit employees, the control and administration of this program shall transfer to management and the responsibility for same shall be the exclusive jurisdiction of management.

   Employees may at their option contribute a portion of their compensation to the annuity subject to IRS restrictions through payroll deductions.

2. Contributions for the management bargaining unit are being paid into a Voluntary Employee Beneficiary Trust (VEBA), which manages the investment and distribution of the funds.

B. City Paid Retiree Medical Benefit: Effective January 1, 2001, upon retiring, the City shall pay a minimum of the monthly fee required by PERS for enrollment of retirees. Effective September 30, 2011, employees hired prior to July 1, 2009, who retire under the CalPERS retirement benefits system with a minimum of five full-time years of service with the City, and employees hired on or after July 1, 2009, who retire under the CalPERS retirement benefits system with a minimum of ten full-time years of service with the City, shall be eligible to receive a benefit which is the lesser of the cost of

medical coverage for the retiree and spouse, or the amount stipulated in the following table:

EFFECTIVE DATE	MAXIMUM EMPLOYER CONTRIBUTIONS
January 2, 2009	up to $318.73 per month

To receive the Retiree Medical Benefit, the retiree must submit documentation of payment for medical insurance coverage. Documentation for those enrolled with PERS Health is provided by PERS. In the event of the retiree's death, the surviving spouse continues to be eligible to receive the benefit.

Employees hired on or after September 30, 2011 will not be provided the City paid retiree medical benefit described in the above. For these employees, the City will pay $75.00 per month towards the employees Voluntary Employees' Benefits Association (VEBA) account for retirement health insurance expenses. Employees do not serve a minimum years of full-time employment with the City, in order to become vested and eligible to use their VEBA account upon retirement.

14.20 PERS MEDICAL COVERAGE FOR RETIREES

All employees who retire under both the City of Moreno Valley and CalPERS retirement benefits system are eligible to participate in the CalPERS medical insurance program under the Public Employees Medical and Hospital Care Act (PEMCHA), and the City pays the monthly minimum fee required for each retired City of Moreno Valley employee who participates in PEMCHA.

The City shall contribute a monthly employer fee (access fee) for retiree medical coverage with the Public Employees Retirement System (PERS), per negotiated contract language as approved by City Council. Retirees must convert to Medicare at age 65.

14.25 CITY RETIREMENT PLAN

The City provides retirement benefits for all employees through the Public Employees Retirement System (PERS). The City pays both the employee's and employer's contributions into the plan for employees hired prior to July 1, 2009. Employees hired on or after July 1, 2009 pay their own employee's contribution into the plan, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax contributions. This does not apply to promotional hires, whose original hire date was prior to July 1, 2009. At its option, the City may change its retirement system provider upon adoption by the City Council. Prior to any changes in retirement benefits, those eligible for retirement must be notified at least 30 days in advance. Current retirement benefits are available as follows:

A. Career Full-time Employees hired prior to July 1, 2009 receive fully-paid PERS retirement benefits. Career Full-time Employees hired on or after July 1, 2009 pay for their own employee's contribution for PERS retirement benefits, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax contributions, and at no point will the employer pay any portion of the employee's contribution.

B. Career Part-time Employees hired prior to July 1, 2009 receive fully paid PERS retirement benefits after 1,000 hours. Before that point, the employee will have the employee's portion deducted from salary. Career Part-time Employees hired on or after July 1, 2009 pay for their own employee's contribution for PERS retirement benefits, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax

contributions, and at no point will the employer pay any portion of the employee's contribution.

C. Part-time/Seasonal, Temporary Employees, and Crossing Guards who are not eligible for PERS, are required to contribute 7.5% of earnings to a PST "457" deferred compensation program. Contributions to this plan will be made through payroll deduction. Employees are eligible for participation in the PERS retirement plan after 1,000 hours worked in a fiscal year; however, they are responsible for the cost of their employee portion of PERS payment.

PERS refunds may be issued ONLY if the member has permanently separated from all PERS-covered or reciprocal employment. Or, if members have been on an unpaid leave of absence for at least six (6) months, they may request a refund of their contributions prior to returning to active employment.

D. Any employee hired prior to July 1, 2009, if promoted on or after July 1, 2009, will still be eligible for all benefit rates provided for employees hired prior to July 1, 2009 for the bargaining unit the employee is in on or after July 1, 2009.

Although the affected positions are not in the MVCME bargaining unit, the MVCME acknowledge and agree with the City amending the PERS Contract to exempt from PERS membership Recreation Aides and Crossing Guards.

7. DIRECT DEPOSIT FOR PAYROLL

Effective July 1, 2011, all new employees will be required to have direct deposit for payroll, or to apply for this service through the City's bank; if they are accepted by the City's bank, they agree to participate. If the employee is denied this service by the City's bank, the direct deposit requirement for payroll will be waived.

8. RISK DIVISION MANAGER ADDED TO BARGAINING UNIT

The City may move the Risk Division Manager from MVMA to MVCME with same pay and receive individual benefits of the Division Manager or Confidential Unit group, whichever is higher, effective September 2, 2011.

9. LAYOFF, REDUCTION IN FORCE, RECALL

The City will revise the Personnel Rules and Regulations Section 3.45, in order to implement seniority as the main basis for the order of layoff and recall, and extension of the recall period from 2 to 3 years effective with the June 30, 2011 layoffs. Policy change to be effective for layoffs and recalls.

The City will maintain adherence to the elimination of temporary employees and consultants prior to layoff of full-time career employees when possible.

In the event of reduction in force, no new employees will be hired until employees on a recall list or scheduled for a layoff who are available, possessing the required, qualifications and capable and of performing the

assignments of the position being filled have been offered the assignment (position).

MVCME unit employees to be laid off or on a recall list shall be afforded cross-training necessary to allow him/her to fill a vacant position for which they generally meet the minimum qualifications. Please see Attachment A.

12. MERIT PAY

The City and MVCME agree that merit pay increases will not be provided to employees who are covered by this agreement during the term of this agreement.

Any merit pay increase frozen for employees during the entire period of FY 2008/2009 through FY 2011/12, are not to be retroactively credited, owed or otherwise be held for the future or credit, and are therefore forfeited and terminated. The City may, however, decide to implement merit pay increases for employees when the City can afford to do so, subject to the meet and confer process.

13. COST OF LIVING ADJUSTMENT

The City and MVCME agree that no Cost of Living Adjustment (COLA) pay increases will be provided to employees who are covered by this agreement during the term of this agreement. A 2% COLA pay increase is being deferred for employees who are covered by this agreement during the term of this agreement.

Any COLA increases deferred for employees during the entire period of FY 2008/2009 through FY 2011/12, are not to be retroactively credited, owed or otherwise be held for the future or credit, and are therefore forfeited and terminated. The City may, however, decide to implement COLA's pay increases for employees when the City can afford to do so, subject to the meet and confer process.

14. MATTERS FOR FOLLOW-UP DISCUSSION

The City and MVCEA agree to meet during Fiscal Year 2011-12 to discuss the following two items: 1) Develop long-term strategies to fairly implement merit pay increases after the City's economic and budget recovery; and 2) Review the rehire procedure and rehire compensation levels.

15. ASSOCIATION MEETINGS

The Association may hold two regular meetings annually with its members during regular business hours. Additional meetings to discuss changes to the existing labor contract raised during the fiscal year would be granted,

as necessary. These additional meetings would be held above and beyond the two regular meetings.

14. PREVIOUS MOU PROVISIONS

All other provisions of the contract would remain the same as detailed in the Fiscal Year 2010-11 memorandum of understanding.

15. PARITY

During the term of this agreement, MVCME shall have the right to incorporate into this agreement any elements of Memoranda of Understanding entered into between the City of Moreno Valley and any of its other bargaining units as specified in the previous agreement.

16. RATIFICATION AND EXECUTION

The City and MVCME acknowledge that this Memorandum of Understanding shall not be in full force and effective until ratified by the bargaining unit and signed by the Mayor and City Manager of the City of Moreno Valley. Subject to the foregoing, this Memorandum of Understanding is hereby executed by the authorized representatives of the City and Association, and entered into this 23rd day of August 2011. The MVCME MOU for Fiscal Year 2010/11 will remain in effect, pending approval by City Council of the successor MVCME MOU.

CITY OF MORENO VALLEY

Richard Stewart, Mayor

Henry Garcia,
City Manager

Michelle Dawson,
Assistant City Manager

Richard Teichert,
Financial & Administrative
Service Director

Sonny Morkus
Human Resources Director

MVCMA

Bridgette Montgomery, MVCME

Carol Vasquez, MVCME

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3.45 LAYOFFS/REDUCTION-IN-FORCE/RECALL

The City Manager may lay off permanent and probationary workers at any time for lack of work, budgetary reasons, technological changes, or other City actions that necessitate a reduction in the work force. At least four weeks notice shall be given to any employee who is to be laid off. At the City Manager's discretion, a demotion or transfer to another department or classification may be made to prevent a layoff provided the employee is qualified by education and/or experience and is capable of performing the duties of the classification. The Department Heads, in consultation with the Human Resources Director, and as approved by the City Manager, will effect the layoffs.

Reduction in Force:

When it becomes necessary to reduce the work force in the City, the City Manager shall designate the job classification, division, department, or other organizational unit in order to effect a reduction in the work force. Contract, temporary, seasonal, or initial probationary employees in the same job classification as ones proposed to be reduced within the City shall be laid off first. Probationary promotional employees who are laid off shall be returned to their former classification. Employees who accept lower positions or transfers in lieu of lay-off shall be placed at a pay level within the salary range of the new position, which yields a salary closest to current salary.

Order of Layoff for MVCEA and MVCME Employees:

Effective July 1, 2011, the order of layoff of MVCEA and MVCME career employees shall be made in accordance with a system which favors retention of the employees with the most seniority, based upon evaluation of the following factors in the listed order of implementation:

A. Seniority (length of service in a career position):

1. in the city
2. in the classification
3. in the department

For MVCEA and MVCME employees who are equal in seniority, as established in A 1 though 3 above, preference will be given to those with higher overall performance reviews during the past twelve months, then free of disciplinary action during the past twelve months and then proof of honorable military discharge.

Order of Layoff for MVMA Employees:

The order of layoff of MVMA unit career employees shall be made in accordance with a system which favors retention of the more meritorious employees, based upon evaluation of the following factors in the listed order of implementation:

A. An overall rating of "unsatisfactory" or "needs improvement" on the most recent performance evaluation once finalized and filed in Human Resources except

when an employee has less than one year seniority with the City. In that case, only seniority will be used.

B. Documented disciplinary actions during the preceding twelve (12) months.

C. Seniority (length of service in a career position):

1. in the city
2. in the classification
3. in the department

For MVMA employees who are equal in performance and seniority, as established in A-C above, preference will be given to those with proof of honorable military discharge.

Seniority:

Seniority is determined from the day of official appointment to a City department as a career employee, provided that any career employee, who, as a result of promotion, transfer, or voluntary demotion, is appointed to a career position in another department, shall for purposes of layoff, carry seniority previously acquired over to the new department.

Seniority shall continue to accrue during periods of Annual Leave, layoff not exceeding three (3) years, any authorized leave of absence of less than three (3) months, or any call to military service for the duration of the call to duty. Seniority shall not accrue during any other break in continuous service.

Other Policies:

The City may call back as a temporary employee, within the first year after layoff, any laid off employee who is on the recall list when the employee is qualified to fill a vacancy of a full-time position.

Any employee who receives an involuntary transfer shall have the option to be reinstated to a vacated position in the classification said employee was involuntarily transferred from for up to six (6) months from the effective date of the involuntary transfer in the event of layoff.

An employee who chooses to terminate and have his/her name placed on the Reinstatement List under this section shall notify the department in writing of his/her decision at least three (3) working days prior to the effective date of reassignment. Such termination shall be on the same date as the reassignment would have been effective.

Recall List:

The name of every career employee who is laid off, transfers, or elects to demote to a formerly held classification in the same department for longer than one pay period due to a Reduction-in-Force, shall be placed on the Recall List, except that the names of those MVMA unit employees laid off under Sections A & B under in "Order of Layoff for MVMA Employees" above, shall not be placed on the recall list. Vacancies to be filled within a

department shall be offered, to individuals named on the Recall List who at the time of the Reduction-in-Force, held a position in the same job classification within the department as the vacancy to be filled. Order of recall shall be same as order of layoff.

Individual names may be removed from the Recall List for any of the following reasons:

A. The expiration of three (3) years from the date of placement on the list, effective June 30, 2011.

B. Re-employment with the City in a career full-time position in a department other than that from which the employee was laid off.

C. Failure to respond within 14 calendar days of mailing a certified letter regarding availability for employment.

D. Failure to report to work within 14 calendar days of mailing of a certified letter containing a notice of reinstatement to a position, absent mitigating circumstances.

E. Request in writing, including e-mail, to be removed from the list.

Status on Re-employment:

Effective June 30, 2011, a career employee who has been laid off or terminates in lieu of reassignment and is re-employed in a career position within three (3) years from the date of his layoff or termination shall be entitled to:

A. Buy back and thereby restore all or a portion of Annual Leave credited to the employees' account on the date of layoff or termination and at the same rate as it was sold originally. This restoration must be requested in writing within 30 days of returning to work and must be fully paid back within six (6) months of the return to work.

B. Restoration of seniority accrued prior to and accrued during layoff.

C. Credit for all service prior to layoff for the purpose of determining the rate of accrual of Annual Leave.

D. Placement in the salary range as if the employee had been on a leave of absence without pay if he/she is reinstated to the same job classification in the same department from which he/she was laid off or terminated.

E. In accordance with CalPERS regulations, restoration to the same level of CalPERS benefits and City paid member contribution that the employee received prior to being laid off or terminated.

F. Restoration to the same level of flexible benefits (i.e. benefit bank) that the employee received prior to being laid off or terminated.

In the event of a vacancy, if there are no individuals on the recall list who formerly occupied the vacant classification, those individuals on the recall list who possess the

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necessary qualifications for the vacant classification shall be eligible for recall to the vacancy. Eligibility order shall be the same as the order of lay-off.

No person from outside City employment shall be hired in a career position in the deleted classification until all those displaced due to layoffs or transfers are recalled to their former classification or one classification lower in the same career ladder as the one in which the employee was laid off.

Continuation of Benefits:

Those who are laid off shall have their medical insurance benefits continued to the end of the second month following the date of their layoff in the event that they are not covered by another medical plan at that time.

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MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 23, 2011

TITLE: **EXTENSION OF CONTRACT** - Approve Second Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the second of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expired on June 30, 2011. On July 6, 2011, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the second term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the second of four, twelve-month extensions. The contract amount for the second extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the Second Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2011-2012. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the Second Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this Second Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2011-2012 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this Second Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchasing and Facilities Division Manager to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: Second Amendment to Agreement
Attachment 2: First Amendment to Agreement
Attachment 3: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

SECOND AMENDMENT TO AGREEMENT

This Second Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as “CSD”), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the second twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2011 and finish on June 30, 2012.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 2

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 7/13/10

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 5/24/2010

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: July 1, 2010

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-24-10

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 3

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

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ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

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than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

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The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

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immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

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will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

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this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. **PUBLIC RECORDS ACT.** The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. **ASSIGNABILITY.** This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. **INDEPENDENT CONTRACTOR.** The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. **AUDIT OF RECORDS.** Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

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Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

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E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

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Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

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extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

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44. **ENTIRE AGREEMENT.** This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

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IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

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EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.
   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 23, 2011

TITLE: ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Adopt Resolution No. CSD 2011-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The State of California appropriated a total of $6.6 million to be utilized statewide as a continuous funding source for services to school age children, in the range of kindergarten to 14 years of age. However, the Budget Act of 2003 eliminated child care services to children 13 years and older. Of the $6.6 million allocated statewide, Riverside County was appropriated $950,000 based on service level needs. In an effort to provide an increased level of services for Moreno Valley youth through diverse funding, staff submitted a competitive grant application to the California Department of Education, Child Development Division, requesting funding for an after school child care program. The City of Moreno Valley Parks and Community Services Department was one of ten agencies in Riverside County who competed for this funding. The Parks and Community Services Department was awarded funding.

On November 26, 1996, the City Council authorized the acceptance of a grant in the amount of $427,683 for the calendar years 1997 and 1998 for the purpose of providing an after school child care program for children ages 5 to 14. Since that time, the City has applied for and received grant funding every fiscal year for this program. Although the City must apply for the grant funding each year, when the funding was made available to agencies for youth programs in 1987, those agencies that have received this type of grant funding have continued to receive funding for their youth programs.

DISCUSSION

The focus of the grant submitted by the City of Moreno Valley Parks and Community Services Department was based on the high demands assessed by the department within its own programs. This included the need for after school care during the traditional school year and full day care on school vacation days. The program utilizes five elementary schools: Creekside, Sunnymead, Rainbow Ridge, Armada, and Red Maple. The program accommodates 170 children between the ages of kindergarten up to 12 years of age and has been in effect since January 1997.

This program is state licensed and operates under the following conditions. The healthy social and emotional development of every child is addressed by providing activities, schedules, materials and equipment to ensure that children are both challenged and successful. Programming for the students includes a nutritious snack served daily, arts and crafts, indoor and outdoor games, story time, homework time, and social time. The program also includes field trips with bus transportation, parent conferences, and special parenting classes and programs with topics including health issues, substance abuse, nutrition, personal safety, community awareness, literacy and more. The program works closely with parents and school site staff to incorporate applicable school rules into the program and provide emotional support for children.

The program operates at schools utilizing the "modified traditional" school schedule between the hours of 2:00 p.m. and 6:00 p.m. on school days and 7:00 a.m. to 6:00 p.m. on school vacation days, Monday through Friday.

As part of the City's policy, the City Council must formally accept this funding from the California Department of Education, Child Development Services and adopt the corresponding resolution.

ALTERNATIVES

1. Approving staff's recommendation would authorize the acceptance of grant monies in the amount of $605,496 for FY 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Not approving staff's recommendation would eliminate the Child Care Grant Program.

FISCAL IMPACT

The proposed grant funds program expenditures on a cost reimbursement basis. The grant funds as well as food program revenue, Federal Grant Revenue, and program fees are used for providing school age child care and development services and are restricted to this program. There is no impact to the General Fund. Funds are budgeted in the FY2011-12 Operating Budget (160.75710).

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By:
Patty Grube
Management Analyst I

Department Head Approval:
Mike McCarty
Parks and Community Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. CSD 2011-23

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD TO ENTER INTO A TRANSACTION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES AND TO AUTHORIZE DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FY 2011/12

WHEREAS, the Moreno Valley Community Services District Board of Directors desires to provide school age child care services to the citizens of Moreno Valley during FY 2011/12;

WHEREAS, the Moreno Valley Community Services District Board of Directors further desire to enter into this transaction with the California Department of Education for the purpose of providing child care and development services;

WHEREAS, the Moreno Valley Community Services District Board of Directors authorize the persons listed to sign the transaction for the Governing Board;

Michael McCarty, Director of Parks and Community Services _____

Henry Garcia, City Manager _____

Richard Teichert, Financial & Administrative Services Director _____

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Accept the grant monies from the California Department of Education, Child Development Division, in the amount of $605,496 per fiscal year to provide child care services for FY 2011/2012;

2. Adopt a resolution to certify the approval of the governing board to enter into local agreement number/s CCTR-1195, Project Number 33-2186-00-0 with the California Department of Education for the purpose of providing child care and development services;

3. Authorize designated personnel to sign contract documents on behalf of the Governing Board for FY 2011/12.

Attachment A

APPROVED AND ADOPTED this 23th day of August, 2011.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
Jane Halstead, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney acting
in the capacity of General Legal
Counsel of the Moreno Valley
Community Services District

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: A PUBLIC HEARING FOR PA11-0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY.

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels.

3. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

BACKGROUND

The applicant is proposing to de-annex (detach) 1.4 acres currently in the City of Moreno Valley to permit annexation into the City of Perris. The subject property is located south of the Perris Valley storm channel and east of Perris Boulevard at the City limit and is part of a large development site which is primarily within the City of Perris. The area to be de-annexed includes the 70-feet northerly of the City of Moreno Valley boundary line between the two cities. A previous de-annexation moved the City boundary in a similar fashion south of the Perris Valley storm channel west of Perris Boulevard.

The project is Exempt under section 15061 b. 3 of the California Environmental Quality Act Guidelines as this activity is not a project that has the potential for a significant affect on the environment.

DISCUSSION

On June 9, 2011, Mission Pacific Land Company submitted an application requesting the de-annexation. The detachment was requested to allow for the orderly development of the applicant's property within a single municipal jurisdiction. The City of Perris is currently processing an annexation application for the same property. Both the detachment and annexation are subject to final action by the Riverside County Local Agency Formation Commission after both cities have taken action.

ALTERNATIVES

1. The City Council could approve the proposal as recommended.
2. The City Council could take no action on the proposal. This would leave the boundaries between the cities as they are today.

FISCAL IMPACT

The impacts are the loss of minimal property tax revenue which will be collected by the City of Perris. Based on the location and the small lot size, the site is un-developable solely within the City of Moreno Valley based on the standards of the existing Industrial (Specific Plan 208I) zoning.

NOTIFICATION

Notice of the City Council public hearing appeared in the Press Enterprise newspaper on August 13, 2011, and mailed to all surrounding property owners of record within 300 feet of the affected property.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Existing Boundary
3. City Resolution-Detachment
4. CSD Resolution
5. City Resolution-Tax Release
6. New proposed City limit boundary map

Prepared By:
Julia Descoteaux
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s)

delivered to the City Council at, or prior to, the Public Hearing.

CASE : **PA11-0021 Deannexation (Detachment)**

APPLICANT: Mission Pacific Land Company

OWNER: Stratford Ranch Investors, LLC

REPRESENTATIVE: Ted Weggeland

LOCATION: South of Harley Knox Blvd, east of Redlands Avenue
(APN: 302-170-002 & 302-170-004))

PROPOSAL: A public hearing for PA11-0021, an application to deannex parcels 302-170-002 and 302-170-004, a total of 1.4 acres located on the south side of the Perris Valley Channel from the City of Moreno Valley to allow these undevelopable parcels to be integrated into the adjoining parcels by facilitating annexation to the City of Perris.

ENVIRONMENTAL DETERMINATION: The project is Exempt under section 15061 b. 3 of the California Environmental Quality Act Guidelines as this activity is not a project that has the potential for a significant affect on the environment.

COUNCIL DISTRICT: No 4

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence

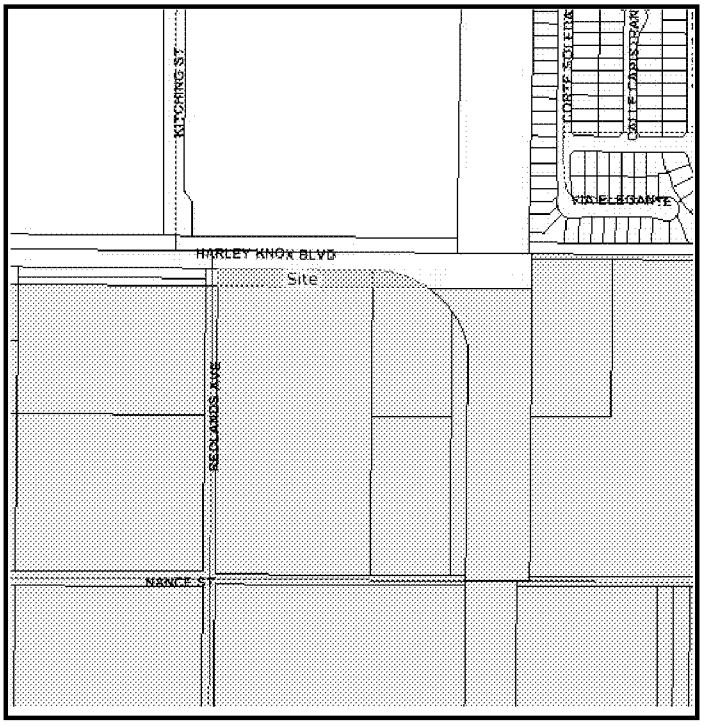

LOCATION **N↑**

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: August 23, 2011 at 6:30 PM

CONTACT PLANNER: Julia Descoteaux

MV00122587

PHONE: (951) 413-3209

ATTACHMENT 1

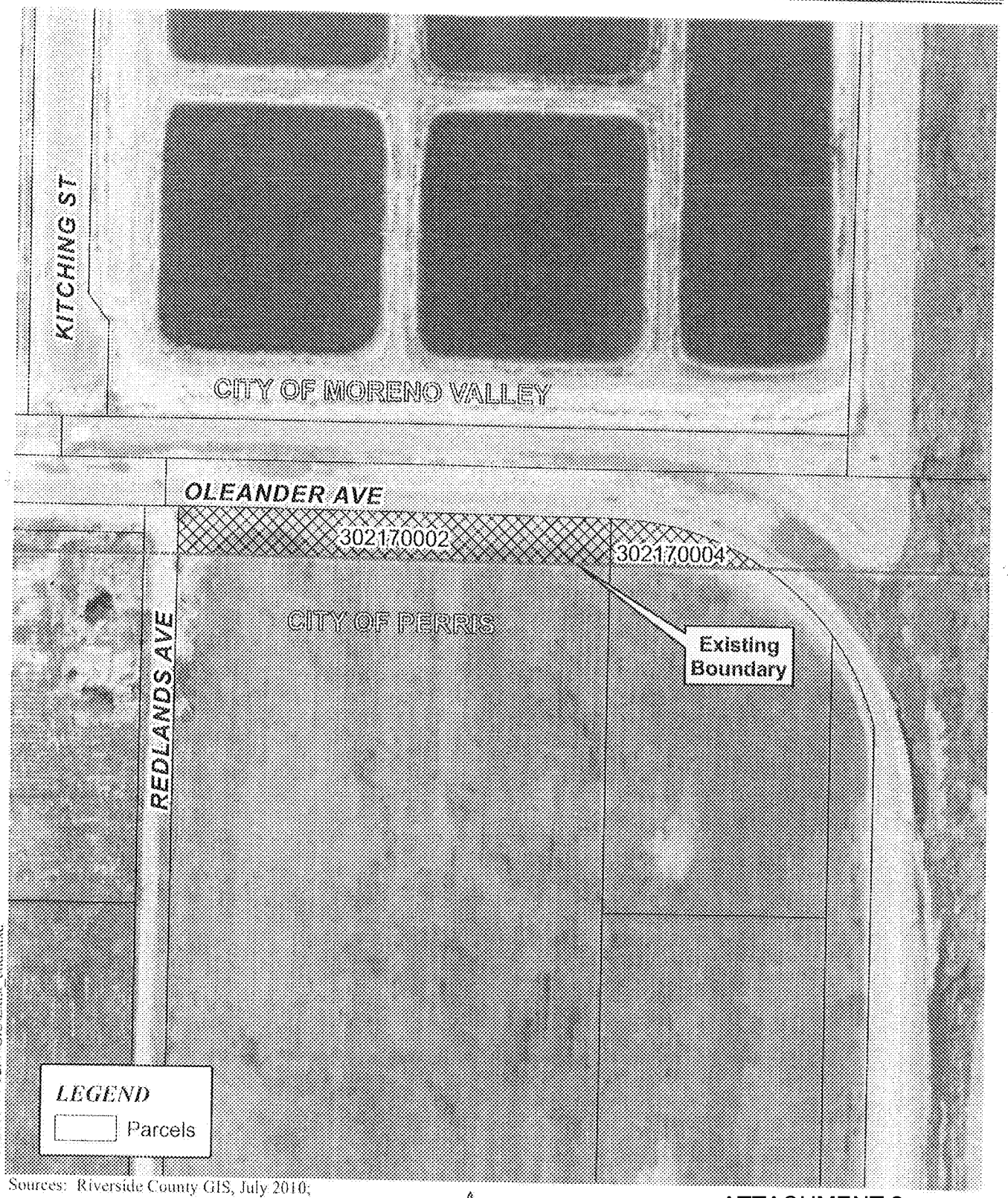

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Sources: Riverside County GIS, July 2010;
Digital Globe, March 2008.

ALBERT A. WEBB ASSOCIATES

N

0 100 200 300 Feet

ATTACHMENT 2

Existing Boundary

RESOLUTION NO. 2011-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE DETACHMENT OF TWO PARCELS (302-170-002 & 302-170-004) WITH A TOTAL OF 1.4 ACRES FROM THE CITY OF MORENO VALLEY TO ALLOW FOR CONCURRENT ANNEXATION TO THE CITY OF PERRIS

WHEREAS, the City Council of the City of Moreno Valley desires to initiate a proposal pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the detachment of certain property identified in Attachment 2; and

WHEREAS, the territory proposed for detachment is uninhabited pursuant to the definition contained within Government Code Section 56046, and the proposed property is identified in Attachment 2:and

WHEREAS, the City Council finds that the proposed boundary reorganization will facilitate carrying out its responsibility for future planning and the logical and orderly development of the City; and

WHEREAS, discussions have ensued with the City of Perris staff and the City of Perris staff would present a companion resolution requesting the initiation of proceedings; and,

WHEREAS, the reasons for the proposed detachment are as follows:

1. The detachment from the City of Moreno Valley and the attachment to the City of Perris would modify the city boundary to the north property line of parcels 302-170-002 and 302-170-004 to increase the size of the parcel to the south which is in the City of Perris allowing development to occur.

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

1. That an application for amendment of the city boundary reorganization shall be submitted for consideration by the Riverside County Local Agency Formation Commission ("LAFCO") for the area shown in the attached map (Attachment 2).

2. The City Clerk is authorized and directed to file a certified copy of this Resolution with the Executive Officer of LAFCO together with such other information and documents as may be required by the Executive Officer.

ATTACHMENT 3

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

RESOLUTION NO. CSD 2011-24

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS OF THE CITY OF MORENO VALLEY, CALIFORNIA TO REQUEST THE RIVERSIDE LOCAL AGENCY FORMATION COMMISSION INITIATE PROCEEDINGS FOR A CITY BOUNDARY AMENDMENT INVOLVING A DETACHMENT OF PARCELS FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

WHEREAS, the Moreno Valley Community Services District (CSD) desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act, commencing with Section 56000 of the California Government Code, for an amendment to the Community Services District boundary; and,

WHEREAS, the territory proposed to be included within the reduction of the Community Services District is uninhabited, and the boundaries of the said territory are as set forth in Attachment 2; and,

WHEREAS, the CSD Board of Directors finds that the proposed detachment and reorganization of the Community Services District are consistent with the planned modifications to the City's boundary and deannexation; and,

WHERAS, the CSD Board of Directors finds that future needs for public facilities and services relating to the said parcels will be no longer be applicable; and,

WHEREAS, the reorganization (deannexation) proceedings with the Local Agency Formation Commission (LAFCO) shall modify adjustments to the Moreno Valley Community Services District boundaries for Zones A, B, C, D, and M to exclude said parcels; and,

WHEREAS, upon the deannexation of said parcels, the Moreno Valley CSD Zones A (Parks & Community Services) and C (Arterial Street Lighting) annual parcel charges shall no longer be applicable; and

WHERAS, said parcels shall not longer be subject to the annexation boundaries for Community Facilities District No. 1 to finance public services related to new neighborhood parks; and,

WHERAS, the CSD Board of Directors finds that the proposed detachment from the Community Services District is exempt under Section 15061 (b) (3) of the California Environmental Quality Act.

ATTACHMENT 4

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that CSD Resolution No. _____ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vise-President and President)

_____

SECRETARY

(SEAL)

RESOLUTION NO. 2011-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A PROPERTY TAX TRANSFER AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND CITY OF PERRIS REGARDING THE DETACHMENT OF TWO PARCELS (302-170-002 & 302-170-004) WITH A TOTAL OF 1.4 ACRES FROM THE CITY OF MORENO VALLEY AND CONCURRENT ANNEXATION TO THE CITY OF PERRIS

WHEREAS, the City of Moreno Valley (Moreno Valley) and the City of Perris (Perris) are agencies whose public services might be affected by the detachment from Moreno Valley and concurrent annexation to City of Perris; and,

WHEREAS, representatives of Perris and Moreno Valley have negotiated a property tax transfer agreement to become effective for the area to be detached from City of Moreno Valley and to be concurrently annexed to City of Perris; and,

WHEREAS, the territory affected by LAFCO 2011-06-5 is described in Resolution No. 2011- _____ of the City Council of the City of Moreno Valley; and,

WHEREAS, an agreement for the exchange of property tax revenues is in the best interests of Moreno Valley and of its citizens; and,

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

1. When the City of Perris assumes the service responsibility for the suppression and prevention of structural fires in the area to be annexed, from that time, Perris shall receive one hundred percent of that portion of the property tax revenue generated within the territory annexed and identified as a structural fire protection tax; and,

2. When the City of Perris assumes the service responsibility for providing such other municipal services to the area to be annexed as are provided to areas already within Perris, from that time, Perris shall received Moreno Valley's share of that portion of the property tax revenue generated within the territory to be annexed pursuant to Article XIIA of the California Constitution; and,

ATTACHMENT 5

3. The County Auditor is hereby requested to convert the above established percentage figures into actual dollars, and thereafter to allocated such property tax revenue in accordance with the provisions of Section 95 and following of the California Revenue and Taxation Code; and,

4. The City Council of the City of Moreno Valley hereby agrees to the exchange of property tax revenue set forth above and approves the property tax agreement with the City of Perris pursuant hereto; and,

5. The City Clerk shall transmit a certified copy of this resolution to the Executive Officer of the Local Agency Formation Commission and to the City of Perris.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

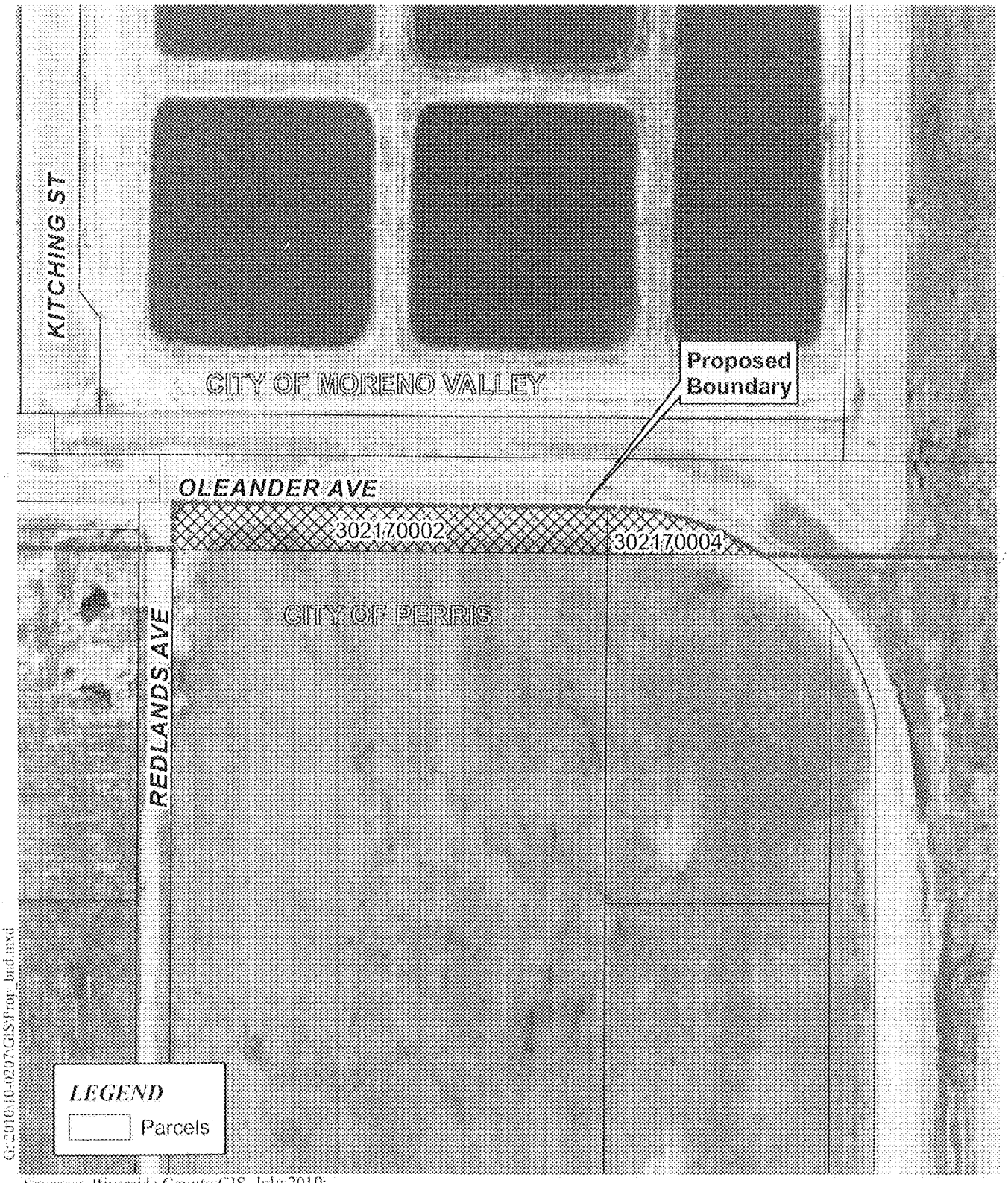

G:\2010\10-0207\GIS\Prop_bnd.mxd

Sources: Riverside County GIS, July 2010; Digital Globe, March 2008.

ASBURY A. WEBB ASSOCIATES

N

0 100 200 300 Feet

ATTACHMENT 6

Proposed Boundary

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property.

2. Authorize staff to solicit offers for the purchase of said real property.

BACKGROUND

On May 25, 2010 the City Council approved acquisition of the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The City acquired title to the property on July 29, 2010. The house on the property was demolished in May 2011 to make way for the proposed improvements. The property was acquired utilizing TUMF funds due to the direct transportation corridor related improvements that are required.

On July 12, 2011 the City Council approved Resolution No. 2011-74 declaring the real property, APN 475-272-054, as excess, setting August 23, 2011 as the public hearing

date to identify any issues with the sale of the remainder parcel, and authorizing staff to solicit offers for the purchase of said real property.

DISCUSSION

The improvements fronting this property along Ironwood Avenue and Davis Street will include a new curb ramp, sidewalks, and the relocation of power poles fronting Ironwood Avenue. The ultimate public right of way will be 44 feet from the centerline along Ironwood Avenue and 33 feet from the centerline along Davis Street at the northwest corner. The Ironwood Avenue ultimate street improvements project between Heacock Street and Perris Boulevard is anticipated to be advertised in mid-August for construction bids. Construction is anticipated to start in Fall 2011.

The original lot size of 7,759 square feet along with a single family residential house was purchased at $124,500 utilizing Transportation Uniform Mitigation Fee (TUMF) funds. The ultimate street improvements at the northwest corner of Ironwood Avenue and Davis Street, abutting to this property will occupy 2,534 square feet. The house had to be demolished in order to make way for the necessary street improvements. The remaining vacant land, with an area of 5,225 square feet, is deemed excess, not needed for City public purposes, and considered a substandard residential lot in the current zone R5. The potential use and development of this remaining land is very limited but a single family home may be constructed subject to review and approval of a variance by the Planning Division. If the City retains ownership and the land remains vacant, it will require periodic on-going maintenance and weed abatement services most likely funded with General Fund monies as the surplus property is not needed for transportation related purposes.

If there are no issues identified at the public hearing, the property will be offered for sale to qualified public agencies, and if an agency wants to purchase the property, it must respond within a 60-day time frame, in accordance with Government Code 54222. If there is no interest from a qualified public agency at the expiration of the 60-day period, the City could but would not be obligated, to put the property up for sale to the public.

The hearing is required by California Government Code, Section 37422. The Resolution was published in the Press Enterprise, and the Resolution was posted at the real property site located at 11987 Davis Street in Moreno Valley.

ALTERNATIVES

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property, and authorize staff to solicit offers for the purchase of said real property. *This alternative would allow the City to potentially sell the excess land.*

2. Do not conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the

proposed sale of excess property, and do not authorize staff to solicit offers for the purchase of said real property. *This alternative will result in the City not conforming to Government Code Section 37422 and therefore delaying or stopping the potential sale of excess land and incur weed abatement costs.*

FISCAL IMPACT

When City Council approves and accepts a purchase offer, if one is received, the net proceeds will be remitted back in the TUMF fund associated with this street improvement project.

SUMMARY

The City acquired the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The remaining property area of 5,225 square feet can be disposed of as surplus property. If the City retains ownership of this property, it would require periodic on-going maintenance and weed abatement services. Therefore, City Council is being asked conduct this public hearing to allow for the potential selling of the property as surplus land in accordance with Government Code section 54222, and authorize staff to solicit offers for the purchase of said real property.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Resolution No. 2011-74

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Henry - 06-50182625 Ironwood - Heacock to Perris\CC Reports\Real Property\8-23-11 Public Hearing for Excess Property APN 475-272-054.doc

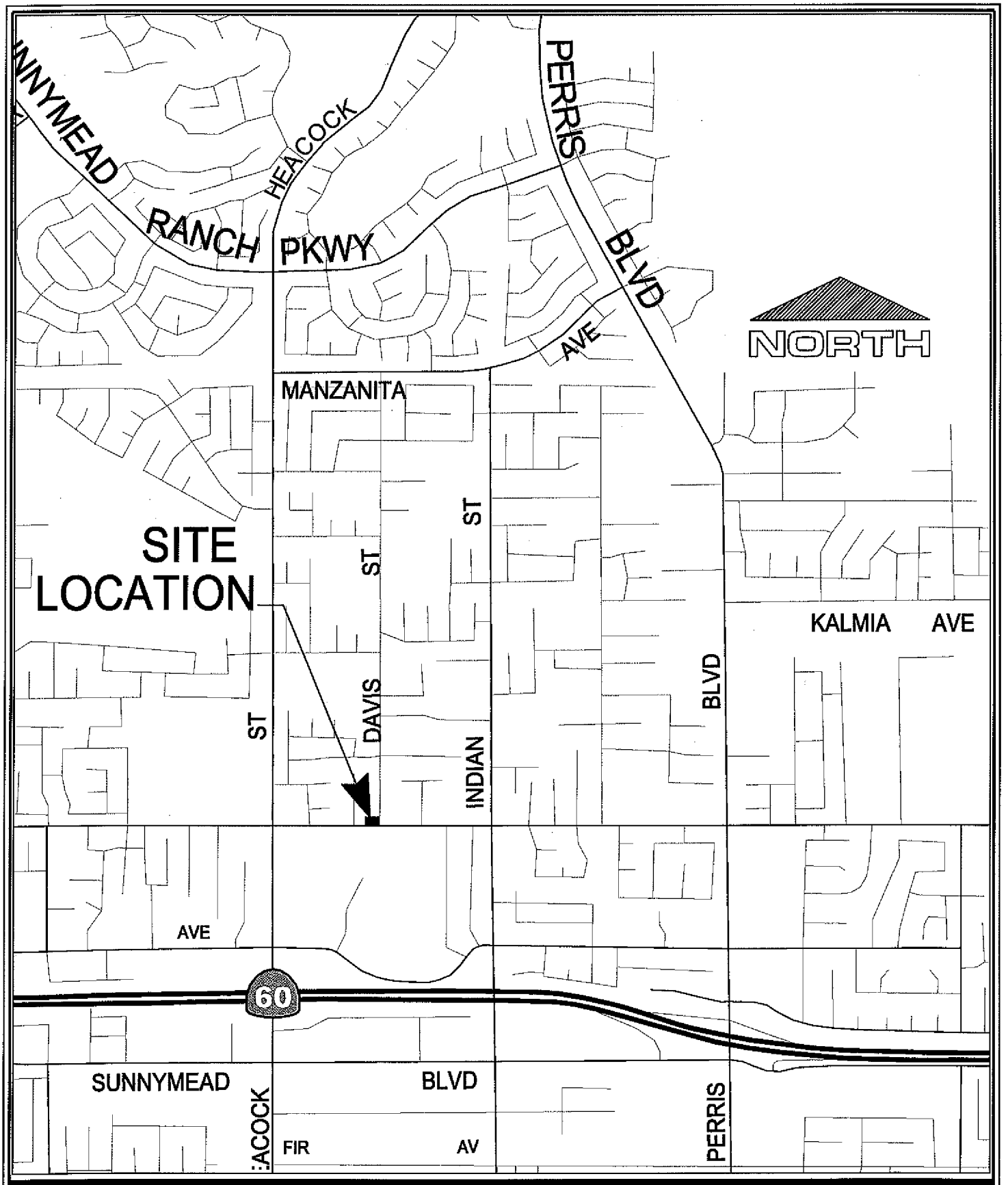

LOCATION MAP

Scale: None	11987 DAVIS STREET APN 475-272-054
ATTACHMENT "A"	EXCESS PROPERTY- 0.12 ACRES

MV00122603

RESOLUTION N0. 2011-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THE SALE OF A REMAINDER PARCEL EXCESS TO PUBLIC USE.

WHEREAS, the City Council of the City of Moreno Valley desires to sell the remainder parcel APN 475-272-054, total area of 5,225 square feet, as described in Exhibit "A", that is attached hereto; and

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

1. The time and place for hearing protests to the sale of said real property shall be held on August 23, 2011, at 6:30 p.m. at City Hall, located at 14177 Frederick Street, Moreno Valley, California.

2. The City Council finds that the public interest and convenience require the sale of the subject real property for the following reasons:

   a) The real property is excess to that needed for public purposes; and
   b) There is an on-going cost to maintain and weed abate if ownership is retained by the City; and
   c) It is advantageous to return the property to private ownership for use and maintenance.

3. The City Clerk shall publish a copy of this Resolution in the Press Enterprise, a daily newspaper and shall cause a copy of said Resolution to be posted at the real property.

4. At the hearing, any interested person may protest to the proposed sale. Any protests must be overruled by a 4/5ths vote of the Council members.

APPROVED AND ADOPTED this 12th day of July 2011.

Resolution No. 2011-74
Date Adopted: July 12, 2011

ATTACHMENT "B"

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2011-74
Date Adopted: July 12, 2011

MV00122605

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-74 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 12th day of July, 2011 by the following vote:

AYES: Council Members Batey, Co, Hastings, Mayor Pro Tem Molina and Mayor Stewart

NOES: None

ABSENT: None

ABSTAIN: None

CITY CLERK

(SEAL)

LEGAL DESCRIPTION

In the City of Moreno Valley, that remainder parcel of land being a portion of lot 63 as shown on the map of Moreno Acres, filed in Book 11 of Maps, Page 53, records of the County of Riverside, State of California, more particularly described as follows:

BEGINNING at the southwestly corner of the east half of the east half of said lot 63; thence North 00°07'15" East, a distance 14 feet to a point 44 feet northly of the centerline of Ironwood Avenue, said point being the **TRUE POINT OF BEGINNING**;

Thence North 00°07'15" East, 41.50 feet along the east property line; thence N 89°50'30" East, 132.48 feet along the north property line to a point on a line parallel with and distant 33.00 feet westerly of Davis Street centerline; thence South 00°06'30" West, 18.66 feet along said line; thence Southwestly, a distance of 33.13 feet to a point on a line parallel with and distant 44.00 feet northerly of Ironwood Avenue centerline; thence South 89°50'30" West, a distance of 108.60 feet, more or less, along said last mentioned parallel line to the **TRUE POINT OF BEGINNING.**

The land described herein contains approximately 5,225 square feet (0.12 acres).

See Sheet 2 of 2 for a plat depicting the above described property.

APN: 475-272-054

CITY OF MORENO VALLEY,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
POR. LOT 63 ON MAP OF MORENO ACRES
BOOK 11 PAGE 53

EXHIBIT "A"
SHEET 2 OF 2

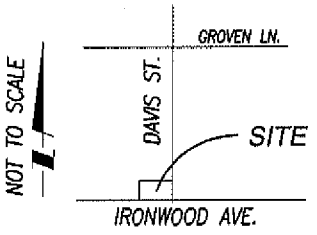

VICINITY MAP

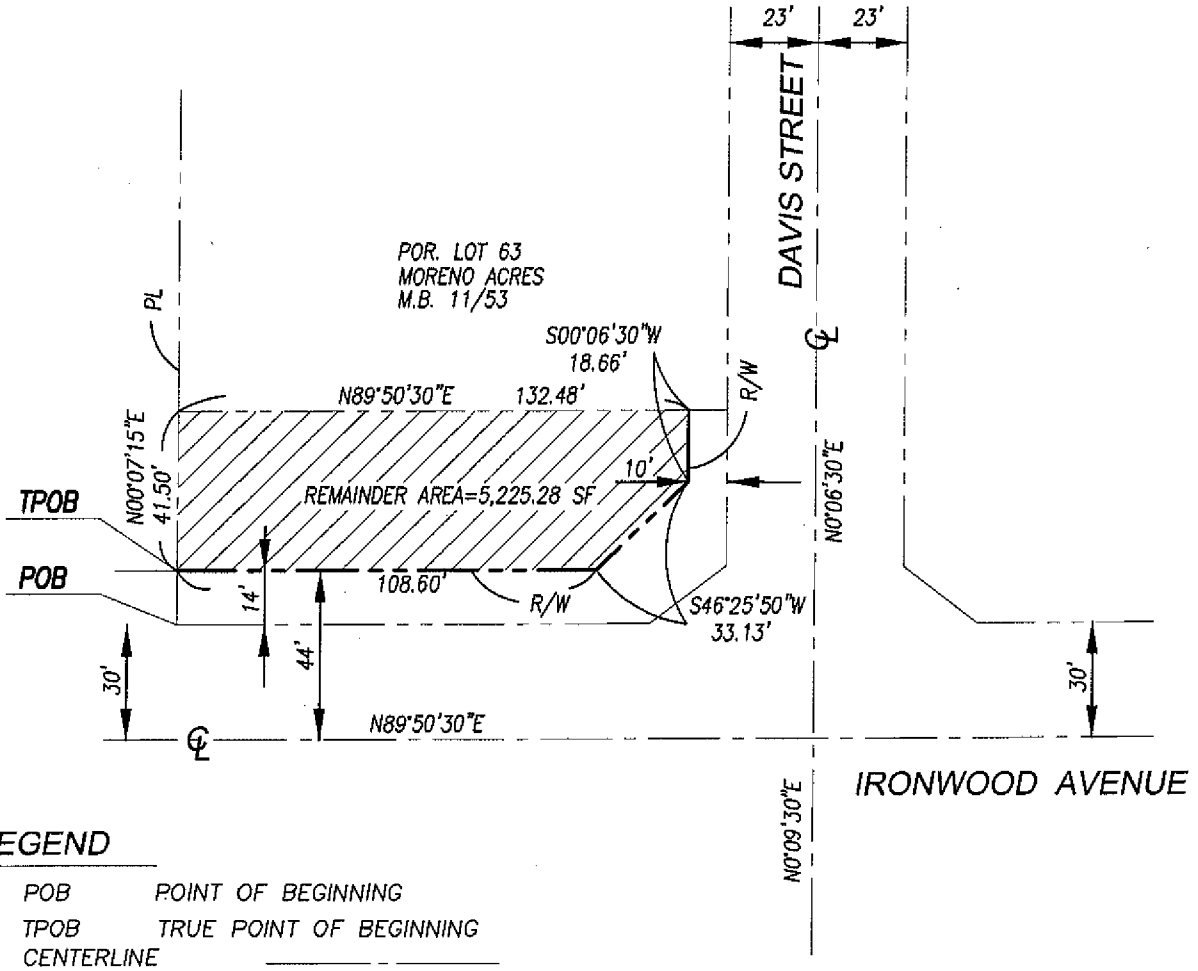

LEGEND

1. POB — POINT OF BEGINNING
2. TPOB — TRUE POINT OF BEGINNING
3. CENTERLINE
4. EXISTING ROW
5. NEW ROW
5. PROPERTY LINE

REMAINDER AREA = 5,225.28 SF

SCALE: 1"=50'

CITY OF MORENO VALLEY	PREPARED FOR: PLAT MAP FOR 11987 DAVIS STREET APN 475-272-054

File: Y:\Henry - 05-50182625 Ironwood - Heacock to Perris\Design Phase\Auto CAD\Phase II ROW\Exhibit A 11987 Davis St.dwg Jun 14, 2011

MV00122608

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011 (Continued from July 12, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. _____ denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. _____ APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. _____ APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. _____ APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. _____ APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. _____ APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. _____
3. Environmental Impact Report Resolution No. _____, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. _____ - Zone Change
5. Ordinance No. _____ - Municipal Code Amendment
6. Resolution No. _____ - Plot Plan PA08-0097
7. Resolution No. _____ - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

MV00122618

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
p (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at Westridge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the Westridge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

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3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

MV00122620

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (If any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 85 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3520

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dricelp@gmail.com

Contact Person: Derek Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services LLC (951) 845-1003 (951) 845-9225

Address 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gilsearch@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Dennis S. Rice 5-18-2011
Property Owner's Signature Date

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Dennis S. Rice 5-18-2011
Applicant's Signature Date

MV00122622

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	CHECK NUMBER		
5-17-11	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	CHECK NUMBER		
5-17-11	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A GOLDREB BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1330

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60608

24710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈00001194⑈ ⑆071000136⑆954942 3⑈

MV00122623

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

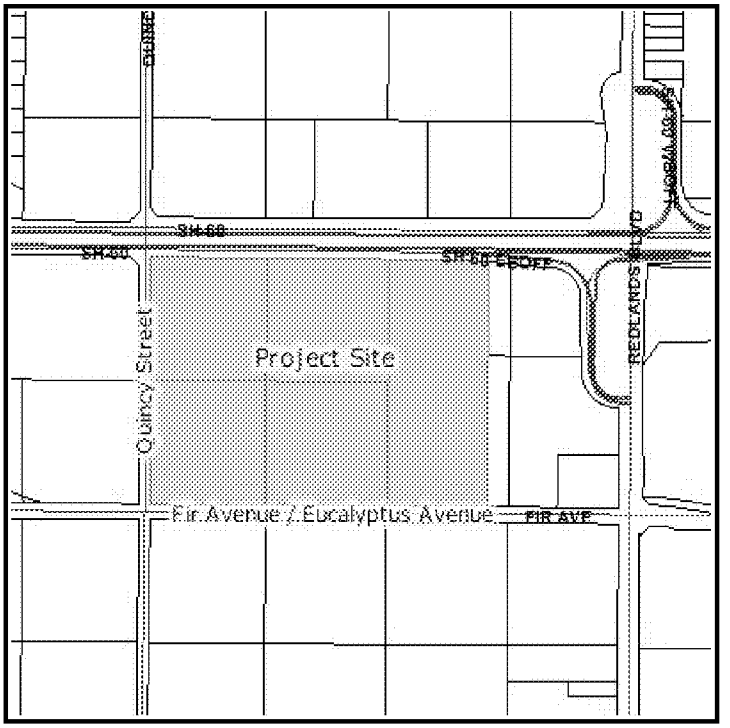

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

MV00122624

PHONE: (951) 413-3224

ATTACHMENT 1

RESOLUTION NO. 2011-76

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

MV00122626

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00122627

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

MV00122628

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

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west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. Project Description

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

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3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

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III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

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- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

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Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

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recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

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1. Land Use

a. General Plan Consistency

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. Zoning Consistency

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

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required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

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Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

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developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

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2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

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b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

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the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

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Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

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completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

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- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

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approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

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- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

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a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

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heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

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Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

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4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

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Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. <u>Hydrology and Water Quality</u>

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

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County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

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and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

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c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

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located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

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hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

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of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. Biological Resources

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

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b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

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f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

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Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

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Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

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the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

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overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. Traffic and Circulation

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

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- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

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equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

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Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

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subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

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4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

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minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

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Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

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Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

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opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

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4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

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thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

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would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

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- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

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improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

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from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

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- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

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of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

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of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

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right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

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General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

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- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 *Redlands Boulevard at Cottonwood Avenue Improvements:*

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

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- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

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b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

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the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

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c. Freeway Mainline Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. <u>Air Quality</u>

a. Short-Term Construction Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

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the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce* PM_{10} *and* $PM_{2.5}$ *fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

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specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

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- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

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cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

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Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

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d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

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standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

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weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

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Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

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requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

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that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

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noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

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3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

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General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

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and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

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to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

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conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

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(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

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9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

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The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

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This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

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amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

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3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

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4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

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4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

MV00122723

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

MV00122724

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00122725

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00122726

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00122727

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd) *right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;* • *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;* • *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and* • *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.* *The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.*				

MV00122728

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00122729

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00122730

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00122731

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

MV00122732

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00122733

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

MV00122734

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00122735

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of first building permit

MV00122736

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.19 (cont'd) • *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.*			Department	
Air Quality *To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.*				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated : • *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.* • *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction

MV00122737

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

MV00122738

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

MV00122739

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

MV00122740

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

MV00122741

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00122742

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00122743

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

MV00122744

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

MV00122745

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) o *Installation of catalytic converters on gasoline-powered equipment.* o *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* o *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* o *Provision of preferential parking for EV and CNG vehicles;* o *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* o *Use of electric (instead of diesel or gasoline-powered) yard trucks;* o *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00122746

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00122747

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00122748

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

MV00122749

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00122750

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00122751

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00122752

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00122753

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00122754

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 829
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 830
Date Adopted: _____

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

MV00122766

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and

• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;

• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);

• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.

• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

P98. MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

P99. MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

P100. MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

P101. MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. **Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.**

LD73. **Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.**

LD74. **Prior to approval of the parcel map, the map shall show the following:**

a. **A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.**

b. **A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.**

c. **The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.**

d. **A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.**

e. **A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.**

f. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.**

g. **Corner cutback right-of-way dedications per City Standard 208.**

LD75. **Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.**

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. **Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.**

f. **The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under <u>no</u> circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

ATTACHMENT 7

MV00122832

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

MV00122833

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

MV00122836

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00122837

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

MV00122838

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

EXHIBIT A

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P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

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P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

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Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

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F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

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multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

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PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

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LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

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approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

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LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

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For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

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to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

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lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

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are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

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secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

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c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. **A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.**

c. **The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.**

d. **A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.**

e. **A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.**

f. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.**

g. **Corner cutback right-of-way dedications per City Standard 208.**

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5**

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

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LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

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A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

<u>Prior to Acceptance of Streets Into The City-maintained Road System</u>

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

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PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

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c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

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n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

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Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

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b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical

features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days

required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

ATTACHMENT 9

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separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

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improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

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The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

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Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

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housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

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The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

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ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

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PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

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may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

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Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

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PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

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PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

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PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

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COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

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COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

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freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

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improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

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COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

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COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

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COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

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PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

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and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

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300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

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COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

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COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

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APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
'

COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

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COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

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APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

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to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

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APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

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the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

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Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

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at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

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told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

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PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

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base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

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live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

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Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

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PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

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VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

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VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

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Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

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Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

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1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

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- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans**) for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

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these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

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- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

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*4.3.~~6~~**5** In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

*4.3.~~7~~**6** During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~ **utilized to** power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

*4.3.~~8~~**7** The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~ **"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be** consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

*4.3.~~9~~**8** Grading plans, construction specifications and bid documents shall **also** include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~ **the following notations:***

- ***Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;***

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- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

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• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

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- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

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- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

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4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****~~A~~ll recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

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- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

MV00122951

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

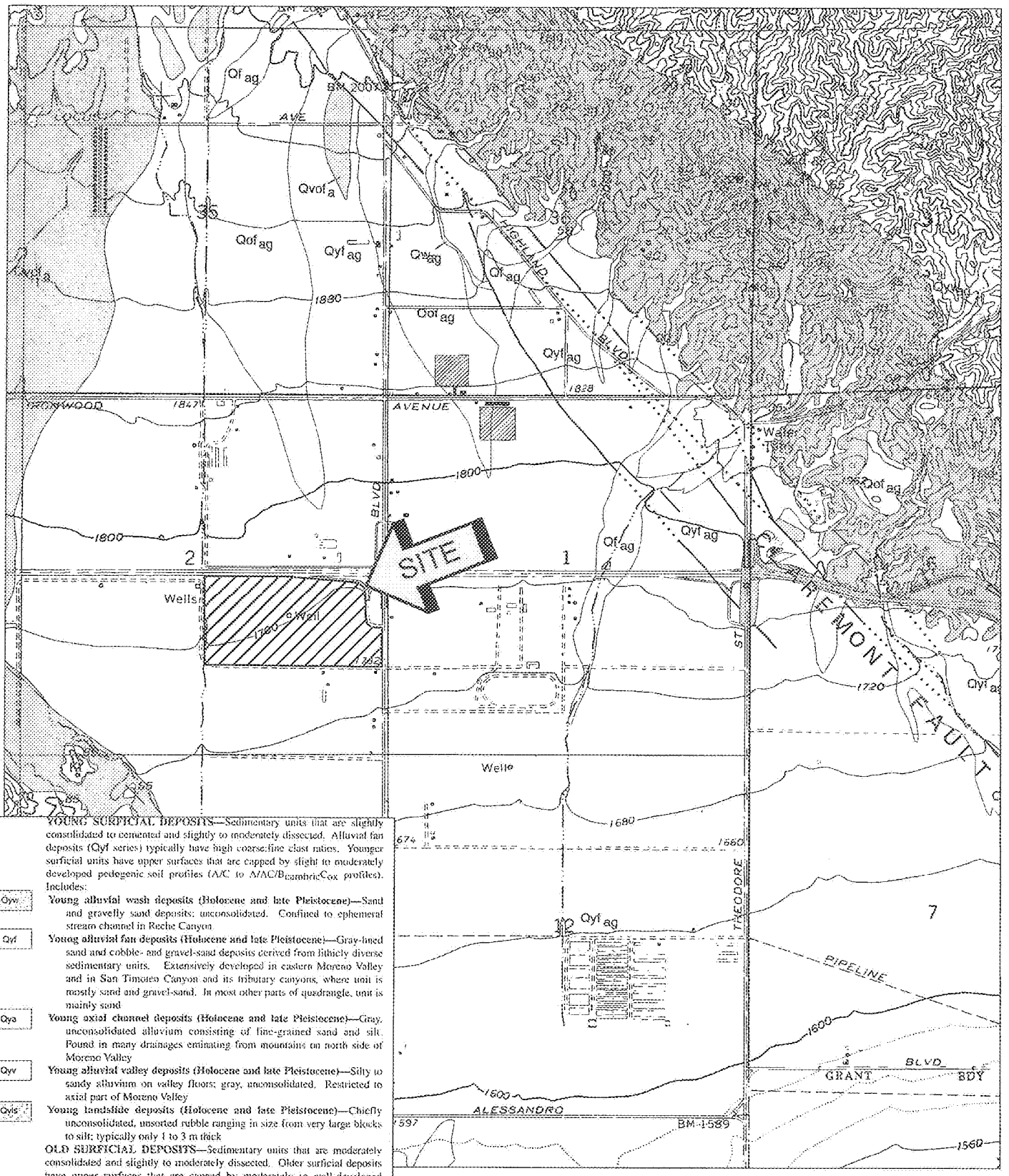

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

- Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.
- Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.
- Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.
- Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.
- Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

- Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00122953

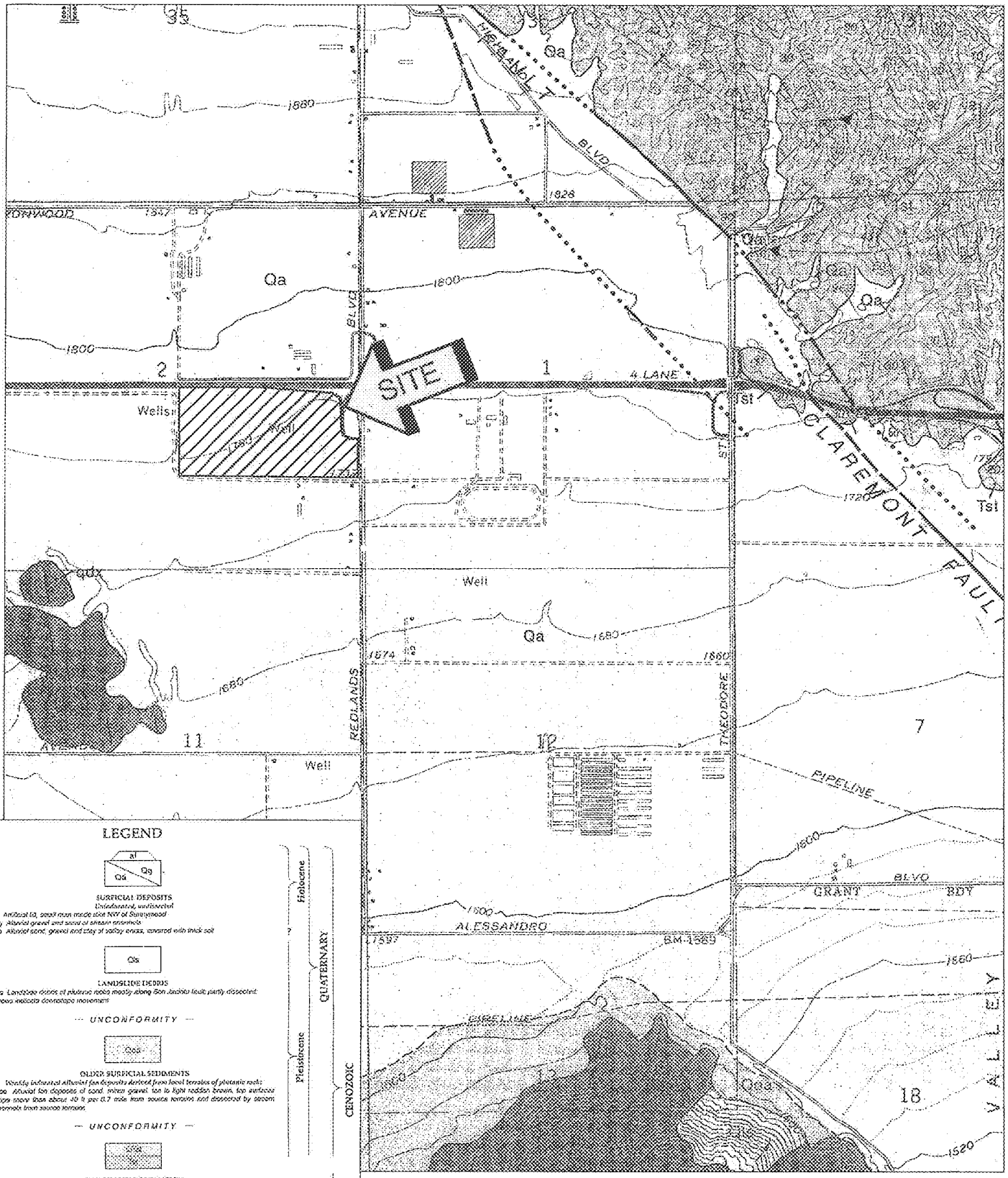

LEGEND

af / Qa / Qg

SURFICIAL DEPOSITS

Unconsolidated, undissected

af Artificial fill, small mass made due NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

Qls

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

Qoa

OLDER SURFICIAL SEDIMENTS

Mostly industrial Alluvial fan deposits derived from local terraces of plutonic rocks

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

Qtsi / Tst

SAN TIMOTEO FORMATION

(San Timoteo Hills of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, mostly industrial, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Matti, 2001)

Qtsi Upper part, nonclastic, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Matti, 2001), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'

DRAWN: DRK
CHKD: JAS

SCG PROJECT
06G285-2

PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00122954

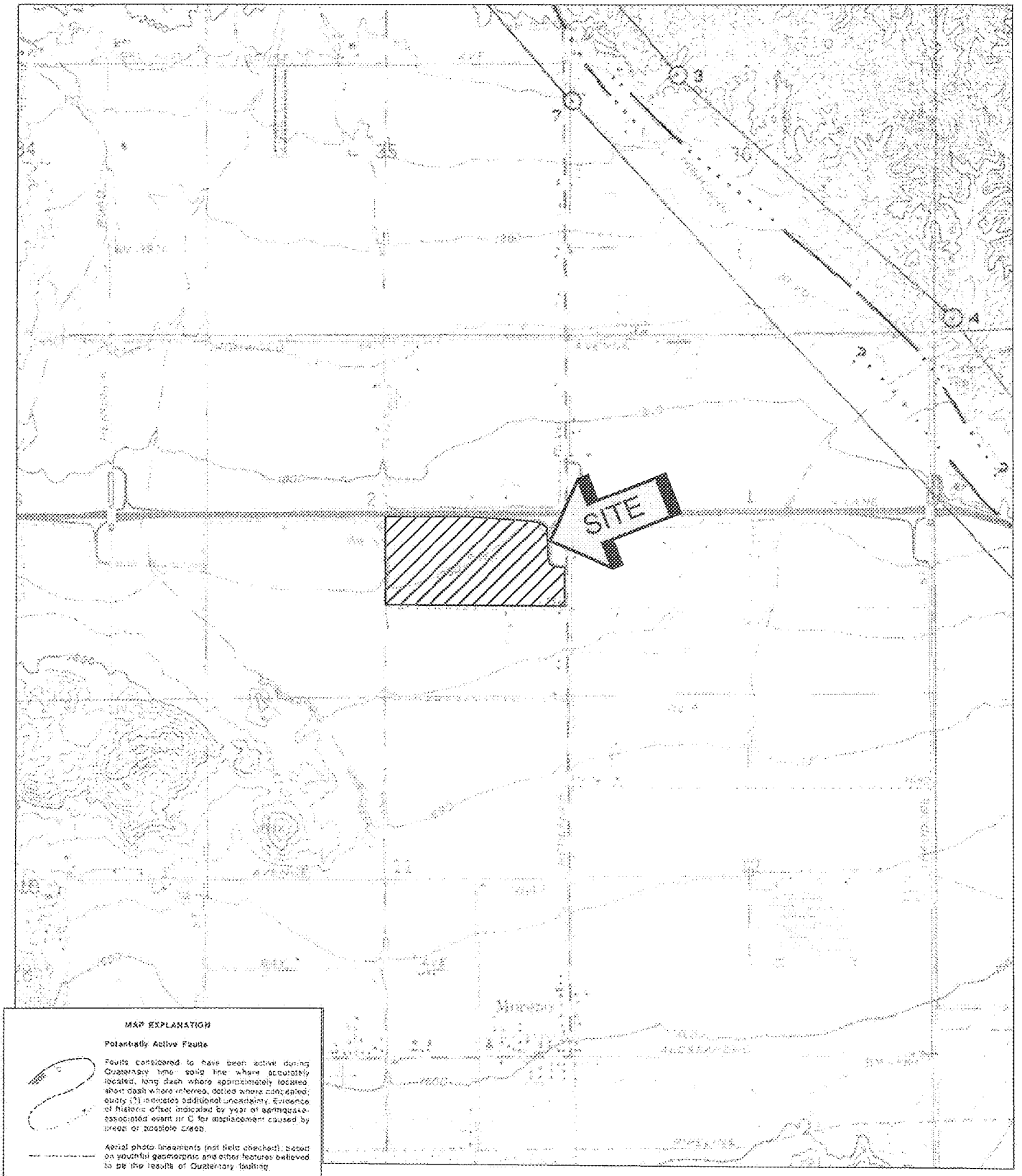

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00122955

FAULT ZONES
03/16/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00122956

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

MV00122958

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

MV00122959

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

MV00122960

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

MV00122963

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

MV00122964

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010. CDFG-5

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site.

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

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commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

MV00122969

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

MV00122970

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

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planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

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The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

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3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

MV00122974

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

MV00122975

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

MV00122976

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

MV00122977

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

MV00122978

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

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required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

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2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

MV00122981

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

MV00122982

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations DOT-2

1. Please include a Stacking Distance analysis for the Moreno Beach Road .

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

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[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

MV00122986

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

MV00122987

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

MV00122988

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***): EMWD-2

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the***

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 6, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time. More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> 4.5.3 *The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

MV00122992

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> 4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

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on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

MV00122994

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

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permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

MV00122998

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
2

truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
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> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs". MA-11 cont'd.

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

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Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

MV00123006

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

MV00123008

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

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the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

---

3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

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Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

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Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

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system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

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this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

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This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

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Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

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- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

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The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

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CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

GB-5

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason. GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR? GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault? GB-9

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east. GB-10

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 • Calimesa, California 92320 • Telephone (909) 446-0041 • Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

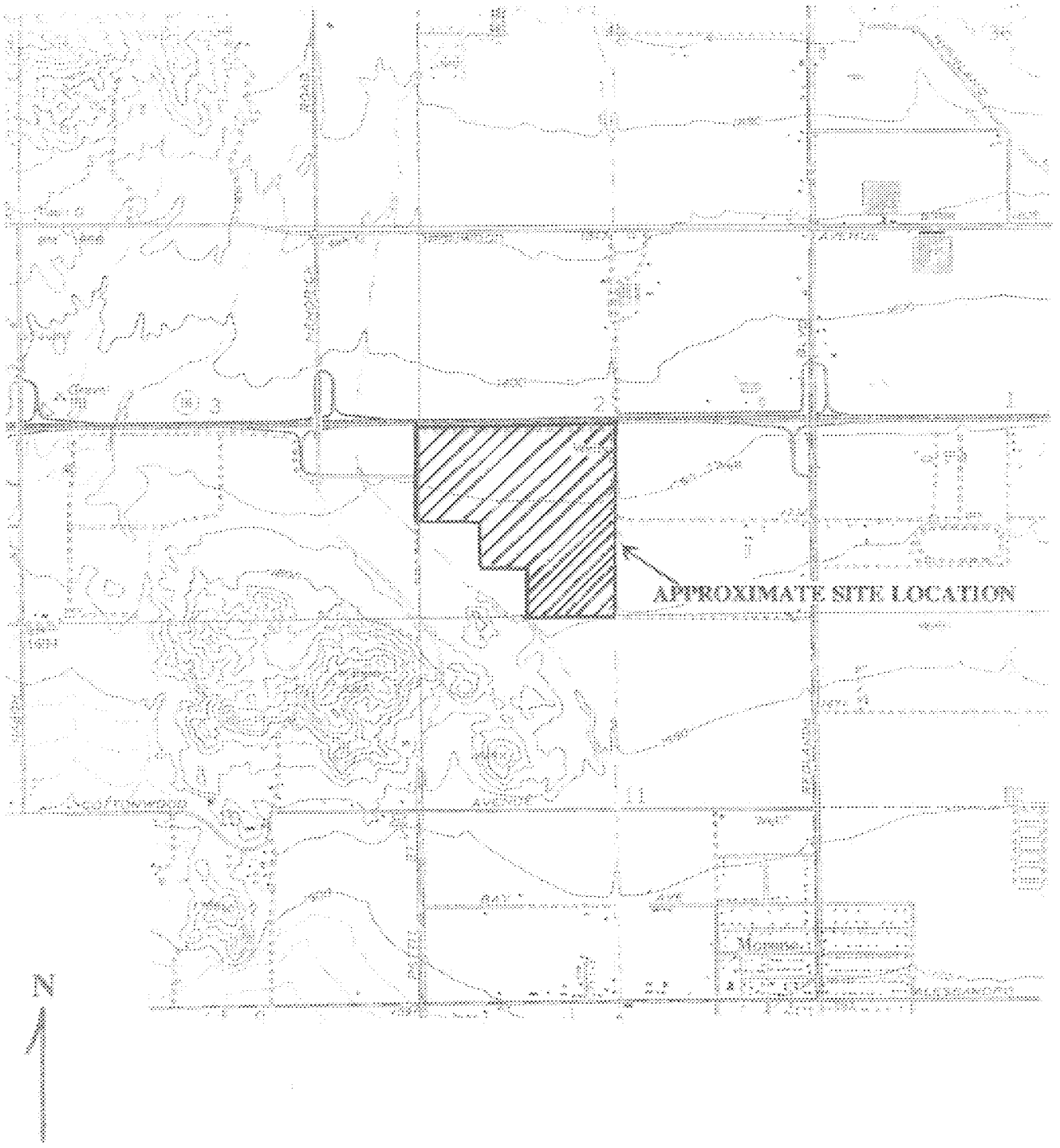

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 130± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

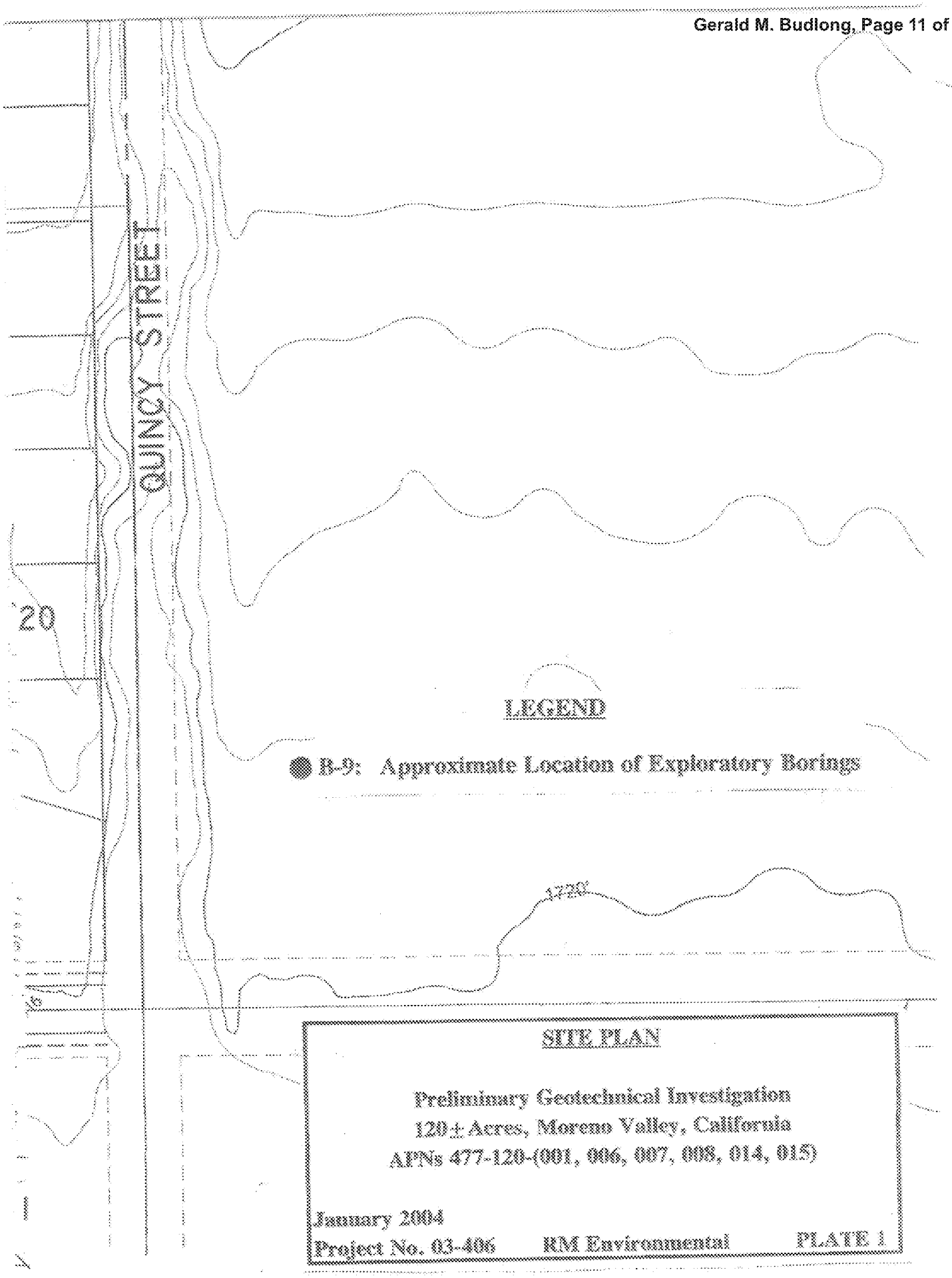

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

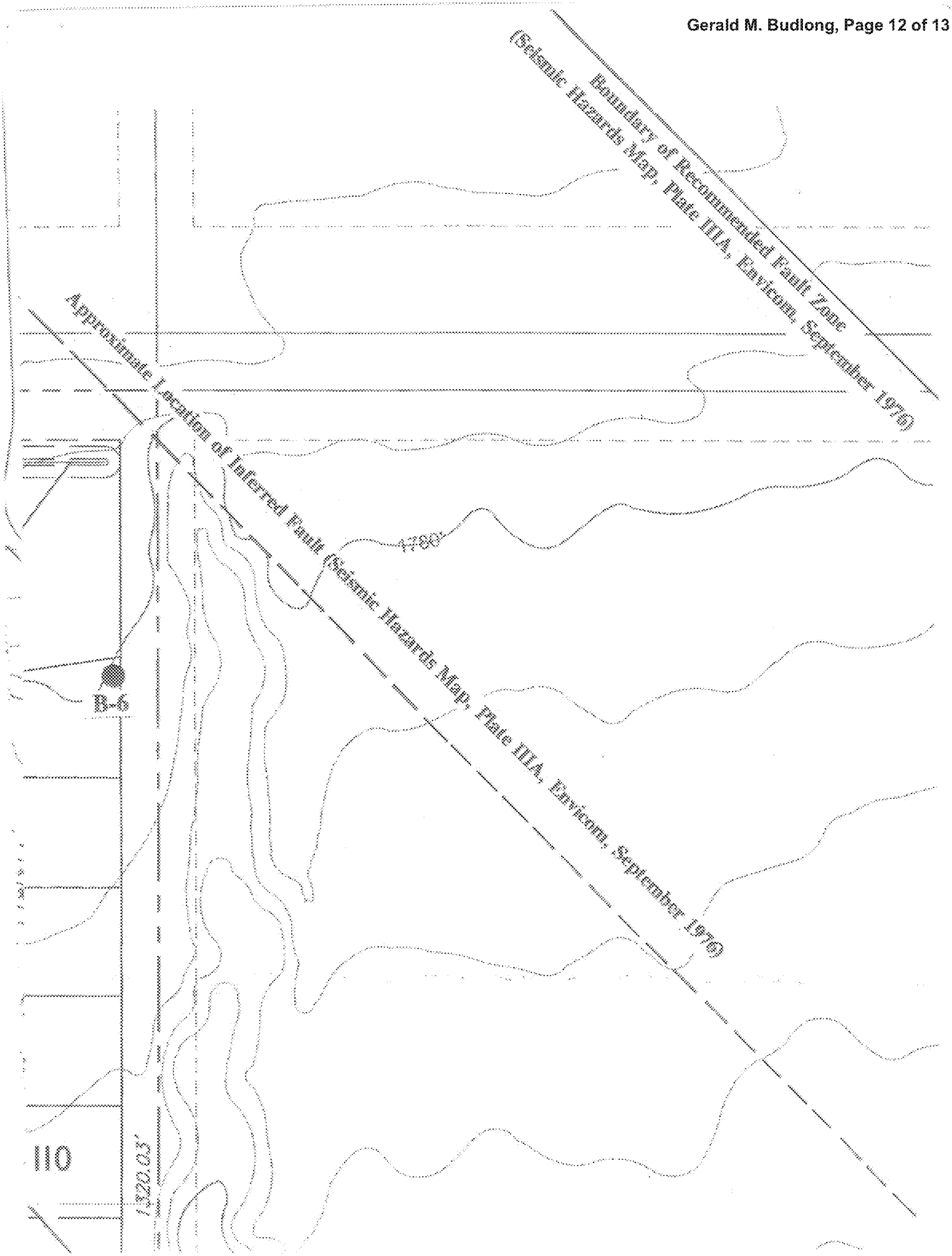
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
1780'
B-6
1320.03'
110

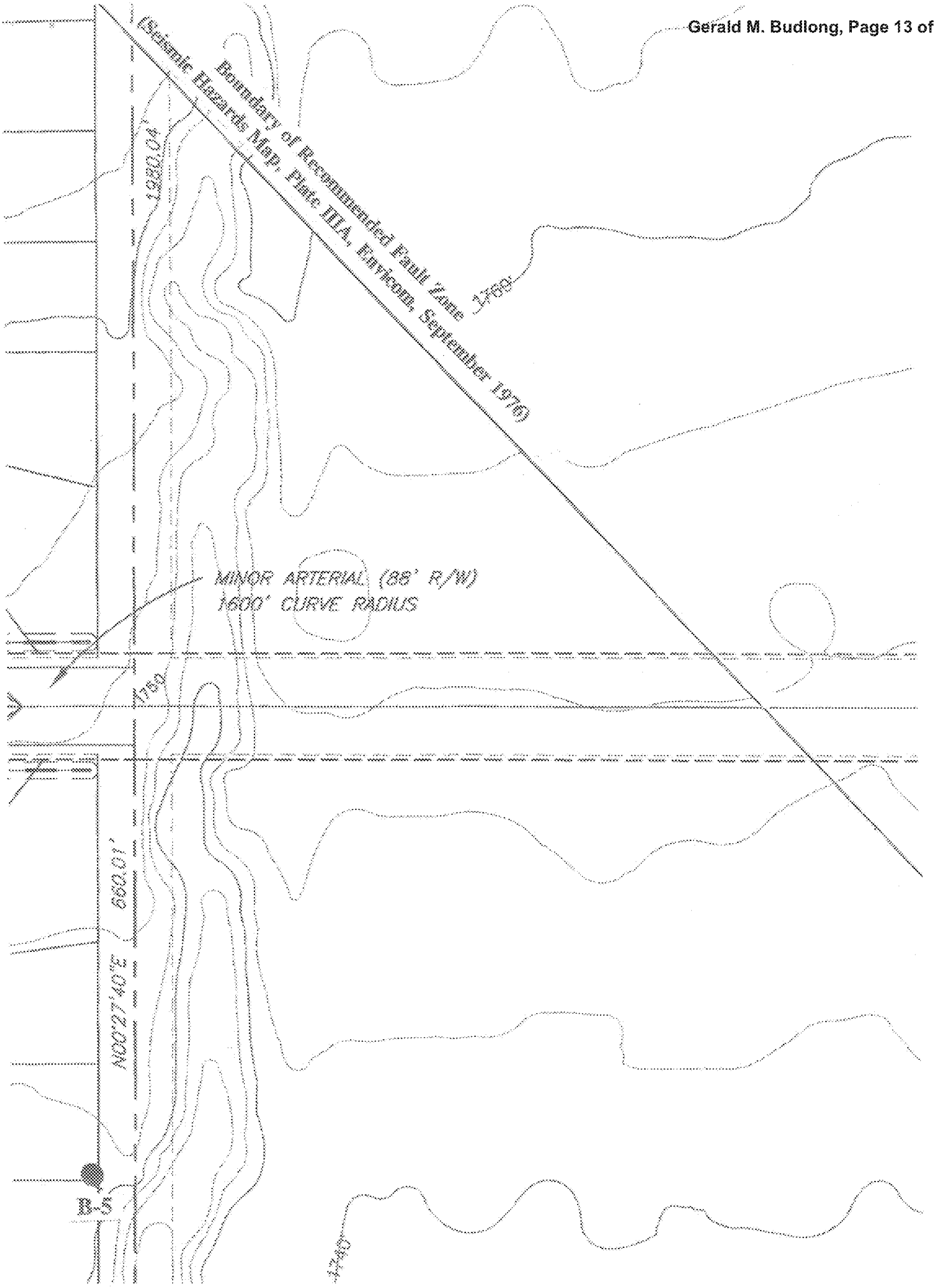
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harrison, September 1976
1920.04'
1769'
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

MV00123034

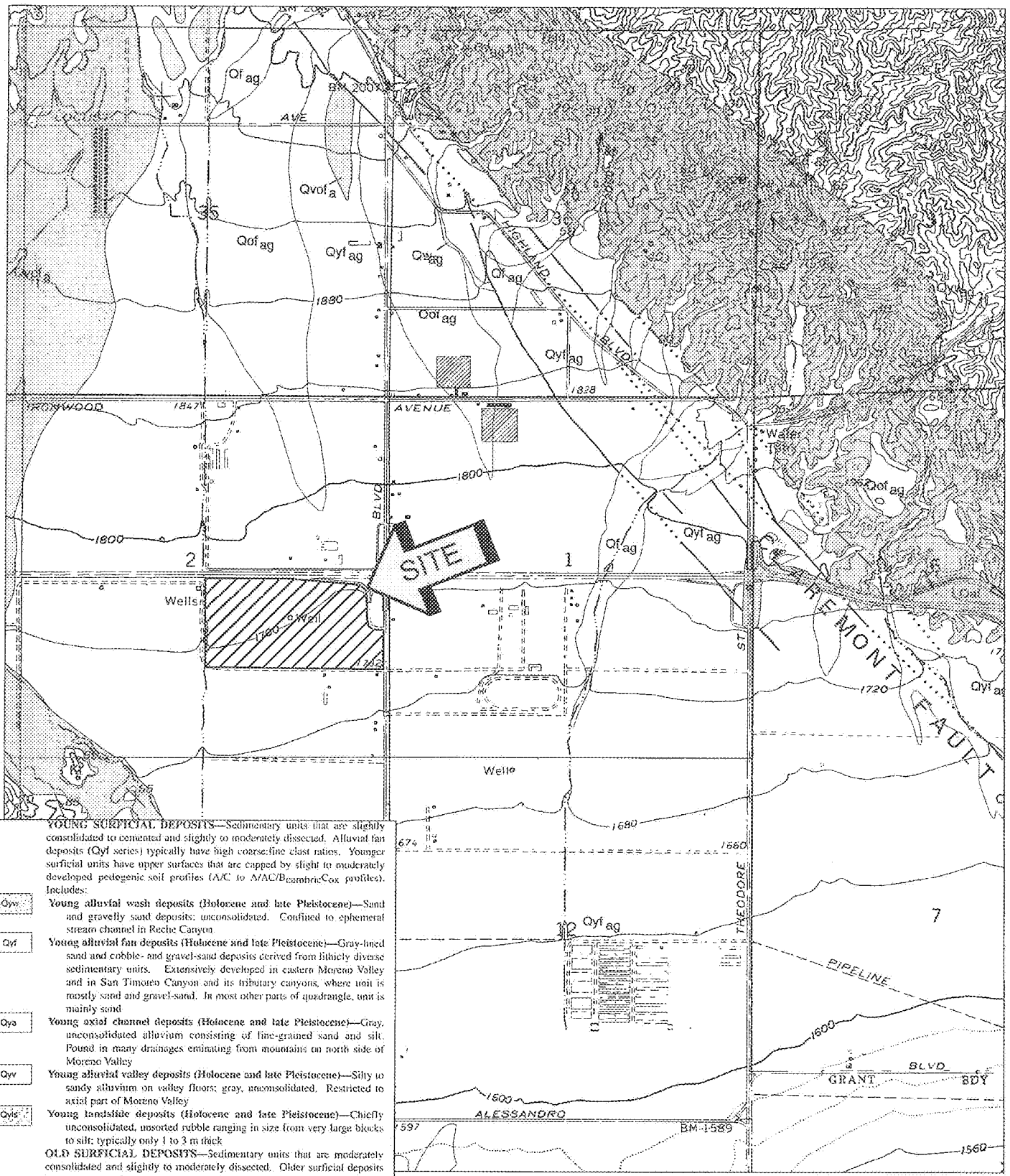

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to $A/AC/B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils ($A/AB/B/C_{ox}$ profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00123035

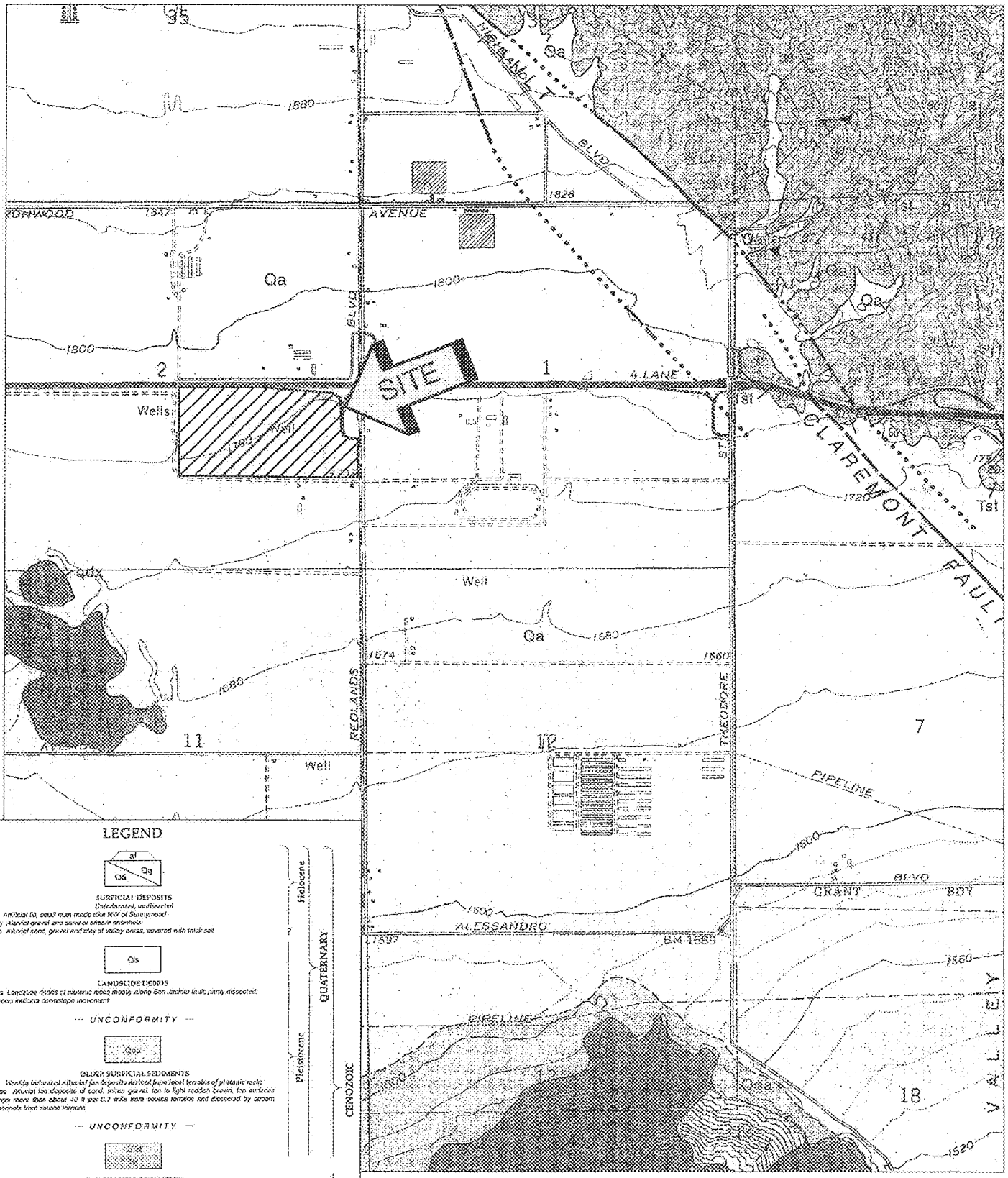

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made due NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1951), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); whole part referred to be of Pliocene age (Morton and Miall, 2004)

QTsa Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Miall, 2004), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'

DRAWN: DRK
CHKD: JAS

SCG PROJECT
06G285-2

PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00123036

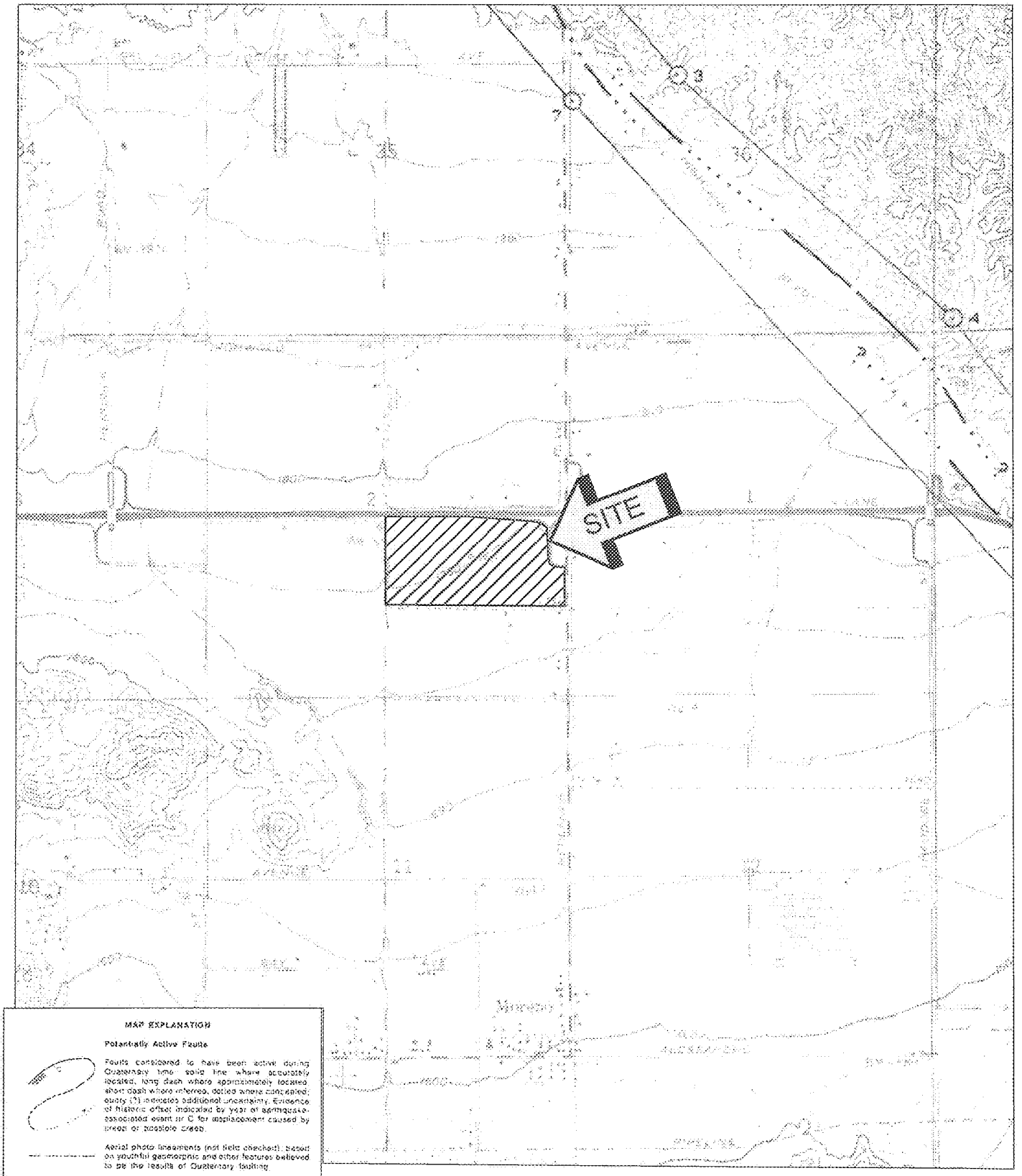

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00123037

FAULT ZONES
03/16/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 06G285-2	
PLATE 4	

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00123038

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

MV00123039

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

MV00123040

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

MV00123042

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

MV00123046

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

MV00123047

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

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overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

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contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

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[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

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With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

MV00123051

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

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COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

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Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

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Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

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Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

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impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

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- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

MV00123060

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

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which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

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area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

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There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

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The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

MV00123086

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

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> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

MV00123088

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

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In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

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Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

MV00123091

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

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TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

MV00123093

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

MV00123094

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

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(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

MV00123096

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

MV00123097

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

MV00123098

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

MV00123100

- ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
- ***Installation of catalytic converters on gasoline-powered equipment.***
- ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
- ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
- ***Provision of preferential parking for EV and CNG vehicles;***
- ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***
- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

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be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

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measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

MV00123103

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

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Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

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Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

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Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

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To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

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herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

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- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

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is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

<u>Response FNSJ-23</u>

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

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- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

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The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

MV00123116

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

MV00123117

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

MV00123118

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

MV00123119

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

MV00123120

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

MV00123122

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

JS-14 (cont'd)

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts.

JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document.

JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of

JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is <u>not</u> the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

JS-54

(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

JS-55

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track. Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated. JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

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ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

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The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

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mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

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Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

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Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

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5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

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limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

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study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

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> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

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Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

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Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

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to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

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potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

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Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

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(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

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site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

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tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

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Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

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measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

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Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

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Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

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Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

MV00123171

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

MV00123172

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

MV00123173

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

MV00123174

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

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2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

MV00123176

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

MV00123177

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

MV00123178

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

MV00123179

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

MV00123180

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

MV00123181

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

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Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

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Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
>
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

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[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

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As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

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emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

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Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

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opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

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performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

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- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

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Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

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Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

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Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

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Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

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The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

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Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

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specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

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statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

MV00123201

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

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4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

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reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

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greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

MV00123205

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

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As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

MV00123207

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

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> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

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There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

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range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

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heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

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Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

<u>Response JS-41</u>

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

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2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

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Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

MV00123215

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

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proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

MV00123217

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

MV00123218

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> *4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

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exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

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repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

MV00123221

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

> **5.8 Direct impacts to wildlife**
>
> **5.8.1 Common Wildlife**
>
> The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

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in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

Common Wildlife Species

The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

Response JS-52

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

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substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

<u>Response JS-53</u>

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

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range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

MV00123225

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

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As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

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and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

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anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

MV00123230

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

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Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

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Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

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shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

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It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

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Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

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Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

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> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

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As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

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anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

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acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

<u>Response NDN-12</u>

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

MV00123242

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

MV00123243

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

MV00123245

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

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noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

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> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

MV00123248

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

MV00123249

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

MV00123250

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

MV00123251

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

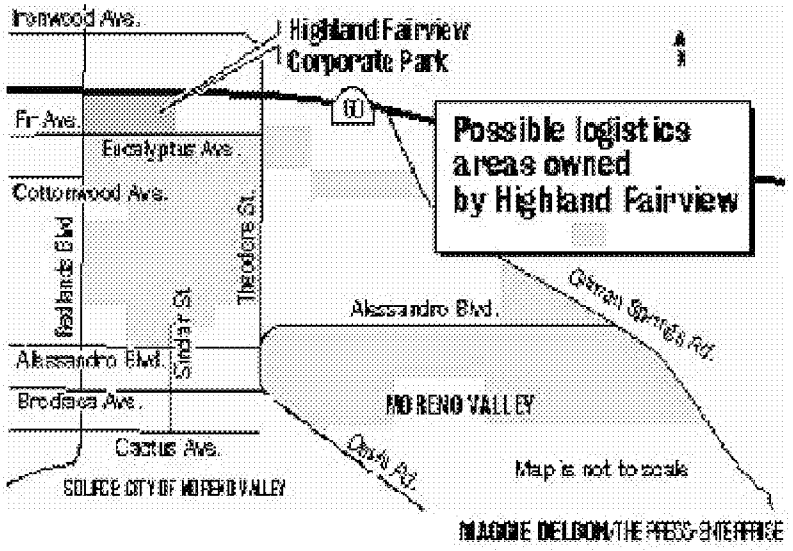

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

MV00123255

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools?

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

RLMV-2

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

RLMV-3

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

MV00123259

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

MV00123260

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

MV00123261

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- SC-1
without factoring Moreno Highlands into the equation. How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

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to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

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Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

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Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

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Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

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Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

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Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

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address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

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recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

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discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

MV00123273

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

MV00123274

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to <u>show the impacted views from the 60 Freeway looking south across the project site</u> to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

<u>Recommendation</u>: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

<u>Building</u> – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **<u>mitigation measure reducing the height of the structure to preserve some of the scenic vistas should be imposed.</u>** Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

<u>Light and Glare</u> – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: <u>www.darksky.org</u> lists lighting fixtures and methods to meet dark sky specifications. <u>Add a Mitigation Measure</u> (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

<u>*Screen Walls*</u> – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

<u>*Landscaping*</u> – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

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tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

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significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

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Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

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Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

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facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

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efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

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> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

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within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

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With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

MV00123288

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

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The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

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because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

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> percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

MV00123292

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGahee Dr. Moreno Valley 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto Wildlife Area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

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As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

MV00123295

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Richard Johnson Phone: 951-243-0804
*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

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DEC - 6 2010
CITY OF MORENO VALLEY

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

MV00123297

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area.

This report must include all the impacts of all 35 million sq ft in order to be of actual value to the community. DR-C-2

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

MV00123299

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

MV00123301

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

MV00123302

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

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Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

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The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

MV00123305

APPENDICES

Please refer to accompanying CD-ROM

MV00123306

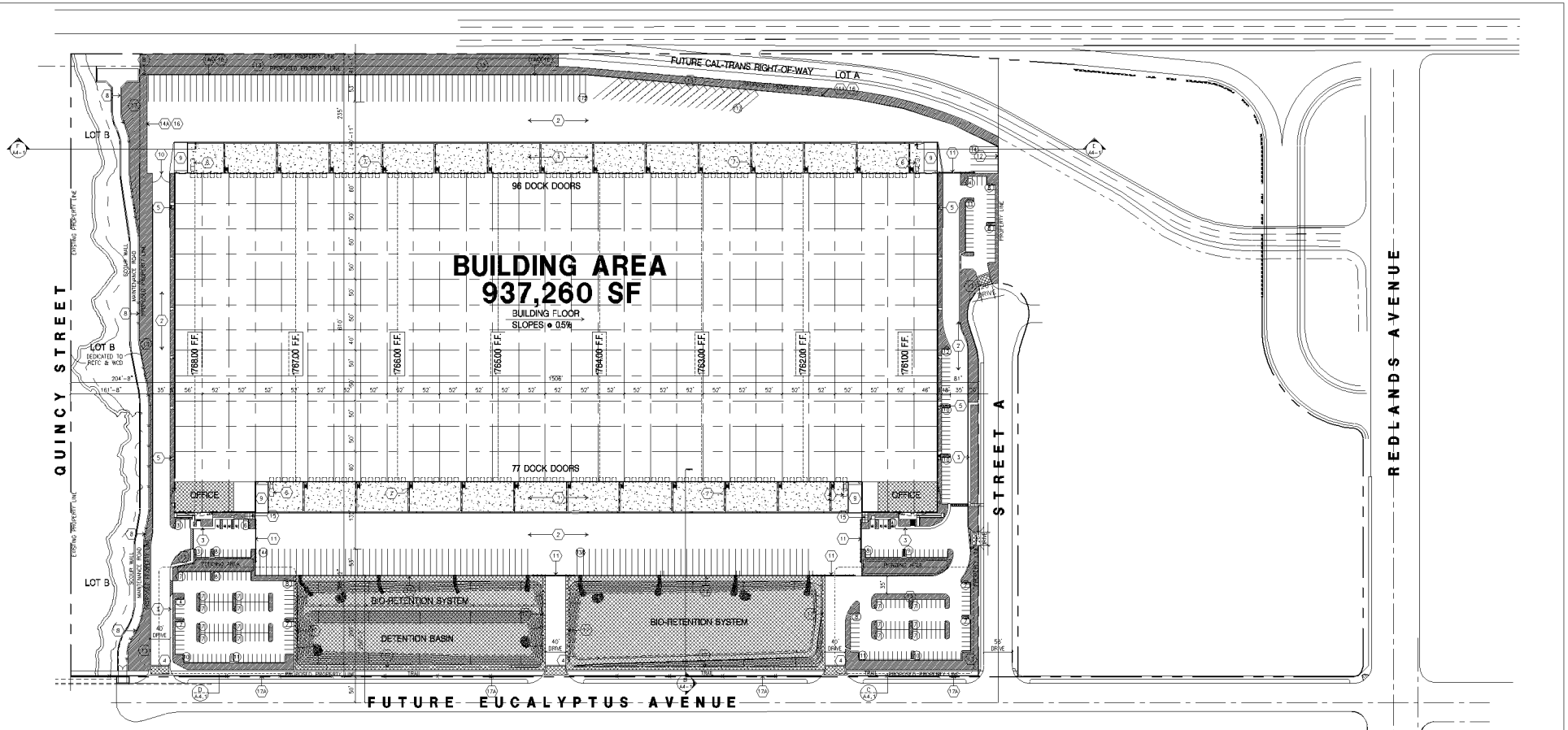

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

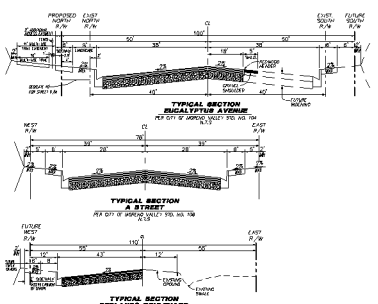

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.68
Net site area (in s.q.ft.)	2,269,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k@1/1,000 s.f.	20		
2nd. 20k@1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' SIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 6' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H. CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLOS, LLC
c/o PIERCE PROPERTY TRUST
301 CONVAL AVE. - STE. #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROE COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: GIL SWENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- P — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TINA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25500 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DAUENHAUER

VICINITY MAP

N.T.S.

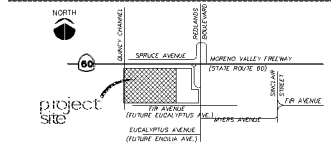

WestRidge Commerce Center

MORENO VALLEY, CALIFORNIA

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

HPA# 6342

NOVEMBER 5, 2010

A1.1

PIERCE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

ATTACHMENT 11

MV00123307

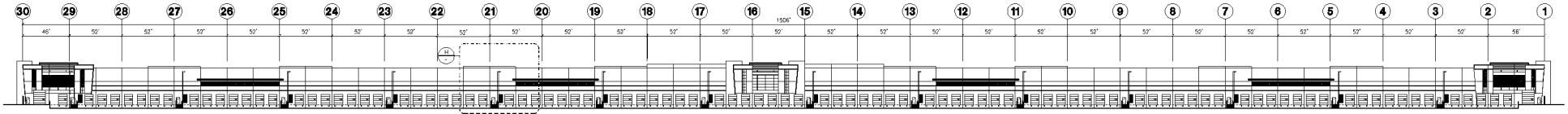

NORTH ELEVATION (A)
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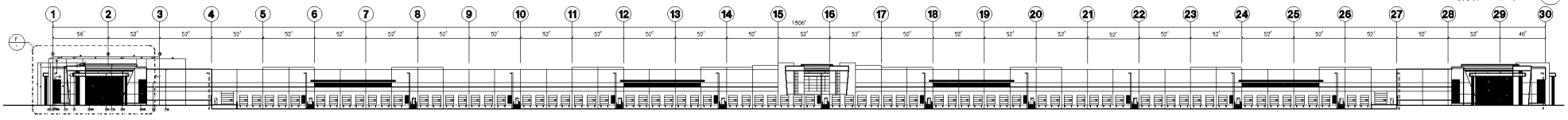

SOUTH ELEVATION (B)
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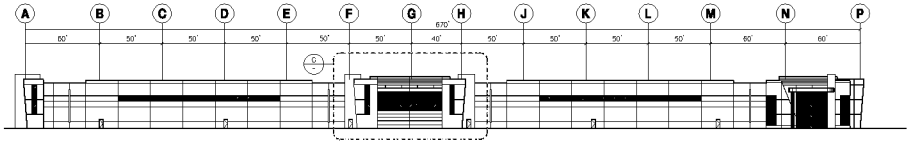

WEST ELEVATION (D)
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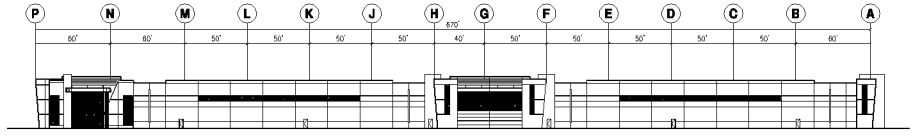

EAST ELEVATION (C)
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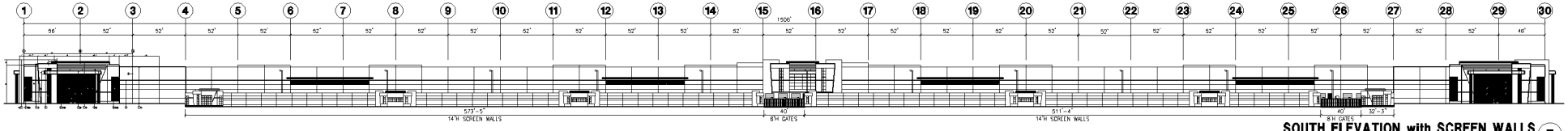

SOUTH ELEVATION with SCREEN WALLS (E)
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SCALE: 1"=40'
0 40' 80' 120'

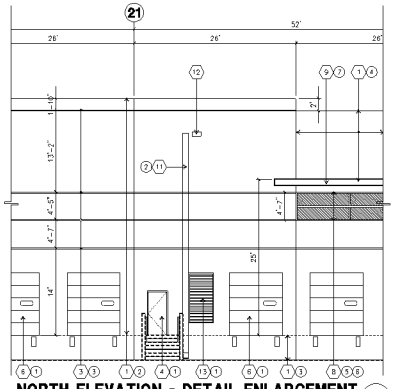

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
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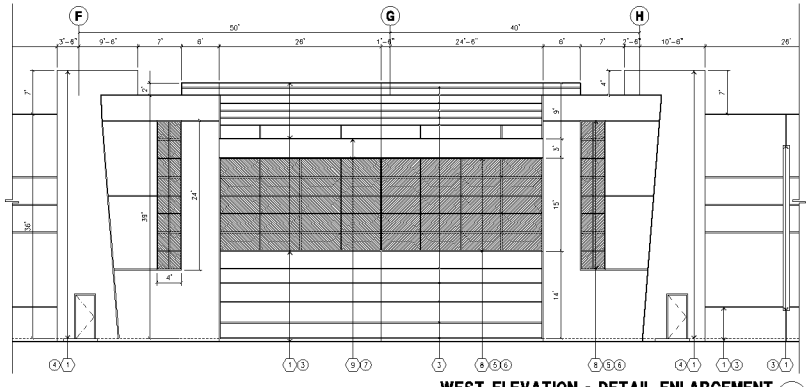

WEST ELEVATION - DETAIL ENLARGEMENT (G)
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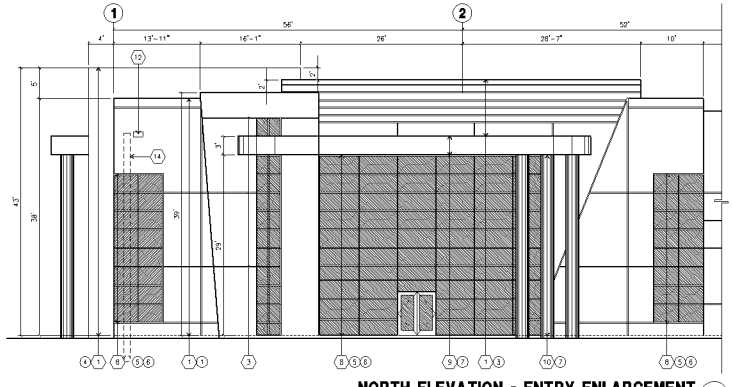

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS. SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173W EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566A DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

NOVEMBER 5, 2010
A3.1

ATTACHMENT 12

MV00123308

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

MV00123309

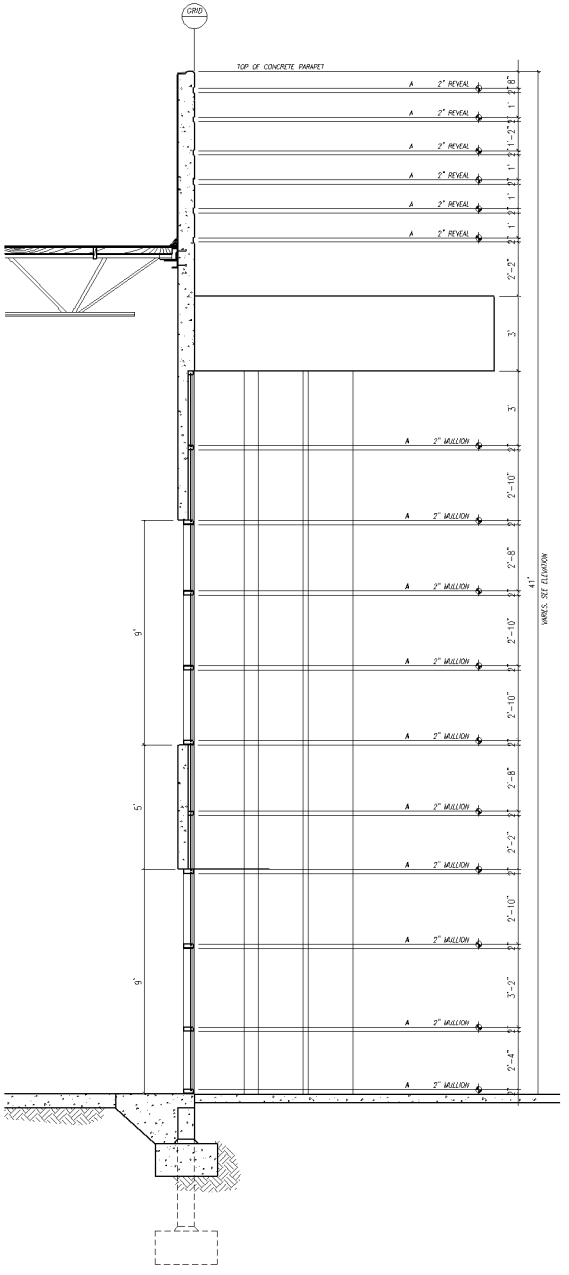

BUILDING SECTION @ OFFICE AREA (A)
scale: 1/2" = 1'-0"

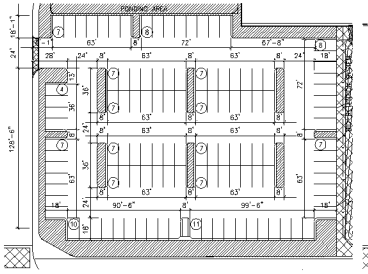

ENLARGED SITE PLAN @ SOUTHWEST (D)
scale: 1" = 40'-0"

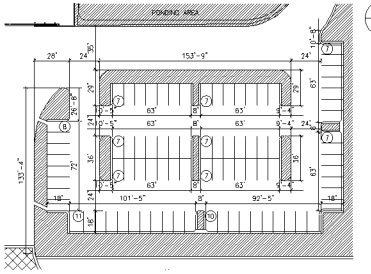

ENLARGED SITE PLAN @ SOUTHEAST (C)
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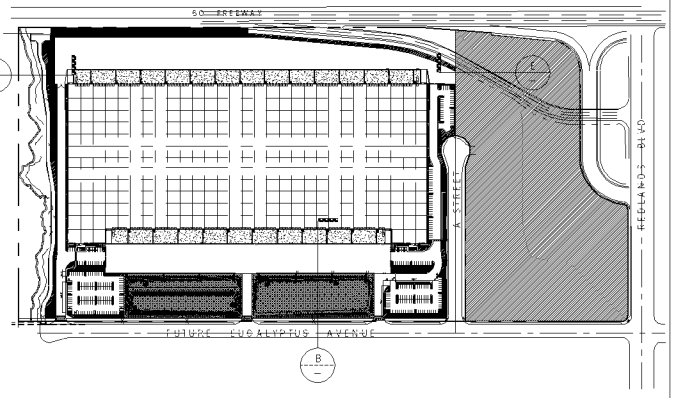

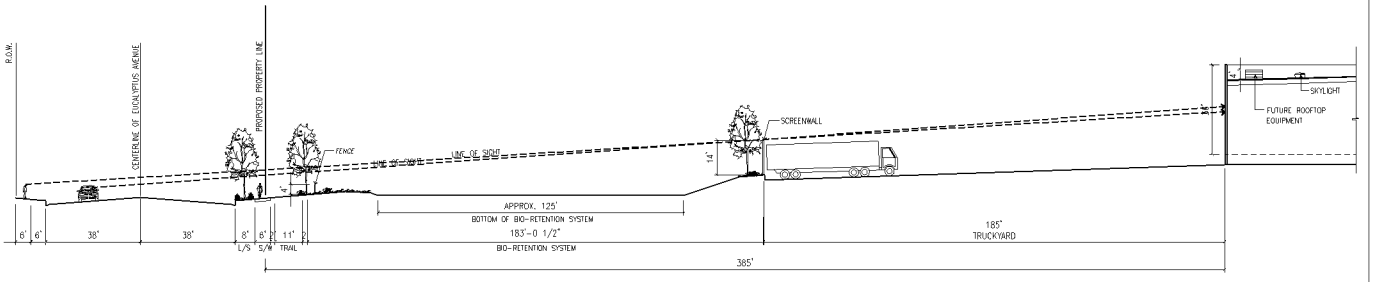

LINE OF SIGHT (B)
scale: 1" = 20'-0"

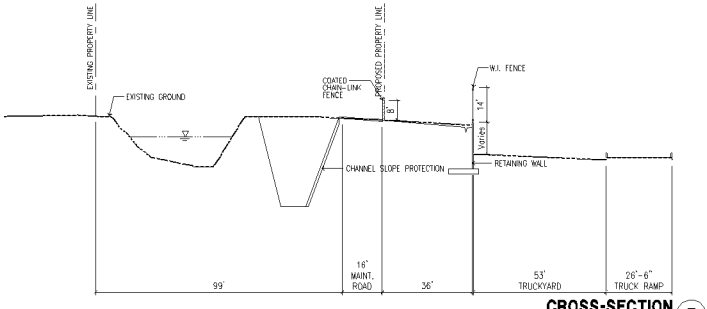

CROSS-SECTION (F)
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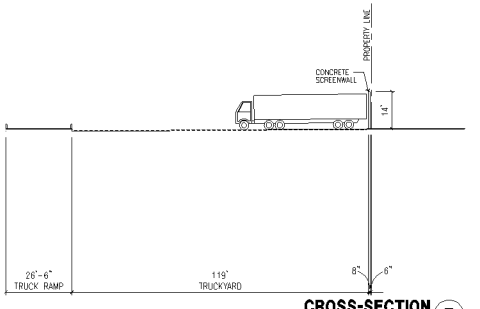

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

SUN & PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A4.1

ATTACHMENT 14

MV00123310

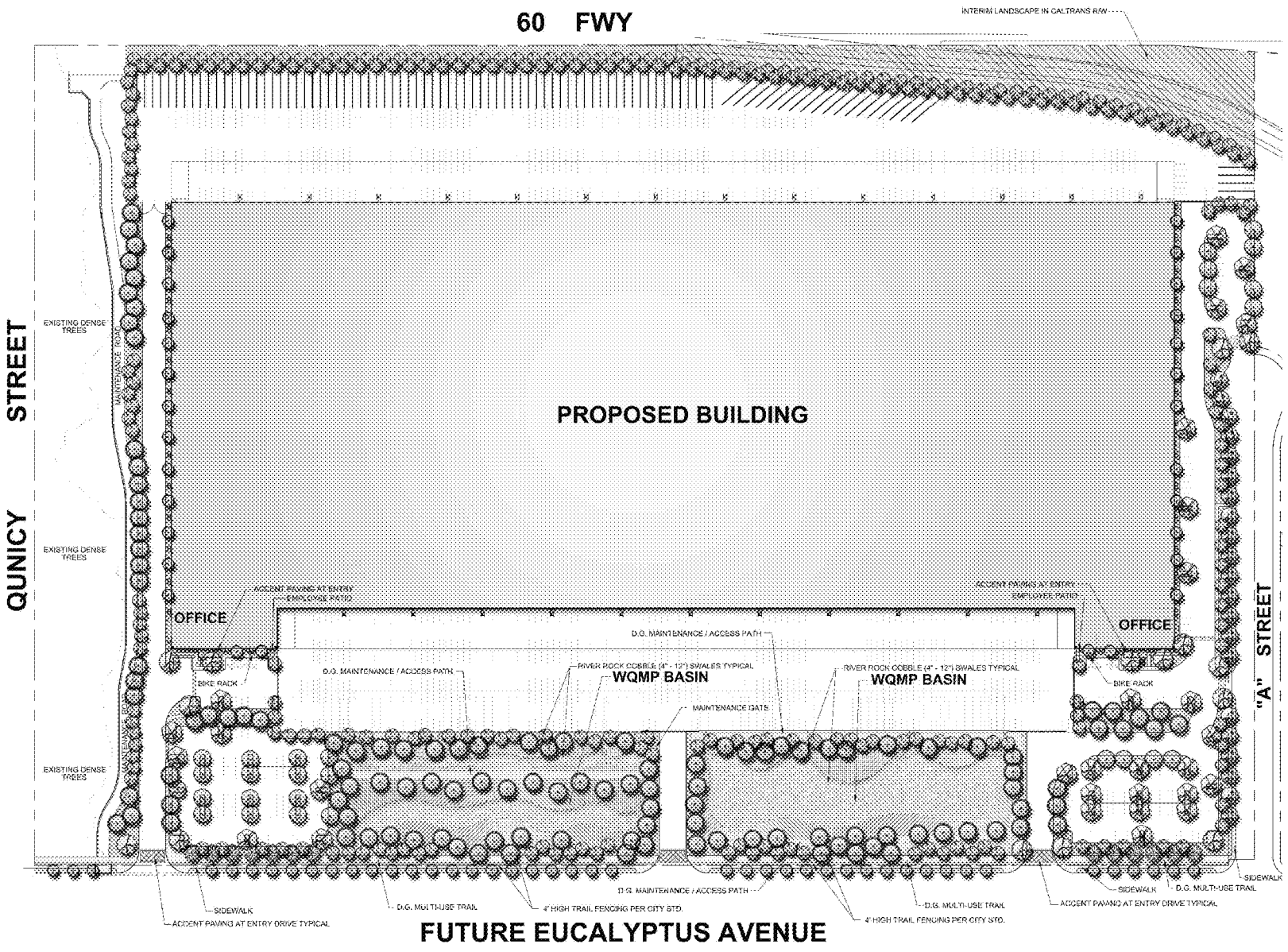

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus suber (Cork Oak)	15 GAL 24" BOX	30 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (Crimean Linden) Multi Trunk	48" BOX	16
	Ulmus americana (Liberty and Pink) OR Pistacia atlantica (Atlantic Pist)	15 GAL 24" BOX	150 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Includes Street Tree)	24" BOX	13
	Pistacia chinensis (Chinese Pistache)	15 GAL	152
	Pistachia Atlantica (Chinese Pistache) (Includes Street Tree)	24" BOX	21
	Quercus ilex (Holly Oak) (Evergreen)	24" BOX	24
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 5' OF HARDSCAPE SHALL BE 24" X 8' (MINIMUM) ROOT BARRIER 24" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Abelia grandiflora 'full Scarlet' (ACR)	5 gallon	30" o.c. spacing
Acacia cf. (Shrub Type Acacia)	5 gallon	6' o.c. spacing
Adenanthos sericeus (Woolly Bush)	5 gallon	72" o.c. (5-6' o.c. spacing)
Agave americana (Century Plant)	15 & 5 gallon	6' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Artemisia pycnocephala 'Sunny Mound' (Sagebrush)	5 gallon	3' o.c. spacing
Arctostaphylos 'Emerald Carpet'	5 gallon	5' o.c. spacing
Arctostaphylos 'Pacifica' (Manzanita)	5 gallon	5' o.c. spacing
Baccharis pilularis 'Twin Peaks' (Dwarf Coyote Bush)	5 gallon	5' o.c. spacing
Carex divulsa (Grey Sedge)	5 gallon	2' o.c. spacing
Carex tumulicola (Foothill Sedge)	5 gallon	2' o.c. spacing
Carex texensis (Texas Sedge)	5 gallon	2' o.c. spacing
Ceanothus Species (Ceanothus)	5 gallon	3' o.c. spacing
Cercis occidentalis (Western Redbud)	5 gallon	4' o.c. spacing
Cistus Species (Rockrose)	5 gallon	3' o.c. spacing
Dianella revoluta (Blue Flax Lily)	5 gallon	2' o.c. spacing
Elaeagnus pungens (Silverberry)	5 gallon	4' o.c. spacing
Fremontodendron (Flannelbush)	5 gallon	4' o.c. spacing
Galvezia speciosa (Island Bush Snapdragon)	5 gallon	3' o.c. spacing
Heteromeles arbutifolia (Toyon)	15 & 5 gallon	6' o.c. spacing
Juniperus species (Juniper)	1 and 5 gallon	varies
Leucadendron species (Leucadendron)	1 and 5 gallon	24" o.c. to 36" o.c. spacing
Leucophyllum frutescens 'Rio Bravo'	5 gallon	4' o.c. spacing
Leucophyllum frutescens 'Green Cloud' (Texas Ranger)	5 gallon	4' o.c. spacing
Ligustrum lucidum (Wax Leaf Privet)	5 gallon	30" o.c. spacing
Macadamia integrifolia and tetraphylla (Macadamia Nut)	15 gallon	24' o.c. spacing
Melaleuca nesophila (BOTA)	5 gallon	24" o.c. spacing
Muhlenbergia capillaris (Pink Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis 'Compacta' (True Myrtle)	5 gallon	24" o.c. spacing
Nandina domestica (Flavora' cultivar)	5 gallon	24" (2' o.c. spacing)
Photinia fraseri (Red Tipped Photinia)	5 gallon	4' o.c. spacing
Pittosporum species	5 gallon	4' o.c. spacing
Plumbago auriculata (Cape Honeysuckle)	5 gallon	4' o.c. spacing
Rhamnus californica (California)	5 gallon	4' o.c. spacing
Rosa species (Rose)	5 gallon	varies
Rosmarinus officinalis (Rosemary)	15 & 5 gallon	36" (3' o.c. spacing)
Salvia clevelandii (Autumn Sage)	5 gallon	3' o.c. spacing
Verbena lilacina (Lilac Verbena)	5 gallon	4' o.c. spacing
Xylosma congestum (Shiny Xylosma)	5 gallon	4' o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (ACRN)	1 and 5 gallon	48" o.c. spacing min
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing min.
Carex divulsa (Berkeley)	1 gallon	42" o.c. spacing min.
Delosperma cooperi (Trailing Ice Plant)	1 gallon	24" o.c. spacing min.
Hedera helix (Ivy) (Ivy)	1 gallon	24" o.c. spacing
Juniperus species (Juniper)	1 gallon	30" o.c. spacing
Lantana montevidensis (Trailing Lantana) (Purple Trailing Lantana)	1 gallon / 1 gallon	18" o.c. spacing
Myoporum parvifolium (Myoporum)	1 gallon	24" (2' o.c. spacing)
Pennisetum setaceum (Fountain Grass)	1 gallon	18" o.c. spacing
Rosmarinus officinalis (Rosemary)	1 gallon	36" o.c. spacing
Vinca major (Periwinkle)	From sod / 1 gallon	18" o.c. spacing

INTERIM LANDSCAPE WITHIN CALTRANS R/W - PLANT 1 GAL., ACHIEVE BEGOLENE 12" O.C. WITH 3" INNER LAYER OFFICE DEVELOPER TO MAINTAIN SO AS IRRIGATED WITH DRIP IRRIGATION

SIDEWALK VISTA - NATURALIZED NON-SEMI-SEED PURPLE SAGE WILD

0.25 LBS/AC	ACHILLEA MILLEFOLIUM
0.50 LBS/AC	NASSELLA CORNUTA
0.25 LBS/AC	MONARDA FISTULOSA
0.25 LBS/AC	MONARDA MARITIMA
0.25 LBS/AC	MONARDA PUNCTATA
0.25 LBS/AC	VERBENA CRIDIFOLIA
0.25 LBS/AC	MONARDA FISTULOSA

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Ficus pumila (Creeping fig)	1 gallon	12" o.c. spacing
	Bougainvillea (Bougainvillea) (Cascade)	1 gallon	12" o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Dendrocalamus latiflorus (Giant Timber Bamboo)	5 gallon	6' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

W.I. PLANTER AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM MATERIALS DIST. 800-0266

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

ATTACHMENT 15

MV00123311

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INDUSTRIE, BLOCK 35, OF MAP NO. 1 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT-ZOLLARS

NOVEMBER, 2010

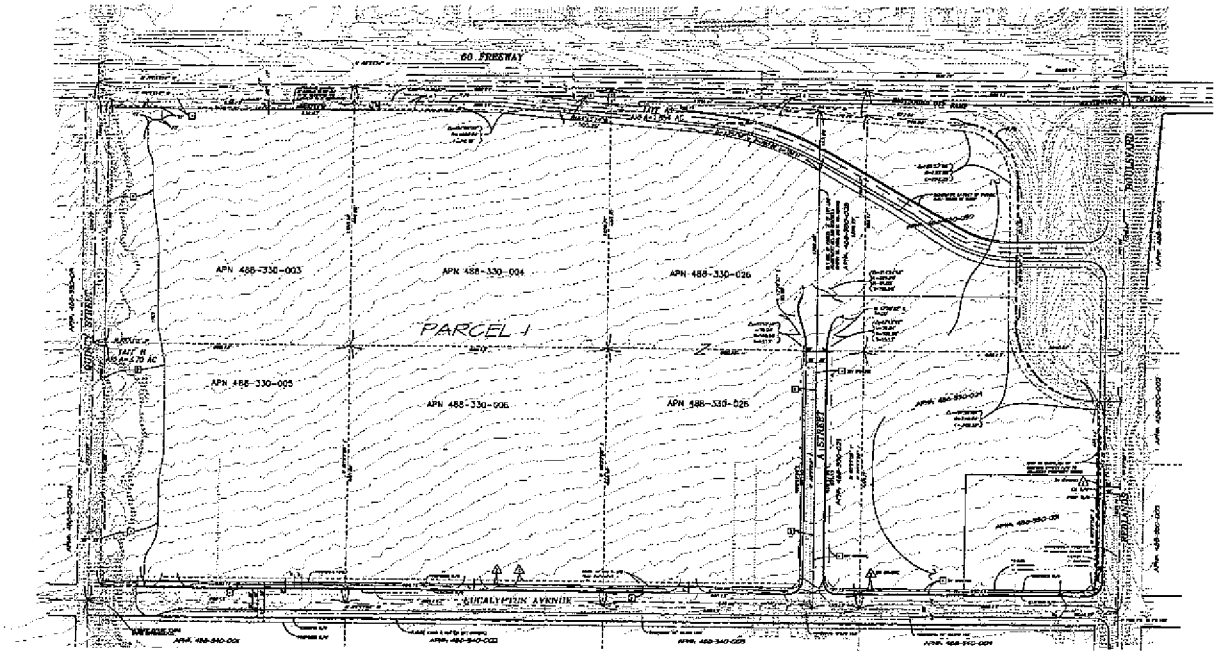

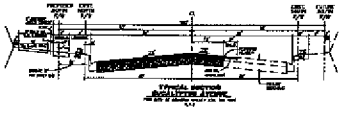

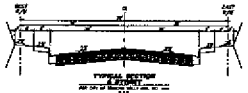

EASEMENT NOTES

(A) EASEMENTS FOR THE PURPOSES SHOWN ON THE MAP WITH INDIVIDUAL NAMES AS SHOWN BY ALL BUSINESS

GRANTED TO: EASTERN MUNICIPAL WATER DISTRICT
PURPOSE: WATER AND SANITARY SEWER
RECORDED: OCTOBER 15, 1965, AS INSTRUMENT NO. 121466, BOOK 3012, PAGE 360, OF OFFICIAL RECORDS

PROPOSED EASEMENT

1. 17' LANDSCAPE FOR MULTI-USE TRAIL TO BE CITY OF MORENO VALLEY.
2. 5' EASEMENT FOR THE PURPOSE OF DRAINAGE AND ACCESS OF DRAINAGE TO THE CITY OF MORENO VALLEY.

PROPOSED DEDICATION

1. DEDICATE 30' ADDITIONAL STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.
2. DEDICATE 30' STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.
3. PLOT A DEDICATE TO THE CITY OF MORENO VALLEY FOR FUTURE CULTURAL USE.
4. DEDICATE A DEDICATE TO DEDICATE A TRAIL FOR SAFETY CROSSING. R/B. FOR SECURE PROPERTY.

LINE DATA

LINE	BEARING	DISTANCE
L1	N 89°43'00" E	41.00'
L2	N 89°43'00" E	80.00'
L3	N 89°43'00" E	20.00'
L4	N 89°43'00" E	20.00'
L5	N 89°43'00" E	20.00'
L6	N 89°43'00" E	20.00'
L7	N 89°43'00" E	20.00'
L8	N 89°43'00" E	20.00'
L9	N 89°43'00" E	20.00'
L10	N 89°43'00" E	20.00'
L11	N 89°43'00" E	20.00'
L12	N 89°43'00" E	20.00'
L13	N 89°43'00" E	20.00'
L14	N 89°43'00" E	20.00'
L15	N 89°43'00" E	20.00'
L16	N 89°43'00" E	20.00'
L17	N 89°43'00" E	20.00'

PARCEL TABULATION TABLE
PARCEL 1 - 14.00 ACRES
TOTAL - 14.00 ACRES

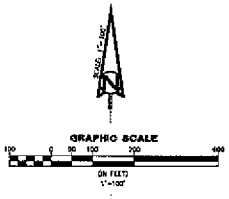

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: INDUSTRIAL, AND IS PARALLEL TO THE SITE; AGRICULTURE TO THE SOUTH, BUTTER THE BAY HOMES AND COMMERCIAL TO THE EAST
3. MINIMUM LOT SIZE: 1 ACRE
4. EXISTING ZONING: IP1 PROPOSED ZONING: IP1
5. PLANNED STORM DRAIN PARCEL NO. DESIGNATIONS SEE MORENO MAPS 36, 2000
6. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
7. PROPOSED WATER SERVICE WILL BE PROVIDED BY EASTERN MUNICIPAL WATER DISTRICT
8. PROPOSED SEWER SERVICE WILL BE PROVIDED BY EASTERN MUNICIPAL WATER DISTRICT
9. ALL UTILITIES SHALL BE UNDERGROUND:
   GAS: SOUTHERN CALIFORNIA GAS COMPANY
   ELECTRIC: CITY OF MORENO VALLEY ELECTRICAL UTILITY
   TELEPHONE: VERIZON TELEPHONE COMPANY
10. ALL SLOPES SHALL BE CONSTRUCTED AT A MAXIMUM RATIO OF 3:1 UNLESS OTHERWISE PERMITTED
11. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS
12. ACTUAL TOPOGRAPHY PROVIDED BY: SYDOW MAPPING INC.
13. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
14. AIRPORT LAND USE

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELAGIO, LLC
[illegible]
LONG BEACH, CA 90802
PH: [illegible]
FAX: [illegible]
CONTACT: GERRY RICE

PREPARED IN THE OFFICE OF
HUITT-ZOLLARS, INC.
[illegible]
IRVINE, CALIFORNIA 92781
PHONE: (949) 341-1770

UTILITY PROVIDERS
WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

GAS
SOUTHERN CALIFORNIA GAS COMPANY
[illegible]
[illegible]
(800) 427-2200

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TELEPHONE
VERIZON
[illegible]
RIVERSIDE, CA 92504

CABLE - TV
MEDIACOM COMMUNICATIONS
[illegible]
[illegible]
(951) 313-[illegible]

PROPOSED BY: [illegible]
SOILS ENGINEER: [illegible]

LAND USE

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

EARTHWORK

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

LEGEND / ABBREVIATIONS

[illegible]	PROPOSED DRAINAGE LINE
[illegible]	PROPOSED CURB GUTTER LINE
[illegible]	PROPOSED DAYLIGHTING LINE
[illegible]	PROPOSED SEWER LINE
[illegible]	PROPOSED STORM DRAIN
[illegible]	EXISTING GAS LINE
[illegible]	EXISTING WATER LINE
[illegible]	EXISTING SEWER LINE
[illegible]	EXISTING STORM DRAIN
[illegible]	STORM DRAIN INLET
[illegible]	CATCH BASIN
[illegible]	[illegible]
[illegible]	EXISTING RIGHT OF WAY/SITE BOUNDARY
[illegible]	CENTERLINE
[illegible]	LOT LINE
[illegible]	FIRE HYDRANT

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW HAVE BEEN CONTRACTED FROM A PRELIMINARY TITLE REPORT PREPARED BY [illegible] DATED [illegible] AND ARE ACCURATE AS OF [illegible]. THE LAND DESCRIPTIONS HAVE BEEN CONTRACTED FROM THE [illegible] PREPARED BY THE PURCHASER OF RECORDS, IN BOOK 13 AND 14 OF MAPS, PAGE 71, [illegible] OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 1:

LOT 3, BLOCK 35 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NORTHERLY THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED DECEMBER 20, 1962 IN BOOK 3286, PAGE 360 OF OFFICIAL RECORDS.

PARCEL 2:

LOT 4, BLOCK 35 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NORTHERLY THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED DECEMBER 20, 1962 IN BOOK 3286, PAGE 360 OF OFFICIAL RECORDS.

PARCEL 3:

LOT 5, BLOCK 35 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, TOGETHER WITH THE SOUTH 30.00 FEET, PART OF RAINEY STREET, AND THE WEST 60.00 FEET OF THE EASTERLY 80.00 FEET OF THE SOUTH 1/2 OF EUCALYPTUS AVENUE, ADJACENT TO SAID LOT 5, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 4:

LOT 6, BLOCK 35 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, TOGETHER WITH THE SOUTH 30.00 FEET, PART OF RAINEY STREET, AND THE WEST 60.00 FEET OF THE EASTERLY 80.00 FEET OF THE SOUTH 1/2 OF EUCALYPTUS AVENUE, ADJACENT TO SAID LOT 6, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 5:

A PORTION OF LOTS 7 AND 7 BLOCK 35 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THE WEST PORTION OF RAINEY STREET, AND THE WEST 60.00 FEET OF THE EASTERLY 80.00 FEET OF THE SOUTH 1/2 OF EUCALYPTUS AVENUE, ADJACENT TO SAID LOT 7, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

CITY CASE NO. PADS-0022

HUITT-ZOLLARS
HUITT-ZOLLARS, INC.
[illegible] STREET, SUITE 450 | IRVINE, CALIFORNIA 92614 | (949) 341-1770

DESIGNED BY: [illegible]	SHEET 1 OF 1
DRAWN BY: [illegible]	DATE: [illegible]
CHECKED BY: [illegible]	JOB NO. [illegible]
P.O.D.: [illegible]	

ATTACHMENT 16

MV00123312

West Ridge Commece Center Project

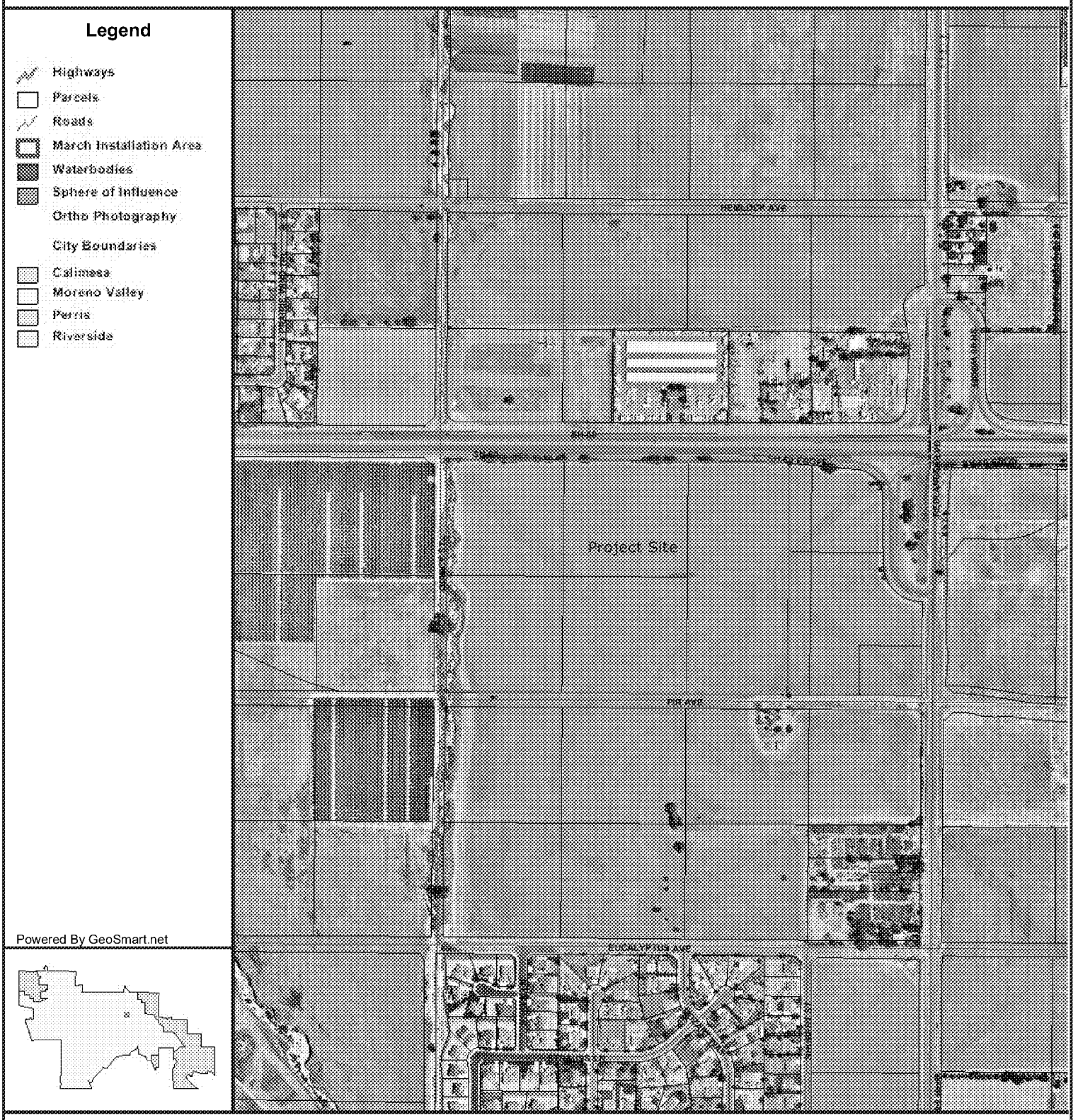

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

N

0 300 600 1200ft

Printed: 5/4/2011 11:52:36 AM

MORENO VALLEY
WHERE DREAMS SOAR

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP /II[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  - ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

AQMD-5 cont'd.

Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction

AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

MV00123324

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

MV00123325

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

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The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

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AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

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AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

MV00123329

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

MV00123330

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

MV00123331

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

MV00123332

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

MV00123334

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

MV00123335

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

MV00123336

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

MV00123337

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

MV00123338

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

MV00123339

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-325-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC (Print Name) am the owner of the property described in this application and hereby authorize Dennis S. Rice (Applicant/Representative Name) to act on my behalf on matters pertaining to this application.

Property Owner's Signature: [signature] Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature: [signature] Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 719549123⑈

MV00123344

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer.

ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

ATTACHMENT 26

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

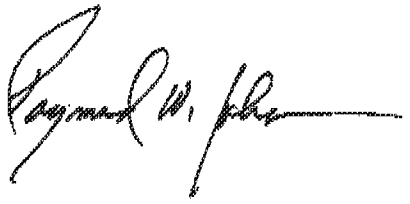

Raymond W. Johnson
JOHNSON & SEDLACK

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. **Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)**

b. **Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS

RECOMMENDED ACTION

1. Staff recommends that the City Council adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the council districts from which members of the City Council are elected.

BACKGROUND/DISCUSSION

The California Elections Code provides that following each decennial federal census, the council shall by ordinance or resolution, adjust the boundaries of any or all of the council districts of the city so that the districts shall be as nearly equal in population as may be and shall comply with the applicable provisions of Section 1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, continuity, integrity and compactness of territory, and (d) community of interests within the districts. The timeline of adjustment of the boundaries shall be before the first day of November of the year following the year in which each decennial federal census is taken.

An initial step in undertaking the revision of district boundaries is to establish criteria which will be used to guide the redistricting process. The concepts reflected in the proposed criteria were presented by Alan Heslop, Founder of National Demographics Corporation (NDC), at the July 26, 2011 Special Meeting. National Demographics Corporation nationally recognized as a leader in the districting field has been contracted

by the City to conduct the required redistricting process. The timeline is provided accordingly.

Scheduled Timeline:

July – August 10
Creation of Public Participation Paper Kits

July – August 10
Creation of an On-line Redistricting Application for public use and submission of plans

August 23
Regular City Council Meeting - Adoption of Criteria

September 1
Creation and on-line interactive posting of 2 or 3 draft plans for citizens' review

September 12th and 15th
Citizens' Community Meetings in two areas of the city: one at the east end and one at the west end (citizen participation)

September 27
City Council Public Hearing - Review of suggested final map from citizens' input

October 11
City Council Public Hearing and Final Adoption of Resolution

ALTERNATIVES

There are no alternatives as redistricting is required in order to comply with applicable state law.

FISCAL IMPACT

National Demographics Corporation submitted a proposal for $27,500, not to exceed $45,000. Basic Elements include: development of redistricting database including U.S. Census and California Statewide Database data; incorporation of GIS data that the City wishes to include and provides; development of 2 or 3 "Consultant Plans" for Council consideration; analysis and preparation for Council consideration of all whole or partial-plans submitted by the public; any relatively minor corrections requested to a Council preferred Draft plan; and work with the Riverside County Registrar of Voters office to implement the final adopted plan.

The Optional Elements are additional cost items that can only be implemented by written approval from the City. The Optional Elements include: In-person Council and/or

public meetings*; Citizens' Community Meetings*; (consultant suggests a minimum of two meetings at $2,000 per meeting; if Council desires more citizens' community meetings, please provide staff direction); development of each new plan from scratch or nearly from scratch, beyond the 2 or 3 "Consultant Plans" in the basic package; creation of a "Public Participation Kit" in paper/Acrobat PDF-only and paper-plus-Excel formats*; on-line redistricting application for the public to use to design and submit redistricting plans for NDC review and Council consideration*; and translation of any project materials in Spanish*.

This expenditure has been included in the City Clerk's budget for FY 2011/12.

* Denotes Optional Elements that have been or will be implemented

NOTIFICATION

Publication of the agenda.

ATTACHMENTS/EXHIBITS

1. Proposed Resolution
2. Proposed City of Moreno Valley Criteria
3. City of Glendale, Arizona Criteria
4. City of Mesa, Arizona Criteria

Prepared By:
Jane Halstead
City Clerk

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF THE COUNCIL DISTRICTS FROM WHICH MEMBERS OF THE CITY COUNCIL ARE ELECTED

WHEREAS, the Council Members of the City of Moreno Valley are elected from five districts within the City; and

WHEREAS, §21601 of the California Elections Code provides that following each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended; and

WHEREAS, in an effort to ensure a fair and orderly process for redrawing the district boundaries and to promote public confidence in the process, the City Council has decided to adopt criteria to guide the boundary revision process before revised district boundary proposals are drawn;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the redistricting criteria described in Exhibit A, attached hereto and incorporated herein by this reference, are adopted by the City Council and shall guide the City Council in the process of revising the Council districts from which Council Members are elected.

BE IT FURTHER RESOLVED that the City Council reserves the right to modify these criteria by further resolution or minute order to address issues or concerns raised during the redistricting process upon which the City is about to engage.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

CITY OF MORENO VALLEY
REDISTRICTING CRITERIA

Issues of Equality and Fairness

1. **Equal Population:** Each district shall contain a nearly equal number of inhabitants;

2. **Adherence to the Voting Rights Act:** District borders shall be drawn in a manner that complies with Section 2 and Section 5 of the Federal Voting Rights Act;

Councilmanic Districts:

3. **Councilmanic Districts**: District borders shall be drawn to avoid locating more than one current Council member in any one district as much as possible;

Good Government Criteria:

4. Each district shall consist of contiguous territory in as compact form as possible;

5. Each district shall respect communities of interest as much as possible;

6. District borders shall follow visible natural and man-made geographical and topographical features as much as possible;

7. Each new district shall preserve the corresponding existing district's population and territory as much as possible;

8. Districts known to be areas of higher-than-average population growth in the two to five years following redistricting may be under populated within the population deviation amounts allowed by law.

Exhibit A

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Glendale, Arizona

Redistricting Criteria Adopted by Council

Each district shall respect communities of interest as much as possible;

District borders shall follow visible natural and man-made geographical and topographical features as much as possible;

District borders shall be drawn to avoid locating more than one current Councilmember in any one district as much as possible;

Each new district shall preserve the corresponding existing district's population and territory as much as possible;

Districts known to be areas of higher-than-average population growth in the two to five years following redistricting, based on development projects that have received final plat approval from the City, may be under populated within the population deviation amounts allowed by law;

To the extent possible, consistent with constitutional law and the requirements of federal and state statutes, each district shall contain a substantially equal number of electors.

Attachment 2

City of Mesa, Arizona

Redistricting 2011 Criteria

Issues of Equality and Fairness

1. Equal Population – Under the federal mandate of one-person one-vote, each person's vote is equal to that of any other person; therefore, districts must be equal in population. Arizona state law also speaks to this criterion stating that districts should be "nearly equal."
2. Adherence to the Voting Rights Act – The rights of minority communities should be respected and not be abridged. This means that minority communities must not be improperly packed or divided, and a full faith effort should be made to assure opportunities for minority representation. Race cannot, however, be the primary criterion in drawing boundaries.
3. Compactness and Contiguity – Arizona statute requires that districts "shall consist of contiguous territory in as compact form as possible."

Councilmanic Districts

4. The City Charter requires that, "The redrawing of district boundaries shall not remove the residence of an incumbent Councilmember from the district he was elected to represent during his term in that office."

Good Government Criteria

5. Respect Community of Interest – Self-identifying communities should be recognized and kept whole to the extent possible; and community centers (e.g., schools) should be used wherever possible in revising districts.
6. Follow Natural and Man-Made Boundaries to the Extent Possible – This is to assure ease of access, recognizable boundaries and to give respect to existing geography.
7. Citizen Input – Citizen opinions should be expressed through the use of citizen kits,

Attachment 3

at public meetings and hearings and through the City's hotline and should receive due consideration in the redistricting process.

8. Population Growth – Recognizing that the 2010 Census was taken more than one year ago and that the City continues to grow, to the extent possible population growth should be factored in when creating the revised boundaries.

9. Existing Districts – Mesa established its current district plan in 2001. Because of rapid population change, it will be impossible to prevent significant change in the existing boundaries; but, nevertheless, there is an advantage to both citizens and their representatives in maintaining to the extent possible the general configuration of the current plan.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: August 23, 2011

TITLE: APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

BACKGROUND

The City Clerk's Office posted a Notice of Opening to fill the vacancy for the teen member position on the Parks and Recreation Commission with a term expiring on January 27, 2013. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointee will serve without compensation for a designated term.

The City Clerk's Office received one application for this position. Application was submitted by Sierra Marrero.

The application was reviewed by the Parks and Recreation Commission staff liaison, Tony Hetherman, who recommends that the City Council appoint Sierra Marrero to the

Parks and Recreation Commission as a teenage member with a term expiring January 27, 2013.

ALTERNATIVES

A teenage member on the Parks and Recreation Commission provides input on activities and programs for teenagers in and around the City. By not appointing a teen representative, contributions from the teenage population would be greatly reduced, which is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council appoint a teen member to the Parks and Recreation Commission.

NOTIFICATION

1. Posting of Notice of Opening
2. Publication of the agenda
3. Report and agenda mailed to the applicant

ATTACHMENTS

None

Prepared by:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Oasis Community Church (APNs 296-300-005 and 296-300-007) and Buddhadhammo Temple (APN 488-210-014), (collectively "Property Owners"), have Conditions of Approval that require them to provide a funding source to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

A mail ballot proceeding was conducted earlier this year for Buddhadhammo Temple. The City Clerk did not receive the ballots prior to the close of the public hearing. In order to satisfy the Conditions of Approval, at the request of the property owner another mail ballot proceeding is being conducted.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the Property Owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. Property Owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owners, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES

maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges were estimated based on the parcel's front linear footage to the existing Alessandro Blvd. and the future Nason St. medians. Upon approval of the charges, APNs 296-300-005, 296-300-007, and 488-210-014 will be subject to the annual charges; however, the annual charge for APN 488-210-014 shall not be levied until such time as the planning of the median begins. Any future development of parcels adjacent to the medians in questions shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charge for APNs 296-300-005, 296-300-007, and 488-210-014 shall be proportionally adjusted.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceedings to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charges for Oasis Community Church and Buddhadhammo Temple are as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
Oasis Community Church		
APNs 296-300-005 (and any division thereof)	$212	$2,322.35
296-300-007 (and any division thereof)	212	608.10
Buddhadhammo Temple		
APN 488-210-014 (and any division thereof)	212	1,270.91

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APNs 296-300-005 and 296-300-007 is being balloted to provide a funding source to supplement the maintenance costs of an existing median funded by the General Fund, which will reduce the General Fund obligation for this median. The property owner of APN 488-210-014 is being balloted for maintenance costs of a future median that is planned to be constructed on Nason St. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple.

NOTIFICATION

The Property Owners were given more than the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots,

instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachments 1 and 2.)

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Oasis Community Church mail ballot packet
Attachment 2: Buddhadhammo Temple mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Oasis Community Church
23750 Alessandro Blvd, No. C
Moreno Valley, CA 92553

June 15, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 296-300-005 and 296-300-007

******* OFFICIAL BALLOTS ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 296-300-005 and 296-300-007 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charges include maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APNs 296-300-005 and 296-300-007 are subdivided. If the APNs are merged then the annual charges for those APNs shall be combined. The charges levied shall not exceed the charges previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 296-300-005 and 296-300-007 (and any division thereof) and shall

be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the APNs are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if a simple majority of the weighted value of APNs are marked in favor of the annual charges.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted APNs oppose the CSD Zone M annual charges, then the annual charges will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

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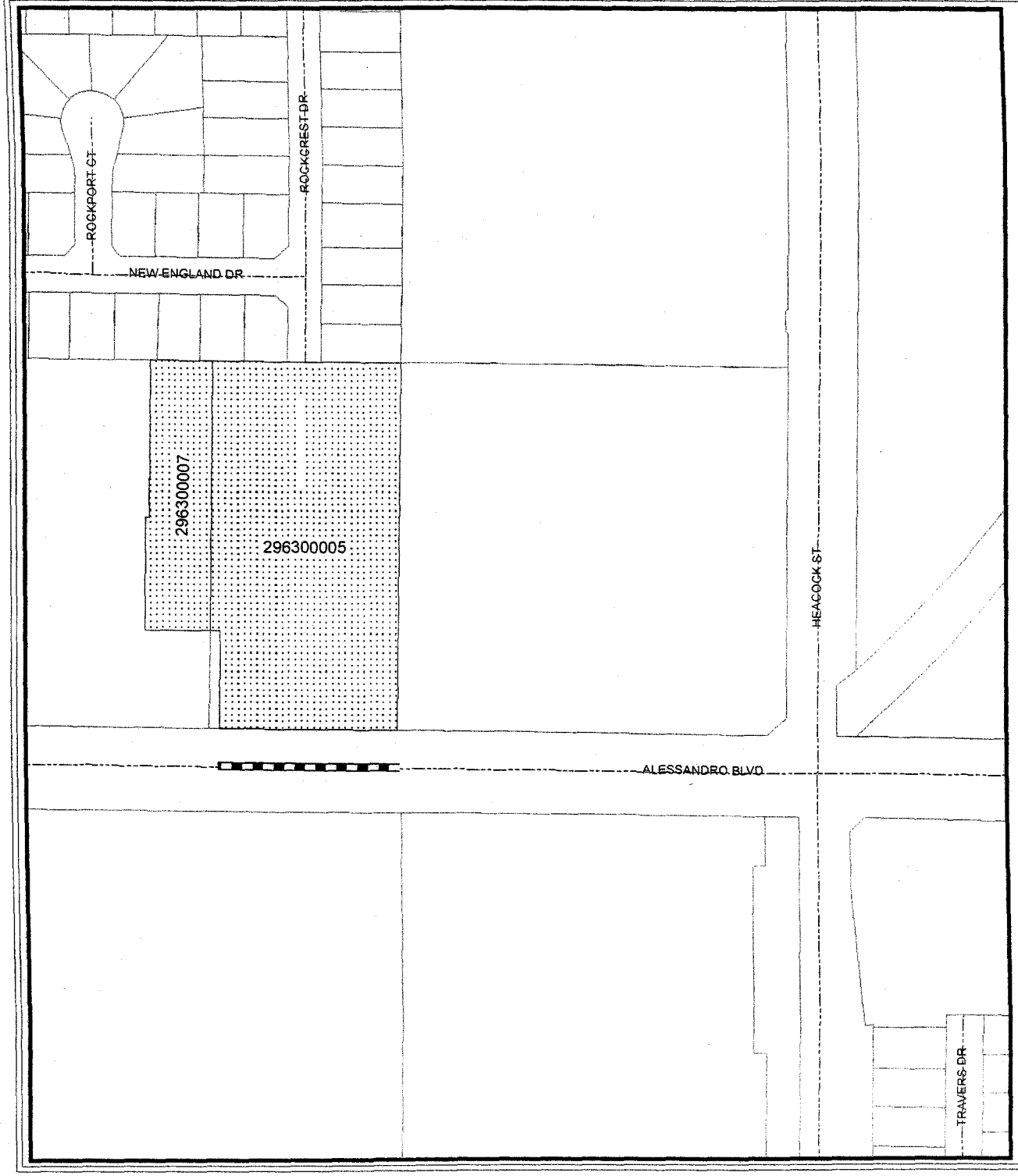

Oasis Community Church

APN

- 296300005
- 296300007
- Roads
- Parcels
- City Boundary
- Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of June 14, 2011.

N

0 150 300 450 600 Feet

G:\AVP\SDA\Oasis Community Church.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00123388

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 296-300-005 and 296-300-007, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-300-005 (and any division thereof)	☐	☐	$212
296-300-007 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 296-300-005 and 296-300-007, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the CSD Zone M annual parcel charges. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
296-300-005 (and any division thereof)	☐	☐	$2,322.35
296-300-007 (and any division thereof)	☐	☐	608.10

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for Oasis Community Church is $2,930.45.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Albot Nikom
c/o Buddhadhammo Temple
13920 Nason St.
Moreno Valley, CA 92555

July 11, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 488-210-014

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APN 488-210-014 (and any division thereof) the opportunity to express support or opposition for approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 2

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 488-210-014 is subdivided. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M parcel charge for FY 2011/12 is $1,270.91 for the proposed Nason St. median. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 488-210-014 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual

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levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and the proposed inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballots are marked in favor of the charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval. If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

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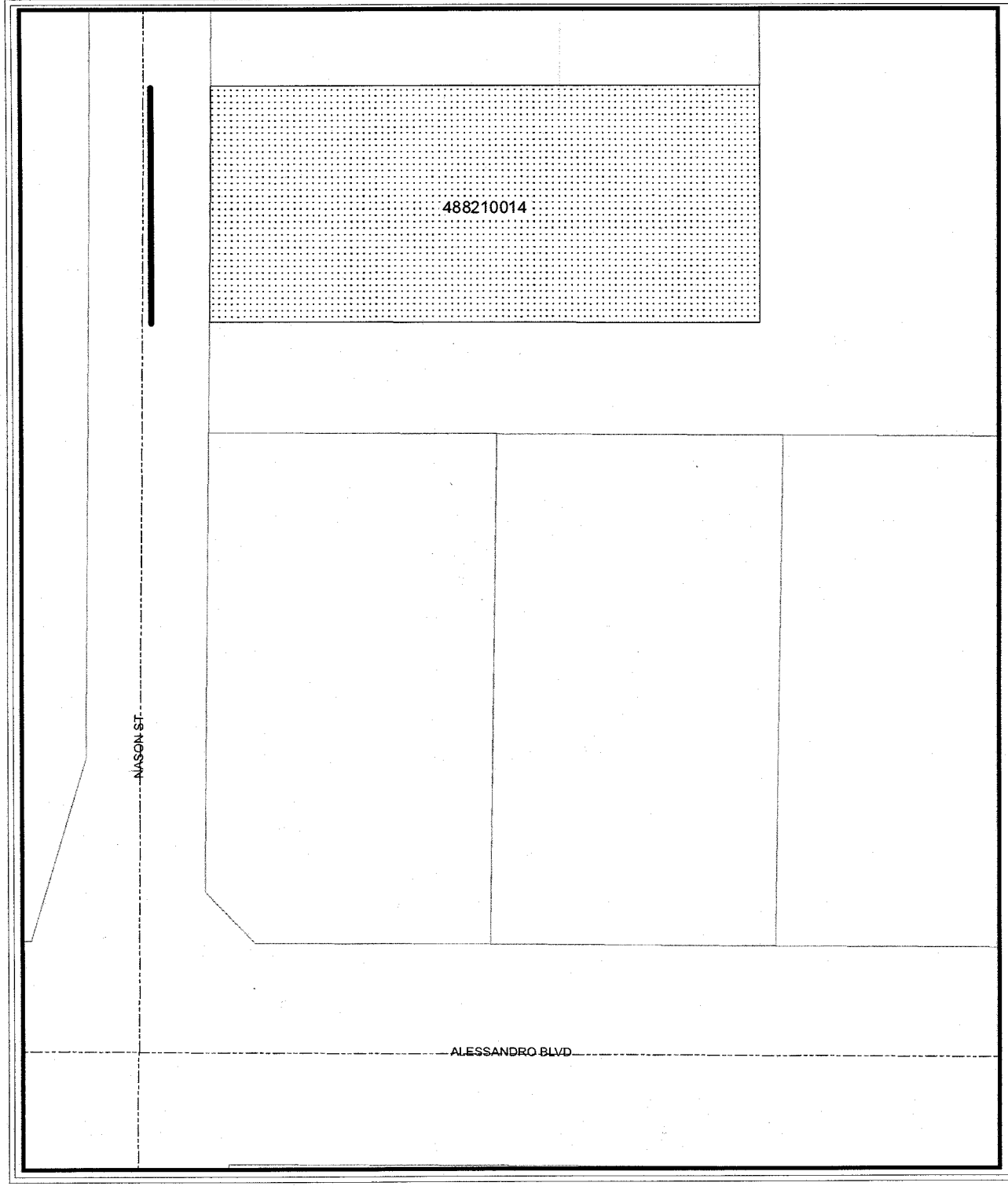

Buddhadhammo Temple
APN 488-210-014

APN

- 488210014
- Roads
- Parcels
- City Boundary
- Future Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of February 2, 2011.

N

0 50 100 150 200 Feet

G:\AVP\SDA\PA08-0091 Buddhadhammo Temple.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00123396

OFFICIAL MAIL BALLOT for
ASSESSOR PARCEL NUMBER (APN) 488-210-014

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 488-210-014 (and any division thereof), **I approve** the annual CSD Zone M charge of $1,270.91 for fiscal year (FY) 2011/12. Beginning FY 2012/13, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 488-210-014, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-210-014 (and any division thereof)	☐	☐	$1,270.91

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 488-210-014

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 488-210-014, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2011/12 the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 488-210-014, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-210-014 (and any division thereof)	☐	☐	$212 per parcel

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Oasis Community Church (APNs 296-300-005 and 296-300-007) and Buddhadhammo Temple (APN 488-210-014), (collectively "Property Owners"), have Conditions of Approval that require them to provide a funding source to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

A mail ballot proceeding was conducted earlier this year for Buddhadhammo Temple. The City Clerk did not receive the ballots prior to the close of the public hearing. In order to satisfy the Conditions of Approval, at the request of the property owner another mail ballot proceeding is being conducted.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the Property Owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. Property Owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owners, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES

maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges were estimated based on the parcel's front linear footage to the existing Alessandro Blvd. and the future Nason St. medians. Upon approval of the charges, APNs 296-300-005, 296-300-007, and 488-210-014 will be subject to the annual charges; however, the annual charge for APN 488-210-014 shall not be levied until such time as the planning of the median begins. Any future development of parcels adjacent to the medians in questions shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charge for APNs 296-300-005, 296-300-007, and 488-210-014 shall be proportionally adjusted.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceedings to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charges for Oasis Community Church and Buddhadhammo Temple are as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
Oasis Community Church		
APNs 296-300-005 (and any division thereof)	$212	$2,322.35
296-300-007 (and any division thereof)	212	608.10
Buddhadhammo Temple		
APN 488-210-014 (and any division thereof)	212	1,270.91

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APNs 296-300-005 and 296-300-007 is being balloted to provide a funding source to supplement the maintenance costs of an existing median funded by the General Fund, which will reduce the General Fund obligation for this median. The property owner of APN 488-210-014 is being balloted for maintenance costs of a future median that is planned to be constructed on Nason St. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple.

NOTIFICATION

The Property Owners were given more than the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots,

instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachments 1 and 2.)

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Oasis Community Church mail ballot packet
Attachment 2: Buddhadhammo Temple mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 11.12\Zone M NPDES\Oasis Community Church P10-020\Stfrpt PM 08.23.11.doc

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Oasis Community Church
23750 Alessandro Blvd, No. C
Moreno Valley, CA 92553

June 15, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 296-300-005 and 296-300-007

******* OFFICIAL BALLOTS ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 296-300-005 and 296-300-007 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charges include maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APNs 296-300-005 and 296-300-007 are subdivided. If the APNs are merged then the annual charges for those APNs shall be combined. The charges levied shall not exceed the charges previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 296-300-005 and 296-300-007 (and any division thereof) and shall

be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the APNs are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if a simple majority of the weighted value of APNs are marked in favor of the annual charges.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted APNs oppose the CSD Zone M annual charges, then the annual charges will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00123408

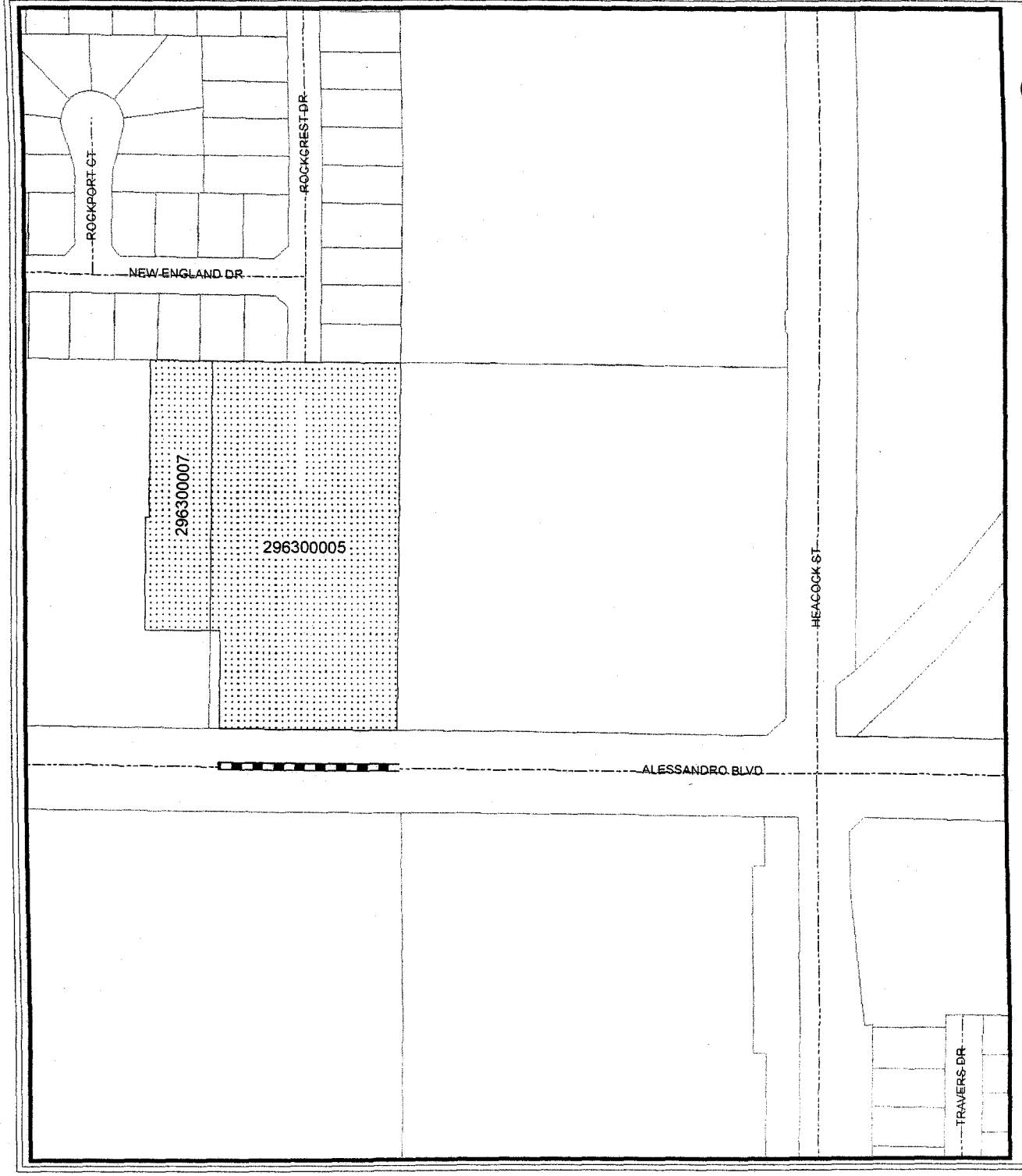

Oasis Community Church

APN

- 296300005
- 296300007
- Roads
- Parcels
- City Boundary
- Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of June 14, 2011.

N

0 150 300 450 600 Feet

G:\AVP\SDA\Oasis Community Church.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00123409

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 296-300-005 and 296-300-007, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-300-005 (and any division thereof)	☐	☐	$212
296-300-007 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 296-300-005 and 296-300-007, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the CSD Zone M annual parcel charges. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
296-300-005 (and any division thereof)	☐	☐	$2,322.35
296-300-007 (and any division thereof)	☐	☐	608.10

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for Oasis Community Church is $2,930.45.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Albot Nikom
c/o Buddhadhammo Temple
13920 Nason St.
Moreno Valley, CA 92555

July 11, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 488-210-014

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APN 488-210-014 (and any division thereof) the opportunity to express support or opposition for approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 2

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 488-210-014 is subdivided. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M parcel charge for FY 2011/12 is $1,270.91 for the proposed Nason St. median. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 488-210-014 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual

levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and the proposed inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballots are marked in favor of the charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval. If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

MV00123415

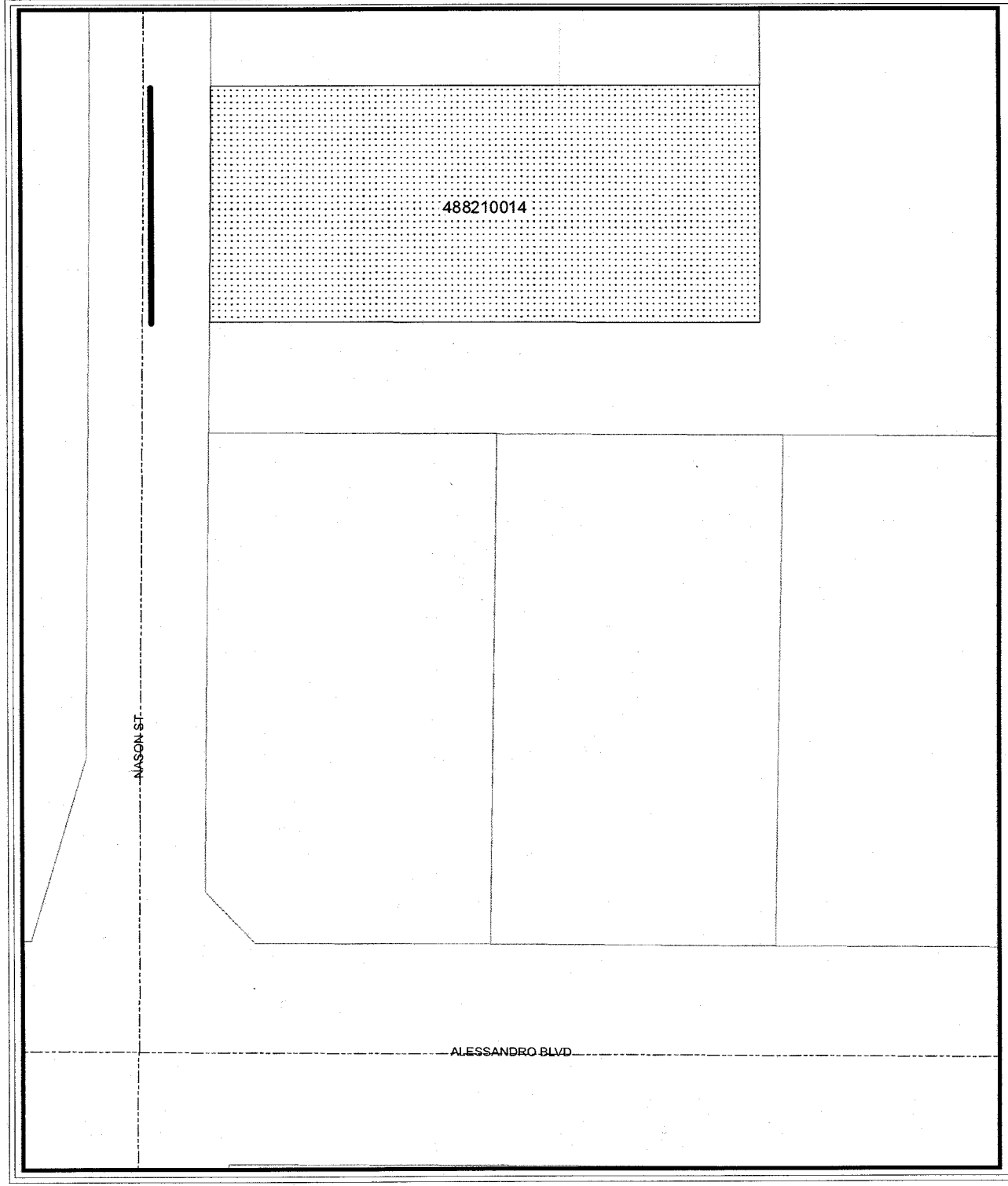

Buddhadhammo Temple
APN 488-210-014

APN

- 488210014
- Roads
- Parcels
- City Boundary
- Future Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of February 2, 2011.

N

0 50 100 150 200 Feet

G:\AVP\SDA\PA08-0091 Buddhadhammo Temple.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00123417

OFFICIAL MAIL BALLOT for
ASSESSOR PARCEL NUMBER (APN) 488-210-014

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 488-210-014 (and any division thereof), **I approve** the annual CSD Zone M charge of $1,270.91 for fiscal year (FY) 2011/12. Beginning FY 2012/13, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 488-210-014, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-210-014 (and any division thereof)	☐	☐	$1,270.91

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 488-210-014

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 488-210-014, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2011/12 the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 488-210-014, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-210-014 (and any division thereof)	☐	☐	$212 per parcel

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary,

maintaining the irrigation systems, weed control, litter removal, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

The CSD currently maintains the landscaping in the parkway for Tract 31129 on the north side Cactus Ave. east of Landon Rd. extending one lot beyond Dusty Coyote Ave. The parkway area west of Landon Rd. has not been completed by the developer due to circumstances related to completion of the adjacent lots. The developer has resolved the issues and is now prepared to complete the parkway. Installation of the parkway landscaping will add approximately 1,200 square feet of landscape area to maintain. The current parcel charge collected from the property owners in Tract 31129 will not support the acceptance of any additional area for landscape maintenance. Staff from Special Districts has asked the developer to complete the installation of the hardscape and irrigation in the parkway but to hold off on installing the plant material until it is determined that there is adequate funding to maintain the additional landscape area.

A mail ballot proceeding is being conducted to allow the property owners within Tract 31129 the opportunity to approve or oppose a proposed increase in the CSD Zone D annual charge to fund the additional costs to maintain the increase in the area of landscaping. The property owners in the tract are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge for Zone D, there shall be an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. The approved charge, which is subject to an annual inflation adjustment, shall be levied on the 2011/12 property tax bill. If there is a tie or if a majority of the returned valid ballots oppose the increase in the annual charge for Zone D, landscape maintenance services shall be reduced to a level consistent with available funding and the CSD will not accept any additional area to maintain. Each parcel in the tract will still be subject to the previously approved charge.

ALTERNATIVES

1. **Accept public comments** regarding the reballot of Tract 31129 for the proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the reballot of Tract 31129 for the proposed increase in the Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

There is no impact on the General Fund for the operation of the CSD Zone D program. The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D service in the landscaped parkway for Tract 31129 shall allow the CSD to maintain the current appearance of the neighborhood.

Revenue Diversification and Preservation
The proposed increase in the CSD Zone D parcel charge for Tract 31129 is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceeding for Tract 31129.

NOTIFICATION

A ballot packet was mailed to each property owner within Tract 31129 the week of July 25, 2011. The packet included a notice to property owner, calculation of the 2011/12 standard service charge, map, CSD Zone D service guidelines, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet is included as Attachment 1.

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 31129

Prepared by:
Jennifer Terry
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 11.12\Stfrpt Zone D Tract 31129 PM 08.23.11.doc

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Español al reverso

July 28, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) - TRACT 31129 REGARDING ACCEPTANCE OF ADDITIONAL LANDSCAPED AREA AND A PROPOSED INCREASE TO THE ANNUAL CHARGE

******* OFFICIAL BALLOT ENCLOSED *******
YOUR BALLOT MUST BE RETURNED TO BE COUNTED

Introduction

The Moreno Valley Community Services District (CSD) Zone D program funds administration and service costs for maintenance of designated common landscaped areas on the north side of Cactus Ave. To maintain landscape services at the standard service level, the CSD submits to you the enclosed ballot along with this notification. *Only returned ballots will determine whether the increase in the annual charge and the acceptance of the additional area to be maintained is approved.* The ballot provides property owners an opportunity to approve or oppose the proposed acceptance of additional parkway landscape along Cactus Ave., west of Landon Rd. and the increase to the annual charges to maintain the new and existing areas (see attached map). If approved, beginning in FY 2011/12 the landscaped service area will increase by approximately 1,200 square feet and each parcel's annual charge shall be **increased by approximately $4.54 per month** to meet estimated costs. The Zone D charges are collected on the County of Riverside property tax bills. The Zone D annual charge is a direct-benefit charge for your community; there are no other revenue sources to offset the costs to the property owners.

Background

The Moreno Valley CSD was formed when the City incorporated in 1984. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from designated CSD programs. The Zone D (Parkway Landscape Maintenance) program provides landscape maintenance services to designated areas that have landscaped perimeters and/or entry statements. See enclosed map for the location of these landscaped areas. In compliance with Proposition 218, "The Right to Vote on Taxes Act", the CSD is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support of or opposition to the acceptance of the additional landscaped area and the proposed increase to the annual charge to maintain the new and existing areas.

Services Provided

The Zone D annual charges fund administration and service costs for the landscape maintenance, which includes: mowing, trimming, pruning, weed control, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas. Included with this notice is a description of the general service level guidelines which may be performed for each service level.

How is the Amount of the Charge Determined?

The CSD zones are structured to be full cost recovery programs. The annual expenses per tract are divided by the number of parcels in the tract to determine the annual charge per parcel.

ATTACHMENT 1

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

NOTICIA A LOS PROPIETARIOS DE HOGAR – PROCEDIMIENTO DE VOTACION POR CORREO PARA EL DISTRITO DE SERVICIOS COMUNITARIOS ZONA D (MANTENIMIENTO DE LAS AREAS AJARDINADAS) FRACCIONAMIENTO 31129 REFERENTE A LA ACEPTACIÓN DE PAISAJE ADICIONAL Y A UN PROPUESTO INCREMENTO DEL CARGO ANUAL

******* BOLETA OFICIAL ADJUNTA*******
SU VOTACIÓN DEBE SER DEVUELTA PARA SER CONTADO

Introducción

El programa de la zona D del districto de los servicios de comunidad de Moreno Valley (CSD) financia el costo de administración y del servicio para el mantenimiento de áreas ajardinadas comunes en el lado norte de la avenida Cactus. Para mantener servicios del paisaje en el porcentaje de disponibilidad , CSD somete a usted la baleta incluida junto con esta notificación. Solamente las boletas devueltas se determinarán si el aumento en la carga anual y la aceptación del área adicional que se mantendrá es aprobado. La boleta le proporciona a propietarios una oportunidad de aprobar o de oponer la aceptación propuesta de paisaje adicional carretera ajardinada a lo largo de la avenida Cactus., al oeste de Landon Rd. y el aumento a la carga anual para mantener las nuevas y existentes áreas (véa el mapa adjunto). Si está aprobado, comenzará el año fiscal 2011/12 el área de servicio ajardinada aumentará aproximadamente 1.200 pies cuadrados y la carga anual de cada propiedad será aumentada aproximadamente $4.54 por mes para resolver costos estimados. Los cargos de zona D se recogen por el condado de Riverside cuentas de impuesto sobre la propiedad. La carga anual de la zona D es un cargo con ventaja directa para su comunidad; no hay otras fuentes de ingresos para compensar los costos a los propietarios.

Historial

El CSD de Moreno Valley fue formado cuando la Ciudad se incorporo en 1984. El CSD estableció subsidios para asignar los costos de servicios especializados a aquellas parcelas que reciban beneficios de ciertos programas designados por el CSD. El programa de la Zona D (Mantenimiento de las Áreas Ajardinadas) provee servicio de mantenimiento a áreas designadas que tengan jardín en los camellones, perímetro o monumentos en las entradas. Véase el mapa adjunto para localizar las áreas ajardinadas dentro de su comunidad. En cumplimiento con la Proposición 218, que estipula el derecho de voto en cuanto a impuestos a la propiedad, "The Right to Vote on Taxes Act", el CSD esta llevando a cabo este procedimiento electoral brindando la oportunidad a los propietarios de presentar su boleta a favor u oposición a la aceptación del paisaje adicional y el aumento propuesto al precio anual para mantener las áreas nuevas y existentes.

Los Servicios que se Proveen

El programa Zona D del Distrito de Servicios Comunitario de Moreno Valley (CSD) costea los costos relacionados con la administración y servicios de mantenimiento: corte de césped, podado de árboles y arbustos, fertilización, control de hierbas y basura, mantenimiento y reparación al sistema de irrigación, el costo de agua y electricidad, personal, al igual que otros elementos necesarios para el mantenimiento del jardín. Adjunta con esta nota, encontrara un resumen de los servicios que se proveen dependiendo del nivel de servicio.

Reason for the Increase

Since 2005 when the original parcel charge was estimated, higher costs for electricity, water, and maintenance have impacted the overall program costs for the current landscaped area. Sufficient funding is no longer available to offset the difference between the actual costs and the annual parcel charges paid by the property owners. There are no other revenue sources to pay for landscape maintenance. The CSD has been asked to accept approximately 1,200 square feet of additional landscaping located on the north side of Cactus Ave., west of Landon Rd. Pending property owner approval, the landscaping and irrigation is scheduled to be installed by the developer with the ongoing maintenance to be paid for by the property owners in the benefitting tract. Since the current parcel charges do not provide adequate funding for the full cost of landscape maintenance the CSD is required to ballot the property owners to seek approval for an increase to the annual charge to maintain services for both the existing and new landscaped areas at the standard service level.

Current Charge

The 2010/11 Tract 31129 annual charge for standard landscape maintenance services was $82.48 per parcel. For FY 2011/12 an annual inflation adjustment was applied, which increased the annual charge to $83.58 per parcel. The annual charges are collected on the County of Riverside property tax bills. The total amount levied for all tracts within the Zone D program for FY 2010/11 was $1,104,179.22; the total charges levied for Tract 31129 for FY 2010/11 was $8,990.32.

Proposed Charge

To meet current costs and to allow for the acceptance and ongoing maintenance of the additional landscaped area, the Zone D annual charge is proposed to be adjusted to $138.00 per parcel. This equates to an estimated annual increase of approximately 65% or $54.42 per parcel (or approximately $4.54 per month).

Annual Adjustment

The charge shall be subject to an annual inflation adjustment based on the percentage increase calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics in future years.

Zone D Parcel Charge History

The following table sets forth the history of the annual Zone D charge for Tract 31129.

Fiscal Year	Annual Charge
2009-10	$81.00
2010-11	$82.48
2011-12	$83.58

Duration of the Charge

If approved, the increase in the charge shall be levied on the County of Riverside property tax bills beginning with the FY 2011/12 tax bills, and each following year at the property owner approved charge.

Public Hearing

To provide information concerning the proposed mail ballot proceeding for the Zone D (Parkway Landscape Maintenance) program the CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

MV00123426

¿Como se Determina la Cantidad del Cargo Anual?

Los programas de las zonas CSD, son programas de recuperación de costo total. Los egresos anuales de cada fraccionamiento son divididos en proporción al número de parcelas acres para determinar el costo anual por parcela.

¿La Razón por el Incremento?

Desde 2005 cuando el precio de propiedad originalmente fue estimado, gastos más altos de electricidad, agua, y el mantenimiento han afectado los gastos del programa totales para la propiedad corriente. Fondos suficientes ya no estan disponibles para compensar la diferencia entre los gastos actuales y los gastos anuales pagados por los dueños de la propiedad. No hay otros fondos de ingresos para pagar el mantenimiento de propiedad. Se ha pedido que el CSD acepte aproximadamente 1,200 pies cuadrados de la jardinería ornamental adicional localizada en el lado norte de la avenida Cactus, al Oeste de Landon Rd. La aprobación del dueño de propiedad esta pendiente, la propiedad ornamental y la irrigación esta programada para ser instalado por el revelador y los gastos del mantenimiento sera pagado por los dueños de la propiedad para beneficiar el fraccionamiento. Ya que los gastos de la propiedad corrientes no proporcionan la financiación adecuada para el gasto entero del mantenimiento de paisaje se requiere que el CSD someta una votación a los dueños de propiedad para buscar la aprobación para un aumento al precio anual para mantener servicios tanto para la existencia como para nuevas propiedades en el nivel del servicio estándar.

Cargo Actual

Para el año 2010/11 el cargo anual para los servicios de mantenimiento estándar del fraccionamiento 31129 es de $82.48 por parcela. Para el año fiscal 2011/12 un ajuste de inflación anual fue aplicado, que aumentó el precio anual a $83.58 dólares por propiedad. El cargo anual se colecta mediante la factura de impuesto a la propiedad que se paga al Condado de Riverside. La cantidad total que se recaudo para el programa de la Zona D durante el año fiscal 2010/11 es de $1,104,179.22, los gastos totales de impuestos para el Fraccionamiento 31129 para año fiscal 2010/11 eran $8,990.32 dólares.

Cargo Que Se Propone

Para mantener gastos corrientes y tener la aceptación y continuar el mantenimiento del paisaje adicional,la Zona D precio anual es propuesta para ser ajustado a $138.00 dólares por propiedad. Se compara con un aumento anual estimado aproximadamente del 65 % o 54.42 dólares por propiedad (o aproximadamente $4.54 dólares por mes).

Ajuste Anual

El cargo anual estará sujeto ha un ajuste anual basado en el cambio a el porcentaje calculado durante el año anterior al Índice Regional de Precio al Consumidor para Todos Los Consumidores Urbanos de los Condados de Los Ángeles-Riverside y Orange, publicado por la Oficina de Estadísticas Laborales del Departamento de Trabajo en los próximos anos.

Historial de Cargos Por Parcela Para La Zona D

La siguiente tabla estadística refleja el historial de los cargos anuales de la Zona D, Fraccionamiento 31129.

Año Fiscal	Cargo Anual
2009-10	$81.00
2010-11	$82.48
2011-12	$83.58

MV00123427

Public Meeting	**Public Hearing**
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing, at a time and location as confirmed by the CSD Board. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors (City Clerk) in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Increase is Approved

If a simple majority (50%+1) of the returned valid weighted ballots approve the acceptance of the additional landscaped area and the increase in the annual charge, landscape maintenance services shall continue at the current level. The total approved charge of $138.00 per parcel shall be placed on the 2011/12 Riverside County property tax bill.

Effect if Increase is Not Approved

If there is a tie or if a majority of the returned valid weighted ballots oppose the increase in the annual charge, the additional landscaped area will not be planted and the landscape maintenance service level for the existing area shall be reduced to a level consistent with available funding. The net result may be that the overall appearance of these landscaped areas will be reduced from their present condition. If available funding cannot support the lowest level of service, property owners will be notified and maintenance services may be discontinued.

For More Information

If you have any questions about the proposed increase in the annual charge, the landscape maintenance services, about the mail ballot proceeding process, would like to schedule a community meeting for a detailed briefing, or would like to request additional supporting documentation such as detailed budget information, please contact the City's Special Districts Division, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

Completing Your Ballot

Property owners may submit the enclosed ballot to the CSD in support of or opposition to the proposed increase to the landscape service area and the annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballot in support of or opposition to the proposed increase to the annual charge **by placing a mark in the corresponding box.**
2. Sign your name on the ballot. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballot in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

MV00123428

Duración del Cargo

De ser aprobado, el incremento al cargo anual será colectado mediante el impuesto a la propiedad, que colecta el Condado de Riverside, comenzando con el año fiscal 2011/12 y cada siguiente año.

Audiencia Pública

Para proveer mas información en cuanto al procedimiento de votación por correo propuesto para la Zona D (Mantenimiento de Áreas Ajardinadas) se ha programado una Junta Publica y una Audiencia Publica, que se llevaran a cabo en la **Cámara de Ayuntamiento de la Ciudad de Moreno Valley (City Hall Council Chamber) localizada en el 14177 Frederick Street, Moreno Valley**.

Junta Publica	Audiencia Publica
Martes, 23 de Agosto , 2011	Martes, 13 de Septiembre , 2011
6:30 P.M. (o tan pronto come el asunto sea presentado)	6:30 P.M. (o tan pronto come el asunto sea presentado)

Las boletas regresadas serán tabuladas después del cierre de la Audiencia Publica, a una hora y lugar que sea confirmado por el Comité Ejecutivo de CSD. Todas las boletas recibidas serán tabuladas bajo la dirección del Secretario del Comité Ejecutivo del CSD (Secretario de la Ciudad) en conformidad con la corriente Política Para Conducir Procedimientos De Votación Por Correo 1.12.

El Efecto de Ser Aprobado el Incremento

Si una simple mayoría (50%+1) de las boletas validas aprueban aceptación del paisaje adicional y el incremento al cargo anual, el nivel de servicio de mantenimiento continuara vigente. El cargo anual aprobado de $138.00 por parcela será colectado mediante el impuesto a la propiedad, que colecta el Condado de Riverside, comenzando con el año fiscal 2011/12.

El Efecto Si el Incremento No Es Aprobado

Si la mayoría de las boletas validas regresadas se oponen al incremento al cargo anual o si hay un empate, el paisaje adicional no será plantada y el servicio de mantenimiento para el área existente será reducido a un nivel basado en los fondos disponibles. Si los fondos disponibles no llegasen a cubrir el nivel de servicio mínimo, los propietarios recibirán un comunicado por carta que los servicios serán descontinuados. El resultado final seria que la apariencia actual de las áreas ajardinadas se verá afectada.

Para Más Información

Si tiene alguna pregunta acerca del incremento anual propuesto, los servicios de mantenimiento, le gustaría organizar una junta comunitaria para mas detalles, o incurrir mas detalles sobre el presupuesto, por favor llame al la División de Distritos Especiales de la Ciudad de Lunes a Jueves, 7:30 a.m. a 5:30 p.m. al 951.413.4380.

Como Llenar La Boleta

Los propietarios podrán enviar la boleta adjunta al CSD en apoyo u oposición al propuesto aumento al área de servicio de paisaje y al cargo anual. Por favor siga las siguientes instrucciones en cuanto a como llenar y devolver la boleta correctamente. También, podrá encontrar información en cuanto a los procedimientos de cómo llenar, regresar y como se tabulan las boletas en la oficina de Secretaria de la Ciudad (City Clerk)

4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing which will be held on Tuesday**, September 13, 2011,** at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time prior to the conclusion of public testimony at the Public Hearing. The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.

MV00123430

1. En la boleta **ponga una marca en la caja correspondiente**, ya sea que este votando a favor o en contra
2. Firme la boleta. Cualquier boleta que sea devuelta sin firma(s) será considerada invalida y *por lo tanto no será contada.*
3. Envié la boleta en el sobre adjunto a la oficina de Secretaria de la Ciudad (City Clerk's office) a la siguiente dirección, 14177 Frederick Street, Moreno Valley, CA, 92553. Para su conveniencia, el sobre incluido tiene el franqueo pagado. También puede traer su boleta personalmente si así lo desea a la misma dirección.
4. Las boletas deberán ser **recibidas** por el Secretario de la Ciudad antes del cierre de la Audiencia Publica que se llevara a cabo el **Martes, 13 de Septiembre del 2011**,en la Cámara de Ayuntamiento de Moreno Valley (Moreno Valley City Hall Council Chamber). La audiencia comenzara a las 6:30 p.m. o en tanto sea posible tratar el asunto. Legalmente, las boletas que sean recibidas después del cierre de la Audiencia Publica, no podrán ser contadas

Marcas Validas

Los siguientes son ejemplos de marcas que se consideran apropiadas para votar Si/Aprobado o No/No Aprobado en su boleta electoral.

Una marca que este mayormente dentro de la caja;

Una X que este mayormente dentro de la caja;

Un punto o marca ovalada que este mayormente dentro de la caja;

Llenar la caja completamente mayormente dentro de las líneas;

Una línea, llena o quebrada, o combinación de líneas. Podrá usar líneas verticales, horizontales o diagonales. Puede marcar de una esquina a otra. Sin embargo, para que su voto sea valido, siempre manténgase mayormente dentro de la caja que este marcando sin marcar la quede vacía;

Un circulo alrededor de la caja y/o la cláusula asociada; o

Un cuadro o rectángulo alrededor de la caja y/o cláusula asociada.

Las marcas en las boletas no deberán extenderse mas allá del área de la caja que ha escogido. Si la marca de una caja se extiende a la otra o al la porción que explica el significado de esta, la boleta será considerada nula y por lo tanto no será contada.

Cambios o revisiones a las marcas de la boleta

Si comete un error al marcar su voto en la boleta o simplemente desea cambiar su voto, podrá hacerlo mediante poner sus iniciales claramente marcadas al derecho de la selección que halla ajustado. Cualquier cambio deberá ser iniciado por el propietario solamente. Solo se aceptaran estos cambios o ajustes a las boletas si son recibidas antes del cierre del testimonio publico en la Audiencia Publica.

MV00123431

CSD ZONE D, TRACT 31129
FY 2011/12 BUDGET

	Current	Proposed
LANDSCAPE AREA		
Existing Square Feet	12,395	12,395
Additional Square Feet	-	1,185
Total Acres	0.28	0.31
REVENUES		
Approximate Charge Per Month	**$ 6.97**	**$ 11.50**
	x 12 months	x 12 months
Total Annual Zone D Charge	**$ 83.58**	**$ 138.00**
Number of parcels	109	109
Total Revenue	**$ 9,110.22**	**$ 15,042.00**
EXPENSES		
Direct Costs		
Base Maintenance Contract	$ 3,480.48	$ 3,829.56
Water (Eastern Municipal Water District)	2,286.27	2,504.83
Electricity (SCE)	116.83	116.83
Vandalism Repair	-	-
Repair and Replacement/Miscellaneous Direct Expenses	435.91	477.59
Landscape Inspectors/Technicians and Support Services	5,058.24	5,539.51
Parts and Equipment	331.51	363.05
Subtotal Direct Costs	$ 11,709.24	$ 12,831.37
Indirect Costs		
Miscellaneous Indirect Expenses	$ 239.89	$ 262.72
Special Districts Program Administration	588.28	644.25
City Administration	1,187.41	1,300.39
Subtotal Indirect Costs	$ 2,015.58	$ 2,207.36
Total Expenses	**$ 13,724.82**	**$ 15,038.73**
Shortfall	**$ (4,614.60) ***	**$ 3.27**

* Based on the current square feet of landscaped area, the annual parcel charge required to meet meet current expenses would be $126.00.

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. Services may include mowing, trimming, pruning, fertilizing, weed control, litter removal, and maintaining the irrigation systems.

Vandalism Repair: includes abatement of nuisance and necessary repairs due to vandalism.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Inspectors/Technicians and Support Services: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Administrative staff manages maintenance contracts, ensures timely payment of all invoices, creates and monitors the annual program budget, and applies the annual charges on the property tax rolls.

Parts and Equipment: landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle, fuel and telecommunications equipment.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

Special Districts Administration: includes accounting, management, reporting and regulation compliance, Riverside County fees, and other municipal agency services.

City Administration: includes cost for Council and administrative services, liability insurance, technology, and facilities.

CSD ZONA D, FRACCIONAMIENTO 31129
PRESUPUESTO DEL ANO FISCAL 2011/12

		Corriente		Propuesto
ÁREA AJARDINADA				
	Pies Cuadrados Existentes	12,395		12,395
	Pies Cuadrados Adicionales	-		1,185
	Acres Totales	0.28		0.31
INGRESOS				
	Precio aproximado por mes	**$ 6.97**	**$**	**11.50**
		x 12 meses		x 12 meses
	Precio total anual de zona D	**$ 83.58**	**$**	**138.00**
	Cantidad de propiedades	109		109
Total de Ingresos		**$ 9,110.22**	**$**	**15,042.00**
EGRESOS				
Costos Directos				
Contrato de Mantenimiento Base		$ 3,480.48	$	3,829.56
Agua (Eastern Municipal Water District)		2,286.27		2,504.83
Electricidad (SCE)		116.83		116.83
Reparación de Vandalismo		-		-
Reparación o Reemplazo/Egresos Misceláneos Directos		435.91		477.59
Inspectores de Jardinería/Servicios de Apoyo Técnicos		5,058.24		5,539.51
Partes y Equipo		331.51		363.05
Subtotal de Costos Directos		$ 11,709.24	$	12,831.37
Costos Indirectos				
Egresos Misceláneos Indirectos		$ 239.89	$	262.72
Administración de Programa de Servicios Especiales		588.28		644.25
Administración de la Ciudad		1,187.41		1,300.39
Subtotal de Costos Indirectos		$ 2,015.58	$	2,207.36
Total de Egresos		**$ 13,724.82**	**$**	**15,038.73**
		$ (4,614.60) *	**$**	**3.27**

* Basado a los pies cuadrados corrientes del área de paisaje, el precio de propiedad anual requerido para mantener los gastos corrientes sería $126.00 dólares.

Contrato de Mantenimiento Base: incluye el total de costo anual de los servicios contratados de las compañías de mantenimiento, basado en salarios prevalecientes requeridos. Los servicios incluyen corte de césped, podado de árboles y arbustos, fertilización, control de hierbas y basura, mantenimiento y reparación al sistema de irrigación.

Reparación de Vandalismo: incluye reparaciones y alivio de molestias publicas.

Reparación o Reemplazo: pudiera incluir, pero no limitado a, rehabilitación del sistema de riego, sea de índole mayor o intermediaria y/o proyecto de renovación (incluyendo partes necesaria), reemplazo de plantas, fertilizantes y pesticidas, podado de árboles e instalación de mantillo.

Inspectores/Técnicos de Paisaje y Servicios de Apoyo: el costo del personal por descuido del contratista al paisaje, tiempo de trabajo manual para la ayuda con reparaciones principales y menores, renovación, y proyectos de reemplazo/retiro de paisaje. El personal administrativo maneja contratos de mantenimiento, asegura el pago oportuno de todas las facturas, crea y supervisa el presupuesto de programa anual, y aplica los gastos anuales de impuestos sobre la propiedad.

Partes y Equipo/Egresos Misceláneos Directos: Partes para el sistema de irrigación y equipo (usado por el personal) para reparaciones menores o de emergencia. Servicio de los vehículos, combustible y equipo de telecomunicación.

Egresos Misceláneos Indirectos: herramientas, uniformes, entrenamientos, gastos de envió, etc.

Administración de Distritos Especiales: incluye contabilidad, dirección, informe y conformidad de regulación, honorarios de Riverside County, y otros servicios de agencia municipales.

Administración de Ciudad: incluye el costo para el Consejo y servicios administrativos, seguro de responsabilidad civil, tecnología, e instalaciones.

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) GENERAL SERVICE LEVEL GUIDELINES *			
DESCRIPTION OF LANDSCAPE MAINTENANCE SERVICE	**STANDARD MAINTENANCE SERVICE**	**REDUCED MAINTENANCE SERVICE**	**STREET TREE MAINTENANCE SERVICE**
Mowing, Edging & Trimming (Of Turf Areas Only)	Weekly	Monthly (or Bi-monthly as needed)	N/A
Aeration	3 times per year	As needed	N/A
Tree Trimming	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
Shrub Trimming	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
Ground Cover Trimming	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
Weed Control	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
Irrigation	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
Litter Removal	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
Turf Fertilizer	7 applications per year	3 applications per year	N/A
Shrub Fertilizer	2 applications per year	1 application per year	N/A
Tree Fertilizer	As needed	As needed	As needed
Pesticides:			
Shrubs/Ground Covers (pre-emergent)	2 times per year	As needed (budget permitting)	N/A
Shrubs/Ground Covers (insect/disease control)	As needed	As needed (budget permitting)	N/A
Shrubs/Ground Covers (vertebrate pest control)	As needed	As needed (budget permitting)	N/A
Turf (weed control)	As needed	As needed (budget permitting)	N/A
Turf (vertebrate pest control)	As needed	As needed (budget permitting)	N/A

* The table sets forth the general guidelines for landscape maintenance services. Since every service area is unique and may require adjusted services based on seasonal demands and available funding, the actual services provided shall be determined by the Special Districts Division Manager. The service level for each service area is contingent upon available funding to support the designated level of service.

DISTRITO DE SERVICIOS COMUNITARIOS ZONA D (Mantenimiento de Área Ajardinada) PAUTAS DE NIVEL DE SERVICIO GENERAL*			
DESCRIPCIÓN DE LOS NIVELES DE SERVICIO DE MANTENIMIENTO	**SERVICIO DE MANTENIMIENTO ESTANDAR**	**SERVICIO DE MANTENIMIENTO REDUCIDO**	**SERVICIO DE MANTENIMIENTO STREET TREE**
CORTADO DEL CESPED	Semanalmente	Mensual (o bimensual como sea necesario)	N/A
AERACIÓN DEL CESPED	3 veces por año	Como sea necesario	N/A
PODADO DE ÁRBOLES	1 vez cada 3-4 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía	1 vez cada 5-7 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía	1 vez cada 5-7 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía
PODADO DE ARBUSTOS	1 vez por año (mínimo) para eliminar peligros/o invasión al derecho de vía	1 vez por año para eliminar peligros/o invasión al derecho de vía	1 vez por año para eliminar peligros/o invasión al derecho de vía
PODADO DE CUBIERTA VEGETAL	4 veces por año (trimestralmente) para eliminar peligros/o invasión al derecho de vía	2 veces por año para eliminar peligros/o invasión al derecho de vía	2 veces por año para eliminar peligros/o invasión al derecho de vía
CONTROL DE HIERBAS	Mensualmente	4 veces por año (trimestralmente)	4 veces por año (trimestralmente)
IRRIGACIÓN	Semanalmente (inspección/ajuste/reparar)	Mensualmente (inspección/ajuste/reparar)	Mensualmente (inspección/ajuste/reparar)
RECOGIMIENTO DE BASURA	Semanalmente	1 vez por mes o por lo menos 1 vez cada 2 meses	1 vez por mes o por lo menos 1 vez cada 2 meses
FERTILIZACIÓN DE CÉSPED	7 aplicaciones por año (mínimo)	3 aplicaciones por año	N/A
FERTILIZACIÓN DE ARBUSTOS	2 aplicaciones por año	1 aplicación por año	N/A
FERTILIZACIÓN DE ÁRBOLES	Como sea necesario	Como sea necesario	Como sea necesario
Pesticidas:			
ARBUSTOS/CUBIERTA VEGETAL	2 aplicaciones por año	Como sea necesario (de acuerdo al presupuesto)	N/A
ARBUSTOS/ CUBIERTA VEGETAL	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
ARBUSTOS/ CUBIERTA VEGETAL	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
CÉSPED	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
CÉSPED	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A

* La tabla refleja las pautas estipuladas par los servicios de mantenimiento. Debido a que cada área es distinta y el que los servicios podrían ser ajustados debido a la temporada del año o debido a fondos disponibles, el Gerente de la División de Distritos Especiales dictara que tipo de servicios serán apropiados. El nivel de servicio para cada área será sujeto a un ajuste dependiendo los fondos disponibles.

Tract/Fraccionamiento 31129

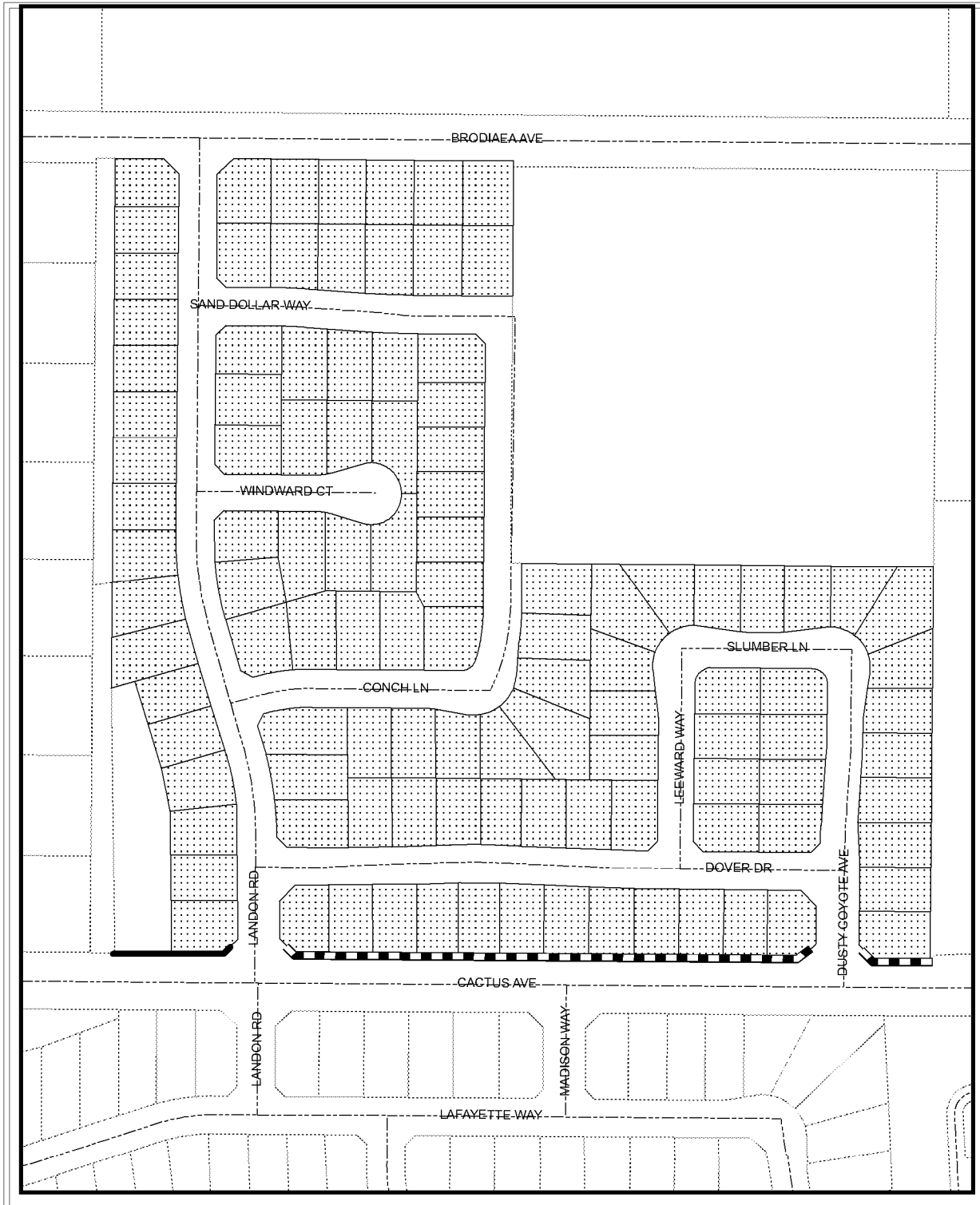

New Landscaped Areas/
Nuevo Areas de jardin

Landscaped Areas/Areas de jardin

Roads/Calles

Parcels/Parcelas

City Boundary/Limite de la ciudad

Tract/Fraccionamiento 31129

Map reflects all changes indicated
on Riverside County Assessor Maps
as of July 26, 2011.

N

G:\AVP\SDA\Zone D Tract 31129.mxd

0 175 350 525 700 Feet

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00123436

Community Briefing

Get Information about the Mail Ballot for Common Area Landscaping

Residential Housing Tract 31129

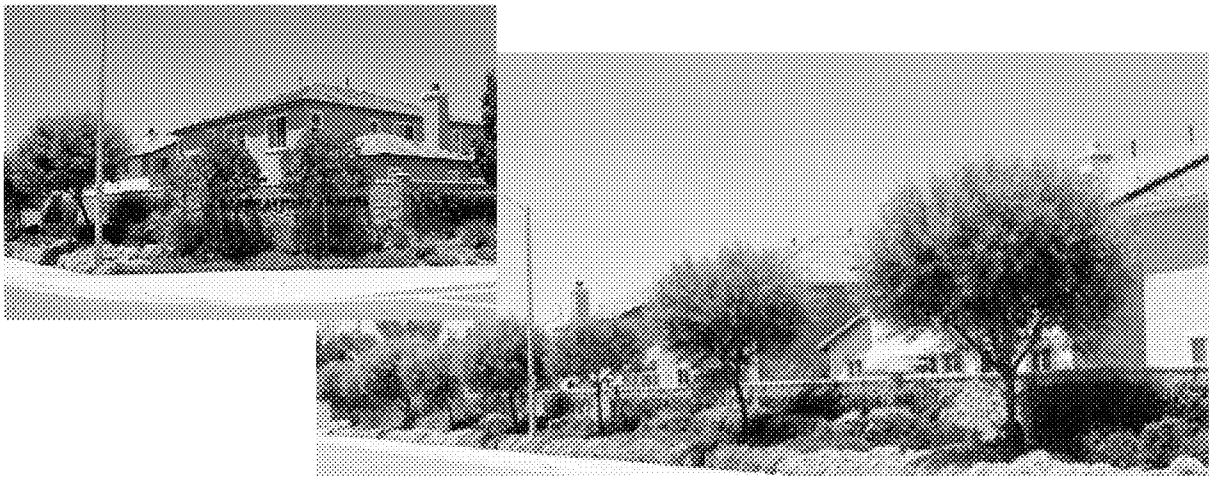

Date	August 2, 2011
Time	5:00 pm–6:00 pm
Location	Corner of Cactus Avenue and Landon Road
For	Property Owners in Residential Housing Tract 31129
What	City Staff will be available to answer questions about the upcoming Mail Ballot proceeding. In addition to a request to increase the landscaped area around your housing tract, costs to maintain the landscaping have increased. Property owners need to decide whether they want to accept the new area and to keep the current level of service by approving an increase or whether they want to reduce services and keep the parcel charge currently paid as part of their property tax bill the same.

City of Moreno Valley
Public Works Department
Special Districts Division
14325 Frederick Street, Suite 9
Moreno Valley, Ca 92553

Phone: 951-413-3480
E-mail: specialdistricts@moval.org

MORENO VALLEY
WHERE DREAMS SOAR

OFFICIAL BALLOT/BOLETA OFICIAL for Assessor Parcel No. 486551004
CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – TRACT 31129

Mark the enclosed ballot in support of or opposition to the proposed increase in the Zone D annual charge by placing a mark in the corresponding box and signing your name on the adjacent signature line. An unmarked or unsigned ballot will be considered invalid and will not be counted. This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

Marque la boleta en el recuadro correspondiente si esta a favor o en contra al incremento propuesto al cargo anual para la Zona D. Después, firme en la línea que corresponda al recuadro elegido solamente. Cualquier boleta que sea devuelta sin voto o firma(s) o ambas será considerada invalida y por lo tanto no será contada. Esta boleta deberá ser recibida por el Secretario del Comité de CSD (Secretario de la Ciudad) antes del cierre de la Audiencia Publica que se llevara a cabo el 13 de Septiembre del 2011, en la Cámara de Ayuntamiento de Moreno Valley (Moreno Valley City Hall Council Chamber), a las 6:30 p.m. o en tanto sea posible tratar el asunto.

☐ **Yes/Si**

PROPERTY OWNER SIGNATURE/FIRMA DEL PROPIETARIO DATE/FECHA

Yes, ***I approve*** the increase in the maintained landscaped area and an increase in annual charge for Zone D services of $54.42 per parcel **(approximately $4.54 per month)**. The increase will adjust the approved annual charge from $83.58 to $138.00 per parcel for fiscal year 2011/12. The approved charge shall be subject to an annual inflation adjustment based on the percentage increase calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics in future years.

Si, ***yo apruebo*** el incremento en el paisaje mantenido y en el incremento anual a los servicios de la Zona D de $54.42 por parcela **(aproximadamente $4.54 mensual).** Dicho incremento resultara en un ajuste al cargo anual aprobado de $83.58 a $138.00 por parcela para el próximo año fiscal 2011/2012. Este cargo esta sujeto a un ajuste inflacionario basado en el cambio al porcentaje calculado durante el año anterior al Índice Regional de Precio al Consumidor para Todos Los Consumidores Urbanos de los Condados de Los Ángeles-Riverside y Orange, publicado por la Oficina de Estadísticas Laborales para los anos venideros del Departamento de Trabajo.

☐ **No/No**

PROPERTY OWNER SIGNATURE/FIRMA DEL PROPIETARIO DATE/FECHA

No, ***I do not approve*** the increase in the maintained landscaped area or the increase in the annual charge for Zone D services of $54.42 per parcel. I understand landscaping services for Zone D shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, maintenance services may be discontinued.

No, ***yo no apruebo*** el incremento en el paisaje mantenido o el incremento anual a los servicios de la Zona D de $54.42 por parcela. Entiendo que los servicios de jardinería de la Zona D serán reducidos a un nivel basado en los fondos disponibles. El servicio de mantenimiento de las áreas ajardinadas podría ser descontinuado si los fondos disponibles no llegasen a costear el servicio más básico.

Weighted Ballot Count: 1

THIS IS YOUR OFFICIAL BALLOT

ADELIA A BELUSO

27729 DOVER DR
MORENO VALLEY, CA 92555

MV00123438

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: August 23, 2011

TITLE: ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CalPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON OR AFTER SEPTEMBER 30, 2011, AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CalPERS.

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after September 30, 2011, and conduct the first reading of the related ordinance as required by CalPERS.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

During the Meet & Confer Process for the FY 2011/12 successor MOU's for the City three employees associations, the City's labor negotiating team introduced the proposal of providing the 2% at Age 55 and Three-Year Final Compensation Calculation CalPERS retirement benefits for new hires starting on or after September 30, 2011.

DISCUSSION

There is a three-month schedule that CalPERS requires for an amendment to the City's current contract with CalPERS for the provision of retirement benefits. The first step in

the process is the adoption of a Resolution of Intent and the first reading of the related ordinance. This staff report and City Council action will start the schedule process. On September 13, 2011, a follow-up staff report will be submitted for City Council recommending the approval of a Resolution Adopting the Amendment to the CalPERS Contract, and the adoption of the related ordinance. It is anticipated that the Meet & Confer process with the three employees associations will be concluded prior to the actual effective date of the amendment to the City's CalPERS Contract. If for any reason the Meet & Confer process is not completed prior to the City Council meeting on September 13, 2011, City staff will postpone the final adoption of the resolution and the adoption of the related ordinance.

ALTERNATIVES

The action of the City Council to approve the attached resolution and to conduct the first reading of the related ordinance relates to the current labor negotiations with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The implementation of the 2% at Age 55 and Three Years Highest Average Compensation Calculation CalPERS retirement benefits for new hires is expected to reduce the cost to the City budget for benefits between a range of $1,710.00 to $3,000.00 per employee per year, depending on the employees' compensation levels. The City's CalPERS Employer Rate will be reduced from 19.344% to 15.922% for the new hires. The newly hired employees will be required to pay for the 7% employee's member contribution, and the City will not pay any portion of the employee's member contribution.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future."

NOTIFICATION

The three employee associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and related ordinance. Copies of this staff report and attached resolution were sent to the employee associations and all three concur with the recommended City Council action, pending ratification of the successor MVMA MOU and MVCME MOU for Fiscal Year 2011/12.

ATTACHMENTS/EXHIBITS

1. Resolution of Intent to Approve an Amendment to the CalPERS Contract.
2. Ordinance related to the amendment of the CalPERS Contract.

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-59

RESOLUTION OF INTENTION

TO APPROVE AN AMENDMENT TO CONTRACT

BETWEEN THE

BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

AND THE

CITY COUNCIL
CITY OF MORENO VALLEY

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

> To provide Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By:_____
Presiding Officer

_____
Title

Resolution No. 2011-59
Date Adopted: September 13, 2011

_____
Date adopted and approved

ATTACHMENT 1

(Amendment)
CON-302 (Rev. 4/96)

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

ORDINANCE NO. 828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MORENO VALLEY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1.

That an amendment to the contract between the City of Moreno Valley and the Board of Administration, California Public Employees' Retirement system is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit A, and by such reference made a part hereof as though herein set out in full.

SECTION 2.

The Mayor of the City of Moreno Valley is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3.

This Ordinance shall take effect thirty (30) days after the date of its adoption, and prior to the expiration of fifteen (15) days from passage thereof shall be published at least in the Press Enterprise, a newspaper of general circulation, published and circulated in the County of Riverside and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AND ADOPTED this 13th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

ATTACHMENT 2

APPROVED AS TO FORM:

_____

City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CalPERS

EXHIBIT: A

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Moreno Valley

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective October 16, 1985, and witnessed October 15, 1985, and as amended effective February 14, 1992, July 5, 1995, July 15, 1997, January 6, 1999, July 18, 2003, January 13, 2007 and March 27, 2009 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective March 27, 2009, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after October 16, 1985 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:

   (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.

   (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.

   (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.

   (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.

   (e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.

   (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.

   (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:

   a. Employees other than local safety members (herein referred to as local miscellaneous members).

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

   a. SAFETY EMPLOYEES.

6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after January 13, 2007 shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

7. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after January 13, 2007 and not entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).

8. The percentage of final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

9. Public Agency elected and elects to be subject to the following optional provisions:

   a. Section 20042 (One-Year Final Compensation) for those local miscellaneous members entering membership on or prior to the effective date of this amendment to contract.

   b. Section 20938 (Limit Prior Service to Members Employed on Contract Date).

   c. Section 21574 (Fourth Level of 1959 Survivor Benefits).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

d. Section 21024 (Military Service Credit as Public Service).

e. Section 20965 (Credit for Unused Sick Leave).

f. Section 20903 (Two Years Additional Service Credit).

g. Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

10. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.

11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members of said Retirement System.

12. Public Agency shall also contribute to said Retirement System as follows:

a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members.

b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY_____
DARRYL WATSON, CHIEF
CUSTOMER ACCOUNT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF MORENO VALLEY

BY_____
PRESIDING OFFICER

_____
Witness Date

Attest:

_____
Clerk

PLEASE DO NOT SIGN "EXHIBIT ONLY"
PLEASE DO NOT SIGN "EXHIBIT ONLY"

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
Actuarial and Employer Services Branch
Public Agency Contract Services
(888) CalPERS (225-7377)

SUMMARY OF MAJOR PROVISIONS
2% @ 55 Formula (Section 21354)
Local Miscellaneous Members

SERVICE RETIREMENT

To be eligible for service retirement, a member must be at least age 50 and have five years of CalPERS credited service. There is no compulsory retirement age.

The monthly retirement allowance is determined by age at retirement, years of service credit and final compensation. The basic benefit is 2% of final compensation for each year of credited service upon retirement at age 55. If retirement is earlier than age 55, the percentage of final compensation decreases for each quarter year of attained age to 1.426% at age 50. If retirement is deferred beyond age 55, the percentage of final compensation increases for each quarter year of attained age to 2.418% at age 63.

Final compensation is the average monthly pay rate during the last consecutive 36 months of employment, or 12 months if provided by the employer's contract, unless the member designates a different period of 36 or 12 consecutive months when the average pay rate was higher.

DISABILITY RETIREMENT

Members substantially incapacitated from performing the usual duties for the position for his/her current employer, and from performing the usual duties of the position for other CalPERS covered employers (including State agencies, schools, and local public agencies), and where similar positions with these other employers with reasonably comparable in pay, benefits, and promotional opportunities are not available, would be eligible for disability retirement provided they have at least five years of service credit. The monthly retirement allowance is 1.8% of final compensation for each year of service. The maximum percentage for members who have between 10.000 and 18.518 years of service credit is one-third of their final compensation. If the member is eligible for service retirement the member will receive the highest allowance payable, service or disability. If provided by the employer's contract, the benefit would be a minimum of 30% of final compensation for the first five years of service credit, plus 1% for each additional year of service to a maximum benefit of 50% of final compensation.

INDUSTRIAL DISABILITY RETIREMENT

If provided by the employer's contract, members permanently incapacitated from performing their duties, as defined above under Disability Retirement, and the disability is a result of a job-related injury or illness may receive an Industrial Disability Retirement benefit equal to 50% of their final compensation. If provided in the employer's contract and the member is totally disabled, the disability retirement allowance would equal 75% of final compensation in lieu of the disability retirement allowance otherwise provided. If the member is eligible for service retirement, the service retirement allowance is payable. The total allowance cannot exceed 90% of final compensation.

PRE-RETIREMENT DEATH BENEFITS

Basic Death Benefit: This benefit is a refund of the member's contributions plus interest and up to six months' pay (one month's salary rate for each year of current service to a maximum of six months).

MV00123452

1957 Survivor Benefit: An eligible beneficiary may elect to receive either the Basic Death Benefit or the 1957 Survivor Benefit. The 1957 Survivor Benefit provides a monthly allowance equal to one-half of the highest service retirement allowance the member would have received had he/she retired on the date of death. The 1957 Survivor Benefit is payable to the surviving spouse or registered domestic partner until death or to eligible unmarried children until age 18.

1959 Survivor Benefit: (If provided by the employer's contract and the member is not covered under social security.) A surviving spouse or registered domestic partner and eligible children may receive a monthly allowance as determine by the level of coverage. This benefit is payable in addition to the Basic Death Benefit or 1957 Survivor Benefit. Children are eligible if under age 22 and unmarried.

Pre-Retirement Optional Settlement 2 Death Benefit: (If provided by the employer's contract.) The spouse or registered domestic partner of a deceased member, who was eligible to retire for service at the time of death, may to elect to receive the Pre-Retirement Optional Settlement 2 Death Benefit in lieu of the lump sum Basic Death Benefit. The benefit is a monthly allowance equal to the amount the member would have received if he/she had retired for service on the date of death and elected Optional Settlement 2, the highest monthly allowance a member can leave a spouse or registered domestic partner.

COST-OF-LIVING ADJUSTMENTS

The cost of living allowance increases are limited to a maximum of 2% compounded annually unless the employer's contract provides a 3, 4, or 5% increase.

DEATH AFTER RETIREMENT

The lump sum death benefit is $500 (or $600, $2,000, $3,000, $4,000 or $5,000 if provided by the employer's contract) regardless of the retirement plan chosen by the member at the time of retirement.

TERMINATION OF EMPLOYMENT

Members who have separated from employment may elect to leave their contributions on deposit or request a refund of contributions and interest. Those who leave their contributions on deposit may apply at a later date for a monthly retirement allowance if the minimum service and age requirements are met. Members who request a refund of their contributions terminate their membership and are not eligible for any future benefits unless they return to CalPERS membership.

EMPLOYEE CONTRIBUTIONS

Miscellaneous members covered by the 2% @ 55 formula contribute 7% of reportable earnings. Those covered under a modified formula (coordinated with Social Security) do not contribute on the first $133.33 earned.

The employer also contributes toward the cost of the benefits. The amount contributed by the employer for current service retirement benefits generally exceeds the cost to the employee. In addition, the employer bears the entire cost of prior service benefits (the period of time before the employer provided retirement coverage under CalPERS). All employer contribution rates are subject to adjustment by the CalPERS Board of Administration.

MV00123453

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Members of the Board of Directors

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board of Directors Adopt Resolution No. RDA 2011-12 approving an Enforceable Obligation Payment Schedule.

BACKGROUND

On June 30, 2011, the Governor signed the following two bills that became effective immediately.

- ABX1 26 eliminates California redevelopment agencies (RDA's) as of October 1, 2011, and
- ABX1 27 exempts from elimination any RDA within a City or County that agrees to make an annual payment to the Special District Allocation Fund and Educational Revenue Augmentation Fund.

On July 18, the California Redevelopment Association, the League of California Cities, and the cities of San Jose and Union City filed a petition with the California Supreme Court to overturn AB 1X 26 and AB 1X 27 based on claims that the bills violate the Constitution.

On August 11, 2011, the California Supreme Court issued a partial stay on the implementation of ABx1 26 and ABx1 27 until the Court can rule on the constitutionality of the two bills. As a result of the partial stay, sections of ABx1 26 remain in effect that suspend non-administrative redevelopment agency activities and require RDA's to adopt an Enforceable Obligation Payment Schedule (EOPS). The EOPS must be filed with the County Auditor-Controller, the State Controller, and the State Department of Finance by August 28, 2011. After this date, RDA's may only pay for obligations listed on the EOPS unless another payment is necessary to meet bonded indebtedness.

DISCUSSION

As a result of ABx1 26, ABx1 27, and the Supreme Court's partial stay, it is recommended that even agencies that have adopted a resolution that declares the intent to make the voluntary payments to the Special District Allocation Fund and Educational Revenue Augmentation Fund adopt an EOPS to ensure they have the authority to make payments on indebtedness after August 28, 2011. Staff recommends that the RDA Board of Directors adopt Resolution No. RDA 2011-12 (Attachment A) approving an Enforceable Obligation Payment Schedule (Attachment B).

ALTERNATIVES

1. Enact and adopt the attached resolution, which approves the Enforceable Obligation Payment Schedule. *Staff recommends this alternative because it allows the RDA to make required RDA debt service payments in accordance with the State legislation.*

2. Decline to enact and adopt the attached resolution, which approves the Enforceable Obligation Payment Schedule. *Staff does not recommend this alternative since without the EOPS, RDA debt service payments may not be authorized.*

FISCAL IMPACT

The EOPS summarizes the RDA's legally binding and enforceable agreements. There is no fiscal impact associated with adopting the proposed resolution that authorizes filing of an Enforceable Obligation Payment Schedule with the County Auditor-Controller, the State Controller, and the State Department of Finance.

SUMMARY

The Governor has signed two bills, one that eliminates RDA's and a second which provides for a voluntary alternative redevelopment program exempting an RDA from elimination if the City Council enacts an ordinance before November 1, 2011 to comply with the State legislation and make payments to the County-Auditor Controller as required by the legislation. A lawsuit was filed with the California Supreme Court asserting the claim that the bills are unconstitutional and the Supreme Court has issued a partial stay of the bills' implementation. Since the stay is not comprehensive,

compliance with the requirement that RDA's adopt an Enforceable Obligation Payment Schedule is necessary for timely filing with the County Auditor-Controller, the State Controller, and the State Department of Finance. The resolution adopting the Enforceable Obligation Payment Schedule is attached hereto for RDA Board consideration.

NOTIFICATION

Other than posting of the Agenda, no public notice is required prior to the Redevelopment Agency taking action on this item. The agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council and RDA Board meeting agendas.

ATTACHMENTS/EXHIBITS

Attachment A: Resolution No. RDA 2011-12
Attachment B: Enforceable Obligation Payment Schedule

Prepared By:
Michele Patterson
Redevelopment & Neighborhood
Programs Administrator

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. RDA 2011-12

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, et seq. ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011, and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain "enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, the dissolution of the Agency would be detrimental to the health, safety, and economic well-being of the residents of the City and cause irreparable harm to the community and the Redevelopment Project, because, among other reasons, the

redevelopment activities and projects made possible, implemented, and funded by the Agency are highly significant and of enduring benefit to the community and the City, and are a critical component of its future; and

WHEREAS, Part 1.9 of the CRL ("Part 1.9") provides that a redevelopment agency may continue in operation if a city or county that includes a redevelopment agency adopts an ordinance agreeing to comply with and participate in the Alternative Voluntary Redevelopment Program established in Part 1.9 ("Program"); and

WHEREAS, the City intends to adopt the ordinance required by Part 1.9, in order to allow the Agency to continue in operation and performing its functions; and

WHEREAS, the Agency is aware that the validity, passage, and applicability of ABX1 26 and ABX1 27 have become the subject of a judicial challenge; and

WHEREAS, the Agency, by the adoption of this resolution, does not represent, disclaim, or take any position whatsoever on the issue of the validity of ABX1 26 or ABX1 27, but rather the City seeks to comply with the Constitution and laws of the State of California, including Part 1.9, in order to preserve the ability of the Agency to continue to operate and thereby benefit the community; and

WHEREAS, various petitioners have filed an action in the matter of *California Redevelopment Association et al. v. Ana Matosantos, as Director, etc., et al* (the "Redevelopment Lawsuit") which challenges the validity of ABX1 26 and ABX1 27; and

WHEREAS, the Supreme Court has issued a partial stay in connection with the Redevelopment Lawsuit; and

WHEREAS, while the intention of the City and the Agency is that the Agency continue in existence, in the interests of seeking compliance with those provisions of ABX1 26 which require the adoption of an enforceable obligation payment schedule, the Agency desires to approve an enforceable obligation payment schedule in the form submitted herewith (the "Enforceable Obligation Payment Schedule"); and

WHEREAS, given the adoption of ABX1 26, the Agency has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That certain Enforceable Obligation Payment Schedule in the form submitted herewith is hereby approved as the enforceable obligation payment schedule of the Agency for purposes of Part 1.8 and Part 1.85.

Section 3. This Resolution shall be effective immediately upon adoption.

Section 4. The Agency Secretary shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the
Community Redevelopment Agency of the
City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Community
Redevelopment Agency of the
City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the
City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. _____ was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the _____ day of _____, _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Agency Members, Vice Chairman and Chairman)

_____

SECRETARY

(SEAL)

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	2007 Tax Allocation Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	83,920,389.38	2,253,483.75	1,233,841.88					$ 1,233,841.88
2)	2007 Special Tax Refunding Bonds - Towngate 87-1	Well Fargo Bank	Bonds issue to fund non-housing projects	13,069,701.97	1,162,857.57					1,162,857.57	$ 1,162,857.57
3)	Improvement Area No. 1 Special Tax Refunding Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	3,631,051.55	273,920.77					273,920.77	$ 273,920.77
4)	Auto Mall Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	2,389,960.61	143,437.50					143,437.50	$ 143,437.50
5)	2005 Lease Revenue Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	14,130,257.91	594,597.50					594,597.50	$ 594,597.50
6)	2011 Refunding Bonds	Bank of America	Bonds issue to fund non-housing projects	1,650,000.00	150,000.00					150,000.00	$ 150,000.00
7)	Employee Costs - RDA Admin	Employees of Agency	Payroll for employees	700,000.00	700,000.00	58,333.33	58,333.33	58,333.33	58,333.33	58,333.33	$ 291,666.65
8)	Employee Costs - RDA Housing	Employees of Agency	Payroll for employees	900,000.00	900,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	$ 375,000.00
9)	Contract for consulting services	Strickler Association	Professional Services	45,000.00	45,000.00	3,750.00	3,750.00	3,750.00	3,750.00	3,750.00	$ 18,750.00
10)	Contract for legal services	Stradling, Yocca, Carlson & Rauth	Legal Services	160,000.00	160,000.00	13,333.33	13,333.33	13,333.33	13,333.33	13,333.33	$ 66,666.65
11)	Contract for professional services	Certified Credit Reporting	Professional Service	500.00	500.00	100.00	100.00	100.00	100.00	100.00	$ 500.00
12)	Contract for professional services	Keyser Marston Assoc	Professional Service	20,000.00	20,000.00	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	$ 8,333.35
13)	Contract for professional services	Home Safe Environmental	Professional Service	1,400.00	1,400.00	116.67	116.67	116.67	116.67	116.67	$ 583.35
14)	Contract for professional services	Diane Hadland	Professional Service	5,000.00	5,000.00	416.67	416.67	416.67	416.67	416.67	$ 2,083.35
15)	Oakwood Apartments	One Moreno Valley 240, L.P.	Affordable Housing Agreement	750,000.00	750,000.00					750,000.00	$ 750,000.00
16)	Rancho Dorado Apts - South	Moreno Valley Rancho Dorado II LTD	Affordable Housing Agreement	6,950,000.00	100,000.00					100,000.00	$ 100,000.00
17)	Hemlock Family Apartments	Rancho Belago, Inc.	Affordable Housing Agreement	6,300,000.00	5,300,000.00					5,300,000.00	$ 5,300,000.00
18)	Indian Basin, Appurtenant	Lim & Nascimento Engineering	Contractual Services	42,152.84	42,152.84	3,512.74	3,512.74	3,512.74	3,512.74	3,512.74	$ 17,563.70
19)	Indian Basin, Appurtenant	Ninyo & Moore Geotech	Contractual Services	31,530.00	31,530.00	2,627.50	2,627.50	2,627.50	2,627.50	2,627.50	$ 13,137.50
20)	Indian Basin, Appurtenant	Caltrop Engineering	Contractual Services	3,194.50	3,194.50	266.21	266.21	266.21	266.21	266.21	$ 1,331.05
21)	Indian Basin, Appurtenant	Hillcress Construction	Contractual Services	84,407.40	84,407.40	7,033.95	7,033.95	7,033.95	7,033.95	7,033.95	$ 35,169.75
22)	Indian Basin, Appurtenant	Guida Surveying	Contractual Services	906.00	906.00	75.50	75.50	75.50	75.50	75.50	$ 377.50
23)	Indian Basin, Appurtenant	Riverside Construction	Contractual Services	189,477.77	189,477.77	15,789.81	15,789.81	15,789.81	15,789.81	15,789.81	$ 78,949.05
24)	Day StreetAlessandro Blvd	DMC Design	Contractual Services	52,559.76	52,559.76	4,379.98	4,379.98	4,379.98	4,379.98	4,379.98	$ 21,899.90
25)	Day StreetAlessandro Blvd	Hillcrest Contract	Contractual Services	105,502.96	105,502.96	8,791.91	8,791.91	8,791.91	8,791.91	8,791.91	$ 43,959.55
26)	Day StreetAlessandro Blvd	SCE	Contratual Services	18,001.11	18,001.11	1,500.09	1,500.09	1,500.09	1,500.09	1,500.09	$ 7,500.45
27)	Day StreetAlessandro Blvd	Donahue Appraisal	Contratual Services	1,050.00	1,050.00	87.50	87.50	87.50	87.50	87.50	$ 437.50
28)	Day StreetAlessandro Blvd	Vali Cooper & Assoc	Contratual Services	10,896.20	10,896.20	908.02	908.02	908.02	908.02	908.02	$ 4,540.10
29)	Day StreetAlessandro Blvd	Gibbs, Giden, Locher	Contratual Services	12,183.25	12,183.25	1,015.27	1,015.27	1,015.27	1,015.27	1,015.27	$ 5,076.35
30)	Day StreetAlessandro Blvd	Time Warner	Contratual Services	3,343.84	3,343.84	278.65	278.65	278.65	278.65	278.65	$ 1,393.25
31)	Day StreetAlessandro Blvd	Verizon	Contratual Services	4,067.27	4,067.27	338.94	338.94	338.94	338.94	338.94	$ 1,694.70
	Totals - This Page			$ 135,182,534.32	$ 13,119,469.99	$ 1,433,164.62	$ 199,322.74	$ 199,322.74	$ 199,322.74	$ 8,674,136.08	$ 10,705,268.92
	Totals - Page 2			$ 1,323,436.49	$ 1,323,436.49	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 551,431.90
	Totals - Page 3			$ 751,680,224.00	$ 20,469,273.00	$ -	$ -	$ -	$ -	$ 10,486,120.50	$ 10,486,120.50
	Totals - Page 4										
	Totals - Other Obligations										
	Grand total - All Pages			$ 888,186,194.81	$ 34,912,179.48	$ 1,543,451.00	$ 309,609.12	$ 309,609.12	$ 309,609.12	$ 19,270,542.96	$ 21,742,821.32

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ATTACHMENT B

MV00123461

Name of Redevelopment Agency The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	Day StreetAlessandro Blvd	AIE Enginerring	Contratual Services	9,125.83	9,125.83	760.49	760.49	760.49	760.49	760.49	$ 3,802.45
2)	Day StreetAlessandro Blvd	Group Delta	Contratual Services	11,754.00	11,754.00	979.50	979.50	979.50	979.50	979.50	$ 4,897.50
3)	Auto Mall	Cal Trop Engineering	Contratual Services	9,200.00	9,200.00	766.67	766.67	766.67	766.67	766.67	$ 3,833.35
4)	Auto Mall	United Inspection	Contratual Services	2,646.00	2,646.00	220.50	220.50	220.50	220.50	220.50	$ 1,102.50
5)	Auto Mall	VA Consulting	Contratual Services	7,371.60	7,371.60	614.30	614.30	614.30	614.30	614.30	$ 3,071.50
6)	Auto Mall	San Pedro Sigh	Contratual Services	122,596.37	122,596.37	10,216.36	10,216.36	10,216.36	10,216.36	10,216.36	$ 51,081.80
7)	Ironwood Ave-Day	AIE Enginerring	Contratual Services	69,298.78	69,298.78	5,774.90	5,774.90	5,774.90	5,774.90	5,774.90	$ 28,874.50
8)	Ironwood Ave-Day	Lor Geotech	Contratual Services	1,500.00	1,500.00	125.00	125.00	125.00	125.00	125.00	$ 625.00
9)	Ironwood Ave-Day	JTB Supply	Contratual Services	8,210.63	8,210.63	684.22	684.22	684.22	684.22	684.22	$ 3,421.10
10)	Ironwood Ave-Day	Guida Supply	Contratual Services	8,377.00	8,377.00	698.08	698.08	698.08	698.08	698.08	$ 3,490.40
11)	Ironwood Ave-Day	Riverside Contruction	Contratual Services	225,797.03	225,797.03	18,816.42	18,816.42	18,816.42	18,816.42	18,816.42	$ 94,082.10
12)	Nason/SR-60 Bridge	Enco	Contratual Services	459.91	459.91	38.33	38.33	38.33	38.33	38.33	$ 191.65
13)	Nason/SR-60 Bridge	Singer & Coffin, APC	Contratual Services	4,310.00	4,310.00	359.17	359.17	359.17	359.17	359.17	$ 1,795.85
14)	Nason/SR-60 Bridge	Parsons Transportation	Contratual Services	428,956.97	428,956.97	35,746.41	35,746.41	35,746.41	35,746.41	35,746.41	$ 178,732.05
15)	Morrison Park Fire Station	Lor Geotech	Contratual Services	9,350.00	9,350.00	779.17	779.17	779.17	779.17	779.17	$ 3,895.85
16)	Morrison Park Fire Station	STK Architechture	Contratual Services	395,644.00	395,644.00	32,970.33	32,970.33	32,970.33	32,970.33	32,970.33	$ 164,851.65
17)	Morrison Park Fire Station	JTB Supply Co.	Contratual Services	8,135.13	8,135.13	677.93	677.93	677.93	677.93	677.93	$ 3,389.65
18)	Morrison Park Fire Station	Enco Utility	Contratual Services	703.24	703.24	58.60	58.60	58.60	58.60	58.60	$ 293.00
19)											$ -
20)											$ -
21)											$ -
22)											$ -
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29)											$ -
30)											$ -
31)											$ -
32)											$ -
33)											$ -
34)											$ -
											$ -
											$ -
	Totals - This Page			$ 1,323,436.49	$ 1,323,436.49	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 551,431.90

*** This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by ATTACHMENT B**
If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.
**** Include only payments to be made after the adoption of the EOPS.**

MV00123462

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

OTHER OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	Section 33676 Payments	Moreno Valley & Val Verde Unified SDs	Payments per former CRL 33676	29,000,000.00	880,000.00					440,000.00	$ 440,000.00
2)	Section 33676 Payments	Riverside City Comm College	Payments per former CRL 33676	6,000,000.00	170,000.00					85,000.00	$ 85,000.00
3)	Section 33676 Payments	School Funds	Payments per former CRL 33676	170,000.00	5,500.00					2,750.00	$ 2,750.00
4)	Section 33676 Payments	Co Supt of Schools	Payments per former CRL 33676	4,800,000.00	130,000.00					65,000.00	$ 65,000.00
5)	Pass Through Agreement	County of Riverside	Per Pass Through Agreement	411,848,046.00	8,000,000.00					4,000,000.00	$ 4,000,000.00
6)	Pass Through Agreement	Riverside Flood Control	Per Pass Through Agreement	47,190,566.00	808,500.00					404,250.00	$ 404,250.00
7)	LMIH Fund	RDA Housing Set-Aside	20% Set-Aside Fund	197,830,000.00	3,600,000.00					1,800,000.00	$ 1,800,000.00
8)	SB 2557 County Admin Fees	County of Riverside	County Administrative Fees	7,000,000.00	250,000.00					125,000.00	$ 125,000.00
9)	Conference & Recreation Cnt	City of Moreno Valley	MOU	35,971,807.00	307,468.00					307,468.00	$ 307,468.00
10)	Land Repayment to Housing	LMHF	Repayment of Land Transfer	3,387,000.00	195,500.00					195,500.00	$ 195,500.00
11)	Cactus/Day/Old 215 Land	City of Moreno Valley	Land purchased - Loan	2,360,500.00							$ -
12)	AB 1X 27 Payments	City of Moreno Valley	Transfer Agreement	6,122,305.00	6,122,305.00					3,061,152.50	$ 3,061,152.50
13)											$ -
14)											$ -
15)											$ -
16)											$ -
17)											$ -
18)											$ -
19)											$ -
20)											$ -
21)											$ -
22)											$ -
23)											$ -
24)											$ -
25)											$ -
26)											$ -
27)											$ -
28)											$ -
29)											$ -
30)											$ -
	Totals - Other Obligations			**$ 751,680,224.00**	**$ 20,469,273.00**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 10,486,120.50**	**$ 10,486,120.50**

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MV00123463

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

August 23, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00123465

REVISED AGENDA *
CITY COUNCIL OF THE CITY OF MORENO VALLEY
August 23, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter - Investigator Duke Viveros

2. Employee of the Quarter - Patty Posey

3. Recognition of 2011 Summer Reading Program Super Readers, by Moreno Valley Friends of the Library

REVISED AGENDA *
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
AUGUST 23, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor O. J. Philpot - Christ Community Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of July 6 - August 16, 2011.

A.5 AMENDMENT TO THE RULE 20A UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2. Approve the reprioritized Rule 20A priority list.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE

STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE. (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive. All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained electric utility system.

A.7 APPROVAL OF CHECK REGISTER FOR MAY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

Resolution No. 2011-85

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2011

A.8 APPROVAL OF CHECK REGISTER FOR JUNE, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

Resolution No. 2011-86

A Resolution of the City Council of the City Of Moreno Valley, California, Approving the Check Register for the Month of June, 2011

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED JUNE 30, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY (Report of: Community & Economic Development Department)

Recommendation:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

Resolution No. 2011-87

A Resolution of the City Council of the City of Moreno Valley, California, in Support of and Participation with the Southern California Association of Governments as a Compass Blueprint Strategy Demonstration Community.

A.11 ADOPT A RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321;

   Resolution No. 2011-88

   A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intent to Vacate Motor Way Between Auto Mall Drive and Eucalyptus Avenue

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323;

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323; and

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

A.12 ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING –SEPTEMBER 23, 2011 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

Resolution No. 2011-89

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2011 Annual Conference

A.13 PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT, AND ROLANDA DRIVE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

Resolution No. 2011-90

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Pattilyn Drive, Challis Court and Rolanda Drive.

A.14 PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS; BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET DEVELOPER: IDS REAL ESTATE GROUP, LOS ANGELES, CA 90071 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements;

2. Authorize the Mayor to execute the DIF Agreement in the form; and

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

A.15 ORDINANCE NO. 832, AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE (RECEIVED FIRST READING AND INTRODUCTION ON JULY 26, 2011, BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation:

Adopt Ordinance No. 832, an Ordinance of the City of Moreno Valley electing to comply with and participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code.

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

A.16 AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS - PROJECT NO. LED-229-80510 (Report of: Public Works Department)

Recommendation:

1. Award the contract for the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, CA. 91763; and

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

A.17 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12 (ATTACHMENT A TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Human Resources Department)

Recommendation:
Approve the successor Memoranda of Understanding (MOU's) between the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.4 EXTENSION OF CONTRACT - APPROVE SECOND AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and; TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.5 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2001-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

Resolution No. CSD 2011-23

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2011/12

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk

Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING FOR PA11- 0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres;

Resolution No. 2011-91

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Detachment of two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley to allow for Concurrent Annexation to the City of Perris

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels; and

Resolution No. CSD 2011-24

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California to request the Riverside Local Agency Formation Commission Initiate Proceedings for a City Boundary Amendment involving a Detachment of Parcels from the Moreno Valley Community Services District

3. Staff recommends that the Mayor and City Council Adopt Resolution

No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

Resolution No. 2011-92

A Resolution of the City Council of the City of Moreno Valley, California, approving a Property Tax Transfer Agreement between the City of Moreno Valley and City of Perris regarding the Detachment of Two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley and concurrent Annexation to the City of Perris

E.2 PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property; and

2. Authorize staff to solicit offers for the purchase of said real property.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM JULY 12, 2011 BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

   If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

   Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)
b. Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

G.2 RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS (Report of: City Clerk's Department)

Recommendation: That the City Council:

Adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected.

Resolution No. 2011-93

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Criteria to Guide the Process of Revising the Boundaries of the Districts from which Members of the City Council are Elected

G.3 CITIZENS' PARTICIPATION ON-LINE REDISTRICTING (PRESENTATION BY NATIONAL DEMOGRAPHICS CONSULTANT, ALAN HESLOP)

G.4 APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER) (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.5 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNs 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceedings for Oasis

Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

G.6 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.7 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

*G.8 ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON SEPTEMBER 30, 2011 AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CALPERS (Report of: Human Resources Department)

Recommendation:

1. Adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after

September 30, 2011, and conduct the first reading of the related ordinance as required by CALPERS.

Resolution No. 2011-59

A Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Moreno Valley, California

2. Introduce Ordinance No. 828.

Ordinance No. 828

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

*G.9 A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (Report of: Community & Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution No. RDA 2011-12, approving an Enforceable Obligation Payment Schedule.

Resolution No. RDA 2011-12

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Enforceable Obligation Schedule

G.10 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

***Revision to Agenda**

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
July 12, 2011

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Pastor Diane Gardner

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member (via conference call)

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Barry Foster	Community & Economic Development Director
Chris Vogt	Public Works Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A23) and Deanna Reeder (Items A5, A17, A18, and A19).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 22 - July 5, 2011.

A.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:
1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction

Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.5 APPROVE AGREEMENT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES WITH TRANSTECH ENGINEERS, INC. FOR STREET IMPROVEMENTS ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET AND ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Professional Construction Management and Construction Inspection Consultant Services with Transtech Engineers, Inc. (Transtech) 413 MacKay Drive, San Bernardino, CA 92408, for Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue;

2. Authorize the City Manager to execute a contract with Transtech;

3. Authorize the issuance a Purchase Order to Transtech in the amount of $999,200 ($868,870 for the agreement plus the 15% contingency amount of $130,330) when the Agreement has been signed by all parties; and

4. Authorize the City Engineer to execute any subsequent amendments to the Agreement with Transtech, up to but not to exceed the Purchase Order contingency, subject to the approval of the City Attorney.

A.6 P07-144 – APPROVE TRACT MAP NO. 35760, A SIX-LOT RESIDENTIAL SUBDIVISION OF TRACT MAP NO. 31129. DEVELOPER - WESTERN

PACIFIC HOUSING, INC. IRVINE, CA 92606 (Report of: Public Works Department)

Recommendation:

1. Approve Tract Map No. 35760; and

2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.7 AUTHORIZATION TO AWARD AGREEMENT FOR CENTRAL TRAFFIC CONTROL SOFTWARE SERVICES IN SUPPORT OF THE TRANSPORTATION MANAGEMENT CENTER (PROJECT NO. 10-13768129) (Report of Public Works Department)

Recommendation:

1. Approve the agreement with Kimley-Horn and Associates, Inc., 7878 N. 16th Street, Phoenix, Arizona 85020, to provide a central traffic control software system;

2. Authorize the City Manager to execute said Agreement with Kimley-Horn and Associates, Inc.;

3. Authorize the issuance of a Purchase Order to Kimley-Horn and Associates, Inc., in the amount of $315,000; and

4. Authorize the Public Works Director to execute any subsequent amendments related to this agreement.

A.8 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH GIBBS, GIDEN, LOCHER, TURNER & SENET, LLP FOR LEGAL SERVICES FOR LOS ANGELES ENGINEERING, INC. V. CITY OF MORENO VALLEY RIVERSIDE SUPERIOR COURT CASE RIC 524877 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 36928 to Gibbs, Giden, Locher, Turner & Senet, LLP by the amount of $100,000 for a total not-to-exceed amount of $196,000 (Account No. 461.65325.7500);

2. Authorize payment to Gibbs, Giden, Locher, Turner & Senet, LLP in an amount of up to $196,000 for legal services for Los Angeles Engineering, Inc. v. City of Moreno Valley Riverside Superior Court Case RIC 524877; and

3. Authorize an appropriation of $100,000 from the unencumbered fund

balance of Parkland Facilities DIF (Fund 205) to Account No. 461.65325 to allow for said increase to Purchase Order No. 36928.

A.9 TRACT MAP 32707 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: REDHAWK COMMUNITIES, INC. A CALIFORNIA CORPORATION, TEMECULA, CA 92590 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-72 authorizing the acceptance of the public improvements within Tract Map 32707 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system; and

   Resolution No. 2011-72

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32707 and Accepting the Portion of Lasselle Street Associated with the Project Into the City's Maintained Street System

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

A.10 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 CITYWIDE BRIDGE MAINTENANCE PROGRAM, PROJECT NO. 11-22679828, DIRECT THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed for the 2011 Citywide Bridge Maintenance Program, constructed by Beador Construction Company, Inc. (Beador), 26320 Lester Circle, Corona CA 92883;

2. Direct the City Clerk to record the Notice of Completion within ten (10) alendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Beador Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.11 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

A.12 FIRST AMENDMENT TO AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Overland, Pacific and Cutler, Inc. (OPC) to provide Professional Consultant Right of Way Services for various projects of the Capital Projects Division;

2. Authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with OPC; and

3. Authorize an increase to the purchase order to OPC, in the amount of $85,000 when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.13 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;
3. Authorize the Financial and Administrative Services Director to release

the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.14 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE TRAFFIC SIGNAL IMPROVEMENTS ON SUNNYMEAD RANCH PARKWAY AT VILLAGE ROAD (EAST) INTERSECTION PROJECT NO. 10-41779229, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AND AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east), constructed by SoCal Engineers, Inc., 17595 Harvard, Suite C2160, Irvine, CA 92614;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to SoCal Engineers, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.15 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS

FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.16 RESCIND RESOLUTION NO. 2005-30 AND RE-DESIGNATE AND AUTHORIZE SIGNATURE AUTHORITIES TO EXECUTE APPLICATIONS AND DOCUMENTS FOR PURPOSES OF OBTAINING FINANCIAL ASSISTANCE UNDER SECTION 404 OF PUBLIC LAW 93-288, AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ACT OF 1988. (Report of: Fire Department)

Recommendation:

Adopt Resolution No. 2011-73, rescinding Resolution No. 2005-30, and designating and authorizing certain City officials to execute applications and documents for purposes of obtaining financial assistance under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

Resolution No. 2011-73

A Resolution Of The City Council Of The City Of Moreno Valley, California, Rescinding Resolution No. 2005-30, And Re-Designate And Authorize Certain City Officials To Execute Applications And Documents For Purposes Of Obtaining Financial Assistance Under Section 404 Of Public Law 93-288, As Amended By The Robert T. Stafford Disaster Relief And Emergency Act Of 1988

A.17 FIRST AMENDMENT TO AGREEMENT FOR ON-CALL PROJECT MANAGEMENT SERVICES WITH VAS ASSOCIATES, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for On-Call Project Management Services" with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide temporary professional project management services for budgeted Capital Improvement Plan (CIP) projects on an as-needed basis;

2. Authorize the City Manager to execute said "First Amendment to Agreement for On-Call Project Management Services" with VAS; and

3. Authorize a purchase order to VAS in the amount of $312,000 when "First Amendment to Agreement for On-Call Project Management Services" has been signed by all parties.

A.18 AGREEMENT FOR PROFESSIONAL CONSULTANT ADMINISTRATIVE SERVICES WITH DMC DESIGN GROUP, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Professional Consultant Administrative Services" with DMC Design Group, Inc. (DMC), 170 N. Maple Street, Corona, CA 92880-1703, to provide Professional Consultant Administrative Services for budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Agreement for Professional Consultant Administrative Services" with DMC; and

3. Authorize a purchase order to DMC in the amount of $139,000 when said "Agreement for Professional Consultant Administrative Services" has been signed by all parties.

A.19 FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES, INC. (Report of:

Public Works Department)

Recommendation:

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with SA; and

3. Authorize a Change Order to increase the Purchase Order to SA in the amount of $185,000 when "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

A.20 RESOLUTION DECLARING THE REAL PROPERTY AS EXCESS AND SETTING A PUBLIC HEARING AUTHORIZING SALE FOR REMAINDER OF PARCEL APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

Approve and adopt Resolution No. 2011-74 to declare the real property, APN 475-272-054, as excess, set a public hearing to identify any issues with the sale of the remainder parcel, and authorize staff to solicit offers for the purchase of said real property.

Resolution No. 2011-74

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Convenience Require the Sale of a Remainder Parcel Excess to Public Use

A.21 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2011-75 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2011-75

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

A.22 APPROVE THREE-YEAR AGREEMENT WITH CANON BUSINESS SOLUTIONS TO EXTEND THE CURRENT COPIER CONTRACT (Report of: Financial & Administrative Services Department)

Recommendation:
Approve the three-year agreement to extend the current contract with Canon Business Solutions in the total base amount of $261,828, representing a 23.75% price decrease or total savings of $81,540, as being in the best interest of the City.

A.23 STAFF ASSIGNMENTS IN SUPPORT OF COUNCIL MEMBER PARTICIPATION WITH REGIONAL AGENCIES (Report of: City Manager's Office)

Recommendation:
Approve the proposed staff assignments in support of Council Member participation with regional agencies.

A.24 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 PAVEMENT RESURFACING PROJECT NO. 11-12556330, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Pavement Resurfacing Project, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release he retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.25 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 LOCAL STREET PAVEMENT RESURFACING – PHASE 1 PROJECT NO. 11-22679728, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Local Street Pavement Resurfacing – Phase, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.26 CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD, DEVELOPER: CITY OF MORENO VALLEY, MORENO VALLEY, CA 92552 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.27 PA07-0090 – EUCALYPTUS STREET IMPROVEMENTS - AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.28 PA07-0090 – EUCALYPTUS WATER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.29 PA07-0090 – EUCALYPTUS RECYCLED WATER – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALUPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.30 PA07-0090 – EUCALYPTUS SEWER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the

remaining public improvements are completed and punch-list items have been addressed; and

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

A.31 PA07-0090 – LINE F STORM DRAIN IMPROVEMENTS – REQUEST TO RATIFY THE PARTIAL REDUCTION TO THE IMPROVEMENT SECURITY AND AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN PROPER CLEARANCES ARE RECEIVED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553. (Report of: Public Works Department)

Recommendation:

1. Ratify the partial reduction to the public improvement security provided by the City Engineer on March 3, 2011 for the Line F Storm Drain Improvements for PA07-0090;

2. Authorize the Public Works Director/City Engineer to accept the work as complete once the proper clearances are provided by Riverside County Flood Control and Water Conservation District; and

3. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to enter said improvements into the 12 month guarantee and warranty period, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM A.11) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

C.5 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME,

AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.6 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM A.15) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro

Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

C.7 AUTHORIZE FIRST AMENDMENT TO PROJECT SPECIFIC AGREEMENT AND AUTHORIZE CHANGE ORDER TO THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the First Amendment to the Project Agreement on behalf of the Community Redevelopment Agency; and

2. Authorize a Change Order to increase Purchase Order No. 37386 for VA Consulting, Inc., in the amount of $25,000 for additional professional consultant design services, bid design support services, and construction support services (Account No. 897.91725).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A DEVELOPMENT AGREEMENT (PA10-0029) FOR ROCKLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING, AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 (RESIDENTIAL 15) AND OS (OPEN SPACE) LAND USE DISTRICTS. THE PROJECT SITE IS ON THE SOUTHEAST CORNER OF FIR AVENUE AND EUCALYPTUS AVENUE. THE APPLICANT AND OWNER OF THE SITE IS BEAZER HOMES (Continued from March 22, 2011 and May 24, 2011) (Report of: Community & Economic Development Department)

Recommendation:

Introduce Ordinance No. 823, for adoption of a development agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 and conditional use permit/ planned unit development consisting of 275 residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use districts.

Ordinance No. 823

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Development Agreement (PA10-0029) for Rockcliffe at Stoneridge, an Approved Project Encompassing Tentative Tract Map No. 36340 and a Conditional Use Permit/Planned Unit Development Consisting of 275 Residential Lots, a Recreational Building and Private Open Space on Approximately 29 acres in the R15 (Residential 15) and OS (Open Space) Land Use Districts

Motion to Continue to October 11, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, AND 316-200-029 BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

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

Recommendation: That the City Council:

After conducting the individual Public Hearings and accepting public testimony:

a: Direct the City Clerk to tabulate the national Pollutant Discharge Elimination System (NPDES) ballots for First Industrial;

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

10 – "yes" 0 – "no", 0 – "invalid"

b: Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing:

c: Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

d: If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to Assessors Parcel Numbers (APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

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

Recommendation: That the CSD:
That the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conduction the Public Hearing and accepting public testimony:

a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD

Zone M ballot for First Industrial;

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

8,490.43 – "Yes", 0 – "no", 0 – "invalid"

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC. (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

Resolution No. 2011-76

A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

Resolution No. 2011-77

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Ecualyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Continue to August 23, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.4 A PUBLIC HEARING FOR CONSIDERATION OF THE REVISION OF TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT, SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, APPLICATIONS FOR LIGHTING, SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK

SKY PROVISIONS FOR GENERAL ON-SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING CITYWIDE. THE APPLICANT IS THE CITY OF MORENO VALLEY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no action is required. Should the City Council choose to adopt the new standards, the following actions are required:

   RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 831 approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

   Ordinance No. 831

   An Ordinance of the City Council of the City of Moreno Valley, California Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI Applications for Lighting and Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030 "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

   Bring back to a Study session after the implementation of the new Federal law, incorporate any changes in the use of LED or solar and include a review of the impact, if any, of the Federal law.

   Motion to Approve to continue to March 2012 Study Session by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
   Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR

SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a) Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)

An audit is being conducted. The contract management of the residential area of Green Acres was dismissed, and now there is in-house management. The first part of the agreement with March Health Care is being looked at for approval. There is no specific timeline for the dedication of a fire station or a funding mechanism for funding of fire fighters. A fire station will be built. There is no decision on when and where it will be located. The developer needs to pick a site before all the land is dedicated away. A fire protection district might be formed.

G.2 APPROVAL OF CONCESSIONAIRE AGREEMENT WITH PACIFICA UNIVERSITY, INC., FOR THE COTTONWOOD GOLF CENTER (Report of: Parks and Community Services)

President Stewart opened the agenda item for public comments, which were received from Rick Madott, Mick Rood, Kenny Bell, L. T. Duffy, and Tom Jerele, Sr.

Recommendation: That the City Council:
Acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, approve a long-term Concessionaire Agreement between the Moreno Valley Community Services District and Pacifica University, Inc., to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility.

Motion to Approve as amended between the Moreno Valley Community Services District and Pacifica University, Inc. to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

G.3 "BEST PLACE TO DO BUSINESS" ACTION STEPS (Report of: Community & Economic Development Department)
Recommendation: That the City Council:
Approve the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

Mayor Stewart opened the agenda item for public comments, which were received

from Tom Jerele, Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Marcelo Co
Approved by a vote of 5-0.

G.4 APPOINTMENT OF CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE PURPOSE OF REESTABLISHING JULY 4TH EVENTS FOR 2012 (Report of: City Manager's Office)

Recommendation: That the City Council:
Appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012.

Mayor Stewart opened the agenda item for public comments, which were received from Debra Craig, Pete Bleckert, Deanna Reeder, and Tom Jerele, Sr.

Motion to Approve appointment of Council Member Hastings and Mayor Pro Tem Molina to serve as City Council Ad Hoc Subcommittee by m/Mayor Richard A. Stewart, s/Council Member Marcelo Co
Approved by a vote of 5-0.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder
1. August 2 National Night Out
2. Main Street Has Talent

Pete Bleckert
1. Chamber of Commerce

Susan Gilchrist
1. Sound Study

Tom Jerele, Jr.
1. 4th of July Committee
2. Joint Task Force Meetings

Jose Chavez
1. Fireworks

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,

COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Robin N. Hastings

1. Main Street Has Talent is located by Bob's Big Boy at Stoneridge. There are a variety of events to celebrate our young people and to provide a place for them to keep safe in the city. National Night Out will be held there.

2. Attended a Grab and Go event at the ABC Market on the corner of Perris and Alessandro. It is a partnership with the Department of Public Health, and they are putting fruits and vegetables in small convenience markets. Juvenile Diabetes is on the rise. The largest at risk group is our African American community, and they constitute 60% of obesity in the state.

3. In Washington, DC promoting the AB811 Energy Efficiency Program for Moreno Valley. The entire funding model was approved by the Court, and contractors will be trained starting August 2. Applications will be available in August. There is a link at WRCOG.ca.gov that will provide information, applications, what the program is about, and what is going to be available. There is $325M available that was bonded for Western Riverside County. It's the largest program of its type in the United States.

Council Member Marcelo Co

1. Will try very hard to provide the July 4 event. Please ask the business people to participate. They will be more likely to promote their business. Apologize for not having the event, but there weren't any funds. The committee will have a big task to make sure the next one is twice as good as the ones in the past. Everyone is asked to participate. Your help is needed.

Council Member William H. Batey II

1. On August 2 everyone is encouraged to get to know their neighbors and find out who lives in their neighborhood. That's what National Night Out is about. If you know who your neighbors are, you know who does and doesn't belong in your neighborhood. There are three groups getting together in District 5 that evening.

Mayor Pro Tem Jesse L. Molina

1. There will be a Prayer Walk for Hearts for Victims on Friday, July 15, at 5:00 p.m. at Stoneridge on Main Street at Bob's Big Boy in honor of Norma Lopez. (Mayor Pro Tem Molina speaks in Spanish.) Somebody out there knows something, and anyone with information, please go to the police. No one will rest until it is solved.

2. On July 1 the new city of Jurupa Valley held its first council meeting.

3. Still recuperating.

Mayor Richard A. Stewart

1. Impressed with the Golf Course Committee and the way they operated.

2. The Police Department received an Office Traffic Safety grant for approximately $190,000.

3. Through the California Law Enforcement Challenge, the Traffic Division took First Place in Traffic Safety.

4. The International Association of Chiefs of Police notified the Police Department they received First Place at the national level in a category dealing with Traffic Safety.

AGENDA ORDER

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

Meeting Resumed

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:42 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:02 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

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MV00123516

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 5:00 PM
July 26, 2011

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 5:03 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Pro Tem Jesse Molina

INVOCATION – Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem (left at 9:15 p.m.)
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES

DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (A5), and Ruthee Goldkorn (A.3).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.3 PM 35629 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION FOR A PORTION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT DESIGNATED AS EASEMENT NOTE "B" DEDICATED ON PARCEL MAP NO. 35629 RECORDED AS INSTRUMENT NO. 2010-0408448 LOCATED ON LOTS B, C, AND D OF PARCEL MAP NO. 35629 AND APPROVAL OF AN OFFER OF DEDICATION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT REPLACING THE ONE BEING SUMMARILY VACATED ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt the proposed Resolution, a summary vacation of a portion of the pedestrian access and sidewalk easement designated as Easement Note "B" dedicated on Parcel Map No. 35629 recorded as Instrument No. 2010-0408448 located on Lots B, C, and D of Parcel Map No. 35629;

Resolution No. 2011-80

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of a Pedestrian Access and Sidewalk Easement Designated as Easement "B" Dedicated on Parcel Map No. 35629 Recorded as Instrument No. 2010-0408448 Located on Lots B, C, and D of Parcel Map No. 35629

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for

recording;

3. Approve the Offer of Dedication of a pedestrian access and sidewalk easement as described in the Offer of Dedication; and

4. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate.

A.5 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY CITY EMPLOYEES' ASSOCIATION FOR FISCAL YEAR 2011-12 (Report of: Human Resources Department)

Recommendation:
Approve the successor Memoranda of Understanding (MOU) between the City of Moreno Valley and the Moreno Valley City Employees Association (MVCEA) for Fiscal Year 2011-12 (Attachment A).

A.6 CREATION OF NEW FIRE PREVENTION JOB TITLE (Report of: Fire Department)

Recommendation:
Approve the position title, description and salary schedule for the temporary part-time position of Fire Prevention Technician within the Fire Prevention Bureau.

A.7 RELOCATION AGREEMENT FOR THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) BOOSTER STATION LOCATED AT THE NORTHWEST CORNER OF NASON STREET AND DRACAEA AVENUE (Report of: Public Works Department)

Recommendation:
1. Approve the Relocation Agreement for the relocation of the existing Eastern Municipal Water District (EMWD) booster station at the northwest corner of Nason Street and Dracaea Avenue;

2. Authorize the City Manager to execute the Relocation Agreement; and

3. Direct the City Clerk to forward the signed Relocation Agreement to Eastern Municipal Water District for execution.

A.8 CREATION OF AN NSP-FUNDED HOMEBUYER ASSISTANCE PROGRAM (NSP-HAP) (Report of: Community & Economic

Development Department)

Recommendation:

1. Approve the creation of an Neighborhood Stabilization Program (NSP) grant-funded Homebuyer's Assistance Program (HAP), modeled after the existing Community Redevelopment Agency (RDA) funded HAP; and

2. Appropriate $250,000 from the NSP fund balance for the NSP-HAP.

Motion to Approve Joint Consent Calendar Items A.1 through D.2, except Items A.2 and A.4 pulled for a separate vote by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings Approved by a vote of 5-0.

AGENDA ORDER

A.2 APPROVAL OF TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT BETWEEN NEXTG NETWORKS OF CALIFORNIA AND THE CITY OF MORENO VALLEY; APPLICANT: NEXTG NETWORKS OF CALIFORNIA, INC., A DELAWARE CORP. MILPITAS, CA (Report of: Public Works Department)

Recommendation:

1. Approve the Telecommunication Network License and Encroachment Agreement between NextG Networks of California and the City of Moreno Valley;

2. Authorize the City Manager to execute the Agreement, subject to City Attorney approval; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

Motion to Approve Item A.2 contingent upon the satisfactory submission of insurance and security in the form acceptable to the City by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A.4 PARCEL MAP NO. 35859 – FIRST SAN MICHELLE LOGISTICS COMPLEX – APPROVE FINAL MAP AND ACCEPT THE AGREEMENT, AND SECURITY FOR PUBLIC IMPROVEMENTS; WEST SIDE OF PERRIS BOULEVARD, EAST SIDE OF KNOX STREET, NORTH SIDE OF NANDINA AVENUE, SOUTH SIDE OF SAN MICHELLE ROAD;

DEVELOPER: FIRST INDUSTRIAL, L.P., A DELAWARE LIMITED PARTNERSHIP, EL SEGUNDO, CA 90245 (Report of: Public Works Department)

Mayor Stewart opened the Agenda Item A.4 for public comments, which were received from George Acosta, Deanna Reeder and Ruthee Goldkorn.

Recommendation:

1. Approve Parcel Map 35859, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

2. Accept the Agreement and Security for Public Improvements;

3. Authorize the Mayor to execute the Agreement;

4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

AGENDA ORDER

G.2 RESOLUTION TO CREATE A JULY 4TH ADVISORY BOARD (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-82 creating the July 4th Advisory Committee; and

Resolution No. 2011-82

A Resolution of the City Council of the City of Moreno Valley, California, to Create a July 4th Advisory Committee

2. Establish trust account 00359.359.2239.16 for receiving donations from the community to fund the City's July 4th Festivities.

Mayor Stewart opened the agenda item for public comments, which received from Deanna Reeder.

Motion to Approve as amended to change the name from "Board" to "Committee" by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

AGENDA ORDER

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND AUTHORIZATION RESOLUTION FOR EXECUTION AND DELIVERY OF CALIFORNIA COMMUNITIES GAS TAX REVENUE CERTIFICATES OF PARTICIPATION, SERIES 2011B TOTAL ROAD IMPROVEMENT PROGRAM (TRIP)

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder.

Recess;
Reconvened

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-81 approving the sale, execution, and delivery of not more than $20 million in principal amount of California Communities Gas Tax Revenue Certificates of Participation, Series 2011B (TRIP – Total Road Improvement Program) (the "COPs" or "Certificates") and approving certain actions in connection therewith, and authorizing judicial validation proceedings relating thereto;

Resolution No. 2011-81

Approving the Execution and Delivery of California Communities Gas Tax Revenue Certificates of Participation, Series 2011b (T.R.I.P. – Total Road Improvement Program) Pursuant to a Trust Agreement, Authorizing the Execution and Delivery of a Trust Agreement, Certificate Purchase Agreement and an Installment Sale Agreement, Authorizing the Distribution of an Official Statement in Connection with the Offering and Sale of

Such Certificates, and Authorizing the Filing of a Validation Action and Other Matters Relating Thereto

Motion to Approve including amended page 8 (providing code section number 2103) by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

2. Approve the proposed budget adjustments as identified on Attachment 6 for Gas Tax and Measure A funded projects/programs as a modification of the approved FY 2011-12 and FY 2012-13 Operating Budget and FY 2011-12 Capital Improvement Plan (CIP);

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

3. Approve the annual transfer of $1,256,000 from the Measure A Fund to the COP Series 2011B Principal and Interest Payment Fund to fund the Installment Payments and reflect the following in Riverside County Transportation Commission's (RCTC) Measure A 5-year Local Streets and Roads CIP:

   a) Transfer from Measure A to the COP Series 2011B Principal and Interest Payment Fund;
   b) Proposed budget adjustments for Measure A funded projects/programs as identified on Attachment 6;

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

4. Authorize the Public Works Director / City Engineer to submit an amended FY 2012-2016 Measure "A" Local Streets and Roads Five-Year CIP to the Riverside County Transportation Commission (RCTC) to include the addition of the Nason Street Project from Fir Avenue to Cactus Avenue;

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

5. Appropriate $1,256,000 in the COP Series 2011 B Principal and Interest Payment Fund expense budget for installment payments; and

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

6. Authorization the addition of the Nason Street Project from Fir Avenue to Cactus Avenue in the FY 2011-12 CIP and authorize the appropriation of up to $15,000,000 for this project.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

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

G. REPORTS

G.1 REDISTRICTING PRESENTATION BY NATIONAL DEMOGRAPHICS CORPORATION FOUNDER ALAN HESLOP (ORAL PRESENTATION) (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Clerk's Department)

Mayor Stewart opened the agenda item for public comments, which were received from Ruthie Goldkorn, Deanna Reeder, Pete Bleckert, Tom Jerele, and Christopher Baca.

No action required.

G.3 RESOLUTION OF THE CITY COUNCIL DECLARING ITS INTENTION TO ENACT AN ORDINANCE WHEREBY THE CITY SHALL ELECT TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING THE CITY TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; AND RESOLUTIONS OF THE CITY COUNCIL AND OF THE COMMUNITY REDEVELOPMENT AGENCY APPROVING THE AGREEMENT TO TRANSFER TAX INCREMENT (Report of: Community & Economic Development Department)

Mayor Stewart opened the agenda item for public comments, which were received from Susan Gilchrist and Deanna Reeder.

Recommendation: That the City Council:

1. Introduce an Ordinance No. 832 for first reading and schedule adoption of the Ordinance for August 23, 2011 whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

Motion to Amend the proposed Ordinance No. 832 to include the following language:

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, the City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be or has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1x 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay.

Amend paragraph 3 to read as follows:

The City hereby ordains that the City, under protest, shall comply with the Constitution and the laws of the State of California, including Part 1.9 of Division 24 of the Health and Safety Code, including the determination of remittance amounts, appeal rights in relation thereto, and the making of the remittances referred to in CRL Section 34194(b) and (c) at the times and in the manner described in Part 1.9, without prejudice to the rights of the City (a) to challenge or join with other entities challenging the validity of the Dissolution Act and the Alternative Voluntary Redevelopment Program, (b) to review and appeal the amounts of community remittances required by the Alternative Voluntary Redevelopment Program, (c) in the event a court of competent jurisdiction grants an injunction or stay enjoining the effectiveness of the Dissolution Act and/or the Alternative Voluntary Redevelopment Program, to withhold community remittances while that injunction or stay is in effect, (d) in the event the Dissolution Act and/or the Alternative Voluntary Redevelopment Program is declared invalid by a court of competent jurisdiction, to obtain a refund of any community remittances paid pursuant to the Alternative Voluntary Redevelopment Program and this Ordinance and this Ordinance will immediately become null and void and have no further force or effect, and (e) to subsequently determine, based on circumstance and information then available to the City Council, including the amounts of required community remittances, that is not in the best interests of the City to continue to participate in the Alternative Voluntary Redevelopment Program, in which case the City Council shall formally repeal this Ordinance and the Agency shall be subject to the Dissolution Act. This Ordinance is that ordinance referred to in CRL Section 34193 and shall be interpreted and applied in all respects so as to fully comply with Part 1.9, to the fullest extent required by law.

Motion to Approve the amendment to the proposed Ordinance No. 832 by m/Robin N. Hastings, s/William H. Batey II
Approved by a vote of 5-0.

Motion to Introduce Ordinance No. 832 as amended by m/Robin N. Hastings, s/Marcelo Co
Approved by a vote of 5-0.

2. Adopt Resolution No. 2011-83 declaring its intention to enact an Ordinance whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Resolution No. 2011-83

A Resolution of the City Council of the City of Moreno Valley

Declaring its Intention to Enact an Ordinance Whereby the City Shall
Elect Comply with and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

3. Adopt Resolution No. 2011-84, a resolution of the City of Moreno Valley approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. 2011-84

A Resolution of the City of Moreno Valley Approving an Agreement to Transfer Tax Increment by and Between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley Dated as of August 30, 2011 and Making Certain Findings in Connection Therewith

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

4. That the Community Redevelopment Agency Board of Directors adopt RDA Resolution No. 2011-11, a resolution of the Community Redevelopment Agency approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. RDA 2011-11

A Resolution Of The Community Redevelopment Agency Of The City Of Moreno Valley Approving The Agreement To Transfer Tax Increment By And Between The Agency And The City Of Moreno Valley Dated As Of August 30, 2011 And Making Certain Findings In Connection Therewith

Motion to Approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co

Approved by a vote of 5-0.

5. That the City Council and the Redevelopment Agency Board of Directors authorize the City Manager, the Executive Director of the Redevelopment Agency and the Finance and Administrative Services Director to execute documents necessary to comply with the adopted Resolutions and Ordinance;

Motion to Approve by m/Council Member and Agency Member Robin N. Hastings, s/Council Member and Agency Member Marcelo Co
Approved by a vote of 5-0.

6. Authorize the transfer of $6,169,642 from RDA Tax Increment fund balance to General Fund fund balance to comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code; and

Motion to Approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co
Approved by a vote of 5-0.

7. Authorize the appropriation of $6,169,642 from General Fund fund balance and remit payments to the County Auditor-Controller, as stated per ABX1 27.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Ray Hicks
1. Relocation of steam generators emitting very low radiation

Pete Bleckert
1. Improvement of roads

Ruthie Goldkorn
1. Infrastructure of Nason area

Deanna Reeder
1. Public record request regarding City Manger's expenditure
2. Spending on infrastructure

Adolf Kruger
1. Enforcing Ordinance 740, which regulate excessive noise

Susan Gilchrist
1. Enforcement of Moreno Valley Municipal Code
2. Sketchers

Narem Qureshi
1. Selective enforcement of Code Compliance

Kenny Bell
1. Attracting businesses; action of the Planning Commissioners

Tom Jerele on behalf of himself and Sundance Plaza Shopping Center
1. Thanked the Council for voting on Item G.3 (redevelopment program)
2. Burglary at the Sundae Center
3. State of the City Address - a great event
4. Edison company bringing radioactive materials

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

Mayor Stewart
1. Responded to speaker's comments: portion that is going to be changed is not part of the original Aquabella senior housing project
2. Suggested setting up a seminar to educate new Planning Commissioners about their roles and responsibilities
3. Infrastructure on Nason was overlooked in the past; big users didn't pay for infrastructure

CLOSED SESSION - canceled

ADJOURNMENT

Motion to Adjourn: there being no further business to conduct, the meeting was adjourned at 9:34 p.m. by unanimous informal consent by Council Member Robin N. Hastings, s/Council Member Marcelo Co. Molina

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of July 6 – August 16, 2011.

Reports on Reimbursable Activities July 6 – August 16, 2011		
Council Member	Date	Meeting
William H. Batey II	8/16/11	Lori Schiefelbein's Retirement Lunch
Marcelo Co	8/16/11	Lori Schiefelbein's Retirement Lunch
Robin N. Hastings	8/16/11	Lori Schiefelbein's Retirement Lunch
Jesse L. Molina		None
Richard A. Stewart	7/27/11	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	8/2/11	Moreno Valley Hispanic Chamber of Commerce Adelante

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00123532

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: AMENDMENT TO THE RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST

RECOMMENDED ACTION

Staff recommends that the City Council:

1) Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2) Approve the reprioritized Rule 20A priority list.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The California Public Utilities Commission (CPUC) Rule 20 establishes the policies and procedures for the conversion of overhead power lines and facilities to underground lines and facilities in a process called "undergrounding". Within the CPUC's Rule 20, is Rule 20A, which is a program that allows conversion projects to be paid through a utility provider's utility rate funds. Using CPUC formulas, Southern California Edison (SCE) designates to each city and county government in its service territory an annual monetary allowance for the purpose of undergrounding overhead electric facilities through the Rule 20A program. The City identifies overhead power line project sites for SCE consideration. If SCE concurs that the project site meets a minimum of one of the approved CPUC Rule 20A project criteria, steps may proceed toward the establishment of an underground utility district and construction of the project. Currently there are

several locations throughout the City that qualify for undergrounding overhead facilities. In 1999, in an effort to determine a priority of the project areas, the City Council approved the Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (General Management Policy # 2.33) along with a priority list of project areas.

DISCUSSION

On October 12, 1999, the City Council adopted General Policy # 2.33, Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy.

In an effort to further refine and define the Rule 20A policy, the following modifications are being proposed to the General Management Policy # 2.33 (See Exhibit A for the redline copy):

1. Modifying the policy to incorporate the CPUC's addition of a fourth qualifying criteria to the Rule 20 tariff. This qualification allows any arterial or major collector road in a local government's general plan to qualify for Rule 20A funding of overhead utilities. By adding this qualifying criterion, the policy can accurately reflect all the current options that satisfy a project for the possibility of Rule 20A funding;

2. Modifying the policy to provide the City Council the ability to prioritize the undergrounding of overhead utilities as necessary to meet the current goals of the Capital Improvement Plan (CIP) and the Economic Development Action Plan adopted by the City Council on April 26, 2011. By allowing the City Council the ability to provide direction in the selection of overhead utility areas to be undergrounded, the City has the flexibility to proceed with the selection of undergrounding projects that are in the best interests of the City at large; and

3. Modifying the policy to include clarity to certain procedural requirements for the creation of an underground district and to account for updated SCE estimates and scheduling changes that have developed over time.

Additionally, the Rule 20A priority list has been revised to reflect the removal of those areas where conversions of overhead utility equipment have been completed, along with reordering to accommodate the goals as outlined in the CIP and Economic Development plans. This revised priority list provides a current overview of the areas throughout the City that will benefit from the undergrounding of overhead utilities.

ALTERNATIVES

1. Approve and adopt the amended General Management Policy # 2.33 (Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy) and approve the revised Rule 20A project priority list. *By adopting the proposed amendments to General Management Policy # 2.33 and approving the revised priority list, the City Council will bring the policy current and in accordance with the CPUC*

approved Rule 20A guidelines, which will provide the City Council flexibility within Policy # 2.33 guidelines to select areas to receive Rule 20A funding of overhead facilities. These modifications will help to support the goals as outlined in the CIP and Economic Development plans, and as may be amended from time to time.

2. Do not adopt the proposed amends to the General Management Policy # 2.33 (Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy) and do not approve the revised Rule 20A project priority list. *By not approving and adopting the proposed amendments nor approving the revised priority list, the City Council will continue to operate in accordance with the current criteria and guidelines of General Management Policy # 2.33, which is deficient in listing all CPUC approved qualifying Rule 20A criteria for the selection of underground project areas. Additionally the policy in the present form contains outdated cost and scheduling estimates for project completion and limits Council's flexibility in determining project selection, which may run contrary to the City's goals as outlined in the current, or as may be amended, CIP and Economic Development plans.*

FISCAL IMPACT

Using CPUC formulas, SCE designates an annual Rule 20A allocation of funds to city and county governments within their service territory for the purpose of undergrounding overhead facilities. The designation of funds is based on several factors and can vary from year to year. In accordance with CPUC guidelines, to accommodate the completion of larger projects, local governments may, with SCE approval, borrow up to five years of anticipated Rule 20A allocations based on anticipated future year allocations, to complete a Rule 20A project. There is **no fiscal impact** on the General Fund for approving and adopting the amended policy or the priority list.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness

The Rule 20A program helps to promote a sense of pride in the community and foster an excellent image by placing necessary utility lines and facilities underground where they will continue to provide the community with essential services, yet provide an uncluttered and unobtrusive appearance.

SUMMARY

The action before the City Council is to approve and adopt the proposed amendments to the Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy and approve the revised Rule 20A priority list.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A – Amended Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (Redline copy)

Exhibit B – Amended Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (Clean copy)

Exhibit C – Revised Rule 20A Priority List

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Candace E. Cassel
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

PURPOSE: To establish procedures and criteria for prioritizing electric utility-funded projects pertaining to overhead utility equipment conversion to underground service.

POLICY:

I. Definition of Overhead Utility Equipment Conversion

The California Public Utilities Commission requires Southern California Edison (SCE) to designate funds for each county and city in its service territory to fund~~spend~~ the ~~replacing~~ replacement of overhead electrical lines and associated power poles with underground equipment. SCE refers to the utility-funded overhead utility equipment conversion program as "Rule 20A". Funds are allocated to the City of Moreno Valley for expenditures on City-identified projects, provided that the City Council has:

A. Determined that such undergrounding is in the general public interest by satisfying ~~for~~ one or more of the following reasons to qualify for funding under Rule 20A:

1. The proposed undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; ~~or~~

3. The street or road or right-of-way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public; or

4. The location qualifies as an arterial or major collector road in a local government's general plan.

B. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located.

II. Process

The responsible City department will:

A. Develop a list of potential projects by identifying streets, civic areas, or public recreation areas near overhead utility equipment. Categorize streets as Image Corridors (primary priority) or Transportation Corridors (secondary priority) classifications.

At the discretion of the City Council, projects located on either primary or secondary roadways may be given a higher priority if they are located within areas of the City that promote the goals of the City's Capital Improvement Plan (CIP) and/or the City's Economic Development Plan, as may be subsequently amended.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

B. Projects not receiving a high priority status from the City Council (per Section IIA) will be evaluated ~~Evaluate streets on primary~~ and prioritized ~~priority list~~ according to the following weighted criteria.

1. Traffic Counts: 15% of total score

   This category recognizes the benefit received by citizens passing proposed utility line conversion sites. Streets with higher traffic counts receive higher scores.

2. Percent Commercial/Parkway Land Uses: 15% of total score

   This category recognizes the benefit received by property owners and citizens visiting parcels adjacent to proposed utility line conversion sites. Commercial land uses directly facing the street receive higher scores because traffic to a commercial property is typically higher than to a similarly situated residential property. Therefore, more citizens benefit from the improved aesthetic environment near commercial property or in a neighborhood. Streets with higher proportions of adjacent commercial and/or parkway land uses receive higher scores.

3. Percent Drops/Parcels Benefited: 15% of total score

   A drop is any structure that receives power directly from the overhead power distribution line to be undergrounded. If the distribution line is converted, SCE must change the way the structure receives power. SCE may hang a new overhead line to the building (usually from a pole set back from the street). However, if another overhead power source cannot be secured, the structure's electrical panel and power connection would be converted/undergrounded. Rule 20A funds cannot pay for upgrades to individual parcels so the City would have to identify another funding source.

   Project sites with fewer drops receive higher scores.

4. Estimated Cost @ $500~~250~~ per linear foot: 15% of total score

   SCE staff currently estimate construction costs at approximately $500~~250~~ per linear foot of overhead line to be undergrounded. Potential sites shall be measured and estimated costs shall be calculated. Project completion time from site selection through construction is approximately ~~two~~four years~~. In two years, the City of Moreno Valley receives approximately $500,000. Projects estimated to cost less than $500,000 receive higher scores.~~

5. Percent of Front Footage Fully Improved 10% of total score

   Projects along fully improved streets (including curb and gutter) receive higher scores.

6. Percent of Parcels Developed 10% of total score

   Underground electrical cable adjacent to a fully developed parcel is less likely to later interfere with construction and/or require relocation. Projects with greater percentages of developed adjacent parcels receive higher scores.

7. Availability of Outside Participation (In-Lieu fees): 10% of total score

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

Newly developing parcels are usually required to install electrical facilities underground. However, where neighboring parcels have not yet converted electrical facilities, developers/property owners often prefer to deposit funds with the City in lieu of paying to convert a small distance of overhead line. Project sites with available "In-Lieu" fees receive higher scores.

8. Coordinates with Other Improvements 5% of total score

Projects that coincide with another public improvement project receive higher scores.

9. Conflicting Utilities: 5% of total score

Other utility companies use Edison power poles to suspend overhead lines. Projects without other utility involvement receive higher scores.

C. Establish a priority list based on City Council priorities first and then based on calculated scores per Section II B (if applicable). Projects will be ~~.S~~scheduled ~~projects~~ according to City Council priorities and then based on the ~~to~~highest average group score.

D. As SCE Rule 20A funding accumulates, pursue conversion of overhead utility equipment to underground facilities according to the established priority list as determined by the City Council.

1 Communicate City consideration of a selected site with all utilities.

2 Adopt an ordinance or resolution creating an underground utility district.

E. Re-evaluate potential project sites as City Council priorities and project site conditions change.

F. Survey and score project sites on the ~~secondary~~ priority lists as ~~the primary list~~ projects near~~s~~ completion.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

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MV00123540

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

PURPOSE: To establish procedures and criteria for prioritizing electric utility-funded projects pertaining to overhead utility equipment conversion to underground service.

POLICY:

I. Definition of Overhead Utility Equipment Conversion

The California Public Utilities Commission requires Southern California Edison (SCE) to designate funds for each county and city in its service territory to fund the replacement of overhead electrical lines and associated power poles with underground equipment. SCE refers to the utility-funded overhead utility equipment conversion program as "Rule 20A". Funds are allocated to the City of Moreno Valley for expenditures on City-identified projects, provided that the City Council has:

A. Determined that such undergrounding is in the general public interest by satisfying one or more of the following reasons to qualify for funding under Rule 20A:

1. The proposed undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;

3. The street or road or right-of-way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public; or

4. The location qualifies as an arterial or major collector road in a local government's general plan.

B. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located.

II. Process

The responsible City department will:

A. Develop a list of potential projects by identifying streets, civic areas, or public recreation areas near overhead utility equipment. Categorize streets as Image Corridors (primary priority) or Transportation Corridors (secondary priority) classifications.

At the discretion of the City Council, projects located on either primary or secondary roadways may be given a higher priority if they are located within areas of the City that promote the goals of the City's Capital Improvement Plan (CIP) and/or the City's Economic Development Plan, as may be subsequently amended.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit B

B. Projects not receiving a high priority status from the City Council (per Section IIA) will be evaluated and prioritized according to the following weighted criteria.

1. Traffic Counts: 15% of total score

   This category recognizes the benefit received by citizens passing proposed utility line conversion sites. Streets with higher traffic counts receive higher scores.

2. Percent Commercial/Parkway Land Uses: 15% of total score

   This category recognizes the benefit received by property owners and citizens visiting parcels adjacent to proposed utility line conversion sites. Commercial land uses directly facing the street receive higher scores because traffic to a commercial property is typically higher than to a similarly situated residential property. Therefore, more citizens benefit from the improved aesthetic environment near commercial property or in a neighborhood. Streets with higher proportions of adjacent commercial and/or parkway land uses receive higher scores.

3. Percent Drops/Parcels Benefited: 15% of total score

   A drop is any structure that receives power directly from the overhead power distribution line to be undergrounded. If the distribution line is converted, SCE must change the way the structure receives power. SCE may hang a new overhead line to the building (usually from a pole set back from the street). However, if another overhead power source cannot be secured, the structure's electrical panel and power connection would be converted/undergrounded. Rule 20A funds cannot pay for upgrades to individual parcels so the City would have to identify another funding source.

   Project sites with fewer drops receive higher scores.

4. Estimated Cost @ $500 per linear foot: 15% of total score

   SCE staff currently estimate construction costs at approximately $500 per linear foot of overhead line to be undergrounded. Potential sites shall be measured and estimated costs shall be calculated. Project completion time from site selection through construction is approximately four years.

5. Percent of Front Footage Fully Improved 10% of total score

   Projects along fully improved streets (including curb and gutter) receive higher scores.

6. Percent of Parcels Developed 10% of total score

   Underground electrical cable adjacent to a fully developed parcel is less likely to later interfere with construction and/or require relocation. Projects with greater percentages of developed adjacent parcels receive higher scores.

7. Availability of Outside Participation (In-Lieu fees): 10% of total score

   Newly developing parcels are usually required to install electrical facilities underground. However, where neighboring parcels have not yet converted electrical facilities, developers/property owners often prefer to deposit funds with the City in lieu of paying to

convert a small distance of overhead line. Project sites with available "In-Lieu" fees receive higher scores.

8. Coordinates with Other Improvements 5% of total score

   Projects that coincide with another public improvement project receive higher scores.

9. Conflicting Utilities: 5% of total score

   Other utility companies use Edison power poles to suspend overhead lines. Projects without other utility involvement receive higher scores.

C. Establish a priority list based on City Council priorities first and then based on calculated scores per Section II B (if applicable). Projects will be scheduled according to City Council priorities and then based on the highest average group score.

D. As SCE Rule 20A funding accumulates, pursue conversion of overhead utility equipment to underground facilities according to the established priority list as determined by the City Council.

   1 Communicate City consideration of a selected site with all utilities.

   2 Adopt an ordinance or resolution creating an underground utility district.

E. Re-evaluate potential project sites as City Council priorities and project site conditions change.

F. Survey and score project sites on the priority lists as projects near completion.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit B

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MV00123544

Rule 20A Priority List

High Priority

STREET NAME	STRETCH TO BE UNDERGROUNDED
Cactus Avenue	Lasselle Street to Moreno Beach Drive
Nason Street	State Highway 60 to Alessandro Boulevard
Nason Street	Alessandro Boulevard to Cactus Avenue

Medium Priority*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Alessandro Boulevard	Old State Highway 215 to Day Street
Alessandro Boulevard	Day Street to Elsworth Street
Alessandro Boulevard	Elsworth Street to Frederick Street
Alessandro Boulevard**	Nason Street to Wilmont Street
Cottonwood Avenue**	Day Street to Elsworth Street
Cottonwood Avenue**	Morrison Street to Moreno Beach Drive
Frederick Street	Cottonwood Avenue to Bay Avenue
Frederick Street	Bay Avenue to Alessandro Boulevard
Indian Street**	Iris Avenue to the Southern City Limits
Perris Boulevard	Fir Avenue to Eucalyptus Avenue
Perris Boulevard	Eucalyptus Avenue to Dracaea Avenue
Perris Boulevard	Dracaea Avenue to Cottonwood Avenue
Perris Boulevard	W/S Cottonwood Avenue to Bay Avenue
Perris Boulevard	W/S Bay Avenue to Alessandro Avenue
Redlands Boulevard**	Most of Redlands Boulevard from Ironwood Ave to Bay Avenue and Brodiaea Avenue to John F. Kennedy Drive
Sunnymead Boulevard	S/S Heacock Street to Indian Street
Sunnymead Boulevard	S/S Indian Street to Perris Boulevard

Low Priority*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Alessandro Boulevard	Perris Boulevard to Lasselle Street
Alessandro Boulevard	Nason Street to the Eastern City Limits
Alessandro Boulevard**	Perris Boulevard to Kitching Street (small stretches)
Alessandro Boulevard**	Kitching Street to Lasselle Street
Alessandro Boulevard**	Merwin Street to the Eastern City Limits
Cactus Avenue	Indian Street to Perris Boulevard
Cactus Avenue	Kitching Street to Lasselle Street

Approved by:
Date:

Rule 20A Priority List

Low Priority List (Continued)*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Cactus Avenue**	Ponder Street to Perris Boulevard
Cottonwood Avenue**	Perris Boulevard to Silver Lane
Cottonwood Avenue**	W/O Lasselle Street to E/O Lasselle Street (small stretch)
Cottonwood Avenue	State Highway 215 to W/O Heacock Street
Cottonwood Avenue	E/O Heacock Street to Moreno Beach Drive
Eucalyptus Avenue	Heacock to E/O Perris Boulevard
Eucalyptus Avenue	Kitching Street to Lasselle Street
Graham Street	Dracaea Avenue to Cottonwood Avenue
Graham Street**	Alessandro Boulevard to Cactus
Heacock Street	Between Reche Vista & Sunnymead Ranch Parkway
Heacock Street**	Between Reche Vista and Mountainside Road
Indian Street	Manzanita Avenue to Bay Avenue
Indian Street	Alessandro Boulevard to the Southern City Limits
Indian Street**	Dracaea Avenue to Cottonwood Avenue
Indian Street**	Iris Avenue to the Southern City Limits
Iris Avenue**	Most of Iris Avenue Indian Street to Perris Boulevard
Ironwood Avenue	Morton Road to Clark Street
Ironwood Avenue	Kitching Street to Pettit Street
Ironwood Avenue**	Morton Road to Clark Street
Ironwood Avenue**	W/O Nason Street to Moreno Beach Drive
Locust Street **	Various stretches between Moreno Beach Drive and Redlands Boulevard
Nandina Avenue**	Indian Avenue to Perris Boulevard
Perris Boulevard**	Select stretches: Manzanita Avenue to Ironwood Avenue Cactus Avenue to Delphinium Avenue John F. Kennedy Drive to Filaree Avenue Gentian Avenue to Iris Avenue Krameria Avenue to Northern Dancer Drive Suburban Lane to the City Limits

* Street Names sorted alphabetically. Project selection will be determined based on General Management Policy #2.33, once funding is available.

** Portions adjacent to undeveloped parcels may involve property owner participation.

Approved by:
Date:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive.

   All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained electric utility system.

BACKGROUND

On October 12, 2010, the City Council awarded the construction contract to H & H General Contractors, Inc., for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, (Account Numbers are listed under Fiscal Impact) and authorized the issuance of a Purchase Order in the amount of $2,413,664.00 (the base bid amount plus 10% contingency) was issued to the Contractor.

To ensure the safety and reliability of the MVU electric grid, it was necessary to construct a new electric distribution line extension circuit to accommodate the increased demand on the system.

DISCUSSION

H & H Contractors, Inc. completed construction on June 7, 2011, of the electrical conduits, manholes, vaults and switches and/or installation and energizing of 1000 KCMIL, 12kV cable on the following Projects:

Project No's. MVU-0003, 0006, and 0008:
Cottonwood Ave – Moreno Beach Drive to Quincy Street;

Project No's. MVU-0010, 0011, 0012, 0014:
John F. Kennedy Drive – Perris Boulevard to Lasselle Street;
Lasselle Street – John F Kennedy Drive to Cactus Avenue;
Cactus Avenue – Lasselle Street to Nason Street;
Nason Street – Cactus Avenue to Alessandro Boulevard;
Alessandro Boulevard – Morrison Street to Moreno Beach Drive

The Contractor completed the project at a total construction cost of $2,176,673.66, inclusive of Contract Change Order No. 1 and Change Order No. 2 (Final) in the amount of $110,548.86. The improvements were completed on schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive, which was constructed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project. Accept the improvements into the City's maintained electric utility system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained electric utility system.*

2. Do not accept the work as complete for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive, which was constructed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536. Do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code. Do not authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project. Do not accept the improvements into the City's maintained electric utility system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained electric utility system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2010-2011 Capital Improvements Project Budget. This project is funded through the 2007 Lease Revenue Bonds approved by the City Council on March 13, 2007. MVU will receive various reimbursements from other development for some of the capital costs.

Fiscal Year 2010/2011 Capital Improvement Budget:

MVU – 0003 (Account No. 602.61829)	$489,814
MVU – 0006 (Account No. 602.61832)	$ 32,367
MVU – 0008 (Account No. 602.61827)	$482,099
MVU – 0010 (Account No. 602.61835)	$806,260
MVU – 0011 (Account No. 602.61836)	$525,500
MVU – 0012 (Account No. 602.61837)	$551,660
MVU – 0014 (Account No. 602.61839)	$448,907
Total Budgeted Funds	**$3,336,607**

FINAL CONSTRUCTION RELATED COSTS:

Construction Contract	$2,176,674
Project Administration and Inspection (City Staff and Consultant)	$ 137,376
Total Project Construction Costs	$2,314,050

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community. *The construction of these facilities will expand the MVU electrical distribution system.*

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained. *The expansion of the MVU electrical distribution system will foster a positive environment and potentially help contribute to development of Moreno Valley's future.*

SUMMARY

H & H Contractors, Inc. completed the construction of the required structures, conduits, conductors, switches, and related electrical apparatus necessary to transfer load from the Cactus, Lasselle, Iris, and Globe 12kV interconnections and provide operational flexibility within the MVU electric grid on June 7, 2011. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to H & H General Contractors, Inc., and accept the improvements into the City's maintained electric utility system.

ATTACHMENTS

Attachment “A” – Location Map

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Jeanette Olko
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MVU-0003,MVU-0006 ,MVU-0008 MVU-0010,MVU-0011,MVU-0012 & MVU-0014

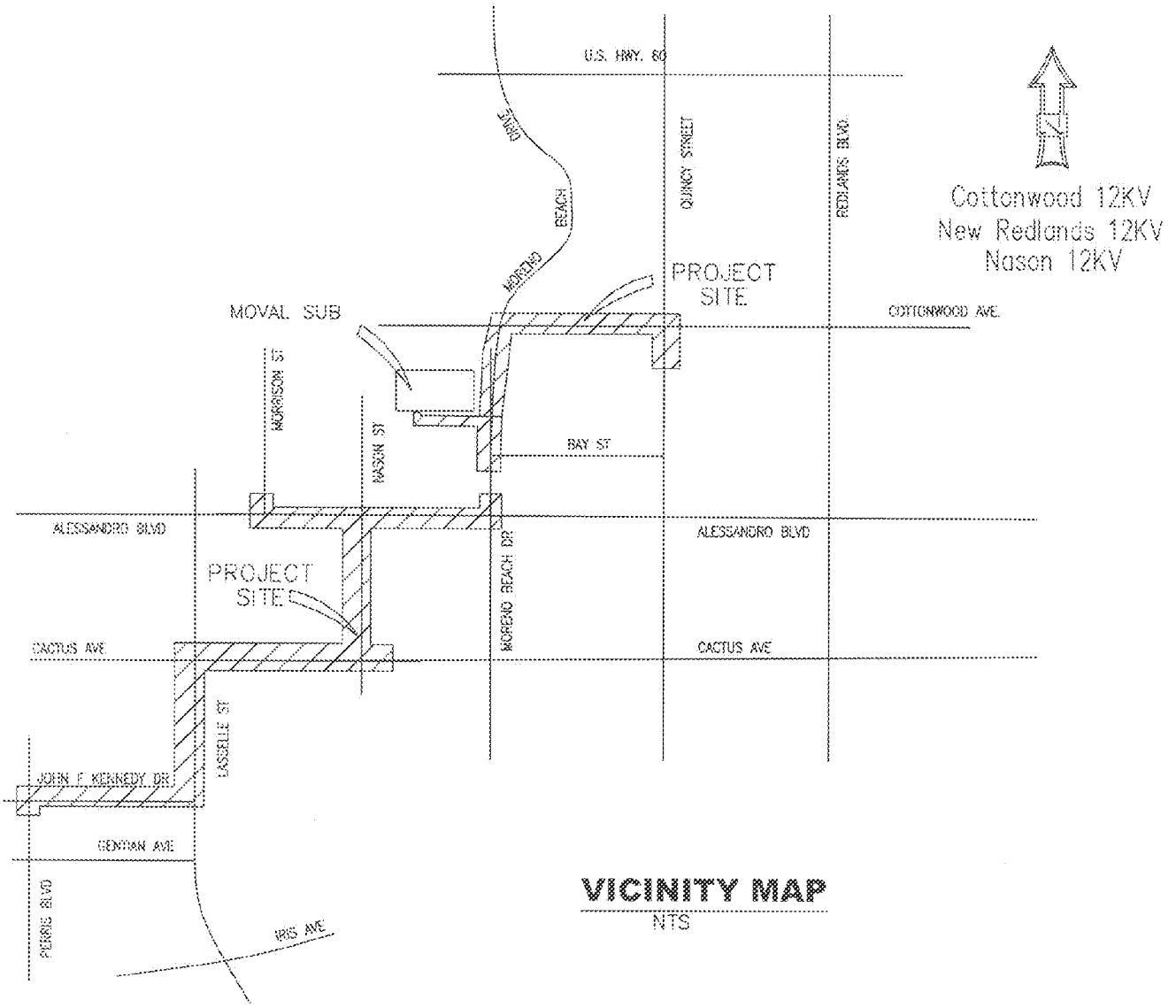

VICINITY MAP
NTS

Attachment "A"

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MV00123554

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2010-11 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-85
Check Register for Month of May, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2011 through May 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2011 through May 31, 2011, in the total amount of $10,409,143.31 is approved.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC			Remit to: **SANTA FE SPRINGS**	**CA**
5/16/2011	207795	35,418.28		
			REHAB COSTS-14131 ST TROPEZ CT	15,585.51
			REHAB COSTS-25263 DRAKE DR	19,832.77
	Vendor Total	**35,418.28**		
FYTD for A N R INDUSTRIES, INC		**382,295.79**		
AFTERSCHOOL STORE.COM			Remit to: **PALMDALE**	**CA**
5/2/2011	207603	44,826.18		
			AFTERSCHOOL SNACKS-STARS	33,563.18
			AFTERSCHOOL SNACKS-STARS	11,263.00
	Vendor Total	**44,826.18**		
FYTD for AFTERSCHOOL STORE.COM		**321,570.52**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
5/23/2011	207904	248,346.99		
			SR-60/NASON ST INTRCHNG PROJ	198,677.59
			SR-60/NASON ST INTRCHNG PROJ	49,669.40
	Vendor Total	**248,346.99**		
FYTD for ALL AMERICAN ASPHALT, INC.		**248,346.99**		
BANC OF AMERICA PUBLIC CAPITAL CORP			Remit to: **ATLANTA**	**GA**
5/2/2011	110503	32,556.40		
			DBT SVC-2011 PRIV PL REF 97LRB	32,556.40
	Vendor Total	**32,556.40**		
FYTD for BANC OF AMERICA PUBLIC CAPITAL CORP		**32,556.40**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/31/2011	882802	40,899.18		
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-S AQDCT B	735.00
				LANDSCAPE MAINT-SENIOR CTR	262.50
				LANDSCAPE MAINT-N AQDCT	525.00
				LANDSCAPE MAINT-S AQDCT A	850.50
				LANDSCAPE MAINT-SCE/OLD LAKE D	1,785.00
				LANDSCAPE MAINT-PAN AM SECT	600.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MVU SUB	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-E3	10,625.00
				LANDSCAPE MAINT-E3A	1,000.00
	Vendor Total		**40,899.18**		
FYTD for BEMUS LANDSCAPE, INC.			**519,366.45**		
CITY OF RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208026	125,000.00		
				TRAFFIC SIG COORD/SYNC PROJECT	125,000.00
	Vendor Total		**125,000.00**		
FYTD for CITY OF RIVERSIDE			**133,610.09**		
COUNTY OF RIVERSIDE AUDITOR				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208031	29,927.35		
				PARKING CONTROL FEES	26,895.35
				PARKING CONTROL FEES	3,032.00
	Vendor Total		**29,927.35**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**243,752.62**		
COUNTY OF RIVERSIDE AUDITOR CONTROLLER				Remit to: **RIVERSIDE** **CA**	
	5/10/2011	110504	1,082,578.00		
				SERAF PAYMENT FOR F/Y2010-11	1,082,578.00
	Vendor Total		**1,082,578.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR CONTROLLER			**1,082,578.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE FIRE DEPT				Remit to: **PERRIS** **CA**	
	5/31/2011	882807	3,035,253.64		
				FPARC-MV 230920,10-11,Q3	3,035,253.64
	Vendor Total		**3,035,253.64**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT			**12,744,604.32**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/16/2011	882738	36,862.28		
				CITATION PRCSSNG SVCS-CODE	14,408.16
				CITATION PRCSSNG SVCS-CODE	22,454.12
	Vendor Total		**36,862.28**		
FYTD for DATA TICKET, INC.			**241,885.62**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/16/2011	207822	38,247.25		
			WATER CHARGES	488.74
			WATER CHARGES	193.77
			WATER CHARGES	257.29
			WATER CHARGES	2,000.26
			WATER CHARGES	33.60
			WATER CHARGES	660.57
			WATER CHARGES	2,195.53
			WATER CHARGES	95.26
			WATER CHARGES	11,015.75
			WATER CHARGES	942.47
			WATER CHARGES	5,384.64
			WATER CHARGES	3,245.14
			WATER CHARGES	2,829.22
			WATER CHARGES	3,738.70
			WATER CHARGES	1,023.79
			WATER CHARGES	1,302.35
			WATER CHARGES	702.41
			WATER CHARGES	426.21
			WATER CHARGES	319.15
			WATER CHARGES	219.06
			WATER CHARGES	799.63
			WATER CHARGES	373.71
5/23/2011	207934	35,064.14		
			WATER CHARGES	1,117.91
			WATER CHARGES	635.96
			WATER CHARGES	488.31
			WATER CHARGES	9,153.60
			WATER CHARGES	1,632.23
			WATER CHARGES	1,704.82
			WATER CHARGES	2,701.45
			WATER CHARGES	7,004.05
			WATER CHARGES	520.46
			WATER CHARGES	248.48
			WATER CHARGES	52.62
			WATER CHARGES	1,510.65
			WATER CHARGES	2,391.75
			WATER CHARGES	205.35
			WATER CHARGES	1,777.94
			WATER CHARGES	1,230.78
			WATER CHARGES	345.84
			WATER CHARGES	219.74
			WATER CHARGES	297.43
			WATER CHARGES	1,330.83
			WATER CHARGES	493.94
	Vendor Total	**73,311.39**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,287,449.35**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ECONOMIC DEVELOPMENT AGENCY			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207722	33,275.00		
			AUTOMATION SVCS-LIBRARY	33,275.00
	Vendor Total	**33,275.00**		
FYTD for ECONOMIC DEVELOPMENT AGENCY		**127,050.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
5/6/2011	2855	34,213.77		
			STATE INCOME TAX W/H 5/6/11	34,213.77
5/20/2011	2863	34,186.81		
			STATE INCOME TAX W/H 5/20/11	34,186.81
	Vendor Total	**68,400.58**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**976,215.46**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
5/9/2011	882655	192,533.98		
			DISTRIBUTION CHARGES	168,447.20
			SPCL/TEMP CHARGES	8,842.00
			BAD DEBT REDUCTION	-4,241.93
			ONLINE UTILITY SERVICES	199.20
			ELECTRIC METER CHARGES-UT	7,215.00
			ELECTRIC METER CHARGES-UT	425.00
			WORK AUTH SVCS-WASTE MGT	1,744.53
			WORK AUTH SVCS-HIGHLAND FRVW	5,432.08
			WORK AUTH SVCS-HIGHLAND FRVW	222.23
			WORK AUTH SVCS-DSP	1,466.85
			WORK AUTH SVCS-HARBOR FREIGHT	1,214.34
			WORK AUTH SVCS-BEAZER TR 36340	1,567.48
5/31/2011	882810	35,174.70		
			WORK AUTH SVCS-HIGHLAND FRVW	7,487.92
			WORK AUTH SVCS-DSP	1,135.39
			WORK AUTH SVCS-TR 36340	24.64
			ELECT METER CHARGES	4,890.00
			CORP YARD ADM BLDG ELECTR WORK	118.52
			12KV NEW REDLAND CKT WORK	21,044.23
			METER FEES-SOLAR CUST	474.00
	Vendor Total	**227,708.68**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,519.17**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON** **CA**	
5/16/2011	207827	110,036.25		
			PREFAB RESTROOM-SHADOW MTN PRK	110,036.25
	Vendor Total	**110,036.25**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**110,036.25**		

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For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
5/2/2011	207634	434,340.00		
			MV UTIL. PROJ CONSTRUCT. SVCS	21,611.82
			MV UTIL. PROJ CONSTRUCT. SVCS	289,903.09
			MV UTIL. PROJ CONSTRUCT. SVCS	14,199.18
			MV UTIL. PROJ CONSTRUCT. SVCS	2,838.21
			MV UTIL. PROJ CONSTRUCT. SVCS	44,352.77
			MV UTIL. PROJ CONSTRUCT. SVCS	61,434.93
5/31/2011	208110	435,380.67		
			MV UTIL. PROJ CONSTRUCT. SVCS	413,383.85
			MV UTIL. PROJ CONSTRUCT. SVCS	21,996.82
	Vendor Total	**869,720.67**		
FYTD for H & H GENERAL CONTRACTORS		**1,714,649.31**		
INTERNAL REVENUE SERVICE			Remit to:	
5/6/2011	2854	144,300.39		
			FED INCOME TAX W/H 5/6/11	144,300.39
5/20/2011	2862	146,860.40		
			FED INCOME TAX W/H 5/20/11	146,860.40
	Vendor Total	**291,160.79**		
FYTD for INTERNAL REVENUE SERVICE		**3,212,602.33**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
5/23/2011	207960	117,616.64		
			ENERGY PURCHASE	25,033.36
			ENERGY PURCHASE	92,583.28
	Vendor Total	**117,616.64**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**357,491.28**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
5/6/2011	110502	215,675.33		
			EMPLOYEE HEALTH INS 5/6/11	215,675.33
	Vendor Total	**215,675.33**		
FYTD for PERS HEALTH INSURANCE		**2,247,353.58**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
5/13/2011	2856	202,371.65		
			PERS RETIREMENT 5/13/11	202,371.65
5/27/2011	2864	202,825.11		
			PERS RETIREMENT 5/27/11	202,825.11
	Vendor Total	**405,196.76**		
FYTD for PERS RETIREMENT		**4,802,210.68**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE**	**CA**
5/9/2011	882704	121,531.50		
			IRONWD AVE-DAY TO BARCLAY PROJ	121,531.50
5/16/2011	882751	272,449.80		
			IRONWOOD AVE/STORM DRAIN PROJ	49,299.75
			IRONWOOD AVE/STORM DRAIN PROJ	54,716.39
			IRONWOOD AVE/STORM DRAIN PROJ	15,196.52
			IRONWOOD AVE/STORM DRAIN PROJ	153,237.14
5/19/2011	110506	30,272.20		
			RETENTN PYMT PER ESCROW AGRMNT	30,272.20
	Vendor Total	**424,253.50**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**3,393,302.50**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA**	**PA**
5/2/2011	207660	451,052.00		
			ELECTRIC ENERGY PURCHASE	451,052.00
5/31/2011	208086	455,537.60		
			ENERGY PURCHASE	455,537.60
	Vendor Total	**906,589.60**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**5,942,469.20**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/16/2011	207875	30,600.30		
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	4,312.93
			WDAT CHARGES-GLOBE	8,321.85
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	2,245.68
			WDAT CHARGES-SUBSTATION	10,447.31
5/16/2011	207876	161,216.02		
			IFA CHARGES-SUBSTATION	14,146.73
			ELECTRICITY	791.26
			ELECTRICITY	22.97
			ELECTRICITY	307.54
			ELECTRICITY	44.76
			ELECTRICITY	741.27
			ELECTRICITY	134.08
			ELECTRICITY	767.06
			ELECTRICITY	1,016.96
			ELECTRICITY	2,046.55
			ELECTRICITY	2,395.73
			ELECTRICITY	1,089.02
			ELECTRICITY	21.84
			ELECTRICITY	95,531.38
			ELECTRICITY	37,276.15
			ELECTRICITY	4,518.94
			ELECTRICITY	66.97
			ELECTRICITY	22.05
			ELECTRICITY	23.01
			ELECTRICITY	23.68
			ELECTRICITY	71.60
			ELECTRICITY	112.77
			ELECTRICITY	43.70
	Vendor Total	**191,816.32**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,062,356.10**		
SPECTRUM CARE			Remit to: **FOOTHILL RANCH**	**CA**
5/31/2011	882828	27,739.17		
			LANDSCAPE MAINT-E1	10,540.00
			LANDSCAPE MAINT-E1	1,793.33
			PALM TREE INSTALL-E1	15,405.84
	Vendor Total	**27,739.17**		
FYTD for SPECTRUM CARE		**155,648.52**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
5/9/2011	207772	30,118.95		
			LIFE & DISABILITY INSURANCE	11,803.49
			LIFE & DISABILITY INSURANCE	18,420.25
			LIFE & DISABILITY INSURANCE	-104.79
5/31/2011	208091	30,087.09		
			LIFE & DISABILITY INSURANCE	11,770.46
			LIFE & DISABILITY INSURANCE	18,368.44
			LIFE & DISABILITY INSURANCE	-51.81
	Vendor Total	**60,206.04**		
FYTD for STANDARD INSURANCE CO		**386,673.79**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH**	**CA**
5/16/2011	207877	37,638.15		
			LEGAL SERVICES-RDA	960.00
			LEGAL SERVICES-RDA	3,675.00
			LEGAL SERVICES-NSP	325.00
			LEGAL SERVICES-HOUSING	2,625.00
			LEGAL SERVICES-HOUSING	3,700.00
			LEGAL SERVICES	14,873.15
			LEGAL SERVICES	11,480.00
5/31/2011	208093	25,440.15		
			PROF SERVICES-SPCL DIST	18,120.15
			PROF SERVICES-SPCL DIST	7,320.00
	Vendor Total	**63,078.30**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**117,202.08**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
5/24/2011	110507	138,275.95		
			CALCARD PYMT CYCLE END 5/9/11	138,275.95
	Vendor Total	**138,275.95**		
FYTD for U.S. BANK/CALCARDS		**1,874,349.12**		
	Subtotal	**8,935,729.27**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

FORREST CORMANY				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207601	200.00		
				BAGPIPER FOR MEMORIAL DAY 5/30	200.00
	Vendor Total		**200.00**		
FYTD for FORREST CORMANY			**200.00**		
LEAL, ANAHI				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207688	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LEAL, ANAHI			**20.00**		
NIELSEN LLC, CLARITAS				Remit to: **CHARLOTTE** **NC**	
	5/31/2011	208014	3,090.00		
				MEMBERSHIP RNWL-EDD	3,090.00
	Vendor Total		**3,090.00**		
FYTD for NIELSEN LLC, CLARITAS			**3,090.00**		
SHEPARD, SUZIE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207689	175.00		
				REFUND-RNTL DEP 4/16/11	175.00
	Vendor Total		**175.00**		
FYTD for SHEPARD, SUZIE			**175.00**		
A & I REPROGRAPHICS	**2406362**			Remit to: **ONTARIO** **CA**	
	5/23/2011	207898	152.52		
				RPRGRPHC SVCS-SPEED HUMP PRGM	152.52
	Vendor Total		**152.52**		
FYTD for A & I REPROGRAPHICS	**2406362**		**25,313.07**		
A & R WHOLESALE DISTRIBUTORS, INC				Remit to: **ANAHEIM** **CA**	
	5/9/2011	207690	202.02		
				COOKING CLUB SNACKS-STARS	202.02
	Vendor Total		**202.02**		
FYTD for A & R WHOLESALE DISTRIBUTORS, INC			**202.02**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ABILITY COUNTS, INC				Remit to: **CORONA** **CA**	
	5/2/2011	207602	2,880.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	5/23/2011	207899	1,440.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	Vendor Total		**4,320.00**		
FYTD for ABILITY COUNTS, INC			**4,320.00**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	5/9/2011	882640	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,506.03**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	882760	283.34		
				TRAINING FOR PD K-9	283.34
	5/31/2011	882798	1,500.00		
				K-9 TRACKING SEMINAR	750.00
				K-9 TRACKING SEMINAR	750.00
	Vendor Total		**1,783.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**21,527.43**		
ADMINSURE				Remit to: **DIAMOND BAR** **CA**	
	5/16/2011	207796	2,600.00		
				WORKMANS COMP ADMIN SVCS-RM	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**28,600.00**		
ADRIATICO, ISABELITA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207797	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for ADRIATICO, ISABELITA			**30.00**		

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ADVANCE REFRIGERATION & ICE SYSTEMS, INC			Remit to: **RIVERSIDE**	**CA**
5/9/2011	882641	717.00		
			ICE MACHINE MAINT-CONF & REC C	195.00
			ICE MACHINE MAINT-FS #58	195.00
			ICE MACHINE MAINT-SENIOR CTR	195.00
			ICE MACHINE MAINT-FS #48	132.00
5/31/2011	882799	875.00		
			ICE MACH MAINT-FS #6	195.00
			ICE MACH MAINT-PSB	195.00
			ICE MACH MAINT-CITY YARD	290.00
			ICE MACH MAINT-TOWNGATE	195.00
	Vendor Total	**1,592.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**18,188.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207691	1,914.00		
			ELECT REPAIRS-PSB	124.00
			ELECT REPAIRS-PSB	186.00
			ELECT REPAIRS-PSB	124.00
			BULBS/LIGHT RPLCMNT-PSB	1,480.00
5/23/2011	207901	11,278.00		
			ELECT SVCS-AUTO SHOP	1,261.00
			ELECT SVCS/RPRS-PSB	194.00
			ELECT SVCS/RPRS-CONF & REC CTR	218.00
			ELECT SVCS/RPRS-CITY HALL	951.00
			ELECT SVCS/RPRS-PARKS	1,491.00
			ELECT SVCS/RPRS-PARKS	236.00
			ELECT SVCS/RPRS-PARKS	243.00
			ELECT SVCS/RPRS-PARKS	282.00
			ELECT SVCS/RPRS-PARKS	238.00
			ELECT SVCS/RPRS-PARKS	212.00
			ELECT SVCS/RPRS-PARKS	687.00
			ELECT SVCS/RPRS-PARKS	361.00
			ELECT SVCS/RPRS-PARKS	401.00
			ELECT SVCS/RPRS-PARKS	367.00
			ELECT SVCS/RPRS-PARKS	820.00
			ELECT SVCS/RPRS-CFD #1	362.00
			ELECT SVCS/RPRS-CFD #1	368.00
			ELECT SVCS/RPRS-CFD #1	217.00
			ELECT SVCS/RPRS-CFD #1	217.00
			ELECT SVCS/RPRS-CFD #1	421.00
			ELECT SVCS/RPRS-FS #48	582.00
			ELECT SVC/REPAIRS-FS #48	870.00
			ELECT SVC/REPAIRS-FS #65	279.00
5/31/2011	208015	532.00		
			ELECTRICAL REPAIRS-PSB	127.00
			POWER CIRCUITS FOR GYM-EDD	405.00
	Vendor Total	**13,724.00**		
FYTD for ADVANCED ELECTRIC		**93,562.60**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AEI-CASC ENGINEERING			Remit to: **COLTON** **CA**	
5/2/2011	882616	1,451.05		
			CONSULTING SVCS-WQMP	958.80
			CONSULTING SVCS-WQMP	492.25
5/31/2011	882800	6,085.05		
			IRONWD AVE/DAY ST-BARCLAY PROJ	596.70
			IRONWD AVE/DAY ST-BARCLAY PROJ	5,488.35
	Vendor Total	**7,536.10**		
FYTD for AEI-CASC ENGINEERING		**232,139.79**		
AHLERS, ROSCEAL			Remit to: **HEMET** **CA**	
5/23/2011	207902	228.00		
			INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total	**228.00**		
FYTD for AHLERS, ROSCEAL		**1,444.00**		
ALBERTO'S MEXICAN FOOD			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207692	32.79		
			REFUND-BUS LIC OVRPMT	32.79
	Vendor Total	**32.79**		
FYTD for ALBERTO'S MEXICAN FOOD		**88.76**		
ALICEA, RICHARD			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207903	81.09		
			MILEAGE REIMBURSEMENT	81.09
	Vendor Total	**81.09**		
FYTD for ALICEA, RICHARD		**1,040.19**		
ALLIANCE BUS LINES INC			Remit to: **ONTARIO** **CA**	
5/16/2011	207798	257.64		
			BUS SERVICES-PARKS	257.64
	Vendor Total	**257.64**		
FYTD for ALLIANCE BUS LINES INC		**11,545.41**		
ALLIANT INSURANCE SERVICES, INC.			Remit to: **NEWPORT BEACH** **CA**	
5/16/2011	207799	2,199.36		
			INSURANCE PREMIUM	2,199.36
	Vendor Total	**2,199.36**		
FYTD for ALLIANT INSURANCE SERVICES, INC.		**2,199.36**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	5/9/2011	207693	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**825.00**		
ALPHA AUTOMATION				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207800	46.38		
				FUEL TANK MONITORING	46.38
	Vendor Total		**46.38**		
FYTD for ALPHA AUTOMATION			**46.38**		
ALVAREZ, JUAN C				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207604	70.00		
				SPORTS OFFICIATING SVCS	70.00
	5/23/2011	207905	70.00		
				SPORTS OFFICIATING SVCS	70.00
	Vendor Total		**140.00**		
FYTD for ALVAREZ, JUAN C			**350.00**		
AMERICAN FORENSIC NURSES				Remit to: **PALM SPRINGS** **CA**	
	5/23/2011	882761	3,439.80		
				BLOOD DRAWS-PD	3,439.80
	5/31/2011	882801	1,427.40		
				BLOOD DRAWS-PD	1,427.40
	Vendor Total		**4,867.20**		
FYTD for AMERICAN FORENSIC NURSES			**33,939.54**		
AMERICAN TOWERS				Remit to: **CHARLOTTE** **NC**	
	5/9/2011	207694	2,573.48		
				ATC TOWER LEASE-TECH SVCS	2,573.48
	Vendor Total		**2,573.48**		
FYTD for AMERICAN TOWERS			**20,587.84**		
AMTECH ELEVATOR SERVICES				Remit to: **ANAHEIM** **CA**	
	5/9/2011	207695	121.92		
				ELEVATOR SVC-CITY HALL	121.92
	Vendor Total		**121.92**		
FYTD for AMTECH ELEVATOR SERVICES			**1,866.10**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ANDREAS, SHARISSA			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207696	95.00		
			REFUND-RABIES/SPAY DEPOSIT	20.00
			REFUND-RABIES/SPAY DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for ANDREAS, SHARISSA		**95.00**		
ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE** **CA**	
5/23/2011	882762	130.00		
			EMERGENCY VET SVCS-ANML SHLTR	75.00
			EMERGENCY VET SVCS-ANML SHLTR	55.00
	Vendor Total	**130.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**2,465.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO** **CA**	
5/23/2011	207906	1,790.00		
			PEST CONTROL SVCS-PARKS	665.00
			PEST CONTROL SVCS-PARKS	255.00
			PEST CONTROL SVCS-MVEC/MARCH F	330.00
			PEST CONTROL SVCS-PAL	100.00
			PEST CONTROL SVCS-CFD #1	160.00
			PEST CONTROL SVCS-GOLF COURSE	180.00
			PEST CONTROL SVCS-STARS	100.00
	Vendor Total	**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**19,690.00**		
ARBY'S			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207697	60.78		
			REFUND-BUS LIC OVRPMT	60.78
	Vendor Total	**60.78**		
FYTD for ARBY'S		**60.78**		
ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
5/16/2011	882733	1,229.26		
			OFFSITE STORAGE SVCS-CITY CLRK	1,229.26
	Vendor Total	**1,229.26**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**15,129.83**		
ARELLANO, EDGAR			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207907	429.50		
			REFUND-CITATION DISMISSED	429.50
	Vendor Total	**429.50**		
FYTD for ARELLANO, EDGAR		**429.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	5/2/2011	207605	365.78		
				WATER PURIF RNTL-CITY HALL	125.01
				WATER PURIF RNTL-CITY YARD	25.00
				WATER PURIF RNTL-TRFFC TRLR	25.00
				WATER PURIF RNTL-LIBRARY	25.00
				WATER PURIF RNTL-FS #6	25.00
				WATER PURIF RNTL-FS #48	25.00
				WATER PURIF RNTL-FS #2	25.00
				WATER PURIF RNTL-FS #58	15.77
				WATER PURIF RNTL-FS #91	25.00
				WATER PURIF RNTL-FS #65	25.00
				WATER PURIF RNTL-EOC	25.00
	5/23/2011	207908	175.01		
				WATER PURIF RNTL-SPCL DIST	25.00
				WATER PURIF RNTL-CONF & REC CT	25.00
				WATER PURIF RNTL-TS ANNEX	25.00
				WATER PURIF RNTL-SENIOR CTR	25.00
				WATER PURIF RNTL-ANML SHLTR	50.01
				WATER PURIF RNTL-FACILITIES	25.00
	Vendor Total		**540.79**		
FYTD for ARROWHEAD WATER			**6,131.22**		
ARROYAVE, KIARA				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208016	95.00		
				REFUND-SPAY DEPOSIT	95.00
	Vendor Total		**95.00**		
FYTD for ARROYAVE, KIARA			**95.00**		
AT&T MOBILITY				Remit to: **CAROL STREAM** **IL**	
	5/2/2011	207606	91.82		
				CELL PHONE SVCS-PD MBL COMM CT	91.82
	5/31/2011	208017	91.25		
				CELL PH CHARGES-PD MBL CMMND C	91.25
	Vendor Total		**183.07**		
FYTD for AT&T MOBILITY			**1,101.81**		
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	5/9/2011	207698	183.36		
				COMMUNICATION SVCS-PD	183.36
	Vendor Total		**183.36**		
FYTD for AT&T/MCI			**2,018.10**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ATOM, INC				Remit to: **HEMET** **CA**	
	5/2/2011	207607	1,397.90		
				RETENT RLS-SUNNYMD/FREDERICK	1,397.90
	Vendor Total		**1,397.90**		
FYTD for ATOM, INC			**13,979.00**		
BABUGLIA, SILVAVNA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207909	60.00		
				REFUND-OIL PAINTING CLASS	60.00
	Vendor Total		**60.00**		
FYTD for BABUGLIA, SILVAVNA			**60.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	5/9/2011	207699	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,427.25**		
BALANCIER, EARL				Remit to: **PERRIS** **CA**	
	5/2/2011	207608	684.00		
				INSTRUCTION SVCS-18 DAYS	684.00
	5/23/2011	207910	608.00		
				INSTRUCTION SVCS-16 DAYS	608.00
	Vendor Total		**1,292.00**		
FYTD for BALANCIER, EARL			**2,584.00**		
BANK OF AMERICA, N.A.				Remit to: **CHARLOTTE** **NC**	
	5/16/2011	207801	90.00		
				REFUND-FALSE ALARM FEE	90.00
	5/23/2011	207911	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**120.00**		
FYTD for BANK OF AMERICA, N.A.			**410.00**		
BARRAZA/FLORES, BULMARO/ERNESTINA				Remit to: **PERRIS** **CA**	
	5/9/2011	207700	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARRAZA/FLORES, BULMARO/ERNESTINA			**20.00**		

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BARWINSKI, CHRISTOPHER			Remit to: **MORENO VALLEY CA**	
5/2/2011	882617	70.00		
			SPORTS OFFICIATING SVCS	70.00
5/23/2011	882763	35.00		
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**105.00**		
FYTD for BARWINSKI, CHRISTOPHER		**1,417.50**		
BASIC BACKFLOW			Remit to: **SAN BERNARDINO CA**	
5/9/2011	882642	137.20		
			BACKFLOW TESTING-PARKS	77.20
			BACKFLOW TESTING-PARKS	60.00
	Vendor Total	**137.20**		
FYTD for BASIC BACKFLOW		**2,753.26**		
BATE, CHERISE			Remit to: **MORENO VALLEY CA**	
5/2/2011	207609	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for BATE, CHERISE		**100.00**		
BAYANI, CHRISTOPHER			Remit to: **MORENO VALLEY CA**	
5/16/2011	207802	155.00		
			PER DIEM-VEH. HOMICIDE SEMINAR	155.00
	Vendor Total	**155.00**		
FYTD for BAYANI, CHRISTOPHER		**155.00**		
BAYER APPRAISALS			Remit to: **MORENO VALLEY CA**	
5/31/2011	208018	250.00		
			RES APPRAISAL SVC-EDD	250.00
	Vendor Total	**250.00**		
FYTD for BAYER APPRAISALS		**2,400.00**		
BEAS, GABRIEL			Remit to: **MORENO VALLEY CA**	
5/16/2011	207803	75.00		
			REFUND-NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for BEAS, GABRIEL		**75.00**		

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BECKNER, PATRICK				Remit to: **MURRIETA** **CA**	
	5/9/2011	207701	796.56		
				RETIREE MED FEB-MAY '11	796.56
	Vendor Total		**796.56**		
FYTD for BECKNER, PATRICK			**2,810.49**		
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/9/2011	882643	4,868.50		
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX #1	300.00
				LANDSCAPE MAINT-E4	74.35
				LANDSCAPE MAINT-E4	41.59
				LANDSCAPE MAINT-CFD #1	60.00
	5/23/2011	882764	854.30		
				LANDSCAPE MAINT-E3A	589.30
				LANDSCAPE MAINT-E3A	265.00
	Vendor Total		**5,722.80**		
FYTD for BEMUS LANDSCAPE, INC.			**519,366.45**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	5/16/2011	207895	415.30		
				FLEX ADMIN SVCS-HR	210.30
				COBRA ADMIN SVCS-HR	205.00
	5/31/2011	882803	415.30		
				COBRA ADMIN SVCS-HR	205.00
				FLEX ADMIN SVCS-HR	210.30
	Vendor Total		**830.60**		
FYTD for BENESYST, INC.			**6,138.70**		
BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207702	7,888.29		
				TOXICOLOGY TESTING-PD	930.59
				TOXICOLOGY TESTING-PD	6,957.70
	Vendor Total		**7,888.29**		
FYTD for BIO-TOX LABORATORIES			**68,075.03**		
BISHOP COMPANY				Remit to: **WHITTIER** **CA**	
	5/23/2011	207912	771.99		
				MISC TOOLS-PARKS MAINT	771.99
	Vendor Total		**771.99**		
FYTD for BISHOP COMPANY			**771.99**		

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BLAIR, CHERYL				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207610	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**1,971.00**		
BLANCO, MANNY				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207804	3.00		
				REFUND-CITATION OVRPMT	3.00
	Vendor Total		**3.00**		
FYTD for BLANCO, MANNY			**3.00**		
BOBO II, FELIX				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207913	100.98		
				MILEAGE REIMBURSEMENT	100.98
	Vendor Total		**100.98**		
FYTD for BOBO II, FELIX			**1,201.57**		
BOOKLETTERS				Remit to: **COLUMBUS** **OH**	
	5/9/2011	207703	3,450.00		
				WEB SITE SVCS-LIBRARY	3,450.00
	Vendor Total		**3,450.00**		
FYTD for BOOKLETTERS			**7,172.00**		
BOSE, TIFFANY				Remit to: **CORONA** **CA**	
	5/9/2011	207704	39.27		
				MILEAGE REIMBURSEMENT	39.27
	5/23/2011	207914	42.33		
				MILEAGE REIMBURSEMENT	42.33
	Vendor Total		**81.60**		
FYTD for BOSE, TIFFANY			**318.75**		
BRAY, JR., LYLE DEAN				Remit to: **CORONA** **CA**	
	5/31/2011	208019	608.00		
				INSTRUCTION SVCS-16 DAYS	608.00
	Vendor Total		**608.00**		
FYTD for BRAY, JR., LYLE DEAN			**1,824.00**		
BREITKREUZ, THOMAS F.				Remit to: **REDLANDS** **CA**	
	5/9/2011	207705	538.18		
				RETIREE MED FEB-MAR '11	538.18
	Vendor Total		**538.18**		
FYTD for BREITKREUZ, THOMAS F.			**2,255.25**		

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BROCKMUELLER, REGINA				Remit to: **MORENO VALLEY CA**	
	5/9/2011	207706	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROCKMUELLER, REGINA			**50.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.				Remit to: **WILLIAMSPORT PA**	
	5/23/2011	882765	3,068.09		
				MISC BOOKS-LIBRARY	40.74
				MISC BOOKS-LIBRARY	144.53
				MISC BOOKS-LIBRARY	18.34
				MISC BOOKS-LIBRARY	443.76
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	204.66
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	107.21
				MISC BOOKS-LIBRARY	214.55
				MISC BOOKS-LIBRARY	38.61
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	92.80
				MISC BOOKS-LIBRARY	50.66
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	39.55
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	20.15
				MISC BOOKS-LIBRARY	17.74
				MISC BOOKS-LIBRARY	15.33
				MISC BOOKS-LIBRARY	41.34
				MISC BOOKS-LIBRARY	88.68
				MISC BOOKS-LIBRARY	185.13
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	28.44
				MISC BOOKS-LIBRARY	41.36
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	61.56
				MISC BOOKS-LIBRARY	32.14
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	94.39
				MISC BOOKS-LIBRARY	212.65
				MISC BOOKS-LIBRARY	110.15
				MISC BOOKS-LIBRARY	293.70
				MISC BOOKS-LIBRARY	47.85
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	21.96
	5/31/2011	882804	5,057.59		
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	34.73
				MISC BOOKS-LIBRARY	52.16
				MISC BOOKS-LIBRARY	156.37
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	446.75
				MISC BOOKS-LIBRARY	79.52
				MISC BOOKS-LIBRARY	42.55
				MISC BOOKS-LIBRARY	1,960.10
				MISC BOOKS-LIBRARY	92.80
				MISC BOOKS-LIBRARY	41.36
				MISC BOOKS-LIBRARY	48.78

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	23.85
			MISC BOOKS-LIBRARY	56.81
			MISC BOOKS-LIBRARY	24.79
			MISC BOOKS-LIBRARY	38.35
			MISC BOOKS-LIBRARY	164.52
			MISC BOOKS-LIBRARY	24.78
			MISC BOOKS-LIBRARY	427.96
			MISC BOOKS-LIBRARY	23.20
			MISC BOOKS-LIBRARY	26.59
			MISC BOOKS-LIBRARY	27.40
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	286.15
			MISC BOOKS-LIBRARY	467.83
			MISC BOOKS-LIBRARY	24.78
			MISC BOOKS-LIBRARY	34.86
			MISC BOOKS-LIBRARY	41.17
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	92.78
			MISC BOOKS-LIBRARY	21.38
			MISC BOOKS-LIBRARY	42.57
			MISC BOOKS-LIBRARY	70.89
			MISC BOOKS-LIBRARY	49.29
	Vendor Total	**8,125.68**		
FYTD for BRODART CO.		**41,966.88**		
BROWN, DANIEL			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207805	75.00		
			REFUND-NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for BROWN, DANIEL		**75.00**		
BROWN, TRACY			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207611	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for BROWN, TRACY		**20.00**		
BUCKINGHAM, STAN			Remit to: **TEMECULA**	**CA**
5/9/2011	207707	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**3,506.03**		

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BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES** **CA**	
5/16/2011	882735	3,923.10		
			LEGAL SERVICES-HR	1,277.00
			LEGAL SERVICES-HR	2,646.10
5/31/2011	882805	7,683.40		
			LEGAL SERVICES-HR	1,680.14
			LEGAL SERVICES-HR	3,383.76
			LEGAL SERVICES-HR	2,619.50
	Vendor Total	**11,606.50**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**84,802.80**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
5/23/2011	207915	2,397.28		
			MISC BOOKS-LIBRARY	154.28
			MISC BOOKS-LIBRARY	226.47
			MISC BOOKS-LIBRARY	218.16
			MISC BOOKS-LIBRARY	41.90
			MISC BOOKS-LIBRARY	77.35
			MISC BOOKS-LIBRARY	118.73
			MISC BOOKS-LIBRARY	53.35
			MISC BOOKS-LIBRARY	13.05
			MISC BOOKS-LIBRARY	1,119.53
			MISC BOOKS-LIBRARY	374.46
5/31/2011	208020	1,621.10		
			MISC BOOKS-LIBRARY	67.96
			MISC BOOKS-LIBRARY	117.03
			MISC BOOKS-LIBRARY	439.81
			MISC BOOKS-LIBRARY	643.44
			MISC BOOKS-LIBRARY	117.02
			MISC BOOKS-LIBRARY	85.16
			MISC BOOKS-LIBRARY	18.70
			MISC BOOKS-LIBRARY	97.39
			MISC BOOKS-LIBRARY	34.59
	Vendor Total	**4,018.38**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**20,516.95**		
CA CONSTRUCTION AND RUCKER TILE			Remit to:	
5/31/2011	208021	14,321.99		
			RETENT/STOP NOTICE PYMT-PSB PR	14,321.99
	Vendor Total	**14,321.99**		
FYTD for CA CONSTRUCTION AND RUCKER TILE		**14,321.99**		

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CAD ZONE, THE				Remit to: **BEAVERTON** **OR**	
	5/23/2011	207916	1,140.00		
				CRIMEZONE-PD	1,130.00
				CRIMEZONE-PD	10.00
				CRIMEZONE-PD	99.75
				USED TAX ACCRUAL-PD	-99.75
	Vendor Total		**1,140.00**		
FYTD for CAD ZONE, THE			**1,140.00**		
CAIN, GREGORY				Remit to: **TAMPA** **FL**	
	5/9/2011	882644	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**3,506.03**		
CAL DEPT OF FORESTRY & FIRE PROTECTION				Remit to: **SACRAMENTO** **CA**	
	5/16/2011	207806	664.56		
				WEED ABATEMENT SVCS	664.56
	Vendor Total		**664.56**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION			**664.56**		
CALIFORNIA CENTERS MAGAZINE, INC.				Remit to: **LAGUNA HILLS** **CA**	
	5/31/2011	208022	3,780.00		
				ADVERTISING SVCS-EDD	3,780.00
	Vendor Total		**3,780.00**		
FYTD for CALIFORNIA CENTERS MAGAZINE, INC.			**7,560.00**		
CALIFORNIA DEPARTMENT OF FISH AND GAME				Remit to: **LOS ALAMITOS** **CA**	
	5/31/2011	208023	168.00		
				STREAMBED ALT AGRMNT AMNDMNT	168.00
	Vendor Total		**168.00**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**168.00**		
CALIFORNIA FACILITY SPECIALTIES				Remit to: **SAN DIMAS** **CA**	
	5/31/2011	208024	4,172.00		
				BASKETBALL EQUIP-PARKS	4,172.00
	Vendor Total		**4,172.00**		
FYTD for CALIFORNIA FACILITY SPECIALTIES			**10,685.00**		

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CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
5/9/2011	207708	7.64		
			UNCLAIMED PROPERTY (WAGES)	7.64
	Vendor Total	**7.64**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**7.64**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
5/2/2011	882618	2,666.50		
			CONSULTING SVCS-WQMP	2,666.50
	Vendor Total	**2,666.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**12,134.00**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208025	100.00		
			REFUND-RNTL DEP 4/24/11	100.00
	Vendor Total	**100.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**100.00**		
CAMBERLY GILLMAN			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207612	11,827.20		
			SOLAR INCENTIVE REBATE	11,827.20
	Vendor Total	**11,827.20**		
FYTD for CAMBERLY GILLMAN		**11,827.20**		
CAMPBELL, LARRY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207917	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for CAMPBELL, LARRY		**100.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
5/9/2011	882645	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**3,331.48**		
CANON BUSINESS SOLUTIONS, INC.			Remit to: **BURLINGTON** **NJ**	
5/9/2011	882646	7,250.88		
			COPY SERVICES	6,667.48
			COPY SERVICES	583.40
	Vendor Total	**7,250.88**		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**35,503.75**		

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CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
5/9/2011	207709	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**83,497.48**		
CANTU, TRACY			Remit to: **ONTARIO** **CA**	
5/16/2011	207807	75.00		
			REFUND-SPAY DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CANTU, TRACY		**75.00**		
CAREER CARE INSTITUTE			Remit to: **LANCATER** **CA**	
5/23/2011	207918	500.00		
			REFUND-RNTL DEP 4/8/11	500.00
	Vendor Total	**500.00**		
FYTD for CAREER CARE INSTITUTE		**500.00**		
CARRERA, EFRAIN			Remit to: **PERRIS** **CA**	
5/23/2011	207919	646.00		
			INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total	**646.00**		
FYTD for CARRERA, EFRAIN		**646.00**		
CARTER, LINDA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207808	54.50		
			REFUND-CITATION OVRPMT	54.50
	Vendor Total	**54.50**		
FYTD for CARTER, LINDA		**54.50**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882647	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**3,600.10**		
CASA FOR RIVERSIDE COUNTY, INC.			Remit to: **INDIO** **CA**	
5/16/2011	882736	1,247.47		
			SPCL ADVOCATES PRGM-CDBG	757.91
			SPCL ADVOCATES PRGM-CDBG	489.56
	Vendor Total	**1,247.47**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.		**4,229.83**		

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CATHCART, KATHERINE			Remit to: **BERMUDA DUNES** **CA**	
5/16/2011	207809	54.50		
			REFUND-CITATION DISMISSED	54.50
	Vendor Total	**54.50**		
FYTD for CATHCART, KATHERINE		**54.50**		
CATHOLIC CHARITIES			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207810	22,366.80		
			RENTAL ASST SVCS-HPRP	22,366.80
	Vendor Total	**22,366.80**		
FYTD for CATHOLIC CHARITIES		**126,600.31**		
CAUTHEN, CHARLES			Remit to: **RIVERSIDE** **CA**	
5/16/2011	207811	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for CAUTHEN, CHARLES		**404.50**		
CELLEBRITE USA, CORP			Remit to: **GLEN ROCK** **NJ**	
5/23/2011	207920	9,072.00		
			UNIV FORENSIC EXT DEVICE-PD	4,499.00
			UNIV FORENSIC EXT DEVICE-PD	3,996.00
			UNIV FORENSIC EXT DEVICE-PD	65.00
			UNIV FORENSIC EXT DEVICE-PD	393.66
			UNIV FORENSIC EXT DEVICE-PD	737.32
			USED TAX ACCRUAL-PD	-618.98
	Vendor Total	**9,072.00**		
FYTD for CELLEBRITE USA, CORP		**9,072.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
5/9/2011	207710	487.86		
			CEMENT PURCHASE	487.86
5/23/2011	207921	406.51		
			CEMENT PURCHASE	406.51
	Vendor Total	**894.37**		
FYTD for CEMEX		**9,035.59**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207613	4,558.00		
			PRE-EMPLOYMENT PHYSICALS-HR	25.00
			PRE-EMPLOYMENT PHYSICALS-STARS	709.00
			PRE-EMPLOYMENT PHYSICALS-STARS	3,824.00
5/16/2011	207812	70.00		
			PRE-EMPLYMNT PHYSICALS-HR	45.00
			PRE-EMPLYMNT PHYSICALS-HR	25.00
	Vendor Total	**4,628.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS		**13,215.00**		
CHANCY, CHIZURU			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207922	138.60		
			INSTRUCTOR SVCS-HAWAIIAN DANCE	93.60
			INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
	Vendor Total	**138.60**		
FYTD for CHANCY, CHIZURU		**1,443.45**		
CHANDLER ASSET MANAGEMENT, INC			Remit to: **SAN DIEGO** **CA**	
5/23/2011	882766	8,861.00		
			INVESTMENT MGT SVCS	8,861.00
	Vendor Total	**8,861.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC		**96,999.00**		
CHAPMAN, STEVE			Remit to: **REDLANDS** **CA**	
5/9/2011	207711	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CHAPMAN, STEVE		**3,506.03**		
CHAPPELL, ISAAC			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882648	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CHAPPELL, ISAAC		**3,506.03**		
CHERRY VALLEY FEED			Remit to: **CHERRY VALLEY** **CA**	
5/23/2011	207923	151.71		
			MISC FOOD FOR PD K-9	151.71
	Vendor Total	**151.71**		
FYTD for CHERRY VALLEY FEED		**1,091.11**		

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CHRISTIAN, BRENDA				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207813	72.00		
				REFUND-PICNIC SHLTR FEE	72.00
	Vendor Total		**72.00**		
FYTD for CHRISTIAN, BRENDA			**72.00**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY CA**	
	5/9/2011	882649	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**2,316.58**		

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CINTAS CORPORATION			Remit to: **ONTARIO**	**CA**
5/2/2011	882619	188.53		
			UNIFORM RNTL SVC-PARKS	54.39
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	57.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
5/9/2011	882650	275.91		
			UNIFORM RNTL SVC-TRFFC MAINT	12.82
			UNIFORM RNTL SVC-TRFFC MAINT	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/16/2011	882737	98.50		
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/23/2011	882767	364.48		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-TRFFC SGNL MA	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/31/2011	882806	84.99		
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS STAFF	50.19
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
	Vendor Total	**1,012.41**		
FYTD for CINTAS CORPORATION		**11,335.94**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882651	4,212.50		
			EXEMPT VEBA	4,212.50
	Vendor Total	**4,212.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**45,462.50**		
CITY OF RIVERSIDE PUBLIC UTILITIES DEPT.			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207614	150.00		
			SPRING CONF.-CA MUNI RATES GRP	150.00
5/5/2011	207685	150.00		
			SPRING CONF.-CA MUNI RATES GRP	150.00
	Vendor Total	**300.00**		
FYTD for CITY OF RIVERSIDE PUBLIC UTILITIES DEPT.		**300.00**		
CITY OF TEMECULA			Remit to: **TEMECULA**	**CA**
5/5/2011	207686	150.00		
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
	Vendor Total	**150.00**		
FYTD for CITY OF TEMECULA		**150.00**		
COASTLINE CONSTRUCTION & AWNING CO.			Remit to: **HUNTINGTON BEACH**	**CA**
5/2/2011	207615	18,750.00		
			MOBILE HOMES DEMO & DISPOSAL	18,750.00
	Vendor Total	**18,750.00**		
FYTD for COASTLINE CONSTRUCTION & AWNING CO.		**29,568.65**		

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COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
5/9/2011	207712	2.50		
			CHC CONTRIBUTIONS	2.50
5/9/2011	207713	183.81		
			CHC CONTRIBUTIONS	183.81
5/23/2011	207924	183.81		
			CHC CONTRIBUTIONS	183.81
	Vendor Total	**370.12**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,181.18**		
COMPUTER POWER SOLUTIONS, INC.			Remit to: **LOS ALAMITOS** **CA**	
5/16/2011	207814	4,730.40		
			RPLCMNT BATTERIES-TELECOMM	4,176.00
			RPLCMNT BATTERIES-TELECOMM	365.40
			RPLCMNT BATTERIES-TELECOMM	189.00
	Vendor Total	**4,730.40**		
FYTD for COMPUTER POWER SOLUTIONS, INC.		**4,730.40**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
5/9/2011	207714	5,780.11		
			ASPHALTIC MATERIALS	5,780.11
	Vendor Total	**5,780.11**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**15,214.25**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207616	210.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
5/31/2011	208027	70.00		
			SPORTS OFFICIATING SVCS	70.00
	Vendor Total	**280.00**		
FYTD for CONTRERAS, BIANCA		**385.00**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207617	140.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
5/23/2011	207925	35.00		
			SPORTS OFFICIATING SVCS	35.00
5/31/2011	208028	105.00		
			SPORTS OFFICIATING SVCS	105.00
	Vendor Total	**280.00**		
FYTD for CONTRERAS, JOSE		**860.00**		

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COSEY JR., JAMES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207618	165.00		
				INSTRUCTOR SVCS-KARATE	165.00
	Vendor Total		**165.00**		
FYTD for COSEY JR., JAMES			**516.00**		
COSTCO				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207619	1,727.27		
				MISC SUPPLIES-STARS	390.55
				MISC SUPPLIES-STARS	137.53
				MISC SUPPLIES-STARS	107.95
				MISC SUPPLIES-STARS	319.63
				MISC SUPPLIES-CHILDS PLACE	771.61
	5/9/2011	207715	366.24		
				MISC SUPPLIES-STARS	170.07
				MISC SUPPLIES-STARS	196.17
	5/16/2011	207815	790.68		
				MISC SUPPLIES-STARS	176.51
				MISC SUPPLIES-STARS	199.63
				MISC SUPPLIES-STARS	414.54
	5/23/2011	207926	1,557.91		
				MISC SUPPLIES-STARS	34.46
				MISC SUPPLIES-STARS	135.59
				MISC SUPPLIES-STARS	402.32
				MISC SUPPLIES-STARS	871.55
				MISC SUPPLIES-STARS	113.99
	5/31/2011	208029	3,534.20		
				MISC SUPPLIES-STARS	251.65
				MISC SUPPLIES-STARS	102.29
				MISC SUPPLIES-STARS	151.73
				MISC SUPPLIES-STARS	138.87
				MISC SUPPLIES-STARS	188.67
				MISC SUPPLIES-STARS	109.68
				MISC SUPPLIES-STARS	1,627.27
				MISC SUPPLIES-STARS	164.44
				MISC SUPPLIES-STARS	304.91
				MISC SUPPLIES-CHILDS PLACE	494.69
	Vendor Total		**7,976.30**		
FYTD for COSTCO			**51,111.04**		
COTTONWOOD PLACE IV RENTAL				Remit to: **ANAHEIM** **CA**	
	5/23/2011	207927	60.00		
				REFUND-FALSE ALARM FEE	30.00
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**60.00**		
FYTD for COTTONWOOD PLACE IV RENTAL			**60.00**		

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COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO CA**	
5/16/2011	207816	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
5/23/2011	207928	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**2,500.00**		
FYTD for COUNSELING TEAM, THE		**16,250.00**		
COUNTS UNLIMITED, INC.			Remit to: **CORONA CA**	
5/23/2011	207929	3,120.00		
			TRAFFIC DATA COLLECTION SVCS	3,120.00
	Vendor Total	**3,120.00**		
FYTD for COUNTS UNLIMITED, INC.		**3,620.00**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE CA**	
5/31/2011	208030	42.70		
			RECORDATION RQST SVCS-LAND DEV	42.70
	Vendor Total	**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**490.25**		
COVARRUBIAS, ALFREDO			Remit to: **MORENO VALLEY CA**	
5/16/2011	207817	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for COVARRUBIAS, ALFREDO		**20.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS CA**	
5/2/2011	882620	110.31		
			DOG FOOD FOR K9-PD	101.43
			DOG FOOD FOR K9-PD	8.88
	Vendor Total	**110.31**		
FYTD for COVENTRY PET RESORT		**883.09**		
CRAWFORD, JOANNE			Remit to: **MORENO VALLEY CA**	
5/31/2011	208032	14,072.80		
			SOLAR INCENTIVE	14,072.80
	Vendor Total	**14,072.80**		
FYTD for CRAWFORD, JOANNE		**14,072.80**		

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CREATIVE PROMOTIONAL IDEAS			Remit to: **UPLAND** **CA**	
5/2/2011	207620	4,567.50		
			WRISTBANDS-SOLID WASTE PRGM	4,200.00
			WRISTBANDS-SOLID WASTE PRGM	367.50
	Vendor Total	**4,567.50**		
FYTD for CREATIVE PROMOTIONAL IDEAS		**9,764.27**		
CRIME SCENE STERI-CLEAN, LLC			Remit to: **RANCHO CUCAMONGA** **CA**	
5/2/2011	207621	500.00		
			BIO HAZARD CLEAN UP-PD	500.00
5/9/2011	207716	500.00		
			BIO HAZARD CLEAN UP SVC-PD	500.00
5/31/2011	208033	500.00		
			BIO-HAZARD CLEAN UP	500.00
	Vendor Total	**1,500.00**		
FYTD for CRIME SCENE STERI-CLEAN, LLC		**2,500.00**		
CROWN PRINTERS			Remit to: **SAN BERNARDINO** **CA**	
5/2/2011	207622	2,806.28		
			PRINTING SVCS-FINANCE	2,580.49
			PRINTING SVCS-FINANCE	225.79
	Vendor Total	**2,806.28**		
FYTD for CROWN PRINTERS		**8,024.44**		
CRUZ, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208034	85.68		
			REIMB.-CFEDWEST CONF./EXPO	85.68
	Vendor Total	**85.68**		
FYTD for CRUZ, MICHAEL		**813.68**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208035	1,087.50		
			VECTOR CONTROL SVCS-CODE	1,087.50
	Vendor Total	**1,087.50**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**25,533.08**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
5/23/2011	207930	745.00		
			DISPOSAL SVCS-ANML SVCS	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**10,195.00**		

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DA SILVA, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207931	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DA SILVA, ROBERT			**50.00**		
DACOLIAS, RAYMOND				Remit to: **SAN JACINTO** **CA**	
	5/23/2011	207932	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for DACOLIAS, RAYMOND			**1,558.00**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882652	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**3,487.19**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/2/2011	882621	3,532.41		
				CITATION PRCSSNG SVC-ANML SVCS	3,532.41
	5/9/2011	882653	5,944.26		
				CITATION PRCSSNG-PD	5,839.26
				PARKING CODE APP-TECH SVCS	105.00
	5/23/2011	882768	1,100.56		
				CITATION PRCSSNG SVCS-BLDG/SFT	1,100.56
	5/31/2011	882808	2,889.13		
				TICKET STOCK-CODE	2,856.60
				TICKET STOCK-CODE	32.53
	Vendor Total		**13,466.36**		
FYTD for DATA TICKET, INC.			**241,885.62**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	5/23/2011	207933	130.50		
				ONLINE SUBSCRIPTION SVC-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,435.50**		
DE LA CRUZ, JOSE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207623	104.00		
				REFUND-DRUMS CLASS CANC.	104.00
	Vendor Total		**104.00**		
FYTD for DE LA CRUZ, JOSE			**104.00**		

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DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	207717	11,966.97		
				EMPLOYEE DENTAL INSURANCE	11,966.97
	Vendor Total		**11,966.97**		
FYTD for DELTA DENTAL			**127,868.05**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207818	6,069.35		
				EMPLOYEE DENTAL INSURANCE	6,069.35
	Vendor Total		**6,069.35**		
FYTD for DELTACARE USA			**68,578.98**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	5/2/2011	882622	5,650.00		
				PLAN REVIEW SVCS-FIRE PREV	5,240.00
				PLAN REVIEW SVCS-FIRE PREV	410.00
	5/31/2011	882809	6,455.00		
				PLAN REVIEW SVCS-FIRE PREV	2,080.00
				PLAN REVIEW SVCS-FIRE PREV	845.00
				PLAN REVIEW SVCS-FIRE PREV	3,530.00
	Vendor Total		**12,105.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**103,915.00**		
DESIGN WORKS				Remit to: **SAN JACINTO** **CA**	
	5/31/2011	208036	501.45		
				YTH SPORTS UNIFORMS-PARKS	375.27
				SPORTS AWARDS-PARKS	126.18
	Vendor Total		**501.45**		
FYTD for DESIGN WORKS			**12,796.33**		
DIAZ, RAQUEL				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207819	429.50		
				REFUND-CITATION DISMISSED	429.50
	Vendor Total		**429.50**		
FYTD for DIAZ, RAQUEL			**429.50**		

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DISTINCTIVELY YOURS				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208037	1,640.14		
				ADVERTISING SVCS-EDD	1,330.00
				ADVERTISING SVCS-EDD	62.50
				ADVERTISING SVCS-EDD	-133.00
				ADVERTISING SVCS-EDD	24.14
				ADVERTISING SVCS-EDD	110.21
				ADVERTISING SVCS-EDD	190.00
				ADVERTISING SVCS-EDD	25.00
				ADVERTISING SVCS-EDD	12.48
				ADVERTISING SVCS-EDD	18.81
	Vendor Total		**1,640.14**		
FYTD for DISTINCTIVELY YOURS			**3,652.02**		
DIVISION OF LABOR STANDARDS ENFORCMENT				Remit to: **LONG BEACH** **CA**	
	5/9/2011	207718	1,856.25		
				CWPA PYMT-EMERG OPS CTR PROJ	1,856.25
	Vendor Total		**1,856.25**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT			**47,971.39**		
DLS LANDSCAPE, INC				Remit to: **REDLANDS** **CA**	
	5/23/2011	882769	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**12,390.00**		
FYTD for DLS LANDSCAPE, INC			**136,290.00**		
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	5/9/2011	207719	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**3,311.08**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL				Remit to: **SACRAMENTO** **CA**	
	5/31/2011	208038	100.00		
				ANNUAL REGIST-P HUNTER	100.00
	Vendor Total		**100.00**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			**100.00**		
DUNN, LAURA ISABEL GARCIA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	882770	304.00		
				INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for DUNN, LAURA ISABEL GARCIA			**1,444.00**		

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DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207820	189.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**2,751.00**		
E.R. BLOCK PLUMBING & HEATING, INC.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207720	838.09		
				BACKFLOW RPLCMNT-SPCL DIST	650.59
				BACKFLOW RPLCMNT-SPCL DIST	187.50
	5/16/2011	207821	2,084.02		
				BACKFLOW REPLCMNT-ZONE D	597.19
				BACKFLOW REPLCMNT-ZONE D	187.50
				BACKFLOW REPLCMNT-ZONE D	327.14
				BACKFLOW REPLCMNT-ZONE D	187.50
				BACKFLOW REPLCMNT-ZONE D	597.19
				BACKFLOW REPLCMNT-ZONE D	187.50
	5/31/2011	208039	2,433.89		
				BACKFLOW TESTING-E2	60.00
				BACKFLOW TESTING-E3	20.00
				BACKFLOW TESTING-E38	20.00
				BACKFLOW TESTING-ZONE D	340.00
				BACKFLOW TESTING-ZONE D	40.00
				BACKFLOW TESTING-ZONE M	60.00
				BACKFLOW RPLCMNT-ZONE M	477.14
				BACKFLOW RPLCMNT-ZONE M	262.50
				BACKFLOW RPLCMNT-E1	891.75
				BACKFLOW RPLCMNT-E1	262.50
	Vendor Total		**5,356.00**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**29,081.83**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/2/2011	207624	16,496.82		
			WATER CHARGES	136.12
			WATER CHARGES	279.72
			WATER CHARGES	387.86
			WATER CHARGES	2,981.43
			WATER CHARGES	453.65
			WATER CHARGES	263.89
			WATER CHARGES	5,686.91
			WATER CHARGES	2,036.65
			WATER CHARGES	3,159.57
			WATER CHARGES	38.24
			WATER CHARGES	189.88
			WATER CHARGES	68.86
			WATER CHARGES	401.51
			WATER CHARGES	104.20
			WATER CHARGES	149.74
			WATER CHARGES	72.00
			WATER CHARGES	86.59
5/9/2011	207721	5,576.05		
			WATER CHARGES	62.84
			WATER CHARGES	249.81
			WATER CHARGES	2,408.30
			WATER CHARGES	251.39
			WATER CHARGES	2,270.07
			WATER CHARGES	74.15
			WATER CHARGES	19.90
			WATER CHARGES	239.59
5/31/2011	208040	19,912.76		
			WATER CHARGES	25.94
			WATER CHARGES	196.37
			WATER CHARGES	136.84
			WATER CHARGES	357.96
			WATER CHARGES	331.56
			WATER CHARGES	6,413.59
			WATER CHARGES	1,355.43
			WATER CHARGES	393.71
			WATER CHARGES	7,210.74
			WATER CHARGES	1,774.81
			WATER CHARGES	395.17
			WATER CHARGES	43.91
			WATER CHARGES	37.59
			WATER CHARGES	196.12
			WATER CHARGES	451.18
			WATER CHARGES	128.61
			WATER CHARGES	264.06
			WATER CHARGES	67.50
			WATER CHARGES	131.67
	Vendor Total	**41,985.63**		

FYTD for EASTERN MUNICIPAL WATER DISTRICT	**1,287,449.35**

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EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
5/9/2011	882654	23.60		
			REFUND-UT USER TAXES	23.60
	Vendor Total	**23.60**		
FYTD for EDGELANE MOBILE PARK		**138.51**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
5/9/2011	207723	325.66		
			RETIREE MED MAY '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**3,461.90**		
ELLIOTT, NISHA			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207625	156.00		
			INSTRUCTOR SVCS-KICK BOXING	132.00
			INSTRUCTOR SVCS-KICK BOXING	24.00
5/31/2011	208041	268.80		
			INSTRUCTOR SVCS-KICKBOXING	220.80
			INSTRUCTOR SVCS-KICKBOXING	48.00
	Vendor Total	**424.80**		
FYTD for ELLIOTT, NISHA		**1,995.60**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM**	**CA**
5/2/2011	882623	18,583.90		
			CABINET LEASE-INDIAN	11.95
			CABINET LEASE-INDIAN	1,238.05
			CABINET LEASE-IRIS	29.67
			CABINET LEASE-IRIS	1,220.33
			12KV NEW REDLAND CKT WORK	14,713.29
			MORRISON FS ELECTR DESIGN WORK	916.11
			CORP YARD ADM BLDG ELECTR WORK	454.50
5/16/2011	882739	2,974.00		
			CABINET LEASE-INDIAN	6.47
			CABINET LEASE-INDIAN	1,243.53
			CABINET LEASE-IRIS	23.79
			CABINET LEASE-IRIS	1,226.21
			METER FEES-SOLAR CUST	474.00
	Vendor Total	**21,557.90**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,519.17**		
ESI ACQUISITION, INC.			Remit to: **AUGUSTA**	**GA**
5/31/2011	882811	8,800.00		
			SOFTWARE SUPPORT-TECH SVCS	4,900.00
			SOFTWARE SUPPORT-TECH SVCS	3,900.00
	Vendor Total	**8,800.00**		
FYTD for ESI ACQUISITION, INC.		**17,600.00**		

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ESRI, INC.				Remit to: **REDLANDS** **CA**	
	5/2/2011	882624	761.25		
				ARCPAD LICENSE-PW MAINT	700.00
				ARCPAD LICENSE-PW MAINT	61.25
	Vendor Total		**761.25**		
FYTD for ESRI, INC.			**42,037.05**		
ESTRADA, PATRICIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207823	200.00		
				REFUND-RNTL DEP 4/30/11	200.00
	Vendor Total		**200.00**		
FYTD for ESTRADA, PATRICIA			**200.00**		
EVANS ENGRAVING & AWARDS				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	882625	31.45		
				ENGRAVING SVCS-PD	31.45
	5/23/2011	882771	185.97		
				ENGRAVING SVCS-PLANNING COMM	84.00
				ENGRAVING SVCS-PLANNING COMM	7.35
				ENGRAVING SVCS-PLANNING COMM	60.00
				ENGRAVING SVCS-PLANNING COMM	5.25
				ENGRAVING SVCS-FIRE	29.37
	5/31/2011	882812	39.15		
				ENGRAVING SVCS-HR	35.78
				ENGRAVING SVCS-HR	3.37
	Vendor Total		**256.57**		
FYTD for EVANS ENGRAVING & AWARDS			**1,265.58**		
EWING IRRIGATION PRODUCTS, INC.				Remit to: **PHOENIX** **AZ**	
	5/2/2011	207626	51.56		
				IRRIGATION SUPPLIES-PARKS	51.56
	5/9/2011	207724	5,413.13		
				IRRIGATION SUPPLIES-PARKS	2,964.31
				IRRIGATION SUPPLIES-PARKS	2,448.82
	Vendor Total		**5,464.69**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**16,189.39**		

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EXCEL LANDSCAPE, INC				Remit to: **CORONA** **CA**	
	5/9/2011	207725	3,978.92		
				LANDSCAPE MAINT-WQB	1,494.90
				LANDSCAPE MAINT-WQB	809.28
				LANDSCAPE MAINT-WQB	1,674.74
	5/23/2011	207935	13,314.50		
				LANDSCAPE MAINT-E7	2,777.17
				LANDSCAPE MAINT-E15	1,070.36
				LANDSCAPE MAINT-E8	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQB	4,503.92
	Vendor Total		**17,293.42**		
FYTD for EXCEL LANDSCAPE, INC			**150,353.16**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882740	14,032.99		
				LANDLORD/TENANT MEDIATION-CDBG	4,804.74
				LANDLORD/TENANT MEDIATION-CDBG	4,356.64
				LANDLORD/TENANT MEDIATION-CDBG	4,871.61
	Vendor Total		**14,032.99**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**62,154.13**		
FEENSTRA, JOHN				Remit to: **REDLANDS** **CA**	
	5/9/2011	882656	361.25		
				RETIREE MED MAY '11	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		
FENDER, SHAUNA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207824	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FENDER, SHAUNA			**75.00**		
FERNANDES, MARCUS				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207825	109.00		
				REFUND-CITATION OVRPMT	109.00
	Vendor Total		**109.00**		
FYTD for FERNANDES, MARCUS			**109.00**		

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FIDELITY NATIONAL TITLE CO			Remit to: **MURRIETTA**	**CA**
5/2/2011	207627	1,724.00		
			REFUND-CITATION/RE-INSPECT FEE	1,000.00
			REFUND-CITATION/RE-INSPECT FEE	724.00
	Vendor Total	**1,724.00**		
FYTD for FIDELITY NATIONAL TITLE CO		**1,724.00**		
FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA**	**CA**
5/16/2011	207826	514.00		
			ONLINE PROP INFO-CODE	241.00
			ONLINE PROP INFO-CDD	103.00
			ONLINE PROP INFO-EDD	170.00
5/31/2011	208042	484.00		
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-CDD	217.00
			ONLINE PROP INFO SVCS-EDD	182.00
	Vendor Total	**998.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**7,212.00**		
FIRST CHOICE FIRE PROTECTION			Remit to: **GARDENA**	**CA**
5/2/2011	207628	90.81		
			REFUND-BUS LIC OVRPMT	90.81
	Vendor Total	**90.81**		
FYTD for FIRST CHOICE FIRE PROTECTION		**90.81**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO**	**CA**
5/9/2011	882657	654.06		
			COFFEE SVCS-EMP PAID	132.66
			COFFEE SVCS-EMP PAID	12.93
			COFFEE SVCS-EMP PAID	37.80
			COFFEE SVCS-EMP PAID	115.41
			COFFEE SVCS-EMP PAID	136.94
			COFFEE SVCS-EMP PAID	112.68
			COFFEE SVCS-EMP PAID	55.70
			COFFEE SVCS-EMP PAID	49.94
	Vendor Total	**654.06**		
FYTD for FIRST CHOICE SERVICES		**7,224.69**		
FITNESS 19 CA 155 11C			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	207936	265.00		
			GYM MEMBERSHIP DEDUCTIONS	265.00
	Vendor Total	**265.00**		
FYTD for FITNESS 19 CA 155 11C		**2,836.00**		

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FLINT-PETERSON				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207629	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for FLINT-PETERSON			**20.00**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	207937	1,365.93		
				ADMIN CITATIONS-ANML SVCS	1,231.40
				ADMIN CITATIONS-ANML SVCS	107.75
				ADMIN CITATIONS-ANML SVCS	26.78
	Vendor Total		**1,365.93**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**23,273.99**		
FORNISS, BRANDON/JAMIE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207828	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FORNISS, BRANDON/JAMIE			**75.00**		
FOSTER, JAMES BARRY				Remit to: **RIVERSIDE** **CA**	
	5/19/2011	207897	248.50		
				PER DIEM-ICSC RECON CONVENTION	248.50
	Vendor Total		**248.50**		
FYTD for FOSTER, JAMES BARRY			**712.99**		
FOSTER, NANCY A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882658	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for FOSTER, NANCY A.			**3,487.19**		
FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	207726	33.95		
				GARNISHMENT	33.95
	5/23/2011	207938	178.14		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	38.14
	Vendor Total		**212.09**		
FYTD for FRANCHISE TAX BOARD			**3,178.77**		

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FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	5/16/2011	207829	191.25		
				MILEAGE REIMBURSEMENT	191.25
	Vendor Total		**191.25**		
FYTD for FRANKLIN, L. C.			**1,590.96**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207630	4,941.32		
				TRAFFIC PAINT-BICYCLE LANE PRJ	2,691.56
				GLASS BEADS-BICYCLE LANE PROJ	2,249.76
	Vendor Total		**4,941.32**		
FYTD for FRAZEE INDUSTRIES, INC			**123,905.38**		
FRISBIE, AAPRIS				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207830	75.00		
				REFUND-NEUTER DEPOSIT	55.00
				REFUND-NEUTER DEPOSIT	20.00
	Vendor Total		**75.00**		
FYTD for FRISBIE, AAPRIS			**75.00**		
FROST, JOAN CHENG				Remit to: **TEMECULA** **CA**	
	5/23/2011	207939	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for FROST, JOAN CHENG			**1,938.00**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882659	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,506.03**		

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GENERAL SECURITY SERVICES, INC.				Remit to: **WILMINGTON** **CA**	
	5/9/2011	882660	483.21		
				SECURITY SVCS-CONF & REC CTR	122.72
				SECURITY SVCS-SENIOR CTR	214.76
				SECURITY SVCS-TOWNGATE	145.73
	5/16/2011	882741	2,730.53		
				SECURITY SVCS-UTILITIES	276.12
				SECURITY SVCS-UTILITIES	276.12
				SECURITY SVCS-SENIOR CTR	153.40
				SECURITY SVCS-SENIOR CTR	184.08
				SECURITY SVCS-LIBRARY	245.45
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	245.44
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
	5/23/2011	882772	3,497.52		
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-TOWNGATE	107.38
				SECURITY SVCS-TOWNGATE	107.38
				SECURITY SVCS-TOWNGATE	107.38
				SECURITY SVCS-CONF & REC CTR	61.36
				SECURITY SVCS-CONF & REC CTR	92.04
				SECURITY SVCS-CONF & REC CTR	76.70
	Vendor Total		**6,711.26**		
FYTD for GENERAL SECURITY SERVICES, INC.			**48,553.06**		
GERMAN, CATINA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207940	10.99		
				REFUND-LOST BOOK FEE	10.99
	Vendor Total		**10.99**		
FYTD for GERMAN, CATINA			**10.99**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
5/2/2011	882626	641.94		
			LEGAL SVCS	641.94
5/16/2011	882742	20,888.45		
			LEGAL SVCS	18,633.45
			LEGAL SVCS	1,940.50
			LEGAL SVCS	314.50
5/23/2011	882773	4,508.25		
			LEGAL SVCS	4,508.25
	Vendor Total	**26,038.64**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**230,458.37**		
GILES, STELLA			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207631	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for GILES, STELLA		**20.00**		
GITONGA, LUCY			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207632	77.08		
			REFUND-CAMP REGISTR.	77.08
	Vendor Total	**77.08**		
FYTD for GITONGA, LUCY		**77.08**		
GLADWELL GOVERNMENTAL SVCS, INC.			Remit to: **LAKE ARROWHEAD**	**CA**
5/31/2011	208043	100.00		
			CONSULTING SVCS-TECH SVCS	100.00
	Vendor Total	**100.00**		
FYTD for GLADWELL GOVERNMENTAL SVCS, INC.		**100.00**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882661	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for GONZALES, DOMILENA R.		**2,741.59**		
GONZALEZ, GUILLERMINA			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207633	37.00		
			REFUND-PICNIC SHLTR FEE ERROR	37.00
	Vendor Total	**37.00**		
FYTD for GONZALEZ, GUILLERMINA		**37.00**		

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GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	882627	405.00		
				INSTRUCTOR SVCS-KUNG FU	189.00
				INSTRUCTOR SVCS-KUNG FU	216.00
	Vendor Total		**405.00**		
FYTD for GOZDECKI, DAN			**6,777.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	207727	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for GRANICUS, INC.			**11,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	5/9/2011	882662	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,427.25**		
GUIDA SURVEYING, INC.				Remit to: **IRVINE** **CA**	
	5/16/2011	882743	6,448.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	6,448.00
	Vendor Total		**6,448.00**		
FYTD for GUIDA SURVEYING, INC.			**107,733.00**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	5/16/2011	207831	168.00		
				INSTRUCTOR SVCS-ZUMBA	168.00
	Vendor Total		**168.00**		
FYTD for GUILIANO, MARIA			**1,108.80**		
GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	5/9/2011	882663	275.67		
				RETIREE MED MAY '11	275.67
	Vendor Total		**275.67**		
FYTD for GUILLAN, REBECCA S.			**3,295.96**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	5/9/2011	882664	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,506.03**		

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GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882744	4,049.00		
				CART RETRVL SVCS-CODE	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	5/9/2011	882665	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,487.19**		
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882666	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HANSEN, ROBERT L.				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208044	344.25		
				REIMB.-CITY ATTYS CONFERENCE	344.25
	Vendor Total		**344.25**		
FYTD for HANSEN, ROBERT L.			**734.75**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	5/9/2011	207728	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HARRIS & ASSOCIATES				Remit to: **CONCORD** **CA**	
	5/9/2011	882667	625.00		
				PROF SERVICES-CFD #4	375.00
				PROF SERVICES-CFD #4	250.00
	Vendor Total		**625.00**		
FYTD for HARRIS & ASSOCIATES			**32,992.50**		
HARRISON, WALTER				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207832	264.00		
				REFUND-RNTL DEP 6/26/11	200.00
				REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total		**264.00**		
FYTD for HARRISON, WALTER			**264.00**		

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HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	5/9/2011	207729	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**22,196.36**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208045	126.00		
				INSTRUCTOR SVCS-BODY SCULPTING	126.00
	Vendor Total		**126.00**		
FYTD for HASS, MINA			**126.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	5/9/2011	882668	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,506.03**		
HAUSER, ADRIANA				Remit to: **SAN BERNARDINO** **CA**	
	5/23/2011	207941	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for HAUSER, ADRIANA			**5,244.00**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	5/9/2011	882669	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,506.03**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207730	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,506.03**		
HERRING, COURTNEY				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208046	64.00		
				REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total		**64.00**		
FYTD for HERRING, COURTNEY			**64.00**		

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HETHERMAN, ANTHONY CHRISTOPHER				Remit to: **TEMECULA** **CA**	
	5/9/2011	882670	35.70		
				MILEAGE REIMBURSEMENT	35.70
	Vendor Total		**35.70**		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER			**276.84**		
HICKMAN, LANISE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208047	319.20		
				INSTRUCTOR SVCS-BOOTCAMP	319.20
	Vendor Total		**319.20**		
FYTD for HICKMAN, LANISE			**355.20**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207635	72.00		
				INSTRUCTOR SVCS-OIL PAINTING	72.00
	Vendor Total		**72.00**		
FYTD for HIGGS, DEBRA			**612.00**		
HO, KEVIN CHINH				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	207942	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for HO, KEVIN CHINH			**950.00**		
HOGARD, JOHN T.				Remit to: **CORONA** **CA**	
	5/9/2011	882671	300.00		
				RETIREE MED JAN-MAR '11	300.00
	Vendor Total		**300.00**		
FYTD for HOGARD, JOHN T.			**2,633.50**		
HOKANSON, VINTON				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208048	16.00		
				REFUND-LICENSE FEE	16.00
	Vendor Total		**16.00**		
FYTD for HOKANSON, VINTON			**16.00**		
HOTEL SOLAMAR				Remit to: **SAN DIEGO** **CA**	
	5/31/2011	208049	607.88		
				D. LIENHARD-CHAMELEON CONF.	607.88
	Vendor Total		**607.88**		
FYTD for HOTEL SOLAMAR			**607.88**		

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HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207731	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,506.03**		
HOUSTON & HARRIS PCS, INC.				Remit to: **GRAND TERRACE** **CA**	
	5/9/2011	207732	860.00		
				VIDEO INSPECTION-STORM DRAIN	860.00
	Vendor Total		**860.00**		
FYTD for HOUSTON & HARRIS PCS, INC.			**860.00**		
HOWARD, DIANE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207733	47.00		
				REFUND-PIANO CLASS	47.00
	Vendor Total		**47.00**		
FYTD for HOWARD, DIANE			**47.00**		
ICC FOOTHILL CHAPTER OF BLDNG OFFICIALS				Remit to: **ONTARIO** **CA**	
	5/31/2011	208050	200.00		
				ACCESSIBILITY TRNG 6/7/11	100.00
				ACCESSIBILITY TRNG 6/7/11	100.00
	Vendor Total		**200.00**		
FYTD for ICC FOOTHILL CHAPTER OF BLDNG OFFICIALS			**350.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	5/6/2011	2853	9,110.37		
				DEF COMP-457 5/6/11	9,110.37
	5/20/2011	2861	9,110.37		
				DEF COMP-457 5/20/11	9,110.37
	Vendor Total		**18,220.74**		
FYTD for ICMA RETIREMENT CORP 457			**226,138.63**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207833	144.97		
				REFUND-UT USER TAXES	144.97
	Vendor Total		**144.97**		
FYTD for IL SORRENTO MOBILE PARK			**1,483.89**		

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IMMIGRATION LAW OFFICES OF HADLEY BAJRAM			Remit to: **RIVERSIDE**	**CA**
5/23/2011	207943	74.20		
			REFUND-BUS LIC OVRPMT	74.20
Vendor Total		**74.20**		
FYTD for IMMIGRATION LAW OFFICES OF HADLEY BAJRAM		**74.20**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES**	**IA**
5/9/2011	207734	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,225.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE**	**CA**
5/2/2011	882628	526.00		
			NUISANCE ABTMNT SVC-CODE	526.00
5/16/2011	882745	1,354.23		
			NUISANCE ABTMNT SVC-CODE	189.23
			NUISANCE ABTMNT SVC-CODE	233.00
			NUISANCE ABTMNT SVC-CODE	232.00
			NUISANCE ABTMNT SVC-CODE	700.00
5/23/2011	882774	356.00		
			NUISANCE ABTMNT SVC-22862 ADRI	125.00
			NUISANCE ABTMNT SVC-12032 SWEA	231.00
Vendor Total		**2,236.23**		
FYTD for INLAND CONTRACTORS, INC.		**29,576.91**		
INLAND EMPIRE ARCHITECTURAL SPECIALTIES,			Remit to: **RIVERSIDE**	**CA**
5/23/2011	207944	48.72		
			REFUND-BUS LIC OVRPMT	48.72
Vendor Total		**48.72**		
FYTD for INLAND EMPIRE ARCHITECTURAL SPECIALTIES,		**48.72**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS**	**CA**
5/31/2011	208051	975.00		
			ADVERTISING SVCS-EDD	975.00
Vendor Total		**975.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**6,150.00**		

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INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	882746	4,568.00		
			WEED ABATEMENT SVCS-PARKS	4,568.00
5/23/2011	882775	446.00		
			NUISANCE ABTMNT SVC-14344 SAYA	446.00
5/31/2011	882814	239.80		
			NUISANCE ABTMNT SVC-CODE	239.80
	Vendor Total	**5,253.80**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**60,131.42**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207834	12,500.00		
			BUS COUNSELING SVCS-EDD	12,500.00
	Vendor Total	**12,500.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**47,500.00**		
INSIDE PLANTS, INC.			Remit to: **CORONA** **CA**	
5/16/2011	882747	326.00		
			PLANT MAINT-CONF & REC CTR	326.00
	Vendor Total	**326.00**		
FYTD for INSIDE PLANTS, INC.		**3,541.00**		
INTERNATIONAL CRIME FREE ASSOC.			Remit to: **EL CAJON** **CA**	
5/16/2011	207835	500.00		
			INTL CRIME FREE CONF-JULY10-13	250.00
			INTL CRIME FREE CONF-JULY10-13	250.00
	Vendor Total	**500.00**		
FYTD for INTERNATIONAL CRIME FREE ASSOC.		**500.00**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION			Remit to: **CERRITOS** **CA**	
5/9/2011	207735	1,087.88		
			OFFSITE DATA STORAGE-TECH SVCS	1,087.88
	Vendor Total	**1,087.88**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**10,898.59**		

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ISG INFRASYS				Remit to: **LAWRENCEVILLE GA**	
	5/2/2011	207636	1,197.25		
				THERMAL CAMERA REPAIR-PD	340.00
				THERMAL CAMERA REPAIR-PD	827.25
				THERMAL CAMERA REPAIR-PD	30.00
				CA USE TAX/ACCRUAL	75.01
				CA USE TAX/ACCRUAL	-75.01
	5/31/2011	208052	342.00		
				BATTERY REPAIR-FIRE	342.00
	Vendor Total		**1,539.25**		
FYTD for ISG INFRASYS			**2,156.50**		
J D H CONTRACTING				Remit to: **RIVERSIDE CA**	
	5/23/2011	882776	5,182.00		
				ROOF REPAIR-FS #2	5,182.00
	5/31/2011	882815	1,820.00		
				SKYLIGHT REPAIR-CONF & REC CTR	1,820.00
	Vendor Total		**7,002.00**		
FYTD for J D H CONTRACTING			**149,293.50**		
JACKSON, JAYE				Remit to: **RIVERSIDE CA**	
	5/16/2011	207836	44.00		
				SPORTS OFFICIATING SVCS	44.00
	5/23/2011	207945	32.00		
				SPORTS OFFICIATING SVCS	32.00
	Vendor Total		**76.00**		
FYTD for JACKSON, JAYE			**76.00**		
JAMESON, ROY				Remit to: **RIVERSIDE CA**	
	5/16/2011	207837	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for JAMESON, ROY			**54.50**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				Remit to: **RIVERSIDE CA**	
	5/9/2011	207736	75.00		
				COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,433.65**		

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JDEDGE SOFTWARE, LLC			Remit to: **KRUGERVILLE** **TX**	
5/23/2011	882777	2,410.00		
			CONSULTING SVCS-TECH SVCS	1,815.00
			CONSULTING SVCS-TECH SVCS	595.00
	Vendor Total	**2,410.00**		
FYTD for JDEDGE SOFTWARE, LLC		**24,537.50**		
JEHOVAH'S WITTNESSES			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207637	500.00		
			REFUND-RNTL DEP 4/17/11 EVENT	500.00
	Vendor Total	**500.00**		
FYTD for JEHOVAH'S WITTNESSES		**500.00**		
JIANG, WEI			Remit to: **FREMONT** **CA**	
5/2/2011	207638	400.00		
			REFUND-ADMIN CITATION	400.00
	Vendor Total	**400.00**		
FYTD for JIANG, WEI		**400.00**		
JOBS AVAILABLE, INC.			Remit to: **MODESTO** **CA**	
5/16/2011	207838	717.50		
			ADVERTISING SVCS-HR	717.50
	Vendor Total	**717.50**		
FYTD for JOBS AVAILABLE, INC.		**1,732.50**		
JOE A. GONSALVES & SON			Remit to: **SACRAMENTO** **CA**	
5/9/2011	882672	3,150.00		
			REPRESENTATION SVCS	3,150.00
	Vendor Total	**3,150.00**		
FYTD for JOE A. GONSALVES & SON		**31,680.00**		
JOHNSON-FLORENCE, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207839	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for JOHNSON-FLORENCE, DEBORAH		**404.50**		
JONES III, JOSEPH			Remit to: **FONTANA** **CA**	
5/2/2011	207639	98.94		
			MILEAGE REIMBURSEMENT	98.94
	Vendor Total	**98.94**		
FYTD for JONES III, JOSEPH		**431.44**		

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JONES, MAEGAN				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207840	35.00		
				REFUND-ELECT USE FEE	35.00
	Vendor Total		**35.00**		
FYTD for JONES, MAEGAN			**35.00**		
JONES, RONNIE				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207841	0.50		
				REFUND-CITATION OVRPMT	0.50
	Vendor Total		**0.50**		
FYTD for JONES, RONNIE			**0.50**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882673	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,506.03**		
JORDAN, JENNIFER				Remit to: **CORONA** **CA**	
	5/31/2011	208053	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for JORDAN, JENNIFER			**75.00**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	5/9/2011	207791	10,657.51		
				TRAFFIC SIGNAL SUPPLIES	2,446.88
				BATTERY BACK UP SVC CABINET	8,210.63
	Vendor Total		**10,657.51**		
FYTD for JTB SUPPLY CO., INC.			**42,263.54**		
KEYSER MARSTON ASSOCIATES, INC.				Remit to: **SAN FRANCISCO** **CA**	
	5/2/2011	207640	1,406.25		
				CONSULTING SVCS-EDD	375.00
				CONSULTING SVCS-EDD	1,031.25
	5/16/2011	207842	4,915.00		
				CONSULTING SVCS-EDD	4,915.00
	5/31/2011	208054	2,240.00		
				CONSULTING SVCS-EDD	2,240.00
	Vendor Total		**8,561.25**		
FYTD for KEYSER MARSTON ASSOCIATES, INC.			**18,188.13**		

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KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	5/9/2011	207737	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**3,353.48**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	5/23/2011	207946	393.58		
				MISC SUPPLIES-PARKS MAINT	393.58
	Vendor Total		**393.58**		
FYTD for KNORR SYSTEMS, INC			**393.58**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882675	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882676	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,506.03**		
KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	5/9/2011	207738	674.22		
				LASER GUN REPAIR-PD	200.00
				LASER GUN REPAIR-PD	399.15
				LASER GUN REPAIR-PD	75.07
	Vendor Total		**674.22**		
FYTD for KUSTOM SIGNALS, INC.			**2,269.71**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	5/9/2011	882677	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**3,506.03**		

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LA FOLLETTE, JOHNSON, DE HAAS, ET AL			Remit to: **LOS ANGELES**	**CA**
5/31/2011	208055	13,113.00		
			LEGAL SERVICES-RISK MGT	6,037.49
			LEGAL SERVICES-RISK MGT	7,075.51
	Vendor Total	**13,113.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL		**60,099.16**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882678	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,487.19**		
LANG, TRACEY			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	207947	152.00		
			INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total	**152.00**		
FYTD for LANG, TRACEY		**912.00**		
LANGENDORF, BENJAMIN			Remit to: **PERRIS**	**CA**
5/9/2011	882679	442.80		
			RETIREE MED MAR '11	442.80
	Vendor Total	**442.80**		
FYTD for LANGENDORF, BENJAMIN		**2,307.16**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES**	**CA**
5/2/2011	207641	1,522.50		
			LEGAL SERVICES-LAND DEV	1,522.50
	Vendor Total	**1,522.50**		
FYTD for LATHAM & WATKINS, LLP		**2,465.00**		
LAW ENFORCEMENT APPRECIATION COMMITTEE			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207739	100.00		
			AWARDS CEREMONY	50.00
			AWARDS CEREMONY	50.00
	Vendor Total	**100.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE		**100.00**		

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LAW ENFORCEMENT ASSOCIATES			Remit to: **RALEIGH** **NC**	
5/9/2011	207740	1,484.08		
			MEMORY CARDS-PD	1,567.44
			MEMORY CARDS-PD	-202.77
			MEMORY CARDS-PD	119.41
	Vendor Total	**1,484.08**		
FYTD for LAW ENFORCEMENT ASSOCIATES		**14,025.91**		
LAW OFFICE OF BRENDA L. DIEDERICHS			Remit to: **CHINO** **CA**	
5/16/2011	207843	22,474.56		
			LEGAL SERVICES-HR	20,449.56
			LEGAL SERVICES-HR	2,025.00
	Vendor Total	**22,474.56**		
FYTD for LAW OFFICE OF BRENDA L. DIEDERICHS		**63,024.56**		
LAWN TECH EQUIPMENT			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882629	147.00		
			CHAIN SHARPENING-PW MAINT	147.00
	Vendor Total	**147.00**		
FYTD for LAWN TECH EQUIPMENT		**2,779.41**		
LEFEVRE, FRAN			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207844	175.00		
			PER DIEM-LAW ENFORC TRNG NEEDS	175.00
	Vendor Total	**175.00**		
FYTD for LEFEVRE, FRAN		**175.00**		
LEWIS BRISBOIS BISGAARD & SMITH LLP			Remit to: **SAN BERNARDINO** **CA**	
5/31/2011	882816	6,342.94		
			LEGAL SERVICES-RISK MGT	6,342.94
	Vendor Total	**6,342.94**		
FYTD for LEWIS BRISBOIS BISGAARD & SMITH LLP		**12,804.79**		
LEWIS, CAROLYN S.			Remit to: **BEAUMONT** **CA**	
5/9/2011	882680	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LEWIS, CAROLYN S.		**3,487.19**		

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LIEBERT, CASSIDY, WHITMORE			Remit to: **LOS ANGELES**	**CA**
5/16/2011	207845	210.00		
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
	Vendor Total	**210.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE		**3,874.00**		
LIENHARD, DORI A.			Remit to: **RANCHO MIRAGE**	**CA**
5/31/2011	208056	341.97		
			TRAVEL EXP.-CHAMELEON CONF.	93.47
			TRAVEL EXP.-CHAMELEON CONF.	248.50
	Vendor Total	**341.97**		
FYTD for LIENHARD, DORI A.		**646.47**		
LIM & NASCIMENTO ENGINEERING CORP.			Remit to: **CHICAGO**	**IL**
5/23/2011	207948	8,533.91		
			PERRIS BL WIDENING FROM RAM XP	8,533.91
	Vendor Total	**8,533.91**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		**314,904.80**		
LLANOS, ADRIANA			Remit to: **NUEVO**	**CA**
5/16/2011	207846	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for LLANOS, ADRIANA		**20.00**		
LOCKWOOD, MELISSA			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207847	31.00		
			REFUND-PICNIC SHLTR FEE	31.00
	Vendor Total	**31.00**		
FYTD for LOCKWOOD, MELISSA		**31.00**		
LOGAN, CHARLES			Remit to: **LAS VEGAS**	**NV**
5/9/2011	882681	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LOGAN, CHARLES		**3,506.03**		

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LONDON, CHARLES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207642	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LONDON, CHARLES			**50.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	882817	3,022.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	3,022.00
	Vendor Total		**3,022.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**80,777.00**		
LOS ANGELES COUNTY AUDITOR CONTROLLER				Remit to: **LOS ANGELES** **CA**	
	5/31/2011	208057	502.00		
				RESIDUE KIT-PD	502.00
	Vendor Total		**502.00**		
FYTD for LOS ANGELES COUNTY AUDITOR CONTROLLER			**502.00**		
LUDWIG, BRITTANY				Remit to: **LOS ANGELES** **CA**	
	5/23/2011	207949	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LUDWIG, BRITTANY			**75.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882682	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,506.03**		
LUNDBERG, GEORGINA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207848	86.29		
				CACFP MGMT COURSE/PIN TRNG	86.29
	Vendor Total		**86.29**		
FYTD for LUNDBERG, GEORGINA			**86.29**		
MALONE, LAWRENCE				Remit to: **ALISO VIEGO** **CA**	
	5/9/2011	207741	174.00		
				REFUND-ADMIN CITATION	174.00
	Vendor Total		**174.00**		
FYTD for MALONE, LAWRENCE			**174.00**		

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MANHOLE ADJUSTING, INC			Remit to: **PICO RIVERA** **CA**	
5/31/2011	208058	49.68		
			REFUND-BUS LIC OVRPMT	49.68
	Vendor Total	**49.68**		
FYTD for MANHOLE ADJUSTING, INC		**49.68**		
MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207643	8.50		
			GAS CHARGES-MFP COMM CTR	6.95
			GAS CHARGES-MFP COMM CTR	1.55
5/31/2011	208059	7.17		
			GAS CHARGES-MARCH FIELD	5.86
			GAS CHARGES-MARCH FIELD	1.31
	Vendor Total	**15.67**		
FYTD for MARCH JOINT POWERS AUTHORITY		**80.63**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
5/31/2011	882818	9,419.95		
			LANDSCAPE MAINT-DSG2N	4,425.04
			LANDSCAPE MAINT-DSG2S	440.64
			LANDSCAPE MAINT-DSG2S	4,554.27
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**86,347.75**		
MARKHAM, RHONDA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207644	250.00		
			REFUND-RNTL DEP 4/9/11 EVENT	250.00
	Vendor Total	**250.00**		
FYTD for MARKHAM, RHONDA		**250.00**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207645	56.00		
			INSTRUCTOR SVCS-KICK BOXING	56.00
	Vendor Total	**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**560.00**		

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MARTINEZ, REGGIE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207742	105.00		
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	20.00
				SPORTS OFFICIATING SVCS	15.00
	5/31/2011	208060	70.00		
				SPORTS OFFICIATING SVCS	70.00
	Vendor Total		**175.00**		
FYTD for MARTINEZ, REGGIE			**1,085.00**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	5/9/2011	882683	290.00		
				RETIREE MED MAR '11	290.00
	Vendor Total		**290.00**		
FYTD for MATHIS, NOLAN			**3,238.00**		
MATICH CORPORATION				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	882684	6,889.68		
				ASPHALTIC MATERIALS	6,889.68
	Vendor Total		**6,889.68**		
FYTD for MATICH CORPORATION			**38,910.62**		
MATUTE, OMAR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207950	67.00		
				REFUND-TIME 4 TOTS	67.00
	Vendor Total		**67.00**		
FYTD for MATUTE, OMAR			**67.00**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	5/9/2011	882685	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MAYER HOFFMAN MCCANN P.C.				Remit to: **IRVINE** **CA**	
	5/16/2011	207849	15,562.00		
				AUDITING SVCS-CITY	9,888.00
				AUDITING SVCS-CITY	757.00
				AUDITING SVCS-CITY	4,917.00
	Vendor Total		**15,562.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**85,919.00**		

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MCCAIN TRAFFIC SUPPLY				Remit to: **VISTA** **CA**	
	5/9/2011	207743	2,351.35		
				TRAFFIC SIGNAL SUPPLIES	2,351.35
	5/16/2011	207850	10,146.14		
				TRAF SIG CONTRLLR-SUNNYMD RNCH	10,146.14
	5/31/2011	208061	10,550.92		
				TRAF SIG CONTROLLER CABINET	9,702.00
				CA SALES TAX	848.92
	Vendor Total		**23,048.41**		
FYTD for MCCAIN TRAFFIC SUPPLY			**24,437.16**		
MCCULLUM, JOE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207851	37.00		
				REFUND-PICNIC SHLTR FEE	37.00
	Vendor Total		**37.00**		
FYTD for MCCULLUM, JOE			**37.00**		
McDONALD, CHRIS				Remit to: **PERRIS** **CA**	
	5/23/2011	207951	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for McDONALD, CHRIS			**2,280.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	5/23/2011	882778	40.00		
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**40.00**		
FYTD for MEEKS, DANIEL			**1,820.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	5/16/2011	207852	2,115.00		
				PLAN CHECK SVCS-BLDG/SFTY	2,115.00
	5/31/2011	208062	2,070.00		
				PLAN CHECK SVCS-BLDG/SFTY	2,070.00
	Vendor Total		**4,185.00**		
FYTD for MELAD & ASSOCIATES, INC			**40,177.12**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207853	131.07		
				MILEAGE REIMBURSEMENT	131.07
	Vendor Total		**131.07**		
FYTD for MENGISTU, YESHIALEM			**1,052.21**		

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MENOS CUSTOMS				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207646	26.81		
				REFUND-BUS LIC OVRPMT	26.81
	Vendor Total		**26.81**		
FYTD for MENOS CUSTOMS			**26.81**		
MESA CONTRACTING CORPORATION				Remit to: **ORANGE** **CA**	
	5/16/2011	207854	52.00		
				REFUND-BUS LIC OVRPMT	52.00
	Vendor Total		**52.00**		
FYTD for MESA CONTRACTING CORPORATION			**52.00**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	5/9/2011	882686	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,506.03**		
METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	5/23/2011	207952	100.00		
				TEXT MSSG RTRVL SVC-PD	100.00
	Vendor Total		**100.00**		
FYTD for METROPCS WIRELESS, INC.			**200.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207647	147.00		
				INSTRUCTOR SVCS-DRAWING	147.00
	Vendor Total		**147.00**		
FYTD for MEYERS, ROBERT			**2,247.00**		
MGT OF AMERICA, INC.				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	882687	3,000.00		
				STATE MANDATED COST CLAIMING	3,000.00
	Vendor Total		**3,000.00**		
FYTD for MGT OF AMERICA, INC.			**12,000.00**		
MICHAEL LANE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207855	1,500.00		
				SETTLEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for MICHAEL LANE			**1,500.00**		

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MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882688	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**2,316.58**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	5/9/2011	882689	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,442.67**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	5/9/2011	882690	178.47		
				PLAYGROUND EQUIP-PARKS	178.47
	Vendor Total		**178.47**		
FYTD for MIRACLE RECREATION EQUIPMENT			**7,909.18**		
MISTRETTA, ARTHUR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	882779	414.00		
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	18.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	48.00
				SPORTS OFFICIATING SVCS	24.00
				SPORTS OFFICIATING SVCS	36.00
	5/31/2011	882819	36.00		
				SPORTS OFFICIATING SVCS	36.00
	Vendor Total		**450.00**		
FYTD for MISTRETTA, ARTHUR			**3,096.00**		
MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	5/9/2011	882691	401.42		
				RETIREE MED MAY '11	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,415.62**		

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MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY CA**	
	5/9/2011	207744	4,216.25		
				EMERG PLUMBING REPAIRS-FS#91	380.00
				EMERG PLUMBING REPAIRS-FS#91	387.50
				EMERG PLUMBING REPAIRS-FS#91	246.25
				SHOWER REPAIR-FS #91	2,000.00
				SHOWER REPAIR-FS #91	600.00
				PLUMBING REPAIRS-PSB	100.00
				PLUMBING REPAIRS-PSB	502.50
	5/23/2011	207953	272.50		
				PLUMBING RPRS-FS #58	272.50
	Vendor Total		**4,488.75**		
FYTD for MONTGOMERY PLUMBING INC			**6,851.07**		
MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	5/9/2011	882692	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,506.03**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207856	120.00		
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
				WAKE-UP MV MEETING-4/27	15.00
	Vendor Total		**120.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**28,840.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	5/6/2011	2852	1,562.00		
				MVCEA DUES 5/6/11	1,562.00
	5/20/2011	2860	1,556.50		
				MVCEA DUES 5/20/11	1,556.50
	Vendor Total		**3,118.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**37,602.50**		

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MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO CA**	
5/23/2011	882780	7,934.87		
			LEASE-FACILITIES ANNEX	2,458.97
			LEASE-TECH SVCS ANNEX	5,475.90
5/31/2011	882820	9,207.72		
			BLDG LEASE-SPCL DIST	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**188,568.49**		
MORENO VALLEY HISPANIC CHAMBER			Remit to: **MORENO VALLEY CA**	
5/23/2011	207954	100.00		
			REFUND-MBL STG RNTL DEP	100.00
	Vendor Total	**100.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER		**100.00**		
MORENO VALLEY PLUMBING SUPPLIES			Remit to: **MORENO VALLEY CA**	
5/16/2011	207857	38.02		
			REPAIR PARTS-WATER TRUCK	38.02
	Vendor Total	**38.02**		
FYTD for MORENO VALLEY PLUMBING SUPPLIES		**38.02**		
MORENO VALLEY UTILITY			Remit to: **HEMET CA**	
5/23/2011	207955	99.16		
			ELECTRICITY-UT FLD OFFICE	99.16
	Vendor Total	**99.16**		
FYTD for MORENO VALLEY UTILITY		**686,219.59**		
MORENO, MARIO			Remit to:	
5/9/2011	207745	590.00		
			PER DIEM-NARCOTIC INVESTIG TRN	590.00
	Vendor Total	**590.00**		
FYTD for MORENO, MARIO		**800.00**		
MORGAN, LISA A.			Remit to: **MENTONE CA**	
5/9/2011	882693	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,506.03**		

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MOSER, KEVIN				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207648	86.00		
				REFUND-ANIMAL SVCS FEES	30.00
				REFUND-ANIMAL SVCS FEES	10.00
				REFUND-ANIMAL SVCS FEES	20.00
				REFUND-ANIMAL SVCS FEES	16.00
				REFUND-ANIMAL SVCS FEES	10.00
	Vendor Total		**86.00**		
FYTD for MOSER, KEVIN			**86.00**		
MR. CLEAN, INC.				Remit to: **COLTON** **CA**	
	5/23/2011	207956	428.00		
				PRESSURE WASHING SVC-CRC	428.00
	Vendor Total		**428.00**		
FYTD for MR. CLEAN, INC.			**2,759.57**		
MUSICK, PEELER & GARRETT, LLP				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207858	3,200.00		
				LEGAL SERVICES-HR	2,800.00
				LEGAL SERVICES-HR	400.00
	Vendor Total		**3,200.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP			**30,299.34**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207859	1,053.00		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	81.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	243.00
	Vendor Total		**1,053.00**		
FYTD for MUSICSTAR			**7,139.97**		
MVBSA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208063	500.00		
				REFUND-RNTL DEP 5/13/11	500.00
	Vendor Total		**500.00**		
FYTD for MVBSA			**500.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONAL LAW ENFORCEMENT SUPPLY, INC.			Remit to: **ALBANY** **NY**	
5/23/2011	207957	79.28		
			FORENSIC SUPPLIES-PD	69.81
			FORENSIC SUPPLIES-PD	9.47
			FORENSIC SUPPLIES-PD	6.94
			USED TAX ACCRUAL-PD	-6.94
	Vendor Total	**79.28**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.		**445.98**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
5/6/2011	2850	12,563.63		
			PST DEF COMP FOR FICA 5/6/11	12,563.63
5/6/2011	2851	24,738.16		
			DEF COMP-457 & 401(A) 5/6/11	24,738.16
5/20/2011	2858	13,615.20		
			PST DEF COMP FOR FICA 5/20/11	13,615.20
5/20/2011	2859	24,648.41		
			DEF COMP-457 & 401(A) 5/20/11	24,648.41
	Vendor Total	**75,565.40**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**762,631.06**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
5/9/2011	882694	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**3,506.03**		
NELSON, MICHELE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207649	106.91		
			GAS CHGS-4/4-4/8/11 TRNG CLASS	106.91
	Vendor Total	**106.91**		
FYTD for NELSON, MICHELE		**356.91**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
5/9/2011	882695	325.66		
			RETIREE MED MAY '11	325.66
	Vendor Total	**325.66**		
FYTD for NELSON, ROBERT		**3,461.90**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	5/9/2011	882696	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NELSON, TIMOTHY IVAN				Remit to: **GRAND TERRACE** **CA**	
	5/23/2011	207958	456.00		
				INSTRUCTION SVCS-12 DAYS	456.00
	Vendor Total		**456.00**		
FYTD for NELSON, TIMOTHY IVAN			**3,572.00**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	5/9/2011	207746	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882697	9.89		
				REFUND-UT USER TAXES	9.89
	Vendor Total		**9.89**		
FYTD for NEW HORIZON MOBILE HOME PARK			**68.38**		
NEW WORLD LANGUAGE SERVICES, INC				Remit to: **SAN BERNARDINO** **CA**	
	5/31/2011	208064	650.00		
				INTERPRETER SVCS-EDD	650.00
	Vendor Total		**650.00**		
FYTD for NEW WORLD LANGUAGE SERVICES, INC			**650.00**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207747	401.42		
				RETIREE MED MAY '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	5/23/2011	207959	6,079.12		
				NIGHT OPTICS-PD	5,590.00
				NIGHT OPTICS-PD	489.12
	Vendor Total		**6,079.12**		
FYTD for NIGHT GALAXY, INC.			**6,079.12**		

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NINYO & MOORE GEOTECHNICAL			Remit to: **SAN DIEGO** **CA**	
5/16/2011	207860	11,855.50		
			IRONWOOD AVE/STORM DRAIN PROJ	9,959.50
			IRONWOOD AVE/STORM DRAIN PROJ	1,896.00
	Vendor Total	**11,855.50**		
FYTD for NINYO & MOORE GEOTECHNICAL		**72,641.50**		
NOBLES, GARRETT			Remit to: **HEMET** **CA**	
5/23/2011	207961	69.87		
			MILEAGE REIMBURSEMENT	69.87
	Vendor Total	**69.87**		
FYTD for NOBLES, GARRETT		**683.05**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE** **CA**	
5/31/2011	882821	947.00		
			LEGAL SERVICES-RISK MGT	385.95
			LEGAL SERVICES-RISK MGT	561.05
	Vendor Total	**947.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**13,616.23**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH** **CA**	
5/9/2011	882698	6,800.00		
			PROPERTY APPRAISAL SVCS-FS #65	6,800.00
5/16/2011	882748	67.50		
			SR-60/NASON ST INTRCHNG PROJ	67.50
5/31/2011	882822	8,400.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	8,400.00
	Vendor Total	**15,267.50**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**131,305.25**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND** **CA**	
5/9/2011	882699	989.00		
			FERTILIZATION SVCS-ZONE E	302.97
			FERTILIZATION SVCS-ZONE E	550.15
			FERTILIZATION SVCS-ZONE E	112.61
			FERTILIZATION SVCS-ZONE E	23.27
	Vendor Total	**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**8,515.83**		
PACIFIC SAFETY COUNCIL			Remit to: **SAN DIEGO** **CA**	
5/16/2011	882749	380.00		
			ANNUAL MEMBERSHIP	380.00
	Vendor Total	**380.00**		
FYTD for PACIFIC SAFETY COUNCIL		**3,815.75**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
5/9/2011	882700	438.48		
			PAYPHONE SVCS	375.84
			PAYPHONE SVCS-PD	62.64
	Vendor Total	**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**4,823.28**		
PADILLA, JHOANA LIZBETH			Remit to: **EL MONTE** **CA**	
5/16/2011	207861	36.00		
			REFUND-CITATION OVRPMT	36.00
	Vendor Total	**36.00**		
FYTD for PADILLA, JHOANA LIZBETH		**36.00**		
PALAU, SHANNA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207862	248.50		
			PER DIEM-ICSC RECON CONVENTION	248.50
	Vendor Total	**248.50**		
FYTD for PALAU, SHANNA		**735.67**		
PALLIRETO, JANE			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207863	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for PALLIRETO, JANE		**404.50**		
PARKS, ALYSSIA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207864	47.00		
			REFUND-BELLY DANCING CLASS	47.00
	Vendor Total	**47.00**		
FYTD for PARKS, ALYSSIA		**47.00**		
PARSONS TRANSPORTATION GROUP, INC.			Remit to: **IRVINE** **CA**	
5/2/2011	207650	19,215.35		
			SR-60/MOR BCH DR INTRCHNG PROJ	2,286.05
			SR-60/MOR BCH DR INTRCHNG PROJ	16,929.30
	Vendor Total	**19,215.35**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**510,132.29**		
PATTERSON, ALFREY			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207748	229.88		
			RETIREE MED MAY '11	229.88
	Vendor Total	**229.88**		
FYTD for PATTERSON, ALFREY		**2,316.58**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PATTERSON, MICHAEL				Remit to: **PERRIS** **CA**	
	5/9/2011	207749	100.00		
				SPORTS OFFICIATING SVCS	40.00
				SPORTS OFFICIATING SVCS	60.00
	5/11/2011	207794	160.00		
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**260.00**		
FYTD for PATTERSON, MICHAEL			**820.00**		
PB AMERICAS, INC.				Remit to: **SAN BERNARDINO** **CA**	
	5/31/2011	208065	9,601.32		
				SR-60/NASON ST INTRCHNG PROJ	9,601.32
	Vendor Total		**9,601.32**		
FYTD for PB AMERICAS, INC.			**60,785.05**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	882630	5,621.00		
				VETERINARY SVCS-ANML SHLTR	5,621.00
	5/31/2011	882823	4,282.00		
				VETERINARY SVCS-ANML SHLTR	4,282.00
	Vendor Total		**9,903.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**87,965.00**		
PEERY, MATHEW				Remit to: **MENIFEE** **CA**	
	5/23/2011	207962	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PEERY, MATHEW			**20.00**		
PENA, IRIS				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207963	42.99		
				MILEAGE REIMBURSEMENT	42.99
	Vendor Total		**42.99**		
FYTD for PENA, IRIS			**688.88**		
PEREZ, DOMINIQUE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207865	55.00		
				REFUND-CITATION DISMISSED	55.00
	Vendor Total		**55.00**		
FYTD for PEREZ, DOMINIQUE			**55.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERRIS VALLEY PRINTING CO.				Remit to: **MENIFEE** **CA**	
	5/9/2011	207750	111.67		
				ENVELOPES-BLDG & SAFETY	111.67
	Vendor Total		**111.67**		
FYTD for PERRIS VALLEY PRINTING CO.			**1,670.97**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	5/9/2011	207751	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	5/9/2011	207752	458.63		
				LONG TERM CARE INSURANCE	458.63
	5/23/2011	207964	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**11,177.16**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PETTY CASH - FINANCE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208066	964.43		
				PETTY CASH FUND REPLENISHMENT	33.32
				PETTY CASH FUND REPLENISHMENT	23.73
				PETTY CASH FUND REPLENISHMENT	22.96
				PETTY CASH FUND REPLENISHMENT	24.09
				PETTY CASH FUND REPLENISHMENT	23.73
				PETTY CASH FUND REPLENISHMENT	33.69
				PETTY CASH FUND REPLENISHMENT	35.00
				PETTY CASH FUND REPLENISHMENT	7.50
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.50
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	7.50
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	1.50
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	99.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	3.50
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	20.64
				PETTY CASH FUND REPLENISHMENT	10.71
				PETTY CASH FUND REPLENISHMENT	25.50
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	8.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	23.75
				PETTY CASH FUND REPLENISHMENT	27.03
				PETTY CASH FUND REPLENISHMENT	21.42
				PETTY CASH FUND REPLENISHMENT	58.14
				PETTY CASH FUND REPLENISHMENT	41.82
				PETTY CASH FUND REPLENISHMENT	10.86
				PETTY CASH FUND REPLENISHMENT	56.98
				PETTY CASH FUND REPLENISHMENT	23.25
				PETTY CASH FUND REPLENISHMENT	65.61
				PETTY CASH FUND REPLENISHMENT	5.59
				PETTY CASH FUND REPLENISHMENT	5.47
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	37.64

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	964.43		
FYTD for PETTY CASH - FINANCE		5,984.24		
PEYREFITTE, OLIVIA			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207866	72.00		
			REFUND-PICNIC SHLTR FEE	35.00
			REFUND-PICNIC SHLTR FEE	37.00
	Vendor Total	72.00		
FYTD for PEYREFITTE, OLIVIA		72.00		
PIP PRINTING			Remit to: **MORENO VALLEY**	**CA**
5/31/2011	882824	4,123.97		
			PRINTING SVCS-SPCL DIST	4,015.27
			PRINTING SVCS-SPCL DIST	108.70
	Vendor Total	4,123.97		
FYTD for PIP PRINTING		7,548.20		
PIPS TECHNOLOGY, INC.			Remit to: **KNOXVILLE**	**TN**
5/23/2011	207965	3,215.82		
			REPAIR SVCS-PD	2,865.00
			REPAIR SVCS-PD	295.00
			REPAIR SVCS-PD	30.00
			REPAIR SVCS-PD	25.82
	Vendor Total	3,215.82		
FYTD for PIPS TECHNOLOGY, INC.		3,539.89		
PLAN TAG, INC.			Remit to: **WELLINGTON**	**FL**
5/31/2011	208067	39.45		
			PLAN TAGS-FIRE PREV	39.45
			PLAN TAGS-FIRE PREV	3.45
			PLAN TAGS-FIRE PREV	-3.45
	Vendor Total	39.45		
FYTD for PLAN TAG, INC.		39.45		
POIEMA LANDSCAPE, INC.			Remit to: **COLTON**	**CA**
5/23/2011	882781	3,843.15		
			LANDSCAPE MAINT-E12	2,131.00
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		46,426.35		

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POSTMASTER				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207651	2,340.00		
				POSTAGE FOR 2011-12 BALLOTS	100.00
				POSTAGE FOR 2011-12 BALLOTS	2,240.00
	Vendor Total		**2,340.00**		
FYTD for POSTMASTER			**38,499.87**		
PRICE, GEORGE E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882701	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,506.03**		
PRINCE, CHARLOTTE				Remit to: **MENIFEE** **CA**	
	5/23/2011	207966	140.00		
				REFUND-KICKBOXING	140.00
	Vendor Total		**140.00**		
FYTD for PRINCE, CHARLOTTE			**140.00**		
PROACTIVE ENGINEERING CONSULTANTS, INC.				Remit to: **CORONA** **CA**	
	5/16/2011	882750	3,978.00		
				CACTUS AVE WIDENING PROJ-STG 1	3,978.00
	Vendor Total		**3,978.00**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**66,229.94**		
PROPAC				Remit to: **CHARLESTON** **SC**	
	5/9/2011	207753	3,000.00		
				CERT KITS-EMERG MGT/VOL SVCS	2,567.50
				CERT KITS-EMERG MGT/VOL SVCS	432.50
				CERT KITS-EMERG MGT/VOL SVCS	224.65
				USED TAX ACCRUAL-EOC	-224.65
	Vendor Total		**3,000.00**		
FYTD for PROPAC			**3,000.00**		
PROTECTION ONE, INC.				Remit to: **WITCHITA** **KS**	
	5/23/2011	207967	42.00		
				MONITORING SVCS-PRO SHOP	21.00
				MONITORING SVCS-MVTV STUDIO	21.00
	Vendor Total		**42.00**		
FYTD for PROTECTION ONE, INC.			**446.00**		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	5/9/2011	882702	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,506.03**		
PVP COMMUNICATIONS, INC.				Remit to: **TORRANCE** **CA**	
	5/23/2011	207968	17,291.25		
				HELMET KITS-PD	7,950.00
				MOTOR KITS-PD	7,950.00
				SALES TAX-PD	1,391.25
	Vendor Total		**17,291.25**		
FYTD for PVP COMMUNICATIONS, INC.			**17,291.25**		
QUALITY CODE PUBLISHING, LLC				Remit to: **SEATTLE** **WA**	
	5/2/2011	882631	2,778.28		
				MUN CODE SUPPLEMENTS-CITY CLKS	358.22
				MUN CODE SUPPLEMENTS-CITY CLKS	2,420.06
	Vendor Total		**2,778.28**		
FYTD for QUALITY CODE PUBLISHING, LLC			**7,320.06**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207867	155.00		
				PER DIEM-VEH. HOMICIDE SEMINAR	155.00
	Vendor Total		**155.00**		
FYTD for RAFAEL LOPEZ			**155.00**		
RAINBOW VALLEY HEROES				Remit to: **KANSAS CITY** **MO**	
	5/31/2011	208068	449.95		
				SAFETY EDUC VIDEOS-PD	449.95
				SAFETY EDUC VIDEOS-PD	39.37
				SAFETY EDUC VIDEOS-USED TAX	-39.37
	Vendor Total		**449.95**		
FYTD for RAINBOW VALLEY HEROES			**449.95**		
RALLY MANAGEMENT SERVICES, LLC				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/2/2011	882632	754.92		
				TEMP SVCS-J RODRIGUEZ W/E 4/10	754.92
	5/9/2011	882703	1,114.56		
				TEMP SVCS-R HENDERSON W/E 4/17	359.64
				TEMP SVCS-J RODRIGUEZ W/E 4/17	138.72
				TEMP SVCS-J RODRIGUEZ W/E 4/17	616.20
	Vendor Total		**1,869.48**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**65,000.03**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207868	297.00		
				INSTRUCTOR SVCS-TAE KWON DO	270.00
				INSTRUCTOR SVCS-TAE KWON DO	7.00
				INSTRUCTOR SVCS-TAE KWON DO	20.00
	5/31/2011	208069	663.00		
				INSTRUCTOR SVCS-TAE KWON DO	216.00
				INSTRUCTOR SVCS-TAE KWON DO	27.00
				INSTRUCTOR SVCS-TAE KWON DO	420.00
	Vendor Total		**960.00**		
FYTD for RAMOS, ROBERTO			**1,683.00**		
RANSOM RENTALS				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207652	55.29		
				REFUND-BUS LIC OVRPMT	55.29
	Vendor Total		**55.29**		
FYTD for RANSOM RENTALS			**55.29**		
RAYMOND, DENISE M.				Remit to: **REDLANDS** **CA**	
	5/31/2011	208070	413.34		
				TRAVEL EXP.-CHAMELEON CONF.	93.84
				TRAVEL EXP.-CHAMELEON CONF.	319.50
	Vendor Total		**413.34**		
FYTD for RAYMOND, DENISE M.			**413.34**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207754	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**2,231.11**		
REDBOX AUTOMATED RETAIL, LLC				Remit to: **OAKBROOK TERRACE** **IL**	
	5/9/2011	207755	61.00		
				REFUND-BUS LIC OVRPMT	61.00
	Vendor Total		**61.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**309.00**		
REED, ALICIA S.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207756	9,580.36		
				RETIREE MED JAN'08-DEC'10	9,580.36
	Vendor Total		**9,580.36**		
FYTD for REED, ALICIA S.			**9,580.36**		

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RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207757	75.00		
			SHADOW MTN PARK LIGHTING PROJ	75.00
	Vendor Total	**75.00**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**17,607.94**		
RIGHTWAY SITE SERVICES, INC.			Remit to: **LAKE ELSINORE** **CA**	
5/23/2011	207969	194.13		
			PORTABLE RNTL-GOLF COURSE	72.38
			PORTABLE RNTL-PW	20.00
			PORTABLE RNTL-PW	100.00
			PORTABLE RNTL-PW	1.75
	Vendor Total	**194.13**		
FYTD for RIGHTWAY SITE SERVICES, INC.		**338.89**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207653	5,000.00		
			ENCR PERMIT 3276 FILE FEE/DEP.	5,000.00
5/23/2011	207970	50.40		
			REQ 53959-ELECTR UTIL-DRAWINGS	50.40
	Vendor Total	**5,050.40**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**99,469.62**		
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
5/19/2011	110505	13,503.50		
			RETENTN PYMT PER ESCROW AGRMNT	13,503.50
	Vendor Total	**13,503.50**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**3,393,302.50**		
RIVERSIDE COUNTY ASSESSOR			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207758	3.00		
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
	Vendor Total	**3.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR		**327.00**		
RIVERSIDE COUNTY CLERK			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208071	2,108.00		
			NEG DECLAR.-IRONWOOD AVE PROJ	2,108.00
	Vendor Total	**2,108.00**		
FYTD for RIVERSIDE COUNTY CLERK		**4,216.00**		

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RIVERSIDE COUNTY CLERK/RECORDER			Remit to: **RIVERSIDE**	**CA**
5/23/2011	207971	0.00		
			LIEN RELEASE FEE-CODE	13.00
			LIEN RELEASE FEE-FIRE PREV	13.00
			LIEN RELEASE FEE-FIRE PREV	13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
5/31/2011	208072	13.00		
			LIEN RELEASE FEE-CODE	13.00
5/31/2011	208073	13.00		
			LIEN RELEASE FEE-FIRE PREV	13.00
5/31/2011	208074	13.00		
			LIEN RELEASE FEE-FIRE PREV	13.00
5/31/2011	208075	13.00		
			LIEN RELEASE	13.00
5/31/2011	208076	13.00		
			LIEN RELEASE	13.00
5/31/2011	208077	133.00		
			COPY FEES-EDD	133.00
	Vendor Total	**198.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**698.00**		
RIVERSIDE COUNTY ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE**	**CA**
5/16/2011	207869	145.00		
			COTTONWOOD GOLF CTR INSPECTION	145.00
	Vendor Total	**145.00**		
FYTD for RIVERSIDE COUNTY ENVIRONMENTAL HEALTH		**145.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207759	1,769.45		
			RADIOS SERVICE-PD	1,769.45
5/31/2011	208078	2,012.38		
			RADIO LEASE/MAINT-TELECOMM	170.10
			RADIO LEASE/MAINT-TELECOMM	9.45
			RADIO LEASE/MAINT-TELECOMM	33.12
			RADIO SVCS-PD	1,769.45
			VPN CONNECTION-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**23,293.43**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
5/31/2011	882825	8,523.69		
			BOOKING FEES-PD	8,523.69
	Vendor Total	**8,523.69**		
FYTD for RIVERSIDE COUNTY SHERIFF		**22,423,469.84**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207654	444.00		
			REGISTR-T.C.I.-BASIC COURSE	182.00
			REGISTR-BICYCLE PATROL COURSE	131.00
			REGISTR-BICYCLE PATROL COURSE	131.00
5/9/2011	207760	435.00		
			REG.-FIELD TRNG OFFICER UPDATE	75.00
			REG.-FIELD TRNG OFFICER UPDATE	75.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
5/23/2011	207972	88.00		
			REGISTR-RADAR OPER. TRNG CLASS	88.00
	Vendor Total	**967.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**11,485.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207761	1,041.25		
			GARNISHMENT	141.31
			GARNISHMENT	170.95
			GARNISHMENT	206.22
			GARNISHMENT	522.77
5/23/2011	207973	851.85		
			GARNISHMENT	131.46
			GARNISHMENT	167.28
			GARNISHMENT	34.58
			GARNISHMENT	518.53
	Vendor Total	**1,893.10**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**19,254.13**		
RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY**	**CA**
5/23/2011	207974	1,244.68		
			EXTRA DUTY SVC-PD	282.68
			EXTRA DUTY SVC-PD	312.00
			EXTRA DUTY SVC-PD	650.00
	Vendor Total	**1,244.68**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**180,133.97**		

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RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
5/23/2011	882782	41.28		
			GREEN STAMP-PW LAND DEV	13.46
			GREEN STAMP-PW LAND DEV	6.00
			GREEN STAMP-PW LAND DEV	1.18
			GREEN STAMP-PW SOLID WASTE	13.46
			GREEN STAMP-PW SOLID WASTE	6.00
			GREEN STAMP-PW SOLID WASTE	1.18
	Vendor Total	**41.28**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**208.27**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
5/23/2011	882783	5,704.00		
			TEMP STAFFING SVCS-CAP PROJCTS	5,704.00
	Vendor Total	**5,704.00**		
FYTD for RLZ ENGINEERING		**66,681.00**		
ROBINSON, JOAQUIN DIEGO			Remit to: **RIVERSIDE** **CA**	
5/23/2011	207975	228.00		
			INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total	**228.00**		
FYTD for ROBINSON, JOAQUIN DIEGO		**1,976.00**		
ROBINSON-DAVIS, YAVONNE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207655	270.81		
			MILEAGE REIMBURSEMENT	57.12
			MILEAGE REIMBURSEMENT	67.32
			MILEAGE REIMBURSEMENT	146.37
5/23/2011	207976	157.59		
			MILEAGE REIMBURSEMENT	157.59
	Vendor Total	**428.40**		
FYTD for ROBINSON-DAVIS, YAVONNE		**428.40**		
ROCHA, ASHLEY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207977	54.50		
			REFUND-CITATION DISMISSED	54.50
	Vendor Total	**54.50**		
FYTD for ROCHA, ASHLEY		**54.50**		
RODRIGUEZ, HECTOR			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207978	80.00		
			SPORTS OFFICIATING SVCS	80.00
	Vendor Total	**80.00**		
FYTD for RODRIGUEZ, HECTOR		**1,240.00**		

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RODRIGUEZ, LAUREN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208079	70.89		
				MILEAGE REIMBURSEMENT	70.89
	Vendor Total		**70.89**		
FYTD for RODRIGUEZ, LAUREN			**853.92**		
RODRIGUEZ, WILLIAM				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207870	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for RODRIGUEZ, WILLIAM			**54.50**		
ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	5/9/2011	882705	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**3,506.03**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207871	59.67		
				MILEAGE REIMBURSEMENT	59.67
	Vendor Total		**59.67**		
FYTD for ROGERS, KIANNA			**1,135.20**		
ROMO, SANDRA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207656	57.00		
				REFUND-CLASS REGISTR FEES`	57.00
	Vendor Total		**57.00**		
FYTD for ROMO, SANDRA			**57.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882706	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,506.03**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	5/9/2011	882707	270.80		
				RETIREE MED MAY '11	174.30
				RETIREE MED MAY '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**3,188.76**		

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RUPPLE, KRISTIN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208080	175.00		
				REFUND-RNTL DEP 5/7/11	175.00
	Vendor Total		**175.00**		
FYTD for RUPPLE, KRISTIN			**175.00**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	5/9/2011	882708	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**3,417.18**		
RUVALCABA, RAFAEL				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207979	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for RUVALCABA, RAFAEL			**1,824.00**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	5/9/2011	207762	980.33		
				LIGHTING MAINT-ZONE M	125.00
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHT REPAIRS-E7	250.33
				LIGHT REPAIRS-E1	105.00
	Vendor Total		**980.33**		
FYTD for RYMAX ELECTRIC, INC.			**9,567.95**		
S & S CONSTRUCTION				Remit to: **GRAND TERRACE** **CA**	
	5/9/2011	207763	1,400.76		
				DEMO/REPLACE 3 DOORS-GATEWY PK	1,400.76
	Vendor Total		**1,400.76**		
FYTD for S & S CONSTRUCTION			**1,400.76**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	5/31/2011	882826	7,500.00		
				TEMP STAFFING SVCS-CAP PROJCTS	7,500.00
	Vendor Total		**7,500.00**		
FYTD for SA ASSOCIATES			**117,675.00**		

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SABRE LIGHTING AND SIGNS				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208081	508.49		
				SIGNS-STARS	508.49
	Vendor Total		**508.49**		
FYTD for SABRE LIGHTING AND SIGNS			**17,782.98**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	5/9/2011	207792	1,750.33		
				TRAFFIC SIGNS	1,750.33
	Vendor Total		**1,750.33**		
FYTD for SAFEWAY SIGN CO.			**8,484.63**		
SAGASTUME, MARIO				Remit to: **HEMET** **CA**	
	5/23/2011	207980	418.00		
				INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total		**418.00**		
FYTD for SAGASTUME, MARIO			**1,482.00**		
SALGADO, LIZETH				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207764	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SALGADO, LIZETH			**75.00**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207657	195.60		
				INSTRUCTOR SVCS-ZUMBA	195.60
	5/31/2011	208082	264.00		
				INSTRUCTOR SVCS-ZUMBA	264.00
	Vendor Total		**459.60**		
FYTD for SALMAN, CLAUDIA			**982.80**		
SAN MIGUEL, HENRY				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207765	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SAN MIGUEL, HENRY			**50.00**		
SANCHEZ, ALBERTO				Remit to: **SOUTH GATE** **CA**	
	5/31/2011	208083	200.00		
				REFUND-ADMIN CITATION	200.00
	Vendor Total		**200.00**		
FYTD for SANCHEZ, ALBERTO			**200.00**		

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SANTANA, VIRGINIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207872	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SANTANA, VIRGINIA			**20.00**		
SCHOENFELDER, LAURA				Remit to: **PERRIS** **CA**	
	5/31/2011	208084	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for SCHOENFELDER, LAURA			**532.00**		
SCMAF - INLAND VALLEY				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/2/2011	207658	525.00		
				YTH BASKETBALL TOURN-PARKS	525.00
	Vendor Total		**525.00**		
FYTD for SCMAF - INLAND VALLEY			**645.00**		
SECRETARY OF STATE - STMT OF INFO UNIT				Remit to: **SACRAMENTO** **CA**	
	5/5/2011	207687	20.00		
				SI-100 FILING FEE	20.00
	Vendor Total		**20.00**		
FYTD for SECRETARY OF STATE - STMT OF INFO UNIT			**20.00**		
SECTRAN SECURITY, INC				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	207659	477.00		
				TRANSPORT SVCS-PARKS	159.00
				TRANSPORT SVCS-UTILITY	159.00
				TRANSPORT SVCS-TREASURY	159.00
	5/31/2011	208085	477.00		
				TRANSPORT SVCS-PARKS	159.00
				TRANSPORT SVCS-MVU	159.00
				TRANSPORT SVCS-TREASURY	159.00
	Vendor Total		**954.00**		
FYTD for SECTRAN SECURITY, INC			**5,598.00**		
SECURITY LOCK & KEY				Remit to: **YUCAIPA** **CA**	
	5/9/2011	882710	60.00		
				REKEYING SVCS-EOC	60.00
	5/16/2011	882752	187.88		
				LOCK SERVICE-PARKS	67.88
				LOCK SERVICE-PARKS	120.00
	Vendor Total		**247.88**		
FYTD for SECURITY LOCK & KEY			**4,203.10**		

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SHAH, JAGDISH				Remit to: **DIAMOND BAR** **CA**	
	5/31/2011	882827	720.00		
				TEMP STAFFING SVCS-CAP PROJCTS	720.00
	Vendor Total		**720.00**		
FYTD for SHAH, JAGDISH			**151,920.00**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	5/9/2011	207766	174.30		
				RETIREE MED MAY '11	174.30
	Vendor Total		**174.30**		
FYTD for SHARRETT, SHARON K.			**2,031.66**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	5/9/2011	207767	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	5/2/2011	207661	1,918.07		
				FUEL PURCHASES	1,918.07
	5/23/2011	207981	1,578.73		
				FUEL PURCHASES	1,578.73
	5/23/2011	207982	193.47		
				FUEL PURCHASES	193.47
	Vendor Total		**3,690.27**		
FYTD for SHELL OIL CO.			**18,188.84**		
SHINDLEDECKER, EMILY				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207662	47.00		
				REFUND-GUITAR CLASS CANC.	47.00
	Vendor Total		**47.00**		
FYTD for SHINDLEDECKER, EMILY			**47.00**		
SHURTLEFF, JEANNETTE L.				Remit to: **LAKE ELSINORE** **CA**	
	5/23/2011	882784	418.00		
				INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total		**418.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**5,092.00**		

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SINGLETON-DECUIR, JANISHEIA			Remit to: **RIVERSIDE** **CA**	
5/23/2011	882785	47.43		
			MILEAGE REIMBURSEMENT	47.43
	Vendor Total	**47.43**		
FYTD for SINGLETON-DECUIR, JANISHEIA		**723.89**		
SKY PUBLISHING			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207768	525.00		
			ADVERTISING SVCS-PW SOLID WST	525.00
5/31/2011	208087	8,770.00		
			PRINTING SVCS-PARKS	8,770.00
	Vendor Total	**9,295.00**		
FYTD for SKY PUBLISHING		**64,324.00**		
SKY TRAILS MOBILE VILLAGE			Remit to: **LOS ANGELES** **CA**	
5/9/2011	882711	53.67		
			REFUND-UT USER TAXES	53.67
	Vendor Total	**53.67**		
FYTD for SKY TRAILS MOBILE VILLAGE		**462.94**		
SLAGERMAN, SUSAN A.			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882712	637.46		
			RETIREE MED MAR-APR '11	637.46
	Vendor Total	**637.46**		
FYTD for SLAGERMAN, SUSAN A.		**3,506.03**		
SMITH, MARIA A.			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882713	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for SMITH, MARIA A.		**3,487.19**		
SMUS, PAULA			Remit to: **RIVERSIDE** **CA**	
5/16/2011	207873	59.47		
			MILEAGE REIMBURSEMENT	59.47
	Vendor Total	**59.47**		
FYTD for SMUS, PAULA		**383.55**		
SOCALS SIGNS & DESIGNS, INC			Remit to: **MONTCLAIR** **CA**	
5/16/2011	207874	154.00		
			PERMIT FEES-EOC ADDRSS NUMBERS	154.00
	Vendor Total	**154.00**		
FYTD for SOCALS SIGNS & DESIGNS, INC		**2,147.13**		

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SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	5/2/2011	882633	8,810.76		
				FUEL PURCHASE	8,810.76
	5/16/2011	882753	23,935.96		
				FUEL PURCHASE	8,922.16
				FUEL PURCHASE	9,283.11
				FUEL PURCHASE	8,670.59
				CREDIT ON ACCOUNT	-2,939.90
	5/23/2011	882786	8,768.33		
				FUEL PURCHASE	8,768.33
	Vendor Total		**41,515.05**		
FYTD for SOCO GROUP, INC			**318,053.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207663	180.60		
				INSTRUCTOR SVCS-YOGA	180.60
	Vendor Total		**180.60**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**980.40**		
SOSA, HUGO				Remit to: **ELK GROVE** **CA**	
	5/23/2011	207983	600.00		
				INSTRUCTOR SVCS-KARATEDO	210.00
				INSTRUCTOR SVCS-KARATEDO	150.00
				INSTRUCTOR SVCS-KARATEDO	240.00
	Vendor Total		**600.00**		
FYTD for SOSA, HUGO			**1,530.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/2/2011	207664	4,475.08		
			ELECTRICITY	21.11
			ELECTRICITY	22.19
			ELECTRICITY	912.18
			ELECTRICITY	1,270.25
			ELECTRICITY	113.57
			ELECTRICITY	174.99
			ELECTRICITY	737.25
			ELECTRICITY	139.86
			ELECTRICITY	810.54
			ELECTRICITY	110.28
			ELECTRICITY	96.20
			ELECTRICITY	66.66
5/9/2011	207769	6,412.86		
			ELECTRICITY	134.38
			ELECTRICITY	159.09
			ELECTRICITY	22.57
			ELECTRICITY	1,467.28
			ELECTRICITY	471.64
			ELECTRICITY	907.23
			ELECTRICITY	883.73
			ELECTRICITY	362.78
			ELECTRICITY	381.99
			ELECTRICITY	300.62
			ELECTRICITY	22.33
			ELECTRICITY	958.98
			ELECTRICITY	189.86
			ELECTRICITY	86.90
			ELECTRICITY	63.48
5/9/2011	207770	1,179.58		
			LINE EXT.-SUNNYMD RANCH T/SIG.	1,179.58
5/23/2011	207984	515.78		
			SVC FEED FOR TRAF CONTROLLER	515.78
5/23/2011	207985	4,705.86		
			ST. LIGHTS INSTALL.-HEACOCK ST	4,705.86
5/23/2011	207986	22,877.97		
			ELECTRIC CHARGES	329.73
			ELECTRICITY	181.82
			ELECTRICITY	5,317.44
			ELECTRICITY	749.79
			ELECTRICITY	2,168.32
			ELECTRICITY	19.24
			ELECTRICITY	2,228.10
			ELECTRICITY	618.19
			ELECTRICITY	1,945.14
			ELECTRICITY	817.07
			ELECTRICITY	162.17
			ELECTRICITY	4,568.74
			ELECTRICITY	195.86
			ELECTRICITY	303.66
			ELECTRICITY	1,775.17

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	279.84
			ELECTRICITY	408.41
			ELECTRICITY	484.32
			ELECTRICITY	174.52
			ELECTRICITY	150.44
5/31/2011	208088	3,275.03		
			ELECTRICITY	53.21
			ELECTRICITY	29.47
			ELECTRICITY	21.11
			ELECTRICITY	23.79
			ELECTRICITY	811.91
			ELECTRICITY	647.52
			ELECTRICITY	112.61
			ELECTRICITY	174.19
			ELECTRICITY	666.70
			ELECTRICITY	138.69
			ELECTRICITY	374.75
			ELECTRICITY	107.03
			ELECTRICITY	47.63
			ELECTRICITY	66.42
	Vendor Total	**43,442.16**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,062,356.10**		

SOUTHERN CALIFORNIA GAS CO. Remit to: **MONTEREY PARK CA**

5/23/2011	207987	6,502.01		
			GAS CHARGES	1,126.14
			GAS CHARGES	2,920.32
			GAS CHARGES	21.19
			GAS CHARGES	32.19
			GAS CHARGES	445.30
			GAS CHARGES	200.01
			GAS CHARGES	64.73
			GAS CHARGES	281.31
			GAS CHARGES	95.31
			GAS CHARGES	119.37
			GAS CHARGES	122.82
			GAS CHARGES	113.38
			GAS CHARGES	243.90
			GAS CHARGES	137.09
			GAS CHARGES	28.44
			GAS CHARGES	550.51
	Vendor Total	**6,502.01**		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**74,546.69**		

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SPARKLETTS				Remit to: **DALLAS** **TX**	
	5/2/2011	207665	28.03		
				WATER SVCS-ARAMADA ELEM	14.39
				WATER SVCS-CREEKSIDE ELEM	13.64
	5/9/2011	207771	14.00		
				WATER SVCS-EOC	4.50
				WATER SVCS-EOC	4.50
				WATER SVCS-PARKS MAINT	5.00
	5/23/2011	207988	9.61		
				WATER SVCS-SNNYMD ELEM	9.61
	5/31/2011	208089	25.32		
				WATER SVCS-PARKS	14.46
				WATER SVCS-PARKS	10.86
	Vendor Total		**76.96**		
FYTD for SPARKLETTS			**643.45**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882714	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,506.03**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882715	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**2,316.58**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	5/31/2011	208090	30.00		
				SUBPOENA COMPLIANCE	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	5/2/2011	882634	670.52		
				CELL PHONE SVCS-GANG TASK FRC	61.57
				CELL PHONE SVCS-PD/SET	608.95
	5/23/2011	882787	608.19		
				CELL PH CHARGES-PD/SET	608.19
	Vendor Total		**1,278.71**		
FYTD for SPRINT/NEXTEL			**5,191.62**		

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ST. CHRISTOPHER CHURCH			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207666	750.00		
			REFUND-RNTL DEP 4/15/11 EVENT	750.00
	Vendor Total	**750.00**		
FYTD for ST. CHRISTOPHER CHURCH		**1,500.00**		
STANDARD INSURANCE CO			Remit to: **PORTLAND** **OR**	
5/2/2011	207667	1,888.14		
			SUPPLEMENTAL INSURANCE	1,888.14
	Vendor Total	**1,888.14**		
FYTD for STANDARD INSURANCE CO		**386,673.79**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882635	400.08		
			MONITORING SVCS-MORRISON PARK	227.16
			MONITORING SVCS-BETHUNE PARK	172.92
5/9/2011	882716	2,599.15		
			MONITORING SVCS-FS #58	596.00
			MONITORING SVCS-FS #58	117.10
			MONITORING SVCS-EOC	110.00
			MONITORING SVCS-TECH SVCS	234.00
			MONITORING SVCS-RED MAPLE PRTB	354.00
			MONITORING SVCS-FAC ANNEX	207.00
			MONITORING SVCS-CITY HALL	376.50
			MONITORING SVCS-LIBRARY	329.55
			MONITORING SVCS-STARS	275.00
	Vendor Total	**2,999.23**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**25,942.84**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
5/2/2011	207668	5,834.21		
			ELECTRICAL ENERGY SURCHARGE	5,834.21
5/26/2011	43011	4,455.00		
			SALES & USE TAX 4/1-4/30/11	4,455.00
	Vendor Total	**10,289.21**		
FYTD for STATE BOARD OF EQUALIZATION		**38,774.52**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
5/12/2011	2849	2,133.09		
			CHILD SUPPORT W/H 5/12/11	2,133.09
5/26/2011	2857	2,195.46		
			CHILD SUPPORT W/H 5/26/11	2,195.46
	Vendor Total	**4,328.55**		
FYTD for STATE DISBURSEMENT UNIT		**38,260.13**		

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STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO**	**CA**
5/23/2011	207989	125.00		
			CIVIL ENG LICENSE RNWL-VOGT	125.00
5/31/2011	208092	375.00		
			CIVIL ENG LICENSE RNWL-SAMBITO	125.00
			CIVIL ENG LICENSE RNWL-JIMENEZ	125.00
			CIVIL ENG LICENSE RNWL-NGUYEN	125.00
	Vendor Total	**500.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**500.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO**	**CA**
5/9/2011	207773	665.00		
			BLOOD ALCHL ANLYS-PD	665.00
	Vendor Total	**665.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**57,322.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO**	**CA**
5/23/2011	207990	625.00		
			REFUND-MVU/T MAXWELL	33.62
			REFUND-MVU/M WILLIAMS	80.06
			REFUND-MVU/K THORNTON	200.55
			REFUND-MVU/N AVERY	250.59
			REFUND-MVU/L HERNANDEZ	60.18
	Vendor Total	**625.00**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,493.73**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA**	**CA**
5/23/2011	207991	3,445.44		
			TRANSCRIPTION SVCS-PD	3,445.44
	Vendor Total	**3,445.44**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**33,200.80**		
STERICYCLE (BFI)			Remit to: **LOUISVILLE**	**KY**
5/23/2011	882788	622.78		
			WASTE PICK UP SVCS	622.78
	Vendor Total	**622.78**		
FYTD for STERICYCLE (BFI)		**6,454.21**		

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STEWART, CASSIE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207669	20.00		
				REFUND-RABIES DEPOSIT	20.00
	5/23/2011	207992	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for STEWART, CASSIE			**95.00**		
STEWART, CLIFFORD				Remit to: **GLENDALE** **AZ**	
	5/9/2011	882717	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for STEWART, CLIFFORD			**2,845.94**		
STK ARCHITECTURE, INC.				Remit to: **SAN JACINTO** **CA**	
	5/9/2011	882718	12,054.75		
				MORRISON PRK FIRE STATION PROJ	12,054.75
	Vendor Total		**12,054.75**		
FYTD for STK ARCHITECTURE, INC.			**364,857.55**		
STOWERS, FREDERICK				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207993	300.00		
				REFUND-RNTL DEP 3/28/11	300.00
	Vendor Total		**300.00**		
FYTD for STOWERS, FREDERICK			**300.00**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	5/16/2011	882754	4,452.50		
				CONSULTING SVCS-EDD	4,452.50
	5/23/2011	882789	260.00		
				CONSULTING SVCS-TREASURY	260.00
	Vendor Total		**4,712.50**		
FYTD for STRICKLER ASSOCIATION, THE			**37,017.50**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	882719	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**3,506.03**		

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STROM, BONNIE				Remit to: **COLTON** **CA**	
	5/9/2011	207793	1,158.00		
				RETIREE MED JAN-DEC '10	1,158.00
	Vendor Total		**1,158.00**		
FYTD for STROM, BONNIE			**1,158.00**		
STUCKEY, HARRIETTE				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207670	134.40		
				INSTRUCTOR SVCS-LINE DANCING	50.40
				INSTRUCTOR SVCS-LINE DANCING	33.60
				INSTRUCTOR SVCS-LINE DANCING	50.40
	Vendor Total		**134.40**		
FYTD for STUCKEY, HARRIETTE			**688.80**		
STUMPS, EDITH				Remit to: **CORONA** **CA**	
	5/31/2011	208094	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for STUMPS, EDITH			**95.00**		
SUMI, ERIC				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207878	47.00		
				REFUND-GUITAR CLASS	47.00
	Vendor Total		**47.00**		
FYTD for SUMI, ERIC			**47.00**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207671	18.48		
				MISC SUPPLIES-PD	18.48
	5/9/2011	207774	36.05		
				MISC SUPPLIES-PD	36.05
	5/23/2011	207994	57.28		
				MISC SUPPLIES-PD	3.68
				MISC SUPPLIES-PD	29.86
				MISC SUPPLIES-PD	26.34
				CREDIT ON ACCOUNT	-2.60
	5/31/2011	208095	88.90		
				MISC SUPPLIES-FIRE	29.33
				MISC SUPPLIES-PD	26.43
				MISC SUPPLIES-PD	23.37
				MISC SUPPLIES-PD	9.77
	Vendor Total		**200.71**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,075.16**		

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SYNNOTT, MARY				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207775	161.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	16.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**161.00**		
FYTD for SYNNOTT, MARY			**161.00**		
TAMAS, JOCELYNE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207776	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for TAMAS, JOCELYNE			**20.00**		
TARMAN, KANDYCE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207879	76.00		
				REFUND-ANIMAL ADOPTION FEES	30.00
				REFUND-ANIMAL ADOPTION FEES	10.00
				REFUND-ANIMAL ADOPTION FEES	20.00
				REFUND-ANIMAL ADOPTION FEES	16.00
	Vendor Total		**76.00**		
FYTD for TARMAN, KANDYCE			**76.00**		
TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	5/31/2011	208096	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**62,500.00**		
THE WALKING MAN, INC				Remit to: **LOS ANGELES** **CA**	
	5/23/2011	207995	685.00		
				DISTR. OF DOOR HANGERS-E1 & E4	685.00
	Vendor Total		**685.00**		
FYTD for THE WALKING MAN, INC			**19,775.00**		

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THERMAL-COOL INC.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207777	100.00		
				AC UNIT SVC-SUNNYMD SNACK BAR	100.00
	5/23/2011	207996	230.00		
				SMOKE DET REPAIRS-ANIMAL SHLTR	115.00
				THERMOSTAT REPAIR-CITY MGR OFF	115.00
	Vendor Total		**330.00**		
FYTD for THERMAL-COOL INC.			**6,943.02**		
TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	5/9/2011	207778	19,137.50		
				CITY HALL HVAC SYSTEM REDESIGN	19,137.50
	Vendor Total		**19,137.50**		
FYTD for TMAD TAYLOR & GAINES			**34,732.50**		
TORRES, GABBY				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207880	750.00		
				REFUND-RNTL DEP 4/30/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for TORRES, GABBY			**750.00**		
TOUCHARD, GWENDOLYN G.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207779	413.08		
				GARNISHMENT REFUND	413.08
	Vendor Total		**413.08**		
FYTD for TOUCHARD, GWENDOLYN G.			**413.08**		
TOVAR, CHRISTINE				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207997	750.00		
				REFUND-RNTL DEP 5/7/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for TOVAR, CHRISTINE			**750.00**		
TRACSYSTEMS, INC.				Remit to: **ADDISON** **TX**	
	5/16/2011	207881	1,500.00		
				PHAROS SOFTWARE REMOTE INSTALL	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TRACSYSTEMS, INC.			**5,419.50**		

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TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208098	1,864.80		
				INSTRUCTOR SVCS-BALLET INTERMD	111.00
				INSTRUCTOR SVCS-BALLET	199.80
				INSTRUCTOR SVCS-BALLET/ACRO	155.40
				INSTRUCTOR SVCS-BALLET/JAZZ	177.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	288.60
				INSTRUCTOR SVCS-HIP HOP DANCE	288.60
	Vendor Total		**1,864.80**		
FYTD for TRICHE, TARA			**19,904.52**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207672	95.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR EVENT-CTR#18062	45.00
	5/16/2011	207882	25.00		
				LINEN SVCS FOR CRC	25.00
	5/23/2011	207998	91.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR EVENT-CTR#18037	66.00
	5/31/2011	208097	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**261.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,974.55**		
TROPICAL PLAZA NURSERY, INC.				Remit to: **VILLA PARK** **CA**	
	5/16/2011	207883	16,131.76		
				LNDSCP MAINT-ZONE E-2	15,700.00
				IRRIG REPAIRS-ZONE E-2	431.76
	Vendor Total		**16,131.76**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**195,845.16**		

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TRUGREEN LANDCARE				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882755	2,485.00		
				LNDSCP MAINT-ZONE E-16	2,485.00
	5/23/2011	882790	400.00		
				EMERG. RMVL OF TREES-TR. 30027	400.00
	5/23/2011	882791	11,485.38		
				LNDSCP MAINT-ZONE M	5,409.85
				LNDSCP MAINT-ZONE DSG-1	6,075.53
	Vendor Total		**14,370.38**		
FYTD for TRUGREEN LANDCARE			**243,063.28**		
TRUJILLO, PETE				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207999	77.00		
				REFUND-DOG TRNG CLASS CANC.	77.00
	Vendor Total		**77.00**		
FYTD for TRUJILLO, PETE			**77.00**		
TULDANES, JOSELENE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208099	112.00		
				REFUND-GED TEST CLASS	112.00
	Vendor Total		**112.00**		
FYTD for TULDANES, JOSELENE			**112.00**		
TUNTLAND, JAMES				Remit to: **PRESCOTT** **AZ**	
	5/9/2011	882721	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for TUNTLAND, JAMES			**2,845.94**		
TURBOSCAPE, INC.				Remit to: **SANTA CLARA** **UT**	
	5/9/2011	882722	0.00		
				MULCHING IN ZONE E-1	1,338.50
				MULCHING IN ZONE E-4	13,385.00
				MULCHING IN ZONE E-12	2,275.45
				VOIDED CHECK #882722 - 5/16/11	-1,338.50
				VOIDED CHECK #882722 - 5/16/11	-13,385.00
				VOIDED CHECK #882722 - 5/16/11	-2,275.45
	5/16/2011	207896	16,998.95		
				MULCHING IN ZONE E-1	1,338.50
				MULCHING IN ZONE E-4	13,385.00
				MULCHING IN ZONE E-12	2,275.45
	Vendor Total		**16,998.95**		
FYTD for TURBOSCAPE, INC.			**21,817.55**		

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TURNBOW, LISA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207884	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TURNBOW, LISA			**1,500.00**		
U.S. HEALTHWORKS MEDICAL GROUP				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207885	750.00		
				EMPLOYEE DOT EXAM	65.00
				PRE-EMPLOYMENT PHYSICALS	245.00
				PRE-EMPLOYMENT PHYSICALS	330.00
				PRE-EMPLOYMENT PHYSICALS	110.00
	5/23/2011	208000	200.00		
				PRE-EMPLOYMENT PHYSICALS	200.00
	5/31/2011	208100	65.00		
				EMPLOYEE DOT EXAM	65.00
	Vendor Total		**1,015.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**13,170.00**		
UNION BANK OF CALIFORNIA				Remit to: **MONTEREY PARK** **CA**	
	5/16/2011	207886	510.00		
				STANDBY LOC TRANSFER FEES	170.00
				STANDBY LOC TRANSFER FEES	170.00
				STANDBY LOC TRANSFER FEES	170.00
	Vendor Total		**510.00**		
FYTD for UNION BANK OF CALIFORNIA			**60,899.90**		
UNITED POWER GENERATION, INC.				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	208001	337.50		
				GENERATOR REPAIRS-ANIMAL SHLTR	337.50
	Vendor Total		**337.50**		
FYTD for UNITED POWER GENERATION, INC.			**9,790.13**		
UNITED ROTARY BRUSH CORP				Remit to: **ESCONDIDO** **CA**	
	5/2/2011	882636	521.39		
				BROOM KITS-STREET SWEEPER	227.76
				BROOM KITS-STREET SWEEPER	293.63
	5/9/2011	882723	341.64		
				BROOM KITS-STREET SWEEPER	341.64
	5/31/2011	882829	2,105.03		
				BROOM KITS-STREET SWEEPER	181.76
				BROOM KITS-STREET SWEEPER	1,183.63
				BROOM KITS-STREET SWEEPER	739.64
	Vendor Total		**2,968.06**		
FYTD for UNITED ROTARY BRUSH CORP			**34,129.97**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
5/16/2011	882757	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**3,071.46**		
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
5/9/2011	207780	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
5/23/2011	208002	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
5/23/2011	208003	141.50		
			PAYROLL DEDUCTION AGREEMENT	141.50
	Vendor Total	**241.50**		
FYTD for UNITED STATES TREASURY		**1,341.50**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207781	502.19		
			UNITED WAY CONTRIBUTIONS	2.50
			UNITED WAY CONTRIBUTIONS	499.69
5/23/2011	208004	499.69		
			UNITED WAY CONTRIBUTIONS	499.69
	Vendor Total	**1,001.88**		
FYTD for UNITED WAY OF INLAND VALLEYS		**13,904.92**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
5/2/2011	207673	1,371.70		
			HERBICIDE/AG CHEMICALS - PARKS	1,371.70
	Vendor Total	**1,371.70**		
FYTD for UNIVAR USA, INC		**4,161.52**		
URIBE, JOY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	208005	168.85		
			REFUND-RNTL DEP 5/9/11 EVENT	168.85
	Vendor Total	**168.85**		
FYTD for URIBE, JOY		**168.85**		
USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
5/23/2011	882792	36.59		
			PAGER SVC-PARK RANGERS	2.01
			PAGER SVC-TRANSP. DIV.	4.66
			PAGER SVC-ANIMAL SVCS.	29.92
	Vendor Total	**36.59**		
FYTD for USA MOBILITY/ARCH WIRELESS		**654.28**		

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VA CONSULTING, INC.			Remit to: **IRVINE** **CA**	
5/9/2011	882724	917.75		
			AUTO MALL IMPRVMNTS PROJ SVCS	917.75
	Vendor Total	**917.75**		
FYTD for VA CONSULTING, INC.		**131,816.64**		
VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	882637	310.00		
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			TREATED FOR BEES IN TREE	150.00
5/23/2011	882793	1,395.00		
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL. FIELD OFFICE	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-FIRE ST. #48	45.00
			PEST CNTRL-FIRE ST. #58	45.00
			PEST CNTRL-FIRE ST. #65	45.00
			PEST CNTRL-FIRE ST. #2	45.00
			PEST CNTRL-FIRE ST. #6	45.00
			PEST CNTRL-FIRE ST. #91	45.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP TRAILER	45.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,705.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**17,430.00**		
VAL VERDE UNIFIED SCHOOL DISTRICT			Remit to: **PERRIS** **CA**	
5/2/2011	207674	25.00		
			5/13/11 STUDENT OF YEAR DINNER	25.00
	Vendor Total	**25.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT		**6,318.96**		

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VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND** **CA**	
5/31/2011	882830	11,340.00		
			TEMP STAFFING SVCS-CAP PROJCTS	11,340.00
	Vendor Total	**11,340.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**119,765.00**		
VARIABLE SPEEDS SOLUTIONS INC			Remit to: **HUNTINGTON BEACH** **CA**	
5/9/2011	207782	285.00		
			LABOR TO REPAIR PUMP-ZONE E-14	285.00
	Vendor Total	**285.00**		
FYTD for VARIABLE SPEEDS SOLUTIONS INC		**7,309.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
5/9/2011	207783	16,715.00		
			ACCOUNTING SVCS	8,925.00
			ACCOUNTING SVCS	7,790.00
	Vendor Total	**16,715.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**22,790.00**		
VAZQUEZ, ADRIANA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207887	200.00		
			REFUND-RNTL DEP 4/23/11 EVENT	200.00
	Vendor Total	**200.00**		
FYTD for VAZQUEZ, ADRIANA		**200.00**		
VCD CORPORATION			Remit to: **GLENDORA** **CA**	
5/2/2011	882638	11,500.00		
			PROP REHAB-13711 FLAMING ARROW	11,500.00
5/23/2011	208013	17,219.57		
			PROP REHAB-12242 ZINNIA ST.	17,219.57
	Vendor Total	**28,719.57**		
FYTD for VCD CORPORATION		**46,770.46**		
VEHICLE REGISTRATION COLLECTIONS			Remit to: **RANCHO CORDOVA** **CA**	
5/9/2011	207784	128.36		
			GARNISHMENT	24.58
			GARNISHMENT	86.41
			GARNISHMENT	17.37
5/23/2011	208006	21.57		
			GARNISHMENT	21.57
	Vendor Total	**149.93**		
FYTD for VEHICLE REGISTRATION COLLECTIONS		**1,399.96**		

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VERDUZCO, JUAN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208101	300.00		
				REFUND-RNTL DEP 3/28/11 EVENT	300.00
	Vendor Total		**300.00**		
FYTD for VERDUZCO, JUAN			**300.00**		
VERIZON				Remit to: **TRENTON** **NJ**	
	5/31/2011	208102	1,712.84		
				BACKBONE CHRGS	1,712.84
	Vendor Total		**1,712.84**		
FYTD for VERIZON			**18,740.70**		
VERIZON CALIFORNIA				Remit to: **DALLAS** **TX**	
	5/2/2011	207675	41.56		
				ANNUAL PHONE DIRECTORY AD	41.56
	5/31/2011	208103	617.47		
				PHONE CHARGES-ERC	617.47
	Vendor Total		**659.03**		
FYTD for VERIZON CALIFORNIA			**7,568.34**		
VICTOR MEDICAL CO				Remit to: **LAKE FOREST** **CA**	
	5/2/2011	207676	648.15		
				ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total		**648.15**		
FYTD for VICTOR MEDICAL CO			**12,650.90**		
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882725	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VILLALOBOS, PAUL				Remit to: **NUEVO** **CA**	
	5/16/2011	207888	621.95		
				TUITION REIMBURSEMENT	481.95
				TUITION REIMBURSEMENT	140.00
	Vendor Total		**621.95**		
FYTD for VILLALOBOS, PAUL			**984.95**		

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VISION SERVICE PLAN				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	882726	4,337.58		
				EMPLOYEE VISION INSURANCE	4,337.58
	Vendor Total		**4,337.58**		
FYTD for VISION SERVICE PLAN			**47,764.89**		
VISTA PAINT CORPORATION				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207785	1,061.08		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	1,000.87
				PAINT/SUPPL-GRAFFITI RMVL PRGM	60.21
	5/16/2011	207889	91.89		
				PAINT FOR PARKS	1.23
				PAINT FOR PARKS	90.66
	5/23/2011	208007	650.78		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	650.78
	Vendor Total		**1,803.75**		
FYTD for VISTA PAINT CORPORATION			**10,641.72**		
VOLUNTEER CENTER OF RIVERSIDE COUTY				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207677	475.00		
				REFUND-RNTL DEP 4/13/11 EVENT	475.00
	Vendor Total		**475.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUTY			**475.00**		
VOYAGER FLEET SYSTEM, INC.				Remit to: **HOUSTON** **TX**	
	5/9/2011	882727	1,220.97		
				CNG FUEL PURCHASES	1,146.05
				CNG FUEL PURCHASES	74.92
	Vendor Total		**1,220.97**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**21,448.25**		

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VULCAN MATERIALS CO, INC.				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	207786	590.55		
				ASPHALTIC MATERIALS	138.12
				ASPHALTIC MATERIALS	104.54
				ASPHALTIC MATERIALS	173.06
				ASPHALTIC MATERIALS	104.54
				ASPHALTIC MATERIALS	70.29
	5/23/2011	208008	2,085.08		
				ASPHALTIC MATERIALS	103.85
				ASPHALTIC MATERIALS	137.43
				ASPHALTIC MATERIALS	70.29
				ASPHALTIC MATERIALS	983.10
				ASPHALTIC MATERIALS	652.29
				ASPHALTIC MATERIALS	138.12
	Vendor Total		**2,675.63**		
FYTD for VULCAN MATERIALS CO, INC.			**25,145.15**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882728	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,487.19**		
WAGONER, ROBERT				Remit to: **ZEPHYRHILLS** **FL**	
	5/9/2011	882729	360.40		
				RETIREE MED APR-MAY '11	360.40
	Vendor Total		**360.40**		
FYTD for WAGONER, ROBERT			**2,162.40**		
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207787	318.73		
				RETIREE MED APR '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WALKER, DONNA JEAN				Remit to: **PERRIS** **CA**	
	5/23/2011	882795	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for WALKER, DONNA JEAN			**646.00**		

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WALLACE LABORATORIES				Remit to: **EL SEGUNDO** **CA**	
	5/2/2011	207678	210.00		
				AGRICULT SOIL SUITABILITY TEST	75.00
				SOIL ORGANIC MATTER EVALUATION	50.00
				TOTAL ANALYSIS OF HEAVY METALS	85.00
	Vendor Total		**210.00**		
FYTD for WALLACE LABORATORIES			**285.00**		
WASSON, KIRK				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	882796	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WASSON, KIRK			**1,862.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	5/31/2011	208104	353.08		
				DUMPSTER-NEIGHBORHD CLEAN-UP	71.36
				DUMPSTER PICK UP & RECYCLE FEE	230.38
				DUMPSTER SET UP FEE	25.09
				DISPOSAL OF TIRES	26.25
	Vendor Total		**353.08**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**12,798.18**		
WATER SPECIALIST CONSULTANTS				Remit to: **LA MESA** **CA**	
	5/2/2011	207679	90.00		
				5/24 RECYC WATER SITE SUPV TRN	45.00
				5/24 RECYC WATER SITE SUPV TRN	45.00
	Vendor Total		**90.00**		
FYTD for WATER SPECIALIST CONSULTANTS			**180.00**		
WAXIE SANITARY SUPPLY				Remit to: **SAN DIEGO** **CA**	
	5/2/2011	207680	178.18		
				TIME METERED AIR FRESHENER	56.06
				TIME METERED AIR FRESHENER	34.01
				TIME METERED AIR FRESHENER	4.99
				TIME METERED AIR FRESHENER	4.99
				CA SALES TAX	8.75
				JANITORIAL SUPPLIES	69.38
	Vendor Total		**178.18**		
FYTD for WAXIE SANITARY SUPPLY			**276.13**		

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WEBB, DAVID				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207788	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for WEBB, DAVID			**115.00**		
WEISGERBER, RHONDA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208105	112.00		
				REFUND-KARATE CLASSES	112.00
	Vendor Total		**112.00**		
FYTD for WEISGERBER, RHONDA			**112.00**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	5/31/2011	208106	2,000.00		
				TRUSTEE ANNL ADMIN CHGS-CFD#5	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**18,500.00**		
WELLS FARGO CORPORATE TRUST				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	110501	1,027.08		
				INT ON 97 CH COP VAR RATE BOND	1,027.08
	Vendor Total		**1,027.08**		
FYTD for WELLS FARGO CORPORATE TRUST			**8,874,030.64**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207789	18,727.42		
				SUNNYMD BLVD PED ACCESS RAMP	1,664.37
				SUNNYMD BLVD PED ACCESS RAMP	12,617.49
				SUNNYMD BLVD PED ACCESS RAMP	4,445.56
	5/16/2011	207890	6,120.88		
				RETENT-SUNNYMD PED ACCESS RAMP	3,394.41
				RETENT-SUNNYMD PED ACCESS RAMP	493.95
				RETENT-SUNNYMD PED ACCESS RAMP	2,232.52
	5/31/2011	208107	7,475.11		
				RETENT RLS-SUNNYMD PED RAMP	7,475.11
	Vendor Total		**32,323.41**		
FYTD for WEST COAST STRUCTURES INC			**61,208.68**		
WEST PUBLISHING CORPORATION				Remit to: **ST. PAUL** **MN**	
	5/31/2011	208108	535.00		
				AUTO TRACK SVCS FOR PD	535.00
	Vendor Total		**535.00**		
FYTD for WEST PUBLISHING CORPORATION			**5,850.00**		

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WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
5/23/2011	208009	1,909.52		
			WATER CHARGES	693.83
			WATER CHARGES	3.65
			WATER CHARGES	1,155.78
			WATER CHARGES	56.26
	Vendor Total	**1,909.52**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**19,926.43**		
WESTON, KATY			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207891	58.00		
			REFUND-BELLY DANCING CLASS	58.00
	Vendor Total	**58.00**		
FYTD for WESTON, KATY		**58.00**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
5/9/2011	882730	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,506.03**		
WILLDAN AND ASSOCIATES			Remit to: **SAN BERNARDINO** **CA**	
5/2/2011	207681	7,035.00		
			PLAN CHECK SVCS-BLDG & SFTY	7,035.00
5/9/2011	207790	1,080.00		
			EASTRIDGE CTR EIR REVIEW SVCS	1,080.00
5/31/2011	208109	7,973.48		
			PLAN CHECK SVCS-BLDG & SFTY	7,973.48
	Vendor Total	**16,088.48**		
FYTD for WILLDAN AND ASSOCIATES		**125,311.03**		
WILLIAMS, JANE L.			Remit to: **GRAND FORKS** **ND**	
5/9/2011	882731	187.68		
			RETIREE MED APR-MAY '11	187.68
	Vendor Total	**187.68**		
FYTD for WILLIAMS, JANE L.		**1,966.96**		
WILLIS, ROBERT H			Remit to: **PERRIS** **CA**	
5/23/2011	208010	144.00		
			SPORTS OFFICIATING SVCS	72.00
			SPORTS OFFICIATING SVCS	72.00
	Vendor Total	**144.00**		
FYTD for WILLIS, ROBERT H		**432.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLOUGHBY, LORIA				Remit to: **MORENO VALLEY CA**	
	5/16/2011	882758	70.89		
				MILEAGE REIMBURSEMENT	70.89
	Vendor Total		**70.89**		
FYTD for WILLOUGHBY, LORIA			**397.39**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA CA**	
	5/9/2011	882732	20,710.00		
				TEMP STAFFING SVCS-MV UTIL.	5,700.00
				TEMP STAFFING SVCS-MV UTIL.	7,410.00
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	5/31/2011	882831	9,500.00		
				TEMP STAFFING SVCS-MV UTIL.	9,500.00
	Vendor Total		**30,210.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**82,267.50**		
WOODS, ALICIA/ROMNEY				Remit to: **MORENO VALLEY CA**	
	5/2/2011	207682	7.00		
				REFUND-ANIMAL LICENSE FEE	7.00
	Vendor Total		**7.00**		
FYTD for WOODS, ALICIA/ROMNEY			**7.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	5/2/2011	882639	1,495.00		
				CLEANING OF UPHOLSTERED CHAIRS	75.00
				MAINT. DAY PORTER SVCS	1,140.00
				CLEANING OF UPHOLSTERED CHAIRS	150.00
				JANITORIAL SVCS-SR CTR RENTALS	130.00
	5/16/2011	882759	1,450.11		
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-GANG TASK FRC	112.82
				JANITORIAL SVCS-SUNNYMD ELEM.	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
	5/23/2011	882797	22,536.29		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRAILER	98.40
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MARCH FLD C.C.	955.70
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	5/31/2011	882832	112.82		
				JANITORIAL SVCS-GANG TASK FRC	112.82
	Vendor Total		**25,594.22**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**300,732.01**		
XEROX				Remit to: **DALLAS** **TX**	
	5/16/2011	207892	212.33		
				COPIER RNTL/MAINT-PD	70.20
				COPIER RNTL/MAINT-PD	77.54
				COPIER RNTL/MAINT-PD	64.59
	5/23/2011	208011	3,188.11		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,208.13
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/MAINT-PARKS	359.34
				COPIER BILLABLE PRINTS-PARKS	443.37
				COPIER RNTL/MAINT-PARKS	779.48
	Vendor Total		**3,400.44**		
FYTD for XEROX			**69,781.29**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
YAHOO!				Remit to: **SUNNYVALE** **CA**	
	5/23/2011	208012	30.44		
				SUBSCRIBER INFO SEARCH FOR PD	30.44
	Vendor Total		**30.44**		
FYTD for YAHOO!			**30.44**		
YANEZ, ANDREA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207683	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for YANEZ, ANDREA			**50.00**		
YENULONIS, LAURA				Remit to: **COLTON** **CA**	
	5/2/2011	207684	97.60		
				REFUND-PERMIT FEE 80%	97.60
	Vendor Total		**97.60**		
FYTD for YENULONIS, LAURA			**97.60**		
YOUNG, BONITA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207893	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for YOUNG, BONITA			**54.50**		
ZARATE, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207894	47.00		
				REFUND-GUITAR CLASS CANC.	47.00
	Vendor Total		**47.00**		
FYTD for ZARATE, VERONICA			**47.00**		

Subtotal **1,473,414.04**

GRAND TOTAL **10,409,143.31**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JUNE, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2010-11 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-86
Check Register for Month of June, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JUNE, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period June 1, 2011 through June 30, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period June 1, 2011 through June 30, 2011, in the total amount of $16,100,598.73 is approved.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ACCESS ELECTRIC SUPPLY			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208293	40,601.81		
			IEM SWITCHGEAR-SHADOW MTN PROJ	16,030.08
			CA SALES TAX	1,402.63
			IEM SWITCHGEAR-SHADOW MTN PROJ	21,304.92
			CA SALES TAX	1,864.18
	Vendor Total	**40,601.81**		
FYTD for ACCESS ELECTRIC SUPPLY		**40,843.24**		
AFTERSCHOOL STORE.COM			Remit to: **PALMDALE**	**CA**
6/6/2011	208113	42,476.32		
			AFTERSCHOOL SNACKS-STARS PRGM	33,116.32
			AFTERSCHOOL SNACKS-STARS PRGM	9,360.00
	Vendor Total	**42,476.32**		
FYTD for AFTERSCHOOL STORE.COM		**364,046.84**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
6/6/2011	208114	320,467.06		
			SR-60/NASON ST INTRCHNG PROJ	256,373.65
			SR-60/NASON ST INTRCHNG PROJ	64,093.41
6/28/2011	1106101	35,607.45		
			RETENTN PMT PER ESCRW AGREEMNT	35,607.45
6/28/2011	1106102	27,594.11		
			RETENTN PMT PER ESCRW AGREEMNT	27,594.11
	Vendor Total	**383,668.62**		
FYTD for ALL AMERICAN ASPHALT, INC.		**632,015.61**		
AVI-CON INC.			Remit to: **RIVERSIDE**	**CA**
6/6/2011	882834	93,173.49		
			PUB SFTY BLDG RENOVATION PROJ	64,266.33
			RETENT RLS PYMT-PUB SFTY BLDG	28,907.16
	Vendor Total	**93,173.49**		
FYTD for AVI-CON INC.		**384,476.18**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	6/20/2011	882961	40,833.74		
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MV ELECT SUBST	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-ZONE E3	10,625.00
				LANDSCAPE MAINT-ZONE E3A	1,000.00
	Vendor Total		**40,833.74**		
FYTD for BEMUS LANDSCAPE, INC.			**577,144.70**		
COMPU COM				Remit to: **RANCHO CORDOVA** **CA**	
	6/6/2011	208144	113,901.13		
				ENROLLMENT	113,901.13
	Vendor Total		**113,901.13**		
FYTD for COMPU COM			**114,902.68**		
COUNTY OF RIVERSIDE AUDITOR				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208319	33,585.46		
				PARKING CONTROL FEES	4,990.96
				PARKING CONTROL FEES	1,906.00
				PARKING CONTROL FEES	26,688.50
	Vendor Total		**33,585.46**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**277,338.08**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/21/2011	208423	80,470.23		
			WATER CHARGES	1,512.76
			WATER CHARGES	215.89
			WATER CHARGES	886.93
			WATER CHARGES	3,295.26
			WATER CHARGES	39.60
			WATER CHARGES	731.92
			WATER CHARGES	3,405.73
			WATER CHARGES	112.11
			WATER CHARGES	20,226.01
			WATER CHARGES	1,914.50
			WATER CHARGES	10,318.64
			WATER CHARGES	6,429.68
			WATER CHARGES	4,365.06
			WATER CHARGES	8,640.00
			WATER CHARGES	4,553.69
			WATER CHARGES	2,441.82
			WATER CHARGES	51.73
			WATER CHARGES	1,462.00
			WATER CHARGES	3,118.14
			WATER CHARGES	867.38
			WATER CHARGES	246.46
			WATER CHARGES	525.26
			WATER CHARGES	402.73
			WATER CHARGES	316.75
			WATER CHARGES	254.04
			WATER CHARGES	282.11
			WATER CHARGES	359.58
			WATER CHARGES	83.22
			WATER CHARGES	246.06
			WATER CHARGES	109.66
			WATER CHARGES	2,168.37
			WATER CHARGES	887.14
6/30/2011	208525	53,587.02		
			WATER CHARGES	9,471.17
			WATER CHARGES	2,926.22
			WATER CHARGES	1,456.52
			WATER CHARGES	2,165.28
			WATER CHARGES	4,138.94
			WATER CHARGES	246.92
			WATER CHARGES	1,481.59
			WATER CHARGES	1,075.06
			WATER CHARGES	332.34
			WATER CHARGES	327.92
			WATER CHARGES	107.29
			WATER CHARGES	302.06
			WATER CHARGES	461.94
			WATER CHARGES	8,992.50
			WATER CHARGES	2,099.15
			WATER CHARGES	684.66
			WATER CHARGES	9,012.43
			WATER CHARGES	2,803.13
			WATER CHARGES	4,040.37

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHARGES	55.10
			WATER CHARGES	137.73
			WATER CHARGES	106.75
			WATER CHARGES	534.70
			WATER CHARGES	177.61
			WATER CHARGES	263.22
			WATER CHARGES	74.25
			WATER CHARGES	112.17
	Vendor Total	**134,057.25**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,434,949.17**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to: **SACRAMENTO**	**CA**
6/6/2011	208156	37,419.42		
			UNEMPLOYMENT INS CLAIMS	37,419.42
6/3/2011	2871	34,820.34		
			STATE INCOME TAX W/H 6/3/11	34,820.34
6/17/2011	2881	32,346.18		
			STATE INCOME TAX W/H 6/17/11	32,346.18
	Vendor Total	**104,585.94**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,082,776.56**		
FIRST AMERICAN TRUST, FSB			Remit to: **SANTA ANA**	**CA**
6/9/2011	110604	25,500.00		
			HAP LOAN: BRIAN EDWARD RABE	25,500.00
	Vendor Total	**25,500.00**		
FYTD for FIRST AMERICAN TRUST, FSB		**289,206.40**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON**	**CA**
6/20/2011	208330	31,818.28		
			SHADOW MTN PARK LIGHTING PROJ	16,492.72
			SHADOW MTN PARK RESTROOM PROJ	15,325.56
	Vendor Total	**31,818.28**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**141,854.53**		
HARDY & HARPER, INC.			Remit to: **SANTA ANA**	**CA**
6/27/2011	208524	2,161,392.82		
			PAVEMENT RESURF PROJ-CITYWIDE	1,151,114.02
			2011 LOCAL ST PAVEMNT RESURF.	1,010,278.80
	Vendor Total	**2,161,392.82**		
FYTD for HARDY & HARPER, INC.		**3,369,931.27**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INTERNAL REVENUE SERVICE				Remit to:	
	6/3/2011	2870	146,902.26		
				FED INCOME TAX W/H 6/3/11	146,902.26
	6/17/2011	2880	132,159.21		
				FED INCOME TAX W/H 6/17/11	132,159.21
	Vendor Total		**279,061.47**		
FYTD for INTERNAL REVENUE SERVICE			**3,497,189.37**		
KATHLEEN A. MULLIGAN				Remit to: **MORENO VALLEY**	**CA**
	6/27/2011	208464	25,053.94		
				PURCH PRICE DIFFRNTL PYMT	10,750.00
				DOWNPYMT ASSIST-PERRIS BL PROJ	14,303.94
	Vendor Total		**25,053.94**		
FYTD for KATHLEEN A. MULLIGAN			**33,978.94**		
LIM & NASCIMENTO ENGINEERING CORP.				Remit to: **DIAMOND BAR**	**CA**
	6/6/2011	208186	29,556.96		
				IRONWD AVE/HEACOCK-PERRIS PROJ	9,772.42
				IRONWD AVE/HEACOCK-PERRIS PROJ	19,784.54
	Vendor Total		**29,556.96**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**346,880.11**		
MAMCO, INC				Remit to: **RIVERSIDE**	**CA**
	6/6/2011	208189	112,089.67		
				DRACAEA AVE SIDEWLK IMPRV PROJ	107,207.27
				DRACAEA AVE SIDEWLK IMPRV PROJ	4,882.40
	Vendor Total		**112,089.67**		
FYTD for MAMCO, INC			**112,089.67**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA**	**CA**
	6/20/2011	882976	85,414.14		
				DEMO OLD/INSTLL NEW PLAY EQUIP	81,967.47
				CA SALES TAX	3,446.67
	Vendor Total		**85,414.14**		
FYTD for MIRACLE PLAYGROUND SALES			**262,357.27**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY				Remit to: **HEMET**	**CA**
	6/6/2011	208192	60,337.78		
				ELECTRICITY	161.44
				ELECTRICITY	1,310.10
				ELECTRICITY	331.76
				ELECTRICITY	2,008.11
				ELECTRICITY	11,439.98
				ELECTRICITY	11,632.08
				ELECTRICITY	3,136.87
				ELECTRICITY	5,827.53
				ELECTRICITY	956.75
				ELECTRICITY	1,584.13
				ELECTRICITY	11,751.74
				ELECTRICITY	7,345.32
				ELECTRICITY	251.79
				ELECTRICITY	154.65
				ELECTRICITY	317.00
				ELECTRICITY	74.25
				ELECTRICITY	74.38
				ELECTRICITY	170.70
				ELECTRICITY	105.70
				ELECTRICITY	1,703.50
	6/27/2011	208476	55,258.96		
				ELECTRICITY	143.43
				ELECTRICITY	1,286.03
				ELECTRICITY	280.93
				ELECTRICITY	1,736.74
				ELECTRICITY	10,069.20
				ELECTRICITY	10,081.56
				ELECTRICITY	2,571.05
				ELECTRICITY	5,349.15
				ELECTRICITY	905.52
				ELECTRICITY	1,511.50
				ELECTRICITY	11,751.39
				ELECTRICITY	7,345.79
				ELECTRICITY	220.79
				ELECTRICITY	137.23
				ELECTRICITY	66.18
				ELECTRICITY	66.31
				ELECTRICITY	66.18
				ELECTRICITY	149.71
				ELECTRICITY	90.41
				ELECTRICITY	1,429.86
	Vendor Total		**115,596.74**		
FYTD for MORENO VALLEY UTILITY			**801,816.33**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MUSCO SPORTS LIGHTING, LLC			Remit to: **OSKALOOSA** **IA**	
6/13/2011	882941	259,912.50		
			SPORTS FIELD LIGHTS-SHADOW MTN	239,000.00
			CA SALES TAX	20,912.50
	Vendor Total	**259,912.50**		
FYTD for MUSCO SPORTS LIGHTING, LLC		**259,912.50**		
NEXUS IS, INC.			Remit to: **VALENCIA** **CA**	
6/27/2011	208478	25,691.00		
			PBX PHONE SYSTEM MAINT/SUPPORT	25,691.00
	Vendor Total	**25,691.00**		
FYTD for NEXUS IS, INC.		**43,386.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
6/13/2011	208273	134,585.97		
			ENERGY PURCHASE-ELECTR UTILITY	134,585.97
	Vendor Total	**134,585.97**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**492,077.25**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
6/8/2011	110602	212,262.83		
			EMPLOYEE HEALTH INS 6/8/11	212,262.83
	Vendor Total	**212,262.83**		
FYTD for PERS HEALTH INSURANCE		**2,459,616.41**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
6/10/2011	2872	203,291.28		
			PERS RETIREMENT 6/10/11	203,291.28
6/24/2011	2884	199,418.38		
			PERS RETIREMENT 6/24/11	199,418.38
	Vendor Total	**402,709.66**		
FYTD for PERS RETIREMENT		**5,204,920.34**		
PRICE FAMILY CHARITABLE TRUST			Remit to: **LA JOLLA** **CA**	
6/20/2011	208369	136,748.00		
			SALES TAX REIMBURSEMENT	136,748.00
	Vendor Total	**136,748.00**		
FYTD for PRICE FAMILY CHARITABLE TRUST		**435,477.50**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882983	635,089.35		
			IRONWD AVE/DAY ST-BARCLAY PROJ	299,444.07
			IRONWOOD AVE/STORM DRAIN PROJ	223,071.26
			IRONWOOD AVE/STORM DRAIN PROJ	22,121.96
			IRONWOOD AVE/STORM DRAIN PROJ	79,652.06
			IRONWOOD AVE/STORM DRAIN PROJ	10,800.00
6/28/2011	110611	33,271.56		
			RETENTN PMT PER ESCRW AGREEMNT	33,271.56
	Vendor Total	**668,360.91**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**4,098,957.33**		

City of Moreno Valley

Check Register

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
6/13/2011	882945	2,744,284.93		
			CONTRACT LAW ENF BILL #8	44,174.01
			CONTRACT LAW ENF BILL #8	658.50
			CONTRACT LAW ENF BILL #8	1,542,338.03
			CONTRACT LAW ENF BILL #8	66,500.01
			CONTRACT LAW ENF BILL #8	346,180.58
			CONTRACT LAW ENF BILL #8	6,275.28
			CONTRACT LAW ENF BILL #8	75,659.98
			CONTRACT LAW ENF BILL #8	8,189.85
			CONTRACT LAW ENF BILL #8	72,591.71
			CONTRACT LAW ENF BILL #8	1,632.40
			CONTRACT LAW ENF BILL #8	184,148.35
			CONTRACT LAW ENF BILL #8	3,852.64
			CONTRACT LAW ENF BILL #8	325,553.74
			CONTRACT LAW ENF BILL #8	8,091.96
			CONTRACT LAW ENF BILL #8	35,387.62
			CONTRACT LAW ENF BILL #8	249.04
			CONTRACT LAW ENF BILL #8	10,279.29
			CONTRACT LAW ENF BILL #8	870.24
			CONTRACT LAW ENF BILL #8	10,750.85
			CONTRACT LAW ENF BILL #8	633.60
			CONTRACT LAW ENF BILL #8	267.25
6/30/2011	883042	3,232,609.38		
			CONTRACT LAW ENF BILL #9	44,201.82
			CONTRACT LAW ENF BILL #9	346.09
			CONTRACT LAW ENF BILL #9	2,074,264.50
			CONTRACT LAW ENF BILL #9	74,161.69
			CONTRACT LAW ENF BILL #9	334,189.22
			CONTRACT LAW ENF BILL #9	6,678.32
			CONTRACT LAW ENF BILL #9	76,221.60
			CONTRACT LAW ENF BILL #9	3,245.46
			CONTRACT LAW ENF BILL #9	72,301.85
			CONTRACT LAW ENF BILL #9	716.32
			CONTRACT LAW ENF BILL #9	175,606.73
			CONTRACT LAW ENF BILL #9	2,002.00
			CONTRACT LAW ENF BILL #9	315,569.45
			CONTRACT LAW ENF BILL #9	3,659.40
			CONTRACT LAW ENF BILL #9	34,151.60
			CONTRACT LAW ENF BILL #9	245.52
			CONTRACT LAW ENF BILL #9	3,205.09
			CONTRACT LAW ENF BILL #9	11,171.28
			CONTRACT LAW ENF BILL #9	671.44
	Vendor Total	**5,976,894.31**		

FYTD for RIVERSIDE COUNTY SHERIFF	**28,410,270.06**

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RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208489	98,195.07		
			FY10/11 FACILITIES EXPENSES	98,195.07
	Vendor Total	**98,195.07**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**102,437.49**		
SAN PEDRO SIGN COMPANY			Remit to: **WILMINGTON** **CA**	
6/27/2011	883030	88,200.00		
			AUTO MALL PYLON SIGN PROJECT	88,200.00
	Vendor Total	**88,200.00**		
FYTD for SAN PEDRO SIGN COMPANY		**373,500.00**		
SHEFFIELD FORECLOSURE RENOVATION			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208494	34,168.43		
			PROP REHAB COSTS-25241 TODD DR	34,168.43
	Vendor Total	**34,168.43**		
FYTD for SHEFFIELD FORECLOSURE RENOVATION		**34,168.43**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA** **PA**	
6/30/2011	208527	520,329.60		
			ENERGY PURCHASE	520,329.60
	Vendor Total	**520,329.60**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**6,462,798.80**		
SHPIGLER GROUP, THE			Remit to: **MONTEBELLO** **NY**	
6/13/2011	208282	29,936.40		
			SMART GRID/ELECT VEHICLE-SPCL	29,936.40
	Vendor Total	**29,936.40**		
FYTD for SHPIGLER GROUP, THE		**29,936.40**		
SOCAL ENGINEERS, INC.			Remit to: **IRVINE** **CA**	
6/20/2011	208389	71,033.40		
			TRAF SIG-SUNNYMD RNCH PKWY	71,033.40
	Vendor Total	**71,033.40**		
FYTD for SOCAL ENGINEERS, INC.		**156,290.40**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/20/2011	208391	151,279.03		
			ELECTRICITY	912.42
			ELECTRICITY	23.77
			ELECTRICITY	324.50
			ELECTRICITY	22.43
			ELECTRICITY	627.67
			ELECTRICITY	1,000.38
			ELECTRICITY	134.59
			ELECTRICITY	2,474.96
			ELECTRICITY	755.66
			ELECTRICITY	1,667.94
			ELECTRICITY	816.57
			ELECTRICITY	1,126.31
			ELECTRICITY	21.87
			ELECTRICITY	96,318.22
			ELECTRICITY	40,411.15
			ELECTRICITY	4,314.08
			ELECTRICITY	21.87
			ELECTRICITY	45.40
			ELECTRICITY	25.72
			ELECTRICITY	23.81
			ELECTRICITY	68.41
			ELECTRICITY	92.57
			ELECTRICITY	48.73
6/20/2011	208392	30,299.19		
			WDAT CHARGES-GRAHAM	3,975.65
			WDAT CHARGES-IRIS	2,752.38
			WDAT CHARGES-GLOBE	8,120.97
			WDAT CHARGES-SUBSTATION	10,447.31
			WDAT CHARGES-FREDERICK	2,107.17
			WDAT CHARGES-NANDINA	2,647.31
			ELECTRICITY	248.40
6/27/2011	208500	32,672.14		
			ELECTRICITY	44.81
			ELECTRICITY	288.85
			ELECTRICITY	89.64
			ELECTRICITY	45.93
			ELECTRICITY	126.58
			ELECTRICITY	440.67
			ELECTRICITY	65.95
			ELECTRICITY	96.83
			ELECTRICITY	100.12
			ELECTRICITY	31.32
			ELECTRICITY	44.15
			ELECTRICITY	33.20
			ELECTRICITY	43.11
			ELECTRICITY	26.27
			ELECTRICITY	142.91
			ELECTRICITY	4,802.74
			ELECTRICITY	2,354.67
			ELECTRICITY	19.24
			ELECTRICITY	636.99

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	2,094.46
			ELECTRICITY	120.85
			ELECTRICITY	3,984.66
			ELECTRICITY	154.17
			ELECTRICITY	48.14
			ELECTRICITY	1,324.48
			ELECTRICITY	297.26
			ELECTRICITY	420.07
			ELECTRICITY	406.47
			ELECTRICITY	99.04
			ELECTRICITY	141.83
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**214,250.36**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,296,774.93**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
6/2/2011	110603	103,461.56		
			CALCARD PYMT CYCLE END 5/23/11	103,461.56
6/15/2011	110606	125,570.90		
			CALCARD PYMT CYCLE END 6/7/11	125,570.90
6/28/2011	110614	95,888.40		
			CALCARD PYMT CYCLE END 6/22/11	95,888.40
	Vendor Total	**324,920.86**		
FYTD for U.S. BANK/CALCARDS		**2,199,269.98**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
6/13/2011	208291	86,415.00		
			2011 PAVEMENT RESURF. PROJ	86,415.00
	Vendor Total	**86,415.00**		
FYTD for UNITED INSPECTION & TESTING INC		**94,691.80**		
WASTE MANAGEMENT			Remit to: **CORONA**	**CA**
6/6/2011	208234	739,548.87		
			SOLID WASTE DELINQ. LESS FEES	841,639.78
			SOLID WASTE DELINQ. LESS FEES	-102,090.91
	Vendor Total	**739,548.87**		
FYTD for WASTE MANAGEMENT		**1,623,802.71**		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
6/28/2011	110607	940,287.92		
			DEBT SERVICE-SPECIAL TAXES	940,287.92
	Vendor Total	**940,287.92**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,815,753.74**		
	Subtotal	**14,816,818.87**		

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CHECKS LESS THAN $25,000

NIELSEN LLC, CLARITAS				Remit to: **CHARLOTTE**	**NC**
	6/13/2011	208240	500.00		
				DATA REQUEST FOR ICSC PREP.	500.00
	Vendor Total		**500.00**		
FYTD for NIELSEN LLC, CLARITAS			**3,590.00**		
7-ELEVEN, INC				Remit to: **DALLAS**	**TX**
	6/20/2011	208292	120.00		
				REFUND-FALSE ALARM OVERPAYMENT	120.00
	Vendor Total		**120.00**		
FYTD for 7-ELEVEN, INC			**120.00**		
ABILITY COUNTS, INC				Remit to: **CORONA**	**CA**
	6/27/2011	208431	1,440.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	Vendor Total		**1,440.00**		
FYTD for ABILITY COUNTS, INC			**5,760.00**		
ABSOLUTE SURVEILLANCE				Remit to: **CANYON LAKE**	**CA**
	6/20/2011	882954	5,844.90		
				TRACKING DEVICE-PD	909.02
				TRACKING DEVICE-PD	59.90
				TRACKING DEVICE-PD	4,218.00
				TRACKING DEVICE-PD	531.90
				TRACKING DEVICE-PD	126.08
	Vendor Total		**5,844.90**		
FYTD for ABSOLUTE SURVEILLANCE			**5,844.90**		

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ACTIVE NETWORK, INC., THE			Remit to: **LOS ANGELES**	**CA**
6/27/2011	883002	17,278.56		
			CLASS SFTWARE MAINT/SUPP RNWL	3,750.00
			DEPT CONNECTOR MAINT/SUPP RNWL	2,500.00
			CRYSTAL REPORTS MAINT/SUPP RNW	600.00
			PYMT SERVER-EFT MAINT/SUPP RNW	1,575.00
			DISCOUNT	-1,263.75
			CLASS SFTWARE MAINT/SUPP RNWL	578.80
			CLASS SFTWARE MAINT/SUPP RNWL	506.46
			CLASS SFTWARE MAINT/SUPP RNWL	144.70
			CLASS SFTWARE MAINT/SUPP RNWL	72.35
			CLASS SFTWARE MAINT/SUPP RNWL	1,447.03
			CLASS SFTWARE MAINT/SUPP RNWL	1,050.00
			CLASS SFTWARE MAINT/SUPP RNWL	4,051.68
			CLASS SFTWARE MAINT/SUPP RNWL	2,532.30
			CLASS SFTWARE MAINT/SUPP RNWL	1,519.38
			DISCOUNT	-1,785.39
	Vendor Total	**17,278.56**		
FYTD for ACTIVE NETWORK, INC., THE		**17,278.56**		
ADAMS, MARK L.			Remit to: **REDLANDS**	**CA**
6/6/2011	882833	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for ADAMS, MARK L.		**3,824.76**		
ADDUS HEALTH CARE			Remit to: **RIVERSIDE**	**CA**
6/27/2011	208432	500.00		
			REFUND-RENTAL DEPOSIT	500.00
	Vendor Total	**500.00**		
FYTD for ADDUS HEALTH CARE		**1,000.00**		
ADLERHORST INTERNATIONAL INC.			Remit to: **RIVERSIDE**	**CA**
6/20/2011	882955	283.24		
			K9 TRAINING-PD	283.24
6/27/2011	883003	16,971.88		
			PURCHASE OF NEW K9 (URGAN)	8,971.88
			PURCHASE OF NEW K9 (URGAN)	8,000.00
	Vendor Total	**17,255.12**		
FYTD for ADLERHORST INTERNATIONAL INC.		**38,782.55**		
ADMINSURE			Remit to: **DIAMOND BAR**	**CA**
6/6/2011	208111	2,600.00		
			WORKMANS COMP ADMIN	2,600.00
	Vendor Total	**2,600.00**		
FYTD for ADMINSURE		**31,200.00**		

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ADVANCE REFRIGERATION & ICE SYSTEMS, INC			Remit to: **RIVERSIDE**	**CA**
6/13/2011	882922	780.00		
			ICE MACHINE MAINT-FIRE ST #2	40.00
			ICE MACHINE MAINT-FIRE ST #2	155.00
			ICE MACHINE MAINT-CITY HALL	5.00
			ICE MACHINE MAINT-CITY HALL	190.00
			ICE MACHINE MAINT-FIRE ST #65	40.00
			ICE MACHINE MAINT-FIRE ST #65	155.00
			ICE MACHINE MAINT-FIRE ST #91	72.00
			ICE MACHINE MAINT-FIRE ST #91	123.00
6/20/2011	882956	195.00		
			ICE MACH MAINT-FS #48	63.00
			ICE MACH MAINT-FS #48	132.00
	Vendor Total	**975.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**19,163.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE**	**CA**
6/13/2011	208241	3,219.00		
			SIGN LIGHTS REPAIRED-EOC	1,512.00
			INSTALL LIGHTING-SR CTR POOLRM	1,497.00
			LIGHTING REPAIRS-ANIMAL SHLTR	210.00
6/27/2011	208433	625.00		
			ELECT REPAIRS-PARKS	625.00
	Vendor Total	**3,844.00**		
FYTD for ADVANCED ELECTRIC		**97,406.60**		
ADVANTAGE BUSINESS EQUIPMENT, INC			Remit to: **SAN DIEGO**	**CA**
6/13/2011	882923	713.86		
			MICR TONER FOR HP 9050 PRINTER	229.00
			BLANK CHECK STOCK FOR PAYROLL	125.00
			SHIPPING CHARGES	19.00
			CA SALES TAX FOR PAYROLL CHKS	10.94
			CA SALES TAX FOR MICR TONER	20.04
			BLANK CHECK STOCK FOR A/P	250.00
			SHIPPING CHARGES	25.00
			SHIPPING CHARGES	13.00
			CA SALES TAX	21.88
	Vendor Total	**713.86**		
FYTD for ADVANTAGE BUSINESS EQUIPMENT, INC		**2,791.81**		

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ADVANTAGE GRAPHICS AND PROMOTIONS			Remit to: **CAPISTRANO BEACH**	**CA**
6/6/2011	208112	2,638.81		
			PARKING CITATIONS-CODE	1,438.60
			PARKING CITATIONS-CODE	791.23
			PARKING CITATIONS-CODE	135.00
			PARKING CITATIONS-CODE	78.87
			PARKING CITATIONS-CODE	195.11
	Vendor Total	**2,638.81**		
FYTD for ADVANTAGE GRAPHICS AND PROMOTIONS		**2,638.81**		
AEI-CASC ENGINEERING			Remit to: **COLTON**	**CA**
6/20/2011	882957	6,645.68		
			IRONWD AVE/DAY ST-BARCLAY PROJ	6,645.68
	Vendor Total	**6,645.68**		
FYTD for AEI-CASC ENGINEERING		**238,785.47**		
AHLERS, ROSCEAL			Remit to: **HEMET**	**CA**
6/20/2011	208294	76.00		
			INSTRUCTION SVCS-2 DAYS	76.00
	Vendor Total	**76.00**		
FYTD for AHLERS, ROSCEAL		**1,520.00**		
AINSWORTH, NADINE			Remit to: **HIGHLAND**	**CA**
6/20/2011	208295	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for AINSWORTH, NADINE		**95.00**		
AIR CLEANING SYSTEMS INC.			Remit to: **POMONA**	**CA**
6/13/2011	882924	401.63		
			FIRE PLYMOVENT MAINT.-LABOR	170.00
			FIRE PLYMOVENT MAINT.-PARTS	231.63
6/27/2011	883004	366.09		
			PLYMOVENT MAINT-FIRE PREV	170.00
			PLYMOVENT MAINT-FIRE PREV	76.47
			PLYMOVENT MAINT-FIRE PREV	119.62
	Vendor Total	**767.72**		
FYTD for AIR CLEANING SYSTEMS INC.		**5,123.43**		
ALARCON SONS, INC			Remit to: **BALDWIN PARK**	**CA**
6/13/2011	208242	25.60		
			REFUND-BUS. LIC. OVERPAYMENT	25.60
	Vendor Total	**25.60**		
FYTD for ALARCON SONS, INC		**25.60**		

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ALICEA, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208434	107.61		
				MILEAGE REIMBURSEMENT	107.61
	Vendor Total		**107.61**		
FYTD for ALICEA, RICHARD			**1,147.80**		
ALLEN, VICTOR				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208296	200.00		
				REFUND-TWNGTE RENTAL DEPOSIT	200.00
	Vendor Total		**200.00**		
FYTD for ALLEN, VICTOR			**200.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	6/21/2011	208420	1,519.79		
				BUS SVCS-STARS PRGM CHEER COMP	1,519.79
	Vendor Total		**1,519.79**		
FYTD for ALLIANCE BUS LINES INC			**13,065.20**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	6/6/2011	208115	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**900.00**		
ALVAREZ, THOMAS				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208297	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALVAREZ, THOMAS			**95.00**		
AMERICAN FORENSIC NURSES				Remit to: **PALM SPRINGS** **CA**	
	6/20/2011	882958	1,150.24		
				BLOOD DRAWS-PD	123.24
				BLOOD DRAWS-PD	1,027.00
	6/27/2011	883005	1,978.76		
				BLOOD DRAWS-PD	1,937.68
				BLOOD DRAWS-PD	41.08
	Vendor Total		**3,129.00**		
FYTD for AMERICAN FORENSIC NURSES			**37,068.54**		

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AMERICAN TOWERS				Remit to: **CHARLOTTE** **NC**	
	6/6/2011	208116	2,573.48		
				ATC TOWER LEASE-TECH SVCS	2,573.48
	Vendor Total		**2,573.48**		
FYTD for AMERICAN TOWERS			**23,161.32**		
ANIMAL EMERGENCY CLINIC, INC.				Remit to: **GRAND TERRACE** **CA**	
	6/20/2011	882959	165.00		
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	55.00
	Vendor Total		**165.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.			**2,630.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				Remit to: **CHINO** **CA**	
	6/20/2011	208298	1,285.00		
				PEST CONTRAL SVCS-PARKS	255.00
				PEST CONTRAL SVCS-MARB/EQUESTR	330.00
				PEST CONTRAL SVCS-PAL	100.00
				BEE REMOVAL-PARKS	300.00
				BEE REMOVAL-PARKS	300.00
	6/27/2011	208435	1,105.00		
				PEST CNTRL SVCS-PARKS	665.00
				PEST CNTRL SVCS-CFD #1	160.00
				PEST CNTRL SVCS-GOLF CT	180.00
				PEST CNTRL SVCS-STARS	100.00
	Vendor Total		**2,390.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.			**22,080.00**		
ARAMBUL, JUAN				Remit to: **NUEVO** **CA**	
	6/27/2011	208436	47.50		
				REFUND-CITATION FEE	47.50
	Vendor Total		**47.50**		
FYTD for ARAMBUL, JUAN			**47.50**		
ARCHIVE MANAGEMENT SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	882925	1,256.31		
				OFFSITE STORAGE SVCS-CITY CLRK	1,256.31
	Vendor Total		**1,256.31**		
FYTD for ARCHIVE MANAGEMENT SERVICE			**16,386.14**		

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ARMSTRONG, CHARIS			Remit to: **NUEVO** **CA**	
6/6/2011	208117	75.00		
			REFUND- SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for ARMSTRONG, CHARIS		**75.00**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
6/6/2011	208118	25.00		
			WATER PURIF RNTL-STARS	25.00
6/13/2011	208243	515.79		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRAFFIC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-ANIMAL SHLTR	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPECIAL DIST.	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FACIL. ANNEX	25.00
			WATER PURIF RNTL-CONF&REC CTR	25.00
			WATER PURIF RNTL-FIRE ST #6	25.00
			WATER PURIF RNTL-FIRE ST #48	25.00
			WATER PURIF RNTL-FIRE ST #2	25.00
			WATER PURIF RNTL-FIRE ST #58	15.77
			WATER PURIF RNTL-FIRE ST #91	25.00
			WATER PURIF RNTL-FIRE ST #65	25.00
6/20/2011	208299	50.00		
			WATER PURIF RNTL-STARS	25.00
			WATER PURIF RNTL-EOC	25.00
	Vendor Total	**590.79**		
FYTD for ARROWHEAD WATER		**6,722.01**		
AT & T STATE CALLING SERVICE			Remit to: **CAROL STREAM** **IL**	
6/27/2011	208437	0.04		
			PHONE CHARGES	0.04
	Vendor Total	**0.04**		
FYTD for AT & T STATE CALLING SERVICE		**7.91**		
AT&T/MCI			Remit to: **WEST SACRAMENTO** **CA**	
6/6/2011	208119	183.10		
			COMMUNICATIONS SVCS	183.10
	Vendor Total	**183.10**		
FYTD for AT&T/MCI		**2,201.20**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AUGUST, MARGARET				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208120	66.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	16.00
				REFUND-VARIOUS A/C FEES	10.00
	Vendor Total		**66.00**		
FYTD for AUGUST, MARGARET			**66.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	6/6/2011	208121	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,745.98**		
BALANCIER, EARL				Remit to: **PERRIS** **CA**	
	6/20/2011	208300	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**722.00**		
FYTD for BALANCIER, EARL			**3,306.00**		
BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	6/6/2011	882835	359.19		
				RETIREE MED APR-JUN '11, PD JU	359.19
	Vendor Total		**359.19**		
FYTD for BARNES, DARLENE			**1,625.47**		
BARNES, DULCE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208301	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for BARNES, DULCE			**95.00**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	6/20/2011	208302	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BARTUCCIO, ERICA			**75.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882836	60.00		
				BACKFLOW TESTING-PARKS	16.74
				BACKFLOW TESTING-PARKS	43.26
	6/13/2011	882926	149.83		
				BACKFLOW TESTING-PARKS	149.83
	6/20/2011	882960	345.33		
				BACKFLOW TESTING-MORRISON PRK	345.33
	Vendor Total		**555.16**		
FYTD for BASIC BACKFLOW			**3,308.42**		
BEDOY, BEATRIZ				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208122	95.00		
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	75.00
	Vendor Total		**95.00**		
FYTD for BEDOY, BEATRIZ			**95.00**		
BEMIS, NIKKI				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208123	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BEMIS, NIKKI			**20.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
6/13/2011	882927	4,957.56		
			LNDSCP MAINT-VETRNS MEMORIAL	250.00
			LNDSCP MAINT-FIRE STATIONS	3,150.00
			LNDSCP MAINT-CITY HALL	992.56
			LNDSCP MAINT-ANNEX BLDG 1	300.00
			REPLC DMGD TREE-IRIS/KITCHING	265.00
6/27/2011	883006	11,986.95		
			LANDSCAPE MAINT-E4	158.99
			LANDSCAPE MAINT-E4	114.75
			LANDSCAPE MAINT-E4	242.63
			LANDSCAPE MAINT-CITY YARD	250.00
			LANDSCAPE MAINT-ANML SHLTR	520.00
			LANDSCAPE MAINT-STARS BLDG	300.00
			LANDSCAPE MAINT-MV ELECT SUBST	630.00
			LANDSCAPE MAINT-MVU	480.00
			LANDSCAPE MAINT-LIBRARY	520.00
			LANDSCAPE MAINT-CONF & REC CTR	1,900.00
			LANDSCAPE MAINT-PSB	226.62
			LANDSCAPE MAINT-PSB	970.96
			LANDSCAPE MAINT-CFD #1	400.00
			LANDSCAPE MAINT-CFD #1	1,900.00
			LANDSCAPE MAINT-CFD #1	400.00
			LNDSCP MAINT-S AQDCT "B"	735.00
			LNDSCP MAINT-SENIOR CT	262.50
			LNDSCP MAINT-N AQDCT	525.00
			LNDSCP MAINT-S AQDCT "A"	850.50
			LNDSCP MAINT-PAN AM SECT	600.00
	Vendor Total	**16,944.51**		
FYTD for BEMUS LANDSCAPE, INC.		**577,144.70**		
BENESYST, INC.			Remit to: **MINNEAPOLIS**	**MN**
6/27/2011	883007	205.57		
			FLEX ADMIN SVCS-HR	205.57
6/30/2011	883041	205.00		
			COBRA ADMIN SVCS-HR	31.00
			COBRA ADMIN SVCS-HR	174.00
	Vendor Total	**410.57**		
FYTD for BENESYST, INC.		**6,549.27**		
BIO-TOX LABORATORIES			Remit to: **RIVERSIDE**	**CA**
6/6/2011	208124	11,821.58		
			TOXICOLOGY TESTING-PD	2,696.88
			TOXICOLOGY TESTING-PD	9,124.70
	Vendor Total	**11,821.58**		
FYTD for BIO-TOX LABORATORIES		**79,896.61**		

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BISHOP COMPANY				Remit to: **WHITTIER** **CA**	
	6/6/2011	208125	57.70		
				MISC TOOLS-PARKS	57.70
	Vendor Total		**57.70**		
FYTD for BISHOP COMPANY			**829.69**		
BLACK, CHRISTINA				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208126	65.00		
				REFUND-BLS HEALTHCARE CLASS	65.00
	Vendor Total		**65.00**		
FYTD for BLACK, CHRISTINA			**65.00**		
BOBO II, FELIX				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208303	69.36		
				MILEAGE REIMBURSEMENT	69.36
	Vendor Total		**69.36**		
FYTD for BOBO II, FELIX			**1,270.93**		
BOSE, TIFFANY				Remit to: **CORONA** **CA**	
	6/13/2011	208244	32.64		
				MILEAGE REIMBURSEMENT	32.64
	Vendor Total		**32.64**		
FYTD for BOSE, TIFFANY			**351.39**		
BOWLUS PACIFIC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208127	607.00		
				REFUND-PLANNING FEES	607.00
	Vendor Total		**607.00**		
FYTD for BOWLUS PACIFIC			**607.00**		
BRAUN BLAISING MCLAUGHLIN				Remit to: **SACRAMENTO** **CA**	
	6/6/2011	208128	386.00		
				LEGAL SERVICES-UT	386.00
	Vendor Total		**386.00**		
FYTD for BRAUN BLAISING MCLAUGHLIN			**386.00**		
BRAY, JR., LYLE DEAN				Remit to: **CORONA** **CA**	
	6/20/2011	208304	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for BRAY, JR., LYLE DEAN			**2,470.00**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	6/27/2011	883008	3,466.88		
				MISC BOOKS-LIBRARY	29.37
				MISC BOOKS-LIBRARY	23.85
				MISC BOOKS-LIBRARY	49.29
				MISC BOOKS-LIBRARY	97.04
				MISC BOOKS-LIBRARY	372.48
				MISC BOOKS-LIBRARY	32.14
				MISC BOOKS-LIBRARY	488.87
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	28.93
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	27.55
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	188.15
				MISC BOOKS-LIBRARY	75.22
				MISC BOOKS-LIBRARY	491.81
				MISC BOOKS-LIBRARY	122.49
				MISC BOOKS-LIBRARY	38.65
				MISC BOOKS-LIBRARY	34.03
				MISC BOOKS-LIBRARY	41.95
				MISC BOOKS-LIBRARY	83.84
				MISC BOOKS-LIBRARY	101.87
				MISC BOOKS-LIBRARY	23.78
				MISC BOOKS-LIBRARY	62.55
				MISC BOOKS-LIBRARY	75.82
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	60.75
				MISC BOOKS-LIBRARY	38.61
				MISC BOOKS-LIBRARY	24.40
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	78.12
				MISC BOOKS-LIBRARY	88.73
				MISC BOOKS-LIBRARY	151.47
				MISC BOOKS-LIBRARY	36.48
				MISC BOOKS-LIBRARY	69.32
				MISC BOOKS-LIBRARY	120.36
				MISC BOOKS-LIBRARY	22.57
	Vendor Total		**3,466.88**		
FYTD for BRODART CO.			**45,433.76**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	6/6/2011	208129	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**3,824.76**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BURCIAGA-LOPEZ, ROSSY			Remit to: **MORENO VALLEY**	**CA**
6/27/2011	208438	8.95		
			REFUND-LOST BOOK FEE	8.95
	Vendor Total	**8.95**		
FYTD for BURCIAGA-LOPEZ, ROSSY		**8.95**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
6/6/2011	882837	21,399.60		
			LEGAL SERVICES-HR	1,818.10
			LEGAL SERVICES-HR	19,581.50
6/27/2011	883009	100.00		
			GEN SPECIAL COUNSEL SVCS	100.00
	Vendor Total	**21,499.60**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**106,302.40**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY**	**IL**
6/27/2011	208439	3,963.42		
			MISC BOOKS-LIBRARY	258.00
			MISC BOOKS-LIBRARY	254.49
			MISC BOOKS-LIBRARY	1,820.41
			MISC BOOKS-LIBRARY	721.05
			MISC BOOKS-LIBRARY	57.80
			MISC BOOKS-LIBRARY	851.67
	Vendor Total	**3,963.42**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**24,480.37**		
CA CONSTRUCTION AND FLOOR TECH AMERICA,			Remit to:	
6/6/2011	208130	1,883.00		
			RETENT/STOP NOTICE PYMT-PSB PR	1,883.00
	Vendor Total	**1,883.00**		
FYTD for CA CONSTRUCTION AND FLOOR TECH AMERICA,		**1,883.00**		
CA CONSTRUCTION AND GLOBAL SPECIALTIES			Remit to:	
6/6/2011	208131	968.40		
			RETENT/STOP NOTICE PYMT-PSB PR	968.40
	Vendor Total	**968.40**		
FYTD for CA CONSTRUCTION AND GLOBAL SPECIALTIES		**968.40**		
CA CONSTRUCTION AND MURRAY MECHANICAL			Remit to:	
6/6/2011	208132	4,531.84		
			RETENT/STOP NOTICE PYMT-PSB PR	4,531.84
	Vendor Total	**4,531.84**		
FYTD for CA CONSTRUCTION AND MURRAY MECHANICAL		**4,531.84**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CA CONSTRUCTION AND RGB			Remit to:	
6/6/2011	208133	1,982.60		
			RETENT/STOP NOTICE PYMT-PSB PR	1,982.60
Vendor Total		**1,982.60**		
FYTD for CA CONSTRUCTION AND RGB		**1,982.60**		
CA CONSTRUCTION AND TANDEM WEST GLASS,			Remit to:	
6/6/2011	208134	3,480.00		
			RETENT/STOP NOTICE PYMT-PSB PR	3,480.00
Vendor Total		**3,480.00**		
FYTD for CA CONSTRUCTION AND TANDEM WEST GLASS,		**3,480.00**		
CA DEPT OF FORESTRY & PROTECTION			Remit to: **YUCAIPA** **CA**	
6/13/2011	208245	3,705.19		
			MATERIALS FOR LOCKERS AT FS#48	3,705.19
Vendor Total		**3,705.19**		
FYTD for CA DEPT OF FORESTRY & PROTECTION		**3,705.19**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
6/6/2011	882838	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for CAIN, GREGORY		**3,824.76**		
CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
6/7/2011	208238	2,278.08		
			UNCLAIMED VENDOR CHECKS	717.75
			UNCLAIMED VENDOR CHECKS	1,594.33
			UNCLAIMED VENDOR CHECKS	-34.00
Vendor Total		**2,278.08**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,285.72**		
CALIFORNIA TRANSCRIPTION, LLC			Remit to: **RIVERSIDE** **CA**	
6/27/2011	883010	130.01		
			TRANSCRIPTION SVCS-CDD	130.01
Vendor Total		**130.01**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**772.58**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
6/6/2011	882839	4,773.00		
			CONSULTING SVCS-NPDES	4,773.00
Vendor Total		**4,773.00**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**16,907.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CAMACHO, FELIX				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208246	4,819.00		
				REFUND-TRUST FUND DEPOSIT	4,819.00
	Vendor Total		**4,819.00**		
FYTD for CAMACHO, FELIX			**4,819.00**		
CANNON, ANA M.				Remit to: **HASLET** **TX**	
	6/6/2011	882840	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**3,650.21**		
CANON BUSINESS SOLUTIONS, INC.				Remit to: **BURLINGTON** **NJ**	
	6/20/2011	882962	2,002.20		
				COPIER SERVICE-STARS	2,002.20
	Vendor Total		**2,002.20**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**37,505.95**		
CANON FINANCIAL SERVICES, INC.				Remit to: **CHICAGO** **IL**	
	6/20/2011	208305	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**91,088.16**		
CARRERA, EFRAIN				Remit to: **PERRIS** **CA**	
	6/6/2011	208135	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	6/20/2011	208306	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**1,368.00**		
FYTD for CARRERA, EFRAIN			**2,014.00**		
CARTER, ROSALYN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882841	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for CARTER, ROSALYN			**3,918.83**		

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CELLEBRITE USA, CORP				Remit to: **GLEN ROCK** **NJ**	
	6/21/2011	208421	9,072.00		
				UNIV FORENSIC EXTRACT. DEVICE	6,999.00
				UFED SOFTWARE UPGRADES	1,998.00
				SHIPPING & HANDLING	75.00
				CA USE TAX	612.41
				CA USE TAX ACCRUAL	-612.41
	Vendor Total		**9,072.00**		
FYTD for CELLEBRITE USA, CORP			**18,144.00**		
CEMEX				Remit to: **ONTARIO** **CA**	
	6/6/2011	208136	745.03		
				CEMENT PURCHASE	376.32
				CEMENT PURCHASE	368.71
	6/20/2011	208307	1,092.42		
				CEMENT PURCHASE	301.35
				CEMENT PURCHASE	320.18
				CEMENT PURCHASE	470.89
	Vendor Total		**1,837.45**		
FYTD for CEMEX			**10,873.04**		
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208137	360.00		
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	70.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	55.00
	Vendor Total		**360.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			**13,575.00**		
CERTIFIED CREDIT REPORTING, INC				Remit to: **CORONA** **CA**	
	6/20/2011	208308	18.96		
				CREDIT PROFILE SERVICES	18.96
	Vendor Total		**18.96**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**83.84**		
CHAN, PAULINE				Remit to: **LAKE ELSINORE** **CA**	
	6/6/2011	208138	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CHAN, PAULINE			**95.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	6/20/2011	882963	8,918.00		
				INVESTMENT MGT SVCS	8,918.00
	Vendor Total		**8,918.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**105,917.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	6/6/2011	208139	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,824.76**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882842	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,824.76**		
CHERRY VALLEY FEED				Remit to: **CHERRY VALLEY** **CA**	
	6/27/2011	208440	117.43		
				FOOD FOR PD K9	117.43
	Vendor Total		**117.43**		
FYTD for CHERRY VALLEY FEED			**1,208.54**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882843	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**2,546.46**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO**	**CA**
6/6/2011	882844	155.57		
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-TRFFC SGNL MA	16.42
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	18.60
			UNIFORM RNTL SVC-ST MAINT	36.38
			UNIFORM RNTL SVC-CONC MAINT	9.58
6/13/2011	882928	253.14		
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-FAC MAINT	12.40
			UNIFORM RNTL SVC-FAC MAINT	12.40
			UNIFORM RNTL SVC-PARKS STAFF	50.19
			UNIFORM RNTL SVC-TRF SIG MAINT	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT CREW	51.92
			UNIFORM RNTL SVC-CONCRETE CREW	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
6/20/2011	882964	347.33		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PARKS	85.38
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-FACILITIES	12.40
6/27/2011	883011	375.09		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-CONC MAINT	10.18
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	12.40
			UNIFORM RNTL SVC-GOLF COURSE	5.56
	Vendor Total	**1,131.13**		
FYTD for CINTAS CORPORATION		**12,467.07**		

CITY OF MORENO VALLEY VEBA TRUST — Remit to: **MORENO VALLEY** **CA**

6/6/2011	882845	4,200.00		
			EXEMPT VEBA	4,200.00
	Vendor Total	**4,200.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**49,662.50**		

CLAMMER, JOYCE — Remit to: **LAKEWOOD** **CA**

6/20/2011	208309	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CLAMMER, JOYCE		**20.00**		

CLONINGER, JASON — Remit to: **MORENO VALLEY** **CA**

6/20/2011	208310	59.52		
			REFUND-PARKS CLASS REGIS FEE	59.52
	Vendor Total	**59.52**		
FYTD for CLONINGER, JASON		**59.52**		

City of Moreno Valley

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For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COAST FITNESS REPAIR SHOP			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208140	284.33		
			REPAIR WEIGHT MACH-SENIOR CTR	120.00
			REPAIR WEIGHT MACH-SENIOR CTR	60.00
			REPAIR WEIGHT MACH-SENIOR CTR	18.00
			REPAIR WEIGHT MACH-SENIOR CTR	69.00
			REPAIR WEIGHT MACH-SENIOR CTR	17.33
	Vendor Total	**284.33**		
FYTD for COAST FITNESS REPAIR SHOP		**379.33**		
COAST TO COAST LASER			Remit to: **MURRIETA** **CA**	
6/27/2011	208441	32.63		
			LONGEVITY AWARD-O. RODRIGUEZ	32.63
	Vendor Total	**32.63**		
FYTD for COAST TO COAST LASER		**65.26**		
COASTLINE CONSTRUCTION & AWNING CO.			Remit to: **HUNTINGTON BEACH** **CA**	
6/20/2011	208311	1,459.09		
			CONSTR OF STEPS-PERRIS BL PROJ	1,459.09
	Vendor Total	**1,459.09**		
FYTD for COASTLINE CONSTRUCTION & AWNING CO.		**31,027.74**		
COHENS, BEVERLY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208312	39.00		
			REFUND-PARKS CLASS REGIS FEE	39.00
	Vendor Total	**39.00**		
FYTD for COHENS, BEVERLY		**39.00**		
COLGAN CONSULTING CORPORATION			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208141	2,956.45		
			CONSULTING SVCS-PW LAND DV	2,956.45
	Vendor Total	**2,956.45**		
FYTD for COLGAN CONSULTING CORPORATION		**2,956.45**		
COLONIAL SUPPLEMENTAL INSURANCE			Remit to: **COLUMBIA** **SC**	
6/6/2011	208142	7,079.44		
			SUPPLEMENTAL INSURANCE	7,079.44
	Vendor Total	**7,079.44**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**84,878.79**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
6/6/2011	208143	183.81		
			CHC CONTRIBUTIONS	183.81
6/20/2011	208313	178.81		
			CHC CONTRIBUTIONS	178.81
	Vendor Total	**362.62**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,543.80**		
CONEJO, LEONARDO			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208314	75.00		
			REFUND-SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CONEJO, LEONARDO		**75.00**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
6/6/2011	208145	2,908.90		
			ASPHALTIC MATERIALS	2,908.90
6/13/2011	208247	2,886.29		
			ASPHALTIC MATERIALS	2,886.29
	Vendor Total	**5,795.19**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**21,009.44**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208315	35.00		
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**35.00**		
FYTD for CONTRERAS, BIANCA		**420.00**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208316	87.50		
			SPORTS OFFICIATING SVCS	35.00
			SPORTS OFFICIATING SVCS	17.50
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**87.50**		
FYTD for CONTRERAS, JOSE		**947.50**		
CONVERT-A-DOC			Remit to: **MURRIETA** **CA**	
6/13/2011	208248	818.32		
			SCANNING SERVICES-LAND DEV	818.32
	Vendor Total	**818.32**		
FYTD for CONVERT-A-DOC		**5,472.70**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COPELAND, PATRICIA				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208317	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for COPELAND, PATRICIA			**50.00**		
COSEY JR., JAMES				Remit to: **MORENO VALLEY CA**	
	6/27/2011	208442	297.00		
				INSTRUCTOR SVCS-KEMPO CLASSES	132.00
				INSTRUCTOR SVCS-KEMPO CLASSES	165.00
	Vendor Total		**297.00**		
FYTD for COSEY JR., JAMES			**813.00**		
COSTCO				Remit to: **MORENO VALLEY CA**	
	6/6/2011	208146	28.41		
				MISC SUPPLIES-STARS	28.41
	6/13/2011	208249	1,124.37		
				MISC SUPPLIES-STARS	82.18
				MISC SUPPLIES-STARS	191.10
				MISC SUPPLIES-STARS	48.30
				MISC SUPPLIES-STARS	119.63
				MISC SUPPLIES-SKATE PARK	683.16
	6/20/2011	208318	3,935.34		
				MISC SUPPLIES-CHILDS PLC	892.15
				MISC SUPPLIES-CHILDS PLC	879.91
				MISC SUPPLIES-CHILDS PLC	1,082.97
				MISC SUPPLIES-STARS	324.02
				MISC SUPPLIES-STARS	18.05
				MISC SUPPLIES-STARS	534.66
				MISC SUPPLIES-STARS	68.46
				MISC SUPPLIES-STARS	135.12
	6/27/2011	208443	289.10		
				MISC SUPPLIES-STARS	80.53
				MISC SUPPLIES-STARS	61.37
				MISC SUPPLIES-STARS	94.02
				MISC SUPPLIES-STARS	53.18
	Vendor Total		**5,377.22**		
FYTD for COSTCO			**56,488.26**		
COUNSELING TEAM, THE				Remit to: **SAN BERNARDINO CA**	
	6/27/2011	208444	1,250.00		
				EMP COUNSELING SRVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**17,500.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
6/6/2011	208147	65.58		
			REFUND-UUT USER TAXES	65.58
	Vendor Total	**65.58**		
FYTD for COUNTRY SQUIRE ESTATES		**816.96**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208250	42.70		
			RECORDATION REQUESTS-LAND DEV	42.70
	Vendor Total	**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**532.95**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
6/6/2011	882846	110.31		
			PD K-9 FOOD	101.43
			PD K-9 FOOD	8.88
	Vendor Total	**110.31**		
FYTD for COVENTRY PET RESORT		**993.40**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208148	871.00		
			HEALTH PERMIT-CONF & REC CTR	871.00
	Vendor Total	**871.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**26,404.08**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
6/20/2011	208320	745.00		
			DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**10,940.00**		
D H TAD LOWREY & GAYLE A LOWREY			Remit to: **PASADENA** **CA**	
6/6/2011	882847	2,400.82		
			BOND HOLDER PAYMENT	1,786.19
			BOND HOLDER PAYMENT	614.63
	Vendor Total	**2,400.82**		
FYTD for D H TAD LOWREY & GAYLE A LOWREY		**3,408.82**		
DACOLIAS, RAYMOND			Remit to: **SAN JACINTO** **CA**	
6/20/2011	208321	190.00		
			INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total	**190.00**		
FYTD for DACOLIAS, RAYMOND		**1,748.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DAILY JOURNAL CORPORATION			Remit to: **LOS ANGELES** **CA**	
6/6/2011	208149	784.08		
			RENEWAL SUBSCRIPTION-12 MOS.	784.08
	Vendor Total	**784.08**		
FYTD for DAILY JOURNAL CORPORATION		**784.08**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882848	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for DALE, KATHLEEN		**3,805.92**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH** **CA**	
6/6/2011	882849	4,861.50		
			CITATION PRCSSNG-PD	3,518.35
			CITATION PRCSSNG-ANML SVCS	595.55
			CITATION PRCSSNG-BLDG/SFTY	747.60
6/13/2011	882929	105.00		
			PARKING CODE APP-TECH SVCS	105.00
	Vendor Total	**4,966.50**		
FYTD for DATA TICKET, INC.		**246,852.12**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO** **CA**	
6/27/2011	208445	130.50		
			ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total	**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**1,566.00**		
DE LA CRUZ, JAZMINE			Remit to: **MONTEBELLO** **CA**	
6/6/2011	208150	65.00		
			REFUND-BLS HEALTHCARE CLASS	65.00
	Vendor Total	**65.00**		
FYTD for DE LA CRUZ, JAZMINE		**65.00**		
DEFINITIVE FINANCIAL SOLUTIONS, LLC			Remit to: **PARIS** **MO**	
6/13/2011	208251	1,800.00		
			CONSULTING SVCS-TECH SVCS	1,800.00
	Vendor Total	**1,800.00**		
FYTD for DEFINITIVE FINANCIAL SOLUTIONS, LLC		**6,675.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	6/13/2011	208252	12,027.29		
				EMPLOYEE DENTAL INSURANCE	12,027.29
	Vendor Total		**12,027.29**		
FYTD for DELTA DENTAL			**139,895.34**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	6/27/2011	883012	4,315.00		
				PLAN REVIEW SVCS-FIRE PREV	780.00
				PLAN REVIEW SVCS-FIRE PREV	3,275.00
				PLAN REVIEW SVCS-FIRE PREV	260.00
	Vendor Total		**4,315.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**108,230.00**		
DIVISION OF LABOR STANDARDS ENFORCMENT				Remit to: **LONG BEACH** **CA**	
	6/21/2011	208422	5,568.75		
				CWPA PYMT-EMERG OPS CTR PROJ	5,568.75
	Vendor Total		**5,568.75**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT			**53,540.14**		
DLS LANDSCAPE, INC				Remit to: **REDLANDS** **CA**	
	6/27/2011	883013	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**12,390.00**		
FYTD for DLS LANDSCAPE, INC			**148,680.00**		
DMV				Remit to: **SACRAMENTO** **CA**	
	6/13/2011	208253	104.00		
				RENEWAL REGISTRATION	52.00
				RENEWAL REGISTRATION	52.00
	Vendor Total		**104.00**		
FYTD for DMV			**104.00**		
DORIS GRAVITTE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208151	73.00		
				REFUND-BUS. LIC. OVERPAYMENT	57.00
				REFUND-BUS. LIC. OVERPAYMENT	16.00
	Vendor Total		**73.00**		
FYTD for DORIS GRAVITTE			**73.00**		

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DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	6/6/2011	208152	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**3,540.96**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL				Remit to: **SACRAMENTO** **CA**	
	6/20/2011	208322	15.00		
				2010 MANIFEST FEES-FIRE ST #6	15.00
	Vendor Total		**15.00**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			**115.00**		
DUNN, LAURA ISABEL GARCIA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	882965	304.00		
				INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for DUNN, LAURA ISABEL GARCIA			**1,748.00**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208153	252.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	252.00
	Vendor Total		**252.00**		
FYTD for DURAN, BLANCA			**3,003.00**		
DYE, COLUMBUS				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208254	444.23		
				REFUND-A/C CITATION CHRGS	444.23
	Vendor Total		**444.23**		
FYTD for DYE, COLUMBUS			**444.23**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/6/2011	208154	12,942.57		
			WATER CHARGES	269.72
			WATER CHARGES	6,541.37
			WATER CHARGES	354.84
			WATER CHARGES	2,034.55
			WATER CHARGES	607.12
			WATER CHARGES	2,958.60
			WATER CHARGES	176.37
6/20/2011	208323	0.00		
			WATER CHARGES-SUBSTATION	109.70
			WATER CHARGES	1,512.76
			WATER CHARGES	215.89
			WATER CHARGES	886.93
			WATER CHARGES	3,295.26
			WATER CHARGES	39.60
			WATER CHARGES	731.92
			WATER CHARGES	3,405.73
			WATER CHARGES	112.11
			WATER CHARGES	20,226.01
			WATER CHARGES	1,914.50
			WATER CHARGES	10,318.64
			WATER CHARGES	6,429.68
			WATER CHARGES	4,365.06
			WATER CHARGES	8,640.00
			WATER CHARGES	4,553.69
			WATER CHARGES	2,441.82
			WATER CHARGES	51.73
			WATER CHARGES	1,462.00
			WATER CHARGES	3,118.14
			WATER CHARGES	867.38
			WATER CHARGES	246.46
			WATER CHARGES	525.26
			WATER CHARGES	402.73
			WATER CHARGES	316.75
			WATER CHARGES	254.04
			WATER CHARGES	282.11
			WATER CHARGES	359.58
			WATER CHARGES	83.22
			WATER CHARGES	246.06
			WATER CHARGES	109.66
			WATER CHARGES	2,168.37
			WATER CHARGES	887.14
			VOIDED CHECK #208323 - 6/21/11	-109.70
			VOIDED CHECK #208323 - 6/21/11	-1,512.76
			VOIDED CHECK #208323 - 6/21/11	-215.89
			VOIDED CHECK #208323 - 6/21/11	-886.93
			VOIDED CHECK #208323 - 6/21/11	-3,295.26
			VOIDED CHECK #208323 - 6/21/11	-39.60
			VOIDED CHECK #208323 - 6/21/11	-731.92
			VOIDED CHECK #208323 - 6/21/11	-3,405.73
			VOIDED CHECK #208323 - 6/21/11	-112.11
			VOIDED CHECK #208323 - 6/21/11	-20,226.01
			VOIDED CHECK #208323 - 6/21/11	-1,914.50

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			VOIDED CHECK #208323 - 6/21/11	-10,318.64
			VOIDED CHECK #208323 - 6/21/11	-6,429.68
			VOIDED CHECK #208323 - 6/21/11	-4,365.06
			VOIDED CHECK #208323 - 6/21/11	-8,640.00
			VOIDED CHECK #208323 - 6/21/11	-4,553.69
			VOIDED CHECK #208323 - 6/21/11	-2,441.82
			VOIDED CHECK #208323 - 6/21/11	-51.73
			VOIDED CHECK #208323 - 6/21/11	-1,462.00
			VOIDED CHECK #208323 - 6/21/11	-3,118.14
			VOIDED CHECK #208323 - 6/21/11	-867.38
			VOIDED CHECK #208323 - 6/21/11	-246.46
			VOIDED CHECK #208323 - 6/21/11	-525.26
			VOIDED CHECK #208323 - 6/21/11	-402.73
			VOIDED CHECK #208323 - 6/21/11	-316.75
			VOIDED CHECK #208323 - 6/21/11	-254.04
			VOIDED CHECK #208323 - 6/21/11	-282.11
			VOIDED CHECK #208323 - 6/21/11	-359.58
			VOIDED CHECK #208323 - 6/21/11	-83.22
			VOIDED CHECK #208323 - 6/21/11	-246.06
			VOIDED CHECK #208323 - 6/21/11	-109.66
			VOIDED CHECK #208323 - 6/21/11	-2,168.37
			VOIDED CHECK #208323 - 6/21/11	-887.14
6/21/2011	208424	500.00		
			MORRISON PRK FIRE STATION PROJ	500.00
Vendor Total		**13,442.57**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,434,949.17**		
EASTMAN, MARK F			Remit to: **MURRIETA**	**CA**
6/27/2011	208446	57.50		
			REFUND-CITATION FEE	57.50
Vendor Total		**57.50**		
FYTD for EASTMAN, MARK F		**57.50**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
6/20/2011	882966	35.66		
			REFUND-UUT FOR EXEMPT RESIDNTS	35.66
Vendor Total		**35.66**		
FYTD for EDGELANE MOBILE PARK		**174.17**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
6/6/2011	208155	325.66		
			RETIREE MED JUN '11	325.66
Vendor Total		**325.66**		
FYTD for EGGERSTEN, ANNE		**3,787.56**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMERGENT BATTERY TECHNOLOGIES			Remit to: **YORBA LINDA** **CA**	
6/20/2011	208324	6,090.00		
			ES-12-24 AMG BATTERIES	5,600.00
			CALIF SALES TAX	490.00
	Vendor Total	**6,090.00**		
FYTD for EMERGENT BATTERY TECHNOLOGIES		**11,701.50**		
EMPIRE TRANSPORTATION SERVICES, INC			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208325	3,387.50		
			BUS SVC-STARS PRGM CHEER COMP.	3,387.50
	Vendor Total	**3,387.50**		
FYTD for EMPIRE TRANSPORTATION SERVICES, INC		**3,387.50**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
6/15/2011	2874	1,975.16		
			STATE INCOME TAX W/H 6/15/11	1,975.16
	Vendor Total	**1,975.16**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,082,776.56**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
6/27/2011	883014	948.00		
			METER FEES-SOLAR CUST INSTALL	474.00
			METER FEES-SOLAR CUST INSTALL	474.00
	Vendor Total	**948.00**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,059,467.17**		
ENVIRONMENTAL CONSTRUCTION, INC.			Remit to: **WOODLAND HILLS** **CA**	
6/21/2011	208425	2,560.00		
			STOP NOTICE RLS-SUNNYMD BL PRJ	2,560.00
	Vendor Total	**2,560.00**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**2,560.00**		
ESKEL/PORTER CONSULTING, INC.			Remit to: **SACRAMENTO** **CA**	
6/6/2011	882850	660.00		
			CONSULTING SVCS-TECH SVCS	660.00
	Vendor Total	**660.00**		
FYTD for ESKEL/PORTER CONSULTING, INC.		**3,307.50**		
ESQUIVEL, JOSEFINA			Remit to: **BAKERSFIELD** **CA**	
6/27/2011	208447	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for ESQUIVEL, JOSEFINA		**57.50**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882851	73.94		
			ENGRAVING SVCS-PD	48.94
			ENGRAVING SVCS-PD	25.00
6/20/2011	882967	30.45		
			ENGRAVING SVCS-PARKS COMM	14.14
			ENGRAVING SVCS-PARKS COMM	16.31
	Vendor Total	**104.39**		
FYTD for EVANS ENGRAVING & AWARDS		**1,369.97**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX** **AZ**	
6/20/2011	208326	235.62		
			IRRIGATION SUPPLIES-PARKS	235.62
	Vendor Total	**235.62**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**16,425.01**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA** **CA**	
6/13/2011	208255	4,503.92		
			LANDSCAPE MAINT-WQB	3,988.34
			LANDSCAPE MAINT-WQB	515.58
6/20/2011	208327	8,885.58		
			LANDSCAPE MAINT-E7	2,777.17
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-E7	75.00
			LANDSCAPE MAINT-E-15	1,070.36
			LANDSCAPE MAINT-E-8	1,501.98
	Vendor Total	**13,389.50**		
FYTD for EXCEL LANDSCAPE, INC		**163,742.66**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208157	30.00		
			REFUND-FALSE ALARM CITATION	30.00
	Vendor Total	**30.00**		
FYTD for FAMILY SERVICE ASSOCIATION		**73,333.83**		
FEENSTRA, JOHN			Remit to: **REDLANDS** **CA**	
6/6/2011	882852	361.25		
			RETIREE MED JUN '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**4,335.00**		

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FINISTER, ZAMORA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208328	8.95		
				REFUND-LOST BOOK FEE	8.95
	Vendor Total		**8.95**		
FYTD for FINISTER, ZAMORA			**8.95**		
FIRST CHOICE SERVICES				Remit to: **ONTARIO** **CA**	
	6/13/2011	882930	673.86		
				COFFEE SVCS-EMP PAID	74.00
				COFFEE SVCS-EMP PAID	34.62
				COFFEE SVCS-EMP PAID	126.32
				COFFEE SVCS-EMP PAID	170.64
				COFFEE SVCS-EMP PAID	105.14
				COFFEE SVCS-EMP PAID	67.38
				COFFEE SVCS-EMP PAID	95.76
	Vendor Total		**673.86**		
FYTD for FIRST CHOICE SERVICES			**7,898.55**		
FITNESS 19 CA 155 11C				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208329	253.00		
				GYM MEMBERSHIP DEDUCTIONS	253.00
	Vendor Total		**253.00**		
FYTD for FITNESS 19 CA 155 11C			**3,089.00**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208158	11,890.44		
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.87
				PRNTED SUPPLIES-CSD ANNL BROCH	38.87
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.22
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
	6/13/2011	208256	2,499.08		
				DOOR HANGERS-SPCL DIST	2,335.75
				DOOR HANGERS-SPCL DIST	163.33
	Vendor Total		**14,389.52**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**37,663.51**		

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FORNISS, BRANDON/JAMIE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208331	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for FORNISS, BRANDON/JAMIE		**95.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882853	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**3,805.92**		
FRANCE PUBLICATIONS, INC			Remit to: **ATLANTA** **GA**	
6/20/2011	208332	3,200.00		
			ADVERTISING SERVICES	3,200.00
	Vendor Total	**3,200.00**		
FYTD for FRANCE PUBLICATIONS, INC		**6,400.00**		
FRANCHISE TAX BOARD			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208159	144.64		
			GARNISHMENT	25.00
			GARNISHMENT	115.00
			GARNISHMENT	4.64
6/20/2011	208333	153.13		
			GARNISHMENT	115.00
			GARNISHMENT	38.13
	Vendor Total	**297.77**		
FYTD for FRANCHISE TAX BOARD		**3,476.54**		
FRANKLIN, L. C.			Remit to: **PERRIS** **CA**	
6/27/2011	208448	91.29		
			MILEAGE REIMBURSEMENT	91.29
	Vendor Total	**91.29**		
FYTD for FRANKLIN, L. C.		**1,682.25**		
FRAZEE INDUSTRIES, INC			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208160	9,689.62		
			TRAFFIC PAINT	6,456.16
			TRAFFIC PAINT	3,233.46
6/30/2011	208526	3,233.46		
			TRAFFIC PAINT	3,233.46
	Vendor Total	**12,923.08**		
FYTD for FRAZEE INDUSTRIES, INC		**136,828.46**		

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FRAZIER, HAROLD				Remit to: **PERRIS** **CA**	
	6/20/2011	208334	200.00		
				REFUND-TENNIS CLASS REGIS FEE	100.00
				REFUND-TENNIS CLASS REGIS FEE	100.00
	Vendor Total		**200.00**		
FYTD for FRAZIER, HAROLD			**200.00**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208161	100.00		
				SPORTS OFFICIATING SVCS	100.00
	Vendor Total		**100.00**		
FYTD for FRESQUEZ, JOHN			**864.00**		
FROST, JOAN CHENG				Remit to: **TEMECULA** **CA**	
	6/20/2011	208335	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for FROST, JOAN CHENG			**2,318.00**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	208257	6,138.00		
				SIGNS INSTALLATION-TRANSP	6,138.00
	6/27/2011	208449	22,576.01		
				FREESTANDING COMM ID SIGN	10,326.07
				LIGHT POLE MTD COMM ID SIGN	2,354.87
				LIGHT POLE MTD ID BANNERS	4,143.57
				FREESTANDING AMENITY DIR SIGN	2,879.40
				LIGHT POLE MTD DIRECT. SIGN	1,055.64
				CA SALES TAX	1,816.46
	Vendor Total		**28,714.01**		
FYTD for FUSION SIGN AND DESIGN, INC			**28,714.01**		
G/M BUSINESS INTERIORS, INC.				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	208450	1,276.40		
				REUPHOLSTER PANELS/MOLDING-CRC	1,276.40
	Vendor Total		**1,276.40**		
FYTD for G/M BUSINESS INTERIORS, INC.			**7,486.42**		

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GALLS INC., INLAND UNIFORM			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208162	141.77		
			UNIFORMS-PD POP TEAM	141.77
6/20/2011	208336	353.14		
			UNIFORMS-PD POP TEAM	211.37
			UNIFORMS-PD POP TEAM	141.77
6/27/2011	208451	120.72		
			UNIFORMS-POP TEAM	60.36
			UNIFORMS-POP TEAM	60.36
	Vendor Total	**615.63**		
FYTD for GALLS INC., INLAND UNIFORM		**4,902.56**		
GARCIA, BRENDA			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208337	45.00		
			REFUND-VARIOUS A/C FEES	19.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
	Vendor Total	**45.00**		
FYTD for GARCIA, BRENDA		**45.00**		
GASTON, RICHARD			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882854	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for GASTON, RICHARD		**3,824.76**		
GATES CAPITAL CORPORATION			Remit to: **NEW YORK** **NY**	
6/27/2011	208523	436.48		
			REMARKETING AGENT FEE-FINAL	436.48
	Vendor Total	**436.48**		
FYTD for GATES CAPITAL CORPORATION		**436.48**		
GE FLEET SERVICES			Remit to: **EDEN PRAIRIE** **MI**	
6/27/2011	208452	127.00		
			REFUND-CITATION FEE	127.00
	Vendor Total	**127.00**		
FYTD for GE FLEET SERVICES		**127.00**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
6/6/2011	882855	1,994.20		
			SECURITY SVCS-CRC SPCL EVNTS	337.48
			SECURITY SVCS-SENIOR CTR	184.08
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
6/13/2011	882931	1,645.22		
			SECURITY SRVCS-CITY HALL	299.13
			SECURITY SRVCS-LIBRARY	245.44
			SECURITY SRVCS-CONF & REC CTR	302.97
			SECURITY SVCS-TOWNGATE CTR	122.72
			SECURITY SVCS-SENIOR CTR	214.76
			SECURITY SVCS-CRC SPCL EVNTS	368.16
			SECURITY SVCS-CRC SPCL EVNTS	92.04
6/20/2011	882968	337.48		
			SECURITY SVCS-TWNGATE CTR	76.70
			SECURITY SVCS-TWNGATE CTR	76.70
			SECURITY SVCS-TWNGATE CTR	76.70
			SECURITY SVCS-TWNGATE CTR	107.38
6/27/2011	883016	1,871.49		
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	245.44
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-UTILITY	276.13
	Vendor Total	**5,848.39**		
FYTD for GENERAL SECURITY SERVICES, INC.		**54,401.45**		
GERALD GRAVITTE			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	208163	90.00		
			REFUND-BUS. LIC. OVERPAYMENT	63.00
			REFUND-BUS. LIC. OVERPAYMENT	27.00
	Vendor Total	**90.00**		
FYTD for GERALD GRAVITTE		**90.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
6/27/2011	883017	15,712.07		
			LEGAL SVCS	9,060.00
			LEGAL SVCS	6,652.07
	Vendor Total	**15,712.07**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**246,170.44**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GLOBAL SOFTWARE, INC			Remit to: **RALEIGH** **NC**	
6/13/2011	882932	9,900.00		
			SERVER MAINT-TECH SVCS	4,000.00
			SERVER MAINT-TECH SVCS	800.00
			SERVER MAINT-TECH SVCS	800.00
			SERVER MAINT-TECH SVCS	800.00
			MAINT/SUPPORT-SPCL DIST	1,000.00
			MAINT/SUPPORT-TECH SVCS	2,500.00
6/20/2011	882969	2,000.00		
			MAINT/SUPPORT-SPREADSHT SERVER	500.00
			MAINT/SUPPORT-SPREADSHT SERVER	1,500.00
6/27/2011	883018	500.00		
			SPREADSHEET SERVER-PW ST MAINT	500.00
	Vendor Total	**12,400.00**		
FYTD for GLOBAL SOFTWARE, INC		**55,120.00**		
GONG ENTERPRISES, INC.			Remit to: **HUNTINGTON BEACH** **CA**	
6/20/2011	208338	5,940.00		
			CONSULTING SVCS-PM 35859	5,670.00
			CONSULTING SVCS-FM35760	270.00
	Vendor Total	**5,940.00**		
FYTD for GONG ENTERPRISES, INC.		**45,795.40**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882856	318.73		
			RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total	**318.73**		
FYTD for GONZALES, DOMILENA R.		**3,060.32**		
GOUDEAU, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208453	51.00		
			REFUND-PARKS CLASS REGIS FEE	51.00
	Vendor Total	**51.00**		
FYTD for GOUDEAU, MICHELLE		**51.00**		
GOZDECKI, DAN			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882857	432.00		
			INSTRUCTOR SVCS-KUNG FU	189.00
			INSTRUCTOR SVCS-KUNG FU	243.00
	Vendor Total	**432.00**		
FYTD for GOZDECKI, DAN		**7,209.00**		

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GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	6/13/2011	208258	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for GRANICUS, INC.			**12,000.00**		
GRAY, TYLON				Remit to: **STOCKTON** **CA**	
	6/6/2011	208164	503.88		
				REFUND-CITATION CHRGS	503.88
	Vendor Total		**503.88**		
FYTD for GRAY, TYLON			**503.88**		
GRID ALTERNATIVE				Remit to: **OAKLAND** **CA**	
	6/27/2011	208454	57.00		
				REFUND-BUS LIC OVERPAYMENT	57.00
	Vendor Total		**57.00**		
FYTD for GRID ALTERNATIVE			**57.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	6/6/2011	882858	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,745.98**		
GROUP DELTA CONSULTANTS, INC				Remit to: **IRVINE** **CA**	
	6/20/2011	882970	1,355.50		
				DAY ST IMPRVMNTS PROJ SVCS	1,355.50
	Vendor Total		**1,355.50**		
FYTD for GROUP DELTA CONSULTANTS, INC			**16,673.50**		
GRUBE, PATTY				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208165	24.48		
				MILEAGE REIMBURSEMENT	24.48
	Vendor Total		**24.48**		
FYTD for GRUBE, PATTY			**24.48**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	6/27/2011	208455	518.40		
				INSTRUCTOR SVCS-ZUMBA	362.40
				INSTRUCTOR SVCS-ZUMBA	156.00
	Vendor Total		**518.40**		
FYTD for GUILIANO, MARIA			**1,627.20**		

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GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	6/6/2011	882859	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,824.76**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	882971	4,049.00		
				CART RETRVL SVCS-CODE	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**48,588.00**		
HABITAT FOR HUMANITY RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	6/28/2011	110609	15,000.00		
				DOWN PMT ASSIST/DRIVEWAY REIMB	15,000.00
	6/28/2011	110608	15,000.00		
				DOWN PMT ASSIST/DRIVEWAY REIMB	15,000.00
	Vendor Total		**30,000.00**		
FYTD for HABITAT FOR HUMANITY RIVERSIDE			**59,752.70**		
HAMARI, MICHAEL				Remit to: **FOUNTAIN VALLEY** **CA**	
	6/6/2011	208166	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for HAMARI, MICHAEL			**95.00**		
HAMBURG, IRENE				Remit to: **OTIS** **OR**	
	6/6/2011	882860	1,232.58		
				RETIREE MED DEC '10-MAR '11, P	1,232.58
	Vendor Total		**1,232.58**		
FYTD for HAMBURG, IRENE			**3,782.42**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	6/6/2011	882861	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,805.92**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882862	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,824.76**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	6/6/2011	208167	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,824.76**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	6/6/2011	208168	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**22,515.09**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	882863	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,824.76**		
HAUSER, ADRIANA				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	208339	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**722.00**		
FYTD for HAUSER, ADRIANA			**5,966.00**		
HDL COREN & CONE				Remit to: **DIAMOND BAR** **CA**	
	6/13/2011	208259	4,387.50		
				PROP TAX SOFTWARE-TECH SVCS	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**17,550.00**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES				Remit to: **DIAMOND BAR** **CA**	
	6/6/2011	208169	2,522.54		
				SALES TAX CONSULTING SVCS	900.00
				SALES TAX AUDIT SVCS	1,622.54
	Vendor Total		**2,522.54**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**20,144.48**		

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HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	6/6/2011	882864	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,824.76**		
HEISTERBERG, ANTHONY				Remit to: **TEMECULA** **CA**	
	6/6/2011	208170	1,630.18		
				RETIREE MED OCT '10-MAY '11, P	1,630.18
	Vendor Total		**1,630.18**		
FYTD for HEISTERBERG, ANTHONY			**2,437.36**		
HELP PROGRAM, THE				Remit to: **TEMECULA** **CA**	
	6/20/2011	208340	3,500.00		
				FORECLOSURE PREV WORKSHOP SVCS	3,500.00
	Vendor Total		**3,500.00**		
FYTD for HELP PROGRAM, THE			**3,500.00**		
HERNANDEZ, CHRISTIAN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208456	16.15		
				REFUND-VARIOUS A/C FEES	14.85
				REFUND-VARIOUS A/C FEES	1.30
	Vendor Total		**16.15**		
FYTD for HERNANDEZ, CHRISTIAN			**16.15**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208171	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,824.76**		
HICKMAN, LANISE				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208457	144.00		
				INSTRUCTOR SVCS-FITNESS	144.00
	Vendor Total		**144.00**		
FYTD for HICKMAN, LANISE			**499.20**		
HO, KEVIN CHINH				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208341	114.00		
				INSTRUCTIONAL SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for HO, KEVIN CHINH			**1,064.00**		

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HOGLE-IRELAND, INC.			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208172	500.00		
			REFUND-PLANNING FEES	500.00
	Vendor Total	**500.00**		
FYTD for HOGLE-IRELAND, INC.		**500.00**		
HONDA YAMAHA OF REDLANDS			Remit to: **REDLANDS** **CA**	
6/6/2011	208173	2,632.36		
			PD MTRCYCLE MAINT/REPAIR-LABOR	308.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	366.19
			PD MTRCYCLE MAINT/REPAIR-LABOR	441.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	560.81
			PD MTRCYCLE MAINT/REPAIR-LABOR	154.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	324.40
			PD MTRCYCLE MAINT/REPAIR-LABOR	161.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	129.59
			PD MTRCYCLE MAINT/REPAIR-LABOR	49.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	138.37
6/13/2011	208260	2,089.69		
			TRAFFIC CYCLE MAINT/RPR-PD	140.00
			TRAFFIC CYCLE MAINT/RPR-PD	462.58
			TRAFFIC CYCLE MAINT/RPR-PD	175.00
			TRAFFIC CYCLE MAINT/RPR-PD	522.51
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
6/20/2011	208342	344.00		
			PD MTRCYCLE MAINT/REPAIR-LABOR	98.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	246.00
	Vendor Total	**5,066.05**		
FYTD for HONDA YAMAHA OF REDLANDS		**5,066.05**		
HORIZON UNDERGROUND INC.			Remit to: **CORONA** **CA**	
6/27/2011	208458	134.00		
			REFUND-VARIOUS PERMIT FEES	82.00
			REFUND-VARIOUS PERMIT FEES	52.00
	Vendor Total	**134.00**		
FYTD for HORIZON UNDERGROUND INC.		**134.00**		
HOUSER, EDITH E.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208174	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for HOUSER, EDITH E.		**3,824.76**		

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HOWARD, CHAD				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208175	325.00		
				PER DIEM-INVESTIG INTERVW TRNG	325.00
	Vendor Total		**325.00**		
FYTD for HOWARD, CHAD			**325.00**		
HUERTA, ELIZABETH				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208343	61.60		
				REFUND-PARKS CLASS REGIS FEE	61.60
	6/27/2011	208459	15.40		
				REFUND-PARKS CLASS REGIS FEE	15.40
	Vendor Total		**77.00**		
FYTD for HUERTA, ELIZABETH			**77.00**		
HUNTINGTON BEACH HONDA				Remit to: **HUNTINGTON BEACH** **CA**	
	6/20/2011	208344	263.11		
				REPAIR-PD TRAFFIC MOTORBIKE	192.50
				REPAIR-PD TRAFFIC MOTORBIKE	70.61
	Vendor Total		**263.11**		
FYTD for HUNTINGTON BEACH HONDA			**27,562.31**		
HURTADO, GENEVIEVE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208345	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for HURTADO, GENEVIEVE			**75.00**		
I.E. BIKES, INC.				Remit to: **MURRIETA** **CA**	
	6/13/2011	208261	5,437.07		
				BIKE ACCESSORIES-PD	3,589.90
				BIKE ACCESSORIES-PD	599.90
				BIKE ACCESSORIES-PD	289.90
				BIKE ACCESSORIES-PD	519.90
				BIKE ACCESSORIES-PD	437.47
	6/21/2011	208426	632.49		
				BIKE REPAIRS-PD POP	65.00
				9-SPEED CHAIN	26.99
				LABOR TO INSTALL CHAIN	8.00
				CA SALES TAX	2.36
				BIKE REPAIRS-PD POP	65.00
				RUBBER	59.90
				CA SALES TAX	5.24
				LABOR-TUNE MTB/ROAD BIKES-PD	400.00
	Vendor Total		**6,069.56**		
FYTD for I.E. BIKES, INC.			**6,069.56**		

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ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
6/3/2011	2869	9,110.37		
			DEF COMP 457 6/3/11	9,110.37
6/17/2011	2879	8,785.37		
			DEF COMP 457 6/17/11	8,785.37
	Vendor Total	**17,895.74**		
FYTD for ICMA RETIREMENT CORP 457		**244,034.37**		
ICSC-INT'L. COUNCIL OF SHOPPING CENTERS			Remit to: **NEW YORK** **NY**	
6/20/2011	208346	3,308.62		
			ADVERTISING SERVICES	3,308.62
	Vendor Total	**3,308.62**		
FYTD for ICSC-INT'L. COUNCIL OF SHOPPING CENTERS		**6,617.24**		
IL SORRENTO MOBILE PARK			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208176	102.23		
			REFUND-UUT USER TAXES	102.23
	Vendor Total	**102.23**		
FYTD for IL SORRENTO MOBILE PARK		**1,586.12**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
6/6/2011	208177	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,700.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882972	11,826.80		
			DEMO & DISPOSAL OF RESIDENCE	11,150.00
			WEED ABATEMENT-11987 DAVIS ST	676.80
	Vendor Total	**11,826.80**		
FYTD for INLAND CONTRACTORS, INC.		**41,403.71**		

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INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	882865	4,219.00		
			NUISANCE ABTMNT SVC-CODE	187.00
			WEED ABATEMENT SVCS-PARKS	4,032.00
6/13/2011	882933	4,119.17		
			WEED ABTMNT SVCS-FACILITIES	439.00
			WEED ABTMNT SVCS-FACILITIES	759.00
			CLEAN UP SVCS-RDA	1,026.67
			CLEAN UP SVCS-RDA	856.00
			CLEAN UP SVCS-RDA	253.50
			CLEAN UP SVCS-RDA	257.50
			CLEAN UP SVCS-RDA	150.00
			CLEAN UP SVCS-RDA	229.50
			CLEAN UP SVCS-RDA	148.00
6/20/2011	882973	4,040.00		
			WEED ABATEMENT SVCS	825.00
			WEED ABATEMENT SVCS-PARKS	1,026.00
			WEED ABATEMENT SVCS-PARKS	2,189.00
	Vendor Total	**12,378.17**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**72,509.59**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON**	**CA**
6/13/2011	882934	1,095.70		
			PERFORM CARB VAPOR RECOV TEST	393.00
			MISC REPAIR MATERIALS	309.70
			PERFORM CARB VAPOR RECOV TEST	393.00
6/20/2011	882974	499.30		
			PERFORM CARB VAPOR RECOV TEST	393.00
			PERFORM CARB VAPOR RECOV TEST	106.30
	Vendor Total	**1,595.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**2,245.59**		
INSIDE PLANTS, INC.			Remit to: **CORONA**	**CA**
6/13/2011	882935	326.00		
			PLANT MAINT-CONF & REC CTR	251.00
			PLANT MAINT-CONF & REC CTR	75.00
	Vendor Total	**326.00**		
FYTD for INSIDE PLANTS, INC.		**3,867.00**		
INTERNAL REVENUE SERVICE			Remit to:	
6/15/2011	2873	5,525.57		
			FED INCOME TAX W/H 6/15/11	5,525.57
	Vendor Total	**5,525.57**		
FYTD for INTERNAL REVENUE SERVICE		**3,497,189.37**		

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IRON MOUNTAIN OFF-SITE DATA PROTECTION			Remit to: **CERRITOS** **CA**	
6/6/2011	208178	979.11		
			OFFSITE DATA STORAGE-TECH SVCS	979.11
6/27/2011	208460	954.67		
			OFFSITE DATA STORAGE-TECH SVCS	954.67
	Vendor Total	**1,933.78**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**12,832.37**		
J D H CONTRACTING			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882936	1,549.00		
			WOMEN'S LOCKER RM REPAIRS-CRC	1,549.00
6/27/2011	883020	635.00		
			REPLACE BROKEN SLATE TILES-CRC	635.00
	Vendor Total	**2,184.00**		
FYTD for J D H CONTRACTING		**151,477.50**		
JABARA, MONA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208461	62.00		
			REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total	**62.00**		
FYTD for JABARA, MONA		**62.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208179	80.00		
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	40.00
6/20/2011	208347	40.00		
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**120.00**		
FYTD for JACKSON, JAYE		**196.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208180	174.00		
			COURIER SVCS-CITY ATTRNYS	95.00
			COURIER SVCS-CITY ATTRNYS	79.00
6/13/2011	208262	35.00		
			COURIER SVCS-CITY ATTRNYS	35.00
6/20/2011	208348	135.00		
			COURIER SVCS-CITY ATTRNYS	60.00
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**344.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,777.65**		

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JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	6/13/2011	882937	1,395.00		
				CONSULTING SVCS-TECH. SVCS	1,395.00
	6/27/2011	883021	1,615.00		
				CONSULTING SVCS-TECH SVCS	1,615.00
	Vendor Total		**3,010.00**		
FYTD for JDEDGE SOFTWARE, LLC			**27,547.50**		
JEANNETTE RODRIGUEZ				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208462	195.60		
				INSTRUCTOR SVCS-BEG JR TENNIS	92.40
				INSTRUCTOR SVCS-ADV. TENNIS	51.60
				INSTRUCTOR SVCS-ADV. TENNIS	51.60
	Vendor Total		**195.60**		
FYTD for JEANNETTE RODRIGUEZ			**195.60**		
JEFFERSON, ALICIA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208463	79.00		
				REFUND-PARKS CLASS REGIS FEE	79.00
	Vendor Total		**79.00**		
FYTD for JEFFERSON, ALICIA			**79.00**		
JOE A. GONSALVES & SON				Remit to: **SACRAMENTO** **CA**	
	6/13/2011	882938	6,345.00		
				REPRESENTATION SVCS	3,150.00
				REPRESENTATION SVCS	2,970.00
				REPRESENTATION SVCS	225.00
	Vendor Total		**6,345.00**		
FYTD for JOE A. GONSALVES & SON			**38,025.00**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882866	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,824.76**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	6/6/2011	882867	570.94		
				TRAFFIC SIGNAL SUPPLIES	570.94
	Vendor Total		**570.94**		
FYTD for JTB SUPPLY CO., INC.			**42,834.48**		

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KAMMERDIENER, PEGGY				Remit to: **PERRIS** **CA**	
	6/6/2011	208181	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for KAMMERDIENER, PEGGY			**75.00**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	208349	3,187.65		
				CONSULTANT SVC-HOMES DOC PREP	3,187.65
	Vendor Total		**3,187.65**		
FYTD for KANE, BALLMER & BERKMAN			**3,187.65**		
KHOURY, HANNA R				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208465	407.50		
				REFUND-CITATION FEE	407.50
	Vendor Total		**407.50**		
FYTD for KHOURY, HANNA R			**407.50**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	208182	267.88		
				RETIREE MED JUN '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**3,621.36**		
KITNELCA, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208350	52.00		
				REFUND-PARKS CLASS REGIS FEE	52.00
	Vendor Total		**52.00**		
FYTD for KITNELCA, DANIEL			**52.00**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882868	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,824.76**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882869	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,824.76**		

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KRUEGER, KIMBERLEE			Remit to: **TEMECULA** **CA**	
6/21/2011	208427	63.24		
			SIRE REGIONAL USER CONF.	63.24
	Vendor Total	**63.24**		
FYTD for KRUEGER, KIMBERLEE		**368.24**		
KUSTOM SIGNALS, INC.			Remit to: **LENEXA** **KS**	
6/20/2011	208351	12,206.69		
			RAPTOR, DUAL K-BANK ANTENNA	11,025.00
			SHIPPING & HANDLING	217.00
			CALIF SALES TAX	964.69
	Vendor Total	**12,206.69**		
FYTD for KUSTOM SIGNALS, INC.		**14,476.40**		
KYBURZ, JIM			Remit to: **PALM SPRINGS** **CA**	
6/20/2011	208352	50.00		
			REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for KYBURZ, JIM		**50.00**		
KYLE, GARY M.			Remit to: **PRESCOTT VALLEY** **AZ**	
6/6/2011	882870	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for KYLE, GARY M.		**3,824.76**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882871	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,805.92**		
LANCE, SOLL & LUNGHARD, LLP			Remit to: **BREA** **CA**	
6/20/2011	208353	21,000.00		
			AUDITING SVCS	18,000.00
			AUDITING SVCS-RDA	3,000.00
	Vendor Total	**21,000.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP		**21,050.00**		
LANG, TRACEY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208354	76.00		
			INSTRUCTION SVCS-2 DAYS	76.00
	Vendor Total	**76.00**		
FYTD for LANG, TRACEY		**988.00**		

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LANGSTON MOTORSPORTS			Remit to: **PERRIS** **CA**	
6/6/2011	208183	154.10		
			PD MTRCYCLE MAINT/REPAIR-LABOR	32.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	45.99
			POP OFF-RD VEHICLE REPAIR PART	69.99
			CA SALES TAX	6.12
	Vendor Total	**154.10**		
FYTD for LANGSTON MOTORSPORTS		**154.10**		
LARA, JOSEPH R.			Remit to: **MURRIETA** **CA**	
6/27/2011	208466	62.22		
			REIMB-FIBER OPTIC TESTING TRNG	62.22
	Vendor Total	**62.22**		
FYTD for LARA, JOSEPH R.		**151.66**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES** **CA**	
6/27/2011	208467	362.50		
			LEGAL FEES THRU MAR-SOMERGATE	217.50
			LEGAL FEES THRU MAR-PACIFIC	145.00
	Vendor Total	**362.50**		
FYTD for LATHAM & WATKINS, LLP		**2,827.50**		
LAWN TECH EQUIPMENT			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882939	22.48		
			TREE TRIMMING EQUIP RPR-LABOR	15.00
			TREE TRIMMING EQUIP RPR-PARTS	7.48
6/27/2011	883022	22.48		
			TREE TRIMMING EQUIP SVC	15.00
			TREE TRIMMING EQUIP SVC	7.48
	Vendor Total	**44.96**		
FYTD for LAWN TECH EQUIPMENT		**2,824.37**		
LEADING EDGE LEARNING CENTER			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208355	2,730.60		
			INSTRUCTOR SVCS-READING RASCAL	345.60
			INSTRUCTOR SVCS-ESL CLASS	66.00
			INSTRUCTOR SVCS-READING RASCAL	460.80
			INSTRUCTOR SVCS-GED TEST CLASS	613.80
			INSTRUCTOR SVCS-LEADERSHP ACAD	132.00
			INSTRUCTOR SVCS-READING RASCAL	518.40
			INSTRUCTOR SVCS-GED TEST CLASS	462.00
			INSTRUCTOR SVCS-ESL CLASS	132.00
	Vendor Total	**2,730.60**		
FYTD for LEADING EDGE LEARNING CENTER		**3,859.61**		

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LEFEVRE, FRAN				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208263	56.30		
				REIMB.-LAW ENF TRNG NEEDS CONF	56.30
	Vendor Total		**56.30**		
FYTD for LEFEVRE, FRAN			**231.30**		
LEONARD, NATALIE				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208184	20.00		
				REFUND-RABIES DEPOSIT	20.00
	6/20/2011	208356	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for LEONARD, NATALIE			**95.00**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	6/6/2011	882872	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**3,805.92**		
LEWIS, LANDIN/DAPHINE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208185	6.00		
				REFUND-LIC LOST	6.00
	Vendor Total		**6.00**		
FYTD for LEWIS, LANDIN/DAPHINE			**6.00**		
LEXISNEXIS				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	882873	1,480.00		
				ONLINE LEGAL SVCS-CITY ATTYS	740.00
				ONLINE LEGAL SVCS-CITY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	6/27/2011	883023	1,480.00		
				ONLINE LEGAL SVCS-CITY ATTYS	740.00
				ONLINE LEGAL SVCS-CITY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	Vendor Total		**2,960.00**		
FYTD for LEXISNEXIS			**19,240.00**		
LIM & NASCIMENTO ENGINEERING CORP.				Remit to: **DIAMOND BAR** **CA**	
	6/13/2011	208264	2,418.35		
				INDIAN BASIN STORM DRAIN PROJ	2,418.35
	Vendor Total		**2,418.35**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**346,880.11**		

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LIMO, JOSE M. MD				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208468	1,555.51		
				REFUND-BAL OF TRUST ACCT	1,555.51
	Vendor Total		**1,555.51**		
FYTD for LIMO, JOSE M. MD			**1,555.51**		
LOCKE, NICOLE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208187	75.00		
				REFUND-SN DEPOSIT	75.00
	6/27/2011	208469	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**95.00**		
FYTD for LOCKE, NICOLE			**95.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	882874	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**3,824.76**		
LOGGERHEAD NAVIGATION				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208188	4,490.95		
				TRIMBLE YUMA UNIT	3,799.00
				TRIMBLE YUMA OFFICE DOCK	749.00
				LOGGERHEAD DISCOUNT	-455.00
				CA SALES TAX	397.95
	Vendor Total		**4,490.95**		
FYTD for LOGGERHEAD NAVIGATION			**15,297.38**		
LONTHAIR, PAUL				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208265	585.00		
				PER DIEM-DRUG RECOG EVAL TRNG	585.00
	Vendor Total		**585.00**		
FYTD for LONTHAIR, PAUL			**660.00**		
LOS ANGELES TIMES				Remit to: **PHOENIX** **AZ**	
	6/13/2011	208266	23.92		
				RENEWAL SUBS-CITY MGR	23.92
	6/27/2011	208470	43.72		
				RENEWAL SUBS THROUGH 6/6/12	43.72
	Vendor Total		**67.64**		
FYTD for LOS ANGELES TIMES			**115.48**		

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LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882875	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,824.76**		
LYNCH. PATRICK				Remit to: **MORENO VALLEY** **CA**	
	6/22/2011	208430	325.00		
				PER DIEM-CRASH DATA RTRVL TRNG	325.00
	Vendor Total		**325.00**		
FYTD for LYNCH. PATRICK			**325.00**		
M B I EXCAVATION				Remit to: **SAN DIMAS** **CA**	
	6/20/2011	208357	88.50		
				REFUND-BUS LIC OVRPMT	88.50
	Vendor Total		**88.50**		
FYTD for M B I EXCAVATION			**88.50**		
MAGANA'S AUTO UPHOLSTERY				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208267	357.87		
				REUPHOLSTER CHAIRS-LIBRARY	357.87
	Vendor Total		**357.87**		
FYTD for MAGANA'S AUTO UPHOLSTERY			**357.87**		
MARINA LANDSCAPE, INC				Remit to: **ANAHEIM** **CA**	
	6/20/2011	882975	4,994.91		
				LNDSCP MAINT-ZONE DSG-2S	4,994.91
	Vendor Total		**4,994.91**		
FYTD for MARINA LANDSCAPE, INC			**91,342.66**		
MARTINEZ, REGGIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208358	17.50		
				SPORTS OFFICIATING SVCS	17.50
	Vendor Total		**17.50**		
FYTD for MARTINEZ, REGGIE			**1,102.50**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	6/6/2011	882876	290.00		
				RETIREE MED APR '11, PD JUN '1	290.00
	Vendor Total		**290.00**		
FYTD for MATHIS, NOLAN			**3,528.00**		

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MATICH CORPORATION				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882877	14,224.99		
				ASPHALTIC MATERIALS	6,153.01
				ASPHALTIC MATERIALS	5,240.44
				ASPHALTIC MATERIALS	2,831.54
	6/13/2011	882940	19,668.08		
				ASPHALTIC MATERIALS	9,723.00
				ASPHALTIC MATERIALS	9,945.08
	Vendor Total		**33,893.07**		
FYTD for MATICH CORPORATION			**72,803.69**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	6/6/2011	882878	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,824.76**		
MAYER, DAWN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208471	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for MAYER, DAWN			**62.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	6/6/2011	882879	240.00		
				SPORTS OFFICIATING SVCS	100.00
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	60.00
	Vendor Total		**240.00**		
FYTD for MEEKS, DANIEL			**2,060.00**		
MEHTA, MADHUR				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208190	29.60		
				REFUND-PICNIC SHELTER RESERVTN	29.60
	Vendor Total		**29.60**		
FYTD for MEHTA, MADHUR			**29.60**		
MENDOZA, MEGAN				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208359	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MENDOZA, MEGAN			**20.00**		

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MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208472	62.73		
				MILEAGE REIMBURSEMENT	62.73
	Vendor Total		**62.73**		
FYTD for MENGISTU, YESHIALEM			**1,114.94**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	6/6/2011	882880	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,824.76**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208360	399.00		
				INSTRUCTOR SVCS-DRAWING 4 KIDS	173.00
				INSTRUCTOR SVCS-DRAWING 4 KIDS	58.00
				INSTRUCTOR SVCS-PHOTOGRAPHY	168.00
	Vendor Total		**399.00**		
FYTD for MEYERS, ROBERT			**2,646.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882881	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**2,546.46**		
MILLER, GUILIANA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208361	125.60		
				REFUND-PARKS CLASS REGIS FEE	125.60
	Vendor Total		**125.60**		
FYTD for MILLER, GUILIANA			**125.60**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	6/6/2011	882882	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,761.40**		
MOCTEZUMA, STEFANY				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208362	29.60		
				REFUND-PARKS CLASS REGIS FEE	29.60
	Vendor Total		**29.60**		
FYTD for MOCTEZUMA, STEFANY			**29.60**		

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MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	6/6/2011	882883	401.42		
				RETIREE MED JUN '11	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,817.04**		
MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208268	297.50		
				PLUMBING REPAIRS-SENIOR CTR	100.00
				PLUMBING REPAIRS-SENIOR CTR	197.50
	6/20/2011	208363	333.00		
				EMRGNCY PLUMBING REPAIRS	92.25
				EMRGNCY PLUMBING REPAIRS-FS#2	240.75
	Vendor Total		**630.50**		
FYTD for MONTGOMERY PLUMBING INC			**7,481.57**		
MOORE, CHANE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208364	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for MOORE, CHANE			**200.00**		
MORA, PATRICIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882884	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,824.76**		
MORALES, JOSE				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	208269	200.00		
				REFUND-RENTAL DEP CTRCT#19406	200.00
	Vendor Total		**200.00**		
FYTD for MORALES, JOSE			**200.00**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208473	50.00		
				5/27/11 WALKER AWARDS LUNCHEON	50.00
	6/27/2011	208474	50.00		
				5/27/11 WALKER AWARDS LUNCHEON	50.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE			**100.00**		

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MORENO VALLEY CHAMBER OF COMMERCE			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	208191	410.00		
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING SPONSORSHP-6/9	350.00
	Vendor Total	**410.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**29,250.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.			Remit to: **MORENO VALLEY**	**CA**
6/3/2011	2868	1,562.00		
			MVCEA DUES 6/3/11	1,562.00
6/17/2011	2878	1,549.00		
			MVCEA DUES 6/17/11	1,549.00
	Vendor Total	**3,111.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**40,713.50**		
MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO**	**CA**
6/27/2011	883024	17,142.59		
			LEASE-FACILITIES ANNEX-JULY11	2,458.97
			LEASE-TECH SVCS ANNEX-JULY11	5,475.90
			LEASE-SPEC DIST ANNEX-JULY11	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**205,711.08**		
MORENO VALLEY LODGE # 804			Remit to: **MORENO VALLEY**	**CA**
6/8/2011	208239	50.00		
			MASONIC LODGE 50TH ANNIV EVENT	25.00
			MASONIC LODGE 50TH ANNIV EVENT	25.00
	Vendor Total	**50.00**		
FYTD for MORENO VALLEY LODGE # 804		**50.00**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT			Remit to: **MORENO VALLEY**	**CA**
6/27/2011	208475	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**26,609.95**		
MORGAN, LISA A.			Remit to: **MENTONE**	**CA**
6/6/2011	882885	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,824.76**		

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MUSICK, PEELER & GARRETT, LLP				Remit to: **LOS ANGELES** **CA**	
	6/13/2011	208270	1,080.00		
				LEGAL SERVICES-HR	1,080.00
	Vendor Total		**1,080.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP			**31,379.34**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	208477	2,430.00		
				INSTRUCTOR SVCS-PIANO	324.00
				INSTRUCTOR SVCS-PIANO	270.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	270.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	81.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	243.00
	Vendor Total		**2,430.00**		
FYTD for MUSICSTAR			**9,569.97**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.				Remit to: **ALBANY** **NY**	
	6/13/2011	208271	788.41		
				FORENSIC SUPPLIES	152.00
				SHIPPING	9.61
				CA USE TAX	14.14
				USE TAX ACCRUAL	-14.14
				FORENSIC SUPPLIES	563.00
				SHIPPING	63.80
				CA USE TAX	54.85
				USE TAX ACCRUAL	-54.85
	Vendor Total		**788.41**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.			**1,234.39**		

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NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
6/3/2011	2866	13,359.19		
			PST DEF COMP FOR FICA 6/3/11	13,359.19
6/3/2011	2867	24,748.03		
			DEF COMP 457 & 401(A) 6/3/11	24,748.03
6/17/2011	2876	7,721.92		
			PST DEF COMP FOR FICA 6/17/11	7,721.92
6/17/2011	2877	24,535.92		
			DEF COMP 457 6/17/11	24,535.92
	Vendor Total	**70,365.06**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**832,996.12**		
NATURE'S IMAGE, INC.			Remit to: **LAKE FOREST** **CA**	
6/13/2011	208272	10,877.50		
			DETENTION BASIN MAINTENANCE	10,877.50
	Vendor Total	**10,877.50**		
FYTD for NATURE'S IMAGE, INC.		**30,761.00**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
6/6/2011	882886	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**3,824.76**		
NAVCO NETWORKS & SECURITY			Remit to: **ANAHEIM** **CA**	
6/20/2011	882977	392.00		
			LABOR FOR DVR #3 REPAIR	392.00
	Vendor Total	**392.00**		
FYTD for NAVCO NETWORKS & SECURITY		**7,705.35**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
6/6/2011	882887	325.66		
			RETIREE MED JUN '11	325.66
	Vendor Total	**325.66**		
FYTD for NELSON, ROBERT		**3,787.56**		
NELSON, RUTH L.			Remit to: **PERRIS** **CA**	
6/6/2011	882888	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for NELSON, RUTH L.		**3,824.76**		

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NELSON, TIMOTHY IVAN				Remit to: **GRAND TERRACE** **CA**	
	6/20/2011	208365	494.00		
				INSTRUCTIONAL SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for NELSON, TIMOTHY IVAN			**4,066.00**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	6/6/2011	208193	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,824.76**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	882978	9.08		
				REFUND-UUT FOR EXEMPT RESIDNTS	9.08
	Vendor Total		**9.08**		
FYTD for NEW HORIZON MOBILE HOME PARK			**77.46**		
NGUYEN, QUANG				Remit to: **AZUSA** **CA**	
	6/13/2011	882942	165.24		
				MILEAGE REIMBURSEMENT	165.24
	Vendor Total		**165.24**		
FYTD for NGUYEN, QUANG			**627.48**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208194	401.42		
				RETIREE MED JUN '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,817.04**		
NOBEL SYSTEMS				Remit to: **SAN BERNARDINO** **CA**	
	6/27/2011	883025	1,440.00		
				BID AMERICA PLAN CONVERSIONS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for NOBEL SYSTEMS			**54,792.00**		
NOBLES, GARRETT				Remit to: **HEMET** **CA**	
	6/20/2011	208366	41.31		
				MILEAGE REIMBURSEMENT	41.31
	Vendor Total		**41.31**		
FYTD for NOBLES, GARRETT			**724.36**		

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NUNEZ-MERRILL, DAISY			Remit to: **MORENO VALLEY CA**	
6/20/2011	208367	62.00		
			REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total	**62.00**		
FYTD for NUNEZ-MERRILL, DAISY		**62.00**		
OAKRIDGE DATA MINING			Remit to: **MORENO VALLEY CA**	
6/13/2011	208274	400.00		
			CONSULTING SVCS-TECH SVCS	400.00
6/27/2011	208479	2,230.00		
			CONSULTING SVCS-PAYROLL	2,230.00
	Vendor Total	**2,630.00**		
FYTD for OAKRIDGE DATA MINING		**2,630.00**		
OFFICE OF THE DISTRICT ATTORNEY			Remit to: **RIVERSIDE CA**	
6/6/2011	208195	10,000.00		
			LEGAL SVCS-CASE PROSECUTION	10,000.00
	Vendor Total	**10,000.00**		
FYTD for OFFICE OF THE DISTRICT ATTORNEY		**10,000.00**		
OLIVAS, PRESCILLA DENISE			Remit to: **MORENO VALLEY CA**	
6/27/2011	208480	103.00		
			REFUND-CITATION FEE	103.00
	Vendor Total	**103.00**		
FYTD for OLIVAS, PRESCILLA DENISE		**103.00**		
ORANTES, ERICK			Remit to: **MORENO VALLEY CA**	
6/27/2011	208481	45.00		
			REFUND-PARKS CLASS REGIS FEE	45.00
	Vendor Total	**45.00**		
FYTD for ORANTES, ERICK		**45.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE CA**	
6/13/2011	882943	134.30		
			LEGAL SERVICES-RISK MGT	134.30
	Vendor Total	**134.30**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**13,750.53**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH CA**	
6/6/2011	882889	5,565.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	5,565.00
	Vendor Total	**5,565.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**136,870.25**		

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PACIFIC SAFETY COUNCIL				Remit to: **SAN DIEGO** **CA**	
	6/27/2011	883026	8.70		
				SAFETY TRAINING-VIDEO	8.70
	Vendor Total		**8.70**		
FYTD for PACIFIC SAFETY COUNCIL			**3,824.45**		
PACIFIC TELEMANAGEMENT SERVICES				Remit to: **SAN RAMON** **CA**	
	6/27/2011	883027	375.84		
				PAYPHONE SVCS	313.20
				PAYPHONE SVCS-PD	62.64
	Vendor Total		**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**5,199.12**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208196	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**2,546.46**		
PATTERSON, MORGAN				Remit to: **NEWPORT BEACH** **CA**	
	6/27/2011	208482	1,000.00		
				STAFF ASSIST. SVCS-ICSC RECON	1,000.00
	Vendor Total		**1,000.00**		
FYTD for PATTERSON, MORGAN			**1,000.00**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	6/6/2011	208197	308.00		
				SPORTS OFFICIATING SVCS	33.00
				SPORTS OFFICIATING SVCS	55.00
				SPORTS OFFICIATING SVCS	66.00
				SPORTS OFFICIATING SVCS	44.00
				SPORTS OFFICIATING SVCS	110.00
	Vendor Total		**308.00**		
FYTD for PAUL, MICHAEL			**2,275.00**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	883028	5,579.00		
				VETERINARY SVCS-ANML SHLTR	5,579.00
	Vendor Total		**5,579.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**93,544.00**		

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PENA, IRIS				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208483	107.25		
				MILEAGE REIMBURSEMENT	107.25
	Vendor Total		**107.25**		
FYTD for PENA, IRIS			**796.13**		
PENTON MEDIA, INC.				Remit to: **OVERLAND PARK** **KS**	
	6/20/2011	882979	2,500.00		
				ADVERTISING SVCS-EDD	2,500.00
	Vendor Total		**2,500.00**		
FYTD for PENTON MEDIA, INC.			**7,500.00**		
PEREZ, ERNIE				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	208198	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PEREZ, ERNIE			**20.00**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	6/6/2011	208199	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,824.76**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	6/6/2011	208200	458.63		
				LONG TERM CARE INSURANCE	458.63
	6/20/2011	208368	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**12,094.42**		
PLYLEY & PLYLEY, LLC				Remit to: **UPLAND** **CA**	
	6/6/2011	208201	576.92		
				REFUND-PLAN CHECK FEES	191.22
				REFUND-PLAN CHECK FEES	194.48
				REFUND-PLAN CHECK FEES	191.22
	Vendor Total		**576.92**		
FYTD for PLYLEY & PLYLEY, LLC			**576.92**		

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POIEMA LANDSCAPE, INC.			Remit to: **COLTON** **CA**	
6/20/2011	882980	1,712.15		
			LANDSCAPE MAINT-ZONE S	596.85
			LANDSCAPE MAINT-ZONE S	1,115.30
	Vendor Total	**1,712.15**		
FYTD for POIEMA LANDSCAPE, INC.		**48,138.50**		
POWER MINISTRIES CHRISTIAN CENTER			Remit to: **MORENO VALLEY** **CA**	
6/13/2011	208275	700.00		
			REFUND-RENTAL DEP CTRCT#18292	700.00
	Vendor Total	**700.00**		
FYTD for POWER MINISTRIES CHRISTIAN CENTER		**700.00**		
PRICE, GEORGE E.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882890	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for PRICE, GEORGE E.		**3,824.76**		
PRINCE, GARY			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208484	51.00		
			REFUND-PARKS CLASS REGIS FEE	51.00
	Vendor Total	**51.00**		
FYTD for PRINCE, GARY		**51.00**		
PRO RIDER, INC. (CNS PROGRAM)			Remit to: **KENT** **WA**	
6/20/2011	208370	356.40		
			BIKE HELMETS	284.40
			SHIPPING CHARGES	72.00
			CALIF SALES TAX	24.89
			SALES TAX ACCRUAL	-24.89
6/27/2011	208485	356.40		
			BIKE HELMETS-PD/CHILD SAFETY	387.59
			BIKE HELMETS-PD/CHILD SAFETY	-31.19
	Vendor Total	**712.80**		
FYTD for PRO RIDER, INC. (CNS PROGRAM)		**712.80**		
PULLIAM, TRENT D.			Remit to: **MISSION VIEJO** **CA**	
6/6/2011	882891	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for PULLIAM, TRENT D.		**3,824.76**		

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QUIJADA, BEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208202	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for QUIJADA, BEN			**20.00**		
QUINN AME CHURCH				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208276	225.00		
				REFUND-RENTAL DEP CTRCT#18723	200.00
				REFUND-RENTAL DEP/ CTRCT#18723	25.00
	Vendor Total		**225.00**		
FYTD for QUINN AME CHURCH			**225.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	6/13/2011	882944	481.00		
				DOOR MAINT-PSB	481.00
	6/20/2011	882981	450.50		
				DOOR MAINT-FS #6	61.25
				DOOR MAINT-FS #6	389.25
	Vendor Total		**931.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**21,328.75**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208277	585.00		
				PER DIEM-DRUG RECOG EVAL TRNG	585.00
	6/21/2011	208428	73.00		
				SEMINAR PARKING/TICKET EXCHNG.	73.00
	Vendor Total		**658.00**		
FYTD for RAFAEL LOPEZ			**813.00**		
RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208486	814.80		
				INSTRUCTOR SVCS-KARATE	317.00
				INSTRUCTOR SVCS-KARATE	50.80
				INSTRUCTOR SVCS-KARATE	42.00
				INSTRUCTOR SVCS-TAE KWON DO	405.00
	Vendor Total		**814.80**		
FYTD for RAMOS, ROBERTO			**2,497.80**		
RANDAL R. MORRISON OF SABINE & MORRISON				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208203	10,000.00		
				LEGAL SVCS	10,000.00
	Vendor Total		**10,000.00**		
FYTD for RANDAL R. MORRISON OF SABINE & MORRISON			**10,000.00**		

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RANDHAWA, KANWAI				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208371	77.00		
				REFUND-PARKS CLASS REGIS FEE	77.00
	Vendor Total		**77.00**		
FYTD for RANDHAWA, KANWAI			**77.00**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208204	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**2,549.84**		
REDBOX AUTOMATED RETAIL, LLC				Remit to: **OAKBROOK TERRACE** **IL**	
	6/27/2011	208487	61.00		
				REFUND-BUS LIC OVERPAYMENT	61.00
	Vendor Total		**61.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**370.00**		
REYES, ARIANNA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208205	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for REYES, ARIANNA			**50.00**		
RICK ENGINEERING COMPANY				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	882892	1,155.00		
				KITCHING ST IMPRVMNTS PROJ	1,155.00
	6/20/2011	882982	2,070.00		
				T/S-SUNNYMD RANCH/VILLAGE RD	130.00
				DRACAEA AVE SIDEWLK IMPRVMNTS	1,940.00
	Vendor Total		**3,225.00**		
FYTD for RICK ENGINEERING COMPANY			**41,738.16**		
RIGHTWAY SITE SERVICES, INC.				Remit to: **LAKE ELSINORE** **CA**	
	6/13/2011	208278	72.38		
				PORTABLE TOILET-GOLF COURSE	72.38
	Vendor Total		**72.38**		
FYTD for RIGHTWAY SITE SERVICES, INC.			**411.27**		

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RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208372	2,000.00		
			INITIAL DEPOSIT-MORRISON PK FS	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**101,469.62**		
RIVERA, MARIA			Remit to: **PERRIS** **CA**	
6/20/2011	208373	30.00		
			REFUND-RABIES DEP & LIC FEES	20.00
			REFUND-RABIES DEP & LIC FEES	10.00
	Vendor Total	**30.00**		
FYTD for RIVERA, MARIA		**30.00**		
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
6/28/2011	1106121	24,785.69		
			RETENTN PMT PER ESCRW AGREEMNT	24,785.69
6/28/2011	1106122	1,200.00		
			RETENTN PMT PER ESCRW AGREEMNT	1,200.00
6/28/2011	1106123	8,850.23		
			RETENTN PMT PER ESCRW AGREEMNT	8,850.23
6/28/2011	1106124	2,458.00		
			RETENTN PMT PER ESCRW AGREEMNT	2,458.00
	Vendor Total	**37,293.92**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**4,098,957.33**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208374	150.00		
			DFA FOR RABIES-ANML SVCS	50.00
			DFA FOR RABIES-ANML SVCS	100.00
	Vendor Total	**150.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**650.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208488	242.93		
			VPN CONNECTION-TECH SVCS	30.26
			RADIO LEASE/MAINT-TELECOMM	170.10
			RADIO LEASE/MAINT-TELECOMM	9.45
			RADIO LEASE/MAINT-TELECOMM	33.12
	Vendor Total	**242.93**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**23,536.36**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882984	9,905.91		
			BOOKING FEES-PD	9,905.91
	Vendor Total	**9,905.91**		
FYTD for RIVERSIDE COUNTY SHERIFF		**28,410,270.06**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
6/21/2011	208429	95.00		
			REG.-SEARCH WARR PREP & EXECTN	95.00
	Vendor Total	**95.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**11,580.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208206	793.02		
			GARNISHMENT	102.97
			GARNISHMENT	167.28
			GARNISHMENT	522.77
6/20/2011	208375	684.19		
			GARNISHMENT	7.83
			GARNISHMENT	157.83
			GARNISHMENT	518.53
	Vendor Total	**1,477.21**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**20,731.34**		
RIVERSIDE COUNTY TREAS. OF RIVERSIDE, CA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208490	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for RIVERSIDE COUNTY TREAS. OF RIVERSIDE, CA		**100.00**		
RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882985	35.28		
			GREEN STAMP-STARS	29.28
			GREEN STAMP-STARS	6.00
	Vendor Total	**35.28**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**243.55**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
6/20/2011	882986	6,200.00		
			TEMP STAFFING SVCS-CAP PROJS	6,200.00
	Vendor Total	**6,200.00**		
FYTD for RLZ ENGINEERING		**72,881.00**		

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ROBINSON, JOAQUIN DIEGO			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208376	190.00		
			INSTRUCTIONAL SVCS-5 DAYS	190.00
	Vendor Total	**190.00**		
FYTD for ROBINSON, JOAQUIN DIEGO		**2,166.00**		
ROBINSON-DAVIS, YAVONNE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208377	119.34		
			MILEAGE REIMBURSEMENT	119.34
	Vendor Total	**119.34**		
FYTD for ROBINSON-DAVIS, YAVONNE		**547.74**		
ROBLES, ARIANA			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208207	75.00		
			REFUND-SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for ROBLES, ARIANA		**75.00**		
RODRIGUEZ, LAUREN			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208491	105.06		
			MILEAGE REIMBURSEMENT	105.06
	Vendor Total	**105.06**		
FYTD for RODRIGUEZ, LAUREN		**958.98**		
RODRIGUEZ, LESLIE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208378	60.00		
			REFUND-PARKS CLASS REGIS FEE	60.00
	Vendor Total	**60.00**		
FYTD for RODRIGUEZ, LESLIE		**60.00**		
RODRIGUEZ, SYLVIA			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208208	318.73		
			RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total	**318.73**		
FYTD for RODRIGUEZ, SYLVIA		**318.73**		
ROGERS, EUGENE			Remit to: **PALM SPRINGS** **CA**	
6/6/2011	882893	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for ROGERS, EUGENE		**3,824.76**		

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ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208379	47.94		
				MILEAGE REIMBURSEMENT	47.94
	6/27/2011	208492	83.13		
				MILEAGE REIMBURSEMENT	83.13
	Vendor Total		**131.07**		
FYTD for ROGERS, KIANNA			**1,266.27**		
ROSAS, DAISY				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208380	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ROSAS, DAISY			**95.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882894	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,824.76**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	6/6/2011	882895	270.80		
				RETIREE MED JUN '11	174.30
				RETIREE MED JUN '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**3,459.56**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA** **CA**	
	6/6/2011	882896	510.00		
				PLUMBING REPAIRS-PARKS	510.00
	Vendor Total		**510.00**		
FYTD for ROTO-ROOTER PLUMBERS			**1,038.00**		
RUIZ, NARDUSLIBIA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208493	55.00		
				REFUND-CITATION FEE	55.00
	Vendor Total		**55.00**		
FYTD for RUIZ, NARDUSLIBIA			**55.00**		

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RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	6/6/2011	882897	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**3,647.06**		
RUVALCABA, RAFAEL				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208381	570.00		
				INSTRUCTIONAL SVCS-15 DAYS	570.00
	Vendor Total		**570.00**		
FYTD for RUVALCABA, RAFAEL			**2,394.00**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	6/13/2011	208279	1,007.98		
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHTING MAINT-ZONE M	125.00
				LIGHTING MAINT-E3	382.98
	Vendor Total		**1,007.98**		
FYTD for RYMAX ELECTRIC, INC.			**10,575.93**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	6/27/2011	883029	6,600.00		
				TEMP STAFFING SVCS-CAP PROJS.	6,600.00
	Vendor Total		**6,600.00**		
FYTD for SA ASSOCIATES			**124,275.00**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	6/6/2011	882898	3,329.82		
				TRAFFIC SIGNS/HARDWARE	2,195.23
				TRAFFIC SIGNS/HARDWARE	606.12
				TRAFFIC SIGNS/HARDWARE	528.47
	6/20/2011	882987	995.98		
				TRAFFIC SIGNS/HARDWARE	995.98
	Vendor Total		**4,325.80**		
FYTD for SAFEWAY SIGN CO.			**12,810.43**		
SAGASTUME, MARIO				Remit to: **HEMET** **CA**	
	6/20/2011	208382	494.00		
				INSTRUCTIONAL SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for SAGASTUME, MARIO			**1,976.00**		

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SALGADO, JULIAN M.				Remit to: **MORENO VALLEY CA**	
	6/6/2011	208209	400.00		
				REFUND-ADMIN CITATION	400.00
	Vendor Total		**400.00**		
FYTD for SALGADO, JULIAN M.			**400.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO CA**	
	6/20/2011	882988	100.88		
				FIRE EXTINGUISHERS-SENIOR CTR	4.00
				FIRE EXTINGUISHERS-SENIOR CTR	96.88
	Vendor Total		**100.88**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**4,094.29**		
SANCHEZ, CAROLINA				Remit to: **PERRIS CA**	
	6/20/2011	208383	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for SANCHEZ, CAROLINA			**200.00**		
SANDS, ROBIN				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208384	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SANDS, ROBIN			**50.00**		
SCHOENFELDER, LAURA				Remit to: **PERRIS CA**	
	6/20/2011	208385	190.00		
				INSTRUCTIONAL SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for SCHOENFELDER, LAURA			**722.00**		
SECURITY LOCK & KEY				Remit to: **YUCAIPA CA**	
	6/6/2011	882899	82.50		
				LOCK SERVICE-PARKS	82.50
	6/20/2011	882989	80.00		
				DOOR LOCK REPAIRS AT FS#48	80.00
	Vendor Total		**162.50**		
FYTD for SECURITY LOCK & KEY			**4,365.60**		

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SERTA MATTRESS				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208280	1,032.00		
				BOX SPRNGS & BED FRAMES FOR FS	1,032.00
	Vendor Total		**1,032.00**		
FYTD for SERTA MATTRESS			**5,975.60**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	6/6/2011	208210	174.30		
				RETIREE MED JUN '11	174.30
	Vendor Total		**174.30**		
FYTD for SHARRETT, SHARON K.			**2,205.96**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	6/6/2011	208211	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,824.76**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	6/13/2011	208281	64.81		
				FUEL PURCHASE	64.81
	6/27/2011	208495	1,737.74		
				FUEL PURCHASES	1,737.74
	6/27/2011	208496	60.81		
				FUEL PURCHASES	60.81
	6/27/2011	208497	59.14		
				FUEL PURCHASES	59.14
	Vendor Total		**1,922.50**		
FYTD for SHELL OIL CO.			**20,111.34**		
SHURTLEFF, JEANNETTE L.				Remit to: **LAKE ELSINORE** **CA**	
	6/20/2011	882990	532.00		
				INSTRUCTIONAL SVCS-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**5,624.00**		
SIERRA PACIFIC ELECTRICAL CONTRACTING				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208212	4,960.00		
				TRAFFIC LOOP RPLCMNT SVCS	1,860.00
				TRAFFIC LOOP RPLCMNT SVCS	3,100.00
	Vendor Total		**4,960.00**		
FYTD for SIERRA PACIFIC ELECTRICAL CONTRACTING			**6,820.00**		

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SIMPLOT PARTNERS				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	208386	2,213.28		
				FERTILIZER/CHEMICALS FOR PARKS	2,213.28
	Vendor Total		**2,213.28**		
FYTD for SIMPLOT PARTNERS			**2,213.28**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208213	875.00		
				ADVERTISING SVCS-PW SOLID WST	875.00
	6/20/2011	208387	1,650.00		
				ADVERTISING SVCS-EDD	1,650.00
	Vendor Total		**2,525.00**		
FYTD for SKY PUBLISHING			**66,849.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	882991	57.59		
				REFUND-UUT FOR EXEMPT RESIDNTS	57.59
	Vendor Total		**57.59**		
FYTD for SKY TRAILS MOBILE VILLAGE			**520.53**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882900	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,824.76**		
SLATTERY, TED				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208498	75.00		
				REFUND-RENTAL DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SLATTERY, TED			**225.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882901	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,805.92**		
SMITH, MARKITA				Remit to: **HESPERIA** **CA**	
	6/20/2011	208388	84.56		
				MILEAGE REIMBURSEMENT	84.56
	Vendor Total		**84.56**		
FYTD for SMITH, MARKITA			**84.56**		

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SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	6/6/2011	882902	7,896.35		
				FUEL PURCHASE	887.95
				FUEL PURCHASE	7,008.40
	6/13/2011	882946	8,269.11		
				FUEL PURCHASE	8,269.11
	6/20/2011	882992	7,871.03		
				FUEL PURCHASE	7,871.03
	6/27/2011	883031	13,644.01		
				FUEL-CITY VEHICLES	7,056.03
				FUEL-CITY VEHICLES	6,587.98
	Vendor Total		**37,680.50**		
FYTD for SOCO GROUP, INC			**355,733.80**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208214	154.80		
				INSTRUCTOR SVCS-YOGA	154.80
	Vendor Total		**154.80**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**1,135.20**		
SOTELO, MARIA E				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208499	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for SOTELO, MARIA E			**62.00**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/6/2011	208215	3,622.40		
			ELECTRICITY	65.10
			ELECTRICITY	67.28
			ELECTRICITY	1,345.09
			ELECTRICITY	557.81
			ELECTRICITY	298.70
			ELECTRICITY	22.43
			ELECTRICITY	963.93
			ELECTRICITY	124.31
			ELECTRICITY	114.17
			ELECTRICITY	63.58
6/13/2011	208283	6,546.07		
			ELECTRICITY	44.76
			ELECTRICITY	85.78
			ELECTRICITY	44.97
			ELECTRICITY	1,145.60
			ELECTRICITY	932.62
			ELECTRICITY	910.21
			ELECTRICITY	765.80
			ELECTRICITY	385.10
			ELECTRICITY	368.49
			ELECTRICITY	1,036.58
			ELECTRICITY	644.40
			ELECTRICITY	137.10
			ELECTRICITY	44.66
6/20/2011	208390	10,000.00		
			ADV ENG FEE TO RELOCATE FACIL.	10,000.00
	Vendor Total	**20,168.47**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,296,774.93**		

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK** **CA**	
	6/27/2011	208501	5,648.05		
				GAS CHARGES	1,039.25
				GAS CHARGES	2,681.90
				GAS CHARGES	15.78
				GAS CHARGES	39.01
				GAS CHARGES	349.86
				GAS CHARGES	125.08
				GAS CHARGES	25.86
				GAS CHARGES	211.24
				GAS CHARGES	75.21
				GAS CHARGES	106.73
				GAS CHARGES	85.70
				GAS CHARGES	112.48
				GAS CHARGES	119.83
				GAS CHARGES	103.11
				GAS CHARGES	26.35
				GAS CHARGES	530.66
	Vendor Total		**5,648.05**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**80,194.74**		
SPARKLETTS				Remit to: **DALLAS** **TX**	
	6/6/2011	208216	9.50		
				WATER SVCS-EOC	4.50
				WATER SVCS-CTTNWOOD GOLF CTR	5.00
	6/20/2011	208393	18.29		
				WATER SVCS-PARKS	18.29
	6/27/2011	208502	9.50		
				WATER SERVICE-GOLF COURSE	5.00
				WATER SERVICE-EOC	4.50
	Vendor Total		**37.29**		
FYTD for SPARKLETTS			**680.74**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882903	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,824.76**		
SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	6/20/2011	882993	12,333.33		
				LANDSCAPE MAINT-E1	12,333.33
	Vendor Total		**12,333.33**		
FYTD for SPECTRUM CARE			**167,981.85**		

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SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882904	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**2,546.46**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	6/6/2011	208217	60.00		
				SUBPOENA COMPLIANCE	30.00
				SUBPOENA COMPLIANCE	30.00
	6/20/2011	208394	30.00		
				SUBPOENA COMPLNCE-MV110950324	30.00
	6/27/2011	208503	30.00		
				SUBPOENA COMPLNCE-MV111660125	30.00
	Vendor Total		**120.00**		
FYTD for SPRINT			**150.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	6/6/2011	882905	45.60		
				CELL PHONE SVCS-GANG TASK FRC	45.60
	6/27/2011	883032	545.86		
				CELL PHONE SVCS-PD/SET	545.86
	Vendor Total		**591.46**		
FYTD for SPRINT/NEXTEL			**5,783.08**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	6/6/2011	208218	2,635.82		
				SUPPLEMENTAL INSURANCE	2,635.82
	Vendor Total		**2,635.82**		
FYTD for STANDARD INSURANCE CO			**389,309.61**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	882906	172.92		
				MONITORING SVCS-PARK SNCK BARS	172.92
	6/13/2011	882947	110.00		
				MONITORING SVCS-EOC	110.00
	6/27/2011	883033	710.80		
				SECURITY SVCS-FIRE STATION 58	245.00
				SECURITY SVCS-CITY HALL	143.00
				SECURITY SVCS-CITY HALL	182.80
				SECURITY SYS SVC CALL-EOC	80.00
				SECURITY SYS SVC CALL-EOC	60.00
	Vendor Total		**993.72**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**26,936.56**		

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STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
6/24/2011	53111	4,047.00		
			SALES & USE TAX 5/1-6/15/11	4,047.00
	Vendor Total	**4,047.00**		
FYTD for STATE BOARD OF EQUALIZATION		**42,821.52**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
6/9/2011	2865	2,287.33		
			CHILD SUPPORT WITHHOLDING	2,287.33
6/23/2011	2875	2,084.53		
			CHILD SUPPORT W/H 6/23/11	2,084.53
	Vendor Total	**4,371.86**		
FYTD for STATE DISBURSEMENT UNIT		**42,631.99**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208219	125.00		
			PROF LICENSE RENWL-L. GONZALES	125.00
6/13/2011	208284	125.00		
			PROF LICENSE RENWL-H. KASHEFIP	125.00
	Vendor Total	**250.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**750.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208220	5,636.00		
			BLOOD ALCOHOL ANALYSIS SVCS-PD	630.00
			FINGERPRINTING SVCS-PD	5,006.00
6/27/2011	208504	594.00		
			BLOOD ALCHL ANLYS-PD	35.00
			BLOOD ALCHL ANLYS-PD	70.00
			BLOOD ALCHL ANLYS-PD	35.00
			BLOOD ALCHL ANLYS-PD	70.00
			FINGERPRINTING SVC-TREASURY	128.00
			FINGERPRINTING SVC-HR	64.00
			FINGERPRINTING SVC-STARS	32.00
			FINGERPRINTING SVC-EMERG MGT	64.00
			FINGERPRINTING SVC-PD	96.00
	Vendor Total	**6,230.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**63,552.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
6/27/2011	208505	453.06		
			REFUND-MVU/D. GATLING	16.24
			REFUND-MVU/E. GRAYSON	73.63
			REFUND-MVU/R. HAMILTON	363.19
	Vendor Total	**453.06**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,946.79**		
STATE TREASURER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
6/13/2011	110605	19,400.00		
			EMINENT DOMAIN DEPOSIT	19,400.00
	Vendor Total	**19,400.00**		
FYTD for STATE TREASURER'S OFFICE		**19,400.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
6/20/2011	208395	2,951.04		
			TRANSCRIPTION SVCS-PD	2,951.04
	Vendor Total	**2,951.04**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**36,151.84**		
STERICYCLE (BFI)			Remit to: **LOUISVILLE** **KY**	
6/27/2011	883034	621.97		
			HAZARDOUS WASTE PICK UP	621.97
	Vendor Total	**621.97**		
FYTD for STERICYCLE (BFI)		**7,076.18**		
STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
6/6/2011	882907	267.88		
			RETIREE MED JUN '11	267.88
	Vendor Total	**267.88**		
FYTD for STEWART, CLIFFORD		**3,113.82**		
STK ARCHITECTURE, INC.			Remit to: **SAN JACINTO** **CA**	
6/27/2011	883035	1,050.00		
			SPACE PLAN ANALYSIS-ANNEX 1&4	1,050.00
	Vendor Total	**1,050.00**		
FYTD for STK ARCHITECTURE, INC.		**365,907.55**		
STONEGATE 552, LLC			Remit to: **SAN DIEGO** **CA**	
6/6/2011	208221	37.50		
			FALSE ALARM REFUND-DUP PYMT	37.50
	Vendor Total	**37.50**		
FYTD for STONEGATE 552, LLC		**37.50**		

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STOUFER, JUDY A				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208506	727.09		
				REFUND-PERMIT FEES	529.89
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	0.20
				REFUND-PERMIT FEES	1.80
	Vendor Total		**727.09**		
FYTD for STOUFER, JUDY A			**727.09**		
STRADLING, YOCCA, CARLSON & RAUTH				Remit to: **NEWPORT BEACH** **CA**	
	6/20/2011	208396	9,481.83		
				LEGAL SERVICES-HOUSING	250.30
				LEGAL SERVICES-HOUSING	5,878.03
				LEGAL SERVICES-HOUSING	2,499.30
				LEGAL SERVICES-RDA	854.20
	Vendor Total		**9,481.83**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**126,683.91**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	882994	3,802.50		
				CONSULTING SVCS-EDD	3,802.50
	Vendor Total		**3,802.50**		
FYTD for STRICKLER ASSOCIATION, THE			**40,820.00**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882908	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**3,824.76**		
STUMPS, EDITH				Remit to: **CORONA** **CA**	
	6/6/2011	208222	34.00		
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	4.00
	Vendor Total		**34.00**		
FYTD for STUMPS, EDITH			**129.00**		

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SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY**	**CA**
6/13/2011	208285	99.35		
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-PD	77.71
6/20/2011	208397	98.88		
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-FIRE	6.19
			MISC SUPPLIES-FIRE	6.51
			MISC SUPPLIES-FIRE	51.46
			MISC SUPPLIES-FIRE	23.90
6/27/2011	208507	17.36		
			MISC SUPPLIES-FIRE	17.36
	Vendor Total	**215.59**		
FYTD for SUNNYMEAD ACE HARDWARE		**2,290.75**		
SUNNYMEAD ANIMAL HOSPITAL			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208398	245.00		
			PHYSICAL EXAM SVCS-K9 LEX	245.00
6/27/2011	208508	281.00		
			PHYSICAL EXAMS/VACC-K9-OZZIE	269.00
			PHYSICAL EXAMS/VACC-K9-OZZIE	12.00
	Vendor Total	**526.00**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL		**550.00**		
SVACINA, JASON			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208399	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for SVACINA, JASON		**20.00**		
SYSTEMS SOURCE, INC.			Remit to: **IRVINE**	**CA**
6/20/2011	208400	2,189.15		
			STATION FURNITURE	1,413.03
			INSTALLATION	600.00
			CALIF SALES TAX	176.12
	Vendor Total	**2,189.15**		
FYTD for SYSTEMS SOURCE, INC.		**2,189.15**		
TARGET SPECIALTY PRODUCTS			Remit to: **SANTA FE SPRINGS**	**CA**
6/27/2011	883036	3,789.72		
			ROUNDUP PROMAX HERBICIDE	1,210.28
			ROUNDUP PROMAX HERBICIDE	2,579.44
	Vendor Total	**3,789.72**		
FYTD for TARGET SPECIALTY PRODUCTS		**7,579.44**		

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TARVER, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208509	35.00		
				REFUND-PICNIC SHLTR ELECTRICAL	35.00
	Vendor Total		**35.00**		
FYTD for TARVER, BARBARA			**35.00**		
TAYLOR'S APPLIANCE				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208401	286.54		
				EMERGENCY REPAIRS AT FS#6	286.54
	Vendor Total		**286.54**		
FYTD for TAYLOR'S APPLIANCE			**509.50**		
TEICHERT, RICHARD				Remit to: **HIGHLAND** **CA**	
	6/13/2011	208286	500.00		
				UCLA FORECST ECON OUTLOOK CONF	250.00
				UCLA FORECST ECON OUTLOOK CONF	250.00
	Vendor Total		**500.00**		
FYTD for TEICHERT, RICHARD			**1,080.53**		
TEK WORKS				Remit to: **POWAY** **CA**	
	6/20/2011	882995	2,984.96		
				EOC CARD READER INSTLLTN-BAL.	1,331.07
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.10
	Vendor Total		**2,984.96**		
FYTD for TEK WORKS			**88,121.87**		
THOMAS, REGINA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208402	14.00		
				REFUND-BOARDING OVERCHRG	14.00
	Vendor Total		**14.00**		
FYTD for THOMAS, REGINA			**14.00**		
THOMPSON, LINDSAY				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208403	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for THOMPSON, LINDSAY			**75.00**		
THOMPSON, SAMMIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208404	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for THOMPSON, SAMMIE			**50.00**		

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THOMSON REUTERS INC				Remit to: **ENCINO** **CA**	
	6/6/2011	208223	321.72		
				LEGAL INFORMATION ONLINE CHRGS	156.40
				LEGAL PUBLICATION SUBSCRIP SVC	165.32
	6/27/2011	208510	371.97		
				LEGAL PUBLICATION SUBSCRPTNS	371.97
	Vendor Total		**693.69**		
FYTD for THOMSON REUTERS INC			**7,744.69**		
TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	6/6/2011	208224	19,137.50		
				CITY HALL HVAC SYSTEM REDESIGN	19,137.50
	Vendor Total		**19,137.50**		
FYTD for TMAD TAYLOR & GAINES			**53,870.00**		
TRANE				Remit to: **CITY OF INDUSTRY** **CA**	
	6/20/2011	208405	4,575.29		
				2 SPLIT SYS AC UNITS-CITY HALL	2,745.10
				CA SALES TAX	240.20
				2 SPLIT SYS AC UNITS-CITY HALL	1,160.90
				2 SPLIT SYS AC UNITS-CITY HALL	301.16
				CA SALES TAX	127.93
	Vendor Total		**4,575.29**		
FYTD for TRANE			**4,575.29**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208511	2,841.60		
				INSTRUCTOR SVCS-BALLET INTERMD	88.80
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	244.20
				INSTRUCTOR SVCS-BALLET/JAZZ	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	244.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	355.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-HIP HOP DANCE	666.00
	Vendor Total		**2,841.60**		
FYTD for TRICHE, TARA			**22,746.12**		

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TRI-CITY LINEN SUPPLY, INC.			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208287	25.00		
			LINEN SVC FOR CRC	25.00
6/20/2011	208406	50.00		
			LINEN SVCS FOR CRC	25.00
			LINEN SVCS FOR CRC	25.00
	Vendor Total	**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.		**2,049.55**		
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK** **CA**	
6/20/2011	208407	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
6/27/2011	208512	373.32		
			IRRIG REPAIRS-ZONE E-2	373.32
	Vendor Total	**16,073.32**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**211,918.48**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882948	580.00		
			INSTL. PLANTS-PERRIS BL MEDIAN	580.00
6/20/2011	882996	11,808.25		
			LNDSCP MAINT-ZONE M	5,532.72
			LNDSCP MAINT-ZONE DSG-1	6,075.53
			TREE RMVL-NASON/COTTONWOOD	200.00
6/27/2011	883037	2,485.00		
			LNDSCP MAINT-ZONE E-16	2,485.00
	Vendor Total	**14,873.25**		
FYTD for TRUGREEN LANDCARE		**257,936.53**		
TUNTLAND, JAMES			Remit to: **PRESCOTT** **AZ**	
6/6/2011	882909	267.88		
			RETIREE MED JUN '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**3,113.82**		
TURNER, DEBRA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208513	17,976.00		
			SOLAR INCENTIVE REBATE	17,976.00
	Vendor Total	**17,976.00**		
FYTD for TURNER, DEBRA		**17,976.00**		

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TWRITE, INC.				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208225	4,696.25		
				CITY WEBSITE MAINT/JAN-MAR '11	4,696.25
	Vendor Total		**4,696.25**		
FYTD for TWRITE, INC.			**24,577.50**		
U.S. BANK				Remit to: **ROBBINSDALE** **MN**	
	6/20/2011	208408	30.00		
				REFUND FALSE ALARM DUP PYMT	30.00
	Vendor Total		**30.00**		
FYTD for U.S. BANK			**30.00**		
U.S. HEALTHWORKS MEDICAL GROUP				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	208226	885.00		
				PRE-EMPLOYMENT PHYSICALS	560.00
				PRE-EMPLOYMENT PHYSICALS	325.00
	6/20/2011	208409	90.00		
				PRE-EMPLOYMENT PHYSICAL	90.00
	Vendor Total		**975.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**14,145.00**		
UNDERGROUND SERVICE ALERT				Remit to: **CORONA** **CA**	
	6/6/2011	208237	394.50		
				DIGALERT TICKETS SUBSCRPTN SVC	98.62
				DIGALERT TICKETS SUBSCRPTN SVC	98.63
				DIGALERT TICKETS SUBSCRPTN SVC	98.62
				DIGALERT TICKETS SUBSCRPTN SVC	38.74
				DIGALERT TICKETS SUBSCRPTN SVC	59.89
	Vendor Total		**394.50**		
FYTD for UNDERGROUND SERVICE ALERT			**4,788.50**		
UNION BANK OF CALIFORNIA				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208227	291.67		
				INVESTMENT SAFEKEEPING SVCS	291.67
	6/13/2011	208288	170.00		
				STANDBY LOC TRANSFER FEES	170.00
	Vendor Total		**461.67**		
FYTD for UNION BANK OF CALIFORNIA			**61,361.57**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
6/6/2011	882911	1,707.03		
			BROOM KITS-STREET SWEEPER	967.39
			BROOM KITS-STREET SWEEPER	739.64
6/27/2011	883038	2,271.66		
			BROOM KITS-STREET SWEEPER	784.59
			BROOM KITS-STREET SWEEPER	227.76
			BROOM KITS-STREET SWEEPER	750.51
			BROOM KITS-STREET SWEEPER	455.51
			BROOM KITS-STREET SWEEPER	53.29
	Vendor Total	**3,978.69**		
FYTD for UNITED ROTARY BRUSH CORP		**38,108.66**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
6/13/2011	882950	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**3,178.85**		
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
6/6/2011	208228	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
6/6/2011	208229	117.73		
			PAYROLL DEDUCTION AGREEMENT	117.73
6/20/2011	208410	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**217.73**		
FYTD for UNITED STATES TREASURY		**1,559.23**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208230	499.69		
			UNITED WAY CONTRIBUTIONS	499.69
6/20/2011	208411	494.69		
			UNITED WAY CONTRIBUTIONS	494.69
	Vendor Total	**994.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**14,899.30**		
US POLE COMPANY, INC			Remit to: **PALMDALE** **CA**	
6/27/2011	208514	14,599.69		
			LAMP/POLE/HARDWARE ASSY-PARKS	8,950.00
			LAMP/POLE/HARDWARE ASSY-PARKS	4,475.00
			CA SALES TAX	1,174.69
	Vendor Total	**14,599.69**		
FYTD for US POLE COMPANY, INC		**14,599.69**		

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USA MOBILITY/ARCH WIRELESS				Remit to: **ALEXANDRIA** **VA**	
	6/13/2011	882951	36.59		
				PAGER SVC-PARK RANGERS	1.83
				PAGER SVC-TRANSP. DIV.	4.68
				PAGER SVC-ANIMAL SVCS.	30.08
	Vendor Total		**36.59**		
FYTD for USA MOBILITY/ARCH WIRELESS			**690.87**		
VA CONSULTING, INC.				Remit to: **IRVINE** **CA**	
	6/20/2011	882997	4,963.74		
				AUTO MALL ST. IMPRVMNTS PROJ	4,507.49
				AUTO MALL FREEWAY SIGN PROJ	456.25
	Vendor Total		**4,963.74**		
FYTD for VA CONSULTING, INC.			**136,780.38**		

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VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	882998	3,765.00		
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-UTILITY FLD OFFICE	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES STARS BLDG	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			TERMITE INSPECTION-MRCH FLD PK	155.00
			TERMITE INSPECTION-CITY YARD	65.00
			TERMITE INSPECTION-SENIOR CTR	200.00
			TERMITE INSPECTION-UTIL OFFICE	65.00
			TERMITE INSPECTION-ASES BLDG	120.00
			TERMITE INSPECTION-TOWNGT C.C.	120.00
			TERMITE INSPECTION-CITY HALL	675.00
			TERMITE INSPECTION-FIRE ST #6	190.00
			TERMITE INSPECTION-FIRE ST #48	130.00
			TERMITE INSPECTION-FIRE ST #65	130.00
			TERMITE INSPCTN/TRTMNT-LIBRARY	595.00
6/27/2011	883039	75.00		
			PEST CNTRL-CONF & REC CTR	25.00
			PEST CNTRL-CONF & REC CTR	50.00
	Vendor Total	**3,840.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**21,270.00**		
VAS ASSOCIATES, INC.			Remit to: **CORONA**	**CA**
6/6/2011	882912	18,960.00		
			TEMP STAFFING SVCS-CAP PROJS	18,960.00
	Vendor Total	**18,960.00**		
FYTD for VAS ASSOCIATES, INC.		**203,160.00**		

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VAVRINEK, TRINE, DAY & CO., LLP				Remit to: **SACRAMENTO** **CA**	
	6/6/2011	208231	15,055.00		
				ACCOUNTING SVCS	15,055.00
	Vendor Total		**15,055.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP			**37,845.00**		
VCD CORPORATION				Remit to: **GLENDORA** **CA**	
	6/6/2011	882913	15,143.14		
				PROP REHAB-13714 FLAMING ARROW	15,143.14
	Vendor Total		**15,143.14**		
FYTD for VCD CORPORATION			**61,913.60**		
VEHICLE REGISTRATION COLLECTIONS				Remit to: **RANCHO CORDOVA** **CA**	
	6/20/2011	208412	82.59		
				GARNISHMENT	82.59
	Vendor Total		**82.59**		
FYTD for VEHICLE REGISTRATION COLLECTIONS			**1,482.55**		
VERIZON				Remit to: **TRENTON** **NJ**	
	6/20/2011	208413	1,712.84		
				BACKBONE CHARGES	1,712.84
	Vendor Total		**1,712.84**		
FYTD for VERIZON			**20,453.54**		
VERIZON CALIFORNIA				Remit to: **DALLAS** **TX**	
	6/27/2011	208515	617.47		
				PHONE CHARGES-ERC	617.47
	Vendor Total		**617.47**		
FYTD for VERIZON CALIFORNIA			**8,185.81**		
VICTOR MEDICAL CO				Remit to: **LAKE FOREST** **CA**	
	6/20/2011	208414	648.15		
				ANIMAL MEDICAL SUPPLIES	127.75
				ANIMAL MEDICAL SUPPLIES	520.40
	Vendor Total		**648.15**		
FYTD for VICTOR MEDICAL CO			**13,299.05**		
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882914	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,824.76**		

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VILLANUEVA, CARLOS			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208516	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for VILLANUEVA, CARLOS		**57.50**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
6/6/2011	882915	4,287.77		
			EMPLOYEE VISION INSURANCE	4,287.77
	Vendor Total	**4,287.77**		
FYTD for VISION SERVICE PLAN		**52,052.66**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208517	758.32		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	35.69
			PAINT/SUPPL-GRAFFITI RMVL PRGM	107.04
			PAINT/SUPPL-GRAFFITI RMVL PRGM	615.59
	Vendor Total	**758.32**		
FYTD for VISTA PAINT CORPORATION		**11,400.04**		
VOYAGER FLEET SYSTEM, INC.			Remit to: **HOUSTON** **TX**	
6/13/2011	882952	2,400.34		
			CNG FUEL PURCHASES	2,100.23
			CNG FUEL PURCHASES	300.11
	Vendor Total	**2,400.34**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**23,848.59**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
6/6/2011	208232	795.10		
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	104.54
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	138.79
			ASPHALTIC MATERIALS	138.79
6/13/2011	208289	207.03		
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	69.60
6/27/2011	208518	814.55		
			ASPHALTIC MATERIALS	105.23
			ASPHALTIC MATERIALS	103.17
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	103.17
			ASPHALTIC MATERIALS	365.55
	Vendor Total	**1,816.68**		
FYTD for VULCAN MATERIALS CO, INC.		**26,961.83**		

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W R SMITH, INC				Remit to: **WHITTIER** **CA**	
	6/6/2011	208233	20.83		
				REFUND-BUS. LIC. OVERPAYMENT	20.83
	Vendor Total		**20.83**		
FYTD for W R SMITH, INC			**20.83**		
WAGGONER JR., GLENN C.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882916	914.99		
				RETIREE MED APR-JUN '11, PD JU	914.99
	Vendor Total		**914.99**		
FYTD for WAGGONER JR., GLENN C.			**3,751.76**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882917	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,805.92**		
WALKER, DONNA JEAN				Remit to: **PERRIS** **CA**	
	6/20/2011	882999	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WALKER, DONNA JEAN			**798.00**		
WASSON, KIRK				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	883000	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for WASSON, KIRK			**2,090.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	6/6/2011	208235	1,244.51		
				ROLL-OFF STORAGE BIN RENTALS	1,244.51
	6/27/2011	208519	1,244.51		
				ROLL-OFF STORAGE BIN RENTALS	1,244.51
	Vendor Total		**2,489.02**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**15,287.20**		
WEBBER, MIKE				Remit to: **COSTA MESA** **CA**	
	6/20/2011	208415	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WEBBER, MIKE			**75.00**		

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WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES** **CA**	
6/1/2011	110601	867.18		
			INT ON 97 CH COP VAR RATE BOND	867.18
6/28/2011	1106071	568.00		
			STONRDGE CFD#5 BS FD 223-33500	568.00
	Vendor Total	**1,435.18**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,815,753.74**		
WEST PUBLISHING CORPORATION			Remit to: **ST. PAUL** **MN**	
6/27/2011	208520	535.00		
			AUTO TRACK SVCS-PD	110.00
			AUTO TRACK SVCS-PD	425.00
	Vendor Total	**535.00**		
FYTD for WEST PUBLISHING CORPORATION		**6,385.00**		
WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
6/30/2011	208528	3,241.25		
			WATER CHARGES	1,388.03
			WATER CHARGES	32.81
			WATER CHARGES	1,750.08
			WATER CHARGES	70.33
	Vendor Total	**3,241.25**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**23,167.68**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
6/6/2011	882918	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,824.76**		
WILLETTE, EVELYN			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208416	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for WILLETTE, EVELYN		**50.00**		
WILLIAMS, AUBREY GERALD			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208417	80.00		
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**80.00**		
FYTD for WILLIAMS, AUBREY GERALD		**168.00**		

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WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	6/6/2011	882919	187.68		
				RETIREE MED MAY '11, PD JUN '1	187.68
	Vendor Total		**187.68**		
FYTD for WILLIAMS, JANE L.			**2,154.64**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	6/20/2011	208418	54.00		
				SPORTS OFFICIATING SVCS	54.00
	Vendor Total		**54.00**		
FYTD for WILLIS, ROBERT H			**486.00**		
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	6/6/2011	882920	3,355.00		
				MAINT. DAY PORTER SVCS	960.00
				JANITORIAL SVCS-TOWNGT RENTALS	480.00
				JANITORIAL SVCS-SR CTR RENTALS	260.00
				JANITORIAL SVCS-CRC RENTALS	1,655.00
	6/13/2011	882953	900.00		
				MAINT. DAY PORTER SVCS	900.00
	6/20/2011	883001	23,986.40		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRLR	98.40
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MARCH FLD PRK	955.70
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-SUNNYMD ELEM	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C. C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	6/27/2011	883040	2,140.00		
				JANITORIAL SVCS-CRC RENTALS	2,140.00
	Vendor Total		**30,381.40**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**331,113.41**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	6/13/2011	208290	1,910.34		
				COPIER RNTL/MAINT-STARS	114.49
				COPIER BILLABLE PRINTS-STARS	510.69
				COPIER BILLABLE PRINTS-STARS	925.82
				COPIER BILLABLE PRINTS-PARKS	359.34
	6/20/2011	208419	1,678.84		
				COPIER RNTL/MAINT-PD	70.20
				COPIER RNTL/MAINT-PD	77.54
				COPIER RNTL/MAINT-PD	64.59
				COPIER RNTL/MAINT-GRAPHICS	397.79
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,068.72
	6/27/2011	208521	4,717.79		
				COPIER RNTL/MAINT/PRINTS-STARS	20.56
				COPIER RNTL/MAINT/PRINTS-STARS	2,394.91
				COPIER RNTL/MAINT/PRINTS-PARKS	993.89
				COPIER RNTL/MAINT/PRINTS-PARKS	779.48
				COPIER RNTL/MAINT/PRINTS-PARKS	528.95
	Vendor Total		**8,306.97**		
FYTD for XEROX			**78,088.26**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	6/6/2011	882921	323.00		
				RETIREE MED MAR-APR '11, PD JU	323.00
	Vendor Total		**323.00**		
FYTD for YAMASHITA, JULIA J.			**2,038.30**		
YANG, JIANG				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208522	124.00		
				REFUND-PARKS CLASS REGIS FEE	124.00
	Vendor Total		**124.00**		
FYTD for YANG, JIANG			**124.00**		
YENULONIS, LAURA				Remit to: **COLTON** **CA**	
	6/6/2011	208236	2,256.40		
				REIMB. CREDIT CARD CHGS ERROR	324.40
				REIMB. CREDIT CARD CHGS ERROR	1,123.00
				REIMB. CREDIT CARD CHGS ERROR	326.00
				REIMB. CREDIT CARD CHGS ERROR	109.00
				REIMB. CREDIT CARD CHGS ERROR	220.00
				REIMB. CREDIT CARD CHGS ERROR	32.00
				REIMB. CREDIT CARD CHGS ERROR	122.00
	Vendor Total		**2,256.40**		
FYTD for YENULONIS, LAURA			**2,354.00**		
	Subtotal		**1,283,779.86**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GRAND TOTAL		**16,100,598.73**		

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MV00123788

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, City Treasurer

AGENDA DATE: August 23, 2011

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2011

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

In response to the Orange County bankruptcy and investment problems, and in order to deal with tightening regulations and controls over local investment of public funds, Senate Bills 866 and 564 were signed into law and became effective January 1, 1996, creating California Government Code Sections 53601 and 53646 respectively. The City's Investment Policy, adopted December 17, 1996 (and revised most recently on March 23, 2010), is in full compliance with the requirements of both of the above-mentioned Code Sections in addressing the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the quarterly reporting requirements.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2011. This is the fourth quarterly report submitted for the 2010-11 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's

Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City has now transitioned the management of its general investment portfolio to Chandler Asset Management. As a result, the City's investment approach has changed from *passive* to *active*, as discussed in past meetings with the Finance Sub-Committee and the City Council. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 2.07 years.

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds, Voluntary Employee Beneficiary Association (VEBA) funds and California Employer Retiree Benefit Trust (CERBT) funds are held and invested by the respective plan administrators with the funds also placed in a trust separate from City funds.

FISCAL IMPACT

None

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2011. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section

53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – June 2011
Attachment 2 – Chandler Asset Management Bond Market Review – July 2011

Prepared By:
Brooke McKinney
Treasury Operations Division Manager

Department Head Approval:
Richard Teichert
City Treasurer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00123792

CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report

June 2011

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Yield at Maturity	Average Duration
Bank Accounts	1,914,624	1,914,624	1,914,624			
State of California LAIF Pool	42,568,573	42,568,573	42,568,573	0.66	0.59%	
Investments	177,894,127	172,127,027	172,127,027	2.07	1.53%	1.81
Total General Portfolio	**222,255,828**	**222,377,324**	**216,610,224**	**Years**		**Years**

Bond Proceeds with Fiscal Agents	Market Value
Construction Funds	8,162,119
Principal & Interest Accounts	683,243
Debt Service Reserve Funds	7,503,994
Custody Accounts	0
Arbitrage Rebate Accounts	0
Other Accounts	552,763
Total Bond Proceeds	**16,902,119**

Deferred Compensation Funds	Market Value as of Mar 31, 2011
Nationwide	9,203,462
ICMA	4,086,291
Total Deferred Compensation Funds	**13,289,753**
Total Investment Portfolio	**252,569,196**

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment advisor, Chandler Asset Management.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Richard Teichert
City Treasurer

MV00123793

Portfolio Summary

As of 6/30/2011

PORTFOLIO CHARACTERISTICS

Average Duration	1.81
Average Coupon	2.38 %
Average Purchase YTM	1.53 %
Average Market YTM	0.88 %
Average S&P Rating	AAA
Average Final Maturity	2.07 yrs
Average Life	1.94 yrs

ACCOUNT SUMMARY

	Beg. Values as of 5/31/11	End Values as of 6/30/11
Market Value	215,904,478	222,377,324
Accrued Interest	1,220,106	1,201,522
Total Market Value	**217,124,584**	**223,578,846**
Income Earned	268,561	274,561
Cont/WD		
Par	209,640,112	216,610,224
Book Value	213,508,118	220,442,714
Cost Value	215,206,920	222,255,828

TOP ISSUERS

Issuer	% Portfolio
Local Agency Investment Fund	19.1 %
Government of United States	14.1 %
Federal Farm Credit Bank	10.5 %
Federal Home Loan Mortgage Corp	10.0 %
Federal National Mortgage Assoc	7.5 %
Federal Home Loan Bank	5.9 %
Tennessee Valley Authority	3.7 %
US Bank Corp FDIC Insured	2.3 %
	73.2 %

SECTOR ALLOCATION

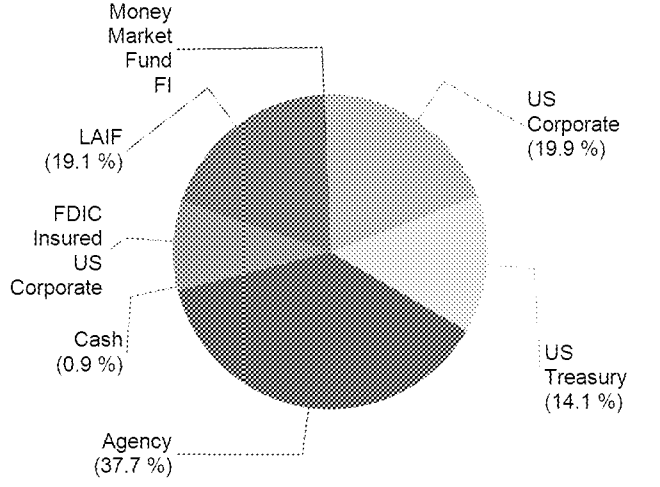

MATURITY DISTRIBUTION

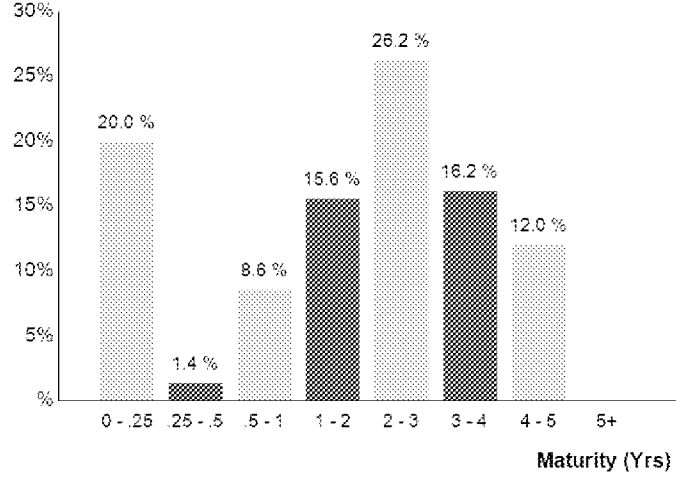

CREDIT QUALITY

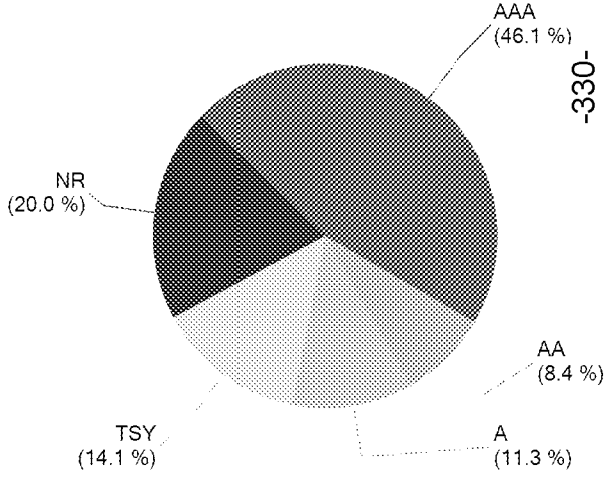

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Item No. A.9

MV00123794

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Yrs) ion
AGENCY									
3133XSWM6	FHLB Note 2.1% Due 1/23/2012	1,000,000.00	01/23/2009 2.10 %	1,000,000.00 1,000,000.00	101.02 0.30 %	1,010,150.00 9,216.67	0.46 % 10,150.00	Aaa AAA	0.57 0.56
3133XT2T2	FHLB Note 2.25% Due 2/10/2012	1,000,000.00	02/10/2009 2.25 %	1,000,000.00 1,000,000.00	101.19 0.29 %	1,011,940.00 8,812.50	0.46 % 11,940.00	Aaa AAA	0.62 0.60
31331XG30	FFCB Note 5.45% Due 6/21/2012	1,000,000.00	06/29/2007 5.33 %	1,005,380.00 1,001,052.93	104.97 0.34 %	1,049,683.00 1,513.89	0.47 % 48,630.07	Aaa AAA	0.98 0.96
31331XT36	FFCB Note 5.25% Due 8/1/2012	450,000.00	08/01/2007 5.25 %	450,000.00 450,000.00	105.30 0.36 %	473,848.65 9,843.75	0.22 % 23,848.65	Aaa AAA	1.09 1.05
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	102.34 0.35 %	1,023,386.00 9,391.67	0.46 % 23,386.00	Aaa AAA	1.12 1.10
3133XYWB7	FHLB Note 0.875% Due 8/22/2012	3,500,000.00	11/23/2010 0.51 %	3,521,892.50 3,514,365.88	100.59 0.35 %	3,520,772.50 10,973.96	1.58 % 6,406.62	Aaa AAA	1.15 1.14
3133XUUJ0	FHLB Note 1.625% Due 9/26/2012	3,450,000.00	12/22/2010 0.69 %	3,506,166.00 3,489,817.21	101.55 0.37 %	3,503,392.20 14,794.27	1.57 % 13,574.99	Aaa AAA	1.24 1.22
31331GZ44	FFCB Note 1.55% Due 10/15/2012	1,000,000.00	10/15/2009 1.55 %	1,000,000.00 1,000,000.00	101.51 0.38 %	1,015,063.00 3,272.22	0.46 % 15,063.00	Aaa AAA	1.30 1.28
31398A4T6	FNMA Note 0.5% Due 10/30/2012	1,000,000.00	12/22/2010 0.73 %	995,834.00 996,985.38	100.16 0.38 %	1,001,630.00 847.22	0.45 % 4,644.62	Aaa AAA	1.34 1.33
3137EACQ0	FHLMC Note 0.625% Due 12/28/2012	3,450,000.00	12/22/2010 0.75 %	3,441,354.30 3,443,551.16	100.33 0.40 %	3,461,550.60 179.69	1.55 % 17,999.44	Aaa AAA	1.50 1.49
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.88 %	4,194,744.63 3,978,090.89	109.08 0.64 %	4,063,345.48 65,808.34	1.85 % 85,254.59	Aaa AAA	1.71 1.62
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	103.03 0.48 %	1,030,342.00 5,072.22	0.46 % 30,342.00	Aaa AAA	1.78 1.74
3134A4TZ7	FHLMC Note 4.5% Due 7/15/2013	3,250,000.00	05/12/2010 1.59 %	3,541,690.75 3,437,497.51	108.12 0.50 %	3,513,981.25 67,437.50	1.60 % 76,483.74	Aaa AAA	2.04 1.94
880591DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 3,964,474.59	108.36 0.71 %	4,063,496.25 74,218.75	1.85 % 99,021.66	Aaa AAA	2.09 1.97
3133XUEC3	FHLB Callable Note Cont 8/12/11 2.65% Due 8/12/2013	1,000,000.00	08/12/2009 2.65 %	1,000,000.00 1,000,000.00	100.25 0.48 %	1,002,526.00 10,231.94	0.45 % 2,526.00	Aaa AAA	0.12 0.12
31331KET3	FFCB Note 0.98% Due 9/23/2013	1,970,000.00	03/28/2011 1.10 %	1,964,227.90 1,964,819.10	100.78 0.63 %	1,985,299.02 5,255.52	0.89 % 20,479.92	Aaa AAA	2.24 2.20
31398A4A7	FNMA Callable Note 1X 9/27/11 1.2% Due 9/27/2013	3,525,000.00	09/10/2010 1.20 %	3,525,000.00 3,525,000.00	100.21 0.35 %	3,532,229.78 11,045.00	1.58 % 7,229.78	Aaa AAA	0.24 0.24
3134G1PP3	FHLMC Callable Note 1X 8/18/11 1.4% Due 11/18/2013	1,855,000.00	08/18/2010 0.98 %	1,862,698.25 1,856,015.15	100.14 0.37 %	1,857,533.93 9,594.47	0.84 % 1,518.78	Aaa AAA	0.13 0.13
3133XHW57	FHLB Note 4.875% Due 12/13/2013	1,000,000.00	06/18/2009 2.96 %	1,080,060.00 1,043,766.78	110.02 0.75 %	1,100,170.00 2,437.50	0.49 % 56,403.22	Aaa AAA	2.46 2.33
3137EABX6	FHLMC Note 2.5% Due 1/7/2014	3,350,000.00	03/17/2010 2.09 %	3,399,734.10 3,382,929.62	104.40 0.74 %	3,497,326.30 40,479.17	1.58 % 114,396.68	Aaa AAA	2.53 2.42

MV00123795

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
3136FHGK5	FNMA Callable Note 1X 4/16/12 3% Due 4/16/2014	1,000,000.00	04/16/2009 3.00 %	1,000,000.00 1,000,000.00	101.90 0.60 %	1,018,995.00 6,250.00	0.46 % 18,995.00	Aaa AAA	0.80 0.78
31331GTJ8	FFCB Note 2.625% Due 4/17/2014	3,300,000.00	10/05/2010 1.02 %	3,483,678.00 3,445,488.94	104.81 0.88 %	3,458,858.70 17,806.25	1.56 % 13,369.76	Aaa AAA	2.80 2.69
31331KHF0	FFCB Callable Note Cont 4/25/12 1.62% Due 4/25/2014	3,695,000.00	04/13/2011 1.62 %	3,694,630.50 3,694,653.09	100.91 1.29 %	3,728,576.47 10,974.15	1.67 % 33,923.38	Aaa AAA	2.82 1.26
3136FHMK8	FNMA Callable Note 1X 5/1/12 2.25% Due 5/1/2014	1,000,000.00	05/01/2009 2.25 %	1,000,000.00 1,000,000.00	101.46 0.50 %	1,014,559.00 3,750.00	0.46 % 14,559.00	Aaa AAA	0.84 0.83
3136FHPX7	FNMA Callable Note 1X 11/14/2011 2.125% Due 5/14/2014	1,000,000.00	05/14/2009 2.13 %	1,000,000.00 1,000,000.00	100.52 0.72 %	1,005,198.00 2,774.31	0.45 % 5,198.00	Aaa AAA	0.38 0.37
31398AXJ6	FNMA Note 2.5% Due 5/15/2014	1,250,000.00	Various 2.32 %	1,258,880.25 1,256,300.04	104.39 0.95 %	1,304,857.50 3,993.05	0.59 % 48,557.46	Aaa AAA	2.88 2.77
31331JQA4	FFCB Note 1.9% Due 6/2/2014	4,300,000.00	06/08/2010 1.96 %	4,289,551.00 4,292,305.67	102.77 0.94 %	4,419,208.90 6,581.39	1.98 % 126,903.23	Aaa AAA	2.93 2.84
3133XTXW1	FHLB Callable Note 1X 1/9/12 2.5% Due 7/9/2014	1,000,000.00	07/09/2009 2.50 %	1,000,000.00 1,000,000.00	101.17 0.28 %	1,011,658.00 11,944.44	0.46 % 11,658.00	Aaa AAA	0.53 0.52
3137EACD9	FHLMC Note 3% Due 7/28/2014	4,000,000.00	03/15/2010 2.41 %	4,097,476.00 4,068,630.44	105.83 1.07 %	4,233,252.00 51,000.00	1.92 % 164,621.56	Aaa AAA	3.08 2.92
31398AYY2	FNMA Note 3% Due 9/16/2014	1,500,000.00	04/15/2010 2.50 %	1,531,365.00 1,522,795.01	106.16 1.04 %	1,592,449.50 13,125.00	0.72 % 69,654.49	Aaa AAA	3.22 3.05
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,064,805.68	106.02 1.10 %	4,240,828.00 33,000.00	1.91 % 176,022.32	Aaa AAA	3.23 3.07
31398AZV7	FNMA Note 2.625% Due 11/20/2014	4,100,000.00	03/12/2010 2.54 %	4,114,723.10 4,110,652.95	104.87 1.16 %	4,299,698.70 12,257.29	1.93 % 189,045.75	Aaa AAA	3.39 3.24
3134G2EF5	FHLMC Callable Note 1X 1/26/12 2.1% Due 1/26/2015	2,065,000.00	04/04/2011 2.09 %	2,065,206.50 2,065,156.94	100.88 0.56 %	2,083,169.94 7,829.79	0.94 % 18,013.00	Aaa AAA	0.58 1.03
3136FPEQ6	FNMA Callable Note 1X 9/9/11 1.85% Due 9/9/2015	2,015,000.00	09/16/2010 1.89 %	2,011,473.75 2,012,030.42	99.57 1.96 %	2,006,333.49 11,597.44	0.90 % (5,696.93)	Aaa AAA	4.20 2.00
31331J6C2	FFCB Note 2.35% Due 12/22/2015	2,000,000.00	03/28/2011 2.27 %	2,007,240.00 2,006,846.39	102.18 1.84 %	2,043,548.00 1,175.00	0.91 % 36,701.61	Aaa AAA	4.48 4.24
3137EACT4	FHLMC Note 2.5% Due 5/27/2016	3,475,000.00	06/14/2011 1.86 %	3,579,229.15 3,578,421.17	102.56 1.95 %	3,563,883.55 20,029.51	1.60 % (14,537.62)	Aaa AAA	4.91 4.59
Total Agency		**80,975,000.00**	**1.84 %**	**82,810,200.68 82,166,452.94**	**0.81 %**	**83,742,740.71 574,513.87**	**37.71 % 1,576,287.77**	**Aaa AAA**	**2.20 2.00**
CASH									
90CASH$00	Cash Custodial Cash Account	1,914,624.27	Various 0.00 %	1,914,624.27 1,914,624.27	1.00 0.00 %	1,914,624.27 0.00	0.86 % 0.00	NR NR	0.00 0.00
Total Cash		**1,914,624.27**	**N/A**	**1,914,624.27 1,914,624.27**	**0.00 %**	**1,914,624.27 0.00**	**0.86 % 0.00**	**NR NR**	**0.00 0.00**

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Item No. A.9

MV00123796

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Yrs) ion
FDIC INSURED US CORPORATE									
949744AA4	Wells Fargo & Company FDIC Guaranteed Note 3% Due 12/9/2011	3,050,000.00	03/12/2010 0.95 %	3,157,094.65 3,077,282.02	101.25 0.18 %	3,087,996.90 5,591.67	1.38 % 10,714.88	Aaa AAA	).44).44
06050BAG6	Bank of America Corp FDIC Guaranteed Note 2.1% Due 4/30/2012	3,310,000.00	Various 1.20 %	3,371,727.28 3,334,365.08	101.57 0.22 %	3,361,890.88 11,778.08	1.51 % 27,525.80	Aaa AAA	0.84 0.83
91160HAC1	US Bancorp FDIC Guaranteed Note 1.8% Due 5/15/2012	5,070,000.00	Various 1.39 %	5,111,546.49 5,087,926.04	101.40 0.20 %	5,140,762.00 11,661.00	2.30 % 52,835.96	Aaa AAA	0.88 0.87
38146FAA9	Goldman Sachs FDIC Guaranteed Note 3.25% Due 6/15/2012	3,205,000.00	Various 1.26 %	3,344,909.12 3,264,869.13	102.81 0.31 %	3,294,941.91 4,629.45	1.48 % 30,072.78	Aaa AAA	0.96 0.95
36967HAV9	GE Capital Corp FDIC Guaranteed Note 2.125% Due 12/21/2012	3,645,000.00	05/19/2010 1.27 %	3,723,710.13 3,690,036.90	102.38 0.50 %	3,731,878.58 2,151.56	1.67 % 41,841.68	Aaa AAA	1.48 1.46
Total FDIC Insured US Corporate		**18,280,000.00**	**1.23 %**	**18,708,987.67 18,454,479.17**	**0.28 %**	**18,617,470.27 35,811.76**	**8.34 % 162,991.10**	**Aaa AAA**	**0.93 0.92**
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	42,568,572.69	Various 0.39 %	42,568,572.69 42,568,572.69	1.00 0.39 %	42,568,572.69 34,512.20	19.06 % 0.00	NR NR	0.00 00
Total LAIF		**42,568,572.69**	**0.39 %**	**42,568,572.69 42,568,572.69**	**0.39 %**	**42,568,572.69 34,512.20**	**19.06 % 0.00**	**NR NR**	**00 00**
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	209,026.69	Various 0.01 %	209,026.69 209,026.69	1.00 0.01 %	209,026.69 0.00	0.09 % 0.00	Aaa AAA	0.00 0.00
Total Money Market Fund FI		**209,026.69**	**0.01 %**	**209,026.69 209,026.69**	**0.01 %**	**209,026.69 0.00**	**0.09 % 0.00**	**Aaa AAA**	**0.00 0.00**
US CORPORATE									
52517PR60	Lehman Brothers Holdings Note 5.25% Due 2/6/2012	1,000,000.00	02/06/2007 5.34 %	996,000.00 996,000.00	26.13 0.00 %	261,250.00 0.00	0.12 % (734,750.00)	NR NR	0.61 0.00
931142CL5	Wal-Mart Stores Note 4.25% Due 4/15/2013	3,260,000.00	Various 1.54 %	3,491,366.25 3,414,427.32	106.22 0.75 %	3,462,732.88 29,249.45	1.56 % 48,305.56	Aa2 AA	1.79 1.73
459200GR6	IBM Corp Note 2.1% Due 5/6/2013	1,725,000.00	01/27/2011 1.00 %	1,767,624.75 1,759,706.52	102.55 0.71 %	1,768,966.80 5,534.38	0.79 % 9,260.28	Aa3 A+	1.85 1.81
91159HGY0	US Bancorp Callable Note Cont 8/13/13 1.375% Due 9/13/2013	2,665,000.00	Various 1.32 %	2,668,966.65 2,667,927.62	100.45 1.16 %	2,677,064.45 10,993.13	1.20 % 9,136.83	Aa3 A+	2.12 2.08
254687AW6	Walt Disney Corp Note 4.5% Due 12/15/2013	1,720,000.00	Various 1.23 %	1,873,880.60 1,855,375.78	108.53 0.98 %	1,866,800.28 3,440.00	0.84 % 11,424.50	A2 A	2.46 2.34
24422ERA9	John Deere Capital Corp Note 1.6% Due 3/3/2014	440,000.00	02/28/2011 1.63 %	439,564.40 439,612.09	101.12 1.17 %	444,935.92 2,307.56	0.20 % 5,323.83	A2 A	2.68 2.60

MV00123797

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
US CORPORATE									
166751AH0	ChevronTexaco Corp Note 3.95% Due 3/3/2014	2,473,000.00	Various 1.56 %	2,644,928.56 2,626,639.24	107.76 1.00 %	2,664,996.31 32,018.48	1.21 % 38,357.07	Aa1 AA	2.68 2.53
665859AK0	Northern Trust Company Note 4.625% Due 5/1/2014	1,850,000.00	10/20/2010 1.33 %	2,058,421.00 2,018,002.91	109.21 1.31 %	2,020,309.15 14,260.42	0.91 % 2,306.24	A1 AA-	2.84 2.66
36962G4C5	General Electric Capital Corp Note 5.9% Due 5/13/2014	3,075,000.00	Various 2.88 %	3,411,681.00 3,325,111.96	111.09 1.91 %	3,416,045.18 24,190.00	1.54 % 90,933.22	Aa2 AA+	2.87 2.65
61747YCF0	Morgan Stanley Note 6% Due 5/13/2014	2,370,000.00	Various 3.98 %	2,534,751.20 2,495,808.78	108.91 2.75 %	2,581,214.40 18,960.00	1.16 % 85,405.62	A2 A	2.87 2.63
428236AV5	Hewlett Packard Company Note 4.75% Due 6/2/2014	1,700,000.00	01/27/2011 1.74 %	1,865,393.00 1,844,532.62	109.13 1.54 %	1,855,143.70 6,504.86	0.83 % 10,611.08	A2 A	2.93 2.74
74005PAQ7	Praxair Note 5.25% Due 11/15/2014	850,000.00	09/24/2010 1.60 %	973,471.00 950,954.74	112.33 1.49 %	954,785.45 5,702.08	0.43 % 3,830.71	A2 A	3.38 3.11
09247XAD3	Blackrock Inc Note 3.5% Due 12/10/2014	1,630,000.00	Various 2.84 %	1,674,920.75 1,664,394.51	105.39 1.88 %	1,717,801.58 3,327.92	0.77 % 53,407.07	A1 A+	3.45 3.24
713448BM9	Pepsico Inc. Note 3.1% Due 1/15/2015	2,530,000.00	Various 2.04 %	2,641,540.25 2,620,173.06	104.97 1.65 %	2,655,695.46 36,164.95	1.20 % 35,522.40	Aa3 A-	3.55 3.31
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	2,550,000.00	Various 3.34 %	2,584,656.00 2,580,539.72	103.98 2.52 %	2,651,507.86 42,195.42	1.20 % 70,968.14	Aa3 A+	3.56 3.28
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	2,475,000.00	Various 3.65 %	2,584,316.50 2,564,913.75	106.96 2.71 %	2,647,222.88 46,371.87	1.20 % 82,309.13	Aa3 AA-	3.62 3.27
084670AV0	Berkshire Hathaway Note 3.2% Due 2/11/2015	2,485,000.00	06/09/2010 2.65 %	2,545,012.75 2,531,551.29	104.23 1.98 %	2,589,998.71 30,924.44	1.17 % 58,447.42	Aa2 AA+	3.62 3.37
06406JHB4	Bank of New York Mellon Note 4.95% Due 3/15/2015	2,360,000.00	Various 2.11 %	2,645,950.90 2,595,406.68	109.67 2.22 %	2,588,278.08 34,397.01	1.17 % (7,128.60)	Aa3 A+	3.71 3.37
717081DA8	Pfizer Inc. Note 5.35% Due 3/15/2015	1,550,000.00	02/18/2011 2.33 %	1,730,497.50 1,715,008.86	112.75 1.78 %	1,747,590.90 24,416.81	0.79 % 32,582.04	A1 AA	3.71 3.36
74005PAR5	Praxair Note 4.625% Due 3/30/2015	740,000.00	Various 2.58 %	807,780.55 793,124.89	110.26 1.78 %	815,907.72 8,651.32	0.37 % 22,782.83	A2 A	3.75 3.44
278642AB9	Ebay Inc Note 1.625% Due 10/15/2015	2,670,000.00	10/22/2010 1.66 %	2,665,327.50 2,665,961.50	97.71 2.19 %	2,608,939.77 9,159.58	1.17 % (57,021.73)	A2 A	4.30 4.10
Total US Corporate		**42,118,000.00**	**2.28 %**	**44,606,051.11 44,125,173.84**	**1.71 %**	**43,997,187.48 388,769.68**	**19.85 % (127,986.36)**	**A1 AA-**	**3.05 2.84**
US TREASURY									
912828GQ7	US Treasury Note 4.5% Due 4/30/2012	3,775,000.00	03/12/2010 1.00 %	4,051,944.29 3,883,354.01	103.57 0.22 %	3,909,631.60 28,620.24	1.76 % 26,277.59	TSY TSY	0.84 0.82
912828HE3	US Treasury Note 4.25% Due 9/30/2012	3,775,000.00	03/12/2010 1.22 %	4,061,086.87 3,915,582.47	104.94 0.29 %	3,961,390.63 40,328.55	1.79 % 45,808.16	TSY TSY	.25 .22
912828HM5	US Treasury Note 3.625% Due 12/31/2012	2,550,000.00	03/12/2010 1.35 %	2,708,785.88 2,635,296.92	104.88 0.36 %	2,674,411.95 251.19	1.20 % 39,115.03	TSY TSY	.51 .47

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Yrs) ion
US TREASURY									
912828JQ4	US Treasury Note 2.75% Due 10/31/2013	4,000,000.00	05/10/2010 1.65 %	4,148,281.25 4,099,672.11	105.00 0.59 %	4,200,000.00 18,532.61	1.89 % 100,327.89	TSY TSY	2.34 2.26
912828NP1	US Treasury Note 1.75% Due 7/31/2015	4,050,000.00	04/06/2011 1.99 %	4,009,355.36 4,011,547.49	101.70 1.32 %	4,118,647.50 29,563.88	1.86 % 107,100.01	TSY TSY	4.09 3.91
912828PE4	US Treasury Note 1.25% Due 10/31/2015	3,600,000.00	Various 1.35 %	3,584,379.25 3,584,617.67	99.16 1.45 %	3,569,623.20 7,581.52	1.60 % (14,994.47)	TSY TSY	4.34 4.19
912828PJ3	US Treasury Note 1.375% Due 11/30/2015	3,590,000.00	05/16/2011 1.63 %	3,549,905.00 3,550,946.11	99.51 1.49 %	3,572,330.02 4,180.98	1.60 % 21,383.91	TSY TSY	4.42 4.26
912828PS3	US Treasury Note 2% Due 1/31/2016	3,505,000.00	05/16/2011 1.70 %	3,551,973.24 3,550,797.54	101.95 1.56 %	3,573,182.77 29,240.61	1.61 % 22,385.23	TSY TSY	4.59 4.34
912828QA1	US Treasury Note 2.25% Due 3/31/2016	1,700,000.00	06/27/2011 1.32 %	1,772,654.14 1,772,570.49	102.85 1.62 %	1,748,484.00 9,614.75	0.79 % (24,086.49)	TSY TSY	4.76 4.48
Total US Treasury		**30,545,000.00**	**1.48 %**	**31,438,365.28 31,004,384.81**	**0.95 %**	**31,327,701.67 167,914.33**	**14.09 % 323,316.86**	**TSY TSY**	**3.03 2.91**
TOTAL PORTFOLIO		**216,610,223.65**	**1.53 %**	**222,255,828.39 220,442,714.41**	**0.88 %**	**222,377,323.78 1,201,521.84**	**100.00 % 1,934,609.37**	**Aa1 AAA**	**1.94 1.81**
TOTAL MARKET VALUE PLUS ACCRUED						**223,578,845.62**			

MV00123799

City of Moreno Valley

June 30, 2011

COMPLIANCE WITH INVESTMENT POLICY

Assets managed by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

MV00123800

Holdings Report Glossary

CUSIP (Committee on Uniform Securities Identification Procedures) – A unique identification number assigned to all securities.

Security Description - The issuer name, coupon (periodic interest payment rate) and maturity.

Par Value/Units - The face value or number of units held in the portfolio.

Purchase Date - The settlement date on which the security was purchased.

Book Yield - The YTM that equates the current amortized value of the security to its periodic future cash flows.

Cost Value - The value at which the securities were purchased, excluding purchased interest.

Book Value - The value at which an asset is carried on a balance sheet. To calculate, take the cost of an asset + net accretion/amortization.

Mkt Price - The current fair value market price.

Mkt YTM – The internal rate of return that equates the periodic future cash flows (interest payments and redemption value) to the market price, assuming that all cash flows are invested at the YTM rate.

Market Value - The current fair value of an investment as determined by transactions between willing buyers and sellers.

Accrued Int. - The interest that has accumulated on a bond since the last interest payment up to, but not including, the settlement date.

% of Port. - The % of the portfolio that the security represents based on market value, including accrued interest.

Gain/Loss – The unrealized gain or loss on the security, compared to either cost or amortized value, as of the date of the report.

Moody - The Moody's rating for the security.

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MV00123801

Holdings Report Glossary (continued)

S&P - The Standard and Poor's rating for the security.

Term (yrs) - The time, in years, until maturity.

Duration - The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

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MV00123802

CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report

BOND PROCEEDS WITH FISCAL AGENTS

Account Name	Account Number	Investment	Issuer	Purchase Date	Maturity Date	Market Value	Stated Rate	Yield	Price	% of of Portfolio
Wells Fargo	Community Facilities District 87-8 (A.D.									
special tax funds	22631800	money market fund	WF Govt Fund	06/30/11	07/01/11	1,022,258	0.01%	0.01%	1.00000	6.048%
reserve fund	22631804	money market fund	WF Govt Fund	06/30/11	07/01/11	1,028,889	0.01%	0.01%	1.00000	6.087%
admin exp acct	22631805	money market fund	WF Govt Fund	06/30/11	07/01/11	377	0.01%	0.01%	1.00000	0.002%
debt service acct	22631809	money market fund	WF Govt Fund	06/30/11	07/01/11	535,889	0.01%	0.01%	1.00000	3.171%
special tax funds	22631900	money market fund	WF Govt Fund	06/30/11	07/01/11	388,431	0.01%	0.01%	1.00000	2.298%
reserve fund	22631904	money market fund	WF Govt Fund	06/30/11	07/01/11	365,376	0.01%	0.01%	1.00000	2.162%
admin exp acct	22631905	money market fund	WF Govt Fund	06/30/11	07/01/11	15,923	0.01%	0.01%	1.00000	0.094%
						3,357,143				
Wells Fargo	SARA's									
Series B Revenue	22333500	money mkt fund	WF Govt Fund	06/30/11	07/01/11	137,116	0.01%	0.01%	1.00000	0.811%
Series A Principal	22333501	money mkt fund	WF Govt Fund	06/30/11	07/01/11	300	0.01%	2.71%	1.00000	0.002%
Series B reserve	22333503	money mkt fund	WF Govt Fund	06/30/11	07/01/11	527,622	0.01%	0.01%	1.00000	3.122%
Series A interest	22333504	money mkt fund	WF Govt Fund	06/30/11	07/01/11	27,002	0.01%	0.01%	1.00000	0.160%
						692,040				
Wells Fargo	1997 Lease Revenue Bonds - Public Safety									
rebate account	12526104	money mkt fund	WF Govt Fund	06/30/11	07/01/11	0	0.01%	0.01%	1.00000	0.000%
						0				
Wells Fargo	2007 Redevelopment Agency Tax Allocation Bonds Series A									
debt service fund	22631700	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2	0.01%	0.01%	1.00000	0.000%
						2				
Wells Fargo	2005 Lease Revenue Bond									
bond fund	18042800	money mkt fund	WF Govt Fund	06/30/11	07/01/11	131	0.01%	0.01%	1.00000	0.001%
reserve fund	18042804	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2,992,753	0.01%	0.01%	1.00000	17.706%
construction fund	18042806	money mkt fund	WF Govt Fund	06/30/11	07/01/11	1,315,143	0.01%	0.01%	1.00000	7.781%
						4,308,027				25.488%
Wells Fargo	2007 Municipal Lease Revenue Bonds - Electric Utility									
bond fund	22277600	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2	0.01%	0.01%	1.00000	0.000%
construction fund	22277604	money mkt fund	WF Govt Fund	06/30/11	07/01/11	6,846,976	0.01%	0.01%	1.00000	40.510%
cost of issuance	22277606	money mkt fund	WF Govt Fund	06/30/11	07/01/11	368,071	0.01%	0.01%	1.00000	2.178%
						7,215,049				
Wells Fargo	Auto mall Refinancing									
revenue fund	20350300	revenue	WF Govt Fund	06/30/11	07/01/11	120,219	0.01%	0.01%	1.00000	0.711%
reserve fund	20350303	reserve	WF Govt Fund	06/30/11	07/01/11	1,178,363	0.01%	0.01%	1.00000	6.972%
admin expenses	20350304	admin expenses	WF Govt Fund	06/30/11	07/01/11	31,276	0.01%	0.01%	1.00000	0.185%
						1,329,858				7.868%
			Totals			16,902,119				100.000%

Type	Business at Bond Proceeds with Fiscal Agents	
1	Construction Funds	8,162,119
2	Principal & Interest Accounts	683,243
3	Debt Service Reserve Funds	7,503,994
4	Custody Accounts	0
5	Arbitrage Rebate Accounts	0
6	Other Accounts	552,763
	Total Fiscal Agent Funds	16,902,119

MV00123803

DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value as of Mar 31, 2011
Liquid Savings	**$1,106,228**
Nationwide Fixed (Part Time Employee)	585,077
Liquid Savings (Part Time Employees)	**388,691**
Certificates of Deposit 3 years	15,948
Certificates of Deposit 5 years	**43,117**
Bond Fund Of America	58,053
Growth Fund of America	**93,121**
Investment Co. of America	35,018
Income Fund of America	**224,208**
Brown Cap Mgmt Inc SM Co	93,010
Fidelity Independence	**1,776**
Fidelity Equity Income	29,528
Fidelity Magellan	**261,770**
JP Morgan Mid Cap Value A	146,992
Fidelity Puritan	**80,105**
Fidelity Contrafund	262,695
Janus Fund	**48,290**
Janus Advisor Forty	85,441

Fund	Market Value as of Mar 31, 2011
Drey SmCap I	**7**
American Century Balanced	30
Am Century Growth	**52,868**
Am Century Select	91,717
Am Century Ultra	**0**
Vanguard Index 500	81,652
Vanguard Institutional Index	**388,497**
Vanguard Wellington	15,541
Vanguard Windsor II	**50,195**
Vanguard Total Bond Index	208,348
Washington Mutual Inv	**41,443**
Templeton Foreign I	0
EuroPacific Growth	**321,160**
Stable Fund C	1,720,348
PBHG Growth Fund	**0**
DWS High Income Fund A	61,105
DWS Strategic Value	**47,788**
Oppenheimer Global Fund A	205,524

Fund	Market Value as of Mar 31, 2011
N B Socially Responsive Fund	**15,830**
DFA US Micro Cap Port	87,664
Federated Kaufmann Fund	**553,573**
Invesco Mid Cap Core Equity	14,770
Nationwide Ret Inc Inst Svc	**13,593**
Nationwide InvDes Mod Cons Fund SC	10,501
Nationwide InvDes Mod Aggr Fund	**677,616**
Nationwide InvDes Aggr Fund	73,398
Nationwide InvDes Mod Fd	**413,221**
Nationwide Inv Des Cons	84,202
Nationwide Large Cap Growth	**45,532**
Nationwide Inter Val Inst Svc	29,408
Nationwide US Sm Cap Val Ins Svc	**1,767**
YL Account	166,257
Nationwide Dest 2020 Inst Svc	**102,674**
Nationwide Dest 2025 Inst Svc	61,307
Nationwide Dest 2030 Inst Svc	**6,858**
Total Nationwide Deferred	**$9,203,462**

ICMA

Fund	Market Value as of Mar 31, 2011
Aggressive Oppor.	**$165,157**
International	168,394
All Equity Growth	**98,264**
Growth and Income	200,817
Broad Market	**55,743**
500 Stock Index	63,218
Equity Income	**292,538**
Asset Allocation	
Core Bond	**15,560**
Cash Management	26,090
Plus Fund	**1,209,847**
Savings Oriented	6,565
Conservative Growth	**118,259**
Traditional Growth	272,424
Long-Term Growth	**315,616**
Milestone 2010	34,309
Milestone 2015	**1,255**
Milestone 2025	14,444
Milestone 2030	**12,173**
Milestone 2035	11,278
Milestone 2040	**1,519**
Growth Fund	219,063

Fund	Market Value as of Mar 31, 2011
VT Royce Premeir	2,028
VT Ranier Small/Mid Cap Eq	**33,631**
VT Fidelity Contrafund	157,896
VT Vantagepoint Overseas Equity Index Fund	**66,564**
VT Fidelity Diversified International	58,006
VT Allianz NFJ Div Value	**45,955**
VT Legg Mason Value	1,793
VT Fidelity Puritan	**4,680**
VT Royce Value Plus Service	8,295
VT TR Price Growth Stock Adv	**16,064**
VT Nuveen Real Estate Secs	28,183
VT TR Price Small Cap Value	**122,859**
VT Vantagepoint MS Ret Inc	38,277
Inflation Protected Securities	**18,360**
VT Vantage Point Select Value	77
VT Vantagepoint Mid/Sm Index	**7,688**
VT PIMCO Total Return	50,850
VT PIMCO High Yield	**110,621**
VT Harbor International Admi	11,853
VT Harbour Mid Cap Growth Admin	**78**
Total ICMA	**$4,086,291**

Summary by Plan

Deferred Compensation Plan	Market Value as of Mar 31, 2011
Total Nationwide	$9,203,462
Total ICMA	4,086,291
Total Deferred Compensation Plans	**$13,289,753**

Summary by Investment Type

Investment Type	Market Value as of Mar 31, 2011
Savings Deposits and CD's	$3,859,409
Mutual Funds	9,430,344
Total Deferred Compensation Plans	**$13,289,753**

MV00123804

CHANDLER ASSET MANAGEMENT

July 2011

BOND MARKET REVIEW

A MONTHLY REVIEW OF FIXED INCOME MARKETS

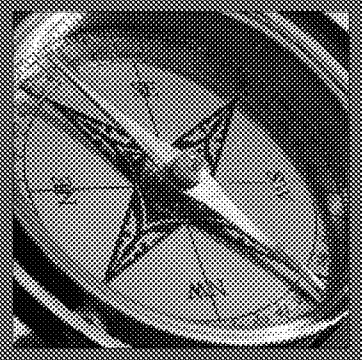

WHAT'S INSIDE

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Since 1988, Chandler Asset Management has specialized in the management of fixed income portfolios. Chandler's mission is to provide fully customizable, client-centered portfolio management that preserves principal, manages risk and generates income in our clients' portfolios.

Market Summary

Treasury yields were modestly higher in June as market participants debated whether weaker economic data is only temporary, or if it is a sign of another economic slowdown. The market is also paying close attention to the European sovereign debt crisis, a situation which is likely to drag on for quite a while.

Economic data continues to reflect a sluggish and uneven economic recovery. The June non-farm payrolls report was very disappointing, showing an increase of only 18,000 jobs and an increase in the unemployment rate to 9.2%. The housing market remains very weak, and higher gas prices continue to affect consumer spending (although there is some hope that this effect may begin to moderate). On the positive side, manufacturing activity rebounded slightly in June, with the ISM manufacturing index rebounding to 55.3 (versus 53.5 the previous month). Although inflation has risen, the Federal Reserve continues to believe that this is a temporary development reflecting higher food and energy prices.

Although they have concluded their second round of large-scale asset purchases (QE2), the Federal Reserve maintains its exceptionally easy monetary policy. The Fed Funds rate remains near 0% and the Fed will continue to reinvest principal and interest payments from its securities portfolio. The next scheduled Fed meeting is August 9.

TREASURY YIELDS HIGHER IN JUNE

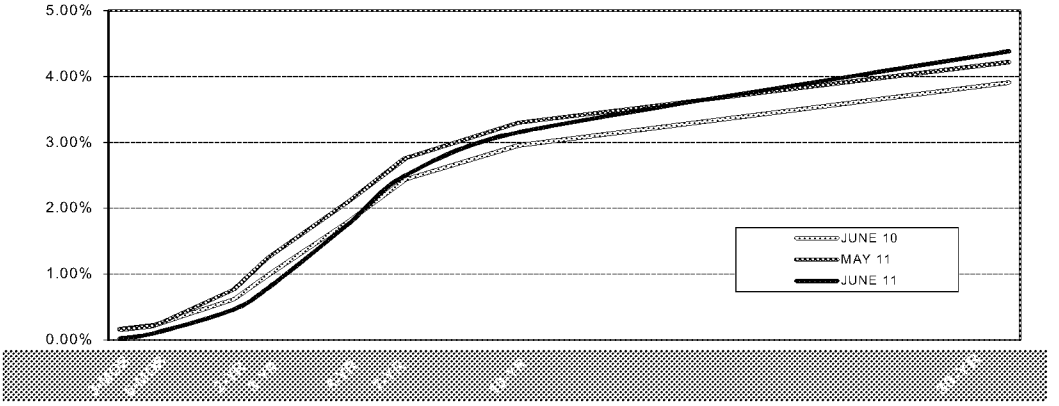

Treasury yields ended the month modestly higher, with yields on longer securities rising more than those on shorter securities.

YIELDS	6/30/11	5/31/11	CHANGE
3 Month	0.02	0.05	(0.03)
2 Year	0.46	0.46	0.00
3 Year	0.79	0.76	0.02
5 Year	1.75	1.69	0.06
7 Year	2.49	2.38	0.11
10 Year	3.15	3.05	0.10
30 Year	4.38	4.22	

Consumer Prices

In May, the CPI showed that consumer prices increased 3.6% on a year-over-year basis. The year-over-year Core CPI (CPI less food and energy) increased at a 1.5% rate. Although some producer prices have begun to rise, prices on consumer goods are not expected to increase sharply in the months ahead. The Federal Reserve has noted that it is monitoring commodity price increases, but does not believe that they will flow through to sharply higher consumer prices.

Retail Sales

In May, Retail Sales rose 7.7% on a year-over-year basis. Consumer spending has rebounded from the depths of the recession and recent activity has been moderate; however, activity is still far short of the heights of the previous economic expansion as a weak job market and high energy prices restrain consumer spending.

Labor Markets

The June employment report showed that the economy added only 18,000 jobs and the previous two months' totals were revised lower. The unemployment rate rose to 9.2%, and the average weekly hours worked figure also declined. Taken as a whole, this was a very weak report and cast doubt on the strength and durability of the economic recovery. Even though the economic recovery is two years old, the pace of recovery in the labor market is extremely weak by historical standards, and is one of the primary reasons why the recovery has been tepid.

Housing Starts

Single-family housing starts increased 3.7% in May to 419,000, compared to 404,000 in April. On a year-over-year basis, single-family housing starts were down 8.9% compared to May 2010. This report indicates that the housing market remains relatively weak and continues to struggle to gain momentum.

Credit Spreads Mixed

CREDIT SPREADS	Spread to Treasuries (%)	One Month Ago (%)	Change
3-month top-rated commercial paper	0.17	0.18	(0.01)
2-year AA corporate note	0.37	0.39	(0.02)
5-year AA corporate note	0.58	0.57	0.01
5-year Agency note	0.36	0.34	0.02

Source: Bloomberg

Data as of 6/30/2011

Mixed Economic Data

ECONOMIC INDICATOR	Current Release	Prior Release	One Year Ago
Trade Balance	(50.2) $Bln MAY 11	(43.6) $Bln APR 11	(42.2) $Bln MAY 10
GDP	1.9% MAR 11	3.1% DEC 10	3.7% MAR 10
Unemployment Rate	9.2% JUN 11	9.1% MAY 11	9.5% JUN 10
Prime Rate	3.25% JUN 11	3.25% MAY 11	3.25% JUN 10
CRB Index	338.05 JUN 11	350.06 MAY 11	258.52 JUN 10
Oil (West Texas Int.)	$95.42 JUN 11	$102.70 MAY 11	$75.63 JUN 10
Consumer Price Index (y/o/y)	3.6% MAY 11	3.2% APR 11	2.0% MAY 10
Producer Price Index (y/o/y)	7.3% MAY 11	6.8% APR 11	5.1% MAY 10
Dollar / EURO	1.45 JUN 11	1.44 MAY 11	1.22 JUN 10

Source: Bloomberg

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AGEMENT ⁘ 6225 Lusk Blvd ⁘ S -342- o, CA 92121 ⁘ 800 317 4747 ⁘ www.chandlerasset.com

Corporate Credit – Current Trends and Outlook

Corporate credit fundamentals have improved significantly since the financial crisis and economic recession. Many corporate credit issuers have seen a dramatic improvement in their key credit ratios over the past two years (including interest coverage, free cash flow to debt, return on equity, total debt to capital, etc.), leading to a number of credit rating upgrades over that time frame and a significant contraction in overall credit spreads. Since the spring of 2009, investment grade option adjusted credit spreads (OAS)[1] have tightened approximately 350 basis points on average. The average OAS for investment grade corporate debt, according to data based on the Bank of America Merrill Lynch US Corporate Index, now stands at about 155, which is just moderately higher than the 10-year median investment grade corporate OAS. Considering that this data set includes the financial crisis, when corporate OAS rose to unusually high levels, we believe current corporate bond valuation remains compelling.

We also believe the overall credit cycle remains favorable. However, we see less upside in credit fundamentals in the current environment and expect credit trends to be more stable over the near- to intermediate-term. We remain constructive on the economy and believe that ongoing demand recovery will continue to benefit corporate earnings and credit trends. We anticipate that the pace of earnings growth and corporate credit rating upgrades may slow, in light of an uncertain economic environment, rising cost pressures, increased capital deployment, and heightened event risk. Year-over-year revenue, margin, and earnings comparisons are also becoming more challenging as the economy is now entering the third year of expansion since the official end of the recession in June 2009.

Second Quarter Earnings Preview

We are expecting second quarter earnings to show solid year-over-year growth on average and to be relatively in-line or better than analysts' consensus views. However, we expect that the magnitude of upside earnings surprises will be less significant in 2Q11 than the past few quarters. We also anticipate that some companies may have a more cautious outlook on the second half of the year, particularly in light of recent weakness in economic data and intensifying margin pressures.

In spite of mixed economic data during the second quarter, many corporate management teams remained optimistic about corporate earnings and business trends. Several management teams hosted their annual analyst and investor conferences during the second quarter, and a number of them provided a bullish forecast of longer-term growth opportunities, driven in large part by international expansion, capital investments, and an ongoing recovery in demand. However, few companies raised their near-term earnings guidance during the quarter. Many of them either affirmed their forecasts or did not update their earnings outlook.

While we believe that an ongoing recovery in demand has, and will continue to, fuel earnings growth for many companies, there were some factors which pressured second quarter earnings and may limit the magnitude of upside surprises. In the consumer sector, we expect that higher-end retailers outperformed mid- and lower-tier retailers, which likely had a more difficult time of passing along price increases to their customers whose wallets have been stretched by high food and gas prices. In the food and grocery sectors, we expect that price increases helped to drive revenue growth in the second quarter but anticipate that margins continue to be pressured by high commodity costs. In the insurance industry, we expect second quarter earnings were hampered by unusually high catastrophe losses, as most of the large domestic insurance companies have already issued intra-quarter guidance about these charges. Meanwhile, we expect earnings in the banking sector were hindered by legal charges and sluggish loan activity, which was likely somewhat offset by improving credit trends and the continued reversal of loss provisions. For those with a manufacturing or supply chain and/or a significant customer base in Japan (such as the automotive and technology sectors), we expect that ongoing disruption related to the earthquake had a negative impact on earnings in the quarter.

Although managements' tones may be somewhat more cautious, we still expect second quarter earnings will show solid year-over-year growth on average. According to a senior earnings analyst at FactSet Research Systems, Wall Street analysts are projecting 14% year-over-year growth in S&P 500 earnings in the quarter. Energy and

[1] OAS, calculated at the spread over the Treasury yield curve that equates the present value of a bond's cash flows to its market price, is a measure of a bond's additional return over the return of a comparable Treasury bond, net of the cost of any embedded options. A higher relative OAS may signal that a security is undervalued, while a lower relative OAS may signal that a security is overvalued.

materials companies, in particular, may be poised to report strong earnings and potentially raise guidance because of high energy and commodity prices during the quarter. Meanwhile, companies with significant international exposure may have a more optimistic tone about future earnings, as growth in developing countries is likely to continue outpacing domestic operating trends. We also expect that in some cases, strategic deployment of capital (via share repurchases and acquisitions) will help to drive future earnings growth and prompt some companies to raise their forward-looking guidance.

Second Half 2011 Outlook

Looking ahead, we believe there are a few key factors that are likely to have an important impact on corporate credit in the second half of the year; employment trends, rising cost pressures, and event risk.

Employment. Employment is likely to remain one of the most closely watched economic data points in the second half of 2011. The unemployment rate as of June 2011, was 9.2%, which remains high but marks a significant improvement from the third quarter of 2009 when the unemployment rate reached 10.1%. According to Bloomberg data, market participants expect a slow but steady decline in the unemployment rate throughout the remainder of this year and are calling for a rate of 8.5% by the first quarter of 2012. We expect that an improving labor market will help to drive slow and steady demand and corporate earnings growth and will continue to support corporate credit quality.

Margin Pressure. While the Fed continues to downplay the threat of inflation, rising input prices have begun to pressure corporate earnings. Rising commodity, energy, healthcare, wage (especially for those who have operations in China), and regulatory costs are likely to stifle earnings to some degree in the back half of this year. This presents a particular hardship to companies that are unable or unwilling to pass along price increases to their customers in the face of a still sluggish economic recovery. Some companies are forecasting double-digit percentage increases in their costs over the next year. While some companies have had success in offsetting cost pressures and/or passing along initial price increases to their customers, cost pressure is expected to be more significant in the second half of the year.

Event Risk. Event risk is currently one of the most significant risks to corporate credit. While several companies hoarded cash during the credit crisis and continued to conserve cash in the early stages of the recovery, many companies are now deploying cash towards share repurchases, higher dividend payments, and acquisitions. These events are generally unfavorable from a fundamental credit perspective. Share repurchases and dividends, in particular, have little benefit to bondholders. Meanwhile, acquisitions, especially if financed with cash or new debt, can negatively impact a company's credit ratios. Even if a merger or acquisition is beneficial to longer-term earnings growth or cash flow, there is often some execution risk or increased debt load in the early stages of the deal. We believe the industries with the greatest level of this type of event risk include the food, technology, financials, and energy industries, where there has already been meaningful consolidation over the past year. According to a report by PricewaterhouseCoopers (PwC), the value of U.S. merger and acquisition deals in the first five months of 2011 was up 39% from a year earlier, and PwC expects activity to continue to pick up throughout the rest of the year.

Conclusion

Overall, we believe the second half 2011 outlook for corporate credit remains favorable. Though we anticipate that the pace of earnings growth and corporate credit rating upgrades may slow in the latter half of the year, in light of ongoing economic uncertainty, market volatility, and increased headwinds to corporate earnings, we still expect earnings growth to remain healthy and the overall economy to continue growing at a slow but steady pace.

Shelly Henbest
Credit Analyst

MV00123808

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY.

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

BACKGROUND

In 2001, the Southern California Association of Governments (SCAG) started a regional visioning process that culminated in a strategy for regional growth that would

accommodate the coming growth while providing for livability, mobility, prosperity, and sustainability. This strategy, called "Compass Blueprint" promotes a stronger link between region wide transportation and land use planning and encourages creative, forward-thinking and sustainable development solutions that fit local needs and support shared regional values. The strategy is broadly based on the following four key principles, which can be referred to as the "Compass Principles."

- Livability - *Creating positive communities*
- Mobility - *Getting where we want to go*
- Prosperity - *Long-term health for the region*
- Sustainability - *Promoting efficient use of natural resources*

Compass Blueprint Planning Services are provided through Demonstration Projects, opportunities for local planning efforts to become regional showcases for superior planning. Demonstration Projects enable cities and counties to better evaluate planning options and stimulate sustainable development opportunities. The City of Moreno Valley applied for a Demonstration Project Grant Award in October 2010.

DISCUSSION

The Compass Blueprint Demonstration Project Grant Award covers the cost of the following as related to completion of the study:

- consultant services
- SCAG staff time
- financial resources
- technical assistance

The proposed "Alessandro Boulevard Corridor Implementation Project" is based on the recently completed "Alessandro Boulevard Corridor Demonstration Project" (SCAG sponsored Demonstration Project completed in June 2010) and promotes the Compass Principles by encouraging strategies to integrate transportation and community. That Project explored opportunities for mixed use transit-oriented development along Alessandro Boulevard, an important regional transportation link for Moreno Valley. The City of Moreno Valley would like to further promote the use of Alessandro Boulevard as a way to reduce the impacts of transportation on the environment and to provide efficient access to jobs and services. The amount of contractual services to be provided by SCAG is approximately $165,000. Any necessary staff support costs will be provided within the existing Planning Division budget will be nominal.

To assist the City in the implementation of a vision for the Alessandro Boulevard area, this proposed demonstration project will:

- Create an overlay district for the Alessandro Boulevard corridors to identify areas suited for Multiple Use Districts (MUD1 and MUD2);
- Create requirements for selecting Multiple Use Districts (MUD1 and MUD2) sites;
- Create urban design strategies to intensify land uses;
- Rezone areas along Alessandro Boulevard to Residential 30 (R30) as identified in the draft General Plan Housing Element;
- Develop a set of street section standards for the Alessandro Boulevard corridor;
- Identify nodes along the Alessandro Boulevard corridor suited for specialized street section standards;
- Create a prototype design for covered bus stops along the Alessandro Boulevard corridor;
- Amend the General Plan to include new standards; and
- Identify next steps for guiding future changes along the corridor.

A consultant, RBF Consulting, has been selected for the proposed Alessandro Boulevard Corridor Demonstration Project. SCAG is currently working on finalizing the drafting of the contract and acceptance of the award by City Council is required prior to the contract's execution.

ALTERNATIVES

1. Authorize acceptance of the Compass Blueprint Demonstration Project Grant Award; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

RECOMMENDATION

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

NOTIFICATION

Posting of the Agenda

ATTACHMENTS/EXHIBITS

1. Resolution No. 2011-87

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, IN SUPPORT OF AND PARTICIPATION WITH THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS AS A COMPASS BLUEPRINT STRATEGY DEMONSTRATION COMMUNITY

WHEREAS, the City of Moreno Valley is participating with the Southern California Association of Governments (SCAG) in a Compass Blueprint Strategy study to examine the potential for transit-oriented development around an emerging rapid transit bus line along Alessandro Boulevard (proposal for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"); and

WHEREAS, the City of Moreno Valley's Alessandro Boulevard Corridor is located in a 2% Strategy Opportunity Area; and

WHEREAS, Compass Blueprint supports communities with technical assistance for local planning projects consistent with the regional vision of mobility, livability, sustainability and prosperity.

WHEREAS, the Southern California Association of Governments (SCAG) has awarded Demonstration Community Status to the City of Moreno Valley along with consultant services that will be used to perform a Compass Blueprint Strategy study to explore opportunities for transit-oriented development around an emerging rapid transit bus line along Alessandro Boulevard, a coordinated work effort that will take place directly between the consultants and City staff.

WHEREAS, the planning effort will emphasize strategies to better coordinate land use and transportation decision-making, targeting growth around existing and planned transit stations; and specifically:

1. Create an overlay district for the Alessandro Boulevard corridors to identify areas suited for Multiple Use Districts (MUD1 and MUD2);
2. Create requirements for selecting Multiple Use Districts (MUD1 and MUD2) sites;
3. Create urban design strategies to intensify land uses;
4. Rezone areas along Alessandro Boulevard to Residential 30 (R30) as identified in the draft General Plan Housing Element;
5. Develop a set of street section standards for the Alessandro Boulevard corridor;
6. Identify nodes along the Alessandro Boulevard corridor suited for specialized street section standards;

ATTACHMENT 1

7. Create a prototype design for covered bus stops along the Alessandro Boulevard corridor;
8. Amend the General Plan to include new standards; and
9. Identify next steps for guiding future changes along the corridor.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley HEREBY accepts the designation as a 2% Strategy Demonstration Community and is willing to participate and guide the planning work, and to provide in-kind staff services to support the contract planning efforts.

APPROVED AND ADOPTED this 23rd day of August 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00123816

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: ADOPT RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321.

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323.

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323.

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. At this time, the City desires to move forward with the intention to vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highway Code – Chapter 3, Sections 8320 through 8325.

DISCUSSION

The Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno Beach Drive) already serves and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Brothers Auto Group and Majestic Realty, who own the properties fronting Motor Way. Both owners support the proposed vacation of Motor Way.

Being that PM 23244 was recorded in December 28, 1989, it does not fall under Section 66477.5 of the Map Act, effective January 1, 1990, which requires the vacation of dedicated land to be conveyed back to the original sub-divider. Therefore, the City will retain the property for utilities and public access until it determines the disposition of the property.

The action before the City Council is to begin the process for vacation of Motor Way. The initial step is for Council to adopt a resolution giving notice of the intent to vacate Motor Way and setting the public hearing as September 27, 2011, at 6:30 p.m. in the City Council Chambers. The City Clerk will publish and advertise the hearing notice and the City Engineer will post Motor Way giving notice of the date time of the public hearing as required by the California Streets and Highway Code – Chapter 3, Sections 8322- and 8323. If there are no objections to the general vacation, City Council may adopt the resolution and the City Clerk will forward a copy of the resolution to the office of the County Recorder for recordation at which time the vacation is deemed to be complete in accordance with California Streets and Highway Code – Chapter 3, Sections 8325.

ALTERNATIVES

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321, set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323, direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323, direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325. *Adopting the Resolution for the notice of intent to vacate will allow the City to continue the process for the general vacation as part of the Auto Mall enhancements and to finish the proposed street improvements.*

2. Do not adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321, do not set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323, do not direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323, do not direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.*Not adopting the Resolution for the notice of intent to vacate will not allow the City to continue the process for the general vacation as part of the Auto Mall enhancement, finish the proposed street improvements along Motor Way, and will cause the City to continue maintenance of the street.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution for the notice of intent to vacate. There is long-term minimal cost savings due to the elimination of the future maintenance of this roadway.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that City Council approve and adopt the proposed Resolution No. 2011-88 for notice of intent to vacate Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving any easement for existing public utilities and public access, set the date for the public hearing of the vacation proceeding, instruct the City Clerk to publish and advertise the hearing notice, direct the City Engineer to post Motor Way giving notice of the public hearing, and direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording.

NOTIFICATION

Notice has been given to various utility agencies. The public has been notified by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Proposed Resolution No. 2011-88

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\NOI of Vacation for Motor Way 8-23-11 Final.docx

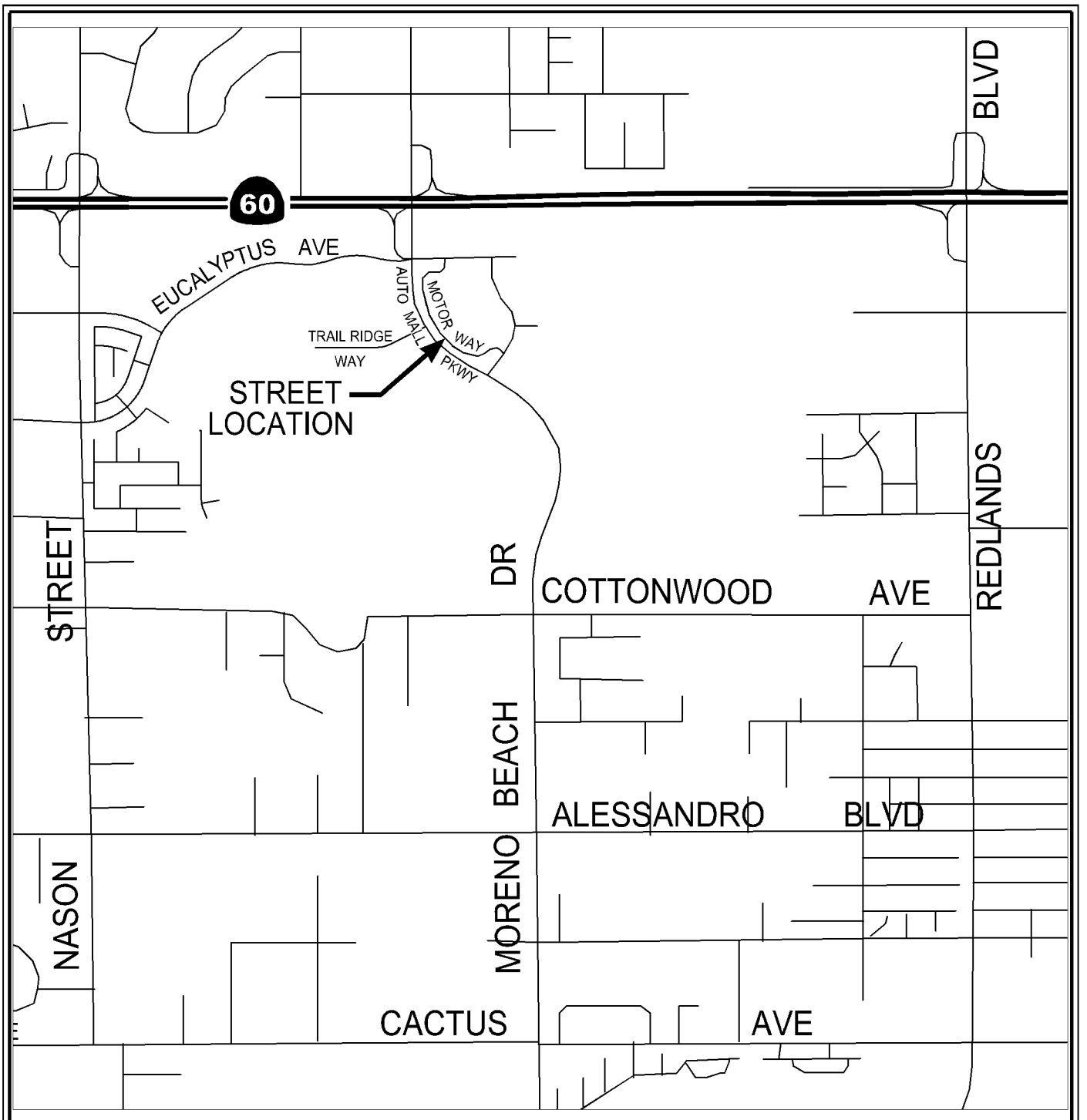

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

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MV00123822

RESOLUTION NO. 2011-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DECLARING ITS INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City of Moreno Valley, California, acquired certain right-of-way for road and public utility purposes located on Motor Way between Auto Mall Drive and Eucalyptus Avenue; and

WHEREAS, a portion of this right-of-way is no longer, nor in the future will be, useful for road purposes;

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

Section 1

That the City Council of the City of Moreno Valley, California intends to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described as Lot "B" of Parcel Map 23244 as shown on Exhibit "A" attached hereto and made a part thereof.

Section 2

This vacation proceeding is conducted pursuant to the provisions of Chapter 3, Part 3 of Division 9 of the Streets and Highways Code of the State of California, designated "General Vacation Procedure" (beginning at Section 8320 of said Code).

Section 3

Notice is hereby given that September 27, 2011 at 6:30 p.m. in the Council Chambers of City Hall of the City of Moreno Valley, California, is the time and place fixed for hearing all persons interested in or objecting to the proposed street vacation.

Section 4

The City Engineer of the said City of Moreno Valley shall cause to be conspicuously posted, along the line of the street proposed to be vacated, notices of the passage of this Resolution of Intent, which notices shall be posted at least fourteen

days before the day set for the hearing. Notices shall be posted not more than 300 feet apart but at least three notices shall be posted. The notices shall state the day, hour, and place of the hearing, and describe the street or public service easement proposed to be vacated.

Section 5

In addition, pursuant to Section 8322 of the Streets and Highways Code, this Resolution shall be posted by the City Clerk in public places designated by the City Council for posting of resolutions of the City, and published in a newspaper of general circulation within the City for at least fourteen days prior to the hearing.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00123826

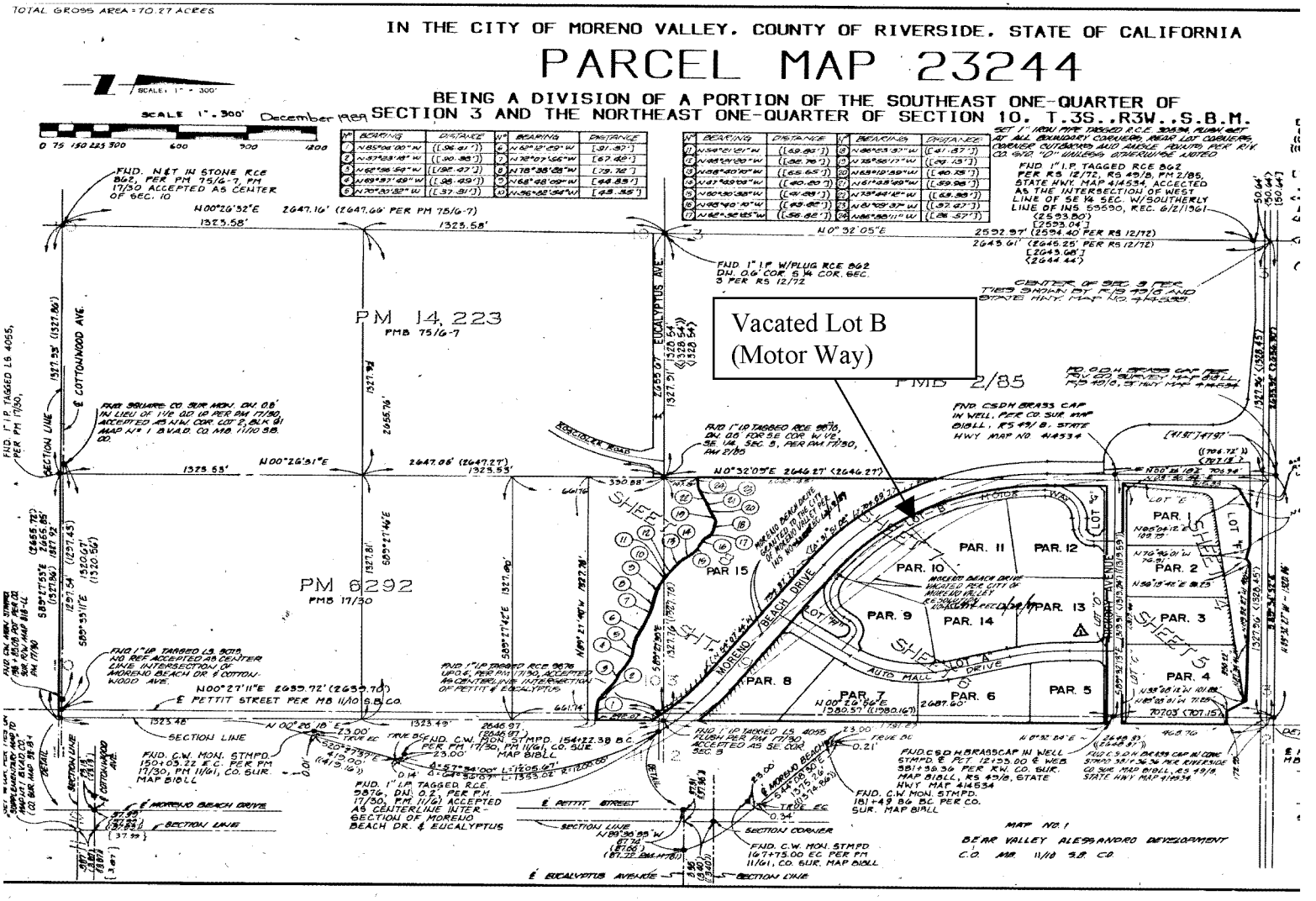

EXHIBIT A

Item No. A.11

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MV00123828

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING – SEPTEMBER 23, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 21-23, 2011 in San Francisco. At this meeting, the League membership will consider and take action on resolutions that establish League policy. The city must designate a voting delegate and may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve. Designation of a voting delegate must be done by City Council action.

ALTERNATIVES

1. Adopt the proposed resolution appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting (recommended by staff)

2. Do not adopt the proposed resolution appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting (not recommended by staff)

FISCAL IMPACT

Funds for this conference are found in the City Council 2011-12 Operating Budget account 11110.6221.

NOTIFICATION

Agenda publication

ATTACHMENTS/EXHIBITS

Attachment A – Voting Delegate Proposed Resolution
Attachment B – Voting Delegate Form

Prepared By:
Jane Halstead
City Clerk

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2011 ANNUAL CONFERENCE

WHEREAS, the City of Moreno Valley is a member city of the League of California Cities ("League"); and

WHEREAS, as a member, each city has one vote at the League's annual conference pertaining to League policy; and

WHEREAS, prior to the 2011 annual conference and by August 26, 2011, each City Council may designate a voting delegate and up to two alternates; and

WHEREAS, Mayor Richard A. Stewart of the City of Moreno Valley will be attending the business meeting on Friday, September 23, 2011 at the San Francisco Moscone West Convention Center in San Francisco, California.

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

That Mayor Richard A. Stewart, voting delegate and Mayor Pro Tem Jesse L. Molina, voting alternate are designated for the City of Moreno Valley at the League of California Cities 2011 Annual Conference at the San Francisco Moscone West Convention Center in San Francisco, California.

That the City Clerk is authorized and directed to complete and attest to the Voting Delegate/Alternate Form and transmit it to the League of Cities by August 26, 2011.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

CITY COUNCIL
OREHO VALLEY
RECEIVED
11 JUN 16 PM

LEAGUE OF CALIFORNIA CITIES

WWW.CACITIES.ORG

Council Action Advised by August 26, 2011

June 9, 2011

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 21–23, San Francisco

The League's 2011 Annual Conference is scheduled for September 21-23 in San Francisco. An important part of the Annual Conference is the Annual Business Meeting *(at the closing General Assembly)*, scheduled for 2:30 p.m., Friday, September 23, at the San Francisco Moscone West Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 26, 2011. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up

-more-

Item No. A.12

MV00123833

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Francisco Moscone West Convention Center, will be open at the following times: Wednesday, September 21, 8:30 a.m. – 6:00 p.m.; Thursday, September 22, 7:30 a.m. – 4:00 p.m.; and September 23, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 26th. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2011 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

MV00123834

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures
2011 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

LEAGUE OF CALIFORNIA CITIES

CITY: _____

2011 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 26, 2011. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 26 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247

VotingDelegateLetter11.doc

Item No. A.12

MV00123836

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT AND ROLANDA DRIVE

RECOMMENDED ACTION

Staff recommends that the City Council approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

ADVISORY BOARD/COMMISSION RECOMMENDATION

A public hearing was conducted at the Traffic Safety Commission (TSC) meeting on August 3rd, as required by the Municipal Code. The Commission approved staff's recommendation to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

BACKGROUND

In 1989, the City Council adopted Ordinance 199, establishing permit parking in the Municipal Code. In 2007, the City Council updated the Municipal Code to reflect current state law for permit parking, and enacted a fee schedule for permit parking.

DISCUSSION

Staff has reviewed this permit parking request and has determined that permit parking is appropriate for this location.

The residents along Pattilyn Drive, Challis Court and Rolanda Drive have been impacted by the students and parents of Moreno Valley High School. In response to this, the residents have submitted a request to the Public Works Department to

implement permit parking in front of their residences to allow them to maintain parking for guests, contractors/maintenance vehicles, and personal use.

A field review of the area has confirmed that students are parking into the adjacent subject streets. The review also identified that adequate on-site parking is available for Moreno Valley High School students to park.

To help improve the parking situation along the subject streets, staff recommends implementing the City's permit parking program for the subject area. The implementation of permit parking will benefit the residents of Pattilyn Drive, Challis Court and Rolanda Drive and will encourage Moreno Valley High School Students to park within the high school's parking lot. The installation will allow the residents of Pattilyn Drive, Challis Court and Rolanda Drive to have uninterrupted access to parking in front of their homes, which has been greatly impacted by the high school students.

ALTERNATIVES

1. Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive. This alternative is recommended to improve the condition for the residents.

2. Do not adopt proposed resolution, thereby not implementing permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

3. Provide staff with further direction.

FISCAL IMPACT

The estimated annual cost to implement the permit parking on Pattilyn Drive, Challis Court and Rolanda Drive will be borne by the Public Works Department's signing and striping adopted operations budget (Account 121.55430). The estimated cost of the FY11/12 work associated with this permit parking implementation is $6,400.

CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of Agenda-Letter to each affected address

ATTACHMENTS/EXHIBITS

Attachment A – Vicinity Map
Attachment B - Resolution

Prepared By:
Edward I. Init
Senior Engineering Technician

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

V:\VDRIVE\Permit Parking\CityStaffReport-PermitParkingPattilynDrive.doc

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MV00123840

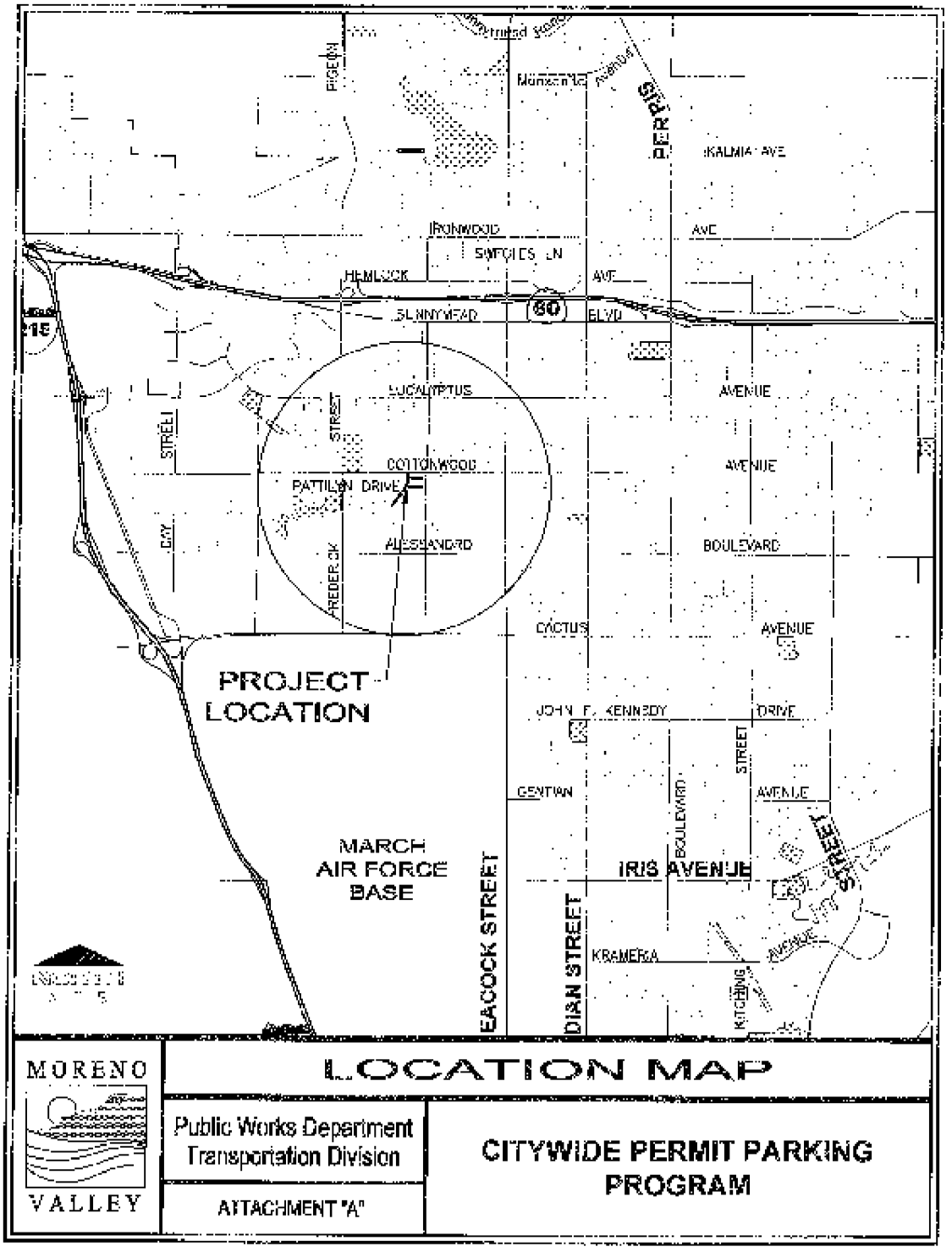

MORENO VALLEY

LOCATION MAP

Public Works Department
Transportation Division

ATTACHMENT "A"

CITYWIDE PERMIT PARKING PROGRAM

Item No. A.13

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MV00123842

RESOLUTION NO. 2011-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON PATTILYN DRIVE, CHALLIS COURT AND ROLANDA DRIVE

WHEREAS, the City Municipal code section 12.08.030 allows for establishing permit parking areas in residential and commercial zones, subject to a public hearing before the traffic safety commission; and

WHEREAS, the residents on Pattilyn Drive, Challis Court and Rolanda Drive submitted an application and requested permit parking along the frontage of their residences; and

WHEREAS, a public hearing was conducted during the regular August 3, 2011, meeting of the Traffic Safety Commission regarding this request; and

WHEREAS, on August 3, 2011, the Traffic Safety Commission reviewed and unanimously approved the recommended permit parking on Pattilyn Drive, Challis Court and Rolanda Drive; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

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

1. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

2. This City Council hereby authorizes and directs staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00123846

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS

BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET

DEVELOPER: IDS REAL ESTATE GROUP
515 S. FIGUEROA STREET, 16TH FLOOR
LOS ANGELES, CA 90071

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements.

2. Authorize the Mayor to execute the DIF Agreement in the form attached hereto.

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 12, 2007, the City Council of the City of Moreno Valley approved Tentative Parcel Map 35150 (PA06-0152). The tentative parcel map is a proposal to subdivide 53 net acres into two parcels, for industrial warehouse building use.

On July 8, 2008, the City Council of the City of Moreno Valley accepted the Agreement for Public Improvements and bonds in the amount of $7,721,000 for Faithful Performance and $3,860,500 for Material and Labor. The bonds were issued by Travelers Casualty and Surety Company of America.

On March 3, 2008 an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map 35150 was executed between the City of Moreno Valley and FR/CAL Moreno Valley, LLC, the previous land owner, and a deposit account was established according to the Agreement. Said Agreement was created because at the time, the City was in the process of creating a new DIF policy and related credit and reimbursement agreements. It was mutually decided that absent the ability of the developer to enter into a DIF Improvement Credit Agreement, there was a need to provide a means by which the City could be assured that the obligations would be met. As part of said Agreement instructions, the monies were to remain on deposit until the developer was in compliance with the terms of said Agreement, which included execution of both a DIF Improvement Credit Agreement and a TUMF Improvement Credit/Reimbursement Agreement.

On July 8, 2008, the City Council of the City of Moreno Valley approved the TUMF Improvement Credit/Reimbursement Agreement. The Western Regional Council of Governments (WRCOG) has since eliminated San Michele Road and Indian Street from their program.

On August 26, 2008, the City Council of the City of Moreno Valley approved the DIF Credit and Reimbursement Policy. A DIF Improvement Credit/Reimbursement Agreement was approved on October 23, 2008. On August 26, 2009, at the request of the City Attorney's Office, the DIF Improvement Credit/Reimbursement Agreement was separated into two agreements without changing the content of said Agreement, one for Credits and the other for Reimbursements.

The developer has now executed the DIF Improvement Credit Agreement in order to release funds they deposited pursuant to the Agreement for Deposit of Cash Security to Defer Payment of DIF and TUMF Obligations.

DISCUSSION

The City's Municipal Code, Chapter 3.42, "Commercial and Industrial Development Impact Fees" requires the developer to pay Development Impact Fees (DIF). The DIF covers the developer's fair share of the costs to construct improvements and right-of-way dedications that help mitigate the traffic impacts and burdens on the City's network of arterial streets and traffic signals generated by the project.

As part of the project conditions of approval, the developer will be constructing required DIF-related public improvements on San Michele Road and Indian Street. In accordance with the City's Municipal Code, Section 3.42.110, the "Credit for Improvements provided by Developer" will allow the developer to receive an initial credit for the applicable public improvements made to the designated arterial street(s) and/or traffic signals, based on the qualifying construction items as identified therein. The developer's initial credit amount is based on the lower of the DIF Study Costs, the Engineer's Cost Estimate provided by the developer, and the DIF Fee Obligation.

The developer is eligible to receive initial DIF Credits for specific improvements identified in the DIF Study for San Michele Road and Indian Street improvements, including earthwork, construction of new pavement and base, grinding and paving, sawcut and removal of existing pavement, traffic control, signing and striping, curb, gutter, sidewalk, relocation of power poles, and drainage improvements including catch basins, local depressions, and storm drain lines not maintained by Riverside County Flood Control and Water Conservation District.

The developer agrees to perform and complete all of the required public improvements in accordance with the Agreement for Public Improvements. Per the DIF Improvement Credit Agreement, the initial credit is the least of the DIF Study Costs, Engineer's Cost Estimate provided by the developer, and DIF Fee Obligation. Refer to Exhibit "C" – DIF Credit Calculation Table of the DIF Improvement Credit Agreement. The DIF Improvement Credit Agreement is attached to this Staff Report as Exhibit "B". Based on the information provided by the developer, the initial DIF Credit for this project is $1,515,318 for Arterial Streets.

If it is determined at the completion of the project that the developer constructed improvements above and beyond the project obligation, a DIF Improvement Reimbursement Agreement will be presented to City Council at that time. Any reimbursements may either be paid per the City policy or used as credits towards any other future project's DIF fee obligations.

ALTERNATIVES

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 and authorize the Mayor to execute the DIF Agreement in the form attached hereto. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

2. Do not accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 and do not authorize the Mayor to execute the DIF Improvement Credit Agreement in the form attached hereto. Do not authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150. *Not approving staff's recommendation would result in no DIF credit being provided to the developer and will not allow the release of developer funds deposited.*

FISCAL IMPACT

No fiscal impact is anticipated. The recommended action involves the release of funds from a developer funded deposit account.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" – DIF Improvement Credit Agreement
Exhibit "C" – Reference Copy of Agreement for Deposit of Cash Security to Defer Payment of DIF and TUMF Obligations for PM 35150

Prepared By
Clement Jimenez, P.E..
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E..
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\8-23-11 - PA06-0152 - PM 35150 - IDS Real Estate Group DIF Improvement Credit Agreement.doc

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MV00123852

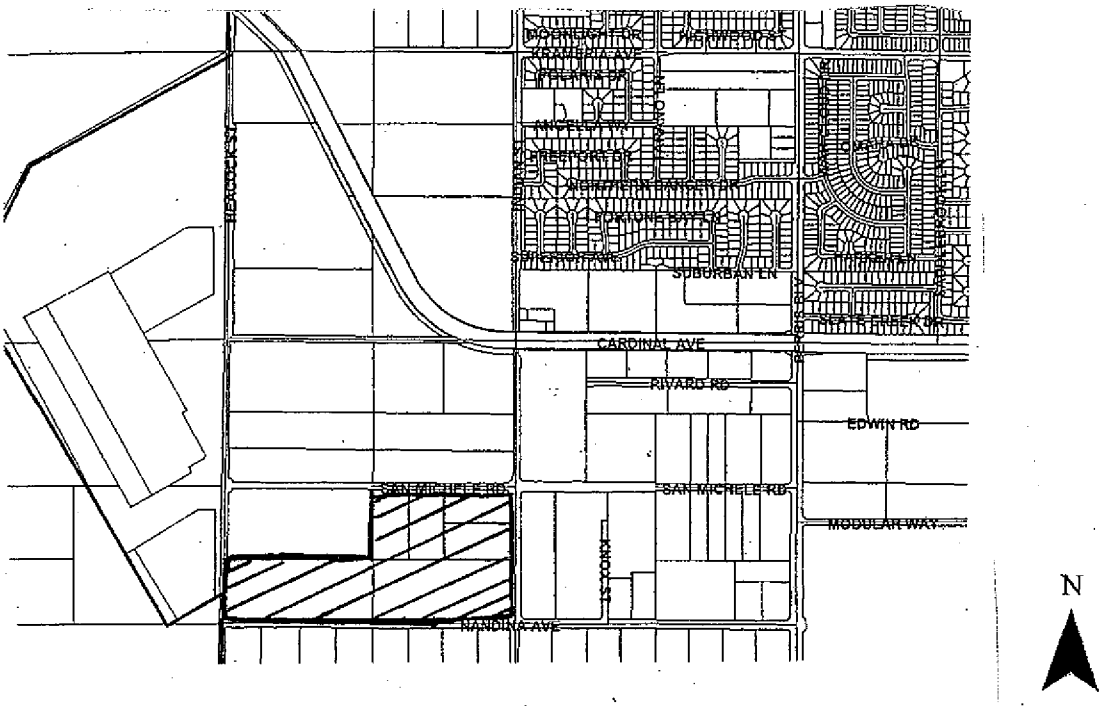

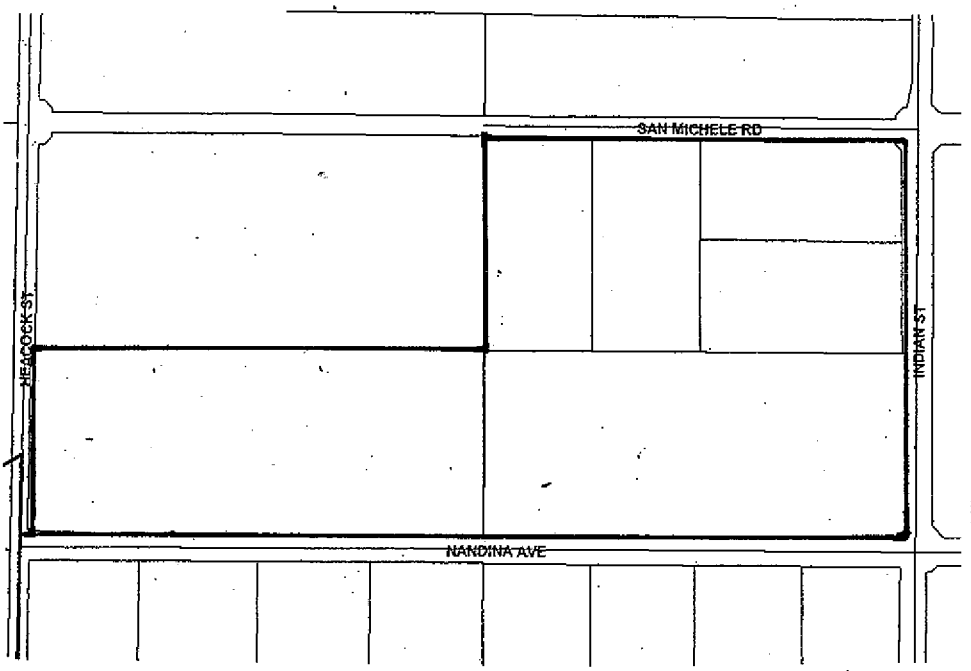

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PARCEL MAP 35150 VICINITY MAP

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EXHIBIT "A"

Item No. A.14

MV00123853

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MV00123854

DEVELOPMENT IMPACT FEES

IMPROVEMENT CREDIT AGREEMENT

NUMBER D07-007

PA06-0152 (PM 35150)

PA06-0153 (PLOT PLAN FOR 2 BUILDINGS; 1,182,918 SQ FT)

This Development Impact Fees Improvement Credit Agreement is made and entered into as of the date the City signs this Agreement, by and between the City of Moreno Valley, a municipal corporation, hereinafter referred to as "City" and the undersigned Developer, hereinafter referred to as "Developer."

RECITALS

WHEREAS, Developer and City have entered into an Agreement for Public Improvements (attached hereto as Exhibit "A"), dated July 8, 2008, which Agreement for Public Improvements sets forth all obligations of the Developer for Public Improvements that are a condition of approval for the above-titled development (hereinafter referred to as the "Project"), some of which may be eligible for Development Impact Fees (hereinafter referred to as "DIF") Credit under this Agreement; and

WHEREAS, the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees" and Chapter 3.42 "Commercial and Industrial Development Impact Fees" requires Developer to pay the DIF for projects identified in the most recently adopted DIF study (hereinafter referred to as "DIF Obligation") which covers the

Project's fair share of the costs to construct improvements that help mitigate the impacts and burdens on the City's local systems generated by the Project and that are necessary to provide City services and protect the safety, health, and welfare of residential and non-residential users; and

WHEREAS, certain improvements set forth in the Agreement for Public Improvements are also identified in the City's DIF Program as improvements that are to be funded from DIF, which identified improvements are set forth in Exhibit B attached hereto and hereby incorporated by reference and are hereinafter referred to as the DIF Improvements; and

WHEREAS, if the City or some other third party constructs the DIF improvements set forth in the Agreement for Public Improvements prior to Developer, then this Improvement Credit Agreement shall become null and void and the Developer shall be required to pay the full DIF Obligation of the Project; and

WHEREAS, the City and Developer now desire to enter into this Improvement Credit Agreement to provide a means by which the Developer may receive a Credit for required DIF improvements actually constructed by the Developer for the subject Project subject to the terms and limitations set forth in this Agreement.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

1.0 General Provisions.

1.1 Incorporation of Recitals. The Parties hereby affirm the facts and provisions set forth in the above Recitals and agree to their incorporation herein as though set forth in full.

1.2 Incorporation of the Agreement for Public Improvements. The Parties hereby affirm the terms, conditions and requirements set forth in the Agreement for Public Improvements (Exhibit "A") and agree to their incorporation herein as though set forth in full.

2.0 DIF Obligation.

2.1 Developer's DIF Obligation. Developer hereby agrees and accepts that, as of February 15, 2011, the Developer is obligated to pay DIF for the Project to City in the amount of two million two hundred two thousand five hundred ninety three and thirty two one hundredths dollars ($2,202,593.32) (hereinbefore and hereinafter referred to as the "DIF Obligation"), and of that amount $1,515,317.96 is the "Street" component of the DIF Obligation for which the developer may be eligible to receive credits.

2.2 Effect of Agreement. Notwithstanding anything in this Agreement, Developer acknowledges that the DIF Obligation is established by the provisions of the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees," or Chapter 3.42 "Commercial and Industrial Development Impact Fees," and that this Agreement does not alter, limit, increase or reduce the obligations under those code sections nor prevent City from adjusting or correcting the DIF Obligation amount to conform to the requirements of the Municipal Code.

3.0 DIF Credit Limitations.

3.1 Calculation of DIF Credit. Pursuant to City of Moreno Valley Municipal Code Sections 3.38.150 "Credit for Improvements Provided by Developers" (residential), or 3.42.110 "Credit for Improvements Provided by Developers" (commercial and industrial), and in accordance with the City's Development Impact Fee Credit and Reimbursement Policy, as adopted by the City Council on August 26, 2008, (the "Credit and Reimbursement Policy") and in consideration of Developer's obligations under the Conditions of Approval for the Project and the Agreement for Public Improvements to construct the DIF improvements, the maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be as defined in Sections 4.0 of this Agreement and the Credit and Reimbursement Policy.

3.2 Effect of Agreement. Notwithstanding the foregoing, Developer acknowledges that the amounts of DIF Credits are established by the provisions of the City of Moreno Valley Municipal Code and the DIF Credit and Reimbursement Policy and this Agreement shall not prevent City from adjusting or correcting the DIF Credit

amounts set forth in this Agreement to conform to the requirements of the Municipal Code and the Credit and Reimbursement policy.

4.0 DIF Credit

4.1 Maximum DIF Credit. City shall apply DIF Credit to offset, in whole or in part, the Project's DIF Obligation. The maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be equal to the least of: (A) the City Engineer's Estimate of the actual cost of the DIF Improvements (hereinafter collectively referred to as "Engineer's Estimate"), or (B) project costs as identified in the DIF study in effect at the time of the issuance of a building permit, or (C) the actual DIF Obligation. In no event shall a DIF Credit exceed the actual DIF Obligation.

4.2 DIF Credit Offset to DIF Obligation. The DIF Credit shall be applied at the time DIF obligation is due and payable. If the project is to be developed by phases, by specific units, or by specific buildings, DIF Credit shall be applied according to a Public Improvements Phasing Schedule approved by the City and attached and incorporated to this agreement.

4.3 Submittal Timeframe. The Developer shall submit to the City Engineer any and all documentation the Developer deems relevant in substantiating the claim for DIF Credit for the DIF Qualifying Improvements to be constructed by the Developer. Such documentation may include contracts, bids, estimates, or any other relevant documents pertaining to the actual cost of the Qualifying Improvements. The City Engineer shall take into consideration, but shall not be bound by, any such documentation submitted by the Developer in formulating the Engineer's Estimate. All

such documentation shall be submitted by the Developer to the City Engineer no later than ninety (90) calendar days prior to the date for payment of DIF for the project. The City Engineer will use his or her best efforts and professional judgment in formulating an Engineer's Estimate and shall endeavor to provide said estimate to the Developer in writing within sixty (60) calendar days after submittal of the last document submitted by the Developer.

4.4 DIF Credit Calculation *(completed by City).*

As of the date hereof, the amount of DIF Credit for which Developer is potentially eligible is set forth in Exhibit C "DIF Credit Calculation Table" attached hereto and hereby incorporated by reference.

4.5 Reconciliation - Final DIF Credit. If the dollar amount of the actual DIF Credit is less than the amount of the actual unpaid DIF Obligation (hereinafter referred to as "DIF Balance"), the City shall notify the Developer in writing of the amount of the DIF Balance and Developer shall pay the DIF Balance to fully satisfy the DIF Obligation at the time DIF payments are due. If the dollar amount of the actual DIF Credit exceeds the amount of the actual DIF Obligation, Developer will be deemed to have fully satisfied the DIF Obligation. If the Developer has actually paid DIF and completed DIF Improvements, but has not received full DIF Credit for which the Developer would have been otherwise eligible under the DIF Credit and Reimbursement Policy, the Developer *may* be eligible for a Reimbursement Agreement, to the extent applicable, as provided in a separate Development Impact Fees Improvement Reimbursement Agreement.

4.6 Credit Transfer for Unfunded DIF Reimbursement Eligibility. To the extent that Developer has Reimbursement Eligibility Amounts which are both unpaid and unfunded by the City and which have not expired under the ten (10) year limitation set forth in the Development Impact Fee Credit and Reimbursement Policy No. 3.24, Section F – Time Limitation, Developer may apply to receive partial or full DIF Credits for the same component of DIF on another development project within the City owned or controlled by that Developer and which has received all necessary approvals, on a dollar for dollar basis. Written application shall be made to the City and Developer shall provide any and all documentation and other information the City may reasonably request. The City shall not unreasonably withhold approval of such a Credit Transfer.

5.0 No Interest. Developer shall not be entitled to any interest, or any other cost or time value adjustment, for DIF paid to the City whether or not subsequently credited under Section 4.6 or reimbursed.

6.0 Term of Agreement. For purposes of Reimbursement Eligibility and Credit Transfer, this Agreement shall remain in effect for a period not to exceed ten (10) years from the date of execution by the City.

7.0 General.

7.1 Assignment. Except as specifically set forth in this Agreement, this Agreement shall not be assigned by any Party without the prior written consent of the non-assigning Party, which consent shall not be unreasonably withheld. All

assignees and successors in interest shall assume and become obligated to perform all obligations and be entitled to all benefits of the original Party.

7.2 Amendment. This Agreement may only be amended in writing signed by the Parties.

7.3 Law, Venue and Jurisdiction. This Agreement shall be governed by the laws of the State of California. Venue and Jurisdiction of all matters arising out, pertaining to, or in any way related to this Agreement shall be vested in the Superior Court of the State of California, in and for the County of Riverside, California.

7.4 Notices. Any notices to be given pursuant to this Agreement shall be in writing and delivered by First Class Mail addressed to the Parties as follows:

City: City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: Patrick D. Spillane, Senior Vice President
IDS Real Estate Group
515 S. Figueroa Street, 16th Floor
Los Angeles, CA 90071

7.5 Entire Agreement. This Agreement is the final, complete and exclusive statement of the Agreement of the Parties with respect to the subject matter

hereof and supersedes and replaces any prior oral or written agreements between the Parties addressing the same subject matter.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

CITY OF MORENO VALLEY,
a California municipal corporation

By: _____
Chris A. Vogt
Its: _____

Date: _____

ATTEST: _____
City Clerk

Date: _____

APPROVED AS TO FORM:

_____
City Attorney

Date: _____

FR/Cal Moreno Valley, LLC
a Delaware limited liability company

By: FirstCal Industrial, LLC
a Delaware limited liability company,
its sole member

By: California State Teacher's Retirement System, a public entity, its manager

By: Principal Real Estate Investors, LLC, a Delaware limited liability company, its authorized agent

By: _____
Name: William G. Williams III
Title: Investment Director – Asset Management

Date: _____

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

EXHIBIT "A"

PUBLIC IMPROVEMENT AGREEMENT

WITH BONDS

(ATTACHED BEHIND THIS PAGE)

EXHIBIT "A"

Revised 092508

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PM 35150

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **FR/CAL Moreno Valley, LLC,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 35150** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
FR/CAL Moreno Valley, LLC
114 Pacifica, Suite 220
Irvine, CA 92618

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: 7/8/08

FR/CAL Moreno Valley, LLC:
Developer

BY: _____
Signature

Matt Englhard
Print/Type Name

Regional Development Officer
Title

BY: _____
Signature

John Grace
Print/Type Name

Development Manager
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 7/9/08

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

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FINAL
5-5-08

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			12288	C.Y.	20.00	245,760
A.B. Class II - Street 1	1	Thickness (ft.)				
	331770	S.F.	24053	Ton	55.00	1,322,933
A.C. - Street 1	0.5	Thickness (ft.)				
	331770	S.F.	12027	Ton	90.00	1,082,400
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0.5	Thickness (ft.)				
	29489	S.F.	641	Ton	55.00	35,276
A.C. - Street 2	0.7	Thickness (ft.)				
	29489	S.F.	1497	Ton	90.00	134,691
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	2,821,060

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	954	Ton	90.00	85,860
Slurry Seal (Based on $150/Ton Type II)	51934	S.Y.	2.25	116,852
Sawcut & Join Exist. AC Pavement	11611	L.F.	1.50	17,417
Sawcut & Join Exist. Conc Pavement	1611	L.F.	1.50	2,417
Utility Trench	0	L.F.	17.00	0
Backfill Trench with Slurry Concrete	44	C.Y.	100.00	4,400
Trench Repaving	0	S.F.	12.00	0
Redwood Header	5376	L.F.	6.00	32,256
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	27562	S.F.	14.00	385,868
P.C.C. Paving - 8"	0	S.F.	16.00	0
P.C.C. Removal	27562	S.F.	5.00	137,810
Curb and Gutter - 6"	0	L.F.		0
Curb and Gutter - 8"	4770	L.F.	25.00	119,250
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	0	S.F.	15.00	0
Sidewalk	26262	S.F.	7.00	183,834
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	15223	S.F.	16.00	243,568
Wheelchair Ramp	7	EA.	1,200.00	8,400
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Remove Curb & Gutter / Sidewalk	3846	S.F.	2.00	7,692
AC Removal	202050	SY	1.00	202,050
			SUBTOTAL:	1,547,673

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	30	EA.	5,000.00	150,000
Electrical Utility Infrastructure	1	L.S.	563,229.00	563,229
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	713,229
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordinati	1	LS.	307,400.00	307,400
Traffic Signal Interconnect (Existing Signals Only)	1	LS.	140,000.00	140,000
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	4	EA.	100.00	400
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
Relocate Guard Rail	69	L.F.	35	2,415
	0		--	0
			SUBTOTAL:	450,215
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	16	EA.	30,000.00	480,000
Cluster Mail Boxes	0	EA.	4,500.00	0
Erosion Control	0	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	0	EA.	100.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	480,000

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	755	L.F.	160.00	120,800
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	668	L.F.	180.00	120,240
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	4	EA.	5000.00	20,000
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	1	EA.	7000.00	7,000
	0		---	0
Catch Basins				
Catch Basin (3.5')	2	EA.	3100.00	6,200
Catch Basin (7')	5	EA.	5500.00	27,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	7	EA.	535.00	3,745
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	1	EA.	5000.00	5,000
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

M.S.

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/05
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	7	EA.	6000.00	42,000
Type IX Inlet Structure	3	EA.	2500.00	7,500
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		—	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		—	0
			SUBTOTAL:	365,985

M. S.

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	0		50.00	0
10" PVC C-900	0		55.00	0
12" PVC C-900	0		60.00	0
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	0	EA.	1,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	0	EA.	2,000.00	0
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	0	EA.	3,000.00	0
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	0	EA.	2,500.00	0
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	14	EA.	2,800.00	39,200
6" Super Fire Hydrants	4	EA.	3,000.00	12,000
	0		---	0
Services Connections				
1" Service	0	EA.	500.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	0	EA.	2,800.00	0
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0		---	0
			SUBTOTAL:	51,200

M.S

Item No. A.14

MV00123874

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	700.00	0
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,000.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	5	EA.	800.00	4,000
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	4,000

M. S.

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PM35150

DATE: 04/15/06
PREPARED BY: Mike Schuman

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$2,821,060
STREET WORK	:	$2,027,673
STORM DRAIN SYSTEM	:	$365,985
WATER SYSTEM	:	$51,200
SEWER SYSTEM	:	$4,000
ENTERPRISE SERVICES ADMIN	:	$713,229
TRANSPORTATION ENGNRNG	:	$450,215
TOTAL COST (VALUE) OF IMPROVEMENTS:		$6,433,361
+20% CONTINGENCY:		$1,286,672
GRAND TOTAL:		$7,720,033

BOND AMOUNT: $7,721,000

M.S.

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $7,721,000

Bond No. 105063246

Surety Travelers Casualty And Surety Company Of America

Address One Tower Square

City/Zip Hartford, CT 06183

Project No. PM 35150

Premium $61,768.00

Principal FR/CAL Moreno Valley, LLC

Address 114 Pacifica, Suite 220

City/Zip Irvine, CA 92618

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **FR/CAL Moreno Valley, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PM 35150**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty And Surety Company Of America, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 35150

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on May 16, 20 08.

Regina M. O'Neill
Notary Public

"OFFICIAL SEAL"
REGINA M. O'NEILL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/5/2008

NAME OF PRINCIPAL: FR/CAL Moreno Valley, LLC
Company Name

AUTHORIZED SIGNATURE(S): By

Name Title

Bernard A. Bak
Name Authorized Signatory Title

NAME OF SURETY: Travelers Casualty And Surety Company Of America
Company Name

AUTHORIZED SIGNATURE:
Patricia M. Doyle, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Faithful Performance Bond.DOC

RISK MANAGEMENT
Approved
6/2/08

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF WILL

On this 16th day of May, 2008, before me, Anna L. Formhals, a Notary Public, within and for said County and State, personally appeared Patricia M. Doyle to me personally known to be the Attorney-in-Fact of and for Travelers Casualty and Surety Company of America and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
ANNA L. FORMHALS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES DEC. 13, 2009

Item No. A.14

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 215800

Certificate No. 002241599

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas J. Joslin, Karen Daniel, Kathleen J. Mailes, Linda Iser, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Geoffrey E. Heekin, Marcia K. Cesatsky, Patricia M. Doyle, and Richard A. Moore Jr.

of the City of Chicago, State of Illinois, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 11th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-5-07 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Item No. A.14

MV00123880

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of May, 2008

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

CERTIFICATE OF AUTHORITY
FIRSTCAL INDUSTRIAL, LLC

I, John Clayton, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Vice President-Corporate Legal and Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation"), and as such officer I am authorized to make the certifications herein made;

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc., "FII"); FII is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno Valley").

3. Bernard A. Bak is a Vice President – Development Operations and Due Diligence of the Corporation, with signature authority for and on behalf of the Corporation and its affiliates, including, without limitation, FirstCal in its capacity as sole member of Moreno Valley, which signature authority extends to agreements and other documents ancillary thereto related to the development of land owned by Moreno Valley.

IN WITNESS WHEREOF, I have signed this Certificate this 27th day of May, 2008.

John Clayton

Sworn to and subscribed before me this 27th day of May, 2008.

Notary Public

My commission expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

[NOTARIAL SEAL]

Certificate of Authority - FirstCal Industrial LLC (JV)1

Item No. A.14

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $3,860,500

Project No. PM 35150

Bond No. 105063246

Premium $61,768.00

Surety Travelers Casualty And Surety Company Of America A+XII(CA)

Principal FR/CAL Moreno Valley, LLC

Address One Tower Square

Address 114 Pacifica, Suite 220

City/Zip Hartford, CT 06183

City/Zip Irvine, CA 92618

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **FR/CAL Moreno Valley, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PM 35150**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **THREE MILLION EIGHT HUNDRED SIXTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$3,860,500.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 35150

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change; extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on May 16, 2008.

NAME OF PRINCIPAL: FR/CAL Moreno Valley, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

Regina M. O'Neill
Notary Public

Name Bernard A. Bak Title

Name Authorized Signatory Title

"OFFICIAL SEAL"
REGINA M. O'NEILL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/5/2008

NAME OF SURETY: Travelers Casualty And Surety Company Of America
Company Name

AUTHORIZED SIGNATURE: Patricia M. Doyle, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Material Labor Bond.DOC

RISK MANAGEMENT
Approved
6/2/08

Item No. A.14

MV00123884

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF WILL

On this 16th day of May, 2008, before me, Anna L. Formhals, a Notary Public, within and for said County and State, personally appeared Patricia M. Doyle to me personally known to be the Attorney-in-Fact of and for Travelers Casualty and Surety Company of America and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Anna L. Formhals

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
ANNA L. FORMHALS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES DEC. 13, 2009

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Certificate No. 002241598

Attorney-In Fact No. 215800

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas J. Joslin, Karen Daniel, Kathleen J. Malles, Linda Iser, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Geoffrey E. Heekin, Marcia K. Cesafsky, Patricia M. Doyle, and Richard A. Moore Jr.

of the City of Chicago, State of Illinois, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 11th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-5-07 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Item No. A.14

MV00123886

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of May, 2008

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

CERTIFICATE OF AUTHORITY
FIRSTCAL INDUSTRIAL, LLC

I, John Clayton, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Vice President-Corporate Legal and Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation"), and as such officer I am authorized to make the certifications herein made;

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc., "FII"); FII is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno Valley").

3. Bernard A. Bak is a Vice President – Development Operations and Due Diligence of the Corporation, with signature authority for and on behalf of the Corporation and its affiliates, including, without limitation, FirstCal in its capacity as sole member of Moreno Valley, which signature authority extends to agreements and other documents ancillary thereto related to the development of land owned by Moreno Valley.

IN WITNESS WHEREOF, I have signed this Certificate this 27th day of May, 2008.

John Clayton

Sworn to and subscribed before me this 27th day of May, 2008.

Notary Public

My commission expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

[NOTARIAL SEAL]

Certificate of Authority - FirstCal Industrial LLC (JV)1

EXHIBIT "B"

DIF IMPROVEMENTS

EXHIBIT "B"

DIF Reimbursable Items
PARCEL MAP NO. 35150, PA06-0152,3
Indian Street

ITEM	QTY	UNITS	UNIT RATE	ITEM COST
Lane - includes the following:				
Traffic Control	1	LS	$ 12,000	$ 12,000
Excavation (based on structural section)	1552	CY	$ 29	$ 45,008
Curb and Gutter	1241	LF	$ 30	$ 37,230
Asphalt Concrete	21044	SF		
Thickness	0.50	ft.		
	763	TON	$ 80	$ 61,040
Aggregate Base	21044	SF		
Thickness	1.00	ft.		
	1526	TON	$ 33	$ 50,358
Portland Cement Concrete	9825	SF		
Thickness	0.70	ft.		
	255	CY	$ 425	$ 108,375
Aggregate Base	9825	SF		
Thickness	0.35	ft.		
	249	TON	$ 33	$ 8,217
Signing and Striping	1	LS	$ 2,000	$ 2,000
Sidewalk	8214	SF	$ 4.25	$ 34,910
Storm Drain - includes the following:				
24" Reinforced Concrete Pipe	63	LF	$ 160	$ 10,080
Headwall	1	EA	$ 5,500	$ 5,500
4' Catch Basin	3	EA	$ 3,100	$ 9,300
Local Depression	3	EA	$ 535	$ 1,605
Drop Inlet	1	EA	$ 2,500	$ 2,500
Junction Structure	3	EA	$ 6,500	$ 19,500
Overhead Utility Undergrounding	2329	LF	$ 178	$ 414,562
SUBTOTAL				**$ 822,185**
Planning Cost (10% of Subtotal)			10%	$ 82,219
Engineering Cost (25% of Subtotal)			25%	$ 205,546
Contingency Cost (10% of Subtotal)			10%	$ 82,219
TOTAL				**$ 1,192,169**

DIF Reimbursable Items
PARCEL MAP NO. 35150, PA06-0152,3
San Michele Road

ITEM	QTY	UNITS	UNIT RATE	ITEM COST
Lane - includes the following:				
Traffic Control	1	LS	$ 11,000	$ 11,000
Excavation (based on structural section)	1128	CY	$ 29	$ 32,712
Curb and Gutter	1325	LF	$ 30	$ 39,750
Asphalt Concrete	17718	SF		
Thickness	0.50	ft.		
	642	TON	$ 80	$ 51,360
Aggregate Base	17718	SF		
Thickness	1.00	ft.		
	1285	TON	$ 33	$ 42,405
Portland Cement Concrete	3713	SF		
Thickness	0.70	ft.		
	96	CY	$ 425	$ 40,800
Aggregate Base	3713	SF		
Thickness	0.35	ft.		
	94	TON	$ 33	$ 3,102
Signing and Striping	1	LS	$ 2,000	$ 2,000
Sidewalk	7621	SF	$ 4.25	$ 32,389
Storm Drain - includes the following:				
24" Reinforced Concrete Pipe	85	LF	$ 160	$ 13,600
Headwall	0	EA	$ 5,500	$ -
4' Catch Basin	2	EA	$ 3,100	$ 6,200
Local Depression	2	EA	$ 535	$ 1,070
Drop Inlet	1	EA	$ 2,500	$ 2,500
Junction Structure	2	EA	$ 6,500	$ 13,000
Overhead Utility Undergrounding	2410	LF	$ 178	$ 428,980
SUBTOTAL				**$ 720,868**
Planning Cost (10% of Subtotal)			10%	$ 72,087
Engineering Cost (25% of Subtotal)			25%	$ 180,217
Contingency Cost (10% of Subtotal)			10%	$ 72,087
TOTAL				**$ 1,045,259**

Item No. A.14

EXHIBIT "C" – DIF Credit Calculation Table

Item	Process for DIF Credit Calculation	Streets	Traffic Signals	Police	Fire	Libraries	Parks	Community / Rec Centers	Public Facilities*	Inter-change Improve-ments	Electric Utility
1	Engineer's Estimate	$2,237,428	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Project costs as identified in DIF study	$1,712,161	$0	$0	$0	$0	$0	$0	$0	$0	$0
3	Actual DIF Obligation	$1,515,318	$229,486	$49,683	$68,609	$0	$0	$0	$108,828	$230,669	$0
4	Developer's Credit Amount** - Least of Lines 1 2 & 3	$1,515,318	$0	$0	$0	$0	$0	$0	$0	$0	$0

*may include, but not be limited to, City Hall, Corporate Yard, Animal Shelter, and/or maintenance equipment.

** credit amount shall not exceed obligation.

EXHIBIT "C"

MV00123892

Final 3/3/08

AGREEMENT FOR DEPOSIT OF CASH SECURITY
TO DEFER PAYMENT OF
DEVELOPMENT IMPACT FEE (DIF) AND TRANSPORTATION UNIFORM
MITIGATION FEE (TUMF) OBLIGATIONS
NO. D07-007, NO. T07-002, PROJECT NOS. PM 35150, PA06-0152, PA06-0153

This Agreement ("Agreement") is made and entered into on the date the City signs this Agreement. This Agreement is by and between the City of Moreno Valley, whose address is 14177 Frederick Street, Moreno Valley, CA 92553, (hereinafter called "City"); and FR/CAL MORENO VALLEY, LLC, a Delaware limited liability company, whose address is 114 Pacifica, Suite 220, Irvine, CA 92618 (hereinafter called "Developer") (City and Developer collectively, the "Parties," and individually, a "Party") with reference to the following facts:

A. Developer owns approximately 54 acres of property subject to Tentative Parcel Map 35150 (the "Project"). Said property is subject to Conditions of Approval for said parcel map and a Plot Plan approval. The City's project identification numbers for the parcel map and plot plan are PA06-0152 and PA06-0153. Developer's Final Parcel Map has not yet been approved.

B. Developer wishes to pull permits to begin construction of parts of the project, including onsite grading and offsite street improvements, however, plans for such offsite improvements have not yet been approved by the City.

C. As a condition of approval of development of the property, and as requirements of City ordinances, Developer is required to pay Development Impact Fees (DIF) to mitigate the impacts of the development project on local public facilities, including without limitation, streets, traffic signals, bridges and thoroughfares, parks, etc., and Transportation Uniform Mitigation Fees (TUMF) to mitigate such impacts on regional transportation improvements.

D. In addition to such fee obligations, Developer is required by the conditions of approval and City ordinances to build certain public improvements, some of which are included in facilities eligible for funding from DIF and/or TUMF, under applicable "nexus" studies for such fees. Construction of facilities included in such nexus studies may make the Developer eligible for some amount of credits or refunds of DIF or TUMF.

E. The amount of such potential credits or refunds the Developer could be eligible for cannot be fully determined at this date.

1) TUMF credits and refunds are subject to adopted policies and procedures of the City and the Western Riverside Council of Governments, which include a form of credit and/or refund agreement ("TUMF agreement") already approved by both agencies. However the form of agreement cannot be entered into at this time because the amount of the TUMF fee and the value of improvements that may qualify for credits against the

TUMF fee cannot be calculated until final project and improvement plans have been reviewed and approved.

2) DIF credits and refunds are subject to polices and procedures of the City not yet fully adopted and implemented, and a form of credit and/or refund agreement ("DIF agreement") not yet approved by the City Council. However the form of agreement cannot be entered into at this time because the form of agreement has not yet been finalized and approved by the City and the the amount of the DIF fee and the value of improvements that may qualify for credits against the DIF fee cannot be calculated until final project and improvement plans have been reviewed and approved.

F. The City's normal practice has been to require Developers to wait for permits until final project approvals have been granted and the standard TUMF agreement has been executed and/or all TUMF and DIF fees have been finally calculated and fully paid and/or credited per approved agreements.

G. Developer has requested that the City permit Developer to pull permits prior to such final approvals and pay estimated DIF and TUMF into a segregated account with the City to be held as security for the performance of Developer's DIF and TUMF obligations for the Project.

Now, therefore, the City and Developer agree as follows:

A. Developer shall have the option to deposit 100% of the estimated DIF obligation amount of **$1,515,318** as estimated on Exhibit B attached hereto and 100% of the estimated TUMF obligation amount of **$1,081, 736** as estimated on Exhibit C attached hereto (collectively, the "Funds"), as a cash security with the City as a substitute for payment of the DIF and TUMF obligations otherwise required to be paid prior to permits for and/or occupancy of the Project.

B. When the Developer has deposited the Funds with the City, they shall be held by the City for the purposes of this Agreement and shall at all times be separately accounted for and held only for the purposes of this Agreement and the underlying DIF and TUMF obligations of the Developer. The Funds shall only be withdrawn by the City (i) for the payment of DIF and/or TUMF obligations due and owing the City under the terms of the DIF and/or TUMF agreements subsequently entered into between the Parties; (ii) for the payment of DIF and/or TUMF obligations left due and owing under City ordinances and resolutions at time of application for final inspection/certificate of occupancy for any part of the project in the event that DIF and TUMF agreements are not executed prior to such application; (iii) upon Developer's written authorization provided to the City, that the Funds or portions of the Funds may be withdrawn; or (iv) under the

provisions of section D of this Agreement. While so held, such funds shall bear interest at then current Local Agency Investment Fund (LAIF) rate. Such interest shall accrue to the benefit of the trust Funds and shall be used only for satisfaction of the Developer's DIF and/or TUMF obligations with any excess being paid to the Developer at the time of final accounting and termination of this Agreement.

The Parties agree that, for tax reporting purposes, all interest and other income from investment of the Funds shall, as of the end of each calendar year and to the extent required by the Internal Revenue Service, be reported as having been earned by Developer, whether or not such income was disbursed during such a calendar year.

Prior to final accounting and termination of this Agreement, the Developer shall provide the City with certified tax identification numbers by furnishing appropriate forms W-9 or W-8 and such other forms and documents that the City may request. The Parties understand that if such tax reporting documentation is not provided and certified to the City, the City may be required by the Internal Revenue Code of 1986, as amended, and the Regulations promulgated thereunder, to withhold a portion of any interest or other income earned on the investment of the Funds for payment of taxes.

To the extent that the City becomes liable for the payment of any taxes in respect of income derived from the investment of the Funds, the City shall satisfy such liability to the extent possible from the income of the Funds. The Developer shall indemnify, defend and hold the City harmless from and against any tax, late payment, interest, penalty or other cost or expense that may be assessed against the City on or with respect to the Funds and the investment thereof unless such tax, late payment, interest, penalty or other expense was directly and solely caused by the gross negligence or willful misconduct of the City.

C. This Agreement extends the time for execution of DIF and TUMF agreements that are, or would normally be, required prior to the issuance of building permits or occupancy of the Project. This Agreement is valid for a period of 180 days from City execution of this Agreement or until the execution, delivery to and final acceptance by the City of both a DIF agreement and a TUMF agreement, whichever comes first. If mutually agreed upon, this agreement may be extended. This Agreement may also be extended subject to the below conditions:

   a. If the sole reason for the Developer not submitting an acceptable DIF agreement is that the City has not adopted and presented to the Developer an approved form for such Agreement, the Developer shall be entitled to an extension of this Agreement until 10 days after such form

agreement is presented by the City to the Developer, or Developer applies for the first final inspection/certificate of occupancy for the Project, whichever shall first occur. Any extension under this subparagraph 1 shall not apply to the Developer's obligations to timely pay TUMF or to enter into a TUMF agreement, nor to the City's obligation to hold such TUMF fees in the segregated account under this Agreement

b. If the reason that the Developer has not submitted executed DIF and/or TUMF agreements is that the Developer has timely submitted complete plans in proper form for the Project and the DIF and/or TUMF eligible improvements such that the Developer's DIF and/or TUMF obligation can be properly calculated but the City has not yet acted to approve such plans and/or calculate the DIF and/or TUMF obligation, and/or execute the Public Improvement Agreement/bond acceptance as stipulated in the DIF and TUMF agreements, the Developer shall be entitled to an extension until such time as the City has either approved such plans and executed a corresponding DIF and/or TUMF agreement, or rejected the submitted plans in the ordinary course of exercising its governmental authority.

c. Notwithstanding any other provision of this Agreement, this Agreement shall expire upon the earlier of when the developer applies for the first certificate of occupancy for the Project, or the parties execute the DIF and TUMF agreements.

D. Subject to the provisions of section C of this Agreement, if the Developer has not executed and submitted to the City both a DIF Credit and Refund Agreement and a TUMF Credit/Reimbursement Agreement in form and substance acceptable to the City within 180 days of City execution of this Agreement or within any extension of this Agreement, this Agreement becomes null and void, the full DIF and TUMF obligations for the Project become immediately due and payable and the Funds shall be applied against such DIF and TUMF obligations. The Developer shall remain liable for any shortfall in payment of such obligations, which shall likewise become immediately due and payable.

E. The Developer shall be responsible for paying the City's administrative costs ("Administrative Costs") for the expenses incurred by the City in administering the Funds under this Agreement as set forth in Exhibit A. Administrative Costs shall be based on the actual costs incurred by the City. City shall provide Developer with written documentation that the Administrative Costs have been incurred by the City. Developer shall pay City the Administrative Costs actually incurred by the City within 30 (thirty) days of receipt of the written documentation of the Administrative Costs from the City. The Administrative Costs may be withheld by

the City from the Funds at the time of final accounting and termination of this Agreement.

F. The City reserves the right to require that the cash security deposit be increased if it determines in good faith that the Funds are inadequate to account for the Developer's DIF and TUMF obligations and/or the City's administrative costs for administering the Funds under this Agreement, including, but not limited to any inadequacy caused by a modification to construction plans (an increase in building square footage) subsequent to the final calculation of DIF and TUMF under City ordinances and adopted policies, upon issuance of building permits for the Project. Developer agrees to deposit the amount of any such increase in cash within ten (10) days after being notified by the City Engineer that the surety is insufficient and the additional amount required. If Developer fails to make such a timely deposit, the City may withhold or suspend permits for the Project until such deposit is made.

F. The Developer hereby indemnifies, defends and holds harmless the City from any and all claims, obligations, liabilities, losses and costs of any nature (including attorneys' fees) which the City may incur to any third party or agency, including specifically but without limitation the County of Riverside, the Riverside County Transportation Authority, WRCOG and/or any constituent agency of WRCOG, arising from this Agreement, from any act or omission by any party in compliance with or in breach of this Agreement, or from any failure to collect, account for or remit to any such agency any TUMF that would have been received by such agency absent this Agreement, any breach of this Agreement or any failure of Developer to pay or account for its full TUMF obligation, including losses related to any transportation funding withheld from the City by any such agency due to any alleged non-compliance with TUMF requirements for Developer's Project.

G. Upon termination of this Agreement under its terms, the City will provide an accounting of the Funds, including accrued interest, to identify the amounts that will be distributed to the Developer for credit and the amount that will be deposited into the City's DIF and/or TUMF account for the DIF and TUMF obligations of the Project.

H. The names of the persons who are authorized to give written notice or to receive written notice on behalf of the City and on behalf of Developer in connection with the foregoing, and exemplars of their respective signatures, are as follows:

City: Chris A. Vogt Signature: _____
Public Works Director/City Engineer Date: 2/21/08
(and/or)
Steve M. Chapman Signature: _____
Finance Director/City Treasurer Date: 2-21-08

City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: Phil Bowman, Senior VP Signature: _____
First Industrial Realty Trust Date: 2-14-08
114 Pacifica, Suite 220
Irvine, CA 92618

I. City Not Trustee or Fiduciary. This Agreement is purely an Agreement to accept a deposit of the Funds to secure obligations due and owing the City by the Developer. The City's purpose in entering into this Agreement is to protect its own interests and not those of the Developer. Under no circumstances will the City be deemed to be a trustee or fiduciary to the Developer or any other person under this Agreement.

J. Successors and Assigns. This Agreement shall be binding on and inure to the benefit of the Parties and their respective successors and permitted assigns. No other persons shall have any rights under this Agreement. Neither party shall assign or transfer any interest under this Agreement without the express prior written approval of the other party, which may be given or withheld in the other party's sole and absolute discretion.

K. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

L. This Agreement is the final, complete and exclusive statement of the agreement of the parties with respect to the subject matter hereof and supersedes and replaces any prior oral or written agreements between the parties addressing the same subject matter. However, this Agreement does not replace, vitiate, waive or supersede any obligation of the Developer under any present or hereafter adopted law, ordinance, resolution or policy of the City, which obligations shall remain in full force and effect, except only as to the timing of such obligations and only during the term of this Agreement.

SIGNATURE PAGE TO FOLLOW

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }

On 2-14-08 (Date) before me, Rita C. Webber, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Phil Bowman (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

RITA C. WEBBER
Commission # 1661187
Notary Public - California
Orange County
My Comm. Expires Apr 25, 2010

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Rita C. Webber (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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Agreement to Hold Separately
DIF Obligation No. D07-007
TUMF Obligation No. T07-002
Project Nos. PM 35150, PA06-0152, PA06-0153

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

FR/CAL MORENO VALLEY, LLC,
A Delaware limited liability company

By: FirstCal Industrial, LLC, a Delaware limited liability company, its sole member

By: FR FirstCal, LLC, a Delaware limited liability company, its managing member

By: First Industrial Investment, Inc., a Maryland corporation, its sole member

BY: _____
Signature
Phil Bowman
Print/Type Name
Senior Vice Presiden
Title

BY: _____
Signature
Matt Englhardt
Print/Type Name
Regional Development Officer
Title

CITY OF MORENO VALLEY,
A California Municipal Corporation

BY: _____
Signature
Rick Hartmann, Deputy City Manager

For Robert G. Gutierrez
Print/Type Name

City Manager
Title

NATASHA Y. BURDINE
Commission # 1731839
Notary Public - California
Riverside County
My Comm. Expires Mar 16, 2011

Approved as to Form this

28TH day of February 2008

_____
City Attorney
City of Moreno Valley

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

W:\LandDev\CREDIT-REIMBURSEMENT AGREEMENTS\DIF & TUMF\PM 35150 - DIF & TUMF - Agreement to Hold Separate 2.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 2/29/08 (Date) before me, Natasha Y. Burdine, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Rick Hartmann (Name(s) of Signer(s)),

NATASHA Y. BURDINE
Commission # 1731839
Notary Public - California
Riverside County
My Comm. Expires Mar 16, 2011

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Natasha Y. Burdine (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement to Hold Separately DIF obligation NO D07-007 TUMF obligation NO T07-002

Document Date: 2/28/08 Number of Pages: 7

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }
On 2-14-08 (Date) before me, Rita C. Webber, Notary Public (Here Insert Name and Title of the Officer),
personally appeared Phil Bowman, Matt Englhard (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in his/her/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

RITA C. WEBBER
Commission # 1661187
Notary Public - California
Orange County
My Comm. Expires Apr 25, 2010

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS ~~my~~ hand and official seal.

Signature Rita C. Webber (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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EXHIBIT A

CITY ADMINISTRATIVE COSTS

EXHIBIT B

CALCULATION OF ESTIMATED DIF OBLIGATION

Building A = 413,598 sq. ft.
Building B = 769,320 sq. ft.

413,598 sq. ft. X $1.281 (industrial general) = $529,819

769,320 sq. ft. X $1.281 (industrial general) = $985,499

Total DIF Obligation = $1,515,318

(as of August 15, 2007)

EXHIBIT C

CALCULATION OF ESTIMATED TUMF OBLIGATION

Building A = 413,598 sq. ft.
Building B = 769,320 sq. ft.

Building A = (*industrial general & high cube) = $462,324

Building B = (*industrial general & high cube) = $619,412

Total TUMF Obligation = $1,081,736

(as of February 6, 2008)

**Calculation for industrial general – high cube: There is a discounted rate for all square footage above 200,000 square feet.*

CERTIFICATE OF AUTHORITY
FIRST INDUSTRIAL REALTY TRUST, INC.
FIRST INDUSTRIAL INVESTMENT, INC.

I, JOHN H. CLAYTON, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation") and First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc.), a Maryland corporation ("FIDS"), and as such officer I am authorized to make the certifications herein made.

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of FIDS; FIDS is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno"). Accordingly, the Corporation, through FILP, FIDS, FRFC and FirstCal, has the authority to cause Moreno to enter into any and all agreements in connection with improvements to be made on or about a total of approximately 54 acres (acquired in 3 parcels of 35.97, 9.53 and 9.1 acres) in Moreno Valley, California at Indian Avenue, San Michele Avenue and Nandina Avenue, including, without limitation, that certain Improvement and Reimbursement Agreement (Transportation Uniform Mitigation Fee Program) with the City of Moreno Valley (the "Agreement").

3. The following are duly authorized signatories of the Corporation and its subsidiaries, including, without limitation, FirstCal and Moreno, with full authority to execute the Agreement and any documents ancillary thereto:

Title	Name
Senior VP Development	Phil Bowman
Regional Development Officer	Matt Englhard

IN WITNESS WHEREOF, I have signed this Certificate this 18th day of September 2007.

John H. Clayton, Secretary

Sworn to and subscribed before
me this 18th day of September 2007.

Fay Lockwood
Notary Public
My Commission Expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

CertificateofAuthority(FR-Cal Moreno Valley (Bowman-Englhard) 9-18-07)

Delaware

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "FR/CAL MORENO VALLEY, LLC", FILED IN THIS OFFICE ON THE ELEVENTH DAY OF APRIL, A.D. 2006, AT 2:52 O'CLOCK P.M.

4140538 8100

060339861

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4660762

DATE: 04-11-06

Item No. A.14

State of Delaware
Secretary of State
Division of Corporations
Delivered 02:48 PM 04/11/2006
FILED 02:52 PM 04/11/2006
SRV 060339861 - 4140538 FILE

CERTIFICATE OF FORMATION

FR/CAL MORENO VALLEY, LLC

The undersigned, an authorized person, for the purpose of forming a limited liability company, under the provisions and subject to the requirements of the State of Delaware (particularly Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified, and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

ARTICLE I. The name of the limited liability company is FR/Cal Moreno Valley, LLC (the "Company").

ARTICLE II. The address of the registered office and the name and the address of the registered agent of the limited liability company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act are Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware, County of New Castle, 19808.

ARTICLE III. The debts, obligations and liabilities of the Company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the Company; and no member or manager of the Company shall be obligated personally for any such debt, obligation or liability of the Company solely by reason of being a member or acting as a manager of the Company.

ARTICLE IV. The Company may establish one or more designated series of members, managers or membership interests. In the event said series are established, then the debts, liabilities, and obligations and expenses incurred by, contracted for or otherwise existing with respect to a particular series shall not be enforceable against the assets of any other series or the assets of the Company generally, and none of the debts, liabilities, and obligations and expenses incurred by, contracted for or otherwise existing with respect to the Company generally or any other series shall be enforceable against the assets of such series.

Dated as of the 11th day of April, 2006.

By: Rondi C. Simmons
Rondi C. Simmons, Authorized Person

347080_1.DOC

Item No. A.14

MV00123908

State of California
Secretary of State

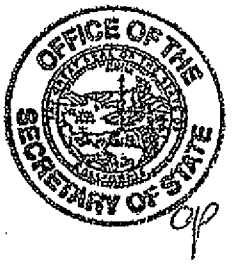

I, BRUCE McPHERSON, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

APR 14 2006

BRUCE McPHERSON
Secretary of State

Sec/State Form CE-107 (REV 03/31/05)

OSP 05 94200

Item No. A.14

MV00123909

State of California
Secretary of State

File # 200610410073

LIMITED LIABILITY COMPANY APPLICATION FOR REGISTRATION

ENDORSED - FILED
In the office of the Secretary of State of the State of California

APR 13 2006

This Space For Filing Use Only

A $70.00 filing fee AND a certificate of good standing from an authorized public official of the jurisdiction of formation must accompany this form.

IMPORTANT – Read instructions before completing this form.

ENTITY NAME (End the name in item 1 with the words "Limited Liability Company," "Ltd. Liability Co." or the abbreviations "LLC" or "L.L.C.")

1. NAME UNDER WHICH THE FOREIGN LIMITED LIABILITY COMPANY PROPOSES TO REGISTER AND TRANSACT BUSINESS IN CALIFORNIA
   PR/Cal Moreno Valley, LLC
2. NAME OF THE FOREIGN LIMITED LIABILITY COMPANY, IF DIFFERENT FROM THAT ENTERED IN ITEM 1 ABOVE

DATE AND PLACE OF ORGANIZATION

3. THIS FOREIGN LIMITED LIABILITY COMPANY WAS FORMED ON 04 (MONTH) - 11 (DAY) - 06 (YEAR) IN Delaware (STATE OR COUNTRY)
   AND IS AUTHORIZED TO EXERCISE ITS POWERS AND PRIVILEGES IN THAT STATE OR COUNTRY.

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and both items 4 and 5 must be completed. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and item 4 must be completed (leave item 5 blank).

4. NAME OF AGENT FOR SERVICE OF PROCESS
   Corporation Service Company which will do business in California as CSC-Lawyers Incorporating Service
5. IF AN INDIVIDUAL, ADDRESS OF INITIAL AGENT FOR SERVICE OF PROCESS IN CALIFORNIA — CITY — STATE: CA — ZIP CODE

APPOINTMENT (The following statement is required by statute and may not be altered.)

6. IN THE EVENT THE ABOVE AGENT FOR SERVICE OF PROCESS RESIGNS AND IS NOT REPLACED, OR IF THE AGENT CANNOT BE FOUND OR SERVED WITH THE EXERCISE OF REASONABLE DILIGENCE, THE SECRETARY OF STATE OF THE STATE OF CALIFORNIA IS HEREBY APPOINTED AS THE AGENT FOR SERVICE OF PROCESS OF THIS FOREIGN LIMITED LIABILITY COMPANY.

OFFICE ADDRESSES (Do not abbreviate the name of the city.)

7. ADDRESS OF THE PRINCIPAL EXECUTIVE OFFICE — CITY AND STATE: Chicago, Illinois — ZIP CODE: 60606
   311 South Wacker Drive, Suite 4000
8. ADDRESS OF THE PRINCIPAL OFFICE IN CALIFORNIA, IF ANY — CITY — STATE: CA — ZIP CODE

EXECUTION

9. I DECLARE I AM THE PERSON WHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION IS MY ACT AND DEED.

Rondi C. Simmons — SIGNATURE OF AUTHORIZED PERSON

April 11, 2006 — DATE

Rondi C. Simmons — TYPE OR PRINT NAME OF AUTHORIZED PERSON

Authorized Person — TITLE OF AUTHORIZED PERSON

RETURN TO (Enter the name and the address of the person or firm to whom a copy of the filed document should be returned.)

10. NAME
    FIRM
    ADDRESS
    CITY/STATE/ZIP

APPROVED BY SECRETARY OF STATE

LLC-5 (REV 03/2005)

Item No. A.14

MV00123910

Delaware

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "FR/CAL MORENO VALLEY, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE ELEVENTH DAY OF APRIL, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "FR/CAL MORENO VALLEY, LLC" WAS FORMED ON THE ELEVENTH DAY OF APRIL, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

OFFICE OF THE SECRETARY OF STATE

4140538 8300

060339861

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4660763

DATE: 04-11-06

Item No. A.14

LIMITED LIABILITY COMPANY AGREEMENT

OF

FR/CAL MORENO VALLEY, LLC

This Limited Liability Company Agreement (this "Agreement") of FR/Cal Moreno Valley, LLC, is entered into on April 11, 2006 by FirstCal Industrial, LLC, a Delaware limited liability company, as the member (the "Member").

The Member hereby forms a limited liability company pursuant to and in accordance with the Delaware Limited Liability Company Act (6 Del.C. §18-101, et seq.), as amended from time to time (the "Act"), and hereby agrees as follows:

1. Name. The name of the limited liability company formed hereby is FR/Cal Moreno Valley, LLC (the "Company").

2. Purpose. The Company is formed for the object and purpose of, and the nature of the business to be conducted and promoted by the Company is, engaging in any lawful act or activity for which limited liability companies may be formed under the Act and engaging in any and all activities necessary or incidental to the foregoing.

3. Registered Office. The address of the registered office of the Company in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, New Castle County, Delaware 19808.

4. Registered Agent. The name and address of the registered agent of the Company for service of process on the Company in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

5. Member. The name and the business address of the Member are as follows:

Name	Address
FirstCal Industrial, LLC	311 South Wacker Drive Suite 4000 Chicago, Illinois 60606

6. Powers. The business and affairs of the Company shall be managed by the Member. The Member shall have the power to do any and all acts necessary or convenient to, or for the furtherance of, the purposes described herein, including all powers, statutory or otherwise, possessed by members under the laws of the State of Delaware. Notwithstanding any other provisions of this Agreement, any officer or authorized signatory of the Member, acting alone, is authorized to execute and deliver any document on behalf of the Company without any vote or consent of any other person.

Each of Rondi Simmons (for so long as she is an employee of Barack Ferrazzano Kirschbaum Perlman & Nagelberg LLP, counsel to the Member) or Scott Musil, acting individually, is hereby designated as an authorized person, within the meaning of the Act, to execute, deliver and file the certificate of formation of the Company (and any amendments and/or restatements thereof) and any other certificates (and any amendments and/or restatements thereof) necessary for the Company to qualify to do business in a jurisdiction in which the Company may wish to conduct business.

7. Dissolution. The Company shall dissolve, and its affairs shall be wound up upon the first to occur of the following: (a) December 31, 2050, (b) the written consent of the Member, (c) the bankruptcy or dissolution of the Member, (d) the occurrence of any other event that terminates the continued membership of the Member in the Company, or (e) the entry of a decree of judicial dissolution under Section 18-802 of the Act.

8. Capital Contributions. The Member has contributed the sum of $100.00, in cash, and no other property, to the Company.

9. Additional Contributions. The Member is not required to make any additional capital contribution to the Company.

10. Allocation of Profits and Losses. All of the Company's profits and losses shall be allocated to the Member.

11. Distributions. All distributions shall be made to the Member at the times and in the aggregate amounts determined by the Member.

12. Assignments. The Member may freely assign its limited liability company interest, whether in whole or in part.

13. Resignation. The Member may not resign from the Company.

14. Admission of Additional Members. One (1) or more additional members of the Company may be admitted to the Company, with the consent of the Member.

15. Liability of Members. The Member shall not have any liability for the obligations or liabilities of the Company, except to the extent provided in the Act.

16. Governing Law. This Agreement shall be governed by, and construed under, the laws of the State of Delaware, all rights and remedies being governed by said laws.

IN WITNESS WHEREOF, the undersigned, intending to be legally bound hereby, has duly executed this Limited Liability Company Agreement as of the date first written above.

MEMBER:

FirstCal Industrial, LLC, a Delaware limited liability company

By: FR FirstCal, LLC, a Delaware limited liability company, its managing member

By: First Industrial Development Services, Inc., a Maryland corporation, its sole member

By: _____
Name: John Clayton, Secretary

LEGAL DESCRIPTION
TENTATIVE PARCEL MAP NO. 35150 (PA06-0152 & PA06-0153)
PERTAINING TO AGREEMENT FOR DEPOSIT OF CASH SECURITY TO DEFER PAYMENT OF DIF AND TUMF OBLIGATION

SAID TENTATIVE PARCEL MAP NO. 35150, BEING A DIVISION OF PARCELS 1, 2, 3 AND 4 AND LOT "B" (SAN MICHELE ROAD), OF PARCEL MAP NO. 16849 AS SHOWN BY MAP ON FILE IN BOOK 107 OF PARCEL MAPS AT PAGE 71 AND 72, AND LOT 13 AND A PORTION OF LOT 14 IN BLOCK 1 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, AS SHOWN BY MAP ON FILE IN BOOK 8 OF MAPS AT PAGE 21, BOTH RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN SECTION 31, T. 3 S., A. 3 W., S.B.M.

W:\LandDev\Lee Ann\E-mail pending\35150\2-29-08 LEGAL DESCRIPTION.doc

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MV00123916

ORDINANCE NO. 832

AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley, ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the State Fiscal Year 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011, and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain "enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, the dissolution of the Agency would be detrimental to the health, safety, and economic well-being of the residents of the City and cause irreparable harm

to the community, because, among other reasons, the redevelopment activities and projects made possible, implemented, and funded by the Agency are highly significant and of enduring benefit to the community and the City, and are a critical component of its future; and

WHEREAS, Part 1.9 of the CRL ("Part 1.9") provides that a redevelopment agency may continue in operation if a city or county that includes a redevelopment agency adopts an ordinance agreeing to comply with and participate in the Alternative Voluntary Redevelopment Program established in Part 1.9 ("Program"); and

WHEREAS, as a condition of the Agency's continued existence and operation of its redevelopment agency, the City is required to make certain annual remittances to the county auditor-controller pursuant to Chapter 3 of Part 1.9, beginning with a larger upfront remittance for the 2011-2012 fiscal year ("First Remittance"), to be paid in two equal installments on January 15, 2012 and May 15, 2012; and

WHEREAS, the City will have sufficient moneys and revenues to fund an amount equal to the City's payment of the First Remittance and expects to have sufficient moneys and revenues to fund the subsequent annual remittances required by Part 1.9; and

WHEREAS, the City's needs are such that it can commit to spend the funds received from the Agency pursuant to an Agreement to Transfer Tax Increment (defined below) to finance activities within the Redevelopment Project that are related to accomplishing the goals of the Redevelopment Project, including without limitation: (i) the elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes, ordinances following exactly the State and Federal Redevelopment Laws; (ii) the promotion of new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the capture of commercial sales activity, including the development of a regional mall within the Project Areas and the creation of a regional public transportation center and facilities, auto center arid freeway frontage roads; (iii) the achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for both business and residential areas to help achieve the objectives of the Redevelopment Plan by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area; (iv) maximizing the tax base; (v) adding and upgrading interchanges; (vi) the retention and/or expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area; (vii) increasing revenues to the City of Moreno Valley; (viii) creating and developing local job opportunities and the preserving

and expanding of the City's existing employment base; (ix) improving certain environmental deficiencies, such as substandard traffic circulation patterns to have all streets, roads and intersections to be the best possible level of service; inadequate water, sewer and storm drainage systems; and insufficient off-street commercial parking, and utility deficiencies adversely affecting the Project Area; (x) improving the community's supply of housing, including opportunities for low and moderate-income households and providing improved park land that is easily, and safely accessible to these residents; (xi) increasing revenues for adequate public services and facilities, including but not limited to, fire protection, parks and recreation, libraries, bike and equestrian trails; (xii) provision of transportation improvements; (xiii) retention and expansion of business activities; (xiv) improvement of environmental deficiencies, such as substandard traffic circulation patterns, inadequate water, sewer and storm drainage systems, insufficient commercial parking and utility deficiencies; (xv) increasing revenues for adequate public services and facilities, including but not limited to fire protection, parks and recreation, libraries, and bike and equestrian trails; and (xvi) creating a balanced community; and

WHEREAS, the City and Agency intend to execute an agreement pursuant to CRL Section 34194.2, whereby the Agency shall make an initial transfer of a portion of its tax increment to the City in an amount equal to the First Remittance, and thereafter to transfer amounts of tax increment equal to any subsequent remittance which the City is required to make to the county auditor-controller pursuant to the City's participation in the Program ("Agreement to Transfer Tax Increment"); and

WHEREAS, the City is aware that the validity, passage, and applicability of ABX1 26 and ABX1 27 may become the subject of a judicial challenge; and

WHEREAS, the City, by the adoption of this Ordinance, does not represent, disclaim, or take any position whatsoever on the issue of the validity of ABX1 26 or ABX1 27, but rather the City seeks to comply with the Constitution and laws of the State of California, including Part 1.9, in order to preserve the ability of the Agency to continue to operate and thereby benefit the community; and

WHEREAS, the City is the lead agency concerning this Ordinance pursuant to the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq*) ("CEQA") and the State CEQA Guidelines; and

WHEREAS, City staff has determined that the Ordinance is exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such authorizations are not considered a project subject to CEQA review. The community remittance is a government funding mechanism and fiscal activity, which does not involve any

commitment to any specific project which may result in a potentially significant environmental impact; and

WHEREAS, the City has duly considered all other related matters and has determined that the City's participation in the Program is in the best interests of the City, and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, the City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be or has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1x 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:

1. The foregoing recitals are true and correct.

2. The City hereby finds that (i) the dissolution of the Agency would be detrimental and cause irreparable harm to the community and to the health, safety, and economic well-being of the citizens of the City, and (ii) the types of activities and projects made possible, implemented, and funded by the Agency are highly significant

and of enduring benefit to the community and the City, and are a critical component of its future.

3. The City hereby ordains that the City, under protest, shall comply with the Constitution and the laws of the State of California, including Part 1.9 of Division 24 of the Health and Safety Code, including the determination of remittance amounts, appeal rights in relation thereto, and the making of the remittances referred to in CRL Section 34194(b) and (c) at the times and in the manner described in Part 1.9, without prejudice to the rights of the City (a) to challenge or join with other entities challenging the validity of the Dissolution Act and the Alternative Voluntary Redevelopment Program, (b) to review and appeal the amounts of community remittances required by the Alternative Voluntary Redevelopment Program, (c) in the event a court of competent jurisdiction grants an injunction or stay enjoining the effectiveness of the Dissolution Act and/or the Alternative Voluntary Redevelopment Program, to withhold community remittances while that injunction or stay is in effect, (d) in the event the Dissolution Act and/or the Alternative Voluntary Redevelopment Program is declared invalid by a court of competent jurisdiction, to obtain a refund of any community remittances paid pursuant to the Alternative Voluntary Redevelopment Program and this Ordinance and this Ordinance will immediately become null and void and have no further force or effect, and (e) to subsequently determine, based on circumstance and information then available to the City Council, including the amounts of required community remittances, that is not in the best interests of the City to continue to participate in the Alternative Voluntary Redevelopment Program, in which case the City Council shall formally repeal this Ordinance and the Agency shall be subject to the Dissolution Act. This Ordinance is that ordinance referred to in CRL Section 34193 and shall be interpreted and applied in all respects so as to fully comply with Part 1.9, to the fullest extent required by law.

4. On or before November 1, 2011, the City Manager is hereby authorized and directed to notify the county auditor-controller, the Controller of the State, and the State Department of Finance that the City agrees to comply with the provisions of Part 1.9 as provided under Section 34193, such notice to be in accordance with CRL Section 34193.1.

5. The City's remittances to the county auditor-controller made pursuant to Part 1.9 may be paid from any legally available funds of the City not otherwise obligated for other uses in accordance with Section 34194.1. Nothing herein is intended or shall be interpreted to require any payments or impose any financial or other obligation of the City other than in accordance with the Constitution and laws of the State of California, including Part 1.9.

6. The City Council determines that approval of this Ordinance exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such approval is not considered a project subject to CEQA review. The payment is a government funding

mechanism and fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant environmental impact.

7. The City Council hereby authorizes and directs that a Notice of Exemption shall be filed with the Clerk of the Board of Supervisors of the County of Riverside, California, within five (5) working days following the date of adoption of this Ordinance.

8. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Moreno Valley, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code § 36933.

9. This Ordinance shall become effective thirty (30) days after the date of the final passage and adoption hereof.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

STATE OF CALIFORNIA)
COUNTY OF _____RIVERSIDE) ss
CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, do hereby certify that the foregoing Ordinance No.____ was duly passed and adopted at a _____ meeting of the City Council of the City of Moreno Valley held on the ____ day of _____, 2011.

Upon motion of City Council Member _____, seconded by City Council Member _____, the foregoing Ordinance No. _____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of _____ this _____ day of _____, 2011.

_____
Jane Halstead, City Clerk

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MV00123924

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS PROJECT NO. LED-229-80510

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763.

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

BACKGROUND

The Energy Efficiency & Conservation Block Grant (EECBG) program offered by U.S. Department of Energy has awarded funding to the City for energy saving projects. The funding is intended to assist cities, counties, states, territories, and Indian tribes to develop, promote, implement, and manage energy efficiency and conservation projects/programs. Emphasis of these programs is to achieve and improve energy efficiency in transportation, building, and other appropriate sectors.

On January 10, 2010, the City Council accepted the EECBG awarded to the City, in the amount of $1,684,300. The retrofitting of Internally Illuminated Street Name Signs (IISNS) with LED light engines is one of the intended uses of the EECBG grant. LED light engines are a proven enhancement to visibility, highway safety, and are

environmentally friendly due to the longevity of the LED. An annual cost saving of approximately 50% is realized with the retrofit of LED light engines. The savings is due to less use of electricity and less maintenance due to life expectancy of the LED.

DISCUSSION

Using the EECBG grant funding, Public Works staff replaced approximately 40% of the existing fluorescent bulbs in the Internally Illuminated Street Name Signs with LED light engines. This retrofit of 69 intersections was completed in October 2010. However, through competitive pricing received on the other energy retrofit related projects; surplus funds are available within the original grant award amount. These additional monies have been designated to complete the IISNS retrofit of the remaining 104 signalized intersections throughout the City.

As prescribed by the Department of Energy grant, formal bidding procedures shall conform to the local agency's Purchasing Ordinance and Public Contract Code. In determining the award, the City's Purchasing Ordinance and the Public Contract Code have been followed. The City Clerk received and opened bids at 2:00 p.m., on Wednesday, June 29, 2011. A total of four (4) bids were received. The lowest bidder's product fails to meet the City's specifications in terms of operating voltage and having a non-integrated power converter. Staff evaluated the product from the lowest bidder but consider that the safety of maintenance staff could be diminished and overall future replacement costs would be higher and therefore that the lowest bidder's product does not meet the City's specification. Therefore, it is the recommendation of staff to accept the bid results from the second lowest bidder, Archipelago Lighting of Montclair, California, as their product meets the specifications and requirements of the City. No outstanding issues were identified through review of the references submitted by the Archipelago Lighting and the vendor is not recorded on the Federal Debarment list.

The anticipated project schedule to complete the retrofit project is December, 2011.

ALTERNATIVES

1. Award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, and authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to Archipelago Lighting in the amount of $156,457.00, (Account No. 229.80510.7200). *This alternative will allow the project to commence.*

2. Do not award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, and do not authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to Archipelago Lighting in the amount of $156,457.00, (Account No. 229.80510.7200) and provide direction to staff. *This alternative will delay the commencement of the project.*

FISCAL IMPACT

Funding for the purchase of LED lamp modules for Project No. LED-229-80510 is included in the awarded Department of Energy EECBG grant and is accounted for in Fiscal Year 2011-2012 (Fund 229) budget. Although the price differential between the first and second lowest bids is $8,118.96, this funding gap will be absorbed by the grant and there will be no impact to the General Fund.

TOTAL ESTIMATED COSTS FOR PROJECT NO. LED-229-80510

Material Cost (EECBG Grant Funded)	$156,457.00
Installation and Administration by City staff	$0.00
Total Estimated Project Related Costs	$156,457.00

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

Prepared By
Alan Kashefi, P.E.
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Eric Lewis, P.E. ,T.E.
City Traffic Engineer

Concurred By
Rix Skonberg
Purchasing & Facilities Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00123928

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12

RECOMMENDED ACTION

Staff recommends that the City Council approve the successor Memoranda of Understanding (MOU's) between the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

During the period of March through August 2011, the City's and labor negotiations team met and conferred with the labor negotiation teams of the Moreno Valley Management Association (MVMA) and the Moreno Valley Confidential Management Employees (MVCME) regarding their successor MOU's for Fiscal Year 2011-12. During the Closed Session of City Council at its Study Session meeting on August 16, 2011, the City Council authorized the City's Chief Negotiator to proceed to finalize and present back to the City Council for approval the successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12. The City's, MVMA's and MVCME's labor negotiations teams have met and conferred on the language of the MOU's, and the attached MOU's are in final format for City Council approval.

DISCUSSION

The following is a summary of the main points that are contained in both the successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12:

- No merit pay increases for current employees.
- Deferral of Cost of Living Adjustment (COLA), and there is no expectation that the COLA will be retroactive.
- Tier III reduced benefits for employees hired on or after September 30, 2011:
  1. Retirement Benefits: 2% @ 55 Benefit and Highest 3 Years Average
  2. Retiree Medical:
     a. Provide access to the City's group rates, guaranteed coverage.
     b. PERS Retiree Medical Insurance City paid access fee.
     c. VEBA increased to $75/mo. for MVMA and MVCEA members.
  3. Cafeteria Benefit Bank Reduction by 25%
     a. Full-time employees: $787.50/mo. and $9,450/yr.
     b. Part-time employees: $318.75/mo. and $3,825/yr.
  4. Annual Leave Reduction
     a. Reduction of Maximum Annual Accrual to 800 hours per year
     b. New accrual rates:

	0-5 Years	6-10 Years	11+ Years
PAM	234	274	314
Division Mgmt	252	292	332
PAM Confidential	250	290	330
Div Mgmt Confidential	252	302	332
Exec Mgmt	256	296	336

- Retiree Medical Vesting Period for current MVMA and MVCME members:
  - Increase vesting period from 2 years to 5 years for Tier I
  - Increase vesting period from 2 years to 5 years for Tier II
- Continuation of work schedule reduction furlough (4/9 work week).
- Extension of the recall period from 2 to 3 years effective with the June 30, 2011 layoffs.
- Closure of City offices between Christmas and New Year's.
- All new employees are required to have direct deposit for payroll or to apply for this service through the City's bank; if they are accepted they agree to participate, if denied this requirement will be waived.
- Correct Personnel Rules reference to IRS Section 414 (h) (2) for pretax payments of employees' member contribution to PERS for new hires on or after July 1, 2009.
- City will include an exemption in the PERS Contract for temporary employees for new hires within the classifications of Crossing Guard and Recreation Aide.
- Extension of the current MVMA MOU and MVCME MOU through August 23, 2011.
- Provide an additional $50/month to MVMA and MVCME members for family medical insurance Premiums beginning on January 1, 2012.
- Move the Risk Division Manager from the MVMA bargaining unit to the MVCME bargaining unit.

- Develop long-term strategies to implement merit pay increases after economic recovery.
- Review rehire procedure and rehire compensation levels.

The only item in the MVCME MOU that is not in the MVMA MOU is the application of seniority as the first factor for decisions regarding layoff order and recall order in the Layoff/Recall Policy for MVCME bargaining unit members. For MVMA bargaining unit members, the policy will remain in effect and apply as it was in place on July 1, 2011, except for the deletion of the January 1, 2012 initiation of use of the "exceeds expectations" and "outstanding" rating categories for order of layoff decisions.

ALTERNATIVES

The action of the City Council to approve the attached MVMA MOU and MVCME MOU will fulfill the City's employer/employee relations resolution with the Moreno Valley Management Association and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The cost to the City to provide an additional $50.00 per month to MVMA and MVCME members for family medical insurance premiums effective January 1, 2012, is estimated to be approximately $10,200.00 for Fiscal Year 2011-12. However, the overall net savings to the City due to the reduction of benefits for newly hired employees beginning on September 30, 2011, is expected to result in approximately $9,600.00 annual savings per employee. The expected overall savings to the City for Fiscal Year 2011-12 is expected to exceed the cost of providing the additional $50.00 per month for MVMA and MVCME members for family medical insurance premiums.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future."

NOTIFICATION

The Moreno Valley Management Association and the Moreno Valley Confidential Management Employees have been notified of the staff report and staff recommendation for City Council to approve the attached successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12. Copies of this staff report and attached MVMA MOU and MVCME MOU were sent to the employee associations, and they concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

Attachment A is the successor MVMA MOU for Fiscal Year 2011-12.
Attachment B is the successor MVCME MOU for Fiscal Year 2011-12.

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF MORENO VALLEY AND THE
MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES

The agreement entered into between the City of Moreno Valley and those employees designated as "Confidential Management" (MVCME) covers provisions related to Fiscal Year 2011-12. The following is a list of provisions agreed to between the parties.

1. TERM

The term of this agreement shall be July 1, 2011 through June 30, 2012.

2. INSURANCE

Effective January 1, 2012, employees who are hired prior to September 30, 2011, are enrolled in the City's CalPERS medical insurance program, have family coverage and are covered by this agreement will receive an increase of $50.00 per month to the City's flexible benefit contribution for all full time employees.

3. THIRD TIER OF BENEFITS FOR NEW EMPLOYEES

The City and MVCME agree to have a third tier of benefits for new employees hired on or after September 30, 2011 (PERS retirement benefits effective date subject to PERS requirements):

Retirement Benefits:

a. 2% @ 55 Benefit
b. 3 Year Average Pay Calculation
c. Employee pays full 7% - City does not pay any part of employee contribution which eliminates the EPMC benefit (this is consistent with Tier 2)

Cafeteria Benefit Bank:

a. Full-time employees: $787.50/mo. and $9,450/yr.
b. Part-time employees: $318.75/mo. and $3,825/yr.

Management Benefits Differentials:

a. Division Management Confidential: 3%
b. PAM Confidential: 1.5%

Annual Leave Accrual:

a. Maximum Annual Accrual to 800 hours per year

b. New accrual rates:

	0-5 Years	6-10 Years	11+ Years
PAM Confidential	250	290	330
Division Mgmt Conf.	252	302	332

Retiree Medical Revisions

a. Provide access to the City's group rates, guaranteed coverage.

b. PERS Retiree Medical Insurance monthly access fee paid 100% by City

c. City paid VEBA of $75/mo. for PAM Confidential and DM Confidential

4. FURLOUGH

Beginning on July 1, 2011 and ending on June 30, 2012, MVCME unit employees will continue the 10% (208 hours) work furlough that was in effect during fiscal years 2009/10 and 2010/11.

5. HOLIDAY SCHEDULE

City offices will be closed between Christmas and New Years Day. The City will grant 27 hours of Holiday time to full-time MVCEA unit employees for 12/23/11, 12/26/11, and 1/1/12 for those accruing leave, at a rate of 9 hours per day. Employees may apply this Holiday Leave, and/or other leave, to cover their normal workdays during the holiday closing.

6. RETIREMENT BENEFITS

The City will correct the City's Personnel Rules and Regulations reference to IRS Section 414 (h) (2) for pretax payments of employees' member contribution to CalPERS for new hires after on or after July 1, 2009.

MVCME unit employees laid off and on a recall list will be reinstated under the same retirement benefits (including cost sharing levels) when recalled as they were under at the time of lay-off.

The City will amend its contract with CalPERS and revise the City's Personnel Rules and Regulations Sections 14.15, 14.20 and 14.25 to implement a reduction in the retirement benefits, and thereby creating a Tier III. This Tier III includes reduced benefits for employees hired on or after September 30, 2011, as follows:

a. Retirement Benefits Formula: 2% @ Age 55 Benefit and Average of 3 Highest Years of Compensation.

b. Retiree Medical: Provide access to the City's group rates, guaranteed coverage. The City will only pay 100% of the PERS Retiree Medical Insurance monthly access fee for eligible employees. The City will not pay any monthly contribution for medical insurance premium. The City will pay $75.00 per month towards the employees' Voluntary Employees' Benefits Association (VEBA) account for retirement health insurance expenses. Employees do not serve a minimum period of full-time employment with the City, in order to become vested and eligible to use their VEBA account upon retirement.

The following sections of the Personnel Rules reflect the changes agreed to in this MOU:

14.15 POST RETIREMENT MEDICAL BENEFITS

A. Annuity Programs: Effective January 1, 2001, the City of Moreno Valley shall contribute a monthly amount to each non-exempt full-time career employee for an annuity program for 20 years or until termination or retirement, for the purpose of funding retiree medical premiums. New hire probationary employees shall not be eligible to receive the monthly contribution until the successful completion of their probationary period. The effective date of their first contribution will commence the next full month after they have passed probation.

Effective January 1, 2002, after two full years of employment, the monthly contribution to the annuity program shall increase per the negotiated language as approved by City Council. This shall go into effect the next month after their two-year-anniversary date has passed.

Each bargaining unit has selected separate annuity programs.

1. Contributions for the MVCEA bargaining unit are being paid into the Benefit Bank.

   In the event MVCEA ceases to be the recognized representative of bargaining unit employees, the control and administration of this program shall transfer to management and the responsibility for same shall be the exclusive jurisdiction of management.

   Employees may at their option contribute a portion of their compensation to the annuity subject to IRS restrictions through payroll deductions.

2. Contributions for the management bargaining unit are being paid into a Voluntary Employee Beneficiary Trust (VEBA), which manages the investment and distribution of the funds.

B. City Paid Retiree Medical Benefit: Effective January 1, 2001, upon retiring, the City shall pay a minimum of the monthly fee required by PERS for enrollment of retirees. Effective September 30, 2011, employees hired prior to July 1, 2009, who retire under the CalPERS retirement benefits system with a minimum of five full-time years of service with the City, and employees hired on or after July 1, 2009, who retire under the CalPERS retirement benefits system with a minimum of ten full-time years of service with the City, shall be eligible to receive a benefit which is the lesser of the cost of

medical coverage for the retiree and spouse, or the amount stipulated in the following table:

EFFECTIVE DATE	MAXIMUM EMPLOYER CONTRIBUTIONS
January 2, 2009	up to $318.73 per month

To receive the Retiree Medical Benefit, the retiree must submit documentation of payment for medical insurance coverage. Documentation for those enrolled with PERS Health is provided by PERS. In the event of the retiree's death, the surviving spouse continues to be eligible to receive the benefit.

Employees hired on or after September 30, 2011 will not be provided the City paid retiree medical benefit described in the above. For these employees, the City will pay $75.00 per month towards the employees Voluntary Employees' Benefits Association (VEBA) account for retirement health insurance expenses. Employees do not serve a minimum years of full-time employment with the City, in order to become vested and eligible to use their VEBA account upon retirement.

14.20 PERS MEDICAL COVERAGE FOR RETIREES

All employees who retire under both the City of Moreno Valley and CalPERS retirement benefits system are eligible to participate in the CalPERS medical insurance program under the Public Employees Medical and Hospital Care Act (PEMCHA), and the City pays the monthly minimum fee required for each retired City of Moreno Valley employee who participates in PEMCHA.

The City shall contribute a monthly employer fee (access fee) for retiree medical coverage with the Public Employees Retirement System (PERS), per negotiated contract language as approved by City Council. Retirees must convert to Medicare at age 65.

14.25 CITY RETIREMENT PLAN

The City provides retirement benefits for all employees through the Public Employees Retirement System (PERS). The City pays both the employee's and employer's contributions into the plan for employees hired prior to July 1, 2009. Employees hired on or after July 1, 2009 pay their own employee's contribution into the plan, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax contributions. This does not apply to promotional hires, whose original hire date was prior to July 1, 2009. At its option, the City may change its retirement system provider upon adoption by the City Council. Prior to any changes in retirement benefits, those eligible for retirement must be notified at least 30 days in advance. Current retirement benefits are available as follows:

A. Career Full-time Employees hired prior to July 1, 2009 receive fully-paid PERS retirement benefits. Career Full-time Employees hired on or after July 1, 2009 pay for their own employee's contribution for PERS retirement benefits, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax contributions, and at no point will the employer pay any portion of the employee's contribution.

B. Career Part-time Employees hired prior to July 1, 2009 receive fully paid PERS retirement benefits after 1,000 hours. Before that point, the employee will have the employee's portion deducted from salary. Career Part-time Employees hired on or after July 1, 2009 pay for their own employee's contribution for PERS retirement benefits, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax

contributions, and at no point will the employer pay any portion of the employee's contribution.

C. Part-time/Seasonal, Temporary Employees, and Crossing Guards who are not eligible for PERS, are required to contribute 7.5% of earnings to a PST "457" deferred compensation program. Contributions to this plan will be made through payroll deduction. Employees are eligible for participation in the PERS retirement plan after 1,000 hours worked in a fiscal year; however, they are responsible for the cost of their employee portion of PERS payment.

PERS refunds may be issued ONLY if the member has permanently separated from all PERS-covered or reciprocal employment. Or, if members have been on an unpaid leave of absence for at least six (6) months, they may request a refund of their contributions prior to returning to active employment.

D. Any employee hired prior to July 1, 2009, if promoted on or after July 1, 2009, will still be eligible for all benefit rates provided for employees hired prior to July 1, 2009 for the bargaining unit the employee is in on or after July 1, 2009.

Although the affected positions are not in the MVCME bargaining unit, the MVCME acknowledge and agree with the City amending the PERS Contract to exempt from PERS membership Recreation Aides and Crossing Guards.

7. DIRECT DEPOSIT FOR PAYROLL

Effective July 1, 2011, all new employees will be required to have direct deposit for payroll, or to apply for this service through the City's bank; if they are accepted by the City's bank, they agree to participate. If the employee is denied this service by the City's bank, the direct deposit requirement for payroll will be waived.

8. RISK DIVISION MANAGER ADDED TO BARGAINING UNIT

The City may move the Risk Division Manager from MVMA to MVCME with same pay and receive individual benefits of the Division Manager or Confidential Unit group, whichever is higher, effective September 2, 2011.

9. LAYOFF, REDUCTION IN FORCE, RECALL

The City will revise the Personnel Rules and Regulations Section 3.45, in order to implement seniority as the main basis for the order of layoff and recall, and extension of the recall period from 2 to 3 years effective with the June 30, 2011 layoffs. Policy change to be effective for layoffs and recalls.

The City will maintain adherence to the elimination of temporary employees and consultants prior to layoff of full-time career employees when possible.

In the event of reduction in force, no new employees will be hired until employees on a recall list or scheduled for a layoff who are available, possessing the required, qualifications and capable and of performing the

assignments of the position being filled have been offered the assignment (position).

MVCME unit employees to be laid off or on a recall list shall be afforded cross-training necessary to allow him/her to fill a vacant position for which they generally meet the minimum qualifications. Please see Attachment A.

12. MERIT PAY

The City and MVCME agree that merit pay increases will not be provided to employees who are covered by this agreement during the term of this agreement.

Any merit pay increase frozen for employees during the entire period of FY 2008/2009 through FY 2011/12, are not to be retroactively credited, owed or otherwise be held for the future or credit, and are therefore forfeited and terminated. The City may, however, decide to implement merit pay increases for employees when the City can afford to do so, subject to the meet and confer process.

13. COST OF LIVING ADJUSTMENT

The City and MVCME agree that no Cost of Living Adjustment (COLA) pay increases will be provided to employees who are covered by this agreement during the term of this agreement. A 2% COLA pay increase is being deferred for employees who are covered by this agreement during the term of this agreement.

Any COLA increases deferred for employees during the entire period of FY 2008/2009 through FY 2011/12, are not to be retroactively credited, owed or otherwise be held for the future or credit, and are therefore forfeited and terminated. The City may, however, decide to implement COLA's pay increases for employees when the City can afford to do so, subject to the meet and confer process.

14. MATTERS FOR FOLLOW-UP DISCUSSION

The City and MVCEA agree to meet during Fiscal Year 2011-12 to discuss the following two items: 1) Develop long-term strategies to fairly implement merit pay increases after the City's economic and budget recovery; and 2) Review the rehire procedure and rehire compensation levels.

15. ASSOCIATION MEETINGS

The Association may hold two regular meetings annually with its members during regular business hours. Additional meetings to discuss changes to the existing labor contract raised during the fiscal year would be granted,

as necessary. These additional meetings would be held above and beyond the two regular meetings.

14. PREVIOUS MOU PROVISIONS

All other provisions of the contract would remain the same as detailed in the Fiscal Year 2010-11 memorandum of understanding.

15. PARITY

During the term of this agreement, MVCME shall have the right to incorporate into this agreement any elements of Memoranda of Understanding entered into between the City of Moreno Valley and any of its other bargaining units as specified in the previous agreement.

16. RATIFICATION AND EXECUTION

The City and MVCME acknowledge that this Memorandum of Understanding shall not be in full force and effective until ratified by the bargaining unit and signed by the Mayor and City Manager of the City of Moreno Valley. Subject to the foregoing, this Memorandum of Understanding is hereby executed by the authorized representatives of the City and Association, and entered into this 23rd day of August 2011. The MVCME MOU for Fiscal Year 2010/11 will remain in effect, pending approval by City Council of the successor MVCME MOU.

CITY OF MORENO VALLEY

Richard Stewart, Mayor

Henry Garcia,
City Manager

Michelle Dawson,
Assistant City Manager

Richard Teichert,
Financial & Administrative
Service Director

Sonny Morkus
Human Resources Director

MVCMA

Bridgette Montgomery, MVCME

Carol Vasquez, MVCME

3.45 LAYOFFS/REDUCTION-IN-FORCE/RECALL

The City Manager may lay off permanent and probationary workers at any time for lack of work, budgetary reasons, technological changes, or other City actions that necessitate a reduction in the work force. At least four weeks notice shall be given to any employee who is to be laid off. At the City Manager's discretion, a demotion or transfer to another department or classification may be made to prevent a layoff provided the employee is qualified by education and/or experience and is capable of performing the duties of the classification. The Department Heads, in consultation with the Human Resources Director, and as approved by the City Manager, will effect the layoffs.

Reduction in Force:

When it becomes necessary to reduce the work force in the City, the City Manager shall designate the job classification, division, department, or other organizational unit in order to effect a reduction in the work force. Contract, temporary, seasonal, or initial probationary employees in the same job classification as ones proposed to be reduced within the City shall be laid off first. Probationary promotional employees who are laid off shall be returned to their former classification. Employees who accept lower positions or transfers in lieu of lay-off shall be placed at a pay level within the salary range of the new position, which yields a salary closest to current salary.

Order of Layoff for MVCEA and MVCME Employees:

Effective July 1, 2011, the order of layoff of MVCEA and MVCME career employees shall be made in accordance with a system which favors retention of the employees with the most seniority, based upon evaluation of the following factors in the listed order of implementation:

A. Seniority (length of service in a career position):

1. in the city
2. in the classification
3. in the department

For MVCEA and MVCME employees who are equal in seniority, as established in A 1 though 3 above, preference will be given to those with higher overall performance reviews during the past twelve months, then free of disciplinary action during the past twelve months and then proof of honorable military discharge.

Order of Layoff for MVMA Employees:

The order of layoff of MVMA unit career employees shall be made in accordance with a system which favors retention of the more meritorious employees, based upon evaluation of the following factors in the listed order of implementation:

A. An overall rating of "unsatisfactory" or "needs improvement" on the most recent performance evaluation once finalized and filed in Human Resources except

when an employee has less than one year seniority with the City. In that case, only seniority will be used.

B. Documented disciplinary actions during the preceding twelve (12) months.

C. Seniority (length of service in a career position):

1. in the city
2. in the classification
3. in the department

For MVMA employees who are equal in performance and seniority, as established in A-C above, preference will be given to those with proof of honorable military discharge.

Seniority:

Seniority is determined from the day of official appointment to a City department as a career employee, provided that any career employee, who, as a result of promotion, transfer, or voluntary demotion, is appointed to a career position in another department, shall for purposes of layoff, carry seniority previously acquired over to the new department.

Seniority shall continue to accrue during periods of Annual Leave, layoff not exceeding three (3) years, any authorized leave of absence of less than three (3) months, or any call to military service for the duration of the call to duty. Seniority shall not accrue during any other break in continuous service.

Other Policies:

The City may call back as a temporary employee, within the first year after layoff, any laid off employee who is on the recall list when the employee is qualified to fill a vacancy of a full-time position.

Any employee who receives an involuntary transfer shall have the option to be reinstated to a vacated position in the classification said employee was involuntarily transferred from for up to six (6) months from the effective date of the involuntary transfer in the event of layoff.

An employee who chooses to terminate and have his/her name placed on the Reinstatement List under this section shall notify the department in writing of his/her decision at least three (3) working days prior to the effective date of reassignment. Such termination shall be on the same date as the reassignment would have been effective.

Recall List:

The name of every career employee who is laid off, transfers, or elects to demote to a formerly held classification in the same department for longer than one pay period due to a Reduction-in-Force, shall be placed on the Recall List, except that the names of those MVMA unit employees laid off under Sections A & B under in "Order of Layoff for MVMA Employees" above, shall not be placed on the recall list. Vacancies to be filled within a

department shall be offered, to individuals named on the Recall List who at the time of the Reduction-in-Force, held a position in the same job classification within the department as the vacancy to be filled. Order of recall shall be same as order of layoff.

Individual names may be removed from the Recall List for any of the following reasons:

A. The expiration of three (3) years from the date of placement on the list, effective June 30, 2011.

B. Re-employment with the City in a career full-time position in a department other than that from which the employee was laid off.

C. Failure to respond within 14 calendar days of mailing a certified letter regarding availability for employment.

D. Failure to report to work within 14 calendar days of mailing of a certified letter containing a notice of reinstatement to a position, absent mitigating circumstances.

E. Request in writing, including e-mail, to be removed from the list.

Status on Re-employment:

Effective June 30, 2011, a career employee who has been laid off or terminates in lieu of reassignment and is re-employed in a career position within three (3) years from the date of his layoff or termination shall be entitled to:

A. Buy back and thereby restore all or a portion of Annual Leave credited to the employees' account on the date of layoff or termination and at the same rate as it was sold originally. This restoration must be requested in writing within 30 days of returning to work and must be fully paid back within six (6) months of the return to work.

B. Restoration of seniority accrued prior to and accrued during layoff.

C. Credit for all service prior to layoff for the purpose of determining the rate of accrual of Annual Leave.

D. Placement in the salary range as if the employee had been on a leave of absence without pay if he/she is reinstated to the same job classification in the same department from which he/she was laid off or terminated.

E. In accordance with CalPERS regulations, restoration to the same level of CalPERS benefits and City paid member contribution that the employee received prior to being laid off or terminated.

F. Restoration to the same level of flexible benefits (i.e. benefit bank) that the employee received prior to being laid off or terminated.

In the event of a vacancy, if there are no individuals on the recall list who formerly occupied the vacant classification, those individuals on the recall list who possess the

necessary qualifications for the vacant classification shall be eligible for recall to the vacancy. Eligibility order shall be the same as the order of lay-off.

No person from outside City employment shall be hired in a career position in the deleted classification until all those displaced due to layoffs or transfers are recalled to their former classification or one classification lower in the same career ladder as the one in which the employee was laid off.

Continuation of Benefits:

Those who are laid off shall have their medical insurance benefits continued to the end of the second month following the date of their layoff in the event that they are not covered by another medical plan at that time.

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MV00123944

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00123946

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 23, 2011

TITLE: **EXTENSION OF CONTRACT** - Approve Second Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the second of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expired on June 30, 2011. On July 6, 2011, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the second term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the second of four, twelve-month extensions. The contract amount for the second extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the Second Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2011-2012. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the Second Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this Second Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2011-2012 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this Second Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchasing and Facilities Division Manager to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: Second Amendment to Agreement
Attachment 2: First Amendment to Agreement
Attachment 3: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

SECOND AMENDMENT TO AGREEMENT

This Second Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as “CSD”), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the second twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2011 and finish on June 30, 2012.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 2

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 7/13/10

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 5/24/2010

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: July 1, 2010

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-24-10

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 3

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. **TERMINATION.**

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. **OWNERSHIP OF DOCUMENTS.** All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. **PUBLICATION OF DOCUMENTS.** Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. **INDEMNIFICATION.** Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. **PUBLIC RECORDS ACT.** The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. **ASSIGNABILITY.** This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. **INDEPENDENT CONTRACTOR.** The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. **AUDIT OF RECORDS.** Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. **SOLICITATION.** Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. **THIRD PARTY BENEFICIARIES.** This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. **INTERPRETATION.** This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. **JURISDICTION/VENUE.** Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. **COMPLIANCE WITH LAW.** Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. **RULES OF CONSTRUCTION.** Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. **SEVERABILITY.** If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

44. **ENTIRE AGREEMENT.** This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

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EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

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communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

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barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.

   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

MV00123974

2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

MV00123976

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

MV00123978

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

MV00123980

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

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MV00123982

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 23, 2011

TITLE: ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Adopt Resolution No. CSD 2011-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The State of California appropriated a total of $6.6 million to be utilized statewide as a continuous funding source for services to school age children, in the range of kindergarten to 14 years of age. However, the Budget Act of 2003 eliminated child care services to children 13 years and older. Of the $6.6 million allocated statewide, Riverside County was appropriated $950,000 based on service level needs. In an effort to provide an increased level of services for Moreno Valley youth through diverse funding, staff submitted a competitive grant application to the California Department of Education, Child Development Division, requesting funding for an after school child care program. The City of Moreno Valley Parks and Community Services Department was one of ten agencies in Riverside County who competed for this funding. The Parks and Community Services Department was awarded funding.

On November 26, 1996, the City Council authorized the acceptance of a grant in the amount of $427,683 for the calendar years 1997 and 1998 for the purpose of providing an after school child care program for children ages 5 to 14. Since that time, the City has applied for and received grant funding every fiscal year for this program. Although the City must apply for the grant funding each year, when the funding was made available to agencies for youth programs in 1987, those agencies that have received this type of grant funding have continued to receive funding for their youth programs.

DISCUSSION

The focus of the grant submitted by the City of Moreno Valley Parks and Community Services Department was based on the high demands assessed by the department within its own programs. This included the need for after school care during the traditional school year and full day care on school vacation days. The program utilizes five elementary schools: Creekside, Sunnymead, Rainbow Ridge, Armada, and Red Maple. The program accommodates 170 children between the ages of kindergarten up to 12 years of age and has been in effect since January 1997.

This program is state licensed and operates under the following conditions. The healthy social and emotional development of every child is addressed by providing activities, schedules, materials and equipment to ensure that children are both challenged and successful. Programming for the students includes a nutritious snack served daily, arts and crafts, indoor and outdoor games, story time, homework time, and social time. The program also includes field trips with bus transportation, parent conferences, and special parenting classes and programs with topics including health issues, substance abuse, nutrition, personal safety, community awareness, literacy and more. The program works closely with parents and school site staff to incorporate applicable school rules into the program and provide emotional support for children.

The program operates at schools utilizing the "modified traditional" school schedule between the hours of 2:00 p.m. and 6:00 p.m. on school days and 7:00 a.m. to 6:00 p.m. on school vacation days, Monday through Friday.

As part of the City's policy, the City Council must formally accept this funding from the California Department of Education, Child Development Services and adopt the corresponding resolution.

ALTERNATIVES

1. Approving staff's recommendation would authorize the acceptance of grant monies in the amount of $605,496 for FY 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Not approving staff's recommendation would eliminate the Child Care Grant Program.

FISCAL IMPACT

The proposed grant funds program expenditures on a cost reimbursement basis. The grant funds as well as food program revenue, Federal Grant Revenue, and program fees are used for providing school age child care and development services and are restricted to this program. There is no impact to the General Fund. Funds are budgeted in the FY2011-12 Operating Budget (160.75710).

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By:
Patty Grube
Management Analyst I

Department Head Approval:
Mike McCarty
Parks and Community Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00123986

RESOLUTION NO. CSD 2011-23

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD TO ENTER INTO A TRANSACTION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES AND TO AUTHORIZE DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FY 2011/12

WHEREAS, the Moreno Valley Community Services District Board of Directors desires to provide school age child care services to the citizens of Moreno Valley during FY 2011/12;

WHEREAS, the Moreno Valley Community Services District Board of Directors further desire to enter into this transaction with the California Department of Education for the purpose of providing child care and development services;

WHEREAS, the Moreno Valley Community Services District Board of Directors authorize the persons listed to sign the transaction for the Governing Board;

Michael McCarty, Director of Parks and Community Services _____

Henry Garcia, City Manager _____

Richard Teichert, Financial & Administrative Services Director _____

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Accept the grant monies from the California Department of Education, Child Development Division, in the amount of $605,496 per fiscal year to provide child care services for FY 2011/2012;

2. Adopt a resolution to certify the approval of the governing board to enter into local agreement number/s CCTR-1195, Project Number 33-2186-00-0 with the California Department of Education for the purpose of providing child care and development services;

3. Authorize designated personnel to sign contract documents on behalf of the Governing Board for FY 2011/12.

APPROVED AND ADOPTED this 23th day of August, 2011.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
Jane Halstead, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney acting
in the capacity of General Legal
Counsel of the Moreno Valley
Community Services District

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00123990

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00123992

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: A PUBLIC HEARING FOR PA11-0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY.

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels.

3. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

BACKGROUND

The applicant is proposing to de-annex (detach) 1.4 acres currently in the City of Moreno Valley to permit annexation into the City of Perris. The subject property is located south of the Perris Valley storm channel and east of Perris Boulevard at the City limit and is part of a large development site which is primarily within the City of Perris. The area to be de-annexed includes the 70-feet northerly of the City of Moreno Valley boundary line between the two cities. A previous de-annexation moved the City boundary in a similar fashion south of the Perris Valley storm channel west of Perris Boulevard.

The project is Exempt under section 15061 b. 3 of the California Environmental Quality Act Guidelines as this activity is not a project that has the potential for a significant affect on the environment.

DISCUSSION

On June 9, 2011, Mission Pacific Land Company submitted an application requesting the de-annexation. The detachment was requested to allow for the orderly development of the applicant's property within a single municipal jurisdiction. The City of Perris is currently processing an annexation application for the same property. Both the detachment and annexation are subject to final action by the Riverside County Local Agency Formation Commission after both cities have taken action.

ALTERNATIVES

1. The City Council could approve the proposal as recommended.
2. The City Council could take no action on the proposal. This would leave the boundaries between the cities as they are today.

FISCAL IMPACT

The impacts are the loss of minimal property tax revenue which will be collected by the City of Perris. Based on the location and the small lot size, the site is un-developable solely within the City of Moreno Valley based on the standards of the existing Industrial (Specific Plan 208I) zoning.

NOTIFICATION

Notice of the City Council public hearing appeared in the Press Enterprise newspaper on August 13, 2011, and mailed to all surrounding property owners of record within 300 feet of the affected property.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Existing Boundary
3. City Resolution-Detachment
4. CSD Resolution
5. City Resolution-Tax Release
6. New proposed City limit boundary map

Prepared By:
Julia Descoteaux
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00123996

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s)

CASE : **PA11-0021 Deannexation (Detachment)**

APPLICANT: Mission Pacific Land Company

OWNER: Stratford Ranch Investors, LLC

REPRESENTATIVE: Ted Weggeland

LOCATION: South of Harley Knox Blvd, east of Redlands Avenue
(APN: 302-170-002 & 302-170-004))

PROPOSAL: A public hearing for PA11-0021, an application to deannex parcels 302-170-002 and 302-170-004, a total of 1.4 acres located on the south side of the Perris Valley Channel from the City of Moreno Valley to allow these undevelopable parcels to be integrated into the adjoining parcels by facilitating annexation to the City of Perris.

ENVIRONMENTAL DETERMINATION: The project is Exempt under section 15061 b. 3 of the California Environmental Quality Act Guidelines as this activity is not a project that has the potential for a significant affect on the environment.

COUNCIL DISTRICT: No 4

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

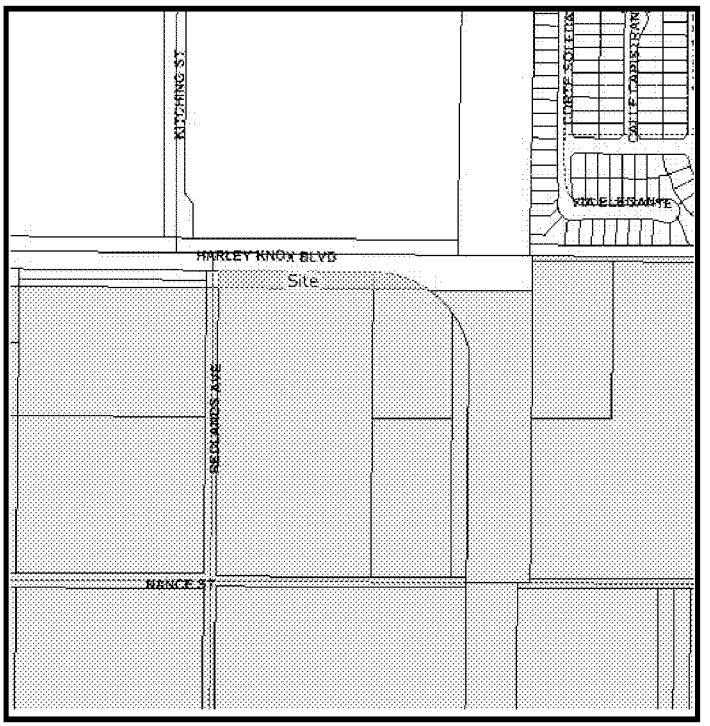

LOCATION **N↑**

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: August 23, 2011 at 6:30 PM

CONTACT PLANNER: Julia Descoteaux

PHONE: (951) 413-3209

ATTACHMENT 1

Item No. E.1

MV00123997

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MV00123998

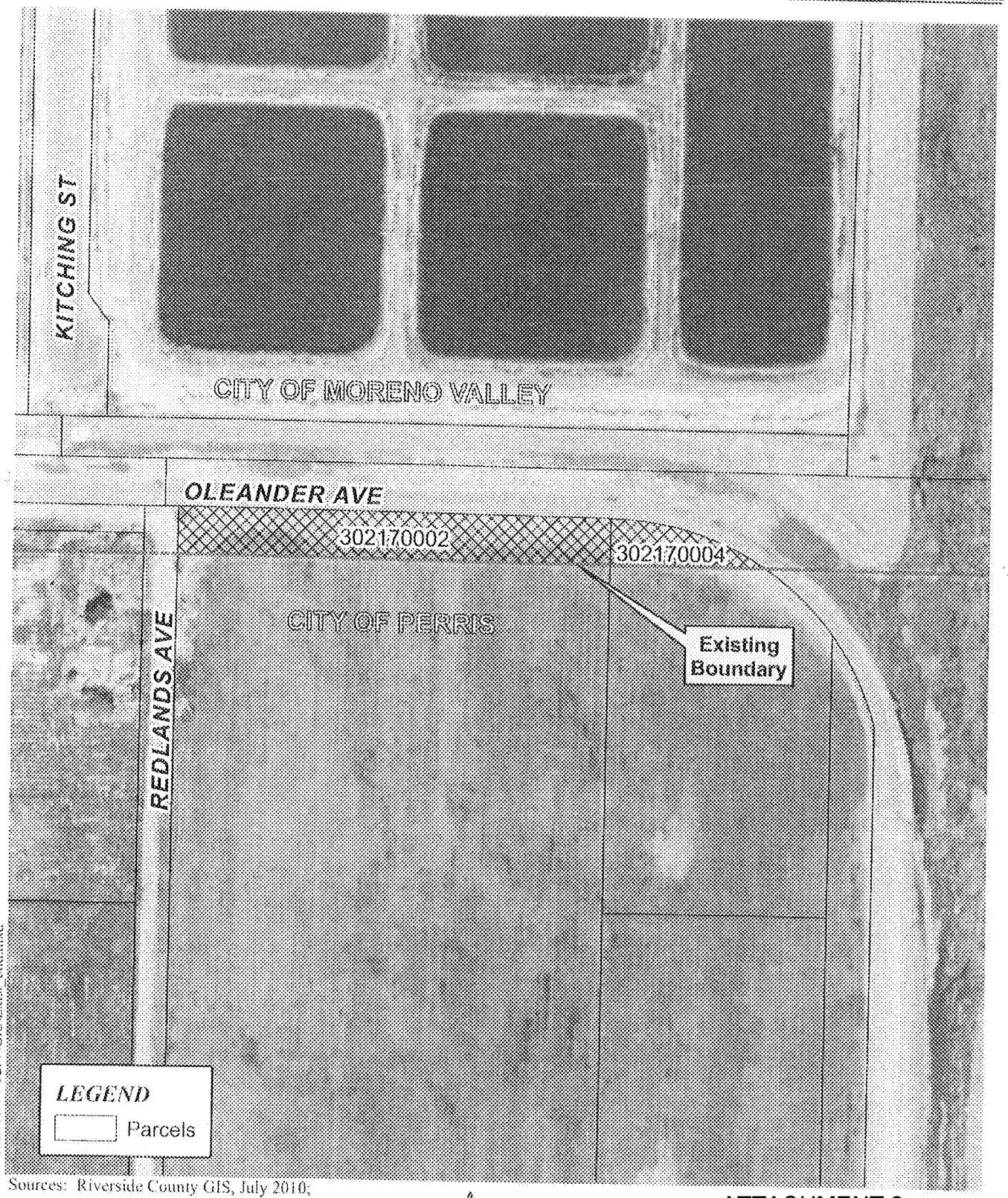

G:\2010\10-0207\GIS\Exist_bnd.mxd

Sources: Riverside County GIS, July 2010;
Digital Globe, March 2008.

ALBERT A. WEBB ASSOCIATES

N

0 100 200 300 Feet

ATTACHMENT 2

Existing Boundary

Item No. E.1

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MV00124000

RESOLUTION NO. 2011-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE DETACHMENT OF TWO PARCELS (302-170-002 & 302-170-004) WITH A TOTAL OF 1.4 ACRES FROM THE CITY OF MORENO VALLEY TO ALLOW FOR CONCURRENT ANNEXATION TO THE CITY OF PERRIS

WHEREAS, the City Council of the City of Moreno Valley desires to initiate a proposal pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the detachment of certain property identified in Attachment 2; and

WHEREAS, the territory proposed for detachment is uninhabited pursuant to the definition contained within Government Code Section 56046, and the proposed property is identified in Attachment 2:and

WHEREAS, the City Council finds that the proposed boundary reorganization will facilitate carrying out its responsibility for future planning and the logical and orderly development of the City; and

WHEREAS, discussions have ensued with the City of Perris staff and the City of Perris staff would present a companion resolution requesting the initiation of proceedings; and,

WHEREAS, the reasons for the proposed detachment are as follows:

1. The detachment from the City of Moreno Valley and the attachment to the City of Perris would modify the city boundary to the north property line of parcels 302-170-002 and 302-170-004 to increase the size of the parcel to the south which is in the City of Perris allowing development to occur.

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

1. That an application for amendment of the city boundary reorganization shall be submitted for consideration by the Riverside County Local Agency Formation Commission ("LAFCO") for the area shown in the attached map (Attachment 2).

2. The City Clerk is authorized and directed to file a certified copy of this Resolution with the Executive Officer of LAFCO together with such other information and documents as may be required by the Executive Officer.

ATTACHMENT 3

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00124004

RESOLUTION NO. CSD 2011-24

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS OF THE CITY OF MORENO VALLEY, CALIFORNIA TO REQUEST THE RIVERSIDE LOCAL AGENCY FORMATION COMMISSION INITIATE PROCEEDINGS FOR A CITY BOUNDARY AMENDMENT INVOLVING A DETACHMENT OF PARCELS FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

WHEREAS, the Moreno Valley Community Services District (CSD) desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act, commencing with Section 56000 of the California Government Code, for an amendment to the Community Services District boundary; and,

WHEREAS, the territory proposed to be included within the reduction of the Community Services District is uninhabited, and the boundaries of the said territory are as set forth in Attachment 2; and,

WHEREAS, the CSD Board of Directors finds that the proposed detachment and reorganization of the Community Services District are consistent with the planned modifications to the City's boundary and deannexation; and,

WHERAS, the CSD Board of Directors finds that future needs for public facilities and services relating to the said parcels will be no longer be applicable; and,

WHEREAS, the reorganization (deannexation) proceedings with the Local Agency Formation Commission (LAFCO) shall modify adjustments to the Moreno Valley Community Services District boundaries for Zones A, B, C, D, and M to exclude said parcels; and,

WHEREAS, upon the deannexation of said parcels, the Moreno Valley CSD Zones A (Parks & Community Services) and C (Arterial Street Lighting) annual parcel charges shall no longer be applicable; and

WHERAS, said parcels shall not longer be subject to the annexation boundaries for Community Facilities District No. 1 to finance public services related to new neighborhood parks; and,

WHERAS, the CSD Board of Directors finds that the proposed detachment from the Community Services District is exempt under Section 15061 (b) (3) of the California Environmental Quality Act.

ATTACHMENT 4

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that CSD Resolution No. _____ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vise-President and President)

_____

SECRETARY

(SEAL)

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MV00124008

RESOLUTION NO. 2011-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A PROPERTY TAX TRANSFER AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND CITY OF PERRIS REGARDING THE DETACHMENT OF TWO PARCELS (302-170-002 & 302-170-004) WITH A TOTAL OF 1.4 ACRES FROM THE CITY OF MORENO VALLEY AND CONCURRENT ANNEXATION TO THE CITY OF PERRIS

WHEREAS, the City of Moreno Valley (Moreno Valley) and the City of Perris (Perris) are agencies whose public services might be affected by the detachment from Moreno Valley and concurrent annexation to City of Perris; and,

WHEREAS, representatives of Perris and Moreno Valley have negotiated a property tax transfer agreement to become effective for the area to be detached from City of Moreno Valley and to be concurrently annexed to City of Perris; and,

WHEREAS, the territory affected by LAFCO 2011-06-5 is described in Resolution No. 2011- _____ of the City Council of the City of Moreno Valley; and,

WHEREAS, an agreement for the exchange of property tax revenues is in the best interests of Moreno Valley and of its citizens; and,

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

1. When the City of Perris assumes the service responsibility for the suppression and prevention of structural fires in the area to be annexed, from that time, Perris shall receive one hundred percent of that portion of the property tax revenue generated within the territory annexed and identified as a structural fire protection tax; and,

2. When the City of Perris assumes the service responsibility for providing such other municipal services to the area to be annexed as are provided to areas already within Perris, from that time, Perris shall received Moreno Valley's share of that portion of the property tax revenue generated within the territory to be annexed pursuant to Article XIIA of the California Constitution; and,

ATTACHMENT 5

3. The County Auditor is hereby requested to convert the above established percentage figures into actual dollars, and thereafter to allocate~~d~~ such property tax revenue in accordance with the provisions of Section 95 and following of the California Revenue and Taxation Code; and,

4. The City Council of the City of Moreno Valley here~~e~~by agrees to the exchange of property tax revenue set forth above and approves the property tax agreement with the City of Perris pursuant hereto; and,

5. The City Clerk shall transmit a certified copy of this resolution to the Executive Officer of the Local Agency Formation Commission and to the City of Perris.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00124012

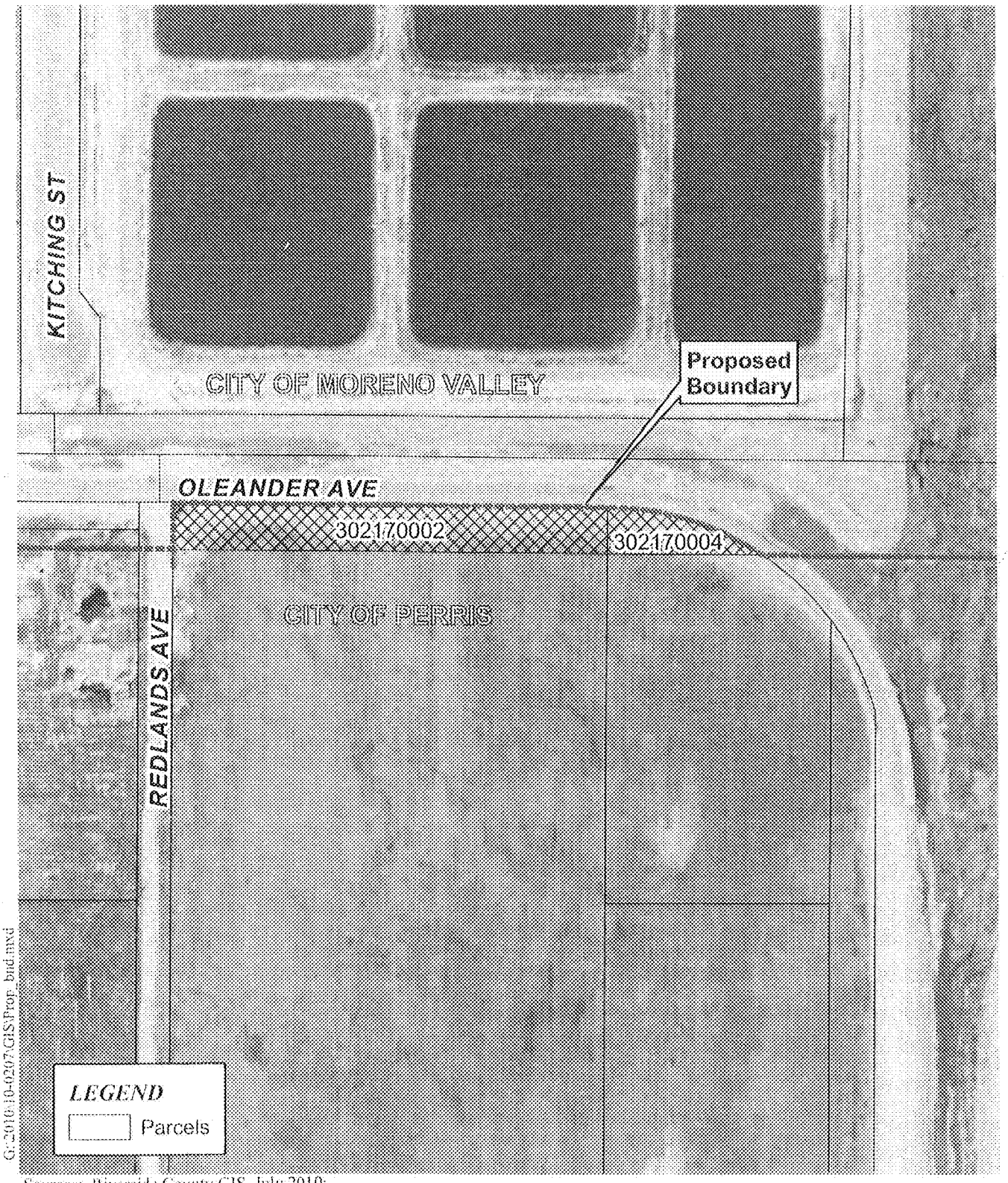

G:\2010\10-0207\GIS\Prop_bnd.mxd

Sources: Riverside County GIS, July 2010; Digital Globe, March 2008.

ASBURY A. WEBB ASSOCIATES

N

0 100 200 300 Feet

ATTACHMENT 6

Proposed Boundary

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MV00124014

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property.

2. Authorize staff to solicit offers for the purchase of said real property.

BACKGROUND

On May 25, 2010 the City Council approved acquisition of the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The City acquired title to the property on July 29, 2010. The house on the property was demolished in May 2011 to make way for the proposed improvements. The property was acquired utilizing TUMF funds due to the direct transportation corridor related improvements that are required.

On July 12, 2011 the City Council approved Resolution No. 2011-74 declaring the real property, APN 475-272-054, as excess, setting August 23, 2011 as the public hearing

date to identify any issues with the sale of the remainder parcel, and authorizing staff to solicit offers for the purchase of said real property.

DISCUSSION

The improvements fronting this property along Ironwood Avenue and Davis Street will include a new curb ramp, sidewalks, and the relocation of power poles fronting Ironwood Avenue. The ultimate public right of way will be 44 feet from the centerline along Ironwood Avenue and 33 feet from the centerline along Davis Street at the northwest corner. The Ironwood Avenue ultimate street improvements project between Heacock Street and Perris Boulevard is anticipated to be advertised in mid-August for construction bids. Construction is anticipated to start in Fall 2011.

The original lot size of 7,759 square feet along with a single family residential house was purchased at $124,500 utilizing Transportation Uniform Mitigation Fee (TUMF) funds. The ultimate street improvements at the northwest corner of Ironwood Avenue and Davis Street, abutting to this property will occupy 2,534 square feet. The house had to be demolished in order to make way for the necessary street improvements. The remaining vacant land, with an area of 5,225 square feet, is deemed excess, not needed for City public purposes, and considered a substandard residential lot in the current zone R5. The potential use and development of this remaining land is very limited but a single family home may be constructed subject to review and approval of a variance by the Planning Division. If the City retains ownership and the land remains vacant, it will require periodic on-going maintenance and weed abatement services most likely funded with General Fund monies as the surplus property is not needed for transportation related purposes.

If there are no issues identified at the public hearing, the property will be offered for sale to qualified public agencies, and if an agency wants to purchase the property, it must respond within a 60-day time frame, in accordance with Government Code 54222. If there is no interest from a qualified public agency at the expiration of the 60-day period, the City could but would not be obligated, to put the property up for sale to the public.

The hearing is required by California Government Code, Section 37422. The Resolution was published in the Press Enterprise, and the Resolution was posted at the real property site located at 11987 Davis Street in Moreno Valley.

ALTERNATIVES

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property, and authorize staff to solicit offers for the purchase of said real property. *This alternative would allow the City to potentially sell the excess land.*

2. Do not conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the

proposed sale of excess property, and do not authorize staff to solicit offers for the purchase of said real property. *This alternative will result in the City not conforming to Government Code Section 37422 and therefore delaying or stopping the potential sale of excess land and incur weed abatement costs.*

FISCAL IMPACT

When City Council approves and accepts a purchase offer, if one is received, the net proceeds will be remitted back in the TUMF fund associated with this street improvement project.

SUMMARY

The City acquired the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The remaining property area of 5,225 square feet can be disposed of as surplus property. If the City retains ownership of this property, it would require periodic on-going maintenance and weed abatement services. Therefore, City Council is being asked conduct this public hearing to allow for the potential selling of the property as surplus land in accordance with Government Code section 54222, and authorize staff to solicit offers for the purchase of said real property.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Resolution No. 2011-74

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Henry - 06-50182625 Ironwood - Heacock to Perris\CC Reports\Real Property\8-23-11 Public Hearing for Excess Property APN 475-272-054.doc

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MV00124018

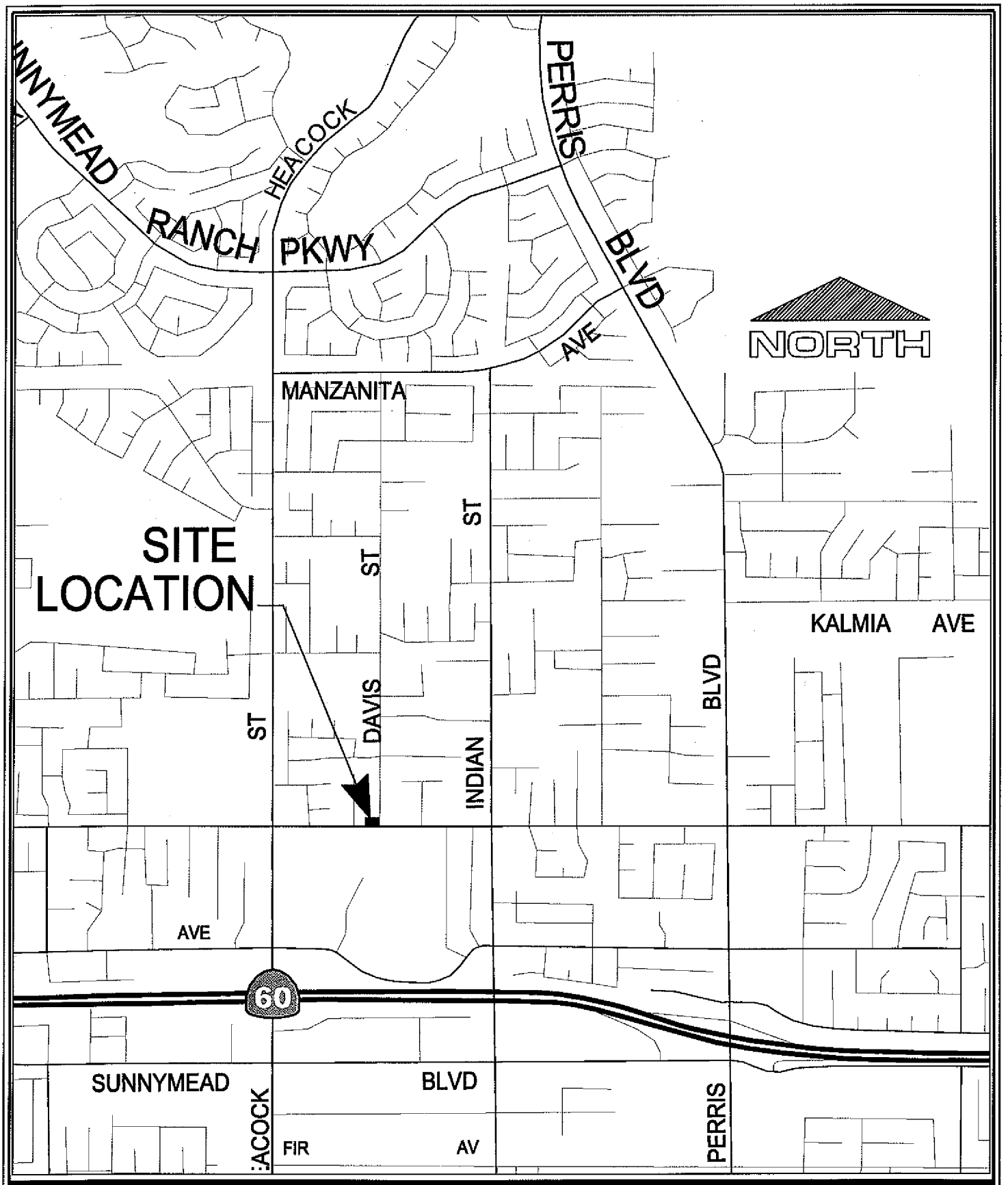

LOCATION MAP

Scale: None

ATTACHMENT "A"

11987 DAVIS STREET

APN 475-272-054

EXCESS PROPERTY- 0.12 ACRES

Item No. E.2

MV00124019

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MV00124020

RESOLUTION N0. 2011-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THE SALE OF A REMAINDER PARCEL EXCESS TO PUBLIC USE.

WHEREAS, the City Council of the City of Moreno Valley desires to sell the remainder parcel APN 475-272-054, total area of 5,225 square feet, as described in Exhibit "A", that is attached hereto; and

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

1. The time and place for hearing protests to the sale of said real property shall be held on August 23, 2011, at 6:30 p.m. at City Hall, located at 14177 Frederick Street, Moreno Valley, California.

2. The City Council finds that the public interest and convenience require the sale of the subject real property for the following reasons:

   a) The real property is excess to that needed for public purposes; and
   b) There is an on-going cost to maintain and weed abate if ownership is retained by the City; and
   c) It is advantageous to return the property to private ownership for use and maintenance.

3. The City Clerk shall publish a copy of this Resolution in the Press Enterprise, a daily newspaper and shall cause a copy of said Resolution to be posted at the real property.

4. At the hearing, any interested person may protest to the proposed sale. Any protests must be overruled by a 4/5ths vote of the Council members.

APPROVED AND ADOPTED this 12th day of July 2011.

Resolution No. 2011-74
Date Adopted: July 12, 2011

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2011-74
Date Adopted: July 12, 2011

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-74 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 12th day of July, 2011 by the following vote:

AYES: Council Members Batey, Co, Hastings, Mayor Pro Tem Molina and Mayor Stewart

NOES: None

ABSENT: None

ABSTAIN: None

CITY CLERK

(SEAL)

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MV00124024

LEGAL DESCRIPTION

In the City of Moreno Valley, that remainder parcel of land being a portion of lot 63 as shown on the map of Moreno Acres, filed in Book 11 of Maps, Page 53, records of the County of Riverside, State of California, more particularly described as follows:

BEGINNING at the southwestly corner of the east half of the east half of said lot 63; thence North 00°07'15" East, a distance 14 feet to a point 44 feet northly of the centerline of Ironwood Avenue, said point being the **TRUE POINT OF BEGINNING**;

Thence North 00°07'15" East, 41.50 feet along the east property line; thence N 89°50'30" East, 132.48 feet along the north property line to a point on a line parallel with and distant 33.00 feet westerly of Davis Street centerline; thence South 00°06'30" West, 18.66 feet along said line; thence Southwestly, a distance of 33.13 feet to a point on a line parallel with and distant 44.00 feet northerly of Ironwood Avenue centerline; thence South 89°50'30" West, a distance of 108.60 feet, more or less, along said last mentioned parallel line to the **TRUE POINT OF BEGINNING.**

The land described herein contains approximately 5,225 square feet (0.12 acres).

See Sheet 2 of 2 for a plat depicting the above described property.

APN: 475-272-054

CITY OF MORENO VALLEY,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
POR. LOT 63 ON MAP OF MORENO ACRES
BOOK 11 PAGE 53

EXHIBIT "A"
SHEET 2 OF 2

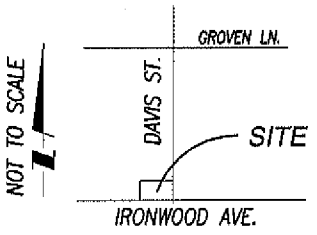

VICINITY MAP

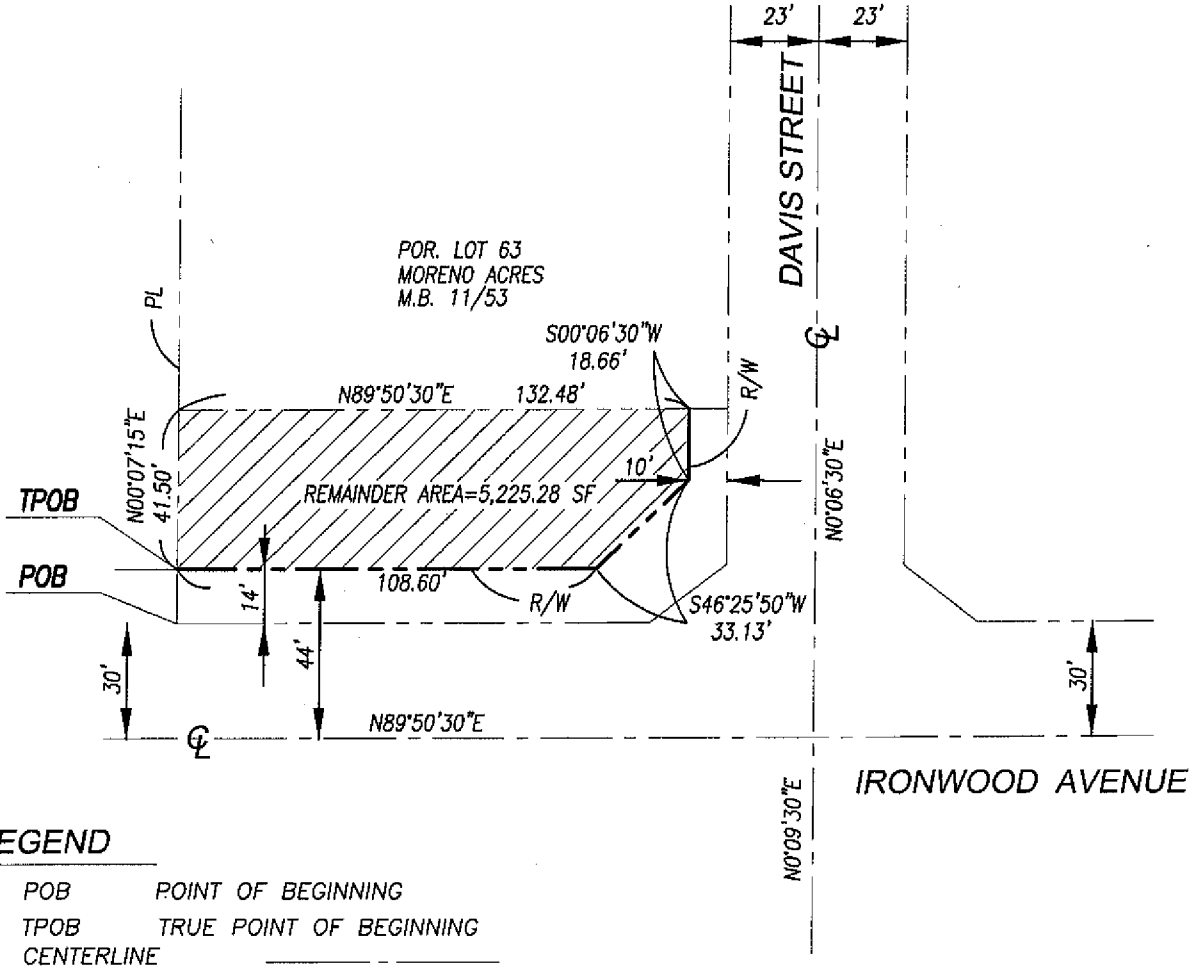

SCALE: 1"=50'

LEGEND

1. POB POINT OF BEGINNING
2. TPOB TRUE POINT OF BEGINNING
3. CENTERLINE
4. EXISTING ROW
5. NEW ROW
5. PROPERTY LINE

REMAINDER AREA = 5,225.28 SF

CITY OF MORENO VALLEY	PREPARED FOR: PLAT MAP FOR 11987 DAVIS STREET APN 475-272-054

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011 (Continued from July 12, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. _____ denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. _____ APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. _____ APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. _____ APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. _____ APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. _____ APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. _____
3. Environmental Impact Report Resolution No. _____, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. _____ - Zone Change
5. Ordinance No. _____ - Municipal Code Amendment
6. Resolution No. _____ - Plot Plan PA08-0097
7. Resolution No. _____ - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00124036

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

RIDGE PROPERTY TRUST

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- ☐ Administrative Plot Plan
- ☐ Administrative Variance
- ☐ Amended Conditional Use Permit
- ☐ Amended Plot Plan
- ☐ Change of Zone
- ☐ Conditional Use Permit
- ☐ Development Agreement
- ☐ Development Code Amendment
- ☐ Extension of Time
- ☐ General Plan Amendment
- ☐ Plot Plan
- ☐ Pre-Application Review
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Tentative Parcel Map
- ☐ Tentative Tract Map
- ☐ Variance
- ☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@ptrnet.com

Contact Person: Derek Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-226-0420

Address: 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson26@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name
Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60605

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈001194⑈ ⑆071000013⑆495693⑈

Item No. E.3

MV00124042

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

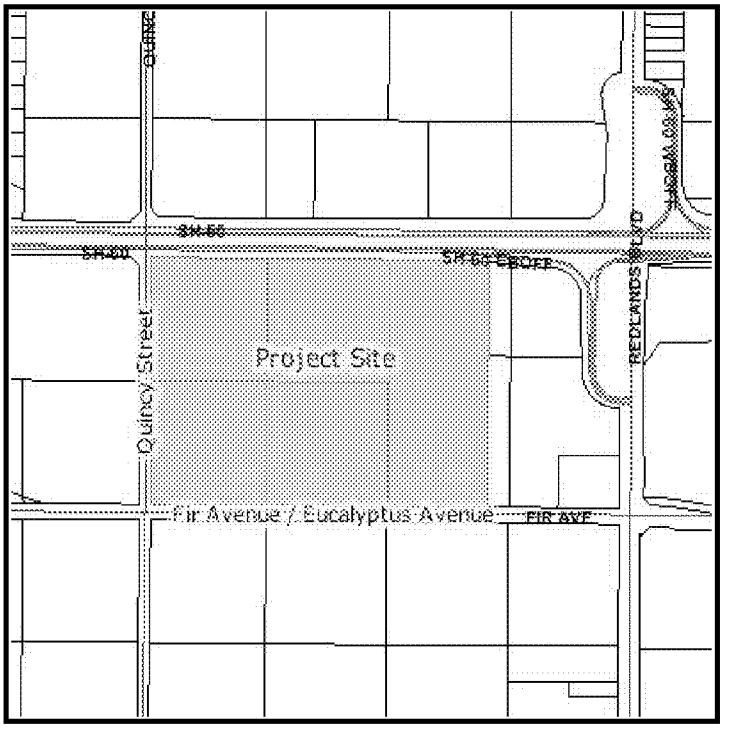

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

Item No. E.3

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MV00124044

RESOLUTION NO. 2011-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00124048

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. <u>Project Description</u>

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Land Use**

a. **General Plan Consistency**

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. **Zoning Consistency**

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. Hydrology and Water Quality

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. Biological Resources

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

c. **Freeway Mainline Segments**

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. **Air Quality**

a. **Short-Term Construction Emissions**

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce* PM_{10} *and* $PM_{2.5}$ *fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00124141

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
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Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd)				
right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;				
• *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*				
• *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*				
• *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*				
The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

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Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of fi building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.19 (cont'd)			Department	
• *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*				
The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.				
Air Quality				
To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction
• *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*				
• *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*				

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Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti_g Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

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Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

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Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00124163

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

MV00124165

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) ○ *Installation of catalytic converters on gasoline-powered equipment.* ○ *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* ○ *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* ○ *Provision of preferential parking for EV and CNG vehicles;* ○ *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* ○ *Use of electric (instead of diesel or gasoline-powered) yard trucks;* ○ *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00124167

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building pe

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MV00124168

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

MV00124169

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00124171

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of fi grading permit

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Item No. E.3
MV00124172

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00124173

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00124186

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.
• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,
• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. **MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.**

P98. **MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.**

P99. **MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.**

P100. **MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.**

P101. **MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:**

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

ATTACHMENT 7

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

EXHIBIT A

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

~~PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION~~

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

~~General Conditions~~

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

~~PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION~~

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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MV00124300

PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

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MV00124310

3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

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separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

Item No. E.3

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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Item No. E.3

-892-

MV00124356

1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans**) for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

4.3.~~6~~5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

4.3.~~7~~6 During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~ **utilized to** power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

4.3.~~8~~7 The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~ **"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be** consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

4.3.~~9~~8 Grading plans, construction specifications and bid documents shall **also** include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~ **the following notations:**

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**

- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

- ***All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.***

4.3.9 ***Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.***

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****~~A~~ll recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

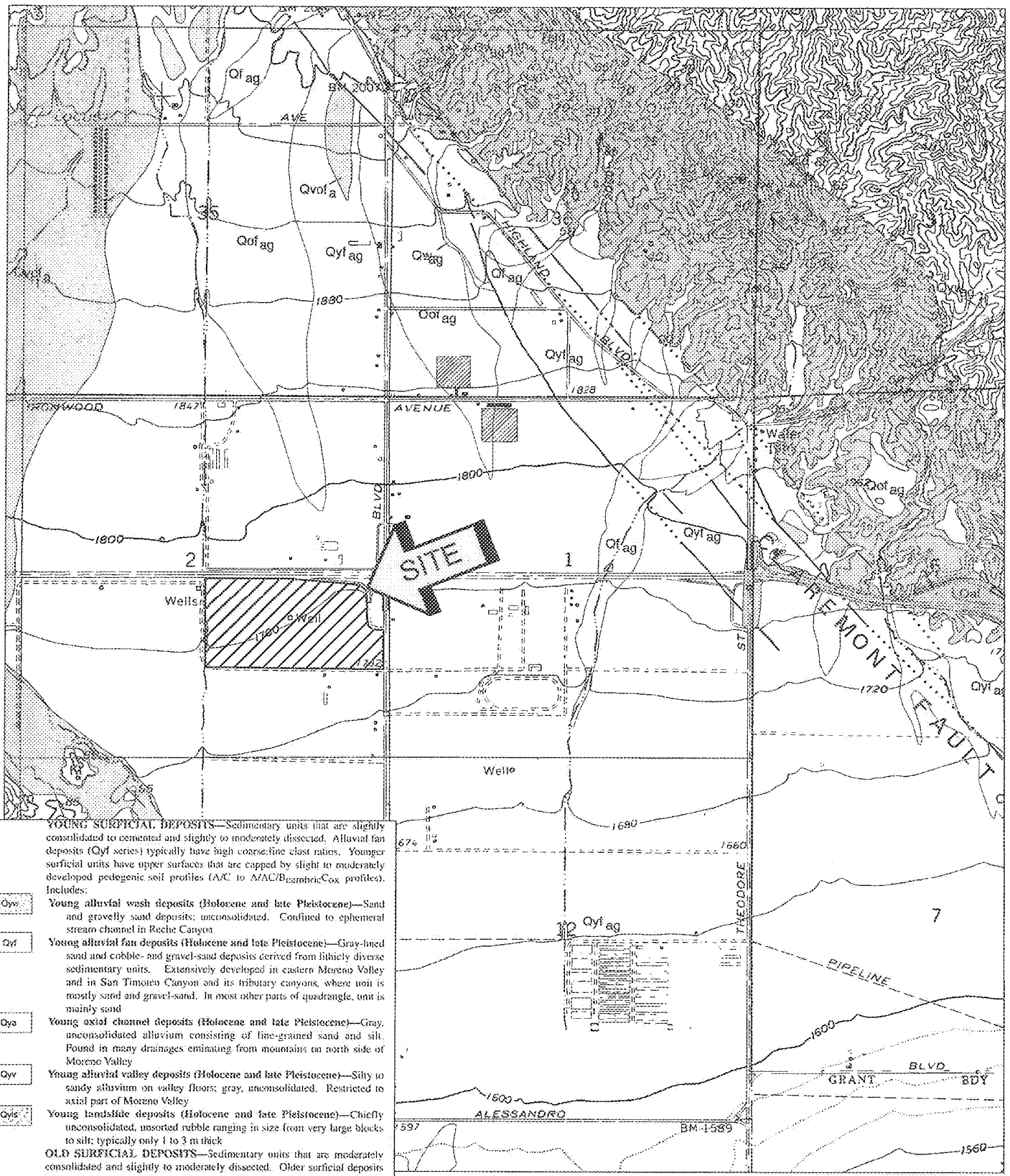

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to $A/AC/B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils ($A/AB/B/C_{ox}$ profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00124376

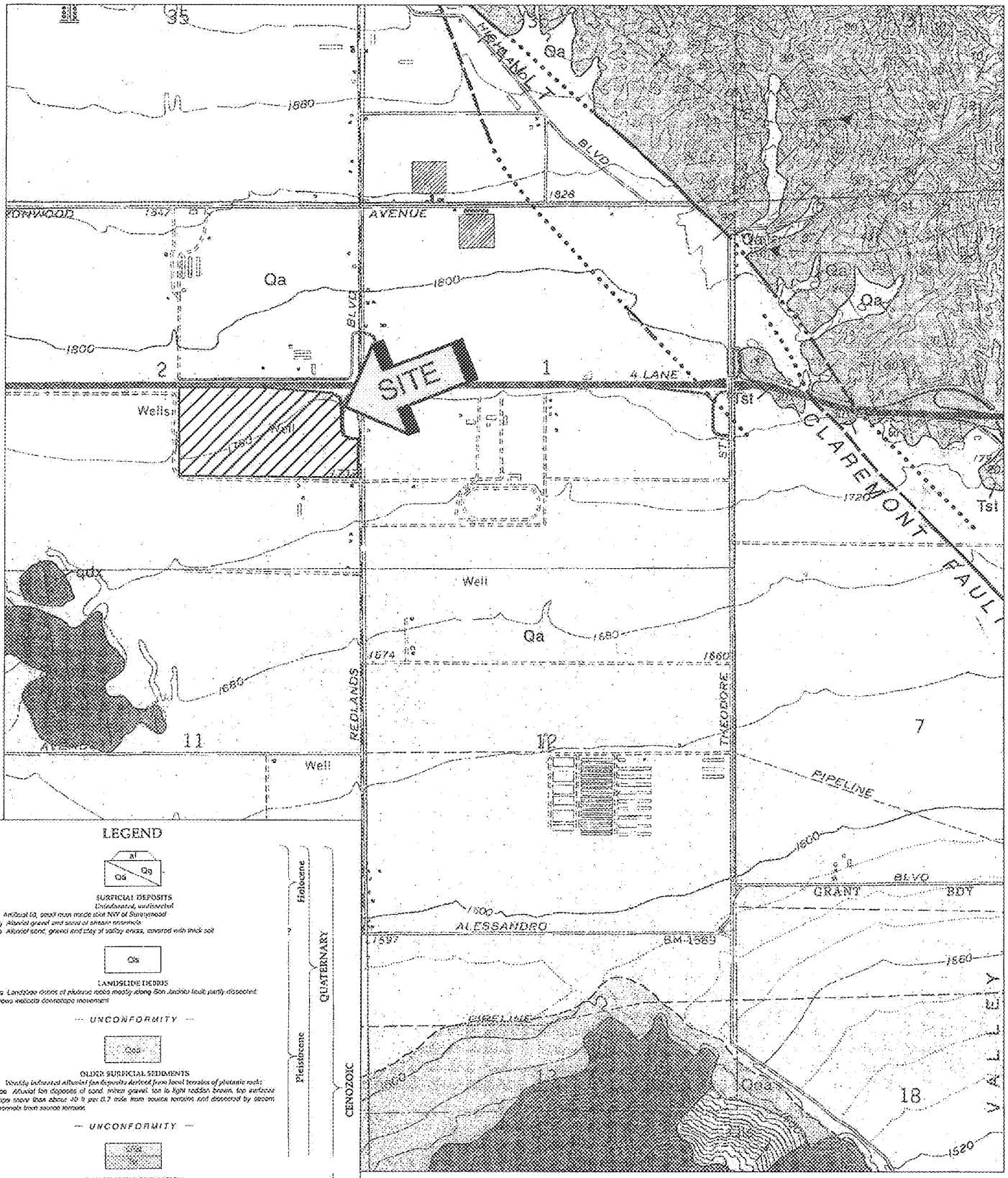

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made due NW of Sunnymead
Qg Alluvial gravel and sand of stream channels
Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:
Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Hills of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1951), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to be of Pliocene age (Morton and Matti, 2001)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Matti, 2001), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00124377

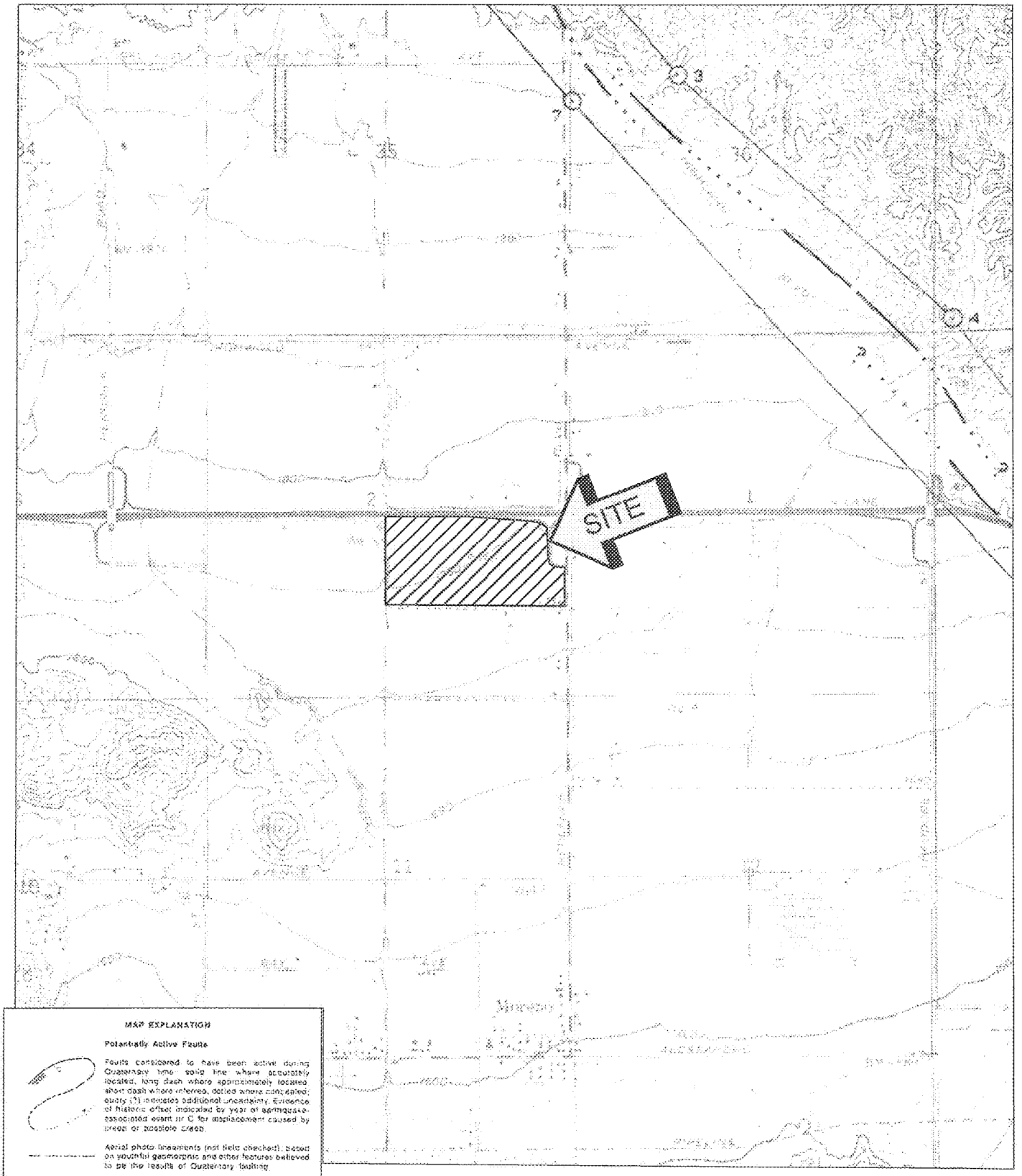

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00124378

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00124379

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead age

Item No. E.3

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

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[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

Board of Directors

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***): EMWD-2

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the***

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 6, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

Board of Directors

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General Manager
Anthony J. Pack

Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time.
More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet: www.emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> 4.5.3 *The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> 4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
2

truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
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> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

MA-11 cont'd.

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs".

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

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3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

RECEIVED
DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

GB-5

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason. GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR? GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault? GB-9

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east. GB-10

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 • Calimesa, California 92320 • Telephone (909) 446-0041 • Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

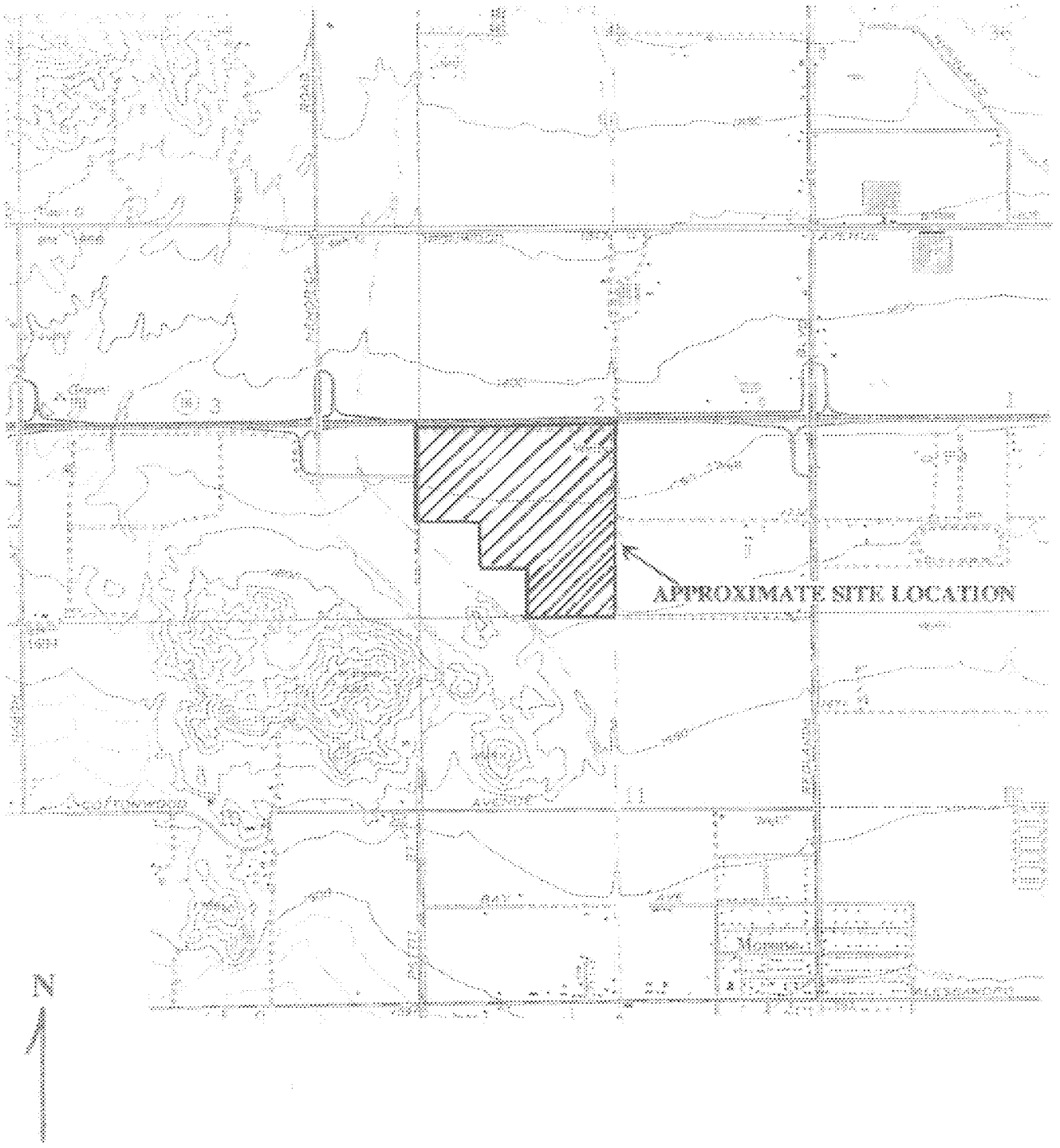

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 130± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

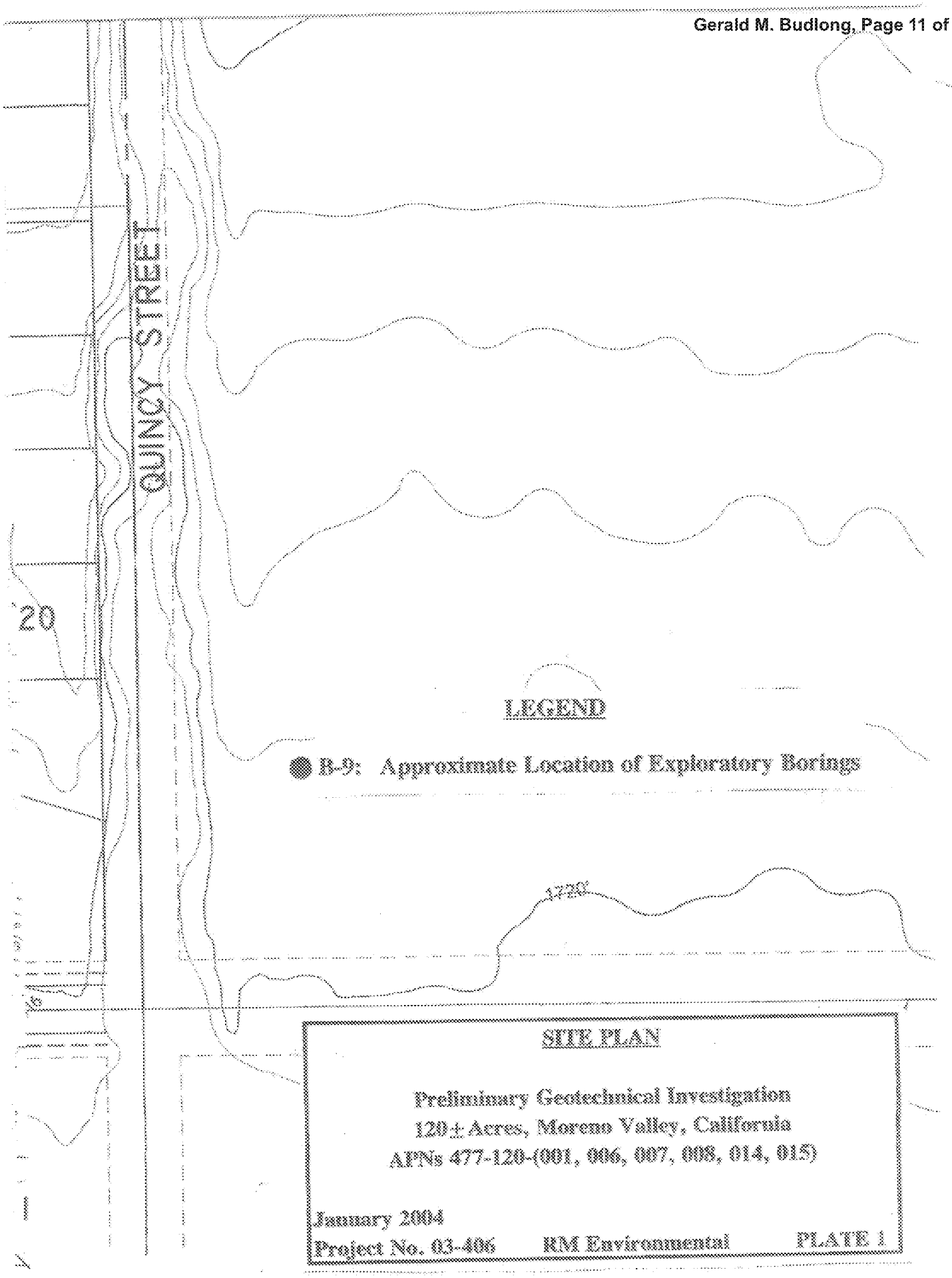

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

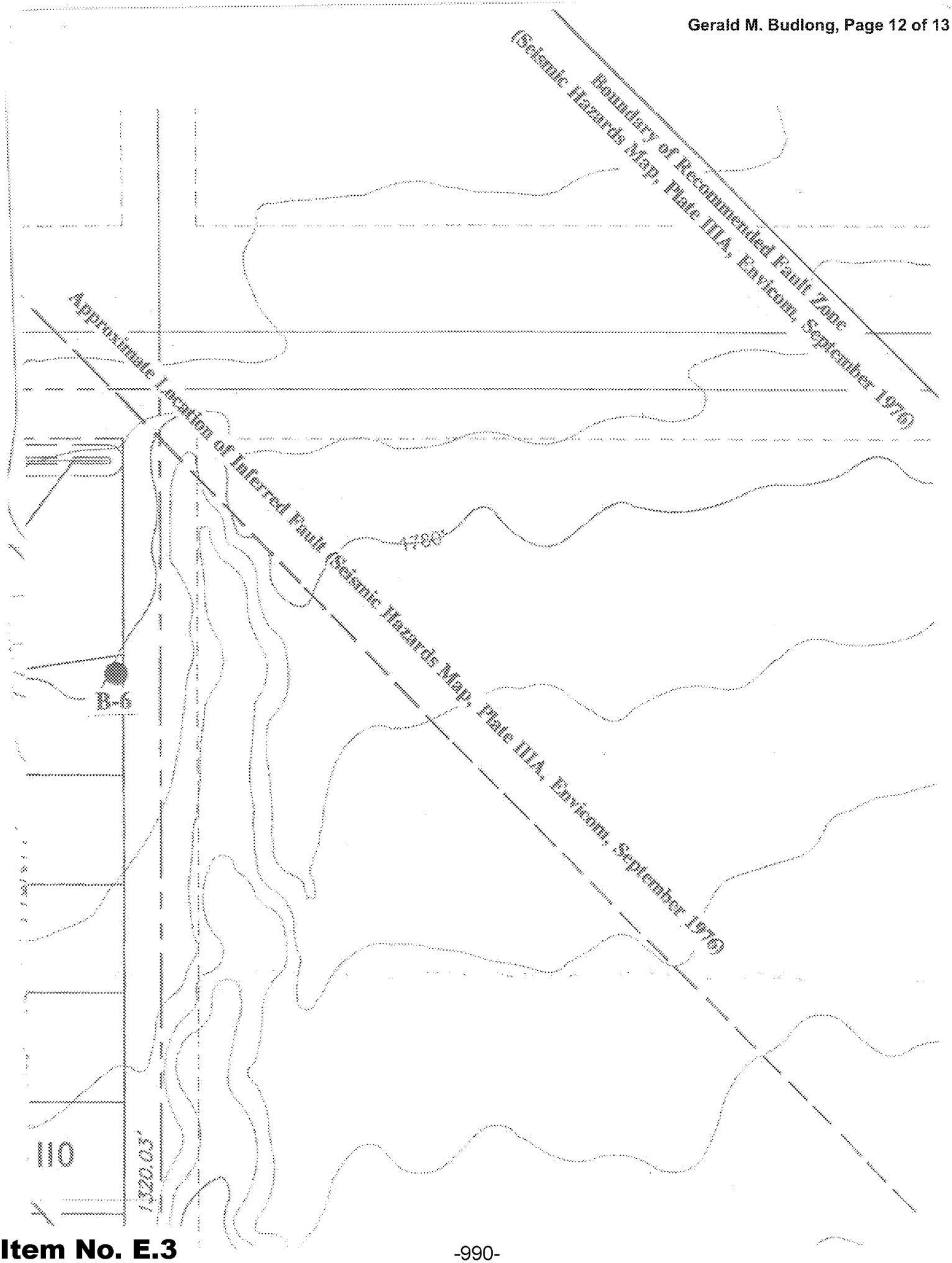
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
1780'
B-6
110
1320.03'

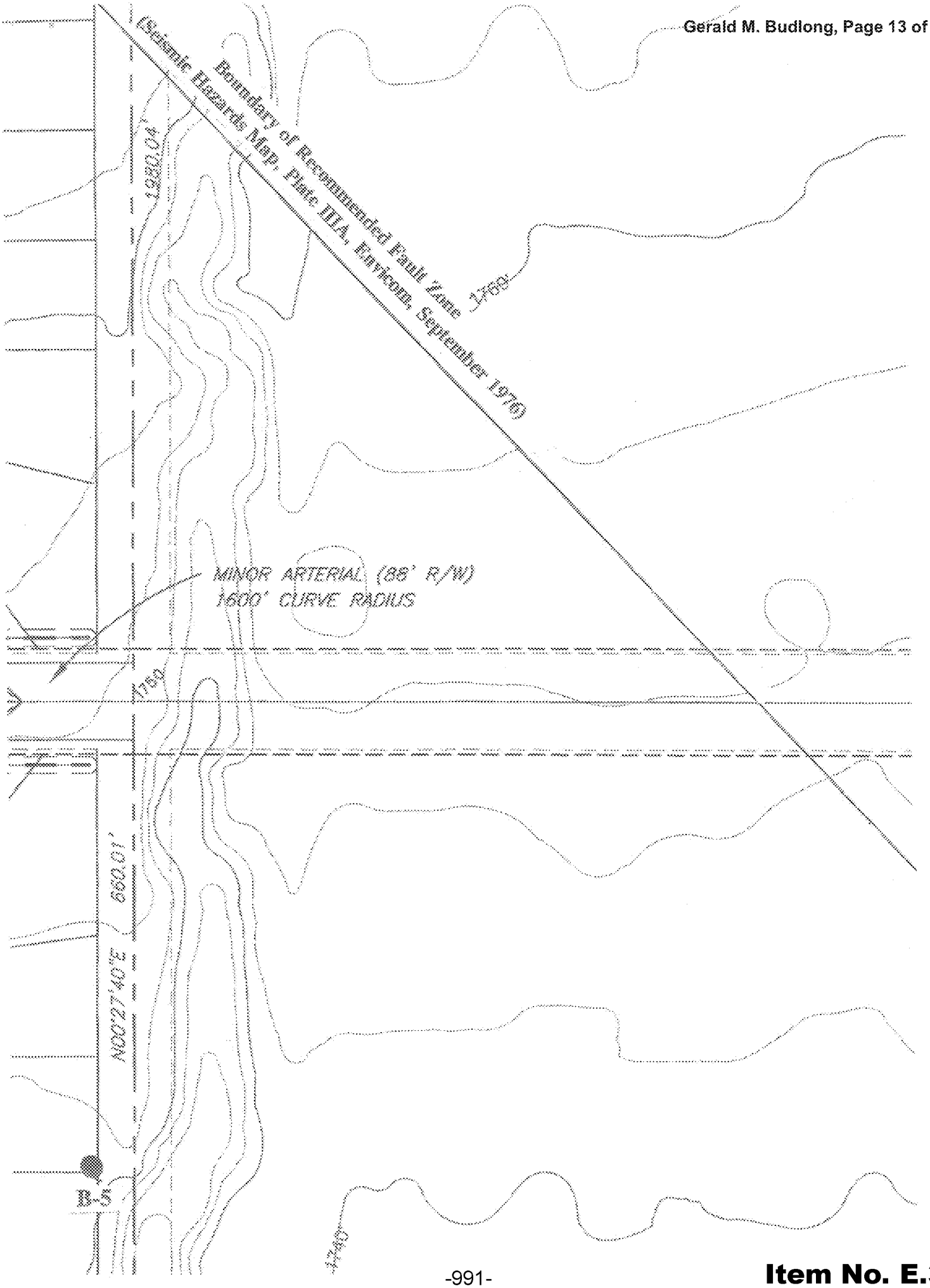
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harrison, September 1976
1920.04'
1769'
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

Item No. E.3

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

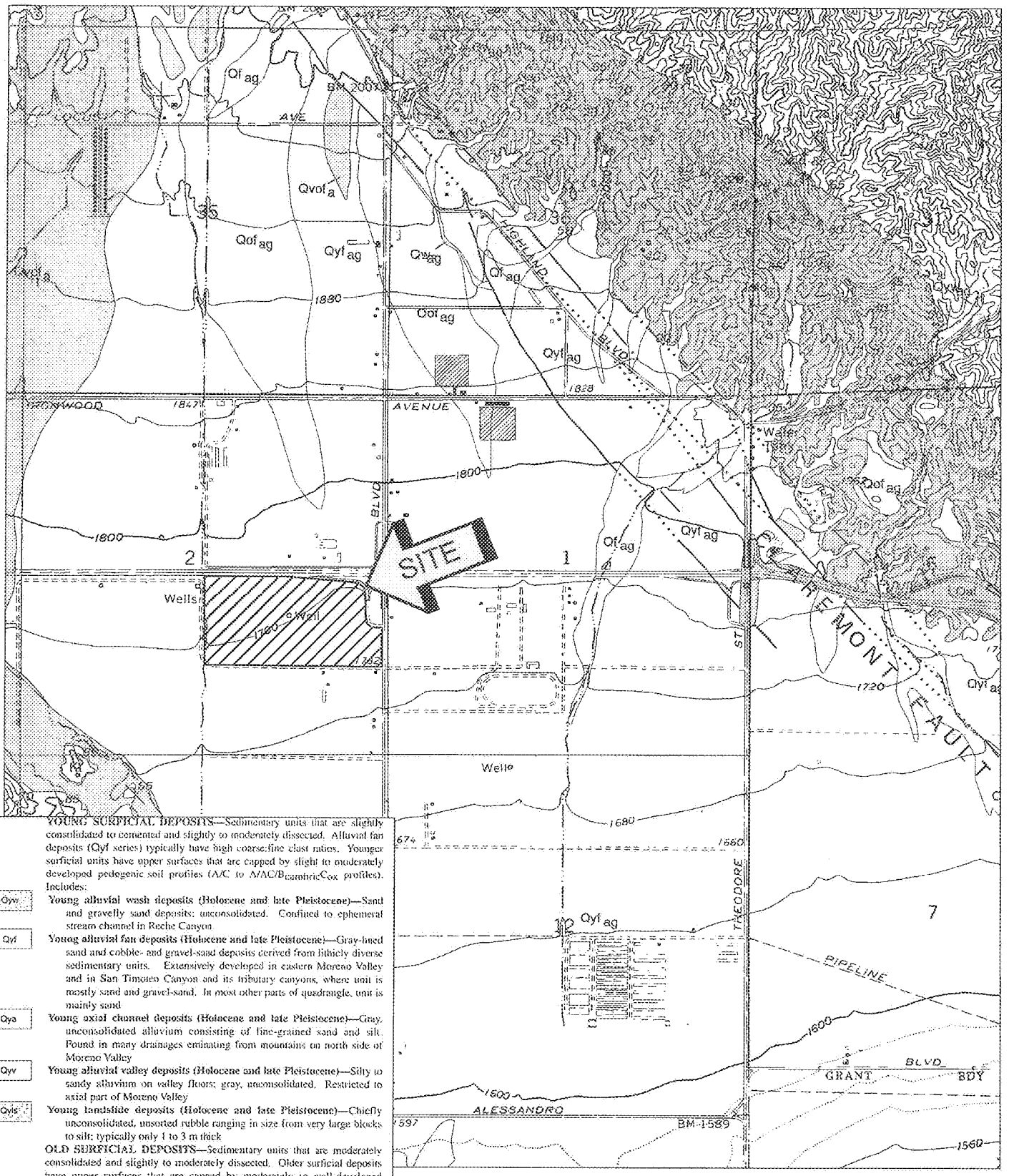

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to $A/AC/B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils ($A/AB/B/C_{ox}$ profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

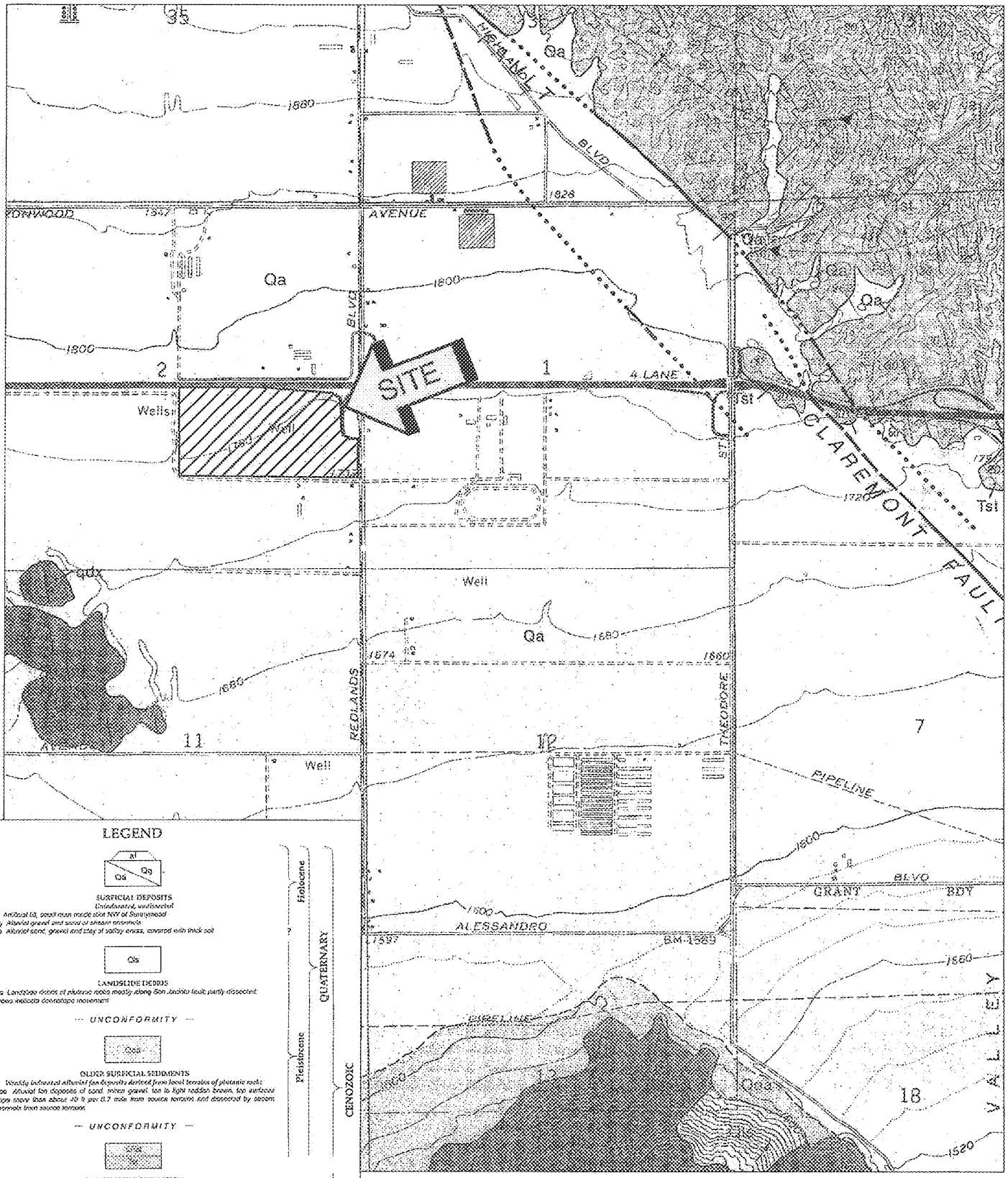

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made due NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terrains and dissected by stream channels from source terrains

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Hills of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1951), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Miall, 2004)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone, tentatively (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Miall, 2004), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00124459

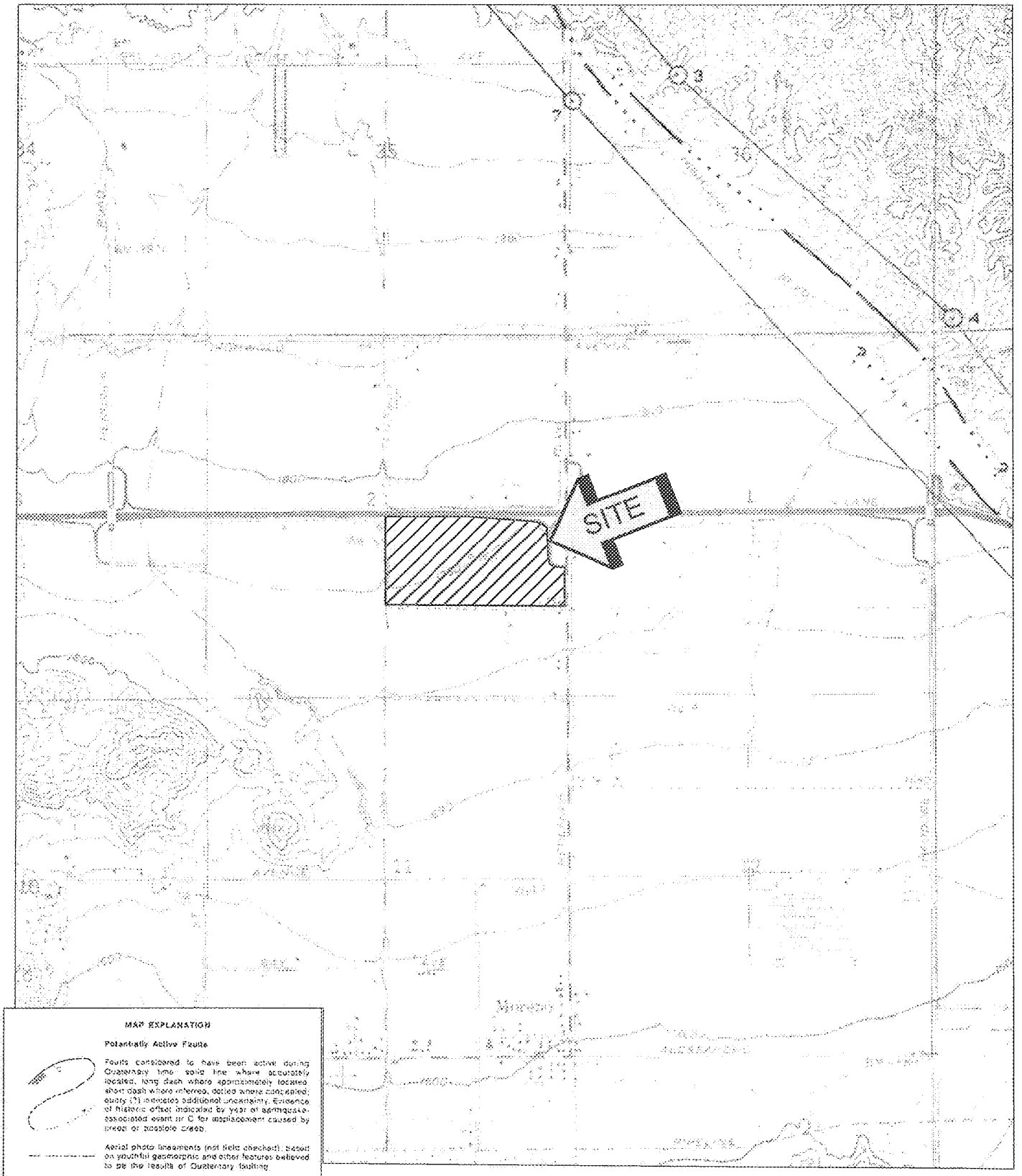

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'

DRAWN: DRK
CHKD: JAS

SCG PROJECT
09G285-2

PLATE 3

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/16/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

MV00124461

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

---

[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

Item No. E.3

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

<u>Response FNSJ-23</u>

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke. JS-14 (cont'd)
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts. JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document. JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is <u>not</u> the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

JS-54

(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

JS-55

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response JS-41

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> *4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

> **5.8 Direct impacts to wildlife**
>
> **5.8.1 Common Wildlife**
>
> The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

Common Wildlife Species

The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

Response JS-52

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

Response JS-53

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists [illegible] LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

<u>Response NDN-12</u>

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

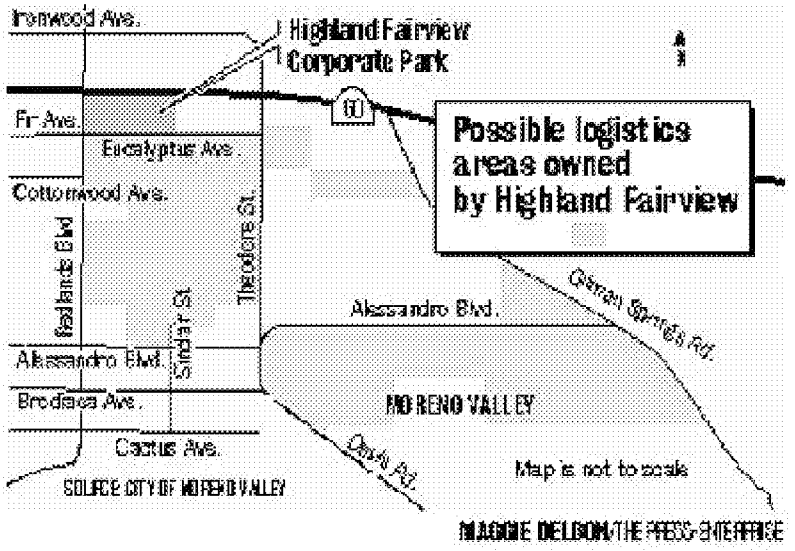

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools?

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

RLMV-2

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

RLMV-3

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- without factoring Moreno Highlands into the equation. SC-1

How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to show the impacted views from the 60 Freeway looking south across the project site to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

Recommendation: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

Building – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **mitigation measure reducing the height of the structure to preserve some of the scenic vistas should be imposed.** Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

Light and Glare – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: www.darksky.org lists lighting fixtures and methods to meet dark sky specifications. Add a Mitigation Measure (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

Screen Walls – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

Landscaping – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGehee Dr. Moreno Valley 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto Wildlife Area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

City of Moreno Valley
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*Name (Required): Richard Johnson Phone: 951-243-0804

*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

*Note: Your name and contact information will become part of the public record for this project.

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Item No. E.3

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area.

This report most include all the impacts of all 35 million sq ft in order to be of actual value to the community. DR-C-2

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.3

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
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*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.3

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

APPENDICES

Please refer to accompanying CD-ROM

Item No. E.3

MV00124729

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MV00124730

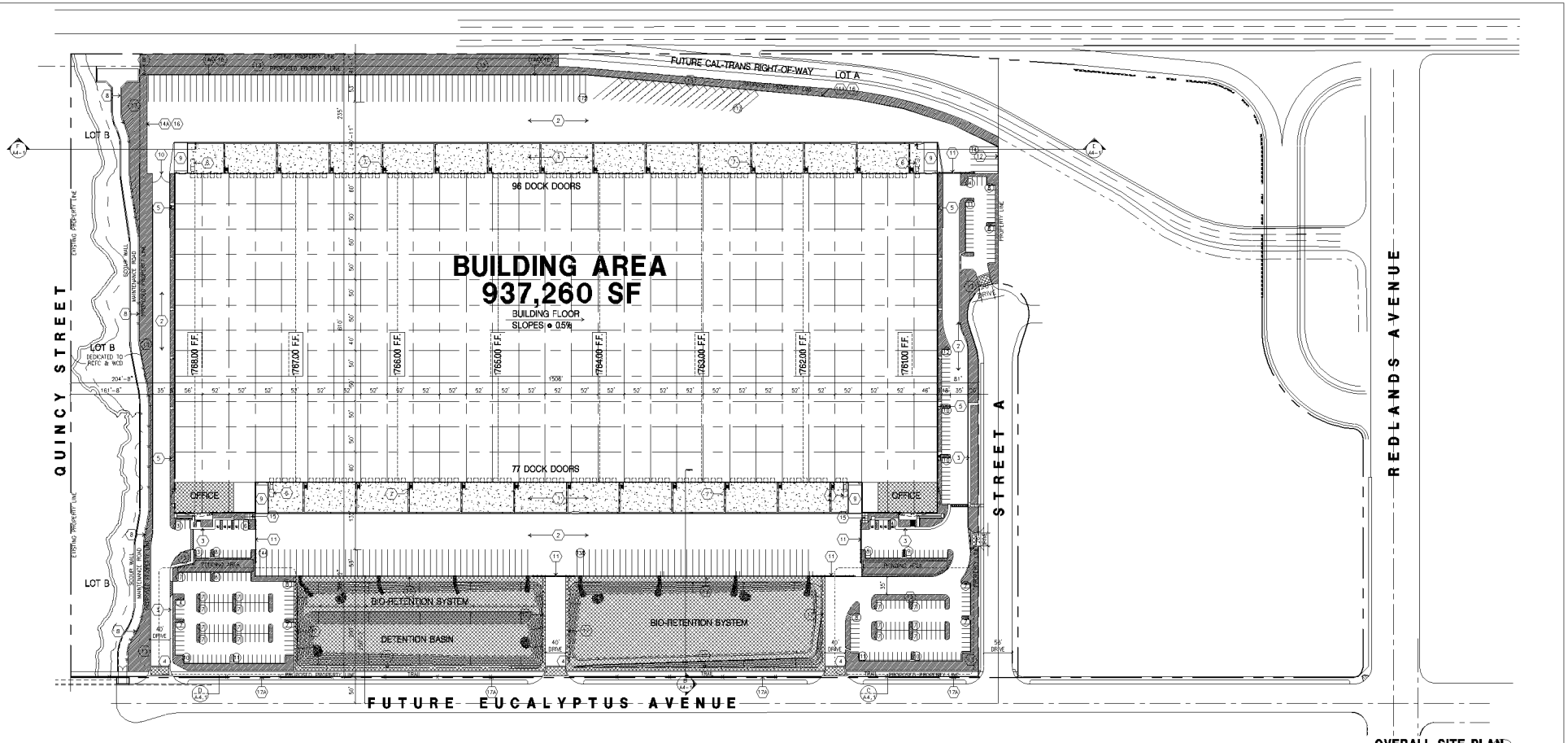

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

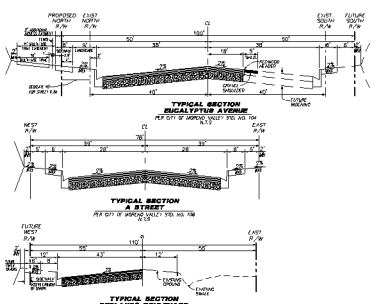

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.68
Net site area (in s.q.ft.)	2,269,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k@1/1,000 s.f.	20		
2nd. 20k@1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' WIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 6' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H. CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLAGIO, LLC
c/o PIERCE PROPERTY TRUST
301 CONVAL AVE. - STE. #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROE COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: GIL SWENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DRWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- P — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TINA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25500 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DAUENHAUER

VICINITY MAP

N.T.S.

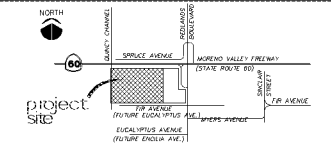

WestRidge

Commerce Center

MORENO VALLEY, CALIFORNIA

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612

PIERCE PROPERTY TRUST
EXCEPTIONAL RESULTS ...WITHOUT EXCEPTION

HPA# 6342

NOVEMBER 5, 2010

A1.1

(949) 863-1770

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

ATTACHMENT 11

MV00124731

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MV00124732

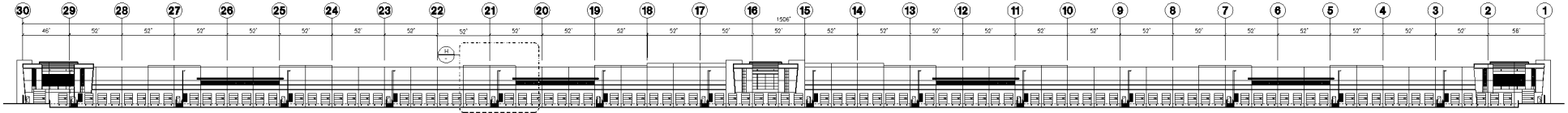

NORTH ELEVATION (A)
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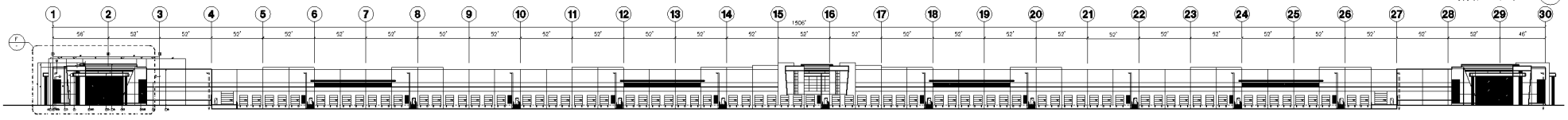

SOUTH ELEVATION (B)
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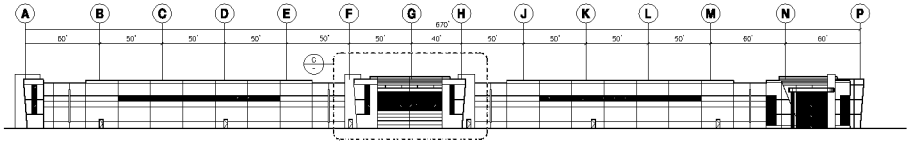

WEST ELEVATION (D)
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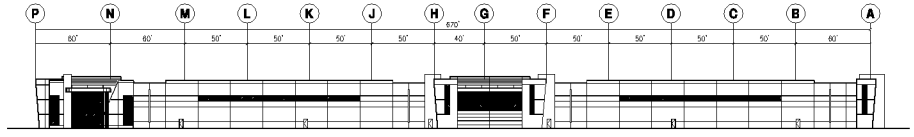

EAST ELEVATION (C)
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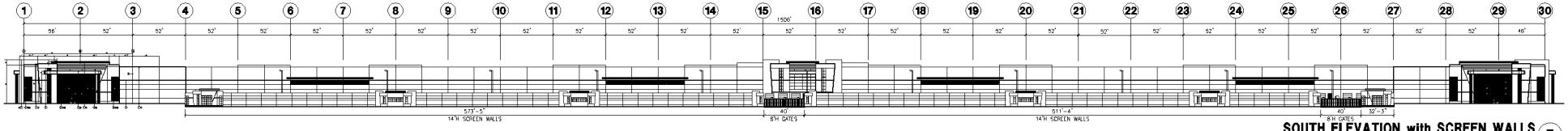

SOUTH ELEVATION with SCREEN WALLS (E)
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SCALE: 1"=40'
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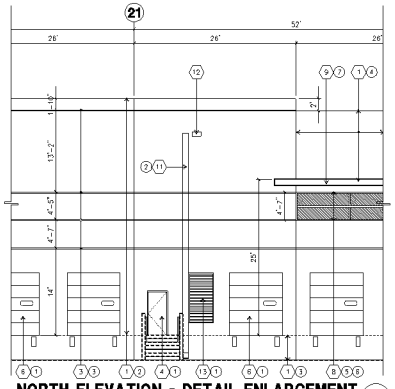

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
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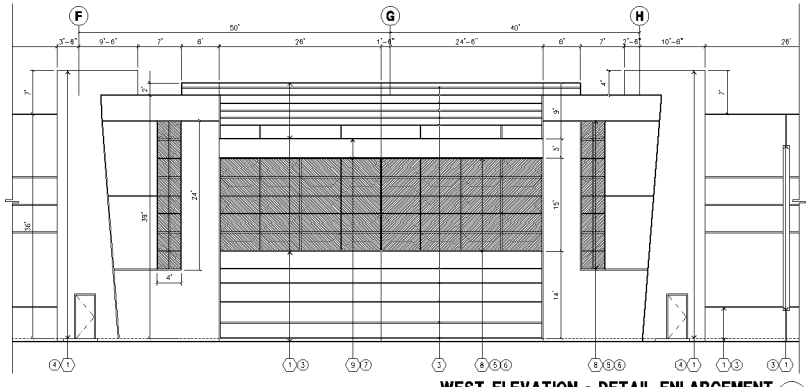

WEST ELEVATION - DETAIL ENLARGEMENT (G)
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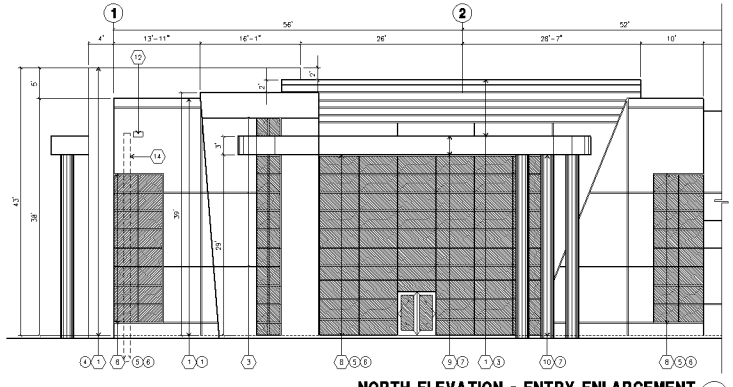

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173W EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566A DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

A3.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 12

MV00124733

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MV00124734

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

MV00124735

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MV00124736

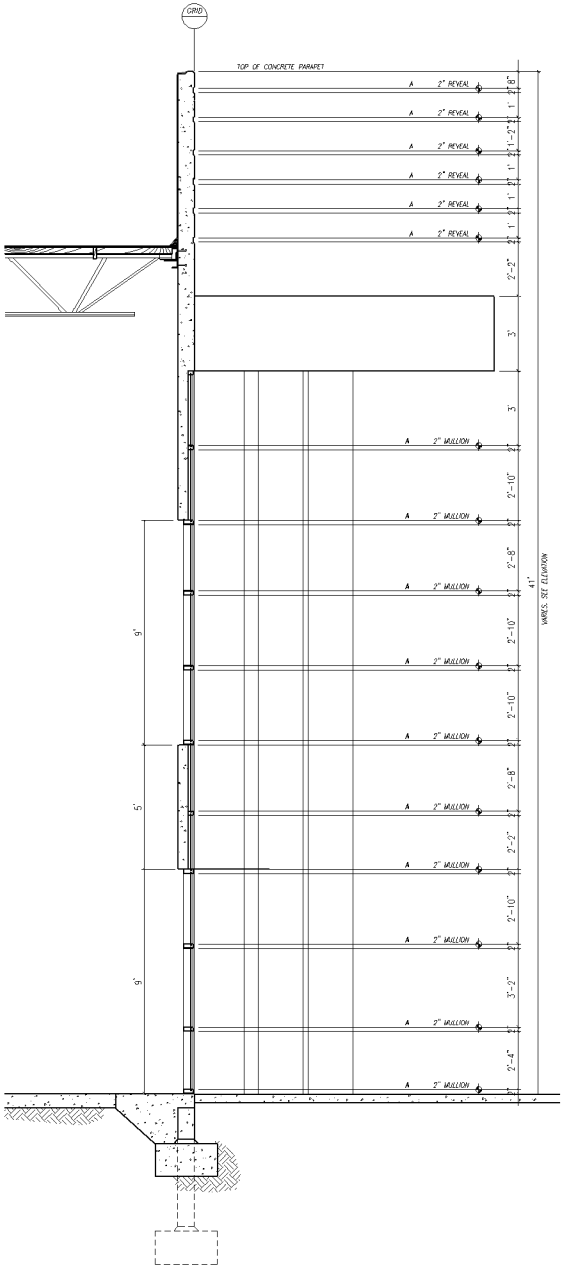

BUILDING SECTION @ OFFICE AREA (A)
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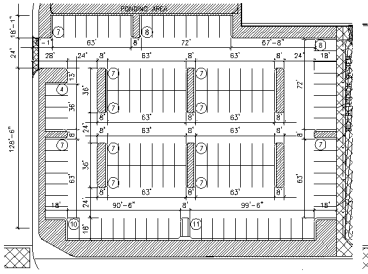

ENLARGED SITE PLAN @ SOUTHWEST (D)
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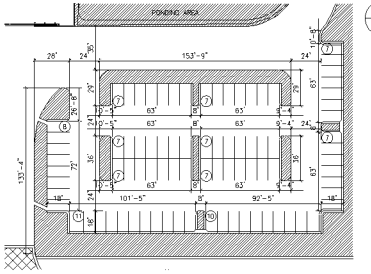

ENLARGED SITE PLAN @ SOUTHEAST (C)
scale: 1" = 40'-0"

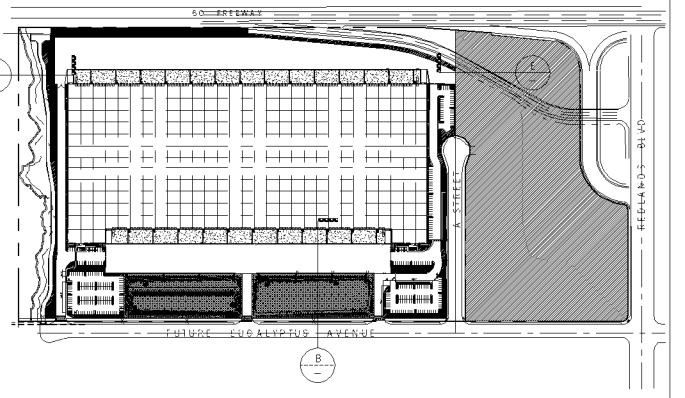

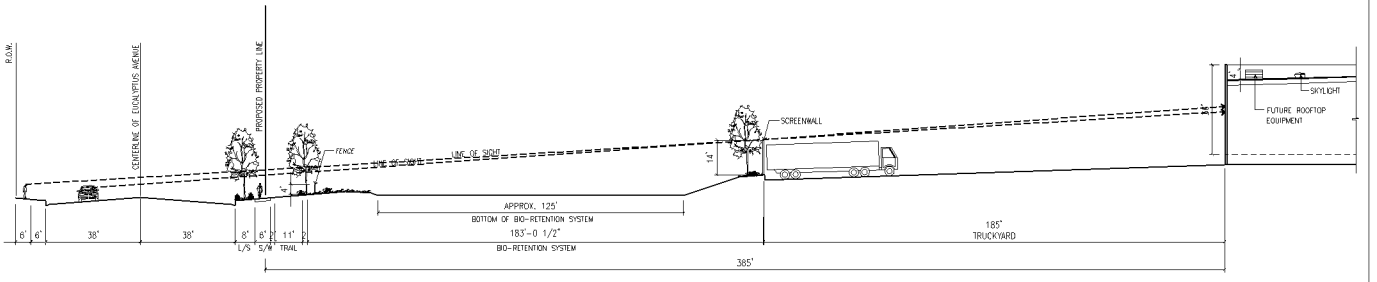

LINE OF SIGHT (B)
scale: 1" = 20'-0"

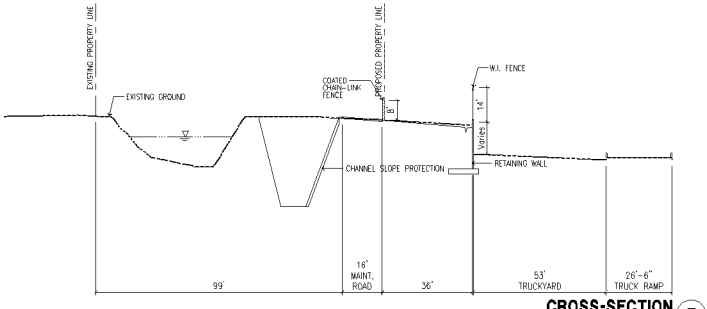

CROSS-SECTION (F)
scale: 1" = 20'-0"

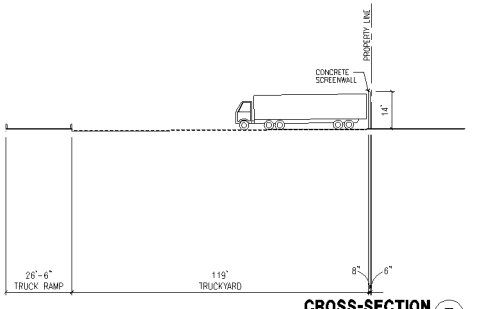

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A4.1

ATTACHMENT 14

MV00124737

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MV00124738

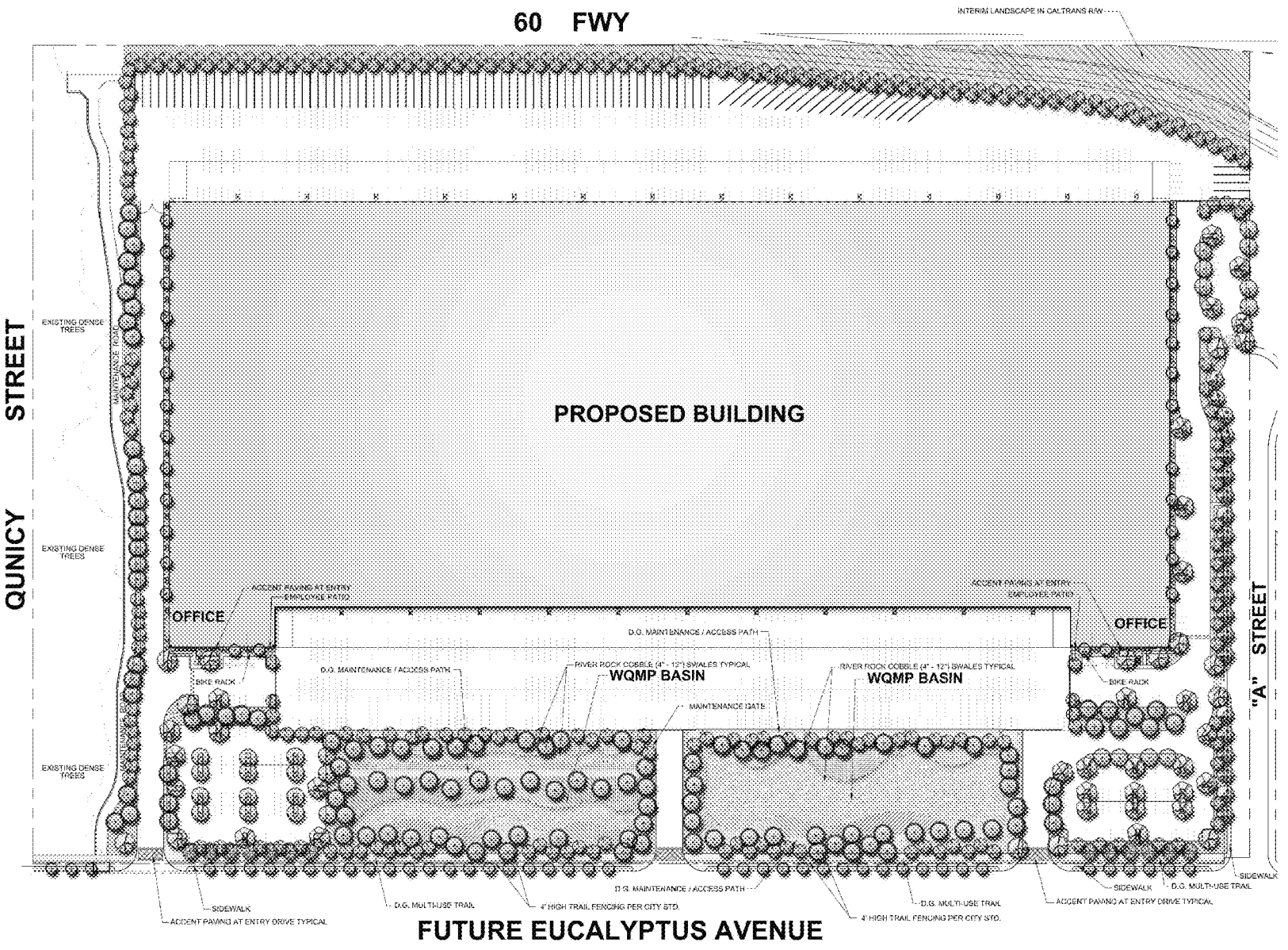

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus suber (Cork Oak)	15 GAL 24" BOX	30 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (Crimean Linden)	48" BOX	16
	Ulmus americana (Liberty elm) Pyrus calleryana (Bradford Pear)	15 GAL 24" BOX	150 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Shade Street Tree)	24" BOX	13
	Pistacia chinensis (Chinese Pistache)	15 GAL	152
	Pistacia chinensis 'Keith Davey' (Chinese Pistache) (Shade Street Tree)	24" BOX	21
	Quercus agrifolia (Coast Live Oak)	24" BOX	24
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 5' OF HARDSCAPE SHALL BE 24" X 2' (MINIMUM) ROOT BARRIER 24" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Abelia grandiflora 'full Scarlet' (ACR)	5 gallon	30" o.c. spacing
Acacia cf. (Shrub Type Acacia)	5 gallon	6' o.c. spacing
Adenanthos sericeus (Woolly Bush)	5 gallon	72" o.c. (5' o.c.) spacing
Agave americana (Century Plant)	5 & 15 gallon	6' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Anigozanthos flavidus 'Bush Gem' (Kangaroo Paw)	5 gallon	3' o.c. spacing
Arbutus unedo (Strawberry Tree)	5 gallon	6' o.c. spacing
Calocephalus (Cassinia) (Bush Cassinia)	5 gallon	3' o.c. spacing
Carpenteria californica 'Bodacious'	5 gallon	3' o.c. spacing
Ceanothus cuneatus (Buckbrush)	5 gallon	4' o.c. spacing
Cistus Species (Rock rose)	5 gallon	4' o.c. spacing
Cotoneaster Species (Cotoneaster)	5 gallon	3' o.c. spacing
Dianella caerulea (Flax Lily)	5 gallon	3' o.c. spacing
Dianella revoluta 'Little Rev' (Little Rev Flax Lily)	5 gallon	2'-6" o.c. spacing
Elaeagnus pungens (Silverberry)	5 gallon	4' o.c. spacing
Fremontodendron (Flannelbush)	5 gallon	4' o.c. spacing
Grevillea Species (Grevillea)	5 gallon	3' o.c. spacing
Heteromeles arbutifolia (Red Berry)	5 & 15 gallon	6' o.c. minimum
Juniperus species (Juniper)	1 and 5 gallon	varies
Leucadendron (Leucadendron)	1 and 5 gallon	24" o.c. to 48" o.c. spacing
Leucospermum cordifolium 'Pincushion'	5 gallon	4' o.c. spacing
Leucospermum tottonianum 'Green Dwarf' (Tree Pin Cushion)	5 gallon	4' o.c. spacing
Ligustrum lucidum (Wax Leaf Privet)	5 gallon	30" o.c. spacing
Macadamia integrifolia and tetraphylla (Macadamia Nut)	5 gallon	24" o.c. spacing
Mahonia aquifolium (ACR)	5 gallon	30" o.c. spacing
Muhlenbergia capillaris (Pink Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis (Species Tree Myrtle)	5 gallon	36" o.c. spacing
Nandina domestica (Heavenly Bamboo)	5 gallon	24"-36" o.c. spacing
Pittosporum tobira (Tree Tobira)	5 gallon	4'-6' o.c. spacing
Prunus species (Species)	5 gallon	4'-6' o.c. spacing
Rhamnus californica (Coffeeberry)	5 gallon	4'-6' o.c. spacing
Rhamnus ilicifolia (Coffeeberry)	5 gallon	4'-6' o.c. spacing
Rosa rubiginosa (Sweet Briar)	5 gallon	varies
Rosmarinus officinalis (Rosemary)	1 & 5 gallon	30" o.c. to 48" o.c. spacing
Salvia clevelandii (Cleveland Sage)	5 gallon	5' o.c. spacing
Salvia greggii 'Purpurea' (Cherry Sage)	5 gallon	4'-6' o.c. spacing
Salvia mellifera (Black Sage)	5 gallon	4'-6' o.c. spacing
Salvia mellifera 'Terra Seca' (Terra Seca Black Sage)	5 gallon	4'-6' o.c. spacing
Salvia spathacea (Hummingbird Sage)	5 gallon	4'-6' o.c. spacing
Salvia uliginosa (Bog Sage)	5 gallon	4'-6' o.c. spacing
Sambucus species (Elderberry)	5 gallon	4'-6' o.c. spacing
Sarcococca species (Sweet Box)	5 gallon	30" o.c. spacing
Teucrium fruticans (Bush Germander)	5 gallon	4'-6' o.c. spacing
Teucrium chamaedrys 'Prostratum' (Prostrate Germander)	5 gallon	4'-6' o.c. spacing
Viburnum species (Viburnum)	5 gallon	4'-6' o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (ACR)	1 and 5 gallon	48" o.c. spacing, min.
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing, min.
Carex divulsa (Berkeley Sedge)	1 gallon	42" o.c. spacing, min.
Cotoneaster dammeri (Bearberry Cotoneaster)	1 gallon	24" o.c. spacing, min.
Delosperma species (Ice Plant)	1 gallon	24" o.c. spacing
Drosanthemum species (Iceplant)	1 gallon	30" o.c. spacing
Lonicera japonica 'Halliana' (Hall's Honeysuckle)	1 gallon / 1 gallon	18" o.c. spacing
Muehlenbeckia complexa (Wire Vine)	1 gallon	24"-42" o.c. spacing
Myoporum species (Myoporum)	1 gallon	48" o.c. spacing
Rosmarinus officinalis prostratus (Rosemary)	1 gallon	30" o.c. spacing
Trachelospermum jasminoides (Star Jasmine)	From and 1 gallon	18" o.c. spacing

INTERIM LANDSCAPE WITHIN CALTRANS R/W - PLANT 1 GAL., ACHIEVE RESOLVE TO 2 O.C. WITH 3" INNER LAYER OFFICE DEVELOPER TO MAINTAIN SO AS IRRIGATED WITH OFF-HIGHWAY

SIDEWALK VIEW - AVAILABLE NON-SAMPLE PURCHASE SPACING, ETC.

0.25 AVG	ACHNATHERUM LENE
0.50 AVG	MUHLENBERGIA RIGENS
0.75 AVG	MUHLENBERGIA RIGENS
0.50 AVG	MUHLENBERGIA RIGENS
0.50 AVG	MUHLENBERGIA RIGENS
0.50 AVG	MUHLENBERGIA RIGENS
0.50 AVG	MUHLENBERGIA RIGENS
0.75 AVG	MUHLENBERGIA RIGENS

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Ficus pumila (Creeping fig)	1 gallon	12" o.c. spacing
	Bougainvillea species (Bougainvillea)	1 gallon	12" o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Dendrocalamus latiflorus (Giant Timber Bamboo)	5 gallon	6' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTING AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM NATIONAL CITY, (619) 470-0266

Environsul

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

MV00124739

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MV00124740

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INCLUSIVE, BLOCK 35, OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT–ZOLLARS

NOVEMBER, 2010

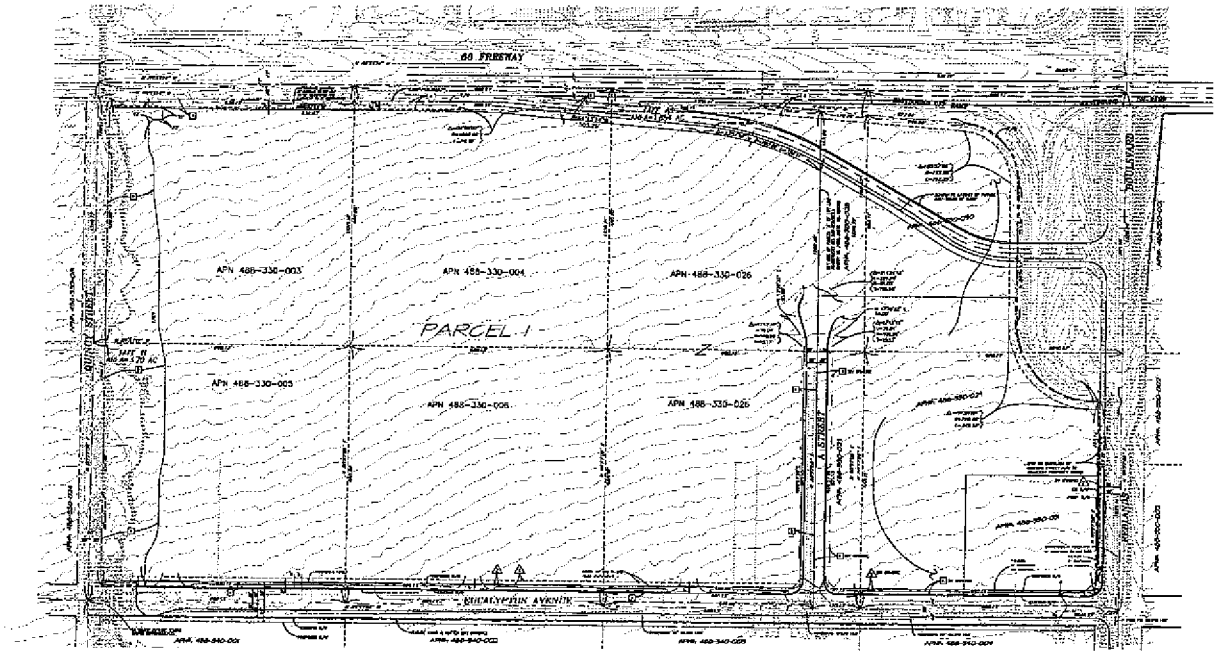

TYPICAL SECTION
EUCALYPTUS AVENUE

TYPICAL SECTION
A STREET

TYPICAL SECTION
BRIGHTON ROAD

EASEMENT NOTES

(A) EASEMENT(S) FOR THE PURPOSES SHOWN BELOW AND HEREIN INCLUDED, SHALL BE GRANTED AS SHOWN ON A RECORD MAP.

GRANTED TO:	EASTERN MUNICIPAL WATER DISTRICT
PURPOSE:	PUBLIC PIPELINES AND FACILITIES PURPOSES
RECORDING NO:	RECORDED ON FINAL MAP NUMBER 36207, APRIL 2009, BOOK 405, PAGE 1 THRU 10, OF OFFICIAL RECORDS

PROPOSED EASEMENT

(1) 10' EASEMENT FOR WALK-ON USE FROM THE CITY OF MORENO VALLEY.

(2) 5' EASEMENT FOR THE PURPOSE OF DISTRIBUTION AND NODE OF THE GAS TO THE CITY OF MORENO VALLEY.

PROPOSED DEDICATION

(A) 30'(AS-BUILT) INCLUSIVE SIDEWALK STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

(B) DEDICATE 30' STREET PLUS-U-WAY TO THE CITY OF MORENO VALLEY.

(C) LOT A, DEDICATE 10' FEET TO THE CITY OF MORENO VALLEY FOR FUTURE CALTRANS R/W.

(D) LOT A, DEDICATE 10' FEET TO THE CITY OF MORENO VALLEY FOR SLOPE CHANGE R/W (FOR EUCALYPTUS EXTENSION).

LINE DATA:		
LINE	BEARING	DISTANCE
L1	N 89°00'00" E	10.00'
L2	N 89°00'00" E	10.00'
L3	N 89°00'00" E	10.00'
L4	N 89°00'00" E	10.00'
L5	N 89°00'00" E	10.00'
L6	N 89°00'00" E	10.00'
L7	N 89°00'00" E	10.00'
L8	N 89°00'00" E	10.00'
L9	N 89°00'00" E	10.00'
L10	N 89°00'00" E	10.00'
L11	N 89°00'00" E	10.00'

PARCEL SUMMARY TABLE	
PARCEL 1	1.00 ACRES
PARCEL 2	1.00 ACRES
PARCEL 3	1.00 ACRES

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)

1" = 100'

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: INDUSTRIAL, AND IS FAMILY TO THE EAST; AGRICULTURE TO THE SOUTH, WITHIN THE MORENO AND TEMECULA, TO THE WEST
3. AVERAGE LOT SIZE: 1 ACRE
4. EXISTING ZONING: IP1 PROPOSED ZONING: IP1
5. FLOOD ZONE: X, PANEL NO. 06065C0729G DATED AUGUST 28, 2008
6. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
7. PROPOSED WATER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
8. PROPOSED SEWER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
9. ALL UTILITIES SHALL BE UNDERGROUND:
   GAS: SOUTHERN CALIFORNIA GAS COMPANY
   ELECTRIC: CITY OF MORENO VALLEY ELECTRICAL UTILITY
   TELEPHONE: VERIZON TELEPHONE COMPANY
10. ALL SIGNS SHALL BE CONSTRUCTED AT A MINIMUM SIZE OF 24" UNLESS OTHERWISE PERMITTED
11. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS.
12. ASPHALT TEMPORARY PROVIDED BY: DIGITAL MAPPING INC.
13. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
14. AREA=30.444 ACS

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELACO, LLC
[illegible]
[illegible]
PH: [illegible]
FAX: [illegible]
CONTACT: [illegible]

PREPARED IN THE OFFICE OF
HUITT–ZOLLARS, INC.
[illegible]
[illegible]
PHONE: [illegible]

UTILITY PROVIDERS

WATER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]
[illegible]

GAS
SOUTHERN CALIFORNIA GAS COMPANY
[illegible]
[illegible]

TELEPHONE
VERIZON
[illegible]
[illegible]

SEWER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]
[illegible]

ELECTRICAL
MORENO VALLEY UTILITIES
[illegible]
[illegible]

CABLE – TV
MEDIACOM COMMUNICATIONS
[illegible]
[illegible]

[illegible]

LAND USE

AREA: [illegible] GROSS ACRES

CONTOURS

[illegible]

LEGEND / ABBREVIATIONS

W	PROPOSED WATER LINE
W	PROPOSED FIRE WATER LINE
W	PROPOSED DOMESTIC WATER LINE
S	PROPOSED SEWER LINE
D	PROPOSED STORM DRAIN
G	EXISTING GAS LINE
W	EXISTING WATER LINE
S	EXISTING SEWER LINE
D	EXISTING STORM DRAIN
	STORM DRAIN INLET
	CATCH BASIN
	BASIS OF BEARINGS BOUNDARY
	EXISTING RIGHT OF WAY/SITE BOUNDARY
	EXISTING SIDE LINE
	LOT LINE
	FIRE HYDRANT

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW HAVE BEEN CONTRACTED FROM A PRELIMINARY TITLE REPORT PREPARED BY [illegible] THE COMPANY DATED [illegible] AND [illegible] THE [illegible] OF [illegible] THE [illegible] OF [illegible] IN BOOK [illegible] PAGE [illegible] OF OFFICIAL RECORDS OF SAID COUNTY.

PARCEL 1:

LOT 2, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NEVERTHELESS THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 368 OF OFFICIAL RECORDS.

PARCEL 2:

LOT 3, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THE WEST 30 FEET THEREOF, AND EXCEPTING THE SOUTH 30 FEET, LYING SOUTHERLY AND WESTERLY OF THE CENTER LINE OF THE EUCALYPTUS AVENUE, AS SHOWN ON MAP NO. 36207, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NEVERTHELESS THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 368 OF OFFICIAL RECORDS.

PARCEL 3:

LOT 4, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THE WEST 30 FEET THEREOF, AND EXCEPTING THE SOUTH 30 FEET, LYING SOUTHERLY AND WESTERLY OF THE CENTER LINE OF THE EUCALYPTUS AVENUE, AS SHOWN ON MAP NO. 36207, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NEVERTHELESS THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 368 OF OFFICIAL RECORDS.

PARCEL 4:

LOT 5, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THE WEST 30 FEET THEREOF, AND EXCEPTING THE SOUTH 30 FEET, LYING SOUTHERLY AND WESTERLY OF THE CENTER LINE OF THE EUCALYPTUS AVENUE, AS SHOWN ON MAP NO. 36207, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 5:

LOT 6, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THE WEST 30 FEET THEREOF, AND EXCEPTING THE SOUTH 30 FEET, LYING SOUTHERLY AND WESTERLY OF THE CENTER LINE OF THE EUCALYPTUS AVENUE, AS SHOWN ON MAP NO. 36207, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NEVERTHELESS THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 368 OF OFFICIAL RECORDS.

PARCEL 6:

A PORTION OF LOTS 2 AND 7 BLOCK 35 OF MAP NO. 7 REAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THE WEST 30 FEET THEREOF, AND EXCEPTING THE SOUTH 30 FEET, LYING SOUTHERLY AND WESTERLY OF THE CENTER LINE OF THE EUCALYPTUS AVENUE, AS SHOWN ON MAP NO. 36207, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 2, 30 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, 30 FEET; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 2, 30 FEET; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 2, 30 FEET TO THE POINT OF BEGINNING.

CITY CASE NO. PA09-0022

HUITT–ZOLLARS

HUITT–ZOLLARS, INC.

[illegible]

DESIGNED BY: R.G.S.	SHEET 1 OF 1
DRAWN BY: T.T. SUN	DATE: [illegible]
CHECKED BY: R.G.S.	JOB NO. [illegible]

ATTACHMENT 16

Item No. E.3

MV00124741

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MV00124742

West Ridge Commece Center Project

Legend

- Highways
- Parcels
- Roads
- March Installation Area
- Waterbodies
- Sphere of Influence
- Ortho Photography

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside

Powered By GeoSmart.net

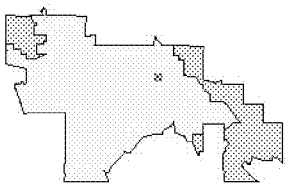

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

N

0 300 600 1200ft

Printed 1:52:36 AM

Item No. E.3

MV00124743

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MV00124744

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  - ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. AQMD-5 cont'd.

  - ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

  Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

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MV00124764

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

Item No. E.3

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

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MV00124770

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-325-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

Item No. E.3

MV00124775

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 154912 3⑈

Item No. E.3

MV00124777

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MV00124778

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer. ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

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MV00124784

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

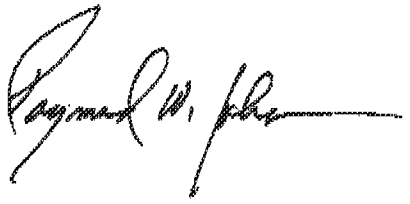

Raymond W. Johnson
JOHNSON & SEDLACK

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MV00124796

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

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MV00124802

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. **Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)**

b. **Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)**

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MV00124804

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

TITLE: RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS

RECOMMENDED ACTION

1. Staff recommends that the City Council adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the council districts from which members of the City Council are elected.

BACKGROUND/DISCUSSION

The California Elections Code provides that following each decennial federal census, the council shall by ordinance or resolution, adjust the boundaries of any or all of the council districts of the city so that the districts shall be as nearly equal in population as may be and shall comply with the applicable provisions of Section 1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, continuity, integrity and compactness of territory, and (d) community of interests within the districts. The timeline of adjustment of the boundaries shall be before the first day of November of the year following the year in which each decennial federal census is taken.

An initial step in undertaking the revision of district boundaries is to establish criteria which will be used to guide the redistricting process. The concepts reflected in the proposed criteria were presented by Alan Heslop, Founder of National Demographics Corporation (NDC), at the July 26, 2011 Special Meeting. National Demographics Corporation nationally recognized as a leader in the districting field has been contracted

by the City to conduct the required redistricting process. The timeline is provided accordingly.

Scheduled Timeline:

July – August 10
Creation of Public Participation Paper Kits

July – August 10
Creation of an On-line Redistricting Application for public use and submission of plans

August 23
Regular City Council Meeting - Adoption of Criteria

September 1
Creation and on-line interactive posting of 2 or 3 draft plans for citizens' review

September 12th and 15th
Citizens' Community Meetings in two areas of the city: one at the east end and one at the west end (citizen participation)

September 27
City Council Public Hearing - Review of suggested final map from citizens' input

October 11
City Council Public Hearing and Final Adoption of Resolution

ALTERNATIVES

There are no alternatives as redistricting is required in order to comply with applicable state law.

FISCAL IMPACT

National Demographics Corporation submitted a proposal for $27,500, not to exceed $45,000. Basic Elements include: development of redistricting database including U.S. Census and California Statewide Database data; incorporation of GIS data that the City wishes to include and provides; development of 2 or 3 "Consultant Plans" for Council consideration; analysis and preparation for Council consideration of all whole or partial-plans submitted by the public; any relatively minor corrections requested to a Council preferred Draft plan; and work with the Riverside County Registrar of Voters office to implement the final adopted plan.

The Optional Elements are additional cost items that can only be implemented by written approval from the City. The Optional Elements include: In-person Council and/or

public meetings*; Citizens' Community Meetings*; (consultant suggests a minimum of two meetings at $2,000 per meeting; if Council desires more citizens' community meetings, please provide staff direction); development of each new plan from scratch or nearly from scratch, beyond the 2 or 3 "Consultant Plans" in the basic package; creation of a "Public Participation Kit" in paper/Acrobat PDF-only and paper-plus-Excel formats*; on-line redistricting application for the public to use to design and submit redistricting plans for NDC review and Council consideration*; and translation of any project materials in Spanish*.

This expenditure has been included in the City Clerk's budget for FY 2011/12.

* Denotes Optional Elements that have been or will be implemented

NOTIFICATION

Publication of the agenda.

ATTACHMENTS/EXHIBITS

1. Proposed Resolution
2. Proposed City of Moreno Valley Criteria
3. City of Glendale, Arizona Criteria
4. City of Mesa, Arizona Criteria

Prepared By:
Jane Halstead
City Clerk

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00124808

RESOLUTION NO. 2011-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF THE COUNCIL DISTRICTS FROM WHICH MEMBERS OF THE CITY COUNCIL ARE ELECTED

WHEREAS, the Council Members of the City of Moreno Valley are elected from five districts within the City; and

WHEREAS, §21601 of the California Elections Code provides that following each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended; and

WHEREAS, in an effort to ensure a fair and orderly process for redrawing the district boundaries and to promote public confidence in the process, the City Council has decided to adopt criteria to guide the boundary revision process before revised district boundary proposals are drawn;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the redistricting criteria described in Exhibit A, attached hereto and incorporated herein by this reference, are adopted by the City Council and shall guide the City Council in the process of revising the Council districts from which Council Members are elected.

BE IT FURTHER RESOLVED that the City Council reserves the right to modify these criteria by further resolution or minute order to address issues or concerns raised during the redistricting process upon which the City is about to engage.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

CITY OF MORENO VALLEY
REDISTRICTING CRITERIA

Issues of Equality and Fairness

1. **Equal Population:** Each district shall contain a nearly equal number of inhabitants;

2. **Adherence to the Voting Rights Act:** District borders shall be drawn in a manner that complies with Section 2 and Section 5 of the Federal Voting Rights Act;

Councilmanic Districts:

3. **Councilmanic Districts**: District borders shall be drawn to avoid locating more than one current Council member in any one district as much as possible;

Good Government Criteria:

4. Each district shall consist of contiguous territory in as compact form as possible;

5. Each district shall respect communities of interest as much as possible;

6. District borders shall follow visible natural and man-made geographical and topographical features as much as possible;

7. Each new district shall preserve the corresponding existing district's population and territory as much as possible;

8. Districts known to be areas of higher-than-average population growth in the two to five years following redistricting may be under populated within the population deviation amounts allowed by law.

Exhibit A

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00124812

City of Glendale, Arizona

Redistricting Criteria Adopted by Council

Each district shall respect communities of interest as much as possible;

District borders shall follow visible natural and man-made geographical and topographical features as much as possible;

District borders shall be drawn to avoid locating more than one current Councilmember in any one district as much as possible;

Each new district shall preserve the corresponding existing district's population and territory as much as possible;

Districts known to be areas of higher-than-average population growth in the two to five years following redistricting, based on development projects that have received final plat approval from the City, may be under populated within the population deviation amounts allowed by law;

To the extent possible, consistent with constitutional law and the requirements of federal and state statutes, each district shall contain a substantially equal number of electors.

Attachment 2

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MV00124814

City of Mesa, Arizona

Redistricting 2011 Criteria

Issues of Equality and Fairness

1. Equal Population – Under the federal mandate of one-person one-vote, each person's vote is equal to that of any other person; therefore, districts must be equal in population. Arizona state law also speaks to this criterion stating that districts should be "nearly equal."
2. Adherence to the Voting Rights Act – The rights of minority communities should be respected and not be abridged. This means that minority communities must not be improperly packed or divided, and a full faith effort should be made to assure opportunities for minority representation. Race cannot, however, be the primary criterion in drawing boundaries.
3. Compactness and Contiguity – Arizona statute requires that districts "shall consist of contiguous territory in as compact form as possible."

Councilmanic Districts

4. The City Charter requires that, "The redrawing of district boundaries shall not remove the residence of an incumbent Councilmember from the district he was elected to represent during his term in that office."

Good Government Criteria

5. Respect Community of Interest – Self-identifying communities should be recognized and kept whole to the extent possible; and community centers (e.g., schools) should be used wherever possible in revising districts.
6. Follow Natural and Man-Made Boundaries to the Extent Possible – This is to assure ease of access, recognizable boundaries and to give respect to existing geography.
7. Citizen Input – Citizen opinions should be expressed through the use of citizen kits,

Attachment 3

at public meetings and hearings and through the City's hotline and should receive due consideration in the redistricting process.

8. Population Growth – Recognizing that the 2010 Census was taken more than one year ago and that the City continues to grow, to the extent possible population growth should be factored in when creating the revised boundaries.

9. Existing Districts – Mesa established its current district plan in 2001. Because of rapid population change, it will be impossible to prevent significant change in the existing boundaries; but, nevertheless, there is an advantage to both citizens and their representatives in maintaining to the extent possible the general configuration of the current plan.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: August 23, 2011

TITLE: APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

BACKGROUND

The City Clerk's Office posted a Notice of Opening to fill the vacancy for the teen member position on the Parks and Recreation Commission with a term expiring on January 27, 2013. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointee will serve without compensation for a designated term.

The City Clerk's Office received one application for this position. Application was submitted by Sierra Marrero.

The application was reviewed by the Parks and Recreation Commission staff liaison, Tony Hetherman, who recommends that the City Council appoint Sierra Marrero to the

Parks and Recreation Commission as a teenage member with a term expiring January 27, 2013.

ALTERNATIVES

A teenage member on the Parks and Recreation Commission provides input on activities and programs for teenagers in and around the City. By not appointing a teen representative, contributions from the teenage population would be greatly reduced, which is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council appoint a teen member to the Parks and Recreation Commission.

NOTIFICATION

1. Posting of Notice of Opening
2. Publication of the agenda
3. Report and agenda mailed to the applicant

ATTACHMENTS

None

Prepared by:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Oasis Community Church (APNs 296-300-005 and 296-300-007) and Buddhadhammo Temple (APN 488-210-014), (collectively "Property Owners"), have Conditions of Approval that require them to provide a funding source to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

A mail ballot proceeding was conducted earlier this year for Buddhadhammo Temple. The City Clerk did not receive the ballots prior to the close of the public hearing. In order to satisfy the Conditions of Approval, at the request of the property owner another mail ballot proceeding is being conducted.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the Property Owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. Property Owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owners, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES

maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges were estimated based on the parcel's front linear footage to the existing Alessandro Blvd. and the future Nason St. medians. Upon approval of the charges, APNs 296-300-005, 296-300-007, and 488-210-014 will be subject to the annual charges; however, the annual charge for APN 488-210-014 shall not be levied until such time as the planning of the median begins. Any future development of parcels adjacent to the medians in questions shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charge for APNs 296-300-005, 296-300-007, and 488-210-014 shall be proportionally adjusted.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceedings to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charges for Oasis Community Church and Buddhadhammo Temple are as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
Oasis Community Church		
APNs 296-300-005 (and any division thereof)	$212	$2,322.35
296-300-007 (and any division thereof)	212	608.10
Buddhadhammo Temple		
APN 488-210-014 (and any division thereof)	212	1,270.91

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APNs 296-300-005 and 296-300-007 is being balloted to provide a funding source to supplement the maintenance costs of an existing median funded by the General Fund, which will reduce the General Fund obligation for this median. The property owner of APN 488-210-014 is being balloted for maintenance costs of a future median that is planned to be constructed on Nason St. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple.

NOTIFICATION

The Property Owners were given more than the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots,

instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachments 1 and 2.)

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Oasis Community Church mail ballot packet
Attachment 2: Buddhadhammo Temple mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00124824

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Oasis Community Church
23750 Alessandro Blvd, No. C
Moreno Valley, CA 92553

June 15, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 296-300-005 and 296-300-007

******* OFFICIAL BALLOTS ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 296-300-005 and 296-300-007 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charges include maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APNs 296-300-005 and 296-300-007 are subdivided. If the APNs are merged then the annual charges for those APNs shall be combined. The charges levied shall not exceed the charges previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 296-300-005 and 296-300-007 (and any division thereof) and shall

be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the APNs are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if a simple majority of the weighted value of APNs are marked in favor of the annual charges.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted APNs oppose the CSD Zone M annual charges, then the annual charges will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

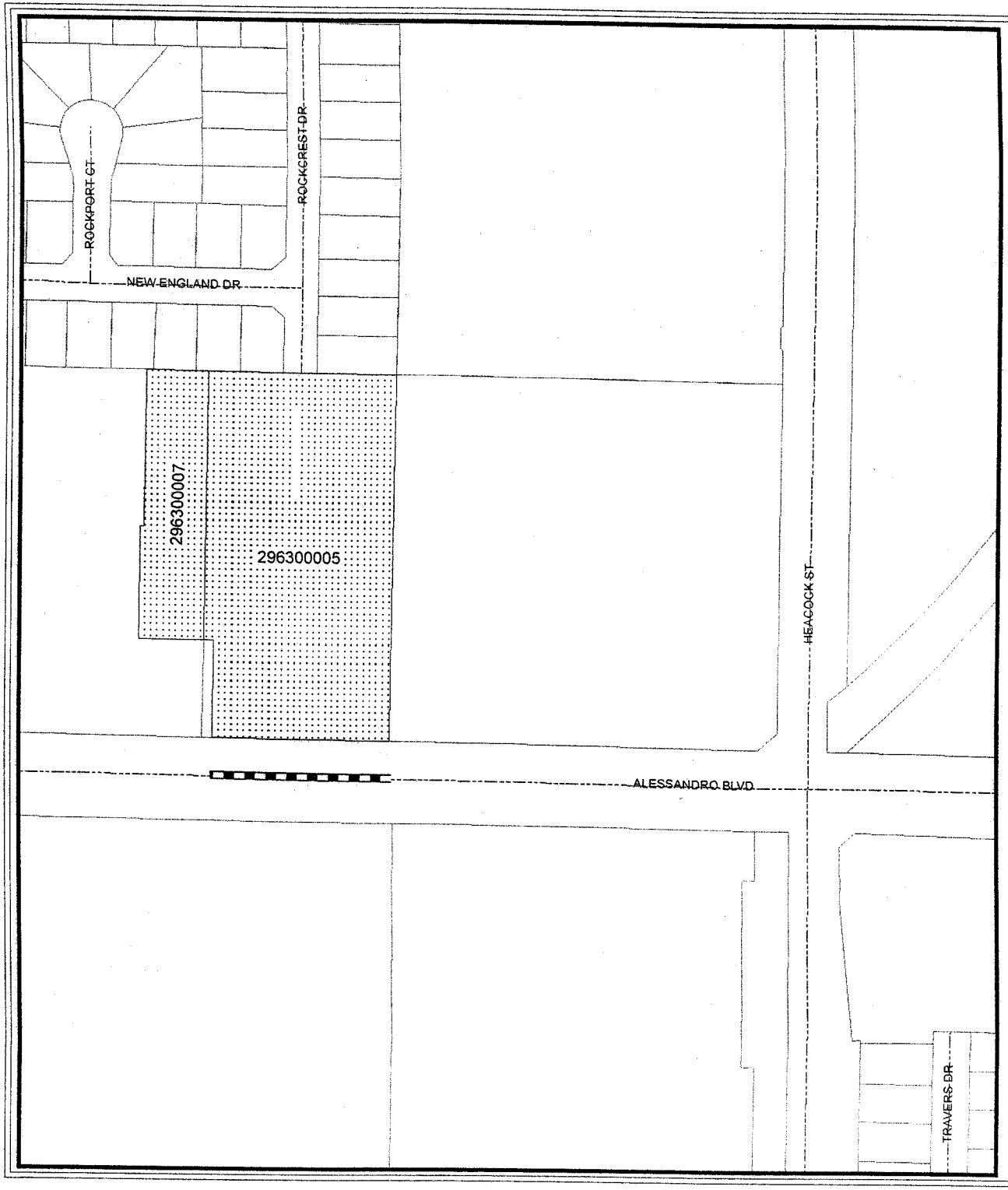

Oasis Community Church

APN

- 296300005
- 296300007
- Roads
- Parcels
- City Boundary
- Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of June 14, 2011.

N

0 150 300 450 600 Feet

G:\AVP\SDA\Oasis Community Church.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 296-300-005 and 296-300-007, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-300-005 (and any division thereof)	☐	☐	$212
296-300-007 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 296-300-005 and 296-300-007, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the CSD Zone M annual parcel charges. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
296-300-005 (and any division thereof)	☐	☐	$2,322.35
296-300-007 (and any division thereof)	☐	☐	608.10

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for Oasis Community Church is $2,930.45.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Albot Nikom
c/o Buddhadhammo Temple
13920 Nason St.
Moreno Valley, CA 92555

July 11, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 488-210-014

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APN 488-210-014 (and any division thereof) the opportunity to express support or opposition for approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 2

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 488-210-014 is subdivided. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M parcel charge for FY 2011/12 is $1,270.91 for the proposed Nason St. median. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 488-210-014 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual

levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and the proposed inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballots are marked in favor of the charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval. If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

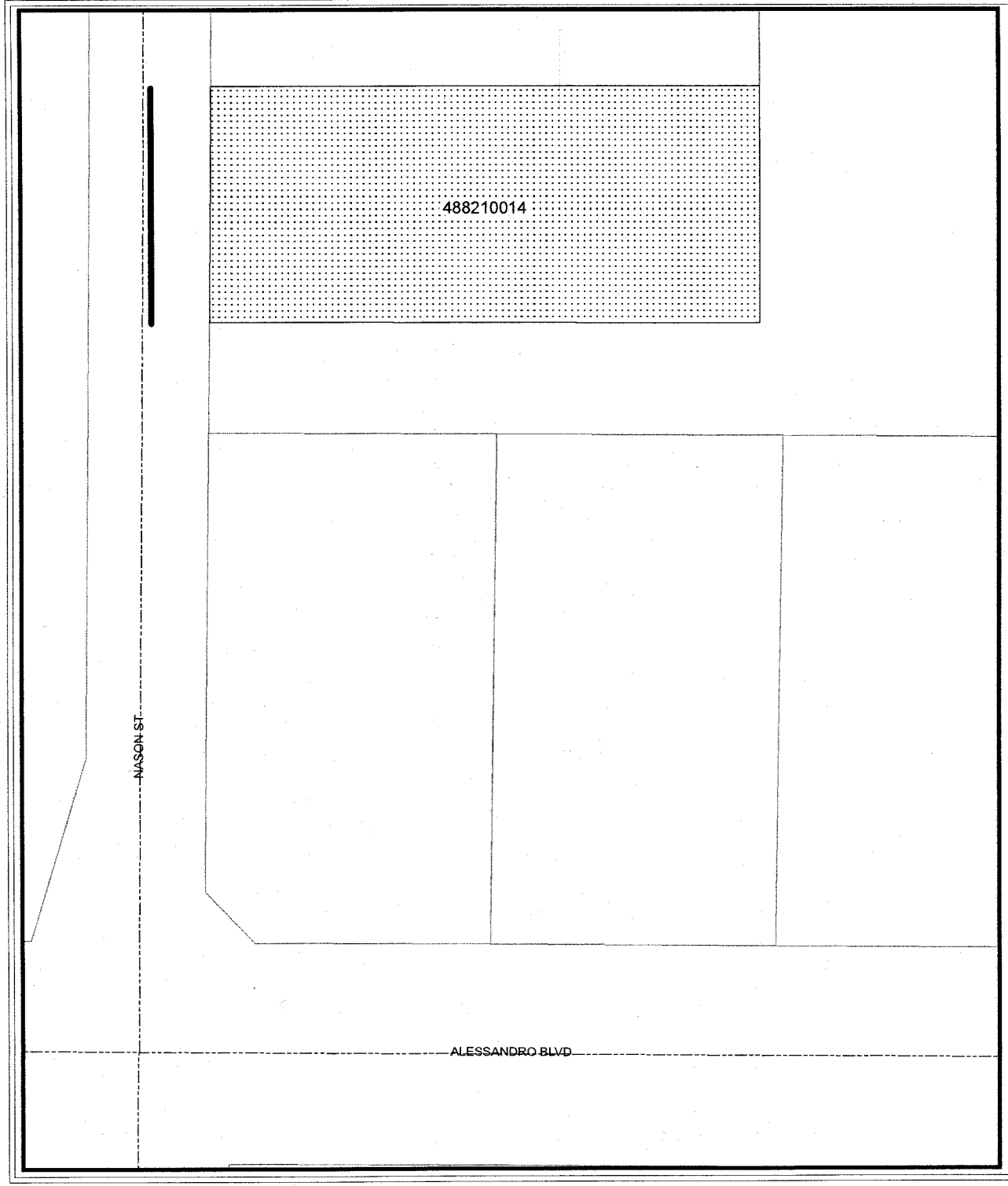

Buddhadhammo Temple
APN 488-210-014

APN

- 488210014
- Roads
- Parcels
- City Boundary
- Future Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of February 2, 2011.

N

0 50 100 150 200 Feet

G:\AVP\SDA\PA08-0091 Buddhadhammo Temple.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00124838

OFFICIAL MAIL BALLOT for
ASSESSOR PARCEL NUMBER (APN) 488-210-014

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 488-210-014 (and any division thereof), **I approve** the annual CSD Zone M charge of $1,270.91 for fiscal year (FY) 2011/12. Beginning FY 2012/13, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 488-210-014, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-210-014 (and any division thereof)	☐	☐	$1,270.91

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 488-210-014

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 488-210-014, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2011/12 the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 488-210-014, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-210-014 (and any division thereof)	☐	☐	$212 per parcel

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

MV00124840

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Oasis Community Church (APNs 296-300-005 and 296-300-007) and Buddhadhammo Temple (APN 488-210-014), (collectively "Property Owners"), have Conditions of Approval that require them to provide a funding source to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

A mail ballot proceeding was conducted earlier this year for Buddhadhammo Temple. The City Clerk did not receive the ballots prior to the close of the public hearing. In order to satisfy the Conditions of Approval, at the request of the property owner another mail ballot proceeding is being conducted.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the Property Owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. Property Owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owners, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES

maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges were estimated based on the parcel's front linear footage to the existing Alessandro Blvd. and the future Nason St. medians. Upon approval of the charges, APNs 296-300-005, 296-300-007, and 488-210-014 will be subject to the annual charges; however, the annual charge for APN 488-210-014 shall not be levied until such time as the planning of the median begins. Any future development of parcels adjacent to the medians in questions shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charge for APNs 296-300-005, 296-300-007, and 488-210-014 shall be proportionally adjusted.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceedings to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charges for Oasis Community Church and Buddhadhammo Temple are as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
Oasis Community Church		
APNs 296-300-005 (and any division thereof)	$212	$2,322.35
296-300-007 (and any division thereof)	212	608.10
Buddhadhammo Temple		
APN 488-210-014 (and any division thereof)	212	1,270.91

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APNs 296-300-005 and 296-300-007 is being balloted to provide a funding source to supplement the maintenance costs of an existing median funded by the General Fund, which will reduce the General Fund obligation for this median. The property owner of APN 488-210-014 is being balloted for maintenance costs of a future median that is planned to be constructed on Nason St. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple.

NOTIFICATION

The Property Owners were given more than the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots,

instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachments 1 and 2.)

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Oasis Community Church mail ballot packet
Attachment 2: Buddhadhammo Temple mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 11.12\Zone M NPDES\Oasis Community Church P10-020\Stfrpt PM 08.23.11.doc

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MV00124846

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Oasis Community Church
23750 Alessandro Blvd, No. C
Moreno Valley, CA 92553

June 15, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 296-300-005 and 296-300-007

******* OFFICIAL BALLOTS ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 296-300-005 and 296-300-007 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charges include maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APNs 296-300-005 and 296-300-007 are subdivided. If the APNs are merged then the annual charges for those APNs shall be combined. The charges levied shall not exceed the charges previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 296-300-005 and 296-300-007 (and any division thereof) and shall

be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the APNs are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if a simple majority of the weighted value of APNs are marked in favor of the annual charges.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted APNs oppose the CSD Zone M annual charges, then the annual charges will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

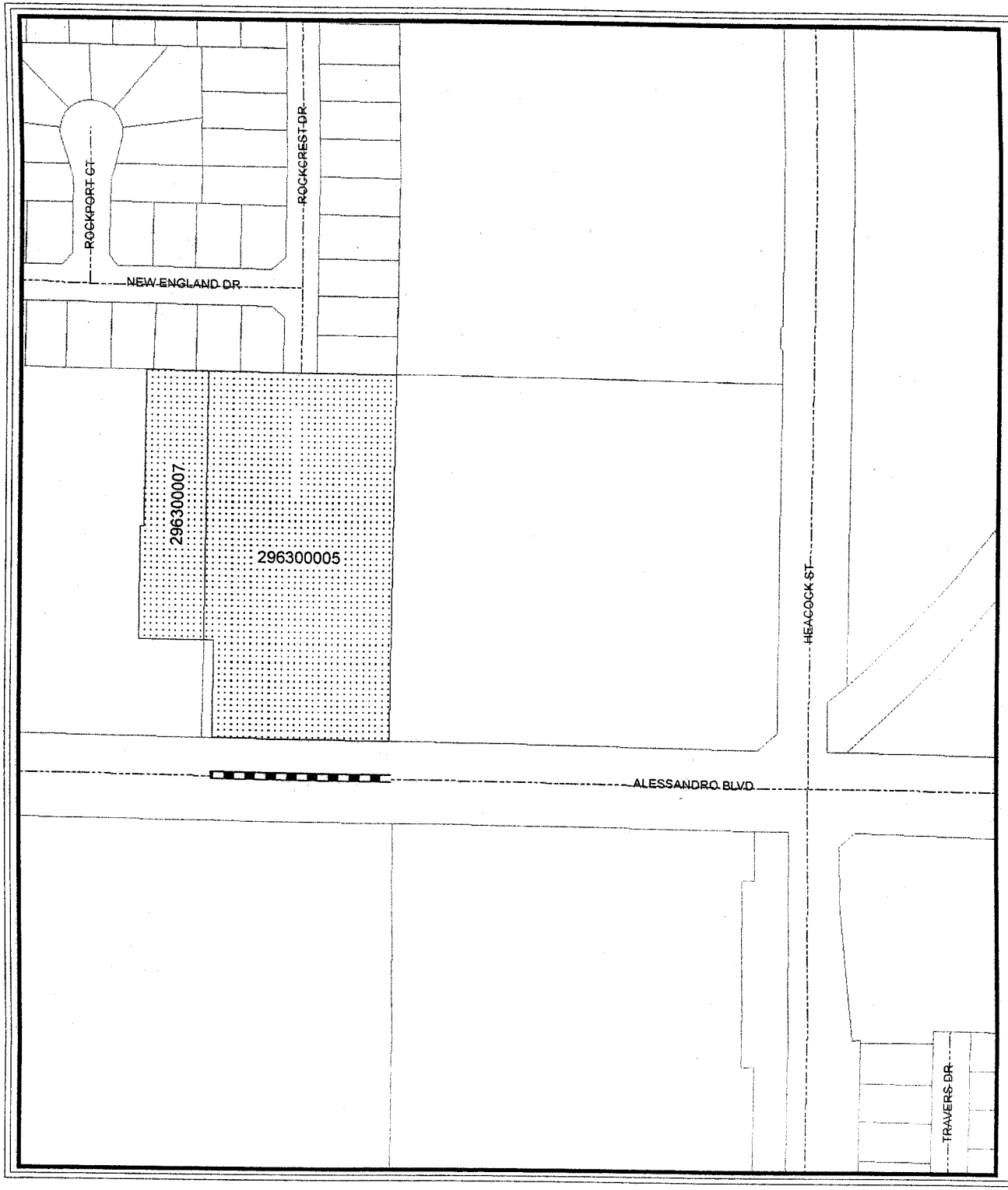

Oasis Community Church

APN

- 296300005
- 296300007
- Roads
- Parcels
- City Boundary
- Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of June 14, 2011.

N

0 150 300 450 600 Feet

G:\AVP\SDA\Oasis Community Church.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 296-300-005 and 296-300-007, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-300-005 (and any division thereof)	☐	☐	$212
296-300-007 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 296-300-005 and 296-300-007, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the CSD Zone M annual parcel charges. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
296-300-005 (and any division thereof)	☐	☐	$2,322.35
296-300-007 (and any division thereof)	☐	☐	608.10

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for Oasis Community Church is $2,930.45.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Albot Nikom
c/o Buddhadhammo Temple
13920 Nason St.
Moreno Valley, CA 92555

July 11, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 488-210-014

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APN 488-210-014 (and any division thereof) the opportunity to express support or opposition for approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 2

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 488-210-014 is subdivided. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M parcel charge for FY 2011/12 is $1,270.91 for the proposed Nason St. median. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 488-210-014 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual

levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and the proposed inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballots are marked in favor of the charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval. If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

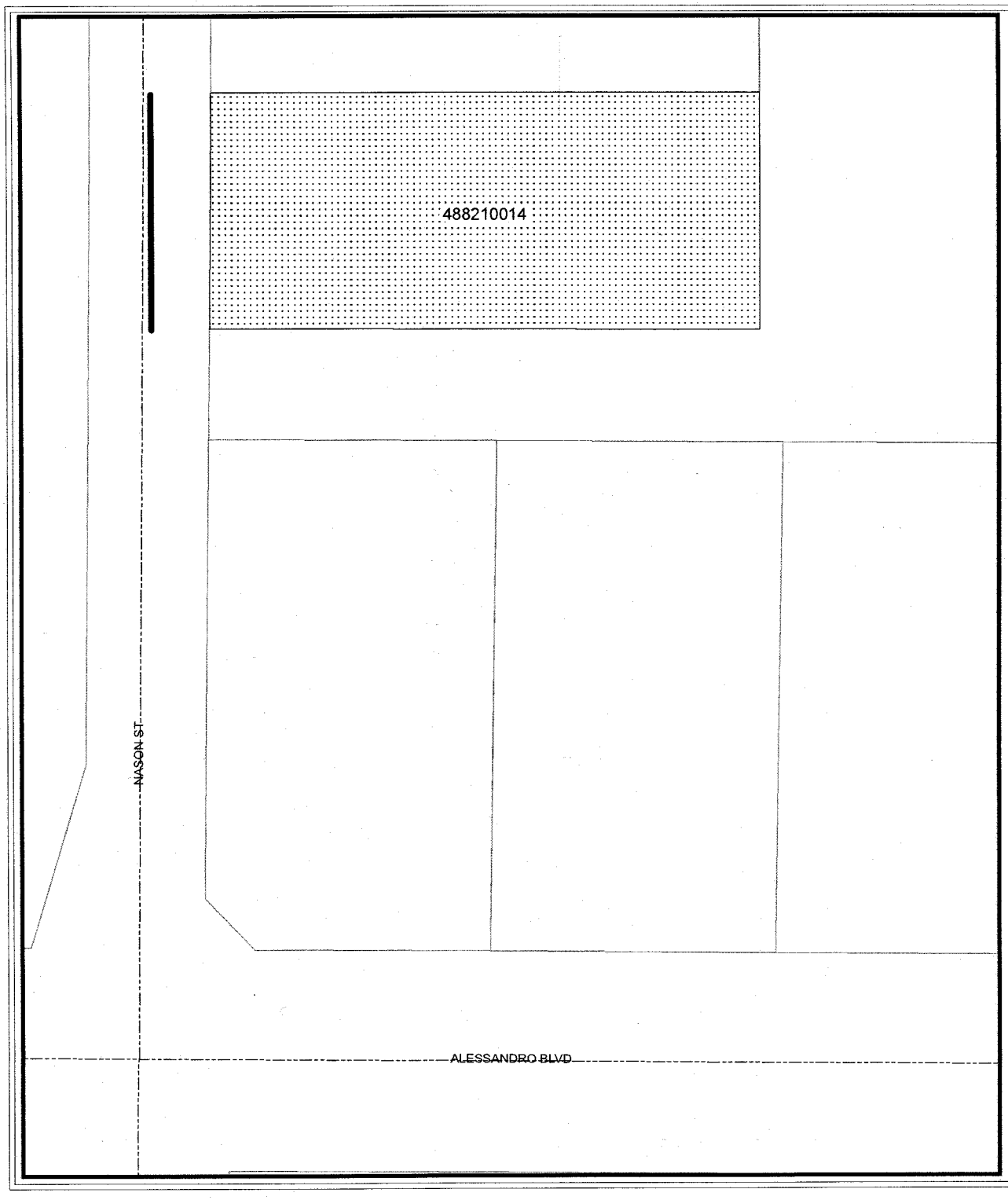

Buddhadhammo Temple
APN 488-210-014

APN

- 488210014
- Roads
- Parcels
- City Boundary
- Future Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of February 2, 2011.

N

0 50 100 150 200 Feet

G:\AVP\SDA\PA08-0091 Buddhadhammo Temple.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00124860

OFFICIAL MAIL BALLOT for
ASSESSOR PARCEL NUMBER (APN) 488-210-014

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 488-210-014 (and any division thereof), **I approve** the annual CSD Zone M charge of $1,270.91 for fiscal year (FY) 2011/12. Beginning FY 2012/13, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 488-210-014, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-210-014 (and any division thereof)	☐	☐	$1,270.91

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 488-210-014

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 488-210-014, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2011/12 the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 488-210-014, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-210-014 (and any division thereof)	☐	☐	$212 per parcel

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

Llame al 951.413.3480 para obtener información verbal en Español

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 23, 2011

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary,

maintaining the irrigation systems, weed control, litter removal, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

The CSD currently maintains the landscaping in the parkway for Tract 31129 on the north side Cactus Ave. east of Landon Rd. extending one lot beyond Dusty Coyote Ave. The parkway area west of Landon Rd. has not been completed by the developer due to circumstances related to completion of the adjacent lots. The developer has resolved the issues and is now prepared to complete the parkway. Installation of the parkway landscaping will add approximately 1,200 square feet of landscape area to maintain. The current parcel charge collected from the property owners in Tract 31129 will not support the acceptance of any additional area for landscape maintenance. Staff from Special Districts has asked the developer to complete the installation of the hardscape and irrigation in the parkway but to hold off on installing the plant material until it is determined that there is adequate funding to maintain the additional landscape area.

A mail ballot proceeding is being conducted to allow the property owners within Tract 31129 the opportunity to approve or oppose a proposed increase in the CSD Zone D annual charge to fund the additional costs to maintain the increase in the area of landscaping. The property owners in the tract are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge for Zone D, there shall be an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. The approved charge, which is subject to an annual inflation adjustment, shall be levied on the 2011/12 property tax bill. If there is a tie or if a majority of the returned valid ballots oppose the increase in the annual charge for Zone D, landscape maintenance services shall be reduced to a level consistent with available funding and the CSD will not accept any additional area to maintain. Each parcel in the tract will still be subject to the previously approved charge.

ALTERNATIVES

1. **Accept public comments** regarding the reballot of Tract 31129 for the proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the reballot of Tract 31129 for the proposed increase in the Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

There is no impact on the General Fund for the operation of the CSD Zone D program. The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D service in the landscaped parkway for Tract 31129 shall allow the CSD to maintain the current appearance of the neighborhood.

Revenue Diversification and Preservation
The proposed increase in the CSD Zone D parcel charge for Tract 31129 is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceeding for Tract 31129.

NOTIFICATION

A ballot packet was mailed to each property owner within Tract 31129 the week of July 25, 2011. The packet included a notice to property owner, calculation of the 2011/12 standard service charge, map, CSD Zone D service guidelines, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet is included as Attachment 1.

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 31129

Prepared by:
Jennifer Terry
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Español al reverso

July 28, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) - TRACT 31129 REGARDING ACCEPTANCE OF ADDITIONAL LANDSCAPED AREA AND A PROPOSED INCREASE TO THE ANNUAL CHARGE

******* OFFICIAL BALLOT ENCLOSED *******
YOUR BALLOT MUST BE RETURNED TO BE COUNTED

Introduction

The Moreno Valley Community Services District (CSD) Zone D program funds administration and service costs for maintenance of designated common landscaped areas on the north side of Cactus Ave. To maintain landscape services at the standard service level, the CSD submits to you the enclosed ballot along with this notification. *Only returned ballots will determine whether the increase in the annual charge and the acceptance of the additional area to be maintained is approved.* The ballot provides property owners an opportunity to approve or oppose the proposed acceptance of additional parkway landscape along Cactus Ave., west of Landon Rd. and the increase to the annual charges to maintain the new and existing areas (see attached map). If approved, beginning in FY 2011/12 the landscaped service area will increase by approximately 1,200 square feet and each parcel's annual charge shall be **increased by approximately $4.54 per month** to meet estimated costs. The Zone D charges are collected on the County of Riverside property tax bills. The Zone D annual charge is a direct-benefit charge for your community; there are no other revenue sources to offset the costs to the property owners.

Background

The Moreno Valley CSD was formed when the City incorporated in 1984. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from designated CSD programs. The Zone D (Parkway Landscape Maintenance) program provides landscape maintenance services to designated areas that have landscaped perimeters and/or entry statements. See enclosed map for the location of these landscaped areas. In compliance with Proposition 218, "The Right to Vote on Taxes Act", the CSD is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support of or opposition to the acceptance of the additional landscaped area and the proposed increase to the annual charge to maintain the new and existing areas.

Services Provided

The Zone D annual charges fund administration and service costs for the landscape maintenance, which includes: mowing, trimming, pruning, weed control, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas. Included with this notice is a description of the general service level guidelines which may be performed for each service level.

How is the Amount of the Charge Determined?

The CSD zones are structured to be full cost recovery programs. The annual expenses per tract are divided by the number of parcels in the tract to determine the annual charge per parcel.

ATTACHMENT 1

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

NOTICIA A LOS PROPIETARIOS DE HOGAR – PROCEDIMIENTO DE VOTACION POR CORREO PARA EL DISTRITO DE SERVICIOS COMUNITARIOS ZONA D (MANTENIMIENTO DE LAS AREAS AJARDINADAS) FRACCIONAMIENTO 31129 REFERENTE A LA ACEPTACIÓN DE PAISAJE ADICIONAL Y A UN PROPUESTO INCREMENTO DEL CARGO ANUAL

******* BOLETA OFICIAL ADJUNTA*******
SU VOTACIÓN DEBE SER DEVUELTA PARA SER CONTADO

Introducción

El programa de la zona D del districto de los servicios de comunidad de Moreno Valley (CSD) financia el costo de administración y del servicio para el mantenimiento de áreas ajardinadas comunes en el lado norte de la avenida Cactus. Para mantener servicios del paisaje en el porcentaje de disponibilidad , CSD somete a usted la baleta incluida junto con esta notificación. Solamente las boletas devueltas se determinarán si el aumento en la carga anual y la aceptación del área adicional que se mantendrá es aprobado. La boleta le proporciona a propietarios una oportunidad de aprobar o de oponer la aceptación propuesta de paisaje adicional carretera ajardinada a lo largo de la avenida Cactus., al oeste de Landon Rd. y el aumento a la carga anual para mantener las nuevas y existentes áreas (véa el mapa adjunto). Si está aprobado, comenzará el año fiscal 2011/12 el área de servicio ajardinada aumentará aproximadamente 1.200 pies cuadrados y la carga anual de cada propiedad será aumentada aproximadamente $4.54 por mes para resolver costos estimados. Los cargos de zona D se recogen por el condado de Riverside cuentas de impuesto sobre la propiedad. La carga anual de la zona D es un cargo con ventaja directa para su comunidad; no hay otras fuentes de ingresos para compensar los costos a los propietarios.

Historial

El CSD de Moreno Valley fue formado cuando la Ciudad se incorporo en 1984. El CSD estableció subsidios para asignar los costos de servicios especializados a aquellas parcelas que reciban beneficios de ciertos programas designados por el CSD. El programa de la Zona D (Mantenimiento de las Áreas Ajardinadas) provee servicio de mantenimiento a áreas designadas que tengan jardín en los camellones, perímetro o monumentos en las entradas. Véase el mapa adjunto para localizar las áreas ajardinadas dentro de su comunidad. En cumplimiento con la Proposición 218, que estipula el derecho de voto en cuanto a impuestos a la propiedad, "The Right to Vote on Taxes Act", el CSD esta llevando a cabo este procedimiento electoral brindando la oportunidad a los propietarios de presentar su boleta a favor u oposición a la aceptación del paisaje adicional y el aumento propuesto al precio anual para mantener las áreas nuevas y existentes.

Los Servicios que se Proveen

El programa Zona D del Distrito de Servicios Comunitario de Moreno Valley (CSD) costea los costos relacionados con la administración y servicios de mantenimiento: corte de césped, podado de árboles y arbustos, fertilización, control de hierbas y basura, mantenimiento y reparación al sistema de irrigación, el costo de agua y electricidad, personal, al igual que otros elementos necesarios para el mantenimiento del jardín. Adjunta con esta nota, encontrara un resumen de los servicios que se proveen dependiendo del nivel de servicio.

Reason for the Increase

Since 2005 when the original parcel charge was estimated, higher costs for electricity, water, and maintenance have impacted the overall program costs for the current landscaped area. Sufficient funding is no longer available to offset the difference between the actual costs and the annual parcel charges paid by the property owners. There are no other revenue sources to pay for landscape maintenance. The CSD has been asked to accept approximately 1,200 square feet of additional landscaping located on the north side of Cactus Ave., west of Landon Rd. Pending property owner approval, the landscaping and irrigation is scheduled to be installed by the developer with the ongoing maintenance to be paid for by the property owners in the benefitting tract. Since the current parcel charges do not provide adequate funding for the full cost of landscape maintenance the CSD is required to ballot the property owners to seek approval for an increase to the annual charge to maintain services for both the existing and new landscaped areas at the standard service level.

Current Charge

The 2010/11 Tract 31129 annual charge for standard landscape maintenance services was $82.48 per parcel. For FY 2011/12 an annual inflation adjustment was applied, which increased the annual charge to $83.58 per parcel. The annual charges are collected on the County of Riverside property tax bills. The total amount levied for all tracts within the Zone D program for FY 2010/11 was $1,104,179.22; the total charges levied for Tract 31129 for FY 2010/11 was $8,990.32.

Proposed Charge

To meet current costs and to allow for the acceptance and ongoing maintenance of the additional landscaped area, the Zone D annual charge is proposed to be adjusted to $138.00 per parcel. This equates to an estimated annual increase of approximately 65% or $54.42 per parcel (or approximately $4.54 per month).

Annual Adjustment

The charge shall be subject to an annual inflation adjustment based on the percentage increase calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics in future years.

Zone D Parcel Charge History

The following table sets forth the history of the annual Zone D charge for Tract 31129.

Fiscal Year	Annual Charge
2009-10	$81.00
2010-11	$82.48
2011-12	$83.58

Duration of the Charge

If approved, the increase in the charge shall be levied on the County of Riverside property tax bills beginning with the FY 2011/12 tax bills, and each following year at the property owner approved charge.

Public Hearing

To provide information concerning the proposed mail ballot proceeding for the Zone D (Parkway Landscape Maintenance) program the CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

¿Como se Determina la Cantidad del Cargo Anual?

Los programas de las zonas CSD, son programas de recuperación de costo total. Los egresos anuales de cada fraccionamiento son divididos en proporción al número de parcelas acres para determinar el costo anual por parcela.

¿La Razón por el Incremento?

Desde 2005 cuando el precio de propiedad originalmente fue estimado, gastos más altos de electricidad, agua, y el mantenimiento han afectado los gastos del programa totales para la propiedad corriente. Fondos suficientes ya no estan disponibles para compensar la diferencia entre los gastos actuales y los gastos anuales pagados por los dueños de la propiedad. No hay otros fondos de ingresos para pagar el mantenimiento de propiedad. Se ha pedido que el CSD acepte aproximadamente 1,200 pies cuadrados de la jardinería ornamental adicional localizada en el lado norte de la avenida Cactus, al Oeste de Landon Rd. La aprobación del dueño de propiedad esta pendiente, la propiedad ornamental y la irrigación esta programada para ser instalado por el revelador y los gastos del mantenimiento sera pagado por los dueños de la propiedad para beneficiar el fraccionamiento. Ya que los gastos de la propiedad corrientes no proporcionan la financiación adecuada para el gasto entero del mantenimiento de paisaje se requiere que el CSD someta una votación a los dueños de propiedad para buscar la aprobación para un aumento al precio anual para mantener servicios tanto para la existencia como para nuevas propiedades en el nivel del servicio estándar.

Cargo Actual

Para el año 2010/11 el cargo anual para los servicios de mantenimiento estándar del fraccionamiento 31129 es de $82.48 por parcela. Para el año fiscal 2011/12 un ajuste de inflación anual fue aplicado, que aumentó el precio anual a $83.58 dólares por propiedad. El cargo anual se colecta mediante la factura de impuesto a la propiedad que se paga al Condado de Riverside. La cantidad total que se recaudo para el programa de la Zona D durante el año fiscal 2010/11 es de $1,104,179.22, los gastos totales de impuestos para el Fraccionamiento 31129 para año fiscal 2010/11 eran $8,990.32 dólares.

Cargo Que Se Propone

Para mantener gastos corrientes y tener la aceptación y continuar el mantenimiento del paisaje adicional,la Zona D precio anual es propuesta para ser ajustado a $138.00 dólares por propiedad. Se compara con un aumento anual estimado aproximadamente del 65 % o 54.42 dólares por propiedad (o aproximadamente $4.54 dólares por mes).

Ajuste Anual

El cargo anual estará sujeto ha un ajuste anual basado en el cambio a el porcentaje calculado durante el año anterior al Índice Regional de Precio al Consumidor para Todos Los Consumidores Urbanos de los Condados de Los Ángeles-Riverside y Orange, publicado por la Oficina de Estadísticas Laborales del Departamento de Trabajo en los próximos anos.

Historial de Cargos Por Parcela Para La Zona D

La siguiente tabla estadística refleja el historial de los cargos anuales de la Zona D, Fraccionamiento 31129.

Año Fiscal	Cargo Anual
2009-10	$81.00
2010-11	$82.48
2011-12	$83.58

Public Meeting	**Public Hearing**
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing, at a time and location as confirmed by the CSD Board. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors (City Clerk) in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Increase is Approved

If a simple majority (50%+1) of the returned valid weighted ballots approve the acceptance of the additional landscaped area and the increase in the annual charge, landscape maintenance services shall continue at the current level. The total approved charge of $138.00 per parcel shall be placed on the 2011/12 Riverside County property tax bill.

Effect if Increase is Not Approved

If there is a tie or if a majority of the returned valid weighted ballots oppose the increase in the annual charge, the additional landscaped area will not be planted and the landscape maintenance service level for the existing area shall be reduced to a level consistent with available funding. The net result may be that the overall appearance of these landscaped areas will be reduced from their present condition. If available funding cannot support the lowest level of service, property owners will be notified and maintenance services may be discontinued.

For More Information

If you have any questions about the proposed increase in the annual charge, the landscape maintenance services, about the mail ballot proceeding process, would like to schedule a community meeting for a detailed briefing, or would like to request additional supporting documentation such as detailed budget information, please contact the City's Special Districts Division, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

Completing Your Ballot

Property owners may submit the enclosed ballot to the CSD in support of or opposition to the proposed increase to the landscape service area and the annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballot in support of or opposition to the proposed increase to the annual charge **by placing a mark in the corresponding box.**
2. Sign your name on the ballot. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballot in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

Duración del Cargo

De ser aprobado, el incremento al cargo anual será colectado mediante el impuesto a la propiedad, que colecta el Condado de Riverside, comenzando con el año fiscal 2011/12 y cada siguiente año.

Audiencia Pública

Para proveer mas información en cuanto al procedimiento de votación por correo propuesto para la Zona D (Mantenimiento de Áreas Ajardinadas) se ha programado una Junta Publica y una Audiencia Publica, que se llevaran a cabo en la **Cámara de Ayuntamiento de la Ciudad de Moreno Valley (City Hall Council Chamber) localizada en el 14177 Frederick Street, Moreno Valley**.

Junta Publica	Audiencia Publica
Martes, 23 de Agosto , 2011	Martes, 13 de Septiembre , 2011
6:30 P.M. (o tan pronto come el asunto sea presentado)	6:30 P.M. (o tan pronto come el asunto sea presentado)

Las boletas regresadas serán tabuladas después del cierre de la Audiencia Publica, a una hora y lugar que sea confirmado por el Comité Ejecutivo de CSD. Todas las boletas recibidas serán tabuladas bajo la dirección del Secretario del Comité Ejecutivo del CSD (Secretario de la Ciudad) en conformidad con la corriente Política Para Conducir Procedimientos De Votación Por Correo 1.12.

El Efecto de Ser Aprobado el Incremento

Si una simple mayoría (50%+1) de las boletas validas aprueban aceptación del paisaje adicional y el incremento al cargo anual, el nivel de servicio de mantenimiento continuara vigente. El cargo anual aprobado de $138.00 por parcela será colectado mediante el impuesto a la propiedad, que colecta el Condado de Riverside, comenzando con el año fiscal 2011/12.

El Efecto Si el Incremento No Es Aprobado

Si la mayoría de las boletas validas regresadas se oponen al incremento al cargo anual o si hay un empate, el paisaje adicional no será plantada y el servicio de mantenimiento para el área existente será reducido a un nivel basado en los fondos disponibles. Si los fondos disponibles no llegasen a cubrir el nivel de servicio mínimo, los propietarios recibirán un comunicado por carta que los servicios serán descontinuados. El resultado final seria que la apariencia actual de las áreas ajardinadas se verá afectada.

Para Más Información

Si tiene alguna pregunta acerca del incremento anual propuesto, los servicios de mantenimiento, le gustaría organizar una junta comunitaria para mas detalles, o incurrir mas detalles sobre el presupuesto, por favor llame al la División de Distritos Especiales de la Ciudad de Lunes a Jueves, 7:30 a.m. a 5:30 p.m. al 951.413.4380.

Como Llenar La Boleta

Los propietarios podrán enviar la boleta adjunta al CSD en apoyo u oposición al propuesto aumento al área de servicio de paisaje y al cargo anual. Por favor siga las siguientes instrucciones en cuanto a como llenar y devolver la boleta correctamente. También, podrá encontrar información en cuanto a los procedimientos de cómo llenar, regresar y como se tabulan las boletas en la oficina de Secretaria de la Ciudad (City Clerk)

4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing which will be held on Tuesday**, September 13, 2011,** at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time prior to the conclusion of public testimony at the Public Hearing. The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.

1. En la boleta **ponga una marca en la caja correspondiente**, ya sea que este votando a favor o en contra
2. Firme la boleta. Cualquier boleta que sea devuelta sin firma(s) será considerada invalida y *por lo tanto no será contada.*
3. Envié la boleta en el sobre adjunto a la oficina de Secretaria de la Ciudad (City Clerk's office) a la siguiente dirección, 14177 Frederick Street, Moreno Valley, CA, 92553. Para su conveniencia, el sobre incluido tiene el franqueo pagado. También puede traer su boleta personalmente si así lo desea a la misma dirección.
4. Las boletas deberán ser **recibidas** por el Secretario de la Ciudad antes del cierre de la Audiencia Publica que se llevara a cabo el **Martes, 13 de Septiembre del 2011**,en la Cámara de Ayuntamiento de Moreno Valley (Moreno Valley City Hall Council Chamber). La audiencia comenzara a las 6:30 p.m. o en tanto sea posible tratar el asunto. Legalmente, las boletas que sean recibidas después del cierre de la Audiencia Publica, no podrán ser contadas

Marcas Validas

Los siguientes son ejemplos de marcas que se consideran apropiadas para votar Si/Aprobado o No/No Aprobado en su boleta electoral.

Una marca que este mayormente dentro de la caja;

Una X que este mayormente dentro de la caja;

Un punto o marca ovalada que este mayormente dentro de la caja;

Llenar la caja completamente mayormente dentro de las líneas;

Una línea, llena o quebrada, o combinación de líneas. Podrá usar líneas verticales, horizontales o diagonales. Puede marcar de una esquina a otra. Sin embargo, para que su voto sea valido, siempre manténgase mayormente dentro de la caja que este marcando sin marcar la quede vacía;

Un circulo alrededor de la caja y/o la cláusula asociada; o

Un cuadro o rectángulo alrededor de la caja y/o cláusula asociada.

Las marcas en las boletas no deberán extenderse mas allá del área de la caja que ha escogido. Si la marca de una caja se extiende a la otra o al la porción que explica el significado de esta, la boleta será considerada nula y por lo tanto no será contada.

Cambios o revisiones a las marcas de la boleta

Si comete un error al marcar su voto en la boleta o simplemente desea cambiar su voto, podrá hacerlo mediante poner sus iniciales claramente marcadas al derecho de la selección que halla ajustado. Cualquier cambio deberá ser iniciado por el propietario solamente. Solo se aceptaran estos cambios o ajustes a las boletas si son recibidas antes del cierre del testimonio publico en la Audiencia Publica.

CSD ZONE D, TRACT 31129
FY 2011/12 BUDGET

	Current	Proposed
LANDSCAPE AREA		
Existing Square Feet	12,395	12,395
Additional Square Feet	-	1,185
Total Acres	0.28	0.31
REVENUES		
Approximate Charge Per Month	**$ 6.97**	**$ 11.50**
	x 12 months	x 12 months
Total Annual Zone D Charge	**$ 83.58**	**$ 138.00**
Number of parcels	109	109
Total Revenue	**$ 9,110.22**	**$ 15,042.00**
EXPENSES		
Direct Costs		
Base Maintenance Contract	$ 3,480.48	$ 3,829.56
Water (Eastern Municipal Water District)	2,286.27	2,504.83
Electricity (SCE)	116.83	116.83
Vandalism Repair	-	-
Repair and Replacement/Miscellaneous Direct Expenses	435.91	477.59
Landscape Inspectors/Technicians and Support Services	5,058.24	5,539.51
Parts and Equipment	331.51	363.05
Subtotal Direct Costs	$ 11,709.24	$ 12,831.37
Indirect Costs		
Miscellaneous Indirect Expenses	$ 239.89	$ 262.72
Special Districts Program Administration	588.28	644.25
City Administration	1,187.41	1,300.39
Subtotal Indirect Costs	$ 2,015.58	$ 2,207.36
Total Expenses	**$ 13,724.82**	**$ 15,038.73**
Shortfall	**$ (4,614.60) ***	**$ 3.27**

* Based on the current square feet of landscaped area, the annual parcel charge required to meet meet current expenses would be $126.00.

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. Services may include mowing, trimming, pruning, fertilizing, weed control, litter removal, and maintaining the irrigation systems.

Vandalism Repair: includes abatement of nuisance and necessary repairs due to vandalism.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Inspectors/Technicians and Support Services: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Administrative staff manages maintenance contracts, ensures timely payment of all invoices, creates and monitors the annual program budget, and applies the annual charges on the property tax rolls.

Parts and Equipment: landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle, fuel and telecommunications equipment.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

Special Districts Administration: includes accounting, management, reporting and regulation compliance, Riverside County fees, and other municipal agency services.

City Administration: includes cost for Council and administrative services, liability insurance, technology, and facilities.

CSD ZONA D, FRACCIONAMIENTO 31129
PRESUPUESTO DEL ANO FISCAL 2011/12

		Corriente		Propuesto
ÁREA AJARDINADA				
	Pies Cuadrados Existentes	12,395		12,395
	Pies Cuadrados Adicionales	-		1,185
	Acres Totales	0.28		0.31
INGRESOS				
	Precio aproximado por mes	**$ 6.97**	**$**	**11.50**
		x 12 meses		x 12 meses
	Precio total anual de zona D	**$ 83.58**	**$**	**138.00**
	Cantidad de propiedades	109		109
Total de Ingresos		**$ 9,110.22**	**$**	**15,042.00**
EGRESOS				
Costos Directos				
Contrato de Mantenimiento Base		$ 3,480.48	$	3,829.56
Agua (Eastern Municipal Water District)		2,286.27		2,504.83
Electricidad (SCE)		116.83		116.83
Reparación de Vandalismo		-		-
Reparación o Reemplazo/Egresos Misceláneos Directos		435.91		477.59
Inspectores de Jardinería/Servicios de Apoyo Técnicos		5,058.24		5,539.51
Partes y Equipo		331.51		363.05
Subtotal de Costos Directos		$ 11,709.24	$	12,831.37
Costos Indirectos				
Egresos Misceláneos Indirectos		$ 239.89	$	262.72
Administración de Programa de Servicios Especiales		588.28		644.25
Administración de la Ciudad		1,187.41		1,300.39
Subtotal de Costos Indirectos		$ 2,015.58	$	2,207.36
Total de Egresos		**$ 13,724.82**	**$**	**15,038.73**
		$ (4,614.60)	*** $**	**3.27**

* Basado a los pies cuadrados corrientes del área de paisaje, el precio de propiedad anual requerido para mantener los gastos corrientes sería $126.00 dólares.

Contrato de Mantenimiento Base: incluye el total de costo anual de los servicios contratados de las compañías de mantenimiento, basado en salarios prevalecientes requeridos. Los servicios incluyen corte de césped, podado de árboles y arbustos, fertilización, control de hierbas y basura, mantenimiento y reparación al sistema de irrigación.

Reparación de Vandalismo: incluye reparaciones y alivio de molestias publicas.

Reparación o Reemplazo: pudiera incluir, pero no limitado a, rehabilitación del sistema de riego, sea de índole mayor o intermediaria y/o proyecto de renovación (incluyendo partes necesaria), reemplazo de plantas, fertilizantes y pesticidas, podado de árboles e instalación de mantillo.

Inspectores/Técnicos de Paisaje y Servicios de Apoyo: el costo del personal por descuido del contratista al paisaje, tiempo de trabajo manual para la ayuda con reparaciones principales y menores, renovación, y proyectos de reemplazo/retiro de paisaje. El personal administrativo maneja contratos de mantenimiento, asegura el pago oportuno de todas las facturas, crea y supervisa el presupuesto de programa anual, y aplica los gastos anuales de impuestos sobre la propiedad.

Partes y Equipo/Egresos Misceláneos Directos: Partes para el sistema de irrigación y equipo (usado por el personal) para reparaciones menores o de emergencia. Servicio de los vehículos, combustible y equipo de telecomunicación.

Egresos Misceláneos Indirectos: herramientas, uniformes, entrenamientos, gastos de envió, etc.

Administración de Distritos Especiales: incluye contabilidad, dirección, informe y conformidad de regulación, honorarios de Riverside County, y otros servicios de agencia municipales.

Administración de Ciudad: incluye el costo para el Consejo y servicios administrativos, seguro de responsabilidad civil, tecnología, e instalaciones.

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) GENERAL SERVICE LEVEL GUIDELINES *			
DESCRIPTION OF LANDSCAPE MAINTENANCE SERVICE	**STANDARD MAINTENANCE SERVICE**	**REDUCED MAINTENANCE SERVICE**	**STREET TREE MAINTENANCE SERVICE**
Mowing, Edging & Trimming (Of Turf Areas Only)	Weekly	Monthly (or Bi-monthly as needed)	N/A
Aeration	3 times per year	As needed	N/A
Tree Trimming	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
Shrub Trimming	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
Ground Cover Trimming	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
Weed Control	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
Irrigation	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
Litter Removal	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
Turf Fertilizer	7 applications per year	3 applications per year	N/A
Shrub Fertilizer	2 applications per year	1 application per year	N/A
Tree Fertilizer	As needed	As needed	As needed
Pesticides:			
Shrubs/Ground Covers (pre-emergent)	2 times per year	As needed (budget permitting)	N/A
Shrubs/Ground Covers (insect/disease control)	As needed	As needed (budget permitting)	N/A
Shrubs/Ground Covers (vertebrate pest control)	As needed	As needed (budget permitting)	N/A
Turf (weed control)	As needed	As needed (budget permitting)	N/A
Turf (vertebrate pest control)	As needed	As needed (budget permitting)	N/A

* The table sets forth the general guidelines for landscape maintenance services. Since every service area is unique and may require adjusted services based on seasonal demands and available funding, the actual services provided shall be determined by the Special Districts Division Manager. The service level for each service area is contingent upon available funding to support the designated level of service.

DISTRITO DE SERVICIOS COMUNITARIOS ZONA D (Mantenimiento de Área Ajardinada) PAUTAS DE NIVEL DE SERVICIO GENERAL*			
DESCRIPCIÓN DE LOS NIVELES DE SERVICIO DE MANTENIMIENTO	**SERVICIO DE MANTENIMIENTO ESTANDAR**	**SERVICIO DE MANTENIMIENTO REDUCIDO**	**SERVICIO DE MANTENIMIENTO STREET TREE**
CORTADO DEL CESPED	Semanalmente	Mensual (o bimensual como sea necesario)	N/A
AERACIÓN DEL CESPED	3 veces por año	Como sea necesario	N/A
PODADO DE ÁRBOLES	1 vez cada 3-4 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía	1 vez cada 5-7 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía	1 vez cada 5-7 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía
PODADO DE ARBUSTOS	1 vez por año (mínimo) para eliminar peligros/o invasión al derecho de vía	1 vez por año para eliminar peligros/o invasión al derecho de vía	1 vez por año para eliminar peligros/o invasión al derecho de vía
PODADO DE CUBIERTA VEGETAL	4 veces por año (trimestralmente) para eliminar peligros/o invasión al derecho de vía	2 veces por año para eliminar peligros/o invasión al derecho de vía	2 veces por año para eliminar peligros/o invasión al derecho de vía
CONTROL DE HIERBAS	Mensualmente	4 veces por año (trimestralmente)	4 veces por año (trimestralmente)
IRRIGACIÓN	Semanalmente (inspección/ajuste/reparar)	Mensualmente (inspección/ajuste/reparar)	Mensualmente (inspección/ajuste/reparar)
RECOGIMIENTO DE BASURA	Semanalmente	1 vez por mes o por lo menos 1 vez cada 2 meses	1 vez por mes o por lo menos 1 vez cada 2 meses
FERTILIZACIÓN DE CÉSPED	7 aplicaciones por año (mínimo)	3 aplicaciones por año	N/A
FERTILIZACIÓN DE ARBUSTOS	2 aplicaciones por año	1 aplicación por año	N/A
FERTILIZACIÓN DE ÁRBOLES	Como sea necesario	Como sea necesario	Como sea necesario
Pesticidas:			
ARBUSTOS/CUBIERTA VEGETAL	2 aplicaciones por año	Como sea necesario (de acuerdo al presupuesto)	N/A
ARBUSTOS/ CUBIERTA VEGETAL	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
ARBUSTOS/ CUBIERTA VEGETAL	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
CÉSPED	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
CÉSPED	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A

* La tabla refleja las pautas estipuladas par los servicios de mantenimiento. Debido a que cada área es distinta y el que los servicios podrían ser ajustados debido a la temporada del año o debido a fondos disponibles, el Gerente de la División de Distritos Especiales dictara que tipo de servicios serán apropiados. El nivel de servicio para cada área será sujeto a un ajuste dependiendo los fondos disponibles.

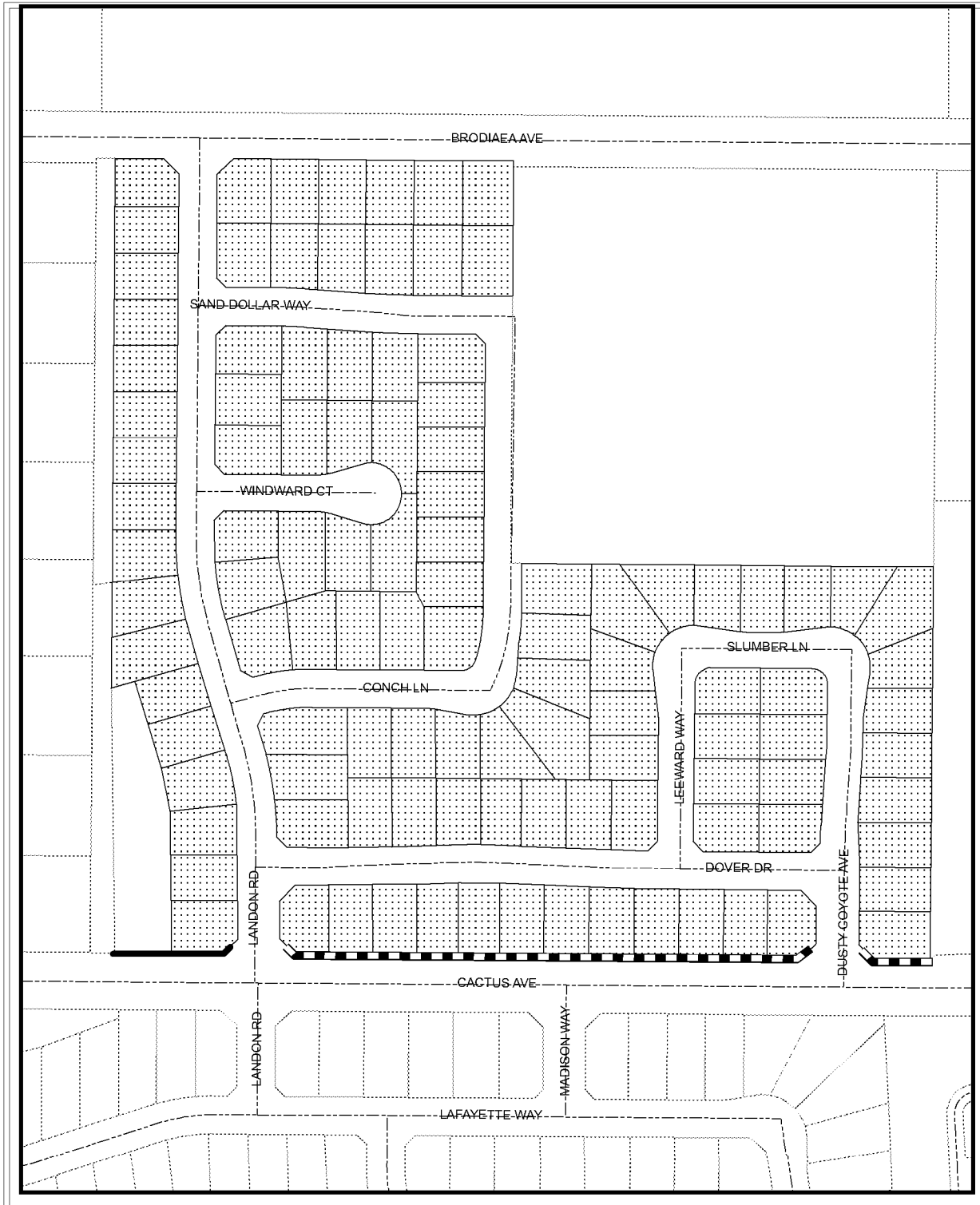

Tract/Fraccionamiento 31129

New Landscaped Areas/
Nuevo Areas de jardin

Landscaped Areas/Areas de jardin

Roads/Calles

Parcels/Parcelas

City Boundary/Limite de la ciudad

Tract/Fraccionamiento 31129

Map reflects all changes indicated on Riverside County Assessor Maps as of July 26, 2011.

N

G:\AVP\SDA\Zone D Tract 31129.mxd

0 175 350 525 700 Feet

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

Community Briefing

Get Information about the Mail Ballot for Common Area Landscaping

Residential Housing Tract 31129

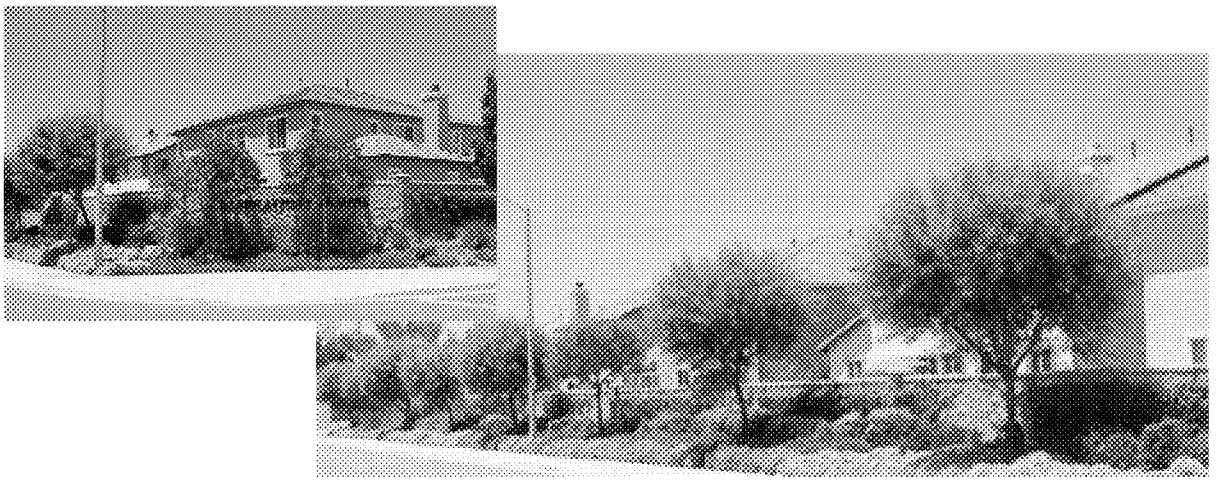

Date	August 2, 2011
Time	5:00 pm–6:00 pm
Location	Corner of Cactus Avenue and Landon Road
For	Property Owners in Residential Housing Tract 31129
What	City Staff will be available to answer questions about the upcoming Mail Ballot proceeding. In addition to a request to increase the landscaped area around your housing tract, costs to maintain the landscaping have increased. Property owners need to decide whether they want to accept the new area and to keep the current level of service by approving an increase or whether they want to reduce services and keep the parcel charge currently paid as part of their property tax bill the same.

City of Moreno Valley
Public Works Department
Special Districts Division
14325 Frederick Street, Suite 9
Moreno Valley, Ca 92553

Phone: 951-413-3480
E-mail: specialdistricts@moval.org

MORENO VALLEY
WHERE DREAMS SOAR

Item No. G.7

MV00124880

OFFICIAL BALLOT/BOLETA OFICIAL for Assessor Parcel No. 486551004
CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – TRACT 31129

Mark the enclosed ballot in support of or opposition to the proposed increase in the Zone D annual charge by placing a mark in the corresponding box and signing your name on the adjacent signature line. An unmarked or unsigned ballot will be considered invalid and will not be counted. This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing on September 13, 2011, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

Marque la boleta en el recuadro correspondiente si esta a favor o en contra al incremento propuesto al cargo anual para la Zona D. Después, firme en la línea que corresponda al recuadro elegido solamente. Cualquier boleta que sea devuelta sin voto o firma(s) o ambas será considerada invalida y por lo tanto no será contada. Esta boleta deberá ser recibida por el Secretario del Comité de CSD (Secretario de la Ciudad) antes del cierre de la Audiencia Publica que se llevara a cabo el 13 de Septiembre del 2011, en la Cámara de Ayuntamiento de Moreno Valley (Moreno Valley City Hall Council Chamber), a las 6:30 p.m. o en tanto sea posible tratar el asunto.

☐ **Yes/Si**

PROPERTY OWNER SIGNATURE/FIRMA DEL PROPIETARIO DATE/FECHA

Yes, ***I approve*** the increase in the maintained landscaped area and an increase in annual charge for Zone D services of $54.42 per parcel **(approximately $4.54 per month)**. The increase will adjust the approved annual charge from $83.58 to $138.00 per parcel for fiscal year 2011/12. The approved charge shall be subject to an annual inflation adjustment based on the percentage increase calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics in future years.

Si, ***yo apruebo*** el incremento en el paisaje mantenido y en el incremento anual a los servicios de la Zona D de $54.42 por parcela **(aproximadamente $4.54 mensual).** Dicho incremento resultara en un ajuste al cargo anual aprobado de $83.58 a $138.00 por parcela para el próximo año fiscal 2011/2012. Este cargo esta sujeto a un ajuste inflacionario basado en el cambio al porcentaje calculado durante el año anterior al Índice Regional de Precio al Consumidor para Todos Los Consumidores Urbanos de los Condados de Los Ángeles-Riverside y Orange, publicado por la Oficina de Estadísticas Laborales para los anos venideros del Departamento de Trabajo.

☐ **No/No**

PROPERTY OWNER SIGNATURE/FIRMA DEL PROPIETARIO DATE/FECHA

No, ***I do not approve*** the increase in the maintained landscaped area or the increase in the annual charge for Zone D services of $54.42 per parcel. I understand landscaping services for Zone D shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, maintenance services may be discontinued.

No, ***yo no apruebo*** el incremento en el paisaje mantenido o el incremento anual a los servicios de la Zona D de $54.42 por parcela. Entiendo que los servicios de jardinería de la Zona D serán reducidos a un nivel basado en los fondos disponibles. El servicio de mantenimiento de las áreas ajardinadas podría ser descontinuado si los fondos disponibles no llegasen a costear el servicio más básico.

Weighted Ballot Count: 1

THIS IS YOUR OFFICIAL BALLOT

ADELIA A BELUSO

27729 DOVER DR
MORENO VALLEY, CA 92555

Item No. G.7

MV00124881

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MV00124882

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: August 23, 2011

TITLE: ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CalPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON OR AFTER SEPTEMBER 30, 2011, AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CalPERS.

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after September 30, 2011, and conduct the first reading of the related ordinance as required by CalPERS.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

During the Meet & Confer Process for the FY 2011/12 successor MOU's for the City three employees associations, the City's labor negotiating team introduced the proposal of providing the 2% at Age 55 and Three-Year Final Compensation Calculation CalPERS retirement benefits for new hires starting on or after September 30, 2011.

DISCUSSION

There is a three-month schedule that CalPERS requires for an amendment to the City's current contract with CalPERS for the provision of retirement benefits. The first step in

the process is the adoption of a Resolution of Intent and the first reading of the related ordinance. This staff report and City Council action will start the schedule process. On September 13, 2011, a follow-up staff report will be submitted for City Council recommending the approval of a Resolution Adopting the Amendment to the CalPERS Contract, and the adoption of the related ordinance. It is anticipated that the Meet & Confer process with the three employees associations will be concluded prior to the actual effective date of the amendment to the City's CalPERS Contract. If for any reason the Meet & Confer process is not completed prior to the City Council meeting on September 13, 2011, City staff will postpone the final adoption of the resolution and the adoption of the related ordinance.

ALTERNATIVES

The action of the City Council to approve the attached resolution and to conduct the first reading of the related ordinance relates to the current labor negotiations with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The implementation of the 2% at Age 55 and Three Years Highest Average Compensation Calculation CalPERS retirement benefits for new hires is expected to reduce the cost to the City budget for benefits between a range of $1,710.00 to $3,000.00 per employee per year, depending on the employees' compensation levels. The City's CalPERS Employer Rate will be reduced from 19.344% to 15.922% for the new hires. The newly hired employees will be required to pay for the 7% employee's member contribution, and the City will not pay any portion of the employee's member contribution.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future."

NOTIFICATION

The three employee associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and related ordinance. Copies of this staff report and attached resolution were sent to the employee associations and all three concur with the recommended City Council action, pending ratification of the successor MVMA MOU and MVCME MOU for Fiscal Year 2011/12.

ATTACHMENTS/EXHIBITS

1. Resolution of Intent to Approve an Amendment to the CalPERS Contract.
2. Ordinance related to the amendment of the CalPERS Contract.

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00124886

RESOLUTION NO. 2011-59

RESOLUTION OF INTENTION

TO APPROVE AN AMENDMENT TO CONTRACT

BETWEEN THE

BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

AND THE

CITY COUNCIL
CITY OF MORENO VALLEY

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

> To provide Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By:_____
Presiding Officer

_____
Title

Resolution No. 2011-59
Date Adopted: September 13, 2011

_____
Date adopted and approved

(Amendment)
CON-302 (Rev. 4/96)

ATTACHMENT 1

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

ORDINANCE NO. 828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MORENO VALLEY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1.

That an amendment to the contract between the City of Moreno Valley and the Board of Administration, California Public Employees' Retirement system is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit A, and by such reference made a part hereof as though herein set out in full.

SECTION 2.

The Mayor of the City of Moreno Valley is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3.

This Ordinance shall take effect thirty (30) days after the date of its adoption, and prior to the expiration of fifteen (15) days from passage thereof shall be published at least in the Press Enterprise, a newspaper of general circulation, published and circulated in the County of Riverside and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AND ADOPTED this 13th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____

City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00124892

CalPERS

EXHIBIT: A

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Moreno Valley

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective October 16, 1985, and witnessed October 15, 1985, and as amended effective February 14, 1992, July 5, 1995, July 15, 1997, January 6, 1999, July 18, 2003, January 13, 2007 and March 27, 2009 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective March 27, 2009, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after October 16, 1985 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:

   (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.

   (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.

   (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.

   (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.

   (e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.

   (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.

   (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.

4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:

   a. Employees other than local safety members (herein referred to as local miscellaneous members).

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

   a. **SAFETY EMPLOYEES.**

6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after January 13, 2007 shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

7. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after January 13, 2007 and not entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).

8. The percentage of final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

9. Public Agency elected and elects to be subject to the following optional provisions:

   a. Section 20042 (One-Year Final Compensation) for those local miscellaneous members entering membership on or prior to the effective date of this amendment to contract.

   b. Section 20938 (Limit Prior Service to Members Employed on Contract Date).

   c. Section 21574 (Fourth Level of 1959 Survivor Benefits).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

d. Section 21024 (Military Service Credit as Public Service).

e. Section 20965 (Credit for Unused Sick Leave).

f. Section 20903 (Two Years Additional Service Credit).

g. Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

10. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.

11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members of said Retirement System.

12. Public Agency shall also contribute to said Retirement System as follows:

a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members.

b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY_____
DARRYL WATSON, CHIEF
CUSTOMER ACCOUNT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF MORENO VALLEY

BY_____
PRESIDING OFFICER

_____
Witness Date

Attest:

_____
Clerk

PLEASE DO NOT SIGN "EXHIBIT ONLY"
PLEASE DO NOT SIGN "EXHIBIT ONLY"

AMENDMENT ER# 1384
PERS-CON-702A

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
Actuarial and Employer Services Branch
Public Agency Contract Services
(888) CalPERS (225-7377)

SUMMARY OF MAJOR PROVISIONS
2% @ 55 Formula (Section 21354)
Local Miscellaneous Members

SERVICE RETIREMENT

To be eligible for service retirement, a member must be at least age 50 and have five years of CalPERS credited service. There is no compulsory retirement age.

The monthly retirement allowance is determined by age at retirement, years of service credit and final compensation. The basic benefit is 2% of final compensation for each year of credited service upon retirement at age 55. If retirement is earlier than age 55, the percentage of final compensation decreases for each quarter year of attained age to 1.426% at age 50. If retirement is deferred beyond age 55, the percentage of final compensation increases for each quarter year of attained age to 2.418% at age 63.

Final compensation is the average monthly pay rate during the last consecutive 36 months of employment, or 12 months if provided by the employer's contract, unless the member designates a different period of 36 or 12 consecutive months when the average pay rate was higher.

DISABILITY RETIREMENT

Members substantially incapacitated from performing the usual duties for the position for his/her current employer, and from performing the usual duties of the position for other CalPERS covered employers (including State agencies, schools, and local public agencies), and where similar positions with these other employers with reasonably comparable in pay, benefits, and promotional opportunities are not available, would be eligible for disability retirement provided they have at least five years of service credit. The monthly retirement allowance is 1.8% of final compensation for each year of service. The maximum percentage for members who have between 10.000 and 18.518 years of service credit is one-third of their final compensation. If the member is eligible for service retirement the member will receive the highest allowance payable, service or disability. If provided by the employer's contract, the benefit would be a minimum of 30% of final compensation for the first five years of service credit, plus 1% for each additional year of service to a maximum benefit of 50% of final compensation.

INDUSTRIAL DISABILITY RETIREMENT

If provided by the employer's contract, members permanently incapacitated from performing their duties, as defined above under Disability Retirement, and the disability is a result of a job-related injury or illness may receive an Industrial Disability Retirement benefit equal to 50% of their final compensation. If provided in the employer's contract and the member is totally disabled, the disability retirement allowance would equal 75% of final compensation in lieu of the disability retirement allowance otherwise provided. If the member is eligible for service retirement, the service retirement allowance is payable. The total allowance cannot exceed 90% of final compensation.

PRE-RETIREMENT DEATH BENEFITS

Basic Death Benefit: This benefit is a refund of the member's contributions plus interest and up to six months' pay (one month's salary rate for each year of current service to a maximum of six months).

1957 Survivor Benefit: An eligible beneficiary may elect to receive either the Basic Death Benefit or the 1957 Survivor Benefit. The 1957 Survivor Benefit provides a monthly allowance equal to one-half of the highest service retirement allowance the member would have received had he/she retired on the date of death. The 1957 Survivor Benefit is payable to the surviving spouse or registered domestic partner until death or to eligible unmarried children until age 18.

1959 Survivor Benefit: (If provided by the employer's contract and the member is not covered under social security.) A surviving spouse or registered domestic partner and eligible children may receive a monthly allowance as determine by the level of coverage. This benefit is payable in addition to the Basic Death Benefit or 1957 Survivor Benefit. Children are eligible if under age 22 and unmarried.

Pre-Retirement Optional Settlement 2 Death Benefit: (If provided by the employer's contract.) The spouse or registered domestic partner of a deceased member, who was eligible to retire for service at the time of death, may to elect to receive the Pre-Retirement Optional Settlement 2 Death Benefit in lieu of the lump sum Basic Death Benefit. The benefit is a monthly allowance equal to the amount the member would have received if he/she had retired for service on the date of death and elected Optional Settlement 2, the highest monthly allowance a member can leave a spouse or registered domestic partner.

COST-OF-LIVING ADJUSTMENTS

The cost of living allowance increases are limited to a maximum of 2% compounded annually unless the employer's contract provides a 3, 4, or 5% increase.

DEATH AFTER RETIREMENT

The lump sum death benefit is $500 (or $600, $2,000, $3,000, $4,000 or $5,000 if provided by the employer's contract) regardless of the retirement plan chosen by the member at the time of retirement.

TERMINATION OF EMPLOYMENT

Members who have separated from employment may elect to leave their contributions on deposit or request a refund of contributions and interest. Those who leave their contributions on deposit may apply at a later date for a monthly retirement allowance if the minimum service and age requirements are met. Members who request a refund of their contributions terminate their membership and are not eligible for any future benefits unless they return to CalPERS membership.

EMPLOYEE CONTRIBUTIONS

Miscellaneous members covered by the 2% @ 55 formula contribute 7% of reportable earnings. Those covered under a modified formula (coordinated with Social Security) do not contribute on the first $133.33 earned.

The employer also contributes toward the cost of the benefits. The amount contributed by the employer for current service retirement benefits generally exceeds the cost to the employee. In addition, the employer bears the entire cost of prior service benefits (the period of time before the employer provided retirement coverage under CalPERS). All employer contribution rates are subject to adjustment by the CalPERS Board of Administration.

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MV00124900

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Members of the Board of Directors

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board of Directors Adopt Resolution No. RDA 2011-12 approving an Enforceable Obligation Payment Schedule.

BACKGROUND

On June 30, 2011, the Governor signed the following two bills that became effective immediately.

- ABX1 26 eliminates California redevelopment agencies (RDA's) as of October 1, 2011, and
- ABX1 27 exempts from elimination any RDA within a City or County that agrees to make an annual payment to the Special District Allocation Fund and Educational Revenue Augmentation Fund.

On July 18, the California Redevelopment Association, the League of California Cities, and the cities of San Jose and Union City filed a petition with the California Supreme Court to overturn AB 1X 26 and AB 1X 27 based on claims that the bills violate the Constitution.

On August 11, 2011, the California Supreme Court issued a partial stay on the implementation of ABx1 26 and ABx1 27 until the Court can rule on the constitutionality of the two bills. As a result of the partial stay, sections of ABx1 26 remain in effect that suspend non-administrative redevelopment agency activities and require RDA's to adopt an Enforceable Obligation Payment Schedule (EOPS). The EOPS must be filed with the County Auditor-Controller, the State Controller, and the State Department of Finance by August 28, 2011. After this date, RDA's may only pay for obligations listed on the EOPS unless another payment is necessary to meet bonded indebtedness.

DISCUSSION

As a result of ABx1 26, ABx1 27, and the Supreme Court's partial stay, it is recommended that even agencies that have adopted a resolution that declares the intent to make the voluntary payments to the Special District Allocation Fund and Educational Revenue Augmentation Fund adopt an EOPS to ensure they have the authority to make payments on indebtedness after August 28, 2011. Staff recommends that the RDA Board of Directors adopt Resolution No. RDA 2011-12 (Attachment A) approving an Enforceable Obligation Payment Schedule (Attachment B).

ALTERNATIVES

1. Enact and adopt the attached resolution, which approves the Enforceable Obligation Payment Schedule. *Staff recommends this alternative because it allows the RDA to make required RDA debt service payments in accordance with the State legislation.*

2. Decline to enact and adopt the attached resolution, which approves the Enforceable Obligation Payment Schedule. *Staff does not recommend this alternative since without the EOPS, RDA debt service payments may not be authorized.*

FISCAL IMPACT

The EOPS summarizes the RDA's legally binding and enforceable agreements. There is no fiscal impact associated with adopting the proposed resolution that authorizes filing of an Enforceable Obligation Payment Schedule with the County Auditor-Controller, the State Controller, and the State Department of Finance.

SUMMARY

The Governor has signed two bills, one that eliminates RDA's and a second which provides for a voluntary alternative redevelopment program exempting an RDA from elimination if the City Council enacts an ordinance before November 1, 2011 to comply with the State legislation and make payments to the County-Auditor Controller as required by the legislation. A lawsuit was filed with the California Supreme Court asserting the claim that the bills are unconstitutional and the Supreme Court has issued a partial stay of the bills' implementation. Since the stay is not comprehensive,

compliance with the requirement that RDA's adopt an Enforceable Obligation Payment Schedule is necessary for timely filing with the County Auditor-Controller, the State Controller, and the State Department of Finance. The resolution adopting the Enforceable Obligation Payment Schedule is attached hereto for RDA Board consideration.

NOTIFICATION

Other than posting of the Agenda, no public notice is required prior to the Redevelopment Agency taking action on this item. The agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council and RDA Board meeting agendas.

ATTACHMENTS/EXHIBITS

Attachment A: Resolution No. RDA 2011-12
Attachment B: Enforceable Obligation Payment Schedule

Prepared By:
Michele Patterson
Redevelopment & Neighborhood
Programs Administrator

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00124904

RESOLUTION NO. RDA 2011-12

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, et seq. ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011, and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain "enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, the dissolution of the Agency would be detrimental to the health, safety, and economic well-being of the residents of the City and cause irreparable harm to the community and the Redevelopment Project, because, among other reasons, the

redevelopment activities and projects made possible, implemented, and funded by the Agency are highly significant and of enduring benefit to the community and the City, and are a critical component of its future; and

WHEREAS, Part 1.9 of the CRL ("Part 1.9") provides that a redevelopment agency may continue in operation if a city or county that includes a redevelopment agency adopts an ordinance agreeing to comply with and participate in the Alternative Voluntary Redevelopment Program established in Part 1.9 ("Program"); and

WHEREAS, the City intends to adopt the ordinance required by Part 1.9, in order to allow the Agency to continue in operation and performing its functions; and

WHEREAS, the Agency is aware that the validity, passage, and applicability of ABX1 26 and ABX1 27 have become the subject of a judicial challenge; and

WHEREAS, the Agency, by the adoption of this resolution, does not represent, disclaim, or take any position whatsoever on the issue of the validity of ABX1 26 or ABX1 27, but rather the City seeks to comply with the Constitution and laws of the State of California, including Part 1.9, in order to preserve the ability of the Agency to continue to operate and thereby benefit the community; and

WHEREAS, various petitioners have filed an action in the matter of *California Redevelopment Association et al. v. Ana Matosantos, as Director, etc., et al* (the "Redevelopment Lawsuit") which challenges the validity of ABX1 26 and ABX1 27; and

WHEREAS, the Supreme Court has issued a partial stay in connection with the Redevelopment Lawsuit; and

WHEREAS, while the intention of the City and the Agency is that the Agency continue in existence, in the interests of seeking compliance with those provisions of ABX1 26 which require the adoption of an enforceable obligation payment schedule, the Agency desires to approve an enforceable obligation payment schedule in the form submitted herewith (the "Enforceable Obligation Payment Schedule"); and

WHEREAS, given the adoption of ABX1 26, the Agency has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That certain Enforceable Obligation Payment Schedule in the form submitted herewith is hereby approved as the enforceable obligation payment schedule of the Agency for purposes of Part 1.8 and Part 1.85.

Section 3. This Resolution shall be effective immediately upon adoption.

Section 4. The Agency Secretary shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the
Community Redevelopment Agency of the
City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Community
Redevelopment Agency of the
City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the
City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. _____ was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the _____ day of _____, _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Agency Members, Vice Chairman and Chairman)

_____

SECRETARY

(SEAL)

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	2007 Tax Allocation Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	83,920,389.38	2,253,483.75	1,233,841.88					$ 1,233,841.88
2)	2007 Special Tax Refunding Bonds - Towngate 87-1	Well Fargo Bank	Bonds issue to fund non-housing projects	13,069,701.97	1,162,857.57					1,162,857.57	$ 1,162,857.57
3)	Improvement Area No. 1 Special Tax Refunding Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	3,631,051.55	273,920.77					273,920.77	$ 273,920.77
4)	Auto Mall Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	2,389,960.61	143,437.50					143,437.50	$ 143,437.50
5)	2005 Lease Revenue Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	14,130,257.91	594,597.50					594,597.50	$ 594,597.50
6)	2011 Refunding Bonds	Bank of America	Bonds issue to fund non-housing projects	1,650,000.00	150,000.00					150,000.00	$ 150,000.00
7)	Employee Costs - RDA Admin	Employees of Agency	Payroll for employees	700,000.00	700,000.00	58,333.33	58,333.33	58,333.33	58,333.33	58,333.33	$ 291,666.65
8)	Employee Costs - RDA Housing	Employees of Agency	Payroll for employees	900,000.00	900,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	$ 375,000.00
9)	Contract for consulting services	Strickler Association	Professional Services	45,000.00	45,000.00	3,750.00	3,750.00	3,750.00	3,750.00	3,750.00	$ 18,750.00
10)	Contract for legal services	Stradling, Yocca, Carlson & Rauth	Legal Services	160,000.00	160,000.00	13,333.33	13,333.33	13,333.33	13,333.33	13,333.33	$ 66,666.65
11)	Contract for professional services	Certified Credit Reporting	Professional Service	500.00	500.00	100.00	100.00	100.00	100.00	100.00	$ 500.00
12)	Contract for professional services	Keyser Marston Assoc	Professional Service	20,000.00	20,000.00	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	$ 8,333.35
13)	Contract for professional services	Home Safe Environmental	Professional Service	1,400.00	1,400.00	116.67	116.67	116.67	116.67	116.67	$ 583.35
14)	Contract for professional services	Diane Hadland	Professional Service	5,000.00	5,000.00	416.67	416.67	416.67	416.67	416.67	$ 2,083.35
15)	Oakwood Apartments	One Moreno Valley 240, L.P.	Affordable Housing Agreement	750,000.00	750,000.00					750,000.00	$ 750,000.00
16)	Rancho Dorado Apts - South	Moreno Valley Rancho Dorado II LTD	Affordable Housing Agreement	6,950,000.00	100,000.00					100,000.00	$ 100,000.00
17)	Hemlock Family Apartments	Rancho Belago, Inc.	Affordable Housing Agreement	6,300,000.00	5,300,000.00					5,300,000.00	$ 5,300,000.00
18)	Indian Basin, Appurtenant	Lim & Nascimento Engineering	Contractual Services	42,152.84	42,152.84	3,512.74	3,512.74	3,512.74	3,512.74	3,512.74	$ 17,563.70
19)	Indian Basin, Appurtenant	Ninyo & Moore Geotech	Contractual Services	31,530.00	31,530.00	2,627.50	2,627.50	2,627.50	2,627.50	2,627.50	$ 13,137.50
20)	Indian Basin, Appurtenant	Caltrop Engineering	Contractual Services	3,194.50	3,194.50	266.21	266.21	266.21	266.21	266.21	$ 1,331.05
21)	Indian Basin, Appurtenant	Hillcress Construction	Contractual Services	84,407.40	84,407.40	7,033.95	7,033.95	7,033.95	7,033.95	7,033.95	$ 35,169.75
22)	Indian Basin, Appurtenant	Guida Surveying	Contractual Services	906.00	906.00	75.50	75.50	75.50	75.50	75.50	$ 377.50
23)	Indian Basin, Appurtenant	Riverside Construction	Contractual Services	189,477.77	189,477.77	15,789.81	15,789.81	15,789.81	15,789.81	15,789.81	$ 78,949.05
24)	Day StreetAlessandro Blvd	DMC Design	Contractual Services	52,559.76	52,559.76	4,379.98	4,379.98	4,379.98	4,379.98	4,379.98	$ 21,899.90
25)	Day StreetAlessandro Blvd	Hillcrest Contract	Contractual Services	105,502.96	105,502.96	8,791.91	8,791.91	8,791.91	8,791.91	8,791.91	$ 43,959.55
26)	Day StreetAlessandro Blvd	SCE	Contratual Services	18,001.11	18,001.11	1,500.09	1,500.09	1,500.09	1,500.09	1,500.09	$ 7,500.45
27)	Day StreetAlessandro Blvd	Donahue Appraisal	Contratual Services	1,050.00	1,050.00	87.50	87.50	87.50	87.50	87.50	$ 437.50
28)	Day StreetAlessandro Blvd	Vali Cooper & Assoc	Contratual Services	10,896.20	10,896.20	908.02	908.02	908.02	908.02	908.02	$ 4,540.10
29)	Day StreetAlessandro Blvd	Gibbs, Giden, Locher	Contratual Services	12,183.25	12,183.25	1,015.27	1,015.27	1,015.27	1,015.27	1,015.27	$ 5,076.35
30)	Day StreetAlessandro Blvd	Time Warner	Contratual Services	3,343.84	3,343.84	278.65	278.65	278.65	278.65	278.65	$ 1,393.25
31)	Day StreetAlessandro Blvd	Verizon	Contratual Services	4,067.27	4,067.27	338.94	338.94	338.94	338.94	338.94	$ 1,694.70
	Totals - This Page			$ 135,182,534.32	$ 13,119,469.99	$ 1,433,164.62	$ 199,322.74	$ 199,322.74	$ 199,322.74	$ 8,674,136.08	$ 10,705,268.92
	Totals - Page 2			$ 1,323,436.49	$ 1,323,436.49	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 551,431.90
	Totals - Page 3			$ 751,680,224.00	$ 20,469,273.00	$ -	$ -	$ -	$ -	$ 10,486,120.50	$ 10,486,120.50
	Totals - Page 4										
	Totals - Other Obligations										
	Grand total - All Pages			$ 888,186,194.81	$ 34,912,179.48	$ 1,543,451.00	$ 309,609.12	$ 309,609.12	$ 309,609.12	$ 19,270,542.96	$ 21,742,821.32

*** This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11.)**

ATTACHMENT B

MV00124909

Name of Redevelopment Agency The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	Day StreetAlessandro Blvd	AIE Enginerring	Contratual Services	9,125.83	9,125.83	760.49	760.49	760.49	760.49	760.49	$ 3,802.45
2)	Day StreetAlessandro Blvd	Group Delta	Contratual Services	11,754.00	11,754.00	979.50	979.50	979.50	979.50	979.50	$ 4,897.50
3)	Auto Mall	Cal Trop Engineering	Contratual Services	9,200.00	9,200.00	766.67	766.67	766.67	766.67	766.67	$ 3,833.35
4)	Auto Mall	United Inspection	Contratual Services	2,646.00	2,646.00	220.50	220.50	220.50	220.50	220.50	$ 1,102.50
5)	Auto Mall	VA Consulting	Contratual Services	7,371.60	7,371.60	614.30	614.30	614.30	614.30	614.30	$ 3,071.50
6)	Auto Mall	San Pedro Sigh	Contratual Services	122,596.37	122,596.37	10,216.36	10,216.36	10,216.36	10,216.36	10,216.36	$ 51,081.80
7)	Ironwood Ave-Day	AIE Enginerring	Contratual Services	69,298.78	69,298.78	5,774.90	5,774.90	5,774.90	5,774.90	5,774.90	$ 28,874.50
8)	Ironwood Ave-Day	Lor Geotech	Contratual Services	1,500.00	1,500.00	125.00	125.00	125.00	125.00	125.00	$ 625.00
9)	Ironwood Ave-Day	JTB Supply	Contratual Services	8,210.63	8,210.63	684.22	684.22	684.22	684.22	684.22	$ 3,421.10
10)	Ironwood Ave-Day	Guida Supply	Contratual Services	8,377.00	8,377.00	698.08	698.08	698.08	698.08	698.08	$ 3,490.40
11)	Ironwood Ave-Day	Riverside Contruction	Contratual Services	225,797.03	225,797.03	18,816.42	18,816.42	18,816.42	18,816.42	18,816.42	$ 94,082.10
12)	Nason/SR-60 Bridge	Enco	Contratual Services	459.91	459.91	38.33	38.33	38.33	38.33	38.33	$ 191.65
13)	Nason/SR-60 Bridge	Singer & Coffin, APC	Contratual Services	4,310.00	4,310.00	359.17	359.17	359.17	359.17	359.17	$ 1,795.85
14)	Nason/SR-60 Bridge	Parsons Transportation	Contratual Services	428,956.97	428,956.97	35,746.41	35,746.41	35,746.41	35,746.41	35,746.41	$ 178,732.05
15)	Morrison Park Fire Station	Lor Geotech	Contratual Services	9,350.00	9,350.00	779.17	779.17	779.17	779.17	779.17	$ 3,895.85
16)	Morrison Park Fire Station	STK Architechture	Contratual Services	395,644.00	395,644.00	32,970.33	32,970.33	32,970.33	32,970.33	32,970.33	$ 164,851.65
17)	Morrison Park Fire Station	JTB Supply Co.	Contratual Services	8,135.13	8,135.13	677.93	677.93	677.93	677.93	677.93	$ 3,389.65
18)	Morrison Park Fire Station	Enco Utility	Contratual Services	703.24	703.24	58.60	58.60	58.60	58.60	58.60	$ 293.00
19)											$ -
20)											$ -
21)											$ -
22)											$ -
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31)											$ -
32)											$ -
33)											$ -
34)											$ -
											$ -
											$ -
	Totals - This Page			$ 1,323,436.49	$ 1,323,436.49	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 551,431.90

*** This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by ATTACHMENT B**
If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.
**** Include only payments to be made after the adoption of the EOPS.**

MV00124910

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

OTHER OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	Section 33676 Payments	Moreno Valley & Val Verde Unified SDs	Payments per former CRL 33676	29,000,000.00	880,000.00					440,000.00	$ 440,000.00
2)	Section 33676 Payments	Riverside City Comm College	Payments per former CRL 33676	6,000,000.00	170,000.00					85,000.00	$ 85,000.00
3)	Section 33676 Payments	School Funds	Payments per former CRL 33676	170,000.00	5,500.00					2,750.00	$ 2,750.00
4)	Section 33676 Payments	Co Supt of Schools	Payments per former CRL 33676	4,800,000.00	130,000.00					65,000.00	$ 65,000.00
5)	Pass Through Agreement	County of Riverside	Per Pass Through Agreement	411,848,046.00	8,000,000.00					4,000,000.00	$ 4,000,000.00
6)	Pass Through Agreement	Riverside Flood Control	Per Pass Through Agreement	47,190,566.00	808,500.00					404,250.00	$ 404,250.00
7)	LMIH Fund	RDA Housing Set-Aside	20% Set-Aside Fund	197,830,000.00	3,600,000.00					1,800,000.00	$ 1,800,000.00
8)	SB 2557 County Admin Fees	County of Riverside	County Administrative Fees	7,000,000.00	250,000.00					125,000.00	$ 125,000.00
9)	Conference & Recreation Cnt	City of Moreno Valley	MOU	35,971,807.00	307,468.00					307,468.00	$ 307,468.00
10)	Land Repayment to Housing	LMHF	Repayment of Land Transfer	3,387,000.00	195,500.00					195,500.00	$ 195,500.00
11)	Cactus/Day/Old 215 Land	City of Moreno Valley	Land purchased - Loan	2,360,500.00							$ -
12)	AB 1X 27 Payments	City of Moreno Valley	Transfer Agreement	6,122,305.00	6,122,305.00					3,061,152.50	$ 3,061,152.50
13)											$ -
14)											$ -
15)											$ -
16)											$ -
17)											$ -
18)											$ -
19)											$ -
20)											$ -
21)											$ -
22)											$ -
23)											$ -
24)											$ -
25)											$ -
26)											$ -
27)											$ -
28)											$ -
29)											$ -
30)											$ -
	Totals - Other Obligations			**$ 751,680,224.00**	**$ 20,469,273.00**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 10,486,120.50**	**$ 10,486,120.50**

*** This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11.) If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.**

MV00124911

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MV00124912

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.10

MV00124913

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MV00124914

AGENDA

NOTICE AND CALL OF SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY

September 6, 2011

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
SEPTEMBER 6, 2011

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Moreno Valley will be held on September 6, 2011 commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

Agenda

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC TESTIMONY WAS RECEIVED ON AUGUST 23, 2011 AND THAT PORTION OF THE PUBLIC HEARING IS CLOSED.

E. PUBLIC HEARINGS

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND

MV00124916

APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

ADJOURNMENT

* Materials related to an item on this Agenda submitted to the City Council/Community Services District or Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00124919

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 6, 2011 (Continued from August 23, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. 2011-76
3. Environmental Impact Report Resolution No. 2011-77, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. 829 - Zone Change
5. Ordinance No. 830 - Municipal Code Amendment
6. Resolution No. 2011-78 - Plot Plan PA08-0097
7. Resolution No. 2011-79 - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00124930

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- ☐ Administrative Plot Plan
- ☐ Administrative Variance
- ☐ Amended Conditional Use Permit
- ☐ Amended Plot Plan
- ☐ Change of Zone
- ☐ Conditional Use Permit
- ☐ Development Agreement
- ☐ Development Code Amendment
- ☐ Extension of Time
- ☐ General Plan Amendment
- ☐ Plot Plan
- ☐ Pre-Application Review
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Tentative Parcel Map
- ☐ Tentative Tract Map
- ☐ Variance
- ☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@ptrnet.com

Contact Person: Derek Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services LLC — Telephone: (951) 845-1003 cell 909-226-0420

Address 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson26@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name
Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60606

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈001194⑈ ⑆071000013⑆495693⑈

Item No. E.1

MV00124936

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

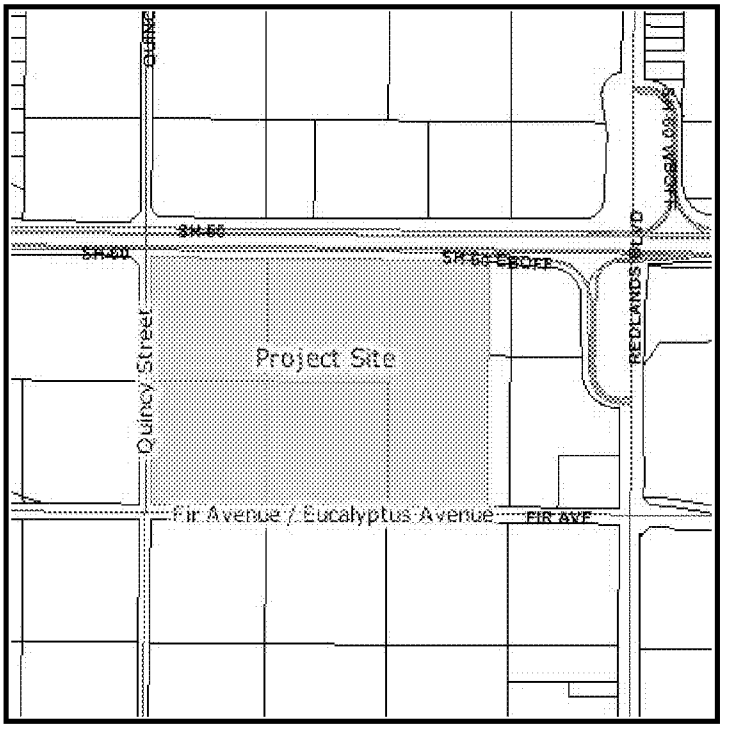

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

Item No. E.1

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MV00124938

RESOLUTION NO. 2011-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00124942

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

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west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. <u>Project Description</u>

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Land Use**

a. **General Plan Consistency**

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. **Zoning Consistency**

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. Hydrology and Water Quality

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. Biological Resources

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

c. **Freeway Mainline Segments**

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. **Air Quality**

a. **Short-Term Construction Emissions**

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

MV00125037

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125039

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125041

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd)				
right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;				
• *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*				
• *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*				
• *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*				
The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125043

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125047

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of fi building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.19 (cont'd)			Department	
• *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*				
The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.				
Air Quality				
To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction
• *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*				
• *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*				

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti_g Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

MV00125055

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125057

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

MV00125059

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) ○ *Installation of catalytic converters on gasoline-powered equipment.* ○ *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* ○ *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* ○ *Provision of preferential parking for EV and CNG vehicles;* ○ *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* ○ *Use of electric (instead of diesel or gasoline-powered) yard trucks;* ○ *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00125061

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building pe

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

MV00125063

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00125065

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of fi grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00125067

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00125080

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-78 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.
• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,
• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

P98. MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

P99. MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

P100. MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

P101. MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. **Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.**

LD67. **Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.**

LD68. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).**

LD69. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.**

LD70. **Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.**

LD71. **Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.**

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. **Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.**

f. **The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under <u>no</u> circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-79, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-79 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

~~PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION~~

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

~~General Conditions~~

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

~~PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION~~

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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MV00125194

PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

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3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

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separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

Item No. E.1

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans)** for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

4.3.~~6~~5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.~~7~~6 *During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.~~8~~7 *The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~* ***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be*** *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.~~9~~8 *Grading plans, construction specifications and bid documents shall* ***also*** *include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~* ***the following notations:***

- ***Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;***

- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

- ***All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.***

4.3.9 ***Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.***

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

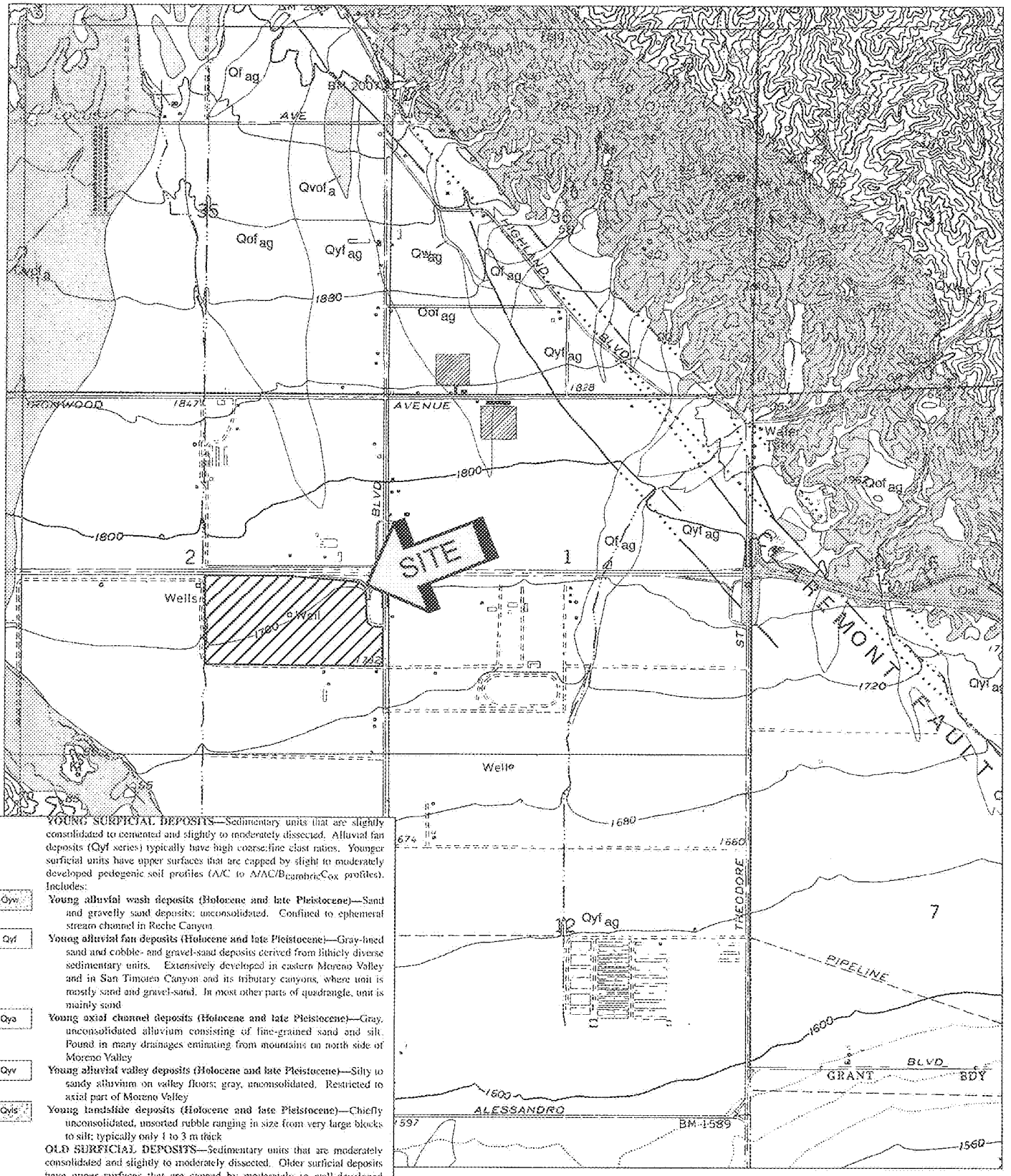

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00125270

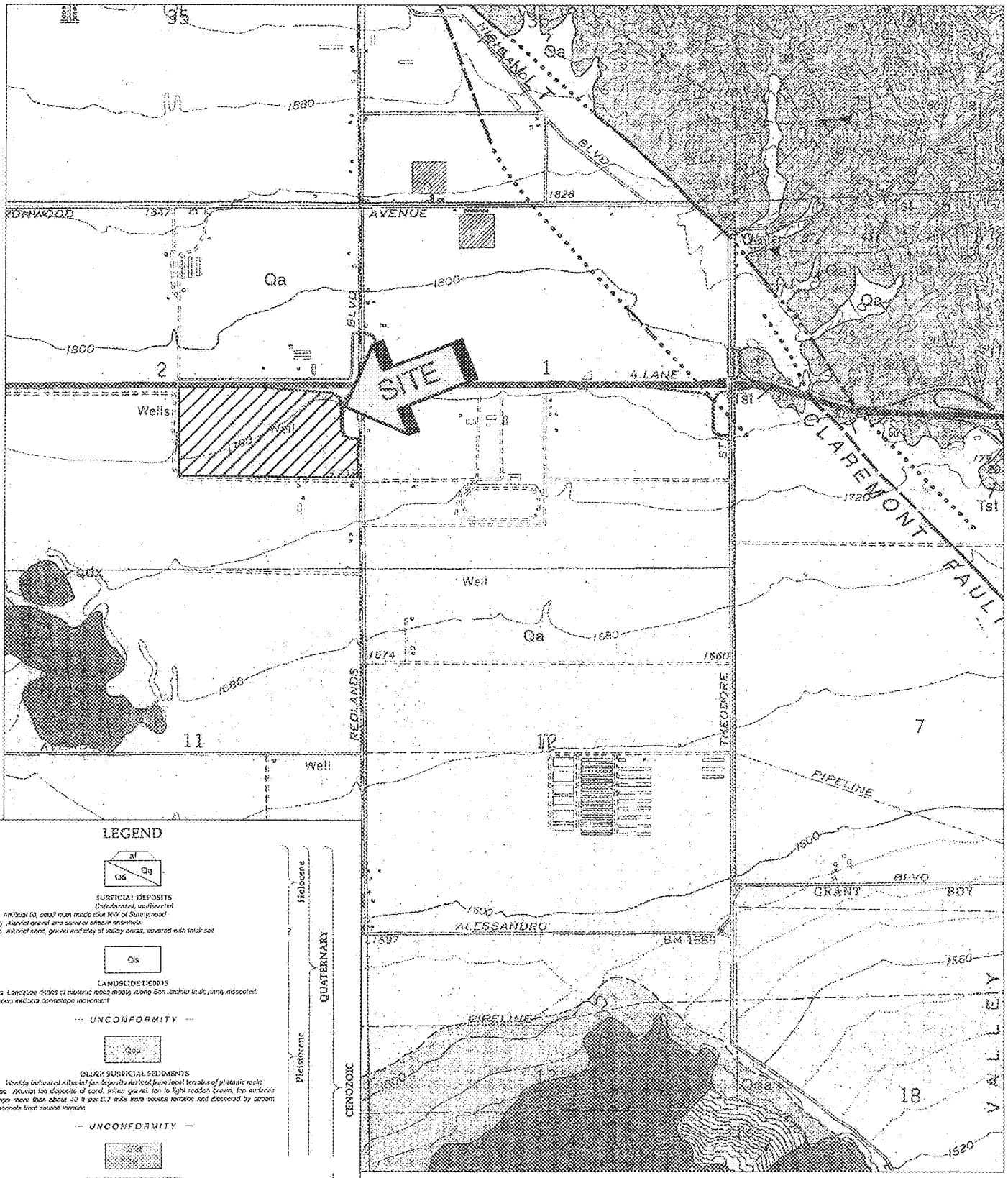

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made due NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Matti, 2001)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Matti, 2001), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene — Pleistocene — QUATERNARY — CENOZOIC

Pliocene — TERTIARY

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00125271

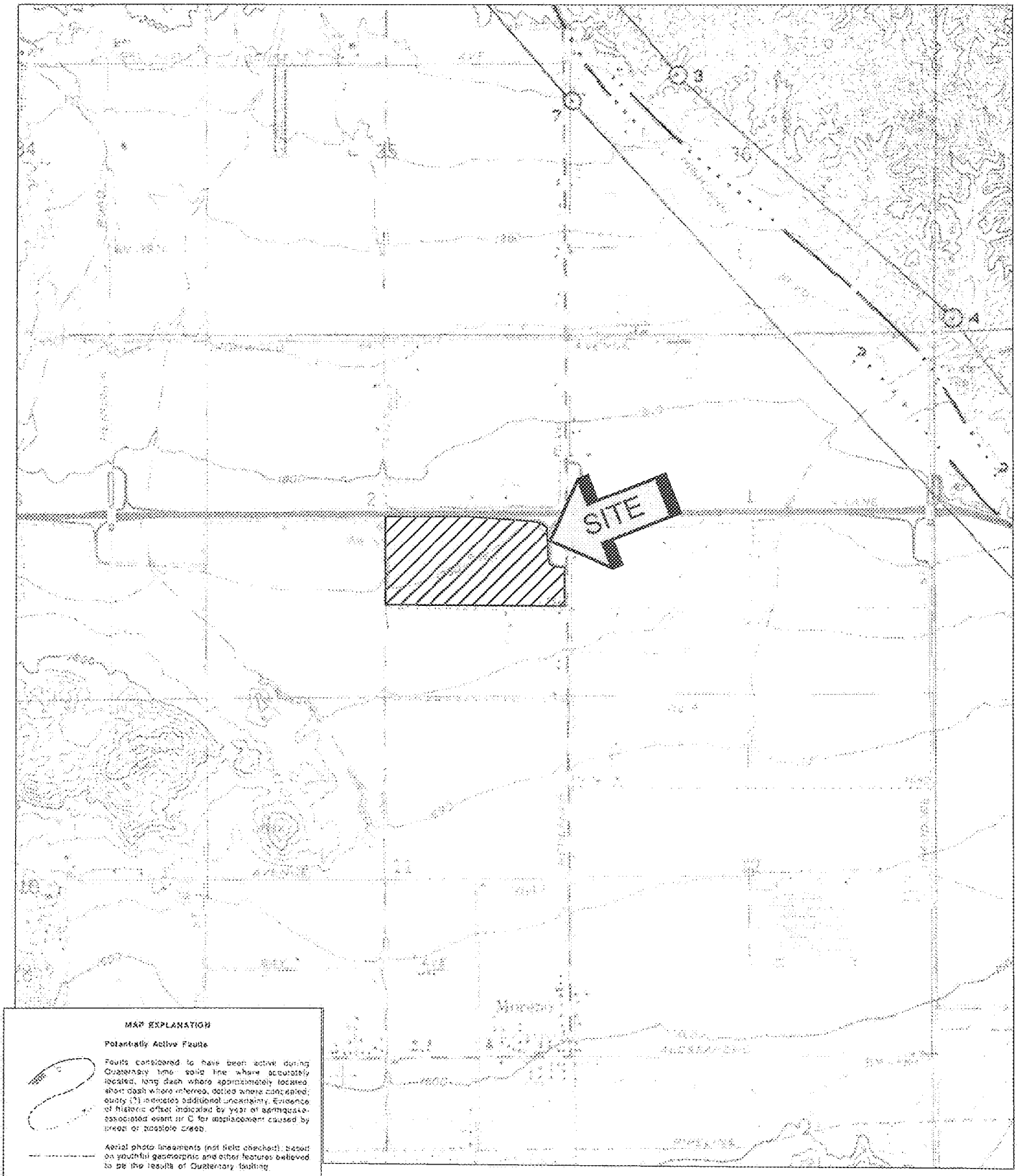

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/16/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00125273

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

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Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

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Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead age

Item No. E.1

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

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[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

Board of Directors

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***): EMWD-2

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the***

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 6, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

Board of Directors

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Anthony J. Pack

Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time. More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet: www.emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> 4.5.3 *The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> 4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
2

truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
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> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

MA-11 cont'd.

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs".

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

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3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

RECEIVED
DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

GB-5

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason.

GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR?

GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault?

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

GB-9

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east.

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

GB-10

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 • Calimesa, California 92320 • Telephone (909) 446-0041 • Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

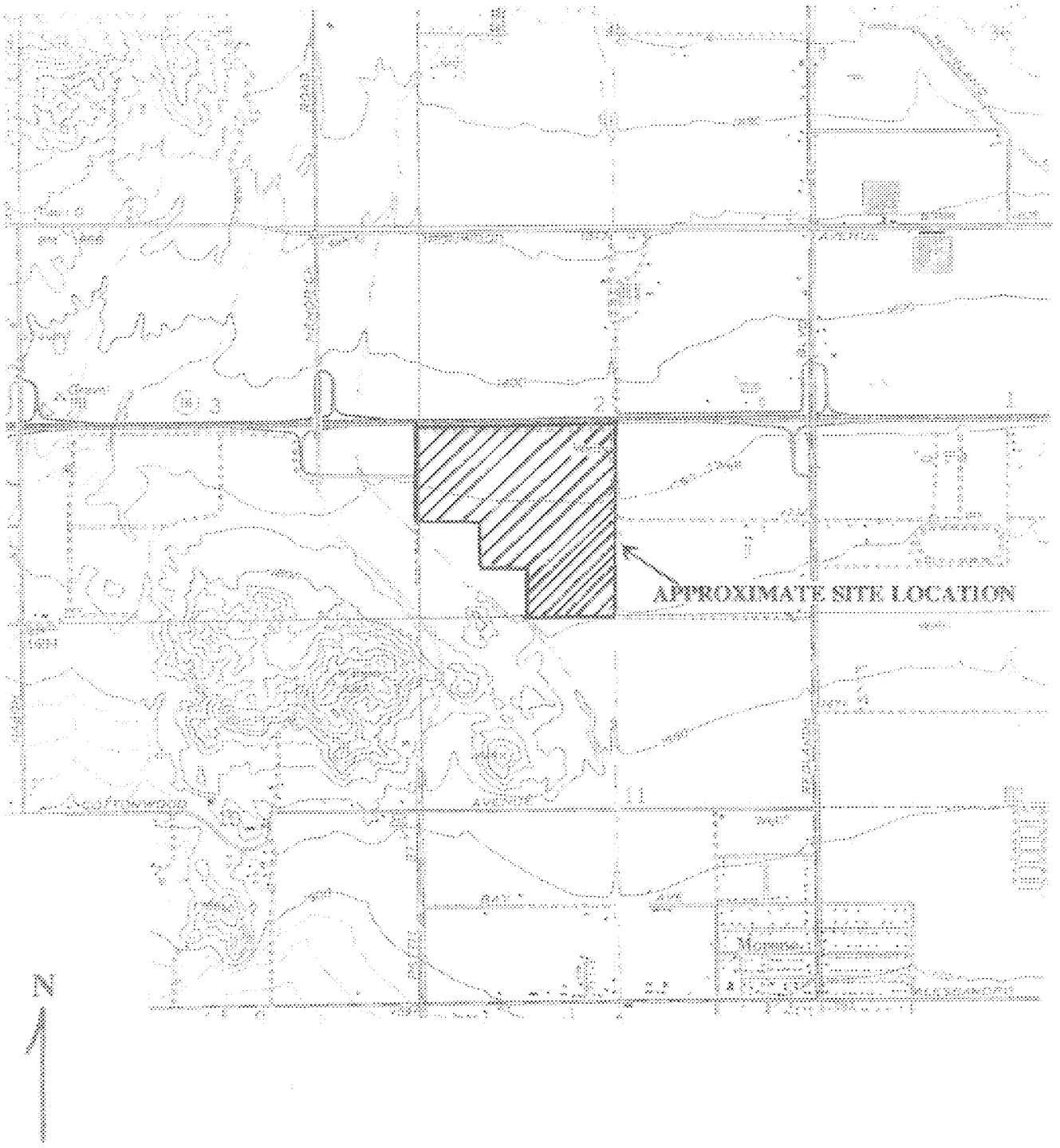

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 130± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

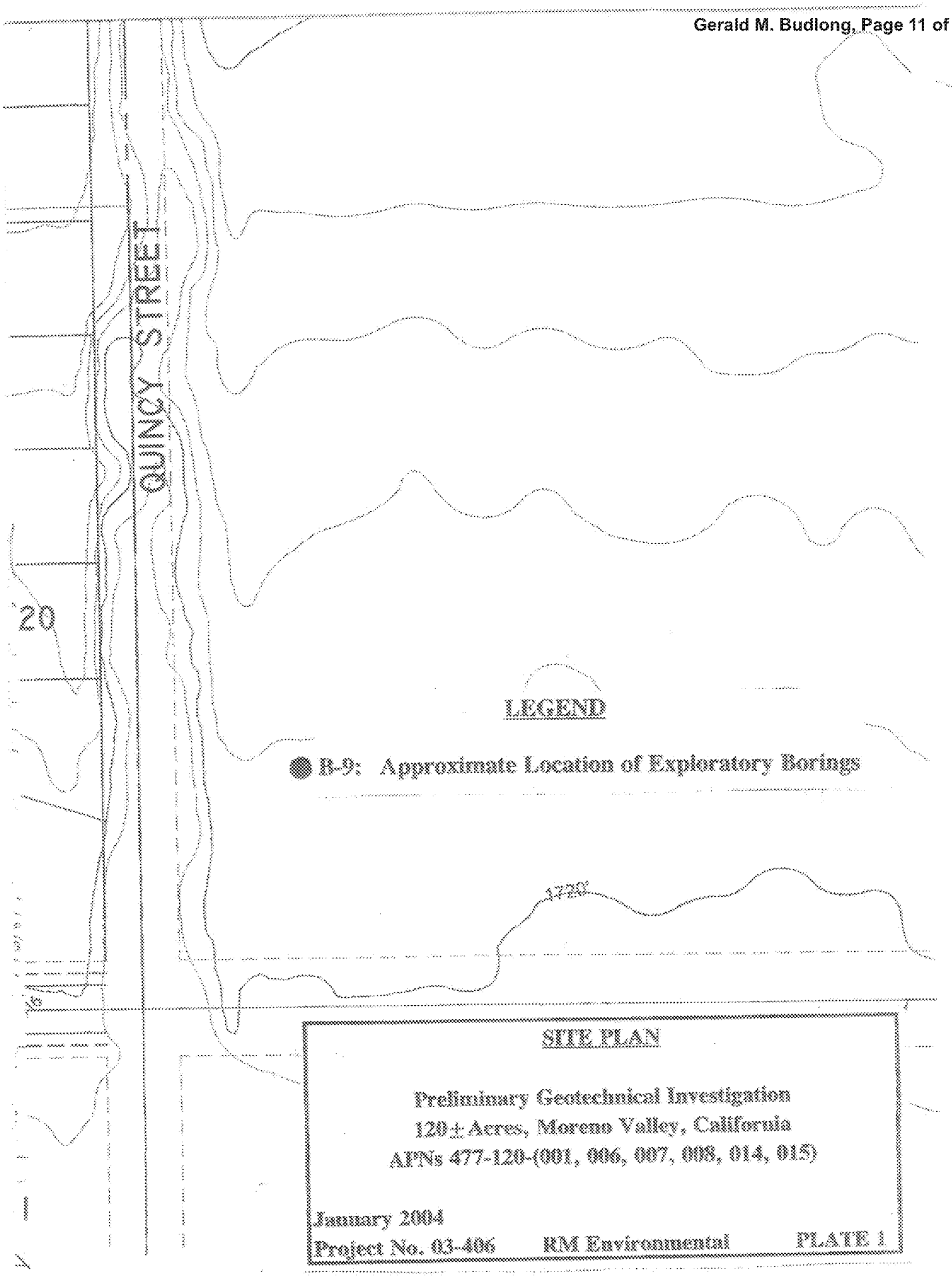

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

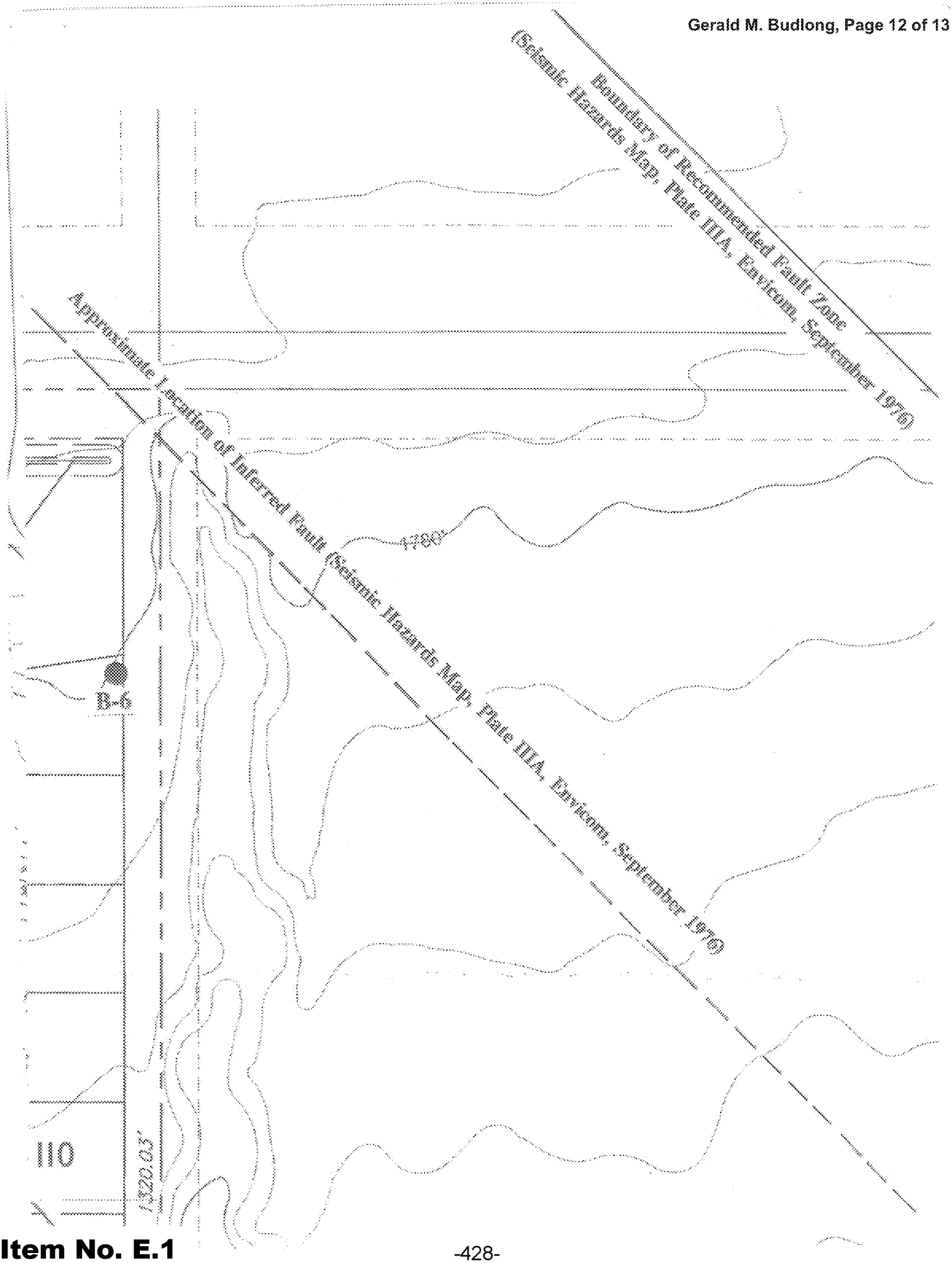
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
1780'
B-6
110
1320.03'

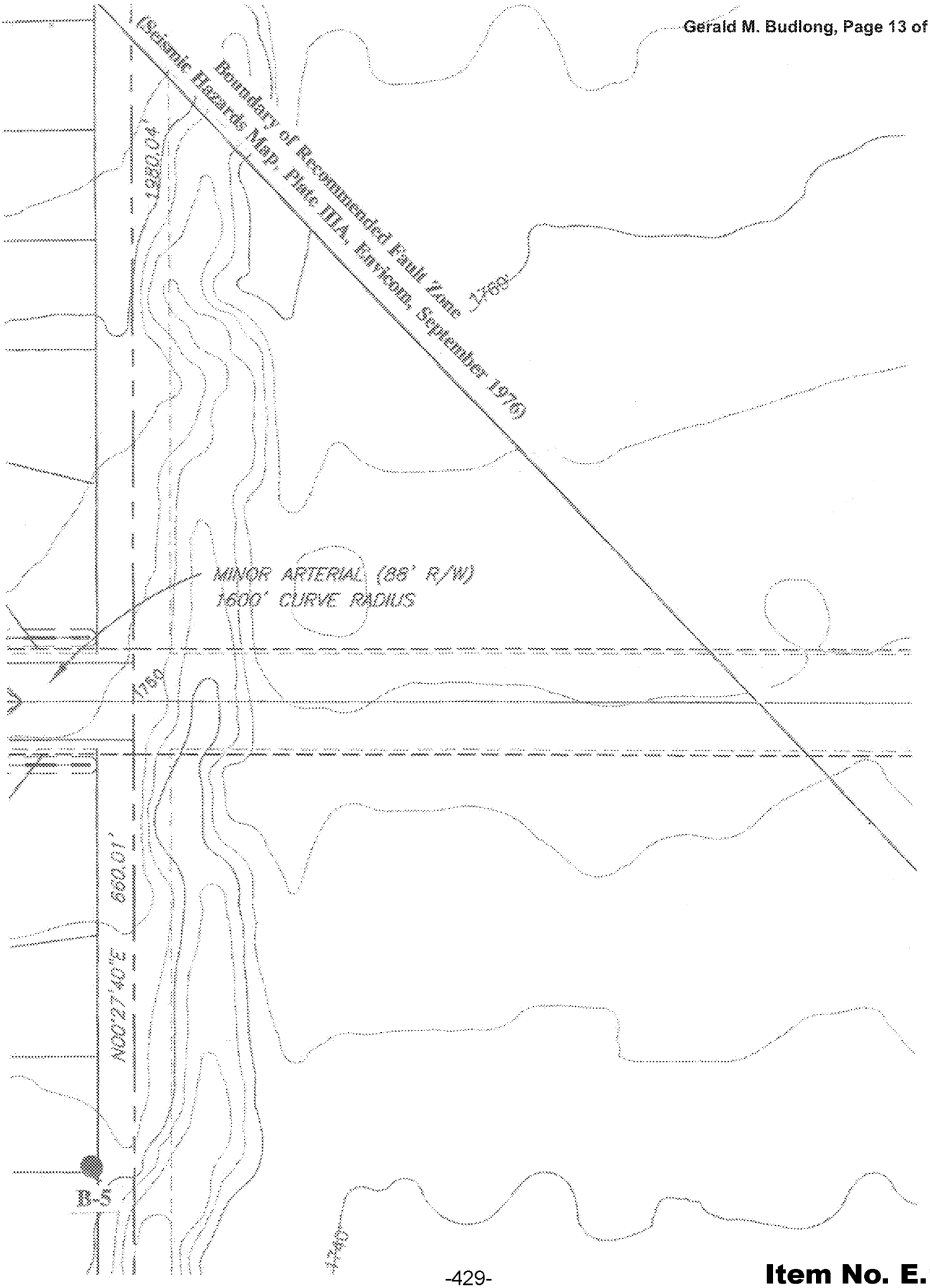
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harrison, September 1976
1920.04'
1760'
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

Item No. E.1

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

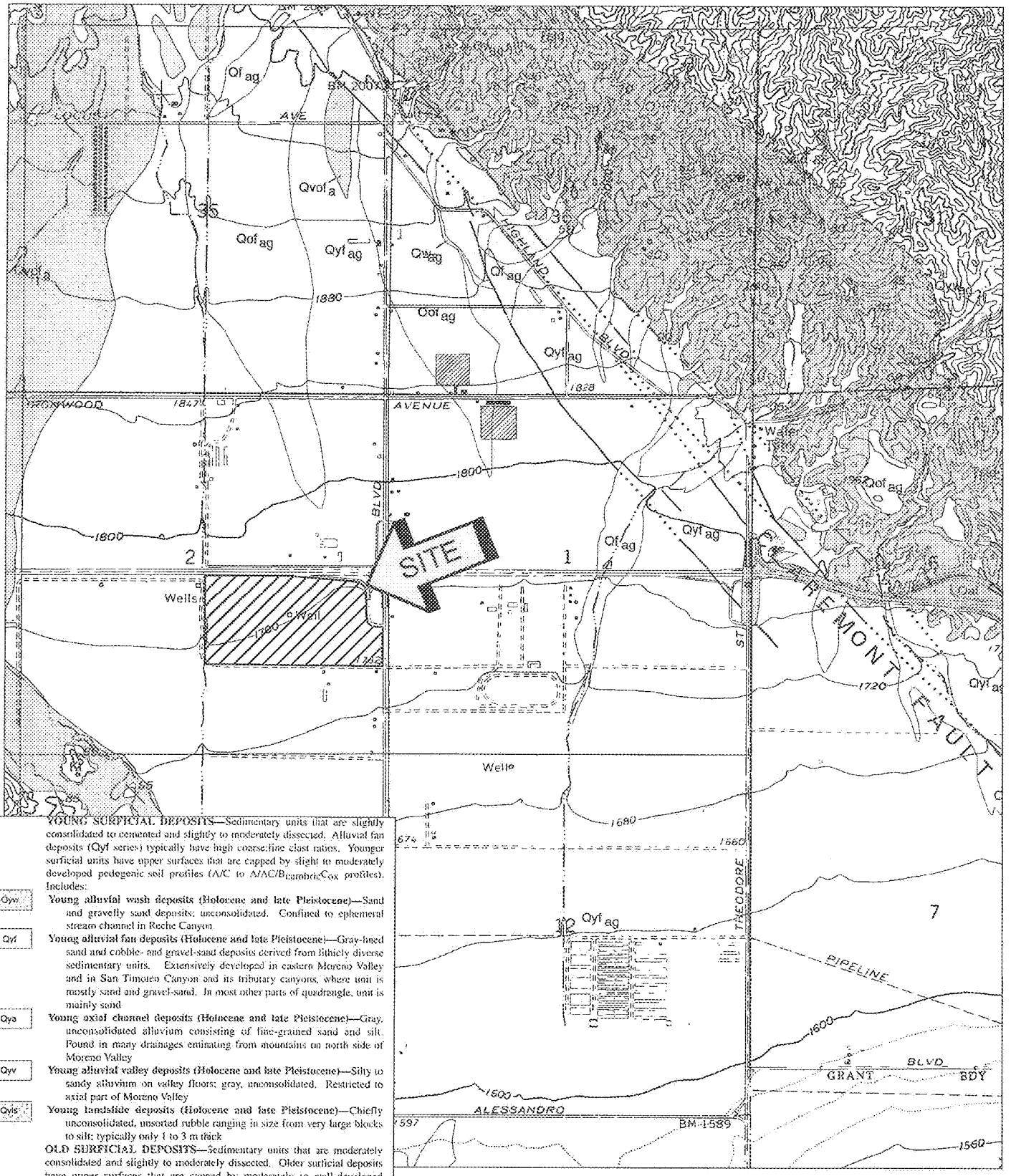

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00125352

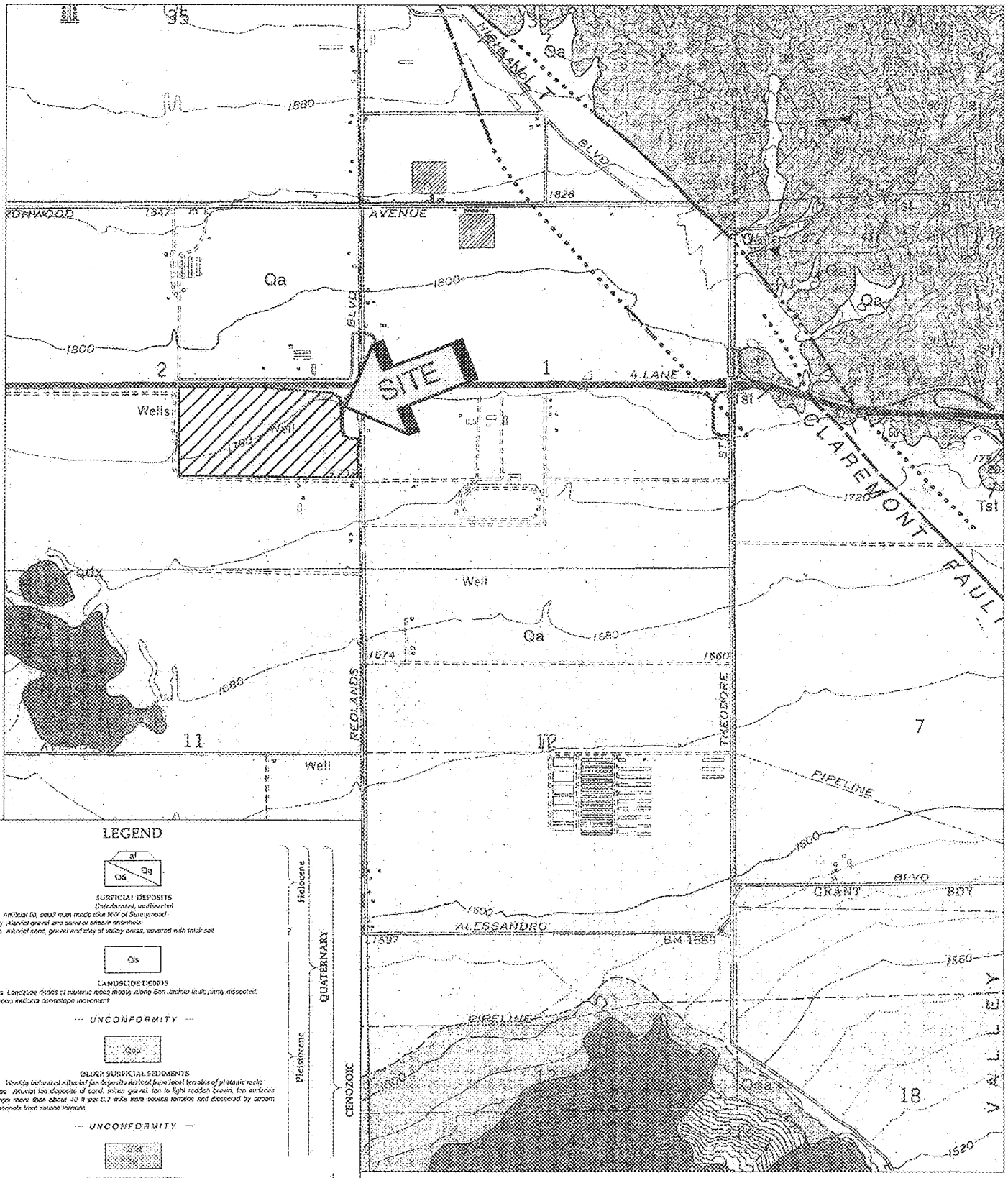

LEGEND

SURFICIAL DEPOSITS
Unlaminated, undissected

af Artificial fill, small mass made due NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, fan surfaces slope more than about 40 ft per 0.7 mile from source terrains and dissected by stream channels from source terrains

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1951), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Matti, 2001)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone, tentatively (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Matti, 2001), lithologically similar to upper part, within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene, Pleistocene — QUATERNARY — CENOZOIC

Pliocene — TERTIARY

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00125353

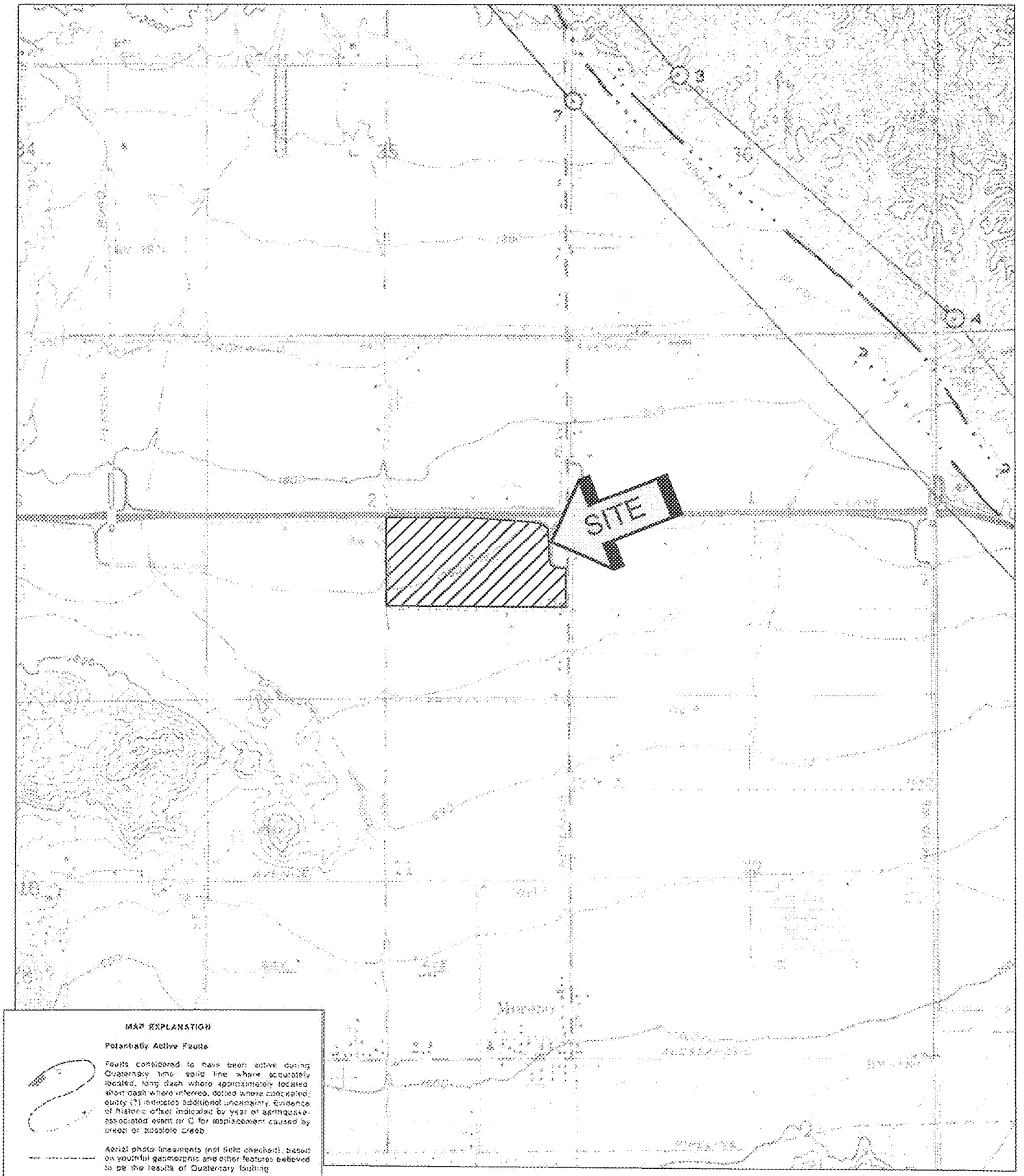

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the result of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/16/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00125355

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

---

[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

<u>Response FNSJ-23</u>

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

JS-14 (cont'd)

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts.

JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document.

JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of

JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is not the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

JS-54

(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

JS-55

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response JS-41

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> 4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

5.8 Direct impacts to wildlife

5.8.1 Common Wildlife

The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

Common Wildlife Species

The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

Response JS-52

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

<u>Response JS-53</u>

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists [illegible] LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

<u>Response NDN-12</u>

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

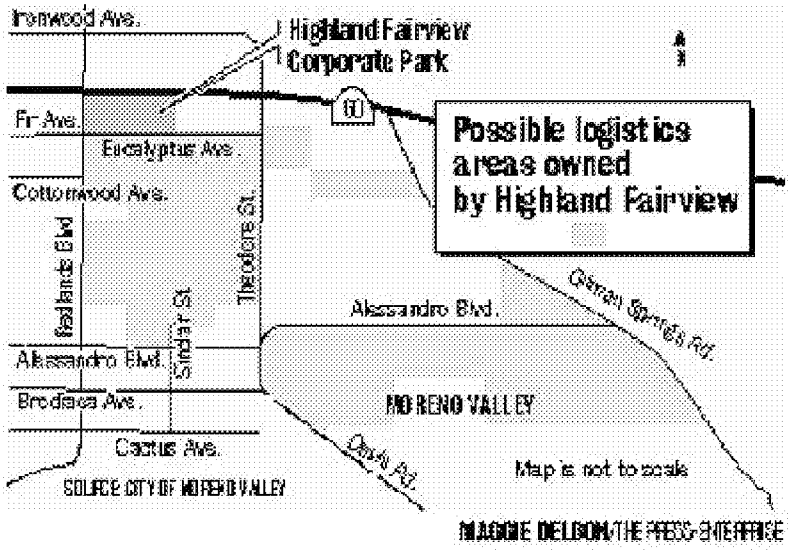

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools?

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

RLMV-2

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

RLMV-3

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- without factoring Moreno Highlands into the equation. SC-1

How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

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11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to show the impacted views from the 60 Freeway looking south across the project site to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

Recommendation: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

Building – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **mitigation measure reducing the height of the structure to preserve some of the scenic vistas should be imposed.** Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

Light and Glare – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: www.darksky.org lists lighting fixtures and methods to meet dark sky specifications. Add a Mitigation Measure (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

Screen Walls – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

Landscaping – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGahee Dr. Moreno Valley 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto wildlife area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.1

MV00125610

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

City of Moreno Valley
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PUBLIC COMMENT CARD

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*Name (Required): Richard Johnson Phone: 951-243-0804
*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area.

This report most include all the impacts of all 35 million sq ft in order to be of actual value to the community. DR-C-2

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
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Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

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Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.1

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

APPENDICES

Please refer to accompanying CD-ROM

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MV00125624

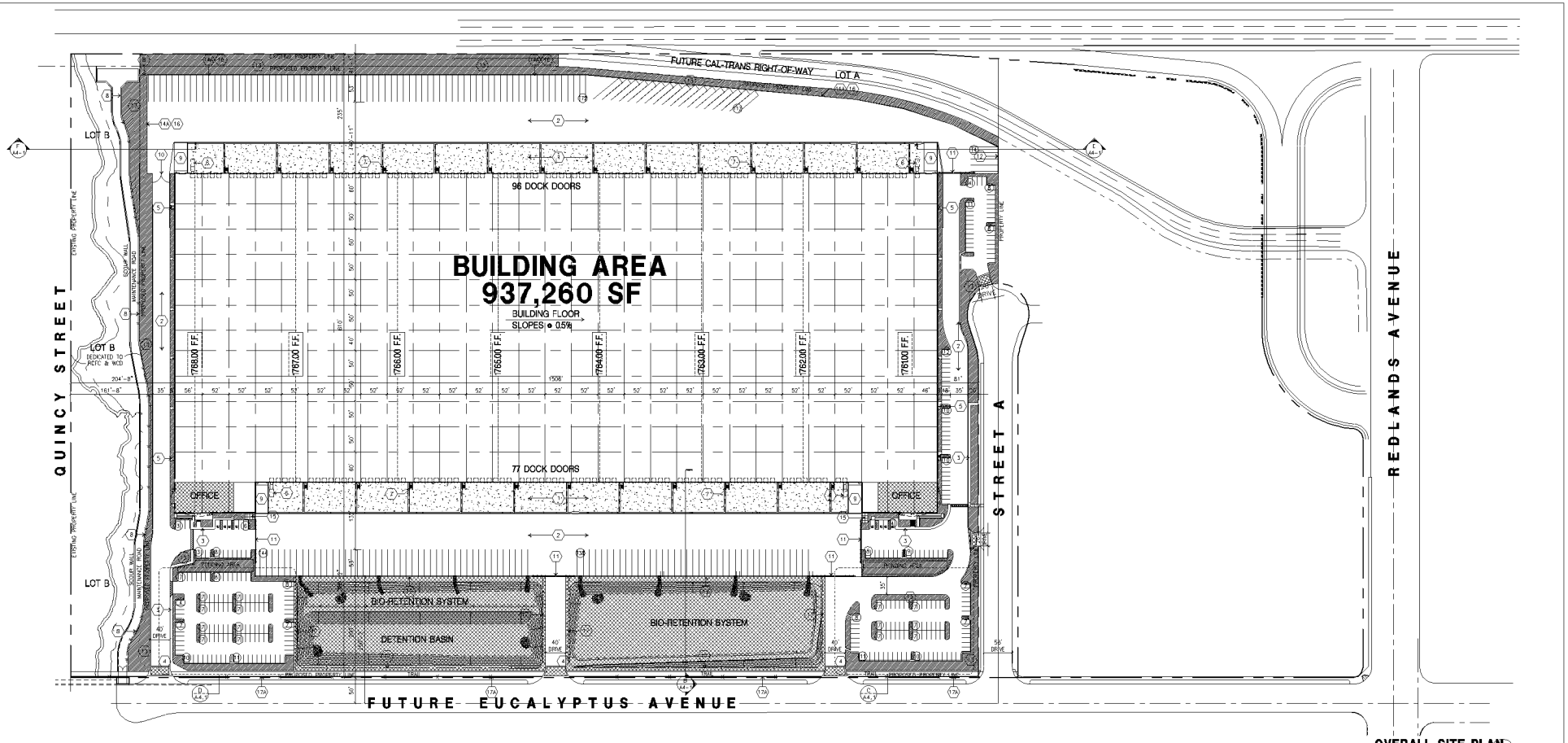

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

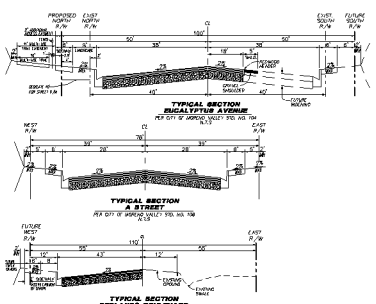

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.68
Net site area (in s.q.ft.)	2,269,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k@1/1,000 s.f.	20		
2nd. 20k@1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' WIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 6' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLAGIO, LLC
c/o PIERCE PROPERTY TRUST
301 CONVAL AVE. - STE #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROE COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: GIL SWENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DRWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- R — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TINA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25500 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DAUENHAUER

VICINITY MAP

N.T.S.

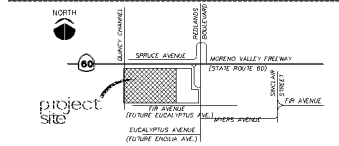

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center

MORENO VALLEY, CALIFORNIA

PIERCE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION
HPA# 6342

NOVEMBER 5, 2010

A1.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 11

MV00125625

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MV00125626

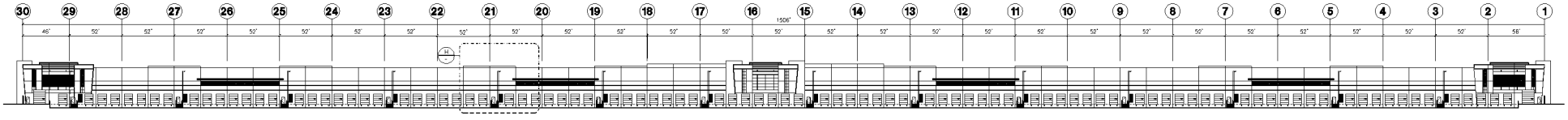

NORTH ELEVATION (A)
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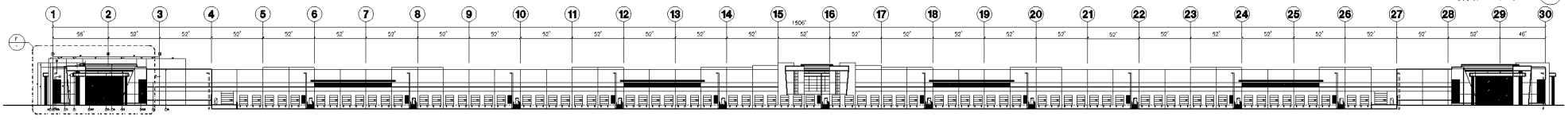

SOUTH ELEVATION (B)
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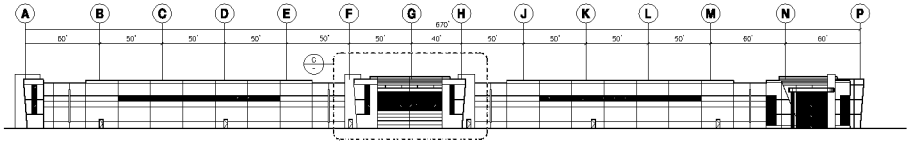

WEST ELEVATION (D)
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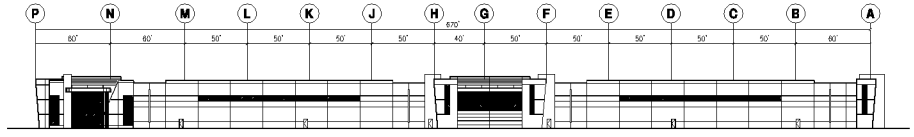

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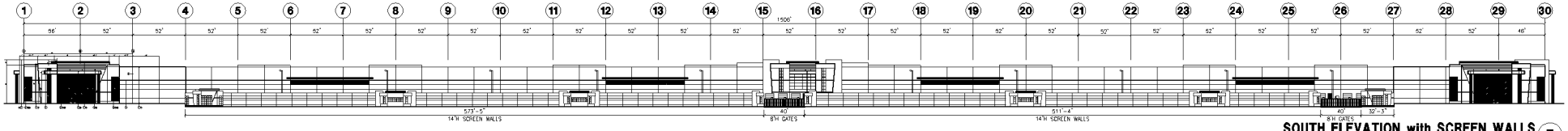

SOUTH ELEVATION with SCREEN WALLS (E)
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SCALE: 1"=40'
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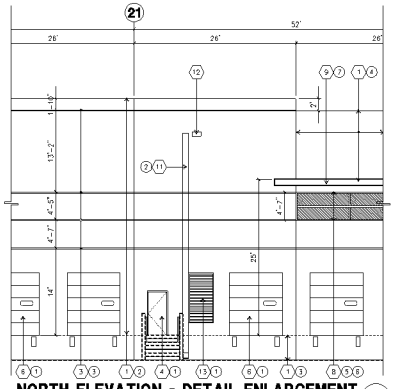

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
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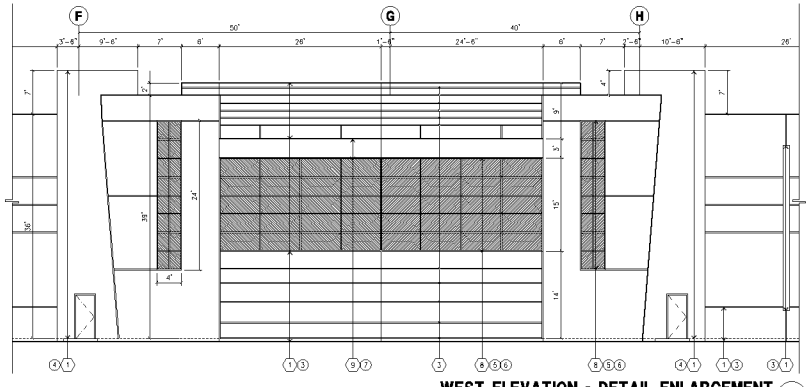

WEST ELEVATION - DETAIL ENLARGEMENT (G)
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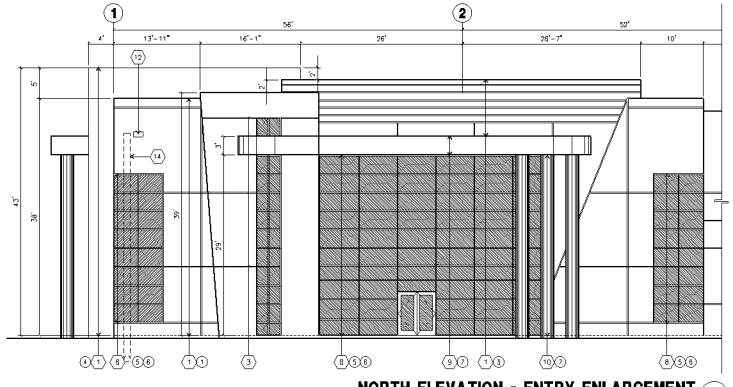

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173M EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566A DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

A3.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 12

MV00125627

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MV00125628

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

MV00125629

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MV00125630

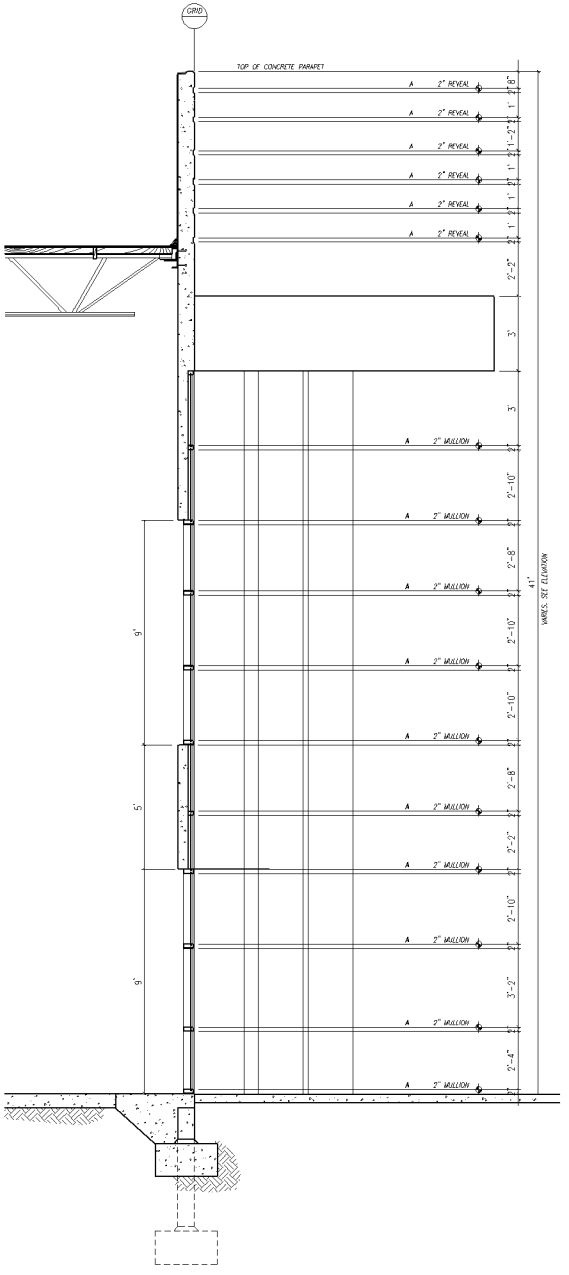

BUILDING SECTION @ OFFICE AREA (A)
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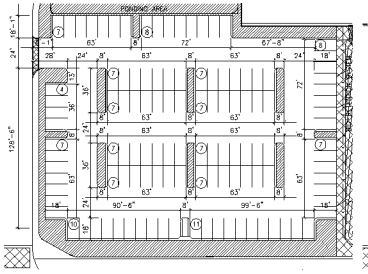

ENLARGED SITE PLAN @ SOUTHWEST (D)
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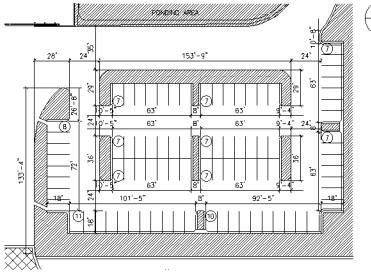

ENLARGED SITE PLAN @ SOUTHEAST (C)
scale: 1" = 40'-0"

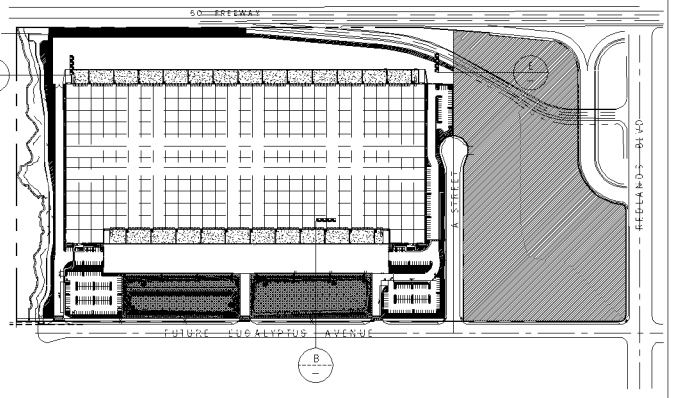

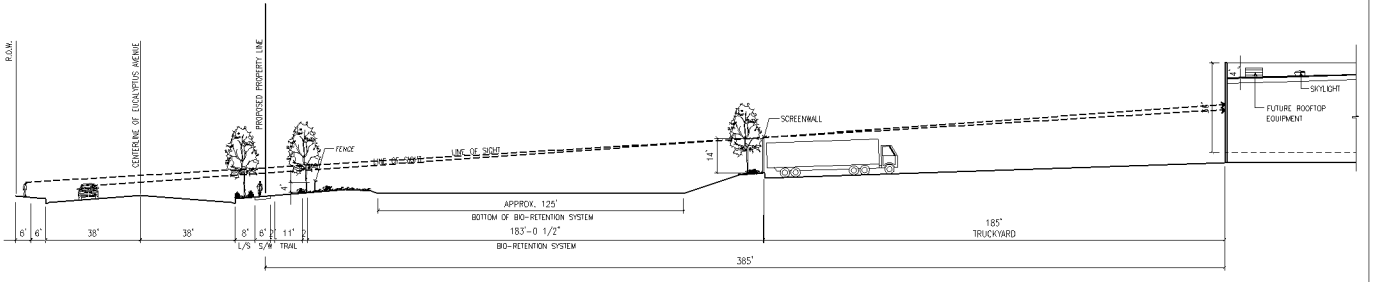

LINE OF SIGHT (B)
scale: 1" = 20'-0"

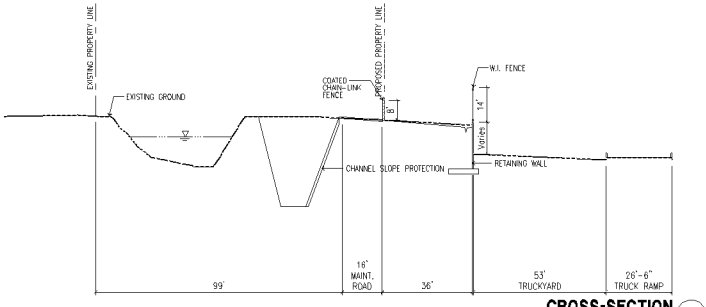

CROSS-SECTION (F)
scale: 1" = 20'-0"

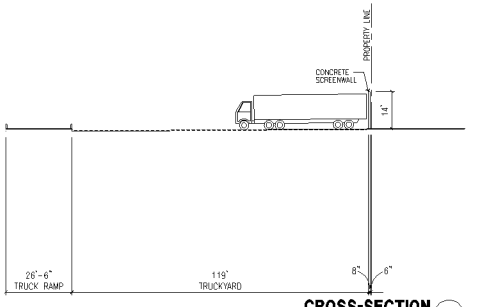

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

SUN & PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A4.1

ATTACHMENT 14

MV00125631

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MV00125632

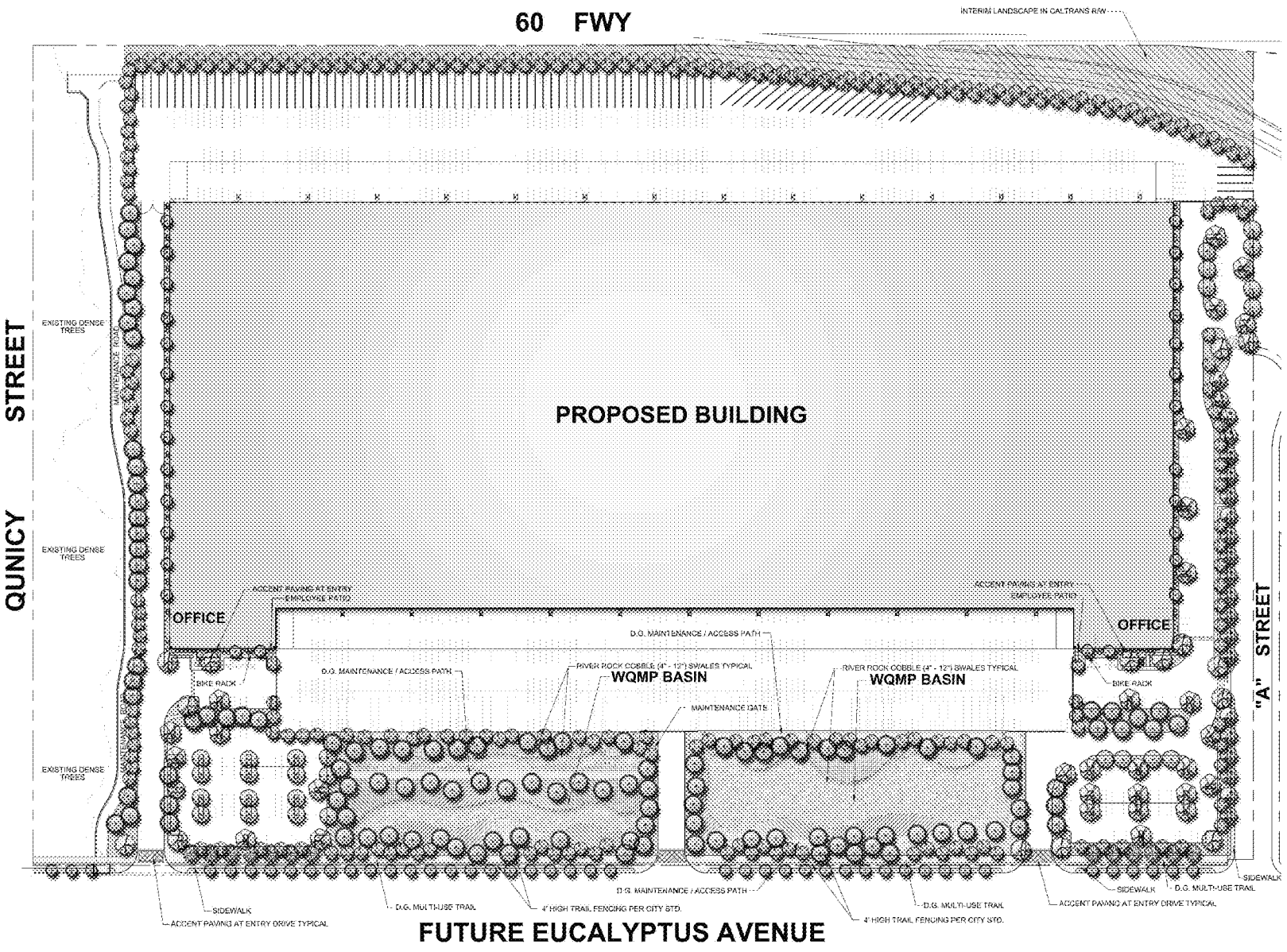

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus suber (Cork Oak)	15 GAL 24" BOX	30 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (Crimean Linden)	48" BOX	16
	Ficus microcarpa (Cherry Island Fig) OR Ficus retusa (Blue Fig)	15 GAL 24" BOX	150 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Includes Street Tree)	24" BOX	13
	Pistacia chinensis (Chinese Pistache)	15 GAL	152
	Pistacia chinensis (Chinese Pistache) (Includes Street Tree)	24" BOX	21
	Quercus agrifolia (Coast Live Oak)	24" BOX	24
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 5' OF HARDSCAPE SHALL BE 18" X 4' SHANTOWN ROOT BARRIER 24" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Abelia grandiflora 'full Colorado' (ACFG)	5 gallon	30" o.c. spacing
Acacia cultriformis (Knife Acacia)	5 gallon	6' o.c. spacing
Adenanthos sericeus (Coastal Woolly)	1 gallon	12" o.c. to 24" o.c. spacing
Agave americana (Century Plant)	5 & 15 gallon	6' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Anigozanthos flavidus (Kangaroo Paw)	5 gallon	3' o.c. spacing
Arbutus unedo (Strawberry Tree)	5 gallon	5' o.c. spacing
Calocephalus (Cushion Bush)	1 gallon	24" o.c. spacing
Carpenteria californica (Bush Anemone)	5 gallon	3' o.c. spacing
Ceanothus cuneatus (Buckbrush)	5 gallon	4' o.c. spacing
Cistus Species (Rock rose)	5 gallon	4' o.c. spacing
Dasylirion Species (Grasstree)	5 gallon	3' o.c. spacing
Dianella caerulea (Flax Lily)	5 gallon	3' o.c. spacing
Dianella revoluta (Blue Flax Lily)	5 gallon	3' o.c. spacing
Elaeagnus pungens (Silverberry)	5 gallon	4' o.c. spacing
Fremontodendron (Flannelbush)	5 gallon	4' o.c. spacing
Grevillea lanigera (Woolly Grevillea)	5 gallon	3' o.c. spacing
Grevillea 'Coastal Gem' (Grevillea)	5 gallon	3' o.c. spacing
Heteromeles arbutifolia (Red Berry)	5 & 15 gallon	6' o.c. minimum
Juniperus chinensis (Juniper)	1 and 5 gallon	varies
Leucadendron (Leucadendron)	1 and 5 gallon	24" o.c. to 36" o.c. spacing
Leucospermum cordifolium (Pincushion)	5 gallon	4' o.c. spacing
Leucospermum tomentosum 'Green Dwarf' (Tree Pin Cushion)	5 gallon	4' o.c. spacing
Ligustrum ovalifolium (Wax-leaf Privet)	5 gallon	30" o.c. spacing
Macadamia integrifolia and tetraphylla (Macadamia Nut)	15 gallon	24' o.c. spacing
Melaleuca nesophila (ACFG)	5 gallon	24' o.c. spacing
Muhlenbergia capillaris (Pink Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis (Species Tree Myrtle)	5 gallon	24' o.c. spacing
Nandina domestica (Heavenly Bamboo)	5 gallon	24" 36" o.c. spacing
Pittosporum tenuifolium 'Tom Thumb' (Pittosporum)	5 gallon	4' 6" o.c. spacing
Polygala myrtifolia	5 gallon	4' 6" o.c. spacing
Prunus ilicifolia (Holly Leaf Cherry)	5 gallon	4' 6" o.c. spacing
Rhamnus alaternus (Coast Hollyleaf)	5 gallon	4' 6" o.c. spacing
Rhaphiolepis indica (Indian Hawthorne)	5 gallon	4' 6" o.c. spacing
Rhaphiolepis umbellata (Yeddo Hawthorne)	5 gallon	4' 6" o.c. spacing
Rhus integrifolia (Lemonade Berry)	5 gallon	4' 6" o.c. spacing
Rhus ovata (Sugar Bush)	5 gallon	varies
Romneya coulteri (Matilija Poppy)	1 & 5 gallon	30" 36" o.c. spacing
Salvia clevelandii (Cleveland Sage)	5 gallon	5' o.c. spacing
Verbena lilacina 'Purpurea' (Lilac Verbena)	5 gallon	4' 6" o.c. spacing
Xylosma congestum (Shiny Xylosma)	5 gallon	4' 6" o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (ACFG)	1 and 5 gallon	48" o.c. spacing min.
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing min.
Carex divulsa (Berkeley)	1 gallon	42" o.c. spacing min.
Dichondra repens (Kidneywort) (Groundcover)	1 gallon	24" o.c. spacing min.
Hedera helix (Ivy) (Ivy)	1 gallon	24" o.c. spacing
Juniperus chinensis (Juniper)	1 gallon	30" o.c. spacing
Lonicera japonica (Honeysuckle)	1 gallon	24" o.c. spacing
Myoporum parvifolium (Myoporum)	1 gallon	24" o.c. spacing
Rosmarinus officinalis (Rosemary)	1 & 5 gallon	30" o.c. spacing
Santolina chamaecyparissus (Lavender Cotton)	1 gallon	24" o.c. spacing
Vinca major (Periwinkle)	1 gallon	24" o.c. spacing
Vinca minor (Dwarf Periwinkle)	1 gallon	24" o.c. spacing

INTERIM LANDSCAPE WITHIN CALTRANS R/W - PLANT 1 GAL., ACHIEVE BEGOLENE 12" O.C. WITH 3" INNER LAYER OFF DECOMPOSED GRANITE. THAT IS TO BE IRRIGATED WITH DRIP IRRIGATION.

SIDEWALK STRIP - AVAILABLE NON-SAND SEED HYDROSEEDING MIX

0.25 LBS/AC	ACHNATHERUM LYNE
0.50 LBS/AC	NASSELLA CERNUA
0.25 LBS/AC	MONUMENTSION GUBBIS
0.50 LBS/AC	NOSTOLUS MARIANUM
0.25 LBS/AC	MULTI-SPECIES CLA
0.50 LBS/AC	VULPIA OCTOFLORA
0.25 LBS/AC	MONUMENTSION SUNCOSPERMA

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Ficus repens (Creeping fig)	1 gallon	12" o.c. spacing
	Bougainvillea (Bougainvillea) (Cascading)	1 gallon	12" o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Dendrocalamus latiflorus (Giant Timber Bamboo)	5 gallon	6' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM KURTH MULCHES (951) 970-0266

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

MV00125633

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MV00125634

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INCLUSIVE, BLOCK 35, OF MAP NO. 7 OF REAL VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT-ZOLLARS

NOVEMBER, 2010

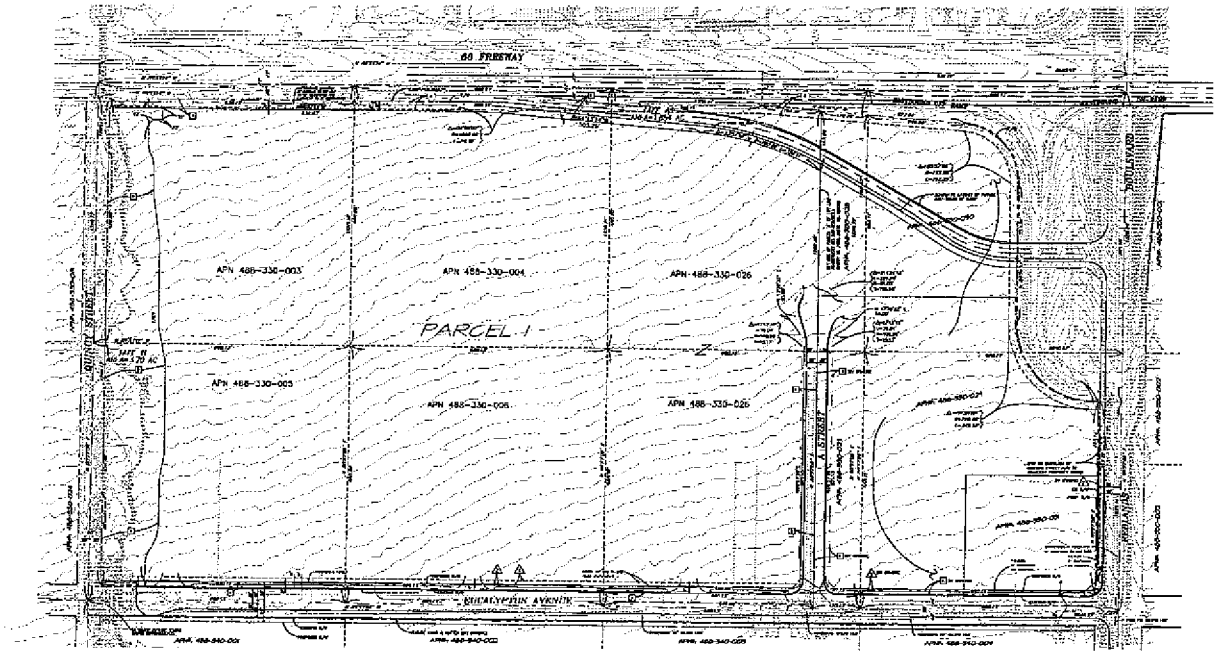

TYPICAL SECTION
EUCALYPTUS AVENUE

TYPICAL SECTION
A STREET

TYPICAL SECTION
MORENO BEACH DRIVE

EASEMENT NOTES

(A) EASEMENT(S) FOR THE PURPOSES SHOWN BELOW AND HEREIN INCIDENTAL SERVICE AS DEFINED IN A RECORDED

GRANTED TO:	EASTERN MUNICIPAL WATER DISTRICT
PURPOSE:	PUBLIC PIPELINES AND FACILITIES PURPOSES
RECORDED:	DECEMBER 18, 1963, AS INSTRUMENT NO. 139944, BOOK 1963, PAGE 1, OF OFFICIAL RECORDS

PROPOSED EASEMENT

(1) 10' EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE PURPOSES

(2) 5' EASEMENT FOR THE PURPOSE OF DISTRIBUTING FIRE WATER TO THE AREA TO THE CITY OF MORENO VALLEY

PROPOSED DEDICATION

(A) DEDICATE 30' ADDITIONAL STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY

(B) DEDICATE 30' STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY

(C) 1-FOOT VEHICULAR ACCESS RIGHTS TO THE CITY OF MORENO VALLEY

(D) * LOT A, BLOCK 35 TO BE DEDICATED TO THE CITY OF MORENO VALLEY FOR FUTURE CULTURAL USE (SEE SEPARATE DOCUMENTS)

LINE DATA:		
LINE	BEARING	DISTANCE
L1	N 89°59'00" E	30.00'
L2	N 89°59'00" E	30.00'
L3	N 89°59'00" E	30.00'
L4	N 89°59'00" E	30.00'
L5	N 89°59'00" E	30.00'
L6	N 89°59'00" E	30.00'
L7	N 89°59'00" E	30.00'
L8	N 89°59'00" E	30.00'
L9	N 89°59'00" E	30.00'
L10	N 89°59'00" E	30.00'
L11	N 89°59'00" E	30.00'

PARCEL SUMMARY TABLE	
PARCEL 1	20.00 ACRES
TOTAL	20.00 ACRES

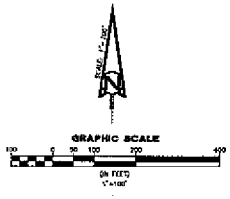

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: INDUSTRIAL/AGRICULTURAL TO THE EAST; AGRICULTURAL TO THE SOUTH; VACANT TO THE NORTH AND COMMERCIAL TO THE WEST
3. AVERAGE LOT SIZE: 1 ACRE
4. EXISTING ZONING: IP1 PROPOSED ZONING: IP1
5. PLANNED FOR IP PARCEL NO. DESIGNATIONS SEE REVISED AUGUST 26, 2008
6. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
7. PROPOSED WATER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
8. PROPOSED SEWER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
9. ALL UTILITIES SHALL BE UNDERGROUNDED:
   GAS: SOUTHERN CALIFORNIA GAS COMPANY
   ELECTRIC: CITY OF MORENO VALLEY ELECTRIC UTILITY
   TELEPHONE: VERIZON TELEPHONE COMPANY
10. ALL SIGNS SHALL BE CONSTRUCTED AT A MINIMUM SIZE OF 24" UNLESS OTHERWISE PERMITTED
11. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS
12. ACTUAL TOPOGRAPHY PROVIDED BY: DIGITAL MAPPING INC.
13. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
14. AREA=20.0AC ±0

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELACO, LLC
701 HOWARD AVENUE, SUITE A
LONG BEACH, CA 90803
PH: 562-494-2012
FAX: 562-594-3420
CONTACT: ROBERT BECK

PREPARED IN THE OFFICE OF
HUITT-ZOLLARS, INC.
3990 CONCOURSE, SUITE 150
IRVINE, CALIFORNIA 92604
PHONE: (949) 851-7700

ROBERT E. SCHAFFER R.E. 64473

UTILITY PROVIDERS

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

GAS
SOUTHERN CALIFORNIA GAS COMPANY
9520 TRADING NO. 3C 8030
MORENO VALLEY, 92588
(800) 427-2200

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TELEPHONE
VERIZON
9505 ORANGE WAY, LAND, 92, 100
RIVERSIDE, CA. 92504

ELECTRIC
MORENO VALLEY UTILITIES
14075 PERRIS ST.
MORENO VALLEY, CA. 92552
(951) 413-3500

CABLE - TV
MEDIACOM COMMUNICATIONS
9500 ARTESIA CENTER DR.
DOWNEY, CA. 90241
(562) 929-2300

LAND USE

AREA: ±20.0 ACRES

EARTHWORK

CUT 0 CY - EXPORT 0 CY
FILL 0 CY - IMPORT 0 CY
PAVE CUT = 0 CY
PAVE FILL = 0 CY
PAVE EXP = 0 CY
PAVE IMP = 0 CY

LEGEND / ABBREVIATIONS

W	PROPOSED WATER LINE
W	PROPOSED FIRE WATER LINE
S	PROPOSED SANITARY SEWER LINE
S	PROPOSED SEWER LINE
D	PROPOSED STORM DRAIN
T	EXISTING GAS LINE
T	EXISTING WATER LINE
T	EXISTING SEWER LINE
T	EXISTING STORM DRAIN
	STORM DRAIN INLET
	CATCH BASIN
	BASIS OF BEARINGS BOUNDARY
	EXISTING RIGHT OF WAY/SITE BOUNDARY
	EASEMENT BOUNDARY
	LOT LINE
	FIRE HYDRANT

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW HAVE BEEN EXTRACTED FROM A PRELIMINARY TITLE REPORT PREPARED BY FIDELITY NATIONAL TITLE COMPANY, ORDER NO. 00-0200000-[illegible], DATED MAY 16, 2007. ANY MORE OR LESS DETAILED TITLE REPORT BY THE PURCHASER OF AN INDIVIDUAL PARCEL IS BASIS FOR SUCH PARCEL DESCRIPTION AND DEED.

PARCEL 1:

LOT 2, BLOCK 35 OF MAP NO. 7 OF REAL VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NEVERTHELESS THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 1965 OF OFFICIAL RECORDS.

PARCEL 2:

LOT 3, BLOCK 35 OF MAP NO. 7 OF REAL VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NEVERTHELESS THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 1965 OF OFFICIAL RECORDS.

PARCEL 3:

LOT 4, BLOCK 35 OF MAP NO. 7 OF REAL VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NEVERTHELESS THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 1965 OF OFFICIAL RECORDS.

PARCEL 4:

LOT 5, BLOCK 35 OF MAP NO. 7 OF REAL VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THE WEST 1/2 THEREOF. ALSO EXCEPTING THAT PORTION OF THE PARCEL BEING THE WEST 30.00 FEET OF THE EAST 1/2 OF THE COUNTY ROADWAY OF SAID COUNTY.

PARCEL 5:

LOT 6, BLOCK 35 OF MAP NO. 7 OF REAL VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THE WEST 1/2 THEREOF. ALSO EXCEPTING THAT PORTION OF THE PARCEL BEING THE WEST 30.00 FEET OF THE EAST 1/2 OF THE COUNTY ROADWAY OF SAID COUNTY.

PARCEL 6:

A PORTION OF LOTS 1 AND 7 BLOCK 35 OF MAP NO. 7 OF REAL VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THE WEST 1/2 THEREOF. ALSO EXCEPTING THAT PORTION OF THE PARCEL BEING THE WEST 30.00 FEET OF THE EAST 1/2 OF THE COUNTY ROADWAY OF SAID COUNTY.

CITY CASE NO. PA09-0022

HUITT-ZOLLARS
HUITT-ZOLLARS, INC.
3990 CONCOURSE STREET, SUITE 150 / IRVINE, CALIFORNIA 92604 / (949) 851-7700

DESIGNED BY R.E.S.	SHEET 1 OF 1
DRAWN BY T.T. SUN	
CHECKED BY R.E.S.	DATE
JOB NO. 01-500-01	

ATTACHMENT 16

MV00125635

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MV00125636

West Ridge Commece Center Project

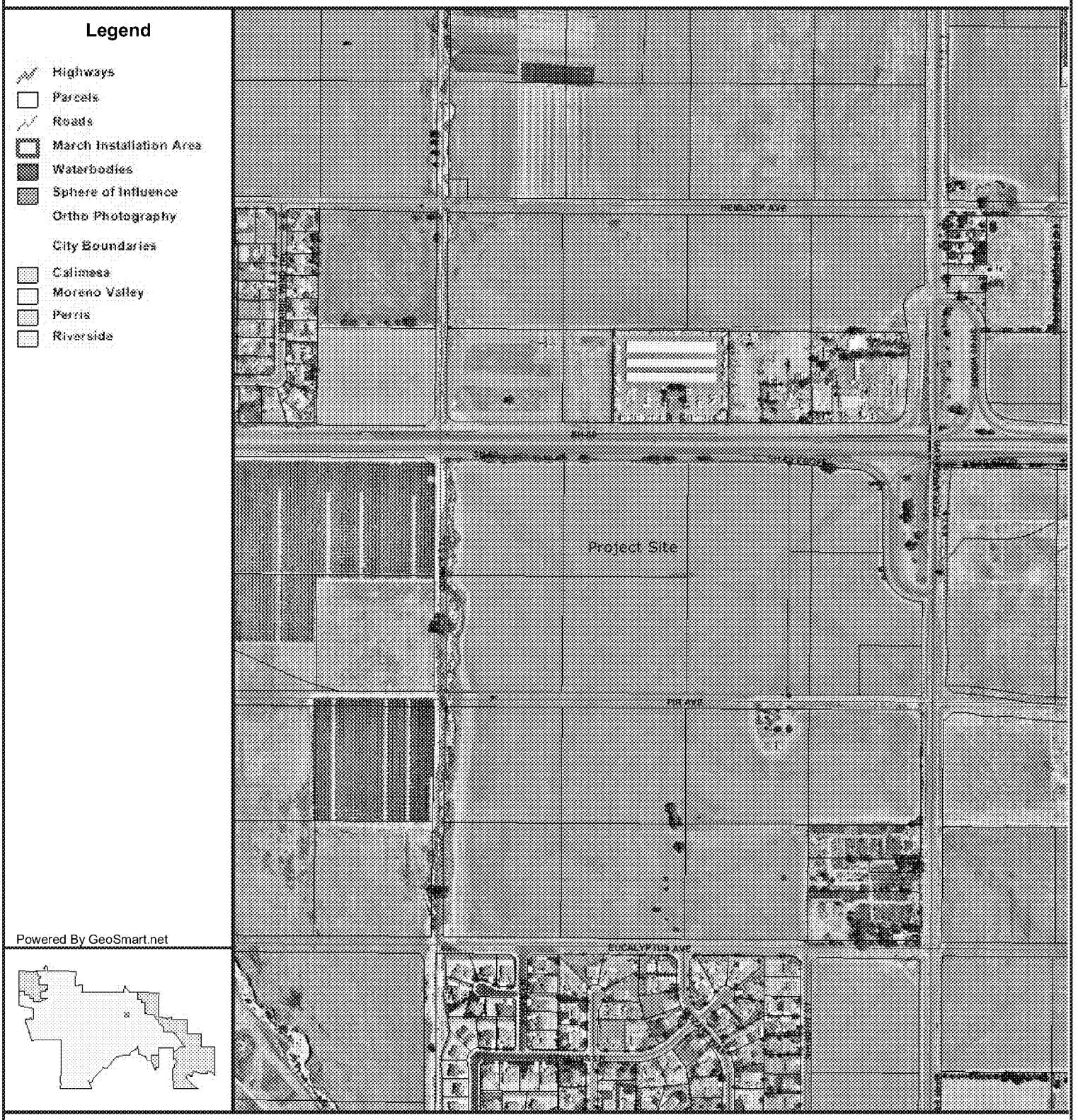

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

N

0 300 600 1200ft

Printed: 11:52:36 AM

MORENO VALLEY
WHERE DREAMS SOAR

Item No. E.1

MV00125637

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MV00125638

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. <u>This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.</u>

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. AQMD-5 cont'd.

  ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

  Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

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MV00125658

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

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MV00125664

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-325-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 751 354912 3⑈

Item No. E.1

MV00125671

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MV00125672

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer. ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

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MV00125678

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

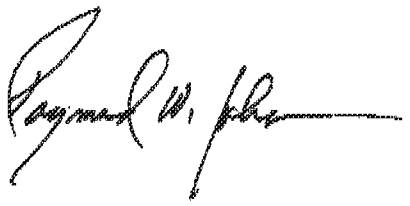

Raymond W. Johnson
JOHNSON & SEDLACK

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MV00125690

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

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MV00125696

AGENDA

NOTICE AND CALL OF SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY

September 6, 2011

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
Jesse L. Molina Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
SEPTEMBER 6, 2011

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Moreno Valley will be held on September 6, 2011 commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

Agenda

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC TESTIMONY WAS RECEIVED ON AUGUST 23, 2011 AND THAT PORTION OF THE PUBLIC HEARING IS CLOSED.

E. PUBLIC HEARINGS

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND

MV00125698

APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

ADJOURNMENT

* Materials related to an item on this Agenda submitted to the City Council/Community Services District or Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

AGENDA
September 6, 2011

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 6, 2011 (Continued from August 23, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. 2011-76
3. Environmental Impact Report Resolution No. 2011-77, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. 829 - Zone Change
5. Ordinance No. 830 - Municipal Code Amendment
6. Resolution No. 2011-78 - Plot Plan PA08-0097
7. Resolution No. 2011-79 - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00125712

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- ☐ Administrative Plot Plan
- ☐ Administrative Variance
- ☐ Amended Conditional Use Permit
- ☐ Amended Plot Plan
- ☐ Change of Zone
- ☐ Conditional Use Permit
- ☐ Development Agreement
- ☐ Development Code Amendment
- ☐ Extension of Time
- ☐ General Plan Amendment
- ☐ Plot Plan
- ☐ Pre-Application Review
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Tentative Parcel Map
- ☐ Tentative Tract Map
- ☐ Variance
- ☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@ptrnet.com

Contact Person: Derek Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services LLC — Telephone: (951) 845-1003 cell 909-226-0420

Address 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson26@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name
Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60605

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

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Item No. E.1

MV00125718

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

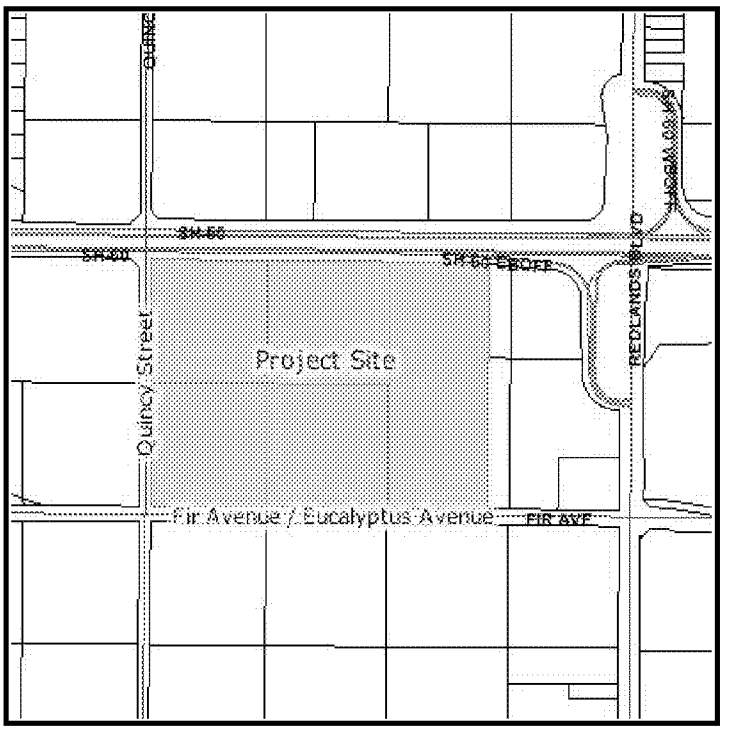

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

Item No. E.1

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MV00125720

RESOLUTION NO. 2011-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00125724

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. <u>Project Description</u>

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Land Use**

a. **General Plan Consistency**

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. **Zoning Consistency**

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. Hydrology and Water Quality

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. Biological Resources

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 *Redlands Boulevard at Cottonwood Avenue Improvements:*

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

c. **Freeway Mainline Segments**

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. **Air Quality**

a. **Short-Term Construction Emissions**

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125815

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti g Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125817

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

MV00125819

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125821

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125823

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd) *right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;* • *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;* • *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and* • *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.* *The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125825

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125827

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00125829

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of fi building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.19 (cont'd)			Department	
• *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*				
The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.				
Air Quality				
To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction
• *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*				
• *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*				

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) ○ *Installation of catalytic converters on gasoline-powered equipment.* ○ *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* ○ *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* ○ *Provision of preferential parking for EV and CNG vehicles;* ○ *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* ○ *Use of electric (instead of diesel or gasoline-powered) yard trucks;* ○ *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building pe

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of fi grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00125849

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00125862

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-78 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.
• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,
• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

P98. MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

P99. MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

P100. MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

P101. MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. **Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.**

LD67. **Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.**

LD68. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).**

LD69. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.**

LD70. **Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.**

LD71. **Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.**

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. **Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.**

f. **The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under <u>no</u> circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-79, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-79 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

~~PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION~~

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

~~General Conditions~~

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. **A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.**

c. **The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.**

d. **A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.**

e. **A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.**

f. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.**

g. **Corner cutback right-of-way dedications per City Standard 208.**

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5**

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

~~PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION~~

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

Prior to Certificated of Occupancy or Building Final

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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MV00125976

PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

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PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

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3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

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separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

Item No. E.1

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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Item No. E.1

1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans)** for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

4.3.~~6~~5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.~~7~~6 *During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.~~8~~7 *The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~* ***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be*** *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.~~9~~8 *Grading plans, construction specifications and bid documents shall* ***also*** *include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~* ***the following notations:***

- ***Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;***

- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

- ***All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.***

4.3.9 ***Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.***

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

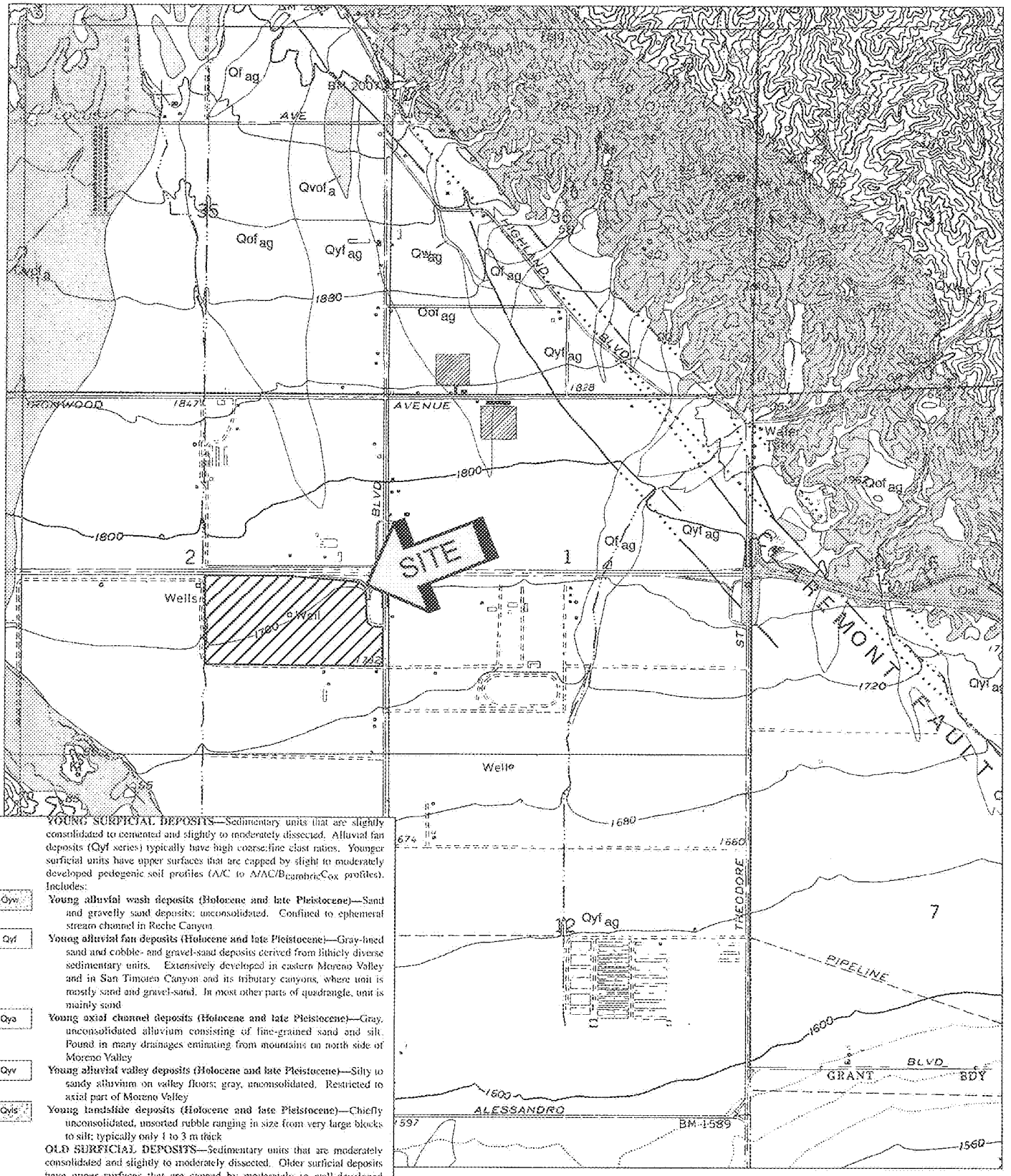

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

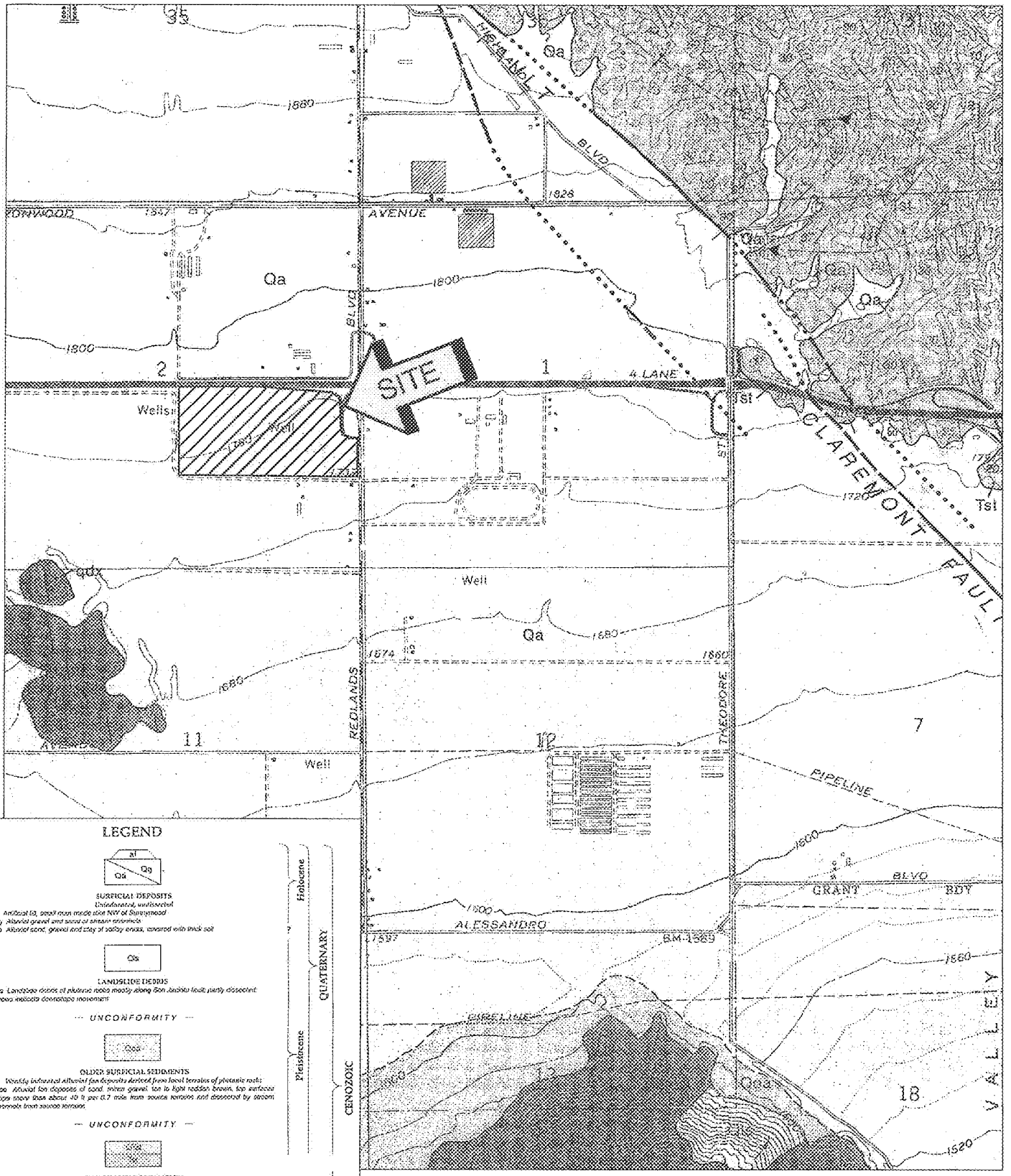

LEGEND

af / Qa / Qg

SURFICIAL DEPOSITS

Unconsolidated, undissected

af Artificial fill, small mass made site NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

Qls

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

Qoa

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

Qsa

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Matti, 2001)

QTsa Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Matti, 2001), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene / Pleistocene — QUATERNARY — CENOZOIC

Pliocene — TERTIARY

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00126053

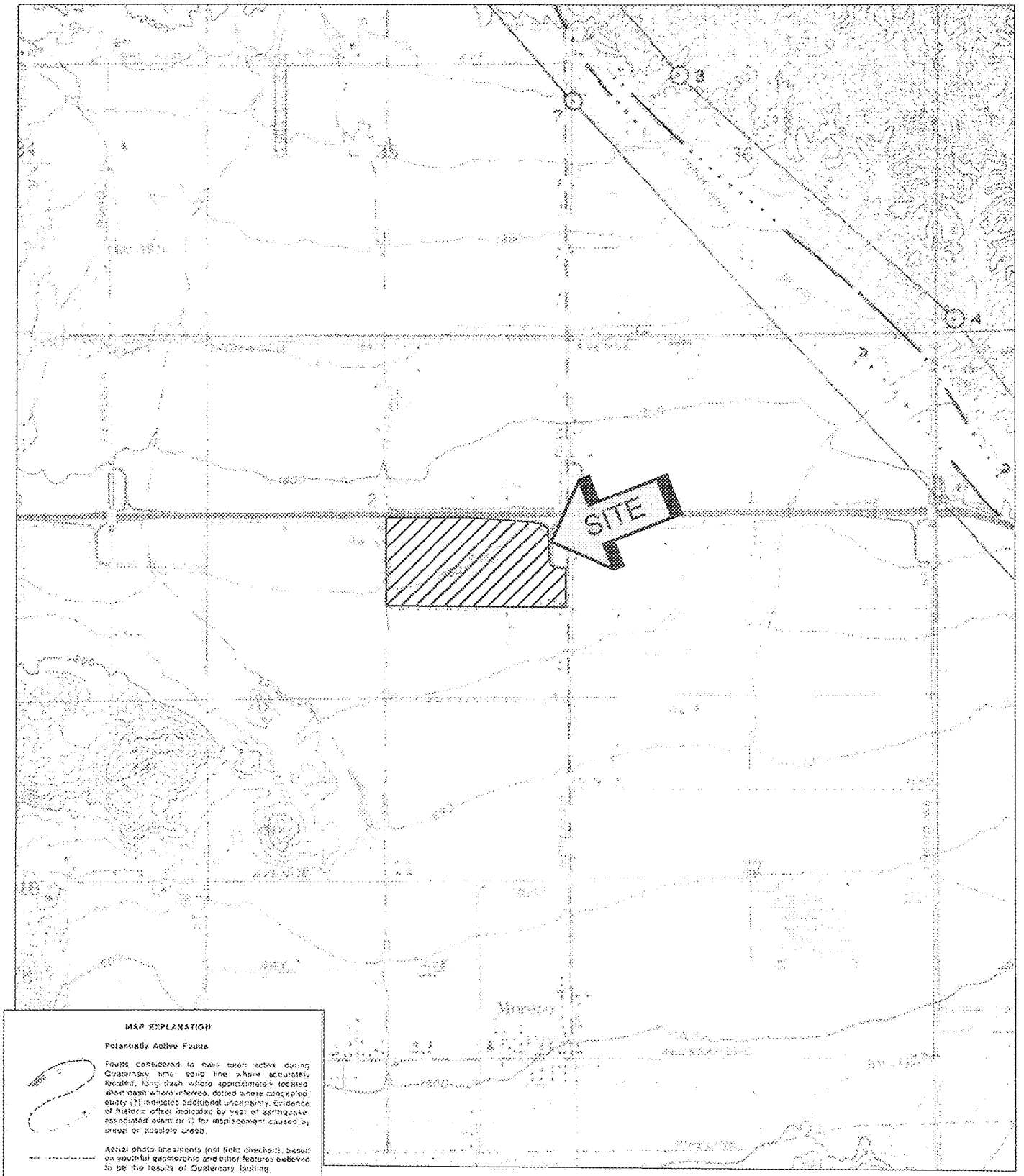

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00126055

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

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Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

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Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead age

Item No. E.1

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

---

[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

Board of Directors

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***):

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the*** EMWD-2

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 6, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

Board of Directors

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time. More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> 4.5.3 *The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> 4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
2

truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
4

> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

MA-11 cont'd.

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs".

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

---

3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

RECEIVED
DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

GB-5

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason.

GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR?

GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault?

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

GB-9

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east.

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

GB-10

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 • Calimesa, California 92320 • Telephone (909) 446-0041 • Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

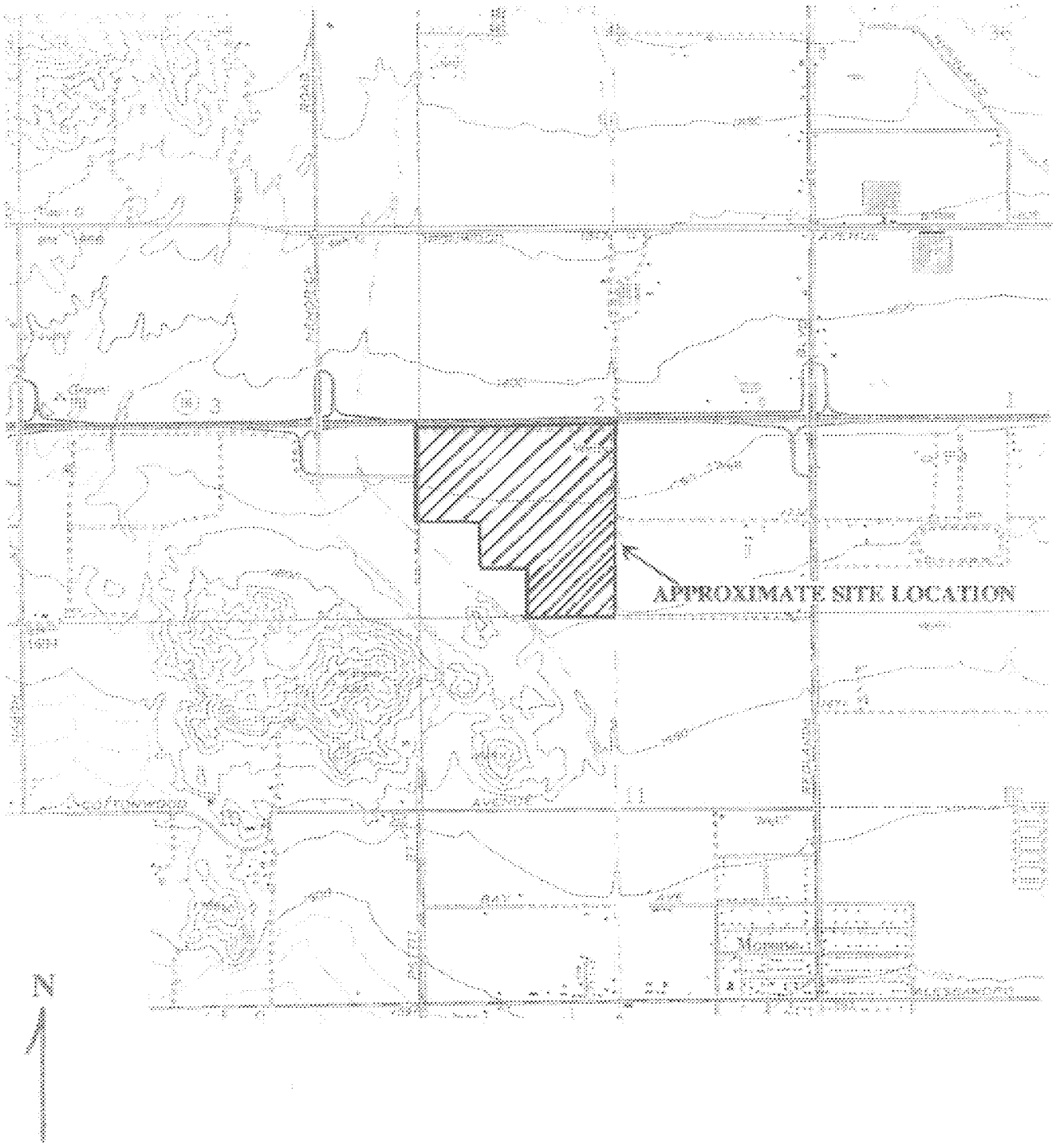

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 120± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

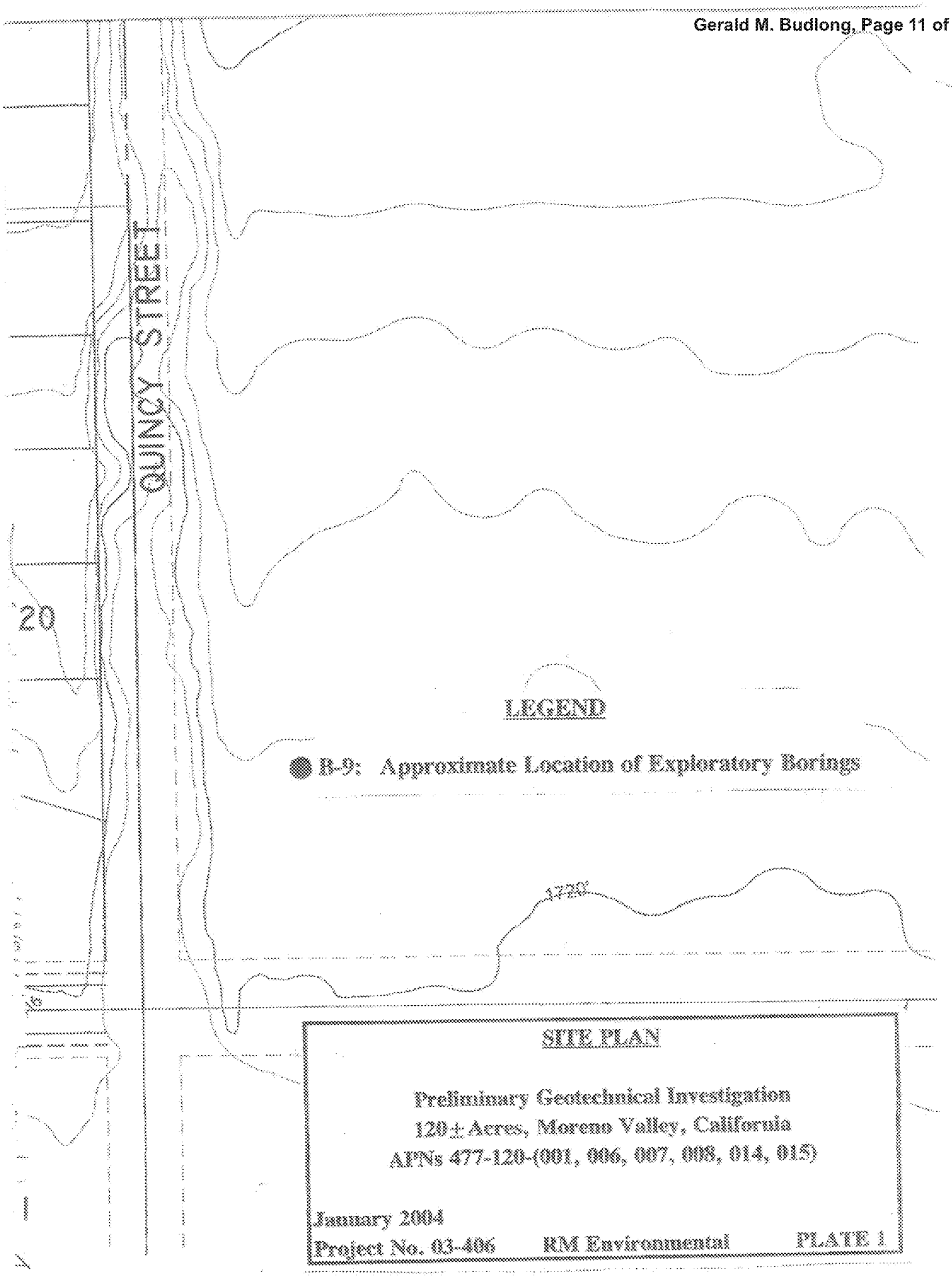

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

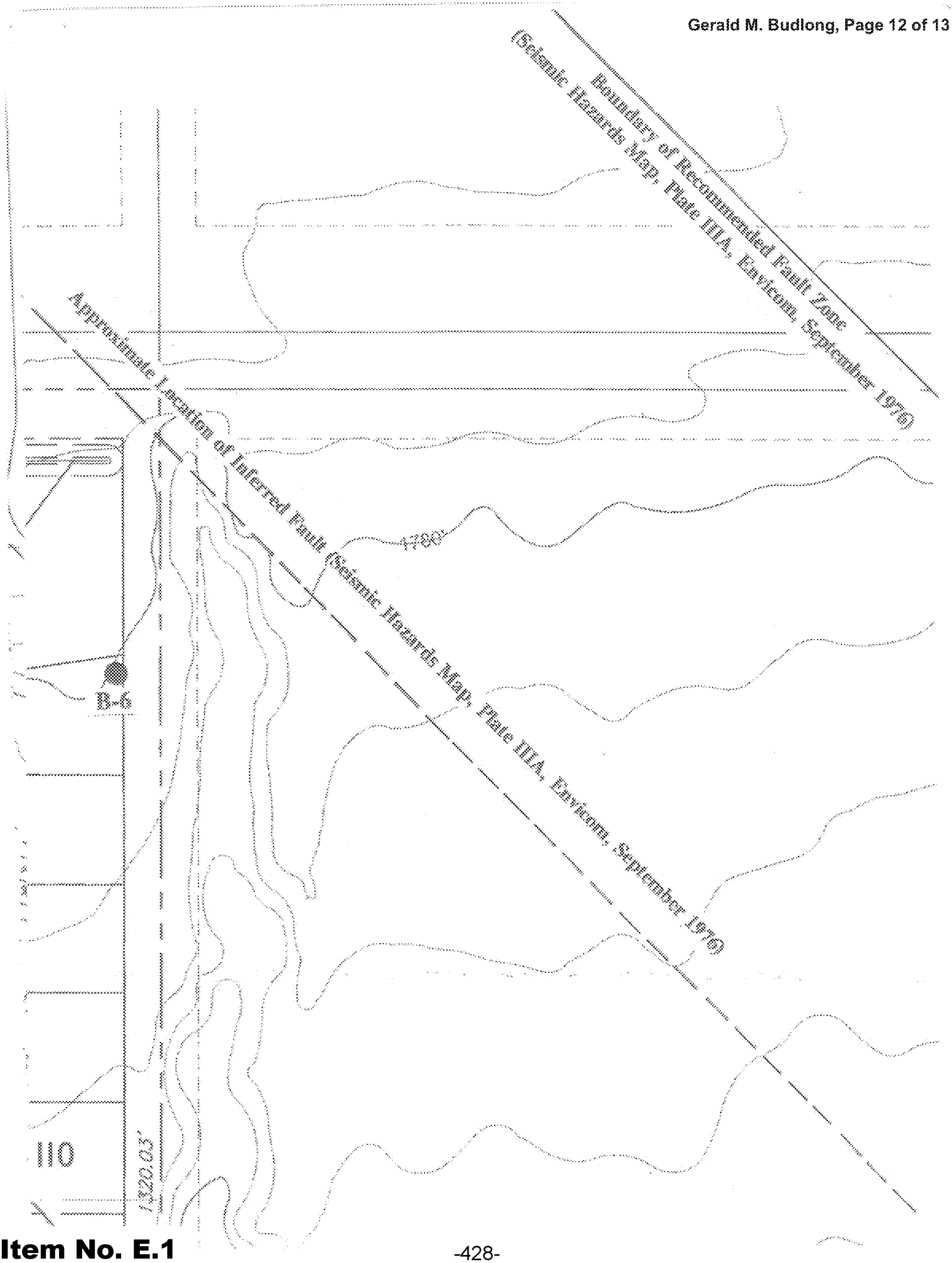
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
1780'
B-6
110
1320.03'

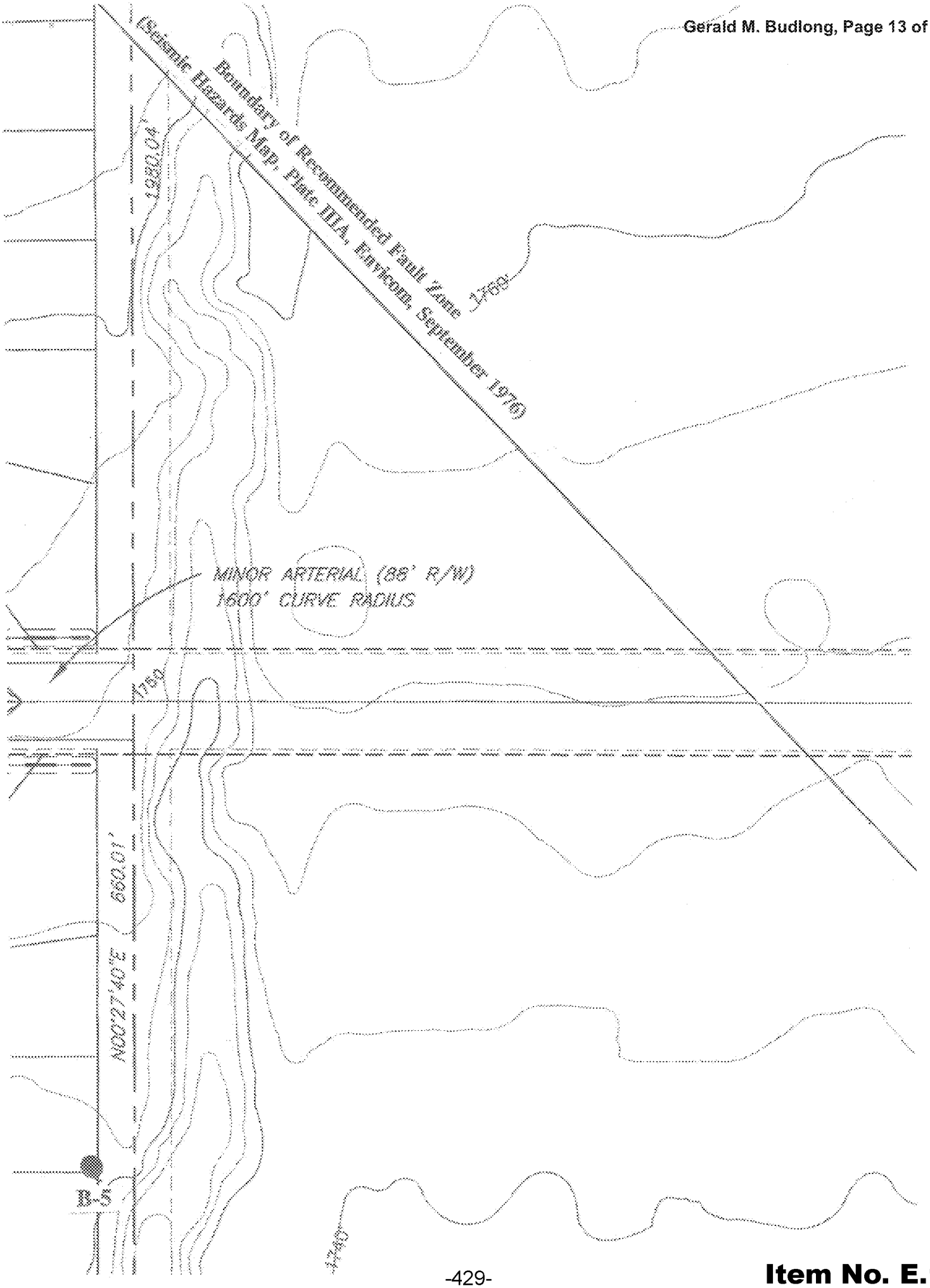
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harrison, September 1976
1920.04'
1760
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

Item No. E.1

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

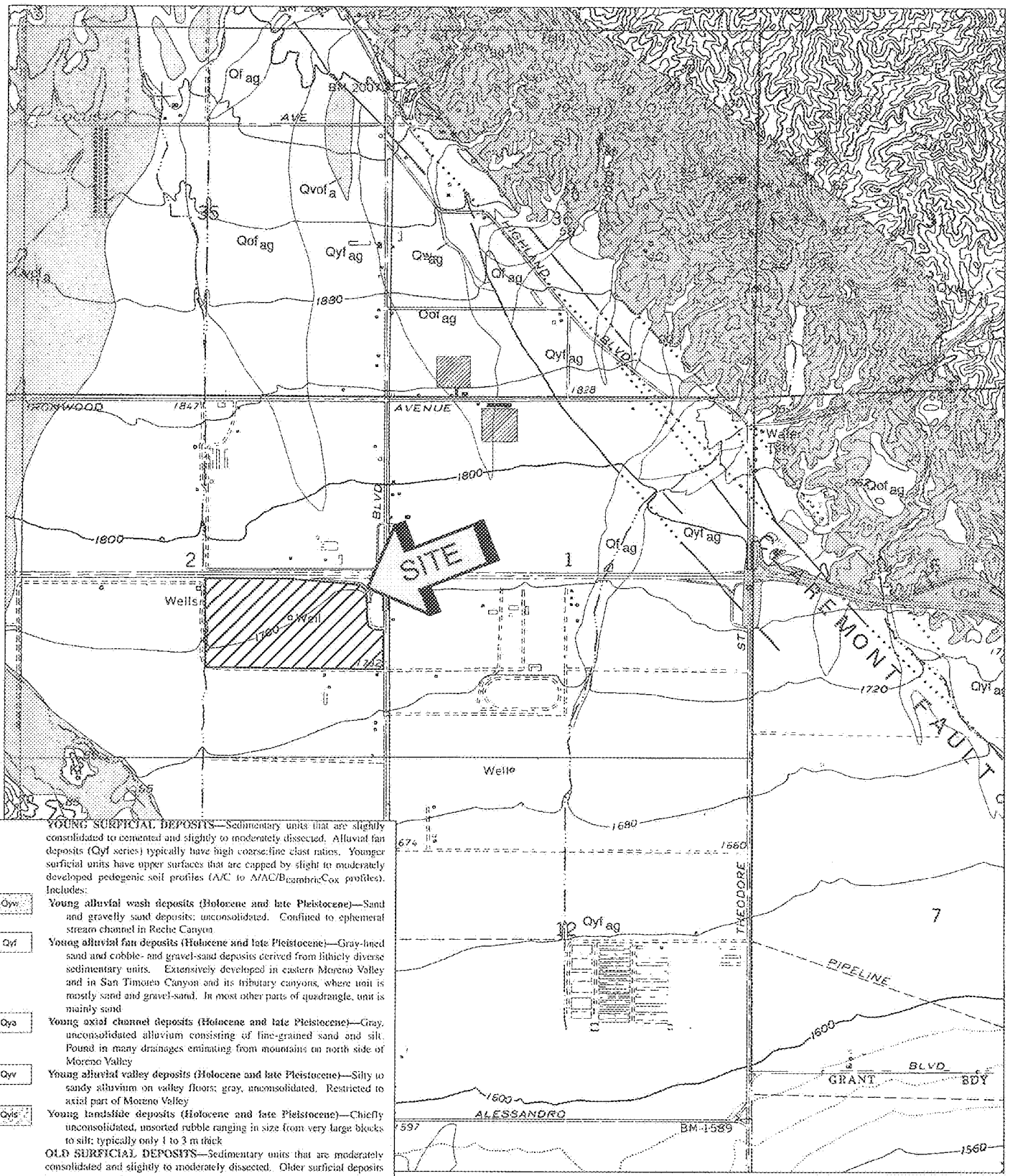

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

- Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.
- Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.
- Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.
- Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.
- Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

- Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

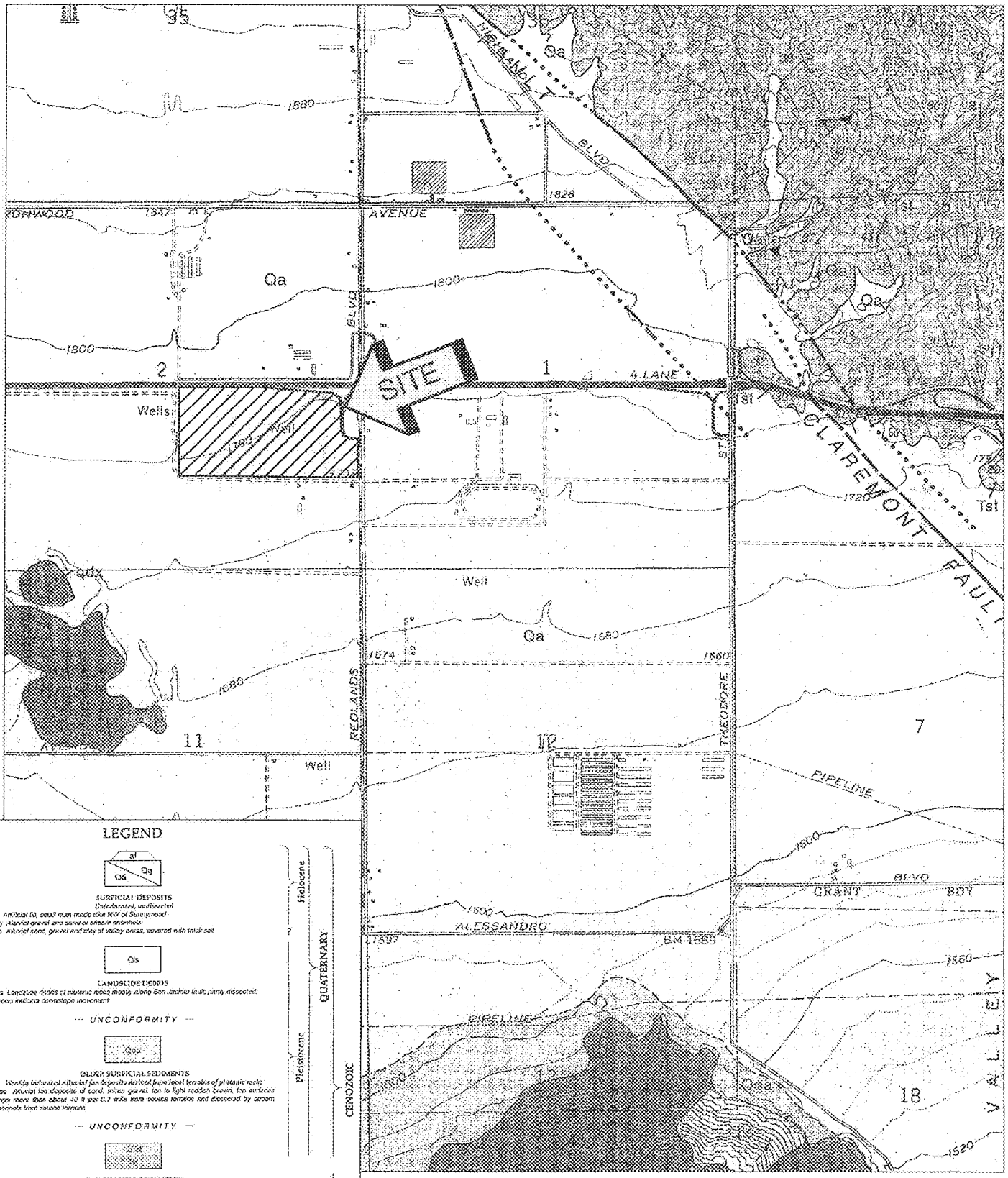

LEGEND

af / Qa / Qg

SURFICIAL DEPOSITS

Unconsolidated, undissected

af Artificial fill, small man made site NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

Qls

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

Qoa

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

Qsa / Tst

SAN TIMOTEO FORMATION

(San Timoteo Hills of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Matti, 2001)

Qsa Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Matti, 2001); lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Qa, Qg, af	Holocene	QUATERNARY
Qoa, Qsa	Pleistocene	QUATERNARY
Qsa, Tst	Pliocene	TERTIARY
		CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'

DRAWN: DRK
CHKD: JAS

SCG PROJECT
06G285-2

PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00126135

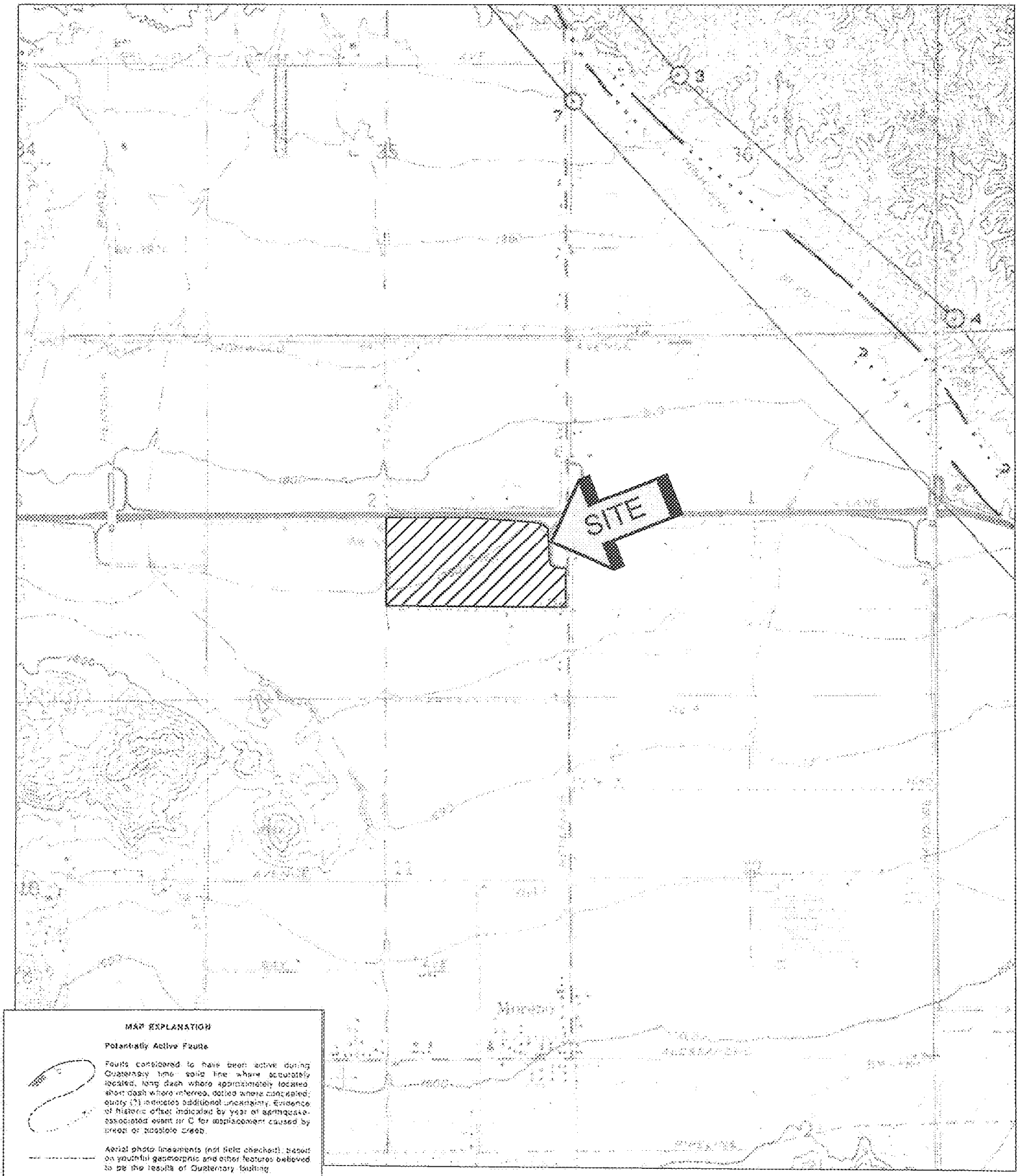

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'

DRAWN: DRK
CHKD: JAS

SCG PROJECT
09G285-2

PLATE 3

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00126137

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

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[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

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There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

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(Incorporated by Reference)

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FNSJ-25 (cont'd)

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

<u>Response FNSJ-23</u>

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

JS-14 (cont'd)

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts.

JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document.

JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of

JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is <u>not</u> the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

JS-54

(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

JS-55

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response JS-41

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> 4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

5.8 Direct impacts to wildlife

5.8.1 Common Wildlife

The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

Common Wildlife Species

The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

Response JS-52

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

<u>Response JS-53</u>

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists [illegible] LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Response NDN-12

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

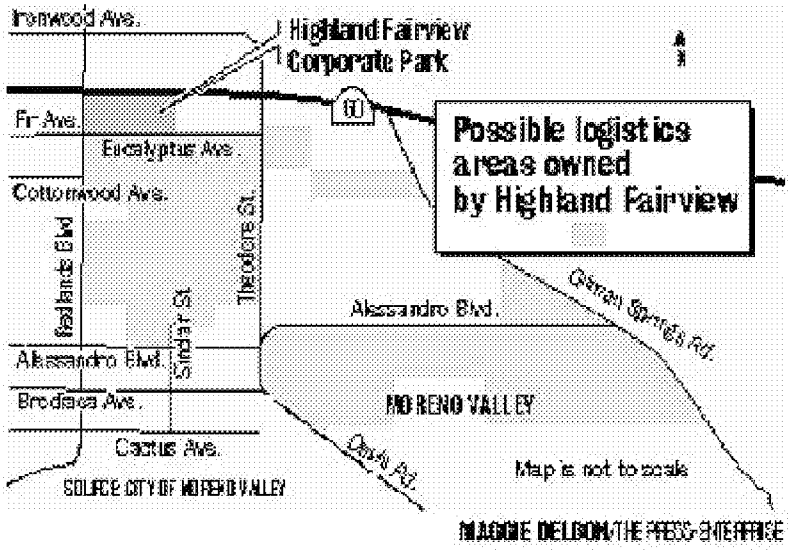

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools?

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

RLMV-2

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

RLMV-3

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- SC-1
without factoring Moreno Highlands into the equation. How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

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11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to show the impacted views from the 60 Freeway looking south across the project site to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

Recommendation: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

Building – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **mitigation measure reducing the height of the structure to preserve some of the scenic vistas should be imposed.** Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

Light and Glare – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: www.darksky.org lists lighting fixtures and methods to meet dark sky specifications. Add a Mitigation Measure (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

Screen Walls – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

Landscaping – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGehee Dr. Moreno Valley 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto Wildlife Area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

City of Moreno Valley
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*Name (Required): Richard Johnson Phone: 951-243-0804

*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

*Note: Your name and contact information will become part of the public record for this project.

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

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DEC - 6 2010
CITY OF MORENO VALLEY

Item No. E.1

MV00126395

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area. DR-C-2

This report must include all the impacts of all 35 million sq ft in order to be of actual value to the community.

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.1

MV00126399

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

APPENDICES

Please refer to accompanying CD-ROM

Item No. E.1

MV00126405

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MV00126406

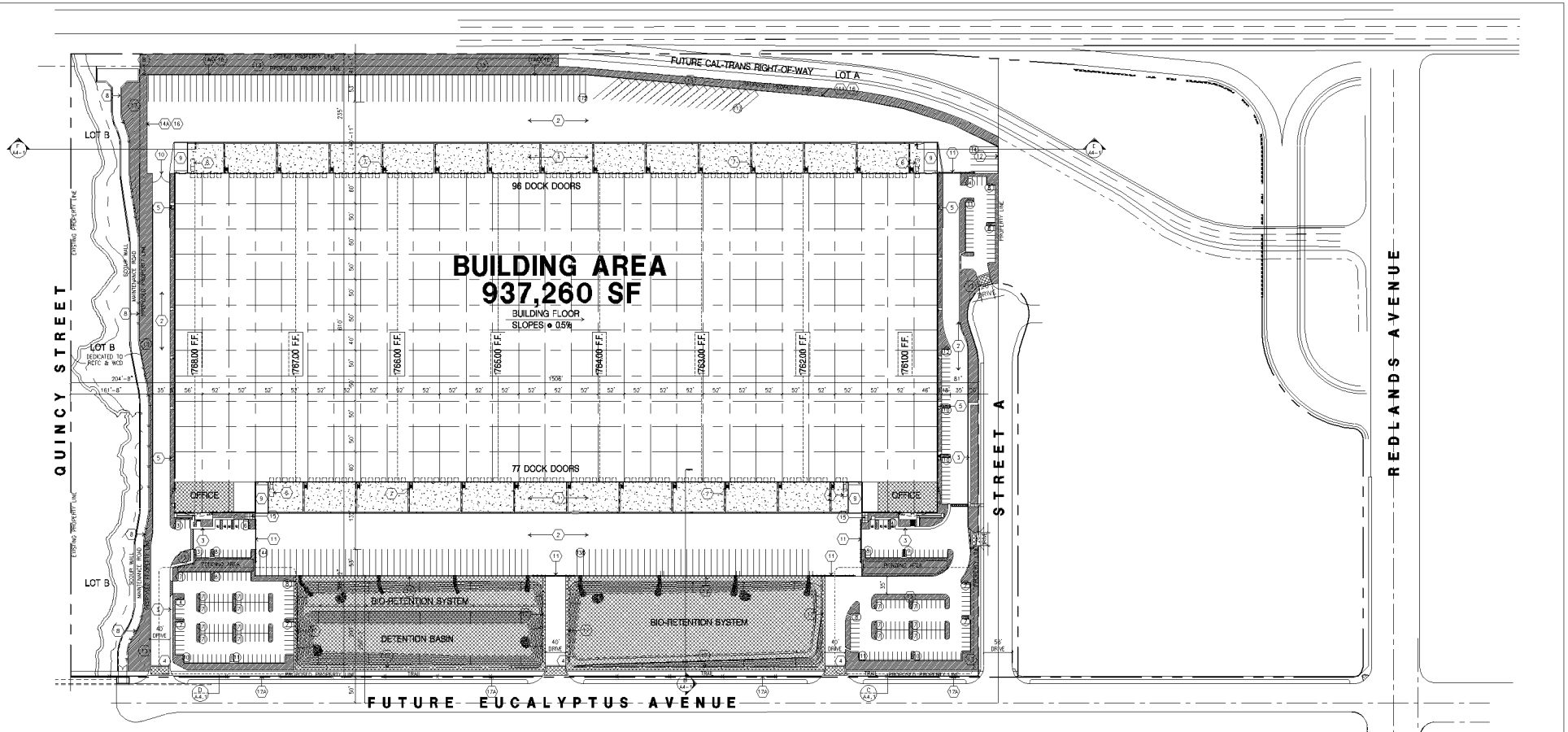

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

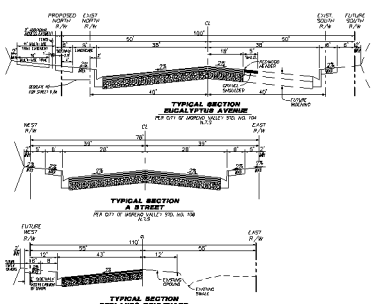

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,389,905
Gross site area (in acres)		2.57	54.88
Net site area (in s.q.ft.)	2,266,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k @1/1,000 s.f.	20		
2nd. 20k @1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' WIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 6' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLOS, LLC
c/o PIERCE PROPERTY TRUST
301 CONVAL AVE. - STE. #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROE COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: GIL SWENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- P — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TINA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25500 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DAUENHAUER

VICINITY MAP

N.T.S.

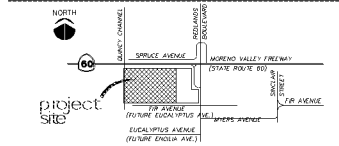

WestRidge Commerce Center

MORENO VALLEY, CALIFORNIA

PIERCE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

HPA# 6342

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A1.1

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

ATTACHMENT 11

MV00126407

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MV00126408

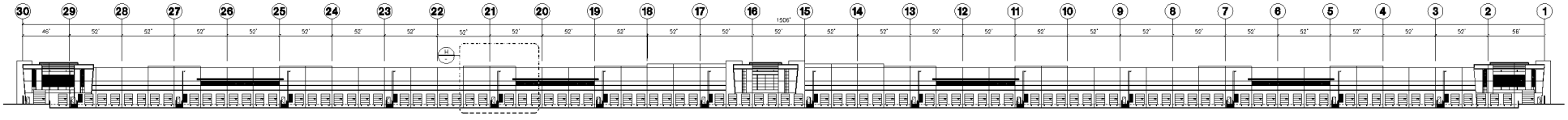

NORTH ELEVATION (A)
scale: 1"=40'-0"

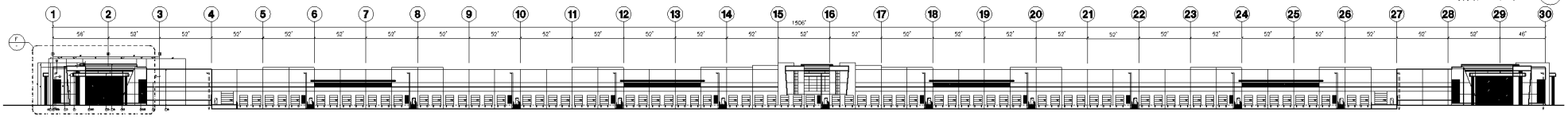

SOUTH ELEVATION (B)
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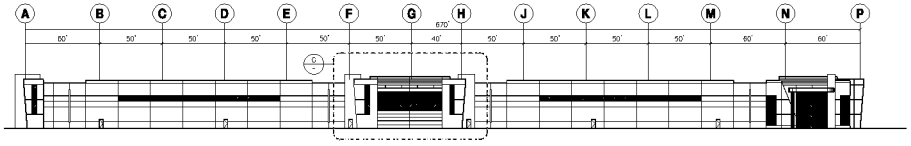

WEST ELEVATION (D)
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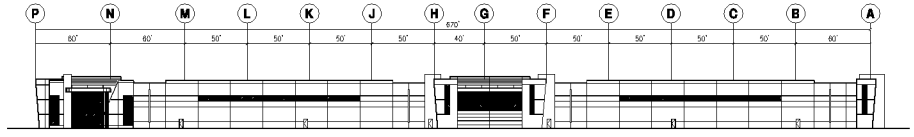

EAST ELEVATION (C)
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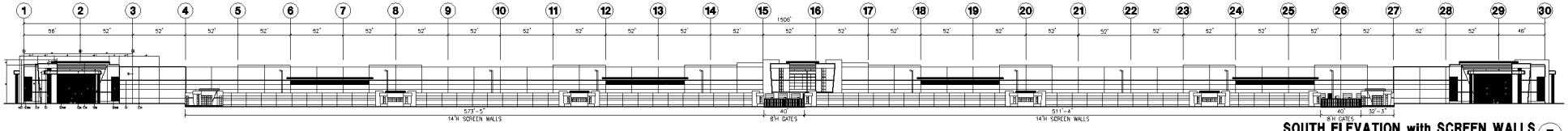

SOUTH ELEVATION with SCREEN WALLS (E)
scale: 1"=40'-0"

SCALE: 1"=40'
0 40' 80' 120'

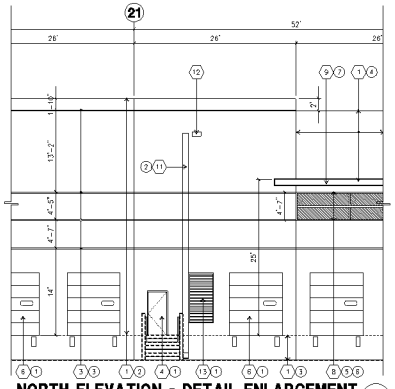

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
scale: 1/8"=1'-0"

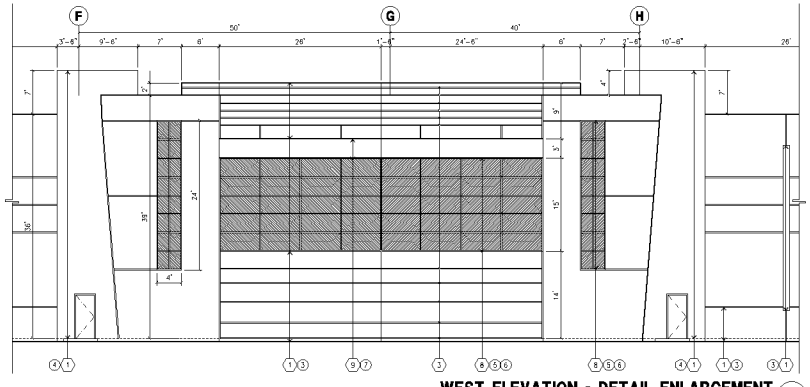

WEST ELEVATION - DETAIL ENLARGEMENT (G)
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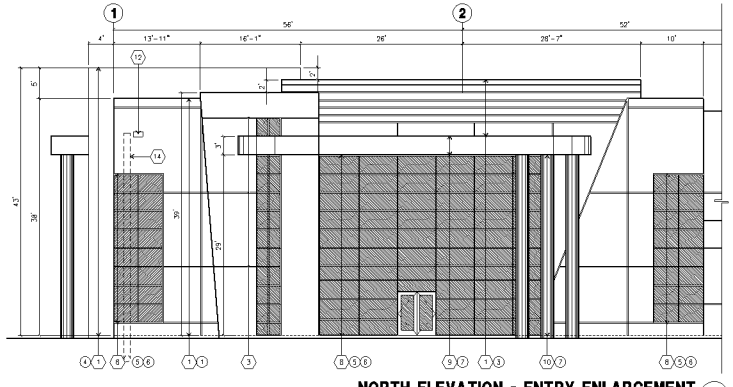

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173W EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566 DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

A3.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 12

MV00126409

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MV00126410

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

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MV00126412

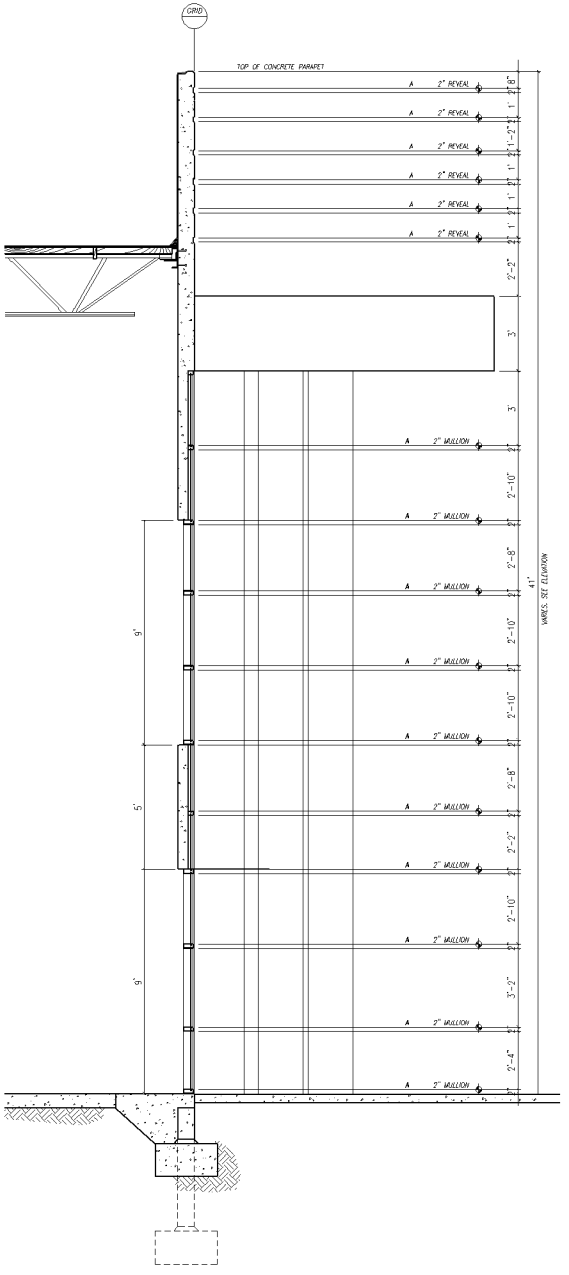

BUILDING SECTION @ OFFICE AREA (A)
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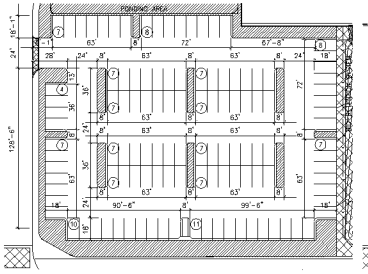

ENLARGED SITE PLAN @ SOUTHWEST (D)
scale: 1" = 40'-0"

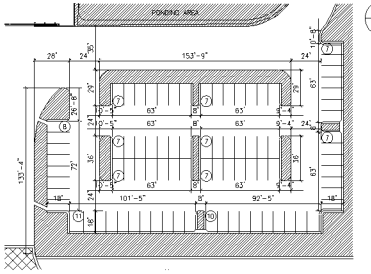

ENLARGED SITE PLAN @ SOUTHEAST (C)
scale: 1" = 40'-0"

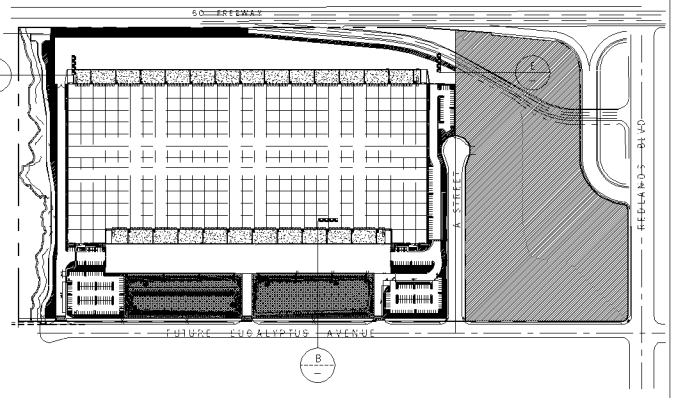

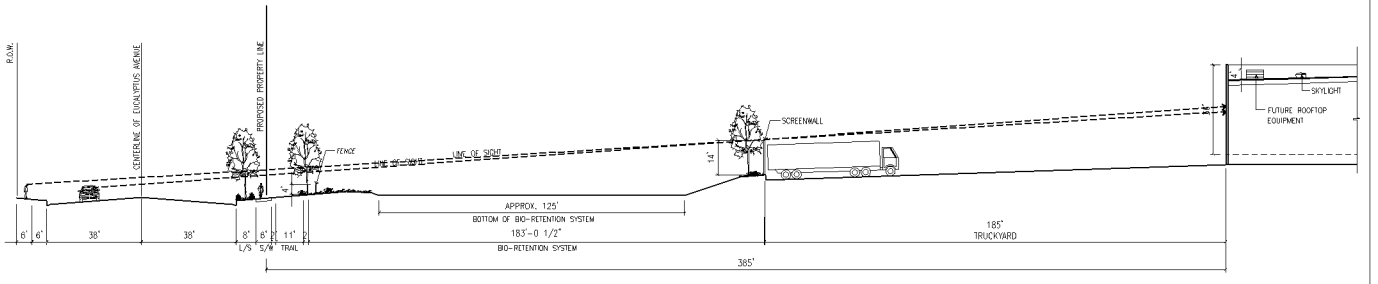

LINE OF SIGHT (B)
scale: 1" = 20'-0"

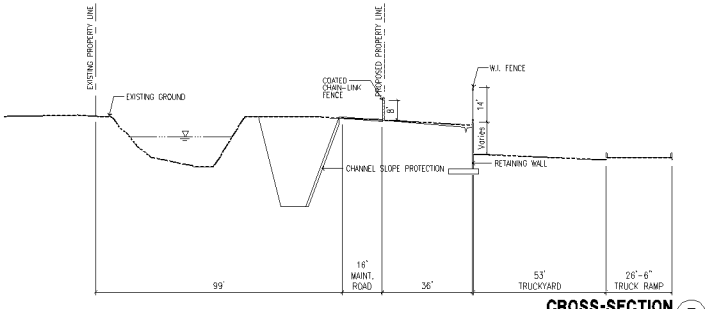

CROSS-SECTION (F)
scale: 1" = 20'-0"

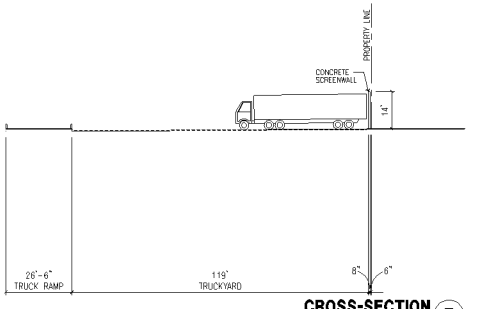

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

SUN & PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

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ATTACHMENT 14

MV00126413

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MV00126414

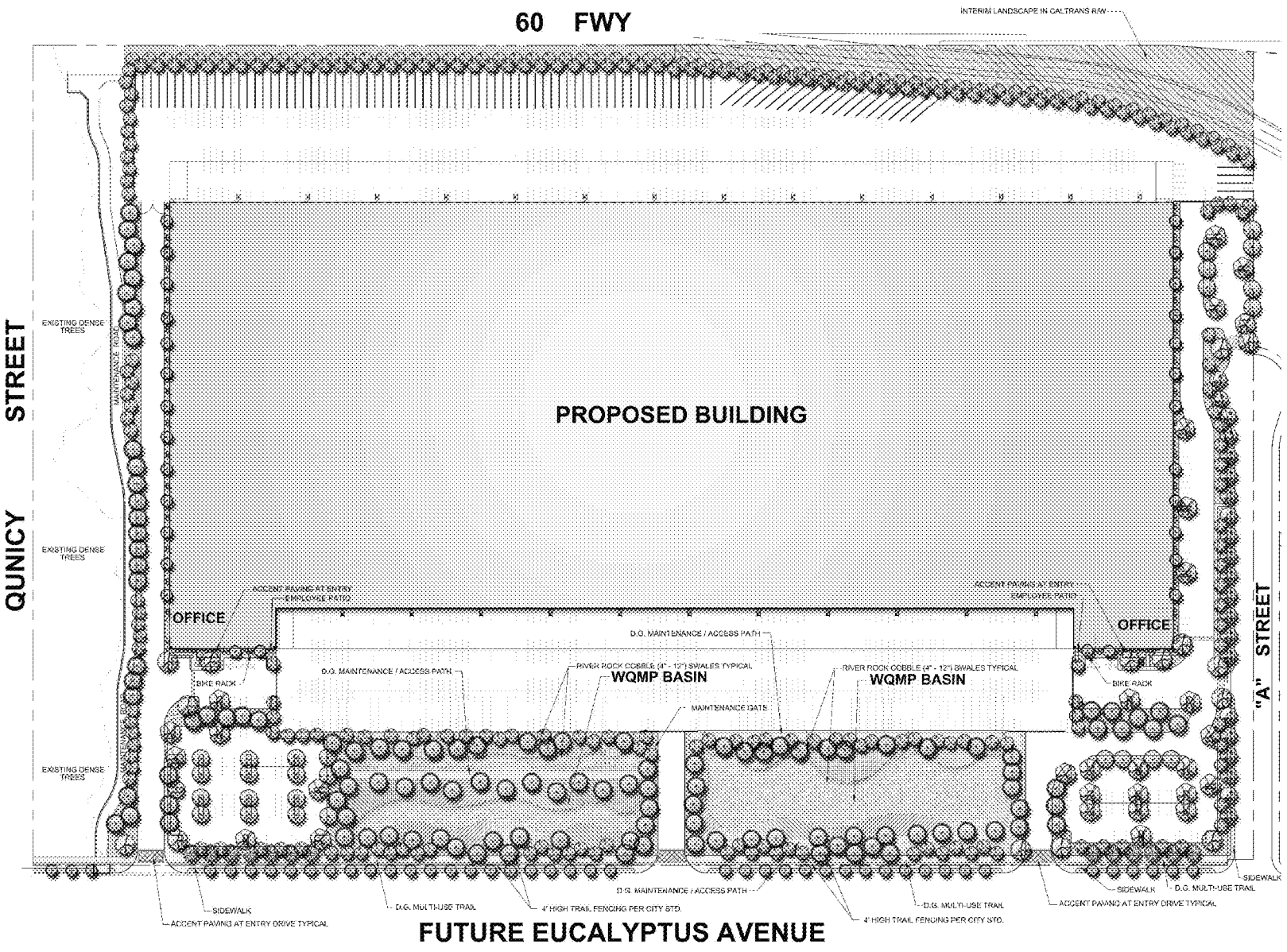

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus suber (Cork Oak)	15 GAL 24" BOX	30 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (Crimean Linden) Malia Trees	48" BOX	16
	Ulmus americana (Liberty and Pink) OR Pistacia atlantica (Shade Pro)	15 GAL 24" BOX	150 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Includes Street Tree)	24" BOX	13
	Pistacia chinensis (Chinese Pistache)	15 GAL	152
	Pistachia Atlantica (Chinese Pistache) (Includes Street Tree)	24" BOX	21
	Quercus agrifolia (Coast Live Oak)	24" BOX	24
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 5' OF HARDSCAPE SHALL BE 18" X 4' SHADY TOWN ROOT BARRIER 24" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Muhlenbergia lindheimeri (Muhly)	5 gallon	30" o.c. spacing
Acacia cultriformis (Knife Acacia)	5 gallon	6' o.c. spacing
Adenanthos sericeus (Coyote Bush)	5 gallon	72" o.c. to 84" o.c. spacing
Agave americana (Century Plant)	5 & 15 gallon	6' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Anigozanthos flavidus (Kangaroo Paw)	5 gallon	3' o.c. spacing
Arctostaphylos (Manzanita)	5 gallon	5' o.c. spacing
Baccharis pilularis (Dwarf Coyote Bush)	5 gallon	5' o.c. spacing
Carex divulsa (Grey Sedge)	5 gallon	2' o.c. spacing
Carex tumulicola (Foothill Sedge)	5 gallon	2' o.c. spacing
Cistus salviifolius (Sageleaf Rockrose)	5 gallon	4' o.c. spacing
Cortaderia selloana (Pampas Grass)	5 gallon	5' o.c. spacing
Dianella revoluta (Blue Flax Lily)	5 gallon	2' o.c. spacing
Dianella tasmanica (Tasman Flax Lily)	5 gallon	2' o.c. spacing
Elegia capensis (Elegia)	5 gallon	2' o.c. spacing
Fragaria chiloensis (Beach Strawberry)	5 gallon	4' o.c. spacing
Galium odoratum (Sweet Woodruff)	5 gallon	2' o.c. spacing
Heteromeles arbutifolia (Toyon)	5 & 15 gallon	8' o.c. spacing
Juncus patens (Juncus)	1 and 5 gallon	varies
Leucadendron (Leucadendron)	1 and 5 gallon	24" o.c. to 48" o.c. spacing
Leucophyllum frutescens (Texas Ranger)	5 gallon	4' o.c. spacing
Leucophyllum frutescens 'Green Cloud' (Texas Ranger)	5 gallon	4' o.c. spacing
Ligustrum lucidum (Wax Leaf Privet)	5 gallon	30" o.c. spacing
Macadamia integrifolia and tetraphylla (Macadamia Macadam Species)	5 gallon	24" o.c. spacing
Mimulus cardinalis (Scarlet Monkey Flower)	5 gallon	24" o.c. spacing
Muhlenbergia rigida (Red Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis (Species) (True Myrtle)	5 gallon	24" o.c. spacing
Nandina domestica (Flavora' cultivar)	5 gallon	24" 36" o.c. spacing
Pittosporum tenuifolium (Tawhiwhi)	5 gallon	4' 0" o.c. spacing
Polygala myrtifolia	5 gallon	4' 0" o.c. spacing
Rhamnus californica (Coffeeberry)	5 gallon	4' 0" o.c. spacing
Rhamnus ilicifolia (Coffeeberry)	5 gallon	4' 0" o.c. spacing
Rosa pinetorum (Carmel)	5 gallon	varies
Rosmarinus officinalis (Rosemary)	1 & 5 gallon	30" 36" o.c. spacing
Salvia clevelandii (Autumn Sage)	5 gallon	5' o.c. spacing
Verbena lilacina (Lilac Verbena)	5 gallon	4' 0" o.c. spacing
Xylosma congestum (Shiny Xylosma)	5 gallon	4' 0" o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (NCN)	1 and 5 gallon	48" o.c. spacing min.
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing min.
Carex divulsa (Berkeley)	1 gallon	42" o.c. spacing min.
Delosperma cooperi (Trailing Ice Plant)	1 gallon	24" o.c. spacing min.
Hedera helix (Ivy)	1 gallon	24" o.c. spacing
Juniperus conferta (Shore Juniper)	1 gallon	30" o.c. spacing
Lantana montevidensis (Trailing Lantana) (Purple flowering)	1 gallon	18" o.c. spacing
Myoporum parvifolium (Myoporum)	1 gallon	24" 42" o.c. spacing
Pachysandra terminalis (Japanese Pachysandra)	1 gallon	48" o.c. spacing
Rosmarinus officinalis 'Prostratus' (Prostrate Rosemary)	1 gallon	48" o.c. spacing
Vinca minor (Dwarf Periwinkle)	1 gallon	18" o.c. spacing

INTERIM LANDSCAPE WITHIN CALTRANS R/W - PLANT 1 GAL., ACHIEVE RESOLVE TO 2' O.C. WITH 3" INNER LAYER OF DECOMPOSED GRANITE. THAT IS TO BE IRRIGATED WITH DRIP IRRIGATION.

SIDEWALK VISTA - NATIVE WILDFLOWER PURPLE SAGE MIX

0.25 LBS.	ACHILLEA MILLEFOLIUM	
0.50 LBS.	NASSELLA CERNUA	
0.25 LBS.	LUPINUS BICOLOR	
0.50 LBS.	LUPINUS SUCCULENTUS	
0.50 LBS.	NASSELLA MEXICANA	
0.50 LBS.	COLLINSIA HETEROPHYLLA	
0.25 LBS.	LUPINUS CONCINNUS	

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Ficus repens (Creeping fig)	1 gallon	10' o.c. spacing
	Bougainvillea (varieties) (Bougainvillea)	1 gallon	10' o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Dendrocalamus latiflorus (Giant Timber Bamboo)	5 gallon	8' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM MARTIN MULCHES (951) 970-0266

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

MV00126415

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MV00126416

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INCLUSIVE, BLOCK 35, OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT-ZOLLARS

NOVEMBER, 2010

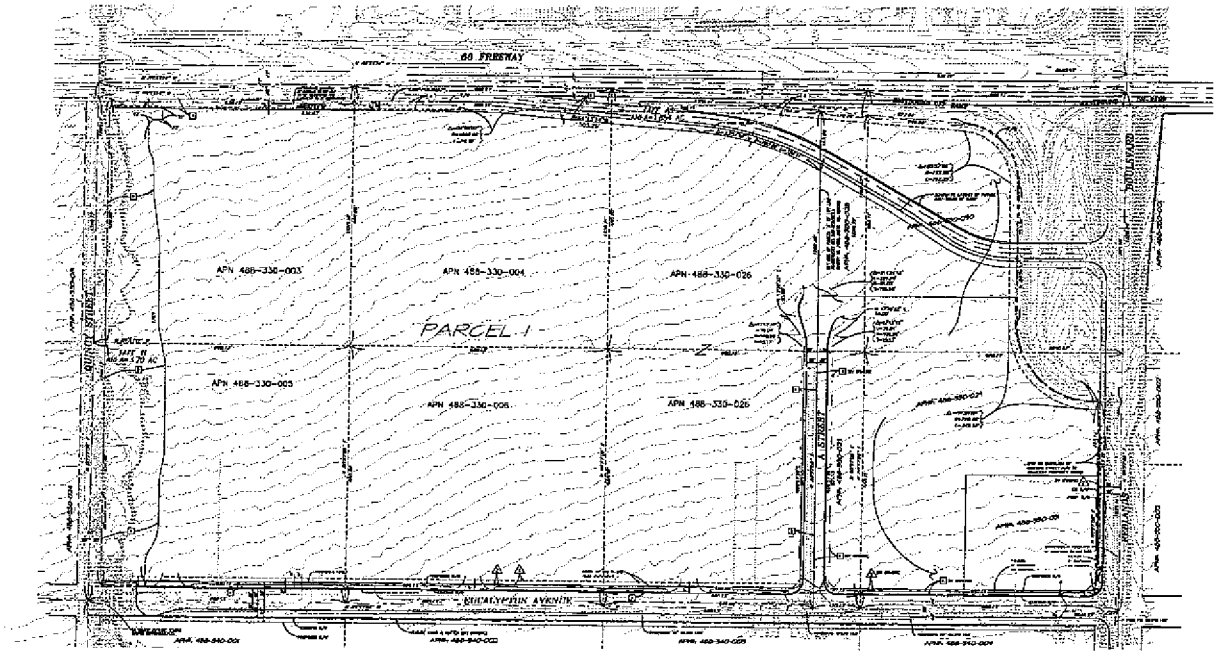

TYPICAL SECTION
EUCALYPTUS AVENUE

TYPICAL SECTION
A STREET

TYPICAL SECTION
BRIGHTON AVENUE

EASEMENT NOTES

(A) EASEMENTS FOR THE PURPOSES SHOWN BELOW AND HEREIN INCLUDED, SHALL BE GRANTED AS SHOWN ON A MAP RECORD.

GRANTED TO: EASTERN MUNICIPAL WATER DISTRICT
PURPOSE: PUBLIC PIPELINES AND PURPOSES
RECORDED: DECEMBER 18, 1963, AS INSTRUMENT NO. 139944, BOOK 1963, PAGE 302, OF OFFICIAL RECORDS

PROPOSED EASEMENT

(A) 10' EASEMENT FOR ALL-WAY USE FROM THE CITY OF MORENO VALLEY.

(A) 5' EASEMENT FOR THE PURPOSE OF DISTRIBUTING FIRE WATER TO THE CITY OF MORENO VALLEY.

PROPOSED DEDICATION

(B) 30'(AS-BUILT) SANITARY STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

(C) 30'(AS-BUILT) STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

(C) 1' OF A, 30'(AS-BUILT) TO THE CITY OF MORENO VALLEY FOR FUTURE CULTURAL A/B

(D) 1' OF A, 30'(AS-BUILT) TO THE STATE OF THE SAFETY CHANGE. R/B (THE BRIGHTON SUBDIVISION)

LINE DATA:		
LINE	BEARING	DISTANCE
L1	N 89°59'00" E	30.00'
L2	N 89°59'00" E	30.00'
L3	N 89°59'00" E	30.00'
L4	N 89°59'00" E	30.00'
L5	N 89°59'00" E	30.00'
L6	N 89°59'00" E	30.00'
L7	N 89°59'00" E	30.00'
L8	N 89°59'00" E	30.00'
L9	N 89°59'00" E	30.00'
L10	N 89°59'00" E	30.00'
L11	N 89°59'00" E	30.00'

PARCEL SUMMARY TABLE
[illegible]

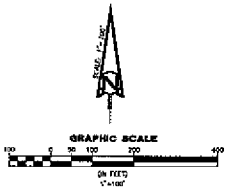

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: [illegible] / AGRICULTURE TO THE SOUTH, VACANT TO THE NORTH AND EVERGREEN TO THE EAST
3. AVERAGE LOT SIZE: 1 ACRE
4. EXISTING ZONING: [illegible]
5. PROPOSED ZONING: [illegible]
6. PLANNED USE OF PARCEL NO. DESCRIPTION
7. PROPOSED LAND USE: VACANT INDUSTRIAL / WAREHOUSE DISTRIBUTION
8. PROPOSED WATER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
9. PROPOSED SEWER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
10. ALL UTILITIES SHALL BE UNDERGROUNDED:
    GAS: SOUTHERN CALIFORNIA GAS COMPANY
    ELECTRIC: CITY OF MORENO VALLEY ELECTRIC UTILITY
    TELEPHONE: VERIZON TELEPHONE COMPANY
11. ALL SIGNS SHALL BE CONSTRUCTED AT A MINIMUM SIZE OF 24" UNLESS OTHERWISE PERMITTED
12. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS
13. ACTUAL TOPOGRAPHY PROVIDED BY: [illegible]
14. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
15. [illegible]

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELACO, LLC
[illegible]

PREPARED IN THE OFFICE OF
HUITT-ZOLLARS, INC.
[illegible]

UTILITY PROVIDERS
WATER
[illegible]
GAS
SOUTHERN CALIFORNIA GAS COMPANY
[illegible]
TELEPHONE
VERIZON
[illegible]
SEWER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]

[illegible] R.C.E. 64[illegible]

LAND USE
[illegible] TOTAL ACRES

EARTHWORK
CUT [illegible] CY
FILL [illegible] CY
EXPORT [illegible] CY
IMPORT [illegible] CY

LEGEND / ABBREVIATIONS
PROPOSED BOUNDARY LINE
PROPOSED FIRE WATER LINE
PROPOSED DOMESTIC WATER LINE
PROPOSED SEWER LINE
PROPOSED STORM DRAIN
EXISTING GAS LINE
EXISTING WATER LINE
EXISTING SEWER LINE
EXISTING STORM DRAIN
STORM DRAIN INLET
CURB DRAIN
BASIS OF BEARINGS BOUNDARY
EXISTING RIGHT OF WAY/SITE BOUNDARY
EASEMENT BASE LINE
LOT LINE
FIRE HYDRANT

CABLE - TV
MEDIACOM COMMUNICATIONS
[illegible]

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW HAVE BEEN EXTRACTED FROM A PRELIMINARY TITLE REPORT PREPARED BY [illegible] THE COMPANY DATED [illegible] AND ENUMERATED AS [illegible] THE PURPOSE OF REGIONAL BOUNDARY IN BASIS TO SUBJECT PROPERTY [illegible] THE CITY.

PARCEL 1:

LOT 2, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 500 OF OFFICIAL RECORDS.

PARCEL 2:

LOT 3, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTH 1 DEG. 30' 00" WEST ALONG THE EAST LINE OF SAID LOT 3, 30 FEET; THENCE NORTHWESTERLY TO A POINT IN THE NORTH LINE OF SAID LOT 3, 30 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 3; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 3, 30 FEET TO THE POINT OF BEGINNING.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 500 OF OFFICIAL RECORDS.

PARCEL 3:

LOT 4, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTH 1 DEG. 30' 00" WEST ALONG THE EAST LINE OF SAID LOT 4, 30 FEET; THENCE NORTHWESTERLY TO A POINT IN THE NORTH LINE OF SAID LOT 4, 30 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 4; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 4, 30 FEET TO THE POINT OF BEGINNING.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 500 OF OFFICIAL RECORDS.

PARCEL 4:

LOT 5, BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTH 1 DEG. 30' 00" WEST ALONG THE EAST LINE OF SAID LOT 5, 30 FEET; THENCE NORTHWESTERLY TO A POINT IN THE NORTH LINE OF SAID LOT 5, 30 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 5; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 5, 30 FEET TO THE POINT OF BEGINNING.

EXCEPT NOTWITHSTANDING THAT PATENT GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED OCTOBER 27, 1965, IN BOOK 1965, PAGE 500 OF OFFICIAL RECORDS.

PARCEL 5:

A PORTION OF LOTS 6 AND 7 BLOCK 35 OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13, PAGE 71, OF MAPS, EXCEPTING THAT PORTION THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 1 DEG. 30' 00" WEST ALONG THE EAST LINE OF SAID LOT 6, 30 FEET; THENCE NORTHWESTERLY TO A POINT IN THE NORTH LINE OF SAID LOT 7, 30 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 7; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 7, 30 FEET TO THE POINT OF BEGINNING.

CITY CASE NO. PA09-0022

HUITT-ZOLLARS
HUITT-ZOLLARS, INC.
[illegible]

DESIGNED BY R.E.S.	SHEET 1 OF 1
DRAWN BY T.T. SUN	
CHECKED BY R.E.S.	DATE [illegible]
JOB NO. [illegible]	

ATTACHMENT 16

MV00126417

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MV00126418

West Ridge Commece Center Project

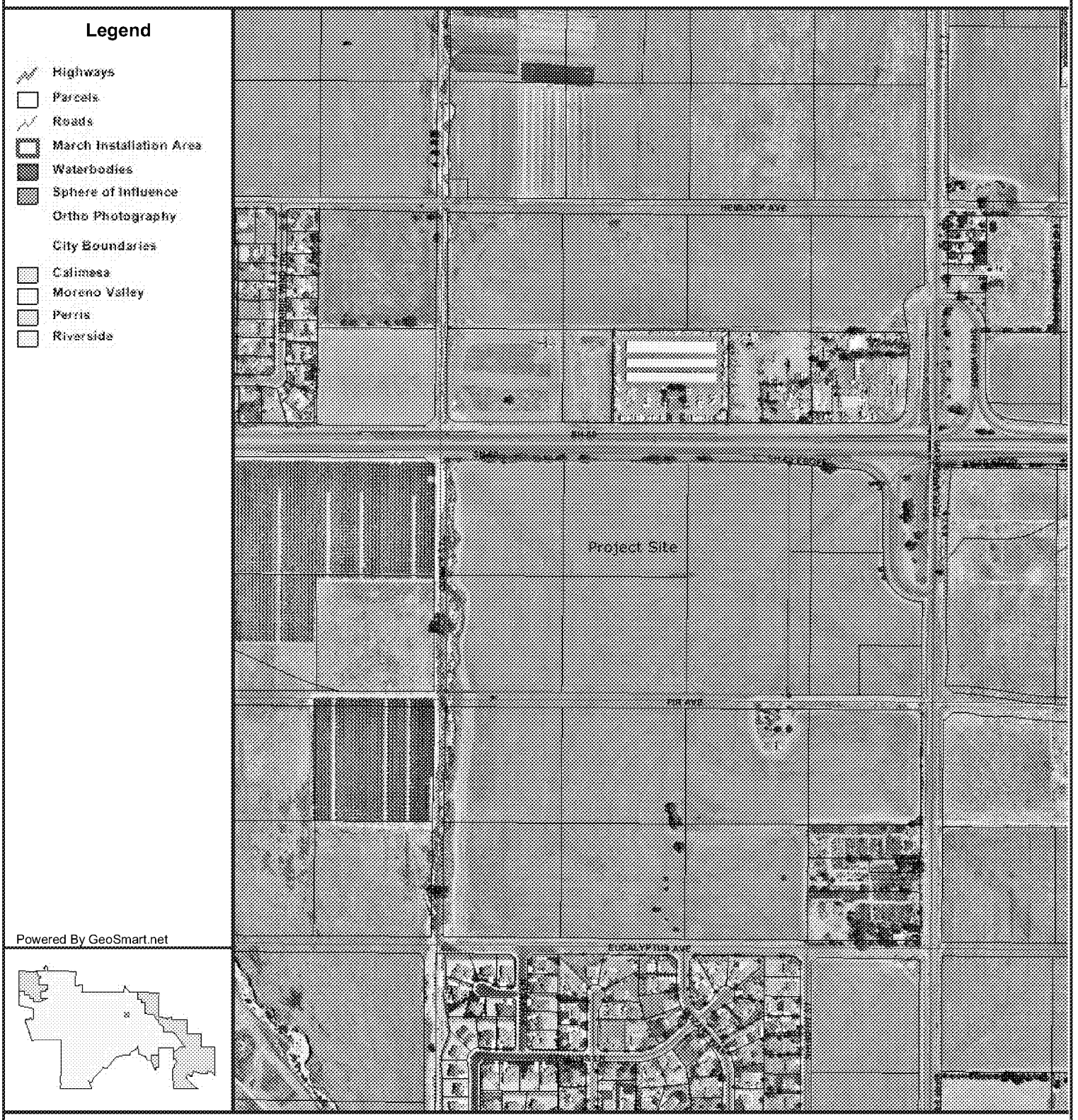

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

N

0 300 600 1200ft

Printed: 11:52:36 AM

Item No. E.1

MV00126419

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MV00126420

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. <u>This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.</u>

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. AQMD-5 cont'd.

  ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

  Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

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MV00126440

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

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MV00126446

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-325-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 751 354912 3⑈

Item No. E.1

MV00126453

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MV00126454

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer. ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

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Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

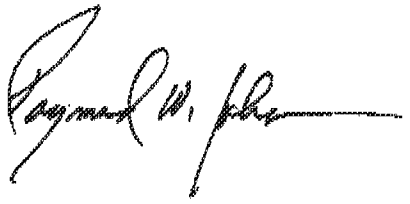

Raymond W. Johnson
JOHNSON & SEDLACK

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MV00126472

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

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MV00126478

AGENDA

NOTICE AND CALL OF SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY

September 6, 2011

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
Jesse L. Molina Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
SEPTEMBER 6, 2011

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Moreno Valley will be held on September 6, 2011 commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

Agenda

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC TESTIMONY WAS RECEIVED ON AUGUST 23, 2011 AND THAT PORTION OF THE PUBLIC HEARING IS CLOSED.

E. PUBLIC HEARINGS

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND

APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

MV00126482

ADJOURNMENT

* Materials related to an item on this Agenda submitted to the City Council/Community Services District or Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

AGENDA
September 6, 2011

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 6, 2011 (Continued from August 23, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. 2011-76
3. Environmental Impact Report Resolution No. 2011-77, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. 829 - Zone Change
5. Ordinance No. 830 - Municipal Code Amendment
6. Resolution No. 2011-78 - Plot Plan PA08-0097
7. Resolution No. 2011-79 - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00126494

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- ☐ Administrative Plot Plan
- ☐ Administrative Variance
- ☐ Amended Conditional Use Permit
- ☐ Amended Plot Plan
- ☐ Change of Zone
- ☐ Conditional Use Permit
- ☐ Development Agreement
- ☐ Development Code Amendment
- ☐ Extension of Time
- ☐ General Plan Amendment
- ☐ Plot Plan
- ☐ Pre-Application Review
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Tentative Parcel Map
- ☐ Tentative Tract Map
- ☐ Variance
- ☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@ptrnet.com

Contact Person: Derek Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services LLC — Telephone: (951) 845-1003 cell 909-226-0420

Address 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson26@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name
Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60605

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈001194⑈ ⑆071000013⑆495693⑈

Item No. E.1

MV00126500

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

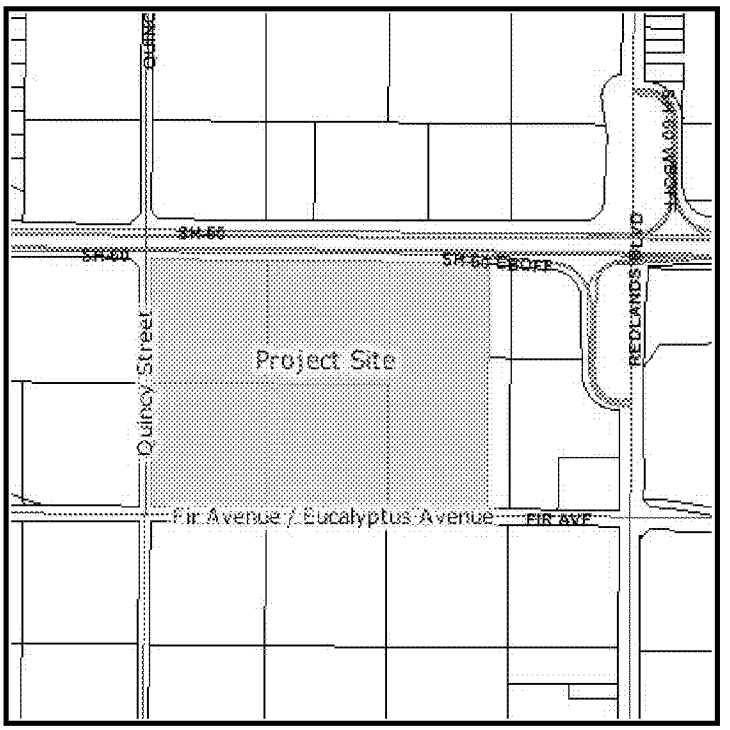

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

Item No. E.1

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MV00126502

RESOLUTION NO. 2011-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00126506

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. <u>Project Description</u>

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Land Use**

a. **General Plan Consistency**

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. **Zoning Consistency**

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. Hydrology and Water Quality

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. Biological Resources

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

c. **Freeway Mainline Segments**

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. **Air Quality**

a. **Short-Term Construction Emissions**

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00126597

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti g Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00126599

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

MV00126601

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00126603

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00126605

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd)				
right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;				
• *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*				
• *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*				
• *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*				
The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00126607

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00126609

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00126611

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00126613

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of fi building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.19 (cont'd)			Department	
• *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*				
The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.				
Air Quality				
To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction
• *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*				
• *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*				

MV00126615

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Item No. E.1

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

MV00126617

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

MV00126619

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00126621

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

MV00126623

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) ○ *Installation of catalytic converters on gasoline-powered equipment.* ○ *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* ○ *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* ○ *Provision of preferential parking for EV and CNG vehicles;* ○ *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* ○ *Use of electric (instead of diesel or gasoline-powered) yard trucks;* ○ *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00126625

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building pe

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

MV00126627

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00126629

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of fi grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00126631

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00126644

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-78 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.
• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,
• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

P98. MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

P99. MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

P100. MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

P101. MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. **Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.**

LD67. **Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.**

LD68. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).**

LD69. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.**

LD70. **Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.**

LD71. **Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.**

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. **Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.**

f. **The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under <u>no</u> circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-79, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-79 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

~~PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION~~

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

~~General Conditions~~

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

~~PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION~~

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

Prior to Certificated of Occupancy or Building Final

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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MV00126758

PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

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MV00126768

3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

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separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

Item No. E.1

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans)** for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

4.3.~~6~~5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

4.3.~~7~~6 During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~ **utilized to** power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

4.3.~~8~~7 The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~ **"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be** consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

4.3.~~9~~8 Grading plans, construction specifications and bid documents shall **also** include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~ **the following notations:**

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**

- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

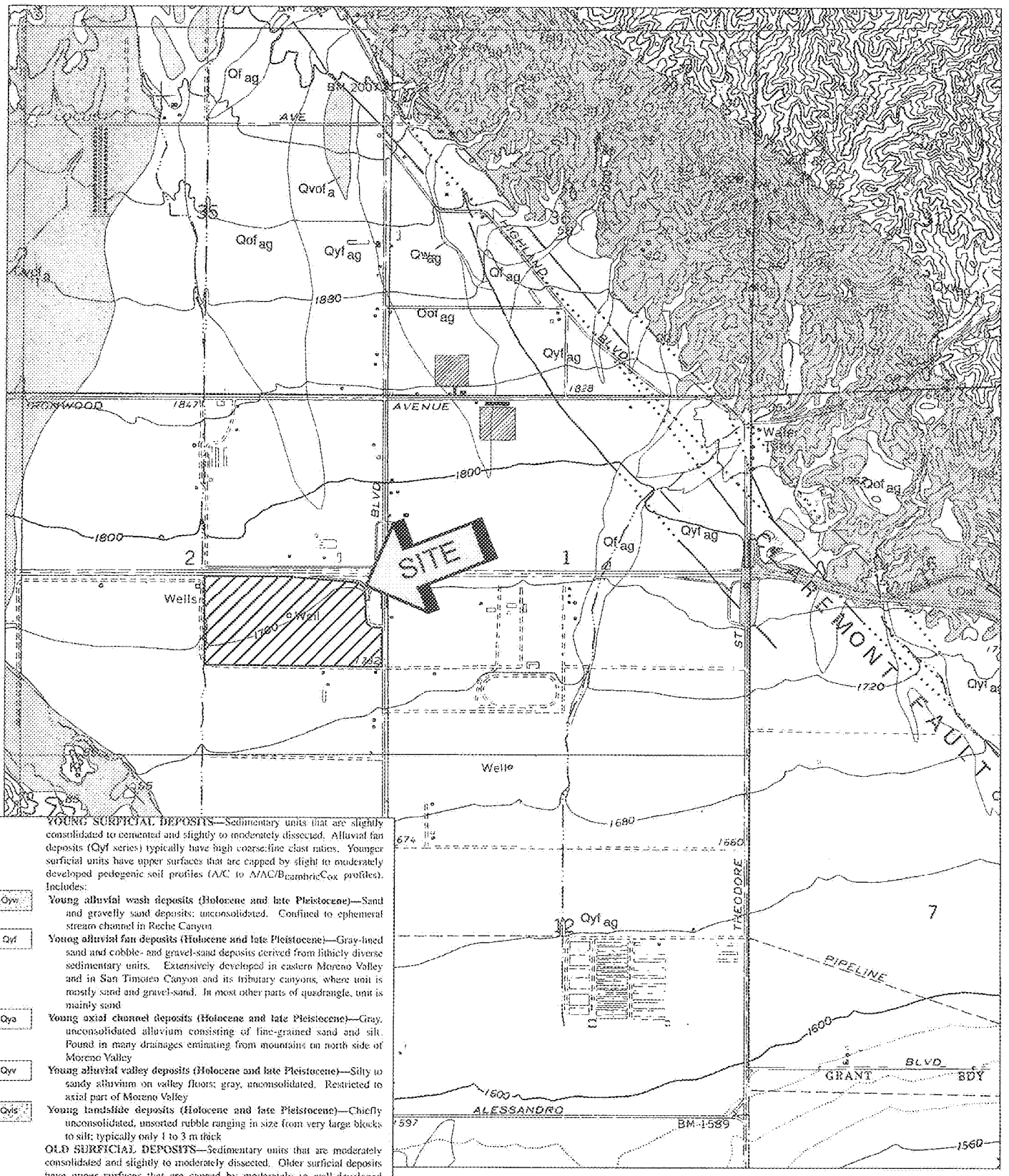

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to $A/AC/B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils ($A/AB/B/C_{ox}$ profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00126834

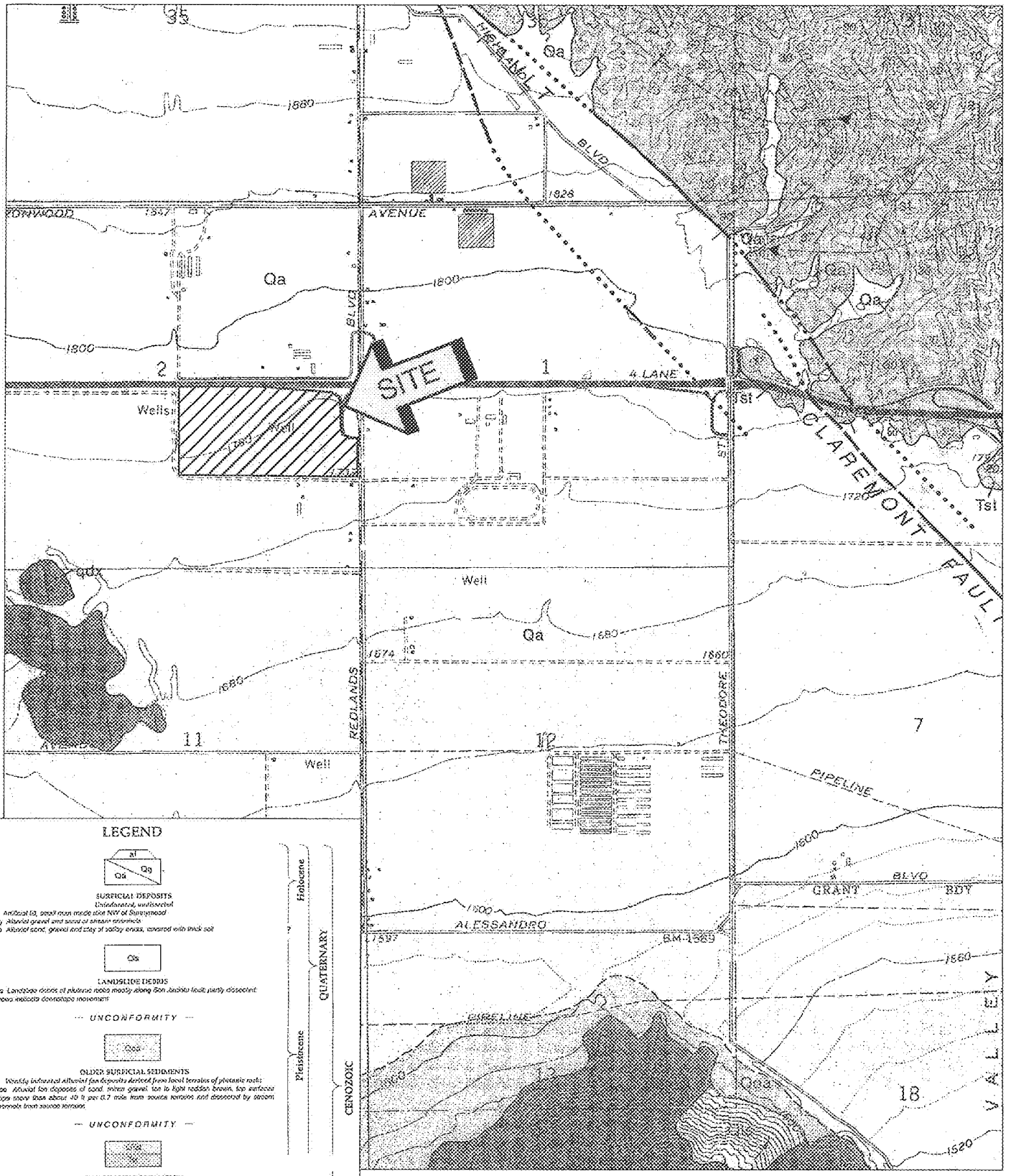

LEGEND

af / Qa / Qg

SURFICIAL DEPOSITS

Unconsolidated, undissected

af Artificial fill, small mass made site NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

Qls

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

Qoa

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

Qsa / Tst

SAN TIMOTEO FORMATION

(San Timoteo Hills of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1951), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Matti, 2001)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle

Tst Main part (pliocene part of Morton and Matti, 2001), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene / Pleistocene — QUATERNARY — CENOZOIC

Pliocene — TERTIARY

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00126835

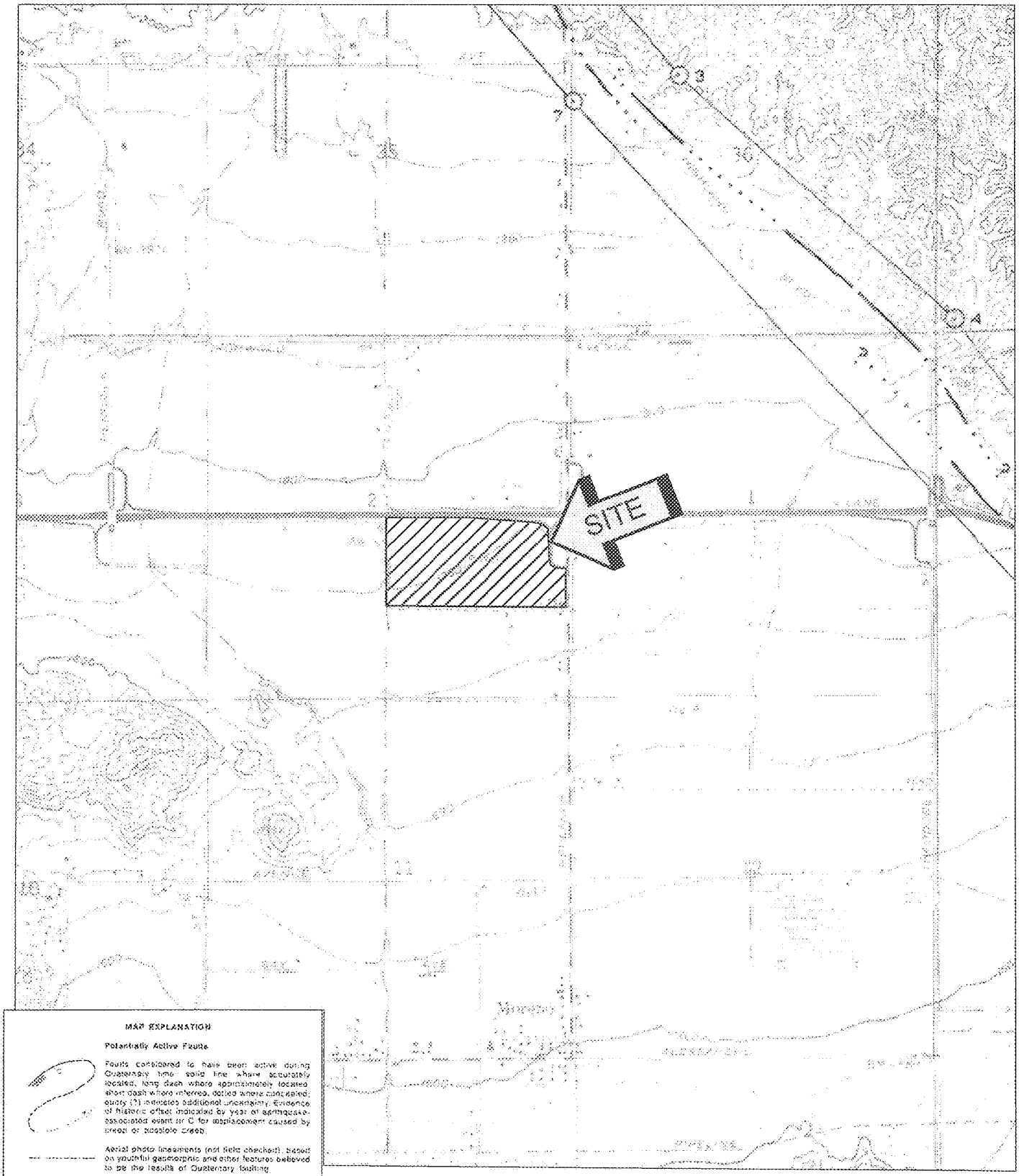

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/16/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00126837

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 3) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead age

Item No. E.1

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

---

[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

Board of Directors

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***): EMWD-2

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the***

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 9, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

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Anthony J. Pack

Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time. More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> 4.5.3 *The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> 4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
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truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
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> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs". MA-11 cont'd.

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

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3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

RECEIVED
DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

GB-5

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason.

GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR?

GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault?

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

GB-9

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east.

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

GB-10

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 • Calimesa, California 92320 • Telephone (909) 446-0041 • Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

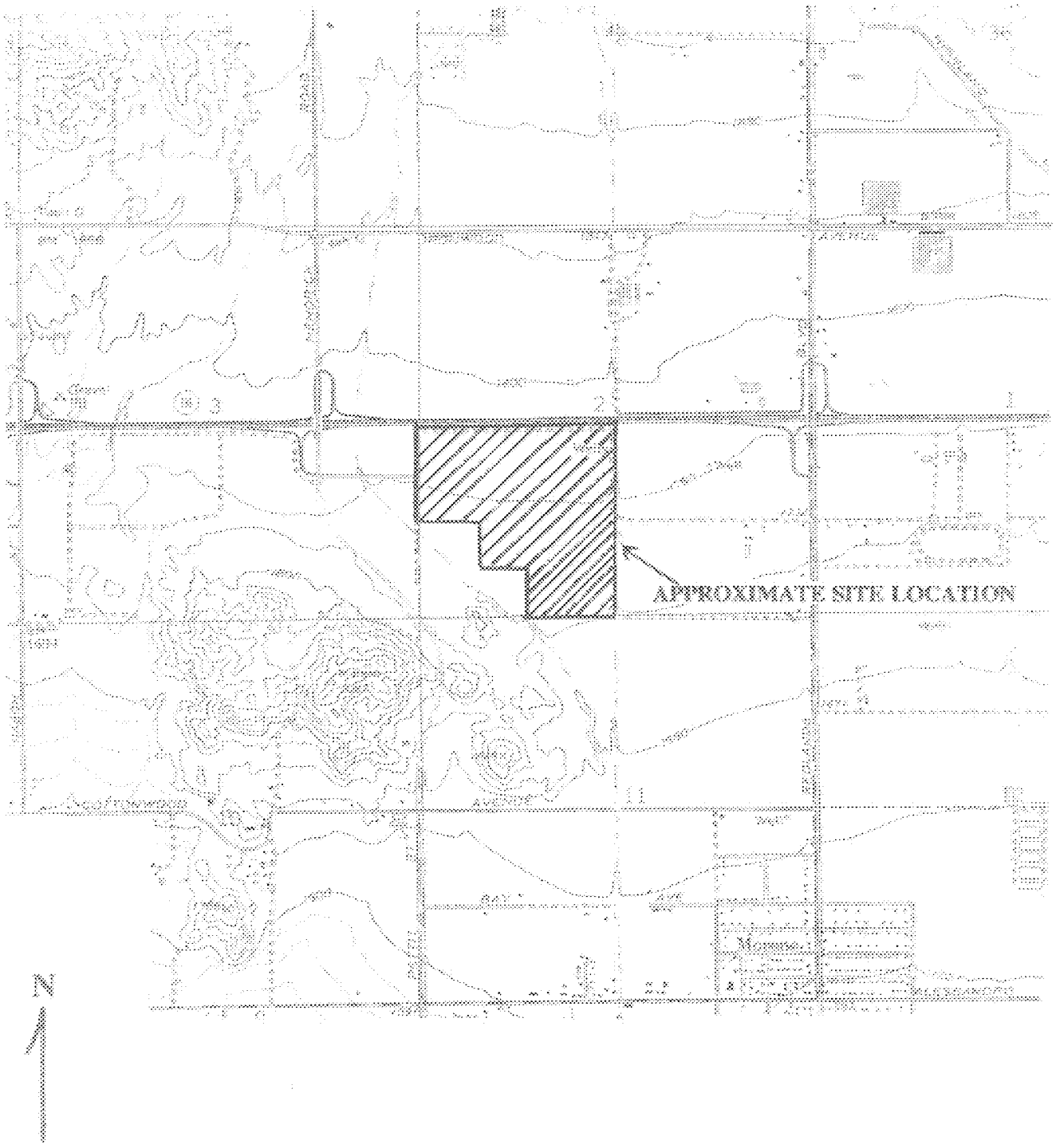

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 130± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

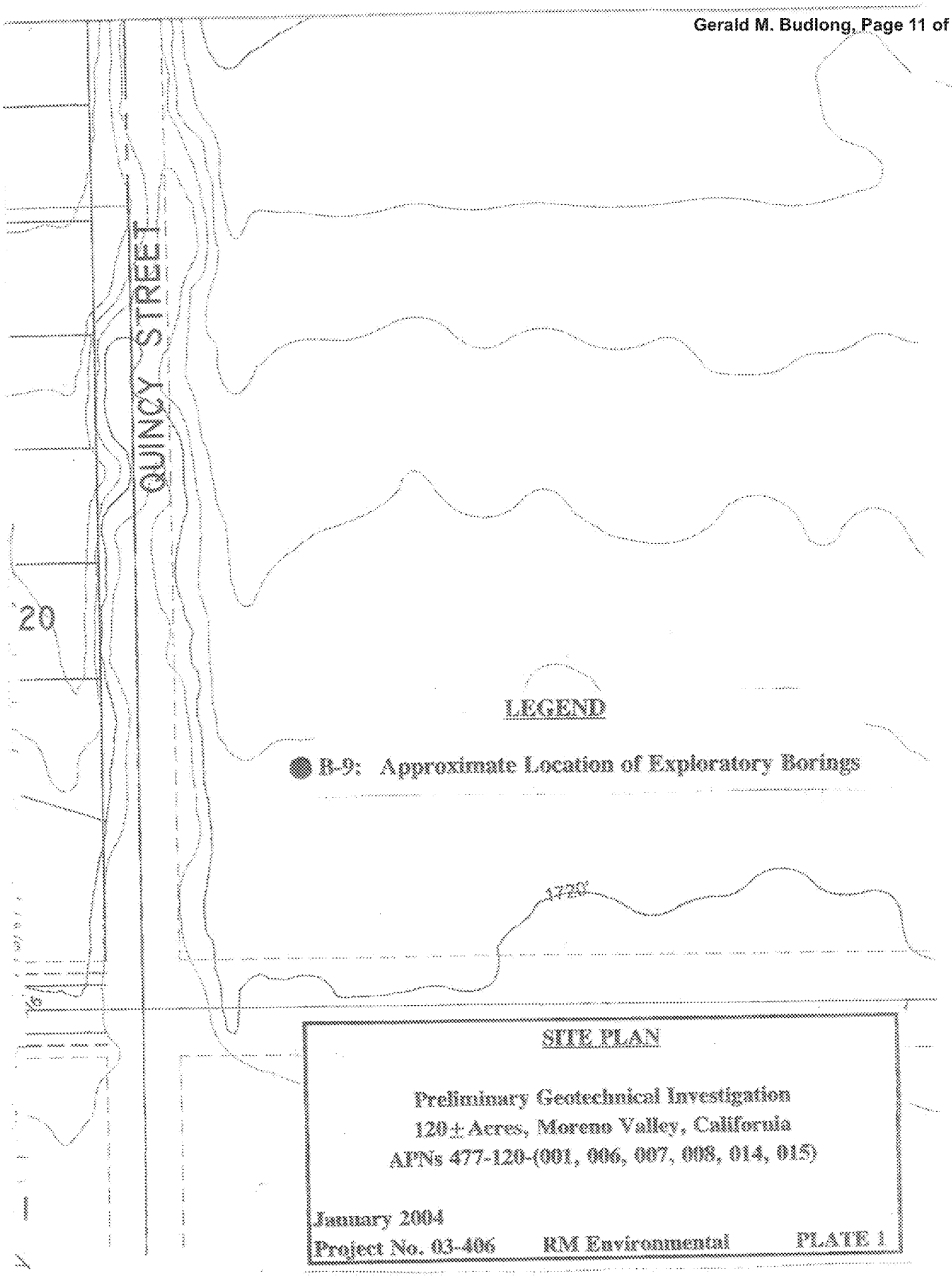

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

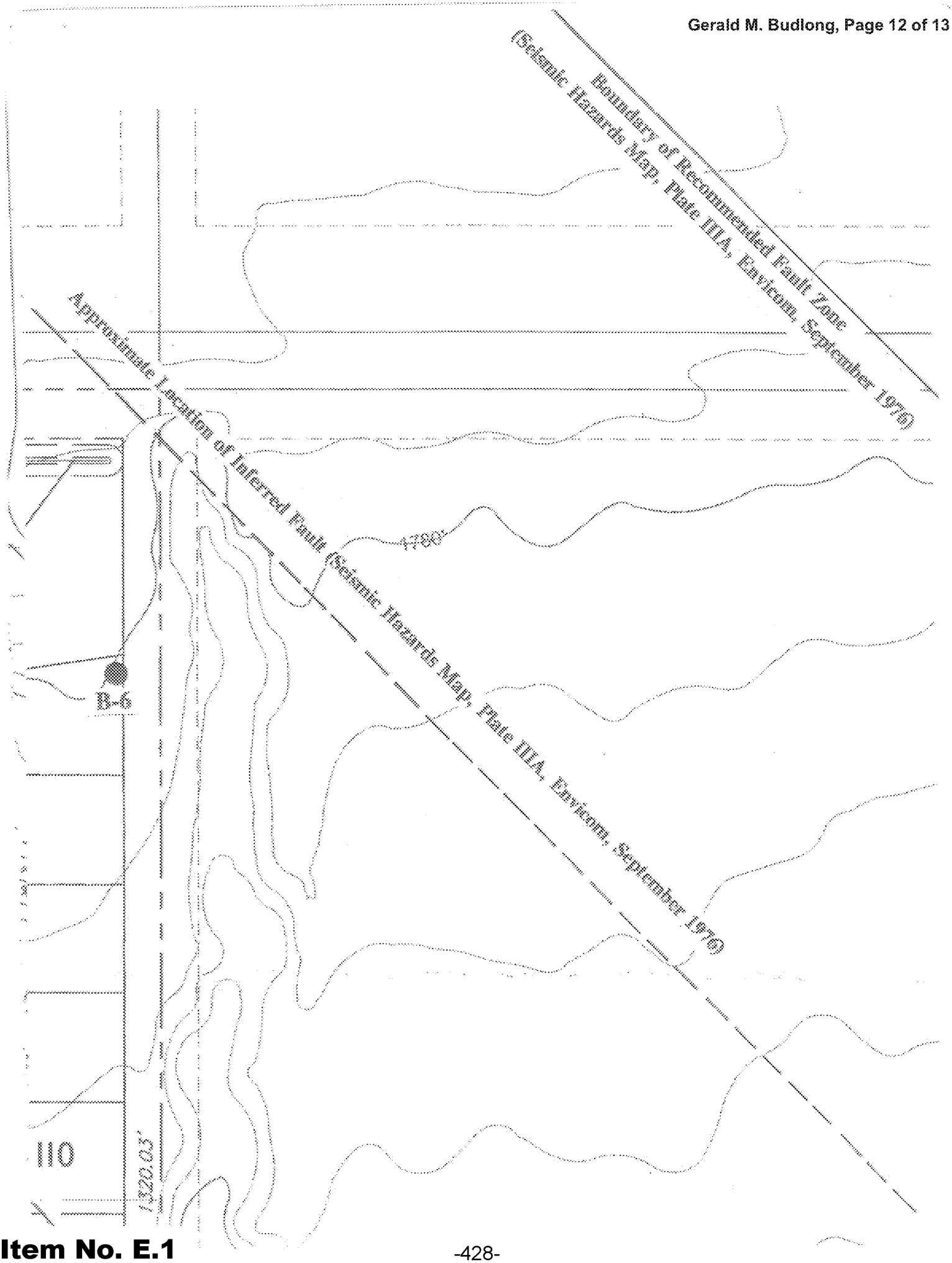
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
1780'
B-6
110
1320.03'

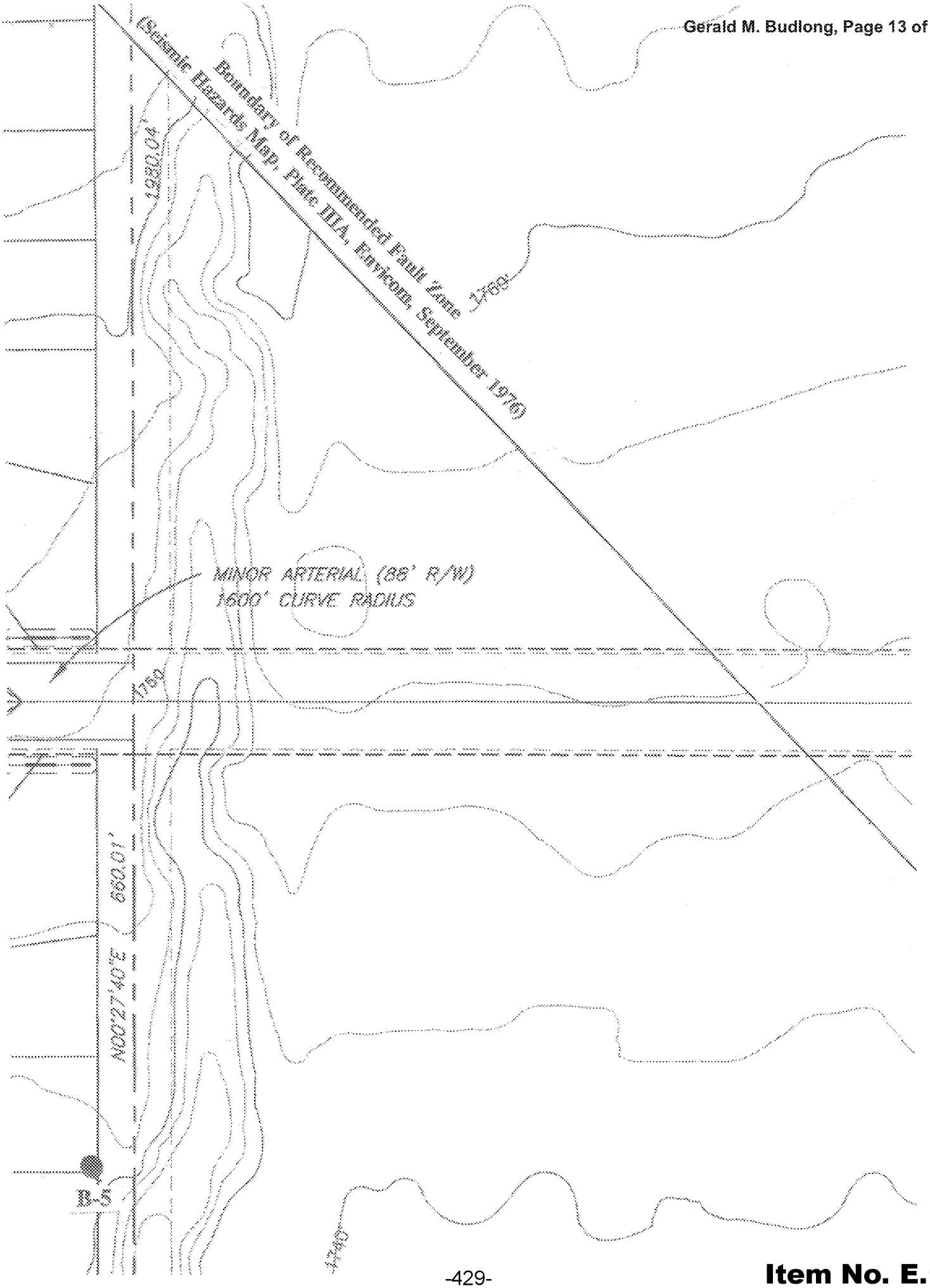
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harlsom, September 1976
1920.04'
1769'
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

Item No. E.1

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

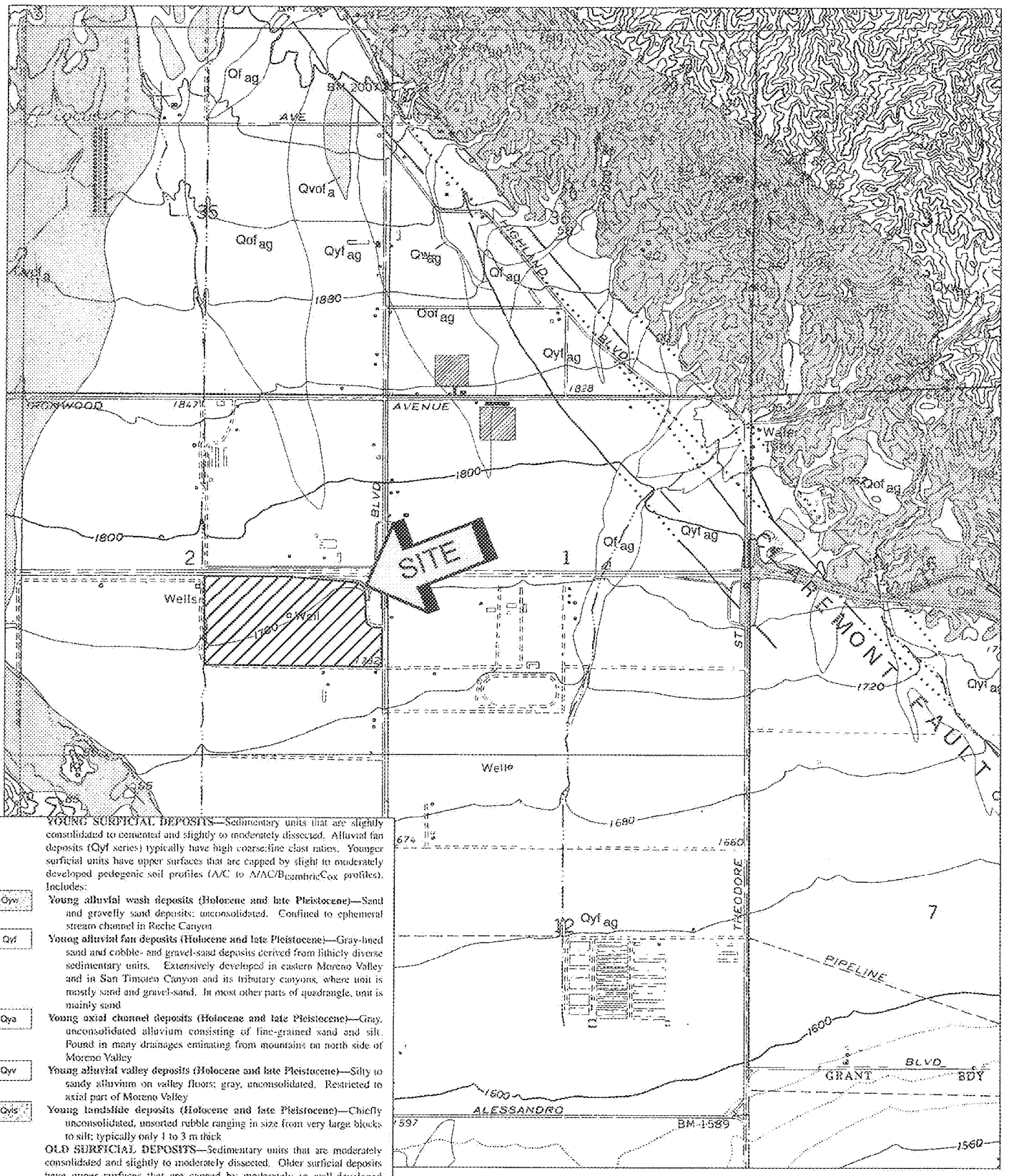

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

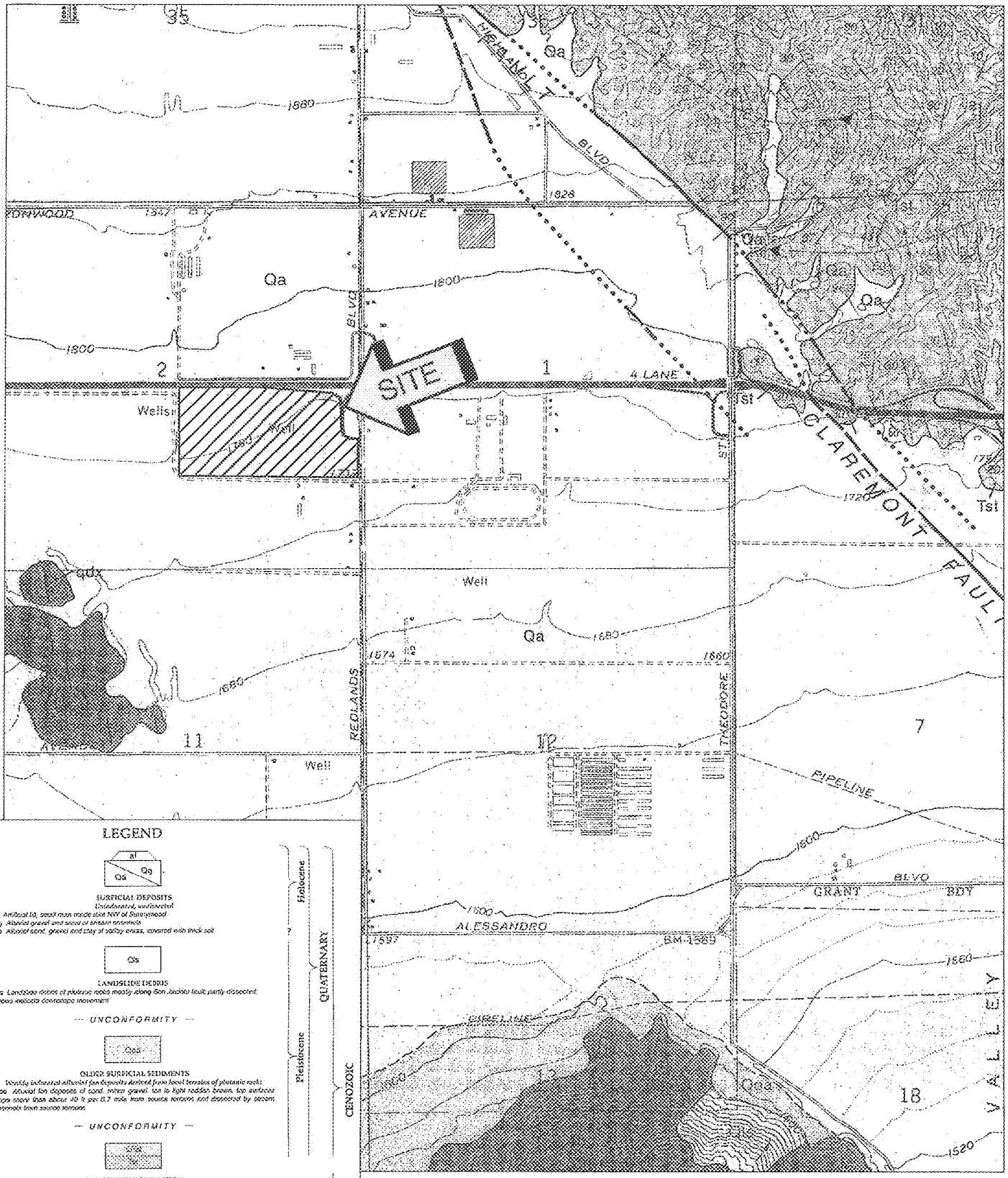

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made site NW of Sunnymead
Qg Alluvial gravel and sand of stream channels
Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:
Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terrains and dissected by stream channels from source terrains

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Hills of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Matti, 2001)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle
Tst Main part (pebble part of Morton and Matti, 2001), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Qa, Qg, af	Holocene	QUATERNARY
Qoa, Qsa	Pleistocene	QUATERNARY
Qoa, Qsa	Pleistocene	CENOZOIC
QTst	Pliocene	TERTIARY
Tst	Pliocene	TERTIARY

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00126917

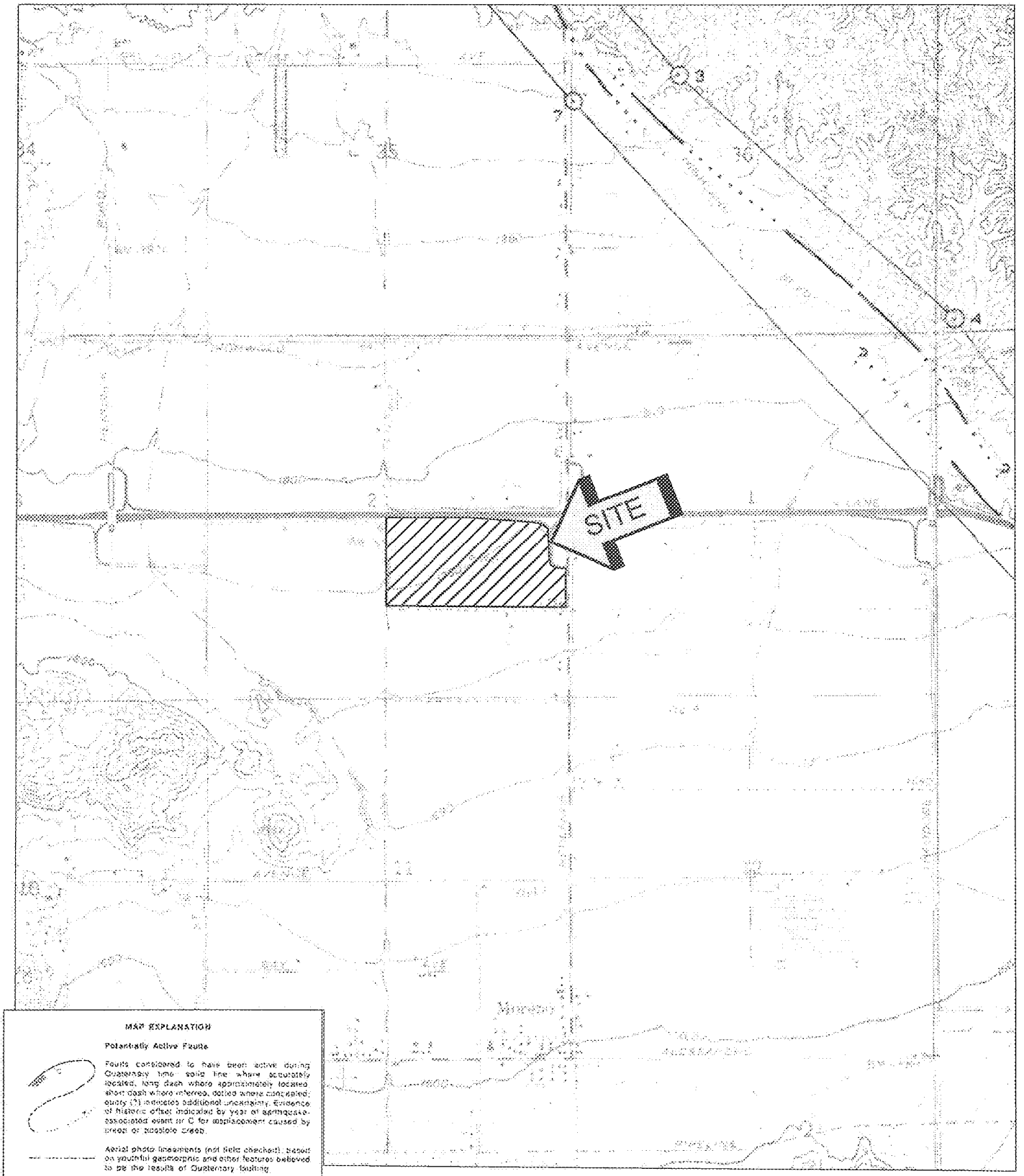

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP	
PROPOSED WEST RIDGE BUSINESS CENTER	
MORENO VALLEY, CALIFORNIA	
SCALE: 1" = 2000'	SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: DRK CHKD: JAS	
SCG PROJECT 06G285-2	
PLATE 4	

Item No. E.1

MV00126919

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

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[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

<u>Response FNSJ-23</u>

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

JS-14 (cont'd)

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts.

JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document.

JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of

JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts. JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes. JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is not the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

JS-54

(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

JS-55

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track. Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated. JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response JS-41

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> 4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

> **5.8 Direct impacts to wildlife**
>
> **5.8.1 Common Wildlife**
>
> The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

> in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

> **Common Wildlife Species**
> The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

<u>Response JS-52</u>

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

Response JS-53

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists [illegible] LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Response NDN-12

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

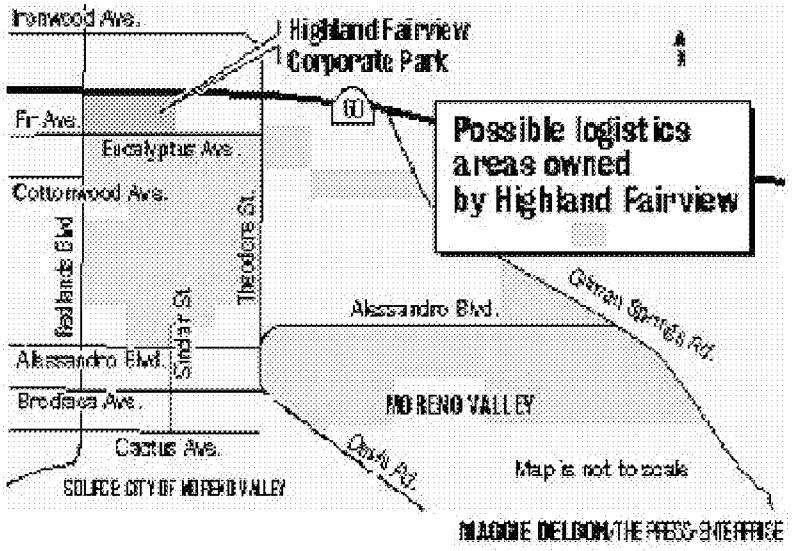

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools?

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

RLMV-2

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

RLMV-3

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- SC-1
without factoring Moreno Highlands into the equation. How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

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11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to show the impacted views from the 60 Freeway looking south across the project site to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

Recommendation: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

Building – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **mitigation measure reducing the height of the structure to preserve some of the scenic vistas should be imposed.** Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

Light and Glare – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: www.darksky.org lists lighting fixtures and methods to meet dark sky specifications. Add a Mitigation Measure (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

Screen Walls – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

Landscaping – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGahee Dr. Moreno Valley 92555 E-Mail:

*Note: Your name and contact information will become part of the public record for this project.

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto Wildlife Area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.1

MV00127174

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
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*Name (Required): Richard Johnson Phone: 951-243-0804

*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

*Note: Your name and contact information will become part of the public record for this project.

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

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Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

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CITY OF MORENO VALLEY

Item No. E.1

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area.

This report most include all the impacts of all 35 million sq ft in order to be of actual value to the community. DR-C-2

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.1

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

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Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.1

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

APPENDICES

Please refer to accompanying CD-ROM

Item No. E.1

MV00127187

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MV00127188

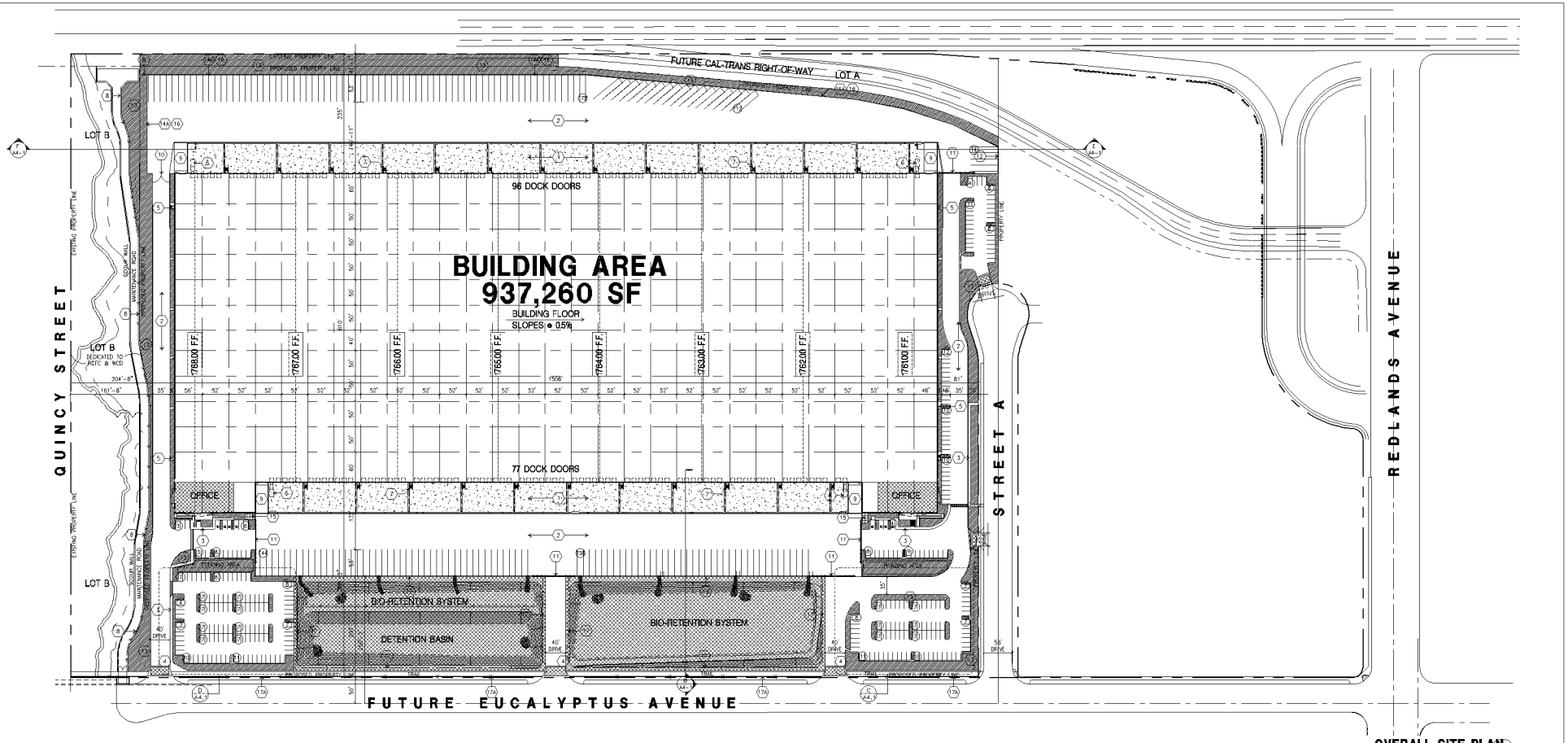

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

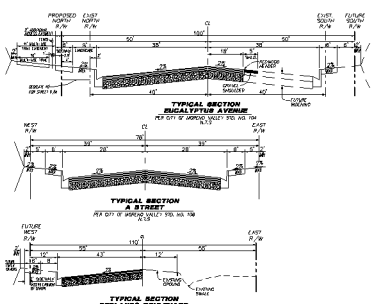

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.68
Net site area (in s.q.ft.)	2,269,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k@1/1,000 s.f.	20		
2nd. 20k@1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' WIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 6' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLOS, LLC
c/o PIERCE PROPERTY TRUST
301 CONNA AVE. - STE #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROE COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: CH. SHENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILIKEN - STE.C
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- P — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TINA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25500 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVID MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DALENHAUER

VICINITY MAP

N.T.S.

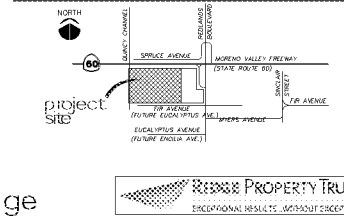

WestRidge Commerce Center

PIERCE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

HPA# 6342

MORENO VALLEY, CALIFORNIA

NOVEMBER 5, 2010

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A1.1

ATTACHMENT 11

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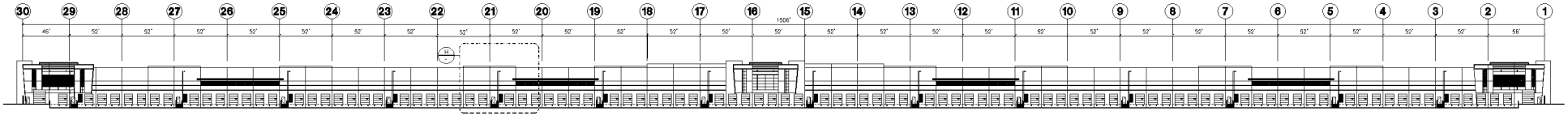

NORTH ELEVATION (A)
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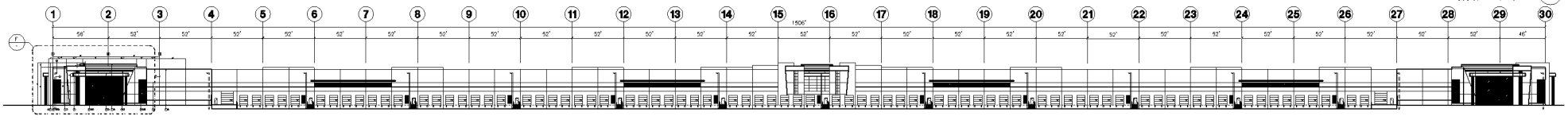

SOUTH ELEVATION (B)
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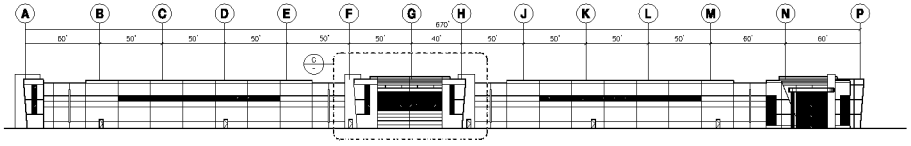

WEST ELEVATION (D)
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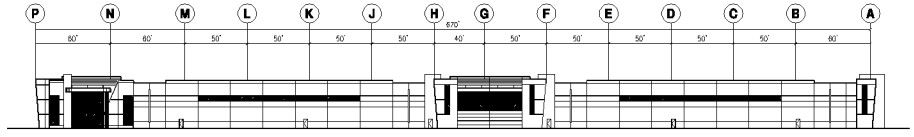

EAST ELEVATION (C)
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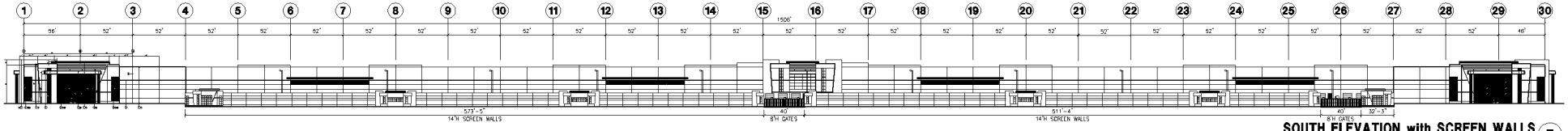

SOUTH ELEVATION with SCREEN WALLS (E)
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SCALE: 1"=40'
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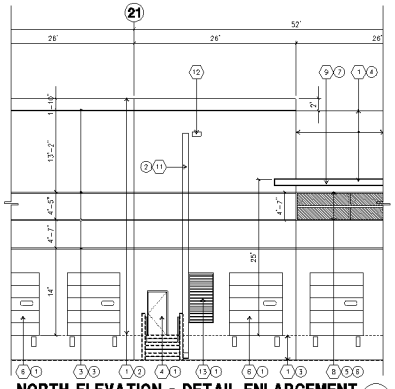

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
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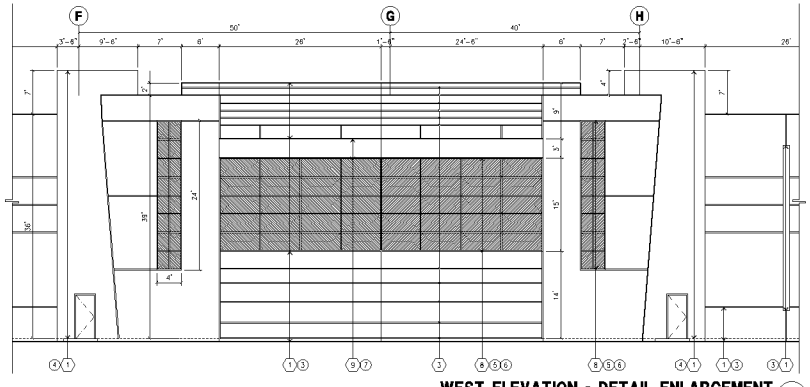

WEST ELEVATION - DETAIL ENLARGEMENT (G)
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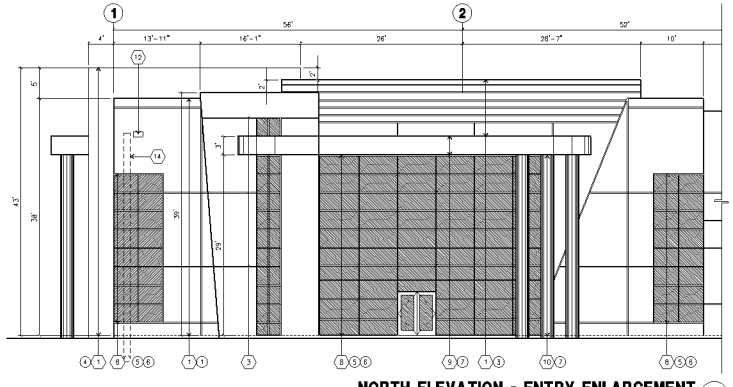

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS. SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173M EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566A DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

A3.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 12

MV00127191

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MV00127192

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

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MV00127194

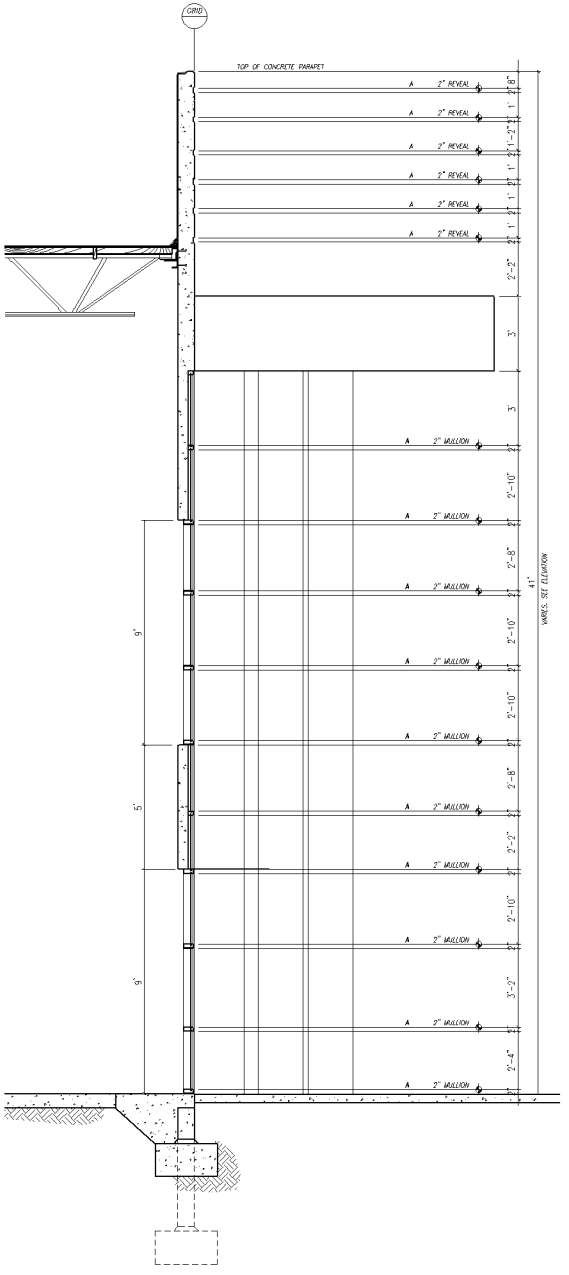

BUILDING SECTION @ OFFICE AREA (A)
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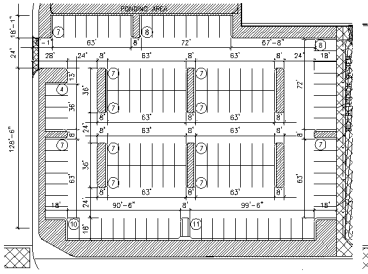

ENLARGED SITE PLAN @ SOUTHWEST (D)
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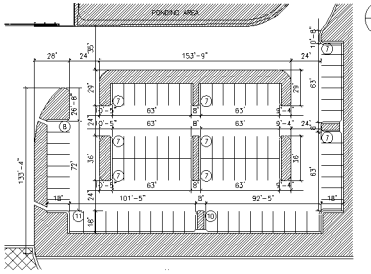

ENLARGED SITE PLAN @ SOUTHEAST (C)
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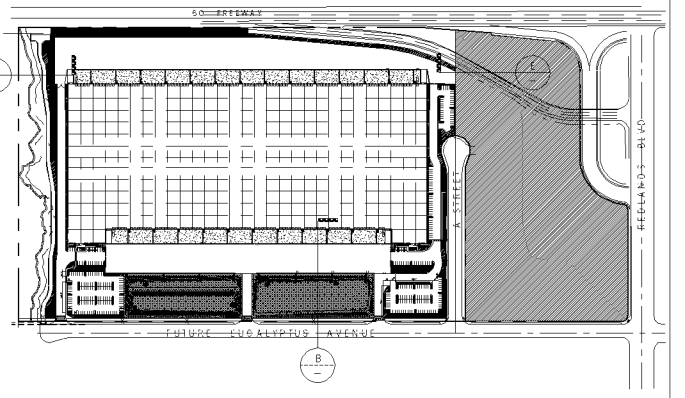

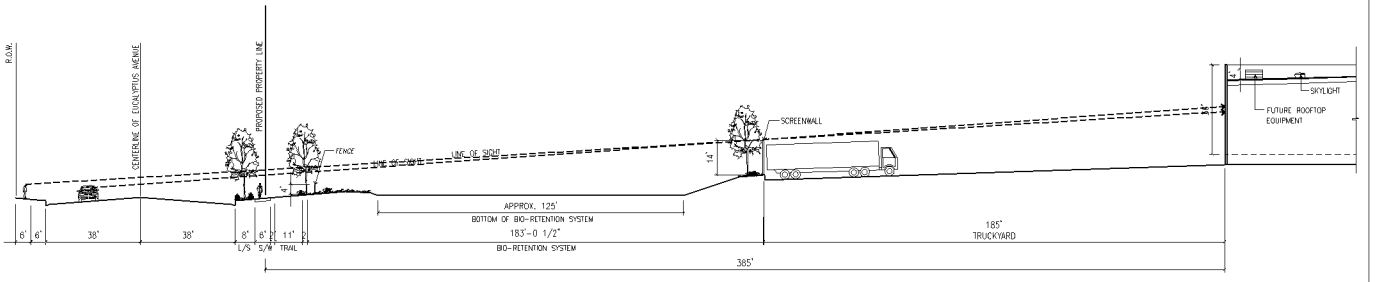

LINE OF SIGHT (B)
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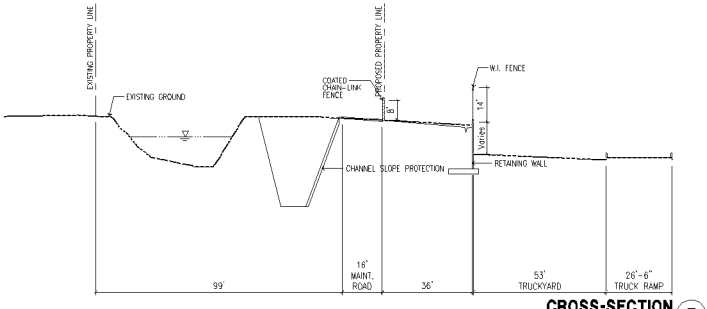

CROSS-SECTION (F)
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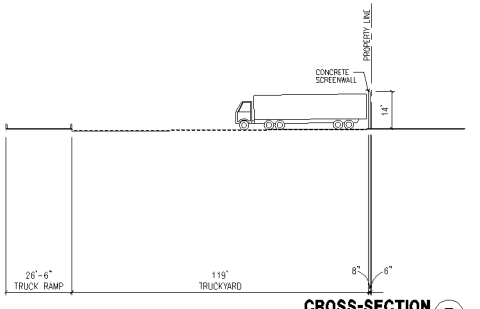

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

BLOCK & PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A4.1

ATTACHMENT 14

MV00127195

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MV00127196

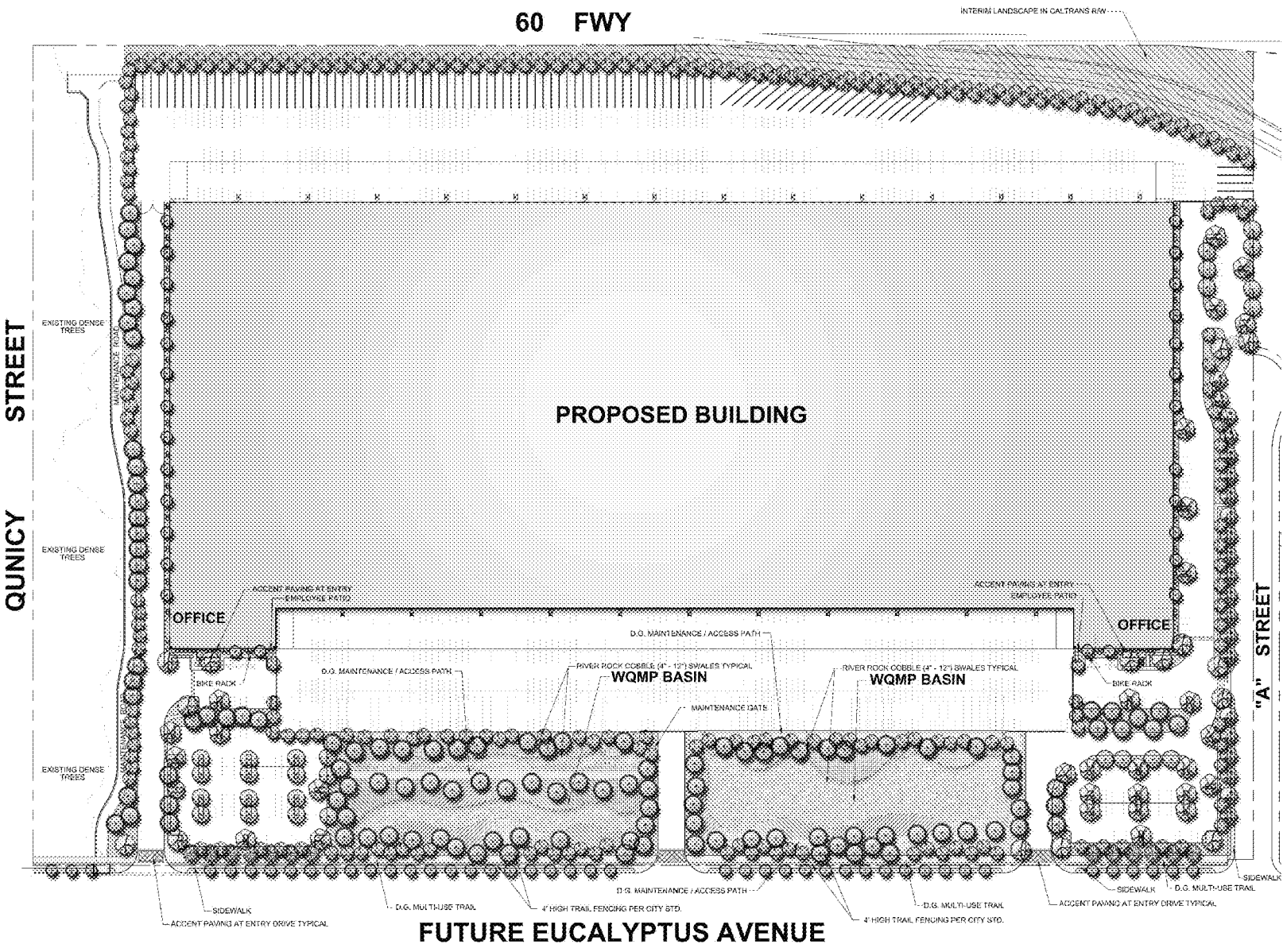

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus suber (Cork Oak)	15 GAL 24" BOX	30 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (Crimean Linden) Malo Trees	48" BOX	16
	Ficus microcarpa (Cherry Laurel Tree) OR Pistacia atlantica (Mediterranean Pine)	15 GAL 24" BOX	150 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Shade Street Tree)	24" BOX	13
	Pinus canariensis (Canary Island Pine)	15 GAL	152
	Pistachia chinensis (Chinese Pistache) (Parking Street Tree)	24" BOX	21
	Quercus agrifolia (Coast Live Oak)	24" BOX	24
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 5' OF HARDSCAPE SHALL BE 24" X 2 (FOUR FOOT) BARRIER 24" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Abelia grandiflora 'full Scarlet' (ACR)	5 gallon	30" o.c. spacing
Acacia cultriformis (Knife Acacia)	5 gallon	6' o.c. spacing
Adenanthos sericeus (Coastal Woolly)	5 gallon	72" o.c. to 84" o.c. spacing
Agave americana (Century Plant)	5 & 15 gallon	6' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Anigozanthos flavidus (Kangaroo Paw)	5 gallon	3' o.c. spacing
Arbutus unedo (Strawberry Tree)	5 gallon	5' o.c. spacing
Calocephalus (Silver Bush)	1 gallon	24" o.c. spacing
Carpenteria californica (Bush Anemone)	5 gallon	3' o.c. spacing
Ceanothus cuneatus (Buckbrush)	5 gallon	4' o.c. spacing
Cistus Species (Rock rose)	5 gallon	4' o.c. spacing
Dasylirion Species (Grasstree)	5 gallon	3' o.c. spacing
Dianella caerulea (Flax Lily)	5 gallon	3' o.c. spacing
Dodonaea viscosa 'purpurea' (Purple Hop Bush)	5 gallon	3' o.c. spacing
Elaeagnus pungens (Silverberry)	5 gallon	4' o.c. spacing
Fremontodendron (Flannelbush)	5 gallon	4' o.c. spacing
Grevillea 'Coastal Gem' (Grevillea)	5 gallon	3' o.c. spacing
Heteromeles arbutifolia (Red Berry)	5 & 15 gallon	6' o.c. minimum
Juniperus species (Juniper)	1 and 5 gallon	varies
Leucadendron (Leucadendron)	1 and 5 gallon	24" o.c. to 36" o.c. spacing
Leucophyllum frutescens 'Rio Grande'	5 gallon	4' o.c. spacing
Leucospermum cordifolium 'Green Goddess' (Pincushion Protea)	5 gallon	4' o.c. spacing
Ligustrum lucidum (Wax Leaf Privet)	5 gallon	30" o.c. spacing
Macadamia integrifolia and tetraphylla (Macadamia Macadamia Nut)	5 gallon	24" o.c. spacing
Melaleuca nesophila (BOTA)	5 gallon	24" o.c. spacing
Muhlenbergia capillaris (Pink Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis (Myrtle) (Twin Myrtle)	5 gallon	24" o.c. spacing
Nandina domestica (Heavenly Bamboo)	5 gallon	24" 36" o.c. spacing
Pittosporum tobira (Tobira) (Mock Orange)	5 gallon	4' o.c. spacing
Prunus ilicifolia (Holly Leaf Cherry)	5 gallon	4' o.c. spacing
Rhamnus californica (Coffeeberry)	5 gallon	4' o.c. spacing
Rhamnus ilicifolia (Coffeeberry)	5 gallon	4' o.c. spacing
Rosmarinus officinalis (Rosemary)	5 gallon	4' o.c. spacing
Rosmarinus officinalis (Rosemary)	15 & 5 gallon	36" 48" o.c. spacing
Salvia clevelandii (Cleveland Sage)	5 gallon	5' o.c. spacing
Salvia greggii 'Hybrids' (Gregg's Sage)	5 gallon	4' o.c. spacing
Salvia mellifera (Black Sage)	5 gallon	4' o.c. spacing
Salvia mellifera (Black Sage)	5 gallon	4' o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (ACRN)	1 and 5 gallon	48" o.c. spacing min
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing min
Carex divulsa (Berkeley)	1 gallon	42" o.c. spacing min
Carex praegracilis (Beardless Stiff Sedge)	1 gallon	24" o.c. spacing min
Cotoneaster dammeri (Bearberry)	1 gallon	24" o.c. spacing
Cotoneaster horizontalis (Rock Cotoneaster)	1 gallon	24" o.c. spacing
Delosperma species (Iceplant)	1 gallon	24" o.c. spacing
Erigeron karvinskianus (Mexican Fleabane)	1 gallon	24" o.c. spacing
Fragaria species (Strawberry)	1 gallon	24" o.c. spacing
Hedera helix 'Baltica' (Baltica Ivy)	1 gallon	24" 36" o.c. spacing
Lonicera japonica 'Aureoreticulata' (Gold Flame Honeysuckle)	1 gallon	48" o.c. spacing
Myoporum parvifolium (Prostrate)	1 gallon	48" o.c. spacing
Rosmarinus officinalis 'Prostratus' (Prostrate Rosemary)	1 gallon	48" o.c. spacing
Vinca major (Periwinkle)	From and 1 gallon	18" o.c. spacing

INTERIM LANDSCAPE WITHIN CALTRANS R/W - PLANT 1 GAL., ACHIEVE BEGOLENE 12" O.C. WITH 3" INNER LAYER OFF DISCUSSION. THANKS SO BE IRRIGATED WITH DRIP IRRIGATION.

SIDEWALK VINE VARIABLE NON-SIMULATED PURGE SEEDING MIX

0.25 LBS.	ACHNATHERUM LEMMONII
0.50 LBS.	NASSELLA CORNUTA
0.25 LBS.	MUHLENBERGIA RIGENS
0.50 LBS.	NASSELLA PULCHRA
0.50 LBS.	NASSELLA MEXICANA
0.50 LBS.	VULPIA MICROSTACHYS
0.50 LBS.	VULPIA OCTOFLORA
0.25 LBS.	MUHLENBERGIA SAMOENSIS

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Ficus pumila (Creeping fig)	1 gallon	12" o.c. spacing
	Bougainvillea (Bougainvillea) (Cascade)	1 gallon	12" o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Dendrobenthamia (Red Flowering Dogwood)	5 gallon	6' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM NURSERY (951) 970-0700

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

MV00127197

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MV00127198

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INCLUSIVE, BLOCK 35, OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT-ZOLLARS

NOVEMBER, 2010

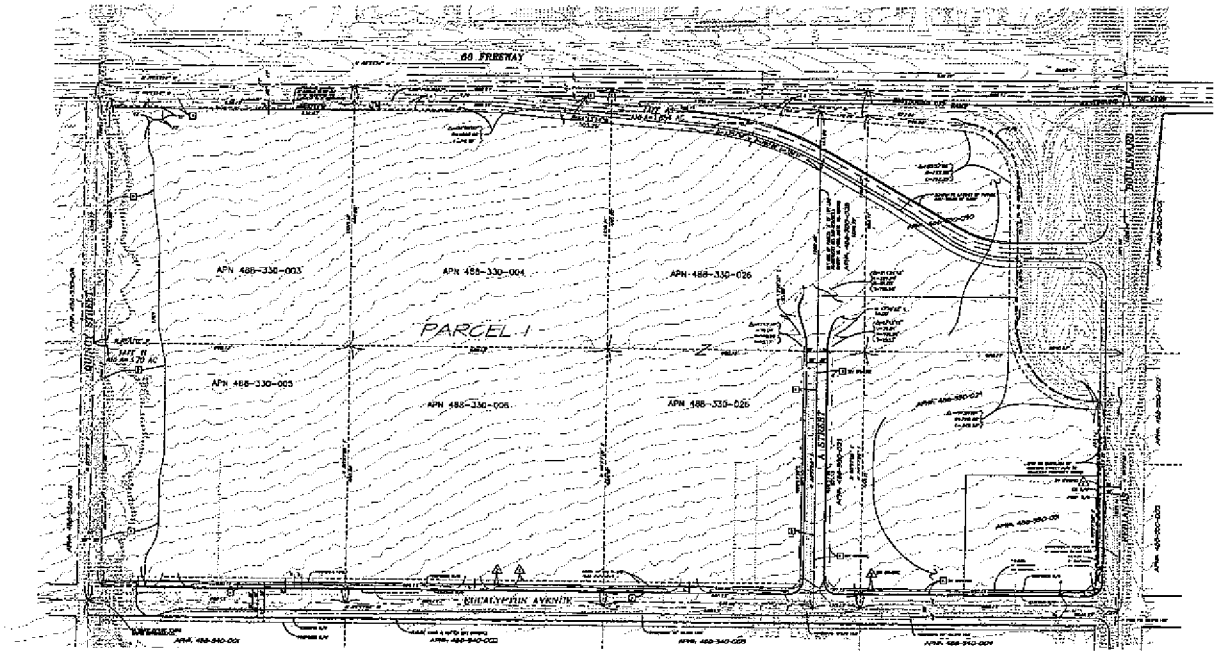

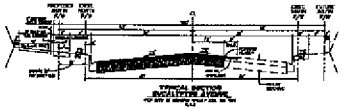

TYPICAL SECTION
EUCALYPTUS AVENUE

TYPICAL SECTION
A STREET

TYPICAL SECTION
BREAKER ROAD

EASEMENT NOTES

(A) EASEMENT(S) FOR THE PURPOSES SHOWN BELOW AND RIGHT INCIDENTAL THERETO AS GRANTED IN A DOCUMENT.

GRANTED TO: EASTERN MUNICIPAL WATER DISTRICT
PURPOSE: PUBLIC PIPELINES AND PURPOSES
RECORDED: DECEMBER 18, 1963, AS INSTRUMENT NO. 139944, BOOK 1963, PAGE 302, OF OFFICIAL RECORDS

PROPOSED EASEMENT

(1) 10' EASEMENT FOR WALK-ON USE, TRAIL TO THE CITY OF MORENO VALLEY.

(2) 5' EASEMENT FOR THE PURPOSE OF DISTRIBUTION AND NODE OF THE TRAIL TO THE CITY OF MORENO VALLEY.

PROPOSED DEDICATION

(A) 30'(AS-BUILT) INCLUSIVE SIDEWALK STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

(B) 20'(AS-BUILT) STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

(C) 10' AS-BUILT TO THE CITY OF MORENO VALLEY FOR FUTURE CALTRANS R/W.

(D) 10' AS-BUILT TO THE CITY OF MORENO VALLEY FOR FUTURE CALTRANS R/W (PER CALTRANS DOCUMENTS).

LINE DATA:		
LINE	BEARING	DISTANCE
L1	N 89°59'00" E	30.00'
L2	N 89°59'00" E	30.00'
L3	N 89°59'00" E	30.00'
L4	N 89°59'00" E	30.00'
L5	N 89°59'00" E	30.00'
L6	N 89°59'00" E	30.00'
L7	N 89°59'00" E	30.00'
L8	N 89°59'00" E	30.00'
L9	N 89°59'00" E	30.00'
L10	N 89°59'00" E	30.00'
L11	N 89°59'00" E	30.00'

PARCEL SUMMARY TABLE
PARCEL 1 - 3.00 ACRES
TOTAL - 3.00 ACRES

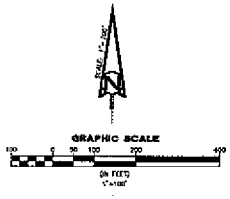

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: INDUSTRIAL, AND IS FAMILY TO THE EAST; AGRICULTURE TO THE SOUTH, WITHIN THE MORENO AND TEMECULA, TO THE WEST
3. MINIMUM LOT SIZE: 1 ACRE
4. EXISTING ZONING: IP1 PROPOSED ZONING: IP1
5. FLOOD ZONE: X, PANEL NO. 06065C0766G EFF. DATE: AUGUST 28, 2008
6. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
7. PROPOSED WATER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
8. PROPOSED SEWER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
9. ALL UTILITIES SHALL BE UNDERGROUNDED:
   GAS: SOUTHERN CALIFORNIA GAS COMPANY
   ELECTRIC: CITY OF MORENO VALLEY ELECTRIC UTILITY
   TELEPHONE: VERIZON TELEPHONE COMPANY
10. ALL SIGNS SHALL BE CONSTRUCTED AT A MINIMUM SIZE OF 24" UNLESS OTHERWISE PERMITTED
11. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS
12. ASPHALT TEMPORARY PROVIDED BY: DIGITAL MAPPING INC.
13. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
14. AREA=3.0AAA ACS

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELACO, LLC
[illegible]

PREPARED IN THE OFFICE OF
HUITT-ZOLLARS, INC.
[illegible]

UTILITY PROVIDERS
WATER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]

GAS
SOUTHERN CALIFORNIA GAS COMPANY
[illegible]

TELEPHONE
VERIZON
[illegible]

ELECTRIC
MORENO VALLEY UTILITIES
[illegible]

CABLE - TV
MEDIACOM COMMUNICATIONS
[illegible]

ROBERT E. SCHAFFER R.E. 6423

LAND USE
AT ____ GROSS ACRES

EARTHWORK
CUT DIRT = [illegible] CY
FILL DIRT = [illegible] CY
PAVE DIRT = [illegible] CY
PAVE DIRT = [illegible] CY

LEGEND / ABBREVIATIONS
PROPOSED BOUNDARY LINE
PROPOSED FIRE WATER LINE
PROPOSED DOMESTIC WATER LINE
PROPOSED SEWER LINE
PROPOSED STORM DRAIN
EXISTING GAS LINE
EXISTING WATER LINE
EXISTING SEWER LINE
EXISTING STORM DRAIN
STORM DRAIN INLET
CATCH BASIN
BASIS OF BEARINGS BOUNDARY
EXISTING RIGHT OF WAY/SITE BOUNDARY
EASEMENT SIDE LINE
LOT LINE
FIRE HYDRANT

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW HAVE BEEN EXTRACTED FROM A PRELIMINARY TITLE REPORT PREPARED BY [illegible] THE COMPANY DATED [illegible] AND [illegible] THE [illegible] OF THE [illegible] OF THE [illegible] OF

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MV00127200

West Ridge Commece Center Project

Legend

- Highways
- Parcels
- Roads
- March Installation Area
- Waterbodies
- Sphere of Influence
- Ortho Photography

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside

Powered By GeoSmart.net

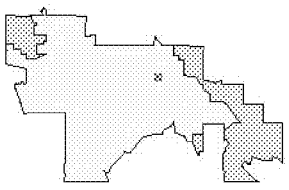

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

N

0 300 600 1200ft

Printed: 11:52:36 AM

MORENO VALLEY
WHERE DREAMS SOAR

Item No. E.1

MV00127201

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MV00127202

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. <u>This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.</u>

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. AQMD-5 cont'd.

  ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

  Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

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MV00127222

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

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MV00127228

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-325-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 751 354912 3⑈

Item No. E.1

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MV00127236

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer. ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

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MV00127242

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

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MV00127254

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

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MV00127260

AGENDA

NOTICE AND CALL OF SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY

September 6, 2011

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
SEPTEMBER 6, 2011

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Moreno Valley will be held on September 6, 2011 commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

Agenda

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC TESTIMONY WAS RECEIVED ON AUGUST 23, 2011 AND THAT PORTION OF THE PUBLIC HEARING IS CLOSED.

E. PUBLIC HEARINGS

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND

MV00127262

APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

ADJOURNMENT

* Materials related to an item on this Agenda submitted to the City Council/Community Services District or Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

AGENDA
September 6, 2011

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 6, 2011 (Continued from August 23, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. 2011-76
3. Environmental Impact Report Resolution No. 2011-77, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. 829 - Zone Change
5. Ordinance No. 830 - Municipal Code Amendment
6. Resolution No. 2011-78 - Plot Plan PA08-0097
7. Resolution No. 2011-79 - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00127276

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- ☐ Administrative Plot Plan
- ☐ Administrative Variance
- ☐ Amended Conditional Use Permit
- ☐ Amended Plot Plan
- ☐ Change of Zone
- ☐ Conditional Use Permit
- ☐ Development Agreement
- ☐ Development Code Amendment
- ☐ Extension of Time
- ☐ General Plan Amendment
- ☐ Plot Plan
- ☐ Pre-Application Review
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Tentative Parcel Map
- ☐ Tentative Tract Map
- ☐ Variance
- ☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@ptrnet.com

Contact Person: Derek Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services LLC — Telephone: (951) 845-1003 cell 909-226-0420

Address 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson26@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name
Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60605

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈001194⑈ ⑆071000013⑆495693⑈

Item No. E.1

MV00127282

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

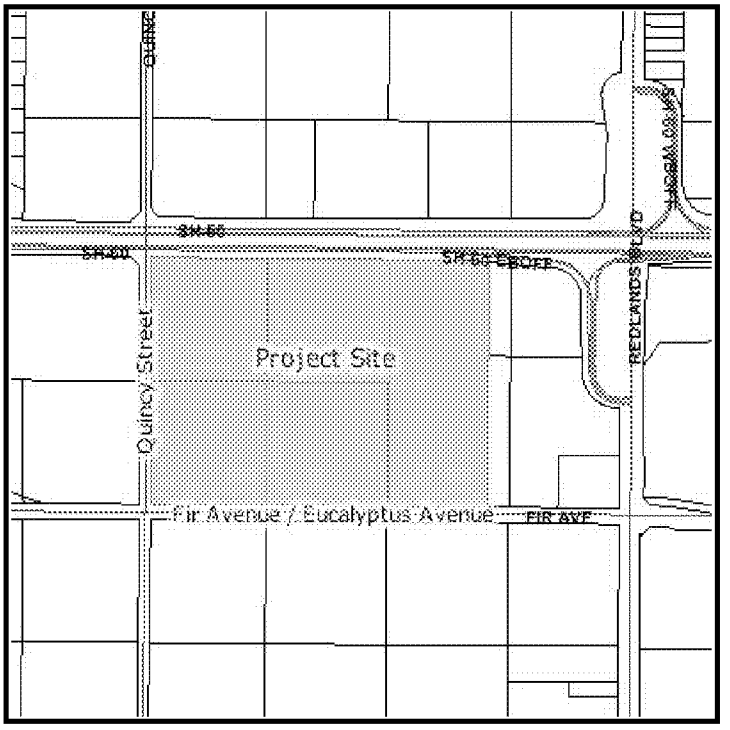

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

Item No. E.1

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MV00127284

RESOLUTION NO. 2011-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00127288

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. <u>Project Description</u>

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Land Use**

a. **General Plan Consistency**

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. **Zoning Consistency**

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. Hydrology and Water Quality

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. <u>Biological Resources</u>

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

c. **Freeway Mainline Segments**

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. **Air Quality**

a. **Short-Term Construction Emissions**

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce* PM_{10} *and* $PM_{2.5}$ *fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Item No. E.1

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00127379

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti g Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd)				
right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;				
• *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*				
• *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*				
• *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*				
The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00127391

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00127393

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of fi building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.19 (cont'd)			Department	
• *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*				
The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.				
Air Quality				
To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction
• *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*				
• *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*				

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Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti_g Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

MV00127399

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

MV00127401

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00127403

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

MV00127405

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) ○ *Installation of catalytic converters on gasoline-powered equipment.* ○ *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* ○ *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* ○ *Provision of preferential parking for EV and CNG vehicles;* ○ *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* ○ *Use of electric (instead of diesel or gasoline-powered) yard trucks;* ○ *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00127407

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building pe

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Item No. E.1
MV00127408

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

MV00127409

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Item No. E.1

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00127411

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of fi grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00127413

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00127426

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-78 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.
• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,
• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

P98. MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

P99. MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

P100. MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

P101. MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. **Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.**

LD67. **Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.**

LD68. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).**

LD69. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.**

LD70. **Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.**

LD71. **Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.**

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. **Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.**

f. **The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under <u>no</u> circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-79, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-79 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

~~PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION~~

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

~~General Conditions~~

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

~~PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION~~

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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MV00127540

PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

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3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

ATTACHMENT 9

separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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-330-

MV00127596

1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans)** for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

4.3.~~6~~5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.~~7~~6 *During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.~~8~~7 *The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~* ***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be*** *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.~~9~~8 *Grading plans, construction specifications and bid documents shall* ***also*** *include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~* ***the following notations:***

- ***Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;***

- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

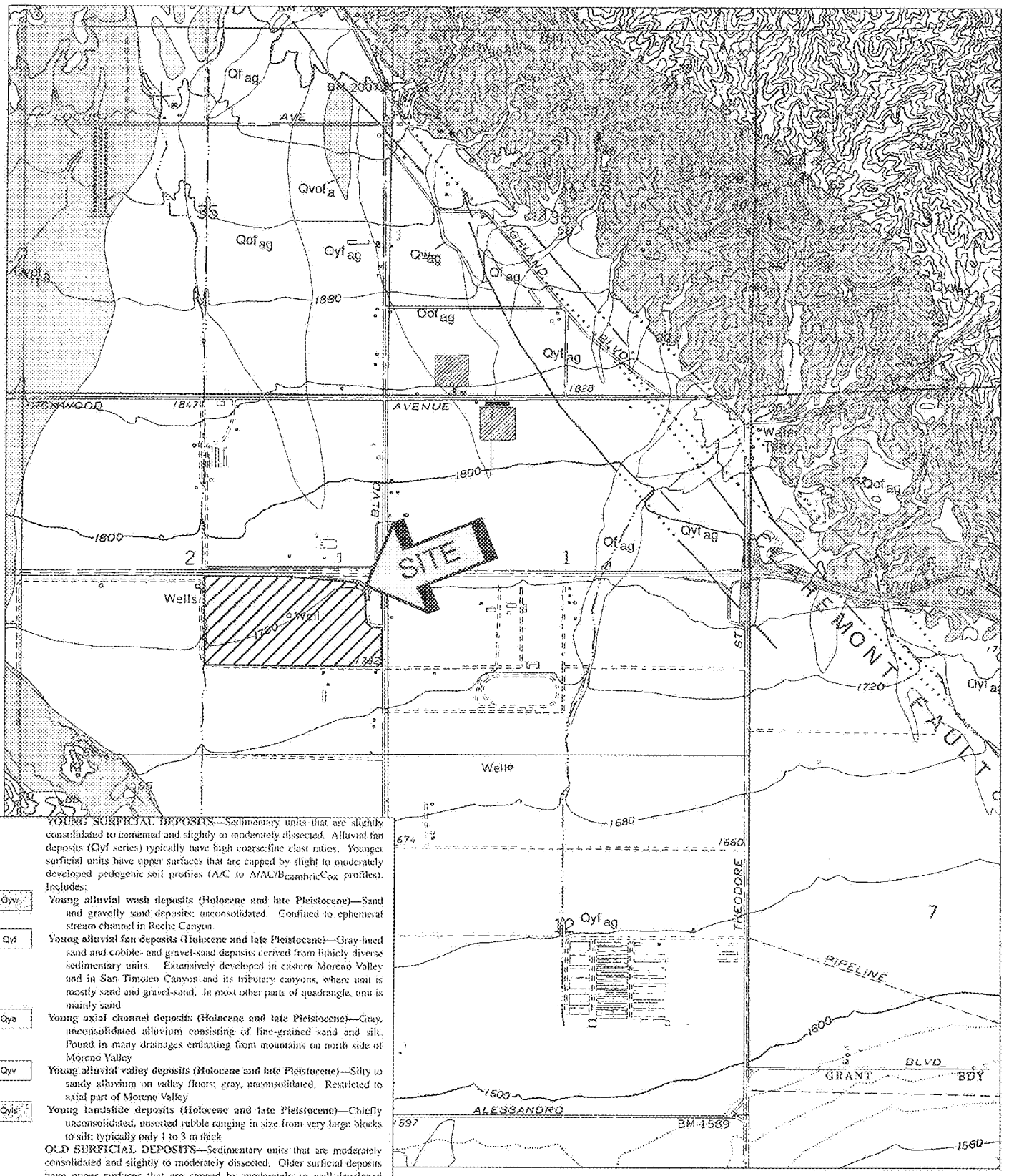

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to $A/AC/B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils ($A/AB/B/C_{ox}$ profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00127616

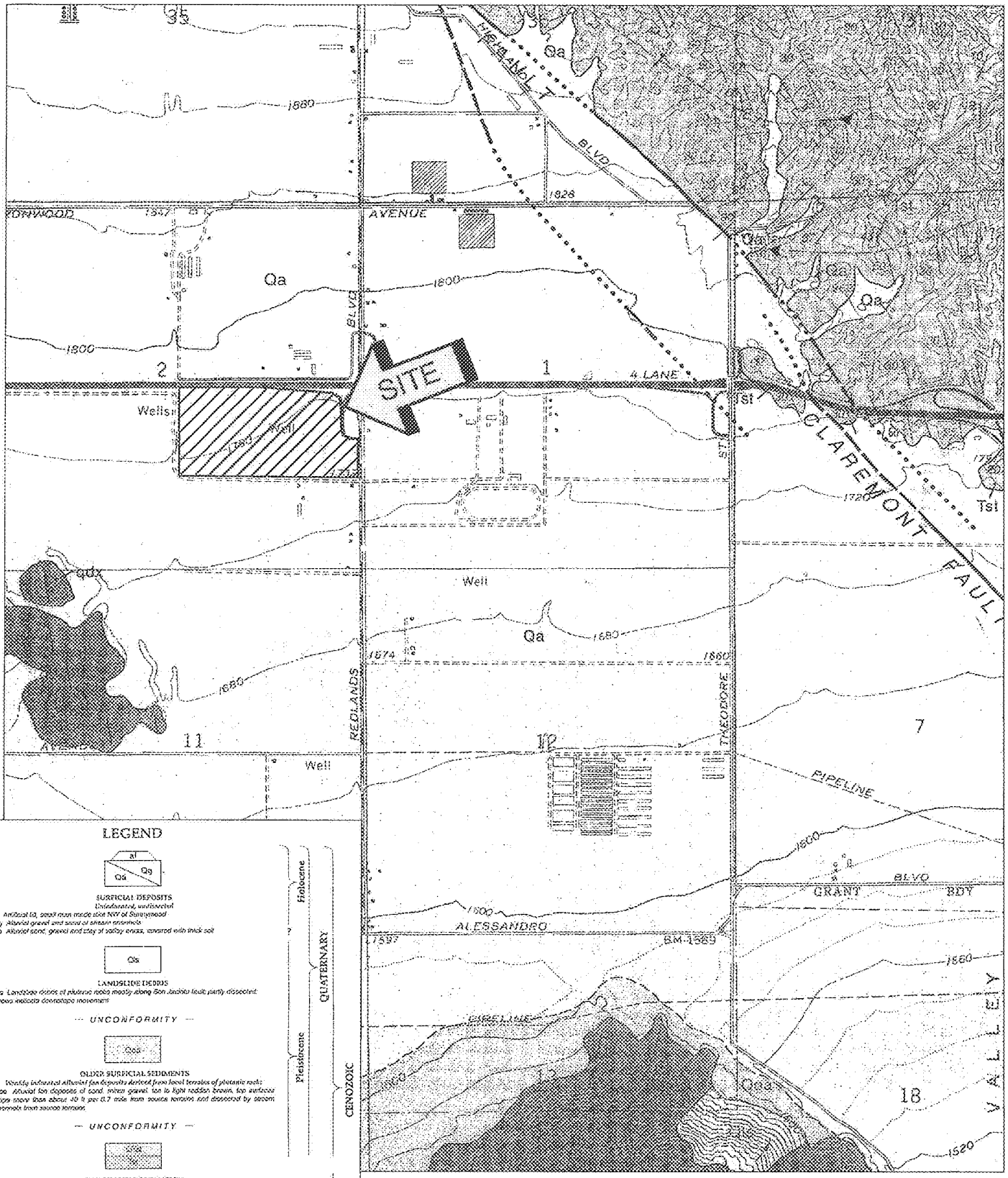

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made due NW of Sunnymead
Qg Alluvial gravel and sand of stream channels
Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:
Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, fan surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); whole part referred to be of Pliocene age (Morton and Miall, 2004)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle
Tst Main part (pebble part of Morton and Miall, 2004), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene
Pleistocene
Pliocene
QUATERNARY
TERTIARY
CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00127617

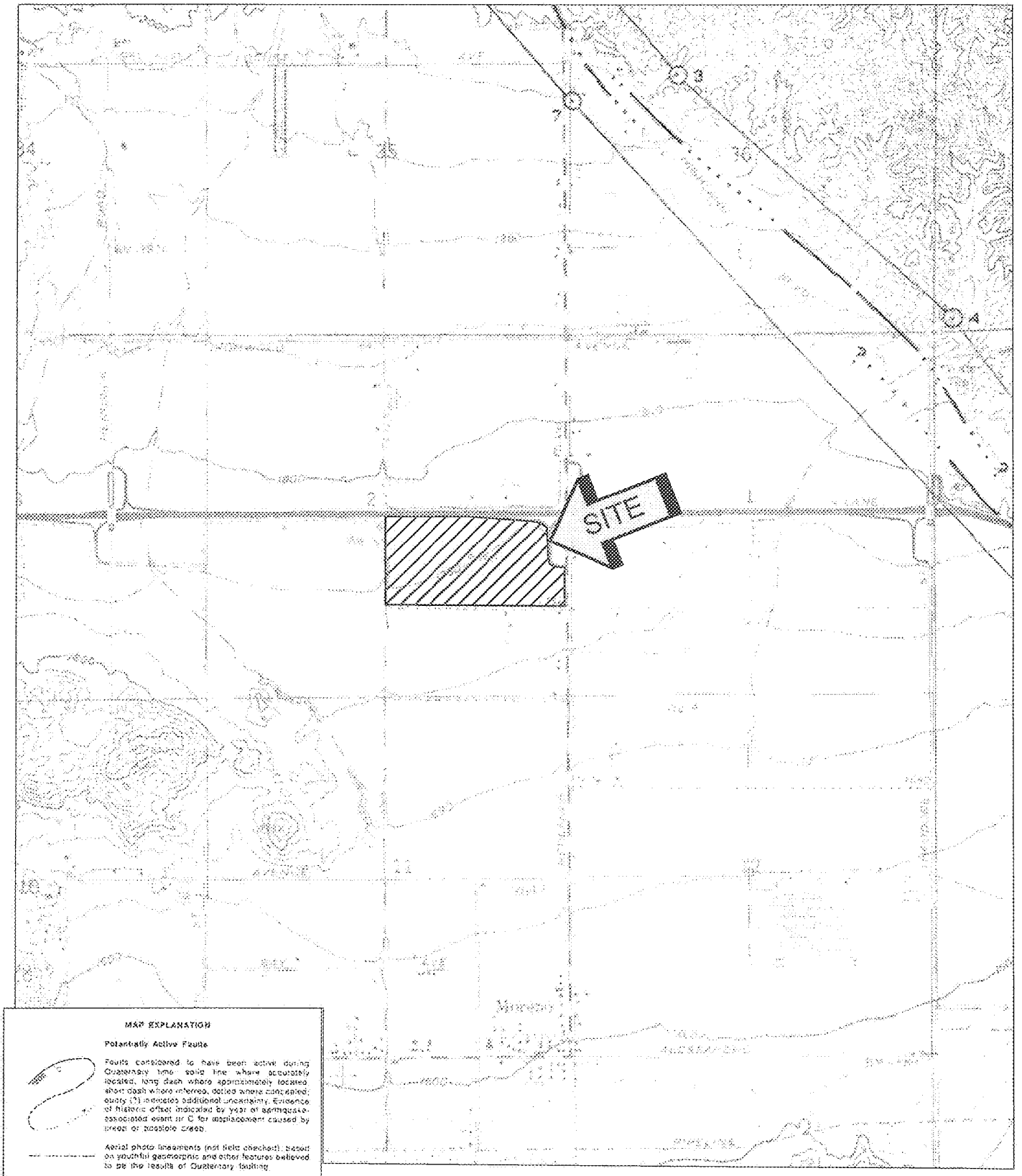

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00127619

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

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Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

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Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead age

Item No. E.1

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

---

[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

Board of Directors

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Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***): EMWD-2

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the***

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 6, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

Board of Directors

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time. More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet: www.emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> 4.5.3 *The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> 4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
2

truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
3

Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
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> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

MA-11 cont'd.

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs".

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

---

3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

RECEIVED
DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

GB-5

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason.

GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR?

GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault?

GB-9

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east.

GB-10

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 • Calimesa, California 92320 • Telephone (909) 446-0041 • Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

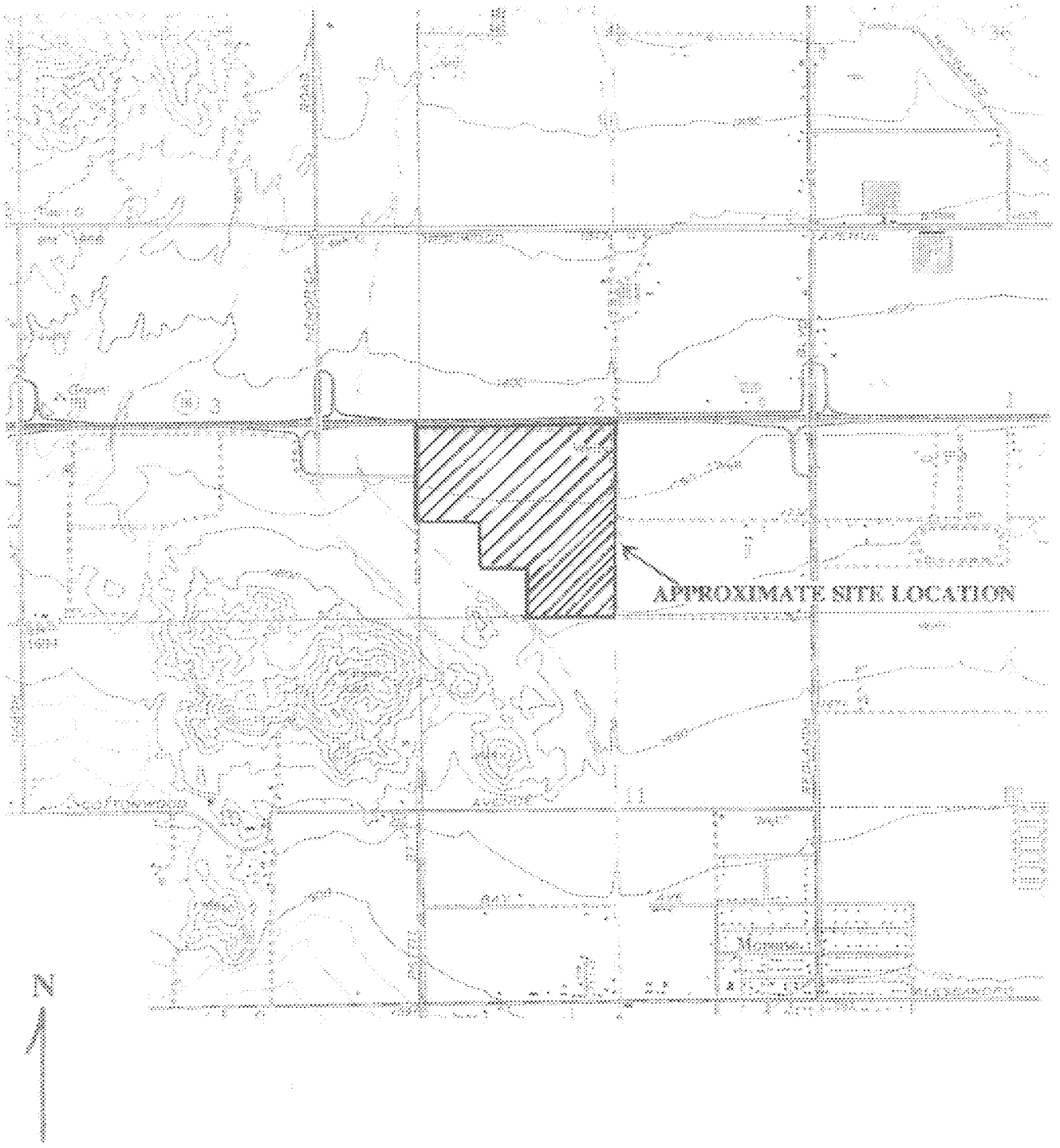

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 130± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

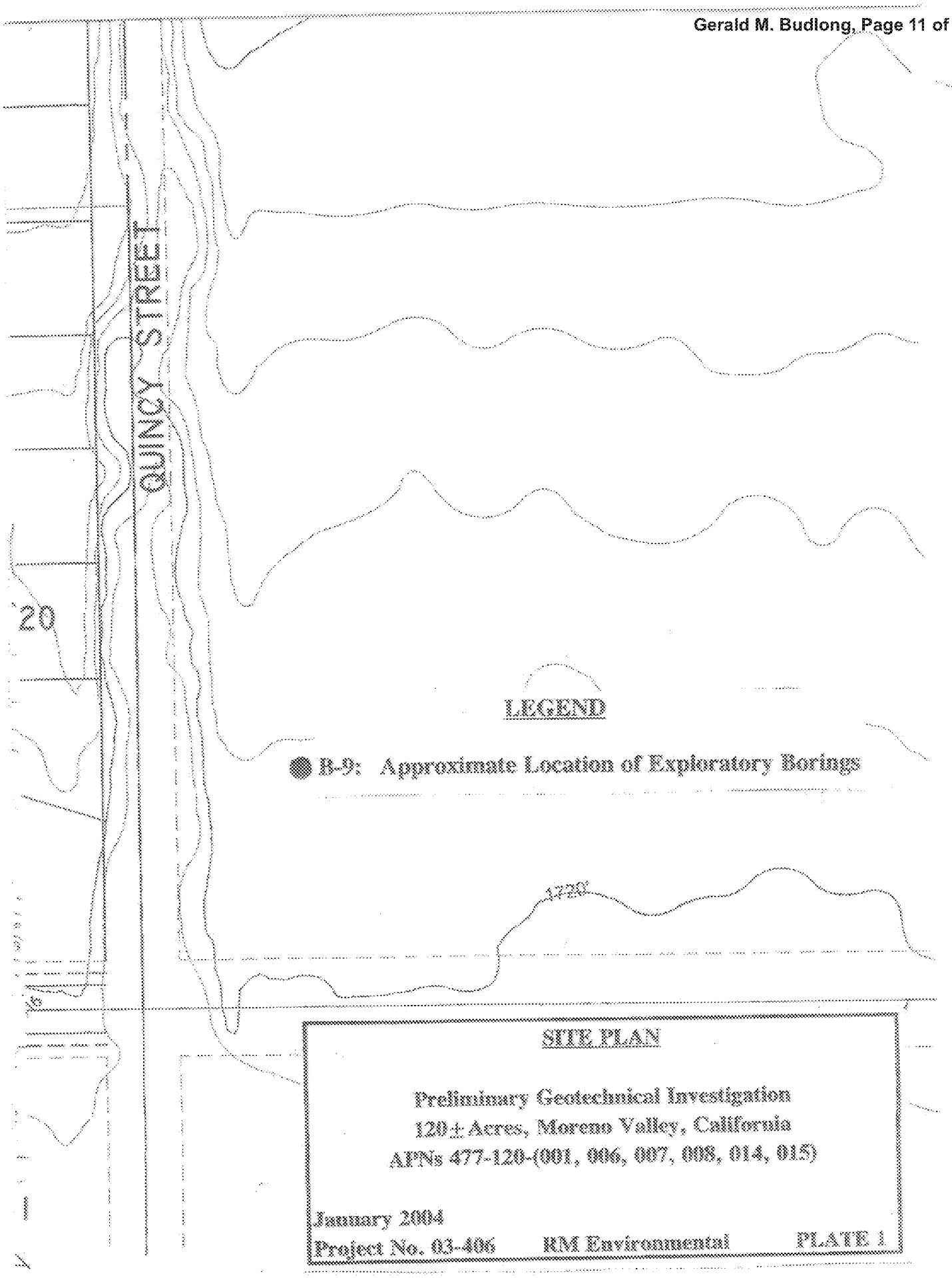

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

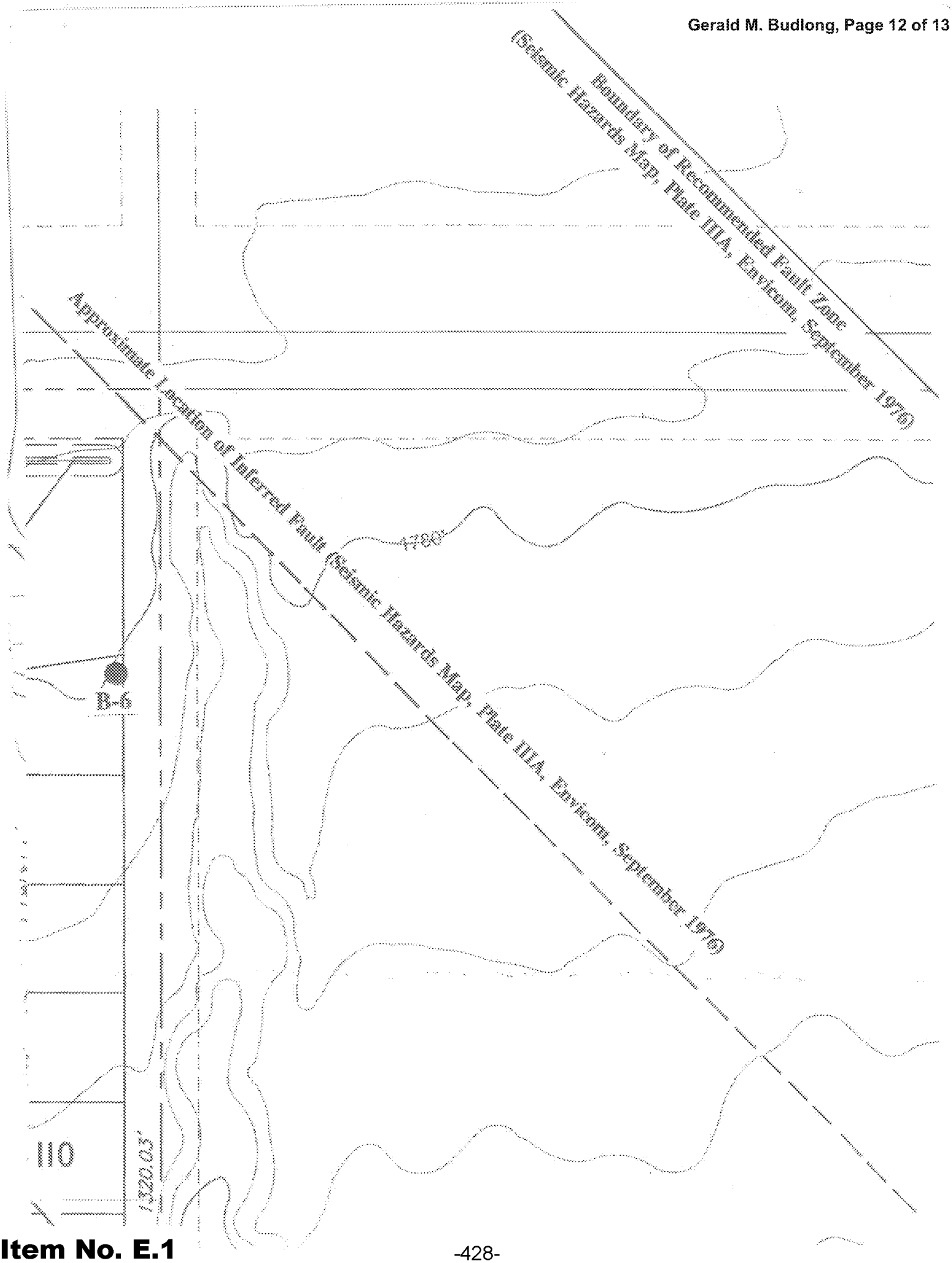
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
1780'
B-6
110
1320.03'

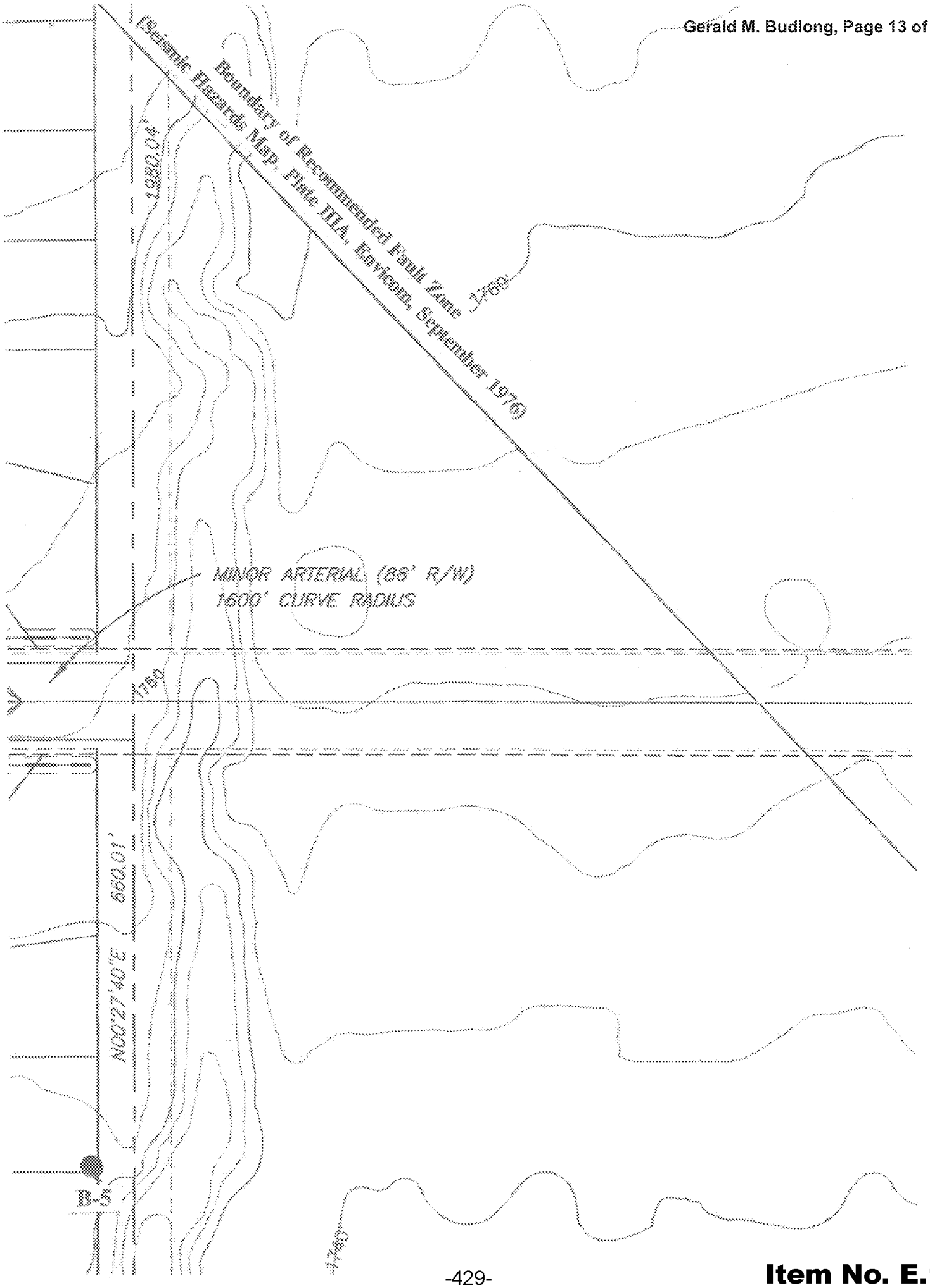
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harrison, September 1976
1920.04'
1760
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

Item No. E.1

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

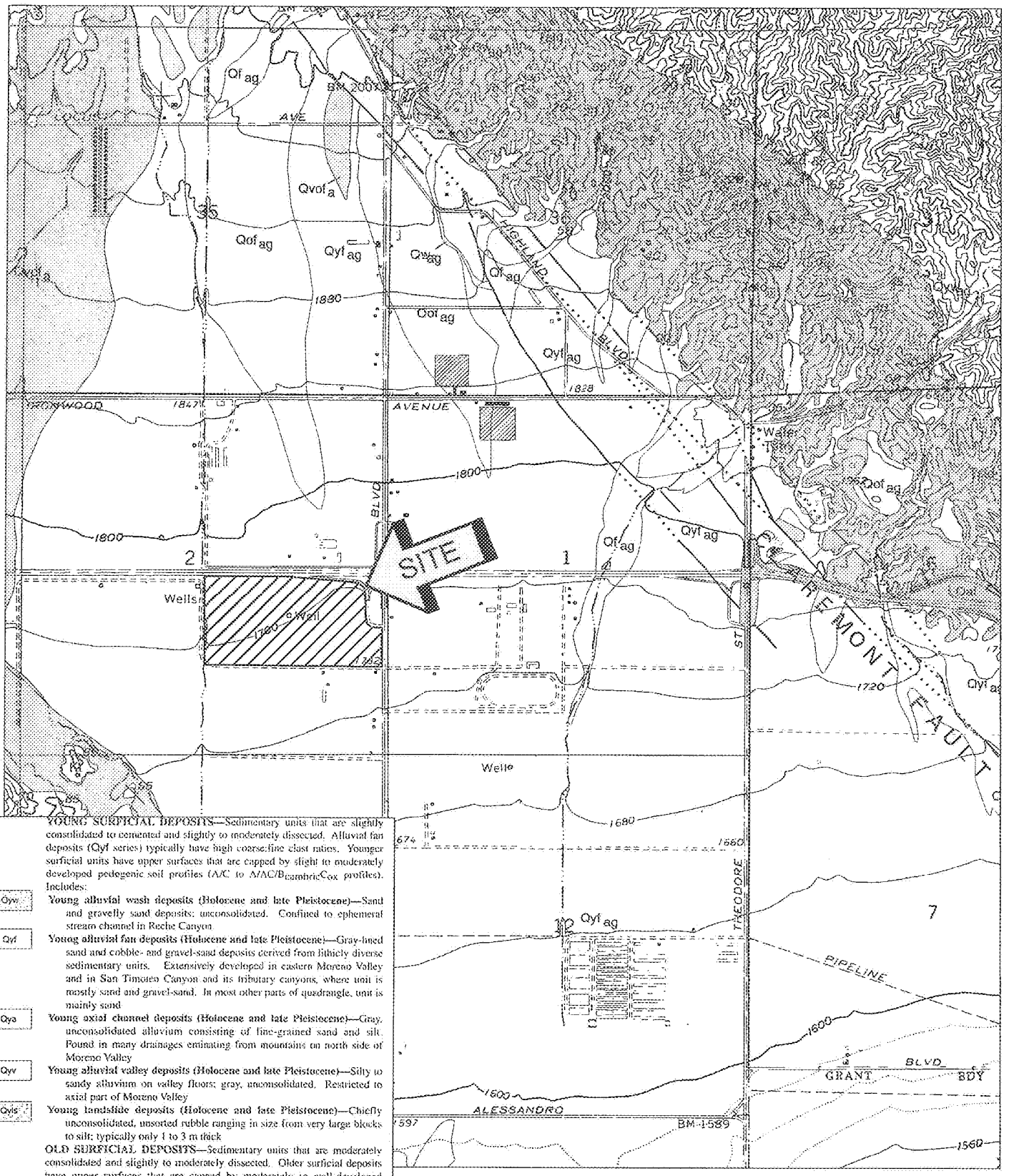

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00127698

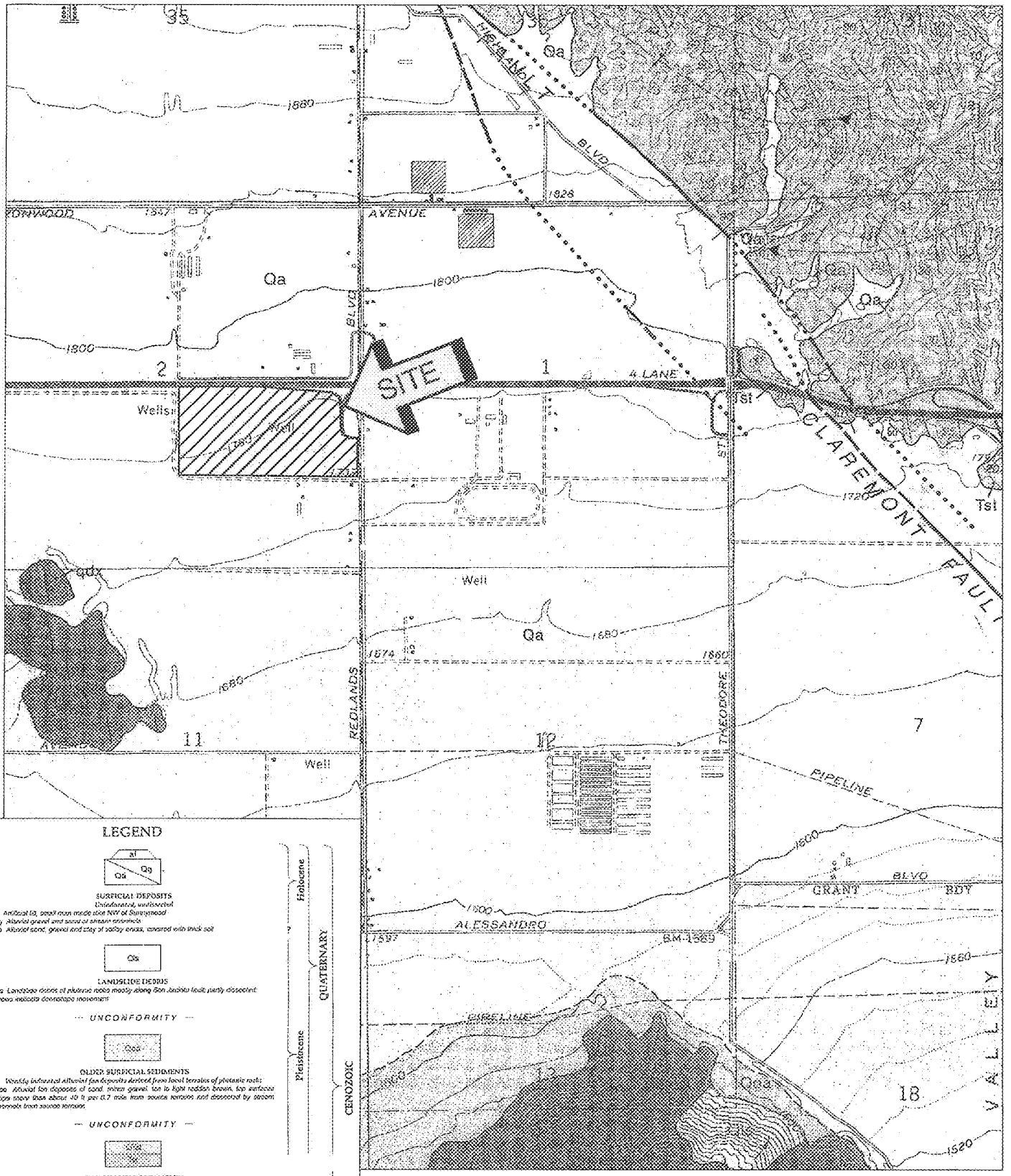

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made due NW of Sunnymead
Qg Alluvial gravel and sand of stream channels
Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:
Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, fan surfaces slope more than about 40 ft per 0.7 mile from source terrains and dissected by stream channels from source terrains

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1951), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); whole part referred to Ice of Pliocene age (Morton and Miall, 2004)

QTsu Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone, unconformably (?) overlain by Qoa in this quadrangle
Tsl Main part (pebble part of Morton and Miall, 2004), lithologically similar to upper part, within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00127699

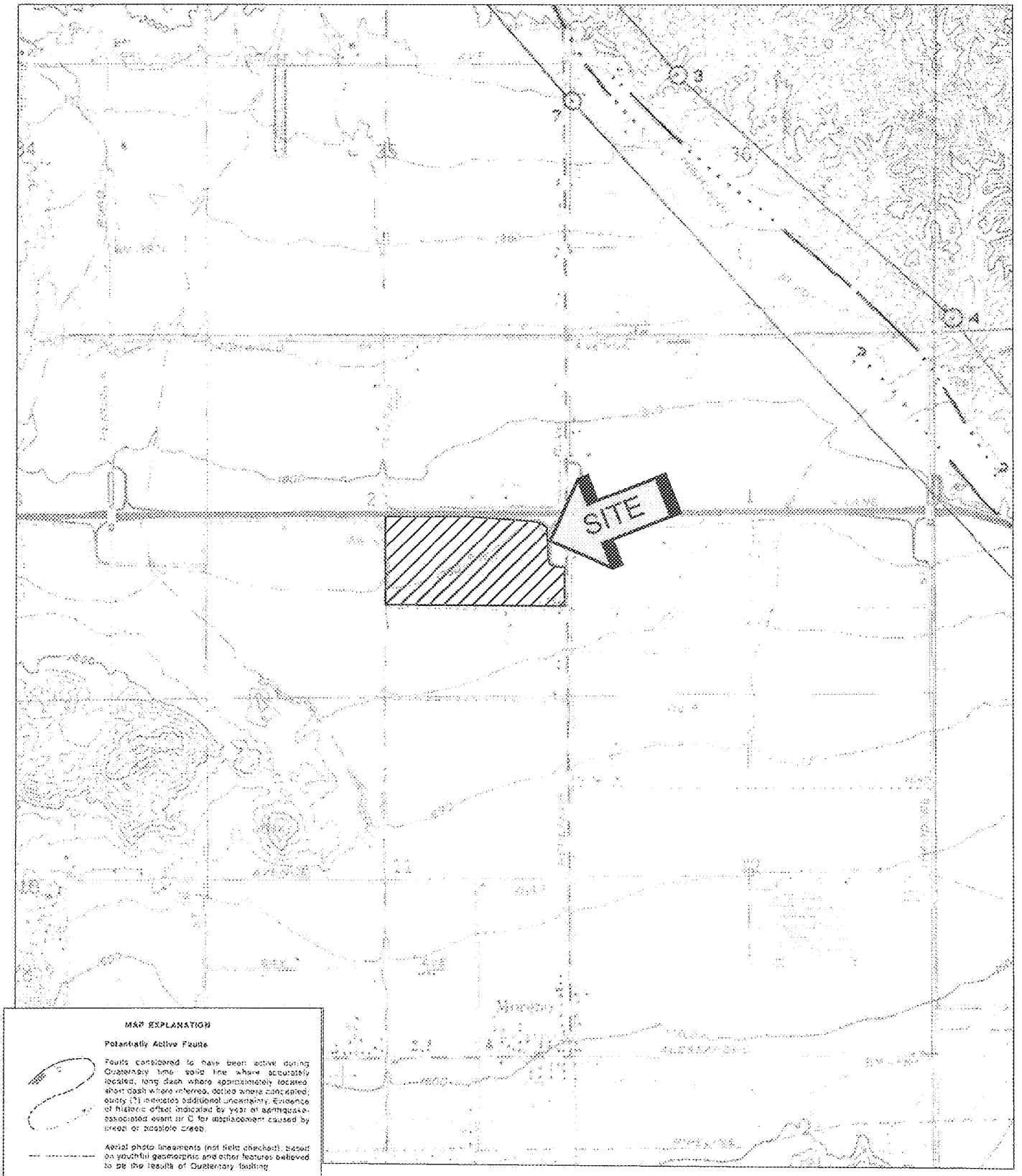

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the result of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP	
PROPOSED WEST RIDGE BUSINESS CENTER	
MORENO VALLEY, CALIFORNIA	
SCALE: 1" = 2000'	SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

Item No. E.1

MV00127700

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00127701

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

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[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

Response FNSJ-23

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke. JS-14 (cont'd)
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts. JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document. JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is <u>not</u> the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

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(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

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Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated. JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
>
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response JS-41

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> 4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

5.8 Direct impacts to wildlife

5.8.1 Common Wildlife

The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

Common Wildlife Species

The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

Response JS-52

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

Response JS-53

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists [illegible] LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Response NDN-12

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

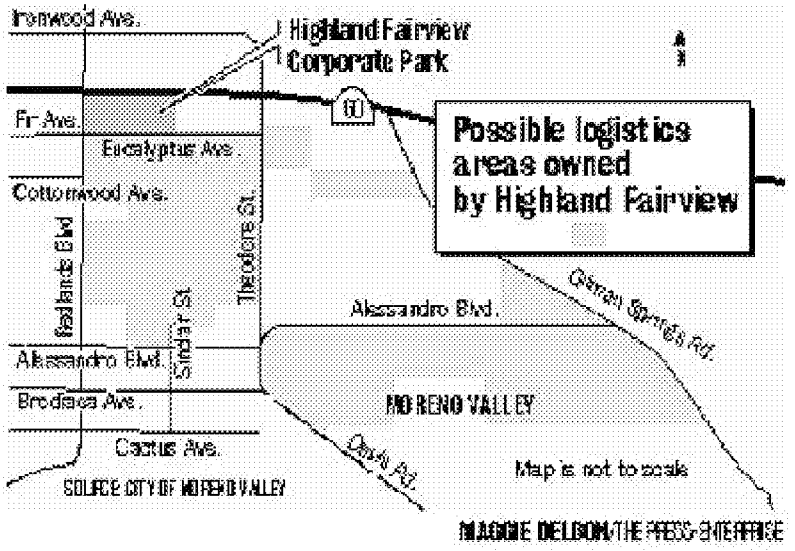

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools?

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

RLMV-2

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

RLMV-3

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- SC-1
without factoring Moreno Highlands into the equation. How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to <u>show the impacted views from the 60 Freeway looking south across the project site</u> to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

<u>Recommendation</u>: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

<u>Building</u> – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **<u>mitigation measure reducing the height of the structure to preserve some of the scenic vistas should be imposed.</u>** Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

<u>Light and Glare</u> – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: <u>www.darksky.org</u> lists lighting fixtures and methods to meet dark sky specifications. <u>Add a Mitigation Measure</u> (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

Screen Walls – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

Landscaping – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGehee Dr. Moreno Valley 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto Wildlife Area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.1

MV00127956

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Richard Johnson Phone: 951-243-0804

*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

*Note: Your name and contact information will become part of the public record for this project.

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Item No. E.1

MV00127959

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area.

This report must include all the impacts of all 35 million sq ft in order to be of actual value to the community. DR-C-2

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.1

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

APPENDICES

Please refer to accompanying CD-ROM

Item No. E.1

MV00127969

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MV00127970

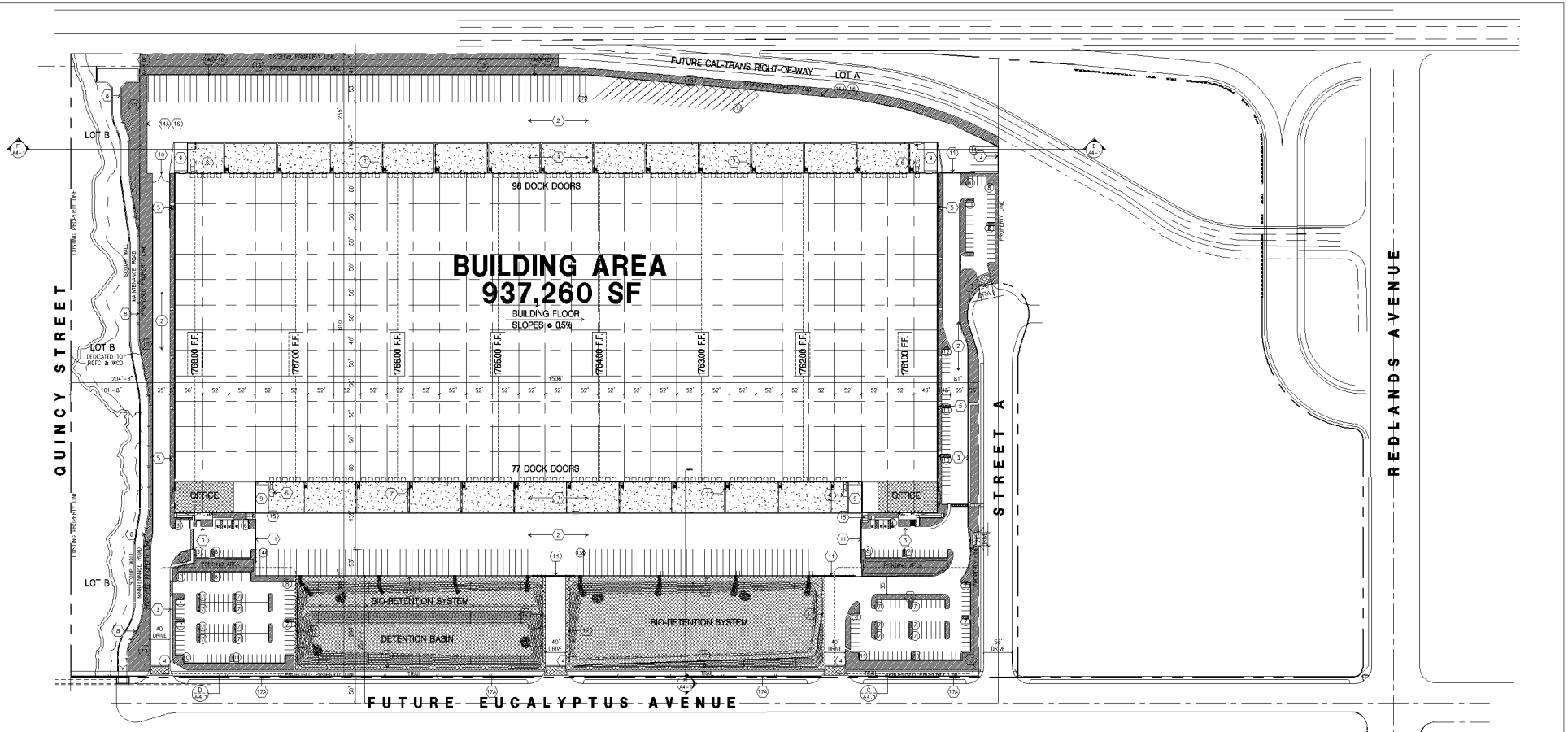

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

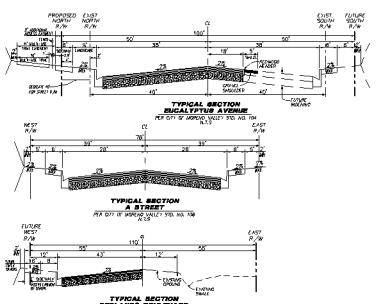

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.68
Net site area (in s.q.ft.)	2,269,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k@1/1,000 s.f.	20		
2nd. 20k@1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' SIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 6' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLAGIO, LLC
c/o PIERCE PROPERTY TRUST
301 CONVAL AVE. - STE #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROE COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: GIL SWENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- P — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TINA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25500 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DALENHAUER

VICINITY MAP

N.T.S.

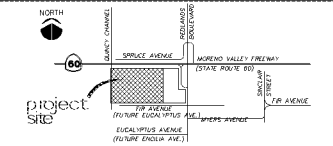

WestRidge Commerce Center

MORENO VALLEY, CALIFORNIA

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

HPA# 6342

NOVEMBER 5, 2010

A1.1

PIERCE PROPERTY TRUST
EXCEPTIONAL RESULTS ...WITHOUT EXCEPTION

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

ATTACHMENT 11

MV00127971

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MV00127972

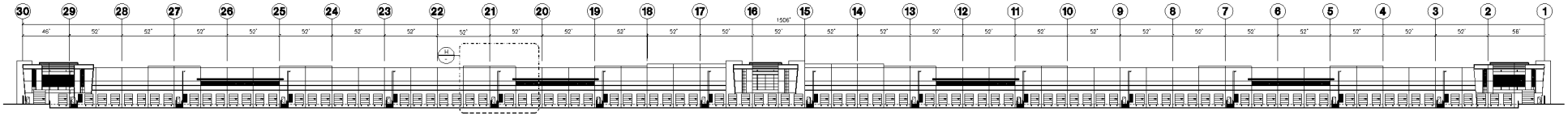

NORTH ELEVATION (A)
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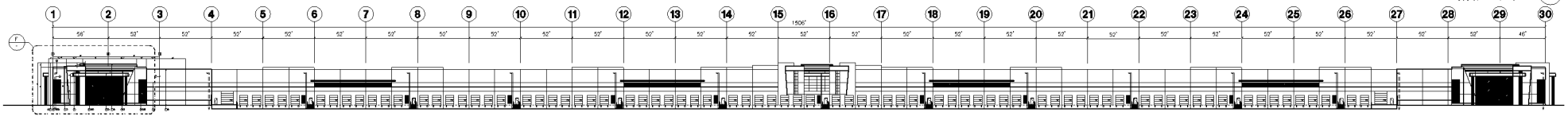

SOUTH ELEVATION (B)
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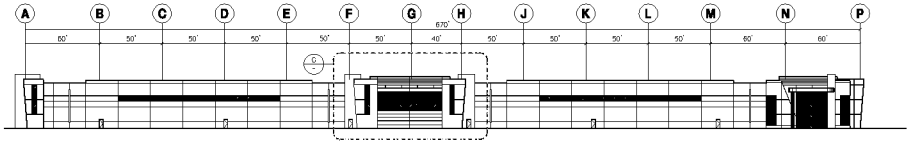

WEST ELEVATION (D)
scale: 1"=40'-0"

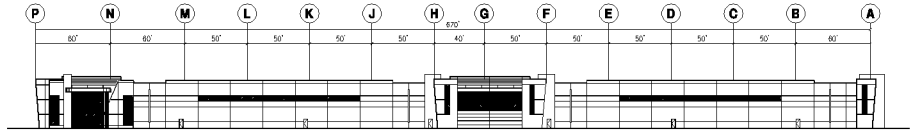

EAST ELEVATION (C)
scale: 1"=40'-0"

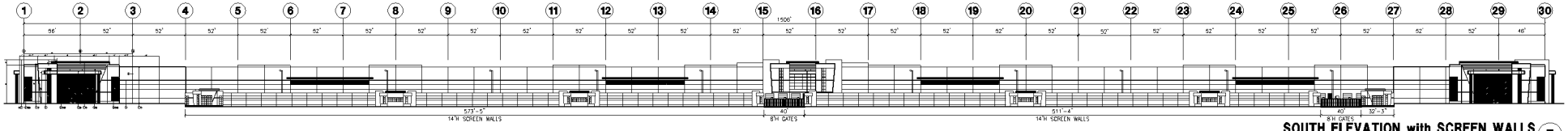

SOUTH ELEVATION with SCREEN WALLS (E)
scale: 1"=40'-0"

SCALE: 1"=40'
0 40' 80' 120'

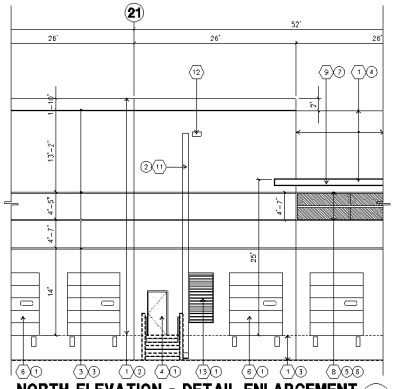

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
scale: 1/8"=1'-0"

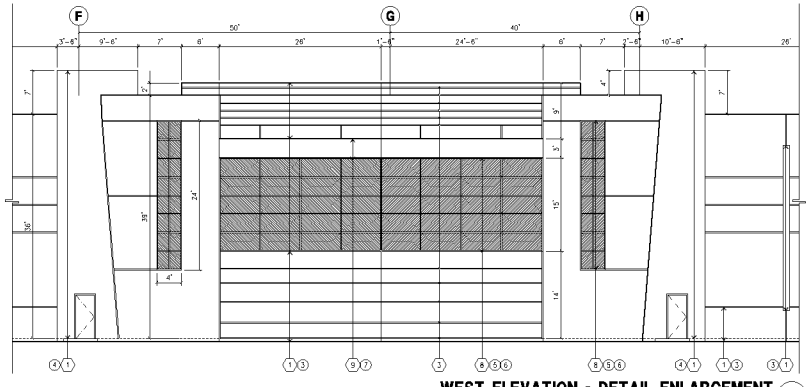

WEST ELEVATION - DETAIL ENLARGEMENT (G)
scale: 1/8"=1'-0"

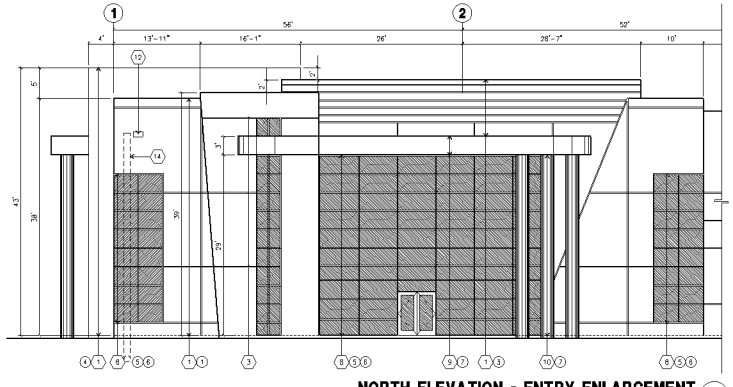

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173M EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566A DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A3.1

ATTACHMENT 12

MV00127973

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MV00127974

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

MV00127975

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MV00127976

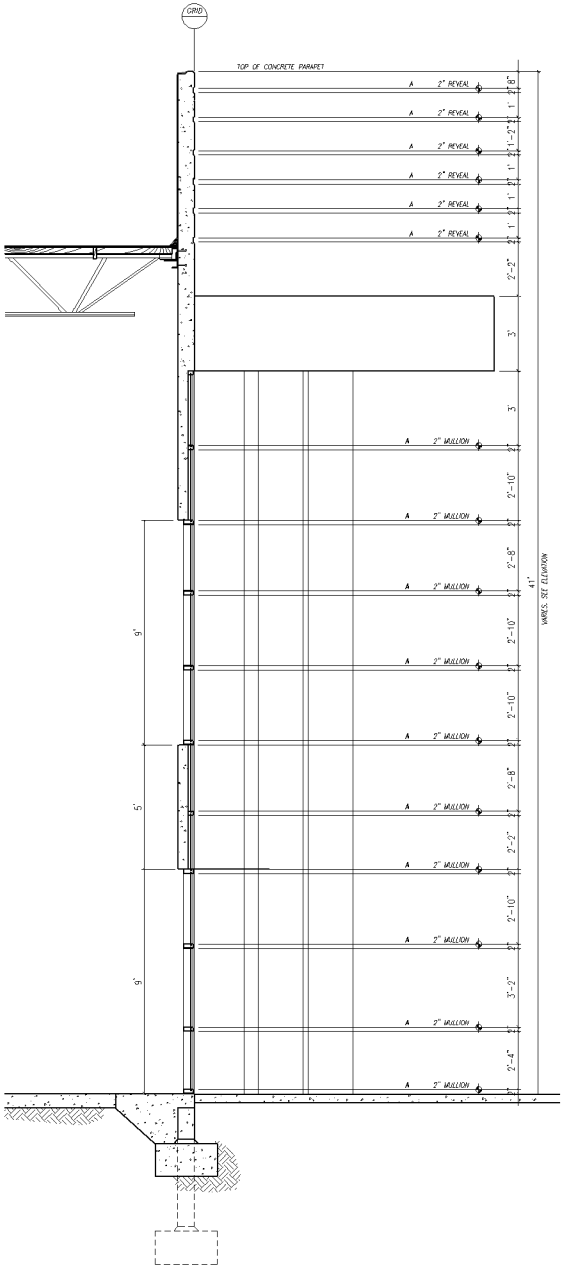

BUILDING SECTION @ OFFICE AREA (A)
scale: 1/2" = 1'-0"

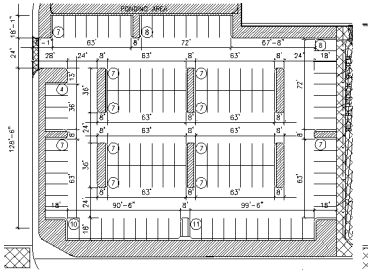

ENLARGED SITE PLAN @ SOUTHWEST (D)
scale: 1" = 40'-0"

1" = 40'-0"
0 40 80 120
NORTH

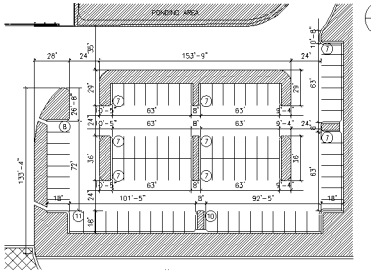

ENLARGED SITE PLAN @ SOUTHEAST (C)
scale: 1" = 40'-0"

1" = 40'-0"
0 40 80 120
NORTH

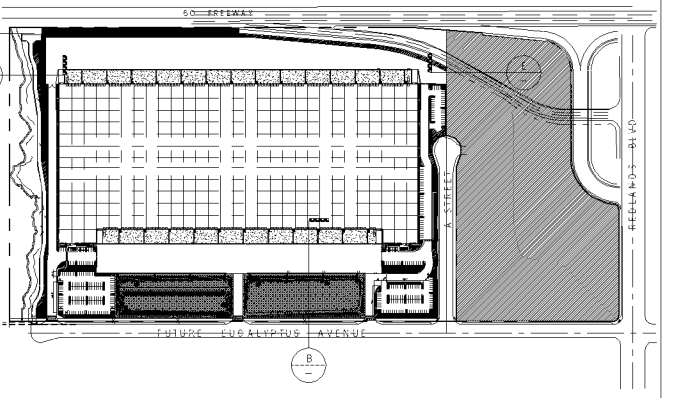

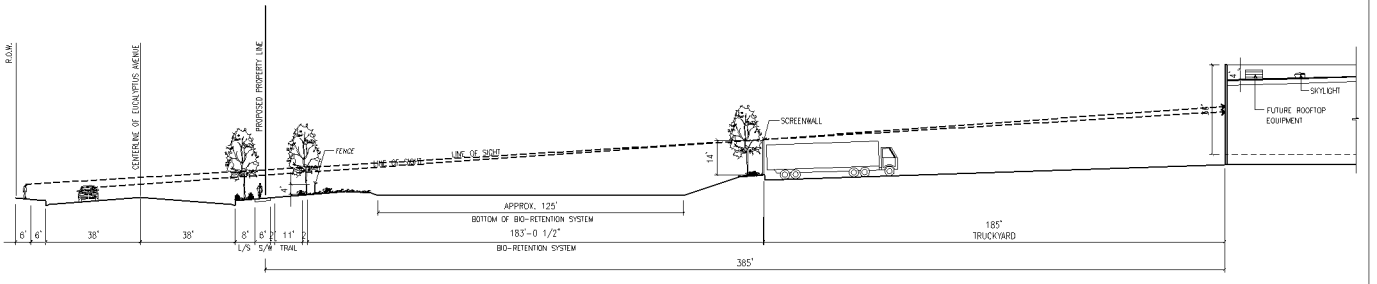

LINE OF SIGHT (B)
scale: 1" = 20'-0"

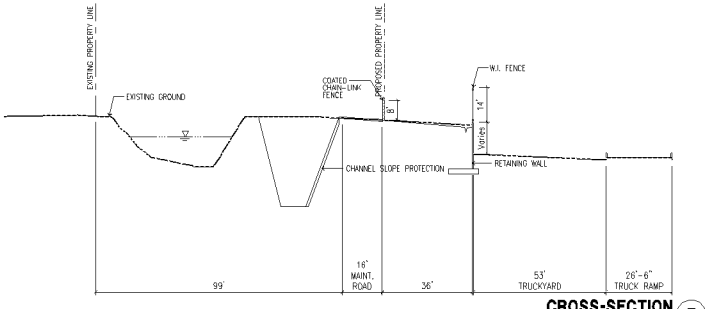

CROSS-SECTION (F)
scale: 1" = 20'-0"

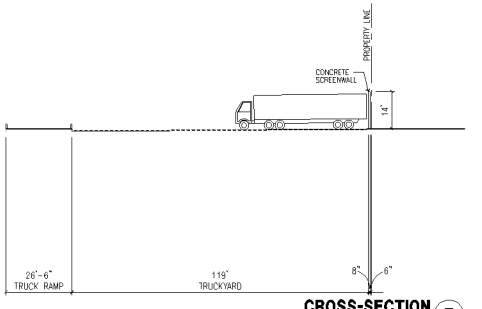

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

Rexford Property Trust
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A4.1

ATTACHMENT 14

MV00127977

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MV00127978

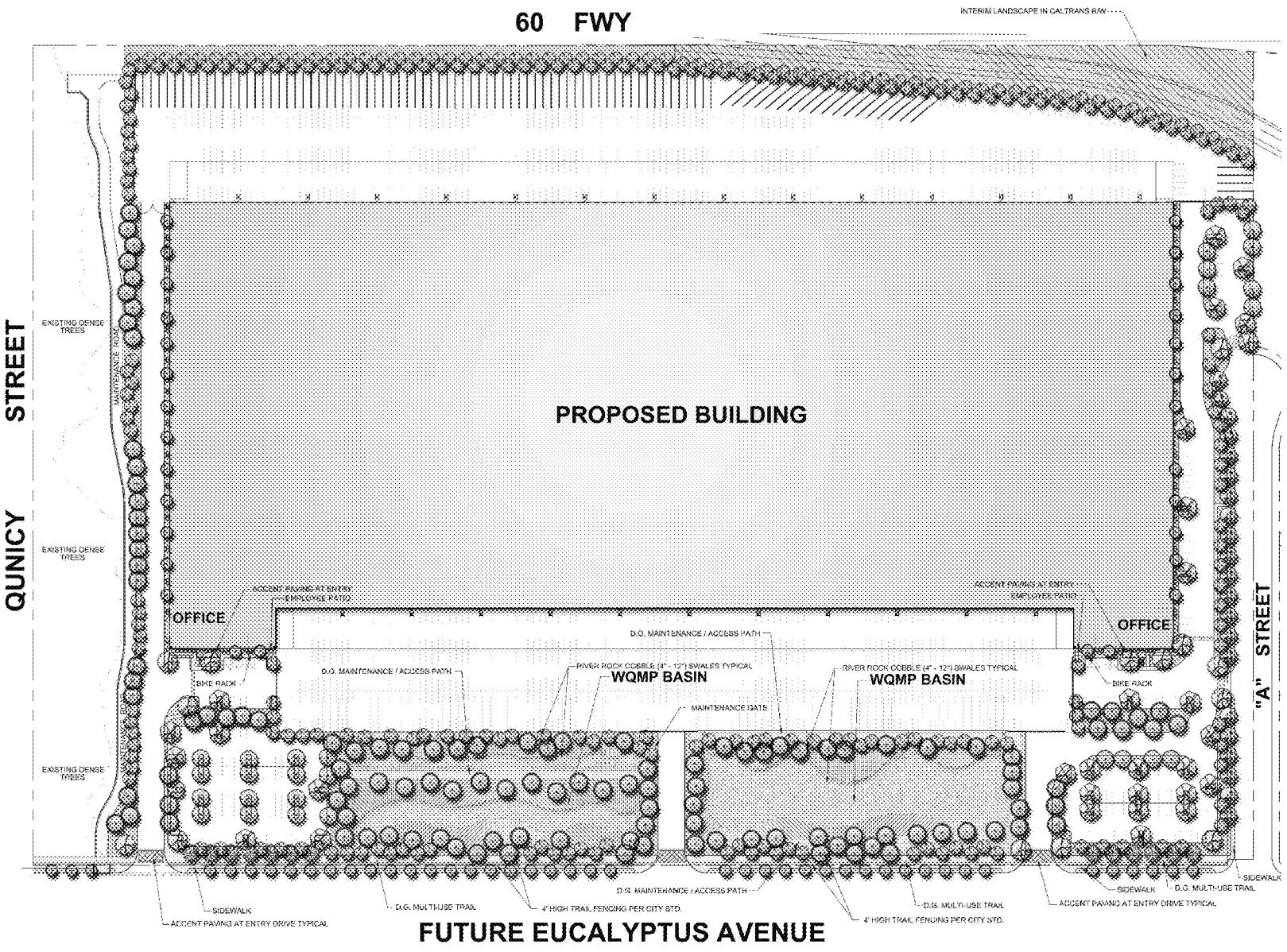

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus suber (Cork Oak)	15 GAL 24" BOX	30 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (Crimean Linden)	48" BOX	16
	Ficus microcarpa (Cherry Laurel Tree) OR Pistacia atlantica (Mediterranean Pine)	15 GAL 24" BOX	150 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Specimen Street Tree)	24" BOX	13
	Pinus canariensis (Canary Island Pine)	15 GAL	152
	Pistacia chinensis 'Keith Davey' (Chinese Pistache) (Specimen Street Tree)	24" BOX	21
	Quercus agrifolia (Coast Live Oak)	24" BOX	24
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 5' OF HARDSCAPE SHALL BE 24" X 2 GRAND TOWER BARRIER 30" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Abelia grandiflora 'full Scarlet' (ACFS)	5 gallon	30" o.c. spacing
Acacia cf. (Shrub Type Acacia)	5 gallon	6' o.c. spacing
Adenanthos sericeus (Woolly Bush)	5 gallon	72" o.c. (5-6' o.c. spacing)
Agave americana (Century Plant)	15 & 5 gallon	6' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Anigozanthos flavidus 'Bush Gold'	5 gallon	3' o.c. spacing
Arbutus unedo (Strawberry Tree)	5 gallon	5' o.c. spacing
Calocephalus (Silver Bush)	5 gallon	3' o.c. spacing
Carpenteria californica (Bush Anemone)	5 gallon	3' o.c. spacing
Cercis occidentalis (Western Redbud)	5 gallon	4' o.c. spacing
Cistus Species (Rock rose)	5 gallon	4' o.c. spacing
Cotoneaster Species (Cotoneaster)	5 gallon	3' o.c. spacing
Dietes vieriea (Fortnight Lily)	5 gallon	3' o.c. spacing
Dodonaea viscosa 'purpurea' (Purple Hop Bush)	5 gallon	3' o.c. spacing
Elaeagnus pungens (Silverberry)	5 gallon	4' o.c. spacing
Fragaria chiloensis (Wild Strawberry)	1 gallon	3' o.c. spacing
Galium odoratum (Sweet Woodruff)	5 gallon	3' o.c. spacing
Heteromeles arbutifolia (Red Berry)	5 & 15 gallon	5' o.c. spacing
Juniperus species (Juniper)	1 and 5 gallon	varies
Leucadendron (Leucadendron)	1 and 5 gallon	24" o.c. to 48" o.c. spacing
Leucophyllum frutescens 'Rio Grande'	5 gallon	4' o.c. spacing
Leucophyllum frutescens 'Green Cloud' (Texas Ranger)	5 gallon	4' o.c. spacing
Ligustrum lucidum (Wax Leaf Privet)	5 gallon	30" o.c. spacing
Macadamia integrifolia and tetraphylla (Macadamia Nut)	15 gallon	24' o.c. spacing
Melaleuca nesophila (ACFS)	5 gallon	24" o.c. spacing
Muhlenbergia capillaris (Pink Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis 'Compacta' (True Myrtle)	5 gallon	24" o.c. spacing
Nandina domestica (Flavora' cultivar)	5 gallon	24" (2' o.c. spacing)
Pittosporum tobira (Tobira, Mock Orange)	5 gallon	4' o.c. spacing
Polygala myrtifolia	5 gallon	4' o.c. spacing
Rhaphiolepis indica (Indian Hawthorne)	5 gallon	4' o.c. spacing
Rhamnus californica (Coffeeberry)	5 gallon	4' o.c. spacing
Rosa rubiginosa (Sweet Briar)	5 gallon	varies
Rosmarinus officinalis (Rosemary)	1 & 5 gallon	30" (2.5' o.c. spacing)
Salvia greggii (Autumn Sage)	5 gallon	3' o.c. spacing
Viburnum tinus (Laurel Viburnum)	5 gallon	4' o.c. spacing
Xylosma congestum (Shiny Xylosma)	5 gallon	4' o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (ACFR)	1 and 5 gallon	48" o.c. spacing, min
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing, min
Carex divulsa (Berkeley)	1 gallon	42" o.c. spacing, min
Cotoneaster dammeri (Bearberry Cotoneaster)	1 gallon	24" o.c. spacing, min
Hedera helix species (Ivy)	1 gallon	24" o.c. spacing
Juniperus species (Juniper)	1 gallon	30" o.c. spacing
Lantana species (Lantana) (Lantana montevidensis 'Trailing' (Purple Trailing Lantana)	1 gallon 1 gallon	30" o.c. spacing 18" o.c. spacing
Myoporum parvifolium (Myoporum)	1 gallon	24" (2' o.c. spacing)
Myoporum species (Myoporum)	1 gallon	48" o.c. spacing
Rosmarinus officinalis species (Rosemary)	1 gallon	30" o.c. spacing
Vinca major, minor, species (Vinca, periwinkle)	1 gallon and 5 gallon	18" o.c. spacing

INTERIM LANDSCAPE WITHIN CALTRANS R/W - PLANT 1 GAL., ACHIEVE BEGOLENE 12" (2' O.C. WITH 3" INNER LAYER OF DECOMPOSED GRANITE. TRANSITION SHRUBS WITH DRIP IRRIGATION.

SIDEWALK VINE - AVAILABLE NON-SPARSE PURPLE SPACING, INC.

0.25 AC	ACTINOSTEMMA LINE	
0.50 AC	MASSELLA CERRUN	
0.75 AC	MONLEMBERGIA BUBBS	
1.00 AC	MONLUCIA MAXIMUM	
1.25 AC	MULLER MORGENICA	
1.50 AC	VOLTRA CORSTOCKIONE	
1.75 AC	MONLEMBERGIA SACCHARIFRA	

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Ficus repens (Creeping fig)	1 gallon	10' o.c. spacing
	Bougainvillea species (Bougainvillea)	1 gallon	10' o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Dendrocalamus latiflorus (Giant Timber Bamboo)	5 gallon	8' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM MATERIALS DIST. 800-0266

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

MV00127979

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MV00127980

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INCLUSIVE, BLOCK 35, OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT-ZOLLARS

NOVEMBER, 2010

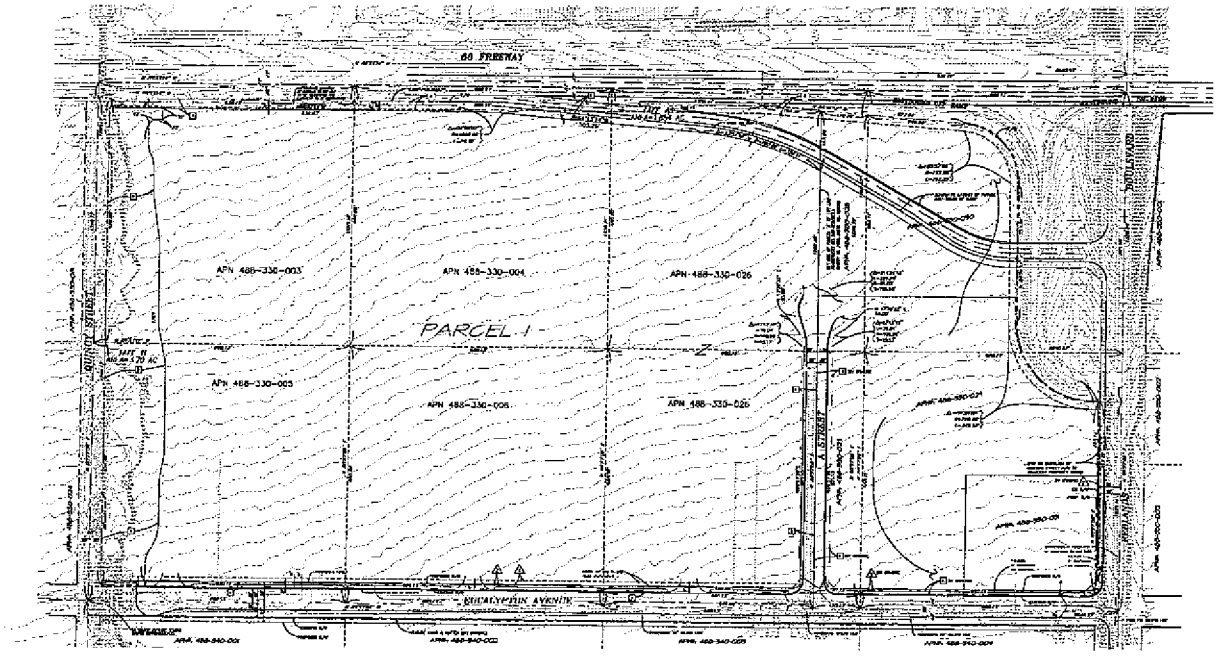

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: INDUSTRIAL/AGRICULTURAL
3. GROSS LOT SIZE: 1 ACRE
4. EXISTING ZONING: IP
5. PROPOSED ZONING: IP
6. FLOOD ZONE X PER FIRM NO. 06065C0736G
7. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
8. PROPOSED WATER SERVICE WILL BE PROVIDED BY EASTERN MUNICIPAL WATER DISTRICT
9. PROPOSED SEWER SERVICE WILL BE PROVIDED BY EASTERN MUNICIPAL WATER DISTRICT
10. ALL UTILITIES SHALL BE UNDERGROUND:
    GAS: SOUTHERN CALIFORNIA GAS COMPANY
    ELECTRIC: CITY OF MORENO VALLEY ELECTRICAL UTILITY
    TELEPHONE: VERIZON TELEPHONE COMPANY
11. ALL SIGNS SHALL BE CONSTRUCTED AT A MINIMUM SIZE OF 9FT UNLESS OTHERWISE PERMITTED
12. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS
13. TOPOGRAPHIC PROVIDED BY: DIGITAL MAPPING INC.
14. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
15. PROJECT NAME

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELARDO, LLC
[illegible]
LONG BEACH, CA 90803
PH: (562) [illegible]
FAX: (562) [illegible]
CONTACT: ROBERT BRIDE

PREPARED IN THE OFFICE OF
HUITT-ZOLLARS, INC.
[illegible]
ROBERT R. SCHAFFER R.E. 64473

UTILITY PROVIDERS
WATER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]
PERRIS, CA 92570
(951) [illegible]

GAS
SOUTHERN CALIFORNIA GAS COMPANY
[illegible]
CONTACT: [illegible]

SEWER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]
PERRIS, CA 92570
(951) [illegible]

TELEPHONE
VERIZON
[illegible]
RIVERSIDE, CA 92504

ELECTRIC
MORENO VALLEY UTILITIES
[illegible]
MORENO VALLEY, CA 92552
(951) [illegible]

CABLE - TV
MEDIACOM COMMUNICATIONS
[illegible]
[illegible]
(951) [illegible]

LAND USE
AP ____ [illegible] ACRES

CONTOURS
[illegible]

LEGEND / ABBREVIATIONS
PROPOSED BOUNDARY LINE
PROPOSED FIRE WATER LINE
PROPOSED DOMESTIC WATER LINE
PROPOSED SEWER LINE
PROPOSED STORM DRAIN
EXISTING GAS LINE
EXISTING WATER LINE
EXISTING SEWER LINE
EXISTING STORM DRAIN
STORM DRAIN INLET
CATCH BASIN
BASIS OF BEARINGS BOUNDARY
EXISTING RIGHT OF WAY/SITE BOUNDARY
EASEMENT SIDE LINE
LOT LINE
FIRE HYDRANT

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW HAVE BEEN EXTRACTED FROM A PRELIMINARY TITLE REPORT PREPARED BY [illegible] THE COMPANY DATED [illegible] AND [illegible] THE [illegible] OF THE [illegible] OF THE [illegible] OF

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MV00127982

West Ridge Commece Center Project

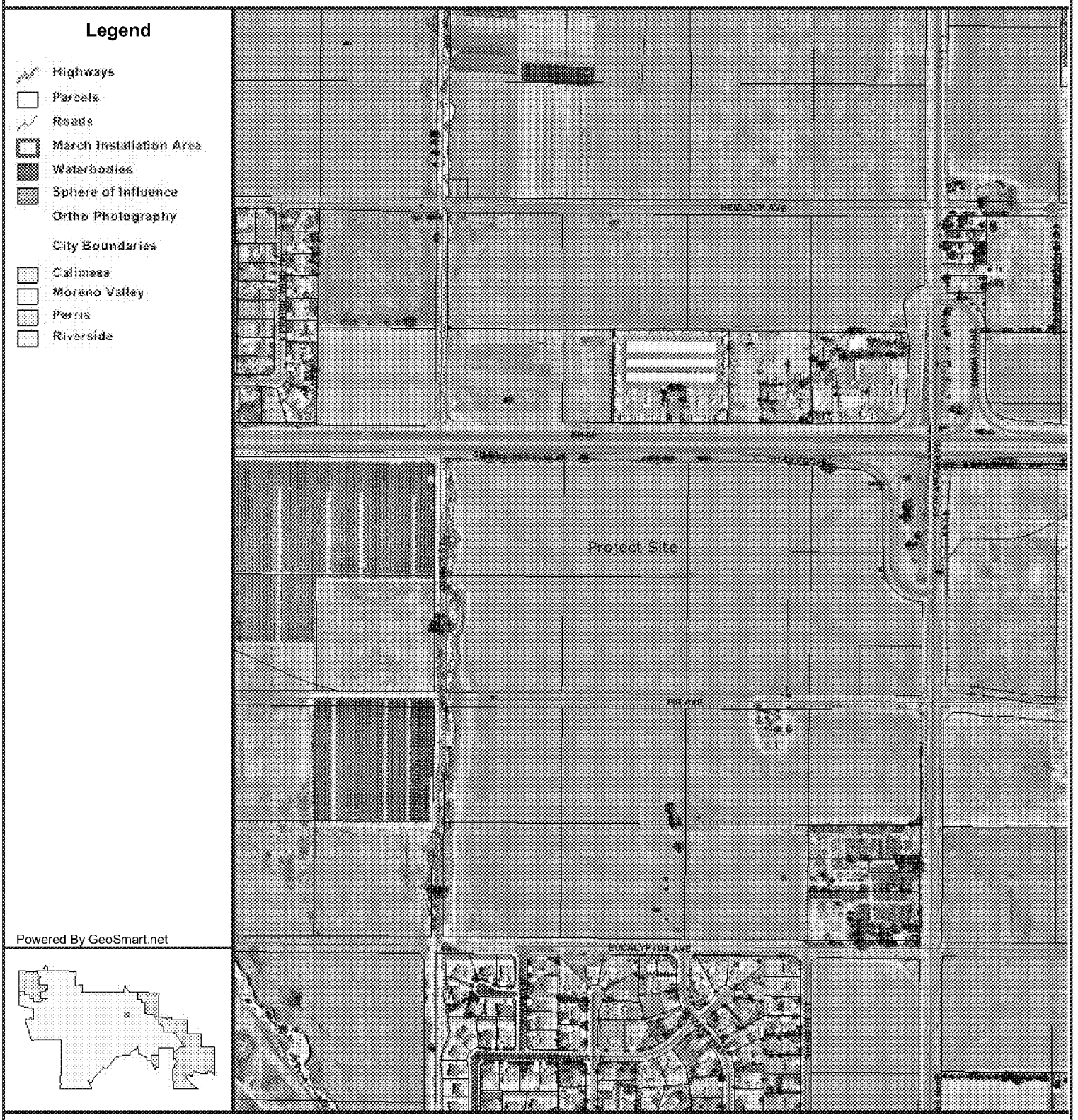

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

N

0 300 600 1200ft

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Item No. E.1

MV00127983

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MV00127984

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. <u>This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.</u>

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  - ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

AQMD-5 cont'd.

Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction

AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

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MV00128004

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

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MV00128010

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-325-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 751 354912 3⑈

Item No. E.1

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MV00128018

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer. ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

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MV00128024

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

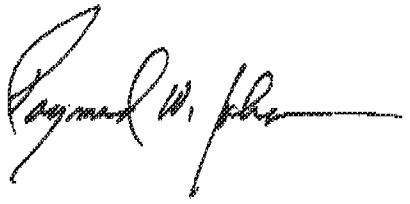

Raymond W. Johnson
JOHNSON & SEDLACK

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MV00128036

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

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MV00128042

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

September 27, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00128711

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
September 27, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Verizon Donation to the Moreno Valley Black Chamber of Commerce Community Foundation Family Adult Literacy Program and Technology (FALPT)

2. American Public Works Association (APWA) 2010 Project of the Year Award – Kitching Street Improvements Project

3. Recognition of Moreno Valley Rockets Field and Track Team

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
SEPTEMBER 27, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor James Samples - New Life Christian Fellowship

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF SEPTEMBER 6, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 APPROVAL OF CHECK REGISTER FOR JULY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

Resolution No. 2011-97

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of July, 2011

A.5 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT - PROJECT NO. 10-12272227 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc.;

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50

base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

A.6 TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRAN LOU DRIVE BETWEEN PERRIS BOULEVARD AND KITCHING STREET - DEVELOPER: LCTH INVESTMENT LP, NEWPORT BEACH, CA 92660 (Report of: Community and Economic Development)

Recommendation:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor Bond associated with Tract 20185 for public improvements; and

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

A.7 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324;

Resolution No. 2011-98

A Resolution of the City Council of the City of Moreno Valley, California, ordering the Vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3:

Section 8325;

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way); and

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

A.8 SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction;

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB;

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

A.9 ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT (Report of: Public Works Department)

Recommendation:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.; and

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

A.10 FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND COUNTY OF RIVERSIDE (Report of: Police Department)

Recommendation:
Adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

A.11 ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

A.12 APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST. (Report of: Human Resources Department)

Recommendation:

Adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

Resolution No. 2011-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the California Government Voluntary Employee Beneficiary Association (Calgoveba) Trust

A.13 PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011; DEVELOPER: FIRST INDUSTRIAL, L.P. A DELAWARE LIMITED PARTNERSHIP, EL

SEGUNDO, CA. 90245 (Report of: Community and Economic Development Department)

Recommendation:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011; and

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM (Report of: Parks and Community Services Department)

Recommendation:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year; and

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

Recommendation:
Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING (POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT) (Report of: City Clerk's Department)

Recommendation: That the City Council:
Conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

G.2 MEDIA AND COMMUNICATIONS STRATEGY (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the proposed Media and Communications Strategy.

G.3 ECONOMIC DEVELOPMENT ACTION PLAN UPDATE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

G.4 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

Ordinance No. 833

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 10.02.100 of the City of Moreno Valley Municipal Code Relating to the Mandatory Spay and Neuter of Dogs and Cats

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00128724

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 13, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the 10th Anniversary of 9-11
2. Constitution Week - September 17 - 23, 2011
3. Recognition of Moreno Valley Diamond Girls Softball Association
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 13, 2011

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:43 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Bishop Randy Triplett - Victory Temple of Deliverance Ministries

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Daryl Terrell (A9), Oscar Valdepena (A9), and received late was Chris Baca (A12).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of August 17 - September 6, 2011.

A.4 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (ALSO LISTED AS ITEM B.3) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35)

calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.5 REPLACEMENT OF PLAY STRUCTURES AND PLAYGROUND SURFACING AT RIDGECREST PARK, GATEWAY PARK, AND SUNNYMEAD PARK (Report: Parks and Community Services Department

Recommendation:

1. Award to Miracle Recreation Equipment Company, 878 E Hwy 60, Monett, MO 65708 for material and labor to replace play structures and playground surfacing at Ridgecrest Park, Gateway Park and Sunnymead Park; waive Faithful Performance and Material and Labor bonds; and

2. Authorize the Purchasing Manager to execute a purchase order in an amount not to exceed $242,994.95 as appropriated in FY11/12, in account code 461.65329.7500.

A.6 OFFER OF DEDICATION FOR RIGHT OF WAY FOR APN 475-272-054 - IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication for right of way for APN 475-272-054; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.7 MORRISON PARK FIRE STATION - OFFER OF DEDICATION - PROJECT NO. 11-43472527 LOCATED ON MORRISON STREET NORTH OF COTTONWOOD AVENUE (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Morrison Street north of Cottonwood Avenue; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR

THE LASSELLE/MARGARET TRAFFIC SIGNAL - PROJECT NO. 10-12566630 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Traffic Signal Improvements on Lasselle Street at Margaret Avenue Intersection to J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with J.F.L. Electric, Inc.;

3. Authorize the issuance of a Purchase Order to J.F.L. Electric, Inc. for a total amount of $211,660.00 ($176,382.63 base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with J.F.L. Electric, Inc., up to but not to exceed the Purchase Order's total contingency of $35,277.37, subject to the approval of the City Attorney.

A.9 ADOPT A RESOLUTION APPROVING A ONE-TIME BUSINESS LICENSE TAX AMNESTY PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve Resolution No. 2011-94 creating a one-time Business License Amnesty Program waiving the penalties and interest due on delinquent Business License Taxes and Fees; and

Resolution No. 2011-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a One-time Business License Tax Amnesty Program

2. Direct staff to continue to collect the Business License Tax and Fees for the three most recent delinquent years as provided in the existing ordinance.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE MORRISON PARK FIRE STATION (FIRE STATION 107) -- PROJECT NO. 11-43472527 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for $3,628,688 to Silver Creek Industries, 195 E. Morgan Street, Perris, CA 92571, the lowest responsible bidder, for construction of the Morrison Park Fire Station;

2. Authorize the City Manager to execute the Agreement with Silver Creek Industries;

3. Authorize the issuance of a Purchase Order to Silver Creek Industries for $4,354,426 ($3,628,688 bid plus 20% contingency) for construction of the Morrison Park Fire Station from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Silver Creek Industries up to, but not exceeding, the contingency amount of $725,738, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

A.12 CALIFORNIA OFFICE OF TRAFFIC SAFETY "SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES" GRANT (Report of: Police Department)

Recommendation:
Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Mini-Grant Program for Local Law Enforcement Agencies" in the amount of $72,340.27 for the period beginning November 1, 2011, and ending September 4, 2012.

A.13 APPROVE TEMPORARY LAND USE LICENSE AGREEMENT BETWEEN MORENO VALLEY COLLEGE AND THE CITY OF MORENO VALLEY FOR THE USE OF CITY PROPERTY FOR A CONSTRUCTION STAGING AREA LOCATED AT THE NORTHEAST CORNER OF LASSELLE STREET AND COLLEGE DRIVE (Report of: Community and Economic Development Department)

Recommendation:
1. Approve the Temporary Land Use License Agreement between Moreno Valley College and the City of Moreno Valley for the use of existing City-owned property at the northeast corner of Lasselle Street and College Drive;

2. Authorize the Mayor to execute the Agreement; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (AGENDA ITEM ALSO LISTED AS A.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.12) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Motion to Approve Joint Consent Calendar Items A.1 through D.2. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

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

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
After conducting the Public Hearing and accepting public testimony:

a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

b. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation a. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church NPDES "Yes", Passed

Buddhadhammo Temple NPDES "Yes", Passed

Motion to Approve Recommendations b, c, and d by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

2. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

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

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charges to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation 1. by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church CSD Zone M "Yes", passed

Buddhadhammo Temple CSD Zone M "Yes", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

E.3 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in its capacity as the President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:
   Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tract 31129;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tract 31129.

Motion to Approve Recommendation 1 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:
Tract No. 31129 Zone D "24 Yes"; "19 No"; "1 Invalid", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Mayor Pro Tem Mayor Pro Tem Jesse L. Molina Report on Riverside Transit Agency (RTA)

Mayor Pro Tem Jesse L. Molina reported on RTA holiday events as follows:

November 5, Perris Veteran's Day Parade

November 11, Murrieta Veteran's Day Parade

November 17, Riverside County Safe House - Stuff the Bus

November 25, Riverside Festival of Lights - Switch On Ceremony and Spark the Love Stuff the Bus

December 2, Temecula Electric Light Parade

December 3, Hemet Holiday Parade

Mayor Pro Tem Jesse L. Molina encouraged Moreno Valley to get involved.

G.2 APPOINTMENT TO THE PLANNING COMMISSION (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint one (1) member for a term expiring March 31, 2013; or

2. If the appointment is not made, authorize the City Clerk to re-notice the position as vacant.

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

Motion to Appoint Jeff Giba by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.3 APPROVAL OF A RESOLUTION SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE COUNCIL CHAMBER (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Approve Resolution No. 2011-95 supporting the display of the national motto "In God We Trust" in the Council Chamber, and

Resolution No. 2011-95

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Display of the National Motto "In God We Trust" in the Council Chamber

2. Direct staff to display the motto "In God We Trust" in the Council Chamber.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Tom Jerele Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.4 ADOPT RESOLUTION 2011-96, AUTHORIZING THE STREET NAME CHANGE OF CACTUS AVENUE TO MARCH MEMORIAL DRIVE FROM THE CITY'S WESTERN CITY LIMIT TO HEACOCK STREET (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-96, thereby changing the street name of Cactus Avenue to March Memorial Drive from the City's western city

limit to Heacock Street;

Resolution 2011-96

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Cactus Avenue to March Memorial Drive from the City's Western City Limit to Heacock Street

2. Direct the City Clerk to certify Resolution No. 2011-96 and transmit a copy of the resolution to the Riverside County Assessor's office, 911 Management at the Riverside County Sheriff's Department, as well as the Police Chief, Fire Chief, City Building Official, and the United States Postmaster at Moreno Valley, California;

3. Establish trust fund account number 00359.359.2239.15 for all expenditures and deposits related to the renaming of Cactus Avenue; and

4. Accept a donation from Donald E. Ecker in the amount of $43,569.90 to cover the expenditures associated with renaming Cactus Avenue to March Memorial Drive from the City's western city limit to Heacock Street.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Motion to Approve the name change from Cactus Avenue and accept donation for 43,569.90 from March Life Care by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 4-1, Mayor Pro Tem Jesse L. Molina opposed.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE

ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Continue Items H.2.1 and H.2.2 to September 27, 2011 City Council Meeting by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pete Bleckert

1. Voting on West Ridge Commerce Center Project

Tom Jerele

1. Spoke on fire in Sundance Building, commending Fire Department Personnel

Deanna Reeder

1. Support for Redistricting

Marcia Amino

1. Transperancy in Government

Jose Chavez

1. Check Points

Daryl Terrell

1. Stimulating our Local Economy

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

Council Member William H. Batey II

1. Complimented Tom Jerele for his comments on Fire Department.

Council Member Marcelo Co

1. Thanked participants for coming to Redistricting meeting, although not many turned out, he encouraged more to attend on Thursday.

Council Member Robin N. Hastings

1. Regarding parking at college and losing 300 parking spots. Temporary fix with an agreement worked out to help with parking, which would eliminate students taking up parking in front of mail boxes or residents homes.

2. Support for softball fields and lighting at ball fields.

3. Attended 9/11 Ceremony at March at 9:11 a.m. stating it was phenomenal.

4. Request camera's for October Fest

5. Redistricting

Mayor Pro Tem Jesse L. Molina

1. Redistricting information provided in Spanish on behalf of Chris Baca and himself.

Mayor Richard A. Stewart

1. Redistricting information

2. Developer Lunch with Ridge

3. Police Department - several good burglary arrests and a couple of robberies.

4. Five Guys Burger - Good

CLOSED SESSION - Cancelled

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY:

City Attorney announced reportable action from September 6, 2011 Closed Session:

City Council voted 5-0 to authorize the City Attorney to commence receivership on two properties under Government Code 54957.1, the particulars will be reported out when action commences; and the parties have been served.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:51 p.m. by unanimous informal consent. by m/Mayor Richard A. Stewart, s/Council Member William H. Batey II Approved by a vote of 5-0.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MINUTES
SPECIAL JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY

SPECIAL MEETING – 6:00 P.M.
SEPTEMBER 6, 2011

CALL TO ORDER - The Special Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION - Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
Marcelo Co	Council Member
William H. Batey II	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Rick Teichert	Financial & Administrative Services Director
Robert Hansen	City Attorney
Henry Garcia	City Manager
Michelle Dawson	Assistant City Manager
Chris Vogt	Public Works Director/City Engineer
Barry Foster	Economic Development Director
John Terell	Planning Official

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Mayor Pro Tem Jesse L. Molina pulled his motion (made at the August 23, 2011 meeting), Council Member Marcelo Co pulled his second.

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

Rebuttal by applicant Dennis Rice, President of Ridge Property Trust

Conditions of approval have been amended as follows to further enhance the WestRidge Commerce Center project:

1. Ridge Property Trust will add approximately 50% more glass to the building and match the color of the glass with Skechers glass color, and change the building's paint colors to more closely tie with Skechers.
2. Ridge Property Trust will add solar energy or some other cleaner alternative energy source (such as a micro-turbine) to power the office portion of the facility.
3. Ridge Property Trust will pay DIF fees at the "full rate" of $1.862/building SF. The current rate for DIF fees is discounted 50% from the full rate.
4. The building will be LEED certified. The WestRidge roof structure will be sized to carry the load of solar panels if a future tenant desires to use solar energy to power all or a portion of the building. Ridge Property Trust, will make available solar or other cleaner alternative energy source to power the office portion of the facility.
5. Ridge Property Trust will increase the tree box size to 36" (from the current 24" tree boxes) for the entire freeway frontage landscaping of the WestRidge project. This

will match the tree box size for the trees planted along the freeway in front of Skechers.

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned to Closed Session at 6:39 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JULY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in both the adopted FY 2010-11 and FY 2011-12 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-97
Check Register for Month of July, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JULY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period July 1, 2011 through July 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period July 1, 2011 through July 31, 2011, in the total amount of $11,090,197.25 is approved.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/5/2011	208529	39,425.62		
				REHAB COSTS-24330 MT RUSSELL	16,478.95
				REHAB COSTS-13651 LITTLER CT	22,946.67
	Vendor Total		**39,425.62**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCELA				Remit to: **SAN RAMON**	**CA**
	7/18/2011	883164	79,202.49		
				PP MAINT CLIENT SERVER	4,705.86
				PP MAINT WORKFLOW	3,625.95
				PP MAINT OFFICE LINK	525.39
				PP MAINT ACCELA GIS	10,142.70
				PP MAINT ACCELA WIRELESS	15,333.81
				PP MAINT ACCELA WIRELESS ONLIN	5,623.52
				PP MAINT CONNECT EST. 10891	4,419.76
				PP MAINT PERMITS PLUS	34,825.50
	Vendor Total		**79,202.49**		
FYTD for ACCELA			**79,202.49**		
AECOM TECHNICAL SERVICES INC				Remit to: **ONTARIO**	**CA**
	7/25/2011	208813	34,689.62		
				PERRIS BLVD WIDENING PROJ	34,689.62
	Vendor Total		**34,689.62**		
FYTD for AECOM TECHNICAL SERVICES INC			**34,689.62**		
AFTERSCHOOL STORE.COM				Remit to: **PALMDALE**	**CA**
	7/25/2011	208814	49,254.26		
				AFTERSCHOOL SNACKS-STARS PRGM	37,400.26
				AFTERSCHOOL SNACKS-STARS PRGM	11,854.00
	Vendor Total		**49,254.26**		
FYTD for AFTERSCHOOL STORE.COM			**49,254.26**		
ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	7/11/2011	208633	256,508.61		
				SR-60/NASON ST INTRCHNG PROJ	205,206.89
				SR-60/NASON ST INTRCHNG PROJ	51,301.72
	7/19/2011	110704	28,500.96		
				RETENTN PMT PER ESCRW AGREEMNT	28,500.96
	Vendor Total		**285,009.57**		
FYTD for ALL AMERICAN ASPHALT, INC.			**285,009.57**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEADOR CONSTRUCTION COMPANY, INC			Remit to: **CORONA**	**CA**
7/18/2011	208732	182,970.00		
			BRIDGE REPAIR MAINT PRGM SVCS	182,970.00
	Vendor Total	**182,970.00**		
FYTD for BEADOR CONSTRUCTION COMPANY, INC		**182,970.00**		
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
7/11/2011	883138	29,428.60		
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E3	10,625.00
			LANDSCAPE MAINT-E3A	1,000.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	513.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	1,272.00
	Vendor Total	**29,428.60**		
FYTD for BEMUS LANDSCAPE, INC.		**40,176.27**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
7/25/2011	883192	35,112.31		
			LEGAL SERVICES-HR	96.31
			LEGAL SERVICES-HR	1,824.00
			LEGAL SERVICES-HR	4,674.00
			LEGAL SERVICES-HR	28,518.00
	Vendor Total	**35,112.31**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**35,112.31**		
COUNTY OF RIVERSIDE AUDITOR			Remit to: **RIVERSIDE**	**CA**
7/18/2011	208745	27,074.71		
			PARKING CONTROL FEES	1,596.00
			PARKING CONTROL FEES	25,478.71
7/25/2011	208831	25,971.42		
			PARKING CONTROL FEES	1,050.00
			PARKING CONTROL FEES	10,132.79
			PARKING CONTROL FEES	14,788.63
	Vendor Total	**53,046.13**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**53,046.13**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
7/25/2011	883195	27,550.67		
			CITATION PRCSSNG SVCS-CODE	13,851.06
			CITATION PRCSSNG SVCS-CODE	13,699.61
	Vendor Total	**27,550.67**		
FYTD for DATA TICKET, INC.		**32,235.28**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DDL TRAFFIC				Remit to: **CHINO HILLS** **CA**	
	7/5/2011	208547	32,274.83		
				GLOBAL OPTICOM PHASE	11,000.00
				GLOBAL OPTICOM PHASE	962.50
				SPEED CONTROL RADAR	18,678.00
				SPEED CONTROL RADAR	1,634.33
	Vendor Total		**32,274.83**		
FYTD for DDL TRAFFIC			**32,274.83**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/18/2011	208751	63,562.53		
			WATER CHARGES	101.54
			WATER CHARGES	202.16
			WATER CHARGES	2,884.80
			WATER CHARGES	36.00
			WATER CHARGES	3,493.45
			WATER CHARGES	104.72
			WATER CHARGES	21,293.70
			WATER CHARGES	2,269.79
			WATER CHARGES	10,030.38
			WATER CHARGES	7,534.75
			WATER CHARGES	2,356.80
			WATER CHARGES	6,330.92
			WATER CHARGES	1,234.13
			WATER CHARGES	1,824.23
			WATER CHARGES	73.45
			WATER CHARGES	905.72
			WATER CHARGES	223.09
			WATER CHARGES	549.02
			WATER CHARGES	405.55
			WATER CHARGES	262.42
			WATER CHARGES	648.50
			WATER CHARGES	797.41
7/26/2011	208880	60,290.62		
			WATER CHARGES	1,431.07
			WATER CHARGES	995.31
			WATER CHARGES	732.41
			WATER CHARGES	828.03
			WATER CHARGES	17,551.05
			WATER CHARGES	3,002.77
			WATER CHARGES	3,404.47
			WATER CHARGES	5,350.41
			WATER CHARGES	11,151.43
			WATER CHARGES	603.95
			WATER CHARGES	302.14
			WATER CHARGES	2,544.37
			WATER CHARGES	3,842.79
			WATER CHARGES	2,358.00
			WATER CHARGES	1,506.22
			WATER CHARGES	522.99
			WATER CHARGES	107.29
			WATER CHARGES	287.95
			WATER CHARGES	649.87
			WATER CHARGES	2,511.70
			WATER CHARGES	606.40
	Vendor Total	**123,853.15**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2890	41,848.13		
				STATE INCOME TAX W/H 7/1/11	41,848.13
	7/15/2011	2900	32,708.26		
				STATE INCOME TAX W/H 7/15/11	32,708.26
	7/29/2011	2908	30,988.67		
				STATE INCOME TAX W/H 7/29/11	30,988.67
	Vendor Total		**105,545.06**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	7/18/2011	883171	143,882.08		
				SVCS FOR ELECTRIC UTILITY	137,928.50
				SVCS FOR ELECTRIC UTILITY	9,435.00
				SVCS FOR ELECTRIC UTILITY	-3,664.42
				SVCS FOR ELECTRIC UTILITY	183.00
	7/25/2011	883196	141,641.54		
				DISTRIBUTION CHRGS	95,521.08
				SPECIAL CHRGS	7,684.96
				BAD DEBT REDUCTION	-2,271.00
				ONLINE UTILITY EXCHANGE	207.30
				SVCS FOR ELECTRIC UTILITY	40,499.20
	Vendor Total		**285,523.62**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
FLEMING ENVIRONMENTAL, INC.				Remit to: **FULLERTON** **CA**	
	7/25/2011	208840	93,132.14		
				SHADOW MTN PARK LIGHTING PROJ	64,456.34
				SHADOW MTN PARK RESTROOM PROJ	28,675.80
	Vendor Total		**93,132.14**		
FYTD for FLEMING ENVIRONMENTAL, INC.			**93,132.14**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208842	28,050.00		
				SIGNS INSTALLATION-TRANSP	6,138.00
				FREESTANDING COMM ID SIGN	10,022.36
				LIGHT POLE MTD COMM ID SIGN	2,285.61
				LIGHT POLE MTD ID BANNERS	4,021.70
				FREESTANDING AMENITY DIR SIGN	2,794.71
				LIGHT POLE MTD AMNTY DIR SIGN	1,024.59
				CA SALES TAX	1,763.03
	Vendor Total		**28,050.00**		
FYTD for FUSION SIGN AND DESIGN, INC			**28,050.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
7/21/2011	208810	215,802.45		
			MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
	Vendor Total	**215,802.45**		
FYTD for H & H GENERAL CONTRACTORS		**215,802.45**		
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
7/18/2011	883177	206,300.38		
			DAY ST IMPRVMNTS PROJ SVCS	76,729.40
			DAY ST IMPRVMNTS PROJ SVCS	129,570.98
	Vendor Total	**206,300.38**		
FYTD for HILLCREST CONTRACTING, INC		**206,300.38**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
7/15/2011	2898	33,541.75		
			DEF COMP 457 7/15/11	33,541.75
	Vendor Total	**33,541.75**		
FYTD for ICMA RETIREMENT CORP 457		**42,062.58**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2889	175,259.79		
			FED INCOME TAX W/H 7/1/11	175,259.79
7/15/2011	2899	126,161.58		
			FED INCOME TAX W/H 7/15/11	126,161.58
7/29/2011	2907	121,341.76		
			FED INCOME TAX W/H 7/29/11	121,341.76
	Vendor Total	**422,763.13**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
JTB SUPPLY CO., INC.			Remit to: **ORANGE** **CA**	
7/18/2011	883178	49,274.63		
			MEYERS BATTERY BACKUP	7,550.00
			MP2000 BATTERY BACKUP UNITS	14,950.00
			250W HPS LUMINAIRES W/NO PEC	1,550.00
			DIALIGHT 12" LED RED ARROW	1,200.00
			DIALIGHT 12" LED RED BALL	1,200.00
			DIALIGHT 12" LED GREEN ARROW	900.00
			DIALIGHT 12" LED GREEN BALL	1,480.00
			DIALIGHT ITE CNTDWN MODULES	15,580.00
			NEMA CONFLICT MONITOR 12 CHNL	900.00
			CALIF SALES TAX	3,964.63
	Vendor Total	**49,274.63**		
FYTD for JTB SUPPLY CO., INC.		**64,456.14**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/11/2011	208675	26,820.19		
				REHAB COSTS-15438 CASA GRANDE	26,820.19
	7/25/2011	208850	30,554.31		
				REHAB COSTS-13150 KIOWA DR	30,554.31
	Vendor Total		**57,374.50**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA** **CA**	
	7/11/2011	883148	156,561.99		
				DEMO/INSTLL PARK PLAY EQUIPMNT	133,097.93
				CA SALES TAX	4,235.47
				DEMO/INSTLL PARK PLAY EQUIPMNT	17,681.46
				CA SALES TAX	1,547.13
	Vendor Total		**156,561.99**		
FYTD for MIRACLE PLAYGROUND SALES			**156,561.99**		
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/18/2011	208771	77,145.82		
				ELECTRICITY	134.12
				ELECTRICITY	1,820.60
				ELECTRICITY	261.88
				ELECTRICITY	576.89
				ELECTRICITY	16,750.54
				ELECTRICITY	15,316.06
				ELECTRICITY	4,685.80
				ELECTRICITY	9,926.95
				ELECTRICITY	1,590.67
				ELECTRICITY	3,540.92
				ELECTRICITY	11,772.97
				ELECTRICITY	7,439.89
				ELECTRICITY	204.84
				ELECTRICITY	124.87
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	165.10
				ELECTRICITY	119.57
				ELECTRICITY	2,537.21
	Vendor Total		**77,145.82**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/15/2011	2896	89,191.65		
			DEF COMP 457 & 401(A) 7/15/11	89,191.65
7/29/2011	2904	25,173.70		
			DEF COMP 457 & 401(A) 7/29/11	25,173.70
	Vendor Total	**114,365.35**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NEW WORLD SYSTEMS, CORP			Remit to: **TROY** **MI**	
7/5/2011	208587	270,090.00		
			LOGOS 2011 EXEC CUSTOMER CONF.	1,890.00
			FM, HR/PY SOFTWARE LIC EFF DT	158,520.00
			SOFTWARE ESCROW SET-UP FEE	3,000.00
			SOFTWARE ESCROW ANNL ADMIN FEE	1,000.00
			FM, HR/PY SFTWARE LIC DELIVERY	105,680.00
	Vendor Total	**270,090.00**		
FYTD for NEW WORLD SYSTEMS, CORP		**270,090.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
7/11/2011	208684	130,384.06		
			ENERGY SVCS	130,384.06
	Vendor Total	**130,384.06**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**130,384.06**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
7/8/2011	110701	210,279.00		
			EMPLOYEE HEALTH INS 7/8/11	210,279.00
	Vendor Total	**210,279.00**		
FYTD for PERS HEALTH INSURANCE		**210,279.00**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
7/8/2011	2891	198,533.34		
			PERS RETIREMENT 7/1/11	198,533.34
7/22/2011	2901	221,172.56		
			PERS RETIREMENT 7/22/11	221,172.56
	Vendor Total	**419,705.90**		
FYTD for PERS RETIREMENT		**419,705.90**		

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PSOMAS				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208855	46,977.50		
				SR-60/NASON INTRCHNG PROJ SVCS	9,726.42
				SR-60/NASON INTRCHNG PROJ SVCS	1,260.16
				SR-60/NASON INTRCHNG PROJ SVCS	18,604.14
				SR-60/NASON INTRCHNG PROJ SVCS	2,410.36
				SR-60/NASON INTRCHNG PROJ SVCS	13,258.62
				SR-60/NASON INTRCHNG PROJ SVCS	1,717.80
	Vendor Total		**46,977.50**		
FYTD for PSOMAS			**46,977.50**		
RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	883151	450,141.45		
				IRONWOOD AVE/STORM DRAIN PROJ	182,929.10
				IRONWOOD AVE/STORM DRAIN PROJ	74,607.10
				IRONWOOD AVE/STORM DRAIN PROJ	28,885.50
				IRONWOOD AVE/STORM DRAIN PROJ	20,720.82
				IRONWOOD AVE-DAY TO BARCLAY	142,998.93
	Vendor Total		**450,141.45**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**500,157.17**		
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208878	2,621,009.49		
				CONTRACT LAW ENF BILL #10	44,257.44
				CONTRACT LAW ENF BILL #10	459.43
				CONTRACT LAW ENF BILL #10	1,419,988.41
				CONTRACT LAW ENF BILL #10	57,685.07
				CONTRACT LAW ENF BILL #10	362,907.97
				CONTRACT LAW ENF BILL #10	6,875.44
				CONTRACT LAW ENF BILL #10	87,171.93
				CONTRACT LAW ENF BILL #10	6,269.10
				CONTRACT LAW ENF BILL #10	72,109.18
				CONTRACT LAW ENF BILL #10	1,179.20
				CONTRACT LAW ENF BILL #10	173,447.24
				CONTRACT LAW ENF BILL #10	3,973.20
				CONTRACT LAW ENF BILL #10	303,502.31
				CONTRACT LAW ENF BILL #10	7,851.22
				CONTRACT LAW ENF BILL #10	34,281.80
				CONTRACT LAW ENF BILL #10	281.60
				CONTRACT LAW ENF BILL #10	27,781.89
				CONTRACT LAW ENF BILL #10	1,823.26
				CONTRACT LAW ENF BILL #10	1,069.00
				CONTRACT LAW ENF BILL #10	7,483.20
				CONTRACT LAW ENF BILL #10	611.60
	Vendor Total		**2,621,009.49**		
FYTD for RIVERSIDE COUNTY SHERIFF			**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF'S DEPT.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	883102	247,552.00		
				ANNUAL RMS/CLETS BILNG FY10/11	247,552.00
	Vendor Total		**247,552.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.			**247,552.00**		
SAN PEDRO SIGN COMPANY				Remit to: **WILMINGTON** **CA**	
	7/18/2011	883183	247,614.87		
				AUTO MALL PYLON SIGN PROJECT	247,614.87
	Vendor Total		**247,614.87**		
FYTD for SAN PEDRO SIGN COMPANY			**247,614.87**		
SOUTHCOAST HEATING & AIR CONDITIONING				Remit to: **VISTA** **CA**	
	7/11/2011	208701	87,612.30		
				CITY HALL HVAC SYSTEM REPLCMNT	87,612.30
	Vendor Total		**87,612.30**		
FYTD for SOUTHCOAST HEATING & AIR CONDITIONING			**87,612.30**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON				Remit to: **ROSEMEAD** **CA**	
	7/5/2011	208610	31,082.71		
				WDAT CHARGES-IRIS	2,752.38
				WDAT CHARGES-GRAHAM	4,055.01
				WDAT CHARGES-GLOBE	8,723.61
				WDAT CHARGES-NANDINA	2,647.31
				WDAT CHARGES-FREDERICK	2,457.09
				WDAT CHARGES-SUBSTATION	10,447.31
	7/18/2011	208792	131,907.55		
				ELECTRICITY	460.16
				ELECTRICITY	25.25
				ELECTRICITY	663.53
				ELECTRICITY	1,345.33
				ELECTRICITY	900.46
				ELECTRICITY	94,565.88
				ELECTRICITY	33,162.72
				ELECTRICITY	397.48
				ELECTRICITY	51.95
				ELECTRICITY	22.44
				ELECTRICITY	45.55
				ELECTRICITY	27.20
				ELECTRICITY	26.69
				ELECTRICITY	67.09
				ELECTRICITY	91.20
				ELECTRICITY	54.62
	7/25/2011	208864	39,660.58		
				ELECTRICITY	1,573.29
				ELECTRICITY	204.85
				ELECTRICITY	5,455.35
				ELECTRICITY	1,334.28
				ELECTRICITY	147.70
				ELECTRICITY	3,805.22
				ELECTRICITY	18.93
				ELECTRICITY	4,401.48
				ELECTRICITY	1,019.92
				ELECTRICITY	4,047.97
				ELECTRICITY	1,895.65
				ELECTRICITY	1,691.61
				ELECTRICITY	277.13
				ELECTRICITY	3,644.30
				ELECTRICITY	1,132.38
				ELECTRICITY	1,230.13
				ELECTRICITY	24.19
				ELECTRICITY	40.12
				ELECTRICITY	4,110.06
				ELECTRICITY	1,804.20
				ELECTRICITY	357.03
				ELECTRICITY	427.84
				ELECTRICITY	563.73
				ELECTRICITY	254.30
				ELECTRICITY	162.74
				ELECTRICITY	36.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	202,650.84		
FYTD for SOUTHERN CALIFORNIA EDISON		228,961.11		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
7/19/2011	208809	29,920.17		
			LIFE & DISABILITY INSURANCE	11,719.41
			LIFE & DISABILITY INSURANCE	18,284.60
			LIFE & DISABILITY INSURANCE	-83.84
	Vendor Total	29,920.17		
FYTD for STANDARD INSURANCE CO		31,970.69		
TCM GROUP			Remit to: **FONTANA**	**CA**
7/12/2011	208723	173,200.42		
			SR-60/NASON ST INTRCHNG PROJ	21,572.87
			SR-60/NASON ST INTRCHNG PROJ	42,633.50
			SR-60/NASON ST INTRCHNG PROJ	23,140.52
			SR-60/NASON ST INTRCHNG PROJ	85,853.53
7/25/2011	208879	178,371.96		
			SR-60/NASON INTRCHNG PROJ	103,945.47
			SR-60/NASON INTRCHNG PROJ	74,426.49
	Vendor Total	351,572.38		
FYTD for TCM GROUP		351,572.38		
TRANE			Remit to: **CITY OF INDUSTRY**	**CA**
7/27/2011	208882	143,234.46		
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
	Vendor Total	143,234.46		
FYTD for TRANE		143,234.46		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
7/19/2011	110707	129,465.57		
			CALCARD PYMT CYCLE END 7/7/11	129,465.57
	Vendor Total	129,465.57		
FYTD for U.S. BANK/CALCARDS		129,465.57		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
7/27/2011	110708	1,233,839.91		
			2007 TAB SERIES A DEBT PYMT	1,233,839.91
	Vendor Total	1,233,839.91		
FYTD for WELLS FARGO CORPORATE TRUST		1,233,839.91		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCRCA				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208877	279,382.95		
				COMMERC./INDUSTR FEES-MSHCP	279,382.95
	Vendor Total		**279,382.95**		
FYTD for WRCRCA			**279,382.95**		
	Subtotal		**9,918,630.92**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

REGENCY THEATRES				Remit to: **MORENO VALLEY**	**CA**
	7/11/2011	208630	460.00		
				TICKETS AND SNACKS	460.00
	Vendor Total		**460.00**		
FYTD for REGENCY THEATRES			**460.00**		
A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/25/2011	208811	19,550.44		
				REHAB COSTS-14950 RIO GRANDE	19,550.44
	Vendor Total		**19,550.44**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCESS SECURITY CONTROLS INT., INC.				Remit to: **TEMECULA**	**CA**
	7/11/2011	208631	75.00		
				SECURITY MONITORING SVCS-ERC	75.00
	Vendor Total		**75.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**75.00**		
ADAMS, MARK L.				Remit to: **REDLANDS**	**CA**
	7/5/2011	883043	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**318.73**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE**	**CA**
	7/11/2011	883135	283.34		
				TRAINING FOR PD K9	283.34
	Vendor Total		**283.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**283.34**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCED ELECTRIC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208632	242.00		
				ELECTRICAL REPAIRS-PARKS	120.00
				ELECTRICAL REPAIRS-PARKS	60.00
				ELECTRICAL REPAIRS-GOLF COURSE	62.00
	7/18/2011	208724	2,554.00		
				ELECTRICAL REPAIRS	372.00
				REPLACED LIGHTING POLES	2,182.00
	7/25/2011	208812	3,098.00		
				ELECT REPAIR-PSB	977.00
				ELECT REPAIR-CONF & REC CTR	953.00
				ELECT REPAIR-CONF & REC CTR	519.00
				ELECT REPAIR-CONF & REC CTR	649.00
	Vendor Total		**5,894.00**		
FYTD for ADVANCED ELECTRIC			**5,894.00**		
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	7/11/2011	883136	362.50		
				CONSULTING SERVICES-NPDES	362.50
	Vendor Total		**362.50**		
FYTD for AEI-CASC ENGINEERING			**362.50**		
ALANIS, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208725	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALANIS, MICHELLE			**95.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	7/11/2011	208634	1,450.12		
				TRANSPORTATION SVCS-CHILDS PLC	373.43
				TRANSPORTATION SVCS-CHILDS PLC	717.79
				TRANSPORTATION SVCS-VALLEYCAMP	358.90
	Vendor Total		**1,450.12**		
FYTD for ALLIANCE BUS LINES INC			**1,450.12**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	7/18/2011	208726	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**75.00**		

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ALPHACORP/SIRE TECHNOLOGIES			Remit to: **WEST VALLEY CITY**	**UT**
7/18/2011	883165	11,994.00		
			SIRE EDMS SOFTWARE ANN MAINT.	1,699.00
			PERMITS+ INTERFACE ANN MAINT.	509.00
			ENTERPRISE RETENTION MANAGER	899.00
			ENTERPRISE WORKFLOW MODULE	720.00
			CITY-WIDE SIRE CLIENT USER LIC	2,519.00
			PDF CONVERSION, OCR AND FULL	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE ANNUAL MAINT.	539.00
			SIRE FORMS ANNUAL MAINT.	899.00
			SIRE AGENDA PLUS ANNUAL MAINT.	6,119.00
			CAPTURE INDEX STATION ANNUAL	944.00
			PURCHASING INCENTIVE DISCOUNT	-4,000.00
	Vendor Total	**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**11,994.00**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208635	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for ALVAREZ, JUAN C		**52.50**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS**	**CA**
7/11/2011	883137	82.16		
			BLOOD DRAWS	82.16
	Vendor Total	**82.16**		
FYTD for AMERICAN FORENSIC NURSES		**82.16**		
AMERICAN TOWERS			Remit to: **CHARLOTTE**	**NC**
7/11/2011	208636	2,573.48		
			ATC TOWER LEASE	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**2,573.48**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM**	**CA**
7/11/2011	208637	121.92		
			ELEVATOR SVCS-CITY HALL	121.92
7/25/2011	208815	352.38		
			WHEELCHAIR LIFT SVC/REPAIR	230.46
			ELEVATOR SVC/REPAIRS-CITY HALL	121.92
	Vendor Total	**474.30**		
FYTD for AMTECH ELEVATOR SERVICES		**474.30**		

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ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
7/25/2011	883188	640.00		
			EMERGENCY VET SVCS	400.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
	Vendor Total	**640.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**640.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
7/18/2011	208727	325.00		
			BEE REMOVAL	325.00
7/25/2011	208816	1,790.00		
			PEST CONTROL-GOLF COURSE	180.00
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MFCC/MBF/MVEC	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	160.00
			PEST CONTROL-STARS BLDG	100.00
	Vendor Total	**2,115.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**2,115.00**		
APWA-AMERICAN PUBLIC WORKS ASSOCIATION			Remit to: **KANSAS CITY**	**MO**
7/18/2011	208728	550.00		
			MAINT FOR MICRO PAVER APPLIC.	550.00
7/25/2011	208817	2,380.00		
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
	Vendor Total	**2,930.00**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**2,930.00**		

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ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
7/18/2011	883166	1,346.48		
			OFFSITE STORAGE SVCS-CITY CLRK	1,331.65
			RECORDS DESTRUCTION-ANIMAL SVC	14.83
	Vendor Total	**1,346.48**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**1,346.48**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
7/5/2011	208530	340.78		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRFFC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-FS #2	25.00
			WATER PURIF RNTL-FS #6	25.00
			WATER PURIF RNTL-FS #48	25.00
			WATER PURIF RNTL-FS #58	15.77
			WATER PURIF RNTL-FS #65	25.00
			WATER PURIF RNTL-FS #91	25.00
7/18/2011	208729	200.01		
			WATER PURIF RNTL-ANML SVCS	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPCL DIST	25.00
			WATER PURIF RNTL-CONF & REC CT	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FAC ANNEX	25.00
			WATER PURIF RNTL-STARS	25.00
	Vendor Total	**540.79**		
FYTD for ARROWHEAD WATER		**540.79**		
AT&T MOBILITY			Remit to: **CAROL STREAM** **IL**	
7/5/2011	208531	91.04		
			CELL PH CHARGES-PD MBL CMMND C	91.04
	Vendor Total	**91.04**		
FYTD for AT&T MOBILITY		**91.04**		
AT&T NATIONAL COMPLIANCE CENTER			Remit to: **NORTH PALM BEACH** **FL**	
7/5/2011	208532	300.00		
			CELL PHONE PING FEES FOR PD	300.00
	Vendor Total	**300.00**		
FYTD for AT&T NATIONAL COMPLIANCE CENTER		**300.00**		

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AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	7/5/2011	208533	183.10		
				COMMUNICATION SVCS	183.10
	Vendor Total		**183.10**		
FYTD for AT&T/MCI			**183.10**		
AUTOMATIC STOREFRONT SERVICE, INC.				Remit to: **CHINO** **CA**	
	7/25/2011	208818	175.00		
				DOOR REPAIRS	87.50
				DOOR REPAIRS	87.50
	Vendor Total		**175.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**175.00**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208638	65.28		
				MILEAGE REIMBURSEMENT	65.28
	7/25/2011	208819	371.58		
				TRAVEL EXP.-CRRA CONFERENCE	123.08
				TRAVEL EXP.-CRRA CONFERENCE	248.50
	Vendor Total		**436.86**		
FYTD for AYALA, NANNERL A.			**436.86**		
AYERS, JAMES				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208730	34.00		
				REFUND-VARIOUS A/C FEES	22.00
				REFUND-VARIOUS A/C FEES	12.00
	Vendor Total		**34.00**		
FYTD for AYERS, JAMES			**34.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	7/5/2011	208534	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**318.73**		
BAGLEY, DENISE				Remit to: **HEMET** **CA**	
	7/5/2011	208535	87.00		
				REFUND-PARKS CLASS REGIS FEE	87.00
	Vendor Total		**87.00**		
FYTD for BAGLEY, DENISE			**87.00**		

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BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	7/5/2011	883044	119.73		
				RETIREE MED MAR '11, PD JUL '1	119.73
	Vendor Total		**119.73**		
FYTD for BARNES, DARLENE			**119.73**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	7/25/2011	208820	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARTUCCIO, ERICA			**20.00**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883189	60.00		
				BACKFLOW TESTING-PARKS	6.91
				BACKFLOW TESTING-PARKS	23.09
				BACKFLOW TESTING-PARKS	30.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**60.00**		
BASSET HOUND OF SO CALIF RESCUE				Remit to: **COSTA MESA** **CA**	
	7/25/2011	208821	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BASSET HOUND OF SO CALIF RESCUE			**75.00**		
BATONGMALAQUE, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208731	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATONGMALAQUE, BARBARA			**50.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208536	250.00		
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**250.00**		

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BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	7/5/2011	883045	10,660.49		
				LANDSCAPE MAINT-E4	114.31
				LANDSCAPE MAINT-E4	65.52
				LANDSCAPE MAINT-E4	65.10
				LANDSCAPE MAINT-E4	650.00
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STNS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E3	315.00
				LNDSCP MAINT-PAN AM SECTION	600.00
				LNDSCP MAINT-SCE & OLD LAKE DR	1,785.00
				LNDSCP MAINT-S AQDCT "A"	850.50
				LNDSCP MAINT-S AQDCT "B"	735.00
				LNDSCP MAINT-SENIOR CTR	262.50
				LNDSCP MAINT-N AQDCT	525.00
	7/25/2011	883190	87.18		
				LANDSCAPE MAINT-E4	87.18
	Vendor Total		**10,747.67**		
FYTD for BEMUS LANDSCAPE, INC.			**40,176.27**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	883191	846.50		
				COBRA ADMIN FEE	846.50
	Vendor Total		**846.50**		
FYTD for BENESYST, INC.			**846.50**		
BERMUDEZ, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208733	47.25		
				REFUND-CLASS REGIS FEE	7.75
				REFUND-CLASS REGIS FEE	15.00
				REFUND-CLASS REGIS FEE	19.25
				REFUND-CLASS REGIS FEE	5.25
	Vendor Total		**47.25**		
FYTD for BERMUDEZ, ASHLEY			**47.25**		
BERRY, RICK				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208639	836.00		
				REFUND-RENTAL DEPOSIT -TWNGATE	200.00
				REFUND-RENTAL DEPOSIT -TWNGATE	636.00
	Vendor Total		**836.00**		
FYTD for BERRY, RICK			**836.00**		

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BIO-TOX LABORATORIES			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208734	1,555.89		
			TOXICOLOGY TESTING-PD	1,555.89
	Vendor Total	**1,555.89**		
FYTD for BIO-TOX LABORATORIES		**1,555.89**		
BPC MEDIA WORKS, LLC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208822	1,530.00		
			ADVERTISING SVCS-EDD	1,530.00
	Vendor Total	**1,530.00**		
FYTD for BPC MEDIA WORKS, LLC		**1,530.00**		
BRACAMONTE, FRANCES			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208823	112.00		
			REFUND-CLASS REGIS FEE	112.00
	Vendor Total	**112.00**		
FYTD for BRACAMONTE, FRANCES		**112.00**		
BREAKTHROUGH CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208640	100.00		
			REFUND-RENTAL DEPOSIT -TWNGATE	100.00
	Vendor Total	**100.00**		
FYTD for BREAKTHROUGH CHURCH		**100.00**		
BRIGIE, DEBRA			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208824	17,855.60		
			SOLAR INCENTIVE REBATE	17,855.60
	Vendor Total	**17,855.60**		
FYTD for BRIGIE, DEBRA		**17,855.60**		
BRITTMON, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208641	66.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	10.00
	Vendor Total	**66.00**		
FYTD for BRITTMON, MICHELLE		**66.00**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	7/5/2011	883046	287.65		
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	49.03
				MISC BOOKS-LIBRARY	40.17
				MISC BOOKS-LIBRARY	51.24
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	38.69
	7/18/2011	883167	1,261.16		
				MISC BOOKS-LIBRARY	59.40
				MISC BOOKS-LIBRARY	146.07
				MISC BOOKS-LIBRARY	564.19
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	378.59
	Vendor Total		**1,548.81**		
FYTD for BRODART CO.			**1,548.81**		
BROWN, HOWARD				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208825	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROWN, HOWARD			**50.00**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	7/5/2011	208537	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**318.73**		
BURKE, JOHN R.				Remit to: **REDLANDS** **CA**	
	7/5/2011	208538	1,737.00		
				RETIREE MED JB 9/10-2/11, 5/11	1,737.00
	Vendor Total		**1,737.00**		
FYTD for BURKE, JOHN R.			**1,737.00**		

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BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
7/5/2011	208539	2,820.13		
			MISC BOOKS-LIBRARY	75.40
			MISC BOOKS-LIBRARY	15.50
			MISC BOOKS-LIBRARY	16.59
			MISC BOOKS-LIBRARY	51.65
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	1,059.61
			MISC BOOKS-LIBRARY	1,372.21
			MISC BOOKS-LIBRARY	84.69
			MISC BOOKS-LIBRARY	77.10
			MISC BOOKS-LIBRARY	26.43
			MISC BOOKS-LIBRARY	21.21
7/18/2011	208735	15.50		
			MISC BOOKS-LIBRARY	15.50
	Vendor Total	**2,835.63**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**2,835.63**		
C & H DISTRIBUTORS, INC.			Remit to: **MILWAUKEE** **WI**	
7/18/2011	208736	3,243.41		
			UPHLSTRD STACK CHAIRS W/O ARMS	2,340.80
			SHIPPING & HANDLING CHRG	697.79
			CA SALES TAX	204.82
	Vendor Total	**3,243.41**		
FYTD for C & H DISTRIBUTORS, INC.		**3,243.41**		
CA REGIONAL WATER QUALITY CONTROL BOARD			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208642	712.00		
			SEC 401 CERT FILING FEE	712.00
	Vendor Total	**712.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD		**712.00**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
7/5/2011	883047	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CAIN, GREGORY		**318.73**		
CALIFORNIA BUILDING STANDARDS COMMISSION			Remit to: **SACRAMENTO** **CA**	
7/12/2011	208720	376.20		
			SB 1473 FEES COLLECTD 4/1-6/30	376.20
	Vendor Total	**376.20**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		**376.20**		

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CALIFORNIA DEPARTMENT OF FISH AND GAME			Remit to: **LOS ALAMITOS** **CA**	
7/11/2011	208643	4,482.75		
			STREAMBED ALTER. AGRMNT FEE	4,482.75
	Vendor Total	**4,482.75**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME		**4,482.75**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208826	75.00		
			REFUND-PARK RNTL DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**75.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
7/5/2011	883048	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**318.73**		
CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
7/11/2011	208644	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**7,590.68**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883049	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**318.73**		
CARTER, TERRY			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208645	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CARTER, TERRY		**20.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
7/11/2011	208646	286.49		
			CEMENT PURCHASE	286.49
	Vendor Total	**286.49**		
FYTD for CEMEX		**286.49**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	883193	8,942.00		
				INVESTMENT MGT SVCS	8,942.00
	Vendor Total		**8,942.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**8,942.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208540	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**318.73**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883050	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**318.73**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883051	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**229.88**		

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CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
7/5/2011	883052	111.68		
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	13.00
			UNIFORM RNTL SVC-GOLF COURSE	5.56
7/11/2011	883139	341.36		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	61.60
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM SVCS-FACILITIES	12.40
7/18/2011	883168	66.90		
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
7/25/2011	883194	66.90		
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
			UNIFORM RNTL SVC-GOLF COURSE	2.79
	Vendor Total	**586.84**		
FYTD for CINTAS CORPORATION		**586.84**		
CITRUS BELT CHAPTER, I.C.C.			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208827	25.00		
			FY11/12 MEMBERSHIP RENEWAL	25.00
	Vendor Total	**25.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**25.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CITY OF DESERT HOT SPRINGS			Remit to: **DESERT HOT SPRINGS CA**	
7/11/2011	208647	80.00		
			7/11/11 LCC GEN MEMB MEETING	40.00
			7/11/11 LCC GEN MEMB MEETING	40.00
	Vendor Total	**80.00**		
FYTD for CITY OF DESERT HOT SPRINGS		**80.00**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY CA**	
7/18/2011	883169	4,475.00		
			EXEMPT VEBA	-37.50
			EXEMPT VEBA	700.00
			EXEMPT VEBA	3,812.50
	Vendor Total	**4,475.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**4,475.00**		
CITY OF TORRANCE			Remit to: **TORRANCE CA**	
7/18/2011	208737	6,870.00		
			SIPPLE ET AL V. CITY-LEGAL SVC	6,870.00
	Vendor Total	**6,870.00**		
FYTD for CITY OF TORRANCE		**6,870.00**		
CLARK, CHRISTINE			Remit to: **MORENO VALLEY CA**	
7/25/2011	208828	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CLARK, CHRISTINE		**75.00**		
COAST TO COAST LASER			Remit to: **MURRIETA CA**	
7/11/2011	208648	1,483.76		
			MVPD SHIELD STICKERS	741.88
			MVPD SHIELD STICKERS	741.88
	Vendor Total	**1,483.76**		
FYTD for COAST TO COAST LASER		**1,483.76**		
COBBS JR., JOE C			Remit to: **MORENO VALLEY CA**	
7/18/2011	208738	11,205.60		
			SOLAR INCENTIVE REBATE	11,205.60
	Vendor Total	**11,205.60**		
FYTD for COBBS JR., JOE C		**11,205.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLLINS, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208829	47.00		
				REFUND-PIANO CLASS CANCELLED	47.00
	Vendor Total		**47.00**		
FYTD for COLLINS, DANIEL			**47.00**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	7/5/2011	208541	6,935.24		
				SUPPLEMENTAL INSURANCE	6,935.24
	Vendor Total		**6,935.24**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**6,935.24**		
COMMUNITY HEALTH CHARITIES				Remit to: **ANAHEIM** **CA**	
	7/5/2011	208542	2.50		
				CHC CONTRIBUTIONS	2.50
	7/5/2011	208543	176.31		
				CHC CONTRIBUTIONS	176.31
	7/18/2011	208739	2.50		
				CHC CONTRIBUTIONS	2.50
	7/18/2011	208740	176.31		
				CHC CONTRIBUTIONS	176.31
	Vendor Total		**357.62**		
FYTD for COMMUNITY HEALTH CHARITIES			**357.62**		
CONCEPCION BARAJAS/JESSICA AVELAR				Remit to: **PERRIS** **CA**	
	7/5/2011	208544	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CONCEPCION BARAJAS/JESSICA AVELAR			**95.00**		
CONTINENTAL WESTERN TRANSPORTATION				Remit to: **SAN DIEGO** **CA**	
	7/11/2011	208649	6,752.25		
				ASPHALTIC MATERIALS PURCHASE	3,534.38
				ASPHALTIC MATERIALS PURCHASE	3,217.87
	Vendor Total		**6,752.25**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION			**6,752.25**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND** **CA**	
7/18/2011	208741	148.71		
			LEGAL PUBLICATIONS	12.20
			LEGAL PUBLICATIONS	136.51
	Vendor Total	**148.71**		
FYTD for CONTINUING EDUCATION OF THE BAR		**148.71**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208650	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for CONTRERAS, BIANCA		**52.50**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208651	175.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
			SPORTS OFFICIATING SVCS-SOCCER	70.00
	Vendor Total	**175.00**		
FYTD for CONTRERAS, JOSE		**175.00**		
CORTES, MARIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208742	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for CORTES, MARIA		**200.00**		
COSTCO			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208652	383.89		
			MISC SUPPLIES-CHILDS PLACE	140.59
			MISC SUPPLIES-STARS	243.30
7/18/2011	208743	1,350.19		
			SNACKS-"A CHILDS PLACE" PRGM	1,350.19
	Vendor Total	**1,734.08**		
FYTD for COSTCO		**1,734.08**		
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208830	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**1,250.00**		
FYTD for COUNSELING TEAM, THE		**1,250.00**		

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COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
7/5/2011	208545	64.12		
			REFUND-UUT USER TAXES	64.12
Vendor Total		**64.12**		
FYTD for COUNTRY SQUIRE ESTATES		**64.12**		
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208653	2,163.78		
			JANITORIAL SUPPLIES	1,936.67
			JANITORIAL SUPPLIES	227.11
Vendor Total		**2,163.78**		
FYTD for COUNTY OF RIVERSIDE		**2,163.78**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208744	42.70		
			RECORDATION REQUESTS-LAND DEV	8.30
			RECORDATION REQUESTS-LAND DEV	34.40
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**42.70**		
COVARRUBIAS, MELISSA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208654	75.00		
			REFUND-SN DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for COVARRUBIAS, MELISSA		**75.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
7/5/2011	883053	110.31		
			K-9 DOG FOOD	110.31
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**110.31**		
CUEVAS, GLORIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208746	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CUEVAS, GLORIA		**20.00**		
CUFF, STEPHANIE CERVANTES			Remit to: **PERRIS** **CA**	
7/11/2011	208655	19.38		
			MILEAGE REIMBURSEMENT	19.38
Vendor Total		**19.38**		
FYTD for CUFF, STEPHANIE CERVANTES		**19.38**		

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CUMBERLAND, AKOSUA			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208546	145.00		
			PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total	**145.00**		
FYTD for CUMBERLAND, AKOSUA		**145.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
7/25/2011	208832	745.00		
			DISPOSAL SVCS	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**745.00**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883054	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for DALE, KATHLEEN		**318.73**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH** **CA**	
7/11/2011	883140	4,684.61		
			CITATION PRCSSNG-PD	3,876.95
			CITATION PRCSSNG-ANML SVCS	407.36
			CITATION PRCSSNG-BLDG/SFTY	162.82
			CITATION PRCSSNG-ADDL PYMNT	237.48
	Vendor Total	**4,684.61**		
FYTD for DATA TICKET, INC.		**32,235.28**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO** **CA**	
7/25/2011	208833	130.50		
			ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total	**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**130.50**		
DE SANTIS, THOMAS M			Remit to: **TEMECULA** **CA**	
7/5/2011	208548	14,000.00		
			PROF SVCS-CITY EVALUATION	12,000.00
			PROF SVCS-CITY EVALUATION	2,000.00
	Vendor Total	**14,000.00**		
FYTD for DE SANTIS, THOMAS M		**14,000.00**		

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DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	7/11/2011	208656	140.00		
				MONTHLY BOILER SVC-EOC	140.00
	7/18/2011	208747	29.36		
				REPLACED BOILER PARTS-EOC	29.36
	Vendor Total		**169.36**		
FYTD for DEBINAIRE COMPANY			**169.36**		
DEL REY APPRAISAL SRVCS				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208657	500.00		
				APPRAISAL SVCS-EDD	250.00
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**500.00**		
FYTD for DEL REY APPRAISAL SRVCS			**500.00**		
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208748	10,712.77		
				EMPLOYEE DENTAL INSURANCE	10,712.77
	Vendor Total		**10,712.77**		
FYTD for DELTA DENTAL			**10,712.77**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208549	6,033.46		
				EMPLOYEE DENTAL INSURANCE	6,033.46
	7/18/2011	208749	5,580.33		
				EMPLOYEE DENTAL INSURANCE	5,580.33
	Vendor Total		**11,613.79**		
FYTD for DELTACARE USA			**11,613.79**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	7/11/2011	883141	2,180.00		
				PLAN REVIEW SVCS-FIRE PREV	1,530.00
				PLAN REVIEW SVCS-FIRE PREV	650.00
	7/18/2011	883170	1,710.00		
				PLAN CHECK SVCS-FIRE PREV	1,150.00
				PLAN CHECK SVCS-FIRE PREV	560.00
	Vendor Total		**3,890.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**3,890.00**		

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DEPARTMENT OF CONSERVATION				Remit to: **SACRAMENTO** **CA**	
	7/11/2011	208658	578.26		
				SMI FEES 4/1-6/30/11	608.69
				SMI FEES 4/1-6/30/11	-30.43
	Vendor Total		**578.26**		
FYTD for DEPARTMENT OF CONSERVATION			**578.26**		
DESIGN WORKS				Remit to: **SAN JACINTO** **CA**	
	7/5/2011	208550	2,235.46		
				YTH SPORTS UNIFORMS	2,235.46
	7/11/2011	208659	1,950.35		
				UNIFORMS-YOUTH SPORTS	24.91
				UNIFORMS-YOUTH SPORTS	1,925.44
	7/25/2011	208834	150.07		
				YTH SPORTS UNIFORMS-PARKS	150.07
	Vendor Total		**4,335.88**		
FYTD for DESIGN WORKS			**4,335.88**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	7/5/2011	208551	10,031.59		
				DAY ST DRAINAGE IMPRVMNTS PROJ	10,031.59
	Vendor Total		**10,031.59**		
FYTD for DMC DESIGN GROUP, INC			**10,031.59**		
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	7/5/2011	208552	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**229.88**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208553	189.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**189.00**		

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E.R. BLOCK PLUMBING & HEATING, INC.			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208660	2,560.87		
			BACKFLOW TESTING-NPDES	100.00
			BACKFLOW REPLACMNT-ZONE D	597.19
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
7/18/2011	208750	1,031.47		
			BACKFLOW REPLACMNT-ZONE D	583.97
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW TESTING-ZONE D	240.00
			BACKFLOW TESTING-ZONE E-14	20.00
	Vendor Total	**3,592.34**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**3,592.34**		
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/11/2011	208661	4,500.00		
			PLAN CK DEPOSIT W/EASEMENT	4,500.00
7/12/2011	208721	15,137.12		
			WATER CHARGES	322.43
			WATER CHARGES	10,105.12
			WATER CHARGES	423.54
			WATER CHARGES	2,616.82
			WATER CHARGES	1,184.99
			WATER CHARGES	22.28
			WATER CHARGES	193.03
			WATER CHARGES	268.91
	Vendor Total	**19,637.12**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883055	35.18		
			REFUND-UUT USER TAXES	35.18
	Vendor Total	**35.18**		
FYTD for EDGELANE MOBILE PARK		**35.18**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
7/5/2011	208554	325.66		
			RETIREE MED JUL '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**325.66**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ELIZARRARAZ, EDDIE				Remit to: **MORENO VALLEY CA**	
	7/18/2011	208752	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ELIZARRARAZ, EDDIE			**20.00**		
ELLIOTT, NISHA				Remit to: **MORENO VALLEY CA**	
	7/25/2011	208835	134.40		
				INSTRUCTOR SVCS-KICKBOXING	4.40
				INSTRUCTOR SVCS-KICKBOXING	103.60
				INSTRUCTOR SVCS-KICKBOXING	26.40
	Vendor Total		**134.40**		
FYTD for ELLIOTT, NISHA			**134.40**		
EMPIRE MOWER				Remit to: **MORENO VALLEY CA**	
	7/11/2011	208662	1,105.85		
				EQUIP REPAIRS-PARK MAINT	685.03
				EQUIP REPAIRS-PARK MAINT	420.82
	Vendor Total		**1,105.85**		
FYTD for EMPIRE MOWER			**1,105.85**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2893	500.00		
				STATE INCOME TAX W/H 7/1/11	500.00
	Vendor Total		**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM CA**	
	7/5/2011	883056	23,272.59		
				CABINET LEASE-IRIS	17.89
				CABINET LEASE-IRIS	1,232.11
				WORK AUTH-HIGHLAND FAIRVIEW	11,590.55
				12KV NEW REDLAND CKT WORK AUTH	10,432.04
	Vendor Total		**23,272.59**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
ESCOBAR, CARMEN				Remit to: **MORENO VALLEY CA**	
	7/25/2011	208836	31.20		
				REFUND-DANCE CLASS	31.20
	Vendor Total		**31.20**		
FYTD for ESCOBAR, CARMEN			**31.20**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883057	30.45		
			ENGRAVING SVCS-FACILITIES	28.00
			ENGRAVING SVCS-FACILITIES	2.45
7/18/2011	883172	30.45		
			ENGRAVING SVCS-PARKS	30.45
	Vendor Total	**60.90**		
FYTD for EVANS ENGRAVING & AWARDS		**60.90**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
7/18/2011	208753	129.29		
			IRRIGATION SUPPLIES-FIRE STATN	129.29
7/25/2011	208837	2,812.03		
			IRRIGATION SUPPLIES-PARKS	130.23
			IRRIGATION SUPPLIES-PARKS	305.72
			IRRIGATION SUPPLIES-PARKS	2,161.55
			IRRIGATION SUPPLIES-CFD#1	122.36
			IRRIGATION SUPPLIES-PARKS	92.17
	Vendor Total	**2,941.32**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**2,941.32**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
7/25/2011	208838	7,987.21		
			LANDSCAPE MAINT-E8	22.22
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-WQB	1,059.42
			LANDSCAPE MAINT-WQB	3,444.50
	Vendor Total	**7,987.21**		
FYTD for EXCEL LANDSCAPE, INC		**7,987.21**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
7/5/2011	883058	361.25		
			RETIREE MED JUL '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**361.25**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
7/5/2011	208555	586.00		
			ONLINE PROP INFO SVCS-CDD	331.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-EDD	170.00
7/25/2011	208839	526.00		
			ONLINE PROP INFO SVCS-CDD	271.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-NSP	170.00
	Vendor Total	**1,112.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**1,112.00**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
7/5/2011	883059	134.06		
			COFFEE SVCS-EMP PAID	1.40
			COFFEE SVCS-EMP PAID	132.66
7/11/2011	883142	550.48		
			COFFEE SVCS-EMP PAID	171.03
			COFFEE SVCS-EMP PAID	20.00
			COFFEE SVCS-EMP PAID	225.43
			COFFEE SVCS-EMP PAID	85.64
			COFFEE SVCS-EMP PAID	48.38
7/18/2011	883173	62.01		
			COFFEE SUPPLIES-CITY YARD	62.01
	Vendor Total	**746.55**		
FYTD for FIRST CHOICE SERVICES		**746.55**		
FLORES, ARCHIE			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208754	29.60		
			REFUND-PICNIC SHELTER RENTAL	29.60
	Vendor Total	**29.60**		
FYTD for FLORES, ARCHIE		**29.60**		
FOOTHILL CHAPTER - I.C.C.			Remit to: **FONTANA** **CA**	
7/25/2011	208841	50.00		
			MEMBERSHIP DUES	50.00
	Vendor Total	**50.00**		
FYTD for FOOTHILL CHAPTER - I.C.C.		**50.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883060	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**318.73**		

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FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	7/5/2011	208556	165.58		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	25.58
	7/18/2011	208755	255.00		
				GARNISHMENT	25.00
				GARNISHMENT	230.00
	Vendor Total		**420.58**		
FYTD for FRANCHISE TAX BOARD			**420.58**		
FRANCO, JUAN				Remit to: **PERRIS** **CA**	
	7/18/2011	208756	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FRANCO, JUAN			**75.00**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	7/11/2011	208663	193.29		
				MILEAGE REIMBURSEMENT	193.29
	Vendor Total		**193.29**		
FYTD for FRANKLIN, L. C.			**193.29**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208557	2,249.76		
				TRAFFIC PAINT	2,249.76
	Vendor Total		**2,249.76**		
FYTD for FRAZEE INDUSTRIES, INC			**2,249.76**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208757	140.00		
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	56.00
				SPORTS OFFICIATING SVCS-SFTBLL	4.00
	Vendor Total		**140.00**		
FYTD for FRESQUEZ, JOHN			**140.00**		
FUEL AND FLAME MINISTRY				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208664	480.00		
				REFUND-UNUSED PORTION OF DEP.	480.00
	Vendor Total		**480.00**		
FYTD for FUEL AND FLAME MINISTRY			**480.00**		

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FUEL PROS, INC				Remit to: **CHINO** **CA**	
	7/18/2011	208758	1,650.00		
				FUEL DISPENSER PUMP RPLCMNT	1,502.00
				FUEL DISPENSER PUMP RPLCMNT	148.00
	Vendor Total		**1,650.00**		
FYTD for FUEL PROS, INC			**1,650.00**		
GAGATCH, HEATHER				Remit to:	
	7/5/2011	208558	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for GAGATCH, HEATHER			**145.00**		
GAINES SR., GLENN E.				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208665	110.00		
				REFUND-CITATION FEE	110.00
	Vendor Total		**110.00**		
FYTD for GAINES SR., GLENN E.			**110.00**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208666	571.24		
				UNIFORMS-TRFFC UNIT	571.24
	7/18/2011	208759	26.10		
				UNIFORMS-TRFFC UNIT	26.10
	Vendor Total		**597.34**		
FYTD for GALLS INC., INLAND UNIFORM			**597.34**		
GAMA, LINA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208667	41.64		
				CRIME-FREE MULTI HOUSING SEMNR	41.64
	Vendor Total		**41.64**		
FYTD for GAMA, LINA			**41.64**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883061	174.30		
				RETIREE MED JUL '11	174.30
	Vendor Total		**174.30**		
FYTD for GASTON, RICHARD			**174.30**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
7/11/2011	883143	429.52		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
7/18/2011	883174	1,411.28		
			SECURITY SVCS-CRC 6/4/11 EVNT	76.70
			SECURITY SVCS-TCC RENTALS	360.49
			SECURITY SVCS-TCC RENTALS	145.73
			SECURITY SVCS-SENIOR CTR	291.46
			SECURITY SVCS-CRC	230.10
			SECURITY SVCS-CRC	226.26
			SECURITY SVCS-CRC	80.54
7/25/2011	883197	2,193.62		
			SECURITY SVCS-CITY HALL	230.10
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	490.88
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
Vendor Total		**4,034.42**		
FYTD for GENERAL SECURITY SERVICES, INC.		**4,034.42**		
GES EXPOSITION SERVICES			Remit to: **LAS VEGAS**	**NV**
7/25/2011	208843	2,433.11		
			TRADESHOW SVCS-VARIOUS	2,433.11
Vendor Total		**2,433.11**		
FYTD for GES EXPOSITION SERVICES		**2,433.11**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883062	7,252.50		
			LEGAL SVCS	3,941.75
			LEGAL SVCS	1,323.25
			LEGAL SVCS	1,987.50
Vendor Total		**7,252.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**7,252.50**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883063	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
Vendor Total		**318.73**		
FYTD for GONZALES, DOMILENA R.		**318.73**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GORM INC.				Remit to: **ONTARIO** **CA**	
	7/25/2011	208844	3,440.86		
				JANITORIAL SUPPLIES-CITY PARKS	1,720.43
				JANITORIAL SUPPLIES-CFD #1	1,720.43
		Vendor Total	**3,440.86**		
FYTD for GORM INC.			**3,440.86**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	883144	486.00		
				INSTRUCTOR SVCS-KUNG FU	270.00
				INSTRUCTOR SVCS-KUNG FU	216.00
		Vendor Total	**486.00**		
FYTD for GOZDECKI, DAN			**486.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208760	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
		Vendor Total	**1,000.00**		
FYTD for GRANICUS, INC.			**1,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	7/5/2011	883064	318.73		
				RETIREE MED JUL '11	318.73
		Vendor Total	**318.73**		
FYTD for GRIFFIN, MARLENE C			**318.73**		
GROUND CONTROL SYSTEMS, INC.				Remit to: **SAN LUIS OBISPO** **CA**	
	7/25/2011	883198	1,908.00		
				MOBILE SAT INTERNET SVC-PD	1,908.00
		Vendor Total	**1,908.00**		
FYTD for GROUND CONTROL SYSTEMS, INC.			**1,908.00**		
GUERRERO, CLAUDIO				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208668	20.00		
				REFUND-RABIES DEPOSIT	20.00
		Vendor Total	**20.00**		
FYTD for GUERRERO, CLAUDIO			**20.00**		
GUIDERO, DAVID				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208559	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for GUIDERO, DAVID			**75.00**		

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GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	7/5/2011	883065	551.34		
				RETIREE MED JUN-JUL '11, PD JU	551.34
	Vendor Total		**551.34**		
FYTD for GUILLAN, REBECCA S.			**551.34**		
GUTIERREZ, JOSHUA				Remit to: **BUENA PARK** **CA**	
	7/25/2011	208845	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for GUTIERREZ, JOSHUA			**20.00**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	7/5/2011	883066	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**318.73**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883175	4,049.00		
				CART RETRIEVAL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**4,049.00**		
H & H GENERAL CONTRACTORS				Remit to: **HIGHLAND** **CA**	
	7/18/2011	883176	0.00		
				MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
				VOIDED CHECK #883176 - 7/21/11	-215,802.45
	Vendor Total		**0.00**		
FYTD for H & H GENERAL CONTRACTORS			**215,802.45**		
H.O.C.I.E - HOUSING OPPORTUNITIES				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208560	1,440.00		
				FORECLOSURE COUNSELING SVCS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for H.O.C.I.E - HOUSING OPPORTUNITIES			**1,440.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883067	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**318.73**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883068	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**318.73**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	7/5/2011	208561	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**318.73**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	7/5/2011	208562	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**318.73**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208563	168.00		
				INSTRUCTOR SVCS-BODY SCULPTING	108.00
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
	Vendor Total		**168.00**		
FYTD for HASS, MINA			**168.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883069	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**318.73**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	7/5/2011	883070	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**318.73**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208564	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**318.73**		

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HERTZ EQUIPMENT RENTAL INC				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208565	688.29		
				CRANE TRUCK RENTAL	688.29
	Vendor Total		**688.29**		
FYTD for HERTZ EQUIPMENT RENTAL INC			**688.29**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208761	108.00		
				INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total		**108.00**		
FYTD for HIGGS, DEBRA			**108.00**		
HODGE PRODUCTS, INC.				Remit to: **EL CAJON** **CA**	
	7/25/2011	883199	677.87		
				LOCKS-CFD #1	172.97
				LOCKS-CITY PARKS	170.00
				LOCKS-CFD #1	27.03
				LOCKS-CFD #1	307.87
	Vendor Total		**677.87**		
FYTD for HODGE PRODUCTS, INC.			**677.87**		
HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208566	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**318.73**		
HOUSTON RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208762	100.00		
				REFUND-CHILD'S PLACE FEES	100.00
	Vendor Total		**100.00**		
FYTD for HOUSTON RICHARD			**100.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	7/29/2011	2906	8,520.83		
				DEF COMP 457 7/29/11	8,520.83
	Vendor Total		**8,520.83**		
FYTD for ICMA RETIREMENT CORP 457			**42,062.58**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208567	112.29		
				REFUND-UUT USER TAXES	112.29
	Vendor Total		**112.29**		
FYTD for IL SORRENTO MOBILE PARK			**112.29**		

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IMANI PRAISE FELLOWSHIP SDA CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208568	100.00		
			REFUND-RENTAL DEPOSIT -MSU	100.00
	Vendor Total	**100.00**		
FYTD for IMANI PRAISE FELLOWSHIP SDA CHURCH		**100.00**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
7/18/2011	208763	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**475.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883200	2,782.13		
			ABATEMENT SVC-22385 COTTNWD AV	2,782.13
	Vendor Total	**2,782.13**		
FYTD for INLAND CONTRACTORS, INC.		**2,782.13**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS** **CA**	
7/11/2011	208669	4,575.00		
			ADVERTISING SVCS-PW SOLID WAST	400.00
			ADVERTISING SVCS-PW SOLID WAST	4,175.00
	Vendor Total	**4,575.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**4,575.00**		
INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883145	2,863.40		
			NUISANCE ABTMNT SVCS-CODE	957.90
			NUISANCE ABTMNT SVCS-CODE	900.00
			NUISANCE ABTMNT SVCS-CODE	346.50
			NUISANCE ABTMNT SVCS-CODE	432.00
			NUISANCE ABTMNT SVCS-CODE	227.00
7/25/2011	883201	1,456.00		
			NUISANCE ABATEMENT SVCS-CODE	252.00
			NUISANCE ABATEMENT SVCS-CODE	1,204.00
	Vendor Total	**4,319.40**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**4,319.40**		

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INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON** **CA**	
7/5/2011	883071	393.00		
			VAPOR RECOVERY TESTING-FS #2	393.00
7/25/2011	883202	140.00		
			HOSE RETRACTOR REPAIR-FS#91	140.00
	Vendor Total	**533.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**533.00**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2892	2,000.00		
			FED INCOME TAX W/H 7/1/11	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
J D H CONTRACTING			Remit to: **RIVERSIDE** **CA**	
7/11/2011	883146	8,960.00		
			CONTRACT SVCS-FIRE STATION 91	5,921.00
			CONTRACT SVCS-SENIOR CENTER	3,039.00
7/12/2011	883162	845.00		
			GOLF CTR ROOFING WORK	845.00
	Vendor Total	**9,805.00**		
FYTD for J D H CONTRACTING		**9,805.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208670	36.00		
			SPORTS OFFICIATING SVCS-SFTBL	36.00
	Vendor Total	**36.00**		
FYTD for JACKSON, JAYE		**36.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208764	75.00		
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**75.00**		
JARRETT, STEPHEN M.			Remit to: **BEAUMONT** **CA**	
7/5/2011	208569	485.91		
			TRAVEL EXP-ESRI INTL USER CONF	95.41
			TRAVEL EXP-ESRI INTL USER CONF	390.50
	Vendor Total	**485.91**		
FYTD for JARRETT, STEPHEN M.		**485.91**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	7/12/2011	883163	1,955.00		
				CONSULTING SVCS-TECH SVCS	1,955.00
	Vendor Total		**1,955.00**		
FYTD for JDEDGE SOFTWARE, LLC			**1,955.00**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	7/25/2011	208846	99.96		
				MILEAGE REIMBURSEMENT	99.96
	Vendor Total		**99.96**		
FYTD for JONES III, JOSEPH			**99.96**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883072	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**318.73**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	7/5/2011	883073	15,181.51		
				TRAFFIC SIGNAL SUPPLIES	3,371.25
				TRAFFIC SIGNAL SUPPLIES	3,599.63
				TRAF SIG SERVICE CABINET	7,550.00
				CA SALES TAX	660.63
	Vendor Total		**15,181.51**		
FYTD for JTB SUPPLY CO., INC.			**64,456.14**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208570	2,687.65		
				LEGAL SVCS	2,675.00
				LEGAL SVCS	12.65
	Vendor Total		**2,687.65**		
FYTD for KANE, BALLMER & BERKMAN			**2,687.65**		
KASHEFIPOUR, HOSSEIN				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208671	191.25		
				MILEAGE REIMBURSEMENT	43.35
				MILEAGE REIMBURSEMENT	58.65
				MILEAGE REIMBURSEMENT	89.25
	Vendor Total		**191.25**		
FYTD for KASHEFIPOUR, HOSSEIN			**191.25**		

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KATZ, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208765	48.00		
				REFUND-CLASS REGIS FEE	48.00
	Vendor Total		**48.00**		
FYTD for KATZ, MICHELLE			**48.00**		
KDM MERIDIAN, INC.				Remit to: **LAKE FOREST** **CA**	
	7/5/2011	883074	2,945.00		
				DAY ST WIDENING/EUCALYPTUS PRJ	1,608.00
				ANNL ADA COMPL CURB/RAMP PROJ	1,337.00
	Vendor Total		**2,945.00**		
FYTD for KDM MERIDIAN, INC.			**2,945.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	208571	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**267.88**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	7/25/2011	208847	761.06		
				SPLASH PAD SUPPLIES-CFD #1	186.21
				SPLASH PAD SUPPLIES-CFD #1	574.85
	Vendor Total		**761.06**		
FYTD for KNORR SYSTEMS, INC			**761.06**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883075	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**318.73**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883076	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**318.73**		

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KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	7/25/2011	208848	1,126.22		
				CALIBRATE/REPAIR LASER GUN-PD	200.00
				CALIBRATE/REPAIR LASER GUN-PD	126.21
				LASER GUN PARTS/REPAIR-PD	800.01
	Vendor Total		**1,126.22**		
FYTD for KUSTOM SIGNALS, INC.			**1,126.22**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	7/5/2011	883077	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**318.73**		
LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208572	168.00		
				LEGAL SERVICES-RISK MGT	168.00
	Vendor Total		**168.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**168.00**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883078	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**318.73**		
LANCE, SOLL & LUNGHARD, LLP				Remit to: **BREA** **CA**	
	7/25/2011	208849	620.00		
				PROF SVCS-RE: GANN LIMIT	620.00
	Vendor Total		**620.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP			**620.00**		
LANGENDORF, BENJAMIN				Remit to: **PERRIS** **CA**	
	7/5/2011	883079	221.40		
				RETIREE MED MAY 11, PD JUL 11	221.40
	Vendor Total		**221.40**		
FYTD for LANGENDORF, BENJAMIN			**221.40**		

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LANGSTON MOTORSPORTS				Remit to: **PERRIS** **CA**	
	7/18/2011	208766	2,355.27		
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	249.44
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	505.83
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
	Vendor Total		**2,355.27**		
FYTD for LANGSTON MOTORSPORTS			**2,355.27**		
LAWYERS TITLE INC				Remit to: **NEWPORT BEACH** **CA**	
	7/19/2011	110705	16,196.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,196.00
	7/19/2011	110706	21,386.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	21,386.00
	Vendor Total		**37,582.00**		
FYTD for LAWYERS TITLE INC			**37,582.00**		
LAZARUS, MARGERY A.				Remit to: **CORONA** **CA**	
	7/18/2011	208767	138.72		
				MILEAGE REIMB-SR60/NASON PROJ	49.47
				MILEAGE REIMB-INDIAN BASIN PRJ	30.09
				MILEAGE REIMB-SR60 MOR BCH PRJ	59.16
	Vendor Total		**138.72**		
FYTD for LAZARUS, MARGERY A.			**138.72**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883080	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**318.73**		
LIGHTS OUT DISPOSAL COMPANY				Remit to: **EL CAJON** **CA**	
	7/5/2011	208573	444.15		
				E-WASTE PICK UP SERVICES	444.15
	Vendor Total		**444.15**		
FYTD for LIGHTS OUT DISPOSAL COMPANY			**444.15**		

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LOGAN, CHARLENE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208574	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LOGAN, CHARLENE			**20.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883081	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**318.73**		
LONA, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208672	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for LONA, VERONICA			**300.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883179	4,501.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	1.00
				IRONWD AVE-DAY TO BARCLAY PROJ	4,500.00
	Vendor Total		**4,501.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**4,501.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883082	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**318.73**		
MACIAS JR., ANTHONY				Remit to: **RIALTO** **CA**	
	7/5/2011	208575	126.00		
				TUITION FEE REIMBURSEMENT	126.00
	Vendor Total		**126.00**		
FYTD for MACIAS JR., ANTHONY			**126.00**		
MAMCO, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208673	5,084.33		
				DRACAEA AVE SIDEWLK IMPRVMNTS	5,084.33
	Vendor Total		**5,084.33**		
FYTD for MAMCO, INC			**5,084.33**		

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MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208576	6.08		
			GAS CHARGES-MARCH FIELD PRK CC	4.96
			GAS CHARGES-MARCH FIELD PRK CC	1.12
	Vendor Total	**6.08**		
FYTD for MARCH JOINT POWERS AUTHORITY		**6.08**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
7/5/2011	883083	4,425.04		
			LANDSCAPE MAINT-DSG2N	668.42
			LANDSCAPE MAINT-DSG2N	3,756.62
7/25/2011	883203	4,994.91		
			LANDSCAPE MAINT-ZONE DSG-2S	4,994.91
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**9,419.95**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208577	280.00		
			INSTRUCTOR SVCS-BOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	112.00
	Vendor Total	**280.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**280.00**		
MARTINEZ, REGGIE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208674	105.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
	Vendor Total	**105.00**		
FYTD for MARTINEZ, REGGIE		**105.00**		
MATHIS, NOLAN			Remit to: **JACKSON** **KY**	
7/5/2011	883084	290.00		
			RETIREE MED MAY 11, PD JUL 11	290.00
	Vendor Total	**290.00**		
FYTD for MATHIS, NOLAN		**290.00**		
MAXINOSKI, SUE A.			Remit to: **AVINGER** **TX**	
7/5/2011	883085	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for MAXINOSKI, SUE A.		**318.73**		

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MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/12/2011	208722	19,969.47		
				REHAB COSTS-24395 DYNA PLACE	19,969.47
	Vendor Total		**19,969.47**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MC NEEL, MARGARETTE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208676	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MC NEEL, MARGARETTE			**50.00**		
MEDINA, EUNICE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208578	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MEDINA, EUNICE			**20.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	7/11/2011	883147	200.00		
				SPORTS OFFICIATING SVCS-SFTBL	80.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
	Vendor Total		**200.00**		
FYTD for MEEKS, DANIEL			**200.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	7/11/2011	208677	1,620.00		
				PLAN CHECK SVCS-BLDG/SFTY	1,620.00
	Vendor Total		**1,620.00**		
FYTD for MELAD & ASSOCIATES, INC			**1,620.00**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208678	135.66		
				MILEAGE REIMBURSEMENT	135.66
	Vendor Total		**135.66**		
FYTD for MENGISTU, YESHIALEM			**135.66**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	7/5/2011	883086	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**318.73**		

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METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	7/18/2011	208768	50.00		
				TEXT MESSAGE RETRIEVAL SVC	50.00
	Vendor Total		**50.00**		
FYTD for METROPCS WIRELESS, INC.			**50.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208579	483.00		
				INSTRUCTOR SVCS-DRAWING	378.00
				INSTRUCTOR SVCS-PHOTO	105.00
	Vendor Total		**483.00**		
FYTD for MEYERS, ROBERT			**483.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883087	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**229.88**		
MIMES, TANIYSHA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208769	64.00		
				REFUND-PICNIC SHELTER RENTAL	64.00
	Vendor Total		**64.00**		
FYTD for MIMES, TANIYSHA			**64.00**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	7/5/2011	883088	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**318.73**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	7/18/2011	883180	2,745.16		
				PLAYGROUND EQUIP PARTS-PARKS	1,961.65
				PLAYGROUND EQUIP PARTS-PARKS	307.64
				PLAYGROUND EQUIPMENT PARTS	475.87
	Vendor Total		**2,745.16**		
FYTD for MIRACLE RECREATION EQUIPMENT			**2,745.16**		

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MISTRETTA, ARTHUR			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883149	144.00		
			SPORTS OFFICIATING SVCS-SFTBL	54.00
			SPORTS OFFICIATING SVCS-SFTBL	36.00
			SPORTS OFFICIATING SVCS-SFTBL	54.00
	Vendor Total	**144.00**		
FYTD for MISTRETTA, ARTHUR		**144.00**		
MOELLER, DONNA M.			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208770	67.77		
			NEIGHBRHD CLEAN UP EXPENSE	67.77
	Vendor Total	**67.77**		
FYTD for MOELLER, DONNA M.		**67.77**		
MOLLICA, MIKE			Remit to: **DUNNELLON** **FL**	
7/5/2011	883089	401.42		
			RETIREE MED JUL '11	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**401.42**		
MONTEJANO, SHIRLEY			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208679	750.00		
			REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total	**750.00**		
FYTD for MONTEJANO, SHIRLEY		**750.00**		
MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208680	1,706.90		
			PLUMBING SVCS-CRC	1,075.00
			PLUMBING SVCS-ANIMAL SHELTER	631.90
	Vendor Total	**1,706.90**		
FYTD for MONTGOMERY PLUMBING INC		**1,706.90**		
MOORE, LEEPORSCHA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208681	22.00		
			REFUND-PARKS CLASS REGIS FEE	22.00
	Vendor Total	**22.00**		
FYTD for MOORE, LEEPORSCHA		**22.00**		
MOOSEPOINT TECHNOLOGY, INC.			Remit to: **SONOMA** **CA**	
7/25/2011	208851	9,000.00		
			GIS INTERNET SITE HOSTING SVCS	9,000.00
	Vendor Total	**9,000.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**9,000.00**		

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MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	7/5/2011	883090	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**318.73**		
MORENO VALLEY BOWL				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208580	320.00		
				INSTRUCTOR SVCS-BOWLING	320.00
	Vendor Total		**320.00**		
FYTD for MORENO VALLEY BOWL			**320.00**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208581	60.00		
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
	7/5/2011	208582	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**810.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**810.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	7/1/2011	2888	1,538.00		
				MVCEA DUES 7/1/11	1,538.00
	7/15/2011	2897	1,543.50		
				MVCEA DUES 7/15/11	1,543.50
	7/29/2011	2905	1,419.00		
				MVCEA DUES 7/29/11	1,419.00
	Vendor Total		**4,500.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**4,500.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRANO CA**	
	7/18/2011	883181	9,207.72		
				LEASE-SPEC DIST ANNEX-AUG 11	9,207.72
	7/25/2011	883204	7,934.87		
				LEASE-FACILITIES ANNEX	2,458.97
				LEASE-TECH SVCS ANNEX	5,475.90
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**17,142.59**		

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MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/5/2011	208583	91.54		
				ELECTRICITY-UT FLD OFFICE	91.54
	Vendor Total		**91.54**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		
MORENO, MARIO				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208852	230.00		
				PER DIEM-GANG VIOLENCE CONF.	230.00
	Vendor Total		**230.00**		
FYTD for MORENO, MARIO			**230.00**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	7/5/2011	883091	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**318.73**		
MPULSE MAINTENANCE SOFTWARE, INC.				Remit to: **EUGENE** **OR**	
	7/5/2011	883092	3,977.50		
				PROGRAM RENEWAL-TECH SVCS	3,977.50
	Vendor Total		**3,977.50**		
FYTD for MPULSE MAINTENANCE SOFTWARE, INC.			**3,977.50**		
MULTI W SYSTEMS, INC				Remit to: **EL MONTE** **CA**	
	7/25/2011	208853	975.00		
				PUMP REPAIR-COMM PARK SOCCER F	975.00
	Vendor Total		**975.00**		
FYTD for MULTI W SYSTEMS, INC			**975.00**		
MUNOZ, ARIEL				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208772	110.16		
				MILEAGE REIMBURSEMENT	80.07
				MILEAGE REIMBURSEMENT	30.09
	Vendor Total		**110.16**		
FYTD for MUNOZ, ARIEL			**110.16**		
MURILLO, MARIA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208773	750.00		
				REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total		**750.00**		
FYTD for MURILLO, MARIA			**750.00**		

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MUSICK, PEELER & GARRETT, LLP			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208774	240.00		
			LEGAL SVCS	240.00
	Vendor Total	**240.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP		**240.00**		
MYERS & SONS HI-WAY SAFETY INC			Remit to: **CHINO** **CA**	
7/11/2011	208682	11,957.06		
			TRUCK MNTD MSSG BOARD-PW	10,995.00
			TRUCK MNTD MSSG BOARD-PW	962.06
	Vendor Total	**11,957.06**		
FYTD for MYERS & SONS HI-WAY SAFETY INC		**11,957.06**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/1/2011	2886	4,288.72		
			PST DEF COMP FOR FICA 7/1/11	4,288.72
7/1/2011	2887	1,240.66		
			DEF COMP 457 & 401(A) 7/1/11	1,240.66
7/15/2011	2895	1,733.32		
			PST DEF COMP FOR FICA 7/15/11	1,733.32
7/29/2011	2903	2,082.83		
			PST DEF COMP FOR FICA 7/29/11	2,082.83
	Vendor Total	**9,345.53**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
7/5/2011	883093	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**318.73**		
NEAL, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208775	156.00		
			REFUND-PICNIC SHELTER RENTAL	156.00
	Vendor Total	**156.00**		
FYTD for NEAL, DEBORAH		**156.00**		
NEGRETTE, JENNIFER			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208584	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for NEGRETTE, JENNIFER		**20.00**		

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NELSON PAVING				Remit to: **PERRIS** **CA**	
	7/5/2011	208585	871.00		
				CONCRETE PAINTING	871.00
	Vendor Total		**871.00**		
FYTD for NELSON PAVING			**871.00**		
NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	7/5/2011	883094	325.66		
				RETIREE MED JUL '11	325.66
	Vendor Total		**325.66**		
FYTD for NELSON, ROBERT			**325.66**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	7/5/2011	883095	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**318.73**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	7/5/2011	208586	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**318.73**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883096	9.42		
				REFUND-UUT USER TAXES	9.42
	Vendor Total		**9.42**		
FYTD for NEW HORIZON MOBILE HOME PARK			**9.42**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208588	401.42		
				RETIREE MED JUL '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**401.42**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	7/18/2011	208776	2,713.31		
				NIGHT VISION GOGGLES FOR PD	2,495.00
				CA SALES TAX	218.31
	Vendor Total		**2,713.31**		
FYTD for NIGHT GALAXY, INC.			**2,713.31**		

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NINYO & MOORE GEOTECHNICAL				Remit to: **SAN DIEGO** **CA**	
	7/5/2011	208589	6,987.75		
				DRACAEA AVE SIDEWLK IMPRVMNTS	6,987.75
	7/11/2011	208683	539.25		
				IRONWD AVE ST/STORM DRAIN PROJ	539.25
	7/18/2011	208777	17,091.00		
				IRONWD AVE ST/STORM DRAIN PROJ	17,091.00
	Vendor Total		**24,618.00**		
FYTD for NINYO & MOORE GEOTECHNICAL			**24,618.00**		
NOLLAR, JANICE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208590	307.04		
				TRAVEL EXP-ESRI INTL USER CONF	94.04
				TRAVEL EXP-ESRI INTL USER CONF	213.00
	Vendor Total		**307.04**		
FYTD for NOLLAR, JANICE			**307.04**		
NOLTE ASSOCIATES, INC				Remit to: **SACRAMENTO** **CA**	
	7/18/2011	208778	113.43		
				REFUND-BUS LIC OVERPAYMENT	113.43
	Vendor Total		**113.43**		
FYTD for NOLTE ASSOCIATES, INC			**113.43**		
OAKRIDGE DATA MINING				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208779	2,370.00		
				CONSULTANT SVCS-TECH SVCS	2,370.00
	Vendor Total		**2,370.00**		
FYTD for OAKRIDGE DATA MINING			**2,370.00**		
OMNIGRAPHICS				Remit to: **HOLMES** **PA**	
	7/25/2011	208854	90.95		
				REFERENCE BOOKS	90.95
				REFERENCE BOOKS	7.96
				REFERENCE BOOKS	-7.96
	Vendor Total		**90.95**		
FYTD for OMNIGRAPHICS			**90.95**		
ORACLE AMERICA				Remit to: **SAN FRANCISCO** **CA**	
	7/5/2011	208591	21,621.68		
				ANNUAL MAINT-TECH SVCS	21,621.68
	Vendor Total		**21,621.68**		
FYTD for ORACLE AMERICA			**21,621.68**		

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ORCHID CELLMARK, INC				Remit to: **FARMERS BRANCH** **TX**	
	7/18/2011	208780	2,280.00		
				DETECT/TEST EVIDENCE/DNA-PD	2,280.00
	Vendor Total		**2,280.00**		
FYTD for ORCHID CELLMARK, INC			**2,280.00**		
ORROCK, POPKA, FORTINO & BRISLIN				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	883205	208.00		
				LEGAL SVCS	208.00
	Vendor Total		**208.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN			**208.00**		
ORTEGA, JORGE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208592	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**750.00**		
FYTD for ORTEGA, JORGE			**750.00**		
OVERLAND PACIFIC & CUTLER, INC.				Remit to: **LONG BEACH** **CA**	
	7/25/2011	883206	296.25		
				SR-60/NASON INTRCHNG PROJ SVCS	296.25
	7/25/2011	883207	6,800.00		
				APPRAISAL SVCS-HIGHLND FIRE ST	6,800.00
	Vendor Total		**7,096.25**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**7,096.25**		
PACIFIC GREEN HORTICULTURAL SVC				Remit to: **UPLAND** **CA**	
	7/25/2011	883208	989.00		
				TURF FERTILIZATION-ZONE E	302.97
				TURF FERTILIZATION-ZONE E	550.15
				TURF FERTILIZATION-ZONE E	112.61
				TURF FERTILIZATION-ZONE E	23.27
	Vendor Total		**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**989.00**		
PACIFIC TELEMANAGEMENT SERVICES				Remit to: **SAN RAMON** **CA**	
	7/5/2011	883097	375.84		
				PAYPHONE SVCS	313.20
				PAYPHONE SVCS-PD	62.64
	Vendor Total		**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**375.84**		

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PARSONS TRANSPORTATION GROUP, INC.				Remit to: **IRVINE** **CA**	
	7/18/2011	208781	13,592.47		
				SR-60/MOR BCH DR INTRCHNG PROJ	13,592.47
	Vendor Total		**13,592.47**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**13,592.47**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208593	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**229.88**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	7/11/2011	208685	110.00		
				SPORTS OFFICIATING SVCS-SFTBL	110.00
	Vendor Total		**110.00**		
FYTD for PAUL, MICHAEL			**110.00**		
PERKINS, NICOLE				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208594	72.00		
				INSTRUCTOR SVCS-RIPPED	36.00
				INSTRUCTOR SVCS-RIPPED	36.00
	Vendor Total		**72.00**		
FYTD for PERKINS, NICOLE			**72.00**		
PERMA				Remit to: **PALM DESERT** **CA**	
	7/25/2011	883209	1,548.17		
				SEMI-ANNUAL AUDIT INVOICE	1,548.17
	Vendor Total		**1,548.17**		
FYTD for PERMA			**1,548.17**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	7/5/2011	208595	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**318.73**		

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PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	7/5/2011	208596	458.63		
				LONG TERM CARE INSURANCE	458.63
	7/18/2011	208782	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**917.26**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PETTY CASH - FINANCE			Remit to: **MORENO VALLEY**	**CA**
7/18/2011	208783	1,297.91		
			PETTY CASH FUND REPLENISHMENT	28.41
			PETTY CASH FUND REPLENISHMENT	36.05
			PETTY CASH FUND REPLENISHMENT	22.32
			PETTY CASH FUND REPLENISHMENT	27.03
			PETTY CASH FUND REPLENISHMENT	67.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	6.00
			PETTY CASH FUND REPLENISHMENT	91.64
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	20.80
			PETTY CASH FUND REPLENISHMENT	25.00
			PETTY CASH FUND REPLENISHMENT	10.50
			PETTY CASH FUND REPLENISHMENT	26.96
			PETTY CASH FUND REPLENISHMENT	56.25
			PETTY CASH FUND REPLENISHMENT	17.71
			PETTY CASH FUND REPLENISHMENT	25.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	18.32
			PETTY CASH FUND REPLENISHMENT	10.24
			PETTY CASH FUND REPLENISHMENT	91.38
			PETTY CASH FUND REPLENISHMENT	91.87
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	4.34
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	50.00
			PETTY CASH FUND REPLENISHMENT	45.00
			PETTY CASH FUND REPLENISHMENT	3.25
			PETTY CASH FUND REPLENISHMENT	23.68
			PETTY CASH FUND REPLENISHMENT	30.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	25.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	15.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	21.69
			PETTY CASH FUND REPLENISHMENT	48.50
			PETTY CASH FUND REPLENISHMENT	13.00
			PETTY CASH FUND REPLENISHMENT	88.47
			PETTY CASH FUND REPLENISHMENT	6.50
			PETTY CASH FUND REPLENISHMENT	24.00
	Vendor Total	1,297.91		
FYTD for PETTY CASH - FINANCE		1,297.91		

PICTUREME PORTRAIT STUDIO #15193 Remit to: **ST. LOUIS** **MO**

7/11/2011	208686	71.76		
			REFUND-BUS LIC OVERPAYMENT	71.76
	Vendor Total	71.76		
FYTD for PICTUREME PORTRAIT STUDIO #15193		71.76		

POIEMA LANDSCAPE, INC. Remit to: **COLTON** **CA**

7/5/2011	883098	2,131.00		
			LANDSCAPE MAINT-E12	2,131.00
7/25/2011	883210	1,712.15		
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		3,843.15		

POLK, SHAKENDRA Remit to: **MORENO VALLEY** **CA**

7/18/2011	208784	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	25.00
			REFUND-RENTAL DEPOSIT-TWNGATE	175.00
	Vendor Total	200.00		
FYTD for POLK, SHAKENDRA		200.00		

PRICE, GEORGE E. Remit to: **MORENO VALLEY** **CA**

7/5/2011	883099	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	318.73		
FYTD for PRICE, GEORGE E.		318.73		

PROTECTION ONE, INC. Remit to: **WITCHITA** **KS**

7/18/2011	208785	42.00		
			MONITORING SVCS-GOLF PRO SHOP	17.00
			MONITORING SVCS-MVTV STUDIO	17.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
	Vendor Total	42.00		
FYTD for PROTECTION ONE, INC.		42.00		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	7/5/2011	883100	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**318.73**		
PULSE PRINT SOLUTIONS				Remit to: **ORANGE** **CA**	
	7/11/2011	208687	2,936.25		
				PRINT SVCS-EDUCATIONAL MAGNETS	2,700.00
				SALES TAX	236.25
	Vendor Total		**2,936.25**		
FYTD for PULSE PRINT SOLUTIONS			**2,936.25**		
QUINTERO, CYNTHIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208688	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for QUINTERO, CYNTHIA			**200.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	7/11/2011	883150	2,023.00		
				ROLL UP DOOR MAIN, FIRE STN 6	201.00
				ROLL UP DOOR MAIN, FIRE STN 6	695.00
				ROLL UP DOOR MAIN, FIRE STN 48	141.00
				ROLL UP DOOR MAIN, FIRE STN 2	201.00
				ROLL UP DOOR MAIN, FIRE STN 58	82.00
				ROLL UP DOOR MAIN, FIRE STN 58	119.00
				ROLL UP DOOR MAIN, FIRE STN 91	111.25
				ROLL UP DOOR MAIN, FIRE STN 91	89.75
				ROLL UP DOOR MAIN, FIRE STN 65	141.00
				ROLL UP DOOR MAIN, FIRE STN 65	130.75
				ROLL UP DOOR MAIN, FIRE STN 65	111.25
	Vendor Total		**2,023.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**2,023.00**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208597	168.81		
				REIMB-DUI SEMINAR TRNG CLASS	168.81
	Vendor Total		**168.81**		
FYTD for RAFAEL LOPEZ			**168.81**		

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RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208598	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.		**318.73**		
REGENTS OF U.C.			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208786	115.00		
			VIOLENT CRIME BEHAV SEMINAR	115.00
	Vendor Total	**115.00**		
FYTD for REGENTS OF U.C.		**115.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208599	384.60		
			SHADOW MTN PARK LIGHTING PROJ	384.60
7/25/2011	208856	3,401.50		
			SHADOW MTN PARK LIGHTING PROJ	2,951.50
			SHADOW MTN PARK LIGHTING PROJ	450.00
	Vendor Total	**3,786.10**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**3,786.10**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883101	2,582.50		
			DRACAEA AVE SIDEWLK IMPRVMNTS	2,582.50
7/18/2011	883182	11,995.00		
			TS@SUNNYMD RCH PKWY/VILLAGE RD	1,380.00
			TS@SUNNYMD RCH PKWY/VILLAGE RD	130.00
			2011 LOCAL ST. PAVEMNT RESURF.	7,545.00
			2011 LOCAL ST. PAVEMNT RESURF.	2,600.00
			DRACAEA AVE SIDEWLK IMPRVMNTS	340.00
	Vendor Total	**14,577.50**		
FYTD for RICK ENGINEERING COMPANY		**14,577.50**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208689	2,000.00		
			ENCR. PERMIT INITIAL DEPOSIT	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**2,000.00**		

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RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE**	**CA**
7/19/2011	110702	15,888.77		
			RETENTN PMT PER ESCRW AGREEMNT	15,888.77
7/19/2011	1107031	2,302.31		
			RETENTN PMT PER ESCRW AGREEMNT	2,302.31
7/19/2011	1107032	3,209.50		
			RETENTN PMT PER ESCRW AGREEMNT	3,209.50
7/19/2011	1107033	8,289.68		
			RETENTN PMT PER ESCRW AGREEMNT	8,289.68
7/19/2011	1107034	20,325.46		
			RETENTN PMT PER ESCRW AGREEMNT	20,325.46
	Vendor Total	**50,015.72**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**500,157.17**		
RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY			Remit to: **RIVERSIDE**	**CA**
7/25/2011	208857	10,572.22		
			TEAM RIV CTY 528140-ICSC CONF	2,770.00
			ICSC CONF.-GES LOGISTICS	997.50
			ICSC CONF.-EXHIBIT SPACE	3,500.00
			ICSC CONF.-ELECTRICITY COST	800.00
			ICSC CONF.-CARPET COST	2,400.00
			ICSC CONF-ADDTL FURNITURE COST	104.72
	Vendor Total	**10,572.22**		
FYTD for RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY		**10,572.22**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208690	3,781.83		
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			RADIO LEASE/MAIN-PD	170.10
			RADIO LEASE/MAIN-PD	9.45
			RADIO LEASE/MAIN-PD	33.12
			VPN CONNECTION SVCS-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**3,781.83**		
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883212	10,267.92		
			BOOKING FEES-PD	10,267.92
	Vendor Total	**10,267.92**		
FYTD for RIVERSIDE COUNTY SHERIFF		**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208787	138.00		
			REG-BASIC CRIMINAL INV. COURSE	138.00
	Vendor Total	**138.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**138.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208600	611.09		
			GARNISHMENT	173.05
			GARNISHMENT	438.04
7/18/2011	208788	674.82		
			GARNISHMENT	152.05
			GARNISHMENT	522.77
	Vendor Total	**1,285.91**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**1,285.91**		
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208858	322.00		
			7 ATTENDEES-CITZN DRIVER CLASS	322.00
	Vendor Total	**322.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPARTMENT		**322.00**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
7/25/2011	883213	6,417.00		
			TEMP STAFFING SVCS-CAP PROJS	6,417.00
	Vendor Total	**6,417.00**		
FYTD for RLZ ENGINEERING		**6,417.00**		
RMA GROUP			Remit to: **RANCHO CUCAMONGA** **CA**	
7/25/2011	208859	8,791.09		
			SR-60/NASON INTRCHNG PROJ SVCS	7,782.75
			SR-60/NASON INTRCHNG PROJ SVCS	1,008.34
	Vendor Total	**8,791.09**		
FYTD for RMA GROUP		**8,791.09**		
ROCHA, SARA L.			Remit to: **QUEEN CREEK** **AZ**	
7/5/2011	883103	826.20		
			RETIREE MED APR-JUN '11 ($160	826.20
	Vendor Total	**826.20**		
FYTD for ROCHA, SARA L.		**826.20**		

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ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	7/5/2011	883104	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**318.73**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208691	45.90		
				MILEAGE REIMBURSEMENT	45.90
	Vendor Total		**45.90**		
FYTD for ROGERS, KIANNA			**45.90**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883105	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**318.73**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	7/5/2011	883106	270.80		
				RETIREE MED JUL '11	174.30
				RETIREE MED JUL '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**270.80**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/25/2011	883214	357.50		
				PLUMBING REPAIRS-WOODLAND PARK	357.50
	Vendor Total		**357.50**		
FYTD for ROTO-ROOTER PLUMBERS			**357.50**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	7/5/2011	883107	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**229.88**		
RUTAN & TUCKER, LLP				Remit to: **COSTA MESA** **CA**	
	7/5/2011	208601	275.00		
				LEGAL SVCS-RE: PEG FEES	275.00
	Vendor Total		**275.00**		
FYTD for RUTAN & TUCKER, LLP			**275.00**		

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SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	7/25/2011	883215	5,400.00		
				TEMP STAFFING SVCS-CAP PROJS	5,400.00
	Vendor Total		**5,400.00**		
FYTD for SA ASSOCIATES			**5,400.00**		
SAFETY KLEEN CORP.				Remit to: **HIGHLAND** **CA**	
	7/11/2011	208692	134.33		
				MISC SUPPLIES-MAINT/OPS	134.33
	Vendor Total		**134.33**		
FYTD for SAFETY KLEEN CORP.			**134.33**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208693	144.00		
				INSTRUCTOR SVCS-ZUMBA	17.20
				INSTRUCTOR SVCS-ZUMBA	126.80
	Vendor Total		**144.00**		
FYTD for SALMAN, CLAUDIA			**144.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883108	60.00		
				FIRE SYSTEM INSPECTION SVC	8.00
				FIRE SYSTEM INSPECTION SVC	52.00
	Vendor Total		**60.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**60.00**		
SAXON, NANCY				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208602	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SAXON, NANCY			**20.00**		
SCAG/SOUTHERN CALIF ASSO OF GOVTS				Remit to: **LOS ANGELES** **CA**	
	7/11/2011	208694	15,680.00		
				DUES ASSESSMNT-FY 2011-12	15,680.00
	Vendor Total		**15,680.00**		
FYTD for SCAG/SOUTHERN CALIF ASSO OF GOVTS			**15,680.00**		
SCHIFFER, ROBYN				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208860	23,021.60		
				SOLAR INCENTIVE REBATE	23,021.60
	Vendor Total		**23,021.60**		
FYTD for SCHIFFER, ROBYN			**23,021.60**		

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SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208603	477.00		
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**477.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
7/5/2011	883109	62.50		
			REPAIRED DOOR JAM AT FS#48	62.50
7/25/2011	883216	987.63		
			LOCK/INSTALLATION-LIBRARY	49.00
			LOCK/INSTALLATION-LIBRARY	68.04
			LOCK/INSTALLATION-LIBRARY	402.21
			DOOR SVC-CITY CLRK FILE RM	423.38
			TRIP CHRG-SVC RE: WARRANT	45.00
	Vendor Total	**1,050.13**		
FYTD for SECURITY LOCK & KEY		**1,050.13**		
SEPULVEDA, SUSETTE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208695	49.60		
			REFUND-PARKS CLASS REGIS FEE	49.60
	Vendor Total	**49.60**		
FYTD for SEPULVEDA, SUSETTE		**49.60**		
SHABIR, AMNA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208696	427.00		
			REFUND-PARKS CLASS REGIS FEE	427.00
	Vendor Total	**427.00**		
FYTD for SHABIR, AMNA		**427.00**		
SHARRETT, SHARON K.			Remit to: **ONTARIO** **CA**	
7/5/2011	208604	174.30		
			RETIREE MED JUL '11	174.30
	Vendor Total	**174.30**		
FYTD for SHARRETT, SHARON K.		**174.30**		
SHELDON, STUART H.			Remit to: **MURRIETA** **CA**	
7/5/2011	208605	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for SHELDON, STUART H.		**318.73**		

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SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	7/18/2011	208789	111.00		
				FUEL PURCHASES	111.00
	7/25/2011	208861	21.25		
				FUEL PURCHASE	21.25
	Vendor Total		**132.25**		
FYTD for SHELL OIL CO.			**132.25**		
SIERRA SCREENPRINT GRAPHICS				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208697	1,508.91		
				CRIME FREE MULTI HSNG SIGNS-PD	1,387.50
				CALIF SALES TAX	121.41
	Vendor Total		**1,508.91**		
FYTD for SIERRA SCREENPRINT GRAPHICS			**1,508.91**		
SIERRA, GLORIA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208862	95.00		
				REFUND-RABIES DEPOSIT	20.00
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for SIERRA, GLORIA			**95.00**		
SKONBERG, RIX				Remit to: **LA VERNE** **CA**	
	7/18/2011	883184	0.00		
				TUITION REIMBURSEMENT	1,500.00
				VOIDED CHECK #883184 - 7/21/11	-1,500.00
	7/21/2011	883187	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for SKONBERG, RIX			**1,500.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883110	57.76		
				REFUND-UUT USER TAXES	57.76
	Vendor Total		**57.76**		
FYTD for SKY TRAILS MOBILE VILLAGE			**57.76**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883111	318.73		
				RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**318.73**		

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SMITH, ERNEST FRANK				Remit to: **FONTANA** **CA**	
	7/5/2011	208606	1,912.38		
				RETIREE MED JAN-JUN 11, PD JUL	1,912.38
	Vendor Total		**1,912.38**		
FYTD for SMITH, ERNEST FRANK			**1,912.38**		
SMITH, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208790	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SMITH, JOHN			**50.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883112	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**318.73**		
SMUS, PAULA				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208791	67.68		
				MILEAGE REIMBURSEMENT	67.68
	Vendor Total		**67.68**		
FYTD for SMUS, PAULA			**67.68**		
SO CAL FIRE PREVENTION OFFICERS ASSOC.				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/5/2011	208607	55.00		
				MEMBERSHIP RENEWAL	55.00
	Vendor Total		**55.00**		
FYTD for SO CAL FIRE PREVENTION OFFICERS ASSOC.			**55.00**		
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	7/11/2011	883152	14,671.30		
				FUEL PURCHASE	6,431.32
				FUEL PURCHASE	8,239.98
	Vendor Total		**14,671.30**		
FYTD for SOCO GROUP, INC			**14,671.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208698	103.20		
				INSTRUCTOR SVCS-YOGA CLASS	103.20
	Vendor Total		**103.20**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**103.20**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
7/5/2011	208608	416.41		
			OPERATING FEE-CH GENERATOR	303.56
			EMISSIONS FLAT FEE-CITY HALL	112.85
7/11/2011	208699	202.60		
			EMISSIONS FLAT FEE-CITY YARD	112.85
			ANNUAL OPERATING FEES-CITY YRD	89.75
7/11/2011	208700	112.31		
			AQMD FEE-JUL'10 TO JUN'11	112.31
7/25/2011	208863	112.31		
			HOT SPOTS FEE-JUL'10 TO JUN'11	112.31
	Vendor Total	**843.63**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**843.63**		
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208609	6,946.39		
			ELECTRICITY	94.55
			ELECTRICITY	104.01
			ELECTRICITY	916.01
			ELECTRICITY	1,791.93
			ELECTRICITY	135.60
			ELECTRICITY	248.78
			ELECTRICITY	706.85
			ELECTRICITY	824.38
			ELECTRICITY	154.13
			ELECTRICITY	309.68
			ELECTRICITY	25.25
			ELECTRICITY	1,083.80
			ELECTRICITY	205.83
			ELECTRICITY	197.81
			ELECTRICITY	70.49
			ELECTRICITY	77.29
7/11/2011	208702	5,217.15		
			ELECTRICITY	44.62
			ELECTRICITY	21.99
			ELECTRICITY	884.88
			ELECTRICITY	1,444.50
			ELECTRICITY	1,186.44
			ELECTRICITY	396.60
			ELECTRICITY	656.24
			ELECTRICITY	498.47
			ELECTRICITY	43.51
			ELECTRICITY	39.90
7/25/2011	208865	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**26,310.27**		
FYTD for SOUTHERN CALIFORNIA EDISON		**228,961.11**		

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK** **CA**	
	7/18/2011	208793	4,681.09		
				GAS CHARGES	711.38
				GAS CHARGES	2,158.36
				GAS CHARGES	14.30
				GAS CHARGES	22.71
				GAS CHARGES	356.59
				GAS CHARGES	146.36
				GAS CHARGES	20.74
				GAS CHARGES	224.49
				GAS CHARGES	78.57
				GAS CHARGES	105.47
				GAS CHARGES	64.73
				GAS CHARGES	80.09
				GAS CHARGES	68.95
				GAS CHARGES	99.38
				GAS CHARGES	22.44
				GAS CHARGES	506.53
	Vendor Total		**4,681.09**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**4,681.09**		
SPARKLETTS				Remit to: **DALLAS** **TX**	
	7/11/2011	208703	41.83		
				WATER SERVICE-CREEKSIDE ELEM	19.54
				WATER SERVICE-ARMADA ELEM.	22.29
	7/25/2011	208866	15.50		
				WATER SERVICE-SUNNYMD ELEM	15.50
	Vendor Total		**57.33**		
FYTD for SPARKLETTS			**57.33**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883113	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**318.73**		
SPECK, TIFFANY				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208867	28.00		
				REFUND-DRAWING FOR KIDS CLASS	28.00
	Vendor Total		**28.00**		
FYTD for SPECK, TIFFANY			**28.00**		

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SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	7/25/2011	883217	12,333.33		
				LNDSCP MAINT.-ZONE E-1	8,746.67
				LNDSCP MAINT.-ZONE E-1A	3,586.66
		Vendor Total	**12,333.33**		
FYTD for SPECTRUM CARE			**12,333.33**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883114	229.88		
				RETIREE MED JUL '11	229.88
		Vendor Total	**229.88**		
FYTD for SPENCER, MARTHA			**229.88**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	7/18/2011	208794	30.00		
				SUBPOENA COMPLNCE-MV111370237	30.00
		Vendor Total	**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	7/11/2011	883153	32.89		
				CELL PHONE SVCS-GANG TASK FRC	32.89
	7/25/2011	883218	607.43		
				CELL PHONE SVCS-PD/SET	607.43
		Vendor Total	**640.32**		
FYTD for SPRINT/NEXTEL			**640.32**		
SRINIVAS, ANAND				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208795	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for SRINIVAS, ANAND			**75.00**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	7/5/2011	208611	2,050.52		
				SUPPLEMENTAL INSURANCE	2,050.52
		Vendor Total	**2,050.52**		
FYTD for STANDARD INSURANCE CO			**31,970.69**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883219	140.00		
			FIRE ALARM SVCD-CONF & REC CTR	140.00
	Vendor Total	**140.00**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**140.00**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
7/25/2011	208868	6,246.25		
			ELECTRICAL ENERGY SURCHARGE	6,246.25
7/29/2011	63011	5,250.00		
			SALES & USE TAX 4/1/11-6/30/11	5,250.00
	Vendor Total	**11,496.25**		
FYTD for STATE BOARD OF EQUALIZATION		**11,496.25**		
STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208704	2,400.44		
			ANNL STREET REPORT 09/10 FY	2,400.44
	Vendor Total	**2,400.44**		
FYTD for STATE CONTROLLER'S OFFICE		**2,400.44**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
7/7/2011	2885	2,096.47		
			CHILD SUPPORT W/H 7/7/11	2,096.47
7/21/2011	2894	2,238.93		
			CHILD SUPPORT W/H 7/21/11	2,238.93
	Vendor Total	**4,335.40**		
FYTD for STATE DISBURSEMENT UNIT		**4,335.40**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
7/5/2011	208612	3,197.00		
			FINGERPRINTING SVCS-PD	3,197.00
7/11/2011	208705	958.00		
			BLOOD ALCOHOL ANALYSIS-PD	350.00
			FINGERPRINTING SVCS-BUS. LIC.	128.00
			FINGERPRINTING SVCS-H.R.	256.00
			FINGERPRINTING SVCS-STARS	32.00
			FINGERPRINTING SVCS-PRKS & REC	64.00
			FINGERPRINTING SVC-PD	96.00
			FINGERPRINTING SVC-CITY COUNCL	32.00
7/18/2011	208796	2,848.00		
			FINGERPRINTING SVCS-BUS. LIC.	192.00
			FINGERPRINTING SVCS-H.R.	128.00
			FINGERPRINTING SVCS-STARS	2,024.00
			FINGERPRINTING SVCS-STARS	504.00
	Vendor Total	**7,003.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**7,003.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
7/18/2011	208797	127.04		
			REFUND-MVU/J MCGLOTHEN	38.86
			REFUND-MVU/B SOLARES	88.18
	Vendor Total	**127.04**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**127.04**		
STEININGER, RICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208706	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for STEININGER, RICHELLE		**20.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
7/18/2011	208798	2,288.96		
			TRANSCRIPTION SVCS-PD	2,288.96
	Vendor Total	**2,288.96**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**2,288.96**		
STEWART TITLE OF CALIFORNIA			Remit to: **HOUSTON** **TX**	
7/5/2011	208629	250.00		
			APN482-230-13 LITIG. GUARANTEE	250.00
	Vendor Total	**250.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**250.00**		

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STEWART, CLIFFORD				Remit to: **GLENDALE** **AZ**	
	7/5/2011	883116	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for STEWART, CLIFFORD			**267.88**		
STILES ANIMAL REMOVAL, INC.				Remit to: **GUASTI** **CA**	
	7/25/2011	208869	300.00		
				LARGE ANIMAL REMOVAL SVCS	100.00
				LARGE ANIMAL REMOVAL SVCS	200.00
	Vendor Total		**300.00**		
FYTD for STILES ANIMAL REMOVAL, INC.			**300.00**		
STRADLING, YOCCA, CARLSON & RAUTH				Remit to: **NEWPORT BEACH** **CA**	
	7/11/2011	208707	1,550.10		
				LEGAL SVCS	79.50
				LEGAL SVCS	695.27
				LEGAL SVCS	775.33
	Vendor Total		**1,550.10**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**1,550.10**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883220	4,062.50		
				CONSULTING SVCS-EDD	4,062.50
	Vendor Total		**4,062.50**		
FYTD for STRICKLER ASSOCIATION, THE			**4,062.50**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883117	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**318.73**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208708	10.56		
				MISC SUPPLIES-PD	10.56
	Vendor Total		**10.56**		
FYTD for SUNNYMEAD ACE HARDWARE			**10.56**		
SYED, ADNAN				Remit to: **LAKE ELSINORE** **CA**	
	7/18/2011	208799	725.00		
				REFUND-RENTAL DEPOSIT-CRC	725.00
	Vendor Total		**725.00**		
FYTD for SYED, ADNAN			**725.00**		

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TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	7/5/2011	208613	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**6,250.00**		
TCM GROUP				Remit to: **FONTANA** **CA**	
	7/5/2011	883118	0.00		
				SR-60/NASON ST INTRCHNG PROJ	21,572.87
				SR-60/NASON ST INTRCHNG PROJ	42,633.50
				SR-60/NASON ST INTRCHNG PROJ	23,140.52
				SR-60/NASON ST INTRCHNG PROJ	85,853.53
				VOIDED CHECK #883118 - 7/12/11	-21,572.87
				VOIDED CHECK #883118 - 7/12/11	-42,633.50
				VOIDED CHECK #883118 - 7/12/11	-23,140.52
				VOIDED CHECK #883118 - 7/12/11	-85,853.53
	Vendor Total		**0.00**		
FYTD for TCM GROUP			**351,572.38**		
TEK TIME SYSTEMS, LLC				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208718	268.25		
				REPAIRS-DATE STAMP MACHINE-FIN	268.25
	Vendor Total		**268.25**		
FYTD for TEK TIME SYSTEMS, LLC			**268.25**		
TEK WORKS				Remit to: **POWAY** **CA**	
	7/18/2011	883185	960.10		
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.09
				CREDIT-CITY CLRK FILE RM DOOR	-693.78
	Vendor Total		**960.10**		
FYTD for TEK WORKS			**960.10**		
TENORIO, LIZETTE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208800	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for TENORIO, LIZETTE			**200.00**		

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TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	7/5/2011	208614	7,262.00		
				CITY HALL HVAC SYSTEM REDESIGN	7,262.00
	7/27/2011	208881	6,113.59		
				CITY HALL HVAC SYSTEM REDESIGN	6,113.59
	Vendor Total		**13,375.59**		
FYTD for TMAD TAYLOR & GAINES			**13,375.59**		
TOLEDANO, JANET				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208709	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for TOLEDANO, JANET			**75.00**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208870	2,530.80		
				INSTRUCTOR SVCS-BALLET INTERMD	66.60
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	222.00
				INSTRUCTOR SVCS-BALLET/JAZZ	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-HIP HOP DANCE	421.80
	Vendor Total		**2,530.80**		
FYTD for TRICHE, TARA			**2,530.80**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208615	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	7/11/2011	208710	25.00		
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**75.00**		
TRINITY DIVERSIFIED, INC.				Remit to: **LONG BEACH** **CA**	
	7/5/2011	208616	155.67		
				STRIPING/STENCIL TRCK SUPPLIES	155.67
	Vendor Total		**155.67**		
FYTD for TRINITY DIVERSIFIED, INC.			**155.67**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK**	**CA**
7/18/2011	208801	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
7/25/2011	208871	1,364.13		
			IRRIGATION REPAIRS-ZONE E-2	1,364.13
	Vendor Total	**17,064.13**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**17,064.13**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883222	14,093.25		
			LNDSCP MAINT.-ZONE M	5,289.24
			LNDSCP MAINT.-ZONE M	243.48
			LNDSCP MAINT.-ZONE DSG-1	6,075.53
			LNDSCP MAINT.-ZONE E-16	2,485.00
	Vendor Total	**14,093.25**		
FYTD for TRUGREEN LANDCARE		**14,093.25**		
TUNTLAND, JAMES			Remit to: **PRESCOTT**	**AZ**
7/5/2011	883119	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**267.88**		
TURBOSCAPE, INC.			Remit to: **SANTA CLARA**	**UT**
7/5/2011	883120	12,600.00		
			PLAYGRND FIBER FOR JFK PARK	11,550.00
			INSTALL FIBAR CHIPS-CITY PARKS	1,050.00
7/11/2011	883155	4,200.00		
			INSTALL FIBAR CHIPS-CITY PARKS	3,950.00
			INSTALL FIBAR CHIPS-CITY PARKS	250.00
	Vendor Total	**16,800.00**		
FYTD for TURBOSCAPE, INC.		**16,800.00**		
U.S. HEALTHWORKS MEDICAL GROUP			Remit to: **LOS ANGELES**	**CA**
7/25/2011	208872	50.00		
			FIT FOR DUTY EVALUATION-HR	50.00
	Vendor Total	**50.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		**50.00**		
U.S. POSTAL SERVICE			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	208617	11,000.00		
			PERMIT #153-REC GUIDES POSTAGE	11,000.00
	Vendor Total	**11,000.00**		
FYTD for U.S. POSTAL SERVICE		**11,000.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNDERGROUND SERVICE ALERT			Remit to: **CORONA**	**CA**
7/5/2011	883121	433.50		
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
Vendor Total		**433.50**		
FYTD for UNDERGROUND SERVICE ALERT		**433.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO**	**CA**
7/5/2011	208618	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
Vendor Total		**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**291.67**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883122	270.00		
			AUTO MALL PYLON SIGN PROJECT	270.00
7/11/2011	883156	1,917.00		
			AUTO MALL PYLON SIGN PROJECT	1,917.00
Vendor Total		**2,187.00**		
FYTD for UNITED INSPECTION & TESTING INC		**2,187.00**		
UNITED POWER GENERATION, INC.			Remit to: **RIVERSIDE**	**CA**
7/5/2011	208619	265.00		
			GENERATOR TEST/REPAIR-FS #48	265.00
Vendor Total		**265.00**		
FYTD for UNITED POWER GENERATION, INC.		**265.00**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO**	**CA**
7/11/2011	883157	1,501.02		
			BROOM KITS-ST SWEEPER	1,501.02
Vendor Total		**1,501.02**		
FYTD for UNITED ROTARY BRUSH CORP		**1,501.02**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE**	**CA**
7/11/2011	883158	107.39		
			FENCE RENTAL-ANIMAL SHELTER	11.32
			FENCE RENTAL-ANIMAL SHELTER	96.07
Vendor Total		**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**107.39**		

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UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
7/5/2011	208620	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
7/18/2011	208802	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**100.00**		
FYTD for UNITED STATES TREASURY		**100.00**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208621	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
7/18/2011	208803	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
	Vendor Total	**989.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**989.38**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208622	3,652.45		
			FERTILIZER AND AG CHEMICALS	1,252.29
			FERTILIZER AND AG CHEMICALS	2,400.16
7/11/2011	208711	1,200.09		
			FERTILIZER AND AG CHEMICALS	919.37
			FERTILIZER AND AG CHEMICALS	280.72
	Vendor Total	**4,852.54**		
FYTD for UNIVAR USA, INC		**4,852.54**		
VACA, MONICA			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208873	3,000.00		
			SETTLEMENT	3,000.00
	Vendor Total	**3,000.00**		
FYTD for VACA, MONICA		**3,000.00**		

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VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
7/11/2011	883159	1,160.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL FIELD OFFICE	45.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
7/18/2011	883186	235.00		
			PEST CNTRL-LIBRARY	5.00
			PEST CNTRL-LIBRARY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,395.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**1,395.00**		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
7/5/2011	883123	8,120.00		
			TEMP STAFFING SVCS-CAP PROJS.	8,120.00
	Vendor Total	**8,120.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**8,120.00**		
VALUEQUEST PRO P.C.			Remit to: **PERRIS**	**CA**
7/5/2011	208623	250.00		
			APPRAISAL SVCS FOR NSP PRGM	250.00
	Vendor Total	**250.00**		
FYTD for VALUEQUEST PRO P.C.		**250.00**		

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VAS ASSOCIATES, INC.			Remit to: **CORONA** **CA**	
7/5/2011	883124	16,320.00		
			TEMP STAFFING SVCS-CAP PROJS.	16,320.00
7/25/2011	883223	17,280.00		
			TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total	**33,600.00**		
FYTD for VAS ASSOCIATES, INC.		**33,600.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208712	15,890.00		
			ACCOUNTING SVCS	7,155.00
			ACCOUNTING SVCS	8,735.00
	Vendor Total	**15,890.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**15,890.00**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
7/5/2011	208624	172.63		
			PHONE LISTING CHARGE	172.63
	Vendor Total	**172.63**		
FYTD for VERIZON CALIFORNIA		**172.63**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
7/11/2011	208713	648.15		
			ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total	**648.15**		
FYTD for VICTOR MEDICAL CO		**648.15**		
VIEVU			Remit to: **SEATTLE** **WA**	
7/5/2011	208625	10,169.00		
			WEARABLE VIDEO CAMERAS FOR PD	8,750.00
			2YR EXTENDED WARRANTY	1,400.00
			SHIPPING	19.00
			CA USE TAX	888.13
			USE TAX ACCRUAL	-888.13
	Vendor Total	**10,169.00**		
FYTD for VIEVU		**10,169.00**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883125	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST		**318.73**		

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VILLAGE NURSERIES WHOLESALE, LLC			Remit to: **ORANGE** **CA**	
7/5/2011	883126	3,809.49		
			PLANTS/TREE MATERIALS - PARKS	3,000.00
			PLANTS/TREE MATERIALS - PARKS	745.02
			PLANTS/TREE MATERIALS - PARKS	64.47
	Vendor Total	**3,809.49**		
FYTD for VILLAGE NURSERIES WHOLESALE, LLC		**3,809.49**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
7/5/2011	883127	3,951.46		
			EMPLOYEE VISION INSURANCE	3,951.46
	Vendor Total	**3,951.46**		
FYTD for VISION SERVICE PLAN		**3,951.46**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208714	261.11		
			PAINT/SUPPL FOR PARKS GRAFFITI	77.52
			PAINT/SUPPL-GRAFFITI RMVL PRGM	147.02
			PAINT/SUPPL-GRAFFITI RMVL PRGM	36.57
	Vendor Total	**261.11**		
FYTD for VISTA PAINT CORPORATION		**261.11**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
7/11/2011	208715	896.37		
			ASPHALTIC MATERIALS	550.55
			ASPHALTIC MATERIALS	103.85
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	103.85
	Vendor Total	**896.37**		
FYTD for VULCAN MATERIALS CO, INC.		**896.37**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883128	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for WAGNER, GARY D.		**318.73**		
WAGONER, ROBERT			Remit to: **ZEPHYRHILLS** **FL**	
7/5/2011	883129	360.40		
			RETIREE MED JUN-JUL 11, PD JUL	360.40
	Vendor Total	**360.40**		
FYTD for WAGONER, ROBERT		**360.40**		

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WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208626	637.46		
				RETIREE MED MAY-JUN 11, PD JUL	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**637.46**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	208874	2,000.00		
				ANNUAL TRUSTEE FEES-2005 LRB	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**2,000.00**		
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	7/11/2011	208719	5,700.00		
				TRIM/THIN OLIVE TREES-VAR LOC.	5,700.00
	Vendor Total		**5,700.00**		
FYTD for WEST COAST ARBORISTS, INC.			**5,700.00**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208716	492.00		
				CALTRANS ENCRCHMNT PERMIT FEE	492.00
	Vendor Total		**492.00**		
FYTD for WEST COAST STRUCTURES INC			**492.00**		
WESTBOUND COMMUNICATIONS				Remit to: **ORANGE** **CA**	
	7/18/2011	208804	7,500.00		
				MAIL BALLOT PR CONSULTING SVCS	3,750.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
	Vendor Total		**7,500.00**		
FYTD for WESTBOUND COMMUNICATIONS			**7,500.00**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208875	3,274.78		
				WATER CHARGES	1,761.75
				WATER CHARGES	10.94
				WATER CHARGES	1,443.82
				WATER CHARGES	58.27
	Vendor Total		**3,274.78**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**3,274.78**		

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WHEELER, GERALD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208805	100.80		
				INSTRUCTOR SVCS-YOUTH GOLF	50.40
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
	Vendor Total		**100.80**		
FYTD for WHEELER, GERALD			**100.80**		
WHISNER, MARY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208806	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISNER, MARY			**50.00**		
WIELIN, RONALD A.				Remit to: **BANNING** **CA**	
	7/5/2011	883130	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**318.73**		
WILLDAN AND ASSOCIATES				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	208627	8,665.00		
				BLDG & SAFETY PLAN CHECK SVCS	7,455.00
				ON-SITE PERMIT INVESTIG. SVCS	1,210.00
	Vendor Total		**8,665.00**		
FYTD for WILLDAN AND ASSOCIATES			**8,665.00**		
WILLDAN FINANCIAL SERVICES				Remit to: **TEMECULA** **CA**	
	7/5/2011	208628	1,500.00		
				ARBITRAGE FEE-97 LSE REV BOND	500.00
				ARBITRAGE FEE-97 LSE REV BOND	1,000.00
	Vendor Total		**1,500.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**1,500.00**		
WILLIAMS, CHARMAINE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208807	62.00		
				REFUND-CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for WILLIAMS, CHARMAINE			**62.00**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	7/5/2011	883131	192.40		
				RETIREE MED JUN '11, PD JUL '1	192.40
	Vendor Total		**192.40**		
FYTD for WILLIAMS, JANE L.			**192.40**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	7/11/2011	208717	414.00		
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	90.00
	Vendor Total		**414.00**		
FYTD for WILLIS, ROBERT H			**414.00**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA** **CA**	
	7/5/2011	883132	7,600.00		
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	7/25/2011	883224	7,600.00		
				TEMP STAFFING SVCS-ELECTR UTIL	2,190.00
				TEMP STAFFING SVCS-ELECTR UTIL	5,410.00
	Vendor Total		**15,200.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**15,200.00**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208876	17,746.00		
				TUMF FEES COLLECTED	17,746.00
	Vendor Total		**17,746.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**17,746.00**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.			Remit to: **CORONA**	**CA**
7/5/2011	883133	1,620.00		
			MAINT. DAY PORTER SVCS	1,020.00
			JANITORIAL SVCS-TOWNGT RENTALS	600.00
7/11/2011	883161	130.00		
			SPECIAL CLEANING SVCS-SNR CTR	130.00
7/27/2011	883225	23,005.87		
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
			JANITORIAL SVCS-T.S. ANNEX	453.43
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-MRCH FLD PK CC	955.70
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-SP DIST ANNEX	735.73
			JANITORIAL SVCS-EMP RES CTR	532.81
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-CITY HALL	4,588.23
			MAINT. DAY PORTER SVCS	1,076.10
	Vendor Total	**24,755.87**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**24,755.87**		
XEROX			Remit to: **DALLAS**	**TX**
7/18/2011	208808	3,520.61		
			COPIER RNTL/MAINT/PRNTS-GRPHCS	1,618.85
			COPIER RNTL/MAINT-GRAPHICS	397.79
			COPIER RNTL/MAINT-PARKS	117.88
			COPIER RNTL/MAINT-PARKS	241.46
			COPIER RNTL/MAINT/PRINTS-PARKS	1,144.63
	Vendor Total	**3,520.61**		
FYTD for XEROX		**3,520.61**		
YAMASHITA, JULIA J.			Remit to: **LAGUNA WOODS**	**CA**
7/5/2011	883134	161.50		
			RETIREE MED MAY '11, PD JUL '1	161.50
	Vendor Total	**161.50**		
FYTD for YAMASHITA, JULIA J.		**161.50**		

Subtotal **1,171,566.33**

GRAND TOTAL **11,090,197.25**

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MV00128846

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT
PROJECT NO. 10-12272227

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

BACKGROUND

The design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In August 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

The Planning Division of the Community and Economic Development Department determined on July 25, 2011, that this project is exempt from the California

Environmental Quality Act (CEQA) as it is classified as a Class 1 Categorical Exemption under Section 15301(c) and, therefore, environmental documents are not required.

DISCUSSION

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The project improvements and locations are as follows:

- Curb, gutter, and sidewalk on the north side of Ironwood Avenue, east of Bayless Street.
- Curb, gutter, and sidewalk on the east side of Indian Street, south of Ironwood Avenue.
- Sidewalk on the east side of Pigeon Pass Road, north of Hemlock Avenue.
- Sidewalk on the south side of Calle San Juan De Los Lagos, west of Frederick Street.
- Ten pedestrian access ramps along Hemlock Avenue from Perris Boulevard to Leahy Street.
- Pedestrian access ramps on the northwest and southwest corners of Indian Avenue and Dorner Drive.
- Pedestrian access ramps on the southeast and northeast corners of Ramsdell Drive and Dorner Drive.
- Pedestrian access ramps on the southwest and southeast corners of Cottonwood Avenue and Bion Drive.
- Pedestrian access ramp and curb return on the southeast corner of Cactus Avenue and Elsworth Street.
- Pedestrian access ramp and curb return on the northwest corner of Iris Avenue and Oliver Street.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m., on September 12, 2011, for the subject project. The ten (10) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Mora's Equipment & Construction, Inc.**	**$182,993.50**
2.	TSR Construction & Inspection	$220,417.60
3.	Golden State Constructors, Inc.	$238,606.25
4.	CT&T, Inc.	$247,797.90
5.	STI, Inc.	$266,135.43
6.	Blair Rasmussen Construction	$280,741.12
7.	Elite Companies	$286,370.57
8.	JDC, Inc.	$320,910.60
9.	Avi-Con, Inc.	$375,398.00
10.	Bravo Concrete	$401,616.55

Engineer's Estimate $230,000.00

Staff has reviewed Mora's Equipment & Construction, Inc.'s bid and finds it to be the lowest responsive bid. Furthermore, Mora's Equipment & Construction, Inc. is in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Mora's Equipment & Construction, Inc. in their bid.

The lowest responsive bid was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternative items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternative items which comprise the ten locations identified in the DISCUSSION section. These ten locations are Phase 1 of the FY 10-11 SB 821 Grant Project as accepted by City Council on September 14, 2010. Phase 2 of the FY 10-11 SB 821 Grant Project will go out to bid in January of 2012.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor will coordinate construction activities such that impacts to motorists and pedestrians are minimized.

ALTERNATIVES

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc., in the form attached hereto, authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc. up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will allow for the timely construction of needed improvements.*

2. Do not award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, do not authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will delay the construction of these needed improvements.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2011/2012 Capital Improvements Project Budget and will be financed by SCAG Article 3 (Fund 122) and Measure "A" (Fund 125). RCTC will reimburse up to $150,000 of the construction costs. The funding for this project is restricted to street improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS FISCAL YEAR 2011/2012:

Citywide Sidewalks and Access Ramps (Account No. 122.72227)	$150,000
Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$150,000
Total Funds Available	**$300,000**

ESTIMATED CONSTRUCTION RELATED COSTS:

Construction (Includes 20% contingency)	$220,000
Construction Surveying Costs	$25,000
Construction Geotechnical Costs	$25,000
Project Administration and Inspection Services	$20,000
Total Estimated Construction Related Costs	**$290,000**

ANTICIPATED PROJECT SCHEDULE:

Start Construction	October 2011
Complete Construction	March 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The City Council is requested to approve the award of the construction contract to Mora's Equipment & Construction, Inc.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Mora's Equipment & Construction, Inc.

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\CC Reports\NOA-Phase 1 staff report\NOA for Citywide Sidewalks and Access Ramps_9-21-11.doc

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MV00128852

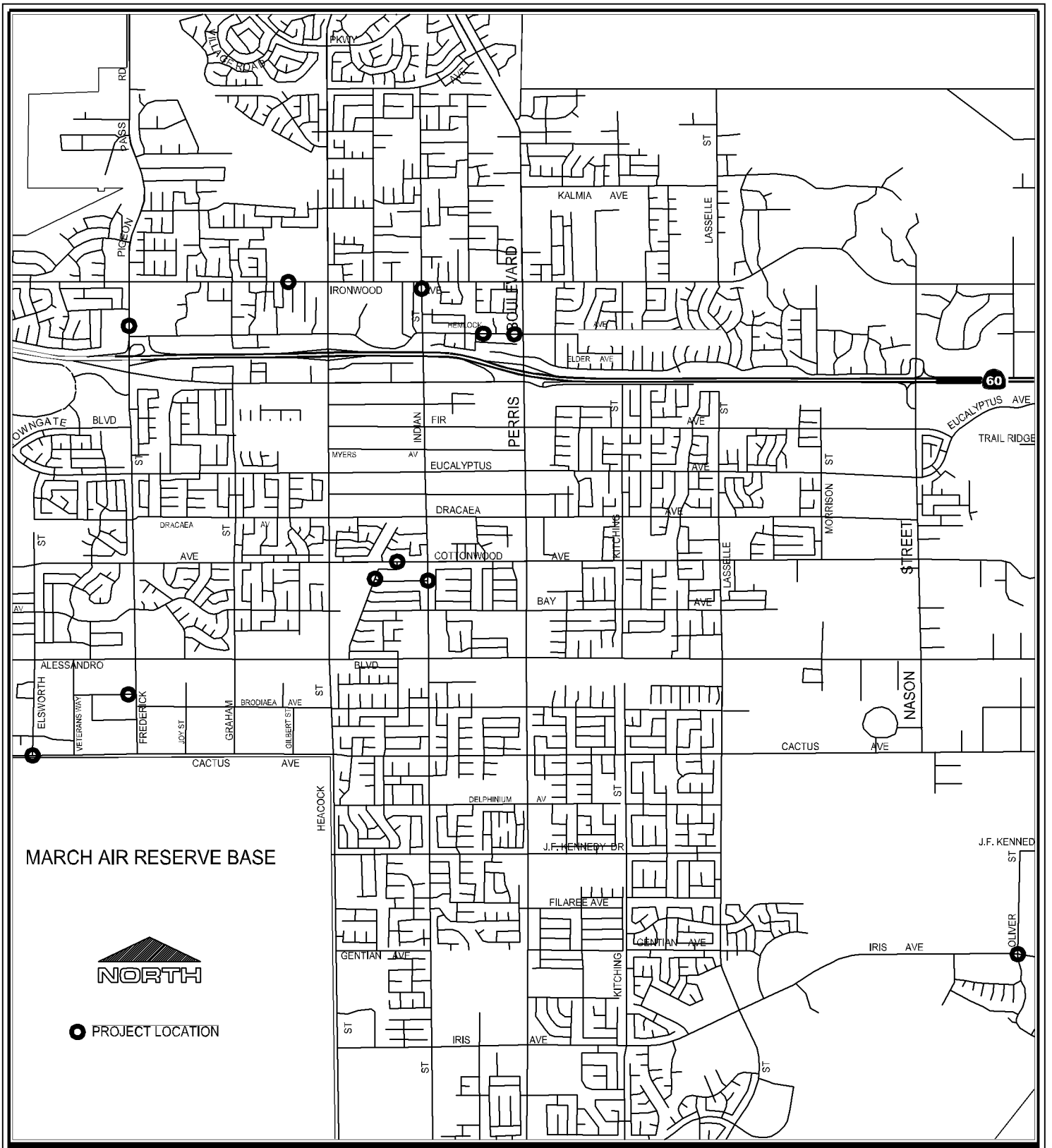

ATTACHMENT "A" - LOCATION MAP

Public Works Department Capital Projects Division	PROJECT NO. 10-12272227 CITYWIDE SIDEWALKS AND ACCESS RAMPS
Scale: None	

Item No. A.5

MV00128853

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MV00128854

Agreement No._____

AGREEMENT

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Mora's Equipment and Construction, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$182,993.50** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. After the Agreement has been fully executed by the Contractor and the City, the Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the "Notice to Proceed to Fulfill Preconstruction Requirements," which constitutes the start of the contract eighty (80) working days. Preconstruction Requirements include, but are not limited to, the following:

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan
- Submitting and obtaining approval of required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Contract Documents

After all preconstruction requirements are met, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor agrees to diligently prosecute the work, including corrective items of work, day to day thereafter, except as adjusted by subsequent Change Orders. The eighty (80) working days include the time necessary to both Fulfill Preconstruction Requirements and for Construction of the project.

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $365.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers,

employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

15. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

16. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12272227

CITY OF MORENO VALLEY, a Municipal Corporation

BY: _____
City Manager

DATE: _____

Mora's Equipment and Construction, Inc.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\Specifications\2 Agreement - Basic Specs 07-11 - Citywide SW AR.DOC

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO
  - ly attach this document to the signed document.

Item No. A.5

MV00128861

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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MV00128868

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

FRAN LOU DRIVE, BETWEEN PERRIS BOULEVARD AND KITCHING STREET

DEVELOPER - LCTH INVESTMENT, L.P.
1000 DOVE STREET
SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements.

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 27, 2003, the City Council of Moreno Valley approved Final Map 20185 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 20185 provided a Faithful Performance Bond in the amount of $2,072,000 and a Material and Labor Bond in the amount of $1,036,000 issued by Western Insurance Company.

On August 23, 2005, the City Council approved and accepted replacement bonds and an Agreement for Public Improvements for Tract 20185. The agreement expired August 23, 2007. Due to the current market conditions at that time, LCTH Investment, L.P. postponed development and focused on selling their current inventory of homes on other project sites.

On September 25, 2007, LCTH Investment, L.P. requested that the City provide a 24 month extension of time to their Agreement for Public Improvements. The amendment extended the agreement for Tract 20185 to August 23, 2009.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Do not direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 20185
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\9-27-11 - TR 20185- Exoneration of Agree.doc

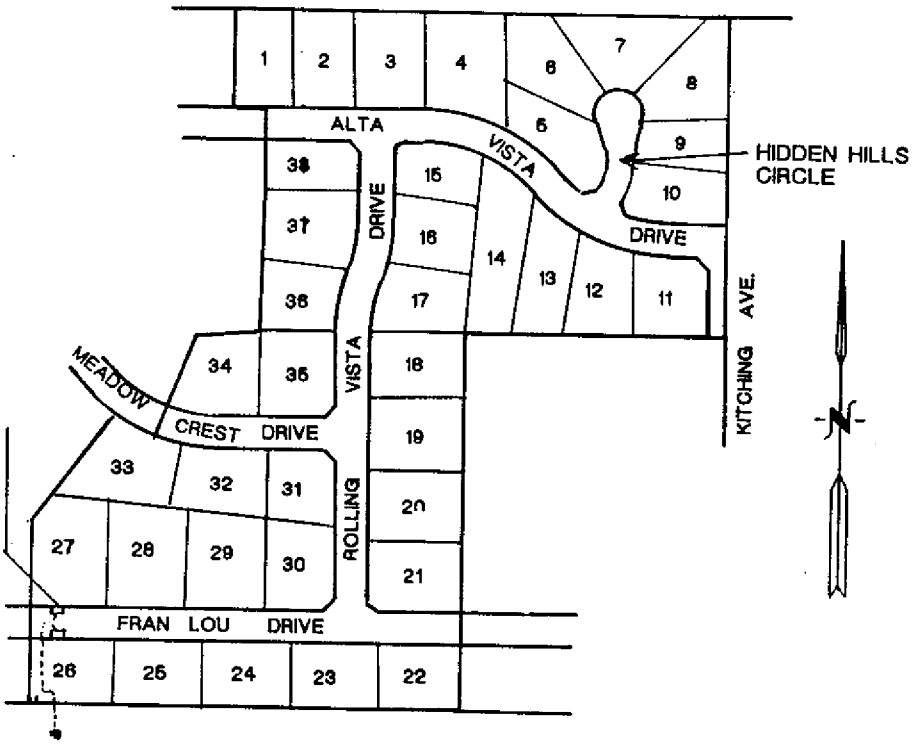

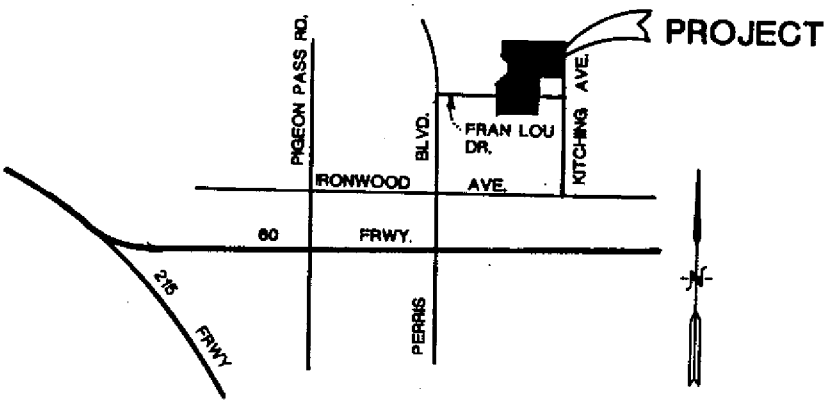

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

TRACT 20185
VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

Item No. A.6

MV00128873

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MV00128874

AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS FOR TRACT 20185

This Amendment to Agreement for Public Improvements is made and entered into by and between the City of Moreno Valley, hereinafter "City", and **LCTH INVESTMENT, L.P.,** hereinafter "Contractor", on the date the City signs this agreement.

1. RECITALS:

   (a) The City and the Contractor entered into an Agreement for Public Improvements hereinafter called the "Original Agreement" **(Doc #2005-0793184)** on August 23, 2005. That agreement will expire on August 23, 2007.

   (b) The City and the Contractor wish to amend the Original Agreement as hereinafter provided.

2. AMENDMENT TO ORIGINAL AGREEMENT:

   (a) Based upon the foregoing Recitals, the City and the Contractor hereby amend the Original Agreement, extending said agreement by twenty-four (24) months, up to and including the **23rd day of August 2009**, the time for completion of the required work and improvements by the Contractor.

   (b) The bonds currently on file are to remain in effect unless replacement bonds are being provided with this Amendment to Agreement for Public Improvements.

3. LIMITED EFFECT:

   Except as herein otherwise provided, the terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Contractor and the City have duly caused this Amendment to the Original Agreement to be executed as of the date executed by the Mayor of the City.

LCTH INVESTMENT, L.P.

By: C Christine Chung
Signature

CHRISTINE CHUNG MANAGER
Print Name & Title

By: _____
Signature

_____
Print Name & Title

ATTEST:

Alice Reed 10/2/07
City Clerk Date

CITY OF MORENO VALLEY

Charles White 9-29-07
Mayor Date:

APPROVED AS TO FORM:

RDH 9/29/07
City Attorney Date

Original-City Clerk Pink-Contractor Green-Land Dev. Blue-Project File

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

W:\LandDev\Lee Ann\Agreement Bond Packets\TR20185 - Amendment to Agreement-extension.doc

Exhibit "B"

Item No. A.6

MV00128875

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0.05	Thickness (ft.)				
	132550	S.F.	480	Ton	55.00	26,427
A.C. - Street 1	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	90.00	302,711
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	329,138

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

OFFSITE STREET WORK

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	0	Ton	90.00	0
Slurry Seal (Based on $150/Ton Type II)	14728	S.Y.	2.25	33,138
Sawcut	0	L.F.	1.50	0
Utility Trench	5000	L.F.	17.00	85,000
Trench Repaving	0	S.F.	12.00	0
Redwood Header	250	L.F.	6.00	1,500
A.C. Berm - 6"	163	L.F.	10.00	1,630
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	19	EA.	800.00	15,200
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	1800	L.F.		0
Curb and Gutter - 8"	5000	L.F.	25.00	125,000
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	3000	S.F.	15.00	45,000
Sidewalk	13800	S.F.	7.00	96,600
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	4350	S.F.	14.00	60,900
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	9	EA.	1,200.00	10,800
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	60	L.F.	100.00	6,000
	0			0
			SUBTOTAL:	480,768

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	16	EA.	4,000.00	64,000
Street Lights (22000 lumen)	0	EA.	5,000.00	0
Electrical Utility Infrastructure	0	L.S.	--	0
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	64,000
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordina	0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
Traffic Striping/raised pavement markers	1	L.S.	10000	10,000
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	5	EA.	200.00	1,000
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
	0		--	0
			SUBTOTAL:	12,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Cluster Mail Boxes	4	EA.	4,500.00	18,000
Erosion Control	24	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	178	EA.	100.00	17,800
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Street Trees	38	EA.	2,500.00	95,000
			SUBTOTAL:	130,800

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	48	L.F.	130.00	6,240
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	238	L.F.	180.00	42,840
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	3	EA.	5500.00	16,500
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
	0		---	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	21	EA.	5500.00	115,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	2	EA.	3500.00	7,000
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		---	0
Miscellaneous				
Rip Rap	200	TON	60.00	12,000
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		---	0
			SUBTOTAL:	203,080

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	2422		50.00	121,100
10" PVC C-900	0		55.00	0
12" PVC C-900	1045		60.00	62,700
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.	---	0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	5	EA.	800.00	4,000
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	1	EA.	1,800.00	1,800
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	4	EA.	3,000.00	12,000
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	3	EA.	2,500.00	7,500
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	7	EA.	2,800.00	19,600
6" Super Fire Hydrants	0	EA.	3,000.00	0
	0		---	0
Services Connections				
1" Service	38	EA.	500.00	19,000
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	2		200.00	400
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	6		750.00	4,500
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	2	EA.	2,800.00	5,600
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	3	CY	150.00	450
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
	0		---	0
			SUBTOTAL:	267,650

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	1143	L.F.	20.00	22,860
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	3000	L.F.	30.00	90,000
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	38	EA.	700.00	26,600
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	33	EA.	3,000.00	99,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	0	EA.	300.00	0
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	38	EA.	90.00	3,420
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	238,460

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK :	$329,138
STREET WORK :	$611,568
STORM DRAIN SYSTEM :	$203,080
WATER SYSTEM :	$267,650
SEWER SYSTEM :	$238,460
ENTERPRISE SERVICES ADMIN :	$64,000
TRANSPORTATION ENGNRNG :	$12,000
TOTAL COST (VALUE) OF IMPROVEMENTS:	$1,725,896
+20% CONTINGENCY:	$345,179
GRAND TOTAL:	$2,071,075

BOND AMOUNT: **$2,072,000**

Item No. A.6

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TRACT MAP 20185

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **LCTH INVESTMENT, L.P.**, hereinafter called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TRACT MAP 20185** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND AND NO/100** Dollars (*****$1,637,000*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:

LCTH Investment, L.P.
1000 Dove Street
Suite 100
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

LCTH Investment, L.P.

By: Christine Cheng Manager
Title

By: _____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: Alice Reed
City Clerk

(SEAL)

CITY OF MORENO VALLEY

Date: 8/24/05

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8/24/05

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

PROJECT: **Tract 20185 (2005 Version)**
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			3675	C.Y.	16.00	58,800
A.B. Class II	0.5	Thickness (ft.)				
	132550	S.F.	4805	Ton	16.00	76,879
A.C.	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	43.50	146,310
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Curb and Gutter - 6"			1800	L.F.	12.00	21,600
Curb and Gutter - 8"			5000	L.F.	13.00	65,000
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			3000	S.F.	11.00	33,000
Sidewalk			13800	S.F.	4.00	55,200
Driveway Approach - 6"			4350	S.F.	5.50	23,925
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			163	L.F.	10.00	1,630
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			14728	S.Y.	1.10	16,201
Redwood Header			250	L.F.	4.00	1,000
Sawcut			0	L.F.	1.10	0
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5000	L.F.	5.00	25,000
Wheelchair Ramp			9	EA.	400.00	3,600
Street Name Sign			0	EA.	425.00	0
Stop Sign			5	EA.	200.00	1,000
Barricade			60	L.F.	45.00	2,700
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			5	EA.	200.00	1,000
Traffic Striping/raised pavement markers			1	L.S.	–	4,464
Traffic Signal			0	EA.	160,000.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping			0	S.F.	5.00	0
Street Trees			38	EA.	150.00	5,700
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			16	EA.	3,000.00	48,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			19	EA.	550.00	10,450
Erosion Control			24	Ac.	5,500.00	132,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure						
Electrical Reimbursement						
					SUBTOTAL:	745,459

Monuments: 0 X 65.00 EA. $0

Item No. A.6

EXHIBIT "A"

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	48	L.F.	75.00	3,600
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	0	L.F.	95.00	0
30" Reinforced Concrete Pipe	238	L.F.	110.00	26,180
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	3	EA.	5000.00	15,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin	21	L.F.	450.00	9,450
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Junction Structure	0	EA.	4500.00	0
Headwall	0	EA.	3500.00	0
Rip Rap	200	TON	40.00	8,000
Parkway Drain	1	EA.	2000.00	2,000
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	1	EA.	1100.00	1,100
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
"V" Gutter	23810	S.F.	4.00	95,240
			SUBTOTAL:	160,570

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	1045	L.F.	60.00	62,700
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	2422	L.F.	50.00	121,100
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	7	EA.	2,000.00	14,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	2	EA.	200.00	400
10"	0	EA.	240.00	0
12"	6	EA.	750.00	4,500
Blow Off 6"	0	EA.	1,800.00	0
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	0	EA.	1,800.00	0
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	38	EA.	350.00	13,300
Blow-offs	3	EA.	1,300.00	3,900
Air Vac & Air Release	4	EA.	1,800.00	7,200
Hot Tap	2	EA.	2,000.00	4,000
12" BFV	1	EA.	1,800.00	1,800
8" BFV	5	EA.	800.00	4,000
Thrust Block	3	C.Y	150.00	450
			SUBTOTAL:	246,350

Item No. A.6

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	3000	L.F.	32.00	96,000
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1143	L.F.	24.00	27,432
15" Pipe Plastic Solid Wall	0	L.F.	35.00	0
12" Pipe Plastic Solid Wall	0	L.F.	33.00	0
10" Pipe Plastic Solid Wall	0	L.F.	21.00	0
8" Pipe Plastic Solid Wall	0	L.F.	17.00	0
6" Pipe Plastic Solid Wall	0	L.F.	13.00	0
4" Pipe Plastic Solid Wall	0	L.F.	9.00	0
Standard Manhole 48"	19	EA.	2,000.00	38,000
Terminus Manholes	14	EA.	1,700.00	23,800
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	38	EA.	600.00	22,800
Wyes	38	EA.	90.00	3,420
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
			SUBTOTAL:	211,452

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

IMPROVEMENT TYPE:

ROADWORK	:	$745,459
STORM DRAIN	:	$160,570
WATER SYSTEM	:	$246,350
SEWER SYSTEM	:	$211,452
SURVEY MONUMENTS	:	$0
TOTAL COST OF IMPROVEMENTS:		$1,363,831
+20% CONTINGENCY:		$272,766
GRAND TOTAL:		$1,636,597

BOND AMOUNT: **$1,637,000**

Item No. A.6

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MV00128892

Recording requested by and when recorded, mail to:

City of Moreno Valley
CEDD/Land Development Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Public Works Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Tract Number 20185,

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 20185 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the Public Works Department, Land Development Division located at 14177 Frederick Street, Moreno Valley, California, 92553 or by calling 951.413.3120.

By: _____
CHRIS A. VOGT,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date 8/31/11

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Notifications for PIA Req\TR 20185 - Notice of Requirement for PIA.doc

Exhibit "C"

Item No. A.6

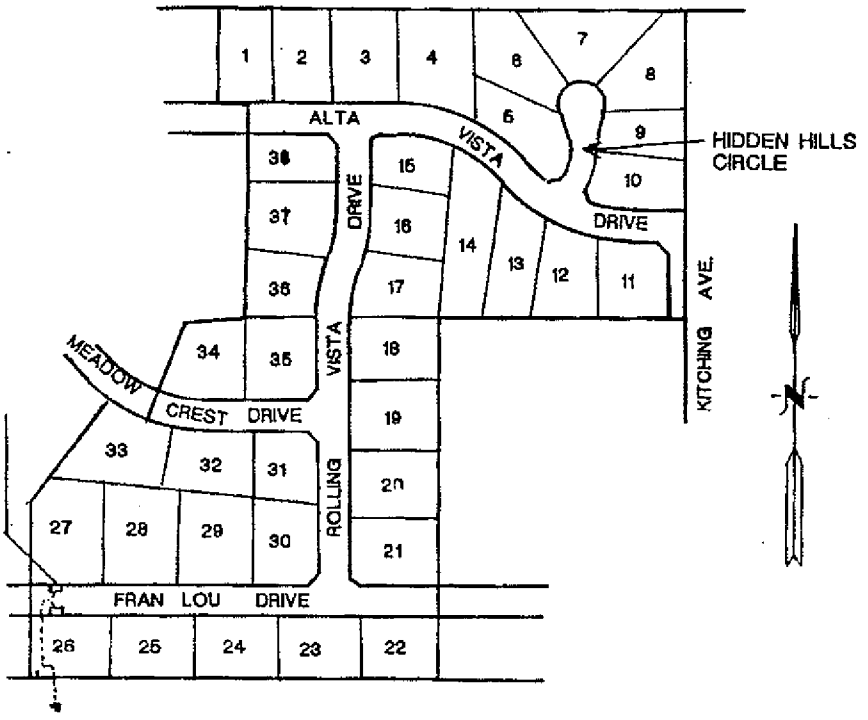

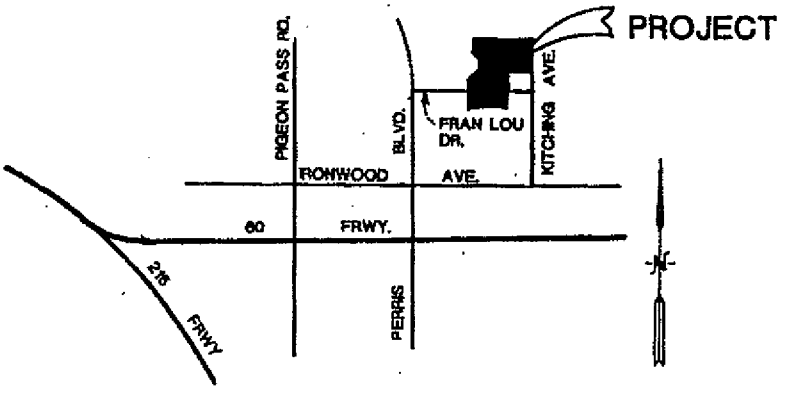

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** EXHIBIT "A"	**TRACT 20185** **VICINITY MAP**

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Community and Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO REDEVELOPMENT AGENCY
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324.

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325.

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way).

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency:

> Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. The City Council approved Resolution No. 2011-88 for the Notice of Intent to Vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highways Code – Chapter 3, Sections 8320 through 8325. The Resolution provided for the following actions:

1. Set the date of the public hearing for the vacation proceeding as September 27, 2011 , in the City Council Chambers, at 6:30 p.m., for all persons interested in or objecting to the proposed street vacation; and

2. Directed the City Clerk to publish and advertise the hearing notice and directed the City Engineer to post Motor Way giving notice of the time of the public hearing; and

3. Directed the City Clerk to certify said resolution and transmit a copy to the office of the County Recorder for recordation.

DISCUSSION

The Community Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Part of the Auto Mall Specific Plan is to vacate the frontage road (Motor Way) between the Auto Mall properties and Auto Mall Parkway (Moreno Beach Drive) to enhance visibility. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno

Beach Drive) already serves, and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Bros. Moreno Valley Properties, LLC and Majestic Realty (also known as Auto Mall Resolution, LLC), who own the properties fronting Motor Way. Both owners support the vacation of Motor Way. To maintain access to two fronting properties along Lot "B", an ingress and egress easement are required as part of the vacation process.

The City also recommends that the property be transferred from the City of Moreno Valley's ownership to the RDA's ownership via a quitclaim deed. The transfer of ownership would allow the RDA to address various issues identified in the Auto Mall's Specific Plan Amendment No. 5 previously approved by City Council. There is no fee associated with the transfer of ownership.

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

ALTERNATIVES

1. Adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Adopting the Resolution ordering the Vacation will allow the City to finish the proposed street improvements.*

Authorizing the execution of the Quitclaim Deed and Easement Deeds will alleviate any future title issues and liability issues for the City.

2. Do not adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, do not direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, do not authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and do not authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Do not authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Not adopting the Resolution ordering the Vacation will not allow the City to finish the proposed street improvements along Motor Way and will cause the City to continue maintenance of the street. Not authorizing the execution of the Quitclaim Deed and Easement Deeds may cause future title issues and liability issues for the City.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution ordering the street vacation. There will be a transfer of land ownership between the City and the RDA but no financial transaction between the entities.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue,

excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

NOTIFICATION

Notice of the vacation has been given to various utility agencies. The public has been notified of the vacation by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Lot B Exhibit"
Attachment "C" – Proposed Resolution
Attachment "D" – Quitclaim Deed
Attachment "E" – Acceptance Certification
Attachment "F" – Easement Deed for Parcel "A" of LLA 817
Attachment "G" – Easement Deed for Parcel 1 of LLA 1008

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\Full Vacation for Motor Way and Transfer of Property 9-27-11 - Final.docx

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MV00128900

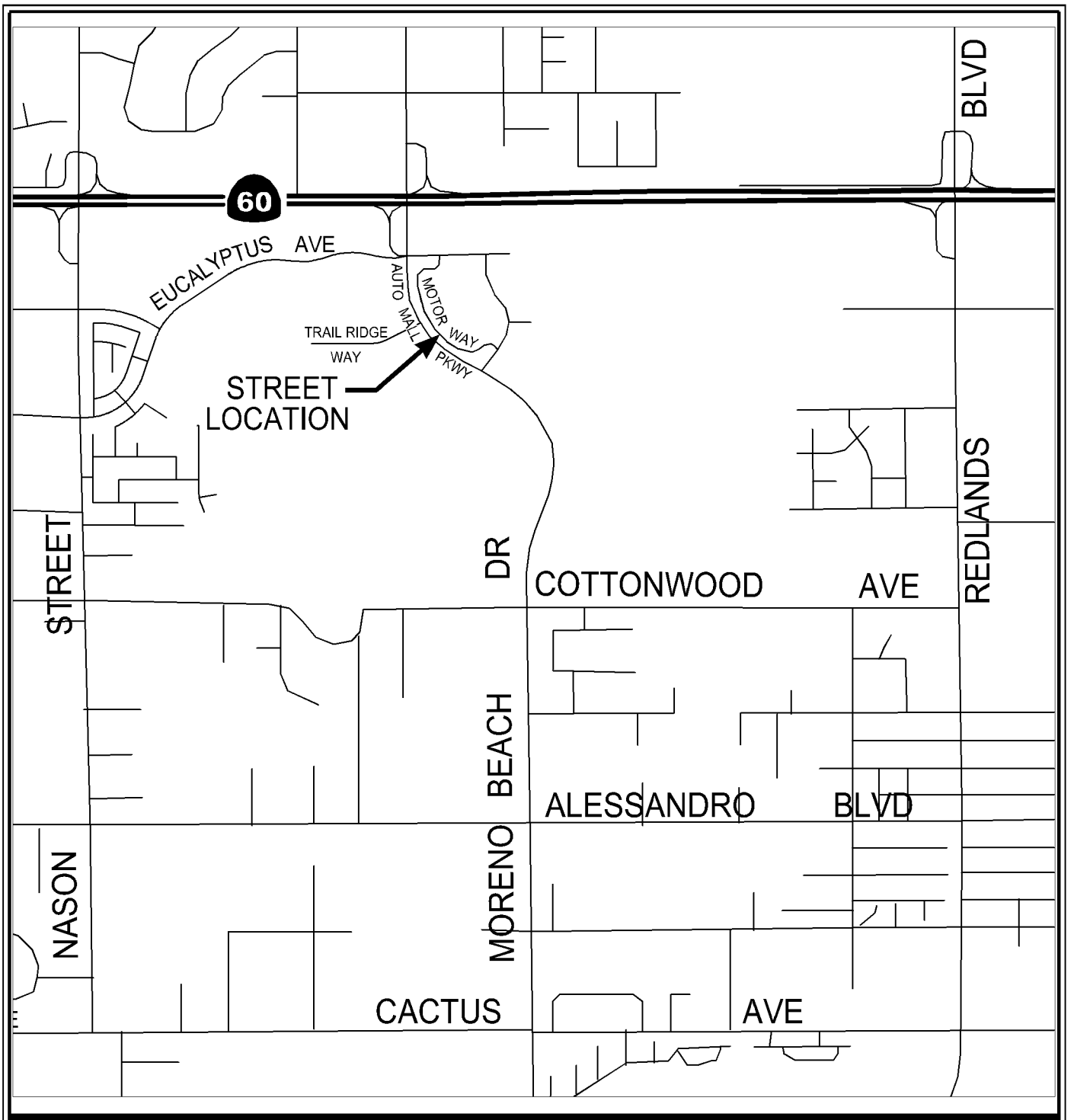

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

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MV00128902

"Lot B Exhibit"

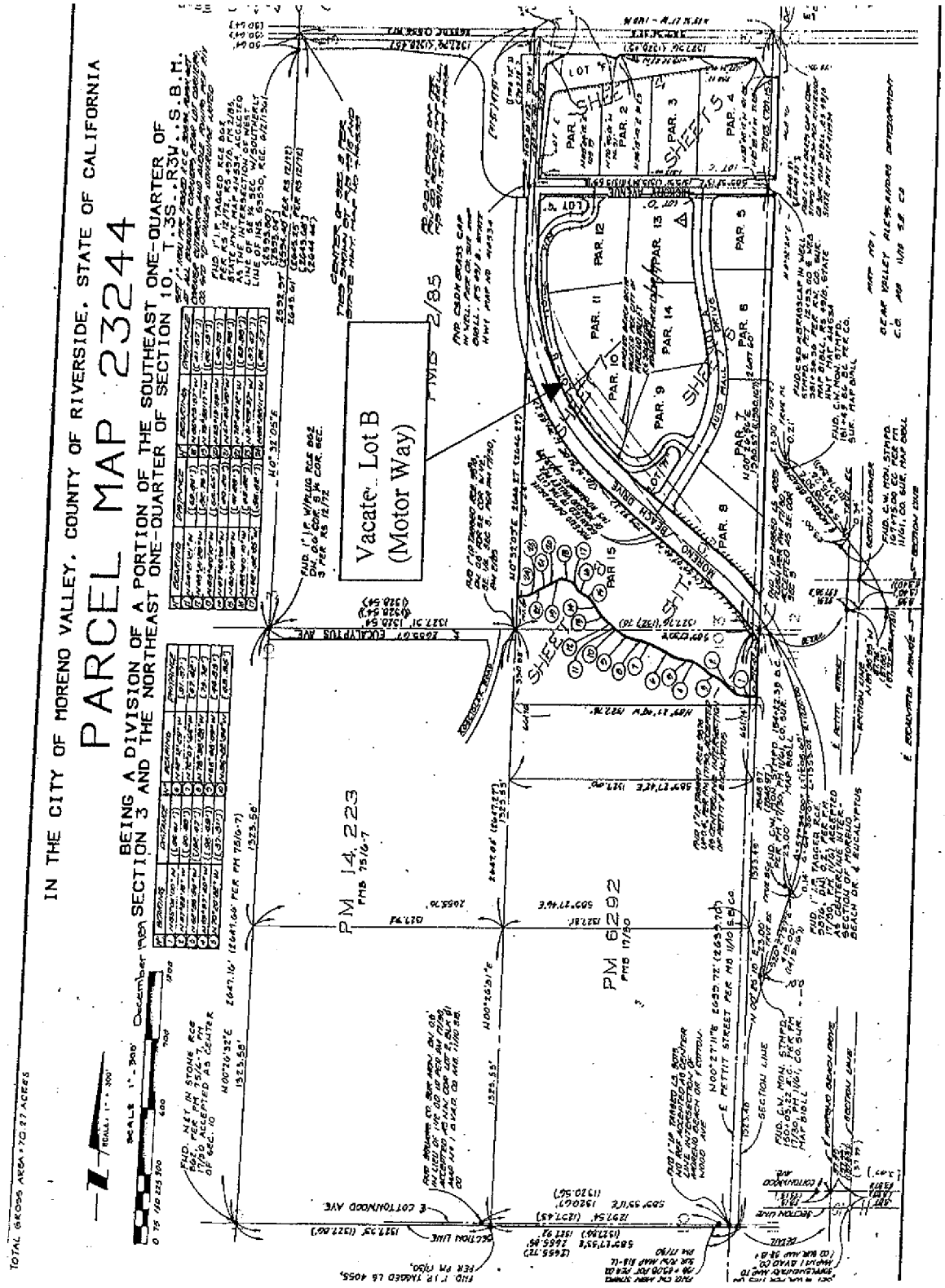

Attachment "B"

Item No. A.7

MV00128903

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MV00128904

RESOLUTION NO. 2011-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City Council, on August 23, 2011, adopted Resolution No. 2011-88 declaring its intention to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described in said Resolution No. 2011-88 on file with the City Clerk's office, and set a public hearing for September 27, 2011, at 6:30 p.m., as the time for all persons interested in or objecting to the proposed vacation; and

WHEREAS, this public hearing was duly noticed and held as required by law; and

WHEREAS, the public right-of-way proposed to be vacated was duly posted as provided by law; and

WHEREAS, there are existing public facilities and services in the area to be vacated, therefore reserving to the City an easement for public facilities and services; and

WHEREAS, the Council finds such public right-of-way is unnecessary for the following reasons:

1. The subject right-of-way is unnecessary for present and prospective public use.

2. The subject right-of-way is not needed as a non-motorized transportation facility.

3. The proposed vacation is consistent with the City of Moreno Valley Municipal Code and General Plan and it complies with the requirements for street vacations as cited in the California Streets and Highways Code Sections 8312 & 8324.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public right-of-way described as Lot B of Parcel Map 23244, as recorded and on file with the Riverside County Recorder's Office, be vacated.

BE IT FURTHER RESOLVED THAT the City is reserving unto itself an easement for public utilities and public facilities purposes.

BE IT FURTHER RESOLVED THAT the City is reserving ingress and egress access easements to Parcel A of Lot Line Adjustment Number 817 and Parcel 1 of Lot Line Adjustment Number 1008 along Lot B of Parcel Map 23244.

BE IT FURTHER RESOLVED THAT the City Clerk shall cause a certified copy of this order to be recorded by the Riverside County Recorder.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00128908

Recording requested by and when
recorded, mail to:
City of Moreno Valley
City Clerk
14177 Frederick Street
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N.

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the

City of Moreno Valley, a Municipal Corporation

hereby remises, releases and quitclaims to the COMMUNITY REDEVELOMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, the real property in the City of Moreno Valley, County of Riverside, State of California, as described:

Lot B of Parcel Map 23244 and as illustrated on the plat attached hereto and marked Exhibit "A".

Reserving therefrom, to said City of Moreno Valley an easement for public utilities and public facilities over, under, across and within the above described parcels of land.

IN WITNESS WHEREOF, this instrument has been executed this ____ day of_____, 2011.

STATE OF CALIFORNIA
County of Riverside

On _____ before me, _____
the undersigned. A Notary Public in and for said State, personally appeared_____
_____
proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

GRANTOR:

City of Moreno Valley

By:_____

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MV00128910

"Lot B Exhibit"

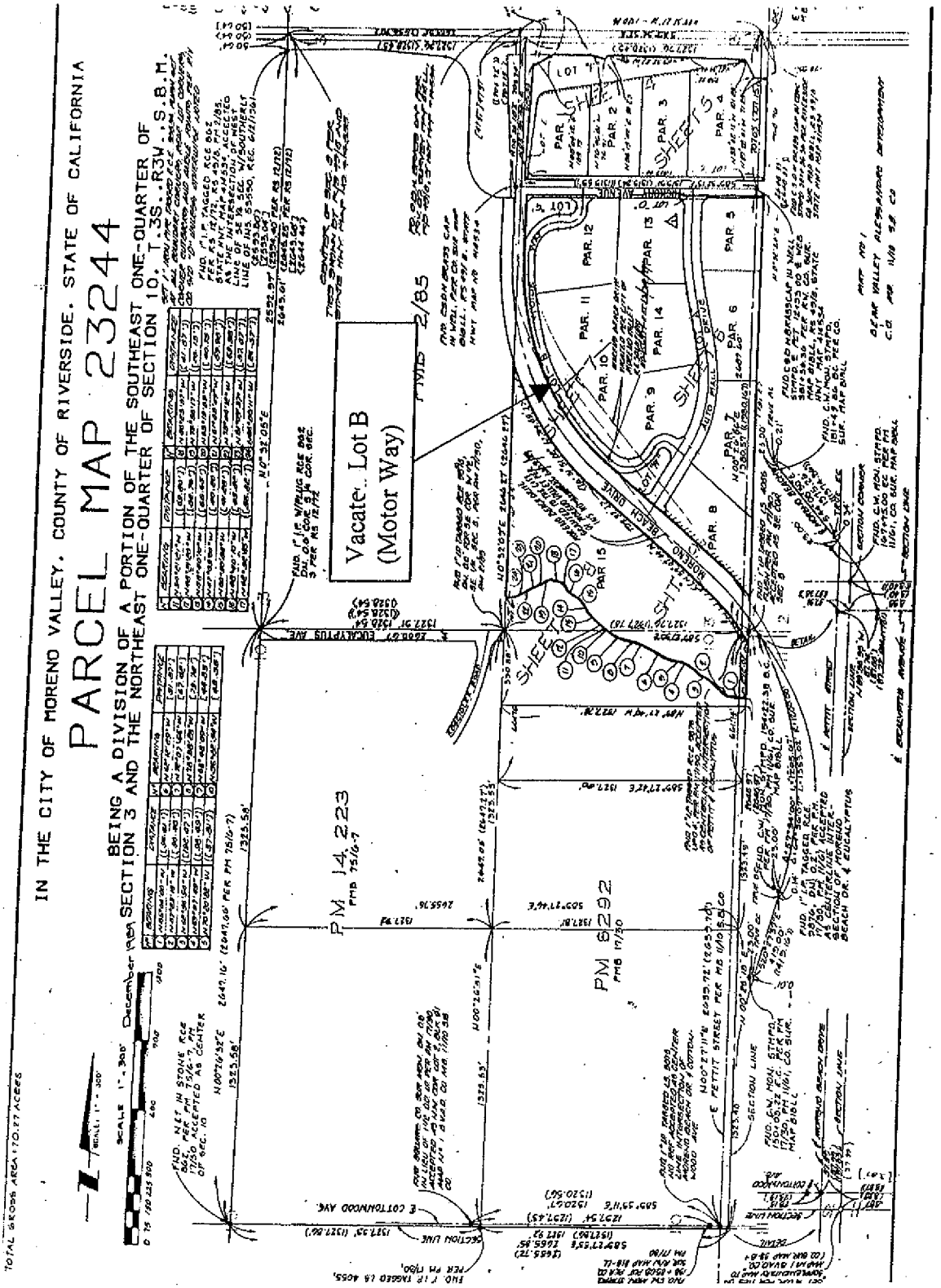

Exhibit "A"

Item No. A.7

MV00128911

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MV00128912

ACCEPTANCE CERTIFICATION

This is to certify that the interest in real property conveyed by the deed or grant dated September 27, 2011 from City of Moreno Valley to the Moreno Valley Community Redevelopment Agency, State of California, in the form attached hereto, is hereby accepted, subject to completion of Conditions of Resolution 2011-___, by the order of the Board of Directors of the Moreno Valley Redevelopment Agency, pursuant to authority so ordered on September 27, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____

By: _____
Richard A. Stewart, Chairman of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

State of California
County of_____ }

On_____ before me, _____, A Notary Public
Date — Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

_____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Attachment "E"

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MV00128914

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the AUTO MALL RESOLUTION, LLC, an easement for ingress and egress access purposes to Parcel "A" of Lot Line Adjustment Number 817 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Lot "A" (also know as Auto Mall Drive) and the prolongation of the northerly property line of Parcel "A" of Lot Line Adjustment Number 817 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "F"

Item No. A.7

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MV00128916

LOT LINE ADJUSTMENT 817

OF A PORTION OF PARCELS 10, 11, 12 AND 13 OF PARCEL MAP 23244
ON FILE IN BOOK 161 OF PARCEL MAPS AT PAGES 16 THROUGH 24,
RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

JUNE 1990

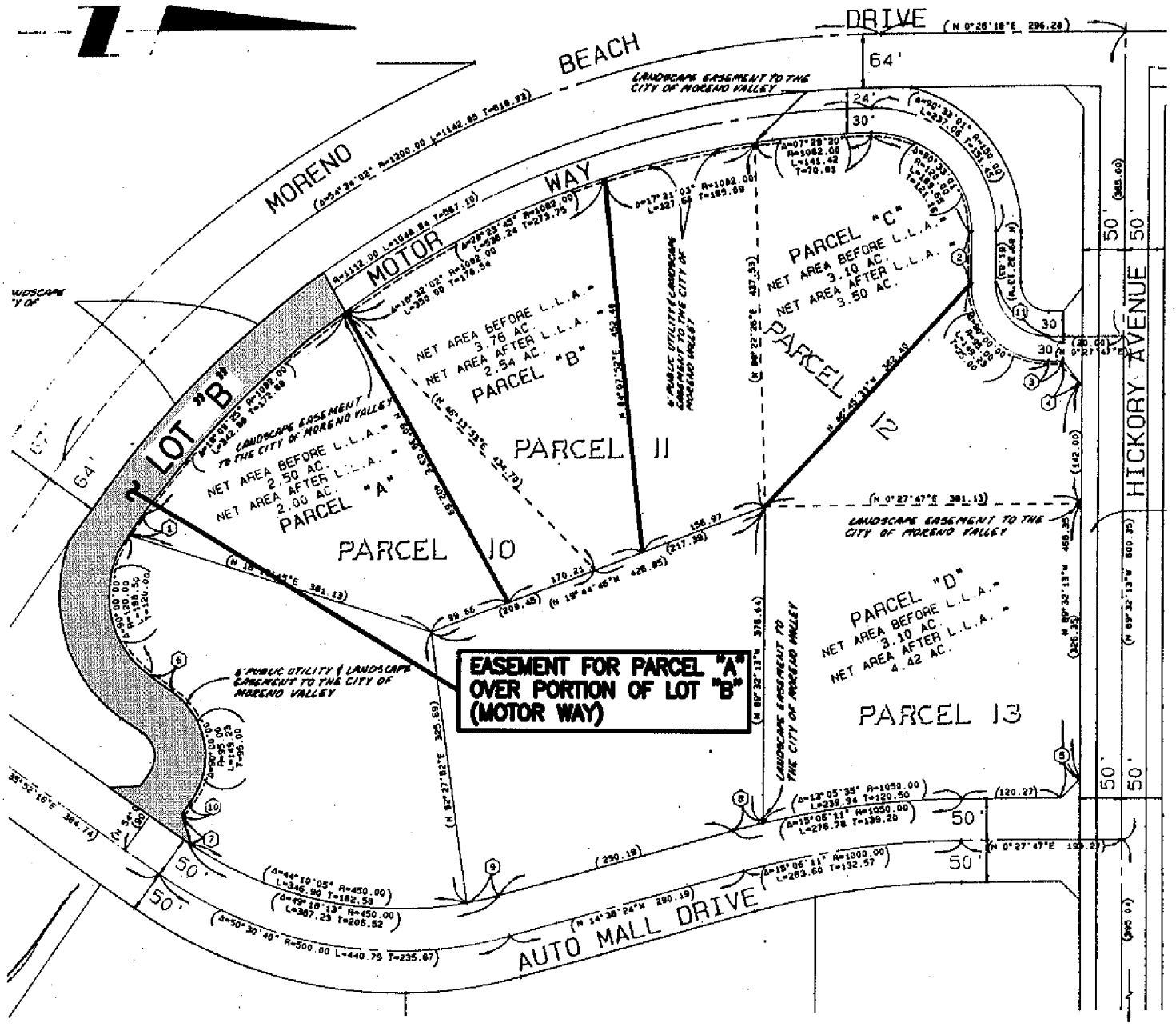

EXHIBIT "A"

NTS

INSTRUMENT No 302152

Item No. A.7

MV00128917

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MV00128918

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the MOSS BROS. MORENO VALLEY PROPERTIES, LLC, an easement for ingress and egress access purposes to Parcel 1 of Lot Line Adjustment 1008 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Eucalyptus Avenue (Hickory Avenue) and the prolongation of the southerly property line of Parcel 1 of Lot Line Adjustment 1008 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "G"

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MV00128920

EXHIBIT "A"
LOT LINE ADJUSTMENT No. 1008/ AND CERTIFICATE OF COMPLIANCE

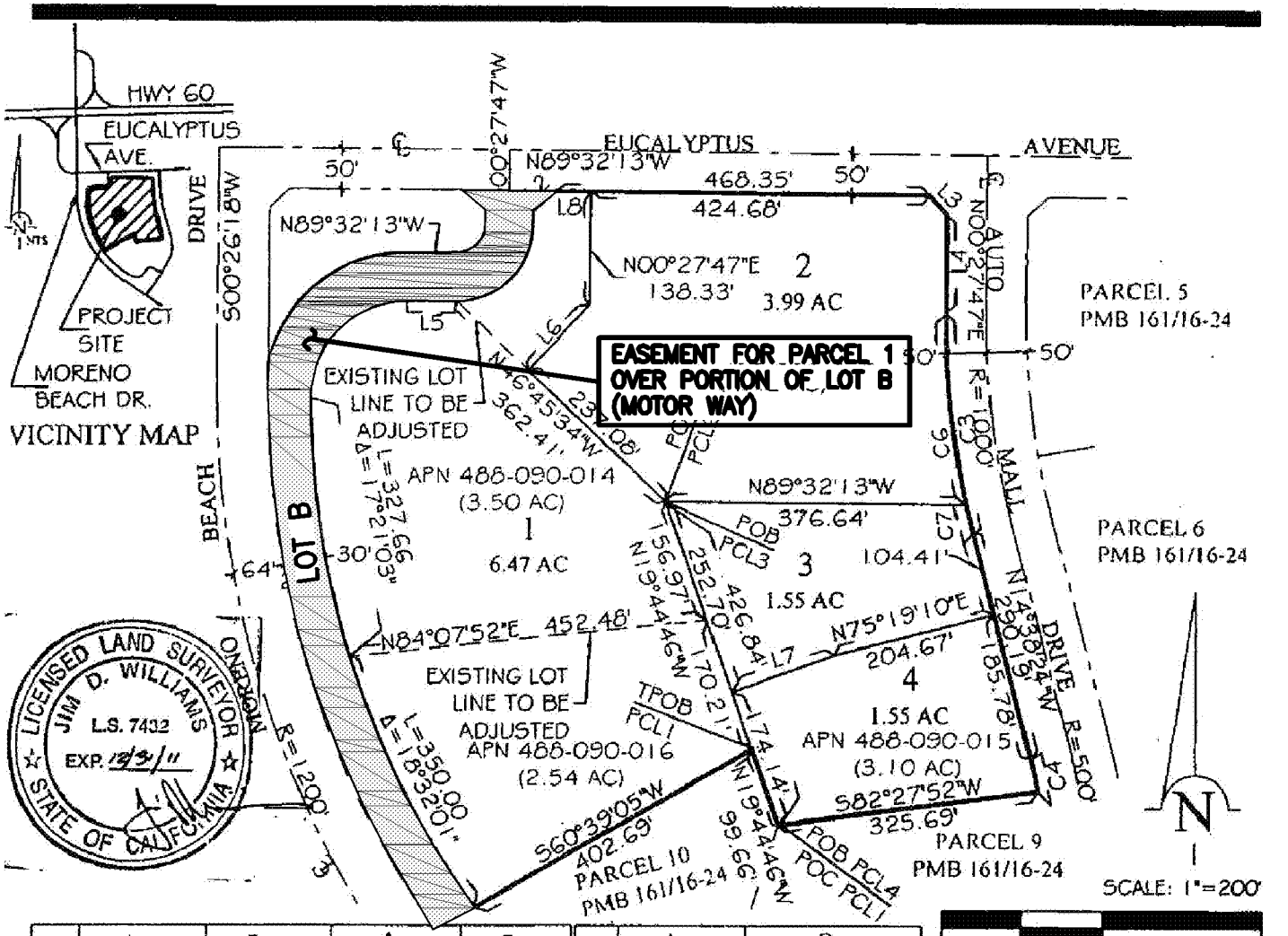

LICENSED LAND SURVEYOR
JIM D. WILLIAMS
L.S. 7432
EXP. 12/31/11
STATE OF CALIFORNIA

	L	R	Δ	T
C1	189.65'	120.00'	90°33'04"	121.16'
C2	149.23'	95.00'	90°00'00"	95.00'
C3	276.78'	1050.00'	15°06'11"	139.20'
C4	40.33'	450.00'	05°08'08"	20.18'
C5	677.66'	1082.00'	35°53'04"	350.36'
C6	239.94'	1050.00'	13°05'35"	120.50'
C7	36.84'	1050.00'	02°00'36"	18.42'

	L	B
L1	17.00'	N00°27'47"E
L2	37.01	N52°02'25"E
L3	32.53'	S44°32'13"E
L4	120.27'	S00°27'47"W
L5	61.83'	N89°32'13"W
L6	111.43'	N43°14'26"E
L7	136.37'	N70°14'02"E
L8	43.67'	S89°32'13"E

OWNERS:

APN 488-090-014,016
PARCEL 1 & 2
JB & RB REALTY, LLC
PO BOX 1770,
POMONA, CA 91769
(818) 601-1802
ATTN: JOHN BOULIANNE

APN 488-090-013,015
PARCEL 3 & 4
DJK, LLC
12625 AUTO MALL DRIVE,
MORENO VALLEY, CA 92555
(951) 485-3500
ATTN: DONALD J. ALLARD

PREPARED BY:

• land planning
• civil engineering
• landscape architecture
phone 909.748.7777
fax 909.748.7776
est. 1989
thatcher engineering & associates, inc.
1461 ford street, suite 105, redlands, ca 92373

LEGEND:

——	PROPOSED LOT LINES
▬▬	EXISTING BOUNDARY
— —	EXISTING LOT LINES
( )	AREA BEFORE ADJUSTMENT
POB	POINT OF BEGINNING
PCL	PARCEL
POC	POINT OF COMMENCEMENT

V:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Auto CAD\Exhibit 'A', PM 23244, LLA 1008.dwg

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MV00128922

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction.

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

BACKGROUND

In May 2005, City Council approved an agreement with PB for $939,331.84 to provide design services for improvements to the State Route 60/Nason Street Interchange. The original scope of work consisted of design, right-of-way acquisition, utility relocation,

plans, specifications and estimates (PS&E), agency coordination, bid support and construction support services.

In June 2006, the agreement was amended within the authorized contingency to add work related to the City's Streambed Alteration Agreement with the California Department of Fish and Game.

On October 14, 2008, the City Council approved the Second Amendment for additional design work required to coordinate the project's 95% design with the substantially completed Stoneridge development and update the design plans to optimize construction funds and enhance the ultimate State Route 60/Moreno Beach Drive and Nason Street bridge project.

In April 2009, the agreement was further amended for additional design work required to update the plans. In June 2009 and October 2009, the agreement was again amended to add conceptual design work related to property acquisition activities and agency requirements. All amendments were within the authorized contingency.

On January 11, 2011, the City Council awarded the construction contract to All American Asphalt. Construction is currently under way.

The agreement with PB was further amended in August 2011 (Sixth Amendment) within the approved contingency to extend the contract expiration date from December 31, 2011, to December 31, 2012, and to address staging and drainage issues encountered during construction.

DISCUSSION

The project is under construction and is on schedule. Services during construction that are required to be performed by the design engineer were estimated in 2005 during the time of the original proposal. The tasks and associated level of effort has changed since that time. They have been evaluated and consequently have increased due to changes in policies and procedures.

Weekly meetings are held with the construction management team, the City, Caltrans, and the contractor. Due to the accelerated nature of the work and the multiple parties involved in approvals, there is a time benefit in having the design engineer present at strategic weekly meetings and on-site afterwards to answer questions, evaluate any proposed adjustments, and optimize solutions. In addition, Caltrans requires the design engineer to review and concur with all Requests for Information, regardless of whether they involve a design change. The level of effort for these tasks is therefore higher than anticipated. In addition, it is expected that there will be continuing suggestions by the contractor and project team to adjust existing and proposed features to save time and money.

As-built drawings were anticipated to be done under the original contract in 2005. Since that time, Caltrans policy changed, and the as-builts were not to be done by the design

engineer. The task was removed from the scope in the Second Amendment. In 2010, the policy changed again to have the design engineer prepare the as-builts. Therefore, the scope has been re-inserted to have the design engineer prepare the final as-built set, including electronic copies to the City and Caltrans.

Caltrans recently changed carpool policies. In the last three months, Caltrans re-striped the SR-60 carpool lane from I-215 to Redlands Boulevard to provide for a continuous ingress/egress condition instead of defined segments of ingress/egress. Both the interim stage plans and the permanent striping plans for this project, when implemented, are required to be revised to reflect the new type of striping. In addition, the environmental permits for the project were issued prior to advertisement, and there are revised requirements to document and close out the permits and environmental commitments upon completion of construction.

The consultant has submitted a proposal for $76,875 to perform this work, bringing the cumulative contract total to approximately $1.57 million. This amount represents approximately 20% of the construction cost and includes both design and construction support services, which represent approximately 19% and 2.2% of the construction cost, respectively. The price is considered fair and reasonable based on industry standards for similar work, and results in an overall cost savings for the City on the project. The design engineer is also required to perform these tasks. The services covered in this amendment will be completed concurrently with the ongoing construction phase.

Construction is expected to continue through March 2012. As-builts and administrative project close-out activities are expected to continue through June 2012. A 20% contingency is requested to respond quickly to construction issues that may arise as the project is completed.

ALTERNATIVES

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will allow for completion of the design for the needed improvements.*

2. Do not approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB),

451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, do not authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, do not authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will delay the needed improvements.*

FISCAL IMPACT

The project is currently funded using federal funds and matching toll credits. Remaining available funding consists of DIF Interchange funds and Measure "A" funds. There are sufficient funds in the budget for the amendment.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act of the 21st Century, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 2,657,000
STPL Discretionary Funds (125.67029)	$ 4,941,000
STPL Toll Credit (125.67030)	$ 637,000
Demo Toll Credit (125.66930)	$ 664,000
Measure "A" Funds (125.89720)	$,446,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$11,085,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 8,283,000
Construction Management & Inspection Services	$ 601,000
Construction Support Services (Geotechnical & Survey)	$ 129,000
Construction Support Services (Design)	$ 92,000
Administrative Costs (Staff & Miscellaneous)	$ 50,000
Total Estimated Costs	$ 9,155,000

ANTICIPATED PROJECT SCHEDULE
Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff recommends amending the contract with PB for continuing services during construction for the SR-60/Nason Street Interchange Improvement Project by approving the Seventh Amendment to Agreement for Professional Consultant Services and authorizing a change order to increase the purchase order by $92,250.00 ($76,875.09 plus 20% contingency).

ATTACHMENTS/EXHIBITS

Attachment "A" — Seventh Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Marge - 98-25897 Route 60-Nason Interchange\CC Reports\7th Amendment - PB - Staff Report 09-27-11.doc

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MV00128928

SEVENTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 98-25897

This Seventh Amendment to Agreement is by and between the **City of Moreno Valley**, a municipal corporation, hereinafter referred to as "City," and **PB Americas Inc.**, a New York corporation, hereinafter referred to as "Consultant." This Seventh Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 18, 2005.

Whereas, the Consultant is providing consultant design services for State Route 60/Nason Street Interchange Improvements.

Whereas said Agreement was amended by the "First Amendment to Agreement for Professional Consultant Services" dated June 22, 2006.

Whereas said Agreement was further amended by the "Second Amendment to Agreement for Professional Consultant Services" dated November 7, 2008.

Whereas said Agreement was further amended by the "Third Amendment to Agreement for Professional Consultant Services" dated April 23, 2009.

Whereas said Agreement was further amended by the "Fourth Amendment to Agreement for Professional Consultant Services" dated June 23, 2009.

Whereas said Agreement was further amended by the "Fifth Amendment to Agreement for Professional Consultant Services" dated October 13, 2009.

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

Whereas said Agreement was further amended by the "Sixth Amendment to Agreement for Professional Consultant Services" dated _____, 2011.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Seventh Amendment.

Whereas, the Consultant has submitted a Proposal dated August 25, 2011, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2012,** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in the proposal (Exhibit "A").

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in the proposal (Exhibit "A").

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $76,875.09, as set forth in the above-referenced proposal (Exhibit "A") in consideration of the Consultant's performance of the work set forth in said proposal.

1.5 The total "Not to Exceed" fee for this contract is $1,570,430.09 ($939,331.84 for the original Agreement, $16,302.70 for the First Amendment, $375,748.00 for the Second Amendment, $48,370.67 for the Third Amendment to Agreement, $4,805.24 for the Fourth

Amendment to Agreement, $87,889.13 for the Fifth Amendment, $21,107.42 for the Sixth Amendment and $76,875.09 for the Seventh Amendment to Agreement.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

PB Americas, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – Proposal Dated August 25, 2011

W:\CapProj\CapProj\PROJECTS\Marge - 98-25897 Route 60-Nason Interchange\Design Phase\Design Consultant (Design Phase)\Agreement\7th Amendment\7th Amendment - PB - Sep 2011.DOC

Parsons Brinckerhoff
451 E. Vanderbilt Way
Suite 200
San Bernardino, CA 92408

August 25, 2011

Ms. Margery A. Lazarus,
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: SR-60/Nason Street Interchange Improvements (PB Job No. 12676)
Project No. 98-25897

Dear Ms. Lazarus:

Attached is our scope of work, cost estimate and labor breakdown for additional services at the request of the City of Moreno Valley on the Nason Street Interchange Improvement Project. The effort has been identified in the following areas through the middle of March 2012:

- As-built Drawings
- Environmental Permits
- Attend weekly construction meetings
- Provide concurrence of RFI's
- PB will update all Staging and Striping plans affected by Caltrans HOV policy change.

The estimate for the above scope of work is $76,875.09.

Please do not hesitate to call should you have any questions 909.888.1106

Sincerely,
PB Americas, Inc

Douglas B. Sawyer
Senior Vice President

Over a Century of Engineering Excellence

Scope of work for Amendment

Task 24 – As-built Drawings

PB shall incorporate all redline comments prepared by the Contractor and the project inspector on the signed design Plans. PB will put hanging file tabs on the Mylars. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment.

The estimated time for 251 sheets at 0.5 hour/per sheet would be 139 hours and will start on receipt of the complete package from the construction manager (TCM Group). This will include printing five (5) full size sets.

Electronic files will then be placed on three (3) CD's and delivered to construction manager (TCM – Group) for distribution.

Task 25 – Environmental Permits

Rather than paying the extraordinarily high maintenance fees associated with managing a half acre wetlands through the required third party management service, the city has opted to buy into an offsite mitigation bank.

This strategy will result in a savings to the city of well over $300,000.

PB will continue to work with the city to close the environmental permits, and to confirm compliance with the mitigation program in connection with closing out the project.

Task 26 – Weekly Meetings and Site Visits

Weekly Meetings and site visits thru the middle of March 2012 – The city together with Caltrans District 8 staff have requested our presence at the weekly construction meetings and site visits.

This additional effort was not anticipated or funded in the original design support during construction scope.

This task covers that additional coordination effort which will improve communication and reduce construction related delays.

This is based on 18 meetings and/or site visits for a total of 3 hours including travel time by the Project Manager or his/her representative.

If the construction is extended, these tasks will have to be revisited.

Task 27 – Review & Response

Additional Effort required providing concurrence on all RFI's thru the middle of March 2012. PB's involvement and concurrence in the RFI review and response process has increased significantly at the request of oversight agencies.

The requirement for the engineer to provide concurrence on all RFI's creates additional effort from the designer.

If the construction is extended, these tasks will have to be revisited.

Task 28 – Modify Interim Staging and Final Striping Plans

PB will modify interim staging and final striping plans to reflect changes in Caltrans policy to allow for continuous ingress/egress into HOV Lanes.

The estimated time for 10 sheets at 3 hour/per sheet would be 30 hours.

RESOURCE ALLOCATION MATRIX

Task No.	Task Name	Proj Mgr		Lead Engineer		Environmental Lead		Engineer		CADD		Project Administration		TOTAL HOURS	TOTAL COST
		PB AMERICAS HOURS													
		Jamey Dye		Craig Schneider		Stephanie Oslick		Courtney Otubuah		Chris Pitzer		Martha Garcia			
	Design Services														
24	**As-built Drawing**														
24.01	As-built Drawing	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
														0	$0.00
	Subtotals	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
25	**Environmental Permits**														
25.01	Environmental Permits	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
														0	$0.00
	Subtotals	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
26	**Weekly Meetings**														
26.01	1 Weekly Meeting through the middle of March	48	$10,730.40											48.00	$10,730.40
	Subtotals	48	$10,730.40											48.00	$10,730.40
27	**RFI Review & Response**														
27.01	RFI Review & Response through the middle of March	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
	Subtotals	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
28	**Modify Interim Staging and Final Striping Plans**														
28.01	Modify Interim Staging and Final Striping Plans	1	$223.55					5	$605.80	25	$3,141.75			31	$3,970.90
	Subtotals	1	$223.55					5	$605.80	25	$3,141.75			31	$3,970.90
	TOTAL	128	$28,882.51	10	$1,984.40	28	$4,391.52	99	$12,596.48	196	$27,773.07	3	$335.34	464.00	$75,763.72

OTHER DIRECT COSTS (ODC's):		
Mileage		$550.56
Reproduction		$539.00
Postage/Deliveries		$21.81
Phone/Fax		$0.00
TOTAL ODC's		$1,111.37
TOTAL COST	$0.00	$76,875.09

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

BACKGROUND

The SB 821 Bicycle and Pedestrian Facilities Program administered by the RCTC provides funding for sidewalks, bicycle lanes, access ramps, and pedestrian related enhancements. Eligible expenditures for this competitive grant program are limited to preliminary engineering, right of way acquisition, construction, and reconstruction.

At the April 12, 2011 City Council meeting, City Council approved the submittal of the grant application for the SB 821 Bicycle and Pedestrian Facilities Program FY 2011-12. The grant application requested funds for installation of access ramps at 11 locations citywide, as well as ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators at various locations along Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard.

On August 1, 2011, the City received notification from the RCTC of a successful grant application in the amount of $75,000 (50% of the estimated project costs) for the project.

DISCUSSION

The project will install sidewalk, curb and gutter, Americans with Disabilities Act (ADA) compliant access ramps, new pedestrian push buttons, and new pedestrian signal heads with countdown indications. Locations for the sidewalk and ramp improvements were selected based upon the results of the Public Right of Way Access ADA Transition Plan. City staff has received requests from disabled residents as well as completed the Tier 1 review of intersections and has developed a priority list of locations that need access ramp construction/reconstruction. A list of the locations, improvements, and priority follows:

- Patricia Street between Margaret Avenue and Gentian Avenue: Construct ADA ramps for a total of five intersections (citizen request).
- Cottonwood Avenue at Dilbeck Drive: Construct ADA ramps (Tier 1 review).
- Alessandro Boulevard at Chagall Court: Reconstruct ADA compliant ramps (Tier 1 review).
- Alessandro Boulevard at Ramsdell Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- John F. Kennedy Drive at Ely Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- Indian Street at Manzanita Avenue: Reconstruct ADA compliant ramps; modify intersection geometrics to reduce pedestrian crosswalk lengths (Tier 1 review).
- Centerpoint Drive at Center Plaza: Reconstruct ADA compliant ramps (Tier 1 review).

In addition, as part of a city-wide effort to enhance pedestrian safety and convenience, various locations long Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard will have ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators installed.

Per the provisions of the SB 821 Bicycle and Pedestrian Facilities Program (no agreement is needed between the City and the RCTC), the City is required to use its own funds to implement the project and then receives a reimbursement payment at the completion of the project. The $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance is requested such that staff can proceed with the design and construction phases. If the funds are not claimed prior to the end of FY 2012-13, the project will be deleted from the SB 821 Bicycle and Pedestrian Facilities Program and the funds will be reprogrammed by the RCTC.

ALTERNATIVES

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will allow the City to receive the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for the project.*

2. Do not accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and do not authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will prohibit the City from receiving the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for this project.*

FISCAL IMPACT

The SB 821 Bicycle and Pedestrian Facilities Program grant will provide for reimbursement of up to $75,000 (50% of project costs). Staff is requesting the City Council to approve the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance for the construction phase of the project. The program includes local match Measure "A" funding of $75,000 (50% of project costs) which is already programmed in the City's CIP budget for curb ramps and sidewalk at various locations. The total cost of this project is estimated at $150,000, and there is no impact to the General Fund.

FISCAL YEAR 2011/2012 FUNDS AVAILABLE:

Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$50,000
Indian St/Manzanita Ave Intersection Reconfiguration (Account No. 125.56334)	$25,000
SCAG Article 3 Funds Appropriation (Account No. 122.NEW)	$75,000
Total	$150,000

ESTIMATED PROJECT RELATED COSTS:

Design	$20,000
Construction	$107,000
Construction Geotechnical Services	$8,000
Construction Survey Services	$5,000
Project Administration	$10,000
Total	$150,000

ANTICIPATED PROJECT SCHEDULE:

Complete Design	August 2012
Award Construction Contract	October 2012

Notice to Proceed with Construction ..... November 2012
Complete Construction..... February 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property I the community, control the number and severity of fire and hazardous materials incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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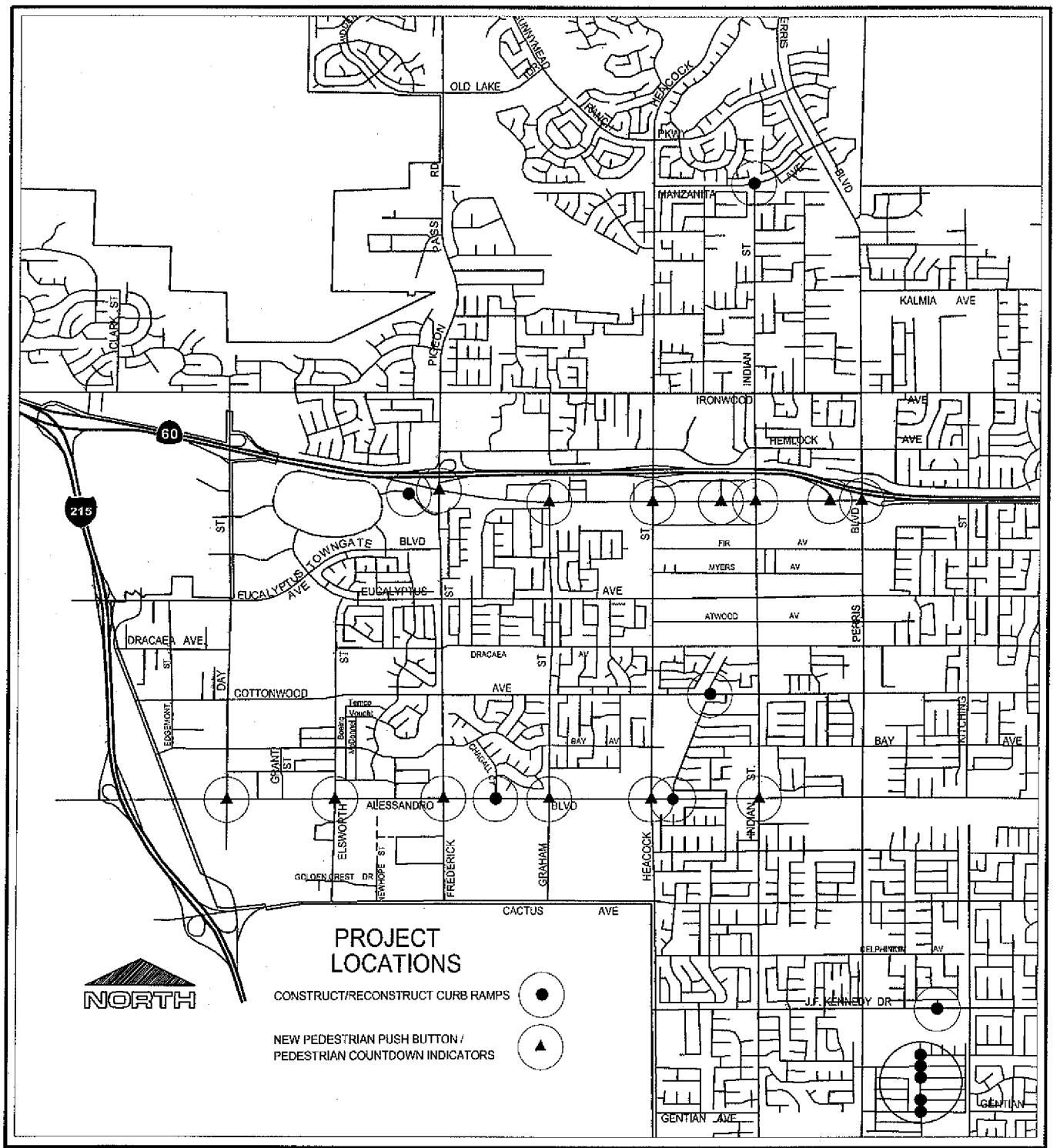

PEDESTRIAN ENHANCEMENT PROJECTS

Public Works Department
Capital Projects Division

LOCATION MAP

SB 821
FISCAL YEAR 2011 - 2012
GRANT SUBMITAL LOCATIONS

ATTACHMENT "A"

Item No. A.9

MV00128943

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MV00128944

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: September 27, 2011

TITLE: FOURTH AMENDMENT TO THE AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

Staff recommends that City Council adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

BACKGROUND

The original agreement with Riverside County Sheriff for law enforcement services was executed in 1985. A new agreement for law enforcement services was adopted on December 8, 1998 and became effective on January 1, 1999. Another new agreement for law enforcement services was approved on October 7, 2003 and expired on June 30, 2008. The most recent five-year agreement for law enforcement services was approved on December 16, 2008, with a retroactive effective date of July 1, 2008. The agreement is effective from July 1, 2008 through June 30, 2013.

Amendments are the method used to reflect changes in the allocated contract positions, changes in the average service hours, to add positions, and to reflect changes in contract language. The attached Fourth Amendment reflects a change in the average service hours, and the deletion of positions.

DISCUSSION

During the FY 11-12 budget preparation process, the City Manager directed the Moreno Valley Police to reduce its budget by one million dollars for FY 11-12, an additional two million dollars in FY 12-13, and an additional two million dollars in FY 13-14. In order to

meet the directive, it is necessary to reduce the amount of officers assigned to the Police Department.

On June 14, 2011, during the FY 11-12 budget approval process, the City Council approved a budget directing the reduction of one million dollars from the Police Department. In order to meet the directive, police services must be reduced by 25 service hours per day. Prior to the reduction, the contract called for 600 service hours per day. The Fourth Amendment reduces that daily number to 575 hours per day.

To meet the savings goal of one million dollars requires the reduction of 5 sworn officer positions.

ALTERNATIVES

The following alternatives are available for Council consideration:

1. Adopt the Fourth Amendment to the Agreement for Law Enforcement Services, and authorize the Mayor to sign the agreement.

2. Elect not to adopt the Fourth Amendment to the Agreement for Law Enforcement Services at this time, and provide further direction to staff.

FISCAL IMPACT

During the FY 11-12 budget approval process, Council approved a budget that required the reduction 8900 hours of service per year. The current contract calls for 600 hours of service per day. The reduction will set the daily service hours at 575.

Current contract FY 10-11
Hours per year = 218,940 (600 hours per day)

Proposed contract FY 11/12
Hours per year = 210,040 (575 hours per day)

The elimination of 8900 hours of service at the rate of $125.37 would save the City of Moreno Valley $1,115,793.00 for FY 11-12. This reduction equates to 5 sworn positions.

This agreement will be retroactive to July 1, 2011.

CITY COUNCIL GOALS

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit in the City of Moreno Valley.

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

On June 14, 2011, during a regular public meeting of the Moreno Valley City Council, Council Members voted to adopt the FY 11-12 budget. That budget included a reduction in allocated Police contract service hours and positions to meet a one million dollar deficit reduction plan approved by City Council on April 19, 2011.

NOTIFICATION

None.

ATTACHMENTS/EXHIBITS

Fourth Amendment to the Agreement for Law Enforcement Services between the City of Moreno Valley and the County of Riverside, including Attachment A-1 (Level of Service) and Attachment A-2 (Level of Service Detail)

Prepared By:
Name Chad Bianco
Title Lieutenant

Department Head Approval:
Name John Anderson
Title Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00128948

ORIGINAL

FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN COUNTY OF RIVERSIDE AND CITY OF MORENO VALLEY

IT IS MUTUALLY AGREED that the Agreement for Law Enforcement Services between the County of Riverside, a political subdivision of the State of California, on behalf of its Sheriff's Department, and the City of Moreno Valley, a General Law City, approved by the Board of Supervisors on December 16, 2008, for services effective July 1, 2008 through June 30, 2013, as amended on December 1, 2009, November 2, 2010 and November 30, 2010, is hereby amended in the following respects, and all other terms and conditions of the Agreement remain in full force and effect:

1. Attachment A-1 is amended to read as follows:

ATTACHMENT A-1
CITY OF MORENO VALLEY
LEVEL OF SERVICE

Average Patrol Services

575 supported hours per day. (Approximate equivalent of one hundred and eighteen (118) Deputy Sheriff positions @ 1,780 annual productive hours per position)

Dedicated Positions

One (1) Captain position (Applied at an equivalent to 90% of position hours)

One (1) Lieutenant position

Two (2) Sheriff's Sergeant positions

Ten (10) Deputy Sheriff (fully supported) positions - Motorcycle Team

Two (2) Deputy Sheriff (fully supported) positions - K-9

Three (3) Deputy Sheriff (unsupported) positions - Crime Prevention Officers

One (1) Deputy Sheriff (unsupported) position – Regional Gang Task Force

One (1) Deputy Sheriff (unsupported) position - Graffiti Prevention

One (1) Deputy Sheriff (unsupported) position – School Resource Officer

Two (2) Forensic Technicians

Sixteen (16) Community Service Officer II positions

Five (5) Community Service Officer I positions

One (1) Sheriff's Service Officer II position

Two (2) Office Assistant II positions

One (1) Supervising Office Assistant I position

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2. Attachment A-2 is amended to read as follows:

Attachment A-2

City of Moreno Valley
Positions by Program
Level of Service as of July 2011

PROGRAM: POLICE ADMINISTRATION (62110)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Captain	1.0	
Lieutenant	1.0	
Sergeant	1.0	
Accounting Technician		1.0
Senior Accounting Assistant		1.0
Accounting Assistant II		2.5
Supervising Office Assistant II		1.0
Supervising Office Assistant I		1.0
Office Assistant III		2.0
Office Assistant II		14.0
TOTAL	3.0	22.5

PROGRAM: POLICE PATROL (62210)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	2.0	
Sergeant	10.0	
Deputy	80.0	
Deputy (Includes 2 K-9 Officers)	2.0	
Community Service Officer II		13.0
Sheriff's Service Officer II		3.0
TOTAL	94.0	16.0

PROGRAM: POLICE TRAFFIC ENFORCEMENT TEAMS (62310)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	

Item No. A.10

Sergeant		2.0	
Deputy		18.0	
Community Service Officer II			5.0
	TOTAL	21.0	5.0

PROGRAM: POLICE DETECTIVE UNIT (62410)

Position Title		Authorized Staffing	
		Sworn	Classified
Lieutenant		1.0	
Sergeant		2.0	
Investigator		17.0	
Deputy (Burglary Suppression)		2.0	
Forensic Technicians			2.0
Sheriff's Service Officer II			1.0
	TOTAL	22.0	3.0

PROGRAM: POLICE COMMUNITY SERVICES (62510)

Position Title		Authorized Staffing	
		Sworn	Classified
Sergeant		2.0	
Deputy-Community Services		3.0	
Deputy-Graffiti Prevention		1.0	
Deputy-School Resource Officer		1.0	
Community Service Officer I - Cm.Services			3.0
	TOTAL	7.0	3.0

PROGRAM: PROBLEM ORIENTED POLICING (62610)

Position Title		Authorized Staffing	
		Sworn	Classified
Sergeant		2.0	
Deputy		9.0	
Community Service Officer I			2.0
	TOTAL	11.0	2.0

PROGRAM: POLICE SPECIAL ENFORCEMENT TEAMS (62710)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	
Sergeant	2.0	
Deputy (Includes 1 K-9 Officer)	15.0	
Deputy (RGTF)	1.0	
TOTAL	19.0	0.0

PROGRAM: POLICE GRANT C-CAT (62810)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	
Sheriff's Service Officer II		1.0
TOTAL	2.0	1.0

PROGRAM: TOWNGATE MALL (62910)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	0.0
TOTAL	2.0	0.0

TOTAL STAFFING:	SWORN	CLASSIFIED
	181.0	52.5

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Item No. A.10

IN WITNESS WHEREOF, the City of Moreno Valley, by minute order or resolution duly adopted by its City Council, has caused this Agreement to be signed by its Mayor and attested and sealed by its Clerk, and the County of Riverside, by order of its Board of Supervisors, has caused this Agreement to be signed by the Chairman of said Board and sealed and attested by the Clerk of said Board, all on the dates indicated below.

CITY OF MORENO VALLEY

Dated:_____

By:_____
Richard A. Stewart, Mayor

ATTEST:

Name
Title

By:_____

COUNTY OF RIVERSIDE

Dated:_____

By:_____
Bob Buster, Chair,
Riverside County Board of Supervisors

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS DATE

By:_____
Deputy

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

BACKGROUND

The California Department of Food and Agriculture (CDFA) administers the Municipal Shelter Spay-Neuter Program through funds provided by the Franchise Tax Board. For the 2010 tax year, California taxpayers could elect to donate all or a portion of any of their tax refund monies to the Municipal Shelter Spay-Neuter Program. In order for this program to continue past the 2010 tax year a minimum of $250,000 in tax donations statewide was required. During 2010 a total of $197,000 in tax donations were available to eligible municipal animal shelters for the 2010 Spay-Neuter Program; therefore this program is not available in 2011.

The purpose of the Municipal Spay-Neuter Grant Fund Program is to provide grant funds to eligible animal shelters. Grant funds must supplement, not replace other funding sources. Impounded animals do not qualify for this service.

DISCUSSION

Moreno Valley Animal Services met the eligibility requirements of being current on the reporting requirements to the State Department of Public Health, Veterinary Public

Health Section (Annual Report of Rabies Control) along with offering low cost spay-neuter services for dogs and cats at the Moreno Valley Animal Clinic.

Grants awarded were on a first come, first serve basis. Eligible municipal animal shelters processing between 5,000 and 25,000 dogs and cats per year were eligible to receive up to $15,000. In FY 2010-11 the Moreno Valley Animal Shelter processed 8,378 dogs and 5,052 cats. The City was notified by CDFA in April 2011 that we were one of twelve shelters statewide that was awarded a grant (Attachment 1).

Grant funds will be used to sterilize approximately 200 dogs and/or cats owned by individual city residents.

ALTERNATIVES

1) Accept the grant award of $15,000.

2) Reject the grant award of $15,000.

3) Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the $15,000 grant award will increase the Animal Services Division's expenditure budget for FY 2011-12 as identified below. A separate business unit (BU 63240) has been created to track expenditures. Staff will process a Budget Appropriation Adjustment upon Council acceptance of the grant, increasing budgeted grant revenue and increasing the expense budget, directing staff to proceed with the grant expenditures.

General Ledger Account	Description	Current Budget	Grant Award Allocation	Revised Budget
2350.4611.1	Grant Revenue	$0	$15,000	$15,000
63240.6255	Other Professional Services (Veterinary contract)	$0	$15,000	$15,000

SUMMARY

Acceptance of the $15,000 grant award from the California Department of Food and Agriculture will allow the Animal Services Division to supplement the low cost spay-neuter services provided by the Moreno Valley Animal Clinic. Grant award funds will be used to assist city residents who otherwise could not afford the expense of spaying or neutering their pets. The grant award funds can only be used to assist pet owners

residing in the city and the pet owner's dog or cat has not been impounded at the Moreno Valley Animal Shelter. It is estimated approximately 200 pets from the community will be sterilized under this program.

ATTACHMENTS

Attachment 1: 2011 Municipal Spay-Neuter Grant Award Notice

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00128958

CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE
Karen Ross, Secretary

May 2, 2011

Steve Fries
City of Moreno, Valley Animal Services Division
14041 Elsworth Street
Moreno Valley, CA 92552-0805

Subject: 2011 Municipal Spay-Neuter Grant Award Notice

Dear Mr. Fries,

Congratulations! Your organization's application submitted under the California Department of Food and Agriculture (CDFA), 2011 Municipal Spay-Neuter Grant Fund Program in January has met all the criteria and will be awarded $15,000 based on the funding formula provided in the California Revenue Taxation Code (CRTC) Section 18755.2(c). CDFA anticipates disbursing the Municipal Spay-Neuter Grant Program funds in August 2011. Awards will be made payable to the organization name and address as they appears on this letter.

Pursuant to (CRTC) Section 18755.2(e) all funds received must be used to supplement, not replace, other funding sources for spay-neuter services and programs. Additionally, no grant funds shall be used to spay or neuter any animal that is impounded by an eligible municipal shelter.

Thank you for your participation in the 2010 Municipal Spay-Neuter Grant process. If you have any questions, please feel free to submit them to grants@cdfa.ca.gov.

Sincerely,

Carl Baum
Grant Awards Coordinator
Grant Awards Unit

CDFA ANNOUNCES MUNICIPAL SHELTERS ELIGIBLE TO RECEIVE FUNDING OF THE 2011 MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

Grants will be made available to the following Municipal Shelters providing low cost or free spay-neuter services for dog and cats owned by individual members of the public which have met all the criteria to receive funding:

City and County of San Francisco

City of Long Beach

City of Los Angeles

City of Moreno Valley

City of Sacramento

City of San José

County of Contra Costa

County of Riverside

County of San Bernardino

County of Santa Barbara

County of Yolo

Town of Truckee

4/30/11

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

The City has provided a VEBA benefit for City employees since 1994. In May 2011, the service provider that performed the VEBA accounting services for the City's VEBA Plan decided to stop providing the service to the City. City staff interviewed other providers and determined that CALGOVEBA is the most experienced, widely used by other government agencies in California and is the most complete service provider for administering the City's proposed VEBA Plan.

Staff is recommending approval of the attached Resolution establishing a new VEBA Trust. A VEBA Trust is a tax exempt benefit plan qualifying under Section 501 (c) (9) of the Internal Revenue Code. This plan is similar, in many respects, to a 125 Flexible Spending Account where accumulated assets are used for the payment of eligible health and other expenses for employees and their families. Unlike a 125 plan, however, accumulated assets in a VEBA Trust can be used to make premium payments.

The recommendation to implement a new VEBA Trust is based on a number of factors. The first is the significant positive impact the benefit will have on employees both during and after their retirement from service. By establishing a VEBA Trust, employees will be able to plan for current as well as future health care expenses not covered through the City's benefit program. Expenses such as Long Term Care, unreimbursed medical premiums, co-pays and pharmacy charges are all eligible under a VEBA Trust arrangement. Employees will realize a significant financial benefit since both eligible contributions to a VEBA Trust and the reimbursed expenses from the VEBA Trust are tax exempt. The City, however, is emphasizing the plan for retirement medical reimbursement purposes, even though the employees may use it for current medical expenses reimbursement.

Another factor is the flexibility of a VEBA over other alternatives available. One of the significant benefits of a VEBA is that it allows for levels of contribution and participation based on an employee group. Additionally, VEBA's, by law, require that they are collectively bargained. As a result, employees have a say in structuring a program that meets their needs. This means that the City employees associations may each agree on a different level of employee contribution rate, over and above the City paid contributions.

In addition, a VEBA Trust provides a more comprehensive approach to assisting with the greatest challenge for employers and employees, which is the rising cost of health care. A VEBA Trust is permitted to receive both, employer and employee contributions, the benefit being the opportunity to grow significantly greater assets for health care expenses in a shorter period of time. As a result, the VEBA program could also work in tandem with the City's existing post retirement medical commitments with employees' association members. For example, contributions by the City could be made directly to the respective VEBA accounts, thus ensuring a tax advantage for these employees.

In sum, by establishing the VEBA Trust, employees will be able to make health care choices that address their specific needs and have more money available for health care expenses due to tax savings realized through the program.

DISCUSSION

Staff is aware of a number of Public Agencies that have implemented VEBA Trusts for their employees. The proposed VEBA Trust was developed as a multi-agency Trust in order that other public agencies may provide similar benefits to their employees. The benefit of joining this particular VEBA Trust is that it was developed by the City of Foster City with our issues in mind. This Trust is also governed by a committee of Trustees formed from the list of participating agencies. Should the City of Moreno Valley choose to participate in the California Government VEBA, the City would hold representation on the Board of Trustees as well.

The City will not be responsible for any costs associated with this Plan. Each VEBA participant will pay a monthly maintenance fee of $4.45 regardless of the size of their account. The VEBA Trust will pay an asset-based fee equal to 50 basis points (0.50%) for funds held in a guaranteed fixed rate product at Metlife and 75 basis points (0.75%) for funds held in an actively managed advisory account at Ameriprise Financial. A variety of investment options exist for investment by the VEBA Trust for the benefit of participants in the program, one of which is a guaranteed fixed rate program through MetLife. Other investment options are available and are tailored to the City's requirements.

ALTERNATIVES

The action of the City Council to approve the attached resolution is consistent with the Fiscal Year 2011/12 MOUs with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The approval of the attached resolution and implementation of the new VEBA for City employees will have no impact on the City budget. The new VEBA Plan expenses are paid for out of the employees' contributions and investment earnings. As of June 30, 2011, the value of the City's current VEBA Trust assets was $995,257. The value of the assets has dropped due to market volatility in July and August 2011. As of September 15, 2011, the amount of the unrealized loss was approximately $51,575, compared with an unrealized gain of $160,634 for FYE 6/30/2011. All of the assets will be transferred to the new VEBA Trust and the value will be reported on a quarterly basis. The VEBA Trust assets for investment will be apportioned between the following two investment firms at the discretion of the City's VEBA Investment Committee: Ameriprise, Inc. and BAA Capital Advisors, Inc. The actively-managed portion (70%) will be managed by Ameriprise and the fixed-rate portion will be held in Metlife via BAA Capital Advisors, Inc. Cash will be held in two (2) accounts at Wells Fargo Bank.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future." The action will also fulfill City Council Deficit Elimination Plan Follow-up Goal No. 21, "Consider a Health Savings Account to allow set-aside of funds for future retiree medical costs on a pre-tax basis."

NOTIFICATION

The three employees associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and implement the

new VEBA. Copies of this staff report were sent to the employees associations and all three concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

1. Resolution Implementing a Voluntary Employee Beneficiary Association (VEBA) Trust.
2. California Government Voluntary Employees Beneficiary Association Restated Master Trust

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PARTICIPATION IN THE CALIFORNIA GOVERNMENT VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (CALGOVEBA) TRUST

WHEREAS, the City of Moreno Valley maintains a significant health and welfare benefit program for it's employees and their families; and

WHEREAS, modifications or additions are made from time to time to the City's benefit program; and

WHEREAS, the rising cost of health care is the one of single most important cost containment issue for the City and it's employees; and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association (CALGOVEBA) is a governmental multi-employer plan that permits employees to accumulate assets for this purpose, pursuant to the provisions of the Internal Revenue Code, section 501(c) (9); and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association provides for participation pursuant to collective bargaining agreements; and

WHEREAS, the City Council created a VEBA trust on April 25, 1995, referred to as the "Existing VEBA Trust"; and

WHEREAS, the assets in the existing VEBA trust needs to be transferred to the new CALGOVEBA trust; and

WHEREAS, once the assets are transferred, the existing VEBA trust needs to be terminated.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moreno Valley hereby approves the attached California Governmental Voluntary Employee Beneficiary Association Trust Agreement; and

That the City Council approves the transfer of assets from the existing VEBA trust to the new CALGOVEBA trust; and

That the City Council approves the termination of the existing VEBA trust upon the completion of the transfer of assets.

Attachment 1

Resolution No. 2011-99
Date Adopted: September 27, 2011

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00128968

CALIFORNIA GOVERNMENT

VOLUNTARY EMPLOYEES BENEFICIARY ASSOCIATION

RESTATED MASTER TRUST

TRUST restated in its entirety as of the 27th day of September, 2011 by and between The City of Moreno Valley, a forming public agency in the State of California (hereinafter referred to as the "Plan Sponsor "), and the Trust Committee of the California Government VEBA", (hereinafter referred to as the "Trustee").

W I T N E S S E T H:

WHEREAS, the Plan Sponsor adopts the California Government VEBA hereinafter referred to as the "Plan", and

WHEREAS, the Plan constitutes the California Government Voluntary Employees Beneficiary Association ("California Government VEBA"); and

WHEREAS, under the Plan, funds will from time to time be contributed to the Trustee, which funds, as and when received by the Trustee will constitute a trust fund to be held for the benefit of the Members and retirees of the Plan of the Plan Sponsor having a right to benefits, pursuant to the provisions of the Plan, and such funds will be invested by the Trustee pursuant to directions by the Plan Sponsor and/or Investment Manager as provided herein; and

WHEREAS, other Plan Sponsors may adopt this Trust as a Master Trust, subject to the provisions of this Trust, to hold assets for the purpose of funding plans that are a part of the California Government VEBA; and

WHEREAS, the Plan Sponsor having entered into this Master Trust with the Trustee for the purpose of holding the assets under the Master Trust attributable to the Plan and other amounts contributed thereunder; and

WHEREAS, the assets and funds to be held in the Master Trust established hereby, as and when received by the Trustee, will constitute a trust fund to be held for the benefit of the members of the Plan and their beneficiaries; and

WHEREAS, the Plan Sponsor desires the Trustee to hold such assets and funds and the Trustee is willing to hold such assets and funds pursuant to the terms of this trust; and

WHEREAS, the master trust is intended to qualify as a "Voluntary Employees Beneficiary Association" within the meaning of Section 501(c)(9) of the Internal Revenue Code, and

WHEREAS, the master trust is intended for the purpose of creating a fund to provide for the payment of benefits that qualify under Section 501(c)(9) of the Internal Revenue Code to participating Members, including their dependents, and their designated beneficiaries.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, the Plan Sponsor and the Trustee do hereby agree as follows:

1. The Plan Sponsor hereby adopts the California Government Voluntary Employees Beneficiary Association (VEBA) Trust (the "Master Trust") as a trust to fund the benefits provided by the Plan. All such money and property, all investments made therewith and proceeds thereof and all earnings and profits thereon, less the payments or other distributions which, at the time of reference, shall have been made by the Trustee, as authorized herein, are referred to herein as the "Fund" and shall be held by the Trustee, in trust, and dealt with in accordance with the provisions of this Trust.

2. Any other California public agency may become a Plan Sponsor and adopt the Master Trust to fund benefits provided under the California Government VEBA Plan if the Plan Sponsor adopts the Master Trust and the Plan in order to provide benefits that are funded from the Master Trust and the Trustee agrees to such adoption. The assets of each Plan Sponsor and the investment earnings thereon shall be available only to pay benefits to employees of that Plan Sponsor and any costs or fees associated with the administration of the Plan covered under this Trust.

3. It is intended that the Master Trust shall meet the requirements of Internal Revenue Code section 501(c)(9). All contributions hereunder and all assets and earnings of the Master Trust are solely and irrevocably dedicated to the payment of benefits that qualify under section 501(c)(9) of the Internal Revenue Code.

Effective January 1, 2008 and as referenced herein, the Trustee shall consist of a Trust Committee. The Trust Committee shall consist of one person designated by each Plan Sponsor. Such designated individual shall assume the responsibility of Trustee. Executive Trustees shall review all information and documents related to the daily activities and operation of the Trust and Plan and shall make recommendation(s) to the full body of Trustees forming the Trust Committee on such related matters. Such Executive Trustees shall consist of the ten original Plan Sponsors and five additional Trustees voted by the full body of Trustees to such position. A vote to fill the five additional positions shall occur every three years. Procedures to fill vacancies which occur in the interim periods shall be developed by the Trust Committee.

4. Trustee shall appoint a Trust Administrator and any and all successor Trust Administrators which shall have the authority to act for a Plan Sponsor in all matters relating to the establishment and maintenance of the Plan and Trust except those relating to the investment and management of the assets of the Trust and such other matters as are reserved to the Plan Sponsor or the Trustee under the provisions of this Trust. Without limiting the generality of the foregoing, the Trust Administrator shall have the following specific powers:

   A. To contract for and delegate the administration of the Plan to one or more administrators, subject to approval of the Trustee.
   B. To determine from time to time the benefits to be provided for participants under the Plan.
   C. To retain professional advisors, including auditors and legal advisors to provide services to the Trust.
   D. To prepare necessary filing with the state and federal government.

5. Responsibility for the management and control of the assets of the Plans which are held under the Master Trust as a funding medium (including the power to acquire or dispose of such assets) is vested in the Plan Sponsor, and/or in such one or more investment managers described in Article 13a who are appointed by the Plan Sponsor. That portion of the Fund for which the Plan Sponsor shall have such responsibility is hereinafter referred to as the "Plan Sponsor-Directed Fund." Any portion of the Fund over which an Investment Manager shall have such responsibility is hereinafter referred to as an "Investment Manager-Directed Fund." Allocations of assets of the Fund between or among any Plan Sponsor-Directed or Investment-Manager Directed Funds shall be determined by the Plan Sponsor. For efficiency or convenience of investment or administration, the Fund or any such Plan Sponsor-Directed or Investment Manager-Directed Fund may be divided into such one or more sub-funds as the Plan Sponsor or the Trustee may deem advisable.

6. The Trust Administrator shall maintain a separate account reflecting the equitable share in the Fund of each Plan Sponsor. For this purpose, the Trustee shall determine the value of the assets of the Fund as of the last day of each calendar quarter and as of such other dates as the Trustee may deem appropriate or on which the Plan Sponsor and the Trustee may agree. Assets shall be valued at their market values at the close of business on the date of valuation, or, in absence of readily accessible market values, at such values as the Trustee shall determine in accordance with methods consistently followed and uniformly applied. Anything herein to the contrary notwithstanding, with respect to assets constituting part of a Directed Fund hereunder, the Trustee may rely, for all purposes of this Trust, including for the purpose of determining the value of such assets as of any quarterly or other valuation date, on any certified appraisal or other form of valuation submitted to it by the Investment Manager(s). The Trustee may also rely on Assets reported by an Insurer in conjunction with contracts issued by that Insurer. Any amount paid from the Master Trust which is specifically allocable to a particular Plan Sponsor shall be charged against the equitable share of such Plan Sponsor; any

amount paid from the Master Trust which is allocable to all of the Plan Sponsors shall be charged against the individual Plan Sponsor assets on a pro-rata basis.

7. The Trustee shall not be required to maintain any separate records or accounts with respect to any Plan Sponsor or any participant in (or beneficiary of) any Plan Sponsor, and any such records or accounts required to be maintained pursuant to the terms of any such Plan shall be maintained by the Plan Sponsor or by the appropriate committee directly charged with such responsibility.

8. By entering into this Trust, the Trustee does not assume any responsibility or undertake any duty to enforce payment of any contribution under any collective bargaining agreement, any responsibility for the adequacy of the Fund or the funding standards adopted by any Plan Sponsor to meet or discharge any liabilities under such agreement or standard, or any responsibility under the terms of this Trust for the management or control of any Discretionary or Directed Funds. Except as may otherwise be required by law, no duties or obligations shall be imposed upon the Trustee unless they have been specifically undertaken by the express terms of this Trust.

9. The Trustee shall receive any contributions paid to it in cash or in other property acceptable to it. All contributions so received, together with the income therefrom and any other increment thereon, shall be held by the Trustee pursuant to the terms of this Trust without distinction between principal and income. The Trustee shall not be responsible for the collection of any contributions to the Plans.

10. The Trustee may from time to time consult with counsel, who may be counsel to the Plan Sponsor, with respect to any question arising as to the construction of this Trust or any action to be taken hereunder and the Trustee shall be fully protected, to the extent permitted by law, in acting in good faith upon the advice of counsel.

11. Subject to the provisions of Article 12 hereof, the Trustee from time to time upon receipt of written notice from the Trust Administrator, may make payments out of the Trust Fund to such persons, in such manner, in such amounts and for such purposes, including the payment of expenses of the Plan and the purchase of life insurance and/or annuity contracts, as may be specified by the Trust Administrator. Except as may otherwise be required by law, the Trustee shall be under no liability for any payment made by it pursuant to a written direction of the Trust Administrator and shall be under no duty to make inquiries as to whether any payment directed by the Trust Administrator is made pursuant to the provisions of the Plan.

12. Notwithstanding anything to the contrary contained in this Trust or in any amendment thereto, it shall be impossible, at any time prior to the satisfaction of all liabilities with respect to the members under the Plans or their beneficiaries, for any part of the Fund, other than such part as is required to pay taxes and expenses of administration, to be used for or diverted to purposes other than for the exclusive benefit of the members under the Plans or their beneficiaries.

13. Unless otherwise prohibited by law or otherwise specified herein, the Trustee shall have the following powers and authority with respect to the Trust Fund:

    a. To invest and reinvest, as directed by the Plan Sponsor and/or the Investment Manager, the principal and income of the Fund and keep the Fund invested without distinction between principal and income, in such securities or in such property, real or personal (whether or not income producing), wherever situated, including, but not limited to, life insurance, contracts, stocks, common or preferred; any mutual or other funds maintained or established by the Trustee or any affiliate thereof; bonds and mortgages and other evidence of indebtedness or ownership in any common, collective or commingled trust fund maintained by the Trustee, as the same may be amended from time to time, and during any period when such funds are used, the instrument

establishing such fund shall constitute a part of this Trust. In making such directed investments, the Trustee shall not be restricted to securities or other property of the character authorized or required by applicable law from time to time for trust investments. The Plan Sponsor and/or Investment Manager shall direct the Trustee in writing as to the asset allocation or percentage mix of types of investments to be used by the Trustee for the investment of the Trust Fund, and as to specific investments to be made by the Trustee of amounts in the Trust Fund. To the extent permitted by law, the Trustee shall not be liable and shall be held harmless and indemnified by the Plan Sponsor for any losses incurred in connection with the Trust Fund caused by its reliance thereon. Such losses may be either actual realized losses or losses in the nature of "lost investment opportunity."

b. To settle, compromise or submit to arbitration any claims, debts or damages, due or owing to or from the Master Trust, to commence or defend suits or legal proceedings and to represent the Master Trust in all suits or legal proceedings in any court of law or before any other body or tribunal.

c. To exercise any conversion privilege and/or subscription right available in connection with any securities or other property at any time held by it; to oppose or to consent to the reorganization, consolidation, merger or readjustment of the finances of any corporation, company or association, or to the sale, mortgage, pledge or lease of the property of any corporation, company or association any of the securities of which may from time to time be held by it and do any act with reference thereto, including the exercise of options, the making of trusts or subscriptions, and the payment of expenses, assessments or subscriptions, which may be deemed necessary or advisable in connection therewith, and to hold and retain any securities or other property which it may so require.

d. To exercise, personally or by general or by limited power of attorney, any rights, including the right to vote, appurtenant to any securities or other property held by it at any time.

e. To hold part or all of the Funds uninvested.

f. To employ and unemploy agents, including the Trust Administrator, counsel, and auditor and to pay from the Trust Fund their reasonable expenses and compensation.

g. To register any securities held by it hereunder in its own name or in the name of a nominee with or without the addition of words indicating that such securities are held in a fiduciary capacity and to hold any securities in bearer form.

h. To make, execute and deliver, as Trustee, any and all deeds, leases, mortgages, conveyances, waivers, releases or other instruments in writing necessary or desirable for the accomplishment of any of the foregoing powers.

i. To deposit any part of the Fund in interest bearing account deposits maintained by the Trustee.

j. Generally to do all acts, whether or not expressly authorized, which the Trustee may deem necessary or desirable for the protection of the Trust Fund.

14. The Plan Sponsor reserves the right to retain the services of one or more persons or firms for the management of (including the power to acquire and dispose of) all or any part of the Fund, provided that each of such persons or firms is registered as an investment advisor under the Investment Advisors Act of 1940, is a bank (as defined in that Act), or is an insurance company qualified to manage, acquire or dispose of trust assets under the laws of more than one state, and provided that each of such persons or firms has acknowledged in writing that he is a fiduciary with respect to the Plan; in such event, the investment manager or managers so retained (the "Investment Manger(s)") shall have the same investment powers and duties as the Trustee, and the Trustee shall not be liable for the acts or omissions of such Investment Manager(s), nor shall it be under any obligation to invest or otherwise manage any Trust Fund assets which are subject to the management of such Investment Manager(s).

15. The Trustee shall pay out of the Fund all personal property taxes, income taxes and other taxes of any and all kinds levied or assessed under existing or future laws against the Trust Fund.

16. The Trustee shall, within 90 days after the close of each calendar year, and within 90 days after the removal or resignation of the Trustee or the termination of the Trust or Plan, render accounts of its transactions to the Trust Administrator and Plan Sponsor. The Trust Administrator and Plan Sponsor may make exceptions to such accounts by an instrument in writing delivered to the Trustee. In the absence of the filing in writing with the Trustee of exceptions or objections to any such account within ninety (90) days of the rendering, shall be deemed to have been approved, the Trustee shall be released, relieved and discharged with respect to all matters and things set forth in such account as though such account had been settled by the decree of a court of competent jurisdiction. The Trustee shall keep accurate and detailed accounts of all investments, receipts, disbursements and other transactions hereunder for the Fund (including any Discretionary or Directed Fund) and all accounts, books and records relating thereto shall be open to inspection and audit at all reasonable times by any persons designated by the Trustee or Trust Administrator. Except as the Retirement Security Act of 1974, as amended ("ERISA"), provides otherwise, no person other than the Plan Sponsor may bring any action against the Trustee with respect to the Trust or their actions as Trustee. The Trustee shall from time to time permit an independent public accountant selected by the Plan Administrator (except one to whom the Trustee has reasonable objection) to have access during ordinary business hours to such records as may be necessary to audit the Trustee's accounts.

17. The Trustee shall be fully protected in relying upon notice from the Trust Administrator with respect to any instruction, direction or approval of the Trust Administrator, and protected also in relying upon a notice from the Trust Administrator as to the person or persons who are authorized to direct payments from

the Trust Fund and in continuing to rely upon such notice until a subsequent notice is filed with the Trustee.

The Trustee shall be fully protected in acting upon any instrument, certificates or paper believed by it to be genuine and to be signed or presented by the proper person or persons, and the Trustee shall be under no duty to make any investigation or inquiry as to any statement contained in writing, but may accept the same as conclusive evidence of the truth and accuracy of the statements therein contained.

The Trustee shall not be liable for the application of any part of the Fund if payments are made in accordance with the approved written instructions of the Trust Administrator as herein provided, nor shall the Trustee be responsible for the adequacy of the Fund to meet and discharge any and all payments and liabilities under the Plan. All persons dealing with the Trustee are released from inquiry into the decision or authority of the Trustee and from seeing to the application of any moneys, securities or other property paid or delivered to the Trustee.

The Trust Administrator and Plan Sponsor hereby agree to hold the Trustee harmless from and against all taxes, expenses (including counsel fees), liabilities, claims, damages, actions, suits or other charges incurred by or assessed against it as a successor Trustee, as a direct or indirect result of any act or omission of a predecessor Trustee or any other person charged under any trust affecting Fund assets for investment responsibilities with respect to such assets.

The Plan Sponsor agrees to hold harmless and indemnify the Trustee, to the fullest extent permitted under applicable law, for any and all liabilities of any kind incurred by the Trustee in connection with the Plans and Trust (a) relating to periods of time prior to the Trustee's becoming Trustee, or (b) relating to periods of time while the Trustee is Trustee if such liability is not due to the Trustee's negligence, willful misconduct, or breach of its fiduciary duties.

18. The Trustee may resign at any time by giving sixty (60) days written notice to the Trust Administrator. In the case of the resignation or removal of the Trustee, the Trust Administrator immediately shall appoint a successor Trustee. If for any reason the Trust Administrator cannot or does not act in the event of the resignation or removal of the Trustee, as hereinabove provided, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor Trustee. Any expenses incurred by the Trustee in connection therewith shall be paid from the Fund as an expense of administration. Any successor Trustee shall have the same powers and duties as those conferred upon the Trustee named in this Trust. The removal of the Trustee and the appointment of a new Trustee shall be by written instrument delivered to the Trustee.

19. This Trust, subject to the provisions of Article 1 may be amended by the Trustee at any time or from time to time and in any manner and the provisions of any such amendment may be made applicable to the Fund as constituted at the time of the amendment as well as to the part of the Fund subsequently acquired; provided, however, that no such amendment shall increase the duties of the Trustee without its consent. Any amendment shall be by a written instrument adopted by the Trustee.

20. This Trust and the trust created hereby may be terminated at any time by the Trustee, and upon such termination, the Fund shall be paid out by the Trustee as and when directed by the Trust Administrator in accordance with the provisions of Article 12 hereof.

21. The Trust Administrator shall provide the Trustee with copies of all documents constituting a Plan at the time the Trust is executed by a Plan Sponsor, as provided in Article 2, and all other documents amending or supplementing a participating Plan promptly upon their adoption. The Trustee shall be entitled to rely upon the Trust Administrator's attention to this obligation and shall be under no duty to inquire of

the Trust Administrator as to the existence of any documents not provided by the Trust Administrator hereunder. The Trustee is bound and acknowledges that it is a fiduciary with respect to the Master Trust and the participating Plans and by the fiduciary responsibility provisions of ERISA as applicable to governmental plans. The provisions of ERISA are expressly made applicable to the provisions of this Master Trust in order to ensure that the Master Trust meets the control requirements for a VEBA under the provisions of 501(c)(9) of the Internal Revenue Code.

22. To the extent consistent with the provisions of ERISA, this Agreement and the trust created hereby shall be construed, regulated and administered under the laws of the State of California, and the Trustee shall be liable to account only in the courts of the State. All contributions to the Trustee shall be deemed to take place in the State of California. Unless the provisions of ERISA provide otherwise, the Trustee may at any time initiate an action or proceeding for the settlement of its accounts or for instructions, and the only necessary party defendant to such action or proceeding shall be the Employer except that the Trustee may, if it so elects, bring in as parties defendant any person or persons.

IN WITNESS WHEREOF, this instrument has been executed as of the day and year first above written.

PLAN SPONSOR

ATTEST:

_____

By:_____

Name: Richard A. Stewart

Title: Mayor

Date: _____

TRUSTEE:

ATTEST:

Trust Committee

_____

By: _____

Name:

Title:

Date:

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MV00128982

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer and Barry Foster Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011

DEVELOPER: FIRST INDUSTRIAL, L.P.
A DELAWARE LIMITED PARTNERSHIP
898 NORTH SEPULVEDA BOULEVARD
SUITE 750
EL SEGUNDO, CA 90245

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011.

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

BACKGROUND

On November 6, 2008, the Planning Commission of the City of Moreno Valley approved Parcel Map No. 35859 (PA07-0165) along with Plot Plan (PA07-0166) for an approximately 700,000 square-foot industrial warehouse building (Building #1) and a

Plot Plan (PA07-0167) for a 180,000 square-foot industrial warehouse building (Building #2). The parcel map is a proposal to subdivide 40.3 gross acres into two parcels. The project is bounded by Perris Boulevard to the east, Knox Street to the west, San Michelle Road to the north, and Nandina Avenue to the south.

Since the original project approvals, the developer has submitted a Plot Plan (PA11-0011) planning application for an interim truck parking lot to be located on Parcel 2 of Parcel Map No. 35859, the ultimate location of Building #2, the 180,000 square-foot industrial warehouse building. The proposal covers the same footprint of the approved building with access from Perris Boulevard. The developer has also submitted an Amended Plot Plan (P11-017) planning application for minor modifications to the approved 700,000 square-foot building approved with PA07-0166. The modifications include a decrease in the overall building square footage with an increase in office space and changes to the location of Knox Street project entrances. Both of these planning applications were approved on July 5, 2011.

On July 26, 2011, the City Council of the City of Moreno Valley approved the Final Parcel Map and Public Improvement Agreement along with the corresponding securities. The Agreement and securities include the construction of the public street improvements.

DISCUSSION

First Industrial, L.P. is requesting a full road closure of Nandina Avenue between Perris Boulevard and Knox Street to facilitate the construction of street improvements on Nandina Avenue. The road closure will be for three months, or approximately ninety-one (91) calendar days. The request for the road closure is due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, curb, gutter, sidewalk, medians, driveway approaches, street lights, landscaping, storm drain culverts, dry utilities, traffic signal modification and associated signing and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on December 28, 2011.

There are 2 residential parcels in the area of construction. The road closure will affect the ingress or egress of both of the parcels, and it will require a detour to the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. The road closure/detour/traffic control plan for this closure has been reviewed and approved by the City Traffic Engineer.

ALTERNATIVES

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. There would be no road closure. *This alternative would result in an unsafe work environment and would significantly delay the completion of this project.*

FISCAL IMPACT

The developer will be responsible for all costs associated with this proposal.

CITY COUNCIL GOALS

PUBLIC SAFETY
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses and residents. The public will be notified by special roadside signage showing the dates of closure and detour signs.

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Road Closure Detour Map
Exhibit "C" – GIS Orthography Map – Road Closure Site Map

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\9-27-11 - PM 35859 Nanadina Ave Improvements - Road Closure.doc

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MV00128986

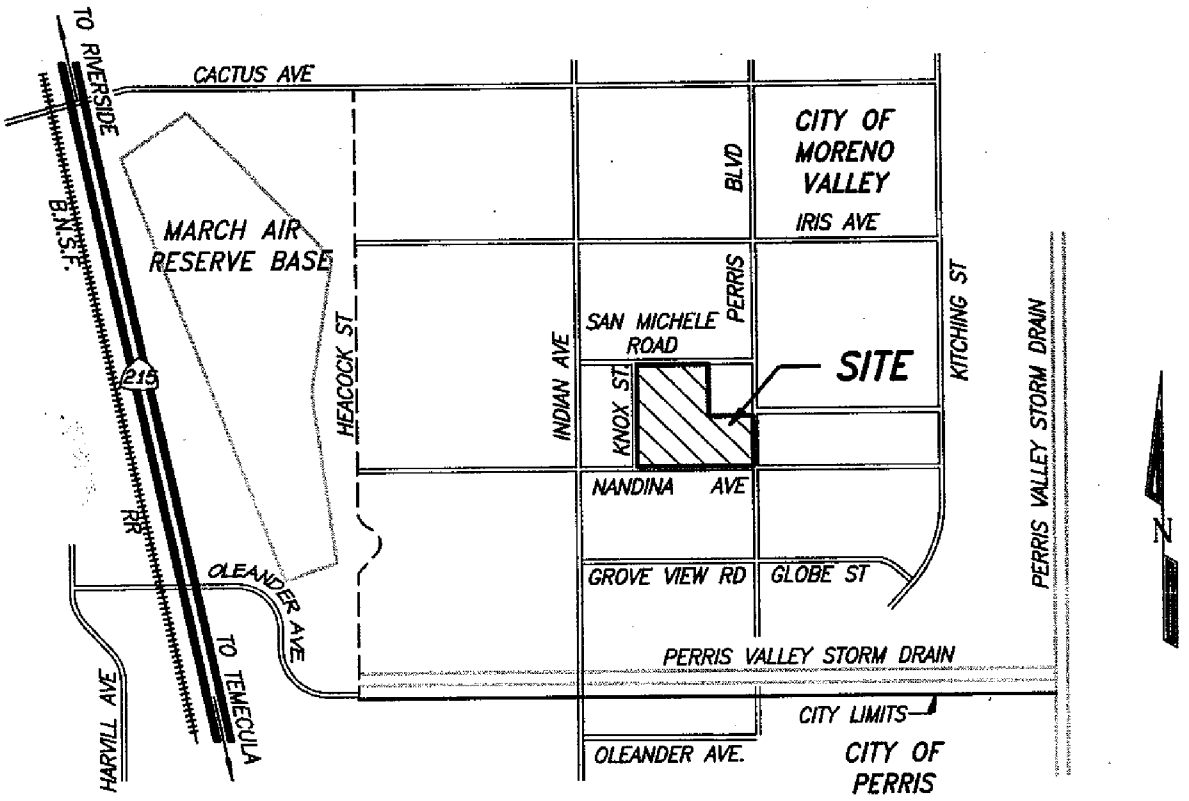

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0165** **PM 35859** **LOCATION MAP**

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MV00128988

MV00128989

DETOUR PLAN

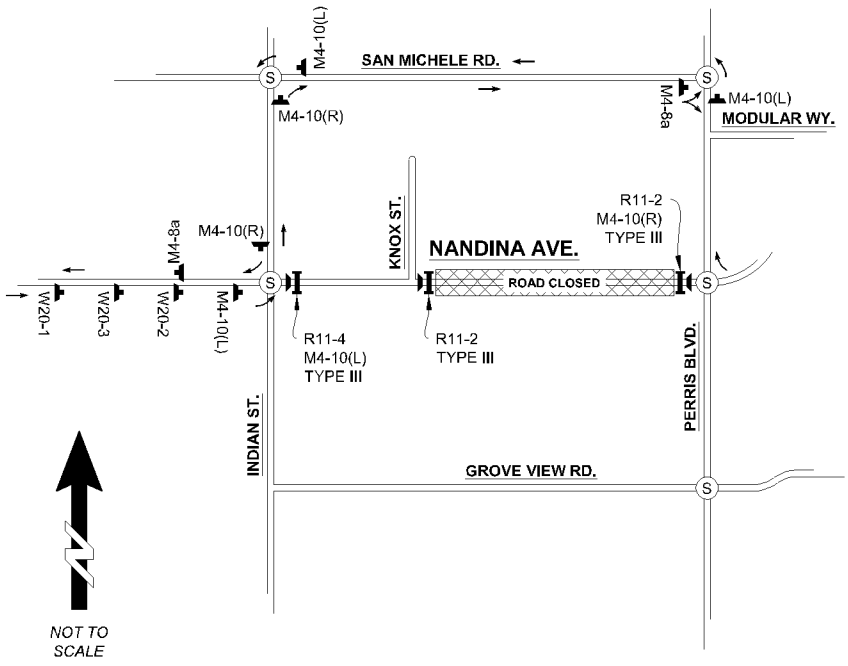

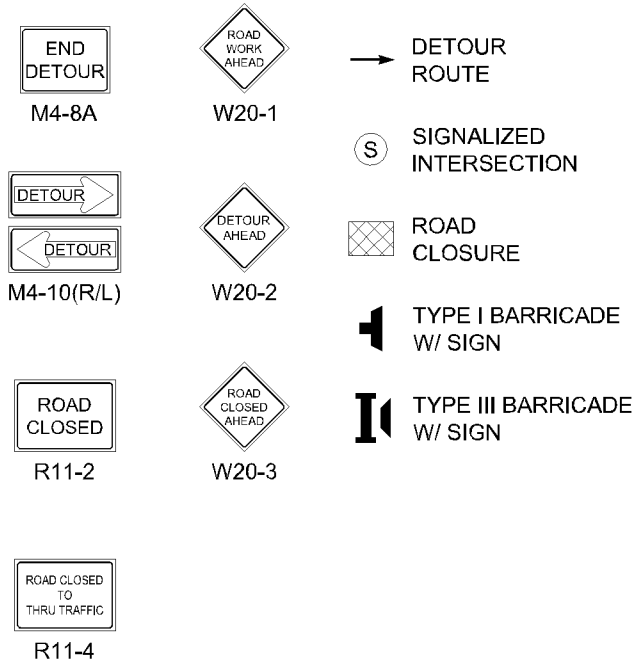

PREPARED BY:	CONTRACTOR:	STAMP:		CITY OF MORENO VALLEY APPROVALS		PROJECT NO.
A CONE ZONE INC. P.O. Box 1982 Corona, CA 92878 (951) 734-9535 License Number: 851996	**PETERSON PIPELINE** P.O. Box 1649 Chino, CA 91908 (909) 393-1906 License Number: 689680A		MARK / REVISIONS / APPR / DATE DESIGNED BY CB DRAWN BY CB CHECKED BY EN	APPROVED BY / DATE / BY SUPERVISING ENGINEER CITY TRAFFIC ENGINEER MAINTENANCE AND OPERATIONS MANAGER SENIOR ENGINEER	PREM KUMAR – DEPUTY DIRECTOR OF PUBLIC WORKS DATE R.C.E. 52463 EXP. DATE: 12/31/12 CHRIS A. VOGT – DIRECTOR OF PUBLIC WORKS DATE R.C.E. 44250 EXP. DATE: 06/30/12	PERRIS VALLEY MASTER DRAINAGE PLAN LATERAL B-1 & B-1.2 NANDINA AVE. CLOSURE	DRAWING NO. SHEET NO. X OF 4

Exhibit "B"

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MV00128990

ROAD CLOSURE SITE MAP

Nandina Avenue from Perris Blvd. to Knox St.

Item No. A.13

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

N

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Powered By GeoSmart.net

Printed: 8/23/2011 11:03:47 AM

Exhibit "C"

MORENO VALLEY

MV00128991

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MV00128992

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00128994

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto.

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The Parks and Community Services Department oversees the After School Education and Safety Program and 43 school sites in the Moreno Valley Unified (MVUSD) and Val Verde Unified School District (VVUSD). As part of the After School Education and Safety Grant (ASES) the city is required to offer the students in the program a daily

nutritious snack that conforms to the nutrition standards in the California Education Code. To that end the City receives a grant from the Child and Adult Care Food Program (CACFP) which reimburses a set amount per nutritious snack served per student. The vendor contracted for this service must be capable of delivering snacks, to each school site weekly, that meet the requirements and portion sizes of the U.S. Department of Agriculture (USDA) as required by the CACFP Grant.

DISCUSSION

A request for proposal was prepared and advertised, with a closing date of August 22, 2011. Three proposals were received by deadline. A panel evaluated the proposals based on several items with the most weight given to: Ability to provide the required services; adherence to the RFP; quality of snacks compared to the USDA's requirements; and nutritional value of snacks compared to USDA's requirements.

The proposal with the highest score was received from Family Services Association. It is Staff's intention to enter into an agreement with Family Services Association to meet the required nutritional guidelines of the ASES and CACFP Grants.

ALTERNATIVES

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto and Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

2. Elect not to award the contract and execute a purchase order in the amount not to exceed $440,640 to Family Services Association and provide direction to staff.

FISCAL IMPACT

The funding of this program expenditure, in the amount not to exceed $440,640, is covered 100 percent (100%) through ASES and CACFP grant funding. No City General Funds will be used for this program. Funds are budgeted in the FY2011-12 Operating Budget (162.16215 and 162.16315). **ASES funding is specifically for the After School Education and Safety Program and CACFP grant is for nutritious after school snacks only.**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Contract agreement (Includes RFP)

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00128998

City of Moreno Valley
Community Services District

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by the Moreno Valley Community Services District, a district formed pursuant to California Community Services District Law, hereinafter referred to as the "CSD", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City and CSD policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and
B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the Mayor, Acting in the capacity as the President of the Board of Directors of the Moreno Valley Community Services District, signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Family Services Association
Address: 21250 Box Springs Rd. Ste 212
City: Moreno Valley State: CA Zip: 92557
Business Phone: (951)686-1096 Fax No. (661)947-5678
Other Contact Number: N/A
Social Security Number: N/A
Business License Number: 11605
Federal Tax I.D. Number: 95-4764967

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The CSD's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is 10/3/11 and the Contractor Ending Date is 06/30/12. The CSD acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CSD will not provide any training to Contractor or his/her/its employees.
B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual

whose compensation for services is paid by the Contractor, an agent or employee of the CSD, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the CSD, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the CSD.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the CSD. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the CSD shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the Moreno Valley Community Services District (CSD), City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the CSD, City and RDA, its officers, agents, or employees.

   The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. CSD Indemnification. The CSD agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CSD's, City's and RDA's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, City, and RDA, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

   The Contractor shall name as additional insured, the Moreno Valley Community Services District (CSD), the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and shall furnish the CSD with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the CSD in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any

excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the Moreno Valley Community Services District (CSD), it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the Moreno Valley Community Services District (CSD), the Community Redevelopment Agency of the City of Moreno Valley, California, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the CSD, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the CSD will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	**Each Occurrence**	**Aggregate**
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the CSD and the City. At the option of the CSD and the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the CSD, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the CSD with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

(a) The CSD may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the CSD. The CSD shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the CSD terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

I. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The CSD will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the CSD's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

J. Restrictions on CSD and City Employees. The Contractor shall not employ any CSD or City employee or official in the work performed pursuant to this Agreement. No officer or

employee of the CSD or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

K. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

L. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.
In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

M. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the CSD, the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

N. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the CSD.

O. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

P. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the Moreno Valley Community Services District (CSD).

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Board of Directors of the
Moreno Valley Community Services District

BY: _____
President

_____
Date

Family Services Association

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT A

SCOPE OF WORK

"Exhibit A"

GENERAL AGREEMENT

This agreement is entered between Family Service Association (FSA) and the Moreno Valley Community Services District ("CSD") for the purpose of providing after school snack services. It is recognized that the purpose of this agreement shall be constructed in a manner not inconsistent with the California Education Code and other laws of the State of California After School Education and Safety (ASES) Grant.

AGENCY AND PROGRAM BACKGROUND

Family Service Association is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals. Additionally, the FSA has provided the Federal Summer Youth Food Program at several FSA Community Centers.

SNACK PROGRAM SERVICES

Family Service Association will provide delivery of the snacks to each of the 43 ASES "CSD" sites every school day from October 3, 2011 until June 30, 2012 in accordance with the order from the Think Together. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times required. Snack will be provided for a set unit price of .72 per snack per day and total cost will vary based on CSD program enrollment. Snack nutritional values will be in accordance with Child and Adult Food Program.

PROGRAM DELIVERY

Snack will be delivered to CSD programs weekly. CSD program must provide a secure area for product to be stored. CSD program will assign a contact for each site who will sign for delivery. FSA will invoice monthly with NET 30 DAY terms based on documented number of nutritious snacks delivered.

PROGRAM STAFFING REQUIREMENTS

Family Service Association shall be solely responsible for staff in their employ under this agreement, Family Service Association certifies that staff providing services are adequately trained and prepared according to prevailing standards for providing such services. Family Service Association will provide adequate supervision of the staff. FSA will provide all necessary insurance for employees as specified in INDEPENDENT CONTRACTOR AGREEMENT.

RELEVENT DATES

FSA will deliver snack to (43) ASES sites per week starting October 3, 2011. All sites will have product to begin distribution on October 3, 2011.

CONTRACTORS RFP RESPONSE

ORIGINAL

CHILD AND ADULT CARE FOOD PROGRAM
SAMPLE CONTRACT FOR VENDED MEALS

THIS AGREEMENT, made and entered into this day of

20 11, in the State of California, by and between Moreno Valley Community Services District

hereinafter referred to as the Agency and _____,

* _____, hereinafter referred to as the Contractor.

WITNESSETH:

1. That the Contractor for and in consideration of the covenants, conditions, agreements, and stipulations of the Agency hereinafter expressed, does hereby agree to furnish to the Agency services and materials as described in the original Invitation for Proposal and Contract, Sections A, B, C, D, E, F, G, and H, and Schedules A, B, and C, which were attached and made a part hereof by this reference.

2. The period of this contract shall be from _____ through _____. This contract may be renewed for one-year periods up to three times upon agreement of the Agency and the Contractor. Any increase or decrease of the unit price(s) shall be negotiated during the renewal process.

3. In consideration of the service, performed in a manner acceptable to the Agency and in compliance with the Child and Adult Care Food Program regulations, Title 7 Code of Federal Regulations, Part 226, the agency shall pay the Contractor within 30 days of receipt, the full the amount Amount of the itemized invoices as confirmed by pickup receipts, at the unit price(s) specified in the contract.

4. The total amount payable by the Agency to the Contractor under this contract shall not exceed $_____.

SIGNATURE PAGE TO FOLLOW

/

/

/

/

/

/

MORENO VALLEY COMMUNITY SERVICES DISTRICT

(Name of Contractor)

BY: _____
City Manager

DATE: _____

License No./ Certification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

CITY ATTORNEY, ACTING IN THE CAPACITY OF GENERAL COUNSEL OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SECTION A
CHILD AND ADULT CARE FOOD PROGRAM
REQUEST FOR PROPOSAL AND CONTRACT
(DELIVERY)

RFP/CONTRACT NUMBER: (Formal Advertising Only)

ISSUED BY (AGENCY): Moreno Valley Community Services District

NAME	ADDRESS 14075 Frederick St.		
CITY Moreno Valley	STATE CA	ZIP 92553	TELEPHONE NUMBER (951) 413-3726

PROPOSAL DUE

DATE	TIME	LOCATION	ISSUE DATE
AUGUST 22, 2011	5:00 p.m.	Moreno Valley Parks and Community Services 14075 Frederick Street, Moreno Valley, CA 92553	

PROPOSAL

This document contains an RFP/Contract for the furnishing of meals (unitized if applicable) to be served to participants of the Child and Adult Care Food Program established by the United States Department of Agriculture (Title 7 Code of Federal Regulations, Part 226) and sets forth the terms and conditions applicable to the proposed procurement.

NAME OF COMPANY	FEDERAL ID NUMBER
Family Service Association	95-1803694
STREET ADDRESS	TELEPHONE NUMBER
21250 Box Springs Rd. Ste. 212	(951) 686-1096

CITY	STATE	ZIP CODE
Moreno Valley	CA	92557

TOTAL ESTIMATED AMOUNT OF PROPOSAL	
TO BE PROVIDED IN SEPARATE SEALED ENVELOPE	Prompt Payment Discount: N/A % for payment within days.

By submission of this proposal, the company certifies that, in the event they receive an award under this solicitation, they shall operate in accordance with all applicable, current Child and Adult Care Food Program regulations.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Bower	Chief Operating Officer	8/18/2011

ACCEPTANCE

Upon acceptance by the Agency and review by the California Department of Education, this document shall constitute the covenants, conditions, agreements, and stipulations of the contract between the company making the proposal and the Agency named above.

CONTRACT NUMBER	AGENCY NAME	DATE

SIGNATURE OF AGENCY REPRESENTATIVE	

PROCUREMENT METHOD: (Check One)

Competitive Negotiation ☐ Competitive Sealed Proposals ☒ Noncompetitive Negotiation ☐

FOR CDE USE ONLY

This Contract was reviewed for compliance with Title 7 Code of Federal Regulations, Part 226 by:

SIGNATURE	DATE

3

SECTION B
CERTIFICATE OF INDEPENDENT PRICE DETERMINATION, NO SANCTIONS, AND DRUG FREE WORKPLACE

BY SUBMISSION OF THIS PROPOSAL, THE SUBMITTER CERTIFIES AND IN THE CASE OF A JOINT PROPOSAL, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATIONS, THAT IN CONNECTION WITH THIS PROCUREMENT:

1. The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Submitter or with any competitor.
2. Unless otherwise required by law, the prices that have been quoted in this proposal have not been knowingly disclosed by the Submitter and will not knowingly be disclosed by the proposal prior to proposal opening, directly or indirectly to any other Submitter or to any competitor.
3. No attempt has been made or will be made by the Submitter to induce any person or firm to submit or not to submit a proposal for the purpose of restricting competition.
4. Neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

   Where the Submitter is unable to certify to any of the statements in this certification, such Agency shall attach an explanation to this proposal.
5. As required by the state drug-free workplace act of 1990 (Government Code Section 8350 et. Seq.) and the federal Drug-Free Workplace Act of 1988, and implemented at Title 34 Code of Federal Regulations, Part 85, Subpart F, for grantees, as defined at Title 34 Code of Federal Regulations, Part 85, Sections 85.605 and 85.610, the Submitter certifies that it will continue to provide a drug-free workplace.

EACH PERSON SIGNING THIS PROPOSAL CERTIFIES THAT:

1. He is the person in the Submitter's organization responsible within that organization for the decision as to the prices being offered herein or that he has been authorized in writing to act as agent for the persons responsible for such decisions in certifying that such persons have not participated and will not participate, in any action contrary to (1) through (3) above; and
2. He has not participated, and will not participate, in any action contrary to (1) through (3) above.

AND AS THEIR AGENT DOES HEREBY SO CERTIFY:

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011
NAME OF COMPANY		
Family Service Association		
In accepting this proposal, the agency certifies that the agency's officers, employees, or agents have not taken any action that may have jeopardized the independence of the proposal referred to above.		
SIGNATURE OF AUTHORIZED AGENCY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011

ACCEPTING A PROPOSAL DOES NOT CONSTITUTE ACCEPTANCE OF THE CONTRACT

SECTION C
INSTRUCTION TO SUBMITTERS

1. **Definitions --** (As used herein):

   (a) The term "Proposal" means an offer to perform the work described in the Request for Proposals at the fixed unit price specified in accordance with the terms and conditions of the solicitation.

   (b) The term "Submitter" means a food service management company submitting a proposal in response to this Request for Proposals.

   (c) The term "Contractor" means the food service management company to whom the proposal is awarded and with whom the contractual agreement is executed.

   (d) The term "CDE" means the California Department of Education, Nutrition Services Division.

   (e) The term "Food Service Management Company" means an organization, other than a public or private nonprofit school, with which an agency may contract for preparing, and unless otherwise provided for, delivering meals, with or without milk, for use in the Program.

   (f) The term "Request for Proposals ", hereafter referred to as RFP, means the document soliciting proposals through the formal advertising method of procurement. In the case of this Program, the RFP becomes a part of the contract upon acceptance by the Agency, review by CDE, and execution of the contractual agreement.

   (g) The term "Agency" means the Child and Adult Care Food Program agency that issues this RFP.

   (h) The term "Program" means the Child and Adult Care Food Program as set forth in the Title 7 Code of Federal Regulations, Part 226.

   (i) The term "Unitized Meal" means an individual pre-portioned meal consisting of a combination of foods meeting the complete meal requirements, delivered as a unit and served as a unit, with or without milk.

   Other terms shall have the meanings ascribed to them in the Child and Adult Care Food Program, Title 7 Code of Federal Regulations, Part 226.

2. **Submission of Proposals**

   (a) Submitters are expected to examine carefully the specifications, schedules, attachments, terms, and conditions of this RFP. Failure to do so shall be at the Submitter's own risk.

   (b) Proposals shall be executed and submitted in triplicate with one copy being marked "original". If accepted, this RFP will become a part of the contract and one copy of the accepted Proposal/contract will be forwarded to the successful Submitter with the notice of award. The copy marked "original" shall be governing should there be a variance between that "original" copy of the proposal and other copies submitted by the Submitter. No changes in the specifications or general conditions as presented by the Agency herein are allowed. Erasures on this proposal shall be initialed by the proposal prior to submission.

   (c) A copy of a current State or local health certificate for the food preparation facilities shall be submitted with the proposal.

   (d) The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.

   Failure to comply with any of the above shall be reason for rejection of the proposal.

3. **Explanation to Submitters**

Any explanation desired by a Submitter regarding the meaning or interpretation of the RFP specifications, etc., must be requested in writing prior to proposal opening and with sufficient time allowed for a reply to reach all Submitters before proposal opening. Oral explanations or instructions given before the award of the contract shall not be binding. Any information given to a prospective Submitter concerning an RFP shall be furnished to all prospective Submitters as an amendment to the RFP if such information is necessary to Submitter in submitting proposal on the RFP, or if the lack of such information would be prejudicial to uninformed Submitters.

4. **Acknowledgment of Amendments to RFPs**

Receipt of an amendment to an RFP by a Submitter must be acknowledged by signing and returning the amendment. Such acknowledgment must be received prior to the hour and date specified for proposal response date.

5. **Discounts**

Although a blank is provided for a time discount, prompt payment discounts offered for payment in less than twenty calendar days will not be considered in evaluating proposals for award. However, offered discounts of less than twenty days will be taken if payment is made within the discount period even though not considered in the evaluation of proposals.[1]

6. **Proposals Having Interest in More Than One Proposal**

If more than one proposal is submitted by any one person, by, or in the name of a clerk, partner, or other person, all such proposals shall be rejected.

7. **Time for Receiving Proposals**

Sealed proposals shall be deposited at the address specified on the RFP of the Agency no later than the exact time and date indicated on the face of this RFP. Proposals received prior to the time of opening will be securely kept, unopened.

8. **Errors in Proposals**

Submitters or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals; failure to do so shall be at the Submitter's own risk and he cannot secure relief on the plea of error.

9. **Award of Contract**

(a) The contract will be awarded to that responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered. Consideration shall be given to such matters as Contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

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[1] Payment discounts may only be used to determine the low proposal when prior experience of the Agency indicates that such discounts are generally taken.

(b) The Agency reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received when there are sound documented business reasons in the best interest of the Program.

(c) The Agency reserves the right to reject the proposal of a Submitter who has previously failed to perform properly or complete on time contracts of a similar nature, or the proposal of a Submitter whose investigation shows is not in a position to perform the contract.

10. **Late Proposals, Modifications of Proposals, or Withdrawals of Proposals**

(a) Any proposal received after the exact time specified for receipt will not be considered unless it is received before the award is made and it was sent by registered or certified mail, no later than the fifth calendar day prior to the date specified for the receipt of proposals (e.g., a proposal submitted in response to an RFP requiring receipt of proposals by the 20th of the month must have been mailed by the 15th or earlier).

(b) Any modification or withdrawal of a proposal is subject to the same conditions as in (a) above except that withdrawal of proposals by telegram is authorized. A proposal may also be withdrawn in person by a Submitter or his authorized representative, provided his identity is made known and he signs a receipt for the proposal, but only if the withdrawal is made prior to the exact time set for receipt of proposals.

(c) The only acceptable evidence to establish the date of mailing of a late proposal, modifications, or withdrawal sent either by registered or certified mail is the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. If the date on the postmark is illegible, the proposal, modification, or withdrawal shall be deemed to have been mailed late. (The term "postmark" means, a printed, stamped, or otherwise placed impression that is readily identifiable without further action as having been supplied and affixed on the date of mailing by employees of the U.S. Postal Service.)

(d) Notwithstanding the above, a late modification of an otherwise successful proposal that makes its terms more favorable to the Agency will be considered at any time it is received and may be accepted.

SECTION D
SCOPE OF SERVICES

1. The Contractor agrees to deliver unitized meals exclusive of milk to locations set out in Schedule A, attached hereto and made a part hereof, subject to the terms and conditions of this solicitation.

2. All meals furnished for the Program under this contract must meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products shall conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. The Contractor agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. The Contractor shall furnish meals for the Program as ordered by the Agency during the period of October 3, 2011 to June 8, 2012.

5. The Contractor shall furnish meals for the Program as ordered by the Agency 5 days a week excluding school holidays.

Item No. B.3

Section D

SCOPE OF SERVICES

1. Family Service Association (Contractor) agrees to deliver unitized meals exclusive of milk to 43 Elementary and Middle School Sites (as detailed on Schedule A).

2. All meals furnished for the Program under this contract will meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products will conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. Family Service Association (Contractor) agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. Family Service Association will furnish meals for the program as ordered by the Agency during the period of October 3, 2011- June 8, 2012.

5. Family Service Association will furnish meals for the Program as ordered by the Agency five (5) days per week (Monday-Friday).

SECTION F

CONTRACT PROVISIONS AND SPECIFICATIONS

1. **Requirements Contract**

   (a) This is a requirements contract for services specified in the Sections and Schedules and for the period set forth herein. The quantities of such services specified herein are estimates only and are not purchased hereby. Except as may be otherwise provided herein, in the event the Agency's requirements for services set forth in the Sections and Schedules do not result in orders in the amounts or quantities described as "estimated" in the Sections and Schedules, such event shall not constitute the basis for an equitable price adjustment under this contract.

   (b) The Agency shall not be required to purchase from the Contractor requirements in excess of the limit on total orders under this contract, if any.

   (c) The Agency may issue orders that provide for delivery or performance at multiple destinations.

   (d) The Agency shall not be obligated to place any minimum dollar amount of orders under this contract or any minimum number of orders. The utilization of the Contractor for services specified in the Sections and Schedules will be dependent upon the needs and requirements of the Agency.

   (e) Regulatory or guidance changes prescribed by the United States Department of Agriculture or CDE, during the duration of this contract, shall be considered a basis for renegotiation with prior approval and agreement from CDE, of the terms and conditions of the contract between the Agency and the Contractor. Authority for such renegotiation must be requested from CDE, in writing by the Agency, prior to the commencement of any such renegotiation.

2. **Pricing**

   Pricing shall be on the numbers described in Section E, "Unit Price Schedule". All Submitters must submit proposals on the same menu cycle provided by the Agency. Proposal prices must include the price of food, milk (if applicable), packaging, transportation, and all other related costs (e.g., condiments, utensils, etc.) that are essential to the content of the food service.

3. **Evaluation of Submitters**

   Each Submitter will be evaluated on the following factors:

   (a) Capability to perform a contract of the scope required.

   (b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards.

   (c) Previous experience performing services similar in nature and scope.

   (d) Other factors such as transportation capability, sanitation, and packaging.

   Submitter that do not satisfactorily meet the above criteria may be rejected as unresponsive and not considered for award.

4. **Unit Prices**

The unit prices of each meal type that the Submitter agrees to furnish must be written in ink or typed in the blank space provided in Section E of the Unit Price Schedule, including proper packaging as required in the specifications, and the costs of delivery to the designated sites. Unit prices shall include taxes; but, any charges or taxes that are required to be paid under future laws must be paid by the Submitter at no additional charge to the Agency. **The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.**

5. **Meal Orders**

The Agency will order meals on Friday of the week preceding the week of delivery; orders will be placed for the total number of days in the succeeding week, and will include breakdown totals for each center and each type of meal.

The Agency reserves the right to increase or decrease the number of meals ordered on a 24 hour notice (or less if mutually agreed upon between the parties to this contract).

6. **Menu-Cycle Change Procedure**

Meals shall be delivered on a daily basis in accordance with the menu cycle which appears in Schedule C. Deviation from this menu cycle shall be permitted only upon authorization of the Agency. When an emergency situation prevents the Contractor from delivering a specified meal component, the Contractor shall notify the Agency immediately so substitutions can be agreed upon. The Agency reserves the right to periodically suggest menu changes that are within the Contractor's food cost.

7. **Noncompliance**

The Agency reserves the right to inspect and determine the quality of food delivered and reject any meals that do not comply with the requirements and specifications of the contract. The Contractor shall not be paid for unauthorized menu changes, incomplete meals, meals not delivered within the specified delivery time period, and meals rejected because they do not comply with the specifications. The Agency reserves the right to obtain meals from other sources if meals are rejected due to any of the stated reasons. The Contractor shall be responsible for any excess cost, but will receive no adjustment in the event the meals are procured at a lesser cost. The Agency or agency representative inspecting shall notify the Contractor in writing as to the number of meals rejected and the reasons for rejection.

** Time frame should be no longer than 24 hours.

8. **Specifications**

(a) Packaging

(1) Hot Meal Unit-Packaging shall be suitable for maintaining meals in accordance with local health standards. Container and overlay should have an airtight closure, be of non-toxic material, and be capable of withstanding temperatures of 400°F (204°C) or higher.

(2) Cold Meal Unit or Unnecessary-to-Heat Container and overlay shall be plastic or paper and non-toxic.

(3) Cartons - Each carton shall be labeled. The label shall include:

A. The processor's (plant) name and address

B. Item identity and meal type

C. Date of production

D. Quantity of individual units per carton

(4) Meals shall be delivered with the following non-food items: condiments, straws, napkins, single service ware, etc.*

(b) Food Preparation

Meals shall be prepared under properly controlled temperatures and assembled not more than 24 hours prior to delivery.

(c) Food Specifications

Proposals are to be submitted on the menu cycle included as Schedule C and shall include, at a minimum, the portions specified by the U. S. Department of Agriculture for each meal, which are included in Schedule B of this RFP.

All meat and meat products, except sausage products, shall have been slaughtered, processed, and manufactured in plants inspected under a U. S. Department of Agriculture approved inspection program and bear the appropriate seal. Upon delivery, all meat and meat products must be sound, sanitary, and free of objectionable odors or signs of deterioration.

(d) Product Specifications

Milk and milk products are defined as "...fluid types of pasteurized flavored or unflavored whole milk or low-fat milk, or skim milk or cultured buttermilk, which meets State and local standards for such milk..." Milk delivered hereunder shall conform to these specifications.

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* The Agency shall insert or delete non-food items that are necessary for the meal to be eaten.

Section F

CONTRACT PROVISIONS AND SPECIFICATIONS

3. Evaluation of Submitters:

(a) Capability to Perform Contract of Scope Required:

Family Service Association (FSA) is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. The key program and service areas of FSA include: Mental Health, Child Development, Community Centers, Senior Nutrition and Senior Services and Affordable Housing. FSA has a substantial infrastructure that includes administrative and fiscal supports to all programs and services, and is certified by the Council on Accreditation for the majority of agency services, attesting to the highest quality in program delivery. Additionally, FSA's Human Resources Department enables the agency to hire/screen and interview staff quickly and efficiently. FSA also maximizes resources, including personnel, facilities and transportation to ensure cost-effective and timely services. For example, there are currently part-time personnel that are working in food service whose hours can be expanded up to full-time positions to serve this new program component. Vehicles that are used to deliver Senior Nutrition meals earlier in the day can also be used for delivery of snacks to the various school sites in the afternoon.

In the area of service relevant to the Child Care Food Program Notice, FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals, as described in detail in item (c). Additionally, the agency has provided the Federal Summer Youth Food Program at several FSA Community Centers.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products. FSA will provide delivery tickets (minimum of three copies – one for FSA, one for Center personnel, and one for the Agency). Each delivery ticket will be itemized to show the number of snacks provided to each center. Designees of the Agency at each site will check the adequacy of the delivery before signing the delivery ticket. FSA will maintain records supported by delivery tickets, purchase orders, and production records for this contract, and other evidence for inspection and reference to support payments and claims.

FSA will make the books and records pertaining to this contract available for a period of three years from the date the Agency submits to CDE, the final claim for reimbursement for meals provided under this contract.

FSA will procure and maintain at its sole expense, and throughout the term of the Agreement, General Liability and Worker's Compensation at the required levels.

(b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards:

FSA has a long history of compliance with food preparation regulations and standards in the course of operating eight (8) food service facilities. In both the food service programs for the Child Development Centers and the Senior Nutrition program, FSA is well-versed in the applicable State and local health, safety and sanitation standards of the CA Department of Education Child and Adult Food Programs, the Federal Summer Youth Food Program, and Title 22 regulations, as well as Environmental Health regulations.

Food preparation for this proposed program will take place at FSA's new Central Kitchen and Distribution Facility, scheduled to open on September 15, 2011. The facility is located at 21081 Alessandro Blvd. in Moreno Valley and is currently being renovated especially for the preparation of meals for the Senior Nutrition program.

The facility will be ideal for the proposed Child Care Food Program. During the morning hours, the facility will be used for the preparation and distribution of over 1,500 senior meals (congregate and home-delivered meals). The early afternoon hours can then be devoted to the preparation of the afternoon meal "snacks" required for this proposed program. The convenient location of the kitchen within close proximity to the service sites, the compliance of the facility with all applicable health regulations, and the trained and experienced staff assigned to work in this location on various programs make it an ideal place for this project.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products.

(c) Previous experience performing services similar in nature and scope:

As previously stated, FSA has over 15 years of experience in the meal preparation and food service process. FSA provides food service (breakfast, lunch and snacks) to approximately 2,000 children served at FSA's 10 Child Development Centers located throughout Riverside County. In addition, FSA has provided the Summer Youth Food Program to approximately 300 children and youth attending special programming at FSA's Community Centers in Highgrove, Mead Valley and Cabazon. Daily meals are delivered to 1,500 seniors through FSA's Senior Nutrition program, offering both congregate (20 sites) meal service, and home-delivered meals for frail, homebound elders.

In the provision of these food programs, FSA adheres to and has consistent compliance with environmental health standards for kitchen sanitation and safe food preparation. Food service personnel comply with all applicable CA Department of Education and Adult Food Programs, and Title 22 regulations that govern federally funded food programs, in addition to all Environmental Health regulations.

(d) Other factors such as transportation capability, sanitation and packaging:

FSA has over 20 vehicles that are used to deliver nutritious meals to seniors. The agency also owns a refrigerated truck as well as refrigerated hot and cold conversion vans that are available to deliver meals and snacks. In addition, FSA utilizes coolers and hot bags to maintain appropriate food temperatures for snack and meal deliveries.

FSA maintains the highest quality of sanitation possible for all cooking sites as well as warming kitchens. FSA is required by Title 22 regulations to have a registered dietician who inspects all sites on a quarterly basis. Written records are maintained on food temperatures as well as routine cleaning and sanitizing of all kitchen equipment.

FSA packages all meals and snacks that it prepares. Meals are placed in biodegradable meal trays and appropriately sealed. Side dishes, such as fruit, jello, etc. are individually cupped and/or sealed.

The Attached Environmental Health Permit is for one of FSA's eight kitchen and food preparation facilities.

The facility that will be serving as the centralized kitchen (Alessandro Central Kitchen and Distribution Center) for this project, will not be open until mid-September 2011.

ATTACHMENT A

Facility # FA0029398

COUNTY OF RIVERSIDE • COMMUNITY HEALTH AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH

Environmental Health Permit
Non-Transferable - Non-Refundable

Facility #: FA0029398
Permit Expiration Date: 01/31/2012
District Number: 0005

DBA:
Catering Ror A Cause
6080 Magnolia Ave
Riverside, CA 92506

Family Service Association
Catering Ror A Cause
21250 Box Springs Rd Ste 212
Moreno Valley, CA 92557

Record ID#: PR0040060

Type Of Business

3621 - Restaurant 2001 to 5999 sq ft

This permit is granted for the business indicated on the condition that the business will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, and the County of Riverside pertaining to the above mentioned business. This permit serves as a receipt for payment of fees for the above listed programs. This permit must be renewed on or before the expiration date shown above. This permit may be suspended or revoked by the enforcement officer for cause. Inspection of this business may be conducted by a duly authorized representative of the Director of Environmental Health. THIS PERMIT IS NOT TRANSFERABLE OR REFUNDABLE.

POST IN A CONSPICUOUS PLACE

DEH-SAN-050 (Revised 12/09)

SECTION G
GENERAL CONDITIONS

1. **Delivery Requirements**

   (a) Deliveries shall be made by the Contractor to each center listed on the Schedule A in accordance with the order from the Agency.

   (b) Meals shall be delivered, unloaded, and placed in the designated center weekly by the Contractor's personnel at each of the locations and times listed on the Schedule A.

   (c) The Contractor shall be responsible for the delivery of all meals and dairy products at the specified time. Adequate refrigeration or heating shall be provided during the transportation and delivery of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

   (d) The Agency reserves the right to **add or delete centers**. This shall be done by amendment of the Schedule A. The Agency shall notify the Contractor of such amendments to the Schedule A not less than one week prior to the required date of service. Any changes in transportation costs that occur as a result of adding or deleting centers shall be negotiated and noted in the modification. The Contractor's invoice shall show the cost as a separate item for that center.

2. **Supervision and Inspection**

   The Contractor shall provide management supervision at all times and maintain constant quality control inspections to check for portion size, appearance, and packaging, in addition to the quality of products.

3. **Record Keeping**

   (a) Delivery tickets must be prepared by the Contractor with a minimum of three copies -- one for the Contractor, one for center personnel, and one for the Agency. Delivery tickets must be itemized to show the number of meals of each type delivered to each center. Designees of the Agency at each center will check the adequacy of the delivery and the meals before signing the delivery ticket. Invoices shall be accepted by the Agency only if they accurately represent the delivery tickets signed by the Agency's designee at the center.

   (b) The Contractor shall maintain records supported by delivery tickets, purchase orders, and production records for this contract or other evidence for inspection and reference to support payments and claims.

   (c) The books and records of the Contractor pertaining to this contract shall be available for a period of three years from the date the Agency submits to CDE the final claim for reimbursement for meals provided under this contract, or until the final resolution of any audits for inspection and audit by representatives of CDE, the U. S. Department of Agriculture, the Agency, and the Controller General of the United States at any reasonable time and place.

4. **Method of Payment**

The Contractor shall submit its itemized invoice to the Agency monthly . Each invoice shall give a detailed breakdown of the number of meals delivered and signed for at each center during the preceding month . Payment will be made at the unit price specified in the contract. No payment shall be made unless the required delivery receipts have been signed by the center representative of the Agency.

5. **Inspection of Facility**

(a) The Agency, CDE, and the U.S. Department of Agriculture reserve the right to inspect the Contractor's preparation facilities prior to award and without notice at any time during the contract period, including the right to be present during preparation and delivery of meals.

(b) The Contractor's facilities shall be subject to periodic inspections by the U.S. Department of Agriculture, State and local health departments, or any other agency designated to inspect meal quality for the State. This will be accomplished in accordance with U.S. Department of Agriculture regulations.

(c) The Contractor shall provide for meals which it prepares to be periodically inspected by the local health department or an independent agency to determine bacteria levels in the meals being prepared, transported, and delivered. Such levels shall conform to the standards which are applied by the local health authority with respect to the level of bacteria which may be present in meals served by other establishments in the locality.

6. **Insurance**

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD) and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

7. **Availability of Funds**

The Agency shall have the option to cancel this contract if the Federal Government withdraws funds to support the Child and Adult Care Food Program. It is further understood that, in the event of cancellation of the contract, the Agency shall be responsible for meals that have already been assembled and/or delivered in accordance with this contract.

8. **Number of Meals and Delivery Times**

The Contractor must provide the exact number of meals ordered. Counts of meals will be made at all centers before meals are accepted. Damaged or incomplete meals shall not be included when the number of delivered meals is determined.

9. **Emergencies**

In the event of unforeseen emergency circumstances, the Contractor shall immediately notify the Agency by telephone or telegram of the following: (a) the impossibility of on-time delivery; (b) the circumstance(s) precluding delivery; and (c) a statement of whether or not succeeding deliveries will be affected. No payments will be made for deliveries made later than 1 hour(s) after specified mealtime. Emergency circumstances at the center precluding utilization of meals are the concern of the Agency. The Agency may cancel orders provided it gives the Contractor at least 48 hours notice. Adjustments for emergency situations affecting the Contractor's ability to deliver meals, or the Agency's ability to utilize meals for periods longer than 24 hours will be mutually worked out between the Contractor and the Agency.

10. **Termination**

(a) The Agency reserves the right to terminate this contract if the Contractor fails to comply with any of the requirements of this contract. The Agency shall notify the Contractor of specific instances of noncompliance in writing. In instances where the Contractor has been notified of noncompliance with the terms of the contract and has not taken immediate corrective action, the Agency shall have the right upon written notice to immediately terminate the contract and the Contractor shall be liable for any damages incurred by the Agency. The Agency shall negotiate a repurchase contract on a competitive basis to arrive at a fair and reasonable price.

(b) The Agency shall by written notice to the Contractor, terminate the right of the Contractor to proceed under this contract if it is found by the Agency that gratuities in the form of entertainment, gifts, or otherwise were offered or given by the Contractor to any officer or employee of the Agency, with a view toward securing the contract or securing favorable treatment with respect to the awarding or amending of the contract; provided that the existence of the facts upon which the Agency makes such findings shall be in issue and may be reviewed in any competent court.

(c) In the event this contract is terminated as provided in paragraph (b) hereof, the Agency shall be entitled (i) to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor, and (ii) as a penalty in addition to any other damages in an amount which shall not be less than three nor more than ten times the cost incurred by the Contractor in providing any such gratuities to any such officer or employee.

(d) The rights and remedies of the agencies provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

11. **Subcontracts and Assignments**

The Contractor shall not subcontract with any other company for the total meal, with or without milk, or for the assembly of the meal; and shall not assign, without the advance written consent of the Agency, this contract or any interest therein. In the event of any assignment, the Contractor shall remain liable to the Agency as principal for the performance of all his obligations under this contract.

12. **Equal Opportunity**

(The following clause is applicable unless this contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor (Title 41 Code of Federal Regulations, Chapter 60.)

During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex.

The Contractor will take affirmative action to ensure that the evaluation and treatment of his employees and applicants for employment are free of such discrimination. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and his subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

(b) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(c) In the event of the Contractor's noncompliance with the Equal Opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further State or federally funded contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, or by rule, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

SECTION H

GENERAL PROVISIONS FOR CONTRACTS EXCEEDING $100,000

THE FOLLOWING PROVISIONS ARE APPLICABLE ONLY IF THE CONTRACT EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT THE ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY ONE YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [41 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY ENVIRONMENTAL PROTECTION AGENCY, OR THE CONTRACT IS NOT OTHERWISE EXEMPT FROM THESE PROVISIONS.

Clean Air and Water

The Contractor agrees as follows:

1. To comply with all the requirements of Section 114 of the Clean Air Act, as amended (41 USC 1857, et seq., as amended by Public Law 91-604), and all requirements adopted pursuant to Division 26 of the California Health and Safety Code, Section 39000, et seq., respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements so specified, and all regulations and guidelines issued thereunder before the award of this contract.

2. To comply with all the requirements of Section 308 of the Federal Water Pollution Control Act (33 USC 1251, et seq., as amended by Public Law 92-500) and all requirements adopted pursuant to the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Section 13000, et seq.), respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Acts, and all regulations and guidelines issued thereunder before the award of this contract.

3. That no portion of the work required by this contract will be performed at a facility listed on the EPA List of Violating Facilities on the date when this contract was awarded unless and until the EPA eliminates the name of such facility or facilities from such listing.

4. To use his best efforts to comply with clean air standards and clean water standards at the facilities in which the contract is being performed.

5. To insert the substance of the provisions of this clause in any nonexempt subcontract including this paragraph 1(e).

Energy Policy and Conservation Act (P.L. 94-163)

The Contractor agrees to comply with all mandatory standards and policies relating to energy efficiency as contained in the California Administrative Code, Title 24, pursuant to the California State energy efficiency conservation plan issued in compliance with Public Law 94-163.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

CLEAN AIR AND WATER CERTIFICATION

THIS CERTIFICATION IS APPLICABLE IF PROPOSAL OR OFFER EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [42 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY EPA, OR IS NOT OTHERWISE EXEMPT.

The Submitter certifies as follows:

1. Any facility to be utilized in the performance of this proposed contract

   has [X] has not [ ]

   been listed on the Environmental Protection Agency List of Violating Facilities.

2. He will promptly notify the Agency Official, prior to award, of the receipt of any communication from the Director, Office of Federal Activities, U. S. Environmental Protection Agency, indicating that any facility that he proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities.

3. He will include substantially this certification, including this paragraph (3.) in every nonexempt subcontract.

NAME OF COMPANY		
Family Service Association		
SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Hower	Chief Operating Officer	8/18/2011

ATTACHMENT A

SCHEDULE A
CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Armada Elementary	25201 John F Kennedy Dr., Moreno Valley, CA		Afternoon Snack	75 per day		8/10/11-6/8/12 180 days
Badger Springs Mdl	24750 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	64 per day		8/10/11-6/8/12 180 days
Bear Valley Elem	26125 Fir Ave, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Box Springs Elem	11900 Athens Dr, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Butterfield Elem	13400 Kitching St, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Chaparral Hills Elem	24850 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Cloverdale Elem	12050 Kitching St., Moreno Valley, CA		Afternoon Snack	89 per day		8/10/11-6/6/12 176 days
Creekside Elem	13563 Heacock St., Moreno Valley, CA		Afternoon Snack	76 per day		8/10/11-6/6/12 176 days
Edgemont Elem	21790 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	92 per day		8/10/11-6/6/12 176 days
Hendrick Ranch Elem	25570 Brodiaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Hidden Springs Elem	9801 Hidden Springs Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Honey Hollow Elem	11765 Honey Hollow St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
La Jolla Elem	14745 Willowgrove Pl., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Landmark Mdl	15261 Legendary Dr., Moreno Valley, CA		Afternoon Snack	80 per day		8/10/11-6/6/12 176 days
Midland Elem	11440 Davis St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Moreno Elem	26700 Cottonwood Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Mountain View Mdl	13130 Morrison St., Moreno Valley, CA		Afternoon Snack	65 per day		8/10/11-6/6/12 176 days
Palm Mdl	11900 Slawson Ave., Moreno Valley, CA		Afternoon Snack	58 per day		8/10/11-6/6/12 176 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Ramona Elem	24801 Bay Ave., Moreno Valley, CA		Afternoon Snack	91 per day		8/10/11-6/6/12 176 days
Ridge Crest Elem	28500 JFK Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Seneca Elem	11615 Wordsworth Rd, Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days
Serrano Elem	24100 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sugar Hill Elem	24455 Old Country Rd., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sunnymead Elem	24050 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Sunnymead Mdl	23996 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	54 per day		8/10/11-6/6/12 176 days
Sunnymeadows Elem	23200 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Town Gate Elem	22480 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Avalon Elem	1815 E. Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Columbia Elem	21350 Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Lakeside Mdl	27720 Walnut Ave., Perris, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Lasselle Elem	26446 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Manuel L. Real Elem	19150 Clark St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
March Mdl	15800 Indian Ave., Moreno Valley, CA		Afternoon Snack	67 per day		8/10/11-5/24/12 175 days
Mary McLeod Bethune Elem	25390 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
May Ranch Elem	900 E. Morgan St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Mead Valley Elem	21100 Oleander Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

DELIVERY – (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Rainbow Ridge Elem	15950 Indian Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Sierra Vista Elem	20300 Sherman Rd., Perris, CA		Afternoon Snack	77 per day		8/10/11-5/24/12 175 days
Tomas Rivera Mdl	21675 Main St., Perris, CA		Afternoon Snack	76 per day		8/10/11-5/24/12 175 days
Triple Crown Elem	530 Orange Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Val Verde Elem	2656 Indian Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Victoriano Elem	25650 Los Cabos Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

ATTACHMENT A

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Vista Verde Mdl	25777 Krameria, Moreno Valley, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03)

VENDOR #:
AGREEMENT #:

BREAKFAST	AGES ONE THROUGH THREE YEARS	AGES THREE THROUGH SIX YEARS	AGES SIX THROUGH TWELVE YEARS
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE, FRUIT OR FULL-STRENGTH (100%) JUICE	¼ CUP	½ CUP	½ CUP
GRAINS/BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
LUNCH OR SUPPER			
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE AND/OR FRUIT (TWO OR MORE KINDS)	¼ CUP TOTAL	½ CUP TOTAL	¾ CUP TOTAL
GRAINS/BREAD (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COOKED PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	1 OZ.	1-½ OZ.	2 OZ.
OR CHEESE (NATURAL OR PROCESSED)	1 OZ.	1-½ OZ.	2 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	¼ CUP *OR* 2 OZ.	⅜ CUP *OR* 3 OZ.	½ CUP *OR* 4 OZ.
OR EGG (LARGE)	1 EGG	1 EGG	1 EGG
OR COOKED DRIED BEANS OR DRIED PEAS *	¼ CUP	⅜ CUP	½ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	2 TBSP	3 TBSP	4 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS**	½ OZ.**	¾ OZ.**	1 OZ.**
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED	½ CUP	¾ CUP	1 CUP
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			
AM OR PM SUPPLEMENT (SELECT TWO OF THESE FOUR COMPONENTS)* **			
MILK, FLUID	½ CUP	½ CUP	1 CUP
VEGETABLE, FRUIT, OR FULL-STRENGTH (100%) JUICE	½ CUP	½ CUP	¾ CUP
GRAINS OR BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS.	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	½ OZ.	½ OZ.	1 OZ.
OR CHEESE (NATURAL OR PROCESSED)	½ OZ.	½ OZ.	1 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	⅛ CUP *OR* 1 OZ.	⅛ CUP *OR* 1 OZ.	¼ CUP *OR* 2 OZ.
OR EGG (LARGE)	½ EGG	½ EGG	1 EGG
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED****	¼ CUP	¼ CUP	½ CUP
OR COOKED DRIED BEANS OR DRIED PEAS*	⅛ CUP	⅛ CUP	¼ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	1 TBSP	1 TBSP	2 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS	½ OZ.	½ OZ.	1 OZ.
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			

CERTIFICATION

I hereby certify that all meals claimed shall meet the minimum requirements set forth in the meal pattern for older children as prescribed by Title 7 Code of Federal Regulations, Part 226.20 and as outlined in Schedule B, NSD 2050B.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE

AGENCY NAME

AGENCY ADDRESS

29

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03) PAGE 2

* DRIED BEANS OR DRIED PEAS MAY BE USED AS A MEAT ALTERNATE OR AS A VEGETABLE COMPONENT; BUT **CANNOT** BE COUNTED AS BOTH COMPONENTS IN THE SAME MEAL.

** NO MORE THAN 50 PERCENT OF THE REQUIREMENT SHALL BE MET WITH NUTS OR SEEDS. NUTS OR SEEDS SHALL BE COMBINED WITH ANOTHER MEAT/MEAT ALTERNATE TO FULFILL THE REQUIREMENT. TO DETERMINE COMBINATIONS, 1 OZ. OF NUTS OR SEEDS IS EQUAL TO 1 OZ. OF COOKED LEAN MEAT, POULTRY, OR FISH. ROASTED PEAS CAN COUNT AS A MEAT ALTERNATE OR VEGETABLE COMPONENT, BUT CANNOT BE COUNTED AS BOTH IN THE SAME MEAL.

*** JUICE **CANNOT** BE SERVED WHEN MILK IS SERVED AS THE ONLY OTHER COMPONENT.

**** IF YOGURT IS USED AS THE MEAT COMPONENT IN SUPPLEMENTS, MILK **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT. COMMERCIALLY ADDED FRUIT OR NUTS IN FLAVORED YOGURT **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT IN SUPPLEMENTS.

Family Services Association
Childrens Snack Program
October 2011

Date	Monday Oct	Tuesday Oct	Wednesday Oct	Thursday Oct	Friday Oct		
	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz		
Week 1	Prestzel Twist .25oz	Nutri grain Bar 1.03oz	Cheese/Peanut Butter Crackers 1.42oz	Mixed Fruit Cup 4oz	Club Cracker/ Apple Butter .05 oz		
Week 2	Peanuts 1.63oz	Graham Crackers 1oz	Cheezits White Cheddar 1.5oz	Quaker Oatmeal Cin Bar 1.4oz	Vanilla Crème Cookie 2.12oz		

SECTION E
UNIT PRICE SCHEDULE AND INSTRUCTIONS
PROVIDE THIS SCHEDULE IN A SEPARATE SEALED ENVELOPE

1. **Unit Price Schedule**

Submitters are to submit prices on the following meal types meeting the contract specifications set forth in Schedules B and C for meals to be delivered to all of the centers stated in Schedule A. *(See example on next page).*

A. Meal Type[1]	B. Estimated Servings Per Day[2]	C. Estimated Number of Serving Days[3]	D. Unit Price[4]	E. Total Price[5]
~~Breakfast~~				
~~AM Snack~~				
~~Lunch~~				
PM Snack	3,400	180	.72	440,640
~~Supper~~				
~~Evening Snack~~				

Submitters shall submit their proposals on an "all or none" basis. Except as otherwise provided in this solicitation, if a contract is awarded as a result of this solicitation, it will bind the Agency during the term of the contract, secure all of the identified meals from the successful Submitter, and such contract shall bind the Submitter/Contractor to perform all such work ordered by the Agency at prices specified in the contract. Award will be made to a single responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered.. Evaluation of prices will be on the basis of the estimated requirements set forth herein.

In the event of any inconsistencies or errors, the unit price (D) shall take precedence.

Instructions for completion of the Unit Price Schedule: (*See Example on next page.*)

[1] The Agency shall indicate which meal types the Contractor will be providing meals for during the contract period (strike-out extraneous meal types in Column A). If unitized meals will be required, the Agency must indicate so by placing "unitized meal" in parenthesis after the meal type.

[2] The Agency shall fill in the estimated number of meals that will be served each day (Column B) by meal type during the contract period.

[3] The Agency shall fill in the number of anticipated operating days that meals will be served (Column C) during the contact period.

[4] The Submitter shall insert the appropriate unit price (Column D) for each meal type indicated by the Agency.

[5] The Submitter shall calculate the total price (Column E) by multiplying B x C x D.

CITY OF MORENO VALLEY

BUSINESS LICENSE TAX RECEIPT

The person, firm or corporation named below has paid the appropriate fees to the City and is hereby granted this business license tax receipt for the business described below. Granting of this receipt does not entitle the holder to operate or maintain a business in violation of any law or ordinance. The City does not pass on the qualifications of the holder of this business license tax receipt.

Business Name: Family Service Association Of Western Riverside Co

Business Location: 21250 Box Springs Rd # 212, Moreno Valley, CA 92557

Business Owner: Family Service Association Of Western Riverside Co
Dom Betro

BUSINESS TYPE: 1922

Description: Individual And Family Social Services

BUSINESS LICENSE #: 11605

Effective Date: January 01, 2011

Expiration Date: December 31, 2011

FAMILY SERVICE ASSOCIATION OF
WESTERN RIVERSIDE CO
21250 BOX SPRINGS RD # 215
MORENO VALLEY, CA 92557

Richard Teichert
Financial & Administrative Services Director

TO BE POSTED IN A CONSPICUOUS PLACE

NOT TRANSFERABLE

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/07/2011 14:28

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Barney & Barney LLC
CA Insurance Lic: 0C03950
9171 Towne Centre Drive, Suite 500
San Diego, CA 92122
858-457-3414

CONTACT NAME: Cyndi Smoot
PHONE (A/C, No, Ext): (858) 587-7414 FAX (A/C, No):
E-MAIL ADDRESS: cyndis@barneyandbarney.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Philadelphia Indemnity Insurance Company	18058
INSURER B: Insurance Company of the West	27847
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Family Service Association

21250 Box Springs Road, Suite 212
Moreno Valley, CA 92557-8712

Client # 55323

COVERAGES CERTIFICATE NUMBER: 378650 MST NUMBER: 19124 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	X		PHPK743608	7/1/2011	7/1/2012	EACH OCCURRENCE	$	1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$	100,000
							MED EXP (Any one person)	$	10,000
							PERSONAL & ADV INJURY	$	1,000,000
							GENERAL AGGREGATE	$	3,000,000
							PRODUCTS - COMP/OP AGG	$	3,000,000
								$	
A	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS			PHPK743608	7/1/2011	7/1/2012	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
							BODILY INJURY (Per person)	$	
							BODILY INJURY (Per accident)	$	
							PROPERTY DAMAGE (Per accident)	$	
								$	
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $ 10,000			PHUB351940	7/1/2011	7/1/2012	EACH OCCURRENCE	$	4,000,000
							AGGREGATE	$	4,000,000
								$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WSD500180402	7/1/2011	7/1/2012	X WC STATU-TORY LIMITS OTH-ER		
							E.L. EACH ACCIDENT	$	1,000,000
							E.L. DISEASE - EA EMPLOYEE	$	1,000,000
							E.L. DISEASE - POLICY LIMIT	$	1,000,000
A	Professional Liability and Sexual Abuse Coverage			PHPK743608	7/1/2011	7/1/2012	$1,000,000 Each Occurence $3,000,000 Aggregate		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

*10 DAYS NOTICE OF CANCELLATION FOR NON-PAYMENT OF PREMIUM.

RE: After School Snack Program

The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District are additional insured per the attached

CERTIFICATE HOLDER

City of Moreno Valley Parks and Community Services

14075 Frederick Street
Moreno Valley, CA 92553

Subject

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cyndi Smoot

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ACORD 25 (2010/05)

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Insured: Family Service Association Master # 19124 Cert # 378650

Attachment Page

COMPLETE LISTING OF CERTIFICATE HOLDER and/or ADDITIONAL INSURED:
(additional insureds apply only with respect to coverages marked by "X" under "Addtl Insrd" on the Certificate)

City of Moreno Valley Parks and Community Services
The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District

INSURED: Family Service Association

COMPANY: Philadelphia Indemnity Insurance Company

POLICY #: PHPK743608

POLICY PERIOD: 7/1/2011 TO 7/1/2012

EFFECTIVE DATE: 09/07/2011

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Moreno Valley Parks and Community Services The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or

B. In connection with your premises owned by or rented to you.

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ATTACHMENT A

Exhibit B"

MORENO VALLEY COMMUNITY SERVICES DISTRICT WILL SUPPORT PROGRAM:

Moreno Valley Community Services District agrees to support the ASES snack program with the following:

- By ensuring a site contact person is assigned to sign for snack delivery
- By ensuring the name, schedule and contact information for site contact is communicated to FSA
- By ensuring snack is distributed to students during ASES program
- By ensuring snack is counted daily and documentation regarding disbursement is turned in
- By ensuring fresh fruit is distributed the day after it is delivered to ensure product freshness
- By ensuring all boxes and containers are disposed of

ATTACHMENT A

"Exhibit C"

TERMS OF PAYMENT

1. The Contractor's compensation shall be computed based on a unit price of .72 cents per snack delivered not to exceed $440,640.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the CSD. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the CSD as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Parks and Community Services Department at:

   pattyg@moval.org or calls directed to (951) 413-3726.

3. The Contractor agrees that CSD payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the CSD. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

4. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date

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MV00129048

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00129050

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

RECOMMENDED ACTION

Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

SEE AGENDA ITEM A.7

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MV00129052

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00129054

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: September 27, 2011

TITLE: PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

BACKGROUND AND DISCUSSION

The California Elections Code provides that after each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, and community of interests of the districts. The council must adjust the boundaries of the council districts before the first day of November of the year following the year in which each decennial federal census is taken.

On August 23, 2011, the City Council adopted Resolution No. 2011-93, establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected. Two Citizens' Community Meetings were held on September 12 and 15, 2011 that gave the citizens of Moreno Valley the opportunity to provide input. The on-line redistricting tool was demonstrated by Dave Meyer at both meetings. The public hearings scheduled for September 27, 2011 and October 11, 2011 fulfill the requirements of Elections Code 21601.1, which states that the "council must

hold at least one public hearing on any proposal to adjust boundaries of a district prior to a public hearing at which the council votes to approve or defeat the proposal."

The consultant, Dr. Alan Heslop of National Demographics Corporation (NDC) has made a presentation to the City Council at the July 26, 2011 Special Meeting and August 23, 2011 Regular City Council Meeting.

Four NDC draft plans (maps) and five citizen-drawn plans (maps) have been provided to Council and are attached for review. A brief summary of the four NDC draft plans follows:

Plan 1 - District 3 loses SW corner; District 2 moves south
Plan 2 - District 3 loses a bit of SW but mostly NW, District 2 moves east
Plan 3 – District 3 loses SW corner; District 1 loses north end; District 2 moves south; Highly compact
Plan 4 - District 1 moves east; Most-compact districts; Least change to District 4

NOTIFICATION

Publication of the agenda

ALTERNATIVES

California statutes require a second public hearing. There are no other alternatives in order to comply with applicable state law.

FISCAL IMPACT

This expenditure has been included in the City Clerk's budget for 2011/12 fiscal year. Approved budget is located in: 13110.6291- not to exceed $45,000.00.

ATTACHMENTS/EXHIBITS

1. NDC Powerpoint
2. NDC Memo to Council
3. 2001 Plan and deviation & demographics
4. Plan 1 map & demographics
5. Plan 2 map & demographics
6. Plan 3 map & demographics
7. Plan 4 map & demographics
8. Public Plan 1 map & stats
9. Public Plan 2 map & stats
10. Public Plan 3 map & stats
11. Public Plan 4 map & stats
12. Public Plan 5 map & stats

Prepared By:
Jane Halstead, City Clerk

Department Head Approval:
Jane Halstead, City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129058

City of Moreno Valley 2011

Redis

National
Demographics
Corporation

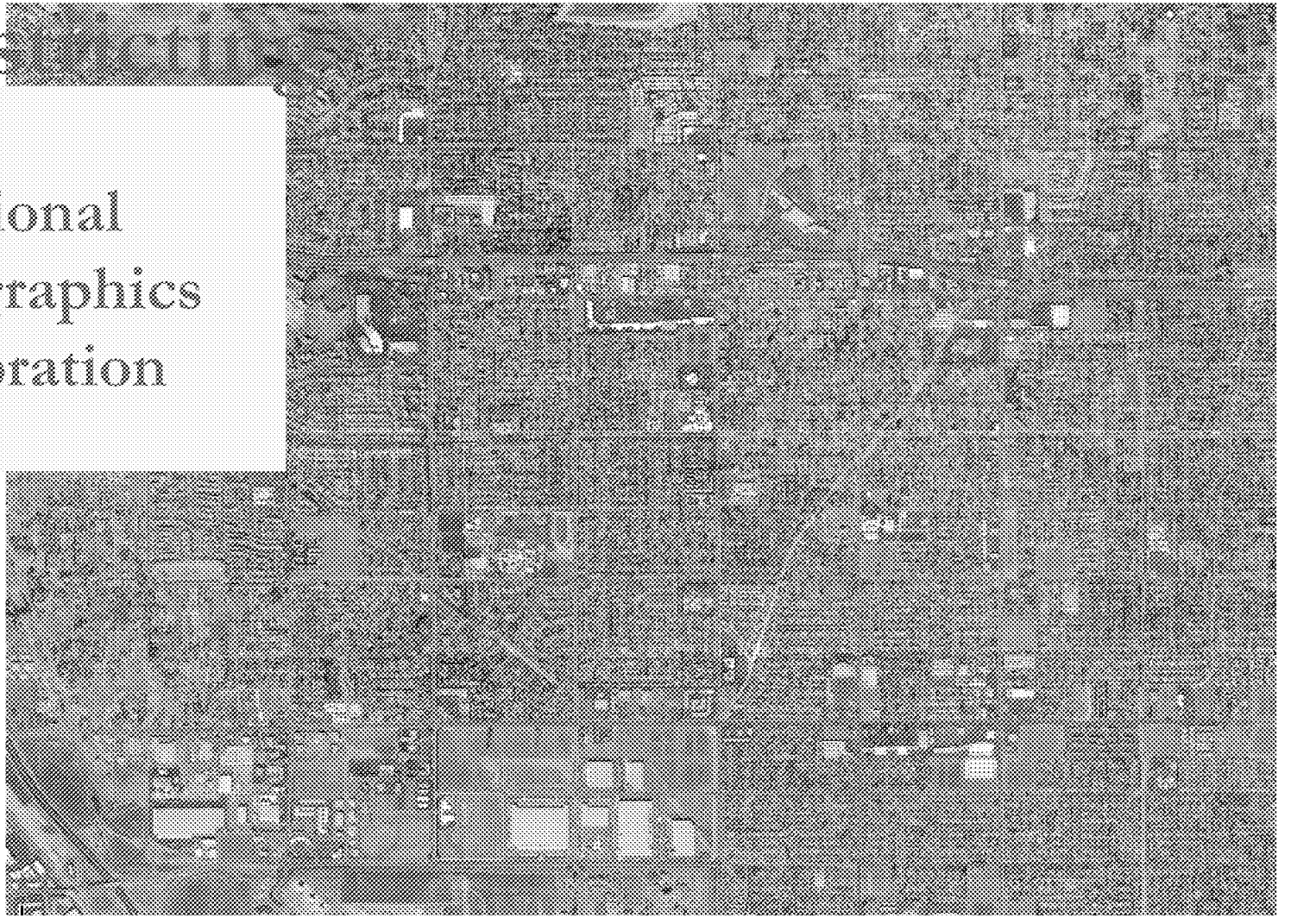

MV00129059

Current Demographics

Based on Census data from the 2010 Decennial Census and the Census Bureau's American Community Survey.

- **2010 Census Population**
  - 2010 Census total: **193,365**
    - + **50,817** (**50.0** %) growth from 2000
    - **54.4** % Hispanic
      - +50,480 (+92.3 %) growth from 2000
    - **18.9** % Non-Hispanic White
      - -9,308 (-25.4 %) from 2000
    - **18.0** % Non-Hispanic Black
    - **8.7** % Other
  - 2010 Census Voting Age Population
    - **49.7** % Hispanic
    - **22.8** % Non-Hispanic White
    - **17.9** % Non-Hispanic Black
    - **10.0** % Other
- **Other Data**
  - Citizen Voting Age Population
    - From ACS: **36.1** % Hispanic
    - From Census Special Tabulation: **36.1** % Hispanic
  - Voter Registration (Nov. 2010)
    - 69,919 Total
    - **34.3** % Hispanic-surname
  - Voter Turnout (Nov. 2010)
    - 32,944 Total
    - **29.8** % Hispanic-surname

MV00129060

Current District Total Population

District	Tot. Pop.	Deviation	Pct. Dev.
1	32,765	-5,908	-15.28%
2	30,723	-7,950	-20.56%
3	58,576	19,903	51.46%
4	34,343	-4,330	-11.20%
5	36,958	-1,715	-4.43%
Total	193,365	27,853	72.02%
Ideal	38,673		

Ideal population = total population / number of districts

MV00129061

Population Deviation

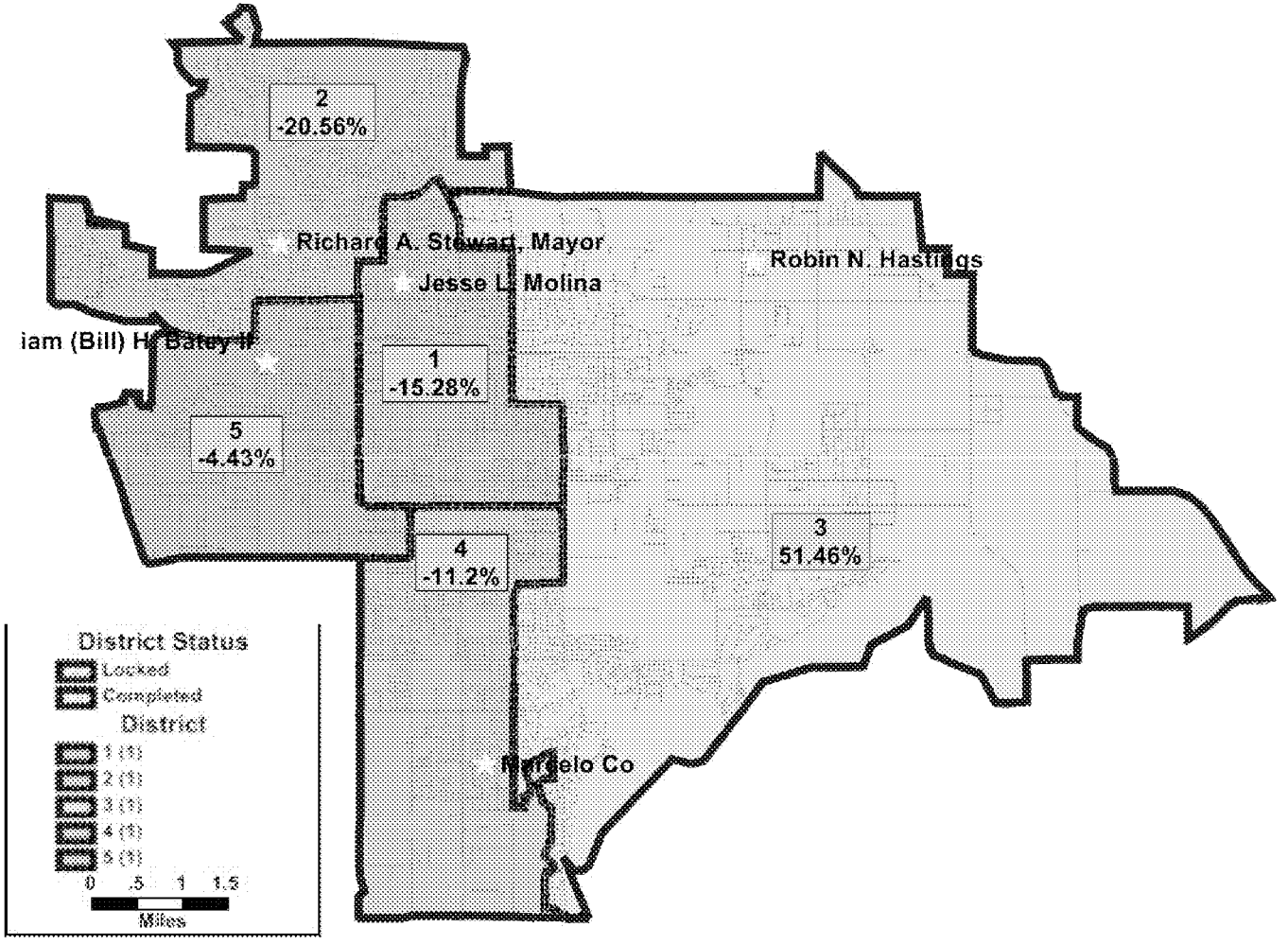

Hispanic / Latino Populatior

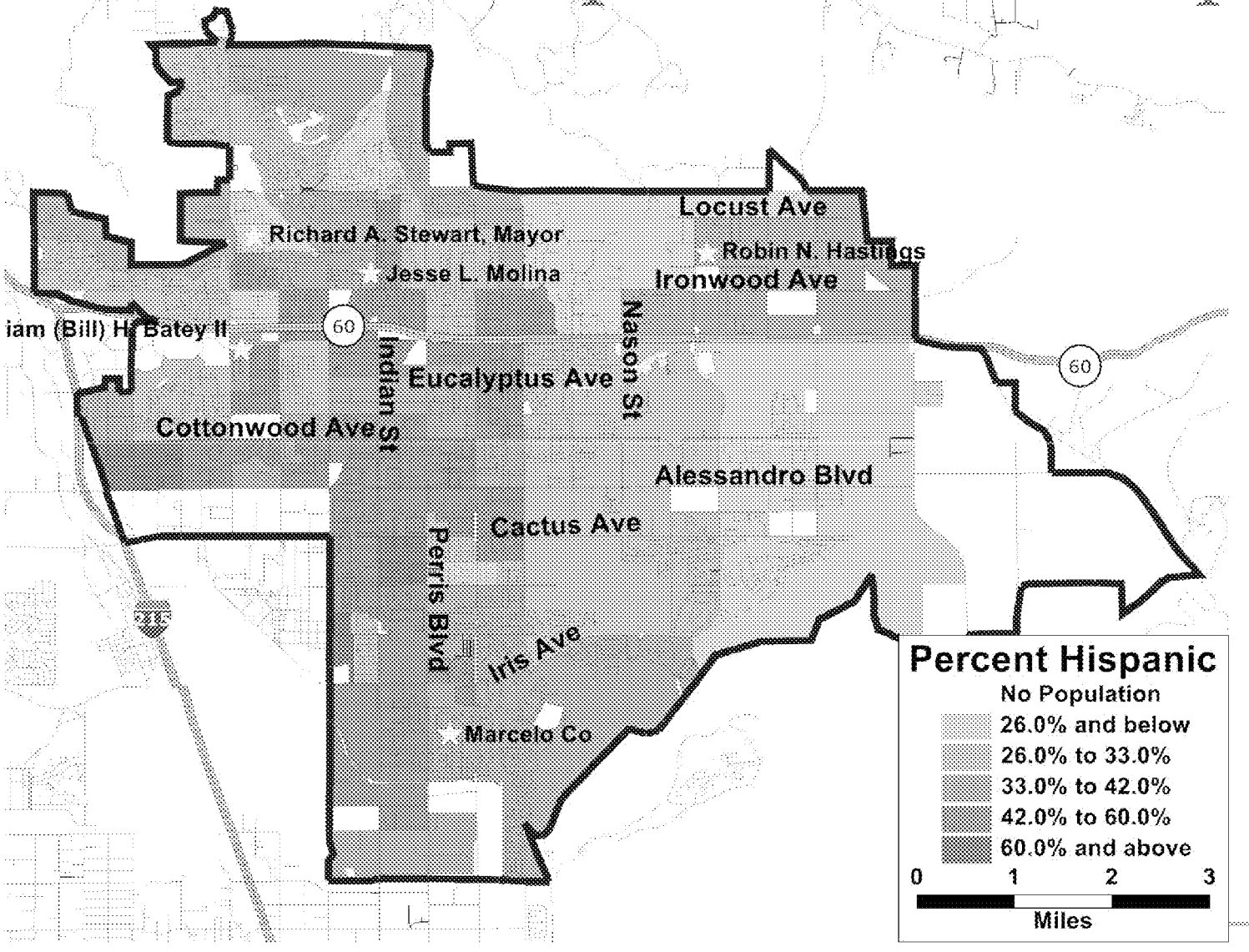

MV00129063

Current District Counts

Plan Name	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,765	-5,908	-15.28%	20,416	5,215	4,934	196	1,406	244	87	267
2	30,723	-7,950	-20.56%	13,540	9,036	5,369	142	2,147	122	59	308
3	58,576	19,903	51.46%	27,094	12,765	12,042	311	5,317	293	188	566
4	34,343	-4,330	-11.20%	21,681	4,691	5,595	114	1,742	177	79	264
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	27,853	72.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vc
1	21,678	12,350	4,323	3,374	143	1,110	168	62	148	10,489	4,018	142	134	276	4,563	1,549	59	57	
2	22,085	8,799	7,392	3,758	114	1,693	85	43	201	14,267	3,985	269	228	497	7,454	1,785	111	104	215
3	40,513	17,090	10,364	8,188	230	4,007	190	133	311	23,080	6,941	490	399	889	11,607	2,994	203	171	374
4	22,551	13,318	3,830	3,642	81	1,358	117	49	156	11,150	4,691	174	192	366	4,962	1,901	62	81	143
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan Name	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,286	6,219	5,227	2,835	651	50	206	100	15,509	6,277	5,293	2,867	623	39	290	328	3,591
2	18,698	5,831	8,058	3,287	1,254	204	0	65	18,568	5,632	8,148	3,212	1,083	121	54	526	3,333
3	29,076	8,963	10,467	6,359	2,570	258	213	260	29,318	9,369	10,226	6,218	2,398	202	260	931	5,723
4	15,368	6,664	4,354	3,113	835	172	41	183	15,166	6,425	4,167	3,128	956	151	55	383	4,302
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,281	31,877	19,760	6,072	559	708	2,705	20,528

MV00129064

Current District Percentages

Plan Name	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	15.9%	15.1%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.1%	29.4%	17.5%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.3%	21.8%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.1%	13.7%	16.3%	0.3%	5.1%	0.5%	0.2%	0.8%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.9%	15.6%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.4%	1.3%	2.6%	33.9%	1.3%	1.2%	2.5%
2	39.8%	33.5%	17.0%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.2%	25.6%	20.2%	0.6%	9.9%	0.5%	0.3%	0.8%	30.1%	2.1%	1.7%	3.9%	25.8%	1.7%	1.5%	3.2%
4	59.1%	17.0%	16.2%	0.4%	6.0%	0.5%	0.2%	0.7%	42.1%	1.6%	1.7%	3.3%	38.3%	1.2%	1.6%	2.9%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan Name	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.5%	40.7%	34.2%	18.5%	4.3%	0.3%	1.3%	0.7%	71.5%	40.5%	34.1%	18.5%	4.0%	0.3%	1.9%	2.1%	23.2%
2	84.7%	31.2%	43.1%	17.6%	6.7%	1.1%	0.0%	0.3%	84.1%	30.3%	43.9%	17.3%	5.8%	0.7%	0.3%	2.8%	18.0%
3	71.8%	30.8%	36.0%	21.9%	8.8%	0.9%	0.7%	0.9%	72.4%	32.0%	34.9%	21.2%	8.2%	0.7%	0.9%	3.2%	19.5%
4	68.1%	43.4%	28.3%	20.3%	5.4%	1.1%	0.3%	1.2%	67.3%	42.4%	27.5%	20.6%	6.3%	1.0%	0.4%	2.5%	28.4%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00129065

Redistricting Criteria

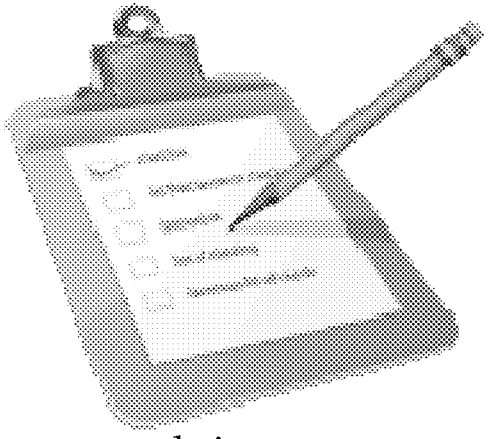

- **Equal Population**
- **Comply with Federal Voting Rights Act**
- **Respect communities of interest**
- **Follow Visible (natural & man-made) boundaries**
  - Make it easy for residents of a district to understand its borders (and to engage their neighbors in precinct walking or other election activities)
  - But do not use Highway 99 – try for districts that combine areas east and west of 99.
- **Compact & contiguous districts**
  - Also makes it easier for voters to understand their district's borders.
- **Continuity in office**
  - Redistricting, an administrative process, should not tell the voters they can no longer elect a candidate they have previously elected (which is what happens when two or more incumbents are "paired").
- **Population growth**
  - Growth is much less certain in 2011 than it was in 2011, so this is harder to justify than it was in 2001.
- **Preserve Core of existing districts**
  - Don't move voters around unless needed to achieve one of the other goals.

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Federal Voting Rights Act: Section 2

- **Requires Protected Class populations have an equal opportunity to elect the candidates of their choice**

- **No packing**
- **No cracking**

- **No racial gerrymandering allowed**
  - Focus on communities and neighborhoods, not race/ethnicity

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Process (I of III)

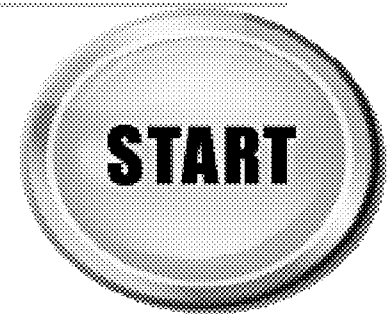

1. **Prepare**
   - Conduct initial demographic analysis
   - Adopt schedule
   - Adopt criteria
   - Launch project website
   - Create public participation kit (paper, excel and/or online)
   - Develop initial draft plans to jump-start discussion

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Item No. E.1

Process (II of III)

2. **Outreach**
   - Educate, engage and empower the public, including:
     - Individuals
     - Community Groups, including "protected class"-focused organizations
     - The media
   - What are your community's "communities of interest"?
     - Which want to be united? Which want to be divided?
   - How well do the current and draft plans meet those goals?
   - Participation kits take the public input beyond just "yes" and "no"

Process (III of III)

3. **Decide**
   - Plan debate and adoption

4. **Implement**
   - Coordinated with the County Registrar

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Item No. E.1

Tools (I of II)

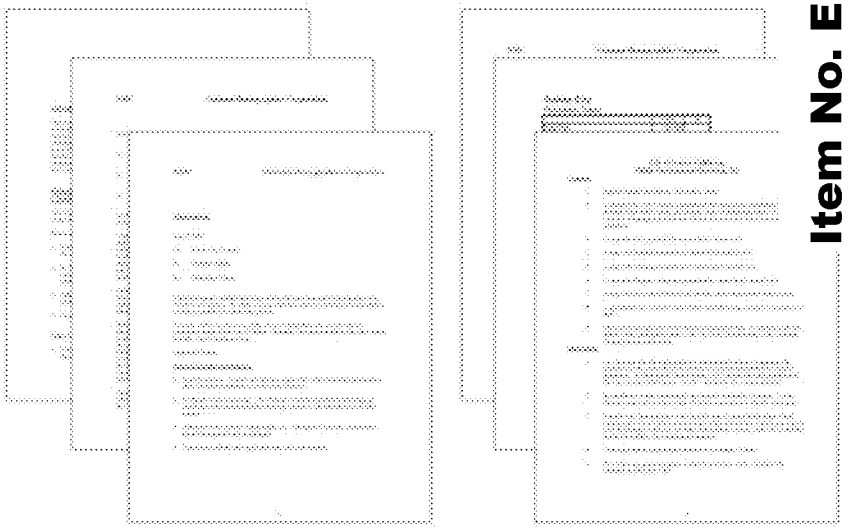

Traditional Redistricting Tools

1. 2010 Census data
2. Project website
3. Media & community education
4. GIS software
5. Information on redistricting, the Voting Rights Act, and how the public can participate
6. Provide paper & Excel public participation kits
7. Email address for public questions and public comment

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Tools (II of II)

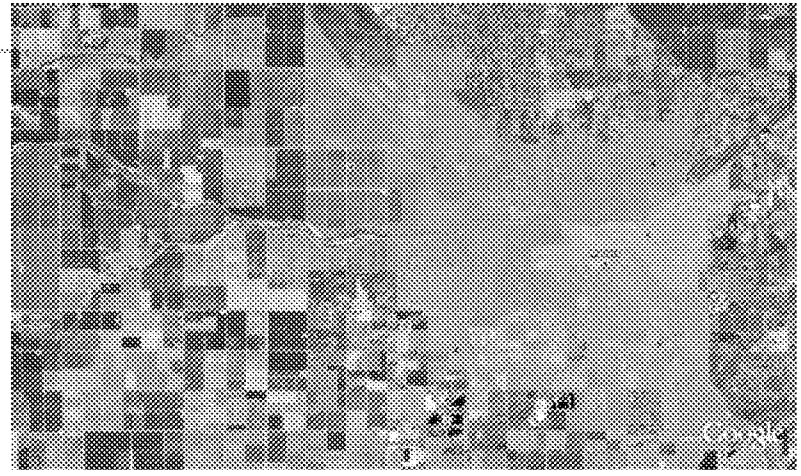

New Tools for 2011

1. American Community Survey data
2. Local GIS data
   - Zoning, homeowner associations, housing developments, neighborhood associations, key facilities, future development areas, school attendance areas, aerial imagery, etc.
3. Live, interactive maps of plans
4. Google Maps and Google Earth plan files

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Draft Plan 1 Map

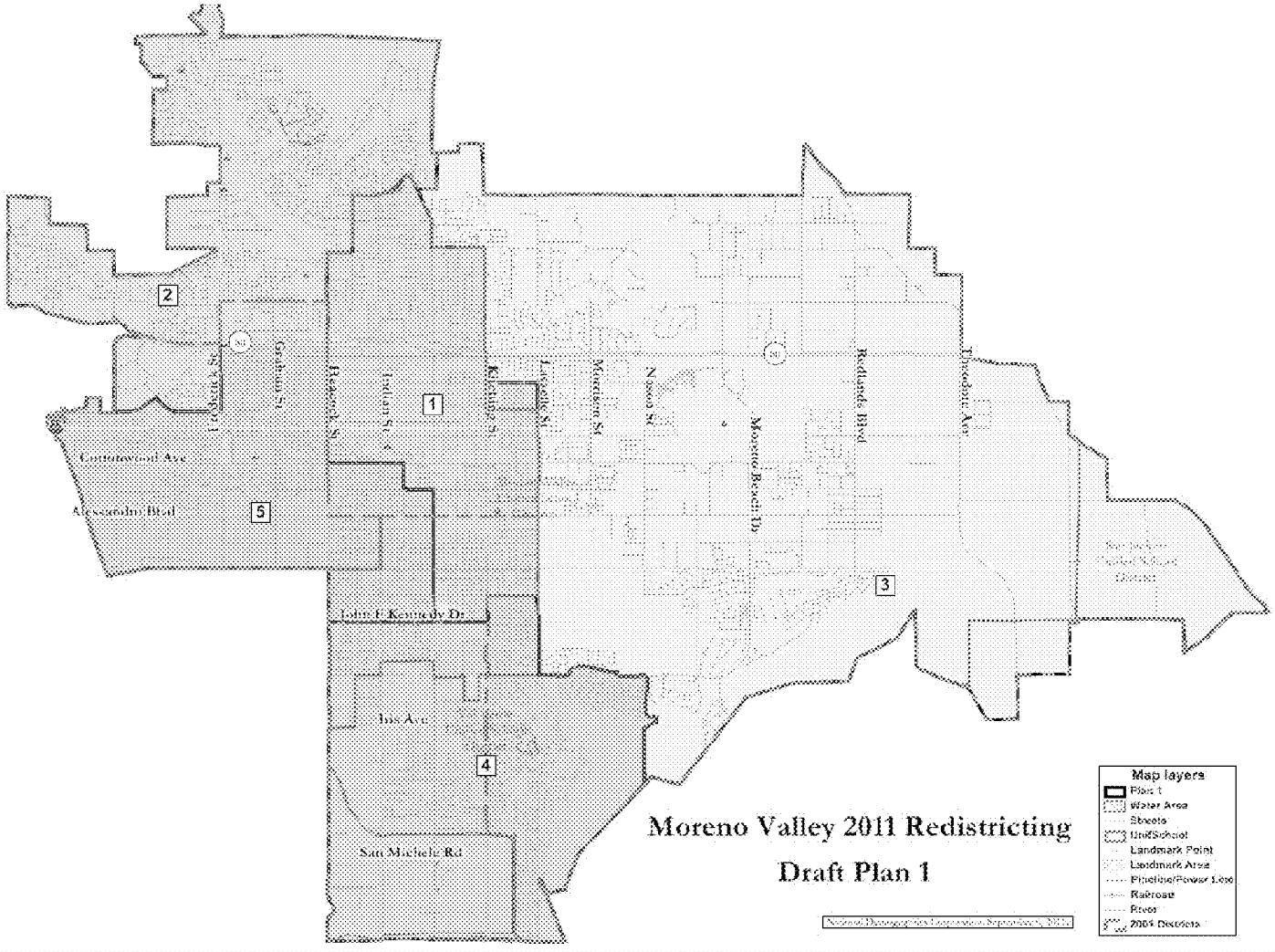

Draft Plan 1 Counts

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129074

Draft Plan 1 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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Draft Plan 2 Map

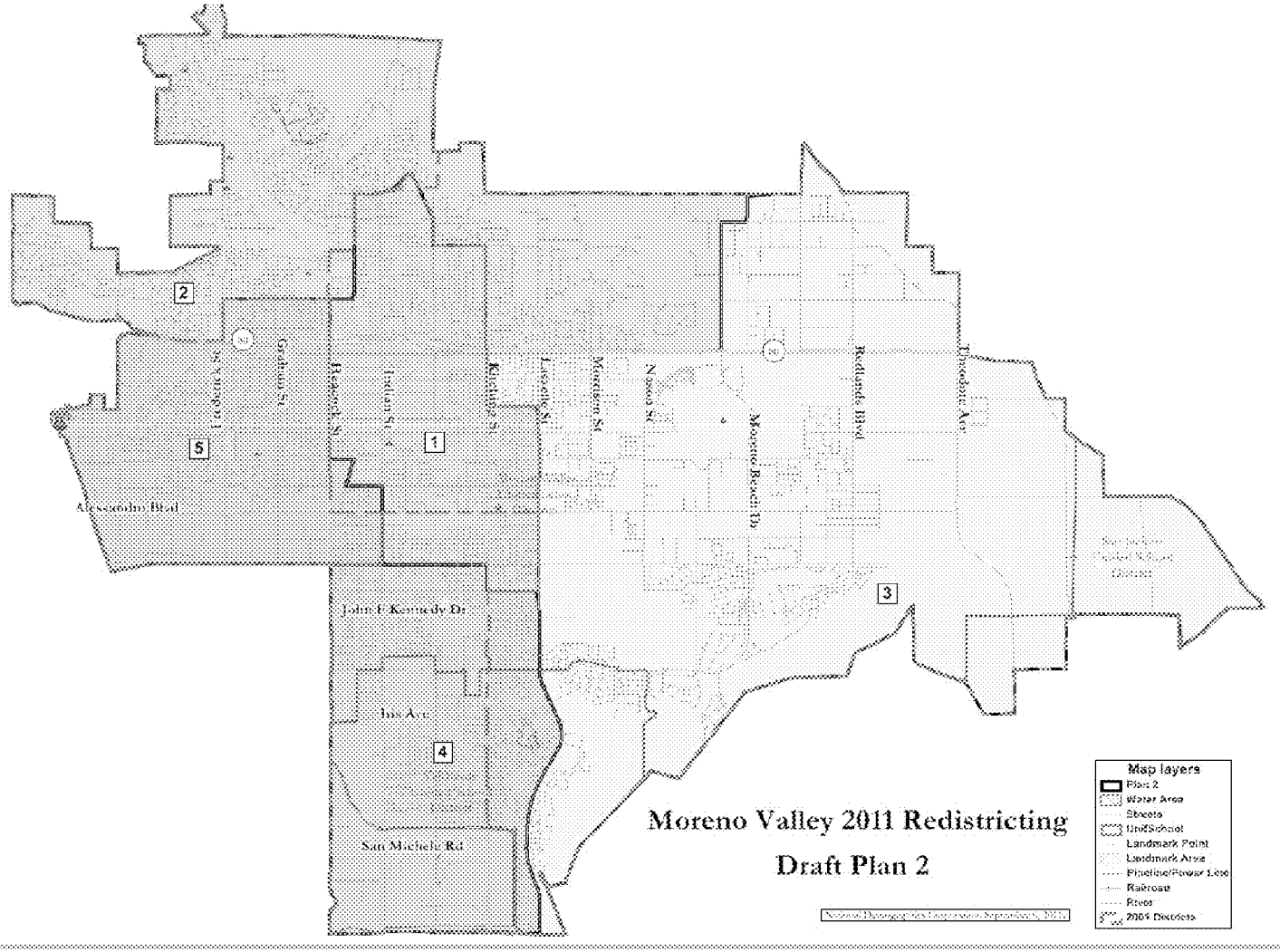

Draft Plan 2 Counts

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
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Oth = Other
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Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	[illegible]
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129077

Draft Plan 2 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	53.0%	36.0%	2.9%	1.1%	6.4%	0.2%	0.2%	0.2%
2	67.3%	26.2%	3.0%	0.9%	2.4%	0.0%	0.1%	0.1%
3	84.3%	11.5%	2.2%	0.8%	0.8%	0.1%	0.1%	0.3%
4	87.2%	8.2%	3.0%	0.5%	0.9%	0.0%	0.0%	0.1%
5	86.3%	8.6%	3.2%	0.7%	0.7%	0.0%	0.2%	0.2%
6	82.5%	10.8%	3.2%	0.9%	2.0%	0.1%	0.1%	0.4%
Total	76.7%	16.9%	2.9%	0.8%	2.2%	0.1%	0.1%	0.2%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.
1	47.6%	40.9%	3.0%	1.2%	6.7%	0.2%	0.1%	0.3%	36.6%	2.7%	1.1%	62.7%
2	61.2%	32.0%	3.0%	0.9%	2.6%	0.1%	0.1%	0.1%	44.0%	1.0%	1.2%	56.0%
3	80.7%	14.7%	2.3%	0.9%	0.8%	0.2%	0.1%	0.3%	57.2%	0.9%	2.0%	48.1%
4	84.1%	11.2%	3.0%	0.6%	1.0%	0.0%	0.0%	0.1%	64.9%	0.7%	1.1%	40.2%
5	82.5%	11.6%	3.8%	0.8%	0.8%	0.1%	0.2%	0.2%	58.8%	0.7%	1.1%	46.5%
6	78.9%	13.9%	3.4%	0.9%	2.3%	0.1%	0.2%	0.3%	60.9%	1.0%	1.3%	44.4%
Total	71.9%	21.2%	3.1%	0.9%	2.5%	0.1%	0.1%	0.2%	50.0%	1.4%	1.3%	52.4%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth C
1	83.1%	42.0%	48.8%	3.8%	3.4%	1.9%	0.0%	0.0%	79.5%	39.7%	50.7%	4.6%	3.2%	2.0%	0.0%	2.3%	
2	70.6%	42.8%	46.8%	6.8%	3.4%	0.2%	0.0%	0.0%	74.1%	47.1%	43.8%	5.1%	2.6%	1.5%	0.0%	1.6%	
3	42.6%	63.4%	30.4%	2.4%	1.8%	2.0%	0.1%	0.0%	51.8%	57.2%	33.6%	4.3%	2.6%	3.1%	0.1%	3.0%	
4	54.1%	60.4%	29.3%	4.6%	5.1%	0.7%	0.0%	0.0%	48.2%	60.4%	31.0%	4.4%	1.8%	3.8%	0.0%	2.5%	
5	42.5%	54.8%	31.1%	10.8%	1.5%	1.5%	0.0%	0.0%	44.0%	61.0%	25.4%	10.9%	1.5%	1.4%	0.0%	2.2%	
6	50.1%	64.6%	25.2%	9.5%	1.1%	0.0%	0.0%	0.0%	50.2%	59.0%	29.9%	9.3%	1.3%	0.7%	0.0%	1.5%	
Total	57.8%	52.2%	37.9%	6.0%	2.9%	1.1%	0.0%	0.0%	58.5%	51.8%	38.2%	6.1%	2.3%	2.1%	0.0%	2.2%	

MV00129078

Draft Plan 3 Map

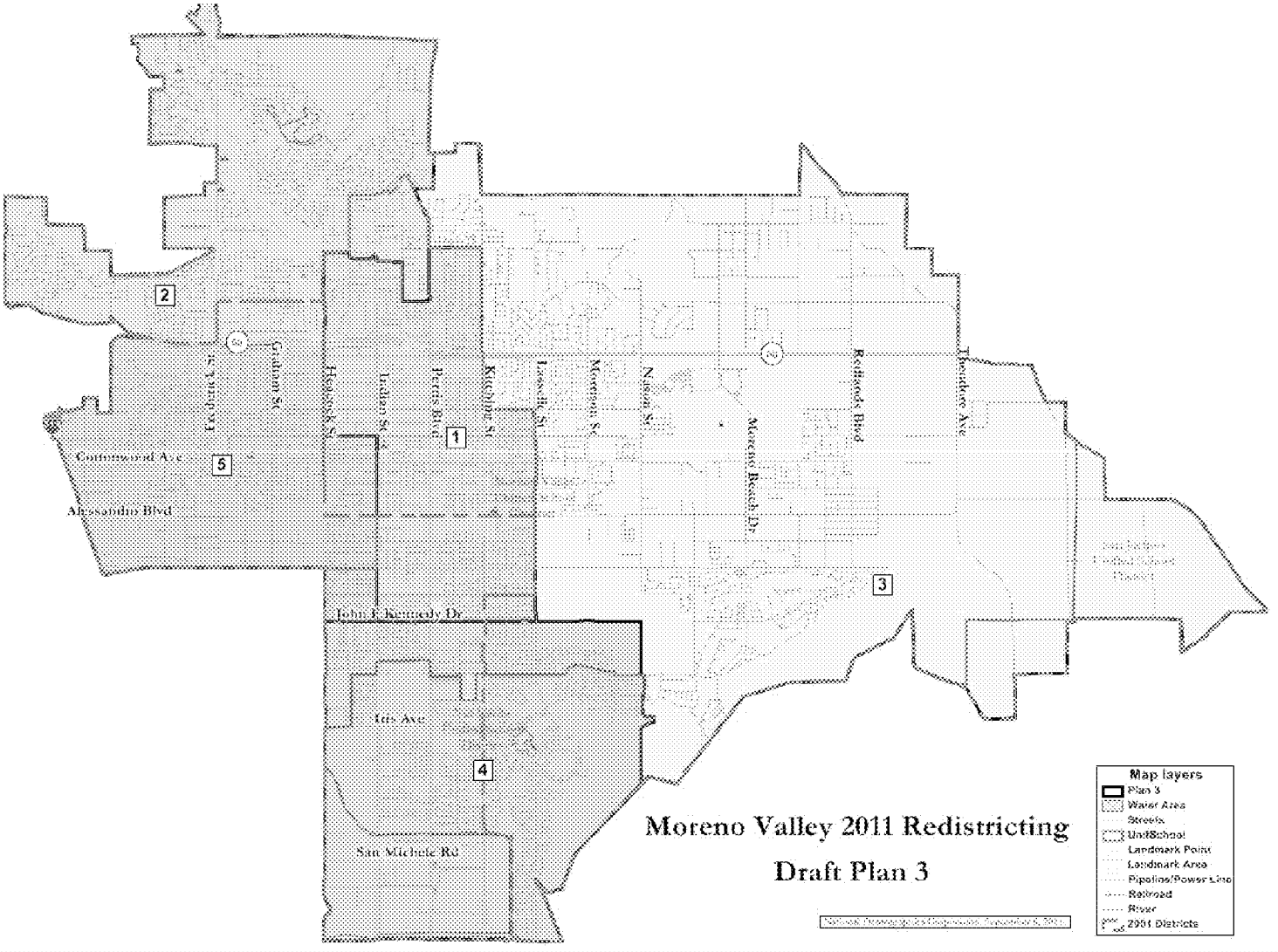

MV00129079

Draft Plan 3 Counts

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Vo
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129080

Draft Plan 3 Percentages

% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

Special Tabulation								Amercian Community Survey (ACS)								
% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00129081

Draft Plan 4 Map

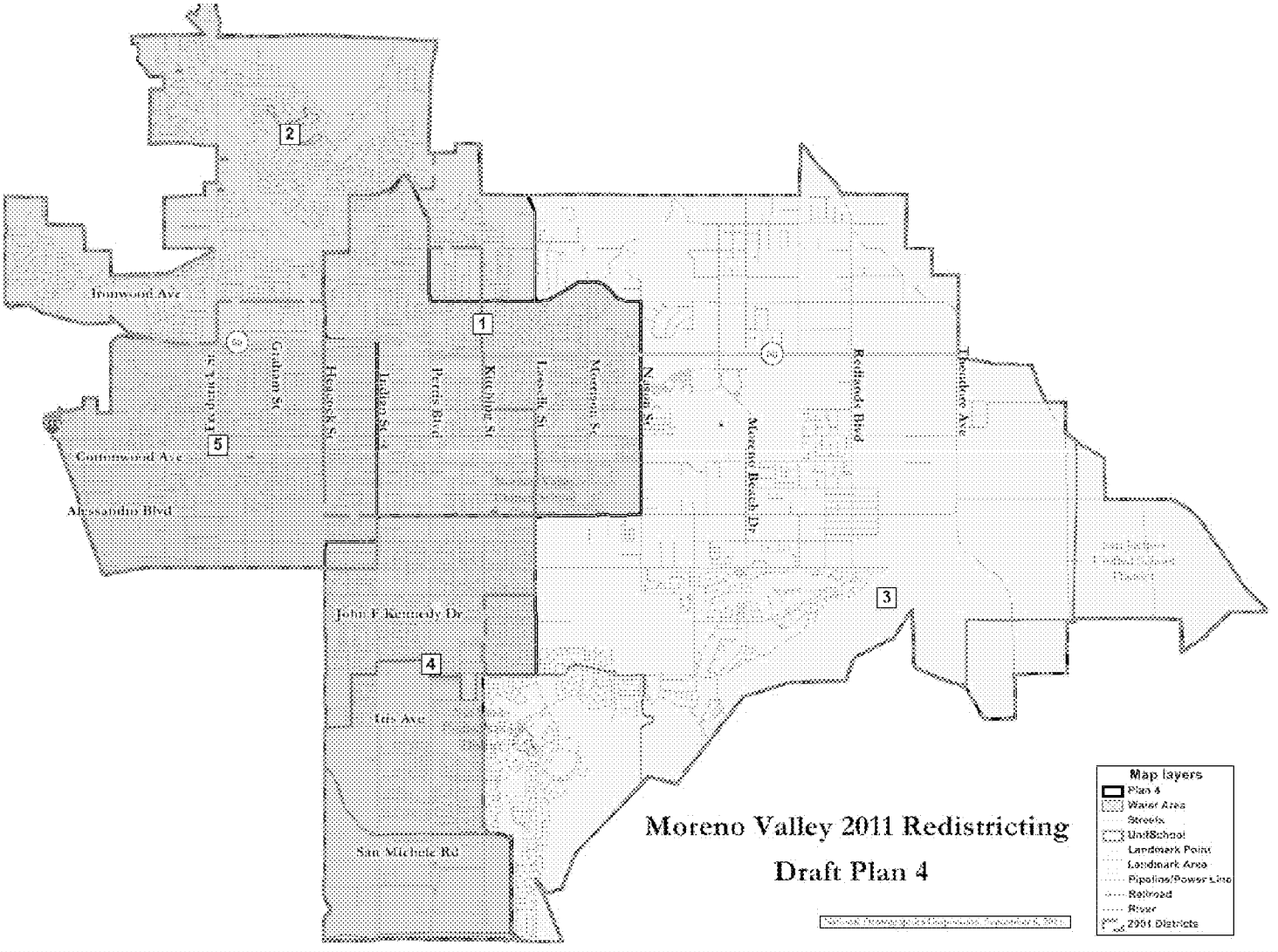

Draft Plan 4 Counts

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Vo
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129083

Draft Plan 4 Percentages

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	[illegible]
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	

MV00129084

Public Plan 1 Map

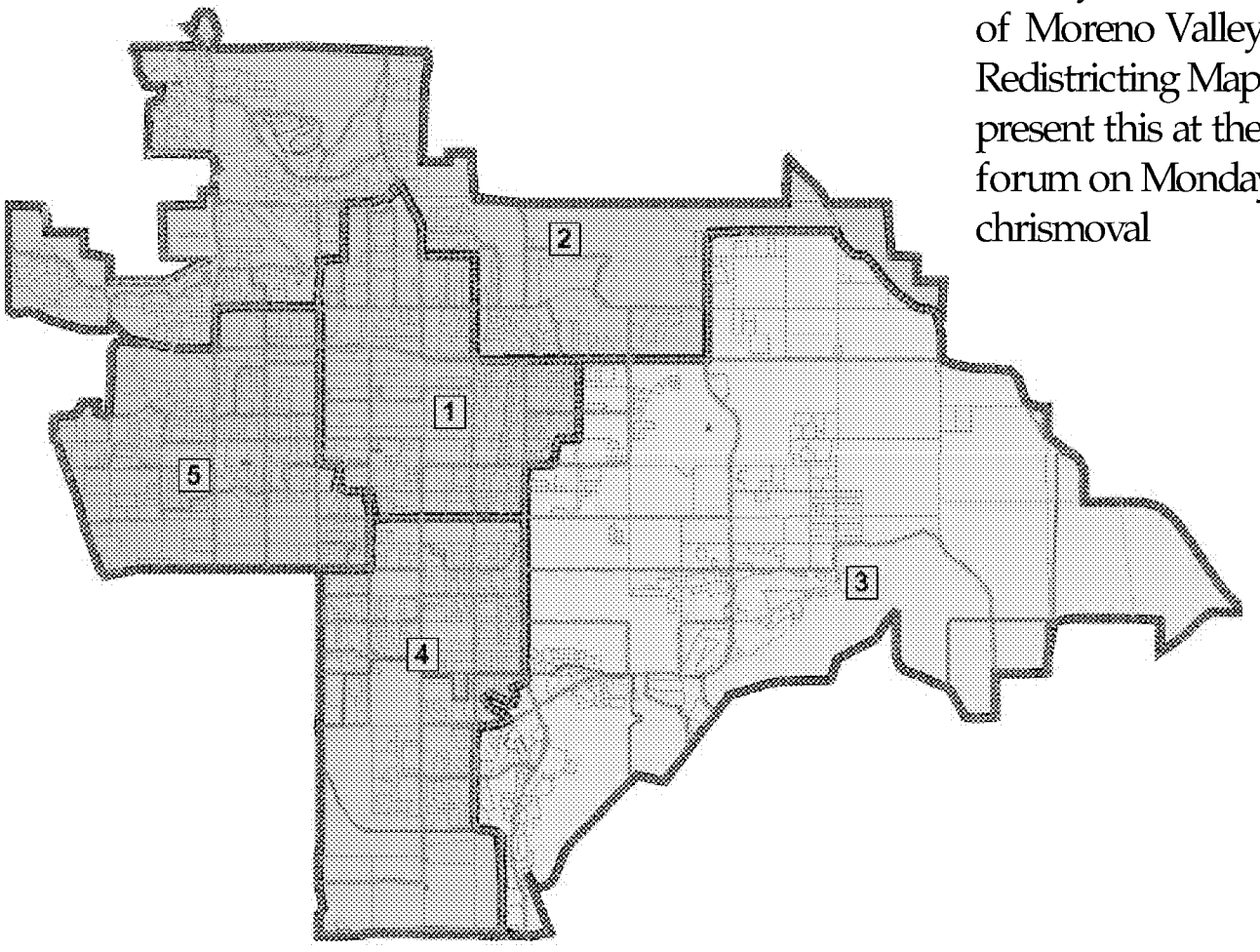

"On behalf of The 2011 Moreno Valley Redistricting Committee I here by submit our proposed City of Moreno Valley City Council Redistricting Map. I would like to present this at the community forum on Monday Sept.12 2011." - chrismoval

Public Plan 1 Counts

Public Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129086

Public Plan 1 Percentages

Public Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00129087

Public Plan 2 Map

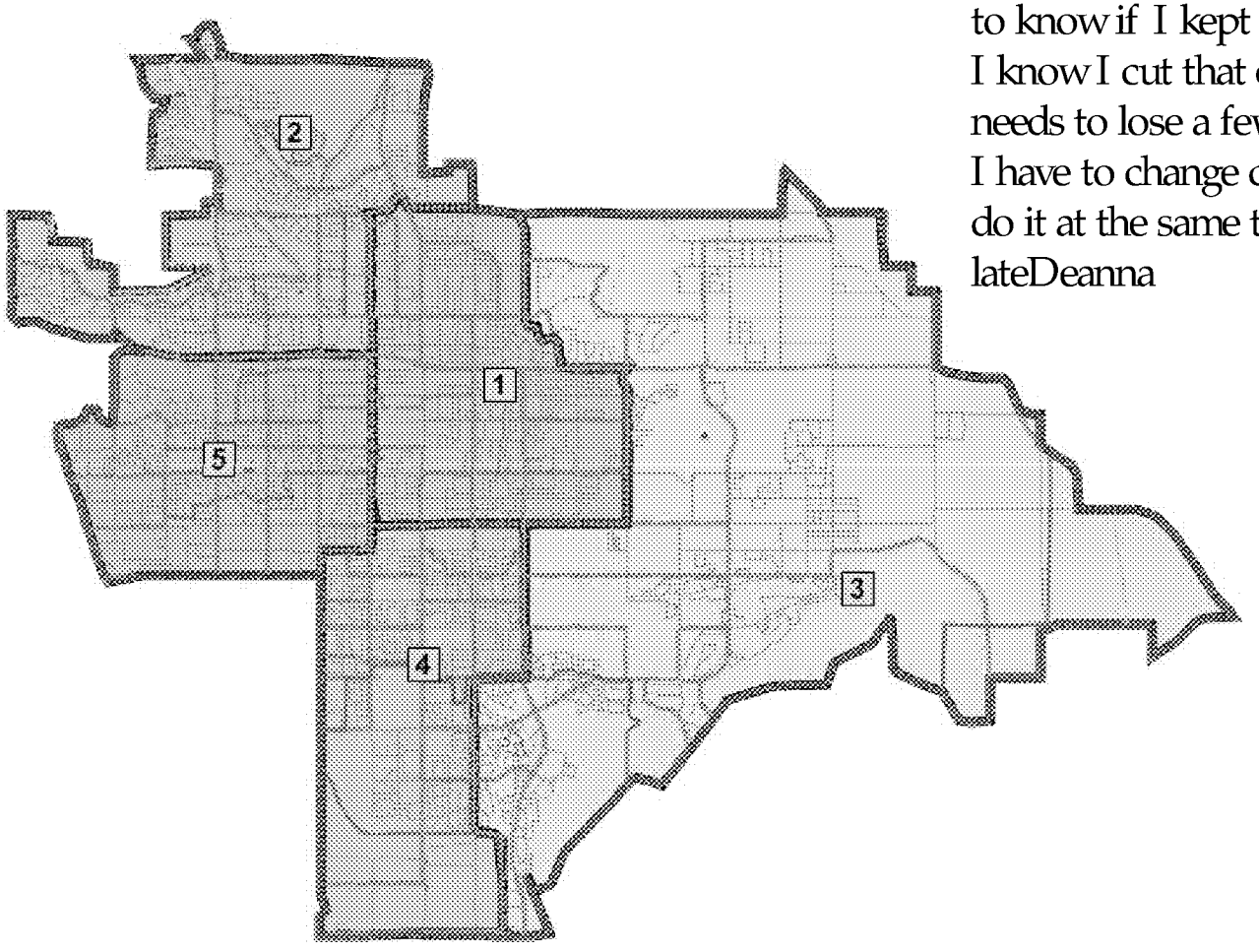

"This is my first preliminary map. What is the excepted plus or minus percentage for population. I really want to know if I kept Molina in his district I know I cut that one close. District 3 needs to lose a few more people but if I have to change district 1 anyway I'll do it at the same time. Thank-you!" - lateDeanna

Public Plan 2 Counts

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 2 Percentages

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

MV00129090

Public Plan 3 Map

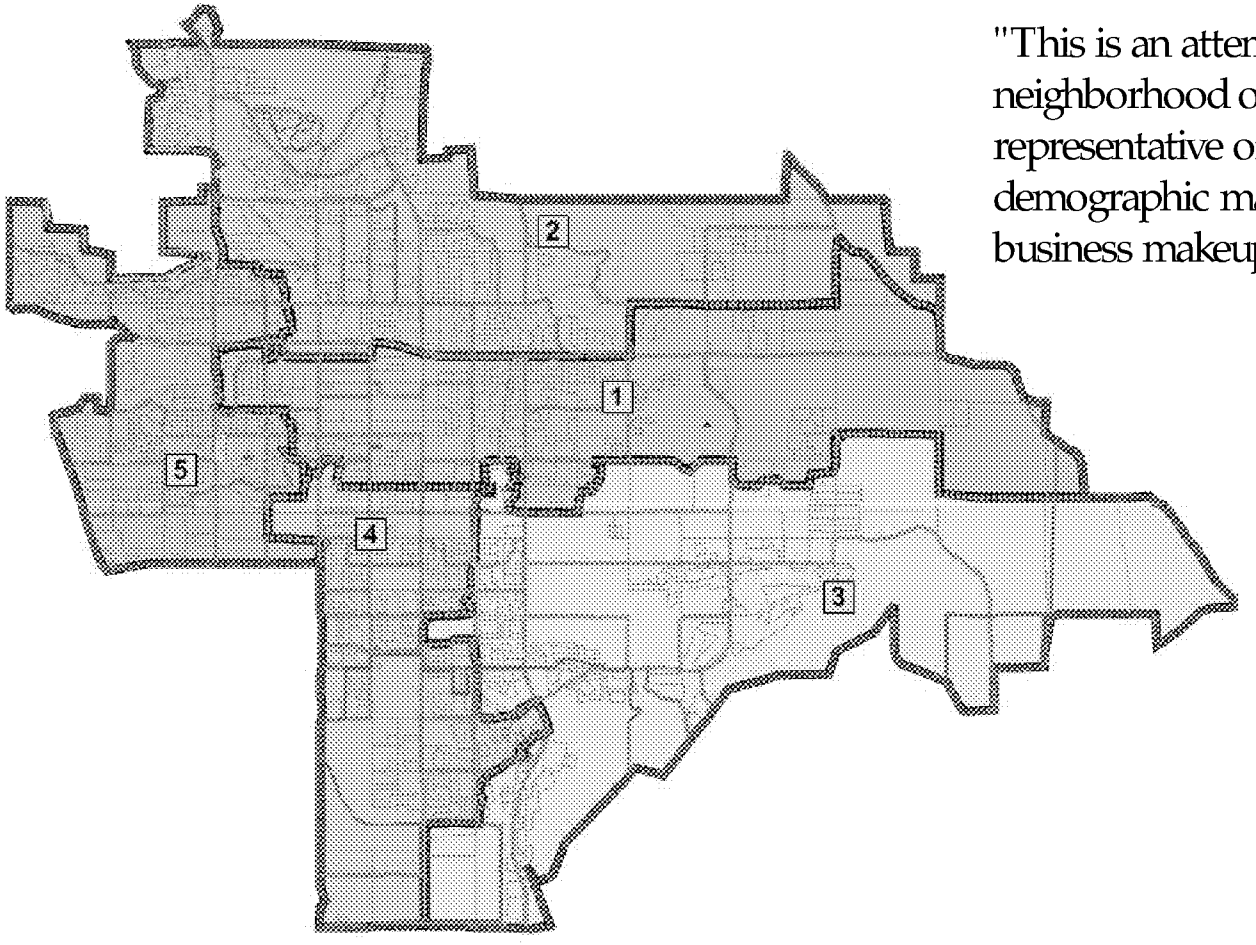

"This is an attempt to construct neighborhood oriented districts which is representative of the districts demographic make up residential and business makeups." - towings

MV00129091

Public Plan 3 Counts

Public Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129092

Public Plan 3 Percentages

Public Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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MV00129094

September 20, 2011

To: Honorable Mayor Stewart, Mayor Pro Tem Molina and Council Members

Fr: Douglas Johnson, President

National Demographics Corporation (NDC) developed four plans as a way to stimulate public interest in the redistricting process. Each plan was designed to meet the federal mandates (equality of population and compliance with the Voting Rights Act), but the plans differed markedly from one another in the way they attempted to meet the other criteria established by the City. These plans are attached hereto.

NDC has worked closely with City Clerk Jane Halstead and her office. We have been impressed by the City's outreach efforts and the attempt to inform the public of the redistricting process and the opportunities for involvement in it.

Although attendance at the two public meetings was less than hoped for, we are encouraged by the use of the online redistricting system. A total of 24 people have created user IDs to access the system, and they have already submitted four proposed plans. In addition a fifth plan was submitted using the paper version of the public participation kit. We have been impressed, also, by the technical proficiency of some of the citizen plans and the effort they made to meet the criteria established by the City Council. NDC has developed maps and statistics for each of the citizen-drawn plans and they are attached hereto.

NDC staff members will be present at the Council meeting on September 27th. At that time, we hope for Council comments and direction on the four plans developed by NDC, as well as on the public plans. (Please note: Additional plans that may be submitted by citizens will be forwarded directly to the Council as they are received). In light of Councimembers' comments on September 27th, NDC will then develop a plan or plans for a possible decision by Council at a following meeting.

ATTACHMENTS:

- NDC Plan 1 map and demographics
- NDC Plan 2 map and demographics
- NDC Plan 3 map and demographics
- NDC Plan 4 map and demographics
- Public Plan 1 map and demographics("Moreno Valley Redistricting Committee")
- Public Plan 2 map and demographics ("Moreno Valley Redistricting Committee")
- Public Plan 3 map and demographics (Bleckert)
- Public Plan 4 map and demographics (Owing)

Phone: (909) 624-1442
FAX (818) 254-1221
P.O. Box 5271
Glendale, C 1
info@ NDCresearc
www.NDCresearc

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MV00129096

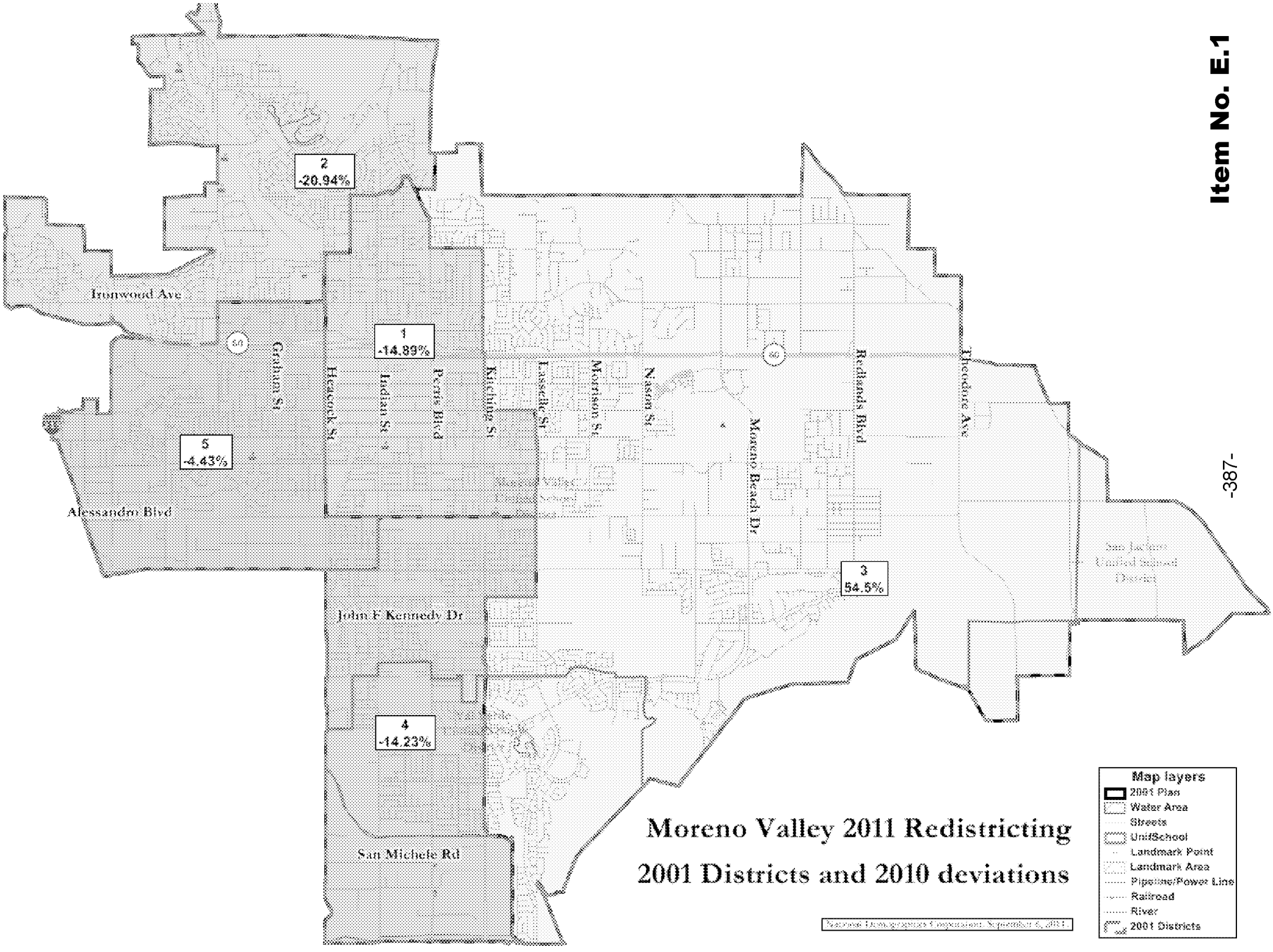
Moreno Valley 2011 Redistricting
2001 Districts and 2010 deviations
2
-20.94%
1
-14.89%
5
-4.43%
3
54.5%
4
-14.23%
Ironwood Ave
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
Alessandro Blvd
John F Kennedy Dr
San Michele Rd
Map layers
2001 Plan
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts

MV00129097

Moreno Valley 2001 Districts
Demographics

2001 Plan	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,915	-5,758	-14.89%	20,506	5,270	4,930	199	1,412	244	87	267
2	30,573	-8,100	-20.94%	13,450	8,981	5,373	139	2,141	122	59	308
3	59,750	21,077	54.50%	27,708	12,884	12,337	312	5,430	295	190	594
4	33,169	-5,504	-14.23%	21,067	4,572	5,300	113	1,629	175	77	236
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	29,177	75.45%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	21,794	12,416	4,369	3,369	146	1,116	168	62	148	10,535	4,035	142	134	276	4,583	1,557	59	57	116
2	21,969	8,733	7,346	3,763	111	1,687	85	43	201	14,221	3,968	269	228	497	7,434	1,777	111	104	215
3	41,255	17,459	10,458	8,371	231	4,092	191	135	318	23,563	7,129	503	417	920	11,812	3,071	208	177	385
4	21,809	12,949	3,736	3,459	80	1,273	116	47	149	10,667	4,503	161	174	335	4,757	1,824	57	75	132
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
2001 Plan	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,404	6,263	5,286	2,853	648	50	206	99	15,610	6,314	5,343	2,885	622	39	289	329	3,610
2	18,581	5,788	7,999	3,268	1,257	204	0	66	18,466	5,596	8,098	3,194	1,085	121	54	525	3,314
3	29,548	9,120	10,571	6,519	2,614	258	215	266	29,825	9,539	10,374	6,344	2,447	205	261	945	5,834
4	14,895	6,506	4,250	2,953	791	172	39	178	14,659	6,254	4,018	3,003	906	148	53	370	4,191
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129098

Moreno Valley 2001 Districts
Demographics

2001 Plan	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	16.0%	15.0%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.0%	29.4%	17.6%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.4%	21.6%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.5%	13.8%	16.0%	0.3%	4.9%	0.5%	0.2%	0.7%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	20.0%	15.5%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.3%	1.3%	2.6%	34.0%	1.3%	1.2%	2.5%
2	39.8%	33.4%	17.1%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.3%	25.3%	20.3%	0.6%	9.9%	0.5%	0.3%	0.8%	30.3%	2.1%	1.8%	3.9%	26.0%	1.8%	1.5%	3.3%
4	59.4%	17.1%	15.9%	0.4%	5.8%	0.5%	0.2%	0.7%	42.2%	1.5%	1.6%	3.1%	38.3%	1.2%	1.6%	2.8%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
2001 Plan	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.7%	40.7%	34.3%	18.5%	4.2%	0.3%	1.3%	0.6%	71.6%	40.4%	34.2%	18.5%	4.0%	0.2%	1.9%	2.1%	23.1%
2	84.6%	31.1%	43.0%	17.6%	6.8%	1.1%	0.0%	0.4%	84.1%	30.3%	43.9%	17.3%	5.9%	0.7%	0.3%	2.8%	17.9%
3	71.6%	30.9%	35.8%	22.1%	8.8%	0.9%	0.7%	0.9%	72.3%	32.0%	34.8%	21.3%	8.2%	0.7%	0.9%	3.2%	19.6%
4	68.3%	43.7%	28.5%	19.8%	5.3%	1.2%	0.3%	1.2%	67.2%	42.7%	27.4%	20.5%	6.2%	1.0%	0.4%	2.5%	28.6%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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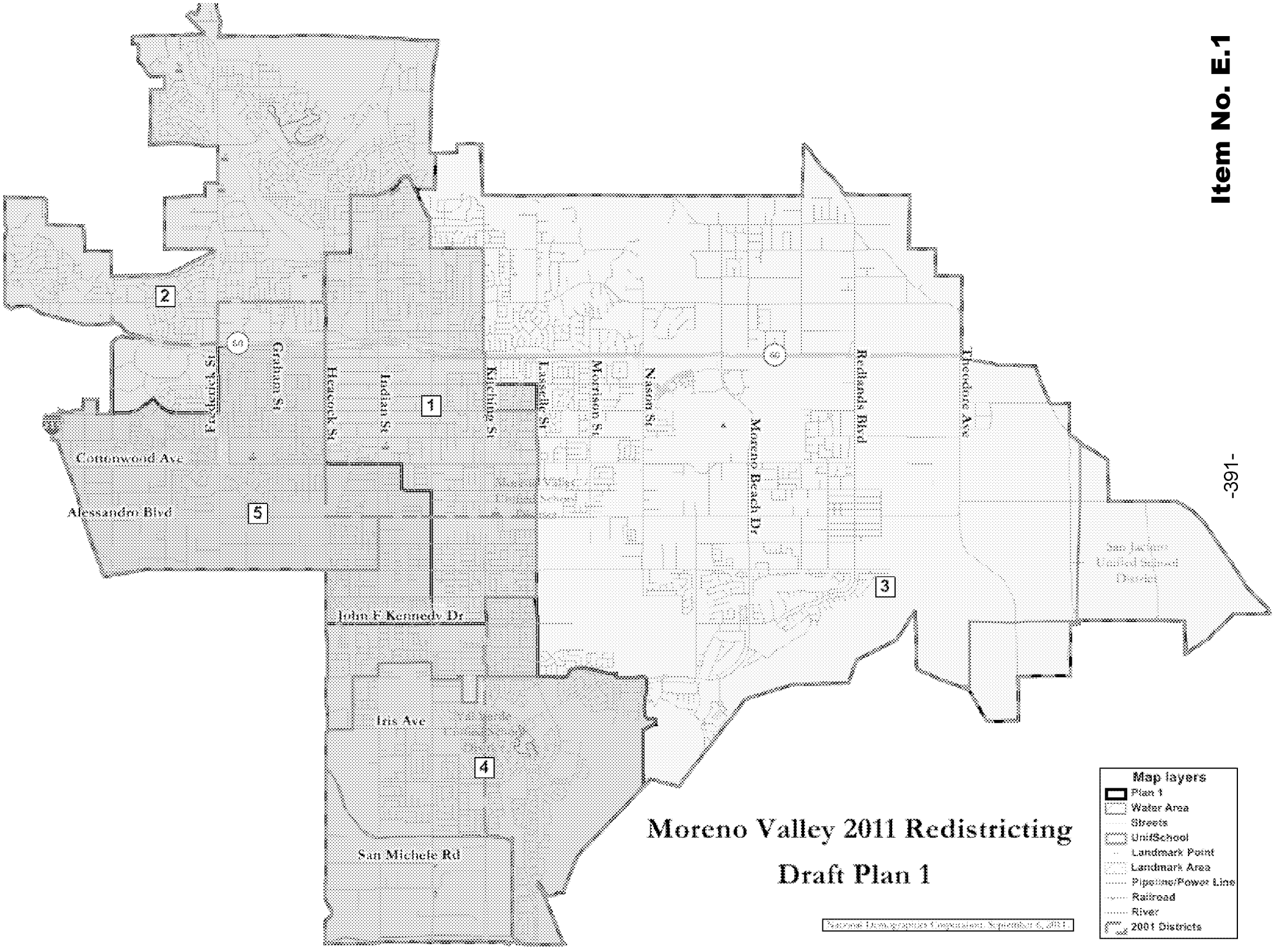
Moreno Valley 2011 Redistricting
Draft Plan 1
Map layers
Plan 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00129101

NDC

Moreno Valley Plan 1
Demographics

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	141
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Moreno Valley Plan 1
Demographics

Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.1%	16.4%	15.8%	0.6%	4.5%	0.7%	0.3%	0.8%
2	44.5%	26.5%	20.1%	0.5%	6.7%	0.4%	0.2%	1.0%
3	44.2%	24.9%	18.9%	0.6%	9.6%	0.5%	0.4%	1.0%
4	57.3%	13.8%	20.3%	0.4%	6.6%	0.5%	0.2%	0.9%
5	65.1%	13.0%	14.7%	0.4%	5.2%	0.7%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.0%	20.4%	16.0%	0.6%	5.4%	0.7%	0.3%	0.6%	37.7%	1.3%	1.3%	2.6%	33.6%	1.1%	1.4%	2.5%
2	40.4%	30.6%	19.4%	0.5%	7.5%	0.4%	0.2%	1.0%	28.3%	1.9%	1.6%	3.5%	24.3%	1.5%	1.4%	2.9%
3	40.0%	28.8%	18.6%	0.6%	10.3%	0.4%	0.4%	0.8%	28.7%	2.2%	1.6%	3.9%	24.1%	1.8%	1.4%	3.2%
4	53.4%	16.8%	20.2%	0.4%	7.6%	0.6%	0.3%	0.7%	38.0%	1.9%	2.0%	3.9%	34.7%	1.6%	1.7%	3.3%
5	60.2%	16.4%	15.1%	0.4%	6.3%	0.7%	0.2%	0.7%	42.9%	1.9%	1.5%	3.3%	39.1%	1.5%	1.3%	2.8%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.5%	40.7%	33.6%	18.8%	4.7%	0.6%	1.1%	0.6%	73.3%	41.1%	32.9%	19.0%	4.6%	0.4%	1.6%	1.9%	23.0%
2	82.8%	31.4%	40.6%	19.7%	6.8%	0.9%	0.3%	0.4%	82.4%	30.7%	41.1%	19.3%	6.0%	0.6%	0.5%	3.0%	16.8%
3	73.9%	29.1%	39.0%	20.4%	9.0%	1.1%	0.9%	0.5%	74.1%	30.8%	37.6%	19.6%	7.7%	0.8%	1.2%	3.5%	18.4%
4	66.5%	37.6%	29.3%	23.4%	7.0%	0.5%	0.2%	1.9%	66.3%	35.9%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.5%	44.5%	24.0%	24.9%	5.6%	0.6%	0.1%	0.3%	66.1%	44.4%	22.9%	24.3%	5.7%	0.6%	0.2%	2.9%	27.5%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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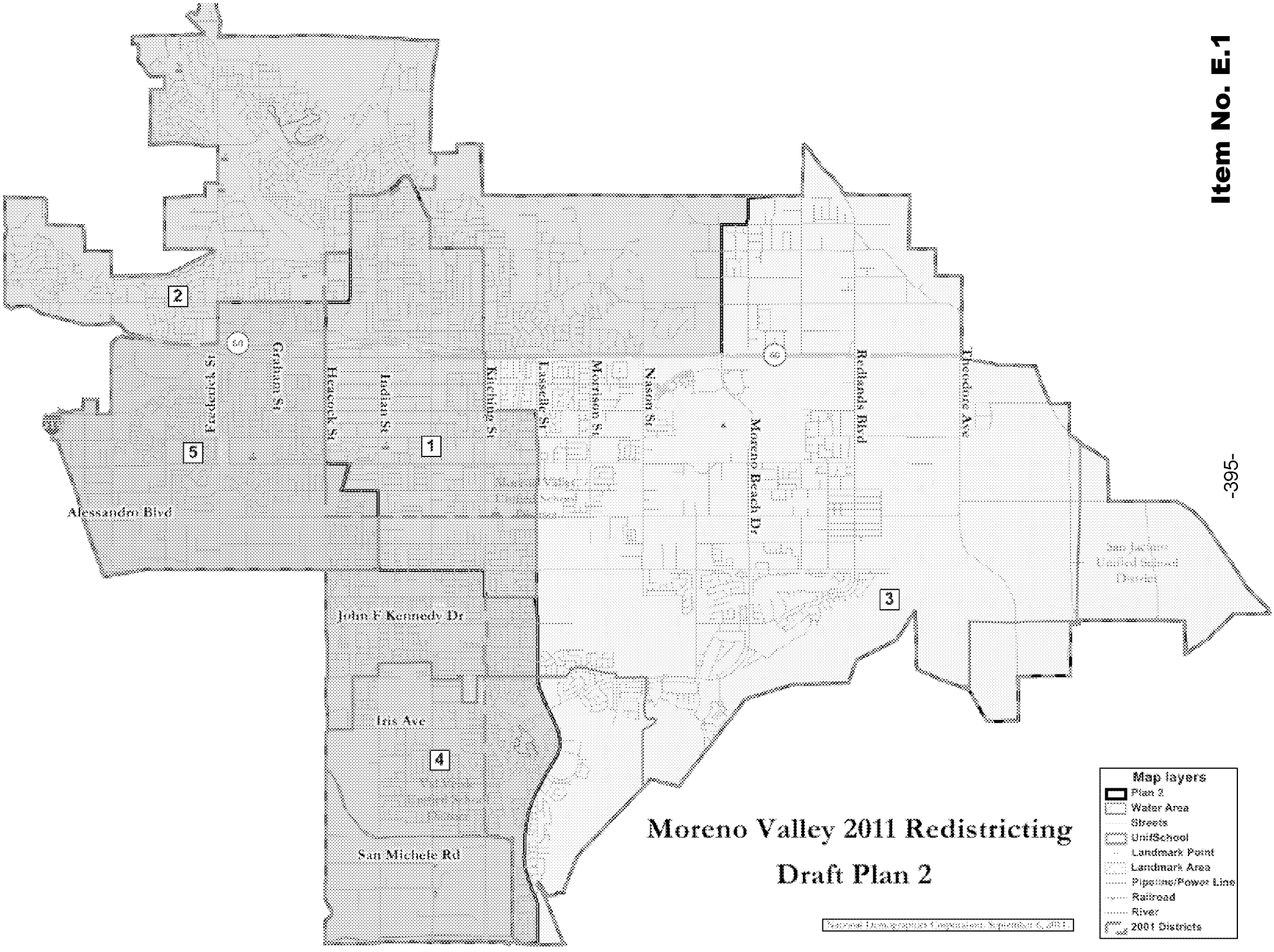
Moreno Valley 2011 Redistricting
Draft Plan 2
Map layers
Plan 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Graham St
Perris St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Moreno Valley Plan 2
Demographics

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
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Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	138
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129106

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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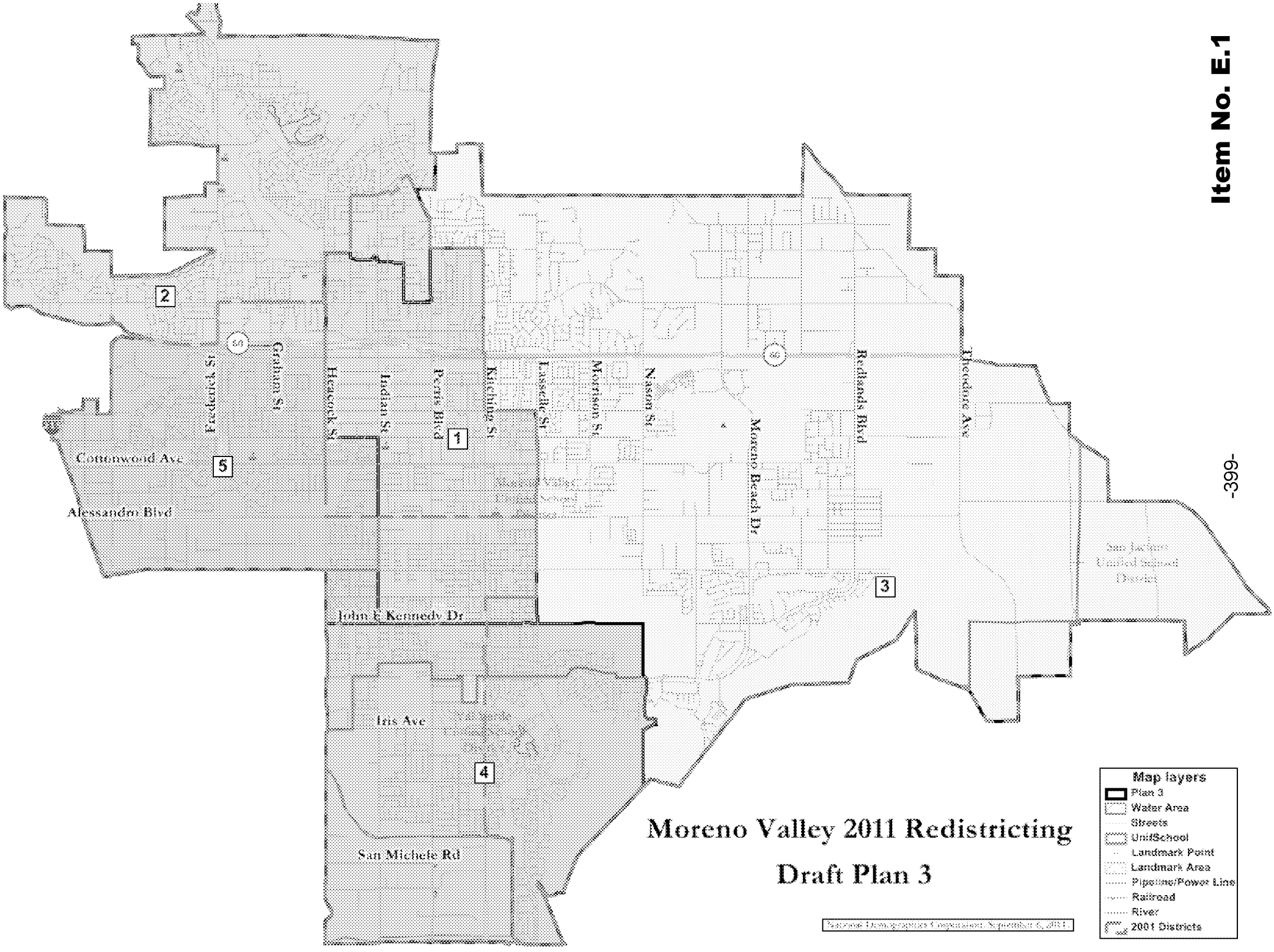
Moreno Valley 2011 Redistricting
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Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00129109

NDC

Moreno Valley Plan 3
Demographics

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
2	45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
3	44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
4	56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
5	63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
2	40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
3	40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
4	52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
5	58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
2	84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
3	74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
4	66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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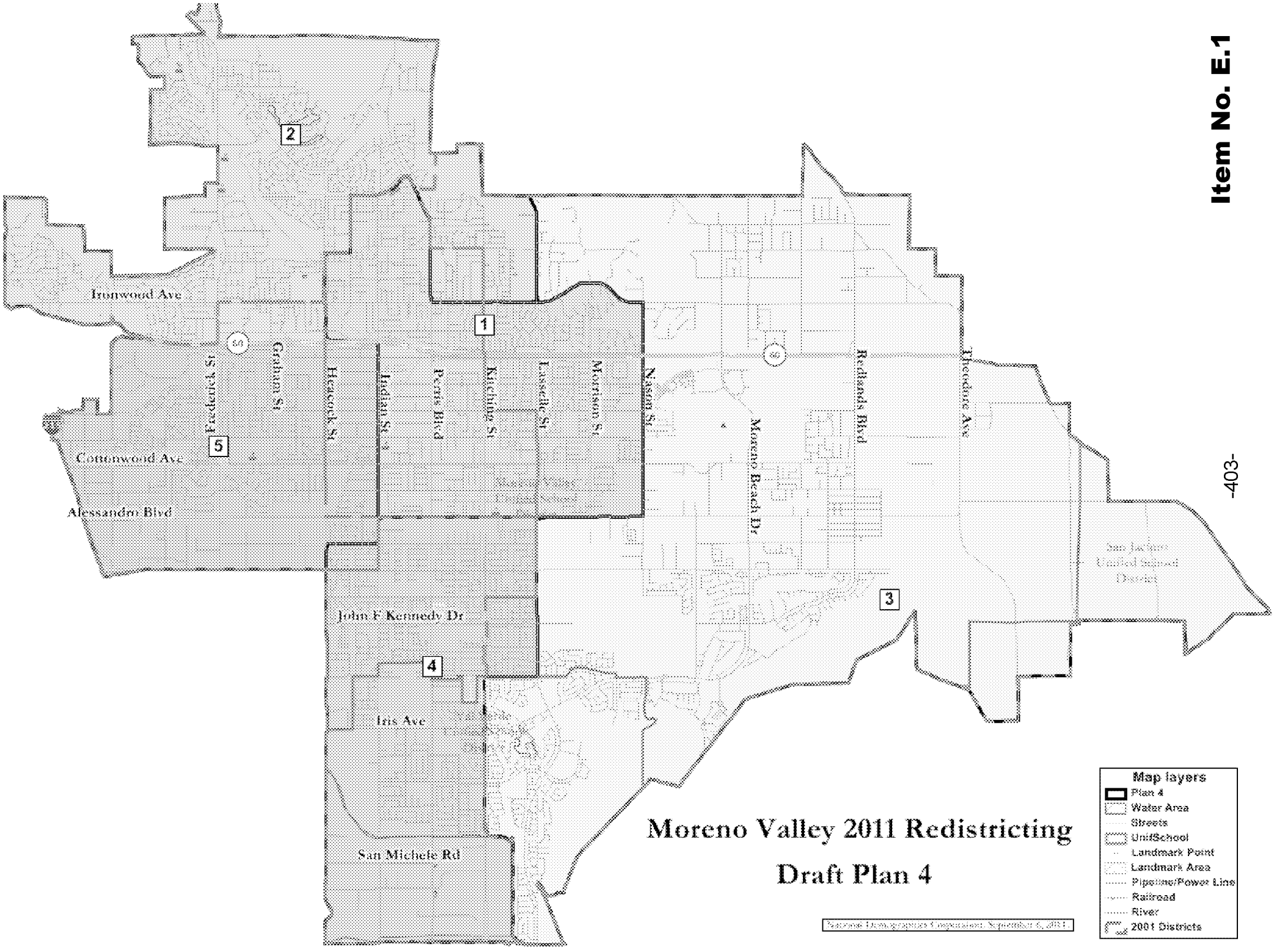
Moreno Valley 2011 Redistricting
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Water Area
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Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

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NDC

Moreno Valley Plan 4
Demographics

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	16.9%
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	19.4%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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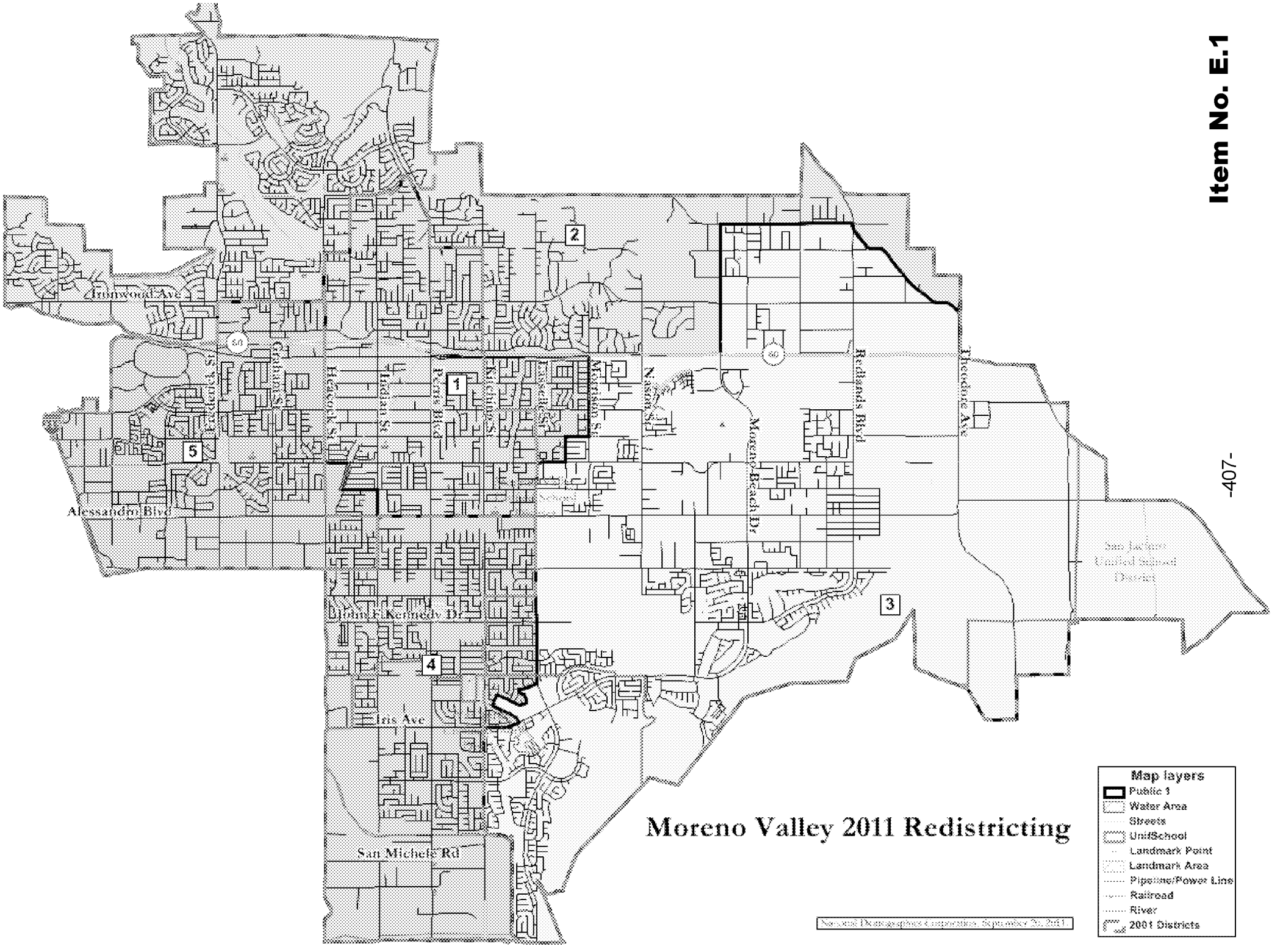
Moreno Valley 2011 Redistricting
Map layers
Public 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Indianwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Public Plan 1
Demographics

Pub. Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129118

Pub. Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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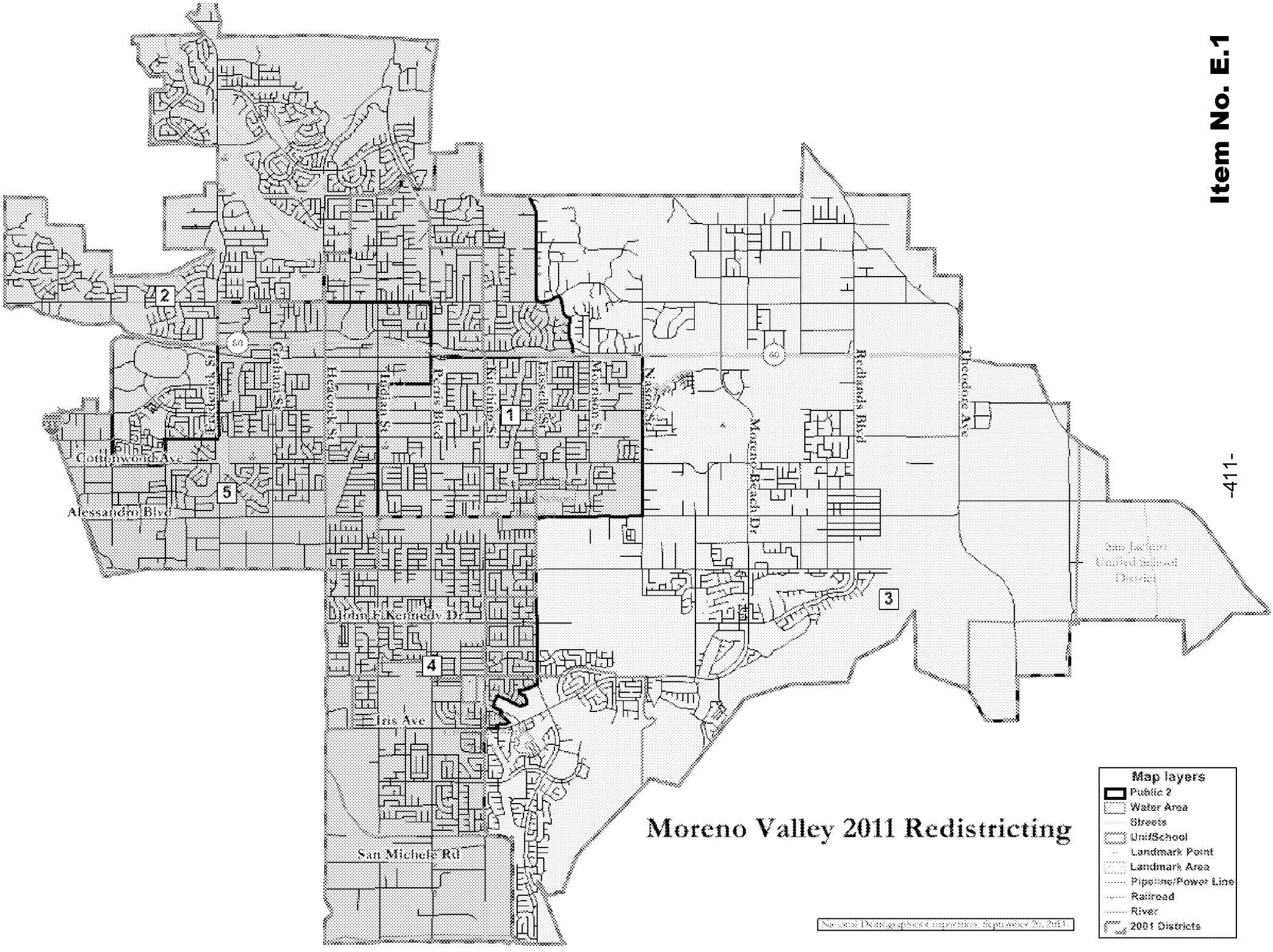
Moreno Valley 2011 Redistricting
Map layers
Public 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Cottonwood Ave
Graham St
Heacock St
Lindsay St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00129121

NDC

Public Plan 2
Demographics

Pub. Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,796	123	0.32%	22,173	7,301	5,917	249	2,477	237	117	325
2	38,840	167	0.43%	17,371	10,226	7,229	177	3,194	140	78	425
3	38,078	-595	-1.54%	16,012	8,760	8,571	170	3,827	214	120	404
4	38,679	6	0.02%	24,231	5,519	6,368	154	1,831	203	93	280
5	38,972	299	0.77%	25,382	4,767	6,643	163	1,303	306	72	336
Total	193,365	894	2.31%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,500	13,877	5,986	4,138	183	1,883	167	76	190	14,308	5,121	276	182	458	6,886	2,164	105	83	188
2	27,581	11,188	8,294	4,997	134	2,536	100	54	278	16,888	4,934	395	297	692	8,450	2,138	140	125	265
3	26,425	10,088	7,100	5,769	129	2,893	141	94	211	15,053	4,243	333	302	635	7,574	1,821	147	122	269
4	25,569	14,932	4,546	4,180	106	1,439	136	57	173	12,785	5,250	179	202	381	5,759	2,139	61	87	148
5	24,794	14,924	3,937	4,347	130	1,048	186	51	171	10,885	4,412	117	134	251	4,275	1,550	50	57	107
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,779	7,397	6,668	4,169	997	110	367	68	19,905	7,285	6,878	3,869	1,055	75	361	545	4,327
2	21,923	6,863	8,885	4,251	1,631	204	0	88	21,807	6,672	8,940	4,182	1,462	121	54	597	3,900
3	18,175	5,147	6,819	3,820	1,931	179	42	244	18,896	5,878	6,847	3,924	1,612	153	135	592	3,636
4	17,825	7,517	5,347	3,560	982	187	41	186	17,229	7,117	4,769	3,639	1,158	160	61	436	4,755
5	17,369	7,414	4,600	4,377	804	23	70	98	17,191	7,328	4,443	4,146	786	50	97	536	3,910
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129122

Pub. Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.2%	18.8%	15.3%	0.6%	6.4%	0.6%	0.3%	0.8%
2	44.7%	26.3%	18.6%	0.5%	8.2%	0.4%	0.2%	1.1%
3	42.1%	23.0%	22.5%	0.4%	10.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.7%	0.5%	0.2%	0.7%
5	65.1%	12.2%	17.0%	0.4%	3.3%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.4%	22.6%	15.6%	0.7%	7.1%	0.6%	0.3%	0.7%	35.8%	1.9%	1.3%	3.2%	31.4%	1.5%	1.2%	2.7%
2	40.6%	30.1%	18.1%	0.5%	9.2%	0.4%	0.2%	1.0%	29.2%	2.3%	1.8%	4.1%	25.3%	1.7%	1.5%	3.1%
3	38.2%	26.9%	21.8%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.2%	2.0%	4.2%	24.0%	1.9%	1.6%	3.6%
4	58.4%	17.8%	16.3%	0.4%	5.6%	0.5%	0.2%	0.7%	41.1%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	60.2%	15.9%	17.5%	0.5%	4.2%	0.8%	0.2%	0.7%	40.5%	1.1%	1.2%	2.3%	36.3%	1.2%	1.3%	2.5%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.6%	37.4%	33.7%	21.1%	5.0%	0.6%	1.9%	0.3%	75.1%	36.6%	34.6%	19.4%	5.3%	0.4%	1.8%	2.7%	21.7%
2	79.5%	31.3%	40.5%	19.4%	7.4%	0.9%	0.0%	0.4%	79.1%	30.6%	41.0%	19.2%	6.7%	0.6%	0.2%	2.7%	17.9%
3	68.8%	28.3%	37.5%	21.0%	10.6%	1.0%	0.2%	1.3%	71.5%	31.1%	36.2%	20.8%	8.5%	0.8%	0.7%	3.1%	19.2%
4	69.7%	42.2%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	70.1%	42.7%	26.5%	25.2%	4.6%	0.1%	0.4%	0.6%	69.3%	42.6%	25.8%	24.1%	4.6%	0.3%	0.6%	3.1%	22.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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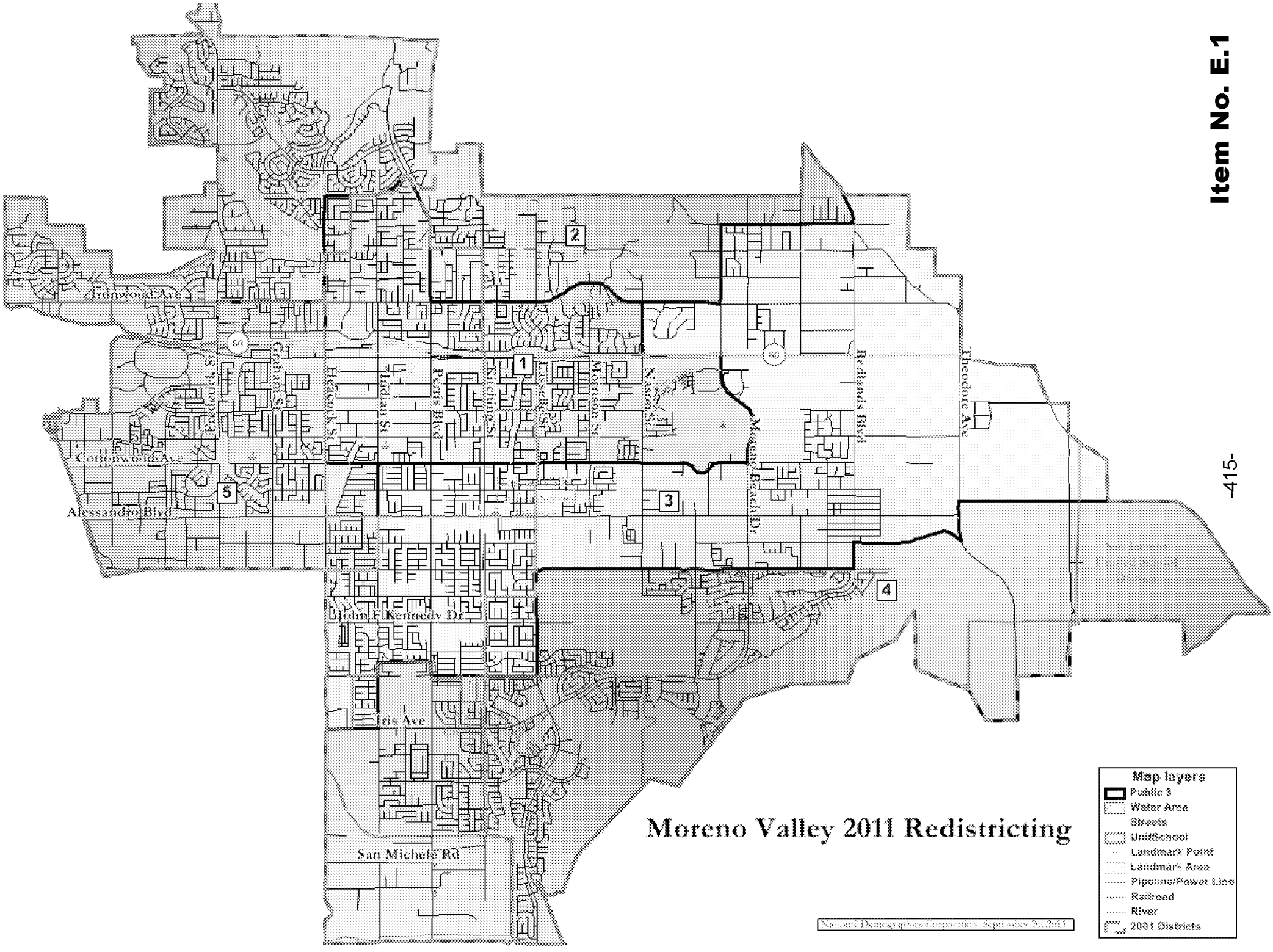
Moreno Valley 2011 Redistricting
Map layers
Public 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00129125

NDC

Public Plan 3
Demographics

Pub. Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	40,047	1,374	3.55%	23,337	7,050	6,329	250	2,368	232	124	357
2	33,724	-4,949	-12.80%	14,620	10,386	5,657	164	2,372	131	63	331
3	41,248	2,575	6.66%	24,589	7,521	6,126	195	2,173	221	111	312
4	38,875	202	0.52%	18,585	6,434	9,430	143	3,571	226	105	381
5	39,471	798	2.06%	24,038	5,182	7,186	161	2,148	290	77	389
Total	193,365	7,524	19.46%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,947	14,318	5,756	4,389	197	1,829	163	88	207	13,735	4,894	222	210	432	6,321	1,989	89	97	186
2	24,509	9,568	8,590	4,008	127	1,864	94	45	213	16,118	4,379	309	237	546	8,645	1,982	123	107	230
3	27,723	15,215	6,242	4,051	138	1,681	147	73	176	14,598	5,649	180	208	388	6,856	2,312	74	94	168
4	26,123	11,558	5,081	6,248	99	2,706	147	75	209	13,868	4,432	353	290	643	6,512	1,844	141	112	253
5	25,567	14,350	4,194	4,735	121	1,719	179	51	218	11,600	4,606	236	172	408	4,610	1,685	76	64	140
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,662	7,428	6,706	4,165	1,038	61	139	121	19,682	7,373	6,817	3,899	959	75	235	541	3,961
2	21,021	6,314	9,283	3,563	1,366	253	170	69	20,718	6,250	9,027	3,536	1,212	131	164	640	3,722
3	19,409	7,563	6,876	3,308	1,128	290	104	145	19,422	7,719	6,225	3,687	1,149	216	172	475	5,031
4	17,606	6,007	5,015	4,436	1,752	80	47	274	17,863	5,951	5,512	4,174	1,665	91	88	498	3,974
5	17,373	7,026	4,440	4,704	1,061	20	60	75	17,343	6,988	4,295	4,464	1,087	46	50	552	3,839
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129126

Pub. Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.8%	0.6%	5.9%	0.6%	0.3%	0.9%
2	43.4%	30.8%	16.8%	0.5%	7.0%	0.4%	0.2%	1.0%
3	59.6%	18.2%	14.9%	0.5%	5.3%	0.5%	0.3%	0.8%
4	47.8%	16.6%	24.3%	0.4%	9.2%	0.6%	0.3%	1.0%
5	60.9%	13.1%	18.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.1%	21.4%	16.3%	0.7%	6.8%	0.6%	0.3%	0.8%	35.6%	1.6%	1.5%	3.1%	31.5%	1.4%	1.5%	2.9%
2	39.0%	35.0%	16.4%	0.5%	7.6%	0.4%	0.2%	0.9%	27.2%	1.9%	1.5%	3.4%	22.9%	1.4%	1.2%	2.7%
3	54.9%	22.5%	14.6%	0.5%	6.1%	0.5%	0.3%	0.6%	38.7%	1.2%	1.4%	2.7%	33.7%	1.1%	1.4%	2.5%
4	44.2%	19.5%	23.9%	0.4%	10.4%	0.6%	0.3%	0.8%	32.0%	2.5%	2.1%	4.6%	28.3%	2.2%	1.7%	3.9%
5	56.1%	16.4%	18.5%	0.5%	6.7%	0.7%	0.2%	0.9%	39.7%	2.0%	1.5%	3.5%	36.6%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.0%	37.8%	34.1%	21.2%	5.3%	0.3%	0.7%	0.6%	73.0%	37.5%	34.6%	19.8%	4.9%	0.4%	1.2%	2.7%	20.1%
2	85.8%	30.0%	44.2%	16.9%	6.5%	1.2%	0.8%	0.3%	84.5%	30.2%	43.6%	17.1%	5.9%	0.6%	0.8%	3.1%	18.0%
3	70.0%	39.0%	35.4%	17.0%	5.8%	1.5%	0.5%	0.7%	70.1%	39.7%	32.1%	19.0%	5.9%	1.1%	0.9%	2.4%	25.9%
4	67.4%	34.1%	28.5%	25.2%	10.0%	0.5%	0.3%	1.6%	68.4%	33.3%	30.9%	23.4%	9.3%	0.5%	0.5%	2.8%	22.3%
5	67.9%	40.4%	25.6%	27.1%	6.1%	0.1%	0.3%	0.4%	67.8%	40.3%	24.8%	25.7%	6.3%	0.3%	0.3%	3.2%	22.1%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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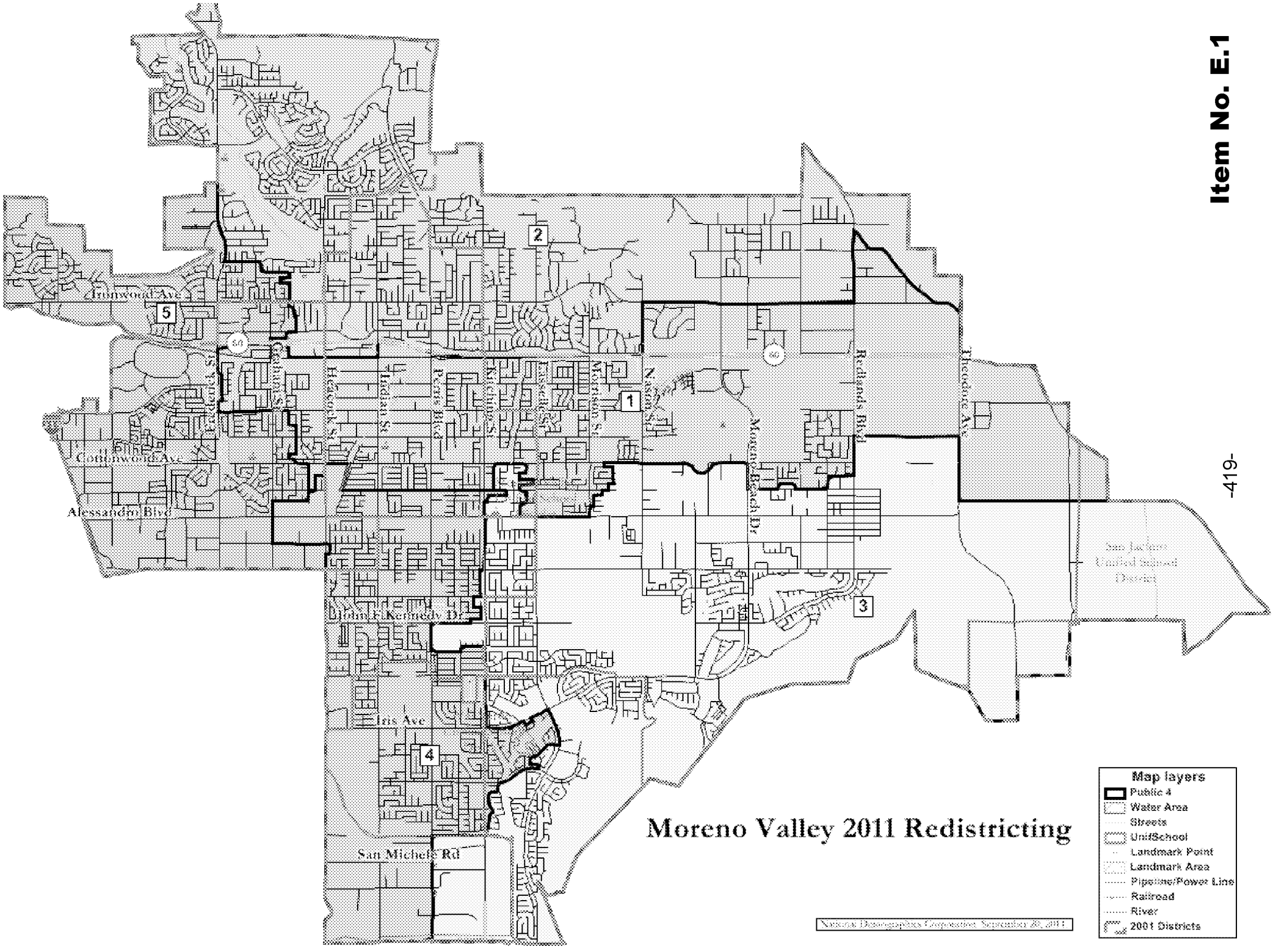
Moreno Valley 2011 Redistricting
Map layers
Public 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District
National Demographics Corporation September 8, 2011

MV00129129

NDC

Public Plan 4 - Owings
Demographics

Pub. Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129130

Pub. Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00129131

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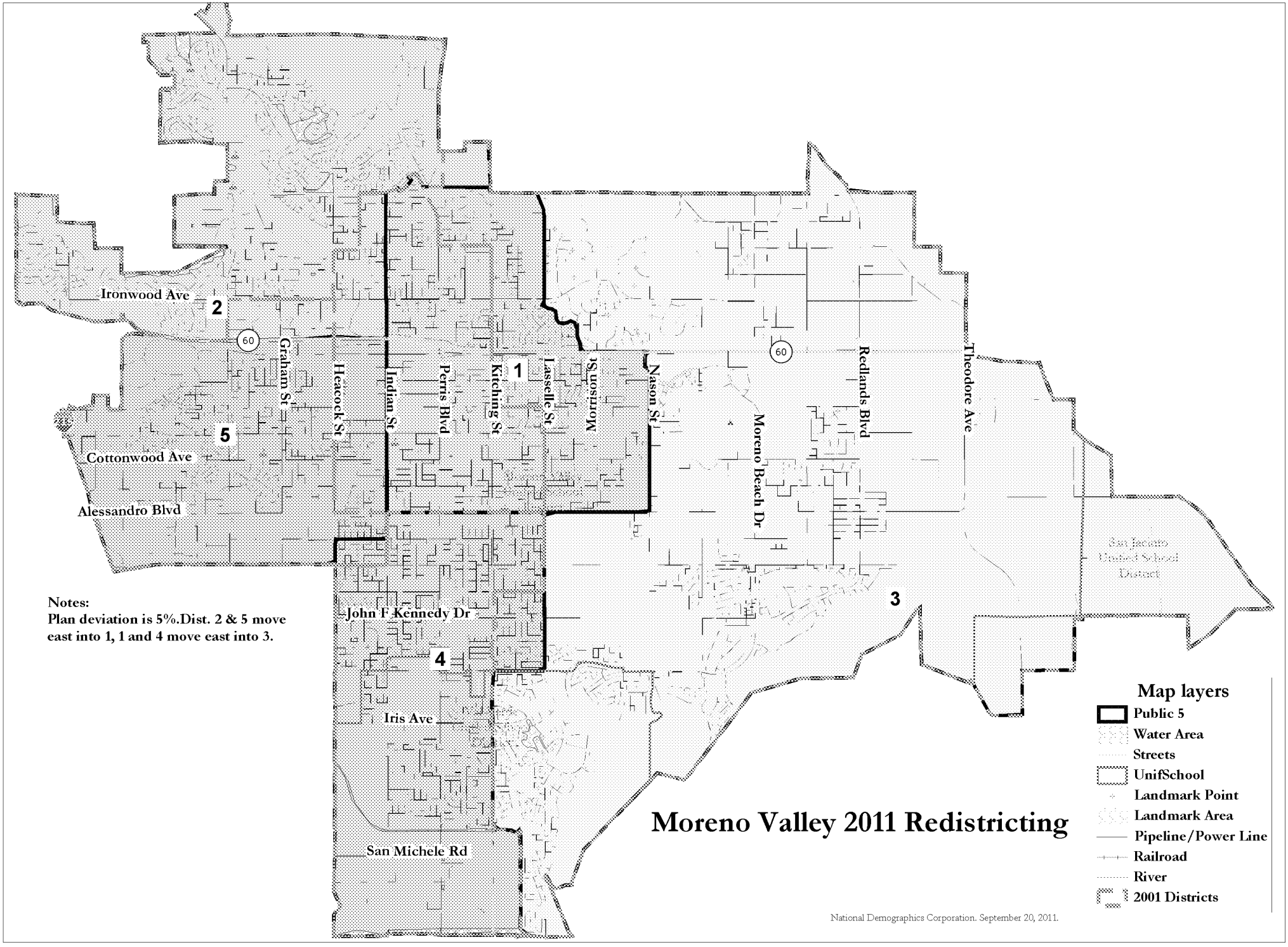
Moreno Valley 2011 Redistricting
Notes:
Plan deviation is 5%.Dist. 2 & 5 move east into 1, 1 and 4 move east into 3.
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
John F Kennedy Dr
Iris Ave
San Michele Rd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
San Jacinto United School District
1
2
3
4
5
60
Map layers
Public 5
Water Area
Streets
UnifSchool
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
National Demographics Corporation. September 20, 2011.

MV00129133

Pub. Plan 5	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,368	-305	-0.79%	22,056	6,878	6,089	224	2,430	238	114	339
2	38,178	-495	-1.28%	17,347	10,448	7,200	200	2,373	158	73	379
3	40,050	1,377	3.56%	17,034	9,026	9,097	183	3,934	223	135	418
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,872	4.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,147	13,808	12,339	5,637	4,140	108	1,716	155	65	14,065	5,063	255	189	444	6,709	2,136	99	88	187
2	26,978	11,071	15,907	8,546	4,778	101	1,698	94	38	16,541	4,653	305	245	550	8,374	2,012	123	107	230
3	27,765	10,721	17,044	7,329	5,987	86	2,790	129	83	15,876	4,496	335	323	658	7,969	1,921	148	128	276
4	25,316	14,911	10,405	4,507	3,918	63	1,355	128	46	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	10,165	3,844	4,006	73	1,542	162	44	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	65,860	29,863	22,829	431	9,101	668	276	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 5	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,521	7,384	6,427	4,150	1,008	111	375	68	19,545	7,245	6,574	3,837	1,064	79	399	518	4,175
2	22,818	7,229	9,534	4,304	1,397	206	62	81	22,790	7,072	9,674	4,231	1,203	143	113	673	3,846
3	19,259	5,566	7,139	4,091	2,004	180	42	244	19,840	6,200	7,142	4,139	1,696	157	137	620	3,836
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129134

Pub. Plan 5	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.5%	17.9%	15.9%	0.6%	6.3%	0.6%	0.3%	0.9%
2	45.4%	27.4%	18.9%	0.5%	6.2%	0.4%	0.2%	1.0%
3	42.5%	22.5%	22.7%	0.5%	9.8%	0.6%	0.3%	1.0%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.8%	47.2%	21.6%	15.8%	0.4%	6.6%	0.6%	0.2%	36.0%	1.8%	1.3%	3.2%	31.8%	1.5%	1.3%	2.8%
2	41.0%	59.0%	31.7%	17.7%	0.4%	6.3%	0.3%	0.1%	28.1%	1.8%	1.5%	3.3%	24.0%	1.5%	1.3%	2.7%
3	38.6%	61.4%	26.4%	21.6%	0.3%	10.0%	0.5%	0.3%	28.3%	2.1%	2.0%	4.1%	24.1%	1.9%	1.6%	3.5%
4	58.9%	41.1%	17.8%	15.5%	0.2%	5.4%	0.5%	0.2%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	41.2%	15.6%	16.2%	0.3%	6.3%	0.7%	0.2%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	50.3%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 5	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.7%	37.8%	32.9%	21.3%	5.2%	0.6%	1.9%	0.3%	74.8%	37.1%	33.6%	19.6%	5.4%	0.4%	2.0%	2.6%	21.4%
2	84.6%	31.7%	41.8%	18.9%	6.1%	0.9%	0.3%	0.4%	84.5%	31.0%	42.4%	18.6%	5.3%	0.6%	0.5%	3.0%	16.9%
3	69.4%	28.9%	37.1%	21.2%	10.4%	0.9%	0.2%	1.3%	71.5%	31.2%	36.0%	20.9%	8.5%	0.8%	0.7%	3.1%	19.3%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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MV00129136

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

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MV00129138

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: September 27, 2011

TITLE: MEDIA AND COMMUNICATIONS STRATEGY

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed Media and Communications Strategy.

BACKGROUND

At the May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image. An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business*. One of the five action steps included in the plan was to improve the City's marketing and communication efforts. The proposed Media and Communication Strategy addresses the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

DISCUSSION

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly

positive reality that we recognize. Understanding that perception oftentimes equals reality, the proposed Media and Communication Strategy (attached) aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure accurate information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley. As indicated in the attached plan, each action has been assigned to the appropriate department for implementation.

ALTERNATIVES

1) Approve the proposed Media and Communications Strategy. *Staff recommends this alternative as the proposed strategy helps address the Council's expressed goals of enhancing the City's image, expanding communication outreach to the public and improving the City's marketing and communication efforts (one of the adopted action steps to make Moreno Valley a Best Place to do Business.)*

2) Not approve the proposed Media and Communications Strategy. *Staff does not recommend this alternative as the proposed strategy is a task related to the Council-adopted goal to enhance the City's image and is part of the Council-adopted action steps to make Moreno Valley a Best Place to do Business.*

FISCAL IMPACT

Implementing the proposed Media and Communications Strategy will have no fiscal impact as all of the strategies and action items can be executed within the adopted budget.

COUNCIL GOALS

Positive Environment: Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and

executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The proposed Media and Communications Strategy assists in addressing the City Council's goal of enhancing the City's image and implements the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business.* The proposed strategy will help enhance the City's efforts in economic development and in making Moreno Valley a great place to live, visit, work and do business.

ATTACHMENT

Proposed Media and Communications Strategy

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129142

Introduction

At their May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image (see Attachment "A"). An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business* (Attachment "B"). One of the five action steps included in the plan was to improve the City's marketing and communication efforts. This Media and Communication Strategy address the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly positive reality that we recognize. Understanding that perception oftentimes equals reality, this Media and Communication Strategy aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure <u>accurate</u> information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley.

Target Audience

Communicating accurate information to better promote Moreno Valley is everybody's job. By providing target audiences with timely and informative news about their community we can help ensure that our many positives outweigh the periodic negative items that occur in every community. It is critical that the City clearly communicates information to the community in a helpful, accessible, consistent, and unintimidating manner to ensure that the citizens, businesses, and visitors to Moreno Valley feel welcome and engaged within in our community.

Primary Target Audience

The primary target audiences for an effective media and communications strategy are the groups of people with whom the City wishes to regularly communicate on a variety of topics and issues:

- Residents of Moreno Valley
- City Council, Commissions, and Committees
- Non-profit organizations
- County, State, and Federal representatives
- Community groups and organizations
- News media
- Development community
- Chambers of Commerce
- Existing businesses, property owners, and managers
- Public agencies
- Employees
- Regional organizations and agencies
- Volunteers
- School Districts
- Visitors to Moreno Valley

Secondary Target Audience

The secondary target audiences are groups with which the City communicates on a semi-regular basis:

- Businesses in neighboring cities and communities
- Other government television stations
- Residents living in neighboring cities and communities
- Future or potential residents

Goals, Strategies and Actions

With the understanding that a Media and Communications Strategy that builds on strong themes is more effective than a program with scattered and unrelated messages, key themes will be communicated frequently in a variety of ways utilizing simple messages. It is important that all communications reinforce and reflect the goals and target issues of the City as established by the City Council, underscoring the idea of an organization with its focus on "people, pride and progress."

Goal 1: Ensure Accurate Information is Disseminated to the Public

Accuracy is the most basic, and also the most critical, element in communicating effectively. The following goals and strategies will assist in ensuring that accurate and timely information is being provided by the City:

Strategy: Ensure continuity of message.

Action:

- **Review and reinforce City administrative policy #2.5, "Public Information & Media Relations"** (Attachment "C"), which establishes procedures and guidelines for the coordination and dissemination of information to the public on behalf of the City. In order to ensure accuracy and continuity of message, all departments will observe this policy, with particular attention to the following (Assigned to: All Departments):

  All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

Strategy: Ensure that the City's Website contains current information and continue to enhance the site to improve user-friendliness

Actions:

- **Perform an audit of the City's website** to ensure that it is user friendly and data rich, and identify areas where processes can be clarified (Assigned to: City Manager's Office and the Community and Economic Development Department)
- **Review the City's main web page daily** for current content and remove any outdated content immediately (Assigned to: City Manager's Office)
- **Reactivate the City's Media Liaison Team**
  - Update the current Media Liaison list to include one representative from each Department that is responsible to maintain the information on their department web pages (Assigned to: City Manager's Office)
  - Team will participate in regular meetings (Assigned to: All Departments)
  - Team will work together to improve the utilization of social media sources (Assigned to: All Departments)
  - Solicit article ideas for submission to various business journals, government magazines, and other news media to promote City programs and events (Assigned to: All Departments)
  - Review the City's *Brand & Style Guide* with all departments to ensure continued and consistent usage (Assigned to: All Departments)
  - Team will review information posted by the webmaster for accuracy (Assigned to: All Departments)

Goal 2: Maximize media and communication resources to 1) better promote the City's many positive events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business

Strategy: Develop a retooled marketing plan (Assigned to: Community and Economic Development Department)

Actions:

- **Encourage cooperative marketing opportunities** with targeted area developers to attract tenants through outreach to media outlets and the community
- **Promote the vision that Moreno Valley is a Medical Community** as outlined in the Economic Development Action Plan adopted by City Council in April 2011 through creating media content for the City's website, developing public service announcements, and working with media outlets to distribute storylines detailing this development
- **Brand the City as a Best Place to do Business and as a Job Center**
- **Identify new publications and aggressively pursue publication** of City stories to print media in addition to the Press-Enterprise and working with editors to ensure they are published, including business journals (Assigned to: City Manager's Office and Community and Economic Development Department)
- Work with the Moreno Valley Chamber of Commerce to **videotape the featured speaker at the monthly Wake Up Moreno Valley** meetings for airing on MVTV-3 to promote local programs and businesses (Assigned to: City Manager's Office)
- **Develop a City media packet** with information on City staff and community data (Assigned to: City Manager's Office)
- **Billboard signage campaign** to fill unused billboard space to promote City information for free or at reduced costs. (Assigned to: Community and Economic Development Department)
- Work with the Moreno Valley Police Department to **establish a press release policy** identifying which events and actions warrant media notification. (Assigned to: City Manager's Office)
- MVTV-3 **video productions promoting local restaurants**, similar to current Spotlight on Business productions (Assigned to: City Manager's Office)

Strategy: Develop smartphone applications to improve communication and connectivity (Assigned to: Financial and Administrative Services Department)

Actions:

- **Establish a City committee** to develop the use of Smartphone applications
    - Assign at least one committee member from each department
    - Invite the Chambers of Commerce to participate
    - Survey City staff, community members, and other cities to identify desired smartphone applications specific to Moreno Valley such as:
        - Promoting City events
        - Connecting to City services such as reporting stray animals, graffiti, potholes, etc.
        - Crime tip reporting and online crime maps
        - Places to dine and stay

- **Explore cost sharing opportunities** for the development and maintenance of applications that include:
    - Public Safety related items, seek grants for federal funding opportunities (Assigned to: City Manager's Office, Police and Fire)
    - Chamber of Commerce related items in order to create a "Things to do" and "Place to dine" section for the application (Assigned to: Community and Economic Development Department and City Manager's Office)

Strategy: Create and maintain a Community Calendar

Actions:

- Work with the Chambers of Commerce to **establish a joint community calendar of events** (Assigned to: Community and Economic Development Department and City Manager's Office).
- **Develop an online form** for businesses, non-profit organizations, homeowners associations, schools, etc. to easily submit information on community events that they are sponsoring (Assigned to: City Manager's Office)
- **Promote the Community Calendar events** by distributing the calendar via the City's e-mail database and ensure that the City's Twitter account sends out information in a timely manner regarding these events (Assigned to: City Manager's Office)

Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services

The City will be proactive in communicating with the community rather than reactive. By taking a positive approach in the planning and execution of communicating with the community, the City will build a stronger rapport with our residents, business owners, and stakeholders. While the City currently offers a variety of ways for its citizens to provide input and learn about City services, it is imperative that the City continues to encourage residents and businesses to communicate both positive and negative issues with their Council representative and with City staff. It is also important to demonstrate the value of City services so that our residents understand and support local government.

Strategy: Enhance direct communications by the City Council and City Staff with the community (Assigned to: City Manager's Office)

Actions

- **Establish Council Connection Town Hall meetings** within each City Council District promoting two-way communication with residents (Assigned to: City Manager's Office and City Council Office)
    - Include meet and greet with Department Heads, remarks by the Council Member and City Manager, a presentation focusing on one topic (public safety, economic development, etc.), and a question & answer session.
    - Post all questions and answers from each Town Hall meeting on the City's web site within on week.

- **Establish City and Business Connection Luncheons** in each Council District as an opportunity for business leaders to communicate with their Council Member (Assigned to: Community and Economic Development Department)
- **Develop and build an e-mail database** to distribute e-mail "blasts" to residents and businesses containing City news and events (Assigned to: City Manager's Office)
- Investigate the **use of podcasting** City Council and Planning Commission meetings (Assigned to: City Manager's Office)
- Convert "City Link" from a quarterly publication distributed as part of "Soaring" to a **monthly e-newsletter** (Assigned to: City Manager's Office)
- **Include performance indicators** in City publications to celebrate accomplishments and educate residents about the benefits of City programs and services.

Strategy: Improve the City's use of social networking

Actions
- **Increase the use of Facebook** by City Departments (Assigned to: City Manager's Office)
- **Increase the number of City followers on Twitter** by providing "how to" training to staff to enhance City Departments' use (Assigned to: All City Departments)
- Increase the community's awareness and viewership of City Programming that is available on **YouTube** (Assigned to: City Manager's Office)

Media and Communications Toolbox

The City uses a variety of interactive communication tools and techniques wherever and whenever possible to involve target audiences in the communications process. This aids in building the idea that this is not just the residents' City or the businesses' City but this is everyone's City. Below is a list of the tools to be used by City staff to communicate effectively with both our primary and secondary target audiences.

- Advertisements
- Booths at major events
- Brochures
- Citizen surveys
- City Council meetings
- *City Link* e-newsletter
- City website
- Comprehensive Annual Fiscal Report
- Fact Sheet
- Facebook
- Internet
- Media packet
- MVTV-3
- New conferences
- Open house events
- Parks and Recreation *Soaring* guide
- Press releases
- Public service announcements
- Publish articles in magazines and business journals
- Radio talk programs
- Town Hall meetings
- State of the City
- Council business luncheons
- Twitter
- Utility Bill Insert
- You Tube

Assessment

City Staff will periodically review and assess progress made in achieving the goals described in this Media and Communication Plan by measuring its success utilizing a variety of tools, including:

- Content of media coverage
- City Council surveys
- Communication and service awards
- Survey e-mail subscribers from the City's website
- News release totals
- Web visitors and Web analyses

Summary

The intent of this plan is to foster proactive communications with the Moreno Valley community and neighboring communities reflecting the many positive aspects of our City; to connect the public with the government by reaching out and establishing two-way communications through a variety of resources; to promote Moreno Valley as a *Best Place to do Business*; and to better control our message by ensuring that accurate information about Moreno Valley is distributed to the public. Every resident, business owner, and employee within the City "owns" a piece of Moreno Valley and it is the job of each of these stakeholders to promote our community as the place to be. This plan is a dynamic strategy that will serve as a road map to assist in this endeavor.

Attachment "A"

Prioritized Goal #5: Enhance City Image
Actions
1. Develop Media & Communications Strategy: a. Increase use of Social Networks b. E-mail Blasts c. Expand Communication Outreach/ Networking d. District Town Hall Meetings
2. Corridor Beautification Program

Further defined tasks, responsible department, and schedule:

TASK	DEPARTMENT	SCHEDULE
Develop database of e-mail addresses to distribute immediate information to residents, businesses, and other agencies	**CMgr**	**June 2011**
Transition "City Link" newsletter to an on-line e-newsletter posted on the web site and automatically e-mailed to subscribed residents and businesses	**CMgr**	**July 2011**
Expand options for distributing City information to magazines and news outlets, promote the community and events via alternative publications and through attendance at various meetings	**CMgr**	**September 2011**
Explore and discuss District Town Hall meetings with the Council, establish a schedule for quarterly or semi-annual events	**CMgr**	**June 2011**
Review options for a Citywide Corridor Beautification Program for Council consideration	**PW**	**August 2011**

"Attachment B"

Recommendations for Action Steps

to Make Moreno Valley a "Best Place to do Business"

Development Services

- Implement the use of "E-permitting" to accelerate the process of doing business in Moreno Valley

- Expand and strengthen business and development ombudsperson program to include new or expanding small businesses.

- Host quarterly workshops with contractors and developers aimed at improving development processes in Moreno Valley.

- Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business.

- Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

Business Attraction

- Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

- Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Business Retention and Expansion

- Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

- Pursue ways to increase local vendor preference, including expanding existing procurement policy.

- Implement a new meeting program with local businesses to discuss business opportunities. The Program would be held once a year in each Council District and include the opportunity to talk to the Councilmember, City Manager, and Community & Economic Development Director. The Program will compliment the existing Business Roundtable.

- Enhance the Business Resource Guide.

Marketing and Communication

- Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

- Develop a re-tooled marketing plan to incorporate the following:
    - Cooperative marketing opportunities with targeted area developers to attract tenants
    - Identifying the City as a medical community
    - Brand the City as a job center

- Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

- Increase use of social media.

- Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

- Explore use of Smartphone apps for improved communication and connectivity.

- Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

Community Vitality

The best places to do business also reflect characteristics of the best places to live. These places tend to exude a "sense of place" reflected in aspects of quality of life including activity, arts and culture, and beauty in the environment.

- Explore additional community events- things to do.

- Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

- Enhance neighborhood groups by implementing community update meetings.

City of Moreno Valley

PUBLIC INFORMATION & MEDIA RELATIONS

PURPOSE: To provide procedures and guidelines for coordinating and disseminating information to the public on behalf of the City of Moreno Valley. The policy will be modified and expanded as necessary.

STATEMENT: The City of Moreno Valley shall provide timely and accurate information to keep the Council, staff and community apprised of pertinent City issues, services and events. The City shall utilize appropriate and effective means to communicate its messages to both general and target audiences. This policy contains guidelines that will achieve the City's communications objectives and facilitate a successful working relationship with the local and regional media.

POLICY GOALS:

- Fully utilize the news and special interest media, MVTV-3, City publications and the City Web site as an effective means of communicating with citizens and target groups (including business sector, community leaders, homeowner groups, City employees).
- Facilitate the timely flow of public information to appropriate media through an effective internal process that maximizes message consistency, factual accuracy and proper positioning.
- Educate the community about how government works and encourage citizen participation in the policy-making process.

POLICY:

I. **General Public Communications:**

A. Letters and opinion surveys designed for mass distribution shall be reviewed by and coordinated with the City Manager's Office for content and format analysis and for placement strategies.

B. All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

II. **Federal Regulations for Newsletters and Mass Mailings:**

A. FPPC Compliance: All newsletters and mass-distributed documents prepared at "taxpayers' expense" that are to be mailed or delivered to 200 or more residences or businesses in a single calendar month must comply with guidelines established by the Fair Political Practices Commission with respect to how elected officials are identified in these materials. (A complete copy of these regulations is printed in the California Code of Regulations, Title 2. Administration, S18901, et seq., and on file in the City Attorney's Office.) Following are the major guidelines and restrictions:

1. A newsletter may include an article which references the name of a City Council member only if the Council has no control or review authority over the content of that newsletter. (This "independence" test is not violated if the Council merely approves a budget item to fund the newsletter, hires the staff to produce it, and dictates the frequency that the newsletter will be distributed.) If City staff determines that the independence test has been met, then they may include references regarding the activities of Council members as long as their names are not "featured."

Approved by: City Manager
September 1, 1991
*Revised 7/18/01; **12/21/07***

Item No. G.2

a. "Featured" is defined as "...singles out the elected officer by the manner of display of his/her name or office in the layout of the document, such as by headlines, captions, type size, typeface, or type color." Therefore, except for the roster listing of all of the Council members or use of letterhead, the name of an elected officer may not be set apart from the text, such as indicating that the author of the article was an elected official by putting their name in the caption to the article.

b. The name or office of a Council member may not be in the headlines of the article, because the type size and typeface of that heading is different from the type size and typeface of the text of the article.

c. The definition of "featured" also provides that the item distributed may not include the Council member's photograph or his/her signature.

2. The City or a Council member may send out informational notices on City stationery which meet the 200-per-month threshold as long as such notices do not reference the name of that elected official in the heading, text or by use of his/her signature. It may, however, be permissible to include the name of that elected official in the text of that notice printed on the City stationery as long as it was not prepared or sent in cooperation, consultation, coordination or in concert with that elected officer and it does not "feature" his/her name.

3. FPPC regulations allow Council members to send a letter which "features" their name by the manner of its display or by use of their photo or signature if it is a press release or editorial sent to members of the media. Therefore, there is no limitation on the content or format of any document sent only to members of the media. In addition, the number of copies of a mailing which is sent to the media is excluded from the 200-per-month threshold level.

4. The FPPC has opined that the intent of the guidelines governing printed material also applies to video productions prepared at taxpayer expense; a Council member may not be featured in such video production in any way that may be construed as promotion of the Council member. The role of an elected official in a tax-supported video production must be limited to educating and informing the public, to retain FPPC compliance.

III. **Media Response Philosophy**:

A. Timely and Accurate Responses: The City encourages accurate press coverage of programs, events and decisions which could be of interest and impact a significant segment of the community. In this regard, the City and the media have a mutual responsibility to provide accurate, objective information of City affairs to City residents. Inquiries from the news media are to be given a high priority and be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate and messages properly developed.

IV. **Press Releases**:

Press releases are any official written or verbal announcements initiated by City Hall to the media regarding official City business.

A. Responsibility. All media releases relative to major citywide policies and actions shall be prepared and distributed by the City Manager's Office. Other departments that may prepare their own releases include:

1. Parks & Community Services Department, promoting special recreational and cultural activities.

2. Police and Fire departments, providing fast-breaking news updates regarding major police and fire activity.

B. Assistance. Upon request, the City Manager's Office will provide assistance with media releases prepared by those above. Other departments requiring press releases or technical assistance in preparing press releases should provide the CMO with written information pertaining to the topic as well as any special distribution list.

C. Release Preparation & Format. Press releases shall be prepared according to the City's established format. Releases are kept on file in the City Manager's Office. A copy of all media releases distributed by any unit outside of the City Manager's Office should be forwarded to the City Manager's Office, which in turn will maintain a master file of press releases.

V. **Release of Information Pertaining to Significant Issues & Events**:

A. Definition of Issues. It is the responsibility of department directors to notify the City Manager of significant events or issues which occur within their departments which may be of major interest to the general public or media. Such issues include, but are not limited to:

1. An event/issue in an operating department or program that is controversial.

2. Injury or death of a City employee while on or off official duty.

3. Major malfunctions of a City facility which could impact the general welfare of the public or environment.

4. An unexpected work stoppage or inability to provide a critical City service.

5. The arrest or conviction of a City employee which may impact that individual's ability in successfully carrying out his/her professional responsibility.

6. Major police or fire activities. *(Note: This is handled through the City's Emergency Notification Policy.)*

B. Reporting Procedure. Once receiving the information, the City Manager will determine if it is necessary to contact the City Council, other department directors and the City's Public Information Officer. If public release of information is deemed appropriate, the City Manager, in consultation with the department director and the Public Information Officer, will determine the most appropriate mechanism in notifying the press.

C. Back-up Procedure. If the City Manager is unavailable, the department director should contact the Assistant City Manager, then the Public Information Officer directly for dissemination of information. On those occasions when neither of these individuals or an acting City Manager is available, the department director should use his/her own judgment in releasing information to the press on fast-breaking news stories.

VI. **Who Responds to Media Inquiries**:

A. Spokesperson. The City Manager will respond directly or designate a media spokesperson to respond to an issue of major public significance to ensure that the information is disseminated quickly and accurately to all interested media sources. When such a designation is made, the City Manager will notify the appropriate department director(s) and the Public Information Officer to forward all inquiries regarding the particular issue to the appointed spokesperson.

B. Media Contacts to Staff. Non-management employees shall refer media inquiries to their department heads. A department director may delegate an employee to respond to an inquiry because of her/his involvement with an event or issue. In such cases, the staff member should work with the department director and Public Information Officer before the interview to develop appropriate responses to anticipated questions.

C. City Council. Whenever possible, Council members are encouraged to notify the City Manager or Public Information Officer when they are approached by the media. Especially when having to respond to controversial issues, Council members are encouraged to review the issue with the City Manager and Public Information Officer to formulate their response.

D. Public Safety. The Disaster Director (City Manager or Assistant City Manager) will work with the Public Information Officer to develop media responses in the event of major emergencies and disasters. A more detailed description of emergency public information procedures are contained in the City's Standard Operating Procedures (SOP).

E. Police & Fire Issues. Whenever there is a fast-breaking story involving a major police/fire activity, the first media contact is the Police or Fire Chief or his/her designee, followed by the City Manager, public safety liaison and the Public Information Officer,.

Throughout the entire chain of responsibility, it is essential that each individual involved in providing information to the media is kept abreast and briefed on the status of the event as it occurs. The chain of command can be modified to expedite release of crucial information.

VII. **What to Do When Contacted by the Press**:

All media inquiries received by staff should be responded to as quickly as possible, keeping in mind the frequent deadlines that are often imposed upon the working media. Clerical staff should be instructed to give priority to media calls by alerting their respective department head of media inquiries.

A. Determine Nature & Focus of Story. It is important to determine the focus of the story as well as the specific information desired by the reporter. What may seem to be an "innocent" information request, oftentimes can turn out to be a front-page story, distorting the data supplied by the City. That's why it is always important to determine the reporter's focus and slant.

B. Notification Procedure. Any staff member (management or non-management) who responds to a media inquiry, provides an interview, appears on a radio or television program, etc., shall notify his/her immediate supervisor, the department director, the City Manager and the Public Information Officer either by phone or written memo.

Regarding controversial matters, the City Manager and/or Public Information Officer must be consulted before conducting the interview. This gives the spokesperson the opportunity to review anticipated questions and to formulate and properly position appropriate responses.

Departments which have on-going daily contact with the media are not required to follow the notification procedure for every media contact, only those which involve significant issues of concern.

VIII. **Media Etiquette**:

There are some very important "do's" and "don'ts" that should be observed in strengthening the relations between City Hall and the local media.

A. Responding to Council Actions. Staff should not publicly make judgmental comments regarding individual Council members, Council actions, City administration or official City policy when responding to media inquiries. Staff should also refrain from anticipating an action or position which has not been formally taken by the City Council or City. Any inquiry regarding "why" an individual Council member voted in a particular manner on a specific issue should be forwarded to the Council member in question.

B. Scope of Response. Staff members should not respond to media inquiries which are not directly related to carrying out the employee's professional responsibilities. If such a media inquiry is made, the staff members should assist the media in receiving the needed information by referring the source to the appropriate program manager or the Public Information Officer..

C. Inaccurate Information. The media should not be intentionally misled or provided inaccurate information by a staff member regarding any City policy or event. Such tactics can lead to "city bashing," media skepticism and unwanted investigations.

IX. **Public vs. Confidential Issues**:

Most City records and official City meetings are open to the public and media. The media are no more or less privileged than the general public in being provided access to City Council meetings and City records. While City operations need not be disrupted or extraordinary accommodations made to provide access to public records, it should be emphasized that adequate information provided to the media or the public is beneficial both to citizens and the City in carrying out its public information efforts.

A. Attendance at Meetings. The media and public are encouraged to attend and report on actions taken at Council meetings, study sessions, as well as regularly scheduled committee and commission meetings.

B. Closed Sessions. Public and media attendance is not allowed at closed Council sessions dealing with litigation, security, negotiations or personnel-related matters.

C. Public Records. The media and the general public shall be provided access to all records or proceedings which have been deemed to be of a public nature including:

1. Written and taped proceedings of City Council meetings, committee and commission meetings, special ad hoc committee meetings and public hearings.

2. Official City contracts and resolutions.

3. Public Safety summary, including the following information:

   a. crime reports
   b. booking information
   c. traffic collision reports
   d. fire reports (accidents causing death, injury, severe damage)
   e. fire inspection records for public assembly facilities

4. Salary grades of City employees, upon request.

5. FPPC/conflict of interest disclosure statements filed by the Council, commissioners and affected City staff.

6. Interoffice correspondence that is not in draft form and does not address a personnel or confidential legal matter.

D. Closed Records. City records that constitute an unwarranted invasion of individual privacy or involve confidential legal matters of City litigation are usually exempt from public disclosure. Such records include:

1. Personnel or medical records of City employees, including performance evaluations, background checks, disciplinary action, and such similar records.

2. Actual proceedings of closed Council sessions. (The media can be told whether the Council will be discussing a litigation or personnel issue.)

3. Preliminary labor negotiations leading up to labor contracts. Once executed, all employment contracts--both individual and union--become public records.

4. Certain police/fire records, including juvenile records, prior criminal records or information regarding the character or reputation of an accused individual in a criminal action; and certain fire investigation records.

5. Draft correspondence, including preliminary notes not yet finalized.

6. Records pertaining to pending City litigation in which the City is a party.

7. Confidential memos between the City Attorney and City officials/staff.

NOTE: In situations where there is a discrepancy or uncertainty on the part of a City employee regarding release of an official record to the media, the City Attorney should be contacted to make the final determination. Specific categories of records may be exempted by the Public Records Act.

E. Litigation Issues. Staff members shall not respond to media inquiries regarding an issue involving City litigation or render personal or legal opinions on City policies or activities. If an employee is in doubt, the City Attorney should be contacted for clarification before responding to a media inquiry.

X. **Correcting Misinformation**:

The City has an obligation to clarify or correct any information released by the media which contains inaccuracies or quotes taken out of context relating to a City issue.

A. Factual Discrepancies. The Public Information Officer shall contact the media when a story has been published or aired containing factual error which significantly impacts the public's perception of the issue being addressed. Managers are encouraged to notify the Public Information Officer immediately when they believe incorrect information is being communicated by the press regarding a City issue or program.

B. Editorial Discrepancies. Managers should contact the Public Information Officer when there is evidence that a specific editorial comment or news story has been published or aired which does not appropriately represent a balanced perspective of the issue being discussed. The City Manager, in consultation with the Public Information Officer, will determine when an official City rebuttal or response is appropriate.

C. Letters to the Editor. Department directors who believe an official City rebuttal is warranted regarding a news story should discuss the issue with the City Manager's Office. They will determine if a response is appropriate, as well as who should prepare and sign the letter. The City Manager must authorize and review all letters sent to editors on official City letterhead and/or by an employee who is acting in an official capacity commenting on City issues or programs.

D. Responding as Private Citizens. City employees who choose to contact, initiate or respond to City-related news stories as private citizens shall not prepare such responses on City time, by City phones, on City stationery, or mail at City expense. Responses or letters shall not state or imply that the response is on behalf of the City. Use of City facilities or supplies is prohibited. These guidelines also apply to employees responding to or initiating press contacts as official representatives of City-sanctioned employee groups.

XI. **Public Meeting Notification**:

Public notices are any printed official announcement which notifies the community of a scheduled public meeting or hearing. The announcement can take the form of a flyer, legal notice or form letter for mass distribution. A copy of all printed notices should be submitted to the City Manager's Office.

A. Public Meetings. Departments will be responsible for developing and disseminating notices announcing public meetings and hearings. Most affected are the City Clerk's Office, the Community Development Department, the Economic Development Department, the Redevelopment Agency, and the Public Works Department. The City Manager's Office will lend editorial graphics assistance in developing the notices.

B. Agenda Notification. City Council agendas shall be made available to the public prior to Council meetings at the City Clerk's Office, at public facilities designated by the Clerk and the City's Web site. Copies shall be made available to the news media at the City Clerk's Office.

XII. **Advertising**:

A. Display Advertising. The City Manager's Office coordinates development and placement of media advertising to promote City programs, services, events and issues. All requests for advertising must be

submitted to the City Manager's Office, which will coordinate copy development, graphic design and media placement with the requesting department. This policy does not apply to employment and legal advertising, which will be coordinated by the appropriate departments (i.e., Human Resources and City Clerk, respectively).

B. Public Service Announcement. The City Manager's Office is the central coordinator for developing and placing public service announcements with the broadcast media (radio, TV and cable). PSA spots are announced free by the media as a community service. Two-to-three-week lead times are desired by most stations. All requests for PSAs must be submitted to the City Manager's Office, which will coordinate copy development and placement with the requesting department.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

RECOMMENDED ACTION

Staff recommends that the City Council review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

BACKGROUND

The City of Moreno Valley is intent on moving quickly to improve the economic condition, development services, and quality of life within the community through a variety of methods.

Several actions have taken place to set this effort in motion:

1. March 22, 2011 - the City Council reviewed and provided input for an Economic Development Plan- Areas of Opportunity brought forth by the Community & Economic Development Department.

2. April 26, 2011 - the City Council adopted a 2-year Economic Development Action Plan targeting five key areas within the twelve Areas of Opportunity that have the potential for yielding the best and quickest near-term economic development benefits. These areas include TownGate, Centerpointe Business Park, South Moreno Valley Industrial Area, East Moreno Valley-Rancho Belago, and City Center. Included in the adoption of the 2-year Action Plan was the strategic decision of the re-sequencing of several Capital Improvement Program projects aimed at bolstering the economic development within the five focus areas.

Collectively, the objectives for the Economic Development Action Plan are 1) creating jobs and addressing the high unemployment rate; 2) addressing the jobs to housing imbalance; 3) strengthening and broadening the local economic base; and 4) enhancing City revenue generation.

3. June 14, 2011 - the City Council adopted the Prioritized Goals and Action Plan that was developed through the City Council Goal Setting workshop held on May 18, 2011. The adopted goals include: 1) Job Development; 2) Focus on further development of the Medical corridor and Health Services/ Educational Opportunities; 3) Maximize Transportation and Infrastructure Opportunities; 4) Economic and Tax Base Development; and 5) Enhance the City's Image.

4. July 12, 2011 - the City Council approved the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

DISCUSSION

To keep City Council and the general public properly informed, the attached documents provide an update of progress towards achievement of the objectives in the initiatives set forth among the five key Areas of Opportunity in the Economic Development Action Plan, along with implementation of the action steps aimed at making Moreno Valley a Best Place to do Business. Significant planning and substantial progress as been achieved in all five geographic areas contained in the Economic Development Action plan including:

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- East Moreno Valley- Rancho Belago
- City Center

To be as effective as possible, City staff from Economic Development has worked both internally with other departments as well as externally with the private sector and other public agencies to fully capitalize on near-term opportunities. As just one example of interdepartmental synergy, and in tandem with this Economic Development Action Plan Update, the City Manager's Office has developed and is proposing a Media and Communications Strategy containing elements that will serve to support and/ or expand the aspects of the approved action items listed in the Action Steps for Making Moreno Valley a Best Place to do Business. Staff, along with support from the Economic Development Subcommittee also continues to work hard at enhancing the development services process in Moreno Valley. A developer's workshop was held this past Spring and another will occur on October 6. The workshops are aimed at gathering feedback from developers (residential, office, industrial, and office) about ways to improve service delivery.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and polices to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Moreno Valley has a strategic location in the Inland Region and is clearly in the path of growth. City staff have taken several significant steps to enhance its economic base by pursuing ways for new commercial retail, office and industrial development. The five specified areas of opportunity focused within the proposed Economic Development Action Plan were selected because of location and potential for realizing success in the near-term development marketplace. Additionally, the Action Steps identified in the strategy to make Moreno Valley a Best Place to do Business are being implemented to further enhance the business and development environment in Moreno Valley. In a short period of time, Moreno Valley has made positive strides towards achieving the goals set forth in the approved and adopted plans. We will continue to pursue ways to make Moreno Valley a great place to live, visit, work in, and do business.

ATTACHMENTS/EXHIBITS

Attachment A- Economic Development Action Plan Update
Attachment B- Best Place to do Business Progress Update
Attachment C- PowerPoint – Economic Development Action Plan Update

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurs With:
Henry Garcia
City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129164

Attachment A

Economic Development Action Plan Update

The focus of the Economic Development Plan- Areas of Opportunity was to create a well-rounded community with a strong economic foundation. The Areas of Opportunity contain twelve distinct areas. To capitalize on near-term opportunities, the City Council adopted the Economic Development Action Plan which focuses on several key initiatives within five of the Areas of Opportunity to be pursued within a short- term, or 2 year timeframe.

The following reiterates the plan focus and current progress achieved by Areas of Opportunity.

TownGate

Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area, including pursuing new users for vacant big-box retail space in TownGate Center and the Moreno Valley Mall.

Significant progress has been made in TownGate. The collaborative work between City staff and Developers to attract quality retailers and restaurants has been successful.

- The following three restaurant openings have occurred: Five Guys Burgers & Fries, Panera Bread, and Village Café. Additionally, the Miru Teriyaki and Sushi restaurant opened as a relocation and repositioning of the San Sai restaurant. Anna's Linens completed their relocation to TownGate Crossings and is now open with an updated retail concept. Work is underway for other activity including a new TJ Maxx and HomeGoods combo store for TownGate Center to be located in the 51,000 square foot building that was previously occupied by Ralph's grocery store. Promising negotiations continue with several other retailers to occupy the other two vacant anchorspaces.

- To assist the effort to attract users for vacant retail space and create new energy in TownGate Center & Plaza, the Fritz Duda Company will be constructing a new 80 foot freeway sign to replace the existing 35 foot high freeway sign. This will enhance visibility and provide additional space to promote more tenants.

- In TownGate Promenade, the restaurant building that was 65% constructed to originally be Carino's Italian Grill is now poised for construction completion. The project lender, Farmers & Merchants Bank, is working with a proven restaurant group to locate and open a new restaurant concept here.

- At the Moreno Valley Mall, the new owner - CW Capital is working on plans to upgrade, expand and reposition the 1.25 million square foot regional mall property. Architect firm Altoon + Porter has been retained and has already created conceptual plans for new restaurant and retail store opportunities. While the planning is preliminary, it demonstrates the commitment by CW Capital to the overall improvements of the Moreno Valley Mall and resolve to make it a thriving commercial center. CW Capital has already invested more than $250,000 in signage and interior improvements. Negotiations are underway with several desirable users.

Centerpointe Business Park

Advance the development on several projects in the Centerpointe Business Park area.

- Harbor Freight Tools is nearing completion of improvements for a new 779,016 square foot Distribution Center that is scheduled to open in November 2011 and will employ 350 workers. Additionally, staff has worked with Harbor Freight Tools to open a new Harbor Freight Tools retail store this November in Moreno Valley Plaza.

- Overton Moore Properties recently re-started the plan check process (building and grading) for a new 519,760 square foot industrial building to be situated on 25.9 acres at the northwest corner of Cactus Avenue and Frederick.

- Ridge Property Trust is moving forward in the planning process for a 353,869 square foot distribution building on 16.55 acres at the northwest corner of Cactus Avenue and Joy Street.

South Moreno Valley Industrial Specific Plan Area

Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area.

- Construction is underway for the First Inland Logistics Center, a 691,960 square foot industrial building located on 40 acres in the area between Nandina Avenue and San Michele Road just west of Perris Boulevard. Building permits were issued in late July and the concrete slabs were poured in August. Walls are going up now. Developer – First Industrial Realty Trust has negotiations ongoing with several prospective tenants.

- IDS Real Estate group is moving quickly on the development of the Nandina Distribution Center located at the northwest corner of Nandina

Avenue and Indian Street. The project includes a total of 1.18 million square feet, with Building B- 769,320 square fee under construction, and Building A- 413,598 square feet, is currently in plan check for construction drawings and grading plans.

- Being open 1 year, iHerb is already expanding to occupy the entire 360,440 square foot building located on the west side of Indian Street, north of the Perris Valley Storm Drain. This expansion includes increasing the number of employees by 75.

- Harman Kardon has leased the remaining 125,000 square feet available in their 400,000 square foot building and is now expanding its Distribution Center in Moreno Valley.

- Four industrial-distribution buildings with a total of 3.6 million square feet are in plan check and moving towards beginning construction this year.

Eastern Moreno Valley-Rancho Belago Area

Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in eastern Moreno Valley, in conjunction with the expiration of the Moreno Highlands Specific Plan and supporting Development Agreement.

- Development Services Staff continues to work with Highland Fairview and Skechers USA to open the new 1.82 million square foot Distribution Center at the Highland Fairview Corporate Park. A Temporary Certificate of Occupancy currently is in place and the facility is expected to be fully operational by October 2011.

- Ridge Property Trust has gained approval of West Ridge Commerce Center- a 937,000 square foot warehouse/ industrial building on 55 acres on the south side of SR 60, west of Redlands Boulevard.

- Prologis has re-started the planning and EIR processing of its five-building 2,268,000 square feet industrial business park proposed for the south side of the SR 60 just east of the Moreno Valley Auto Mall.

- Staff is working closely with Highland Fairview on formulating an effective methodology for the further development of the Highland Fairview Corporate Park, including the processing of a new master plan to replace the Moreno Highlands Specific Plan, which expires in September 2012. Highland Fairview has assembled a team of respected consultants that has already met with City staff to kick-off the plan development for this new project.

City Center

Re-sequence and fast-track three Capital Improvement Projects in the City Center area—1) SR60 south ramps and extension of Eucalyptus to connect with Moreno Beach, 2) installation of ultimate improvements on Cactus Avenue, between Lasselle and Nason and 3) the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue, along with pursuing the idea of repositioning part of the Aqua Bella area to expand the City's established medical office overlay zone.

- Construction is on schedule for new ramps at SR 60/ Nason Street. The bid process will occur in spring 2012 for the new SR 60/ Nason Street bridge.

- The improvement project for installation of the new SR 60/ Moreno Beach southerly ramps, along with the extension of Eucalyptus Avenue to connect with Moreno Beach Drive has secured environmental clearance from CalTrans and is in the process of acquiring right of way and utility rights. Concurrently, project design is underway. The project is scheduled to advertise for construction bids in August 2012.

- The installation of the ultimate improvements on Cactus Avenue between Lasselle Street and Nason Street and the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue will be built as one project. Plans, specifications and estimates are underway and anticipated to be complete this fall enabling the opening of construction bids. Completion of construction is anticipated for December 2012.

- The City's medical overlay zone is being pursued by forming a partnership with Highland Fairview on the development of a new major medical, health and wellness campus on approximately 200 acres of the Aqua Bella property. The project, along with expansion plans for Kaiser Permanente's Community Hospital, Riverside County Regional Medical Center and Moreno Valley College's Allied Health Services Program will help transform and position Moreno Valley into a leading health and wellness community.

- Kaiser Permanente is advancing expansion plans for Moreno Valley. The Planning Commission approved a 74,000 square foot new medical building to be constructed on the west side of Moreno Valley Community Hospital- Kaiser Foundation on Iris Avenue. Construction drawings and grading plans are in plan check and Kaiser expects to start development of the project in October.

- The newly erected digital Moreno Valley Auto Mall freeway sign along SR 60 is up and looks great. The Moreno Valley Auto Mall is now expanding

as Moss Bros. Auto Group brings Volkswagen of America Inc. to the Auto Mall in October 2011.

- While struggling with challenges from the short-term construction activity at SR 60/ Nason, the ownership of Stoneridge Towne Centre- Weingarten Realty and Trilogy Investment Group are excited about the completion of the many improvements at SR 60 at Nason and Moreno Beach, along with roadway enhancements on Nason and Cactus that will facilitate easier access to the shopping center.

- Merlone Geier has secured interest from several prospective tenants for the vacant retail space at Moreno Beach Plaza II (SW corner of SR 60 and Moreno Beach Drive). With the coming improvements including the new SR 60/ Moreno Beach ramps and connection of Eucalyptus to Moreno Beach, the finalization of leases are underway.

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Attachment B

Best Place to do Business Progress Update

As part of the effort to improve the City's economic development effectiveness, a study of more than thirty communities was conducted to identify key attributes of successful cities. The items listed in the Best Place to do Business Action Steps approved by City Council in July 2011 were derived as a result of the study. After roughly 60 days post-approval of the Best Place to do Business Action Steps, City staff has made the following progress as outlined by Action Step.

Development Services

1. Implement the use of "E-Permitting" to accelerate the process of doing business in Moreno Valley.

Community & Economic Development Department staff and the Technology Services Division of the Financial and Administrative Services Department staff have begun discussions about identifying a scope of work, funding sources and timeframes. Technology Services is currently underway with the conversion of City electronic processes to the New World System and will be largely dedicated to the implementation of that project for the next 18 months. Staff will continue discussions and working towards completion of preliminary analysis to define the specific needs to be met by an "E-permitting" system for Development Services.

2. Host workshops with contractors and developers aimed at improving development processes in Moreno Valley.

The first 2011 Developer Workshop was held March 7. As a follow up and consistent with the effort to enhancing communication with contractors and developers and improving development processes, the second workshop is scheduled for October 6. A regularly quarterly schedule for 2012 will be established via the Economic Development Subcommittee.

3. Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business. A number of small businesses have utilized the project review process to help advance development an/ or expansion plans.

4. Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

This action is addressed in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Business Attraction

1. Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

Further ground work must be accomplished to solidify this area of the action steps to identify and create meaningful groups to provide a comprehensive plan that will address the goals described above.

However, the National Association of Industrial and Office Properties (NAIOP) Inland Empire Chapter offers a Bus Tour of key development projects in and around the Inland Empire. Members of this real estate organization range from developers, brokers and site selectors to financiers and corporate real estate leaders. Community and Economic Development Staff is working to ensure that Moreno Valley projects are highlighted on the November 3, 2011 tour. This will be an opportunity to communicate with the attending members about the opportunities for developers and tenant brokers.

Additionally, Community & Economic Development staff exhibited and attended the September 8-9, 2011 International Council of Shopping Centers (ICSC) Western Division Conference to market the City of Moreno Valley as an opportunity for tenants and developers. The Community & Economic Development Director held twenty-four meetings in two days promoting the City and solidifying deals.

2. Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Staff is gathering information from programs from other cities.

Business Retention and Expansion

1. Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

An expanded program to include direct participation by Moreno Valley businesses is under development and will be included as a report to City Council in the coming months.

2. Pursue ways to increase local vendor preference, including expanding existing procurement policy.

Staff is gathering information and is working toward the development of a vendor's fair.

3. Implement a quarterly meeting with local businesses and vendors to discuss business opportunities with the City.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

Business & City Connecting is the new program targeting businesses by Council District to engage businesses on a micro level. A meeting has been scheduled for each Council District. The first meeting took place September 14 in Council District 2 and will be followed by Council District 4 on November 9; Council District 3 on February 8, 2012; Council District 5 on April 11; and Council District 1 on June 13.

4. Enhance the Business Resource Guide.

The Business Resource Guide was updated and published in Spring 2011. The Guide is available online only to reduce costs for printing. Hyperlinks are used within the document online to make it easy for the user to find the desired resource. In addition to traditional promotion of the Guide (link on website main page; MVTV-3 Bulletin; and word of mouth via chamber partners) staff produced a small postcard sized promotional card as a take-away for the public. Cards are placed at public counters at City Hall and the Conference and Recreation Center and are distributed at Chamber of Commerce meetings and events.

Marketing and Communication

1. Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

2. Develop re-tooled marketing plan

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business. Because branding is ultimately an experiential affect on consumers or publics, the specific branding of the City will take place over time. Specific elements of the overall plan will be addressed as funding and staffing opportunities becomes available.

3. Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. The conversion of the printed version of City Link from a printed distribution to a monthly electronic newsletter is complete. However, plans for an economic development focused e-newsletter targeting real estate professionals and the business community are underway by Community and Economic Development staff. Timing for distribution will be carefully coordinated so as not to burden subscribed recipients.

4. Increase use of social media.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. As communications programs increase, the integration of simultaneous communications tools will become more commonplace.

5. Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business.

6. Explore use of Smartphone apps for improved communication and connectivity.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business

7. Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Community Vitality

1. Explore additional community events- things to do.
2. Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

July 26, 2011 City Council formed the July 4th Advisory Committee to make recommendations for improving the July 4th festivities as well as develop partnerships in the community to assist in its funding.

3. Enhance neighborhood groups by implementing community update meetings.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

On August 11 the first "Council Connection" Town Hall meeting was held. Future "Council Connection" meetings are scheduled through November by the City Manager's Office. Also, the Business & City Connecting program was launched September 14. The next meeting is scheduled for November.

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MV00129176

ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

September 2011

MORENO VALLEY
WHERE DREAMS SOAR

MV00129177

Accomplishments to Advance Economic Development

- Identification of Economic Development Areas of Opportunity
- Approval of Economic Development Action Plan
- Adoption and State Certification of Updated Housing Element recognizing need to address jobs to housing imbalance
- Approval of Action Steps to make Moreno Valley a "Best Place to do Business"

MV00129178

Accomplishments to Advance Economic Development

- City Council adopted the Prioritized Goals and Action Plan from City Council Goal Setting workshop
- Combining Planning, Building & Safety, and Land Development with Economic Development to create the Community & Economic Development Department
- Pursuing efforts to ensure the continuation of the City's Redevelopment Agency
- Collaborating with major Developers on advancing projects

MV00129179

Objectives for Economic Development

- Create jobs locally and address City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen and broaden the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

MV00129180

Economic Development Action Plan

Focusing on key initiatives to be provided in 2 years

TownGate

Centerpointe Business Park

South Moreno Valley Industrial Area

Eastern Moreno Valley – Rancho Belago

City Center

MV00129181

Action Plan
Areas of Opportunity

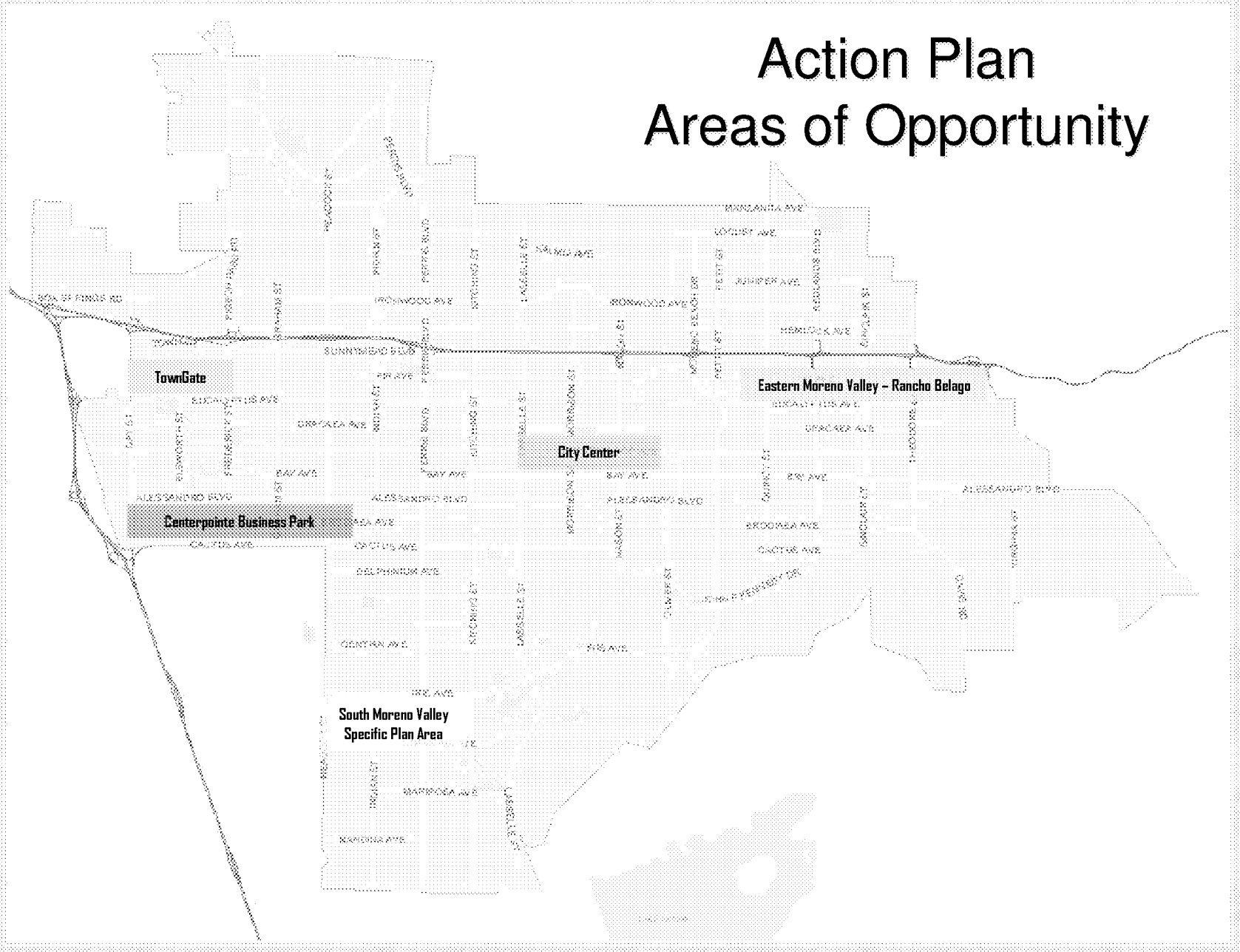

Key Initiatives of Action Plan

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area
- Advance the development of several projects in the Centerpointe Business Park
- Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in Eastern Moreno Valley- Rancho Belago area
- Re-sequence and fast-track three Capital Improvement Projects in the City Center Area

MV00129183

TownGate

- Recent openings for Five Guys Burgers & Fries, Panera Bread, Village Café and Anna's Linens
- TJ Maxx and HomeGoods combo store coming to TownGate Center
- Negotiations underway with three other users for TownGate Center

- Possible new restaurant group coming to former Carino's Italian Grill building in TownGate Promenade
- Approved new 80 foot sign for TownGate Center & Plaza along SR 60 to improve tenant promotion
- CW Capital, new owner of Moreno Valley Mall, retained Architect firm Altoon + Porter and has created exciting conceptual plans for expansion and repositioning
- Negotiations underway with several users for Moreno Valley Mall

MV00129184

Centerpointe Business Park

- Harbor Freight Tools
  - Will open new 779,016 s.f. Distribution Center in November 2011 at NWC of Cactus Avenue and Graham Street
  - 350 new jobs
- Overton Moore Properties
  - Re-started the grading plan check process for a new 519,760 s.f. industrial building at the NWC of Cactus Avenue and Frederick Street
- Ridge Property Trust
  - In Planning for a 353,869 s.f. industrial building at the NWC of Cactus Avenue and Joy Street

MV00129185

South Moreno Valley Industrial Area

- First Inland Logistics Center
  - First Industrial Realty Trust Inc.
  - 691,960 s.f.; Construction underway
- Nandina Distribution Center
  - IDS Real Estate Group
  - 1.18 million s.f. total
  - 769,320 square fee is under construction
  - 413,598 square feet is in plan check for construction drawings and grading plans.
- iHerb expansion
  - Will occupy entire 360,440 s.f.
  - Increase employees by as much as 75
- More Development Coming
  - Four Buildings with a total of 3.6 million s.f. in plan check

MV00129186

Eastern Moreno Valley-
Rancho Belago

- Skechers USA 90% occupied with full operations by October 2011

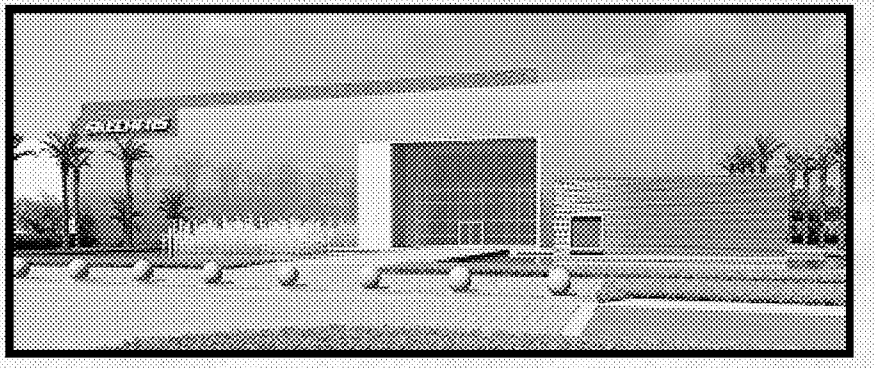

- Working with Highland Fairview on master plan to expand Highland Fairview Corporate Park

- Westridge Commerce Center approved 937,000 s.f. Distribution/logistics building on 55 acres

- Prologis is underway with planning and EIR processing of 2,268,000 s.f. industrial business park

City Center: Re-sequencing of CIP Projects

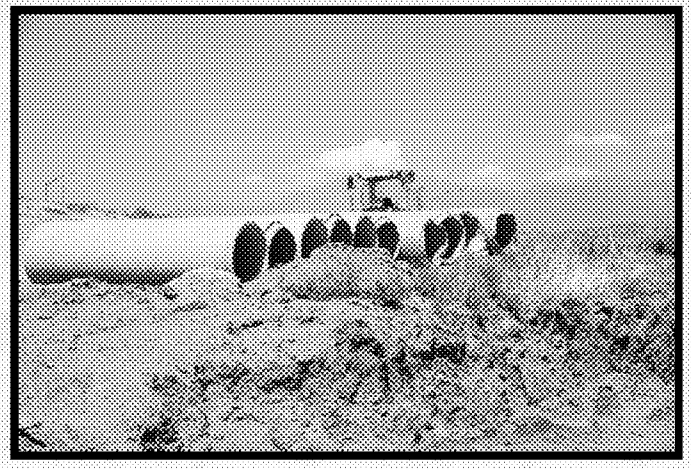

- Construction underway for SR 60/ Nason Improvements
- Installation of new SR 60 southerly ramps at Moreno Beach plus extension of Eucalyptus connecting with Moreno Beach
  - Has environmental clearance
  - In the process of acquiring right of way and utility rights and design is underway
  - Construction bid opening planned for Summer 2012
- Improvements on Cactus Ave. between Lasselle St. and Nason St.
- Extension of Nason St. southerly to connect Cactus Ave. with Iris Ave. will be built as one project
  - Plans, specifications and estimates are underway and anticipated to be complete this fall, ready to open the bid process
  - Construction completion anticipated for late 2012

MV00129188

City Center

- Advance the development of the City's medical overlay zone
  - Announcement of strategic partnership with Highland Fairview on the development of a new major medical, health and wellness campus on 200 acres of the Aqua Bella property
  - New CIP projects will help assist development of medical overlay area

- Kaiser Permanente's expansion plans
  - 74,000 s.f. new medical building
  - Construction drawings and grading plans were submitted in August 2011

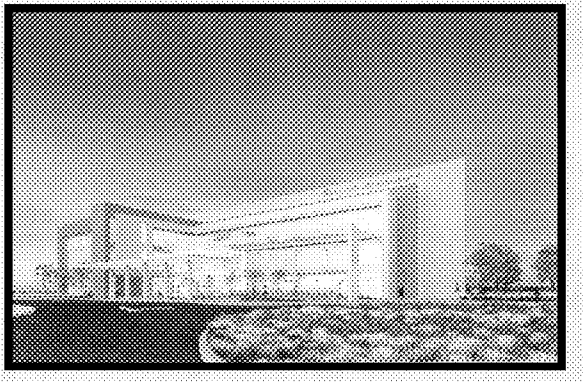

MV00129189

City Center

- Moreno Valley Auto Mall
  - Now expanding to welcome Volkswagen of America Inc.
  - New freeway sign installed

- Interest in re-occupancy of the three closed anchor spaces in Moreno Beach Plaza II
  - Any reuse of these spaces will be contingent on first connecting Eucalyptus to Moreno Beach

MV00129190

“Best Place to do Business” Action Steps

Development Services

Business Attraction

Business Retention and Expansion

Marketing and Communication

Community Vitality

MV00129191

Action Step Progress

- “E-permitting” to accelerate development service processes
  - Scope development
  - Funding identification
  - Timeframe
- Quarterly workshops with contractors and developers to improve development processes and communication
  - Second meeting set for October 6, 2011

MV00129192

Action Step Progress

- Creating synergy with industry groups
  - September 8-9, 2011ICSC Western Division Conference
  - November 3, 2011 NAIOP IE Bus Tour Event
- Shop MoVal campaign
  - Expanded program to include direct participation by local businesses
- Business Resource Guide
  - Online only guide
  - Improved marketing to include postcards at public counters and at business events

MV00129193

Action Step Progress

- Economic Development quarterly e-newsletter
  - Scope, content and graphic design underway
- Explore additional community events
  - July 4th Advisory Committee

MV00129194

Action Step Progress

- Proposed Media and Communications Strategy
  - Further develops several Action Steps
    - Consistent Communication
    - Website Audit
    - Re-tooled Marketing Plan
    - E-newsletter
    - Increase use of Social Media
    - Create Community Calendar
    - Explore use of Smartphone Applications
    - Feedback solicitation via survey
    - Enhance neighborhood groups with community updates
      - Council Connection
    - Quarterly meeting with local businesses and vendors
      - Business & City Connecting

MV00129195

Economic Development Strategy
Next Steps

Much More to Come….

MV00129196

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

RECOMMENDED ACTION

Staff recommends that the City Council introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

BACKGROUND

At the April 19, 2011 Study Session, the Mayor and City Council directed staff to move forward with proposing an ordinance regarding the spaying and neutering of dogs and cats.

California Health and Safety Code 122330 et seq. permits local government to enact ordinances taking appropriate action aimed at reducing and eliminating the uncontrolled and irresponsible breeding of dogs and cats. The irresponsible and uncontrolled breeding of dogs and cats leads to the overpopulation of these companion animals.

During FY 2010-11 the Moreno Valley Animal Shelter's animal population was represented by 60% of impounded dogs, 36% of impounded cats and 3% of other animal species (farm animals and wildlife). During FY 2010-11 the Moreno Valley Animal Shelter experienced an 8.9% increase in the number of animals impounded as compared to FY 2009-10. If this increase in animal impounds remains constant throughout FY 2011-12, the Moreno Valley Animal Shelter will expect to provide care for

approximately 12,000 animals. The Animal Services Division contracts with the City of Perris for animal sheltering. These numbers exclude animals impounded from the City of Perris.

DISCUSSION

The objectives of the proposed Mandatory Spay and Neuter ordinance:

- Reduce the number of homeless and unwanted companion animals by uncontrolled and irresponsible breeding.
- Reduce the number of companion animals being impounded at the Moreno Valley Animal Shelter.
- Reduce the euthanasia of unwanted companion animals.
- Reduce the tax burden of responsible pet owners.
- Require irresponsible pet owner to be held accountable.

The proposed ordinance will require pet owners to spay/neuter their dog or cat if the pet owner violated another local or state animal control regulation. Examples of a violation of a local or state animal control regulation would include an unlicensed dog, a leash law violation, nuisance animal noise or violation of other animal laws. The ordinance will not impact responsible pet owners who have licensed their pets, obey the leash laws and are in full compliance with existing regulations.

Municipal Code Section 10.02.100 currently requires a neuter deposit on all dogs and cats adopted from the Moreno Valley Animal Shelter if the animal is not already spayed or neutered. The majority of dogs and cats adopted from the Animal Shelter are spayed or neutered prior to the new owner taking possession of their new pet. Often dogs and cats too young to undergo a surgical sterilization procedure or pets exhibiting symptoms of illness where the clinic veterinarian deems the animal unfit for surgery are required to pay a spay-neuter deposit in the amount of $75.00. This fee is refunded to the new pet owner upon proof of sterilization. The proposed ordinance maintains the requirement of a spay-neuter deposit along with requiring dogs and cats in the City to be altered unless a specific exemption is applicable.

The proposed ordinance provides for specific exemptions to the mandatory spay and neuter with responsible pet owners. The proposed ordinance includes exemptions to pet owners with animal breeds recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by law enforcement or the military for law enforcement, military or rescue activities; a qualified service or assistance dog as defined in California Food & Agriculture Code Section 30850; and an animal medically qualified by a licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity. All of these exemptions are included in this Ordinance.

ALTERNATIVES

1) Adopt the proposed changes to Moreno Valley Municipal Code Section 10.02.100, and introduce Ordinance No. 833.
2) Direct staff to make changes to the proposed ordinance and return to a City Council meeting or Study Session on a later date with a revised ordinance.

3) Take no action. The existing ordinance will remain in effect.

FISCAL IMPACT

No significant fiscal impact is anticipated.

ATTACHMENTS/EXHIBITS

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129200

ORDINANCE NO. 833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE ADDED:

1.1 Section 10.02.100 of the Moreno Valley Municipal Code is hereby amended to read as follows:

~~Section 10.02.100 Neuter deposits for dogs and cats.~~

"Section 10.02.100 Mandatory Spaying and Neutering – Dogs and Cats

~~A. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

A. Requirement.

1. No person may own, keep, or harbor an unaltered and unsprayed dog or cat in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

~~B. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

B. Exemptions.

This section shall not apply to any of the following:

1. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.

2. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.

3. Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry.

4. A dog used by law enforcement or the military for law enforcement, military or rescue activities.

5. A qualified service or assistance dog as defined in California Food & Agricultural Code Section 30850.

6. Any animal medically qualified by a California licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

~~C. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any shall be deemed unclaimed and nonrefundable.~~

C. Denial or revocation of unaltered dog license and reapplication.

The Animal Services Division may deny or revoke an unaltered an unaltered dog license for one or more of the following reasons:

1. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section.

2. The Animal Services Division has received at least three complaints, verified by the department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;

3. The owner, custodian, applicant, or licensee has been previously cited for violating a State law, local ordinance or other municipal provision relating to the care and control of animals;

4. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Moreno Valley Municipal Code or under state law;

5. Any unaltered dog license held by the applicant has been revoked;

6. The license application is discovered to contain a material misrepresentation or omission of fact.

D. Re-application for unaltered dog license.

1. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Animal Services Division shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.

2. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.

E. Appeal of denial or revocation of altered dog license – Request for Hearing.

1. Notice of intent to deny or revoke. The Animal Services Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

2. Hearing officer. The hearing shall be conducted by the Animal Services Division Manager's designee.

3. Notice and conduct of hearing. The Animal Services Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the department's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Animal Services Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

4. Change in location of dog. If the dog is moved after the Animal Services Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Animal Services Division with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

F. Transfer, sale, and breeding of unaltered dog or cat.

1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license must appear on a document transferring the animal to the new owner.

2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the department of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers, if any, must appear on a document transferring the animal to the new owner.

G. Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

1. An administrative citation, infraction, or other such authorize penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog or cat; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.

2. Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.

H. When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

1. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to animal services personnel;

2. Have the dog or cat spayed or neutered by a veterinarian under contract with the Animal Services Division at the expense of the owner

or custodian. Such expense may include additional fees due to extraordinary care required;

3. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay a spay/neuter deposit to the Animal Services Division. The veterinarian shall complete and return to the department within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

4. At the discretion of the Animal Services Division Manager, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or

5. If the owner or custodian demonstrates compliance with this section.

I. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.

1. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Animal Services Division in accordance with this chapter.

J. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section, subsection (f) shall be paid to the Animal Services Division for the purpose of defraying the cost of the implementation and enforcement of this program.

K. No person shall be permitted to adopt any dog or cat, which has not been neutered, unless and until a spay / neuter deposit shall have been paid to the city. The spay / neuter deposit shall be as established from time to time by resolution of the city council in accordance with California Food and Agriculture Code Section 30503.

L. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.

M. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any, shall be deemed unclaimed and nonrefundable.

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.5

MV00129209

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MV00129210

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011, and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on August 23, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011 and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on August 23, 2011, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with

and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

Ordinance No. 830
Date Adopted: _____

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00129222

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

September 27, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00129223

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
September 27, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Verizon Donation to the Moreno Valley Black Chamber of Commerce Community Foundation Family Adult Literacy Program and Technology (FALPT)

2. American Public Works Association (APWA) 2010 Project of the Year Award – Kitching Street Improvements Project

3. Recognition of Moreno Valley Rockets Field and Track Team

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
SEPTEMBER 27, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor James Samples - New Life Christian Fellowship

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF SEPTEMBER 6, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 APPROVAL OF CHECK REGISTER FOR JULY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

Resolution No. 2011-97

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of July, 2011

A.5 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT - PROJECT NO. 10-12272227 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc.;

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50

base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

A.6 TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRAN LOU DRIVE BETWEEN PERRIS BOULEVARD AND KITCHING STREET - DEVELOPER: LCTH INVESTMENT LP, NEWPORT BEACH, CA 92660 (Report of: Community and Economic Development)

Recommendation:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor Bond associated with Tract 20185 for public improvements; and

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

A.7 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324;

Resolution No. 2011-98

A Resolution of the City Council of the City of Moreno Valley, California, ordering the Vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3:

Section 8325;

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way); and

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

A.8 SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction;

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB;

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

A.9 ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT (Report of: Public Works Department)

Recommendation:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.; and

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

A.10 FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND COUNTY OF RIVERSIDE (Report of: Police Department)

Recommendation:
Adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

A.11 ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

A.12 APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST. (Report of: Human Resources Department)

Recommendation:

Adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

Resolution No. 2011-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the California Government Voluntary Employee Beneficiary Association (Calgoveba) Trust

A.13 PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011; DEVELOPER: FIRST INDUSTRIAL, L.P. A DELAWARE LIMITED PARTNERSHIP, EL

SEGUNDO, CA. 90245 (Report of: Community and Economic Development Department)

Recommendation:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011; and

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM (Report of: Parks and Community Services Department)

Recommendation:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year; and

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

Recommendation:
Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING (POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT) (Report of: City Clerk's Department)

Recommendation: That the City Council:
Conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

G.2 MEDIA AND COMMUNICATIONS STRATEGY (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the proposed Media and Communications Strategy.

G.3 ECONOMIC DEVELOPMENT ACTION PLAN UPDATE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

G.4 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

Ordinance No. 833

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 10.02.100 of the City of Moreno Valley Municipal Code Relating to the Mandatory Spay and Neuter of Dogs and Cats

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00129236

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 13, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the 10th Anniversary of 9-11
2. Constitution Week - September 17 - 23, 2011
3. Recognition of Moreno Valley Diamond Girls Softball Association
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 13, 2011

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:43 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Bishop Randy Triplett - Victory Temple of Deliverance Ministries

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Daryl Terrell (A9), Oscar Valdepena (A9), and received late was Chris Baca (A12).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of August 17 - September 6, 2011.

A.4 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (ALSO LISTED AS ITEM B.3) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35)

calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.5 REPLACEMENT OF PLAY STRUCTURES AND PLAYGROUND SURFACING AT RIDGECREST PARK, GATEWAY PARK, AND SUNNYMEAD PARK (Report: Parks and Community Services Department

Recommendation:

1. Award to Miracle Recreation Equipment Company, 878 E Hwy 60, Monett, MO 65708 for material and labor to replace play structures and playground surfacing at Ridgecrest Park, Gateway Park and Sunnymead Park; waive Faithful Performance and Material and Labor bonds; and

2. Authorize the Purchasing Manager to execute a purchase order in an amount not to exceed $242,994.95 as appropriated in FY11/12, in account code 461.65329.7500.

A.6 OFFER OF DEDICATION FOR RIGHT OF WAY FOR APN 475-272-054 - IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication for right of way for APN 475-272-054; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.7 MORRISON PARK FIRE STATION - OFFER OF DEDICATION - PROJECT NO. 11-43472527 LOCATED ON MORRISON STREET NORTH OF COTTONWOOD AVENUE (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Morrison Street north of Cottonwood Avenue; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR

THE LASSELLE/MARGARET TRAFFIC SIGNAL - PROJECT NO. 10-12566630 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Traffic Signal Improvements on Lasselle Street at Margaret Avenue Intersection to J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with J.F.L. Electric, Inc.;

3. Authorize the issuance of a Purchase Order to J.F.L. Electric, Inc. for a total amount of $211,660.00 ($176,382.63 base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with J.F.L. Electric, Inc., up to but not to exceed the Purchase Order's total contingency of $35,277.37, subject to the approval of the City Attorney.

A.9 ADOPT A RESOLUTION APPROVING A ONE-TIME BUSINESS LICENSE TAX AMNESTY PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve Resolution No. 2011-94 creating a one-time Business License Amnesty Program waiving the penalties and interest due on delinquent Business License Taxes and Fees; and

Resolution No. 2011-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a One-time Business License Tax Amnesty Program

2. Direct staff to continue to collect the Business License Tax and Fees for the three most recent delinquent years as provided in the existing ordinance.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE MORRISON PARK FIRE STATION (FIRE STATION 107) -- PROJECT NO. 11-43472527 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for $3,628,688 to Silver Creek Industries, 195 E. Morgan Street, Perris, CA 92571, the lowest responsible bidder, for construction of the Morrison Park Fire Station;

2. Authorize the City Manager to execute the Agreement with Silver Creek Industries;

3. Authorize the issuance of a Purchase Order to Silver Creek Industries for $4,354,426 ($3,628,688 bid plus 20% contingency) for construction of the Morrison Park Fire Station from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Silver Creek Industries up to, but not exceeding, the contingency amount of $725,738, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

A.12 CALIFORNIA OFFICE OF TRAFFIC SAFETY "SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES" GRANT (Report of: Police Department)

Recommendation:
Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Mini-Grant Program for Local Law Enforcement Agencies" in the amount of $72,340.27 for the period beginning November 1, 2011, and ending September 4, 2012.

A.13 APPROVE TEMPORARY LAND USE LICENSE AGREEMENT BETWEEN MORENO VALLEY COLLEGE AND THE CITY OF MORENO VALLEY FOR THE USE OF CITY PROPERTY FOR A CONSTRUCTION STAGING AREA LOCATED AT THE NORTHEAST CORNER OF LASSELLE STREET AND COLLEGE DRIVE (Report of: Community and Economic Development Department)

Recommendation:
1. Approve the Temporary Land Use License Agreement between Moreno Valley College and the City of Moreno Valley for the use of existing City-owned property at the northeast corner of Lasselle Street and College Drive;

2. Authorize the Mayor to execute the Agreement; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (AGENDA ITEM ALSO LISTED AS A.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.12) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Motion to Approve Joint Consent Calendar Items A.1 through D.2. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

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

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
After conducting the Public Hearing and accepting public testimony:

a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

b. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation a. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church NPDES "Yes", Passed

Buddhadhammo Temple NPDES "Yes", Passed

Motion to Approve Recommendations b, c, and d by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

2. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

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

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charges to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation 1. by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church CSD Zone M "Yes", passed

Buddhadhammo Temple CSD Zone M "Yes", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

E.3 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in its capacity as the President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:
   Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tract 31129;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tract 31129.

Motion to Approve Recommendation 1 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:
Tract No. 31129 Zone D "24 Yes"; "19 No"; "1 Invalid", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Mayor Pro Tem Mayor Pro Tem Jesse L. Molina Report on Riverside Transit Agency (RTA)

Mayor Pro Tem Jesse L. Molina reported on RTA holiday events as follows:

November 5, Perris Veteran's Day Parade

November 11, Murrieta Veteran's Day Parade

November 17, Riverside County Safe House - Stuff the Bus

November 25, Riverside Festival of Lights - Switch On Ceremony and Spark the Love Stuff the Bus

December 2, Temecula Electric Light Parade

December 3, Hemet Holiday Parade

Mayor Pro Tem Jesse L. Molina encouraged Moreno Valley to get involved.

G.2 APPOINTMENT TO THE PLANNING COMMISSION (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint one (1) member for a term expiring March 31, 2013; or

2. If the appointment is not made, authorize the City Clerk to re-notice the position as vacant.

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

Motion to Appoint Jeff Giba by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.3 APPROVAL OF A RESOLUTION SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE COUNCIL CHAMBER (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Approve Resolution No. 2011-95 supporting the display of the national motto "In God We Trust" in the Council Chamber, and

Resolution No. 2011-95

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Display of the National Motto "In God We Trust" in the Council Chamber

2. Direct staff to display the motto "In God We Trust" in the Council Chamber.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Tom Jerele Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.4 ADOPT RESOLUTION 2011-96, AUTHORIZING THE STREET NAME CHANGE OF CACTUS AVENUE TO MARCH MEMORIAL DRIVE FROM THE CITY'S WESTERN CITY LIMIT TO HEACOCK STREET (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-96, thereby changing the street name of Cactus Avenue to March Memorial Drive from the City's western city

limit to Heacock Street;

Resolution 2011-96

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Cactus Avenue to March Memorial Drive from the City's Western City Limit to Heacock Street

2. Direct the City Clerk to certify Resolution No. 2011-96 and transmit a copy of the resolution to the Riverside County Assessor's office, 911 Management at the Riverside County Sheriff's Department, as well as the Police Chief, Fire Chief, City Building Official, and the United States Postmaster at Moreno Valley, California;

3. Establish trust fund account number 00359.359.2239.15 for all expenditures and deposits related to the renaming of Cactus Avenue; and

4. Accept a donation from Donald E. Ecker in the amount of $43,569.90 to cover the expenditures associated with renaming Cactus Avenue to March Memorial Drive from the City's western city limit to Heacock Street.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Motion to Approve the name change from Cactus Avenue and accept donation for 43,569.90 from March Life Care by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 4-1, Mayor Pro Tem Jesse L. Molina opposed.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE

ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Continue Items H.2.1 and H.2.2 to September 27, 2011 City Council Meeting by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pete Bleckert

1. Voting on West Ridge Commerce Center Project

Tom Jerele

1. Spoke on fire in Sundance Building, commending Fire Department Personnel

Deanna Reeder

1. Support for Redistricting

Marcia Amino

1. Transperancy in Government

Jose Chavez

1. Check Points

Daryl Terrell

1. Stimulating our Local Economy

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

Council Member William H. Batey II

1. Complimented Tom Jerele for his comments on Fire Department.

Council Member Marcelo Co

1. Thanked participants for coming to Redistricting meeting, although not many turned out, he encouraged more to attend on Thursday.

Council Member Robin N. Hastings

1. Regarding parking at college and losing 300 parking spots. Temporary fix with an agreement worked out to help with parking, which would eliminate students taking up parking in front of mail boxes or residents homes.

2. Support for softball fields and lighting at ball fields.

3. Attended 9/11 Ceremony at March at 9:11 a.m. stating it was phenomenal.

4. Request camera's for October Fest

5. Redistricting

Mayor Pro Tem Jesse L. Molina

1. Redistricting information provided in Spanish on behalf of Chris Baca and himself.

Mayor Richard A. Stewart

1. Redistricting information

2. Developer Lunch with Ridge

3. Police Department - several good burglary arrests and a couple of robberies.

4. Five Guys Burger - Good

CLOSED SESSION - Cancelled

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY:

City Attorney announced reportable action from September 6, 2011 Closed Session:

City Council voted 5-0 to authorize the City Attorney to commence receivership on two properties under Government Code 54957.1, the particulars will be reported out when action commences; and the parties have been served.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:51 p.m. by unanimous informal consent. by m/Mayor Richard A. Stewart, s/Council Member William H. Batey II Approved by a vote of 5-0.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MINUTES
SPECIAL JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY

SPECIAL MEETING – 6:00 P.M.
SEPTEMBER 6, 2011

CALL TO ORDER - The Special Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION - Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
Marcelo Co	Council Member
William H. Batey II	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Rick Teichert	Financial & Administrative Services Director
Robert Hansen	City Attorney
Henry Garcia	City Manager
Michelle Dawson	Assistant City Manager
Chris Vogt	Public Works Director/City Engineer
Barry Foster	Economic Development Director
John Terell	Planning Official

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Mayor Pro Tem Jesse L. Molina pulled his motion (made at the August 23, 2011 meeting), Council Member Marcelo Co pulled his second.

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

Rebuttal by applicant Dennis Rice, President of Ridge Property Trust

Conditions of approval have been amended as follows to further enhance the WestRidge Commerce Center project:

1. Ridge Property Trust will add approximately 50% more glass to the building and match the color of the glass with Skechers glass color, and change the building's paint colors to more closely tie with Skechers.
2. Ridge Property Trust will add solar energy or some other cleaner alternative energy source (such as a micro-turbine) to power the office portion of the facility.
3. Ridge Property Trust will pay DIF fees at the "full rate" of $1.862/building SF. The current rate for DIF fees is discounted 50% from the full rate.
4. The building will be LEED certified. The WestRidge roof structure will be sized to carry the load of solar panels if a future tenant desires to use solar energy to power all or a portion of the building. Ridge Property Trust, will make available solar or other cleaner alternative energy source to power the office portion of the facility.
5. Ridge Property Trust will increase the tree box size to 36" (from the current 24" tree boxes) for the entire freeway frontage landscaping of the WestRidge project. This

will match the tree box size for the trees planted along the freeway in front of Skechers.

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned to Closed Session at 6:39 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

enl

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JULY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in both the adopted FY 2010-11 and FY 2011-12 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-97
Check Register for Month of July, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JULY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period July 1, 2011 through July 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period July 1, 2011 through July 31, 2011, in the total amount of $11,090,197.25 is approved.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
A N R INDUSTRIES, INC			Remit to: **SANTA FE SPRINGS**	**CA**
7/5/2011	208529	39,425.62		
			REHAB COSTS-24330 MT RUSSELL	16,478.95
			REHAB COSTS-13651 LITTLER CT	22,946.67
	Vendor Total	**39,425.62**		
FYTD for A N R INDUSTRIES, INC		**58,976.06**		
ACCELA			Remit to: **SAN RAMON**	**CA**
7/18/2011	883164	79,202.49		
			PP MAINT CLIENT SERVER	4,705.86
			PP MAINT WORKFLOW	3,625.95
			PP MAINT OFFICE LINK	525.39
			PP MAINT ACCELA GIS	10,142.70
			PP MAINT ACCELA WIRELESS	15,333.81
			PP MAINT ACCELA WIRELESS ONLIN	5,623.52
			PP MAINT CONNECT EST. 10891	4,419.76
			PP MAINT PERMITS PLUS	34,825.50
	Vendor Total	**79,202.49**		
FYTD for ACCELA		**79,202.49**		
AECOM TECHNICAL SERVICES INC			Remit to: **ONTARIO**	**CA**
7/25/2011	208813	34,689.62		
			PERRIS BLVD WIDENING PROJ	34,689.62
	Vendor Total	**34,689.62**		
FYTD for AECOM TECHNICAL SERVICES INC		**34,689.62**		
AFTERSCHOOL STORE.COM			Remit to: **PALMDALE**	**CA**
7/25/2011	208814	49,254.26		
			AFTERSCHOOL SNACKS-STARS PRGM	37,400.26
			AFTERSCHOOL SNACKS-STARS PRGM	11,854.00
	Vendor Total	**49,254.26**		
FYTD for AFTERSCHOOL STORE.COM		**49,254.26**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
7/11/2011	208633	256,508.61		
			SR-60/NASON ST INTRCHNG PROJ	205,206.89
			SR-60/NASON ST INTRCHNG PROJ	51,301.72
7/19/2011	110704	28,500.96		
			RETENTN PMT PER ESCRW AGREEMNT	28,500.96
	Vendor Total	**285,009.57**		
FYTD for ALL AMERICAN ASPHALT, INC.		**285,009.57**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEADOR CONSTRUCTION COMPANY, INC			Remit to: **CORONA**	**CA**
7/18/2011	208732	182,970.00		
			BRIDGE REPAIR MAINT PRGM SVCS	182,970.00
	Vendor Total	**182,970.00**		
FYTD for BEADOR CONSTRUCTION COMPANY, INC		**182,970.00**		
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
7/11/2011	883138	29,428.60		
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E3	10,625.00
			LANDSCAPE MAINT-E3A	1,000.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	513.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	1,272.00
	Vendor Total	**29,428.60**		
FYTD for BEMUS LANDSCAPE, INC.		**40,176.27**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
7/25/2011	883192	35,112.31		
			LEGAL SERVICES-HR	96.31
			LEGAL SERVICES-HR	1,824.00
			LEGAL SERVICES-HR	4,674.00
			LEGAL SERVICES-HR	28,518.00
	Vendor Total	**35,112.31**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**35,112.31**		
COUNTY OF RIVERSIDE AUDITOR			Remit to: **RIVERSIDE**	**CA**
7/18/2011	208745	27,074.71		
			PARKING CONTROL FEES	1,596.00
			PARKING CONTROL FEES	25,478.71
7/25/2011	208831	25,971.42		
			PARKING CONTROL FEES	1,050.00
			PARKING CONTROL FEES	10,132.79
			PARKING CONTROL FEES	14,788.63
	Vendor Total	**53,046.13**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**53,046.13**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
7/25/2011	883195	27,550.67		
			CITATION PRCSSNG SVCS-CODE	13,851.06
			CITATION PRCSSNG SVCS-CODE	13,699.61
	Vendor Total	**27,550.67**		
FYTD for DATA TICKET, INC.		**32,235.28**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DDL TRAFFIC				Remit to: **CHINO HILLS** **CA**	
	7/5/2011	208547	32,274.83		
				GLOBAL OPTICOM PHASE	11,000.00
				GLOBAL OPTICOM PHASE	962.50
				SPEED CONTROL RADAR	18,678.00
				SPEED CONTROL RADAR	1,634.33
	Vendor Total		**32,274.83**		
FYTD for DDL TRAFFIC			**32,274.83**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/18/2011	208751	63,562.53		
			WATER CHARGES	101.54
			WATER CHARGES	202.16
			WATER CHARGES	2,884.80
			WATER CHARGES	36.00
			WATER CHARGES	3,493.45
			WATER CHARGES	104.72
			WATER CHARGES	21,293.70
			WATER CHARGES	2,269.79
			WATER CHARGES	10,030.38
			WATER CHARGES	7,534.75
			WATER CHARGES	2,356.80
			WATER CHARGES	6,330.92
			WATER CHARGES	1,234.13
			WATER CHARGES	1,824.23
			WATER CHARGES	73.45
			WATER CHARGES	905.72
			WATER CHARGES	223.09
			WATER CHARGES	549.02
			WATER CHARGES	405.55
			WATER CHARGES	262.42
			WATER CHARGES	648.50
			WATER CHARGES	797.41
7/26/2011	208880	60,290.62		
			WATER CHARGES	1,431.07
			WATER CHARGES	995.31
			WATER CHARGES	732.41
			WATER CHARGES	828.03
			WATER CHARGES	17,551.05
			WATER CHARGES	3,002.77
			WATER CHARGES	3,404.47
			WATER CHARGES	5,350.41
			WATER CHARGES	11,151.43
			WATER CHARGES	603.95
			WATER CHARGES	302.14
			WATER CHARGES	2,544.37
			WATER CHARGES	3,842.79
			WATER CHARGES	2,358.00
			WATER CHARGES	1,506.22
			WATER CHARGES	522.99
			WATER CHARGES	107.29
			WATER CHARGES	287.95
			WATER CHARGES	649.87
			WATER CHARGES	2,511.70
			WATER CHARGES	606.40
	Vendor Total	**123,853.15**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
7/1/2011	2890	41,848.13		
			STATE INCOME TAX W/H 7/1/11	41,848.13
7/15/2011	2900	32,708.26		
			STATE INCOME TAX W/H 7/15/11	32,708.26
7/29/2011	2908	30,988.67		
			STATE INCOME TAX W/H 7/29/11	30,988.67
	Vendor Total	**105,545.06**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
7/18/2011	883171	143,882.08		
			SVCS FOR ELECTRIC UTILITY	137,928.50
			SVCS FOR ELECTRIC UTILITY	9,435.00
			SVCS FOR ELECTRIC UTILITY	-3,664.42
			SVCS FOR ELECTRIC UTILITY	183.00
7/25/2011	883196	141,641.54		
			DISTRIBUTION CHRGS	95,521.08
			SPECIAL CHRGS	7,684.96
			BAD DEBT REDUCTION	-2,271.00
			ONLINE UTILITY EXCHANGE	207.30
			SVCS FOR ELECTRIC UTILITY	40,499.20
	Vendor Total	**285,523.62**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**308,796.21**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON** **CA**	
7/25/2011	208840	93,132.14		
			SHADOW MTN PARK LIGHTING PROJ	64,456.34
			SHADOW MTN PARK RESTROOM PROJ	28,675.80
	Vendor Total	**93,132.14**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**93,132.14**		
FUSION SIGN AND DESIGN, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208842	28,050.00		
			SIGNS INSTALLATION-TRANSP	6,138.00
			FREESTANDING COMM ID SIGN	10,022.36
			LIGHT POLE MTD COMM ID SIGN	2,285.61
			LIGHT POLE MTD ID BANNERS	4,021.70
			FREESTANDING AMENITY DIR SIGN	2,794.71
			LIGHT POLE MTD AMNTY DIR SIGN	1,024.59
			CA SALES TAX	1,763.03
	Vendor Total	**28,050.00**		
FYTD for FUSION SIGN AND DESIGN, INC		**28,050.00**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
7/21/2011	208810	215,802.45		
			MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
	Vendor Total	**215,802.45**		
FYTD for H & H GENERAL CONTRACTORS		**215,802.45**		
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
7/18/2011	883177	206,300.38		
			DAY ST IMPRVMNTS PROJ SVCS	76,729.40
			DAY ST IMPRVMNTS PROJ SVCS	129,570.98
	Vendor Total	**206,300.38**		
FYTD for HILLCREST CONTRACTING, INC		**206,300.38**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
7/15/2011	2898	33,541.75		
			DEF COMP 457 7/15/11	33,541.75
	Vendor Total	**33,541.75**		
FYTD for ICMA RETIREMENT CORP 457		**42,062.58**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2889	175,259.79		
			FED INCOME TAX W/H 7/1/11	175,259.79
7/15/2011	2899	126,161.58		
			FED INCOME TAX W/H 7/15/11	126,161.58
7/29/2011	2907	121,341.76		
			FED INCOME TAX W/H 7/29/11	121,341.76
	Vendor Total	**422,763.13**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
JTB SUPPLY CO., INC.			Remit to: **ORANGE** **CA**	
7/18/2011	883178	49,274.63		
			MEYERS BATTERY BACKUP	7,550.00
			MP2000 BATTERY BACKUP UNITS	14,950.00
			250W HPS LUMINAIRES W/NO PEC	1,550.00
			DIALIGHT 12" LED RED ARROW	1,200.00
			DIALIGHT 12" LED RED BALL	1,200.00
			DIALIGHT 12" LED GREEN ARROW	900.00
			DIALIGHT 12" LED GREEN BALL	1,480.00
			DIALIGHT ITE CNTDWN MODULES	15,580.00
			NEMA CONFLICT MONITOR 12 CHNL	900.00
			CALIF SALES TAX	3,964.63
	Vendor Total	**49,274.63**		
FYTD for JTB SUPPLY CO., INC.		**64,456.14**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/11/2011	208675	26,820.19		
				REHAB COSTS-15438 CASA GRANDE	26,820.19
	7/25/2011	208850	30,554.31		
				REHAB COSTS-13150 KIOWA DR	30,554.31
	Vendor Total		**57,374.50**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA** **CA**	
	7/11/2011	883148	156,561.99		
				DEMO/INSTLL PARK PLAY EQUIPMNT	133,097.93
				CA SALES TAX	4,235.47
				DEMO/INSTLL PARK PLAY EQUIPMNT	17,681.46
				CA SALES TAX	1,547.13
	Vendor Total		**156,561.99**		
FYTD for MIRACLE PLAYGROUND SALES			**156,561.99**		
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/18/2011	208771	77,145.82		
				ELECTRICITY	134.12
				ELECTRICITY	1,820.60
				ELECTRICITY	261.88
				ELECTRICITY	576.89
				ELECTRICITY	16,750.54
				ELECTRICITY	15,316.06
				ELECTRICITY	4,685.80
				ELECTRICITY	9,926.95
				ELECTRICITY	1,590.67
				ELECTRICITY	3,540.92
				ELECTRICITY	11,772.97
				ELECTRICITY	7,439.89
				ELECTRICITY	204.84
				ELECTRICITY	124.87
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	165.10
				ELECTRICITY	119.57
				ELECTRICITY	2,537.21
	Vendor Total		**77,145.82**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS**	**OH**
7/15/2011	2896	89,191.65		
			DEF COMP 457 & 401(A) 7/15/11	89,191.65
7/29/2011	2904	25,173.70		
			DEF COMP 457 & 401(A) 7/29/11	25,173.70
	Vendor Total	**114,365.35**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NEW WORLD SYSTEMS, CORP			Remit to: **TROY**	**MI**
7/5/2011	208587	270,090.00		
			LOGOS 2011 EXEC CUSTOMER CONF.	1,890.00
			FM, HR/PY SOFTWARE LIC EFF DT	158,520.00
			SOFTWARE ESCROW SET-UP FEE	3,000.00
			SOFTWARE ESCROW ANNL ADMIN FEE	1,000.00
			FM, HR/PY SFTWARE LIC DELIVERY	105,680.00
	Vendor Total	**270,090.00**		
FYTD for NEW WORLD SYSTEMS, CORP		**270,090.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA**	**CA**
7/11/2011	208684	130,384.06		
			ENERGY SVCS	130,384.06
	Vendor Total	**130,384.06**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**130,384.06**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO**	**CA**
7/8/2011	110701	210,279.00		
			EMPLOYEE HEALTH INS 7/8/11	210,279.00
	Vendor Total	**210,279.00**		
FYTD for PERS HEALTH INSURANCE		**210,279.00**		
PERS RETIREMENT			Remit to: **SACRAMENTO**	**CA**
7/8/2011	2891	198,533.34		
			PERS RETIREMENT 7/1/11	198,533.34
7/22/2011	2901	221,172.56		
			PERS RETIREMENT 7/22/11	221,172.56
	Vendor Total	**419,705.90**		
FYTD for PERS RETIREMENT		**419,705.90**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PSOMAS				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208855	46,977.50		
				SR-60/NASON INTRCHNG PROJ SVCS	9,726.42
				SR-60/NASON INTRCHNG PROJ SVCS	1,260.16
				SR-60/NASON INTRCHNG PROJ SVCS	18,604.14
				SR-60/NASON INTRCHNG PROJ SVCS	2,410.36
				SR-60/NASON INTRCHNG PROJ SVCS	13,258.62
				SR-60/NASON INTRCHNG PROJ SVCS	1,717.80
	Vendor Total		**46,977.50**		
FYTD for PSOMAS			**46,977.50**		
RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	883151	450,141.45		
				IRONWOOD AVE/STORM DRAIN PROJ	182,929.10
				IRONWOOD AVE/STORM DRAIN PROJ	74,607.10
				IRONWOOD AVE/STORM DRAIN PROJ	28,885.50
				IRONWOOD AVE/STORM DRAIN PROJ	20,720.82
				IRONWOOD AVE-DAY TO BARCLAY	142,998.93
	Vendor Total		**450,141.45**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**500,157.17**		
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208878	2,621,009.49		
				CONTRACT LAW ENF BILL #10	44,257.44
				CONTRACT LAW ENF BILL #10	459.43
				CONTRACT LAW ENF BILL #10	1,419,988.41
				CONTRACT LAW ENF BILL #10	57,685.07
				CONTRACT LAW ENF BILL #10	362,907.97
				CONTRACT LAW ENF BILL #10	6,875.44
				CONTRACT LAW ENF BILL #10	87,171.93
				CONTRACT LAW ENF BILL #10	6,269.10
				CONTRACT LAW ENF BILL #10	72,109.18
				CONTRACT LAW ENF BILL #10	1,179.20
				CONTRACT LAW ENF BILL #10	173,447.24
				CONTRACT LAW ENF BILL #10	3,973.20
				CONTRACT LAW ENF BILL #10	303,502.31
				CONTRACT LAW ENF BILL #10	7,851.22
				CONTRACT LAW ENF BILL #10	34,281.80
				CONTRACT LAW ENF BILL #10	281.60
				CONTRACT LAW ENF BILL #10	27,781.89
				CONTRACT LAW ENF BILL #10	1,823.26
				CONTRACT LAW ENF BILL #10	1,069.00
				CONTRACT LAW ENF BILL #10	7,483.20
				CONTRACT LAW ENF BILL #10	611.60
	Vendor Total		**2,621,009.49**		
FYTD for RIVERSIDE COUNTY SHERIFF			**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883102	247,552.00		
			ANNUAL RMS/CLETS BILNG FY10/11	247,552.00
	Vendor Total	**247,552.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**247,552.00**		
SAN PEDRO SIGN COMPANY			Remit to: **WILMINGTON** **CA**	
7/18/2011	883183	247,614.87		
			AUTO MALL PYLON SIGN PROJECT	247,614.87
	Vendor Total	**247,614.87**		
FYTD for SAN PEDRO SIGN COMPANY		**247,614.87**		
SOUTHCOAST HEATING & AIR CONDITIONING			Remit to: **VISTA** **CA**	
7/11/2011	208701	87,612.30		
			CITY HALL HVAC SYSTEM REPLCMNT	87,612.30
	Vendor Total	**87,612.30**		
FYTD for SOUTHCOAST HEATING & AIR CONDITIONING		**87,612.30**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208610	31,082.71		
			WDAT CHARGES-IRIS	2,752.38
			WDAT CHARGES-GRAHAM	4,055.01
			WDAT CHARGES-GLOBE	8,723.61
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	2,457.09
			WDAT CHARGES-SUBSTATION	10,447.31
7/18/2011	208792	131,907.55		
			ELECTRICITY	460.16
			ELECTRICITY	25.25
			ELECTRICITY	663.53
			ELECTRICITY	1,345.33
			ELECTRICITY	900.46
			ELECTRICITY	94,565.88
			ELECTRICITY	33,162.72
			ELECTRICITY	397.48
			ELECTRICITY	51.95
			ELECTRICITY	22.44
			ELECTRICITY	45.55
			ELECTRICITY	27.20
			ELECTRICITY	26.69
			ELECTRICITY	67.09
			ELECTRICITY	91.20
			ELECTRICITY	54.62
7/25/2011	208864	39,660.58		
			ELECTRICITY	1,573.29
			ELECTRICITY	204.85
			ELECTRICITY	5,455.35
			ELECTRICITY	1,334.28
			ELECTRICITY	147.70
			ELECTRICITY	3,805.22
			ELECTRICITY	18.93
			ELECTRICITY	4,401.48
			ELECTRICITY	1,019.92
			ELECTRICITY	4,047.97
			ELECTRICITY	1,895.65
			ELECTRICITY	1,691.61
			ELECTRICITY	277.13
			ELECTRICITY	3,644.30
			ELECTRICITY	1,132.38
			ELECTRICITY	1,230.13
			ELECTRICITY	24.19
			ELECTRICITY	40.12
			ELECTRICITY	4,110.06
			ELECTRICITY	1,804.20
			ELECTRICITY	357.03
			ELECTRICITY	427.84
			ELECTRICITY	563.73
			ELECTRICITY	254.30
			ELECTRICITY	162.74
			ELECTRICITY	36.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	202,650.84		
FYTD for SOUTHERN CALIFORNIA EDISON		228,961.11		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
7/19/2011	208809	29,920.17		
			LIFE & DISABILITY INSURANCE	11,719.41
			LIFE & DISABILITY INSURANCE	18,284.60
			LIFE & DISABILITY INSURANCE	-83.84
	Vendor Total	29,920.17		
FYTD for STANDARD INSURANCE CO		31,970.69		
TCM GROUP			Remit to: **FONTANA**	**CA**
7/12/2011	208723	173,200.42		
			SR-60/NASON ST INTRCHNG PROJ	21,572.87
			SR-60/NASON ST INTRCHNG PROJ	42,633.50
			SR-60/NASON ST INTRCHNG PROJ	23,140.52
			SR-60/NASON ST INTRCHNG PROJ	85,853.53
7/25/2011	208879	178,371.96		
			SR-60/NASON INTRCHNG PROJ	103,945.47
			SR-60/NASON INTRCHNG PROJ	74,426.49
	Vendor Total	351,572.38		
FYTD for TCM GROUP		351,572.38		
TRANE			Remit to: **CITY OF INDUSTRY**	**CA**
7/27/2011	208882	143,234.46		
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
	Vendor Total	143,234.46		
FYTD for TRANE		143,234.46		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
7/19/2011	110707	129,465.57		
			CALCARD PYMT CYCLE END 7/7/11	129,465.57
	Vendor Total	129,465.57		
FYTD for U.S. BANK/CALCARDS		129,465.57		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
7/27/2011	110708	1,233,839.91		
			2007 TAB SERIES A DEBT PYMT	1,233,839.91
	Vendor Total	1,233,839.91		
FYTD for WELLS FARGO CORPORATE TRUST		1,233,839.91		

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WRCRCA				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208877	279,382.95		
				COMMERC./INDUSTR FEES-MSHCP	279,382.95
	Vendor Total		**279,382.95**		
FYTD for WRCRCA			**279,382.95**		
	Subtotal		**9,918,630.92**		

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CHECKS LESS THAN $25,000

REGENCY THEATRES				Remit to: **MORENO VALLEY**	**CA**
	7/11/2011	208630	460.00		
				TICKETS AND SNACKS	460.00
	Vendor Total		**460.00**		
FYTD for REGENCY THEATRES			**460.00**		
A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/25/2011	208811	19,550.44		
				REHAB COSTS-14950 RIO GRANDE	19,550.44
	Vendor Total		**19,550.44**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCESS SECURITY CONTROLS INT., INC.				Remit to: **TEMECULA**	**CA**
	7/11/2011	208631	75.00		
				SECURITY MONITORING SVCS-ERC	75.00
	Vendor Total		**75.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**75.00**		
ADAMS, MARK L.				Remit to: **REDLANDS**	**CA**
	7/5/2011	883043	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**318.73**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE**	**CA**
	7/11/2011	883135	283.34		
				TRAINING FOR PD K9	283.34
	Vendor Total		**283.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**283.34**		

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ADVANCED ELECTRIC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208632	242.00		
				ELECTRICAL REPAIRS-PARKS	120.00
				ELECTRICAL REPAIRS-PARKS	60.00
				ELECTRICAL REPAIRS-GOLF COURSE	62.00
	7/18/2011	208724	2,554.00		
				ELECTRICAL REPAIRS	372.00
				REPLACED LIGHTING POLES	2,182.00
	7/25/2011	208812	3,098.00		
				ELECT REPAIR-PSB	977.00
				ELECT REPAIR-CONF & REC CTR	953.00
				ELECT REPAIR-CONF & REC CTR	519.00
				ELECT REPAIR-CONF & REC CTR	649.00
	Vendor Total		**5,894.00**		
FYTD for ADVANCED ELECTRIC			**5,894.00**		
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	7/11/2011	883136	362.50		
				CONSULTING SERVICES-NPDES	362.50
	Vendor Total		**362.50**		
FYTD for AEI-CASC ENGINEERING			**362.50**		
ALANIS, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208725	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALANIS, MICHELLE			**95.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	7/11/2011	208634	1,450.12		
				TRANSPORTATION SVCS-CHILDS PLC	373.43
				TRANSPORTATION SVCS-CHILDS PLC	717.79
				TRANSPORTATION SVCS-VALLEYCAMP	358.90
	Vendor Total		**1,450.12**		
FYTD for ALLIANCE BUS LINES INC			**1,450.12**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	7/18/2011	208726	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**75.00**		

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ALPHACORP/SIRE TECHNOLOGIES			Remit to: **WEST VALLEY CITY**	**UT**
7/18/2011	883165	11,994.00		
			SIRE EDMS SOFTWARE ANN MAINT.	1,699.00
			PERMITS+ INTERFACE ANN MAINT.	509.00
			ENTERPRISE RETENTION MANAGER	899.00
			ENTERPRISE WORKFLOW MODULE	720.00
			CITY-WIDE SIRE CLIENT USER LIC	2,519.00
			PDF CONVERSION, OCR AND FULL	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE ANNUAL MAINT.	539.00
			SIRE FORMS ANNUAL MAINT.	899.00
			SIRE AGENDA PLUS ANNUAL MAINT.	6,119.00
			CAPTURE INDEX STATION ANNUAL	944.00
			PURCHASING INCENTIVE DISCOUNT	-4,000.00
	Vendor Total	**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**11,994.00**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208635	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for ALVAREZ, JUAN C		**52.50**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS**	**CA**
7/11/2011	883137	82.16		
			BLOOD DRAWS	82.16
	Vendor Total	**82.16**		
FYTD for AMERICAN FORENSIC NURSES		**82.16**		
AMERICAN TOWERS			Remit to: **CHARLOTTE**	**NC**
7/11/2011	208636	2,573.48		
			ATC TOWER LEASE	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**2,573.48**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM**	**CA**
7/11/2011	208637	121.92		
			ELEVATOR SVCS-CITY HALL	121.92
7/25/2011	208815	352.38		
			WHEELCHAIR LIFT SVC/REPAIR	230.46
			ELEVATOR SVC/REPAIRS-CITY HALL	121.92
	Vendor Total	**474.30**		
FYTD for AMTECH ELEVATOR SERVICES		**474.30**		

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ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
7/25/2011	883188	640.00		
			EMERGENCY VET SVCS	400.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
	Vendor Total	**640.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**640.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
7/18/2011	208727	325.00		
			BEE REMOVAL	325.00
7/25/2011	208816	1,790.00		
			PEST CONTROL-GOLF COURSE	180.00
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MFCC/MBF/MVEC	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	160.00
			PEST CONTROL-STARS BLDG	100.00
	Vendor Total	**2,115.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**2,115.00**		
APWA-AMERICAN PUBLIC WORKS ASSOCIATION			Remit to: **KANSAS CITY**	**MO**
7/18/2011	208728	550.00		
			MAINT FOR MICRO PAVER APPLIC.	550.00
7/25/2011	208817	2,380.00		
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
	Vendor Total	**2,930.00**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**2,930.00**		

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ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
7/18/2011	883166	1,346.48		
			OFFSITE STORAGE SVCS-CITY CLRK	1,331.65
			RECORDS DESTRUCTION-ANIMAL SVC	14.83
	Vendor Total	**1,346.48**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**1,346.48**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
7/5/2011	208530	340.78		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRFFC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-FS #2	25.00
			WATER PURIF RNTL-FS #6	25.00
			WATER PURIF RNTL-FS #48	25.00
			WATER PURIF RNTL-FS #58	15.77
			WATER PURIF RNTL-FS #65	25.00
			WATER PURIF RNTL-FS #91	25.00
7/18/2011	208729	200.01		
			WATER PURIF RNTL-ANML SVCS	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPCL DIST	25.00
			WATER PURIF RNTL-CONF & REC CT	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FAC ANNEX	25.00
			WATER PURIF RNTL-STARS	25.00
	Vendor Total	**540.79**		
FYTD for ARROWHEAD WATER		**540.79**		
AT&T MOBILITY			Remit to: **CAROL STREAM** **IL**	
7/5/2011	208531	91.04		
			CELL PH CHARGES-PD MBL CMMND C	91.04
	Vendor Total	**91.04**		
FYTD for AT&T MOBILITY		**91.04**		
AT&T NATIONAL COMPLIANCE CENTER			Remit to: **NORTH PALM BEACH** **FL**	
7/5/2011	208532	300.00		
			CELL PHONE PING FEES FOR PD	300.00
	Vendor Total	**300.00**		
FYTD for AT&T NATIONAL COMPLIANCE CENTER		**300.00**		

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AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	7/5/2011	208533	183.10		
				COMMUNICATION SVCS	183.10
	Vendor Total		**183.10**		
FYTD for AT&T/MCI			**183.10**		
AUTOMATIC STOREFRONT SERVICE, INC.				Remit to: **CHINO** **CA**	
	7/25/2011	208818	175.00		
				DOOR REPAIRS	87.50
				DOOR REPAIRS	87.50
	Vendor Total		**175.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**175.00**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208638	65.28		
				MILEAGE REIMBURSEMENT	65.28
	7/25/2011	208819	371.58		
				TRAVEL EXP.-CRRA CONFERENCE	123.08
				TRAVEL EXP.-CRRA CONFERENCE	248.50
	Vendor Total		**436.86**		
FYTD for AYALA, NANNERL A.			**436.86**		
AYERS, JAMES				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208730	34.00		
				REFUND-VARIOUS A/C FEES	22.00
				REFUND-VARIOUS A/C FEES	12.00
	Vendor Total		**34.00**		
FYTD for AYERS, JAMES			**34.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	7/5/2011	208534	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**318.73**		
BAGLEY, DENISE				Remit to: **HEMET** **CA**	
	7/5/2011	208535	87.00		
				REFUND-PARKS CLASS REGIS FEE	87.00
	Vendor Total		**87.00**		
FYTD for BAGLEY, DENISE			**87.00**		

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BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	7/5/2011	883044	119.73		
				RETIREE MED MAR '11, PD JUL '1	119.73
	Vendor Total		**119.73**		
FYTD for BARNES, DARLENE			**119.73**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	7/25/2011	208820	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARTUCCIO, ERICA			**20.00**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883189	60.00		
				BACKFLOW TESTING-PARKS	6.91
				BACKFLOW TESTING-PARKS	23.09
				BACKFLOW TESTING-PARKS	30.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**60.00**		
BASSET HOUND OF SO CALIF RESCUE				Remit to: **COSTA MESA** **CA**	
	7/25/2011	208821	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BASSET HOUND OF SO CALIF RESCUE			**75.00**		
BATONGMALAQUE, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208731	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATONGMALAQUE, BARBARA			**50.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208536	250.00		
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**250.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	7/5/2011	883045	10,660.49		
				LANDSCAPE MAINT-E4	114.31
				LANDSCAPE MAINT-E4	65.52
				LANDSCAPE MAINT-E4	65.10
				LANDSCAPE MAINT-E4	650.00
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STNS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E3	315.00
				LNDSCP MAINT-PAN AM SECTION	600.00
				LNDSCP MAINT-SCE & OLD LAKE DR	1,785.00
				LNDSCP MAINT-S AQDCT "A"	850.50
				LNDSCP MAINT-S AQDCT "B"	735.00
				LNDSCP MAINT-SENIOR CTR	262.50
				LNDSCP MAINT-N AQDCT	525.00
	7/25/2011	883190	87.18		
				LANDSCAPE MAINT-E4	87.18
	Vendor Total		**10,747.67**		
FYTD for BEMUS LANDSCAPE, INC.			**40,176.27**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	883191	846.50		
				COBRA ADMIN FEE	846.50
	Vendor Total		**846.50**		
FYTD for BENESYST, INC.			**846.50**		
BERMUDEZ, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208733	47.25		
				REFUND-CLASS REGIS FEE	7.75
				REFUND-CLASS REGIS FEE	15.00
				REFUND-CLASS REGIS FEE	19.25
				REFUND-CLASS REGIS FEE	5.25
	Vendor Total		**47.25**		
FYTD for BERMUDEZ, ASHLEY			**47.25**		
BERRY, RICK				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208639	836.00		
				REFUND-RENTAL DEPOSIT -TWNGATE	200.00
				REFUND-RENTAL DEPOSIT -TWNGATE	636.00
	Vendor Total		**836.00**		
FYTD for BERRY, RICK			**836.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BIO-TOX LABORATORIES			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208734	1,555.89		
			TOXICOLOGY TESTING-PD	1,555.89
	Vendor Total	**1,555.89**		
FYTD for BIO-TOX LABORATORIES		**1,555.89**		
BPC MEDIA WORKS, LLC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208822	1,530.00		
			ADVERTISING SVCS-EDD	1,530.00
	Vendor Total	**1,530.00**		
FYTD for BPC MEDIA WORKS, LLC		**1,530.00**		
BRACAMONTE, FRANCES			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208823	112.00		
			REFUND-CLASS REGIS FEE	112.00
	Vendor Total	**112.00**		
FYTD for BRACAMONTE, FRANCES		**112.00**		
BREAKTHROUGH CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208640	100.00		
			REFUND-RENTAL DEPOSIT -TWNGATE	100.00
	Vendor Total	**100.00**		
FYTD for BREAKTHROUGH CHURCH		**100.00**		
BRIGIE, DEBRA			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208824	17,855.60		
			SOLAR INCENTIVE REBATE	17,855.60
	Vendor Total	**17,855.60**		
FYTD for BRIGIE, DEBRA		**17,855.60**		
BRITTMON, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208641	66.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	10.00
	Vendor Total	**66.00**		
FYTD for BRITTMON, MICHELLE		**66.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	7/5/2011	883046	287.65		
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	49.03
				MISC BOOKS-LIBRARY	40.17
				MISC BOOKS-LIBRARY	51.24
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	38.69
	7/18/2011	883167	1,261.16		
				MISC BOOKS-LIBRARY	59.40
				MISC BOOKS-LIBRARY	146.07
				MISC BOOKS-LIBRARY	564.19
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	378.59
	Vendor Total		**1,548.81**		
FYTD for BRODART CO.			**1,548.81**		
BROWN, HOWARD				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208825	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROWN, HOWARD			**50.00**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	7/5/2011	208537	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**318.73**		
BURKE, JOHN R.				Remit to: **REDLANDS** **CA**	
	7/5/2011	208538	1,737.00		
				RETIREE MED JB 9/10-2/11, 5/11	1,737.00
	Vendor Total		**1,737.00**		
FYTD for BURKE, JOHN R.			**1,737.00**		

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BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
7/5/2011	208539	2,820.13		
			MISC BOOKS-LIBRARY	75.40
			MISC BOOKS-LIBRARY	15.50
			MISC BOOKS-LIBRARY	16.59
			MISC BOOKS-LIBRARY	51.65
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	1,059.61
			MISC BOOKS-LIBRARY	1,372.21
			MISC BOOKS-LIBRARY	84.69
			MISC BOOKS-LIBRARY	77.10
			MISC BOOKS-LIBRARY	26.43
			MISC BOOKS-LIBRARY	21.21
7/18/2011	208735	15.50		
			MISC BOOKS-LIBRARY	15.50
	Vendor Total	**2,835.63**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**2,835.63**		
C & H DISTRIBUTORS, INC.			Remit to: **MILWAUKEE** **WI**	
7/18/2011	208736	3,243.41		
			UPHLSTRD STACK CHAIRS W/O ARMS	2,340.80
			SHIPPING & HANDLING CHRG	697.79
			CA SALES TAX	204.82
	Vendor Total	**3,243.41**		
FYTD for C & H DISTRIBUTORS, INC.		**3,243.41**		
CA REGIONAL WATER QUALITY CONTROL BOARD			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208642	712.00		
			SEC 401 CERT FILING FEE	712.00
	Vendor Total	**712.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD		**712.00**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
7/5/2011	883047	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CAIN, GREGORY		**318.73**		
CALIFORNIA BUILDING STANDARDS COMMISSION			Remit to: **SACRAMENTO** **CA**	
7/12/2011	208720	376.20		
			SB 1473 FEES COLLECTD 4/1-6/30	376.20
	Vendor Total	**376.20**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		**376.20**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CALIFORNIA DEPARTMENT OF FISH AND GAME			Remit to: **LOS ALAMITOS** **CA**	
7/11/2011	208643	4,482.75		
			STREAMBED ALTER. AGRMNT FEE	4,482.75
	Vendor Total	**4,482.75**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME		**4,482.75**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208826	75.00		
			REFUND-PARK RNTL DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**75.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
7/5/2011	883048	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**318.73**		
CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
7/11/2011	208644	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**7,590.68**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883049	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**318.73**		
CARTER, TERRY			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208645	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CARTER, TERRY		**20.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
7/11/2011	208646	286.49		
			CEMENT PURCHASE	286.49
	Vendor Total	**286.49**		
FYTD for CEMEX		**286.49**		

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CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	883193	8,942.00		
				INVESTMENT MGT SVCS	8,942.00
	Vendor Total		**8,942.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**8,942.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208540	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**318.73**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883050	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**318.73**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883051	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**229.88**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
7/5/2011	883052	111.68		
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	13.00
			UNIFORM RNTL SVC-GOLF COURSE	5.56
7/11/2011	883139	341.36		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	61.60
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM SVCS-FACILITIES	12.40
7/18/2011	883168	66.90		
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
7/25/2011	883194	66.90		
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
			UNIFORM RNTL SVC-GOLF COURSE	2.79
	Vendor Total	**586.84**		
FYTD for CINTAS CORPORATION		**586.84**		
CITRUS BELT CHAPTER, I.C.C.			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208827	25.00		
			FY11/12 MEMBERSHIP RENEWAL	25.00
	Vendor Total	**25.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**25.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CITY OF DESERT HOT SPRINGS			Remit to: **DESERT HOT SPRINGS CA**	
7/11/2011	208647	80.00		
			7/11/11 LCC GEN MEMB MEETING	40.00
			7/11/11 LCC GEN MEMB MEETING	40.00
	Vendor Total	**80.00**		
FYTD for CITY OF DESERT HOT SPRINGS		**80.00**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY CA**	
7/18/2011	883169	4,475.00		
			EXEMPT VEBA	-37.50
			EXEMPT VEBA	700.00
			EXEMPT VEBA	3,812.50
	Vendor Total	**4,475.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**4,475.00**		
CITY OF TORRANCE			Remit to: **TORRANCE CA**	
7/18/2011	208737	6,870.00		
			SIPPLE ET AL V. CITY-LEGAL SVC	6,870.00
	Vendor Total	**6,870.00**		
FYTD for CITY OF TORRANCE		**6,870.00**		
CLARK, CHRISTINE			Remit to: **MORENO VALLEY CA**	
7/25/2011	208828	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CLARK, CHRISTINE		**75.00**		
COAST TO COAST LASER			Remit to: **MURRIETA CA**	
7/11/2011	208648	1,483.76		
			MVPD SHIELD STICKERS	741.88
			MVPD SHIELD STICKERS	741.88
	Vendor Total	**1,483.76**		
FYTD for COAST TO COAST LASER		**1,483.76**		
COBBS JR., JOE C			Remit to: **MORENO VALLEY CA**	
7/18/2011	208738	11,205.60		
			SOLAR INCENTIVE REBATE	11,205.60
	Vendor Total	**11,205.60**		
FYTD for COBBS JR., JOE C		**11,205.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLLINS, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208829	47.00		
				REFUND-PIANO CLASS CANCELLED	47.00
	Vendor Total		**47.00**		
FYTD for COLLINS, DANIEL			**47.00**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	7/5/2011	208541	6,935.24		
				SUPPLEMENTAL INSURANCE	6,935.24
	Vendor Total		**6,935.24**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**6,935.24**		
COMMUNITY HEALTH CHARITIES				Remit to: **ANAHEIM** **CA**	
	7/5/2011	208542	2.50		
				CHC CONTRIBUTIONS	2.50
	7/5/2011	208543	176.31		
				CHC CONTRIBUTIONS	176.31
	7/18/2011	208739	2.50		
				CHC CONTRIBUTIONS	2.50
	7/18/2011	208740	176.31		
				CHC CONTRIBUTIONS	176.31
	Vendor Total		**357.62**		
FYTD for COMMUNITY HEALTH CHARITIES			**357.62**		
CONCEPCION BARAJAS/JESSICA AVELAR				Remit to: **PERRIS** **CA**	
	7/5/2011	208544	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CONCEPCION BARAJAS/JESSICA AVELAR			**95.00**		
CONTINENTAL WESTERN TRANSPORTATION				Remit to: **SAN DIEGO** **CA**	
	7/11/2011	208649	6,752.25		
				ASPHALTIC MATERIALS PURCHASE	3,534.38
				ASPHALTIC MATERIALS PURCHASE	3,217.87
	Vendor Total		**6,752.25**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION			**6,752.25**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND** **CA**	
7/18/2011	208741	148.71		
			LEGAL PUBLICATIONS	12.20
			LEGAL PUBLICATIONS	136.51
	Vendor Total	**148.71**		
FYTD for CONTINUING EDUCATION OF THE BAR		**148.71**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208650	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for CONTRERAS, BIANCA		**52.50**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208651	175.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
			SPORTS OFFICIATING SVCS-SOCCER	70.00
	Vendor Total	**175.00**		
FYTD for CONTRERAS, JOSE		**175.00**		
CORTES, MARIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208742	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for CORTES, MARIA		**200.00**		
COSTCO			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208652	383.89		
			MISC SUPPLIES-CHILDS PLACE	140.59
			MISC SUPPLIES-STARS	243.30
7/18/2011	208743	1,350.19		
			SNACKS-"A CHILDS PLACE" PRGM	1,350.19
	Vendor Total	**1,734.08**		
FYTD for COSTCO		**1,734.08**		
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208830	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**1,250.00**		
FYTD for COUNSELING TEAM, THE		**1,250.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
7/5/2011	208545	64.12		
			REFUND-UUT USER TAXES	64.12
Vendor Total		**64.12**		
FYTD for COUNTRY SQUIRE ESTATES		**64.12**		
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208653	2,163.78		
			JANITORIAL SUPPLIES	1,936.67
			JANITORIAL SUPPLIES	227.11
Vendor Total		**2,163.78**		
FYTD for COUNTY OF RIVERSIDE		**2,163.78**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208744	42.70		
			RECORDATION REQUESTS-LAND DEV	8.30
			RECORDATION REQUESTS-LAND DEV	34.40
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**42.70**		
COVARRUBIAS, MELISSA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208654	75.00		
			REFUND-SN DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for COVARRUBIAS, MELISSA		**75.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
7/5/2011	883053	110.31		
			K-9 DOG FOOD	110.31
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**110.31**		
CUEVAS, GLORIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208746	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CUEVAS, GLORIA		**20.00**		
CUFF, STEPHANIE CERVANTES			Remit to: **PERRIS** **CA**	
7/11/2011	208655	19.38		
			MILEAGE REIMBURSEMENT	19.38
Vendor Total		**19.38**		
FYTD for CUFF, STEPHANIE CERVANTES		**19.38**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CUMBERLAND, AKOSUA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208546	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for CUMBERLAND, AKOSUA			**145.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.				Remit to: **VALENCIA** **CA**	
	7/25/2011	208832	745.00		
				DISPOSAL SVCS	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**745.00**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883054	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**318.73**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	7/11/2011	883140	4,684.61		
				CITATION PRCSSNG-PD	3,876.95
				CITATION PRCSSNG-ANML SVCS	407.36
				CITATION PRCSSNG-BLDG/SFTY	162.82
				CITATION PRCSSNG-ADDL PYMNT	237.48
	Vendor Total		**4,684.61**		
FYTD for DATA TICKET, INC.			**32,235.28**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	208833	130.50		
				ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**130.50**		
DE SANTIS, THOMAS M				Remit to: **TEMECULA** **CA**	
	7/5/2011	208548	14,000.00		
				PROF SVCS-CITY EVALUATION	12,000.00
				PROF SVCS-CITY EVALUATION	2,000.00
	Vendor Total		**14,000.00**		
FYTD for DE SANTIS, THOMAS M			**14,000.00**		

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DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	7/11/2011	208656	140.00		
				MONTHLY BOILER SVC-EOC	140.00
	7/18/2011	208747	29.36		
				REPLACED BOILER PARTS-EOC	29.36
	Vendor Total		**169.36**		
FYTD for DEBINAIRE COMPANY			**169.36**		
DEL REY APPRAISAL SRVCS				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208657	500.00		
				APPRAISAL SVCS-EDD	250.00
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**500.00**		
FYTD for DEL REY APPRAISAL SRVCS			**500.00**		
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208748	10,712.77		
				EMPLOYEE DENTAL INSURANCE	10,712.77
	Vendor Total		**10,712.77**		
FYTD for DELTA DENTAL			**10,712.77**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208549	6,033.46		
				EMPLOYEE DENTAL INSURANCE	6,033.46
	7/18/2011	208749	5,580.33		
				EMPLOYEE DENTAL INSURANCE	5,580.33
	Vendor Total		**11,613.79**		
FYTD for DELTACARE USA			**11,613.79**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	7/11/2011	883141	2,180.00		
				PLAN REVIEW SVCS-FIRE PREV	1,530.00
				PLAN REVIEW SVCS-FIRE PREV	650.00
	7/18/2011	883170	1,710.00		
				PLAN CHECK SVCS-FIRE PREV	1,150.00
				PLAN CHECK SVCS-FIRE PREV	560.00
	Vendor Total		**3,890.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**3,890.00**		

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DEPARTMENT OF CONSERVATION				Remit to: **SACRAMENTO** **CA**	
	7/11/2011	208658	578.26		
				SMI FEES 4/1-6/30/11	608.69
				SMI FEES 4/1-6/30/11	-30.43
	Vendor Total		**578.26**		
FYTD for DEPARTMENT OF CONSERVATION			**578.26**		
DESIGN WORKS				Remit to: **SAN JACINTO** **CA**	
	7/5/2011	208550	2,235.46		
				YTH SPORTS UNIFORMS	2,235.46
	7/11/2011	208659	1,950.35		
				UNIFORMS-YOUTH SPORTS	24.91
				UNIFORMS-YOUTH SPORTS	1,925.44
	7/25/2011	208834	150.07		
				YTH SPORTS UNIFORMS-PARKS	150.07
	Vendor Total		**4,335.88**		
FYTD for DESIGN WORKS			**4,335.88**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	7/5/2011	208551	10,031.59		
				DAY ST DRAINAGE IMPRVMNTS PROJ	10,031.59
	Vendor Total		**10,031.59**		
FYTD for DMC DESIGN GROUP, INC			**10,031.59**		
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	7/5/2011	208552	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**229.88**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208553	189.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**189.00**		

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E.R. BLOCK PLUMBING & HEATING, INC.			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208660	2,560.87		
			BACKFLOW TESTING-NPDES	100.00
			BACKFLOW REPLACMNT-ZONE D	597.19
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
7/18/2011	208750	1,031.47		
			BACKFLOW REPLACMNT-ZONE D	583.97
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW TESTING-ZONE D	240.00
			BACKFLOW TESTING-ZONE E-14	20.00
	Vendor Total	**3,592.34**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**3,592.34**		
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/11/2011	208661	4,500.00		
			PLAN CK DEPOSIT W/EASEMENT	4,500.00
7/12/2011	208721	15,137.12		
			WATER CHARGES	322.43
			WATER CHARGES	10,105.12
			WATER CHARGES	423.54
			WATER CHARGES	2,616.82
			WATER CHARGES	1,184.99
			WATER CHARGES	22.28
			WATER CHARGES	193.03
			WATER CHARGES	268.91
	Vendor Total	**19,637.12**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883055	35.18		
			REFUND-UUT USER TAXES	35.18
	Vendor Total	**35.18**		
FYTD for EDGELANE MOBILE PARK		**35.18**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
7/5/2011	208554	325.66		
			RETIREE MED JUL '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**325.66**		

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ELIZARRARAZ, EDDIE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208752	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ELIZARRARAZ, EDDIE			**20.00**		
ELLIOTT, NISHA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208835	134.40		
				INSTRUCTOR SVCS-KICKBOXING	4.40
				INSTRUCTOR SVCS-KICKBOXING	103.60
				INSTRUCTOR SVCS-KICKBOXING	26.40
	Vendor Total		**134.40**		
FYTD for ELLIOTT, NISHA			**134.40**		
EMPIRE MOWER				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208662	1,105.85		
				EQUIP REPAIRS-PARK MAINT	685.03
				EQUIP REPAIRS-PARK MAINT	420.82
	Vendor Total		**1,105.85**		
FYTD for EMPIRE MOWER			**1,105.85**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2893	500.00		
				STATE INCOME TAX W/H 7/1/11	500.00
	Vendor Total		**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	7/5/2011	883056	23,272.59		
				CABINET LEASE-IRIS	17.89
				CABINET LEASE-IRIS	1,232.11
				WORK AUTH-HIGHLAND FAIRVIEW	11,590.55
				12KV NEW REDLAND CKT WORK AUTH	10,432.04
	Vendor Total		**23,272.59**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
ESCOBAR, CARMEN				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208836	31.20		
				REFUND-DANCE CLASS	31.20
	Vendor Total		**31.20**		
FYTD for ESCOBAR, CARMEN			**31.20**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883057	30.45		
			ENGRAVING SVCS-FACILITIES	28.00
			ENGRAVING SVCS-FACILITIES	2.45
7/18/2011	883172	30.45		
			ENGRAVING SVCS-PARKS	30.45
	Vendor Total	**60.90**		
FYTD for EVANS ENGRAVING & AWARDS		**60.90**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
7/18/2011	208753	129.29		
			IRRIGATION SUPPLIES-FIRE STATN	129.29
7/25/2011	208837	2,812.03		
			IRRIGATION SUPPLIES-PARKS	130.23
			IRRIGATION SUPPLIES-PARKS	305.72
			IRRIGATION SUPPLIES-PARKS	2,161.55
			IRRIGATION SUPPLIES-CFD#1	122.36
			IRRIGATION SUPPLIES-PARKS	92.17
	Vendor Total	**2,941.32**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**2,941.32**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
7/25/2011	208838	7,987.21		
			LANDSCAPE MAINT-E8	22.22
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-WQB	1,059.42
			LANDSCAPE MAINT-WQB	3,444.50
	Vendor Total	**7,987.21**		
FYTD for EXCEL LANDSCAPE, INC		**7,987.21**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
7/5/2011	883058	361.25		
			RETIREE MED JUL '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**361.25**		

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FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
7/5/2011	208555	586.00		
			ONLINE PROP INFO SVCS-CDD	331.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-EDD	170.00
7/25/2011	208839	526.00		
			ONLINE PROP INFO SVCS-CDD	271.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-NSP	170.00
	Vendor Total	**1,112.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**1,112.00**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
7/5/2011	883059	134.06		
			COFFEE SVCS-EMP PAID	1.40
			COFFEE SVCS-EMP PAID	132.66
7/11/2011	883142	550.48		
			COFFEE SVCS-EMP PAID	171.03
			COFFEE SVCS-EMP PAID	20.00
			COFFEE SVCS-EMP PAID	225.43
			COFFEE SVCS-EMP PAID	85.64
			COFFEE SVCS-EMP PAID	48.38
7/18/2011	883173	62.01		
			COFFEE SUPPLIES-CITY YARD	62.01
	Vendor Total	**746.55**		
FYTD for FIRST CHOICE SERVICES		**746.55**		
FLORES, ARCHIE			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208754	29.60		
			REFUND-PICNIC SHELTER RENTAL	29.60
	Vendor Total	**29.60**		
FYTD for FLORES, ARCHIE		**29.60**		
FOOTHILL CHAPTER - I.C.C.			Remit to: **FONTANA** **CA**	
7/25/2011	208841	50.00		
			MEMBERSHIP DUES	50.00
	Vendor Total	**50.00**		
FYTD for FOOTHILL CHAPTER - I.C.C.		**50.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883060	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**318.73**		

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FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	7/5/2011	208556	165.58		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	25.58
	7/18/2011	208755	255.00		
				GARNISHMENT	25.00
				GARNISHMENT	230.00
	Vendor Total		**420.58**		
FYTD for FRANCHISE TAX BOARD			**420.58**		
FRANCO, JUAN				Remit to: **PERRIS** **CA**	
	7/18/2011	208756	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FRANCO, JUAN			**75.00**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	7/11/2011	208663	193.29		
				MILEAGE REIMBURSEMENT	193.29
	Vendor Total		**193.29**		
FYTD for FRANKLIN, L. C.			**193.29**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208557	2,249.76		
				TRAFFIC PAINT	2,249.76
	Vendor Total		**2,249.76**		
FYTD for FRAZEE INDUSTRIES, INC			**2,249.76**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208757	140.00		
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	56.00
				SPORTS OFFICIATING SVCS-SFTBLL	4.00
	Vendor Total		**140.00**		
FYTD for FRESQUEZ, JOHN			**140.00**		
FUEL AND FLAME MINISTRY				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208664	480.00		
				REFUND-UNUSED PORTION OF DEP.	480.00
	Vendor Total		**480.00**		
FYTD for FUEL AND FLAME MINISTRY			**480.00**		

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FUEL PROS, INC				Remit to: **CHINO** **CA**	
	7/18/2011	208758	1,650.00		
				FUEL DISPENSER PUMP RPLCMNT	1,502.00
				FUEL DISPENSER PUMP RPLCMNT	148.00
	Vendor Total		**1,650.00**		
FYTD for FUEL PROS, INC			**1,650.00**		
GAGATCH, HEATHER				Remit to:	
	7/5/2011	208558	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for GAGATCH, HEATHER			**145.00**		
GAINES SR., GLENN E.				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208665	110.00		
				REFUND-CITATION FEE	110.00
	Vendor Total		**110.00**		
FYTD for GAINES SR., GLENN E.			**110.00**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208666	571.24		
				UNIFORMS-TRFFC UNIT	571.24
	7/18/2011	208759	26.10		
				UNIFORMS-TRFFC UNIT	26.10
	Vendor Total		**597.34**		
FYTD for GALLS INC., INLAND UNIFORM			**597.34**		
GAMA, LINA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208667	41.64		
				CRIME-FREE MULTI HOUSING SEMNR	41.64
	Vendor Total		**41.64**		
FYTD for GAMA, LINA			**41.64**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883061	174.30		
				RETIREE MED JUL '11	174.30
	Vendor Total		**174.30**		
FYTD for GASTON, RICHARD			**174.30**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
7/11/2011	883143	429.52		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
7/18/2011	883174	1,411.28		
			SECURITY SVCS-CRC 6/4/11 EVNT	76.70
			SECURITY SVCS-TCC RENTALS	360.49
			SECURITY SVCS-TCC RENTALS	145.73
			SECURITY SVCS-SENIOR CTR	291.46
			SECURITY SVCS-CRC	230.10
			SECURITY SVCS-CRC	226.26
			SECURITY SVCS-CRC	80.54
7/25/2011	883197	2,193.62		
			SECURITY SVCS-CITY HALL	230.10
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	490.88
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
Vendor Total		**4,034.42**		
FYTD for GENERAL SECURITY SERVICES, INC.		**4,034.42**		
GES EXPOSITION SERVICES			Remit to: **LAS VEGAS**	**NV**
7/25/2011	208843	2,433.11		
			TRADESHOW SVCS-VARIOUS	2,433.11
Vendor Total		**2,433.11**		
FYTD for GES EXPOSITION SERVICES		**2,433.11**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883062	7,252.50		
			LEGAL SVCS	3,941.75
			LEGAL SVCS	1,323.25
			LEGAL SVCS	1,987.50
Vendor Total		**7,252.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**7,252.50**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883063	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
Vendor Total		**318.73**		
FYTD for GONZALES, DOMILENA R.		**318.73**		

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GORM INC.				Remit to: **ONTARIO** **CA**	
	7/25/2011	208844	3,440.86		
				JANITORIAL SUPPLIES-CITY PARKS	1,720.43
				JANITORIAL SUPPLIES-CFD #1	1,720.43
		Vendor Total	**3,440.86**		
FYTD for GORM INC.			**3,440.86**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	883144	486.00		
				INSTRUCTOR SVCS-KUNG FU	270.00
				INSTRUCTOR SVCS-KUNG FU	216.00
		Vendor Total	**486.00**		
FYTD for GOZDECKI, DAN			**486.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208760	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
		Vendor Total	**1,000.00**		
FYTD for GRANICUS, INC.			**1,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	7/5/2011	883064	318.73		
				RETIREE MED JUL '11	318.73
		Vendor Total	**318.73**		
FYTD for GRIFFIN, MARLENE C			**318.73**		
GROUND CONTROL SYSTEMS, INC.				Remit to: **SAN LUIS OBISPO** **CA**	
	7/25/2011	883198	1,908.00		
				MOBILE SAT INTERNET SVC-PD	1,908.00
		Vendor Total	**1,908.00**		
FYTD for GROUND CONTROL SYSTEMS, INC.			**1,908.00**		
GUERRERO, CLAUDIO				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208668	20.00		
				REFUND-RABIES DEPOSIT	20.00
		Vendor Total	**20.00**		
FYTD for GUERRERO, CLAUDIO			**20.00**		
GUIDERO, DAVID				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208559	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for GUIDERO, DAVID			**75.00**		

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GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	7/5/2011	883065	551.34		
				RETIREE MED JUN-JUL '11, PD JU	551.34
	Vendor Total		**551.34**		
FYTD for GUILLAN, REBECCA S.			**551.34**		
GUTIERREZ, JOSHUA				Remit to: **BUENA PARK** **CA**	
	7/25/2011	208845	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for GUTIERREZ, JOSHUA			**20.00**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	7/5/2011	883066	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**318.73**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883175	4,049.00		
				CART RETRIEVAL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**4,049.00**		
H & H GENERAL CONTRACTORS				Remit to: **HIGHLAND** **CA**	
	7/18/2011	883176	0.00		
				MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
				VOIDED CHECK #883176 - 7/21/11	-215,802.45
	Vendor Total		**0.00**		
FYTD for H & H GENERAL CONTRACTORS			**215,802.45**		
H.O.C.I.E - HOUSING OPPORTUNITIES				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208560	1,440.00		
				FORECLOSURE COUNSELING SVCS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for H.O.C.I.E - HOUSING OPPORTUNITIES			**1,440.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883067	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**318.73**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883068	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**318.73**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	7/5/2011	208561	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**318.73**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	7/5/2011	208562	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**318.73**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208563	168.00		
				INSTRUCTOR SVCS-BODY SCULPTING	108.00
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
	Vendor Total		**168.00**		
FYTD for HASS, MINA			**168.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883069	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**318.73**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	7/5/2011	883070	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**318.73**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208564	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**318.73**		

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HERTZ EQUIPMENT RENTAL INC				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208565	688.29		
				CRANE TRUCK RENTAL	688.29
	Vendor Total		**688.29**		
FYTD for HERTZ EQUIPMENT RENTAL INC			**688.29**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208761	108.00		
				INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total		**108.00**		
FYTD for HIGGS, DEBRA			**108.00**		
HODGE PRODUCTS, INC.				Remit to: **EL CAJON** **CA**	
	7/25/2011	883199	677.87		
				LOCKS-CFD #1	172.97
				LOCKS-CITY PARKS	170.00
				LOCKS-CFD #1	27.03
				LOCKS-CFD #1	307.87
	Vendor Total		**677.87**		
FYTD for HODGE PRODUCTS, INC.			**677.87**		
HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208566	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**318.73**		
HOUSTON RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208762	100.00		
				REFUND-CHILD'S PLACE FEES	100.00
	Vendor Total		**100.00**		
FYTD for HOUSTON RICHARD			**100.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	7/29/2011	2906	8,520.83		
				DEF COMP 457 7/29/11	8,520.83
	Vendor Total		**8,520.83**		
FYTD for ICMA RETIREMENT CORP 457			**42,062.58**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208567	112.29		
				REFUND-UUT USER TAXES	112.29
	Vendor Total		**112.29**		
FYTD for IL SORRENTO MOBILE PARK			**112.29**		

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IMANI PRAISE FELLOWSHIP SDA CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208568	100.00		
			REFUND-RENTAL DEPOSIT -MSU	100.00
	Vendor Total	**100.00**		
FYTD for IMANI PRAISE FELLOWSHIP SDA CHURCH		**100.00**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
7/18/2011	208763	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**475.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883200	2,782.13		
			ABATEMENT SVC-22385 COTTNWD AV	2,782.13
	Vendor Total	**2,782.13**		
FYTD for INLAND CONTRACTORS, INC.		**2,782.13**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS** **CA**	
7/11/2011	208669	4,575.00		
			ADVERTISING SVCS-PW SOLID WAST	400.00
			ADVERTISING SVCS-PW SOLID WAST	4,175.00
	Vendor Total	**4,575.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**4,575.00**		
INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883145	2,863.40		
			NUISANCE ABTMNT SVCS-CODE	957.90
			NUISANCE ABTMNT SVCS-CODE	900.00
			NUISANCE ABTMNT SVCS-CODE	346.50
			NUISANCE ABTMNT SVCS-CODE	432.00
			NUISANCE ABTMNT SVCS-CODE	227.00
7/25/2011	883201	1,456.00		
			NUISANCE ABATEMENT SVCS-CODE	252.00
			NUISANCE ABATEMENT SVCS-CODE	1,204.00
	Vendor Total	**4,319.40**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**4,319.40**		

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INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON CA**	
7/5/2011	883071	393.00		
			VAPOR RECOVERY TESTING-FS #2	393.00
7/25/2011	883202	140.00		
			HOSE RETRACTOR REPAIR-FS#91	140.00
	Vendor Total	**533.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**533.00**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2892	2,000.00		
			FED INCOME TAX W/H 7/1/11	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
J D H CONTRACTING			Remit to: **RIVERSIDE CA**	
7/11/2011	883146	8,960.00		
			CONTRACT SVCS-FIRE STATION 91	5,921.00
			CONTRACT SVCS-SENIOR CENTER	3,039.00
7/12/2011	883162	845.00		
			GOLF CTR ROOFING WORK	845.00
	Vendor Total	**9,805.00**		
FYTD for J D H CONTRACTING		**9,805.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE CA**	
7/11/2011	208670	36.00		
			SPORTS OFFICIATING SVCS-SFTBL	36.00
	Vendor Total	**36.00**		
FYTD for JACKSON, JAYE		**36.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE CA**	
7/18/2011	208764	75.00		
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**75.00**		
JARRETT, STEPHEN M.			Remit to: **BEAUMONT CA**	
7/5/2011	208569	485.91		
			TRAVEL EXP-ESRI INTL USER CONF	95.41
			TRAVEL EXP-ESRI INTL USER CONF	390.50
	Vendor Total	**485.91**		
FYTD for JARRETT, STEPHEN M.		**485.91**		

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JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	7/12/2011	883163	1,955.00		
				CONSULTING SVCS-TECH SVCS	1,955.00
	Vendor Total		**1,955.00**		
FYTD for JDEDGE SOFTWARE, LLC			**1,955.00**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	7/25/2011	208846	99.96		
				MILEAGE REIMBURSEMENT	99.96
	Vendor Total		**99.96**		
FYTD for JONES III, JOSEPH			**99.96**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883072	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**318.73**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	7/5/2011	883073	15,181.51		
				TRAFFIC SIGNAL SUPPLIES	3,371.25
				TRAFFIC SIGNAL SUPPLIES	3,599.63
				TRAF SIG SERVICE CABINET	7,550.00
				CA SALES TAX	660.63
	Vendor Total		**15,181.51**		
FYTD for JTB SUPPLY CO., INC.			**64,456.14**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208570	2,687.65		
				LEGAL SVCS	2,675.00
				LEGAL SVCS	12.65
	Vendor Total		**2,687.65**		
FYTD for KANE, BALLMER & BERKMAN			**2,687.65**		
KASHEFIPOUR, HOSSEIN				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208671	191.25		
				MILEAGE REIMBURSEMENT	43.35
				MILEAGE REIMBURSEMENT	58.65
				MILEAGE REIMBURSEMENT	89.25
	Vendor Total		**191.25**		
FYTD for KASHEFIPOUR, HOSSEIN			**191.25**		

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KATZ, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208765	48.00		
				REFUND-CLASS REGIS FEE	48.00
	Vendor Total		**48.00**		
FYTD for KATZ, MICHELLE			**48.00**		
KDM MERIDIAN, INC.				Remit to: **LAKE FOREST** **CA**	
	7/5/2011	883074	2,945.00		
				DAY ST WIDENING/EUCALYPTUS PRJ	1,608.00
				ANNL ADA COMPL CURB/RAMP PROJ	1,337.00
	Vendor Total		**2,945.00**		
FYTD for KDM MERIDIAN, INC.			**2,945.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	208571	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**267.88**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	7/25/2011	208847	761.06		
				SPLASH PAD SUPPLIES-CFD #1	186.21
				SPLASH PAD SUPPLIES-CFD #1	574.85
	Vendor Total		**761.06**		
FYTD for KNORR SYSTEMS, INC			**761.06**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883075	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**318.73**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883076	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**318.73**		

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KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	7/25/2011	208848	1,126.22		
				CALIBRATE/REPAIR LASER GUN-PD	200.00
				CALIBRATE/REPAIR LASER GUN-PD	126.21
				LASER GUN PARTS/REPAIR-PD	800.01
	Vendor Total		**1,126.22**		
FYTD for KUSTOM SIGNALS, INC.			**1,126.22**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	7/5/2011	883077	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**318.73**		
LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208572	168.00		
				LEGAL SERVICES-RISK MGT	168.00
	Vendor Total		**168.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**168.00**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883078	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**318.73**		
LANCE, SOLL & LUNGHARD, LLP				Remit to: **BREA** **CA**	
	7/25/2011	208849	620.00		
				PROF SVCS-RE: GANN LIMIT	620.00
	Vendor Total		**620.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP			**620.00**		
LANGENDORF, BENJAMIN				Remit to: **PERRIS** **CA**	
	7/5/2011	883079	221.40		
				RETIREE MED MAY 11, PD JUL 11	221.40
	Vendor Total		**221.40**		
FYTD for LANGENDORF, BENJAMIN			**221.40**		

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LANGSTON MOTORSPORTS				Remit to: **PERRIS** **CA**	
	7/18/2011	208766	2,355.27		
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	249.44
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	505.83
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
	Vendor Total		**2,355.27**		
FYTD for LANGSTON MOTORSPORTS			**2,355.27**		
LAWYERS TITLE INC				Remit to: **NEWPORT BEACH** **CA**	
	7/19/2011	110705	16,196.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,196.00
	7/19/2011	110706	21,386.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	21,386.00
	Vendor Total		**37,582.00**		
FYTD for LAWYERS TITLE INC			**37,582.00**		
LAZARUS, MARGERY A.				Remit to: **CORONA** **CA**	
	7/18/2011	208767	138.72		
				MILEAGE REIMB-SR60/NASON PROJ	49.47
				MILEAGE REIMB-INDIAN BASIN PRJ	30.09
				MILEAGE REIMB-SR60 MOR BCH PRJ	59.16
	Vendor Total		**138.72**		
FYTD for LAZARUS, MARGERY A.			**138.72**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883080	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**318.73**		
LIGHTS OUT DISPOSAL COMPANY				Remit to: **EL CAJON** **CA**	
	7/5/2011	208573	444.15		
				E-WASTE PICK UP SERVICES	444.15
	Vendor Total		**444.15**		
FYTD for LIGHTS OUT DISPOSAL COMPANY			**444.15**		

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LOGAN, CHARLENE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208574	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LOGAN, CHARLENE			**20.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883081	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**318.73**		
LONA, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208672	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for LONA, VERONICA			**300.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883179	4,501.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	1.00
				IRONWD AVE-DAY TO BARCLAY PROJ	4,500.00
	Vendor Total		**4,501.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**4,501.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883082	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**318.73**		
MACIAS JR., ANTHONY				Remit to: **RIALTO** **CA**	
	7/5/2011	208575	126.00		
				TUITION FEE REIMBURSEMENT	126.00
	Vendor Total		**126.00**		
FYTD for MACIAS JR., ANTHONY			**126.00**		
MAMCO, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208673	5,084.33		
				DRACAEA AVE SIDEWLK IMPRVMNTS	5,084.33
	Vendor Total		**5,084.33**		
FYTD for MAMCO, INC			**5,084.33**		

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MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208576	6.08		
			GAS CHARGES-MARCH FIELD PRK CC	4.96
			GAS CHARGES-MARCH FIELD PRK CC	1.12
	Vendor Total	**6.08**		
FYTD for MARCH JOINT POWERS AUTHORITY		**6.08**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
7/5/2011	883083	4,425.04		
			LANDSCAPE MAINT-DSG2N	668.42
			LANDSCAPE MAINT-DSG2N	3,756.62
7/25/2011	883203	4,994.91		
			LANDSCAPE MAINT-ZONE DSG-2S	4,994.91
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**9,419.95**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208577	280.00		
			INSTRUCTOR SVCS-BOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	112.00
	Vendor Total	**280.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**280.00**		
MARTINEZ, REGGIE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208674	105.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
	Vendor Total	**105.00**		
FYTD for MARTINEZ, REGGIE		**105.00**		
MATHIS, NOLAN			Remit to: **JACKSON** **KY**	
7/5/2011	883084	290.00		
			RETIREE MED MAY 11, PD JUL 11	290.00
	Vendor Total	**290.00**		
FYTD for MATHIS, NOLAN		**290.00**		
MAXINOSKI, SUE A.			Remit to: **AVINGER** **TX**	
7/5/2011	883085	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for MAXINOSKI, SUE A.		**318.73**		

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MAYANS DEVELOPMENT INC			Remit to: **YORBA LINDA** **CA**	
7/12/2011	208722	19,969.47		
			REHAB COSTS-24395 DYNA PLACE	19,969.47
	Vendor Total	**19,969.47**		
FYTD for MAYANS DEVELOPMENT INC		**77,343.97**		
MC NEEL, MARGARETTE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208676	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for MC NEEL, MARGARETTE		**50.00**		
MEDINA, EUNICE			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208578	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for MEDINA, EUNICE		**20.00**		
MEEKS, DANIEL			Remit to: **PERRIS** **CA**	
7/11/2011	883147	200.00		
			SPORTS OFFICIATING SVCS-SFTBL	80.00
			SPORTS OFFICIATING SVCS-SFTBL	60.00
			SPORTS OFFICIATING SVCS-SFTBL	60.00
	Vendor Total	**200.00**		
FYTD for MEEKS, DANIEL		**200.00**		
MELAD & ASSOCIATES, INC			Remit to: **HUNTINGTON BEACH** **CA**	
7/11/2011	208677	1,620.00		
			PLAN CHECK SVCS-BLDG/SFTY	1,620.00
	Vendor Total	**1,620.00**		
FYTD for MELAD & ASSOCIATES, INC		**1,620.00**		
MENGISTU, YESHIALEM			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208678	135.66		
			MILEAGE REIMBURSEMENT	135.66
	Vendor Total	**135.66**		
FYTD for MENGISTU, YESHIALEM		**135.66**		
MESSIN, LOUIS			Remit to: **BULLHEAD CITY** **AZ**	
7/5/2011	883086	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for MESSIN, LOUIS		**318.73**		

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METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	7/18/2011	208768	50.00		
				TEXT MESSAGE RETRIEVAL SVC	50.00
	Vendor Total		**50.00**		
FYTD for METROPCS WIRELESS, INC.			**50.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208579	483.00		
				INSTRUCTOR SVCS-DRAWING	378.00
				INSTRUCTOR SVCS-PHOTO	105.00
	Vendor Total		**483.00**		
FYTD for MEYERS, ROBERT			**483.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883087	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**229.88**		
MIMES, TANIYSHA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208769	64.00		
				REFUND-PICNIC SHELTER RENTAL	64.00
	Vendor Total		**64.00**		
FYTD for MIMES, TANIYSHA			**64.00**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	7/5/2011	883088	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**318.73**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	7/18/2011	883180	2,745.16		
				PLAYGROUND EQUIP PARTS-PARKS	1,961.65
				PLAYGROUND EQUIP PARTS-PARKS	307.64
				PLAYGROUND EQUIPMENT PARTS	475.87
	Vendor Total		**2,745.16**		
FYTD for MIRACLE RECREATION EQUIPMENT			**2,745.16**		

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MISTRETTA, ARTHUR			Remit to: **MORENO VALLEY CA**	
7/11/2011	883149	144.00		
			SPORTS OFFICIATING SVCS-SFTBL	54.00
			SPORTS OFFICIATING SVCS-SFTBL	36.00
			SPORTS OFFICIATING SVCS-SFTBL	54.00
	Vendor Total	**144.00**		
FYTD for MISTRETTA, ARTHUR		**144.00**		
MOELLER, DONNA M.			Remit to: **MORENO VALLEY CA**	
7/18/2011	208770	67.77		
			NEIGHBRHD CLEAN UP EXPENSE	67.77
	Vendor Total	**67.77**		
FYTD for MOELLER, DONNA M.		**67.77**		
MOLLICA, MIKE			Remit to: **DUNNELLON FL**	
7/5/2011	883089	401.42		
			RETIREE MED JUL '11	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**401.42**		
MONTEJANO, SHIRLEY			Remit to: **RIVERSIDE CA**	
7/11/2011	208679	750.00		
			REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total	**750.00**		
FYTD for MONTEJANO, SHIRLEY		**750.00**		
MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY CA**	
7/11/2011	208680	1,706.90		
			PLUMBING SVCS-CRC	1,075.00
			PLUMBING SVCS-ANIMAL SHELTER	631.90
	Vendor Total	**1,706.90**		
FYTD for MONTGOMERY PLUMBING INC		**1,706.90**		
MOORE, LEEPORSCHA			Remit to: **MORENO VALLEY CA**	
7/11/2011	208681	22.00		
			REFUND-PARKS CLASS REGIS FEE	22.00
	Vendor Total	**22.00**		
FYTD for MOORE, LEEPORSCHA		**22.00**		
MOOSEPOINT TECHNOLOGY, INC.			Remit to: **SONOMA CA**	
7/25/2011	208851	9,000.00		
			GIS INTERNET SITE HOSTING SVCS	9,000.00
	Vendor Total	**9,000.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**9,000.00**		

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MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	7/5/2011	883090	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**318.73**		
MORENO VALLEY BOWL				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208580	320.00		
				INSTRUCTOR SVCS-BOWLING	320.00
	Vendor Total		**320.00**		
FYTD for MORENO VALLEY BOWL			**320.00**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208581	60.00		
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
	7/5/2011	208582	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**810.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**810.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	7/1/2011	2888	1,538.00		
				MVCEA DUES 7/1/11	1,538.00
	7/15/2011	2897	1,543.50		
				MVCEA DUES 7/15/11	1,543.50
	7/29/2011	2905	1,419.00		
				MVCEA DUES 7/29/11	1,419.00
	Vendor Total		**4,500.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**4,500.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRANO CA**	
	7/18/2011	883181	9,207.72		
				LEASE-SPEC DIST ANNEX-AUG 11	9,207.72
	7/25/2011	883204	7,934.87		
				LEASE-FACILITIES ANNEX	2,458.97
				LEASE-TECH SVCS ANNEX	5,475.90
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**17,142.59**		

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MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/5/2011	208583	91.54		
				ELECTRICITY-UT FLD OFFICE	91.54
	Vendor Total		**91.54**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		
MORENO, MARIO				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208852	230.00		
				PER DIEM-GANG VIOLENCE CONF.	230.00
	Vendor Total		**230.00**		
FYTD for MORENO, MARIO			**230.00**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	7/5/2011	883091	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**318.73**		
MPULSE MAINTENANCE SOFTWARE, INC.				Remit to: **EUGENE** **OR**	
	7/5/2011	883092	3,977.50		
				PROGRAM RENEWAL-TECH SVCS	3,977.50
	Vendor Total		**3,977.50**		
FYTD for MPULSE MAINTENANCE SOFTWARE, INC.			**3,977.50**		
MULTI W SYSTEMS, INC				Remit to: **EL MONTE** **CA**	
	7/25/2011	208853	975.00		
				PUMP REPAIR-COMM PARK SOCCER F	975.00
	Vendor Total		**975.00**		
FYTD for MULTI W SYSTEMS, INC			**975.00**		
MUNOZ, ARIEL				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208772	110.16		
				MILEAGE REIMBURSEMENT	80.07
				MILEAGE REIMBURSEMENT	30.09
	Vendor Total		**110.16**		
FYTD for MUNOZ, ARIEL			**110.16**		
MURILLO, MARIA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208773	750.00		
				REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total		**750.00**		
FYTD for MURILLO, MARIA			**750.00**		

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MUSICK, PEELER & GARRETT, LLP			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208774	240.00		
			LEGAL SVCS	240.00
	Vendor Total	**240.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP		**240.00**		
MYERS & SONS HI-WAY SAFETY INC			Remit to: **CHINO** **CA**	
7/11/2011	208682	11,957.06		
			TRUCK MNTD MSSG BOARD-PW	10,995.00
			TRUCK MNTD MSSG BOARD-PW	962.06
	Vendor Total	**11,957.06**		
FYTD for MYERS & SONS HI-WAY SAFETY INC		**11,957.06**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/1/2011	2886	4,288.72		
			PST DEF COMP FOR FICA 7/1/11	4,288.72
7/1/2011	2887	1,240.66		
			DEF COMP 457 & 401(A) 7/1/11	1,240.66
7/15/2011	2895	1,733.32		
			PST DEF COMP FOR FICA 7/15/11	1,733.32
7/29/2011	2903	2,082.83		
			PST DEF COMP FOR FICA 7/29/11	2,082.83
	Vendor Total	**9,345.53**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
7/5/2011	883093	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**318.73**		
NEAL, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208775	156.00		
			REFUND-PICNIC SHELTER RENTAL	156.00
	Vendor Total	**156.00**		
FYTD for NEAL, DEBORAH		**156.00**		
NEGRETTE, JENNIFER			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208584	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for NEGRETTE, JENNIFER		**20.00**		

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NELSON PAVING				Remit to: **PERRIS** **CA**	
	7/5/2011	208585	871.00		
				CONCRETE PAINTING	871.00
	Vendor Total		**871.00**		
FYTD for NELSON PAVING			**871.00**		
NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	7/5/2011	883094	325.66		
				RETIREE MED JUL '11	325.66
	Vendor Total		**325.66**		
FYTD for NELSON, ROBERT			**325.66**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	7/5/2011	883095	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**318.73**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	7/5/2011	208586	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**318.73**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883096	9.42		
				REFUND-UUT USER TAXES	9.42
	Vendor Total		**9.42**		
FYTD for NEW HORIZON MOBILE HOME PARK			**9.42**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208588	401.42		
				RETIREE MED JUL '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**401.42**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	7/18/2011	208776	2,713.31		
				NIGHT VISION GOGGLES FOR PD	2,495.00
				CA SALES TAX	218.31
	Vendor Total		**2,713.31**		
FYTD for NIGHT GALAXY, INC.			**2,713.31**		

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NINYO & MOORE GEOTECHNICAL				Remit to: **SAN DIEGO** **CA**	
	7/5/2011	208589	6,987.75		
				DRACAEA AVE SIDEWLK IMPRVMNTS	6,987.75
	7/11/2011	208683	539.25		
				IRONWD AVE ST/STORM DRAIN PROJ	539.25
	7/18/2011	208777	17,091.00		
				IRONWD AVE ST/STORM DRAIN PROJ	17,091.00
	Vendor Total		**24,618.00**		
FYTD for NINYO & MOORE GEOTECHNICAL			**24,618.00**		
NOLLAR, JANICE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208590	307.04		
				TRAVEL EXP-ESRI INTL USER CONF	94.04
				TRAVEL EXP-ESRI INTL USER CONF	213.00
	Vendor Total		**307.04**		
FYTD for NOLLAR, JANICE			**307.04**		
NOLTE ASSOCIATES, INC				Remit to: **SACRAMENTO** **CA**	
	7/18/2011	208778	113.43		
				REFUND-BUS LIC OVERPAYMENT	113.43
	Vendor Total		**113.43**		
FYTD for NOLTE ASSOCIATES, INC			**113.43**		
OAKRIDGE DATA MINING				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208779	2,370.00		
				CONSULTANT SVCS-TECH SVCS	2,370.00
	Vendor Total		**2,370.00**		
FYTD for OAKRIDGE DATA MINING			**2,370.00**		
OMNIGRAPHICS				Remit to: **HOLMES** **PA**	
	7/25/2011	208854	90.95		
				REFERENCE BOOKS	90.95
				REFERENCE BOOKS	7.96
				REFERENCE BOOKS	-7.96
	Vendor Total		**90.95**		
FYTD for OMNIGRAPHICS			**90.95**		
ORACLE AMERICA				Remit to: **SAN FRANCISCO** **CA**	
	7/5/2011	208591	21,621.68		
				ANNUAL MAINT-TECH SVCS	21,621.68
	Vendor Total		**21,621.68**		
FYTD for ORACLE AMERICA			**21,621.68**		

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ORCHID CELLMARK, INC				Remit to: **FARMERS BRANCH** **TX**	
	7/18/2011	208780	2,280.00		
				DETECT/TEST EVIDENCE/DNA-PD	2,280.00
	Vendor Total		**2,280.00**		
FYTD for ORCHID CELLMARK, INC			**2,280.00**		
ORROCK, POPKA, FORTINO & BRISLIN				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	883205	208.00		
				LEGAL SVCS	208.00
	Vendor Total		**208.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN			**208.00**		
ORTEGA, JORGE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208592	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**750.00**		
FYTD for ORTEGA, JORGE			**750.00**		
OVERLAND PACIFIC & CUTLER, INC.				Remit to: **LONG BEACH** **CA**	
	7/25/2011	883206	296.25		
				SR-60/NASON INTRCHNG PROJ SVCS	296.25
	7/25/2011	883207	6,800.00		
				APPRAISAL SVCS-HIGHLND FIRE ST	6,800.00
	Vendor Total		**7,096.25**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**7,096.25**		
PACIFIC GREEN HORTICULTURAL SVC				Remit to: **UPLAND** **CA**	
	7/25/2011	883208	989.00		
				TURF FERTILIZATION-ZONE E	302.97
				TURF FERTILIZATION-ZONE E	550.15
				TURF FERTILIZATION-ZONE E	112.61
				TURF FERTILIZATION-ZONE E	23.27
	Vendor Total		**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**989.00**		
PACIFIC TELEMANAGEMENT SERVICES				Remit to: **SAN RAMON** **CA**	
	7/5/2011	883097	375.84		
				PAYPHONE SVCS	313.20
				PAYPHONE SVCS-PD	62.64
	Vendor Total		**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**375.84**		

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PARSONS TRANSPORTATION GROUP, INC.				Remit to: **IRVINE** **CA**	
	7/18/2011	208781	13,592.47		
				SR-60/MOR BCH DR INTRCHNG PROJ	13,592.47
	Vendor Total		**13,592.47**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**13,592.47**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208593	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**229.88**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	7/11/2011	208685	110.00		
				SPORTS OFFICIATING SVCS-SFTBL	110.00
	Vendor Total		**110.00**		
FYTD for PAUL, MICHAEL			**110.00**		
PERKINS, NICOLE				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208594	72.00		
				INSTRUCTOR SVCS-RIPPED	36.00
				INSTRUCTOR SVCS-RIPPED	36.00
	Vendor Total		**72.00**		
FYTD for PERKINS, NICOLE			**72.00**		
PERMA				Remit to: **PALM DESERT** **CA**	
	7/25/2011	883209	1,548.17		
				SEMI-ANNUAL AUDIT INVOICE	1,548.17
	Vendor Total		**1,548.17**		
FYTD for PERMA			**1,548.17**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	7/5/2011	208595	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**318.73**		

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PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	7/5/2011	208596	458.63		
				LONG TERM CARE INSURANCE	458.63
	7/18/2011	208782	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**917.26**		

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PETTY CASH - FINANCE				Remit to: **MORENO VALLEY**	**CA**
	7/18/2011	208783	1,297.91		
				PETTY CASH FUND REPLENISHMENT	28.41
				PETTY CASH FUND REPLENISHMENT	36.05
				PETTY CASH FUND REPLENISHMENT	22.32
				PETTY CASH FUND REPLENISHMENT	27.03
				PETTY CASH FUND REPLENISHMENT	67.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	6.00
				PETTY CASH FUND REPLENISHMENT	91.64
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	20.80
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	10.50
				PETTY CASH FUND REPLENISHMENT	26.96
				PETTY CASH FUND REPLENISHMENT	56.25
				PETTY CASH FUND REPLENISHMENT	17.71
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	18.32
				PETTY CASH FUND REPLENISHMENT	10.24
				PETTY CASH FUND REPLENISHMENT	91.38
				PETTY CASH FUND REPLENISHMENT	91.87
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	4.34
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	50.00
				PETTY CASH FUND REPLENISHMENT	45.00
				PETTY CASH FUND REPLENISHMENT	3.25
				PETTY CASH FUND REPLENISHMENT	23.68
				PETTY CASH FUND REPLENISHMENT	30.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	21.69
			PETTY CASH FUND REPLENISHMENT	48.50
			PETTY CASH FUND REPLENISHMENT	13.00
			PETTY CASH FUND REPLENISHMENT	88.47
			PETTY CASH FUND REPLENISHMENT	6.50
			PETTY CASH FUND REPLENISHMENT	24.00
	Vendor Total	1,297.91		
FYTD for PETTY CASH - FINANCE		1,297.91		

PICTUREME PORTRAIT STUDIO #15193 Remit to: **ST. LOUIS** **MO**

7/11/2011	208686	71.76		
			REFUND-BUS LIC OVERPAYMENT	71.76
	Vendor Total	71.76		
FYTD for PICTUREME PORTRAIT STUDIO #15193		71.76		

POIEMA LANDSCAPE, INC. Remit to: **COLTON** **CA**

7/5/2011	883098	2,131.00		
			LANDSCAPE MAINT-E12	2,131.00
7/25/2011	883210	1,712.15		
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		3,843.15		

POLK, SHAKENDRA Remit to: **MORENO VALLEY** **CA**

7/18/2011	208784	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	25.00
			REFUND-RENTAL DEPOSIT-TWNGATE	175.00
	Vendor Total	200.00		
FYTD for POLK, SHAKENDRA		200.00		

PRICE, GEORGE E. Remit to: **MORENO VALLEY** **CA**

7/5/2011	883099	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	318.73		
FYTD for PRICE, GEORGE E.		318.73		

PROTECTION ONE, INC. Remit to: **WITCHITA** **KS**

7/18/2011	208785	42.00		
			MONITORING SVCS-GOLF PRO SHOP	17.00
			MONITORING SVCS-MVTV STUDIO	17.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
	Vendor Total	42.00		
FYTD for PROTECTION ONE, INC.		42.00		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	7/5/2011	883100	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**318.73**		
PULSE PRINT SOLUTIONS				Remit to: **ORANGE** **CA**	
	7/11/2011	208687	2,936.25		
				PRINT SVCS-EDUCATIONAL MAGNETS	2,700.00
				SALES TAX	236.25
	Vendor Total		**2,936.25**		
FYTD for PULSE PRINT SOLUTIONS			**2,936.25**		
QUINTERO, CYNTHIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208688	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for QUINTERO, CYNTHIA			**200.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	7/11/2011	883150	2,023.00		
				ROLL UP DOOR MAIN, FIRE STN 6	201.00
				ROLL UP DOOR MAIN, FIRE STN 6	695.00
				ROLL UP DOOR MAIN, FIRE STN 48	141.00
				ROLL UP DOOR MAIN, FIRE STN 2	201.00
				ROLL UP DOOR MAIN, FIRE STN 58	82.00
				ROLL UP DOOR MAIN, FIRE STN 58	119.00
				ROLL UP DOOR MAIN, FIRE STN 91	111.25
				ROLL UP DOOR MAIN, FIRE STN 91	89.75
				ROLL UP DOOR MAIN, FIRE STN 65	141.00
				ROLL UP DOOR MAIN, FIRE STN 65	130.75
				ROLL UP DOOR MAIN, FIRE STN 65	111.25
	Vendor Total		**2,023.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**2,023.00**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208597	168.81		
				REIMB-DUI SEMINAR TRNG CLASS	168.81
	Vendor Total		**168.81**		
FYTD for RAFAEL LOPEZ			**168.81**		

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RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208598	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.		**318.73**		
REGENTS OF U.C.			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208786	115.00		
			VIOLENT CRIME BEHAV SEMINAR	115.00
	Vendor Total	**115.00**		
FYTD for REGENTS OF U.C.		**115.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208599	384.60		
			SHADOW MTN PARK LIGHTING PROJ	384.60
7/25/2011	208856	3,401.50		
			SHADOW MTN PARK LIGHTING PROJ	2,951.50
			SHADOW MTN PARK LIGHTING PROJ	450.00
	Vendor Total	**3,786.10**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**3,786.10**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883101	2,582.50		
			DRACAEA AVE SIDEWLK IMPRVMNTS	2,582.50
7/18/2011	883182	11,995.00		
			TS@SUNNYMD RCH PKWY/VILLAGE RD	1,380.00
			TS@SUNNYMD RCH PKWY/VILLAGE RD	130.00
			2011 LOCAL ST. PAVEMNT RESURF.	7,545.00
			2011 LOCAL ST. PAVEMNT RESURF.	2,600.00
			DRACAEA AVE SIDEWLK IMPRVMNTS	340.00
	Vendor Total	**14,577.50**		
FYTD for RICK ENGINEERING COMPANY		**14,577.50**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208689	2,000.00		
			ENCR. PERMIT INITIAL DEPOSIT	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**2,000.00**		

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RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE**	**CA**
7/19/2011	110702	15,888.77		
			RETENTN PMT PER ESCRW AGREEMNT	15,888.77
7/19/2011	1107031	2,302.31		
			RETENTN PMT PER ESCRW AGREEMNT	2,302.31
7/19/2011	1107032	3,209.50		
			RETENTN PMT PER ESCRW AGREEMNT	3,209.50
7/19/2011	1107033	8,289.68		
			RETENTN PMT PER ESCRW AGREEMNT	8,289.68
7/19/2011	1107034	20,325.46		
			RETENTN PMT PER ESCRW AGREEMNT	20,325.46
	Vendor Total	**50,015.72**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**500,157.17**		
RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY			Remit to: **RIVERSIDE**	**CA**
7/25/2011	208857	10,572.22		
			TEAM RIV CTY 528140-ICSC CONF	2,770.00
			ICSC CONF.-GES LOGISTICS	997.50
			ICSC CONF.-EXHIBIT SPACE	3,500.00
			ICSC CONF.-ELECTRICITY COST	800.00
			ICSC CONF.-CARPET COST	2,400.00
			ICSC CONF-ADDTL FURNITURE COST	104.72
	Vendor Total	**10,572.22**		
FYTD for RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY		**10,572.22**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208690	3,781.83		
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			RADIO LEASE/MAIN-PD	170.10
			RADIO LEASE/MAIN-PD	9.45
			RADIO LEASE/MAIN-PD	33.12
			VPN CONNECTION SVCS-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**3,781.83**		
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883212	10,267.92		
			BOOKING FEES-PD	10,267.92
	Vendor Total	**10,267.92**		
FYTD for RIVERSIDE COUNTY SHERIFF		**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208787	138.00		
			REG-BASIC CRIMINAL INV. COURSE	138.00
	Vendor Total	**138.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**138.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208600	611.09		
			GARNISHMENT	173.05
			GARNISHMENT	438.04
7/18/2011	208788	674.82		
			GARNISHMENT	152.05
			GARNISHMENT	522.77
	Vendor Total	**1,285.91**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**1,285.91**		
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208858	322.00		
			7 ATTENDEES-CITZN DRIVER CLASS	322.00
	Vendor Total	**322.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPARTMENT		**322.00**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
7/25/2011	883213	6,417.00		
			TEMP STAFFING SVCS-CAP PROJS	6,417.00
	Vendor Total	**6,417.00**		
FYTD for RLZ ENGINEERING		**6,417.00**		
RMA GROUP			Remit to: **RANCHO CUCAMONGA** **CA**	
7/25/2011	208859	8,791.09		
			SR-60/NASON INTRCHNG PROJ SVCS	7,782.75
			SR-60/NASON INTRCHNG PROJ SVCS	1,008.34
	Vendor Total	**8,791.09**		
FYTD for RMA GROUP		**8,791.09**		
ROCHA, SARA L.			Remit to: **QUEEN CREEK** **AZ**	
7/5/2011	883103	826.20		
			RETIREE MED APR-JUN '11 ($160	826.20
	Vendor Total	**826.20**		
FYTD for ROCHA, SARA L.		**826.20**		

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ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	7/5/2011	883104	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**318.73**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208691	45.90		
				MILEAGE REIMBURSEMENT	45.90
	Vendor Total		**45.90**		
FYTD for ROGERS, KIANNA			**45.90**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883105	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**318.73**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	7/5/2011	883106	270.80		
				RETIREE MED JUL '11	174.30
				RETIREE MED JUL '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**270.80**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/25/2011	883214	357.50		
				PLUMBING REPAIRS-WOODLAND PARK	357.50
	Vendor Total		**357.50**		
FYTD for ROTO-ROOTER PLUMBERS			**357.50**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	7/5/2011	883107	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**229.88**		
RUTAN & TUCKER, LLP				Remit to: **COSTA MESA** **CA**	
	7/5/2011	208601	275.00		
				LEGAL SVCS-RE: PEG FEES	275.00
	Vendor Total		**275.00**		
FYTD for RUTAN & TUCKER, LLP			**275.00**		

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SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	7/25/2011	883215	5,400.00		
				TEMP STAFFING SVCS-CAP PROJS	5,400.00
	Vendor Total		**5,400.00**		
FYTD for SA ASSOCIATES			**5,400.00**		
SAFETY KLEEN CORP.				Remit to: **HIGHLAND** **CA**	
	7/11/2011	208692	134.33		
				MISC SUPPLIES-MAINT/OPS	134.33
	Vendor Total		**134.33**		
FYTD for SAFETY KLEEN CORP.			**134.33**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208693	144.00		
				INSTRUCTOR SVCS-ZUMBA	17.20
				INSTRUCTOR SVCS-ZUMBA	126.80
	Vendor Total		**144.00**		
FYTD for SALMAN, CLAUDIA			**144.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883108	60.00		
				FIRE SYSTEM INSPECTION SVC	8.00
				FIRE SYSTEM INSPECTION SVC	52.00
	Vendor Total		**60.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**60.00**		
SAXON, NANCY				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208602	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SAXON, NANCY			**20.00**		
SCAG/SOUTHERN CALIF ASSO OF GOVTS				Remit to: **LOS ANGELES** **CA**	
	7/11/2011	208694	15,680.00		
				DUES ASSESSMNT-FY 2011-12	15,680.00
	Vendor Total		**15,680.00**		
FYTD for SCAG/SOUTHERN CALIF ASSO OF GOVTS			**15,680.00**		
SCHIFFER, ROBYN				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208860	23,021.60		
				SOLAR INCENTIVE REBATE	23,021.60
	Vendor Total		**23,021.60**		
FYTD for SCHIFFER, ROBYN			**23,021.60**		

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SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208603	477.00		
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**477.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
7/5/2011	883109	62.50		
			REPAIRED DOOR JAM AT FS#48	62.50
7/25/2011	883216	987.63		
			LOCK/INSTALLATION-LIBRARY	49.00
			LOCK/INSTALLATION-LIBRARY	68.04
			LOCK/INSTALLATION-LIBRARY	402.21
			DOOR SVC-CITY CLRK FILE RM	423.38
			TRIP CHRG-SVC RE: WARRANT	45.00
	Vendor Total	**1,050.13**		
FYTD for SECURITY LOCK & KEY		**1,050.13**		
SEPULVEDA, SUSETTE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208695	49.60		
			REFUND-PARKS CLASS REGIS FEE	49.60
	Vendor Total	**49.60**		
FYTD for SEPULVEDA, SUSETTE		**49.60**		
SHABIR, AMNA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208696	427.00		
			REFUND-PARKS CLASS REGIS FEE	427.00
	Vendor Total	**427.00**		
FYTD for SHABIR, AMNA		**427.00**		
SHARRETT, SHARON K.			Remit to: **ONTARIO** **CA**	
7/5/2011	208604	174.30		
			RETIREE MED JUL '11	174.30
	Vendor Total	**174.30**		
FYTD for SHARRETT, SHARON K.		**174.30**		
SHELDON, STUART H.			Remit to: **MURRIETA** **CA**	
7/5/2011	208605	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for SHELDON, STUART H.		**318.73**		

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SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	7/18/2011	208789	111.00		
				FUEL PURCHASES	111.00
	7/25/2011	208861	21.25		
				FUEL PURCHASE	21.25
	Vendor Total		**132.25**		
FYTD for SHELL OIL CO.			**132.25**		
SIERRA SCREENPRINT GRAPHICS				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208697	1,508.91		
				CRIME FREE MULTI HSNG SIGNS-PD	1,387.50
				CALIF SALES TAX	121.41
	Vendor Total		**1,508.91**		
FYTD for SIERRA SCREENPRINT GRAPHICS			**1,508.91**		
SIERRA, GLORIA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208862	95.00		
				REFUND-RABIES DEPOSIT	20.00
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for SIERRA, GLORIA			**95.00**		
SKONBERG, RIX				Remit to: **LA VERNE** **CA**	
	7/18/2011	883184	0.00		
				TUITION REIMBURSEMENT	1,500.00
				VOIDED CHECK #883184 - 7/21/11	-1,500.00
	7/21/2011	883187	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for SKONBERG, RIX			**1,500.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883110	57.76		
				REFUND-UUT USER TAXES	57.76
	Vendor Total		**57.76**		
FYTD for SKY TRAILS MOBILE VILLAGE			**57.76**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883111	318.73		
				RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**318.73**		

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SMITH, ERNEST FRANK				Remit to: **FONTANA** **CA**	
	7/5/2011	208606	1,912.38		
				RETIREE MED JAN-JUN 11, PD JUL	1,912.38
	Vendor Total		**1,912.38**		
FYTD for SMITH, ERNEST FRANK			**1,912.38**		
SMITH, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208790	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SMITH, JOHN			**50.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883112	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**318.73**		
SMUS, PAULA				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208791	67.68		
				MILEAGE REIMBURSEMENT	67.68
	Vendor Total		**67.68**		
FYTD for SMUS, PAULA			**67.68**		
SO CAL FIRE PREVENTION OFFICERS ASSOC.				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/5/2011	208607	55.00		
				MEMBERSHIP RENEWAL	55.00
	Vendor Total		**55.00**		
FYTD for SO CAL FIRE PREVENTION OFFICERS ASSOC.			**55.00**		
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	7/11/2011	883152	14,671.30		
				FUEL PURCHASE	6,431.32
				FUEL PURCHASE	8,239.98
	Vendor Total		**14,671.30**		
FYTD for SOCO GROUP, INC			**14,671.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208698	103.20		
				INSTRUCTOR SVCS-YOGA CLASS	103.20
	Vendor Total		**103.20**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**103.20**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
7/5/2011	208608	416.41		
			OPERATING FEE-CH GENERATOR	303.56
			EMISSIONS FLAT FEE-CITY HALL	112.85
7/11/2011	208699	202.60		
			EMISSIONS FLAT FEE-CITY YARD	112.85
			ANNUAL OPERATING FEES-CITY YRD	89.75
7/11/2011	208700	112.31		
			AQMD FEE-JUL'10 TO JUN'11	112.31
7/25/2011	208863	112.31		
			HOT SPOTS FEE-JUL'10 TO JUN'11	112.31
	Vendor Total	**843.63**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**843.63**		
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208609	6,946.39		
			ELECTRICITY	94.55
			ELECTRICITY	104.01
			ELECTRICITY	916.01
			ELECTRICITY	1,791.93
			ELECTRICITY	135.60
			ELECTRICITY	248.78
			ELECTRICITY	706.85
			ELECTRICITY	824.38
			ELECTRICITY	154.13
			ELECTRICITY	309.68
			ELECTRICITY	25.25
			ELECTRICITY	1,083.80
			ELECTRICITY	205.83
			ELECTRICITY	197.81
			ELECTRICITY	70.49
			ELECTRICITY	77.29
7/11/2011	208702	5,217.15		
			ELECTRICITY	44.62
			ELECTRICITY	21.99
			ELECTRICITY	884.88
			ELECTRICITY	1,444.50
			ELECTRICITY	1,186.44
			ELECTRICITY	396.60
			ELECTRICITY	656.24
			ELECTRICITY	498.47
			ELECTRICITY	43.51
			ELECTRICITY	39.90
7/25/2011	208865	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**26,310.27**		
FYTD for SOUTHERN CALIFORNIA EDISON		**228,961.11**		

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK** **CA**	
	7/18/2011	208793	4,681.09		
				GAS CHARGES	711.38
				GAS CHARGES	2,158.36
				GAS CHARGES	14.30
				GAS CHARGES	22.71
				GAS CHARGES	356.59
				GAS CHARGES	146.36
				GAS CHARGES	20.74
				GAS CHARGES	224.49
				GAS CHARGES	78.57
				GAS CHARGES	105.47
				GAS CHARGES	64.73
				GAS CHARGES	80.09
				GAS CHARGES	68.95
				GAS CHARGES	99.38
				GAS CHARGES	22.44
				GAS CHARGES	506.53
	Vendor Total		**4,681.09**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**4,681.09**		
SPARKLETTS				Remit to: **DALLAS** **TX**	
	7/11/2011	208703	41.83		
				WATER SERVICE-CREEKSIDE ELEM	19.54
				WATER SERVICE-ARMADA ELEM.	22.29
	7/25/2011	208866	15.50		
				WATER SERVICE-SUNNYMD ELEM	15.50
	Vendor Total		**57.33**		
FYTD for SPARKLETTS			**57.33**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883113	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**318.73**		
SPECK, TIFFANY				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208867	28.00		
				REFUND-DRAWING FOR KIDS CLASS	28.00
	Vendor Total		**28.00**		
FYTD for SPECK, TIFFANY			**28.00**		

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SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	7/25/2011	883217	12,333.33		
				LNDSCP MAINT.-ZONE E-1	8,746.67
				LNDSCP MAINT.-ZONE E-1A	3,586.66
		Vendor Total	**12,333.33**		
FYTD for SPECTRUM CARE			**12,333.33**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883114	229.88		
				RETIREE MED JUL '11	229.88
		Vendor Total	**229.88**		
FYTD for SPENCER, MARTHA			**229.88**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	7/18/2011	208794	30.00		
				SUBPOENA COMPLNCE-MV111370237	30.00
		Vendor Total	**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	7/11/2011	883153	32.89		
				CELL PHONE SVCS-GANG TASK FRC	32.89
	7/25/2011	883218	607.43		
				CELL PHONE SVCS-PD/SET	607.43
		Vendor Total	**640.32**		
FYTD for SPRINT/NEXTEL			**640.32**		
SRINIVAS, ANAND				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208795	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for SRINIVAS, ANAND			**75.00**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	7/5/2011	208611	2,050.52		
				SUPPLEMENTAL INSURANCE	2,050.52
		Vendor Total	**2,050.52**		
FYTD for STANDARD INSURANCE CO			**31,970.69**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883219	140.00		
			FIRE ALARM SVCD-CONF & REC CTR	140.00
	Vendor Total	**140.00**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**140.00**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
7/25/2011	208868	6,246.25		
			ELECTRICAL ENERGY SURCHARGE	6,246.25
7/29/2011	63011	5,250.00		
			SALES & USE TAX 4/1/11-6/30/11	5,250.00
	Vendor Total	**11,496.25**		
FYTD for STATE BOARD OF EQUALIZATION		**11,496.25**		
STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208704	2,400.44		
			ANNL STREET REPORT 09/10 FY	2,400.44
	Vendor Total	**2,400.44**		
FYTD for STATE CONTROLLER'S OFFICE		**2,400.44**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
7/7/2011	2885	2,096.47		
			CHILD SUPPORT W/H 7/7/11	2,096.47
7/21/2011	2894	2,238.93		
			CHILD SUPPORT W/H 7/21/11	2,238.93
	Vendor Total	**4,335.40**		
FYTD for STATE DISBURSEMENT UNIT		**4,335.40**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
7/5/2011	208612	3,197.00		
			FINGERPRINTING SVCS-PD	3,197.00
7/11/2011	208705	958.00		
			BLOOD ALCOHOL ANALYSIS-PD	350.00
			FINGERPRINTING SVCS-BUS. LIC.	128.00
			FINGERPRINTING SVCS-H.R.	256.00
			FINGERPRINTING SVCS-STARS	32.00
			FINGERPRINTING SVCS-PRKS & REC	64.00
			FINGERPRINTING SVC-PD	96.00
			FINGERPRINTING SVC-CITY COUNCL	32.00
7/18/2011	208796	2,848.00		
			FINGERPRINTING SVCS-BUS. LIC.	192.00
			FINGERPRINTING SVCS-H.R.	128.00
			FINGERPRINTING SVCS-STARS	2,024.00
			FINGERPRINTING SVCS-STARS	504.00
	Vendor Total	**7,003.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**7,003.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
7/18/2011	208797	127.04		
			REFUND-MVU/J MCGLOTHEN	38.86
			REFUND-MVU/B SOLARES	88.18
	Vendor Total	**127.04**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**127.04**		
STEININGER, RICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208706	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for STEININGER, RICHELLE		**20.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
7/18/2011	208798	2,288.96		
			TRANSCRIPTION SVCS-PD	2,288.96
	Vendor Total	**2,288.96**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**2,288.96**		
STEWART TITLE OF CALIFORNIA			Remit to: **HOUSTON** **TX**	
7/5/2011	208629	250.00		
			APN482-230-13 LITIG. GUARANTEE	250.00
	Vendor Total	**250.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**250.00**		

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STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
7/5/2011	883116	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for STEWART, CLIFFORD		**267.88**		
STILES ANIMAL REMOVAL, INC.			Remit to: **GUASTI** **CA**	
7/25/2011	208869	300.00		
			LARGE ANIMAL REMOVAL SVCS	100.00
			LARGE ANIMAL REMOVAL SVCS	200.00
	Vendor Total	**300.00**		
FYTD for STILES ANIMAL REMOVAL, INC.		**300.00**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH** **CA**	
7/11/2011	208707	1,550.10		
			LEGAL SVCS	79.50
			LEGAL SVCS	695.27
			LEGAL SVCS	775.33
	Vendor Total	**1,550.10**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**1,550.10**		
STRICKLER ASSOCIATION, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	883220	4,062.50		
			CONSULTING SVCS-EDD	4,062.50
	Vendor Total	**4,062.50**		
FYTD for STRICKLER ASSOCIATION, THE		**4,062.50**		
STRICKLER II, JOHN W.			Remit to: **SAN BERNARDINO** **CA**	
7/5/2011	883117	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for STRICKLER II, JOHN W.		**318.73**		
SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208708	10.56		
			MISC SUPPLIES-PD	10.56
	Vendor Total	**10.56**		
FYTD for SUNNYMEAD ACE HARDWARE		**10.56**		
SYED, ADNAN			Remit to: **LAKE ELSINORE** **CA**	
7/18/2011	208799	725.00		
			REFUND-RENTAL DEPOSIT-CRC	725.00
	Vendor Total	**725.00**		
FYTD for SYED, ADNAN		**725.00**		

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TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	7/5/2011	208613	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**6,250.00**		
TCM GROUP				Remit to: **FONTANA** **CA**	
	7/5/2011	883118	0.00		
				SR-60/NASON ST INTRCHNG PROJ	21,572.87
				SR-60/NASON ST INTRCHNG PROJ	42,633.50
				SR-60/NASON ST INTRCHNG PROJ	23,140.52
				SR-60/NASON ST INTRCHNG PROJ	85,853.53
				VOIDED CHECK #883118 - 7/12/11	-21,572.87
				VOIDED CHECK #883118 - 7/12/11	-42,633.50
				VOIDED CHECK #883118 - 7/12/11	-23,140.52
				VOIDED CHECK #883118 - 7/12/11	-85,853.53
	Vendor Total		**0.00**		
FYTD for TCM GROUP			**351,572.38**		
TEK TIME SYSTEMS, LLC				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208718	268.25		
				REPAIRS-DATE STAMP MACHINE-FIN	268.25
	Vendor Total		**268.25**		
FYTD for TEK TIME SYSTEMS, LLC			**268.25**		
TEK WORKS				Remit to: **POWAY** **CA**	
	7/18/2011	883185	960.10		
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.09
				CREDIT-CITY CLRK FILE RM DOOR	-693.78
	Vendor Total		**960.10**		
FYTD for TEK WORKS			**960.10**		
TENORIO, LIZETTE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208800	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for TENORIO, LIZETTE			**200.00**		

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TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	7/5/2011	208614	7,262.00		
				CITY HALL HVAC SYSTEM REDESIGN	7,262.00
	7/27/2011	208881	6,113.59		
				CITY HALL HVAC SYSTEM REDESIGN	6,113.59
	Vendor Total		**13,375.59**		
FYTD for TMAD TAYLOR & GAINES			**13,375.59**		
TOLEDANO, JANET				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208709	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for TOLEDANO, JANET			**75.00**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208870	2,530.80		
				INSTRUCTOR SVCS-BALLET INTERMD	66.60
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	222.00
				INSTRUCTOR SVCS-BALLET/JAZZ	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-HIP HOP DANCE	421.80
	Vendor Total		**2,530.80**		
FYTD for TRICHE, TARA			**2,530.80**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208615	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	7/11/2011	208710	25.00		
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**75.00**		
TRINITY DIVERSIFIED, INC.				Remit to: **LONG BEACH** **CA**	
	7/5/2011	208616	155.67		
				STRIPING/STENCIL TRCK SUPPLIES	155.67
	Vendor Total		**155.67**		
FYTD for TRINITY DIVERSIFIED, INC.			**155.67**		

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TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK** **CA**	
7/18/2011	208801	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
7/25/2011	208871	1,364.13		
			IRRIGATION REPAIRS-ZONE E-2	1,364.13
	Vendor Total	**17,064.13**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**17,064.13**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883222	14,093.25		
			LNDSCP MAINT.-ZONE M	5,289.24
			LNDSCP MAINT.-ZONE M	243.48
			LNDSCP MAINT.-ZONE DSG-1	6,075.53
			LNDSCP MAINT.-ZONE E-16	2,485.00
	Vendor Total	**14,093.25**		
FYTD for TRUGREEN LANDCARE		**14,093.25**		
TUNTLAND, JAMES			Remit to: **PRESCOTT** **AZ**	
7/5/2011	883119	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**267.88**		
TURBOSCAPE, INC.			Remit to: **SANTA CLARA** **UT**	
7/5/2011	883120	12,600.00		
			PLAYGRND FIBER FOR JFK PARK	11,550.00
			INSTALL FIBAR CHIPS-CITY PARKS	1,050.00
7/11/2011	883155	4,200.00		
			INSTALL FIBAR CHIPS-CITY PARKS	3,950.00
			INSTALL FIBAR CHIPS-CITY PARKS	250.00
	Vendor Total	**16,800.00**		
FYTD for TURBOSCAPE, INC.		**16,800.00**		
U.S. HEALTHWORKS MEDICAL GROUP			Remit to: **LOS ANGELES** **CA**	
7/25/2011	208872	50.00		
			FIT FOR DUTY EVALUATION-HR	50.00
	Vendor Total	**50.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		**50.00**		
U.S. POSTAL SERVICE			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208617	11,000.00		
			PERMIT #153-REC GUIDES POSTAGE	11,000.00
	Vendor Total	**11,000.00**		
FYTD for U.S. POSTAL SERVICE		**11,000.00**		

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UNDERGROUND SERVICE ALERT			Remit to: **CORONA**	**CA**
7/5/2011	883121	433.50		
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
	Vendor Total	**433.50**		
FYTD for UNDERGROUND SERVICE ALERT		**433.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO**	**CA**
7/5/2011	208618	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
	Vendor Total	**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**291.67**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883122	270.00		
			AUTO MALL PYLON SIGN PROJECT	270.00
7/11/2011	883156	1,917.00		
			AUTO MALL PYLON SIGN PROJECT	1,917.00
	Vendor Total	**2,187.00**		
FYTD for UNITED INSPECTION & TESTING INC		**2,187.00**		
UNITED POWER GENERATION, INC.			Remit to: **RIVERSIDE**	**CA**
7/5/2011	208619	265.00		
			GENERATOR TEST/REPAIR-FS #48	265.00
	Vendor Total	**265.00**		
FYTD for UNITED POWER GENERATION, INC.		**265.00**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO**	**CA**
7/11/2011	883157	1,501.02		
			BROOM KITS-ST SWEEPER	1,501.02
	Vendor Total	**1,501.02**		
FYTD for UNITED ROTARY BRUSH CORP		**1,501.02**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE**	**CA**
7/11/2011	883158	107.39		
			FENCE RENTAL-ANIMAL SHELTER	11.32
			FENCE RENTAL-ANIMAL SHELTER	96.07
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**107.39**		

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UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
7/5/2011	208620	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
7/18/2011	208802	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**100.00**		
FYTD for UNITED STATES TREASURY		**100.00**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208621	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
7/18/2011	208803	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
	Vendor Total	**989.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**989.38**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208622	3,652.45		
			FERTILIZER AND AG CHEMICALS	1,252.29
			FERTILIZER AND AG CHEMICALS	2,400.16
7/11/2011	208711	1,200.09		
			FERTILIZER AND AG CHEMICALS	919.37
			FERTILIZER AND AG CHEMICALS	280.72
	Vendor Total	**4,852.54**		
FYTD for UNIVAR USA, INC		**4,852.54**		
VACA, MONICA			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208873	3,000.00		
			SETTLEMENT	3,000.00
	Vendor Total	**3,000.00**		
FYTD for VACA, MONICA		**3,000.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
7/11/2011	883159	1,160.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL FIELD OFFICE	45.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
7/18/2011	883186	235.00		
			PEST CNTRL-LIBRARY	5.00
			PEST CNTRL-LIBRARY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,395.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**1,395.00**		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
7/5/2011	883123	8,120.00		
			TEMP STAFFING SVCS-CAP PROJS.	8,120.00
	Vendor Total	**8,120.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**8,120.00**		
VALUEQUEST PRO P.C.			Remit to: **PERRIS**	**CA**
7/5/2011	208623	250.00		
			APPRAISAL SVCS FOR NSP PRGM	250.00
	Vendor Total	**250.00**		
FYTD for VALUEQUEST PRO P.C.		**250.00**		

City of Moreno Valley

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAS ASSOCIATES, INC.			Remit to: **CORONA** **CA**	
7/5/2011	883124	16,320.00		
			TEMP STAFFING SVCS-CAP PROJS.	16,320.00
7/25/2011	883223	17,280.00		
			TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total	**33,600.00**		
FYTD for VAS ASSOCIATES, INC.		**33,600.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208712	15,890.00		
			ACCOUNTING SVCS	7,155.00
			ACCOUNTING SVCS	8,735.00
	Vendor Total	**15,890.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**15,890.00**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
7/5/2011	208624	172.63		
			PHONE LISTING CHARGE	172.63
	Vendor Total	**172.63**		
FYTD for VERIZON CALIFORNIA		**172.63**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
7/11/2011	208713	648.15		
			ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total	**648.15**		
FYTD for VICTOR MEDICAL CO		**648.15**		
VIEVU			Remit to: **SEATTLE** **WA**	
7/5/2011	208625	10,169.00		
			WEARABLE VIDEO CAMERAS FOR PD	8,750.00
			2YR EXTENDED WARRANTY	1,400.00
			SHIPPING	19.00
			CA USE TAX	888.13
			USE TAX ACCRUAL	-888.13
	Vendor Total	**10,169.00**		
FYTD for VIEVU		**10,169.00**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883125	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST		**318.73**		

City of Moreno Valley

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For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VILLAGE NURSERIES WHOLESALE, LLC			Remit to: **ORANGE** **CA**	
7/5/2011	883126	3,809.49		
			PLANTS/TREE MATERIALS - PARKS	3,000.00
			PLANTS/TREE MATERIALS - PARKS	745.02
			PLANTS/TREE MATERIALS - PARKS	64.47
	Vendor Total	**3,809.49**		
FYTD for VILLAGE NURSERIES WHOLESALE, LLC		**3,809.49**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
7/5/2011	883127	3,951.46		
			EMPLOYEE VISION INSURANCE	3,951.46
	Vendor Total	**3,951.46**		
FYTD for VISION SERVICE PLAN		**3,951.46**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208714	261.11		
			PAINT/SUPPL FOR PARKS GRAFFITI	77.52
			PAINT/SUPPL-GRAFFITI RMVL PRGM	147.02
			PAINT/SUPPL-GRAFFITI RMVL PRGM	36.57
	Vendor Total	**261.11**		
FYTD for VISTA PAINT CORPORATION		**261.11**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
7/11/2011	208715	896.37		
			ASPHALTIC MATERIALS	550.55
			ASPHALTIC MATERIALS	103.85
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	103.85
	Vendor Total	**896.37**		
FYTD for VULCAN MATERIALS CO, INC.		**896.37**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883128	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for WAGNER, GARY D.		**318.73**		
WAGONER, ROBERT			Remit to: **ZEPHYRHILLS** **FL**	
7/5/2011	883129	360.40		
			RETIREE MED JUN-JUL 11, PD JUL	360.40
	Vendor Total	**360.40**		
FYTD for WAGONER, ROBERT		**360.40**		

City of Moreno Valley

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For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208626	637.46		
				RETIREE MED MAY-JUN 11, PD JUL	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**637.46**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	208874	2,000.00		
				ANNUAL TRUSTEE FEES-2005 LRB	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**2,000.00**		
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	7/11/2011	208719	5,700.00		
				TRIM/THIN OLIVE TREES-VAR LOC.	5,700.00
	Vendor Total		**5,700.00**		
FYTD for WEST COAST ARBORISTS, INC.			**5,700.00**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208716	492.00		
				CALTRANS ENCRCHMNT PERMIT FEE	492.00
	Vendor Total		**492.00**		
FYTD for WEST COAST STRUCTURES INC			**492.00**		
WESTBOUND COMMUNICATIONS				Remit to: **ORANGE** **CA**	
	7/18/2011	208804	7,500.00		
				MAIL BALLOT PR CONSULTING SVCS	3,750.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
	Vendor Total		**7,500.00**		
FYTD for WESTBOUND COMMUNICATIONS			**7,500.00**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208875	3,274.78		
				WATER CHARGES	1,761.75
				WATER CHARGES	10.94
				WATER CHARGES	1,443.82
				WATER CHARGES	58.27
	Vendor Total		**3,274.78**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**3,274.78**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WHEELER, GERALD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208805	100.80		
				INSTRUCTOR SVCS-YOUTH GOLF	50.40
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
	Vendor Total		**100.80**		
FYTD for WHEELER, GERALD			**100.80**		
WHISNER, MARY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208806	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISNER, MARY			**50.00**		
WIELIN, RONALD A.				Remit to: **BANNING** **CA**	
	7/5/2011	883130	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**318.73**		
WILLDAN AND ASSOCIATES				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	208627	8,665.00		
				BLDG & SAFETY PLAN CHECK SVCS	7,455.00
				ON-SITE PERMIT INVESTIG. SVCS	1,210.00
	Vendor Total		**8,665.00**		
FYTD for WILLDAN AND ASSOCIATES			**8,665.00**		
WILLDAN FINANCIAL SERVICES				Remit to: **TEMECULA** **CA**	
	7/5/2011	208628	1,500.00		
				ARBITRAGE FEE-97 LSE REV BOND	500.00
				ARBITRAGE FEE-97 LSE REV BOND	1,000.00
	Vendor Total		**1,500.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**1,500.00**		
WILLIAMS, CHARMAINE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208807	62.00		
				REFUND-CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for WILLIAMS, CHARMAINE			**62.00**		

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For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	7/5/2011	883131	192.40		
				RETIREE MED JUN '11, PD JUL '1	192.40
	Vendor Total		**192.40**		
FYTD for WILLIAMS, JANE L.			**192.40**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	7/11/2011	208717	414.00		
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	90.00
	Vendor Total		**414.00**		
FYTD for WILLIS, ROBERT H			**414.00**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA** **CA**	
	7/5/2011	883132	7,600.00		
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	7/25/2011	883224	7,600.00		
				TEMP STAFFING SVCS-ELECTR UTIL	2,190.00
				TEMP STAFFING SVCS-ELECTR UTIL	5,410.00
	Vendor Total		**15,200.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**15,200.00**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208876	17,746.00		
				TUMF FEES COLLECTED	17,746.00
	Vendor Total		**17,746.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**17,746.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	7/5/2011	883133	1,620.00		
				MAINT. DAY PORTER SVCS	1,020.00
				JANITORIAL SVCS-TOWNGT RENTALS	600.00
	7/11/2011	883161	130.00		
				SPECIAL CLEANING SVCS-SNR CTR	130.00
	7/27/2011	883225	23,005.87		
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
				JANITORIAL SVCS-T.S. ANNEX	453.43
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-MRCH FLD PK CC	955.70
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-FAC. ANNEX	124.29
				JANITORIAL SVCS-SP DIST ANNEX	735.73
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRAILER	98.40
				JANITORIAL SVCS-CITY HALL	4,588.23
				MAINT. DAY PORTER SVCS	1,076.10
	Vendor Total		**24,755.87**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**24,755.87**		
XEROX				Remit to: **DALLAS** **TX**	
	7/18/2011	208808	3,520.61		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,618.85
				COPIER RNTL/MAINT-GRAPHICS	397.79
				COPIER RNTL/MAINT-PARKS	117.88
				COPIER RNTL/MAINT-PARKS	241.46
				COPIER RNTL/MAINT/PRINTS-PARKS	1,144.63
	Vendor Total		**3,520.61**		
FYTD for XEROX			**3,520.61**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	7/5/2011	883134	161.50		
				RETIREE MED MAY '11, PD JUL '1	161.50
	Vendor Total		**161.50**		
FYTD for YAMASHITA, JULIA J.			**161.50**		

Subtotal **1,171,566.33**

GRAND TOTAL **11,090,197.25**

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MV00129358

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT
PROJECT NO. 10-12272227

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

BACKGROUND

The design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In August 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

The Planning Division of the Community and Economic Development Department determined on July 25, 2011, that this project is exempt from the California

Environmental Quality Act (CEQA) as it is classified as a Class 1 Categorical Exemption under Section 15301(c) and, therefore, environmental documents are not required.

DISCUSSION

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The project improvements and locations are as follows:

- Curb, gutter, and sidewalk on the north side of Ironwood Avenue, east of Bayless Street.
- Curb, gutter, and sidewalk on the east side of Indian Street, south of Ironwood Avenue.
- Sidewalk on the east side of Pigeon Pass Road, north of Hemlock Avenue.
- Sidewalk on the south side of Calle San Juan De Los Lagos, west of Frederick Street.
- Ten pedestrian access ramps along Hemlock Avenue from Perris Boulevard to Leahy Street.
- Pedestrian access ramps on the northwest and southwest corners of Indian Avenue and Dorner Drive.
- Pedestrian access ramps on the southeast and northeast corners of Ramsdell Drive and Dorner Drive.
- Pedestrian access ramps on the southwest and southeast corners of Cottonwood Avenue and Bion Drive.
- Pedestrian access ramp and curb return on the southeast corner of Cactus Avenue and Elsworth Street.
- Pedestrian access ramp and curb return on the northwest corner of Iris Avenue and Oliver Street.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m., on September 12, 2011, for the subject project. The ten (10) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Mora's Equipment & Construction, Inc.**	**$182,993.50**
2.	TSR Construction & Inspection	$220,417.60
3.	Golden State Constructors, Inc.	$238,606.25
4.	CT&T, Inc.	$247,797.90
5.	STI, Inc.	$266,135.43
6.	Blair Rasmussen Construction	$280,741.12
7.	Elite Companies	$286,370.57
8.	JDC, Inc.	$320,910.60
9.	Avi-Con, Inc.	$375,398.00
10.	Bravo Concrete	$401,616.55

Engineer's Estimate $230,000.00

Staff has reviewed Mora's Equipment & Construction, Inc.'s bid and finds it to be the lowest responsive bid. Furthermore, Mora's Equipment & Construction, Inc. is in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Mora's Equipment & Construction, Inc. in their bid.

The lowest responsive bid was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternative items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternative items which comprise the ten locations identified in the DISCUSSION section. These ten locations are Phase 1 of the FY 10-11 SB 821 Grant Project as accepted by City Council on September 14, 2010. Phase 2 of the FY 10-11 SB 821 Grant Project will go out to bid in January of 2012.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor will coordinate construction activities such that impacts to motorists and pedestrians are minimized.

ALTERNATIVES

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc., in the form attached hereto, authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc. up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will allow for the timely construction of needed improvements.*

2. Do not award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, do not authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will delay the construction of these needed improvements.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2011/2012 Capital Improvements Project Budget and will be financed by SCAG Article 3 (Fund 122) and Measure "A" (Fund 125). RCTC will reimburse up to $150,000 of the construction costs. The funding for this project is restricted to street improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS FISCAL YEAR 2011/2012:

Citywide Sidewalks and Access Ramps (Account No. 122.72227)	$150,000
Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$150,000
Total Funds Available	**$300,000**

ESTIMATED CONSTRUCTION RELATED COSTS:

Construction (Includes 20% contingency)	$220,000
Construction Surveying Costs	$25,000
Construction Geotechnical Costs	$25,000
Project Administration and Inspection Services	$20,000
Total Estimated Construction Related Costs	**$290,000**

ANTICIPATED PROJECT SCHEDULE:

Start Construction	October 2011
Complete Construction	March 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The City Council is requested to approve the award of the construction contract to Mora's Equipment & Construction, Inc.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Mora's Equipment & Construction, Inc.

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\CC Reports\NOA-Phase 1 staff report\NOA for Citywide Sidewalks and Access Ramps_9-21-11.doc

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MV00129364

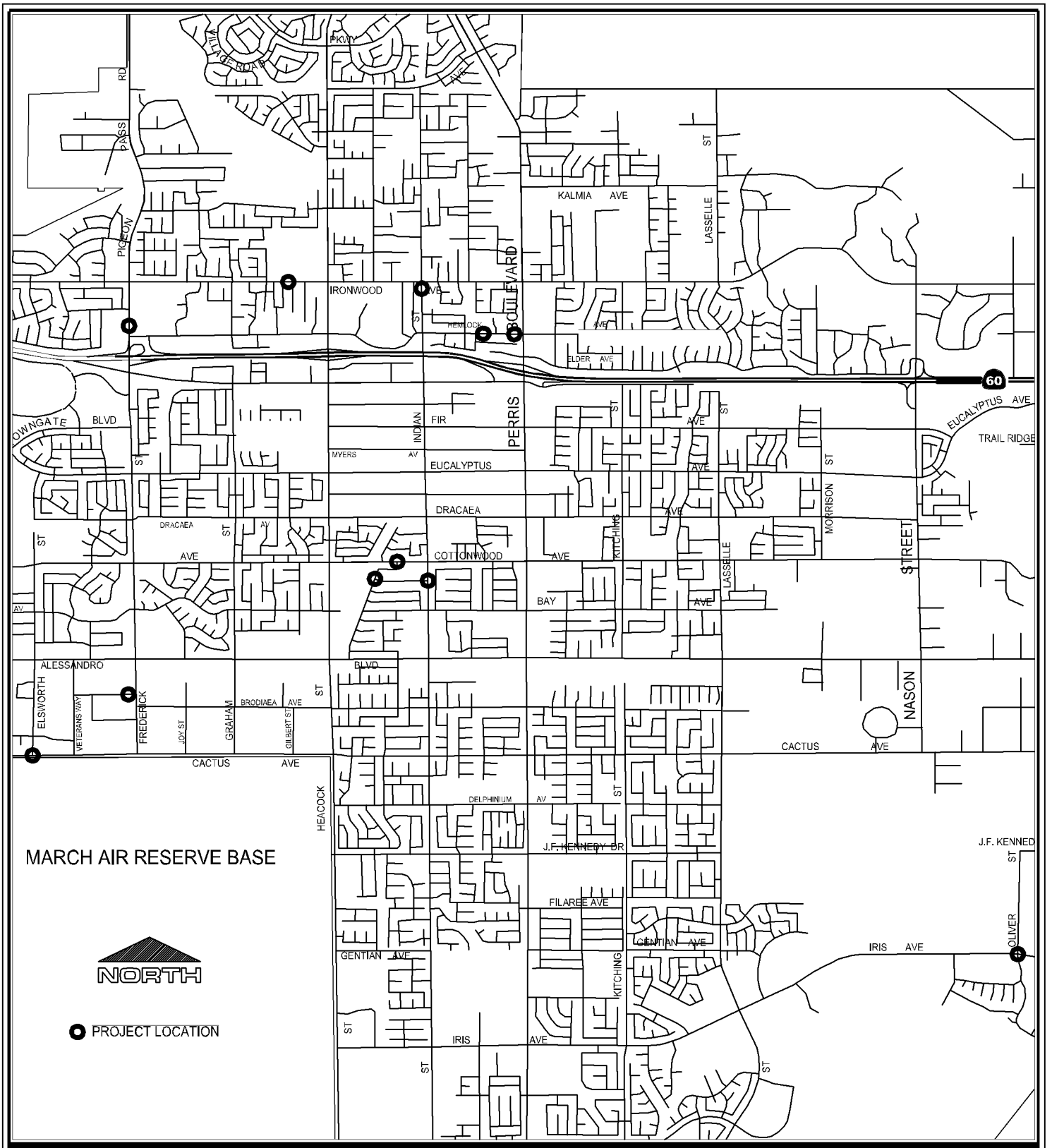

ATTACHMENT "A" - LOCATION MAP

Public Works Department Capital Projects Division	PROJECT NO. 10-12272227 CITYWIDE SIDEWALKS AND ACCESS RAMPS
Scale: None	

Item No. A.5

MV00129365

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MV00129366

Agreement No._____

AGREEMENT

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Mora's Equipment and Construction, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$182,993.50** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. After the Agreement has been fully executed by the Contractor and the City, the Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the "Notice to Proceed to Fulfill Preconstruction Requirements," which constitutes the start of the contract eighty (80) working days. Preconstruction Requirements include, but are not limited to, the following:

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan
- Submitting and obtaining approval of required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Contract Documents

After all preconstruction requirements are met, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor agrees to diligently prosecute the work, including corrective items of work, day to day thereafter, except as adjusted by subsequent Change Orders. The eighty (80) working days include the time necessary to both Fulfill Preconstruction Requirements and for Construction of the project.

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $365.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers,

employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

15. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

16. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12272227

CITY OF MORENO VALLEY, a Municipal Corporation

BY: _____
City Manager

DATE: _____

Mora's Equipment and Construction, Inc.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\Specifications\2 Agreement - Basic Specs 07-11 - Citywide SW AR.DOC

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO

-ly attach this document to the signed document.

Item No. A.5

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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MV00129380

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

FRAN LOU DRIVE, BETWEEN PERRIS BOULEVARD AND KITCHING STREET

DEVELOPER - LCTH INVESTMENT, L.P.
1000 DOVE STREET
SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements.

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 27, 2003, the City Council of Moreno Valley approved Final Map 20185 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 20185 provided a Faithful Performance Bond in the amount of $2,072,000 and a Material and Labor Bond in the amount of $1,036,000 issued by Western Insurance Company.

On August 23, 2005, the City Council approved and accepted replacement bonds and an Agreement for Public Improvements for Tract 20185. The agreement expired August 23, 2007. Due to the current market conditions at that time, LCTH Investment, L.P. postponed development and focused on selling their current inventory of homes on other project sites.

On September 25, 2007, LCTH Investment, L.P. requested that the City provide a 24 month extension of time to their Agreement for Public Improvements. The amendment extended the agreement for Tract 20185 to August 23, 2009.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Do not direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 20185
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\9-27-11 - TR 20185- Exoneration of Agree.doc

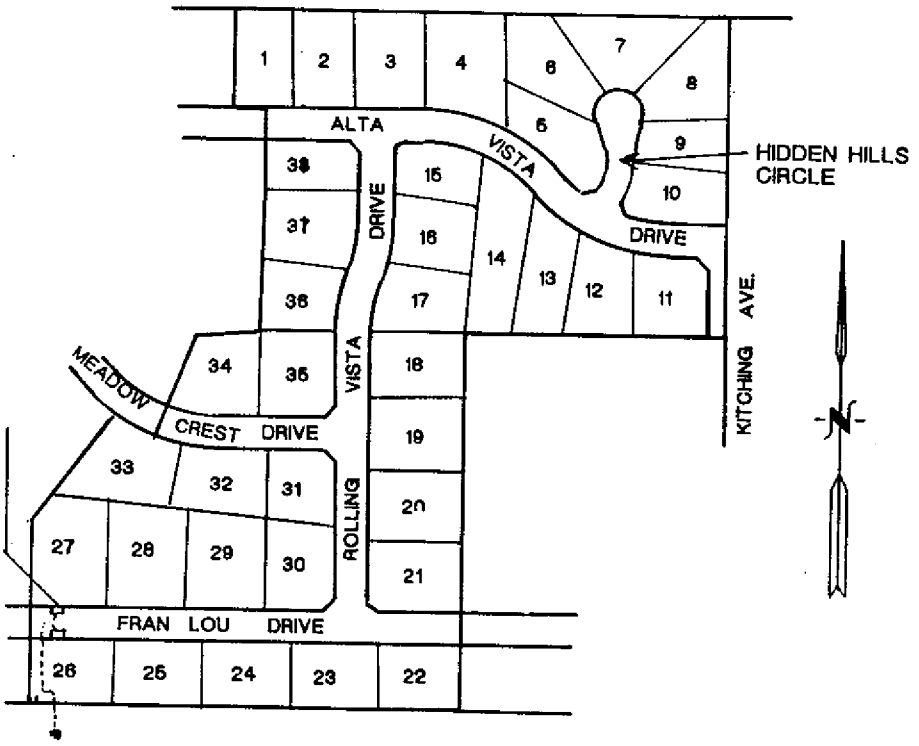

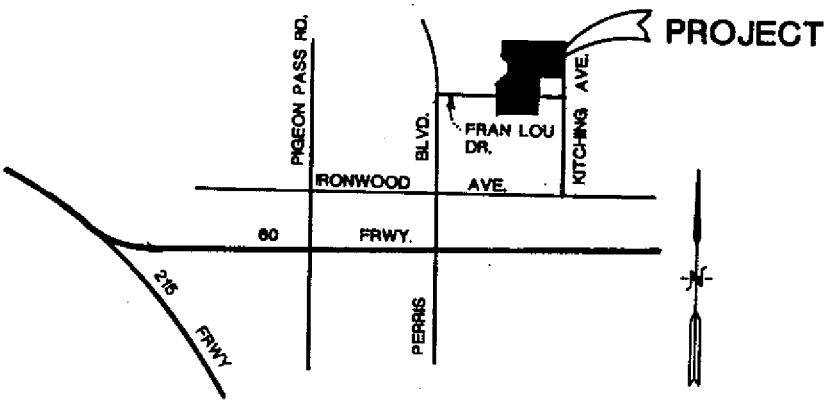

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

TRACT 20185
VICINITY MAP

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MV00129386

AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS FOR TRACT 20185

This Amendment to Agreement for Public Improvements is made and entered into by and between the City of Moreno Valley, hereinafter "City", and **LCTH INVESTMENT, L.P.,** hereinafter "Contractor", on the date the City signs this agreement.

1. RECITALS:

   (a) The City and the Contractor entered into an Agreement for Public Improvements hereinafter called the "Original Agreement" **(Doc #2005-0793184)** on August 23, 2005. That agreement will expire on August 23, 2007.

   (b) The City and the Contractor wish to amend the Original Agreement as hereinafter provided.

2. AMENDMENT TO ORIGINAL AGREEMENT:

   (a) Based upon the foregoing Recitals, the City and the Contractor hereby amend the Original Agreement, extending said agreement by twenty-four (24) months, up to and including the **23rd day of August 2009**, the time for completion of the required work and improvements by the Contractor.

   (b) The bonds currently on file are to remain in effect unless replacement bonds are being provided with this Amendment to Agreement for Public Improvements.

3. LIMITED EFFECT:

   Except as herein otherwise provided, the terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Contractor and the City have duly caused this Amendment to the Original Agreement to be executed as of the date executed by the Mayor of the City.

LCTH INVESTMENT, L.P.

By: C Christine Chung
Signature

CHRISTINE CHUNG MANAGER
Print Name & Title

By: _____
Signature

_____
Print Name & Title

ATTEST:

Alice Reed 10/2/07
City Clerk Date

CITY OF MORENO VALLEY

Charles White 9-29-07
Mayor Date:

APPROVED AS TO FORM:

RDH 9/29/07
City Attorney Date

Original-City Clerk Pink-Contractor Green-Land Dev. Blue-Project File

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

W:\LandDev\Lee Ann\Agreement Bond Packets\TR20185 - Amendment to Agreement-extension.doc

Exhibit "B"

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0.05	Thickness (ft.)				
	132550	S.F.	480	Ton	55.00	26,427
A.C. - Street 1	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	90.00	302,711
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	329,138

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

OFFSITE STREET WORK

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	0	Ton	90.00	0
Slurry Seal (Based on $150/Ton Type II)	14728	S.Y.	2.25	33,138
Sawcut	0	L.F.	1.50	0
Utility Trench	5000	L.F.	17.00	85,000
Trench Repaving	0	S.F.	12.00	0
Redwood Header	250	L.F.	6.00	1,500
A.C. Berm - 6"	163	L.F.	10.00	1,630
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	19	EA.	800.00	15,200
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	1800	L.F.		0
Curb and Gutter - 8"	5000	L.F.	25.00	125,000
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	3000	S.F.	15.00	45,000
Sidewalk	13800	S.F.	7.00	96,600
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	4350	S.F.	14.00	60,900
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	9	EA.	1,200.00	10,800
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	60	L.F.	100.00	6,000
	0			0
			SUBTOTAL:	480,768

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	16	EA.	4,000.00	64,000
Street Lights (22000 lumen)	0	EA.	5,000.00	0
Electrical Utility Infrastructure	0	L.S.	--	0
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	64,000
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordina	0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
Traffic Striping/raised pavement markers	1	L.S.	10000	10,000
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	5	EA.	200.00	1,000
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
	0		--	0
			SUBTOTAL:	12,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Cluster Mail Boxes	4	EA.	4,500.00	18,000
Erosion Control	24	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	178	EA.	100.00	17,800
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Street Trees	38	EA.	2,500.00	95,000
			SUBTOTAL:	130,800

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	48	L.F.	130.00	6,240
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	238	L.F.	180.00	42,840
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	3	EA.	5500.00	16,500
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
	0		---	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	21	EA.	5500.00	115,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	2	EA.	3500.00	7,000
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		---	0
Miscellaneous				
Rip Rap	200	TON	60.00	12,000
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		---	0
			SUBTOTAL:	203,080

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	2422		50.00	121,100
10" PVC C-900	0		55.00	0
12" PVC C-900	1045		60.00	62,700
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.	---	0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	5	EA.	800.00	4,000
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	1	EA.	1,800.00	1,800
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	4	EA.	3,000.00	12,000
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	3	EA.	2,500.00	7,500
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	7	EA.	2,800.00	19,600
6" Super Fire Hydrants	0	EA.	3,000.00	0
	0		---	0
Services Connections				
1" Service	38	EA.	500.00	19,000
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	2		200.00	400
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	6		750.00	4,500
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	2	EA.	2,800.00	5,600
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	3	CY	150.00	450
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
	0		---	0
			SUBTOTAL:	267,650

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	1143	L.F.	20.00	22,860
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	3000	L.F.	30.00	90,000
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	38	EA.	700.00	26,600
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	33	EA.	3,000.00	99,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	0	EA.	300.00	0
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	38	EA.	90.00	3,420
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	238,460

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK :	$329,138
STREET WORK :	$611,568
STORM DRAIN SYSTEM :	$203,080
WATER SYSTEM :	$267,650
SEWER SYSTEM :	$238,460
ENTERPRISE SERVICES ADMIN :	$64,000
TRANSPORTATION ENGNRNG :	$12,000
TOTAL COST (VALUE) OF IMPROVEMENTS:	$1,725,896
+20% CONTINGENCY:	$345,179
GRAND TOTAL:	$2,071,075

BOND AMOUNT: **$2,072,000**

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TRACT MAP 20185

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **LCTH INVESTMENT, L.P.**, hereinafter called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TRACT MAP 20185** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND AND NO/100** Dollars (*****$1,637,000*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:

LCTH Investment, L.P.
1000 Dove Street
Suite 100
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

LCTH Investment, L.P.

By: Christine Cheng Manager
Title

By: _____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: Alice Reed
City Clerk

(SEAL)

CITY OF MORENO VALLEY

Date: 8/24/05

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8/24/05

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

PROJECT: **Tract 20185 (2005 Version)**
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			3675	C.Y.	16.00	58,800
A.B. Class II	0.5	Thickness (ft.)				
	132550	S.F.	4805	Ton	16.00	76,879
A.C.	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	43.50	146,310
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Curb and Gutter - 6"			1800	L.F.	12.00	21,600
Curb and Gutter - 8"			5000	L.F.	13.00	65,000
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			3000	S.F.	11.00	33,000
Sidewalk			13800	S.F.	4.00	55,200
Driveway Approach - 6"			4350	S.F.	5.50	23,925
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			163	L.F.	10.00	1,630
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			14728	S.Y.	1.10	16,201
Redwood Header			250	L.F.	4.00	1,000
Sawcut			0	L.F.	1.10	0
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5000	L.F.	5.00	25,000
Wheelchair Ramp			9	EA.	400.00	3,600
Street Name Sign			0	EA.	425.00	0
Stop Sign			5	EA.	200.00	1,000
Barricade			60	L.F.	45.00	2,700
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			5	EA.	200.00	1,000
Traffic Striping/raised pavement markers			1	L.S.	–	4,464
Traffic Signal			0	EA.	160,000.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping			0	S.F.	5.00	0
Street Trees			38	EA.	150.00	5,700
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			16	EA.	3,000.00	48,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			19	EA.	550.00	10,450
Erosion Control			24	Ac.	5,500.00	132,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure						
Electrical Reimbursement						
					SUBTOTAL:	745,459

Monuments: 0 X 65.00 EA. $0

Item No. A.6

EXHIBIT "A"

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	48	L.F.	75.00	3,600
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	0	L.F.	95.00	0
30" Reinforced Concrete Pipe	238	L.F.	110.00	26,180
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	3	EA.	5000.00	15,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin	21	L.F.	450.00	9,450
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Junction Structure	0	EA.	4500.00	0
Headwall	0	EA.	3500.00	0
Rip Rap	200	TON	40.00	8,000
Parkway Drain	1	EA.	2000.00	2,000
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	1	EA.	1100.00	1,100
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
"V" Gutter	23810	S.F.	4.00	95,240
			SUBTOTAL:	160,570

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	1045	L.F.	60.00	62,700
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	2422	L.F.	50.00	121,100
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	7	EA.	2,000.00	14,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	2	EA.	200.00	400
10"	0	EA.	240.00	0
12"	6	EA.	750.00	4,500
Blow Off 6"	0	EA.	1,800.00	0
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	0	EA.	1,800.00	0
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	38	EA.	350.00	13,300
Blow-offs	3	EA.	1,300.00	3,900
Air Vac & Air Release	4	EA.	1,800.00	7,200
Hot Tap	2	EA.	2,000.00	4,000
12" BFV	1	EA.	1,800.00	1,800
8" BFV	5	EA.	800.00	4,000
Thrust Block	3	C.Y	150.00	450
			SUBTOTAL:	246,350

Item No. A.6

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	3000	L.F.	32.00	96,000
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1143	L.F.	24.00	27,432
15" Pipe Plastic Solid Wall	0	L.F.	35.00	0
12" Pipe Plastic Solid Wall	0	L.F.	33.00	0
10" Pipe Plastic Solid Wall	0	L.F.	21.00	0
8" Pipe Plastic Solid Wall	0	L.F.	17.00	0
6" Pipe Plastic Solid Wall	0	L.F.	13.00	0
4" Pipe Plastic Solid Wall	0	L.F.	9.00	0
Standard Manhole 48"	19	EA.	2,000.00	38,000
Terminus Manholes	14	EA.	1,700.00	23,800
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	38	EA.	600.00	22,800
Wyes	38	EA.	90.00	3,420
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
			SUBTOTAL:	211,452

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

IMPROVEMENT TYPE:

ROADWORK	:	$745,459
STORM DRAIN	:	$160,570
WATER SYSTEM	:	$246,350
SEWER SYSTEM	:	$211,452
SURVEY MONUMENTS	:	$0
TOTAL COST OF IMPROVEMENTS:		$1,363,831
+20% CONTINGENCY:		$272,766
GRAND TOTAL:		$1,636,597

BOND AMOUNT: **$1,637,000**

Item No. A.6

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MV00129404

Recording requested by and when recorded, mail to:

City of Moreno Valley
CEDD/Land Development Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Public Works Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Tract Number 20185,

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 20185 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the Public Works Department, Land Development Division located at 14177 Frederick Street, Moreno Valley, California, 92553 or by calling 951.413.3120.

By: _____
CHRIS A. VOGT,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date 8/31/11

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Notifications for PIA Req\TR 20185 - Notice of Requirement for PIA.doc

Exhibit "C"

Item No. A.6

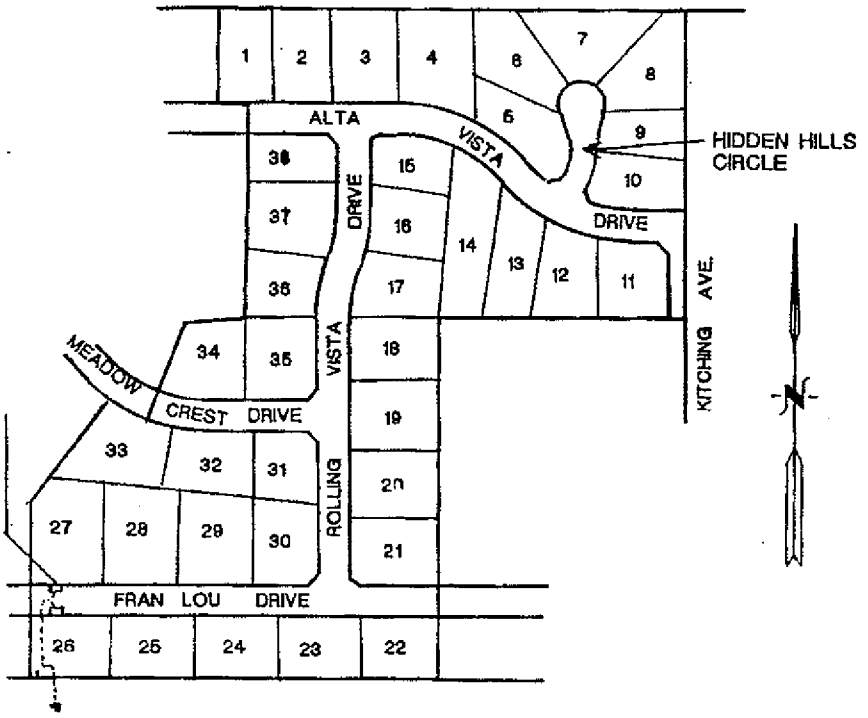

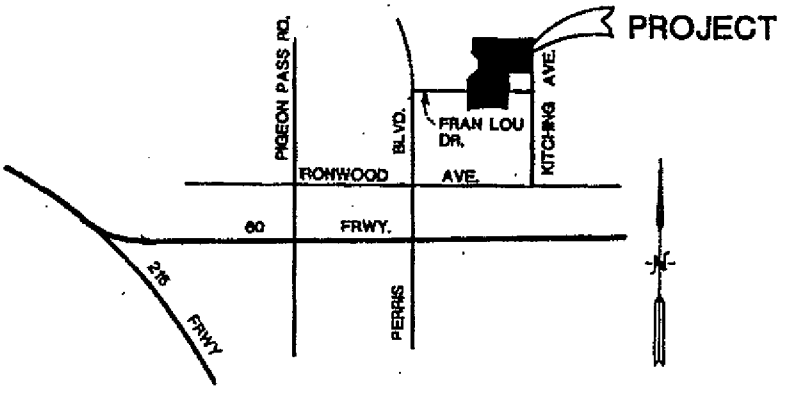

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** EXHIBIT "A"	**TRACT 20185** **VICINITY MAP**

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Community and Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO REDEVELOPMENT AGENCY
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324.

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325.

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way).

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency:

> Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. The City Council approved Resolution No. 2011-88 for the Notice of Intent to Vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highways Code – Chapter 3, Sections 8320 through 8325. The Resolution provided for the following actions:

1. Set the date of the public hearing for the vacation proceeding as September 27, 2011 , in the City Council Chambers, at 6:30 p.m., for all persons interested in or objecting to the proposed street vacation; and

2. Directed the City Clerk to publish and advertise the hearing notice and directed the City Engineer to post Motor Way giving notice of the time of the public hearing; and

3. Directed the City Clerk to certify said resolution and transmit a copy to the office of the County Recorder for recordation.

DISCUSSION

The Community Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Part of the Auto Mall Specific Plan is to vacate the frontage road (Motor Way) between the Auto Mall properties and Auto Mall Parkway (Moreno Beach Drive) to enhance visibility. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno

Beach Drive) already serves, and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Bros. Moreno Valley Properties, LLC and Majestic Realty (also known as Auto Mall Resolution, LLC), who own the properties fronting Motor Way. Both owners support the vacation of Motor Way. To maintain access to two fronting properties along Lot "B", an ingress and egress easement are required as part of the vacation process.

The City also recommends that the property be transferred from the City of Moreno Valley's ownership to the RDA's ownership via a quitclaim deed. The transfer of ownership would allow the RDA to address various issues identified in the Auto Mall's Specific Plan Amendment No. 5 previously approved by City Council. There is no fee associated with the transfer of ownership.

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

ALTERNATIVES

1. Adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Adopting the Resolution ordering the Vacation will allow the City to finish the proposed street improvements.*

Authorizing the execution of the Quitclaim Deed and Easement Deeds will alleviate any future title issues and liability issues for the City.

2. Do not adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, do not direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, do not authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and do not authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Do not authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Not adopting the Resolution ordering the Vacation will not allow the City to finish the proposed street improvements along Motor Way and will cause the City to continue maintenance of the street. Not authorizing the execution of the Quitclaim Deed and Easement Deeds may cause future title issues and liability issues for the City.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution ordering the street vacation. There will be a transfer of land ownership between the City and the RDA but no financial transaction between the entities.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue,

excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

NOTIFICATION

Notice of the vacation has been given to various utility agencies. The public has been notified of the vacation by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Lot B Exhibit"
Attachment "C" – Proposed Resolution
Attachment "D" – Quitclaim Deed
Attachment "E" – Acceptance Certification
Attachment "F" – Easement Deed for Parcel "A" of LLA 817
Attachment "G" – Easement Deed for Parcel 1 of LLA 1008

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\Full Vacation for Motor Way and Transfer of Property 9-27-11 - Final.docx

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MV00129412

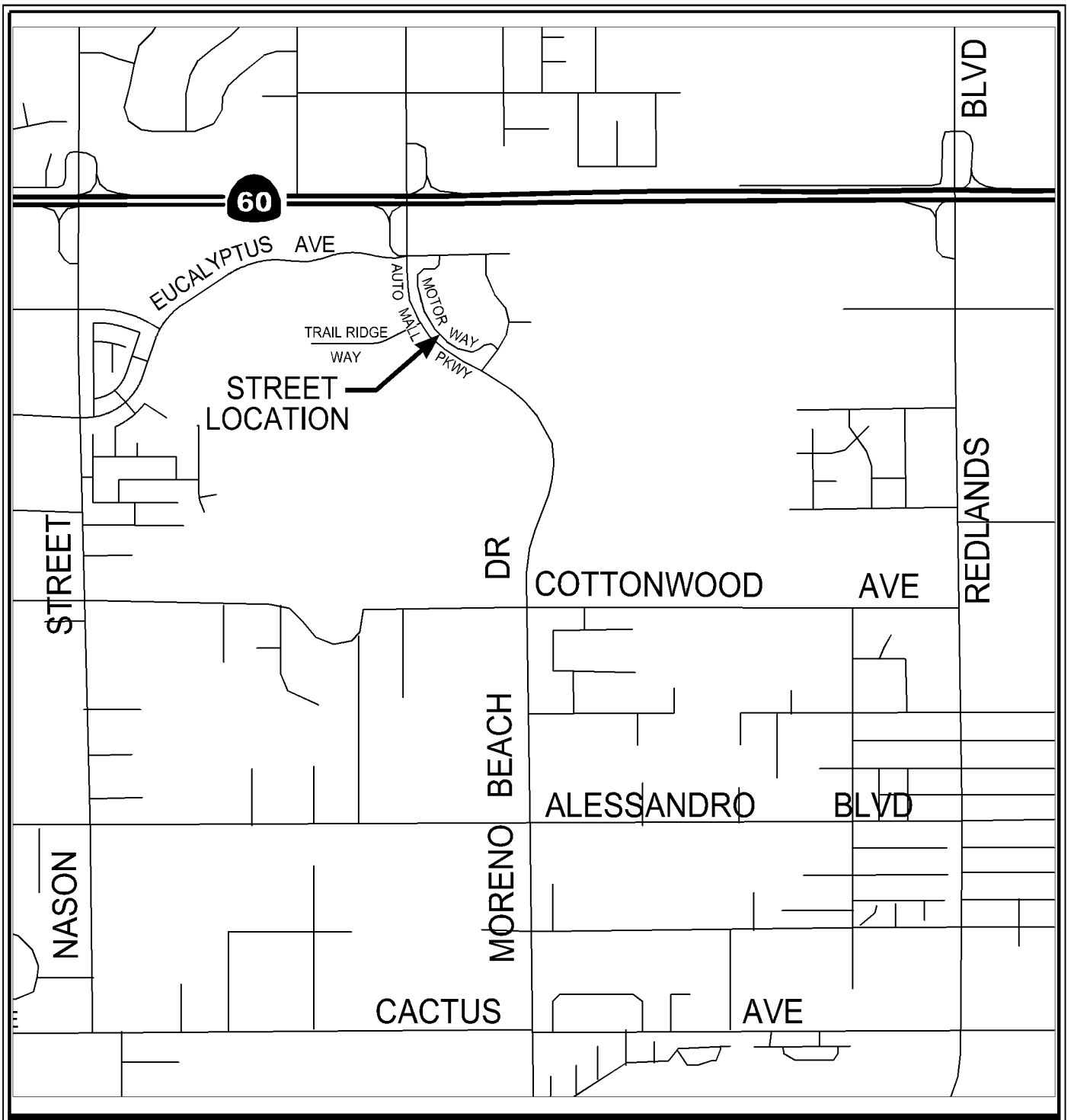

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

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MV00129414

"Lot B Exhibit"

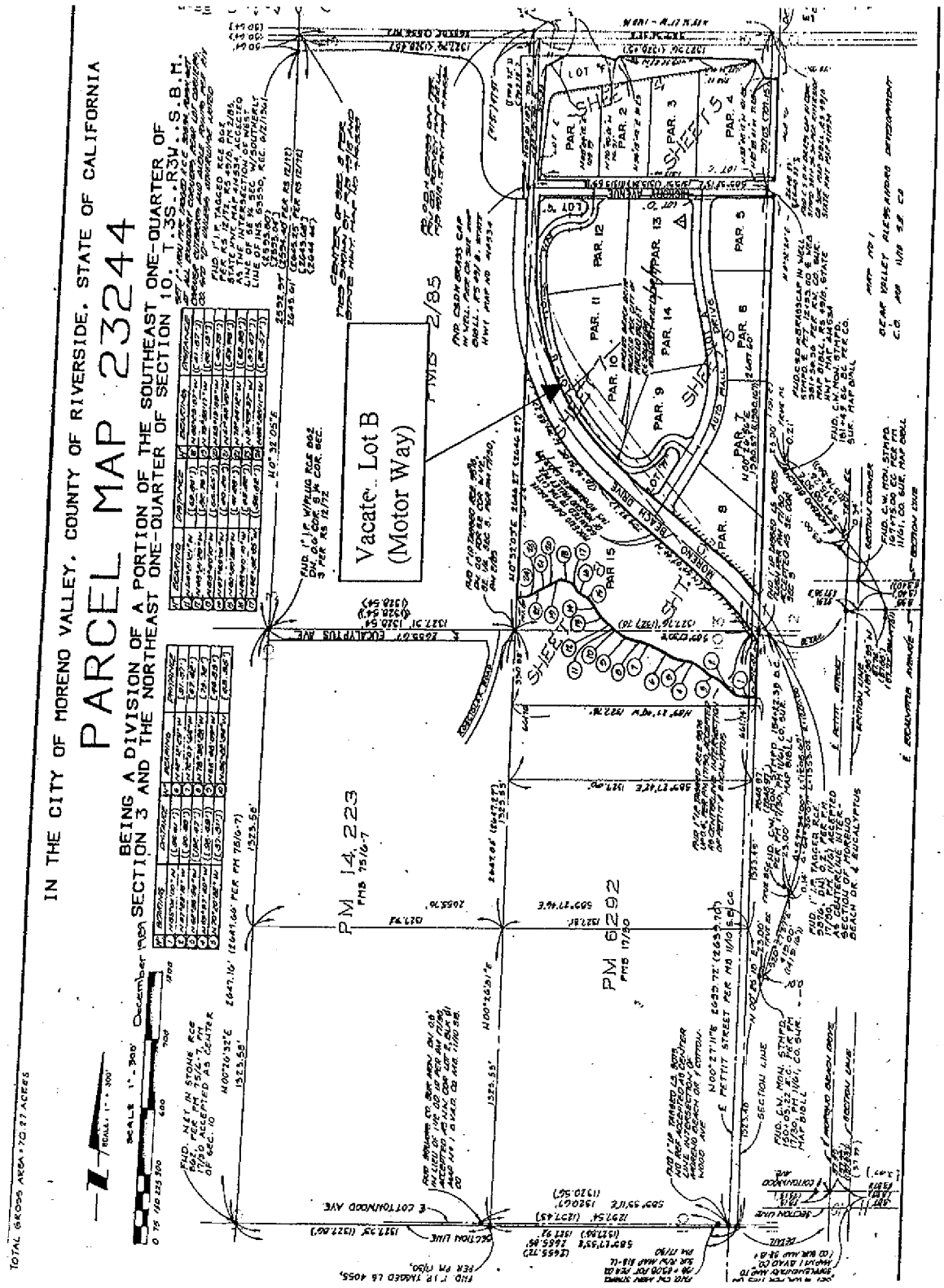

Attachment "B"

Item No. A.7

MV00129415

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MV00129416

RESOLUTION NO. 2011-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City Council, on August 23, 2011, adopted Resolution No. 2011-88 declaring its intention to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described in said Resolution No. 2011-88 on file with the City Clerk's office, and set a public hearing for September 27, 2011, at 6:30 p.m., as the time for all persons interested in or objecting to the proposed vacation; and

WHEREAS, this public hearing was duly noticed and held as required by law; and

WHEREAS, the public right-of-way proposed to be vacated was duly posted as provided by law; and

WHEREAS, there are existing public facilities and services in the area to be vacated, therefore reserving to the City an easement for public facilities and services; and

WHEREAS, the Council finds such public right-of-way is unnecessary for the following reasons:

1. The subject right-of-way is unnecessary for present and prospective public use.

2. The subject right-of-way is not needed as a non-motorized transportation facility.

3. The proposed vacation is consistent with the City of Moreno Valley Municipal Code and General Plan and it complies with the requirements for street vacations as cited in the California Streets and Highways Code Sections 8312 & 8324.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public right-of-way described as Lot B of Parcel Map 23244, as recorded and on file with the Riverside County Recorder's Office, be vacated.

BE IT FURTHER RESOLVED THAT the City is reserving unto itself an easement for public utilities and public facilities purposes.

BE IT FURTHER RESOLVED THAT the City is reserving ingress and egress access easements to Parcel A of Lot Line Adjustment Number 817 and Parcel 1 of Lot Line Adjustment Number 1008 along Lot B of Parcel Map 23244.

BE IT FURTHER RESOLVED THAT the City Clerk shall cause a certified copy of this order to be recorded by the Riverside County Recorder.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00129420

Recording requested by and when
recorded, mail to:
City of Moreno Valley
City Clerk
14177 Frederick Street
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N.

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the

City of Moreno Valley, a Municipal Corporation

hereby remises, releases and quitclaims to the COMMUNITY REDEVELOMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, the real property in the City of Moreno Valley, County of Riverside, State of California, as described:

Lot B of Parcel Map 23244 and as illustrated on the plat attached hereto and marked Exhibit "A".

Reserving therefrom, to said City of Moreno Valley an easement for public utilities and public facilities over, under, across and within the above described parcels of land.

IN WITNESS WHEREOF, this instrument has been executed this ____ day of_____, 2011.

STATE OF CALIFORNIA
County of Riverside

On _____ before me, _____
the undersigned. A Notary Public in and for said State, personally appeared_____
_____
proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

GRANTOR:

City of Moreno Valley

By:_____

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MV00129422

"Lot B Exhibit"

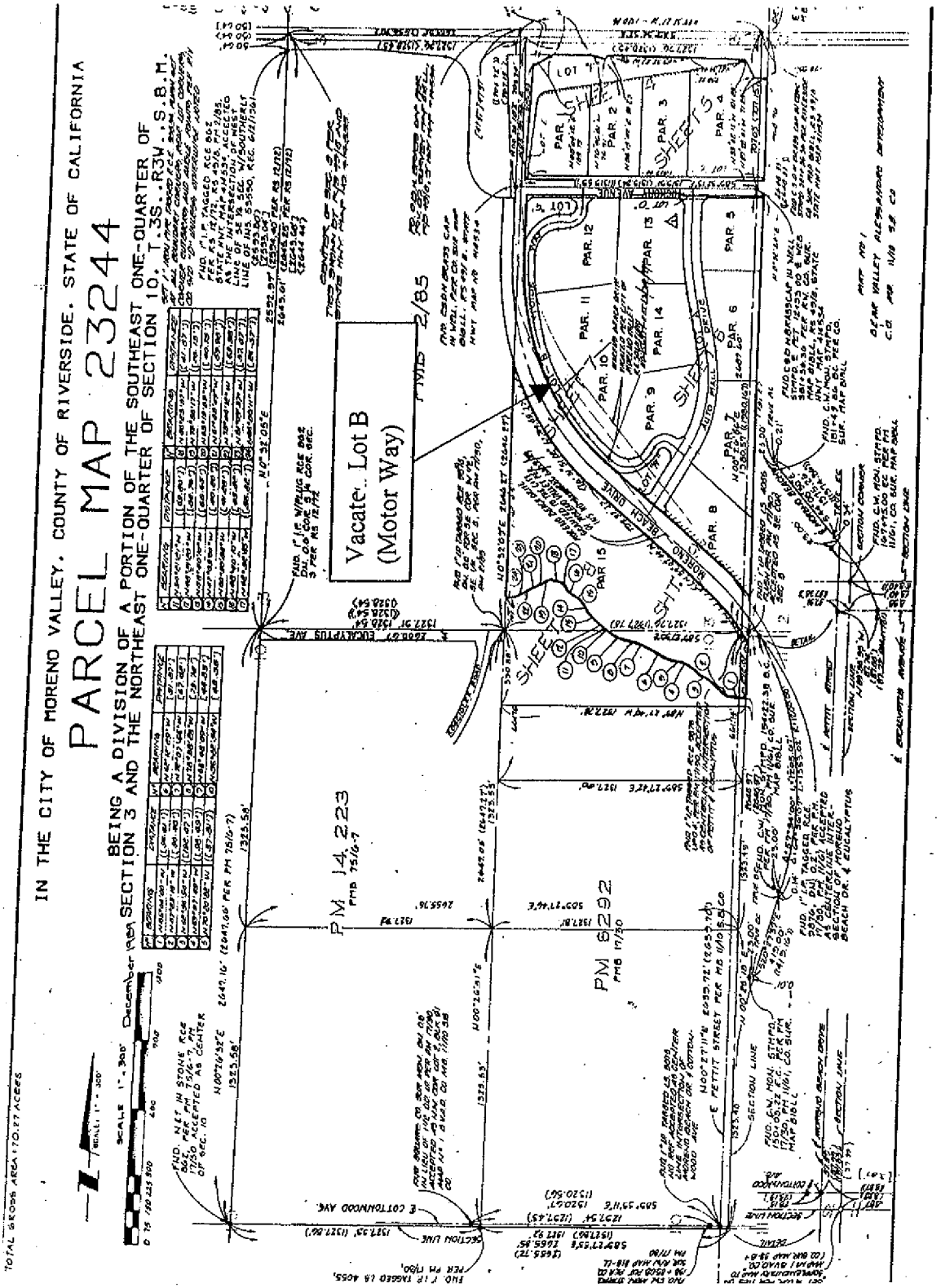

Exhibit "A"

Item No. A.7

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MV00129424

ACCEPTANCE CERTIFICATION

This is to certify that the interest in real property conveyed by the deed or grant dated September 27, 2011 from City of Moreno Valley to the Moreno Valley Community Redevelopment Agency, State of California, in the form attached hereto, is hereby accepted, subject to completion of Conditions of Resolution 2011-___, by the order of the Board of Directors of the Moreno Valley Redevelopment Agency, pursuant to authority so ordered on September 27, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____

By: _____
Richard A. Stewart, Chairman of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

State of California
County of_____ }

On_____ before me, _____, A Notary Public
Date — Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

_____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Attachment "E"

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MV00129426

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the AUTO MALL RESOLUTION, LLC, an easement for ingress and egress access purposes to Parcel "A" of Lot Line Adjustment Number 817 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Lot "A" (also know as Auto Mall Drive) and the prolongation of the northerly property line of Parcel "A" of Lot Line Adjustment Number 817 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "F"

Item No. A.7

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MV00129428

LOT LINE ADJUSTMENT 817

OF A PORTION OF PARCELS 10, 11, 12 AND 13 OF PARCEL MAP 23244
ON FILE IN BOOK 161 OF PARCEL MAPS AT PAGES 16 THROUGH 24,
RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

JUNE 1990

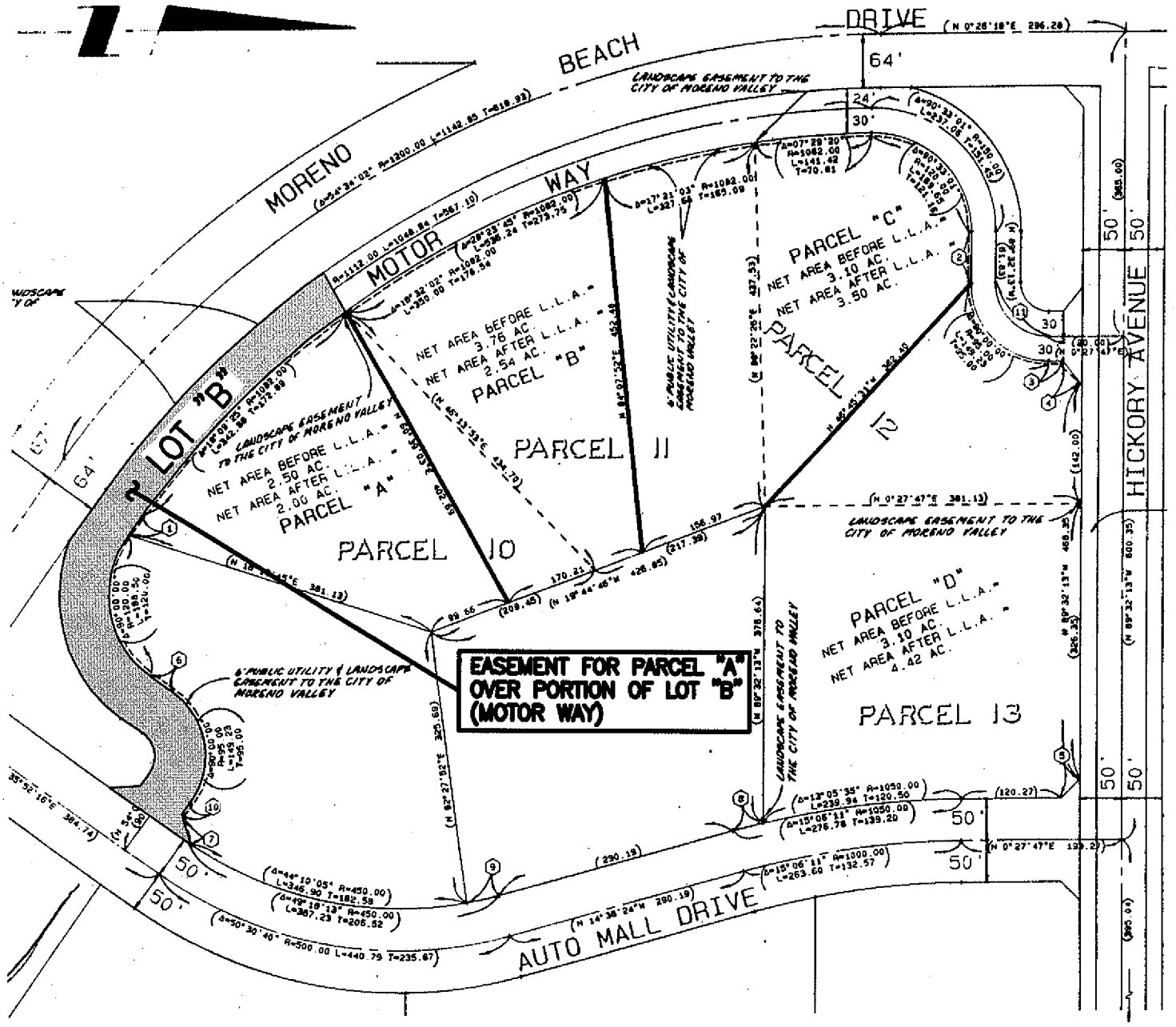

EXHIBIT "A"

NTS

INSTRUMENT No 302152

Item No. A.7

MV00129429

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MV00129430

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the MOSS BROS. MORENO VALLEY PROPERTIES, LLC, an easement for ingress and egress access purposes to Parcel 1 of Lot Line Adjustment 1008 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Eucalyptus Avenue (Hickory Avenue) and the prolongation of the southerly property line of Parcel 1 of Lot Line Adjustment 1008 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "G"

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MV00129432

EXHIBIT "A"
LOT LINE ADJUSTMENT No. 1008/ AND CERTIFICATE OF COMPLIANCE

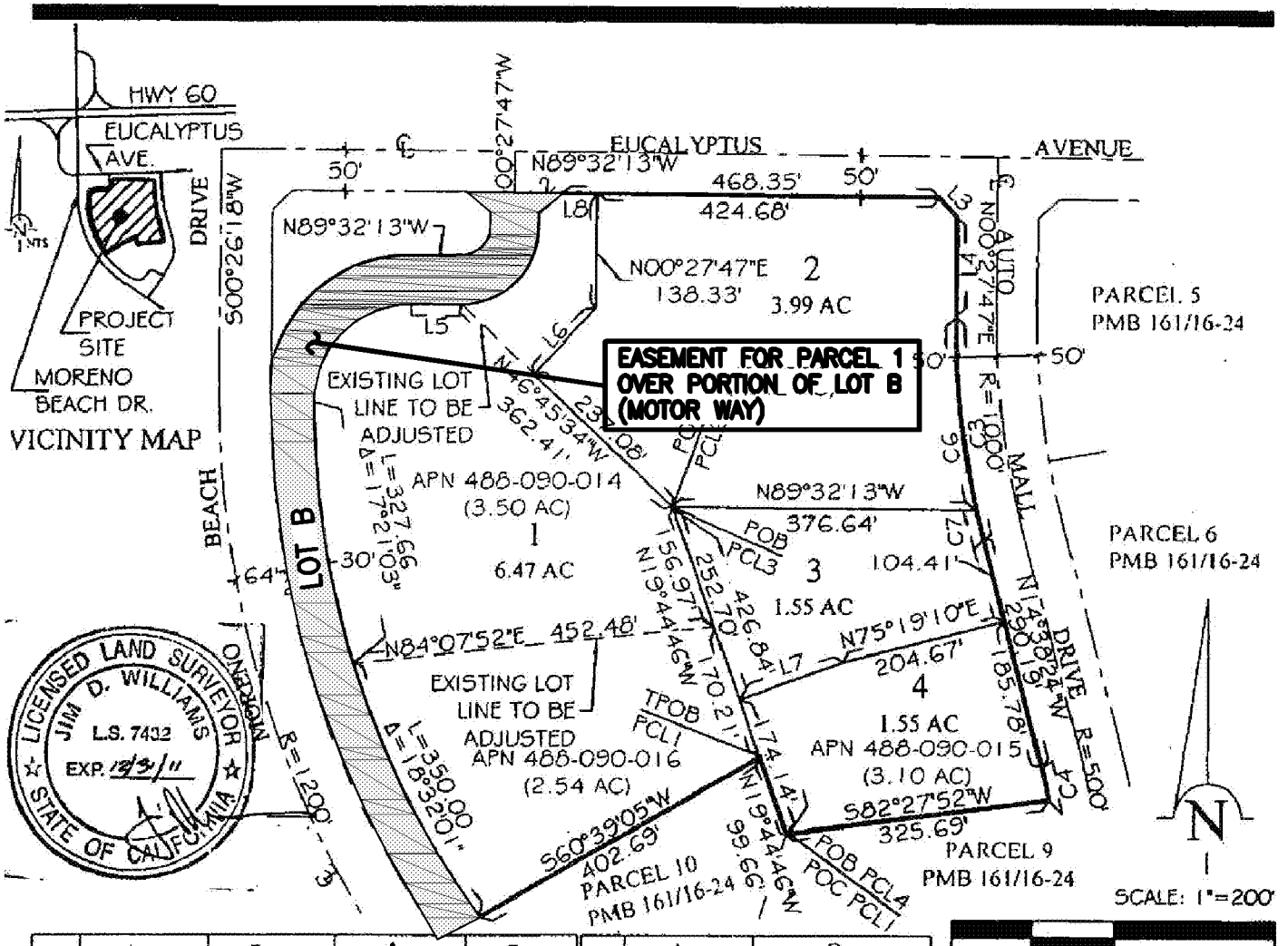

	L	R	Δ	T
C1	189.65'	120.00'	90°33'04"	121.16'
C2	149.23'	95.00'	90°00'00"	95.00'
C3	276.78'	1050.00'	15°06'11"	139.20'
C4	40.33'	450.00'	05°08'08"	20.18'
C5	677.66'	1082.00'	35°53'04"	350.36'
C6	239.94'	1050.00'	13°05'35"	120.50'
C7	36.84'	1050.00'	02°00'36"	18.42'

	L	B
L1	17.00'	N00°27'47"E
L2	37.01	N52°02'25"E
L3	32.53'	S44°32'13"E
L4	120.27'	S00°27'47"W
L5	61.83'	N89°32'13"W
L6	111.43'	N43°14'26"E
L7	136.37'	N70°14'02"E
L8	43.67'	S89°32'13"E

OWNERS:

APN 488-090-014,016
PARCEL 1 & 2
JB & RB REALTY, LLC
PO BOX 1770,
POMONA, CA 91769
(818) 601-1802
ATTN: JOHN BOULIANNE

APN 488-090-013,015
PARCEL 3 & 4
DJK, LLC
12625 AUTO MALL DRIVE,
MORENO VALLEY, CA 92555
(951) 485-3500
ATTN: DONALD J. ALLARD

PREPARED BY:

• land planning
• civil engineering
• landscape architecture
phone 909.748.7777
fax 909.748.7776
est. 1989
thatcher engineering & associates, inc.
1461 ford street, suite 105, redlands, ca 92373

LEGEND:

——	PROPOSED LOT LINES
▬▬	EXISTING BOUNDARY
— —	EXISTING LOT LINES
( )	AREA BEFORE ADJUSTMENT
POB	POINT OF BEGINNING
PCL	PARCEL
POC	POINT OF COMMENCEMENT

V:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Auto CAD\Exhibit 'A', PM 23244, LLA 1008.dwg

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MV00129434

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction.

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

BACKGROUND

In May 2005, City Council approved an agreement with PB for $939,331.84 to provide design services for improvements to the State Route 60/Nason Street Interchange. The original scope of work consisted of design, right-of-way acquisition, utility relocation,

plans, specifications and estimates (PS&E), agency coordination, bid support and construction support services.

In June 2006, the agreement was amended within the authorized contingency to add work related to the City's Streambed Alteration Agreement with the California Department of Fish and Game.

On October 14, 2008, the City Council approved the Second Amendment for additional design work required to coordinate the project's 95% design with the substantially completed Stoneridge development and update the design plans to optimize construction funds and enhance the ultimate State Route 60/Moreno Beach Drive and Nason Street bridge project.

In April 2009, the agreement was further amended for additional design work required to update the plans. In June 2009 and October 2009, the agreement was again amended to add conceptual design work related to property acquisition activities and agency requirements. All amendments were within the authorized contingency.

On January 11, 2011, the City Council awarded the construction contract to All American Asphalt. Construction is currently under way.

The agreement with PB was further amended in August 2011 (Sixth Amendment) within the approved contingency to extend the contract expiration date from December 31, 2011, to December 31, 2012, and to address staging and drainage issues encountered during construction.

DISCUSSION

The project is under construction and is on schedule. Services during construction that are required to be performed by the design engineer were estimated in 2005 during the time of the original proposal. The tasks and associated level of effort has changed since that time. They have been evaluated and consequently have increased due to changes in policies and procedures.

Weekly meetings are held with the construction management team, the City, Caltrans, and the contractor. Due to the accelerated nature of the work and the multiple parties involved in approvals, there is a time benefit in having the design engineer present at strategic weekly meetings and on-site afterwards to answer questions, evaluate any proposed adjustments, and optimize solutions. In addition, Caltrans requires the design engineer to review and concur with all Requests for Information, regardless of whether they involve a design change. The level of effort for these tasks is therefore higher than anticipated. In addition, it is expected that there will be continuing suggestions by the contractor and project team to adjust existing and proposed features to save time and money.

As-built drawings were anticipated to be done under the original contract in 2005. Since that time, Caltrans policy changed, and the as-builts were not to be done by the design

engineer. The task was removed from the scope in the Second Amendment. In 2010, the policy changed again to have the design engineer prepare the as-builts. Therefore, the scope has been re-inserted to have the design engineer prepare the final as-built set, including electronic copies to the City and Caltrans.

Caltrans recently changed carpool policies. In the last three months, Caltrans re-striped the SR-60 carpool lane from I-215 to Redlands Boulevard to provide for a continuous ingress/egress condition instead of defined segments of ingress/egress. Both the interim stage plans and the permanent striping plans for this project, when implemented, are required to be revised to reflect the new type of striping. In addition, the environmental permits for the project were issued prior to advertisement, and there are revised requirements to document and close out the permits and environmental commitments upon completion of construction.

The consultant has submitted a proposal for $76,875 to perform this work, bringing the cumulative contract total to approximately $1.57 million. This amount represents approximately 20% of the construction cost and includes both design and construction support services, which represent approximately 19% and 2.2% of the construction cost, respectively. The price is considered fair and reasonable based on industry standards for similar work, and results in an overall cost savings for the City on the project. The design engineer is also required to perform these tasks. The services covered in this amendment will be completed concurrently with the ongoing construction phase.

Construction is expected to continue through March 2012. As-builts and administrative project close-out activities are expected to continue through June 2012. A 20% contingency is requested to respond quickly to construction issues that may arise as the project is completed.

ALTERNATIVES

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will allow for completion of the design for the needed improvements.*

2. Do not approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB),

451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, do not authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, do not authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will delay the needed improvements.*

FISCAL IMPACT

The project is currently funded using federal funds and matching toll credits. Remaining available funding consists of DIF Interchange funds and Measure "A" funds. There are sufficient funds in the budget for the amendment.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act of the 21st Century, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 2,657,000
STPL Discretionary Funds (125.67029)	$ 4,941,000
STPL Toll Credit (125.67030)	$ 637,000
Demo Toll Credit (125.66930)	$ 664,000
Measure "A" Funds (125.89720)	$,446,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$11,085,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 8,283,000
Construction Management & Inspection Services	$ 601,000
Construction Support Services (Geotechnical & Survey)	$ 129,000
Construction Support Services (Design)	$ 92,000
Administrative Costs (Staff & Miscellaneous)	$ 50,000
Total Estimated Costs	$ 9,155,000

ANTICIPATED PROJECT SCHEDULE
Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff recommends amending the contract with PB for continuing services during construction for the SR-60/Nason Street Interchange Improvement Project by approving the Seventh Amendment to Agreement for Professional Consultant Services and authorizing a change order to increase the purchase order by $92,250.00 ($76,875.09 plus 20% contingency).

ATTACHMENTS/EXHIBITS

Attachment "A" — Seventh Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129440

SEVENTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 98-25897

This Seventh Amendment to Agreement is by and between the **City of Moreno Valley**, a municipal corporation, hereinafter referred to as "City," and **PB Americas Inc.**, a New York corporation, hereinafter referred to as "Consultant." This Seventh Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 18, 2005.

Whereas, the Consultant is providing consultant design services for State Route 60/Nason Street Interchange Improvements.

Whereas said Agreement was amended by the "First Amendment to Agreement for Professional Consultant Services" dated June 22, 2006.

Whereas said Agreement was further amended by the "Second Amendment to Agreement for Professional Consultant Services" dated November 7, 2008.

Whereas said Agreement was further amended by the "Third Amendment to Agreement for Professional Consultant Services" dated April 23, 2009.

Whereas said Agreement was further amended by the "Fourth Amendment to Agreement for Professional Consultant Services" dated June 23, 2009.

Whereas said Agreement was further amended by the "Fifth Amendment to Agreement for Professional Consultant Services" dated October 13, 2009.

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

Whereas said Agreement was further amended by the "Sixth Amendment to Agreement for Professional Consultant Services" dated _____, 2011.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Seventh Amendment.

Whereas, the Consultant has submitted a Proposal dated August 25, 2011, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2012,** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in the proposal (Exhibit "A").

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in the proposal (Exhibit "A").

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $76,875.09, as set forth in the above-referenced proposal (Exhibit "A") in consideration of the Consultant's performance of the work set forth in said proposal.

1.5 The total "Not to Exceed" fee for this contract is $1,570,430.09 ($939,331.84 for the original Agreement, $16,302.70 for the First Amendment, $375,748.00 for the Second Amendment, $48,370.67 for the Third Amendment to Agreement, $4,805.24 for the Fourth

Amendment to Agreement, $87,889.13 for the Fifth Amendment, $21,107.42 for the Sixth Amendment and $76,875.09 for the Seventh Amendment to Agreement.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

PB Americas, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – Proposal Dated August 25, 2011

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Parsons Brinckerhoff
451 E. Vanderbilt Way
Suite 200
San Bernardino, CA 92408

August 25, 2011

Ms. Margery A. Lazarus,
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: SR-60/Nason Street Interchange Improvements (PB Job No. 12676)
Project No. 98-25897

Dear Ms. Lazarus:

Attached is our scope of work, cost estimate and labor breakdown for additional services at the request of the City of Moreno Valley on the Nason Street Interchange Improvement Project. The effort has been identified in the following areas through the middle of March 2012:

- As-built Drawings
- Environmental Permits
- Attend weekly construction meetings
- Provide concurrence of RFI's
- PB will update all Staging and Striping plans affected by Caltrans HOV policy change.

The estimate for the above scope of work is $76,875.09.

Please do not hesitate to call should you have any questions 909.888.1106

Sincerely,
PB Americas, Inc

Douglas B. Sawyer
Senior Vice President

Over a Century of Engineering Excellence

Scope of work for Amendment

Task 24 – As-built Drawings

PB shall incorporate all redline comments prepared by the Contractor and the project inspector on the signed design Plans. PB will put hanging file tabs on the Mylars. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment.

The estimated time for 251 sheets at 0.5 hour/per sheet would be 139 hours and will start on receipt of the complete package from the construction manager (TCM Group). This will include printing five (5) full size sets.

Electronic files will then be placed on three (3) CD's and delivered to construction manager (TCM – Group) for distribution.

Task 25 – Environmental Permits

Rather than paying the extraordinarily high maintenance fees associated with managing a half acre wetlands through the required third party management service, the city has opted to buy into an offsite mitigation bank.

This strategy will result in a savings to the city of well over $300,000.

PB will continue to work with the city to close the environmental permits, and to confirm compliance with the mitigation program in connection with closing out the project.

Task 26 – Weekly Meetings and Site Visits

Weekly Meetings and site visits thru the middle of March 2012 – The city together with Caltrans District 8 staff have requested our presence at the weekly construction meetings and site visits.

This additional effort was not anticipated or funded in the original design support during construction scope.

This task covers that additional coordination effort which will improve communication and reduce construction related delays.

This is based on 18 meetings and/or site visits for a total of 3 hours including travel time by the Project Manager or his/her representative.

If the construction is extended, these tasks will have to be revisited.

Task 27 – Review & Response

Additional Effort required providing concurrence on all RFI's thru the middle of March 2012. PB's involvement and concurrence in the RFI review and response process has increased significantly at the request of oversight agencies.

The requirement for the engineer to provide concurrence on all RFI's creates additional effort from the designer.

If the construction is extended, these tasks will have to be revisited.

Task 28 – Modify Interim Staging and Final Striping Plans

PB will modify interim staging and final striping plans to reflect changes in Caltrans policy to allow for continuous ingress/egress into HOV Lanes.

The estimated time for 10 sheets at 3 hour/per sheet would be 30 hours.

RESOURCE ALLOCATION MATRIX

Task No.	Task Name	Proj Mgr (Jamey Dye)		Lead Engineer (Craig Schneider)		Environmental Lead (Stephanie Oslick)		Engineer (Courtney Otubuah)		CADD (Chris Pitzer)		Project Administration (Martha Garcia)		TOTAL HOURS	TOTAL COST
		PB AMERICAS HOURS													
	Design Services														
24	**As-built Drawing**														
24.01	As-built Drawing	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
														0	$0.00
	Subtotals	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
25	**Environmental Permits**														
25.01	Environmental Permits	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
														0	$0.00
	Subtotals	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
26	**Weekly Meetings**														
26.01	1 Weekly Meeting through the middle of March	48	$10,730.40											48.00	$10,730.40
	Subtotals	48	$10,730.40											48.00	$10,730.40
27	**RFI Review & Response**														
27.01	RFI Review & Response through the middle of March	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
	Subtotals	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
28	**Modify Interim Staging and Final Striping Plans**														
28.01	Modify Interim Staging and Final Striping Plans	1	$223.55					5	$605.60	25	$3,141.75			31	$3,970.90
	Subtotals	1	$223.55					5	$605.60	25	$3,141.75			31	$3,970.90
	TOTAL	128	$28,882.51	10	$1,984.40	28	$4,391.52	99	$12,596.48	196	$27,773.07	3	$335.34	464.00	$75,763.72

OTHER DIRECT COSTS (ODC's):		
Mileage		$550.56
Reproduction		$539.00
Postage/Deliveries		$21.81
Phone/Fax		$0.00
TOTAL ODC's		$1,111.37
TOTAL COST	$0.00	$76,875.09

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

BACKGROUND

The SB 821 Bicycle and Pedestrian Facilities Program administered by the RCTC provides funding for sidewalks, bicycle lanes, access ramps, and pedestrian related enhancements. Eligible expenditures for this competitive grant program are limited to preliminary engineering, right of way acquisition, construction, and reconstruction.

At the April 12, 2011 City Council meeting, City Council approved the submittal of the grant application for the SB 821 Bicycle and Pedestrian Facilities Program FY 2011-12. The grant application requested funds for installation of access ramps at 11 locations citywide, as well as ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators at various locations along Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard.

On August 1, 2011, the City received notification from the RCTC of a successful grant application in the amount of $75,000 (50% of the estimated project costs) for the project.

DISCUSSION

The project will install sidewalk, curb and gutter, Americans with Disabilities Act (ADA) compliant access ramps, new pedestrian push buttons, and new pedestrian signal heads with countdown indications. Locations for the sidewalk and ramp improvements were selected based upon the results of the Public Right of Way Access ADA Transition Plan. City staff has received requests from disabled residents as well as completed the Tier 1 review of intersections and has developed a priority list of locations that need access ramp construction/reconstruction. A list of the locations, improvements, and priority follows:

- Patricia Street between Margaret Avenue and Gentian Avenue: Construct ADA ramps for a total of five intersections (citizen request).
- Cottonwood Avenue at Dilbeck Drive: Construct ADA ramps (Tier 1 review).
- Alessandro Boulevard at Chagall Court: Reconstruct ADA compliant ramps (Tier 1 review).
- Alessandro Boulevard at Ramsdell Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- John F. Kennedy Drive at Ely Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- Indian Street at Manzanita Avenue: Reconstruct ADA compliant ramps; modify intersection geometrics to reduce pedestrian crosswalk lengths (Tier 1 review).
- Centerpoint Drive at Center Plaza: Reconstruct ADA compliant ramps (Tier 1 review).

In addition, as part of a city-wide effort to enhance pedestrian safety and convenience, various locations long Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard will have ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators installed.

Per the provisions of the SB 821 Bicycle and Pedestrian Facilities Program (no agreement is needed between the City and the RCTC), the City is required to use its own funds to implement the project and then receives a reimbursement payment at the completion of the project. The $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance is requested such that staff can proceed with the design and construction phases. If the funds are not claimed prior to the end of FY 2012-13, the project will be deleted from the SB 821 Bicycle and Pedestrian Facilities Program and the funds will be reprogrammed by the RCTC.

ALTERNATIVES

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will allow the City to receive the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for the project.*

2. Do not accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and do not authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will prohibit the City from receiving the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for this project.*

FISCAL IMPACT

The SB 821 Bicycle and Pedestrian Facilities Program grant will provide for reimbursement of up to $75,000 (50% of project costs). Staff is requesting the City Council to approve the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance for the construction phase of the project. The program includes local match Measure "A" funding of $75,000 (50% of project costs) which is already programmed in the City's CIP budget for curb ramps and sidewalk at various locations. The total cost of this project is estimated at $150,000, and there is no impact to the General Fund.

FISCAL YEAR 2011/2012 FUNDS AVAILABLE:

Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$50,000
Indian St/Manzanita Ave Intersection Reconfiguration (Account No. 125.56334)	$25,000
SCAG Article 3 Funds Appropriation (Account No. 122.NEW)	$75,000
Total	$150,000

ESTIMATED PROJECT RELATED COSTS:

Design	$20,000
Construction	$107,000
Construction Geotechnical Services	$8,000
Construction Survey Services	$5,000
Project Administration	$10,000
Total	$150,000

ANTICIPATED PROJECT SCHEDULE:

Complete Design	August 2012
Award Construction Contract	October 2012

Notice to Proceed with Construction ..... November 2012
Complete Construction..... February 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property I the community, control the number and severity of fire and hazardous materials incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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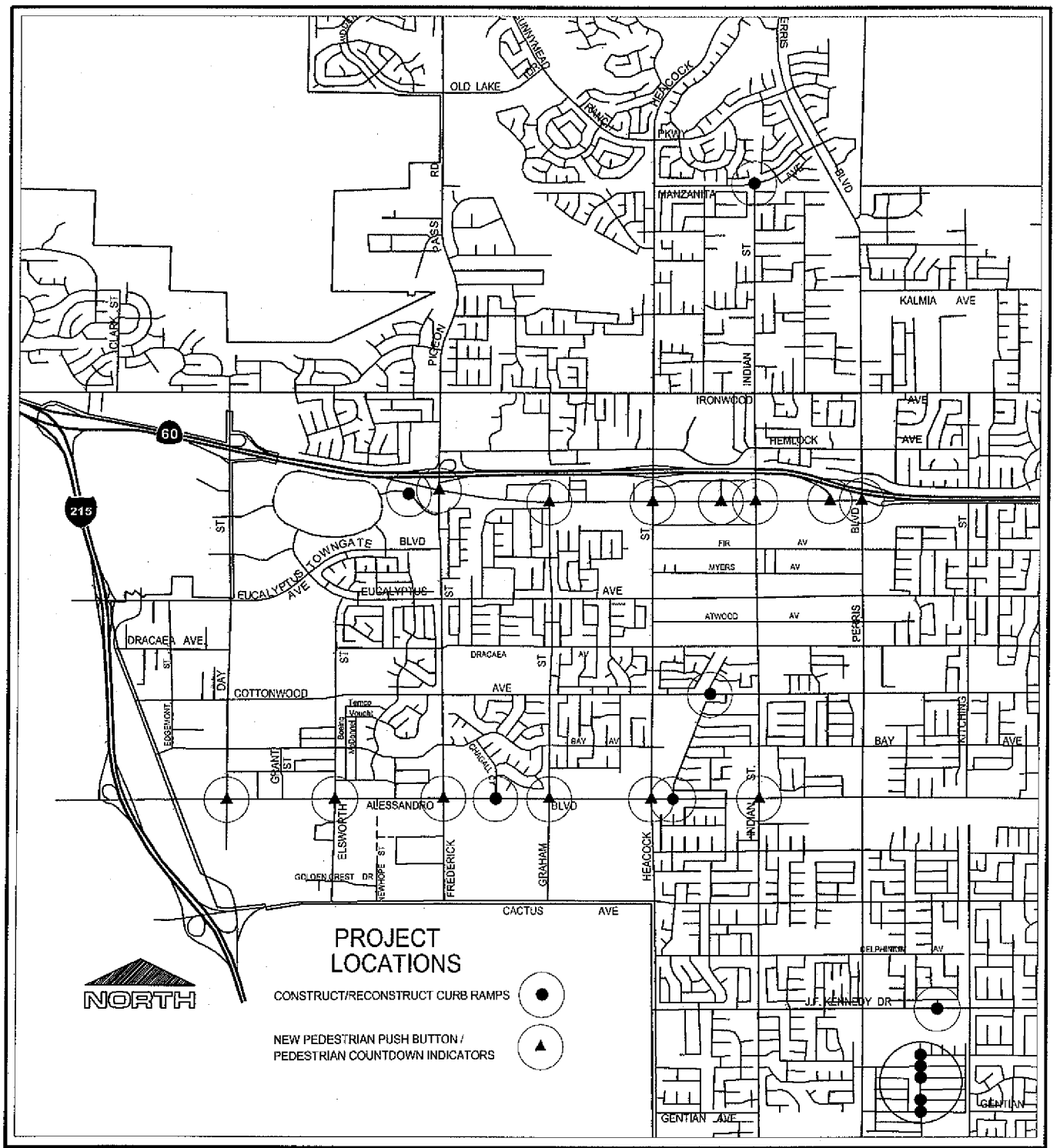

CITY OF MORENO VALLEY
DECEMBER 3, 1984

PEDESTRIAN ENHANCEMENT PROJECTS

Public Works Department
Capital Projects Division

LOCATION MAP

SB 821
FISCAL YEAR 2011 - 2012
GRANT SUBMITAL LOCATIONS

ATTACHMENT "A"

Item No. A.9

MV00129455

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MV00129456

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: September 27, 2011

TITLE: FOURTH AMENDMENT TO THE AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

Staff recommends that City Council adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

BACKGROUND

The original agreement with Riverside County Sheriff for law enforcement services was executed in 1985. A new agreement for law enforcement services was adopted on December 8, 1998 and became effective on January 1, 1999. Another new agreement for law enforcement services was approved on October 7, 2003 and expired on June 30, 2008. The most recent five-year agreement for law enforcement services was approved on December 16, 2008, with a retroactive effective date of July 1, 2008. The agreement is effective from July 1, 2008 through June 30, 2013.

Amendments are the method used to reflect changes in the allocated contract positions, changes in the average service hours, to add positions, and to reflect changes in contract language. The attached Fourth Amendment reflects a change in the average service hours, and the deletion of positions.

DISCUSSION

During the FY 11-12 budget preparation process, the City Manager directed the Moreno Valley Police to reduce its budget by one million dollars for FY 11-12, an additional two million dollars in FY 12-13, and an additional two million dollars in FY 13-14. In order to

meet the directive, it is necessary to reduce the amount of officers assigned to the Police Department.

On June 14, 2011, during the FY 11-12 budget approval process, the City Council approved a budget directing the reduction of one million dollars from the Police Department. In order to meet the directive, police services must be reduced by 25 service hours per day. Prior to the reduction, the contract called for 600 service hours per day. The Fourth Amendment reduces that daily number to 575 hours per day.

To meet the savings goal of one million dollars requires the reduction of 5 sworn officer positions.

ALTERNATIVES

The following alternatives are available for Council consideration:

1. Adopt the Fourth Amendment to the Agreement for Law Enforcement Services, and authorize the Mayor to sign the agreement.

2. Elect not to adopt the Fourth Amendment to the Agreement for Law Enforcement Services at this time, and provide further direction to staff.

FISCAL IMPACT

During the FY 11-12 budget approval process, Council approved a budget that required the reduction 8900 hours of service per year. The current contract calls for 600 hours of service per day. The reduction will set the daily service hours at 575.

Current contract FY 10-11
Hours per year = 218,940 (600 hours per day)

Proposed contract FY 11/12
Hours per year = 210,040 (575 hours per day)

The elimination of 8900 hours of service at the rate of $125.37 would save the City of Moreno Valley $1,115,793.00 for FY 11-12. This reduction equates to 5 sworn positions.

This agreement will be retroactive to July 1, 2011.

CITY COUNCIL GOALS

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit in the City of Moreno Valley.

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

On June 14, 2011, during a regular public meeting of the Moreno Valley City Council, Council Members voted to adopt the FY 11-12 budget. That budget included a reduction in allocated Police contract service hours and positions to meet a one million dollar deficit reduction plan approved by City Council on April 19, 2011.

NOTIFICATION

None.

ATTACHMENTS/EXHIBITS

Fourth Amendment to the Agreement for Law Enforcement Services between the City of Moreno Valley and the County of Riverside, including Attachment A-1 (Level of Service) and Attachment A-2 (Level of Service Detail)

Prepared By:
Name Chad Bianco
Title Lieutenant

Department Head Approval:
Name John Anderson
Title Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129460

ORIGINAL

FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN COUNTY OF RIVERSIDE AND CITY OF MORENO VALLEY

IT IS MUTUALLY AGREED that the Agreement for Law Enforcement Services between the County of Riverside, a political subdivision of the State of California, on behalf of its Sheriff's Department, and the City of Moreno Valley, a General Law City, approved by the Board of Supervisors on December 16, 2008, for services effective July 1, 2008 through June 30, 2013, as amended on December 1, 2009, November 2, 2010 and November 30, 2010, is hereby amended in the following respects, and all other terms and conditions of the Agreement remain in full force and effect:

1. Attachment A-1 is amended to read as follows:

ATTACHMENT A-1
CITY OF MORENO VALLEY
LEVEL OF SERVICE

Average Patrol Services

575 supported hours per day. (Approximate equivalent of one hundred and eighteen (118) Deputy Sheriff positions @ 1,780 annual productive hours per position)

Dedicated Positions

One (1) Captain position (Applied at an equivalent to 90% of position hours)

One (1) Lieutenant position

Two (2) Sheriff's Sergeant positions

Ten (10) Deputy Sheriff (fully supported) positions - Motorcycle Team

Two (2) Deputy Sheriff (fully supported) positions - K-9

Three (3) Deputy Sheriff (unsupported) positions - Crime Prevention Officers

One (1) Deputy Sheriff (unsupported) position – Regional Gang Task Force

One (1) Deputy Sheriff (unsupported) position - Graffiti Prevention

One (1) Deputy Sheriff (unsupported) position – School Resource Officer

Two (2) Forensic Technicians

Sixteen (16) Community Service Officer II positions

Five (5) Community Service Officer I positions

One (1) Sheriff's Service Officer II position

Two (2) Office Assistant II positions

One (1) Supervising Office Assistant I position

//
//
//

2. Attachment A-2 is amended to read as follows:

Attachment A-2

City of Moreno Valley
Positions by Program
Level of Service as of July 2011

PROGRAM: POLICE ADMINISTRATION (62110)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Captain	1.0	
Lieutenant	1.0	
Sergeant	1.0	
Accounting Technician		1.0
Senior Accounting Assistant		1.0
Accounting Assistant II		2.5
Supervising Office Assistant II		1.0
Supervising Office Assistant I		1.0
Office Assistant III		2.0
Office Assistant II		14.0
TOTAL	3.0	22.5

PROGRAM: POLICE PATROL (62210)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	2.0	
Sergeant	10.0	
Deputy	80.0	
Deputy (Includes 2 K-9 Officers)	2.0	
Community Service Officer II		13.0
Sheriff's Service Officer II		3.0
TOTAL	94.0	16.0

PROGRAM: POLICE TRAFFIC ENFORCEMENT TEAMS (62310)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	

Item No. A.10

Sergeant		2.0	
Deputy		18.0	
Community Service Officer II			5.0
	TOTAL	21.0	5.0

PROGRAM: POLICE DETECTIVE UNIT (62410)

Position Title		Authorized Staffing	
		Sworn	Classified
Lieutenant		1.0	
Sergeant		2.0	
Investigator		17.0	
Deputy (Burglary Suppression)		2.0	
Forensic Technicians			2.0
Sheriff's Service Officer II			1.0
	TOTAL	22.0	3.0

PROGRAM: POLICE COMMUNITY SERVICES (62510)

Position Title		Authorized Staffing	
		Sworn	Classified
Sergeant		2.0	
Deputy-Community Services		3.0	
Deputy-Graffiti Prevention		1.0	
Deputy-School Resource Officer		1.0	
Community Service Officer I - Cm.Services			3.0
	TOTAL	7.0	3.0

PROGRAM: PROBLEM ORIENTED POLICING (62610)

Position Title		Authorized Staffing	
		Sworn	Classified
Sergeant		2.0	
Deputy		9.0	
Community Service Officer I			2.0
	TOTAL	11.0	2.0

PROGRAM: POLICE SPECIAL ENFORCEMENT TEAMS (62710)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	
Sergeant	2.0	
Deputy (Includes 1 K-9 Officer)	15.0	
Deputy (RGTF)	1.0	
TOTAL	19.0	0.0

PROGRAM: POLICE GRANT C-CAT (62810)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	
Sheriff's Service Officer II		1.0
TOTAL	2.0	1.0

PROGRAM: TOWNGATE MALL (62910)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	0.0
TOTAL	2.0	0.0

TOTAL STAFFING:	SWORN	CLASSIFIED
	181.0	52.5

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Item No. A.10

MV00129465

IN WITNESS WHEREOF, the City of Moreno Valley, by minute order or resolution duly adopted by its City Council, has caused this Agreement to be signed by its Mayor and attested and sealed by its Clerk, and the County of Riverside, by order of its Board of Supervisors, has caused this Agreement to be signed by the Chairman of said Board and sealed and attested by the Clerk of said Board, all on the dates indicated below.

CITY OF MORENO VALLEY

Dated:_____

By:_____
Richard A. Stewart, Mayor

ATTEST:

Name
Title

By:_____

COUNTY OF RIVERSIDE

Dated:_____

By:_____
Bob Buster, Chair,
Riverside County Board of Supervisors

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS DATE

By:_____
Deputy

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

BACKGROUND

The California Department of Food and Agriculture (CDFA) administers the Municipal Shelter Spay-Neuter Program through funds provided by the Franchise Tax Board. For the 2010 tax year, California taxpayers could elect to donate all or a portion of any of their tax refund monies to the Municipal Shelter Spay-Neuter Program. In order for this program to continue past the 2010 tax year a minimum of $250,000 in tax donations statewide was required. During 2010 a total of $197,000 in tax donations were available to eligible municipal animal shelters for the 2010 Spay-Neuter Program; therefore this program is not available in 2011.

The purpose of the Municipal Spay-Neuter Grant Fund Program is to provide grant funds to eligible animal shelters. Grant funds must supplement, not replace other funding sources. Impounded animals do not qualify for this service.

DISCUSSION

Moreno Valley Animal Services met the eligibility requirements of being current on the reporting requirements to the State Department of Public Health, Veterinary Public

Health Section (Annual Report of Rabies Control) along with offering low cost spay-neuter services for dogs and cats at the Moreno Valley Animal Clinic.

Grants awarded were on a first come, first serve basis. Eligible municipal animal shelters processing between 5,000 and 25,000 dogs and cats per year were eligible to receive up to $15,000. In FY 2010-11 the Moreno Valley Animal Shelter processed 8,378 dogs and 5,052 cats. The City was notified by CDFA in April 2011 that we were one of twelve shelters statewide that was awarded a grant (Attachment 1).

Grant funds will be used to sterilize approximately 200 dogs and/or cats owned by individual city residents.

ALTERNATIVES

1) Accept the grant award of $15,000.

2) Reject the grant award of $15,000.

3) Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the $15,000 grant award will increase the Animal Services Division's expenditure budget for FY 2011-12 as identified below. A separate business unit (BU 63240) has been created to track expenditures. Staff will process a Budget Appropriation Adjustment upon Council acceptance of the grant, increasing budgeted grant revenue and increasing the expense budget, directing staff to proceed with the grant expenditures.

General Ledger Account	Description	Current Budget	Grant Award Allocation	Revised Budget
2350.4611.1	Grant Revenue	$0	$15,000	$15,000
63240.6255	Other Professional Services (Veterinary contract)	$0	$15,000	$15,000

SUMMARY

Acceptance of the $15,000 grant award from the California Department of Food and Agriculture will allow the Animal Services Division to supplement the low cost spay-neuter services provided by the Moreno Valley Animal Clinic. Grant award funds will be used to assist city residents who otherwise could not afford the expense of spaying or neutering their pets. The grant award funds can only be used to assist pet owners

residing in the city and the pet owner's dog or cat has not been impounded at the Moreno Valley Animal Shelter. It is estimated approximately 200 pets from the community will be sterilized under this program.

ATTACHMENTS

Attachment 1: 2011 Municipal Spay-Neuter Grant Award Notice

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129470

cdfa CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

May 2, 2011

Steve Fries
City of Moreno, Valley Animal Services Division
14041 Elsworth Street
Moreno Valley, CA 92552-0805

Subject: 2011 Municipal Spay-Neuter Grant Award Notice

Dear Mr. Fries,

Congratulations! Your organization's application submitted under the California Department of Food and Agriculture (CDFA), 2011 Municipal Spay-Neuter Grant Fund Program in January has met all the criteria and will be awarded $15,000 based on the funding formula provided in the California Revenue Taxation Code (CRTC) Section 18755.2(c). CDFA anticipates disbursing the Municipal Spay-Neuter Grant Program funds in August 2011. Awards will be made payable to the organization name and address as they appears on this letter.

Pursuant to (CRTC) Section 18755.2(e) all funds received must be used to supplement, not replace, other funding sources for spay-neuter services and programs. Additionally, no grant funds shall be used to spay or neuter any animal that is impounded by an eligible municipal shelter.

Thank you for your participation in the 2010 Municipal Spay-Neuter Grant process. If you have any questions, please feel free to submit them to grants@cdfa.ca.gov.

Sincerely,

Carl Baum
Grant Awards Coordinator
Grant Awards Unit

Federal Funds Management Office • 1220 N Street, Room 120 • Sacramento, California 95814
Telephone: 916.657.3231 • Fax: 916.653.0206 • www.cdfa.ca.gov/grants

CDFA ANNOUNCES MUNICIPAL SHELTERS ELIGIBLE TO RECEIVE FUNDING OF THE 2011 MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

Grants will be made available to the following Municipal Shelters providing low cost or free spay-neuter services for dog and cats owned by individual members of the public which have met all the criteria to receive funding:

City and County of San Francisco

City of Long Beach

City of Los Angeles

City of Moreno Valley

City of Sacramento

City of San José

County of Contra Costa

County of Riverside

County of San Bernardino

County of Santa Barbara

County of Yolo

Town of Truckee

4/30/11

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

The City has provided a VEBA benefit for City employees since 1994. In May 2011, the service provider that performed the VEBA accounting services for the City's VEBA Plan decided to stop providing the service to the City. City staff interviewed other providers and determined that CALGOVEBA is the most experienced, widely used by other government agencies in California and is the most complete service provider for administering the City's proposed VEBA Plan.

Staff is recommending approval of the attached Resolution establishing a new VEBA Trust. A VEBA Trust is a tax exempt benefit plan qualifying under Section 501 (c) (9) of the Internal Revenue Code. This plan is similar, in many respects, to a 125 Flexible Spending Account where accumulated assets are used for the payment of eligible health and other expenses for employees and their families. Unlike a 125 plan, however, accumulated assets in a VEBA Trust can be used to make premium payments.

The recommendation to implement a new VEBA Trust is based on a number of factors. The first is the significant positive impact the benefit will have on employees both during and after their retirement from service. By establishing a VEBA Trust, employees will be able to plan for current as well as future health care expenses not covered through the City's benefit program. Expenses such as Long Term Care, unreimbursed medical premiums, co-pays and pharmacy charges are all eligible under a VEBA Trust arrangement. Employees will realize a significant financial benefit since both eligible contributions to a VEBA Trust and the reimbursed expenses from the VEBA Trust are tax exempt. The City, however, is emphasizing the plan for retirement medical reimbursement purposes, even though the employees may use it for current medical expenses reimbursement.

Another factor is the flexibility of a VEBA over other alternatives available. One of the significant benefits of a VEBA is that it allows for levels of contribution and participation based on an employee group. Additionally, VEBA's, by law, require that they are collectively bargained. As a result, employees have a say in structuring a program that meets their needs. This means that the City employees associations may each agree on a different level of employee contribution rate, over and above the City paid contributions.

In addition, a VEBA Trust provides a more comprehensive approach to assisting with the greatest challenge for employers and employees, which is the rising cost of health care. A VEBA Trust is permitted to receive both, employer and employee contributions, the benefit being the opportunity to grow significantly greater assets for health care expenses in a shorter period of time. As a result, the VEBA program could also work in tandem with the City's existing post retirement medical commitments with employees' association members. For example, contributions by the City could be made directly to the respective VEBA accounts, thus ensuring a tax advantage for these employees.

In sum, by establishing the VEBA Trust, employees will be able to make health care choices that address their specific needs and have more money available for health care expenses due to tax savings realized through the program.

DISCUSSION

Staff is aware of a number of Public Agencies that have implemented VEBA Trusts for their employees. The proposed VEBA Trust was developed as a multi-agency Trust in order that other public agencies may provide similar benefits to their employees. The benefit of joining this particular VEBA Trust is that it was developed by the City of Foster City with our issues in mind. This Trust is also governed by a committee of Trustees formed from the list of participating agencies. Should the City of Moreno Valley choose to participate in the California Government VEBA, the City would hold representation on the Board of Trustees as well.

The City will not be responsible for any costs associated with this Plan. Each VEBA participant will pay a monthly maintenance fee of $4.45 regardless of the size of their account. The VEBA Trust will pay an asset-based fee equal to 50 basis points (0.50%) for funds held in a guaranteed fixed rate product at Metlife and 75 basis points (0.75%) for funds held in an actively managed advisory account at Ameriprise Financial. A variety of investment options exist for investment by the VEBA Trust for the benefit of participants in the program, one of which is a guaranteed fixed rate program through MetLife. Other investment options are available and are tailored to the City's requirements.

ALTERNATIVES

The action of the City Council to approve the attached resolution is consistent with the Fiscal Year 2011/12 MOUs with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The approval of the attached resolution and implementation of the new VEBA for City employees will have no impact on the City budget. The new VEBA Plan expenses are paid for out of the employees' contributions and investment earnings. As of June 30, 2011, the value of the City's current VEBA Trust assets was $995,257. The value of the assets has dropped due to market volatility in July and August 2011. As of September 15, 2011, the amount of the unrealized loss was approximately $51,575, compared with an unrealized gain of $160,634 for FYE 6/30/2011. All of the assets will be transferred to the new VEBA Trust and the value will be reported on a quarterly basis. The VEBA Trust assets for investment will be apportioned between the following two investment firms at the discretion of the City's VEBA Investment Committee: Ameriprise, Inc. and BAA Capital Advisors, Inc. The actively-managed portion (70%) will be managed by Ameriprise and the fixed-rate portion will be held in Metlife via BAA Capital Advisors, Inc. Cash will be held in two (2) accounts at Wells Fargo Bank.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future." The action will also fulfill City Council Deficit Elimination Plan Follow-up Goal No. 21, "Consider a Health Savings Account to allow set-aside of funds for future retiree medical costs on a pre-tax basis."

NOTIFICATION

The three employees associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and implement the

new VEBA. Copies of this staff report were sent to the employees associations and all three concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

1. Resolution Implementing a Voluntary Employee Beneficiary Association (VEBA) Trust.
2. California Government Voluntary Employees Beneficiary Association Restated Master Trust

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PARTICIPATION IN THE CALIFORNIA GOVERNMENT VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (CALGOVEBA) TRUST

WHEREAS, the City of Moreno Valley maintains a significant health and welfare benefit program for it's employees and their families; and

WHEREAS, modifications or additions are made from time to time to the City's benefit program; and

WHEREAS, the rising cost of health care is the one of single most important cost containment issue for the City and it's employees; and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association (CALGOVEBA) is a governmental multi-employer plan that permits employees to accumulate assets for this purpose, pursuant to the provisions of the Internal Revenue Code, section 501(c) (9); and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association provides for participation pursuant to collective bargaining agreements; and

WHEREAS, the City Council created a VEBA trust on April 25, 1995, referred to as the "Existing VEBA Trust"; and

WHEREAS, the assets in the existing VEBA trust needs to be transferred to the new CALGOVEBA trust; and

WHEREAS, once the assets are transferred, the existing VEBA trust needs to be terminated.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moreno Valley hereby approves the attached California Governmental Voluntary Employee Beneficiary Association Trust Agreement; and

That the City Council approves the transfer of assets from the existing VEBA trust to the new CALGOVEBA trust; and

That the City Council approves the termination of the existing VEBA trust upon the completion of the transfer of assets.

Attachment 1

Resolution No. 2011-99
Date Adopted: September 27, 2011

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00129480

CALIFORNIA GOVERNMENT

VOLUNTARY EMPLOYEES BENEFICIARY ASSOCIATION

RESTATED MASTER TRUST

TRUST restated in its entirety as of the 27th day of September, 2011 by and between The City of Moreno Valley, a forming public agency in the State of California (hereinafter referred to as the "Plan Sponsor "), and the Trust Committee of the California Government VEBA", (hereinafter referred to as the "Trustee").

W I T N E S S E T H:

WHEREAS, the Plan Sponsor adopts the California Government VEBA hereinafter referred to as the "Plan", and

WHEREAS, the Plan constitutes the California Government Voluntary Employees Beneficiary Association ("California Government VEBA"); and

WHEREAS, under the Plan, funds will from time to time be contributed to the Trustee, which funds, as and when received by the Trustee will constitute a trust fund to be held for the benefit of the Members and retirees of the Plan of the Plan Sponsor having a right to benefits, pursuant to the provisions of the Plan, and such funds will be invested by the Trustee pursuant to directions by the Plan Sponsor and/or Investment Manager as provided herein; and

WHEREAS, other Plan Sponsors may adopt this Trust as a Master Trust, subject to the provisions of this Trust, to hold assets for the purpose of funding plans that are a part of the California Government VEBA; and

WHEREAS, the Plan Sponsor having entered into this Master Trust with the Trustee for the purpose of holding the assets under the Master Trust attributable to the Plan and other amounts contributed thereunder; and

WHEREAS, the assets and funds to be held in the Master Trust established hereby, as and when received by the Trustee, will constitute a trust fund to be held for the benefit of the members of the Plan and their beneficiaries; and

WHEREAS, the Plan Sponsor desires the Trustee to hold such assets and funds and the Trustee is willing to hold such assets and funds pursuant to the terms of this trust; and

WHEREAS, the master trust is intended to qualify as a "Voluntary Employees Beneficiary Association" within the meaning of Section 501(c)(9) of the Internal Revenue Code, and

WHEREAS, the master trust is intended for the purpose of creating a fund to provide for the payment of benefits that qualify under Section 501(c)(9) of the Internal Revenue Code to participating Members, including their dependents, and their designated beneficiaries.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, the Plan Sponsor and the Trustee do hereby agree as follows:

1. The Plan Sponsor hereby adopts the California Government Voluntary Employees Beneficiary Association (VEBA) Trust (the "Master Trust") as a trust to fund the benefits provided by the Plan. All such money and property, all investments made therewith and proceeds thereof and all earnings and profits thereon, less the payments or other distributions which, at the time of reference, shall have been made by the Trustee, as authorized herein, are referred to herein as the "Fund" and shall be held by the Trustee, in trust, and dealt with in accordance with the provisions of this Trust.

2. Any other California public agency may become a Plan Sponsor and adopt the Master Trust to fund benefits provided under the California Government VEBA Plan if the Plan Sponsor adopts the Master Trust and the Plan in order to provide benefits that are funded from the Master Trust and the Trustee agrees to such adoption. The assets of each Plan Sponsor and the investment earnings thereon shall be available only to pay benefits to employees of that Plan Sponsor and any costs or fees associated with the administration of the Plan covered under this Trust.

3. It is intended that the Master Trust shall meet the requirements of Internal Revenue Code section 501(c)(9). All contributions hereunder and all assets and earnings of the Master Trust are solely and irrevocably dedicated to the payment of benefits that qualify under section 501(c)(9) of the Internal Revenue Code.

Effective January 1, 2008 and as referenced herein, the Trustee shall consist of a Trust Committee. The Trust Committee shall consist of one person designated by each Plan Sponsor. Such designated individual shall assume the responsibility of Trustee. Executive Trustees shall review all information and documents related to the daily activities and operation of the Trust and Plan and shall make recommendation(s) to the full body of Trustees forming the Trust Committee on such related matters. Such Executive Trustees shall consist of the ten original Plan Sponsors and five additional Trustees voted by the full body of Trustees to such position. A vote to fill the five additional positions shall occur every three years. Procedures to fill vacancies which occur in the interim periods shall be developed by the Trust Committee.

4. Trustee shall appoint a Trust Administrator and any and all successor Trust Administrators which shall have the authority to act for a Plan Sponsor in all matters relating to the establishment and maintenance of the Plan and Trust except those relating to the investment and management of the assets of the Trust and such other matters as are reserved to the Plan Sponsor or the Trustee under the provisions of this Trust. Without limiting the generality of the foregoing, the Trust Administrator shall have the following specific powers:

   A. To contract for and delegate the administration of the Plan to one or more administrators, subject to approval of the Trustee.
   B. To determine from time to time the benefits to be provided for participants under the Plan.
   C. To retain professional advisors, including auditors and legal advisors to provide services to the Trust.
   D. To prepare necessary filing with the state and federal government.

5. Responsibility for the management and control of the assets of the Plans which are held under the Master Trust as a funding medium (including the power to acquire or dispose of such assets) is vested in the Plan Sponsor, and/or in such one or more investment managers described in Article 13a who are appointed by the Plan Sponsor. That portion of the Fund for which the Plan Sponsor shall have such responsibility is hereinafter referred to as the "Plan Sponsor-Directed Fund." Any portion of the Fund over which an Investment Manager shall have such responsibility is hereinafter referred to as an "Investment Manager-Directed Fund." Allocations of assets of the Fund between or among any Plan Sponsor-Directed or Investment-Manager Directed Funds shall be determined by the Plan Sponsor. For efficiency or convenience of investment or administration, the Fund or any such Plan Sponsor-Directed or Investment Manager-Directed Fund may be divided into such one or more sub-funds as the Plan Sponsor or the Trustee may deem advisable.

6. The Trust Administrator shall maintain a separate account reflecting the equitable share in the Fund of each Plan Sponsor. For this purpose, the Trustee shall determine the value of the assets of the Fund as of the last day of each calendar quarter and as of such other dates as the Trustee may deem appropriate or on which the Plan Sponsor and the Trustee may agree. Assets shall be valued at their market values at the close of business on the date of valuation, or, in absence of readily accessible market values, at such values as the Trustee shall determine in accordance with methods consistently followed and uniformly applied. Anything herein to the contrary notwithstanding, with respect to assets constituting part of a Directed Fund hereunder, the Trustee may rely, for all purposes of this Trust, including for the purpose of determining the value of such assets as of any quarterly or other valuation date, on any certified appraisal or other form of valuation submitted to it by the Investment Manager(s). The Trustee may also rely on Assets reported by an Insurer in conjunction with contracts issued by that Insurer. Any amount paid from the Master Trust which is specifically allocable to a particular Plan Sponsor shall be charged against the equitable share of such Plan Sponsor; any

amount paid from the Master Trust which is allocable to all of the Plan Sponsors shall be charged against the individual Plan Sponsor assets on a pro-rata basis.

7. The Trustee shall not be required to maintain any separate records or accounts with respect to any Plan Sponsor or any participant in (or beneficiary of) any Plan Sponsor, and any such records or accounts required to be maintained pursuant to the terms of any such Plan shall be maintained by the Plan Sponsor or by the appropriate committee directly charged with such responsibility.

8. By entering into this Trust, the Trustee does not assume any responsibility or undertake any duty to enforce payment of any contribution under any collective bargaining agreement, any responsibility for the adequacy of the Fund or the funding standards adopted by any Plan Sponsor to meet or discharge any liabilities under such agreement or standard, or any responsibility under the terms of this Trust for the management or control of any Discretionary or Directed Funds. Except as may otherwise be required by law, no duties or obligations shall be imposed upon the Trustee unless they have been specifically undertaken by the express terms of this Trust.

9. The Trustee shall receive any contributions paid to it in cash or in other property acceptable to it. All contributions so received, together with the income therefrom and any other increment thereon, shall be held by the Trustee pursuant to the terms of this Trust without distinction between principal and income. The Trustee shall not be responsible for the collection of any contributions to the Plans.

10. The Trustee may from time to time consult with counsel, who may be counsel to the Plan Sponsor, with respect to any question arising as to the construction of this Trust or any action to be taken hereunder and the Trustee shall be fully protected, to the extent permitted by law, in acting in good faith upon the advice of counsel.

11. Subject to the provisions of Article 12 hereof, the Trustee from time to time upon receipt of written notice from the Trust Administrator, may make payments out of the Trust Fund to such persons, in such manner, in such amounts and for such purposes, including the payment of expenses of the Plan and the purchase of life insurance and/or annuity contracts, as may be specified by the Trust Administrator. Except as may otherwise be required by law, the Trustee shall be under no liability for any payment made by it pursuant to a written direction of the Trust Administrator and shall be under no duty to make inquiries as to whether any payment directed by the Trust Administrator is made pursuant to the provisions of the Plan.

12. Notwithstanding anything to the contrary contained in this Trust or in any amendment thereto, it shall be impossible, at any time prior to the satisfaction of all liabilities with respect to the members under the Plans or their beneficiaries, for any part of the Fund, other than such part as is required to pay taxes and expenses of administration, to be used for or diverted to purposes other than for the exclusive benefit of the members under the Plans or their beneficiaries.

13. Unless otherwise prohibited by law or otherwise specified herein, the Trustee shall have the following powers and authority with respect to the Trust Fund:

    a. To invest and reinvest, as directed by the Plan Sponsor and/or the Investment Manager, the principal and income of the Fund and keep the Fund invested without distinction between principal and income, in such securities or in such property, real or personal (whether or not income producing), wherever situated, including, but not limited to, life insurance, contracts, stocks, common or preferred; any mutual or other funds maintained or established by the Trustee or any affiliate thereof; bonds and mortgages and other evidence of indebtedness or ownership in any common, collective or commingled trust fund maintained by the Trustee, as the same may be amended from time to time, and during any period when such funds are used, the instrument

establishing such fund shall constitute a part of this Trust. In making such directed investments, the Trustee shall not be restricted to securities or other property of the character authorized or required by applicable law from time to time for trust investments. The Plan Sponsor and/or Investment Manager shall direct the Trustee in writing as to the asset allocation or percentage mix of types of investments to be used by the Trustee for the investment of the Trust Fund, and as to specific investments to be made by the Trustee of amounts in the Trust Fund. To the extent permitted by law, the Trustee shall not be liable and shall be held harmless and indemnified by the Plan Sponsor for any losses incurred in connection with the Trust Fund caused by its reliance thereon. Such losses may be either actual realized losses or losses in the nature of "lost investment opportunity."

b. To settle, compromise or submit to arbitration any claims, debts or damages, due or owing to or from the Master Trust, to commence or defend suits or legal proceedings and to represent the Master Trust in all suits or legal proceedings in any court of law or before any other body or tribunal.

c. To exercise any conversion privilege and/or subscription right available in connection with any securities or other property at any time held by it; to oppose or to consent to the reorganization, consolidation, merger or readjustment of the finances of any corporation, company or association, or to the sale, mortgage, pledge or lease of the property of any corporation, company or association any of the securities of which may from time to time be held by it and do any act with reference thereto, including the exercise of options, the making of trusts or subscriptions, and the payment of expenses, assessments or subscriptions, which may be deemed necessary or advisable in connection therewith, and to hold and retain any securities or other property which it may so require.

d. To exercise, personally or by general or by limited power of attorney, any rights, including the right to vote, appurtenant to any securities or other property held by it at any time.

e. To hold part or all of the Funds uninvested.

f. To employ and unemploy agents, including the Trust Administrator, counsel, and auditor and to pay from the Trust Fund their reasonable expenses and compensation.

g. To register any securities held by it hereunder in its own name or in the name of a nominee with or without the addition of words indicating that such securities are held in a fiduciary capacity and to hold any securities in bearer form.

h. To make, execute and deliver, as Trustee, any and all deeds, leases, mortgages, conveyances, waivers, releases or other instruments in writing necessary or desirable for the accomplishment of any of the foregoing powers.

i. To deposit any part of the Fund in interest bearing account deposits maintained by the Trustee.

j. Generally to do all acts, whether or not expressly authorized, which the Trustee may deem necessary or desirable for the protection of the Trust Fund.

14. The Plan Sponsor reserves the right to retain the services of one or more persons or firms for the management of (including the power to acquire and dispose of) all or any part of the Fund, provided that each of such persons or firms is registered as an investment advisor under the Investment Advisors Act of 1940, is a bank (as defined in that Act), or is an insurance company qualified to manage, acquire or dispose of trust assets under the laws of more than one state, and provided that each of such persons or firms has acknowledged in writing that he is a fiduciary with respect to the Plan; in such event, the investment manager or managers so retained (the "Investment Manger(s)") shall have the same investment powers and duties as the Trustee, and the Trustee shall not be liable for the acts or omissions of such Investment Manager(s), nor shall it be under any obligation to invest or otherwise manage any Trust Fund assets which are subject to the management of such Investment Manager(s).

15. The Trustee shall pay out of the Fund all personal property taxes, income taxes and other taxes of any and all kinds levied or assessed under existing or future laws against the Trust Fund.

16. The Trustee shall, within 90 days after the close of each calendar year, and within 90 days after the removal or resignation of the Trustee or the termination of the Trust or Plan, render accounts of its transactions to the Trust Administrator and Plan Sponsor. The Trust Administrator and Plan Sponsor may make exceptions to such accounts by an instrument in writing delivered to the Trustee. In the absence of the filing in writing with the Trustee of exceptions or objections to any such account within ninety (90) days of the rendering, shall be deemed to have been approved, the Trustee shall be released, relieved and discharged with respect to all matters and things set forth in such account as though such account had been settled by the decree of a court of competent jurisdiction. The Trustee shall keep accurate and detailed accounts of all investments, receipts, disbursements and other transactions hereunder for the Fund (including any Discretionary or Directed Fund) and all accounts, books and records relating thereto shall be open to inspection and audit at all reasonable times by any persons designated by the Trustee or Trust Administrator. Except as the Retirement Security Act of 1974, as amended ("ERISA"), provides otherwise, no person other than the Plan Sponsor may bring any action against the Trustee with respect to the Trust or their actions as Trustee. The Trustee shall from time to time permit an independent public accountant selected by the Plan Administrator (except one to whom the Trustee has reasonable objection) to have access during ordinary business hours to such records as may be necessary to audit the Trustee's accounts.

17. The Trustee shall be fully protected in relying upon notice from the Trust Administrator with respect to any instruction, direction or approval of the Trust Administrator, and protected also in relying upon a notice from the Trust Administrator as to the person or persons who are authorized to direct payments from

the Trust Fund and in continuing to rely upon such notice until a subsequent notice is filed with the Trustee.

The Trustee shall be fully protected in acting upon any instrument, certificates or paper believed by it to be genuine and to be signed or presented by the proper person or persons, and the Trustee shall be under no duty to make any investigation or inquiry as to any statement contained in writing, but may accept the same as conclusive evidence of the truth and accuracy of the statements therein contained.

The Trustee shall not be liable for the application of any part of the Fund if payments are made in accordance with the approved written instructions of the Trust Administrator as herein provided, nor shall the Trustee be responsible for the adequacy of the Fund to meet and discharge any and all payments and liabilities under the Plan. All persons dealing with the Trustee are released from inquiry into the decision or authority of the Trustee and from seeing to the application of any moneys, securities or other property paid or delivered to the Trustee.

The Trust Administrator and Plan Sponsor hereby agree to hold the Trustee harmless from and against all taxes, expenses (including counsel fees), liabilities, claims, damages, actions, suits or other charges incurred by or assessed against it as a successor Trustee, as a direct or indirect result of any act or omission of a predecessor Trustee or any other person charged under any trust affecting Fund assets for investment responsibilities with respect to such assets.

The Plan Sponsor agrees to hold harmless and indemnify the Trustee, to the fullest extent permitted under applicable law, for any and all liabilities of any kind incurred by the Trustee in connection with the Plans and Trust (a) relating to periods of time prior to the Trustee's becoming Trustee, or (b) relating to periods of time while the Trustee is Trustee if such liability is not due to the Trustee's negligence, willful misconduct, or breach of its fiduciary duties.

18. The Trustee may resign at any time by giving sixty (60) days written notice to the Trust Administrator. In the case of the resignation or removal of the Trustee, the Trust Administrator immediately shall appoint a successor Trustee. If for any reason the Trust Administrator cannot or does not act in the event of the resignation or removal of the Trustee, as hereinabove provided, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor Trustee. Any expenses incurred by the Trustee in connection therewith shall be paid from the Fund as an expense of administration. Any successor Trustee shall have the same powers and duties as those conferred upon the Trustee named in this Trust. The removal of the Trustee and the appointment of a new Trustee shall be by written instrument delivered to the Trustee.

19. This Trust, subject to the provisions of Article 1 may be amended by the Trustee at any time or from time to time and in any manner and the provisions of any such amendment may be made applicable to the Fund as constituted at the time of the amendment as well as to the part of the Fund subsequently acquired; provided, however, that no such amendment shall increase the duties of the Trustee without its consent. Any amendment shall be by a written instrument adopted by the Trustee.

20. This Trust and the trust created hereby may be terminated at any time by the Trustee, and upon such termination, the Fund shall be paid out by the Trustee as and when directed by the Trust Administrator in accordance with the provisions of Article 12 hereof.

21. The Trust Administrator shall provide the Trustee with copies of all documents constituting a Plan at the time the Trust is executed by a Plan Sponsor, as provided in Article 2, and all other documents amending or supplementing a participating Plan promptly upon their adoption. The Trustee shall be entitled to rely upon the Trust Administrator's attention to this obligation and shall be under no duty to inquire of

the Trust Administrator as to the existence of any documents not provided by the Trust Administrator hereunder. The Trustee is bound and acknowledges that it is a fiduciary with respect to the Master Trust and the participating Plans and by the fiduciary responsibility provisions of ERISA as applicable to governmental plans. The provisions of ERISA are expressly made applicable to the provisions of this Master Trust in order to ensure that the Master Trust meets the control requirements for a VEBA under the provisions of 501(c)(9) of the Internal Revenue Code.

22. To the extent consistent with the provisions of ERISA, this Agreement and the trust created hereby shall be construed, regulated and administered under the laws of the State of California, and the Trustee shall be liable to account only in the courts of the State. All contributions to the Trustee shall be deemed to take place in the State of California. Unless the provisions of ERISA provide otherwise, the Trustee may at any time initiate an action or proceeding for the settlement of its accounts or for instructions, and the only necessary party defendant to such action or proceeding shall be the Employer except that the Trustee may, if it so elects, bring in as parties defendant any person or persons.

IN WITNESS WHEREOF, this instrument has been executed as of the day and year first above written.

PLAN SPONSOR

ATTEST:

_____

By:_____

Name: Richard A. Stewart

Title: Mayor

Date: _____

TRUSTEE:

ATTEST:

Trust Committee

_____

By: _____

Name:

Title:

Date:

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MV00129494

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer and Barry Foster Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011

DEVELOPER: FIRST INDUSTRIAL, L.P.
A DELAWARE LIMITED PARTNERSHIP
898 NORTH SEPULVEDA BOULEVARD
SUITE 750
EL SEGUNDO, CA 90245

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011.

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

BACKGROUND

On November 6, 2008, the Planning Commission of the City of Moreno Valley approved Parcel Map No. 35859 (PA07-0165) along with Plot Plan (PA07-0166) for an approximately 700,000 square-foot industrial warehouse building (Building #1) and a

Plot Plan (PA07-0167) for a 180,000 square-foot industrial warehouse building (Building #2). The parcel map is a proposal to subdivide 40.3 gross acres into two parcels. The project is bounded by Perris Boulevard to the east, Knox Street to the west, San Michelle Road to the north, and Nandina Avenue to the south.

Since the original project approvals, the developer has submitted a Plot Plan (PA11-0011) planning application for an interim truck parking lot to be located on Parcel 2 of Parcel Map No. 35859, the ultimate location of Building #2, the 180,000 square-foot industrial warehouse building. The proposal covers the same footprint of the approved building with access from Perris Boulevard. The developer has also submitted an Amended Plot Plan (P11-017) planning application for minor modifications to the approved 700,000 square-foot building approved with PA07-0166. The modifications include a decrease in the overall building square footage with an increase in office space and changes to the location of Knox Street project entrances. Both of these planning applications were approved on July 5, 2011.

On July 26, 2011, the City Council of the City of Moreno Valley approved the Final Parcel Map and Public Improvement Agreement along with the corresponding securities. The Agreement and securities include the construction of the public street improvements.

DISCUSSION

First Industrial, L.P. is requesting a full road closure of Nandina Avenue between Perris Boulevard and Knox Street to facilitate the construction of street improvements on Nandina Avenue. The road closure will be for three months, or approximately ninety-one (91) calendar days. The request for the road closure is due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, curb, gutter, sidewalk, medians, driveway approaches, street lights, landscaping, storm drain culverts, dry utilities, traffic signal modification and associated signing and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on December 28, 2011.

There are 2 residential parcels in the area of construction. The road closure will affect the ingress or egress of both of the parcels, and it will require a detour to the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. The road closure/detour/traffic control plan for this closure has been reviewed and approved by the City Traffic Engineer.

ALTERNATIVES

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. There would be no road closure. *This alternative would result in an unsafe work environment and would significantly delay the completion of this project.*

FISCAL IMPACT

The developer will be responsible for all costs associated with this proposal.

CITY COUNCIL GOALS

PUBLIC SAFETY
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses and residents. The public will be notified by special roadside signage showing the dates of closure and detour signs.

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Road Closure Detour Map
Exhibit "C" – GIS Orthography Map – Road Closure Site Map

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129498

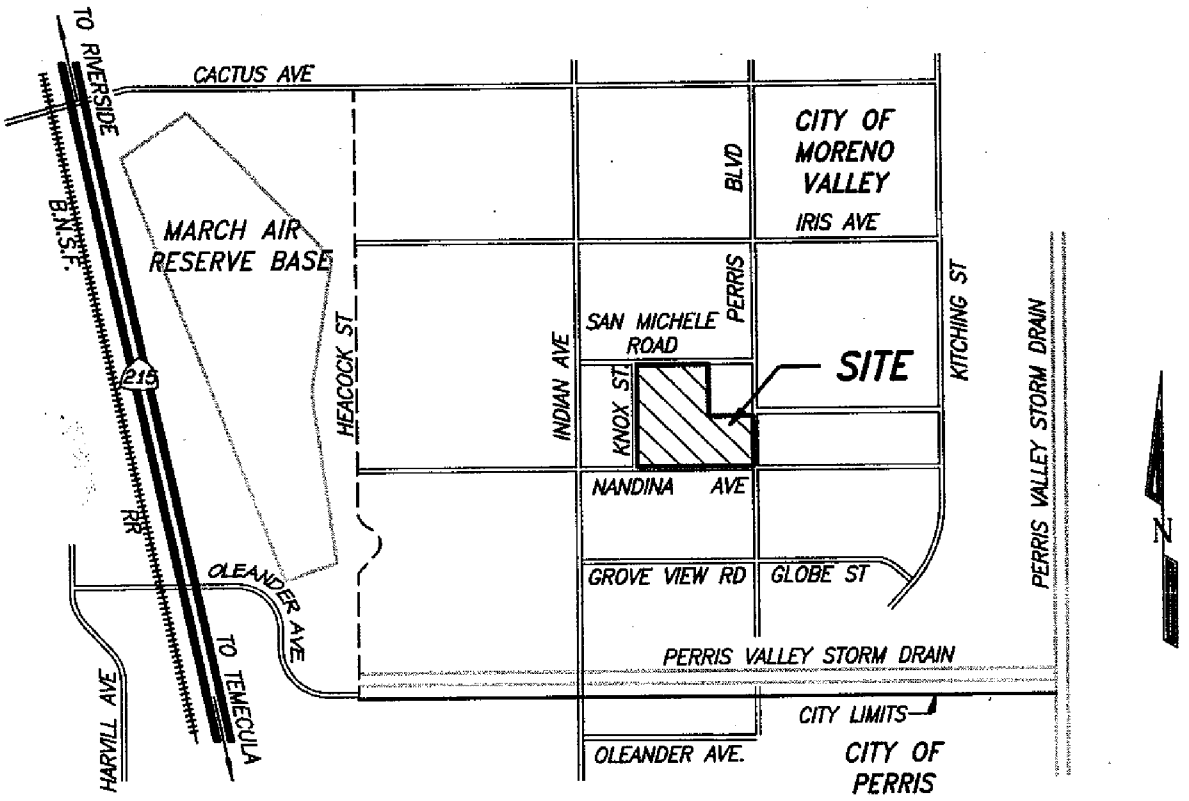

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0165** **PM 35859** **LOCATION MAP**

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MV00129500

DETOUR PLAN

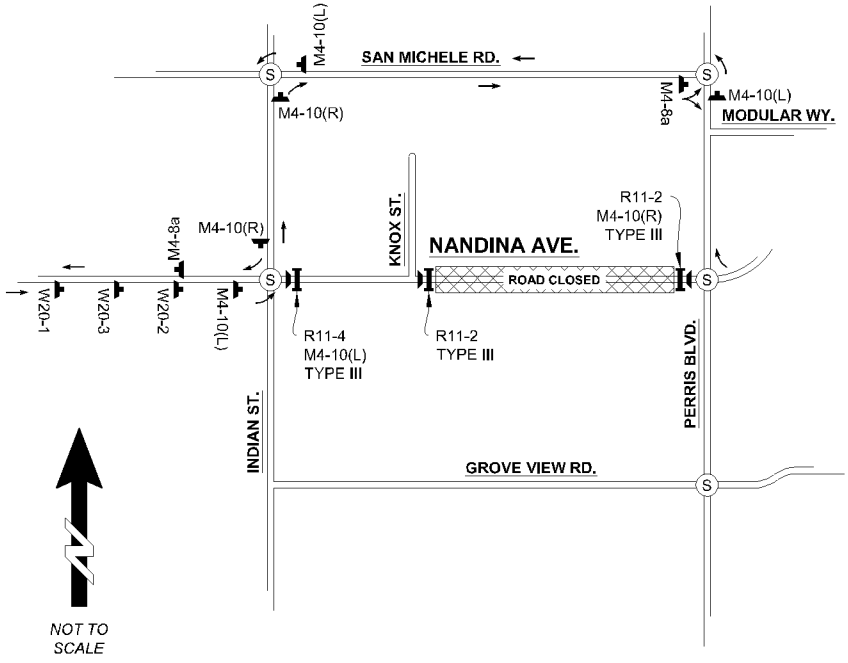

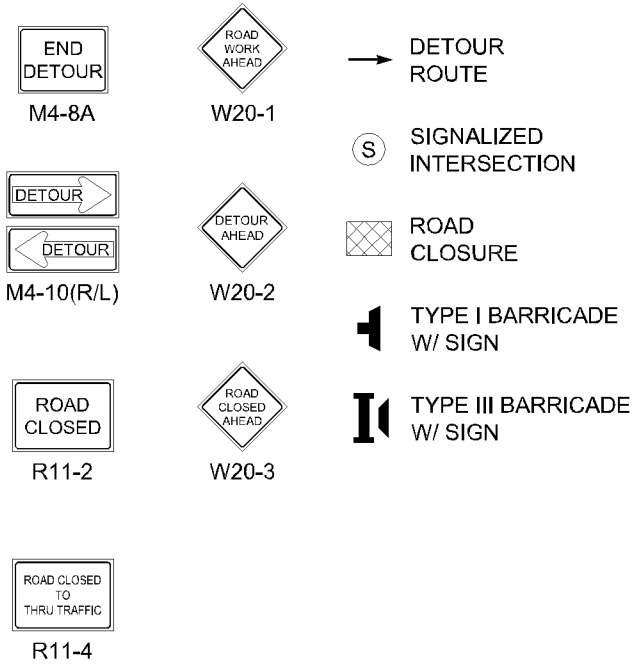

PREPARED BY:	CONTRACTOR:	STAMP:		CITY OF MORENO VALLEY APPROVALS		PROJECT NO.
A CONE ZONE INC. P.O. Box 1982 Corona, CA 92878 (951) 734-9535 License Number: 851996	**PETERSON PIPELINE** P.O. Box 1649 Chino, CA 91908 (909) 393-1906 License Number: 689680A		MARK / REVISIONS / APPR / DATE DESIGNED BY CB DRAWN BY CB CHECKED BY EN	APPROVED BY / DATE / BY SUPERVISING ENGINEER CITY TRAFFIC ENGINEER MAINTENANCE AND OPERATIONS MANAGER SENIOR ENGINEER	PREM KUMAR – DEPUTY DIRECTOR OF PUBLIC WORKS DATE R.C.E. 52463 EXP. DATE: 12/31/12 CHRIS A. VOGT – DIRECTOR OF PUBLIC WORKS DATE R.C.E. 44250 EXP. DATE: 06/30/12	PERRIS VALLEY MASTER DRAINAGE PLAN LATERAL B-1 & B-1.2 NANDINA AVE. CLOSURE	DRAWING NO. SHEET NO. X OF 4

Exhibit "B"

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MV00129502

ROAD CLOSURE SITE MAP

Nandina Avenue fron Perris Blvd. to Knox St.

Item No. A.13

Legend

- Highways
- Parcels
- Roads
- March Installation Area
- Waterbodies
- Sphere of Influence
- Ortho Photography

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside

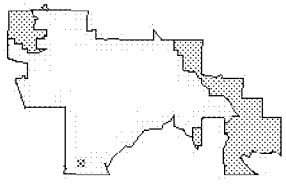

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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Exhibit "C"

MORENO VALLEY

MV00129503

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MV00129504

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00129506

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto.

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The Parks and Community Services Department oversees the After School Education and Safety Program and 43 school sites in the Moreno Valley Unified (MVUSD) and Val Verde Unified School District (VVUSD). As part of the After School Education and Safety Grant (ASES) the city is required to offer the students in the program a daily

nutritious snack that conforms to the nutrition standards in the California Education Code. To that end the City receives a grant from the Child and Adult Care Food Program (CACFP) which reimburses a set amount per nutritious snack served per student. The vendor contracted for this service must be capable of delivering snacks, to each school site weekly, that meet the requirements and portion sizes of the U.S. Department of Agriculture (USDA) as required by the CACFP Grant.

DISCUSSION

A request for proposal was prepared and advertised, with a closing date of August 22, 2011. Three proposals were received by deadline. A panel evaluated the proposals based on several items with the most weight given to: Ability to provide the required services; adherence to the RFP; quality of snacks compared to the USDA's requirements; and nutritional value of snacks compared to USDA's requirements.

The proposal with the highest score was received from Family Services Association. It is Staff's intention to enter into an agreement with Family Services Association to meet the required nutritional guidelines of the ASES and CACFP Grants.

ALTERNATIVES

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto and Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

2. Elect not to award the contract and execute a purchase order in the amount not to exceed $440,640 to Family Services Association and provide direction to staff.

FISCAL IMPACT

The funding of this program expenditure, in the amount not to exceed $440,640, is covered 100 percent (100%) through ASES and CACFP grant funding. No City General Funds will be used for this program. Funds are budgeted in the FY2011-12 Operating Budget (162.16215 and 162.16315). **ASES funding is specifically for the After School Education and Safety Program and CACFP grant is for nutritious after school snacks only.**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Contract agreement (Includes RFP)

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129510

ATTACHMENT A

City of Moreno Valley
Community Services District

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by the Moreno Valley Community Services District, a district formed pursuant to California Community Services District Law, hereinafter referred to as the "CSD", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City and CSD policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the Mayor, Acting in the capacity as the President of the Board of Directors of the Moreno Valley Community Services District, signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Family Services Association
Address: 21250 Box Springs Rd. Ste 212
City: Moreno Valley State: CA Zip: 92557
Business Phone: (951)686-1096 Fax No. (661)947-5678
Other Contact Number: N/A
Social Security Number: N/A
Business License Number: 11605
Federal Tax I.D. Number: 95-4764967

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The CSD's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is 10/3/11 and the Contractor Ending Date is 06/30/12. The CSD acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CSD will not provide any training to Contractor or his/her/its employees.
B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual

whose compensation for services is paid by the Contractor, an agent or employee of the CSD, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the CSD, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the CSD.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the CSD. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the CSD shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the Moreno Valley Community Services District (CSD), City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the CSD, City and RDA, its officers, agents, or employees.

   The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. CSD Indemnification. The CSD agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CSD's, City's and RDA's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, City, and RDA, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

   The Contractor shall name as additional insured, the Moreno Valley Community Services District (CSD), the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and shall furnish the CSD with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the CSD in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any

excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the Moreno Valley Community Services District (CSD), it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the Moreno Valley Community Services District (CSD), the Community Redevelopment Agency of the City of Moreno Valley, California, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the CSD, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the CSD will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	**Each Occurrence**	**Aggregate**
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the CSD and the City. At the option of the CSD and the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the CSD, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the CSD with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

(a) The CSD may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the CSD. The CSD shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the CSD terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

I. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The CSD will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the CSD's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

J. Restrictions on CSD and City Employees. The Contractor shall not employ any CSD or City employee or official in the work performed pursuant to this Agreement. No officer or

employee of the CSD or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

K. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

L. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.
In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

M. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the CSD, the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

N. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the CSD.

O. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

P. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the Moreno Valley Community Services District (CSD).

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Board of Directors of the
Moreno Valley Community Services District

BY: _____
President

_____
Date

Family Services Association

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT A

SCOPE OF WORK

"Exhibit A"

GENERAL AGREEMENT
This agreement is entered between Family Service Association (FSA) and the Moreno Valley Community Services District ("CSD") for the purpose of providing after school snack services. It is recognized that the purpose of this agreement shall be constructed in a manner not inconsistent with the California Education Code and other laws of the State of California After School Education and Safety (ASES) Grant.

AGENCY AND PROGRAM BACKGROUND
Family Service Association is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals. Additionally, the FSA has provided the Federal Summer Youth Food Program at several FSA Community Centers.

SNACK PROGRAM SERVICES
Family Service Association will provide delivery of the snacks to each of the 43 ASES "CSD" sites every school day from October 3, 2011 until June 30, 2012 in accordance with the order from the Think Together. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times required. Snack will be provided for a set unit price of .72 per snack per day and total cost will vary based on CSD program enrollment. Snack nutritional values will be in accordance with Child and Adult Food Program.

PROGRAM DELIVERY
Snack will be delivered to CSD programs weekly. CSD program must provide a secure area for product to be stored. CSD program will assign a contact for each site who will sign for delivery. FSA will invoice monthly with NET 30 DAY terms based on documented number of nutritious snacks delivered.

PROGRAM STAFFING REQUIREMENTS
Family Service Association shall be solely responsible for staff in their employ under this agreement, Family Service Association certifies that staff providing services are adequately trained and prepared according to prevailing standards for providing such services. Family Service Association will provide adequate supervision of the staff. FSA will provide all necessary insurance for employees as specified in INDEPENDENT CONTRACTOR AGREEMENT.

RELEVENT DATES
FSA will deliver snack to (43) ASES sites per week starting October 3, 2011. All sites will have product to begin distribution on October 3, 2011.

CONTRACTORS RFP RESPONSE

ORIGINAL

CHILD AND ADULT CARE FOOD PROGRAM
SAMPLE CONTRACT FOR VENDED MEALS

THIS AGREEMENT, made and entered into this day of

20 11, in the State of California, by and between Moreno Valley Community Services District

hereinafter referred to as the Agency and _____,

* _____, hereinafter referred to as the Contractor.

WITNESSETH:

1. That the Contractor for and in consideration of the covenants, conditions, agreements, and stipulations of the Agency hereinafter expressed, does hereby agree to furnish to the Agency services and materials as described in the original Invitation for Proposal and Contract, Sections A, B, C, D, E, F, G, and H, and Schedules A, B, and C, which were attached and made a part hereof by this reference.

2. The period of this contract shall be from _____ through _____. This contract may be renewed for one-year periods up to three times upon agreement of the Agency and the Contractor. Any increase or decrease of the unit price(s) shall be negotiated during the renewal process.

3. In consideration of the service, performed in a manner acceptable to the Agency and in compliance with the Child and Adult Care Food Program regulations, Title 7 Code of Federal Regulations, Part 226, the agency shall pay the Contractor within 30 days of receipt, the full the amount Amount of the itemized invoices as confirmed by pickup receipts, at the unit price(s) specified in the contract.

4. The total amount payable by the Agency to the Contractor under this contract shall not exceed $_____.

SIGNATURE PAGE TO FOLLOW

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/

/

MORENO VALLEY COMMUNITY SERVICES DISTRICT

(Name of Contractor)

BY: _____
City Manager

DATE: _____

License No./ Certification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

CITY ATTORNEY, ACTING IN THE CAPACITY OF GENERAL COUNSEL OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SECTION A
CHILD AND ADULT CARE FOOD PROGRAM
REQUEST FOR PROPOSAL AND CONTRACT
(DELIVERY)

RFP/CONTRACT NUMBER: (Formal Advertising Only)

ISSUED BY (AGENCY): Moreno Valley Community Services District

NAME	ADDRESS 14075 Frederick St.		
CITY Moreno Valley	STATE CA	ZIP 92553	TELEPHONE NUMBER (951) 413-3726

PROPOSAL DUE

DATE	TIME	LOCATION	ISSUE DATE
AUGUST 22, 2011	5:00 p.m.	Moreno Valley Parks and Community Services 14075 Frederick Street, Moreno Valley, CA 92553	

PROPOSAL

This document contains an RFP/Contract for the furnishing of meals (unitized if applicable) to be served to participants of the Child and Adult Care Food Program established by the United States Department of Agriculture (Title 7 Code of Federal Regulations, Part 226) and sets forth the terms and conditions applicable to the proposed procurement.

NAME OF COMPANY	FEDERAL ID NUMBER
Family Service Association	95-1803694
STREET ADDRESS	TELEPHONE NUMBER
21250 Box Springs Rd. Ste. 212	(951) 686-1096

CITY	STATE	ZIP CODE
Moreno Valley	CA	92557

TOTAL ESTIMATED AMOUNT OF PROPOSAL	
TO BE PROVIDED IN SEPARATE SEALED ENVELOPE	Prompt Payment Discount: N/A % for payment within days.

By submission of this proposal, the company certifies that, in the event they receive an award under this solicitation, they shall operate in accordance with all applicable, current Child and Adult Care Food Program regulations.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Bower	Chief Operating Officer	8/18/2011

ACCEPTANCE

Upon acceptance by the Agency and review by the California Department of Education, this document shall constitute the covenants, conditions, agreements, and stipulations of the contract between the company making the proposal and the Agency named above.

CONTRACT NUMBER	AGENCY NAME	DATE

SIGNATURE OF AGENCY REPRESENTATIVE	

PROCUREMENT METHOD: (Check One)

Competitive Negotiation ☐ Competitive Sealed Proposals ☒ Noncompetitive Negotiation ☐

FOR CDE USE ONLY

This Contract was reviewed for compliance with Title 7 Code of Federal Regulations, Part 226 by:

SIGNATURE	DATE

3

SECTION B
CERTIFICATE OF INDEPENDENT PRICE DETERMINATION, NO SANCTIONS, AND DRUG FREE WORKPLACE

BY SUBMISSION OF THIS PROPOSAL, THE SUBMITTER CERTIFIES AND IN THE CASE OF A JOINT PROPOSAL, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATIONS, THAT IN CONNECTION WITH THIS PROCUREMENT:

1. The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Submitter or with any competitor.
2. Unless otherwise required by law, the prices that have been quoted in this proposal have not been knowingly disclosed by the Submitter and will not knowingly be disclosed by the proposal prior to proposal opening, directly or indirectly to any other Submitter or to any competitor.
3. No attempt has been made or will be made by the Submitter to induce any person or firm to submit or not to submit a proposal for the purpose of restricting competition.
4. Neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

   Where the Submitter is unable to certify to any of the statements in this certification, such Agency shall attach an explanation to this proposal.
5. As required by the state drug-free workplace act of 1990 (Government Code Section 8350 et. Seq.) and the federal Drug-Free Workplace Act of 1988, and implemented at Title 34 Code of Federal Regulations, Part 85, Subpart F, for grantees, as defined at Title 34 Code of Federal Regulations, Part 85, Sections 85.605 and 85.610, the Submitter certifies that it will continue to provide a drug-free workplace.

EACH PERSON SIGNING THIS PROPOSAL CERTIFIES THAT:

1. He is the person in the Submitter's organization responsible within that organization for the decision as to the prices being offered herein or that he has been authorized in writing to act as agent for the persons responsible for such decisions in certifying that such persons have not participated and will not participate, in any action contrary to (1) through (3) above; and
2. He has not participated, and will not participate, in any action contrary to (1) through (3) above.

AND AS THEIR AGENT DOES HEREBY SO CERTIFY:

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011
NAME OF COMPANY		
Family Service Association		
In accepting this proposal, the agency certifies that the agency's officers, employees, or agents have not taken any action that may have jeopardized the independence of the proposal referred to above.		
SIGNATURE OF AUTHORIZED AGENCY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011

ACCEPTING A PROPOSAL DOES NOT CONSTITUTE ACCEPTANCE OF THE CONTRACT

SECTION C
INSTRUCTION TO SUBMITTERS

1. **Definitions --** (As used herein):

   (a) The term "Proposal" means an offer to perform the work described in the Request for Proposals at the fixed unit price specified in accordance with the terms and conditions of the solicitation.

   (b) The term "Submitter" means a food service management company submitting a proposal in response to this Request for Proposals.

   (c) The term "Contractor" means the food service management company to whom the proposal is awarded and with whom the contractual agreement is executed.

   (d) The term "CDE" means the California Department of Education, Nutrition Services Division.

   (e) The term "Food Service Management Company" means an organization, other than a public or private nonprofit school, with which an agency may contract for preparing, and unless otherwise provided for, delivering meals, with or without milk, for use in the Program.

   (f) The term "Request for Proposals ", hereafter referred to as RFP, means the document soliciting proposals through the formal advertising method of procurement. In the case of this Program, the RFP becomes a part of the contract upon acceptance by the Agency, review by CDE, and execution of the contractual agreement.

   (g) The term "Agency" means the Child and Adult Care Food Program agency that issues this RFP.

   (h) The term "Program" means the Child and Adult Care Food Program as set forth in the Title 7 Code of Federal Regulations, Part 226.

   (i) The term "Unitized Meal" means an individual pre-portioned meal consisting of a combination of foods meeting the complete meal requirements, delivered as a unit and served as a unit, with or without milk.

   Other terms shall have the meanings ascribed to them in the Child and Adult Care Food Program, Title 7 Code of Federal Regulations, Part 226.

2. **Submission of Proposals**

   (a) Submitters are expected to examine carefully the specifications, schedules, attachments, terms, and conditions of this RFP. Failure to do so shall be at the Submitter's own risk.

   (b) Proposals shall be executed and submitted in triplicate with one copy being marked "original". If accepted, this RFP will become a part of the contract and one copy of the accepted Proposal/contract will be forwarded to the successful Submitter with the notice of award. The copy marked "original" shall be governing should there be a variance between that "original" copy of the proposal and other copies submitted by the Submitter. No changes in the specifications or general conditions as presented by the Agency herein are allowed. Erasures on this proposal shall be initialed by the proposal prior to submission.

   (c) A copy of a current State or local health certificate for the food preparation facilities shall be submitted with the proposal.

   (d) The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.

   Failure to comply with any of the above shall be reason for rejection of the proposal.

3. **Explanation to Submitters**

Any explanation desired by a Submitter regarding the meaning or interpretation of the RFP specifications, etc., must be requested in writing prior to proposal opening and with sufficient time allowed for a reply to reach all Submitters before proposal opening. Oral explanations or instructions given before the award of the contract shall not be binding. Any information given to a prospective Submitter concerning an RFP shall be furnished to all prospective Submitters as an amendment to the RFP if such information is necessary to Submitter in submitting proposal on the RFP, or if the lack of such information would be prejudicial to uninformed Submitters.

4. **Acknowledgment of Amendments to RFPs**

Receipt of an amendment to an RFP by a Submitter must be acknowledged by signing and returning the amendment. Such acknowledgment must be received prior to the hour and date specified for proposal response date.

5. **Discounts**

Although a blank is provided for a time discount, prompt payment discounts offered for payment in less than twenty calendar days will not be considered in evaluating proposals for award. However, offered discounts of less than twenty days will be taken if payment is made within the discount period even though not considered in the evaluation of proposals.[1]

6. **Proposals Having Interest in More Than One Proposal**

If more than one proposal is submitted by any one person, by, or in the name of a clerk, partner, or other person, all such proposals shall be rejected.

7. **Time for Receiving Proposals**

Sealed proposals shall be deposited at the address specified on the RFP of the Agency no later than the exact time and date indicated on the face of this RFP. Proposals received prior to the time of opening will be securely kept, unopened.

8. **Errors in Proposals**

Submitters or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals; failure to do so shall be at the Submitter's own risk and he cannot secure relief on the plea of error.

9. **Award of Contract**

(a) The contract will be awarded to that responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered. Consideration shall be given to such matters as Contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

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[1] Payment discounts may only be used to determine the low proposal when prior experience of the Agency indicates that such discounts are generally taken.

(b) The Agency reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received when there are sound documented business reasons in the best interest of the Program.

(c) The Agency reserves the right to reject the proposal of a Submitter who has previously failed to perform properly or complete on time contracts of a similar nature, or the proposal of a Submitter whose investigation shows is not in a position to perform the contract.

10. **Late Proposals, Modifications of Proposals, or Withdrawals of Proposals**

(a) Any proposal received after the exact time specified for receipt will not be considered unless it is received before the award is made and it was sent by registered or certified mail, no later than the fifth calendar day prior to the date specified for the receipt of proposals (e.g., a proposal submitted in response to an RFP requiring receipt of proposals by the 20th of the month must have been mailed by the 15th or earlier).

(b) Any modification or withdrawal of a proposal is subject to the same conditions as in (a) above except that withdrawal of proposals by telegram is authorized. A proposal may also be withdrawn in person by a Submitter or his authorized representative, provided his identity is made known and he signs a receipt for the proposal, but only if the withdrawal is made prior to the exact time set for receipt of proposals.

(c) The only acceptable evidence to establish the date of mailing of a late proposal, modifications, or withdrawal sent either by registered or certified mail is the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. If the date on the postmark is illegible, the proposal, modification, or withdrawal shall be deemed to have been mailed late. (The term "postmark" means, a printed, stamped, or otherwise placed impression that is readily identifiable without further action as having been supplied and affixed on the date of mailing by employees of the U.S. Postal Service.)

(d) Notwithstanding the above, a late modification of an otherwise successful proposal that makes its terms more favorable to the Agency will be considered at any time it is received and may be accepted.

SECTION D
SCOPE OF SERVICES

1. The Contractor agrees to deliver unitized meals exclusive of milk to locations set out in Schedule A, attached hereto and made a part hereof, subject to the terms and conditions of this solicitation.

2. All meals furnished for the Program under this contract must meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products shall conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. The Contractor agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. The Contractor shall furnish meals for the Program as ordered by the Agency during the period of October 3, 2011 to June 8, 2012.

5. The Contractor shall furnish meals for the Program as ordered by the Agency 5 days a week excluding school holidays.

Item No. B.3

Section D

SCOPE OF SERVICES

1. Family Service Association (Contractor) agrees to deliver unitized meals exclusive of milk to 43 Elementary and Middle School Sites (as detailed on Schedule A).

2. All meals furnished for the Program under this contract will meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products will conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. Family Service Association (Contractor) agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. Family Service Association will furnish meals for the program as ordered by the Agency during the period of October 3, 2011- June 8, 2012.

5. Family Service Association will furnish meals for the Program as ordered by the Agency five (5) days per week (Monday-Friday).

SECTION F

CONTRACT PROVISIONS AND SPECIFICATIONS

1. **Requirements Contract**

   (a) This is a requirements contract for services specified in the Sections and Schedules and for the period set forth herein. The quantities of such services specified herein are estimates only and are not purchased hereby. Except as may be otherwise provided herein, in the event the Agency's requirements for services set forth in the Sections and Schedules do not result in orders in the amounts or quantities described as "estimated" in the Sections and Schedules, such event shall not constitute the basis for an equitable price adjustment under this contract.

   (b) The Agency shall not be required to purchase from the Contractor requirements in excess of the limit on total orders under this contract, if any.

   (c) The Agency may issue orders that provide for delivery or performance at multiple destinations.

   (d) The Agency shall not be obligated to place any minimum dollar amount of orders under this contract or any minimum number of orders. The utilization of the Contractor for services specified in the Sections and Schedules will be dependent upon the needs and requirements of the Agency.

   (e) Regulatory or guidance changes prescribed by the United States Department of Agriculture or CDE, during the duration of this contract, shall be considered a basis for renegotiation with prior approval and agreement from CDE, of the terms and conditions of the contract between the Agency and the Contractor. Authority for such renegotiation must be requested from CDE, in writing by the Agency, prior to the commencement of any such renegotiation.

2. **Pricing**

   Pricing shall be on the numbers described in Section E, "Unit Price Schedule". All Submitters must submit proposals on the same menu cycle provided by the Agency. Proposal prices must include the price of food, milk (if applicable), packaging, transportation, and all other related costs (e.g., condiments, utensils, etc.) that are essential to the content of the food service.

3. **Evaluation of Submitters**

   Each Submitter will be evaluated on the following factors:

   (a) Capability to perform a contract of the scope required.

   (b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards.

   (c) Previous experience performing services similar in nature and scope.

   (d) Other factors such as transportation capability, sanitation, and packaging.

   Submitter that do not satisfactorily meet the above criteria may be rejected as unresponsive and not considered for award.

4. **Unit Prices**

The unit prices of each meal type that the Submitter agrees to furnish must be written in ink or typed in the blank space provided in Section E of the Unit Price Schedule, including proper packaging as required in the specifications, and the costs of delivery to the designated sites. Unit prices shall include taxes; but, any charges or taxes that are required to be paid under future laws must be paid by the Submitter at no additional charge to the Agency. **The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.**

5. **Meal Orders**

The Agency will order meals on Friday of the week preceding the week of delivery; orders will be placed for the total number of days in the succeeding week, and will include breakdown totals for each center and each type of meal.

The Agency reserves the right to increase or decrease the number of meals ordered on a 24 hour notice (or less if mutually agreed upon between the parties to this contract).

6. **Menu-Cycle Change Procedure**

Meals shall be delivered on a daily basis in accordance with the menu cycle which appears in Schedule C. Deviation from this menu cycle shall be permitted only upon authorization of the Agency. When an emergency situation prevents the Contractor from delivering a specified meal component, the Contractor shall notify the Agency immediately so substitutions can be agreed upon. The Agency reserves the right to periodically suggest menu changes that are within the Contractor's food cost.

7. **Noncompliance**

The Agency reserves the right to inspect and determine the quality of food delivered and reject any meals that do not comply with the requirements and specifications of the contract. The Contractor shall not be paid for unauthorized menu changes, incomplete meals, meals not delivered within the specified delivery time period, and meals rejected because they do not comply with the specifications. The Agency reserves the right to obtain meals from other sources if meals are rejected due to any of the stated reasons. The Contractor shall be responsible for any excess cost, but will receive no adjustment in the event the meals are procured at a lesser cost. The Agency or agency representative inspecting shall notify the Contractor in writing as to the number of meals rejected and the reasons for rejection.

** Time frame should be no longer than 24 hours.

8. **Specifications**

(a) Packaging

(1) Hot Meal Unit-Packaging shall be suitable for maintaining meals in accordance with local health standards. Container and overlay should have an airtight closure, be of non-toxic material, and be capable of withstanding temperatures of 400°F (204°C) or higher.

(2) Cold Meal Unit or Unnecessary-to-Heat Container and overlay shall be plastic or paper and non-toxic.

(3) Cartons - Each carton shall be labeled. The label shall include:

A. The processor's (plant) name and address

B. Item identity and meal type

C. Date of production

D. Quantity of individual units per carton

(4) Meals shall be delivered with the following non-food items: condiments, straws, napkins, single service ware, etc.*

(b) Food Preparation

Meals shall be prepared under properly controlled temperatures and assembled not more than 24 hours prior to delivery.

(c) Food Specifications

Proposals are to be submitted on the menu cycle included as Schedule C and shall include, at a minimum, the portions specified by the U. S. Department of Agriculture for each meal, which are included in Schedule B of this RFP.

All meat and meat products, except sausage products, shall have been slaughtered, processed, and manufactured in plants inspected under a U. S. Department of Agriculture approved inspection program and bear the appropriate seal. Upon delivery, all meat and meat products must be sound, sanitary, and free of objectionable odors or signs of deterioration.

(d) Product Specifications

Milk and milk products are defined as "...fluid types of pasteurized flavored or unflavored whole milk or low-fat milk, or skim milk or cultured buttermilk, which meets State and local standards for such milk..." Milk delivered hereunder shall conform to these specifications.

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* The Agency shall insert or delete non-food items that are necessary for the meal to be eaten.

Section F

CONTRACT PROVISIONS AND SPECIFICATIONS

3. Evaluation of Submitters:

(a) Capability to Perform Contract of Scope Required:

Family Service Association (FSA) is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. The key program and service areas of FSA include: Mental Health, Child Development, Community Centers, Senior Nutrition and Senior Services and Affordable Housing. FSA has a substantial infrastructure that includes administrative and fiscal supports to all programs and services, and is certified by the Council on Accreditation for the majority of agency services, attesting to the highest quality in program delivery. Additionally, FSA's Human Resources Department enables the agency to hire/screen and interview staff quickly and efficiently. FSA also maximizes resources, including personnel, facilities and transportation to ensure cost-effective and timely services. For example, there are currently part-time personnel that are working in food service whose hours can be expanded up to full-time positions to serve this new program component. Vehicles that are used to deliver Senior Nutrition meals earlier in the day can also be used for delivery of snacks to the various school sites in the afternoon.

In the area of service relevant to the Child Care Food Program Notice, FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals, as described in detail in item (c). Additionally, the agency has provided the Federal Summer Youth Food Program at several FSA Community Centers.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products. FSA will provide delivery tickets (minimum of three copies – one for FSA, one for Center personnel, and one for the Agency). Each delivery ticket will be itemized to show the number of snacks provided to each center. Designees of the Agency at each site will check the adequacy of the delivery before signing the delivery ticket. FSA will maintain records supported by delivery tickets, purchase orders, and production records for this contract, and other evidence for inspection and reference to support payments and claims.

FSA will make the books and records pertaining to this contract available for a period of three years from the date the Agency submits to CDE, the final claim for reimbursement for meals provided under this contract.

FSA will procure and maintain at its sole expense, and throughout the term of the Agreement, General Liability and Worker's Compensation at the required levels.

(b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards:

FSA has a long history of compliance with food preparation regulations and standards in the course of operating eight (8) food service facilities. In both the food service programs for the Child Development Centers and the Senior Nutrition program, FSA is well-versed in the applicable State and local health, safety and sanitation standards of the CA Department of Education Child and Adult Food Programs, the Federal Summer Youth Food Program, and Title 22 regulations, as well as Environmental Health regulations.

Food preparation for this proposed program will take place at FSA's new Central Kitchen and Distribution Facility, scheduled to open on September 15, 2011. The facility is located at 21081 Alessandro Blvd. in Moreno Valley and is currently being renovated especially for the preparation of meals for the Senior Nutrition program.

The facility will be ideal for the proposed Child Care Food Program. During the morning hours, the facility will be used for the preparation and distribution of over 1,500 senior meals (congregate and home-delivered meals). The early afternoon hours can then be devoted to the preparation of the afternoon meal "snacks" required for this proposed program. The convenient location of the kitchen within close proximity to the service sites, the compliance of the facility with all applicable health regulations, and the trained and experienced staff assigned to work in this location on various programs make it an ideal place for this project.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products.

(c) Previous experience performing services similar in nature and scope:

As previously stated, FSA has over 15 years of experience in the meal preparation and food service process. FSA provides food service (breakfast, lunch and snacks) to approximately 2,000 children served at FSA's 10 Child Development Centers located throughout Riverside County. In addition, FSA has provided the Summer Youth Food Program to approximately 300 children and youth attending special programming at FSA's Community Centers in Highgrove, Mead Valley and Cabazon. Daily meals are delivered to 1,500 seniors through FSA's Senior Nutrition program, offering both congregate (20 sites) meal service, and home-delivered meals for frail, homebound elders.

In the provision of these food programs, FSA adheres to and has consistent compliance with environmental health standards for kitchen sanitation and safe food preparation. Food service personnel comply with all applicable CA Department of Education and Adult Food Programs, and Title 22 regulations that govern federally funded food programs, in addition to all Environmental Health regulations.

(d) Other factors such as transportation capability, sanitation and packaging:

FSA has over 20 vehicles that are used to deliver nutritious meals to seniors. The agency also owns a refrigerated truck as well as refrigerated hot and cold conversion vans that are available to deliver meals and snacks. In addition, FSA utilizes coolers and hot bags to maintain appropriate food temperatures for snack and meal deliveries.

FSA maintains the highest quality of sanitation possible for all cooking sites as well as warming kitchens. FSA is required by Title 22 regulations to have a registered dietician who inspects all sites on a quarterly basis. Written records are maintained on food temperatures as well as routine cleaning and sanitizing of all kitchen equipment.

FSA packages all meals and snacks that it prepares. Meals are placed in biodegradable meal trays and appropriately sealed. Side dishes, such as fruit, jello, etc. are individually cupped and/or sealed.

The Attached Environmental Health Permit is for one of FSA's eight kitchen and food preparation facilities.

The facility that will be serving as the centralized kitchen (Alessandro Central Kitchen and Distribution Center) for this project, will not be open until mid-September 2011.

ATTACHMENT A

Facility # FA0029398

COUNTY OF RIVERSIDE • COMMUNITY HEALTH AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH

Environmental Health Permit
Non-Transferable - Non-Refundable

Facility #: FA0029398
Permit Expiration Date: 01/31/2012
District Number: 0005

DBA:
Catering Ror A Cause
6080 Magnolia Ave
Riverside, CA 92506

Family Service Association
Catering Ror A Cause
21250 Box Springs Rd Ste 212
Moreno Valley, CA 92557

Record ID#: PR0040060

Type Of Business

3621 - Restaurant 2001 to 5999 sq ft

This permit is granted for the business indicated on the condition that the business will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, and the County of Riverside pertaining to the above mentioned business. This permit serves as a receipt for payment of fees for the above listed programs. This permit must be renewed on or before the expiration date shown above. This permit may be suspended or revoked by the enforcement officer for cause. Inspection of this business may be conducted by a duly authorized representative of the Director of Environmental Health. THIS PERMIT IS NOT TRANSFERABLE OR REFUNDABLE.

POST IN A CONSPICUOUS PLACE

DEH-SAN-050 (Revised 12/09)

SECTION G
GENERAL CONDITIONS

1. **Delivery Requirements**

   (a) Deliveries shall be made by the Contractor to each center listed on the Schedule A in accordance with the order from the Agency.

   (b) Meals shall be delivered, unloaded, and placed in the designated center weekly by the Contractor's personnel at each of the locations and times listed on the Schedule A.

   (c) The Contractor shall be responsible for the delivery of all meals and dairy products at the specified time. Adequate refrigeration or heating shall be provided during the transportation and delivery of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

   (d) The Agency reserves the right to **add or delete centers**. This shall be done by amendment of the Schedule A. The Agency shall notify the Contractor of such amendments to the Schedule A not less than one week prior to the required date of service. Any changes in transportation costs that occur as a result of adding or deleting centers shall be negotiated and noted in the modification. The Contractor's invoice shall show the cost as a separate item for that center.

2. **Supervision and Inspection**

   The Contractor shall provide management supervision at all times and maintain constant quality control inspections to check for portion size, appearance, and packaging, in addition to the quality of products.

3. **Record Keeping**

   (a) Delivery tickets must be prepared by the Contractor with a minimum of three copies -- one for the Contractor, one for center personnel, and one for the Agency. Delivery tickets must be itemized to show the number of meals of each type delivered to each center. Designees of the Agency at each center will check the adequacy of the delivery and the meals before signing the delivery ticket. Invoices shall be accepted by the Agency only if they accurately represent the delivery tickets signed by the Agency's designee at the center.

   (b) The Contractor shall maintain records supported by delivery tickets, purchase orders, and production records for this contract or other evidence for inspection and reference to support payments and claims.

   (c) The books and records of the Contractor pertaining to this contract shall be available for a period of three years from the date the Agency submits to CDE the final claim for reimbursement for meals provided under this contract, or until the final resolution of any audits for inspection and audit by representatives of CDE, the U. S. Department of Agriculture, the Agency, and the Controller General of the United States at any reasonable time and place.

4. **Method of Payment**

The Contractor shall submit its itemized invoice to the Agency monthly . Each invoice shall give a detailed breakdown of the number of meals delivered and signed for at each center during the preceding month . Payment will be made at the unit price specified in the contract. No payment shall be made unless the required delivery receipts have been signed by the center representative of the Agency.

5. **Inspection of Facility**

(a) The Agency, CDE, and the U.S. Department of Agriculture reserve the right to inspect the Contractor's preparation facilities prior to award and without notice at any time during the contract period, including the right to be present during preparation and delivery of meals.

(b) The Contractor's facilities shall be subject to periodic inspections by the U.S. Department of Agriculture, State and local health departments, or any other agency designated to inspect meal quality for the State. This will be accomplished in accordance with U.S. Department of Agriculture regulations.

(c) The Contractor shall provide for meals which it prepares to be periodically inspected by the local health department or an independent agency to determine bacteria levels in the meals being prepared, transported, and delivered. Such levels shall conform to the standards which are applied by the local health authority with respect to the level of bacteria which may be present in meals served by other establishments in the locality.

6. **Insurance**

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD) and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

7. **Availability of Funds**

The Agency shall have the option to cancel this contract if the Federal Government withdraws funds to support the Child and Adult Care Food Program. It is further understood that, in the event of cancellation of the contract, the Agency shall be responsible for meals that have already been assembled and/or delivered in accordance with this contract.

8. **Number of Meals and Delivery Times**

The Contractor must provide the exact number of meals ordered. Counts of meals will be made at all centers before meals are accepted. Damaged or incomplete meals shall not be included when the number of delivered meals is determined.

9. **Emergencies**

In the event of unforeseen emergency circumstances, the Contractor shall immediately notify the Agency by telephone or telegram of the following: (a) the impossibility of on-time delivery; (b) the circumstance(s) precluding delivery; and (c) a statement of whether or not succeeding deliveries will be affected. No payments will be made for deliveries made later than 1 hour(s) after specified mealtime. Emergency circumstances at the center precluding utilization of meals are the concern of the Agency. The Agency may cancel orders provided it gives the Contractor at least 48 hours notice. Adjustments for emergency situations affecting the Contractor's ability to deliver meals, or the Agency's ability to utilize meals for periods longer than 24 hours will be mutually worked out between the Contractor and the Agency.

10. **Termination**

(a) The Agency reserves the right to terminate this contract if the Contractor fails to comply with any of the requirements of this contract. The Agency shall notify the Contractor of specific instances of noncompliance in writing. In instances where the Contractor has been notified of noncompliance with the terms of the contract and has not taken immediate corrective action, the Agency shall have the right upon written notice to immediately terminate the contract and the Contractor shall be liable for any damages incurred by the Agency. The Agency shall negotiate a repurchase contract on a competitive basis to arrive at a fair and reasonable price.

(b) The Agency shall by written notice to the Contractor, terminate the right of the Contractor to proceed under this contract if it is found by the Agency that gratuities in the form of entertainment, gifts, or otherwise were offered or given by the Contractor to any officer or employee of the Agency, with a view toward securing the contract or securing favorable treatment with respect to the awarding or amending of the contract; provided that the existence of the facts upon which the Agency makes such findings shall be in issue and may be reviewed in any competent court.

(c) In the event this contract is terminated as provided in paragraph (b) hereof, the Agency shall be entitled (i) to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor, and (ii) as a penalty in addition to any other damages in an amount which shall not be less than three nor more than ten times the cost incurred by the Contractor in providing any such gratuities to any such officer or employee.

(d) The rights and remedies of the agencies provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

11. **Subcontracts and Assignments**

The Contractor shall not subcontract with any other company for the total meal, with or without milk, or for the assembly of the meal; and shall not assign, without the advance written consent of the Agency, this contract or any interest therein. In the event of any assignment, the Contractor shall remain liable to the Agency as principal for the performance of all his obligations under this contract.

12. **Equal Opportunity**

(The following clause is applicable unless this contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor (Title 41 Code of Federal Regulations, Chapter 60.)

During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex.

The Contractor will take affirmative action to ensure that the evaluation and treatment of his employees and applicants for employment are free of such discrimination. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and his subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

(b) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(c) In the event of the Contractor's noncompliance with the Equal Opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further State or federally funded contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, or by rule, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

SECTION H

GENERAL PROVISIONS FOR CONTRACTS EXCEEDING $100,000

THE FOLLOWING PROVISIONS ARE APPLICABLE ONLY IF THE CONTRACT EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT THE ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY ONE YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [41 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY ENVIRONMENTAL PROTECTION AGENCY, OR THE CONTRACT IS NOT OTHERWISE EXEMPT FROM THESE PROVISIONS.

Clean Air and Water

The Contractor agrees as follows:

1. To comply with all the requirements of Section 114 of the Clean Air Act, as amended (41 USC 1857, et seq., as amended by Public Law 91-604), and all requirements adopted pursuant to Division 26 of the California Health and Safety Code, Section 39000, et seq., respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements so specified, and all regulations and guidelines issued thereunder before the award of this contract.

2. To comply with all the requirements of Section 308 of the Federal Water Pollution Control Act (33 USC 1251, et seq., as amended by Public Law 92-500) and all requirements adopted pursuant to the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Section 13000, et seq.), respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Acts, and all regulations and guidelines issued thereunder before the award of this contract.

3. That no portion of the work required by this contract will be performed at a facility listed on the EPA List of Violating Facilities on the date when this contract was awarded unless and until the EPA eliminates the name of such facility or facilities from such listing.

4. To use his best efforts to comply with clean air standards and clean water standards at the facilities in which the contract is being performed.

5. To insert the substance of the provisions of this clause in any nonexempt subcontract including this paragraph 1(e).

Energy Policy and Conservation Act (P.L. 94-163)

The Contractor agrees to comply with all mandatory standards and policies relating to energy efficiency as contained in the California Administrative Code, Title 24, pursuant to the California State energy efficiency conservation plan issued in compliance with Public Law 94-163.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

CLEAN AIR AND WATER CERTIFICATION

THIS CERTIFICATION IS APPLICABLE IF PROPOSAL OR OFFER EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [42 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY EPA, OR IS NOT OTHERWISE EXEMPT.

The Submitter certifies as follows:

1. Any facility to be utilized in the performance of this proposed contract

   has [X] has not [ ]

   been listed on the Environmental Protection Agency List of Violating Facilities.

2. He will promptly notify the Agency Official, prior to award, of the receipt of any communication from the Director, Office of Federal Activities, U. S. Environmental Protection Agency, indicating that any facility that he proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities.

3. He will include substantially this certification, including this paragraph (3.) in every nonexempt subcontract.

NAME OF COMPANY		
Family Service Association		
SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Hower	Chief Operating Officer	8/18/2011

ATTACHMENT A

SCHEDULE A
CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Armada Elementary	25201 John F Kennedy Dr., Moreno Valley, CA		Afternoon Snack	75 per day		8/10/11-6/8/12 180 days
Badger Springs Mdl	24750 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	64 per day		8/10/11-6/8/12 180 days
Bear Valley Elem	26125 Fir Ave, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Box Springs Elem	11900 Athens Dr, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Butterfield Elem	13400 Kitching St, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Chaparral Hills Elem	24850 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Cloverdale Elem	12050 Kitching St., Moreno Valley, CA		Afternoon Snack	89 per day		8/10/11-6/6/12 176 days
Creekside Elem	13563 Heacock St., Moreno Valley, CA		Afternoon Snack	76 per day		8/10/11-6/6/12 176 days
Edgemont Elem	21790 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	92 per day		8/10/11-6/6/12 176 days
Hendrick Ranch Elem	25570 Brodiaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Hidden Springs Elem	9801 Hidden Springs Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Honey Hollow Elem	11765 Honey Hollow St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
La Jolla Elem	14745 Willowgrove Pl., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Landmark Mdl	15261 Legendary Dr., Moreno Valley, CA		Afternoon Snack	80 per day		8/10/11-6/6/12 176 days
Midland Elem	11440 Davis St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Moreno Elem	26700 Cottonwood Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Mountain View Mdl	13130 Morrison St., Moreno Valley, CA		Afternoon Snack	65 per day		8/10/11-6/6/12 176 days
Palm Mdl	11900 Slawson Ave., Moreno Valley, CA		Afternoon Snack	58 per day		8/10/11-6/6/12 176 days

ATTACHMENT A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Ramona Elem	24801 Bay Ave., Moreno Valley, CA		Afternoon Snack	91 per day		8/10/11-6/6/12 176 days
Ridge Crest Elem	28500 JFK Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Seneca Elem	11615 Wordsworth Rd, Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days
Serrano Elem	24100 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sugar Hill Elem	24455 Old Country Rd., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sunnymead Elem	24050 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Sunnymead Mdl	23996 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	54 per day		8/10/11-6/6/12 176 days
Sunnymeadows Elem	23200 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Town Gate Elem	22480 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Avalon Elem	1815 E. Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Columbia Elem	21350 Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Lakeside Mdl	27720 Walnut Ave., Perris, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

MV00129546

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Lasselle Elem	26446 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Manuel L. Real Elem	19150 Clark St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
March Mdl	15800 Indian Ave., Moreno Valley, CA		Afternoon Snack	67 per day		8/10/11-5/24/12 175 days
Mary McLeod Bethune Elem	25390 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
May Ranch Elem	900 E. Morgan St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Mead Valley Elem	21100 Oleander Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

DELIVERY – (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Rainbow Ridge Elem	15950 Indian Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Sierra Vista Elem	20300 Sherman Rd., Perris, CA		Afternoon Snack	77 per day		8/10/11-5/24/12 175 days
Tomas Rivera Mdl	21675 Main St., Perris, CA		Afternoon Snack	76 per day		8/10/11-5/24/12 175 days
Triple Crown Elem	530 Orange Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Val Verde Elem	2656 Indian Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Victoriano Elem	25650 Los Cabos Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

ATTACHMENT A

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Vista Verde Mdl	25777 Krameria, Moreno Valley, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03)

VENDOR #:
AGREEMENT #:

BREAKFAST	AGES ONE THROUGH THREE YEARS	AGES THREE THROUGH SIX YEARS	AGES SIX THROUGH TWELVE YEARS
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE, FRUIT OR FULL-STRENGTH (100%) JUICE	¼ CUP	½ CUP	½ CUP
GRAINS/BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
LUNCH OR SUPPER			
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE AND/OR FRUIT (TWO OR MORE KINDS)	¼ CUP TOTAL	½ CUP TOTAL	¾ CUP TOTAL
GRAINS/BREAD (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COOKED PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	1 OZ.	1-½ OZ.	2 OZ.
OR CHEESE (NATURAL OR PROCESSED)	1 OZ.	1-½ OZ.	2 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	¼ CUP *OR* 2 OZ.	⅜ CUP *OR* 3 OZ.	½ CUP *OR* 4 OZ.
OR EGG (LARGE)	1 EGG	1 EGG	1 EGG
OR COOKED DRIED BEANS OR DRIED PEAS *	¼ CUP	⅜ CUP	½ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	2 TBSP	3 TBSP	4 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS**	½ OZ.**	¾ OZ.**	1 OZ.**
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED	½ CUP	¾ CUP	1 CUP
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			
AM OR PM SUPPLEMENT (SELECT TWO OF THESE FOUR COMPONENTS)* **			
MILK, FLUID	½ CUP	½ CUP	1 CUP
VEGETABLE, FRUIT, OR FULL-STRENGTH (100%) JUICE	½ CUP	½ CUP	¾ CUP
GRAINS OR BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS.	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	½ OZ.	½ OZ.	1 OZ.
OR CHEESE (NATURAL OR PROCESSED)	½ OZ.	½ OZ.	1 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	⅛ CUP *OR* 1 OZ.	⅛ CUP *OR* 1 OZ.	¼ CUP *OR* 2 OZ.
OR EGG (LARGE)	½ EGG	½ EGG	1 EGG
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED****	¼ CUP	¼ CUP	½ CUP
OR COOKED DRIED BEANS OR DRIED PEAS*	⅛ CUP	⅛ CUP	¼ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	1 TBSP	1 TBSP	2 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS	½ OZ.	½ OZ.	1 OZ.
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			

CERTIFICATION

I hereby certify that all meals claimed shall meet the minimum requirements set forth in the meal pattern for older children as prescribed by Title 7 Code of Federal Regulations, Part 226.20 and as outlined in Schedule B, NSD 2050B.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE

AGENCY NAME

AGENCY ADDRESS

29

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03) PAGE 2

* DRIED BEANS OR DRIED PEAS MAY BE USED AS A MEAT ALTERNATE OR AS A VEGETABLE COMPONENT; BUT **CANNOT** BE COUNTED AS BOTH COMPONENTS IN THE SAME MEAL.

** NO MORE THAN 50 PERCENT OF THE REQUIREMENT SHALL BE MET WITH NUTS OR SEEDS. NUTS OR SEEDS SHALL BE COMBINED WITH ANOTHER MEAT/MEAT ALTERNATE TO FULFILL THE REQUIREMENT. TO DETERMINE COMBINATIONS, 1 OZ. OF NUTS OR SEEDS IS EQUAL TO 1 OZ. OF COOKED LEAN MEAT, POULTRY, OR FISH. ROASTED PEAS CAN COUNT AS A MEAT ALTERNATE OR VEGETABLE COMPONENT, BUT CANNOT BE COUNTED AS BOTH IN THE SAME MEAL.

*** JUICE **CANNOT** BE SERVED WHEN MILK IS SERVED AS THE ONLY OTHER COMPONENT.

**** IF YOGURT IS USED AS THE MEAT COMPONENT IN SUPPLEMENTS, MILK **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT. COMMERCIALLY ADDED FRUIT OR NUTS IN FLAVORED YOGURT **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT IN SUPPLEMENTS.

Family Services Association
Childrens Snack Program
October 2011

Date	Monday Oct	Tuesday Oct	Wednesday Oct	Thursday Oct	Friday Oct		
	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz		
Week 1	Prestzel Twist .25oz	Nutri grain Bar 1.03oz	Cheese/Peanut Butter Crackers 1.42oz	Mixed Fruit Cup 4oz	Club Cracker/ Apple Butter .05 oz		
Week 2	Peanuts 1.63oz	Graham Crackers 1oz	Cheezits White Cheddar 1.5oz	Quaker Oatmeal Cin Bar 1.4oz	Vanilla Crème Cookie 2.12oz		

SECTION E
UNIT PRICE SCHEDULE AND INSTRUCTIONS
PROVIDE THIS SCHEDULE IN A SEPARATE SEALED ENVELOPE

1. **Unit Price Schedule**

Submitters are to submit prices on the following meal types meeting the contract specifications set forth in Schedules B and C for meals to be delivered to all of the centers stated in Schedule A. *(See example on next page).*

A. Meal Type[1]	B. Estimated Servings Per Day[2]	C. Estimated Number of Serving Days[3]	D. Unit Price[4]	E. Total Price[5]
~~Breakfast~~				
~~AM Snack~~				
~~Lunch~~				
PM Snack	3,400	180	.72	440,640
~~Supper~~				
~~Evening Snack~~				

Submitters shall submit their proposals on an "all or none" basis. Except as otherwise provided in this solicitation, if a contract is awarded as a result of this solicitation, it will bind the Agency during the term of the contract, secure all of the identified meals from the successful Submitter, and such contract shall bind the Submitter/Contractor to perform all such work ordered by the Agency at prices specified in the contract. Award will be made to a single responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered.. Evaluation of prices will be on the basis of the estimated requirements set forth herein.

In the event of any inconsistencies or errors, the unit price (D) shall take precedence.

Instructions for completion of the Unit Price Schedule: *(See Example on next page.)*

[1] The Agency shall indicate which meal types the Contractor will be providing meals for during the contract period (strike-out extraneous meal types in Column A). If unitized meals will be required, the Agency must indicate so by placing "unitized meal" in parenthesis after the meal type.

[2] The Agency shall fill in the estimated number of meals that will be served each day (Column B) by meal type during the contract period.

[3] The Agency shall fill in the number of anticipated operating days that meals will be served (Column C) during the contact period.

[4] The Submitter shall insert the appropriate unit price (Column D) for each meal type indicated by the Agency.

[5] The Submitter shall calculate the total price (Column E) by multiplying B x C x D.

CITY OF MORENO VALLEY

BUSINESS LICENSE TAX RECEIPT

The person, firm or corporation named below has paid the appropriate fees to the City and is hereby granted this business license tax receipt for the business described below. Granting of this receipt does not entitle the holder to operate or maintain a business in violation of any law or ordinance. The City does not pass on the qualifications of the holder of this business license tax receipt.

Business Name: Family Service Association Of Western Riverside Co

Business Location: 21250 Box Springs Rd # 212, Moreno Valley, CA 92557

Business Owner: Family Service Association Of Western Riverside Co
Dom Betro

BUSINESS TYPE: 1922

Description: Individual And Family Social Services

BUSINESS LICENSE #: 11605

Effective Date: January 01, 2011

Expiration Date: December 31, 2011

FAMILY SERVICE ASSOCIATION OF
WESTERN RIVERSIDE CO
21250 BOX SPRINGS RD # 215
MORENO VALLEY, CA 92557

Richard Teichert
Financial & Administrative Services Director

TO BE POSTED IN A CONSPICUOUS PLACE

NOT TRANSFERABLE

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/07/2011 14:28

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Barney & Barney LLC
CA Insurance Lic: 0C03950
9171 Towne Centre Drive, Suite 500
San Diego, CA 92122
858-457-3414

CONTACT NAME: Cyndi Smoot
PHONE (A/C, No, Ext): (858) 587-7414 FAX (A/C, No):
E-MAIL ADDRESS: cyndis@barneyandbarney.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Philadelphia Indemnity Insurance Company	18058
INSURER B: Insurance Company of the West	27847
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Family Service Association

21250 Box Springs Road, Suite 212
Moreno Valley, CA 92557-8712

Client # 55323

COVERAGES CERTIFICATE NUMBER: 378650 MST NUMBER: 19124 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	X		PHPK743608	7/1/2011	7/1/2012	EACH OCCURRENCE	$	1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$	100,000
							MED EXP (Any one person)	$	10,000
							PERSONAL & ADV INJURY	$	1,000,000
							GENERAL AGGREGATE	$	3,000,000
							PRODUCTS - COMP/OP AGG	$	3,000,000
								$	
A	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS			PHPK743608	7/1/2011	7/1/2012	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
							BODILY INJURY (Per person)	$	
							BODILY INJURY (Per accident)	$	
							PROPERTY DAMAGE (Per accident)	$	
								$	
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $ 10,000			PHUB351940	7/1/2011	7/1/2012	EACH OCCURRENCE	$	4,000,000
							AGGREGATE	$	4,000,000
								$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WSD500180402	7/1/2011	7/1/2012	X WC STATU-TORY LIMITS OTH-ER		
							E.L. EACH ACCIDENT	$	1,000,000
							E.L. DISEASE - EA EMPLOYEE	$	1,000,000
							E.L. DISEASE - POLICY LIMIT	$	1,000,000
A	Professional Liability and Sexual Abuse Coverage			PHPK743608	7/1/2011	7/1/2012	$1,000,000 Each Occurence $3,000,000 Aggregate		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

*10 DAYS NOTICE OF CANCELLATION FOR NON-PAYMENT OF PREMIUM.

RE: After School Snack Program

The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District are additional insured per the attached

CERTIFICATE HOLDER

City of Moreno Valley Parks and Community Services

14075 Frederick Street
Moreno Valley, CA 92553

Subject

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cyndi Smoot

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Insured: Family Service Association Master # 19124 Cert # 378650

Attachment Page

COMPLETE LISTING OF CERTIFICATE HOLDER and/or ADDITIONAL INSURED:
(additional insureds apply only with respect to coverages marked by "X" under "Addtl Insrd" on the Certificate)

City of Moreno Valley Parks and Community Services
The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District

INSURED: Family Service Association

COMPANY: Philadelphia Indemnity Insurance Company

POLICY #: PHPK743608

POLICY PERIOD: 7/1/2011 TO 7/1/2012

EFFECTIVE DATE: 09/07/2011

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Moreno Valley Parks and Community Services The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or

B. In connection with your premises owned by or rented to you.

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ATTACHMENT A

Exhibit B"

MORENO VALLEY COMMUNITY SERVICES DISTRICT WILL SUPPORT PROGRAM:

Moreno Valley Community Services District agrees to support the ASES snack program with the following:

- By ensuring a site contact person is assigned to sign for snack delivery
- By ensuring the name, schedule and contact information for site contact is communicated to FSA
- By ensuring snack is distributed to students during ASES program
- By ensuring snack is counted daily and documentation regarding disbursement is turned in
- By ensuring fresh fruit is distributed the day after it is delivered to ensure product freshness
- By ensuring all boxes and containers are disposed of

ATTACHMENT A

"Exhibit C"

TERMS OF PAYMENT

1. The Contractor's compensation shall be computed based on a unit price of .72 cents per snack delivered not to exceed $440,640.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the CSD. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the CSD as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Parks and Community Services Department at:

   pattyg@moval.org or calls directed to (951) 413-3726.

3. The Contractor agrees that CSD payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the CSD. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

4. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date

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MV00129560

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00129562

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

RECOMMENDED ACTION

Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

SEE AGENDA ITEM A.7

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MV00129564

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00129566

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: September 27, 2011

TITLE: PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

BACKGROUND AND DISCUSSION

The California Elections Code provides that after each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, and community of interests of the districts. The council must adjust the boundaries of the council districts before the first day of November of the year following the year in which each decennial federal census is taken.

On August 23, 2011, the City Council adopted Resolution No. 2011-93, establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected. Two Citizens' Community Meetings were held on September 12 and 15, 2011 that gave the citizens of Moreno Valley the opportunity to provide input. The on-line redistricting tool was demonstrated by Dave Meyer at both meetings. The public hearings scheduled for September 27, 2011 and October 11, 2011 fulfill the requirements of Elections Code 21601.1, which states that the "council must

hold at least one public hearing on any proposal to adjust boundaries of a district prior to a public hearing at which the council votes to approve or defeat the proposal."

The consultant, Dr. Alan Heslop of National Demographics Corporation (NDC) has made a presentation to the City Council at the July 26, 2011 Special Meeting and August 23, 2011 Regular City Council Meeting.

Four NDC draft plans (maps) and five citizen-drawn plans (maps) have been provided to Council and are attached for review. A brief summary of the four NDC draft plans follows:

Plan 1 - District 3 loses SW corner; District 2 moves south
Plan 2 - District 3 loses a bit of SW but mostly NW, District 2 moves east
Plan 3 – District 3 loses SW corner; District 1 loses north end; District 2 moves south; Highly compact
Plan 4 - District 1 moves east; Most-compact districts; Least change to District 4

NOTIFICATION

Publication of the agenda

ALTERNATIVES

California statutes require a second public hearing. There are no other alternatives in order to comply with applicable state law.

FISCAL IMPACT

This expenditure has been included in the City Clerk's budget for 2011/12 fiscal year. Approved budget is located in: 13110.6291- not to exceed $45,000.00.

ATTACHMENTS/EXHIBITS

1. NDC Powerpoint
2. NDC Memo to Council
3. 2001 Plan and deviation & demographics
4. Plan 1 map & demographics
5. Plan 2 map & demographics
6. Plan 3 map & demographics
7. Plan 4 map & demographics
8. Public Plan 1 map & stats
9. Public Plan 2 map & stats
10. Public Plan 3 map & stats
11. Public Plan 4 map & stats
12. Public Plan 5 map & stats

Prepared By:
Jane Halstead, City Clerk

Department Head Approval:
Jane Halstead, City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129570

City of Moreno Valley 2011

Redis

National Demographics Corporation

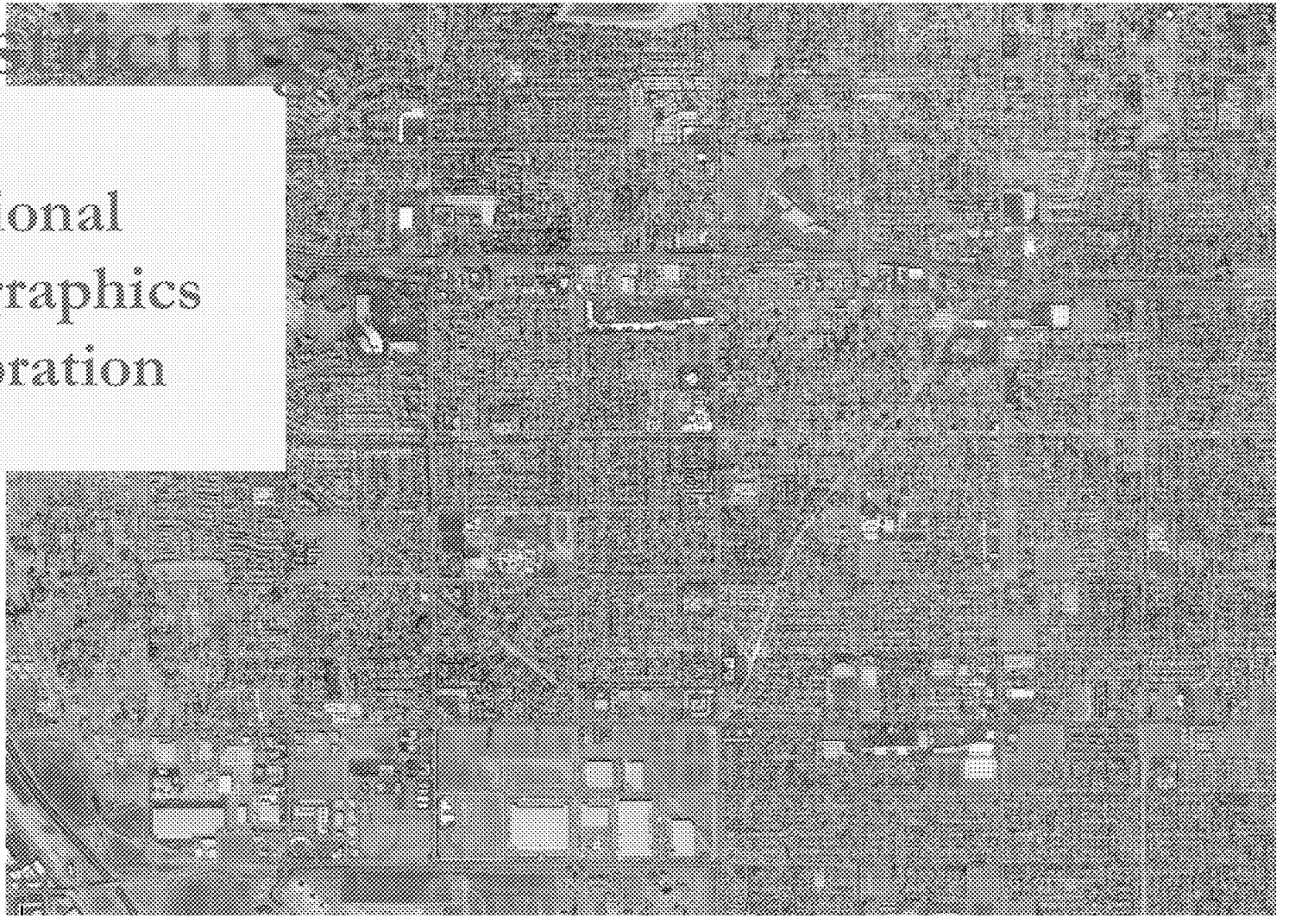

Current Demographics

Based on Census data from the 2010 Decennial Census and the Census Bureau's American Community Survey.

- **2010 Census Population**
  - 2010 Census total: **193,365**
    - + **50,817** (**50.0** %) growth from 2000
    - **54.4** % Hispanic
      - +50,480 (+92.3 %) growth from 2000
    - **18.9** % Non-Hispanic White
      - -9,308 (-25.4 %) from 2000
    - **18.0** % Non-Hispanic Black
    - **8.7** % Other
  - 2010 Census Voting Age Population
    - **49.7** % Hispanic
    - **22.8** % Non-Hispanic White
    - **17.9** % Non-Hispanic Black
    - **10.0** % Other
- **Other Data**
  - Citizen Voting Age Population
    - From ACS: **36.1** % Hispanic
    - From Census Special Tabulation: **36.1** % Hispanic
  - Voter Registration (Nov. 2010)
    - 69,919 Total
    - **34.3** % Hispanic-surname
  - Voter Turnout (Nov. 2010)
    - 32,944 Total
    - **29.8** % Hispanic-surname

MV00129572

Current District Total Population

District	Tot. Pop.	Deviation	Pct. Dev.
1	32,765	-5,908	-15.28%
2	30,723	-7,950	-20.56%
3	58,576	19,903	51.46%
4	34,343	-4,330	-11.20%
5	36,958	-1,715	-4.43%
Total	193,365	27,853	72.02%
Ideal	38,673		

Ideal population = total population / number of districts

MV00129573

Population Deviation

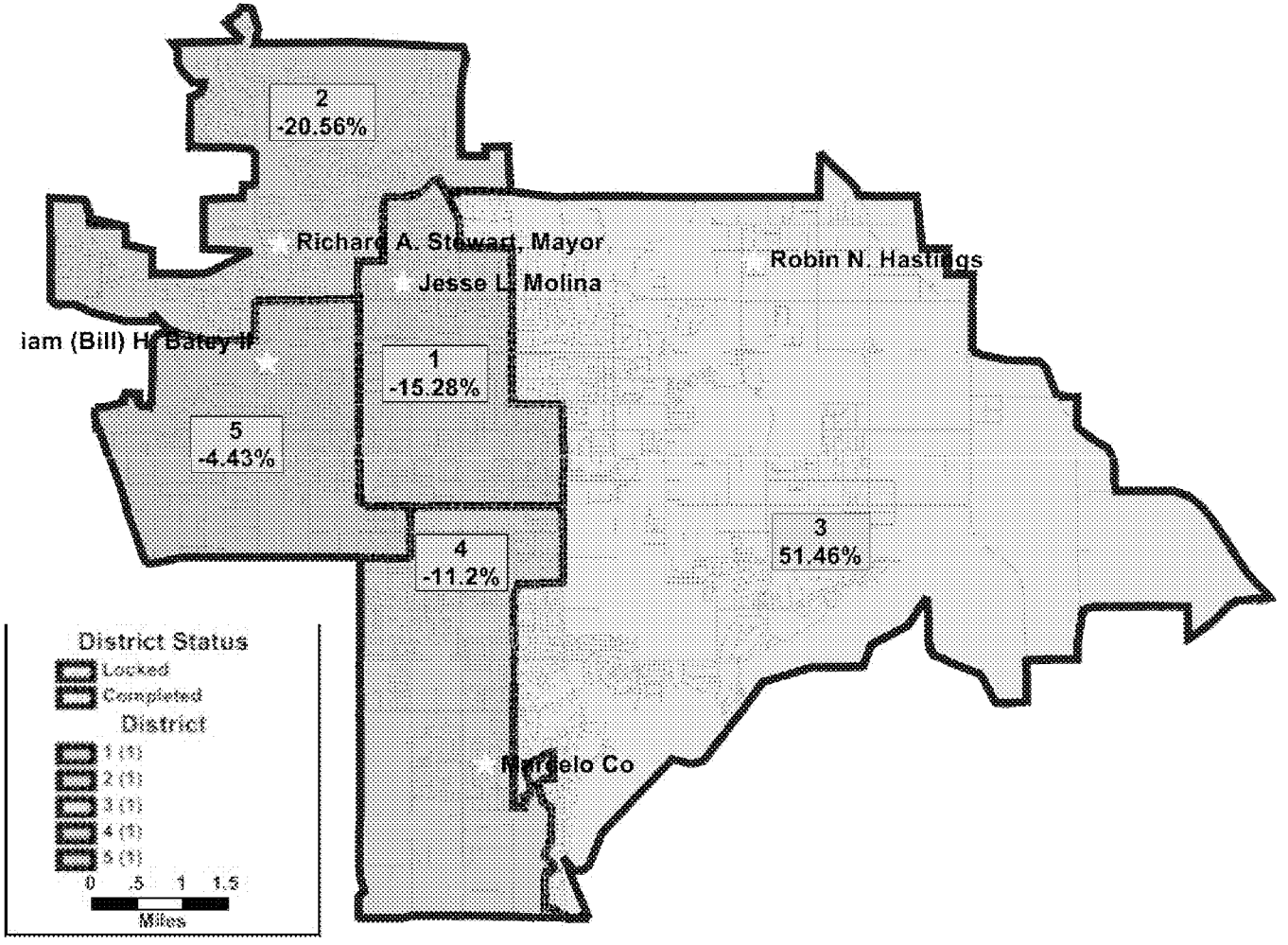

MV00129574

Hispanic / Latino Populatior

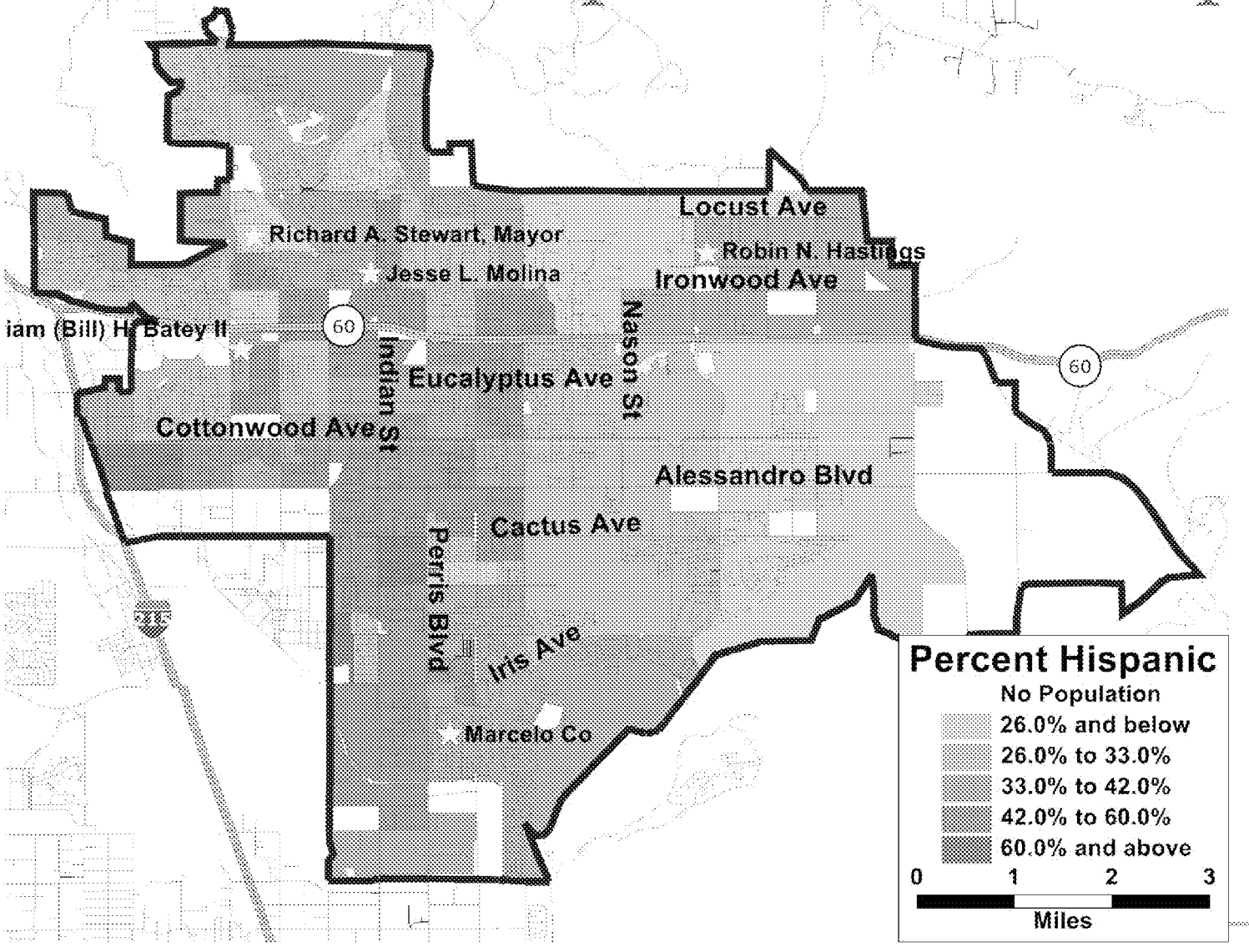

MV00129575

Current District Counts

Plan Name	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,765	-5,908	-15.28%	20,416	5,215	4,934	196	1,406	244	87	267
2	30,723	-7,950	-20.56%	13,540	9,036	5,369	142	2,147	122	59	308
3	58,576	19,903	51.46%	27,094	12,765	12,042	311	5,317	293	188	566
4	34,343	-4,330	-11.20%	21,681	4,691	5,595	114	1,742	177	79	264
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	27,853	72.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	21,678	12,350	4,323	3,374	143	1,110	168	62	148	10,489	4,018	142	134	276	4,563	1,549	59	57	
2	22,085	8,799	7,392	3,758	114	1,693	85	43	201	14,267	3,985	269	228	497	7,454	1,785	111	104	215
3	40,513	17,090	10,364	8,188	230	4,007	190	133	311	23,080	6,941	490	399	889	11,607	2,994	203	171	374
4	22,551	13,318	3,830	3,642	81	1,358	117	49	156	11,150	4,691	174	192	366	4,962	1,901	62	81	143
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan Name	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,286	6,219	5,227	2,835	651	50	206	100	15,509	6,277	5,293	2,867	623	39	290	328	3,591
2	18,698	5,831	8,058	3,287	1,254	204	0	65	18,568	5,632	8,148	3,212	1,083	121	54	526	3,333
3	29,076	8,963	10,467	6,359	2,570	258	213	260	29,318	9,369	10,226	6,218	2,398	202	260	931	5,723
4	15,368	6,664	4,354	3,113	835	172	41	183	15,166	6,425	4,167	3,128	956	151	55	383	4,302
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,281	31,877	19,760	6,072	559	708	2,705	20,528

MV00129576

Current District Percentages

Plan Name	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	15.9%	15.1%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.1%	29.4%	17.5%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.3%	21.8%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.1%	13.7%	16.3%	0.3%	5.1%	0.5%	0.2%	0.8%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.9%	15.6%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.4%	1.3%	2.6%	33.9%	1.3%	1.2%	2.5%
2	39.8%	33.5%	17.0%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.2%	25.6%	20.2%	0.6%	9.9%	0.5%	0.3%	0.8%	30.1%	2.1%	1.7%	3.9%	25.8%	1.7%	1.5%	3.2%
4	59.1%	17.0%	16.2%	0.4%	6.0%	0.5%	0.2%	0.7%	42.1%	1.6%	1.7%	3.3%	38.3%	1.2%	1.6%	2.9%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan Name	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.5%	40.7%	34.2%	18.5%	4.3%	0.3%	1.3%	0.7%	71.5%	40.5%	34.1%	18.5%	4.0%	0.3%	1.9%	2.1%	23.2%
2	84.7%	31.2%	43.1%	17.6%	6.7%	1.1%	0.0%	0.3%	84.1%	30.3%	43.9%	17.3%	5.8%	0.7%	0.3%	2.8%	18.0%
3	71.8%	30.8%	36.0%	21.9%	8.8%	0.9%	0.7%	0.9%	72.4%	32.0%	34.9%	21.2%	8.2%	0.7%	0.9%	3.2%	19.5%
4	68.1%	43.4%	28.3%	20.3%	5.4%	1.1%	0.3%	1.2%	67.3%	42.4%	27.5%	20.6%	6.3%	1.0%	0.4%	2.5%	28.4%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00129577

Redistricting Criteria

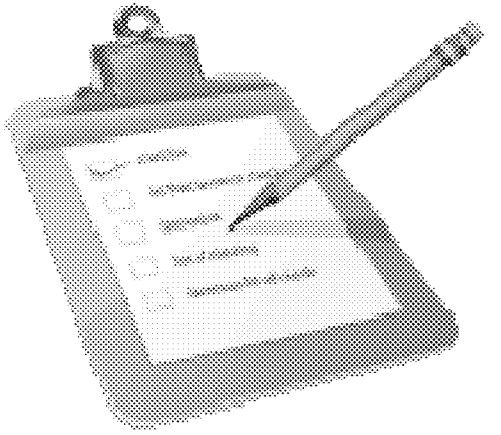

- **Equal Population**
- **Comply with Federal Voting Rights Act**
- **Respect communities of interest**
- **Follow Visible (natural & man-made) boundaries**
  - Make it easy for residents of a district to understand its borders (and to engage their neighbors in precinct walking or other election activities)
  - But do not use Highway 99 – try for districts that combine areas east and west of 99.
- **Compact & contiguous districts**
  - Also makes it easier for voters to understand their district's borders.
- **Continuity in office**
  - Redistricting, an administrative process, should not tell the voters they can no longer elect a candidate they have previously elected (which is what happens when two or more incumbents are "paired").
- **Population growth**
  - Growth is much less certain in 2011 than it was in 2011, so this is harder to justify than it was in 2001.
- **Preserve Core of existing districts**
  - Don't move voters around unless needed to achieve one of the other goals.

MV00129578

Federal Voting Rights Act: Section 2

- **Requires Protected Class populations have an equal opportunity to elect the candidates of their choice**

- **No packing**
- **No cracking**

- **No racial gerrymandering allowed**
  - Focus on communities and neighborhoods, not race/ethnicity

MV00129579

Process (I of III)

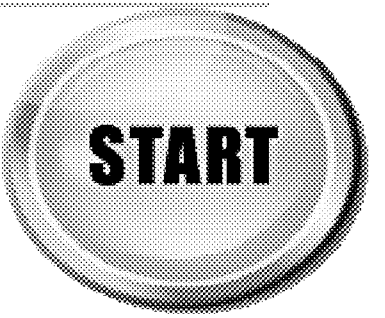

1. **Prepare**
   - Conduct initial demographic analysis
   - Adopt schedule
   - Adopt criteria
   - Launch project website
   - Create public participation kit (paper, excel and/or online)
   - Develop initial draft plans to jump-start discussion

MV00129580

Process (II of III)

2. **Outreach**
   - Educate, engage and empower the public, including:
     - Individuals
     - Community Groups, including "protected class"-focused organizations
     - The media
   - What are your community's "communities of interest"?
     - Which want to be united? Which want to be divided?
   - How well do the current and draft plans meet those goals?
   - Participation kits take the public input beyond just "yes" and "no"

Process (III of III)

3. **Decide**
   - Plan debate and adoption

4. **Implement**
   - Coordinated with the County Registrar

MV00129582

Item No. E.1

Tools (I of II)

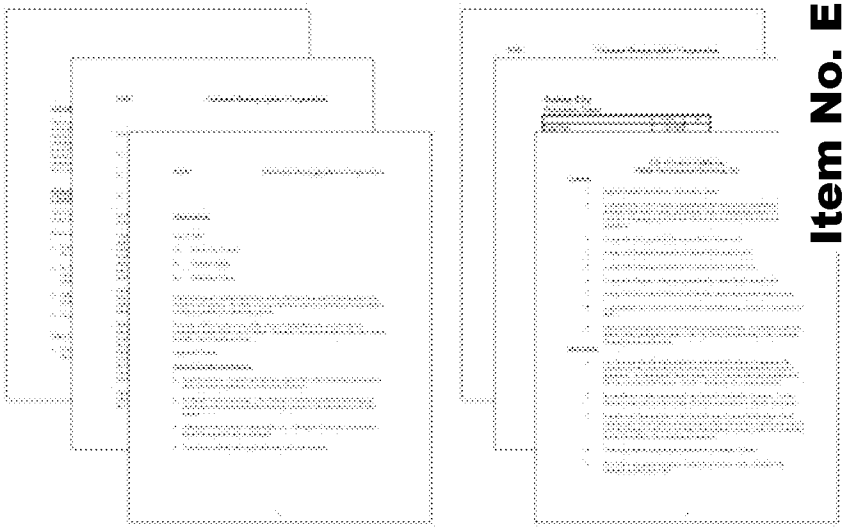

Traditional Redistricting Tools

1. 2010 Census data
2. Project website
3. Media & community education
4. GIS software
5. Information on redistricting, the Voting Rights Act, and how the public can participate
6. Provide paper & Excel public participation kits
7. Email address for public questions and public comment

MV00129583

Tools (II of II)

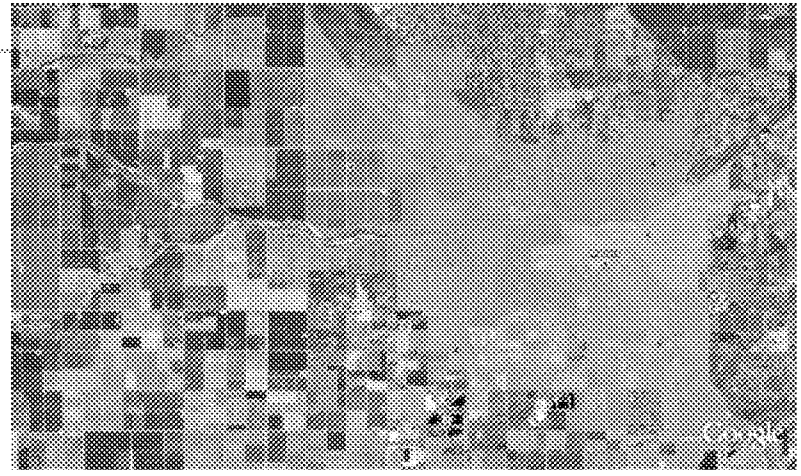

New Tools for 2011

1. American Community Survey data
2. Local GIS data
   - Zoning, homeowner associations, housing developments, neighborhood associations, key facilities, future development areas, school attendance areas, aerial imagery, etc.
3. Live, interactive maps of plans
4. Google Maps and Google Earth plan files

-362-
Item No. E.1
MV00129584

Draft Plan 1 Map

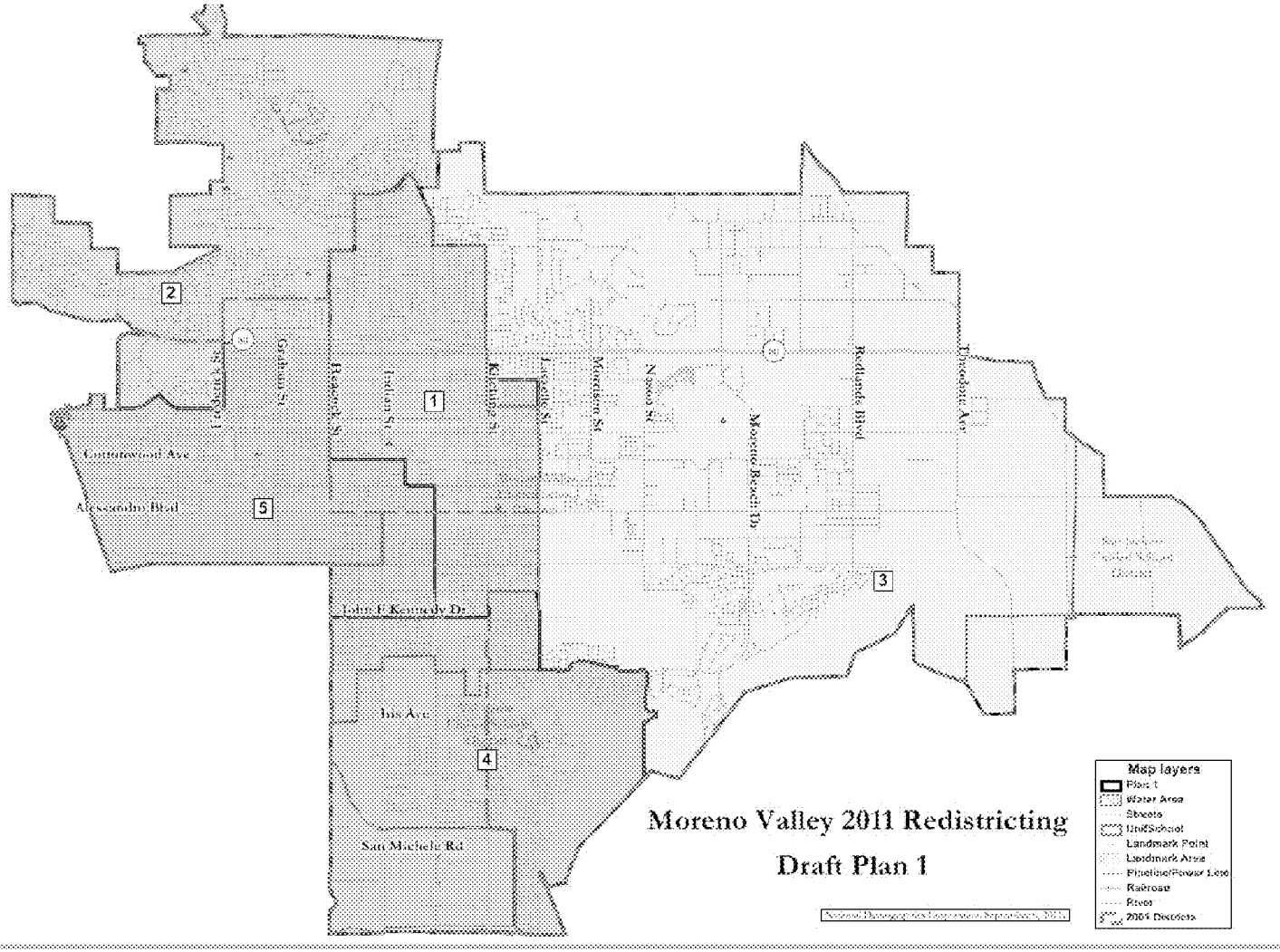

MV00129585

Draft Plan 1 Counts

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129586

Draft Plan 1 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00129587

Draft Plan 2 Map

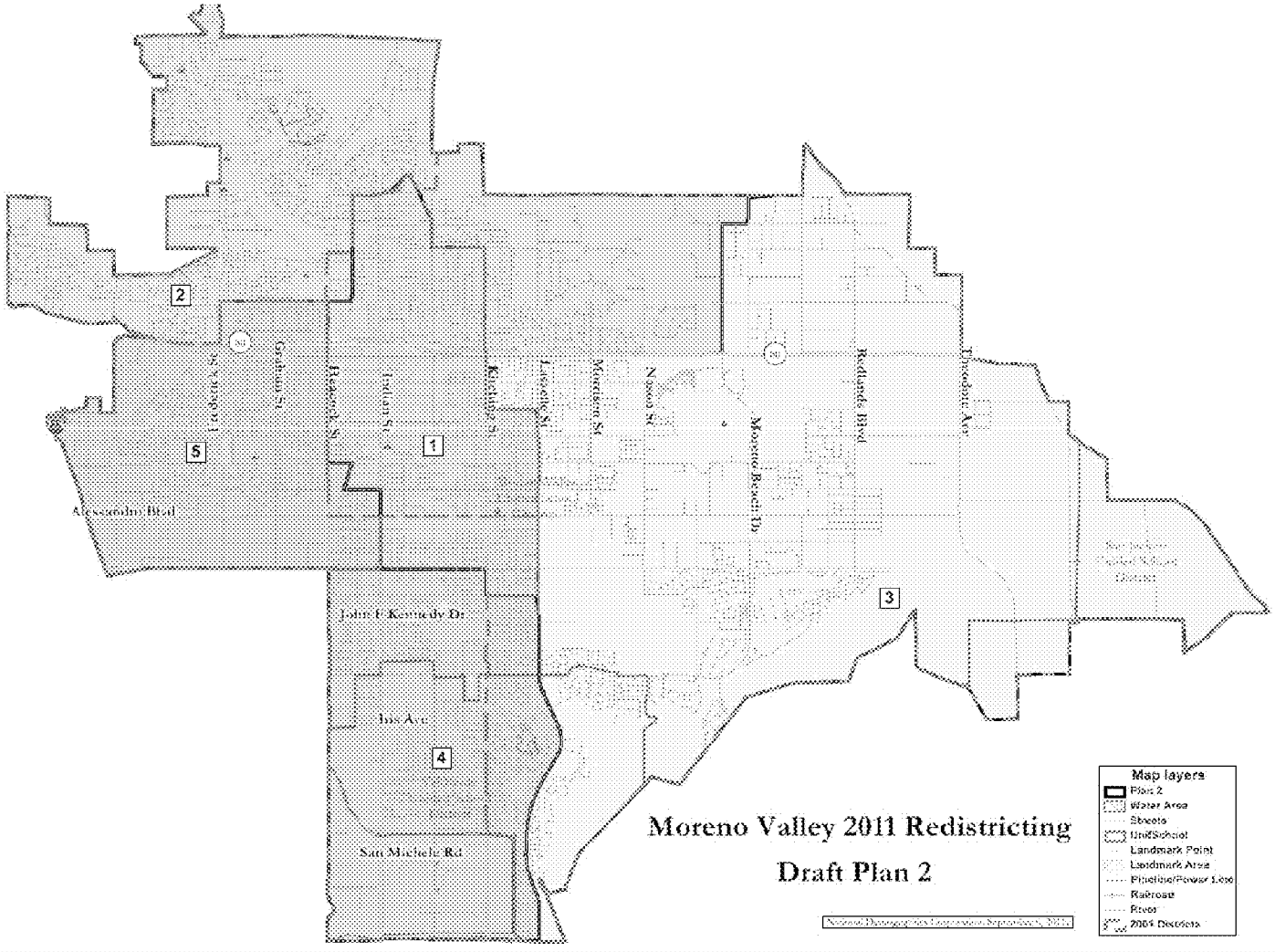

Draft Plan 2 Counts

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	[illegible]
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129589

Draft Plan 2 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	53.0%	36.0%	2.9%	1.1%	6.4%	0.2%	0.2%	0.2%
2	67.3%	26.2%	3.0%	0.9%	2.4%	0.0%	0.1%	0.1%
3	84.3%	11.5%	2.2%	0.8%	0.8%	0.1%	0.1%	0.3%
4	87.2%	8.2%	3.0%	0.5%	0.9%	0.0%	0.0%	0.1%
5	86.3%	8.6%	3.2%	0.7%	0.7%	0.0%	0.2%	0.2%
6	82.5%	10.8%	3.2%	0.9%	2.0%	0.1%	0.1%	0.4%
Total	76.7%	16.9%	2.9%	0.8%	2.2%	0.1%	0.1%	0.2%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.
1	47.6%	40.9%	3.0%	1.2%	6.7%	0.2%	0.1%	0.3%	36.6%	2.7%	1.1%	62.7%
2	61.2%	32.0%	3.0%	0.9%	2.6%	0.1%	0.1%	0.1%	44.0%	1.0%	1.2%	56.0%
3	80.7%	14.7%	2.3%	0.9%	0.8%	0.2%	0.1%	0.3%	57.2%	0.9%	2.0%	48.1%
4	84.1%	11.2%	3.0%	0.6%	1.0%	0.0%	0.0%	0.1%	64.9%	0.7%	1.1%	40.2%
5	82.5%	11.6%	3.8%	0.8%	0.8%	0.1%	0.2%	0.2%	58.8%	0.7%	1.1%	46.5%
6	78.9%	13.9%	3.4%	0.9%	2.3%	0.1%	0.2%	0.3%	60.9%	1.0%	1.3%	44.4%
Total	71.9%	21.2%	3.1%	0.9%	2.5%	0.1%	0.1%	0.2%	50.0%	1.4%	1.3%	52.4%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth C
1	83.1%	42.0%	48.8%	3.8%	3.4%	1.9%	0.0%	0.0%	79.5%	39.7%	50.7%	4.6%	3.2%	2.0%	0.0%	2.3%	
2	70.6%	42.8%	46.8%	6.8%	3.4%	0.2%	0.0%	0.0%	74.1%	47.1%	43.8%	5.1%	2.6%	1.5%	0.0%	1.6%	
3	42.6%	63.4%	30.4%	2.4%	1.8%	2.0%	0.1%	0.0%	51.8%	57.2%	33.6%	4.3%	2.6%	3.1%	0.1%	3.0%	
4	54.1%	60.4%	29.3%	4.6%	5.1%	0.7%	0.0%	0.0%	48.2%	60.4%	31.0%	4.4%	1.8%	3.8%	0.0%	2.5%	
5	42.5%	54.8%	31.1%	10.8%	1.5%	1.5%	0.0%	0.0%	44.0%	61.0%	25.4%	10.9%	1.5%	1.4%	0.0%	2.2%	
6	50.1%	64.6%	25.2%	9.5%	1.1%	0.0%	0.0%	0.0%	50.2%	59.0%	29.9%	9.3%	1.3%	0.7%	0.0%	1.5%	
Total	57.8%	52.2%	37.9%	6.0%	2.9%	1.1%	0.0%	0.0%	58.5%	51.8%	38.2%	6.1%	2.3%	2.1%	0.0%	2.2%	

MV00129590

Draft Plan 3 Map

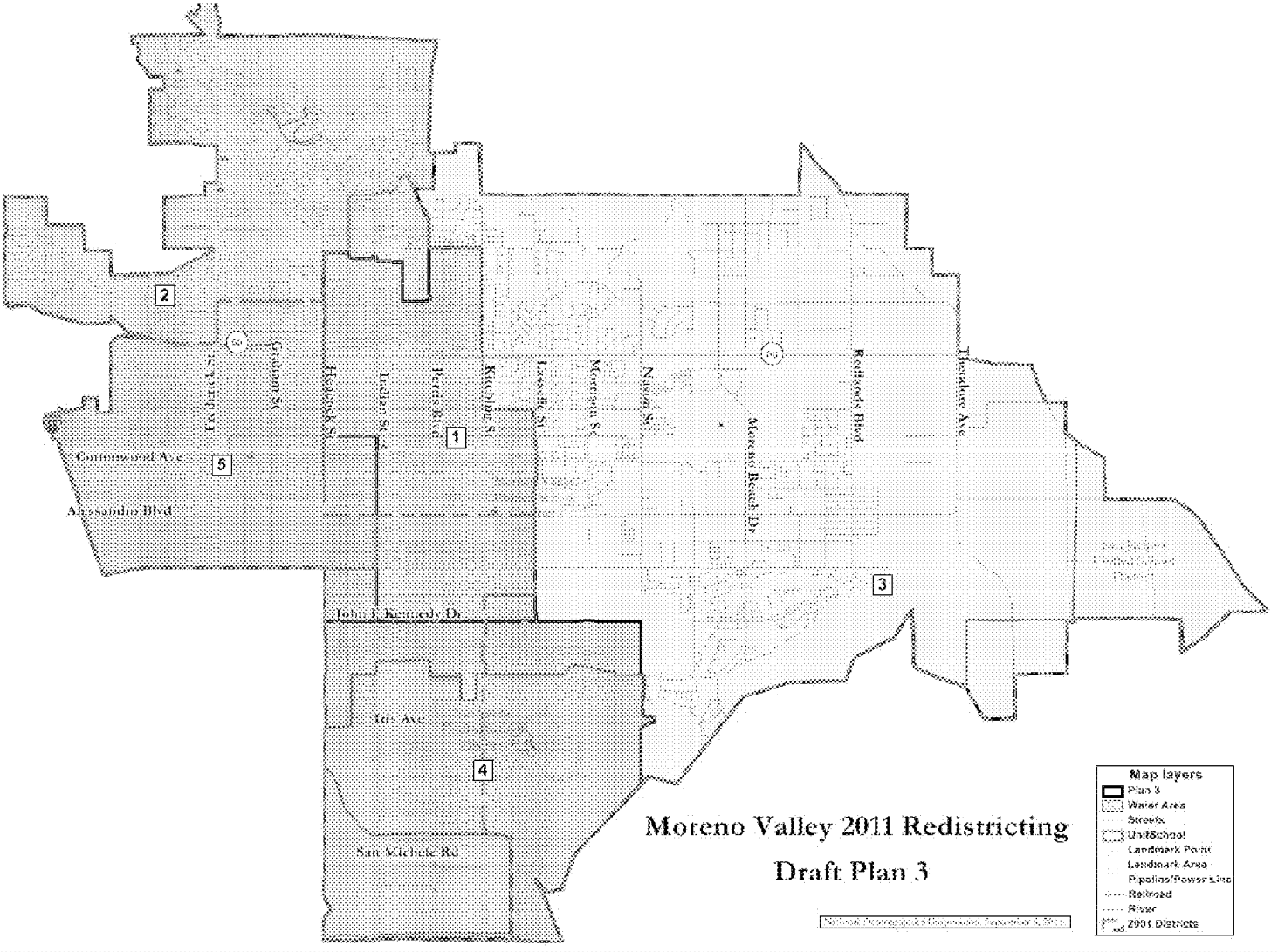

MV00129591

Draft Plan 3 Counts

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129592

Draft Plan 3 Percentages

% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

Special Tabulation								Amercian Community Survey (ACS)								
% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00129593

Draft Plan 4 Map

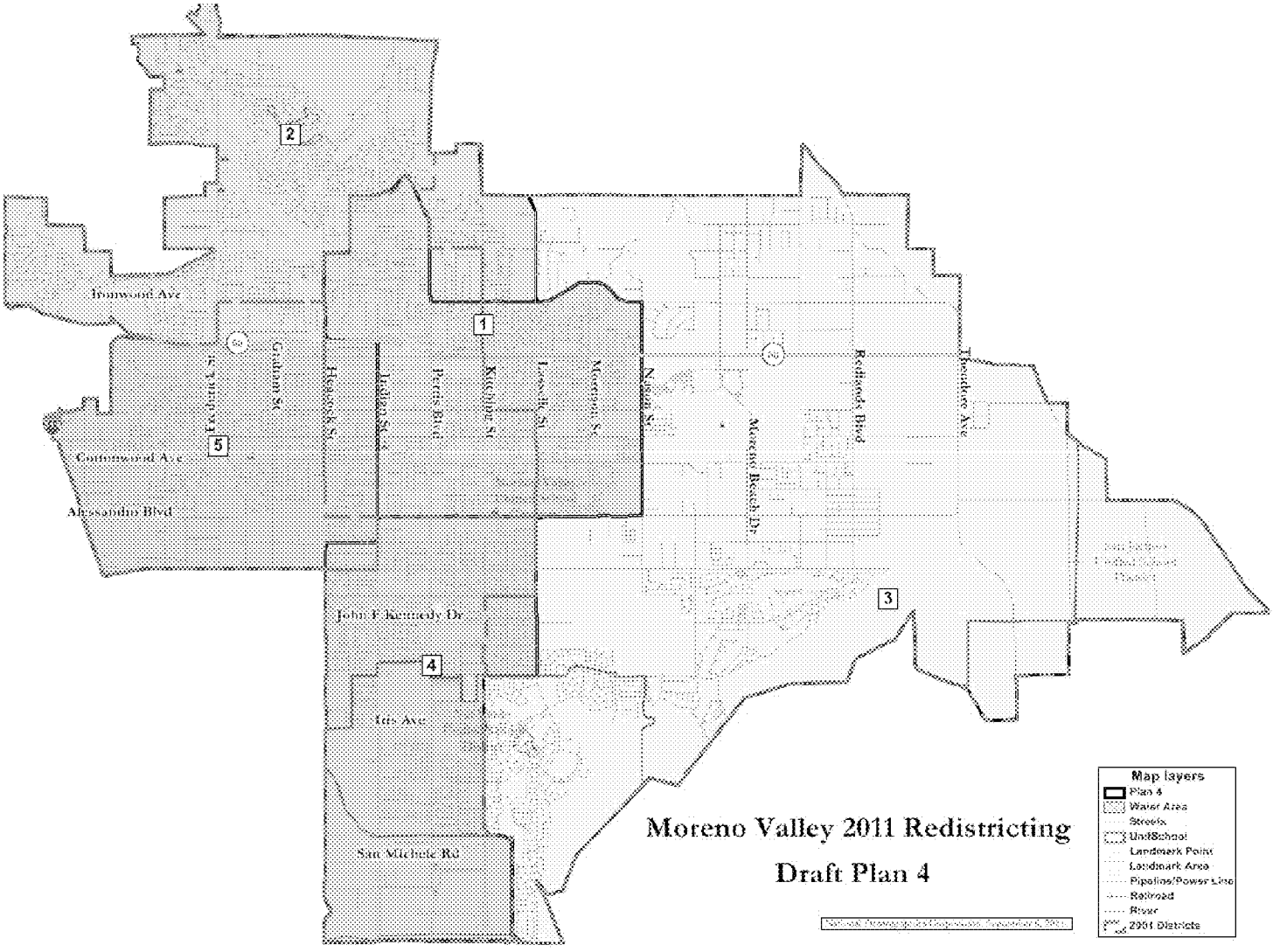

Draft Plan 4 Counts

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
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OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Vo
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129595

Draft Plan 4 Percentages

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	[illegible]
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	

MV00129596

Public Plan 1 Map

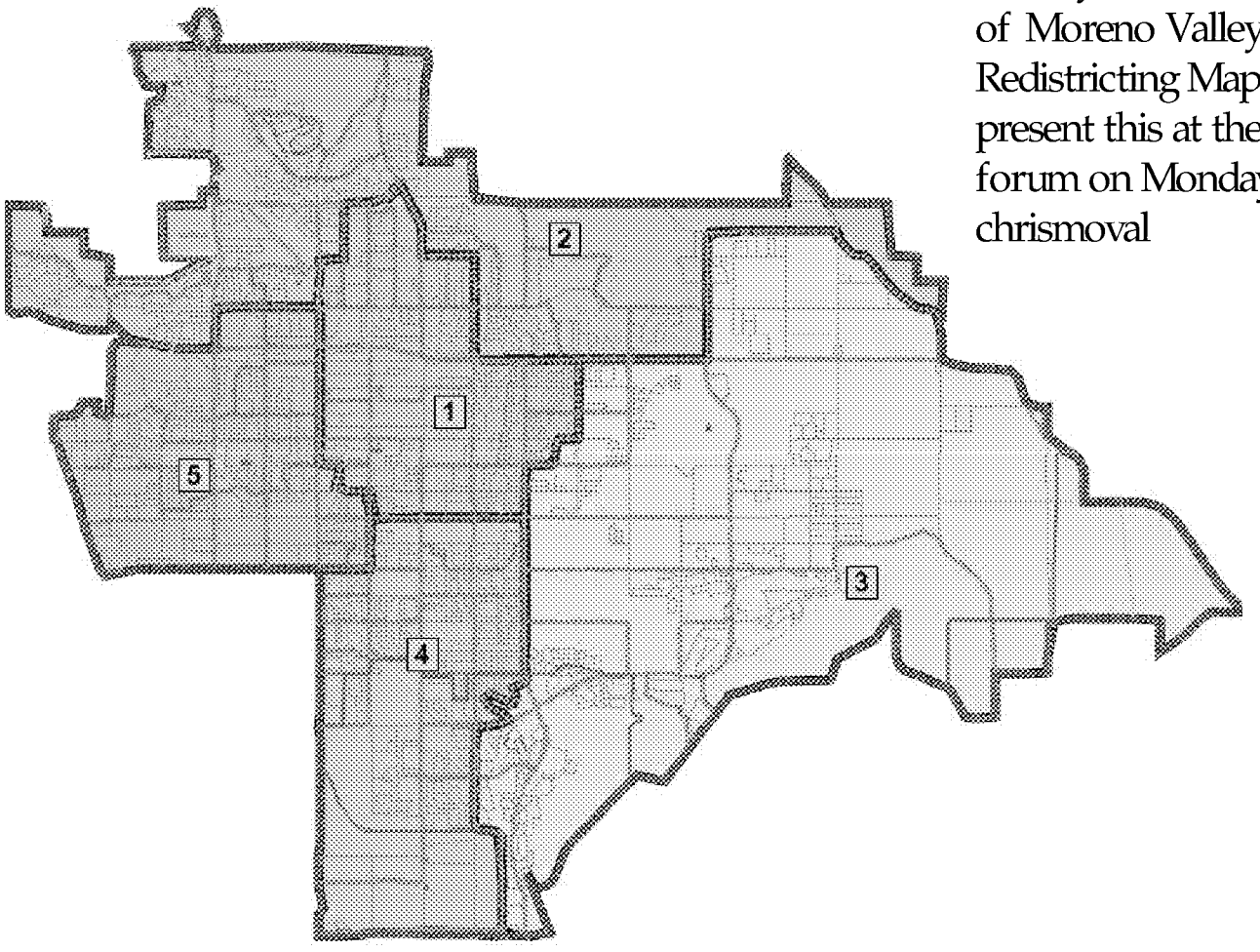

"On behalf of The 2011 Moreno Valley Redistricting Committee I here by submit our proposed City of Moreno Valley City Council Redistricting Map. I would like to present this at the community forum on Monday Sept.12 2011." - chrismoval

Public Plan 1 Counts

Public Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129598

Public Plan 1 Percentages

Public Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00129599

Public Plan 2 Map

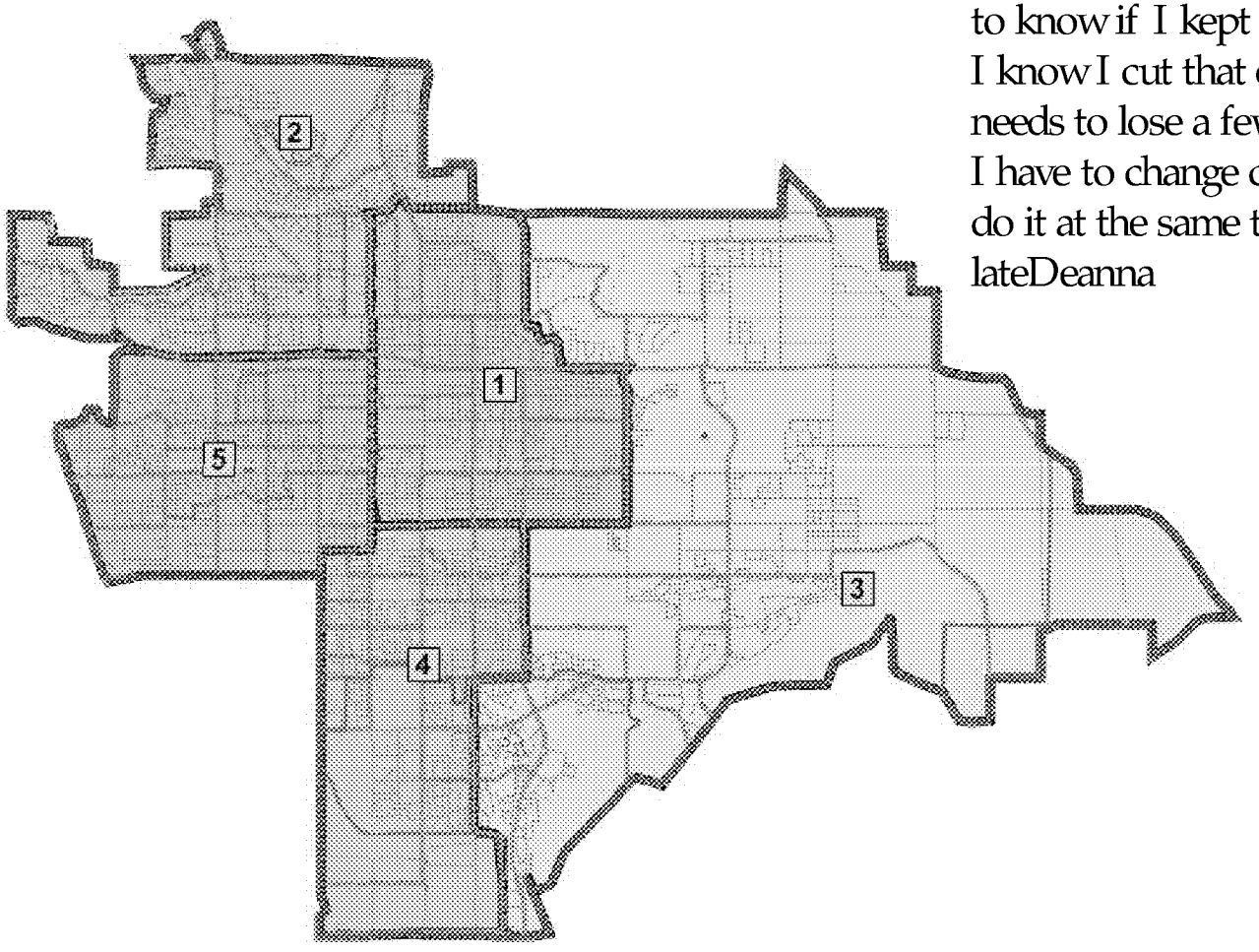

"This is my first preliminary map. What is the excepted plus or minus percentage for population. I really want to know if I kept Molina in his district I know I cut that one close. District 3 needs to lose a few more people but if I have to change district 1 anyway I'll do it at the same time. Thank-you!" - lateDeanna

MV00129600

Public Plan 2 Counts

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 2 Percentages

Abbreviations:
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MV00129602

Public Plan 3 Map

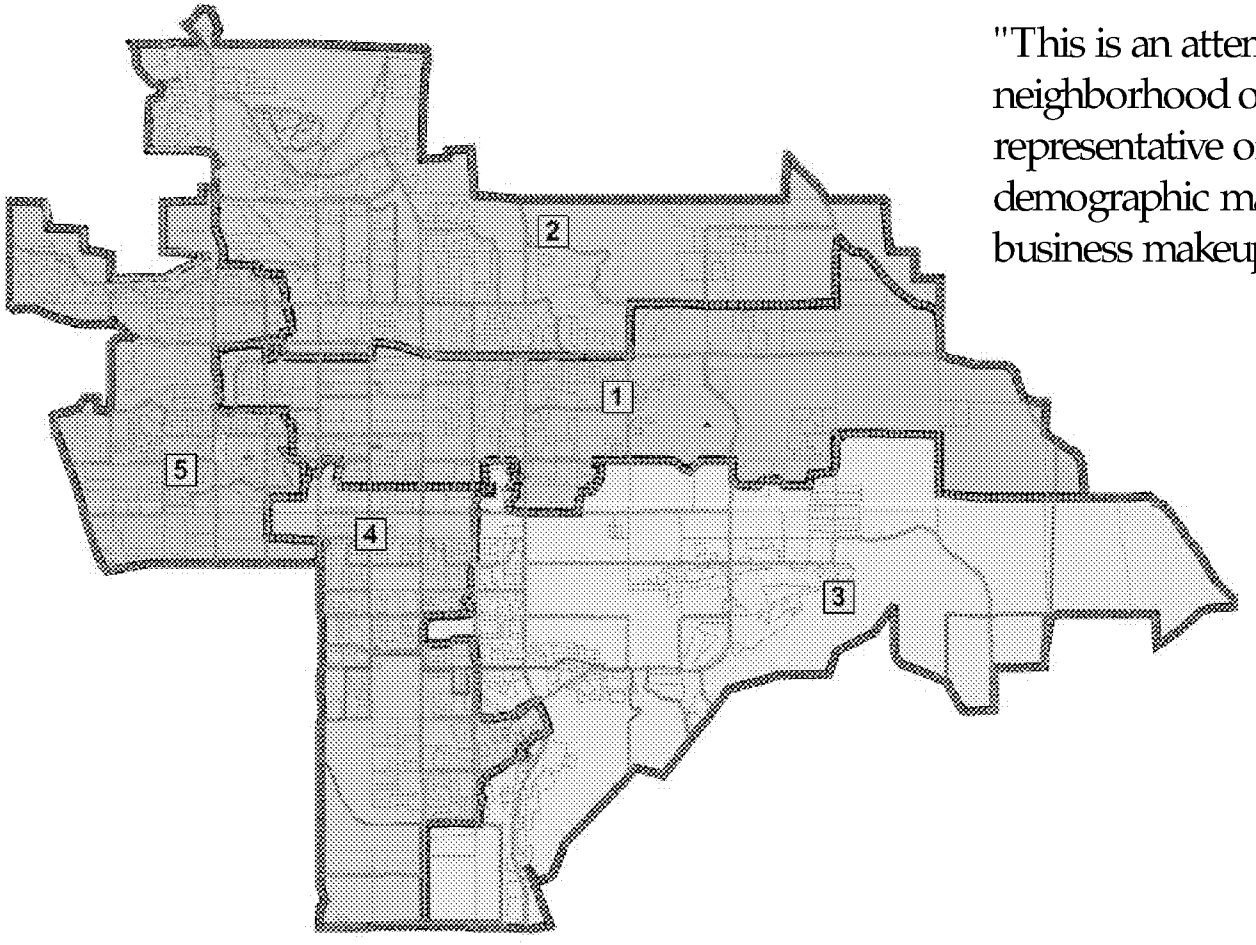

"This is an attempt to construct neighborhood oriented districts which is representative of the districts demographic make up residential and business makeups." - towings

MV00129603

Public Plan 3 Counts

Public Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
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Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129604

Public Plan 3 Percentages

Public Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
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Public Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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MV00129606

September 20, 2011

To: Honorable Mayor Stewart, Mayor Pro Tem Molina and Council Members

Fr: Douglas Johnson, President

National Demographics Corporation (NDC) developed four plans as a way to stimulate public interest in the redistricting process. Each plan was designed to meet the federal mandates (equality of population and compliance with the Voting Rights Act), but the plans differed markedly from one another in the way they attempted to meet the other criteria established by the City. These plans are attached hereto.

NDC has worked closely with City Clerk Jane Halstead and her office. We have been impressed by the City's outreach efforts and the attempt to inform the public of the redistricting process and the opportunities for involvement in it.

Although attendance at the two public meetings was less than hoped for, we are encouraged by the use of the online redistricting system. A total of 24 people have created user IDs to access the system, and they have already submitted four proposed plans. In addition a fifth plan was submitted using the paper version of the public participation kit. We have been impressed, also, by the technical proficiency of some of the citizen plans and the effort they made to meet the criteria established by the City Council. NDC has developed maps and statistics for each of the citizen-drawn plans and they are attached hereto.

NDC staff members will be present at the Council meeting on September 27th. At that time, we hope for Council comments and direction on the four plans developed by NDC, as well as on the public plans. (Please note: Additional plans that may be submitted by citizens will be forwarded directly to the Council as they are received). In light of Councimembers' comments on September 27th, NDC will then develop a plan or plans for a possible decision by Council at a following meeting.

ATTACHMENTS:

- NDC Plan 1 map and demographics
- NDC Plan 2 map and demographics
- NDC Plan 3 map and demographics
- NDC Plan 4 map and demographics
- Public Plan 1 map and demographics("Moreno Valley Redistricting Committee")
- Public Plan 2 map and demographics ("Moreno Valley Redistricting Committee")
- Public Plan 3 map and demographics (Bleckert)
- Public Plan 4 map and demographics (Owing)

Phone: (909) 624-1442
FAX (818) 254-1221

P.O. Box 5271
Glendale, C 1

info@ NDCresearc
www.NDCresearc

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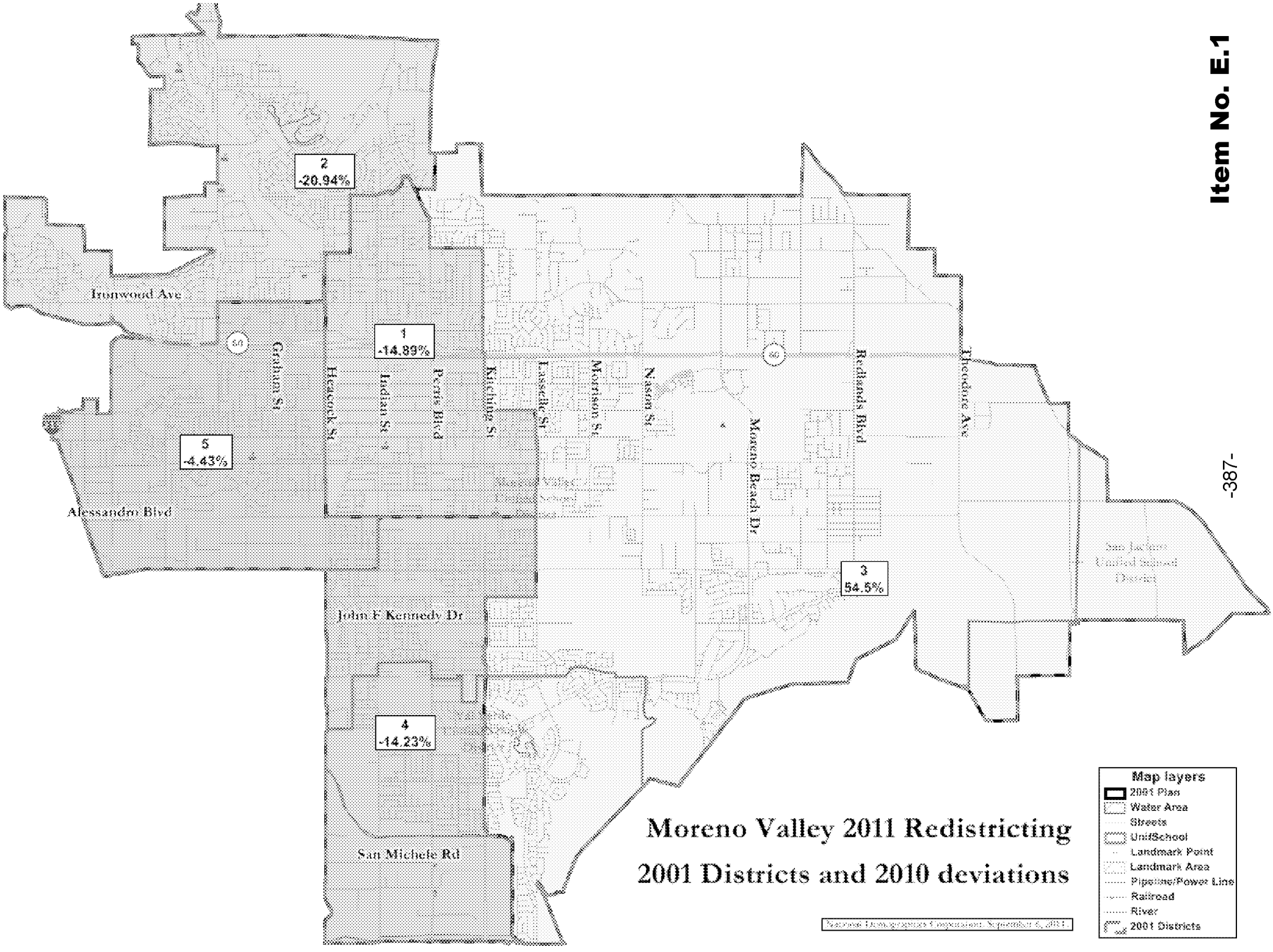
Moreno Valley 2011 Redistricting
2001 Districts and 2010 deviations
2
-20.94%
1
-14.89%
5
-4.43%
3
54.5%
4
-14.23%
Ironwood Ave
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
Alessandro Blvd
John F Kennedy Dr
San Michele Rd
Map layers
2001 Plan
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts

MV00129609

NDC

Moreno Valley 2001 Districts
Demographics

2001 Plan	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,915	-5,758	-14.89%	20,506	5,270	4,930	199	1,412	244	87	267
2	30,573	-8,100	-20.94%	13,450	8,981	5,373	139	2,141	122	59	308
3	59,750	21,077	54.50%	27,708	12,884	12,337	312	5,430	295	190	594
4	33,169	-5,504	-14.23%	21,067	4,572	5,300	113	1,629	175	77	236
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	29,177	75.45%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	21,794	12,416	4,369	3,369	146	1,116	168	62	148	10,535	4,035	142	134	276	4,583	1,557	59	57	116
2	21,969	8,733	7,346	3,763	111	1,687	85	43	201	14,221	3,968	269	228	497	7,434	1,777	111	104	215
3	41,255	17,459	10,458	8,371	231	4,092	191	135	318	23,563	7,129	503	417	920	11,812	3,071	208	177	385
4	21,809	12,949	3,736	3,459	80	1,273	116	47	149	10,667	4,503	161	174	335	4,757	1,824	57	75	132
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
2001 Plan	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,404	6,263	5,286	2,853	648	50	206	99	15,610	6,314	5,343	2,885	622	39	289	329	3,610
2	18,581	5,788	7,999	3,268	1,257	204	0	66	18,466	5,596	8,098	3,194	1,085	121	54	525	3,314
3	29,548	9,120	10,571	6,519	2,614	258	215	266	29,825	9,539	10,374	6,344	2,447	205	261	945	5,834
4	14,895	6,506	4,250	2,953	791	172	39	178	14,659	6,254	4,018	3,003	906	148	53	370	4,191
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129610

2001 Plan	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	16.0%	15.0%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.0%	29.4%	17.6%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.4%	21.6%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.5%	13.8%	16.0%	0.3%	4.9%	0.5%	0.2%	0.7%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	20.0%	15.5%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.3%	1.3%	2.6%	34.0%	1.3%	1.2%	2.5%
2	39.8%	33.4%	17.1%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.3%	25.3%	20.3%	0.6%	9.9%	0.5%	0.3%	0.8%	30.3%	2.1%	1.8%	3.9%	26.0%	1.8%	1.5%	3.3%
4	59.4%	17.1%	15.9%	0.4%	5.8%	0.5%	0.2%	0.7%	42.2%	1.5%	1.6%	3.1%	38.3%	1.2%	1.6%	2.8%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
2001 Plan	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.7%	40.7%	34.3%	18.5%	4.2%	0.3%	1.3%	0.6%	71.6%	40.4%	34.2%	18.5%	4.0%	0.2%	1.9%	2.1%	23.1%
2	84.6%	31.1%	43.0%	17.6%	6.8%	1.1%	0.0%	0.4%	84.1%	30.3%	43.9%	17.3%	5.9%	0.7%	0.3%	2.8%	17.9%
3	71.6%	30.9%	35.8%	22.1%	8.8%	0.9%	0.7%	0.9%	72.3%	32.0%	34.8%	21.3%	8.2%	0.7%	0.9%	3.2%	19.6%
4	68.3%	43.7%	28.5%	19.8%	5.3%	1.2%	0.3%	1.2%	67.2%	42.7%	27.4%	20.5%	6.2%	1.0%	0.4%	2.5%	28.6%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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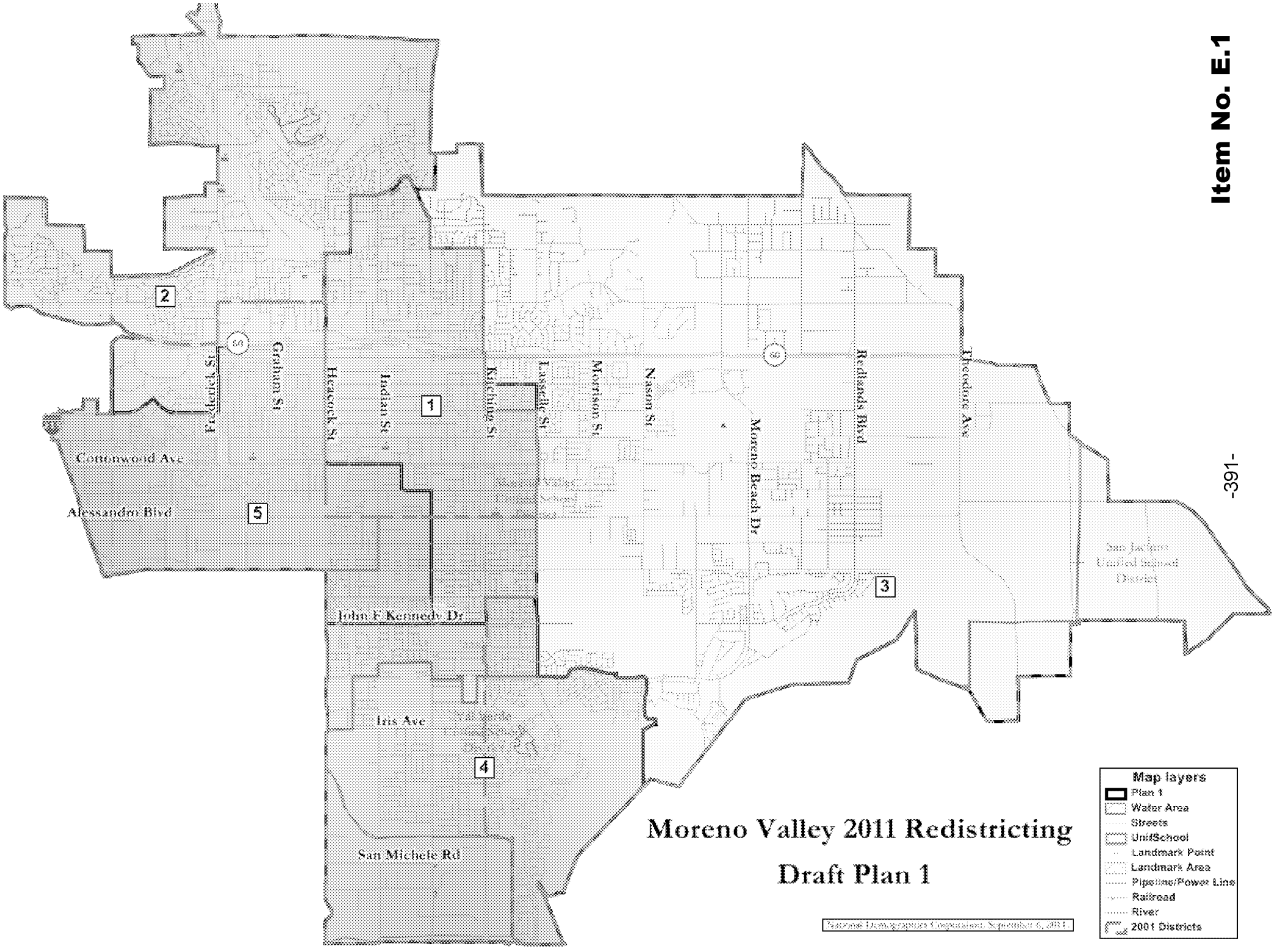
Moreno Valley 2011 Redistricting
Draft Plan 1
Map layers
Plan 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00129613

NDC

Moreno Valley Plan 1
Demographics

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	141
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129614

Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.1%	16.4%	15.8%	0.6%	4.5%	0.7%	0.3%	0.8%
2	44.5%	26.5%	20.1%	0.5%	6.7%	0.4%	0.2%	1.0%
3	44.2%	24.9%	18.9%	0.6%	9.6%	0.5%	0.4%	1.0%
4	57.3%	13.8%	20.3%	0.4%	6.6%	0.5%	0.2%	0.9%
5	65.1%	13.0%	14.7%	0.4%	5.2%	0.7%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.0%	20.4%	16.0%	0.6%	5.4%	0.7%	0.3%	0.6%	37.7%	1.3%	1.3%	2.6%	33.6%	1.1%	1.4%	2.5%
2	40.4%	30.6%	19.4%	0.5%	7.5%	0.4%	0.2%	1.0%	28.3%	1.9%	1.6%	3.5%	24.3%	1.5%	1.4%	2.9%
3	40.0%	28.8%	18.6%	0.6%	10.3%	0.4%	0.4%	0.8%	28.7%	2.2%	1.6%	3.9%	24.1%	1.8%	1.4%	3.2%
4	53.4%	16.8%	20.2%	0.4%	7.6%	0.6%	0.3%	0.7%	38.0%	1.9%	2.0%	3.9%	34.7%	1.6%	1.7%	3.3%
5	60.2%	16.4%	15.1%	0.4%	6.3%	0.7%	0.2%	0.7%	42.9%	1.9%	1.5%	3.3%	39.1%	1.5%	1.3%	2.8%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.5%	40.7%	33.6%	18.8%	4.7%	0.6%	1.1%	0.6%	73.3%	41.1%	32.9%	19.0%	4.6%	0.4%	1.6%	1.9%	23.0%
2	82.8%	31.4%	40.6%	19.7%	6.8%	0.9%	0.3%	0.4%	82.4%	30.7%	41.1%	19.3%	6.0%	0.6%	0.5%	3.0%	16.8%
3	73.9%	29.1%	39.0%	20.4%	9.0%	1.1%	0.9%	0.5%	74.1%	30.8%	37.6%	19.6%	7.7%	0.8%	1.2%	3.5%	18.4%
4	66.5%	37.6%	29.3%	23.4%	7.0%	0.5%	0.2%	1.9%	66.3%	35.9%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.5%	44.5%	24.0%	24.9%	5.6%	0.6%	0.1%	0.3%	66.1%	44.4%	22.9%	24.3%	5.7%	0.6%	0.2%	2.9%	27.5%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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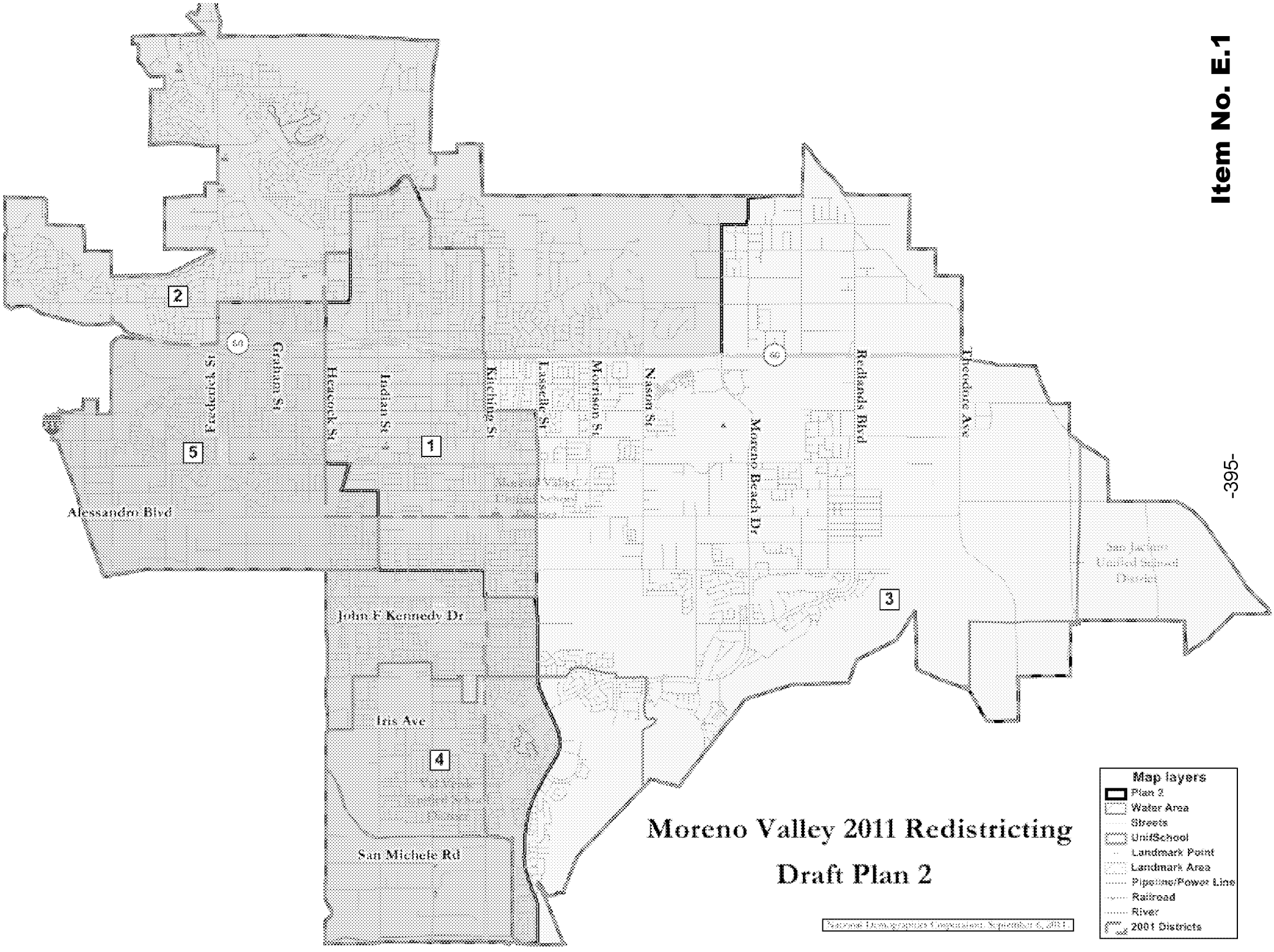
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River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Graham St
Perris St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00129617

NDC

Moreno Valley Plan 2
Demographics

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	138
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129618

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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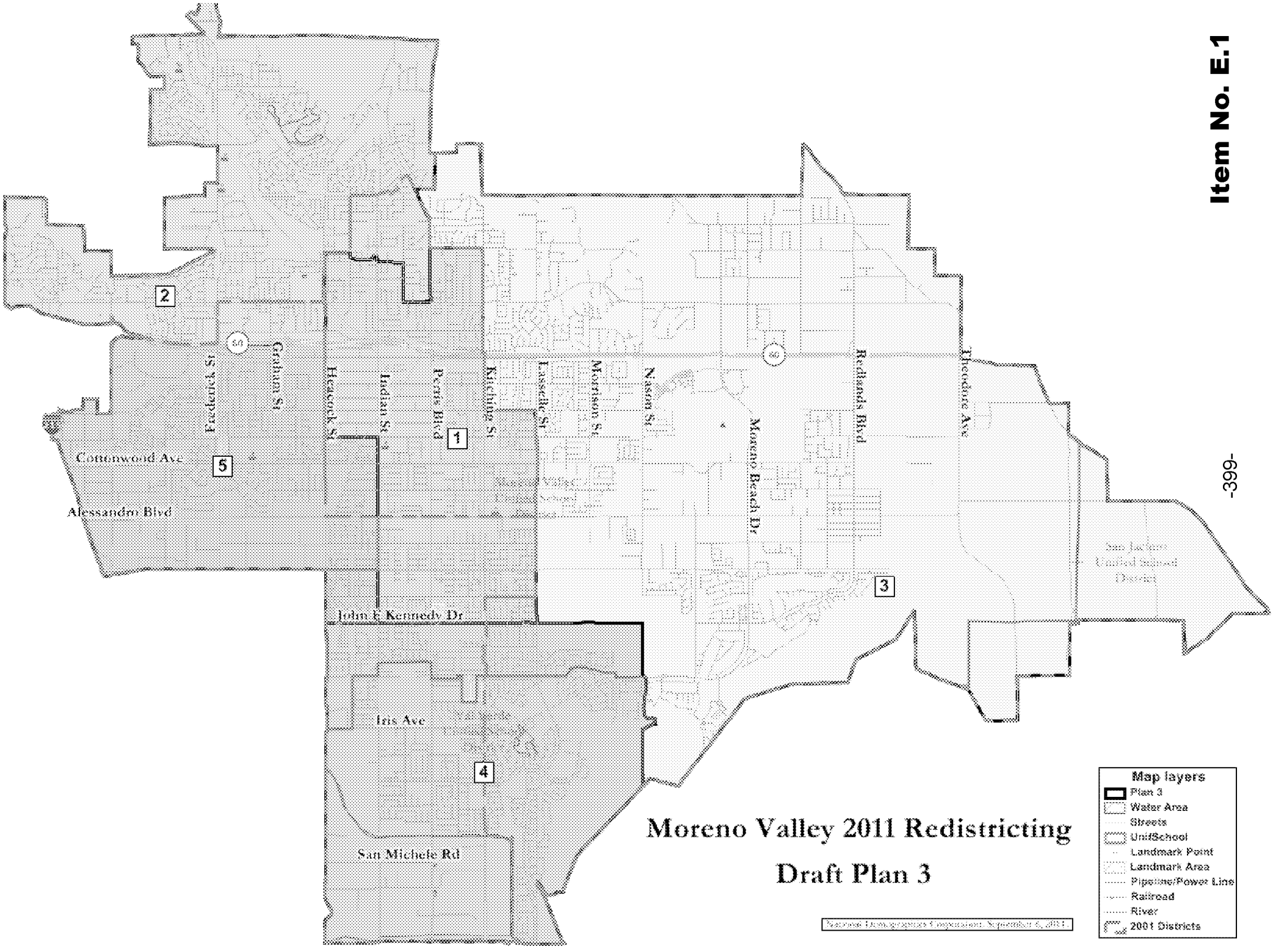
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Map layers
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Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Perris St
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00129621

Moreno Valley Plan 3
Demographics

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
2	45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
3	44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
4	56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
5	63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
2	40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
3	40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
4	52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
5	58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
2	84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
3	74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
4	66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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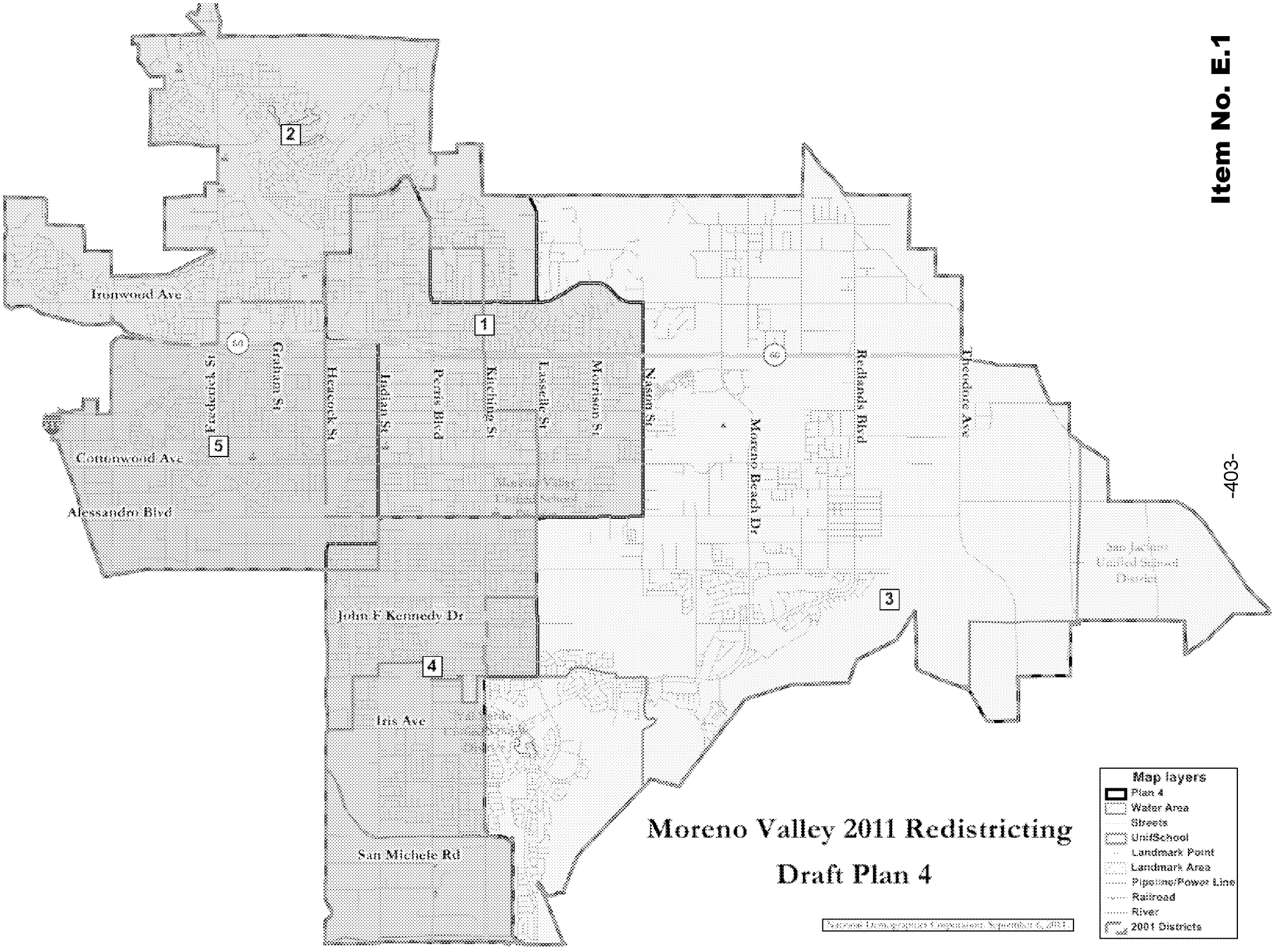
Moreno Valley 2011 Redistricting
Draft Plan 4
Map layers
Plan 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00129625

NDC

Moreno Valley Plan 4
Demographics

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129626

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	16.9%
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	19.4%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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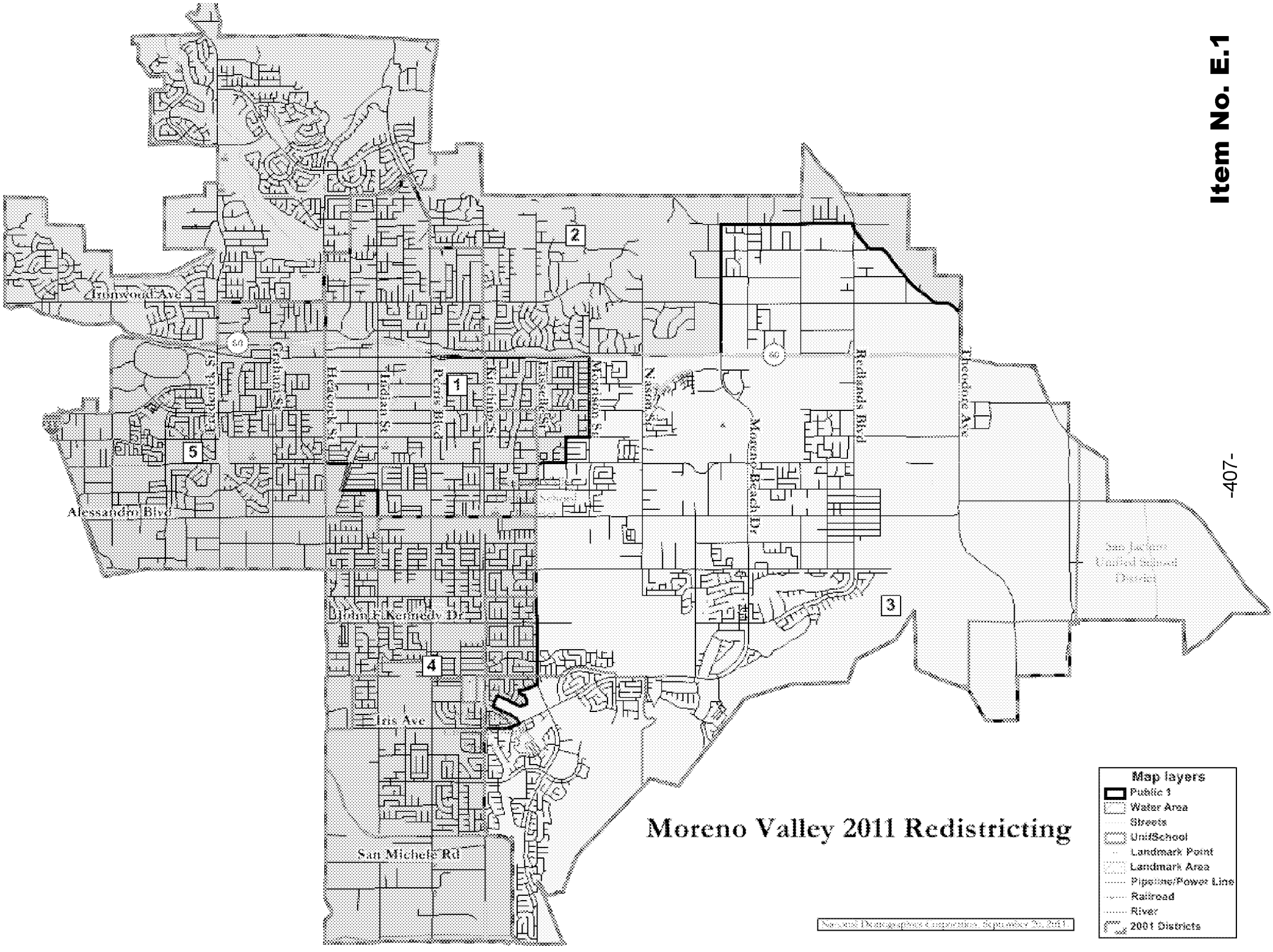
Moreno Valley 2011 Redistricting
Map layers
Public 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00129629

Pub. Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129630

Pub. Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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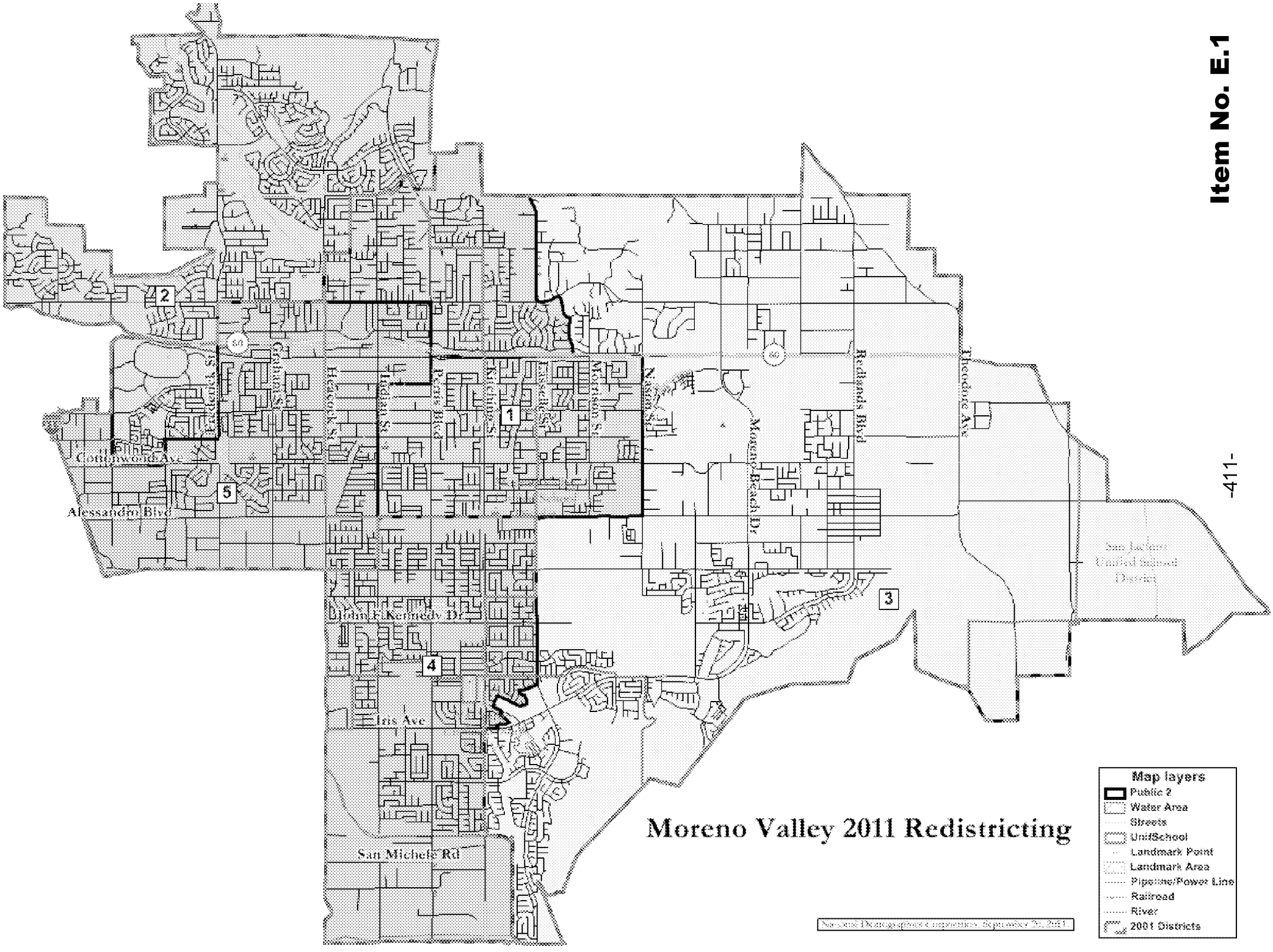
Moreno Valley 2011 Redistricting
Map layers
Public 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Cottonwood Ave
Graham St
Heacock St
Indian St
Perris Blvd
Kitchener St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00129633

NDC

Public Plan 2
Demographics

Pub. Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,796	123	0.32%	22,173	7,301	5,917	249	2,477	237	117	325
2	38,840	167	0.43%	17,371	10,226	7,229	177	3,194	140	78	425
3	38,078	-595	-1.54%	16,012	8,760	8,571	170	3,827	214	120	404
4	38,679	6	0.02%	24,231	5,519	6,368	154	1,831	203	93	280
5	38,972	299	0.77%	25,382	4,767	6,643	163	1,303	306	72	336
Total	193,365	894	2.31%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,500	13,877	5,986	4,138	183	1,883	167	76	190	14,308	5,121	276	182	458	6,886	2,164	105	83	188
2	27,581	11,188	8,294	4,997	134	2,536	100	54	278	16,888	4,934	395	297	692	8,450	2,138	140	125	265
3	26,425	10,088	7,100	5,769	129	2,893	141	94	211	15,053	4,243	333	302	635	7,574	1,821	147	122	269
4	25,569	14,932	4,546	4,180	106	1,439	136	57	173	12,785	5,250	179	202	381	5,759	2,139	61	87	148
5	24,794	14,924	3,937	4,347	130	1,048	186	51	171	10,885	4,412	117	134	251	4,275	1,550	50	57	107
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,779	7,397	6,668	4,169	997	110	367	68	19,905	7,285	6,878	3,869	1,055	75	361	545	4,327
2	21,923	6,863	8,885	4,251	1,631	204	0	88	21,807	6,672	8,940	4,182	1,462	121	54	597	3,900
3	18,175	5,147	6,819	3,820	1,931	179	42	244	18,896	5,878	6,847	3,924	1,612	153	135	592	3,636
4	17,825	7,517	5,347	3,560	982	187	41	186	17,229	7,117	4,769	3,639	1,158	160	61	436	4,755
5	17,369	7,414	4,600	4,377	804	23	70	98	17,191	7,328	4,443	4,146	786	50	97	536	3,910
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129634

Pub. Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.2%	18.8%	15.3%	0.6%	6.4%	0.6%	0.3%	0.8%
2	44.7%	26.3%	18.6%	0.5%	8.2%	0.4%	0.2%	1.1%
3	42.1%	23.0%	22.5%	0.4%	10.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.7%	0.5%	0.2%	0.7%
5	65.1%	12.2%	17.0%	0.4%	3.3%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.4%	22.6%	15.6%	0.7%	7.1%	0.6%	0.3%	0.7%	35.8%	1.9%	1.3%	3.2%	31.4%	1.5%	1.2%	2.7%
2	40.6%	30.1%	18.1%	0.5%	9.2%	0.4%	0.2%	1.0%	29.2%	2.3%	1.8%	4.1%	25.3%	1.7%	1.5%	3.1%
3	38.2%	26.9%	21.8%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.2%	2.0%	4.2%	24.0%	1.9%	1.6%	3.6%
4	58.4%	17.8%	16.3%	0.4%	5.6%	0.5%	0.2%	0.7%	41.1%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	60.2%	15.9%	17.5%	0.5%	4.2%	0.8%	0.2%	0.7%	40.5%	1.1%	1.2%	2.3%	36.3%	1.2%	1.3%	2.5%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.6%	37.4%	33.7%	21.1%	5.0%	0.6%	1.9%	0.3%	75.1%	36.6%	34.6%	19.4%	5.3%	0.4%	1.8%	2.7%	21.7%
2	79.5%	31.3%	40.5%	19.4%	7.4%	0.9%	0.0%	0.4%	79.1%	30.6%	41.0%	19.2%	6.7%	0.6%	0.2%	2.7%	17.9%
3	68.8%	28.3%	37.5%	21.0%	10.6%	1.0%	0.2%	1.3%	71.5%	31.1%	36.2%	20.8%	8.5%	0.8%	0.7%	3.1%	19.2%
4	69.7%	42.2%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	70.1%	42.7%	26.5%	25.2%	4.6%	0.1%	0.4%	0.6%	69.3%	42.6%	25.8%	24.1%	4.6%	0.3%	0.6%	3.1%	22.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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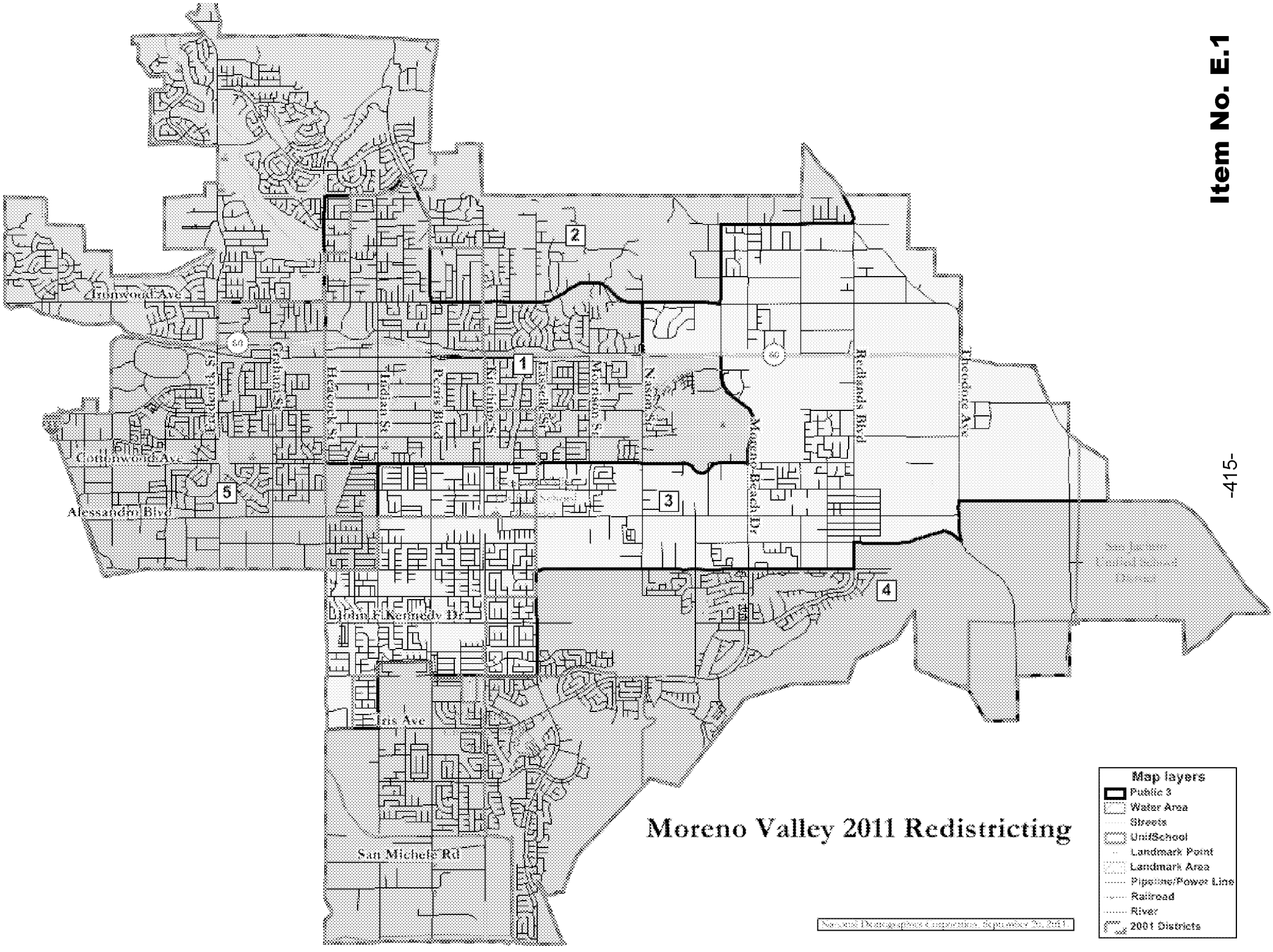
Moreno Valley 2011 Redistricting
Map layers
Public 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00129637

NDC

Public Plan 3
Demographics

Pub. Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	40,047	1,374	3.55%	23,337	7,050	6,329	250	2,368	232	124	357
2	33,724	-4,949	-12.80%	14,620	10,386	5,657	164	2,372	131	63	331
3	41,248	2,575	6.66%	24,589	7,521	6,126	195	2,173	221	111	312
4	38,875	202	0.52%	18,585	6,434	9,430	143	3,571	226	105	381
5	39,471	798	2.06%	24,038	5,182	7,186	161	2,148	290	77	389
Total	193,365	7,524	19.46%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,947	14,318	5,756	4,389	197	1,829	163	88	207	13,735	4,894	222	210	432	6,321	1,989	89	97	186
2	24,509	9,568	8,590	4,008	127	1,864	94	45	213	16,118	4,379	309	237	546	8,645	1,982	123	107	230
3	27,723	15,215	6,242	4,051	138	1,681	147	73	176	14,598	5,649	180	208	388	6,856	2,312	74	94	168
4	26,123	11,558	5,081	6,248	99	2,706	147	75	209	13,868	4,432	353	290	643	6,512	1,844	141	112	253
5	25,567	14,350	4,194	4,735	121	1,719	179	51	218	11,600	4,606	236	172	408	4,610	1,685	76	64	140
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,662	7,428	6,706	4,165	1,038	61	139	121	19,682	7,373	6,817	3,899	959	75	235	541	3,961
2	21,021	6,314	9,283	3,563	1,366	253	170	69	20,718	6,250	9,027	3,536	1,212	131	164	640	3,722
3	19,409	7,563	6,876	3,308	1,128	290	104	145	19,422	7,719	6,225	3,687	1,149	216	172	475	5,031
4	17,606	6,007	5,015	4,436	1,752	80	47	274	17,863	5,951	5,512	4,174	1,665	91	88	498	3,974
5	17,373	7,026	4,440	4,704	1,061	20	60	75	17,343	6,988	4,295	4,464	1,087	46	50	552	3,839
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129638

Pub. Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.8%	0.6%	5.9%	0.6%	0.3%	0.9%
2	43.4%	30.8%	16.8%	0.5%	7.0%	0.4%	0.2%	1.0%
3	59.6%	18.2%	14.9%	0.5%	5.3%	0.5%	0.3%	0.8%
4	47.8%	16.6%	24.3%	0.4%	9.2%	0.6%	0.3%	1.0%
5	60.9%	13.1%	18.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.1%	21.4%	16.3%	0.7%	6.8%	0.6%	0.3%	0.8%	35.6%	1.6%	1.5%	3.1%	31.5%	1.4%	1.5%	2.9%
2	39.0%	35.0%	16.4%	0.5%	7.6%	0.4%	0.2%	0.9%	27.2%	1.9%	1.5%	3.4%	22.9%	1.4%	1.2%	2.7%
3	54.9%	22.5%	14.6%	0.5%	6.1%	0.5%	0.3%	0.6%	38.7%	1.2%	1.4%	2.7%	33.7%	1.1%	1.4%	2.5%
4	44.2%	19.5%	23.9%	0.4%	10.4%	0.6%	0.3%	0.8%	32.0%	2.5%	2.1%	4.6%	28.3%	2.2%	1.7%	3.9%
5	56.1%	16.4%	18.5%	0.5%	6.7%	0.7%	0.2%	0.9%	39.7%	2.0%	1.5%	3.5%	36.6%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.0%	37.8%	34.1%	21.2%	5.3%	0.3%	0.7%	0.6%	73.0%	37.5%	34.6%	19.8%	4.9%	0.4%	1.2%	2.7%	20.1%
2	85.8%	30.0%	44.2%	16.9%	6.5%	1.2%	0.8%	0.3%	84.5%	30.2%	43.6%	17.1%	5.9%	0.6%	0.8%	3.1%	18.0%
3	70.0%	39.0%	35.4%	17.0%	5.8%	1.5%	0.5%	0.7%	70.1%	39.7%	32.1%	19.0%	5.9%	1.1%	0.9%	2.4%	25.9%
4	67.4%	34.1%	28.5%	25.2%	10.0%	0.5%	0.3%	1.6%	68.4%	33.3%	30.9%	23.4%	9.3%	0.5%	0.5%	2.8%	22.3%
5	67.9%	40.4%	25.6%	27.1%	6.1%	0.1%	0.3%	0.4%	67.8%	40.3%	24.8%	25.7%	6.3%	0.3%	0.3%	3.2%	22.1%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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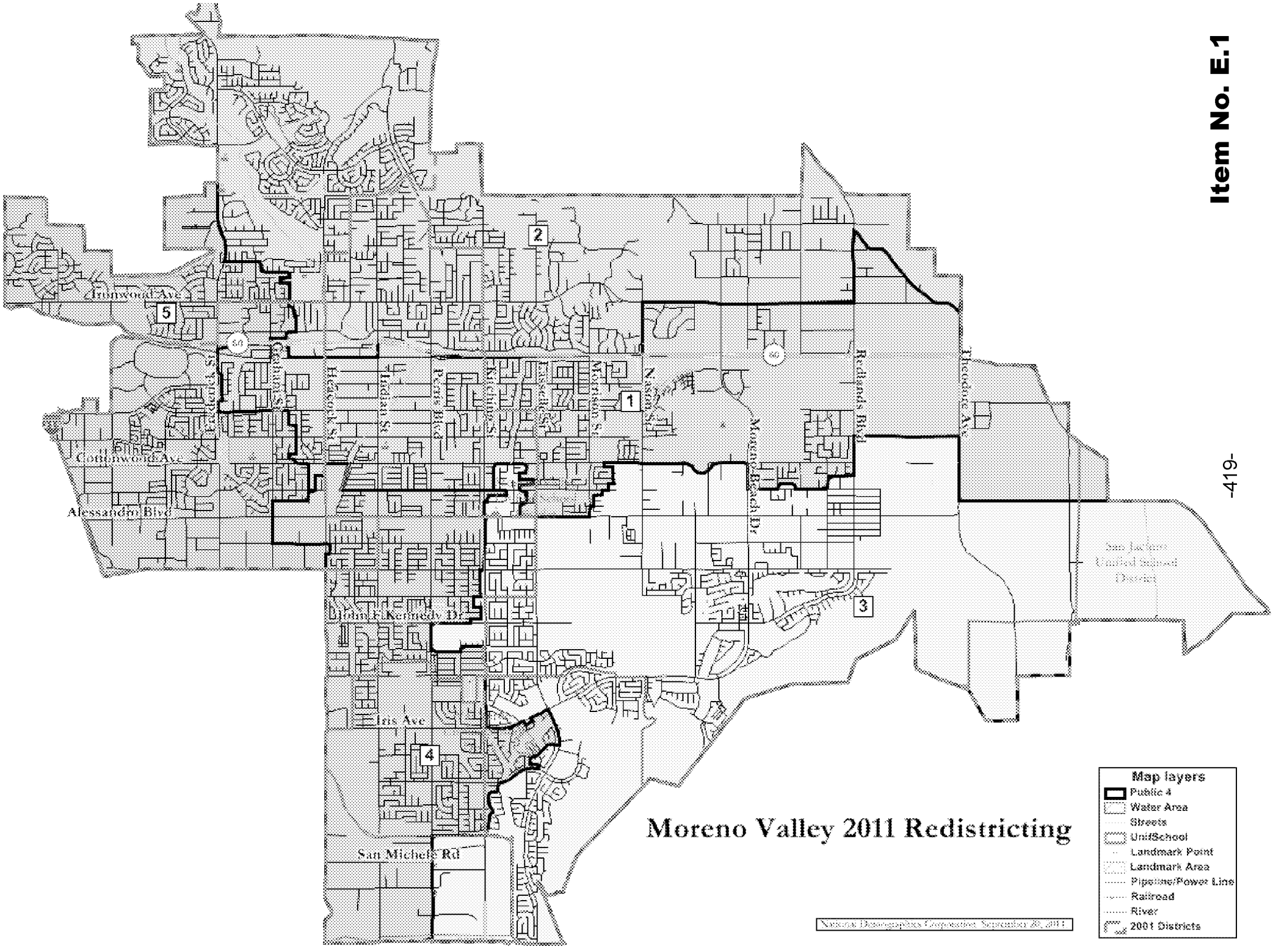
Moreno Valley 2011 Redistricting
Map layers
Public 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District
National Demographics Corporation September 8, 2011

MV00129641

NDC

Public Plan 4 - Owings
Demographics

Pub. Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00129642

Pub. Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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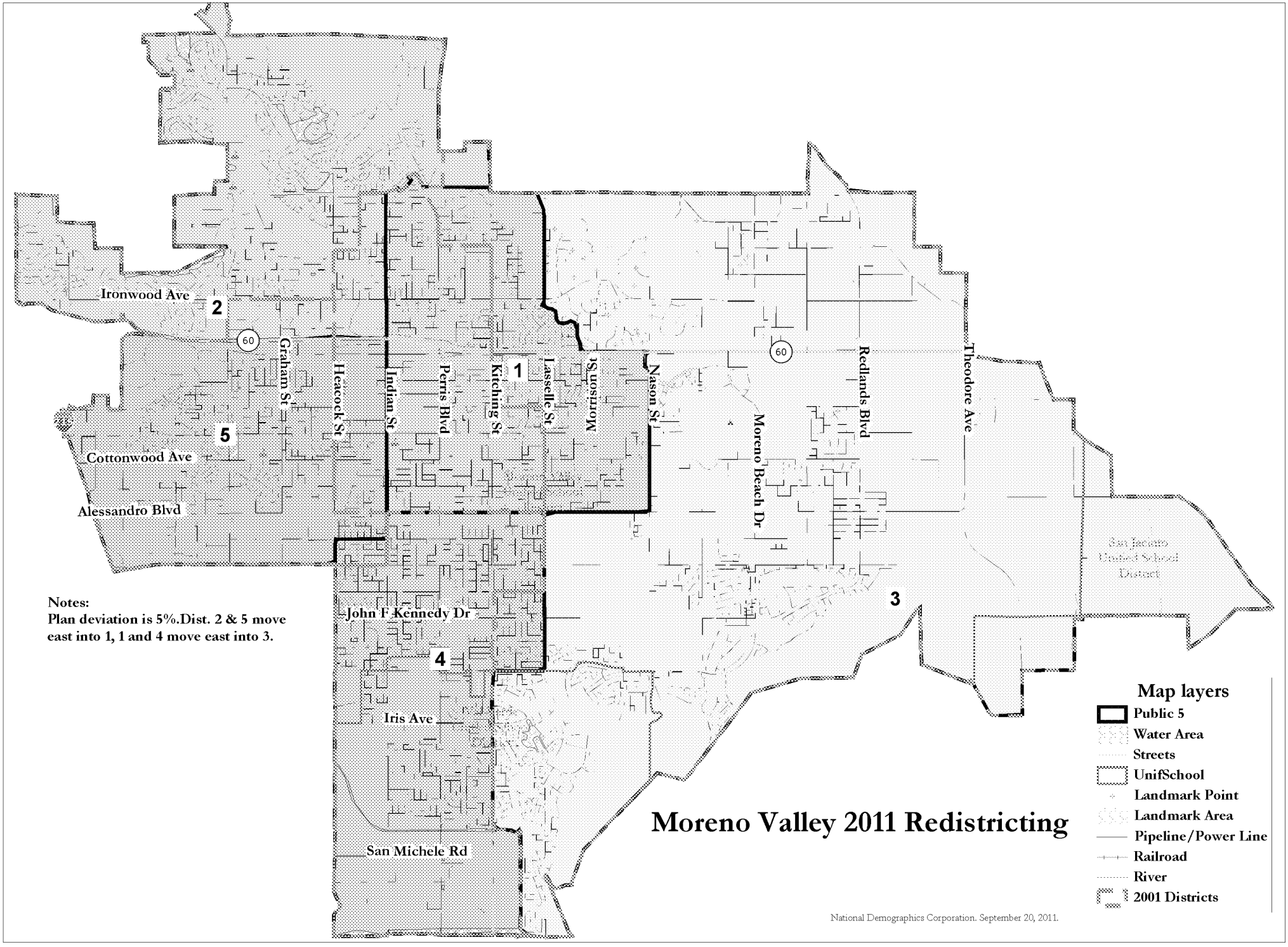

Notes:
Plan deviation is 5%.Dist. 2 & 5 move east into 1, 1 and 4 move east into 3.

Moreno Valley 2011 Redistricting

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Pub. Plan 5	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,368	-305	-0.79%	22,056	6,878	6,089	224	2,430	238	114	339
2	38,178	-495	-1.28%	17,347	10,448	7,200	200	2,373	158	73	379
3	40,050	1,377	3.56%	17,034	9,026	9,097	183	3,934	223	135	418
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,872	4.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,147	13,808	12,339	5,637	4,140	108	1,716	155	65	14,065	5,063	255	189	444	6,709	2,136	99	88	187
2	26,978	11,071	15,907	8,546	4,778	101	1,698	94	38	16,541	4,653	305	245	550	8,374	2,012	123	107	230
3	27,765	10,721	17,044	7,329	5,987	86	2,790	129	83	15,876	4,496	335	323	658	7,969	1,921	148	128	276
4	25,316	14,911	10,405	4,507	3,918	63	1,355	128	46	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	10,165	3,844	4,006	73	1,542	162	44	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	65,860	29,863	22,829	431	9,101	668	276	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 5	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,521	7,384	6,427	4,150	1,008	111	375	68	19,545	7,245	6,574	3,837	1,064	79	399	518	4,175
2	22,818	7,229	9,534	4,304	1,397	206	62	81	22,790	7,072	9,674	4,231	1,203	143	113	673	3,846
3	19,259	5,566	7,139	4,091	2,004	180	42	244	19,840	6,200	7,142	4,139	1,696	157	137	620	3,836
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 5	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.5%	17.9%	15.9%	0.6%	6.3%	0.6%	0.3%	0.9%
2	45.4%	27.4%	18.9%	0.5%	6.2%	0.4%	0.2%	1.0%
3	42.5%	22.5%	22.7%	0.5%	9.8%	0.6%	0.3%	1.0%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.8%	47.2%	21.6%	15.8%	0.4%	6.6%	0.6%	0.2%	36.0%	1.8%	1.3%	3.2%	31.8%	1.5%	1.3%	2.8%
2	41.0%	59.0%	31.7%	17.7%	0.4%	6.3%	0.3%	0.1%	28.1%	1.8%	1.5%	3.3%	24.0%	1.5%	1.3%	2.7%
3	38.6%	61.4%	26.4%	21.6%	0.3%	10.0%	0.5%	0.3%	28.3%	2.1%	2.0%	4.1%	24.1%	1.9%	1.6%	3.5%
4	58.9%	41.1%	17.8%	15.5%	0.2%	5.4%	0.5%	0.2%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	41.2%	15.6%	16.2%	0.3%	6.3%	0.7%	0.2%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	50.3%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 5	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.7%	37.8%	32.9%	21.3%	5.2%	0.6%	1.9%	0.3%	74.8%	37.1%	33.6%	19.6%	5.4%	0.4%	2.0%	2.6%	21.4%
2	84.6%	31.7%	41.8%	18.9%	6.1%	0.9%	0.3%	0.4%	84.5%	31.0%	42.4%	18.6%	5.3%	0.6%	0.5%	3.0%	16.9%
3	69.4%	28.9%	37.1%	21.2%	10.4%	0.9%	0.2%	1.3%	71.5%	31.2%	36.0%	20.9%	8.5%	0.8%	0.7%	3.1%	19.3%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: September 27, 2011

TITLE: MEDIA AND COMMUNICATIONS STRATEGY

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed Media and Communications Strategy.

BACKGROUND

At the May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image. An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business*. One of the five action steps included in the plan was to improve the City's marketing and communication efforts. The proposed Media and Communication Strategy addresses the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

DISCUSSION

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly

positive reality that we recognize. Understanding that perception oftentimes equals reality, the proposed Media and Communication Strategy (attached) aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure accurate information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley. As indicated in the attached plan, each action has been assigned to the appropriate department for implementation.

ALTERNATIVES

1) Approve the proposed Media and Communications Strategy. *Staff recommends this alternative as the proposed strategy helps address the Council's expressed goals of enhancing the City's image, expanding communication outreach to the public and improving the City's marketing and communication efforts (one of the adopted action steps to make Moreno Valley a Best Place to do Business.)*

2) Not approve the proposed Media and Communications Strategy. *Staff does not recommend this alternative as the proposed strategy is a task related to the Council-adopted goal to enhance the City's image and is part of the Council-adopted action steps to make Moreno Valley a Best Place to do Business.*

FISCAL IMPACT

Implementing the proposed Media and Communications Strategy will have no fiscal impact as all of the strategies and action items can be executed within the adopted budget.

COUNCIL GOALS

Positive Environment: Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and

executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The proposed Media and Communications Strategy assists in addressing the City Council's goal of enhancing the City's image and implements the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business.* The proposed strategy will help enhance the City's efforts in economic development and in making Moreno Valley a great place to live, visit, work and do business.

ATTACHMENT

Proposed Media and Communications Strategy

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Introduction

At their May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image (see Attachment "A"). An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business* (Attachment "B"). One of the five action steps included in the plan was to improve the City's marketing and communication efforts. This Media and Communication Strategy address the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly positive reality that we recognize. Understanding that perception oftentimes equals reality, this Media and Communication Strategy aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure <u>accurate</u> information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley.

Target Audience

Communicating accurate information to better promote Moreno Valley is everybody's job. By providing target audiences with timely and informative news about their community we can help ensure that our many positives outweigh the periodic negative items that occur in every community. It is critical that the City clearly communicates information to the community in a helpful, accessible, consistent, and unintimidating manner to ensure that the citizens, businesses, and visitors to Moreno Valley feel welcome and engaged within in our community.

Primary Target Audience

The primary target audiences for an effective media and communications strategy are the groups of people with whom the City wishes to regularly communicate on a variety of topics and issues:

- Residents of Moreno Valley
- City Council, Commissions, and Committees
- Non-profit organizations
- County, State, and Federal representatives
- Community groups and organizations
- News media
- Development community
- Chambers of Commerce
- Existing businesses, property owners, and managers
- Public agencies
- Employees
- Regional organizations and agencies
- Volunteers
- School Districts
- Visitors to Moreno Valley

Secondary Target Audience

The secondary target audiences are groups with which the City communicates on a semi-regular basis:

- Businesses in neighboring cities and communities
- Other government television stations
- Residents living in neighboring cities and communities
- Future or potential residents

Goals, Strategies and Actions

With the understanding that a Media and Communications Strategy that builds on strong themes is more effective than a program with scattered and unrelated messages, key themes will be communicated frequently in a variety of ways utilizing simple messages. It is important that all communications reinforce and reflect the goals and target issues of the City as established by the City Council, underscoring the idea of an organization with its focus on "people, pride and progress."

Goal 1: Ensure Accurate Information is Disseminated to the Public

Accuracy is the most basic, and also the most critical, element in communicating effectively. The following goals and strategies will assist in ensuring that accurate and timely information is being provided by the City:

Strategy: Ensure continuity of message.

Action:

- **Review and reinforce City administrative policy #2.5, "Public Information & Media Relations"** (Attachment "C"), which establishes procedures and guidelines for the coordination and dissemination of information to the public on behalf of the City. In order to ensure accuracy and continuity of message, all departments will observe this policy, with particular attention to the following (Assigned to: All Departments):

  All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

Strategy: Ensure that the City's Website contains current information and continue to enhance the site to improve user-friendliness

Actions:

- **Perform an audit of the City's website** to ensure that it is user friendly and data rich, and identify areas where processes can be clarified (Assigned to: City Manager's Office and the Community and Economic Development Department)
- **Review the City's main web page daily** for current content and remove any outdated content immediately (Assigned to: City Manager's Office)
- **Reactivate the City's Media Liaison Team**
  - Update the current Media Liaison list to include one representative from each Department that is responsible to maintain the information on their department web pages (Assigned to: City Manager's Office)
  - Team will participate in regular meetings (Assigned to: All Departments)
  - Team will work together to improve the utilization of social media sources (Assigned to: All Departments)
  - Solicit article ideas for submission to various business journals, government magazines, and other news media to promote City programs and events (Assigned to: All Departments)
  - Review the City's *Brand & Style Guide* with all departments to ensure continued and consistent usage (Assigned to: All Departments)
  - Team will review information posted by the webmaster for accuracy (Assigned to: All Departments)

Goal 2: Maximize media and communication resources to 1) better promote the City's many positive events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business

Strategy: Develop a retooled marketing plan (Assigned to: Community and Economic Development Department)

Actions:

- **Encourage cooperative marketing opportunities** with targeted area developers to attract tenants through outreach to media outlets and the community
- **Promote the vision that Moreno Valley is a Medical Community** as outlined in the Economic Development Action Plan adopted by City Council in April 2011 through creating media content for the City's website, developing public service announcements, and working with media outlets to distribute storylines detailing this development
- **Brand the City as a Best Place to do Business and as a Job Center**
- **Identify new publications and aggressively pursue publication** of City stories to print media in addition to the Press-Enterprise and working with editors to ensure they are published, including business journals (Assigned to: City Manager's Office and Community and Economic Development Department)
- Work with the Moreno Valley Chamber of Commerce to **videotape the featured speaker at the monthly Wake Up Moreno Valley** meetings for airing on MVTV-3 to promote local programs and businesses (Assigned to: City Manager's Office)
- **Develop a City media packet** with information on City staff and community data (Assigned to: City Manager's Office)
- **Billboard signage campaign** to fill unused billboard space to promote City information for free or at reduced costs. (Assigned to: Community and Economic Development Department)
- Work with the Moreno Valley Police Department to **establish a press release policy** identifying which events and actions warrant media notification. (Assigned to: City Manager's Office)
- MVTV-3 **video productions promoting local restaurants**, similar to current Spotlight on Business productions (Assigned to: City Manager's Office)

Strategy: Develop smartphone applications to improve communication and connectivity (Assigned to: Financial and Administrative Services Department)

Actions:

- **Establish a City committee** to develop the use of Smartphone applications
    - Assign at least one committee member from each department
    - Invite the Chambers of Commerce to participate
    - Survey City staff, community members, and other cities to identify desired smartphone applications specific to Moreno Valley such as:
        - Promoting City events
        - Connecting to City services such as reporting stray animals, graffiti, potholes, etc.
        - Crime tip reporting and online crime maps
        - Places to dine and stay

- **Explore cost sharing opportunities** for the development and maintenance of applications that include:
    - Public Safety related items, seek grants for federal funding opportunities (Assigned to: City Manager's Office, Police and Fire)
    - Chamber of Commerce related items in order to create a "Things to do" and "Place to dine" section for the application (Assigned to: Community and Economic Development Department and City Manager's Office)

Strategy: Create and maintain a Community Calendar

Actions:
- Work with the Chambers of Commerce to **establish a joint community calendar of events** (Assigned to: Community and Economic Development Department and City Manager's Office).
- **Develop an online form** for businesses, non-profit organizations, homeowners associations, schools, etc. to easily submit information on community events that they are sponsoring (Assigned to: City Manager's Office)
- **Promote the Community Calendar events** by distributing the calendar via the City's e-mail database and ensure that the City's Twitter account sends out information in a timely manner regarding these events (Assigned to: City Manager's Office)

Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services

The City will be proactive in communicating with the community rather than reactive. By taking a positive approach in the planning and execution of communicating with the community, the City will build a stronger rapport with our residents, business owners, and stakeholders. While the City currently offers a variety of ways for its citizens to provide input and learn about City services, it is imperative that the City continues to encourage residents and businesses to communicate both positive and negative issues with their Council representative and with City staff. It is also important to demonstrate the value of City services so that our residents understand and support local government.

Strategy: Enhance direct communications by the City Council and City Staff with the community (Assigned to: City Manager's Office)

Actions
- **Establish Council Connection Town Hall meetings** within each City Council District promoting two-way communication with residents (Assigned to: City Manager's Office and City Council Office)
    - Include meet and greet with Department Heads, remarks by the Council Member and City Manager, a presentation focusing on one topic (public safety, economic development, etc.), and a question & answer session.
    - Post all questions and answers from each Town Hall meeting on the City's web site within on week.

- **Establish City and Business Connection Luncheons** in each Council District as an opportunity for business leaders to communicate with their Council Member (Assigned to: Community and Economic Development Department)
- **Develop and build an e-mail database** to distribute e-mail "blasts" to residents and businesses containing City news and events (Assigned to: City Manager's Office)
- Investigate the **use of podcasting** City Council and Planning Commission meetings (Assigned to: City Manager's Office)
- Convert "City Link" from a quarterly publication distributed as part of "Soaring" to a **monthly e-newsletter** (Assigned to: City Manager's Office)
- **Include performance indicators** in City publications to celebrate accomplishments and educate residents about the benefits of City programs and services.

Strategy: Improve the City's use of social networking

Actions
- **Increase the use of Facebook** by City Departments (Assigned to: City Manager's Office)
- **Increase the number of City followers on Twitter** by providing "how to" training to staff to enhance City Departments' use (Assigned to: All City Departments)
- Increase the community's awareness and viewership of City Programming that is available on **YouTube** (Assigned to: City Manager's Office)

Media and Communications Toolbox

The City uses a variety of interactive communication tools and techniques wherever and whenever possible to involve target audiences in the communications process. This aids in building the idea that this is not just the residents' City or the businesses' City but this is everyone's City. Below is a list of the tools to be used by City staff to communicate effectively with both our primary and secondary target audiences.

- Advertisements
- Booths at major events
- Brochures
- Citizen surveys
- City Council meetings
- *City Link* e-newsletter
- City website
- Comprehensive Annual Fiscal Report
- Fact Sheet
- Facebook
- Internet
- Media packet
- MVTV-3
- New conferences
- Open house events
- Parks and Recreation *Soaring* guide
- Press releases
- Public service announcements
- Publish articles in magazines and business journals
- Radio talk programs
- Town Hall meetings
- State of the City
- Council business luncheons
- Twitter
- Utility Bill Insert
- You Tube

Assessment

City Staff will periodically review and assess progress made in achieving the goals described in this Media and Communication Plan by measuring its success utilizing a variety of tools, including:

- Content of media coverage
- City Council surveys
- Communication and service awards
- Survey e-mail subscribers from the City's website
- News release totals
- Web visitors and Web analyses

Summary

The intent of this plan is to foster proactive communications with the Moreno Valley community and neighboring communities reflecting the many positive aspects of our City; to connect the public with the government by reaching out and establishing two-way communications through a variety of resources; to promote Moreno Valley as a *Best Place to do Business*; and to better control our message by ensuring that accurate information about Moreno Valley is distributed to the public. Every resident, business owner, and employee within the City "owns" a piece of Moreno Valley and it is the job of each of these stakeholders to promote our community as the place to be. This plan is a dynamic strategy that will serve as a road map to assist in this endeavor.

Attachment "A"

Prioritized Goal #5: Enhance City Image
Actions
1. Develop Media & Communications Strategy: a. Increase use of Social Networks b. E-mail Blasts c. Expand Communication Outreach/ Networking d. District Town Hall Meetings
2. Corridor Beautification Program

Further defined tasks, responsible department, and schedule:

TASK	DEPARTMENT	SCHEDULE
Develop database of e-mail addresses to distribute immediate information to residents, businesses, and other agencies	**CMgr**	**June 2011**
Transition "City Link" newsletter to an on-line e-newsletter posted on the web site and automatically e-mailed to subscribed residents and businesses	**CMgr**	**July 2011**
Expand options for distributing City information to magazines and news outlets, promote the community and events via alternative publications and through attendance at various meetings	**CMgr**	**September 2011**
Explore and discuss District Town Hall meetings with the Council, establish a schedule for quarterly or semi-annual events	**CMgr**	**June 2011**
Review options for a Citywide Corridor Beautification Program for Council consideration	**PW**	**August 2011**

"Attachment B"

Recommendations for Action Steps

to Make Moreno Valley a "Best Place to do Business"

Development Services

- Implement the use of "E-permitting" to accelerate the process of doing business in Moreno Valley

- Expand and strengthen business and development ombudsperson program to include new or expanding small businesses.

- Host quarterly workshops with contractors and developers aimed at improving development processes in Moreno Valley.

- Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business.

- Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

Business Attraction

- Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

- Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Business Retention and Expansion

- Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

- Pursue ways to increase local vendor preference, including expanding existing procurement policy.

- Implement a new meeting program with local businesses to discuss business opportunities. The Program would be held once a year in each Council District and include the opportunity to talk to the Councilmember, City Manager, and Community & Economic Development Director. The Program will compliment the existing Business Roundtable.

- Enhance the Business Resource Guide.

Marketing and Communication

- Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

- Develop a re-tooled marketing plan to incorporate the following:
    - Cooperative marketing opportunities with targeted area developers to attract tenants
    - Identifying the City as a medical community
    - Brand the City as a job center

- Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

- Increase use of social media.

- Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

- Explore use of Smartphone apps for improved communication and connectivity.

- Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

Community Vitality

The best places to do business also reflect characteristics of the best places to live. These places tend to exude a "sense of place" reflected in aspects of quality of life including activity, arts and culture, and beauty in the environment.

- Explore additional community events- things to do.

- Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

- Enhance neighborhood groups by implementing community update meetings.

City of Moreno Valley

PUBLIC INFORMATION & MEDIA RELATIONS

PURPOSE: To provide procedures and guidelines for coordinating and disseminating information to the public on behalf of the City of Moreno Valley. The policy will be modified and expanded as necessary.

STATEMENT: The City of Moreno Valley shall provide timely and accurate information to keep the Council, staff and community apprised of pertinent City issues, services and events. The City shall utilize appropriate and effective means to communicate its messages to both general and target audiences. This policy contains guidelines that will achieve the City's communications objectives and facilitate a successful working relationship with the local and regional media.

POLICY GOALS:

- Fully utilize the news and special interest media, MVTV-3, City publications and the City Web site as an effective means of communicating with citizens and target groups (including business sector, community leaders, homeowner groups, City employees).
- Facilitate the timely flow of public information to appropriate media through an effective internal process that maximizes message consistency, factual accuracy and proper positioning.
- Educate the community about how government works and encourage citizen participation in the policy-making process.

POLICY:

I. **General Public Communications:**

A. Letters and opinion surveys designed for mass distribution shall be reviewed by and coordinated with the City Manager's Office for content and format analysis and for placement strategies.

B. All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

II. **Federal Regulations for Newsletters and Mass Mailings:**

A. FPPC Compliance: All newsletters and mass-distributed documents prepared at "taxpayers' expense" that are to be mailed or delivered to 200 or more residences or businesses in a single calendar month must comply with guidelines established by the Fair Political Practices Commission with respect to how elected officials are identified in these materials. (A complete copy of these regulations is printed in the California Code of Regulations, Title 2. Administration, S18901, et seq., and on file in the City Attorney's Office.) Following are the major guidelines and restrictions:

1. A newsletter may include an article which references the name of a City Council member only if the Council has no control or review authority over the content of that newsletter. (This "independence" test is not violated if the Council merely approves a budget item to fund the newsletter, hires the staff to produce it, and dictates the frequency that the newsletter will be distributed.) If City staff determines that the independence test has been met, then they may include references regarding the activities of Council members as long as their names are not "featured."

Approved by: City Manager
September 1, 1991
*Revised 7/18/01; **12/21/07***

Item No. G.2

a. "Featured" is defined as "...singles out the elected officer by the manner of display of his/her name or office in the layout of the document, such as by headlines, captions, type size, typeface, or type color." Therefore, except for the roster listing of all of the Council members or use of letterhead, the name of an elected officer may not be set apart from the text, such as indicating that the author of the article was an elected official by putting their name in the caption to the article.

b. The name or office of a Council member may not be in the headlines of the article, because the type size and typeface of that heading is different from the type size and typeface of the text of the article.

c. The definition of "featured" also provides that the item distributed may not include the Council member's photograph or his/her signature.

2. The City or a Council member may send out informational notices on City stationery which meet the 200-per-month threshold as long as such notices do not reference the name of that elected official in the heading, text or by use of his/her signature. It may, however, be permissible to include the name of that elected official in the text of that notice printed on the City stationery as long as it was not prepared or sent in cooperation, consultation, coordination or in concert with that elected officer and it does not "feature" his/her name.

3. FPPC regulations allow Council members to send a letter which "features" their name by the manner of its display or by use of their photo or signature if it is a press release or editorial sent to members of the media. Therefore, there is no limitation on the content or format of any document sent only to members of the media. In addition, the number of copies of a mailing which is sent to the media is excluded from the 200-per-month threshold level.

4. The FPPC has opined that the intent of the guidelines governing printed material also applies to video productions prepared at taxpayer expense; a Council member may not be featured in such video production in any way that may be construed as promotion of the Council member. The role of an elected official in a tax-supported video production must be limited to educating and informing the public, to retain FPPC compliance.

III. **Media Response Philosophy**:

A. Timely and Accurate Responses: The City encourages accurate press coverage of programs, events and decisions which could be of interest and impact a significant segment of the community. In this regard, the City and the media have a mutual responsibility to provide accurate, objective information of City affairs to City residents. Inquiries from the news media are to be given a high priority and be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate and messages properly developed.

IV. **Press Releases**:

Press releases are any official written or verbal announcements initiated by City Hall to the media regarding official City business.

A. Responsibility. All media releases relative to major citywide policies and actions shall be prepared and distributed by the City Manager's Office. Other departments that may prepare their own releases include:

1. Parks & Community Services Department, promoting special recreational and cultural activities.

2. Police and Fire departments, providing fast-breaking news updates regarding major police and fire activity.

B. Assistance. Upon request, the City Manager's Office will provide assistance with media releases prepared by those above. Other departments requiring press releases or technical assistance in preparing press releases should provide the CMO with written information pertaining to the topic as well as any special distribution list.

C. Release Preparation & Format. Press releases shall be prepared according to the City's established format. Releases are kept on file in the City Manager's Office. A copy of all media releases distributed by any unit outside of the City Manager's Office should be forwarded to the City Manager's Office, which in turn will maintain a master file of press releases.

V. **Release of Information Pertaining to Significant Issues & Events**:

A. Definition of Issues. It is the responsibility of department directors to notify the City Manager of significant events or issues which occur within their departments which may be of major interest to the general public or media. Such issues include, but are not limited to:

1. An event/issue in an operating department or program that is controversial.

2. Injury or death of a City employee while on or off official duty.

3. Major malfunctions of a City facility which could impact the general welfare of the public or environment.

4. An unexpected work stoppage or inability to provide a critical City service.

5. The arrest or conviction of a City employee which may impact that individual's ability in successfully carrying out his/her professional responsibility.

6. Major police or fire activities. *(Note: This is handled through the City's Emergency Notification Policy.)*

B. Reporting Procedure. Once receiving the information, the City Manager will determine if it is necessary to contact the City Council, other department directors and the City's Public Information Officer. If public release of information is deemed appropriate, the City Manager, in consultation with the department director and the Public Information Officer, will determine the most appropriate mechanism in notifying the press.

C. Back-up Procedure. If the City Manager is unavailable, the department director should contact the Assistant City Manager, then the Public Information Officer directly for dissemination of information. On those occasions when neither of these individuals or an acting City Manager is available, the department director should use his/her own judgment in releasing information to the press on fast-breaking news stories.

VI. **Who Responds to Media Inquiries**:

A. Spokesperson. The City Manager will respond directly or designate a media spokesperson to respond to an issue of major public significance to ensure that the information is disseminated quickly and accurately to all interested media sources. When such a designation is made, the City Manager will notify the appropriate department director(s) and the Public Information Officer to forward all inquiries regarding the particular issue to the appointed spokesperson.

B. Media Contacts to Staff. Non-management employees shall refer media inquiries to their department heads. A department director may delegate an employee to respond to an inquiry because of her/his involvement with an event or issue. In such cases, the staff member should work with the department director and Public Information Officer before the interview to develop appropriate responses to anticipated questions.

C. City Council. Whenever possible, Council members are encouraged to notify the City Manager or Public Information Officer when they are approached by the media. Especially when having to respond to controversial issues, Council members are encouraged to review the issue with the City Manager and Public Information Officer to formulate their response.

D. Public Safety. The Disaster Director (City Manager or Assistant City Manager) will work with the Public Information Officer to develop media responses in the event of major emergencies and disasters. A more detailed description of emergency public information procedures are contained in the City's Standard Operating Procedures (SOP).

E. Police & Fire Issues. Whenever there is a fast-breaking story involving a major police/fire activity, the first media contact is the Police or Fire Chief or his/her designee, followed by the City Manager, public safety liaison and the Public Information Officer,.

Throughout the entire chain of responsibility, it is essential that each individual involved in providing information to the media is kept abreast and briefed on the status of the event as it occurs. The chain of command can be modified to expedite release of crucial information.

VII. **What to Do When Contacted by the Press**:

All media inquiries received by staff should be responded to as quickly as possible, keeping in mind the frequent deadlines that are often imposed upon the working media. Clerical staff should be instructed to give priority to media calls by alerting their respective department head of media inquiries.

A. Determine Nature & Focus of Story. It is important to determine the focus of the story as well as the specific information desired by the reporter. What may seem to be an "innocent" information request, oftentimes can turn out to be a front-page story, distorting the data supplied by the City. That's why it is always important to determine the reporter's focus and slant.

B. Notification Procedure. Any staff member (management or non-management) who responds to a media inquiry, provides an interview, appears on a radio or television program, etc., shall notify his/her immediate supervisor, the department director, the City Manager and the Public Information Officer either by phone or written memo.

Regarding controversial matters, the City Manager and/or Public Information Officer must be consulted before conducting the interview. This gives the spokesperson the opportunity to review anticipated questions and to formulate and properly position appropriate responses.

Departments which have on-going daily contact with the media are not required to follow the notification procedure for every media contact, only those which involve significant issues of concern.

VIII. **Media Etiquette**:

There are some very important "do's" and "don'ts" that should be observed in strengthening the relations between City Hall and the local media.

A. Responding to Council Actions. Staff should not publicly make judgmental comments regarding individual Council members, Council actions, City administration or official City policy when responding to media inquiries. Staff should also refrain from anticipating an action or position which has not been formally taken by the City Council or City. Any inquiry regarding "why" an individual Council member voted in a particular manner on a specific issue should be forwarded to the Council member in question.

B. Scope of Response. Staff members should not respond to media inquiries which are not directly related to carrying out the employee's professional responsibilities. If such a media inquiry is made, the staff members should assist the media in receiving the needed information by referring the source to the appropriate program manager or the Public Information Officer..

C. Inaccurate Information. The media should not be intentionally misled or provided inaccurate information by a staff member regarding any City policy or event. Such tactics can lead to "city bashing," media skepticism and unwanted investigations.

IX. **Public vs. Confidential Issues**:

Most City records and official City meetings are open to the public and media. The media are no more or less privileged than the general public in being provided access to City Council meetings and City records. While City operations need not be disrupted or extraordinary accommodations made to provide access to public records, it should be emphasized that adequate information provided to the media or the public is beneficial both to citizens and the City in carrying out its public information efforts.

A. Attendance at Meetings. The media and public are encouraged to attend and report on actions taken at Council meetings, study sessions, as well as regularly scheduled committee and commission meetings.

B. Closed Sessions. Public and media attendance is not allowed at closed Council sessions dealing with litigation, security, negotiations or personnel-related matters.

C. Public Records. The media and the general public shall be provided access to all records or proceedings which have been deemed to be of a public nature including:

1. Written and taped proceedings of City Council meetings, committee and commission meetings, special ad hoc committee meetings and public hearings.

2. Official City contracts and resolutions.

3. Public Safety summary, including the following information:

   a. crime reports
   b. booking information
   c. traffic collision reports
   d. fire reports (accidents causing death, injury, severe damage)
   e. fire inspection records for public assembly facilities

4. Salary grades of City employees, upon request.

5. FPPC/conflict of interest disclosure statements filed by the Council, commissioners and affected City staff.

6. Interoffice correspondence that is not in draft form and does not address a personnel or confidential legal matter.

D. Closed Records. City records that constitute an unwarranted invasion of individual privacy or involve confidential legal matters of City litigation are usually exempt from public disclosure. Such records include:

1. Personnel or medical records of City employees, including performance evaluations, background checks, disciplinary action, and such similar records.

2. Actual proceedings of closed Council sessions. (The media can be told whether the Council will be discussing a litigation or personnel issue.)

3. Preliminary labor negotiations leading up to labor contracts. Once executed, all employment contracts--both individual and union--become public records.

4. Certain police/fire records, including juvenile records, prior criminal records or information regarding the character or reputation of an accused individual in a criminal action; and certain fire investigation records.

5. Draft correspondence, including preliminary notes not yet finalized.

6. Records pertaining to pending City litigation in which the City is a party.

7. Confidential memos between the City Attorney and City officials/staff.

NOTE: In situations where there is a discrepancy or uncertainty on the part of a City employee regarding release of an official record to the media, the City Attorney should be contacted to make the final determination. Specific categories of records may be exempted by the Public Records Act.

E. Litigation Issues. Staff members shall not respond to media inquiries regarding an issue involving City litigation or render personal or legal opinions on City policies or activities. If an employee is in doubt, the City Attorney should be contacted for clarification before responding to a media inquiry.

X. **Correcting Misinformation**:

The City has an obligation to clarify or correct any information released by the media which contains inaccuracies or quotes taken out of context relating to a City issue.

A. Factual Discrepancies. The Public Information Officer shall contact the media when a story has been published or aired containing factual error which significantly impacts the public's perception of the issue being addressed. Managers are encouraged to notify the Public Information Officer immediately when they believe incorrect information is being communicated by the press regarding a City issue or program.

B. Editorial Discrepancies. Managers should contact the Public Information Officer when there is evidence that a specific editorial comment or news story has been published or aired which does not appropriately represent a balanced perspective of the issue being discussed. The City Manager, in consultation with the Public Information Officer, will determine when an official City rebuttal or response is appropriate.

C. Letters to the Editor. Department directors who believe an official City rebuttal is warranted regarding a news story should discuss the issue with the City Manager's Office. They will determine if a response is appropriate, as well as who should prepare and sign the letter. The City Manager must authorize and review all letters sent to editors on official City letterhead and/or by an employee who is acting in an official capacity commenting on City issues or programs.

D. Responding as Private Citizens. City employees who choose to contact, initiate or respond to City-related news stories as private citizens shall not prepare such responses on City time, by City phones, on City stationery, or mail at City expense. Responses or letters shall not state or imply that the response is on behalf of the City. Use of City facilities or supplies is prohibited. These guidelines also apply to employees responding to or initiating press contacts as official representatives of City-sanctioned employee groups.

XI. **Public Meeting Notification**:

Public notices are any printed official announcement which notifies the community of a scheduled public meeting or hearing. The announcement can take the form of a flyer, legal notice or form letter for mass distribution. A copy of all printed notices should be submitted to the City Manager's Office.

A. Public Meetings. Departments will be responsible for developing and disseminating notices announcing public meetings and hearings. Most affected are the City Clerk's Office, the Community Development Department, the Economic Development Department, the Redevelopment Agency, and the Public Works Department. The City Manager's Office will lend editorial graphics assistance in developing the notices.

B. Agenda Notification. City Council agendas shall be made available to the public prior to Council meetings at the City Clerk's Office, at public facilities designated by the Clerk and the City's Web site. Copies shall be made available to the news media at the City Clerk's Office.

XII. **Advertising**:

A. Display Advertising. The City Manager's Office coordinates development and placement of media advertising to promote City programs, services, events and issues. All requests for advertising must be

submitted to the City Manager's Office, which will coordinate copy development, graphic design and media placement with the requesting department. This policy does not apply to employment and legal advertising, which will be coordinated by the appropriate departments (i.e., Human Resources and City Clerk, respectively).

B. Public Service Announcement. The City Manager's Office is the central coordinator for developing and placing public service announcements with the broadcast media (radio, TV and cable). PSA spots are announced free by the media as a community service. Two-to-three-week lead times are desired by most stations. All requests for PSAs must be submitted to the City Manager's Office, which will coordinate copy development and placement with the requesting department.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

RECOMMENDED ACTION

Staff recommends that the City Council review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

BACKGROUND

The City of Moreno Valley is intent on moving quickly to improve the economic condition, development services, and quality of life within the community through a variety of methods.

Several actions have taken place to set this effort in motion:

1. March 22, 2011 - the City Council reviewed and provided input for an Economic Development Plan- Areas of Opportunity brought forth by the Community & Economic Development Department.

2. April 26, 2011 - the City Council adopted a 2-year Economic Development Action Plan targeting five key areas within the twelve Areas of Opportunity that have the potential for yielding the best and quickest near-term economic development benefits. These areas include TownGate, Centerpointe Business Park, South Moreno Valley Industrial Area, East Moreno Valley-Rancho Belago, and City Center. Included in the adoption of the 2-year Action Plan was the strategic decision of the re-sequencing of several Capital Improvement Program projects aimed at bolstering the economic development within the five focus areas.

Collectively, the objectives for the Economic Development Action Plan are 1) creating jobs and addressing the high unemployment rate; 2) addressing the jobs to housing imbalance; 3) strengthening and broadening the local economic base; and 4) enhancing City revenue generation.

3. June 14, 2011 - the City Council adopted the Prioritized Goals and Action Plan that was developed through the City Council Goal Setting workshop held on May 18, 2011. The adopted goals include: 1) Job Development; 2) Focus on further development of the Medical corridor and Health Services/ Educational Opportunities; 3) Maximize Transportation and Infrastructure Opportunities; 4) Economic and Tax Base Development; and 5) Enhance the City's Image.

4. July 12, 2011 - the City Council approved the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

DISCUSSION

To keep City Council and the general public properly informed, the attached documents provide an update of progress towards achievement of the objectives in the initiatives set forth among the five key Areas of Opportunity in the Economic Development Action Plan, along with implementation of the action steps aimed at making Moreno Valley a Best Place to do Business. Significant planning and substantial progress as been achieved in all five geographic areas contained in the Economic Development Action plan including:

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- East Moreno Valley- Rancho Belago
- City Center

To be as effective as possible, City staff from Economic Development has worked both internally with other departments as well as externally with the private sector and other public agencies to fully capitalize on near-term opportunities. As just one example of interdepartmental synergy, and in tandem with this Economic Development Action Plan Update, the City Manager's Office has developed and is proposing a Media and Communications Strategy containing elements that will serve to support and/ or expand the aspects of the approved action items listed in the Action Steps for Making Moreno Valley a Best Place to do Business. Staff, along with support from the Economic Development Subcommittee also continues to work hard at enhancing the development services process in Moreno Valley. A developer's workshop was held this past Spring and another will occur on October 6. The workshops are aimed at gathering feedback from developers (residential, office, industrial, and office) about ways to improve service delivery.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and polices to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Moreno Valley has a strategic location in the Inland Region and is clearly in the path of growth. City staff have taken several significant steps to enhance its economic base by pursuing ways for new commercial retail, office and industrial development. The five specified areas of opportunity focused within the proposed Economic Development Action Plan were selected because of location and potential for realizing success in the near-term development marketplace. Additionally, the Action Steps identified in the strategy to make Moreno Valley a Best Place to do Business are being implemented to further enhance the business and development environment in Moreno Valley. In a short period of time, Moreno Valley has made positive strides towards achieving the goals set forth in the approved and adopted plans. We will continue to pursue ways to make Moreno Valley a great place to live, visit, work in, and do business.

ATTACHMENTS/EXHIBITS

Attachment A- Economic Development Action Plan Update
Attachment B- Best Place to do Business Progress Update
Attachment C- PowerPoint – Economic Development Action Plan Update

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurs With:
Henry Garcia
City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129676

Attachment A

Economic Development Action Plan Update

The focus of the Economic Development Plan- Areas of Opportunity was to create a well-rounded community with a strong economic foundation. The Areas of Opportunity contain twelve distinct areas. To capitalize on near-term opportunities, the City Council adopted the Economic Development Action Plan which focuses on several key initiatives within five of the Areas of Opportunity to be pursued within a short- term, or 2 year timeframe.

The following reiterates the plan focus and current progress achieved by Areas of Opportunity.

TownGate

Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area, including pursuing new users for vacant big-box retail space in TownGate Center and the Moreno Valley Mall.

Significant progress has been made in TownGate. The collaborative work between City staff and Developers to attract quality retailers and restaurants has been successful.

- The following three restaurant openings have occurred: Five Guys Burgers & Fries, Panera Bread, and Village Café. Additionally, the Miru Teriyaki and Sushi restaurant opened as a relocation and repositioning of the San Sai restaurant. Anna's Linens completed their relocation to TownGate Crossings and is now open with an updated retail concept. Work is underway for other activity including a new TJ Maxx and HomeGoods combo store for TownGate Center to be located in the 51,000 square foot building that was previously occupied by Ralph's grocery store. Promising negotiations continue with several other retailers to occupy the other two vacant anchorspaces.

- To assist the effort to attract users for vacant retail space and create new energy in TownGate Center & Plaza, the Fritz Duda Company will be constructing a new 80 foot freeway sign to replace the existing 35 foot high freeway sign. This will enhance visibility and provide additional space to promote more tenants.

- In TownGate Promenade, the restaurant building that was 65% constructed to originally be Carino's Italian Grill is now poised for construction completion. The project lender, Farmers & Merchants Bank, is working with a proven restaurant group to locate and open a new restaurant concept here.

- At the Moreno Valley Mall, the new owner - CW Capital is working on plans to upgrade, expand and reposition the 1.25 million square foot regional mall property. Architect firm Altoon + Porter has been retained and has already created conceptual plans for new restaurant and retail store opportunities. While the planning is preliminary, it demonstrates the commitment by CW Capital to the overall improvements of the Moreno Valley Mall and resolve to make it a thriving commercial center. CW Capital has already invested more than $250,000 in signage and interior improvements. Negotiations are underway with several desirable users.

Centerpointe Business Park

Advance the development on several projects in the Centerpointe Business Park area.

- Harbor Freight Tools is nearing completion of improvements for a new 779,016 square foot Distribution Center that is scheduled to open in November 2011 and will employ 350 workers. Additionally, staff has worked with Harbor Freight Tools to open a new Harbor Freight Tools retail store this November in Moreno Valley Plaza.

- Overton Moore Properties recently re-started the plan check process (building and grading) for a new 519,760 square foot industrial building to be situated on 25.9 acres at the northwest corner of Cactus Avenue and Frederick.

- Ridge Property Trust is moving forward in the planning process for a 353,869 square foot distribution building on 16.55 acres at the northwest corner of Cactus Avenue and Joy Street.

South Moreno Valley Industrial Specific Plan Area

Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area.

- Construction is underway for the First Inland Logistics Center, a 691,960 square foot industrial building located on 40 acres in the area between Nandina Avenue and San Michele Road just west of Perris Boulevard. Building permits were issued in late July and the concrete slabs were poured in August. Walls are going up now. Developer – First Industrial Realty Trust has negotiations ongoing with several prospective tenants.

- IDS Real Estate group is moving quickly on the development of the Nandina Distribution Center located at the northwest corner of Nandina

Avenue and Indian Street. The project includes a total of 1.18 million square feet, with Building B- 769,320 square fee under construction, and Building A- 413,598 square feet, is currently in plan check for construction drawings and grading plans.

- Being open 1 year, iHerb is already expanding to occupy the entire 360,440 square foot building located on the west side of Indian Street, north of the Perris Valley Storm Drain. This expansion includes increasing the number of employees by 75.

- Harman Kardon has leased the remaining 125,000 square feet available in their 400,000 square foot building and is now expanding its Distribution Center in Moreno Valley.

- Four industrial-distribution buildings with a total of 3.6 million square feet are in plan check and moving towards beginning construction this year.

Eastern Moreno Valley-Rancho Belago Area

Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in eastern Moreno Valley, in conjunction with the expiration of the Moreno Highlands Specific Plan and supporting Development Agreement.

- Development Services Staff continues to work with Highland Fairview and Skechers USA to open the new 1.82 million square foot Distribution Center at the Highland Fairview Corporate Park. A Temporary Certificate of Occupancy currently is in place and the facility is expected to be fully operational by October 2011.

- Ridge Property Trust has gained approval of West Ridge Commerce Center- a 937,000 square foot warehouse/ industrial building on 55 acres on the south side of SR 60, west of Redlands Boulevard.

- Prologis has re-started the planning and EIR processing of its five-building 2,268,000 square feet industrial business park proposed for the south side of the SR 60 just east of the Moreno Valley Auto Mall.

- Staff is working closely with Highland Fairview on formulating an effective methodology for the further development of the Highland Fairview Corporate Park, including the processing of a new master plan to replace the Moreno Highlands Specific Plan, which expires in September 2012. Highland Fairview has assembled a team of respected consultants that has already met with City staff to kick-off the plan development for this new project.

City Center

Re-sequence and fast-track three Capital Improvement Projects in the City Center area—1) SR60 south ramps and extension of Eucalyptus to connect with Moreno Beach, 2) installation of ultimate improvements on Cactus Avenue, between Lasselle and Nason and 3) the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue, along with pursuing the idea of repositioning part of the Aqua Bella area to expand the City's established medical office overlay zone.

- Construction is on schedule for new ramps at SR 60/ Nason Street. The bid process will occur in spring 2012 for the new SR 60/ Nason Street bridge.

- The improvement project for installation of the new SR 60/ Moreno Beach southerly ramps, along with the extension of Eucalyptus Avenue to connect with Moreno Beach Drive has secured environmental clearance from CalTrans and is in the process of acquiring right of way and utility rights. Concurrently, project design is underway. The project is scheduled to advertise for construction bids in August 2012.

- The installation of the ultimate improvements on Cactus Avenue between Lasselle Street and Nason Street and the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue will be built as one project. Plans, specifications and estimates are underway and anticipated to be complete this fall enabling the opening of construction bids. Completion of construction is anticipated for December 2012.

- The City's medical overlay zone is being pursued by forming a partnership with Highland Fairview on the development of a new major medical, health and wellness campus on approximately 200 acres of the Aqua Bella property. The project, along with expansion plans for Kaiser Permanente's Community Hospital, Riverside County Regional Medical Center and Moreno Valley College's Allied Health Services Program will help transform and position Moreno Valley into a leading health and wellness community.

- Kaiser Permanente is advancing expansion plans for Moreno Valley. The Planning Commission approved a 74,000 square foot new medical building to be constructed on the west side of Moreno Valley Community Hospital- Kaiser Foundation on Iris Avenue. Construction drawings and grading plans are in plan check and Kaiser expects to start development of the project in October.

- The newly erected digital Moreno Valley Auto Mall freeway sign along SR 60 is up and looks great. The Moreno Valley Auto Mall is now expanding

as Moss Bros. Auto Group brings Volkswagen of America Inc. to the Auto Mall in October 2011.

- While struggling with challenges from the short-term construction activity at SR 60/ Nason, the ownership of Stoneridge Towne Centre- Weingarten Realty and Trilogy Investment Group are excited about the completion of the many improvements at SR 60 at Nason and Moreno Beach, along with roadway enhancements on Nason and Cactus that will facilitate easier access to the shopping center.

- Merlone Geier has secured interest from several prospective tenants for the vacant retail space at Moreno Beach Plaza II (SW corner of SR 60 and Moreno Beach Drive). With the coming improvements including the new SR 60/ Moreno Beach ramps and connection of Eucalyptus to Moreno Beach, the finalization of leases are underway.

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MV00129682

Attachment B

Best Place to do Business Progress Update

As part of the effort to improve the City's economic development effectiveness, a study of more than thirty communities was conducted to identify key attributes of successful cities. The items listed in the Best Place to do Business Action Steps approved by City Council in July 2011 were derived as a result of the study. After roughly 60 days post-approval of the Best Place to do Business Action Steps, City staff has made the following progress as outlined by Action Step.

Development Services

1. Implement the use of "E-Permitting" to accelerate the process of doing business in Moreno Valley.

Community & Economic Development Department staff and the Technology Services Division of the Financial and Administrative Services Department staff have begun discussions about identifying a scope of work, funding sources and timeframes. Technology Services is currently underway with the conversion of City electronic processes to the New World System and will be largely dedicated to the implementation of that project for the next 18 months. Staff will continue discussions and working towards completion of preliminary analysis to define the specific needs to be met by an "E-permitting" system for Development Services.

2. Host workshops with contractors and developers aimed at improving development processes in Moreno Valley.

The first 2011 Developer Workshop was held March 7. As a follow up and consistent with the effort to enhancing communication with contractors and developers and improving development processes, the second workshop is scheduled for October 6. A regularly quarterly schedule for 2012 will be established via the Economic Development Subcommittee.

3. Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business. A number of small businesses have utilized the project review process to help advance development an/ or expansion plans.

4. Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

This action is addressed in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Business Attraction

1. Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

Further ground work must be accomplished to solidify this area of the action steps to identify and create meaningful groups to provide a comprehensive plan that will address the goals described above.

However, the National Association of Industrial and Office Properties (NAIOP) Inland Empire Chapter offers a Bus Tour of key development projects in and around the Inland Empire. Members of this real estate organization range from developers, brokers and site selectors to financiers and corporate real estate leaders. Community and Economic Development Staff is working to ensure that Moreno Valley projects are highlighted on the November 3, 2011 tour. This will be an opportunity to communicate with the attending members about the opportunities for developers and tenant brokers.

Additionally, Community & Economic Development staff exhibited and attended the September 8-9, 2011 International Council of Shopping Centers (ICSC) Western Division Conference to market the City of Moreno Valley as an opportunity for tenants and developers. The Community & Economic Development Director held twenty-four meetings in two days promoting the City and solidifying deals.

2. Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Staff is gathering information from programs from other cities.

Business Retention and Expansion

1. Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

An expanded program to include direct participation by Moreno Valley businesses is under development and will be included as a report to City Council in the coming months.

2. Pursue ways to increase local vendor preference, including expanding existing procurement policy.

Staff is gathering information and is working toward the development of a vendor's fair.

3. Implement a quarterly meeting with local businesses and vendors to discuss business opportunities with the City.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

Business & City Connecting is the new program targeting businesses by Council District to engage businesses on a micro level. A meeting has been scheduled for each Council District. The first meeting took place September 14 in Council District 2 and will be followed by Council District 4 on November 9; Council District 3 on February 8, 2012; Council District 5 on April 11; and Council District 1 on June 13.

4. Enhance the Business Resource Guide.

The Business Resource Guide was updated and published in Spring 2011. The Guide is available online only to reduce costs for printing. Hyperlinks are used within the document online to make it easy for the user to find the desired resource. In addition to traditional promotion of the Guide (link on website main page; MVTV-3 Bulletin; and word of mouth via chamber partners) staff produced a small postcard sized promotional card as a take-away for the public. Cards are placed at public counters at City Hall and the Conference and Recreation Center and are distributed at Chamber of Commerce meetings and events.

Marketing and Communication

1. Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

2. Develop re-tooled marketing plan

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business. Because branding is ultimately an experiential affect on consumers or publics, the specific branding of the City will take place over time. Specific elements of the overall plan will be addressed as funding and staffing opportunities becomes available.

3. Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. The conversion of the printed version of City Link from a printed distribution to a monthly electronic newsletter is complete. However, plans for an economic development focused e-newsletter targeting real estate professionals and the business community are underway by Community and Economic Development staff. Timing for distribution will be carefully coordinated so as not to burden subscribed recipients.

4. Increase use of social media.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. As communications programs increase, the integration of simultaneous communications tools will become more commonplace.

5. Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business.

6. Explore use of Smartphone apps for improved communication and connectivity.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business

7. Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Community Vitality

1. Explore additional community events- things to do.
2. Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

July 26, 2011 City Council formed the July 4th Advisory Committee to make recommendations for improving the July 4th festivities as well as develop partnerships in the community to assist in its funding.

3. Enhance neighborhood groups by implementing community update meetings.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

On August 11 the first "Council Connection" Town Hall meeting was held. Future "Council Connection" meetings are scheduled through November by the City Manager's Office. Also, the Business & City Connecting program was launched September 14. The next meeting is scheduled for November.

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MV00129688

ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

September 2011

MORENO VALLEY
WHERE DREAMS SOAR

MV00129689

Accomplishments to Advance Economic Development

- Identification of Economic Development Areas of Opportunity
- Approval of Economic Development Action Plan
- Adoption and State Certification of Updated Housing Element recognizing need to address jobs to housing imbalance
- Approval of Action Steps to make Moreno Valley a "Best Place to do Business"

MV00129690

Accomplishments to Advance Economic Development

- City Council adopted the Prioritized Goals and Action Plan from City Council Goal Setting workshop
- Combining Planning, Building & Safety, and Land Development with Economic Development to create the Community & Economic Development Department
- Pursuing efforts to ensure the continuation of the City's Redevelopment Agency
- Collaborating with major Developers on advancing projects

MV00129691

Objectives for Economic Development

- Create jobs locally and address City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen and broaden the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

MV00129692

Economic Development Action Plan

Focusing on key initiatives to be provided in 2 years

TownGate

Centerpointe Business Park

South Moreno Valley Industrial Area

Eastern Moreno Valley – Rancho Belago

City Center

MV00129693

Action Plan
Areas of Opportunity

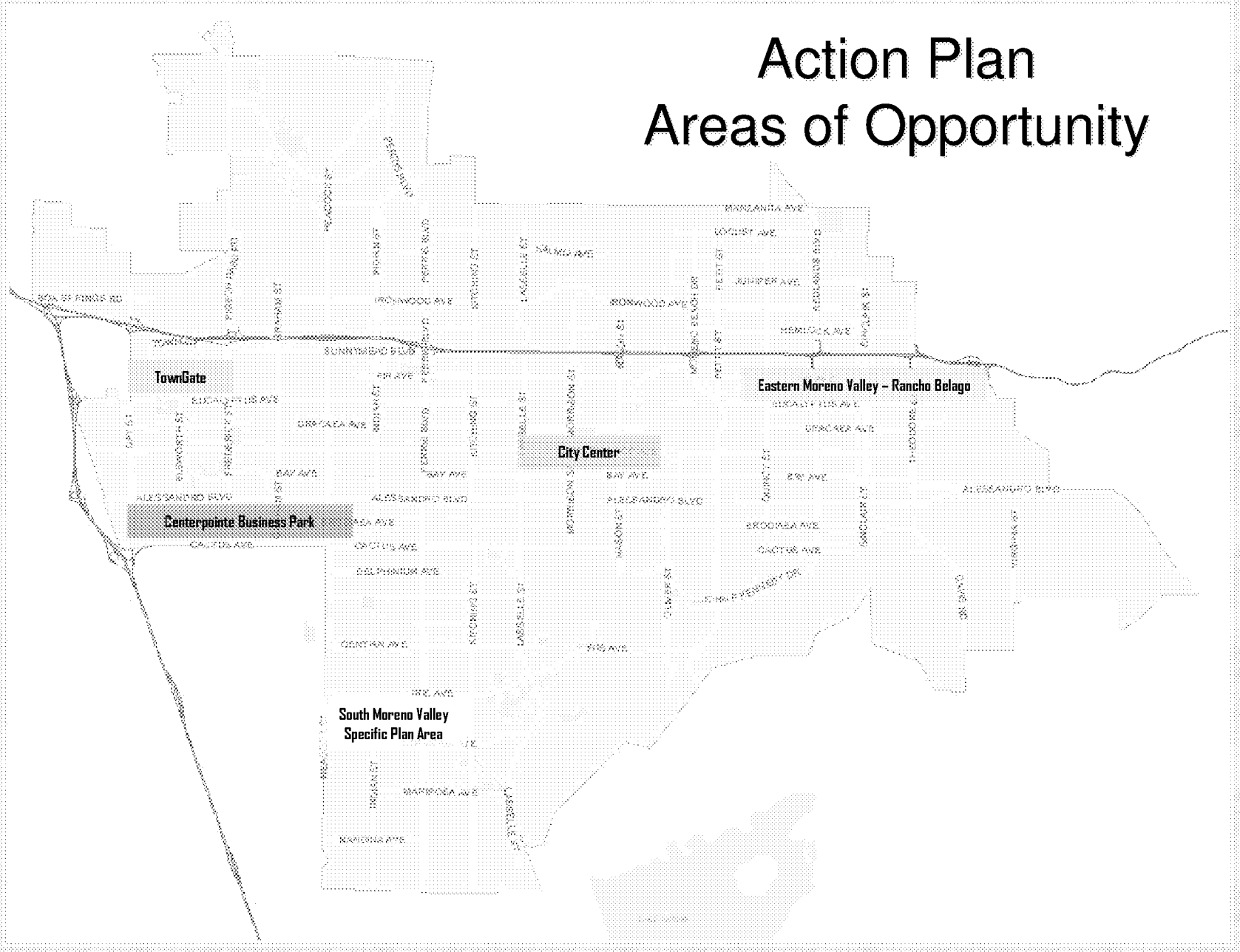

Key Initiatives of Action Plan

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area
- Advance the development of several projects in the Centerpointe Business Park
- Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in Eastern Moreno Valley- Rancho Belago area
- Re-sequence and fast-track three Capital Improvement Projects in the City Center Area

MV00129695

TownGate

- Recent openings for Five Guys Burgers & Fries, Panera Bread, Village Café and Anna's Linens
- TJ Maxx and HomeGoods combo store coming to TownGate Center
- Negotiations underway with three other users for TownGate Center

- Possible new restaurant group coming to former Carino's Italian Grill building in TownGate Promenade
- Approved new 80 foot sign for TownGate Center & Plaza along SR 60 to improve tenant promotion
- CW Capital, new owner of Moreno Valley Mall, retained Architect firm Altoon + Porter and has created exciting conceptual plans for expansion and repositioning
- Negotiations underway with several users for Moreno Valley Mall

MV00129696

Centerpointe Business Park

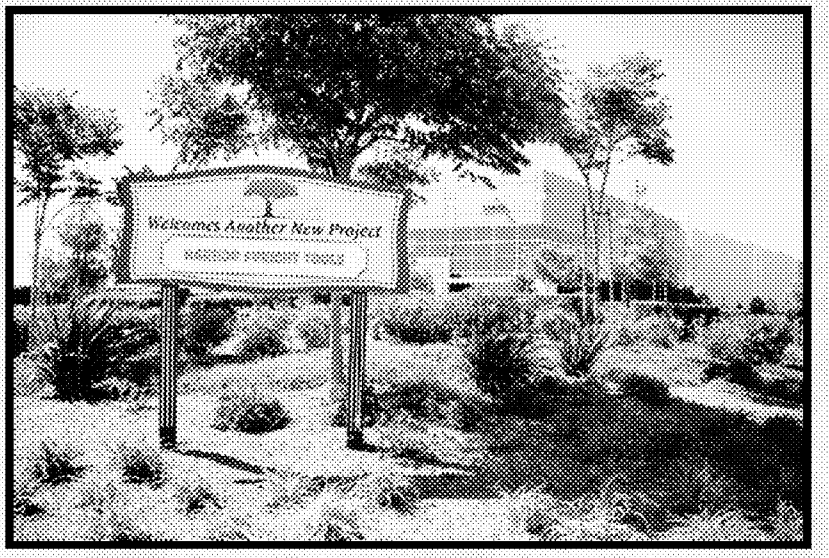

- Harbor Freight Tools
  - Will open new 779,016 s.f. Distribution Center in November 2011 at NWC of Cactus Avenue and Graham Street
  - 350 new jobs
- Overton Moore Properties
  - Re-started the grading plan check process for a new 519,760 s.f. industrial building at the NWC of Cactus Avenue and Frederick Street
- Ridge Property Trust
  - In Planning for a 353,869 s.f. industrial building at the NWC of Cactus Avenue and Joy Street

MV00129697

South Moreno Valley Industrial Area

- First Inland Logistics Center
  - First Industrial Realty Trust Inc.
  - 691,960 s.f.; Construction underway
- Nandina Distribution Center
  - IDS Real Estate Group
  - 1.18 million s.f. total
  - 769,320 square fee is under construction
  - 413,598 square feet is in plan check for construction drawings and grading plans.
- iHerb expansion
  - Will occupy entire 360,440 s.f.
  - Increase employees by as much as 75
- More Development Coming
  - Four Buildings with a total of 3.6 million s.f. in plan check

MV00129698

Eastern Moreno Valley-
Rancho Belago

- Skechers USA 90% occupied with full operations by October 2011

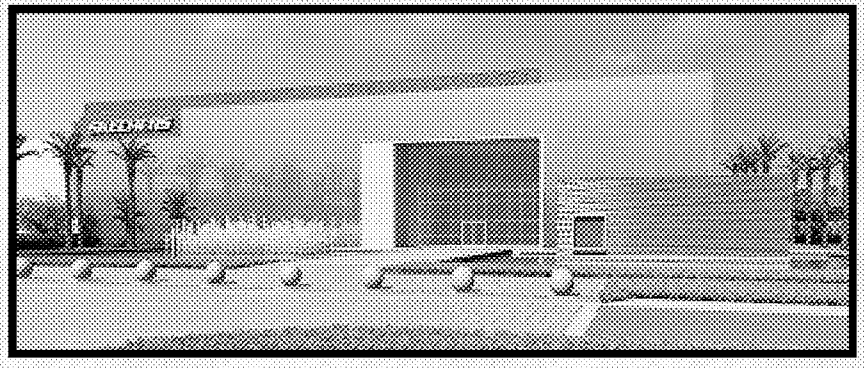

- Working with Highland Fairview on master plan to expand Highland Fairview Corporate Park

- Westridge Commerce Center approved 937,000 s.f. Distribution/logistics building on 55 acres

- Prologis is underway with planning and EIR processing of 2,268,000 s.f. industrial business park

MV00129699

City Center: Re-sequencing of CIP Projects

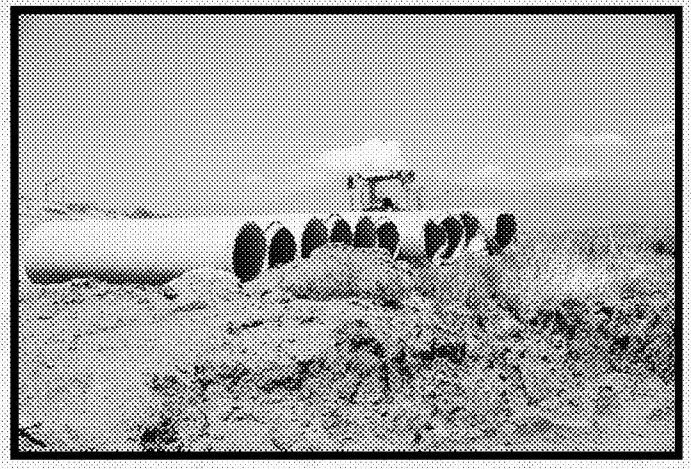

- Construction underway for SR 60/ Nason Improvements
- Installation of new SR 60 southerly ramps at Moreno Beach plus extension of Eucalyptus connecting with Moreno Beach
  - Has environmental clearance
  - In the process of acquiring right of way and utility rights and design is underway
  - Construction bid opening planned for Summer 2012
- Improvements on Cactus Ave. between Lasselle St. and Nason St.
- Extension of Nason St. southerly to connect Cactus Ave. with Iris Ave. will be built as one project
  - Plans, specifications and estimates are underway and anticipated to be complete this fall, ready to open the bid process
  - Construction completion anticipated for late 2012

MV00129700

City Center

- Advance the development of the City's medical overlay zone
  - Announcement of strategic partnership with Highland Fairview on the development of a new major medical, health and wellness campus on 200 acres of the Aqua Bella property
  - New CIP projects will help assist development of medical overlay area

- Kaiser Permanente's expansion plans
  - 74,000 s.f. new medical building
  - Construction drawings and grading plans were submitted in August 2011

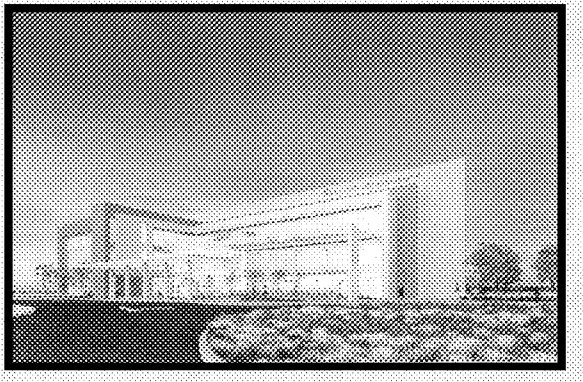

MV00129701

City Center

- Moreno Valley Auto Mall
  - Now expanding to welcome Volkswagen of America Inc.
  - New freeway sign installed

- Interest in re-occupancy of the three closed anchor spaces in Moreno Beach Plaza II
  - Any reuse of these spaces will be contingent on first connecting Eucalyptus to Moreno Beach

MV00129702

“Best Place to do Business” Action Steps

Development Services

Business Attraction

Business Retention and Expansion

Marketing and Communication

Community Vitality

MV00129703

Action Step Progress

- "E-permitting" to accelerate development service processes
  - Scope development
  - Funding identification
  - Timeframe
- Quarterly workshops with contractors and developers to improve development processes and communication
  - Second meeting set for October 6, 2011

MV00129704

Action Step Progress

- Creating synergy with industry groups
  - September 8-9, 2011ICSC Western Division Conference
  - November 3, 2011 NAIOP IE Bus Tour Event
- Shop MoVal campaign
  - Expanded program to include direct participation by local businesses
- Business Resource Guide
  - Online only guide
  - Improved marketing to include postcards at public counters and at business events

MV00129705

Action Step Progress

- Economic Development quarterly e-newsletter
  - Scope, content and graphic design underway
- Explore additional community events
  - July 4th Advisory Committee

MV00129706

Action Step Progress

- Proposed Media and Communications Strategy
  - Further develops several Action Steps
    - Consistent Communication
    - Website Audit
    - Re-tooled Marketing Plan
    - E-newsletter
    - Increase use of Social Media
    - Create Community Calendar
    - Explore use of Smartphone Applications
    - Feedback solicitation via survey
    - Enhance neighborhood groups with community updates
      - Council Connection
    - Quarterly meeting with local businesses and vendors
      - Business & City Connecting

MV00129707

Economic Development Strategy
Next Steps

Much More to Come….

MV00129708

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

RECOMMENDED ACTION

Staff recommends that the City Council introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

BACKGROUND

At the April 19, 2011 Study Session, the Mayor and City Council directed staff to move forward with proposing an ordinance regarding the spaying and neutering of dogs and cats.

California Health and Safety Code 122330 et seq. permits local government to enact ordinances taking appropriate action aimed at reducing and eliminating the uncontrolled and irresponsible breeding of dogs and cats. The irresponsible and uncontrolled breeding of dogs and cats leads to the overpopulation of these companion animals.

During FY 2010-11 the Moreno Valley Animal Shelter's animal population was represented by 60% of impounded dogs, 36% of impounded cats and 3% of other animal species (farm animals and wildlife). During FY 2010-11 the Moreno Valley Animal Shelter experienced an 8.9% increase in the number of animals impounded as compared to FY 2009-10. If this increase in animal impounds remains constant throughout FY 2011-12, the Moreno Valley Animal Shelter will expect to provide care for

approximately 12,000 animals. The Animal Services Division contracts with the City of Perris for animal sheltering. These numbers exclude animals impounded from the City of Perris.

DISCUSSION

The objectives of the proposed Mandatory Spay and Neuter ordinance:

- Reduce the number of homeless and unwanted companion animals by uncontrolled and irresponsible breeding.
- Reduce the number of companion animals being impounded at the Moreno Valley Animal Shelter.
- Reduce the euthanasia of unwanted companion animals.
- Reduce the tax burden of responsible pet owners.
- Require irresponsible pet owner to be held accountable.

The proposed ordinance will require pet owners to spay/neuter their dog or cat if the pet owner violated another local or state animal control regulation. Examples of a violation of a local or state animal control regulation would include an unlicensed dog, a leash law violation, nuisance animal noise or violation of other animal laws. The ordinance will not impact responsible pet owners who have licensed their pets, obey the leash laws and are in full compliance with existing regulations.

Municipal Code Section 10.02.100 currently requires a neuter deposit on all dogs and cats adopted from the Moreno Valley Animal Shelter if the animal is not already spayed or neutered. The majority of dogs and cats adopted from the Animal Shelter are spayed or neutered prior to the new owner taking possession of their new pet. Often dogs and cats too young to undergo a surgical sterilization procedure or pets exhibiting symptoms of illness where the clinic veterinarian deems the animal unfit for surgery are required to pay a spay-neuter deposit in the amount of $75.00. This fee is refunded to the new pet owner upon proof of sterilization. The proposed ordinance maintains the requirement of a spay-neuter deposit along with requiring dogs and cats in the City to be altered unless a specific exemption is applicable.

The proposed ordinance provides for specific exemptions to the mandatory spay and neuter with responsible pet owners. The proposed ordinance includes exemptions to pet owners with animal breeds recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by law enforcement or the military for law enforcement, military or rescue activities; a qualified service or assistance dog as defined in California Food & Agriculture Code Section 30850; and an animal medically qualified by a licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity. All of these exemptions are included in this Ordinance.

ALTERNATIVES

1) Adopt the proposed changes to Moreno Valley Municipal Code Section 10.02.100, and introduce Ordinance No. 833.
2) Direct staff to make changes to the proposed ordinance and return to a City Council meeting or Study Session on a later date with a revised ordinance.

3) Take no action. The existing ordinance will remain in effect.

FISCAL IMPACT

No significant fiscal impact is anticipated.

ATTACHMENTS/EXHIBITS

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129712

ORDINANCE NO. 833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE ADDED:

1.1 Section 10.02.100 of the Moreno Valley Municipal Code is hereby amended to read as follows:

~~Section 10.02.100 Neuter deposits for dogs and cats.~~

"Section 10.02.100 Mandatory Spaying and Neutering – Dogs and Cats

~~A. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

A. Requirement.

1. No person may own, keep, or harbor an unaltered and unsprayed dog or cat in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

~~B. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

B. Exemptions.

This section shall not apply to any of the following:

1. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.

2. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.

3. Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry.

4. A dog used by law enforcement or the military for law enforcement, military or rescue activities.

5. A qualified service or assistance dog as defined in California Food & Agricultural Code Section 30850.

6. Any animal medically qualified by a California licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

~~C. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any shall be deemed unclaimed and nonrefundable.~~

C. Denial or revocation of unaltered dog license and reapplication.

The Animal Services Division may deny or revoke an unaltered an unaltered dog license for one or more of the following reasons:

1. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section.

2. The Animal Services Division has received at least three complaints, verified by the department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;

3. The owner, custodian, applicant, or licensee has been previously cited for violating a State law, local ordinance or other municipal provision relating to the care and control of animals;

4. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Moreno Valley Municipal Code or under state law;

5. Any unaltered dog license held by the applicant has been revoked;

6. The license application is discovered to contain a material misrepresentation or omission of fact.

D. Re-application for unaltered dog license.

1. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Animal Services Division shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.

2. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.

E. Appeal of denial or revocation of altered dog license – Request for Hearing.

1. Notice of intent to deny or revoke. The Animal Services Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

2. Hearing officer. The hearing shall be conducted by the Animal Services Division Manager's designee.

3. Notice and conduct of hearing. The Animal Services Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the department's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Animal Services Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

4. Change in location of dog. If the dog is moved after the Animal Services Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Animal Services Division with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

F. Transfer, sale, and breeding of unaltered dog or cat.

1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license must appear on a document transferring the animal to the new owner.

2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the department of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers, if any, must appear on a document transferring the animal to the new owner.

G. Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

1. An administrative citation, infraction, or other such authorize penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog or cat; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.

2. Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.

H. When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

1. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to animal services personnel;

2. Have the dog or cat spayed or neutered by a veterinarian under contract with the Animal Services Division at the expense of the owner

or custodian. Such expense may include additional fees due to extraordinary care required;

3. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay a spay/neuter deposit to the Animal Services Division. The veterinarian shall complete and return to the department within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

4. At the discretion of the Animal Services Division Manager, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or

5. If the owner or custodian demonstrates compliance with this section.

I. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.

1. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Animal Services Division in accordance with this chapter.

J. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section, subsection (f) shall be paid to the Animal Services Division for the purpose of defraying the cost of the implementation and enforcement of this program.

K. No person shall be permitted to adopt any dog or cat, which has not been neutered, unless and until a spay / neuter deposit shall have been paid to the city. The spay / neuter deposit shall be as established from time to time by resolution of the city council in accordance with California Food and Agriculture Code Section 30503.

L. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.

M. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any, shall be deemed unclaimed and nonrefundable.

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.5

MV00129721

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MV00129722

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011, and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on August 23, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011 and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on August 23, 2011, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with

and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

Ordinance No. 830
Date Adopted: _____

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00129734

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

September 27, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00129735

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
September 27, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Verizon Donation to the Moreno Valley Black Chamber of Commerce Community Foundation Family Adult Literacy Program and Technology (FALPT)

2. American Public Works Association (APWA) 2010 Project of the Year Award – Kitching Street Improvements Project

3. Recognition of Moreno Valley Rockets Field and Track Team

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
SEPTEMBER 27, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor James Samples - New Life Christian Fellowship

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF SEPTEMBER 6, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 APPROVAL OF CHECK REGISTER FOR JULY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

Resolution No. 2011-97

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of July, 2011

A.5 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT - PROJECT NO. 10-12272227 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc.;

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50

base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

A.6 TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRAN LOU DRIVE BETWEEN PERRIS BOULEVARD AND KITCHING STREET - DEVELOPER: LCTH INVESTMENT LP, NEWPORT BEACH, CA 92660 (Report of: Community and Economic Development)

Recommendation:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor Bond associated with Tract 20185 for public improvements; and

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

A.7 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324;

Resolution No. 2011-98

A Resolution of the City Council of the City of Moreno Valley, California, ordering the Vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3:

Section 8325;

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way); and

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

A.8 SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction;

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB;

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

A.9 ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT (Report of: Public Works Department)

Recommendation:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.; and

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

A.10 FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND COUNTY OF RIVERSIDE (Report of: Police Department)

Recommendation:
Adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

A.11 ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

A.12 APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST. (Report of: Human Resources Department)

Recommendation:

Adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

Resolution No. 2011-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the California Government Voluntary Employee Beneficiary Association (Calgoveba) Trust

A.13 PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011; DEVELOPER: FIRST INDUSTRIAL, L.P. A DELAWARE LIMITED PARTNERSHIP, EL

SEGUNDO, CA. 90245 (Report of: Community and Economic Development Department)

Recommendation:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011; and

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM (Report of: Parks and Community Services Department)

Recommendation:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year; and

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

Recommendation:
Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING (POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT) (Report of: City Clerk's Department)

Recommendation: That the City Council:
Conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

G.2 MEDIA AND COMMUNICATIONS STRATEGY (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the proposed Media and Communications Strategy.

G.3 ECONOMIC DEVELOPMENT ACTION PLAN UPDATE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

G.4 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

Ordinance No. 833

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 10.02.100 of the City of Moreno Valley Municipal Code Relating to the Mandatory Spay and Neuter of Dogs and Cats

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00129748

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 13, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the 10th Anniversary of 9-11
2. Constitution Week - September 17 - 23, 2011
3. Recognition of Moreno Valley Diamond Girls Softball Association
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 13, 2011

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:43 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Bishop Randy Triplett - Victory Temple of Deliverance Ministries

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Daryl Terrell (A9), Oscar Valdepena (A9), and received late was Chris Baca (A12).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of August 17 - September 6, 2011.

A.4 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (ALSO LISTED AS ITEM B.3) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35)

calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.5 REPLACEMENT OF PLAY STRUCTURES AND PLAYGROUND SURFACING AT RIDGECREST PARK, GATEWAY PARK, AND SUNNYMEAD PARK (Report: Parks and Community Services Department

Recommendation:

1. Award to Miracle Recreation Equipment Company, 878 E Hwy 60, Monett, MO 65708 for material and labor to replace play structures and playground surfacing at Ridgecrest Park, Gateway Park and Sunnymead Park; waive Faithful Performance and Material and Labor bonds; and

2. Authorize the Purchasing Manager to execute a purchase order in an amount not to exceed $242,994.95 as appropriated in FY11/12, in account code 461.65329.7500.

A.6 OFFER OF DEDICATION FOR RIGHT OF WAY FOR APN 475-272-054 - IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication for right of way for APN 475-272-054; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.7 MORRISON PARK FIRE STATION - OFFER OF DEDICATION - PROJECT NO. 11-43472527 LOCATED ON MORRISON STREET NORTH OF COTTONWOOD AVENUE (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Morrison Street north of Cottonwood Avenue; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR

THE LASSELLE/MARGARET TRAFFIC SIGNAL - PROJECT NO. 10-12566630 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Traffic Signal Improvements on Lasselle Street at Margaret Avenue Intersection to J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with J.F.L. Electric, Inc.;

3. Authorize the issuance of a Purchase Order to J.F.L. Electric, Inc. for a total amount of $211,660.00 ($176,382.63 base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with J.F.L. Electric, Inc., up to but not to exceed the Purchase Order's total contingency of $35,277.37, subject to the approval of the City Attorney.

A.9 ADOPT A RESOLUTION APPROVING A ONE-TIME BUSINESS LICENSE TAX AMNESTY PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve Resolution No. 2011-94 creating a one-time Business License Amnesty Program waiving the penalties and interest due on delinquent Business License Taxes and Fees; and

Resolution No. 2011-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a One-time Business License Tax Amnesty Program

2. Direct staff to continue to collect the Business License Tax and Fees for the three most recent delinquent years as provided in the existing ordinance.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE MORRISON PARK FIRE STATION (FIRE STATION 107) -- PROJECT NO. 11-43472527 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for $3,628,688 to Silver Creek Industries, 195 E. Morgan Street, Perris, CA 92571, the lowest responsible bidder, for construction of the Morrison Park Fire Station;

2. Authorize the City Manager to execute the Agreement with Silver Creek Industries;

3. Authorize the issuance of a Purchase Order to Silver Creek Industries for $4,354,426 ($3,628,688 bid plus 20% contingency) for construction of the Morrison Park Fire Station from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Silver Creek Industries up to, but not exceeding, the contingency amount of $725,738, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

A.12 CALIFORNIA OFFICE OF TRAFFIC SAFETY "SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES" GRANT (Report of: Police Department)

Recommendation:
Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Mini-Grant Program for Local Law Enforcement Agencies" in the amount of $72,340.27 for the period beginning November 1, 2011, and ending September 4, 2012.

A.13 APPROVE TEMPORARY LAND USE LICENSE AGREEMENT BETWEEN MORENO VALLEY COLLEGE AND THE CITY OF MORENO VALLEY FOR THE USE OF CITY PROPERTY FOR A CONSTRUCTION STAGING AREA LOCATED AT THE NORTHEAST CORNER OF LASSELLE STREET AND COLLEGE DRIVE (Report of: Community and Economic Development Department)

Recommendation:
1. Approve the Temporary Land Use License Agreement between Moreno Valley College and the City of Moreno Valley for the use of existing City-owned property at the northeast corner of Lasselle Street and College Drive;

2. Authorize the Mayor to execute the Agreement; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (AGENDA ITEM ALSO LISTED AS A.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.12) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Motion to Approve Joint Consent Calendar Items A.1 through D.2. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

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

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
After conducting the Public Hearing and accepting public testimony:

a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

b. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation a. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church NPDES "Yes", Passed

Buddhadhammo Temple NPDES "Yes", Passed

Motion to Approve Recommendations b, c, and d by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

2. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

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

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charges to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation 1. by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church CSD Zone M "Yes", passed

Buddhadhammo Temple CSD Zone M "Yes", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

E.3 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in its capacity as the President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:
   Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tract 31129;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tract 31129.

Motion to Approve Recommendation 1 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:
Tract No. 31129 Zone D "24 Yes"; "19 No"; "1 Invalid", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Mayor Pro Tem Mayor Pro Tem Jesse L. Molina Report on Riverside Transit Agency (RTA)

Mayor Pro Tem Jesse L. Molina reported on RTA holiday events as follows:

November 5, Perris Veteran's Day Parade

November 11, Murrieta Veteran's Day Parade

November 17, Riverside County Safe House - Stuff the Bus

November 25, Riverside Festival of Lights - Switch On Ceremony and Spark the Love Stuff the Bus

December 2, Temecula Electric Light Parade

December 3, Hemet Holiday Parade

Mayor Pro Tem Jesse L. Molina encouraged Moreno Valley to get involved.

G.2 APPOINTMENT TO THE PLANNING COMMISSION (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint one (1) member for a term expiring March 31, 2013; or

2. If the appointment is not made, authorize the City Clerk to re-notice the position as vacant.

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

Motion to Appoint Jeff Giba by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.3 APPROVAL OF A RESOLUTION SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE COUNCIL CHAMBER (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Approve Resolution No. 2011-95 supporting the display of the national motto "In God We Trust" in the Council Chamber, and

Resolution No. 2011-95

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Display of the National Motto "In God We Trust" in the Council Chamber

2. Direct staff to display the motto "In God We Trust" in the Council Chamber.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Tom Jerele Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.4 ADOPT RESOLUTION 2011-96, AUTHORIZING THE STREET NAME CHANGE OF CACTUS AVENUE TO MARCH MEMORIAL DRIVE FROM THE CITY'S WESTERN CITY LIMIT TO HEACOCK STREET (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-96, thereby changing the street name of Cactus Avenue to March Memorial Drive from the City's western city

limit to Heacock Street;

Resolution 2011-96

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Cactus Avenue to March Memorial Drive from the City's Western City Limit to Heacock Street

2. Direct the City Clerk to certify Resolution No. 2011-96 and transmit a copy of the resolution to the Riverside County Assessor's office, 911 Management at the Riverside County Sheriff's Department, as well as the Police Chief, Fire Chief, City Building Official, and the United States Postmaster at Moreno Valley, California;

3. Establish trust fund account number 00359.359.2239.15 for all expenditures and deposits related to the renaming of Cactus Avenue; and

4. Accept a donation from Donald E. Ecker in the amount of $43,569.90 to cover the expenditures associated with renaming Cactus Avenue to March Memorial Drive from the City's western city limit to Heacock Street.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Motion to Approve the name change from Cactus Avenue and accept donation for 43,569.90 from March Life Care by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 4-1, Mayor Pro Tem Jesse L. Molina opposed.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE

ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Continue Items H.2.1 and H.2.2 to September 27, 2011 City Council Meeting by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pete Bleckert

1. Voting on West Ridge Commerce Center Project

Tom Jerele

1. Spoke on fire in Sundance Building, commending Fire Department Personnel

Deanna Reeder

1. Support for Redistricting

Marcia Amino

1. Transperancy in Government

Jose Chavez

1. Check Points

Daryl Terrell

1. Stimulating our Local Economy

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

Council Member William H. Batey II

1. Complimented Tom Jerele for his comments on Fire Department.

Council Member Marcelo Co

1. Thanked participants for coming to Redistricting meeting, although not many turned out, he encouraged more to attend on Thursday.

Council Member Robin N. Hastings

1. Regarding parking at college and losing 300 parking spots. Temporary fix with an agreement worked out to help with parking, which would eliminate students taking up parking in front of mail boxes or residents homes.

2. Support for softball fields and lighting at ball fields.

3. Attended 9/11 Ceremony at March at 9:11 a.m. stating it was phenomenal.

4. Request camera's for October Fest

5. Redistricting

Mayor Pro Tem Jesse L. Molina

1. Redistricting information provided in Spanish on behalf of Chris Baca and himself.

Mayor Richard A. Stewart

1. Redistricting information

2. Developer Lunch with Ridge

3. Police Department - several good burglary arrests and a couple of robberies.

4. Five Guys Burger - Good

CLOSED SESSION - Cancelled

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY:

City Attorney announced reportable action from September 6, 2011 Closed Session:

City Council voted 5-0 to authorize the City Attorney to commence receivership on two properties under Government Code 54957.1, the particulars will be reported out when action commences; and the parties have been served.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:51 p.m. by unanimous informal consent. by m/Mayor Richard A. Stewart, s/Council Member William H. Batey II Approved by a vote of 5-0.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MINUTES
SPECIAL JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY

SPECIAL MEETING – 6:00 P.M.
SEPTEMBER 6, 2011

CALL TO ORDER - The Special Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION - Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
Marcelo Co	Council Member
William H. Batey II	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Rick Teichert	Financial & Administrative Services Director
Robert Hansen	City Attorney
Henry Garcia	City Manager
Michelle Dawson	Assistant City Manager
Chris Vogt	Public Works Director/City Engineer
Barry Foster	Economic Development Director
John Terell	Planning Official

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Mayor Pro Tem Jesse L. Molina pulled his motion (made at the August 23, 2011 meeting), Council Member Marcelo Co pulled his second.

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

Rebuttal by applicant Dennis Rice, President of Ridge Property Trust

Conditions of approval have been amended as follows to further enhance the WestRidge Commerce Center project:

1. Ridge Property Trust will add approximately 50% more glass to the building and match the color of the glass with Skechers glass color, and change the building's paint colors to more closely tie with Skechers.
2. Ridge Property Trust will add solar energy or some other cleaner alternative energy source (such as a micro-turbine) to power the office portion of the facility.
3. Ridge Property Trust will pay DIF fees at the "full rate" of $1.862/building SF. The current rate for DIF fees is discounted 50% from the full rate.
4. The building will be LEED certified. The WestRidge roof structure will be sized to carry the load of solar panels if a future tenant desires to use solar energy to power all or a portion of the building. Ridge Property Trust, will make available solar or other cleaner alternative energy source to power the office portion of the facility.
5. Ridge Property Trust will increase the tree box size to 36" (from the current 24" tree boxes) for the entire freeway frontage landscaping of the WestRidge project. This

will match the tree box size for the trees planted along the freeway in front of Skechers.

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned to Closed Session at 6:39 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

enl

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JULY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in both the adopted FY 2010-11 and FY 2011-12 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-97
Check Register for Month of July, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JULY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period July 1, 2011 through July 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period July 1, 2011 through July 31, 2011, in the total amount of $11,090,197.25 is approved.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/5/2011	208529	39,425.62		
				REHAB COSTS-24330 MT RUSSELL	16,478.95
				REHAB COSTS-13651 LITTLER CT	22,946.67
	Vendor Total		**39,425.62**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCELA				Remit to: **SAN RAMON**	**CA**
	7/18/2011	883164	79,202.49		
				PP MAINT CLIENT SERVER	4,705.86
				PP MAINT WORKFLOW	3,625.95
				PP MAINT OFFICE LINK	525.39
				PP MAINT ACCELA GIS	10,142.70
				PP MAINT ACCELA WIRELESS	15,333.81
				PP MAINT ACCELA WIRELESS ONLIN	5,623.52
				PP MAINT CONNECT EST. 10891	4,419.76
				PP MAINT PERMITS PLUS	34,825.50
	Vendor Total		**79,202.49**		
FYTD for ACCELA			**79,202.49**		
AECOM TECHNICAL SERVICES INC				Remit to: **ONTARIO**	**CA**
	7/25/2011	208813	34,689.62		
				PERRIS BLVD WIDENING PROJ	34,689.62
	Vendor Total		**34,689.62**		
FYTD for AECOM TECHNICAL SERVICES INC			**34,689.62**		
AFTERSCHOOL STORE.COM				Remit to: **PALMDALE**	**CA**
	7/25/2011	208814	49,254.26		
				AFTERSCHOOL SNACKS-STARS PRGM	37,400.26
				AFTERSCHOOL SNACKS-STARS PRGM	11,854.00
	Vendor Total		**49,254.26**		
FYTD for AFTERSCHOOL STORE.COM			**49,254.26**		
ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	7/11/2011	208633	256,508.61		
				SR-60/NASON ST INTRCHNG PROJ	205,206.89
				SR-60/NASON ST INTRCHNG PROJ	51,301.72
	7/19/2011	110704	28,500.96		
				RETENTN PMT PER ESCRW AGREEMNT	28,500.96
	Vendor Total		**285,009.57**		
FYTD for ALL AMERICAN ASPHALT, INC.			**285,009.57**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEADOR CONSTRUCTION COMPANY, INC			Remit to: **CORONA**	**CA**
7/18/2011	208732	182,970.00		
			BRIDGE REPAIR MAINT PRGM SVCS	182,970.00
	Vendor Total	**182,970.00**		
FYTD for BEADOR CONSTRUCTION COMPANY, INC		**182,970.00**		
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
7/11/2011	883138	29,428.60		
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E3	10,625.00
			LANDSCAPE MAINT-E3A	1,000.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	513.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	1,272.00
	Vendor Total	**29,428.60**		
FYTD for BEMUS LANDSCAPE, INC.		**40,176.27**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
7/25/2011	883192	35,112.31		
			LEGAL SERVICES-HR	96.31
			LEGAL SERVICES-HR	1,824.00
			LEGAL SERVICES-HR	4,674.00
			LEGAL SERVICES-HR	28,518.00
	Vendor Total	**35,112.31**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**35,112.31**		
COUNTY OF RIVERSIDE AUDITOR			Remit to: **RIVERSIDE**	**CA**
7/18/2011	208745	27,074.71		
			PARKING CONTROL FEES	1,596.00
			PARKING CONTROL FEES	25,478.71
7/25/2011	208831	25,971.42		
			PARKING CONTROL FEES	1,050.00
			PARKING CONTROL FEES	10,132.79
			PARKING CONTROL FEES	14,788.63
	Vendor Total	**53,046.13**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**53,046.13**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
7/25/2011	883195	27,550.67		
			CITATION PRCSSNG SVCS-CODE	13,851.06
			CITATION PRCSSNG SVCS-CODE	13,699.61
	Vendor Total	**27,550.67**		
FYTD for DATA TICKET, INC.		**32,235.28**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DDL TRAFFIC				Remit to: **CHINO HILLS** **CA**	
	7/5/2011	208547	32,274.83		
				GLOBAL OPTICOM PHASE	11,000.00
				GLOBAL OPTICOM PHASE	962.50
				SPEED CONTROL RADAR	18,678.00
				SPEED CONTROL RADAR	1,634.33
	Vendor Total		**32,274.83**		
FYTD for DDL TRAFFIC			**32,274.83**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/18/2011	208751	63,562.53		
			WATER CHARGES	101.54
			WATER CHARGES	202.16
			WATER CHARGES	2,884.80
			WATER CHARGES	36.00
			WATER CHARGES	3,493.45
			WATER CHARGES	104.72
			WATER CHARGES	21,293.70
			WATER CHARGES	2,269.79
			WATER CHARGES	10,030.38
			WATER CHARGES	7,534.75
			WATER CHARGES	2,356.80
			WATER CHARGES	6,330.92
			WATER CHARGES	1,234.13
			WATER CHARGES	1,824.23
			WATER CHARGES	73.45
			WATER CHARGES	905.72
			WATER CHARGES	223.09
			WATER CHARGES	549.02
			WATER CHARGES	405.55
			WATER CHARGES	262.42
			WATER CHARGES	648.50
			WATER CHARGES	797.41
7/26/2011	208880	60,290.62		
			WATER CHARGES	1,431.07
			WATER CHARGES	995.31
			WATER CHARGES	732.41
			WATER CHARGES	828.03
			WATER CHARGES	17,551.05
			WATER CHARGES	3,002.77
			WATER CHARGES	3,404.47
			WATER CHARGES	5,350.41
			WATER CHARGES	11,151.43
			WATER CHARGES	603.95
			WATER CHARGES	302.14
			WATER CHARGES	2,544.37
			WATER CHARGES	3,842.79
			WATER CHARGES	2,358.00
			WATER CHARGES	1,506.22
			WATER CHARGES	522.99
			WATER CHARGES	107.29
			WATER CHARGES	287.95
			WATER CHARGES	649.87
			WATER CHARGES	2,511.70
			WATER CHARGES	606.40
	Vendor Total	**123,853.15**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		

City of Moreno Valley

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For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
7/1/2011	2890	41,848.13		
			STATE INCOME TAX W/H 7/1/11	41,848.13
7/15/2011	2900	32,708.26		
			STATE INCOME TAX W/H 7/15/11	32,708.26
7/29/2011	2908	30,988.67		
			STATE INCOME TAX W/H 7/29/11	30,988.67
	Vendor Total	**105,545.06**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
7/18/2011	883171	143,882.08		
			SVCS FOR ELECTRIC UTILITY	137,928.50
			SVCS FOR ELECTRIC UTILITY	9,435.00
			SVCS FOR ELECTRIC UTILITY	-3,664.42
			SVCS FOR ELECTRIC UTILITY	183.00
7/25/2011	883196	141,641.54		
			DISTRIBUTION CHRGS	95,521.08
			SPECIAL CHRGS	7,684.96
			BAD DEBT REDUCTION	-2,271.00
			ONLINE UTILITY EXCHANGE	207.30
			SVCS FOR ELECTRIC UTILITY	40,499.20
	Vendor Total	**285,523.62**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**308,796.21**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON** **CA**	
7/25/2011	208840	93,132.14		
			SHADOW MTN PARK LIGHTING PROJ	64,456.34
			SHADOW MTN PARK RESTROOM PROJ	28,675.80
	Vendor Total	**93,132.14**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**93,132.14**		
FUSION SIGN AND DESIGN, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208842	28,050.00		
			SIGNS INSTALLATION-TRANSP	6,138.00
			FREESTANDING COMM ID SIGN	10,022.36
			LIGHT POLE MTD COMM ID SIGN	2,285.61
			LIGHT POLE MTD ID BANNERS	4,021.70
			FREESTANDING AMENITY DIR SIGN	2,794.71
			LIGHT POLE MTD AMNTY DIR SIGN	1,024.59
			CA SALES TAX	1,763.03
	Vendor Total	**28,050.00**		
FYTD for FUSION SIGN AND DESIGN, INC		**28,050.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
7/21/2011	208810	215,802.45		
			MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
	Vendor Total	**215,802.45**		
FYTD for H & H GENERAL CONTRACTORS		**215,802.45**		
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
7/18/2011	883177	206,300.38		
			DAY ST IMPRVMNTS PROJ SVCS	76,729.40
			DAY ST IMPRVMNTS PROJ SVCS	129,570.98
	Vendor Total	**206,300.38**		
FYTD for HILLCREST CONTRACTING, INC		**206,300.38**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
7/15/2011	2898	33,541.75		
			DEF COMP 457 7/15/11	33,541.75
	Vendor Total	**33,541.75**		
FYTD for ICMA RETIREMENT CORP 457		**42,062.58**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2889	175,259.79		
			FED INCOME TAX W/H 7/1/11	175,259.79
7/15/2011	2899	126,161.58		
			FED INCOME TAX W/H 7/15/11	126,161.58
7/29/2011	2907	121,341.76		
			FED INCOME TAX W/H 7/29/11	121,341.76
	Vendor Total	**422,763.13**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
JTB SUPPLY CO., INC.			Remit to: **ORANGE** **CA**	
7/18/2011	883178	49,274.63		
			MEYERS BATTERY BACKUP	7,550.00
			MP2000 BATTERY BACKUP UNITS	14,950.00
			250W HPS LUMINAIRES W/NO PEC	1,550.00
			DIALIGHT 12" LED RED ARROW	1,200.00
			DIALIGHT 12" LED RED BALL	1,200.00
			DIALIGHT 12" LED GREEN ARROW	900.00
			DIALIGHT 12" LED GREEN BALL	1,480.00
			DIALIGHT ITE CNTDWN MODULES	15,580.00
			NEMA CONFLICT MONITOR 12 CHNL	900.00
			CALIF SALES TAX	3,964.63
	Vendor Total	**49,274.63**		
FYTD for JTB SUPPLY CO., INC.		**64,456.14**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/11/2011	208675	26,820.19		
				REHAB COSTS-15438 CASA GRANDE	26,820.19
	7/25/2011	208850	30,554.31		
				REHAB COSTS-13150 KIOWA DR	30,554.31
	Vendor Total		**57,374.50**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA** **CA**	
	7/11/2011	883148	156,561.99		
				DEMO/INSTLL PARK PLAY EQUIPMNT	133,097.93
				CA SALES TAX	4,235.47
				DEMO/INSTLL PARK PLAY EQUIPMNT	17,681.46
				CA SALES TAX	1,547.13
	Vendor Total		**156,561.99**		
FYTD for MIRACLE PLAYGROUND SALES			**156,561.99**		
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/18/2011	208771	77,145.82		
				ELECTRICITY	134.12
				ELECTRICITY	1,820.60
				ELECTRICITY	261.88
				ELECTRICITY	576.89
				ELECTRICITY	16,750.54
				ELECTRICITY	15,316.06
				ELECTRICITY	4,685.80
				ELECTRICITY	9,926.95
				ELECTRICITY	1,590.67
				ELECTRICITY	3,540.92
				ELECTRICITY	11,772.97
				ELECTRICITY	7,439.89
				ELECTRICITY	204.84
				ELECTRICITY	124.87
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	165.10
				ELECTRICITY	119.57
				ELECTRICITY	2,537.21
	Vendor Total		**77,145.82**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/15/2011	2896	89,191.65		
			DEF COMP 457 & 401(A) 7/15/11	89,191.65
7/29/2011	2904	25,173.70		
			DEF COMP 457 & 401(A) 7/29/11	25,173.70
	Vendor Total	**114,365.35**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NEW WORLD SYSTEMS, CORP			Remit to: **TROY** **MI**	
7/5/2011	208587	270,090.00		
			LOGOS 2011 EXEC CUSTOMER CONF.	1,890.00
			FM, HR/PY SOFTWARE LIC EFF DT	158,520.00
			SOFTWARE ESCROW SET-UP FEE	3,000.00
			SOFTWARE ESCROW ANNL ADMIN FEE	1,000.00
			FM, HR/PY SFTWARE LIC DELIVERY	105,680.00
	Vendor Total	**270,090.00**		
FYTD for NEW WORLD SYSTEMS, CORP		**270,090.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
7/11/2011	208684	130,384.06		
			ENERGY SVCS	130,384.06
	Vendor Total	**130,384.06**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**130,384.06**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
7/8/2011	110701	210,279.00		
			EMPLOYEE HEALTH INS 7/8/11	210,279.00
	Vendor Total	**210,279.00**		
FYTD for PERS HEALTH INSURANCE		**210,279.00**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
7/8/2011	2891	198,533.34		
			PERS RETIREMENT 7/1/11	198,533.34
7/22/2011	2901	221,172.56		
			PERS RETIREMENT 7/22/11	221,172.56
	Vendor Total	**419,705.90**		
FYTD for PERS RETIREMENT		**419,705.90**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PSOMAS				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208855	46,977.50		
				SR-60/NASON INTRCHNG PROJ SVCS	9,726.42
				SR-60/NASON INTRCHNG PROJ SVCS	1,260.16
				SR-60/NASON INTRCHNG PROJ SVCS	18,604.14
				SR-60/NASON INTRCHNG PROJ SVCS	2,410.36
				SR-60/NASON INTRCHNG PROJ SVCS	13,258.62
				SR-60/NASON INTRCHNG PROJ SVCS	1,717.80
	Vendor Total		**46,977.50**		
FYTD for PSOMAS			**46,977.50**		
RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	883151	450,141.45		
				IRONWOOD AVE/STORM DRAIN PROJ	182,929.10
				IRONWOOD AVE/STORM DRAIN PROJ	74,607.10
				IRONWOOD AVE/STORM DRAIN PROJ	28,885.50
				IRONWOOD AVE/STORM DRAIN PROJ	20,720.82
				IRONWOOD AVE-DAY TO BARCLAY	142,998.93
	Vendor Total		**450,141.45**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**500,157.17**		
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208878	2,621,009.49		
				CONTRACT LAW ENF BILL #10	44,257.44
				CONTRACT LAW ENF BILL #10	459.43
				CONTRACT LAW ENF BILL #10	1,419,988.41
				CONTRACT LAW ENF BILL #10	57,685.07
				CONTRACT LAW ENF BILL #10	362,907.97
				CONTRACT LAW ENF BILL #10	6,875.44
				CONTRACT LAW ENF BILL #10	87,171.93
				CONTRACT LAW ENF BILL #10	6,269.10
				CONTRACT LAW ENF BILL #10	72,109.18
				CONTRACT LAW ENF BILL #10	1,179.20
				CONTRACT LAW ENF BILL #10	173,447.24
				CONTRACT LAW ENF BILL #10	3,973.20
				CONTRACT LAW ENF BILL #10	303,502.31
				CONTRACT LAW ENF BILL #10	7,851.22
				CONTRACT LAW ENF BILL #10	34,281.80
				CONTRACT LAW ENF BILL #10	281.60
				CONTRACT LAW ENF BILL #10	27,781.89
				CONTRACT LAW ENF BILL #10	1,823.26
				CONTRACT LAW ENF BILL #10	1,069.00
				CONTRACT LAW ENF BILL #10	7,483.20
				CONTRACT LAW ENF BILL #10	611.60
	Vendor Total		**2,621,009.49**		
FYTD for RIVERSIDE COUNTY SHERIFF			**2,631,277.41**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883102	247,552.00		
			ANNUAL RMS/CLETS BILNG FY10/11	247,552.00
	Vendor Total	**247,552.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**247,552.00**		
SAN PEDRO SIGN COMPANY			Remit to: **WILMINGTON** **CA**	
7/18/2011	883183	247,614.87		
			AUTO MALL PYLON SIGN PROJECT	247,614.87
	Vendor Total	**247,614.87**		
FYTD for SAN PEDRO SIGN COMPANY		**247,614.87**		
SOUTHCOAST HEATING & AIR CONDITIONING			Remit to: **VISTA** **CA**	
7/11/2011	208701	87,612.30		
			CITY HALL HVAC SYSTEM REPLCMNT	87,612.30
	Vendor Total	**87,612.30**		
FYTD for SOUTHCOAST HEATING & AIR CONDITIONING		**87,612.30**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208610	31,082.71		
			WDAT CHARGES-IRIS	2,752.38
			WDAT CHARGES-GRAHAM	4,055.01
			WDAT CHARGES-GLOBE	8,723.61
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	2,457.09
			WDAT CHARGES-SUBSTATION	10,447.31
7/18/2011	208792	131,907.55		
			ELECTRICITY	460.16
			ELECTRICITY	25.25
			ELECTRICITY	663.53
			ELECTRICITY	1,345.33
			ELECTRICITY	900.46
			ELECTRICITY	94,565.88
			ELECTRICITY	33,162.72
			ELECTRICITY	397.48
			ELECTRICITY	51.95
			ELECTRICITY	22.44
			ELECTRICITY	45.55
			ELECTRICITY	27.20
			ELECTRICITY	26.69
			ELECTRICITY	67.09
			ELECTRICITY	91.20
			ELECTRICITY	54.62
7/25/2011	208864	39,660.58		
			ELECTRICITY	1,573.29
			ELECTRICITY	204.85
			ELECTRICITY	5,455.35
			ELECTRICITY	1,334.28
			ELECTRICITY	147.70
			ELECTRICITY	3,805.22
			ELECTRICITY	18.93
			ELECTRICITY	4,401.48
			ELECTRICITY	1,019.92
			ELECTRICITY	4,047.97
			ELECTRICITY	1,895.65
			ELECTRICITY	1,691.61
			ELECTRICITY	277.13
			ELECTRICITY	3,644.30
			ELECTRICITY	1,132.38
			ELECTRICITY	1,230.13
			ELECTRICITY	24.19
			ELECTRICITY	40.12
			ELECTRICITY	4,110.06
			ELECTRICITY	1,804.20
			ELECTRICITY	357.03
			ELECTRICITY	427.84
			ELECTRICITY	563.73
			ELECTRICITY	254.30
			ELECTRICITY	162.74
			ELECTRICITY	36.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	202,650.84		
FYTD for SOUTHERN CALIFORNIA EDISON		228,961.11		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
7/19/2011	208809	29,920.17		
			LIFE & DISABILITY INSURANCE	11,719.41
			LIFE & DISABILITY INSURANCE	18,284.60
			LIFE & DISABILITY INSURANCE	-83.84
	Vendor Total	29,920.17		
FYTD for STANDARD INSURANCE CO		31,970.69		
TCM GROUP			Remit to: **FONTANA**	**CA**
7/12/2011	208723	173,200.42		
			SR-60/NASON ST INTRCHNG PROJ	21,572.87
			SR-60/NASON ST INTRCHNG PROJ	42,633.50
			SR-60/NASON ST INTRCHNG PROJ	23,140.52
			SR-60/NASON ST INTRCHNG PROJ	85,853.53
7/25/2011	208879	178,371.96		
			SR-60/NASON INTRCHNG PROJ	103,945.47
			SR-60/NASON INTRCHNG PROJ	74,426.49
	Vendor Total	351,572.38		
FYTD for TCM GROUP		351,572.38		
TRANE			Remit to: **CITY OF INDUSTRY**	**CA**
7/27/2011	208882	143,234.46		
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
	Vendor Total	143,234.46		
FYTD for TRANE		143,234.46		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
7/19/2011	110707	129,465.57		
			CALCARD PYMT CYCLE END 7/7/11	129,465.57
	Vendor Total	129,465.57		
FYTD for U.S. BANK/CALCARDS		129,465.57		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
7/27/2011	110708	1,233,839.91		
			2007 TAB SERIES A DEBT PYMT	1,233,839.91
	Vendor Total	1,233,839.91		
FYTD for WELLS FARGO CORPORATE TRUST		1,233,839.91		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCRCA				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208877	279,382.95		
				COMMERC./INDUSTR FEES-MSHCP	279,382.95
	Vendor Total		**279,382.95**		
FYTD for WRCRCA			**279,382.95**		
	Subtotal		**9,918,630.92**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

REGENCY THEATRES				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208630	460.00		
				TICKETS AND SNACKS	460.00
	Vendor Total		**460.00**		
FYTD for REGENCY THEATRES			**460.00**		
A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS** **CA**	
	7/25/2011	208811	19,550.44		
				REHAB COSTS-14950 RIO GRANDE	19,550.44
	Vendor Total		**19,550.44**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCESS SECURITY CONTROLS INT., INC.				Remit to: **TEMECULA** **CA**	
	7/11/2011	208631	75.00		
				SECURITY MONITORING SVCS-ERC	75.00
	Vendor Total		**75.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**75.00**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	7/5/2011	883043	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**318.73**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	883135	283.34		
				TRAINING FOR PD K9	283.34
	Vendor Total		**283.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**283.34**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCED ELECTRIC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208632	242.00		
				ELECTRICAL REPAIRS-PARKS	120.00
				ELECTRICAL REPAIRS-PARKS	60.00
				ELECTRICAL REPAIRS-GOLF COURSE	62.00
	7/18/2011	208724	2,554.00		
				ELECTRICAL REPAIRS	372.00
				REPLACED LIGHTING POLES	2,182.00
	7/25/2011	208812	3,098.00		
				ELECT REPAIR-PSB	977.00
				ELECT REPAIR-CONF & REC CTR	953.00
				ELECT REPAIR-CONF & REC CTR	519.00
				ELECT REPAIR-CONF & REC CTR	649.00
	Vendor Total		**5,894.00**		
FYTD for ADVANCED ELECTRIC			**5,894.00**		
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	7/11/2011	883136	362.50		
				CONSULTING SERVICES-NPDES	362.50
	Vendor Total		**362.50**		
FYTD for AEI-CASC ENGINEERING			**362.50**		
ALANIS, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208725	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALANIS, MICHELLE			**95.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	7/11/2011	208634	1,450.12		
				TRANSPORTATION SVCS-CHILDS PLC	373.43
				TRANSPORTATION SVCS-CHILDS PLC	717.79
				TRANSPORTATION SVCS-VALLEYCAMP	358.90
	Vendor Total		**1,450.12**		
FYTD for ALLIANCE BUS LINES INC			**1,450.12**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	7/18/2011	208726	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**75.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALPHACORP/SIRE TECHNOLOGIES			Remit to: **WEST VALLEY CITY**	**UT**
7/18/2011	883165	11,994.00		
			SIRE EDMS SOFTWARE ANN MAINT.	1,699.00
			PERMITS+ INTERFACE ANN MAINT.	509.00
			ENTERPRISE RETENTION MANAGER	899.00
			ENTERPRISE WORKFLOW MODULE	720.00
			CITY-WIDE SIRE CLIENT USER LIC	2,519.00
			PDF CONVERSION, OCR AND FULL	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE ANNUAL MAINT.	539.00
			SIRE FORMS ANNUAL MAINT.	899.00
			SIRE AGENDA PLUS ANNUAL MAINT.	6,119.00
			CAPTURE INDEX STATION ANNUAL	944.00
			PURCHASING INCENTIVE DISCOUNT	-4,000.00
	Vendor Total	**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**11,994.00**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208635	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for ALVAREZ, JUAN C		**52.50**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS**	**CA**
7/11/2011	883137	82.16		
			BLOOD DRAWS	82.16
	Vendor Total	**82.16**		
FYTD for AMERICAN FORENSIC NURSES		**82.16**		
AMERICAN TOWERS			Remit to: **CHARLOTTE**	**NC**
7/11/2011	208636	2,573.48		
			ATC TOWER LEASE	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**2,573.48**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM**	**CA**
7/11/2011	208637	121.92		
			ELEVATOR SVCS-CITY HALL	121.92
7/25/2011	208815	352.38		
			WHEELCHAIR LIFT SVC/REPAIR	230.46
			ELEVATOR SVC/REPAIRS-CITY HALL	121.92
	Vendor Total	**474.30**		
FYTD for AMTECH ELEVATOR SERVICES		**474.30**		

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ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
7/25/2011	883188	640.00		
			EMERGENCY VET SVCS	400.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
	Vendor Total	**640.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**640.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
7/18/2011	208727	325.00		
			BEE REMOVAL	325.00
7/25/2011	208816	1,790.00		
			PEST CONTROL-GOLF COURSE	180.00
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MFCC/MBF/MVEC	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	160.00
			PEST CONTROL-STARS BLDG	100.00
	Vendor Total	**2,115.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**2,115.00**		
APWA-AMERICAN PUBLIC WORKS ASSOCIATION			Remit to: **KANSAS CITY**	**MO**
7/18/2011	208728	550.00		
			MAINT FOR MICRO PAVER APPLIC.	550.00
7/25/2011	208817	2,380.00		
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
	Vendor Total	**2,930.00**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**2,930.00**		

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ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
7/18/2011	883166	1,346.48		
			OFFSITE STORAGE SVCS-CITY CLRK	1,331.65
			RECORDS DESTRUCTION-ANIMAL SVC	14.83
	Vendor Total	**1,346.48**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**1,346.48**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
7/5/2011	208530	340.78		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRFFC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-FS #2	25.00
			WATER PURIF RNTL-FS #6	25.00
			WATER PURIF RNTL-FS #48	25.00
			WATER PURIF RNTL-FS #58	15.77
			WATER PURIF RNTL-FS #65	25.00
			WATER PURIF RNTL-FS #91	25.00
7/18/2011	208729	200.01		
			WATER PURIF RNTL-ANML SVCS	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPCL DIST	25.00
			WATER PURIF RNTL-CONF & REC CT	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FAC ANNEX	25.00
			WATER PURIF RNTL-STARS	25.00
	Vendor Total	**540.79**		
FYTD for ARROWHEAD WATER		**540.79**		
AT&T MOBILITY			Remit to: **CAROL STREAM** **IL**	
7/5/2011	208531	91.04		
			CELL PH CHARGES-PD MBL CMMND C	91.04
	Vendor Total	**91.04**		
FYTD for AT&T MOBILITY		**91.04**		
AT&T NATIONAL COMPLIANCE CENTER			Remit to: **NORTH PALM BEACH** **FL**	
7/5/2011	208532	300.00		
			CELL PHONE PING FEES FOR PD	300.00
	Vendor Total	**300.00**		
FYTD for AT&T NATIONAL COMPLIANCE CENTER		**300.00**		

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AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	7/5/2011	208533	183.10		
				COMMUNICATION SVCS	183.10
	Vendor Total		**183.10**		
FYTD for AT&T/MCI			**183.10**		
AUTOMATIC STOREFRONT SERVICE, INC.				Remit to: **CHINO** **CA**	
	7/25/2011	208818	175.00		
				DOOR REPAIRS	87.50
				DOOR REPAIRS	87.50
	Vendor Total		**175.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**175.00**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208638	65.28		
				MILEAGE REIMBURSEMENT	65.28
	7/25/2011	208819	371.58		
				TRAVEL EXP.-CRRA CONFERENCE	123.08
				TRAVEL EXP.-CRRA CONFERENCE	248.50
	Vendor Total		**436.86**		
FYTD for AYALA, NANNERL A.			**436.86**		
AYERS, JAMES				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208730	34.00		
				REFUND-VARIOUS A/C FEES	22.00
				REFUND-VARIOUS A/C FEES	12.00
	Vendor Total		**34.00**		
FYTD for AYERS, JAMES			**34.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	7/5/2011	208534	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**318.73**		
BAGLEY, DENISE				Remit to: **HEMET** **CA**	
	7/5/2011	208535	87.00		
				REFUND-PARKS CLASS REGIS FEE	87.00
	Vendor Total		**87.00**		
FYTD for BAGLEY, DENISE			**87.00**		

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BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	7/5/2011	883044	119.73		
				RETIREE MED MAR '11, PD JUL '1	119.73
	Vendor Total		**119.73**		
FYTD for BARNES, DARLENE			**119.73**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	7/25/2011	208820	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARTUCCIO, ERICA			**20.00**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883189	60.00		
				BACKFLOW TESTING-PARKS	6.91
				BACKFLOW TESTING-PARKS	23.09
				BACKFLOW TESTING-PARKS	30.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**60.00**		
BASSET HOUND OF SO CALIF RESCUE				Remit to: **COSTA MESA** **CA**	
	7/25/2011	208821	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BASSET HOUND OF SO CALIF RESCUE			**75.00**		
BATONGMALAQUE, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208731	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATONGMALAQUE, BARBARA			**50.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208536	250.00		
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**250.00**		

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BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	7/5/2011	883045	10,660.49		
				LANDSCAPE MAINT-E4	114.31
				LANDSCAPE MAINT-E4	65.52
				LANDSCAPE MAINT-E4	65.10
				LANDSCAPE MAINT-E4	650.00
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STNS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E3	315.00
				LNDSCP MAINT-PAN AM SECTION	600.00
				LNDSCP MAINT-SCE & OLD LAKE DR	1,785.00
				LNDSCP MAINT-S AQDCT "A"	850.50
				LNDSCP MAINT-S AQDCT "B"	735.00
				LNDSCP MAINT-SENIOR CTR	262.50
				LNDSCP MAINT-N AQDCT	525.00
	7/25/2011	883190	87.18		
				LANDSCAPE MAINT-E4	87.18
	Vendor Total		**10,747.67**		
FYTD for BEMUS LANDSCAPE, INC.			**40,176.27**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	883191	846.50		
				COBRA ADMIN FEE	846.50
	Vendor Total		**846.50**		
FYTD for BENESYST, INC.			**846.50**		
BERMUDEZ, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208733	47.25		
				REFUND-CLASS REGIS FEE	7.75
				REFUND-CLASS REGIS FEE	15.00
				REFUND-CLASS REGIS FEE	19.25
				REFUND-CLASS REGIS FEE	5.25
	Vendor Total		**47.25**		
FYTD for BERMUDEZ, ASHLEY			**47.25**		
BERRY, RICK				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208639	836.00		
				REFUND-RENTAL DEPOSIT -TWNGATE	200.00
				REFUND-RENTAL DEPOSIT -TWNGATE	636.00
	Vendor Total		**836.00**		
FYTD for BERRY, RICK			**836.00**		

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BIO-TOX LABORATORIES			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208734	1,555.89		
			TOXICOLOGY TESTING-PD	1,555.89
	Vendor Total	**1,555.89**		
FYTD for BIO-TOX LABORATORIES		**1,555.89**		
BPC MEDIA WORKS, LLC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208822	1,530.00		
			ADVERTISING SVCS-EDD	1,530.00
	Vendor Total	**1,530.00**		
FYTD for BPC MEDIA WORKS, LLC		**1,530.00**		
BRACAMONTE, FRANCES			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208823	112.00		
			REFUND-CLASS REGIS FEE	112.00
	Vendor Total	**112.00**		
FYTD for BRACAMONTE, FRANCES		**112.00**		
BREAKTHROUGH CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208640	100.00		
			REFUND-RENTAL DEPOSIT -TWNGATE	100.00
	Vendor Total	**100.00**		
FYTD for BREAKTHROUGH CHURCH		**100.00**		
BRIGIE, DEBRA			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208824	17,855.60		
			SOLAR INCENTIVE REBATE	17,855.60
	Vendor Total	**17,855.60**		
FYTD for BRIGIE, DEBRA		**17,855.60**		
BRITTMON, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208641	66.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	10.00
	Vendor Total	**66.00**		
FYTD for BRITTMON, MICHELLE		**66.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	7/5/2011	883046	287.65		
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	49.03
				MISC BOOKS-LIBRARY	40.17
				MISC BOOKS-LIBRARY	51.24
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	38.69
	7/18/2011	883167	1,261.16		
				MISC BOOKS-LIBRARY	59.40
				MISC BOOKS-LIBRARY	146.07
				MISC BOOKS-LIBRARY	564.19
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	378.59
	Vendor Total		**1,548.81**		
FYTD for BRODART CO.			**1,548.81**		
BROWN, HOWARD				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208825	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROWN, HOWARD			**50.00**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	7/5/2011	208537	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**318.73**		
BURKE, JOHN R.				Remit to: **REDLANDS** **CA**	
	7/5/2011	208538	1,737.00		
				RETIREE MED JB 9/10-2/11, 5/11	1,737.00
	Vendor Total		**1,737.00**		
FYTD for BURKE, JOHN R.			**1,737.00**		

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BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
7/5/2011	208539	2,820.13		
			MISC BOOKS-LIBRARY	75.40
			MISC BOOKS-LIBRARY	15.50
			MISC BOOKS-LIBRARY	16.59
			MISC BOOKS-LIBRARY	51.65
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	1,059.61
			MISC BOOKS-LIBRARY	1,372.21
			MISC BOOKS-LIBRARY	84.69
			MISC BOOKS-LIBRARY	77.10
			MISC BOOKS-LIBRARY	26.43
			MISC BOOKS-LIBRARY	21.21
7/18/2011	208735	15.50		
			MISC BOOKS-LIBRARY	15.50
	Vendor Total	**2,835.63**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**2,835.63**		
C & H DISTRIBUTORS, INC.			Remit to: **MILWAUKEE** **WI**	
7/18/2011	208736	3,243.41		
			UPHLSTRD STACK CHAIRS W/O ARMS	2,340.80
			SHIPPING & HANDLING CHRG	697.79
			CA SALES TAX	204.82
	Vendor Total	**3,243.41**		
FYTD for C & H DISTRIBUTORS, INC.		**3,243.41**		
CA REGIONAL WATER QUALITY CONTROL BOARD			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208642	712.00		
			SEC 401 CERT FILING FEE	712.00
	Vendor Total	**712.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD		**712.00**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
7/5/2011	883047	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CAIN, GREGORY		**318.73**		
CALIFORNIA BUILDING STANDARDS COMMISSION			Remit to: **SACRAMENTO** **CA**	
7/12/2011	208720	376.20		
			SB 1473 FEES COLLECTD 4/1-6/30	376.20
	Vendor Total	**376.20**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		**376.20**		

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CALIFORNIA DEPARTMENT OF FISH AND GAME			Remit to: **LOS ALAMITOS** **CA**	
7/11/2011	208643	4,482.75		
			STREAMBED ALTER. AGRMNT FEE	4,482.75
	Vendor Total	**4,482.75**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME		**4,482.75**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208826	75.00		
			REFUND-PARK RNTL DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**75.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
7/5/2011	883048	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**318.73**		
CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
7/11/2011	208644	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**7,590.68**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883049	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**318.73**		
CARTER, TERRY			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208645	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CARTER, TERRY		**20.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
7/11/2011	208646	286.49		
			CEMENT PURCHASE	286.49
	Vendor Total	**286.49**		
FYTD for CEMEX		**286.49**		

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CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	883193	8,942.00		
				INVESTMENT MGT SVCS	8,942.00
	Vendor Total		**8,942.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**8,942.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208540	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**318.73**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883050	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**318.73**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883051	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**229.88**		

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CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
7/5/2011	883052	111.68		
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	13.00
			UNIFORM RNTL SVC-GOLF COURSE	5.56
7/11/2011	883139	341.36		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	61.60
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM SVCS-FACILITIES	12.40
7/18/2011	883168	66.90		
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
7/25/2011	883194	66.90		
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
			UNIFORM RNTL SVC-GOLF COURSE	2.79
	Vendor Total	**586.84**		
FYTD for CINTAS CORPORATION		**586.84**		
CITRUS BELT CHAPTER, I.C.C.			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208827	25.00		
			FY11/12 MEMBERSHIP RENEWAL	25.00
	Vendor Total	**25.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**25.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CITY OF DESERT HOT SPRINGS			Remit to: **DESERT HOT SPRINGS CA**	
7/11/2011	208647	80.00		
			7/11/11 LCC GEN MEMB MEETING	40.00
			7/11/11 LCC GEN MEMB MEETING	40.00
	Vendor Total	**80.00**		
FYTD for CITY OF DESERT HOT SPRINGS		**80.00**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY CA**	
7/18/2011	883169	4,475.00		
			EXEMPT VEBA	-37.50
			EXEMPT VEBA	700.00
			EXEMPT VEBA	3,812.50
	Vendor Total	**4,475.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**4,475.00**		
CITY OF TORRANCE			Remit to: **TORRANCE CA**	
7/18/2011	208737	6,870.00		
			SIPPLE ET AL V. CITY-LEGAL SVC	6,870.00
	Vendor Total	**6,870.00**		
FYTD for CITY OF TORRANCE		**6,870.00**		
CLARK, CHRISTINE			Remit to: **MORENO VALLEY CA**	
7/25/2011	208828	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CLARK, CHRISTINE		**75.00**		
COAST TO COAST LASER			Remit to: **MURRIETA CA**	
7/11/2011	208648	1,483.76		
			MVPD SHIELD STICKERS	741.88
			MVPD SHIELD STICKERS	741.88
	Vendor Total	**1,483.76**		
FYTD for COAST TO COAST LASER		**1,483.76**		
COBBS JR., JOE C			Remit to: **MORENO VALLEY CA**	
7/18/2011	208738	11,205.60		
			SOLAR INCENTIVE REBATE	11,205.60
	Vendor Total	**11,205.60**		
FYTD for COBBS JR., JOE C		**11,205.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLLINS, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208829	47.00		
				REFUND-PIANO CLASS CANCELLED	47.00
	Vendor Total		**47.00**		
FYTD for COLLINS, DANIEL			**47.00**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	7/5/2011	208541	6,935.24		
				SUPPLEMENTAL INSURANCE	6,935.24
	Vendor Total		**6,935.24**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**6,935.24**		
COMMUNITY HEALTH CHARITIES				Remit to: **ANAHEIM** **CA**	
	7/5/2011	208542	2.50		
				CHC CONTRIBUTIONS	2.50
	7/5/2011	208543	176.31		
				CHC CONTRIBUTIONS	176.31
	7/18/2011	208739	2.50		
				CHC CONTRIBUTIONS	2.50
	7/18/2011	208740	176.31		
				CHC CONTRIBUTIONS	176.31
	Vendor Total		**357.62**		
FYTD for COMMUNITY HEALTH CHARITIES			**357.62**		
CONCEPCION BARAJAS/JESSICA AVELAR				Remit to: **PERRIS** **CA**	
	7/5/2011	208544	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CONCEPCION BARAJAS/JESSICA AVELAR			**95.00**		
CONTINENTAL WESTERN TRANSPORTATION				Remit to: **SAN DIEGO** **CA**	
	7/11/2011	208649	6,752.25		
				ASPHALTIC MATERIALS PURCHASE	3,534.38
				ASPHALTIC MATERIALS PURCHASE	3,217.87
	Vendor Total		**6,752.25**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION			**6,752.25**		

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CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND** **CA**	
7/18/2011	208741	148.71		
			LEGAL PUBLICATIONS	12.20
			LEGAL PUBLICATIONS	136.51
	Vendor Total	**148.71**		
FYTD for CONTINUING EDUCATION OF THE BAR		**148.71**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208650	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for CONTRERAS, BIANCA		**52.50**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208651	175.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
			SPORTS OFFICIATING SVCS-SOCCER	70.00
	Vendor Total	**175.00**		
FYTD for CONTRERAS, JOSE		**175.00**		
CORTES, MARIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208742	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for CORTES, MARIA		**200.00**		
COSTCO			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208652	383.89		
			MISC SUPPLIES-CHILDS PLACE	140.59
			MISC SUPPLIES-STARS	243.30
7/18/2011	208743	1,350.19		
			SNACKS-"A CHILDS PLACE" PRGM	1,350.19
	Vendor Total	**1,734.08**		
FYTD for COSTCO		**1,734.08**		
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208830	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**1,250.00**		
FYTD for COUNSELING TEAM, THE		**1,250.00**		

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COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
7/5/2011	208545	64.12		
			REFUND-UUT USER TAXES	64.12
Vendor Total		**64.12**		
FYTD for COUNTRY SQUIRE ESTATES		**64.12**		
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208653	2,163.78		
			JANITORIAL SUPPLIES	1,936.67
			JANITORIAL SUPPLIES	227.11
Vendor Total		**2,163.78**		
FYTD for COUNTY OF RIVERSIDE		**2,163.78**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208744	42.70		
			RECORDATION REQUESTS-LAND DEV	8.30
			RECORDATION REQUESTS-LAND DEV	34.40
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**42.70**		
COVARRUBIAS, MELISSA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208654	75.00		
			REFUND-SN DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for COVARRUBIAS, MELISSA		**75.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
7/5/2011	883053	110.31		
			K-9 DOG FOOD	110.31
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**110.31**		
CUEVAS, GLORIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208746	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CUEVAS, GLORIA		**20.00**		
CUFF, STEPHANIE CERVANTES			Remit to: **PERRIS** **CA**	
7/11/2011	208655	19.38		
			MILEAGE REIMBURSEMENT	19.38
Vendor Total		**19.38**		
FYTD for CUFF, STEPHANIE CERVANTES		**19.38**		

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CUMBERLAND, AKOSUA			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208546	145.00		
			PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total	**145.00**		
FYTD for CUMBERLAND, AKOSUA		**145.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
7/25/2011	208832	745.00		
			DISPOSAL SVCS	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**745.00**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883054	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for DALE, KATHLEEN		**318.73**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH** **CA**	
7/11/2011	883140	4,684.61		
			CITATION PRCSSNG-PD	3,876.95
			CITATION PRCSSNG-ANML SVCS	407.36
			CITATION PRCSSNG-BLDG/SFTY	162.82
			CITATION PRCSSNG-ADDL PYMNT	237.48
	Vendor Total	**4,684.61**		
FYTD for DATA TICKET, INC.		**32,235.28**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO** **CA**	
7/25/2011	208833	130.50		
			ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total	**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**130.50**		
DE SANTIS, THOMAS M			Remit to: **TEMECULA** **CA**	
7/5/2011	208548	14,000.00		
			PROF SVCS-CITY EVALUATION	12,000.00
			PROF SVCS-CITY EVALUATION	2,000.00
	Vendor Total	**14,000.00**		
FYTD for DE SANTIS, THOMAS M		**14,000.00**		

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DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	7/11/2011	208656	140.00		
				MONTHLY BOILER SVC-EOC	140.00
	7/18/2011	208747	29.36		
				REPLACED BOILER PARTS-EOC	29.36
	Vendor Total		**169.36**		
FYTD for DEBINAIRE COMPANY			**169.36**		
DEL REY APPRAISAL SRVCS				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208657	500.00		
				APPRAISAL SVCS-EDD	250.00
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**500.00**		
FYTD for DEL REY APPRAISAL SRVCS			**500.00**		
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208748	10,712.77		
				EMPLOYEE DENTAL INSURANCE	10,712.77
	Vendor Total		**10,712.77**		
FYTD for DELTA DENTAL			**10,712.77**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208549	6,033.46		
				EMPLOYEE DENTAL INSURANCE	6,033.46
	7/18/2011	208749	5,580.33		
				EMPLOYEE DENTAL INSURANCE	5,580.33
	Vendor Total		**11,613.79**		
FYTD for DELTACARE USA			**11,613.79**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	7/11/2011	883141	2,180.00		
				PLAN REVIEW SVCS-FIRE PREV	1,530.00
				PLAN REVIEW SVCS-FIRE PREV	650.00
	7/18/2011	883170	1,710.00		
				PLAN CHECK SVCS-FIRE PREV	1,150.00
				PLAN CHECK SVCS-FIRE PREV	560.00
	Vendor Total		**3,890.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**3,890.00**		

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DEPARTMENT OF CONSERVATION				Remit to: **SACRAMENTO** **CA**	
	7/11/2011	208658	578.26		
				SMI FEES 4/1-6/30/11	608.69
				SMI FEES 4/1-6/30/11	-30.43
	Vendor Total		**578.26**		
FYTD for DEPARTMENT OF CONSERVATION			**578.26**		
DESIGN WORKS				Remit to: **SAN JACINTO** **CA**	
	7/5/2011	208550	2,235.46		
				YTH SPORTS UNIFORMS	2,235.46
	7/11/2011	208659	1,950.35		
				UNIFORMS-YOUTH SPORTS	24.91
				UNIFORMS-YOUTH SPORTS	1,925.44
	7/25/2011	208834	150.07		
				YTH SPORTS UNIFORMS-PARKS	150.07
	Vendor Total		**4,335.88**		
FYTD for DESIGN WORKS			**4,335.88**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	7/5/2011	208551	10,031.59		
				DAY ST DRAINAGE IMPRVMNTS PROJ	10,031.59
	Vendor Total		**10,031.59**		
FYTD for DMC DESIGN GROUP, INC			**10,031.59**		
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	7/5/2011	208552	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**229.88**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208553	189.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**189.00**		

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E.R. BLOCK PLUMBING & HEATING, INC.			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208660	2,560.87		
			BACKFLOW TESTING-NPDES	100.00
			BACKFLOW REPLACMNT-ZONE D	597.19
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
7/18/2011	208750	1,031.47		
			BACKFLOW REPLACMNT-ZONE D	583.97
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW TESTING-ZONE D	240.00
			BACKFLOW TESTING-ZONE E-14	20.00
	Vendor Total	**3,592.34**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**3,592.34**		
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/11/2011	208661	4,500.00		
			PLAN CK DEPOSIT W/EASEMENT	4,500.00
7/12/2011	208721	15,137.12		
			WATER CHARGES	322.43
			WATER CHARGES	10,105.12
			WATER CHARGES	423.54
			WATER CHARGES	2,616.82
			WATER CHARGES	1,184.99
			WATER CHARGES	22.28
			WATER CHARGES	193.03
			WATER CHARGES	268.91
	Vendor Total	**19,637.12**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883055	35.18		
			REFUND-UUT USER TAXES	35.18
	Vendor Total	**35.18**		
FYTD for EDGELANE MOBILE PARK		**35.18**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
7/5/2011	208554	325.66		
			RETIREE MED JUL '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**325.66**		

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ELIZARRARAZ, EDDIE			Remit to: **MORENO VALLEY CA**	
7/18/2011	208752	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for ELIZARRARAZ, EDDIE		**20.00**		
ELLIOTT, NISHA			Remit to: **MORENO VALLEY CA**	
7/25/2011	208835	134.40		
			INSTRUCTOR SVCS-KICKBOXING	4.40
			INSTRUCTOR SVCS-KICKBOXING	103.60
			INSTRUCTOR SVCS-KICKBOXING	26.40
	Vendor Total	**134.40**		
FYTD for ELLIOTT, NISHA		**134.40**		
EMPIRE MOWER			Remit to: **MORENO VALLEY CA**	
7/11/2011	208662	1,105.85		
			EQUIP REPAIRS-PARK MAINT	685.03
			EQUIP REPAIRS-PARK MAINT	420.82
	Vendor Total	**1,105.85**		
FYTD for EMPIRE MOWER		**1,105.85**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
7/1/2011	2893	500.00		
			STATE INCOME TAX W/H 7/1/11	500.00
	Vendor Total	**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM CA**	
7/5/2011	883056	23,272.59		
			CABINET LEASE-IRIS	17.89
			CABINET LEASE-IRIS	1,232.11
			WORK AUTH-HIGHLAND FAIRVIEW	11,590.55
			12KV NEW REDLAND CKT WORK AUTH	10,432.04
	Vendor Total	**23,272.59**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**308,796.21**		
ESCOBAR, CARMEN			Remit to: **MORENO VALLEY CA**	
7/25/2011	208836	31.20		
			REFUND-DANCE CLASS	31.20
	Vendor Total	**31.20**		
FYTD for ESCOBAR, CARMEN		**31.20**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883057	30.45		
			ENGRAVING SVCS-FACILITIES	28.00
			ENGRAVING SVCS-FACILITIES	2.45
7/18/2011	883172	30.45		
			ENGRAVING SVCS-PARKS	30.45
	Vendor Total	**60.90**		
FYTD for EVANS ENGRAVING & AWARDS		**60.90**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
7/18/2011	208753	129.29		
			IRRIGATION SUPPLIES-FIRE STATN	129.29
7/25/2011	208837	2,812.03		
			IRRIGATION SUPPLIES-PARKS	130.23
			IRRIGATION SUPPLIES-PARKS	305.72
			IRRIGATION SUPPLIES-PARKS	2,161.55
			IRRIGATION SUPPLIES-CFD#1	122.36
			IRRIGATION SUPPLIES-PARKS	92.17
	Vendor Total	**2,941.32**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**2,941.32**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
7/25/2011	208838	7,987.21		
			LANDSCAPE MAINT-E8	22.22
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-WQB	1,059.42
			LANDSCAPE MAINT-WQB	3,444.50
	Vendor Total	**7,987.21**		
FYTD for EXCEL LANDSCAPE, INC		**7,987.21**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
7/5/2011	883058	361.25		
			RETIREE MED JUL '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**361.25**		

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FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
7/5/2011	208555	586.00		
			ONLINE PROP INFO SVCS-CDD	331.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-EDD	170.00
7/25/2011	208839	526.00		
			ONLINE PROP INFO SVCS-CDD	271.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-NSP	170.00
	Vendor Total	**1,112.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**1,112.00**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
7/5/2011	883059	134.06		
			COFFEE SVCS-EMP PAID	1.40
			COFFEE SVCS-EMP PAID	132.66
7/11/2011	883142	550.48		
			COFFEE SVCS-EMP PAID	171.03
			COFFEE SVCS-EMP PAID	20.00
			COFFEE SVCS-EMP PAID	225.43
			COFFEE SVCS-EMP PAID	85.64
			COFFEE SVCS-EMP PAID	48.38
7/18/2011	883173	62.01		
			COFFEE SUPPLIES-CITY YARD	62.01
	Vendor Total	**746.55**		
FYTD for FIRST CHOICE SERVICES		**746.55**		
FLORES, ARCHIE			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208754	29.60		
			REFUND-PICNIC SHELTER RENTAL	29.60
	Vendor Total	**29.60**		
FYTD for FLORES, ARCHIE		**29.60**		
FOOTHILL CHAPTER - I.C.C.			Remit to: **FONTANA** **CA**	
7/25/2011	208841	50.00		
			MEMBERSHIP DUES	50.00
	Vendor Total	**50.00**		
FYTD for FOOTHILL CHAPTER - I.C.C.		**50.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883060	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**318.73**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	7/5/2011	208556	165.58		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	25.58
	7/18/2011	208755	255.00		
				GARNISHMENT	25.00
				GARNISHMENT	230.00
	Vendor Total		**420.58**		
FYTD for FRANCHISE TAX BOARD			**420.58**		
FRANCO, JUAN				Remit to: **PERRIS** **CA**	
	7/18/2011	208756	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FRANCO, JUAN			**75.00**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	7/11/2011	208663	193.29		
				MILEAGE REIMBURSEMENT	193.29
	Vendor Total		**193.29**		
FYTD for FRANKLIN, L. C.			**193.29**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208557	2,249.76		
				TRAFFIC PAINT	2,249.76
	Vendor Total		**2,249.76**		
FYTD for FRAZEE INDUSTRIES, INC			**2,249.76**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208757	140.00		
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	56.00
				SPORTS OFFICIATING SVCS-SFTBLL	4.00
	Vendor Total		**140.00**		
FYTD for FRESQUEZ, JOHN			**140.00**		
FUEL AND FLAME MINISTRY				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208664	480.00		
				REFUND-UNUSED PORTION OF DEP.	480.00
	Vendor Total		**480.00**		
FYTD for FUEL AND FLAME MINISTRY			**480.00**		

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FUEL PROS, INC				Remit to: **CHINO** **CA**	
	7/18/2011	208758	1,650.00		
				FUEL DISPENSER PUMP RPLCMNT	1,502.00
				FUEL DISPENSER PUMP RPLCMNT	148.00
	Vendor Total		**1,650.00**		
FYTD for FUEL PROS, INC			**1,650.00**		
GAGATCH, HEATHER				Remit to:	
	7/5/2011	208558	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for GAGATCH, HEATHER			**145.00**		
GAINES SR., GLENN E.				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208665	110.00		
				REFUND-CITATION FEE	110.00
	Vendor Total		**110.00**		
FYTD for GAINES SR., GLENN E.			**110.00**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208666	571.24		
				UNIFORMS-TRFFC UNIT	571.24
	7/18/2011	208759	26.10		
				UNIFORMS-TRFFC UNIT	26.10
	Vendor Total		**597.34**		
FYTD for GALLS INC., INLAND UNIFORM			**597.34**		
GAMA, LINA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208667	41.64		
				CRIME-FREE MULTI HOUSING SEMNR	41.64
	Vendor Total		**41.64**		
FYTD for GAMA, LINA			**41.64**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883061	174.30		
				RETIREE MED JUL '11	174.30
	Vendor Total		**174.30**		
FYTD for GASTON, RICHARD			**174.30**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
7/11/2011	883143	429.52		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
7/18/2011	883174	1,411.28		
			SECURITY SVCS-CRC 6/4/11 EVNT	76.70
			SECURITY SVCS-TCC RENTALS	360.49
			SECURITY SVCS-TCC RENTALS	145.73
			SECURITY SVCS-SENIOR CTR	291.46
			SECURITY SVCS-CRC	230.10
			SECURITY SVCS-CRC	226.26
			SECURITY SVCS-CRC	80.54
7/25/2011	883197	2,193.62		
			SECURITY SVCS-CITY HALL	230.10
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	490.88
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
Vendor Total		**4,034.42**		
FYTD for GENERAL SECURITY SERVICES, INC.		**4,034.42**		
GES EXPOSITION SERVICES			Remit to: **LAS VEGAS**	**NV**
7/25/2011	208843	2,433.11		
			TRADESHOW SVCS-VARIOUS	2,433.11
Vendor Total		**2,433.11**		
FYTD for GES EXPOSITION SERVICES		**2,433.11**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883062	7,252.50		
			LEGAL SVCS	3,941.75
			LEGAL SVCS	1,323.25
			LEGAL SVCS	1,987.50
Vendor Total		**7,252.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**7,252.50**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883063	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
Vendor Total		**318.73**		
FYTD for GONZALES, DOMILENA R.		**318.73**		

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GORM INC.				Remit to: **ONTARIO** **CA**	
	7/25/2011	208844	3,440.86		
				JANITORIAL SUPPLIES-CITY PARKS	1,720.43
				JANITORIAL SUPPLIES-CFD #1	1,720.43
		Vendor Total	**3,440.86**		
FYTD for GORM INC.			**3,440.86**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	883144	486.00		
				INSTRUCTOR SVCS-KUNG FU	270.00
				INSTRUCTOR SVCS-KUNG FU	216.00
		Vendor Total	**486.00**		
FYTD for GOZDECKI, DAN			**486.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208760	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
		Vendor Total	**1,000.00**		
FYTD for GRANICUS, INC.			**1,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	7/5/2011	883064	318.73		
				RETIREE MED JUL '11	318.73
		Vendor Total	**318.73**		
FYTD for GRIFFIN, MARLENE C			**318.73**		
GROUND CONTROL SYSTEMS, INC.				Remit to: **SAN LUIS OBISPO** **CA**	
	7/25/2011	883198	1,908.00		
				MOBILE SAT INTERNET SVC-PD	1,908.00
		Vendor Total	**1,908.00**		
FYTD for GROUND CONTROL SYSTEMS, INC.			**1,908.00**		
GUERRERO, CLAUDIO				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208668	20.00		
				REFUND-RABIES DEPOSIT	20.00
		Vendor Total	**20.00**		
FYTD for GUERRERO, CLAUDIO			**20.00**		
GUIDERO, DAVID				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208559	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for GUIDERO, DAVID			**75.00**		

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GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	7/5/2011	883065	551.34		
				RETIREE MED JUN-JUL '11, PD JU	551.34
	Vendor Total		**551.34**		
FYTD for GUILLAN, REBECCA S.			**551.34**		
GUTIERREZ, JOSHUA				Remit to: **BUENA PARK** **CA**	
	7/25/2011	208845	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for GUTIERREZ, JOSHUA			**20.00**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	7/5/2011	883066	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**318.73**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883175	4,049.00		
				CART RETRIEVAL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**4,049.00**		
H & H GENERAL CONTRACTORS				Remit to: **HIGHLAND** **CA**	
	7/18/2011	883176	0.00		
				MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
				VOIDED CHECK #883176 - 7/21/11	-215,802.45
	Vendor Total		**0.00**		
FYTD for H & H GENERAL CONTRACTORS			**215,802.45**		
H.O.C.I.E - HOUSING OPPORTUNITIES				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208560	1,440.00		
				FORECLOSURE COUNSELING SVCS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for H.O.C.I.E - HOUSING OPPORTUNITIES			**1,440.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883067	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**318.73**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883068	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**318.73**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	7/5/2011	208561	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**318.73**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	7/5/2011	208562	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**318.73**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208563	168.00		
				INSTRUCTOR SVCS-BODY SCULPTING	108.00
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
	Vendor Total		**168.00**		
FYTD for HASS, MINA			**168.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883069	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**318.73**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	7/5/2011	883070	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**318.73**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208564	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**318.73**		

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HERTZ EQUIPMENT RENTAL INC				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208565	688.29		
				CRANE TRUCK RENTAL	688.29
	Vendor Total		**688.29**		
FYTD for HERTZ EQUIPMENT RENTAL INC			**688.29**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208761	108.00		
				INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total		**108.00**		
FYTD for HIGGS, DEBRA			**108.00**		
HODGE PRODUCTS, INC.				Remit to: **EL CAJON** **CA**	
	7/25/2011	883199	677.87		
				LOCKS-CFD #1	172.97
				LOCKS-CITY PARKS	170.00
				LOCKS-CFD #1	27.03
				LOCKS-CFD #1	307.87
	Vendor Total		**677.87**		
FYTD for HODGE PRODUCTS, INC.			**677.87**		
HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208566	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**318.73**		
HOUSTON RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208762	100.00		
				REFUND-CHILD'S PLACE FEES	100.00
	Vendor Total		**100.00**		
FYTD for HOUSTON RICHARD			**100.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	7/29/2011	2906	8,520.83		
				DEF COMP 457 7/29/11	8,520.83
	Vendor Total		**8,520.83**		
FYTD for ICMA RETIREMENT CORP 457			**42,062.58**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208567	112.29		
				REFUND-UUT USER TAXES	112.29
	Vendor Total		**112.29**		
FYTD for IL SORRENTO MOBILE PARK			**112.29**		

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IMANI PRAISE FELLOWSHIP SDA CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208568	100.00		
			REFUND-RENTAL DEPOSIT -MSU	100.00
	Vendor Total	**100.00**		
FYTD for IMANI PRAISE FELLOWSHIP SDA CHURCH		**100.00**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
7/18/2011	208763	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**475.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883200	2,782.13		
			ABATEMENT SVC-22385 COTTNWD AV	2,782.13
	Vendor Total	**2,782.13**		
FYTD for INLAND CONTRACTORS, INC.		**2,782.13**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS** **CA**	
7/11/2011	208669	4,575.00		
			ADVERTISING SVCS-PW SOLID WAST	400.00
			ADVERTISING SVCS-PW SOLID WAST	4,175.00
	Vendor Total	**4,575.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**4,575.00**		
INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883145	2,863.40		
			NUISANCE ABTMNT SVCS-CODE	957.90
			NUISANCE ABTMNT SVCS-CODE	900.00
			NUISANCE ABTMNT SVCS-CODE	346.50
			NUISANCE ABTMNT SVCS-CODE	432.00
			NUISANCE ABTMNT SVCS-CODE	227.00
7/25/2011	883201	1,456.00		
			NUISANCE ABATEMENT SVCS-CODE	252.00
			NUISANCE ABATEMENT SVCS-CODE	1,204.00
	Vendor Total	**4,319.40**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**4,319.40**		

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INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON** **CA**	
7/5/2011	883071	393.00		
			VAPOR RECOVERY TESTING-FS #2	393.00
7/25/2011	883202	140.00		
			HOSE RETRACTOR REPAIR-FS#91	140.00
	Vendor Total	**533.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**533.00**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2892	2,000.00		
			FED INCOME TAX W/H 7/1/11	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
J D H CONTRACTING			Remit to: **RIVERSIDE** **CA**	
7/11/2011	883146	8,960.00		
			CONTRACT SVCS-FIRE STATION 91	5,921.00
			CONTRACT SVCS-SENIOR CENTER	3,039.00
7/12/2011	883162	845.00		
			GOLF CTR ROOFING WORK	845.00
	Vendor Total	**9,805.00**		
FYTD for J D H CONTRACTING		**9,805.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208670	36.00		
			SPORTS OFFICIATING SVCS-SFTBL	36.00
	Vendor Total	**36.00**		
FYTD for JACKSON, JAYE		**36.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208764	75.00		
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**75.00**		
JARRETT, STEPHEN M.			Remit to: **BEAUMONT** **CA**	
7/5/2011	208569	485.91		
			TRAVEL EXP-ESRI INTL USER CONF	95.41
			TRAVEL EXP-ESRI INTL USER CONF	390.50
	Vendor Total	**485.91**		
FYTD for JARRETT, STEPHEN M.		**485.91**		

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JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	7/12/2011	883163	1,955.00		
				CONSULTING SVCS-TECH SVCS	1,955.00
	Vendor Total		**1,955.00**		
FYTD for JDEDGE SOFTWARE, LLC			**1,955.00**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	7/25/2011	208846	99.96		
				MILEAGE REIMBURSEMENT	99.96
	Vendor Total		**99.96**		
FYTD for JONES III, JOSEPH			**99.96**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883072	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**318.73**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	7/5/2011	883073	15,181.51		
				TRAFFIC SIGNAL SUPPLIES	3,371.25
				TRAFFIC SIGNAL SUPPLIES	3,599.63
				TRAF SIG SERVICE CABINET	7,550.00
				CA SALES TAX	660.63
	Vendor Total		**15,181.51**		
FYTD for JTB SUPPLY CO., INC.			**64,456.14**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208570	2,687.65		
				LEGAL SVCS	2,675.00
				LEGAL SVCS	12.65
	Vendor Total		**2,687.65**		
FYTD for KANE, BALLMER & BERKMAN			**2,687.65**		
KASHEFIPOUR, HOSSEIN				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208671	191.25		
				MILEAGE REIMBURSEMENT	43.35
				MILEAGE REIMBURSEMENT	58.65
				MILEAGE REIMBURSEMENT	89.25
	Vendor Total		**191.25**		
FYTD for KASHEFIPOUR, HOSSEIN			**191.25**		

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KATZ, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208765	48.00		
				REFUND-CLASS REGIS FEE	48.00
	Vendor Total		**48.00**		
FYTD for KATZ, MICHELLE			**48.00**		
KDM MERIDIAN, INC.				Remit to: **LAKE FOREST** **CA**	
	7/5/2011	883074	2,945.00		
				DAY ST WIDENING/EUCALYPTUS PRJ	1,608.00
				ANNL ADA COMPL CURB/RAMP PROJ	1,337.00
	Vendor Total		**2,945.00**		
FYTD for KDM MERIDIAN, INC.			**2,945.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	208571	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**267.88**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	7/25/2011	208847	761.06		
				SPLASH PAD SUPPLIES-CFD #1	186.21
				SPLASH PAD SUPPLIES-CFD #1	574.85
	Vendor Total		**761.06**		
FYTD for KNORR SYSTEMS, INC			**761.06**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883075	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**318.73**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883076	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**318.73**		

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KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	7/25/2011	208848	1,126.22		
				CALIBRATE/REPAIR LASER GUN-PD	200.00
				CALIBRATE/REPAIR LASER GUN-PD	126.21
				LASER GUN PARTS/REPAIR-PD	800.01
	Vendor Total		**1,126.22**		
FYTD for KUSTOM SIGNALS, INC.			**1,126.22**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	7/5/2011	883077	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**318.73**		
LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208572	168.00		
				LEGAL SERVICES-RISK MGT	168.00
	Vendor Total		**168.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**168.00**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883078	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**318.73**		
LANCE, SOLL & LUNGHARD, LLP				Remit to: **BREA** **CA**	
	7/25/2011	208849	620.00		
				PROF SVCS-RE: GANN LIMIT	620.00
	Vendor Total		**620.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP			**620.00**		
LANGENDORF, BENJAMIN				Remit to: **PERRIS** **CA**	
	7/5/2011	883079	221.40		
				RETIREE MED MAY 11, PD JUL 11	221.40
	Vendor Total		**221.40**		
FYTD for LANGENDORF, BENJAMIN			**221.40**		

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LANGSTON MOTORSPORTS				Remit to: **PERRIS** **CA**	
	7/18/2011	208766	2,355.27		
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	249.44
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	505.83
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
	Vendor Total		**2,355.27**		
FYTD for LANGSTON MOTORSPORTS			**2,355.27**		
LAWYERS TITLE INC				Remit to: **NEWPORT BEACH** **CA**	
	7/19/2011	110705	16,196.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,196.00
	7/19/2011	110706	21,386.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	21,386.00
	Vendor Total		**37,582.00**		
FYTD for LAWYERS TITLE INC			**37,582.00**		
LAZARUS, MARGERY A.				Remit to: **CORONA** **CA**	
	7/18/2011	208767	138.72		
				MILEAGE REIMB-SR60/NASON PROJ	49.47
				MILEAGE REIMB-INDIAN BASIN PRJ	30.09
				MILEAGE REIMB-SR60 MOR BCH PRJ	59.16
	Vendor Total		**138.72**		
FYTD for LAZARUS, MARGERY A.			**138.72**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883080	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**318.73**		
LIGHTS OUT DISPOSAL COMPANY				Remit to: **EL CAJON** **CA**	
	7/5/2011	208573	444.15		
				E-WASTE PICK UP SERVICES	444.15
	Vendor Total		**444.15**		
FYTD for LIGHTS OUT DISPOSAL COMPANY			**444.15**		

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LOGAN, CHARLENE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208574	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LOGAN, CHARLENE			**20.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883081	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**318.73**		
LONA, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208672	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for LONA, VERONICA			**300.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883179	4,501.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	1.00
				IRONWD AVE-DAY TO BARCLAY PROJ	4,500.00
	Vendor Total		**4,501.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**4,501.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883082	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**318.73**		
MACIAS JR., ANTHONY				Remit to: **RIALTO** **CA**	
	7/5/2011	208575	126.00		
				TUITION FEE REIMBURSEMENT	126.00
	Vendor Total		**126.00**		
FYTD for MACIAS JR., ANTHONY			**126.00**		
MAMCO, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208673	5,084.33		
				DRACAEA AVE SIDEWLK IMPRVMNTS	5,084.33
	Vendor Total		**5,084.33**		
FYTD for MAMCO, INC			**5,084.33**		

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MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208576	6.08		
			GAS CHARGES-MARCH FIELD PRK CC	4.96
			GAS CHARGES-MARCH FIELD PRK CC	1.12
	Vendor Total	**6.08**		
FYTD for MARCH JOINT POWERS AUTHORITY		**6.08**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
7/5/2011	883083	4,425.04		
			LANDSCAPE MAINT-DSG2N	668.42
			LANDSCAPE MAINT-DSG2N	3,756.62
7/25/2011	883203	4,994.91		
			LANDSCAPE MAINT-ZONE DSG-2S	4,994.91
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**9,419.95**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208577	280.00		
			INSTRUCTOR SVCS-BOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	112.00
	Vendor Total	**280.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**280.00**		
MARTINEZ, REGGIE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208674	105.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
	Vendor Total	**105.00**		
FYTD for MARTINEZ, REGGIE		**105.00**		
MATHIS, NOLAN			Remit to: **JACKSON** **KY**	
7/5/2011	883084	290.00		
			RETIREE MED MAY 11, PD JUL 11	290.00
	Vendor Total	**290.00**		
FYTD for MATHIS, NOLAN		**290.00**		
MAXINOSKI, SUE A.			Remit to: **AVINGER** **TX**	
7/5/2011	883085	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for MAXINOSKI, SUE A.		**318.73**		

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MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/12/2011	208722	19,969.47		
				REHAB COSTS-24395 DYNA PLACE	19,969.47
	Vendor Total		**19,969.47**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MC NEEL, MARGARETTE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208676	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MC NEEL, MARGARETTE			**50.00**		
MEDINA, EUNICE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208578	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MEDINA, EUNICE			**20.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	7/11/2011	883147	200.00		
				SPORTS OFFICIATING SVCS-SFTBL	80.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
	Vendor Total		**200.00**		
FYTD for MEEKS, DANIEL			**200.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	7/11/2011	208677	1,620.00		
				PLAN CHECK SVCS-BLDG/SFTY	1,620.00
	Vendor Total		**1,620.00**		
FYTD for MELAD & ASSOCIATES, INC			**1,620.00**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208678	135.66		
				MILEAGE REIMBURSEMENT	135.66
	Vendor Total		**135.66**		
FYTD for MENGISTU, YESHIALEM			**135.66**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	7/5/2011	883086	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**318.73**		

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METROPCS WIRELESS, INC.			Remit to: **DALLAS** **TX**	
7/18/2011	208768	50.00		
			TEXT MESSAGE RETRIEVAL SVC	50.00
	Vendor Total	**50.00**		
FYTD for METROPCS WIRELESS, INC.		**50.00**		
MEYERS, ROBERT			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208579	483.00		
			INSTRUCTOR SVCS-DRAWING	378.00
			INSTRUCTOR SVCS-PHOTO	105.00
	Vendor Total	**483.00**		
FYTD for MEYERS, ROBERT		**483.00**		
MILES, ROBERT			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883087	229.88		
			RETIREE MED JUL '11	229.88
	Vendor Total	**229.88**		
FYTD for MILES, ROBERT		**229.88**		
MIMES, TANIYSHA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208769	64.00		
			REFUND-PICNIC SHELTER RENTAL	64.00
	Vendor Total	**64.00**		
FYTD for MIMES, TANIYSHA		**64.00**		
MINARD, MARK E.			Remit to: **REDLANDS** **CA**	
7/5/2011	883088	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for MINARD, MARK E.		**318.73**		
MIRACLE RECREATION EQUIPMENT			Remit to: **CHICAGO** **IL**	
7/18/2011	883180	2,745.16		
			PLAYGROUND EQUIP PARTS-PARKS	1,961.65
			PLAYGROUND EQUIP PARTS-PARKS	307.64
			PLAYGROUND EQUIPMENT PARTS	475.87
	Vendor Total	**2,745.16**		
FYTD for MIRACLE RECREATION EQUIPMENT		**2,745.16**		

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MISTRETTA, ARTHUR			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883149	144.00		
			SPORTS OFFICIATING SVCS-SFTBL	54.00
			SPORTS OFFICIATING SVCS-SFTBL	36.00
			SPORTS OFFICIATING SVCS-SFTBL	54.00
	Vendor Total	**144.00**		
FYTD for MISTRETTA, ARTHUR		**144.00**		
MOELLER, DONNA M.			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208770	67.77		
			NEIGHBRHD CLEAN UP EXPENSE	67.77
	Vendor Total	**67.77**		
FYTD for MOELLER, DONNA M.		**67.77**		
MOLLICA, MIKE			Remit to: **DUNNELLON** **FL**	
7/5/2011	883089	401.42		
			RETIREE MED JUL '11	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**401.42**		
MONTEJANO, SHIRLEY			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208679	750.00		
			REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total	**750.00**		
FYTD for MONTEJANO, SHIRLEY		**750.00**		
MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208680	1,706.90		
			PLUMBING SVCS-CRC	1,075.00
			PLUMBING SVCS-ANIMAL SHELTER	631.90
	Vendor Total	**1,706.90**		
FYTD for MONTGOMERY PLUMBING INC		**1,706.90**		
MOORE, LEEPORSCHA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208681	22.00		
			REFUND-PARKS CLASS REGIS FEE	22.00
	Vendor Total	**22.00**		
FYTD for MOORE, LEEPORSCHA		**22.00**		
MOOSEPOINT TECHNOLOGY, INC.			Remit to: **SONOMA** **CA**	
7/25/2011	208851	9,000.00		
			GIS INTERNET SITE HOSTING SVCS	9,000.00
	Vendor Total	**9,000.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**9,000.00**		

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MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	7/5/2011	883090	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**318.73**		
MORENO VALLEY BOWL				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208580	320.00		
				INSTRUCTOR SVCS-BOWLING	320.00
	Vendor Total		**320.00**		
FYTD for MORENO VALLEY BOWL			**320.00**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208581	60.00		
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
	7/5/2011	208582	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**810.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**810.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	7/1/2011	2888	1,538.00		
				MVCEA DUES 7/1/11	1,538.00
	7/15/2011	2897	1,543.50		
				MVCEA DUES 7/15/11	1,543.50
	7/29/2011	2905	1,419.00		
				MVCEA DUES 7/29/11	1,419.00
	Vendor Total		**4,500.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**4,500.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRANO CA**	
	7/18/2011	883181	9,207.72		
				LEASE-SPEC DIST ANNEX-AUG 11	9,207.72
	7/25/2011	883204	7,934.87		
				LEASE-FACILITIES ANNEX	2,458.97
				LEASE-TECH SVCS ANNEX	5,475.90
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**17,142.59**		

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MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/5/2011	208583	91.54		
				ELECTRICITY-UT FLD OFFICE	91.54
	Vendor Total		**91.54**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		
MORENO, MARIO				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208852	230.00		
				PER DIEM-GANG VIOLENCE CONF.	230.00
	Vendor Total		**230.00**		
FYTD for MORENO, MARIO			**230.00**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	7/5/2011	883091	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**318.73**		
MPULSE MAINTENANCE SOFTWARE, INC.				Remit to: **EUGENE** **OR**	
	7/5/2011	883092	3,977.50		
				PROGRAM RENEWAL-TECH SVCS	3,977.50
	Vendor Total		**3,977.50**		
FYTD for MPULSE MAINTENANCE SOFTWARE, INC.			**3,977.50**		
MULTI W SYSTEMS, INC				Remit to: **EL MONTE** **CA**	
	7/25/2011	208853	975.00		
				PUMP REPAIR-COMM PARK SOCCER F	975.00
	Vendor Total		**975.00**		
FYTD for MULTI W SYSTEMS, INC			**975.00**		
MUNOZ, ARIEL				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208772	110.16		
				MILEAGE REIMBURSEMENT	80.07
				MILEAGE REIMBURSEMENT	30.09
	Vendor Total		**110.16**		
FYTD for MUNOZ, ARIEL			**110.16**		
MURILLO, MARIA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208773	750.00		
				REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total		**750.00**		
FYTD for MURILLO, MARIA			**750.00**		

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MUSICK, PEELER & GARRETT, LLP			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208774	240.00		
			LEGAL SVCS	240.00
	Vendor Total	**240.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP		**240.00**		
MYERS & SONS HI-WAY SAFETY INC			Remit to: **CHINO** **CA**	
7/11/2011	208682	11,957.06		
			TRUCK MNTD MSSG BOARD-PW	10,995.00
			TRUCK MNTD MSSG BOARD-PW	962.06
	Vendor Total	**11,957.06**		
FYTD for MYERS & SONS HI-WAY SAFETY INC		**11,957.06**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/1/2011	2886	4,288.72		
			PST DEF COMP FOR FICA 7/1/11	4,288.72
7/1/2011	2887	1,240.66		
			DEF COMP 457 & 401(A) 7/1/11	1,240.66
7/15/2011	2895	1,733.32		
			PST DEF COMP FOR FICA 7/15/11	1,733.32
7/29/2011	2903	2,082.83		
			PST DEF COMP FOR FICA 7/29/11	2,082.83
	Vendor Total	**9,345.53**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
7/5/2011	883093	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**318.73**		
NEAL, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208775	156.00		
			REFUND-PICNIC SHELTER RENTAL	156.00
	Vendor Total	**156.00**		
FYTD for NEAL, DEBORAH		**156.00**		
NEGRETTE, JENNIFER			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208584	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for NEGRETTE, JENNIFER		**20.00**		

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NELSON PAVING				Remit to: **PERRIS** **CA**	
	7/5/2011	208585	871.00		
				CONCRETE PAINTING	871.00
	Vendor Total		**871.00**		
FYTD for NELSON PAVING			**871.00**		
NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	7/5/2011	883094	325.66		
				RETIREE MED JUL '11	325.66
	Vendor Total		**325.66**		
FYTD for NELSON, ROBERT			**325.66**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	7/5/2011	883095	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**318.73**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	7/5/2011	208586	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**318.73**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883096	9.42		
				REFUND-UUT USER TAXES	9.42
	Vendor Total		**9.42**		
FYTD for NEW HORIZON MOBILE HOME PARK			**9.42**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208588	401.42		
				RETIREE MED JUL '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**401.42**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	7/18/2011	208776	2,713.31		
				NIGHT VISION GOGGLES FOR PD	2,495.00
				CA SALES TAX	218.31
	Vendor Total		**2,713.31**		
FYTD for NIGHT GALAXY, INC.			**2,713.31**		

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NINYO & MOORE GEOTECHNICAL				Remit to: **SAN DIEGO** **CA**	
	7/5/2011	208589	6,987.75		
				DRACAEA AVE SIDEWLK IMPRVMNTS	6,987.75
	7/11/2011	208683	539.25		
				IRONWD AVE ST/STORM DRAIN PROJ	539.25
	7/18/2011	208777	17,091.00		
				IRONWD AVE ST/STORM DRAIN PROJ	17,091.00
	Vendor Total		**24,618.00**		
FYTD for NINYO & MOORE GEOTECHNICAL			**24,618.00**		
NOLLAR, JANICE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208590	307.04		
				TRAVEL EXP-ESRI INTL USER CONF	94.04
				TRAVEL EXP-ESRI INTL USER CONF	213.00
	Vendor Total		**307.04**		
FYTD for NOLLAR, JANICE			**307.04**		
NOLTE ASSOCIATES, INC				Remit to: **SACRAMENTO** **CA**	
	7/18/2011	208778	113.43		
				REFUND-BUS LIC OVERPAYMENT	113.43
	Vendor Total		**113.43**		
FYTD for NOLTE ASSOCIATES, INC			**113.43**		
OAKRIDGE DATA MINING				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208779	2,370.00		
				CONSULTANT SVCS-TECH SVCS	2,370.00
	Vendor Total		**2,370.00**		
FYTD for OAKRIDGE DATA MINING			**2,370.00**		
OMNIGRAPHICS				Remit to: **HOLMES** **PA**	
	7/25/2011	208854	90.95		
				REFERENCE BOOKS	90.95
				REFERENCE BOOKS	7.96
				REFERENCE BOOKS	-7.96
	Vendor Total		**90.95**		
FYTD for OMNIGRAPHICS			**90.95**		
ORACLE AMERICA				Remit to: **SAN FRANCISCO** **CA**	
	7/5/2011	208591	21,621.68		
				ANNUAL MAINT-TECH SVCS	21,621.68
	Vendor Total		**21,621.68**		
FYTD for ORACLE AMERICA			**21,621.68**		

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ORCHID CELLMARK, INC			Remit to: **FARMERS BRANCH**	**TX**
7/18/2011	208780	2,280.00		
			DETECT/TEST EVIDENCE/DNA-PD	2,280.00
	Vendor Total	**2,280.00**		
FYTD for ORCHID CELLMARK, INC		**2,280.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883205	208.00		
			LEGAL SVCS	208.00
	Vendor Total	**208.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**208.00**		
ORTEGA, JORGE			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	208592	750.00		
			REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total	**750.00**		
FYTD for ORTEGA, JORGE		**750.00**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH**	**CA**
7/25/2011	883206	296.25		
			SR-60/NASON INTRCHNG PROJ SVCS	296.25
7/25/2011	883207	6,800.00		
			APPRAISAL SVCS-HIGHLND FIRE ST	6,800.00
	Vendor Total	**7,096.25**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**7,096.25**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND**	**CA**
7/25/2011	883208	989.00		
			TURF FERTILIZATION-ZONE E	302.97
			TURF FERTILIZATION-ZONE E	550.15
			TURF FERTILIZATION-ZONE E	112.61
			TURF FERTILIZATION-ZONE E	23.27
	Vendor Total	**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**989.00**		
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON**	**CA**
7/5/2011	883097	375.84		
			PAYPHONE SVCS	313.20
			PAYPHONE SVCS-PD	62.64
	Vendor Total	**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**375.84**		

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PARSONS TRANSPORTATION GROUP, INC.				Remit to: **IRVINE** **CA**	
	7/18/2011	208781	13,592.47		
				SR-60/MOR BCH DR INTRCHNG PROJ	13,592.47
	Vendor Total		**13,592.47**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**13,592.47**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208593	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**229.88**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	7/11/2011	208685	110.00		
				SPORTS OFFICIATING SVCS-SFTBL	110.00
	Vendor Total		**110.00**		
FYTD for PAUL, MICHAEL			**110.00**		
PERKINS, NICOLE				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208594	72.00		
				INSTRUCTOR SVCS-RIPPED	36.00
				INSTRUCTOR SVCS-RIPPED	36.00
	Vendor Total		**72.00**		
FYTD for PERKINS, NICOLE			**72.00**		
PERMA				Remit to: **PALM DESERT** **CA**	
	7/25/2011	883209	1,548.17		
				SEMI-ANNUAL AUDIT INVOICE	1,548.17
	Vendor Total		**1,548.17**		
FYTD for PERMA			**1,548.17**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	7/5/2011	208595	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**318.73**		

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PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	7/5/2011	208596	458.63		
				LONG TERM CARE INSURANCE	458.63
	7/18/2011	208782	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**917.26**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PETTY CASH - FINANCE				Remit to: **MORENO VALLEY**	**CA**
	7/18/2011	208783	1,297.91		
				PETTY CASH FUND REPLENISHMENT	28.41
				PETTY CASH FUND REPLENISHMENT	36.05
				PETTY CASH FUND REPLENISHMENT	22.32
				PETTY CASH FUND REPLENISHMENT	27.03
				PETTY CASH FUND REPLENISHMENT	67.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	6.00
				PETTY CASH FUND REPLENISHMENT	91.64
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	20.80
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	10.50
				PETTY CASH FUND REPLENISHMENT	26.96
				PETTY CASH FUND REPLENISHMENT	56.25
				PETTY CASH FUND REPLENISHMENT	17.71
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	18.32
				PETTY CASH FUND REPLENISHMENT	10.24
				PETTY CASH FUND REPLENISHMENT	91.38
				PETTY CASH FUND REPLENISHMENT	91.87
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	4.34
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	50.00
				PETTY CASH FUND REPLENISHMENT	45.00
				PETTY CASH FUND REPLENISHMENT	3.25
				PETTY CASH FUND REPLENISHMENT	23.68
				PETTY CASH FUND REPLENISHMENT	30.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	21.69
			PETTY CASH FUND REPLENISHMENT	48.50
			PETTY CASH FUND REPLENISHMENT	13.00
			PETTY CASH FUND REPLENISHMENT	88.47
			PETTY CASH FUND REPLENISHMENT	6.50
			PETTY CASH FUND REPLENISHMENT	24.00
	Vendor Total	1,297.91		
FYTD for PETTY CASH - FINANCE		1,297.91		

PICTUREME PORTRAIT STUDIO #15193 Remit to: **ST. LOUIS** **MO**

7/11/2011	208686	71.76		
			REFUND-BUS LIC OVERPAYMENT	71.76
	Vendor Total	71.76		
FYTD for PICTUREME PORTRAIT STUDIO #15193		71.76		

POIEMA LANDSCAPE, INC. Remit to: **COLTON** **CA**

7/5/2011	883098	2,131.00		
			LANDSCAPE MAINT-E12	2,131.00
7/25/2011	883210	1,712.15		
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		3,843.15		

POLK, SHAKENDRA Remit to: **MORENO VALLEY** **CA**

7/18/2011	208784	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	25.00
			REFUND-RENTAL DEPOSIT-TWNGATE	175.00
	Vendor Total	200.00		
FYTD for POLK, SHAKENDRA		200.00		

PRICE, GEORGE E. Remit to: **MORENO VALLEY** **CA**

7/5/2011	883099	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	318.73		
FYTD for PRICE, GEORGE E.		318.73		

PROTECTION ONE, INC. Remit to: **WITCHITA** **KS**

7/18/2011	208785	42.00		
			MONITORING SVCS-GOLF PRO SHOP	17.00
			MONITORING SVCS-MVTV STUDIO	17.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
	Vendor Total	42.00		
FYTD for PROTECTION ONE, INC.		42.00		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	7/5/2011	883100	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**318.73**		
PULSE PRINT SOLUTIONS				Remit to: **ORANGE** **CA**	
	7/11/2011	208687	2,936.25		
				PRINT SVCS-EDUCATIONAL MAGNETS	2,700.00
				SALES TAX	236.25
	Vendor Total		**2,936.25**		
FYTD for PULSE PRINT SOLUTIONS			**2,936.25**		
QUINTERO, CYNTHIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208688	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for QUINTERO, CYNTHIA			**200.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	7/11/2011	883150	2,023.00		
				ROLL UP DOOR MAIN, FIRE STN 6	201.00
				ROLL UP DOOR MAIN, FIRE STN 6	695.00
				ROLL UP DOOR MAIN, FIRE STN 48	141.00
				ROLL UP DOOR MAIN, FIRE STN 2	201.00
				ROLL UP DOOR MAIN, FIRE STN 58	82.00
				ROLL UP DOOR MAIN, FIRE STN 58	119.00
				ROLL UP DOOR MAIN, FIRE STN 91	111.25
				ROLL UP DOOR MAIN, FIRE STN 91	89.75
				ROLL UP DOOR MAIN, FIRE STN 65	141.00
				ROLL UP DOOR MAIN, FIRE STN 65	130.75
				ROLL UP DOOR MAIN, FIRE STN 65	111.25
	Vendor Total		**2,023.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**2,023.00**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208597	168.81		
				REIMB-DUI SEMINAR TRNG CLASS	168.81
	Vendor Total		**168.81**		
FYTD for RAFAEL LOPEZ			**168.81**		

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RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208598	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.		**318.73**		
REGENTS OF U.C.			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208786	115.00		
			VIOLENT CRIME BEHAV SEMINAR	115.00
	Vendor Total	**115.00**		
FYTD for REGENTS OF U.C.		**115.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208599	384.60		
			SHADOW MTN PARK LIGHTING PROJ	384.60
7/25/2011	208856	3,401.50		
			SHADOW MTN PARK LIGHTING PROJ	2,951.50
			SHADOW MTN PARK LIGHTING PROJ	450.00
	Vendor Total	**3,786.10**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**3,786.10**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883101	2,582.50		
			DRACAEA AVE SIDEWLK IMPRVMNTS	2,582.50
7/18/2011	883182	11,995.00		
			TS@SUNNYMD RCH PKWY/VILLAGE RD	1,380.00
			TS@SUNNYMD RCH PKWY/VILLAGE RD	130.00
			2011 LOCAL ST. PAVEMNT RESURF.	7,545.00
			2011 LOCAL ST. PAVEMNT RESURF.	2,600.00
			DRACAEA AVE SIDEWLK IMPRVMNTS	340.00
	Vendor Total	**14,577.50**		
FYTD for RICK ENGINEERING COMPANY		**14,577.50**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208689	2,000.00		
			ENCR. PERMIT INITIAL DEPOSIT	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**2,000.00**		

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RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE**	**CA**
7/19/2011	110702	15,888.77		
			RETENTN PMT PER ESCRW AGREEMNT	15,888.77
7/19/2011	1107031	2,302.31		
			RETENTN PMT PER ESCRW AGREEMNT	2,302.31
7/19/2011	1107032	3,209.50		
			RETENTN PMT PER ESCRW AGREEMNT	3,209.50
7/19/2011	1107033	8,289.68		
			RETENTN PMT PER ESCRW AGREEMNT	8,289.68
7/19/2011	1107034	20,325.46		
			RETENTN PMT PER ESCRW AGREEMNT	20,325.46
	Vendor Total	**50,015.72**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**500,157.17**		
RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY			Remit to: **RIVERSIDE**	**CA**
7/25/2011	208857	10,572.22		
			TEAM RIV CTY 528140-ICSC CONF	2,770.00
			ICSC CONF.-GES LOGISTICS	997.50
			ICSC CONF.-EXHIBIT SPACE	3,500.00
			ICSC CONF.-ELECTRICITY COST	800.00
			ICSC CONF.-CARPET COST	2,400.00
			ICSC CONF-ADDTL FURNITURE COST	104.72
	Vendor Total	**10,572.22**		
FYTD for RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY		**10,572.22**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208690	3,781.83		
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			RADIO LEASE/MAIN-PD	170.10
			RADIO LEASE/MAIN-PD	9.45
			RADIO LEASE/MAIN-PD	33.12
			VPN CONNECTION SVCS-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**3,781.83**		
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883212	10,267.92		
			BOOKING FEES-PD	10,267.92
	Vendor Total	**10,267.92**		
FYTD for RIVERSIDE COUNTY SHERIFF		**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208787	138.00		
			REG-BASIC CRIMINAL INV. COURSE	138.00
	Vendor Total	**138.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**138.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208600	611.09		
			GARNISHMENT	173.05
			GARNISHMENT	438.04
7/18/2011	208788	674.82		
			GARNISHMENT	152.05
			GARNISHMENT	522.77
	Vendor Total	**1,285.91**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**1,285.91**		
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208858	322.00		
			7 ATTENDEES-CITZN DRIVER CLASS	322.00
	Vendor Total	**322.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPARTMENT		**322.00**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
7/25/2011	883213	6,417.00		
			TEMP STAFFING SVCS-CAP PROJS	6,417.00
	Vendor Total	**6,417.00**		
FYTD for RLZ ENGINEERING		**6,417.00**		
RMA GROUP			Remit to: **RANCHO CUCAMONGA** **CA**	
7/25/2011	208859	8,791.09		
			SR-60/NASON INTRCHNG PROJ SVCS	7,782.75
			SR-60/NASON INTRCHNG PROJ SVCS	1,008.34
	Vendor Total	**8,791.09**		
FYTD for RMA GROUP		**8,791.09**		
ROCHA, SARA L.			Remit to: **QUEEN CREEK** **AZ**	
7/5/2011	883103	826.20		
			RETIREE MED APR-JUN '11 ($160	826.20
	Vendor Total	**826.20**		
FYTD for ROCHA, SARA L.		**826.20**		

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ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	7/5/2011	883104	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**318.73**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208691	45.90		
				MILEAGE REIMBURSEMENT	45.90
	Vendor Total		**45.90**		
FYTD for ROGERS, KIANNA			**45.90**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883105	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**318.73**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	7/5/2011	883106	270.80		
				RETIREE MED JUL '11	174.30
				RETIREE MED JUL '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**270.80**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/25/2011	883214	357.50		
				PLUMBING REPAIRS-WOODLAND PARK	357.50
	Vendor Total		**357.50**		
FYTD for ROTO-ROOTER PLUMBERS			**357.50**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	7/5/2011	883107	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**229.88**		
RUTAN & TUCKER, LLP				Remit to: **COSTA MESA** **CA**	
	7/5/2011	208601	275.00		
				LEGAL SVCS-RE: PEG FEES	275.00
	Vendor Total		**275.00**		
FYTD for RUTAN & TUCKER, LLP			**275.00**		

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SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	7/25/2011	883215	5,400.00		
				TEMP STAFFING SVCS-CAP PROJS	5,400.00
	Vendor Total		**5,400.00**		
FYTD for SA ASSOCIATES			**5,400.00**		
SAFETY KLEEN CORP.				Remit to: **HIGHLAND** **CA**	
	7/11/2011	208692	134.33		
				MISC SUPPLIES-MAINT/OPS	134.33
	Vendor Total		**134.33**		
FYTD for SAFETY KLEEN CORP.			**134.33**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208693	144.00		
				INSTRUCTOR SVCS-ZUMBA	17.20
				INSTRUCTOR SVCS-ZUMBA	126.80
	Vendor Total		**144.00**		
FYTD for SALMAN, CLAUDIA			**144.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883108	60.00		
				FIRE SYSTEM INSPECTION SVC	8.00
				FIRE SYSTEM INSPECTION SVC	52.00
	Vendor Total		**60.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**60.00**		
SAXON, NANCY				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208602	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SAXON, NANCY			**20.00**		
SCAG/SOUTHERN CALIF ASSO OF GOVTS				Remit to: **LOS ANGELES** **CA**	
	7/11/2011	208694	15,680.00		
				DUES ASSESSMNT-FY 2011-12	15,680.00
	Vendor Total		**15,680.00**		
FYTD for SCAG/SOUTHERN CALIF ASSO OF GOVTS			**15,680.00**		
SCHIFFER, ROBYN				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208860	23,021.60		
				SOLAR INCENTIVE REBATE	23,021.60
	Vendor Total		**23,021.60**		
FYTD for SCHIFFER, ROBYN			**23,021.60**		

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SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208603	477.00		
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**477.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
7/5/2011	883109	62.50		
			REPAIRED DOOR JAM AT FS#48	62.50
7/25/2011	883216	987.63		
			LOCK/INSTALLATION-LIBRARY	49.00
			LOCK/INSTALLATION-LIBRARY	68.04
			LOCK/INSTALLATION-LIBRARY	402.21
			DOOR SVC-CITY CLRK FILE RM	423.38
			TRIP CHRG-SVC RE: WARRANT	45.00
	Vendor Total	**1,050.13**		
FYTD for SECURITY LOCK & KEY		**1,050.13**		
SEPULVEDA, SUSETTE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208695	49.60		
			REFUND-PARKS CLASS REGIS FEE	49.60
	Vendor Total	**49.60**		
FYTD for SEPULVEDA, SUSETTE		**49.60**		
SHABIR, AMNA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208696	427.00		
			REFUND-PARKS CLASS REGIS FEE	427.00
	Vendor Total	**427.00**		
FYTD for SHABIR, AMNA		**427.00**		
SHARRETT, SHARON K.			Remit to: **ONTARIO** **CA**	
7/5/2011	208604	174.30		
			RETIREE MED JUL '11	174.30
	Vendor Total	**174.30**		
FYTD for SHARRETT, SHARON K.		**174.30**		
SHELDON, STUART H.			Remit to: **MURRIETA** **CA**	
7/5/2011	208605	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for SHELDON, STUART H.		**318.73**		

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SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	7/18/2011	208789	111.00		
				FUEL PURCHASES	111.00
	7/25/2011	208861	21.25		
				FUEL PURCHASE	21.25
	Vendor Total		**132.25**		
FYTD for SHELL OIL CO.			**132.25**		
SIERRA SCREENPRINT GRAPHICS				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208697	1,508.91		
				CRIME FREE MULTI HSNG SIGNS-PD	1,387.50
				CALIF SALES TAX	121.41
	Vendor Total		**1,508.91**		
FYTD for SIERRA SCREENPRINT GRAPHICS			**1,508.91**		
SIERRA, GLORIA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208862	95.00		
				REFUND-RABIES DEPOSIT	20.00
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for SIERRA, GLORIA			**95.00**		
SKONBERG, RIX				Remit to: **LA VERNE** **CA**	
	7/18/2011	883184	0.00		
				TUITION REIMBURSEMENT	1,500.00
				VOIDED CHECK #883184 - 7/21/11	-1,500.00
	7/21/2011	883187	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for SKONBERG, RIX			**1,500.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883110	57.76		
				REFUND-UUT USER TAXES	57.76
	Vendor Total		**57.76**		
FYTD for SKY TRAILS MOBILE VILLAGE			**57.76**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883111	318.73		
				RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**318.73**		

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SMITH, ERNEST FRANK				Remit to: **FONTANA** **CA**	
	7/5/2011	208606	1,912.38		
				RETIREE MED JAN-JUN 11, PD JUL	1,912.38
	Vendor Total		**1,912.38**		
FYTD for SMITH, ERNEST FRANK			**1,912.38**		
SMITH, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208790	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SMITH, JOHN			**50.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883112	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**318.73**		
SMUS, PAULA				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208791	67.68		
				MILEAGE REIMBURSEMENT	67.68
	Vendor Total		**67.68**		
FYTD for SMUS, PAULA			**67.68**		
SO CAL FIRE PREVENTION OFFICERS ASSOC.				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/5/2011	208607	55.00		
				MEMBERSHIP RENEWAL	55.00
	Vendor Total		**55.00**		
FYTD for SO CAL FIRE PREVENTION OFFICERS ASSOC.			**55.00**		
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	7/11/2011	883152	14,671.30		
				FUEL PURCHASE	6,431.32
				FUEL PURCHASE	8,239.98
	Vendor Total		**14,671.30**		
FYTD for SOCO GROUP, INC			**14,671.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208698	103.20		
				INSTRUCTOR SVCS-YOGA CLASS	103.20
	Vendor Total		**103.20**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**103.20**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
7/5/2011	208608	416.41		
			OPERATING FEE-CH GENERATOR	303.56
			EMISSIONS FLAT FEE-CITY HALL	112.85
7/11/2011	208699	202.60		
			EMISSIONS FLAT FEE-CITY YARD	112.85
			ANNUAL OPERATING FEES-CITY YRD	89.75
7/11/2011	208700	112.31		
			AQMD FEE-JUL'10 TO JUN'11	112.31
7/25/2011	208863	112.31		
			HOT SPOTS FEE-JUL'10 TO JUN'11	112.31
	Vendor Total	**843.63**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**843.63**		
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208609	6,946.39		
			ELECTRICITY	94.55
			ELECTRICITY	104.01
			ELECTRICITY	916.01
			ELECTRICITY	1,791.93
			ELECTRICITY	135.60
			ELECTRICITY	248.78
			ELECTRICITY	706.85
			ELECTRICITY	824.38
			ELECTRICITY	154.13
			ELECTRICITY	309.68
			ELECTRICITY	25.25
			ELECTRICITY	1,083.80
			ELECTRICITY	205.83
			ELECTRICITY	197.81
			ELECTRICITY	70.49
			ELECTRICITY	77.29
7/11/2011	208702	5,217.15		
			ELECTRICITY	44.62
			ELECTRICITY	21.99
			ELECTRICITY	884.88
			ELECTRICITY	1,444.50
			ELECTRICITY	1,186.44
			ELECTRICITY	396.60
			ELECTRICITY	656.24
			ELECTRICITY	498.47
			ELECTRICITY	43.51
			ELECTRICITY	39.90
7/25/2011	208865	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**26,310.27**		
FYTD for SOUTHERN CALIFORNIA EDISON		**228,961.11**		

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SOUTHERN CALIFORNIA GAS CO.			Remit to: **MONTEREY PARK** **CA**	
7/18/2011	208793	4,681.09		
			GAS CHARGES	711.38
			GAS CHARGES	2,158.36
			GAS CHARGES	14.30
			GAS CHARGES	22.71
			GAS CHARGES	356.59
			GAS CHARGES	146.36
			GAS CHARGES	20.74
			GAS CHARGES	224.49
			GAS CHARGES	78.57
			GAS CHARGES	105.47
			GAS CHARGES	64.73
			GAS CHARGES	80.09
			GAS CHARGES	68.95
			GAS CHARGES	99.38
			GAS CHARGES	22.44
			GAS CHARGES	506.53
	Vendor Total	**4,681.09**		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**4,681.09**		
SPARKLETTS			Remit to: **DALLAS** **TX**	
7/11/2011	208703	41.83		
			WATER SERVICE-CREEKSIDE ELEM	19.54
			WATER SERVICE-ARMADA ELEM.	22.29
7/25/2011	208866	15.50		
			WATER SERVICE-SUNNYMD ELEM	15.50
	Vendor Total	**57.33**		
FYTD for SPARKLETTS		**57.33**		
SPECK, GARY B.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883113	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for SPECK, GARY B.		**318.73**		
SPECK, TIFFANY			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208867	28.00		
			REFUND-DRAWING FOR KIDS CLASS	28.00
	Vendor Total	**28.00**		
FYTD for SPECK, TIFFANY		**28.00**		

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SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	7/25/2011	883217	12,333.33		
				LNDSCP MAINT.-ZONE E-1	8,746.67
				LNDSCP MAINT.-ZONE E-1A	3,586.66
	Vendor Total		**12,333.33**		
FYTD for SPECTRUM CARE			**12,333.33**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883114	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**229.88**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	7/18/2011	208794	30.00		
				SUBPOENA COMPLNCE-MV111370237	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	7/11/2011	883153	32.89		
				CELL PHONE SVCS-GANG TASK FRC	32.89
	7/25/2011	883218	607.43		
				CELL PHONE SVCS-PD/SET	607.43
	Vendor Total		**640.32**		
FYTD for SPRINT/NEXTEL			**640.32**		
SRINIVAS, ANAND				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208795	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SRINIVAS, ANAND			**75.00**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	7/5/2011	208611	2,050.52		
				SUPPLEMENTAL INSURANCE	2,050.52
	Vendor Total		**2,050.52**		
FYTD for STANDARD INSURANCE CO			**31,970.69**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883219	140.00		
			FIRE ALARM SVCD-CONF & REC CTR	140.00
	Vendor Total	**140.00**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**140.00**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
7/25/2011	208868	6,246.25		
			ELECTRICAL ENERGY SURCHARGE	6,246.25
7/29/2011	63011	5,250.00		
			SALES & USE TAX 4/1/11-6/30/11	5,250.00
	Vendor Total	**11,496.25**		
FYTD for STATE BOARD OF EQUALIZATION		**11,496.25**		
STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208704	2,400.44		
			ANNL STREET REPORT 09/10 FY	2,400.44
	Vendor Total	**2,400.44**		
FYTD for STATE CONTROLLER'S OFFICE		**2,400.44**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
7/7/2011	2885	2,096.47		
			CHILD SUPPORT W/H 7/7/11	2,096.47
7/21/2011	2894	2,238.93		
			CHILD SUPPORT W/H 7/21/11	2,238.93
	Vendor Total	**4,335.40**		
FYTD for STATE DISBURSEMENT UNIT		**4,335.40**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
7/5/2011	208612	3,197.00		
			FINGERPRINTING SVCS-PD	3,197.00
7/11/2011	208705	958.00		
			BLOOD ALCOHOL ANALYSIS-PD	350.00
			FINGERPRINTING SVCS-BUS. LIC.	128.00
			FINGERPRINTING SVCS-H.R.	256.00
			FINGERPRINTING SVCS-STARS	32.00
			FINGERPRINTING SVCS-PRKS & REC	64.00
			FINGERPRINTING SVC-PD	96.00
			FINGERPRINTING SVC-CITY COUNCL	32.00
7/18/2011	208796	2,848.00		
			FINGERPRINTING SVCS-BUS. LIC.	192.00
			FINGERPRINTING SVCS-H.R.	128.00
			FINGERPRINTING SVCS-STARS	2,024.00
			FINGERPRINTING SVCS-STARS	504.00
	Vendor Total	**7,003.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**7,003.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
7/18/2011	208797	127.04		
			REFUND-MVU/J MCGLOTHEN	38.86
			REFUND-MVU/B SOLARES	88.18
	Vendor Total	**127.04**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**127.04**		
STEININGER, RICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208706	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for STEININGER, RICHELLE		**20.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
7/18/2011	208798	2,288.96		
			TRANSCRIPTION SVCS-PD	2,288.96
	Vendor Total	**2,288.96**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**2,288.96**		
STEWART TITLE OF CALIFORNIA			Remit to: **HOUSTON** **TX**	
7/5/2011	208629	250.00		
			APN482-230-13 LITIG. GUARANTEE	250.00
	Vendor Total	**250.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**250.00**		

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STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
7/5/2011	883116	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for STEWART, CLIFFORD		**267.88**		
STILES ANIMAL REMOVAL, INC.			Remit to: **GUASTI** **CA**	
7/25/2011	208869	300.00		
			LARGE ANIMAL REMOVAL SVCS	100.00
			LARGE ANIMAL REMOVAL SVCS	200.00
	Vendor Total	**300.00**		
FYTD for STILES ANIMAL REMOVAL, INC.		**300.00**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH** **CA**	
7/11/2011	208707	1,550.10		
			LEGAL SVCS	79.50
			LEGAL SVCS	695.27
			LEGAL SVCS	775.33
	Vendor Total	**1,550.10**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**1,550.10**		
STRICKLER ASSOCIATION, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	883220	4,062.50		
			CONSULTING SVCS-EDD	4,062.50
	Vendor Total	**4,062.50**		
FYTD for STRICKLER ASSOCIATION, THE		**4,062.50**		
STRICKLER II, JOHN W.			Remit to: **SAN BERNARDINO** **CA**	
7/5/2011	883117	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for STRICKLER II, JOHN W.		**318.73**		
SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208708	10.56		
			MISC SUPPLIES-PD	10.56
	Vendor Total	**10.56**		
FYTD for SUNNYMEAD ACE HARDWARE		**10.56**		
SYED, ADNAN			Remit to: **LAKE ELSINORE** **CA**	
7/18/2011	208799	725.00		
			REFUND-RENTAL DEPOSIT-CRC	725.00
	Vendor Total	**725.00**		
FYTD for SYED, ADNAN		**725.00**		

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TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	7/5/2011	208613	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**6,250.00**		
TCM GROUP				Remit to: **FONTANA** **CA**	
	7/5/2011	883118	0.00		
				SR-60/NASON ST INTRCHNG PROJ	21,572.87
				SR-60/NASON ST INTRCHNG PROJ	42,633.50
				SR-60/NASON ST INTRCHNG PROJ	23,140.52
				SR-60/NASON ST INTRCHNG PROJ	85,853.53
				VOIDED CHECK #883118 - 7/12/11	-21,572.87
				VOIDED CHECK #883118 - 7/12/11	-42,633.50
				VOIDED CHECK #883118 - 7/12/11	-23,140.52
				VOIDED CHECK #883118 - 7/12/11	-85,853.53
	Vendor Total		**0.00**		
FYTD for TCM GROUP			**351,572.38**		
TEK TIME SYSTEMS, LLC				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208718	268.25		
				REPAIRS-DATE STAMP MACHINE-FIN	268.25
	Vendor Total		**268.25**		
FYTD for TEK TIME SYSTEMS, LLC			**268.25**		
TEK WORKS				Remit to: **POWAY** **CA**	
	7/18/2011	883185	960.10		
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.09
				CREDIT-CITY CLRK FILE RM DOOR	-693.78
	Vendor Total		**960.10**		
FYTD for TEK WORKS			**960.10**		
TENORIO, LIZETTE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208800	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for TENORIO, LIZETTE			**200.00**		

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TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	7/5/2011	208614	7,262.00		
				CITY HALL HVAC SYSTEM REDESIGN	7,262.00
	7/27/2011	208881	6,113.59		
				CITY HALL HVAC SYSTEM REDESIGN	6,113.59
	Vendor Total		**13,375.59**		
FYTD for TMAD TAYLOR & GAINES			**13,375.59**		
TOLEDANO, JANET				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208709	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for TOLEDANO, JANET			**75.00**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208870	2,530.80		
				INSTRUCTOR SVCS-BALLET INTERMD	66.60
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	222.00
				INSTRUCTOR SVCS-BALLET/JAZZ	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-HIP HOP DANCE	421.80
	Vendor Total		**2,530.80**		
FYTD for TRICHE, TARA			**2,530.80**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208615	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	7/11/2011	208710	25.00		
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**75.00**		
TRINITY DIVERSIFIED, INC.				Remit to: **LONG BEACH** **CA**	
	7/5/2011	208616	155.67		
				STRIPING/STENCIL TRCK SUPPLIES	155.67
	Vendor Total		**155.67**		
FYTD for TRINITY DIVERSIFIED, INC.			**155.67**		

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TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK**	**CA**
7/18/2011	208801	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
7/25/2011	208871	1,364.13		
			IRRIGATION REPAIRS-ZONE E-2	1,364.13
	Vendor Total	**17,064.13**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**17,064.13**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883222	14,093.25		
			LNDSCP MAINT.-ZONE M	5,289.24
			LNDSCP MAINT.-ZONE M	243.48
			LNDSCP MAINT.-ZONE DSG-1	6,075.53
			LNDSCP MAINT.-ZONE E-16	2,485.00
	Vendor Total	**14,093.25**		
FYTD for TRUGREEN LANDCARE		**14,093.25**		
TUNTLAND, JAMES			Remit to: **PRESCOTT**	**AZ**
7/5/2011	883119	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**267.88**		
TURBOSCAPE, INC.			Remit to: **SANTA CLARA**	**UT**
7/5/2011	883120	12,600.00		
			PLAYGRND FIBER FOR JFK PARK	11,550.00
			INSTALL FIBAR CHIPS-CITY PARKS	1,050.00
7/11/2011	883155	4,200.00		
			INSTALL FIBAR CHIPS-CITY PARKS	3,950.00
			INSTALL FIBAR CHIPS-CITY PARKS	250.00
	Vendor Total	**16,800.00**		
FYTD for TURBOSCAPE, INC.		**16,800.00**		
U.S. HEALTHWORKS MEDICAL GROUP			Remit to: **LOS ANGELES**	**CA**
7/25/2011	208872	50.00		
			FIT FOR DUTY EVALUATION-HR	50.00
	Vendor Total	**50.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		**50.00**		
U.S. POSTAL SERVICE			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	208617	11,000.00		
			PERMIT #153-REC GUIDES POSTAGE	11,000.00
	Vendor Total	**11,000.00**		
FYTD for U.S. POSTAL SERVICE		**11,000.00**		

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UNDERGROUND SERVICE ALERT			Remit to: **CORONA** **CA**	
7/5/2011	883121	433.50		
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
Vendor Total		**433.50**		
FYTD for UNDERGROUND SERVICE ALERT		**433.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO** **CA**	
7/5/2011	208618	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
Vendor Total		**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**291.67**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883122	270.00		
			AUTO MALL PYLON SIGN PROJECT	270.00
7/11/2011	883156	1,917.00		
			AUTO MALL PYLON SIGN PROJECT	1,917.00
Vendor Total		**2,187.00**		
FYTD for UNITED INSPECTION & TESTING INC		**2,187.00**		
UNITED POWER GENERATION, INC.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208619	265.00		
			GENERATOR TEST/REPAIR-FS #48	265.00
Vendor Total		**265.00**		
FYTD for UNITED POWER GENERATION, INC.		**265.00**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
7/11/2011	883157	1,501.02		
			BROOM KITS-ST SWEEPER	1,501.02
Vendor Total		**1,501.02**		
FYTD for UNITED ROTARY BRUSH CORP		**1,501.02**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
7/11/2011	883158	107.39		
			FENCE RENTAL-ANIMAL SHELTER	11.32
			FENCE RENTAL-ANIMAL SHELTER	96.07
Vendor Total		**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**107.39**		

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UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
7/5/2011	208620	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
7/18/2011	208802	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**100.00**		
FYTD for UNITED STATES TREASURY		**100.00**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208621	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
7/18/2011	208803	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
	Vendor Total	**989.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**989.38**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208622	3,652.45		
			FERTILIZER AND AG CHEMICALS	1,252.29
			FERTILIZER AND AG CHEMICALS	2,400.16
7/11/2011	208711	1,200.09		
			FERTILIZER AND AG CHEMICALS	919.37
			FERTILIZER AND AG CHEMICALS	280.72
	Vendor Total	**4,852.54**		
FYTD for UNIVAR USA, INC		**4,852.54**		
VACA, MONICA			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208873	3,000.00		
			SETTLEMENT	3,000.00
	Vendor Total	**3,000.00**		
FYTD for VACA, MONICA		**3,000.00**		

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VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
7/11/2011	883159	1,160.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL FIELD OFFICE	45.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
7/18/2011	883186	235.00		
			PEST CNTRL-LIBRARY	5.00
			PEST CNTRL-LIBRARY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,395.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**1,395.00**		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
7/5/2011	883123	8,120.00		
			TEMP STAFFING SVCS-CAP PROJS.	8,120.00
	Vendor Total	**8,120.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**8,120.00**		
VALUEQUEST PRO P.C.			Remit to: **PERRIS**	**CA**
7/5/2011	208623	250.00		
			APPRAISAL SVCS FOR NSP PRGM	250.00
	Vendor Total	**250.00**		
FYTD for VALUEQUEST PRO P.C.		**250.00**		

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VAS ASSOCIATES, INC.			Remit to: **CORONA** **CA**	
7/5/2011	883124	16,320.00		
			TEMP STAFFING SVCS-CAP PROJS.	16,320.00
7/25/2011	883223	17,280.00		
			TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total	**33,600.00**		
FYTD for VAS ASSOCIATES, INC.		**33,600.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208712	15,890.00		
			ACCOUNTING SVCS	7,155.00
			ACCOUNTING SVCS	8,735.00
	Vendor Total	**15,890.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**15,890.00**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
7/5/2011	208624	172.63		
			PHONE LISTING CHARGE	172.63
	Vendor Total	**172.63**		
FYTD for VERIZON CALIFORNIA		**172.63**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
7/11/2011	208713	648.15		
			ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total	**648.15**		
FYTD for VICTOR MEDICAL CO		**648.15**		
VIEVU			Remit to: **SEATTLE** **WA**	
7/5/2011	208625	10,169.00		
			WEARABLE VIDEO CAMERAS FOR PD	8,750.00
			2YR EXTENDED WARRANTY	1,400.00
			SHIPPING	19.00
			CA USE TAX	888.13
			USE TAX ACCRUAL	-888.13
	Vendor Total	**10,169.00**		
FYTD for VIEVU		**10,169.00**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883125	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST		**318.73**		

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VILLAGE NURSERIES WHOLESALE, LLC			Remit to: **ORANGE** **CA**	
7/5/2011	883126	3,809.49		
			PLANTS/TREE MATERIALS - PARKS	3,000.00
			PLANTS/TREE MATERIALS - PARKS	745.02
			PLANTS/TREE MATERIALS - PARKS	64.47
	Vendor Total	**3,809.49**		
FYTD for VILLAGE NURSERIES WHOLESALE, LLC		**3,809.49**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
7/5/2011	883127	3,951.46		
			EMPLOYEE VISION INSURANCE	3,951.46
	Vendor Total	**3,951.46**		
FYTD for VISION SERVICE PLAN		**3,951.46**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208714	261.11		
			PAINT/SUPPL FOR PARKS GRAFFITI	77.52
			PAINT/SUPPL-GRAFFITI RMVL PRGM	147.02
			PAINT/SUPPL-GRAFFITI RMVL PRGM	36.57
	Vendor Total	**261.11**		
FYTD for VISTA PAINT CORPORATION		**261.11**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
7/11/2011	208715	896.37		
			ASPHALTIC MATERIALS	550.55
			ASPHALTIC MATERIALS	103.85
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	103.85
	Vendor Total	**896.37**		
FYTD for VULCAN MATERIALS CO, INC.		**896.37**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883128	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for WAGNER, GARY D.		**318.73**		
WAGONER, ROBERT			Remit to: **ZEPHYRHILLS** **FL**	
7/5/2011	883129	360.40		
			RETIREE MED JUN-JUL 11, PD JUL	360.40
	Vendor Total	**360.40**		
FYTD for WAGONER, ROBERT		**360.40**		

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WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208626	637.46		
				RETIREE MED MAY-JUN 11, PD JUL	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**637.46**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	208874	2,000.00		
				ANNUAL TRUSTEE FEES-2005 LRB	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**2,000.00**		
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	7/11/2011	208719	5,700.00		
				TRIM/THIN OLIVE TREES-VAR LOC.	5,700.00
	Vendor Total		**5,700.00**		
FYTD for WEST COAST ARBORISTS, INC.			**5,700.00**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208716	492.00		
				CALTRANS ENCRCHMNT PERMIT FEE	492.00
	Vendor Total		**492.00**		
FYTD for WEST COAST STRUCTURES INC			**492.00**		
WESTBOUND COMMUNICATIONS				Remit to: **ORANGE** **CA**	
	7/18/2011	208804	7,500.00		
				MAIL BALLOT PR CONSULTING SVCS	3,750.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
	Vendor Total		**7,500.00**		
FYTD for WESTBOUND COMMUNICATIONS			**7,500.00**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208875	3,274.78		
				WATER CHARGES	1,761.75
				WATER CHARGES	10.94
				WATER CHARGES	1,443.82
				WATER CHARGES	58.27
	Vendor Total		**3,274.78**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**3,274.78**		

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WHEELER, GERALD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208805	100.80		
				INSTRUCTOR SVCS-YOUTH GOLF	50.40
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
	Vendor Total		**100.80**		
FYTD for WHEELER, GERALD			**100.80**		
WHISNER, MARY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208806	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISNER, MARY			**50.00**		
WIELIN, RONALD A.				Remit to: **BANNING** **CA**	
	7/5/2011	883130	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**318.73**		
WILLDAN AND ASSOCIATES				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	208627	8,665.00		
				BLDG & SAFETY PLAN CHECK SVCS	7,455.00
				ON-SITE PERMIT INVESTIG. SVCS	1,210.00
	Vendor Total		**8,665.00**		
FYTD for WILLDAN AND ASSOCIATES			**8,665.00**		
WILLDAN FINANCIAL SERVICES				Remit to: **TEMECULA** **CA**	
	7/5/2011	208628	1,500.00		
				ARBITRAGE FEE-97 LSE REV BOND	500.00
				ARBITRAGE FEE-97 LSE REV BOND	1,000.00
	Vendor Total		**1,500.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**1,500.00**		
WILLIAMS, CHARMAINE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208807	62.00		
				REFUND-CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for WILLIAMS, CHARMAINE			**62.00**		

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WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	7/5/2011	883131	192.40		
				RETIREE MED JUN '11, PD JUL '1	192.40
	Vendor Total		**192.40**		
FYTD for WILLIAMS, JANE L.			**192.40**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	7/11/2011	208717	414.00		
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	90.00
	Vendor Total		**414.00**		
FYTD for WILLIS, ROBERT H			**414.00**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA** **CA**	
	7/5/2011	883132	7,600.00		
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	7/25/2011	883224	7,600.00		
				TEMP STAFFING SVCS-ELECTR UTIL	2,190.00
				TEMP STAFFING SVCS-ELECTR UTIL	5,410.00
	Vendor Total		**15,200.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**15,200.00**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208876	17,746.00		
				TUMF FEES COLLECTED	17,746.00
	Vendor Total		**17,746.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**17,746.00**		

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WURM'S JANITORIAL SERVICES, INC.			Remit to: **CORONA** **CA**	
7/5/2011	883133	1,620.00		
			MAINT. DAY PORTER SVCS	1,020.00
			JANITORIAL SVCS-TOWNGT RENTALS	600.00
7/11/2011	883161	130.00		
			SPECIAL CLEANING SVCS-SNR CTR	130.00
7/27/2011	883225	23,005.87		
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
			JANITORIAL SVCS-T.S. ANNEX	453.43
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-MRCH FLD PK CC	955.70
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-SP DIST ANNEX	735.73
			JANITORIAL SVCS-EMP RES CTR	532.81
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-CITY HALL	4,588.23
			MAINT. DAY PORTER SVCS	1,076.10
	Vendor Total	**24,755.87**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**24,755.87**		
XEROX			Remit to: **DALLAS** **TX**	
7/18/2011	208808	3,520.61		
			COPIER RNTL/MAINT/PRNTS-GRPHCS	1,618.85
			COPIER RNTL/MAINT-GRAPHICS	397.79
			COPIER RNTL/MAINT-PARKS	117.88
			COPIER RNTL/MAINT-PARKS	241.46
			COPIER RNTL/MAINT/PRINTS-PARKS	1,144.63
	Vendor Total	**3,520.61**		
FYTD for XEROX		**3,520.61**		
YAMASHITA, JULIA J.			Remit to: **LAGUNA WOODS** **CA**	
7/5/2011	883134	161.50		
			RETIREE MED MAY '11, PD JUL '1	161.50
	Vendor Total	**161.50**		
FYTD for YAMASHITA, JULIA J.		**161.50**		

Subtotal **1,171,566.33**

GRAND TOTAL **11,090,197.25**

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MV00129870

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT
PROJECT NO. 10-12272227

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

BACKGROUND

The design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In August 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

The Planning Division of the Community and Economic Development Department determined on July 25, 2011, that this project is exempt from the California

Environmental Quality Act (CEQA) as it is classified as a Class 1 Categorical Exemption under Section 15301(c) and, therefore, environmental documents are not required.

DISCUSSION

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The project improvements and locations are as follows:

- Curb, gutter, and sidewalk on the north side of Ironwood Avenue, east of Bayless Street.
- Curb, gutter, and sidewalk on the east side of Indian Street, south of Ironwood Avenue.
- Sidewalk on the east side of Pigeon Pass Road, north of Hemlock Avenue.
- Sidewalk on the south side of Calle San Juan De Los Lagos, west of Frederick Street.
- Ten pedestrian access ramps along Hemlock Avenue from Perris Boulevard to Leahy Street.
- Pedestrian access ramps on the northwest and southwest corners of Indian Avenue and Dorner Drive.
- Pedestrian access ramps on the southeast and northeast corners of Ramsdell Drive and Dorner Drive.
- Pedestrian access ramps on the southwest and southeast corners of Cottonwood Avenue and Bion Drive.
- Pedestrian access ramp and curb return on the southeast corner of Cactus Avenue and Elsworth Street.
- Pedestrian access ramp and curb return on the northwest corner of Iris Avenue and Oliver Street.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m., on September 12, 2011, for the subject project. The ten (10) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Mora's Equipment & Construction, Inc.**	**$182,993.50**
2.	TSR Construction & Inspection	$220,417.60
3.	Golden State Constructors, Inc.	$238,606.25
4.	CT&T, Inc.	$247,797.90
5.	STI, Inc.	$266,135.43
6.	Blair Rasmussen Construction	$280,741.12
7.	Elite Companies	$286,370.57
8.	JDC, Inc.	$320,910.60
9.	Avi-Con, Inc.	$375,398.00
10.	Bravo Concrete	$401,616.55

Engineer's Estimate $230,000.00

Staff has reviewed Mora's Equipment & Construction, Inc.'s bid and finds it to be the lowest responsive bid. Furthermore, Mora's Equipment & Construction, Inc. is in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Mora's Equipment & Construction, Inc. in their bid.

The lowest responsive bid was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternative items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternative items which comprise the ten locations identified in the DISCUSSION section. These ten locations are Phase 1 of the FY 10-11 SB 821 Grant Project as accepted by City Council on September 14, 2010. Phase 2 of the FY 10-11 SB 821 Grant Project will go out to bid in January of 2012.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor will coordinate construction activities such that impacts to motorists and pedestrians are minimized.

ALTERNATIVES

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc., in the form attached hereto, authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc. up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will allow for the timely construction of needed improvements.*

2. Do not award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, do not authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will delay the construction of these needed improvements.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2011/2012 Capital Improvements Project Budget and will be financed by SCAG Article 3 (Fund 122) and Measure "A" (Fund 125). RCTC will reimburse up to $150,000 of the construction costs. The funding for this project is restricted to street improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS FISCAL YEAR 2011/2012:

Citywide Sidewalks and Access Ramps (Account No. 122.72227)	$150,000
Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$150,000
Total Funds Available	**$300,000**

ESTIMATED CONSTRUCTION RELATED COSTS:

Construction (Includes 20% contingency)	$220,000
Construction Surveying Costs	$25,000
Construction Geotechnical Costs	$25,000
Project Administration and Inspection Services	$20,000
Total Estimated Construction Related Costs	**$290,000**

ANTICIPATED PROJECT SCHEDULE:

Start Construction	October 2011
Complete Construction	March 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The City Council is requested to approve the award of the construction contract to Mora's Equipment & Construction, Inc.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Mora's Equipment & Construction, Inc.

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\CC Reports\NOA-Phase 1 staff report\NOA for Citywide Sidewalks and Access Ramps_9-21-11.doc

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MV00129876

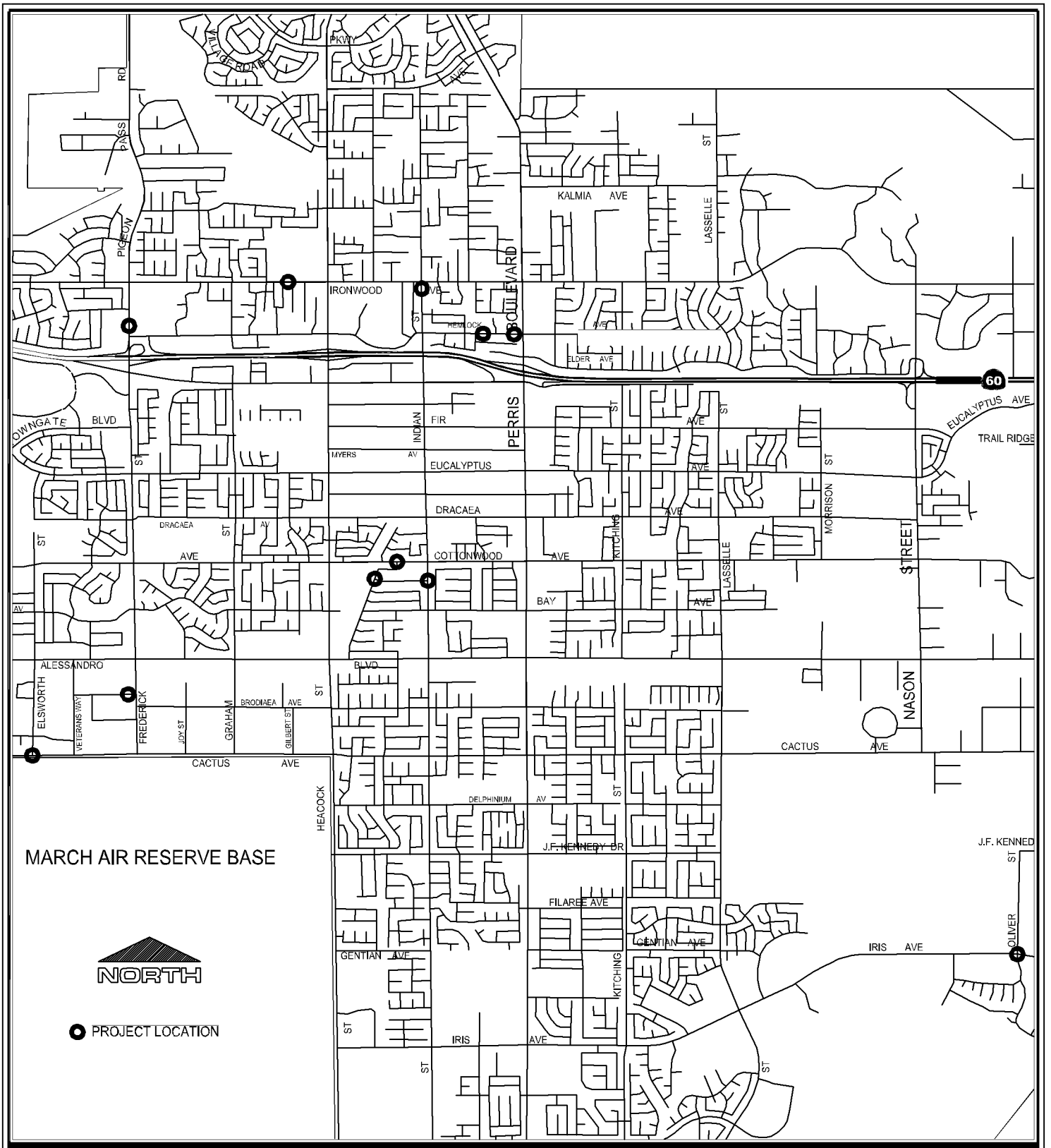

ATTACHMENT "A" - LOCATION MAP

Public Works Department Capital Projects Division	PROJECT NO. 10-12272227 CITYWIDE SIDEWALKS AND ACCESS RAMPS
Scale: None	

Item No. A.5

MV00129877

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MV00129878

Agreement No._____

AGREEMENT

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Mora's Equipment and Construction, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$182,993.50** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. After the Agreement has been fully executed by the Contractor and the City, the Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the "Notice to Proceed to Fulfill Preconstruction Requirements," which constitutes the start of the contract eighty (80) working days. Preconstruction Requirements include, but are not limited to, the following:

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan
- Submitting and obtaining approval of required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Contract Documents

After all preconstruction requirements are met, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor agrees to diligently prosecute the work, including corrective items of work, day to day thereafter, except as adjusted by subsequent Change Orders. The eighty (80) working days include the time necessary to both Fulfill Preconstruction Requirements and for Construction of the project.

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $365.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers,

employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

15. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

16. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12272227

CITY OF MORENO VALLEY, a Municipal Corporation

Mora's Equipment and Construction, Inc.

BY: _____
City Manager

DATE: _____

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\Specifications\2 Agreement - Basic Specs 07-11 - Citywide SW AR.DOC

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO

-ly attach this document to the signed document.

Item No. A.5

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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MV00129892

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

FRAN LOU DRIVE, BETWEEN PERRIS BOULEVARD AND KITCHING STREET

DEVELOPER - LCTH INVESTMENT, L.P.
1000 DOVE STREET
SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements.

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 27, 2003, the City Council of Moreno Valley approved Final Map 20185 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 20185 provided a Faithful Performance Bond in the amount of $2,072,000 and a Material and Labor Bond in the amount of $1,036,000 issued by Western Insurance Company.

On August 23, 2005, the City Council approved and accepted replacement bonds and an Agreement for Public Improvements for Tract 20185. The agreement expired August 23, 2007. Due to the current market conditions at that time, LCTH Investment, L.P. postponed development and focused on selling their current inventory of homes on other project sites.

On September 25, 2007, LCTH Investment, L.P. requested that the City provide a 24 month extension of time to their Agreement for Public Improvements. The amendment extended the agreement for Tract 20185 to August 23, 2009.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Do not direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 20185
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\9-27-11 - TR 20185- Exoneration of Agree.doc

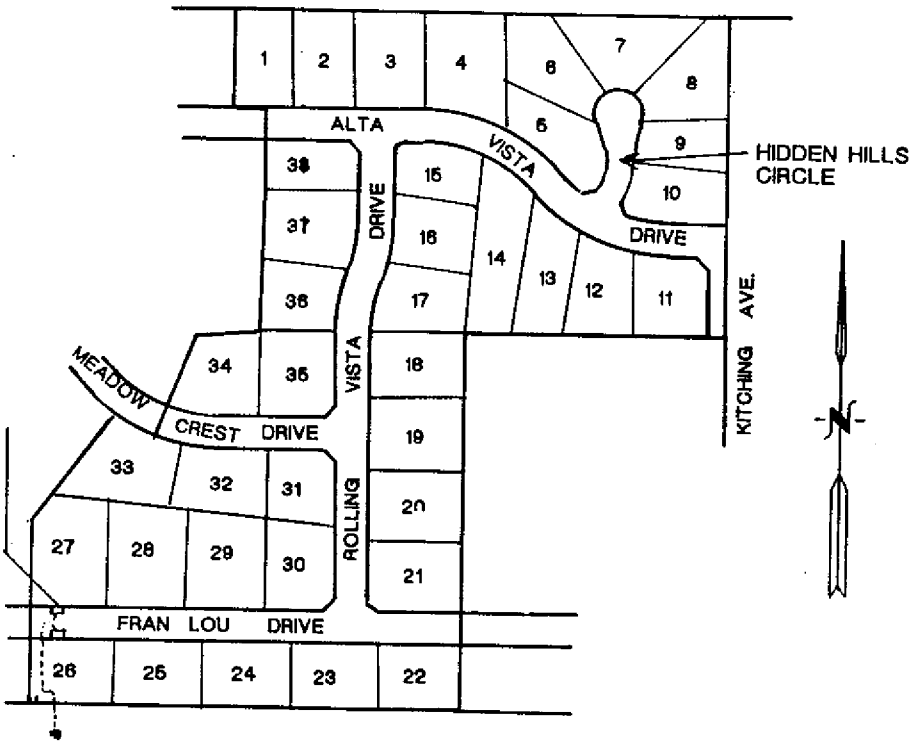

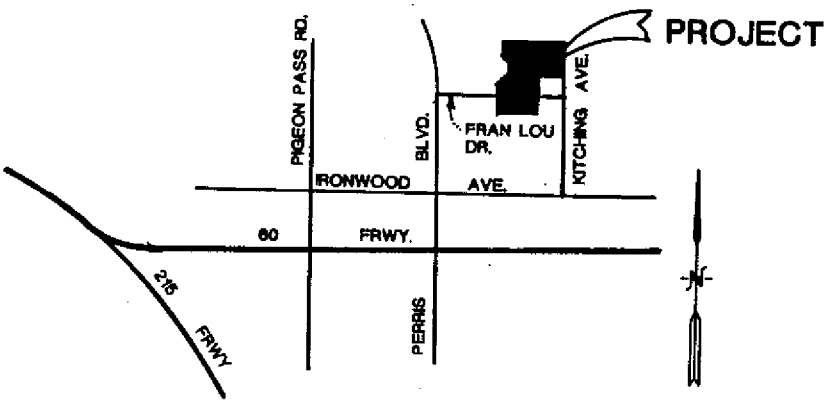

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

TRACT 20185
VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

Item No. A.6

MV00129897

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MV00129898

AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS FOR TRACT 20185

This Amendment to Agreement for Public Improvements is made and entered into by and between the City of Moreno Valley, hereinafter "City", and **LCTH INVESTMENT, L.P.,** hereinafter "Contractor", on the date the City signs this agreement.

1. RECITALS:

   (a) The City and the Contractor entered into an Agreement for Public Improvements hereinafter called the "Original Agreement" **(Doc #2005-0793184)** on August 23, 2005. That agreement will expire on August 23, 2007.

   (b) The City and the Contractor wish to amend the Original Agreement as hereinafter provided.

2. AMENDMENT TO ORIGINAL AGREEMENT:

   (a) Based upon the foregoing Recitals, the City and the Contractor hereby amend the Original Agreement, extending said agreement by twenty-four (24) months, up to and including the **23rd day of August 2009**, the time for completion of the required work and improvements by the Contractor.

   (b) The bonds currently on file are to remain in effect unless replacement bonds are being provided with this Amendment to Agreement for Public Improvements.

3. LIMITED EFFECT:

   Except as herein otherwise provided, the terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Contractor and the City have duly caused this Amendment to the Original Agreement to be executed as of the date executed by the Mayor of the City.

LCTH INVESTMENT, L.P.

By: C Christine Chung
Signature

CHRISTINE CHUNG MANAGER
Print Name & Title

By: _____
Signature

_____
Print Name & Title

ATTEST:

Alice Reed 10/2/07
City Clerk Date

CITY OF MORENO VALLEY

Charles White 9-29-07
Mayor Date:

APPROVED AS TO FORM:

RDH 9/29/07
City Attorney Date

Original-City Clerk Pink-Contractor Green-Land Dev. Blue-Project File

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

W:\LandDev\Lee Ann\Agreement Bond Packets\TR20185 - Amendment to Agreement-extension.doc

Exhibit "B"

Item No. A.6

MV00129899

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0.05	Thickness (ft.)				
	132550	S.F.	480	Ton	55.00	26,427
A.C. - Street 1	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	90.00	302,711
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	329,138

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

OFFSITE STREET WORK

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	0	Ton	90.00	0
Slurry Seal (Based on $150/Ton Type II)	14728	S.Y.	2.25	33,138
Sawcut	0	L.F.	1.50	0
Utility Trench	5000	L.F.	17.00	85,000
Trench Repaving	0	S.F.	12.00	0
Redwood Header	250	L.F.	6.00	1,500
A.C. Berm - 6"	163	L.F.	10.00	1,630
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	19	EA.	800.00	15,200
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	1800	L.F.		0
Curb and Gutter - 8"	5000	L.F.	25.00	125,000
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	3000	S.F.	15.00	45,000
Sidewalk	13800	S.F.	7.00	96,600
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	4350	S.F.	14.00	60,900
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	9	EA.	1,200.00	10,800
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	60	L.F.	100.00	6,000
	0			0
			SUBTOTAL:	480,768

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	16	EA.	4,000.00	64,000
Street Lights (22000 lumen)	0	EA.	5,000.00	0
Electrical Utility Infrastructure	0	L.S.	--	0
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	64,000
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordina	0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
Traffic Striping/raised pavement markers	1	L.S.	10000	10,000
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	5	EA.	200.00	1,000
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
	0		--	0
			SUBTOTAL:	12,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Cluster Mail Boxes	4	EA.	4,500.00	18,000
Erosion Control	24	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	178	EA.	100.00	17,800
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Street Trees	38	EA.	2,500.00	95,000
			SUBTOTAL:	130,800

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	48	L.F.	130.00	6,240
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	238	L.F.	180.00	42,840
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	3	EA.	5500.00	16,500
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
	0		---	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	21	EA.	5500.00	115,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	2	EA.	3500.00	7,000
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		---	0
Miscellaneous				
Rip Rap	200	TON	60.00	12,000
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		---	0
			SUBTOTAL:	203,080

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	2422		50.00	121,100
10" PVC C-900	0		55.00	0
12" PVC C-900	1045		60.00	62,700
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.	---	0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	5	EA.	800.00	4,000
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	1	EA.	1,800.00	1,800
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	4	EA.	3,000.00	12,000
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	3	EA.	2,500.00	7,500
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	7	EA.	2,800.00	19,600
6" Super Fire Hydrants	0	EA.	3,000.00	0
	0		---	0
Services Connections				
1" Service	38	EA.	500.00	19,000
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	2		200.00	400
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	6		750.00	4,500
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	2	EA.	2,800.00	5,600
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	3	CY	150.00	450
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
	0		---	0
			SUBTOTAL:	267,650

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	1143	L.F.	20.00	22,860
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	3000	L.F.	30.00	90,000
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	38	EA.	700.00	26,600
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	33	EA.	3,000.00	99,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	0	EA.	300.00	0
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	38	EA.	90.00	3,420
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	238,460

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK :	$329,138
STREET WORK :	$611,568
STORM DRAIN SYSTEM :	$203,080
WATER SYSTEM :	$267,650
SEWER SYSTEM :	$238,460
ENTERPRISE SERVICES ADMIN :	$64,000
TRANSPORTATION ENGNRNG :	$12,000
TOTAL COST (VALUE) OF IMPROVEMENTS:	$1,725,896
+20% CONTINGENCY:	$345,179
GRAND TOTAL:	$2,071,075

BOND AMOUNT: **$2,072,000**

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TRACT MAP 20185

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **LCTH INVESTMENT, L.P.**, hereinafter called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TRACT MAP 20185** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND AND NO/100** Dollars (*****$1,637,000*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:

LCTH Investment, L.P.
1000 Dove Street
Suite 100
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

LCTH Investment, L.P.

By: Christine Cheng Manager
Title

By: _____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: Alice Reed
City Clerk

(SEAL)

CITY OF MORENO VALLEY

Date: 8/24/05

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8/24/05

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

PROJECT: **Tract 20185 (2005 Version)**
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			3675	C.Y.	16.00	58,800
A.B. Class II	0.5	Thickness (ft.)				
	132550	S.F.	4805	Ton	16.00	76,879
A.C.	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	43.50	146,310
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Curb and Gutter - 6"			1800	L.F.	12.00	21,600
Curb and Gutter - 8"			5000	L.F.	13.00	65,000
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			3000	S.F.	11.00	33,000
Sidewalk			13800	S.F.	4.00	55,200
Driveway Approach - 6"			4350	S.F.	5.50	23,925
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			163	L.F.	10.00	1,630
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			14728	S.Y.	1.10	16,201
Redwood Header			250	L.F.	4.00	1,000
Sawcut			0	L.F.	1.10	0
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5000	L.F.	5.00	25,000
Wheelchair Ramp			9	EA.	400.00	3,600
Street Name Sign			0	EA.	425.00	0
Stop Sign			5	EA.	200.00	1,000
Barricade			60	L.F.	45.00	2,700
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			5	EA.	200.00	1,000
Traffic Striping/raised pavement markers			1	L.S.	–	4,464
Traffic Signal			0	EA.	160,000.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping			0	S.F.	5.00	0
Street Trees			38	EA.	150.00	5,700
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			16	EA.	3,000.00	48,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			19	EA.	550.00	10,450
Erosion Control			24	Ac.	5,500.00	132,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure						
Electrical Reimbursement						
					SUBTOTAL:	745,459

Monuments: 0 X 65.00 EA. $0

Item No. A.6

EXHIBIT "A"

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	48	L.F.	75.00	3,600
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	0	L.F.	95.00	0
30" Reinforced Concrete Pipe	238	L.F.	110.00	26,180
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	3	EA.	5000.00	15,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin	21	L.F.	450.00	9,450
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Junction Structure	0	EA.	4500.00	0
Headwall	0	EA.	3500.00	0
Rip Rap	200	TON	40.00	8,000
Parkway Drain	1	EA.	2000.00	2,000
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	1	EA.	1100.00	1,100
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
"V" Gutter	23810	S.F.	4.00	95,240
			SUBTOTAL:	160,570

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	1045	L.F.	60.00	62,700
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	2422	L.F.	50.00	121,100
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	7	EA.	2,000.00	14,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	2	EA.	200.00	400
10"	0	EA.	240.00	0
12"	6	EA.	750.00	4,500
Blow Off 6"	0	EA.	1,800.00	0
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	0	EA.	1,800.00	0
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	38	EA.	350.00	13,300
Blow-offs	3	EA.	1,300.00	3,900
Air Vac & Air Release	4	EA.	1,800.00	7,200
Hot Tap	2	EA.	2,000.00	4,000
12" BFV	1	EA.	1,800.00	1,800
8" BFV	5	EA.	800.00	4,000
Thrust Block	3	C.Y	150.00	450
			SUBTOTAL:	246,350

Item No. A.6

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	3000	L.F.	32.00	96,000
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1143	L.F.	24.00	27,432
15" Pipe Plastic Solid Wall	0	L.F.	35.00	0
12" Pipe Plastic Solid Wall	0	L.F.	33.00	0
10" Pipe Plastic Solid Wall	0	L.F.	21.00	0
8" Pipe Plastic Solid Wall	0	L.F.	17.00	0
6" Pipe Plastic Solid Wall	0	L.F.	13.00	0
4" Pipe Plastic Solid Wall	0	L.F.	9.00	0
Standard Manhole 48"	19	EA.	2,000.00	38,000
Terminus Manholes	14	EA.	1,700.00	23,800
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	38	EA.	600.00	22,800
Wyes	38	EA.	90.00	3,420
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
			SUBTOTAL:	211,452

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

IMPROVEMENT TYPE:

ROADWORK	:	$745,459
STORM DRAIN	:	$160,570
WATER SYSTEM	:	$246,350
SEWER SYSTEM	:	$211,452
SURVEY MONUMENTS	:	$0
TOTAL COST OF IMPROVEMENTS:		$1,363,831
+20% CONTINGENCY:		$272,766
GRAND TOTAL:		$1,636,597

BOND AMOUNT: **$1,637,000**

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MV00129916

Recording requested by and when recorded, mail to:

City of Moreno Valley
CEDD/Land Development Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Public Works Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Tract Number 20185,

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 20185 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the Public Works Department, Land Development Division located at 14177 Frederick Street, Moreno Valley, California, 92553 or by calling 951.413.3120.

By: _____
CHRIS A. VOGT,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date 8/31/11

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Notifications for PIA Req\TR 20185 - Notice of Requirement for PIA.doc

Exhibit "C"

Item No. A.6

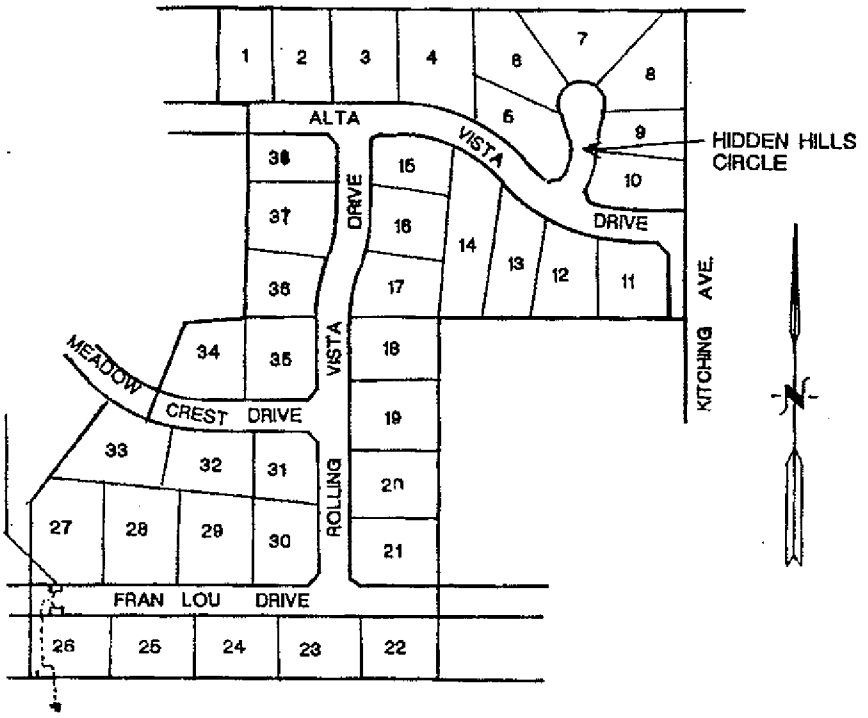

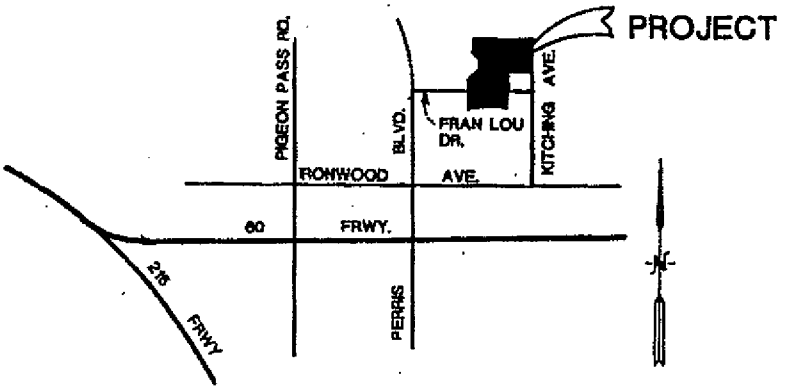

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** EXHIBIT "A"	**TRACT 20185** **VICINITY MAP**

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Community and Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO REDEVELOPMENT AGENCY
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324.

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325.

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way).

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency:

> Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. The City Council approved Resolution No. 2011-88 for the Notice of Intent to Vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highways Code – Chapter 3, Sections 8320 through 8325. The Resolution provided for the following actions:

1. Set the date of the public hearing for the vacation proceeding as September 27, 2011 , in the City Council Chambers, at 6:30 p.m., for all persons interested in or objecting to the proposed street vacation; and

2. Directed the City Clerk to publish and advertise the hearing notice and directed the City Engineer to post Motor Way giving notice of the time of the public hearing; and

3. Directed the City Clerk to certify said resolution and transmit a copy to the office of the County Recorder for recordation.

DISCUSSION

The Community Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Part of the Auto Mall Specific Plan is to vacate the frontage road (Motor Way) between the Auto Mall properties and Auto Mall Parkway (Moreno Beach Drive) to enhance visibility. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno

Beach Drive) already serves, and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Bros. Moreno Valley Properties, LLC and Majestic Realty (also known as Auto Mall Resolution, LLC), who own the properties fronting Motor Way. Both owners support the vacation of Motor Way. To maintain access to two fronting properties along Lot "B", an ingress and egress easement are required as part of the vacation process.

The City also recommends that the property be transferred from the City of Moreno Valley's ownership to the RDA's ownership via a quitclaim deed. The transfer of ownership would allow the RDA to address various issues identified in the Auto Mall's Specific Plan Amendment No. 5 previously approved by City Council. There is no fee associated with the transfer of ownership.

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

ALTERNATIVES

1. Adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Adopting the Resolution ordering the Vacation will allow the City to finish the proposed street improvements.*

Authorizing the execution of the Quitclaim Deed and Easement Deeds will alleviate any future title issues and liability issues for the City.

2. Do not adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, do not direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, do not authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and do not authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Do not authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Not adopting the Resolution ordering the Vacation will not allow the City to finish the proposed street improvements along Motor Way and will cause the City to continue maintenance of the street. Not authorizing the execution of the Quitclaim Deed and Easement Deeds may cause future title issues and liability issues for the City.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution ordering the street vacation. There will be a transfer of land ownership between the City and the RDA but no financial transaction between the entities.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue,

excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

NOTIFICATION

Notice of the vacation has been given to various utility agencies. The public has been notified of the vacation by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Lot B Exhibit"
Attachment "C" – Proposed Resolution
Attachment "D" – Quitclaim Deed
Attachment "E" – Acceptance Certification
Attachment "F" – Easement Deed for Parcel "A" of LLA 817
Attachment "G" – Easement Deed for Parcel 1 of LLA 1008

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\Full Vacation for Motor Way and Transfer of Property 9-27-11 - Final.docx

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MV00129924

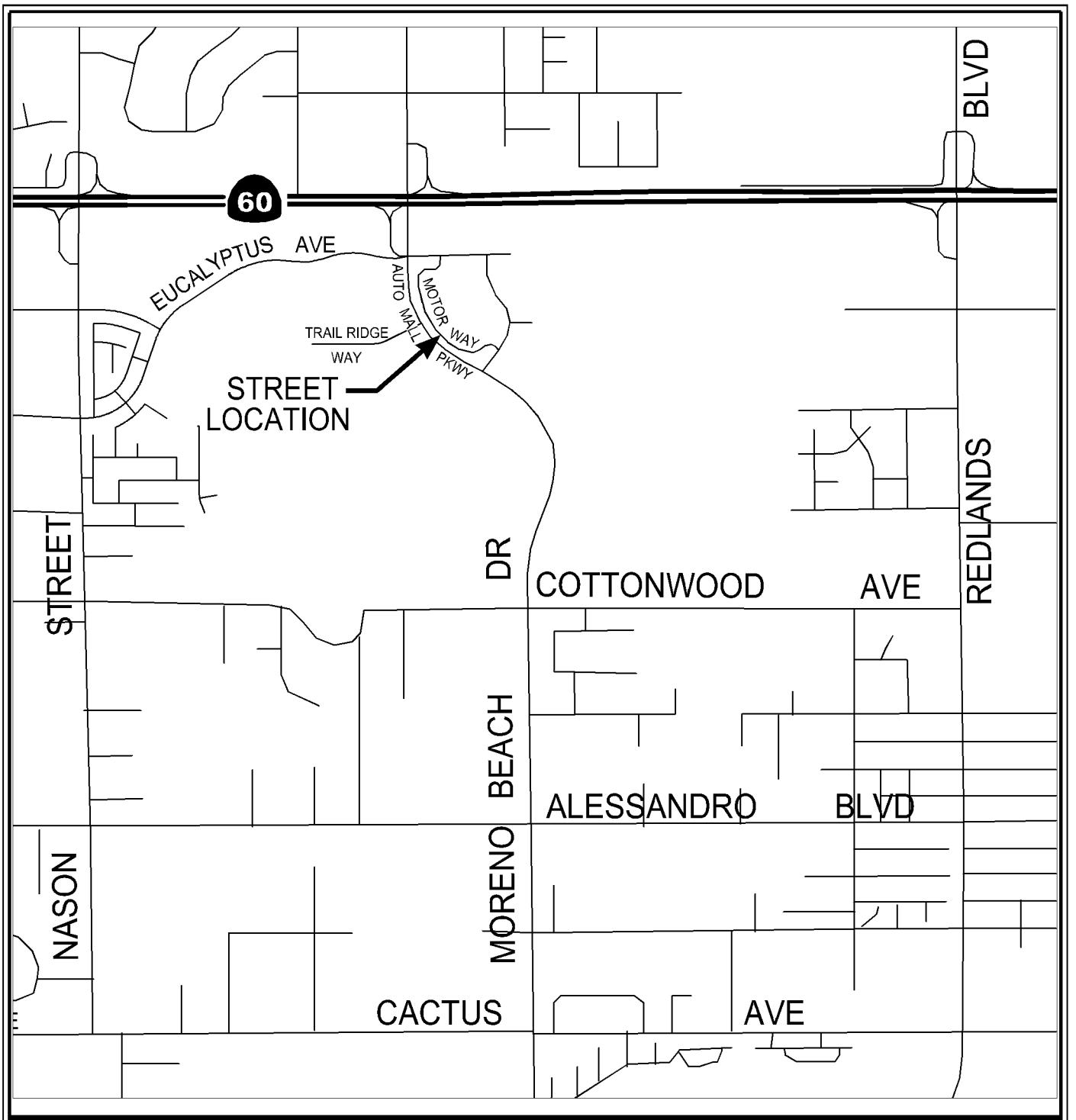

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

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MV00129926

"Lot B Exhibit"

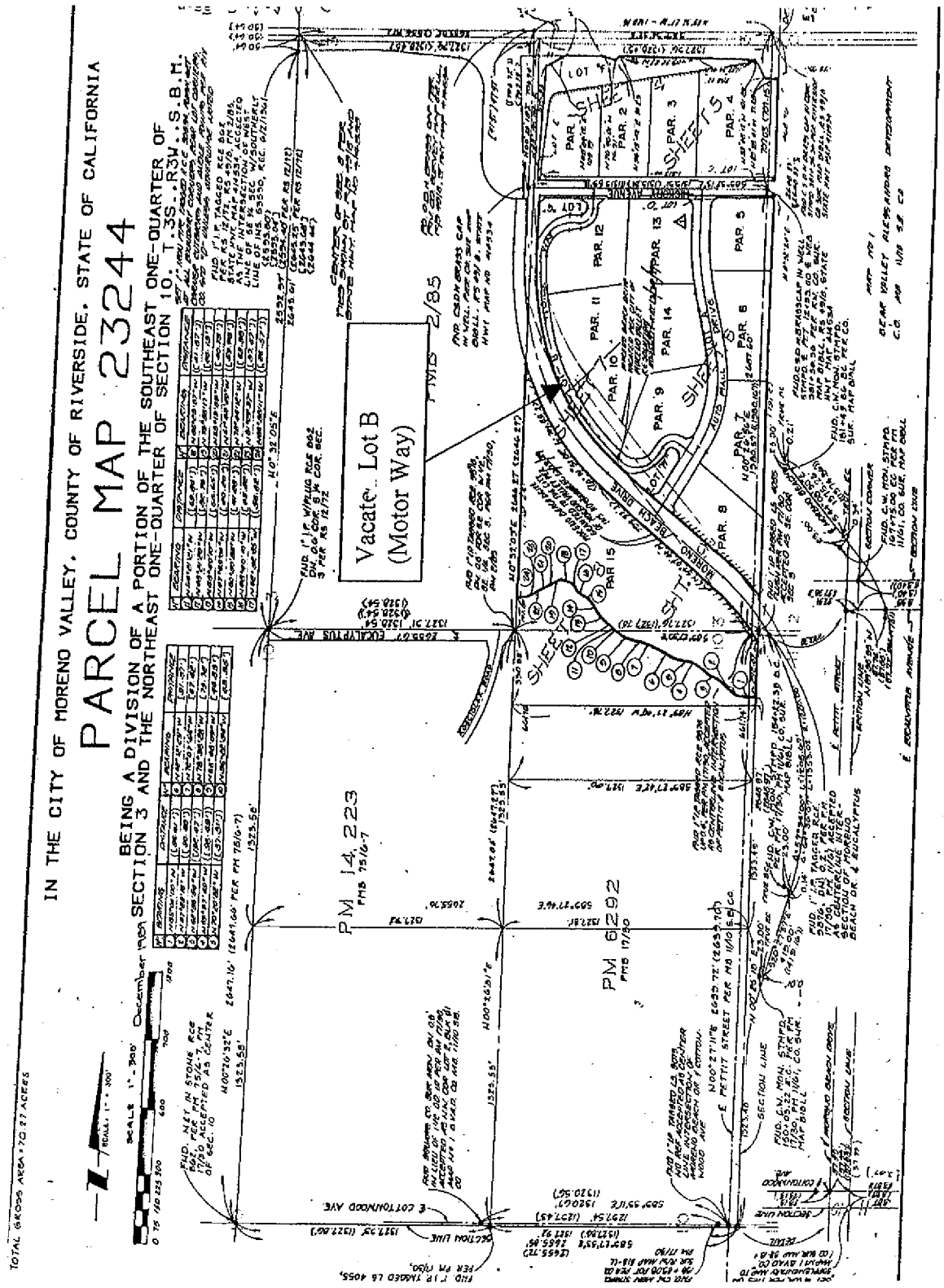

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MV00129928

RESOLUTION NO. 2011-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City Council, on August 23, 2011, adopted Resolution No. 2011-88 declaring its intention to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described in said Resolution No. 2011-88 on file with the City Clerk's office, and set a public hearing for September 27, 2011, at 6:30 p.m., as the time for all persons interested in or objecting to the proposed vacation; and

WHEREAS, this public hearing was duly noticed and held as required by law; and

WHEREAS, the public right-of-way proposed to be vacated was duly posted as provided by law; and

WHEREAS, there are existing public facilities and services in the area to be vacated, therefore reserving to the City an easement for public facilities and services; and

WHEREAS, the Council finds such public right-of-way is unnecessary for the following reasons:

1. The subject right-of-way is unnecessary for present and prospective public use.

2. The subject right-of-way is not needed as a non-motorized transportation facility.

3. The proposed vacation is consistent with the City of Moreno Valley Municipal Code and General Plan and it complies with the requirements for street vacations as cited in the California Streets and Highways Code Sections 8312 & 8324.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public right-of-way described as Lot B of Parcel Map 23244, as recorded and on file with the Riverside County Recorder's Office, be vacated.

BE IT FURTHER RESOLVED THAT the City is reserving unto itself an easement for public utilities and public facilities purposes.

BE IT FURTHER RESOLVED THAT the City is reserving ingress and egress access easements to Parcel A of Lot Line Adjustment Number 817 and Parcel 1 of Lot Line Adjustment Number 1008 along Lot B of Parcel Map 23244.

BE IT FURTHER RESOLVED THAT the City Clerk shall cause a certified copy of this order to be recorded by the Riverside County Recorder.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00129932

Recording requested by and when
recorded, mail to:
City of Moreno Valley
City Clerk
14177 Frederick Street
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N.

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the

City of Moreno Valley, a Municipal Corporation

hereby remises, releases and quitclaims to the COMMUNITY REDEVELOMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, the real property in the City of Moreno Valley, County of Riverside, State of California, as described:

Lot B of Parcel Map 23244 and as illustrated on the plat attached hereto and marked Exhibit "A".

Reserving therefrom, to said City of Moreno Valley an easement for public utilities and public facilities over, under, across and within the above described parcels of land.

IN WITNESS WHEREOF, this instrument has been executed this ____ day of_____, 2011.

STATE OF CALIFORNIA
County of Riverside

On _____ before me, _____
the undersigned. A Notary Public in and for said State, personally appeared_____

_____
proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

GRANTOR:

City of Moreno Valley

By:_____

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MV00129934

"Lot B Exhibit"

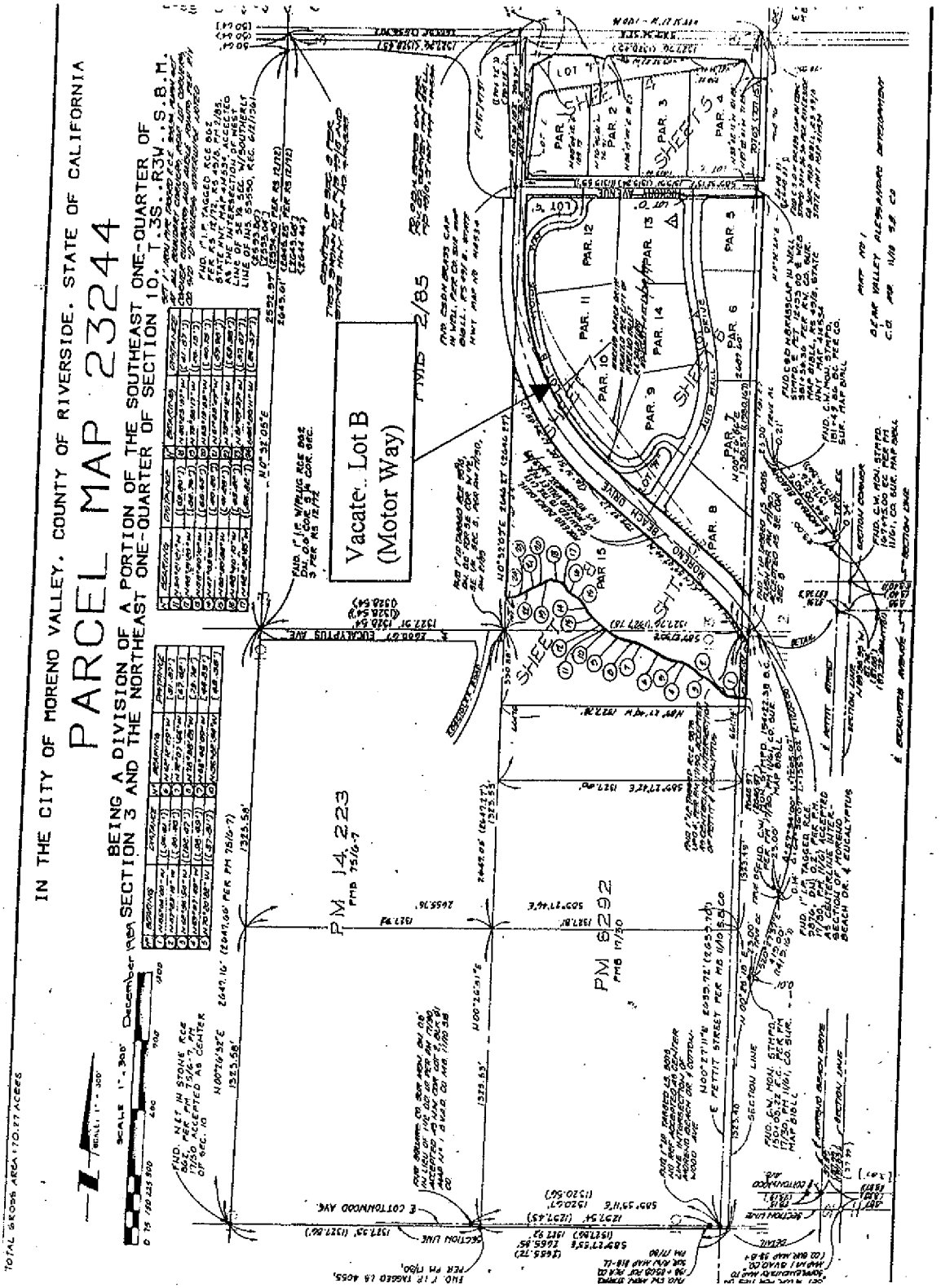

Exhibit "A"

Item No. A.7

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MV00129936

ACCEPTANCE CERTIFICATION

This is to certify that the interest in real property conveyed by the deed or grant dated September 27, 2011 from City of Moreno Valley to the Moreno Valley Community Redevelopment Agency, State of California, in the form attached hereto, is hereby accepted, subject to completion of Conditions of Resolution 2011-___, by the order of the Board of Directors of the Moreno Valley Redevelopment Agency, pursuant to authority so ordered on September 27, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____

By: _____
Richard A. Stewart, Chairman of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

State of California
County of_____ }

On_____ before me, _____, A Notary Public
Date — Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

_____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Attachment "E"

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MV00129938

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the AUTO MALL RESOLUTION, LLC, an easement for ingress and egress access purposes to Parcel "A" of Lot Line Adjustment Number 817 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Lot "A" (also know as Auto Mall Drive) and the prolongation of the northerly property line of Parcel "A" of Lot Line Adjustment Number 817 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "F"

Item No. A.7

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MV00129940

LOT LINE ADJUSTMENT 817

OF A PORTION OF PARCELS 10, 11, 12 AND 13 OF PARCEL MAP 23244
ON FILE IN BOOK 161 OF PARCEL MAPS AT PAGES 16 THROUGH 24,
RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

JUNE 1990

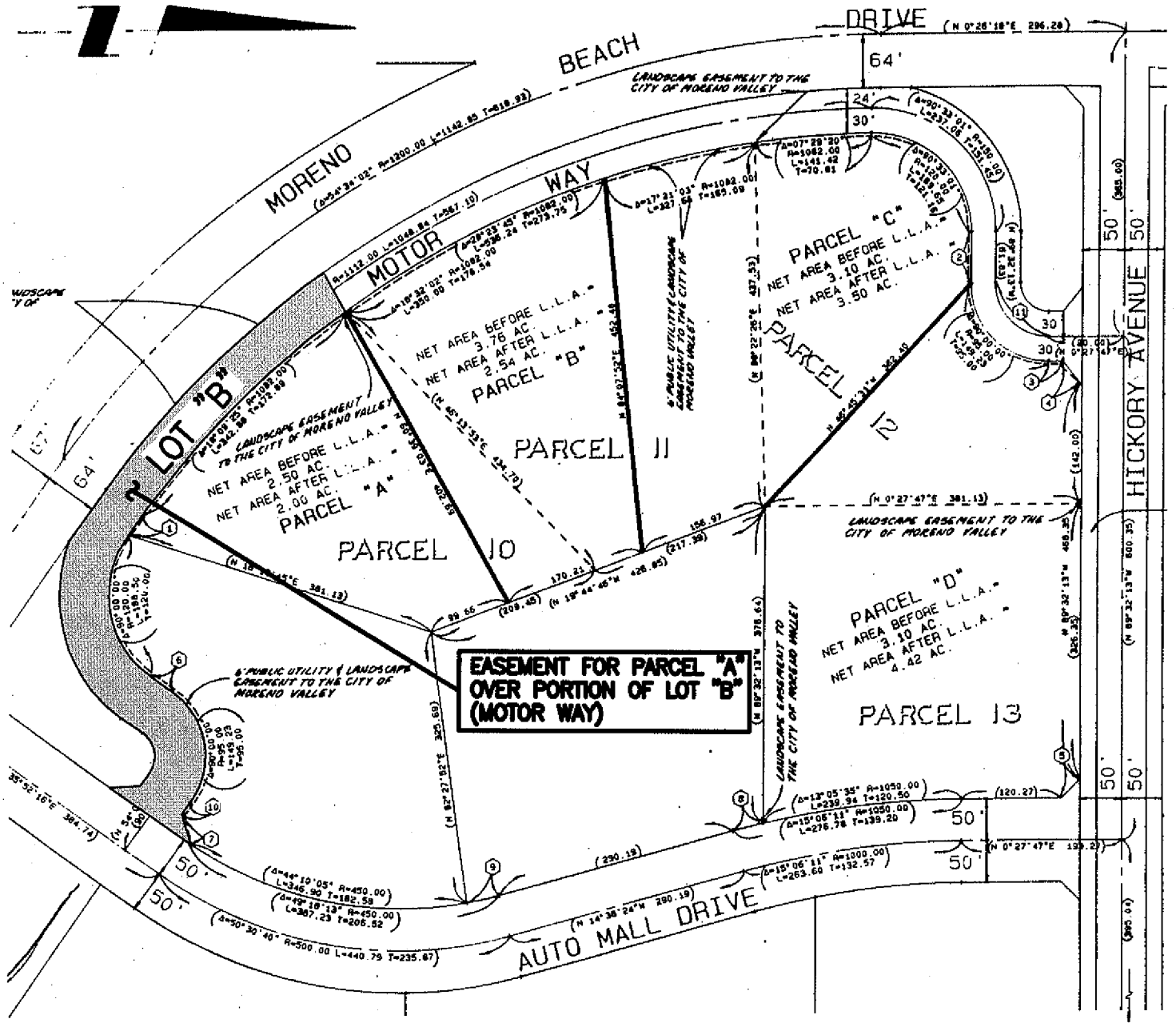

EXHIBIT "A"

NTS

INSTRUMENT No 302152

Item No. A.7

MV00129941

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MV00129942

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the MOSS BROS. MORENO VALLEY PROPERTIES, LLC, an easement for ingress and egress access purposes to Parcel 1 of Lot Line Adjustment 1008 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Eucalyptus Avenue (Hickory Avenue) and the prolongation of the southerly property line of Parcel 1 of Lot Line Adjustment 1008 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "G"

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MV00129944

EXHIBIT "A"
LOT LINE ADJUSTMENT No. 1008/ AND CERTIFICATE OF COMPLIANCE

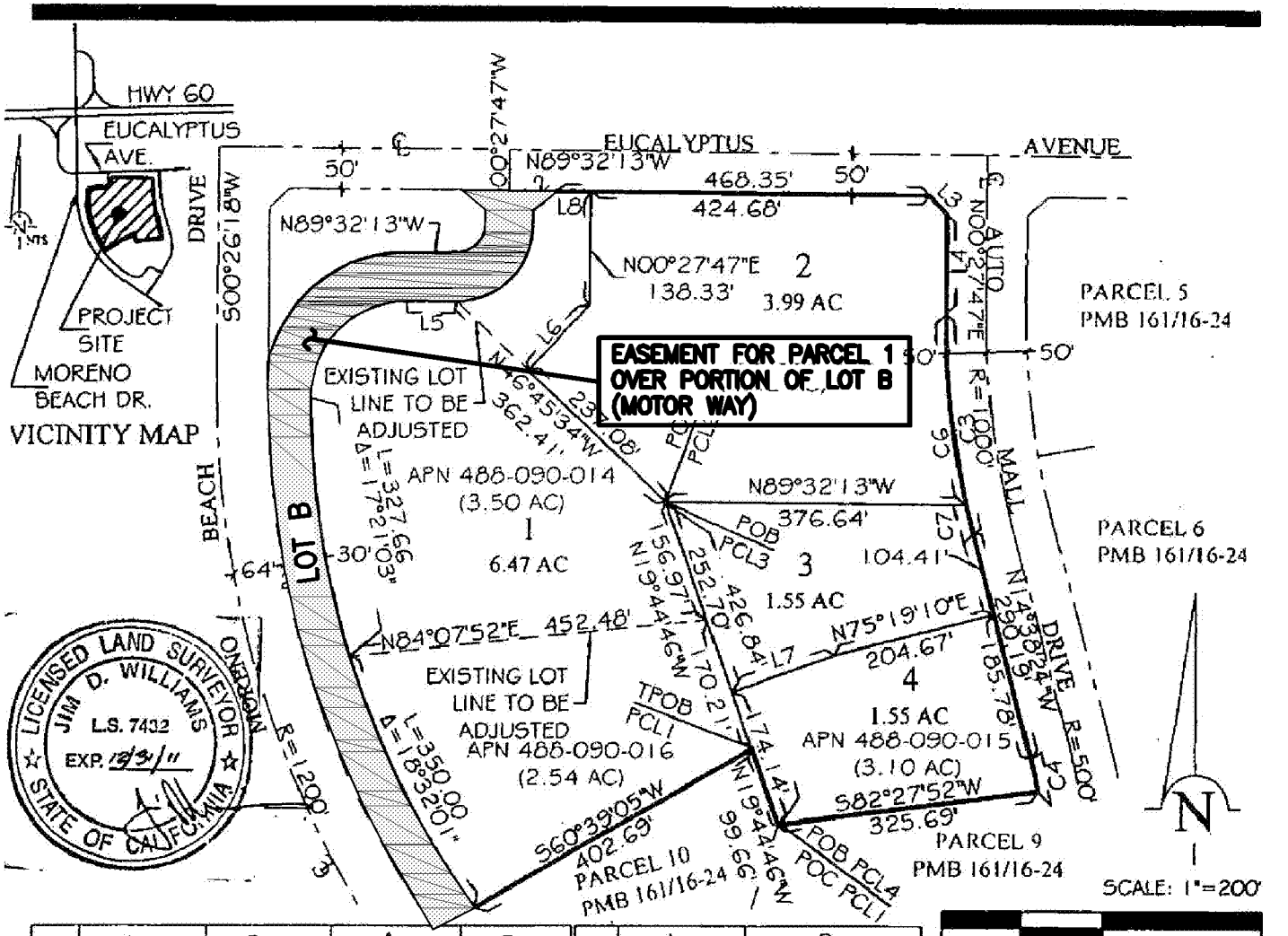

	L	R	Δ	T
C1	189.65'	120.00'	90°33'04"	121.16'
C2	149.23'	95.00'	90°00'00"	95.00'
C3	276.78'	1050.00'	15°06'11"	139.20'
C4	40.33'	450.00'	05°08'08"	20.18'
C5	677.66'	1082.00'	35°53'04"	350.36'
C6	239.94'	1050.00'	13°05'35"	120.50'
C7	36.84'	1050.00'	02°00'36"	18.42'

	L	B
L1	17.00'	N00°27'47"E
L2	37.01	N52°02'25"E
L3	32.53'	S44°32'13"E
L4	120.27'	S00°27'47"W
L5	61.83'	N89°32'13"W
L6	111.43'	N43°14'26"E
L7	136.37'	N70°14'02"E
L8	43.67'	S89°32'13"E

OWNERS:

APN 488-090-014,016
PARCEL 1 & 2
JB & RB REALTY, LLC
PO BOX 1770,
POMONA, CA 91769
(818) 601-1802
ATTN: JOHN BOULIANNE

APN 488-090-013,015
PARCEL 3 & 4
DJK, LLC
12625 AUTO MALL DRIVE,
MORENO VALLEY, CA 92555
(951) 485-3500
ATTN: DONALD J. ALLARD

PREPARED BY:

- land planning
- civil engineering
- landscape architecture

phone 909.748.7777
fax 909.748.7776

thatcher engineering & associates, inc.
1461 ford street, suite 105, redlands, ca 92373
est. 1989

LEGEND:

——	PROPOSED LOT LINES
——	EXISTING BOUNDARY
— —	EXISTING LOT LINES
( )	AREA BEFORE ADJUSTMENT
POB	POINT OF BEGINNING
PCL	PARCEL
POC	POINT OF COMMENCEMENT

V:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Auto CAD\Exhibit 'A', PM 23244, LLA 1008.dwg

Item No. A.7

MV00129945

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MV00129946

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction.

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

BACKGROUND

In May 2005, City Council approved an agreement with PB for $939,331.84 to provide design services for improvements to the State Route 60/Nason Street Interchange. The original scope of work consisted of design, right-of-way acquisition, utility relocation,

plans, specifications and estimates (PS&E), agency coordination, bid support and construction support services.

In June 2006, the agreement was amended within the authorized contingency to add work related to the City's Streambed Alteration Agreement with the California Department of Fish and Game.

On October 14, 2008, the City Council approved the Second Amendment for additional design work required to coordinate the project's 95% design with the substantially completed Stoneridge development and update the design plans to optimize construction funds and enhance the ultimate State Route 60/Moreno Beach Drive and Nason Street bridge project.

In April 2009, the agreement was further amended for additional design work required to update the plans. In June 2009 and October 2009, the agreement was again amended to add conceptual design work related to property acquisition activities and agency requirements. All amendments were within the authorized contingency.

On January 11, 2011, the City Council awarded the construction contract to All American Asphalt. Construction is currently under way.

The agreement with PB was further amended in August 2011 (Sixth Amendment) within the approved contingency to extend the contract expiration date from December 31, 2011, to December 31, 2012, and to address staging and drainage issues encountered during construction.

DISCUSSION

The project is under construction and is on schedule. Services during construction that are required to be performed by the design engineer were estimated in 2005 during the time of the original proposal. The tasks and associated level of effort has changed since that time. They have been evaluated and consequently have increased due to changes in policies and procedures.

Weekly meetings are held with the construction management team, the City, Caltrans, and the contractor. Due to the accelerated nature of the work and the multiple parties involved in approvals, there is a time benefit in having the design engineer present at strategic weekly meetings and on-site afterwards to answer questions, evaluate any proposed adjustments, and optimize solutions. In addition, Caltrans requires the design engineer to review and concur with all Requests for Information, regardless of whether they involve a design change. The level of effort for these tasks is therefore higher than anticipated. In addition, it is expected that there will be continuing suggestions by the contractor and project team to adjust existing and proposed features to save time and money.

As-built drawings were anticipated to be done under the original contract in 2005. Since that time, Caltrans policy changed, and the as-builts were not to be done by the design

engineer. The task was removed from the scope in the Second Amendment. In 2010, the policy changed again to have the design engineer prepare the as-builts. Therefore, the scope has been re-inserted to have the design engineer prepare the final as-built set, including electronic copies to the City and Caltrans.

Caltrans recently changed carpool policies. In the last three months, Caltrans re-striped the SR-60 carpool lane from I-215 to Redlands Boulevard to provide for a continuous ingress/egress condition instead of defined segments of ingress/egress. Both the interim stage plans and the permanent striping plans for this project, when implemented, are required to be revised to reflect the new type of striping. In addition, the environmental permits for the project were issued prior to advertisement, and there are revised requirements to document and close out the permits and environmental commitments upon completion of construction.

The consultant has submitted a proposal for $76,875 to perform this work, bringing the cumulative contract total to approximately $1.57 million. This amount represents approximately 20% of the construction cost and includes both design and construction support services, which represent approximately 19% and 2.2% of the construction cost, respectively. The price is considered fair and reasonable based on industry standards for similar work, and results in an overall cost savings for the City on the project. The design engineer is also required to perform these tasks. The services covered in this amendment will be completed concurrently with the ongoing construction phase.

Construction is expected to continue through March 2012. As-builts and administrative project close-out activities are expected to continue through June 2012. A 20% contingency is requested to respond quickly to construction issues that may arise as the project is completed.

ALTERNATIVES

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will allow for completion of the design for the needed improvements.*

2. Do not approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB),

451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, do not authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, do not authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will delay the needed improvements.*

FISCAL IMPACT

The project is currently funded using federal funds and matching toll credits. Remaining available funding consists of DIF Interchange funds and Measure "A" funds. There are sufficient funds in the budget for the amendment.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act of the 21st Century, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 2,657,000
STPL Discretionary Funds (125.67029)	$ 4,941,000
STPL Toll Credit (125.67030)	$ 637,000
Demo Toll Credit (125.66930)	$ 664,000
Measure "A" Funds (125.89720)	$,446,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$11,085,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 8,283,000
Construction Management & Inspection Services	$ 601,000
Construction Support Services (Geotechnical & Survey)	$ 129,000
Construction Support Services (Design)	$ 92,000
Administrative Costs (Staff & Miscellaneous)	$ 50,000
Total Estimated Costs	$ 9,155,000

ANTICIPATED PROJECT SCHEDULE
Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff recommends amending the contract with PB for continuing services during construction for the SR-60/Nason Street Interchange Improvement Project by approving the Seventh Amendment to Agreement for Professional Consultant Services and authorizing a change order to increase the purchase order by $92,250.00 ($76,875.09 plus 20% contingency).

ATTACHMENTS/EXHIBITS

Attachment "A" — Seventh Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129952

SEVENTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 98-25897

This Seventh Amendment to Agreement is by and between the **City of Moreno Valley**, a municipal corporation, hereinafter referred to as "City," and **PB Americas Inc.**, a New York corporation, hereinafter referred to as "Consultant." This Seventh Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 18, 2005.

Whereas, the Consultant is providing consultant design services for State Route 60/Nason Street Interchange Improvements.

Whereas said Agreement was amended by the "First Amendment to Agreement for Professional Consultant Services" dated June 22, 2006.

Whereas said Agreement was further amended by the "Second Amendment to Agreement for Professional Consultant Services" dated November 7, 2008.

Whereas said Agreement was further amended by the "Third Amendment to Agreement for Professional Consultant Services" dated April 23, 2009.

Whereas said Agreement was further amended by the "Fourth Amendment to Agreement for Professional Consultant Services" dated June 23, 2009.

Whereas said Agreement was further amended by the "Fifth Amendment to Agreement for Professional Consultant Services" dated October 13, 2009.

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

Whereas said Agreement was further amended by the "Sixth Amendment to Agreement for Professional Consultant Services" dated _____, 2011.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Seventh Amendment.

Whereas, the Consultant has submitted a Proposal dated August 25, 2011, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2012,** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in the proposal (Exhibit "A").

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in the proposal (Exhibit "A").

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $76,875.09, as set forth in the above-referenced proposal (Exhibit "A") in consideration of the Consultant's performance of the work set forth in said proposal.

1.5 The total "Not to Exceed" fee for this contract is $1,570,430.09 ($939,331.84 for the original Agreement, $16,302.70 for the First Amendment, $375,748.00 for the Second Amendment, $48,370.67 for the Third Amendment to Agreement, $4,805.24 for the Fourth

Amendment to Agreement, $87,889.13 for the Fifth Amendment, $21,107.42 for the Sixth Amendment and $76,875.09 for the Seventh Amendment to Agreement.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

PB Americas, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – Proposal Dated August 25, 2011

W:\CapProj\CapProj\PROJECTS\Marge - 98-25897 Route 60-Nason Interchange\Design Phase\Design Consultant (Design Phase)\Agreement\7th Amendment\7th Amendment - PB - Sep 2011.DOC

Parsons Brinckerhoff
451 E. Vanderbilt Way
Suite 200
San Bernardino, CA 92408

August 25, 2011

Ms. Margery A. Lazarus,
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: SR-60/Nason Street Interchange Improvements (PB Job No. 12676)
Project No. 98-25897

Dear Ms. Lazarus:

Attached is our scope of work, cost estimate and labor breakdown for additional services at the request of the City of Moreno Valley on the Nason Street Interchange Improvement Project. The effort has been identified in the following areas through the middle of March 2012:

- As-built Drawings
- Environmental Permits
- Attend weekly construction meetings
- Provide concurrence of RFI's
- PB will update all Staging and Striping plans affected by Caltrans HOV policy change.

The estimate for the above scope of work is $76,875.09.

Please do not hesitate to call should you have any questions 909.888.1106

Sincerely,
PB Americas, Inc

Douglas B. Sawyer
Senior Vice President

Over a Century of Engineering Excellence

Scope of work for Amendment

Task 24 – As-built Drawings

PB shall incorporate all redline comments prepared by the Contractor and the project inspector on the signed design Plans. PB will put hanging file tabs on the Mylars. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment.

The estimated time for 251 sheets at 0.5 hour/per sheet would be 139 hours and will start on receipt of the complete package from the construction manager (TCM Group). This will include printing five (5) full size sets.

Electronic files will then be placed on three (3) CD's and delivered to construction manager (TCM – Group) for distribution.

Task 25 – Environmental Permits

Rather than paying the extraordinarily high maintenance fees associated with managing a half acre wetlands through the required third party management service, the city has opted to buy into an offsite mitigation bank.

This strategy will result in a savings to the city of well over $300,000.

PB will continue to work with the city to close the environmental permits, and to confirm compliance with the mitigation program in connection with closing out the project.

Task 26 – Weekly Meetings and Site Visits

Weekly Meetings and site visits thru the middle of March 2012 – The city together with Caltrans District 8 staff have requested our presence at the weekly construction meetings and site visits.

This additional effort was not anticipated or funded in the original design support during construction scope.

This task covers that additional coordination effort which will improve communication and reduce construction related delays.

This is based on 18 meetings and/or site visits for a total of 3 hours including travel time by the Project Manager or his/her representative.

If the construction is extended, these tasks will have to be revisited.

Task 27 – Review & Response

Additional Effort required providing concurrence on all RFI's thru the middle of March 2012. PB's involvement and concurrence in the RFI review and response process has increased significantly at the request of oversight agencies.

The requirement for the engineer to provide concurrence on all RFI's creates additional effort from the designer.

If the construction is extended, these tasks will have to be revisited.

Task 28 – Modify Interim Staging and Final Striping Plans

PB will modify interim staging and final striping plans to reflect changes in Caltrans policy to allow for continuous ingress/egress into HOV Lanes.

The estimated time for 10 sheets at 3 hour/per sheet would be 30 hours.

RESOURCE ALLOCATION MATRIX

Task No.	Task Name	Proj Mgr		Lead Engineer		Environmental Lead		Engineer		CADD		Project Administration		TOTAL HOURS	TOTAL COST
		PB AMERICAS HOURS													
		Jamey Dye		Craig Schneider		Stephanie Oslick		Courtney Otubuan		Chris Pitzer		Martha Garcia			
	Design Services														
24	**As-built Drawing**														
24.01	As-built Drawing	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
														0	$0.00
	Subtotals	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
25	**Environmental Permits**														
25.01	Environmental Permits	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
														0	$0.00
	Subtotals	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
26	**Weekly Meetings**														
26.01	1 Weekly Meeting through the middle of March	48	$10,730.40											48.00	$10,730.40
	Subtotals	48	$10,730.40											48.00	$10,730.40
27	**RFI Review & Response**														
27.01	RFI Review & Response through the middle of March	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
	Subtotals	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
28	**Modify Interim Staging and Final Striping Plans**														
28.01	Modify Interim Staging and Final Striping Plans	1	$223.55					5	$605.60	25	$3,141.75			31	$3,970.90
	Subtotals	1	$223.55					5	$605.60	25	$3,141.75			31	$3,970.90
	TOTAL	128	$28,682.91	10	$1,984.40	28	$4,391.52	99	$12,596.48	196	$27,773.07	3	$335.34	464.00	$75,763.72

OTHER DIRECT COSTS (ODC's):		
Mileage		$550.56
Reproduction		$539.00
Postage/Deliveries		$21.81
Phone/Fax		$0.00
TOTAL ODC's		$1,111.37
TOTAL COST	$0.00	$76,875.09

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

BACKGROUND

The SB 821 Bicycle and Pedestrian Facilities Program administered by the RCTC provides funding for sidewalks, bicycle lanes, access ramps, and pedestrian related enhancements. Eligible expenditures for this competitive grant program are limited to preliminary engineering, right of way acquisition, construction, and reconstruction.

At the April 12, 2011 City Council meeting, City Council approved the submittal of the grant application for the SB 821 Bicycle and Pedestrian Facilities Program FY 2011-12. The grant application requested funds for installation of access ramps at 11 locations citywide, as well as ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators at various locations along Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard.

On August 1, 2011, the City received notification from the RCTC of a successful grant application in the amount of $75,000 (50% of the estimated project costs) for the project.

DISCUSSION

The project will install sidewalk, curb and gutter, Americans with Disabilities Act (ADA) compliant access ramps, new pedestrian push buttons, and new pedestrian signal heads with countdown indications. Locations for the sidewalk and ramp improvements were selected based upon the results of the Public Right of Way Access ADA Transition Plan. City staff has received requests from disabled residents as well as completed the Tier 1 review of intersections and has developed a priority list of locations that need access ramp construction/reconstruction. A list of the locations, improvements, and priority follows:

- Patricia Street between Margaret Avenue and Gentian Avenue: Construct ADA ramps for a total of five intersections (citizen request).
- Cottonwood Avenue at Dilbeck Drive: Construct ADA ramps (Tier 1 review).
- Alessandro Boulevard at Chagall Court: Reconstruct ADA compliant ramps (Tier 1 review).
- Alessandro Boulevard at Ramsdell Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- John F. Kennedy Drive at Ely Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- Indian Street at Manzanita Avenue: Reconstruct ADA compliant ramps; modify intersection geometrics to reduce pedestrian crosswalk lengths (Tier 1 review).
- Centerpoint Drive at Center Plaza: Reconstruct ADA compliant ramps (Tier 1 review).

In addition, as part of a city-wide effort to enhance pedestrian safety and convenience, various locations long Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard will have ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators installed.

Per the provisions of the SB 821 Bicycle and Pedestrian Facilities Program (no agreement is needed between the City and the RCTC), the City is required to use its own funds to implement the project and then receives a reimbursement payment at the completion of the project. The $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance is requested such that staff can proceed with the design and construction phases. If the funds are not claimed prior to the end of FY 2012-13, the project will be deleted from the SB 821 Bicycle and Pedestrian Facilities Program and the funds will be reprogrammed by the RCTC.

ALTERNATIVES

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will allow the City to receive the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for the project.*

2. Do not accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and do not authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will prohibit the City from receiving the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for this project.*

FISCAL IMPACT

The SB 821 Bicycle and Pedestrian Facilities Program grant will provide for reimbursement of up to $75,000 (50% of project costs). Staff is requesting the City Council to approve the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance for the construction phase of the project. The program includes local match Measure "A" funding of $75,000 (50% of project costs) which is already programmed in the City's CIP budget for curb ramps and sidewalk at various locations. The total cost of this project is estimated at $150,000, and there is no impact to the General Fund.

FISCAL YEAR 2011/2012 FUNDS AVAILABLE:

Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$50,000
Indian St/Manzanita Ave Intersection Reconfiguration (Account No. 125.56334)	$25,000
SCAG Article 3 Funds Appropriation (Account No. 122.NEW)	$75,000
Total	$150,000

ESTIMATED PROJECT RELATED COSTS:

Design	$20,000
Construction	$107,000
Construction Geotechnical Services	$8,000
Construction Survey Services	$5,000
Project Administration	$10,000
Total	$150,000

ANTICIPATED PROJECT SCHEDULE:

Complete Design	August 2012
Award Construction Contract	October 2012

Notice to Proceed with Construction ..... November 2012
Complete Construction..... February 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property I the community, control the number and severity of fire and hazardous materials incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129966

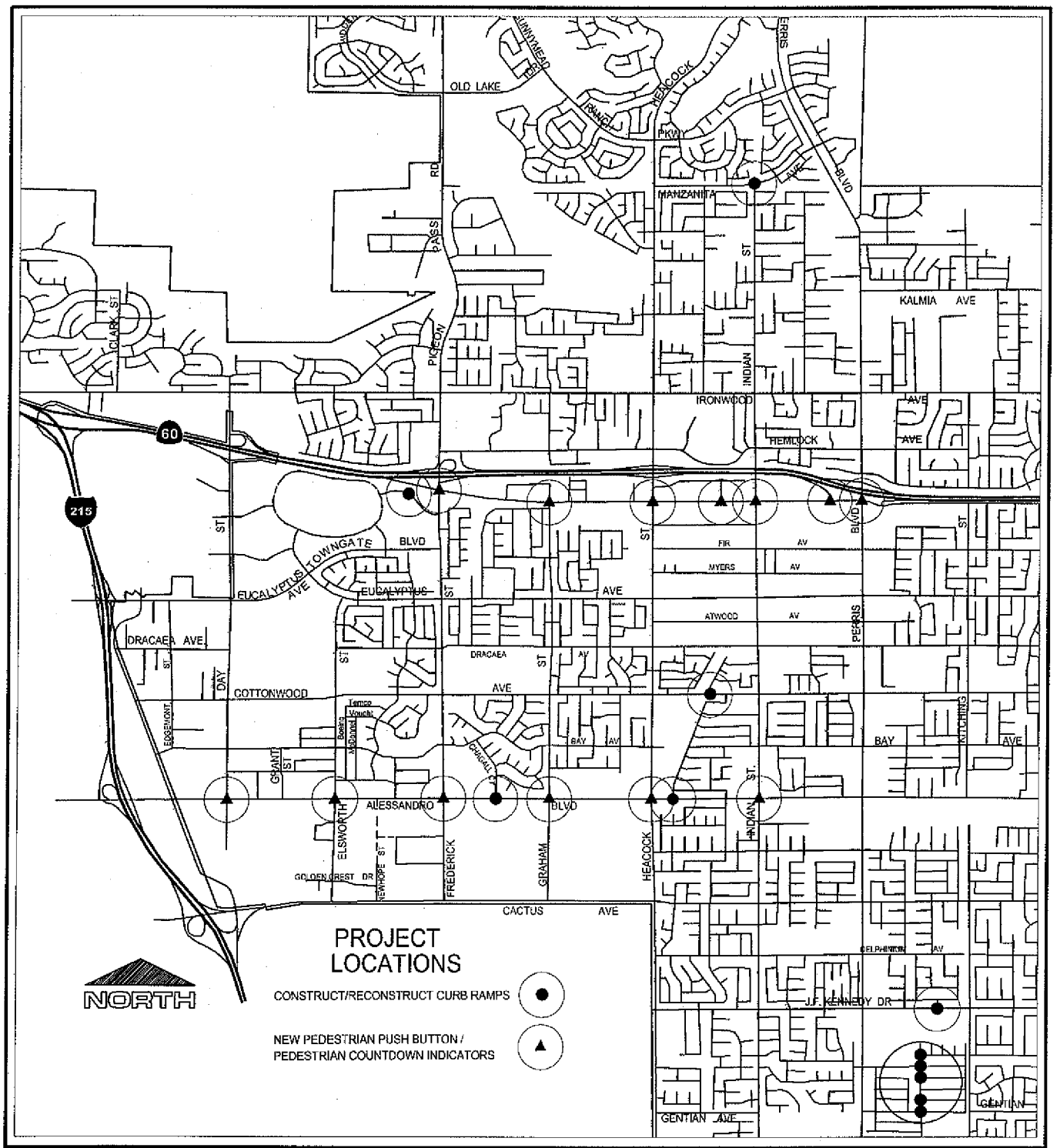

CITY OF MORENO VALLEY
DECEMBER 3, 1984

PEDESTRIAN ENHANCEMENT PROJECTS

Public Works Department
Capital Projects Division

LOCATION MAP

SB 821
FISCAL YEAR 2011 - 2012
GRANT SUBMITAL LOCATIONS

ATTACHMENT "A"

Item No. A.9

MV00129967

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MV00129968

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: September 27, 2011

TITLE: FOURTH AMENDMENT TO THE AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

Staff recommends that City Council adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

BACKGROUND

The original agreement with Riverside County Sheriff for law enforcement services was executed in 1985. A new agreement for law enforcement services was adopted on December 8, 1998 and became effective on January 1, 1999. Another new agreement for law enforcement services was approved on October 7, 2003 and expired on June 30, 2008. The most recent five-year agreement for law enforcement services was approved on December 16, 2008, with a retroactive effective date of July 1, 2008. The agreement is effective from July 1, 2008 through June 30, 2013.

Amendments are the method used to reflect changes in the allocated contract positions, changes in the average service hours, to add positions, and to reflect changes in contract language. The attached Fourth Amendment reflects a change in the average service hours, and the deletion of positions.

DISCUSSION

During the FY 11-12 budget preparation process, the City Manager directed the Moreno Valley Police to reduce its budget by one million dollars for FY 11-12, an additional two million dollars in FY 12-13, and an additional two million dollars in FY 13-14. In order to

meet the directive, it is necessary to reduce the amount of officers assigned to the Police Department.

On June 14, 2011, during the FY 11-12 budget approval process, the City Council approved a budget directing the reduction of one million dollars from the Police Department. In order to meet the directive, police services must be reduced by 25 service hours per day. Prior to the reduction, the contract called for 600 service hours per day. The Fourth Amendment reduces that daily number to 575 hours per day.

To meet the savings goal of one million dollars requires the reduction of 5 sworn officer positions.

ALTERNATIVES

The following alternatives are available for Council consideration:

1. Adopt the Fourth Amendment to the Agreement for Law Enforcement Services, and authorize the Mayor to sign the agreement.

2. Elect not to adopt the Fourth Amendment to the Agreement for Law Enforcement Services at this time, and provide further direction to staff.

FISCAL IMPACT

During the FY 11-12 budget approval process, Council approved a budget that required the reduction 8900 hours of service per year. The current contract calls for 600 hours of service per day. The reduction will set the daily service hours at 575.

Current contract FY 10-11
Hours per year = 218,940 (600 hours per day)

Proposed contract FY 11/12
Hours per year = 210,040 (575 hours per day)

The elimination of 8900 hours of service at the rate of $125.37 would save the City of Moreno Valley $1,115,793.00 for FY 11-12. This reduction equates to 5 sworn positions.

This agreement will be retroactive to July 1, 2011.

CITY COUNCIL GOALS

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit in the City of Moreno Valley.

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

On June 14, 2011, during a regular public meeting of the Moreno Valley City Council, Council Members voted to adopt the FY 11-12 budget. That budget included a reduction in allocated Police contract service hours and positions to meet a one million dollar deficit reduction plan approved by City Council on April 19, 2011.

NOTIFICATION

None.

ATTACHMENTS/EXHIBITS

Fourth Amendment to the Agreement for Law Enforcement Services between the City of Moreno Valley and the County of Riverside, including Attachment A-1 (Level of Service) and Attachment A-2 (Level of Service Detail)

Prepared By:
Name Chad Bianco
Title Lieutenant

Department Head Approval:
Name John Anderson
Title Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129972

ORIGINAL

FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN COUNTY OF RIVERSIDE AND CITY OF MORENO VALLEY

IT IS MUTUALLY AGREED that the Agreement for Law Enforcement Services between the County of Riverside, a political subdivision of the State of California, on behalf of its Sheriff's Department, and the City of Moreno Valley, a General Law City, approved by the Board of Supervisors on December 16, 2008, for services effective July 1, 2008 through June 30, 2013, as amended on December 1, 2009, November 2, 2010 and November 30, 2010, is hereby amended in the following respects, and all other terms and conditions of the Agreement remain in full force and effect:

1. Attachment A-1 is amended to read as follows:

ATTACHMENT A-1
CITY OF MORENO VALLEY
LEVEL OF SERVICE

Average Patrol Services

575 supported hours per day. (Approximate equivalent of one hundred and eighteen (118) Deputy Sheriff positions @ 1,780 annual productive hours per position)

Dedicated Positions

One (1) Captain position (Applied at an equivalent to 90% of position hours)

One (1) Lieutenant position

Two (2) Sheriff's Sergeant positions

Ten (10) Deputy Sheriff (fully supported) positions - Motorcycle Team

Two (2) Deputy Sheriff (fully supported) positions - K-9

Three (3) Deputy Sheriff (unsupported) positions - Crime Prevention Officers

One (1) Deputy Sheriff (unsupported) position – Regional Gang Task Force

One (1) Deputy Sheriff (unsupported) position - Graffiti Prevention

One (1) Deputy Sheriff (unsupported) position – School Resource Officer

Two (2) Forensic Technicians

Sixteen (16) Community Service Officer II positions

Five (5) Community Service Officer I positions

One (1) Sheriff's Service Officer II position

Two (2) Office Assistant II positions

One (1) Supervising Office Assistant I position

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2. Attachment A-2 is amended to read as follows:

Attachment A-2

City of Moreno Valley
Positions by Program
Level of Service as of July 2011

PROGRAM: POLICE ADMINISTRATION (62110)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Captain	1.0	
Lieutenant	1.0	
Sergeant	1.0	
Accounting Technician		1.0
Senior Accounting Assistant		1.0
Accounting Assistant II		2.5
Supervising Office Assistant II		1.0
Supervising Office Assistant I		1.0
Office Assistant III		2.0
Office Assistant II		14.0
TOTAL	3.0	22.5

PROGRAM: POLICE PATROL (62210)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	2.0	
Sergeant	10.0	
Deputy	80.0	
Deputy (Includes 2 K-9 Officers)	2.0	
Community Service Officer II		13.0
Sheriff's Service Officer II		3.0
TOTAL	94.0	16.0

PROGRAM: POLICE TRAFFIC ENFORCEMENT TEAMS (62310)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	

Item No. A.10

Sergeant		2.0	
Deputy		18.0	
Community Service Officer II			5.0
	TOTAL	21.0	5.0

PROGRAM: POLICE DETECTIVE UNIT (62410)

Position Title		Authorized Staffing	
		Sworn	Classified
Lieutenant		1.0	
Sergeant		2.0	
Investigator		17.0	
Deputy (Burglary Suppression)		2.0	
Forensic Technicians			2.0
Sheriff's Service Officer II			1.0
	TOTAL	22.0	3.0

PROGRAM: POLICE COMMUNITY SERVICES (62510)

Position Title		Authorized Staffing	
		Sworn	Classified
Sergeant		2.0	
Deputy-Community Services		3.0	
Deputy-Graffiti Prevention		1.0	
Deputy-School Resource Officer		1.0	
Community Service Officer I - Cm.Services			3.0
	TOTAL	7.0	3.0

PROGRAM: PROBLEM ORIENTED POLICING (62610)

Position Title		Authorized Staffing	
		Sworn	Classified
Sergeant		2.0	
Deputy		9.0	
Community Service Officer I			2.0
	TOTAL	11.0	2.0

PROGRAM: POLICE SPECIAL ENFORCEMENT TEAMS (62710)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	
Sergeant	2.0	
Deputy (Includes 1 K-9 Officer)	15.0	
Deputy (RGTF)	1.0	
TOTAL	19.0	0.0

PROGRAM: POLICE GRANT C-CAT (62810)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	
Sheriff's Service Officer II		1.0
TOTAL	2.0	1.0

PROGRAM: TOWNGATE MALL (62910)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	0.0
TOTAL	2.0	0.0

TOTAL STAFFING:	SWORN	CLASSIFIED
	181.0	52.5

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Item No. A.10

IN WITNESS WHEREOF, the City of Moreno Valley, by minute order or resolution duly adopted by its City Council, has caused this Agreement to be signed by its Mayor and attested and sealed by its Clerk, and the County of Riverside, by order of its Board of Supervisors, has caused this Agreement to be signed by the Chairman of said Board and sealed and attested by the Clerk of said Board, all on the dates indicated below.

CITY OF MORENO VALLEY

Dated:_____

By:_____
Richard A. Stewart, Mayor

ATTEST:

Name
Title

By:_____

COUNTY OF RIVERSIDE

Dated:_____

By:_____
Bob Buster, Chair,
Riverside County Board of Supervisors

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS DATE

By:_____
Deputy

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

BACKGROUND

The California Department of Food and Agriculture (CDFA) administers the Municipal Shelter Spay-Neuter Program through funds provided by the Franchise Tax Board. For the 2010 tax year, California taxpayers could elect to donate all or a portion of any of their tax refund monies to the Municipal Shelter Spay-Neuter Program. In order for this program to continue past the 2010 tax year a minimum of $250,000 in tax donations statewide was required. During 2010 a total of $197,000 in tax donations were available to eligible municipal animal shelters for the 2010 Spay-Neuter Program; therefore this program is not available in 2011.

The purpose of the Municipal Spay-Neuter Grant Fund Program is to provide grant funds to eligible animal shelters. Grant funds must supplement, not replace other funding sources. Impounded animals do not qualify for this service.

DISCUSSION

Moreno Valley Animal Services met the eligibility requirements of being current on the reporting requirements to the State Department of Public Health, Veterinary Public

Health Section (Annual Report of Rabies Control) along with offering low cost spay-neuter services for dogs and cats at the Moreno Valley Animal Clinic.

Grants awarded were on a first come, first serve basis. Eligible municipal animal shelters processing between 5,000 and 25,000 dogs and cats per year were eligible to receive up to $15,000. In FY 2010-11 the Moreno Valley Animal Shelter processed 8,378 dogs and 5,052 cats. The City was notified by CDFA in April 2011 that we were one of twelve shelters statewide that was awarded a grant (Attachment 1).

Grant funds will be used to sterilize approximately 200 dogs and/or cats owned by individual city residents.

ALTERNATIVES

1) Accept the grant award of $15,000.

2) Reject the grant award of $15,000.

3) Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the $15,000 grant award will increase the Animal Services Division's expenditure budget for FY 2011-12 as identified below. A separate business unit (BU 63240) has been created to track expenditures. Staff will process a Budget Appropriation Adjustment upon Council acceptance of the grant, increasing budgeted grant revenue and increasing the expense budget, directing staff to proceed with the grant expenditures.

General Ledger Account	Description	Current Budget	Grant Award Allocation	Revised Budget
2350.4611.1	Grant Revenue	$0	$15,000	$15,000
63240.6255	Other Professional Services (Veterinary contract)	$0	$15,000	$15,000

SUMMARY

Acceptance of the $15,000 grant award from the California Department of Food and Agriculture will allow the Animal Services Division to supplement the low cost spay-neuter services provided by the Moreno Valley Animal Clinic. Grant award funds will be used to assist city residents who otherwise could not afford the expense of spaying or neutering their pets. The grant award funds can only be used to assist pet owners

residing in the city and the pet owner's dog or cat has not been impounded at the Moreno Valley Animal Shelter. It is estimated approximately 200 pets from the community will be sterilized under this program.

ATTACHMENTS

Attachment 1: 2011 Municipal Spay-Neuter Grant Award Notice

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00129982

cdfa CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

May 2, 2011

Steve Fries
City of Moreno, Valley Animal Services Division
14041 Elsworth Street
Moreno Valley, CA 92552-0805

Subject: 2011 Municipal Spay-Neuter Grant Award Notice

Dear Mr. Fries,

Congratulations! Your organization's application submitted under the California Department of Food and Agriculture (CDFA), 2011 Municipal Spay-Neuter Grant Fund Program in January has met all the criteria and will be awarded $15,000 based on the funding formula provided in the California Revenue Taxation Code (CRTC) Section 18755.2(c). CDFA anticipates disbursing the Municipal Spay-Neuter Grant Program funds in August 2011. Awards will be made payable to the organization name and address as they appears on this letter.

Pursuant to (CRTC) Section 18755.2(e) all funds received must be used to supplement, not replace, other funding sources for spay-neuter services and programs. Additionally, no grant funds shall be used to spay or neuter any animal that is impounded by an eligible municipal shelter.

Thank you for your participation in the 2010 Municipal Spay-Neuter Grant process. If you have any questions, please feel free to submit them to grants@cdfa.ca.gov.

Sincerely,

Carl Baum
Grant Awards Coordinator
Grant Awards Unit

CDFA ANNOUNCES MUNICIPAL SHELTERS ELIGIBLE TO RECEIVE FUNDING OF THE 2011 MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

Grants will be made available to the following Municipal Shelters providing low cost or free spay-neuter services for dog and cats owned by individual members of the public which have met all the criteria to receive funding:

City and County of San Francisco

City of Long Beach

City of Los Angeles

City of Moreno Valley

City of Sacramento

City of San José

County of Contra Costa

County of Riverside

County of San Bernardino

County of Santa Barbara

County of Yolo

Town of Truckee

4/30/11

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

The City has provided a VEBA benefit for City employees since 1994. In May 2011, the service provider that performed the VEBA accounting services for the City's VEBA Plan decided to stop providing the service to the City. City staff interviewed other providers and determined that CALGOVEBA is the most experienced, widely used by other government agencies in California and is the most complete service provider for administering the City's proposed VEBA Plan.

Staff is recommending approval of the attached Resolution establishing a new VEBA Trust. A VEBA Trust is a tax exempt benefit plan qualifying under Section 501 (c) (9) of the Internal Revenue Code. This plan is similar, in many respects, to a 125 Flexible Spending Account where accumulated assets are used for the payment of eligible health and other expenses for employees and their families. Unlike a 125 plan, however, accumulated assets in a VEBA Trust can be used to make premium payments.

The recommendation to implement a new VEBA Trust is based on a number of factors. The first is the significant positive impact the benefit will have on employees both during and after their retirement from service. By establishing a VEBA Trust, employees will be able to plan for current as well as future health care expenses not covered through the City's benefit program. Expenses such as Long Term Care, unreimbursed medical premiums, co-pays and pharmacy charges are all eligible under a VEBA Trust arrangement. Employees will realize a significant financial benefit since both eligible contributions to a VEBA Trust and the reimbursed expenses from the VEBA Trust are tax exempt. The City, however, is emphasizing the plan for retirement medical reimbursement purposes, even though the employees may use it for current medical expenses reimbursement.

Another factor is the flexibility of a VEBA over other alternatives available. One of the significant benefits of a VEBA is that it allows for levels of contribution and participation based on an employee group. Additionally, VEBA's, by law, require that they are collectively bargained. As a result, employees have a say in structuring a program that meets their needs. This means that the City employees associations may each agree on a different level of employee contribution rate, over and above the City paid contributions.

In addition, a VEBA Trust provides a more comprehensive approach to assisting with the greatest challenge for employers and employees, which is the rising cost of health care. A VEBA Trust is permitted to receive both, employer and employee contributions, the benefit being the opportunity to grow significantly greater assets for health care expenses in a shorter period of time. As a result, the VEBA program could also work in tandem with the City's existing post retirement medical commitments with employees' association members. For example, contributions by the City could be made directly to the respective VEBA accounts, thus ensuring a tax advantage for these employees.

In sum, by establishing the VEBA Trust, employees will be able to make health care choices that address their specific needs and have more money available for health care expenses due to tax savings realized through the program.

DISCUSSION

Staff is aware of a number of Public Agencies that have implemented VEBA Trusts for their employees. The proposed VEBA Trust was developed as a multi-agency Trust in order that other public agencies may provide similar benefits to their employees. The benefit of joining this particular VEBA Trust is that it was developed by the City of Foster City with our issues in mind. This Trust is also governed by a committee of Trustees formed from the list of participating agencies. Should the City of Moreno Valley choose to participate in the California Government VEBA, the City would hold representation on the Board of Trustees as well.

The City will not be responsible for any costs associated with this Plan. Each VEBA participant will pay a monthly maintenance fee of $4.45 regardless of the size of their account. The VEBA Trust will pay an asset-based fee equal to 50 basis points (0.50%) for funds held in a guaranteed fixed rate product at Metlife and 75 basis points (0.75%) for funds held in an actively managed advisory account at Ameriprise Financial. A variety of investment options exist for investment by the VEBA Trust for the benefit of participants in the program, one of which is a guaranteed fixed rate program through MetLife. Other investment options are available and are tailored to the City's requirements.

ALTERNATIVES

The action of the City Council to approve the attached resolution is consistent with the Fiscal Year 2011/12 MOUs with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The approval of the attached resolution and implementation of the new VEBA for City employees will have no impact on the City budget. The new VEBA Plan expenses are paid for out of the employees' contributions and investment earnings. As of June 30, 2011, the value of the City's current VEBA Trust assets was $995,257. The value of the assets has dropped due to market volatility in July and August 2011. As of September 15, 2011, the amount of the unrealized loss was approximately $51,575, compared with an unrealized gain of $160,634 for FYE 6/30/2011. All of the assets will be transferred to the new VEBA Trust and the value will be reported on a quarterly basis. The VEBA Trust assets for investment will be apportioned between the following two investment firms at the discretion of the City's VEBA Investment Committee: Ameriprise, Inc. and BAA Capital Advisors, Inc. The actively-managed portion (70%) will be managed by Ameriprise and the fixed-rate portion will be held in Metlife via BAA Capital Advisors, Inc. Cash will be held in two (2) accounts at Wells Fargo Bank.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future." The action will also fulfill City Council Deficit Elimination Plan Follow-up Goal No. 21, "Consider a Health Savings Account to allow set-aside of funds for future retiree medical costs on a pre-tax basis."

NOTIFICATION

The three employees associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and implement the

new VEBA. Copies of this staff report were sent to the employees associations and all three concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

1. Resolution Implementing a Voluntary Employee Beneficiary Association (VEBA) Trust.
2. California Government Voluntary Employees Beneficiary Association Restated Master Trust

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PARTICIPATION IN THE CALIFORNIA GOVERNMENT VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (CALGOVEBA) TRUST

WHEREAS, the City of Moreno Valley maintains a significant health and welfare benefit program for it's employees and their families; and

WHEREAS, modifications or additions are made from time to time to the City's benefit program; and

WHEREAS, the rising cost of health care is the one of single most important cost containment issue for the City and it's employees; and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association (CALGOVEBA) is a governmental multi-employer plan that permits employees to accumulate assets for this purpose, pursuant to the provisions of the Internal Revenue Code, section 501(c) (9); and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association provides for participation pursuant to collective bargaining agreements; and

WHEREAS, the City Council created a VEBA trust on April 25, 1995, referred to as the "Existing VEBA Trust"; and

WHEREAS, the assets in the existing VEBA trust needs to be transferred to the new CALGOVEBA trust; and

WHEREAS, once the assets are transferred, the existing VEBA trust needs to be terminated.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moreno Valley hereby approves the attached California Governmental Voluntary Employee Beneficiary Association Trust Agreement; and

That the City Council approves the transfer of assets from the existing VEBA trust to the new CALGOVEBA trust; and

That the City Council approves the termination of the existing VEBA trust upon the completion of the transfer of assets.

Attachment 1

Resolution No. 2011-99
Date Adopted: September 27, 2011

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00129992

CALIFORNIA GOVERNMENT

VOLUNTARY EMPLOYEES BENEFICIARY ASSOCIATION

RESTATED MASTER TRUST

TRUST restated in its entirety as of the 27th day of September, 2011 by and between The City of Moreno Valley, a forming public agency in the State of California (hereinafter referred to as the "Plan Sponsor "), and the Trust Committee of the California Government VEBA", (hereinafter referred to as the "Trustee").

W I T N E S S E T H:

WHEREAS, the Plan Sponsor adopts the California Government VEBA hereinafter referred to as the "Plan", and

WHEREAS, the Plan constitutes the California Government Voluntary Employees Beneficiary Association ("California Government VEBA"); and

WHEREAS, under the Plan, funds will from time to time be contributed to the Trustee, which funds, as and when received by the Trustee will constitute a trust fund to be held for the benefit of the Members and retirees of the Plan of the Plan Sponsor having a right to benefits, pursuant to the provisions of the Plan, and such funds will be invested by the Trustee pursuant to directions by the Plan Sponsor and/or Investment Manager as provided herein; and

WHEREAS, other Plan Sponsors may adopt this Trust as a Master Trust, subject to the provisions of this Trust, to hold assets for the purpose of funding plans that are a part of the California Government VEBA; and

WHEREAS, the Plan Sponsor having entered into this Master Trust with the Trustee for the purpose of holding the assets under the Master Trust attributable to the Plan and other amounts contributed thereunder; and

WHEREAS, the assets and funds to be held in the Master Trust established hereby, as and when received by the Trustee, will constitute a trust fund to be held for the benefit of the members of the Plan and their beneficiaries; and

WHEREAS, the Plan Sponsor desires the Trustee to hold such assets and funds and the Trustee is willing to hold such assets and funds pursuant to the terms of this trust; and

WHEREAS, the master trust is intended to qualify as a "Voluntary Employees Beneficiary Association" within the meaning of Section 501(c)(9) of the Internal Revenue Code, and

WHEREAS, the master trust is intended for the purpose of creating a fund to provide for the payment of benefits that qualify under Section 501(c)(9) of the Internal Revenue Code to participating Members, including their dependents, and their designated beneficiaries.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, the Plan Sponsor and the Trustee do hereby agree as follows:

1. The Plan Sponsor hereby adopts the California Government Voluntary Employees Beneficiary Association (VEBA) Trust (the "Master Trust") as a trust to fund the benefits provided by the Plan. All such money and property, all investments made therewith and proceeds thereof and all earnings and profits thereon, less the payments or other distributions which, at the time of reference, shall have been made by the Trustee, as authorized herein, are referred to herein as the "Fund" and shall be held by the Trustee, in trust, and dealt with in accordance with the provisions of this Trust.

2. Any other California public agency may become a Plan Sponsor and adopt the Master Trust to fund benefits provided under the California Government VEBA Plan if the Plan Sponsor adopts the Master Trust and the Plan in order to provide benefits that are funded from the Master Trust and the Trustee agrees to such adoption. The assets of each Plan Sponsor and the investment earnings thereon shall be available only to pay benefits to employees of that Plan Sponsor and any costs or fees associated with the administration of the Plan covered under this Trust.

3. It is intended that the Master Trust shall meet the requirements of Internal Revenue Code section 501(c)(9). All contributions hereunder and all assets and earnings of the Master Trust are solely and irrevocably dedicated to the payment of benefits that qualify under section 501(c)(9) of the Internal Revenue Code.

Effective January 1, 2008 and as referenced herein, the Trustee shall consist of a Trust Committee. The Trust Committee shall consist of one person designated by each Plan Sponsor. Such designated individual shall assume the responsibility of Trustee. Executive Trustees shall review all information and documents related to the daily activities and operation of the Trust and Plan and shall make recommendation(s) to the full body of Trustees forming the Trust Committee on such related matters. Such Executive Trustees shall consist of the ten original Plan Sponsors and five additional Trustees voted by the full body of Trustees to such position. A vote to fill the five additional positions shall occur every three years. Procedures to fill vacancies which occur in the interim periods shall be developed by the Trust Committee.

4. Trustee shall appoint a Trust Administrator and any and all successor Trust Administrators which shall have the authority to act for a Plan Sponsor in all matters relating to the establishment and maintenance of the Plan and Trust except those relating to the investment and management of the assets of the Trust and such other matters as are reserved to the Plan Sponsor or the Trustee under the provisions of this Trust. Without limiting the generality of the foregoing, the Trust Administrator shall have the following specific powers:

   A. To contract for and delegate the administration of the Plan to one or more administrators, subject to approval of the Trustee.
   B. To determine from time to time the benefits to be provided for participants under the Plan.
   C. To retain professional advisors, including auditors and legal advisors to provide services to the Trust.
   D. To prepare necessary filing with the state and federal government.

5. Responsibility for the management and control of the assets of the Plans which are held under the Master Trust as a funding medium (including the power to acquire or dispose of such assets) is vested in the Plan Sponsor, and/or in such one or more investment managers described in Article 13a who are appointed by the Plan Sponsor. That portion of the Fund for which the Plan Sponsor shall have such responsibility is hereinafter referred to as the "Plan Sponsor-Directed Fund." Any portion of the Fund over which an Investment Manager shall have such responsibility is hereinafter referred to as an "Investment Manager-Directed Fund." Allocations of assets of the Fund between or among any Plan Sponsor-Directed or Investment-Manager Directed Funds shall be determined by the Plan Sponsor. For efficiency or convenience of investment or administration, the Fund or any such Plan Sponsor-Directed or Investment Manager-Directed Fund may be divided into such one or more sub-funds as the Plan Sponsor or the Trustee may deem advisable.

6. The Trust Administrator shall maintain a separate account reflecting the equitable share in the Fund of each Plan Sponsor. For this purpose, the Trustee shall determine the value of the assets of the Fund as of the last day of each calendar quarter and as of such other dates as the Trustee may deem appropriate or on which the Plan Sponsor and the Trustee may agree. Assets shall be valued at their market values at the close of business on the date of valuation, or, in absence of readily accessible market values, at such values as the Trustee shall determine in accordance with methods consistently followed and uniformly applied. Anything herein to the contrary notwithstanding, with respect to assets constituting part of a Directed Fund hereunder, the Trustee may rely, for all purposes of this Trust, including for the purpose of determining the value of such assets as of any quarterly or other valuation date, on any certified appraisal or other form of valuation submitted to it by the Investment Manager(s). The Trustee may also rely on Assets reported by an Insurer in conjunction with contracts issued by that Insurer. Any amount paid from the Master Trust which is specifically allocable to a particular Plan Sponsor shall be charged against the equitable share of such Plan Sponsor; any

amount paid from the Master Trust which is allocable to all of the Plan Sponsors shall be charged against the individual Plan Sponsor assets on a pro-rata basis.

7. The Trustee shall not be required to maintain any separate records or accounts with respect to any Plan Sponsor or any participant in (or beneficiary of) any Plan Sponsor, and any such records or accounts required to be maintained pursuant to the terms of any such Plan shall be maintained by the Plan Sponsor or by the appropriate committee directly charged with such responsibility.

8. By entering into this Trust, the Trustee does not assume any responsibility or undertake any duty to enforce payment of any contribution under any collective bargaining agreement, any responsibility for the adequacy of the Fund or the funding standards adopted by any Plan Sponsor to meet or discharge any liabilities under such agreement or standard, or any responsibility under the terms of this Trust for the management or control of any Discretionary or Directed Funds. Except as may otherwise be required by law, no duties or obligations shall be imposed upon the Trustee unless they have been specifically undertaken by the express terms of this Trust.

9. The Trustee shall receive any contributions paid to it in cash or in other property acceptable to it. All contributions so received, together with the income therefrom and any other increment thereon, shall be held by the Trustee pursuant to the terms of this Trust without distinction between principal and income. The Trustee shall not be responsible for the collection of any contributions to the Plans.

10. The Trustee may from time to time consult with counsel, who may be counsel to the Plan Sponsor, with respect to any question arising as to the construction of this Trust or any action to be taken hereunder and the Trustee shall be fully protected, to the extent permitted by law, in acting in good faith upon the advice of counsel.

11. Subject to the provisions of Article 12 hereof, the Trustee from time to time upon receipt of written notice from the Trust Administrator, may make payments out of the Trust Fund to such persons, in such manner, in such amounts and for such purposes, including the payment of expenses of the Plan and the purchase of life insurance and/or annuity contracts, as may be specified by the Trust Administrator. Except as may otherwise be required by law, the Trustee shall be under no liability for any payment made by it pursuant to a written direction of the Trust Administrator and shall be under no duty to make inquiries as to whether any payment directed by the Trust Administrator is made pursuant to the provisions of the Plan.

12. Notwithstanding anything to the contrary contained in this Trust or in any amendment thereto, it shall be impossible, at any time prior to the satisfaction of all liabilities with respect to the members under the Plans or their beneficiaries, for any part of the Fund, other than such part as is required to pay taxes and expenses of administration, to be used for or diverted to purposes other than for the exclusive benefit of the members under the Plans or their beneficiaries.

13. Unless otherwise prohibited by law or otherwise specified herein, the Trustee shall have the following powers and authority with respect to the Trust Fund:

    a. To invest and reinvest, as directed by the Plan Sponsor and/or the Investment Manager, the principal and income of the Fund and keep the Fund invested without distinction between principal and income, in such securities or in such property, real or personal (whether or not income producing), wherever situated, including, but not limited to, life insurance, contracts, stocks, common or preferred; any mutual or other funds maintained or established by the Trustee or any affiliate thereof; bonds and mortgages and other evidence of indebtedness or ownership in any common, collective or commingled trust fund maintained by the Trustee, as the same may be amended from time to time, and during any period when such funds are used, the instrument

establishing such fund shall constitute a part of this Trust. In making such directed investments, the Trustee shall not be restricted to securities or other property of the character authorized or required by applicable law from time to time for trust investments. The Plan Sponsor and/or Investment Manager shall direct the Trustee in writing as to the asset allocation or percentage mix of types of investments to be used by the Trustee for the investment of the Trust Fund, and as to specific investments to be made by the Trustee of amounts in the Trust Fund. To the extent permitted by law, the Trustee shall not be liable and shall be held harmless and indemnified by the Plan Sponsor for any losses incurred in connection with the Trust Fund caused by its reliance thereon. Such losses may be either actual realized losses or losses in the nature of "lost investment opportunity."

b. To settle, compromise or submit to arbitration any claims, debts or damages, due or owing to or from the Master Trust, to commence or defend suits or legal proceedings and to represent the Master Trust in all suits or legal proceedings in any court of law or before any other body or tribunal.

c. To exercise any conversion privilege and/or subscription right available in connection with any securities or other property at any time held by it; to oppose or to consent to the reorganization, consolidation, merger or readjustment of the finances of any corporation, company or association, or to the sale, mortgage, pledge or lease of the property of any corporation, company or association any of the securities of which may from time to time be held by it and do any act with reference thereto, including the exercise of options, the making of trusts or subscriptions, and the payment of expenses, assessments or subscriptions, which may be deemed necessary or advisable in connection therewith, and to hold and retain any securities or other property which it may so require.

d. To exercise, personally or by general or by limited power of attorney, any rights, including the right to vote, appurtenant to any securities or other property held by it at any time.

e. To hold part or all of the Funds uninvested.

f. To employ and unemploy agents, including the Trust Administrator, counsel, and auditor and to pay from the Trust Fund their reasonable expenses and compensation.

g. To register any securities held by it hereunder in its own name or in the name of a nominee with or without the addition of words indicating that such securities are held in a fiduciary capacity and to hold any securities in bearer form.

h. To make, execute and deliver, as Trustee, any and all deeds, leases, mortgages, conveyances, waivers, releases or other instruments in writing necessary or desirable for the accomplishment of any of the foregoing powers.

i. To deposit any part of the Fund in interest bearing account deposits maintained by the Trustee.

j. Generally to do all acts, whether or not expressly authorized, which the Trustee may deem necessary or desirable for the protection of the Trust Fund.

14. The Plan Sponsor reserves the right to retain the services of one or more persons or firms for the management of (including the power to acquire and dispose of) all or any part of the Fund, provided that each of such persons or firms is registered as an investment advisor under the Investment Advisors Act of 1940, is a bank (as defined in that Act), or is an insurance company qualified to manage, acquire or dispose of trust assets under the laws of more than one state, and provided that each of such persons or firms has acknowledged in writing that he is a fiduciary with respect to the Plan; in such event, the investment manager or managers so retained (the "Investment Manger(s)") shall have the same investment powers and duties as the Trustee, and the Trustee shall not be liable for the acts or omissions of such Investment Manager(s), nor shall it be under any obligation to invest or otherwise manage any Trust Fund assets which are subject to the management of such Investment Manager(s).

15. The Trustee shall pay out of the Fund all personal property taxes, income taxes and other taxes of any and all kinds levied or assessed under existing or future laws against the Trust Fund.

16. The Trustee shall, within 90 days after the close of each calendar year, and within 90 days after the removal or resignation of the Trustee or the termination of the Trust or Plan, render accounts of its transactions to the Trust Administrator and Plan Sponsor. The Trust Administrator and Plan Sponsor may make exceptions to such accounts by an instrument in writing delivered to the Trustee. In the absence of the filing in writing with the Trustee of exceptions or objections to any such account within ninety (90) days of the rendering, shall be deemed to have been approved, the Trustee shall be released, relieved and discharged with respect to all matters and things set forth in such account as though such account had been settled by the decree of a court of competent jurisdiction. The Trustee shall keep accurate and detailed accounts of all investments, receipts, disbursements and other transactions hereunder for the Fund (including any Discretionary or Directed Fund) and all accounts, books and records relating thereto shall be open to inspection and audit at all reasonable times by any persons designated by the Trustee or Trust Administrator. Except as the Retirement Security Act of 1974, as amended ("ERISA"), provides otherwise, no person other than the Plan Sponsor may bring any action against the Trustee with respect to the Trust or their actions as Trustee. The Trustee shall from time to time permit an independent public accountant selected by the Plan Administrator (except one to whom the Trustee has reasonable objection) to have access during ordinary business hours to such records as may be necessary to audit the Trustee's accounts.

17. The Trustee shall be fully protected in relying upon notice from the Trust Administrator with respect to any instruction, direction or approval of the Trust Administrator, and protected also in relying upon a notice from the Trust Administrator as to the person or persons who are authorized to direct payments from

the Trust Fund and in continuing to rely upon such notice until a subsequent notice is filed with the Trustee.

The Trustee shall be fully protected in acting upon any instrument, certificates or paper believed by it to be genuine and to be signed or presented by the proper person or persons, and the Trustee shall be under no duty to make any investigation or inquiry as to any statement contained in writing, but may accept the same as conclusive evidence of the truth and accuracy of the statements therein contained.

The Trustee shall not be liable for the application of any part of the Fund if payments are made in accordance with the approved written instructions of the Trust Administrator as herein provided, nor shall the Trustee be responsible for the adequacy of the Fund to meet and discharge any and all payments and liabilities under the Plan. All persons dealing with the Trustee are released from inquiry into the decision or authority of the Trustee and from seeing to the application of any moneys, securities or other property paid or delivered to the Trustee.

The Trust Administrator and Plan Sponsor hereby agree to hold the Trustee harmless from and against all taxes, expenses (including counsel fees), liabilities, claims, damages, actions, suits or other charges incurred by or assessed against it as a successor Trustee, as a direct or indirect result of any act or omission of a predecessor Trustee or any other person charged under any trust affecting Fund assets for investment responsibilities with respect to such assets.

The Plan Sponsor agrees to hold harmless and indemnify the Trustee, to the fullest extent permitted under applicable law, for any and all liabilities of any kind incurred by the Trustee in connection with the Plans and Trust (a) relating to periods of time prior to the Trustee's becoming Trustee, or (b) relating to periods of time while the Trustee is Trustee if such liability is not due to the Trustee's negligence, willful misconduct, or breach of its fiduciary duties.

18. The Trustee may resign at any time by giving sixty (60) days written notice to the Trust Administrator. In the case of the resignation or removal of the Trustee, the Trust Administrator immediately shall appoint a successor Trustee. If for any reason the Trust Administrator cannot or does not act in the event of the resignation or removal of the Trustee, as hereinabove provided, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor Trustee. Any expenses incurred by the Trustee in connection therewith shall be paid from the Fund as an expense of administration. Any successor Trustee shall have the same powers and duties as those conferred upon the Trustee named in this Trust. The removal of the Trustee and the appointment of a new Trustee shall be by written instrument delivered to the Trustee.

19. This Trust, subject to the provisions of Article 1 may be amended by the Trustee at any time or from time to time and in any manner and the provisions of any such amendment may be made applicable to the Fund as constituted at the time of the amendment as well as to the part of the Fund subsequently acquired; provided, however, that no such amendment shall increase the duties of the Trustee without its consent. Any amendment shall be by a written instrument adopted by the Trustee.

20. This Trust and the trust created hereby may be terminated at any time by the Trustee, and upon such termination, the Fund shall be paid out by the Trustee as and when directed by the Trust Administrator in accordance with the provisions of Article 12 hereof.

21. The Trust Administrator shall provide the Trustee with copies of all documents constituting a Plan at the time the Trust is executed by a Plan Sponsor, as provided in Article 2, and all other documents amending or supplementing a participating Plan promptly upon their adoption. The Trustee shall be entitled to rely upon the Trust Administrator's attention to this obligation and shall be under no duty to inquire of

the Trust Administrator as to the existence of any documents not provided by the Trust Administrator hereunder. The Trustee is bound and acknowledges that it is a fiduciary with respect to the Master Trust and the participating Plans and by the fiduciary responsibility provisions of ERISA as applicable to governmental plans. The provisions of ERISA are expressly made applicable to the provisions of this Master Trust in order to ensure that the Master Trust meets the control requirements for a VEBA under the provisions of 501(c)(9) of the Internal Revenue Code.

22. To the extent consistent with the provisions of ERISA, this Agreement and the trust created hereby shall be construed, regulated and administered under the laws of the State of California, and the Trustee shall be liable to account only in the courts of the State. All contributions to the Trustee shall be deemed to take place in the State of California. Unless the provisions of ERISA provide otherwise, the Trustee may at any time initiate an action or proceeding for the settlement of its accounts or for instructions, and the only necessary party defendant to such action or proceeding shall be the Employer except that the Trustee may, if it so elects, bring in as parties defendant any person or persons.

IN WITNESS WHEREOF, this instrument has been executed as of the day and year first above written.

PLAN SPONSOR

ATTEST:

_____

By:_____

Name: Richard A. Stewart

Title: Mayor

Date: _____

TRUSTEE:

ATTEST:

Trust Committee

_____

By: _____

Name:

Title:

Date:

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MV00130006

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer and Barry Foster Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011

DEVELOPER: FIRST INDUSTRIAL, L.P.
A DELAWARE LIMITED PARTNERSHIP
898 NORTH SEPULVEDA BOULEVARD
SUITE 750
EL SEGUNDO, CA 90245

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011.

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

BACKGROUND

On November 6, 2008, the Planning Commission of the City of Moreno Valley approved Parcel Map No. 35859 (PA07-0165) along with Plot Plan (PA07-0166) for an approximately 700,000 square-foot industrial warehouse building (Building #1) and a

Plot Plan (PA07-0167) for a 180,000 square-foot industrial warehouse building (Building #2). The parcel map is a proposal to subdivide 40.3 gross acres into two parcels. The project is bounded by Perris Boulevard to the east, Knox Street to the west, San Michelle Road to the north, and Nandina Avenue to the south.

Since the original project approvals, the developer has submitted a Plot Plan (PA11-0011) planning application for an interim truck parking lot to be located on Parcel 2 of Parcel Map No. 35859, the ultimate location of Building #2, the 180,000 square-foot industrial warehouse building. The proposal covers the same footprint of the approved building with access from Perris Boulevard. The developer has also submitted an Amended Plot Plan (P11-017) planning application for minor modifications to the approved 700,000 square-foot building approved with PA07-0166. The modifications include a decrease in the overall building square footage with an increase in office space and changes to the location of Knox Street project entrances. Both of these planning applications were approved on July 5, 2011.

On July 26, 2011, the City Council of the City of Moreno Valley approved the Final Parcel Map and Public Improvement Agreement along with the corresponding securities. The Agreement and securities include the construction of the public street improvements.

DISCUSSION

First Industrial, L.P. is requesting a full road closure of Nandina Avenue between Perris Boulevard and Knox Street to facilitate the construction of street improvements on Nandina Avenue. The road closure will be for three months, or approximately ninety-one (91) calendar days. The request for the road closure is due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, curb, gutter, sidewalk, medians, driveway approaches, street lights, landscaping, storm drain culverts, dry utilities, traffic signal modification and associated signing and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on December 28, 2011.

There are 2 residential parcels in the area of construction. The road closure will affect the ingress or egress of both of the parcels, and it will require a detour to the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. The road closure/detour/traffic control plan for this closure has been reviewed and approved by the City Traffic Engineer.

ALTERNATIVES

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. There would be no road closure. *This alternative would result in an unsafe work environment and would significantly delay the completion of this project.*

FISCAL IMPACT

The developer will be responsible for all costs associated with this proposal.

CITY COUNCIL GOALS

PUBLIC SAFETY
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses and residents. The public will be notified by special roadside signage showing the dates of closure and detour signs.

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Road Closure Detour Map
Exhibit "C" – GIS Orthography Map – Road Closure Site Map

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130010

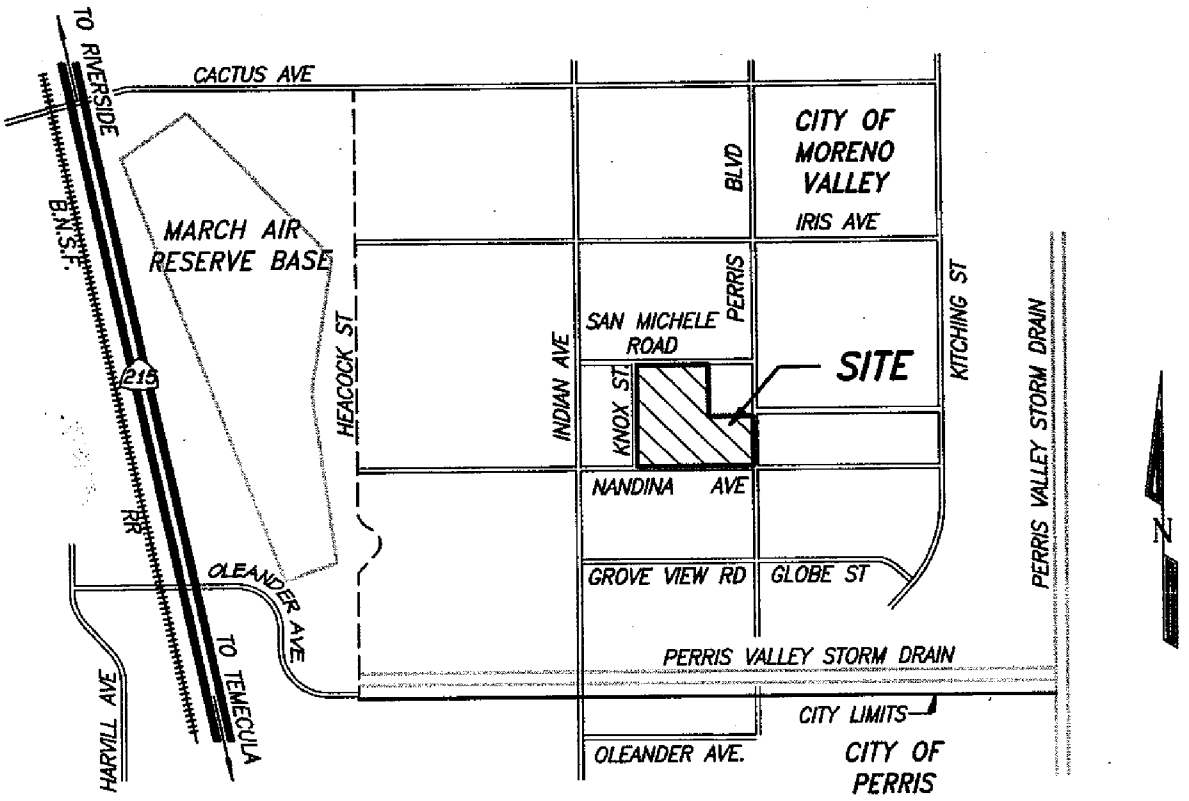

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0165** **PM 35859** **LOCATION MAP**

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MV00130012

DETOUR PLAN

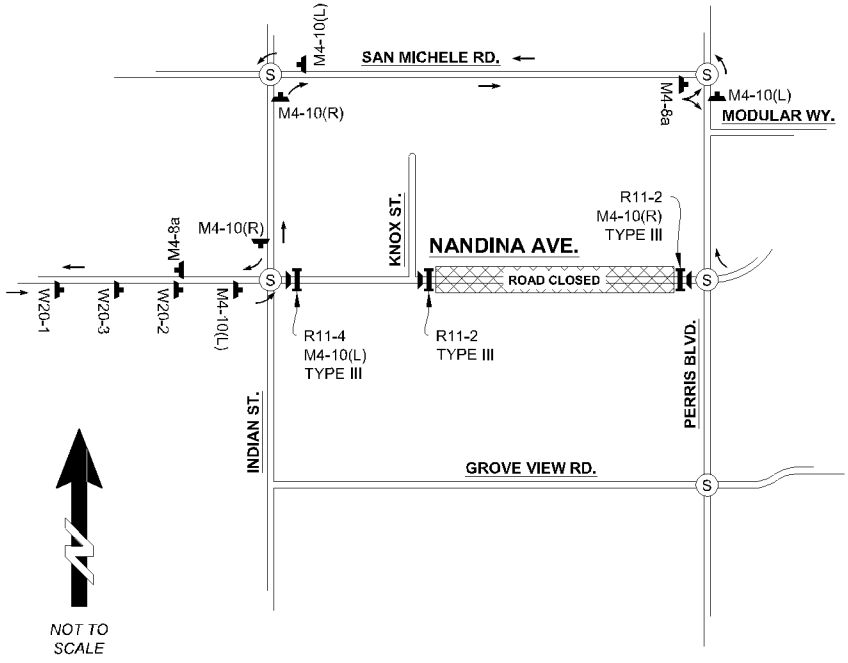

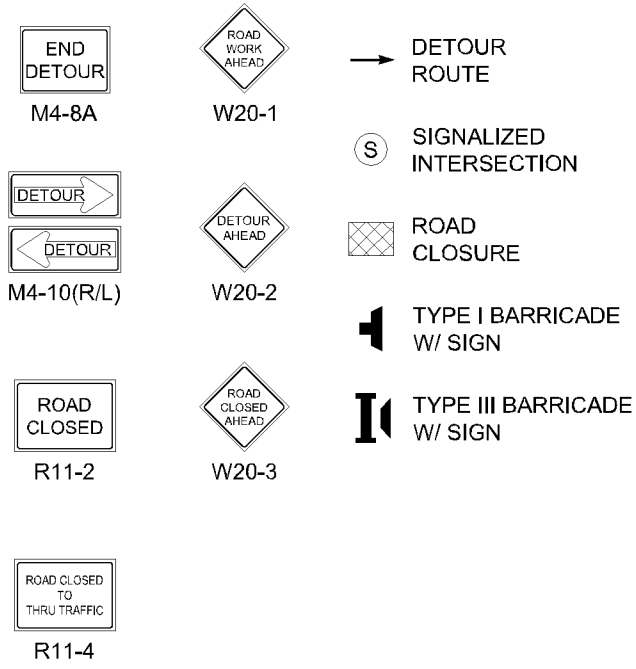

PREPARED BY:	CONTRACTOR:	STAMP:		CITY OF MORENO VALLEY APPROVALS		PERRIS VALLEY MASTER DRAINAGE PLAN LATERAL B-1 & B-1.2	PROJECT NO.
A CONE ZONE INC. P.O. Box 1982 Corona, CA 92878 (951) 734-9535 License Number: 851996	**PETERSON PIPELINE** P.O. Box 1649 Chino, CA 91908 (909) 393-1906 License Number: 689680A		MARK / REVISIONS / APPR / DATE DESIGNED BY CB DRAWN BY CB CHECKED BY EN	APPROVED BY / DATE / BY SUPERVISING ENGINEER CITY TRAFFIC ENGINEER MAINTENANCE AND OPERATIONS MANAGER SENIOR ENGINEER	PREM KUMAR – DEPUTY DIRECTOR OF PUBLIC WORKS DATE R.C.E. 52463 EXP. DATE: 12/31/12 CHRIS A. VOGT – DIRECTOR OF PUBLIC WORKS DATE R.C.E. 44250 EXP. DATE: 06/30/12	NANDINA AVE. CLOSURE	DRAWING NO. SHEET NO. X OF 4

Exhibit "B"

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MV00130014

ROAD CLOSURE SITE MAP

Nandina Avenue fron Perris Blvd. to Knox St.

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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Printed: 8/23/2011 11:03:47 AM

Exhibit "C"

MORENO VALLEY

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MV00130016

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00130018

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto.

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The Parks and Community Services Department oversees the After School Education and Safety Program and 43 school sites in the Moreno Valley Unified (MVUSD) and Val Verde Unified School District (VVUSD). As part of the After School Education and Safety Grant (ASES) the city is required to offer the students in the program a daily

nutritious snack that conforms to the nutrition standards in the California Education Code. To that end the City receives a grant from the Child and Adult Care Food Program (CACFP) which reimburses a set amount per nutritious snack served per student. The vendor contracted for this service must be capable of delivering snacks, to each school site weekly, that meet the requirements and portion sizes of the U.S. Department of Agriculture (USDA) as required by the CACFP Grant.

DISCUSSION

A request for proposal was prepared and advertised, with a closing date of August 22, 2011. Three proposals were received by deadline. A panel evaluated the proposals based on several items with the most weight given to: Ability to provide the required services; adherence to the RFP; quality of snacks compared to the USDA's requirements; and nutritional value of snacks compared to USDA's requirements.

The proposal with the highest score was received from Family Services Association. It is Staff's intention to enter into an agreement with Family Services Association to meet the required nutritional guidelines of the ASES and CACFP Grants.

ALTERNATIVES

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto and Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

2. Elect not to award the contract and execute a purchase order in the amount not to exceed $440,640 to Family Services Association and provide direction to staff.

FISCAL IMPACT

The funding of this program expenditure, in the amount not to exceed $440,640, is covered 100 percent (100%) through ASES and CACFP grant funding. No City General Funds will be used for this program. Funds are budgeted in the FY2011-12 Operating Budget (162.16215 and 162.16315). **ASES funding is specifically for the After School Education and Safety Program and CACFP grant is for nutritious after school snacks only.**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Contract agreement (Includes RFP)

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130022

City of Moreno Valley
Community Services District

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by the Moreno Valley Community Services District, a district formed pursuant to California Community Services District Law, hereinafter referred to as the "CSD", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City and CSD policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and
B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the Mayor, Acting in the capacity as the President of the Board of Directors of the Moreno Valley Community Services District, signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Family Services Association
Address: 21250 Box Springs Rd. Ste 212
City: Moreno Valley State: CA Zip: 92557
Business Phone: (951)686-1096 Fax No. (661)947-5678
Other Contact Number: N/A
Social Security Number: N/A
Business License Number: 11605
Federal Tax I.D. Number: 95-4764967

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The CSD's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is 10/3/11 and the Contractor Ending Date is 06/30/12. The CSD acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CSD will not provide any training to Contractor or his/her/its employees.
B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual

whose compensation for services is paid by the Contractor, an agent or employee of the CSD, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the CSD, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the CSD.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the CSD. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the CSD shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the Moreno Valley Community Services District (CSD), City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the CSD, City and RDA, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. CSD Indemnification. The CSD agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CSD's, City's and RDA's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, City, and RDA, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the Moreno Valley Community Services District (CSD), the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and shall furnish the CSD with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the CSD in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any

excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the Moreno Valley Community Services District (CSD), it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the Moreno Valley Community Services District (CSD), the Community Redevelopment Agency of the City of Moreno Valley, California, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the CSD, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the CSD will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	**Each Occurrence**	**Aggregate**
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the CSD and the City. At the option of the CSD and the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the CSD, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the CSD with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

   (a) The CSD may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the CSD. The CSD shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

   (b) Either party may terminate this Agreement for cause. In the event the CSD terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

I. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The CSD will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the CSD's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

J. Restrictions on CSD and City Employees. The Contractor shall not employ any CSD or City employee or official in the work performed pursuant to this Agreement. No officer or

employee of the CSD or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

K. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

L. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.
In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

M. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the CSD, the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

N. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the CSD.

O. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

P. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the Moreno Valley Community Services District (CSD).

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Board of Directors of the
Moreno Valley Community Services District

BY: _____
President

_____
Date

Family Services Association

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT A

SCOPE OF WORK

"Exhibit A"

GENERAL AGREEMENT

This agreement is entered between Family Service Association (FSA) and the Moreno Valley Community Services District ("CSD") for the purpose of providing after school snack services. It is recognized that the purpose of this agreement shall be constructed in a manner not inconsistent with the California Education Code and other laws of the State of California After School Education and Safety (ASES) Grant.

AGENCY AND PROGRAM BACKGROUND

Family Service Association is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals. Additionally, the FSA has provided the Federal Summer Youth Food Program at several FSA Community Centers.

SNACK PROGRAM SERVICES

Family Service Association will provide delivery of the snacks to each of the 43 ASES "CSD" sites every school day from October 3, 2011 until June 30, 2012 in accordance with the order from the Think Together. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times required. Snack will be provided for a set unit price of .72 per snack per day and total cost will vary based on CSD program enrollment. Snack nutritional values will be in accordance with Child and Adult Food Program.

PROGRAM DELIVERY

Snack will be delivered to CSD programs weekly. CSD program must provide a secure area for product to be stored. CSD program will assign a contact for each site who will sign for delivery. FSA will invoice monthly with NET 30 DAY terms based on documented number of nutritious snacks delivered.

PROGRAM STAFFING REQUIREMENTS

Family Service Association shall be solely responsible for staff in their employ under this agreement, Family Service Association certifies that staff providing services are adequately trained and prepared according to prevailing standards for providing such services. Family Service Association will provide adequate supervision of the staff. FSA will provide all necessary insurance for employees as specified in INDEPENDENT CONTRACTOR AGREEMENT.

RELEVENT DATES

FSA will deliver snack to (43) ASES sites per week starting October 3, 2011. All sites will have product to begin distribution on October 3, 2011.

CONTRACTORS RFP RESPONSE

ORIGINAL

CHILD AND ADULT CARE FOOD PROGRAM
SAMPLE CONTRACT FOR VENDED MEALS

THIS AGREEMENT, made and entered into this day of

20 11, in the State of California, by and between Moreno Valley Community Services District

hereinafter referred to as the Agency and _____,

* _____, hereinafter referred to as the Contractor.

WITNESSETH:

1. That the Contractor for and in consideration of the covenants, conditions, agreements, and stipulations of the Agency hereinafter expressed, does hereby agree to furnish to the Agency services and materials as described in the original Invitation for Proposal and Contract, Sections A, B, C, D, E, F, G, and H, and Schedules A, B, and C, which were attached and made a part hereof by this reference.

2. The period of this contract shall be from _____ through _____. This contract may be renewed for one-year periods up to three times upon agreement of the Agency and the Contractor. Any increase or decrease of the unit price(s) shall be negotiated during the renewal process.

3. In consideration of the service, performed in a manner acceptable to the Agency and in compliance with the Child and Adult Care Food Program regulations, Title 7 Code of Federal Regulations, Part 226, the agency shall pay the Contractor within 30 days of receipt, the full the amount Amount of the itemized invoices as confirmed by pickup receipts, at the unit price(s) specified in the contract.

4. The total amount payable by the Agency to the Contractor under this contract shall not exceed $_____.

SIGNATURE PAGE TO FOLLOW

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/

/

MORENO VALLEY COMMUNITY SERVICES DISTRICT

(Name of Contractor)

BY: _____
City Manager

DATE: _____

License No./
Certification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

CITY ATTORNEY, ACTING IN THE CAPACITY OF GENERAL COUNSEL OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SECTION A
CHILD AND ADULT CARE FOOD PROGRAM
REQUEST FOR PROPOSAL AND CONTRACT
(DELIVERY)

RFP/CONTRACT NUMBER: (Formal Advertising Only)

ISSUED BY (AGENCY): Moreno Valley Community Services District

NAME	ADDRESS 14075 Frederick St.		
CITY Moreno Valley	STATE CA	ZIP 92553	TELEPHONE NUMBER (951) 413-3726

PROPOSAL DUE

DATE	TIME	LOCATION	ISSUE DATE
AUGUST 22, 2011	5:00 p.m.	Moreno Valley Parks and Community Services 14075 Frederick Street, Moreno Valley, CA 92553	

PROPOSAL

This document contains an RFP/Contract for the furnishing of meals (unitized if applicable) to be served to participants of the Child and Adult Care Food Program established by the United States Department of Agriculture (Title 7 Code of Federal Regulations, Part 226) and sets forth the terms and conditions applicable to the proposed procurement.

NAME OF COMPANY	FEDERAL ID NUMBER
Family Service Association	95-1803694
STREET ADDRESS	TELEPHONE NUMBER
21250 Box Springs Rd. Ste. 212	(951) 686-1096

CITY	STATE	ZIP CODE
Moreno Valley	CA	92557

TOTAL ESTIMATED AMOUNT OF PROPOSAL	
TO BE PROVIDED IN SEPARATE SEALED ENVELOPE	Prompt Payment Discount: N/A % for payment within days.

By submission of this proposal, the company certifies that, in the event they receive an award under this solicitation, they shall operate in accordance with all applicable, current Child and Adult Care Food Program regulations.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Bower	Chief Operating Officer	8/18/2011

ACCEPTANCE

Upon acceptance by the Agency and review by the California Department of Education, this document shall constitute the covenants, conditions, agreements, and stipulations of the contract between the company making the proposal and the Agency named above.

CONTRACT NUMBER	AGENCY NAME	DATE

SIGNATURE OF AGENCY REPRESENTATIVE	

PROCUREMENT METHOD: (Check One)

Competitive Negotiation ☐ Competitive Sealed Proposals ☒ Noncompetitive Negotiation ☐

FOR CDE USE ONLY

This Contract was reviewed for compliance with Title 7 Code of Federal Regulations, Part 226 by:

SIGNATURE	DATE

3

SECTION B
CERTIFICATE OF INDEPENDENT PRICE DETERMINATION, NO SANCTIONS, AND DRUG FREE WORKPLACE

BY SUBMISSION OF THIS PROPOSAL, THE SUBMITTER CERTIFIES AND IN THE CASE OF A JOINT PROPOSAL, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATIONS, THAT IN CONNECTION WITH THIS PROCUREMENT:

1. The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Submitter or with any competitor.
2. Unless otherwise required by law, the prices that have been quoted in this proposal have not been knowingly disclosed by the Submitter and will not knowingly be disclosed by the proposal prior to proposal opening, directly or indirectly to any other Submitter or to any competitor.
3. No attempt has been made or will be made by the Submitter to induce any person or firm to submit or not to submit a proposal for the purpose of restricting competition.
4. Neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

   Where the Submitter is unable to certify to any of the statements in this certification, such Agency shall attach an explanation to this proposal.
5. As required by the state drug-free workplace act of 1990 (Government Code Section 8350 et. Seq.) and the federal Drug-Free Workplace Act of 1988, and implemented at Title 34 Code of Federal Regulations, Part 85, Subpart F, for grantees, as defined at Title 34 Code of Federal Regulations, Part 85, Sections 85.605 and 85.610, the Submitter certifies that it will continue to provide a drug-free workplace.

EACH PERSON SIGNING THIS PROPOSAL CERTIFIES THAT:

1. He is the person in the Submitter's organization responsible within that organization for the decision as to the prices being offered herein or that he has been authorized in writing to act as agent for the persons responsible for such decisions in certifying that such persons have not participated and will not participate, in any action contrary to (1) through (3) above; and
2. He has not participated, and will not participate, in any action contrary to (1) through (3) above.

AND AS THEIR AGENT DOES HEREBY SO CERTIFY:

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011
NAME OF COMPANY		
Family Service Association		
In accepting this proposal, the agency certifies that the agency's officers, employees, or agents have not taken any action that may have jeopardized the independence of the proposal referred to above.		
SIGNATURE OF AUTHORIZED AGENCY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011

ACCEPTING A PROPOSAL DOES NOT CONSTITUTE ACCEPTANCE OF THE CONTRACT

SECTION C
INSTRUCTION TO SUBMITTERS

1. **Definitions --** (As used herein):

   (a) The term "Proposal" means an offer to perform the work described in the Request for Proposals at the fixed unit price specified in accordance with the terms and conditions of the solicitation.

   (b) The term "Submitter" means a food service management company submitting a proposal in response to this Request for Proposals.

   (c) The term "Contractor" means the food service management company to whom the proposal is awarded and with whom the contractual agreement is executed.

   (d) The term "CDE" means the California Department of Education, Nutrition Services Division.

   (e) The term "Food Service Management Company" means an organization, other than a public or private nonprofit school, with which an agency may contract for preparing, and unless otherwise provided for, delivering meals, with or without milk, for use in the Program.

   (f) The term "Request for Proposals ", hereafter referred to as RFP, means the document soliciting proposals through the formal advertising method of procurement. In the case of this Program, the RFP becomes a part of the contract upon acceptance by the Agency, review by CDE, and execution of the contractual agreement.

   (g) The term "Agency" means the Child and Adult Care Food Program agency that issues this RFP.

   (h) The term "Program" means the Child and Adult Care Food Program as set forth in the Title 7 Code of Federal Regulations, Part 226.

   (i) The term "Unitized Meal" means an individual pre-portioned meal consisting of a combination of foods meeting the complete meal requirements, delivered as a unit and served as a unit, with or without milk.

   Other terms shall have the meanings ascribed to them in the Child and Adult Care Food Program, Title 7 Code of Federal Regulations, Part 226.

2. **Submission of Proposals**

   (a) Submitters are expected to examine carefully the specifications, schedules, attachments, terms, and conditions of this RFP. Failure to do so shall be at the Submitter's own risk.

   (b) Proposals shall be executed and submitted in triplicate with one copy being marked "original". If accepted, this RFP will become a part of the contract and one copy of the accepted Proposal/contract will be forwarded to the successful Submitter with the notice of award. The copy marked "original" shall be governing should there be a variance between that "original" copy of the proposal and other copies submitted by the Submitter. No changes in the specifications or general conditions as presented by the Agency herein are allowed. Erasures on this proposal shall be initialed by the proposal prior to submission.

   (c) A copy of a current State or local health certificate for the food preparation facilities shall be submitted with the proposal.

   (d) The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.

   Failure to comply with any of the above shall be reason for rejection of the proposal.

3. **Explanation to Submitters**

Any explanation desired by a Submitter regarding the meaning or interpretation of the RFP specifications, etc., must be requested in writing prior to proposal opening and with sufficient time allowed for a reply to reach all Submitters before proposal opening. Oral explanations or instructions given before the award of the contract shall not be binding. Any information given to a prospective Submitter concerning an RFP shall be furnished to all prospective Submitters as an amendment to the RFP if such information is necessary to Submitter in submitting proposal on the RFP, or if the lack of such information would be prejudicial to uninformed Submitters.

4. **Acknowledgment of Amendments to RFPs**

Receipt of an amendment to an RFP by a Submitter must be acknowledged by signing and returning the amendment. Such acknowledgment must be received prior to the hour and date specified for proposal response date.

5. **Discounts**

Although a blank is provided for a time discount, prompt payment discounts offered for payment in less than twenty calendar days will not be considered in evaluating proposals for award. However, offered discounts of less than twenty days will be taken if payment is made within the discount period even though not considered in the evaluation of proposals.[1]

6. **Proposals Having Interest in More Than One Proposal**

If more than one proposal is submitted by any one person, by, or in the name of a clerk, partner, or other person, all such proposals shall be rejected.

7. **Time for Receiving Proposals**

Sealed proposals shall be deposited at the address specified on the RFP of the Agency no later than the exact time and date indicated on the face of this RFP. Proposals received prior to the time of opening will be securely kept, unopened.

8. **Errors in Proposals**

Submitters or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals; failure to do so shall be at the Submitter's own risk and he cannot secure relief on the plea of error.

9. **Award of Contract**

(a) The contract will be awarded to that responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered. Consideration shall be given to such matters as Contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

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[1] Payment discounts may only be used to determine the low proposal when prior experience of the Agency indicates that such discounts are generally taken.

(b) The Agency reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received when there are sound documented business reasons in the best interest of the Program.

(c) The Agency reserves the right to reject the proposal of a Submitter who has previously failed to perform properly or complete on time contracts of a similar nature, or the proposal of a Submitter whose investigation shows is not in a position to perform the contract.

10. **Late Proposals, Modifications of Proposals, or Withdrawals of Proposals**

(a) Any proposal received after the exact time specified for receipt will not be considered unless it is received before the award is made and it was sent by registered or certified mail, no later than the fifth calendar day prior to the date specified for the receipt of proposals (e.g., a proposal submitted in response to an RFP requiring receipt of proposals by the 20th of the month must have been mailed by the 15th or earlier).

(b) Any modification or withdrawal of a proposal is subject to the same conditions as in (a) above except that withdrawal of proposals by telegram is authorized. A proposal may also be withdrawn in person by a Submitter or his authorized representative, provided his identity is made known and he signs a receipt for the proposal, but only if the withdrawal is made prior to the exact time set for receipt of proposals.

(c) The only acceptable evidence to establish the date of mailing of a late proposal, modifications, or withdrawal sent either by registered or certified mail is the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. If the date on the postmark is illegible, the proposal, modification, or withdrawal shall be deemed to have been mailed late. (The term "postmark" means, a printed, stamped, or otherwise placed impression that is readily identifiable without further action as having been supplied and affixed on the date of mailing by employees of the U.S. Postal Service.)

(d) Notwithstanding the above, a late modification of an otherwise successful proposal that makes its terms more favorable to the Agency will be considered at any time it is received and may be accepted.

SECTION D
SCOPE OF SERVICES

1. The Contractor agrees to deliver unitized meals exclusive of milk to locations set out in Schedule A, attached hereto and made a part hereof, subject to the terms and conditions of this solicitation.

2. All meals furnished for the Program under this contract must meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products shall conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. The Contractor agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. The Contractor shall furnish meals for the Program as ordered by the Agency during the period of October 3, 2011 to June 8, 2012.

5. The Contractor shall furnish meals for the Program as ordered by the Agency 5 days a week excluding school holidays.

Item No. B.3

Section D

SCOPE OF SERVICES

1. Family Service Association (Contractor) agrees to deliver unitized meals exclusive of milk to 43 Elementary and Middle School Sites (as detailed on Schedule A).

2. All meals furnished for the Program under this contract will meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products will conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. Family Service Association (Contractor) agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. Family Service Association will furnish meals for the program as ordered by the Agency during the period of October 3, 2011- June 8, 2012.

5. Family Service Association will furnish meals for the Program as ordered by the Agency five (5) days per week (Monday-Friday).

SECTION F

CONTRACT PROVISIONS AND SPECIFICATIONS

1. **Requirements Contract**

   (a) This is a requirements contract for services specified in the Sections and Schedules and for the period set forth herein. The quantities of such services specified herein are estimates only and are not purchased hereby. Except as may be otherwise provided herein, in the event the Agency's requirements for services set forth in the Sections and Schedules do not result in orders in the amounts or quantities described as "estimated" in the Sections and Schedules, such event shall not constitute the basis for an equitable price adjustment under this contract.

   (b) The Agency shall not be required to purchase from the Contractor requirements in excess of the limit on total orders under this contract, if any.

   (c) The Agency may issue orders that provide for delivery or performance at multiple destinations.

   (d) The Agency shall not be obligated to place any minimum dollar amount of orders under this contract or any minimum number of orders. The utilization of the Contractor for services specified in the Sections and Schedules will be dependent upon the needs and requirements of the Agency.

   (e) Regulatory or guidance changes prescribed by the United States Department of Agriculture or CDE, during the duration of this contract, shall be considered a basis for renegotiation with prior approval and agreement from CDE, of the terms and conditions of the contract between the Agency and the Contractor. Authority for such renegotiation must be requested from CDE, in writing by the Agency, prior to the commencement of any such renegotiation.

2. **Pricing**

   Pricing shall be on the numbers described in Section E, "Unit Price Schedule". All Submitters must submit proposals on the same menu cycle provided by the Agency. Proposal prices must include the price of food, milk (if applicable), packaging, transportation, and all other related costs (e.g., condiments, utensils, etc.) that are essential to the content of the food service.

3. **Evaluation of Submitters**

   Each Submitter will be evaluated on the following factors:

   (a) Capability to perform a contract of the scope required.

   (b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards.

   (c) Previous experience performing services similar in nature and scope.

   (d) Other factors such as transportation capability, sanitation, and packaging.

   Submitter that do not satisfactorily meet the above criteria may be rejected as unresponsive and not considered for award.

4. **Unit Prices**

The unit prices of each meal type that the Submitter agrees to furnish must be written in ink or typed in the blank space provided in Section E of the Unit Price Schedule, including proper packaging as required in the specifications, and the costs of delivery to the designated sites. Unit prices shall include taxes; but, any charges or taxes that are required to be paid under future laws must be paid by the Submitter at no additional charge to the Agency. **The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.**

5. **Meal Orders**

The Agency will order meals on Friday of the week preceding the week of delivery; orders will be placed for the total number of days in the succeeding week, and will include breakdown totals for each center and each type of meal.

The Agency reserves the right to increase or decrease the number of meals ordered on a 24 hour notice (or less if mutually agreed upon between the parties to this contract).

6. **Menu-Cycle Change Procedure**

Meals shall be delivered on a daily basis in accordance with the menu cycle which appears in Schedule C. Deviation from this menu cycle shall be permitted only upon authorization of the Agency. When an emergency situation prevents the Contractor from delivering a specified meal component, the Contractor shall notify the Agency immediately so substitutions can be agreed upon. The Agency reserves the right to periodically suggest menu changes that are within the Contractor's food cost.

7. **Noncompliance**

The Agency reserves the right to inspect and determine the quality of food delivered and reject any meals that do not comply with the requirements and specifications of the contract. The Contractor shall not be paid for unauthorized menu changes, incomplete meals, meals not delivered within the specified delivery time period, and meals rejected because they do not comply with the specifications. The Agency reserves the right to obtain meals from other sources if meals are rejected due to any of the stated reasons. The Contractor shall be responsible for any excess cost, but will receive no adjustment in the event the meals are procured at a lesser cost. The Agency or agency representative inspecting shall notify the Contractor in writing as to the number of meals rejected and the reasons for rejection.

** Time frame should be no longer than 24 hours.

8. **Specifications**

(a) Packaging

(1) Hot Meal Unit-Packaging shall be suitable for maintaining meals in accordance with local health standards. Container and overlay should have an airtight closure, be of non-toxic material, and be capable of withstanding temperatures of 400°F (204°C) or higher.

(2) Cold Meal Unit or Unnecessary-to-Heat Container and overlay shall be plastic or paper and non-toxic.

(3) Cartons - Each carton shall be labeled. The label shall include:

A. The processor's (plant) name and address

B. Item identity and meal type

C. Date of production

D. Quantity of individual units per carton

(4) Meals shall be delivered with the following non-food items: condiments, straws, napkins, single service ware, etc.*

(b) Food Preparation

Meals shall be prepared under properly controlled temperatures and assembled not more than 24 hours prior to delivery.

(c) Food Specifications

Proposals are to be submitted on the menu cycle included as Schedule C and shall include, at a minimum, the portions specified by the U. S. Department of Agriculture for each meal, which are included in Schedule B of this RFP.

All meat and meat products, except sausage products, shall have been slaughtered, processed, and manufactured in plants inspected under a U. S. Department of Agriculture approved inspection program and bear the appropriate seal. Upon delivery, all meat and meat products must be sound, sanitary, and free of objectionable odors or signs of deterioration.

(d) Product Specifications

Milk and milk products are defined as "...fluid types of pasteurized flavored or unflavored whole milk or low-fat milk, or skim milk or cultured buttermilk, which meets State and local standards for such milk..." Milk delivered hereunder shall conform to these specifications.

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* The Agency shall insert or delete non-food items that are necessary for the meal to be eaten.

Section F

CONTRACT PROVISIONS AND SPECIFICATIONS

3. Evaluation of Submitters:

(a) Capability to Perform Contract of Scope Required:

Family Service Association (FSA) is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. The key program and service areas of FSA include: Mental Health, Child Development, Community Centers, Senior Nutrition and Senior Services and Affordable Housing. FSA has a substantial infrastructure that includes administrative and fiscal supports to all programs and services, and is certified by the Council on Accreditation for the majority of agency services, attesting to the highest quality in program delivery. Additionally, FSA's Human Resources Department enables the agency to hire/screen and interview staff quickly and efficiently. FSA also maximizes resources, including personnel, facilities and transportation to ensure cost-effective and timely services. For example, there are currently part-time personnel that are working in food service whose hours can be expanded up to full-time positions to serve this new program component. Vehicles that are used to deliver Senior Nutrition meals earlier in the day can also be used for delivery of snacks to the various school sites in the afternoon.

In the area of service relevant to the Child Care Food Program Notice, FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals, as described in detail in item (c). Additionally, the agency has provided the Federal Summer Youth Food Program at several FSA Community Centers.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products. FSA will provide delivery tickets (minimum of three copies – one for FSA, one for Center personnel, and one for the Agency). Each delivery ticket will be itemized to show the number of snacks provided to each center. Designees of the Agency at each site will check the adequacy of the delivery before signing the delivery ticket. FSA will maintain records supported by delivery tickets, purchase orders, and production records for this contract, and other evidence for inspection and reference to support payments and claims.

FSA will make the books and records pertaining to this contract available for a period of three years from the date the Agency submits to CDE, the final claim for reimbursement for meals provided under this contract.

FSA will procure and maintain at its sole expense, and throughout the term of the Agreement, General Liability and Worker's Compensation at the required levels.

(b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards:

FSA has a long history of compliance with food preparation regulations and standards in the course of operating eight (8) food service facilities. In both the food service programs for the Child Development Centers and the Senior Nutrition program, FSA is well-versed in the applicable State and local health, safety and sanitation standards of the CA Department of Education Child and Adult Food Programs, the Federal Summer Youth Food Program, and Title 22 regulations, as well as Environmental Health regulations.

Food preparation for this proposed program will take place at FSA's new Central Kitchen and Distribution Facility, scheduled to open on September 15, 2011. The facility is located at 21081 Alessandro Blvd. in Moreno Valley and is currently being renovated especially for the preparation of meals for the Senior Nutrition program.

The facility will be ideal for the proposed Child Care Food Program. During the morning hours, the facility will be used for the preparation and distribution of over 1,500 senior meals (congregate and home-delivered meals). The early afternoon hours can then be devoted to the preparation of the afternoon meal "snacks" required for this proposed program. The convenient location of the kitchen within close proximity to the service sites, the compliance of the facility with all applicable health regulations, and the trained and experienced staff assigned to work in this location on various programs make it an ideal place for this project.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products.

(c) Previous experience performing services similar in nature and scope:

As previously stated, FSA has over 15 years of experience in the meal preparation and food service process. FSA provides food service (breakfast, lunch and snacks) to approximately 2,000 children served at FSA's 10 Child Development Centers located throughout Riverside County. In addition, FSA has provided the Summer Youth Food Program to approximately 300 children and youth attending special programming at FSA's Community Centers in Highgrove, Mead Valley and Cabazon. Daily meals are delivered to 1,500 seniors through FSA's Senior Nutrition program, offering both congregate (20 sites) meal service, and home-delivered meals for frail, homebound elders.

In the provision of these food programs, FSA adheres to and has consistent compliance with environmental health standards for kitchen sanitation and safe food preparation. Food service personnel comply with all applicable CA Department of Education and Adult Food Programs, and Title 22 regulations that govern federally funded food programs, in addition to all Environmental Health regulations.

(d) Other factors such as transportation capability, sanitation and packaging:

FSA has over 20 vehicles that are used to deliver nutritious meals to seniors. The agency also owns a refrigerated truck as well as refrigerated hot and cold conversion vans that are available to deliver meals and snacks. In addition, FSA utilizes coolers and hot bags to maintain appropriate food temperatures for snack and meal deliveries.

FSA maintains the highest quality of sanitation possible for all cooking sites as well as warming kitchens. FSA is required by Title 22 regulations to have a registered dietician who inspects all sites on a quarterly basis. Written records are maintained on food temperatures as well as routine cleaning and sanitizing of all kitchen equipment.

FSA packages all meals and snacks that it prepares. Meals are placed in biodegradable meal trays and appropriately sealed. Side dishes, such as fruit, jello, etc. are individually cupped and/or sealed.

The Attached Environmental Health Permit is for one of FSA's eight kitchen and food preparation facilities.

The facility that will be serving as the centralized kitchen (Alessandro Central Kitchen and Distribution Center) for this project, will not be open until mid-September 2011.

ATTACHMENT A

Facility # FA0029398

COUNTY OF RIVERSIDE • COMMUNITY HEALTH AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH

Environmental Health Permit
Non-Transferable - Non-Refundable

Facility #: FA0029398
Permit Expiration Date: 01/31/2012
District Number: 0005

DBA:
Catering Ror A Cause
6080 Magnolia Ave
Riverside, CA 92506

Family Service Association
Catering Ror A Cause
21250 Box Springs Rd Ste 212
Moreno Valley, CA 92557

Record ID#: PR0040060

Type Of Business

3621 - Restaurant 2001 to 5999 sq ft

This permit is granted for the business indicated on the condition that the business will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, and the County of Riverside pertaining to the above mentioned business. This permit serves as a receipt for payment of fees for the above listed programs. This permit must be renewed on or before the expiration date shown above. This permit may be suspended or revoked by the enforcement officer for cause. Inspection of this business may be conducted by a duly authorized representative of the Director of Environmental Health. THIS PERMIT IS NOT TRANSFERABLE OR REFUNDABLE.

POST IN A CONSPICUOUS PLACE

DEH-SAN-050 (Revised 12/09)

SECTION G
GENERAL CONDITIONS

1. **Delivery Requirements**

   (a) Deliveries shall be made by the Contractor to each center listed on the Schedule A in accordance with the order from the Agency.

   (b) Meals shall be delivered, unloaded, and placed in the designated center weekly by the Contractor's personnel at each of the locations and times listed on the Schedule A.

   (c) The Contractor shall be responsible for the delivery of all meals and dairy products at the specified time. Adequate refrigeration or heating shall be provided during the transportation and delivery of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

   (d) The Agency reserves the right to **add or delete centers**. This shall be done by amendment of the Schedule A. The Agency shall notify the Contractor of such amendments to the Schedule A not less than one week prior to the required date of service. Any changes in transportation costs that occur as a result of adding or deleting centers shall be negotiated and noted in the modification. The Contractor's invoice shall show the cost as a separate item for that center.

2. **Supervision and Inspection**

   The Contractor shall provide management supervision at all times and maintain constant quality control inspections to check for portion size, appearance, and packaging, in addition to the quality of products.

3. **Record Keeping**

   (a) Delivery tickets must be prepared by the Contractor with a minimum of three copies -- one for the Contractor, one for center personnel, and one for the Agency. Delivery tickets must be itemized to show the number of meals of each type delivered to each center. Designees of the Agency at each center will check the adequacy of the delivery and the meals before signing the delivery ticket. Invoices shall be accepted by the Agency only if they accurately represent the delivery tickets signed by the Agency's designee at the center.

   (b) The Contractor shall maintain records supported by delivery tickets, purchase orders, and production records for this contract or other evidence for inspection and reference to support payments and claims.

   (c) The books and records of the Contractor pertaining to this contract shall be available for a period of three years from the date the Agency submits to CDE the final claim for reimbursement for meals provided under this contract, or until the final resolution of any audits for inspection and audit by representatives of CDE, the U. S. Department of Agriculture, the Agency, and the Controller General of the United States at any reasonable time and place.

4. **Method of Payment**

The Contractor shall submit its itemized invoice to the Agency monthly . Each invoice shall give a detailed breakdown of the number of meals delivered and signed for at each center during the preceding month . Payment will be made at the unit price specified in the contract. No payment shall be made unless the required delivery receipts have been signed by the center representative of the Agency.

5. **Inspection of Facility**

(a) The Agency, CDE, and the U.S. Department of Agriculture reserve the right to inspect the Contractor's preparation facilities prior to award and without notice at any time during the contract period, including the right to be present during preparation and delivery of meals.

(b) The Contractor's facilities shall be subject to periodic inspections by the U.S. Department of Agriculture, State and local health departments, or any other agency designated to inspect meal quality for the State. This will be accomplished in accordance with U.S. Department of Agriculture regulations.

(c) The Contractor shall provide for meals which it prepares to be periodically inspected by the local health department or an independent agency to determine bacteria levels in the meals being prepared, transported, and delivered. Such levels shall conform to the standards which are applied by the local health authority with respect to the level of bacteria which may be present in meals served by other establishments in the locality.

6. **Insurance**

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD) and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

7. **Availability of Funds**

The Agency shall have the option to cancel this contract if the Federal Government withdraws funds to support the Child and Adult Care Food Program. It is further understood that, in the event of cancellation of the contract, the Agency shall be responsible for meals that have already been assembled and/or delivered in accordance with this contract.

8. **Number of Meals and Delivery Times**

The Contractor must provide the exact number of meals ordered. Counts of meals will be made at all centers before meals are accepted. Damaged or incomplete meals shall not be included when the number of delivered meals is determined.

9. **Emergencies**

In the event of unforeseen emergency circumstances, the Contractor shall immediately notify the Agency by telephone or telegram of the following: (a) the impossibility of on-time delivery; (b) the circumstance(s) precluding delivery; and (c) a statement of whether or not succeeding deliveries will be affected. No payments will be made for deliveries made later than 1 hour(s) after specified mealtime. Emergency circumstances at the center precluding utilization of meals are the concern of the Agency. The Agency may cancel orders provided it gives the Contractor at least 48 hours notice. Adjustments for emergency situations affecting the Contractor's ability to deliver meals, or the Agency's ability to utilize meals for periods longer than 24 hours will be mutually worked out between the Contractor and the Agency.

10. **Termination**

(a) The Agency reserves the right to terminate this contract if the Contractor fails to comply with any of the requirements of this contract. The Agency shall notify the Contractor of specific instances of noncompliance in writing. In instances where the Contractor has been notified of noncompliance with the terms of the contract and has not taken immediate corrective action, the Agency shall have the right upon written notice to immediately terminate the contract and the Contractor shall be liable for any damages incurred by the Agency. The Agency shall negotiate a repurchase contract on a competitive basis to arrive at a fair and reasonable price.

(b) The Agency shall by written notice to the Contractor, terminate the right of the Contractor to proceed under this contract if it is found by the Agency that gratuities in the form of entertainment, gifts, or otherwise were offered or given by the Contractor to any officer or employee of the Agency, with a view toward securing the contract or securing favorable treatment with respect to the awarding or amending of the contract; provided that the existence of the facts upon which the Agency makes such findings shall be in issue and may be reviewed in any competent court.

(c) In the event this contract is terminated as provided in paragraph (b) hereof, the Agency shall be entitled (i) to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor, and (ii) as a penalty in addition to any other damages in an amount which shall not be less than three nor more than ten times the cost incurred by the Contractor in providing any such gratuities to any such officer or employee.

(d) The rights and remedies of the agencies provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

11. **Subcontracts and Assignments**

The Contractor shall not subcontract with any other company for the total meal, with or without milk, or for the assembly of the meal; and shall not assign, without the advance written consent of the Agency, this contract or any interest therein. In the event of any assignment, the Contractor shall remain liable to the Agency as principal for the performance of all his obligations under this contract.

12. **Equal Opportunity**

(The following clause is applicable unless this contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor (Title 41 Code of Federal Regulations, Chapter 60.)

During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex.

The Contractor will take affirmative action to ensure that the evaluation and treatment of his employees and applicants for employment are free of such discrimination. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and his subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

(b) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(c) In the event of the Contractor's noncompliance with the Equal Opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further State or federally funded contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, or by rule, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

SECTION H

GENERAL PROVISIONS FOR CONTRACTS EXCEEDING $100,000

THE FOLLOWING PROVISIONS ARE APPLICABLE ONLY IF THE CONTRACT EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT THE ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY ONE YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [41 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY ENVIRONMENTAL PROTECTION AGENCY, OR THE CONTRACT IS NOT OTHERWISE EXEMPT FROM THESE PROVISIONS.

Clean Air and Water

The Contractor agrees as follows:

1. To comply with all the requirements of Section 114 of the Clean Air Act, as amended (41 USC 1857, et seq., as amended by Public Law 91-604), and all requirements adopted pursuant to Division 26 of the California Health and Safety Code, Section 39000, et seq., respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements so specified, and all regulations and guidelines issued thereunder before the award of this contract.

2. To comply with all the requirements of Section 308 of the Federal Water Pollution Control Act (33 USC 1251, et seq., as amended by Public Law 92-500) and all requirements adopted pursuant to the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Section 13000, et seq.), respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Acts, and all regulations and guidelines issued thereunder before the award of this contract.

3. That no portion of the work required by this contract will be performed at a facility listed on the EPA List of Violating Facilities on the date when this contract was awarded unless and until the EPA eliminates the name of such facility or facilities from such listing.

4. To use his best efforts to comply with clean air standards and clean water standards at the facilities in which the contract is being performed.

5. To insert the substance of the provisions of this clause in any nonexempt subcontract including this paragraph 1(e).

Energy Policy and Conservation Act (P.L. 94-163)

The Contractor agrees to comply with all mandatory standards and policies relating to energy efficiency as contained in the California Administrative Code, Title 24, pursuant to the California State energy efficiency conservation plan issued in compliance with Public Law 94-163.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

CLEAN AIR AND WATER CERTIFICATION

THIS CERTIFICATION IS APPLICABLE IF PROPOSAL OR OFFER EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [42 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY EPA, OR IS NOT OTHERWISE EXEMPT.

The Submitter certifies as follows:

1. Any facility to be utilized in the performance of this proposed contract

   has [X] has not [ ]

   been listed on the Environmental Protection Agency List of Violating Facilities.

2. He will promptly notify the Agency Official, prior to award, of the receipt of any communication from the Director, Office of Federal Activities, U. S. Environmental Protection Agency, indicating that any facility that he proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities.

3. He will include substantially this certification, including this paragraph (3.) in every nonexempt subcontract.

NAME OF COMPANY		
Family Service Association		
SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Hower	Chief Operating Officer	8/18/2011

SCHEDULE A
CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Armada Elementary	25201 John F Kennedy Dr., Moreno Valley, CA		Afternoon Snack	75 per day		8/10/11-6/8/12 180 days
Badger Springs Mdl	24750 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	64 per day		8/10/11-6/8/12 180 days
Bear Valley Elem	26125 Fir Ave, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Box Springs Elem	11900 Athens Dr, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Butterfield Elem	13400 Kitching St, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Chaparral Hills Elem	24850 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Cloverdale Elem	12050 Kitching St., Moreno Valley, CA		Afternoon Snack	89 per day		8/10/11-6/6/12 176 days
Creekside Elem	13563 Heacock St., Moreno Valley, CA		Afternoon Snack	76 per day		8/10/11-6/6/12 176 days
Edgemont Elem	21790 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	92 per day		8/10/11-6/6/12 176 days
Hendrick Ranch Elem	25570 Brodiaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Hidden Springs Elem	9801 Hidden Springs Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Honey Hollow Elem	11765 Honey Hollow St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
La Jolla Elem	14745 Willowgrove Pl., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Landmark Mdl	15261 Legendary Dr., Moreno Valley, CA		Afternoon Snack	80 per day		8/10/11-6/6/12 176 days
Midland Elem	11440 Davis St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Moreno Elem	26700 Cottonwood Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Mountain View Mdl	13130 Morrison St., Moreno Valley, CA		Afternoon Snack	65 per day		8/10/11-6/6/12 176 days
Palm Mdl	11900 Slawson Ave., Moreno Valley, CA		Afternoon Snack	58 per day		8/10/11-6/6/12 176 days

ATTACHMENT A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Ramona Elem	24801 Bay Ave., Moreno Valley, CA		Afternoon Snack	91 per day		8/10/11-6/6/12 176 days
Ridge Crest Elem	28500 JFK Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Seneca Elem	11615 Wordsworth Rd, Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days
Serrano Elem	24100 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sugar Hill Elem	24455 Old Country Rd., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sunnymead Elem	24050 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Sunnymead Mdl	23996 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	54 per day		8/10/11-6/6/12 176 days
Sunnymeadows Elem	23200 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Town Gate Elem	22480 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Avalon Elem	1815 E. Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Columbia Elem	21350 Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Lakeside Mdl	27720 Walnut Ave., Perris, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

ATTACHMENT A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Lasselle Elem	26446 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Manuel L. Real Elem	19150 Clark St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
March Mdl	15800 Indian Ave., Moreno Valley, CA		Afternoon Snack	67 per day		8/10/11-5/24/12 175 days
Mary McLeod Bethune Elem	25390 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
May Ranch Elem	900 E. Morgan St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Mead Valley Elem	21100 Oleander Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

DELIVERY – (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Rainbow Ridge Elem	15950 Indian Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Sierra Vista Elem	20300 Sherman Rd., Perris, CA		Afternoon Snack	77 per day		8/10/11-5/24/12 175 days
Tomas Rivera Mdl	21675 Main St., Perris, CA		Afternoon Snack	76 per day		8/10/11-5/24/12 175 days
Triple Crown Elem	530 Orange Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Val Verde Elem	2656 Indian Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Victoriano Elem	25650 Los Cabos Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

ATTACHMENT A

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Vista Verde Mdl	25777 Krameria, Moreno Valley, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03)

VENDOR #:
AGREEMENT #:

BREAKFAST	AGES ONE THROUGH THREE YEARS	AGES THREE THROUGH SIX YEARS	AGES SIX THROUGH TWELVE YEARS
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE, FRUIT OR FULL-STRENGTH (100%) JUICE	¼ CUP	½ CUP	½ CUP
GRAINS/BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
LUNCH OR SUPPER			
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE AND/OR FRUIT (TWO OR MORE KINDS)	¼ CUP TOTAL	½ CUP TOTAL	¾ CUP TOTAL
GRAINS/BREAD (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COOKED PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	1 OZ.	1-½ OZ.	2 OZ.
OR CHEESE (NATURAL OR PROCESSED)	1 OZ.	1-½ OZ.	2 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	¼ CUP *OR* 2 OZ.	⅜ CUP *OR* 3 OZ.	½ CUP *OR* 4 OZ.
OR EGG (LARGE)	1 EGG	1 EGG	1 EGG
OR COOKED DRIED BEANS OR DRIED PEAS *	¼ CUP	⅜ CUP	½ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	2 TBSP	3 TBSP	4 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS**	½ OZ.**	¾ OZ.**	1 OZ.**
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED	½ CUP	¾ CUP	1 CUP
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			
AM OR PM SUPPLEMENT (SELECT TWO OF THESE FOUR COMPONENTS)* **			
MILK, FLUID	½ CUP	½ CUP	1 CUP
VEGETABLE, FRUIT, OR FULL-STRENGTH (100%) JUICE	½ CUP	½ CUP	¾ CUP
GRAINS OR BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS.	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	½ OZ.	½ OZ.	1 OZ.
OR CHEESE (NATURAL OR PROCESSED)	½ OZ.	½ OZ.	1 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	⅛ CUP *OR* 1 OZ.	⅛ CUP *OR* 1 OZ.	¼ CUP *OR* 2 OZ.
OR EGG (LARGE)	½ EGG	½ EGG	1 EGG
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED****	¼ CUP	¼ CUP	½ CUP
OR COOKED DRIED BEANS OR DRIED PEAS*	⅛ CUP	⅛ CUP	¼ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	1 TBSP	1 TBSP	2 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS	½ OZ.	½ OZ.	1 OZ.
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			

CERTIFICATION

I hereby certify that all meals claimed shall meet the minimum requirements set forth in the meal pattern for older children as prescribed by Title 7 Code of Federal Regulations, Part 226.20 and as outlined in Schedule B, NSD 2050B.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE

AGENCY NAME

AGENCY ADDRESS

29

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03) PAGE 2

* DRIED BEANS OR DRIED PEAS MAY BE USED AS A MEAT ALTERNATE OR AS A VEGETABLE COMPONENT; BUT **CANNOT** BE COUNTED AS BOTH COMPONENTS IN THE SAME MEAL.

** NO MORE THAN 50 PERCENT OF THE REQUIREMENT SHALL BE MET WITH NUTS OR SEEDS. NUTS OR SEEDS SHALL BE COMBINED WITH ANOTHER MEAT/MEAT ALTERNATE TO FULFILL THE REQUIREMENT. TO DETERMINE COMBINATIONS, 1 OZ. OF NUTS OR SEEDS IS EQUAL TO 1 OZ. OF COOKED LEAN MEAT, POULTRY, OR FISH. ROASTED PEAS CAN COUNT AS A MEAT ALTERNATE OR VEGETABLE COMPONENT, BUT CANNOT BE COUNTED AS BOTH IN THE SAME MEAL.

*** JUICE **CANNOT** BE SERVED WHEN MILK IS SERVED AS THE ONLY OTHER COMPONENT.

**** IF YOGURT IS USED AS THE MEAT COMPONENT IN SUPPLEMENTS, MILK **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT. COMMERCIALLY ADDED FRUIT OR NUTS IN FLAVORED YOGURT **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT IN SUPPLEMENTS.

Family Services Association
Childrens Snack Program
October 2011

Date	Monday Oct	Tuesday Oct	Wednesday Oct	Thursday Oct	Friday Oct		
	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz		
Week 1	Prestzel Twist .25oz	Nutri grain Bar 1.03oz	Cheese/Peanut Butter Crackers 1.42oz	Mixed Fruit Cup 4oz	Club Cracker/ Apple Butter .05 oz		
Week 2	Peanuts 1.63oz	Graham Crackers 1oz	Cheezits White Cheddar 1.5oz	Quaker Oatmeal Cin Bar 1.4oz	Vanilla Crème Cookie 2.12oz		

SECTION E
UNIT PRICE SCHEDULE AND INSTRUCTIONS
PROVIDE THIS SCHEDULE IN A SEPARATE SEALED ENVELOPE

1. **Unit Price Schedule**

Submitters are to submit prices on the following meal types meeting the contract specifications set forth in Schedules B and C for meals to be delivered to all of the centers stated in Schedule A. *(See example on next page).*

A. Meal Type[1]	B. Estimated Servings Per Day[2]	C. Estimated Number of Serving Days[3]	D. Unit Price[4]	E. Total Price[5]
~~Breakfast~~				
~~AM Snack~~				
~~Lunch~~				
PM Snack	3,400	180	.72	440,640
~~Supper~~				
~~Evening Snack~~				

Submitters shall submit their proposals on an "all or none" basis. Except as otherwise provided in this solicitation, if a contract is awarded as a result of this solicitation, it will bind the Agency during the term of the contract, secure all of the identified meals from the successful Submitter, and such contract shall bind the Submitter/Contractor to perform all such work ordered by the Agency at prices specified in the contract. Award will be made to a single responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered.. Evaluation of prices will be on the basis of the estimated requirements set forth herein.

In the event of any inconsistencies or errors, the unit price (D) shall take precedence.

Instructions for completion of the Unit Price Schedule: (*See Example on next page.*)

[1] The Agency shall indicate which meal types the Contractor will be providing meals for during the contract period (strike-out extraneous meal types in Column A). If unitized meals will be required, the Agency must indicate so by placing "unitized meal" in parenthesis after the meal type.

[2] The Agency shall fill in the estimated number of meals that will be served each day (Column B) by meal type during the contract period.

[3] The Agency shall fill in the number of anticipated operating days that meals will be served (Column C) during the contact period.

[4] The Submitter shall insert the appropriate unit price (Column D) for each meal type indicated by the Agency.

[5] The Submitter shall calculate the total price (Column E) by multiplying B x C x D.

CITY OF MORENO VALLEY

BUSINESS LICENSE TAX RECEIPT

The person, firm or corporation named below has paid the appropriate fees to the City and is hereby granted this business license tax receipt for the business described below. Granting of this receipt does not entitle the holder to operate or maintain a business in violation of any law or ordinance. The City does not pass on the qualifications of the holder of this business license tax receipt.

Business Name: Family Service Association Of Western Riverside Co

Business Location: 21250 Box Springs Rd # 212, Moreno Valley, CA 92557

Business Owner: Family Service Association Of Western Riverside Co
Dom Betro

BUSINESS TYPE: 1922

Description: Individual And Family Social Services

BUSINESS LICENSE #: 11605

Effective Date: January 01, 2011

Expiration Date: December 31, 2011

FAMILY SERVICE ASSOCIATION OF
WESTERN RIVERSIDE CO
21250 BOX SPRINGS RD # 215
MORENO VALLEY, CA 92557

Richard Teichert
Financial & Administrative Services Director

TO BE POSTED IN A CONSPICUOUS PLACE

NOT TRANSFERABLE

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/07/2011 14:28

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Barney & Barney LLC
CA Insurance Lic: 0C03950
9171 Towne Centre Drive, Suite 500
San Diego, CA 92122
858-457-3414

CONTACT NAME: Cyndi Smoot
PHONE (A/C, No, Ext): (858) 587-7414 FAX (A/C, No):
E-MAIL ADDRESS: cyndis@barneyandbarney.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Philadelphia Indemnity Insurance Company	18058
INSURER B: Insurance Company of the West	27847
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Family Service Association

21250 Box Springs Road, Suite 212
Moreno Valley, CA 92557-8712

Client # 55323

COVERAGES CERTIFICATE NUMBER: 378650 MST NUMBER: 19124 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	X		PHPK743608	7/1/2011	7/1/2012	EACH OCCURRENCE	$	1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$	100,000
							MED EXP (Any one person)	$	10,000
							PERSONAL & ADV INJURY	$	1,000,000
							GENERAL AGGREGATE	$	3,000,000
							PRODUCTS - COMP/OP AGG	$	3,000,000
								$	
A	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS			PHPK743608	7/1/2011	7/1/2012	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
							BODILY INJURY (Per person)	$	
							BODILY INJURY (Per accident)	$	
							PROPERTY DAMAGE (Per accident)	$	
								$	
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $ 10,000			PHUB351940	7/1/2011	7/1/2012	EACH OCCURRENCE	$	4,000,000
							AGGREGATE	$	4,000,000
								$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WSD500180402	7/1/2011	7/1/2012	X WC STATU-TORY LIMITS OTH-ER		
							E.L. EACH ACCIDENT	$	1,000,000
							E.L. DISEASE - EA EMPLOYEE	$	1,000,000
							E.L. DISEASE - POLICY LIMIT	$	1,000,000
A	Professional Liability and Sexual Abuse Coverage			PHPK743608	7/1/2011	7/1/2012	$1,000,000 Each Occurence $3,000,000 Aggregate		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

*10 DAYS NOTICE OF CANCELLATION FOR NON-PAYMENT OF PREMIUM.

RE: After School Snack Program

The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District are additional insured per the attached

CERTIFICATE HOLDER

City of Moreno Valley Parks and Community Services

14075 Frederick Street
Moreno Valley, CA 92553

Subject

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cyndi Smoot

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Insured: Family Service Association Master # 19124 Cert # 378650

Attachment Page

COMPLETE LISTING OF CERTIFICATE HOLDER and/or ADDITIONAL INSURED:
(additional insureds apply only with respect to coverages marked by "X" under "Addtl Insrd" on the Certificate)

City of Moreno Valley Parks and Community Services
The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District

INSURED: Family Service Association

COMPANY: Philadelphia Indemnity Insurance Company

POLICY #: PHPK743608

POLICY PERIOD: 7/1/2011 TO 7/1/2012

EFFECTIVE DATE: 09/07/2011

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Moreno Valley Parks and Community Services The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or

B. In connection with your premises owned by or rented to you.

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ATTACHMENT A

Exhibit B"

MORENO VALLEY COMMUNITY SERVICES DISTRICT WILL SUPPORT PROGRAM:

Moreno Valley Community Services District agrees to support the ASES snack program with the following:

- By ensuring a site contact person is assigned to sign for snack delivery
- By ensuring the name, schedule and contact information for site contact is communicated to FSA
- By ensuring snack is distributed to students during ASES program
- By ensuring snack is counted daily and documentation regarding disbursement is turned in
- By ensuring fresh fruit is distributed the day after it is delivered to ensure product freshness
- By ensuring all boxes and containers are disposed of

ATTACHMENT A

"Exhibit C"

TERMS OF PAYMENT

1. The Contractor's compensation shall be computed based on a unit price of .72 cents per snack delivered not to exceed $440,640.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the CSD. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the CSD as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Parks and Community Services Department at:

   pattyg@moval.org or calls directed to (951) 413-3726.

3. The Contractor agrees that CSD payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the CSD. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

4. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date

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MV00130072

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00130074

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

RECOMMENDED ACTION

Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

SEE AGENDA ITEM A.7

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MV00130076

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00130078

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: September 27, 2011

TITLE: PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

BACKGROUND AND DISCUSSION

The California Elections Code provides that after each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, and community of interests of the districts. The council must adjust the boundaries of the council districts before the first day of November of the year following the year in which each decennial federal census is taken.

On August 23, 2011, the City Council adopted Resolution No. 2011-93, establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected. Two Citizens' Community Meetings were held on September 12 and 15, 2011 that gave the citizens of Moreno Valley the opportunity to provide input. The on-line redistricting tool was demonstrated by Dave Meyer at both meetings. The public hearings scheduled for September 27, 2011 and October 11, 2011 fulfill the requirements of Elections Code 21601.1, which states that the "council must

hold at least one public hearing on any proposal to adjust boundaries of a district prior to a public hearing at which the council votes to approve or defeat the proposal."

The consultant, Dr. Alan Heslop of National Demographics Corporation (NDC) has made a presentation to the City Council at the July 26, 2011 Special Meeting and August 23, 2011 Regular City Council Meeting.

Four NDC draft plans (maps) and five citizen-drawn plans (maps) have been provided to Council and are attached for review. A brief summary of the four NDC draft plans follows:

Plan 1 - District 3 loses SW corner; District 2 moves south
Plan 2 - District 3 loses a bit of SW but mostly NW, District 2 moves east
Plan 3 – District 3 loses SW corner; District 1 loses north end; District 2 moves south; Highly compact
Plan 4 - District 1 moves east; Most-compact districts; Least change to District 4

NOTIFICATION

Publication of the agenda

ALTERNATIVES

California statutes require a second public hearing. There are no other alternatives in order to comply with applicable state law.

FISCAL IMPACT

This expenditure has been included in the City Clerk's budget for 2011/12 fiscal year. Approved budget is located in: 13110.6291- not to exceed $45,000.00.

ATTACHMENTS/EXHIBITS

1. NDC Powerpoint
2. NDC Memo to Council
3. 2001 Plan and deviation & demographics
4. Plan 1 map & demographics
5. Plan 2 map & demographics
6. Plan 3 map & demographics
7. Plan 4 map & demographics
8. Public Plan 1 map & stats
9. Public Plan 2 map & stats
10. Public Plan 3 map & stats
11. Public Plan 4 map & stats
12. Public Plan 5 map & stats

Prepared By:
Jane Halstead, City Clerk

Department Head Approval:
Jane Halstead, City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130082

City of Moreno Valley 2011 Redistricting

National Demographics Corporation

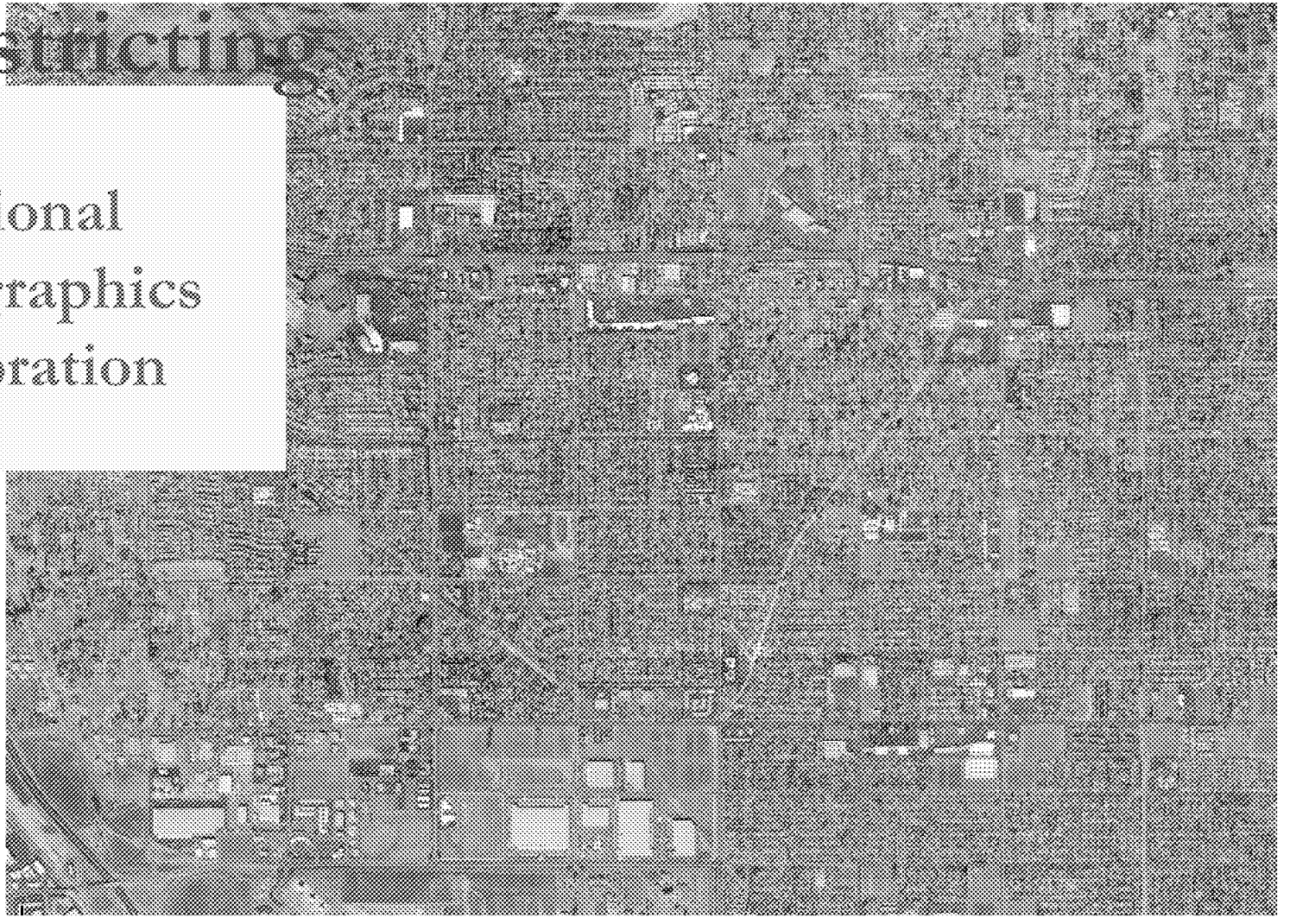

Current Demographics

Based on Census data from the 2010 Decennial Census and the Census Bureau's American Community Survey.

- **2010 Census Population**
  - 2010 Census total: **193,365**
    - + **50,817** (**50.0** %) growth from 2000
    - **54.4** % Hispanic
      - +50,480 (+92.3 %) growth from 2000
    - **18.9** % Non-Hispanic White
      - -9,308 (-25.4 %) from 2000
    - **18.0** % Non-Hispanic Black
    - **8.7** % Other
  - 2010 Census Voting Age Population
    - **49.7** % Hispanic
    - **22.8** % Non-Hispanic White
    - **17.9** % Non-Hispanic Black
    - **10.0** % Other
- **Other Data**
  - Citizen Voting Age Population
    - From ACS: **36.1** % Hispanic
    - From Census Special Tabulation: **36.1** % Hispanic
  - Voter Registration (Nov. 2010)
    - 69,919 Total
    - **34.3** % Hispanic-surname
  - Voter Turnout (Nov. 2010)
    - 32,944 Total
    - **29.8** % Hispanic-surname

MV00130084

Current District Total Population

District	Tot. Pop.	Deviation	Pct. Dev.
1	32,765	-5,908	-15.28%
2	30,723	-7,950	-20.56%
3	58,576	19,903	51.46%
4	34,343	-4,330	-11.20%
5	36,958	-1,715	-4.43%
Total	193,365	27,853	72.02%
Ideal	38,673		

Ideal population = total population / number of districts

MV00130085

Population Deviation

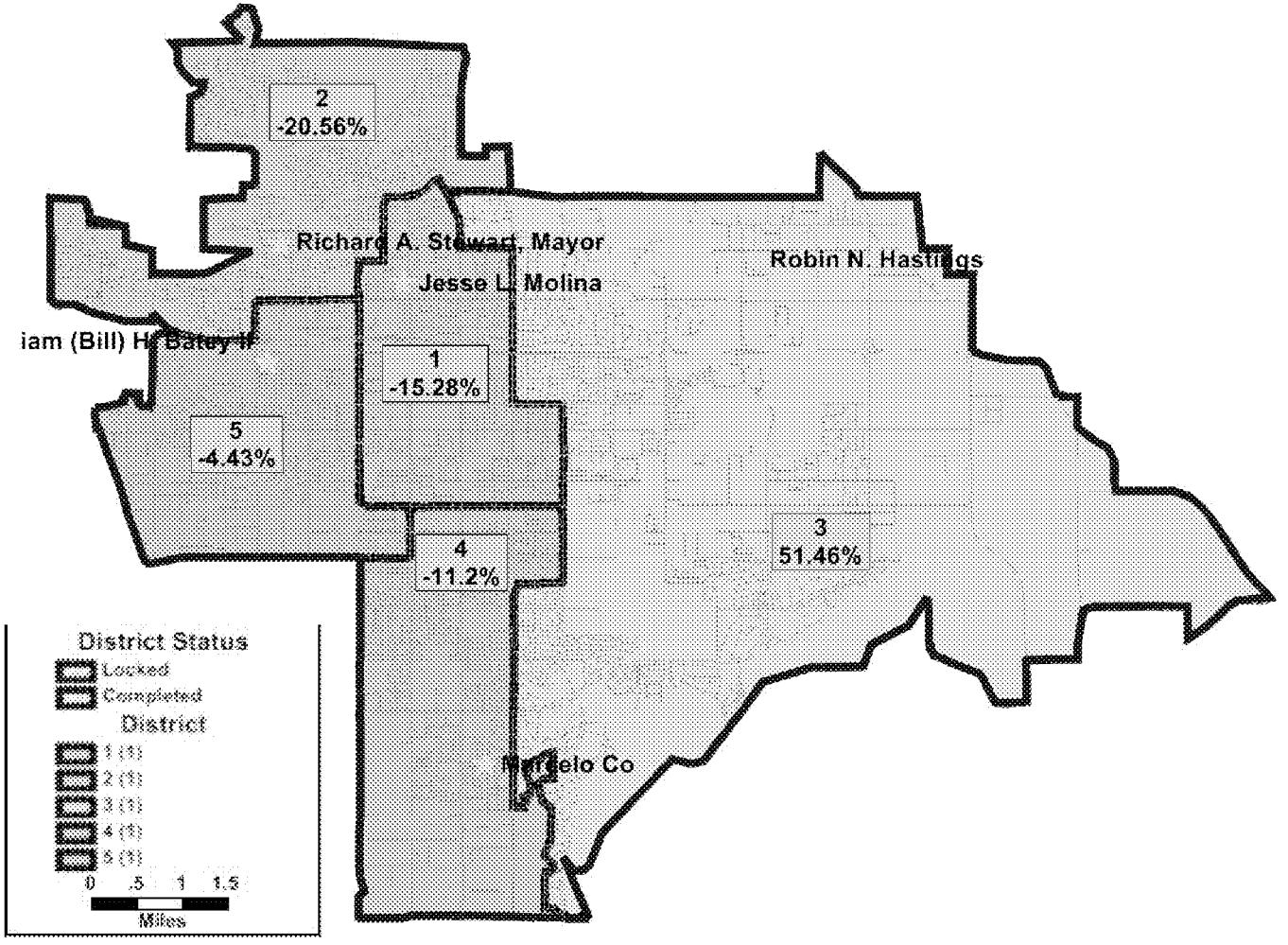

Item No. E.1

Hispanic / Latino Populatior

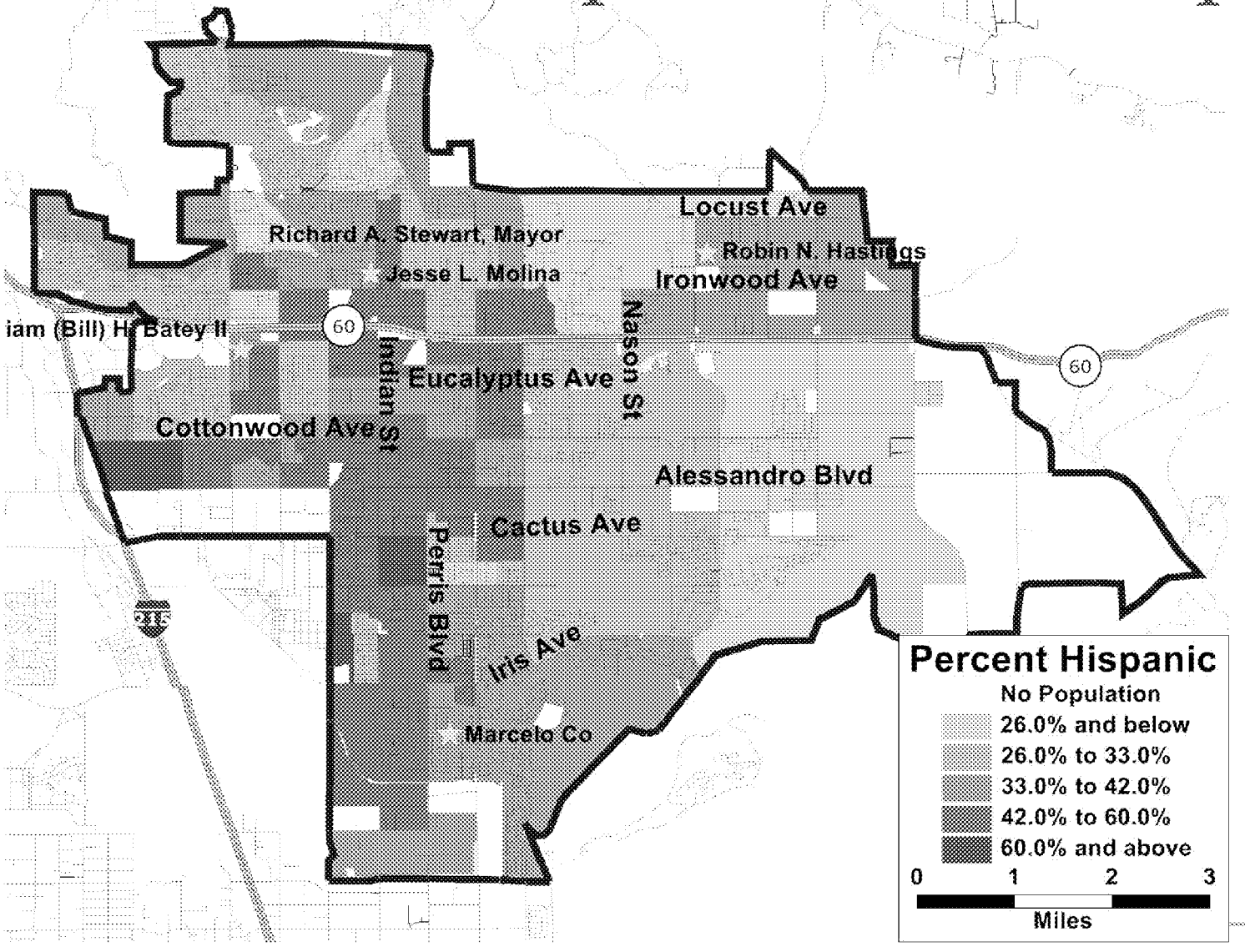

MV00130087

Current District Counts

Plan Name	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,765	-5,908	-15.28%	20,416	5,215	4,934	196	1,406	244	87	267
2	30,723	-7,950	-20.56%	13,540	9,036	5,369	142	2,147	122	59	308
3	58,576	19,903	51.46%	27,094	12,765	12,042	311	5,317	293	188	566
4	34,343	-4,330	-11.20%	21,681	4,691	5,595	114	1,742	177	79	264
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	27,853	72.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vc
1	21,678	12,350	4,323	3,374	143	1,110	168	62	148	10,489	4,018	142	134	276	4,563	1,549	59	57	
2	22,085	8,799	7,392	3,758	114	1,693	85	43	201	14,267	3,985	269	228	497	7,454	1,785	111	104	215
3	40,513	17,090	10,364	8,188	230	4,007	190	133	311	23,080	6,941	490	399	889	11,607	2,994	203	171	374
4	22,551	13,318	3,830	3,642	81	1,358	117	49	156	11,150	4,691	174	192	366	4,962	1,901	62	81	143
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan Name	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,286	6,219	5,227	2,835	651	50	206	100	15,509	6,277	5,293	2,867	623	39	290	328	3,591
2	18,698	5,831	8,058	3,287	1,254	204	0	65	18,568	5,632	8,148	3,212	1,083	121	54	526	3,333
3	29,076	8,963	10,467	6,359	2,570	258	213	260	29,318	9,369	10,226	6,218	2,398	202	260	931	5,723
4	15,368	6,664	4,354	3,113	835	172	41	183	15,166	6,425	4,167	3,128	956	151	55	383	4,302
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,281	31,877	19,760	6,072	559	708	2,705	20,528

MV00130088

Current District Percentages

Plan Name	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	15.9%	15.1%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.1%	29.4%	17.5%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.3%	21.8%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.1%	13.7%	16.3%	0.3%	5.1%	0.5%	0.2%	0.8%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.9%	15.6%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.4%	1.3%	2.6%	33.9%	1.3%	1.2%	2.5%
2	39.8%	33.5%	17.0%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.2%	25.6%	20.2%	0.6%	9.9%	0.5%	0.3%	0.8%	30.1%	2.1%	1.7%	3.9%	25.8%	1.7%	1.5%	3.2%
4	59.1%	17.0%	16.2%	0.4%	6.0%	0.5%	0.2%	0.7%	42.1%	1.6%	1.7%	3.3%	38.3%	1.2%	1.6%	2.9%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan Name	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.5%	40.7%	34.2%	18.5%	4.3%	0.3%	1.3%	0.7%	71.5%	40.5%	34.1%	18.5%	4.0%	0.3%	1.9%	2.1%	23.2%
2	84.7%	31.2%	43.1%	17.6%	6.7%	1.1%	0.0%	0.3%	84.1%	30.3%	43.9%	17.3%	5.8%	0.7%	0.3%	2.8%	18.0%
3	71.8%	30.8%	36.0%	21.9%	8.8%	0.9%	0.7%	0.9%	72.4%	32.0%	34.9%	21.2%	8.2%	0.7%	0.9%	3.2%	19.5%
4	68.1%	43.4%	28.3%	20.3%	5.4%	1.1%	0.3%	1.2%	67.3%	42.4%	27.5%	20.6%	6.3%	1.0%	0.4%	2.5%	28.4%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130089

Redistricting Criteria

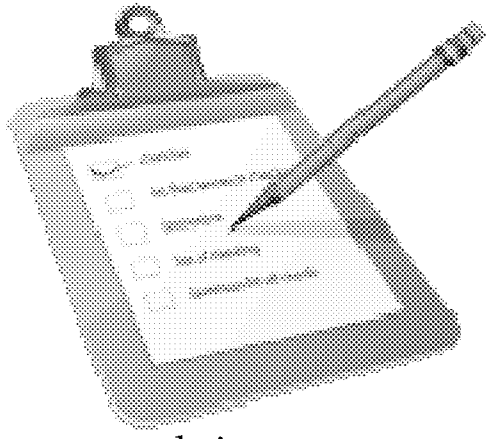

- **Equal Population**
- **Comply with Federal Voting Rights Act**
- **Respect communities of interest**
- **Follow Visible (natural & man-made) boundaries**
  - Make it easy for residents of a district to understand its borders (and to engage their neighbors in precinct walking or other election activities)
  - But do not use Highway 99 – try for districts that combine areas east and west of 99.
- **Compact & contiguous districts**
  - Also makes it easier for voters to understand their district's borders.
- **Continuity in office**
  - Redistricting, an administrative process, should not tell the voters they can no longer elect a candidate they have previously elected (which is what happens when two or more incumbents are "paired").
- **Population growth**
  - Growth is much less certain in 2011 than it was in 2011, so this is harder to justify than it was in 2001.
- **Preserve Core of existing districts**
  - Don't move voters around unless needed to achieve one of the other goals.

MV00130090

Federal Voting Rights Act: Section 2

- **Requires Protected Class populations have an equal opportunity to elect the candidates of their choice**

- **No packing**
- **No cracking**

- **No racial gerrymandering allowed**
  - Focus on communities and neighborhoods, not race/ethnicity

MV00130091

Process (I of III)

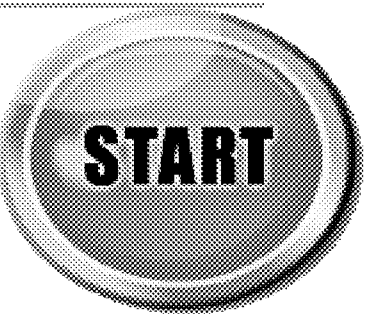

1. **Prepare**
   - Conduct initial demographic analysis
   - Adopt schedule
   - Adopt criteria
   - Launch project website
   - Create public participation kit (paper, excel and/or online)
   - Develop initial draft plans to jump-start discussion

-358-
Item No. E.1
MV00130092

Process (II of III)

2. **Outreach**
   - Educate, engage and empower the public, including:
     - Individuals
     - Community Groups, including "protected class"-focused organizations
     - The media
   - What are your community's "communities of interest"?
     - Which want to be united? Which want to be divided?
   - How well do the current and draft plans meet those goals?
   - Participation kits take the public input beyond just "yes" and "no"

Process (III of III)

3. **Decide**
   - Plan debate and adoption

4. **Implement**
   - Coordinated with the County Registrar

MV00130094

Tools (I of II)

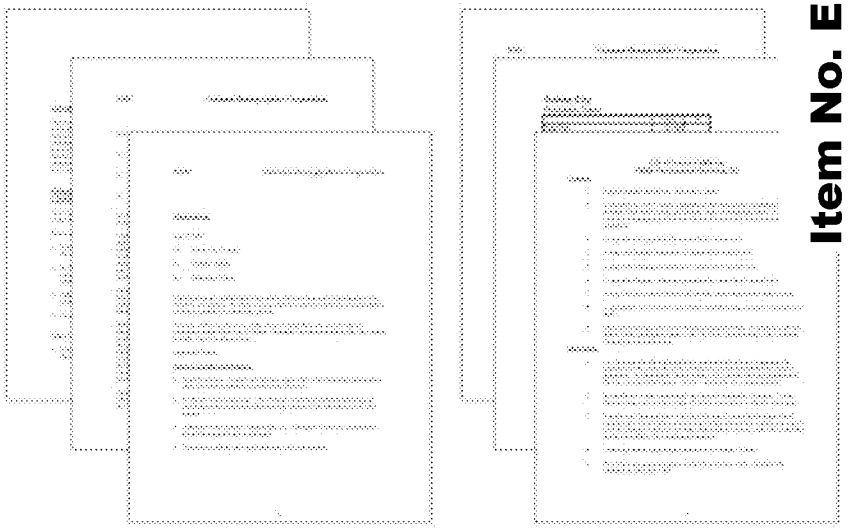

Traditional Redistricting Tools

1. 2010 Census data
2. Project website
3. Media & community education
4. GIS software
5. Information on redistricting, the Voting Rights Act, and how the public can participate
6. Provide paper & Excel public participation kits
7. Email address for public questions and public comment

MV00130095

Tools (II of II)

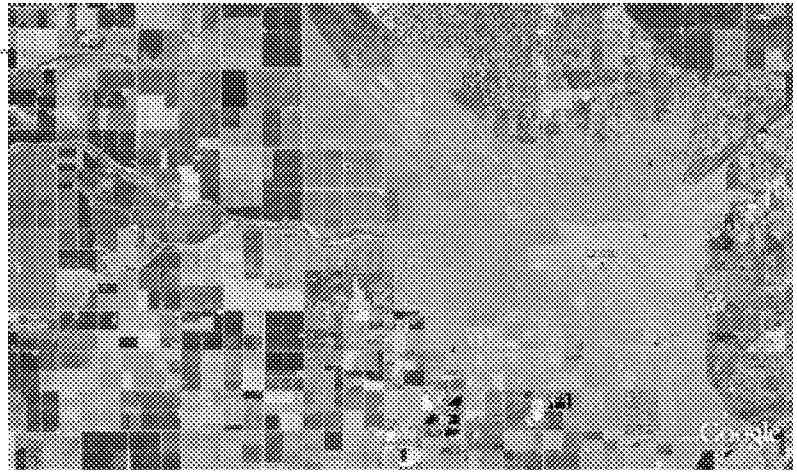

New Tools for 2011

1. American Community Survey data
2. Local GIS data
   - Zoning, homeowner associations, housing developments, neighborhood associations, key facilities, future development areas, school attendance areas, aerial imagery, etc.
3. Live, interactive maps of plans
4. Google Maps and Google Earth plan files

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Item No. E.1
MV00130096

Draft Plan 1 Map

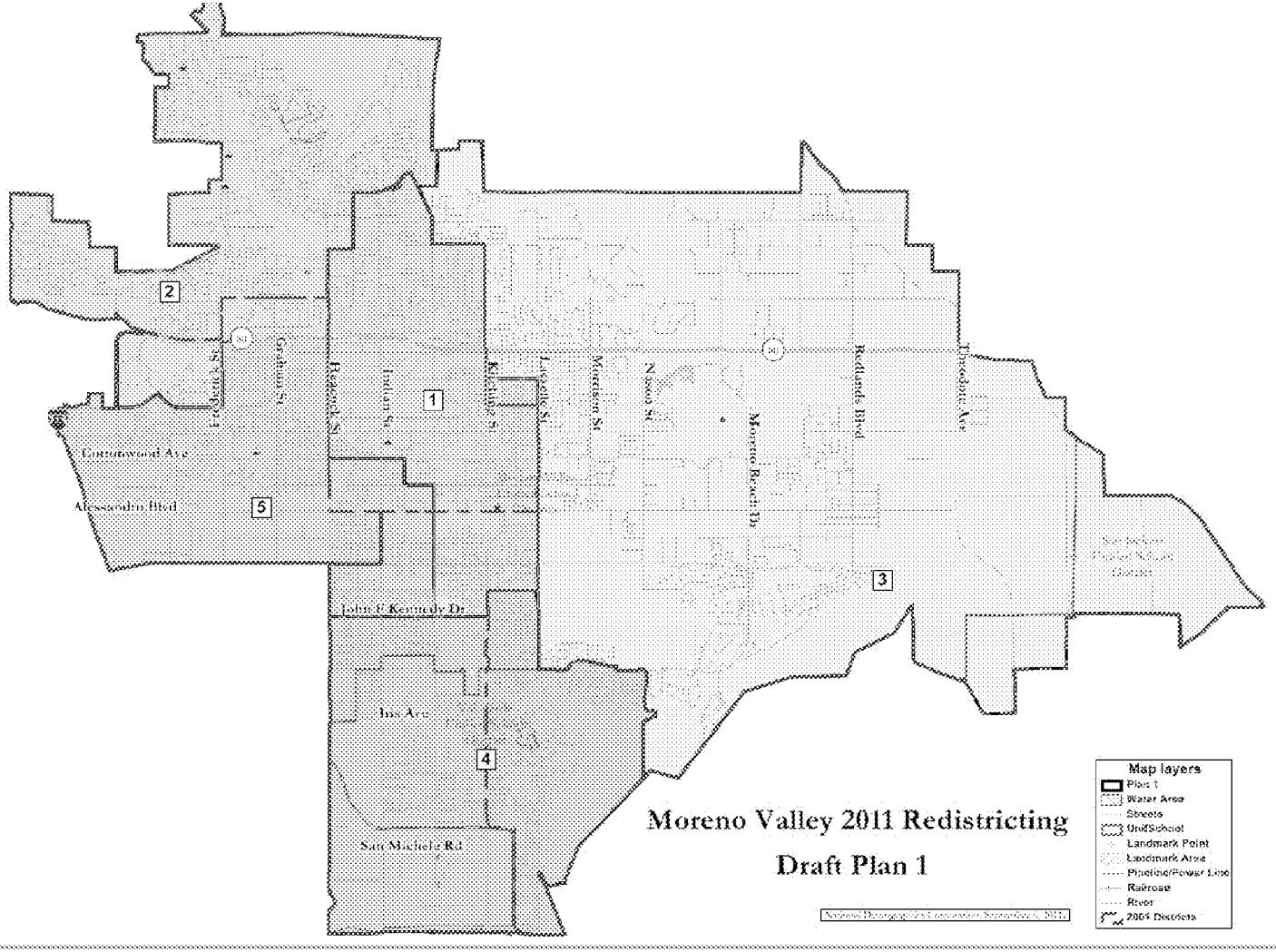

Draft Plan 1 Counts

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130098

Draft Plan 1 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130099

Draft Plan 2 Map

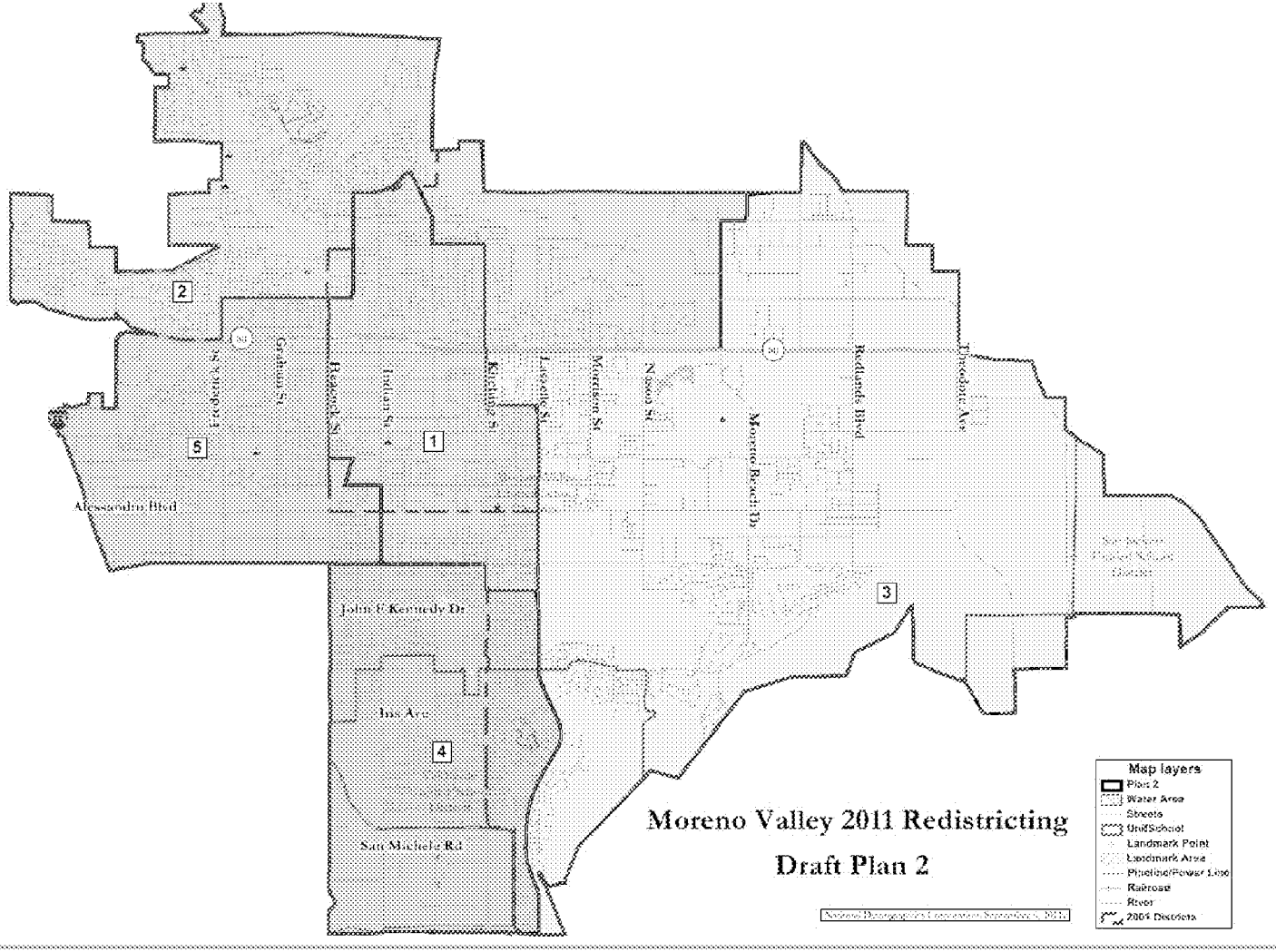

Draft Plan 2 Counts

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Vo
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	[illegible]
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130101

Draft Plan 2 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	53.0%	36.0%	2.9%	1.1%	6.4%	0.2%	0.2%	0.2%
2	67.3%	26.2%	3.0%	0.9%	2.4%	0.0%	0.1%	0.1%
3	84.3%	11.5%	2.2%	0.8%	0.8%	0.1%	0.1%	0.3%
4	87.2%	8.2%	3.0%	0.5%	0.9%	0.0%	0.0%	0.1%
5	86.3%	8.6%	3.2%	0.7%	0.7%	0.0%	0.2%	0.2%
6	82.5%	10.8%	3.2%	0.9%	2.0%	0.1%	0.1%	0.4%
Total	76.7%	16.9%	2.9%	0.8%	2.2%	0.1%	0.1%	0.2%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.
1	47.6%	40.9%	3.0%	1.2%	6.7%	0.2%	0.1%	0.3%	36.6%	2.7%	1.1%	62.7%
2	61.2%	32.0%	3.0%	0.9%	2.6%	0.1%	0.1%	0.1%	44.0%	1.0%	1.2%	56.0%
3	80.7%	14.7%	2.3%	0.9%	0.8%	0.2%	0.1%	0.3%	57.2%	0.9%	2.0%	48.1%
4	84.1%	11.2%	3.0%	0.6%	1.0%	0.0%	0.0%	0.1%	64.9%	0.7%	1.1%	40.2%
5	82.5%	11.6%	3.8%	0.8%	0.8%	0.1%	0.2%	0.2%	58.8%	0.7%	1.1%	46.5%
6	78.9%	13.9%	3.4%	0.9%	2.3%	0.1%	0.2%	0.3%	60.9%	1.0%	1.3%	44.4%
Total	71.9%	21.2%	3.1%	0.9%	2.5%	0.1%	0.1%	0.2%	50.0%	1.4%	1.3%	52.4%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth C
1	83.1%	42.0%	48.8%	3.8%	3.4%	1.9%	0.0%	0.0%	79.5%	39.7%	50.7%	4.6%	3.2%	2.0%	0.0%	2.3%	
2	70.6%	42.8%	46.8%	6.8%	3.4%	0.2%	0.0%	0.0%	74.1%	47.1%	43.8%	5.1%	2.6%	1.5%	0.0%	1.6%	
3	42.6%	63.4%	30.4%	2.4%	1.8%	2.0%	0.1%	0.0%	51.8%	57.2%	33.6%	4.3%	2.6%	3.1%	0.1%	3.0%	
4	54.1%	60.4%	29.3%	4.6%	5.1%	0.7%	0.0%	0.0%	48.2%	60.4%	31.0%	4.4%	1.8%	3.8%	0.0%	2.5%	
5	42.5%	54.8%	31.1%	10.8%	1.5%	1.5%	0.0%	0.0%	44.0%	61.0%	25.4%	10.9%	1.5%	1.4%	0.0%	2.2%	
6	50.1%	64.6%	25.2%	9.5%	1.1%	0.0%	0.0%	0.0%	50.2%	59.0%	29.9%	9.3%	1.3%	0.7%	0.0%	1.5%	
Total	57.8%	52.2%	37.9%	6.0%	2.9%	1.1%	0.0%	0.0%	58.5%	51.8%	38.2%	6.1%	2.3%	2.1%	0.0%	2.2%	

MV00130102

Draft Plan 3 Map

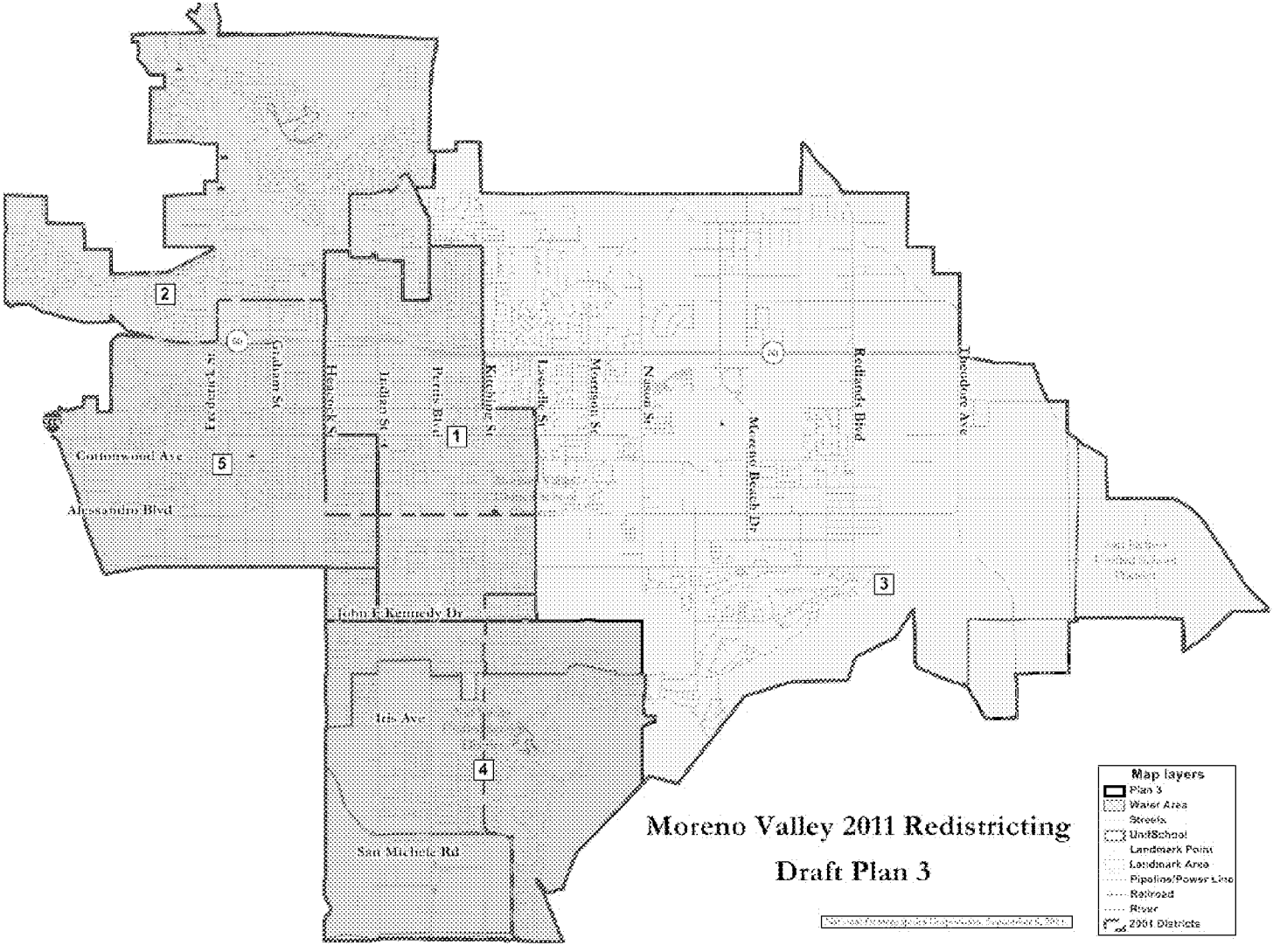

Draft Plan 3 Counts

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
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Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130104

Draft Plan 3 Percentages

% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

Special Tabulation								Amercian Community Survey (ACS)								
% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130105

Draft Plan 4 Map

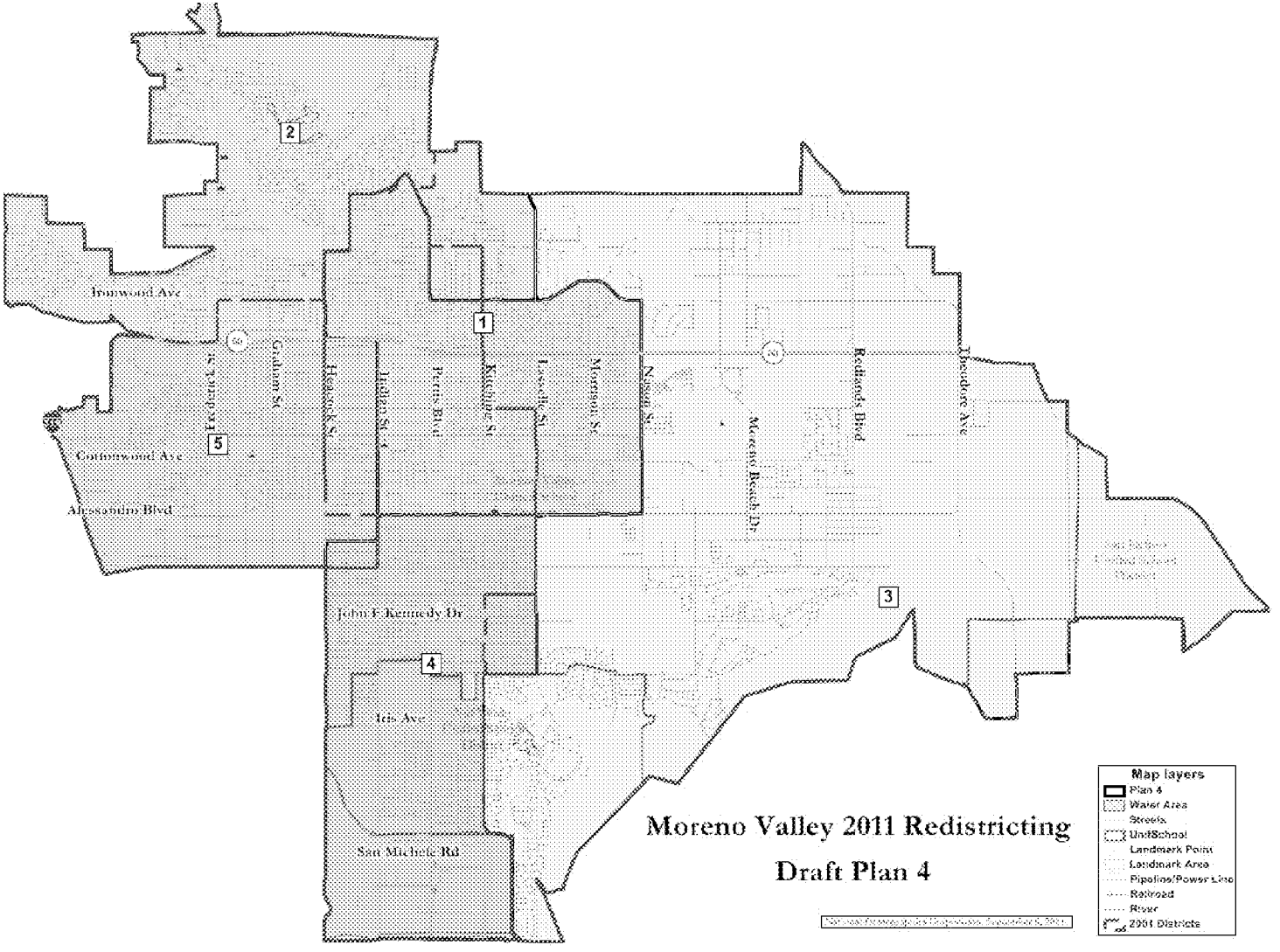

Draft Plan 4 Counts

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130107

Draft Plan 4 Percentages

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	[illegible]
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	

MV00130108

Public Plan 1 Map

"On behalf of The 2011 Moreno Valley Redistricting Committee I here by submit our proposed City of Moreno Valley City Council Redistricting Map. I would like to present this at the community forum on Monday Sept.12 2011." - chrismoval

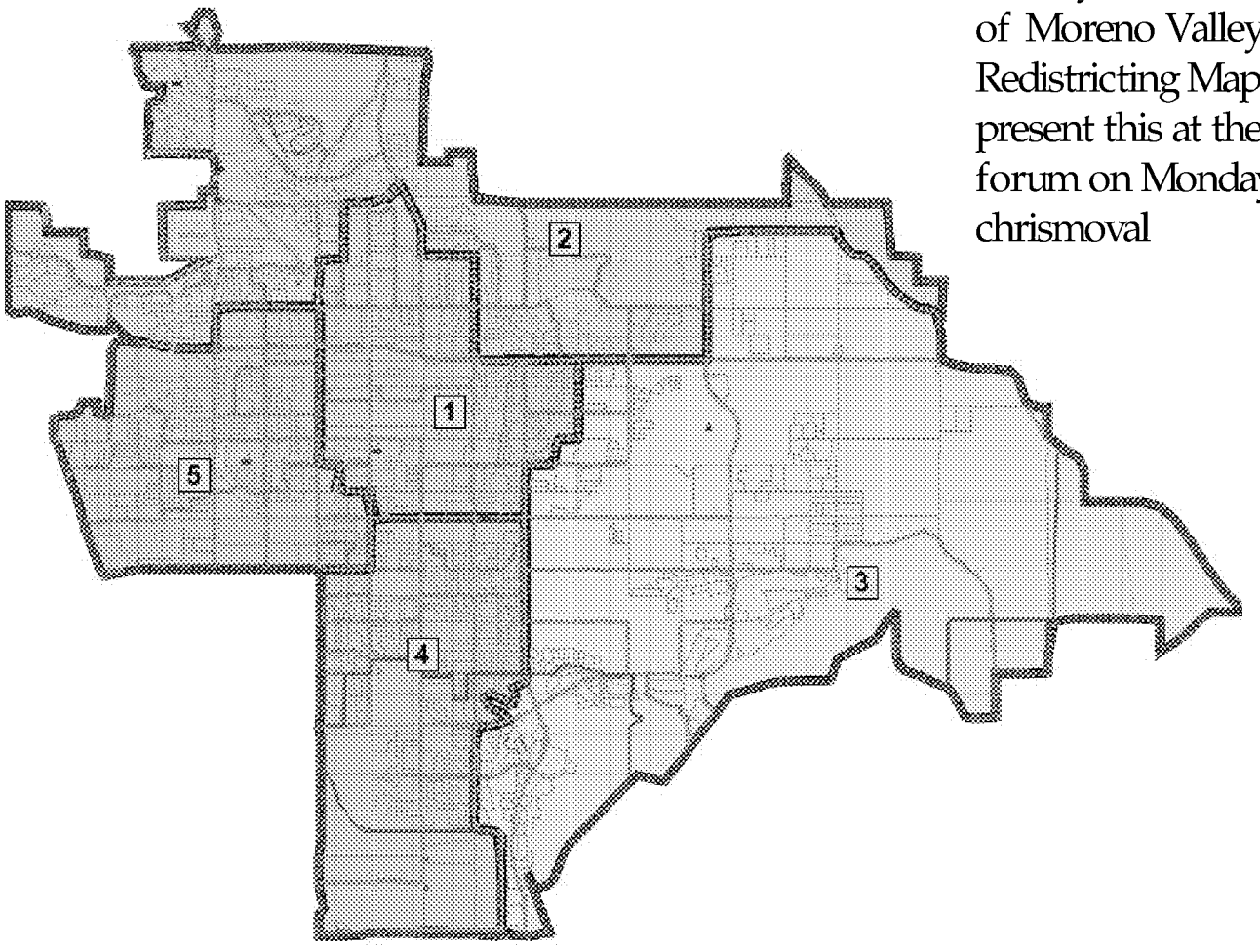

Public Plan 1 Counts

Public Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130110

Public Plan 1 Percentages

Public Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130111

Public Plan 2 Map

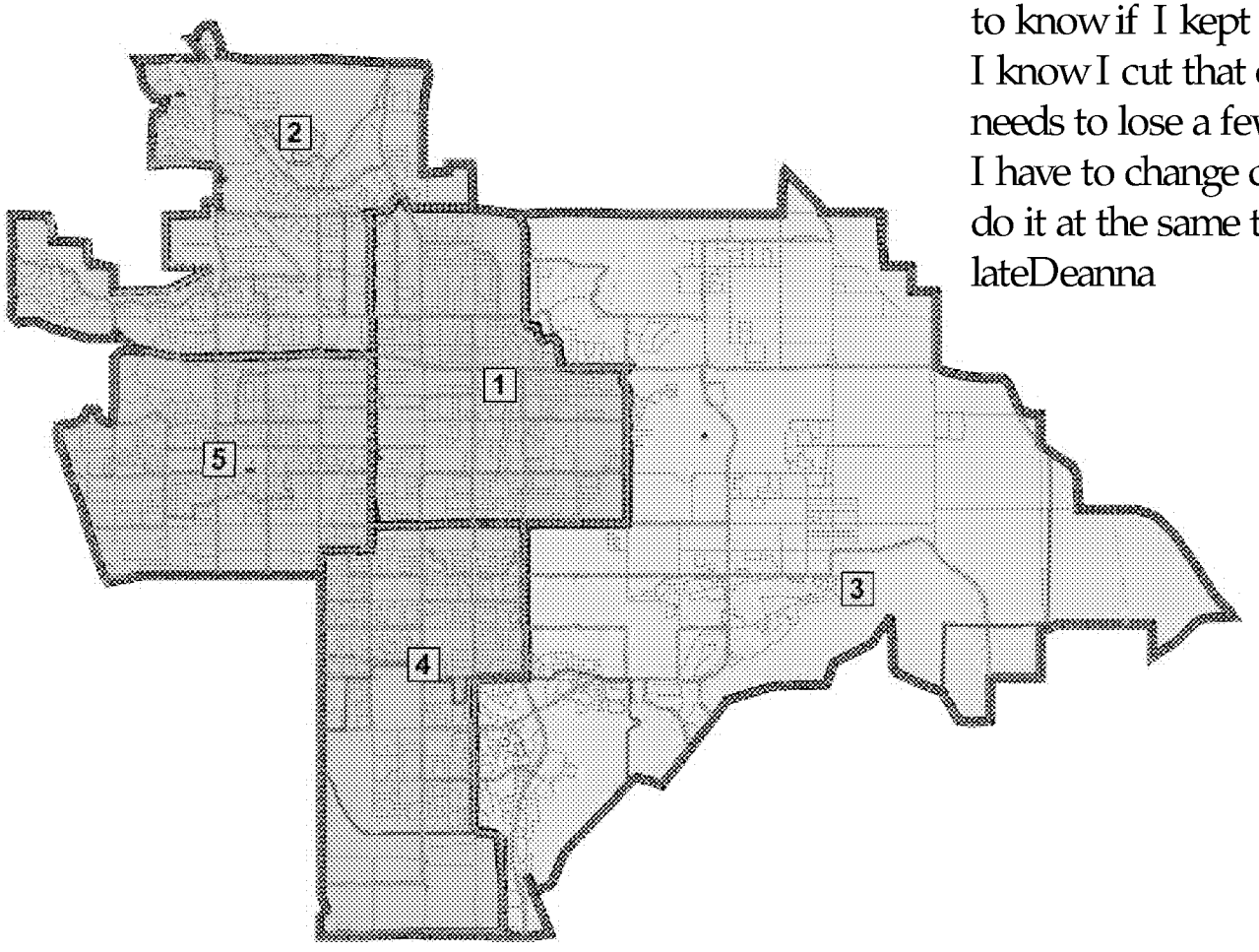

"This is my first preliminary map. What is the excepted plus or minus percentage for population. I really want to know if I kept Molina in his district I know I cut that one close. District 3 needs to lose a few more people but if I have to change district 1 anyway I'll do it at the same time. Thank-you!" - lateDeanna

Public Plan 2 Counts

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 2 Percentages

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

MV00130114

Public Plan 3 Map

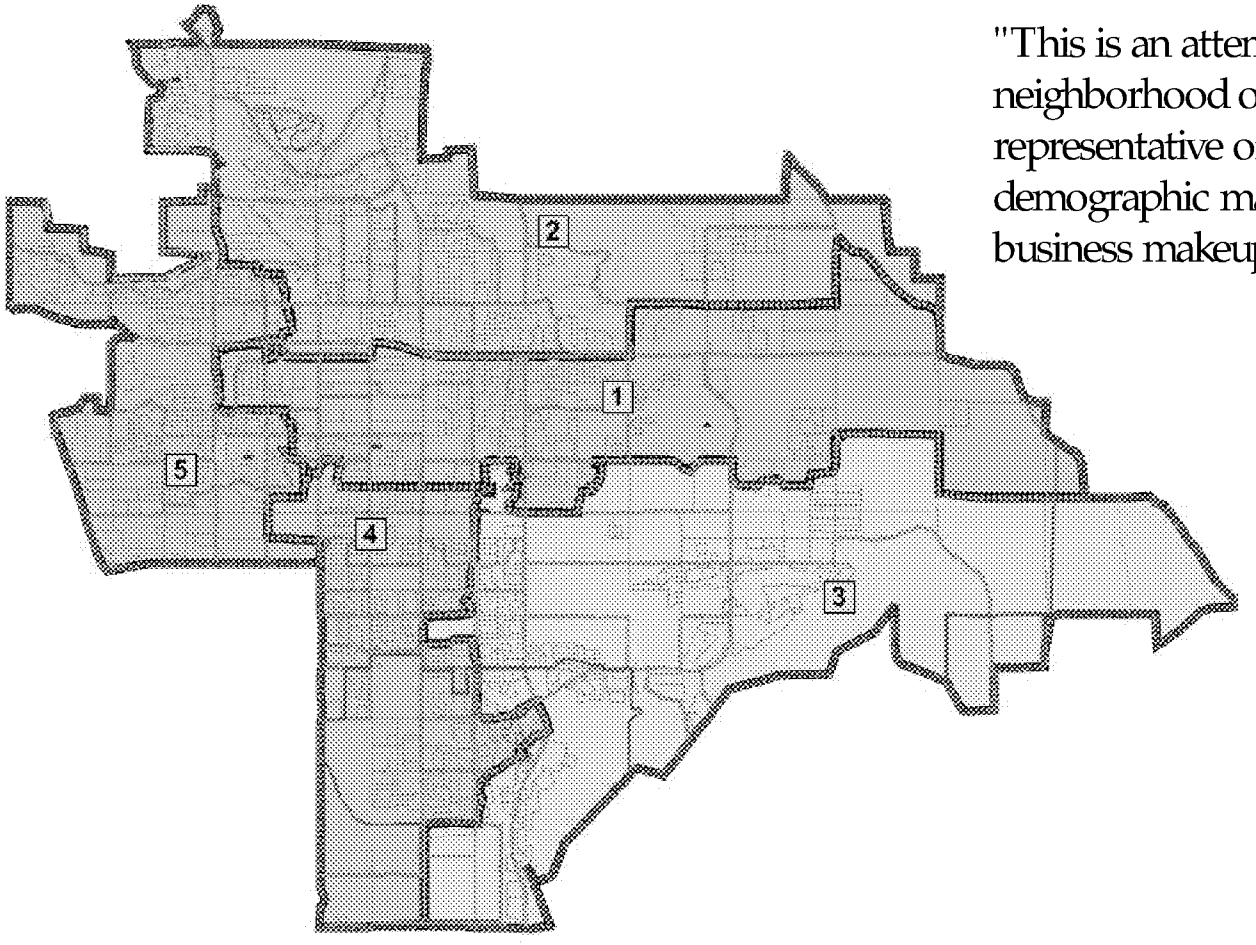

"This is an attempt to construct neighborhood oriented districts which is representative of the districts demographic make up residential and business makeups." - towings

MV00130115

Public Plan 3 Counts

Public Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130116

Public Plan 3 Percentages

Public Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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MV00130118

NDC National Demographics Corporation

September 20, 2011

To: Honorable Mayor Stewart, Mayor Pro Tem Molina and Council Members

Fr: Douglas Johnson, President

National Demographics Corporation (NDC) developed four plans as a way to stimulate public interest in the redistricting process. Each plan was designed to meet the federal mandates (equality of population and compliance with the Voting Rights Act), but the plans differed markedly from one another in the way they attempted to meet the other criteria established by the City. These plans are attached hereto.

NDC has worked closely with City Clerk Jane Halstead and her office. We have been impressed by the City's outreach efforts and the attempt to inform the public of the redistricting process and the opportunities for involvement in it.

Although attendance at the two public meetings was less than hoped for, we are encouraged by the use of the online redistricting system. A total of 24 people have created user IDs to access the system, and they have already submitted four proposed plans. In addition a fifth plan was submitted using the paper version of the public participation kit. We have been impressed, also, by the technical proficiency of some of the citizen plans and the effort they made to meet the criteria established by the City Council. NDC has developed maps and statistics for each of the citizen-drawn plans and they are attached hereto.

NDC staff members will be present at the Council meeting on September 27th. At that time, we hope for Council comments and direction on the four plans developed by NDC, as well as on the public plans. (Please note: Additional plans that may be submitted by citizens will be forwarded directly to the Council as they are received). In light of Councimembers' comments on September 27th, NDC will then develop a plan or plans for a possible decision by Council at a following meeting.

ATTACHMENTS:

- NDC Plan 1 map and demographics
- NDC Plan 2 map and demographics
- NDC Plan 3 map and demographics
- NDC Plan 4 map and demographics
- Public Plan 1 map and demographics("Moreno Valley Redistricting Committee")
- Public Plan 2 map and demographics ("Moreno Valley Redistricting Committee")
- Public Plan 3 map and demographics (Bleckert)
- Public Plan 4 map and demographics (Owing)

Phone: (909) 624-1442
FAX (818) 254-1221
P.O. Box 5271
Glendale, C
info@ NDCresearc
www.NDCresearc

Item No. E.1

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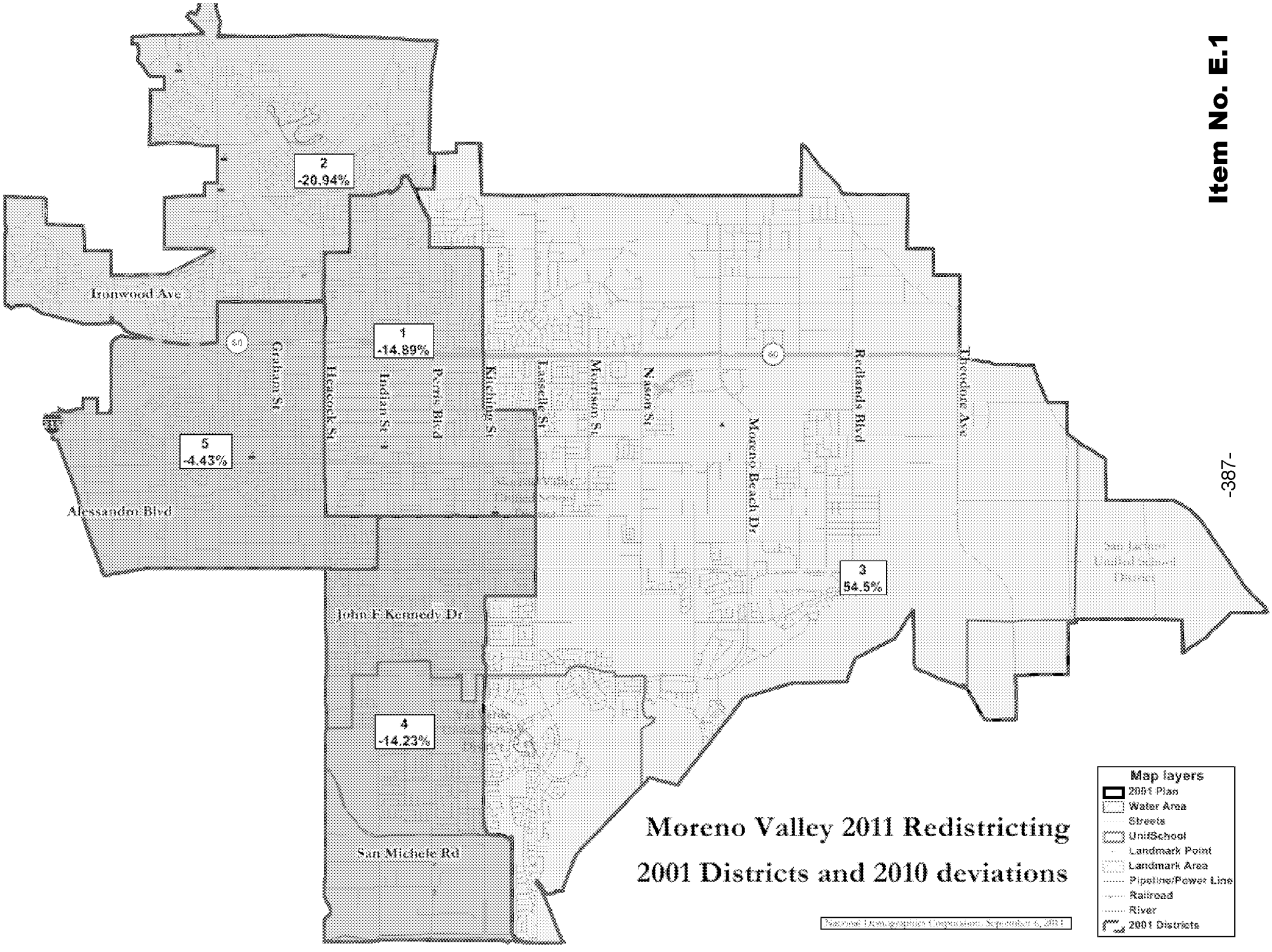
Moreno Valley 2011 Redistricting
2001 Districts and 2010 deviations
2
-20.94%
1
-14.89%
5
-4.43%
3
54.5%
4
-14.23%
Ironwood Ave
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
Alessandro Blvd
John F Kennedy Dr
San Michele Rd
Map layers
2001 Plan
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts

Moreno Valley 2001 Districts
Demographics

2001 Plan	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,915	-5,758	-14.89%	20,506	5,270	4,930	199	1,412	244	87	267
2	30,573	-8,100	-20.94%	13,450	8,981	5,373	139	2,141	122	59	308
3	59,750	21,077	54.50%	27,708	12,884	12,337	312	5,430	295	190	594
4	33,169	-5,504	-14.23%	21,067	4,572	5,300	113	1,629	175	77	236
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	29,177	75.45%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
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Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	21,794	12,416	4,369	3,369	146	1,116	168	62	148	10,535	4,035	142	134	276	4,583	1,557	59	57	116
2	21,969	8,733	7,346	3,763	111	1,687	85	43	201	14,221	3,968	269	228	497	7,434	1,777	111	104	215
3	41,255	17,459	10,458	8,371	231	4,092	191	135	318	23,563	7,129	503	417	920	11,812	3,071	208	177	385
4	21,809	12,949	3,736	3,459	80	1,273	116	47	149	10,667	4,503	161	174	335	4,757	1,824	57	75	132
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
2001 Plan	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,404	6,263	5,286	2,853	648	50	206	99	15,610	6,314	5,343	2,885	622	39	289	329	3,610
2	18,581	5,788	7,999	3,268	1,257	204	0	66	18,466	5,596	8,098	3,194	1,085	121	54	525	3,314
3	29,548	9,120	10,571	6,519	2,614	258	215	266	29,825	9,539	10,374	6,344	2,447	205	261	945	5,834
4	14,895	6,506	4,250	2,953	791	172	39	178	14,659	6,254	4,018	3,003	906	148	53	370	4,191
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130122

2001 Plan	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	16.0%	15.0%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.0%	29.4%	17.6%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.4%	21.6%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.5%	13.8%	16.0%	0.3%	4.9%	0.5%	0.2%	0.7%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	20.0%	15.5%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.3%	1.3%	2.6%	34.0%	1.3%	1.2%	2.5%
2	39.8%	33.4%	17.1%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.3%	25.3%	20.3%	0.6%	9.9%	0.5%	0.3%	0.8%	30.3%	2.1%	1.8%	3.9%	26.0%	1.8%	1.5%	3.3%
4	59.4%	17.1%	15.9%	0.4%	5.8%	0.5%	0.2%	0.7%	42.2%	1.5%	1.6%	3.1%	38.3%	1.2%	1.6%	2.8%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
2001 Plan	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.7%	40.7%	34.3%	18.5%	4.2%	0.3%	1.3%	0.6%	71.6%	40.4%	34.2%	18.5%	4.0%	0.2%	1.9%	2.1%	23.1%
2	84.6%	31.1%	43.0%	17.6%	6.8%	1.1%	0.0%	0.4%	84.1%	30.3%	43.9%	17.3%	5.9%	0.7%	0.3%	2.8%	17.9%
3	71.6%	30.9%	35.8%	22.1%	8.8%	0.9%	0.7%	0.9%	72.3%	32.0%	34.8%	21.3%	8.2%	0.7%	0.9%	3.2%	19.6%
4	68.3%	43.7%	28.5%	19.8%	5.3%	1.2%	0.3%	1.2%	67.2%	42.7%	27.4%	20.5%	6.2%	1.0%	0.4%	2.5%	28.6%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130123

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MV00130124

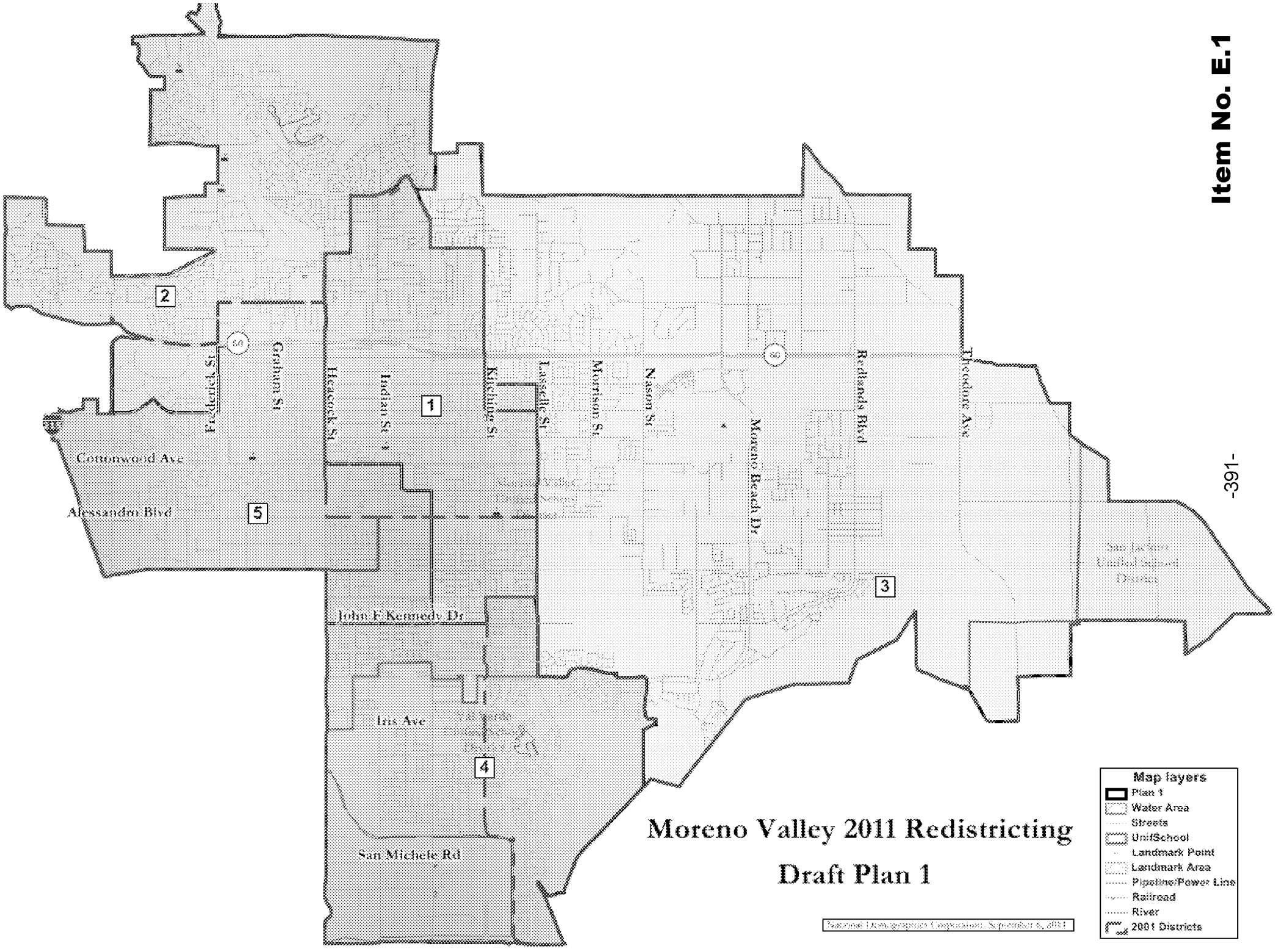
Moreno Valley 2011 Redistricting
Draft Plan 1
Map layers
Plan 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2011 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

Moreno Valley Plan 1
Demographics

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	141
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.1%	16.4%	15.8%	0.6%	4.5%	0.7%	0.3%	0.8%
2	44.5%	26.5%	20.1%	0.5%	6.7%	0.4%	0.2%	1.0%
3	44.2%	24.9%	18.9%	0.6%	9.6%	0.5%	0.4%	1.0%
4	57.3%	13.8%	20.3%	0.4%	6.6%	0.5%	0.2%	0.9%
5	65.1%	13.0%	14.7%	0.4%	5.2%	0.7%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.0%	20.4%	16.0%	0.6%	5.4%	0.7%	0.3%	0.6%	37.7%	1.3%	1.3%	2.6%	33.6%	1.1%	1.4%	2.5%
2	40.4%	30.6%	19.4%	0.5%	7.5%	0.4%	0.2%	1.0%	28.3%	1.9%	1.6%	3.5%	24.3%	1.5%	1.4%	2.9%
3	40.0%	28.8%	18.6%	0.6%	10.3%	0.4%	0.4%	0.8%	28.7%	2.2%	1.6%	3.9%	24.1%	1.8%	1.4%	3.2%
4	53.4%	16.8%	20.2%	0.4%	7.6%	0.6%	0.3%	0.7%	38.0%	1.9%	2.0%	3.9%	34.7%	1.6%	1.7%	3.3%
5	60.2%	16.4%	15.1%	0.4%	6.3%	0.7%	0.2%	0.7%	42.9%	1.9%	1.5%	3.3%	39.1%	1.5%	1.3%	2.8%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.5%	40.7%	33.6%	18.8%	4.7%	0.6%	1.1%	0.6%	73.3%	41.1%	32.9%	19.0%	4.6%	0.4%	1.6%	1.9%	23.0%
2	82.8%	31.4%	40.6%	19.7%	6.8%	0.9%	0.3%	0.4%	82.4%	30.7%	41.1%	19.3%	6.0%	0.6%	0.5%	3.0%	16.8%
3	73.9%	29.1%	39.0%	20.4%	9.0%	1.1%	0.9%	0.5%	74.1%	30.8%	37.6%	19.6%	7.7%	0.8%	1.2%	3.5%	18.4%
4	66.5%	37.6%	29.3%	23.4%	7.0%	0.5%	0.2%	1.9%	66.3%	35.9%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.5%	44.5%	24.0%	24.9%	5.6%	0.6%	0.1%	0.3%	66.1%	44.4%	22.9%	24.3%	5.7%	0.6%	0.2%	2.9%	27.5%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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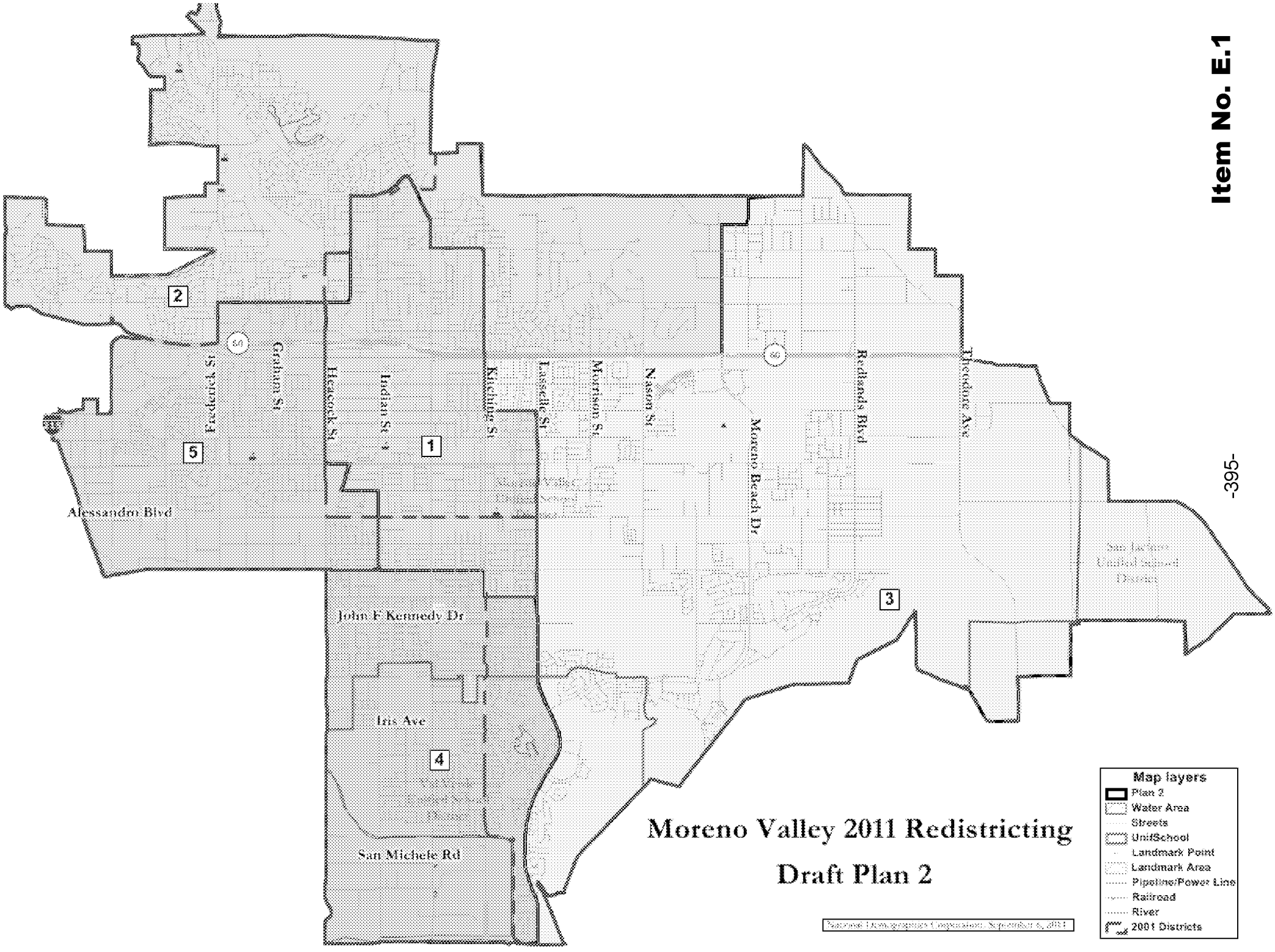
Moreno Valley 2011 Redistricting
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Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2011 Districts
1
2
3
4
5
Alessandro Blvd
Graham St
Perris St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

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NDC

Moreno Valley Plan 2
Demographics

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	138
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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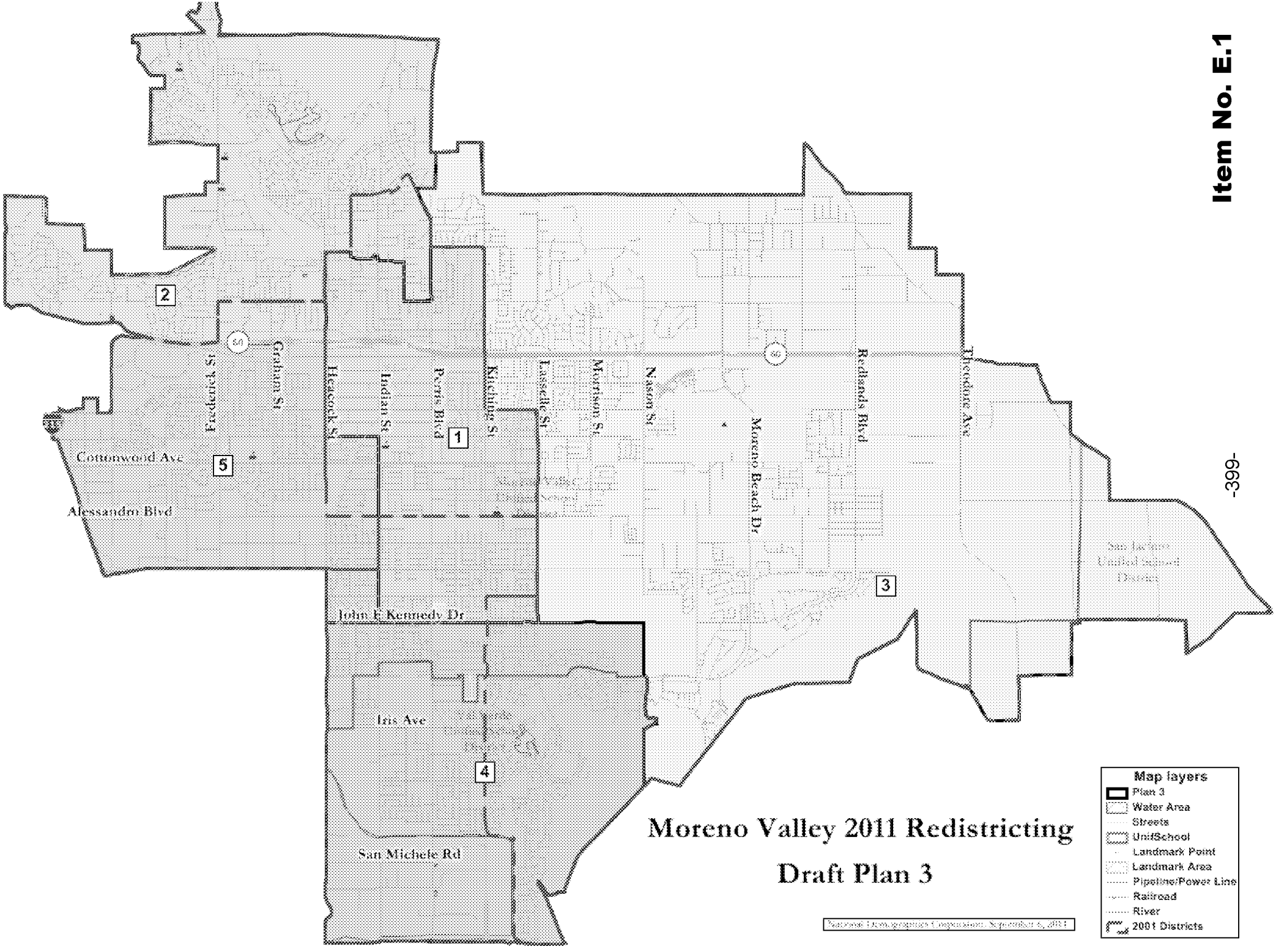
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Map layers
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Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2011 Districts
1
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3
4
5
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00130133

NDC

Moreno Valley Plan 3
Demographics

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130134

Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
2	45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
3	44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
4	56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
5	63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
2	40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
3	40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
4	52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
5	58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
2	84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
3	74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
4	66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130135

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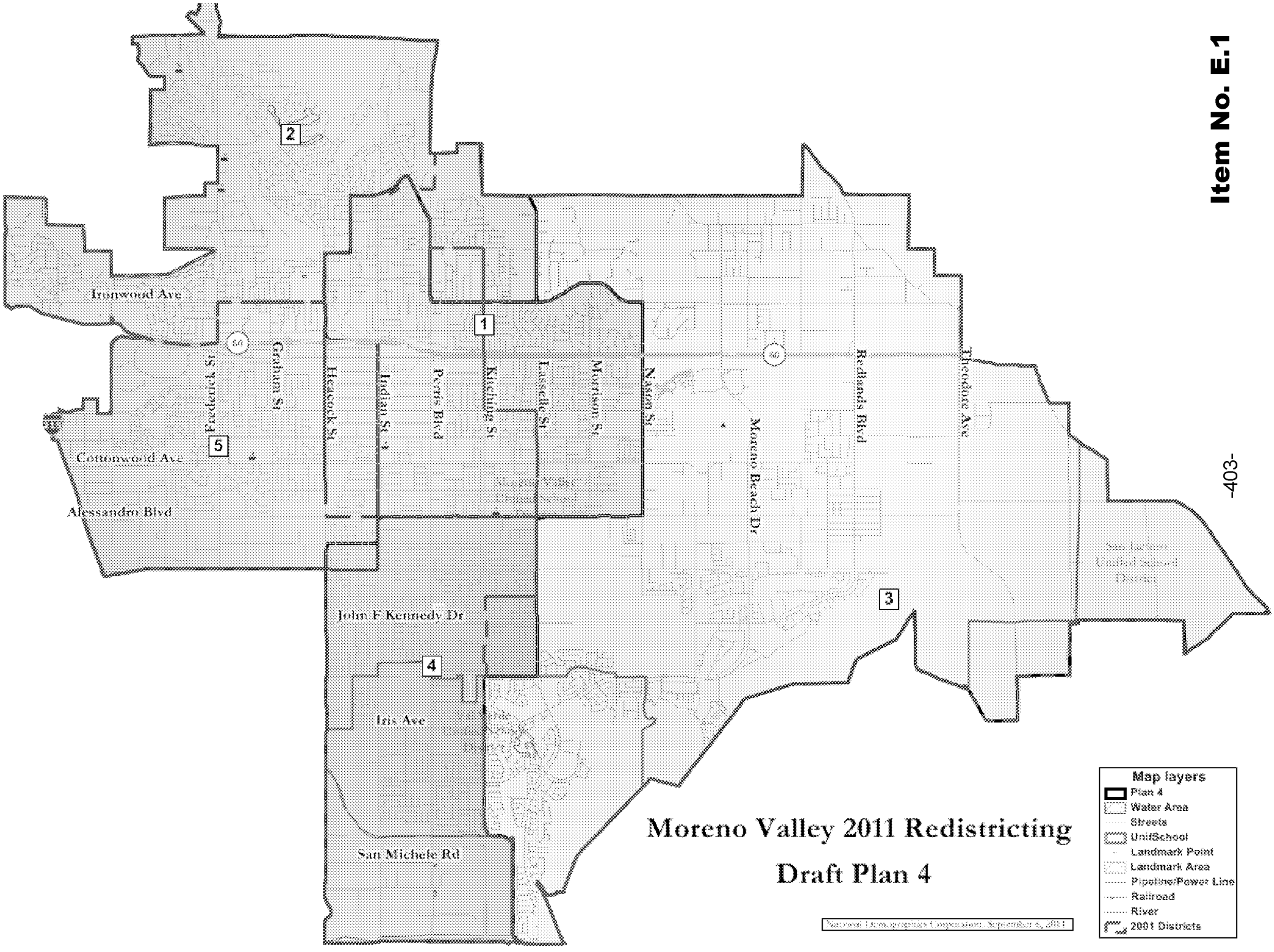
Moreno Valley 2011 Redistricting
Draft Plan 4
Map layers
Plan 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2011 Districts
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Moreno Valley Plan 4
Demographics

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130138

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	16.9%
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	19.4%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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MV00130140

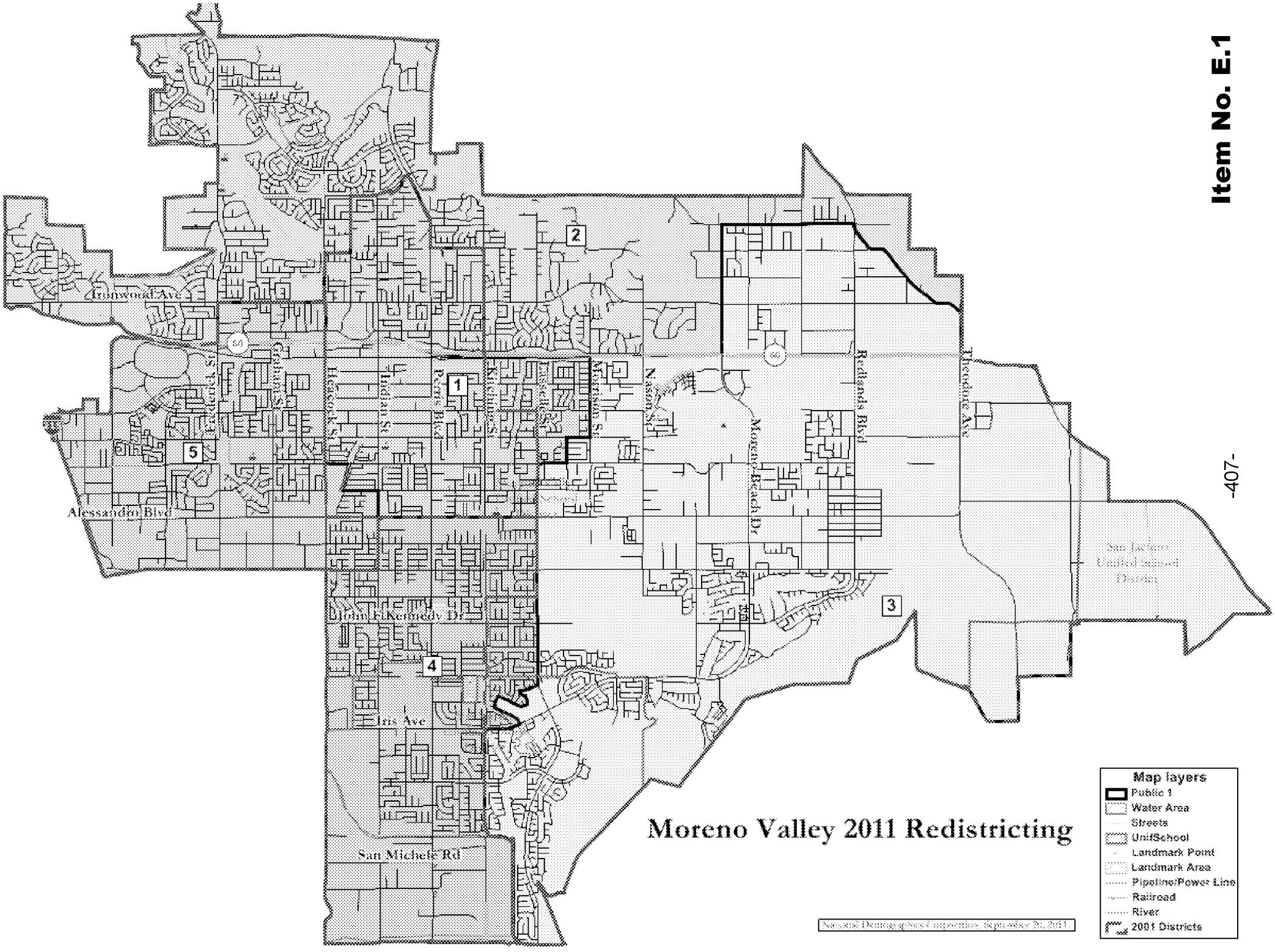
Moreno Valley 2011 Redistricting
Map layers
Public 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00130141

NDC

Public Plan 1
Demographics

Pub. Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130142

Pub. Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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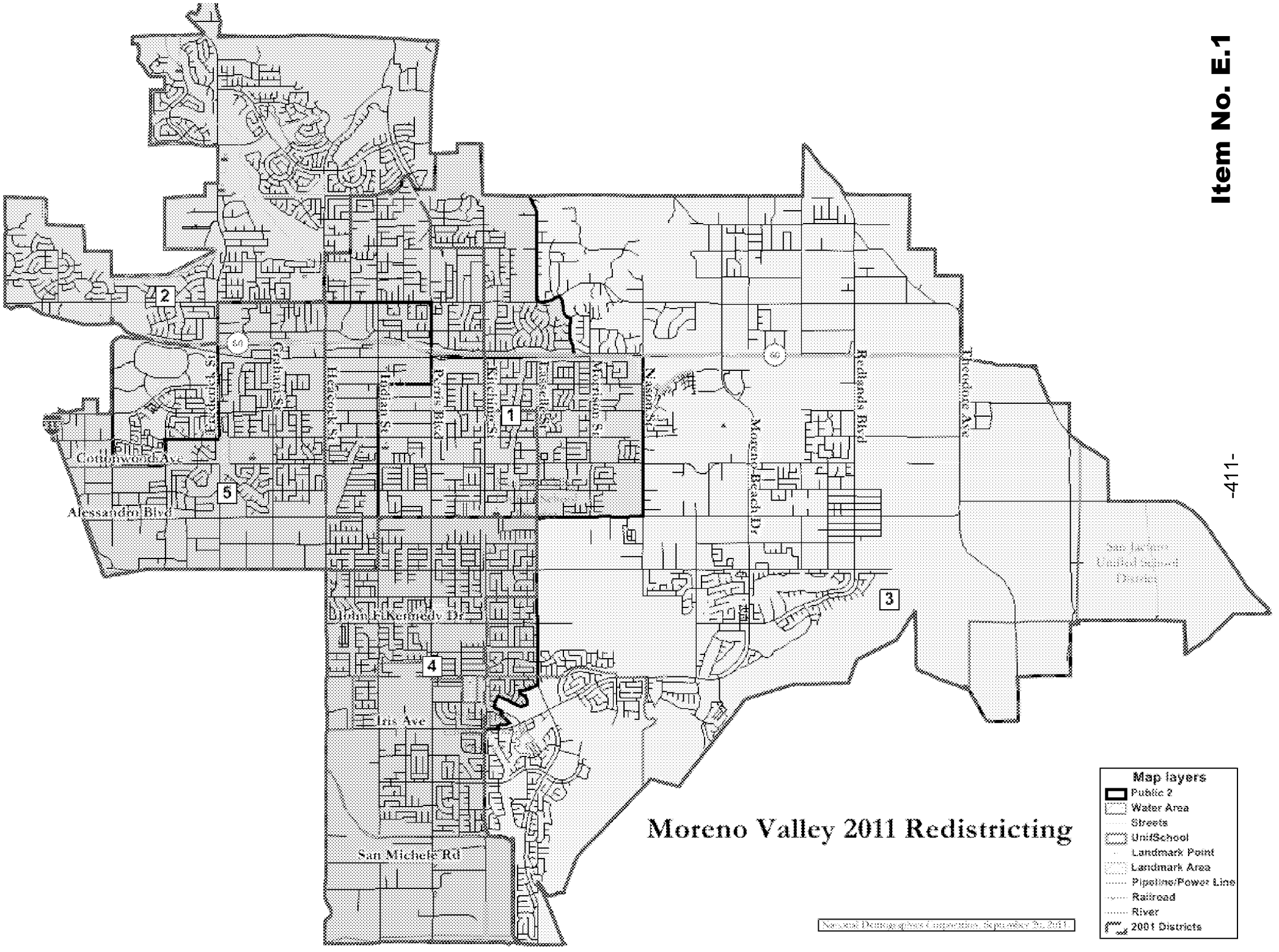
Moreno Valley 2011 Redistricting
Map layers
Public 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2011 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Public Plan 2
Demographics

Pub. Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,796	123	0.32%	22,173	7,301	5,917	249	2,477	237	117	325
2	38,840	167	0.43%	17,371	10,226	7,229	177	3,194	140	78	425
3	38,078	-595	-1.54%	16,012	8,760	8,571	170	3,827	214	120	404
4	38,679	6	0.02%	24,231	5,519	6,368	154	1,831	203	93	280
5	38,972	299	0.77%	25,382	4,767	6,643	163	1,303	306	72	336
Total	193,365	894	2.31%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,500	13,877	5,986	4,138	183	1,883	167	76	190	14,308	5,121	276	182	458	6,886	2,164	105	83	188
2	27,581	11,188	8,294	4,997	134	2,536	100	54	278	16,888	4,934	395	297	692	8,450	2,138	140	125	265
3	26,425	10,088	7,100	5,769	129	2,893	141	94	211	15,053	4,243	333	302	635	7,574	1,821	147	122	269
4	25,569	14,932	4,546	4,180	106	1,439	136	57	173	12,785	5,250	179	202	381	5,759	2,139	61	87	148
5	24,794	14,924	3,937	4,347	130	1,048	186	51	171	10,885	4,412	117	134	251	4,275	1,550	50	57	107
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,779	7,397	6,668	4,169	997	110	367	68	19,905	7,285	6,878	3,869	1,055	75	361	545	4,327
2	21,923	6,863	8,885	4,251	1,631	204	0	88	21,807	6,672	8,940	4,182	1,462	121	54	597	3,900
3	18,175	5,147	6,819	3,820	1,931	179	42	244	18,896	5,878	6,847	3,924	1,612	153	135	592	3,636
4	17,825	7,517	5,347	3,560	982	187	41	186	17,229	7,117	4,769	3,639	1,158	160	61	436	4,755
5	17,369	7,414	4,600	4,377	804	23	70	98	17,191	7,328	4,443	4,146	786	50	97	536	3,910
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.2%	18.8%	15.3%	0.6%	6.4%	0.6%	0.3%	0.8%
2	44.7%	26.3%	18.6%	0.5%	8.2%	0.4%	0.2%	1.1%
3	42.1%	23.0%	22.5%	0.4%	10.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.7%	0.5%	0.2%	0.7%
5	65.1%	12.2%	17.0%	0.4%	3.3%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.4%	22.6%	15.6%	0.7%	7.1%	0.6%	0.3%	0.7%	35.8%	1.9%	1.3%	3.2%	31.4%	1.5%	1.2%	2.7%
2	40.6%	30.1%	18.1%	0.5%	9.2%	0.4%	0.2%	1.0%	29.2%	2.3%	1.8%	4.1%	25.3%	1.7%	1.5%	3.1%
3	38.2%	26.9%	21.8%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.2%	2.0%	4.2%	24.0%	1.9%	1.6%	3.6%
4	58.4%	17.8%	16.3%	0.4%	5.6%	0.5%	0.2%	0.7%	41.1%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	60.2%	15.9%	17.5%	0.5%	4.2%	0.8%	0.2%	0.7%	40.5%	1.1%	1.2%	2.3%	36.3%	1.2%	1.3%	2.5%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.6%	37.4%	33.7%	21.1%	5.0%	0.6%	1.9%	0.3%	75.1%	36.6%	34.6%	19.4%	5.3%	0.4%	1.8%	2.7%	21.7%
2	79.5%	31.3%	40.5%	19.4%	7.4%	0.9%	0.0%	0.4%	79.1%	30.6%	41.0%	19.2%	6.7%	0.6%	0.2%	2.7%	17.9%
3	68.8%	28.3%	37.5%	21.0%	10.6%	1.0%	0.2%	1.3%	71.5%	31.1%	36.2%	20.8%	8.5%	0.8%	0.7%	3.1%	19.2%
4	69.7%	42.2%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	70.1%	42.7%	26.5%	25.2%	4.6%	0.1%	0.4%	0.6%	69.3%	42.6%	25.8%	24.1%	4.6%	0.3%	0.6%	3.1%	22.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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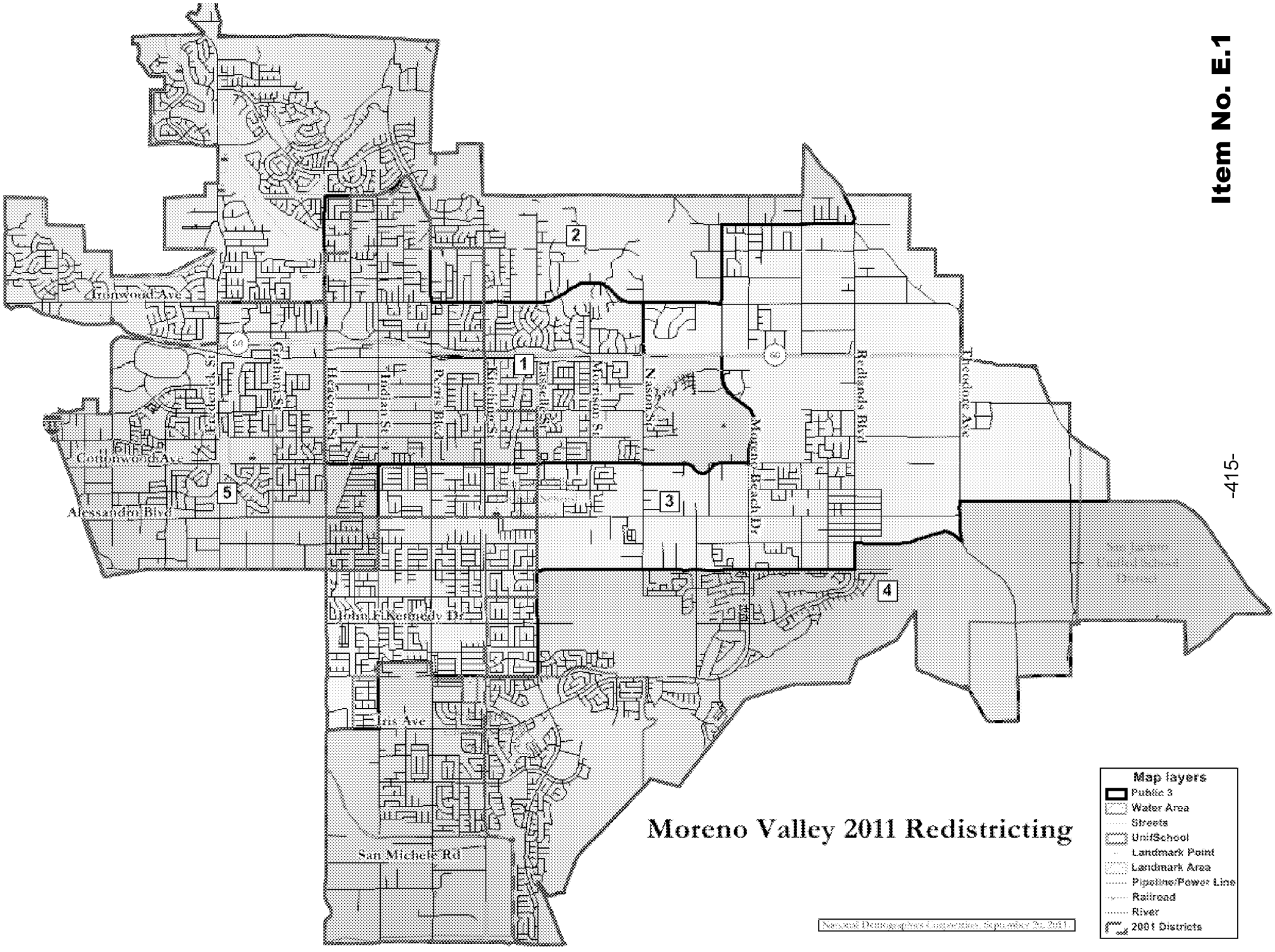
Moreno Valley 2011 Redistricting
Map layers
Public 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
60
215

MV00130149

Pub. Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	40,047	1,374	3.55%	23,337	7,050	6,329	250	2,368	232	124	357
2	33,724	-4,949	-12.80%	14,620	10,386	5,657	164	2,372	131	63	331
3	41,248	2,575	6.66%	24,589	7,521	6,126	195	2,173	221	111	312
4	38,875	202	0.52%	18,585	6,434	9,430	143	3,571	226	105	381
5	39,471	798	2.06%	24,038	5,182	7,186	161	2,148	290	77	389
Total	193,365	7,524	19.46%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,947	14,318	5,756	4,389	197	1,829	163	88	207	13,735	4,894	222	210	432	6,321	1,989	89	97	186
2	24,509	9,568	8,590	4,008	127	1,864	94	45	213	16,118	4,379	309	237	546	8,645	1,982	123	107	230
3	27,723	15,215	6,242	4,051	138	1,681	147	73	176	14,598	5,649	180	208	388	6,856	2,312	74	94	168
4	26,123	11,558	5,081	6,248	99	2,706	147	75	209	13,868	4,432	353	290	643	6,512	1,844	141	112	253
5	25,567	14,350	4,194	4,735	121	1,719	179	51	218	11,600	4,606	236	172	408	4,610	1,685	76	64	140
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,662	7,428	6,706	4,165	1,038	61	139	121	19,682	7,373	6,817	3,899	959	75	235	541	3,961
2	21,021	6,314	9,283	3,563	1,366	253	170	69	20,718	6,250	9,027	3,536	1,212	131	164	640	3,722
3	19,409	7,563	6,876	3,308	1,128	290	104	145	19,422	7,719	6,225	3,687	1,149	216	172	475	5,031
4	17,606	6,007	5,015	4,436	1,752	80	47	274	17,863	5,951	5,512	4,174	1,665	91	88	498	3,974
5	17,373	7,026	4,440	4,704	1,061	20	60	75	17,343	6,988	4,295	4,464	1,087	46	50	552	3,839
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.8%	0.6%	5.9%	0.6%	0.3%	0.9%
2	43.4%	30.8%	16.8%	0.5%	7.0%	0.4%	0.2%	1.0%
3	59.6%	18.2%	14.9%	0.5%	5.3%	0.5%	0.3%	0.8%
4	47.8%	16.6%	24.3%	0.4%	9.2%	0.6%	0.3%	1.0%
5	60.9%	13.1%	18.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.1%	21.4%	16.3%	0.7%	6.8%	0.6%	0.3%	0.8%	35.6%	1.6%	1.5%	3.1%	31.5%	1.4%	1.5%	2.9%
2	39.0%	35.0%	16.4%	0.5%	7.6%	0.4%	0.2%	0.9%	27.2%	1.9%	1.5%	3.4%	22.9%	1.4%	1.2%	2.7%
3	54.9%	22.5%	14.6%	0.5%	6.1%	0.5%	0.3%	0.6%	38.7%	1.2%	1.4%	2.7%	33.7%	1.1%	1.4%	2.5%
4	44.2%	19.5%	23.9%	0.4%	10.4%	0.6%	0.3%	0.8%	32.0%	2.5%	2.1%	4.6%	28.3%	2.2%	1.7%	3.9%
5	56.1%	16.4%	18.5%	0.5%	6.7%	0.7%	0.2%	0.9%	39.7%	2.0%	1.5%	3.5%	36.6%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.0%	37.8%	34.1%	21.2%	5.3%	0.3%	0.7%	0.6%	73.0%	37.5%	34.6%	19.8%	4.9%	0.4%	1.2%	2.7%	20.1%
2	85.8%	30.0%	44.2%	16.9%	6.5%	1.2%	0.8%	0.3%	84.5%	30.2%	43.6%	17.1%	5.9%	0.6%	0.8%	3.1%	18.0%
3	70.0%	39.0%	35.4%	17.0%	5.8%	1.5%	0.5%	0.7%	70.1%	39.7%	32.1%	19.0%	5.9%	1.1%	0.9%	2.4%	25.9%
4	67.4%	34.1%	28.5%	25.2%	10.0%	0.5%	0.3%	1.6%	68.4%	33.3%	30.9%	23.4%	9.3%	0.5%	0.5%	2.8%	22.3%
5	67.9%	40.4%	25.6%	27.1%	6.1%	0.1%	0.3%	0.4%	67.8%	40.3%	24.8%	25.7%	6.3%	0.3%	0.3%	3.2%	22.1%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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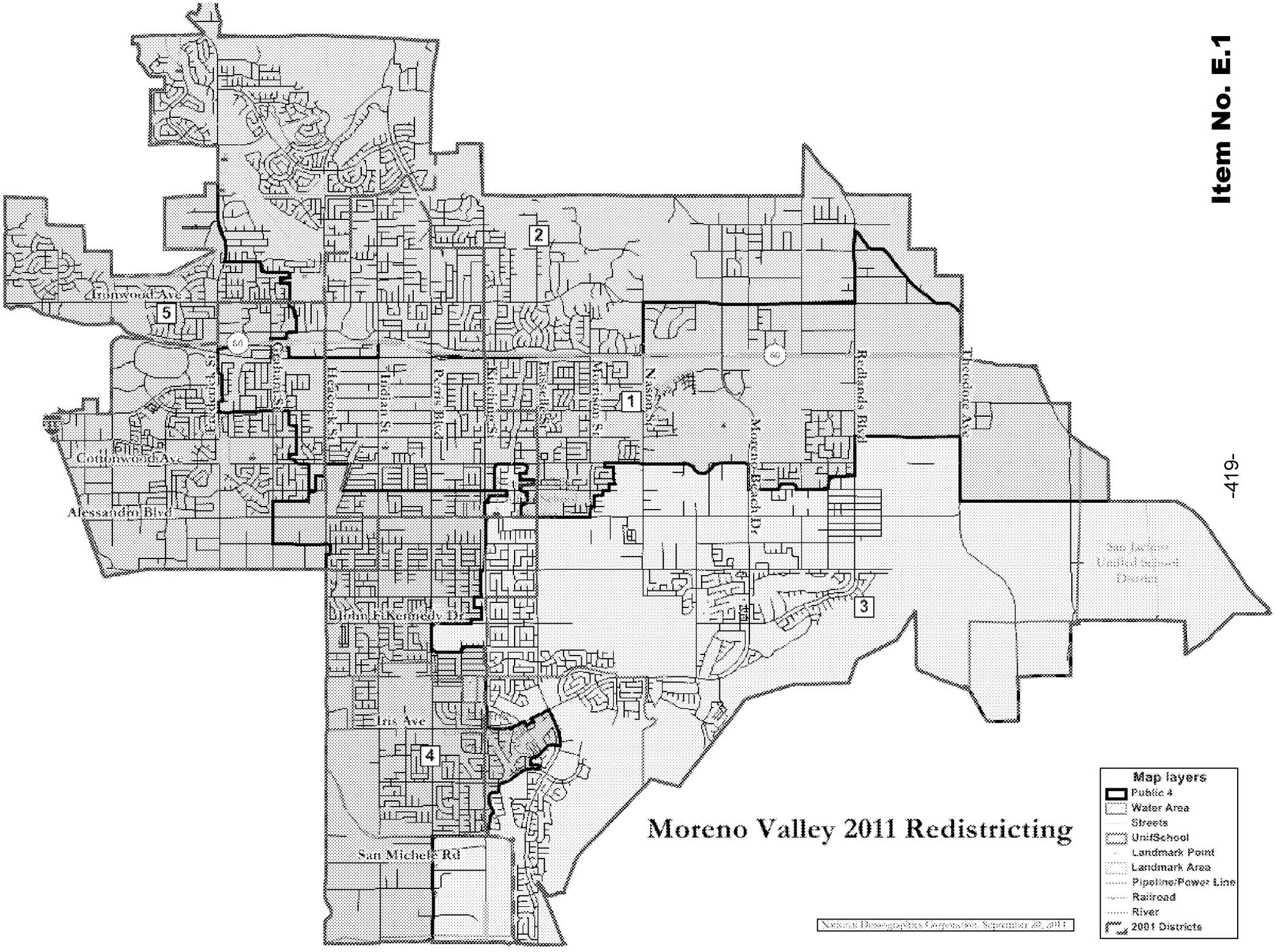
Moreno Valley 2011 Redistricting
Map layers
Public 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Gentian St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00130153

Public Plan 4 - Owings
Demographics

Pub. Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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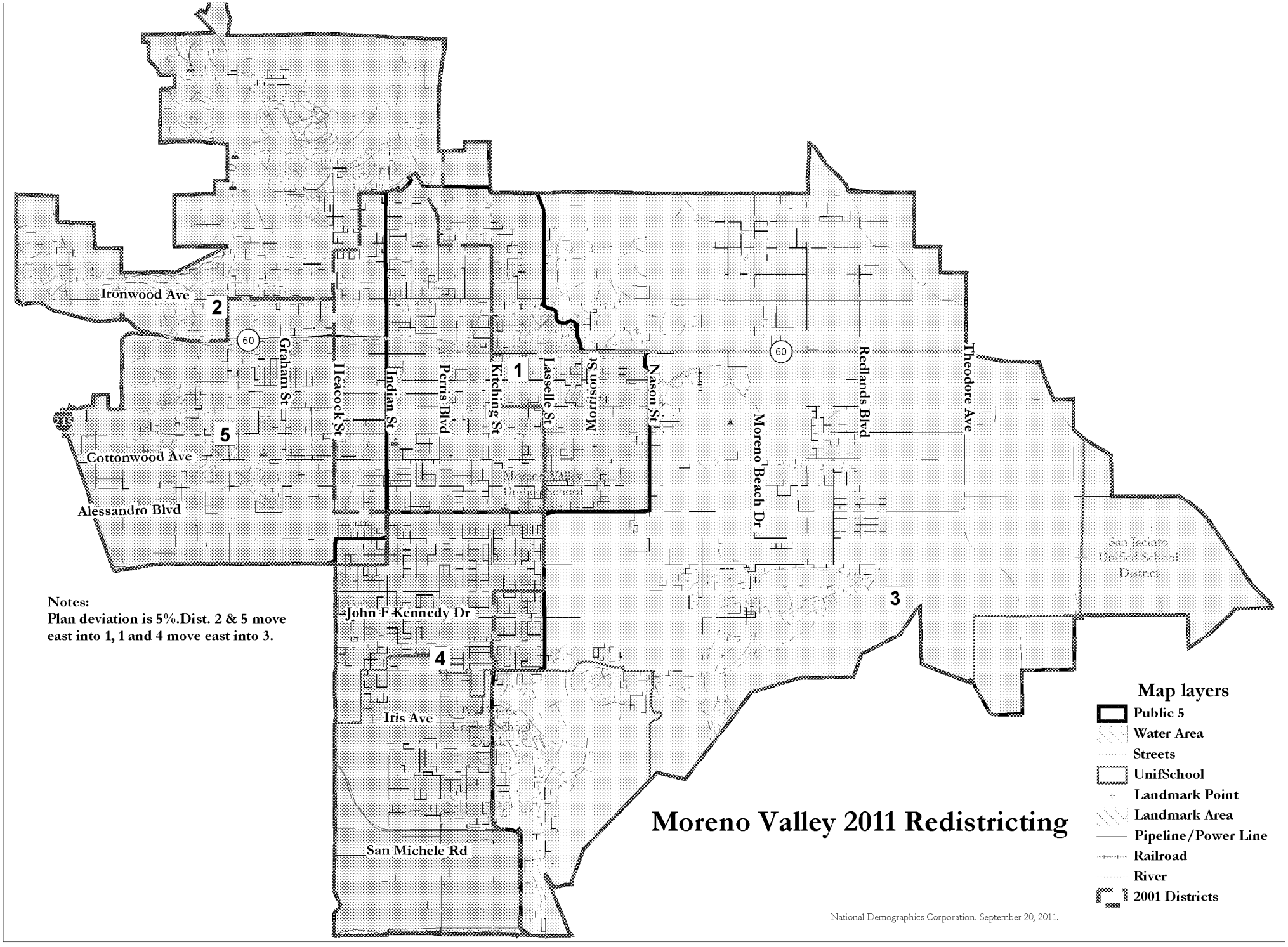
Moreno Valley 2011 Redistricting
Notes:
Plan deviation is 5%.Dist. 2 & 5 move east into 1, 1 and 4 move east into 3.
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District
1
2
3
4
5
60
Map layers
Public 5
Water Area
Streets
UnifSchool
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
National Demographics Corporation. September 20, 2011.

MV00130157

NDC

Public Plan 5
Demographics

Pub. Plan 5	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,368	-305	-0.79%	22,056	6,878	6,089	224	2,430	238	114	339
2	38,178	-495	-1.28%	17,347	10,448	7,200	200	2,373	158	73	379
3	40,050	1,377	3.56%	17,034	9,026	9,097	183	3,934	223	135	418
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,872	4.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,147	13,808	12,339	5,637	4,140	108	1,716	155	65	14,065	5,063	255	189	444	6,709	2,136	99	88	187
2	26,978	11,071	15,907	8,546	4,778	101	1,698	94	38	16,541	4,653	305	245	550	8,374	2,012	123	107	230
3	27,765	10,721	17,044	7,329	5,987	86	2,790	129	83	15,876	4,496	335	323	658	7,969	1,921	148	128	276
4	25,316	14,911	10,405	4,507	3,918	63	1,355	128	46	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	10,165	3,844	4,006	73	1,542	162	44	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	65,860	29,863	22,829	431	9,101	668	276	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 5	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,521	7,384	6,427	4,150	1,008	111	375	68	19,545	7,245	6,574	3,837	1,064	79	399	518	4,175
2	22,818	7,229	9,534	4,304	1,397	206	62	81	22,790	7,072	9,674	4,231	1,203	143	113	673	3,846
3	19,259	5,566	7,139	4,091	2,004	180	42	244	19,840	6,200	7,142	4,139	1,696	157	137	620	3,836
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 5	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.5%	17.9%	15.9%	0.6%	6.3%	0.6%	0.3%	0.9%
2	45.4%	27.4%	18.9%	0.5%	6.2%	0.4%	0.2%	1.0%
3	42.5%	22.5%	22.7%	0.5%	9.8%	0.6%	0.3%	1.0%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.8%	47.2%	21.6%	15.8%	0.4%	6.6%	0.6%	0.2%	36.0%	1.8%	1.3%	3.2%	31.8%	1.5%	1.3%	2.8%
2	41.0%	59.0%	31.7%	17.7%	0.4%	6.3%	0.3%	0.1%	28.1%	1.8%	1.5%	3.3%	24.0%	1.5%	1.3%	2.7%
3	38.6%	61.4%	26.4%	21.6%	0.3%	10.0%	0.5%	0.3%	28.3%	2.1%	2.0%	4.1%	24.1%	1.9%	1.6%	3.5%
4	58.9%	41.1%	17.8%	15.5%	0.2%	5.4%	0.5%	0.2%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	41.2%	15.6%	16.2%	0.3%	6.3%	0.7%	0.2%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	50.3%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 5	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.7%	37.8%	32.9%	21.3%	5.2%	0.6%	1.9%	0.3%	74.8%	37.1%	33.6%	19.6%	5.4%	0.4%	2.0%	2.6%	21.4%
2	84.6%	31.7%	41.8%	18.9%	6.1%	0.9%	0.3%	0.4%	84.5%	31.0%	42.4%	18.6%	5.3%	0.6%	0.5%	3.0%	16.9%
3	69.4%	28.9%	37.1%	21.2%	10.4%	0.9%	0.2%	1.3%	71.5%	31.2%	36.0%	20.9%	8.5%	0.8%	0.7%	3.1%	19.3%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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MV00130160

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

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MV00130162

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: September 27, 2011

TITLE: MEDIA AND COMMUNICATIONS STRATEGY

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed Media and Communications Strategy.

BACKGROUND

At the May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image. An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business*. One of the five action steps included in the plan was to improve the City's marketing and communication efforts. The proposed Media and Communication Strategy addresses the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

DISCUSSION

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly

positive reality that we recognize. Understanding that perception oftentimes equals reality, the proposed Media and Communication Strategy (attached) aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure accurate information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley. As indicated in the attached plan, each action has been assigned to the appropriate department for implementation.

ALTERNATIVES

1) Approve the proposed Media and Communications Strategy. *Staff recommends this alternative as the proposed strategy helps address the Council's expressed goals of enhancing the City's image, expanding communication outreach to the public and improving the City's marketing and communication efforts (one of the adopted action steps to make Moreno Valley a Best Place to do Business.)*

2) Not approve the proposed Media and Communications Strategy. *Staff does not recommend this alternative as the proposed strategy is a task related to the Council-adopted goal to enhance the City's image and is part of the Council-adopted action steps to make Moreno Valley a Best Place to do Business.*

FISCAL IMPACT

Implementing the proposed Media and Communications Strategy will have no fiscal impact as all of the strategies and action items can be executed within the adopted budget.

COUNCIL GOALS

Positive Environment: Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and

executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The proposed Media and Communications Strategy assists in addressing the City Council's goal of enhancing the City's image and implements the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business.* The proposed strategy will help enhance the City's efforts in economic development and in making Moreno Valley a great place to live, visit, work and do business.

ATTACHMENT

Proposed Media and Communications Strategy

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
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Introduction

At their May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image (see Attachment "A"). An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business* (Attachment "B"). One of the five action steps included in the plan was to improve the City's marketing and communication efforts. This Media and Communication Strategy address the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly positive reality that we recognize. Understanding that perception oftentimes equals reality, this Media and Communication Strategy aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure <u>accurate</u> information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley.

Target Audience

Communicating accurate information to better promote Moreno Valley is everybody's job. By providing target audiences with timely and informative news about their community we can help ensure that our many positives outweigh the periodic negative items that occur in every community. It is critical that the City clearly communicates information to the community in a helpful, accessible, consistent, and unintimidating manner to ensure that the citizens, businesses, and visitors to Moreno Valley feel welcome and engaged within in our community.

Primary Target Audience

The primary target audiences for an effective media and communications strategy are the groups of people with whom the City wishes to regularly communicate on a variety of topics and issues:

- Residents of Moreno Valley
- City Council, Commissions, and Committees
- Non-profit organizations
- County, State, and Federal representatives
- Community groups and organizations
- News media
- Development community
- Chambers of Commerce
- Existing businesses, property owners, and managers
- Public agencies
- Employees
- Regional organizations and agencies
- Volunteers
- School Districts
- Visitors to Moreno Valley

Secondary Target Audience

The secondary target audiences are groups with which the City communicates on a semi-regular basis:

- Businesses in neighboring cities and communities
- Other government television stations
- Residents living in neighboring cities and communities
- Future or potential residents

Goals, Strategies and Actions

With the understanding that a Media and Communications Strategy that builds on strong themes is more effective than a program with scattered and unrelated messages, key themes will be communicated frequently in a variety of ways utilizing simple messages. It is important that all communications reinforce and reflect the goals and target issues of the City as established by the City Council, underscoring the idea of an organization with its focus on "people, pride and progress."

Goal 1: Ensure Accurate Information is Disseminated to the Public

Accuracy is the most basic, and also the most critical, element in communicating effectively. The following goals and strategies will assist in ensuring that accurate and timely information is being provided by the City:

Strategy: Ensure continuity of message.

Action:

- **Review and reinforce City administrative policy #2.5, "Public Information & Media Relations"** (Attachment "C"), which establishes procedures and guidelines for the coordination and dissemination of information to the public on behalf of the City. In order to ensure accuracy and continuity of message, all departments will observe this policy, with particular attention to the following (Assigned to: All Departments):

  All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

Strategy: Ensure that the City's Website contains current information and continue to enhance the site to improve user-friendliness

Actions:

- **Perform an audit of the City's website** to ensure that it is user friendly and data rich, and identify areas where processes can be clarified (Assigned to: City Manager's Office and the Community and Economic Development Department)
- **Review the City's main web page daily** for current content and remove any outdated content immediately (Assigned to: City Manager's Office)
- **Reactivate the City's Media Liaison Team**
  - Update the current Media Liaison list to include one representative from each Department that is responsible to maintain the information on their department web pages (Assigned to: City Manager's Office)
  - Team will participate in regular meetings (Assigned to: All Departments)
  - Team will work together to improve the utilization of social media sources (Assigned to: All Departments)
  - Solicit article ideas for submission to various business journals, government magazines, and other news media to promote City programs and events (Assigned to: All Departments)
  - Review the City's *Brand & Style Guide* with all departments to ensure continued and consistent usage (Assigned to: All Departments)
  - Team will review information posted by the webmaster for accuracy (Assigned to: All Departments)

Goal 2: Maximize media and communication resources to 1) better promote the City's many positive events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business

Strategy: Develop a retooled marketing plan (Assigned to: Community and Economic Development Department)

Actions:

- **Encourage cooperative marketing opportunities** with targeted area developers to attract tenants through outreach to media outlets and the community
- **Promote the vision that Moreno Valley is a Medical Community** as outlined in the Economic Development Action Plan adopted by City Council in April 2011 through creating media content for the City's website, developing public service announcements, and working with media outlets to distribute storylines detailing this development
- **Brand the City as a Best Place to do Business and as a Job Center**
- **Identify new publications and aggressively pursue publication** of City stories to print media in addition to the Press-Enterprise and working with editors to ensure they are published, including business journals (Assigned to: City Manager's Office and Community and Economic Development Department)
- Work with the Moreno Valley Chamber of Commerce to **videotape the featured speaker at the monthly Wake Up Moreno Valley** meetings for airing on MVTV-3 to promote local programs and businesses (Assigned to: City Manager's Office)
- **Develop a City media packet** with information on City staff and community data (Assigned to: City Manager's Office)
- **Billboard signage campaign** to fill unused billboard space to promote City information for free or at reduced costs. (Assigned to: Community and Economic Development Department)
- Work with the Moreno Valley Police Department to **establish a press release policy** identifying which events and actions warrant media notification. (Assigned to: City Manager's Office)
- MVTV-3 **video productions promoting local restaurants**, similar to current Spotlight on Business productions (Assigned to: City Manager's Office)

Strategy: Develop smartphone applications to improve communication and connectivity (Assigned to: Financial and Administrative Services Department)

Actions:

- **Establish a City committee** to develop the use of Smartphone applications
    - Assign at least one committee member from each department
    - Invite the Chambers of Commerce to participate
    - Survey City staff, community members, and other cities to identify desired smartphone applications specific to Moreno Valley such as:
        - Promoting City events
        - Connecting to City services such as reporting stray animals, graffiti, potholes, etc.
        - Crime tip reporting and online crime maps
        - Places to dine and stay

- **Explore cost sharing opportunities** for the development and maintenance of applications that include:
    - Public Safety related items, seek grants for federal funding opportunities (Assigned to: City Manager's Office, Police and Fire)
    - Chamber of Commerce related items in order to create a "Things to do" and "Place to dine" section for the application (Assigned to: Community and Economic Development Department and City Manager's Office)

Strategy: Create and maintain a Community Calendar

Actions:
- Work with the Chambers of Commerce to **establish a joint community calendar of events** (Assigned to: Community and Economic Development Department and City Manager's Office).
- **Develop an online form** for businesses, non-profit organizations, homeowners associations, schools, etc. to easily submit information on community events that they are sponsoring (Assigned to: City Manager's Office)
- **Promote the Community Calendar events** by distributing the calendar via the City's e-mail database and ensure that the City's Twitter account sends out information in a timely manner regarding these events (Assigned to: City Manager's Office)

Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services

The City will be proactive in communicating with the community rather than reactive. By taking a positive approach in the planning and execution of communicating with the community, the City will build a stronger rapport with our residents, business owners, and stakeholders. While the City currently offers a variety of ways for its citizens to provide input and learn about City services, it is imperative that the City continues to encourage residents and businesses to communicate both positive and negative issues with their Council representative and with City staff. It is also important to demonstrate the value of City services so that our residents understand and support local government.

Strategy: Enhance direct communications by the City Council and City Staff with the community (Assigned to: City Manager's Office)

Actions
- **Establish Council Connection Town Hall meetings** within each City Council District promoting two-way communication with residents (Assigned to: City Manager's Office and City Council Office)
    - Include meet and greet with Department Heads, remarks by the Council Member and City Manager, a presentation focusing on one topic (public safety, economic development, etc.), and a question & answer session.
    - Post all questions and answers from each Town Hall meeting on the City's web site within on week.

- **Establish City and Business Connection Luncheons** in each Council District as an opportunity for business leaders to communicate with their Council Member (Assigned to: Community and Economic Development Department)
- **Develop and build an e-mail database** to distribute e-mail "blasts" to residents and businesses containing City news and events (Assigned to: City Manager's Office)
- Investigate the **use of podcasting** City Council and Planning Commission meetings (Assigned to: City Manager's Office)
- Convert "City Link" from a quarterly publication distributed as part of "Soaring" to a **monthly e-newsletter** (Assigned to: City Manager's Office)
- **Include performance indicators** in City publications to celebrate accomplishments and educate residents about the benefits of City programs and services.

Strategy: Improve the City's use of social networking

Actions
- **Increase the use of Facebook** by City Departments (Assigned to: City Manager's Office)
- **Increase the number of City followers on Twitter** by providing "how to" training to staff to enhance City Departments' use (Assigned to: All City Departments)
- Increase the community's awareness and viewership of City Programming that is available on **YouTube** (Assigned to: City Manager's Office)

Media and Communications Toolbox

The City uses a variety of interactive communication tools and techniques wherever and whenever possible to involve target audiences in the communications process. This aids in building the idea that this is not just the residents' City or the businesses' City but this is everyone's City. Below is a list of the tools to be used by City staff to communicate effectively with both our primary and secondary target audiences.

- Advertisements
- Booths at major events
- Brochures
- Citizen surveys
- City Council meetings
- *City Link* e-newsletter
- City website
- Comprehensive Annual Fiscal Report
- Fact Sheet
- Facebook
- Internet
- Media packet
- MVTV-3
- New conferences
- Open house events
- Parks and Recreation *Soaring* guide
- Press releases
- Public service announcements
- Publish articles in magazines and business journals
- Radio talk programs
- Town Hall meetings
- State of the City
- Council business luncheons
- Twitter
- Utility Bill Insert
- You Tube

Assessment

City Staff will periodically review and assess progress made in achieving the goals described in this Media and Communication Plan by measuring its success utilizing a variety of tools, including:

- Content of media coverage
- City Council surveys
- Communication and service awards
- Survey e-mail subscribers from the City's website
- News release totals
- Web visitors and Web analyses

Summary

The intent of this plan is to foster proactive communications with the Moreno Valley community and neighboring communities reflecting the many positive aspects of our City; to connect the public with the government by reaching out and establishing two-way communications through a variety of resources; to promote Moreno Valley as a *Best Place to do Business*; and to better control our message by ensuring that accurate information about Moreno Valley is distributed to the public. Every resident, business owner, and employee within the City "owns" a piece of Moreno Valley and it is the job of each of these stakeholders to promote our community as the place to be. This plan is a dynamic strategy that will serve as a road map to assist in this endeavor.

Attachment "A"

Prioritized Goal #5: Enhance City Image
Actions
1. Develop Media & Communications Strategy: a. Increase use of Social Networks b. E-mail Blasts c. Expand Communication Outreach/ Networking d. District Town Hall Meetings
2. Corridor Beautification Program

Further defined tasks, responsible department, and schedule:

TASK	DEPARTMENT	SCHEDULE
Develop database of e-mail addresses to distribute immediate information to residents, businesses, and other agencies	**CMgr**	**June 2011**
Transition "City Link" newsletter to an on-line e-newsletter posted on the web site and automatically e-mailed to subscribed residents and businesses	**CMgr**	**July 2011**
Expand options for distributing City information to magazines and news outlets, promote the community and events via alternative publications and through attendance at various meetings	**CMgr**	**September 2011**
Explore and discuss District Town Hall meetings with the Council, establish a schedule for quarterly or semi-annual events	**CMgr**	**June 2011**
Review options for a Citywide Corridor Beautification Program for Council consideration	**PW**	**August 2011**

"Attachment B"

Recommendations for Action Steps

to Make Moreno Valley a "Best Place to do Business"

Development Services

- Implement the use of "E-permitting" to accelerate the process of doing business in Moreno Valley

- Expand and strengthen business and development ombudsperson program to include new or expanding small businesses.

- Host quarterly workshops with contractors and developers aimed at improving development processes in Moreno Valley.

- Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business.

- Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

Business Attraction

- Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

- Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Business Retention and Expansion

- Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

- Pursue ways to increase local vendor preference, including expanding existing procurement policy.

- Implement a new meeting program with local businesses to discuss business opportunities. The Program would be held once a year in each Council District and include the opportunity to talk to the Councilmember, City Manager, and Community & Economic Development Director. The Program will compliment the existing Business Roundtable.

- Enhance the Business Resource Guide.

Marketing and Communication

- Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

- Develop a re-tooled marketing plan to incorporate the following:
    - Cooperative marketing opportunities with targeted area developers to attract tenants
    - Identifying the City as a medical community
    - Brand the City as a job center

- Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

- Increase use of social media.

- Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

- Explore use of Smartphone apps for improved communication and connectivity.

- Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

Community Vitality

The best places to do business also reflect characteristics of the best places to live. These places tend to exude a "sense of place" reflected in aspects of quality of life including activity, arts and culture, and beauty in the environment.

- Explore additional community events- things to do.

- Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

- Enhance neighborhood groups by implementing community update meetings.

PUBLIC INFORMATION & MEDIA RELATIONS

PURPOSE: To provide procedures and guidelines for coordinating and disseminating information to the public on behalf of the City of Moreno Valley. The policy will be modified and expanded as necessary.

STATEMENT: The City of Moreno Valley shall provide timely and accurate information to keep the Council, staff and community apprised of pertinent City issues, services and events. The City shall utilize appropriate and effective means to communicate its messages to both general and target audiences. This policy contains guidelines that will achieve the City's communications objectives and facilitate a successful working relationship with the local and regional media.

POLICY GOALS:

- Fully utilize the news and special interest media, MVTV-3, City publications and the City Web site as an effective means of communicating with citizens and target groups (including business sector, community leaders, homeowner groups, City employees).
- Facilitate the timely flow of public information to appropriate media through an effective internal process that maximizes message consistency, factual accuracy and proper positioning.
- Educate the community about how government works and encourage citizen participation in the policy-making process.

POLICY:

I. **General Public Communications:**

A. Letters and opinion surveys designed for mass distribution shall be reviewed by and coordinated with the City Manager's Office for content and format analysis and for placement strategies.

B. All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

II. **Federal Regulations for Newsletters and Mass Mailings:**

A. FPPC Compliance: All newsletters and mass-distributed documents prepared at "taxpayers' expense" that are to be mailed or delivered to 200 or more residences or businesses in a single calendar month must comply with guidelines established by the Fair Political Practices Commission with respect to how elected officials are identified in these materials. (A complete copy of these regulations is printed in the California Code of Regulations, Title 2. Administration, S18901, et seq., and on file in the City Attorney's Office.) Following are the major guidelines and restrictions:

1. A newsletter may include an article which references the name of a City Council member only if the Council has no control or review authority over the content of that newsletter. (This "independence" test is not violated if the Council merely approves a budget item to fund the newsletter, hires the staff to produce it, and dictates the frequency that the newsletter will be distributed.) If City staff determines that the independence test has been met, then they may include references regarding the activities of Council members as long as their names are not "featured."

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a. "Featured" is defined as "...singles out the elected officer by the manner of display of his/her name or office in the layout of the document, such as by headlines, captions, type size, typeface, or type color." Therefore, except for the roster listing of all of the Council members or use of letterhead, the name of an elected officer may not be set apart from the text, such as indicating that the author of the article was an elected official by putting their name in the caption to the article.

b. The name or office of a Council member may not be in the headlines of the article, because the type size and typeface of that heading is different from the type size and typeface of the text of the article.

c. The definition of "featured" also provides that the item distributed may not include the Council member's photograph or his/her signature.

2. The City or a Council member may send out informational notices on City stationery which meet the 200-per-month threshold as long as such notices do not reference the name of that elected official in the heading, text or by use of his/her signature. It may, however, be permissible to include the name of that elected official in the text of that notice printed on the City stationery as long as it was not prepared or sent in cooperation, consultation, coordination or in concert with that elected officer and it does not "feature" his/her name.

3. FPPC regulations allow Council members to send a letter which "features" their name by the manner of its display or by use of their photo or signature if it is a press release or editorial sent to members of the media. Therefore, there is no limitation on the content or format of any document sent only to members of the media. In addition, the number of copies of a mailing which is sent to the media is excluded from the 200-per-month threshold level.

4. The FPPC has opined that the intent of the guidelines governing printed material also applies to video productions prepared at taxpayer expense; a Council member may not be featured in such video production in any way that may be construed as promotion of the Council member. The role of an elected official in a tax-supported video production must be limited to educating and informing the public, to retain FPPC compliance.

III. **Media Response Philosophy**:

A. Timely and Accurate Responses: The City encourages accurate press coverage of programs, events and decisions which could be of interest and impact a significant segment of the community. In this regard, the City and the media have a mutual responsibility to provide accurate, objective information of City affairs to City residents. Inquiries from the news media are to be given a high priority and be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate and messages properly developed.

IV. **Press Releases**:

Press releases are any official written or verbal announcements initiated by City Hall to the media regarding official City business.

A. Responsibility. All media releases relative to major citywide policies and actions shall be prepared and distributed by the City Manager's Office. Other departments that may prepare their own releases include:

1. Parks & Community Services Department, promoting special recreational and cultural activities.

2. Police and Fire departments, providing fast-breaking news updates regarding major police and fire activity.

B. Assistance. Upon request, the City Manager's Office will provide assistance with media releases prepared by those above. Other departments requiring press releases or technical assistance in preparing press releases should provide the CMO with written information pertaining to the topic as well as any special distribution list.

C. Release Preparation & Format. Press releases shall be prepared according to the City's established format. Releases are kept on file in the City Manager's Office. A copy of all media releases distributed by any unit outside of the City Manager's Office should be forwarded to the City Manager's Office, which in turn will maintain a master file of press releases.

V. **Release of Information Pertaining to Significant Issues & Events**:

A. Definition of Issues. It is the responsibility of department directors to notify the City Manager of significant events or issues which occur within their departments which may be of major interest to the general public or media. Such issues include, but are not limited to:

1. An event/issue in an operating department or program that is controversial.

2. Injury or death of a City employee while on or off official duty.

3. Major malfunctions of a City facility which could impact the general welfare of the public or environment.

4. An unexpected work stoppage or inability to provide a critical City service.

5. The arrest or conviction of a City employee which may impact that individual's ability in successfully carrying out his/her professional responsibility.

6. Major police or fire activities. *(Note: This is handled through the City's Emergency Notification Policy.)*

B. Reporting Procedure. Once receiving the information, the City Manager will determine if it is necessary to contact the City Council, other department directors and the City's Public Information Officer. If public release of information is deemed appropriate, the City Manager, in consultation with the department director and the Public Information Officer, will determine the most appropriate mechanism in notifying the press.

C. Back-up Procedure. If the City Manager is unavailable, the department director should contact the Assistant City Manager, then the Public Information Officer directly for dissemination of information. On those occasions when neither of these individuals or an acting City Manager is available, the department director should use his/her own judgment in releasing information to the press on fast-breaking news stories.

PUBLIC INFORMATION & MEDIA RELATIONS

VI. **Who Responds to Media Inquiries**:

A. Spokesperson. The City Manager will respond directly or designate a media spokesperson to respond to an issue of major public significance to ensure that the information is disseminated quickly and accurately to all interested media sources. When such a designation is made, the City Manager will notify the appropriate department director(s) and the Public Information Officer to forward all inquiries regarding the particular issue to the appointed spokesperson.

B. Media Contacts to Staff. Non-management employees shall refer media inquiries to their department heads. A department director may delegate an employee to respond to an inquiry because of her/his involvement with an event or issue. In such cases, the staff member should work with the department director and Public Information Officer before the interview to develop appropriate responses to anticipated questions.

C. City Council. Whenever possible, Council members are encouraged to notify the City Manager or Public Information Officer when they are approached by the media. Especially when having to respond to controversial issues, Council members are encouraged to review the issue with the City Manager and Public Information Officer to formulate their response.

D. Public Safety. The Disaster Director (City Manager or Assistant City Manager) will work with the Public Information Officer to develop media responses in the event of major emergencies and disasters. A more detailed description of emergency public information procedures are contained in the City's Standard Operating Procedures (SOP).

E. Police & Fire Issues. Whenever there is a fast-breaking story involving a major police/fire activity, the first media contact is the Police or Fire Chief or his/her designee, followed by the City Manager, public safety liaison and the Public Information Officer,.

Throughout the entire chain of responsibility, it is essential that each individual involved in providing information to the media is kept abreast and briefed on the status of the event as it occurs. The chain of command can be modified to expedite release of crucial information.

VII. **What to Do When Contacted by the Press**:

All media inquiries received by staff should be responded to as quickly as possible, keeping in mind the frequent deadlines that are often imposed upon the working media. Clerical staff should be instructed to give priority to media calls by alerting their respective department head of media inquiries.

A. Determine Nature & Focus of Story. It is important to determine the focus of the story as well as the specific information desired by the reporter. What may seem to be an "innocent" information request, oftentimes can turn out to be a front-page story, distorting the data supplied by the City. That's why it is always important to determine the reporter's focus and slant.

B. Notification Procedure. Any staff member (management or non-management) who responds to a media inquiry, provides an interview, appears on a radio or television program, etc., shall notify his/her immediate supervisor, the department director, the City Manager and the Public Information Officer either by phone or written memo.

Regarding controversial matters, the City Manager and/or Public Information Officer must be consulted before conducting the interview. This gives the spokesperson the opportunity to review anticipated questions and to formulate and properly position appropriate responses.

Departments which have on-going daily contact with the media are not required to follow the notification procedure for every media contact, only those which involve significant issues of concern.

VIII. **Media Etiquette**:

There are some very important "do's" and "don'ts" that should be observed in strengthening the relations between City Hall and the local media.

A. Responding to Council Actions. Staff should not publicly make judgmental comments regarding individual Council members, Council actions, City administration or official City policy when responding to media inquiries. Staff should also refrain from anticipating an action or position which has not been formally taken by the City Council or City. Any inquiry regarding "why" an individual Council member voted in a particular manner on a specific issue should be forwarded to the Council member in question.

B. Scope of Response. Staff members should not respond to media inquiries which are not directly related to carrying out the employee's professional responsibilities. If such a media inquiry is made, the staff members should assist the media in receiving the needed information by referring the source to the appropriate program manager or the Public Information Officer..

C. Inaccurate Information. The media should not be intentionally misled or provided inaccurate information by a staff member regarding any City policy or event. Such tactics can lead to "city bashing," media skepticism and unwanted investigations.

IX. **Public vs. Confidential Issues**:

Most City records and official City meetings are open to the public and media. The media are no more or less privileged than the general public in being provided access to City Council meetings and City records. While City operations need not be disrupted or extraordinary accommodations made to provide access to public records, it should be emphasized that adequate information provided to the media or the public is beneficial both to citizens and the City in carrying out its public information efforts.

A. Attendance at Meetings. The media and public are encouraged to attend and report on actions taken at Council meetings, study sessions, as well as regularly scheduled committee and commission meetings.

B. Closed Sessions. Public and media attendance is not allowed at closed Council sessions dealing with litigation, security, negotiations or personnel-related matters.

C. Public Records. The media and the general public shall be provided access to all records or proceedings which have been deemed to be of a public nature including:

1. Written and taped proceedings of City Council meetings, committee and commission meetings, special ad hoc committee meetings and public hearings.

2. Official City contracts and resolutions.

3. Public Safety summary, including the following information:

   a. crime reports
   b. booking information
   c. traffic collision reports
   d. fire reports (accidents causing death, injury, severe damage)
   e. fire inspection records for public assembly facilities

4. Salary grades of City employees, upon request.

5. FPPC/conflict of interest disclosure statements filed by the Council, commissioners and affected City staff.

6. Interoffice correspondence that is not in draft form and does not address a personnel or confidential legal matter.

D. Closed Records. City records that constitute an unwarranted invasion of individual privacy or involve confidential legal matters of City litigation are usually exempt from public disclosure. Such records include:

1. Personnel or medical records of City employees, including performance evaluations, background checks, disciplinary action, and such similar records.

2. Actual proceedings of closed Council sessions. (The media can be told whether the Council will be discussing a litigation or personnel issue.)

3. Preliminary labor negotiations leading up to labor contracts. Once executed, all employment contracts--both individual and union--become public records.

4. Certain police/fire records, including juvenile records, prior criminal records or information regarding the character or reputation of an accused individual in a criminal action; and certain fire investigation records.

5. Draft correspondence, including preliminary notes not yet finalized.

6. Records pertaining to pending City litigation in which the City is a party.

7. Confidential memos between the City Attorney and City officials/staff.

NOTE: In situations where there is a discrepancy or uncertainty on the part of a City employee regarding release of an official record to the media, the City Attorney should be contacted to make the final determination. Specific categories of records may be exempted by the Public Records Act.

E. Litigation Issues. Staff members shall not respond to media inquiries regarding an issue involving City litigation or render personal or legal opinions on City policies or activities. If an employee is in doubt, the City Attorney should be contacted for clarification before responding to a media inquiry.

X. **Correcting Misinformation**:

The City has an obligation to clarify or correct any information released by the media which contains inaccuracies or quotes taken out of context relating to a City issue.

A. Factual Discrepancies. The Public Information Officer shall contact the media when a story has been published or aired containing factual error which significantly impacts the public's perception of the issue being addressed. Managers are encouraged to notify the Public Information Officer immediately when they believe incorrect information is being communicated by the press regarding a City issue or program.

B. Editorial Discrepancies. Managers should contact the Public Information Officer when there is evidence that a specific editorial comment or news story has been published or aired which does not appropriately represent a balanced perspective of the issue being discussed. The City Manager, in consultation with the Public Information Officer, will determine when an official City rebuttal or response is appropriate.

C. Letters to the Editor. Department directors who believe an official City rebuttal is warranted regarding a news story should discuss the issue with the City Manager's Office. They will determine if a response is appropriate, as well as who should prepare and sign the letter. The City Manager must authorize and review all letters sent to editors on official City letterhead and/or by an employee who is acting in an official capacity commenting on City issues or programs.

D. Responding as Private Citizens. City employees who choose to contact, initiate or respond to City-related news stories as private citizens shall not prepare such responses on City time, by City phones, on City stationery, or mail at City expense. Responses or letters shall not state or imply that the response is on behalf of the City. Use of City facilities or supplies is prohibited. These guidelines also apply to employees responding to or initiating press contacts as official representatives of City-sanctioned employee groups.

XI. **Public Meeting Notification**:

Public notices are any printed official announcement which notifies the community of a scheduled public meeting or hearing. The announcement can take the form of a flyer, legal notice or form letter for mass distribution. A copy of all printed notices should be submitted to the City Manager's Office.

A. Public Meetings. Departments will be responsible for developing and disseminating notices announcing public meetings and hearings. Most affected are the City Clerk's Office, the Community Development Department, the Economic Development Department, the Redevelopment Agency, and the Public Works Department. The City Manager's Office will lend editorial graphics assistance in developing the notices.

B. Agenda Notification. City Council agendas shall be made available to the public prior to Council meetings at the City Clerk's Office, at public facilities designated by the Clerk and the City's Web site. Copies shall be made available to the news media at the City Clerk's Office.

XII. **Advertising**:

A. Display Advertising. The City Manager's Office coordinates development and placement of media advertising to promote City programs, services, events and issues. All requests for advertising must be

submitted to the City Manager's Office, which will coordinate copy development, graphic design and media placement with the requesting department. This policy does not apply to employment and legal advertising, which will be coordinated by the appropriate departments (i.e., Human Resources and City Clerk, respectively).

B. Public Service Announcement. The City Manager's Office is the central coordinator for developing and placing public service announcements with the broadcast media (radio, TV and cable). PSA spots are announced free by the media as a community service. Two-to-three-week lead times are desired by most stations. All requests for PSAs must be submitted to the City Manager's Office, which will coordinate copy development and placement with the requesting department.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

RECOMMENDED ACTION

Staff recommends that the City Council review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

BACKGROUND

The City of Moreno Valley is intent on moving quickly to improve the economic condition, development services, and quality of life within the community through a variety of methods.

Several actions have taken place to set this effort in motion:

1. March 22, 2011 - the City Council reviewed and provided input for an Economic Development Plan- Areas of Opportunity brought forth by the Community & Economic Development Department.

2. April 26, 2011 - the City Council adopted a 2-year Economic Development Action Plan targeting five key areas within the twelve Areas of Opportunity that have the potential for yielding the best and quickest near-term economic development benefits. These areas include TownGate, Centerpointe Business Park, South Moreno Valley Industrial Area, East Moreno Valley-Rancho Belago, and City Center. Included in the adoption of the 2-year Action Plan was the strategic decision of the re-sequencing of several Capital Improvement Program projects aimed at bolstering the economic development within the five focus areas.

Collectively, the objectives for the Economic Development Action Plan are 1) creating jobs and addressing the high unemployment rate; 2) addressing the jobs to housing imbalance; 3) strengthening and broadening the local economic base; and 4) enhancing City revenue generation.

3. June 14, 2011 - the City Council adopted the Prioritized Goals and Action Plan that was developed through the City Council Goal Setting workshop held on May 18, 2011. The adopted goals include: 1) Job Development; 2) Focus on further development of the Medical corridor and Health Services/ Educational Opportunities; 3) Maximize Transportation and Infrastructure Opportunities; 4) Economic and Tax Base Development; and 5) Enhance the City's Image.

4. July 12, 2011 - the City Council approved the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

DISCUSSION

To keep City Council and the general public properly informed, the attached documents provide an update of progress towards achievement of the objectives in the initiatives set forth among the five key Areas of Opportunity in the Economic Development Action Plan, along with implementation of the action steps aimed at making Moreno Valley a Best Place to do Business. Significant planning and substantial progress as been achieved in all five geographic areas contained in the Economic Development Action plan including:

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- East Moreno Valley- Rancho Belago
- City Center

To be as effective as possible, City staff from Economic Development has worked both internally with other departments as well as externally with the private sector and other public agencies to fully capitalize on near-term opportunities. As just one example of interdepartmental synergy, and in tandem with this Economic Development Action Plan Update, the City Manager's Office has developed and is proposing a Media and Communications Strategy containing elements that will serve to support and/ or expand the aspects of the approved action items listed in the Action Steps for Making Moreno Valley a Best Place to do Business. Staff, along with support from the Economic Development Subcommittee also continues to work hard at enhancing the development services process in Moreno Valley. A developer's workshop was held this past Spring and another will occur on October 6. The workshops are aimed at gathering feedback from developers (residential, office, industrial, and office) about ways to improve service delivery.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and polices to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Moreno Valley has a strategic location in the Inland Region and is clearly in the path of growth. City staff have taken several significant steps to enhance its economic base by pursuing ways for new commercial retail, office and industrial development. The five specified areas of opportunity focused within the proposed Economic Development Action Plan were selected because of location and potential for realizing success in the near-term development marketplace. Additionally, the Action Steps identified in the strategy to make Moreno Valley a Best Place to do Business are being implemented to further enhance the business and development environment in Moreno Valley. In a short period of time, Moreno Valley has made positive strides towards achieving the goals set forth in the approved and adopted plans. We will continue to pursue ways to make Moreno Valley a great place to live, visit, work in, and do business.

ATTACHMENTS/EXHIBITS

Attachment A- Economic Development Action Plan Update
Attachment B- Best Place to do Business Progress Update
Attachment C- PowerPoint – Economic Development Action Plan Update

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurs With:
Henry Garcia
City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130188

Attachment A

Economic Development Action Plan Update

The focus of the Economic Development Plan- Areas of Opportunity was to create a well-rounded community with a strong economic foundation. The Areas of Opportunity contain twelve distinct areas. To capitalize on near-term opportunities, the City Council adopted the Economic Development Action Plan which focuses on several key initiatives within five of the Areas of Opportunity to be pursued within a short- term, or 2 year timeframe.

The following reiterates the plan focus and current progress achieved by Areas of Opportunity.

TownGate

Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area, including pursuing new users for vacant big-box retail space in TownGate Center and the Moreno Valley Mall.

Significant progress has been made in TownGate. The collaborative work between City staff and Developers to attract quality retailers and restaurants has been successful.

- The following three restaurant openings have occurred: Five Guys Burgers & Fries, Panera Bread, and Village Café. Additionally, the Miru Teriyaki and Sushi restaurant opened as a relocation and repositioning of the San Sai restaurant. Anna's Linens completed their relocation to TownGate Crossings and is now open with an updated retail concept. Work is underway for other activity including a new TJ Maxx and HomeGoods combo store for TownGate Center to be located in the 51,000 square foot building that was previously occupied by Ralph's grocery store. Promising negotiations continue with several other retailers to occupy the other two vacant anchorspaces.

- To assist the effort to attract users for vacant retail space and create new energy in TownGate Center & Plaza, the Fritz Duda Company will be constructing a new 80 foot freeway sign to replace the existing 35 foot high freeway sign. This will enhance visibility and provide additional space to promote more tenants.

- In TownGate Promenade, the restaurant building that was 65% constructed to originally be Carino's Italian Grill is now poised for construction completion. The project lender, Farmers & Merchants Bank, is working with a proven restaurant group to locate and open a new restaurant concept here.

- At the Moreno Valley Mall, the new owner - CW Capital is working on plans to upgrade, expand and reposition the 1.25 million square foot regional mall property. Architect firm Altoon + Porter has been retained and has already created conceptual plans for new restaurant and retail store opportunities. While the planning is preliminary, it demonstrates the commitment by CW Capital to the overall improvements of the Moreno Valley Mall and resolve to make it a thriving commercial center. CW Capital has already invested more than $250,000 in signage and interior improvements. Negotiations are underway with several desirable users.

Centerpointe Business Park

Advance the development on several projects in the Centerpointe Business Park area.

- Harbor Freight Tools is nearing completion of improvements for a new 779,016 square foot Distribution Center that is scheduled to open in November 2011 and will employ 350 workers. Additionally, staff has worked with Harbor Freight Tools to open a new Harbor Freight Tools retail store this November in Moreno Valley Plaza.

- Overton Moore Properties recently re-started the plan check process (building and grading) for a new 519,760 square foot industrial building to be situated on 25.9 acres at the northwest corner of Cactus Avenue and Frederick.

- Ridge Property Trust is moving forward in the planning process for a 353,869 square foot distribution building on 16.55 acres at the northwest corner of Cactus Avenue and Joy Street.

South Moreno Valley Industrial Specific Plan Area

Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area.

- Construction is underway for the First Inland Logistics Center, a 691,960 square foot industrial building located on 40 acres in the area between Nandina Avenue and San Michele Road just west of Perris Boulevard. Building permits were issued in late July and the concrete slabs were poured in August. Walls are going up now. Developer – First Industrial Realty Trust has negotiations ongoing with several prospective tenants.

- IDS Real Estate group is moving quickly on the development of the Nandina Distribution Center located at the northwest corner of Nandina

Avenue and Indian Street. The project includes a total of 1.18 million square feet, with Building B- 769,320 square fee under construction, and Building A- 413,598 square feet, is currently in plan check for construction drawings and grading plans.

- Being open 1 year, iHerb is already expanding to occupy the entire 360,440 square foot building located on the west side of Indian Street, north of the Perris Valley Storm Drain. This expansion includes increasing the number of employees by 75.

- Harman Kardon has leased the remaining 125,000 square feet available in their 400,000 square foot building and is now expanding its Distribution Center in Moreno Valley.

- Four industrial-distribution buildings with a total of 3.6 million square feet are in plan check and moving towards beginning construction this year.

Eastern Moreno Valley-Rancho Belago Area

Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in eastern Moreno Valley, in conjunction with the expiration of the Moreno Highlands Specific Plan and supporting Development Agreement.

- Development Services Staff continues to work with Highland Fairview and Skechers USA to open the new 1.82 million square foot Distribution Center at the Highland Fairview Corporate Park. A Temporary Certificate of Occupancy currently is in place and the facility is expected to be fully operational by October 2011.

- Ridge Property Trust has gained approval of West Ridge Commerce Center- a 937,000 square foot warehouse/ industrial building on 55 acres on the south side of SR 60, west of Redlands Boulevard.

- Prologis has re-started the planning and EIR processing of its five-building 2,268,000 square feet industrial business park proposed for the south side of the SR 60 just east of the Moreno Valley Auto Mall.

- Staff is working closely with Highland Fairview on formulating an effective methodology for the further development of the Highland Fairview Corporate Park, including the processing of a new master plan to replace the Moreno Highlands Specific Plan, which expires in September 2012. Highland Fairview has assembled a team of respected consultants that has already met with City staff to kick-off the plan development for this new project.

City Center

Re-sequence and fast-track three Capital Improvement Projects in the City Center area—1) SR60 south ramps and extension of Eucalyptus to connect with Moreno Beach, 2) installation of ultimate improvements on Cactus Avenue, between Lasselle and Nason and 3) the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue, along with pursuing the idea of repositioning part of the Aqua Bella area to expand the City's established medical office overlay zone.

- Construction is on schedule for new ramps at SR 60/ Nason Street. The bid process will occur in spring 2012 for the new SR 60/ Nason Street bridge.

- The improvement project for installation of the new SR 60/ Moreno Beach southerly ramps, along with the extension of Eucalyptus Avenue to connect with Moreno Beach Drive has secured environmental clearance from CalTrans and is in the process of acquiring right of way and utility rights. Concurrently, project design is underway. The project is scheduled to advertise for construction bids in August 2012.

- The installation of the ultimate improvements on Cactus Avenue between Lasselle Street and Nason Street and the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue will be built as one project. Plans, specifications and estimates are underway and anticipated to be complete this fall enabling the opening of construction bids. Completion of construction is anticipated for December 2012.

- The City's medical overlay zone is being pursued by forming a partnership with Highland Fairview on the development of a new major medical, health and wellness campus on approximately 200 acres of the Aqua Bella property. The project, along with expansion plans for Kaiser Permanente's Community Hospital, Riverside County Regional Medical Center and Moreno Valley College's Allied Health Services Program will help transform and position Moreno Valley into a leading health and wellness community.

- Kaiser Permanente is advancing expansion plans for Moreno Valley. The Planning Commission approved a 74,000 square foot new medical building to be constructed on the west side of Moreno Valley Community Hospital- Kaiser Foundation on Iris Avenue. Construction drawings and grading plans are in plan check and Kaiser expects to start development of the project in October.

- The newly erected digital Moreno Valley Auto Mall freeway sign along SR 60 is up and looks great. The Moreno Valley Auto Mall is now expanding

as Moss Bros. Auto Group brings Volkswagen of America Inc. to the Auto Mall in October 2011.

- While struggling with challenges from the short-term construction activity at SR 60/ Nason, the ownership of Stoneridge Towne Centre- Weingarten Realty and Trilogy Investment Group are excited about the completion of the many improvements at SR 60 at Nason and Moreno Beach, along with roadway enhancements on Nason and Cactus that will facilitate easier access to the shopping center.

- Merlone Geier has secured interest from several prospective tenants for the vacant retail space at Moreno Beach Plaza II (SW corner of SR 60 and Moreno Beach Drive). With the coming improvements including the new SR 60/ Moreno Beach ramps and connection of Eucalyptus to Moreno Beach, the finalization of leases are underway.

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MV00130194

Attachment B

Best Place to do Business Progress Update

As part of the effort to improve the City's economic development effectiveness, a study of more than thirty communities was conducted to identify key attributes of successful cities. The items listed in the Best Place to do Business Action Steps approved by City Council in July 2011 were derived as a result of the study. After roughly 60 days post-approval of the Best Place to do Business Action Steps, City staff has made the following progress as outlined by Action Step.

Development Services

1. Implement the use of "E-Permitting" to accelerate the process of doing business in Moreno Valley.

Community & Economic Development Department staff and the Technology Services Division of the Financial and Administrative Services Department staff have begun discussions about identifying a scope of work, funding sources and timeframes. Technology Services is currently underway with the conversion of City electronic processes to the New World System and will be largely dedicated to the implementation of that project for the next 18 months. Staff will continue discussions and working towards completion of preliminary analysis to define the specific needs to be met by an "E-permitting" system for Development Services.

2. Host workshops with contractors and developers aimed at improving development processes in Moreno Valley.

The first 2011 Developer Workshop was held March 7. As a follow up and consistent with the effort to enhancing communication with contractors and developers and improving development processes, the second workshop is scheduled for October 6. A regularly quarterly schedule for 2012 will be established via the Economic Development Subcommittee.

3. Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business. A number of small businesses have utilized the project review process to help advance development an/ or expansion plans.

4. Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

This action is addressed in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Business Attraction

1. Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

Further ground work must be accomplished to solidify this area of the action steps to identify and create meaningful groups to provide a comprehensive plan that will address the goals described above.

However, the National Association of Industrial and Office Properties (NAIOP) Inland Empire Chapter offers a Bus Tour of key development projects in and around the Inland Empire. Members of this real estate organization range from developers, brokers and site selectors to financiers and corporate real estate leaders. Community and Economic Development Staff is working to ensure that Moreno Valley projects are highlighted on the November 3, 2011 tour. This will be an opportunity to communicate with the attending members about the opportunities for developers and tenant brokers.

Additionally, Community & Economic Development staff exhibited and attended the September 8-9, 2011 International Council of Shopping Centers (ICSC) Western Division Conference to market the City of Moreno Valley as an opportunity for tenants and developers. The Community & Economic Development Director held twenty-four meetings in two days promoting the City and solidifying deals.

2. Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Staff is gathering information from programs from other cities.

Business Retention and Expansion

1. Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

An expanded program to include direct participation by Moreno Valley businesses is under development and will be included as a report to City Council in the coming months.

2. Pursue ways to increase local vendor preference, including expanding existing procurement policy.

Staff is gathering information and is working toward the development of a vendor's fair.

3. Implement a quarterly meeting with local businesses and vendors to discuss business opportunities with the City.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

Business & City Connecting is the new program targeting businesses by Council District to engage businesses on a micro level. A meeting has been scheduled for each Council District. The first meeting took place September 14 in Council District 2 and will be followed by Council District 4 on November 9; Council District 3 on February 8, 2012; Council District 5 on April 11; and Council District 1 on June 13.

4. Enhance the Business Resource Guide.

The Business Resource Guide was updated and published in Spring 2011. The Guide is available online only to reduce costs for printing. Hyperlinks are used within the document online to make it easy for the user to find the desired resource. In addition to traditional promotion of the Guide (link on website main page; MVTV-3 Bulletin; and word of mouth via chamber partners) staff produced a small postcard sized promotional card as a take-away for the public. Cards are placed at public counters at City Hall and the Conference and Recreation Center and are distributed at Chamber of Commerce meetings and events.

Marketing and Communication

1. Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

2. Develop re-tooled marketing plan

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business. Because branding is ultimately an experiential affect on consumers or publics, the specific branding of the City will take place over time. Specific elements of the overall plan will be addressed as funding and staffing opportunities becomes available.

3. Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. The conversion of the printed version of City Link from a printed distribution to a monthly electronic newsletter is complete. However, plans for an economic development focused e-newsletter targeting real estate professionals and the business community are underway by Community and Economic Development staff. Timing for distribution will be carefully coordinated so as not to burden subscribed recipients.

4. Increase use of social media.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. As communications programs increase, the integration of simultaneous communications tools will become more commonplace.

5. Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business.

6. Explore use of Smartphone apps for improved communication and connectivity.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business

7. Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Community Vitality

1. Explore additional community events- things to do.
2. Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

July 26, 2011 City Council formed the July 4th Advisory Committee to make recommendations for improving the July 4th festivities as well as develop partnerships in the community to assist in its funding.

3. Enhance neighborhood groups by implementing community update meetings.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

On August 11 the first "Council Connection" Town Hall meeting was held. Future "Council Connection" meetings are scheduled through November by the City Manager's Office. Also, the Business & City Connecting program was launched September 14. The next meeting is scheduled for November.

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MV00130200

ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

September 2011

MORENO VALLEY
WHERE DREAMS SOAR

MV00130201

Accomplishments to Advance Economic Development

- Identification of Economic Development Areas of Opportunity
- Approval of Economic Development Action Plan
- Adoption and State Certification of Updated Housing Element recognizing need to address jobs to housing imbalance
- Approval of Action Steps to make Moreno Valley a "Best Place to do Business"

MV00130202

Accomplishments to Advance Economic Development

- City Council adopted the Prioritized Goals and Action Plan from City Council Goal Setting workshop
- Combining Planning, Building & Safety, and Land Development with Economic Development to create the Community & Economic Development Department
- Pursuing efforts to ensure the continuation of the City's Redevelopment Agency
- Collaborating with major Developers on advancing projects

MV00130203

Objectives for Economic Development

- Create jobs locally and address City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen and broaden the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

MV00130204

Economic Development Action Plan

Focusing on key initiatives to be provided in 2 years

TownGate

Centerpointe Business Park

South Moreno Valley Industrial Area

Eastern Moreno Valley – Rancho Belago

City Center

MV00130205

Action Plan
Areas of Opportunity

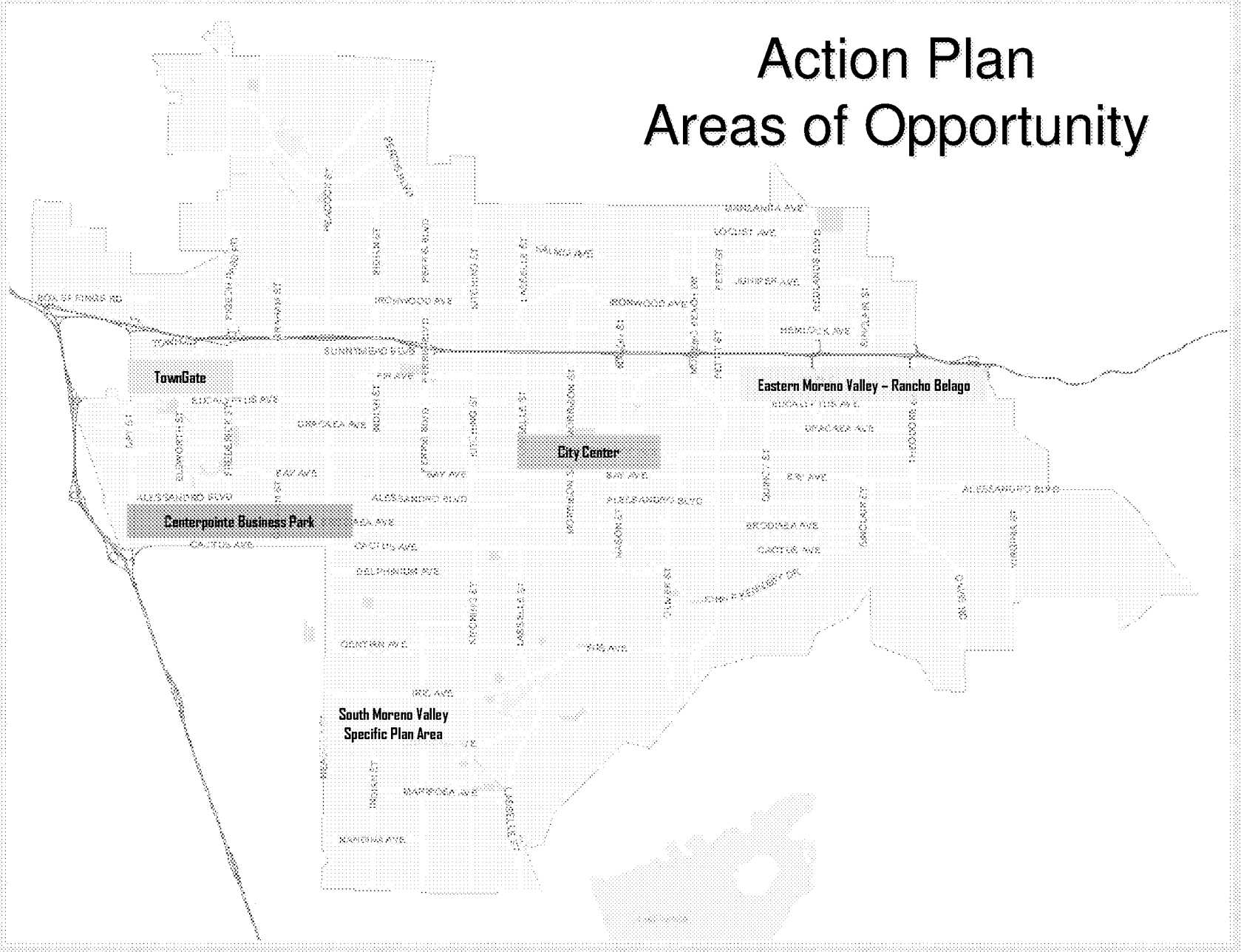

Key Initiatives of Action Plan

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area
- Advance the development of several projects in the Centerpointe Business Park
- Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in Eastern Moreno Valley- Rancho Belago area
- Re-sequence and fast-track three Capital Improvement Projects in the City Center Area

MV00130207

TownGate

- Recent openings for Five Guys Burgers & Fries, Panera Bread, Village Café and Anna's Linens
- TJ Maxx and HomeGoods combo store coming to TownGate Center

- Negotiations underway with three other users for TownGate Center
- Possible new restaurant group coming to former Carino's Italian Grill building in TownGate Promenade
- Approved new 80 foot sign for TownGate Center & Plaza along SR 60 to improve tenant promotion
- CW Capital, new owner of Moreno Valley Mall, retained Architect firm Altoon + Porter and has created exciting conceptual plans for expansion and repositioning
- Negotiations underway with several users for Moreno Valley Mall

MV00130208

Centerpointe Business Park

- Harbor Freight Tools
  - Will open new 779,016 s.f. Distribution Center in November 2011 at NWC of Cactus Avenue and Graham Street
  - 350 new jobs
- Overton Moore Properties
  - Re-started the grading plan check process for a new 519,760 s.f. industrial building at the NWC of Cactus Avenue and Frederick Street
- Ridge Property Trust
  - In Planning for a 353,869 s.f. industrial building at the NWC of Cactus Avenue and Joy Street

MV00130209

South Moreno Valley Industrial Area

- First Inland Logistics Center
  - First Industrial Realty Trust Inc.
  - 691,960 s.f.; Construction underway
- Nandina Distribution Center
  - IDS Real Estate Group
  - 1.18 million s.f. total
  - 769,320 square fee is under construction
  - 413,598 square feet is in plan check for construction drawings and grading plans.
- iHerb expansion
  - Will occupy entire 360,440 s.f.
  - Increase employees by as much as 75
- More Development Coming
  - Four Buildings with a total of 3.6 million s.f. in plan check

MV00130210

Eastern Moreno Valley-
Rancho Belago

- Skechers USA 90% occupied with full operations by October 2011

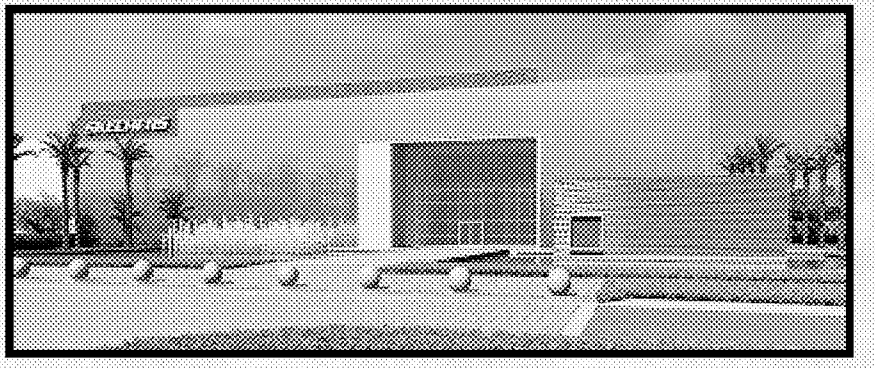

- Working with Highland Fairview on master plan to expand Highland Fairview Corporate Park

- Westridge Commerce Center approved 937,000 s.f. Distribution/logistics building on 55 acres

- Prologis is underway with planning and EIR processing of 2,268,000 s.f. industrial business park

City Center: Re-sequencing of CIP Projects

- Construction underway for SR 60/ Nason Improvements
- Installation of new SR 60 southerly ramps at Moreno Beach plus extension of Eucalyptus connecting with Moreno Beach
  - Has environmental clearance
  - In the process of acquiring right of way and utility rights and design is underway
  - Construction bid opening planned for Summer 2012
- Improvements on Cactus Ave. between Lasselle St. and Nason St.
- Extension of Nason St. southerly to connect Cactus Ave. with Iris Ave. will be built as one project
  - Plans, specifications and estimates are underway and anticipated to be complete this fall, ready to open the bid process
  - Construction completion anticipated for late 2012

MV00130212

City Center

- Advance the development of the City's medical overlay zone
  - Announcement of strategic partnership with Highland Fairview on the development of a new major medical, health and wellness campus on 200 acres of the Aqua Bella property
  - New CIP projects will help assist development of medical overlay area

- Kaiser Permanente's expansion plans
  - 74,000 s.f. new medical building
  - Construction drawings and grading plans were submitted in August 2011

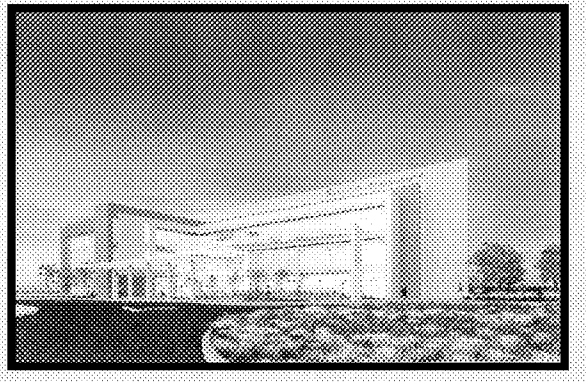

MV00130213

City Center

- Moreno Valley Auto Mall
  - Now expanding to welcome Volkswagen of America Inc.
  - New freeway sign installed

- Interest in re-occupancy of the three closed anchor spaces in Moreno Beach Plaza II
  - Any reuse of these spaces will be contingent on first connecting Eucalyptus to Moreno Beach

“Best Place to do Business” Action Steps

Development Services

Business Attraction

Business Retention and Expansion

Marketing and Communication

Community Vitality

MV00130215

Action Step Progress

- "E-permitting" to accelerate development service processes
  - Scope development
  - Funding identification
  - Timeframe
- Quarterly workshops with contractors and developers to improve development processes and communication
  - Second meeting set for October 6, 2011

MV00130216

Action Step Progress

- Creating synergy with industry groups
  - September 8-9, 2011ICSC Western Division Conference
  - November 3, 2011 NAIOP IE Bus Tour Event
- Shop MoVal campaign
  - Expanded program to include direct participation by local businesses
- Business Resource Guide
  - Online only guide
  - Improved marketing to include postcards at public counters and at business events

MV00130217

Action Step Progress

- Economic Development quarterly e-newsletter
  - Scope, content and graphic design underway
- Explore additional community events
  - July 4th Advisory Committee

MV00130218

Action Step Progress

- Proposed Media and Communications Strategy
  - Further develops several Action Steps
    - Consistent Communication
    - Website Audit
    - Re-tooled Marketing Plan
    - E-newsletter
    - Increase use of Social Media
    - Create Community Calendar
    - Explore use of Smartphone Applications
    - Feedback solicitation via survey
    - Enhance neighborhood groups with community updates
      - Council Connection
    - Quarterly meeting with local businesses and vendors
      - Business & City Connecting

MV00130219

Economic Development Strategy
Next Steps

Much More to Come….

MV00130220

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

RECOMMENDED ACTION

Staff recommends that the City Council introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

BACKGROUND

At the April 19, 2011 Study Session, the Mayor and City Council directed staff to move forward with proposing an ordinance regarding the spaying and neutering of dogs and cats.

California Health and Safety Code 122330 et seq. permits local government to enact ordinances taking appropriate action aimed at reducing and eliminating the uncontrolled and irresponsible breeding of dogs and cats. The irresponsible and uncontrolled breeding of dogs and cats leads to the overpopulation of these companion animals.

During FY 2010-11 the Moreno Valley Animal Shelter's animal population was represented by 60% of impounded dogs, 36% of impounded cats and 3% of other animal species (farm animals and wildlife). During FY 2010-11 the Moreno Valley Animal Shelter experienced an 8.9% increase in the number of animals impounded as compared to FY 2009-10. If this increase in animal impounds remains constant throughout FY 2011-12, the Moreno Valley Animal Shelter will expect to provide care for

approximately 12,000 animals. The Animal Services Division contracts with the City of Perris for animal sheltering. These numbers exclude animals impounded from the City of Perris.

DISCUSSION

The objectives of the proposed Mandatory Spay and Neuter ordinance:

- Reduce the number of homeless and unwanted companion animals by uncontrolled and irresponsible breeding.
- Reduce the number of companion animals being impounded at the Moreno Valley Animal Shelter.
- Reduce the euthanasia of unwanted companion animals.
- Reduce the tax burden of responsible pet owners.
- Require irresponsible pet owner to be held accountable.

The proposed ordinance will require pet owners to spay/neuter their dog or cat if the pet owner violated another local or state animal control regulation. Examples of a violation of a local or state animal control regulation would include an unlicensed dog, a leash law violation, nuisance animal noise or violation of other animal laws. The ordinance will not impact responsible pet owners who have licensed their pets, obey the leash laws and are in full compliance with existing regulations.

Municipal Code Section 10.02.100 currently requires a neuter deposit on all dogs and cats adopted from the Moreno Valley Animal Shelter if the animal is not already spayed or neutered. The majority of dogs and cats adopted from the Animal Shelter are spayed or neutered prior to the new owner taking possession of their new pet. Often dogs and cats too young to undergo a surgical sterilization procedure or pets exhibiting symptoms of illness where the clinic veterinarian deems the animal unfit for surgery are required to pay a spay-neuter deposit in the amount of $75.00. This fee is refunded to the new pet owner upon proof of sterilization. The proposed ordinance maintains the requirement of a spay-neuter deposit along with requiring dogs and cats in the City to be altered unless a specific exemption is applicable.

The proposed ordinance provides for specific exemptions to the mandatory spay and neuter with responsible pet owners. The proposed ordinance includes exemptions to pet owners with animal breeds recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by law enforcement or the military for law enforcement, military or rescue activities; a qualified service or assistance dog as defined in California Food & Agriculture Code Section 30850; and an animal medically qualified by a licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity. All of these exemptions are included in this Ordinance.

ALTERNATIVES

1) Adopt the proposed changes to Moreno Valley Municipal Code Section 10.02.100, and introduce Ordinance No. 833.
2) Direct staff to make changes to the proposed ordinance and return to a City Council meeting or Study Session on a later date with a revised ordinance.

3) Take no action. The existing ordinance will remain in effect.

FISCAL IMPACT

No significant fiscal impact is anticipated.

ATTACHMENTS/EXHIBITS

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130224

ORDINANCE NO. 833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE ADDED:

1.1 Section 10.02.100 of the Moreno Valley Municipal Code is hereby amended to read as follows:

~~Section 10.02.100 Neuter deposits for dogs and cats.~~

"Section 10.02.100 Mandatory Spaying and Neutering – Dogs and Cats

~~A. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

A. Requirement.

1. No person may own, keep, or harbor an unaltered and unsprayed dog or cat in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

~~B. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

B. Exemptions.

This section shall not apply to any of the following:

1. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.

2. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.

3. Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry.

4. A dog used by law enforcement or the military for law enforcement, military or rescue activities.

5. A qualified service or assistance dog as defined in California Food & Agricultural Code Section 30850.

6. Any animal medically qualified by a California licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

~~C. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any shall be deemed unclaimed and nonrefundable.~~

C. Denial or revocation of unaltered dog license and reapplication.

The Animal Services Division may deny or revoke an unaltered an unaltered dog license for one or more of the following reasons:

1. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section.

2. The Animal Services Division has received at least three complaints, verified by the department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;

3. The owner, custodian, applicant, or licensee has been previously cited for violating a State law, local ordinance or other municipal provision relating to the care and control of animals;

4. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Moreno Valley Municipal Code or under state law;

5. Any unaltered dog license held by the applicant has been revoked;

6. The license application is discovered to contain a material misrepresentation or omission of fact.

D. Re-application for unaltered dog license.

1. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Animal Services Division shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.

2. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.

E. Appeal of denial or revocation of altered dog license – Request for Hearing.

1. Notice of intent to deny or revoke. The Animal Services Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

2. Hearing officer. The hearing shall be conducted by the Animal Services Division Manager's designee.

3. Notice and conduct of hearing. The Animal Services Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the department's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Animal Services Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

4. Change in location of dog. If the dog is moved after the Animal Services Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Animal Services Division with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

F. Transfer, sale, and breeding of unaltered dog or cat.

1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license must appear on a document transferring the animal to the new owner.

2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the department of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers, if any, must appear on a document transferring the animal to the new owner.

G. Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

1. An administrative citation, infraction, or other such authorize penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog or cat; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.

2. Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.

H. When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

1. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to animal services personnel;

2. Have the dog or cat spayed or neutered by a veterinarian under contract with the Animal Services Division at the expense of the owner

or custodian. Such expense may include additional fees due to extraordinary care required;

3. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay a spay/neuter deposit to the Animal Services Division. The veterinarian shall complete and return to the department within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

4. At the discretion of the Animal Services Division Manager, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or

5. If the owner or custodian demonstrates compliance with this section.

I. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.

1. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Animal Services Division in accordance with this chapter.

J. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section, subsection (f) shall be paid to the Animal Services Division for the purpose of defraying the cost of the implementation and enforcement of this program.

K. No person shall be permitted to adopt any dog or cat, which has not been neutered, unless and until a spay / neuter deposit shall have been paid to the city. The spay / neuter deposit shall be as established from time to time by resolution of the city council in accordance with California Food and Agriculture Code Section 30503.

L. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.

M. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any, shall be deemed unclaimed and nonrefundable.

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.5

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MV00130234

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011, and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on August 23, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011 and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on August 23, 2011, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with

and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

Ordinance No. 830
Date Adopted: _____

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00130246

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

September 27, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00130247

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
September 27, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Verizon Donation to the Moreno Valley Black Chamber of Commerce Community Foundation Family Adult Literacy Program and Technology (FALPT)

2. American Public Works Association (APWA) 2010 Project of the Year Award – Kitching Street Improvements Project

3. Recognition of Moreno Valley Rockets Field and Track Team

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
SEPTEMBER 27, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor James Samples - New Life Christian Fellowship

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF SEPTEMBER 6, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 APPROVAL OF CHECK REGISTER FOR JULY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

Resolution No. 2011-97

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of July, 2011

A.5 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT - PROJECT NO. 10-12272227 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc.;

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50

base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

A.6 TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRAN LOU DRIVE BETWEEN PERRIS BOULEVARD AND KITCHING STREET - DEVELOPER: LCTH INVESTMENT LP, NEWPORT BEACH, CA 92660 (Report of: Community and Economic Development)

Recommendation:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor Bond associated with Tract 20185 for public improvements; and

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

A.7 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324;

Resolution No. 2011-98

A Resolution of the City Council of the City of Moreno Valley, California, ordering the Vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3:

Section 8325;

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way); and

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

A.8 SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction;

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB;

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

A.9 ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT (Report of: Public Works Department)

Recommendation:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.; and

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

A.10 FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND COUNTY OF RIVERSIDE (Report of: Police Department)

Recommendation:
Adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

A.11 ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

A.12 APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST. (Report of: Human Resources Department)

Recommendation:

Adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

Resolution No. 2011-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the California Government Voluntary Employee Beneficiary Association (Calgoveba) Trust

A.13 PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011; DEVELOPER: FIRST INDUSTRIAL, L.P. A DELAWARE LIMITED PARTNERSHIP, EL

SEGUNDO, CA. 90245 (Report of: Community and Economic Development Department)

Recommendation:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011; and

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM (Report of: Parks and Community Services Department)

Recommendation:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year; and

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

Recommendation:
Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING (POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT) (Report of: City Clerk's Department)

Recommendation: That the City Council:
Conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

G.2 MEDIA AND COMMUNICATIONS STRATEGY (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the proposed Media and Communications Strategy.

G.3 ECONOMIC DEVELOPMENT ACTION PLAN UPDATE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

G.4 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

Ordinance No. 833

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 10.02.100 of the City of Moreno Valley Municipal Code Relating to the Mandatory Spay and Neuter of Dogs and Cats

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00130260

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 13, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the 10th Anniversary of 9-11
2. Constitution Week - September 17 - 23, 2011
3. Recognition of Moreno Valley Diamond Girls Softball Association
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 13, 2011

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:43 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Bishop Randy Triplett - Victory Temple of Deliverance Ministries

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Daryl Terrell (A9), Oscar Valdepena (A9), and received late was Chris Baca (A12).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of August 17 - September 6, 2011.

A.4 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (ALSO LISTED AS ITEM B.3) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35)

calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.5 REPLACEMENT OF PLAY STRUCTURES AND PLAYGROUND SURFACING AT RIDGECREST PARK, GATEWAY PARK, AND SUNNYMEAD PARK (Report: Parks and Community Services Department

Recommendation:

1. Award to Miracle Recreation Equipment Company, 878 E Hwy 60, Monett, MO 65708 for material and labor to replace play structures and playground surfacing at Ridgecrest Park, Gateway Park and Sunnymead Park; waive Faithful Performance and Material and Labor bonds; and

2. Authorize the Purchasing Manager to execute a purchase order in an amount not to exceed $242,994.95 as appropriated in FY11/12, in account code 461.65329.7500.

A.6 OFFER OF DEDICATION FOR RIGHT OF WAY FOR APN 475-272-054 - IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication for right of way for APN 475-272-054; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.7 MORRISON PARK FIRE STATION - OFFER OF DEDICATION - PROJECT NO. 11-43472527 LOCATED ON MORRISON STREET NORTH OF COTTONWOOD AVENUE (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Morrison Street north of Cottonwood Avenue; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR

THE LASSELLE/MARGARET TRAFFIC SIGNAL - PROJECT NO. 10-12566630 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Traffic Signal Improvements on Lasselle Street at Margaret Avenue Intersection to J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with J.F.L. Electric, Inc.;

3. Authorize the issuance of a Purchase Order to J.F.L. Electric, Inc. for a total amount of $211,660.00 ($176,382.63 base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with J.F.L. Electric, Inc., up to but not to exceed the Purchase Order's total contingency of $35,277.37, subject to the approval of the City Attorney.

A.9 ADOPT A RESOLUTION APPROVING A ONE-TIME BUSINESS LICENSE TAX AMNESTY PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve Resolution No. 2011-94 creating a one-time Business License Amnesty Program waiving the penalties and interest due on delinquent Business License Taxes and Fees; and

Resolution No. 2011-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a One-time Business License Tax Amnesty Program

2. Direct staff to continue to collect the Business License Tax and Fees for the three most recent delinquent years as provided in the existing ordinance.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE MORRISON PARK FIRE STATION (FIRE STATION 107) -- PROJECT NO. 11-43472527 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for $3,628,688 to Silver Creek Industries, 195 E. Morgan Street, Perris, CA 92571, the lowest responsible bidder, for construction of the Morrison Park Fire Station;

2. Authorize the City Manager to execute the Agreement with Silver Creek Industries;

3. Authorize the issuance of a Purchase Order to Silver Creek Industries for $4,354,426 ($3,628,688 bid plus 20% contingency) for construction of the Morrison Park Fire Station from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Silver Creek Industries up to, but not exceeding, the contingency amount of $725,738, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

A.12 CALIFORNIA OFFICE OF TRAFFIC SAFETY "SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES" GRANT (Report of: Police Department)

Recommendation:
Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Mini-Grant Program for Local Law Enforcement Agencies" in the amount of $72,340.27 for the period beginning November 1, 2011, and ending September 4, 2012.

A.13 APPROVE TEMPORARY LAND USE LICENSE AGREEMENT BETWEEN MORENO VALLEY COLLEGE AND THE CITY OF MORENO VALLEY FOR THE USE OF CITY PROPERTY FOR A CONSTRUCTION STAGING AREA LOCATED AT THE NORTHEAST CORNER OF LASSELLE STREET AND COLLEGE DRIVE (Report of: Community and Economic Development Department)

Recommendation:
1. Approve the Temporary Land Use License Agreement between Moreno Valley College and the City of Moreno Valley for the use of existing City-owned property at the northeast corner of Lasselle Street and College Drive;

2. Authorize the Mayor to execute the Agreement; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (AGENDA ITEM ALSO LISTED AS A.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.12) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Motion to Approve Joint Consent Calendar Items A.1 through D.2. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

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

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
After conducting the Public Hearing and accepting public testimony:

a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

b. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation a. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church NPDES "Yes", Passed

Buddhadhammo Temple NPDES "Yes", Passed

Motion to Approve Recommendations b, c, and d by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

2. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

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

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charges to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation 1. by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church CSD Zone M "Yes", passed

Buddhadhammo Temple CSD Zone M "Yes", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

E.3 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in its capacity as the President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:
   Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tract 31129;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tract 31129.

Motion to Approve Recommendation 1 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:
Tract No. 31129 Zone D "24 Yes"; "19 No"; "1 Invalid", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Mayor Pro Tem Mayor Pro Tem Jesse L. Molina Report on Riverside Transit Agency (RTA)

Mayor Pro Tem Jesse L. Molina reported on RTA holiday events as follows:

November 5, Perris Veteran's Day Parade

November 11, Murrieta Veteran's Day Parade

November 17, Riverside County Safe House - Stuff the Bus

November 25, Riverside Festival of Lights - Switch On Ceremony and Spark the Love Stuff the Bus

December 2, Temecula Electric Light Parade

December 3, Hemet Holiday Parade

Mayor Pro Tem Jesse L. Molina encouraged Moreno Valley to get involved.

G.2 APPOINTMENT TO THE PLANNING COMMISSION (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint one (1) member for a term expiring March 31, 2013; or

2. If the appointment is not made, authorize the City Clerk to re-notice the position as vacant.

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

Motion to Appoint Jeff Giba by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.3 APPROVAL OF A RESOLUTION SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE COUNCIL CHAMBER (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Approve Resolution No. 2011-95 supporting the display of the national motto "In God We Trust" in the Council Chamber, and

Resolution No. 2011-95

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Display of the National Motto "In God We Trust" in the Council Chamber

2. Direct staff to display the motto "In God We Trust" in the Council Chamber.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Tom Jerele Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.4 ADOPT RESOLUTION 2011-96, AUTHORIZING THE STREET NAME CHANGE OF CACTUS AVENUE TO MARCH MEMORIAL DRIVE FROM THE CITY'S WESTERN CITY LIMIT TO HEACOCK STREET (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-96, thereby changing the street name of Cactus Avenue to March Memorial Drive from the City's western city

limit to Heacock Street;

Resolution 2011-96

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Cactus Avenue to March Memorial Drive from the City's Western City Limit to Heacock Street

2. Direct the City Clerk to certify Resolution No. 2011-96 and transmit a copy of the resolution to the Riverside County Assessor's office, 911 Management at the Riverside County Sheriff's Department, as well as the Police Chief, Fire Chief, City Building Official, and the United States Postmaster at Moreno Valley, California;

3. Establish trust fund account number 00359.359.2239.15 for all expenditures and deposits related to the renaming of Cactus Avenue; and

4. Accept a donation from Donald E. Ecker in the amount of $43,569.90 to cover the expenditures associated with renaming Cactus Avenue to March Memorial Drive from the City's western city limit to Heacock Street.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Motion to Approve the name change from Cactus Avenue and accept donation for 43,569.90 from March Life Care by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 4-1, Mayor Pro Tem Jesse L. Molina opposed.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE

ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Continue Items H.2.1 and H.2.2 to September 27, 2011 City Council Meeting by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pete Bleckert

1. Voting on West Ridge Commerce Center Project

Tom Jerele

1. Spoke on fire in Sundance Building, commending Fire Department Personnel

Deanna Reeder

1. Support for Redistricting

Marcia Amino

1. Transperancy in Government

Jose Chavez

1. Check Points

Daryl Terrell

1. Stimulating our Local Economy

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

Council Member William H. Batey II

1. Complimented Tom Jerele for his comments on Fire Department.

Council Member Marcelo Co

1. Thanked participants for coming to Redistricting meeting, although not many turned out, he encouraged more to attend on Thursday.

Council Member Robin N. Hastings

1. Regarding parking at college and losing 300 parking spots. Temporary fix with an agreement worked out to help with parking, which would eliminate students taking up parking in front of mail boxes or residents homes.

2. Support for softball fields and lighting at ball fields.

3. Attended 9/11 Ceremony at March at 9:11 a.m. stating it was phenomenal.

4. Request camera's for October Fest

5. Redistricting

Mayor Pro Tem Jesse L. Molina

1. Redistricting information provided in Spanish on behalf of Chris Baca and himself.

Mayor Richard A. Stewart

1. Redistricting information

2. Developer Lunch with Ridge

3. Police Department - several good burglary arrests and a couple of robberies.

4. Five Guys Burger - Good

CLOSED SESSION - Cancelled

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY:

City Attorney announced reportable action from September 6, 2011 Closed Session:

City Council voted 5-0 to authorize the City Attorney to commence receivership on two properties under Government Code 54957.1, the particulars will be reported out when action commences; and the parties have been served.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:51 p.m. by unanimous informal consent. by m/Mayor Richard A. Stewart, s/Council Member William H. Batey II Approved by a vote of 5-0.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MINUTES
SPECIAL JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY

SPECIAL MEETING – 6:00 P.M.
SEPTEMBER 6, 2011

CALL TO ORDER - The Special Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION - Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
Marcelo Co	Council Member
William H. Batey II	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Rick Teichert	Financial & Administrative Services Director
Robert Hansen	City Attorney
Henry Garcia	City Manager
Michelle Dawson	Assistant City Manager
Chris Vogt	Public Works Director/City Engineer
Barry Foster	Economic Development Director
John Terell	Planning Official

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Mayor Pro Tem Jesse L. Molina pulled his motion (made at the August 23, 2011 meeting), Council Member Marcelo Co pulled his second.

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

Rebuttal by applicant Dennis Rice, President of Ridge Property Trust

Conditions of approval have been amended as follows to further enhance the WestRidge Commerce Center project:

1. Ridge Property Trust will add approximately 50% more glass to the building and match the color of the glass with Skechers glass color, and change the building's paint colors to more closely tie with Skechers.
2. Ridge Property Trust will add solar energy or some other cleaner alternative energy source (such as a micro-turbine) to power the office portion of the facility.
3. Ridge Property Trust will pay DIF fees at the "full rate" of $1.862/building SF. The current rate for DIF fees is discounted 50% from the full rate.
4. The building will be LEED certified. The WestRidge roof structure will be sized to carry the load of solar panels if a future tenant desires to use solar energy to power all or a portion of the building. Ridge Property Trust, will make available solar or other cleaner alternative energy source to power the office portion of the facility.
5. Ridge Property Trust will increase the tree box size to 36" (from the current 24" tree boxes) for the entire freeway frontage landscaping of the WestRidge project. This

will match the tree box size for the trees planted along the freeway in front of Skechers.

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned to Closed Session at 6:39 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JULY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in both the adopted FY 2010-11 and FY 2011-12 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-97
Check Register for Month of July, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JULY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period July 1, 2011 through July 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period July 1, 2011 through July 31, 2011, in the total amount of $11,090,197.25 is approved.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/5/2011	208529	39,425.62		
				REHAB COSTS-24330 MT RUSSELL	16,478.95
				REHAB COSTS-13651 LITTLER CT	22,946.67
	Vendor Total		**39,425.62**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCELA				Remit to: **SAN RAMON**	**CA**
	7/18/2011	883164	79,202.49		
				PP MAINT CLIENT SERVER	4,705.86
				PP MAINT WORKFLOW	3,625.95
				PP MAINT OFFICE LINK	525.39
				PP MAINT ACCELA GIS	10,142.70
				PP MAINT ACCELA WIRELESS	15,333.81
				PP MAINT ACCELA WIRELESS ONLIN	5,623.52
				PP MAINT CONNECT EST. 10891	4,419.76
				PP MAINT PERMITS PLUS	34,825.50
	Vendor Total		**79,202.49**		
FYTD for ACCELA			**79,202.49**		
AECOM TECHNICAL SERVICES INC				Remit to: **ONTARIO**	**CA**
	7/25/2011	208813	34,689.62		
				PERRIS BLVD WIDENING PROJ	34,689.62
	Vendor Total		**34,689.62**		
FYTD for AECOM TECHNICAL SERVICES INC			**34,689.62**		
AFTERSCHOOL STORE.COM				Remit to: **PALMDALE**	**CA**
	7/25/2011	208814	49,254.26		
				AFTERSCHOOL SNACKS-STARS PRGM	37,400.26
				AFTERSCHOOL SNACKS-STARS PRGM	11,854.00
	Vendor Total		**49,254.26**		
FYTD for AFTERSCHOOL STORE.COM			**49,254.26**		
ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	7/11/2011	208633	256,508.61		
				SR-60/NASON ST INTRCHNG PROJ	205,206.89
				SR-60/NASON ST INTRCHNG PROJ	51,301.72
	7/19/2011	110704	28,500.96		
				RETENTN PMT PER ESCRW AGREEMNT	28,500.96
	Vendor Total		**285,009.57**		
FYTD for ALL AMERICAN ASPHALT, INC.			**285,009.57**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEADOR CONSTRUCTION COMPANY, INC			Remit to: **CORONA**	**CA**
7/18/2011	208732	182,970.00		
			BRIDGE REPAIR MAINT PRGM SVCS	182,970.00
	Vendor Total	**182,970.00**		
FYTD for BEADOR CONSTRUCTION COMPANY, INC		**182,970.00**		
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
7/11/2011	883138	29,428.60		
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E3	10,625.00
			LANDSCAPE MAINT-E3A	1,000.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	513.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	1,272.00
	Vendor Total	**29,428.60**		
FYTD for BEMUS LANDSCAPE, INC.		**40,176.27**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
7/25/2011	883192	35,112.31		
			LEGAL SERVICES-HR	96.31
			LEGAL SERVICES-HR	1,824.00
			LEGAL SERVICES-HR	4,674.00
			LEGAL SERVICES-HR	28,518.00
	Vendor Total	**35,112.31**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**35,112.31**		
COUNTY OF RIVERSIDE AUDITOR			Remit to: **RIVERSIDE**	**CA**
7/18/2011	208745	27,074.71		
			PARKING CONTROL FEES	1,596.00
			PARKING CONTROL FEES	25,478.71
7/25/2011	208831	25,971.42		
			PARKING CONTROL FEES	1,050.00
			PARKING CONTROL FEES	10,132.79
			PARKING CONTROL FEES	14,788.63
	Vendor Total	**53,046.13**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**53,046.13**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
7/25/2011	883195	27,550.67		
			CITATION PRCSSNG SVCS-CODE	13,851.06
			CITATION PRCSSNG SVCS-CODE	13,699.61
	Vendor Total	**27,550.67**		
FYTD for DATA TICKET, INC.		**32,235.28**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DDL TRAFFIC				Remit to: **CHINO HILLS** **CA**	
	7/5/2011	208547	32,274.83		
				GLOBAL OPTICOM PHASE	11,000.00
				GLOBAL OPTICOM PHASE	962.50
				SPEED CONTROL RADAR	18,678.00
				SPEED CONTROL RADAR	1,634.33
	Vendor Total		**32,274.83**		
FYTD for DDL TRAFFIC			**32,274.83**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/18/2011	208751	63,562.53		
			WATER CHARGES	101.54
			WATER CHARGES	202.16
			WATER CHARGES	2,884.80
			WATER CHARGES	36.00
			WATER CHARGES	3,493.45
			WATER CHARGES	104.72
			WATER CHARGES	21,293.70
			WATER CHARGES	2,269.79
			WATER CHARGES	10,030.38
			WATER CHARGES	7,534.75
			WATER CHARGES	2,356.80
			WATER CHARGES	6,330.92
			WATER CHARGES	1,234.13
			WATER CHARGES	1,824.23
			WATER CHARGES	73.45
			WATER CHARGES	905.72
			WATER CHARGES	223.09
			WATER CHARGES	549.02
			WATER CHARGES	405.55
			WATER CHARGES	262.42
			WATER CHARGES	648.50
			WATER CHARGES	797.41
7/26/2011	208880	60,290.62		
			WATER CHARGES	1,431.07
			WATER CHARGES	995.31
			WATER CHARGES	732.41
			WATER CHARGES	828.03
			WATER CHARGES	17,551.05
			WATER CHARGES	3,002.77
			WATER CHARGES	3,404.47
			WATER CHARGES	5,350.41
			WATER CHARGES	11,151.43
			WATER CHARGES	603.95
			WATER CHARGES	302.14
			WATER CHARGES	2,544.37
			WATER CHARGES	3,842.79
			WATER CHARGES	2,358.00
			WATER CHARGES	1,506.22
			WATER CHARGES	522.99
			WATER CHARGES	107.29
			WATER CHARGES	287.95
			WATER CHARGES	649.87
			WATER CHARGES	2,511.70
			WATER CHARGES	606.40
	Vendor Total	**123,853.15**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		

City of Moreno Valley

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For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2890	41,848.13		
				STATE INCOME TAX W/H 7/1/11	41,848.13
	7/15/2011	2900	32,708.26		
				STATE INCOME TAX W/H 7/15/11	32,708.26
	7/29/2011	2908	30,988.67		
				STATE INCOME TAX W/H 7/29/11	30,988.67
	Vendor Total		**105,545.06**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	7/18/2011	883171	143,882.08		
				SVCS FOR ELECTRIC UTILITY	137,928.50
				SVCS FOR ELECTRIC UTILITY	9,435.00
				SVCS FOR ELECTRIC UTILITY	-3,664.42
				SVCS FOR ELECTRIC UTILITY	183.00
	7/25/2011	883196	141,641.54		
				DISTRIBUTION CHRGS	95,521.08
				SPECIAL CHRGS	7,684.96
				BAD DEBT REDUCTION	-2,271.00
				ONLINE UTILITY EXCHANGE	207.30
				SVCS FOR ELECTRIC UTILITY	40,499.20
	Vendor Total		**285,523.62**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
FLEMING ENVIRONMENTAL, INC.				Remit to: **FULLERTON** **CA**	
	7/25/2011	208840	93,132.14		
				SHADOW MTN PARK LIGHTING PROJ	64,456.34
				SHADOW MTN PARK RESTROOM PROJ	28,675.80
	Vendor Total		**93,132.14**		
FYTD for FLEMING ENVIRONMENTAL, INC.			**93,132.14**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208842	28,050.00		
				SIGNS INSTALLATION-TRANSP	6,138.00
				FREESTANDING COMM ID SIGN	10,022.36
				LIGHT POLE MTD COMM ID SIGN	2,285.61
				LIGHT POLE MTD ID BANNERS	4,021.70
				FREESTANDING AMENITY DIR SIGN	2,794.71
				LIGHT POLE MTD AMNTY DIR SIGN	1,024.59
				CA SALES TAX	1,763.03
	Vendor Total		**28,050.00**		
FYTD for FUSION SIGN AND DESIGN, INC			**28,050.00**		

City of Moreno Valley

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For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
7/21/2011	208810	215,802.45		
			MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
	Vendor Total	**215,802.45**		
FYTD for H & H GENERAL CONTRACTORS		**215,802.45**		
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
7/18/2011	883177	206,300.38		
			DAY ST IMPRVMNTS PROJ SVCS	76,729.40
			DAY ST IMPRVMNTS PROJ SVCS	129,570.98
	Vendor Total	**206,300.38**		
FYTD for HILLCREST CONTRACTING, INC		**206,300.38**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
7/15/2011	2898	33,541.75		
			DEF COMP 457 7/15/11	33,541.75
	Vendor Total	**33,541.75**		
FYTD for ICMA RETIREMENT CORP 457		**42,062.58**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2889	175,259.79		
			FED INCOME TAX W/H 7/1/11	175,259.79
7/15/2011	2899	126,161.58		
			FED INCOME TAX W/H 7/15/11	126,161.58
7/29/2011	2907	121,341.76		
			FED INCOME TAX W/H 7/29/11	121,341.76
	Vendor Total	**422,763.13**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
JTB SUPPLY CO., INC.			Remit to: **ORANGE** **CA**	
7/18/2011	883178	49,274.63		
			MEYERS BATTERY BACKUP	7,550.00
			MP2000 BATTERY BACKUP UNITS	14,950.00
			250W HPS LUMINAIRES W/NO PEC	1,550.00
			DIALIGHT 12" LED RED ARROW	1,200.00
			DIALIGHT 12" LED RED BALL	1,200.00
			DIALIGHT 12" LED GREEN ARROW	900.00
			DIALIGHT 12" LED GREEN BALL	1,480.00
			DIALIGHT ITE CNTDWN MODULES	15,580.00
			NEMA CONFLICT MONITOR 12 CHNL	900.00
			CALIF SALES TAX	3,964.63
	Vendor Total	**49,274.63**		
FYTD for JTB SUPPLY CO., INC.		**64,456.14**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/11/2011	208675	26,820.19		
				REHAB COSTS-15438 CASA GRANDE	26,820.19
	7/25/2011	208850	30,554.31		
				REHAB COSTS-13150 KIOWA DR	30,554.31
	Vendor Total		**57,374.50**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA** **CA**	
	7/11/2011	883148	156,561.99		
				DEMO/INSTLL PARK PLAY EQUIPMNT	133,097.93
				CA SALES TAX	4,235.47
				DEMO/INSTLL PARK PLAY EQUIPMNT	17,681.46
				CA SALES TAX	1,547.13
	Vendor Total		**156,561.99**		
FYTD for MIRACLE PLAYGROUND SALES			**156,561.99**		
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/18/2011	208771	77,145.82		
				ELECTRICITY	134.12
				ELECTRICITY	1,820.60
				ELECTRICITY	261.88
				ELECTRICITY	576.89
				ELECTRICITY	16,750.54
				ELECTRICITY	15,316.06
				ELECTRICITY	4,685.80
				ELECTRICITY	9,926.95
				ELECTRICITY	1,590.67
				ELECTRICITY	3,540.92
				ELECTRICITY	11,772.97
				ELECTRICITY	7,439.89
				ELECTRICITY	204.84
				ELECTRICITY	124.87
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	165.10
				ELECTRICITY	119.57
				ELECTRICITY	2,537.21
	Vendor Total		**77,145.82**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/15/2011	2896	89,191.65		
			DEF COMP 457 & 401(A) 7/15/11	89,191.65
7/29/2011	2904	25,173.70		
			DEF COMP 457 & 401(A) 7/29/11	25,173.70
	Vendor Total	**114,365.35**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NEW WORLD SYSTEMS, CORP			Remit to: **TROY** **MI**	
7/5/2011	208587	270,090.00		
			LOGOS 2011 EXEC CUSTOMER CONF.	1,890.00
			FM, HR/PY SOFTWARE LIC EFF DT	158,520.00
			SOFTWARE ESCROW SET-UP FEE	3,000.00
			SOFTWARE ESCROW ANNL ADMIN FEE	1,000.00
			FM, HR/PY SFTWARE LIC DELIVERY	105,680.00
	Vendor Total	**270,090.00**		
FYTD for NEW WORLD SYSTEMS, CORP		**270,090.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
7/11/2011	208684	130,384.06		
			ENERGY SVCS	130,384.06
	Vendor Total	**130,384.06**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**130,384.06**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
7/8/2011	110701	210,279.00		
			EMPLOYEE HEALTH INS 7/8/11	210,279.00
	Vendor Total	**210,279.00**		
FYTD for PERS HEALTH INSURANCE		**210,279.00**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
7/8/2011	2891	198,533.34		
			PERS RETIREMENT 7/1/11	198,533.34
7/22/2011	2901	221,172.56		
			PERS RETIREMENT 7/22/11	221,172.56
	Vendor Total	**419,705.90**		
FYTD for PERS RETIREMENT		**419,705.90**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PSOMAS				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208855	46,977.50		
				SR-60/NASON INTRCHNG PROJ SVCS	9,726.42
				SR-60/NASON INTRCHNG PROJ SVCS	1,260.16
				SR-60/NASON INTRCHNG PROJ SVCS	18,604.14
				SR-60/NASON INTRCHNG PROJ SVCS	2,410.36
				SR-60/NASON INTRCHNG PROJ SVCS	13,258.62
				SR-60/NASON INTRCHNG PROJ SVCS	1,717.80
	Vendor Total		**46,977.50**		
FYTD for PSOMAS			**46,977.50**		
RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	883151	450,141.45		
				IRONWOOD AVE/STORM DRAIN PROJ	182,929.10
				IRONWOOD AVE/STORM DRAIN PROJ	74,607.10
				IRONWOOD AVE/STORM DRAIN PROJ	28,885.50
				IRONWOOD AVE/STORM DRAIN PROJ	20,720.82
				IRONWOOD AVE-DAY TO BARCLAY	142,998.93
	Vendor Total		**450,141.45**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**500,157.17**		
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208878	2,621,009.49		
				CONTRACT LAW ENF BILL #10	44,257.44
				CONTRACT LAW ENF BILL #10	459.43
				CONTRACT LAW ENF BILL #10	1,419,988.41
				CONTRACT LAW ENF BILL #10	57,685.07
				CONTRACT LAW ENF BILL #10	362,907.97
				CONTRACT LAW ENF BILL #10	6,875.44
				CONTRACT LAW ENF BILL #10	87,171.93
				CONTRACT LAW ENF BILL #10	6,269.10
				CONTRACT LAW ENF BILL #10	72,109.18
				CONTRACT LAW ENF BILL #10	1,179.20
				CONTRACT LAW ENF BILL #10	173,447.24
				CONTRACT LAW ENF BILL #10	3,973.20
				CONTRACT LAW ENF BILL #10	303,502.31
				CONTRACT LAW ENF BILL #10	7,851.22
				CONTRACT LAW ENF BILL #10	34,281.80
				CONTRACT LAW ENF BILL #10	281.60
				CONTRACT LAW ENF BILL #10	27,781.89
				CONTRACT LAW ENF BILL #10	1,823.26
				CONTRACT LAW ENF BILL #10	1,069.00
				CONTRACT LAW ENF BILL #10	7,483.20
				CONTRACT LAW ENF BILL #10	611.60
	Vendor Total		**2,621,009.49**		
FYTD for RIVERSIDE COUNTY SHERIFF			**2,631,277.41**		

City of Moreno Valley

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For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883102	247,552.00		
			ANNUAL RMS/CLETS BILNG FY10/11	247,552.00
	Vendor Total	**247,552.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**247,552.00**		
SAN PEDRO SIGN COMPANY			Remit to: **WILMINGTON** **CA**	
7/18/2011	883183	247,614.87		
			AUTO MALL PYLON SIGN PROJECT	247,614.87
	Vendor Total	**247,614.87**		
FYTD for SAN PEDRO SIGN COMPANY		**247,614.87**		
SOUTHCOAST HEATING & AIR CONDITIONING			Remit to: **VISTA** **CA**	
7/11/2011	208701	87,612.30		
			CITY HALL HVAC SYSTEM REPLCMNT	87,612.30
	Vendor Total	**87,612.30**		
FYTD for SOUTHCOAST HEATING & AIR CONDITIONING		**87,612.30**		

City of Moreno Valley

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208610	31,082.71		
			WDAT CHARGES-IRIS	2,752.38
			WDAT CHARGES-GRAHAM	4,055.01
			WDAT CHARGES-GLOBE	8,723.61
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	2,457.09
			WDAT CHARGES-SUBSTATION	10,447.31
7/18/2011	208792	131,907.55		
			ELECTRICITY	460.16
			ELECTRICITY	25.25
			ELECTRICITY	663.53
			ELECTRICITY	1,345.33
			ELECTRICITY	900.46
			ELECTRICITY	94,565.88
			ELECTRICITY	33,162.72
			ELECTRICITY	397.48
			ELECTRICITY	51.95
			ELECTRICITY	22.44
			ELECTRICITY	45.55
			ELECTRICITY	27.20
			ELECTRICITY	26.69
			ELECTRICITY	67.09
			ELECTRICITY	91.20
			ELECTRICITY	54.62
7/25/2011	208864	39,660.58		
			ELECTRICITY	1,573.29
			ELECTRICITY	204.85
			ELECTRICITY	5,455.35
			ELECTRICITY	1,334.28
			ELECTRICITY	147.70
			ELECTRICITY	3,805.22
			ELECTRICITY	18.93
			ELECTRICITY	4,401.48
			ELECTRICITY	1,019.92
			ELECTRICITY	4,047.97
			ELECTRICITY	1,895.65
			ELECTRICITY	1,691.61
			ELECTRICITY	277.13
			ELECTRICITY	3,644.30
			ELECTRICITY	1,132.38
			ELECTRICITY	1,230.13
			ELECTRICITY	24.19
			ELECTRICITY	40.12
			ELECTRICITY	4,110.06
			ELECTRICITY	1,804.20
			ELECTRICITY	357.03
			ELECTRICITY	427.84
			ELECTRICITY	563.73
			ELECTRICITY	254.30
			ELECTRICITY	162.74
			ELECTRICITY	36.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	202,650.84		
FYTD for SOUTHERN CALIFORNIA EDISON		228,961.11		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
7/19/2011	208809	29,920.17		
			LIFE & DISABILITY INSURANCE	11,719.41
			LIFE & DISABILITY INSURANCE	18,284.60
			LIFE & DISABILITY INSURANCE	-83.84
	Vendor Total	29,920.17		
FYTD for STANDARD INSURANCE CO		31,970.69		
TCM GROUP			Remit to: **FONTANA**	**CA**
7/12/2011	208723	173,200.42		
			SR-60/NASON ST INTRCHNG PROJ	21,572.87
			SR-60/NASON ST INTRCHNG PROJ	42,633.50
			SR-60/NASON ST INTRCHNG PROJ	23,140.52
			SR-60/NASON ST INTRCHNG PROJ	85,853.53
7/25/2011	208879	178,371.96		
			SR-60/NASON INTRCHNG PROJ	103,945.47
			SR-60/NASON INTRCHNG PROJ	74,426.49
	Vendor Total	351,572.38		
FYTD for TCM GROUP		351,572.38		
TRANE			Remit to: **CITY OF INDUSTRY**	**CA**
7/27/2011	208882	143,234.46		
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
	Vendor Total	143,234.46		
FYTD for TRANE		143,234.46		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
7/19/2011	110707	129,465.57		
			CALCARD PYMT CYCLE END 7/7/11	129,465.57
	Vendor Total	129,465.57		
FYTD for U.S. BANK/CALCARDS		129,465.57		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
7/27/2011	110708	1,233,839.91		
			2007 TAB SERIES A DEBT PYMT	1,233,839.91
	Vendor Total	1,233,839.91		
FYTD for WELLS FARGO CORPORATE TRUST		1,233,839.91		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCRCA				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208877	279,382.95		
				COMMERC./INDUSTR FEES-MSHCP	279,382.95
	Vendor Total		**279,382.95**		
FYTD for WRCRCA			**279,382.95**		
	Subtotal		**9,918,630.92**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

REGENCY THEATRES				Remit to: **MORENO VALLEY**	**CA**
	7/11/2011	208630	460.00		
				TICKETS AND SNACKS	460.00
	Vendor Total		**460.00**		
FYTD for REGENCY THEATRES			**460.00**		
A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/25/2011	208811	19,550.44		
				REHAB COSTS-14950 RIO GRANDE	19,550.44
	Vendor Total		**19,550.44**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCESS SECURITY CONTROLS INT., INC.				Remit to: **TEMECULA**	**CA**
	7/11/2011	208631	75.00		
				SECURITY MONITORING SVCS-ERC	75.00
	Vendor Total		**75.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**75.00**		
ADAMS, MARK L.				Remit to: **REDLANDS**	**CA**
	7/5/2011	883043	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**318.73**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE**	**CA**
	7/11/2011	883135	283.34		
				TRAINING FOR PD K9	283.34
	Vendor Total		**283.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**283.34**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCED ELECTRIC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208632	242.00		
				ELECTRICAL REPAIRS-PARKS	120.00
				ELECTRICAL REPAIRS-PARKS	60.00
				ELECTRICAL REPAIRS-GOLF COURSE	62.00
	7/18/2011	208724	2,554.00		
				ELECTRICAL REPAIRS	372.00
				REPLACED LIGHTING POLES	2,182.00
	7/25/2011	208812	3,098.00		
				ELECT REPAIR-PSB	977.00
				ELECT REPAIR-CONF & REC CTR	953.00
				ELECT REPAIR-CONF & REC CTR	519.00
				ELECT REPAIR-CONF & REC CTR	649.00
	Vendor Total		**5,894.00**		
FYTD for ADVANCED ELECTRIC			**5,894.00**		
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	7/11/2011	883136	362.50		
				CONSULTING SERVICES-NPDES	362.50
	Vendor Total		**362.50**		
FYTD for AEI-CASC ENGINEERING			**362.50**		
ALANIS, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208725	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALANIS, MICHELLE			**95.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	7/11/2011	208634	1,450.12		
				TRANSPORTATION SVCS-CHILDS PLC	373.43
				TRANSPORTATION SVCS-CHILDS PLC	717.79
				TRANSPORTATION SVCS-VALLEYCAMP	358.90
	Vendor Total		**1,450.12**		
FYTD for ALLIANCE BUS LINES INC			**1,450.12**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	7/18/2011	208726	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**75.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALPHACORP/SIRE TECHNOLOGIES			Remit to: **WEST VALLEY CITY**	**UT**
7/18/2011	883165	11,994.00		
			SIRE EDMS SOFTWARE ANN MAINT.	1,699.00
			PERMITS+ INTERFACE ANN MAINT.	509.00
			ENTERPRISE RETENTION MANAGER	899.00
			ENTERPRISE WORKFLOW MODULE	720.00
			CITY-WIDE SIRE CLIENT USER LIC	2,519.00
			PDF CONVERSION, OCR AND FULL	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE ANNUAL MAINT.	539.00
			SIRE FORMS ANNUAL MAINT.	899.00
			SIRE AGENDA PLUS ANNUAL MAINT.	6,119.00
			CAPTURE INDEX STATION ANNUAL	944.00
			PURCHASING INCENTIVE DISCOUNT	-4,000.00
	Vendor Total	**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**11,994.00**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208635	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for ALVAREZ, JUAN C		**52.50**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS**	**CA**
7/11/2011	883137	82.16		
			BLOOD DRAWS	82.16
	Vendor Total	**82.16**		
FYTD for AMERICAN FORENSIC NURSES		**82.16**		
AMERICAN TOWERS			Remit to: **CHARLOTTE**	**NC**
7/11/2011	208636	2,573.48		
			ATC TOWER LEASE	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**2,573.48**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM**	**CA**
7/11/2011	208637	121.92		
			ELEVATOR SVCS-CITY HALL	121.92
7/25/2011	208815	352.38		
			WHEELCHAIR LIFT SVC/REPAIR	230.46
			ELEVATOR SVC/REPAIRS-CITY HALL	121.92
	Vendor Total	**474.30**		
FYTD for AMTECH ELEVATOR SERVICES		**474.30**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
7/25/2011	883188	640.00		
			EMERGENCY VET SVCS	400.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
	Vendor Total	**640.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**640.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
7/18/2011	208727	325.00		
			BEE REMOVAL	325.00
7/25/2011	208816	1,790.00		
			PEST CONTROL-GOLF COURSE	180.00
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MFCC/MBF/MVEC	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	160.00
			PEST CONTROL-STARS BLDG	100.00
	Vendor Total	**2,115.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**2,115.00**		
APWA-AMERICAN PUBLIC WORKS ASSOCIATION			Remit to: **KANSAS CITY**	**MO**
7/18/2011	208728	550.00		
			MAINT FOR MICRO PAVER APPLIC.	550.00
7/25/2011	208817	2,380.00		
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
	Vendor Total	**2,930.00**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**2,930.00**		

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ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
7/18/2011	883166	1,346.48		
			OFFSITE STORAGE SVCS-CITY CLRK	1,331.65
			RECORDS DESTRUCTION-ANIMAL SVC	14.83
	Vendor Total	**1,346.48**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**1,346.48**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
7/5/2011	208530	340.78		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRFFC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-FS #2	25.00
			WATER PURIF RNTL-FS #6	25.00
			WATER PURIF RNTL-FS #48	25.00
			WATER PURIF RNTL-FS #58	15.77
			WATER PURIF RNTL-FS #65	25.00
			WATER PURIF RNTL-FS #91	25.00
7/18/2011	208729	200.01		
			WATER PURIF RNTL-ANML SVCS	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPCL DIST	25.00
			WATER PURIF RNTL-CONF & REC CT	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FAC ANNEX	25.00
			WATER PURIF RNTL-STARS	25.00
	Vendor Total	**540.79**		
FYTD for ARROWHEAD WATER		**540.79**		
AT&T MOBILITY			Remit to: **CAROL STREAM** **IL**	
7/5/2011	208531	91.04		
			CELL PH CHARGES-PD MBL CMMND C	91.04
	Vendor Total	**91.04**		
FYTD for AT&T MOBILITY		**91.04**		
AT&T NATIONAL COMPLIANCE CENTER			Remit to: **NORTH PALM BEACH** **FL**	
7/5/2011	208532	300.00		
			CELL PHONE PING FEES FOR PD	300.00
	Vendor Total	**300.00**		
FYTD for AT&T NATIONAL COMPLIANCE CENTER		**300.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	7/5/2011	208533	183.10		
				COMMUNICATION SVCS	183.10
	Vendor Total		**183.10**		
FYTD for AT&T/MCI			**183.10**		
AUTOMATIC STOREFRONT SERVICE, INC.				Remit to: **CHINO** **CA**	
	7/25/2011	208818	175.00		
				DOOR REPAIRS	87.50
				DOOR REPAIRS	87.50
	Vendor Total		**175.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**175.00**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208638	65.28		
				MILEAGE REIMBURSEMENT	65.28
	7/25/2011	208819	371.58		
				TRAVEL EXP.-CRRA CONFERENCE	123.08
				TRAVEL EXP.-CRRA CONFERENCE	248.50
	Vendor Total		**436.86**		
FYTD for AYALA, NANNERL A.			**436.86**		
AYERS, JAMES				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208730	34.00		
				REFUND-VARIOUS A/C FEES	22.00
				REFUND-VARIOUS A/C FEES	12.00
	Vendor Total		**34.00**		
FYTD for AYERS, JAMES			**34.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	7/5/2011	208534	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**318.73**		
BAGLEY, DENISE				Remit to: **HEMET** **CA**	
	7/5/2011	208535	87.00		
				REFUND-PARKS CLASS REGIS FEE	87.00
	Vendor Total		**87.00**		
FYTD for BAGLEY, DENISE			**87.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	7/5/2011	883044	119.73		
				RETIREE MED MAR '11, PD JUL '1	119.73
	Vendor Total		**119.73**		
FYTD for BARNES, DARLENE			**119.73**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	7/25/2011	208820	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARTUCCIO, ERICA			**20.00**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883189	60.00		
				BACKFLOW TESTING-PARKS	6.91
				BACKFLOW TESTING-PARKS	23.09
				BACKFLOW TESTING-PARKS	30.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**60.00**		
BASSET HOUND OF SO CALIF RESCUE				Remit to: **COSTA MESA** **CA**	
	7/25/2011	208821	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BASSET HOUND OF SO CALIF RESCUE			**75.00**		
BATONGMALAQUE, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208731	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATONGMALAQUE, BARBARA			**50.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208536	250.00		
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**250.00**		

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BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	7/5/2011	883045	10,660.49		
				LANDSCAPE MAINT-E4	114.31
				LANDSCAPE MAINT-E4	65.52
				LANDSCAPE MAINT-E4	65.10
				LANDSCAPE MAINT-E4	650.00
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STNS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E3	315.00
				LNDSCP MAINT-PAN AM SECTION	600.00
				LNDSCP MAINT-SCE & OLD LAKE DR	1,785.00
				LNDSCP MAINT-S AQDCT "A"	850.50
				LNDSCP MAINT-S AQDCT "B"	735.00
				LNDSCP MAINT-SENIOR CTR	262.50
				LNDSCP MAINT-N AQDCT	525.00
	7/25/2011	883190	87.18		
				LANDSCAPE MAINT-E4	87.18
	Vendor Total		**10,747.67**		
FYTD for BEMUS LANDSCAPE, INC.			**40,176.27**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	883191	846.50		
				COBRA ADMIN FEE	846.50
	Vendor Total		**846.50**		
FYTD for BENESYST, INC.			**846.50**		
BERMUDEZ, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208733	47.25		
				REFUND-CLASS REGIS FEE	7.75
				REFUND-CLASS REGIS FEE	15.00
				REFUND-CLASS REGIS FEE	19.25
				REFUND-CLASS REGIS FEE	5.25
	Vendor Total		**47.25**		
FYTD for BERMUDEZ, ASHLEY			**47.25**		
BERRY, RICK				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208639	836.00		
				REFUND-RENTAL DEPOSIT -TWNGATE	200.00
				REFUND-RENTAL DEPOSIT -TWNGATE	636.00
	Vendor Total		**836.00**		
FYTD for BERRY, RICK			**836.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BIO-TOX LABORATORIES			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208734	1,555.89		
			TOXICOLOGY TESTING-PD	1,555.89
	Vendor Total	**1,555.89**		
FYTD for BIO-TOX LABORATORIES		**1,555.89**		
BPC MEDIA WORKS, LLC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208822	1,530.00		
			ADVERTISING SVCS-EDD	1,530.00
	Vendor Total	**1,530.00**		
FYTD for BPC MEDIA WORKS, LLC		**1,530.00**		
BRACAMONTE, FRANCES			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208823	112.00		
			REFUND-CLASS REGIS FEE	112.00
	Vendor Total	**112.00**		
FYTD for BRACAMONTE, FRANCES		**112.00**		
BREAKTHROUGH CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208640	100.00		
			REFUND-RENTAL DEPOSIT -TWNGATE	100.00
	Vendor Total	**100.00**		
FYTD for BREAKTHROUGH CHURCH		**100.00**		
BRIGIE, DEBRA			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208824	17,855.60		
			SOLAR INCENTIVE REBATE	17,855.60
	Vendor Total	**17,855.60**		
FYTD for BRIGIE, DEBRA		**17,855.60**		
BRITTMON, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208641	66.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	10.00
	Vendor Total	**66.00**		
FYTD for BRITTMON, MICHELLE		**66.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	7/5/2011	883046	287.65		
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	49.03
				MISC BOOKS-LIBRARY	40.17
				MISC BOOKS-LIBRARY	51.24
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	38.69
	7/18/2011	883167	1,261.16		
				MISC BOOKS-LIBRARY	59.40
				MISC BOOKS-LIBRARY	146.07
				MISC BOOKS-LIBRARY	564.19
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	378.59
	Vendor Total		**1,548.81**		
FYTD for BRODART CO.			**1,548.81**		
BROWN, HOWARD				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208825	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROWN, HOWARD			**50.00**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	7/5/2011	208537	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**318.73**		
BURKE, JOHN R.				Remit to: **REDLANDS** **CA**	
	7/5/2011	208538	1,737.00		
				RETIREE MED JB 9/10-2/11, 5/11	1,737.00
	Vendor Total		**1,737.00**		
FYTD for BURKE, JOHN R.			**1,737.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
7/5/2011	208539	2,820.13		
			MISC BOOKS-LIBRARY	75.40
			MISC BOOKS-LIBRARY	15.50
			MISC BOOKS-LIBRARY	16.59
			MISC BOOKS-LIBRARY	51.65
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	1,059.61
			MISC BOOKS-LIBRARY	1,372.21
			MISC BOOKS-LIBRARY	84.69
			MISC BOOKS-LIBRARY	77.10
			MISC BOOKS-LIBRARY	26.43
			MISC BOOKS-LIBRARY	21.21
7/18/2011	208735	15.50		
			MISC BOOKS-LIBRARY	15.50
	Vendor Total	**2,835.63**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**2,835.63**		
C & H DISTRIBUTORS, INC.			Remit to: **MILWAUKEE** **WI**	
7/18/2011	208736	3,243.41		
			UPHLSTRD STACK CHAIRS W/O ARMS	2,340.80
			SHIPPING & HANDLING CHRG	697.79
			CA SALES TAX	204.82
	Vendor Total	**3,243.41**		
FYTD for C & H DISTRIBUTORS, INC.		**3,243.41**		
CA REGIONAL WATER QUALITY CONTROL BOARD			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208642	712.00		
			SEC 401 CERT FILING FEE	712.00
	Vendor Total	**712.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD		**712.00**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
7/5/2011	883047	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CAIN, GREGORY		**318.73**		
CALIFORNIA BUILDING STANDARDS COMMISSION			Remit to: **SACRAMENTO** **CA**	
7/12/2011	208720	376.20		
			SB 1473 FEES COLLECTD 4/1-6/30	376.20
	Vendor Total	**376.20**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		**376.20**		

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CALIFORNIA DEPARTMENT OF FISH AND GAME			Remit to: **LOS ALAMITOS** **CA**	
7/11/2011	208643	4,482.75		
			STREAMBED ALTER. AGRMNT FEE	4,482.75
	Vendor Total	**4,482.75**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME		**4,482.75**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208826	75.00		
			REFUND-PARK RNTL DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**75.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
7/5/2011	883048	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**318.73**		
CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
7/11/2011	208644	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**7,590.68**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883049	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**318.73**		
CARTER, TERRY			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208645	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CARTER, TERRY		**20.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
7/11/2011	208646	286.49		
			CEMENT PURCHASE	286.49
	Vendor Total	**286.49**		
FYTD for CEMEX		**286.49**		

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CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	883193	8,942.00		
				INVESTMENT MGT SVCS	8,942.00
	Vendor Total		**8,942.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**8,942.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208540	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**318.73**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883050	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**318.73**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883051	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**229.88**		

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CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
7/5/2011	883052	111.68		
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	13.00
			UNIFORM RNTL SVC-GOLF COURSE	5.56
7/11/2011	883139	341.36		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	61.60
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM SVCS-FACILITIES	12.40
7/18/2011	883168	66.90		
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
7/25/2011	883194	66.90		
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
			UNIFORM RNTL SVC-GOLF COURSE	2.79
	Vendor Total	**586.84**		
FYTD for CINTAS CORPORATION		**586.84**		
CITRUS BELT CHAPTER, I.C.C.			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208827	25.00		
			FY11/12 MEMBERSHIP RENEWAL	25.00
	Vendor Total	**25.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**25.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CITY OF DESERT HOT SPRINGS			Remit to: **DESERT HOT SPRINGS CA**	
7/11/2011	208647	80.00		
			7/11/11 LCC GEN MEMB MEETING	40.00
			7/11/11 LCC GEN MEMB MEETING	40.00
	Vendor Total	**80.00**		
FYTD for CITY OF DESERT HOT SPRINGS		**80.00**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY CA**	
7/18/2011	883169	4,475.00		
			EXEMPT VEBA	-37.50
			EXEMPT VEBA	700.00
			EXEMPT VEBA	3,812.50
	Vendor Total	**4,475.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**4,475.00**		
CITY OF TORRANCE			Remit to: **TORRANCE CA**	
7/18/2011	208737	6,870.00		
			SIPPLE ET AL V. CITY-LEGAL SVC	6,870.00
	Vendor Total	**6,870.00**		
FYTD for CITY OF TORRANCE		**6,870.00**		
CLARK, CHRISTINE			Remit to: **MORENO VALLEY CA**	
7/25/2011	208828	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CLARK, CHRISTINE		**75.00**		
COAST TO COAST LASER			Remit to: **MURRIETA CA**	
7/11/2011	208648	1,483.76		
			MVPD SHIELD STICKERS	741.88
			MVPD SHIELD STICKERS	741.88
	Vendor Total	**1,483.76**		
FYTD for COAST TO COAST LASER		**1,483.76**		
COBBS JR., JOE C			Remit to: **MORENO VALLEY CA**	
7/18/2011	208738	11,205.60		
			SOLAR INCENTIVE REBATE	11,205.60
	Vendor Total	**11,205.60**		
FYTD for COBBS JR., JOE C		**11,205.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLLINS, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208829	47.00		
				REFUND-PIANO CLASS CANCELLED	47.00
	Vendor Total		**47.00**		
FYTD for COLLINS, DANIEL			**47.00**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	7/5/2011	208541	6,935.24		
				SUPPLEMENTAL INSURANCE	6,935.24
	Vendor Total		**6,935.24**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**6,935.24**		
COMMUNITY HEALTH CHARITIES				Remit to: **ANAHEIM** **CA**	
	7/5/2011	208542	2.50		
				CHC CONTRIBUTIONS	2.50
	7/5/2011	208543	176.31		
				CHC CONTRIBUTIONS	176.31
	7/18/2011	208739	2.50		
				CHC CONTRIBUTIONS	2.50
	7/18/2011	208740	176.31		
				CHC CONTRIBUTIONS	176.31
	Vendor Total		**357.62**		
FYTD for COMMUNITY HEALTH CHARITIES			**357.62**		
CONCEPCION BARAJAS/JESSICA AVELAR				Remit to: **PERRIS** **CA**	
	7/5/2011	208544	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CONCEPCION BARAJAS/JESSICA AVELAR			**95.00**		
CONTINENTAL WESTERN TRANSPORTATION				Remit to: **SAN DIEGO** **CA**	
	7/11/2011	208649	6,752.25		
				ASPHALTIC MATERIALS PURCHASE	3,534.38
				ASPHALTIC MATERIALS PURCHASE	3,217.87
	Vendor Total		**6,752.25**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION			**6,752.25**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND** **CA**	
7/18/2011	208741	148.71		
			LEGAL PUBLICATIONS	12.20
			LEGAL PUBLICATIONS	136.51
	Vendor Total	**148.71**		
FYTD for CONTINUING EDUCATION OF THE BAR		**148.71**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208650	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for CONTRERAS, BIANCA		**52.50**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208651	175.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
			SPORTS OFFICIATING SVCS-SOCCER	70.00
	Vendor Total	**175.00**		
FYTD for CONTRERAS, JOSE		**175.00**		
CORTES, MARIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208742	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for CORTES, MARIA		**200.00**		
COSTCO			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208652	383.89		
			MISC SUPPLIES-CHILDS PLACE	140.59
			MISC SUPPLIES-STARS	243.30
7/18/2011	208743	1,350.19		
			SNACKS-"A CHILDS PLACE" PRGM	1,350.19
	Vendor Total	**1,734.08**		
FYTD for COSTCO		**1,734.08**		
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208830	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**1,250.00**		
FYTD for COUNSELING TEAM, THE		**1,250.00**		

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COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
7/5/2011	208545	64.12		
			REFUND-UUT USER TAXES	64.12
Vendor Total		**64.12**		
FYTD for COUNTRY SQUIRE ESTATES		**64.12**		
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208653	2,163.78		
			JANITORIAL SUPPLIES	1,936.67
			JANITORIAL SUPPLIES	227.11
Vendor Total		**2,163.78**		
FYTD for COUNTY OF RIVERSIDE		**2,163.78**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208744	42.70		
			RECORDATION REQUESTS-LAND DEV	8.30
			RECORDATION REQUESTS-LAND DEV	34.40
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**42.70**		
COVARRUBIAS, MELISSA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208654	75.00		
			REFUND-SN DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for COVARRUBIAS, MELISSA		**75.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
7/5/2011	883053	110.31		
			K-9 DOG FOOD	110.31
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**110.31**		
CUEVAS, GLORIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208746	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CUEVAS, GLORIA		**20.00**		
CUFF, STEPHANIE CERVANTES			Remit to: **PERRIS** **CA**	
7/11/2011	208655	19.38		
			MILEAGE REIMBURSEMENT	19.38
Vendor Total		**19.38**		
FYTD for CUFF, STEPHANIE CERVANTES		**19.38**		

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CUMBERLAND, AKOSUA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208546	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for CUMBERLAND, AKOSUA			**145.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.				Remit to: **VALENCIA** **CA**	
	7/25/2011	208832	745.00		
				DISPOSAL SVCS	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**745.00**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883054	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**318.73**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	7/11/2011	883140	4,684.61		
				CITATION PRCSSNG-PD	3,876.95
				CITATION PRCSSNG-ANML SVCS	407.36
				CITATION PRCSSNG-BLDG/SFTY	162.82
				CITATION PRCSSNG-ADDL PYMNT	237.48
	Vendor Total		**4,684.61**		
FYTD for DATA TICKET, INC.			**32,235.28**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	208833	130.50		
				ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**130.50**		
DE SANTIS, THOMAS M				Remit to: **TEMECULA** **CA**	
	7/5/2011	208548	14,000.00		
				PROF SVCS-CITY EVALUATION	12,000.00
				PROF SVCS-CITY EVALUATION	2,000.00
	Vendor Total		**14,000.00**		
FYTD for DE SANTIS, THOMAS M			**14,000.00**		

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DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	7/11/2011	208656	140.00		
				MONTHLY BOILER SVC-EOC	140.00
	7/18/2011	208747	29.36		
				REPLACED BOILER PARTS-EOC	29.36
	Vendor Total		**169.36**		
FYTD for DEBINAIRE COMPANY			**169.36**		
DEL REY APPRAISAL SRVCS				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208657	500.00		
				APPRAISAL SVCS-EDD	250.00
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**500.00**		
FYTD for DEL REY APPRAISAL SRVCS			**500.00**		
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208748	10,712.77		
				EMPLOYEE DENTAL INSURANCE	10,712.77
	Vendor Total		**10,712.77**		
FYTD for DELTA DENTAL			**10,712.77**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208549	6,033.46		
				EMPLOYEE DENTAL INSURANCE	6,033.46
	7/18/2011	208749	5,580.33		
				EMPLOYEE DENTAL INSURANCE	5,580.33
	Vendor Total		**11,613.79**		
FYTD for DELTACARE USA			**11,613.79**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	7/11/2011	883141	2,180.00		
				PLAN REVIEW SVCS-FIRE PREV	1,530.00
				PLAN REVIEW SVCS-FIRE PREV	650.00
	7/18/2011	883170	1,710.00		
				PLAN CHECK SVCS-FIRE PREV	1,150.00
				PLAN CHECK SVCS-FIRE PREV	560.00
	Vendor Total		**3,890.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**3,890.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DEPARTMENT OF CONSERVATION			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208658	578.26		
			SMI FEES 4/1-6/30/11	608.69
			SMI FEES 4/1-6/30/11	-30.43
	Vendor Total	**578.26**		
FYTD for DEPARTMENT OF CONSERVATION		**578.26**		
DESIGN WORKS			Remit to: **SAN JACINTO** **CA**	
7/5/2011	208550	2,235.46		
			YTH SPORTS UNIFORMS	2,235.46
7/11/2011	208659	1,950.35		
			UNIFORMS-YOUTH SPORTS	24.91
			UNIFORMS-YOUTH SPORTS	1,925.44
7/25/2011	208834	150.07		
			YTH SPORTS UNIFORMS-PARKS	150.07
	Vendor Total	**4,335.88**		
FYTD for DESIGN WORKS		**4,335.88**		
DMC DESIGN GROUP, INC			Remit to: **CORONA** **CA**	
7/5/2011	208551	10,031.59		
			DAY ST DRAINAGE IMPRVMNTS PROJ	10,031.59
	Vendor Total	**10,031.59**		
FYTD for DMC DESIGN GROUP, INC		**10,031.59**		
DORY, ALLEEN F.			Remit to: **HEMET** **CA**	
7/5/2011	208552	229.88		
			RETIREE MED JUL '11	229.88
	Vendor Total	**229.88**		
FYTD for DORY, ALLEEN F.		**229.88**		
DURAN, BLANCA			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208553	189.00		
			INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total	**189.00**		
FYTD for DURAN, BLANCA		**189.00**		

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E.R. BLOCK PLUMBING & HEATING, INC.			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208660	2,560.87		
			BACKFLOW TESTING-NPDES	100.00
			BACKFLOW REPLACMNT-ZONE D	597.19
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
7/18/2011	208750	1,031.47		
			BACKFLOW REPLACMNT-ZONE D	583.97
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW TESTING-ZONE D	240.00
			BACKFLOW TESTING-ZONE E-14	20.00
	Vendor Total	**3,592.34**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**3,592.34**		
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/11/2011	208661	4,500.00		
			PLAN CK DEPOSIT W/EASEMENT	4,500.00
7/12/2011	208721	15,137.12		
			WATER CHARGES	322.43
			WATER CHARGES	10,105.12
			WATER CHARGES	423.54
			WATER CHARGES	2,616.82
			WATER CHARGES	1,184.99
			WATER CHARGES	22.28
			WATER CHARGES	193.03
			WATER CHARGES	268.91
	Vendor Total	**19,637.12**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883055	35.18		
			REFUND-UUT USER TAXES	35.18
	Vendor Total	**35.18**		
FYTD for EDGELANE MOBILE PARK		**35.18**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
7/5/2011	208554	325.66		
			RETIREE MED JUL '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**325.66**		

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ELIZARRARAZ, EDDIE				Remit to: **MORENO VALLEY CA**	
	7/18/2011	208752	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ELIZARRARAZ, EDDIE			**20.00**		
ELLIOTT, NISHA				Remit to: **MORENO VALLEY CA**	
	7/25/2011	208835	134.40		
				INSTRUCTOR SVCS-KICKBOXING	4.40
				INSTRUCTOR SVCS-KICKBOXING	103.60
				INSTRUCTOR SVCS-KICKBOXING	26.40
	Vendor Total		**134.40**		
FYTD for ELLIOTT, NISHA			**134.40**		
EMPIRE MOWER				Remit to: **MORENO VALLEY CA**	
	7/11/2011	208662	1,105.85		
				EQUIP REPAIRS-PARK MAINT	685.03
				EQUIP REPAIRS-PARK MAINT	420.82
	Vendor Total		**1,105.85**		
FYTD for EMPIRE MOWER			**1,105.85**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2893	500.00		
				STATE INCOME TAX W/H 7/1/11	500.00
	Vendor Total		**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM CA**	
	7/5/2011	883056	23,272.59		
				CABINET LEASE-IRIS	17.89
				CABINET LEASE-IRIS	1,232.11
				WORK AUTH-HIGHLAND FAIRVIEW	11,590.55
				12KV NEW REDLAND CKT WORK AUTH	10,432.04
	Vendor Total		**23,272.59**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
ESCOBAR, CARMEN				Remit to: **MORENO VALLEY CA**	
	7/25/2011	208836	31.20		
				REFUND-DANCE CLASS	31.20
	Vendor Total		**31.20**		
FYTD for ESCOBAR, CARMEN			**31.20**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883057	30.45		
			ENGRAVING SVCS-FACILITIES	28.00
			ENGRAVING SVCS-FACILITIES	2.45
7/18/2011	883172	30.45		
			ENGRAVING SVCS-PARKS	30.45
	Vendor Total	**60.90**		
FYTD for EVANS ENGRAVING & AWARDS		**60.90**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
7/18/2011	208753	129.29		
			IRRIGATION SUPPLIES-FIRE STATN	129.29
7/25/2011	208837	2,812.03		
			IRRIGATION SUPPLIES-PARKS	130.23
			IRRIGATION SUPPLIES-PARKS	305.72
			IRRIGATION SUPPLIES-PARKS	2,161.55
			IRRIGATION SUPPLIES-CFD#1	122.36
			IRRIGATION SUPPLIES-PARKS	92.17
	Vendor Total	**2,941.32**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**2,941.32**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
7/25/2011	208838	7,987.21		
			LANDSCAPE MAINT-E8	22.22
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-WQB	1,059.42
			LANDSCAPE MAINT-WQB	3,444.50
	Vendor Total	**7,987.21**		
FYTD for EXCEL LANDSCAPE, INC		**7,987.21**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
7/5/2011	883058	361.25		
			RETIREE MED JUL '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**361.25**		

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FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
7/5/2011	208555	586.00		
			ONLINE PROP INFO SVCS-CDD	331.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-EDD	170.00
7/25/2011	208839	526.00		
			ONLINE PROP INFO SVCS-CDD	271.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-NSP	170.00
	Vendor Total	**1,112.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**1,112.00**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
7/5/2011	883059	134.06		
			COFFEE SVCS-EMP PAID	1.40
			COFFEE SVCS-EMP PAID	132.66
7/11/2011	883142	550.48		
			COFFEE SVCS-EMP PAID	171.03
			COFFEE SVCS-EMP PAID	20.00
			COFFEE SVCS-EMP PAID	225.43
			COFFEE SVCS-EMP PAID	85.64
			COFFEE SVCS-EMP PAID	48.38
7/18/2011	883173	62.01		
			COFFEE SUPPLIES-CITY YARD	62.01
	Vendor Total	**746.55**		
FYTD for FIRST CHOICE SERVICES		**746.55**		
FLORES, ARCHIE			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208754	29.60		
			REFUND-PICNIC SHELTER RENTAL	29.60
	Vendor Total	**29.60**		
FYTD for FLORES, ARCHIE		**29.60**		
FOOTHILL CHAPTER - I.C.C.			Remit to: **FONTANA** **CA**	
7/25/2011	208841	50.00		
			MEMBERSHIP DUES	50.00
	Vendor Total	**50.00**		
FYTD for FOOTHILL CHAPTER - I.C.C.		**50.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883060	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**318.73**		

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FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	7/5/2011	208556	165.58		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	25.58
	7/18/2011	208755	255.00		
				GARNISHMENT	25.00
				GARNISHMENT	230.00
	Vendor Total		**420.58**		
FYTD for FRANCHISE TAX BOARD			**420.58**		
FRANCO, JUAN				Remit to: **PERRIS** **CA**	
	7/18/2011	208756	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FRANCO, JUAN			**75.00**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	7/11/2011	208663	193.29		
				MILEAGE REIMBURSEMENT	193.29
	Vendor Total		**193.29**		
FYTD for FRANKLIN, L. C.			**193.29**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208557	2,249.76		
				TRAFFIC PAINT	2,249.76
	Vendor Total		**2,249.76**		
FYTD for FRAZEE INDUSTRIES, INC			**2,249.76**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208757	140.00		
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	56.00
				SPORTS OFFICIATING SVCS-SFTBLL	4.00
	Vendor Total		**140.00**		
FYTD for FRESQUEZ, JOHN			**140.00**		
FUEL AND FLAME MINISTRY				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208664	480.00		
				REFUND-UNUSED PORTION OF DEP.	480.00
	Vendor Total		**480.00**		
FYTD for FUEL AND FLAME MINISTRY			**480.00**		

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FUEL PROS, INC				Remit to: **CHINO** **CA**	
	7/18/2011	208758	1,650.00		
				FUEL DISPENSER PUMP RPLCMNT	1,502.00
				FUEL DISPENSER PUMP RPLCMNT	148.00
	Vendor Total		**1,650.00**		
FYTD for FUEL PROS, INC			**1,650.00**		
GAGATCH, HEATHER				Remit to:	
	7/5/2011	208558	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for GAGATCH, HEATHER			**145.00**		
GAINES SR., GLENN E.				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208665	110.00		
				REFUND-CITATION FEE	110.00
	Vendor Total		**110.00**		
FYTD for GAINES SR., GLENN E.			**110.00**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208666	571.24		
				UNIFORMS-TRFFC UNIT	571.24
	7/18/2011	208759	26.10		
				UNIFORMS-TRFFC UNIT	26.10
	Vendor Total		**597.34**		
FYTD for GALLS INC., INLAND UNIFORM			**597.34**		
GAMA, LINA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208667	41.64		
				CRIME-FREE MULTI HOUSING SEMNR	41.64
	Vendor Total		**41.64**		
FYTD for GAMA, LINA			**41.64**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883061	174.30		
				RETIREE MED JUL '11	174.30
	Vendor Total		**174.30**		
FYTD for GASTON, RICHARD			**174.30**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
7/11/2011	883143	429.52		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
7/18/2011	883174	1,411.28		
			SECURITY SVCS-CRC 6/4/11 EVNT	76.70
			SECURITY SVCS-TCC RENTALS	360.49
			SECURITY SVCS-TCC RENTALS	145.73
			SECURITY SVCS-SENIOR CTR	291.46
			SECURITY SVCS-CRC	230.10
			SECURITY SVCS-CRC	226.26
			SECURITY SVCS-CRC	80.54
7/25/2011	883197	2,193.62		
			SECURITY SVCS-CITY HALL	230.10
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	490.88
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
Vendor Total		**4,034.42**		
FYTD for GENERAL SECURITY SERVICES, INC.		**4,034.42**		
GES EXPOSITION SERVICES			Remit to: **LAS VEGAS**	**NV**
7/25/2011	208843	2,433.11		
			TRADESHOW SVCS-VARIOUS	2,433.11
Vendor Total		**2,433.11**		
FYTD for GES EXPOSITION SERVICES		**2,433.11**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883062	7,252.50		
			LEGAL SVCS	3,941.75
			LEGAL SVCS	1,323.25
			LEGAL SVCS	1,987.50
Vendor Total		**7,252.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**7,252.50**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883063	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
Vendor Total		**318.73**		
FYTD for GONZALES, DOMILENA R.		**318.73**		

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GORM INC.				Remit to: **ONTARIO** **CA**	
	7/25/2011	208844	3,440.86		
				JANITORIAL SUPPLIES-CITY PARKS	1,720.43
				JANITORIAL SUPPLIES-CFD #1	1,720.43
		Vendor Total	**3,440.86**		
FYTD for GORM INC.			**3,440.86**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	883144	486.00		
				INSTRUCTOR SVCS-KUNG FU	270.00
				INSTRUCTOR SVCS-KUNG FU	216.00
		Vendor Total	**486.00**		
FYTD for GOZDECKI, DAN			**486.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208760	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
		Vendor Total	**1,000.00**		
FYTD for GRANICUS, INC.			**1,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	7/5/2011	883064	318.73		
				RETIREE MED JUL '11	318.73
		Vendor Total	**318.73**		
FYTD for GRIFFIN, MARLENE C			**318.73**		
GROUND CONTROL SYSTEMS, INC.				Remit to: **SAN LUIS OBISPO** **CA**	
	7/25/2011	883198	1,908.00		
				MOBILE SAT INTERNET SVC-PD	1,908.00
		Vendor Total	**1,908.00**		
FYTD for GROUND CONTROL SYSTEMS, INC.			**1,908.00**		
GUERRERO, CLAUDIO				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208668	20.00		
				REFUND-RABIES DEPOSIT	20.00
		Vendor Total	**20.00**		
FYTD for GUERRERO, CLAUDIO			**20.00**		
GUIDERO, DAVID				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208559	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for GUIDERO, DAVID			**75.00**		

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GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	7/5/2011	883065	551.34		
				RETIREE MED JUN-JUL '11, PD JU	551.34
	Vendor Total		**551.34**		
FYTD for GUILLAN, REBECCA S.			**551.34**		
GUTIERREZ, JOSHUA				Remit to: **BUENA PARK** **CA**	
	7/25/2011	208845	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for GUTIERREZ, JOSHUA			**20.00**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	7/5/2011	883066	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**318.73**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883175	4,049.00		
				CART RETRIEVAL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**4,049.00**		
H & H GENERAL CONTRACTORS				Remit to: **HIGHLAND** **CA**	
	7/18/2011	883176	0.00		
				MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
				VOIDED CHECK #883176 - 7/21/11	-215,802.45
	Vendor Total		**0.00**		
FYTD for H & H GENERAL CONTRACTORS			**215,802.45**		
H.O.C.I.E - HOUSING OPPORTUNITIES				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208560	1,440.00		
				FORECLOSURE COUNSELING SVCS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for H.O.C.I.E - HOUSING OPPORTUNITIES			**1,440.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883067	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**318.73**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883068	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**318.73**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	7/5/2011	208561	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**318.73**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	7/5/2011	208562	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**318.73**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208563	168.00		
				INSTRUCTOR SVCS-BODY SCULPTING	108.00
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
	Vendor Total		**168.00**		
FYTD for HASS, MINA			**168.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883069	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**318.73**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	7/5/2011	883070	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**318.73**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208564	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**318.73**		

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HERTZ EQUIPMENT RENTAL INC				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208565	688.29		
				CRANE TRUCK RENTAL	688.29
	Vendor Total		**688.29**		
FYTD for HERTZ EQUIPMENT RENTAL INC			**688.29**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208761	108.00		
				INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total		**108.00**		
FYTD for HIGGS, DEBRA			**108.00**		
HODGE PRODUCTS, INC.				Remit to: **EL CAJON** **CA**	
	7/25/2011	883199	677.87		
				LOCKS-CFD #1	172.97
				LOCKS-CITY PARKS	170.00
				LOCKS-CFD #1	27.03
				LOCKS-CFD #1	307.87
	Vendor Total		**677.87**		
FYTD for HODGE PRODUCTS, INC.			**677.87**		
HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208566	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**318.73**		
HOUSTON RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208762	100.00		
				REFUND-CHILD'S PLACE FEES	100.00
	Vendor Total		**100.00**		
FYTD for HOUSTON RICHARD			**100.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	7/29/2011	2906	8,520.83		
				DEF COMP 457 7/29/11	8,520.83
	Vendor Total		**8,520.83**		
FYTD for ICMA RETIREMENT CORP 457			**42,062.58**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208567	112.29		
				REFUND-UUT USER TAXES	112.29
	Vendor Total		**112.29**		
FYTD for IL SORRENTO MOBILE PARK			**112.29**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
IMANI PRAISE FELLOWSHIP SDA CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208568	100.00		
			REFUND-RENTAL DEPOSIT -MSU	100.00
	Vendor Total	**100.00**		
FYTD for IMANI PRAISE FELLOWSHIP SDA CHURCH		**100.00**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
7/18/2011	208763	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**475.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883200	2,782.13		
			ABATEMENT SVC-22385 COTTNWD AV	2,782.13
	Vendor Total	**2,782.13**		
FYTD for INLAND CONTRACTORS, INC.		**2,782.13**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS** **CA**	
7/11/2011	208669	4,575.00		
			ADVERTISING SVCS-PW SOLID WAST	400.00
			ADVERTISING SVCS-PW SOLID WAST	4,175.00
	Vendor Total	**4,575.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**4,575.00**		
INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883145	2,863.40		
			NUISANCE ABTMNT SVCS-CODE	957.90
			NUISANCE ABTMNT SVCS-CODE	900.00
			NUISANCE ABTMNT SVCS-CODE	346.50
			NUISANCE ABTMNT SVCS-CODE	432.00
			NUISANCE ABTMNT SVCS-CODE	227.00
7/25/2011	883201	1,456.00		
			NUISANCE ABATEMENT SVCS-CODE	252.00
			NUISANCE ABATEMENT SVCS-CODE	1,204.00
	Vendor Total	**4,319.40**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**4,319.40**		

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INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON CA**	
7/5/2011	883071	393.00		
			VAPOR RECOVERY TESTING-FS #2	393.00
7/25/2011	883202	140.00		
			HOSE RETRACTOR REPAIR-FS#91	140.00
	Vendor Total	**533.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**533.00**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2892	2,000.00		
			FED INCOME TAX W/H 7/1/11	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
J D H CONTRACTING			Remit to: **RIVERSIDE CA**	
7/11/2011	883146	8,960.00		
			CONTRACT SVCS-FIRE STATION 91	5,921.00
			CONTRACT SVCS-SENIOR CENTER	3,039.00
7/12/2011	883162	845.00		
			GOLF CTR ROOFING WORK	845.00
	Vendor Total	**9,805.00**		
FYTD for J D H CONTRACTING		**9,805.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE CA**	
7/11/2011	208670	36.00		
			SPORTS OFFICIATING SVCS-SFTBL	36.00
	Vendor Total	**36.00**		
FYTD for JACKSON, JAYE		**36.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE CA**	
7/18/2011	208764	75.00		
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**75.00**		
JARRETT, STEPHEN M.			Remit to: **BEAUMONT CA**	
7/5/2011	208569	485.91		
			TRAVEL EXP-ESRI INTL USER CONF	95.41
			TRAVEL EXP-ESRI INTL USER CONF	390.50
	Vendor Total	**485.91**		
FYTD for JARRETT, STEPHEN M.		**485.91**		

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JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	7/12/2011	883163	1,955.00		
				CONSULTING SVCS-TECH SVCS	1,955.00
	Vendor Total		**1,955.00**		
FYTD for JDEDGE SOFTWARE, LLC			**1,955.00**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	7/25/2011	208846	99.96		
				MILEAGE REIMBURSEMENT	99.96
	Vendor Total		**99.96**		
FYTD for JONES III, JOSEPH			**99.96**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883072	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**318.73**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	7/5/2011	883073	15,181.51		
				TRAFFIC SIGNAL SUPPLIES	3,371.25
				TRAFFIC SIGNAL SUPPLIES	3,599.63
				TRAF SIG SERVICE CABINET	7,550.00
				CA SALES TAX	660.63
	Vendor Total		**15,181.51**		
FYTD for JTB SUPPLY CO., INC.			**64,456.14**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208570	2,687.65		
				LEGAL SVCS	2,675.00
				LEGAL SVCS	12.65
	Vendor Total		**2,687.65**		
FYTD for KANE, BALLMER & BERKMAN			**2,687.65**		
KASHEFIPOUR, HOSSEIN				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208671	191.25		
				MILEAGE REIMBURSEMENT	43.35
				MILEAGE REIMBURSEMENT	58.65
				MILEAGE REIMBURSEMENT	89.25
	Vendor Total		**191.25**		
FYTD for KASHEFIPOUR, HOSSEIN			**191.25**		

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KATZ, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208765	48.00		
				REFUND-CLASS REGIS FEE	48.00
	Vendor Total		**48.00**		
FYTD for KATZ, MICHELLE			**48.00**		
KDM MERIDIAN, INC.				Remit to: **LAKE FOREST** **CA**	
	7/5/2011	883074	2,945.00		
				DAY ST WIDENING/EUCALYPTUS PRJ	1,608.00
				ANNL ADA COMPL CURB/RAMP PROJ	1,337.00
	Vendor Total		**2,945.00**		
FYTD for KDM MERIDIAN, INC.			**2,945.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	208571	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**267.88**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	7/25/2011	208847	761.06		
				SPLASH PAD SUPPLIES-CFD #1	186.21
				SPLASH PAD SUPPLIES-CFD #1	574.85
	Vendor Total		**761.06**		
FYTD for KNORR SYSTEMS, INC			**761.06**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883075	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**318.73**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883076	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**318.73**		

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KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	7/25/2011	208848	1,126.22		
				CALIBRATE/REPAIR LASER GUN-PD	200.00
				CALIBRATE/REPAIR LASER GUN-PD	126.21
				LASER GUN PARTS/REPAIR-PD	800.01
	Vendor Total		**1,126.22**		
FYTD for KUSTOM SIGNALS, INC.			**1,126.22**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	7/5/2011	883077	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**318.73**		
LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208572	168.00		
				LEGAL SERVICES-RISK MGT	168.00
	Vendor Total		**168.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**168.00**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883078	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**318.73**		
LANCE, SOLL & LUNGHARD, LLP				Remit to: **BREA** **CA**	
	7/25/2011	208849	620.00		
				PROF SVCS-RE: GANN LIMIT	620.00
	Vendor Total		**620.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP			**620.00**		
LANGENDORF, BENJAMIN				Remit to: **PERRIS** **CA**	
	7/5/2011	883079	221.40		
				RETIREE MED MAY 11, PD JUL 11	221.40
	Vendor Total		**221.40**		
FYTD for LANGENDORF, BENJAMIN			**221.40**		

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LANGSTON MOTORSPORTS				Remit to: **PERRIS** **CA**	
	7/18/2011	208766	2,355.27		
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	249.44
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	505.83
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
	Vendor Total		**2,355.27**		
FYTD for LANGSTON MOTORSPORTS			**2,355.27**		
LAWYERS TITLE INC				Remit to: **NEWPORT BEACH** **CA**	
	7/19/2011	110705	16,196.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,196.00
	7/19/2011	110706	21,386.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	21,386.00
	Vendor Total		**37,582.00**		
FYTD for LAWYERS TITLE INC			**37,582.00**		
LAZARUS, MARGERY A.				Remit to: **CORONA** **CA**	
	7/18/2011	208767	138.72		
				MILEAGE REIMB-SR60/NASON PROJ	49.47
				MILEAGE REIMB-INDIAN BASIN PRJ	30.09
				MILEAGE REIMB-SR60 MOR BCH PRJ	59.16
	Vendor Total		**138.72**		
FYTD for LAZARUS, MARGERY A.			**138.72**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883080	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**318.73**		
LIGHTS OUT DISPOSAL COMPANY				Remit to: **EL CAJON** **CA**	
	7/5/2011	208573	444.15		
				E-WASTE PICK UP SERVICES	444.15
	Vendor Total		**444.15**		
FYTD for LIGHTS OUT DISPOSAL COMPANY			**444.15**		

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LOGAN, CHARLENE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208574	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LOGAN, CHARLENE			**20.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883081	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**318.73**		
LONA, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208672	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for LONA, VERONICA			**300.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883179	4,501.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	1.00
				IRONWD AVE-DAY TO BARCLAY PROJ	4,500.00
	Vendor Total		**4,501.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**4,501.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883082	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**318.73**		
MACIAS JR., ANTHONY				Remit to: **RIALTO** **CA**	
	7/5/2011	208575	126.00		
				TUITION FEE REIMBURSEMENT	126.00
	Vendor Total		**126.00**		
FYTD for MACIAS JR., ANTHONY			**126.00**		
MAMCO, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208673	5,084.33		
				DRACAEA AVE SIDEWLK IMPRVMNTS	5,084.33
	Vendor Total		**5,084.33**		
FYTD for MAMCO, INC			**5,084.33**		

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MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208576	6.08		
			GAS CHARGES-MARCH FIELD PRK CC	4.96
			GAS CHARGES-MARCH FIELD PRK CC	1.12
	Vendor Total	**6.08**		
FYTD for MARCH JOINT POWERS AUTHORITY		**6.08**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
7/5/2011	883083	4,425.04		
			LANDSCAPE MAINT-DSG2N	668.42
			LANDSCAPE MAINT-DSG2N	3,756.62
7/25/2011	883203	4,994.91		
			LANDSCAPE MAINT-ZONE DSG-2S	4,994.91
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**9,419.95**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208577	280.00		
			INSTRUCTOR SVCS-BOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	112.00
	Vendor Total	**280.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**280.00**		
MARTINEZ, REGGIE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208674	105.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
	Vendor Total	**105.00**		
FYTD for MARTINEZ, REGGIE		**105.00**		
MATHIS, NOLAN			Remit to: **JACKSON** **KY**	
7/5/2011	883084	290.00		
			RETIREE MED MAY 11, PD JUL 11	290.00
	Vendor Total	**290.00**		
FYTD for MATHIS, NOLAN		**290.00**		
MAXINOSKI, SUE A.			Remit to: **AVINGER** **TX**	
7/5/2011	883085	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for MAXINOSKI, SUE A.		**318.73**		

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MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/12/2011	208722	19,969.47		
				REHAB COSTS-24395 DYNA PLACE	19,969.47
	Vendor Total		**19,969.47**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MC NEEL, MARGARETTE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208676	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MC NEEL, MARGARETTE			**50.00**		
MEDINA, EUNICE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208578	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MEDINA, EUNICE			**20.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	7/11/2011	883147	200.00		
				SPORTS OFFICIATING SVCS-SFTBL	80.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
	Vendor Total		**200.00**		
FYTD for MEEKS, DANIEL			**200.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	7/11/2011	208677	1,620.00		
				PLAN CHECK SVCS-BLDG/SFTY	1,620.00
	Vendor Total		**1,620.00**		
FYTD for MELAD & ASSOCIATES, INC			**1,620.00**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208678	135.66		
				MILEAGE REIMBURSEMENT	135.66
	Vendor Total		**135.66**		
FYTD for MENGISTU, YESHIALEM			**135.66**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	7/5/2011	883086	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**318.73**		

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METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	7/18/2011	208768	50.00		
				TEXT MESSAGE RETRIEVAL SVC	50.00
	Vendor Total		**50.00**		
FYTD for METROPCS WIRELESS, INC.			**50.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208579	483.00		
				INSTRUCTOR SVCS-DRAWING	378.00
				INSTRUCTOR SVCS-PHOTO	105.00
	Vendor Total		**483.00**		
FYTD for MEYERS, ROBERT			**483.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883087	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**229.88**		
MIMES, TANIYSHA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208769	64.00		
				REFUND-PICNIC SHELTER RENTAL	64.00
	Vendor Total		**64.00**		
FYTD for MIMES, TANIYSHA			**64.00**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	7/5/2011	883088	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**318.73**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	7/18/2011	883180	2,745.16		
				PLAYGROUND EQUIP PARTS-PARKS	1,961.65
				PLAYGROUND EQUIP PARTS-PARKS	307.64
				PLAYGROUND EQUIPMENT PARTS	475.87
	Vendor Total		**2,745.16**		
FYTD for MIRACLE RECREATION EQUIPMENT			**2,745.16**		

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MISTRETTA, ARTHUR			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883149	144.00		
			SPORTS OFFICIATING SVCS-SFTBL	54.00
			SPORTS OFFICIATING SVCS-SFTBL	36.00
			SPORTS OFFICIATING SVCS-SFTBL	54.00
	Vendor Total	**144.00**		
FYTD for MISTRETTA, ARTHUR		**144.00**		
MOELLER, DONNA M.			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208770	67.77		
			NEIGHBRHD CLEAN UP EXPENSE	67.77
	Vendor Total	**67.77**		
FYTD for MOELLER, DONNA M.		**67.77**		
MOLLICA, MIKE			Remit to: **DUNNELLON** **FL**	
7/5/2011	883089	401.42		
			RETIREE MED JUL '11	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**401.42**		
MONTEJANO, SHIRLEY			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208679	750.00		
			REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total	**750.00**		
FYTD for MONTEJANO, SHIRLEY		**750.00**		
MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208680	1,706.90		
			PLUMBING SVCS-CRC	1,075.00
			PLUMBING SVCS-ANIMAL SHELTER	631.90
	Vendor Total	**1,706.90**		
FYTD for MONTGOMERY PLUMBING INC		**1,706.90**		
MOORE, LEEPORSCHA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208681	22.00		
			REFUND-PARKS CLASS REGIS FEE	22.00
	Vendor Total	**22.00**		
FYTD for MOORE, LEEPORSCHA		**22.00**		
MOOSEPOINT TECHNOLOGY, INC.			Remit to: **SONOMA** **CA**	
7/25/2011	208851	9,000.00		
			GIS INTERNET SITE HOSTING SVCS	9,000.00
	Vendor Total	**9,000.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**9,000.00**		

City of Moreno Valley

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For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	7/5/2011	883090	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**318.73**		
MORENO VALLEY BOWL				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208580	320.00		
				INSTRUCTOR SVCS-BOWLING	320.00
	Vendor Total		**320.00**		
FYTD for MORENO VALLEY BOWL			**320.00**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208581	60.00		
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
	7/5/2011	208582	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**810.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**810.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	7/1/2011	2888	1,538.00		
				MVCEA DUES 7/1/11	1,538.00
	7/15/2011	2897	1,543.50		
				MVCEA DUES 7/15/11	1,543.50
	7/29/2011	2905	1,419.00		
				MVCEA DUES 7/29/11	1,419.00
	Vendor Total		**4,500.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**4,500.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRANO CA**	
	7/18/2011	883181	9,207.72		
				LEASE-SPEC DIST ANNEX-AUG 11	9,207.72
	7/25/2011	883204	7,934.87		
				LEASE-FACILITIES ANNEX	2,458.97
				LEASE-TECH SVCS ANNEX	5,475.90
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**17,142.59**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/5/2011	208583	91.54		
				ELECTRICITY-UT FLD OFFICE	91.54
	Vendor Total		**91.54**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		
MORENO, MARIO				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208852	230.00		
				PER DIEM-GANG VIOLENCE CONF.	230.00
	Vendor Total		**230.00**		
FYTD for MORENO, MARIO			**230.00**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	7/5/2011	883091	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**318.73**		
MPULSE MAINTENANCE SOFTWARE, INC.				Remit to: **EUGENE** **OR**	
	7/5/2011	883092	3,977.50		
				PROGRAM RENEWAL-TECH SVCS	3,977.50
	Vendor Total		**3,977.50**		
FYTD for MPULSE MAINTENANCE SOFTWARE, INC.			**3,977.50**		
MULTI W SYSTEMS, INC				Remit to: **EL MONTE** **CA**	
	7/25/2011	208853	975.00		
				PUMP REPAIR-COMM PARK SOCCER F	975.00
	Vendor Total		**975.00**		
FYTD for MULTI W SYSTEMS, INC			**975.00**		
MUNOZ, ARIEL				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208772	110.16		
				MILEAGE REIMBURSEMENT	80.07
				MILEAGE REIMBURSEMENT	30.09
	Vendor Total		**110.16**		
FYTD for MUNOZ, ARIEL			**110.16**		
MURILLO, MARIA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208773	750.00		
				REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total		**750.00**		
FYTD for MURILLO, MARIA			**750.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MUSICK, PEELER & GARRETT, LLP			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208774	240.00		
			LEGAL SVCS	240.00
	Vendor Total	**240.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP		**240.00**		
MYERS & SONS HI-WAY SAFETY INC			Remit to: **CHINO** **CA**	
7/11/2011	208682	11,957.06		
			TRUCK MNTD MSSG BOARD-PW	10,995.00
			TRUCK MNTD MSSG BOARD-PW	962.06
	Vendor Total	**11,957.06**		
FYTD for MYERS & SONS HI-WAY SAFETY INC		**11,957.06**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/1/2011	2886	4,288.72		
			PST DEF COMP FOR FICA 7/1/11	4,288.72
7/1/2011	2887	1,240.66		
			DEF COMP 457 & 401(A) 7/1/11	1,240.66
7/15/2011	2895	1,733.32		
			PST DEF COMP FOR FICA 7/15/11	1,733.32
7/29/2011	2903	2,082.83		
			PST DEF COMP FOR FICA 7/29/11	2,082.83
	Vendor Total	**9,345.53**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
7/5/2011	883093	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**318.73**		
NEAL, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208775	156.00		
			REFUND-PICNIC SHELTER RENTAL	156.00
	Vendor Total	**156.00**		
FYTD for NEAL, DEBORAH		**156.00**		
NEGRETTE, JENNIFER			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208584	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for NEGRETTE, JENNIFER		**20.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NELSON PAVING				Remit to: **PERRIS** **CA**	
	7/5/2011	208585	871.00		
				CONCRETE PAINTING	871.00
	Vendor Total		**871.00**		
FYTD for NELSON PAVING			**871.00**		
NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	7/5/2011	883094	325.66		
				RETIREE MED JUL '11	325.66
	Vendor Total		**325.66**		
FYTD for NELSON, ROBERT			**325.66**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	7/5/2011	883095	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**318.73**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	7/5/2011	208586	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**318.73**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883096	9.42		
				REFUND-UUT USER TAXES	9.42
	Vendor Total		**9.42**		
FYTD for NEW HORIZON MOBILE HOME PARK			**9.42**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208588	401.42		
				RETIREE MED JUL '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**401.42**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	7/18/2011	208776	2,713.31		
				NIGHT VISION GOGGLES FOR PD	2,495.00
				CA SALES TAX	218.31
	Vendor Total		**2,713.31**		
FYTD for NIGHT GALAXY, INC.			**2,713.31**		

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NINYO & MOORE GEOTECHNICAL				Remit to: **SAN DIEGO** **CA**	
	7/5/2011	208589	6,987.75		
				DRACAEA AVE SIDEWLK IMPRVMNTS	6,987.75
	7/11/2011	208683	539.25		
				IRONWD AVE ST/STORM DRAIN PROJ	539.25
	7/18/2011	208777	17,091.00		
				IRONWD AVE ST/STORM DRAIN PROJ	17,091.00
	Vendor Total		**24,618.00**		
FYTD for NINYO & MOORE GEOTECHNICAL			**24,618.00**		
NOLLAR, JANICE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208590	307.04		
				TRAVEL EXP-ESRI INTL USER CONF	94.04
				TRAVEL EXP-ESRI INTL USER CONF	213.00
	Vendor Total		**307.04**		
FYTD for NOLLAR, JANICE			**307.04**		
NOLTE ASSOCIATES, INC				Remit to: **SACRAMENTO** **CA**	
	7/18/2011	208778	113.43		
				REFUND-BUS LIC OVERPAYMENT	113.43
	Vendor Total		**113.43**		
FYTD for NOLTE ASSOCIATES, INC			**113.43**		
OAKRIDGE DATA MINING				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208779	2,370.00		
				CONSULTANT SVCS-TECH SVCS	2,370.00
	Vendor Total		**2,370.00**		
FYTD for OAKRIDGE DATA MINING			**2,370.00**		
OMNIGRAPHICS				Remit to: **HOLMES** **PA**	
	7/25/2011	208854	90.95		
				REFERENCE BOOKS	90.95
				REFERENCE BOOKS	7.96
				REFERENCE BOOKS	-7.96
	Vendor Total		**90.95**		
FYTD for OMNIGRAPHICS			**90.95**		
ORACLE AMERICA				Remit to: **SAN FRANCISCO** **CA**	
	7/5/2011	208591	21,621.68		
				ANNUAL MAINT-TECH SVCS	21,621.68
	Vendor Total		**21,621.68**		
FYTD for ORACLE AMERICA			**21,621.68**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ORCHID CELLMARK, INC			Remit to: **FARMERS BRANCH**	**TX**
7/18/2011	208780	2,280.00		
			DETECT/TEST EVIDENCE/DNA-PD	2,280.00
	Vendor Total	**2,280.00**		
FYTD for ORCHID CELLMARK, INC		**2,280.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883205	208.00		
			LEGAL SVCS	208.00
	Vendor Total	**208.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**208.00**		
ORTEGA, JORGE			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	208592	750.00		
			REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total	**750.00**		
FYTD for ORTEGA, JORGE		**750.00**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH**	**CA**
7/25/2011	883206	296.25		
			SR-60/NASON INTRCHNG PROJ SVCS	296.25
7/25/2011	883207	6,800.00		
			APPRAISAL SVCS-HIGHLND FIRE ST	6,800.00
	Vendor Total	**7,096.25**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**7,096.25**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND**	**CA**
7/25/2011	883208	989.00		
			TURF FERTILIZATION-ZONE E	302.97
			TURF FERTILIZATION-ZONE E	550.15
			TURF FERTILIZATION-ZONE E	112.61
			TURF FERTILIZATION-ZONE E	23.27
	Vendor Total	**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**989.00**		
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON**	**CA**
7/5/2011	883097	375.84		
			PAYPHONE SVCS	313.20
			PAYPHONE SVCS-PD	62.64
	Vendor Total	**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**375.84**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PARSONS TRANSPORTATION GROUP, INC.				Remit to: **IRVINE** **CA**	
	7/18/2011	208781	13,592.47		
				SR-60/MOR BCH DR INTRCHNG PROJ	13,592.47
	Vendor Total		**13,592.47**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**13,592.47**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208593	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**229.88**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	7/11/2011	208685	110.00		
				SPORTS OFFICIATING SVCS-SFTBL	110.00
	Vendor Total		**110.00**		
FYTD for PAUL, MICHAEL			**110.00**		
PERKINS, NICOLE				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208594	72.00		
				INSTRUCTOR SVCS-RIPPED	36.00
				INSTRUCTOR SVCS-RIPPED	36.00
	Vendor Total		**72.00**		
FYTD for PERKINS, NICOLE			**72.00**		
PERMA				Remit to: **PALM DESERT** **CA**	
	7/25/2011	883209	1,548.17		
				SEMI-ANNUAL AUDIT INVOICE	1,548.17
	Vendor Total		**1,548.17**		
FYTD for PERMA			**1,548.17**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	7/5/2011	208595	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**318.73**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	7/5/2011	208596	458.63		
				LONG TERM CARE INSURANCE	458.63
	7/18/2011	208782	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**917.26**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PETTY CASH - FINANCE				Remit to: **MORENO VALLEY**	**CA**
	7/18/2011	208783	1,297.91		
				PETTY CASH FUND REPLENISHMENT	28.41
				PETTY CASH FUND REPLENISHMENT	36.05
				PETTY CASH FUND REPLENISHMENT	22.32
				PETTY CASH FUND REPLENISHMENT	27.03
				PETTY CASH FUND REPLENISHMENT	67.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	6.00
				PETTY CASH FUND REPLENISHMENT	91.64
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	20.80
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	10.50
				PETTY CASH FUND REPLENISHMENT	26.96
				PETTY CASH FUND REPLENISHMENT	56.25
				PETTY CASH FUND REPLENISHMENT	17.71
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	18.32
				PETTY CASH FUND REPLENISHMENT	10.24
				PETTY CASH FUND REPLENISHMENT	91.38
				PETTY CASH FUND REPLENISHMENT	91.87
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	4.34
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	50.00
				PETTY CASH FUND REPLENISHMENT	45.00
				PETTY CASH FUND REPLENISHMENT	3.25
				PETTY CASH FUND REPLENISHMENT	23.68
				PETTY CASH FUND REPLENISHMENT	30.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	21.69
			PETTY CASH FUND REPLENISHMENT	48.50
			PETTY CASH FUND REPLENISHMENT	13.00
			PETTY CASH FUND REPLENISHMENT	88.47
			PETTY CASH FUND REPLENISHMENT	6.50
			PETTY CASH FUND REPLENISHMENT	24.00
	Vendor Total	1,297.91		
FYTD for PETTY CASH - FINANCE		1,297.91		

PICTUREME PORTRAIT STUDIO #15193 Remit to: **ST. LOUIS MO**

7/11/2011	208686	71.76		
			REFUND-BUS LIC OVERPAYMENT	71.76
	Vendor Total	71.76		
FYTD for PICTUREME PORTRAIT STUDIO #15193		71.76		

POIEMA LANDSCAPE, INC. Remit to: **COLTON CA**

7/5/2011	883098	2,131.00		
			LANDSCAPE MAINT-E12	2,131.00
7/25/2011	883210	1,712.15		
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		3,843.15		

POLK, SHAKENDRA Remit to: **MORENO VALLEY CA**

7/18/2011	208784	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	25.00
			REFUND-RENTAL DEPOSIT-TWNGATE	175.00
	Vendor Total	200.00		
FYTD for POLK, SHAKENDRA		200.00		

PRICE, GEORGE E. Remit to: **MORENO VALLEY CA**

7/5/2011	883099	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	318.73		
FYTD for PRICE, GEORGE E.		318.73		

PROTECTION ONE, INC. Remit to: **WITCHITA KS**

7/18/2011	208785	42.00		
			MONITORING SVCS-GOLF PRO SHOP	17.00
			MONITORING SVCS-MVTV STUDIO	17.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
	Vendor Total	42.00		
FYTD for PROTECTION ONE, INC.		42.00		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	7/5/2011	883100	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**318.73**		
PULSE PRINT SOLUTIONS				Remit to: **ORANGE** **CA**	
	7/11/2011	208687	2,936.25		
				PRINT SVCS-EDUCATIONAL MAGNETS	2,700.00
				SALES TAX	236.25
	Vendor Total		**2,936.25**		
FYTD for PULSE PRINT SOLUTIONS			**2,936.25**		
QUINTERO, CYNTHIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208688	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for QUINTERO, CYNTHIA			**200.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	7/11/2011	883150	2,023.00		
				ROLL UP DOOR MAIN, FIRE STN 6	201.00
				ROLL UP DOOR MAIN, FIRE STN 6	695.00
				ROLL UP DOOR MAIN, FIRE STN 48	141.00
				ROLL UP DOOR MAIN, FIRE STN 2	201.00
				ROLL UP DOOR MAIN, FIRE STN 58	82.00
				ROLL UP DOOR MAIN, FIRE STN 58	119.00
				ROLL UP DOOR MAIN, FIRE STN 91	111.25
				ROLL UP DOOR MAIN, FIRE STN 91	89.75
				ROLL UP DOOR MAIN, FIRE STN 65	141.00
				ROLL UP DOOR MAIN, FIRE STN 65	130.75
				ROLL UP DOOR MAIN, FIRE STN 65	111.25
	Vendor Total		**2,023.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**2,023.00**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208597	168.81		
				REIMB-DUI SEMINAR TRNG CLASS	168.81
	Vendor Total		**168.81**		
FYTD for RAFAEL LOPEZ			**168.81**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208598	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.		**318.73**		
REGENTS OF U.C.			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208786	115.00		
			VIOLENT CRIME BEHAV SEMINAR	115.00
	Vendor Total	**115.00**		
FYTD for REGENTS OF U.C.		**115.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208599	384.60		
			SHADOW MTN PARK LIGHTING PROJ	384.60
7/25/2011	208856	3,401.50		
			SHADOW MTN PARK LIGHTING PROJ	2,951.50
			SHADOW MTN PARK LIGHTING PROJ	450.00
	Vendor Total	**3,786.10**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**3,786.10**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883101	2,582.50		
			DRACAEA AVE SIDEWLK IMPRVMNTS	2,582.50
7/18/2011	883182	11,995.00		
			TS@SUNNYMD RCH PKWY/VILLAGE RD	1,380.00
			TS@SUNNYMD RCH PKWY/VILLAGE RD	130.00
			2011 LOCAL ST. PAVEMNT RESURF.	7,545.00
			2011 LOCAL ST. PAVEMNT RESURF.	2,600.00
			DRACAEA AVE SIDEWLK IMPRVMNTS	340.00
	Vendor Total	**14,577.50**		
FYTD for RICK ENGINEERING COMPANY		**14,577.50**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208689	2,000.00		
			ENCR. PERMIT INITIAL DEPOSIT	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**2,000.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE**	**CA**
7/19/2011	110702	15,888.77		
			RETENTN PMT PER ESCRW AGREEMNT	15,888.77
7/19/2011	1107031	2,302.31		
			RETENTN PMT PER ESCRW AGREEMNT	2,302.31
7/19/2011	1107032	3,209.50		
			RETENTN PMT PER ESCRW AGREEMNT	3,209.50
7/19/2011	1107033	8,289.68		
			RETENTN PMT PER ESCRW AGREEMNT	8,289.68
7/19/2011	1107034	20,325.46		
			RETENTN PMT PER ESCRW AGREEMNT	20,325.46
	Vendor Total	**50,015.72**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**500,157.17**		
RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY			Remit to: **RIVERSIDE**	**CA**
7/25/2011	208857	10,572.22		
			TEAM RIV CTY 528140-ICSC CONF	2,770.00
			ICSC CONF.-GES LOGISTICS	997.50
			ICSC CONF.-EXHIBIT SPACE	3,500.00
			ICSC CONF.-ELECTRICITY COST	800.00
			ICSC CONF.-CARPET COST	2,400.00
			ICSC CONF-ADDTL FURNITURE COST	104.72
	Vendor Total	**10,572.22**		
FYTD for RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY		**10,572.22**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208690	3,781.83		
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			RADIO LEASE/MAIN-PD	170.10
			RADIO LEASE/MAIN-PD	9.45
			RADIO LEASE/MAIN-PD	33.12
			VPN CONNECTION SVCS-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**3,781.83**		
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883212	10,267.92		
			BOOKING FEES-PD	10,267.92
	Vendor Total	**10,267.92**		
FYTD for RIVERSIDE COUNTY SHERIFF		**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208787	138.00		
			REG-BASIC CRIMINAL INV. COURSE	138.00
	Vendor Total	**138.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**138.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208600	611.09		
			GARNISHMENT	173.05
			GARNISHMENT	438.04
7/18/2011	208788	674.82		
			GARNISHMENT	152.05
			GARNISHMENT	522.77
	Vendor Total	**1,285.91**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**1,285.91**		
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208858	322.00		
			7 ATTENDEES-CITZN DRIVER CLASS	322.00
	Vendor Total	**322.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPARTMENT		**322.00**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
7/25/2011	883213	6,417.00		
			TEMP STAFFING SVCS-CAP PROJS	6,417.00
	Vendor Total	**6,417.00**		
FYTD for RLZ ENGINEERING		**6,417.00**		
RMA GROUP			Remit to: **RANCHO CUCAMONGA** **CA**	
7/25/2011	208859	8,791.09		
			SR-60/NASON INTRCHNG PROJ SVCS	7,782.75
			SR-60/NASON INTRCHNG PROJ SVCS	1,008.34
	Vendor Total	**8,791.09**		
FYTD for RMA GROUP		**8,791.09**		
ROCHA, SARA L.			Remit to: **QUEEN CREEK** **AZ**	
7/5/2011	883103	826.20		
			RETIREE MED APR-JUN '11 ($160	826.20
	Vendor Total	**826.20**		
FYTD for ROCHA, SARA L.		**826.20**		

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ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	7/5/2011	883104	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**318.73**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208691	45.90		
				MILEAGE REIMBURSEMENT	45.90
	Vendor Total		**45.90**		
FYTD for ROGERS, KIANNA			**45.90**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883105	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**318.73**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	7/5/2011	883106	270.80		
				RETIREE MED JUL '11	174.30
				RETIREE MED JUL '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**270.80**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/25/2011	883214	357.50		
				PLUMBING REPAIRS-WOODLAND PARK	357.50
	Vendor Total		**357.50**		
FYTD for ROTO-ROOTER PLUMBERS			**357.50**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	7/5/2011	883107	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**229.88**		
RUTAN & TUCKER, LLP				Remit to: **COSTA MESA** **CA**	
	7/5/2011	208601	275.00		
				LEGAL SVCS-RE: PEG FEES	275.00
	Vendor Total		**275.00**		
FYTD for RUTAN & TUCKER, LLP			**275.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	7/25/2011	883215	5,400.00		
				TEMP STAFFING SVCS-CAP PROJS	5,400.00
	Vendor Total		**5,400.00**		
FYTD for SA ASSOCIATES			**5,400.00**		
SAFETY KLEEN CORP.				Remit to: **HIGHLAND** **CA**	
	7/11/2011	208692	134.33		
				MISC SUPPLIES-MAINT/OPS	134.33
	Vendor Total		**134.33**		
FYTD for SAFETY KLEEN CORP.			**134.33**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208693	144.00		
				INSTRUCTOR SVCS-ZUMBA	17.20
				INSTRUCTOR SVCS-ZUMBA	126.80
	Vendor Total		**144.00**		
FYTD for SALMAN, CLAUDIA			**144.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883108	60.00		
				FIRE SYSTEM INSPECTION SVC	8.00
				FIRE SYSTEM INSPECTION SVC	52.00
	Vendor Total		**60.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**60.00**		
SAXON, NANCY				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208602	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SAXON, NANCY			**20.00**		
SCAG/SOUTHERN CALIF ASSO OF GOVTS				Remit to: **LOS ANGELES** **CA**	
	7/11/2011	208694	15,680.00		
				DUES ASSESSMNT-FY 2011-12	15,680.00
	Vendor Total		**15,680.00**		
FYTD for SCAG/SOUTHERN CALIF ASSO OF GOVTS			**15,680.00**		
SCHIFFER, ROBYN				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208860	23,021.60		
				SOLAR INCENTIVE REBATE	23,021.60
	Vendor Total		**23,021.60**		
FYTD for SCHIFFER, ROBYN			**23,021.60**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208603	477.00		
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**477.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
7/5/2011	883109	62.50		
			REPAIRED DOOR JAM AT FS#48	62.50
7/25/2011	883216	987.63		
			LOCK/INSTALLATION-LIBRARY	49.00
			LOCK/INSTALLATION-LIBRARY	68.04
			LOCK/INSTALLATION-LIBRARY	402.21
			DOOR SVC-CITY CLRK FILE RM	423.38
			TRIP CHRG-SVC RE: WARRANT	45.00
	Vendor Total	**1,050.13**		
FYTD for SECURITY LOCK & KEY		**1,050.13**		
SEPULVEDA, SUSETTE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208695	49.60		
			REFUND-PARKS CLASS REGIS FEE	49.60
	Vendor Total	**49.60**		
FYTD for SEPULVEDA, SUSETTE		**49.60**		
SHABIR, AMNA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208696	427.00		
			REFUND-PARKS CLASS REGIS FEE	427.00
	Vendor Total	**427.00**		
FYTD for SHABIR, AMNA		**427.00**		
SHARRETT, SHARON K.			Remit to: **ONTARIO** **CA**	
7/5/2011	208604	174.30		
			RETIREE MED JUL '11	174.30
	Vendor Total	**174.30**		
FYTD for SHARRETT, SHARON K.		**174.30**		
SHELDON, STUART H.			Remit to: **MURRIETA** **CA**	
7/5/2011	208605	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for SHELDON, STUART H.		**318.73**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	7/18/2011	208789	111.00		
				FUEL PURCHASES	111.00
	7/25/2011	208861	21.25		
				FUEL PURCHASE	21.25
	Vendor Total		**132.25**		
FYTD for SHELL OIL CO.			**132.25**		
SIERRA SCREENPRINT GRAPHICS				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208697	1,508.91		
				CRIME FREE MULTI HSNG SIGNS-PD	1,387.50
				CALIF SALES TAX	121.41
	Vendor Total		**1,508.91**		
FYTD for SIERRA SCREENPRINT GRAPHICS			**1,508.91**		
SIERRA, GLORIA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208862	95.00		
				REFUND-RABIES DEPOSIT	20.00
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for SIERRA, GLORIA			**95.00**		
SKONBERG, RIX				Remit to: **LA VERNE** **CA**	
	7/18/2011	883184	0.00		
				TUITION REIMBURSEMENT	1,500.00
				VOIDED CHECK #883184 - 7/21/11	-1,500.00
	7/21/2011	883187	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for SKONBERG, RIX			**1,500.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883110	57.76		
				REFUND-UUT USER TAXES	57.76
	Vendor Total		**57.76**		
FYTD for SKY TRAILS MOBILE VILLAGE			**57.76**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883111	318.73		
				RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**318.73**		

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SMITH, ERNEST FRANK				Remit to: **FONTANA** **CA**	
	7/5/2011	208606	1,912.38		
				RETIREE MED JAN-JUN 11, PD JUL	1,912.38
	Vendor Total		**1,912.38**		
FYTD for SMITH, ERNEST FRANK			**1,912.38**		
SMITH, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208790	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SMITH, JOHN			**50.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883112	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**318.73**		
SMUS, PAULA				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208791	67.68		
				MILEAGE REIMBURSEMENT	67.68
	Vendor Total		**67.68**		
FYTD for SMUS, PAULA			**67.68**		
SO CAL FIRE PREVENTION OFFICERS ASSOC.				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/5/2011	208607	55.00		
				MEMBERSHIP RENEWAL	55.00
	Vendor Total		**55.00**		
FYTD for SO CAL FIRE PREVENTION OFFICERS ASSOC.			**55.00**		
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	7/11/2011	883152	14,671.30		
				FUEL PURCHASE	6,431.32
				FUEL PURCHASE	8,239.98
	Vendor Total		**14,671.30**		
FYTD for SOCO GROUP, INC			**14,671.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208698	103.20		
				INSTRUCTOR SVCS-YOGA CLASS	103.20
	Vendor Total		**103.20**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**103.20**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
7/5/2011	208608	416.41		
			OPERATING FEE-CH GENERATOR	303.56
			EMISSIONS FLAT FEE-CITY HALL	112.85
7/11/2011	208699	202.60		
			EMISSIONS FLAT FEE-CITY YARD	112.85
			ANNUAL OPERATING FEES-CITY YRD	89.75
7/11/2011	208700	112.31		
			AQMD FEE-JUL'10 TO JUN'11	112.31
7/25/2011	208863	112.31		
			HOT SPOTS FEE-JUL'10 TO JUN'11	112.31
	Vendor Total	**843.63**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**843.63**		
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208609	6,946.39		
			ELECTRICITY	94.55
			ELECTRICITY	104.01
			ELECTRICITY	916.01
			ELECTRICITY	1,791.93
			ELECTRICITY	135.60
			ELECTRICITY	248.78
			ELECTRICITY	706.85
			ELECTRICITY	824.38
			ELECTRICITY	154.13
			ELECTRICITY	309.68
			ELECTRICITY	25.25
			ELECTRICITY	1,083.80
			ELECTRICITY	205.83
			ELECTRICITY	197.81
			ELECTRICITY	70.49
			ELECTRICITY	77.29
7/11/2011	208702	5,217.15		
			ELECTRICITY	44.62
			ELECTRICITY	21.99
			ELECTRICITY	884.88
			ELECTRICITY	1,444.50
			ELECTRICITY	1,186.44
			ELECTRICITY	396.60
			ELECTRICITY	656.24
			ELECTRICITY	498.47
			ELECTRICITY	43.51
			ELECTRICITY	39.90
7/25/2011	208865	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**26,310.27**		
FYTD for SOUTHERN CALIFORNIA EDISON		**228,961.11**		

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK** **CA**	
	7/18/2011	208793	4,681.09		
				GAS CHARGES	711.38
				GAS CHARGES	2,158.36
				GAS CHARGES	14.30
				GAS CHARGES	22.71
				GAS CHARGES	356.59
				GAS CHARGES	146.36
				GAS CHARGES	20.74
				GAS CHARGES	224.49
				GAS CHARGES	78.57
				GAS CHARGES	105.47
				GAS CHARGES	64.73
				GAS CHARGES	80.09
				GAS CHARGES	68.95
				GAS CHARGES	99.38
				GAS CHARGES	22.44
				GAS CHARGES	506.53
	Vendor Total		**4,681.09**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**4,681.09**		
SPARKLETTS				Remit to: **DALLAS** **TX**	
	7/11/2011	208703	41.83		
				WATER SERVICE-CREEKSIDE ELEM	19.54
				WATER SERVICE-ARMADA ELEM.	22.29
	7/25/2011	208866	15.50		
				WATER SERVICE-SUNNYMD ELEM	15.50
	Vendor Total		**57.33**		
FYTD for SPARKLETTS			**57.33**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883113	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**318.73**		
SPECK, TIFFANY				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208867	28.00		
				REFUND-DRAWING FOR KIDS CLASS	28.00
	Vendor Total		**28.00**		
FYTD for SPECK, TIFFANY			**28.00**		

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SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	7/25/2011	883217	12,333.33		
				LNDSCP MAINT.-ZONE E-1	8,746.67
				LNDSCP MAINT.-ZONE E-1A	3,586.66
		Vendor Total	**12,333.33**		
FYTD for SPECTRUM CARE			**12,333.33**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883114	229.88		
				RETIREE MED JUL '11	229.88
		Vendor Total	**229.88**		
FYTD for SPENCER, MARTHA			**229.88**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	7/18/2011	208794	30.00		
				SUBPOENA COMPLNCE-MV111370237	30.00
		Vendor Total	**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	7/11/2011	883153	32.89		
				CELL PHONE SVCS-GANG TASK FRC	32.89
	7/25/2011	883218	607.43		
				CELL PHONE SVCS-PD/SET	607.43
		Vendor Total	**640.32**		
FYTD for SPRINT/NEXTEL			**640.32**		
SRINIVAS, ANAND				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208795	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for SRINIVAS, ANAND			**75.00**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	7/5/2011	208611	2,050.52		
				SUPPLEMENTAL INSURANCE	2,050.52
		Vendor Total	**2,050.52**		
FYTD for STANDARD INSURANCE CO			**31,970.69**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883219	140.00		
			FIRE ALARM SVCD-CONF & REC CTR	140.00
	Vendor Total	**140.00**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**140.00**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
7/25/2011	208868	6,246.25		
			ELECTRICAL ENERGY SURCHARGE	6,246.25
7/29/2011	63011	5,250.00		
			SALES & USE TAX 4/1/11-6/30/11	5,250.00
	Vendor Total	**11,496.25**		
FYTD for STATE BOARD OF EQUALIZATION		**11,496.25**		
STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208704	2,400.44		
			ANNL STREET REPORT 09/10 FY	2,400.44
	Vendor Total	**2,400.44**		
FYTD for STATE CONTROLLER'S OFFICE		**2,400.44**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
7/7/2011	2885	2,096.47		
			CHILD SUPPORT W/H 7/7/11	2,096.47
7/21/2011	2894	2,238.93		
			CHILD SUPPORT W/H 7/21/11	2,238.93
	Vendor Total	**4,335.40**		
FYTD for STATE DISBURSEMENT UNIT		**4,335.40**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
7/5/2011	208612	3,197.00		
			FINGERPRINTING SVCS-PD	3,197.00
7/11/2011	208705	958.00		
			BLOOD ALCOHOL ANALYSIS-PD	350.00
			FINGERPRINTING SVCS-BUS. LIC.	128.00
			FINGERPRINTING SVCS-H.R.	256.00
			FINGERPRINTING SVCS-STARS	32.00
			FINGERPRINTING SVCS-PRKS & REC	64.00
			FINGERPRINTING SVC-PD	96.00
			FINGERPRINTING SVC-CITY COUNCL	32.00
7/18/2011	208796	2,848.00		
			FINGERPRINTING SVCS-BUS. LIC.	192.00
			FINGERPRINTING SVCS-H.R.	128.00
			FINGERPRINTING SVCS-STARS	2,024.00
			FINGERPRINTING SVCS-STARS	504.00
	Vendor Total	**7,003.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**7,003.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
7/18/2011	208797	127.04		
			REFUND-MVU/J MCGLOTHEN	38.86
			REFUND-MVU/B SOLARES	88.18
	Vendor Total	**127.04**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**127.04**		
STEININGER, RICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208706	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for STEININGER, RICHELLE		**20.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
7/18/2011	208798	2,288.96		
			TRANSCRIPTION SVCS-PD	2,288.96
	Vendor Total	**2,288.96**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**2,288.96**		
STEWART TITLE OF CALIFORNIA			Remit to: **HOUSTON** **TX**	
7/5/2011	208629	250.00		
			APN482-230-13 LITIG. GUARANTEE	250.00
	Vendor Total	**250.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**250.00**		

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STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
7/5/2011	883116	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for STEWART, CLIFFORD		**267.88**		
STILES ANIMAL REMOVAL, INC.			Remit to: **GUASTI** **CA**	
7/25/2011	208869	300.00		
			LARGE ANIMAL REMOVAL SVCS	100.00
			LARGE ANIMAL REMOVAL SVCS	200.00
	Vendor Total	**300.00**		
FYTD for STILES ANIMAL REMOVAL, INC.		**300.00**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH** **CA**	
7/11/2011	208707	1,550.10		
			LEGAL SVCS	79.50
			LEGAL SVCS	695.27
			LEGAL SVCS	775.33
	Vendor Total	**1,550.10**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**1,550.10**		
STRICKLER ASSOCIATION, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	883220	4,062.50		
			CONSULTING SVCS-EDD	4,062.50
	Vendor Total	**4,062.50**		
FYTD for STRICKLER ASSOCIATION, THE		**4,062.50**		
STRICKLER II, JOHN W.			Remit to: **SAN BERNARDINO** **CA**	
7/5/2011	883117	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for STRICKLER II, JOHN W.		**318.73**		
SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208708	10.56		
			MISC SUPPLIES-PD	10.56
	Vendor Total	**10.56**		
FYTD for SUNNYMEAD ACE HARDWARE		**10.56**		
SYED, ADNAN			Remit to: **LAKE ELSINORE** **CA**	
7/18/2011	208799	725.00		
			REFUND-RENTAL DEPOSIT-CRC	725.00
	Vendor Total	**725.00**		
FYTD for SYED, ADNAN		**725.00**		

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TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	7/5/2011	208613	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**6,250.00**		
TCM GROUP				Remit to: **FONTANA** **CA**	
	7/5/2011	883118	0.00		
				SR-60/NASON ST INTRCHNG PROJ	21,572.87
				SR-60/NASON ST INTRCHNG PROJ	42,633.50
				SR-60/NASON ST INTRCHNG PROJ	23,140.52
				SR-60/NASON ST INTRCHNG PROJ	85,853.53
				VOIDED CHECK #883118 - 7/12/11	-21,572.87
				VOIDED CHECK #883118 - 7/12/11	-42,633.50
				VOIDED CHECK #883118 - 7/12/11	-23,140.52
				VOIDED CHECK #883118 - 7/12/11	-85,853.53
	Vendor Total		**0.00**		
FYTD for TCM GROUP			**351,572.38**		
TEK TIME SYSTEMS, LLC				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208718	268.25		
				REPAIRS-DATE STAMP MACHINE-FIN	268.25
	Vendor Total		**268.25**		
FYTD for TEK TIME SYSTEMS, LLC			**268.25**		
TEK WORKS				Remit to: **POWAY** **CA**	
	7/18/2011	883185	960.10		
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.09
				CREDIT-CITY CLRK FILE RM DOOR	-693.78
	Vendor Total		**960.10**		
FYTD for TEK WORKS			**960.10**		
TENORIO, LIZETTE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208800	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for TENORIO, LIZETTE			**200.00**		

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TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	7/5/2011	208614	7,262.00		
				CITY HALL HVAC SYSTEM REDESIGN	7,262.00
	7/27/2011	208881	6,113.59		
				CITY HALL HVAC SYSTEM REDESIGN	6,113.59
	Vendor Total		**13,375.59**		
FYTD for TMAD TAYLOR & GAINES			**13,375.59**		
TOLEDANO, JANET				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208709	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for TOLEDANO, JANET			**75.00**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208870	2,530.80		
				INSTRUCTOR SVCS-BALLET INTERMD	66.60
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	222.00
				INSTRUCTOR SVCS-BALLET/JAZZ	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-HIP HOP DANCE	421.80
	Vendor Total		**2,530.80**		
FYTD for TRICHE, TARA			**2,530.80**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208615	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	7/11/2011	208710	25.00		
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**75.00**		
TRINITY DIVERSIFIED, INC.				Remit to: **LONG BEACH** **CA**	
	7/5/2011	208616	155.67		
				STRIPING/STENCIL TRCK SUPPLIES	155.67
	Vendor Total		**155.67**		
FYTD for TRINITY DIVERSIFIED, INC.			**155.67**		

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TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK**	**CA**
7/18/2011	208801	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
7/25/2011	208871	1,364.13		
			IRRIGATION REPAIRS-ZONE E-2	1,364.13
	Vendor Total	**17,064.13**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**17,064.13**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883222	14,093.25		
			LNDSCP MAINT.-ZONE M	5,289.24
			LNDSCP MAINT.-ZONE M	243.48
			LNDSCP MAINT.-ZONE DSG-1	6,075.53
			LNDSCP MAINT.-ZONE E-16	2,485.00
	Vendor Total	**14,093.25**		
FYTD for TRUGREEN LANDCARE		**14,093.25**		
TUNTLAND, JAMES			Remit to: **PRESCOTT**	**AZ**
7/5/2011	883119	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**267.88**		
TURBOSCAPE, INC.			Remit to: **SANTA CLARA**	**UT**
7/5/2011	883120	12,600.00		
			PLAYGRND FIBER FOR JFK PARK	11,550.00
			INSTALL FIBAR CHIPS-CITY PARKS	1,050.00
7/11/2011	883155	4,200.00		
			INSTALL FIBAR CHIPS-CITY PARKS	3,950.00
			INSTALL FIBAR CHIPS-CITY PARKS	250.00
	Vendor Total	**16,800.00**		
FYTD for TURBOSCAPE, INC.		**16,800.00**		
U.S. HEALTHWORKS MEDICAL GROUP			Remit to: **LOS ANGELES**	**CA**
7/25/2011	208872	50.00		
			FIT FOR DUTY EVALUATION-HR	50.00
	Vendor Total	**50.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		**50.00**		
U.S. POSTAL SERVICE			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	208617	11,000.00		
			PERMIT #153-REC GUIDES POSTAGE	11,000.00
	Vendor Total	**11,000.00**		
FYTD for U.S. POSTAL SERVICE		**11,000.00**		

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UNDERGROUND SERVICE ALERT			Remit to: **CORONA**	**CA**
7/5/2011	883121	433.50		
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
Vendor Total		**433.50**		
FYTD for UNDERGROUND SERVICE ALERT		**433.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO**	**CA**
7/5/2011	208618	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
Vendor Total		**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**291.67**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883122	270.00		
			AUTO MALL PYLON SIGN PROJECT	270.00
7/11/2011	883156	1,917.00		
			AUTO MALL PYLON SIGN PROJECT	1,917.00
Vendor Total		**2,187.00**		
FYTD for UNITED INSPECTION & TESTING INC		**2,187.00**		
UNITED POWER GENERATION, INC.			Remit to: **RIVERSIDE**	**CA**
7/5/2011	208619	265.00		
			GENERATOR TEST/REPAIR-FS #48	265.00
Vendor Total		**265.00**		
FYTD for UNITED POWER GENERATION, INC.		**265.00**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO**	**CA**
7/11/2011	883157	1,501.02		
			BROOM KITS-ST SWEEPER	1,501.02
Vendor Total		**1,501.02**		
FYTD for UNITED ROTARY BRUSH CORP		**1,501.02**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE**	**CA**
7/11/2011	883158	107.39		
			FENCE RENTAL-ANIMAL SHELTER	11.32
			FENCE RENTAL-ANIMAL SHELTER	96.07
Vendor Total		**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**107.39**		

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UNITED STATES TREASURY				Remit to: **FRESNO** **CA**	
	7/5/2011	208620	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	7/18/2011	208802	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY			**100.00**		
UNITED WAY OF INLAND VALLEYS				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208621	494.69		
				UNITED WAY CONTRIBUTIONS	5.00
				UNITED WAY CONTRIBUTIONS	489.69
	7/18/2011	208803	494.69		
				UNITED WAY CONTRIBUTIONS	5.00
				UNITED WAY CONTRIBUTIONS	489.69
	Vendor Total		**989.38**		
FYTD for UNITED WAY OF INLAND VALLEYS			**989.38**		
UNIVAR USA, INC				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208622	3,652.45		
				FERTILIZER AND AG CHEMICALS	1,252.29
				FERTILIZER AND AG CHEMICALS	2,400.16
	7/11/2011	208711	1,200.09		
				FERTILIZER AND AG CHEMICALS	919.37
				FERTILIZER AND AG CHEMICALS	280.72
	Vendor Total		**4,852.54**		
FYTD for UNIVAR USA, INC			**4,852.54**		
VACA, MONICA				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208873	3,000.00		
				SETTLEMENT	3,000.00
	Vendor Total		**3,000.00**		
FYTD for VACA, MONICA			**3,000.00**		

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VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
7/11/2011	883159	1,160.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL FIELD OFFICE	45.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
7/18/2011	883186	235.00		
			PEST CNTRL-LIBRARY	5.00
			PEST CNTRL-LIBRARY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,395.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**1,395.00**		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
7/5/2011	883123	8,120.00		
			TEMP STAFFING SVCS-CAP PROJS.	8,120.00
	Vendor Total	**8,120.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**8,120.00**		
VALUEQUEST PRO P.C.			Remit to: **PERRIS**	**CA**
7/5/2011	208623	250.00		
			APPRAISAL SVCS FOR NSP PRGM	250.00
	Vendor Total	**250.00**		
FYTD for VALUEQUEST PRO P.C.		**250.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAS ASSOCIATES, INC.			Remit to: **CORONA** **CA**	
7/5/2011	883124	16,320.00		
			TEMP STAFFING SVCS-CAP PROJS.	16,320.00
7/25/2011	883223	17,280.00		
			TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total	**33,600.00**		
FYTD for VAS ASSOCIATES, INC.		**33,600.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208712	15,890.00		
			ACCOUNTING SVCS	7,155.00
			ACCOUNTING SVCS	8,735.00
	Vendor Total	**15,890.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**15,890.00**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
7/5/2011	208624	172.63		
			PHONE LISTING CHARGE	172.63
	Vendor Total	**172.63**		
FYTD for VERIZON CALIFORNIA		**172.63**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
7/11/2011	208713	648.15		
			ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total	**648.15**		
FYTD for VICTOR MEDICAL CO		**648.15**		
VIEVU			Remit to: **SEATTLE** **WA**	
7/5/2011	208625	10,169.00		
			WEARABLE VIDEO CAMERAS FOR PD	8,750.00
			2YR EXTENDED WARRANTY	1,400.00
			SHIPPING	19.00
			CA USE TAX	888.13
			USE TAX ACCRUAL	-888.13
	Vendor Total	**10,169.00**		
FYTD for VIEVU		**10,169.00**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883125	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST		**318.73**		

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VILLAGE NURSERIES WHOLESALE, LLC			Remit to: **ORANGE** **CA**	
7/5/2011	883126	3,809.49		
			PLANTS/TREE MATERIALS - PARKS	3,000.00
			PLANTS/TREE MATERIALS - PARKS	745.02
			PLANTS/TREE MATERIALS - PARKS	64.47
	Vendor Total	**3,809.49**		
FYTD for VILLAGE NURSERIES WHOLESALE, LLC		**3,809.49**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
7/5/2011	883127	3,951.46		
			EMPLOYEE VISION INSURANCE	3,951.46
	Vendor Total	**3,951.46**		
FYTD for VISION SERVICE PLAN		**3,951.46**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208714	261.11		
			PAINT/SUPPL FOR PARKS GRAFFITI	77.52
			PAINT/SUPPL-GRAFFITI RMVL PRGM	147.02
			PAINT/SUPPL-GRAFFITI RMVL PRGM	36.57
	Vendor Total	**261.11**		
FYTD for VISTA PAINT CORPORATION		**261.11**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
7/11/2011	208715	896.37		
			ASPHALTIC MATERIALS	550.55
			ASPHALTIC MATERIALS	103.85
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	103.85
	Vendor Total	**896.37**		
FYTD for VULCAN MATERIALS CO, INC.		**896.37**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883128	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for WAGNER, GARY D.		**318.73**		
WAGONER, ROBERT			Remit to: **ZEPHYRHILLS** **FL**	
7/5/2011	883129	360.40		
			RETIREE MED JUN-JUL 11, PD JUL	360.40
	Vendor Total	**360.40**		
FYTD for WAGONER, ROBERT		**360.40**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208626	637.46		
				RETIREE MED MAY-JUN 11, PD JUL	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**637.46**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	208874	2,000.00		
				ANNUAL TRUSTEE FEES-2005 LRB	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**2,000.00**		
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	7/11/2011	208719	5,700.00		
				TRIM/THIN OLIVE TREES-VAR LOC.	5,700.00
	Vendor Total		**5,700.00**		
FYTD for WEST COAST ARBORISTS, INC.			**5,700.00**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208716	492.00		
				CALTRANS ENCRCHMNT PERMIT FEE	492.00
	Vendor Total		**492.00**		
FYTD for WEST COAST STRUCTURES INC			**492.00**		
WESTBOUND COMMUNICATIONS				Remit to: **ORANGE** **CA**	
	7/18/2011	208804	7,500.00		
				MAIL BALLOT PR CONSULTING SVCS	3,750.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
	Vendor Total		**7,500.00**		
FYTD for WESTBOUND COMMUNICATIONS			**7,500.00**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208875	3,274.78		
				WATER CHARGES	1,761.75
				WATER CHARGES	10.94
				WATER CHARGES	1,443.82
				WATER CHARGES	58.27
	Vendor Total		**3,274.78**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**3,274.78**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WHEELER, GERALD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208805	100.80		
				INSTRUCTOR SVCS-YOUTH GOLF	50.40
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
	Vendor Total		**100.80**		
FYTD for WHEELER, GERALD			**100.80**		
WHISNER, MARY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208806	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISNER, MARY			**50.00**		
WIELIN, RONALD A.				Remit to: **BANNING** **CA**	
	7/5/2011	883130	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**318.73**		
WILLDAN AND ASSOCIATES				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	208627	8,665.00		
				BLDG & SAFETY PLAN CHECK SVCS	7,455.00
				ON-SITE PERMIT INVESTIG. SVCS	1,210.00
	Vendor Total		**8,665.00**		
FYTD for WILLDAN AND ASSOCIATES			**8,665.00**		
WILLDAN FINANCIAL SERVICES				Remit to: **TEMECULA** **CA**	
	7/5/2011	208628	1,500.00		
				ARBITRAGE FEE-97 LSE REV BOND	500.00
				ARBITRAGE FEE-97 LSE REV BOND	1,000.00
	Vendor Total		**1,500.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**1,500.00**		
WILLIAMS, CHARMAINE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208807	62.00		
				REFUND-CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for WILLIAMS, CHARMAINE			**62.00**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	7/5/2011	883131	192.40		
				RETIREE MED JUN '11, PD JUL '1	192.40
	Vendor Total		**192.40**		
FYTD for WILLIAMS, JANE L.			**192.40**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	7/11/2011	208717	414.00		
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	90.00
	Vendor Total		**414.00**		
FYTD for WILLIS, ROBERT H			**414.00**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA** **CA**	
	7/5/2011	883132	7,600.00		
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	7/25/2011	883224	7,600.00		
				TEMP STAFFING SVCS-ELECTR UTIL	2,190.00
				TEMP STAFFING SVCS-ELECTR UTIL	5,410.00
	Vendor Total		**15,200.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**15,200.00**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208876	17,746.00		
				TUMF FEES COLLECTED	17,746.00
	Vendor Total		**17,746.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**17,746.00**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.			Remit to: **CORONA**	**CA**
7/5/2011	883133	1,620.00		
			MAINT. DAY PORTER SVCS	1,020.00
			JANITORIAL SVCS-TOWNGT RENTALS	600.00
7/11/2011	883161	130.00		
			SPECIAL CLEANING SVCS-SNR CTR	130.00
7/27/2011	883225	23,005.87		
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
			JANITORIAL SVCS-T.S. ANNEX	453.43
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-MRCH FLD PK CC	955.70
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-SP DIST ANNEX	735.73
			JANITORIAL SVCS-EMP RES CTR	532.81
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-CITY HALL	4,588.23
			MAINT. DAY PORTER SVCS	1,076.10
	Vendor Total	**24,755.87**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**24,755.87**		
XEROX			Remit to: **DALLAS**	**TX**
7/18/2011	208808	3,520.61		
			COPIER RNTL/MAINT/PRNTS-GRPHCS	1,618.85
			COPIER RNTL/MAINT-GRAPHICS	397.79
			COPIER RNTL/MAINT-PARKS	117.88
			COPIER RNTL/MAINT-PARKS	241.46
			COPIER RNTL/MAINT/PRINTS-PARKS	1,144.63
	Vendor Total	**3,520.61**		
FYTD for XEROX		**3,520.61**		
YAMASHITA, JULIA J.			Remit to: **LAGUNA WOODS**	**CA**
7/5/2011	883134	161.50		
			RETIREE MED MAY '11, PD JUL '1	161.50
	Vendor Total	**161.50**		
FYTD for YAMASHITA, JULIA J.		**161.50**		

Subtotal **1,171,566.33**

GRAND TOTAL **11,090,197.25**

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MV00130382

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT
PROJECT NO. 10-12272227

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

BACKGROUND

The design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In August 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

The Planning Division of the Community and Economic Development Department determined on July 25, 2011, that this project is exempt from the California

Environmental Quality Act (CEQA) as it is classified as a Class 1 Categorical Exemption under Section 15301(c) and, therefore, environmental documents are not required.

DISCUSSION

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The project improvements and locations are as follows:

- Curb, gutter, and sidewalk on the north side of Ironwood Avenue, east of Bayless Street.
- Curb, gutter, and sidewalk on the east side of Indian Street, south of Ironwood Avenue.
- Sidewalk on the east side of Pigeon Pass Road, north of Hemlock Avenue.
- Sidewalk on the south side of Calle San Juan De Los Lagos, west of Frederick Street.
- Ten pedestrian access ramps along Hemlock Avenue from Perris Boulevard to Leahy Street.
- Pedestrian access ramps on the northwest and southwest corners of Indian Avenue and Dorner Drive.
- Pedestrian access ramps on the southeast and northeast corners of Ramsdell Drive and Dorner Drive.
- Pedestrian access ramps on the southwest and southeast corners of Cottonwood Avenue and Bion Drive.
- Pedestrian access ramp and curb return on the southeast corner of Cactus Avenue and Elsworth Street.
- Pedestrian access ramp and curb return on the northwest corner of Iris Avenue and Oliver Street.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m., on September 12, 2011, for the subject project. The ten (10) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Mora's Equipment & Construction, Inc.**	**$182,993.50**
2.	TSR Construction & Inspection	$220,417.60
3.	Golden State Constructors, Inc.	$238,606.25
4.	CT&T, Inc.	$247,797.90
5.	STI, Inc.	$266,135.43
6.	Blair Rasmussen Construction	$280,741.12
7.	Elite Companies	$286,370.57
8.	JDC, Inc.	$320,910.60
9.	Avi-Con, Inc.	$375,398.00
10.	Bravo Concrete	$401,616.55

Engineer's Estimate $230,000.00

Staff has reviewed Mora's Equipment & Construction, Inc.'s bid and finds it to be the lowest responsive bid. Furthermore, Mora's Equipment & Construction, Inc. is in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Mora's Equipment & Construction, Inc. in their bid.

The lowest responsive bid was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternative items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternative items which comprise the ten locations identified in the DISCUSSION section. These ten locations are Phase 1 of the FY 10-11 SB 821 Grant Project as accepted by City Council on September 14, 2010. Phase 2 of the FY 10-11 SB 821 Grant Project will go out to bid in January of 2012.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor will coordinate construction activities such that impacts to motorists and pedestrians are minimized.

ALTERNATIVES

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc., in the form attached hereto, authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc. up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will allow for the timely construction of needed improvements.*

2. Do not award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, do not authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will delay the construction of these needed improvements.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2011/2012 Capital Improvements Project Budget and will be financed by SCAG Article 3 (Fund 122) and Measure "A" (Fund 125). RCTC will reimburse up to $150,000 of the construction costs. The funding for this project is restricted to street improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS FISCAL YEAR 2011/2012:

Citywide Sidewalks and Access Ramps (Account No. 122.72227)	$150,000
Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$150,000
Total Funds Available	**$300,000**

ESTIMATED CONSTRUCTION RELATED COSTS:

Construction (Includes 20% contingency)	$220,000
Construction Surveying Costs	$25,000
Construction Geotechnical Costs	$25,000
Project Administration and Inspection Services	$20,000
Total Estimated Construction Related Costs	**$290,000**

ANTICIPATED PROJECT SCHEDULE:

Start Construction	October 2011
Complete Construction	March 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The City Council is requested to approve the award of the construction contract to Mora's Equipment & Construction, Inc.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Mora's Equipment & Construction, Inc.

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\CC Reports\NOA-Phase 1 staff report\NOA for Citywide Sidewalks and Access Ramps_9-21-11.doc

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MV00130388

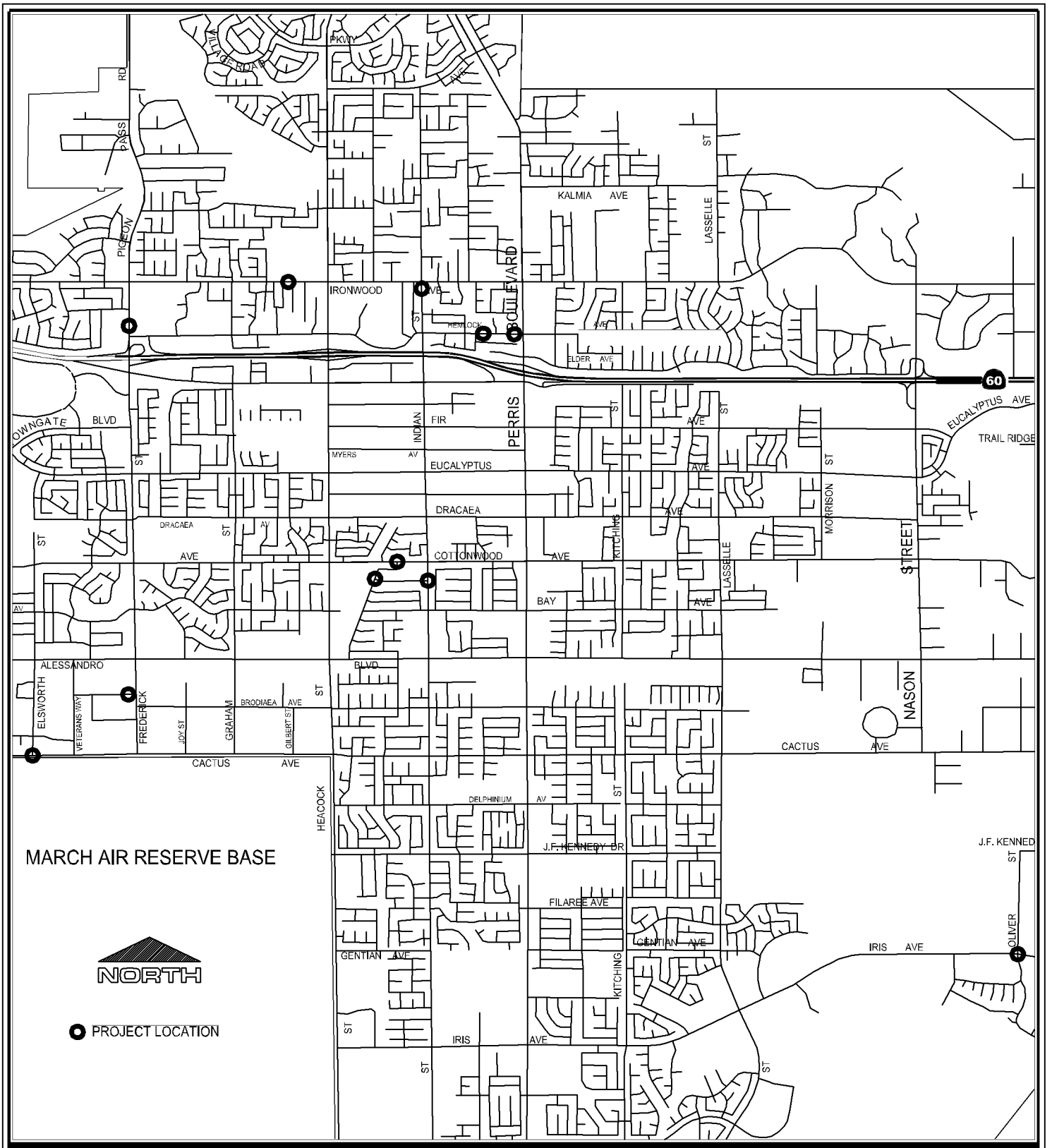

ATTACHMENT "A" - LOCATION MAP

Public Works Department Capital Projects Division	PROJECT NO. 10-12272227 CITYWIDE SIDEWALKS AND ACCESS RAMPS
Scale: None	

Item No. A.5

MV00130389

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MV00130390

Agreement No._____

AGREEMENT

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Mora's Equipment and Construction, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$182,993.50** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. After the Agreement has been fully executed by the Contractor and the City, the Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the "Notice to Proceed to Fulfill Preconstruction Requirements," which constitutes the start of the contract eighty (80) working days. Preconstruction Requirements include, but are not limited to, the following:

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan
- Submitting and obtaining approval of required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Contract Documents

After all preconstruction requirements are met, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor agrees to diligently prosecute the work, including corrective items of work, day to day thereafter, except as adjusted by subsequent Change Orders. The eighty (80) working days include the time necessary to both Fulfill Preconstruction Requirements and for Construction of the project.

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $365.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers,

employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

15. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

16. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12272227

CITY OF MORENO VALLEY, a Municipal Corporation

Mora's Equipment and Construction, Inc.

BY: _____
City Manager

DATE: _____

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\Specifications\2 Agreement - Basic Specs 07-11 - Citywide SW AR.DOC

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO

-ly attach this document to the signed document.

Item No. A.5

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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  - Indicate title or type of attached document, number of pages and date.
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- Securely attach this document to the signed document.

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MV00130404

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

FRAN LOU DRIVE, BETWEEN PERRIS BOULEVARD AND KITCHING STREET

DEVELOPER - LCTH INVESTMENT, L.P.
1000 DOVE STREET
SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements.

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 27, 2003, the City Council of Moreno Valley approved Final Map 20185 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 20185 provided a Faithful Performance Bond in the amount of $2,072,000 and a Material and Labor Bond in the amount of $1,036,000 issued by Western Insurance Company.

On August 23, 2005, the City Council approved and accepted replacement bonds and an Agreement for Public Improvements for Tract 20185. The agreement expired August 23, 2007. Due to the current market conditions at that time, LCTH Investment, L.P. postponed development and focused on selling their current inventory of homes on other project sites.

On September 25, 2007, LCTH Investment, L.P. requested that the City provide a 24 month extension of time to their Agreement for Public Improvements. The amendment extended the agreement for Tract 20185 to August 23, 2009.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Do not direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 20185
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\9-27-11 - TR 20185- Exoneration of Agree.doc

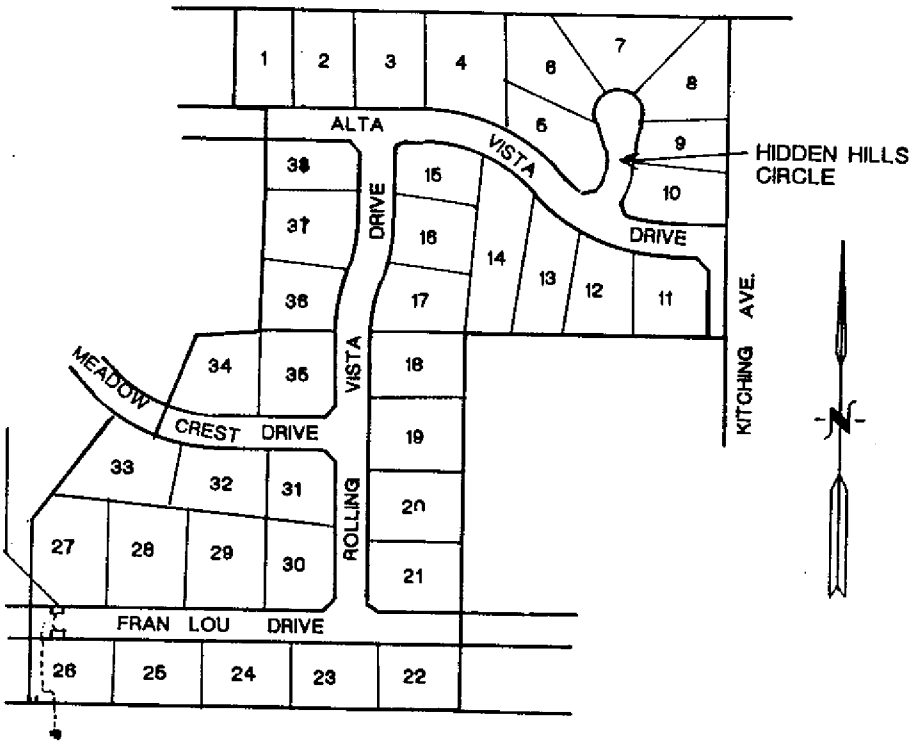

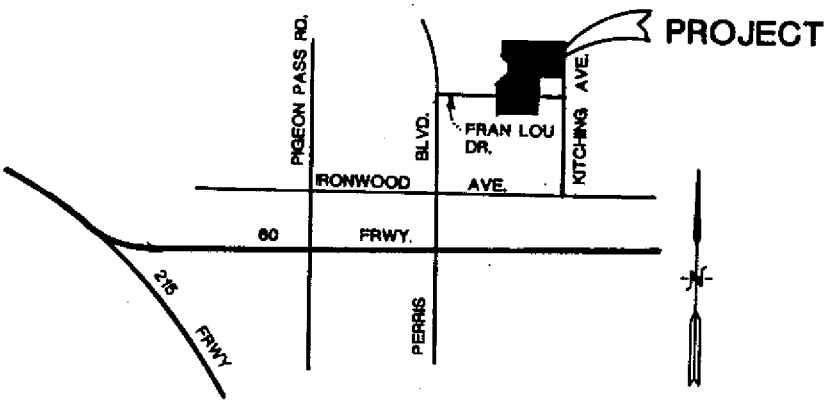

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

TRACT 20185
VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

Item No. A.6

MV00130409

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MV00130410

AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS FOR TRACT 20185

This Amendment to Agreement for Public Improvements is made and entered into by and between the City of Moreno Valley, hereinafter "City", and **LCTH INVESTMENT, L.P.,** hereinafter "Contractor", on the date the City signs this agreement.

1. RECITALS:

   (a) The City and the Contractor entered into an Agreement for Public Improvements hereinafter called the "Original Agreement" **(Doc #2005-0793184)** on August 23, 2005. That agreement will expire on August 23, 2007.

   (b) The City and the Contractor wish to amend the Original Agreement as hereinafter provided.

2. AMENDMENT TO ORIGINAL AGREEMENT:

   (a) Based upon the foregoing Recitals, the City and the Contractor hereby amend the Original Agreement, extending said agreement by twenty-four (24) months, up to and including the **23rd day of August 2009**, the time for completion of the required work and improvements by the Contractor.

   (b) The bonds currently on file are to remain in effect unless replacement bonds are being provided with this Amendment to Agreement for Public Improvements.

3. LIMITED EFFECT:

   Except as herein otherwise provided, the terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Contractor and the City have duly caused this Amendment to the Original Agreement to be executed as of the date executed by the Mayor of the City.

LCTH INVESTMENT, L.P.

By: C Christine Chung
Signature

CHRISTINE CHUNG MANAGER
Print Name & Title

By: _____
Signature

_____
Print Name & Title

ATTEST:

Alice Reed 10/2/07
City Clerk Date

CITY OF MORENO VALLEY

Charles White 9-29-07
Mayor Date:

APPROVED AS TO FORM:

RDH 9/29/07
City Attorney Date

Original-City Clerk Pink-Contractor Green-Land Dev. Blue-Project File

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

W:\LandDev\Lee Ann\Agreement Bond Packets\TR20185 - Amendment to Agreement-extension.doc

Exhibit "B"

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0.05	Thickness (ft.)				
	132550	S.F.	480	Ton	55.00	26,427
A.C. - Street 1	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	90.00	302,711
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	329,138

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

OFFSITE STREET WORK

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	0	Ton	90.00	0
Slurry Seal (Based on $150/Ton Type II)	14728	S.Y.	2.25	33,138
Sawcut	0	L.F.	1.50	0
Utility Trench	5000	L.F.	17.00	85,000
Trench Repaving	0	S.F.	12.00	0
Redwood Header	250	L.F.	6.00	1,500
A.C. Berm - 6"	163	L.F.	10.00	1,630
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	19	EA.	800.00	15,200
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	1800	L.F.		0
Curb and Gutter - 8"	5000	L.F.	25.00	125,000
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	3000	S.F.	15.00	45,000
Sidewalk	13800	S.F.	7.00	96,600
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	4350	S.F.	14.00	60,900
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	9	EA.	1,200.00	10,800
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	60	L.F.	100.00	6,000
	0			0
			SUBTOTAL:	480,768

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	16	EA.	4,000.00	64,000
Street Lights (22000 lumen)	0	EA.	5,000.00	0
Electrical Utility Infrastructure	0	L.S.	--	0
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	64,000
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordina	0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
Traffic Striping/raised pavement markers	1	L.S.	10000	10,000
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	5	EA.	200.00	1,000
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
	0		--	0
			SUBTOTAL:	12,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Cluster Mail Boxes	4	EA.	4,500.00	18,000
Erosion Control	24	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	178	EA.	100.00	17,800
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Street Trees	38	EA.	2,500.00	95,000
			SUBTOTAL:	130,800

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	48	L.F.	130.00	6,240
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	238	L.F.	180.00	42,840
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	3	EA.	5500.00	16,500
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
	0		---	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	21	EA.	5500.00	115,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	2	EA.	3500.00	7,000
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		---	0
Miscellaneous				
Rip Rap	200	TON	60.00	12,000
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		---	0
			SUBTOTAL:	203,080

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	2422		50.00	121,100
10" PVC C-900	0		55.00	0
12" PVC C-900	1045		60.00	62,700
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.	---	0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	5	EA.	800.00	4,000
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	1	EA.	1,800.00	1,800
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	4	EA.	3,000.00	12,000
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	3	EA.	2,500.00	7,500
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	7	EA.	2,800.00	19,600
6" Super Fire Hydrants	0	EA.	3,000.00	0
	0		---	0
Services Connections				
1" Service	38	EA.	500.00	19,000
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	2		200.00	400
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	6		750.00	4,500
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	2	EA.	2,800.00	5,600
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	3	CY	150.00	450
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
	0		---	0
			SUBTOTAL:	267,650

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	1143	L.F.	20.00	22,860
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	3000	L.F.	30.00	90,000
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	38	EA.	700.00	26,600
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	33	EA.	3,000.00	99,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	0	EA.	300.00	0
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	38	EA.	90.00	3,420
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	238,460

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK :	$329,138
STREET WORK :	$611,568
STORM DRAIN SYSTEM :	$203,080
WATER SYSTEM :	$267,650
SEWER SYSTEM :	$238,460
ENTERPRISE SERVICES ADMIN :	$64,000
TRANSPORTATION ENGNRNG :	$12,000
TOTAL COST (VALUE) OF IMPROVEMENTS:	$1,725,896
+20% CONTINGENCY:	$345,179
GRAND TOTAL:	$2,071,075

BOND AMOUNT: **$2,072,000**

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TRACT MAP 20185

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **LCTH INVESTMENT, L.P.**, hereinafter called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TRACT MAP 20185** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND AND NO/100** Dollars (*****$1,637,000*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:

LCTH Investment, L.P.
1000 Dove Street
Suite 100
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

LCTH Investment, L.P.

By: Christine Cheng Manager
Title

By: _____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: Alice Reed
City Clerk

(SEAL)

CITY OF MORENO VALLEY

Date: 8/24/05

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8/24/05

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

PROJECT: **Tract 20185 (2005 Version)**
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			3675	C.Y.	16.00	58,800
A.B. Class II	0.5	Thickness (ft.)				
	132550	S.F.	4805	Ton	16.00	76,879
A.C.	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	43.50	146,310
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Curb and Gutter - 6"			1800	L.F.	12.00	21,600
Curb and Gutter - 8"			5000	L.F.	13.00	65,000
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			3000	S.F.	11.00	33,000
Sidewalk			13800	S.F.	4.00	55,200
Driveway Approach - 6"			4350	S.F.	5.50	23,925
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			163	L.F.	10.00	1,630
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			14728	S.Y.	1.10	16,201
Redwood Header			250	L.F.	4.00	1,000
Sawcut			0	L.F.	1.10	0
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5000	L.F.	5.00	25,000
Wheelchair Ramp			9	EA.	400.00	3,600
Street Name Sign			0	EA.	425.00	0
Stop Sign			5	EA.	200.00	1,000
Barricade			60	L.F.	45.00	2,700
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			5	EA.	200.00	1,000
Traffic Striping/raised pavement markers			1	L.S.	–	4,464
Traffic Signal			0	EA.	160,000.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping			0	S.F.	5.00	0
Street Trees			38	EA.	150.00	5,700
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			16	EA.	3,000.00	48,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			19	EA.	550.00	10,450
Erosion Control			24	Ac.	5,500.00	132,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure						
Electrical Reimbursement						
					SUBTOTAL:	745,459

Monuments: 0 X 65.00 EA. $0

Item No. A.6

EXHIBIT "A"

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	48	L.F.	75.00	3,600
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	0	L.F.	95.00	0
30" Reinforced Concrete Pipe	238	L.F.	110.00	26,180
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	3	EA.	5000.00	15,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin	21	L.F.	450.00	9,450
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Junction Structure	0	EA.	4500.00	0
Headwall	0	EA.	3500.00	0
Rip Rap	200	TON	40.00	8,000
Parkway Drain	1	EA.	2000.00	2,000
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	1	EA.	1100.00	1,100
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
"V" Gutter	23810	S.F.	4.00	95,240
			SUBTOTAL:	160,570

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	1045	L.F.	60.00	62,700
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	2422	L.F.	50.00	121,100
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	7	EA.	2,000.00	14,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	2	EA.	200.00	400
10"	0	EA.	240.00	0
12"	6	EA.	750.00	4,500
Blow Off 6"	0	EA.	1,800.00	0
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	0	EA.	1,800.00	0
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	38	EA.	350.00	13,300
Blow-offs	3	EA.	1,300.00	3,900
Air Vac & Air Release	4	EA.	1,800.00	7,200
Hot Tap	2	EA.	2,000.00	4,000
12" BFV	1	EA.	1,800.00	1,800
8" BFV	5	EA.	800.00	4,000
Thrust Block	3	C.Y	150.00	450
			SUBTOTAL:	246,350

Item No. A.6

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	3000	L.F.	32.00	96,000
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1143	L.F.	24.00	27,432
15" Pipe Plastic Solid Wall	0	L.F.	35.00	0
12" Pipe Plastic Solid Wall	0	L.F.	33.00	0
10" Pipe Plastic Solid Wall	0	L.F.	21.00	0
8" Pipe Plastic Solid Wall	0	L.F.	17.00	0
6" Pipe Plastic Solid Wall	0	L.F.	13.00	0
4" Pipe Plastic Solid Wall	0	L.F.	9.00	0
Standard Manhole 48"	19	EA.	2,000.00	38,000
Terminus Manholes	14	EA.	1,700.00	23,800
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	38	EA.	600.00	22,800
Wyes	38	EA.	90.00	3,420
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
			SUBTOTAL:	211,452

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

IMPROVEMENT TYPE:

ROADWORK	:	$745,459
STORM DRAIN	:	$160,570
WATER SYSTEM	:	$246,350
SEWER SYSTEM	:	$211,452
SURVEY MONUMENTS	:	$0
TOTAL COST OF IMPROVEMENTS:		$1,363,831
+20% CONTINGENCY:		$272,766
GRAND TOTAL:		$1,636,597

BOND AMOUNT: **$1,637,000**

Item No. A.6

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MV00130428

Recording requested by and when recorded, mail to:

City of Moreno Valley
CEDD/Land Development Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Public Works Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Tract Number 20185,

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 20185 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the Public Works Department, Land Development Division located at 14177 Frederick Street, Moreno Valley, California, 92553 or by calling 951.413.3120.

By: _____
CHRIS A. VOGT,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date 8/31/11

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Notifications for PIA Req\TR 20185 - Notice of Requirement for PIA.doc

Exhibit "C"

Item No. A.6

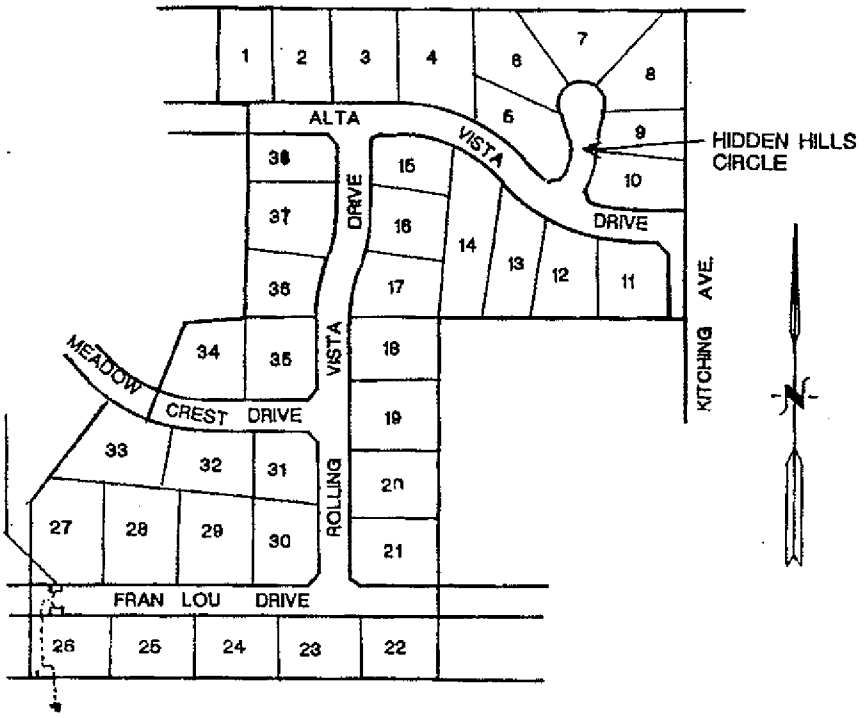

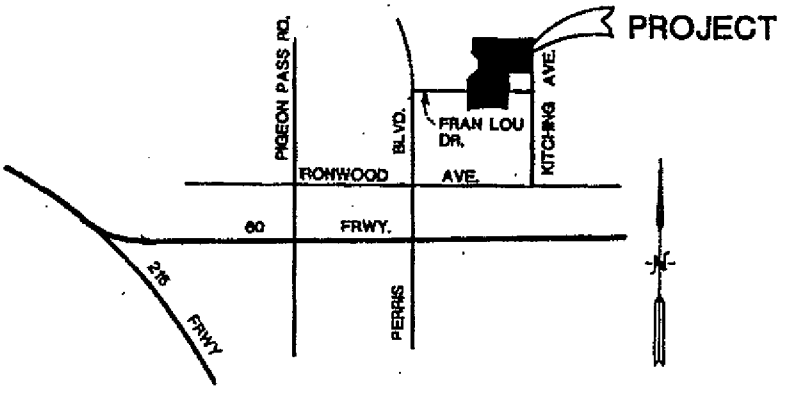

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** EXHIBIT "A"	**TRACT 20185** **VICINITY MAP**

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Community and Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO REDEVELOPMENT AGENCY
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324.

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325.

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way).

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency:

> Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. The City Council approved Resolution No. 2011-88 for the Notice of Intent to Vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highways Code – Chapter 3, Sections 8320 through 8325. The Resolution provided for the following actions:

1. Set the date of the public hearing for the vacation proceeding as September 27, 2011 , in the City Council Chambers, at 6:30 p.m., for all persons interested in or objecting to the proposed street vacation; and

2. Directed the City Clerk to publish and advertise the hearing notice and directed the City Engineer to post Motor Way giving notice of the time of the public hearing; and

3. Directed the City Clerk to certify said resolution and transmit a copy to the office of the County Recorder for recordation.

DISCUSSION

The Community Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Part of the Auto Mall Specific Plan is to vacate the frontage road (Motor Way) between the Auto Mall properties and Auto Mall Parkway (Moreno Beach Drive) to enhance visibility. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno

Beach Drive) already serves, and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Bros. Moreno Valley Properties, LLC and Majestic Realty (also known as Auto Mall Resolution, LLC), who own the properties fronting Motor Way. Both owners support the vacation of Motor Way. To maintain access to two fronting properties along Lot "B", an ingress and egress easement are required as part of the vacation process.

The City also recommends that the property be transferred from the City of Moreno Valley's ownership to the RDA's ownership via a quitclaim deed. The transfer of ownership would allow the RDA to address various issues identified in the Auto Mall's Specific Plan Amendment No. 5 previously approved by City Council. There is no fee associated with the transfer of ownership.

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

ALTERNATIVES

1. Adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Adopting the Resolution ordering the Vacation will allow the City to finish the proposed street improvements.*

Authorizing the execution of the Quitclaim Deed and Easement Deeds will alleviate any future title issues and liability issues for the City.

2. Do not adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, do not direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, do not authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and do not authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Do not authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Not adopting the Resolution ordering the Vacation will not allow the City to finish the proposed street improvements along Motor Way and will cause the City to continue maintenance of the street. Not authorizing the execution of the Quitclaim Deed and Easement Deeds may cause future title issues and liability issues for the City.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution ordering the street vacation. There will be a transfer of land ownership between the City and the RDA but no financial transaction between the entities.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue,

excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

NOTIFICATION

Notice of the vacation has been given to various utility agencies. The public has been notified of the vacation by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Lot B Exhibit"
Attachment "C" – Proposed Resolution
Attachment "D" – Quitclaim Deed
Attachment "E" – Acceptance Certification
Attachment "F" – Easement Deed for Parcel "A" of LLA 817
Attachment "G" – Easement Deed for Parcel 1 of LLA 1008

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\Full Vacation for Motor Way and Transfer of Property 9-27-11 - Final.docx

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MV00130436

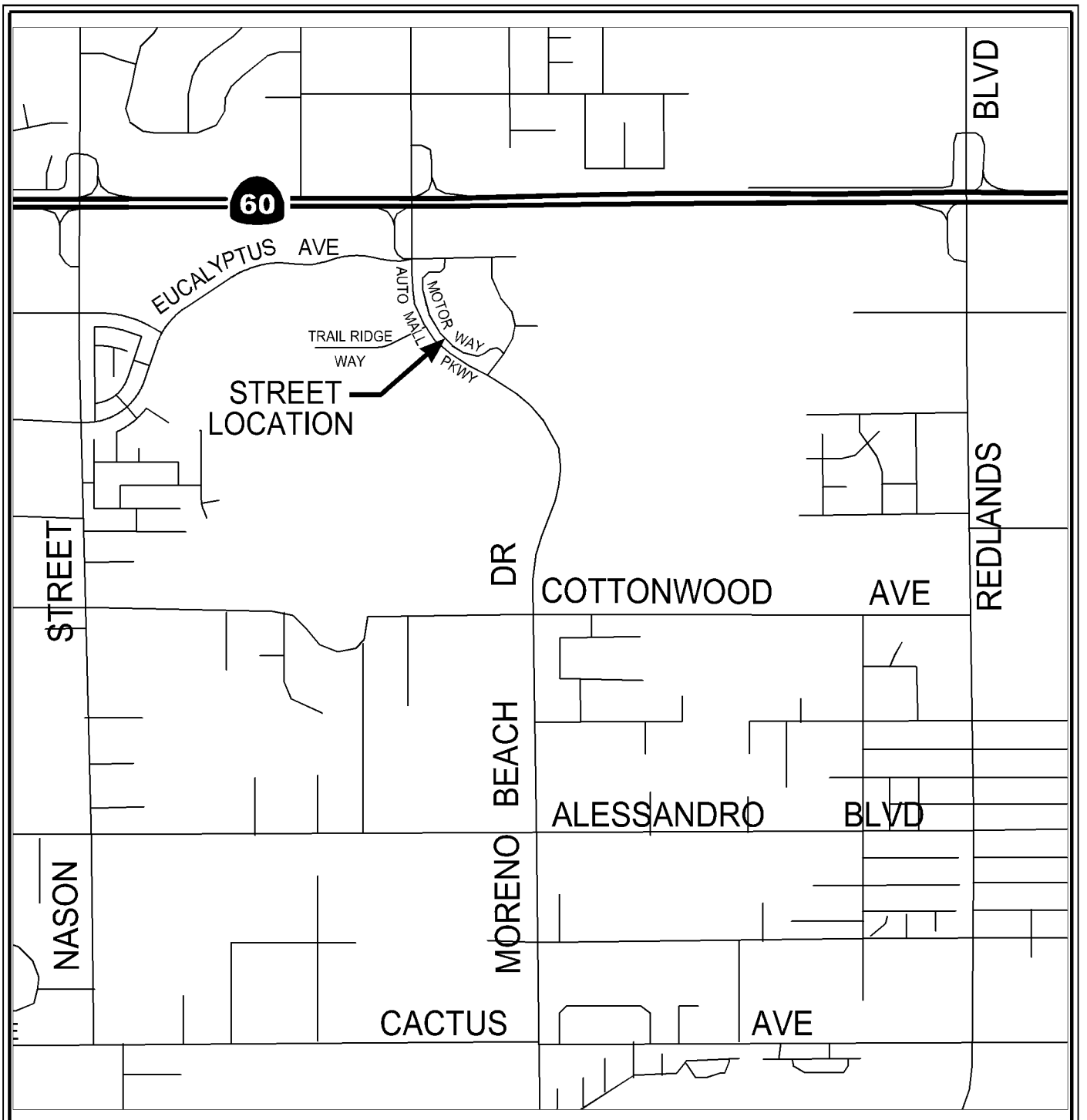

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

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MV00130438

"Lot B Exhibit"

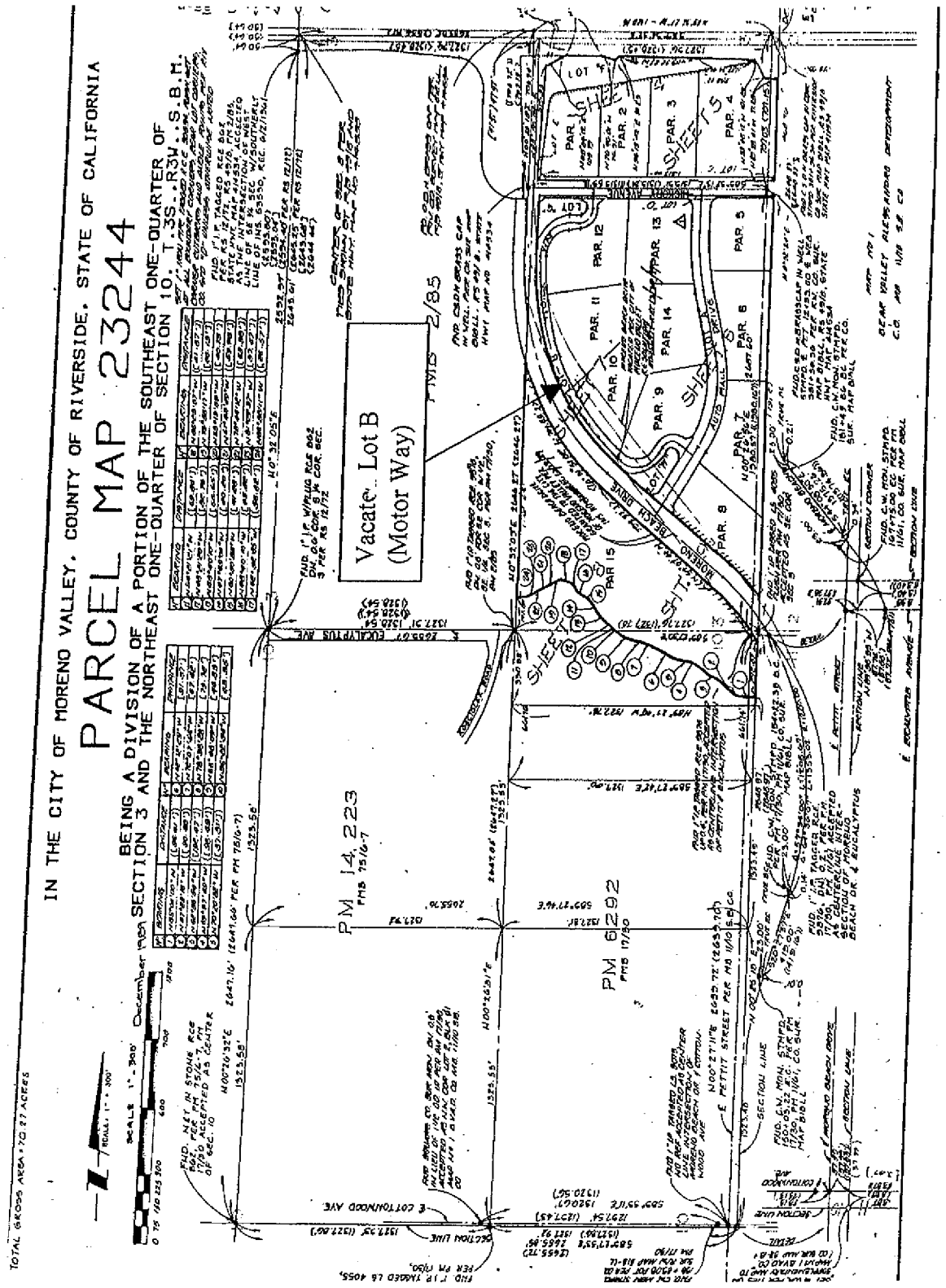

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MV00130440

RESOLUTION NO. 2011-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City Council, on August 23, 2011, adopted Resolution No. 2011-88 declaring its intention to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described in said Resolution No. 2011-88 on file with the City Clerk's office, and set a public hearing for September 27, 2011, at 6:30 p.m., as the time for all persons interested in or objecting to the proposed vacation; and

WHEREAS, this public hearing was duly noticed and held as required by law; and

WHEREAS, the public right-of-way proposed to be vacated was duly posted as provided by law; and

WHEREAS, there are existing public facilities and services in the area to be vacated, therefore reserving to the City an easement for public facilities and services; and

WHEREAS, the Council finds such public right-of-way is unnecessary for the following reasons:

1. The subject right-of-way is unnecessary for present and prospective public use.

2. The subject right-of-way is not needed as a non-motorized transportation facility.

3. The proposed vacation is consistent with the City of Moreno Valley Municipal Code and General Plan and it complies with the requirements for street vacations as cited in the California Streets and Highways Code Sections 8312 & 8324.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public right-of-way described as Lot B of Parcel Map 23244, as recorded and on file with the Riverside County Recorder's Office, be vacated.

BE IT FURTHER RESOLVED THAT the City is reserving unto itself an easement for public utilities and public facilities purposes.

BE IT FURTHER RESOLVED THAT the City is reserving ingress and egress access easements to Parcel A of Lot Line Adjustment Number 817 and Parcel 1 of Lot Line Adjustment Number 1008 along Lot B of Parcel Map 23244.

BE IT FURTHER RESOLVED THAT the City Clerk shall cause a certified copy of this order to be recorded by the Riverside County Recorder.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00130444

Recording requested by and when
recorded, mail to:
City of Moreno Valley
City Clerk
14177 Frederick Street
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N.

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the

City of Moreno Valley, a Municipal Corporation

hereby remises, releases and quitclaims to the COMMUNITY REDEVELOMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, the real property in the City of Moreno Valley, County of Riverside, State of California, as described:

Lot B of Parcel Map 23244 and as illustrated on the plat attached hereto and marked Exhibit "A".

Reserving therefrom, to said City of Moreno Valley an easement for public utilities and public facilities over, under, across and within the above described parcels of land.

IN WITNESS WHEREOF, this instrument has been executed this ____ day of_____, 2011.

STATE OF CALIFORNIA
County of Riverside

On _____ before me, _____
the undersigned. A Notary Public in and for said State, personally appeared_____
_____
proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

GRANTOR:

City of Moreno Valley

By:_____

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MV00130446

"Lot B Exhibit"

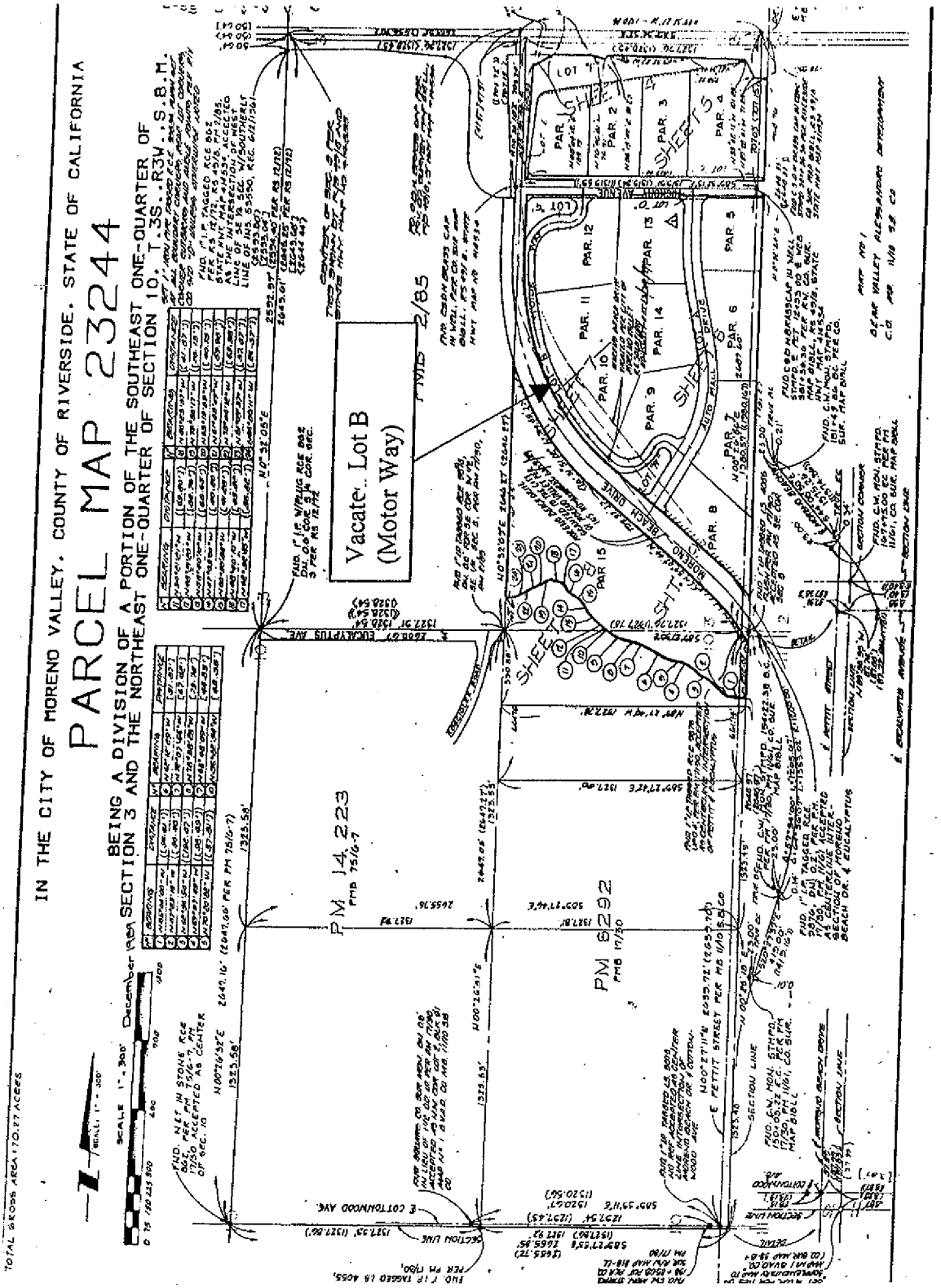

Exhibit "A"

Item No. A.7

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MV00130448

ACCEPTANCE CERTIFICATION

This is to certify that the interest in real property conveyed by the deed or grant dated September 27, 2011 from City of Moreno Valley to the Moreno Valley Community Redevelopment Agency, State of California, in the form attached hereto, is hereby accepted, subject to completion of Conditions of Resolution 2011-___, by the order of the Board of Directors of the Moreno Valley Redevelopment Agency, pursuant to authority so ordered on September 27, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____

By: _____
Richard A. Stewart, Chairman of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

State of California
County of_____ }

On_____ before me, _____, A Notary Public
Date — Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

_____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Attachment "E"

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MV00130450

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the AUTO MALL RESOLUTION, LLC, an easement for ingress and egress access purposes to Parcel "A" of Lot Line Adjustment Number 817 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Lot "A" (also know as Auto Mall Drive) and the prolongation of the northerly property line of Parcel "A" of Lot Line Adjustment Number 817 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "F"

Item No. A.7

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MV00130452

LOT LINE ADJUSTMENT 817

OF A PORTION OF PARCELS 10, 11, 12 AND 13 OF PARCEL MAP 23244
ON FILE IN BOOK 161 OF PARCEL MAPS AT PAGES 16 THROUGH 24,
RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

JUNE 1990

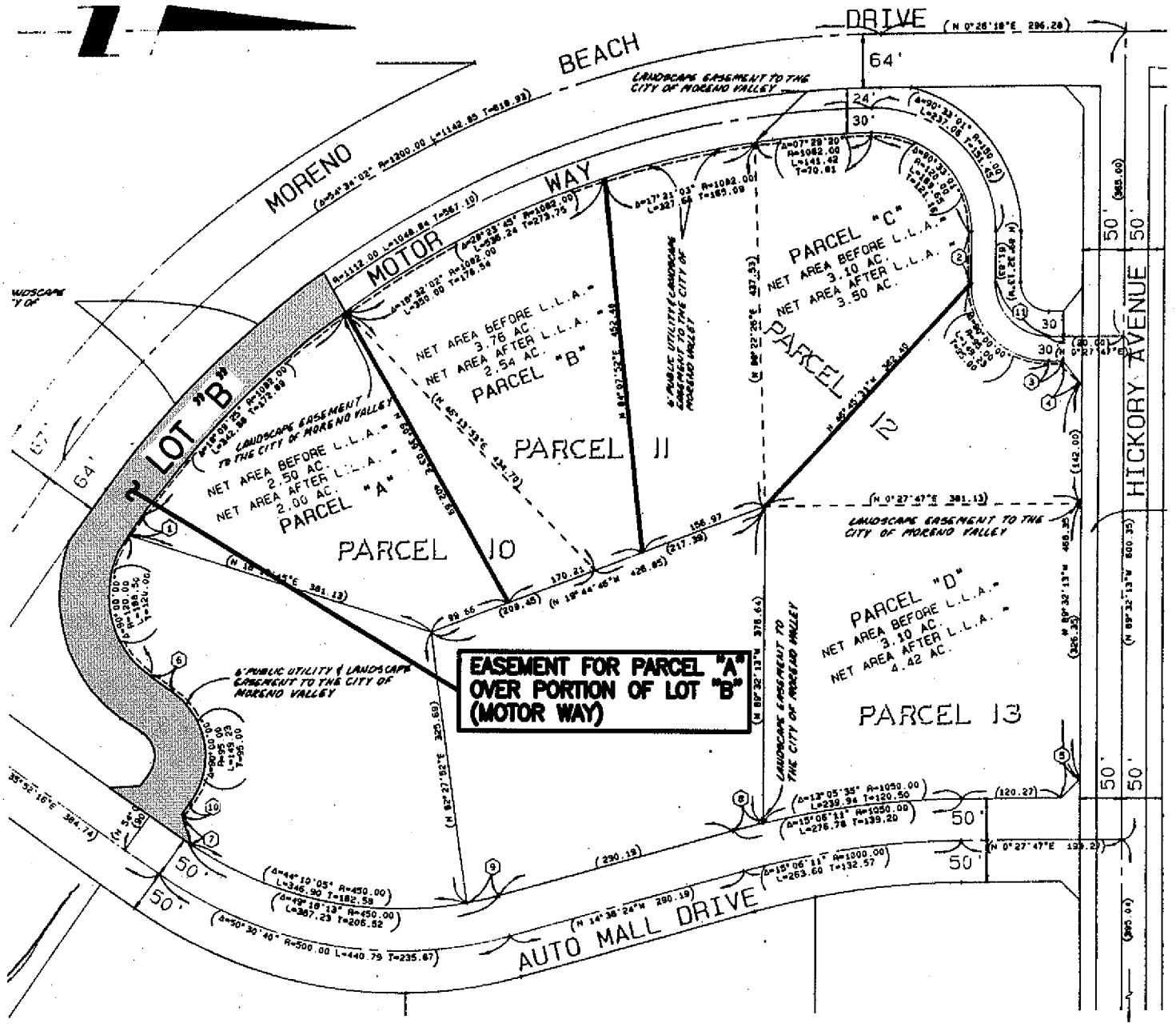

EXHIBIT "A"

NTS

INSTRUMENT No 302152

Item No. A.7

MV00130453

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MV00130454

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the MOSS BROS. MORENO VALLEY PROPERTIES, LLC, an easement for ingress and egress access purposes to Parcel 1 of Lot Line Adjustment 1008 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Eucalyptus Avenue (Hickory Avenue) and the prolongation of the southerly property line of Parcel 1 of Lot Line Adjustment 1008 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "G"

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MV00130456

EXHIBIT "A"
LOT LINE ADJUSTMENT No. 1008/ AND CERTIFICATE OF COMPLIANCE

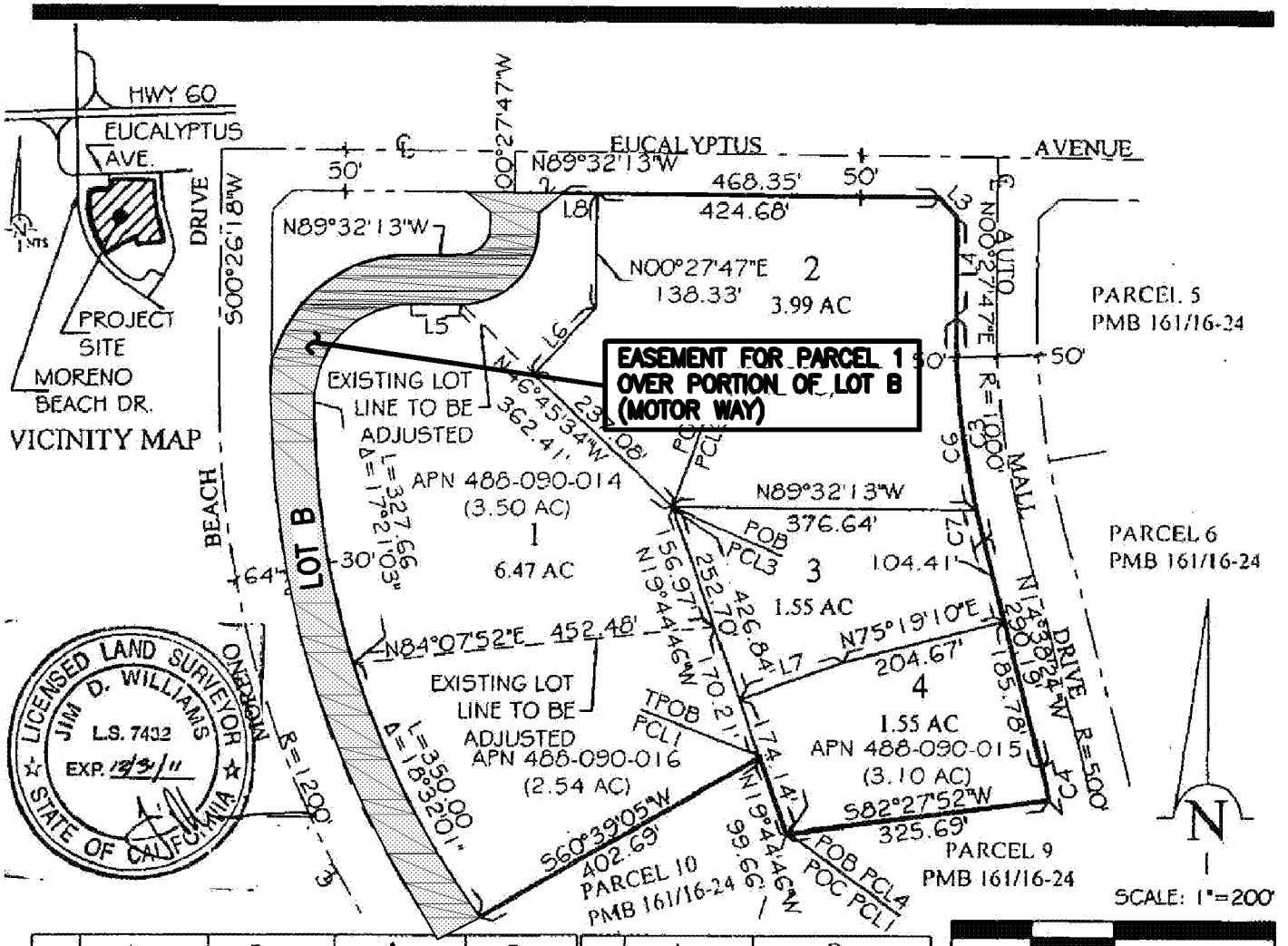

	L	R	Δ	T
C1	189.65'	120.00'	90°33'04"	121.16'
C2	149.23'	95.00'	90°00'00"	95.00'
C3	276.78'	1050.00'	15°06'11"	139.20'
C4	40.33'	450.00'	05°08'08"	20.18'
C5	677.66'	1082.00'	35°53'04"	350.36'
C6	239.94'	1050.00'	13°05'35"	120.50'
C7	36.84'	1050.00'	02°00'36"	18.42'

	L	B
L1	17.00'	N00°27'47"E
L2	37.01	N52°02'25"E
L3	32.53'	S44°32'13"E
L4	120.27'	S00°27'47"W
L5	61.83'	N89°32'13"W
L6	111.43'	N43°14'26"E
L7	136.37'	N70°14'02"E
L8	43.67'	S89°32'13"E

OWNERS:

APN 488-090-014,016
PARCEL 1 & 2
JB & RB REALTY, LLC
PO BOX 1770,
POMONA, CA 91769
(818) 601-1802
ATTN: JOHN BOULIANNE

APN 488-090-013,015
PARCEL 3 & 4
DJK, LLC
12625 AUTO MALL DRIVE,
MORENO VALLEY, CA 92555
(951) 485-3500
ATTN: DONALD J. ALLARD

PREPARED BY:

- land planning
- civil engineering
- landscape architecture

phone 909.748.7777
fax 909.748.7776

est. 1989

thatcher engineering & associates, inc.
1461 ford street, suite 105, redlands, ca 92373

LEGEND:

——	PROPOSED LOT LINES
▬▬	EXISTING BOUNDARY
— —	EXISTING LOT LINES
( )	AREA BEFORE ADJUSTMENT
POB	POINT OF BEGINNING
PCL	PARCEL
POC	POINT OF COMMENCEMENT

V:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Auto CAD\Exhibit 'A', PM 23244, LLA 1008.dwg

Item No. A.7

MV00130457

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MV00130458

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction.

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

BACKGROUND

In May 2005, City Council approved an agreement with PB for $939,331.84 to provide design services for improvements to the State Route 60/Nason Street Interchange. The original scope of work consisted of design, right-of-way acquisition, utility relocation,

plans, specifications and estimates (PS&E), agency coordination, bid support and construction support services.

In June 2006, the agreement was amended within the authorized contingency to add work related to the City's Streambed Alteration Agreement with the California Department of Fish and Game.

On October 14, 2008, the City Council approved the Second Amendment for additional design work required to coordinate the project's 95% design with the substantially completed Stoneridge development and update the design plans to optimize construction funds and enhance the ultimate State Route 60/Moreno Beach Drive and Nason Street bridge project.

In April 2009, the agreement was further amended for additional design work required to update the plans. In June 2009 and October 2009, the agreement was again amended to add conceptual design work related to property acquisition activities and agency requirements. All amendments were within the authorized contingency.

On January 11, 2011, the City Council awarded the construction contract to All American Asphalt. Construction is currently under way.

The agreement with PB was further amended in August 2011 (Sixth Amendment) within the approved contingency to extend the contract expiration date from December 31, 2011, to December 31, 2012, and to address staging and drainage issues encountered during construction.

DISCUSSION

The project is under construction and is on schedule. Services during construction that are required to be performed by the design engineer were estimated in 2005 during the time of the original proposal. The tasks and associated level of effort has changed since that time. They have been evaluated and consequently have increased due to changes in policies and procedures.

Weekly meetings are held with the construction management team, the City, Caltrans, and the contractor. Due to the accelerated nature of the work and the multiple parties involved in approvals, there is a time benefit in having the design engineer present at strategic weekly meetings and on-site afterwards to answer questions, evaluate any proposed adjustments, and optimize solutions. In addition, Caltrans requires the design engineer to review and concur with all Requests for Information, regardless of whether they involve a design change. The level of effort for these tasks is therefore higher than anticipated. In addition, it is expected that there will be continuing suggestions by the contractor and project team to adjust existing and proposed features to save time and money.

As-built drawings were anticipated to be done under the original contract in 2005. Since that time, Caltrans policy changed, and the as-builts were not to be done by the design

engineer. The task was removed from the scope in the Second Amendment. In 2010, the policy changed again to have the design engineer prepare the as-builts. Therefore, the scope has been re-inserted to have the design engineer prepare the final as-built set, including electronic copies to the City and Caltrans.

Caltrans recently changed carpool policies. In the last three months, Caltrans re-striped the SR-60 carpool lane from I-215 to Redlands Boulevard to provide for a continuous ingress/egress condition instead of defined segments of ingress/egress. Both the interim stage plans and the permanent striping plans for this project, when implemented, are required to be revised to reflect the new type of striping. In addition, the environmental permits for the project were issued prior to advertisement, and there are revised requirements to document and close out the permits and environmental commitments upon completion of construction.

The consultant has submitted a proposal for $76,875 to perform this work, bringing the cumulative contract total to approximately $1.57 million. This amount represents approximately 20% of the construction cost and includes both design and construction support services, which represent approximately 19% and 2.2% of the construction cost, respectively. The price is considered fair and reasonable based on industry standards for similar work, and results in an overall cost savings for the City on the project. The design engineer is also required to perform these tasks. The services covered in this amendment will be completed concurrently with the ongoing construction phase.

Construction is expected to continue through March 2012. As-builts and administrative project close-out activities are expected to continue through June 2012. A 20% contingency is requested to respond quickly to construction issues that may arise as the project is completed.

ALTERNATIVES

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will allow for completion of the design for the needed improvements.*

2. Do not approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB),

451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, do not authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, do not authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will delay the needed improvements.*

FISCAL IMPACT

The project is currently funded using federal funds and matching toll credits. Remaining available funding consists of DIF Interchange funds and Measure "A" funds. There are sufficient funds in the budget for the amendment.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act of the 21st Century, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 2,657,000
STPL Discretionary Funds (125.67029)	$ 4,941,000
STPL Toll Credit (125.67030)	$ 637,000
Demo Toll Credit (125.66930)	$ 664,000
Measure "A" Funds (125.89720)	$,446,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$11,085,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 8,283,000
Construction Management & Inspection Services	$ 601,000
Construction Support Services (Geotechnical & Survey)	$ 129,000
Construction Support Services (Design)	$ 92,000
Administrative Costs (Staff & Miscellaneous)	$ 50,000
Total Estimated Costs	$ 9,155,000

ANTICIPATED PROJECT SCHEDULE
Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff recommends amending the contract with PB for continuing services during construction for the SR-60/Nason Street Interchange Improvement Project by approving the Seventh Amendment to Agreement for Professional Consultant Services and authorizing a change order to increase the purchase order by $92,250.00 ($76,875.09 plus 20% contingency).

ATTACHMENTS/EXHIBITS

Attachment "A" — Seventh Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130464

SEVENTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 98-25897

This Seventh Amendment to Agreement is by and between the **City of Moreno Valley**, a municipal corporation, hereinafter referred to as "City," and **PB Americas Inc.**, a New York corporation, hereinafter referred to as "Consultant." This Seventh Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 18, 2005.

Whereas, the Consultant is providing consultant design services for State Route 60/Nason Street Interchange Improvements.

Whereas said Agreement was amended by the "First Amendment to Agreement for Professional Consultant Services" dated June 22, 2006.

Whereas said Agreement was further amended by the "Second Amendment to Agreement for Professional Consultant Services" dated November 7, 2008.

Whereas said Agreement was further amended by the "Third Amendment to Agreement for Professional Consultant Services" dated April 23, 2009.

Whereas said Agreement was further amended by the "Fourth Amendment to Agreement for Professional Consultant Services" dated June 23, 2009.

Whereas said Agreement was further amended by the "Fifth Amendment to Agreement for Professional Consultant Services" dated October 13, 2009.

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

Whereas said Agreement was further amended by the "Sixth Amendment to Agreement for Professional Consultant Services" dated _____, 2011.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Seventh Amendment.

Whereas, the Consultant has submitted a Proposal dated August 25, 2011, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2012,** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in the proposal (Exhibit "A").

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in the proposal (Exhibit "A").

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $76,875.09, as set forth in the above-referenced proposal (Exhibit "A") in consideration of the Consultant's performance of the work set forth in said proposal.

1.5 The total "Not to Exceed" fee for this contract is $1,570,430.09 ($939,331.84 for the original Agreement, $16,302.70 for the First Amendment, $375,748.00 for the Second Amendment, $48,370.67 for the Third Amendment to Agreement, $4,805.24 for the Fourth

Amendment to Agreement, $87,889.13 for the Fifth Amendment, $21,107.42 for the Sixth Amendment and $76,875.09 for the Seventh Amendment to Agreement.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

PB Americas, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – Proposal Dated August 25, 2011

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Parsons Brinckerhoff
451 E. Vanderbilt Way
Suite 200
San Bernardino, CA 92408

August 25, 2011

Ms. Margery A. Lazarus,
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: SR-60/Nason Street Interchange Improvements (PB Job No. 12676)
Project No. 98-25897

Dear Ms. Lazarus:

Attached is our scope of work, cost estimate and labor breakdown for additional services at the request of the City of Moreno Valley on the Nason Street Interchange Improvement Project. The effort has been identified in the following areas through the middle of March 2012:

- As-built Drawings
- Environmental Permits
- Attend weekly construction meetings
- Provide concurrence of RFI's
- PB will update all Staging and Striping plans affected by Caltrans HOV policy change.

The estimate for the above scope of work is $76,875.09.

Please do not hesitate to call should you have any questions 909.888.1106

Sincerely,
PB Americas, Inc

Douglas B. Sawyer
Senior Vice President

Scope of work for Amendment

Task 24 – As-built Drawings

PB shall incorporate all redline comments prepared by the Contractor and the project inspector on the signed design Plans. PB will put hanging file tabs on the Mylars. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment.

The estimated time for 251 sheets at 0.5 hour/per sheet would be 139 hours and will start on receipt of the complete package from the construction manager (TCM Group). This will include printing five (5) full size sets.

Electronic files will then be placed on three (3) CD's and delivered to construction manager (TCM – Group) for distribution.

Task 25 – Environmental Permits

Rather than paying the extraordinarily high maintenance fees associated with managing a half acre wetlands through the required third party management service, the city has opted to buy into an offsite mitigation bank.

This strategy will result in a savings to the city of well over $300,000.

PB will continue to work with the city to close the environmental permits, and to confirm compliance with the mitigation program in connection with closing out the project.

Task 26 – Weekly Meetings and Site Visits

Weekly Meetings and site visits thru the middle of March 2012 – The city together with Caltrans District 8 staff have requested our presence at the weekly construction meetings and site visits.

This additional effort was not anticipated or funded in the original design support during construction scope.

This task covers that additional coordination effort which will improve communication and reduce construction related delays.

This is based on 18 meetings and/or site visits for a total of 3 hours including travel time by the Project Manager or his/her representative.

If the construction is extended, these tasks will have to be revisited.

Task 27 – Review & Response

Additional Effort required providing concurrence on all RFI's thru the middle of March 2012. PB's involvement and concurrence in the RFI review and response process has increased significantly at the request of oversight agencies.

The requirement for the engineer to provide concurrence on all RFI's creates additional effort from the designer.

If the construction is extended, these tasks will have to be revisited.

Task 28 – Modify Interim Staging and Final Striping Plans

PB will modify interim staging and final striping plans to reflect changes in Caltrans policy to allow for continuous ingress/egress into HOV Lanes.

The estimated time for 10 sheets at 3 hour/per sheet would be 30 hours.

RESOURCE ALLOCATION MATRIX

Task No.	Task Name	Proj Mgr		Lead Engineer		Environmental Lead		Engineer		CADD		Project Administration		TOTAL HOURS	TOTAL COST
		PB AMERICAS HOURS													
		Jamey Dye		Craig Schneider		Stephanie Oslick		Courtney Otubuah		Chris Pitzer		Martha Garcia			
	Design Services														
24	**As-built Drawing**														
24.01	As-built Drawing	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
														0	$0.00
	Subtotals	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
25	**Environmental Permits**														
25.01	Environmental Permits	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
														0	$0.00
	Subtotals	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
26	**Weekly Meetings**														
26.01	1 Weekly Meeting through the middle of March	46	$10,730.40											46.00	$10,730.40
	Subtotals	46	$10,730.40											46.00	$10,730.40
27	**RFI Review & Response**														
27.01	RFI Review & Response through the middle of March	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
	Subtotals	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
28	**Modify Interim Staging and Final Striping Plans**														
28.01	Modify Interim Staging and Final Striping Plans	1	$223.55					5	$605.80	25	$3,141.75			31	$3,970.90
	Subtotals	1	$223.55					5	$605.80	25	$3,141.75			31	$3,970.90
	TOTAL	126	$28,882.51	10	$1,984.40	28	$4,391.52	99	$12,596.48	196	$27,773.07	3	$335.34	464.00	$75,763.72

OTHER DIRECT COSTS (ODC's):		
Mileage		$550.56
Reproduction		$539.00
Postage/Deliveries		$21.81
Phone/Fax		$0.00
TOTAL ODC's		$1,111.37
TOTAL COST	$0.00	$76,875.09

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

BACKGROUND

The SB 821 Bicycle and Pedestrian Facilities Program administered by the RCTC provides funding for sidewalks, bicycle lanes, access ramps, and pedestrian related enhancements. Eligible expenditures for this competitive grant program are limited to preliminary engineering, right of way acquisition, construction, and reconstruction.

At the April 12, 2011 City Council meeting, City Council approved the submittal of the grant application for the SB 821 Bicycle and Pedestrian Facilities Program FY 2011-12. The grant application requested funds for installation of access ramps at 11 locations citywide, as well as ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators at various locations along Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard.

On August 1, 2011, the City received notification from the RCTC of a successful grant application in the amount of $75,000 (50% of the estimated project costs) for the project.

DISCUSSION

The project will install sidewalk, curb and gutter, Americans with Disabilities Act (ADA) compliant access ramps, new pedestrian push buttons, and new pedestrian signal heads with countdown indications. Locations for the sidewalk and ramp improvements were selected based upon the results of the Public Right of Way Access ADA Transition Plan. City staff has received requests from disabled residents as well as completed the Tier 1 review of intersections and has developed a priority list of locations that need access ramp construction/reconstruction. A list of the locations, improvements, and priority follows:

- Patricia Street between Margaret Avenue and Gentian Avenue: Construct ADA ramps for a total of five intersections (citizen request).
- Cottonwood Avenue at Dilbeck Drive: Construct ADA ramps (Tier 1 review).
- Alessandro Boulevard at Chagall Court: Reconstruct ADA compliant ramps (Tier 1 review).
- Alessandro Boulevard at Ramsdell Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- John F. Kennedy Drive at Ely Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- Indian Street at Manzanita Avenue: Reconstruct ADA compliant ramps; modify intersection geometrics to reduce pedestrian crosswalk lengths (Tier 1 review).
- Centerpoint Drive at Center Plaza: Reconstruct ADA compliant ramps (Tier 1 review).

In addition, as part of a city-wide effort to enhance pedestrian safety and convenience, various locations long Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard will have ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators installed.

Per the provisions of the SB 821 Bicycle and Pedestrian Facilities Program (no agreement is needed between the City and the RCTC), the City is required to use its own funds to implement the project and then receives a reimbursement payment at the completion of the project. The $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance is requested such that staff can proceed with the design and construction phases. If the funds are not claimed prior to the end of FY 2012-13, the project will be deleted from the SB 821 Bicycle and Pedestrian Facilities Program and the funds will be reprogrammed by the RCTC.

ALTERNATIVES

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will allow the City to receive the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for the project.*

2. Do not accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and do not authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will prohibit the City from receiving the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for this project.*

FISCAL IMPACT

The SB 821 Bicycle and Pedestrian Facilities Program grant will provide for reimbursement of up to $75,000 (50% of project costs). Staff is requesting the City Council to approve the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance for the construction phase of the project. The program includes local match Measure "A" funding of $75,000 (50% of project costs) which is already programmed in the City's CIP budget for curb ramps and sidewalk at various locations. The total cost of this project is estimated at $150,000, and there is no impact to the General Fund.

FISCAL YEAR 2011/2012 FUNDS AVAILABLE:

Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$50,000
Indian St/Manzanita Ave Intersection Reconfiguration (Account No. 125.56334)	$25,000
SCAG Article 3 Funds Appropriation (Account No. 122.NEW)	$75,000
Total	$150,000

ESTIMATED PROJECT RELATED COSTS:

Design	$20,000
Construction	$107,000
Construction Geotechnical Services	$8,000
Construction Survey Services	$5,000
Project Administration	$10,000
Total	$150,000

ANTICIPATED PROJECT SCHEDULE:

Complete Design	August 2012
Award Construction Contract	October 2012

Notice to Proceed with Construction ..... November 2012
Complete Construction..... February 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property I the community, control the number and severity of fire and hazardous materials incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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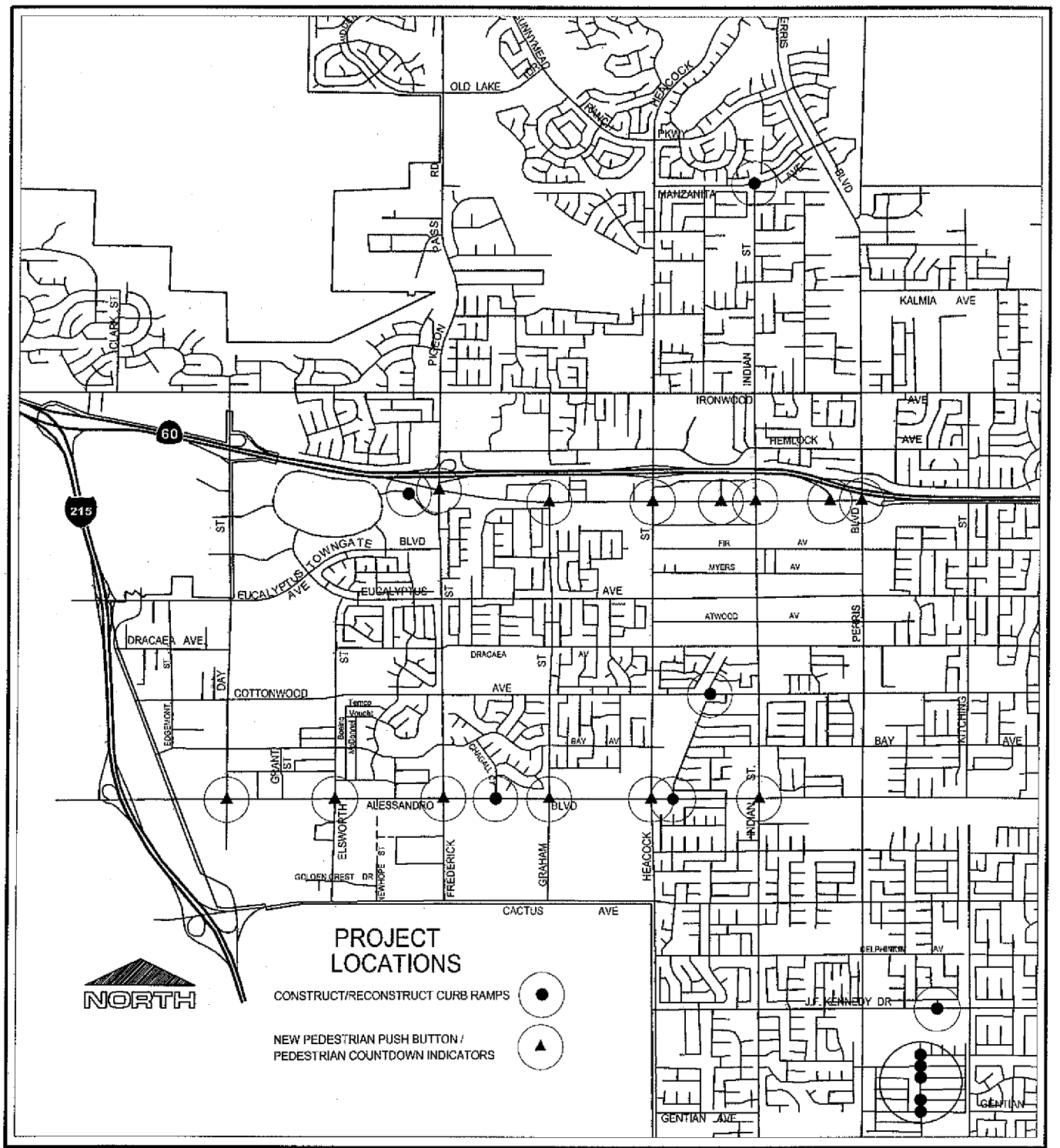

CITY OF MORENO VALLEY
DECEMBER 3, 1984

PEDESTRIAN ENHANCEMENT PROJECTS

Public Works Department
Capital Projects Division

LOCATION MAP

SB 821
FISCAL YEAR 2011 - 2012
GRANT SUBMITAL LOCATIONS

ATTACHMENT "A"

Item No. A.9

MV00130479

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MV00130480

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: September 27, 2011

TITLE: FOURTH AMENDMENT TO THE AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

Staff recommends that City Council adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

BACKGROUND

The original agreement with Riverside County Sheriff for law enforcement services was executed in 1985. A new agreement for law enforcement services was adopted on December 8, 1998 and became effective on January 1, 1999. Another new agreement for law enforcement services was approved on October 7, 2003 and expired on June 30, 2008. The most recent five-year agreement for law enforcement services was approved on December 16, 2008, with a retroactive effective date of July 1, 2008. The agreement is effective from July 1, 2008 through June 30, 2013.

Amendments are the method used to reflect changes in the allocated contract positions, changes in the average service hours, to add positions, and to reflect changes in contract language. The attached Fourth Amendment reflects a change in the average service hours, and the deletion of positions.

DISCUSSION

During the FY 11-12 budget preparation process, the City Manager directed the Moreno Valley Police to reduce its budget by one million dollars for FY 11-12, an additional two million dollars in FY 12-13, and an additional two million dollars in FY 13-14. In order to

meet the directive, it is necessary to reduce the amount of officers assigned to the Police Department.

On June 14, 2011, during the FY 11-12 budget approval process, the City Council approved a budget directing the reduction of one million dollars from the Police Department. In order to meet the directive, police services must be reduced by 25 service hours per day. Prior to the reduction, the contract called for 600 service hours per day. The Fourth Amendment reduces that daily number to 575 hours per day.

To meet the savings goal of one million dollars requires the reduction of 5 sworn officer positions.

ALTERNATIVES

The following alternatives are available for Council consideration:

1. Adopt the Fourth Amendment to the Agreement for Law Enforcement Services, and authorize the Mayor to sign the agreement.

2. Elect not to adopt the Fourth Amendment to the Agreement for Law Enforcement Services at this time, and provide further direction to staff.

FISCAL IMPACT

During the FY 11-12 budget approval process, Council approved a budget that required the reduction 8900 hours of service per year. The current contract calls for 600 hours of service per day. The reduction will set the daily service hours at 575.

Current contract FY 10-11
Hours per year = 218,940 (600 hours per day)

Proposed contract FY 11/12
Hours per year = 210,040 (575 hours per day)

The elimination of 8900 hours of service at the rate of $125.37 would save the City of Moreno Valley $1,115,793.00 for FY 11-12. This reduction equates to 5 sworn positions.

This agreement will be retroactive to July 1, 2011.

CITY COUNCIL GOALS

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit in the City of Moreno Valley.

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

On June 14, 2011, during a regular public meeting of the Moreno Valley City Council, Council Members voted to adopt the FY 11-12 budget. That budget included a reduction in allocated Police contract service hours and positions to meet a one million dollar deficit reduction plan approved by City Council on April 19, 2011.

NOTIFICATION

None.

ATTACHMENTS/EXHIBITS

Fourth Amendment to the Agreement for Law Enforcement Services between the City of Moreno Valley and the County of Riverside, including Attachment A-1 (Level of Service) and Attachment A-2 (Level of Service Detail)

Prepared By:
Name Chad Bianco
Title Lieutenant

Department Head Approval:
Name John Anderson
Title Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130484

ORIGINAL

FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN COUNTY OF RIVERSIDE AND CITY OF MORENO VALLEY

IT IS MUTUALLY AGREED that the Agreement for Law Enforcement Services between the County of Riverside, a political subdivision of the State of California, on behalf of its Sheriff's Department, and the City of Moreno Valley, a General Law City, approved by the Board of Supervisors on December 16, 2008, for services effective July 1, 2008 through June 30, 2013, as amended on December 1, 2009, November 2, 2010 and November 30, 2010, is hereby amended in the following respects, and all other terms and conditions of the Agreement remain in full force and effect:

1. Attachment A-1 is amended to read as follows:

ATTACHMENT A-1
CITY OF MORENO VALLEY
LEVEL OF SERVICE

Average Patrol Services

575 supported hours per day. (Approximate equivalent of one hundred and eighteen (118) Deputy Sheriff positions @ 1,780 annual productive hours per position)

Dedicated Positions

One (1) Captain position (Applied at an equivalent to 90% of position hours)

One (1) Lieutenant position

Two (2) Sheriff's Sergeant positions

Ten (10) Deputy Sheriff (fully supported) positions - Motorcycle Team

Two (2) Deputy Sheriff (fully supported) positions - K-9

Three (3) Deputy Sheriff (unsupported) positions - Crime Prevention Officers

One (1) Deputy Sheriff (unsupported) position – Regional Gang Task Force

One (1) Deputy Sheriff (unsupported) position - Graffiti Prevention

One (1) Deputy Sheriff (unsupported) position – School Resource Officer

Two (2) Forensic Technicians

Sixteen (16) Community Service Officer II positions

Five (5) Community Service Officer I positions

One (1) Sheriff's Service Officer II position

Two (2) Office Assistant II positions

One (1) Supervising Office Assistant I position

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2. Attachment A-2 is amended to read as follows:

Attachment A-2

City of Moreno Valley
Positions by Program
Level of Service as of July 2011

PROGRAM: POLICE ADMINISTRATION (62110)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Captain	1.0	
Lieutenant	1.0	
Sergeant	1.0	
Accounting Technician		1.0
Senior Accounting Assistant		1.0
Accounting Assistant II		2.5
Supervising Office Assistant II		1.0
Supervising Office Assistant I		1.0
Office Assistant III		2.0
Office Assistant II		14.0
TOTAL	3.0	22.5

PROGRAM: POLICE PATROL (62210)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	2.0	
Sergeant	10.0	
Deputy	80.0	
Deputy (Includes 2 K-9 Officers)	2.0	
Community Service Officer II		13.0
Sheriff's Service Officer II		3.0
TOTAL	94.0	16.0

PROGRAM: POLICE TRAFFIC ENFORCEMENT TEAMS (62310)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	

Item No. A.10

Sergeant	2.0	
Deputy	18.0	
Community Service Officer II		5.0
TOTAL	21.0	5.0

PROGRAM: POLICE DETECTIVE UNIT (62410)

Position Title	Authorized Staffing Sworn	Classified
Lieutenant	1.0	
Sergeant	2.0	
Investigator	17.0	
Deputy (Burglary Suppression)	2.0	
Forensic Technicians		2.0
Sheriff's Service Officer II		1.0
TOTAL	22.0	3.0

PROGRAM: POLICE COMMUNITY SERVICES (62510)

Position Title	Authorized Staffing Sworn	Classified
Sergeant	2.0	
Deputy-Community Services	3.0	
Deputy-Graffiti Prevention	1.0	
Deputy-School Resource Officer	1.0	
Community Service Officer I - Cm.Services		3.0
TOTAL	7.0	3.0

PROGRAM: PROBLEM ORIENTED POLICING (62610)

Position Title	Authorized Staffing Sworn	Classified
Sergeant	2.0	
Deputy	9.0	
Community Service Officer I		2.0
TOTAL	11.0	2.0

PROGRAM: POLICE SPECIAL ENFORCEMENT TEAMS (62710)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	
Sergeant	2.0	
Deputy (Includes 1 K-9 Officer)	15.0	
Deputy (RGTF)	1.0	
TOTAL	19.0	0.0

PROGRAM: POLICE GRANT C-CAT (62810)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	
Sheriff's Service Officer II		1.0
TOTAL	2.0	1.0

PROGRAM: TOWNGATE MALL (62910)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	0.0
TOTAL	2.0	0.0

TOTAL STAFFING:	SWORN	CLASSIFIED
	181.0	52.5

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Item No. A.10

IN WITNESS WHEREOF, the City of Moreno Valley, by minute order or resolution duly adopted by its City Council, has caused this Agreement to be signed by its Mayor and attested and sealed by its Clerk, and the County of Riverside, by order of its Board of Supervisors, has caused this Agreement to be signed by the Chairman of said Board and sealed and attested by the Clerk of said Board, all on the dates indicated below.

CITY OF MORENO VALLEY

Dated:_____

By:_____
Richard A. Stewart, Mayor

ATTEST:

Name
Title

By:_____

COUNTY OF RIVERSIDE

Dated:_____

By:_____
Bob Buster, Chair,
Riverside County Board of Supervisors

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS DATE

By:_____
Deputy

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

BACKGROUND

The California Department of Food and Agriculture (CDFA) administers the Municipal Shelter Spay-Neuter Program through funds provided by the Franchise Tax Board. For the 2010 tax year, California taxpayers could elect to donate all or a portion of any of their tax refund monies to the Municipal Shelter Spay-Neuter Program. In order for this program to continue past the 2010 tax year a minimum of $250,000 in tax donations statewide was required. During 2010 a total of $197,000 in tax donations were available to eligible municipal animal shelters for the 2010 Spay-Neuter Program; therefore this program is not available in 2011.

The purpose of the Municipal Spay-Neuter Grant Fund Program is to provide grant funds to eligible animal shelters. Grant funds must supplement, not replace other funding sources. Impounded animals do not qualify for this service.

DISCUSSION

Moreno Valley Animal Services met the eligibility requirements of being current on the reporting requirements to the State Department of Public Health, Veterinary Public

Health Section (Annual Report of Rabies Control) along with offering low cost spay-neuter services for dogs and cats at the Moreno Valley Animal Clinic.

Grants awarded were on a first come, first serve basis. Eligible municipal animal shelters processing between 5,000 and 25,000 dogs and cats per year were eligible to receive up to $15,000. In FY 2010-11 the Moreno Valley Animal Shelter processed 8,378 dogs and 5,052 cats. The City was notified by CDFA in April 2011 that we were one of twelve shelters statewide that was awarded a grant (Attachment 1).

Grant funds will be used to sterilize approximately 200 dogs and/or cats owned by individual city residents.

ALTERNATIVES

1) Accept the grant award of $15,000.

2) Reject the grant award of $15,000.

3) Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the $15,000 grant award will increase the Animal Services Division's expenditure budget for FY 2011-12 as identified below. A separate business unit (BU 63240) has been created to track expenditures. Staff will process a Budget Appropriation Adjustment upon Council acceptance of the grant, increasing budgeted grant revenue and increasing the expense budget, directing staff to proceed with the grant expenditures.

General Ledger Account	Description	Current Budget	Grant Award Allocation	Revised Budget
2350.4611.1	Grant Revenue	$0	$15,000	$15,000
63240.6255	Other Professional Services (Veterinary contract)	$0	$15,000	$15,000

SUMMARY

Acceptance of the $15,000 grant award from the California Department of Food and Agriculture will allow the Animal Services Division to supplement the low cost spay-neuter services provided by the Moreno Valley Animal Clinic. Grant award funds will be used to assist city residents who otherwise could not afford the expense of spaying or neutering their pets. The grant award funds can only be used to assist pet owners

residing in the city and the pet owner's dog or cat has not been impounded at the Moreno Valley Animal Shelter. It is estimated approximately 200 pets from the community will be sterilized under this program.

ATTACHMENTS

Attachment 1: 2011 Municipal Spay-Neuter Grant Award Notice

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130494

cdfa CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

May 2, 2011

Steve Fries
City of Moreno, Valley Animal Services Division
14041 Elsworth Street
Moreno Valley, CA 92552-0805

Subject: 2011 Municipal Spay-Neuter Grant Award Notice

Dear Mr. Fries,

Congratulations! Your organization's application submitted under the California Department of Food and Agriculture (CDFA), 2011 Municipal Spay-Neuter Grant Fund Program in January has met all the criteria and will be awarded $15,000 based on the funding formula provided in the California Revenue Taxation Code (CRTC) Section 18755.2(c). CDFA anticipates disbursing the Municipal Spay-Neuter Grant Program funds in August 2011. Awards will be made payable to the organization name and address as they appears on this letter.

Pursuant to (CRTC) Section 18755.2(e) all funds received must be used to supplement, not replace, other funding sources for spay-neuter services and programs. Additionally, no grant funds shall be used to spay or neuter any animal that is impounded by an eligible municipal shelter.

Thank you for your participation in the 2010 Municipal Spay-Neuter Grant process. If you have any questions, please feel free to submit them to grants@cdfa.ca.gov.

Sincerely,

Carl Baum
Grant Awards Coordinator
Grant Awards Unit

Federal Funds Management Office • 1220 N Street, Room 120 • Sacramento, California 95814
Telephone: 916.657.3231 • Fax: 916.653.0206 • www.cdfa.ca.gov/grants

CDFA ANNOUNCES MUNICIPAL SHELTERS ELIGIBLE TO RECEIVE FUNDING OF THE 2011 MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

Grants will be made available to the following Municipal Shelters providing low cost or free spay-neuter services for dog and cats owned by individual members of the public which have met all the criteria to receive funding:

City and County of San Francisco

City of Long Beach

City of Los Angeles

City of Moreno Valley

City of Sacramento

City of San José

County of Contra Costa

County of Riverside

County of San Bernardino

County of Santa Barbara

County of Yolo

Town of Truckee

4/30/11

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

The City has provided a VEBA benefit for City employees since 1994. In May 2011, the service provider that performed the VEBA accounting services for the City's VEBA Plan decided to stop providing the service to the City. City staff interviewed other providers and determined that CALGOVEBA is the most experienced, widely used by other government agencies in California and is the most complete service provider for administering the City's proposed VEBA Plan.

Staff is recommending approval of the attached Resolution establishing a new VEBA Trust. A VEBA Trust is a tax exempt benefit plan qualifying under Section 501 (c) (9) of the Internal Revenue Code. This plan is similar, in many respects, to a 125 Flexible Spending Account where accumulated assets are used for the payment of eligible health and other expenses for employees and their families. Unlike a 125 plan, however, accumulated assets in a VEBA Trust can be used to make premium payments.

The recommendation to implement a new VEBA Trust is based on a number of factors. The first is the significant positive impact the benefit will have on employees both during and after their retirement from service. By establishing a VEBA Trust, employees will be able to plan for current as well as future health care expenses not covered through the City's benefit program. Expenses such as Long Term Care, unreimbursed medical premiums, co-pays and pharmacy charges are all eligible under a VEBA Trust arrangement. Employees will realize a significant financial benefit since both eligible contributions to a VEBA Trust and the reimbursed expenses from the VEBA Trust are tax exempt. The City, however, is emphasizing the plan for retirement medical reimbursement purposes, even though the employees may use it for current medical expenses reimbursement.

Another factor is the flexibility of a VEBA over other alternatives available. One of the significant benefits of a VEBA is that it allows for levels of contribution and participation based on an employee group. Additionally, VEBA's, by law, require that they are collectively bargained. As a result, employees have a say in structuring a program that meets their needs. This means that the City employees associations may each agree on a different level of employee contribution rate, over and above the City paid contributions.

In addition, a VEBA Trust provides a more comprehensive approach to assisting with the greatest challenge for employers and employees, which is the rising cost of health care. A VEBA Trust is permitted to receive both, employer and employee contributions, the benefit being the opportunity to grow significantly greater assets for health care expenses in a shorter period of time. As a result, the VEBA program could also work in tandem with the City's existing post retirement medical commitments with employees' association members. For example, contributions by the City could be made directly to the respective VEBA accounts, thus ensuring a tax advantage for these employees.

In sum, by establishing the VEBA Trust, employees will be able to make health care choices that address their specific needs and have more money available for health care expenses due to tax savings realized through the program.

DISCUSSION

Staff is aware of a number of Public Agencies that have implemented VEBA Trusts for their employees. The proposed VEBA Trust was developed as a multi-agency Trust in order that other public agencies may provide similar benefits to their employees. The benefit of joining this particular VEBA Trust is that it was developed by the City of Foster City with our issues in mind. This Trust is also governed by a committee of Trustees formed from the list of participating agencies. Should the City of Moreno Valley choose to participate in the California Government VEBA, the City would hold representation on the Board of Trustees as well.

The City will not be responsible for any costs associated with this Plan. Each VEBA participant will pay a monthly maintenance fee of $4.45 regardless of the size of their account. The VEBA Trust will pay an asset-based fee equal to 50 basis points (0.50%) for funds held in a guaranteed fixed rate product at Metlife and 75 basis points (0.75%) for funds held in an actively managed advisory account at Ameriprise Financial. A variety of investment options exist for investment by the VEBA Trust for the benefit of participants in the program, one of which is a guaranteed fixed rate program through MetLife. Other investment options are available and are tailored to the City's requirements.

ALTERNATIVES

The action of the City Council to approve the attached resolution is consistent with the Fiscal Year 2011/12 MOUs with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The approval of the attached resolution and implementation of the new VEBA for City employees will have no impact on the City budget. The new VEBA Plan expenses are paid for out of the employees' contributions and investment earnings. As of June 30, 2011, the value of the City's current VEBA Trust assets was $995,257. The value of the assets has dropped due to market volatility in July and August 2011. As of September 15, 2011, the amount of the unrealized loss was approximately $51,575, compared with an unrealized gain of $160,634 for FYE 6/30/2011. All of the assets will be transferred to the new VEBA Trust and the value will be reported on a quarterly basis. The VEBA Trust assets for investment will be apportioned between the following two investment firms at the discretion of the City's VEBA Investment Committee: Ameriprise, Inc. and BAA Capital Advisors, Inc. The actively-managed portion (70%) will be managed by Ameriprise and the fixed-rate portion will be held in Metlife via BAA Capital Advisors, Inc. Cash will be held in two (2) accounts at Wells Fargo Bank.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future." The action will also fulfill City Council Deficit Elimination Plan Follow-up Goal No. 21, "Consider a Health Savings Account to allow set-aside of funds for future retiree medical costs on a pre-tax basis."

NOTIFICATION

The three employees associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and implement the

new VEBA. Copies of this staff report were sent to the employees associations and all three concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

1. Resolution Implementing a Voluntary Employee Beneficiary Association (VEBA) Trust.
2. California Government Voluntary Employees Beneficiary Association Restated Master Trust

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PARTICIPATION IN THE CALIFORNIA GOVERNMENT VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (CALGOVEBA) TRUST

WHEREAS, the City of Moreno Valley maintains a significant health and welfare benefit program for it's employees and their families; and

WHEREAS, modifications or additions are made from time to time to the City's benefit program; and

WHEREAS, the rising cost of health care is the one of single most important cost containment issue for the City and it's employees; and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association (CALGOVEBA) is a governmental multi-employer plan that permits employees to accumulate assets for this purpose, pursuant to the provisions of the Internal Revenue Code, section 501(c) (9); and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association provides for participation pursuant to collective bargaining agreements; and

WHEREAS, the City Council created a VEBA trust on April 25, 1995, referred to as the "Existing VEBA Trust"; and

WHEREAS, the assets in the existing VEBA trust needs to be transferred to the new CALGOVEBA trust; and

WHEREAS, once the assets are transferred, the existing VEBA trust needs to be terminated.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moreno Valley hereby approves the attached California Governmental Voluntary Employee Beneficiary Association Trust Agreement; and

That the City Council approves the transfer of assets from the existing VEBA trust to the new CALGOVEBA trust; and

That the City Council approves the termination of the existing VEBA trust upon the completion of the transfer of assets.

Attachment 1

Resolution No. 2011-99
Date Adopted: September 27, 2011

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00130504

CALIFORNIA GOVERNMENT

VOLUNTARY EMPLOYEES BENEFICIARY ASSOCIATION

RESTATED MASTER TRUST

TRUST restated in its entirety as of the 27th day of September, 2011 by and between The City of Moreno Valley, a forming public agency in the State of California (hereinafter referred to as the "Plan Sponsor "), and the Trust Committee of the California Government VEBA", (hereinafter referred to as the "Trustee").

W I T N E S S E T H:

WHEREAS, the Plan Sponsor adopts the California Government VEBA hereinafter referred to as the "Plan", and

WHEREAS, the Plan constitutes the California Government Voluntary Employees Beneficiary Association ("California Government VEBA"); and

WHEREAS, under the Plan, funds will from time to time be contributed to the Trustee, which funds, as and when received by the Trustee will constitute a trust fund to be held for the benefit of the Members and retirees of the Plan of the Plan Sponsor having a right to benefits, pursuant to the provisions of the Plan, and such funds will be invested by the Trustee pursuant to directions by the Plan Sponsor and/or Investment Manager as provided herein; and

WHEREAS, other Plan Sponsors may adopt this Trust as a Master Trust, subject to the provisions of this Trust, to hold assets for the purpose of funding plans that are a part of the California Government VEBA; and

WHEREAS, the Plan Sponsor having entered into this Master Trust with the Trustee for the purpose of holding the assets under the Master Trust attributable to the Plan and other amounts contributed thereunder; and

WHEREAS, the assets and funds to be held in the Master Trust established hereby, as and when received by the Trustee, will constitute a trust fund to be held for the benefit of the members of the Plan and their beneficiaries; and

WHEREAS, the Plan Sponsor desires the Trustee to hold such assets and funds and the Trustee is willing to hold such assets and funds pursuant to the terms of this trust; and

WHEREAS, the master trust is intended to qualify as a "Voluntary Employees Beneficiary Association" within the meaning of Section 501(c)(9) of the Internal Revenue Code, and

WHEREAS, the master trust is intended for the purpose of creating a fund to provide for the payment of benefits that qualify under Section 501(c)(9) of the Internal Revenue Code to participating Members, including their dependents, and their designated beneficiaries.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, the Plan Sponsor and the Trustee do hereby agree as follows:

1. The Plan Sponsor hereby adopts the California Government Voluntary Employees Beneficiary Association (VEBA) Trust (the "Master Trust") as a trust to fund the benefits provided by the Plan. All such money and property, all investments made therewith and proceeds thereof and all earnings and profits thereon, less the payments or other distributions which, at the time of reference, shall have been made by the Trustee, as authorized herein, are referred to herein as the "Fund" and shall be held by the Trustee, in trust, and dealt with in accordance with the provisions of this Trust.

2. Any other California public agency may become a Plan Sponsor and adopt the Master Trust to fund benefits provided under the California Government VEBA Plan if the Plan Sponsor adopts the Master Trust and the Plan in order to provide benefits that are funded from the Master Trust and the Trustee agrees to such adoption. The assets of each Plan Sponsor and the investment earnings thereon shall be available only to pay benefits to employees of that Plan Sponsor and any costs or fees associated with the administration of the Plan covered under this Trust.

3. It is intended that the Master Trust shall meet the requirements of Internal Revenue Code section 501(c)(9). All contributions hereunder and all assets and earnings of the Master Trust are solely and irrevocably dedicated to the payment of benefits that qualify under section 501(c)(9) of the Internal Revenue Code.

Effective January 1, 2008 and as referenced herein, the Trustee shall consist of a Trust Committee. The Trust Committee shall consist of one person designated by each Plan Sponsor. Such designated individual shall assume the responsibility of Trustee. Executive Trustees shall review all information and documents related to the daily activities and operation of the Trust and Plan and shall make recommendation(s) to the full body of Trustees forming the Trust Committee on such related matters. Such Executive Trustees shall consist of the ten original Plan Sponsors and five additional Trustees voted by the full body of Trustees to such position. A vote to fill the five additional positions shall occur every three years. Procedures to fill vacancies which occur in the interim periods shall be developed by the Trust Committee.

4. Trustee shall appoint a Trust Administrator and any and all successor Trust Administrators which shall have the authority to act for a Plan Sponsor in all matters relating to the establishment and maintenance of the Plan and Trust except those relating to the investment and management of the assets of the Trust and such other matters as are reserved to the Plan Sponsor or the Trustee under the provisions of this Trust. Without limiting the generality of the foregoing, the Trust Administrator shall have the following specific powers:

   A. To contract for and delegate the administration of the Plan to one or more administrators, subject to approval of the Trustee.
   B. To determine from time to time the benefits to be provided for participants under the Plan.
   C. To retain professional advisors, including auditors and legal advisors to provide services to the Trust.
   D. To prepare necessary filing with the state and federal government.

5. Responsibility for the management and control of the assets of the Plans which are held under the Master Trust as a funding medium (including the power to acquire or dispose of such assets) is vested in the Plan Sponsor, and/or in such one or more investment managers described in Article 13a who are appointed by the Plan Sponsor. That portion of the Fund for which the Plan Sponsor shall have such responsibility is hereinafter referred to as the "Plan Sponsor-Directed Fund." Any portion of the Fund over which an Investment Manager shall have such responsibility is hereinafter referred to as an "Investment Manager-Directed Fund." Allocations of assets of the Fund between or among any Plan Sponsor-Directed or Investment-Manager Directed Funds shall be determined by the Plan Sponsor. For efficiency or convenience of investment or administration, the Fund or any such Plan Sponsor-Directed or Investment Manager-Directed Fund may be divided into such one or more sub-funds as the Plan Sponsor or the Trustee may deem advisable.

6. The Trust Administrator shall maintain a separate account reflecting the equitable share in the Fund of each Plan Sponsor. For this purpose, the Trustee shall determine the value of the assets of the Fund as of the last day of each calendar quarter and as of such other dates as the Trustee may deem appropriate or on which the Plan Sponsor and the Trustee may agree. Assets shall be valued at their market values at the close of business on the date of valuation, or, in absence of readily accessible market values, at such values as the Trustee shall determine in accordance with methods consistently followed and uniformly applied. Anything herein to the contrary notwithstanding, with respect to assets constituting part of a Directed Fund hereunder, the Trustee may rely, for all purposes of this Trust, including for the purpose of determining the value of such assets as of any quarterly or other valuation date, on any certified appraisal or other form of valuation submitted to it by the Investment Manager(s). The Trustee may also rely on Assets reported by an Insurer in conjunction with contracts issued by that Insurer. Any amount paid from the Master Trust which is specifically allocable to a particular Plan Sponsor shall be charged against the equitable share of such Plan Sponsor; any

amount paid from the Master Trust which is allocable to all of the Plan Sponsors shall be charged against the individual Plan Sponsor assets on a pro-rata basis.

7. The Trustee shall not be required to maintain any separate records or accounts with respect to any Plan Sponsor or any participant in (or beneficiary of) any Plan Sponsor, and any such records or accounts required to be maintained pursuant to the terms of any such Plan shall be maintained by the Plan Sponsor or by the appropriate committee directly charged with such responsibility.

8. By entering into this Trust, the Trustee does not assume any responsibility or undertake any duty to enforce payment of any contribution under any collective bargaining agreement, any responsibility for the adequacy of the Fund or the funding standards adopted by any Plan Sponsor to meet or discharge any liabilities under such agreement or standard, or any responsibility under the terms of this Trust for the management or control of any Discretionary or Directed Funds. Except as may otherwise be required by law, no duties or obligations shall be imposed upon the Trustee unless they have been specifically undertaken by the express terms of this Trust.

9. The Trustee shall receive any contributions paid to it in cash or in other property acceptable to it. All contributions so received, together with the income therefrom and any other increment thereon, shall be held by the Trustee pursuant to the terms of this Trust without distinction between principal and income. The Trustee shall not be responsible for the collection of any contributions to the Plans.

10. The Trustee may from time to time consult with counsel, who may be counsel to the Plan Sponsor, with respect to any question arising as to the construction of this Trust or any action to be taken hereunder and the Trustee shall be fully protected, to the extent permitted by law, in acting in good faith upon the advice of counsel.

11. Subject to the provisions of Article 12 hereof, the Trustee from time to time upon receipt of written notice from the Trust Administrator, may make payments out of the Trust Fund to such persons, in such manner, in such amounts and for such purposes, including the payment of expenses of the Plan and the purchase of life insurance and/or annuity contracts, as may be specified by the Trust Administrator. Except as may otherwise be required by law, the Trustee shall be under no liability for any payment made by it pursuant to a written direction of the Trust Administrator and shall be under no duty to make inquiries as to whether any payment directed by the Trust Administrator is made pursuant to the provisions of the Plan.

12. Notwithstanding anything to the contrary contained in this Trust or in any amendment thereto, it shall be impossible, at any time prior to the satisfaction of all liabilities with respect to the members under the Plans or their beneficiaries, for any part of the Fund, other than such part as is required to pay taxes and expenses of administration, to be used for or diverted to purposes other than for the exclusive benefit of the members under the Plans or their beneficiaries.

13. Unless otherwise prohibited by law or otherwise specified herein, the Trustee shall have the following powers and authority with respect to the Trust Fund:

    a. To invest and reinvest, as directed by the Plan Sponsor and/or the Investment Manager, the principal and income of the Fund and keep the Fund invested without distinction between principal and income, in such securities or in such property, real or personal (whether or not income producing), wherever situated, including, but not limited to, life insurance, contracts, stocks, common or preferred; any mutual or other funds maintained or established by the Trustee or any affiliate thereof; bonds and mortgages and other evidence of indebtedness or ownership in any common, collective or commingled trust fund maintained by the Trustee, as the same may be amended from time to time, and during any period when such funds are used, the instrument

establishing such fund shall constitute a part of this Trust. In making such directed investments, the Trustee shall not be restricted to securities or other property of the character authorized or required by applicable law from time to time for trust investments. The Plan Sponsor and/or Investment Manager shall direct the Trustee in writing as to the asset allocation or percentage mix of types of investments to be used by the Trustee for the investment of the Trust Fund, and as to specific investments to be made by the Trustee of amounts in the Trust Fund. To the extent permitted by law, the Trustee shall not be liable and shall be held harmless and indemnified by the Plan Sponsor for any losses incurred in connection with the Trust Fund caused by its reliance thereon. Such losses may be either actual realized losses or losses in the nature of "lost investment opportunity."

b. To settle, compromise or submit to arbitration any claims, debts or damages, due or owing to or from the Master Trust, to commence or defend suits or legal proceedings and to represent the Master Trust in all suits or legal proceedings in any court of law or before any other body or tribunal.

c. To exercise any conversion privilege and/or subscription right available in connection with any securities or other property at any time held by it; to oppose or to consent to the reorganization, consolidation, merger or readjustment of the finances of any corporation, company or association, or to the sale, mortgage, pledge or lease of the property of any corporation, company or association any of the securities of which may from time to time be held by it and do any act with reference thereto, including the exercise of options, the making of trusts or subscriptions, and the payment of expenses, assessments or subscriptions, which may be deemed necessary or advisable in connection therewith, and to hold and retain any securities or other property which it may so require.

d. To exercise, personally or by general or by limited power of attorney, any rights, including the right to vote, appurtenant to any securities or other property held by it at any time.

e. To hold part or all of the Funds uninvested.

f. To employ and unemploy agents, including the Trust Administrator, counsel, and auditor and to pay from the Trust Fund their reasonable expenses and compensation.

g. To register any securities held by it hereunder in its own name or in the name of a nominee with or without the addition of words indicating that such securities are held in a fiduciary capacity and to hold any securities in bearer form.

h. To make, execute and deliver, as Trustee, any and all deeds, leases, mortgages, conveyances, waivers, releases or other instruments in writing necessary or desirable for the accomplishment of any of the foregoing powers.

i. To deposit any part of the Fund in interest bearing account deposits maintained by the Trustee.

j. Generally to do all acts, whether or not expressly authorized, which the Trustee may deem necessary or desirable for the protection of the Trust Fund.

14. The Plan Sponsor reserves the right to retain the services of one or more persons or firms for the management of (including the power to acquire and dispose of) all or any part of the Fund, provided that each of such persons or firms is registered as an investment advisor under the Investment Advisors Act of 1940, is a bank (as defined in that Act), or is an insurance company qualified to manage, acquire or dispose of trust assets under the laws of more than one state, and provided that each of such persons or firms has acknowledged in writing that he is a fiduciary with respect to the Plan; in such event, the investment manager or managers so retained (the "Investment Manger(s)") shall have the same investment powers and duties as the Trustee, and the Trustee shall not be liable for the acts or omissions of such Investment Manager(s), nor shall it be under any obligation to invest or otherwise manage any Trust Fund assets which are subject to the management of such Investment Manager(s).

15. The Trustee shall pay out of the Fund all personal property taxes, income taxes and other taxes of any and all kinds levied or assessed under existing or future laws against the Trust Fund.

16. The Trustee shall, within 90 days after the close of each calendar year, and within 90 days after the removal or resignation of the Trustee or the termination of the Trust or Plan, render accounts of its transactions to the Trust Administrator and Plan Sponsor. The Trust Administrator and Plan Sponsor may make exceptions to such accounts by an instrument in writing delivered to the Trustee. In the absence of the filing in writing with the Trustee of exceptions or objections to any such account within ninety (90) days of the rendering, shall be deemed to have been approved, the Trustee shall be released, relieved and discharged with respect to all matters and things set forth in such account as though such account had been settled by the decree of a court of competent jurisdiction. The Trustee shall keep accurate and detailed accounts of all investments, receipts, disbursements and other transactions hereunder for the Fund (including any Discretionary or Directed Fund) and all accounts, books and records relating thereto shall be open to inspection and audit at all reasonable times by any persons designated by the Trustee or Trust Administrator. Except as the Retirement Security Act of 1974, as amended ("ERISA"), provides otherwise, no person other than the Plan Sponsor may bring any action against the Trustee with respect to the Trust or their actions as Trustee. The Trustee shall from time to time permit an independent public accountant selected by the Plan Administrator (except one to whom the Trustee has reasonable objection) to have access during ordinary business hours to such records as may be necessary to audit the Trustee's accounts.

17. The Trustee shall be fully protected in relying upon notice from the Trust Administrator with respect to any instruction, direction or approval of the Trust Administrator, and protected also in relying upon a notice from the Trust Administrator as to the person or persons who are authorized to direct payments from

the Trust Fund and in continuing to rely upon such notice until a subsequent notice is filed with the Trustee.

The Trustee shall be fully protected in acting upon any instrument, certificates or paper believed by it to be genuine and to be signed or presented by the proper person or persons, and the Trustee shall be under no duty to make any investigation or inquiry as to any statement contained in writing, but may accept the same as conclusive evidence of the truth and accuracy of the statements therein contained.

The Trustee shall not be liable for the application of any part of the Fund if payments are made in accordance with the approved written instructions of the Trust Administrator as herein provided, nor shall the Trustee be responsible for the adequacy of the Fund to meet and discharge any and all payments and liabilities under the Plan. All persons dealing with the Trustee are released from inquiry into the decision or authority of the Trustee and from seeing to the application of any moneys, securities or other property paid or delivered to the Trustee.

The Trust Administrator and Plan Sponsor hereby agree to hold the Trustee harmless from and against all taxes, expenses (including counsel fees), liabilities, claims, damages, actions, suits or other charges incurred by or assessed against it as a successor Trustee, as a direct or indirect result of any act or omission of a predecessor Trustee or any other person charged under any trust affecting Fund assets for investment responsibilities with respect to such assets.

The Plan Sponsor agrees to hold harmless and indemnify the Trustee, to the fullest extent permitted under applicable law, for any and all liabilities of any kind incurred by the Trustee in connection with the Plans and Trust (a) relating to periods of time prior to the Trustee's becoming Trustee, or (b) relating to periods of time while the Trustee is Trustee if such liability is not due to the Trustee's negligence, willful misconduct, or breach of its fiduciary duties.

18. The Trustee may resign at any time by giving sixty (60) days written notice to the Trust Administrator. In the case of the resignation or removal of the Trustee, the Trust Administrator immediately shall appoint a successor Trustee. If for any reason the Trust Administrator cannot or does not act in the event of the resignation or removal of the Trustee, as hereinabove provided, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor Trustee. Any expenses incurred by the Trustee in connection therewith shall be paid from the Fund as an expense of administration. Any successor Trustee shall have the same powers and duties as those conferred upon the Trustee named in this Trust. The removal of the Trustee and the appointment of a new Trustee shall be by written instrument delivered to the Trustee.

19. This Trust, subject to the provisions of Article 1 may be amended by the Trustee at any time or from time to time and in any manner and the provisions of any such amendment may be made applicable to the Fund as constituted at the time of the amendment as well as to the part of the Fund subsequently acquired; provided, however, that no such amendment shall increase the duties of the Trustee without its consent. Any amendment shall be by a written instrument adopted by the Trustee.

20. This Trust and the trust created hereby may be terminated at any time by the Trustee, and upon such termination, the Fund shall be paid out by the Trustee as and when directed by the Trust Administrator in accordance with the provisions of Article 12 hereof.

21. The Trust Administrator shall provide the Trustee with copies of all documents constituting a Plan at the time the Trust is executed by a Plan Sponsor, as provided in Article 2, and all other documents amending or supplementing a participating Plan promptly upon their adoption. The Trustee shall be entitled to rely upon the Trust Administrator's attention to this obligation and shall be under no duty to inquire of

the Trust Administrator as to the existence of any documents not provided by the Trust Administrator hereunder. The Trustee is bound and acknowledges that it is a fiduciary with respect to the Master Trust and the participating Plans and by the fiduciary responsibility provisions of ERISA as applicable to governmental plans. The provisions of ERISA are expressly made applicable to the provisions of this Master Trust in order to ensure that the Master Trust meets the control requirements for a VEBA under the provisions of 501(c)(9) of the Internal Revenue Code.

22. To the extent consistent with the provisions of ERISA, this Agreement and the trust created hereby shall be construed, regulated and administered under the laws of the State of California, and the Trustee shall be liable to account only in the courts of the State. All contributions to the Trustee shall be deemed to take place in the State of California. Unless the provisions of ERISA provide otherwise, the Trustee may at any time initiate an action or proceeding for the settlement of its accounts or for instructions, and the only necessary party defendant to such action or proceeding shall be the Employer except that the Trustee may, if it so elects, bring in as parties defendant any person or persons.

IN WITNESS WHEREOF, this instrument has been executed as of the day and year first above written.

PLAN SPONSOR

ATTEST:

_____

By:_____

Name: Richard A. Stewart

Title: Mayor

Date: _____

TRUSTEE:

ATTEST:

Trust Committee

_____

By: _____

Name:

Title:

Date:

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MV00130518

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer and Barry Foster Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011

DEVELOPER: FIRST INDUSTRIAL, L.P.
A DELAWARE LIMITED PARTNERSHIP
898 NORTH SEPULVEDA BOULEVARD
SUITE 750
EL SEGUNDO, CA 90245

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011.

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

BACKGROUND

On November 6, 2008, the Planning Commission of the City of Moreno Valley approved Parcel Map No. 35859 (PA07-0165) along with Plot Plan (PA07-0166) for an approximately 700,000 square-foot industrial warehouse building (Building #1) and a

Plot Plan (PA07-0167) for a 180,000 square-foot industrial warehouse building (Building #2). The parcel map is a proposal to subdivide 40.3 gross acres into two parcels. The project is bounded by Perris Boulevard to the east, Knox Street to the west, San Michelle Road to the north, and Nandina Avenue to the south.

Since the original project approvals, the developer has submitted a Plot Plan (PA11-0011) planning application for an interim truck parking lot to be located on Parcel 2 of Parcel Map No. 35859, the ultimate location of Building #2, the 180,000 square-foot industrial warehouse building. The proposal covers the same footprint of the approved building with access from Perris Boulevard. The developer has also submitted an Amended Plot Plan (P11-017) planning application for minor modifications to the approved 700,000 square-foot building approved with PA07-0166. The modifications include a decrease in the overall building square footage with an increase in office space and changes to the location of Knox Street project entrances. Both of these planning applications were approved on July 5, 2011.

On July 26, 2011, the City Council of the City of Moreno Valley approved the Final Parcel Map and Public Improvement Agreement along with the corresponding securities. The Agreement and securities include the construction of the public street improvements.

DISCUSSION

First Industrial, L.P. is requesting a full road closure of Nandina Avenue between Perris Boulevard and Knox Street to facilitate the construction of street improvements on Nandina Avenue. The road closure will be for three months, or approximately ninety-one (91) calendar days. The request for the road closure is due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, curb, gutter, sidewalk, medians, driveway approaches, street lights, landscaping, storm drain culverts, dry utilities, traffic signal modification and associated signing and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on December 28, 2011.

There are 2 residential parcels in the area of construction. The road closure will affect the ingress or egress of both of the parcels, and it will require a detour to the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. The road closure/detour/traffic control plan for this closure has been reviewed and approved by the City Traffic Engineer.

ALTERNATIVES

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. There would be no road closure. *This alternative would result in an unsafe work environment and would significantly delay the completion of this project.*

FISCAL IMPACT

The developer will be responsible for all costs associated with this proposal.

CITY COUNCIL GOALS

PUBLIC SAFETY
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses and residents. The public will be notified by special roadside signage showing the dates of closure and detour signs.

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Road Closure Detour Map
Exhibit "C" – GIS Orthography Map – Road Closure Site Map

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130522

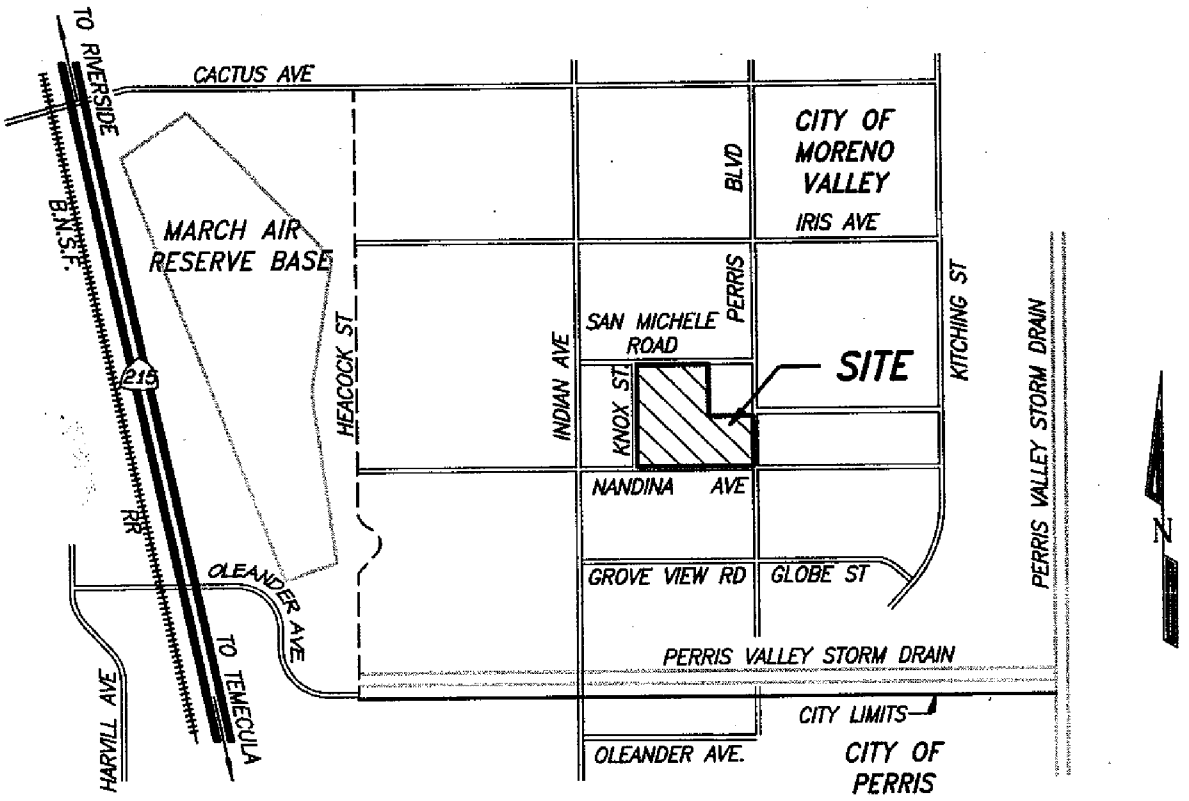

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0165** **PM 35859** **LOCATION MAP**

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MV00130524

DETOUR PLAN

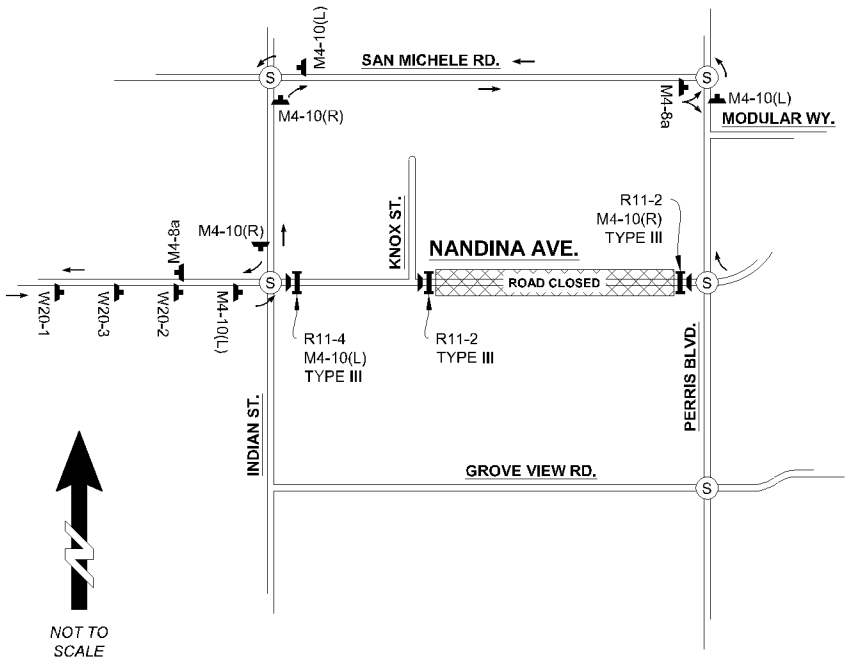

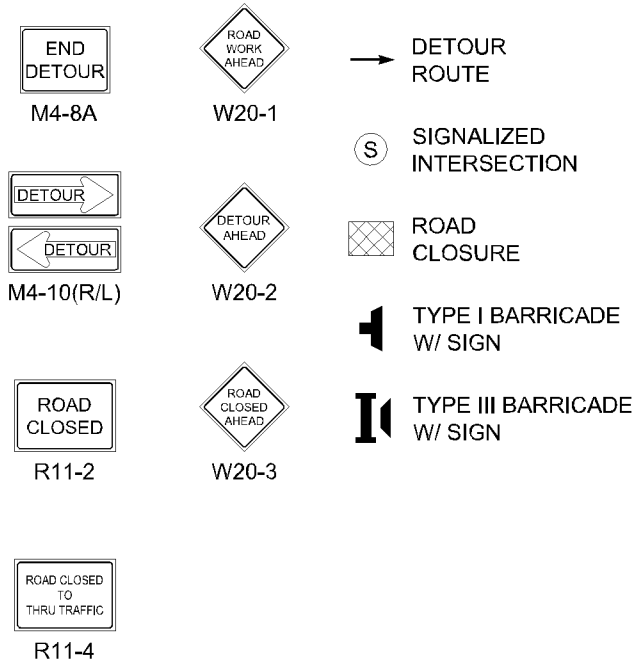

PREPARED BY:	CONTRACTOR:	STAMP:		CITY OF MORENO VALLEY APPROVALS		PROJECT NO.
A CONE ZONE INC. P.O. Box 1982 Corona, CA 92878 (951) 734-9535 License Number: 851996	**PETERSON PIPELINE** P.O. Box 1649 Chino, CA 91908 (909) 393-1906 License Number: 689680A		MARK / REVISIONS / APPR / DATE DESIGNED BY CB DRAWN BY CB CHECKED BY EN	APPROVED BY / DATE / BY SUPERVISING ENGINEER CITY TRAFFIC ENGINEER MAINTENANCE AND OPERATIONS MANAGER SENIOR ENGINEER	PREM KUMAR – DEPUTY DIRECTOR OF PUBLIC WORKS DATE R.C.E. 52463 EXP. DATE: 12/31/12 CHRIS A. VOGT – DIRECTOR OF PUBLIC WORKS DATE R.C.E. 44250 EXP. DATE: 06/30/12	PERRIS VALLEY MASTER DRAINAGE PLAN LATERAL B-1 & B-1.2 NANDINA AVE. CLOSURE	DRAWING NO. SHEET NO. X OF 4

Exhibit "B"

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MV00130526

ROAD CLOSURE SITE MAP

Nandina Avenue from Perris Blvd. to Knox St.

Item No. A.13

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

N

0 200 400 800ft

Powered By GeoSmart.net

Printed: 8/23/2011 11:03:47 AM

Exhibit "C"

MORENO VALLEY

MV00130527

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MV00130528

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00130530

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto.

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The Parks and Community Services Department oversees the After School Education and Safety Program and 43 school sites in the Moreno Valley Unified (MVUSD) and Val Verde Unified School District (VVUSD). As part of the After School Education and Safety Grant (ASES) the city is required to offer the students in the program a daily

nutritious snack that conforms to the nutrition standards in the California Education Code. To that end the City receives a grant from the Child and Adult Care Food Program (CACFP) which reimburses a set amount per nutritious snack served per student. The vendor contracted for this service must be capable of delivering snacks, to each school site weekly, that meet the requirements and portion sizes of the U.S. Department of Agriculture (USDA) as required by the CACFP Grant.

DISCUSSION

A request for proposal was prepared and advertised, with a closing date of August 22, 2011. Three proposals were received by deadline. A panel evaluated the proposals based on several items with the most weight given to: Ability to provide the required services; adherence to the RFP; quality of snacks compared to the USDA's requirements; and nutritional value of snacks compared to USDA's requirements.

The proposal with the highest score was received from Family Services Association. It is Staff's intention to enter into an agreement with Family Services Association to meet the required nutritional guidelines of the ASES and CACFP Grants.

ALTERNATIVES

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto and Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

2. Elect not to award the contract and execute a purchase order in the amount not to exceed $440,640 to Family Services Association and provide direction to staff.

FISCAL IMPACT

The funding of this program expenditure, in the amount not to exceed $440,640, is covered 100 percent (100%) through ASES and CACFP grant funding. No City General Funds will be used for this program. Funds are budgeted in the FY2011-12 Operating Budget (162.16215 and 162.16315). **ASES funding is specifically for the After School Education and Safety Program and CACFP grant is for nutritious after school snacks only.**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Contract agreement (Includes RFP)

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130534

ATTACHMENT A

City of Moreno Valley
Community Services District

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by the Moreno Valley Community Services District, a district formed pursuant to California Community Services District Law, hereinafter referred to as the "CSD", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City and CSD policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the Mayor, Acting in the capacity as the President of the Board of Directors of the Moreno Valley Community Services District, signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Family Services Association
Address: 21250 Box Springs Rd. Ste 212
City: Moreno Valley State: CA Zip: 92557
Business Phone: (951)686-1096 Fax No. (661)947-5678
Other Contact Number: N/A
Social Security Number: N/A
Business License Number: 11605
Federal Tax I.D. Number: 95-4764967

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The CSD's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is 10/3/11 and the Contractor Ending Date is 06/30/12. The CSD acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CSD will not provide any training to Contractor or his/her/its employees.
B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual

whose compensation for services is paid by the Contractor, an agent or employee of the CSD, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the CSD, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the CSD.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the CSD. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the CSD shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the Moreno Valley Community Services District (CSD), City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the CSD, City and RDA, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. CSD Indemnification. The CSD agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CSD's, City's and RDA's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, City, and RDA, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the Moreno Valley Community Services District (CSD), the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and shall furnish the CSD with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the CSD in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any

excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the Moreno Valley Community Services District (CSD), it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the Moreno Valley Community Services District (CSD), the Community Redevelopment Agency of the City of Moreno Valley, California, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the CSD, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the CSD will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	**Each Occurrence**	**Aggregate**
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the CSD and the City. At the option of the CSD and the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the CSD, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the CSD with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

   (a) The CSD may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the CSD. The CSD shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

   (b) Either party may terminate this Agreement for cause. In the event the CSD terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

I. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The CSD will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the CSD's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

J. Restrictions on CSD and City Employees. The Contractor shall not employ any CSD or City employee or official in the work performed pursuant to this Agreement. No officer or

employee of the CSD or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

K. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

L. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.
In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

M. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the CSD, the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

N. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the CSD.

O. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

P. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the Moreno Valley Community Services District (CSD).

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Board of Directors of the
Moreno Valley Community Services District

BY: _____
President

_____
Date

Family Services Association

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT A

SCOPE OF WORK

"Exhibit A"

GENERAL AGREEMENT
This agreement is entered between Family Service Association (FSA) and the Moreno Valley Community Services District ("CSD") for the purpose of providing after school snack services. It is recognized that the purpose of this agreement shall be constructed in a manner not inconsistent with the California Education Code and other laws of the State of California After School Education and Safety (ASES) Grant.

AGENCY AND PROGRAM BACKGROUND
Family Service Association is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals. Additionally, the FSA has provided the Federal Summer Youth Food Program at several FSA Community Centers.

SNACK PROGRAM SERVICES
Family Service Association will provide delivery of the snacks to each of the 43 ASES "CSD" sites every school day from October 3, 2011 until June 30, 2012 in accordance with the order from the Think Together. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times required. Snack will be provided for a set unit price of .72 per snack per day and total cost will vary based on CSD program enrollment. Snack nutritional values will be in accordance with Child and Adult Food Program.

PROGRAM DELIVERY
Snack will be delivered to CSD programs weekly. CSD program must provide a secure area for product to be stored. CSD program will assign a contact for each site who will sign for delivery. FSA will invoice monthly with NET 30 DAY terms based on documented number of nutritious snacks delivered.

PROGRAM STAFFING REQUIREMENTS
Family Service Association shall be solely responsible for staff in their employ under this agreement, Family Service Association certifies that staff providing services are adequately trained and prepared according to prevailing standards for providing such services. Family Service Association will provide adequate supervision of the staff. FSA will provide all necessary insurance for employees as specified in INDEPENDENT CONTRACTOR AGREEMENT.

RELEVENT DATES
FSA will deliver snack to (43) ASES sites per week starting October 3, 2011. All sites will have product to begin distribution on October 3, 2011.

CONTRACTORS RFP RESPONSE

ORIGINAL

CHILD AND ADULT CARE FOOD PROGRAM
SAMPLE CONTRACT FOR VENDED MEALS

THIS AGREEMENT, made and entered into this day of

20 11, in the State of California, by and between Moreno Valley Community Services District

hereinafter referred to as the Agency and _____,

* _____, hereinafter referred to as the Contractor.

WITNESSETH:

1. That the Contractor for and in consideration of the covenants, conditions, agreements, and stipulations of the Agency hereinafter expressed, does hereby agree to furnish to the Agency services and materials as described in the original Invitation for Proposal and Contract, Sections A, B, C, D, E, F, G, and H, and Schedules A, B, and C, which were attached and made a part hereof by this reference.

2. The period of this contract shall be from _____ through _____. This contract may be renewed for one-year periods up to three times upon agreement of the Agency and the Contractor. Any increase or decrease of the unit price(s) shall be negotiated during the renewal process.

3. In consideration of the service, performed in a manner acceptable to the Agency and in compliance with the Child and Adult Care Food Program regulations, Title 7 Code of Federal Regulations, Part 226, the agency shall pay the Contractor within 30 days of receipt, the full the amount Amount of the itemized invoices as confirmed by pickup receipts, at the unit price(s) specified in the contract.

4. The total amount payable by the Agency to the Contractor under this contract shall not exceed $_____.

SIGNATURE PAGE TO FOLLOW

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MORENO VALLEY COMMUNITY SERVICES DISTRICT

(Name of Contractor)

BY: _____
City Manager

DATE: _____

License No./ Certification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

CITY ATTORNEY, ACTING IN THE CAPACITY OF GENERAL COUNSEL OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SECTION A
CHILD AND ADULT CARE FOOD PROGRAM
REQUEST FOR PROPOSAL AND CONTRACT
(DELIVERY)

RFP/CONTRACT NUMBER: (Formal Advertising Only)

ISSUED BY (AGENCY): Moreno Valley Community Services District

NAME	ADDRESS 14075 Frederick St.		
CITY Moreno Valley	STATE CA	ZIP 92553	TELEPHONE NUMBER (951) 413-3726

PROPOSAL DUE

DATE	TIME	LOCATION	ISSUE DATE
AUGUST 22, 2011	5:00 p.m.	Moreno Valley Parks and Community Services 14075 Frederick Street, Moreno Valley, CA 92553	

PROPOSAL

This document contains an RFP/Contract for the furnishing of meals (unitized if applicable) to be served to participants of the Child and Adult Care Food Program established by the United States Department of Agriculture (Title 7 Code of Federal Regulations, Part 226) and sets forth the terms and conditions applicable to the proposed procurement.

NAME OF COMPANY	FEDERAL ID NUMBER
Family Service Association	95-1803694
STREET ADDRESS	TELEPHONE NUMBER
21250 Box Springs Rd. Ste. 212	(951) 686-1096

CITY	STATE	ZIP CODE
Moreno Valley	CA	92557

TOTAL ESTIMATED AMOUNT OF PROPOSAL	
TO BE PROVIDED IN SEPARATE SEALED ENVELOPE	Prompt Payment Discount: N/A % for payment within days.

By submission of this proposal, the company certifies that, in the event they receive an award under this solicitation, they shall operate in accordance with all applicable, current Child and Adult Care Food Program regulations.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Bower	Chief Operating Officer	8/18/2011

ACCEPTANCE

Upon acceptance by the Agency and review by the California Department of Education, this document shall constitute the covenants, conditions, agreements, and stipulations of the contract between the company making the proposal and the Agency named above.

CONTRACT NUMBER	AGENCY NAME	DATE

SIGNATURE OF AGENCY REPRESENTATIVE	

PROCUREMENT METHOD: (Check One)

Competitive Negotiation ☐ Competitive Sealed Proposals ☒ Noncompetitive Negotiation ☐

FOR CDE USE ONLY

This Contract was reviewed for compliance with Title 7 Code of Federal Regulations, Part 226 by:

SIGNATURE	DATE

3

SECTION B
CERTIFICATE OF INDEPENDENT PRICE DETERMINATION, NO SANCTIONS, AND DRUG FREE WORKPLACE

BY SUBMISSION OF THIS PROPOSAL, THE SUBMITTER CERTIFIES AND IN THE CASE OF A JOINT PROPOSAL, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATIONS, THAT IN CONNECTION WITH THIS PROCUREMENT:

1. The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Submitter or with any competitor.
2. Unless otherwise required by law, the prices that have been quoted in this proposal have not been knowingly disclosed by the Submitter and will not knowingly be disclosed by the proposal prior to proposal opening, directly or indirectly to any other Submitter or to any competitor.
3. No attempt has been made or will be made by the Submitter to induce any person or firm to submit or not to submit a proposal for the purpose of restricting competition.
4. Neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

   Where the Submitter is unable to certify to any of the statements in this certification, such Agency shall attach an explanation to this proposal.
5. As required by the state drug-free workplace act of 1990 (Government Code Section 8350 et. Seq.) and the federal Drug-Free Workplace Act of 1988, and implemented at Title 34 Code of Federal Regulations, Part 85, Subpart F, for grantees, as defined at Title 34 Code of Federal Regulations, Part 85, Sections 85.605 and 85.610, the Submitter certifies that it will continue to provide a drug-free workplace.

EACH PERSON SIGNING THIS PROPOSAL CERTIFIES THAT:

1. He is the person in the Submitter's organization responsible within that organization for the decision as to the prices being offered herein or that he has been authorized in writing to act as agent for the persons responsible for such decisions in certifying that such persons have not participated and will not participate, in any action contrary to (1) through (3) above; and
2. He has not participated, and will not participate, in any action contrary to (1) through (3) above.

AND AS THEIR AGENT DOES HEREBY SO CERTIFY:

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011
NAME OF COMPANY		
Family Service Association		
In accepting this proposal, the agency certifies that the agency's officers, employees, or agents have not taken any action that may have jeopardized the independence of the proposal referred to above.		
SIGNATURE OF AUTHORIZED AGENCY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011

ACCEPTING A PROPOSAL DOES NOT CONSTITUTE ACCEPTANCE OF THE CONTRACT

SECTION C
INSTRUCTION TO SUBMITTERS

1. **Definitions --** (As used herein):

   (a) The term "Proposal" means an offer to perform the work described in the Request for Proposals at the fixed unit price specified in accordance with the terms and conditions of the solicitation.

   (b) The term "Submitter" means a food service management company submitting a proposal in response to this Request for Proposals.

   (c) The term "Contractor" means the food service management company to whom the proposal is awarded and with whom the contractual agreement is executed.

   (d) The term "CDE" means the California Department of Education, Nutrition Services Division.

   (e) The term "Food Service Management Company" means an organization, other than a public or private nonprofit school, with which an agency may contract for preparing, and unless otherwise provided for, delivering meals, with or without milk, for use in the Program.

   (f) The term "Request for Proposals ", hereafter referred to as RFP, means the document soliciting proposals through the formal advertising method of procurement. In the case of this Program, the RFP becomes a part of the contract upon acceptance by the Agency, review by CDE, and execution of the contractual agreement.

   (g) The term "Agency" means the Child and Adult Care Food Program agency that issues this RFP.

   (h) The term "Program" means the Child and Adult Care Food Program as set forth in the Title 7 Code of Federal Regulations, Part 226.

   (i) The term "Unitized Meal" means an individual pre-portioned meal consisting of a combination of foods meeting the complete meal requirements, delivered as a unit and served as a unit, with or without milk.

   Other terms shall have the meanings ascribed to them in the Child and Adult Care Food Program, Title 7 Code of Federal Regulations, Part 226.

2. **Submission of Proposals**

   (a) Submitters are expected to examine carefully the specifications, schedules, attachments, terms, and conditions of this RFP. Failure to do so shall be at the Submitter's own risk.

   (b) Proposals shall be executed and submitted in triplicate with one copy being marked "original". If accepted, this RFP will become a part of the contract and one copy of the accepted Proposal/contract will be forwarded to the successful Submitter with the notice of award. The copy marked "original" shall be governing should there be a variance between that "original" copy of the proposal and other copies submitted by the Submitter. No changes in the specifications or general conditions as presented by the Agency herein are allowed. Erasures on this proposal shall be initialed by the proposal prior to submission.

   (c) A copy of a current State or local health certificate for the food preparation facilities shall be submitted with the proposal.

   (d) The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.

   Failure to comply with any of the above shall be reason for rejection of the proposal.

3. **Explanation to Submitters**

Any explanation desired by a Submitter regarding the meaning or interpretation of the RFP specifications, etc., must be requested in writing prior to proposal opening and with sufficient time allowed for a reply to reach all Submitters before proposal opening. Oral explanations or instructions given before the award of the contract shall not be binding. Any information given to a prospective Submitter concerning an RFP shall be furnished to all prospective Submitters as an amendment to the RFP if such information is necessary to Submitter in submitting proposal on the RFP, or if the lack of such information would be prejudicial to uninformed Submitters.

4. **Acknowledgment of Amendments to RFPs**

Receipt of an amendment to an RFP by a Submitter must be acknowledged by signing and returning the amendment. Such acknowledgment must be received prior to the hour and date specified for proposal response date.

5. **Discounts**

Although a blank is provided for a time discount, prompt payment discounts offered for payment in less than twenty calendar days will not be considered in evaluating proposals for award. However, offered discounts of less than twenty days will be taken if payment is made within the discount period even though not considered in the evaluation of proposals.[1]

6. **Proposals Having Interest in More Than One Proposal**

If more than one proposal is submitted by any one person, by, or in the name of a clerk, partner, or other person, all such proposals shall be rejected.

7. **Time for Receiving Proposals**

Sealed proposals shall be deposited at the address specified on the RFP of the Agency no later than the exact time and date indicated on the face of this RFP. Proposals received prior to the time of opening will be securely kept, unopened.

8. **Errors in Proposals**

Submitters or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals; failure to do so shall be at the Submitter's own risk and he cannot secure relief on the plea of error.

9. **Award of Contract**

(a) The contract will be awarded to that responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered. Consideration shall be given to such matters as Contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

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[1] Payment discounts may only be used to determine the low proposal when prior experience of the Agency indicates that such discounts are generally taken.

(b) The Agency reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received when there are sound documented business reasons in the best interest of the Program.

(c) The Agency reserves the right to reject the proposal of a Submitter who has previously failed to perform properly or complete on time contracts of a similar nature, or the proposal of a Submitter whose investigation shows is not in a position to perform the contract.

10. **Late Proposals, Modifications of Proposals, or Withdrawals of Proposals**

(a) Any proposal received after the exact time specified for receipt will not be considered unless it is received before the award is made and it was sent by registered or certified mail, no later than the fifth calendar day prior to the date specified for the receipt of proposals (e.g., a proposal submitted in response to an RFP requiring receipt of proposals by the 20th of the month must have been mailed by the 15th or earlier).

(b) Any modification or withdrawal of a proposal is subject to the same conditions as in (a) above except that withdrawal of proposals by telegram is authorized. A proposal may also be withdrawn in person by a Submitter or his authorized representative, provided his identity is made known and he signs a receipt for the proposal, but only if the withdrawal is made prior to the exact time set for receipt of proposals.

(c) The only acceptable evidence to establish the date of mailing of a late proposal, modifications, or withdrawal sent either by registered or certified mail is the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. If the date on the postmark is illegible, the proposal, modification, or withdrawal shall be deemed to have been mailed late. (The term "postmark" means, a printed, stamped, or otherwise placed impression that is readily identifiable without further action as having been supplied and affixed on the date of mailing by employees of the U.S. Postal Service.)

(d) Notwithstanding the above, a late modification of an otherwise successful proposal that makes its terms more favorable to the Agency will be considered at any time it is received and may be accepted.

SECTION D
SCOPE OF SERVICES

1. The Contractor agrees to deliver unitized meals exclusive of milk to locations set out in Schedule A, attached hereto and made a part hereof, subject to the terms and conditions of this solicitation.

2. All meals furnished for the Program under this contract must meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products shall conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. The Contractor agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. The Contractor shall furnish meals for the Program as ordered by the Agency during the period of October 3, 2011 to June 8, 2012.

5. The Contractor shall furnish meals for the Program as ordered by the Agency 5 days a week excluding school holidays.

Item No. B.3

Section D

SCOPE OF SERVICES

1. Family Service Association (Contractor) agrees to deliver unitized meals exclusive of milk to 43 Elementary and Middle School Sites (as detailed on Schedule A).

2. All meals furnished for the Program under this contract will meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products will conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. Family Service Association (Contractor) agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. Family Service Association will furnish meals for the program as ordered by the Agency during the period of October 3, 2011- June 8, 2012.

5. Family Service Association will furnish meals for the Program as ordered by the Agency five (5) days per week (Monday-Friday).

SECTION F

CONTRACT PROVISIONS AND SPECIFICATIONS

1. **Requirements Contract**

   (a) This is a requirements contract for services specified in the Sections and Schedules and for the period set forth herein. The quantities of such services specified herein are estimates only and are not purchased hereby. Except as may be otherwise provided herein, in the event the Agency's requirements for services set forth in the Sections and Schedules do not result in orders in the amounts or quantities described as "estimated" in the Sections and Schedules, such event shall not constitute the basis for an equitable price adjustment under this contract.

   (b) The Agency shall not be required to purchase from the Contractor requirements in excess of the limit on total orders under this contract, if any.

   (c) The Agency may issue orders that provide for delivery or performance at multiple destinations.

   (d) The Agency shall not be obligated to place any minimum dollar amount of orders under this contract or any minimum number of orders. The utilization of the Contractor for services specified in the Sections and Schedules will be dependent upon the needs and requirements of the Agency.

   (e) Regulatory or guidance changes prescribed by the United States Department of Agriculture or CDE, during the duration of this contract, shall be considered a basis for renegotiation with prior approval and agreement from CDE, of the terms and conditions of the contract between the Agency and the Contractor. Authority for such renegotiation must be requested from CDE, in writing by the Agency, prior to the commencement of any such renegotiation.

2. **Pricing**

   Pricing shall be on the numbers described in Section E, "Unit Price Schedule". All Submitters must submit proposals on the same menu cycle provided by the Agency. Proposal prices must include the price of food, milk (if applicable), packaging, transportation, and all other related costs (e.g., condiments, utensils, etc.) that are essential to the content of the food service.

3. **Evaluation of Submitters**

   Each Submitter will be evaluated on the following factors:

   (a) Capability to perform a contract of the scope required.

   (b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards.

   (c) Previous experience performing services similar in nature and scope.

   (d) Other factors such as transportation capability, sanitation, and packaging.

   Submitter that do not satisfactorily meet the above criteria may be rejected as unresponsive and not considered for award.

4. **Unit Prices**

The unit prices of each meal type that the Submitter agrees to furnish must be written in ink or typed in the blank space provided in Section E of the Unit Price Schedule, including proper packaging as required in the specifications, and the costs of delivery to the designated sites. Unit prices shall include taxes; but, any charges or taxes that are required to be paid under future laws must be paid by the Submitter at no additional charge to the Agency. **The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.**

5. **Meal Orders**

The Agency will order meals on Friday of the week preceding the week of delivery; orders will be placed for the total number of days in the succeeding week, and will include breakdown totals for each center and each type of meal.

The Agency reserves the right to increase or decrease the number of meals ordered on a 24 hour notice (or less if mutually agreed upon between the parties to this contract).

6. **Menu-Cycle Change Procedure**

Meals shall be delivered on a daily basis in accordance with the menu cycle which appears in Schedule C. Deviation from this menu cycle shall be permitted only upon authorization of the Agency. When an emergency situation prevents the Contractor from delivering a specified meal component, the Contractor shall notify the Agency immediately so substitutions can be agreed upon. The Agency reserves the right to periodically suggest menu changes that are within the Contractor's food cost.

7. **Noncompliance**

The Agency reserves the right to inspect and determine the quality of food delivered and reject any meals that do not comply with the requirements and specifications of the contract. The Contractor shall not be paid for unauthorized menu changes, incomplete meals, meals not delivered within the specified delivery time period, and meals rejected because they do not comply with the specifications. The Agency reserves the right to obtain meals from other sources if meals are rejected due to any of the stated reasons. The Contractor shall be responsible for any excess cost, but will receive no adjustment in the event the meals are procured at a lesser cost. The Agency or agency representative inspecting shall notify the Contractor in writing as to the number of meals rejected and the reasons for rejection.

** Time frame should be no longer than 24 hours.

8. **Specifications**

(a) Packaging

(1) Hot Meal Unit-Packaging shall be suitable for maintaining meals in accordance with local health standards. Container and overlay should have an airtight closure, be of non-toxic material, and be capable of withstanding temperatures of 400°F (204°C) or higher.

(2) Cold Meal Unit or Unnecessary-to-Heat Container and overlay shall be plastic or paper and non-toxic.

(3) Cartons - Each carton shall be labeled. The label shall include:

A. The processor's (plant) name and address

B. Item identity and meal type

C. Date of production

D. Quantity of individual units per carton

(4) Meals shall be delivered with the following non-food items: condiments, straws, napkins, single service ware, etc.*

(b) Food Preparation

Meals shall be prepared under properly controlled temperatures and assembled not more than 24 hours prior to delivery.

(c) Food Specifications

Proposals are to be submitted on the menu cycle included as Schedule C and shall include, at a minimum, the portions specified by the U. S. Department of Agriculture for each meal, which are included in Schedule B of this RFP.

All meat and meat products, except sausage products, shall have been slaughtered, processed, and manufactured in plants inspected under a U. S. Department of Agriculture approved inspection program and bear the appropriate seal. Upon delivery, all meat and meat products must be sound, sanitary, and free of objectionable odors or signs of deterioration.

(d) Product Specifications

Milk and milk products are defined as "...fluid types of pasteurized flavored or unflavored whole milk or low-fat milk, or skim milk or cultured buttermilk, which meets State and local standards for such milk..." Milk delivered hereunder shall conform to these specifications.

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* The Agency shall insert or delete non-food items that are necessary for the meal to be eaten.

Section F

CONTRACT PROVISIONS AND SPECIFICATIONS

3. Evaluation of Submitters:

(a) Capability to Perform Contract of Scope Required:

Family Service Association (FSA) is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. The key program and service areas of FSA include: Mental Health, Child Development, Community Centers, Senior Nutrition and Senior Services and Affordable Housing. FSA has a substantial infrastructure that includes administrative and fiscal supports to all programs and services, and is certified by the Council on Accreditation for the majority of agency services, attesting to the highest quality in program delivery. Additionally, FSA's Human Resources Department enables the agency to hire/screen and interview staff quickly and efficiently. FSA also maximizes resources, including personnel, facilities and transportation to ensure cost-effective and timely services. For example, there are currently part-time personnel that are working in food service whose hours can be expanded up to full-time positions to serve this new program component. Vehicles that are used to deliver Senior Nutrition meals earlier in the day can also be used for delivery of snacks to the various school sites in the afternoon.

In the area of service relevant to the Child Care Food Program Notice, FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals, as described in detail in item (c). Additionally, the agency has provided the Federal Summer Youth Food Program at several FSA Community Centers.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products. FSA will provide delivery tickets (minimum of three copies – one for FSA, one for Center personnel, and one for the Agency). Each delivery ticket will be itemized to show the number of snacks provided to each center. Designees of the Agency at each site will check the adequacy of the delivery before signing the delivery ticket. FSA will maintain records supported by delivery tickets, purchase orders, and production records for this contract, and other evidence for inspection and reference to support payments and claims.

FSA will make the books and records pertaining to this contract available for a period of three years from the date the Agency submits to CDE, the final claim for reimbursement for meals provided under this contract.

FSA will procure and maintain at its sole expense, and throughout the term of the Agreement, General Liability and Worker's Compensation at the required levels.

(b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards:

FSA has a long history of compliance with food preparation regulations and standards in the course of operating eight (8) food service facilities. In both the food service programs for the Child Development Centers and the Senior Nutrition program, FSA is well-versed in the applicable State and local health, safety and sanitation standards of the CA Department of Education Child and Adult Food Programs, the Federal Summer Youth Food Program, and Title 22 regulations, as well as Environmental Health regulations.

Food preparation for this proposed program will take place at FSA's new Central Kitchen and Distribution Facility, scheduled to open on September 15, 2011. The facility is located at 21081 Alessandro Blvd. in Moreno Valley and is currently being renovated especially for the preparation of meals for the Senior Nutrition program.

The facility will be ideal for the proposed Child Care Food Program. During the morning hours, the facility will be used for the preparation and distribution of over 1,500 senior meals (congregate and home-delivered meals). The early afternoon hours can then be devoted to the preparation of the afternoon meal "snacks" required for this proposed program. The convenient location of the kitchen within close proximity to the service sites, the compliance of the facility with all applicable health regulations, and the trained and experienced staff assigned to work in this location on various programs make it an ideal place for this project.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products.

(c) Previous experience performing services similar in nature and scope:

As previously stated, FSA has over 15 years of experience in the meal preparation and food service process. FSA provides food service (breakfast, lunch and snacks) to approximately 2,000 children served at FSA's 10 Child Development Centers located throughout Riverside County. In addition, FSA has provided the Summer Youth Food Program to approximately 300 children and youth attending special programming at FSA's Community Centers in Highgrove, Mead Valley and Cabazon. Daily meals are delivered to 1,500 seniors through FSA's Senior Nutrition program, offering both congregate (20 sites) meal service, and home-delivered meals for frail, homebound elders.

In the provision of these food programs, FSA adheres to and has consistent compliance with environmental health standards for kitchen sanitation and safe food preparation. Food service personnel comply with all applicable CA Department of Education and Adult Food Programs, and Title 22 regulations that govern federally funded food programs, in addition to all Environmental Health regulations.

(d) Other factors such as transportation capability, sanitation and packaging:

FSA has over 20 vehicles that are used to deliver nutritious meals to seniors. The agency also owns a refrigerated truck as well as refrigerated hot and cold conversion vans that are available to deliver meals and snacks. In addition, FSA utilizes coolers and hot bags to maintain appropriate food temperatures for snack and meal deliveries.

FSA maintains the highest quality of sanitation possible for all cooking sites as well as warming kitchens. FSA is required by Title 22 regulations to have a registered dietician who inspects all sites on a quarterly basis. Written records are maintained on food temperatures as well as routine cleaning and sanitizing of all kitchen equipment.

FSA packages all meals and snacks that it prepares. Meals are placed in biodegradable meal trays and appropriately sealed. Side dishes, such as fruit, jello, etc. are individually cupped and/or sealed.

The Attached Environmental Health Permit is for one of FSA's eight kitchen and food preparation facilities.

The facility that will be serving as the centralized kitchen (Alessandro Central Kitchen and Distribution Center) for this project, will not be open until mid-September 2011.

ATTACHMENT A

Facility # FA0029398

COUNTY OF RIVERSIDE • COMMUNITY HEALTH AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH

Environmental Health Permit
Non-Transferable - Non-Refundable

Facility #: FA0029398
Permit Expiration Date: 01/31/2012
District Number: 0005

DBA:
Catering Ror A Cause
6080 Magnolia Ave
Riverside, CA 92506

Family Service Association
Catering Ror A Cause
21250 Box Springs Rd Ste 212
Moreno Valley, CA 92557

Record ID#: PR0040060

Type Of Business

3621 - Restaurant 2001 to 5999 sq ft

This permit is granted for the business indicated on the condition that the business will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, and the County of Riverside pertaining to the above mentioned business. This permit serves as a receipt for payment of fees for the above listed programs. This permit must be renewed on or before the expiration date shown above. This permit may be suspended or revoked by the enforcement officer for cause. Inspection of this business may be conducted by a duly authorized representative of the Director of Environmental Health. THIS PERMIT IS NOT TRANSFERABLE OR REFUNDABLE.

DEH-SAN-050 (Revised 12/09)

POST IN A CONSPICUOUS PLACE

SECTION G
GENERAL CONDITIONS

1. **Delivery Requirements**

   (a) Deliveries shall be made by the Contractor to each center listed on the Schedule A in accordance with the order from the Agency.

   (b) Meals shall be delivered, unloaded, and placed in the designated center weekly by the Contractor's personnel at each of the locations and times listed on the Schedule A.

   (c) The Contractor shall be responsible for the delivery of all meals and dairy products at the specified time. Adequate refrigeration or heating shall be provided during the transportation and delivery of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

   (d) The Agency reserves the right to **add or delete centers**. This shall be done by amendment of the Schedule A. The Agency shall notify the Contractor of such amendments to the Schedule A not less than one week prior to the required date of service. Any changes in transportation costs that occur as a result of adding or deleting centers shall be negotiated and noted in the modification. The Contractor's invoice shall show the cost as a separate item for that center.

2. **Supervision and Inspection**

   The Contractor shall provide management supervision at all times and maintain constant quality control inspections to check for portion size, appearance, and packaging, in addition to the quality of products.

3. **Record Keeping**

   (a) Delivery tickets must be prepared by the Contractor with a minimum of three copies -- one for the Contractor, one for center personnel, and one for the Agency. Delivery tickets must be itemized to show the number of meals of each type delivered to each center. Designees of the Agency at each center will check the adequacy of the delivery and the meals before signing the delivery ticket. Invoices shall be accepted by the Agency only if they accurately represent the delivery tickets signed by the Agency's designee at the center.

   (b) The Contractor shall maintain records supported by delivery tickets, purchase orders, and production records for this contract or other evidence for inspection and reference to support payments and claims.

   (c) The books and records of the Contractor pertaining to this contract shall be available for a period of three years from the date the Agency submits to CDE the final claim for reimbursement for meals provided under this contract, or until the final resolution of any audits for inspection and audit by representatives of CDE, the U. S. Department of Agriculture, the Agency, and the Controller General of the United States at any reasonable time and place.

4. **Method of Payment**

The Contractor shall submit its itemized invoice to the Agency monthly . Each invoice shall give a detailed breakdown of the number of meals delivered and signed for at each center during the preceding month . Payment will be made at the unit price specified in the contract. No payment shall be made unless the required delivery receipts have been signed by the center representative of the Agency.

5. **Inspection of Facility**

(a) The Agency, CDE, and the U.S. Department of Agriculture reserve the right to inspect the Contractor's preparation facilities prior to award and without notice at any time during the contract period, including the right to be present during preparation and delivery of meals.

(b) The Contractor's facilities shall be subject to periodic inspections by the U.S. Department of Agriculture, State and local health departments, or any other agency designated to inspect meal quality for the State. This will be accomplished in accordance with U.S. Department of Agriculture regulations.

(c) The Contractor shall provide for meals which it prepares to be periodically inspected by the local health department or an independent agency to determine bacteria levels in the meals being prepared, transported, and delivered. Such levels shall conform to the standards which are applied by the local health authority with respect to the level of bacteria which may be present in meals served by other establishments in the locality.

6. **Insurance**

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD) and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

7. **Availability of Funds**

The Agency shall have the option to cancel this contract if the Federal Government withdraws funds to support the Child and Adult Care Food Program. It is further understood that, in the event of cancellation of the contract, the Agency shall be responsible for meals that have already been assembled and/or delivered in accordance with this contract.

8. **Number of Meals and Delivery Times**

The Contractor must provide the exact number of meals ordered. Counts of meals will be made at all centers before meals are accepted. Damaged or incomplete meals shall not be included when the number of delivered meals is determined.

9. **Emergencies**

In the event of unforeseen emergency circumstances, the Contractor shall immediately notify the Agency by telephone or telegram of the following: (a) the impossibility of on-time delivery; (b) the circumstance(s) precluding delivery; and (c) a statement of whether or not succeeding deliveries will be affected. No payments will be made for deliveries made later than 1 hour(s) after specified mealtime. Emergency circumstances at the center precluding utilization of meals are the concern of the Agency. The Agency may cancel orders provided it gives the Contractor at least 48 hours notice. Adjustments for emergency situations affecting the Contractor's ability to deliver meals, or the Agency's ability to utilize meals for periods longer than 24 hours will be mutually worked out between the Contractor and the Agency.

10. **Termination**

(a) The Agency reserves the right to terminate this contract if the Contractor fails to comply with any of the requirements of this contract. The Agency shall notify the Contractor of specific instances of noncompliance in writing. In instances where the Contractor has been notified of noncompliance with the terms of the contract and has not taken immediate corrective action, the Agency shall have the right upon written notice to immediately terminate the contract and the Contractor shall be liable for any damages incurred by the Agency. The Agency shall negotiate a repurchase contract on a competitive basis to arrive at a fair and reasonable price.

(b) The Agency shall by written notice to the Contractor, terminate the right of the Contractor to proceed under this contract if it is found by the Agency that gratuities in the form of entertainment, gifts, or otherwise were offered or given by the Contractor to any officer or employee of the Agency, with a view toward securing the contract or securing favorable treatment with respect to the awarding or amending of the contract; provided that the existence of the facts upon which the Agency makes such findings shall be in issue and may be reviewed in any competent court.

(c) In the event this contract is terminated as provided in paragraph (b) hereof, the Agency shall be entitled (i) to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor, and (ii) as a penalty in addition to any other damages in an amount which shall not be less than three nor more than ten times the cost incurred by the Contractor in providing any such gratuities to any such officer or employee.

(d) The rights and remedies of the agencies provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

11. **Subcontracts and Assignments**

The Contractor shall not subcontract with any other company for the total meal, with or without milk, or for the assembly of the meal; and shall not assign, without the advance written consent of the Agency, this contract or any interest therein. In the event of any assignment, the Contractor shall remain liable to the Agency as principal for the performance of all his obligations under this contract.

12. **Equal Opportunity**

(The following clause is applicable unless this contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor (Title 41 Code of Federal Regulations, Chapter 60.)

During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex.

The Contractor will take affirmative action to ensure that the evaluation and treatment of his employees and applicants for employment are free of such discrimination. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and his subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

(b) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(c) In the event of the Contractor's noncompliance with the Equal Opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further State or federally funded contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, or by rule, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

SECTION H

GENERAL PROVISIONS FOR CONTRACTS EXCEEDING $100,000

THE FOLLOWING PROVISIONS ARE APPLICABLE ONLY IF THE CONTRACT EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT THE ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY ONE YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [41 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY ENVIRONMENTAL PROTECTION AGENCY, OR THE CONTRACT IS NOT OTHERWISE EXEMPT FROM THESE PROVISIONS.

Clean Air and Water

The Contractor agrees as follows:

1. To comply with all the requirements of Section 114 of the Clean Air Act, as amended (41 USC 1857, et seq., as amended by Public Law 91-604), and all requirements adopted pursuant to Division 26 of the California Health and Safety Code, Section 39000, et seq., respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements so specified, and all regulations and guidelines issued thereunder before the award of this contract.

2. To comply with all the requirements of Section 308 of the Federal Water Pollution Control Act (33 USC 1251, et seq., as amended by Public Law 92-500) and all requirements adopted pursuant to the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Section 13000, et seq.), respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Acts, and all regulations and guidelines issued thereunder before the award of this contract.

3. That no portion of the work required by this contract will be performed at a facility listed on the EPA List of Violating Facilities on the date when this contract was awarded unless and until the EPA eliminates the name of such facility or facilities from such listing.

4. To use his best efforts to comply with clean air standards and clean water standards at the facilities in which the contract is being performed.

5. To insert the substance of the provisions of this clause in any nonexempt subcontract including this paragraph 1(e).

Energy Policy and Conservation Act (P.L. 94-163)

The Contractor agrees to comply with all mandatory standards and policies relating to energy efficiency as contained in the California Administrative Code, Title 24, pursuant to the California State energy efficiency conservation plan issued in compliance with Public Law 94-163.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

CLEAN AIR AND WATER CERTIFICATION

THIS CERTIFICATION IS APPLICABLE IF PROPOSAL OR OFFER EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [42 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY EPA, OR IS NOT OTHERWISE EXEMPT.

The Submitter certifies as follows:

1. Any facility to be utilized in the performance of this proposed contract

   has [X] has not [ ]

   been listed on the Environmental Protection Agency List of Violating Facilities.

2. He will promptly notify the Agency Official, prior to award, of the receipt of any communication from the Director, Office of Federal Activities, U. S. Environmental Protection Agency, indicating that any facility that he proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities.

3. He will include substantially this certification, including this paragraph (3.) in every nonexempt subcontract.

NAME OF COMPANY		
Family Service Association		
SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Hower	Chief Operating Officer	8/18/2011

SCHEDULE A
CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Armada Elementary	25201 John F Kennedy Dr., Moreno Valley, CA		Afternoon Snack	75 per day		8/10/11-6/8/12 180 days
Badger Springs Mdl	24750 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	64 per day		8/10/11-6/8/12 180 days
Bear Valley Elem	26125 Fir Ave, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Box Springs Elem	11900 Athens Dr, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Butterfield Elem	13400 Kitching St, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Chaparral Hills Elem	24850 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Cloverdale Elem	12050 Kitching St., Moreno Valley, CA		Afternoon Snack	89 per day		8/10/11-6/6/12 176 days
Creekside Elem	13563 Heacock St., Moreno Valley, CA		Afternoon Snack	76 per day		8/10/11-6/6/12 176 days
Edgemont Elem	21790 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	92 per day		8/10/11-6/6/12 176 days
Hendrick Ranch Elem	25570 Brodiaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Hidden Springs Elem	9801 Hidden Springs Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Honey Hollow Elem	11765 Honey Hollow St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
La Jolla Elem	14745 Willowgrove Pl., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Landmark Mdl	15261 Legendary Dr., Moreno Valley, CA		Afternoon Snack	80 per day		8/10/11-6/6/12 176 days
Midland Elem	11440 Davis St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Moreno Elem	26700 Cottonwood Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Mountain View Mdl	13130 Morrison St., Moreno Valley, CA		Afternoon Snack	65 per day		8/10/11-6/6/12 176 days
Palm Mdl	11900 Slawson Ave., Moreno Valley, CA		Afternoon Snack	58 per day		8/10/11-6/6/12 176 days

ATTACHMENT A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Ramona Elem	24801 Bay Ave., Moreno Valley, CA		Afternoon Snack	91 per day		8/10/11-6/6/12 176 days
Ridge Crest Elem	28500 JFK Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Seneca Elem	11615 Wordsworth Rd, Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days
Serrano Elem	24100 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sugar Hill Elem	24455 Old Country Rd., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sunnymead Elem	24050 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Sunnymead Mdl	23996 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	54 per day		8/10/11-6/6/12 176 days
Sunnymeadows Elem	23200 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Town Gate Elem	22480 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Avalon Elem	1815 E. Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Columbia Elem	21350 Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Lakeside Mdl	27720 Walnut Ave., Perris, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

ATTACHMENT A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Lasselle Elem	26446 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Manuel L. Real Elem	19150 Clark St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
March Mdl	15800 Indian Ave., Moreno Valley, CA		Afternoon Snack	67 per day		8/10/11-5/24/12 175 days
Mary McLeod Bethune Elem	25390 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
May Ranch Elem	900 E. Morgan St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Mead Valley Elem	21100 Oleander Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

DELIVERY – (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Rainbow Ridge Elem	15950 Indian Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Sierra Vista Elem	20300 Sherman Rd., Perris, CA		Afternoon Snack	77 per day		8/10/11-5/24/12 175 days
Tomas Rivera Mdl	21675 Main St., Perris, CA		Afternoon Snack	76 per day		8/10/11-5/24/12 175 days
Triple Crown Elem	530 Orange Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Val Verde Elem	2656 Indian Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Victoriano Elem	25650 Los Cabos Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Vista Verde Mdl	25777 Krameria, Moreno Valley, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

VENDOR #:

AGREEMENT #:

NSD 2050B (REV. 07/03)

BREAKFAST	AGES ONE THROUGH THREE YEARS	AGES THREE THROUGH SIX YEARS	AGES SIX THROUGH TWELVE YEARS
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE, FRUIT OR FULL-STRENGTH (100%) JUICE	¼ CUP	½ CUP	½ CUP
GRAINS/BREADS (WHOLE GRAIN OR ENRICHED): BREAD *OR* ROLLS, MUFFINS, ETC., *OR* COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS) *OR* COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	½ SLICE ½ SERVING ¼ CUP *OR* ⅓ OZ. ¼ CUP	½ SLICE ½ SERVING ⅓ CUP *OR* ½ OZ. ¼ CUP	1 SLICE 1 SERVING ¾ CUP *OR* 1 OZ. ½ CUP
LUNCH OR SUPPER			
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE AND/OR FRUIT (TWO OR MORE KINDS)	¼ CUP TOTAL	½ CUP TOTAL	¾ CUP TOTAL
GRAINS/BREAD (WHOLE GRAIN OR ENRICHED): BREAD *OR* ROLLS, MUFFINS, ETC., *OR* COOKED PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	½ SLICE ½ SERVING ¼ CUP	½ SLICE ½ SERVING ⅓ CUP	1 SLICE 1 SERVING ½ CUP
MEAT/MEAT ALTERNATES LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED) *OR* CHEESE (NATURAL OR PROCESSED) *OR* COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE *OR* EGG (LARGE) *OR* COOKED DRIED BEANS OR DRIED PEAS * *OR* PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS *OR* PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS** *OR* YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED *OR* AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.	1 OZ. 1 OZ. ¼ CUP *OR* 2 OZ. 1 EGG ¼ CUP 2 TBSP ½ OZ.** ½ CUP	1-½ OZ. 1-½ OZ. ⅜ CUP *OR* 3 OZ. 1 EGG ⅜ CUP 3 TBSP ¾ OZ.** ¾ CUP	2 OZ. 2 OZ. ½ CUP *OR* 4 OZ. 1 EGG ½ CUP 4 TBSP 1 OZ.** 1 CUP
AM OR PM SUPPLEMENT (SELECT TWO OF THESE FOUR COMPONENTS)*			
MILK, FLUID	½ CUP	½ CUP	1 CUP
VEGETABLE, FRUIT, OR FULL-STRENGTH (100%) JUICE	½ CUP	½ CUP	¾ CUP
GRAINS OR BREADS (WHOLE GRAIN OR ENRICHED): BREAD *OR* ROLLS, MUFFINS, ETC. *OR* COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS) *OR* COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS.	½ SLICE ½ SERVING ¼ CUP *OR* ⅓ OZ. ¼ CUP	½ SLICE ½ SERVING ⅓ CUP *OR* ½ OZ. ¼ CUP	1 SLICE 1 SERVING ¾ CUP *OR* 1 OZ. ½ CUP
MEAT/MEAT ALTERNATES LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED) *OR* CHEESE (NATURAL OR PROCESSED) *OR* COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE *OR* EGG (LARGE) *OR* YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED**** *OR* COOKED DRIED BEANS OR DRIED PEAS* *OR* PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS *OR* PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS *OR* AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.	½ OZ. ½ OZ. ⅛ CUP *OR* 1 OZ. ½ EGG ¼ CUP ⅛ CUP 1 TBSP ½ OZ.	½ OZ. ½ OZ. ⅛ CUP *OR* 1 OZ. ½ EGG ¼ CUP ⅛ CUP 1 TBSP ½ OZ.	1 OZ. 1 OZ. ¼ CUP *OR* 2 OZ. 1 EGG ½ CUP ¼ CUP 2 TBSP 1 OZ.

CERTIFICATION

I hereby certify that all meals claimed shall meet the minimum requirements set forth in the meal pattern for older children as prescribed by Title 7 Code of Federal Regulations, Part 226.20 and as outlined in Schedule B, NSD 2050B.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE

AGENCY NAME

AGENCY ADDRESS

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03) PAGE 2

* DRIED BEANS OR DRIED PEAS MAY BE USED AS A MEAT ALTERNATE OR AS A VEGETABLE COMPONENT; BUT **CANNOT** BE COUNTED AS BOTH COMPONENTS IN THE SAME MEAL.

** NO MORE THAN 50 PERCENT OF THE REQUIREMENT SHALL BE MET WITH NUTS OR SEEDS. NUTS OR SEEDS SHALL BE COMBINED WITH ANOTHER MEAT/MEAT ALTERNATE TO FULFILL THE REQUIREMENT. TO DETERMINE COMBINATIONS, 1 OZ. OF NUTS OR SEEDS IS EQUAL TO 1 OZ. OF COOKED LEAN MEAT, POULTRY, OR FISH. ROASTED PEAS CAN COUNT AS A MEAT ALTERNATE OR VEGETABLE COMPONENT, BUT CANNOT BE COUNTED AS BOTH IN THE SAME MEAL.

*** JUICE **CANNOT** BE SERVED WHEN MILK IS SERVED AS THE ONLY OTHER COMPONENT.

**** IF YOGURT IS USED AS THE MEAT COMPONENT IN SUPPLEMENTS, MILK **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT. COMMERCIALLY ADDED FRUIT OR NUTS IN FLAVORED YOGURT **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT IN SUPPLEMENTS.

Family Services Association
Childrens Snack Program
October 2011

Date	Monday Oct	Tuesday Oct	Wednesday Oct	Thursday Oct	Friday Oct		
	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz		
Week 1	Prestzel Twist .25oz	Nutri grain Bar 1.03oz	Cheese/Peanut Butter Crackers 1.42oz	Mixed Fruit Cup 4oz	Club Cracker/ Apple Butter .05 oz		
Week 2	Peanuts 1.63oz	Graham Crackers 1oz	Cheezits White Cheddar 1.5oz	Quaker Oatmeal Cin Bar 1.4oz	Vanilla Crème Cookie 2.12oz		

SECTION E
UNIT PRICE SCHEDULE AND INSTRUCTIONS
PROVIDE THIS SCHEDULE IN A SEPARATE SEALED ENVELOPE

1. **Unit Price Schedule**

Submitters are to submit prices on the following meal types meeting the contract specifications set forth in Schedules B and C for meals to be delivered to all of the centers stated in Schedule A. *(See example on next page).*

A. Meal Type[1]	B. Estimated Servings Per Day[2]	C. Estimated Number of Serving Days[3]	D. Unit Price[4]	E. Total Price[5]
~~Breakfast~~				
~~AM Snack~~				
~~Lunch~~				
PM Snack	3,400	180	.72	440,640
~~Supper~~				
~~Evening Snack~~				

Submitters shall submit their proposals on an "all or none" basis. Except as otherwise provided in this solicitation, if a contract is awarded as a result of this solicitation, it will bind the Agency during the term of the contract, secure all of the identified meals from the successful Submitter, and such contract shall bind the Submitter/Contractor to perform all such work ordered by the Agency at prices specified in the contract. Award will be made to a single responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered.. Evaluation of prices will be on the basis of the estimated requirements set forth herein.

In the event of any inconsistencies or errors, the unit price (D) shall take precedence.

Instructions for completion of the Unit Price Schedule: (*See Example on next page.*)

[1] The Agency shall indicate which meal types the Contractor will be providing meals for during the contract period (strike-out extraneous meal types in Column A). If unitized meals will be required, the Agency must indicate so by placing "unitized meal" in parenthesis after the meal type.

[2] The Agency shall fill in the estimated number of meals that will be served each day (Column B) by meal type during the contract period.

[3] The Agency shall fill in the number of anticipated operating days that meals will be served (Column C) during the contact period.

[4] The Submitter shall insert the appropriate unit price (Column D) for each meal type indicated by the Agency.

[5] The Submitter shall calculate the total price (Column E) by multiplying B x C x D.

CITY OF MORENO VALLEY

BUSINESS LICENSE TAX RECEIPT

The person, firm or corporation named below has paid the appropriate fees to the City and is hereby granted this business license tax receipt for the business described below. Granting of this receipt does not entitle the holder to operate or maintain a business in violation of any law or ordinance. The City does not pass on the qualifications of the holder of this business license tax receipt.

Business Name: Family Service Association Of Western Riverside Co

Business Location: 21250 Box Springs Rd # 212, Moreno Valley, CA 92557

Business Owner: Family Service Association Of Western Riverside Co
Dom Betro

BUSINESS TYPE: 1922

Description: Individual And Family Social Services

BUSINESS LICENSE #: 11605

Effective Date: January 01, 2011

Expiration Date: December 31, 2011

FAMILY SERVICE ASSOCIATION OF
WESTERN RIVERSIDE CO
21250 BOX SPRINGS RD # 215
MORENO VALLEY, CA 92557

Richard Teichert
Financial & Administrative Services Director

TO BE POSTED IN A CONSPICUOUS PLACE

NOT TRANSFERABLE

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/07/2011 14:28

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Barney & Barney LLC
CA Insurance Lic: 0C03950
9171 Towne Centre Drive, Suite 500
San Diego, CA 92122
858-457-3414

CONTACT NAME: Cyndi Smoot
PHONE (A/C, No, Ext): (858) 587-7414 FAX (A/C, No):
E-MAIL ADDRESS: cyndis@barneyandbarney.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Philadelphia Indemnity Insurance Company	18058
INSURER B: Insurance Company of the West	27847
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Family Service Association

21250 Box Springs Road, Suite 212
Moreno Valley, CA 92557-8712

Client # 55323

COVERAGES CERTIFICATE NUMBER: 378650 MST NUMBER: 19124 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	X		PHPK743608	7/1/2011	7/1/2012	EACH OCCURRENCE	$	1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$	100,000
							MED EXP (Any one person)	$	10,000
							PERSONAL & ADV INJURY	$	1,000,000
							GENERAL AGGREGATE	$	3,000,000
							PRODUCTS - COMP/OP AGG	$	3,000,000
								$	
A	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS			PHPK743608	7/1/2011	7/1/2012	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
							BODILY INJURY (Per person)	$	
							BODILY INJURY (Per accident)	$	
							PROPERTY DAMAGE (Per accident)	$	
								$	
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $ 10,000			PHUB351940	7/1/2011	7/1/2012	EACH OCCURRENCE	$	4,000,000
							AGGREGATE	$	4,000,000
								$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WSD500180402	7/1/2011	7/1/2012	X WC STATU-TORY LIMITS OTH-ER		
							E.L. EACH ACCIDENT	$	1,000,000
							E.L. DISEASE - EA EMPLOYEE	$	1,000,000
							E.L. DISEASE - POLICY LIMIT	$	1,000,000
A	Professional Liability and Sexual Abuse Coverage			PHPK743608	7/1/2011	7/1/2012	$1,000,000 Each Occurence $3,000,000 Aggregate		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

*10 DAYS NOTICE OF CANCELLATION FOR NON-PAYMENT OF PREMIUM.

RE: After School Snack Program

The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District are additional insured per the attached

CERTIFICATE HOLDER

City of Moreno Valley Parks and Community Services

14075 Frederick Street
Moreno Valley, CA 92553

Subject

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cyndi Smoot

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Insured: Family Service Association Master # 19124 Cert # 378650

Attachment Page

COMPLETE LISTING OF CERTIFICATE HOLDER and/or ADDITIONAL INSURED:
(additional insureds apply only with respect to coverages marked by "X" under "Addtl Insrd" on the Certificate)

City of Moreno Valley Parks and Community Services
The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District

INSURED: Family Service Association

COMPANY: Philadelphia Indemnity Insurance Company

POLICY #: PHPK743608

POLICY PERIOD: 7/1/2011 TO 7/1/2012

EFFECTIVE DATE: 09/07/2011

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Moreno Valley Parks and Community Services The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or

B. In connection with your premises owned by or rented to you.

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ATTACHMENT A

Exhibit B"

MORENO VALLEY COMMUNITY SERVICES DISTRICT WILL SUPPORT PROGRAM:

Moreno Valley Community Services District agrees to support the ASES snack program with the following:

- By ensuring a site contact person is assigned to sign for snack delivery
- By ensuring the name, schedule and contact information for site contact is communicated to FSA
- By ensuring snack is distributed to students during ASES program
- By ensuring snack is counted daily and documentation regarding disbursement is turned in
- By ensuring fresh fruit is distributed the day after it is delivered to ensure product freshness
- By ensuring all boxes and containers are disposed of

ATTACHMENT A

"Exhibit C"

TERMS OF PAYMENT

1. The Contractor's compensation shall be computed based on a unit price of .72 cents per snack delivered not to exceed $440,640.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the CSD. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the CSD as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Parks and Community Services Department at:

   pattyg@moval.org or calls directed to (951) 413-3726.

3. The Contractor agrees that CSD payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the CSD. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

4. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date

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MV00130584

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00130586

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

RECOMMENDED ACTION

Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

SEE AGENDA ITEM A.7

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MV00130588

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00130590

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: September 27, 2011

TITLE: PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

BACKGROUND AND DISCUSSION

The California Elections Code provides that after each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, and community of interests of the districts. The council must adjust the boundaries of the council districts before the first day of November of the year following the year in which each decennial federal census is taken.

On August 23, 2011, the City Council adopted Resolution No. 2011-93, establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected. Two Citizens' Community Meetings were held on September 12 and 15, 2011 that gave the citizens of Moreno Valley the opportunity to provide input. The on-line redistricting tool was demonstrated by Dave Meyer at both meetings. The public hearings scheduled for September 27, 2011 and October 11, 2011 fulfill the requirements of Elections Code 21601.1, which states that the "council must

hold at least one public hearing on any proposal to adjust boundaries of a district prior to a public hearing at which the council votes to approve or defeat the proposal."

The consultant, Dr. Alan Heslop of National Demographics Corporation (NDC) has made a presentation to the City Council at the July 26, 2011 Special Meeting and August 23, 2011 Regular City Council Meeting.

Four NDC draft plans (maps) and five citizen-drawn plans (maps) have been provided to Council and are attached for review. A brief summary of the four NDC draft plans follows:

Plan 1 - District 3 loses SW corner; District 2 moves south
Plan 2 - District 3 loses a bit of SW but mostly NW, District 2 moves east
Plan 3 – District 3 loses SW corner; District 1 loses north end; District 2 moves south; Highly compact
Plan 4 - District 1 moves east; Most-compact districts; Least change to District 4

NOTIFICATION

Publication of the agenda

ALTERNATIVES

California statutes require a second public hearing. There are no other alternatives in order to comply with applicable state law.

FISCAL IMPACT

This expenditure has been included in the City Clerk's budget for 2011/12 fiscal year. Approved budget is located in: 13110.6291- not to exceed $45,000.00.

ATTACHMENTS/EXHIBITS

1. NDC Powerpoint
2. NDC Memo to Council
3. 2001 Plan and deviation & demographics
4. Plan 1 map & demographics
5. Plan 2 map & demographics
6. Plan 3 map & demographics
7. Plan 4 map & demographics
8. Public Plan 1 map & stats
9. Public Plan 2 map & stats
10. Public Plan 3 map & stats
11. Public Plan 4 map & stats
12. Public Plan 5 map & stats

Prepared By:
Jane Halstead, City Clerk

Department Head Approval:
Jane Halstead, City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130594

City of Moreno Valley 2011

Redis

National
Demographics
Corporation

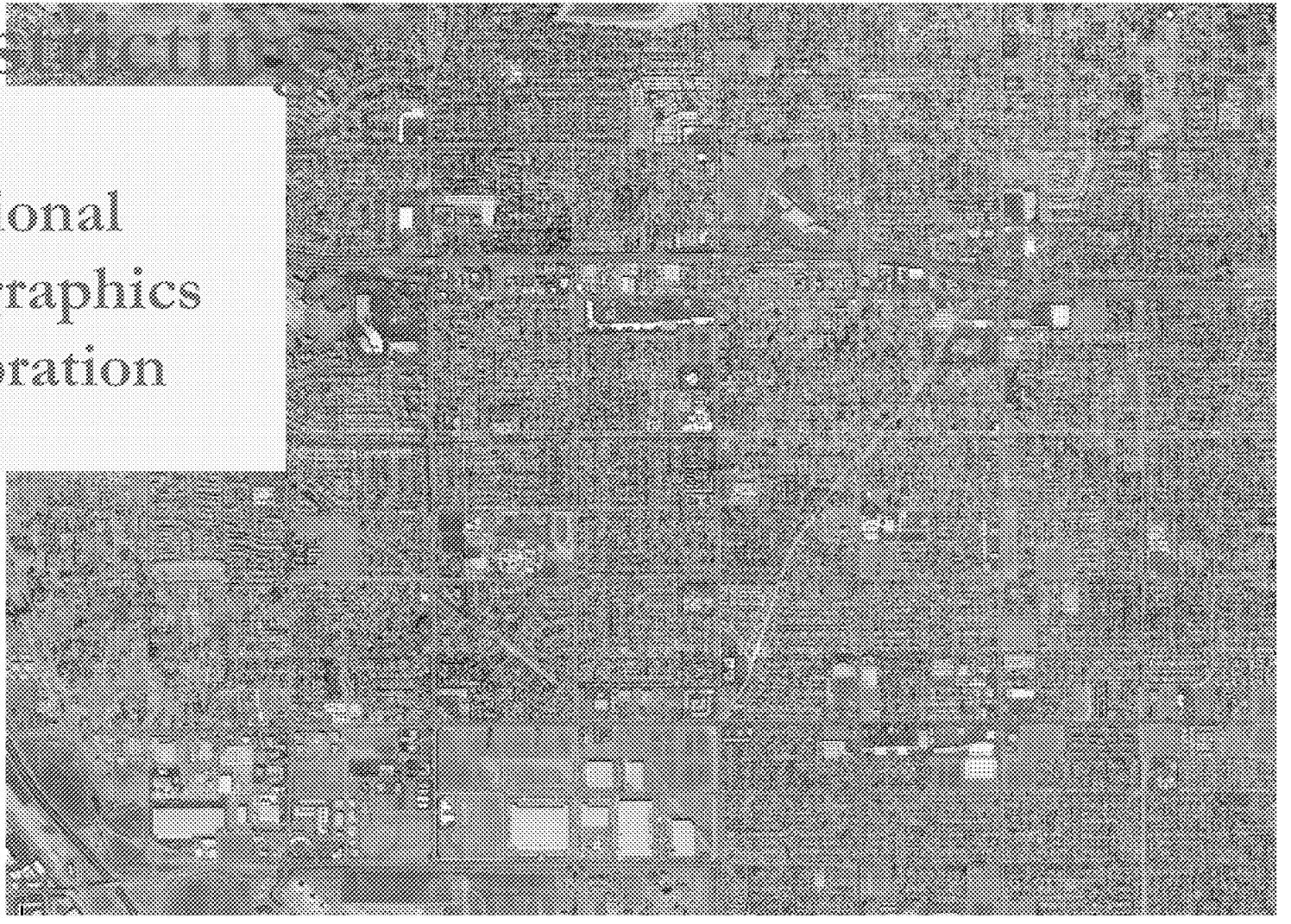

MV00130595

Current Demographics

Based on Census data from the 2010 Decennial Census and the Census Bureau's American Community Survey.

- **2010 Census Population**
  - 2010 Census total: **193,365**
    - + **50,817** (**50.0** %) growth from 2000
    - **54.4** % Hispanic
      - +50,480 (+92.3 %) growth from 2000
    - **18.9** % Non-Hispanic White
      - -9,308 (-25.4 %) from 2000
    - **18.0** % Non-Hispanic Black
    - **8.7** % Other
  - 2010 Census Voting Age Population
    - **49.7** % Hispanic
    - **22.8** % Non-Hispanic White
    - **17.9** % Non-Hispanic Black
    - **10.0** % Other
- **Other Data**
  - Citizen Voting Age Population
    - From ACS: **36.1** % Hispanic
    - From Census Special Tabulation: **36.1** % Hispanic
  - Voter Registration (Nov. 2010)
    - 69,919 Total
    - **34.3** % Hispanic-surname
  - Voter Turnout (Nov. 2010)
    - 32,944 Total
    - **29.8** % Hispanic-surname

MV00130596

Current District Total Population

District	Tot. Pop.	Deviation	Pct. Dev.
1	32,765	-5,908	-15.28%
2	30,723	-7,950	-20.56%
3	58,576	19,903	51.46%
4	34,343	-4,330	-11.20%
5	36,958	-1,715	-4.43%
Total	193,365	27,853	72.02%
Ideal	38,673		

Ideal population = total population / number of districts

MV00130597

Population Deviation

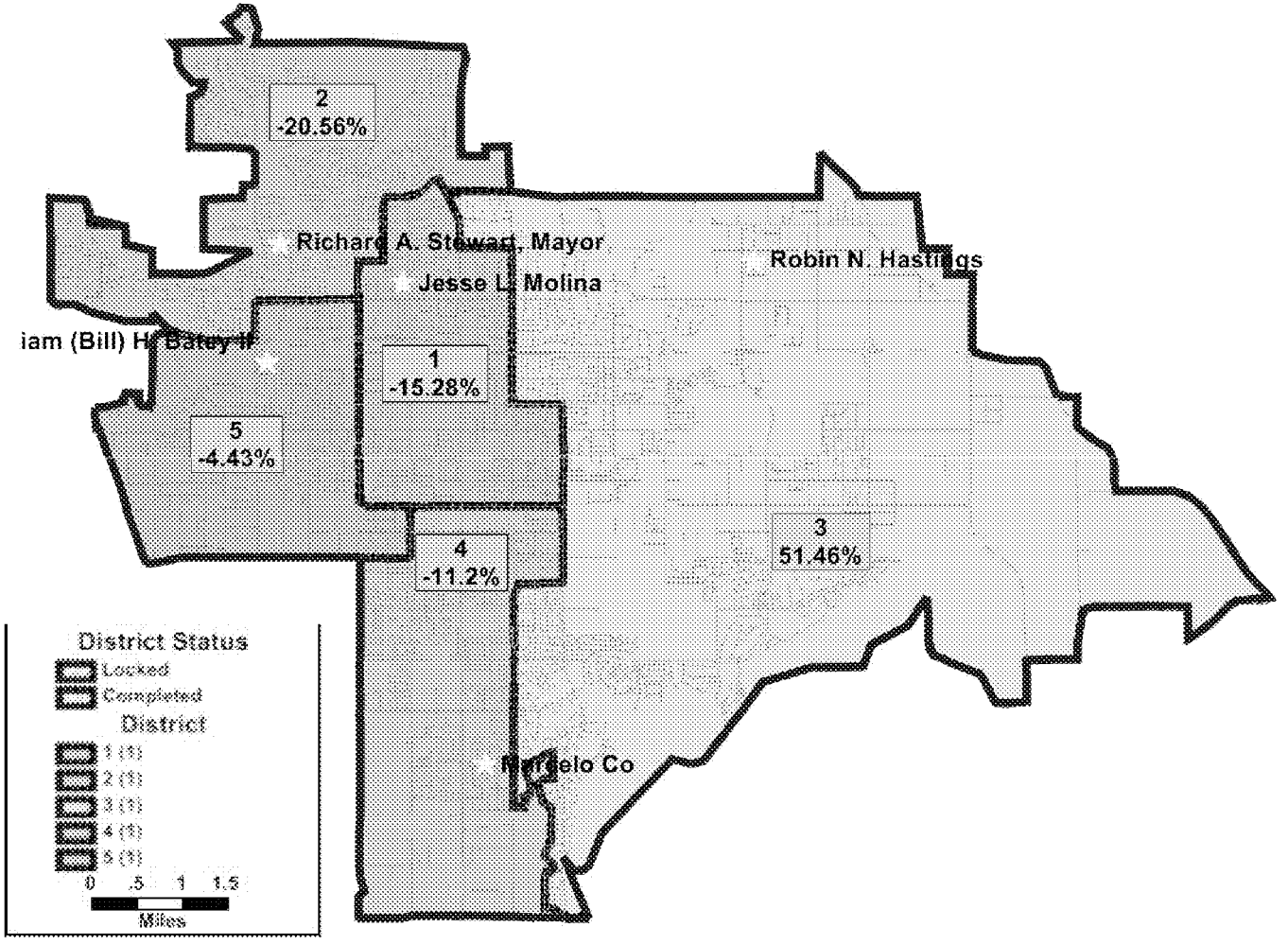

Item No. E.1

MV00130598

Hispanic / Latino Populatior

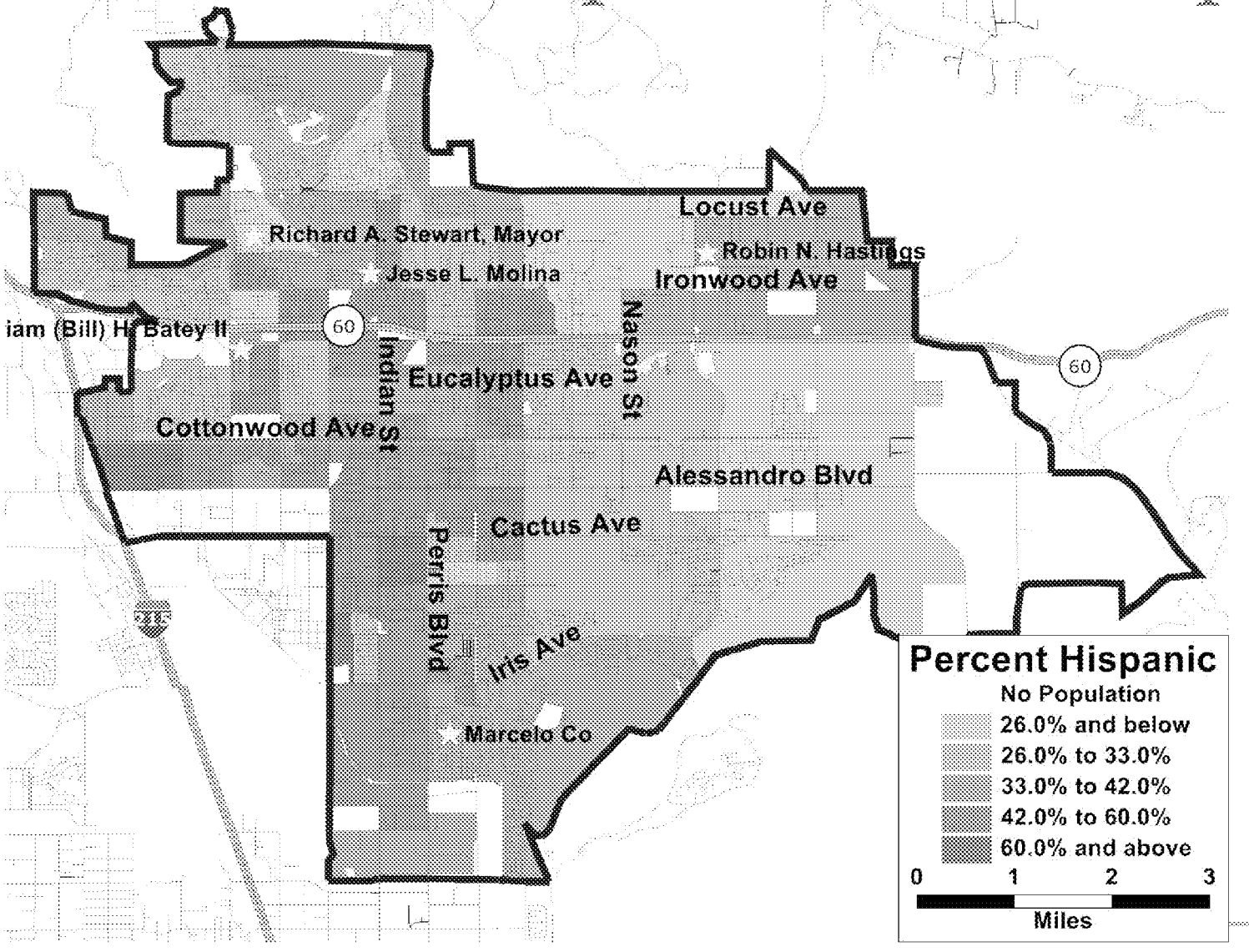

MV00130599

Current District Counts

Plan Name	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,765	-5,908	-15.28%	20,416	5,215	4,934	196	1,406	244	87	267
2	30,723	-7,950	-20.56%	13,540	9,036	5,369	142	2,147	122	59	308
3	58,576	19,903	51.46%	27,094	12,765	12,042	311	5,317	293	188	566
4	34,343	-4,330	-11.20%	21,681	4,691	5,595	114	1,742	177	79	264
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	27,853	72.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vc
1	21,678	12,350	4,323	3,374	143	1,110	168	62	148	10,489	4,018	142	134	276	4,563	1,549	59	57	
2	22,085	8,799	7,392	3,758	114	1,693	85	43	201	14,267	3,985	269	228	497	7,454	1,785	111	104	215
3	40,513	17,090	10,364	8,188	230	4,007	190	133	311	23,080	6,941	490	399	889	11,607	2,994	203	171	374
4	22,551	13,318	3,830	3,642	81	1,358	117	49	156	11,150	4,691	174	192	366	4,962	1,901	62	81	143
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan Name	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,286	6,219	5,227	2,835	651	50	206	100	15,509	6,277	5,293	2,867	623	39	290	328	3,591
2	18,698	5,831	8,058	3,287	1,254	204	0	65	18,568	5,632	8,148	3,212	1,083	121	54	526	3,333
3	29,076	8,963	10,467	6,359	2,570	258	213	260	29,318	9,369	10,226	6,218	2,398	202	260	931	5,723
4	15,368	6,664	4,354	3,113	835	172	41	183	15,166	6,425	4,167	3,128	956	151	55	383	4,302
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,281	31,877	19,760	6,072	559	708	2,705	20,528

MV00130600

Current District Percentages

Plan Name	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	15.9%	15.1%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.1%	29.4%	17.5%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.3%	21.8%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.1%	13.7%	16.3%	0.3%	5.1%	0.5%	0.2%	0.8%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.9%	15.6%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.4%	1.3%	2.6%	33.9%	1.3%	1.2%	2.5%
2	39.8%	33.5%	17.0%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.2%	25.6%	20.2%	0.6%	9.9%	0.5%	0.3%	0.8%	30.1%	2.1%	1.7%	3.9%	25.8%	1.7%	1.5%	3.2%
4	59.1%	17.0%	16.2%	0.4%	6.0%	0.5%	0.2%	0.7%	42.1%	1.6%	1.7%	3.3%	38.3%	1.2%	1.6%	2.9%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan Name	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.5%	40.7%	34.2%	18.5%	4.3%	0.3%	1.3%	0.7%	71.5%	40.5%	34.1%	18.5%	4.0%	0.3%	1.9%	2.1%	23.2%
2	84.7%	31.2%	43.1%	17.6%	6.7%	1.1%	0.0%	0.3%	84.1%	30.3%	43.9%	17.3%	5.8%	0.7%	0.3%	2.8%	18.0%
3	71.8%	30.8%	36.0%	21.9%	8.8%	0.9%	0.7%	0.9%	72.4%	32.0%	34.9%	21.2%	8.2%	0.7%	0.9%	3.2%	19.5%
4	68.1%	43.4%	28.3%	20.3%	5.4%	1.1%	0.3%	1.2%	67.3%	42.4%	27.5%	20.6%	6.3%	1.0%	0.4%	2.5%	28.4%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130601

Redistricting Criteria

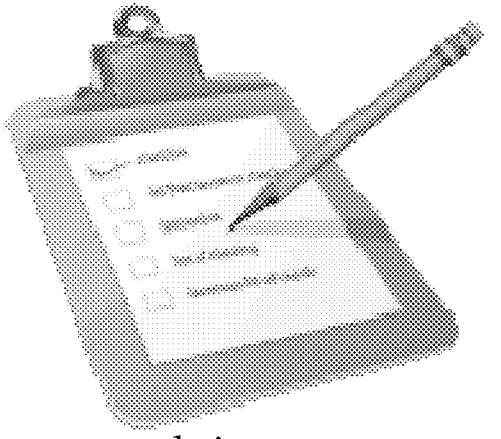

- **Equal Population**
- **Comply with Federal Voting Rights Act**
- **Respect communities of interest**
- **Follow Visible (natural & man-made) boundaries**
  - Make it easy for residents of a district to understand its borders (and to engage their neighbors in precinct walking or other election activities)
  - But do not use Highway 99 – try for districts that combine areas east and west of 99.
- **Compact & contiguous districts**
  - Also makes it easier for voters to understand their district's borders.
- **Continuity in office**
  - Redistricting, an administrative process, should not tell the voters they can no longer elect a candidate they have previously elected (which is what happens when two or more incumbents are "paired").
- **Population growth**
  - Growth is much less certain in 2011 than it was in 2011, so this is harder to justify than it was in 2001.
- **Preserve Core of existing districts**
  - Don't move voters around unless needed to achieve one of the other goals.

MV00130602

Federal Voting Rights Act: Section 2

- **Requires Protected Class populations have an equal opportunity to elect the candidates of their choice**

- **No packing**
- **No cracking**

- **No racial gerrymandering allowed**
  - Focus on communities and neighborhoods, not race/ethnicity

MV00130603

Process (I of III)

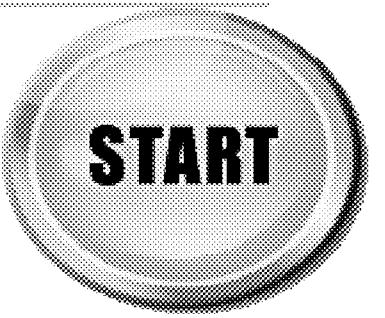

1. **Prepare**
   - Conduct initial demographic analysis
   - Adopt schedule
   - Adopt criteria
   - Launch project website
   - Create public participation kit (paper, excel and/or online)
   - Develop initial draft plans to jump-start discussion

MV00130604

Process (II of III)

2. **Outreach**
   - Educate, engage and empower the public, including:
     - Individuals
     - Community Groups, including "protected class"-focused organizations
     - The media
   - What are your community's "communities of interest"?
     - Which want to be united? Which want to be divided?
   - How well do the current and draft plans meet those goals?
   - Participation kits take the public input beyond just "yes" and "no"

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MV00130605

Process (III of III)

3. **Decide**
   - Plan debate and adoption

4. **Implement**
   - Coordinated with the County Registrar

MV00130606

Item No. E.1

Tools (I of II)

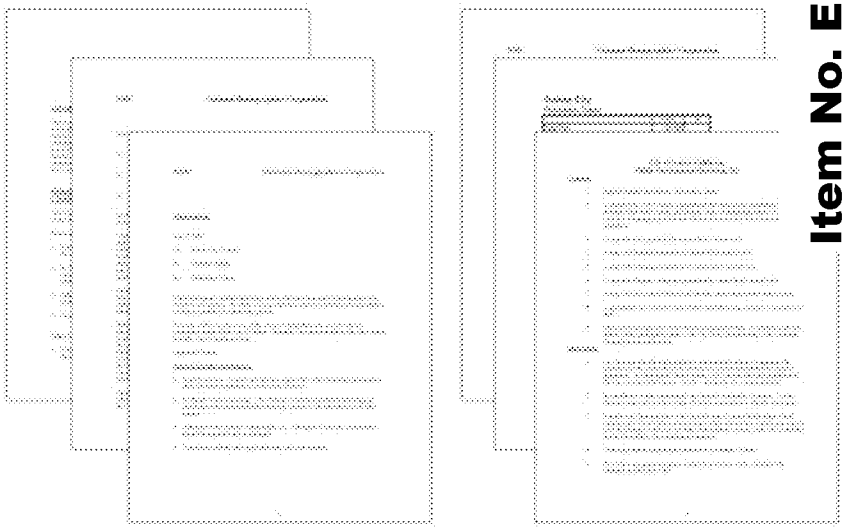

Traditional Redistricting Tools

1. 2010 Census data
2. Project website
3. Media & community education
4. GIS software
5. Information on redistricting, the Voting Rights Act, and how the public can participate
6. Provide paper & Excel public participation kits
7. Email address for public questions and public comment

MV00130607

Tools (II of II)

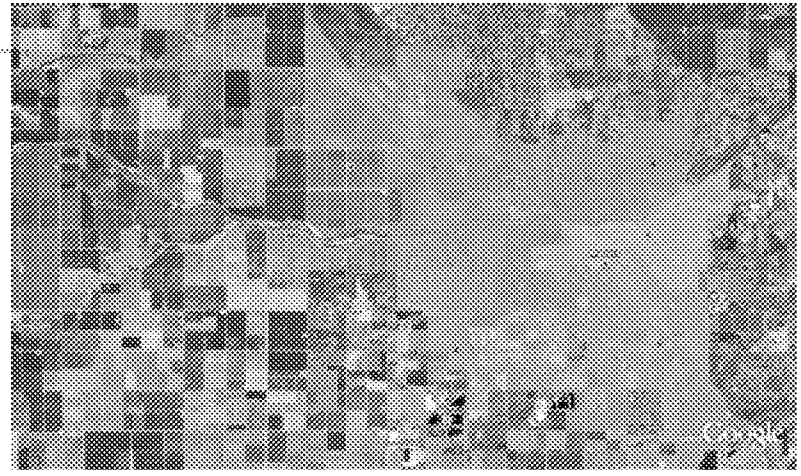

New Tools for 2011

1. American Community Survey data
2. Local GIS data
   - Zoning, homeowner associations, housing developments, neighborhood associations, key facilities, future development areas, school attendance areas, aerial imagery, etc.
3. Live, interactive maps of plans
4. Google Maps and Google Earth plan files

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MV00130608

Draft Plan 1 Map

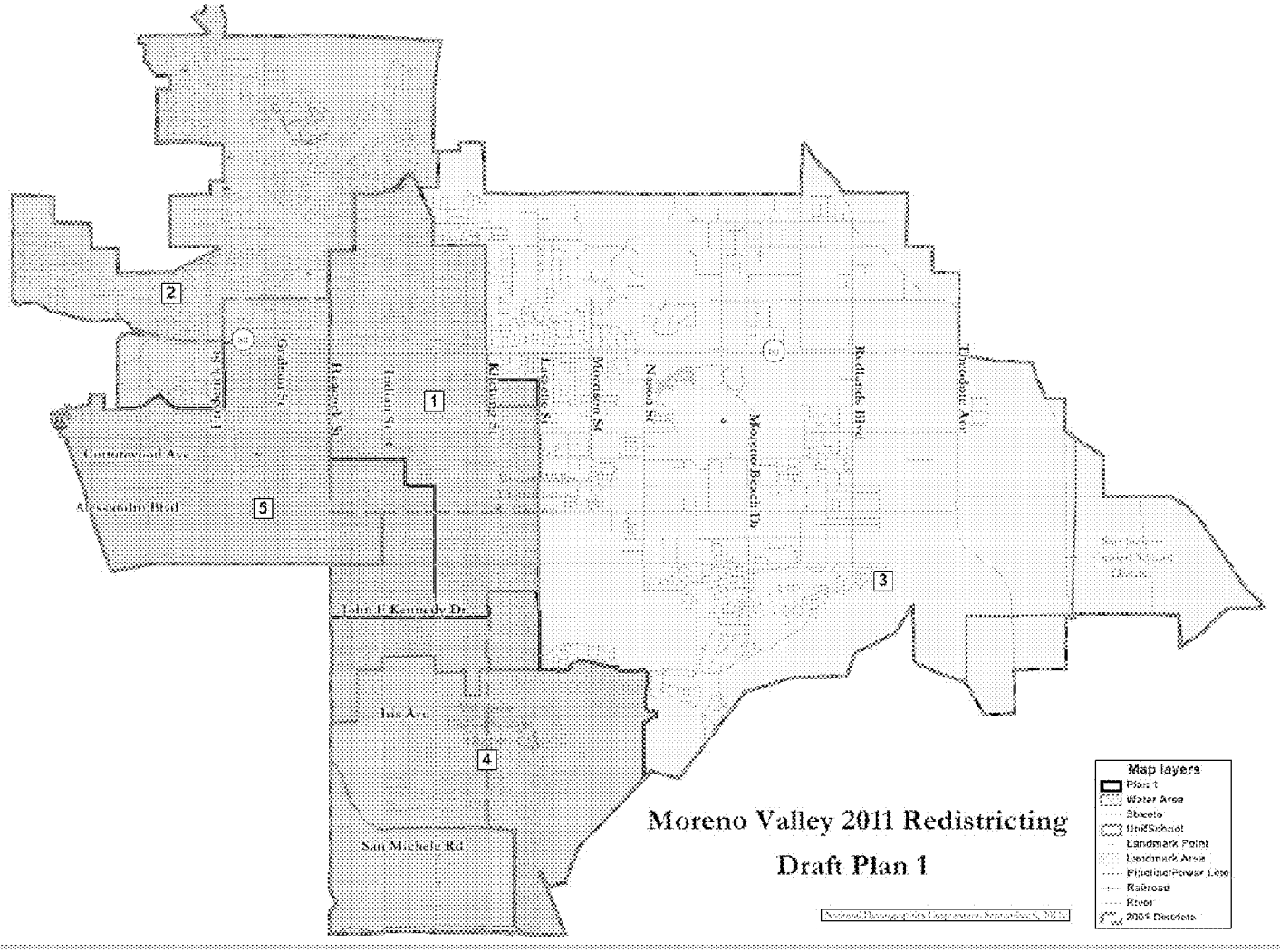

MV00130609

Draft Plan 1 Counts

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130610

Draft Plan 1 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130611

Draft Plan 2 Map

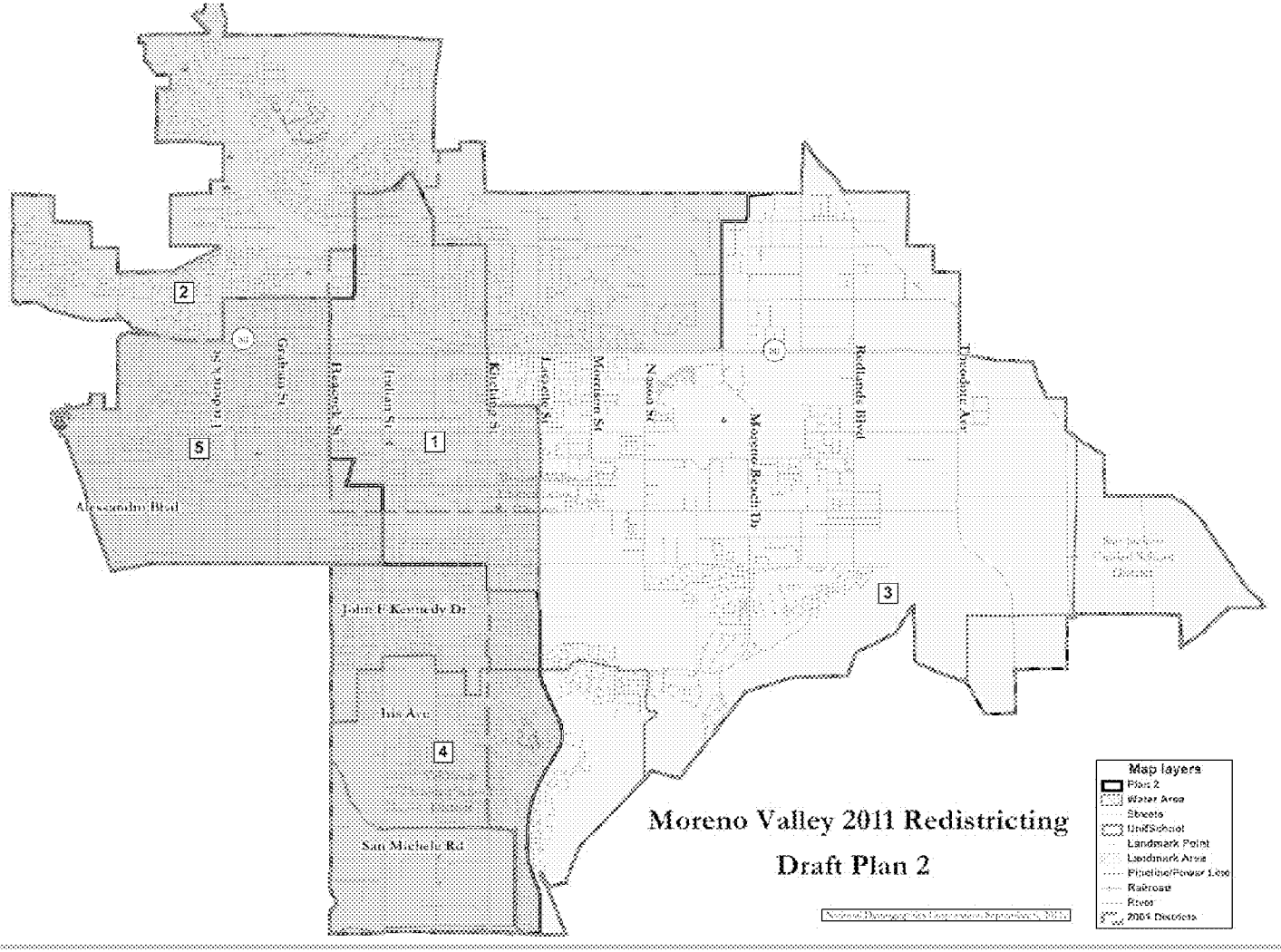

Draft Plan 2 Counts

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
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OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	[illegible]
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130613

Draft Plan 2 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	53.0%	36.0%	2.9%	1.1%	6.4%	0.2%	0.2%	0.2%
2	67.3%	26.2%	3.0%	0.9%	2.4%	0.0%	0.1%	0.1%
3	84.3%	11.5%	2.2%	0.8%	0.8%	0.1%	0.1%	0.3%
4	87.2%	8.2%	3.0%	0.5%	0.9%	0.0%	0.0%	0.1%
5	86.3%	8.6%	3.2%	0.7%	0.7%	0.0%	0.2%	0.2%
6	82.5%	10.8%	3.2%	0.9%	2.0%	0.1%	0.1%	0.4%
Total	76.7%	16.9%	2.9%	0.8%	2.2%	0.1%	0.1%	0.2%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.
1	47.6%	40.9%	3.0%	1.2%	6.7%	0.2%	0.1%	0.3%	36.6%	2.7%	1.1%	62.7%
2	61.2%	32.0%	3.0%	0.9%	2.6%	0.1%	0.1%	0.1%	44.0%	1.0%	1.2%	56.0%
3	80.7%	14.7%	2.3%	0.9%	0.8%	0.2%	0.1%	0.3%	57.2%	0.9%	2.0%	48.1%
4	84.1%	11.2%	3.0%	0.6%	1.0%	0.0%	0.0%	0.1%	64.9%	0.7%	1.1%	40.2%
5	82.5%	11.6%	3.8%	0.8%	0.8%	0.1%	0.2%	0.2%	58.8%	0.7%	1.1%	46.5%
6	78.9%	13.9%	3.4%	0.9%	2.3%	0.1%	0.2%	0.3%	60.9%	1.0%	1.3%	44.4%
Total	71.9%	21.2%	3.1%	0.9%	2.5%	0.1%	0.1%	0.2%	50.0%	1.4%	1.3%	52.4%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth C
1	83.1%	42.0%	48.8%	3.8%	3.4%	1.9%	0.0%	0.0%	79.5%	39.7%	50.7%	4.6%	3.2%	2.0%	0.0%	2.3%	
2	70.6%	42.8%	46.8%	6.8%	3.4%	0.2%	0.0%	0.0%	74.1%	47.1%	43.8%	5.1%	2.6%	1.5%	0.0%	1.6%	
3	42.6%	63.4%	30.4%	2.4%	1.8%	2.0%	0.1%	0.0%	51.8%	57.2%	33.6%	4.3%	2.6%	3.1%	0.1%	3.0%	
4	54.1%	60.4%	29.3%	4.6%	5.1%	0.7%	0.0%	0.0%	48.2%	60.4%	31.0%	4.4%	1.8%	3.8%	0.0%	2.5%	
5	42.5%	54.8%	31.1%	10.8%	1.5%	1.5%	0.0%	0.0%	44.0%	61.0%	25.4%	10.9%	1.5%	1.4%	0.0%	2.2%	
6	50.1%	64.6%	25.2%	9.5%	1.1%	0.0%	0.0%	0.0%	50.2%	59.0%	29.9%	9.3%	1.3%	0.7%	0.0%	1.5%	
Total	57.8%	52.2%	37.9%	6.0%	2.9%	1.1%	0.0%	0.0%	58.5%	51.8%	38.2%	6.1%	2.3%	2.1%	0.0%	2.2%	

MV00130614

Draft Plan 3 Map

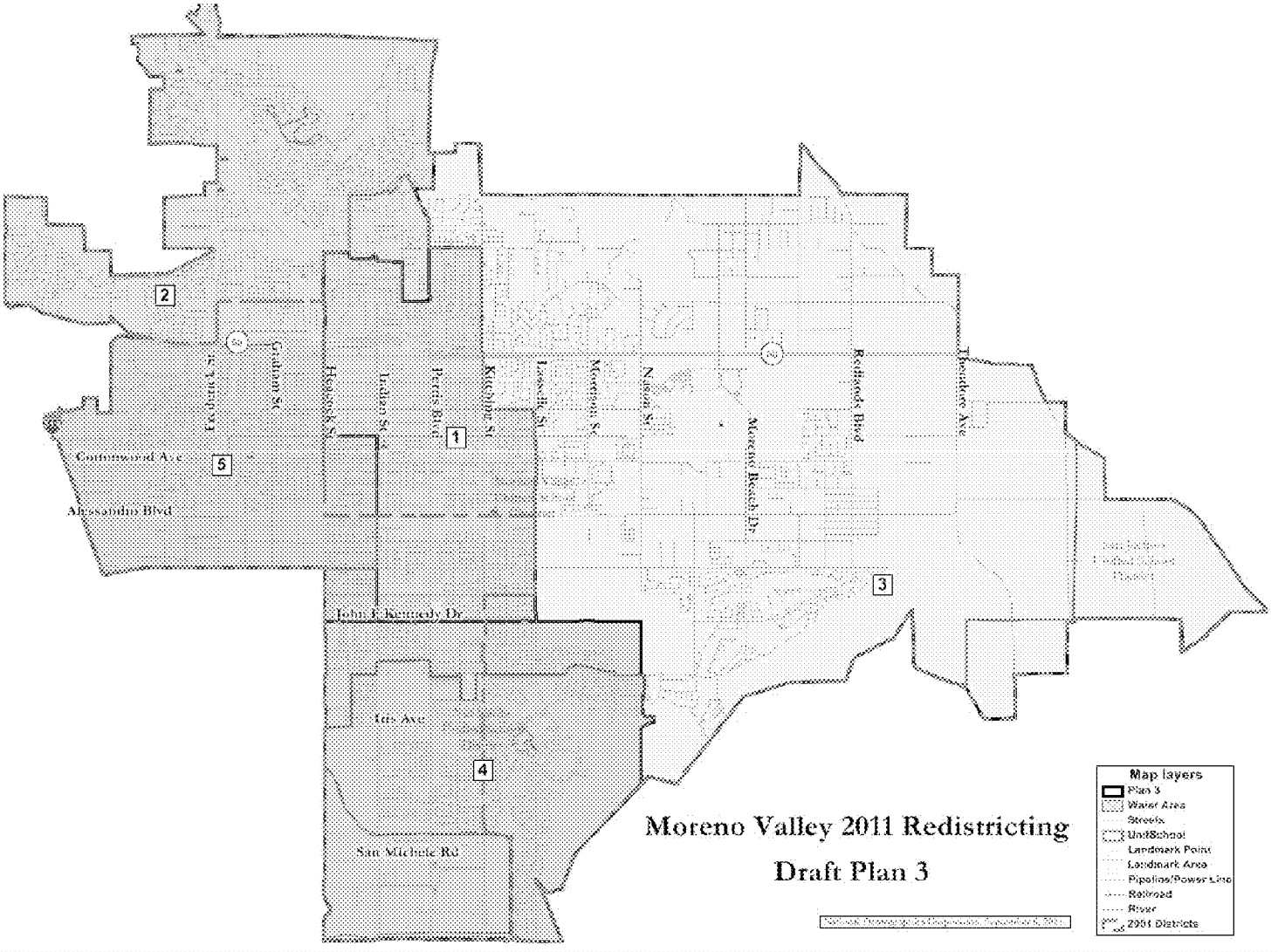

MV00130615

Draft Plan 3 Counts

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Vo
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130616

Draft Plan 3 Percentages

% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

Special Tabulation								Amercian Community Survey (ACS)								
% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130617

Draft Plan 4 Map

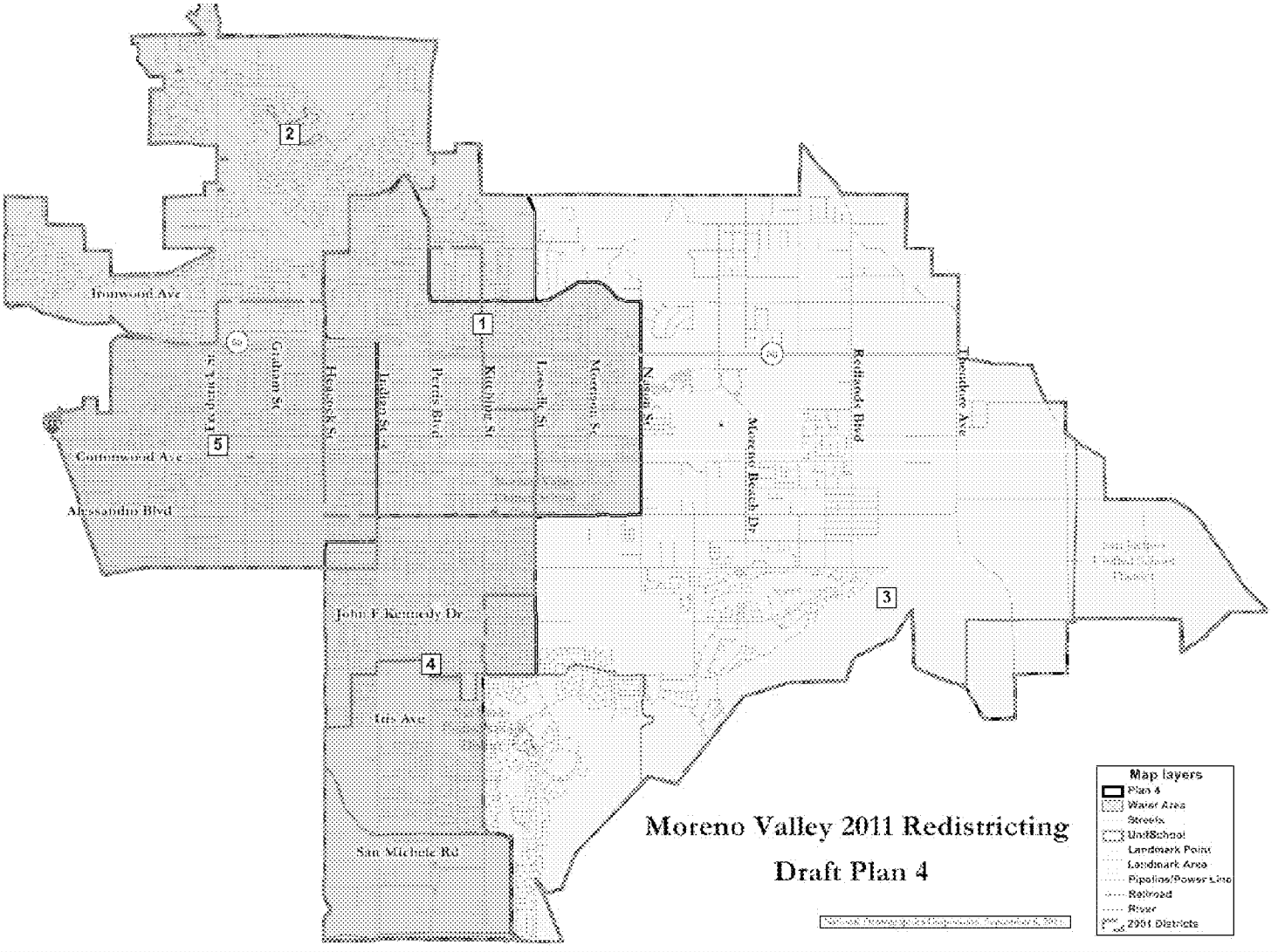

Draft Plan 4 Counts

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Vo
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

Draft Plan 4 Percentages

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	[illegible]
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	

MV00130620

Public Plan 1 Map

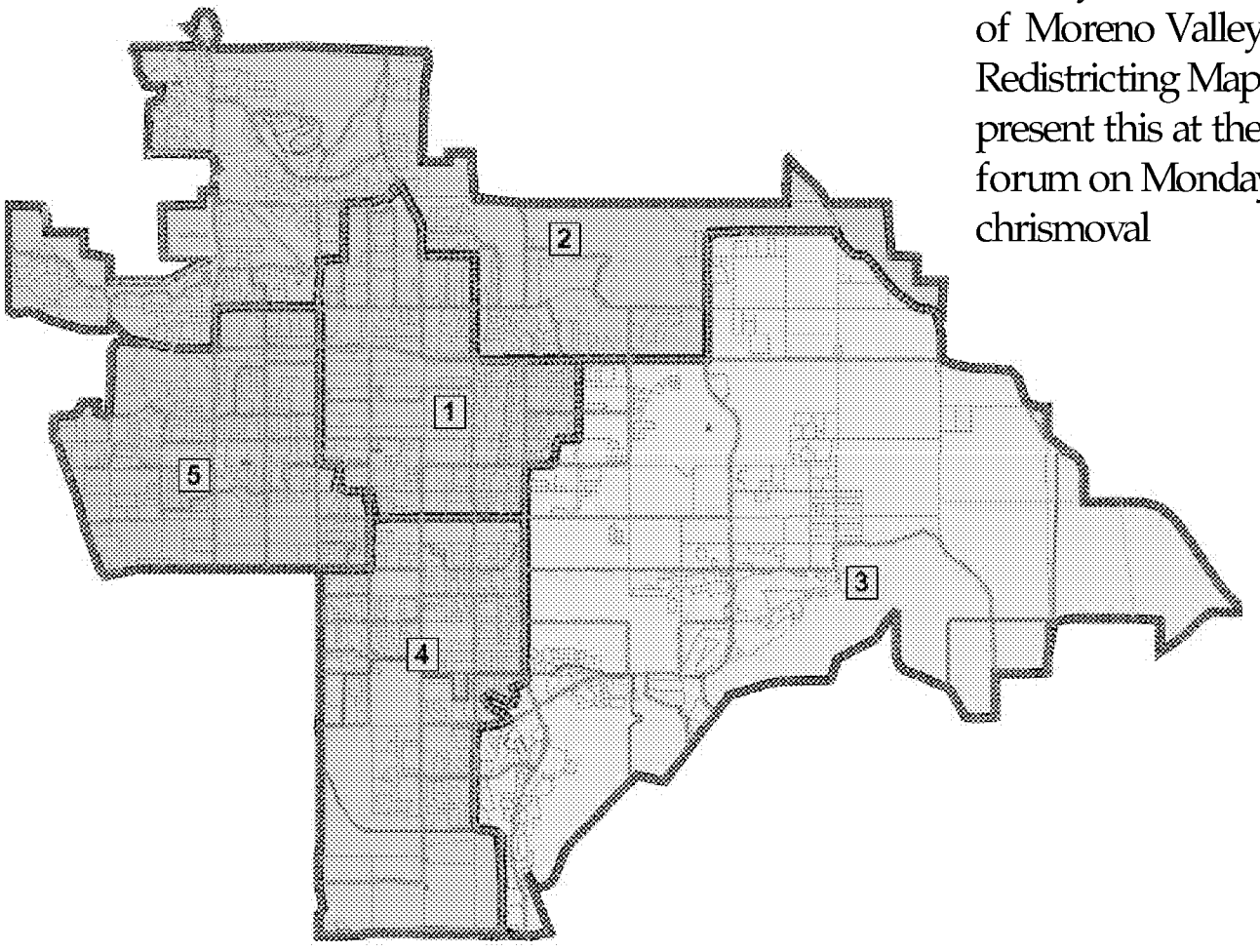

"On behalf of The 2011 Moreno Valley Redistricting Committee I here by submit our proposed City of Moreno Valley City Council Redistricting Map. I would like to present this at the community forum on Monday Sept.12 2011." - chrismoval

Public Plan 1 Counts

Public Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130622

Public Plan 1 Percentages

Public Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130623

Public Plan 2 Map

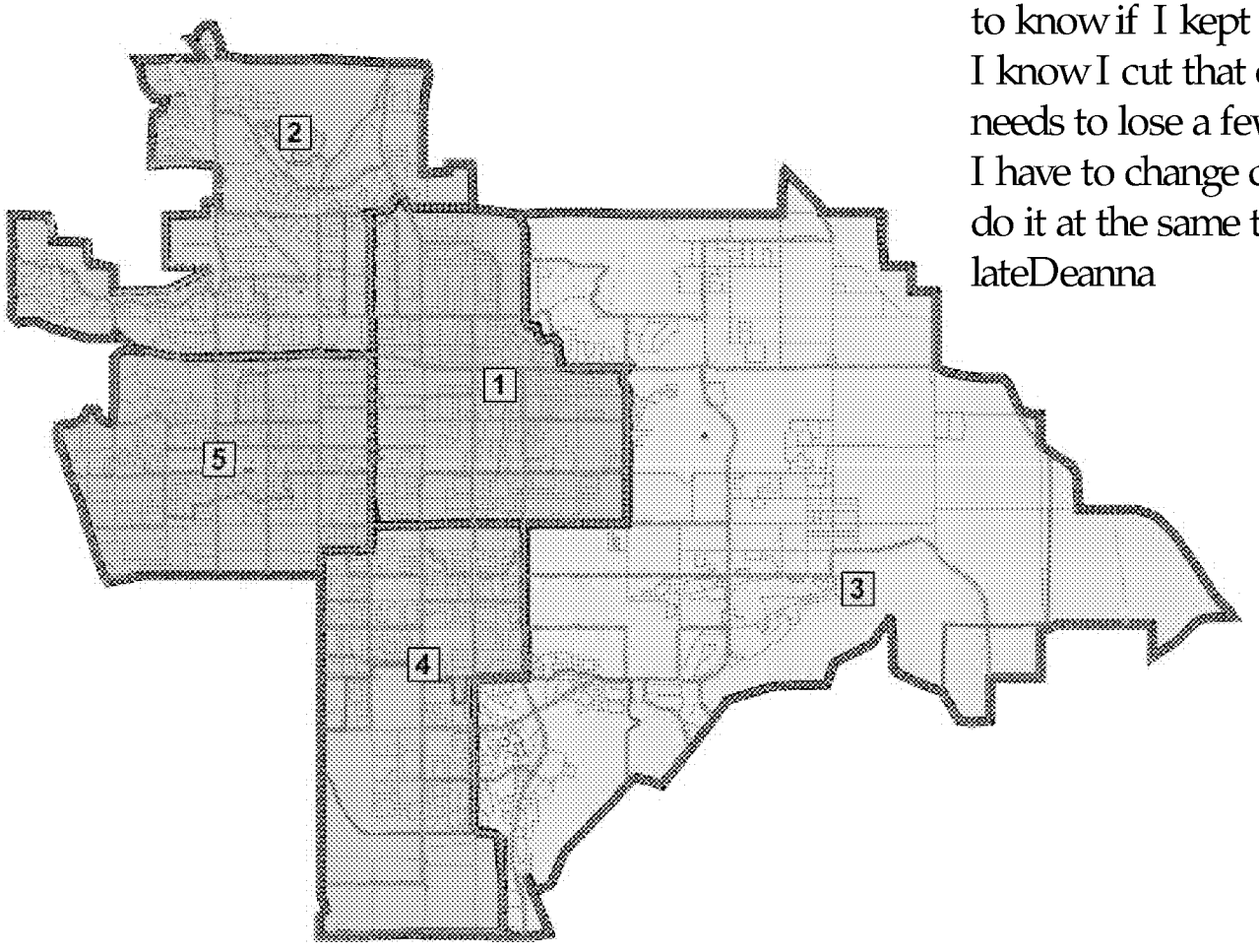

"This is my first preliminary map. What is the excepted plus or minus percentage for population. I really want to know if I kept Molina in his district I know I cut that one close. District 3 needs to lose a few more people but if I have to change district 1 anyway I'll do it at the same time. Thank-you!" - lateDeanna

Public Plan 2 Counts

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 2 Percentages

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

MV00130626

Public Plan 3 Map

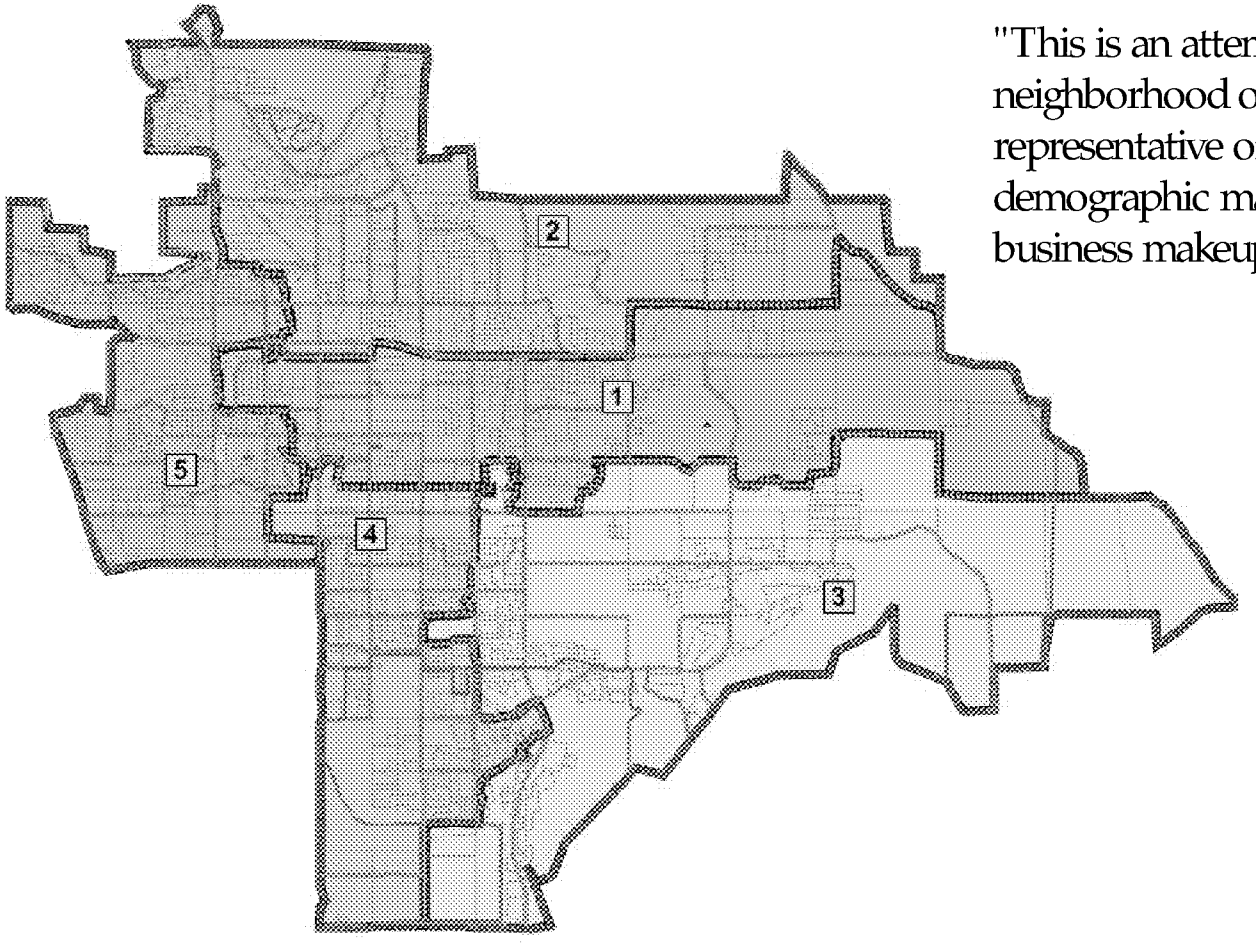

"This is an attempt to construct neighborhood oriented districts which is representative of the districts demographic make up residential and business makeups." - towings

MV00130627

Public Plan 3 Counts

Public Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130628

Public Plan 3 Percentages

Public Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00130629

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MV00130630

September 20, 2011

To: Honorable Mayor Stewart, Mayor Pro Tem Molina and Council Members

Fr: Douglas Johnson, President

National Demographics Corporation (NDC) developed four plans as a way to stimulate public interest in the redistricting process. Each plan was designed to meet the federal mandates (equality of population and compliance with the Voting Rights Act), but the plans differed markedly from one another in the way they attempted to meet the other criteria established by the City. These plans are attached hereto.

NDC has worked closely with City Clerk Jane Halstead and her office. We have been impressed by the City's outreach efforts and the attempt to inform the public of the redistricting process and the opportunities for involvement in it.

Although attendance at the two public meetings was less than hoped for, we are encouraged by the use of the online redistricting system. A total of 24 people have created user IDs to access the system, and they have already submitted four proposed plans. In addition a fifth plan was submitted using the paper version of the public participation kit. We have been impressed, also, by the technical proficiency of some of the citizen plans and the effort they made to meet the criteria established by the City Council. NDC has developed maps and statistics for each of the citizen-drawn plans and they are attached hereto.

NDC staff members will be present at the Council meeting on September 27th. At that time, we hope for Council comments and direction on the four plans developed by NDC, as well as on the public plans. (Please note: Additional plans that may be submitted by citizens will be forwarded directly to the Council as they are received). In light of Councimembers' comments on September 27th, NDC will then develop a plan or plans for a possible decision by Council at a following meeting.

ATTACHMENTS:

- NDC Plan 1 map and demographics
- NDC Plan 2 map and demographics
- NDC Plan 3 map and demographics
- NDC Plan 4 map and demographics
- Public Plan 1 map and demographics("Moreno Valley Redistricting Committee")
- Public Plan 2 map and demographics ("Moreno Valley Redistricting Committee")
- Public Plan 3 map and demographics (Bleckert)
- Public Plan 4 map and demographics (Owing)

Phone: (909) 624-1442
FAX (818) 254-1221

P.O. Box 5271
Glendale, C 1

info@ NDCresearc
www.NDCresearc

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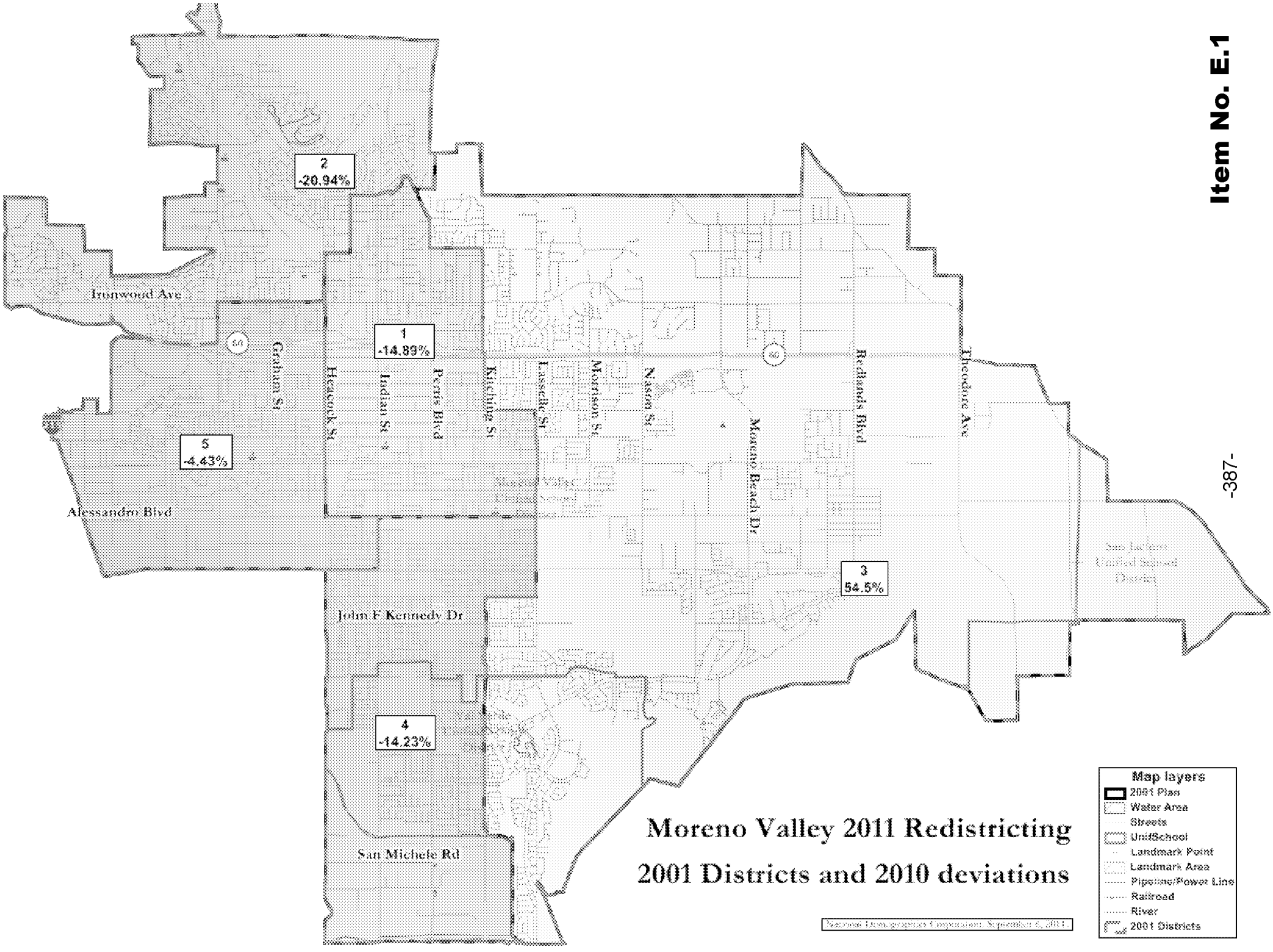
Moreno Valley 2011 Redistricting
2001 Districts and 2010 deviations
1
-14.89%
2
-20.94%
3
54.5%
4
-14.23%
5
-4.43%
Ironwood Ave
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
Alessandro Blvd
John F Kennedy Dr
San Michele Rd
San Jacinto Unified School District
Map layers
2001 Plan
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts

MV00130633

NDC

Moreno Valley 2001 Districts
Demographics

2001 Plan	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,915	-5,758	-14.89%	20,506	5,270	4,930	199	1,412	244	87	267
2	30,573	-8,100	-20.94%	13,450	8,981	5,373	139	2,141	122	59	308
3	59,750	21,077	54.50%	27,708	12,884	12,337	312	5,430	295	190	594
4	33,169	-5,504	-14.23%	21,067	4,572	5,300	113	1,629	175	77	236
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	29,177	75.45%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	21,794	12,416	4,369	3,369	146	1,116	168	62	148	10,535	4,035	142	134	276	4,583	1,557	59	57	116
2	21,969	8,733	7,346	3,763	111	1,687	85	43	201	14,221	3,968	269	228	497	7,434	1,777	111	104	215
3	41,255	17,459	10,458	8,371	231	4,092	191	135	318	23,563	7,129	503	417	920	11,812	3,071	208	177	385
4	21,809	12,949	3,736	3,459	80	1,273	116	47	149	10,667	4,503	161	174	335	4,757	1,824	57	75	132
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
2001 Plan	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,404	6,263	5,286	2,853	648	50	206	99	15,610	6,314	5,343	2,885	622	39	289	329	3,610
2	18,581	5,788	7,999	3,268	1,257	204	0	66	18,466	5,596	8,098	3,194	1,085	121	54	525	3,314
3	29,548	9,120	10,571	6,519	2,614	258	215	266	29,825	9,539	10,374	6,344	2,447	205	261	945	5,834
4	14,895	6,506	4,250	2,953	791	172	39	178	14,659	6,254	4,018	3,003	906	148	53	370	4,191
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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2001 Plan	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	16.0%	15.0%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.0%	29.4%	17.6%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.4%	21.6%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.5%	13.8%	16.0%	0.3%	4.9%	0.5%	0.2%	0.7%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	20.0%	15.5%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.3%	1.3%	2.6%	34.0%	1.3%	1.2%	2.5%
2	39.8%	33.4%	17.1%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.3%	25.3%	20.3%	0.6%	9.9%	0.5%	0.3%	0.8%	30.3%	2.1%	1.8%	3.9%	26.0%	1.8%	1.5%	3.3%
4	59.4%	17.1%	15.9%	0.4%	5.8%	0.5%	0.2%	0.7%	42.2%	1.5%	1.6%	3.1%	38.3%	1.2%	1.6%	2.8%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
2001 Plan	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.7%	40.7%	34.3%	18.5%	4.2%	0.3%	1.3%	0.6%	71.6%	40.4%	34.2%	18.5%	4.0%	0.2%	1.9%	2.1%	23.1%
2	84.6%	31.1%	43.0%	17.6%	6.8%	1.1%	0.0%	0.4%	84.1%	30.3%	43.9%	17.3%	5.9%	0.7%	0.3%	2.8%	17.9%
3	71.6%	30.9%	35.8%	22.1%	8.8%	0.9%	0.7%	0.9%	72.3%	32.0%	34.8%	21.3%	8.2%	0.7%	0.9%	3.2%	19.6%
4	68.3%	43.7%	28.5%	19.8%	5.3%	1.2%	0.3%	1.2%	67.2%	42.7%	27.4%	20.5%	6.2%	1.0%	0.4%	2.5%	28.6%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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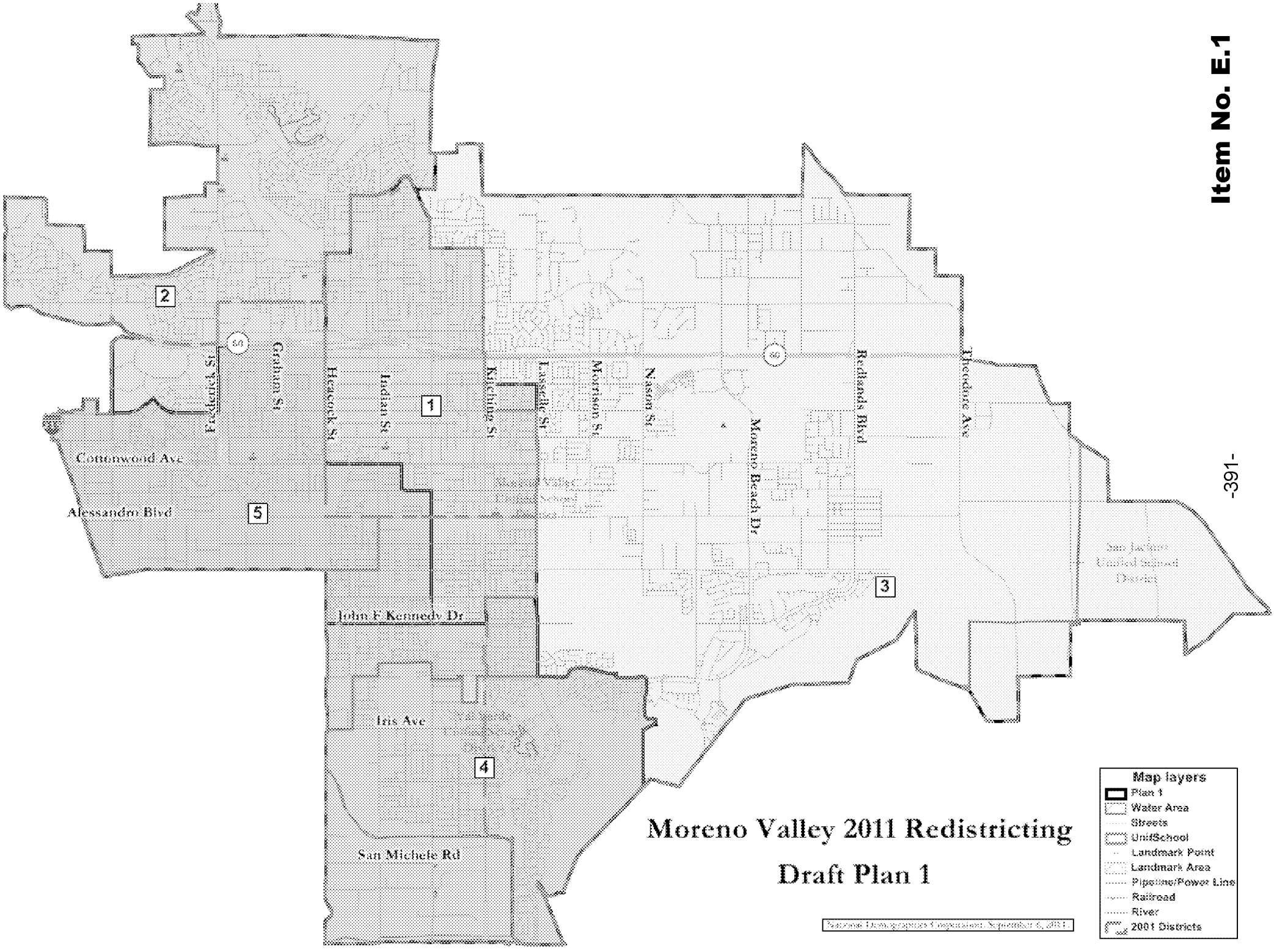
Moreno Valley 2011 Redistricting
Draft Plan 1
Map layers
Plan 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

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NDC

Moreno Valley Plan 1
Demographics

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	141
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.1%	16.4%	15.8%	0.6%	4.5%	0.7%	0.3%	0.8%
2	44.5%	26.5%	20.1%	0.5%	6.7%	0.4%	0.2%	1.0%
3	44.2%	24.9%	18.9%	0.6%	9.6%	0.5%	0.4%	1.0%
4	57.3%	13.8%	20.3%	0.4%	6.6%	0.5%	0.2%	0.9%
5	65.1%	13.0%	14.7%	0.4%	5.2%	0.7%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.0%	20.4%	16.0%	0.6%	5.4%	0.7%	0.3%	0.6%	37.7%	1.3%	1.3%	2.6%	33.6%	1.1%	1.4%	2.5%
2	40.4%	30.6%	19.4%	0.5%	7.5%	0.4%	0.2%	1.0%	28.3%	1.9%	1.6%	3.5%	24.3%	1.5%	1.4%	2.9%
3	40.0%	28.8%	18.6%	0.6%	10.3%	0.4%	0.4%	0.8%	28.7%	2.2%	1.6%	3.9%	24.1%	1.8%	1.4%	3.2%
4	53.4%	16.8%	20.2%	0.4%	7.6%	0.6%	0.3%	0.7%	38.0%	1.9%	2.0%	3.9%	34.7%	1.6%	1.7%	3.3%
5	60.2%	16.4%	15.1%	0.4%	6.3%	0.7%	0.2%	0.7%	42.9%	1.9%	1.5%	3.3%	39.1%	1.5%	1.3%	2.8%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.5%	40.7%	33.6%	18.8%	4.7%	0.6%	1.1%	0.6%	73.3%	41.1%	32.9%	19.0%	4.6%	0.4%	1.6%	1.9%	23.0%
2	82.8%	31.4%	40.6%	19.7%	6.8%	0.9%	0.3%	0.4%	82.4%	30.7%	41.1%	19.3%	6.0%	0.6%	0.5%	3.0%	16.8%
3	73.9%	29.1%	39.0%	20.4%	9.0%	1.1%	0.9%	0.5%	74.1%	30.8%	37.6%	19.6%	7.7%	0.8%	1.2%	3.5%	18.4%
4	66.5%	37.6%	29.3%	23.4%	7.0%	0.5%	0.2%	1.9%	66.3%	35.9%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.5%	44.5%	24.0%	24.9%	5.6%	0.6%	0.1%	0.3%	66.1%	44.4%	22.9%	24.3%	5.7%	0.6%	0.2%	2.9%	27.5%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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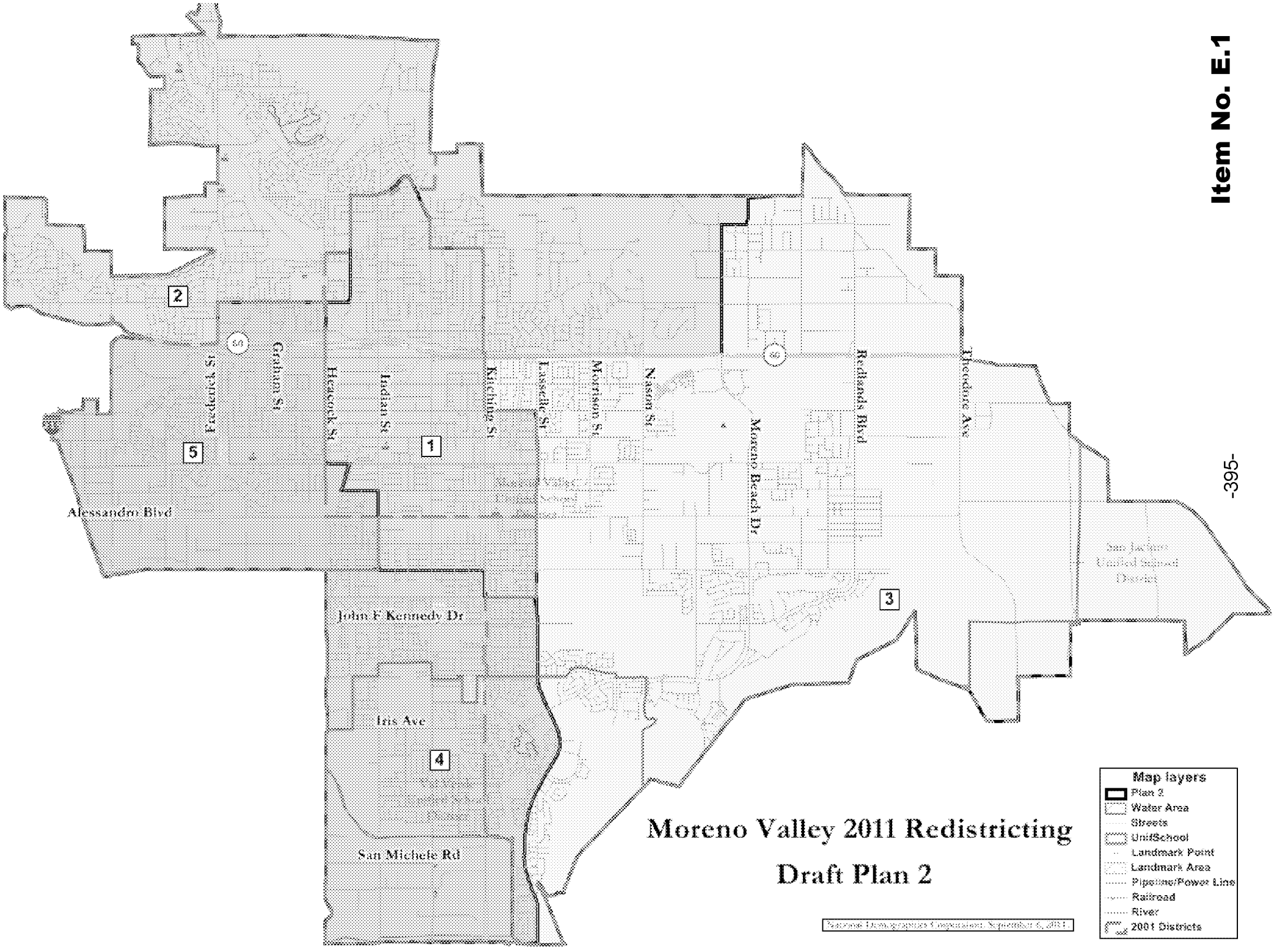
Moreno Valley 2011 Redistricting
Draft Plan 2
Map layers
Plan 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Graham St
Perendel St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Moreno Valley Plan 2
Demographics

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	138
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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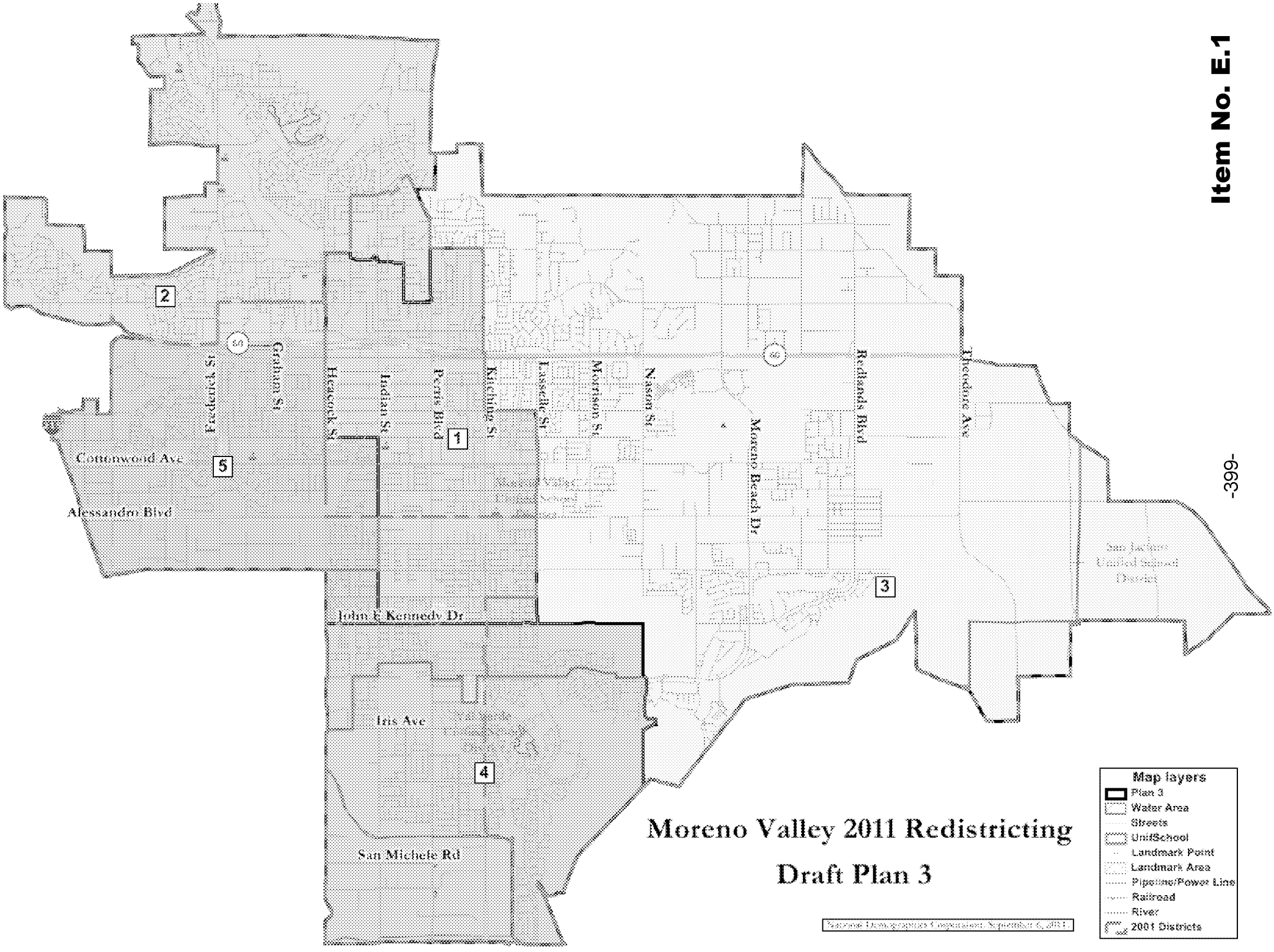
Moreno Valley 2011 Redistricting
Draft Plan 3
Map layers
Plan 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Pendleton St
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Moreno Valley Plan 3
Demographics

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
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Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
2	45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
3	44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
4	56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
5	63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
2	40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
3	40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
4	52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
5	58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
2	84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
3	74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
4	66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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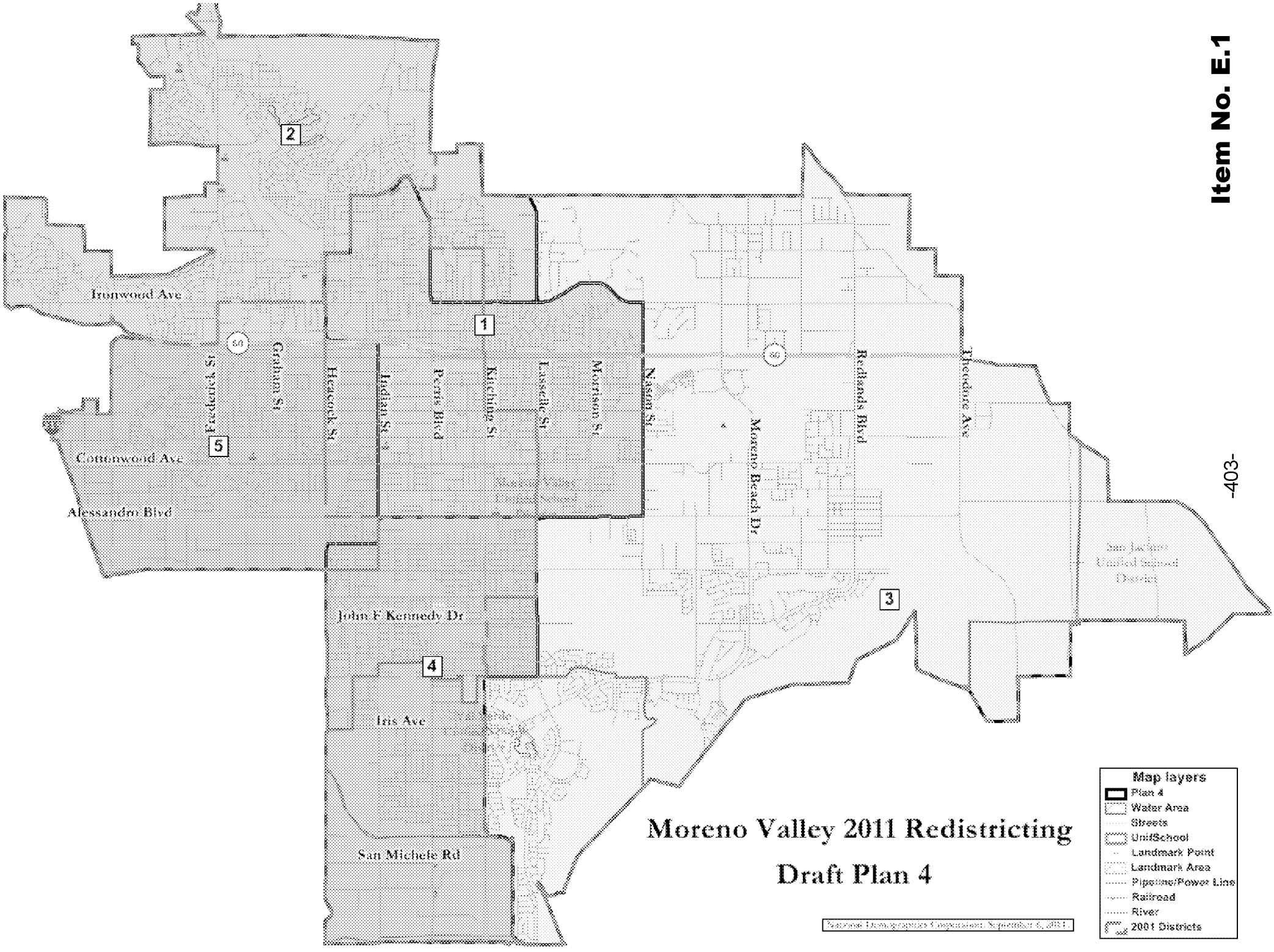
Moreno Valley 2011 Redistricting
Draft Plan 4
Map layers
Plan 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Moreno Valley Plan 4
Demographics

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00130650

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	16.9%
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	19.4%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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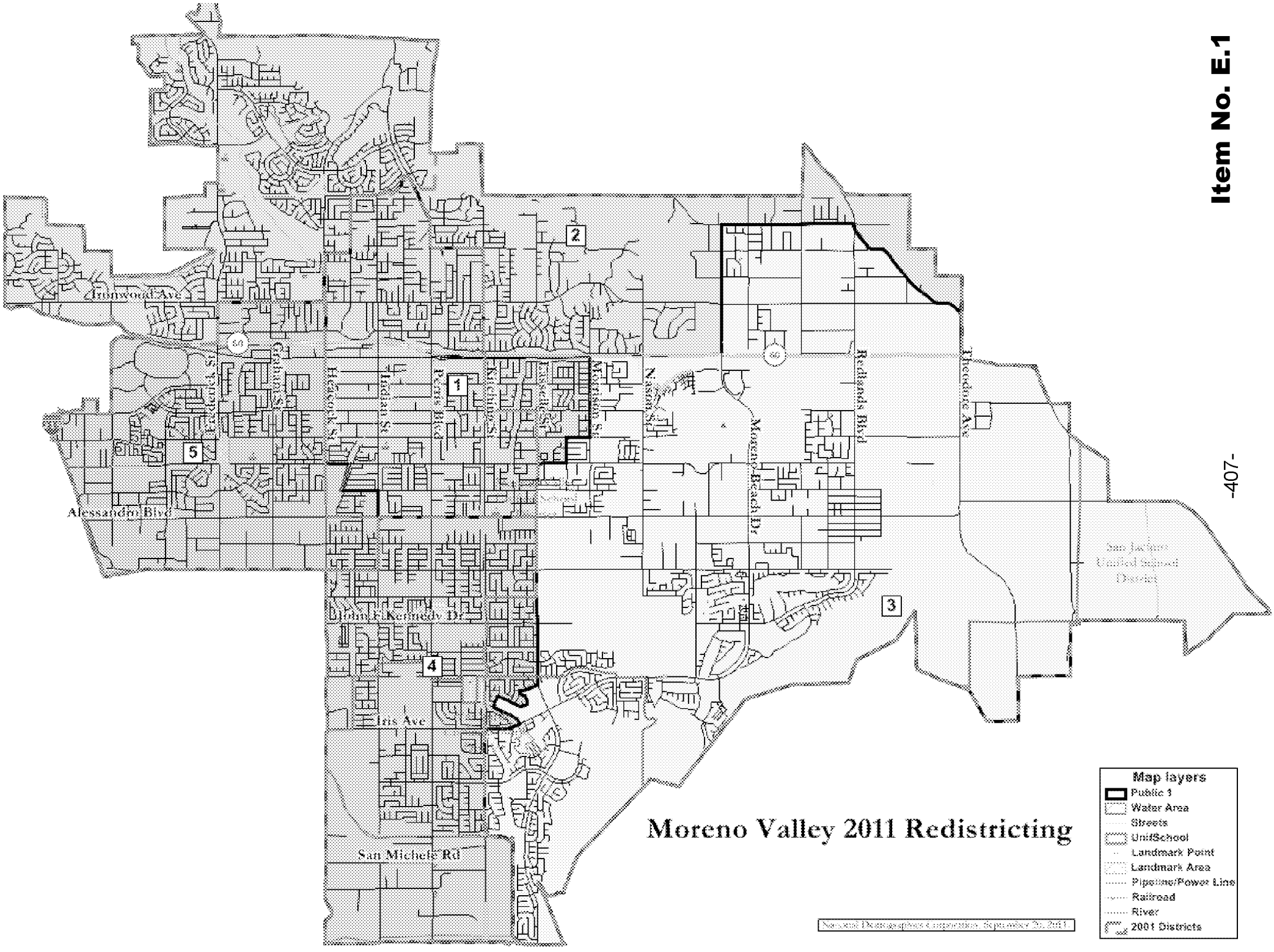
Moreno Valley 2011 Redistricting
Map layers
Public 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

NDC

Public Plan 1
Demographics

Pub. Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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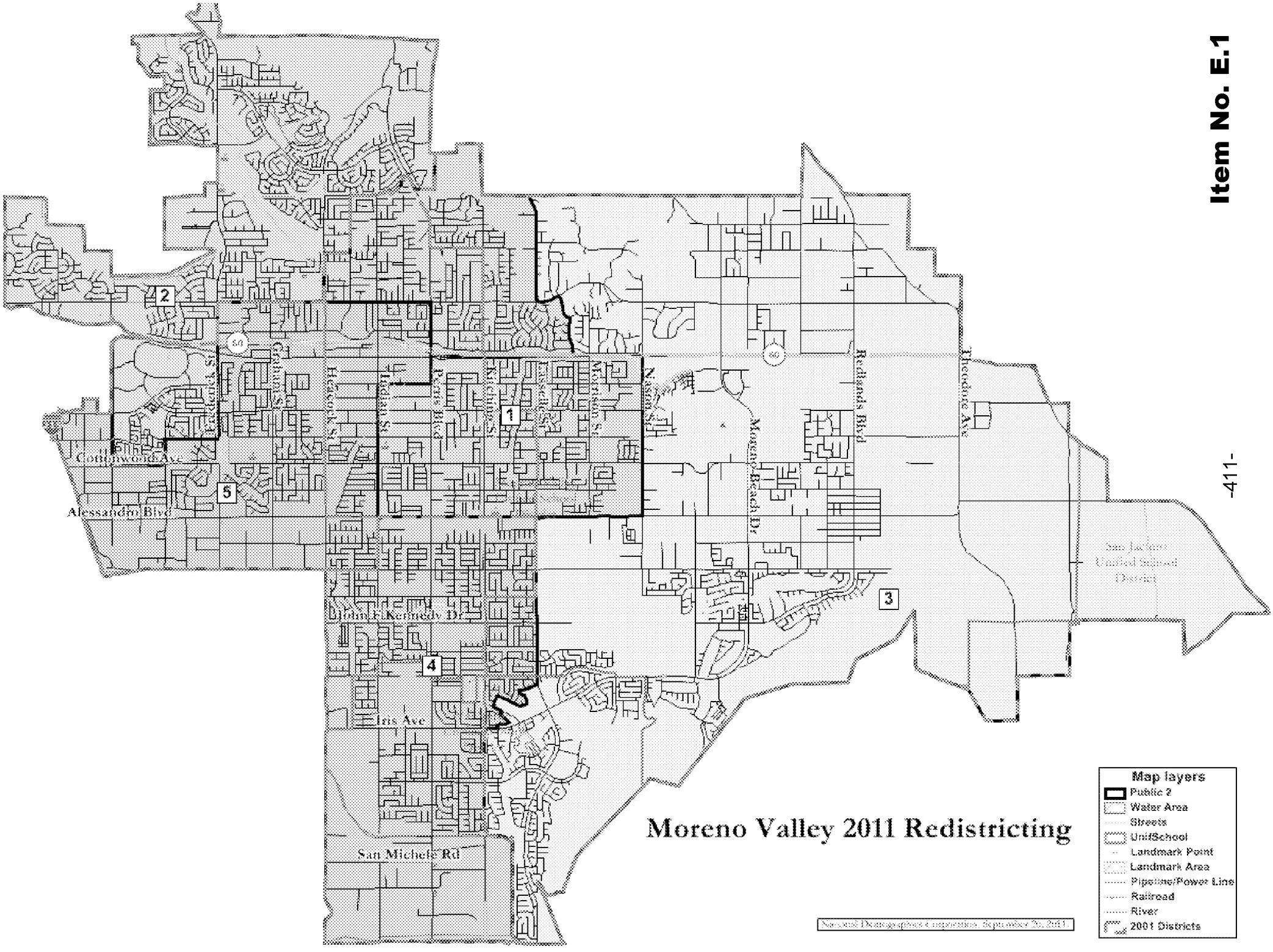
Moreno Valley 2011 Redistricting
Map layers
Public 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Cottonwood Ave
Graham St
Heacock St
Lindsay St
Perris Blvd
Kitchener St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00130657

NDC

Public Plan 2
Demographics

Pub. Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,796	123	0.32%	22,173	7,301	5,917	249	2,477	237	117	325
2	38,840	167	0.43%	17,371	10,226	7,229	177	3,194	140	78	425
3	38,078	-595	-1.54%	16,012	8,760	8,571	170	3,827	214	120	404
4	38,679	6	0.02%	24,231	5,519	6,368	154	1,831	203	93	280
5	38,972	299	0.77%	25,382	4,767	6,643	163	1,303	306	72	336
Total	193,365	894	2.31%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,500	13,877	5,986	4,138	183	1,883	167	76	190	14,308	5,121	276	182	458	6,886	2,164	105	83	188
2	27,581	11,188	8,294	4,997	134	2,536	100	54	278	16,888	4,934	395	297	692	8,450	2,138	140	125	265
3	26,425	10,088	7,100	5,769	129	2,893	141	94	211	15,053	4,243	333	302	635	7,574	1,821	147	122	269
4	25,569	14,932	4,546	4,180	106	1,439	136	57	173	12,785	5,250	179	202	381	5,759	2,139	61	87	148
5	24,794	14,924	3,937	4,347	130	1,048	186	51	171	10,885	4,412	117	134	251	4,275	1,550	50	57	107
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,779	7,397	6,668	4,169	997	110	367	68	19,905	7,285	6,878	3,869	1,055	75	361	545	4,327
2	21,923	6,863	8,885	4,251	1,631	204	0	88	21,807	6,672	8,940	4,182	1,462	121	54	597	3,900
3	18,175	5,147	6,819	3,820	1,931	179	42	244	18,896	5,878	6,847	3,924	1,612	153	135	592	3,636
4	17,825	7,517	5,347	3,560	982	187	41	186	17,229	7,117	4,769	3,639	1,158	160	61	436	4,755
5	17,369	7,414	4,600	4,377	804	23	70	98	17,191	7,328	4,443	4,146	786	50	97	536	3,910
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.2%	18.8%	15.3%	0.6%	6.4%	0.6%	0.3%	0.8%
2	44.7%	26.3%	18.6%	0.5%	8.2%	0.4%	0.2%	1.1%
3	42.1%	23.0%	22.5%	0.4%	10.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.7%	0.5%	0.2%	0.7%
5	65.1%	12.2%	17.0%	0.4%	3.3%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.4%	22.6%	15.6%	0.7%	7.1%	0.6%	0.3%	0.7%	35.8%	1.9%	1.3%	3.2%	31.4%	1.5%	1.2%	2.7%
2	40.6%	30.1%	18.1%	0.5%	9.2%	0.4%	0.2%	1.0%	29.2%	2.3%	1.8%	4.1%	25.3%	1.7%	1.5%	3.1%
3	38.2%	26.9%	21.8%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.2%	2.0%	4.2%	24.0%	1.9%	1.6%	3.6%
4	58.4%	17.8%	16.3%	0.4%	5.6%	0.5%	0.2%	0.7%	41.1%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	60.2%	15.9%	17.5%	0.5%	4.2%	0.8%	0.2%	0.7%	40.5%	1.1%	1.2%	2.3%	36.3%	1.2%	1.3%	2.5%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.6%	37.4%	33.7%	21.1%	5.0%	0.6%	1.9%	0.3%	75.1%	36.6%	34.6%	19.4%	5.3%	0.4%	1.8%	2.7%	21.7%
2	79.5%	31.3%	40.5%	19.4%	7.4%	0.9%	0.0%	0.4%	79.1%	30.6%	41.0%	19.2%	6.7%	0.6%	0.2%	2.7%	17.9%
3	68.8%	28.3%	37.5%	21.0%	10.6%	1.0%	0.2%	1.3%	71.5%	31.1%	36.2%	20.8%	8.5%	0.8%	0.7%	3.1%	19.2%
4	69.7%	42.2%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	70.1%	42.7%	26.5%	25.2%	4.6%	0.1%	0.4%	0.6%	69.3%	42.6%	25.8%	24.1%	4.6%	0.3%	0.6%	3.1%	22.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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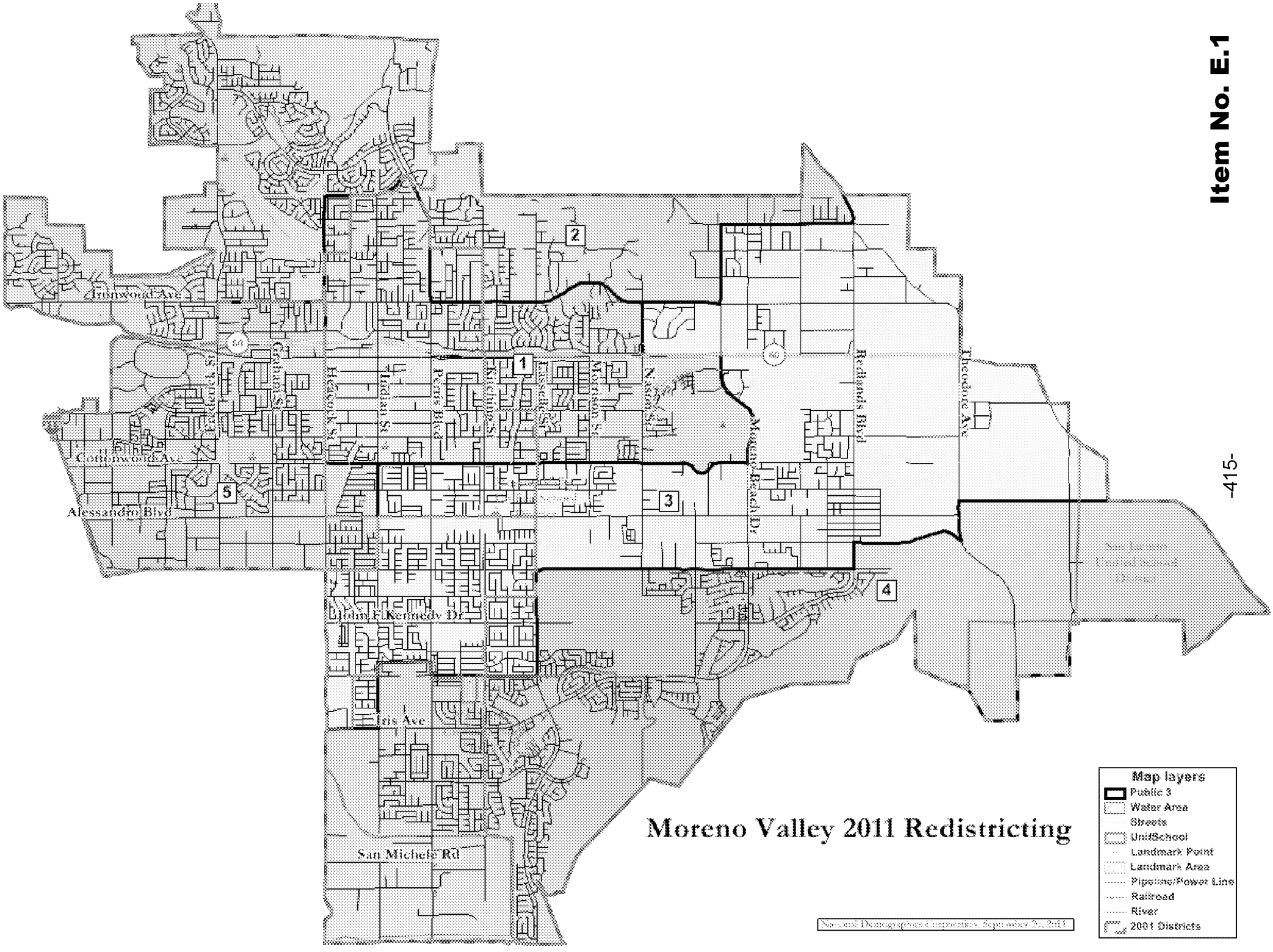
Moreno Valley 2011 Redistricting
Map layers
Public 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

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Public Plan 3
Demographics

Pub. Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	40,047	1,374	3.55%	23,337	7,050	6,329	250	2,368	232	124	357
2	33,724	-4,949	-12.80%	14,620	10,386	5,657	164	2,372	131	63	331
3	41,248	2,575	6.66%	24,589	7,521	6,126	195	2,173	221	111	312
4	38,875	202	0.52%	18,585	6,434	9,430	143	3,571	226	105	381
5	39,471	798	2.06%	24,038	5,182	7,186	161	2,148	290	77	389
Total	193,365	7,524	19.46%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,947	14,318	5,756	4,389	197	1,829	163	88	207	13,735	4,894	222	210	432	6,321	1,989	89	97	186
2	24,509	9,568	8,590	4,008	127	1,864	94	45	213	16,118	4,379	309	237	546	8,645	1,982	123	107	230
3	27,723	15,215	6,242	4,051	138	1,681	147	73	176	14,598	5,649	180	208	388	6,856	2,312	74	94	168
4	26,123	11,558	5,081	6,248	99	2,706	147	75	209	13,868	4,432	353	290	643	6,512	1,844	141	112	253
5	25,567	14,350	4,194	4,735	121	1,719	179	51	218	11,600	4,606	236	172	408	4,610	1,685	76	64	140
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,662	7,428	6,706	4,165	1,038	61	139	121	19,682	7,373	6,817	3,899	959	75	235	541	3,961
2	21,021	6,314	9,283	3,563	1,366	253	170	69	20,718	6,250	9,027	3,536	1,212	131	164	640	3,722
3	19,409	7,563	6,876	3,308	1,128	290	104	145	19,422	7,719	6,225	3,687	1,149	216	172	475	5,031
4	17,606	6,007	5,015	4,436	1,752	80	47	274	17,863	5,951	5,512	4,174	1,665	91	88	498	3,974
5	17,373	7,026	4,440	4,704	1,061	20	60	75	17,343	6,988	4,295	4,464	1,087	46	50	552	3,839
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.8%	0.6%	5.9%	0.6%	0.3%	0.9%
2	43.4%	30.8%	16.8%	0.5%	7.0%	0.4%	0.2%	1.0%
3	59.6%	18.2%	14.9%	0.5%	5.3%	0.5%	0.3%	0.8%
4	47.8%	16.6%	24.3%	0.4%	9.2%	0.6%	0.3%	1.0%
5	60.9%	13.1%	18.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.1%	21.4%	16.3%	0.7%	6.8%	0.6%	0.3%	0.8%	35.6%	1.6%	1.5%	3.1%	31.5%	1.4%	1.5%	2.9%
2	39.0%	35.0%	16.4%	0.5%	7.6%	0.4%	0.2%	0.9%	27.2%	1.9%	1.5%	3.4%	22.9%	1.4%	1.2%	2.7%
3	54.9%	22.5%	14.6%	0.5%	6.1%	0.5%	0.3%	0.6%	38.7%	1.2%	1.4%	2.7%	33.7%	1.1%	1.4%	2.5%
4	44.2%	19.5%	23.9%	0.4%	10.4%	0.6%	0.3%	0.8%	32.0%	2.5%	2.1%	4.6%	28.3%	2.2%	1.7%	3.9%
5	56.1%	16.4%	18.5%	0.5%	6.7%	0.7%	0.2%	0.9%	39.7%	2.0%	1.5%	3.5%	36.6%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.0%	37.8%	34.1%	21.2%	5.3%	0.3%	0.7%	0.6%	73.0%	37.5%	34.6%	19.8%	4.9%	0.4%	1.2%	2.7%	20.1%
2	85.8%	30.0%	44.2%	16.9%	6.5%	1.2%	0.8%	0.3%	84.5%	30.2%	43.6%	17.1%	5.9%	0.6%	0.8%	3.1%	18.0%
3	70.0%	39.0%	35.4%	17.0%	5.8%	1.5%	0.5%	0.7%	70.1%	39.7%	32.1%	19.0%	5.9%	1.1%	0.9%	2.4%	25.9%
4	67.4%	34.1%	28.5%	25.2%	10.0%	0.5%	0.3%	1.6%	68.4%	33.3%	30.9%	23.4%	9.3%	0.5%	0.5%	2.8%	22.3%
5	67.9%	40.4%	25.6%	27.1%	6.1%	0.1%	0.3%	0.4%	67.8%	40.3%	24.8%	25.7%	6.3%	0.3%	0.3%	3.2%	22.1%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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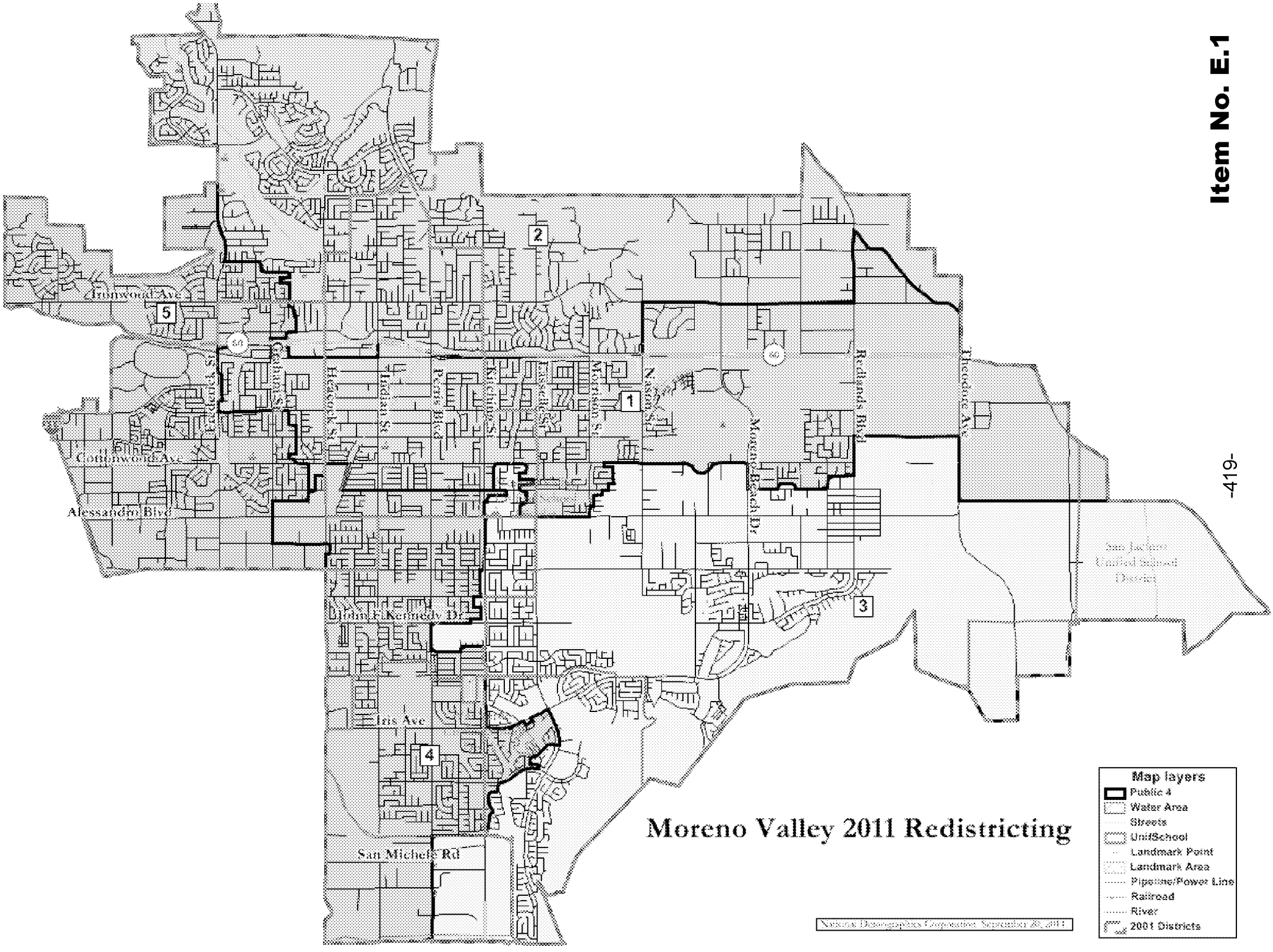
Moreno Valley 2011 Redistricting
Map layers
Public 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District
National Demographics Corporation September 8, 2011

MV00130665

Public Plan 4 - Owings
Demographics

Pub. Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Public Plan 4 - Owings
Demographics

Pub. Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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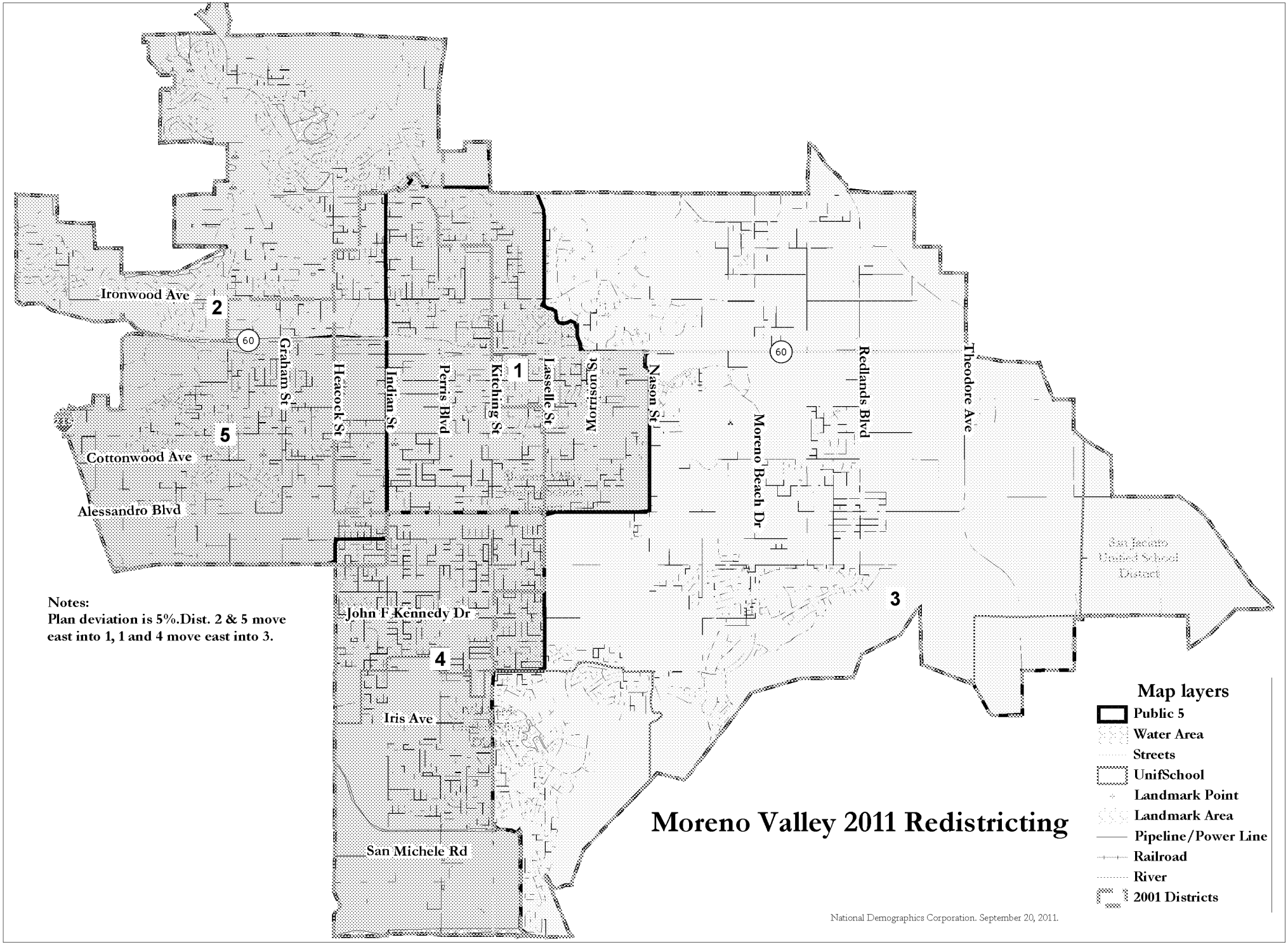
Moreno Valley 2011 Redistricting
Notes:
Plan deviation is 5%.Dist. 2 & 5 move east into 1, 1 and 4 move east into 3.
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
John F Kennedy Dr
Iris Ave
San Michele Rd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
60
1
2
3
4
5
San Jacinto United School District
Map layers
Public 5
Water Area
Streets
UnifSchool
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
National Demographics Corporation. September 20, 2011.

MV00130669

Pub. Plan 5	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,368	-305	-0.79%	22,056	6,878	6,089	224	2,430	238	114	339
2	38,178	-495	-1.28%	17,347	10,448	7,200	200	2,373	158	73	379
3	40,050	1,377	3.56%	17,034	9,026	9,097	183	3,934	223	135	418
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,872	4.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,147	13,808	12,339	5,637	4,140	108	1,716	155	65	14,065	5,063	255	189	444	6,709	2,136	99	88	187
2	26,978	11,071	15,907	8,546	4,778	101	1,698	94	38	16,541	4,653	305	245	550	8,374	2,012	123	107	230
3	27,765	10,721	17,044	7,329	5,987	86	2,790	129	83	15,876	4,496	335	323	658	7,969	1,921	148	128	276
4	25,316	14,911	10,405	4,507	3,918	63	1,355	128	46	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	10,165	3,844	4,006	73	1,542	162	44	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	65,860	29,863	22,829	431	9,101	668	276	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 5	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,521	7,384	6,427	4,150	1,008	111	375	68	19,545	7,245	6,574	3,837	1,064	79	399	518	4,175
2	22,818	7,229	9,534	4,304	1,397	206	62	81	22,790	7,072	9,674	4,231	1,203	143	113	673	3,846
3	19,259	5,566	7,139	4,091	2,004	180	42	244	19,840	6,200	7,142	4,139	1,696	157	137	620	3,836
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 5	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.5%	17.9%	15.9%	0.6%	6.3%	0.6%	0.3%	0.9%
2	45.4%	27.4%	18.9%	0.5%	6.2%	0.4%	0.2%	1.0%
3	42.5%	22.5%	22.7%	0.5%	9.8%	0.6%	0.3%	1.0%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.8%	47.2%	21.6%	15.8%	0.4%	6.6%	0.6%	0.2%	36.0%	1.8%	1.3%	3.2%	31.8%	1.5%	1.3%	2.8%
2	41.0%	59.0%	31.7%	17.7%	0.4%	6.3%	0.3%	0.1%	28.1%	1.8%	1.5%	3.3%	24.0%	1.5%	1.3%	2.7%
3	38.6%	61.4%	26.4%	21.6%	0.3%	10.0%	0.5%	0.3%	28.3%	2.1%	2.0%	4.1%	24.1%	1.9%	1.6%	3.5%
4	58.9%	41.1%	17.8%	15.5%	0.2%	5.4%	0.5%	0.2%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	41.2%	15.6%	16.2%	0.3%	6.3%	0.7%	0.2%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	50.3%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 5	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.7%	37.8%	32.9%	21.3%	5.2%	0.6%	1.9%	0.3%	74.8%	37.1%	33.6%	19.6%	5.4%	0.4%	2.0%	2.6%	21.4%
2	84.6%	31.7%	41.8%	18.9%	6.1%	0.9%	0.3%	0.4%	84.5%	31.0%	42.4%	18.6%	5.3%	0.6%	0.5%	3.0%	16.9%
3	69.4%	28.9%	37.1%	21.2%	10.4%	0.9%	0.2%	1.3%	71.5%	31.2%	36.0%	20.9%	8.5%	0.8%	0.7%	3.1%	19.3%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

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MV00130674

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: September 27, 2011

TITLE: MEDIA AND COMMUNICATIONS STRATEGY

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed Media and Communications Strategy.

BACKGROUND

At the May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image. An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business*. One of the five action steps included in the plan was to improve the City's marketing and communication efforts. The proposed Media and Communication Strategy addresses the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

DISCUSSION

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly

positive reality that we recognize. Understanding that perception oftentimes equals reality, the proposed Media and Communication Strategy (attached) aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure accurate information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley. As indicated in the attached plan, each action has been assigned to the appropriate department for implementation.

ALTERNATIVES

1) Approve the proposed Media and Communications Strategy. *Staff recommends this alternative as the proposed strategy helps address the Council's expressed goals of enhancing the City's image, expanding communication outreach to the public and improving the City's marketing and communication efforts (one of the adopted action steps to make Moreno Valley a Best Place to do Business.)*

2) Not approve the proposed Media and Communications Strategy. *Staff does not recommend this alternative as the proposed strategy is a task related to the Council-adopted goal to enhance the City's image and is part of the Council-adopted action steps to make Moreno Valley a Best Place to do Business.*

FISCAL IMPACT

Implementing the proposed Media and Communications Strategy will have no fiscal impact as all of the strategies and action items can be executed within the adopted budget.

COUNCIL GOALS

Positive Environment: Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and

executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The proposed Media and Communications Strategy assists in addressing the City Council's goal of enhancing the City's image and implements the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business.* The proposed strategy will help enhance the City's efforts in economic development and in making Moreno Valley a great place to live, visit, work and do business.

ATTACHMENT

Proposed Media and Communications Strategy

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130678

Introduction

At their May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image (see Attachment "A"). An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business* (Attachment "B"). One of the five action steps included in the plan was to improve the City's marketing and communication efforts. This Media and Communication Strategy address the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly positive reality that we recognize. Understanding that perception oftentimes equals reality, this Media and Communication Strategy aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure <u>accurate</u> information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley.

Target Audience

Communicating accurate information to better promote Moreno Valley is everybody's job. By providing target audiences with timely and informative news about their community we can help ensure that our many positives outweigh the periodic negative items that occur in every community. It is critical that the City clearly communicates information to the community in a helpful, accessible, consistent, and unintimidating manner to ensure that the citizens, businesses, and visitors to Moreno Valley feel welcome and engaged within in our community.

Primary Target Audience

The primary target audiences for an effective media and communications strategy are the groups of people with whom the City wishes to regularly communicate on a variety of topics and issues:

- Residents of Moreno Valley
- City Council, Commissions, and Committees
- Non-profit organizations
- County, State, and Federal representatives
- Community groups and organizations
- News media
- Development community
- Chambers of Commerce
- Existing businesses, property owners, and managers
- Public agencies
- Employees
- Regional organizations and agencies
- Volunteers
- School Districts
- Visitors to Moreno Valley

Secondary Target Audience

The secondary target audiences are groups with which the City communicates on a semi-regular basis:

- Businesses in neighboring cities and communities
- Other government television stations
- Residents living in neighboring cities and communities
- Future or potential residents

Goals, Strategies and Actions

With the understanding that a Media and Communications Strategy that builds on strong themes is more effective than a program with scattered and unrelated messages, key themes will be communicated frequently in a variety of ways utilizing simple messages. It is important that all communications reinforce and reflect the goals and target issues of the City as established by the City Council, underscoring the idea of an organization with its focus on "people, pride and progress."

Goal 1: Ensure Accurate Information is Disseminated to the Public

Accuracy is the most basic, and also the most critical, element in communicating effectively. The following goals and strategies will assist in ensuring that accurate and timely information is being provided by the City:

Strategy: Ensure continuity of message.

Action:

- **Review and reinforce City administrative policy #2.5, "Public Information & Media Relations"** (Attachment "C"), which establishes procedures and guidelines for the coordination and dissemination of information to the public on behalf of the City. In order to ensure accuracy and continuity of message, all departments will observe this policy, with particular attention to the following (Assigned to: All Departments):

  All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

Strategy: Ensure that the City's Website contains current information and continue to enhance the site to improve user-friendliness

Actions:

- **Perform an audit of the City's website** to ensure that it is user friendly and data rich, and identify areas where processes can be clarified (Assigned to: City Manager's Office and the Community and Economic Development Department)
- **Review the City's main web page daily** for current content and remove any outdated content immediately (Assigned to: City Manager's Office)
- **Reactivate the City's Media Liaison Team**
  - Update the current Media Liaison list to include one representative from each Department that is responsible to maintain the information on their department web pages (Assigned to: City Manager's Office)
  - Team will participate in regular meetings (Assigned to: All Departments)
  - Team will work together to improve the utilization of social media sources (Assigned to: All Departments)
  - Solicit article ideas for submission to various business journals, government magazines, and other news media to promote City programs and events (Assigned to: All Departments)
  - Review the City's *Brand & Style Guide* with all departments to ensure continued and consistent usage (Assigned to: All Departments)
  - Team will review information posted by the webmaster for accuracy (Assigned to: All Departments)

Goal 2: Maximize media and communication resources to 1) better promote the City's many positive events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business

Strategy: Develop a retooled marketing plan (Assigned to: Community and Economic Development Department)

Actions:

- **Encourage cooperative marketing opportunities** with targeted area developers to attract tenants through outreach to media outlets and the community
- **Promote the vision that Moreno Valley is a Medical Community** as outlined in the Economic Development Action Plan adopted by City Council in April 2011 through creating media content for the City's website, developing public service announcements, and working with media outlets to distribute storylines detailing this development
- **Brand the City as a Best Place to do Business and as a Job Center**
- **Identify new publications and aggressively pursue publication** of City stories to print media in addition to the Press-Enterprise and working with editors to ensure they are published, including business journals (Assigned to: City Manager's Office and Community and Economic Development Department)
- Work with the Moreno Valley Chamber of Commerce to **videotape the featured speaker at the monthly Wake Up Moreno Valley** meetings for airing on MVTV-3 to promote local programs and businesses (Assigned to: City Manager's Office)
- **Develop a City media packet** with information on City staff and community data (Assigned to: City Manager's Office)
- **Billboard signage campaign** to fill unused billboard space to promote City information for free or at reduced costs. (Assigned to: Community and Economic Development Department)
- Work with the Moreno Valley Police Department to **establish a press release policy** identifying which events and actions warrant media notification. (Assigned to: City Manager's Office)
- MVTV-3 **video productions promoting local restaurants**, similar to current Spotlight on Business productions (Assigned to: City Manager's Office)

Strategy: Develop smartphone applications to improve communication and connectivity (Assigned to: Financial and Administrative Services Department)

Actions:

- **Establish a City committee** to develop the use of Smartphone applications
    - Assign at least one committee member from each department
    - Invite the Chambers of Commerce to participate
    - Survey City staff, community members, and other cities to identify desired smartphone applications specific to Moreno Valley such as:
        - Promoting City events
        - Connecting to City services such as reporting stray animals, graffiti, potholes, etc.
        - Crime tip reporting and online crime maps
        - Places to dine and stay

- **Explore cost sharing opportunities** for the development and maintenance of applications that include:
    - Public Safety related items, seek grants for federal funding opportunities (Assigned to: City Manager's Office, Police and Fire)
    - Chamber of Commerce related items in order to create a "Things to do" and "Place to dine" section for the application (Assigned to: Community and Economic Development Department and City Manager's Office)

Strategy: Create and maintain a Community Calendar

Actions:
- Work with the Chambers of Commerce to **establish a joint community calendar of events** (Assigned to: Community and Economic Development Department and City Manager's Office).
- **Develop an online form** for businesses, non-profit organizations, homeowners associations, schools, etc. to easily submit information on community events that they are sponsoring (Assigned to: City Manager's Office)
- **Promote the Community Calendar events** by distributing the calendar via the City's e-mail database and ensure that the City's Twitter account sends out information in a timely manner regarding these events (Assigned to: City Manager's Office)

Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services

The City will be proactive in communicating with the community rather than reactive. By taking a positive approach in the planning and execution of communicating with the community, the City will build a stronger rapport with our residents, business owners, and stakeholders. While the City currently offers a variety of ways for its citizens to provide input and learn about City services, it is imperative that the City continues to encourage residents and businesses to communicate both positive and negative issues with their Council representative and with City staff. It is also important to demonstrate the value of City services so that our residents understand and support local government.

Strategy: Enhance direct communications by the City Council and City Staff with the community (Assigned to: City Manager's Office)

Actions
- **Establish Council Connection Town Hall meetings** within each City Council District promoting two-way communication with residents (Assigned to: City Manager's Office and City Council Office)
    - Include meet and greet with Department Heads, remarks by the Council Member and City Manager, a presentation focusing on one topic (public safety, economic development, etc.), and a question & answer session.
    - Post all questions and answers from each Town Hall meeting on the City's web site within on week.

- **Establish City and Business Connection Luncheons** in each Council District as an opportunity for business leaders to communicate with their Council Member (Assigned to: Community and Economic Development Department)
- **Develop and build an e-mail database** to distribute e-mail "blasts" to residents and businesses containing City news and events (Assigned to: City Manager's Office)
- Investigate the **use of podcasting** City Council and Planning Commission meetings (Assigned to: City Manager's Office)
- Convert "City Link" from a quarterly publication distributed as part of "Soaring" to a **monthly e-newsletter** (Assigned to: City Manager's Office)
- **Include performance indicators** in City publications to celebrate accomplishments and educate residents about the benefits of City programs and services.

Strategy: Improve the City's use of social networking

Actions
- **Increase the use of Facebook** by City Departments (Assigned to: City Manager's Office)
- **Increase the number of City followers on Twitter** by providing "how to" training to staff to enhance City Departments' use (Assigned to: All City Departments)
- Increase the community's awareness and viewership of City Programming that is available on **YouTube** (Assigned to: City Manager's Office)

Media and Communications Toolbox

The City uses a variety of interactive communication tools and techniques wherever and whenever possible to involve target audiences in the communications process. This aids in building the idea that this is not just the residents' City or the businesses' City but this is everyone's City. Below is a list of the tools to be used by City staff to communicate effectively with both our primary and secondary target audiences.

- Advertisements
- Booths at major events
- Brochures
- Citizen surveys
- City Council meetings
- *City Link* e-newsletter
- City website
- Comprehensive Annual Fiscal Report
- Fact Sheet
- Facebook
- Internet
- Media packet
- MVTV-3
- New conferences
- Open house events
- Parks and Recreation *Soaring* guide
- Press releases
- Public service announcements
- Publish articles in magazines and business journals
- Radio talk programs
- Town Hall meetings
- State of the City
- Council business luncheons
- Twitter
- Utility Bill Insert
- You Tube

Assessment

City Staff will periodically review and assess progress made in achieving the goals described in this Media and Communication Plan by measuring its success utilizing a variety of tools, including:

- Content of media coverage
- City Council surveys
- Communication and service awards
- Survey e-mail subscribers from the City's website
- News release totals
- Web visitors and Web analyses

Summary

The intent of this plan is to foster proactive communications with the Moreno Valley community and neighboring communities reflecting the many positive aspects of our City; to connect the public with the government by reaching out and establishing two-way communications through a variety of resources; to promote Moreno Valley as a *Best Place to do Business*; and to better control our message by ensuring that accurate information about Moreno Valley is distributed to the public. Every resident, business owner, and employee within the City "owns" a piece of Moreno Valley and it is the job of each of these stakeholders to promote our community as the place to be. This plan is a dynamic strategy that will serve as a road map to assist in this endeavor.

Attachment "A"

Prioritized Goal #5: Enhance City Image
Actions
1. Develop Media & Communications Strategy: a. Increase use of Social Networks b. E-mail Blasts c. Expand Communication Outreach/ Networking d. District Town Hall Meetings
2. Corridor Beautification Program

Further defined tasks, responsible department, and schedule:

TASK	DEPARTMENT	SCHEDULE
Develop database of e-mail addresses to distribute immediate information to residents, businesses, and other agencies	**CMgr**	**June 2011**
Transition "City Link" newsletter to an on-line e-newsletter posted on the web site and automatically e-mailed to subscribed residents and businesses	**CMgr**	**July 2011**
Expand options for distributing City information to magazines and news outlets, promote the community and events via alternative publications and through attendance at various meetings	**CMgr**	**September 2011**
Explore and discuss District Town Hall meetings with the Council, establish a schedule for quarterly or semi-annual events	**CMgr**	**June 2011**
Review options for a Citywide Corridor Beautification Program for Council consideration	**PW**	**August 2011**

"Attachment B"

Recommendations for Action Steps

to Make Moreno Valley a "Best Place to do Business"

Development Services

- Implement the use of "E-permitting" to accelerate the process of doing business in Moreno Valley

- Expand and strengthen business and development ombudsperson program to include new or expanding small businesses.

- Host quarterly workshops with contractors and developers aimed at improving development processes in Moreno Valley.

- Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business.

- Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

Business Attraction

- Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

- Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Business Retention and Expansion

- Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

- Pursue ways to increase local vendor preference, including expanding existing procurement policy.

- Implement a new meeting program with local businesses to discuss business opportunities. The Program would be held once a year in each Council District and include the opportunity to talk to the Councilmember, City Manager, and Community & Economic Development Director. The Program will compliment the existing Business Roundtable.

- Enhance the Business Resource Guide.

Marketing and Communication

- Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

- Develop a re-tooled marketing plan to incorporate the following:
    - Cooperative marketing opportunities with targeted area developers to attract tenants
    - Identifying the City as a medical community
    - Brand the City as a job center

- Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

- Increase use of social media.

- Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

- Explore use of Smartphone apps for improved communication and connectivity.

- Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

Community Vitality

The best places to do business also reflect characteristics of the best places to live. These places tend to exude a "sense of place" reflected in aspects of quality of life including activity, arts and culture, and beauty in the environment.

- Explore additional community events- things to do.

- Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

- Enhance neighborhood groups by implementing community update meetings.

PUBLIC INFORMATION & MEDIA RELATIONS

PURPOSE: To provide procedures and guidelines for coordinating and disseminating information to the public on behalf of the City of Moreno Valley. The policy will be modified and expanded as necessary.

STATEMENT: The City of Moreno Valley shall provide timely and accurate information to keep the Council, staff and community apprised of pertinent City issues, services and events. The City shall utilize appropriate and effective means to communicate its messages to both general and target audiences. This policy contains guidelines that will achieve the City's communications objectives and facilitate a successful working relationship with the local and regional media.

POLICY GOALS:

- Fully utilize the news and special interest media, MVTV-3, City publications and the City Web site as an effective means of communicating with citizens and target groups (including business sector, community leaders, homeowner groups, City employees).
- Facilitate the timely flow of public information to appropriate media through an effective internal process that maximizes message consistency, factual accuracy and proper positioning.
- Educate the community about how government works and encourage citizen participation in the policy-making process.

POLICY:

I. **General Public Communications:**

A. Letters and opinion surveys designed for mass distribution shall be reviewed by and coordinated with the City Manager's Office for content and format analysis and for placement strategies.

B. All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

II. **Federal Regulations for Newsletters and Mass Mailings:**

A. FPPC Compliance: All newsletters and mass-distributed documents prepared at "taxpayers' expense" that are to be mailed or delivered to 200 or more residences or businesses in a single calendar month must comply with guidelines established by the Fair Political Practices Commission with respect to how elected officials are identified in these materials. (A complete copy of these regulations is printed in the California Code of Regulations, Title 2. Administration, S18901, et seq., and on file in the City Attorney's Office.) Following are the major guidelines and restrictions:

1. A newsletter may include an article which references the name of a City Council member only if the Council has no control or review authority over the content of that newsletter. (This "independence" test is not violated if the Council merely approves a budget item to fund the newsletter, hires the staff to produce it, and dictates the frequency that the newsletter will be distributed.) If City staff determines that the independence test has been met, then they may include references regarding the activities of Council members as long as their names are not "featured."

Approved by: City Manager
September 1, 1991
*Revised 7/18/01; **12/21/07***

a. "Featured" is defined as "...singles out the elected officer by the manner of display of his/her name or office in the layout of the document, such as by headlines, captions, type size, typeface, or type color." Therefore, except for the roster listing of all of the Council members or use of letterhead, the name of an elected officer may not be set apart from the text, such as indicating that the author of the article was an elected official by putting their name in the caption to the article.

b. The name or office of a Council member may not be in the headlines of the article, because the type size and typeface of that heading is different from the type size and typeface of the text of the article.

c. The definition of "featured" also provides that the item distributed may not include the Council member's photograph or his/her signature.

2. The City or a Council member may send out informational notices on City stationery which meet the 200-per-month threshold as long as such notices do not reference the name of that elected official in the heading, text or by use of his/her signature. It may, however, be permissible to include the name of that elected official in the text of that notice printed on the City stationery as long as it was not prepared or sent in cooperation, consultation, coordination or in concert with that elected officer and it does not "feature" his/her name.

3. FPPC regulations allow Council members to send a letter which "features" their name by the manner of its display or by use of their photo or signature if it is a press release or editorial sent to members of the media. Therefore, there is no limitation on the content or format of any document sent only to members of the media. In addition, the number of copies of a mailing which is sent to the media is excluded from the 200-per-month threshold level.

4. The FPPC has opined that the intent of the guidelines governing printed material also applies to video productions prepared at taxpayer expense; a Council member may not be featured in such video production in any way that may be construed as promotion of the Council member. The role of an elected official in a tax-supported video production must be limited to educating and informing the public, to retain FPPC compliance.

III. **Media Response Philosophy**:

A. Timely and Accurate Responses: The City encourages accurate press coverage of programs, events and decisions which could be of interest and impact a significant segment of the community. In this regard, the City and the media have a mutual responsibility to provide accurate, objective information of City affairs to City residents. Inquiries from the news media are to be given a high priority and be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate and messages properly developed.

IV. **Press Releases**:

Press releases are any official written or verbal announcements initiated by City Hall to the media regarding official City business.

A. Responsibility. All media releases relative to major citywide policies and actions shall be prepared and distributed by the City Manager's Office. Other departments that may prepare their own releases include:

1. Parks & Community Services Department, promoting special recreational and cultural activities.

2. Police and Fire departments, providing fast-breaking news updates regarding major police and fire activity.

B. Assistance. Upon request, the City Manager's Office will provide assistance with media releases prepared by those above. Other departments requiring press releases or technical assistance in preparing press releases should provide the CMO with written information pertaining to the topic as well as any special distribution list.

C. Release Preparation & Format. Press releases shall be prepared according to the City's established format. Releases are kept on file in the City Manager's Office. A copy of all media releases distributed by any unit outside of the City Manager's Office should be forwarded to the City Manager's Office, which in turn will maintain a master file of press releases.

V. **Release of Information Pertaining to Significant Issues & Events**:

A. Definition of Issues. It is the responsibility of department directors to notify the City Manager of significant events or issues which occur within their departments which may be of major interest to the general public or media. Such issues include, but are not limited to:

1. An event/issue in an operating department or program that is controversial.

2. Injury or death of a City employee while on or off official duty.

3. Major malfunctions of a City facility which could impact the general welfare of the public or environment.

4. An unexpected work stoppage or inability to provide a critical City service.

5. The arrest or conviction of a City employee which may impact that individual's ability in successfully carrying out his/her professional responsibility.

6. Major police or fire activities. *(Note: This is handled through the City's Emergency Notification Policy.)*

B. Reporting Procedure. Once receiving the information, the City Manager will determine if it is necessary to contact the City Council, other department directors and the City's Public Information Officer. If public release of information is deemed appropriate, the City Manager, in consultation with the department director and the Public Information Officer, will determine the most appropriate mechanism in notifying the press.

C. Back-up Procedure. If the City Manager is unavailable, the department director should contact the Assistant City Manager, then the Public Information Officer directly for dissemination of information. On those occasions when neither of these individuals or an acting City Manager is available, the department director should use his/her own judgment in releasing information to the press on fast-breaking news stories.

VI. **Who Responds to Media Inquiries**:

A. Spokesperson. The City Manager will respond directly or designate a media spokesperson to respond to an issue of major public significance to ensure that the information is disseminated quickly and accurately to all interested media sources. When such a designation is made, the City Manager will notify the appropriate department director(s) and the Public Information Officer to forward all inquiries regarding the particular issue to the appointed spokesperson.

B. Media Contacts to Staff. Non-management employees shall refer media inquiries to their department heads. A department director may delegate an employee to respond to an inquiry because of her/his involvement with an event or issue. In such cases, the staff member should work with the department director and Public Information Officer before the interview to develop appropriate responses to anticipated questions.

C. City Council. Whenever possible, Council members are encouraged to notify the City Manager or Public Information Officer when they are approached by the media. Especially when having to respond to controversial issues, Council members are encouraged to review the issue with the City Manager and Public Information Officer to formulate their response.

D. Public Safety. The Disaster Director (City Manager or Assistant City Manager) will work with the Public Information Officer to develop media responses in the event of major emergencies and disasters. A more detailed description of emergency public information procedures are contained in the City's Standard Operating Procedures (SOP).

E. Police & Fire Issues. Whenever there is a fast-breaking story involving a major police/fire activity, the first media contact is the Police or Fire Chief or his/her designee, followed by the City Manager, public safety liaison and the Public Information Officer,.

Throughout the entire chain of responsibility, it is essential that each individual involved in providing information to the media is kept abreast and briefed on the status of the event as it occurs. The chain of command can be modified to expedite release of crucial information.

VII. **What to Do When Contacted by the Press**:

All media inquiries received by staff should be responded to as quickly as possible, keeping in mind the frequent deadlines that are often imposed upon the working media. Clerical staff should be instructed to give priority to media calls by alerting their respective department head of media inquiries.

A. Determine Nature & Focus of Story. It is important to determine the focus of the story as well as the specific information desired by the reporter. What may seem to be an "innocent" information request, oftentimes can turn out to be a front-page story, distorting the data supplied by the City. That's why it is always important to determine the reporter's focus and slant.

B. Notification Procedure. Any staff member (management or non-management) who responds to a media inquiry, provides an interview, appears on a radio or television program, etc., shall notify his/her immediate supervisor, the department director, the City Manager and the Public Information Officer either by phone or written memo.

Regarding controversial matters, the City Manager and/or Public Information Officer must be consulted before conducting the interview. This gives the spokesperson the opportunity to review anticipated questions and to formulate and properly position appropriate responses.

Departments which have on-going daily contact with the media are not required to follow the notification procedure for every media contact, only those which involve significant issues of concern.

VIII. **Media Etiquette**:

There are some very important "do's" and "don'ts" that should be observed in strengthening the relations between City Hall and the local media.

A. Responding to Council Actions. Staff should not publicly make judgmental comments regarding individual Council members, Council actions, City administration or official City policy when responding to media inquiries. Staff should also refrain from anticipating an action or position which has not been formally taken by the City Council or City. Any inquiry regarding "why" an individual Council member voted in a particular manner on a specific issue should be forwarded to the Council member in question.

B. Scope of Response. Staff members should not respond to media inquiries which are not directly related to carrying out the employee's professional responsibilities. If such a media inquiry is made, the staff members should assist the media in receiving the needed information by referring the source to the appropriate program manager or the Public Information Officer..

C. Inaccurate Information. The media should not be intentionally misled or provided inaccurate information by a staff member regarding any City policy or event. Such tactics can lead to "city bashing," media skepticism and unwanted investigations.

IX. **Public vs. Confidential Issues**:

Most City records and official City meetings are open to the public and media. The media are no more or less privileged than the general public in being provided access to City Council meetings and City records. While City operations need not be disrupted or extraordinary accommodations made to provide access to public records, it should be emphasized that adequate information provided to the media or the public is beneficial both to citizens and the City in carrying out its public information efforts.

A. Attendance at Meetings. The media and public are encouraged to attend and report on actions taken at Council meetings, study sessions, as well as regularly scheduled committee and commission meetings.

B. Closed Sessions. Public and media attendance is not allowed at closed Council sessions dealing with litigation, security, negotiations or personnel-related matters.

C. Public Records. The media and the general public shall be provided access to all records or proceedings which have been deemed to be of a public nature including:

1. Written and taped proceedings of City Council meetings, committee and commission meetings, special ad hoc committee meetings and public hearings.

2. Official City contracts and resolutions.

3. Public Safety summary, including the following information:

   a. crime reports
   b. booking information
   c. traffic collision reports
   d. fire reports (accidents causing death, injury, severe damage)
   e. fire inspection records for public assembly facilities

4. Salary grades of City employees, upon request.

5. FPPC/conflict of interest disclosure statements filed by the Council, commissioners and affected City staff.

6. Interoffice correspondence that is not in draft form and does not address a personnel or confidential legal matter.

D. Closed Records. City records that constitute an unwarranted invasion of individual privacy or involve confidential legal matters of City litigation are usually exempt from public disclosure. Such records include:

1. Personnel or medical records of City employees, including performance evaluations, background checks, disciplinary action, and such similar records.

2. Actual proceedings of closed Council sessions. (The media can be told whether the Council will be discussing a litigation or personnel issue.)

3. Preliminary labor negotiations leading up to labor contracts. Once executed, all employment contracts--both individual and union--become public records.

4. Certain police/fire records, including juvenile records, prior criminal records or information regarding the character or reputation of an accused individual in a criminal action; and certain fire investigation records.

5. Draft correspondence, including preliminary notes not yet finalized.

6. Records pertaining to pending City litigation in which the City is a party.

7. Confidential memos between the City Attorney and City officials/staff.

NOTE: In situations where there is a discrepancy or uncertainty on the part of a City employee regarding release of an official record to the media, the City Attorney should be contacted to make the final determination. Specific categories of records may be exempted by the Public Records Act.

E. Litigation Issues. Staff members shall not respond to media inquiries regarding an issue involving City litigation or render personal or legal opinions on City policies or activities. If an employee is in doubt, the City Attorney should be contacted for clarification before responding to a media inquiry.

X. **Correcting Misinformation**:

The City has an obligation to clarify or correct any information released by the media which contains inaccuracies or quotes taken out of context relating to a City issue.

A. Factual Discrepancies. The Public Information Officer shall contact the media when a story has been published or aired containing factual error which significantly impacts the public's perception of the issue being addressed. Managers are encouraged to notify the Public Information Officer immediately when they believe incorrect information is being communicated by the press regarding a City issue or program.

B. Editorial Discrepancies. Managers should contact the Public Information Officer when there is evidence that a specific editorial comment or news story has been published or aired which does not appropriately represent a balanced perspective of the issue being discussed. The City Manager, in consultation with the Public Information Officer, will determine when an official City rebuttal or response is appropriate.

C. Letters to the Editor. Department directors who believe an official City rebuttal is warranted regarding a news story should discuss the issue with the City Manager's Office. They will determine if a response is appropriate, as well as who should prepare and sign the letter. The City Manager must authorize and review all letters sent to editors on official City letterhead and/or by an employee who is acting in an official capacity commenting on City issues or programs.

D. Responding as Private Citizens. City employees who choose to contact, initiate or respond to City-related news stories as private citizens shall not prepare such responses on City time, by City phones, on City stationery, or mail at City expense. Responses or letters shall not state or imply that the response is on behalf of the City. Use of City facilities or supplies is prohibited. These guidelines also apply to employees responding to or initiating press contacts as official representatives of City-sanctioned employee groups.

XI. **Public Meeting Notification**:

Public notices are any printed official announcement which notifies the community of a scheduled public meeting or hearing. The announcement can take the form of a flyer, legal notice or form letter for mass distribution. A copy of all printed notices should be submitted to the City Manager's Office.

A. Public Meetings. Departments will be responsible for developing and disseminating notices announcing public meetings and hearings. Most affected are the City Clerk's Office, the Community Development Department, the Economic Development Department, the Redevelopment Agency, and the Public Works Department. The City Manager's Office will lend editorial graphics assistance in developing the notices.

B. Agenda Notification. City Council agendas shall be made available to the public prior to Council meetings at the City Clerk's Office, at public facilities designated by the Clerk and the City's Web site. Copies shall be made available to the news media at the City Clerk's Office.

XII. **Advertising**:

A. Display Advertising. The City Manager's Office coordinates development and placement of media advertising to promote City programs, services, events and issues. All requests for advertising must be

submitted to the City Manager's Office, which will coordinate copy development, graphic design and media placement with the requesting department. This policy does not apply to employment and legal advertising, which will be coordinated by the appropriate departments (i.e., Human Resources and City Clerk, respectively).

B. Public Service Announcement. The City Manager's Office is the central coordinator for developing and placing public service announcements with the broadcast media (radio, TV and cable). PSA spots are announced free by the media as a community service. Two-to-three-week lead times are desired by most stations. All requests for PSAs must be submitted to the City Manager's Office, which will coordinate copy development and placement with the requesting department.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

RECOMMENDED ACTION

Staff recommends that the City Council review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

BACKGROUND

The City of Moreno Valley is intent on moving quickly to improve the economic condition, development services, and quality of life within the community through a variety of methods.

Several actions have taken place to set this effort in motion:

1. March 22, 2011 - the City Council reviewed and provided input for an Economic Development Plan- Areas of Opportunity brought forth by the Community & Economic Development Department.

2. April 26, 2011 - the City Council adopted a 2-year Economic Development Action Plan targeting five key areas within the twelve Areas of Opportunity that have the potential for yielding the best and quickest near-term economic development benefits. These areas include TownGate, Centerpointe Business Park, South Moreno Valley Industrial Area, East Moreno Valley-Rancho Belago, and City Center. Included in the adoption of the 2-year Action Plan was the strategic decision of the re-sequencing of several Capital Improvement Program projects aimed at bolstering the economic development within the five focus areas.

Collectively, the objectives for the Economic Development Action Plan are 1) creating jobs and addressing the high unemployment rate; 2) addressing the jobs to housing imbalance; 3) strengthening and broadening the local economic base; and 4) enhancing City revenue generation.

3. June 14, 2011 - the City Council adopted the Prioritized Goals and Action Plan that was developed through the City Council Goal Setting workshop held on May 18, 2011. The adopted goals include: 1) Job Development; 2) Focus on further development of the Medical corridor and Health Services/ Educational Opportunities; 3) Maximize Transportation and Infrastructure Opportunities; 4) Economic and Tax Base Development; and 5) Enhance the City's Image.

4. July 12, 2011 - the City Council approved the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

DISCUSSION

To keep City Council and the general public properly informed, the attached documents provide an update of progress towards achievement of the objectives in the initiatives set forth among the five key Areas of Opportunity in the Economic Development Action Plan, along with implementation of the action steps aimed at making Moreno Valley a Best Place to do Business. Significant planning and substantial progress as been achieved in all five geographic areas contained in the Economic Development Action plan including:

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- East Moreno Valley- Rancho Belago
- City Center

To be as effective as possible, City staff from Economic Development has worked both internally with other departments as well as externally with the private sector and other public agencies to fully capitalize on near-term opportunities. As just one example of interdepartmental synergy, and in tandem with this Economic Development Action Plan Update, the City Manager's Office has developed and is proposing a Media and Communications Strategy containing elements that will serve to support and/ or expand the aspects of the approved action items listed in the Action Steps for Making Moreno Valley a Best Place to do Business. Staff, along with support from the Economic Development Subcommittee also continues to work hard at enhancing the development services process in Moreno Valley. A developer's workshop was held this past Spring and another will occur on October 6. The workshops are aimed at gathering feedback from developers (residential, office, industrial, and office) about ways to improve service delivery.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and polices to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Moreno Valley has a strategic location in the Inland Region and is clearly in the path of growth. City staff have taken several significant steps to enhance its economic base by pursuing ways for new commercial retail, office and industrial development. The five specified areas of opportunity focused within the proposed Economic Development Action Plan were selected because of location and potential for realizing success in the near-term development marketplace. Additionally, the Action Steps identified in the strategy to make Moreno Valley a Best Place to do Business are being implemented to further enhance the business and development environment in Moreno Valley. In a short period of time, Moreno Valley has made positive strides towards achieving the goals set forth in the approved and adopted plans. We will continue to pursue ways to make Moreno Valley a great place to live, visit, work in, and do business.

ATTACHMENTS/EXHIBITS

Attachment A- Economic Development Action Plan Update
Attachment B- Best Place to do Business Progress Update
Attachment C- PowerPoint – Economic Development Action Plan Update

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurs With:
Henry Garcia
City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130700

Attachment A

Economic Development Action Plan Update

The focus of the Economic Development Plan- Areas of Opportunity was to create a well-rounded community with a strong economic foundation. The Areas of Opportunity contain twelve distinct areas. To capitalize on near-term opportunities, the City Council adopted the Economic Development Action Plan which focuses on several key initiatives within five of the Areas of Opportunity to be pursued within a short- term, or 2 year timeframe.

The following reiterates the plan focus and current progress achieved by Areas of Opportunity.

TownGate

Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area, including pursuing new users for vacant big-box retail space in TownGate Center and the Moreno Valley Mall.

Significant progress has been made in TownGate. The collaborative work between City staff and Developers to attract quality retailers and restaurants has been successful.

- The following three restaurant openings have occurred: Five Guys Burgers & Fries, Panera Bread, and Village Café. Additionally, the Miru Teriyaki and Sushi restaurant opened as a relocation and repositioning of the San Sai restaurant. Anna's Linens completed their relocation to TownGate Crossings and is now open with an updated retail concept. Work is underway for other activity including a new TJ Maxx and HomeGoods combo store for TownGate Center to be located in the 51,000 square foot building that was previously occupied by Ralph's grocery store. Promising negotiations continue with several other retailers to occupy the other two vacant anchorspaces.

- To assist the effort to attract users for vacant retail space and create new energy in TownGate Center & Plaza, the Fritz Duda Company will be constructing a new 80 foot freeway sign to replace the existing 35 foot high freeway sign. This will enhance visibility and provide additional space to promote more tenants.

- In TownGate Promenade, the restaurant building that was 65% constructed to originally be Carino's Italian Grill is now poised for construction completion. The project lender, Farmers & Merchants Bank, is working with a proven restaurant group to locate and open a new restaurant concept here.

- At the Moreno Valley Mall, the new owner - CW Capital is working on plans to upgrade, expand and reposition the 1.25 million square foot regional mall property. Architect firm Altoon + Porter has been retained and has already created conceptual plans for new restaurant and retail store opportunities. While the planning is preliminary, it demonstrates the commitment by CW Capital to the overall improvements of the Moreno Valley Mall and resolve to make it a thriving commercial center. CW Capital has already invested more than $250,000 in signage and interior improvements. Negotiations are underway with several desirable users.

Centerpointe Business Park

Advance the development on several projects in the Centerpointe Business Park area.

- Harbor Freight Tools is nearing completion of improvements for a new 779,016 square foot Distribution Center that is scheduled to open in November 2011 and will employ 350 workers. Additionally, staff has worked with Harbor Freight Tools to open a new Harbor Freight Tools retail store this November in Moreno Valley Plaza.

- Overton Moore Properties recently re-started the plan check process (building and grading) for a new 519,760 square foot industrial building to be situated on 25.9 acres at the northwest corner of Cactus Avenue and Frederick.

- Ridge Property Trust is moving forward in the planning process for a 353,869 square foot distribution building on 16.55 acres at the northwest corner of Cactus Avenue and Joy Street.

South Moreno Valley Industrial Specific Plan Area

Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area.

- Construction is underway for the First Inland Logistics Center, a 691,960 square foot industrial building located on 40 acres in the area between Nandina Avenue and San Michele Road just west of Perris Boulevard. Building permits were issued in late July and the concrete slabs were poured in August. Walls are going up now. Developer – First Industrial Realty Trust has negotiations ongoing with several prospective tenants.

- IDS Real Estate group is moving quickly on the development of the Nandina Distribution Center located at the northwest corner of Nandina

Avenue and Indian Street. The project includes a total of 1.18 million square feet, with Building B- 769,320 square fee under construction, and Building A- 413,598 square feet, is currently in plan check for construction drawings and grading plans.

- Being open 1 year, iHerb is already expanding to occupy the entire 360,440 square foot building located on the west side of Indian Street, north of the Perris Valley Storm Drain. This expansion includes increasing the number of employees by 75.

- Harman Kardon has leased the remaining 125,000 square feet available in their 400,000 square foot building and is now expanding its Distribution Center in Moreno Valley.

- Four industrial-distribution buildings with a total of 3.6 million square feet are in plan check and moving towards beginning construction this year.

Eastern Moreno Valley-Rancho Belago Area

Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in eastern Moreno Valley, in conjunction with the expiration of the Moreno Highlands Specific Plan and supporting Development Agreement.

- Development Services Staff continues to work with Highland Fairview and Skechers USA to open the new 1.82 million square foot Distribution Center at the Highland Fairview Corporate Park. A Temporary Certificate of Occupancy currently is in place and the facility is expected to be fully operational by October 2011.

- Ridge Property Trust has gained approval of West Ridge Commerce Center- a 937,000 square foot warehouse/ industrial building on 55 acres on the south side of SR 60, west of Redlands Boulevard.

- Prologis has re-started the planning and EIR processing of its five-building 2,268,000 square feet industrial business park proposed for the south side of the SR 60 just east of the Moreno Valley Auto Mall.

- Staff is working closely with Highland Fairview on formulating an effective methodology for the further development of the Highland Fairview Corporate Park, including the processing of a new master plan to replace the Moreno Highlands Specific Plan, which expires in September 2012. Highland Fairview has assembled a team of respected consultants that has already met with City staff to kick-off the plan development for this new project.

City Center

Re-sequence and fast-track three Capital Improvement Projects in the City Center area—1) SR60 south ramps and extension of Eucalyptus to connect with Moreno Beach, 2) installation of ultimate improvements on Cactus Avenue, between Lasselle and Nason and 3) the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue, along with pursuing the idea of repositioning part of the Aqua Bella area to expand the City's established medical office overlay zone.

- Construction is on schedule for new ramps at SR 60/ Nason Street. The bid process will occur in spring 2012 for the new SR 60/ Nason Street bridge.

- The improvement project for installation of the new SR 60/ Moreno Beach southerly ramps, along with the extension of Eucalyptus Avenue to connect with Moreno Beach Drive has secured environmental clearance from CalTrans and is in the process of acquiring right of way and utility rights. Concurrently, project design is underway. The project is scheduled to advertise for construction bids in August 2012.

- The installation of the ultimate improvements on Cactus Avenue between Lasselle Street and Nason Street and the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue will be built as one project. Plans, specifications and estimates are underway and anticipated to be complete this fall enabling the opening of construction bids. Completion of construction is anticipated for December 2012.

- The City's medical overlay zone is being pursued by forming a partnership with Highland Fairview on the development of a new major medical, health and wellness campus on approximately 200 acres of the Aqua Bella property. The project, along with expansion plans for Kaiser Permanente's Community Hospital, Riverside County Regional Medical Center and Moreno Valley College's Allied Health Services Program will help transform and position Moreno Valley into a leading health and wellness community.

- Kaiser Permanente is advancing expansion plans for Moreno Valley. The Planning Commission approved a 74,000 square foot new medical building to be constructed on the west side of Moreno Valley Community Hospital- Kaiser Foundation on Iris Avenue. Construction drawings and grading plans are in plan check and Kaiser expects to start development of the project in October.

- The newly erected digital Moreno Valley Auto Mall freeway sign along SR 60 is up and looks great. The Moreno Valley Auto Mall is now expanding

as Moss Bros. Auto Group brings Volkswagen of America Inc. to the Auto Mall in October 2011.

- While struggling with challenges from the short-term construction activity at SR 60/ Nason, the ownership of Stoneridge Towne Centre- Weingarten Realty and Trilogy Investment Group are excited about the completion of the many improvements at SR 60 at Nason and Moreno Beach, along with roadway enhancements on Nason and Cactus that will facilitate easier access to the shopping center.

- Merlone Geier has secured interest from several prospective tenants for the vacant retail space at Moreno Beach Plaza II (SW corner of SR 60 and Moreno Beach Drive). With the coming improvements including the new SR 60/ Moreno Beach ramps and connection of Eucalyptus to Moreno Beach, the finalization of leases are underway.

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MV00130706

Attachment B

Best Place to do Business Progress Update

As part of the effort to improve the City's economic development effectiveness, a study of more than thirty communities was conducted to identify key attributes of successful cities. The items listed in the Best Place to do Business Action Steps approved by City Council in July 2011 were derived as a result of the study. After roughly 60 days post-approval of the Best Place to do Business Action Steps, City staff has made the following progress as outlined by Action Step.

Development Services

1. Implement the use of "E-Permitting" to accelerate the process of doing business in Moreno Valley.

Community & Economic Development Department staff and the Technology Services Division of the Financial and Administrative Services Department staff have begun discussions about identifying a scope of work, funding sources and timeframes. Technology Services is currently underway with the conversion of City electronic processes to the New World System and will be largely dedicated to the implementation of that project for the next 18 months. Staff will continue discussions and working towards completion of preliminary analysis to define the specific needs to be met by an "E-permitting" system for Development Services.

2. Host workshops with contractors and developers aimed at improving development processes in Moreno Valley.

The first 2011 Developer Workshop was held March 7. As a follow up and consistent with the effort to enhancing communication with contractors and developers and improving development processes, the second workshop is scheduled for October 6. A regularly quarterly schedule for 2012 will be established via the Economic Development Subcommittee.

3. Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business. A number of small businesses have utilized the project review process to help advance development an/ or expansion plans.

4. Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

This action is addressed in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Business Attraction

1. Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

Further ground work must be accomplished to solidify this area of the action steps to identify and create meaningful groups to provide a comprehensive plan that will address the goals described above.

However, the National Association of Industrial and Office Properties (NAIOP) Inland Empire Chapter offers a Bus Tour of key development projects in and around the Inland Empire. Members of this real estate organization range from developers, brokers and site selectors to financiers and corporate real estate leaders. Community and Economic Development Staff is working to ensure that Moreno Valley projects are highlighted on the November 3, 2011 tour. This will be an opportunity to communicate with the attending members about the opportunities for developers and tenant brokers.

Additionally, Community & Economic Development staff exhibited and attended the September 8-9, 2011 International Council of Shopping Centers (ICSC) Western Division Conference to market the City of Moreno Valley as an opportunity for tenants and developers. The Community & Economic Development Director held twenty-four meetings in two days promoting the City and solidifying deals.

2. Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Staff is gathering information from programs from other cities.

Business Retention and Expansion

1. Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

An expanded program to include direct participation by Moreno Valley businesses is under development and will be included as a report to City Council in the coming months.

2. Pursue ways to increase local vendor preference, including expanding existing procurement policy.

Staff is gathering information and is working toward the development of a vendor's fair.

3. Implement a quarterly meeting with local businesses and vendors to discuss business opportunities with the City.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

Business & City Connecting is the new program targeting businesses by Council District to engage businesses on a micro level. A meeting has been scheduled for each Council District. The first meeting took place September 14 in Council District 2 and will be followed by Council District 4 on November 9; Council District 3 on February 8, 2012; Council District 5 on April 11; and Council District 1 on June 13.

4. Enhance the Business Resource Guide.

The Business Resource Guide was updated and published in Spring 2011. The Guide is available online only to reduce costs for printing. Hyperlinks are used within the document online to make it easy for the user to find the desired resource. In addition to traditional promotion of the Guide (link on website main page; MVTV-3 Bulletin; and word of mouth via chamber partners) staff produced a small postcard sized promotional card as a take-away for the public. Cards are placed at public counters at City Hall and the Conference and Recreation Center and are distributed at Chamber of Commerce meetings and events.

Marketing and Communication

1. Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

2. Develop re-tooled marketing plan

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business. Because branding is ultimately an experiential affect on consumers or publics, the specific branding of the City will take place over time. Specific elements of the overall plan will be addressed as funding and staffing opportunities becomes available.

3. Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. The conversion of the printed version of City Link from a printed distribution to a monthly electronic newsletter is complete. However, plans for an economic development focused e-newsletter targeting real estate professionals and the business community are underway by Community and Economic Development staff. Timing for distribution will be carefully coordinated so as not to burden subscribed recipients.

4. Increase use of social media.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. As communications programs increase, the integration of simultaneous communications tools will become more commonplace.

5. Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business.

6. Explore use of Smartphone apps for improved communication and connectivity.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business

7. Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Community Vitality

1. Explore additional community events- things to do.
2. Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

July 26, 2011 City Council formed the July 4th Advisory Committee to make recommendations for improving the July 4th festivities as well as develop partnerships in the community to assist in its funding.

3. Enhance neighborhood groups by implementing community update meetings.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

On August 11 the first "Council Connection" Town Hall meeting was held. Future "Council Connection" meetings are scheduled through November by the City Manager's Office. Also, the Business & City Connecting program was launched September 14. The next meeting is scheduled for November.

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MV00130712

ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

September 2011

MORENO VALLEY
WHERE DREAMS SOAR

MV00130713

Accomplishments to Advance Economic Development

- Identification of Economic Development Areas of Opportunity
- Approval of Economic Development Action Plan
- Adoption and State Certification of Updated Housing Element recognizing need to address jobs to housing imbalance
- Approval of Action Steps to make Moreno Valley a "Best Place to do Business"

MV00130714

Accomplishments to Advance Economic Development

- City Council adopted the Prioritized Goals and Action Plan from City Council Goal Setting workshop
- Combining Planning, Building & Safety, and Land Development with Economic Development to create the Community & Economic Development Department
- Pursuing efforts to ensure the continuation of the City's Redevelopment Agency
- Collaborating with major Developers on advancing projects

MV00130715

Objectives for Economic Development

- Create jobs locally and address City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen and broaden the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

Economic Development Action Plan

Focusing on key initiatives to be provided in 2 years

TownGate

Centerpointe Business Park

South Moreno Valley Industrial Area

Eastern Moreno Valley – Rancho Belago

City Center

MV00130717

Action Plan
Areas of Opportunity

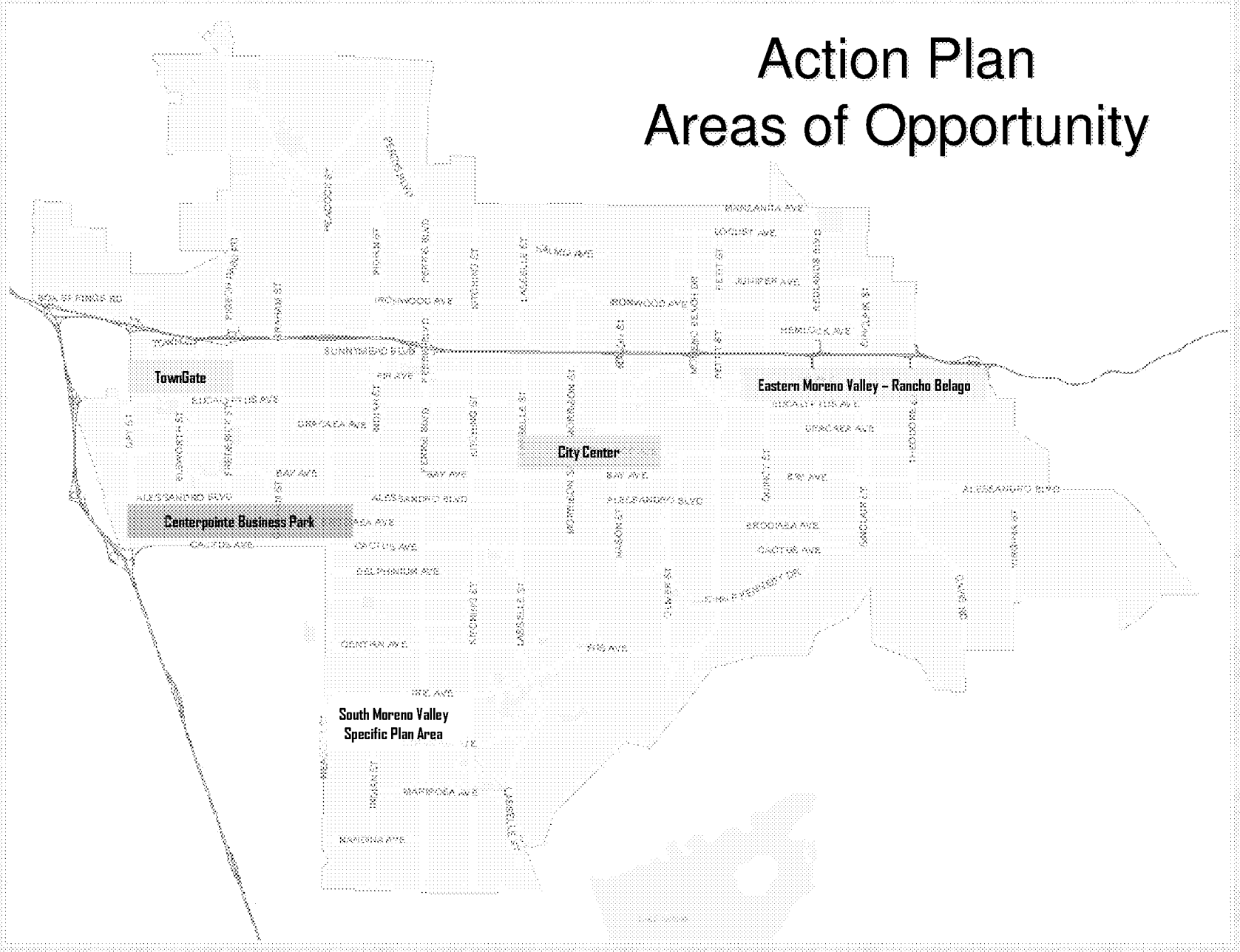

Key Initiatives of Action Plan

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area
- Advance the development of several projects in the Centerpointe Business Park
- Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in Eastern Moreno Valley- Rancho Belago area
- Re-sequence and fast-track three Capital Improvement Projects in the City Center Area

TownGate

- Recent openings for Five Guys Burgers & Fries, Panera Bread, Village Café and Anna's Linens
- TJ Maxx and HomeGoods combo store coming to TownGate Center
- Negotiations underway with three other users for TownGate Center

- Possible new restaurant group coming to former Carino's Italian Grill building in TownGate Promenade
- Approved new 80 foot sign for TownGate Center & Plaza along SR 60 to improve tenant promotion
- CW Capital, new owner of Moreno Valley Mall, retained Architect firm Altoon + Porter and has created exciting conceptual plans for expansion and repositioning
- Negotiations underway with several users for Moreno Valley Mall

Centerpointe Business Park

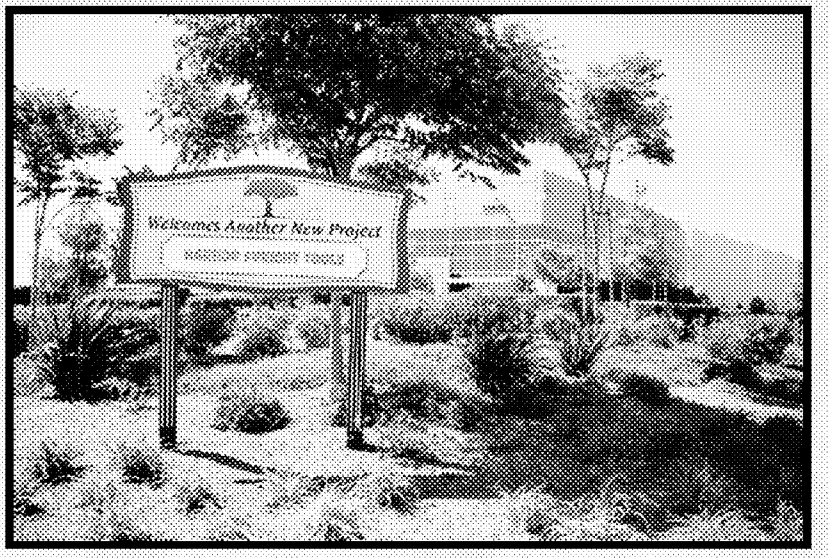

- Harbor Freight Tools
  - Will open new 779,016 s.f. Distribution Center in November 2011 at NWC of Cactus Avenue and Graham Street
  - 350 new jobs
- Overton Moore Properties
  - Re-started the grading plan check process for a new 519,760 s.f. industrial building at the NWC of Cactus Avenue and Frederick Street
- Ridge Property Trust
  - In Planning for a 353,869 s.f. industrial building at the NWC of Cactus Avenue and Joy Street

MV00130721

South Moreno Valley Industrial Area

- First Inland Logistics Center
  - First Industrial Realty Trust Inc.
  - 691,960 s.f.; Construction underway
- Nandina Distribution Center
  - IDS Real Estate Group
  - 1.18 million s.f. total
  - 769,320 square fee is under construction
  - 413,598 square feet is in plan check for construction drawings and grading plans.
- iHerb expansion
  - Will occupy entire 360,440 s.f.
  - Increase employees by as much as 75
- More Development Coming
  - Four Buildings with a total of 3.6 million s.f. in plan check

MV00130722

Eastern Moreno Valley-
Rancho Belago

- Skechers USA 90% occupied with full operations by October 2011

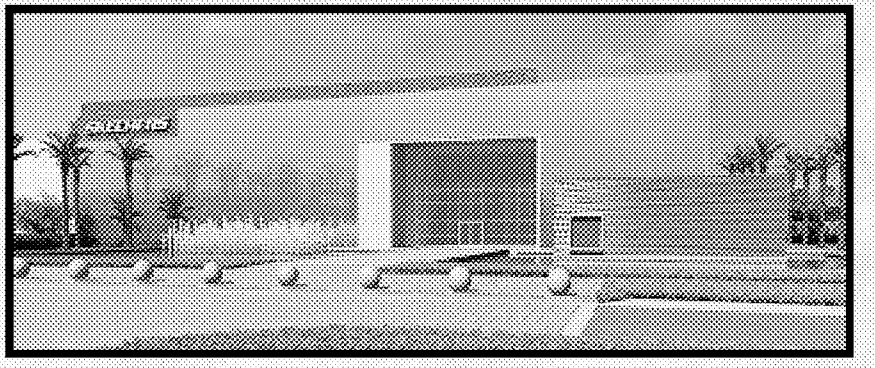

- Working with Highland Fairview on master plan to expand Highland Fairview Corporate Park

- Westridge Commerce Center approved 937,000 s.f. Distribution/logistics building on 55 acres

- Prologis is underway with planning and EIR processing of 2,268,000 s.f. industrial business park

City Center: Re-sequencing of CIP Projects

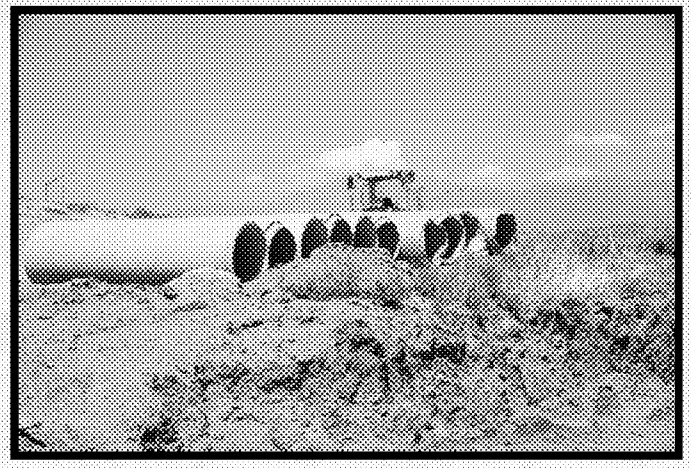

- Construction underway for SR 60/ Nason Improvements
- Installation of new SR 60 southerly ramps at Moreno Beach plus extension of Eucalyptus connecting with Moreno Beach
  - Has environmental clearance
  - In the process of acquiring right of way and utility rights and design is underway
  - Construction bid opening planned for Summer 2012
- Improvements on Cactus Ave. between Lasselle St. and Nason St.
- Extension of Nason St. southerly to connect Cactus Ave. with Iris Ave. will be built as one project
  - Plans, specifications and estimates are underway and anticipated to be complete this fall, ready to open the bid process
  - Construction completion anticipated for late 2012

MV00130724

City Center

- Advance the development of the City's medical overlay zone
  - Announcement of strategic partnership with Highland Fairview on the development of a new major medical, health and wellness campus on 200 acres of the Aqua Bella property
  - New CIP projects will help assist development of medical overlay area

- Kaiser Permanente's expansion plans
  - 74,000 s.f. new medical building
  - Construction drawings and grading plans were submitted in August 2011

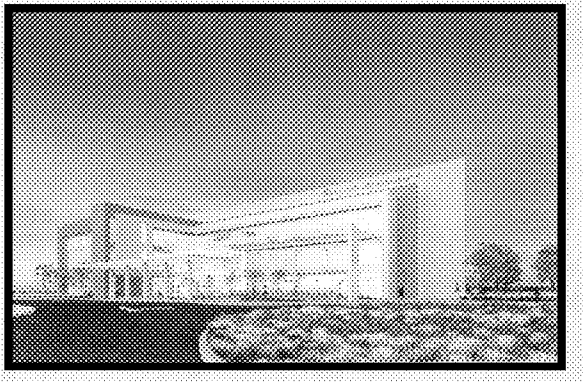

MV00130725

City Center

- Moreno Valley Auto Mall
  - Now expanding to welcome Volkswagen of America Inc.
  - New freeway sign installed

- Interest in re-occupancy of the three closed anchor spaces in Moreno Beach Plaza II
  - Any reuse of these spaces will be contingent on first connecting Eucalyptus to Moreno Beach

“Best Place to do Business” Action Steps

Development Services

Business Attraction

Business Retention and Expansion

Marketing and Communication

Community Vitality

MV00130727

Action Step Progress

- "E-permitting" to accelerate development service processes
  - Scope development
  - Funding identification
  - Timeframe
- Quarterly workshops with contractors and developers to improve development processes and communication
  - Second meeting set for October 6, 2011

MV00130728

Action Step Progress

- Creating synergy with industry groups
  - September 8-9, 2011ICSC Western Division Conference
  - November 3, 2011 NAIOP IE Bus Tour Event
- Shop MoVal campaign
  - Expanded program to include direct participation by local businesses
- Business Resource Guide
  - Online only guide
  - Improved marketing to include postcards at public counters and at business events

MV00130729

Action Step Progress

- Economic Development quarterly e-newsletter
  - Scope, content and graphic design underway
- Explore additional community events
  - July 4th Advisory Committee

MV00130730

Action Step Progress

- Proposed Media and Communications Strategy
  - Further develops several Action Steps
    - Consistent Communication
    - Website Audit
    - Re-tooled Marketing Plan
    - E-newsletter
    - Increase use of Social Media
    - Create Community Calendar
    - Explore use of Smartphone Applications
    - Feedback solicitation via survey
    - Enhance neighborhood groups with community updates
      - Council Connection
    - Quarterly meeting with local businesses and vendors
      - Business & City Connecting

MV00130731

Economic Development Strategy
Next Steps

Much More to Come….

MV00130732

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

RECOMMENDED ACTION

Staff recommends that the City Council introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

BACKGROUND

At the April 19, 2011 Study Session, the Mayor and City Council directed staff to move forward with proposing an ordinance regarding the spaying and neutering of dogs and cats.

California Health and Safety Code 122330 et seq. permits local government to enact ordinances taking appropriate action aimed at reducing and eliminating the uncontrolled and irresponsible breeding of dogs and cats. The irresponsible and uncontrolled breeding of dogs and cats leads to the overpopulation of these companion animals.

During FY 2010-11 the Moreno Valley Animal Shelter's animal population was represented by 60% of impounded dogs, 36% of impounded cats and 3% of other animal species (farm animals and wildlife). During FY 2010-11 the Moreno Valley Animal Shelter experienced an 8.9% increase in the number of animals impounded as compared to FY 2009-10. If this increase in animal impounds remains constant throughout FY 2011-12, the Moreno Valley Animal Shelter will expect to provide care for

approximately 12,000 animals. The Animal Services Division contracts with the City of Perris for animal sheltering. These numbers exclude animals impounded from the City of Perris.

DISCUSSION

The objectives of the proposed Mandatory Spay and Neuter ordinance:

- Reduce the number of homeless and unwanted companion animals by uncontrolled and irresponsible breeding.
- Reduce the number of companion animals being impounded at the Moreno Valley Animal Shelter.
- Reduce the euthanasia of unwanted companion animals.
- Reduce the tax burden of responsible pet owners.
- Require irresponsible pet owner to be held accountable.

The proposed ordinance will require pet owners to spay/neuter their dog or cat if the pet owner violated another local or state animal control regulation. Examples of a violation of a local or state animal control regulation would include an unlicensed dog, a leash law violation, nuisance animal noise or violation of other animal laws. The ordinance will not impact responsible pet owners who have licensed their pets, obey the leash laws and are in full compliance with existing regulations.

Municipal Code Section 10.02.100 currently requires a neuter deposit on all dogs and cats adopted from the Moreno Valley Animal Shelter if the animal is not already spayed or neutered. The majority of dogs and cats adopted from the Animal Shelter are spayed or neutered prior to the new owner taking possession of their new pet. Often dogs and cats too young to undergo a surgical sterilization procedure or pets exhibiting symptoms of illness where the clinic veterinarian deems the animal unfit for surgery are required to pay a spay-neuter deposit in the amount of $75.00. This fee is refunded to the new pet owner upon proof of sterilization. The proposed ordinance maintains the requirement of a spay-neuter deposit along with requiring dogs and cats in the City to be altered unless a specific exemption is applicable.

The proposed ordinance provides for specific exemptions to the mandatory spay and neuter with responsible pet owners. The proposed ordinance includes exemptions to pet owners with animal breeds recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by law enforcement or the military for law enforcement, military or rescue activities; a qualified service or assistance dog as defined in California Food & Agriculture Code Section 30850; and an animal medically qualified by a licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity. All of these exemptions are included in this Ordinance.

ALTERNATIVES

1) Adopt the proposed changes to Moreno Valley Municipal Code Section 10.02.100, and introduce Ordinance No. 833.
2) Direct staff to make changes to the proposed ordinance and return to a City Council meeting or Study Session on a later date with a revised ordinance.

3) Take no action. The existing ordinance will remain in effect.

FISCAL IMPACT

No significant fiscal impact is anticipated.

ATTACHMENTS/EXHIBITS

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130736

ORDINANCE NO. 833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE ADDED:

1.1 Section 10.02.100 of the Moreno Valley Municipal Code is hereby amended to read as follows:

~~Section 10.02.100 Neuter deposits for dogs and cats.~~

"Section 10.02.100 Mandatory Spaying and Neutering – Dogs and Cats

~~A. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

A. Requirement.

1. No person may own, keep, or harbor an unaltered and unsprayed dog or cat in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

~~B. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

B. Exemptions.

This section shall not apply to any of the following:

1. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.

2. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.

3. Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry.

4. A dog used by law enforcement or the military for law enforcement, military or rescue activities.

5. A qualified service or assistance dog as defined in California Food & Agricultural Code Section 30850.

6. Any animal medically qualified by a California licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

~~C. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any shall be deemed unclaimed and nonrefundable.~~

C. Denial or revocation of unaltered dog license and reapplication.

The Animal Services Division may deny or revoke an unaltered an unaltered dog license for one or more of the following reasons:

1. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section.

2. The Animal Services Division has received at least three complaints, verified by the department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;

3. The owner, custodian, applicant, or licensee has been previously cited for violating a State law, local ordinance or other municipal provision relating to the care and control of animals;

4. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Moreno Valley Municipal Code or under state law;

5. Any unaltered dog license held by the applicant has been revoked;

6. The license application is discovered to contain a material misrepresentation or omission of fact.

D. Re-application for unaltered dog license.

1. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Animal Services Division shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.

2. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.

E. Appeal of denial or revocation of altered dog license – Request for Hearing.

1. Notice of intent to deny or revoke. The Animal Services Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

2. Hearing officer. The hearing shall be conducted by the Animal Services Division Manager's designee.

3. Notice and conduct of hearing. The Animal Services Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the department's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Animal Services Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

4. Change in location of dog. If the dog is moved after the Animal Services Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Animal Services Division with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

F. Transfer, sale, and breeding of unaltered dog or cat.

1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license must appear on a document transferring the animal to the new owner.

2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the department of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers, if any, must appear on a document transferring the animal to the new owner.

G. Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

1. An administrative citation, infraction, or other such authorize penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog or cat; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.

2. Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.

H. When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

1. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to animal services personnel;

2. Have the dog or cat spayed or neutered by a veterinarian under contract with the Animal Services Division at the expense of the owner

or custodian. Such expense may include additional fees due to extraordinary care required;

3. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay a spay/neuter deposit to the Animal Services Division. The veterinarian shall complete and return to the department within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

4. At the discretion of the Animal Services Division Manager, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or

5. If the owner or custodian demonstrates compliance with this section.

I. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.

1. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Animal Services Division in accordance with this chapter.

J. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section, subsection (f) shall be paid to the Animal Services Division for the purpose of defraying the cost of the implementation and enforcement of this program.

K. No person shall be permitted to adopt any dog or cat, which has not been neutered, unless and until a spay / neuter deposit shall have been paid to the city. The spay / neuter deposit shall be as established from time to time by resolution of the city council in accordance with California Food and Agriculture Code Section 30503.

L. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.

M. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any, shall be deemed unclaimed and nonrefundable.

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.5

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MV00130746

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011, and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on August 23, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011 and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on August 23, 2011, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with

and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

Ordinance No. 830
Date Adopted: _____

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00130758

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

September 27, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00130759

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
September 27, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Verizon Donation to the Moreno Valley Black Chamber of Commerce Community Foundation Family Adult Literacy Program and Technology (FALPT)

2. American Public Works Association (APWA) 2010 Project of the Year Award – Kitching Street Improvements Project

3. Recognition of Moreno Valley Rockets Field and Track Team

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
SEPTEMBER 27, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor James Samples - New Life Christian Fellowship

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF SEPTEMBER 6, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 APPROVAL OF CHECK REGISTER FOR JULY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

Resolution No. 2011-97

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of July, 2011

A.5 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT - PROJECT NO. 10-12272227 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc.;

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50

base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

A.6 TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRAN LOU DRIVE BETWEEN PERRIS BOULEVARD AND KITCHING STREET - DEVELOPER: LCTH INVESTMENT LP, NEWPORT BEACH, CA 92660 (Report of: Community and Economic Development)

Recommendation:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor Bond associated with Tract 20185 for public improvements; and

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

A.7 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324;

Resolution No. 2011-98

A Resolution of the City Council of the City of Moreno Valley, California, ordering the Vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3:

Section 8325;

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way); and

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

A.8 SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction;

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB;

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

A.9 ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT (Report of: Public Works Department)

Recommendation:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.; and

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

A.10 FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND COUNTY OF RIVERSIDE (Report of: Police Department)

Recommendation:
Adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

A.11 ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

A.12 APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST. (Report of: Human Resources Department)

Recommendation:

Adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

Resolution No. 2011-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the California Government Voluntary Employee Beneficiary Association (Calgoveba) Trust

A.13 PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011; DEVELOPER: FIRST INDUSTRIAL, L.P. A DELAWARE LIMITED PARTNERSHIP, EL

SEGUNDO, CA. 90245 (Report of: Community and Economic Development Department)

Recommendation:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011; and

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM (Report of: Parks and Community Services Department)

Recommendation:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year; and

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

Recommendation:
Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING (POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT) (Report of: City Clerk's Department)

Recommendation: That the City Council:
Conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

G.2 MEDIA AND COMMUNICATIONS STRATEGY (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the proposed Media and Communications Strategy.

G.3 ECONOMIC DEVELOPMENT ACTION PLAN UPDATE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

G.4 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

Ordinance No. 833

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 10.02.100 of the City of Moreno Valley Municipal Code Relating to the Mandatory Spay and Neuter of Dogs and Cats

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00130772

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 13, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the 10th Anniversary of 9-11
2. Constitution Week - September 17 - 23, 2011
3. Recognition of Moreno Valley Diamond Girls Softball Association
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 13, 2011

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:43 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Bishop Randy Triplett - Victory Temple of Deliverance Ministries

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Daryl Terrell (A9), Oscar Valdepena (A9), and received late was Chris Baca (A12).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of August 17 - September 6, 2011.

A.4 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (ALSO LISTED AS ITEM B.3) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35)

calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.5 REPLACEMENT OF PLAY STRUCTURES AND PLAYGROUND SURFACING AT RIDGECREST PARK, GATEWAY PARK, AND SUNNYMEAD PARK (Report: Parks and Community Services Department

Recommendation:

1. Award to Miracle Recreation Equipment Company, 878 E Hwy 60, Monett, MO 65708 for material and labor to replace play structures and playground surfacing at Ridgecrest Park, Gateway Park and Sunnymead Park; waive Faithful Performance and Material and Labor bonds; and

2. Authorize the Purchasing Manager to execute a purchase order in an amount not to exceed $242,994.95 as appropriated in FY11/12, in account code 461.65329.7500.

A.6 OFFER OF DEDICATION FOR RIGHT OF WAY FOR APN 475-272-054 - IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication for right of way for APN 475-272-054; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.7 MORRISON PARK FIRE STATION - OFFER OF DEDICATION - PROJECT NO. 11-43472527 LOCATED ON MORRISON STREET NORTH OF COTTONWOOD AVENUE (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Morrison Street north of Cottonwood Avenue; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR

THE LASSELLE/MARGARET TRAFFIC SIGNAL - PROJECT NO. 10-12566630 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Traffic Signal Improvements on Lasselle Street at Margaret Avenue Intersection to J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with J.F.L. Electric, Inc.;

3. Authorize the issuance of a Purchase Order to J.F.L. Electric, Inc. for a total amount of $211,660.00 ($176,382.63 base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with J.F.L. Electric, Inc., up to but not to exceed the Purchase Order's total contingency of $35,277.37, subject to the approval of the City Attorney.

A.9 ADOPT A RESOLUTION APPROVING A ONE-TIME BUSINESS LICENSE TAX AMNESTY PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve Resolution No. 2011-94 creating a one-time Business License Amnesty Program waiving the penalties and interest due on delinquent Business License Taxes and Fees; and

Resolution No. 2011-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a One-time Business License Tax Amnesty Program

2. Direct staff to continue to collect the Business License Tax and Fees for the three most recent delinquent years as provided in the existing ordinance.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE MORRISON PARK FIRE STATION (FIRE STATION 107) -- PROJECT NO. 11-43472527 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for $3,628,688 to Silver Creek Industries, 195 E. Morgan Street, Perris, CA 92571, the lowest responsible bidder, for construction of the Morrison Park Fire Station;

2. Authorize the City Manager to execute the Agreement with Silver Creek Industries;

3. Authorize the issuance of a Purchase Order to Silver Creek Industries for $4,354,426 ($3,628,688 bid plus 20% contingency) for construction of the Morrison Park Fire Station from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Silver Creek Industries up to, but not exceeding, the contingency amount of $725,738, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

A.12 CALIFORNIA OFFICE OF TRAFFIC SAFETY "SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES" GRANT (Report of: Police Department)

Recommendation:
Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Mini-Grant Program for Local Law Enforcement Agencies" in the amount of $72,340.27 for the period beginning November 1, 2011, and ending September 4, 2012.

A.13 APPROVE TEMPORARY LAND USE LICENSE AGREEMENT BETWEEN MORENO VALLEY COLLEGE AND THE CITY OF MORENO VALLEY FOR THE USE OF CITY PROPERTY FOR A CONSTRUCTION STAGING AREA LOCATED AT THE NORTHEAST CORNER OF LASSELLE STREET AND COLLEGE DRIVE (Report of: Community and Economic Development Department)

Recommendation:
1. Approve the Temporary Land Use License Agreement between Moreno Valley College and the City of Moreno Valley for the use of existing City-owned property at the northeast corner of Lasselle Street and College Drive;

2. Authorize the Mayor to execute the Agreement; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (AGENDA ITEM ALSO LISTED AS A.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.12) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Motion to Approve Joint Consent Calendar Items A.1 through D.2. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

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

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
After conducting the Public Hearing and accepting public testimony:

a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

b. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation a. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church NPDES "Yes", Passed

Buddhadhammo Temple NPDES "Yes", Passed

Motion to Approve Recommendations b, c, and d by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

2. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

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

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charges to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation 1. by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church CSD Zone M "Yes", passed

Buddhadhammo Temple CSD Zone M "Yes", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

E.3 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in its capacity as the President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:
   Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tract 31129;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tract 31129.

Motion to Approve Recommendation 1 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:
Tract No. 31129 Zone D "24 Yes"; "19 No"; "1 Invalid", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Mayor Pro Tem Mayor Pro Tem Jesse L. Molina Report on Riverside Transit Agency (RTA)

Mayor Pro Tem Jesse L. Molina reported on RTA holiday events as follows:

November 5, Perris Veteran's Day Parade

November 11, Murrieta Veteran's Day Parade

November 17, Riverside County Safe House - Stuff the Bus

November 25, Riverside Festival of Lights - Switch On Ceremony and Spark the Love Stuff the Bus

December 2, Temecula Electric Light Parade

December 3, Hemet Holiday Parade

Mayor Pro Tem Jesse L. Molina encouraged Moreno Valley to get involved.

G.2 APPOINTMENT TO THE PLANNING COMMISSION (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint one (1) member for a term expiring March 31, 2013; or

2. If the appointment is not made, authorize the City Clerk to re-notice the position as vacant.

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

Motion to Appoint Jeff Giba by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.3 APPROVAL OF A RESOLUTION SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE COUNCIL CHAMBER (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Approve Resolution No. 2011-95 supporting the display of the national motto "In God We Trust" in the Council Chamber, and

Resolution No. 2011-95

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Display of the National Motto "In God We Trust" in the Council Chamber

2. Direct staff to display the motto "In God We Trust" in the Council Chamber.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Tom Jerele Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.4 ADOPT RESOLUTION 2011-96, AUTHORIZING THE STREET NAME CHANGE OF CACTUS AVENUE TO MARCH MEMORIAL DRIVE FROM THE CITY'S WESTERN CITY LIMIT TO HEACOCK STREET (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-96, thereby changing the street name of Cactus Avenue to March Memorial Drive from the City's western city

limit to Heacock Street;

Resolution 2011-96

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Cactus Avenue to March Memorial Drive from the City's Western City Limit to Heacock Street

2. Direct the City Clerk to certify Resolution No. 2011-96 and transmit a copy of the resolution to the Riverside County Assessor's office, 911 Management at the Riverside County Sheriff's Department, as well as the Police Chief, Fire Chief, City Building Official, and the United States Postmaster at Moreno Valley, California;

3. Establish trust fund account number 00359.359.2239.15 for all expenditures and deposits related to the renaming of Cactus Avenue; and

4. Accept a donation from Donald E. Ecker in the amount of $43,569.90 to cover the expenditures associated with renaming Cactus Avenue to March Memorial Drive from the City's western city limit to Heacock Street.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Motion to Approve the name change from Cactus Avenue and accept donation for 43,569.90 from March Life Care by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 4-1, Mayor Pro Tem Jesse L. Molina opposed.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE

ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Continue Items H.2.1 and H.2.2 to September 27, 2011 City Council Meeting by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pete Bleckert

1. Voting on West Ridge Commerce Center Project

Tom Jerele

1. Spoke on fire in Sundance Building, commending Fire Department Personnel

Deanna Reeder

1. Support for Redistricting

Marcia Amino

1. Transperancy in Government

Jose Chavez

1. Check Points

Daryl Terrell

1. Stimulating our Local Economy

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

Council Member William H. Batey II

1. Complimented Tom Jerele for his comments on Fire Department.

Council Member Marcelo Co

1. Thanked participants for coming to Redistricting meeting, although not many turned out, he encouraged more to attend on Thursday.

Council Member Robin N. Hastings

1. Regarding parking at college and losing 300 parking spots. Temporary fix with an agreement worked out to help with parking, which would eliminate students taking up parking in front of mail boxes or residents homes.

2. Support for softball fields and lighting at ball fields.

3. Attended 9/11 Ceremony at March at 9:11 a.m. stating it was phenomenal.

4. Request camera's for October Fest

5. Redistricting

Mayor Pro Tem Jesse L. Molina

1. Redistricting information provided in Spanish on behalf of Chris Baca and himself.

Mayor Richard A. Stewart

1. Redistricting information

2. Developer Lunch with Ridge

3. Police Department - several good burglary arrests and a couple of robberies.

4. Five Guys Burger - Good

CLOSED SESSION - Cancelled

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY:

City Attorney announced reportable action from September 6, 2011 Closed Session:

City Council voted 5-0 to authorize the City Attorney to commence receivership on two properties under Government Code 54957.1, the particulars will be reported out when action commences; and the parties have been served.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:51 p.m. by unanimous informal consent. by m/Mayor Richard A. Stewart, s/Council Member William H. Batey II Approved by a vote of 5-0.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MINUTES
SPECIAL JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY

SPECIAL MEETING – 6:00 P.M.
SEPTEMBER 6, 2011

CALL TO ORDER - The Special Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION - Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
Marcelo Co	Council Member
William H. Batey II	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Rick Teichert	Financial & Administrative Services Director
Robert Hansen	City Attorney
Henry Garcia	City Manager
Michelle Dawson	Assistant City Manager
Chris Vogt	Public Works Director/City Engineer
Barry Foster	Economic Development Director
John Terell	Planning Official

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Mayor Pro Tem Jesse L. Molina pulled his motion (made at the August 23, 2011 meeting), Council Member Marcelo Co pulled his second.

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

Rebuttal by applicant Dennis Rice, President of Ridge Property Trust

Conditions of approval have been amended as follows to further enhance the WestRidge Commerce Center project:

1. Ridge Property Trust will add approximately 50% more glass to the building and match the color of the glass with Skechers glass color, and change the building's paint colors to more closely tie with Skechers.
2. Ridge Property Trust will add solar energy or some other cleaner alternative energy source (such as a micro-turbine) to power the office portion of the facility.
3. Ridge Property Trust will pay DIF fees at the "full rate" of $1.862/building SF. The current rate for DIF fees is discounted 50% from the full rate.
4. The building will be LEED certified. The WestRidge roof structure will be sized to carry the load of solar panels if a future tenant desires to use solar energy to power all or a portion of the building. Ridge Property Trust, will make available solar or other cleaner alternative energy source to power the office portion of the facility.
5. Ridge Property Trust will increase the tree box size to 36" (from the current 24" tree boxes) for the entire freeway frontage landscaping of the WestRidge project. This

will match the tree box size for the trees planted along the freeway in front of Skechers.

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned to Closed Session at 6:39 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

enl

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JULY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in both the adopted FY 2010-11 and FY 2011-12 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-97
Check Register for Month of July, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JULY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period July 1, 2011 through July 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period July 1, 2011 through July 31, 2011, in the total amount of $11,090,197.25 is approved.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/5/2011	208529	39,425.62		
				REHAB COSTS-24330 MT RUSSELL	16,478.95
				REHAB COSTS-13651 LITTLER CT	22,946.67
	Vendor Total		**39,425.62**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCELA				Remit to: **SAN RAMON**	**CA**
	7/18/2011	883164	79,202.49		
				PP MAINT CLIENT SERVER	4,705.86
				PP MAINT WORKFLOW	3,625.95
				PP MAINT OFFICE LINK	525.39
				PP MAINT ACCELA GIS	10,142.70
				PP MAINT ACCELA WIRELESS	15,333.81
				PP MAINT ACCELA WIRELESS ONLIN	5,623.52
				PP MAINT CONNECT EST. 10891	4,419.76
				PP MAINT PERMITS PLUS	34,825.50
	Vendor Total		**79,202.49**		
FYTD for ACCELA			**79,202.49**		
AECOM TECHNICAL SERVICES INC				Remit to: **ONTARIO**	**CA**
	7/25/2011	208813	34,689.62		
				PERRIS BLVD WIDENING PROJ	34,689.62
	Vendor Total		**34,689.62**		
FYTD for AECOM TECHNICAL SERVICES INC			**34,689.62**		
AFTERSCHOOL STORE.COM				Remit to: **PALMDALE**	**CA**
	7/25/2011	208814	49,254.26		
				AFTERSCHOOL SNACKS-STARS PRGM	37,400.26
				AFTERSCHOOL SNACKS-STARS PRGM	11,854.00
	Vendor Total		**49,254.26**		
FYTD for AFTERSCHOOL STORE.COM			**49,254.26**		
ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	7/11/2011	208633	256,508.61		
				SR-60/NASON ST INTRCHNG PROJ	205,206.89
				SR-60/NASON ST INTRCHNG PROJ	51,301.72
	7/19/2011	110704	28,500.96		
				RETENTN PMT PER ESCRW AGREEMNT	28,500.96
	Vendor Total		**285,009.57**		
FYTD for ALL AMERICAN ASPHALT, INC.			**285,009.57**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEADOR CONSTRUCTION COMPANY, INC			Remit to: **CORONA**	**CA**
7/18/2011	208732	182,970.00		
			BRIDGE REPAIR MAINT PRGM SVCS	182,970.00
	Vendor Total	**182,970.00**		
FYTD for BEADOR CONSTRUCTION COMPANY, INC		**182,970.00**		
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
7/11/2011	883138	29,428.60		
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E3	10,625.00
			LANDSCAPE MAINT-E3A	1,000.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	513.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	1,272.00
	Vendor Total	**29,428.60**		
FYTD for BEMUS LANDSCAPE, INC.		**40,176.27**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
7/25/2011	883192	35,112.31		
			LEGAL SERVICES-HR	96.31
			LEGAL SERVICES-HR	1,824.00
			LEGAL SERVICES-HR	4,674.00
			LEGAL SERVICES-HR	28,518.00
	Vendor Total	**35,112.31**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**35,112.31**		
COUNTY OF RIVERSIDE AUDITOR			Remit to: **RIVERSIDE**	**CA**
7/18/2011	208745	27,074.71		
			PARKING CONTROL FEES	1,596.00
			PARKING CONTROL FEES	25,478.71
7/25/2011	208831	25,971.42		
			PARKING CONTROL FEES	1,050.00
			PARKING CONTROL FEES	10,132.79
			PARKING CONTROL FEES	14,788.63
	Vendor Total	**53,046.13**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**53,046.13**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
7/25/2011	883195	27,550.67		
			CITATION PRCSSNG SVCS-CODE	13,851.06
			CITATION PRCSSNG SVCS-CODE	13,699.61
	Vendor Total	**27,550.67**		
FYTD for DATA TICKET, INC.		**32,235.28**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DDL TRAFFIC				Remit to: **CHINO HILLS** **CA**	
	7/5/2011	208547	32,274.83		
				GLOBAL OPTICOM PHASE	11,000.00
				GLOBAL OPTICOM PHASE	962.50
				SPEED CONTROL RADAR	18,678.00
				SPEED CONTROL RADAR	1,634.33
	Vendor Total		**32,274.83**		
FYTD for DDL TRAFFIC			**32,274.83**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/18/2011	208751	63,562.53		
			WATER CHARGES	101.54
			WATER CHARGES	202.16
			WATER CHARGES	2,884.80
			WATER CHARGES	36.00
			WATER CHARGES	3,493.45
			WATER CHARGES	104.72
			WATER CHARGES	21,293.70
			WATER CHARGES	2,269.79
			WATER CHARGES	10,030.38
			WATER CHARGES	7,534.75
			WATER CHARGES	2,356.80
			WATER CHARGES	6,330.92
			WATER CHARGES	1,234.13
			WATER CHARGES	1,824.23
			WATER CHARGES	73.45
			WATER CHARGES	905.72
			WATER CHARGES	223.09
			WATER CHARGES	549.02
			WATER CHARGES	405.55
			WATER CHARGES	262.42
			WATER CHARGES	648.50
			WATER CHARGES	797.41
7/26/2011	208880	60,290.62		
			WATER CHARGES	1,431.07
			WATER CHARGES	995.31
			WATER CHARGES	732.41
			WATER CHARGES	828.03
			WATER CHARGES	17,551.05
			WATER CHARGES	3,002.77
			WATER CHARGES	3,404.47
			WATER CHARGES	5,350.41
			WATER CHARGES	11,151.43
			WATER CHARGES	603.95
			WATER CHARGES	302.14
			WATER CHARGES	2,544.37
			WATER CHARGES	3,842.79
			WATER CHARGES	2,358.00
			WATER CHARGES	1,506.22
			WATER CHARGES	522.99
			WATER CHARGES	107.29
			WATER CHARGES	287.95
			WATER CHARGES	649.87
			WATER CHARGES	2,511.70
			WATER CHARGES	606.40
	Vendor Total	**123,853.15**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2890	41,848.13		
				STATE INCOME TAX W/H 7/1/11	41,848.13
	7/15/2011	2900	32,708.26		
				STATE INCOME TAX W/H 7/15/11	32,708.26
	7/29/2011	2908	30,988.67		
				STATE INCOME TAX W/H 7/29/11	30,988.67
	Vendor Total		**105,545.06**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	7/18/2011	883171	143,882.08		
				SVCS FOR ELECTRIC UTILITY	137,928.50
				SVCS FOR ELECTRIC UTILITY	9,435.00
				SVCS FOR ELECTRIC UTILITY	-3,664.42
				SVCS FOR ELECTRIC UTILITY	183.00
	7/25/2011	883196	141,641.54		
				DISTRIBUTION CHRGS	95,521.08
				SPECIAL CHRGS	7,684.96
				BAD DEBT REDUCTION	-2,271.00
				ONLINE UTILITY EXCHANGE	207.30
				SVCS FOR ELECTRIC UTILITY	40,499.20
	Vendor Total		**285,523.62**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
FLEMING ENVIRONMENTAL, INC.				Remit to: **FULLERTON** **CA**	
	7/25/2011	208840	93,132.14		
				SHADOW MTN PARK LIGHTING PROJ	64,456.34
				SHADOW MTN PARK RESTROOM PROJ	28,675.80
	Vendor Total		**93,132.14**		
FYTD for FLEMING ENVIRONMENTAL, INC.			**93,132.14**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208842	28,050.00		
				SIGNS INSTALLATION-TRANSP	6,138.00
				FREESTANDING COMM ID SIGN	10,022.36
				LIGHT POLE MTD COMM ID SIGN	2,285.61
				LIGHT POLE MTD ID BANNERS	4,021.70
				FREESTANDING AMENITY DIR SIGN	2,794.71
				LIGHT POLE MTD AMNTY DIR SIGN	1,024.59
				CA SALES TAX	1,763.03
	Vendor Total		**28,050.00**		
FYTD for FUSION SIGN AND DESIGN, INC			**28,050.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
7/21/2011	208810	215,802.45		
			MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
	Vendor Total	**215,802.45**		
FYTD for H & H GENERAL CONTRACTORS		**215,802.45**		
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
7/18/2011	883177	206,300.38		
			DAY ST IMPRVMNTS PROJ SVCS	76,729.40
			DAY ST IMPRVMNTS PROJ SVCS	129,570.98
	Vendor Total	**206,300.38**		
FYTD for HILLCREST CONTRACTING, INC		**206,300.38**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
7/15/2011	2898	33,541.75		
			DEF COMP 457 7/15/11	33,541.75
	Vendor Total	**33,541.75**		
FYTD for ICMA RETIREMENT CORP 457		**42,062.58**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2889	175,259.79		
			FED INCOME TAX W/H 7/1/11	175,259.79
7/15/2011	2899	126,161.58		
			FED INCOME TAX W/H 7/15/11	126,161.58
7/29/2011	2907	121,341.76		
			FED INCOME TAX W/H 7/29/11	121,341.76
	Vendor Total	**422,763.13**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
JTB SUPPLY CO., INC.			Remit to: **ORANGE** **CA**	
7/18/2011	883178	49,274.63		
			MEYERS BATTERY BACKUP	7,550.00
			MP2000 BATTERY BACKUP UNITS	14,950.00
			250W HPS LUMINAIRES W/NO PEC	1,550.00
			DIALIGHT 12" LED RED ARROW	1,200.00
			DIALIGHT 12" LED RED BALL	1,200.00
			DIALIGHT 12" LED GREEN ARROW	900.00
			DIALIGHT 12" LED GREEN BALL	1,480.00
			DIALIGHT ITE CNTDWN MODULES	15,580.00
			NEMA CONFLICT MONITOR 12 CHNL	900.00
			CALIF SALES TAX	3,964.63
	Vendor Total	**49,274.63**		
FYTD for JTB SUPPLY CO., INC.		**64,456.14**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/11/2011	208675	26,820.19		
				REHAB COSTS-15438 CASA GRANDE	26,820.19
	7/25/2011	208850	30,554.31		
				REHAB COSTS-13150 KIOWA DR	30,554.31
	Vendor Total		**57,374.50**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA** **CA**	
	7/11/2011	883148	156,561.99		
				DEMO/INSTLL PARK PLAY EQUIPMNT	133,097.93
				CA SALES TAX	4,235.47
				DEMO/INSTLL PARK PLAY EQUIPMNT	17,681.46
				CA SALES TAX	1,547.13
	Vendor Total		**156,561.99**		
FYTD for MIRACLE PLAYGROUND SALES			**156,561.99**		
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/18/2011	208771	77,145.82		
				ELECTRICITY	134.12
				ELECTRICITY	1,820.60
				ELECTRICITY	261.88
				ELECTRICITY	576.89
				ELECTRICITY	16,750.54
				ELECTRICITY	15,316.06
				ELECTRICITY	4,685.80
				ELECTRICITY	9,926.95
				ELECTRICITY	1,590.67
				ELECTRICITY	3,540.92
				ELECTRICITY	11,772.97
				ELECTRICITY	7,439.89
				ELECTRICITY	204.84
				ELECTRICITY	124.87
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	165.10
				ELECTRICITY	119.57
				ELECTRICITY	2,537.21
	Vendor Total		**77,145.82**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/15/2011	2896	89,191.65		
			DEF COMP 457 & 401(A) 7/15/11	89,191.65
7/29/2011	2904	25,173.70		
			DEF COMP 457 & 401(A) 7/29/11	25,173.70
	Vendor Total	**114,365.35**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NEW WORLD SYSTEMS, CORP			Remit to: **TROY** **MI**	
7/5/2011	208587	270,090.00		
			LOGOS 2011 EXEC CUSTOMER CONF.	1,890.00
			FM, HR/PY SOFTWARE LIC EFF DT	158,520.00
			SOFTWARE ESCROW SET-UP FEE	3,000.00
			SOFTWARE ESCROW ANNL ADMIN FEE	1,000.00
			FM, HR/PY SFTWARE LIC DELIVERY	105,680.00
	Vendor Total	**270,090.00**		
FYTD for NEW WORLD SYSTEMS, CORP		**270,090.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
7/11/2011	208684	130,384.06		
			ENERGY SVCS	130,384.06
	Vendor Total	**130,384.06**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**130,384.06**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
7/8/2011	110701	210,279.00		
			EMPLOYEE HEALTH INS 7/8/11	210,279.00
	Vendor Total	**210,279.00**		
FYTD for PERS HEALTH INSURANCE		**210,279.00**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
7/8/2011	2891	198,533.34		
			PERS RETIREMENT 7/1/11	198,533.34
7/22/2011	2901	221,172.56		
			PERS RETIREMENT 7/22/11	221,172.56
	Vendor Total	**419,705.90**		
FYTD for PERS RETIREMENT		**419,705.90**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PSOMAS				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208855	46,977.50		
				SR-60/NASON INTRCHNG PROJ SVCS	9,726.42
				SR-60/NASON INTRCHNG PROJ SVCS	1,260.16
				SR-60/NASON INTRCHNG PROJ SVCS	18,604.14
				SR-60/NASON INTRCHNG PROJ SVCS	2,410.36
				SR-60/NASON INTRCHNG PROJ SVCS	13,258.62
				SR-60/NASON INTRCHNG PROJ SVCS	1,717.80
	Vendor Total		**46,977.50**		
FYTD for PSOMAS			**46,977.50**		
RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	883151	450,141.45		
				IRONWOOD AVE/STORM DRAIN PROJ	182,929.10
				IRONWOOD AVE/STORM DRAIN PROJ	74,607.10
				IRONWOOD AVE/STORM DRAIN PROJ	28,885.50
				IRONWOOD AVE/STORM DRAIN PROJ	20,720.82
				IRONWOOD AVE-DAY TO BARCLAY	142,998.93
	Vendor Total		**450,141.45**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**500,157.17**		
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208878	2,621,009.49		
				CONTRACT LAW ENF BILL #10	44,257.44
				CONTRACT LAW ENF BILL #10	459.43
				CONTRACT LAW ENF BILL #10	1,419,988.41
				CONTRACT LAW ENF BILL #10	57,685.07
				CONTRACT LAW ENF BILL #10	362,907.97
				CONTRACT LAW ENF BILL #10	6,875.44
				CONTRACT LAW ENF BILL #10	87,171.93
				CONTRACT LAW ENF BILL #10	6,269.10
				CONTRACT LAW ENF BILL #10	72,109.18
				CONTRACT LAW ENF BILL #10	1,179.20
				CONTRACT LAW ENF BILL #10	173,447.24
				CONTRACT LAW ENF BILL #10	3,973.20
				CONTRACT LAW ENF BILL #10	303,502.31
				CONTRACT LAW ENF BILL #10	7,851.22
				CONTRACT LAW ENF BILL #10	34,281.80
				CONTRACT LAW ENF BILL #10	281.60
				CONTRACT LAW ENF BILL #10	27,781.89
				CONTRACT LAW ENF BILL #10	1,823.26
				CONTRACT LAW ENF BILL #10	1,069.00
				CONTRACT LAW ENF BILL #10	7,483.20
				CONTRACT LAW ENF BILL #10	611.60
	Vendor Total		**2,621,009.49**		
FYTD for RIVERSIDE COUNTY SHERIFF			**2,631,277.41**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	883102	247,552.00		
				ANNUAL RMS/CLETS BILNG FY10/11	247,552.00
	Vendor Total		**247,552.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.			**247,552.00**		
SAN PEDRO SIGN COMPANY				Remit to: **WILMINGTON** **CA**	
	7/18/2011	883183	247,614.87		
				AUTO MALL PYLON SIGN PROJECT	247,614.87
	Vendor Total		**247,614.87**		
FYTD for SAN PEDRO SIGN COMPANY			**247,614.87**		
SOUTHCOAST HEATING & AIR CONDITIONING				Remit to: **VISTA** **CA**	
	7/11/2011	208701	87,612.30		
				CITY HALL HVAC SYSTEM REPLCMNT	87,612.30
	Vendor Total		**87,612.30**		
FYTD for SOUTHCOAST HEATING & AIR CONDITIONING			**87,612.30**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208610	31,082.71		
			WDAT CHARGES-IRIS	2,752.38
			WDAT CHARGES-GRAHAM	4,055.01
			WDAT CHARGES-GLOBE	8,723.61
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	2,457.09
			WDAT CHARGES-SUBSTATION	10,447.31
7/18/2011	208792	131,907.55		
			ELECTRICITY	460.16
			ELECTRICITY	25.25
			ELECTRICITY	663.53
			ELECTRICITY	1,345.33
			ELECTRICITY	900.46
			ELECTRICITY	94,565.88
			ELECTRICITY	33,162.72
			ELECTRICITY	397.48
			ELECTRICITY	51.95
			ELECTRICITY	22.44
			ELECTRICITY	45.55
			ELECTRICITY	27.20
			ELECTRICITY	26.69
			ELECTRICITY	67.09
			ELECTRICITY	91.20
			ELECTRICITY	54.62
7/25/2011	208864	39,660.58		
			ELECTRICITY	1,573.29
			ELECTRICITY	204.85
			ELECTRICITY	5,455.35
			ELECTRICITY	1,334.28
			ELECTRICITY	147.70
			ELECTRICITY	3,805.22
			ELECTRICITY	18.93
			ELECTRICITY	4,401.48
			ELECTRICITY	1,019.92
			ELECTRICITY	4,047.97
			ELECTRICITY	1,895.65
			ELECTRICITY	1,691.61
			ELECTRICITY	277.13
			ELECTRICITY	3,644.30
			ELECTRICITY	1,132.38
			ELECTRICITY	1,230.13
			ELECTRICITY	24.19
			ELECTRICITY	40.12
			ELECTRICITY	4,110.06
			ELECTRICITY	1,804.20
			ELECTRICITY	357.03
			ELECTRICITY	427.84
			ELECTRICITY	563.73
			ELECTRICITY	254.30
			ELECTRICITY	162.74
			ELECTRICITY	36.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	202,650.84		
FYTD for SOUTHERN CALIFORNIA EDISON		228,961.11		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
7/19/2011	208809	29,920.17		
			LIFE & DISABILITY INSURANCE	11,719.41
			LIFE & DISABILITY INSURANCE	18,284.60
			LIFE & DISABILITY INSURANCE	-83.84
	Vendor Total	29,920.17		
FYTD for STANDARD INSURANCE CO		31,970.69		
TCM GROUP			Remit to: **FONTANA**	**CA**
7/12/2011	208723	173,200.42		
			SR-60/NASON ST INTRCHNG PROJ	21,572.87
			SR-60/NASON ST INTRCHNG PROJ	42,633.50
			SR-60/NASON ST INTRCHNG PROJ	23,140.52
			SR-60/NASON ST INTRCHNG PROJ	85,853.53
7/25/2011	208879	178,371.96		
			SR-60/NASON INTRCHNG PROJ	103,945.47
			SR-60/NASON INTRCHNG PROJ	74,426.49
	Vendor Total	351,572.38		
FYTD for TCM GROUP		351,572.38		
TRANE			Remit to: **CITY OF INDUSTRY**	**CA**
7/27/2011	208882	143,234.46		
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
	Vendor Total	143,234.46		
FYTD for TRANE		143,234.46		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
7/19/2011	110707	129,465.57		
			CALCARD PYMT CYCLE END 7/7/11	129,465.57
	Vendor Total	129,465.57		
FYTD for U.S. BANK/CALCARDS		129,465.57		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
7/27/2011	110708	1,233,839.91		
			2007 TAB SERIES A DEBT PYMT	1,233,839.91
	Vendor Total	1,233,839.91		
FYTD for WELLS FARGO CORPORATE TRUST		1,233,839.91		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCRCA				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208877	279,382.95		
				COMMERC./INDUSTR FEES-MSHCP	279,382.95
	Vendor Total		**279,382.95**		
FYTD for WRCRCA			**279,382.95**		
	Subtotal		**9,918,630.92**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

REGENCY THEATRES				Remit to: **MORENO VALLEY**	**CA**
	7/11/2011	208630	460.00		
				TICKETS AND SNACKS	460.00
	Vendor Total		**460.00**		
FYTD for REGENCY THEATRES			**460.00**		
A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/25/2011	208811	19,550.44		
				REHAB COSTS-14950 RIO GRANDE	19,550.44
	Vendor Total		**19,550.44**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCESS SECURITY CONTROLS INT., INC.				Remit to: **TEMECULA**	**CA**
	7/11/2011	208631	75.00		
				SECURITY MONITORING SVCS-ERC	75.00
	Vendor Total		**75.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**75.00**		
ADAMS, MARK L.				Remit to: **REDLANDS**	**CA**
	7/5/2011	883043	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**318.73**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE**	**CA**
	7/11/2011	883135	283.34		
				TRAINING FOR PD K9	283.34
	Vendor Total		**283.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**283.34**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCED ELECTRIC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208632	242.00		
				ELECTRICAL REPAIRS-PARKS	120.00
				ELECTRICAL REPAIRS-PARKS	60.00
				ELECTRICAL REPAIRS-GOLF COURSE	62.00
	7/18/2011	208724	2,554.00		
				ELECTRICAL REPAIRS	372.00
				REPLACED LIGHTING POLES	2,182.00
	7/25/2011	208812	3,098.00		
				ELECT REPAIR-PSB	977.00
				ELECT REPAIR-CONF & REC CTR	953.00
				ELECT REPAIR-CONF & REC CTR	519.00
				ELECT REPAIR-CONF & REC CTR	649.00
	Vendor Total		**5,894.00**		
FYTD for ADVANCED ELECTRIC			**5,894.00**		
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	7/11/2011	883136	362.50		
				CONSULTING SERVICES-NPDES	362.50
	Vendor Total		**362.50**		
FYTD for AEI-CASC ENGINEERING			**362.50**		
ALANIS, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208725	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALANIS, MICHELLE			**95.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	7/11/2011	208634	1,450.12		
				TRANSPORTATION SVCS-CHILDS PLC	373.43
				TRANSPORTATION SVCS-CHILDS PLC	717.79
				TRANSPORTATION SVCS-VALLEYCAMP	358.90
	Vendor Total		**1,450.12**		
FYTD for ALLIANCE BUS LINES INC			**1,450.12**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	7/18/2011	208726	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**75.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALPHACORP/SIRE TECHNOLOGIES			Remit to: **WEST VALLEY CITY**	**UT**
7/18/2011	883165	11,994.00		
			SIRE EDMS SOFTWARE ANN MAINT.	1,699.00
			PERMITS+ INTERFACE ANN MAINT.	509.00
			ENTERPRISE RETENTION MANAGER	899.00
			ENTERPRISE WORKFLOW MODULE	720.00
			CITY-WIDE SIRE CLIENT USER LIC	2,519.00
			PDF CONVERSION, OCR AND FULL	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE ANNUAL MAINT.	539.00
			SIRE FORMS ANNUAL MAINT.	899.00
			SIRE AGENDA PLUS ANNUAL MAINT.	6,119.00
			CAPTURE INDEX STATION ANNUAL	944.00
			PURCHASING INCENTIVE DISCOUNT	-4,000.00
	Vendor Total	**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**11,994.00**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208635	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for ALVAREZ, JUAN C		**52.50**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS**	**CA**
7/11/2011	883137	82.16		
			BLOOD DRAWS	82.16
	Vendor Total	**82.16**		
FYTD for AMERICAN FORENSIC NURSES		**82.16**		
AMERICAN TOWERS			Remit to: **CHARLOTTE**	**NC**
7/11/2011	208636	2,573.48		
			ATC TOWER LEASE	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**2,573.48**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM**	**CA**
7/11/2011	208637	121.92		
			ELEVATOR SVCS-CITY HALL	121.92
7/25/2011	208815	352.38		
			WHEELCHAIR LIFT SVC/REPAIR	230.46
			ELEVATOR SVC/REPAIRS-CITY HALL	121.92
	Vendor Total	**474.30**		
FYTD for AMTECH ELEVATOR SERVICES		**474.30**		

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ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
7/25/2011	883188	640.00		
			EMERGENCY VET SVCS	400.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
	Vendor Total	**640.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**640.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
7/18/2011	208727	325.00		
			BEE REMOVAL	325.00
7/25/2011	208816	1,790.00		
			PEST CONTROL-GOLF COURSE	180.00
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MFCC/MBF/MVEC	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	160.00
			PEST CONTROL-STARS BLDG	100.00
	Vendor Total	**2,115.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**2,115.00**		
APWA-AMERICAN PUBLIC WORKS ASSOCIATION			Remit to: **KANSAS CITY**	**MO**
7/18/2011	208728	550.00		
			MAINT FOR MICRO PAVER APPLIC.	550.00
7/25/2011	208817	2,380.00		
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
	Vendor Total	**2,930.00**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**2,930.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
7/18/2011	883166	1,346.48		
			OFFSITE STORAGE SVCS-CITY CLRK	1,331.65
			RECORDS DESTRUCTION-ANIMAL SVC	14.83
	Vendor Total	**1,346.48**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**1,346.48**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
7/5/2011	208530	340.78		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRFFC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-FS #2	25.00
			WATER PURIF RNTL-FS #6	25.00
			WATER PURIF RNTL-FS #48	25.00
			WATER PURIF RNTL-FS #58	15.77
			WATER PURIF RNTL-FS #65	25.00
			WATER PURIF RNTL-FS #91	25.00
7/18/2011	208729	200.01		
			WATER PURIF RNTL-ANML SVCS	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPCL DIST	25.00
			WATER PURIF RNTL-CONF & REC CT	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FAC ANNEX	25.00
			WATER PURIF RNTL-STARS	25.00
	Vendor Total	**540.79**		
FYTD for ARROWHEAD WATER		**540.79**		
AT&T MOBILITY			Remit to: **CAROL STREAM** **IL**	
7/5/2011	208531	91.04		
			CELL PH CHARGES-PD MBL CMMND C	91.04
	Vendor Total	**91.04**		
FYTD for AT&T MOBILITY		**91.04**		
AT&T NATIONAL COMPLIANCE CENTER			Remit to: **NORTH PALM BEACH** **FL**	
7/5/2011	208532	300.00		
			CELL PHONE PING FEES FOR PD	300.00
	Vendor Total	**300.00**		
FYTD for AT&T NATIONAL COMPLIANCE CENTER		**300.00**		

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AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	7/5/2011	208533	183.10		
				COMMUNICATION SVCS	183.10
	Vendor Total		**183.10**		
FYTD for AT&T/MCI			**183.10**		
AUTOMATIC STOREFRONT SERVICE, INC.				Remit to: **CHINO** **CA**	
	7/25/2011	208818	175.00		
				DOOR REPAIRS	87.50
				DOOR REPAIRS	87.50
	Vendor Total		**175.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**175.00**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208638	65.28		
				MILEAGE REIMBURSEMENT	65.28
	7/25/2011	208819	371.58		
				TRAVEL EXP.-CRRA CONFERENCE	123.08
				TRAVEL EXP.-CRRA CONFERENCE	248.50
	Vendor Total		**436.86**		
FYTD for AYALA, NANNERL A.			**436.86**		
AYERS, JAMES				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208730	34.00		
				REFUND-VARIOUS A/C FEES	22.00
				REFUND-VARIOUS A/C FEES	12.00
	Vendor Total		**34.00**		
FYTD for AYERS, JAMES			**34.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	7/5/2011	208534	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**318.73**		
BAGLEY, DENISE				Remit to: **HEMET** **CA**	
	7/5/2011	208535	87.00		
				REFUND-PARKS CLASS REGIS FEE	87.00
	Vendor Total		**87.00**		
FYTD for BAGLEY, DENISE			**87.00**		

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BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	7/5/2011	883044	119.73		
				RETIREE MED MAR '11, PD JUL '1	119.73
	Vendor Total		**119.73**		
FYTD for BARNES, DARLENE			**119.73**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	7/25/2011	208820	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARTUCCIO, ERICA			**20.00**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883189	60.00		
				BACKFLOW TESTING-PARKS	6.91
				BACKFLOW TESTING-PARKS	23.09
				BACKFLOW TESTING-PARKS	30.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**60.00**		
BASSET HOUND OF SO CALIF RESCUE				Remit to: **COSTA MESA** **CA**	
	7/25/2011	208821	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BASSET HOUND OF SO CALIF RESCUE			**75.00**		
BATONGMALAQUE, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208731	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATONGMALAQUE, BARBARA			**50.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208536	250.00		
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**250.00**		

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BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	7/5/2011	883045	10,660.49		
				LANDSCAPE MAINT-E4	114.31
				LANDSCAPE MAINT-E4	65.52
				LANDSCAPE MAINT-E4	65.10
				LANDSCAPE MAINT-E4	650.00
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STNS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E3	315.00
				LNDSCP MAINT-PAN AM SECTION	600.00
				LNDSCP MAINT-SCE & OLD LAKE DR	1,785.00
				LNDSCP MAINT-S AQDCT "A"	850.50
				LNDSCP MAINT-S AQDCT "B"	735.00
				LNDSCP MAINT-SENIOR CTR	262.50
				LNDSCP MAINT-N AQDCT	525.00
	7/25/2011	883190	87.18		
				LANDSCAPE MAINT-E4	87.18
	Vendor Total		**10,747.67**		
FYTD for BEMUS LANDSCAPE, INC.			**40,176.27**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	883191	846.50		
				COBRA ADMIN FEE	846.50
	Vendor Total		**846.50**		
FYTD for BENESYST, INC.			**846.50**		
BERMUDEZ, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208733	47.25		
				REFUND-CLASS REGIS FEE	7.75
				REFUND-CLASS REGIS FEE	15.00
				REFUND-CLASS REGIS FEE	19.25
				REFUND-CLASS REGIS FEE	5.25
	Vendor Total		**47.25**		
FYTD for BERMUDEZ, ASHLEY			**47.25**		
BERRY, RICK				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208639	836.00		
				REFUND-RENTAL DEPOSIT -TWNGATE	200.00
				REFUND-RENTAL DEPOSIT -TWNGATE	636.00
	Vendor Total		**836.00**		
FYTD for BERRY, RICK			**836.00**		

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BIO-TOX LABORATORIES			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208734	1,555.89		
			TOXICOLOGY TESTING-PD	1,555.89
	Vendor Total	**1,555.89**		
FYTD for BIO-TOX LABORATORIES		**1,555.89**		
BPC MEDIA WORKS, LLC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208822	1,530.00		
			ADVERTISING SVCS-EDD	1,530.00
	Vendor Total	**1,530.00**		
FYTD for BPC MEDIA WORKS, LLC		**1,530.00**		
BRACAMONTE, FRANCES			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208823	112.00		
			REFUND-CLASS REGIS FEE	112.00
	Vendor Total	**112.00**		
FYTD for BRACAMONTE, FRANCES		**112.00**		
BREAKTHROUGH CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208640	100.00		
			REFUND-RENTAL DEPOSIT -TWNGATE	100.00
	Vendor Total	**100.00**		
FYTD for BREAKTHROUGH CHURCH		**100.00**		
BRIGIE, DEBRA			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208824	17,855.60		
			SOLAR INCENTIVE REBATE	17,855.60
	Vendor Total	**17,855.60**		
FYTD for BRIGIE, DEBRA		**17,855.60**		
BRITTMON, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208641	66.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	10.00
	Vendor Total	**66.00**		
FYTD for BRITTMON, MICHELLE		**66.00**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	7/5/2011	883046	287.65		
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	49.03
				MISC BOOKS-LIBRARY	40.17
				MISC BOOKS-LIBRARY	51.24
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	38.69
	7/18/2011	883167	1,261.16		
				MISC BOOKS-LIBRARY	59.40
				MISC BOOKS-LIBRARY	146.07
				MISC BOOKS-LIBRARY	564.19
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	378.59
	Vendor Total		**1,548.81**		
FYTD for BRODART CO.			**1,548.81**		
BROWN, HOWARD				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208825	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROWN, HOWARD			**50.00**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	7/5/2011	208537	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**318.73**		
BURKE, JOHN R.				Remit to: **REDLANDS** **CA**	
	7/5/2011	208538	1,737.00		
				RETIREE MED JB 9/10-2/11, 5/11	1,737.00
	Vendor Total		**1,737.00**		
FYTD for BURKE, JOHN R.			**1,737.00**		

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BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
7/5/2011	208539	2,820.13		
			MISC BOOKS-LIBRARY	75.40
			MISC BOOKS-LIBRARY	15.50
			MISC BOOKS-LIBRARY	16.59
			MISC BOOKS-LIBRARY	51.65
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	1,059.61
			MISC BOOKS-LIBRARY	1,372.21
			MISC BOOKS-LIBRARY	84.69
			MISC BOOKS-LIBRARY	77.10
			MISC BOOKS-LIBRARY	26.43
			MISC BOOKS-LIBRARY	21.21
7/18/2011	208735	15.50		
			MISC BOOKS-LIBRARY	15.50
	Vendor Total	**2,835.63**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**2,835.63**		
C & H DISTRIBUTORS, INC.			Remit to: **MILWAUKEE** **WI**	
7/18/2011	208736	3,243.41		
			UPHLSTRD STACK CHAIRS W/O ARMS	2,340.80
			SHIPPING & HANDLING CHRG	697.79
			CA SALES TAX	204.82
	Vendor Total	**3,243.41**		
FYTD for C & H DISTRIBUTORS, INC.		**3,243.41**		
CA REGIONAL WATER QUALITY CONTROL BOARD			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208642	712.00		
			SEC 401 CERT FILING FEE	712.00
	Vendor Total	**712.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD		**712.00**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
7/5/2011	883047	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CAIN, GREGORY		**318.73**		
CALIFORNIA BUILDING STANDARDS COMMISSION			Remit to: **SACRAMENTO** **CA**	
7/12/2011	208720	376.20		
			SB 1473 FEES COLLECTD 4/1-6/30	376.20
	Vendor Total	**376.20**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		**376.20**		

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CALIFORNIA DEPARTMENT OF FISH AND GAME			Remit to: **LOS ALAMITOS** **CA**	
7/11/2011	208643	4,482.75		
			STREAMBED ALTER. AGRMNT FEE	4,482.75
	Vendor Total	**4,482.75**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME		**4,482.75**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208826	75.00		
			REFUND-PARK RNTL DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**75.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
7/5/2011	883048	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**318.73**		
CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
7/11/2011	208644	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**7,590.68**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883049	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**318.73**		
CARTER, TERRY			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208645	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CARTER, TERRY		**20.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
7/11/2011	208646	286.49		
			CEMENT PURCHASE	286.49
	Vendor Total	**286.49**		
FYTD for CEMEX		**286.49**		

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CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	883193	8,942.00		
				INVESTMENT MGT SVCS	8,942.00
	Vendor Total		**8,942.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**8,942.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208540	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**318.73**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883050	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**318.73**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883051	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**229.88**		

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CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
7/5/2011	883052	111.68		
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	13.00
			UNIFORM RNTL SVC-GOLF COURSE	5.56
7/11/2011	883139	341.36		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	61.60
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM SVCS-FACILITIES	12.40
7/18/2011	883168	66.90		
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
7/25/2011	883194	66.90		
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
			UNIFORM RNTL SVC-GOLF COURSE	2.79
	Vendor Total	**586.84**		
FYTD for CINTAS CORPORATION		**586.84**		
CITRUS BELT CHAPTER, I.C.C.			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208827	25.00		
			FY11/12 MEMBERSHIP RENEWAL	25.00
	Vendor Total	**25.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**25.00**		

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CITY OF DESERT HOT SPRINGS			Remit to: **DESERT HOT SPRINGS CA**	
7/11/2011	208647	80.00		
			7/11/11 LCC GEN MEMB MEETING	40.00
			7/11/11 LCC GEN MEMB MEETING	40.00
	Vendor Total	**80.00**		
FYTD for CITY OF DESERT HOT SPRINGS		**80.00**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY CA**	
7/18/2011	883169	4,475.00		
			EXEMPT VEBA	-37.50
			EXEMPT VEBA	700.00
			EXEMPT VEBA	3,812.50
	Vendor Total	**4,475.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**4,475.00**		
CITY OF TORRANCE			Remit to: **TORRANCE CA**	
7/18/2011	208737	6,870.00		
			SIPPLE ET AL V. CITY-LEGAL SVC	6,870.00
	Vendor Total	**6,870.00**		
FYTD for CITY OF TORRANCE		**6,870.00**		
CLARK, CHRISTINE			Remit to: **MORENO VALLEY CA**	
7/25/2011	208828	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CLARK, CHRISTINE		**75.00**		
COAST TO COAST LASER			Remit to: **MURRIETA CA**	
7/11/2011	208648	1,483.76		
			MVPD SHIELD STICKERS	741.88
			MVPD SHIELD STICKERS	741.88
	Vendor Total	**1,483.76**		
FYTD for COAST TO COAST LASER		**1,483.76**		
COBBS JR., JOE C			Remit to: **MORENO VALLEY CA**	
7/18/2011	208738	11,205.60		
			SOLAR INCENTIVE REBATE	11,205.60
	Vendor Total	**11,205.60**		
FYTD for COBBS JR., JOE C		**11,205.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLLINS, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208829	47.00		
				REFUND-PIANO CLASS CANCELLED	47.00
	Vendor Total		**47.00**		
FYTD for COLLINS, DANIEL			**47.00**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	7/5/2011	208541	6,935.24		
				SUPPLEMENTAL INSURANCE	6,935.24
	Vendor Total		**6,935.24**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**6,935.24**		
COMMUNITY HEALTH CHARITIES				Remit to: **ANAHEIM** **CA**	
	7/5/2011	208542	2.50		
				CHC CONTRIBUTIONS	2.50
	7/5/2011	208543	176.31		
				CHC CONTRIBUTIONS	176.31
	7/18/2011	208739	2.50		
				CHC CONTRIBUTIONS	2.50
	7/18/2011	208740	176.31		
				CHC CONTRIBUTIONS	176.31
	Vendor Total		**357.62**		
FYTD for COMMUNITY HEALTH CHARITIES			**357.62**		
CONCEPCION BARAJAS/JESSICA AVELAR				Remit to: **PERRIS** **CA**	
	7/5/2011	208544	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CONCEPCION BARAJAS/JESSICA AVELAR			**95.00**		
CONTINENTAL WESTERN TRANSPORTATION				Remit to: **SAN DIEGO** **CA**	
	7/11/2011	208649	6,752.25		
				ASPHALTIC MATERIALS PURCHASE	3,534.38
				ASPHALTIC MATERIALS PURCHASE	3,217.87
	Vendor Total		**6,752.25**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION			**6,752.25**		

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CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND** **CA**	
7/18/2011	208741	148.71		
			LEGAL PUBLICATIONS	12.20
			LEGAL PUBLICATIONS	136.51
	Vendor Total	**148.71**		
FYTD for CONTINUING EDUCATION OF THE BAR		**148.71**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208650	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for CONTRERAS, BIANCA		**52.50**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208651	175.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
			SPORTS OFFICIATING SVCS-SOCCER	70.00
	Vendor Total	**175.00**		
FYTD for CONTRERAS, JOSE		**175.00**		
CORTES, MARIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208742	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for CORTES, MARIA		**200.00**		
COSTCO			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208652	383.89		
			MISC SUPPLIES-CHILDS PLACE	140.59
			MISC SUPPLIES-STARS	243.30
7/18/2011	208743	1,350.19		
			SNACKS-"A CHILDS PLACE" PRGM	1,350.19
	Vendor Total	**1,734.08**		
FYTD for COSTCO		**1,734.08**		
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208830	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**1,250.00**		
FYTD for COUNSELING TEAM, THE		**1,250.00**		

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COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
7/5/2011	208545	64.12		
			REFUND-UUT USER TAXES	64.12
Vendor Total		**64.12**		
FYTD for COUNTRY SQUIRE ESTATES		**64.12**		
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208653	2,163.78		
			JANITORIAL SUPPLIES	1,936.67
			JANITORIAL SUPPLIES	227.11
Vendor Total		**2,163.78**		
FYTD for COUNTY OF RIVERSIDE		**2,163.78**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208744	42.70		
			RECORDATION REQUESTS-LAND DEV	8.30
			RECORDATION REQUESTS-LAND DEV	34.40
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**42.70**		
COVARRUBIAS, MELISSA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208654	75.00		
			REFUND-SN DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for COVARRUBIAS, MELISSA		**75.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
7/5/2011	883053	110.31		
			K-9 DOG FOOD	110.31
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**110.31**		
CUEVAS, GLORIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208746	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CUEVAS, GLORIA		**20.00**		
CUFF, STEPHANIE CERVANTES			Remit to: **PERRIS** **CA**	
7/11/2011	208655	19.38		
			MILEAGE REIMBURSEMENT	19.38
Vendor Total		**19.38**		
FYTD for CUFF, STEPHANIE CERVANTES		**19.38**		

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CUMBERLAND, AKOSUA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208546	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for CUMBERLAND, AKOSUA			**145.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.				Remit to: **VALENCIA** **CA**	
	7/25/2011	208832	745.00		
				DISPOSAL SVCS	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**745.00**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883054	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**318.73**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	7/11/2011	883140	4,684.61		
				CITATION PRCSSNG-PD	3,876.95
				CITATION PRCSSNG-ANML SVCS	407.36
				CITATION PRCSSNG-BLDG/SFTY	162.82
				CITATION PRCSSNG-ADDL PYMNT	237.48
	Vendor Total		**4,684.61**		
FYTD for DATA TICKET, INC.			**32,235.28**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	208833	130.50		
				ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**130.50**		
DE SANTIS, THOMAS M				Remit to: **TEMECULA** **CA**	
	7/5/2011	208548	14,000.00		
				PROF SVCS-CITY EVALUATION	12,000.00
				PROF SVCS-CITY EVALUATION	2,000.00
	Vendor Total		**14,000.00**		
FYTD for DE SANTIS, THOMAS M			**14,000.00**		

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DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	7/11/2011	208656	140.00		
				MONTHLY BOILER SVC-EOC	140.00
	7/18/2011	208747	29.36		
				REPLACED BOILER PARTS-EOC	29.36
	Vendor Total		**169.36**		
FYTD for DEBINAIRE COMPANY			**169.36**		
DEL REY APPRAISAL SRVCS				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208657	500.00		
				APPRAISAL SVCS-EDD	250.00
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**500.00**		
FYTD for DEL REY APPRAISAL SRVCS			**500.00**		
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208748	10,712.77		
				EMPLOYEE DENTAL INSURANCE	10,712.77
	Vendor Total		**10,712.77**		
FYTD for DELTA DENTAL			**10,712.77**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208549	6,033.46		
				EMPLOYEE DENTAL INSURANCE	6,033.46
	7/18/2011	208749	5,580.33		
				EMPLOYEE DENTAL INSURANCE	5,580.33
	Vendor Total		**11,613.79**		
FYTD for DELTACARE USA			**11,613.79**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	7/11/2011	883141	2,180.00		
				PLAN REVIEW SVCS-FIRE PREV	1,530.00
				PLAN REVIEW SVCS-FIRE PREV	650.00
	7/18/2011	883170	1,710.00		
				PLAN CHECK SVCS-FIRE PREV	1,150.00
				PLAN CHECK SVCS-FIRE PREV	560.00
	Vendor Total		**3,890.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**3,890.00**		

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DEPARTMENT OF CONSERVATION				Remit to: **SACRAMENTO** **CA**	
	7/11/2011	208658	578.26		
				SMI FEES 4/1-6/30/11	608.69
				SMI FEES 4/1-6/30/11	-30.43
	Vendor Total		**578.26**		
FYTD for DEPARTMENT OF CONSERVATION			**578.26**		
DESIGN WORKS				Remit to: **SAN JACINTO** **CA**	
	7/5/2011	208550	2,235.46		
				YTH SPORTS UNIFORMS	2,235.46
	7/11/2011	208659	1,950.35		
				UNIFORMS-YOUTH SPORTS	24.91
				UNIFORMS-YOUTH SPORTS	1,925.44
	7/25/2011	208834	150.07		
				YTH SPORTS UNIFORMS-PARKS	150.07
	Vendor Total		**4,335.88**		
FYTD for DESIGN WORKS			**4,335.88**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	7/5/2011	208551	10,031.59		
				DAY ST DRAINAGE IMPRVMNTS PROJ	10,031.59
	Vendor Total		**10,031.59**		
FYTD for DMC DESIGN GROUP, INC			**10,031.59**		
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	7/5/2011	208552	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**229.88**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208553	189.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**189.00**		

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E.R. BLOCK PLUMBING & HEATING, INC.			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208660	2,560.87		
			BACKFLOW TESTING-NPDES	100.00
			BACKFLOW REPLACMNT-ZONE D	597.19
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
7/18/2011	208750	1,031.47		
			BACKFLOW REPLACMNT-ZONE D	583.97
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW TESTING-ZONE D	240.00
			BACKFLOW TESTING-ZONE E-14	20.00
	Vendor Total	**3,592.34**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**3,592.34**		
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/11/2011	208661	4,500.00		
			PLAN CK DEPOSIT W/EASEMENT	4,500.00
7/12/2011	208721	15,137.12		
			WATER CHARGES	322.43
			WATER CHARGES	10,105.12
			WATER CHARGES	423.54
			WATER CHARGES	2,616.82
			WATER CHARGES	1,184.99
			WATER CHARGES	22.28
			WATER CHARGES	193.03
			WATER CHARGES	268.91
	Vendor Total	**19,637.12**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883055	35.18		
			REFUND-UUT USER TAXES	35.18
	Vendor Total	**35.18**		
FYTD for EDGELANE MOBILE PARK		**35.18**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
7/5/2011	208554	325.66		
			RETIREE MED JUL '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**325.66**		

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ELIZARRARAZ, EDDIE				Remit to: **MORENO VALLEY CA**	
	7/18/2011	208752	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ELIZARRARAZ, EDDIE			**20.00**		
ELLIOTT, NISHA				Remit to: **MORENO VALLEY CA**	
	7/25/2011	208835	134.40		
				INSTRUCTOR SVCS-KICKBOXING	4.40
				INSTRUCTOR SVCS-KICKBOXING	103.60
				INSTRUCTOR SVCS-KICKBOXING	26.40
	Vendor Total		**134.40**		
FYTD for ELLIOTT, NISHA			**134.40**		
EMPIRE MOWER				Remit to: **MORENO VALLEY CA**	
	7/11/2011	208662	1,105.85		
				EQUIP REPAIRS-PARK MAINT	685.03
				EQUIP REPAIRS-PARK MAINT	420.82
	Vendor Total		**1,105.85**		
FYTD for EMPIRE MOWER			**1,105.85**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2893	500.00		
				STATE INCOME TAX W/H 7/1/11	500.00
	Vendor Total		**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM CA**	
	7/5/2011	883056	23,272.59		
				CABINET LEASE-IRIS	17.89
				CABINET LEASE-IRIS	1,232.11
				WORK AUTH-HIGHLAND FAIRVIEW	11,590.55
				12KV NEW REDLAND CKT WORK AUTH	10,432.04
	Vendor Total		**23,272.59**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
ESCOBAR, CARMEN				Remit to: **MORENO VALLEY CA**	
	7/25/2011	208836	31.20		
				REFUND-DANCE CLASS	31.20
	Vendor Total		**31.20**		
FYTD for ESCOBAR, CARMEN			**31.20**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883057	30.45		
			ENGRAVING SVCS-FACILITIES	28.00
			ENGRAVING SVCS-FACILITIES	2.45
7/18/2011	883172	30.45		
			ENGRAVING SVCS-PARKS	30.45
	Vendor Total	**60.90**		
FYTD for EVANS ENGRAVING & AWARDS		**60.90**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
7/18/2011	208753	129.29		
			IRRIGATION SUPPLIES-FIRE STATN	129.29
7/25/2011	208837	2,812.03		
			IRRIGATION SUPPLIES-PARKS	130.23
			IRRIGATION SUPPLIES-PARKS	305.72
			IRRIGATION SUPPLIES-PARKS	2,161.55
			IRRIGATION SUPPLIES-CFD#1	122.36
			IRRIGATION SUPPLIES-PARKS	92.17
	Vendor Total	**2,941.32**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**2,941.32**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
7/25/2011	208838	7,987.21		
			LANDSCAPE MAINT-E8	22.22
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-WQB	1,059.42
			LANDSCAPE MAINT-WQB	3,444.50
	Vendor Total	**7,987.21**		
FYTD for EXCEL LANDSCAPE, INC		**7,987.21**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
7/5/2011	883058	361.25		
			RETIREE MED JUL '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**361.25**		

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FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
7/5/2011	208555	586.00		
			ONLINE PROP INFO SVCS-CDD	331.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-EDD	170.00
7/25/2011	208839	526.00		
			ONLINE PROP INFO SVCS-CDD	271.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-NSP	170.00
	Vendor Total	**1,112.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**1,112.00**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
7/5/2011	883059	134.06		
			COFFEE SVCS-EMP PAID	1.40
			COFFEE SVCS-EMP PAID	132.66
7/11/2011	883142	550.48		
			COFFEE SVCS-EMP PAID	171.03
			COFFEE SVCS-EMP PAID	20.00
			COFFEE SVCS-EMP PAID	225.43
			COFFEE SVCS-EMP PAID	85.64
			COFFEE SVCS-EMP PAID	48.38
7/18/2011	883173	62.01		
			COFFEE SUPPLIES-CITY YARD	62.01
	Vendor Total	**746.55**		
FYTD for FIRST CHOICE SERVICES		**746.55**		
FLORES, ARCHIE			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208754	29.60		
			REFUND-PICNIC SHELTER RENTAL	29.60
	Vendor Total	**29.60**		
FYTD for FLORES, ARCHIE		**29.60**		
FOOTHILL CHAPTER - I.C.C.			Remit to: **FONTANA** **CA**	
7/25/2011	208841	50.00		
			MEMBERSHIP DUES	50.00
	Vendor Total	**50.00**		
FYTD for FOOTHILL CHAPTER - I.C.C.		**50.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883060	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**318.73**		

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FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	7/5/2011	208556	165.58		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	25.58
	7/18/2011	208755	255.00		
				GARNISHMENT	25.00
				GARNISHMENT	230.00
	Vendor Total		**420.58**		
FYTD for FRANCHISE TAX BOARD			**420.58**		
FRANCO, JUAN				Remit to: **PERRIS** **CA**	
	7/18/2011	208756	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FRANCO, JUAN			**75.00**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	7/11/2011	208663	193.29		
				MILEAGE REIMBURSEMENT	193.29
	Vendor Total		**193.29**		
FYTD for FRANKLIN, L. C.			**193.29**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208557	2,249.76		
				TRAFFIC PAINT	2,249.76
	Vendor Total		**2,249.76**		
FYTD for FRAZEE INDUSTRIES, INC			**2,249.76**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208757	140.00		
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	56.00
				SPORTS OFFICIATING SVCS-SFTBLL	4.00
	Vendor Total		**140.00**		
FYTD for FRESQUEZ, JOHN			**140.00**		
FUEL AND FLAME MINISTRY				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208664	480.00		
				REFUND-UNUSED PORTION OF DEP.	480.00
	Vendor Total		**480.00**		
FYTD for FUEL AND FLAME MINISTRY			**480.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FUEL PROS, INC				Remit to: **CHINO** **CA**	
	7/18/2011	208758	1,650.00		
				FUEL DISPENSER PUMP RPLCMNT	1,502.00
				FUEL DISPENSER PUMP RPLCMNT	148.00
	Vendor Total		**1,650.00**		
FYTD for FUEL PROS, INC			**1,650.00**		
GAGATCH, HEATHER				Remit to:	
	7/5/2011	208558	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for GAGATCH, HEATHER			**145.00**		
GAINES SR., GLENN E.				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208665	110.00		
				REFUND-CITATION FEE	110.00
	Vendor Total		**110.00**		
FYTD for GAINES SR., GLENN E.			**110.00**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208666	571.24		
				UNIFORMS-TRFFC UNIT	571.24
	7/18/2011	208759	26.10		
				UNIFORMS-TRFFC UNIT	26.10
	Vendor Total		**597.34**		
FYTD for GALLS INC., INLAND UNIFORM			**597.34**		
GAMA, LINA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208667	41.64		
				CRIME-FREE MULTI HOUSING SEMNR	41.64
	Vendor Total		**41.64**		
FYTD for GAMA, LINA			**41.64**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883061	174.30		
				RETIREE MED JUL '11	174.30
	Vendor Total		**174.30**		
FYTD for GASTON, RICHARD			**174.30**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
7/11/2011	883143	429.52		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
7/18/2011	883174	1,411.28		
			SECURITY SVCS-CRC 6/4/11 EVNT	76.70
			SECURITY SVCS-TCC RENTALS	360.49
			SECURITY SVCS-TCC RENTALS	145.73
			SECURITY SVCS-SENIOR CTR	291.46
			SECURITY SVCS-CRC	230.10
			SECURITY SVCS-CRC	226.26
			SECURITY SVCS-CRC	80.54
7/25/2011	883197	2,193.62		
			SECURITY SVCS-CITY HALL	230.10
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	490.88
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
Vendor Total		**4,034.42**		
FYTD for GENERAL SECURITY SERVICES, INC.		**4,034.42**		
GES EXPOSITION SERVICES			Remit to: **LAS VEGAS**	**NV**
7/25/2011	208843	2,433.11		
			TRADESHOW SVCS-VARIOUS	2,433.11
Vendor Total		**2,433.11**		
FYTD for GES EXPOSITION SERVICES		**2,433.11**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883062	7,252.50		
			LEGAL SVCS	3,941.75
			LEGAL SVCS	1,323.25
			LEGAL SVCS	1,987.50
Vendor Total		**7,252.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**7,252.50**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883063	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
Vendor Total		**318.73**		
FYTD for GONZALES, DOMILENA R.		**318.73**		

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GORM INC.				Remit to: **ONTARIO** **CA**	
	7/25/2011	208844	3,440.86		
				JANITORIAL SUPPLIES-CITY PARKS	1,720.43
				JANITORIAL SUPPLIES-CFD #1	1,720.43
		Vendor Total	**3,440.86**		
FYTD for GORM INC.			**3,440.86**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	883144	486.00		
				INSTRUCTOR SVCS-KUNG FU	270.00
				INSTRUCTOR SVCS-KUNG FU	216.00
		Vendor Total	**486.00**		
FYTD for GOZDECKI, DAN			**486.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208760	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
		Vendor Total	**1,000.00**		
FYTD for GRANICUS, INC.			**1,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	7/5/2011	883064	318.73		
				RETIREE MED JUL '11	318.73
		Vendor Total	**318.73**		
FYTD for GRIFFIN, MARLENE C			**318.73**		
GROUND CONTROL SYSTEMS, INC.				Remit to: **SAN LUIS OBISPO** **CA**	
	7/25/2011	883198	1,908.00		
				MOBILE SAT INTERNET SVC-PD	1,908.00
		Vendor Total	**1,908.00**		
FYTD for GROUND CONTROL SYSTEMS, INC.			**1,908.00**		
GUERRERO, CLAUDIO				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208668	20.00		
				REFUND-RABIES DEPOSIT	20.00
		Vendor Total	**20.00**		
FYTD for GUERRERO, CLAUDIO			**20.00**		
GUIDERO, DAVID				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208559	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for GUIDERO, DAVID			**75.00**		

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GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	7/5/2011	883065	551.34		
				RETIREE MED JUN-JUL '11, PD JU	551.34
	Vendor Total		**551.34**		
FYTD for GUILLAN, REBECCA S.			**551.34**		
GUTIERREZ, JOSHUA				Remit to: **BUENA PARK** **CA**	
	7/25/2011	208845	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for GUTIERREZ, JOSHUA			**20.00**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	7/5/2011	883066	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**318.73**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883175	4,049.00		
				CART RETRIEVAL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**4,049.00**		
H & H GENERAL CONTRACTORS				Remit to: **HIGHLAND** **CA**	
	7/18/2011	883176	0.00		
				MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
				VOIDED CHECK #883176 - 7/21/11	-215,802.45
	Vendor Total		**0.00**		
FYTD for H & H GENERAL CONTRACTORS			**215,802.45**		
H.O.C.I.E - HOUSING OPPORTUNITIES				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208560	1,440.00		
				FORECLOSURE COUNSELING SVCS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for H.O.C.I.E - HOUSING OPPORTUNITIES			**1,440.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883067	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**318.73**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883068	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**318.73**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	7/5/2011	208561	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**318.73**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	7/5/2011	208562	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**318.73**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208563	168.00		
				INSTRUCTOR SVCS-BODY SCULPTING	108.00
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
	Vendor Total		**168.00**		
FYTD for HASS, MINA			**168.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883069	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**318.73**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	7/5/2011	883070	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**318.73**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208564	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**318.73**		

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HERTZ EQUIPMENT RENTAL INC				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208565	688.29		
				CRANE TRUCK RENTAL	688.29
	Vendor Total		**688.29**		
FYTD for HERTZ EQUIPMENT RENTAL INC			**688.29**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208761	108.00		
				INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total		**108.00**		
FYTD for HIGGS, DEBRA			**108.00**		
HODGE PRODUCTS, INC.				Remit to: **EL CAJON** **CA**	
	7/25/2011	883199	677.87		
				LOCKS-CFD #1	172.97
				LOCKS-CITY PARKS	170.00
				LOCKS-CFD #1	27.03
				LOCKS-CFD #1	307.87
	Vendor Total		**677.87**		
FYTD for HODGE PRODUCTS, INC.			**677.87**		
HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208566	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**318.73**		
HOUSTON RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208762	100.00		
				REFUND-CHILD'S PLACE FEES	100.00
	Vendor Total		**100.00**		
FYTD for HOUSTON RICHARD			**100.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	7/29/2011	2906	8,520.83		
				DEF COMP 457 7/29/11	8,520.83
	Vendor Total		**8,520.83**		
FYTD for ICMA RETIREMENT CORP 457			**42,062.58**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208567	112.29		
				REFUND-UUT USER TAXES	112.29
	Vendor Total		**112.29**		
FYTD for IL SORRENTO MOBILE PARK			**112.29**		

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IMANI PRAISE FELLOWSHIP SDA CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208568	100.00		
			REFUND-RENTAL DEPOSIT -MSU	100.00
	Vendor Total	**100.00**		
FYTD for IMANI PRAISE FELLOWSHIP SDA CHURCH		**100.00**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
7/18/2011	208763	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**475.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883200	2,782.13		
			ABATEMENT SVC-22385 COTTNWD AV	2,782.13
	Vendor Total	**2,782.13**		
FYTD for INLAND CONTRACTORS, INC.		**2,782.13**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS** **CA**	
7/11/2011	208669	4,575.00		
			ADVERTISING SVCS-PW SOLID WAST	400.00
			ADVERTISING SVCS-PW SOLID WAST	4,175.00
	Vendor Total	**4,575.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**4,575.00**		
INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883145	2,863.40		
			NUISANCE ABTMNT SVCS-CODE	957.90
			NUISANCE ABTMNT SVCS-CODE	900.00
			NUISANCE ABTMNT SVCS-CODE	346.50
			NUISANCE ABTMNT SVCS-CODE	432.00
			NUISANCE ABTMNT SVCS-CODE	227.00
7/25/2011	883201	1,456.00		
			NUISANCE ABATEMENT SVCS-CODE	252.00
			NUISANCE ABATEMENT SVCS-CODE	1,204.00
	Vendor Total	**4,319.40**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**4,319.40**		

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INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON CA**	
7/5/2011	883071	393.00		
			VAPOR RECOVERY TESTING-FS #2	393.00
7/25/2011	883202	140.00		
			HOSE RETRACTOR REPAIR-FS#91	140.00
	Vendor Total	**533.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**533.00**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2892	2,000.00		
			FED INCOME TAX W/H 7/1/11	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
J D H CONTRACTING			Remit to: **RIVERSIDE CA**	
7/11/2011	883146	8,960.00		
			CONTRACT SVCS-FIRE STATION 91	5,921.00
			CONTRACT SVCS-SENIOR CENTER	3,039.00
7/12/2011	883162	845.00		
			GOLF CTR ROOFING WORK	845.00
	Vendor Total	**9,805.00**		
FYTD for J D H CONTRACTING		**9,805.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE CA**	
7/11/2011	208670	36.00		
			SPORTS OFFICIATING SVCS-SFTBL	36.00
	Vendor Total	**36.00**		
FYTD for JACKSON, JAYE		**36.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE CA**	
7/18/2011	208764	75.00		
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**75.00**		
JARRETT, STEPHEN M.			Remit to: **BEAUMONT CA**	
7/5/2011	208569	485.91		
			TRAVEL EXP-ESRI INTL USER CONF	95.41
			TRAVEL EXP-ESRI INTL USER CONF	390.50
	Vendor Total	**485.91**		
FYTD for JARRETT, STEPHEN M.		**485.91**		

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JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	7/12/2011	883163	1,955.00		
				CONSULTING SVCS-TECH SVCS	1,955.00
	Vendor Total		**1,955.00**		
FYTD for JDEDGE SOFTWARE, LLC			**1,955.00**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	7/25/2011	208846	99.96		
				MILEAGE REIMBURSEMENT	99.96
	Vendor Total		**99.96**		
FYTD for JONES III, JOSEPH			**99.96**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883072	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**318.73**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	7/5/2011	883073	15,181.51		
				TRAFFIC SIGNAL SUPPLIES	3,371.25
				TRAFFIC SIGNAL SUPPLIES	3,599.63
				TRAF SIG SERVICE CABINET	7,550.00
				CA SALES TAX	660.63
	Vendor Total		**15,181.51**		
FYTD for JTB SUPPLY CO., INC.			**64,456.14**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208570	2,687.65		
				LEGAL SVCS	2,675.00
				LEGAL SVCS	12.65
	Vendor Total		**2,687.65**		
FYTD for KANE, BALLMER & BERKMAN			**2,687.65**		
KASHEFIPOUR, HOSSEIN				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208671	191.25		
				MILEAGE REIMBURSEMENT	43.35
				MILEAGE REIMBURSEMENT	58.65
				MILEAGE REIMBURSEMENT	89.25
	Vendor Total		**191.25**		
FYTD for KASHEFIPOUR, HOSSEIN			**191.25**		

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KATZ, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208765	48.00		
				REFUND-CLASS REGIS FEE	48.00
	Vendor Total		**48.00**		
FYTD for KATZ, MICHELLE			**48.00**		
KDM MERIDIAN, INC.				Remit to: **LAKE FOREST** **CA**	
	7/5/2011	883074	2,945.00		
				DAY ST WIDENING/EUCALYPTUS PRJ	1,608.00
				ANNL ADA COMPL CURB/RAMP PROJ	1,337.00
	Vendor Total		**2,945.00**		
FYTD for KDM MERIDIAN, INC.			**2,945.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	208571	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**267.88**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	7/25/2011	208847	761.06		
				SPLASH PAD SUPPLIES-CFD #1	186.21
				SPLASH PAD SUPPLIES-CFD #1	574.85
	Vendor Total		**761.06**		
FYTD for KNORR SYSTEMS, INC			**761.06**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883075	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**318.73**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883076	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**318.73**		

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KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	7/25/2011	208848	1,126.22		
				CALIBRATE/REPAIR LASER GUN-PD	200.00
				CALIBRATE/REPAIR LASER GUN-PD	126.21
				LASER GUN PARTS/REPAIR-PD	800.01
	Vendor Total		**1,126.22**		
FYTD for KUSTOM SIGNALS, INC.			**1,126.22**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	7/5/2011	883077	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**318.73**		
LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208572	168.00		
				LEGAL SERVICES-RISK MGT	168.00
	Vendor Total		**168.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**168.00**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883078	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**318.73**		
LANCE, SOLL & LUNGHARD, LLP				Remit to: **BREA** **CA**	
	7/25/2011	208849	620.00		
				PROF SVCS-RE: GANN LIMIT	620.00
	Vendor Total		**620.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP			**620.00**		
LANGENDORF, BENJAMIN				Remit to: **PERRIS** **CA**	
	7/5/2011	883079	221.40		
				RETIREE MED MAY 11, PD JUL 11	221.40
	Vendor Total		**221.40**		
FYTD for LANGENDORF, BENJAMIN			**221.40**		

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LANGSTON MOTORSPORTS				Remit to: **PERRIS** **CA**	
	7/18/2011	208766	2,355.27		
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	249.44
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	505.83
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
	Vendor Total		**2,355.27**		
FYTD for LANGSTON MOTORSPORTS			**2,355.27**		
LAWYERS TITLE INC				Remit to: **NEWPORT BEACH** **CA**	
	7/19/2011	110705	16,196.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,196.00
	7/19/2011	110706	21,386.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	21,386.00
	Vendor Total		**37,582.00**		
FYTD for LAWYERS TITLE INC			**37,582.00**		
LAZARUS, MARGERY A.				Remit to: **CORONA** **CA**	
	7/18/2011	208767	138.72		
				MILEAGE REIMB-SR60/NASON PROJ	49.47
				MILEAGE REIMB-INDIAN BASIN PRJ	30.09
				MILEAGE REIMB-SR60 MOR BCH PRJ	59.16
	Vendor Total		**138.72**		
FYTD for LAZARUS, MARGERY A.			**138.72**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883080	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**318.73**		
LIGHTS OUT DISPOSAL COMPANY				Remit to: **EL CAJON** **CA**	
	7/5/2011	208573	444.15		
				E-WASTE PICK UP SERVICES	444.15
	Vendor Total		**444.15**		
FYTD for LIGHTS OUT DISPOSAL COMPANY			**444.15**		

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LOGAN, CHARLENE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208574	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LOGAN, CHARLENE			**20.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883081	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**318.73**		
LONA, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208672	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for LONA, VERONICA			**300.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883179	4,501.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	1.00
				IRONWD AVE-DAY TO BARCLAY PROJ	4,500.00
	Vendor Total		**4,501.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**4,501.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883082	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**318.73**		
MACIAS JR., ANTHONY				Remit to: **RIALTO** **CA**	
	7/5/2011	208575	126.00		
				TUITION FEE REIMBURSEMENT	126.00
	Vendor Total		**126.00**		
FYTD for MACIAS JR., ANTHONY			**126.00**		
MAMCO, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208673	5,084.33		
				DRACAEA AVE SIDEWLK IMPRVMNTS	5,084.33
	Vendor Total		**5,084.33**		
FYTD for MAMCO, INC			**5,084.33**		

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MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208576	6.08		
			GAS CHARGES-MARCH FIELD PRK CC	4.96
			GAS CHARGES-MARCH FIELD PRK CC	1.12
	Vendor Total	**6.08**		
FYTD for MARCH JOINT POWERS AUTHORITY		**6.08**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
7/5/2011	883083	4,425.04		
			LANDSCAPE MAINT-DSG2N	668.42
			LANDSCAPE MAINT-DSG2N	3,756.62
7/25/2011	883203	4,994.91		
			LANDSCAPE MAINT-ZONE DSG-2S	4,994.91
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**9,419.95**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208577	280.00		
			INSTRUCTOR SVCS-BOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	112.00
	Vendor Total	**280.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**280.00**		
MARTINEZ, REGGIE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208674	105.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
	Vendor Total	**105.00**		
FYTD for MARTINEZ, REGGIE		**105.00**		
MATHIS, NOLAN			Remit to: **JACKSON** **KY**	
7/5/2011	883084	290.00		
			RETIREE MED MAY 11, PD JUL 11	290.00
	Vendor Total	**290.00**		
FYTD for MATHIS, NOLAN		**290.00**		
MAXINOSKI, SUE A.			Remit to: **AVINGER** **TX**	
7/5/2011	883085	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for MAXINOSKI, SUE A.		**318.73**		

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MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/12/2011	208722	19,969.47		
				REHAB COSTS-24395 DYNA PLACE	19,969.47
	Vendor Total		**19,969.47**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MC NEEL, MARGARETTE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208676	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MC NEEL, MARGARETTE			**50.00**		
MEDINA, EUNICE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208578	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MEDINA, EUNICE			**20.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	7/11/2011	883147	200.00		
				SPORTS OFFICIATING SVCS-SFTBL	80.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
	Vendor Total		**200.00**		
FYTD for MEEKS, DANIEL			**200.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	7/11/2011	208677	1,620.00		
				PLAN CHECK SVCS-BLDG/SFTY	1,620.00
	Vendor Total		**1,620.00**		
FYTD for MELAD & ASSOCIATES, INC			**1,620.00**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208678	135.66		
				MILEAGE REIMBURSEMENT	135.66
	Vendor Total		**135.66**		
FYTD for MENGISTU, YESHIALEM			**135.66**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	7/5/2011	883086	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**318.73**		

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METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	7/18/2011	208768	50.00		
				TEXT MESSAGE RETRIEVAL SVC	50.00
	Vendor Total		**50.00**		
FYTD for METROPCS WIRELESS, INC.			**50.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208579	483.00		
				INSTRUCTOR SVCS-DRAWING	378.00
				INSTRUCTOR SVCS-PHOTO	105.00
	Vendor Total		**483.00**		
FYTD for MEYERS, ROBERT			**483.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883087	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**229.88**		
MIMES, TANIYSHA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208769	64.00		
				REFUND-PICNIC SHELTER RENTAL	64.00
	Vendor Total		**64.00**		
FYTD for MIMES, TANIYSHA			**64.00**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	7/5/2011	883088	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**318.73**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	7/18/2011	883180	2,745.16		
				PLAYGROUND EQUIP PARTS-PARKS	1,961.65
				PLAYGROUND EQUIP PARTS-PARKS	307.64
				PLAYGROUND EQUIPMENT PARTS	475.87
	Vendor Total		**2,745.16**		
FYTD for MIRACLE RECREATION EQUIPMENT			**2,745.16**		

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MISTRETTA, ARTHUR			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883149	144.00		
			SPORTS OFFICIATING SVCS-SFTBL	54.00
			SPORTS OFFICIATING SVCS-SFTBL	36.00
			SPORTS OFFICIATING SVCS-SFTBL	54.00
	Vendor Total	**144.00**		
FYTD for MISTRETTA, ARTHUR		**144.00**		
MOELLER, DONNA M.			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208770	67.77		
			NEIGHBRHD CLEAN UP EXPENSE	67.77
	Vendor Total	**67.77**		
FYTD for MOELLER, DONNA M.		**67.77**		
MOLLICA, MIKE			Remit to: **DUNNELLON** **FL**	
7/5/2011	883089	401.42		
			RETIREE MED JUL '11	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**401.42**		
MONTEJANO, SHIRLEY			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208679	750.00		
			REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total	**750.00**		
FYTD for MONTEJANO, SHIRLEY		**750.00**		
MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208680	1,706.90		
			PLUMBING SVCS-CRC	1,075.00
			PLUMBING SVCS-ANIMAL SHELTER	631.90
	Vendor Total	**1,706.90**		
FYTD for MONTGOMERY PLUMBING INC		**1,706.90**		
MOORE, LEEPORSCHA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208681	22.00		
			REFUND-PARKS CLASS REGIS FEE	22.00
	Vendor Total	**22.00**		
FYTD for MOORE, LEEPORSCHA		**22.00**		
MOOSEPOINT TECHNOLOGY, INC.			Remit to: **SONOMA** **CA**	
7/25/2011	208851	9,000.00		
			GIS INTERNET SITE HOSTING SVCS	9,000.00
	Vendor Total	**9,000.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**9,000.00**		

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MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	7/5/2011	883090	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**318.73**		
MORENO VALLEY BOWL				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208580	320.00		
				INSTRUCTOR SVCS-BOWLING	320.00
	Vendor Total		**320.00**		
FYTD for MORENO VALLEY BOWL			**320.00**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208581	60.00		
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
	7/5/2011	208582	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**810.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**810.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	7/1/2011	2888	1,538.00		
				MVCEA DUES 7/1/11	1,538.00
	7/15/2011	2897	1,543.50		
				MVCEA DUES 7/15/11	1,543.50
	7/29/2011	2905	1,419.00		
				MVCEA DUES 7/29/11	1,419.00
	Vendor Total		**4,500.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**4,500.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRANO CA**	
	7/18/2011	883181	9,207.72		
				LEASE-SPEC DIST ANNEX-AUG 11	9,207.72
	7/25/2011	883204	7,934.87		
				LEASE-FACILITIES ANNEX	2,458.97
				LEASE-TECH SVCS ANNEX	5,475.90
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**17,142.59**		

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MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/5/2011	208583	91.54		
				ELECTRICITY-UT FLD OFFICE	91.54
	Vendor Total		**91.54**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		
MORENO, MARIO				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208852	230.00		
				PER DIEM-GANG VIOLENCE CONF.	230.00
	Vendor Total		**230.00**		
FYTD for MORENO, MARIO			**230.00**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	7/5/2011	883091	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**318.73**		
MPULSE MAINTENANCE SOFTWARE, INC.				Remit to: **EUGENE** **OR**	
	7/5/2011	883092	3,977.50		
				PROGRAM RENEWAL-TECH SVCS	3,977.50
	Vendor Total		**3,977.50**		
FYTD for MPULSE MAINTENANCE SOFTWARE, INC.			**3,977.50**		
MULTI W SYSTEMS, INC				Remit to: **EL MONTE** **CA**	
	7/25/2011	208853	975.00		
				PUMP REPAIR-COMM PARK SOCCER F	975.00
	Vendor Total		**975.00**		
FYTD for MULTI W SYSTEMS, INC			**975.00**		
MUNOZ, ARIEL				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208772	110.16		
				MILEAGE REIMBURSEMENT	80.07
				MILEAGE REIMBURSEMENT	30.09
	Vendor Total		**110.16**		
FYTD for MUNOZ, ARIEL			**110.16**		
MURILLO, MARIA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208773	750.00		
				REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total		**750.00**		
FYTD for MURILLO, MARIA			**750.00**		

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MUSICK, PEELER & GARRETT, LLP			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208774	240.00		
			LEGAL SVCS	240.00
	Vendor Total	**240.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP		**240.00**		
MYERS & SONS HI-WAY SAFETY INC			Remit to: **CHINO** **CA**	
7/11/2011	208682	11,957.06		
			TRUCK MNTD MSSG BOARD-PW	10,995.00
			TRUCK MNTD MSSG BOARD-PW	962.06
	Vendor Total	**11,957.06**		
FYTD for MYERS & SONS HI-WAY SAFETY INC		**11,957.06**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/1/2011	2886	4,288.72		
			PST DEF COMP FOR FICA 7/1/11	4,288.72
7/1/2011	2887	1,240.66		
			DEF COMP 457 & 401(A) 7/1/11	1,240.66
7/15/2011	2895	1,733.32		
			PST DEF COMP FOR FICA 7/15/11	1,733.32
7/29/2011	2903	2,082.83		
			PST DEF COMP FOR FICA 7/29/11	2,082.83
	Vendor Total	**9,345.53**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
7/5/2011	883093	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**318.73**		
NEAL, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208775	156.00		
			REFUND-PICNIC SHELTER RENTAL	156.00
	Vendor Total	**156.00**		
FYTD for NEAL, DEBORAH		**156.00**		
NEGRETTE, JENNIFER			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208584	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for NEGRETTE, JENNIFER		**20.00**		

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NELSON PAVING				Remit to: **PERRIS** **CA**	
	7/5/2011	208585	871.00		
				CONCRETE PAINTING	871.00
	Vendor Total		**871.00**		
FYTD for NELSON PAVING			**871.00**		
NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	7/5/2011	883094	325.66		
				RETIREE MED JUL '11	325.66
	Vendor Total		**325.66**		
FYTD for NELSON, ROBERT			**325.66**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	7/5/2011	883095	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**318.73**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	7/5/2011	208586	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**318.73**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883096	9.42		
				REFUND-UUT USER TAXES	9.42
	Vendor Total		**9.42**		
FYTD for NEW HORIZON MOBILE HOME PARK			**9.42**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208588	401.42		
				RETIREE MED JUL '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**401.42**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	7/18/2011	208776	2,713.31		
				NIGHT VISION GOGGLES FOR PD	2,495.00
				CA SALES TAX	218.31
	Vendor Total		**2,713.31**		
FYTD for NIGHT GALAXY, INC.			**2,713.31**		

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NINYO & MOORE GEOTECHNICAL				Remit to: **SAN DIEGO** **CA**	
	7/5/2011	208589	6,987.75		
				DRACAEA AVE SIDEWLK IMPRVMNTS	6,987.75
	7/11/2011	208683	539.25		
				IRONWD AVE ST/STORM DRAIN PROJ	539.25
	7/18/2011	208777	17,091.00		
				IRONWD AVE ST/STORM DRAIN PROJ	17,091.00
	Vendor Total		**24,618.00**		
FYTD for NINYO & MOORE GEOTECHNICAL			**24,618.00**		
NOLLAR, JANICE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208590	307.04		
				TRAVEL EXP-ESRI INTL USER CONF	94.04
				TRAVEL EXP-ESRI INTL USER CONF	213.00
	Vendor Total		**307.04**		
FYTD for NOLLAR, JANICE			**307.04**		
NOLTE ASSOCIATES, INC				Remit to: **SACRAMENTO** **CA**	
	7/18/2011	208778	113.43		
				REFUND-BUS LIC OVERPAYMENT	113.43
	Vendor Total		**113.43**		
FYTD for NOLTE ASSOCIATES, INC			**113.43**		
OAKRIDGE DATA MINING				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208779	2,370.00		
				CONSULTANT SVCS-TECH SVCS	2,370.00
	Vendor Total		**2,370.00**		
FYTD for OAKRIDGE DATA MINING			**2,370.00**		
OMNIGRAPHICS				Remit to: **HOLMES** **PA**	
	7/25/2011	208854	90.95		
				REFERENCE BOOKS	90.95
				REFERENCE BOOKS	7.96
				REFERENCE BOOKS	-7.96
	Vendor Total		**90.95**		
FYTD for OMNIGRAPHICS			**90.95**		
ORACLE AMERICA				Remit to: **SAN FRANCISCO** **CA**	
	7/5/2011	208591	21,621.68		
				ANNUAL MAINT-TECH SVCS	21,621.68
	Vendor Total		**21,621.68**		
FYTD for ORACLE AMERICA			**21,621.68**		

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ORCHID CELLMARK, INC				Remit to: **FARMERS BRANCH** **TX**	
	7/18/2011	208780	2,280.00		
				DETECT/TEST EVIDENCE/DNA-PD	2,280.00
	Vendor Total		**2,280.00**		
FYTD for ORCHID CELLMARK, INC			**2,280.00**		
ORROCK, POPKA, FORTINO & BRISLIN				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	883205	208.00		
				LEGAL SVCS	208.00
	Vendor Total		**208.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN			**208.00**		
ORTEGA, JORGE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208592	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**750.00**		
FYTD for ORTEGA, JORGE			**750.00**		
OVERLAND PACIFIC & CUTLER, INC.				Remit to: **LONG BEACH** **CA**	
	7/25/2011	883206	296.25		
				SR-60/NASON INTRCHNG PROJ SVCS	296.25
	7/25/2011	883207	6,800.00		
				APPRAISAL SVCS-HIGHLND FIRE ST	6,800.00
	Vendor Total		**7,096.25**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**7,096.25**		
PACIFIC GREEN HORTICULTURAL SVC				Remit to: **UPLAND** **CA**	
	7/25/2011	883208	989.00		
				TURF FERTILIZATION-ZONE E	302.97
				TURF FERTILIZATION-ZONE E	550.15
				TURF FERTILIZATION-ZONE E	112.61
				TURF FERTILIZATION-ZONE E	23.27
	Vendor Total		**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**989.00**		
PACIFIC TELEMANAGEMENT SERVICES				Remit to: **SAN RAMON** **CA**	
	7/5/2011	883097	375.84		
				PAYPHONE SVCS	313.20
				PAYPHONE SVCS-PD	62.64
	Vendor Total		**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**375.84**		

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PARSONS TRANSPORTATION GROUP, INC.				Remit to: **IRVINE** **CA**	
	7/18/2011	208781	13,592.47		
				SR-60/MOR BCH DR INTRCHNG PROJ	13,592.47
	Vendor Total		**13,592.47**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**13,592.47**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208593	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**229.88**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	7/11/2011	208685	110.00		
				SPORTS OFFICIATING SVCS-SFTBL	110.00
	Vendor Total		**110.00**		
FYTD for PAUL, MICHAEL			**110.00**		
PERKINS, NICOLE				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208594	72.00		
				INSTRUCTOR SVCS-RIPPED	36.00
				INSTRUCTOR SVCS-RIPPED	36.00
	Vendor Total		**72.00**		
FYTD for PERKINS, NICOLE			**72.00**		
PERMA				Remit to: **PALM DESERT** **CA**	
	7/25/2011	883209	1,548.17		
				SEMI-ANNUAL AUDIT INVOICE	1,548.17
	Vendor Total		**1,548.17**		
FYTD for PERMA			**1,548.17**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	7/5/2011	208595	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**318.73**		

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PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	7/5/2011	208596	458.63		
				LONG TERM CARE INSURANCE	458.63
	7/18/2011	208782	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**917.26**		

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PETTY CASH - FINANCE				Remit to: **MORENO VALLEY**	**CA**
	7/18/2011	208783	1,297.91		
				PETTY CASH FUND REPLENISHMENT	28.41
				PETTY CASH FUND REPLENISHMENT	36.05
				PETTY CASH FUND REPLENISHMENT	22.32
				PETTY CASH FUND REPLENISHMENT	27.03
				PETTY CASH FUND REPLENISHMENT	67.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	6.00
				PETTY CASH FUND REPLENISHMENT	91.64
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	20.80
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	10.50
				PETTY CASH FUND REPLENISHMENT	26.96
				PETTY CASH FUND REPLENISHMENT	56.25
				PETTY CASH FUND REPLENISHMENT	17.71
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	18.32
				PETTY CASH FUND REPLENISHMENT	10.24
				PETTY CASH FUND REPLENISHMENT	91.38
				PETTY CASH FUND REPLENISHMENT	91.87
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	4.34
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	50.00
				PETTY CASH FUND REPLENISHMENT	45.00
				PETTY CASH FUND REPLENISHMENT	3.25
				PETTY CASH FUND REPLENISHMENT	23.68
				PETTY CASH FUND REPLENISHMENT	30.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	21.69
			PETTY CASH FUND REPLENISHMENT	48.50
			PETTY CASH FUND REPLENISHMENT	13.00
			PETTY CASH FUND REPLENISHMENT	88.47
			PETTY CASH FUND REPLENISHMENT	6.50
			PETTY CASH FUND REPLENISHMENT	24.00
	Vendor Total	1,297.91		
FYTD for PETTY CASH - FINANCE		1,297.91		

PICTUREME PORTRAIT STUDIO #15193 Remit to: **ST. LOUIS** **MO**

7/11/2011	208686	71.76		
			REFUND-BUS LIC OVERPAYMENT	71.76
	Vendor Total	71.76		
FYTD for PICTUREME PORTRAIT STUDIO #15193		71.76		

POIEMA LANDSCAPE, INC. Remit to: **COLTON** **CA**

7/5/2011	883098	2,131.00		
			LANDSCAPE MAINT-E12	2,131.00
7/25/2011	883210	1,712.15		
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		3,843.15		

POLK, SHAKENDRA Remit to: **MORENO VALLEY** **CA**

7/18/2011	208784	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	25.00
			REFUND-RENTAL DEPOSIT-TWNGATE	175.00
	Vendor Total	200.00		
FYTD for POLK, SHAKENDRA		200.00		

PRICE, GEORGE E. Remit to: **MORENO VALLEY** **CA**

7/5/2011	883099	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	318.73		
FYTD for PRICE, GEORGE E.		318.73		

PROTECTION ONE, INC. Remit to: **WITCHITA** **KS**

7/18/2011	208785	42.00		
			MONITORING SVCS-GOLF PRO SHOP	17.00
			MONITORING SVCS-MVTV STUDIO	17.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
	Vendor Total	42.00		
FYTD for PROTECTION ONE, INC.		42.00		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	7/5/2011	883100	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**318.73**		
PULSE PRINT SOLUTIONS				Remit to: **ORANGE** **CA**	
	7/11/2011	208687	2,936.25		
				PRINT SVCS-EDUCATIONAL MAGNETS	2,700.00
				SALES TAX	236.25
	Vendor Total		**2,936.25**		
FYTD for PULSE PRINT SOLUTIONS			**2,936.25**		
QUINTERO, CYNTHIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208688	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for QUINTERO, CYNTHIA			**200.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	7/11/2011	883150	2,023.00		
				ROLL UP DOOR MAIN, FIRE STN 6	201.00
				ROLL UP DOOR MAIN, FIRE STN 6	695.00
				ROLL UP DOOR MAIN, FIRE STN 48	141.00
				ROLL UP DOOR MAIN, FIRE STN 2	201.00
				ROLL UP DOOR MAIN, FIRE STN 58	82.00
				ROLL UP DOOR MAIN, FIRE STN 58	119.00
				ROLL UP DOOR MAIN, FIRE STN 91	111.25
				ROLL UP DOOR MAIN, FIRE STN 91	89.75
				ROLL UP DOOR MAIN, FIRE STN 65	141.00
				ROLL UP DOOR MAIN, FIRE STN 65	130.75
				ROLL UP DOOR MAIN, FIRE STN 65	111.25
	Vendor Total		**2,023.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**2,023.00**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208597	168.81		
				REIMB-DUI SEMINAR TRNG CLASS	168.81
	Vendor Total		**168.81**		
FYTD for RAFAEL LOPEZ			**168.81**		

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RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208598	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.		**318.73**		
REGENTS OF U.C.			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208786	115.00		
			VIOLENT CRIME BEHAV SEMINAR	115.00
	Vendor Total	**115.00**		
FYTD for REGENTS OF U.C.		**115.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208599	384.60		
			SHADOW MTN PARK LIGHTING PROJ	384.60
7/25/2011	208856	3,401.50		
			SHADOW MTN PARK LIGHTING PROJ	2,951.50
			SHADOW MTN PARK LIGHTING PROJ	450.00
	Vendor Total	**3,786.10**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**3,786.10**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883101	2,582.50		
			DRACAEA AVE SIDEWLK IMPRVMNTS	2,582.50
7/18/2011	883182	11,995.00		
			TS@SUNNYMD RCH PKWY/VILLAGE RD	1,380.00
			TS@SUNNYMD RCH PKWY/VILLAGE RD	130.00
			2011 LOCAL ST. PAVEMNT RESURF.	7,545.00
			2011 LOCAL ST. PAVEMNT RESURF.	2,600.00
			DRACAEA AVE SIDEWLK IMPRVMNTS	340.00
	Vendor Total	**14,577.50**		
FYTD for RICK ENGINEERING COMPANY		**14,577.50**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208689	2,000.00		
			ENCR. PERMIT INITIAL DEPOSIT	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**2,000.00**		

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RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE**	**CA**
7/19/2011	110702	15,888.77		
			RETENTN PMT PER ESCRW AGREEMNT	15,888.77
7/19/2011	1107031	2,302.31		
			RETENTN PMT PER ESCRW AGREEMNT	2,302.31
7/19/2011	1107032	3,209.50		
			RETENTN PMT PER ESCRW AGREEMNT	3,209.50
7/19/2011	1107033	8,289.68		
			RETENTN PMT PER ESCRW AGREEMNT	8,289.68
7/19/2011	1107034	20,325.46		
			RETENTN PMT PER ESCRW AGREEMNT	20,325.46
	Vendor Total	**50,015.72**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**500,157.17**		
RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY			Remit to: **RIVERSIDE**	**CA**
7/25/2011	208857	10,572.22		
			TEAM RIV CTY 528140-ICSC CONF	2,770.00
			ICSC CONF.-GES LOGISTICS	997.50
			ICSC CONF.-EXHIBIT SPACE	3,500.00
			ICSC CONF.-ELECTRICITY COST	800.00
			ICSC CONF.-CARPET COST	2,400.00
			ICSC CONF-ADDTL FURNITURE COST	104.72
	Vendor Total	**10,572.22**		
FYTD for RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY		**10,572.22**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208690	3,781.83		
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			RADIO LEASE/MAIN-PD	170.10
			RADIO LEASE/MAIN-PD	9.45
			RADIO LEASE/MAIN-PD	33.12
			VPN CONNECTION SVCS-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**3,781.83**		
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883212	10,267.92		
			BOOKING FEES-PD	10,267.92
	Vendor Total	**10,267.92**		
FYTD for RIVERSIDE COUNTY SHERIFF		**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208787	138.00		
			REG-BASIC CRIMINAL INV. COURSE	138.00
	Vendor Total	**138.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**138.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208600	611.09		
			GARNISHMENT	173.05
			GARNISHMENT	438.04
7/18/2011	208788	674.82		
			GARNISHMENT	152.05
			GARNISHMENT	522.77
	Vendor Total	**1,285.91**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**1,285.91**		
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208858	322.00		
			7 ATTENDEES-CITZN DRIVER CLASS	322.00
	Vendor Total	**322.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPARTMENT		**322.00**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
7/25/2011	883213	6,417.00		
			TEMP STAFFING SVCS-CAP PROJS	6,417.00
	Vendor Total	**6,417.00**		
FYTD for RLZ ENGINEERING		**6,417.00**		
RMA GROUP			Remit to: **RANCHO CUCAMONGA** **CA**	
7/25/2011	208859	8,791.09		
			SR-60/NASON INTRCHNG PROJ SVCS	7,782.75
			SR-60/NASON INTRCHNG PROJ SVCS	1,008.34
	Vendor Total	**8,791.09**		
FYTD for RMA GROUP		**8,791.09**		
ROCHA, SARA L.			Remit to: **QUEEN CREEK** **AZ**	
7/5/2011	883103	826.20		
			RETIREE MED APR-JUN '11 ($160	826.20
	Vendor Total	**826.20**		
FYTD for ROCHA, SARA L.		**826.20**		

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ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	7/5/2011	883104	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**318.73**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208691	45.90		
				MILEAGE REIMBURSEMENT	45.90
	Vendor Total		**45.90**		
FYTD for ROGERS, KIANNA			**45.90**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883105	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**318.73**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	7/5/2011	883106	270.80		
				RETIREE MED JUL '11	174.30
				RETIREE MED JUL '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**270.80**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/25/2011	883214	357.50		
				PLUMBING REPAIRS-WOODLAND PARK	357.50
	Vendor Total		**357.50**		
FYTD for ROTO-ROOTER PLUMBERS			**357.50**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	7/5/2011	883107	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**229.88**		
RUTAN & TUCKER, LLP				Remit to: **COSTA MESA** **CA**	
	7/5/2011	208601	275.00		
				LEGAL SVCS-RE: PEG FEES	275.00
	Vendor Total		**275.00**		
FYTD for RUTAN & TUCKER, LLP			**275.00**		

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SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	7/25/2011	883215	5,400.00		
				TEMP STAFFING SVCS-CAP PROJS	5,400.00
	Vendor Total		**5,400.00**		
FYTD for SA ASSOCIATES			**5,400.00**		
SAFETY KLEEN CORP.				Remit to: **HIGHLAND** **CA**	
	7/11/2011	208692	134.33		
				MISC SUPPLIES-MAINT/OPS	134.33
	Vendor Total		**134.33**		
FYTD for SAFETY KLEEN CORP.			**134.33**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208693	144.00		
				INSTRUCTOR SVCS-ZUMBA	17.20
				INSTRUCTOR SVCS-ZUMBA	126.80
	Vendor Total		**144.00**		
FYTD for SALMAN, CLAUDIA			**144.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883108	60.00		
				FIRE SYSTEM INSPECTION SVC	8.00
				FIRE SYSTEM INSPECTION SVC	52.00
	Vendor Total		**60.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**60.00**		
SAXON, NANCY				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208602	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SAXON, NANCY			**20.00**		
SCAG/SOUTHERN CALIF ASSO OF GOVTS				Remit to: **LOS ANGELES** **CA**	
	7/11/2011	208694	15,680.00		
				DUES ASSESSMNT-FY 2011-12	15,680.00
	Vendor Total		**15,680.00**		
FYTD for SCAG/SOUTHERN CALIF ASSO OF GOVTS			**15,680.00**		
SCHIFFER, ROBYN				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208860	23,021.60		
				SOLAR INCENTIVE REBATE	23,021.60
	Vendor Total		**23,021.60**		
FYTD for SCHIFFER, ROBYN			**23,021.60**		

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SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208603	477.00		
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**477.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
7/5/2011	883109	62.50		
			REPAIRED DOOR JAM AT FS#48	62.50
7/25/2011	883216	987.63		
			LOCK/INSTALLATION-LIBRARY	49.00
			LOCK/INSTALLATION-LIBRARY	68.04
			LOCK/INSTALLATION-LIBRARY	402.21
			DOOR SVC-CITY CLRK FILE RM	423.38
			TRIP CHRG-SVC RE: WARRANT	45.00
	Vendor Total	**1,050.13**		
FYTD for SECURITY LOCK & KEY		**1,050.13**		
SEPULVEDA, SUSETTE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208695	49.60		
			REFUND-PARKS CLASS REGIS FEE	49.60
	Vendor Total	**49.60**		
FYTD for SEPULVEDA, SUSETTE		**49.60**		
SHABIR, AMNA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208696	427.00		
			REFUND-PARKS CLASS REGIS FEE	427.00
	Vendor Total	**427.00**		
FYTD for SHABIR, AMNA		**427.00**		
SHARRETT, SHARON K.			Remit to: **ONTARIO** **CA**	
7/5/2011	208604	174.30		
			RETIREE MED JUL '11	174.30
	Vendor Total	**174.30**		
FYTD for SHARRETT, SHARON K.		**174.30**		
SHELDON, STUART H.			Remit to: **MURRIETA** **CA**	
7/5/2011	208605	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for SHELDON, STUART H.		**318.73**		

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SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	7/18/2011	208789	111.00		
				FUEL PURCHASES	111.00
	7/25/2011	208861	21.25		
				FUEL PURCHASE	21.25
	Vendor Total		**132.25**		
FYTD for SHELL OIL CO.			**132.25**		
SIERRA SCREENPRINT GRAPHICS				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208697	1,508.91		
				CRIME FREE MULTI HSNG SIGNS-PD	1,387.50
				CALIF SALES TAX	121.41
	Vendor Total		**1,508.91**		
FYTD for SIERRA SCREENPRINT GRAPHICS			**1,508.91**		
SIERRA, GLORIA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208862	95.00		
				REFUND-RABIES DEPOSIT	20.00
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for SIERRA, GLORIA			**95.00**		
SKONBERG, RIX				Remit to: **LA VERNE** **CA**	
	7/18/2011	883184	0.00		
				TUITION REIMBURSEMENT	1,500.00
				VOIDED CHECK #883184 - 7/21/11	-1,500.00
	7/21/2011	883187	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for SKONBERG, RIX			**1,500.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883110	57.76		
				REFUND-UUT USER TAXES	57.76
	Vendor Total		**57.76**		
FYTD for SKY TRAILS MOBILE VILLAGE			**57.76**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883111	318.73		
				RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**318.73**		

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SMITH, ERNEST FRANK				Remit to: **FONTANA** **CA**	
	7/5/2011	208606	1,912.38		
				RETIREE MED JAN-JUN 11, PD JUL	1,912.38
	Vendor Total		**1,912.38**		
FYTD for SMITH, ERNEST FRANK			**1,912.38**		
SMITH, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208790	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SMITH, JOHN			**50.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883112	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**318.73**		
SMUS, PAULA				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208791	67.68		
				MILEAGE REIMBURSEMENT	67.68
	Vendor Total		**67.68**		
FYTD for SMUS, PAULA			**67.68**		
SO CAL FIRE PREVENTION OFFICERS ASSOC.				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/5/2011	208607	55.00		
				MEMBERSHIP RENEWAL	55.00
	Vendor Total		**55.00**		
FYTD for SO CAL FIRE PREVENTION OFFICERS ASSOC.			**55.00**		
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	7/11/2011	883152	14,671.30		
				FUEL PURCHASE	6,431.32
				FUEL PURCHASE	8,239.98
	Vendor Total		**14,671.30**		
FYTD for SOCO GROUP, INC			**14,671.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208698	103.20		
				INSTRUCTOR SVCS-YOGA CLASS	103.20
	Vendor Total		**103.20**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**103.20**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
7/5/2011	208608	416.41		
			OPERATING FEE-CH GENERATOR	303.56
			EMISSIONS FLAT FEE-CITY HALL	112.85
7/11/2011	208699	202.60		
			EMISSIONS FLAT FEE-CITY YARD	112.85
			ANNUAL OPERATING FEES-CITY YRD	89.75
7/11/2011	208700	112.31		
			AQMD FEE-JUL'10 TO JUN'11	112.31
7/25/2011	208863	112.31		
			HOT SPOTS FEE-JUL'10 TO JUN'11	112.31
	Vendor Total	**843.63**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**843.63**		
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208609	6,946.39		
			ELECTRICITY	94.55
			ELECTRICITY	104.01
			ELECTRICITY	916.01
			ELECTRICITY	1,791.93
			ELECTRICITY	135.60
			ELECTRICITY	248.78
			ELECTRICITY	706.85
			ELECTRICITY	824.38
			ELECTRICITY	154.13
			ELECTRICITY	309.68
			ELECTRICITY	25.25
			ELECTRICITY	1,083.80
			ELECTRICITY	205.83
			ELECTRICITY	197.81
			ELECTRICITY	70.49
			ELECTRICITY	77.29
7/11/2011	208702	5,217.15		
			ELECTRICITY	44.62
			ELECTRICITY	21.99
			ELECTRICITY	884.88
			ELECTRICITY	1,444.50
			ELECTRICITY	1,186.44
			ELECTRICITY	396.60
			ELECTRICITY	656.24
			ELECTRICITY	498.47
			ELECTRICITY	43.51
			ELECTRICITY	39.90
7/25/2011	208865	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**26,310.27**		
FYTD for SOUTHERN CALIFORNIA EDISON		**228,961.11**		

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK** **CA**	
	7/18/2011	208793	4,681.09		
				GAS CHARGES	711.38
				GAS CHARGES	2,158.36
				GAS CHARGES	14.30
				GAS CHARGES	22.71
				GAS CHARGES	356.59
				GAS CHARGES	146.36
				GAS CHARGES	20.74
				GAS CHARGES	224.49
				GAS CHARGES	78.57
				GAS CHARGES	105.47
				GAS CHARGES	64.73
				GAS CHARGES	80.09
				GAS CHARGES	68.95
				GAS CHARGES	99.38
				GAS CHARGES	22.44
				GAS CHARGES	506.53
	Vendor Total		**4,681.09**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**4,681.09**		
SPARKLETTS				Remit to: **DALLAS** **TX**	
	7/11/2011	208703	41.83		
				WATER SERVICE-CREEKSIDE ELEM	19.54
				WATER SERVICE-ARMADA ELEM.	22.29
	7/25/2011	208866	15.50		
				WATER SERVICE-SUNNYMD ELEM	15.50
	Vendor Total		**57.33**		
FYTD for SPARKLETTS			**57.33**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883113	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**318.73**		
SPECK, TIFFANY				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208867	28.00		
				REFUND-DRAWING FOR KIDS CLASS	28.00
	Vendor Total		**28.00**		
FYTD for SPECK, TIFFANY			**28.00**		

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SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	7/25/2011	883217	12,333.33		
				LNDSCP MAINT.-ZONE E-1	8,746.67
				LNDSCP MAINT.-ZONE E-1A	3,586.66
		Vendor Total	**12,333.33**		
FYTD for SPECTRUM CARE			**12,333.33**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883114	229.88		
				RETIREE MED JUL '11	229.88
		Vendor Total	**229.88**		
FYTD for SPENCER, MARTHA			**229.88**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	7/18/2011	208794	30.00		
				SUBPOENA COMPLNCE-MV111370237	30.00
		Vendor Total	**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	7/11/2011	883153	32.89		
				CELL PHONE SVCS-GANG TASK FRC	32.89
	7/25/2011	883218	607.43		
				CELL PHONE SVCS-PD/SET	607.43
		Vendor Total	**640.32**		
FYTD for SPRINT/NEXTEL			**640.32**		
SRINIVAS, ANAND				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208795	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for SRINIVAS, ANAND			**75.00**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	7/5/2011	208611	2,050.52		
				SUPPLEMENTAL INSURANCE	2,050.52
		Vendor Total	**2,050.52**		
FYTD for STANDARD INSURANCE CO			**31,970.69**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883219	140.00		
			FIRE ALARM SVCD-CONF & REC CTR	140.00
	Vendor Total	**140.00**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**140.00**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
7/25/2011	208868	6,246.25		
			ELECTRICAL ENERGY SURCHARGE	6,246.25
7/29/2011	63011	5,250.00		
			SALES & USE TAX 4/1/11-6/30/11	5,250.00
	Vendor Total	**11,496.25**		
FYTD for STATE BOARD OF EQUALIZATION		**11,496.25**		
STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208704	2,400.44		
			ANNL STREET REPORT 09/10 FY	2,400.44
	Vendor Total	**2,400.44**		
FYTD for STATE CONTROLLER'S OFFICE		**2,400.44**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
7/7/2011	2885	2,096.47		
			CHILD SUPPORT W/H 7/7/11	2,096.47
7/21/2011	2894	2,238.93		
			CHILD SUPPORT W/H 7/21/11	2,238.93
	Vendor Total	**4,335.40**		
FYTD for STATE DISBURSEMENT UNIT		**4,335.40**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
7/5/2011	208612	3,197.00		
			FINGERPRINTING SVCS-PD	3,197.00
7/11/2011	208705	958.00		
			BLOOD ALCOHOL ANALYSIS-PD	350.00
			FINGERPRINTING SVCS-BUS. LIC.	128.00
			FINGERPRINTING SVCS-H.R.	256.00
			FINGERPRINTING SVCS-STARS	32.00
			FINGERPRINTING SVCS-PRKS & REC	64.00
			FINGERPRINTING SVC-PD	96.00
			FINGERPRINTING SVC-CITY COUNCL	32.00
7/18/2011	208796	2,848.00		
			FINGERPRINTING SVCS-BUS. LIC.	192.00
			FINGERPRINTING SVCS-H.R.	128.00
			FINGERPRINTING SVCS-STARS	2,024.00
			FINGERPRINTING SVCS-STARS	504.00
	Vendor Total	**7,003.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**7,003.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
7/18/2011	208797	127.04		
			REFUND-MVU/J MCGLOTHEN	38.86
			REFUND-MVU/B SOLARES	88.18
	Vendor Total	**127.04**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**127.04**		
STEININGER, RICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208706	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for STEININGER, RICHELLE		**20.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
7/18/2011	208798	2,288.96		
			TRANSCRIPTION SVCS-PD	2,288.96
	Vendor Total	**2,288.96**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**2,288.96**		
STEWART TITLE OF CALIFORNIA			Remit to: **HOUSTON** **TX**	
7/5/2011	208629	250.00		
			APN482-230-13 LITIG. GUARANTEE	250.00
	Vendor Total	**250.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**250.00**		

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STEWART, CLIFFORD				Remit to: **GLENDALE** **AZ**	
	7/5/2011	883116	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for STEWART, CLIFFORD			**267.88**		
STILES ANIMAL REMOVAL, INC.				Remit to: **GUASTI** **CA**	
	7/25/2011	208869	300.00		
				LARGE ANIMAL REMOVAL SVCS	100.00
				LARGE ANIMAL REMOVAL SVCS	200.00
	Vendor Total		**300.00**		
FYTD for STILES ANIMAL REMOVAL, INC.			**300.00**		
STRADLING, YOCCA, CARLSON & RAUTH				Remit to: **NEWPORT BEACH** **CA**	
	7/11/2011	208707	1,550.10		
				LEGAL SVCS	79.50
				LEGAL SVCS	695.27
				LEGAL SVCS	775.33
	Vendor Total		**1,550.10**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**1,550.10**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883220	4,062.50		
				CONSULTING SVCS-EDD	4,062.50
	Vendor Total		**4,062.50**		
FYTD for STRICKLER ASSOCIATION, THE			**4,062.50**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883117	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**318.73**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208708	10.56		
				MISC SUPPLIES-PD	10.56
	Vendor Total		**10.56**		
FYTD for SUNNYMEAD ACE HARDWARE			**10.56**		
SYED, ADNAN				Remit to: **LAKE ELSINORE** **CA**	
	7/18/2011	208799	725.00		
				REFUND-RENTAL DEPOSIT-CRC	725.00
	Vendor Total		**725.00**		
FYTD for SYED, ADNAN			**725.00**		

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TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	7/5/2011	208613	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**6,250.00**		
TCM GROUP				Remit to: **FONTANA** **CA**	
	7/5/2011	883118	0.00		
				SR-60/NASON ST INTRCHNG PROJ	21,572.87
				SR-60/NASON ST INTRCHNG PROJ	42,633.50
				SR-60/NASON ST INTRCHNG PROJ	23,140.52
				SR-60/NASON ST INTRCHNG PROJ	85,853.53
				VOIDED CHECK #883118 - 7/12/11	-21,572.87
				VOIDED CHECK #883118 - 7/12/11	-42,633.50
				VOIDED CHECK #883118 - 7/12/11	-23,140.52
				VOIDED CHECK #883118 - 7/12/11	-85,853.53
	Vendor Total		**0.00**		
FYTD for TCM GROUP			**351,572.38**		
TEK TIME SYSTEMS, LLC				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208718	268.25		
				REPAIRS-DATE STAMP MACHINE-FIN	268.25
	Vendor Total		**268.25**		
FYTD for TEK TIME SYSTEMS, LLC			**268.25**		
TEK WORKS				Remit to: **POWAY** **CA**	
	7/18/2011	883185	960.10		
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.09
				CREDIT-CITY CLRK FILE RM DOOR	-693.78
	Vendor Total		**960.10**		
FYTD for TEK WORKS			**960.10**		
TENORIO, LIZETTE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208800	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for TENORIO, LIZETTE			**200.00**		

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TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	7/5/2011	208614	7,262.00		
				CITY HALL HVAC SYSTEM REDESIGN	7,262.00
	7/27/2011	208881	6,113.59		
				CITY HALL HVAC SYSTEM REDESIGN	6,113.59
	Vendor Total		**13,375.59**		
FYTD for TMAD TAYLOR & GAINES			**13,375.59**		
TOLEDANO, JANET				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208709	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for TOLEDANO, JANET			**75.00**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208870	2,530.80		
				INSTRUCTOR SVCS-BALLET INTERMD	66.60
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	222.00
				INSTRUCTOR SVCS-BALLET/JAZZ	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-HIP HOP DANCE	421.80
	Vendor Total		**2,530.80**		
FYTD for TRICHE, TARA			**2,530.80**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208615	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	7/11/2011	208710	25.00		
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**75.00**		
TRINITY DIVERSIFIED, INC.				Remit to: **LONG BEACH** **CA**	
	7/5/2011	208616	155.67		
				STRIPING/STENCIL TRCK SUPPLIES	155.67
	Vendor Total		**155.67**		
FYTD for TRINITY DIVERSIFIED, INC.			**155.67**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK**	**CA**
7/18/2011	208801	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
7/25/2011	208871	1,364.13		
			IRRIGATION REPAIRS-ZONE E-2	1,364.13
	Vendor Total	**17,064.13**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**17,064.13**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883222	14,093.25		
			LNDSCP MAINT.-ZONE M	5,289.24
			LNDSCP MAINT.-ZONE M	243.48
			LNDSCP MAINT.-ZONE DSG-1	6,075.53
			LNDSCP MAINT.-ZONE E-16	2,485.00
	Vendor Total	**14,093.25**		
FYTD for TRUGREEN LANDCARE		**14,093.25**		
TUNTLAND, JAMES			Remit to: **PRESCOTT**	**AZ**
7/5/2011	883119	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**267.88**		
TURBOSCAPE, INC.			Remit to: **SANTA CLARA**	**UT**
7/5/2011	883120	12,600.00		
			PLAYGRND FIBER FOR JFK PARK	11,550.00
			INSTALL FIBAR CHIPS-CITY PARKS	1,050.00
7/11/2011	883155	4,200.00		
			INSTALL FIBAR CHIPS-CITY PARKS	3,950.00
			INSTALL FIBAR CHIPS-CITY PARKS	250.00
	Vendor Total	**16,800.00**		
FYTD for TURBOSCAPE, INC.		**16,800.00**		
U.S. HEALTHWORKS MEDICAL GROUP			Remit to: **LOS ANGELES**	**CA**
7/25/2011	208872	50.00		
			FIT FOR DUTY EVALUATION-HR	50.00
	Vendor Total	**50.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		**50.00**		
U.S. POSTAL SERVICE			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	208617	11,000.00		
			PERMIT #153-REC GUIDES POSTAGE	11,000.00
	Vendor Total	**11,000.00**		
FYTD for U.S. POSTAL SERVICE		**11,000.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNDERGROUND SERVICE ALERT			Remit to: **CORONA** **CA**	
7/5/2011	883121	433.50		
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
Vendor Total		**433.50**		
FYTD for UNDERGROUND SERVICE ALERT		**433.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO** **CA**	
7/5/2011	208618	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
Vendor Total		**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**291.67**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883122	270.00		
			AUTO MALL PYLON SIGN PROJECT	270.00
7/11/2011	883156	1,917.00		
			AUTO MALL PYLON SIGN PROJECT	1,917.00
Vendor Total		**2,187.00**		
FYTD for UNITED INSPECTION & TESTING INC		**2,187.00**		
UNITED POWER GENERATION, INC.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208619	265.00		
			GENERATOR TEST/REPAIR-FS #48	265.00
Vendor Total		**265.00**		
FYTD for UNITED POWER GENERATION, INC.		**265.00**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
7/11/2011	883157	1,501.02		
			BROOM KITS-ST SWEEPER	1,501.02
Vendor Total		**1,501.02**		
FYTD for UNITED ROTARY BRUSH CORP		**1,501.02**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
7/11/2011	883158	107.39		
			FENCE RENTAL-ANIMAL SHELTER	11.32
			FENCE RENTAL-ANIMAL SHELTER	96.07
Vendor Total		**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**107.39**		

City of Moreno Valley

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For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
7/5/2011	208620	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
7/18/2011	208802	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY		**100.00**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208621	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
7/18/2011	208803	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
Vendor Total		**989.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**989.38**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208622	3,652.45		
			FERTILIZER AND AG CHEMICALS	1,252.29
			FERTILIZER AND AG CHEMICALS	2,400.16
7/11/2011	208711	1,200.09		
			FERTILIZER AND AG CHEMICALS	919.37
			FERTILIZER AND AG CHEMICALS	280.72
Vendor Total		**4,852.54**		
FYTD for UNIVAR USA, INC		**4,852.54**		
VACA, MONICA			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208873	3,000.00		
			SETTLEMENT	3,000.00
Vendor Total		**3,000.00**		
FYTD for VACA, MONICA		**3,000.00**		

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For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
7/11/2011	883159	1,160.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL FIELD OFFICE	45.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
7/18/2011	883186	235.00		
			PEST CNTRL-LIBRARY	5.00
			PEST CNTRL-LIBRARY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,395.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**1,395.00**		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
7/5/2011	883123	8,120.00		
			TEMP STAFFING SVCS-CAP PROJS.	8,120.00
	Vendor Total	**8,120.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**8,120.00**		
VALUEQUEST PRO P.C.			Remit to: **PERRIS**	**CA**
7/5/2011	208623	250.00		
			APPRAISAL SVCS FOR NSP PRGM	250.00
	Vendor Total	**250.00**		
FYTD for VALUEQUEST PRO P.C.		**250.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAS ASSOCIATES, INC.			Remit to: **CORONA** **CA**	
7/5/2011	883124	16,320.00		
			TEMP STAFFING SVCS-CAP PROJS.	16,320.00
7/25/2011	883223	17,280.00		
			TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total	**33,600.00**		
FYTD for VAS ASSOCIATES, INC.		**33,600.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208712	15,890.00		
			ACCOUNTING SVCS	7,155.00
			ACCOUNTING SVCS	8,735.00
	Vendor Total	**15,890.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**15,890.00**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
7/5/2011	208624	172.63		
			PHONE LISTING CHARGE	172.63
	Vendor Total	**172.63**		
FYTD for VERIZON CALIFORNIA		**172.63**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
7/11/2011	208713	648.15		
			ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total	**648.15**		
FYTD for VICTOR MEDICAL CO		**648.15**		
VIEVU			Remit to: **SEATTLE** **WA**	
7/5/2011	208625	10,169.00		
			WEARABLE VIDEO CAMERAS FOR PD	8,750.00
			2YR EXTENDED WARRANTY	1,400.00
			SHIPPING	19.00
			CA USE TAX	888.13
			USE TAX ACCRUAL	-888.13
	Vendor Total	**10,169.00**		
FYTD for VIEVU		**10,169.00**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883125	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST		**318.73**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VILLAGE NURSERIES WHOLESALE, LLC			Remit to: **ORANGE** **CA**	
7/5/2011	883126	3,809.49		
			PLANTS/TREE MATERIALS - PARKS	3,000.00
			PLANTS/TREE MATERIALS - PARKS	745.02
			PLANTS/TREE MATERIALS - PARKS	64.47
	Vendor Total	**3,809.49**		
FYTD for VILLAGE NURSERIES WHOLESALE, LLC		**3,809.49**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
7/5/2011	883127	3,951.46		
			EMPLOYEE VISION INSURANCE	3,951.46
	Vendor Total	**3,951.46**		
FYTD for VISION SERVICE PLAN		**3,951.46**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208714	261.11		
			PAINT/SUPPL FOR PARKS GRAFFITI	77.52
			PAINT/SUPPL-GRAFFITI RMVL PRGM	147.02
			PAINT/SUPPL-GRAFFITI RMVL PRGM	36.57
	Vendor Total	**261.11**		
FYTD for VISTA PAINT CORPORATION		**261.11**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
7/11/2011	208715	896.37		
			ASPHALTIC MATERIALS	550.55
			ASPHALTIC MATERIALS	103.85
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	103.85
	Vendor Total	**896.37**		
FYTD for VULCAN MATERIALS CO, INC.		**896.37**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883128	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for WAGNER, GARY D.		**318.73**		
WAGONER, ROBERT			Remit to: **ZEPHYRHILLS** **FL**	
7/5/2011	883129	360.40		
			RETIREE MED JUN-JUL 11, PD JUL	360.40
	Vendor Total	**360.40**		
FYTD for WAGONER, ROBERT		**360.40**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208626	637.46		
				RETIREE MED MAY-JUN 11, PD JUL	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**637.46**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	208874	2,000.00		
				ANNUAL TRUSTEE FEES-2005 LRB	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**2,000.00**		
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	7/11/2011	208719	5,700.00		
				TRIM/THIN OLIVE TREES-VAR LOC.	5,700.00
	Vendor Total		**5,700.00**		
FYTD for WEST COAST ARBORISTS, INC.			**5,700.00**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208716	492.00		
				CALTRANS ENCRCHMNT PERMIT FEE	492.00
	Vendor Total		**492.00**		
FYTD for WEST COAST STRUCTURES INC			**492.00**		
WESTBOUND COMMUNICATIONS				Remit to: **ORANGE** **CA**	
	7/18/2011	208804	7,500.00		
				MAIL BALLOT PR CONSULTING SVCS	3,750.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
	Vendor Total		**7,500.00**		
FYTD for WESTBOUND COMMUNICATIONS			**7,500.00**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208875	3,274.78		
				WATER CHARGES	1,761.75
				WATER CHARGES	10.94
				WATER CHARGES	1,443.82
				WATER CHARGES	58.27
	Vendor Total		**3,274.78**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**3,274.78**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WHEELER, GERALD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208805	100.80		
				INSTRUCTOR SVCS-YOUTH GOLF	50.40
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
	Vendor Total		**100.80**		
FYTD for WHEELER, GERALD			**100.80**		
WHISNER, MARY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208806	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISNER, MARY			**50.00**		
WIELIN, RONALD A.				Remit to: **BANNING** **CA**	
	7/5/2011	883130	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**318.73**		
WILLDAN AND ASSOCIATES				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	208627	8,665.00		
				BLDG & SAFETY PLAN CHECK SVCS	7,455.00
				ON-SITE PERMIT INVESTIG. SVCS	1,210.00
	Vendor Total		**8,665.00**		
FYTD for WILLDAN AND ASSOCIATES			**8,665.00**		
WILLDAN FINANCIAL SERVICES				Remit to: **TEMECULA** **CA**	
	7/5/2011	208628	1,500.00		
				ARBITRAGE FEE-97 LSE REV BOND	500.00
				ARBITRAGE FEE-97 LSE REV BOND	1,000.00
	Vendor Total		**1,500.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**1,500.00**		
WILLIAMS, CHARMAINE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208807	62.00		
				REFUND-CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for WILLIAMS, CHARMAINE			**62.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	7/5/2011	883131	192.40		
				RETIREE MED JUN '11, PD JUL '1	192.40
	Vendor Total		**192.40**		
FYTD for WILLIAMS, JANE L.			**192.40**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	7/11/2011	208717	414.00		
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	90.00
	Vendor Total		**414.00**		
FYTD for WILLIS, ROBERT H			**414.00**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA** **CA**	
	7/5/2011	883132	7,600.00		
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	7/25/2011	883224	7,600.00		
				TEMP STAFFING SVCS-ELECTR UTIL	2,190.00
				TEMP STAFFING SVCS-ELECTR UTIL	5,410.00
	Vendor Total		**15,200.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**15,200.00**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208876	17,746.00		
				TUMF FEES COLLECTED	17,746.00
	Vendor Total		**17,746.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**17,746.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.			Remit to: **CORONA**	**CA**
7/5/2011	883133	1,620.00		
			MAINT. DAY PORTER SVCS	1,020.00
			JANITORIAL SVCS-TOWNGT RENTALS	600.00
7/11/2011	883161	130.00		
			SPECIAL CLEANING SVCS-SNR CTR	130.00
7/27/2011	883225	23,005.87		
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
			JANITORIAL SVCS-T.S. ANNEX	453.43
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-MRCH FLD PK CC	955.70
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-SP DIST ANNEX	735.73
			JANITORIAL SVCS-EMP RES CTR	532.81
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-CITY HALL	4,588.23
			MAINT. DAY PORTER SVCS	1,076.10
	Vendor Total	**24,755.87**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**24,755.87**		
XEROX			Remit to: **DALLAS**	**TX**
7/18/2011	208808	3,520.61		
			COPIER RNTL/MAINT/PRNTS-GRPHCS	1,618.85
			COPIER RNTL/MAINT-GRAPHICS	397.79
			COPIER RNTL/MAINT-PARKS	117.88
			COPIER RNTL/MAINT-PARKS	241.46
			COPIER RNTL/MAINT/PRINTS-PARKS	1,144.63
	Vendor Total	**3,520.61**		
FYTD for XEROX		**3,520.61**		
YAMASHITA, JULIA J.			Remit to: **LAGUNA WOODS**	**CA**
7/5/2011	883134	161.50		
			RETIREE MED MAY '11, PD JUL '1	161.50
	Vendor Total	**161.50**		
FYTD for YAMASHITA, JULIA J.		**161.50**		

Subtotal **1,171,566.33**

GRAND TOTAL **11,090,197.25**

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MV00130894

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT
PROJECT NO. 10-12272227

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

BACKGROUND

The design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In August 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

The Planning Division of the Community and Economic Development Department determined on July 25, 2011, that this project is exempt from the California

Environmental Quality Act (CEQA) as it is classified as a Class 1 Categorical Exemption under Section 15301(c) and, therefore, environmental documents are not required.

DISCUSSION

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The project improvements and locations are as follows:

- Curb, gutter, and sidewalk on the north side of Ironwood Avenue, east of Bayless Street.
- Curb, gutter, and sidewalk on the east side of Indian Street, south of Ironwood Avenue.
- Sidewalk on the east side of Pigeon Pass Road, north of Hemlock Avenue.
- Sidewalk on the south side of Calle San Juan De Los Lagos, west of Frederick Street.
- Ten pedestrian access ramps along Hemlock Avenue from Perris Boulevard to Leahy Street.
- Pedestrian access ramps on the northwest and southwest corners of Indian Avenue and Dorner Drive.
- Pedestrian access ramps on the southeast and northeast corners of Ramsdell Drive and Dorner Drive.
- Pedestrian access ramps on the southwest and southeast corners of Cottonwood Avenue and Bion Drive.
- Pedestrian access ramp and curb return on the southeast corner of Cactus Avenue and Elsworth Street.
- Pedestrian access ramp and curb return on the northwest corner of Iris Avenue and Oliver Street.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m., on September 12, 2011, for the subject project. The ten (10) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Mora's Equipment & Construction, Inc.**	**$182,993.50**
2.	TSR Construction & Inspection	$220,417.60
3.	Golden State Constructors, Inc.	$238,606.25
4.	CT&T, Inc.	$247,797.90
5.	STI, Inc.	$266,135.43
6.	Blair Rasmussen Construction	$280,741.12
7.	Elite Companies	$286,370.57
8.	JDC, Inc.	$320,910.60
9.	Avi-Con, Inc.	$375,398.00
10.	Bravo Concrete	$401,616.55

Engineer's Estimate $230,000.00

Staff has reviewed Mora's Equipment & Construction, Inc.'s bid and finds it to be the lowest responsive bid. Furthermore, Mora's Equipment & Construction, Inc. is in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Mora's Equipment & Construction, Inc. in their bid.

The lowest responsive bid was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternative items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternative items which comprise the ten locations identified in the DISCUSSION section. These ten locations are Phase 1 of the FY 10-11 SB 821 Grant Project as accepted by City Council on September 14, 2010. Phase 2 of the FY 10-11 SB 821 Grant Project will go out to bid in January of 2012.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor will coordinate construction activities such that impacts to motorists and pedestrians are minimized.

ALTERNATIVES

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc., in the form attached hereto, authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc. up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will allow for the timely construction of needed improvements.*

2. Do not award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, do not authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will delay the construction of these needed improvements.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2011/2012 Capital Improvements Project Budget and will be financed by SCAG Article 3 (Fund 122) and Measure "A" (Fund 125). RCTC will reimburse up to $150,000 of the construction costs. The funding for this project is restricted to street improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS FISCAL YEAR 2011/2012:

Citywide Sidewalks and Access Ramps (Account No. 122.72227)	$150,000
Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$150,000
Total Funds Available	**$300,000**

ESTIMATED CONSTRUCTION RELATED COSTS:

Construction (Includes 20% contingency)	$220,000
Construction Surveying Costs	$25,000
Construction Geotechnical Costs	$25,000
Project Administration and Inspection Services	$20,000
Total Estimated Construction Related Costs	**$290,000**

ANTICIPATED PROJECT SCHEDULE:

Start Construction	October 2011
Complete Construction	March 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The City Council is requested to approve the award of the construction contract to Mora's Equipment & Construction, Inc.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Mora's Equipment & Construction, Inc.

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130900

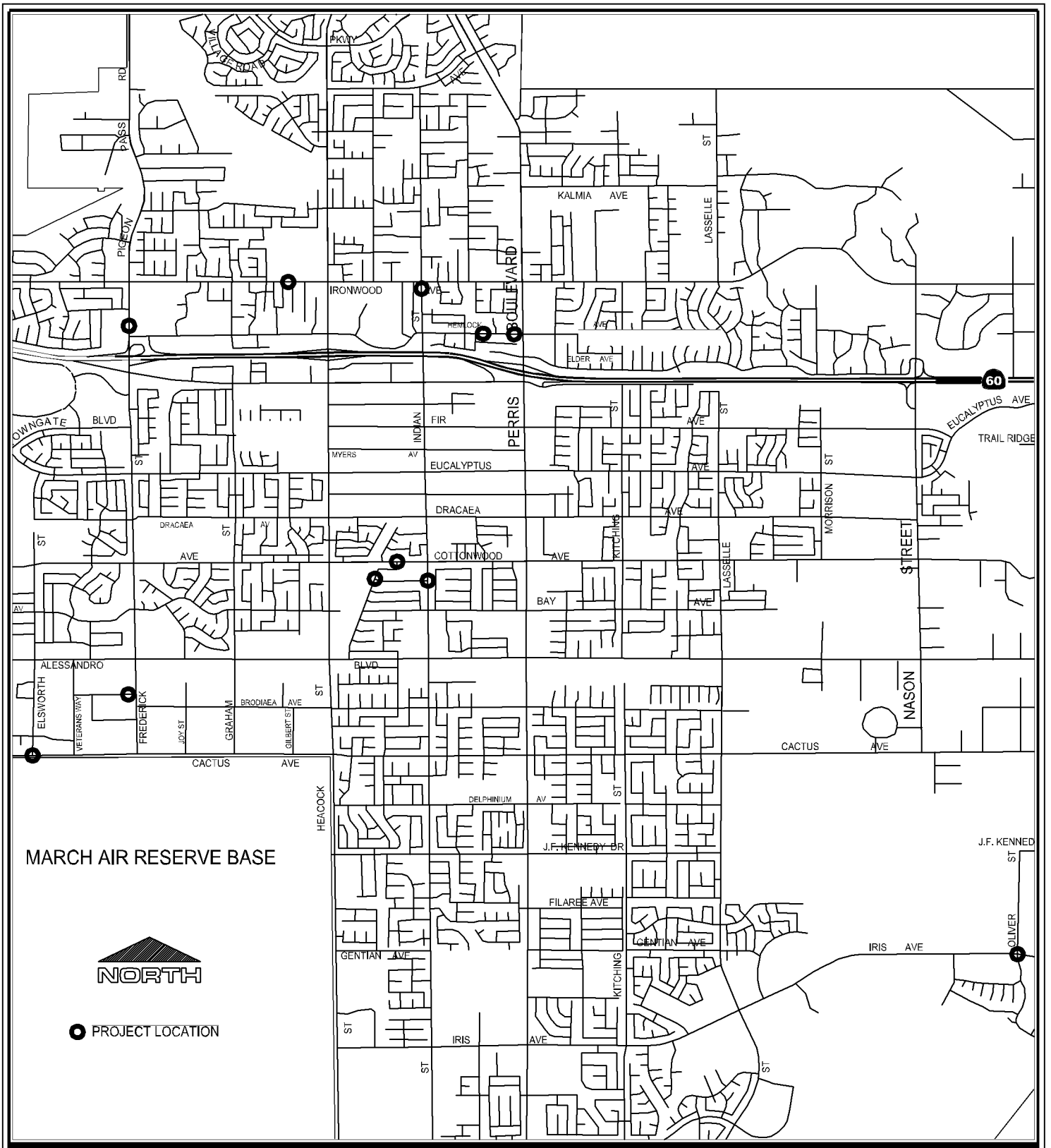

ATTACHMENT "A" - LOCATION MAP

Public Works Department Capital Projects Division	PROJECT NO. 10-12272227 CITYWIDE SIDEWALKS AND ACCESS RAMPS
Scale: None	

Item No. A.5

MV00130901

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MV00130902

Agreement No._____

AGREEMENT

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Mora's Equipment and Construction, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$182,993.50** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. After the Agreement has been fully executed by the Contractor and the City, the Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the "Notice to Proceed to Fulfill Preconstruction Requirements," which constitutes the start of the contract eighty (80) working days. Preconstruction Requirements include, but are not limited to, the following:

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan
- Submitting and obtaining approval of required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Contract Documents

After all preconstruction requirements are met, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor agrees to diligently prosecute the work, including corrective items of work, day to day thereafter, except as adjusted by subsequent Change Orders. The eighty (80) working days include the time necessary to both Fulfill Preconstruction Requirements and for Construction of the project.

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $365.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers,

employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

15. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

16. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12272227

CITY OF MORENO VALLEY, a Municipal Corporation

BY: _____
City Manager

DATE: _____

Mora's Equipment and Construction, Inc.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\Specifications\2 Agreement - Basic Specs 07-11 - Citywide SW AR.DOC

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO
  - ly attach this document to the signed document.

Item No. A.5

MV00130909

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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MV00130916

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

FRAN LOU DRIVE, BETWEEN PERRIS BOULEVARD AND KITCHING STREET

DEVELOPER - LCTH INVESTMENT, L.P.
1000 DOVE STREET
SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements.

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 27, 2003, the City Council of Moreno Valley approved Final Map 20185 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 20185 provided a Faithful Performance Bond in the amount of $2,072,000 and a Material and Labor Bond in the amount of $1,036,000 issued by Western Insurance Company.

On August 23, 2005, the City Council approved and accepted replacement bonds and an Agreement for Public Improvements for Tract 20185. The agreement expired August 23, 2007. Due to the current market conditions at that time, LCTH Investment, L.P. postponed development and focused on selling their current inventory of homes on other project sites.

On September 25, 2007, LCTH Investment, L.P. requested that the City provide a 24 month extension of time to their Agreement for Public Improvements. The amendment extended the agreement for Tract 20185 to August 23, 2009.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Do not direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 20185
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\9-27-11 - TR 20185- Exoneration of Agree.doc

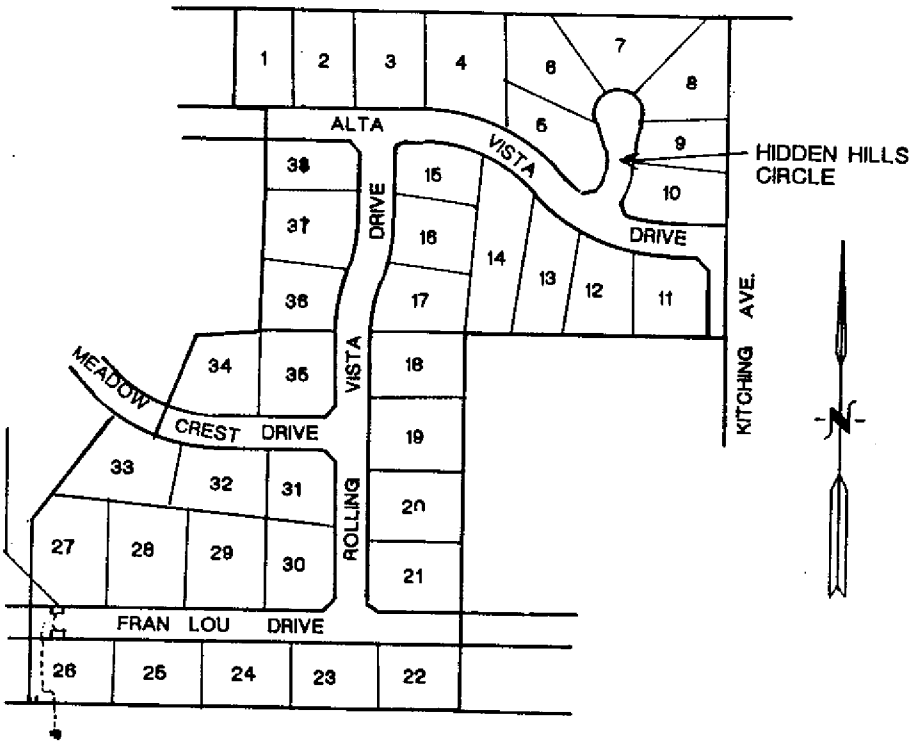

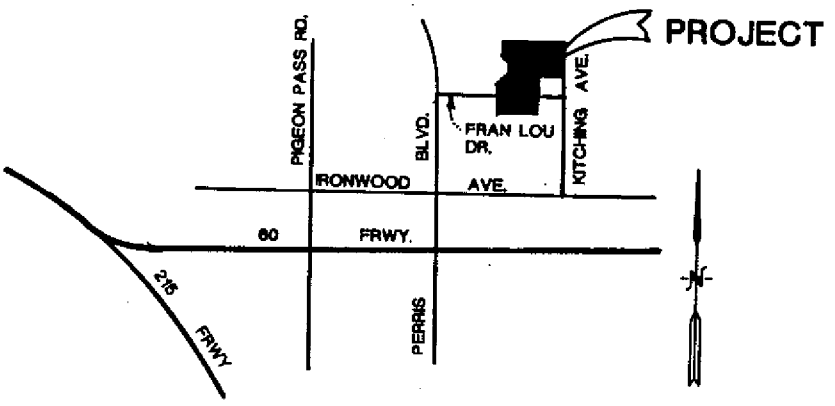

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

TRACT 20185
VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

Item No. A.6

MV00130921

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MV00130922

AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS FOR TRACT 20185

This Amendment to Agreement for Public Improvements is made and entered into by and between the City of Moreno Valley, hereinafter "City", and **LCTH INVESTMENT, L.P.,** hereinafter "Contractor", on the date the City signs this agreement.

1. RECITALS:

   (a) The City and the Contractor entered into an Agreement for Public Improvements hereinafter called the "Original Agreement" **(Doc #2005-0793184)** on August 23, 2005. That agreement will expire on August 23, 2007.

   (b) The City and the Contractor wish to amend the Original Agreement as hereinafter provided.

2. AMENDMENT TO ORIGINAL AGREEMENT:

   (a) Based upon the foregoing Recitals, the City and the Contractor hereby amend the Original Agreement, extending said agreement by twenty-four (24) months, up to and including the **23rd day of August 2009**, the time for completion of the required work and improvements by the Contractor.

   (b) The bonds currently on file are to remain in effect unless replacement bonds are being provided with this Amendment to Agreement for Public Improvements.

3. LIMITED EFFECT:

   Except as herein otherwise provided, the terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Contractor and the City have duly caused this Amendment to the Original Agreement to be executed as of the date executed by the Mayor of the City.

LCTH INVESTMENT, L.P.

By: C Christine Chung
Signature

CHRISTINE CHUNG MANAGER
Print Name & Title

By: _____
Signature

_____
Print Name & Title

ATTEST:

Alice Reed 10/2/07
City Clerk Date

CITY OF MORENO VALLEY

Charles White 9-29-07
Mayor Date:

APPROVED AS TO FORM:

RDH 9/29/07
City Attorney Date

Original-City Clerk Pink-Contractor Green-Land Dev. Blue-Project File

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

W:\LandDev\Lee Ann\Agreement Bond Packets\TR20185 - Amendment to Agreement-extension.doc

Exhibit "B"

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0.05	Thickness (ft.)				
	132550	S.F.	480	Ton	55.00	26,427
A.C. - Street 1	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	90.00	302,711
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	329,138

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

OFFSITE STREET WORK

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	0	Ton	90.00	0
Slurry Seal (Based on $150/Ton Type II)	14728	S.Y.	2.25	33,138
Sawcut	0	L.F.	1.50	0
Utility Trench	5000	L.F.	17.00	85,000
Trench Repaving	0	S.F.	12.00	0
Redwood Header	250	L.F.	6.00	1,500
A.C. Berm - 6"	163	L.F.	10.00	1,630
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	19	EA.	800.00	15,200
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	1800	L.F.		0
Curb and Gutter - 8"	5000	L.F.	25.00	125,000
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	3000	S.F.	15.00	45,000
Sidewalk	13800	S.F.	7.00	96,600
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	4350	S.F.	14.00	60,900
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	9	EA.	1,200.00	10,800
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	60	L.F.	100.00	6,000
	0			0
			SUBTOTAL:	480,768

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	16	EA.	4,000.00	64,000
Street Lights (22000 lumen)	0	EA.	5,000.00	0
Electrical Utility Infrastructure	0	L.S.	--	0
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	64,000
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordina	0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
Traffic Striping/raised pavement markers	1	L.S.	10000	10,000
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	5	EA.	200.00	1,000
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
	0		--	0
			SUBTOTAL:	12,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Cluster Mail Boxes	4	EA.	4,500.00	18,000
Erosion Control	24	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	178	EA.	100.00	17,800
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Street Trees	38	EA.	2,500.00	95,000
			SUBTOTAL:	130,800

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	48	L.F.	130.00	6,240
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	238	L.F.	180.00	42,840
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	3	EA.	5500.00	16,500
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
	0		---	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	21	EA.	5500.00	115,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	2	EA.	3500.00	7,000
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		---	0
Miscellaneous				
Rip Rap	200	TON	60.00	12,000
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		---	0
			SUBTOTAL:	203,080

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	2422		50.00	121,100
10" PVC C-900	0		55.00	0
12" PVC C-900	1045		60.00	62,700
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.	---	0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	5	EA.	800.00	4,000
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	1	EA.	1,800.00	1,800
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	4	EA.	3,000.00	12,000
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	3	EA.	2,500.00	7,500
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	7	EA.	2,800.00	19,600
6" Super Fire Hydrants	0	EA.	3,000.00	0
	0		---	0
Services Connections				
1" Service	38	EA.	500.00	19,000
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	2		200.00	400
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	6		750.00	4,500
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	2	EA.	2,800.00	5,600
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	3	CY	150.00	450
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
	0		---	0
			SUBTOTAL:	267,650

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	1143	L.F.	20.00	22,860
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	3000	L.F.	30.00	90,000
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	38	EA.	700.00	26,600
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	33	EA.	3,000.00	99,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	0	EA.	300.00	0
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	38	EA.	90.00	3,420
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	238,460

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK :	$329,138
STREET WORK :	$611,568
STORM DRAIN SYSTEM :	$203,080
WATER SYSTEM :	$267,650
SEWER SYSTEM :	$238,460
ENTERPRISE SERVICES ADMIN :	$64,000
TRANSPORTATION ENGNRNG :	$12,000
TOTAL COST (VALUE) OF IMPROVEMENTS:	$1,725,896
+20% CONTINGENCY:	$345,179
GRAND TOTAL:	$2,071,075

BOND AMOUNT: **$2,072,000**

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TRACT MAP 20185

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **LCTH INVESTMENT, L.P.**, hereinafter called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TRACT MAP 20185** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND AND NO/100** Dollars (*****$1,637,000*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:

LCTH Investment, L.P.
1000 Dove Street
Suite 100
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

LCTH Investment, L.P.

By: Christine Cheng Manager
Title

By: _____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: Alice Reed
City Clerk

(SEAL)

CITY OF MORENO VALLEY

Date: 8/24/05

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8/24/05

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

PROJECT: **Tract 20185 (2005 Version)**
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			3675	C.Y.	16.00	58,800
A.B. Class II	0.5	Thickness (ft.)				
	132550	S.F.	4805	Ton	16.00	76,879
A.C.	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	43.50	146,310
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Curb and Gutter - 6"			1800	L.F.	12.00	21,600
Curb and Gutter - 8"			5000	L.F.	13.00	65,000
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			3000	S.F.	11.00	33,000
Sidewalk			13800	S.F.	4.00	55,200
Driveway Approach - 6"			4350	S.F.	5.50	23,925
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			163	L.F.	10.00	1,630
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			14728	S.Y.	1.10	16,201
Redwood Header			250	L.F.	4.00	1,000
Sawcut			0	L.F.	1.10	0
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5000	L.F.	5.00	25,000
Wheelchair Ramp			9	EA.	400.00	3,600
Street Name Sign			0	EA.	425.00	0
Stop Sign			5	EA.	200.00	1,000
Barricade			60	L.F.	45.00	2,700
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			5	EA.	200.00	1,000
Traffic Striping/raised pavement markers			1	L.S.	–	4,464
Traffic Signal			0	EA.	160,000.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping			0	S.F.	5.00	0
Street Trees			38	EA.	150.00	5,700
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			16	EA.	3,000.00	48,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			19	EA.	550.00	10,450
Erosion Control			24	Ac.	5,500.00	132,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure						
Electrical Reimbursement						
					SUBTOTAL:	745,459

Monuments: 0 X 65.00 EA. $0

Item No. A.6

EXHIBIT "A"

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	48	L.F.	75.00	3,600
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	0	L.F.	95.00	0
30" Reinforced Concrete Pipe	238	L.F.	110.00	26,180
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	3	EA.	5000.00	15,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin	21	L.F.	450.00	9,450
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Junction Structure	0	EA.	4500.00	0
Headwall	0	EA.	3500.00	0
Rip Rap	200	TON	40.00	8,000
Parkway Drain	1	EA.	2000.00	2,000
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	1	EA.	1100.00	1,100
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
"V" Gutter	23810	S.F.	4.00	95,240
			SUBTOTAL:	160,570

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	1045	L.F.	60.00	62,700
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	2422	L.F.	50.00	121,100
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	7	EA.	2,000.00	14,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	2	EA.	200.00	400
10"	0	EA.	240.00	0
12"	6	EA.	750.00	4,500
Blow Off 6"	0	EA.	1,800.00	0
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	0	EA.	1,800.00	0
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	38	EA.	350.00	13,300
Blow-offs	3	EA.	1,300.00	3,900
Air Vac & Air Release	4	EA.	1,800.00	7,200
Hot Tap	2	EA.	2,000.00	4,000
12" BFV	1	EA.	1,800.00	1,800
8" BFV	5	EA.	800.00	4,000
Thrust Block	3	C.Y	150.00	450
			SUBTOTAL:	246,350

Item No. A.6

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	3000	L.F.	32.00	96,000
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1143	L.F.	24.00	27,432
15" Pipe Plastic Solid Wall	0	L.F.	35.00	0
12" Pipe Plastic Solid Wall	0	L.F.	33.00	0
10" Pipe Plastic Solid Wall	0	L.F.	21.00	0
8" Pipe Plastic Solid Wall	0	L.F.	17.00	0
6" Pipe Plastic Solid Wall	0	L.F.	13.00	0
4" Pipe Plastic Solid Wall	0	L.F.	9.00	0
Standard Manhole 48"	19	EA.	2,000.00	38,000
Terminus Manholes	14	EA.	1,700.00	23,800
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	38	EA.	600.00	22,800
Wyes	38	EA.	90.00	3,420
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
			SUBTOTAL:	211,452

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

IMPROVEMENT TYPE:

ROADWORK	:	$745,459
STORM DRAIN	:	$160,570
WATER SYSTEM	:	$246,350
SEWER SYSTEM	:	$211,452
SURVEY MONUMENTS	:	$0
TOTAL COST OF IMPROVEMENTS:		$1,363,831
+20% CONTINGENCY:		$272,766
GRAND TOTAL:		$1,636,597

BOND AMOUNT: **$1,637,000**

Item No. A.6

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MV00130940

Recording requested by and when recorded, mail to:

City of Moreno Valley
CEDD/Land Development Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Public Works Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Tract Number 20185,

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 20185 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the Public Works Department, Land Development Division located at 14177 Frederick Street, Moreno Valley, California, 92553 or by calling 951.413.3120.

By: _____
CHRIS A. VOGT,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date 8/31/11

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Notifications for PIA Req\TR 20185 - Notice of Requirement for PIA.doc

Exhibit "C"

Item No. A.6

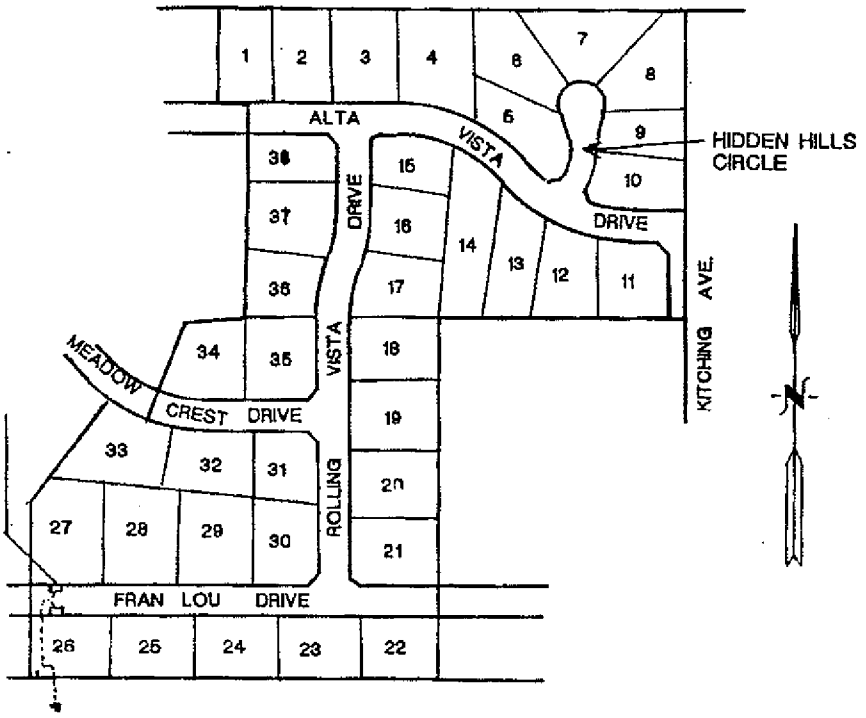

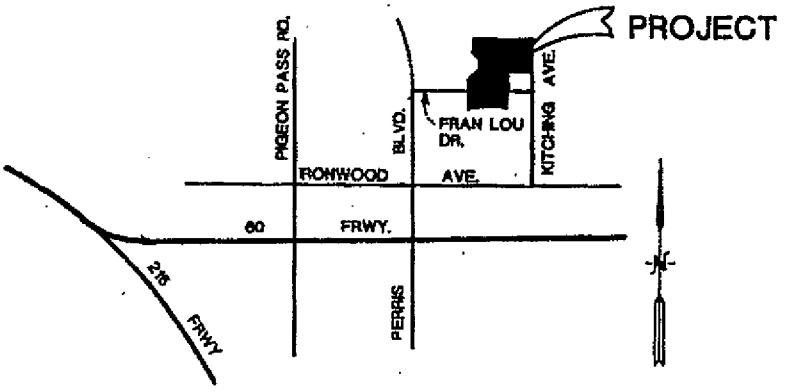

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT EXHIBIT "A"	TRACT 20185 VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

Item No. A.6

MV00130942

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Community and Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO REDEVELOPMENT AGENCY
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324.

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325.

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way).

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency:

> Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. The City Council approved Resolution No. 2011-88 for the Notice of Intent to Vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highways Code – Chapter 3, Sections 8320 through 8325. The Resolution provided for the following actions:

1. Set the date of the public hearing for the vacation proceeding as September 27, 2011 , in the City Council Chambers, at 6:30 p.m., for all persons interested in or objecting to the proposed street vacation; and

2. Directed the City Clerk to publish and advertise the hearing notice and directed the City Engineer to post Motor Way giving notice of the time of the public hearing; and

3. Directed the City Clerk to certify said resolution and transmit a copy to the office of the County Recorder for recordation.

DISCUSSION

The Community Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Part of the Auto Mall Specific Plan is to vacate the frontage road (Motor Way) between the Auto Mall properties and Auto Mall Parkway (Moreno Beach Drive) to enhance visibility. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno

Beach Drive) already serves, and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Bros. Moreno Valley Properties, LLC and Majestic Realty (also known as Auto Mall Resolution, LLC), who own the properties fronting Motor Way. Both owners support the vacation of Motor Way. To maintain access to two fronting properties along Lot "B", an ingress and egress easement are required as part of the vacation process.

The City also recommends that the property be transferred from the City of Moreno Valley's ownership to the RDA's ownership via a quitclaim deed. The transfer of ownership would allow the RDA to address various issues identified in the Auto Mall's Specific Plan Amendment No. 5 previously approved by City Council. There is no fee associated with the transfer of ownership.

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

ALTERNATIVES

1. Adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Adopting the Resolution ordering the Vacation will allow the City to finish the proposed street improvements.*

Authorizing the execution of the Quitclaim Deed and Easement Deeds will alleviate any future title issues and liability issues for the City.

2. Do not adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, do not direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, do not authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and do not authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Do not authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Not adopting the Resolution ordering the Vacation will not allow the City to finish the proposed street improvements along Motor Way and will cause the City to continue maintenance of the street. Not authorizing the execution of the Quitclaim Deed and Easement Deeds may cause future title issues and liability issues for the City.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution ordering the street vacation. There will be a transfer of land ownership between the City and the RDA but no financial transaction between the entities.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue,

excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

NOTIFICATION

Notice of the vacation has been given to various utility agencies. The public has been notified of the vacation by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Lot B Exhibit"
Attachment "C" – Proposed Resolution
Attachment "D" – Quitclaim Deed
Attachment "E" – Acceptance Certification
Attachment "F" – Easement Deed for Parcel "A" of LLA 817
Attachment "G" – Easement Deed for Parcel 1 of LLA 1008

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\Full Vacation for Motor Way and Transfer of Property 9-27-11 - Final.docx

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MV00130948

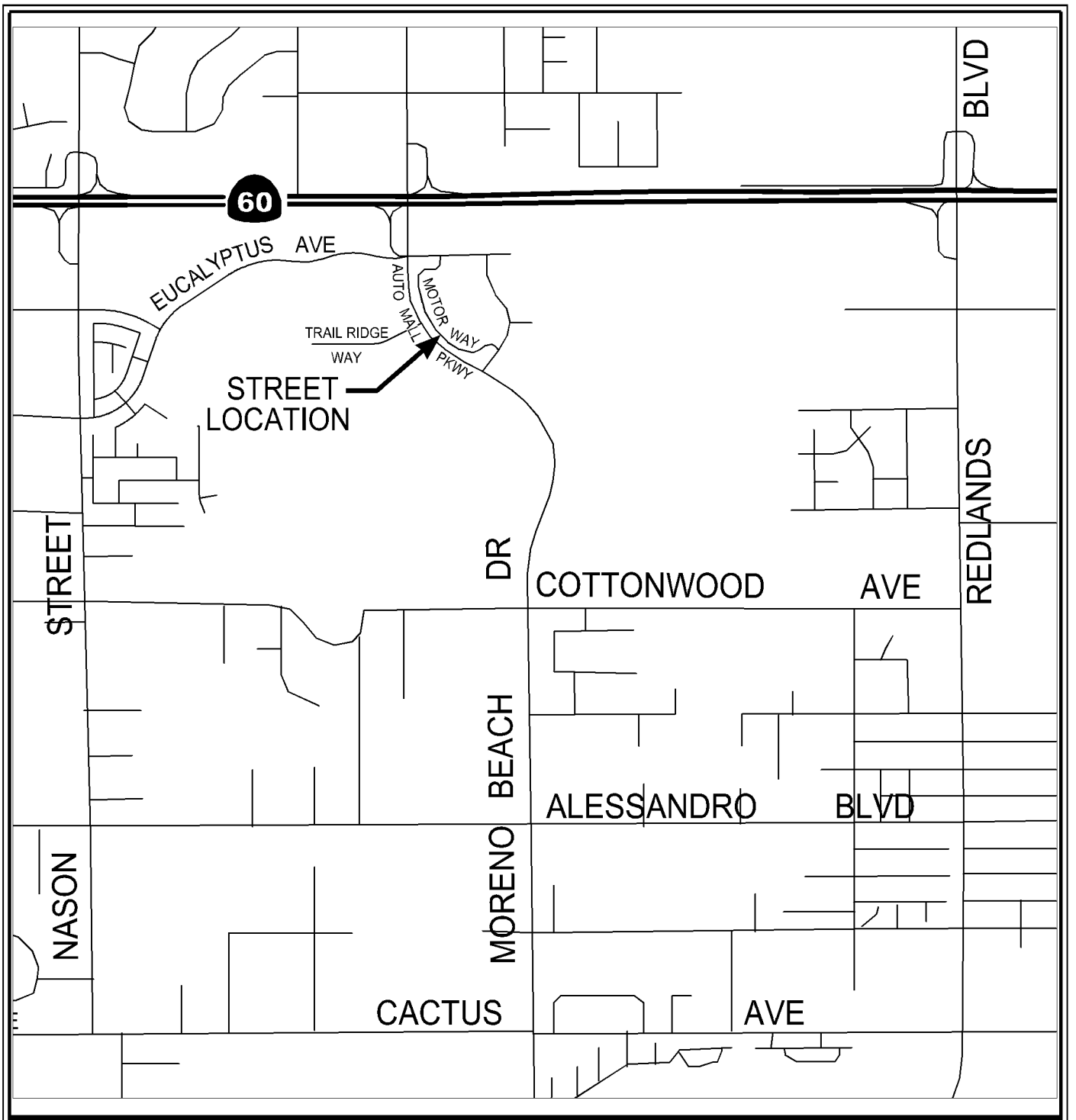

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

Item No. A.7

MV00130949

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MV00130950

"Lot B Exhibit"

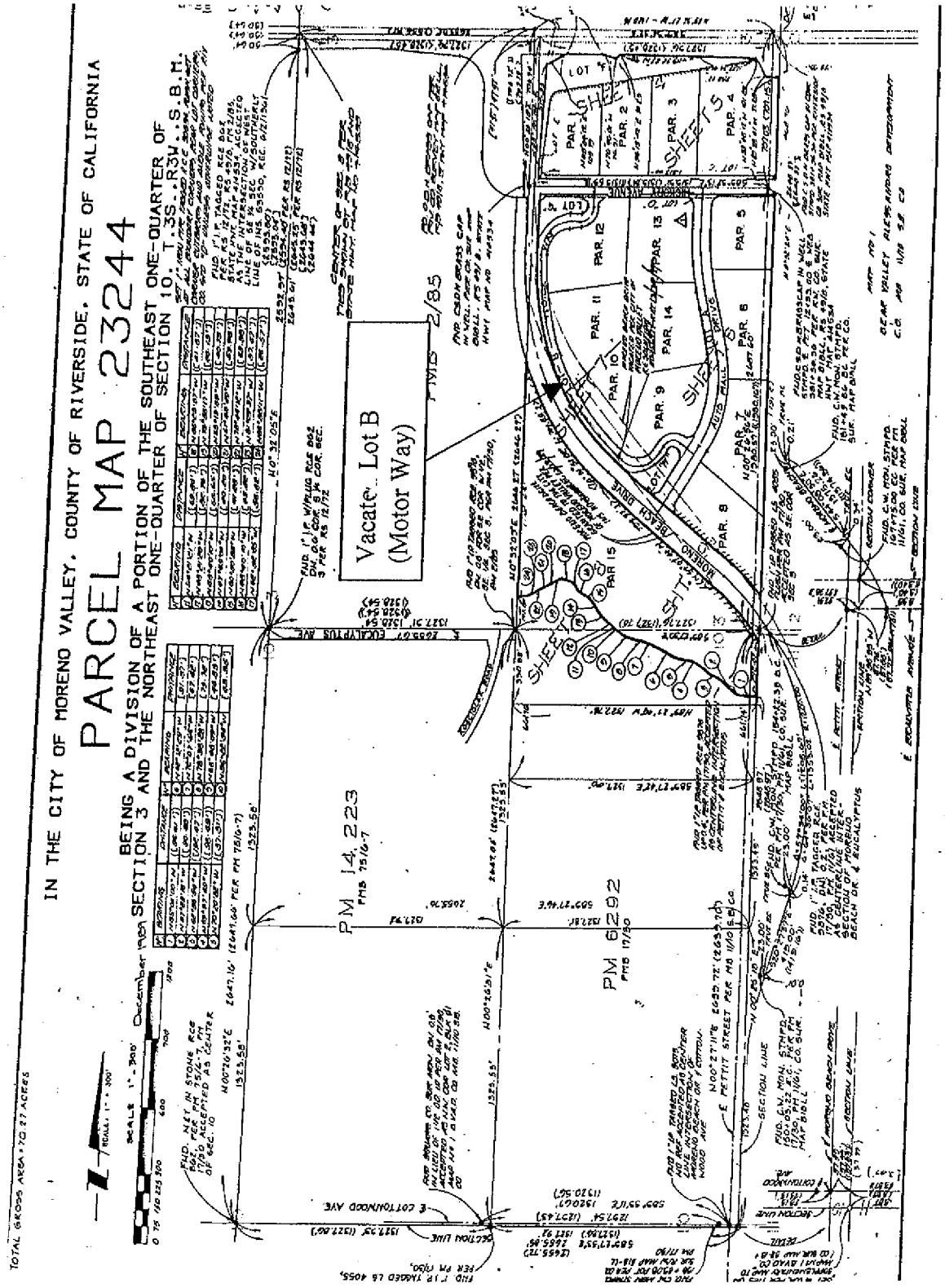

Attachment "B"

Item No. A.7

MV00130951

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MV00130952

RESOLUTION NO. 2011-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City Council, on August 23, 2011, adopted Resolution No. 2011-88 declaring its intention to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described in said Resolution No. 2011-88 on file with the City Clerk's office, and set a public hearing for September 27, 2011, at 6:30 p.m., as the time for all persons interested in or objecting to the proposed vacation; and

WHEREAS, this public hearing was duly noticed and held as required by law; and

WHEREAS, the public right-of-way proposed to be vacated was duly posted as provided by law; and

WHEREAS, there are existing public facilities and services in the area to be vacated, therefore reserving to the City an easement for public facilities and services; and

WHEREAS, the Council finds such public right-of-way is unnecessary for the following reasons:

1. The subject right-of-way is unnecessary for present and prospective public use.

2. The subject right-of-way is not needed as a non-motorized transportation facility.

3. The proposed vacation is consistent with the City of Moreno Valley Municipal Code and General Plan and it complies with the requirements for street vacations as cited in the California Streets and Highways Code Sections 8312 & 8324.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public right-of-way described as Lot B of Parcel Map 23244, as recorded and on file with the Riverside County Recorder's Office, be vacated.

BE IT FURTHER RESOLVED THAT the City is reserving unto itself an easement for public utilities and public facilities purposes.

BE IT FURTHER RESOLVED THAT the City is reserving ingress and egress access easements to Parcel A of Lot Line Adjustment Number 817 and Parcel 1 of Lot Line Adjustment Number 1008 along Lot B of Parcel Map 23244.

BE IT FURTHER RESOLVED THAT the City Clerk shall cause a certified copy of this order to be recorded by the Riverside County Recorder.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00130956

Recording requested by and when
recorded, mail to:
City of Moreno Valley
City Clerk
14177 Frederick Street
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N.

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the

City of Moreno Valley, a Municipal Corporation

hereby remises, releases and quitclaims to the COMMUNITY REDEVELOMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, the real property in the City of Moreno Valley, County of Riverside, State of California, as described:

Lot B of Parcel Map 23244 and as illustrated on the plat attached hereto and marked Exhibit "A".

Reserving therefrom, to said City of Moreno Valley an easement for public utilities and public facilities over, under, across and within the above described parcels of land.

IN WITNESS WHEREOF, this instrument has been executed this ____ day of_____, 2011.

STATE OF CALIFORNIA
County of Riverside

On _____ before me, _____
the undersigned. A Notary Public in and for said State, personally appeared_____
_____
proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

GRANTOR:

City of Moreno Valley

By:_____

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MV00130958

"Lot B Exhibit"

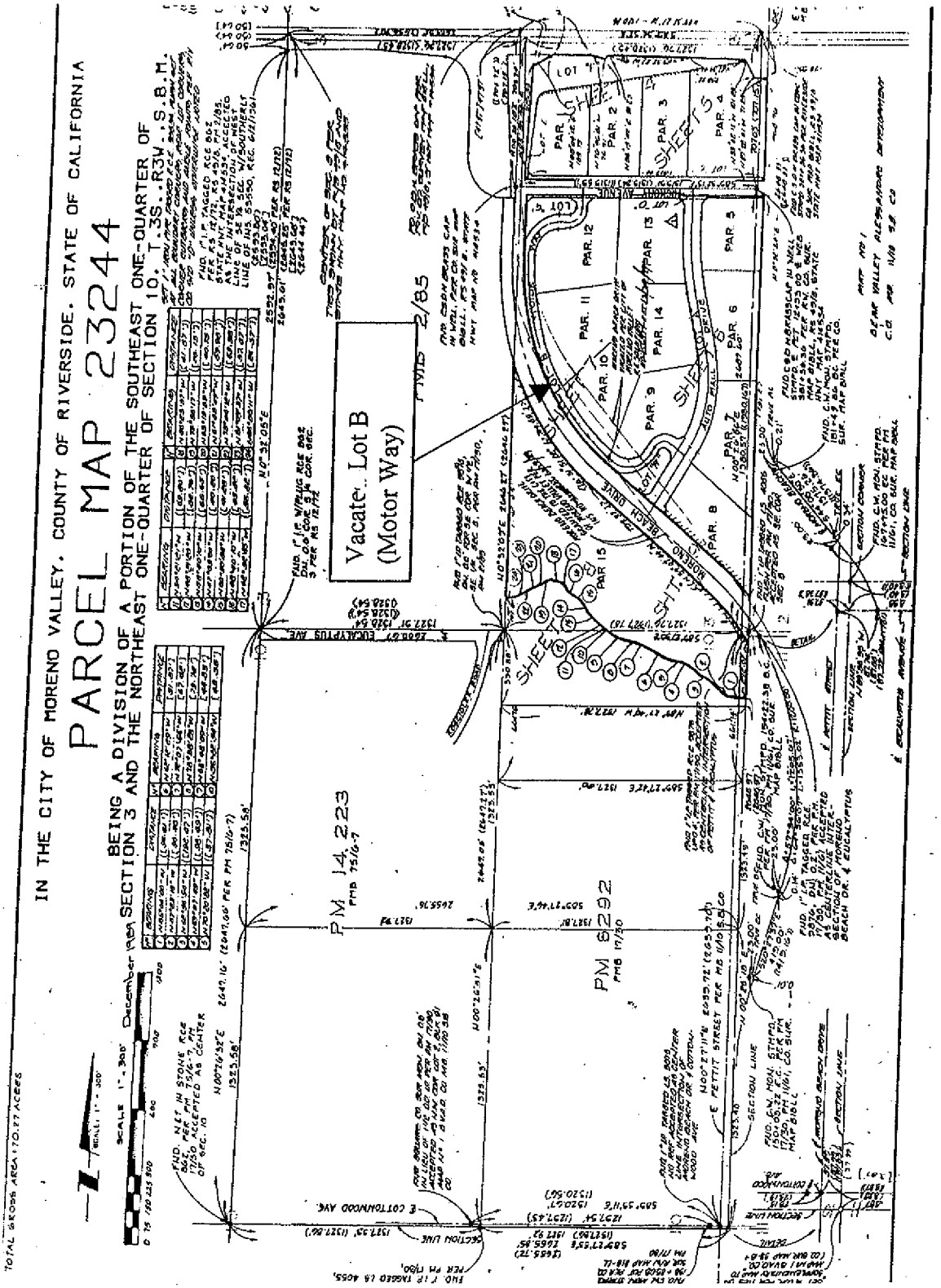

Exhibit "A"

Item No. A.7

MV00130959

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MV00130960

ACCEPTANCE CERTIFICATION

This is to certify that the interest in real property conveyed by the deed or grant dated September 27, 2011 from City of Moreno Valley to the Moreno Valley Community Redevelopment Agency, State of California, in the form attached hereto, is hereby accepted, subject to completion of Conditions of Resolution 2011-___, by the order of the Board of Directors of the Moreno Valley Redevelopment Agency, pursuant to authority so ordered on September 27, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____

By: _____
Richard A. Stewart, Chairman of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

State of California
County of_____ }

On_____ before me, _____, A Notary Public
Date — Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

_____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Attachment "E"

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MV00130962

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the AUTO MALL RESOLUTION, LLC, an easement for ingress and egress access purposes to Parcel "A" of Lot Line Adjustment Number 817 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Lot "A" (also know as Auto Mall Drive) and the prolongation of the northerly property line of Parcel "A" of Lot Line Adjustment Number 817 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "F"

Item No. A.7

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MV00130964

LOT LINE ADJUSTMENT 817

OF A PORTION OF PARCELS 10, 11, 12 AND 13 OF PARCEL MAP 23244
ON FILE IN BOOK 161 OF PARCEL MAPS AT PAGES 16 THROUGH 24,
RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

JUNE 1990

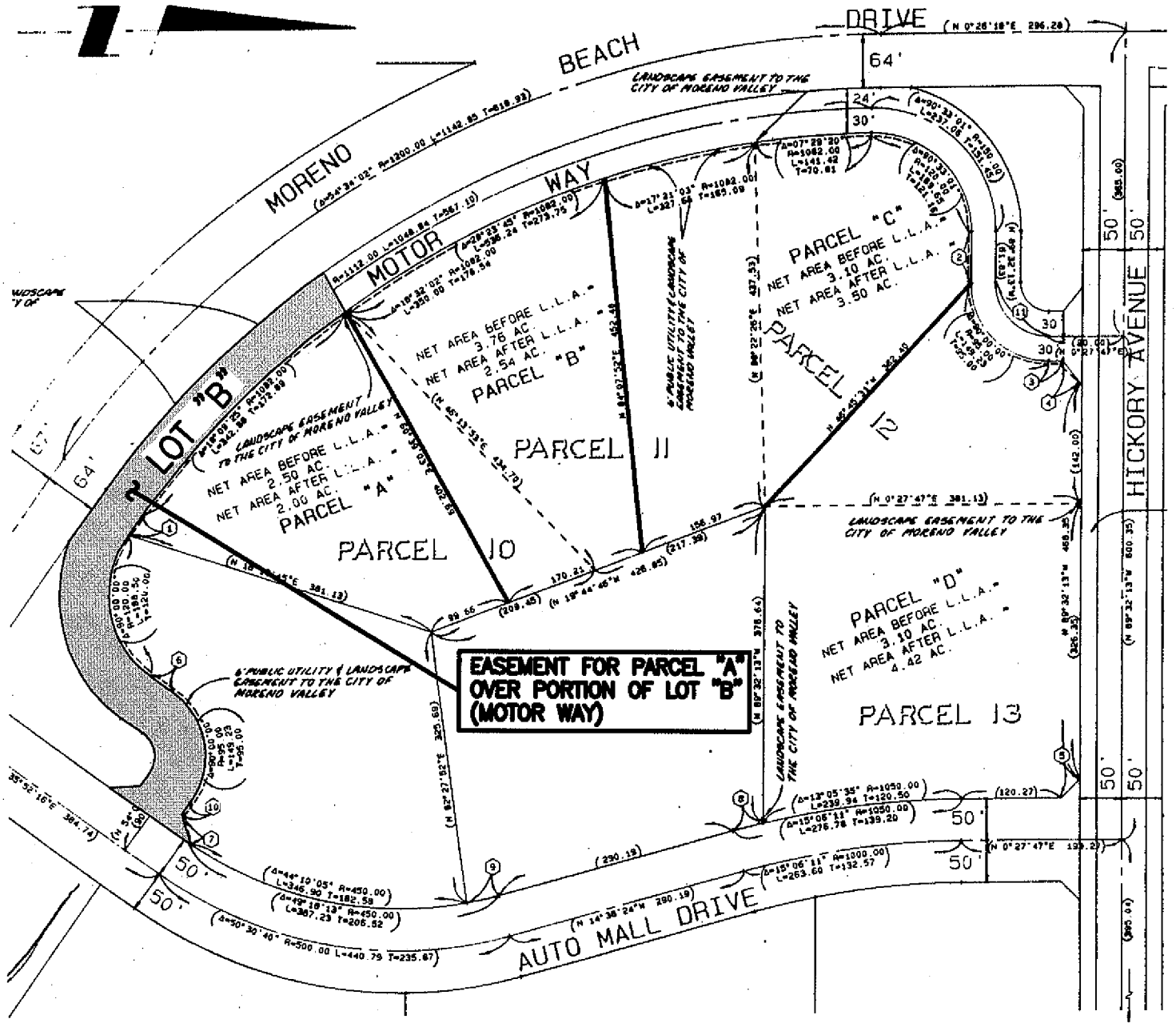

EXHIBIT "A"

NTS

INSTRUMENT No 302152

Item No. A.7

MV00130965

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MV00130966

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the MOSS BROS. MORENO VALLEY PROPERTIES, LLC, an easement for ingress and egress access purposes to Parcel 1 of Lot Line Adjustment 1008 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Eucalyptus Avenue (Hickory Avenue) and the prolongation of the southerly property line of Parcel 1 of Lot Line Adjustment 1008 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "G"

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MV00130968

EXHIBIT "A"
LOT LINE ADJUSTMENT No. 1008/ AND CERTIFICATE OF COMPLIANCE

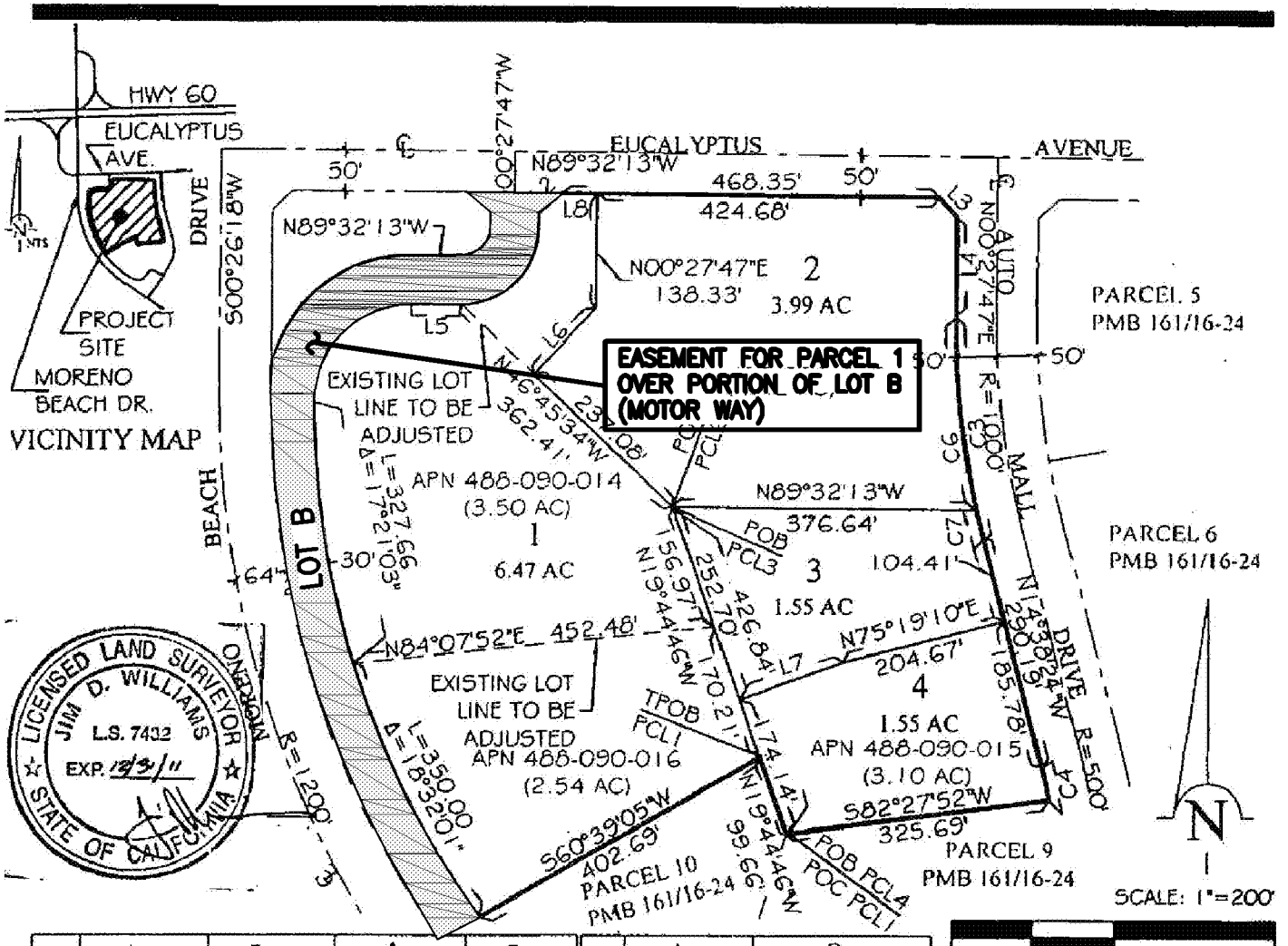

	L	R	Δ	T
C1	189.65'	120.00'	90°33'04"	121.16'
C2	149.23'	95.00'	90°00'00"	95.00'
C3	276.78'	1050.00'	15°06'11"	139.20'
C4	40.33'	450.00'	05°08'08"	20.18'
C5	677.66'	1082.00'	35°53'04"	350.36'
C6	239.94'	1050.00'	13°05'35"	120.50'
C7	36.84'	1050.00'	02°00'36"	18.42'

	L	B
L1	17.00'	N00°27'47"E
L2	37.01	N52°02'25"E
L3	32.53'	S44°32'13"E
L4	120.27'	S00°27'47"W
L5	61.83'	N89°32'13"W
L6	111.43'	N43°14'26"E
L7	136.37'	N70°14'02"E
L8	43.67'	S89°32'13"E

OWNERS:

APN 488-090-014,016
PARCEL 1 & 2
JB & RB REALTY, LLC
PO BOX 1770,
POMONA, CA 91769
(818) 601-1802
ATTN: JOHN BOULIANNE

APN 488-090-013,015
PARCEL 3 & 4
DJK, LLC
12625 AUTO MALL DRIVE,
MORENO VALLEY, CA 92555
(951) 485-3500
ATTN: DONALD J. ALLARD

PREPARED BY:

• land planning
• civil engineering
• landscape architecture
phone 909.748.7777
fax 909.748.7776
est. 1989
thatcher engineering & associates, inc.
1461 ford street, suite 105, redlands, ca 92373

LEGEND:

——	PROPOSED LOT LINES
▬▬	EXISTING BOUNDARY
— —	EXISTING LOT LINES
( )	AREA BEFORE ADJUSTMENT
POB	POINT OF BEGINNING
PCL	PARCEL
POC	POINT OF COMMENCEMENT

V:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Auto CAD\Exhibit 'A', PM 23244, LLA 1008.dwg

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MV00130970

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction.

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

BACKGROUND

In May 2005, City Council approved an agreement with PB for $939,331.84 to provide design services for improvements to the State Route 60/Nason Street Interchange. The original scope of work consisted of design, right-of-way acquisition, utility relocation,

plans, specifications and estimates (PS&E), agency coordination, bid support and construction support services.

In June 2006, the agreement was amended within the authorized contingency to add work related to the City's Streambed Alteration Agreement with the California Department of Fish and Game.

On October 14, 2008, the City Council approved the Second Amendment for additional design work required to coordinate the project's 95% design with the substantially completed Stoneridge development and update the design plans to optimize construction funds and enhance the ultimate State Route 60/Moreno Beach Drive and Nason Street bridge project.

In April 2009, the agreement was further amended for additional design work required to update the plans. In June 2009 and October 2009, the agreement was again amended to add conceptual design work related to property acquisition activities and agency requirements. All amendments were within the authorized contingency.

On January 11, 2011, the City Council awarded the construction contract to All American Asphalt. Construction is currently under way.

The agreement with PB was further amended in August 2011 (Sixth Amendment) within the approved contingency to extend the contract expiration date from December 31, 2011, to December 31, 2012, and to address staging and drainage issues encountered during construction.

DISCUSSION

The project is under construction and is on schedule. Services during construction that are required to be performed by the design engineer were estimated in 2005 during the time of the original proposal. The tasks and associated level of effort has changed since that time. They have been evaluated and consequently have increased due to changes in policies and procedures.

Weekly meetings are held with the construction management team, the City, Caltrans, and the contractor. Due to the accelerated nature of the work and the multiple parties involved in approvals, there is a time benefit in having the design engineer present at strategic weekly meetings and on-site afterwards to answer questions, evaluate any proposed adjustments, and optimize solutions. In addition, Caltrans requires the design engineer to review and concur with all Requests for Information, regardless of whether they involve a design change. The level of effort for these tasks is therefore higher than anticipated. In addition, it is expected that there will be continuing suggestions by the contractor and project team to adjust existing and proposed features to save time and money.

As-built drawings were anticipated to be done under the original contract in 2005. Since that time, Caltrans policy changed, and the as-builts were not to be done by the design

engineer. The task was removed from the scope in the Second Amendment. In 2010, the policy changed again to have the design engineer prepare the as-builts. Therefore, the scope has been re-inserted to have the design engineer prepare the final as-built set, including electronic copies to the City and Caltrans.

Caltrans recently changed carpool policies. In the last three months, Caltrans re-striped the SR-60 carpool lane from I-215 to Redlands Boulevard to provide for a continuous ingress/egress condition instead of defined segments of ingress/egress. Both the interim stage plans and the permanent striping plans for this project, when implemented, are required to be revised to reflect the new type of striping. In addition, the environmental permits for the project were issued prior to advertisement, and there are revised requirements to document and close out the permits and environmental commitments upon completion of construction.

The consultant has submitted a proposal for $76,875 to perform this work, bringing the cumulative contract total to approximately $1.57 million. This amount represents approximately 20% of the construction cost and includes both design and construction support services, which represent approximately 19% and 2.2% of the construction cost, respectively. The price is considered fair and reasonable based on industry standards for similar work, and results in an overall cost savings for the City on the project. The design engineer is also required to perform these tasks. The services covered in this amendment will be completed concurrently with the ongoing construction phase.

Construction is expected to continue through March 2012. As-builts and administrative project close-out activities are expected to continue through June 2012. A 20% contingency is requested to respond quickly to construction issues that may arise as the project is completed.

ALTERNATIVES

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will allow for completion of the design for the needed improvements.*

2. Do not approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB),

451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, do not authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, do not authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will delay the needed improvements.*

FISCAL IMPACT

The project is currently funded using federal funds and matching toll credits. Remaining available funding consists of DIF Interchange funds and Measure "A" funds. There are sufficient funds in the budget for the amendment.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act of the 21st Century, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 2,657,000
STPL Discretionary Funds (125.67029)	$ 4,941,000
STPL Toll Credit (125.67030)	$ 637,000
Demo Toll Credit (125.66930)	$ 664,000
Measure "A" Funds (125.89720)	$,446,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$11,085,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 8,283,000
Construction Management & Inspection Services	$ 601,000
Construction Support Services (Geotechnical & Survey)	$ 129,000
Construction Support Services (Design)	$ 92,000
Administrative Costs (Staff & Miscellaneous)	$ 50,000
Total Estimated Costs	$ 9,155,000

ANTICIPATED PROJECT SCHEDULE
Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff recommends amending the contract with PB for continuing services during construction for the SR-60/Nason Street Interchange Improvement Project by approving the Seventh Amendment to Agreement for Professional Consultant Services and authorizing a change order to increase the purchase order by $92,250.00 ($76,875.09 plus 20% contingency).

ATTACHMENTS/EXHIBITS

Attachment "A" — Seventh Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130976

SEVENTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 98-25897

This Seventh Amendment to Agreement is by and between the **City of Moreno Valley**, a municipal corporation, hereinafter referred to as "City," and **PB Americas Inc.**, a New York corporation, hereinafter referred to as "Consultant." This Seventh Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 18, 2005.

Whereas, the Consultant is providing consultant design services for State Route 60/Nason Street Interchange Improvements.

Whereas said Agreement was amended by the "First Amendment to Agreement for Professional Consultant Services" dated June 22, 2006.

Whereas said Agreement was further amended by the "Second Amendment to Agreement for Professional Consultant Services" dated November 7, 2008.

Whereas said Agreement was further amended by the "Third Amendment to Agreement for Professional Consultant Services" dated April 23, 2009.

Whereas said Agreement was further amended by the "Fourth Amendment to Agreement for Professional Consultant Services" dated June 23, 2009.

Whereas said Agreement was further amended by the "Fifth Amendment to Agreement for Professional Consultant Services" dated October 13, 2009.

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

Whereas said Agreement was further amended by the "Sixth Amendment to Agreement for Professional Consultant Services" dated _____, 2011.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Seventh Amendment.

Whereas, the Consultant has submitted a Proposal dated August 25, 2011, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2012,** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in the proposal (Exhibit "A").

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in the proposal (Exhibit "A").

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $76,875.09, as set forth in the above-referenced proposal (Exhibit "A") in consideration of the Consultant's performance of the work set forth in said proposal.

1.5 The total "Not to Exceed" fee for this contract is $1,570,430.09 ($939,331.84 for the original Agreement, $16,302.70 for the First Amendment, $375,748.00 for the Second Amendment, $48,370.67 for the Third Amendment to Agreement, $4,805.24 for the Fourth

Amendment to Agreement, $87,889.13 for the Fifth Amendment, $21,107.42 for the Sixth Amendment and $76,875.09 for the Seventh Amendment to Agreement.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

PB Americas, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – Proposal Dated August 25, 2011

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Parsons Brinckerhoff
451 E. Vanderbilt Way
Suite 200
San Bernardino, CA 92408

August 25, 2011

Ms. Margery A. Lazarus,
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: SR-60/Nason Street Interchange Improvements (PB Job No. 12676)
Project No. 98-25897

Dear Ms. Lazarus:

Attached is our scope of work, cost estimate and labor breakdown for additional services at the request of the City of Moreno Valley on the Nason Street Interchange Improvement Project. The effort has been identified in the following areas through the middle of March 2012:

- As-built Drawings
- Environmental Permits
- Attend weekly construction meetings
- Provide concurrence of RFI's
- PB will update all Staging and Striping plans affected by Caltrans HOV policy change.

The estimate for the above scope of work is $76,875.09.

Please do not hesitate to call should you have any questions 909.888.1106

Sincerely,
PB Americas, Inc

Douglas B. Sawyer
Senior Vice President

Scope of work for Amendment

Task 24 – As-built Drawings

PB shall incorporate all redline comments prepared by the Contractor and the project inspector on the signed design Plans. PB will put hanging file tabs on the Mylars. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment.

The estimated time for 251 sheets at 0.5 hour/per sheet would be 139 hours and will start on receipt of the complete package from the construction manager (TCM Group). This will include printing five (5) full size sets.

Electronic files will then be placed on three (3) CD's and delivered to construction manager (TCM – Group) for distribution.

Task 25 – Environmental Permits

Rather than paying the extraordinarily high maintenance fees associated with managing a half acre wetlands through the required third party management service, the city has opted to buy into an offsite mitigation bank.

This strategy will result in a savings to the city of well over $300,000.

PB will continue to work with the city to close the environmental permits, and to confirm compliance with the mitigation program in connection with closing out the project.

Task 26 – Weekly Meetings and Site Visits

Weekly Meetings and site visits thru the middle of March 2012 – The city together with Caltrans District 8 staff have requested our presence at the weekly construction meetings and site visits.

This additional effort was not anticipated or funded in the original design support during construction scope.

This task covers that additional coordination effort which will improve communication and reduce construction related delays.

This is based on 18 meetings and/or site visits for a total of 3 hours including travel time by the Project Manager or his/her representative.

If the construction is extended, these tasks will have to be revisited.

Task 27 – Review & Response

Additional Effort required providing concurrence on all RFI's thru the middle of March 2012. PB's involvement and concurrence in the RFI review and response process has increased significantly at the request of oversight agencies.

The requirement for the engineer to provide concurrence on all RFI's creates additional effort from the designer.

If the construction is extended, these tasks will have to be revisited.

Task 28 – Modify Interim Staging and Final Striping Plans

PB will modify interim staging and final striping plans to reflect changes in Caltrans policy to allow for continuous ingress/egress into HOV Lanes.

The estimated time for 10 sheets at 3 hour/per sheet would be 30 hours.

RESOURCE ALLOCATION MATRIX

Task No.	Task Name	Proj Mgr (Jamey Dye)		Lead Engineer (Craig Schneider)		Environmental Lead (Stephanie Oslick)		Engineer (Courtney Otubuah)		CADD (Chris Pitzer)		Project Administration (Martha Garcia)		TOTAL HOURS	TOTAL COST
		PB AMERICAS HOURS													
	Design Services														
24	**As-built Drawing**														
24.01	As-built Drawing	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
														0	$0.00
	Subtotals	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
25	**Environmental Permits**														
25.01	Environmental Permits	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
														0	$0.00
	Subtotals	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
26	**Weekly Meetings**														
26.01	1 Weekly Meeting through the middle of March	46	$10,730.40											46.00	$10,730.40
	Subtotals	46	$10,730.40											46.00	$10,730.40
27	**RFI Review & Response**														
27.01	RFI Review & Response through the middle of March	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
	Subtotals	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
28	**Modify Interim Staging and Final Striping Plans**														
28.01	Modify Interim Staging and Final Striping Plans	1	$223.55					5	$605.80	25	$3,141.75			31	$3,970.90
	Subtotals	1	$223.55					5	$605.80	25	$3,141.75			31	$3,970.90
	TOTAL	126	$28,882.51	10	$1,984.40	28	$4,391.52	99	$12,596.48	196	$27,773.07	3	$335.34	464.00	$75,763.72

OTHER DIRECT COSTS (ODC's):		
Mileage		$550.56
Reproduction		$539.00
Postage/Deliveries		$21.81
Phone/Fax		$0.00
TOTAL ODC's		$1,111.37
TOTAL COST	$0.00	$76,875.09

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

BACKGROUND

The SB 821 Bicycle and Pedestrian Facilities Program administered by the RCTC provides funding for sidewalks, bicycle lanes, access ramps, and pedestrian related enhancements. Eligible expenditures for this competitive grant program are limited to preliminary engineering, right of way acquisition, construction, and reconstruction.

At the April 12, 2011 City Council meeting, City Council approved the submittal of the grant application for the SB 821 Bicycle and Pedestrian Facilities Program FY 2011-12. The grant application requested funds for installation of access ramps at 11 locations citywide, as well as ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators at various locations along Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard.

On August 1, 2011, the City received notification from the RCTC of a successful grant application in the amount of $75,000 (50% of the estimated project costs) for the project.

DISCUSSION

The project will install sidewalk, curb and gutter, Americans with Disabilities Act (ADA) compliant access ramps, new pedestrian push buttons, and new pedestrian signal heads with countdown indications. Locations for the sidewalk and ramp improvements were selected based upon the results of the Public Right of Way Access ADA Transition Plan. City staff has received requests from disabled residents as well as completed the Tier 1 review of intersections and has developed a priority list of locations that need access ramp construction/reconstruction. A list of the locations, improvements, and priority follows:

- Patricia Street between Margaret Avenue and Gentian Avenue: Construct ADA ramps for a total of five intersections (citizen request).
- Cottonwood Avenue at Dilbeck Drive: Construct ADA ramps (Tier 1 review).
- Alessandro Boulevard at Chagall Court: Reconstruct ADA compliant ramps (Tier 1 review).
- Alessandro Boulevard at Ramsdell Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- John F. Kennedy Drive at Ely Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- Indian Street at Manzanita Avenue: Reconstruct ADA compliant ramps; modify intersection geometrics to reduce pedestrian crosswalk lengths (Tier 1 review).
- Centerpoint Drive at Center Plaza: Reconstruct ADA compliant ramps (Tier 1 review).

In addition, as part of a city-wide effort to enhance pedestrian safety and convenience, various locations long Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard will have ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators installed.

Per the provisions of the SB 821 Bicycle and Pedestrian Facilities Program (no agreement is needed between the City and the RCTC), the City is required to use its own funds to implement the project and then receives a reimbursement payment at the completion of the project. The $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance is requested such that staff can proceed with the design and construction phases. If the funds are not claimed prior to the end of FY 2012-13, the project will be deleted from the SB 821 Bicycle and Pedestrian Facilities Program and the funds will be reprogrammed by the RCTC.

ALTERNATIVES

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will allow the City to receive the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for the project.*

2. Do not accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and do not authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will prohibit the City from receiving the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for this project.*

FISCAL IMPACT

The SB 821 Bicycle and Pedestrian Facilities Program grant will provide for reimbursement of up to $75,000 (50% of project costs). Staff is requesting the City Council to approve the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance for the construction phase of the project. The program includes local match Measure "A" funding of $75,000 (50% of project costs) which is already programmed in the City's CIP budget for curb ramps and sidewalk at various locations. The total cost of this project is estimated at $150,000, and there is no impact to the General Fund.

FISCAL YEAR 2011/2012 FUNDS AVAILABLE:

Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$50,000
Indian St/Manzanita Ave Intersection Reconfiguration (Account No. 125.56334)	$25,000
SCAG Article 3 Funds Appropriation (Account No. 122.NEW)	$75,000
Total	$150,000

ESTIMATED PROJECT RELATED COSTS:

Design	$20,000
Construction	$107,000
Construction Geotechnical Services	$8,000
Construction Survey Services	$5,000
Project Administration	$10,000
Total	$150,000

ANTICIPATED PROJECT SCHEDULE:

Complete Design	August 2012
Award Construction Contract	October 2012

Notice to Proceed with Construction ..... November 2012
Complete Construction..... February 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property I the community, control the number and severity of fire and hazardous materials incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130990

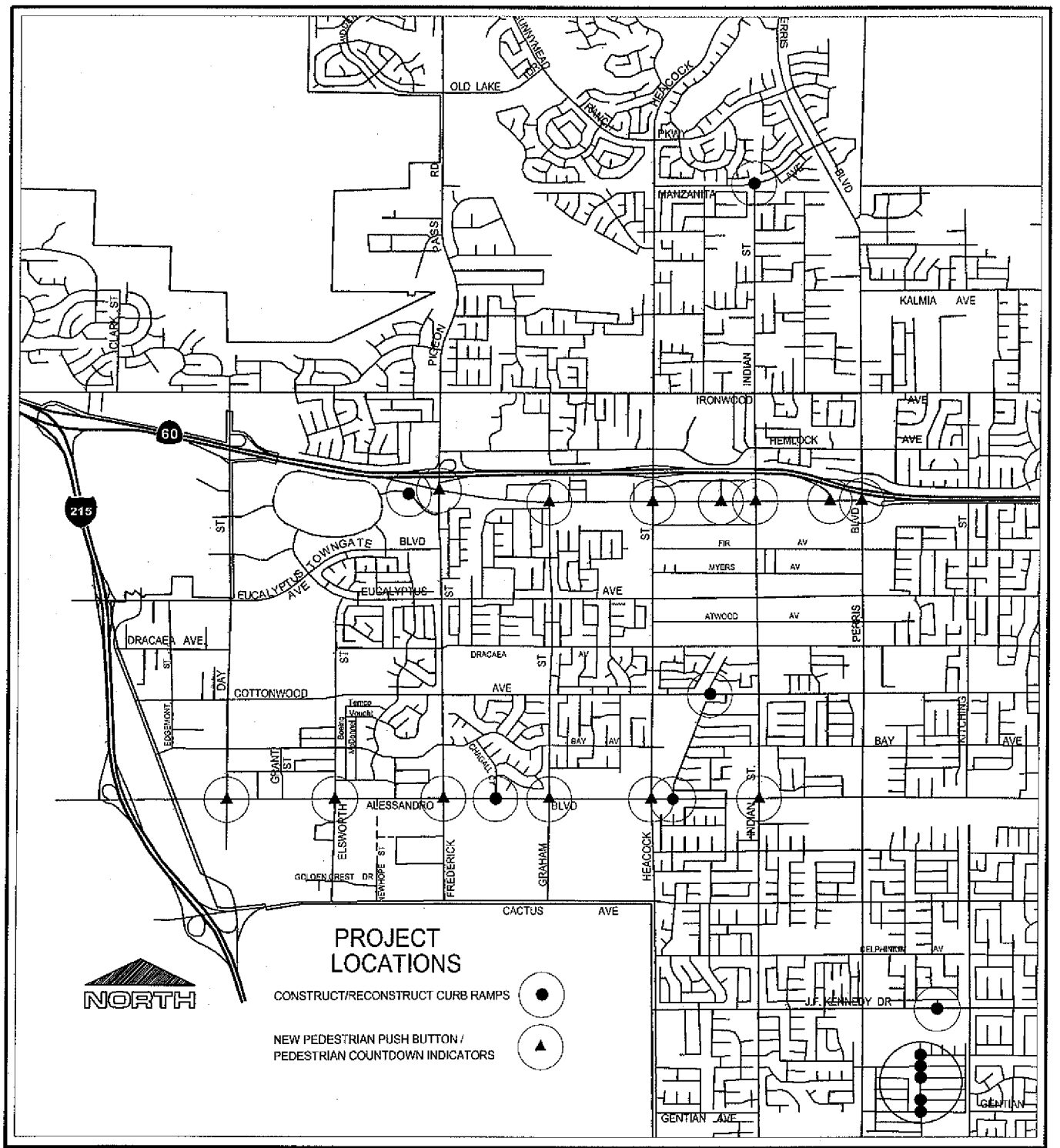

CITY OF MORENO VALLEY
DECEMBER 3, 1984

PEDESTRIAN ENHANCEMENT PROJECTS

Public Works Department
Capital Projects Division

LOCATION MAP

SB 821
FISCAL YEAR 2011 - 2012
GRANT SUBMITAL LOCATIONS

ATTACHMENT "A"

Item No. A.9

MV00130991

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MV00130992

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: September 27, 2011

TITLE: FOURTH AMENDMENT TO THE AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

Staff recommends that City Council adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

BACKGROUND

The original agreement with Riverside County Sheriff for law enforcement services was executed in 1985. A new agreement for law enforcement services was adopted on December 8, 1998 and became effective on January 1, 1999. Another new agreement for law enforcement services was approved on October 7, 2003 and expired on June 30, 2008. The most recent five-year agreement for law enforcement services was approved on December 16, 2008, with a retroactive effective date of July 1, 2008. The agreement is effective from July 1, 2008 through June 30, 2013.

Amendments are the method used to reflect changes in the allocated contract positions, changes in the average service hours, to add positions, and to reflect changes in contract language. The attached Fourth Amendment reflects a change in the average service hours, and the deletion of positions.

DISCUSSION

During the FY 11-12 budget preparation process, the City Manager directed the Moreno Valley Police to reduce its budget by one million dollars for FY 11-12, an additional two million dollars in FY 12-13, and an additional two million dollars in FY 13-14. In order to

meet the directive, it is necessary to reduce the amount of officers assigned to the Police Department.

On June 14, 2011, during the FY 11-12 budget approval process, the City Council approved a budget directing the reduction of one million dollars from the Police Department. In order to meet the directive, police services must be reduced by 25 service hours per day. Prior to the reduction, the contract called for 600 service hours per day. The Fourth Amendment reduces that daily number to 575 hours per day.

To meet the savings goal of one million dollars requires the reduction of 5 sworn officer positions.

ALTERNATIVES

The following alternatives are available for Council consideration:

1. Adopt the Fourth Amendment to the Agreement for Law Enforcement Services, and authorize the Mayor to sign the agreement.

2. Elect not to adopt the Fourth Amendment to the Agreement for Law Enforcement Services at this time, and provide further direction to staff.

FISCAL IMPACT

During the FY 11-12 budget approval process, Council approved a budget that required the reduction 8900 hours of service per year. The current contract calls for 600 hours of service per day. The reduction will set the daily service hours at 575.

Current contract FY 10-11
Hours per year = 218,940 (600 hours per day)

Proposed contract FY 11/12
Hours per year = 210,040 (575 hours per day)

The elimination of 8900 hours of service at the rate of $125.37 would save the City of Moreno Valley $1,115,793.00 for FY 11-12. This reduction equates to 5 sworn positions.

This agreement will be retroactive to July 1, 2011.

CITY COUNCIL GOALS

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit in the City of Moreno Valley.

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

On June 14, 2011, during a regular public meeting of the Moreno Valley City Council, Council Members voted to adopt the FY 11-12 budget. That budget included a reduction in allocated Police contract service hours and positions to meet a one million dollar deficit reduction plan approved by City Council on April 19, 2011.

NOTIFICATION

None.

ATTACHMENTS/EXHIBITS

Fourth Amendment to the Agreement for Law Enforcement Services between the City of Moreno Valley and the County of Riverside, including Attachment A-1 (Level of Service) and Attachment A-2 (Level of Service Detail)

Prepared By:
Name Chad Bianco
Title Lieutenant

Department Head Approval:
Name John Anderson
Title Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00130996

ORIGINAL

FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN COUNTY OF RIVERSIDE AND CITY OF MORENO VALLEY

IT IS MUTUALLY AGREED that the Agreement for Law Enforcement Services between the County of Riverside, a political subdivision of the State of California, on behalf of its Sheriff's Department, and the City of Moreno Valley, a General Law City, approved by the Board of Supervisors on December 16, 2008, for services effective July 1, 2008 through June 30, 2013, as amended on December 1, 2009, November 2, 2010 and November 30, 2010, is hereby amended in the following respects, and all other terms and conditions of the Agreement remain in full force and effect:

1. Attachment A-1 is amended to read as follows:

ATTACHMENT A-1
CITY OF MORENO VALLEY
LEVEL OF SERVICE

Average Patrol Services

575 supported hours per day. (Approximate equivalent of one hundred and eighteen (118) Deputy Sheriff positions @ 1,780 annual productive hours per position)

Dedicated Positions

One (1) Captain position (Applied at an equivalent to 90% of position hours)

One (1) Lieutenant position

Two (2) Sheriff's Sergeant positions

Ten (10) Deputy Sheriff (fully supported) positions - Motorcycle Team

Two (2) Deputy Sheriff (fully supported) positions - K-9

Three (3) Deputy Sheriff (unsupported) positions - Crime Prevention Officers

One (1) Deputy Sheriff (unsupported) position – Regional Gang Task Force

One (1) Deputy Sheriff (unsupported) position - Graffiti Prevention

One (1) Deputy Sheriff (unsupported) position – School Resource Officer

Two (2) Forensic Technicians

Sixteen (16) Community Service Officer II positions

Five (5) Community Service Officer I positions

One (1) Sheriff's Service Officer II position

Two (2) Office Assistant II positions

One (1) Supervising Office Assistant I position

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2. Attachment A-2 is amended to read as follows:

Attachment A-2

City of Moreno Valley
Positions by Program
Level of Service as of July 2011

PROGRAM: POLICE ADMINISTRATION (62110)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Captain	1.0	
Lieutenant	1.0	
Sergeant	1.0	
Accounting Technician		1.0
Senior Accounting Assistant		1.0
Accounting Assistant II		2.5
Supervising Office Assistant II		1.0
Supervising Office Assistant I		1.0
Office Assistant III		2.0
Office Assistant II		14.0
TOTAL	3.0	22.5

PROGRAM: POLICE PATROL (62210)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	2.0	
Sergeant	10.0	
Deputy	80.0	
Deputy (Includes 2 K-9 Officers)	2.0	
Community Service Officer II		13.0
Sheriff's Service Officer II		3.0
TOTAL	94.0	16.0

PROGRAM: POLICE TRAFFIC ENFORCEMENT TEAMS (62310)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	

Item No. A.10

Sergeant		2.0	
Deputy		18.0	
Community Service Officer II			5.0
	TOTAL	21.0	5.0

PROGRAM: POLICE DETECTIVE UNIT (62410)

Position Title		Authorized Staffing	
		Sworn	Classified
Lieutenant		1.0	
Sergeant		2.0	
Investigator		17.0	
Deputy (Burglary Suppression)		2.0	
Forensic Technicians			2.0
Sheriff's Service Officer II			1.0
	TOTAL	22.0	3.0

PROGRAM: POLICE COMMUNITY SERVICES (62510)

Position Title		Authorized Staffing	
		Sworn	Classified
Sergeant		2.0	
Deputy-Community Services		3.0	
Deputy-Graffiti Prevention		1.0	
Deputy-School Resource Officer		1.0	
Community Service Officer I - Cm.Services			3.0
	TOTAL	7.0	3.0

PROGRAM: PROBLEM ORIENTED POLICING (62610)

Position Title		Authorized Staffing	
		Sworn	Classified
Sergeant		2.0	
Deputy		9.0	
Community Service Officer I			2.0
	TOTAL	11.0	2.0

PROGRAM: POLICE SPECIAL ENFORCEMENT TEAMS (62710)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	
Sergeant	2.0	
Deputy (Includes 1 K-9 Officer)	15.0	
Deputy (RGTF)	1.0	
TOTAL	19.0	0.0

PROGRAM: POLICE GRANT C-CAT (62810)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	
Sheriff's Service Officer II		1.0
TOTAL	2.0	1.0

PROGRAM: TOWNGATE MALL (62910)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	0.0
TOTAL	2.0	0.0

TOTAL STAFFING:	SWORN	CLASSIFIED
	181.0	52.5

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Item No. A.10

IN WITNESS WHEREOF, the City of Moreno Valley, by minute order or resolution duly adopted by its City Council, has caused this Agreement to be signed by its Mayor and attested and sealed by its Clerk, and the County of Riverside, by order of its Board of Supervisors, has caused this Agreement to be signed by the Chairman of said Board and sealed and attested by the Clerk of said Board, all on the dates indicated below.

CITY OF MORENO VALLEY

Dated:_____

By:_____
Richard A. Stewart, Mayor

ATTEST:

Name
Title

By:_____

COUNTY OF RIVERSIDE

Dated:_____

By:_____
Bob Buster, Chair,
Riverside County Board of Supervisors

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS DATE

By:_____
Deputy

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

BACKGROUND

The California Department of Food and Agriculture (CDFA) administers the Municipal Shelter Spay-Neuter Program through funds provided by the Franchise Tax Board. For the 2010 tax year, California taxpayers could elect to donate all or a portion of any of their tax refund monies to the Municipal Shelter Spay-Neuter Program. In order for this program to continue past the 2010 tax year a minimum of $250,000 in tax donations statewide was required. During 2010 a total of $197,000 in tax donations were available to eligible municipal animal shelters for the 2010 Spay-Neuter Program; therefore this program is not available in 2011.

The purpose of the Municipal Spay-Neuter Grant Fund Program is to provide grant funds to eligible animal shelters. Grant funds must supplement, not replace other funding sources. Impounded animals do not qualify for this service.

DISCUSSION

Moreno Valley Animal Services met the eligibility requirements of being current on the reporting requirements to the State Department of Public Health, Veterinary Public

Health Section (Annual Report of Rabies Control) along with offering low cost spay-neuter services for dogs and cats at the Moreno Valley Animal Clinic.

Grants awarded were on a first come, first serve basis. Eligible municipal animal shelters processing between 5,000 and 25,000 dogs and cats per year were eligible to receive up to $15,000. In FY 2010-11 the Moreno Valley Animal Shelter processed 8,378 dogs and 5,052 cats. The City was notified by CDFA in April 2011 that we were one of twelve shelters statewide that was awarded a grant (Attachment 1).

Grant funds will be used to sterilize approximately 200 dogs and/or cats owned by individual city residents.

ALTERNATIVES

1) Accept the grant award of $15,000.

2) Reject the grant award of $15,000.

3) Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the $15,000 grant award will increase the Animal Services Division's expenditure budget for FY 2011-12 as identified below. A separate business unit (BU 63240) has been created to track expenditures. Staff will process a Budget Appropriation Adjustment upon Council acceptance of the grant, increasing budgeted grant revenue and increasing the expense budget, directing staff to proceed with the grant expenditures.

General Ledger Account	Description	Current Budget	Grant Award Allocation	Revised Budget
2350.4611.1	Grant Revenue	$0	$15,000	$15,000
63240.6255	Other Professional Services (Veterinary contract)	$0	$15,000	$15,000

SUMMARY

Acceptance of the $15,000 grant award from the California Department of Food and Agriculture will allow the Animal Services Division to supplement the low cost spay-neuter services provided by the Moreno Valley Animal Clinic. Grant award funds will be used to assist city residents who otherwise could not afford the expense of spaying or neutering their pets. The grant award funds can only be used to assist pet owners

residing in the city and the pet owner's dog or cat has not been impounded at the Moreno Valley Animal Shelter. It is estimated approximately 200 pets from the community will be sterilized under this program.

ATTACHMENTS

Attachment 1: 2011 Municipal Spay-Neuter Grant Award Notice

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00131006

cdfa CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

May 2, 2011

Steve Fries
City of Moreno, Valley Animal Services Division
14041 Elsworth Street
Moreno Valley, CA 92552-0805

Subject: 2011 Municipal Spay-Neuter Grant Award Notice

Dear Mr. Fries,

Congratulations! Your organization's application submitted under the California Department of Food and Agriculture (CDFA), 2011 Municipal Spay-Neuter Grant Fund Program in January has met all the criteria and will be awarded $15,000 based on the funding formula provided in the California Revenue Taxation Code (CRTC) Section 18755.2(c). CDFA anticipates disbursing the Municipal Spay-Neuter Grant Program funds in August 2011. Awards will be made payable to the organization name and address as they appears on this letter.

Pursuant to (CRTC) Section 18755.2(e) all funds received must be used to supplement, not replace, other funding sources for spay-neuter services and programs. Additionally, no grant funds shall be used to spay or neuter any animal that is impounded by an eligible municipal shelter.

Thank you for your participation in the 2010 Municipal Spay-Neuter Grant process. If you have any questions, please feel free to submit them to grants@cdfa.ca.gov.

Sincerely,

Carl Baum
Grant Awards Coordinator
Grant Awards Unit

Federal Funds Management Office • 1220 N Street, Room 120 • Sacramento, California 95814
Telephone: 916.657.3231 • Fax: 916.653.0206 • www.cdfa.ca.gov/grants

CDFA ANNOUNCES MUNICIPAL SHELTERS ELIGIBLE TO RECEIVE FUNDING OF THE 2011 MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

Grants will be made available to the following Municipal Shelters providing low cost or free spay-neuter services for dog and cats owned by individual members of the public which have met all the criteria to receive funding:

City and County of San Francisco

City of Long Beach

City of Los Angeles

City of Moreno Valley

City of Sacramento

City of San José

County of Contra Costa

County of Riverside

County of San Bernardino

County of Santa Barbara

County of Yolo

Town of Truckee

4/30/11

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

The City has provided a VEBA benefit for City employees since 1994. In May 2011, the service provider that performed the VEBA accounting services for the City's VEBA Plan decided to stop providing the service to the City. City staff interviewed other providers and determined that CALGOVEBA is the most experienced, widely used by other government agencies in California and is the most complete service provider for administering the City's proposed VEBA Plan.

Staff is recommending approval of the attached Resolution establishing a new VEBA Trust. A VEBA Trust is a tax exempt benefit plan qualifying under Section 501 (c) (9) of the Internal Revenue Code. This plan is similar, in many respects, to a 125 Flexible Spending Account where accumulated assets are used for the payment of eligible health and other expenses for employees and their families. Unlike a 125 plan, however, accumulated assets in a VEBA Trust can be used to make premium payments.

The recommendation to implement a new VEBA Trust is based on a number of factors. The first is the significant positive impact the benefit will have on employees both during and after their retirement from service. By establishing a VEBA Trust, employees will be able to plan for current as well as future health care expenses not covered through the City's benefit program. Expenses such as Long Term Care, unreimbursed medical premiums, co-pays and pharmacy charges are all eligible under a VEBA Trust arrangement. Employees will realize a significant financial benefit since both eligible contributions to a VEBA Trust and the reimbursed expenses from the VEBA Trust are tax exempt. The City, however, is emphasizing the plan for retirement medical reimbursement purposes, even though the employees may use it for current medical expenses reimbursement.

Another factor is the flexibility of a VEBA over other alternatives available. One of the significant benefits of a VEBA is that it allows for levels of contribution and participation based on an employee group. Additionally, VEBA's, by law, require that they are collectively bargained. As a result, employees have a say in structuring a program that meets their needs. This means that the City employees associations may each agree on a different level of employee contribution rate, over and above the City paid contributions.

In addition, a VEBA Trust provides a more comprehensive approach to assisting with the greatest challenge for employers and employees, which is the rising cost of health care. A VEBA Trust is permitted to receive both, employer and employee contributions, the benefit being the opportunity to grow significantly greater assets for health care expenses in a shorter period of time. As a result, the VEBA program could also work in tandem with the City's existing post retirement medical commitments with employees' association members. For example, contributions by the City could be made directly to the respective VEBA accounts, thus ensuring a tax advantage for these employees.

In sum, by establishing the VEBA Trust, employees will be able to make health care choices that address their specific needs and have more money available for health care expenses due to tax savings realized through the program.

DISCUSSION

Staff is aware of a number of Public Agencies that have implemented VEBA Trusts for their employees. The proposed VEBA Trust was developed as a multi-agency Trust in order that other public agencies may provide similar benefits to their employees. The benefit of joining this particular VEBA Trust is that it was developed by the City of Foster City with our issues in mind. This Trust is also governed by a committee of Trustees formed from the list of participating agencies. Should the City of Moreno Valley choose to participate in the California Government VEBA, the City would hold representation on the Board of Trustees as well.

The City will not be responsible for any costs associated with this Plan. Each VEBA participant will pay a monthly maintenance fee of $4.45 regardless of the size of their account. The VEBA Trust will pay an asset-based fee equal to 50 basis points (0.50%) for funds held in a guaranteed fixed rate product at Metlife and 75 basis points (0.75%) for funds held in an actively managed advisory account at Ameriprise Financial. A variety of investment options exist for investment by the VEBA Trust for the benefit of participants in the program, one of which is a guaranteed fixed rate program through MetLife. Other investment options are available and are tailored to the City's requirements.

ALTERNATIVES

The action of the City Council to approve the attached resolution is consistent with the Fiscal Year 2011/12 MOUs with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The approval of the attached resolution and implementation of the new VEBA for City employees will have no impact on the City budget. The new VEBA Plan expenses are paid for out of the employees' contributions and investment earnings. As of June 30, 2011, the value of the City's current VEBA Trust assets was $995,257. The value of the assets has dropped due to market volatility in July and August 2011. As of September 15, 2011, the amount of the unrealized loss was approximately $51,575, compared with an unrealized gain of $160,634 for FYE 6/30/2011. All of the assets will be transferred to the new VEBA Trust and the value will be reported on a quarterly basis. The VEBA Trust assets for investment will be apportioned between the following two investment firms at the discretion of the City's VEBA Investment Committee: Ameriprise, Inc. and BAA Capital Advisors, Inc. The actively-managed portion (70%) will be managed by Ameriprise and the fixed-rate portion will be held in Metlife via BAA Capital Advisors, Inc. Cash will be held in two (2) accounts at Wells Fargo Bank.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future." The action will also fulfill City Council Deficit Elimination Plan Follow-up Goal No. 21, "Consider a Health Savings Account to allow set-aside of funds for future retiree medical costs on a pre-tax basis."

NOTIFICATION

The three employees associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and implement the

new VEBA. Copies of this staff report were sent to the employees associations and all three concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

1. Resolution Implementing a Voluntary Employee Beneficiary Association (VEBA) Trust.
2. California Government Voluntary Employees Beneficiary Association Restated Master Trust

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PARTICIPATION IN THE CALIFORNIA GOVERNMENT VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (CALGOVEBA) TRUST

WHEREAS, the City of Moreno Valley maintains a significant health and welfare benefit program for it's employees and their families; and

WHEREAS, modifications or additions are made from time to time to the City's benefit program; and

WHEREAS, the rising cost of health care is the one of single most important cost containment issue for the City and it's employees; and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association (CALGOVEBA) is a governmental multi-employer plan that permits employees to accumulate assets for this purpose, pursuant to the provisions of the Internal Revenue Code, section 501(c) (9); and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association provides for participation pursuant to collective bargaining agreements; and

WHEREAS, the City Council created a VEBA trust on April 25, 1995, referred to as the "Existing VEBA Trust"; and

WHEREAS, the assets in the existing VEBA trust needs to be transferred to the new CALGOVEBA trust; and

WHEREAS, once the assets are transferred, the existing VEBA trust needs to be terminated.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moreno Valley hereby approves the attached California Governmental Voluntary Employee Beneficiary Association Trust Agreement; and

That the City Council approves the transfer of assets from the existing VEBA trust to the new CALGOVEBA trust; and

That the City Council approves the termination of the existing VEBA trust upon the completion of the transfer of assets.

Attachment 1

Resolution No. 2011-99
Date Adopted: September 27, 2011

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00131016

CALIFORNIA GOVERNMENT

VOLUNTARY EMPLOYEES BENEFICIARY ASSOCIATION

RESTATED MASTER TRUST

TRUST restated in its entirety as of the 27th day of September, 2011 by and between The City of Moreno Valley, a forming public agency in the State of California (hereinafter referred to as the "Plan Sponsor "), and the Trust Committee of the California Government VEBA", (hereinafter referred to as the "Trustee").

W I T N E S S E T H:

WHEREAS, the Plan Sponsor adopts the California Government VEBA hereinafter referred to as the "Plan", and

WHEREAS, the Plan constitutes the California Government Voluntary Employees Beneficiary Association ("California Government VEBA"); and

WHEREAS, under the Plan, funds will from time to time be contributed to the Trustee, which funds, as and when received by the Trustee will constitute a trust fund to be held for the benefit of the Members and retirees of the Plan of the Plan Sponsor having a right to benefits, pursuant to the provisions of the Plan, and such funds will be invested by the Trustee pursuant to directions by the Plan Sponsor and/or Investment Manager as provided herein; and

WHEREAS, other Plan Sponsors may adopt this Trust as a Master Trust, subject to the provisions of this Trust, to hold assets for the purpose of funding plans that are a part of the California Government VEBA; and

WHEREAS, the Plan Sponsor having entered into this Master Trust with the Trustee for the purpose of holding the assets under the Master Trust attributable to the Plan and other amounts contributed thereunder; and

WHEREAS, the assets and funds to be held in the Master Trust established hereby, as and when received by the Trustee, will constitute a trust fund to be held for the benefit of the members of the Plan and their beneficiaries; and

WHEREAS, the Plan Sponsor desires the Trustee to hold such assets and funds and the Trustee is willing to hold such assets and funds pursuant to the terms of this trust; and

WHEREAS, the master trust is intended to qualify as a "Voluntary Employees Beneficiary Association" within the meaning of Section 501(c)(9) of the Internal Revenue Code, and

WHEREAS, the master trust is intended for the purpose of creating a fund to provide for the payment of benefits that qualify under Section 501(c)(9) of the Internal Revenue Code to participating Members, including their dependents, and their designated beneficiaries.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, the Plan Sponsor and the Trustee do hereby agree as follows:

1. The Plan Sponsor hereby adopts the California Government Voluntary Employees Beneficiary Association (VEBA) Trust (the "Master Trust") as a trust to fund the benefits provided by the Plan. All such money and property, all investments made therewith and proceeds thereof and all earnings and profits thereon, less the payments or other distributions which, at the time of reference, shall have been made by the Trustee, as authorized herein, are referred to herein as the "Fund" and shall be held by the Trustee, in trust, and dealt with in accordance with the provisions of this Trust.

2. Any other California public agency may become a Plan Sponsor and adopt the Master Trust to fund benefits provided under the California Government VEBA Plan if the Plan Sponsor adopts the Master Trust and the Plan in order to provide benefits that are funded from the Master Trust and the Trustee agrees to such adoption. The assets of each Plan Sponsor and the investment earnings thereon shall be available only to pay benefits to employees of that Plan Sponsor and any costs or fees associated with the administration of the Plan covered under this Trust.

3. It is intended that the Master Trust shall meet the requirements of Internal Revenue Code section 501(c)(9). All contributions hereunder and all assets and earnings of the Master Trust are solely and irrevocably dedicated to the payment of benefits that qualify under section 501(c)(9) of the Internal Revenue Code.

Effective January 1, 2008 and as referenced herein, the Trustee shall consist of a Trust Committee. The Trust Committee shall consist of one person designated by each Plan Sponsor. Such designated individual shall assume the responsibility of Trustee. Executive Trustees shall review all information and documents related to the daily activities and operation of the Trust and Plan and shall make recommendation(s) to the full body of Trustees forming the Trust Committee on such related matters. Such Executive Trustees shall consist of the ten original Plan Sponsors and five additional Trustees voted by the full body of Trustees to such position. A vote to fill the five additional positions shall occur every three years. Procedures to fill vacancies which occur in the interim periods shall be developed by the Trust Committee.

4. Trustee shall appoint a Trust Administrator and any and all successor Trust Administrators which shall have the authority to act for a Plan Sponsor in all matters relating to the establishment and maintenance of the Plan and Trust except those relating to the investment and management of the assets of the Trust and such other matters as are reserved to the Plan Sponsor or the Trustee under the provisions of this Trust. Without limiting the generality of the foregoing, the Trust Administrator shall have the following specific powers:

   A. To contract for and delegate the administration of the Plan to one or more administrators, subject to approval of the Trustee.
   B. To determine from time to time the benefits to be provided for participants under the Plan.
   C. To retain professional advisors, including auditors and legal advisors to provide services to the Trust.
   D. To prepare necessary filing with the state and federal government.

5. Responsibility for the management and control of the assets of the Plans which are held under the Master Trust as a funding medium (including the power to acquire or dispose of such assets) is vested in the Plan Sponsor, and/or in such one or more investment managers described in Article 13a who are appointed by the Plan Sponsor. That portion of the Fund for which the Plan Sponsor shall have such responsibility is hereinafter referred to as the "Plan Sponsor-Directed Fund." Any portion of the Fund over which an Investment Manager shall have such responsibility is hereinafter referred to as an "Investment Manager-Directed Fund." Allocations of assets of the Fund between or among any Plan Sponsor-Directed or Investment-Manager Directed Funds shall be determined by the Plan Sponsor. For efficiency or convenience of investment or administration, the Fund or any such Plan Sponsor-Directed or Investment Manager-Directed Fund may be divided into such one or more sub-funds as the Plan Sponsor or the Trustee may deem advisable.

6. The Trust Administrator shall maintain a separate account reflecting the equitable share in the Fund of each Plan Sponsor. For this purpose, the Trustee shall determine the value of the assets of the Fund as of the last day of each calendar quarter and as of such other dates as the Trustee may deem appropriate or on which the Plan Sponsor and the Trustee may agree. Assets shall be valued at their market values at the close of business on the date of valuation, or, in absence of readily accessible market values, at such values as the Trustee shall determine in accordance with methods consistently followed and uniformly applied. Anything herein to the contrary notwithstanding, with respect to assets constituting part of a Directed Fund hereunder, the Trustee may rely, for all purposes of this Trust, including for the purpose of determining the value of such assets as of any quarterly or other valuation date, on any certified appraisal or other form of valuation submitted to it by the Investment Manager(s). The Trustee may also rely on Assets reported by an Insurer in conjunction with contracts issued by that Insurer. Any amount paid from the Master Trust which is specifically allocable to a particular Plan Sponsor shall be charged against the equitable share of such Plan Sponsor; any

amount paid from the Master Trust which is allocable to all of the Plan Sponsors shall be charged against the individual Plan Sponsor assets on a pro-rata basis.

7. The Trustee shall not be required to maintain any separate records or accounts with respect to any Plan Sponsor or any participant in (or beneficiary of) any Plan Sponsor, and any such records or accounts required to be maintained pursuant to the terms of any such Plan shall be maintained by the Plan Sponsor or by the appropriate committee directly charged with such responsibility.

8. By entering into this Trust, the Trustee does not assume any responsibility or undertake any duty to enforce payment of any contribution under any collective bargaining agreement, any responsibility for the adequacy of the Fund or the funding standards adopted by any Plan Sponsor to meet or discharge any liabilities under such agreement or standard, or any responsibility under the terms of this Trust for the management or control of any Discretionary or Directed Funds. Except as may otherwise be required by law, no duties or obligations shall be imposed upon the Trustee unless they have been specifically undertaken by the express terms of this Trust.

9. The Trustee shall receive any contributions paid to it in cash or in other property acceptable to it. All contributions so received, together with the income therefrom and any other increment thereon, shall be held by the Trustee pursuant to the terms of this Trust without distinction between principal and income. The Trustee shall not be responsible for the collection of any contributions to the Plans.

10. The Trustee may from time to time consult with counsel, who may be counsel to the Plan Sponsor, with respect to any question arising as to the construction of this Trust or any action to be taken hereunder and the Trustee shall be fully protected, to the extent permitted by law, in acting in good faith upon the advice of counsel.

11. Subject to the provisions of Article 12 hereof, the Trustee from time to time upon receipt of written notice from the Trust Administrator, may make payments out of the Trust Fund to such persons, in such manner, in such amounts and for such purposes, including the payment of expenses of the Plan and the purchase of life insurance and/or annuity contracts, as may be specified by the Trust Administrator. Except as may otherwise be required by law, the Trustee shall be under no liability for any payment made by it pursuant to a written direction of the Trust Administrator and shall be under no duty to make inquiries as to whether any payment directed by the Trust Administrator is made pursuant to the provisions of the Plan.

12. Notwithstanding anything to the contrary contained in this Trust or in any amendment thereto, it shall be impossible, at any time prior to the satisfaction of all liabilities with respect to the members under the Plans or their beneficiaries, for any part of the Fund, other than such part as is required to pay taxes and expenses of administration, to be used for or diverted to purposes other than for the exclusive benefit of the members under the Plans or their beneficiaries.

13. Unless otherwise prohibited by law or otherwise specified herein, the Trustee shall have the following powers and authority with respect to the Trust Fund:

    a. To invest and reinvest, as directed by the Plan Sponsor and/or the Investment Manager, the principal and income of the Fund and keep the Fund invested without distinction between principal and income, in such securities or in such property, real or personal (whether or not income producing), wherever situated, including, but not limited to, life insurance, contracts, stocks, common or preferred; any mutual or other funds maintained or established by the Trustee or any affiliate thereof; bonds and mortgages and other evidence of indebtedness or ownership in any common, collective or commingled trust fund maintained by the Trustee, as the same may be amended from time to time, and during any period when such funds are used, the instrument

establishing such fund shall constitute a part of this Trust. In making such directed investments, the Trustee shall not be restricted to securities or other property of the character authorized or required by applicable law from time to time for trust investments. The Plan Sponsor and/or Investment Manager shall direct the Trustee in writing as to the asset allocation or percentage mix of types of investments to be used by the Trustee for the investment of the Trust Fund, and as to specific investments to be made by the Trustee of amounts in the Trust Fund. To the extent permitted by law, the Trustee shall not be liable and shall be held harmless and indemnified by the Plan Sponsor for any losses incurred in connection with the Trust Fund caused by its reliance thereon. Such losses may be either actual realized losses or losses in the nature of "lost investment opportunity."

b. To settle, compromise or submit to arbitration any claims, debts or damages, due or owing to or from the Master Trust, to commence or defend suits or legal proceedings and to represent the Master Trust in all suits or legal proceedings in any court of law or before any other body or tribunal.

c. To exercise any conversion privilege and/or subscription right available in connection with any securities or other property at any time held by it; to oppose or to consent to the reorganization, consolidation, merger or readjustment of the finances of any corporation, company or association, or to the sale, mortgage, pledge or lease of the property of any corporation, company or association any of the securities of which may from time to time be held by it and do any act with reference thereto, including the exercise of options, the making of trusts or subscriptions, and the payment of expenses, assessments or subscriptions, which may be deemed necessary or advisable in connection therewith, and to hold and retain any securities or other property which it may so require.

d. To exercise, personally or by general or by limited power of attorney, any rights, including the right to vote, appurtenant to any securities or other property held by it at any time.

e. To hold part or all of the Funds uninvested.

f. To employ and unemploy agents, including the Trust Administrator, counsel, and auditor and to pay from the Trust Fund their reasonable expenses and compensation.

g. To register any securities held by it hereunder in its own name or in the name of a nominee with or without the addition of words indicating that such securities are held in a fiduciary capacity and to hold any securities in bearer form.

h. To make, execute and deliver, as Trustee, any and all deeds, leases, mortgages, conveyances, waivers, releases or other instruments in writing necessary or desirable for the accomplishment of any of the foregoing powers.

i. To deposit any part of the Fund in interest bearing account deposits maintained by the Trustee.

j. Generally to do all acts, whether or not expressly authorized, which the Trustee may deem necessary or desirable for the protection of the Trust Fund.

14. The Plan Sponsor reserves the right to retain the services of one or more persons or firms for the management of (including the power to acquire and dispose of) all or any part of the Fund, provided that each of such persons or firms is registered as an investment advisor under the Investment Advisors Act of 1940, is a bank (as defined in that Act), or is an insurance company qualified to manage, acquire or dispose of trust assets under the laws of more than one state, and provided that each of such persons or firms has acknowledged in writing that he is a fiduciary with respect to the Plan; in such event, the investment manager or managers so retained (the "Investment Manger(s)") shall have the same investment powers and duties as the Trustee, and the Trustee shall not be liable for the acts or omissions of such Investment Manager(s), nor shall it be under any obligation to invest or otherwise manage any Trust Fund assets which are subject to the management of such Investment Manager(s).

15. The Trustee shall pay out of the Fund all personal property taxes, income taxes and other taxes of any and all kinds levied or assessed under existing or future laws against the Trust Fund.

16. The Trustee shall, within 90 days after the close of each calendar year, and within 90 days after the removal or resignation of the Trustee or the termination of the Trust or Plan, render accounts of its transactions to the Trust Administrator and Plan Sponsor. The Trust Administrator and Plan Sponsor may make exceptions to such accounts by an instrument in writing delivered to the Trustee. In the absence of the filing in writing with the Trustee of exceptions or objections to any such account within ninety (90) days of the rendering, shall be deemed to have been approved, the Trustee shall be released, relieved and discharged with respect to all matters and things set forth in such account as though such account had been settled by the decree of a court of competent jurisdiction. The Trustee shall keep accurate and detailed accounts of all investments, receipts, disbursements and other transactions hereunder for the Fund (including any Discretionary or Directed Fund) and all accounts, books and records relating thereto shall be open to inspection and audit at all reasonable times by any persons designated by the Trustee or Trust Administrator. Except as the Retirement Security Act of 1974, as amended ("ERISA"), provides otherwise, no person other than the Plan Sponsor may bring any action against the Trustee with respect to the Trust or their actions as Trustee. The Trustee shall from time to time permit an independent public accountant selected by the Plan Administrator (except one to whom the Trustee has reasonable objection) to have access during ordinary business hours to such records as may be necessary to audit the Trustee's accounts.

17. The Trustee shall be fully protected in relying upon notice from the Trust Administrator with respect to any instruction, direction or approval of the Trust Administrator, and protected also in relying upon a notice from the Trust Administrator as to the person or persons who are authorized to direct payments from

the Trust Fund and in continuing to rely upon such notice until a subsequent notice is filed with the Trustee.

The Trustee shall be fully protected in acting upon any instrument, certificates or paper believed by it to be genuine and to be signed or presented by the proper person or persons, and the Trustee shall be under no duty to make any investigation or inquiry as to any statement contained in writing, but may accept the same as conclusive evidence of the truth and accuracy of the statements therein contained.

The Trustee shall not be liable for the application of any part of the Fund if payments are made in accordance with the approved written instructions of the Trust Administrator as herein provided, nor shall the Trustee be responsible for the adequacy of the Fund to meet and discharge any and all payments and liabilities under the Plan. All persons dealing with the Trustee are released from inquiry into the decision or authority of the Trustee and from seeing to the application of any moneys, securities or other property paid or delivered to the Trustee.

The Trust Administrator and Plan Sponsor hereby agree to hold the Trustee harmless from and against all taxes, expenses (including counsel fees), liabilities, claims, damages, actions, suits or other charges incurred by or assessed against it as a successor Trustee, as a direct or indirect result of any act or omission of a predecessor Trustee or any other person charged under any trust affecting Fund assets for investment responsibilities with respect to such assets.

The Plan Sponsor agrees to hold harmless and indemnify the Trustee, to the fullest extent permitted under applicable law, for any and all liabilities of any kind incurred by the Trustee in connection with the Plans and Trust (a) relating to periods of time prior to the Trustee's becoming Trustee, or (b) relating to periods of time while the Trustee is Trustee if such liability is not due to the Trustee's negligence, willful misconduct, or breach of its fiduciary duties.

18. The Trustee may resign at any time by giving sixty (60) days written notice to the Trust Administrator. In the case of the resignation or removal of the Trustee, the Trust Administrator immediately shall appoint a successor Trustee. If for any reason the Trust Administrator cannot or does not act in the event of the resignation or removal of the Trustee, as hereinabove provided, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor Trustee. Any expenses incurred by the Trustee in connection therewith shall be paid from the Fund as an expense of administration. Any successor Trustee shall have the same powers and duties as those conferred upon the Trustee named in this Trust. The removal of the Trustee and the appointment of a new Trustee shall be by written instrument delivered to the Trustee.

19. This Trust, subject to the provisions of Article 1 may be amended by the Trustee at any time or from time to time and in any manner and the provisions of any such amendment may be made applicable to the Fund as constituted at the time of the amendment as well as to the part of the Fund subsequently acquired; provided, however, that no such amendment shall increase the duties of the Trustee without its consent. Any amendment shall be by a written instrument adopted by the Trustee.

20. This Trust and the trust created hereby may be terminated at any time by the Trustee, and upon such termination, the Fund shall be paid out by the Trustee as and when directed by the Trust Administrator in accordance with the provisions of Article 12 hereof.

21. The Trust Administrator shall provide the Trustee with copies of all documents constituting a Plan at the time the Trust is executed by a Plan Sponsor, as provided in Article 2, and all other documents amending or supplementing a participating Plan promptly upon their adoption. The Trustee shall be entitled to rely upon the Trust Administrator's attention to this obligation and shall be under no duty to inquire of

the Trust Administrator as to the existence of any documents not provided by the Trust Administrator hereunder. The Trustee is bound and acknowledges that it is a fiduciary with respect to the Master Trust and the participating Plans and by the fiduciary responsibility provisions of ERISA as applicable to governmental plans. The provisions of ERISA are expressly made applicable to the provisions of this Master Trust in order to ensure that the Master Trust meets the control requirements for a VEBA under the provisions of 501(c)(9) of the Internal Revenue Code.

22. To the extent consistent with the provisions of ERISA, this Agreement and the trust created hereby shall be construed, regulated and administered under the laws of the State of California, and the Trustee shall be liable to account only in the courts of the State. All contributions to the Trustee shall be deemed to take place in the State of California. Unless the provisions of ERISA provide otherwise, the Trustee may at any time initiate an action or proceeding for the settlement of its accounts or for instructions, and the only necessary party defendant to such action or proceeding shall be the Employer except that the Trustee may, if it so elects, bring in as parties defendant any person or persons.

IN WITNESS WHEREOF, this instrument has been executed as of the day and year first above written.

PLAN SPONSOR

ATTEST:

_____

By:_____

Name: Richard A. Stewart

Title: Mayor

Date: _____

TRUSTEE:

ATTEST:

Trust Committee

_____

By: _____

Name:

Title:

Date:

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MV00131030

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer and Barry Foster Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011

DEVELOPER: FIRST INDUSTRIAL, L.P.
A DELAWARE LIMITED PARTNERSHIP
898 NORTH SEPULVEDA BOULEVARD
SUITE 750
EL SEGUNDO, CA 90245

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011.

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

BACKGROUND

On November 6, 2008, the Planning Commission of the City of Moreno Valley approved Parcel Map No. 35859 (PA07-0165) along with Plot Plan (PA07-0166) for an approximately 700,000 square-foot industrial warehouse building (Building #1) and a

Plot Plan (PA07-0167) for a 180,000 square-foot industrial warehouse building (Building #2). The parcel map is a proposal to subdivide 40.3 gross acres into two parcels. The project is bounded by Perris Boulevard to the east, Knox Street to the west, San Michelle Road to the north, and Nandina Avenue to the south.

Since the original project approvals, the developer has submitted a Plot Plan (PA11-0011) planning application for an interim truck parking lot to be located on Parcel 2 of Parcel Map No. 35859, the ultimate location of Building #2, the 180,000 square-foot industrial warehouse building. The proposal covers the same footprint of the approved building with access from Perris Boulevard. The developer has also submitted an Amended Plot Plan (P11-017) planning application for minor modifications to the approved 700,000 square-foot building approved with PA07-0166. The modifications include a decrease in the overall building square footage with an increase in office space and changes to the location of Knox Street project entrances. Both of these planning applications were approved on July 5, 2011.

On July 26, 2011, the City Council of the City of Moreno Valley approved the Final Parcel Map and Public Improvement Agreement along with the corresponding securities. The Agreement and securities include the construction of the public street improvements.

DISCUSSION

First Industrial, L.P. is requesting a full road closure of Nandina Avenue between Perris Boulevard and Knox Street to facilitate the construction of street improvements on Nandina Avenue. The road closure will be for three months, or approximately ninety-one (91) calendar days. The request for the road closure is due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, curb, gutter, sidewalk, medians, driveway approaches, street lights, landscaping, storm drain culverts, dry utilities, traffic signal modification and associated signing and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on December 28, 2011.

There are 2 residential parcels in the area of construction. The road closure will affect the ingress or egress of both of the parcels, and it will require a detour to the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. The road closure/detour/traffic control plan for this closure has been reviewed and approved by the City Traffic Engineer.

ALTERNATIVES

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. There would be no road closure. *This alternative would result in an unsafe work environment and would significantly delay the completion of this project.*

FISCAL IMPACT

The developer will be responsible for all costs associated with this proposal.

CITY COUNCIL GOALS

PUBLIC SAFETY
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses and residents. The public will be notified by special roadside signage showing the dates of closure and detour signs.

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Road Closure Detour Map
Exhibit "C" – GIS Orthography Map – Road Closure Site Map

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00131034

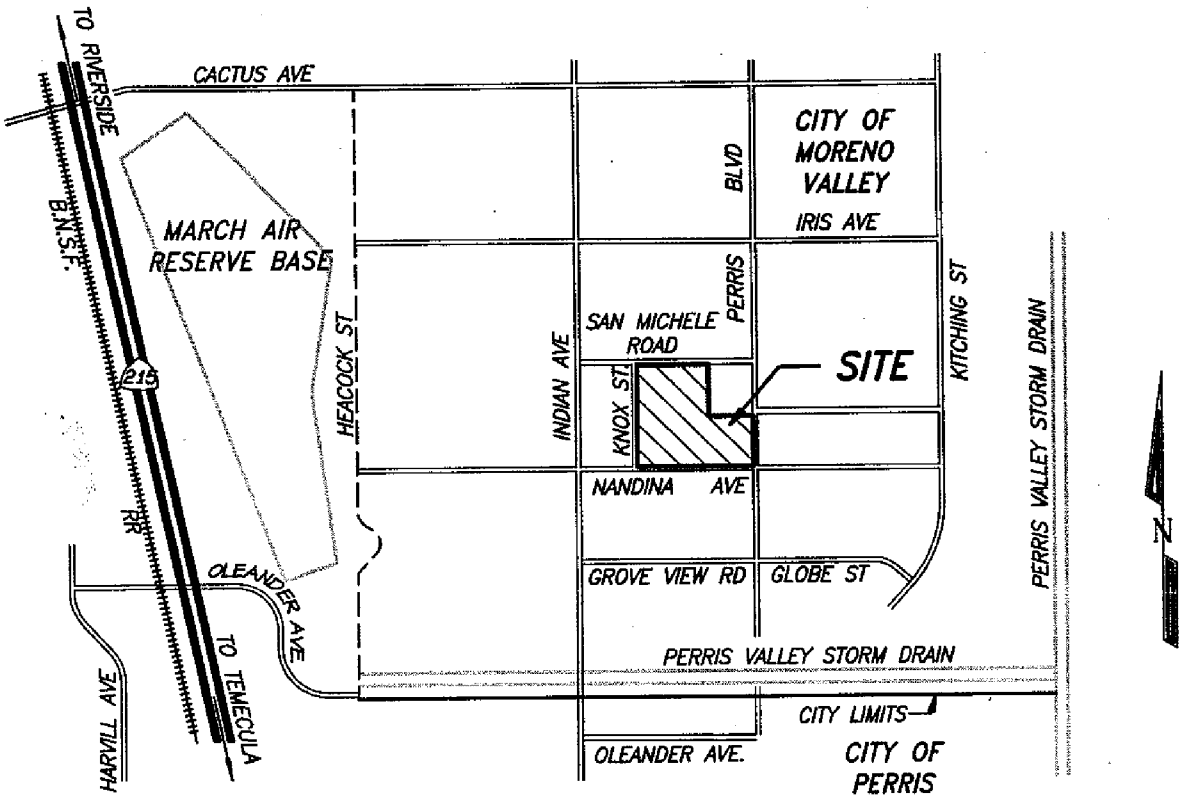

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0165** **PM 35859** **LOCATION MAP**

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MV00131036

DETOUR PLAN

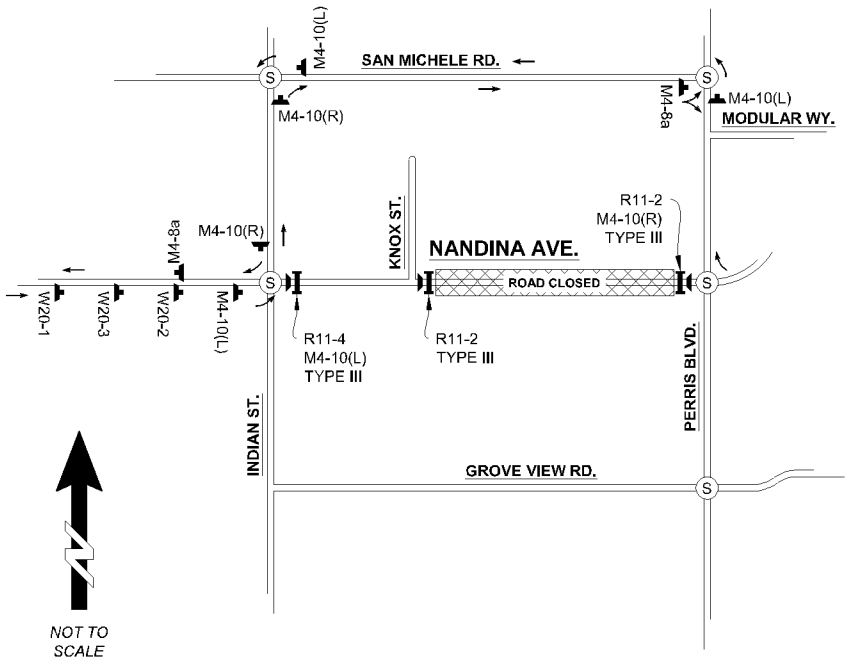

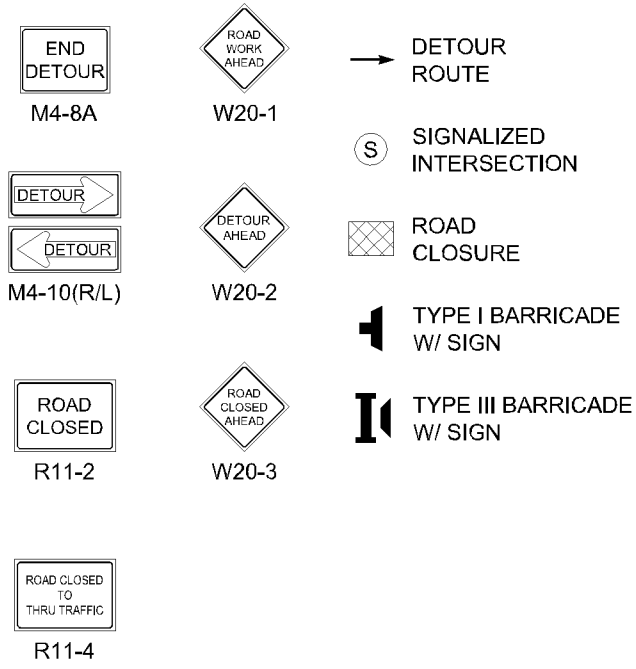

PREPARED BY:	CONTRACTOR:	STAMP:		CITY OF MORENO VALLEY APPROVALS		PROJECT NO.
A CONE ZONE INC. P.O. Box 1982 Corona, CA 92878 (951) 734-9535 License Number: 851996	**PETERSON PIPELINE** P.O. Box 1649 Chino, CA 91908 (909) 393-1906 License Number: 689680A		MARK / REVISIONS / APPR / DATE DESIGNED BY CB DRAWN BY CB CHECKED BY EN	APPROVED BY / DATE / BY SUPERVISING ENGINEER CITY TRAFFIC ENGINEER MAINTENANCE AND OPERATIONS MANAGER SENIOR ENGINEER	PREM KUMAR – DEPUTY DIRECTOR OF PUBLIC WORKS DATE R.C.E. 52463 EXP. DATE: 12/31/12 CHRIS A. VOGT – DIRECTOR OF PUBLIC WORKS DATE R.C.E. 44250 EXP. DATE: 06/30/12	PERRIS VALLEY MASTER DRAINAGE PLAN LATERAL B-1 & B-1.2 NANDINA AVE. CLOSURE	DRAWING NO. SHEET NO. X OF 4

Exhibit "B"

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MV00131038

ROAD CLOSURE SITE MAP

Nandina Avenue fron Perris Blvd. to Knox St.

Item No. A.13

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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Powered By GeoSmart.net

Printed: 8/23/2011 11:03:47 AM

Exhibit "C"

MORENO VALLEY

MV00131039

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MV00131040

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00131042

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto.

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The Parks and Community Services Department oversees the After School Education and Safety Program and 43 school sites in the Moreno Valley Unified (MVUSD) and Val Verde Unified School District (VVUSD). As part of the After School Education and Safety Grant (ASES) the city is required to offer the students in the program a daily

nutritious snack that conforms to the nutrition standards in the California Education Code. To that end the City receives a grant from the Child and Adult Care Food Program (CACFP) which reimburses a set amount per nutritious snack served per student. The vendor contracted for this service must be capable of delivering snacks, to each school site weekly, that meet the requirements and portion sizes of the U.S. Department of Agriculture (USDA) as required by the CACFP Grant.

DISCUSSION

A request for proposal was prepared and advertised, with a closing date of August 22, 2011. Three proposals were received by deadline. A panel evaluated the proposals based on several items with the most weight given to: Ability to provide the required services; adherence to the RFP; quality of snacks compared to the USDA's requirements; and nutritional value of snacks compared to USDA's requirements.

The proposal with the highest score was received from Family Services Association. It is Staff's intention to enter into an agreement with Family Services Association to meet the required nutritional guidelines of the ASES and CACFP Grants.

ALTERNATIVES

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto and Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

2. Elect not to award the contract and execute a purchase order in the amount not to exceed $440,640 to Family Services Association and provide direction to staff.

FISCAL IMPACT

The funding of this program expenditure, in the amount not to exceed $440,640, is covered 100 percent (100%) through ASES and CACFP grant funding. No City General Funds will be used for this program. Funds are budgeted in the FY2011-12 Operating Budget (162.16215 and 162.16315). **ASES funding is specifically for the After School Education and Safety Program and CACFP grant is for nutritious after school snacks only.**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Contract agreement (Includes RFP)

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00131046

ATTACHMENT A

City of Moreno Valley
Community Services District

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by the Moreno Valley Community Services District, a district formed pursuant to California Community Services District Law, hereinafter referred to as the "CSD", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City and CSD policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and
B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the Mayor, Acting in the capacity as the President of the Board of Directors of the Moreno Valley Community Services District, signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Family Services Association
Address: 21250 Box Springs Rd. Ste 212
City: Moreno Valley State: CA Zip: 92557
Business Phone: (951)686-1096 Fax No. (661)947-5678
Other Contact Number: N/A
Social Security Number: N/A
Business License Number: 11605
Federal Tax I.D. Number: 95-4764967

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The CSD's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is 10/3/11 and the Contractor Ending Date is 06/30/12. The CSD acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CSD will not provide any training to Contractor or his/her/its employees.
B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual

whose compensation for services is paid by the Contractor, an agent or employee of the CSD, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the CSD, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the CSD.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the CSD. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the CSD shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the Moreno Valley Community Services District (CSD), City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the CSD, City and RDA, its officers, agents, or employees.

   The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. CSD Indemnification. The CSD agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CSD's, City's and RDA's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, City, and RDA, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

   The Contractor shall name as additional insured, the Moreno Valley Community Services District (CSD), the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and shall furnish the CSD with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the CSD in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any

excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the Moreno Valley Community Services District (CSD), it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the Moreno Valley Community Services District (CSD), the Community Redevelopment Agency of the City of Moreno Valley, California, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the CSD, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the CSD will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	**Each Occurrence**	**Aggregate**
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the CSD and the City. At the option of the CSD and the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the CSD, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the CSD with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

   (a) The CSD may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the CSD. The CSD shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

   (b) Either party may terminate this Agreement for cause. In the event the CSD terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

I. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The CSD will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the CSD's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

J. Restrictions on CSD and City Employees. The Contractor shall not employ any CSD or City employee or official in the work performed pursuant to this Agreement. No officer or

employee of the CSD or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

K. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

L. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.
In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

M. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the CSD, the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

N. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the CSD.

O. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

P. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the Moreno Valley Community Services District (CSD).

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Board of Directors of the
Moreno Valley Community Services District

BY: _____
President

_____
Date

Family Services Association

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT A

SCOPE OF WORK

"Exhibit A"

GENERAL AGREEMENT
This agreement is entered between Family Service Association (FSA) and the Moreno Valley Community Services District ("CSD") for the purpose of providing after school snack services. It is recognized that the purpose of this agreement shall be constructed in a manner not inconsistent with the California Education Code and other laws of the State of California After School Education and Safety (ASES) Grant.

AGENCY AND PROGRAM BACKGROUND
Family Service Association is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals. Additionally, the FSA has provided the Federal Summer Youth Food Program at several FSA Community Centers.

SNACK PROGRAM SERVICES
Family Service Association will provide delivery of the snacks to each of the 43 ASES "CSD" sites every school day from October 3, 2011 until June 30, 2012 in accordance with the order from the Think Together. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times required. Snack will be provided for a set unit price of .72 per snack per day and total cost will vary based on CSD program enrollment. Snack nutritional values will be in accordance with Child and Adult Food Program.

PROGRAM DELIVERY
Snack will be delivered to CSD programs weekly. CSD program must provide a secure area for product to be stored. CSD program will assign a contact for each site who will sign for delivery. FSA will invoice monthly with NET 30 DAY terms based on documented number of nutritious snacks delivered.

PROGRAM STAFFING REQUIREMENTS
Family Service Association shall be solely responsible for staff in their employ under this agreement, Family Service Association certifies that staff providing services are adequately trained and prepared according to prevailing standards for providing such services. Family Service Association will provide adequate supervision of the staff. FSA will provide all necessary insurance for employees as specified in INDEPENDENT CONTRACTOR AGREEMENT.

RELEVENT DATES
FSA will deliver snack to (43) ASES sites per week starting October 3, 2011. All sites will have product to begin distribution on October 3, 2011.

CONTRACTORS RFP RESPONSE

ORIGINAL

CHILD AND ADULT CARE FOOD PROGRAM
SAMPLE CONTRACT FOR VENDED MEALS

THIS AGREEMENT, made and entered into this day of

20 11, in the State of California, by and between Moreno Valley Community Services District

hereinafter referred to as the Agency and _____,

* _____, hereinafter referred to as the Contractor.

WITNESSETH:

1. That the Contractor for and in consideration of the covenants, conditions, agreements, and stipulations of the Agency hereinafter expressed, does hereby agree to furnish to the Agency services and materials as described in the original Invitation for Proposal and Contract, Sections A, B, C, D, E, F, G, and H, and Schedules A, B, and C, which were attached and made a part hereof by this reference.

2. The period of this contract shall be from _____ through _____. This contract may be renewed for one-year periods up to three times upon agreement of the Agency and the Contractor. Any increase or decrease of the unit price(s) shall be negotiated during the renewal process.

3. In consideration of the service, performed in a manner acceptable to the Agency and in compliance with the Child and Adult Care Food Program regulations, Title 7 Code of Federal Regulations, Part 226, the agency shall pay the Contractor within 30 days of receipt, the full the amount Amount of the itemized invoices as confirmed by pickup receipts, at the unit price(s) specified in the contract.

4. The total amount payable by the Agency to the Contractor under this contract shall not exceed $_____.

SIGNATURE PAGE TO FOLLOW

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MORENO VALLEY COMMUNITY SERVICES DISTRICT

(Name of Contractor)

BY: _____
City Manager

DATE: _____

License No./ Certification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

CITY ATTORNEY, ACTING IN THE CAPACITY OF GENERAL COUNSEL OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SECTION A
CHILD AND ADULT CARE FOOD PROGRAM
REQUEST FOR PROPOSAL AND CONTRACT
(DELIVERY)

RFP/CONTRACT NUMBER: (Formal Advertising Only)

ISSUED BY (AGENCY): Moreno Valley Community Services District

NAME	ADDRESS 14075 Frederick St.		
CITY Moreno Valley	STATE CA	ZIP 92553	TELEPHONE NUMBER (951) 413-3726

PROPOSAL DUE

DATE	TIME	LOCATION	ISSUE DATE
AUGUST 22, 2011	5:00 p.m.	Moreno Valley Parks and Community Services 14075 Frederick Street, Moreno Valley, CA 92553	

PROPOSAL

This document contains an RFP/Contract for the furnishing of meals (unitized if applicable) to be served to participants of the Child and Adult Care Food Program established by the United States Department of Agriculture (Title 7 Code of Federal Regulations, Part 226) and sets forth the terms and conditions applicable to the proposed procurement.

NAME OF COMPANY	FEDERAL ID NUMBER
Family Service Association	95-1803694
STREET ADDRESS	TELEPHONE NUMBER
21250 Box Springs Rd. Ste. 212	(951) 686-1096

CITY	STATE	ZIP CODE
Moreno Valley	CA	92557

TOTAL ESTIMATED AMOUNT OF PROPOSAL	
TO BE PROVIDED IN SEPARATE SEALED ENVELOPE	Prompt Payment Discount: N/A % for payment within days.

By submission of this proposal, the company certifies that, in the event they receive an award under this solicitation, they shall operate in accordance with all applicable, current Child and Adult Care Food Program regulations.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Bower	Chief Operating Officer	8/18/2011

ACCEPTANCE

Upon acceptance by the Agency and review by the California Department of Education, this document shall constitute the covenants, conditions, agreements, and stipulations of the contract between the company making the proposal and the Agency named above.

CONTRACT NUMBER	AGENCY NAME	DATE

SIGNATURE OF AGENCY REPRESENTATIVE	

PROCUREMENT METHOD: (Check One)

Competitive Negotiation ☐ Competitive Sealed Proposals ☒ Noncompetitive Negotiation ☐

FOR CDE USE ONLY

This Contract was reviewed for compliance with Title 7 Code of Federal Regulations, Part 226 by:

SIGNATURE	DATE

3

SECTION B
CERTIFICATE OF INDEPENDENT PRICE DETERMINATION, NO SANCTIONS, AND DRUG FREE WORKPLACE

BY SUBMISSION OF THIS PROPOSAL, THE SUBMITTER CERTIFIES AND IN THE CASE OF A JOINT PROPOSAL, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATIONS, THAT IN CONNECTION WITH THIS PROCUREMENT:

1. The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Submitter or with any competitor.
2. Unless otherwise required by law, the prices that have been quoted in this proposal have not been knowingly disclosed by the Submitter and will not knowingly be disclosed by the proposal prior to proposal opening, directly or indirectly to any other Submitter or to any competitor.
3. No attempt has been made or will be made by the Submitter to induce any person or firm to submit or not to submit a proposal for the purpose of restricting competition.
4. Neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

   Where the Submitter is unable to certify to any of the statements in this certification, such Agency shall attach an explanation to this proposal.
5. As required by the state drug-free workplace act of 1990 (Government Code Section 8350 et. Seq.) and the federal Drug-Free Workplace Act of 1988, and implemented at Title 34 Code of Federal Regulations, Part 85, Subpart F, for grantees, as defined at Title 34 Code of Federal Regulations, Part 85, Sections 85.605 and 85.610, the Submitter certifies that it will continue to provide a drug-free workplace.

EACH PERSON SIGNING THIS PROPOSAL CERTIFIES THAT:

1. He is the person in the Submitter's organization responsible within that organization for the decision as to the prices being offered herein or that he has been authorized in writing to act as agent for the persons responsible for such decisions in certifying that such persons have not participated and will not participate, in any action contrary to (1) through (3) above; and
2. He has not participated, and will not participate, in any action contrary to (1) through (3) above.

AND AS THEIR AGENT DOES HEREBY SO CERTIFY:

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011
NAME OF COMPANY		
Family Service Association		
In accepting this proposal, the agency certifies that the agency's officers, employees, or agents have not taken any action that may have jeopardized the independence of the proposal referred to above.		
SIGNATURE OF AUTHORIZED AGENCY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011

ACCEPTING A PROPOSAL DOES NOT CONSTITUTE ACCEPTANCE OF THE CONTRACT

SECTION C
INSTRUCTION TO SUBMITTERS

1. **Definitions --** (As used herein):

   (a) The term "Proposal" means an offer to perform the work described in the Request for Proposals at the fixed unit price specified in accordance with the terms and conditions of the solicitation.

   (b) The term "Submitter" means a food service management company submitting a proposal in response to this Request for Proposals.

   (c) The term "Contractor" means the food service management company to whom the proposal is awarded and with whom the contractual agreement is executed.

   (d) The term "CDE" means the California Department of Education, Nutrition Services Division.

   (e) The term "Food Service Management Company" means an organization, other than a public or private nonprofit school, with which an agency may contract for preparing, and unless otherwise provided for, delivering meals, with or without milk, for use in the Program.

   (f) The term "Request for Proposals ", hereafter referred to as RFP, means the document soliciting proposals through the formal advertising method of procurement. In the case of this Program, the RFP becomes a part of the contract upon acceptance by the Agency, review by CDE, and execution of the contractual agreement.

   (g) The term "Agency" means the Child and Adult Care Food Program agency that issues this RFP.

   (h) The term "Program" means the Child and Adult Care Food Program as set forth in the Title 7 Code of Federal Regulations, Part 226.

   (i) The term "Unitized Meal" means an individual pre-portioned meal consisting of a combination of foods meeting the complete meal requirements, delivered as a unit and served as a unit, with or without milk.

   Other terms shall have the meanings ascribed to them in the Child and Adult Care Food Program, Title 7 Code of Federal Regulations, Part 226.

2. **Submission of Proposals**

   (a) Submitters are expected to examine carefully the specifications, schedules, attachments, terms, and conditions of this RFP. Failure to do so shall be at the Submitter's own risk.

   (b) Proposals shall be executed and submitted in triplicate with one copy being marked "original". If accepted, this RFP will become a part of the contract and one copy of the accepted Proposal/contract will be forwarded to the successful Submitter with the notice of award. The copy marked "original" shall be governing should there be a variance between that "original" copy of the proposal and other copies submitted by the Submitter. No changes in the specifications or general conditions as presented by the Agency herein are allowed. Erasures on this proposal shall be initialed by the proposal prior to submission.

   (c) A copy of a current State or local health certificate for the food preparation facilities shall be submitted with the proposal.

   (d) The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.

   Failure to comply with any of the above shall be reason for rejection of the proposal.

3. **Explanation to Submitters**

Any explanation desired by a Submitter regarding the meaning or interpretation of the RFP specifications, etc., must be requested in writing prior to proposal opening and with sufficient time allowed for a reply to reach all Submitters before proposal opening. Oral explanations or instructions given before the award of the contract shall not be binding. Any information given to a prospective Submitter concerning an RFP shall be furnished to all prospective Submitters as an amendment to the RFP if such information is necessary to Submitter in submitting proposal on the RFP, or if the lack of such information would be prejudicial to uninformed Submitters.

4. **Acknowledgment of Amendments to RFPs**

Receipt of an amendment to an RFP by a Submitter must be acknowledged by signing and returning the amendment. Such acknowledgment must be received prior to the hour and date specified for proposal response date.

5. **Discounts**

Although a blank is provided for a time discount, prompt payment discounts offered for payment in less than twenty calendar days will not be considered in evaluating proposals for award. However, offered discounts of less than twenty days will be taken if payment is made within the discount period even though not considered in the evaluation of proposals.[1]

6. **Proposals Having Interest in More Than One Proposal**

If more than one proposal is submitted by any one person, by, or in the name of a clerk, partner, or other person, all such proposals shall be rejected.

7. **Time for Receiving Proposals**

Sealed proposals shall be deposited at the address specified on the RFP of the Agency no later than the exact time and date indicated on the face of this RFP. Proposals received prior to the time of opening will be securely kept, unopened.

8. **Errors in Proposals**

Submitters or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals; failure to do so shall be at the Submitter's own risk and he cannot secure relief on the plea of error.

9. **Award of Contract**

(a) The contract will be awarded to that responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered. Consideration shall be given to such matters as Contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

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[1] Payment discounts may only be used to determine the low proposal when prior experience of the Agency indicates that such discounts are generally taken.

(b) The Agency reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received when there are sound documented business reasons in the best interest of the Program.

(c) The Agency reserves the right to reject the proposal of a Submitter who has previously failed to perform properly or complete on time contracts of a similar nature, or the proposal of a Submitter whose investigation shows is not in a position to perform the contract.

10. **Late Proposals, Modifications of Proposals, or Withdrawals of Proposals**

(a) Any proposal received after the exact time specified for receipt will not be considered unless it is received before the award is made and it was sent by registered or certified mail, no later than the fifth calendar day prior to the date specified for the receipt of proposals (e.g., a proposal submitted in response to an RFP requiring receipt of proposals by the 20th of the month must have been mailed by the 15th or earlier).

(b) Any modification or withdrawal of a proposal is subject to the same conditions as in (a) above except that withdrawal of proposals by telegram is authorized. A proposal may also be withdrawn in person by a Submitter or his authorized representative, provided his identity is made known and he signs a receipt for the proposal, but only if the withdrawal is made prior to the exact time set for receipt of proposals.

(c) The only acceptable evidence to establish the date of mailing of a late proposal, modifications, or withdrawal sent either by registered or certified mail is the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. If the date on the postmark is illegible, the proposal, modification, or withdrawal shall be deemed to have been mailed late. (The term "postmark" means, a printed, stamped, or otherwise placed impression that is readily identifiable without further action as having been supplied and affixed on the date of mailing by employees of the U.S. Postal Service.)

(d) Notwithstanding the above, a late modification of an otherwise successful proposal that makes its terms more favorable to the Agency will be considered at any time it is received and may be accepted.

SECTION D
SCOPE OF SERVICES

1. The Contractor agrees to deliver unitized meals exclusive of milk to locations set out in Schedule A, attached hereto and made a part hereof, subject to the terms and conditions of this solicitation.

2. All meals furnished for the Program under this contract must meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products shall conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. The Contractor agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. The Contractor shall furnish meals for the Program as ordered by the Agency during the period of October 3, 2011 to June 8, 2012.

5. The Contractor shall furnish meals for the Program as ordered by the Agency 5 days a week excluding school holidays.

Item No. B.3

Section D

SCOPE OF SERVICES

1. Family Service Association (Contractor) agrees to deliver unitized meals exclusive of milk to 43 Elementary and Middle School Sites (as detailed on Schedule A).

2. All meals furnished for the Program under this contract will meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products will conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. Family Service Association (Contractor) agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. Family Service Association will furnish meals for the program as ordered by the Agency during the period of October 3, 2011- June 8, 2012.

5. Family Service Association will furnish meals for the Program as ordered by the Agency five (5) days per week (Monday-Friday).

SECTION F

CONTRACT PROVISIONS AND SPECIFICATIONS

1. **Requirements Contract**

   (a) This is a requirements contract for services specified in the Sections and Schedules and for the period set forth herein. The quantities of such services specified herein are estimates only and are not purchased hereby. Except as may be otherwise provided herein, in the event the Agency's requirements for services set forth in the Sections and Schedules do not result in orders in the amounts or quantities described as "estimated" in the Sections and Schedules, such event shall not constitute the basis for an equitable price adjustment under this contract.

   (b) The Agency shall not be required to purchase from the Contractor requirements in excess of the limit on total orders under this contract, if any.

   (c) The Agency may issue orders that provide for delivery or performance at multiple destinations.

   (d) The Agency shall not be obligated to place any minimum dollar amount of orders under this contract or any minimum number of orders. The utilization of the Contractor for services specified in the Sections and Schedules will be dependent upon the needs and requirements of the Agency.

   (e) Regulatory or guidance changes prescribed by the United States Department of Agriculture or CDE, during the duration of this contract, shall be considered a basis for renegotiation with prior approval and agreement from CDE, of the terms and conditions of the contract between the Agency and the Contractor. Authority for such renegotiation must be requested from CDE, in writing by the Agency, prior to the commencement of any such renegotiation.

2. **Pricing**

   Pricing shall be on the numbers described in Section E, "Unit Price Schedule". All Submitters must submit proposals on the same menu cycle provided by the Agency. Proposal prices must include the price of food, milk (if applicable), packaging, transportation, and all other related costs (e.g., condiments, utensils, etc.) that are essential to the content of the food service.

3. **Evaluation of Submitters**

   Each Submitter will be evaluated on the following factors:

   (a) Capability to perform a contract of the scope required.

   (b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards.

   (c) Previous experience performing services similar in nature and scope.

   (d) Other factors such as transportation capability, sanitation, and packaging.

   Submitter that do not satisfactorily meet the above criteria may be rejected as unresponsive and not considered for award.

4. **Unit Prices**

The unit prices of each meal type that the Submitter agrees to furnish must be written in ink or typed in the blank space provided in Section E of the Unit Price Schedule, including proper packaging as required in the specifications, and the costs of delivery to the designated sites. Unit prices shall include taxes; but, any charges or taxes that are required to be paid under future laws must be paid by the Submitter at no additional charge to the Agency. **The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.**

5. **Meal Orders**

The Agency will order meals on Friday of the week preceding the week of delivery; orders will be placed for the total number of days in the succeeding week, and will include breakdown totals for each center and each type of meal.

The Agency reserves the right to increase or decrease the number of meals ordered on a 24 hour notice (or less if mutually agreed upon between the parties to this contract).

6. **Menu-Cycle Change Procedure**

Meals shall be delivered on a daily basis in accordance with the menu cycle which appears in Schedule C. Deviation from this menu cycle shall be permitted only upon authorization of the Agency. When an emergency situation prevents the Contractor from delivering a specified meal component, the Contractor shall notify the Agency immediately so substitutions can be agreed upon. The Agency reserves the right to periodically suggest menu changes that are within the Contractor's food cost.

7. **Noncompliance**

The Agency reserves the right to inspect and determine the quality of food delivered and reject any meals that do not comply with the requirements and specifications of the contract. The Contractor shall not be paid for unauthorized menu changes, incomplete meals, meals not delivered within the specified delivery time period, and meals rejected because they do not comply with the specifications. The Agency reserves the right to obtain meals from other sources if meals are rejected due to any of the stated reasons. The Contractor shall be responsible for any excess cost, but will receive no adjustment in the event the meals are procured at a lesser cost. The Agency or agency representative inspecting shall notify the Contractor in writing as to the number of meals rejected and the reasons for rejection.

** Time frame should be no longer than 24 hours.

8. **Specifications**

(a) Packaging

(1) Hot Meal Unit-Packaging shall be suitable for maintaining meals in accordance with local health standards. Container and overlay should have an airtight closure, be of non-toxic material, and be capable of withstanding temperatures of 400°F (204°C) or higher.

(2) Cold Meal Unit or Unnecessary-to-Heat Container and overlay shall be plastic or paper and non-toxic.

(3) Cartons - Each carton shall be labeled. The label shall include:

A. The processor's (plant) name and address

B. Item identity and meal type

C. Date of production

D. Quantity of individual units per carton

(4) Meals shall be delivered with the following non-food items: condiments, straws, napkins, single service ware, etc.*

(b) Food Preparation

Meals shall be prepared under properly controlled temperatures and assembled not more than 24 hours prior to delivery.

(c) Food Specifications

Proposals are to be submitted on the menu cycle included as Schedule C and shall include, at a minimum, the portions specified by the U. S. Department of Agriculture for each meal, which are included in Schedule B of this RFP.

All meat and meat products, except sausage products, shall have been slaughtered, processed, and manufactured in plants inspected under a U. S. Department of Agriculture approved inspection program and bear the appropriate seal. Upon delivery, all meat and meat products must be sound, sanitary, and free of objectionable odors or signs of deterioration.

(d) Product Specifications

Milk and milk products are defined as "...fluid types of pasteurized flavored or unflavored whole milk or low-fat milk, or skim milk or cultured buttermilk, which meets State and local standards for such milk..." Milk delivered hereunder shall conform to these specifications.

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* The Agency shall insert or delete non-food items that are necessary for the meal to be eaten.

Section F

CONTRACT PROVISIONS AND SPECIFICATIONS

3. Evaluation of Submitters:

(a) Capability to Perform Contract of Scope Required:

Family Service Association (FSA) is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. The key program and service areas of FSA include: Mental Health, Child Development, Community Centers, Senior Nutrition and Senior Services and Affordable Housing. FSA has a substantial infrastructure that includes administrative and fiscal supports to all programs and services, and is certified by the Council on Accreditation for the majority of agency services, attesting to the highest quality in program delivery. Additionally, FSA's Human Resources Department enables the agency to hire/screen and interview staff quickly and efficiently. FSA also maximizes resources, including personnel, facilities and transportation to ensure cost-effective and timely services. For example, there are currently part-time personnel that are working in food service whose hours can be expanded up to full-time positions to serve this new program component. Vehicles that are used to deliver Senior Nutrition meals earlier in the day can also be used for delivery of snacks to the various school sites in the afternoon.

In the area of service relevant to the Child Care Food Program Notice, FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals, as described in detail in item (c). Additionally, the agency has provided the Federal Summer Youth Food Program at several FSA Community Centers.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products. FSA will provide delivery tickets (minimum of three copies – one for FSA, one for Center personnel, and one for the Agency). Each delivery ticket will be itemized to show the number of snacks provided to each center. Designees of the Agency at each site will check the adequacy of the delivery before signing the delivery ticket. FSA will maintain records supported by delivery tickets, purchase orders, and production records for this contract, and other evidence for inspection and reference to support payments and claims.

FSA will make the books and records pertaining to this contract available for a period of three years from the date the Agency submits to CDE, the final claim for reimbursement for meals provided under this contract.

FSA will procure and maintain at its sole expense, and throughout the term of the Agreement, General Liability and Worker's Compensation at the required levels.

(b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards:

FSA has a long history of compliance with food preparation regulations and standards in the course of operating eight (8) food service facilities. In both the food service programs for the Child Development Centers and the Senior Nutrition program, FSA is well-versed in the applicable State and local health, safety and sanitation standards of the CA Department of Education Child and Adult Food Programs, the Federal Summer Youth Food Program, and Title 22 regulations, as well as Environmental Health regulations.

Food preparation for this proposed program will take place at FSA's new Central Kitchen and Distribution Facility, scheduled to open on September 15, 2011. The facility is located at 21081 Alessandro Blvd. in Moreno Valley and is currently being renovated especially for the preparation of meals for the Senior Nutrition program.

The facility will be ideal for the proposed Child Care Food Program. During the morning hours, the facility will be used for the preparation and distribution of over 1,500 senior meals (congregate and home-delivered meals). The early afternoon hours can then be devoted to the preparation of the afternoon meal "snacks" required for this proposed program. The convenient location of the kitchen within close proximity to the service sites, the compliance of the facility with all applicable health regulations, and the trained and experienced staff assigned to work in this location on various programs make it an ideal place for this project.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products.

(c) Previous experience performing services similar in nature and scope:

As previously stated, FSA has over 15 years of experience in the meal preparation and food service process. FSA provides food service (breakfast, lunch and snacks) to approximately 2,000 children served at FSA's 10 Child Development Centers located throughout Riverside County. In addition, FSA has provided the Summer Youth Food Program to approximately 300 children and youth attending special programming at FSA's Community Centers in Highgrove, Mead Valley and Cabazon. Daily meals are delivered to 1,500 seniors through FSA's Senior Nutrition program, offering both congregate (20 sites) meal service, and home-delivered meals for frail, homebound elders.

In the provision of these food programs, FSA adheres to and has consistent compliance with environmental health standards for kitchen sanitation and safe food preparation. Food service personnel comply with all applicable CA Department of Education and Adult Food Programs, and Title 22 regulations that govern federally funded food programs, in addition to all Environmental Health regulations.

(d) Other factors such as transportation capability, sanitation and packaging:

FSA has over 20 vehicles that are used to deliver nutritious meals to seniors. The agency also owns a refrigerated truck as well as refrigerated hot and cold conversion vans that are available to deliver meals and snacks. In addition, FSA utilizes coolers and hot bags to maintain appropriate food temperatures for snack and meal deliveries.

FSA maintains the highest quality of sanitation possible for all cooking sites as well as warming kitchens. FSA is required by Title 22 regulations to have a registered dietician who inspects all sites on a quarterly basis. Written records are maintained on food temperatures as well as routine cleaning and sanitizing of all kitchen equipment.

FSA packages all meals and snacks that it prepares. Meals are placed in biodegradable meal trays and appropriately sealed. Side dishes, such as fruit, jello, etc. are individually cupped and/or sealed.

The Attached Environmental Health Permit is for one of FSA's eight kitchen and food preparation facilities.

The facility that will be serving as the centralized kitchen (Alessandro Central Kitchen and Distribution Center) for this project, will not be open until mid-September 2011.

ATTACHMENT A

Facility # FA0029398

COUNTY OF RIVERSIDE • COMMUNITY HEALTH AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH

Environmental Health Permit
Non-Transferable - Non-Refundable

Facility #: FA0029398
Permit Expiration Date: 01/31/2012
District Number: 0005

DBA:
Catering Ror A Cause
6080 Magnolia Ave
Riverside, CA 92506

Family Service Association
Catering Ror A Cause
21250 Box Springs Rd Ste 212
Moreno Valley, CA 92557

Record ID#: PR0040060

Type Of Business

3621 - Restaurant 2001 to 5999 sq ft

This permit is granted for the business indicated on the condition that the business will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, and the County of Riverside pertaining to the above mentioned business. This permit serves as a receipt for payment of fees for the above listed programs. This permit must be renewed on or before the expiration date shown above. This permit may be suspended or revoked by the enforcement officer for cause. Inspection of this business may be conducted by a duly authorized representative of the Director of Environmental Health. THIS PERMIT IS NOT TRANSFERABLE OR REFUNDABLE.

POST IN A CONSPICUOUS PLACE

DEH-SAN-050 (Revised 12/09)

SECTION G
GENERAL CONDITIONS

1. **Delivery Requirements**

   (a) Deliveries shall be made by the Contractor to each center listed on the Schedule A in accordance with the order from the Agency.

   (b) Meals shall be delivered, unloaded, and placed in the designated center weekly by the Contractor's personnel at each of the locations and times listed on the Schedule A.

   (c) The Contractor shall be responsible for the delivery of all meals and dairy products at the specified time. Adequate refrigeration or heating shall be provided during the transportation and delivery of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

   (d) The Agency reserves the right to **add or delete centers**. This shall be done by amendment of the Schedule A. The Agency shall notify the Contractor of such amendments to the Schedule A not less than one week prior to the required date of service. Any changes in transportation costs that occur as a result of adding or deleting centers shall be negotiated and noted in the modification. The Contractor's invoice shall show the cost as a separate item for that center.

2. **Supervision and Inspection**

   The Contractor shall provide management supervision at all times and maintain constant quality control inspections to check for portion size, appearance, and packaging, in addition to the quality of products.

3. **Record Keeping**

   (a) Delivery tickets must be prepared by the Contractor with a minimum of three copies -- one for the Contractor, one for center personnel, and one for the Agency. Delivery tickets must be itemized to show the number of meals of each type delivered to each center. Designees of the Agency at each center will check the adequacy of the delivery and the meals before signing the delivery ticket. Invoices shall be accepted by the Agency only if they accurately represent the delivery tickets signed by the Agency's designee at the center.

   (b) The Contractor shall maintain records supported by delivery tickets, purchase orders, and production records for this contract or other evidence for inspection and reference to support payments and claims.

   (c) The books and records of the Contractor pertaining to this contract shall be available for a period of three years from the date the Agency submits to CDE the final claim for reimbursement for meals provided under this contract, or until the final resolution of any audits for inspection and audit by representatives of CDE, the U. S. Department of Agriculture, the Agency, and the Controller General of the United States at any reasonable time and place.

4. **Method of Payment**

The Contractor shall submit its itemized invoice to the Agency monthly . Each invoice shall give a detailed breakdown of the number of meals delivered and signed for at each center during the preceding month . Payment will be made at the unit price specified in the contract. No payment shall be made unless the required delivery receipts have been signed by the center representative of the Agency.

5. **Inspection of Facility**

(a) The Agency, CDE, and the U.S. Department of Agriculture reserve the right to inspect the Contractor's preparation facilities prior to award and without notice at any time during the contract period, including the right to be present during preparation and delivery of meals.

(b) The Contractor's facilities shall be subject to periodic inspections by the U.S. Department of Agriculture, State and local health departments, or any other agency designated to inspect meal quality for the State. This will be accomplished in accordance with U.S. Department of Agriculture regulations.

(c) The Contractor shall provide for meals which it prepares to be periodically inspected by the local health department or an independent agency to determine bacteria levels in the meals being prepared, transported, and delivered. Such levels shall conform to the standards which are applied by the local health authority with respect to the level of bacteria which may be present in meals served by other establishments in the locality.

6. **Insurance**

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD) and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

7. **Availability of Funds**

The Agency shall have the option to cancel this contract if the Federal Government withdraws funds to support the Child and Adult Care Food Program. It is further understood that, in the event of cancellation of the contract, the Agency shall be responsible for meals that have already been assembled and/or delivered in accordance with this contract.

8. **Number of Meals and Delivery Times**

The Contractor must provide the exact number of meals ordered. Counts of meals will be made at all centers before meals are accepted. Damaged or incomplete meals shall not be included when the number of delivered meals is determined.

9. **Emergencies**

In the event of unforeseen emergency circumstances, the Contractor shall immediately notify the Agency by telephone or telegram of the following: (a) the impossibility of on-time delivery; (b) the circumstance(s) precluding delivery; and (c) a statement of whether or not succeeding deliveries will be affected. No payments will be made for deliveries made later than 1 hour(s) after specified mealtime. Emergency circumstances at the center precluding utilization of meals are the concern of the Agency. The Agency may cancel orders provided it gives the Contractor at least 48 hours notice. Adjustments for emergency situations affecting the Contractor's ability to deliver meals, or the Agency's ability to utilize meals for periods longer than 24 hours will be mutually worked out between the Contractor and the Agency.

10. **Termination**

(a) The Agency reserves the right to terminate this contract if the Contractor fails to comply with any of the requirements of this contract. The Agency shall notify the Contractor of specific instances of noncompliance in writing. In instances where the Contractor has been notified of noncompliance with the terms of the contract and has not taken immediate corrective action, the Agency shall have the right upon written notice to immediately terminate the contract and the Contractor shall be liable for any damages incurred by the Agency. The Agency shall negotiate a repurchase contract on a competitive basis to arrive at a fair and reasonable price.

(b) The Agency shall by written notice to the Contractor, terminate the right of the Contractor to proceed under this contract if it is found by the Agency that gratuities in the form of entertainment, gifts, or otherwise were offered or given by the Contractor to any officer or employee of the Agency, with a view toward securing the contract or securing favorable treatment with respect to the awarding or amending of the contract; provided that the existence of the facts upon which the Agency makes such findings shall be in issue and may be reviewed in any competent court.

(c) In the event this contract is terminated as provided in paragraph (b) hereof, the Agency shall be entitled (i) to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor, and (ii) as a penalty in addition to any other damages in an amount which shall not be less than three nor more than ten times the cost incurred by the Contractor in providing any such gratuities to any such officer or employee.

(d) The rights and remedies of the agencies provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

11. **Subcontracts and Assignments**

The Contractor shall not subcontract with any other company for the total meal, with or without milk, or for the assembly of the meal; and shall not assign, without the advance written consent of the Agency, this contract or any interest therein. In the event of any assignment, the Contractor shall remain liable to the Agency as principal for the performance of all his obligations under this contract.

12. **Equal Opportunity**

(The following clause is applicable unless this contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor (Title 41 Code of Federal Regulations, Chapter 60.)

During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex.

The Contractor will take affirmative action to ensure that the evaluation and treatment of his employees and applicants for employment are free of such discrimination. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and his subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

(b) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(c) In the event of the Contractor's noncompliance with the Equal Opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further State or federally funded contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, or by rule, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

SECTION H

GENERAL PROVISIONS FOR CONTRACTS EXCEEDING $100,000

THE FOLLOWING PROVISIONS ARE APPLICABLE ONLY IF THE CONTRACT EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT THE ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY ONE YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [41 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY ENVIRONMENTAL PROTECTION AGENCY, OR THE CONTRACT IS NOT OTHERWISE EXEMPT FROM THESE PROVISIONS.

Clean Air and Water

The Contractor agrees as follows:

1. To comply with all the requirements of Section 114 of the Clean Air Act, as amended (41 USC 1857, et seq., as amended by Public Law 91-604), and all requirements adopted pursuant to Division 26 of the California Health and Safety Code, Section 39000, et seq., respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements so specified, and all regulations and guidelines issued thereunder before the award of this contract.

2. To comply with all the requirements of Section 308 of the Federal Water Pollution Control Act (33 USC 1251, et seq., as amended by Public Law 92-500) and all requirements adopted pursuant to the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Section 13000, et seq.), respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Acts, and all regulations and guidelines issued thereunder before the award of this contract.

3. That no portion of the work required by this contract will be performed at a facility listed on the EPA List of Violating Facilities on the date when this contract was awarded unless and until the EPA eliminates the name of such facility or facilities from such listing.

4. To use his best efforts to comply with clean air standards and clean water standards at the facilities in which the contract is being performed.

5. To insert the substance of the provisions of this clause in any nonexempt subcontract including this paragraph 1(e).

Energy Policy and Conservation Act (P.L. 94-163)

The Contractor agrees to comply with all mandatory standards and policies relating to energy efficiency as contained in the California Administrative Code, Title 24, pursuant to the California State energy efficiency conservation plan issued in compliance with Public Law 94-163.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

CLEAN AIR AND WATER CERTIFICATION

THIS CERTIFICATION IS APPLICABLE IF PROPOSAL OR OFFER EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [42 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY EPA, OR IS NOT OTHERWISE EXEMPT.

The Submitter certifies as follows:

1. Any facility to be utilized in the performance of this proposed contract

   has [X] has not [ ]

   been listed on the Environmental Protection Agency List of Violating Facilities.

2. He will promptly notify the Agency Official, prior to award, of the receipt of any communication from the Director, Office of Federal Activities, U. S. Environmental Protection Agency, indicating that any facility that he proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities.

3. He will include substantially this certification, including this paragraph (3.) in every nonexempt subcontract.

NAME OF COMPANY		
Family Service Association		
SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Hower	Chief Operating Officer	8/18/2011

SCHEDULE A
CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Armada Elementary	25201 John F Kennedy Dr., Moreno Valley, CA		Afternoon Snack	75 per day		8/10/11-6/8/12 180 days
Badger Springs Mdl	24750 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	64 per day		8/10/11-6/8/12 180 days
Bear Valley Elem	26125 Fir Ave, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Box Springs Elem	11900 Athens Dr, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Butterfield Elem	13400 Kitching St, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Chaparral Hills Elem	24850 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Cloverdale Elem	12050 Kitching St., Moreno Valley, CA		Afternoon Snack	89 per day		8/10/11-6/6/12 176 days
Creekside Elem	13563 Heacock St., Moreno Valley, CA		Afternoon Snack	76 per day		8/10/11-6/6/12 176 days
Edgemont Elem	21790 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	92 per day		8/10/11-6/6/12 176 days
Hendrick Ranch Elem	25570 Brodiaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Hidden Springs Elem	9801 Hidden Springs Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Honey Hollow Elem	11765 Honey Hollow St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
La Jolla Elem	14745 Willowgrove Pl., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Landmark Mdl	15261 Legendary Dr., Moreno Valley, CA		Afternoon Snack	80 per day		8/10/11-6/6/12 176 days
Midland Elem	11440 Davis St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Moreno Elem	26700 Cottonwood Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Mountain View Mdl	13130 Morrison St., Moreno Valley, CA		Afternoon Snack	65 per day		8/10/11-6/6/12 176 days
Palm Mdl	11900 Slawson Ave., Moreno Valley, CA		Afternoon Snack	58 per day		8/10/11-6/6/12 176 days

ATTACHMENT A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Ramona Elem	24801 Bay Ave., Moreno Valley, CA		Afternoon Snack	91 per day		8/10/11-6/6/12 176 days
Ridge Crest Elem	28500 JFK Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Seneca Elem	11615 Wordsworth Rd, Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days
Serrano Elem	24100 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sugar Hill Elem	24455 Old Country Rd., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sunnymead Elem	24050 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Sunnymead Mdl	23996 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	54 per day		8/10/11-6/6/12 176 days
Sunnymeadows Elem	23200 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Town Gate Elem	22480 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Avalon Elem	1815 E. Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Columbia Elem	21350 Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Lakeside Mdl	27720 Walnut Ave., Perris, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Lasselle Elem	26446 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Manuel L. Real Elem	19150 Clark St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
March Mdl	15800 Indian Ave., Moreno Valley, CA		Afternoon Snack	67 per day		8/10/11-5/24/12 175 days
Mary McLeod Bethune Elem	25390 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
May Ranch Elem	900 E. Morgan St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Mead Valley Elem	21100 Oleander Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

DELIVERY – (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Rainbow Ridge Elem	15950 Indian Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Sierra Vista Elem	20300 Sherman Rd., Perris, CA		Afternoon Snack	77 per day		8/10/11-5/24/12 175 days
Tomas Rivera Mdl	21675 Main St., Perris, CA		Afternoon Snack	76 per day		8/10/11-5/24/12 175 days
Triple Crown Elem	530 Orange Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Val Verde Elem	2656 Indian Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Victoriano Elem	25650 Los Cabos Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

ATTACHMENT A

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Vista Verde Mdl	25777 Krameria, Moreno Valley, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

VENDOR #:
AGREEMENT #:

NSD 2050B (REV. 07/03)

BREAKFAST	AGES ONE THROUGH THREE YEARS	AGES THREE THROUGH SIX YEARS	AGES SIX THROUGH TWELVE YEARS
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE, FRUIT OR FULL-STRENGTH (100%) JUICE	¼ CUP	½ CUP	½ CUP
GRAINS/BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
LUNCH OR SUPPER			
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE AND/OR FRUIT (TWO OR MORE KINDS)	¼ CUP TOTAL	½ CUP TOTAL	¾ CUP TOTAL
GRAINS/BREAD (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COOKED PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	1 OZ.	1-½ OZ.	2 OZ.
OR CHEESE (NATURAL OR PROCESSED)	1 OZ.	1-½ OZ.	2 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	¼ CUP *OR* 2 OZ.	⅜ CUP *OR* 3 OZ.	½ CUP *OR* 4 OZ.
OR EGG (LARGE)	1 EGG	1 EGG	1 EGG
OR COOKED DRIED BEANS OR DRIED PEAS *	¼ CUP	⅜ CUP	½ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	2 TBSP	3 TBSP	4 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS**	½ OZ.**	¾ OZ.**	1 OZ.**
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED	½ CUP	¾ CUP	1 CUP
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			
AM OR PM SUPPLEMENT (SELECT TWO OF THESE FOUR COMPONENTS)* **			
MILK, FLUID	½ CUP	½ CUP	1 CUP
VEGETABLE, FRUIT, OR FULL-STRENGTH (100%) JUICE	½ CUP	½ CUP	¾ CUP
GRAINS OR BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS.	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	½ OZ.	½ OZ.	1 OZ.
OR CHEESE (NATURAL OR PROCESSED)	½ OZ.	½ OZ.	1 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	⅛ CUP *OR* 1 OZ.	⅛ CUP *OR* 1 OZ.	¼ CUP *OR* 2 OZ.
OR EGG (LARGE)	½ EGG	½ EGG	1 EGG
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED****	¼ CUP	¼ CUP	½ CUP
OR COOKED DRIED BEANS OR DRIED PEAS*	⅛ CUP	⅛ CUP	¼ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	1 TBSP	1 TBSP	2 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS	½ OZ.	½ OZ.	1 OZ.
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			

CERTIFICATION

I hereby certify that all meals claimed shall meet the minimum requirements set forth in the meal pattern for older children as prescribed by Title 7 Code of Federal Regulations, Part 226.20 and as outlined in Schedule B, NSD 2050B.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE

AGENCY NAME

AGENCY ADDRESS

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03) PAGE 2

* DRIED BEANS OR DRIED PEAS MAY BE USED AS A MEAT ALTERNATE OR AS A VEGETABLE COMPONENT; BUT **CANNOT** BE COUNTED AS BOTH COMPONENTS IN THE SAME MEAL.

** NO MORE THAN 50 PERCENT OF THE REQUIREMENT SHALL BE MET WITH NUTS OR SEEDS. NUTS OR SEEDS SHALL BE COMBINED WITH ANOTHER MEAT/MEAT ALTERNATE TO FULFILL THE REQUIREMENT. TO DETERMINE COMBINATIONS, 1 OZ. OF NUTS OR SEEDS IS EQUAL TO 1 OZ. OF COOKED LEAN MEAT, POULTRY, OR FISH. ROASTED PEAS CAN COUNT AS A MEAT ALTERNATE OR VEGETABLE COMPONENT, BUT CANNOT BE COUNTED AS BOTH IN THE SAME MEAL.

*** JUICE **CANNOT** BE SERVED WHEN MILK IS SERVED AS THE ONLY OTHER COMPONENT.

**** IF YOGURT IS USED AS THE MEAT COMPONENT IN SUPPLEMENTS, MILK **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT. COMMERCIALLY ADDED FRUIT OR NUTS IN FLAVORED YOGURT **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT IN SUPPLEMENTS.

Family Services Association
Childrens Snack Program
October 2011

Date	Monday Oct	Tuesday Oct	Wednesday Oct	Thursday Oct	Friday Oct		
	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz		
Week 1	Prestzel Twist .25oz	Nutri grain Bar 1.03oz	Cheese/Peanut Butter Crackers 1.42oz	Mixed Fruit Cup 4oz	Club Cracker/ Apple Butter .05 oz		
Week 2	Peanuts 1.63oz	Graham Crackers 1oz	Cheezits White Cheddar 1.5oz	Quaker Oatmeal Cin Bar 1.4oz	Vanilla Crème Cookie 2.12oz		

SECTION E
UNIT PRICE SCHEDULE AND INSTRUCTIONS
PROVIDE THIS SCHEDULE IN A SEPARATE SEALED ENVELOPE

1. **Unit Price Schedule**

Submitters are to submit prices on the following meal types meeting the contract specifications set forth in Schedules B and C for meals to be delivered to all of the centers stated in Schedule A. *(See example on next page).*

A. Meal Type[1]	B. Estimated Servings Per Day[2]	C. Estimated Number of Serving Days[3]	D. Unit Price[4]	E. Total Price[5]
~~Breakfast~~				
~~AM Snack~~				
~~Lunch~~				
PM Snack	3,400	180	.72	440,640
~~Supper~~				
~~Evening Snack~~				

Submitters shall submit their proposals on an "all or none" basis. Except as otherwise provided in this solicitation, if a contract is awarded as a result of this solicitation, it will bind the Agency during the term of the contract, secure all of the identified meals from the successful Submitter, and such contract shall bind the Submitter/Contractor to perform all such work ordered by the Agency at prices specified in the contract. Award will be made to a single responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered.. Evaluation of prices will be on the basis of the estimated requirements set forth herein.

In the event of any inconsistencies or errors, the unit price (D) shall take precedence.

Instructions for completion of the Unit Price Schedule: *(See Example on next page.)*

[1] The Agency shall indicate which meal types the Contractor will be providing meals for during the contract period (strike-out extraneous meal types in Column A). If unitized meals will be required, the Agency must indicate so by placing "unitized meal" in parenthesis after the meal type.

[2] The Agency shall fill in the estimated number of meals that will be served each day (Column B) by meal type during the contract period.

[3] The Agency shall fill in the number of anticipated operating days that meals will be served (Column C) during the contact period.

[4] The Submitter shall insert the appropriate unit price (Column D) for each meal type indicated by the Agency.

[5] The Submitter shall calculate the total price (Column E) by multiplying B x C x D.

CITY OF MORENO VALLEY

BUSINESS LICENSE TAX RECEIPT

The person, firm or corporation named below has paid the appropriate fees to the City and is hereby granted this business license tax receipt for the business described below. Granting of this receipt does not entitle the holder to operate or maintain a business in violation of any law or ordinance. The City does not pass on the qualifications of the holder of this business license tax receipt.

Business Name: Family Service Association Of Western Riverside Co

Business Location: 21250 Box Springs Rd # 212, Moreno Valley, CA 92557

Business Owner: Family Service Association Of Western Riverside Co
Dom Betro

BUSINESS TYPE: 1922

Description: Individual And Family Social Services

BUSINESS LICENSE #: 11605

Effective Date: January 01, 2011

Expiration Date: December 31, 2011

FAMILY SERVICE ASSOCIATION OF
WESTERN RIVERSIDE CO
21250 BOX SPRINGS RD # 215
MORENO VALLEY, CA 92557

Richard Teichert
Financial & Administrative Services Director

TO BE POSTED IN A CONSPICUOUS PLACE

NOT TRANSFERABLE

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/07/2011 14:28

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Barney & Barney LLC
CA Insurance Lic: 0C03950
9171 Towne Centre Drive, Suite 500
San Diego, CA 92122
858-457-3414

CONTACT NAME: Cyndi Smoot
PHONE (A/C, No, Ext): (858) 587-7414 FAX (A/C, No):
E-MAIL ADDRESS: cyndis@barneyandbarney.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Philadelphia Indemnity Insurance Company	18058
INSURER B: Insurance Company of the West	27847
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Family Service Association

21250 Box Springs Road, Suite 212
Moreno Valley, CA 92557-8712

Client # 55323

COVERAGES CERTIFICATE NUMBER: 378650 MST NUMBER: 19124 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	X		PHPK743608	7/1/2011	7/1/2012	EACH OCCURRENCE	$	1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$	100,000
							MED EXP (Any one person)	$	10,000
							PERSONAL & ADV INJURY	$	1,000,000
							GENERAL AGGREGATE	$	3,000,000
							PRODUCTS - COMP/OP AGG	$	3,000,000
								$	
A	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS			PHPK743608	7/1/2011	7/1/2012	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
							BODILY INJURY (Per person)	$	
							BODILY INJURY (Per accident)	$	
							PROPERTY DAMAGE (Per accident)	$	
								$	
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $ 10,000			PHUB351940	7/1/2011	7/1/2012	EACH OCCURRENCE	$	4,000,000
							AGGREGATE	$	4,000,000
								$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WSD500180402	7/1/2011	7/1/2012	X WC STATU-TORY LIMITS OTH-ER		
							E.L. EACH ACCIDENT	$	1,000,000
							E.L. DISEASE - EA EMPLOYEE	$	1,000,000
							E.L. DISEASE - POLICY LIMIT	$	1,000,000
A	Professional Liability and Sexual Abuse Coverage			PHPK743608	7/1/2011	7/1/2012	$1,000,000 Each Occurence $3,000,000 Aggregate		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

*10 DAYS NOTICE OF CANCELLATION FOR NON-PAYMENT OF PREMIUM.

RE: After School Snack Program

The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District are additional insured per the attached

CERTIFICATE HOLDER

City of Moreno Valley Parks and Community Services

14075 Frederick Street
Moreno Valley, CA 92553

Subject

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cyndi Smoot

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ACORD 25 (2010/05)

The ACORD name and logo are registered marks of ACORD

Insured: Family Service Association Master # 19124 Cert # 378650

Attachment Page

COMPLETE LISTING OF CERTIFICATE HOLDER and/or ADDITIONAL INSURED:
(additional insureds apply only with respect to coverages marked by "X" under "Addtl Insrd" on the Certificate)

City of Moreno Valley Parks and Community Services
The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District

INSURED: Family Service Association

COMPANY: Philadelphia Indemnity Insurance Company

POLICY #: PHPK743608

POLICY PERIOD: 7/1/2011 TO 7/1/2012

EFFECTIVE DATE: 09/07/2011

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Moreno Valley Parks and Community Services The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or

B. In connection with your premises owned by or rented to you.

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ATTACHMENT A

Exhibit B"

MORENO VALLEY COMMUNITY SERVICES DISTRICT WILL SUPPORT PROGRAM:

Moreno Valley Community Services District agrees to support the ASES snack program with the following:

- By ensuring a site contact person is assigned to sign for snack delivery
- By ensuring the name, schedule and contact information for site contact is communicated to FSA
- By ensuring snack is distributed to students during ASES program
- By ensuring snack is counted daily and documentation regarding disbursement is turned in
- By ensuring fresh fruit is distributed the day after it is delivered to ensure product freshness
- By ensuring all boxes and containers are disposed of

ATTACHMENT A

"Exhibit C"

TERMS OF PAYMENT

1. The Contractor's compensation shall be computed based on a unit price of .72 cents per snack delivered not to exceed $440,640.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the CSD. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the CSD as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Parks and Community Services Department at:

   pattyg@moval.org or calls directed to (951) 413-3726.

3. The Contractor agrees that CSD payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the CSD. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

4. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date

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MV00131096

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00131098

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

RECOMMENDED ACTION

Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

SEE AGENDA ITEM A.7

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MV00131100

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00131102

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: September 27, 2011

TITLE: PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

BACKGROUND AND DISCUSSION

The California Elections Code provides that after each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, and community of interests of the districts. The council must adjust the boundaries of the council districts before the first day of November of the year following the year in which each decennial federal census is taken.

On August 23, 2011, the City Council adopted Resolution No. 2011-93, establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected. Two Citizens' Community Meetings were held on September 12 and 15, 2011 that gave the citizens of Moreno Valley the opportunity to provide input. The on-line redistricting tool was demonstrated by Dave Meyer at both meetings. The public hearings scheduled for September 27, 2011 and October 11, 2011 fulfill the requirements of Elections Code 21601.1, which states that the "council must

hold at least one public hearing on any proposal to adjust boundaries of a district prior to a public hearing at which the council votes to approve or defeat the proposal."

The consultant, Dr. Alan Heslop of National Demographics Corporation (NDC) has made a presentation to the City Council at the July 26, 2011 Special Meeting and August 23, 2011 Regular City Council Meeting.

Four NDC draft plans (maps) and five citizen-drawn plans (maps) have been provided to Council and are attached for review. A brief summary of the four NDC draft plans follows:

Plan 1 - District 3 loses SW corner; District 2 moves south
Plan 2 - District 3 loses a bit of SW but mostly NW, District 2 moves east
Plan 3 – District 3 loses SW corner; District 1 loses north end; District 2 moves south; Highly compact
Plan 4 - District 1 moves east; Most-compact districts; Least change to District 4

NOTIFICATION

Publication of the agenda

ALTERNATIVES

California statutes require a second public hearing. There are no other alternatives in order to comply with applicable state law.

FISCAL IMPACT

This expenditure has been included in the City Clerk's budget for 2011/12 fiscal year. Approved budget is located in: 13110.6291- not to exceed $45,000.00.

ATTACHMENTS/EXHIBITS

1. NDC Powerpoint
2. NDC Memo to Council
3. 2001 Plan and deviation & demographics
4. Plan 1 map & demographics
5. Plan 2 map & demographics
6. Plan 3 map & demographics
7. Plan 4 map & demographics
8. Public Plan 1 map & stats
9. Public Plan 2 map & stats
10. Public Plan 3 map & stats
11. Public Plan 4 map & stats
12. Public Plan 5 map & stats

Prepared By:
Jane Halstead, City Clerk

Department Head Approval:
Jane Halstead, City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00131106

City of Moreno Valley 2011 Redis

National Demographics Corporation

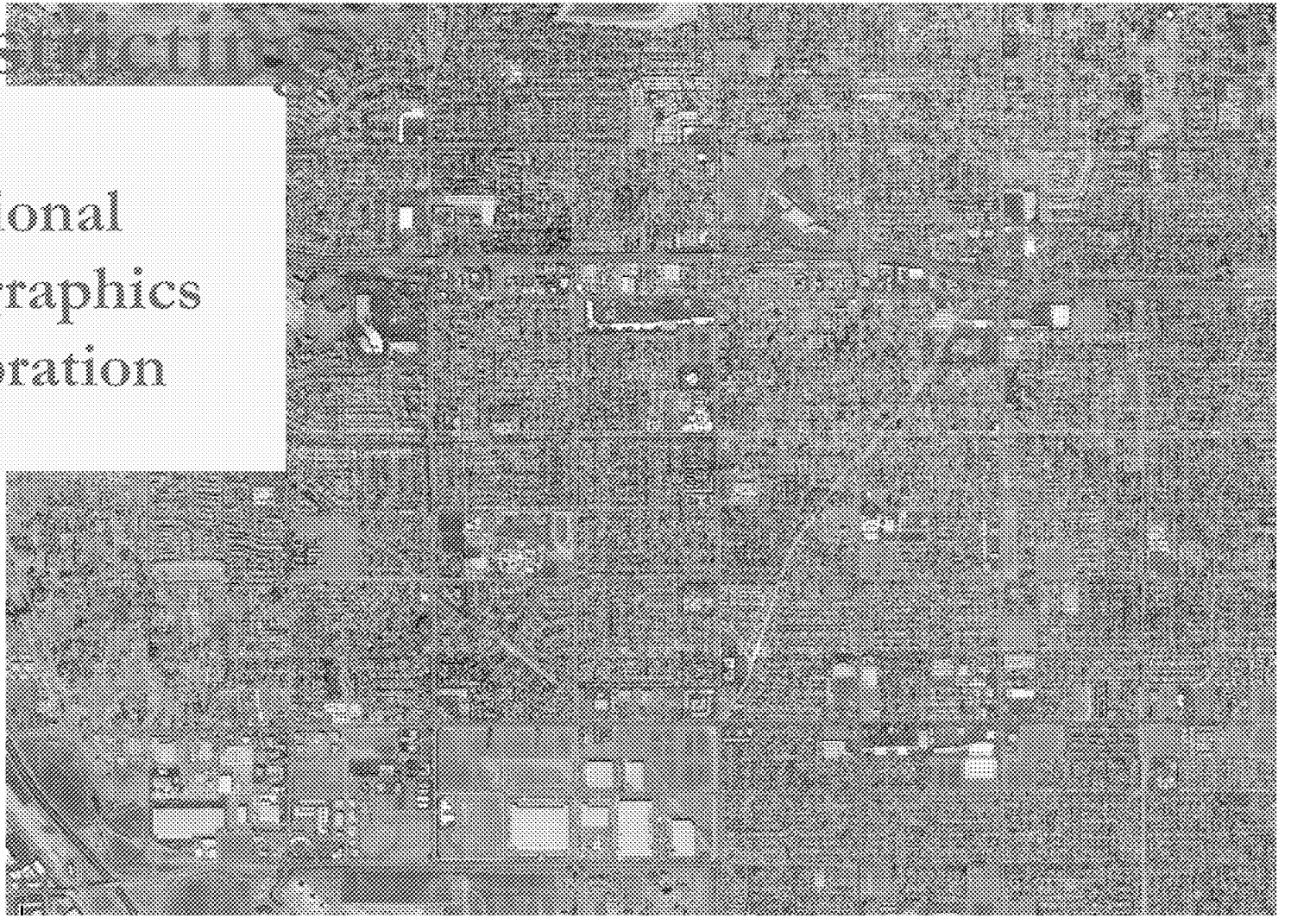

Current Demographics

Based on Census data from the 2010 Decennial Census and the Census Bureau's American Community Survey.

- **2010 Census Population**
  - 2010 Census total: **193,365**
    - + **50,817** (**50.0** %) growth from 2000
    - **54.4** % Hispanic
      - +50,480 (+92.3 %) growth from 2000
    - **18.9** % Non-Hispanic White
      - -9,308 (-25.4 %) from 2000
    - **18.0** % Non-Hispanic Black
    - **8.7** % Other
  - 2010 Census Voting Age Population
    - **49.7** % Hispanic
    - **22.8** % Non-Hispanic White
    - **17.9** % Non-Hispanic Black
    - **10.0** % Other
- **Other Data**
  - Citizen Voting Age Population
    - From ACS: **36.1** % Hispanic
    - From Census Special Tabulation: **36.1** % Hispanic
  - Voter Registration (Nov. 2010)
    - 69,919 Total
    - **34.3** % Hispanic-surname
  - Voter Turnout (Nov. 2010)
    - 32,944 Total
    - **29.8** % Hispanic-surname

MV00131108

Current District Total Population

District	Tot. Pop.	Deviation	Pct. Dev.
1	32,765	-5,908	-15.28%
2	30,723	-7,950	-20.56%
3	58,576	19,903	51.46%
4	34,343	-4,330	-11.20%
5	36,958	-1,715	-4.43%
Total	193,365	27,853	72.02%
Ideal	38,673		

Ideal population = total population / number of districts

MV00131109

Population Deviation

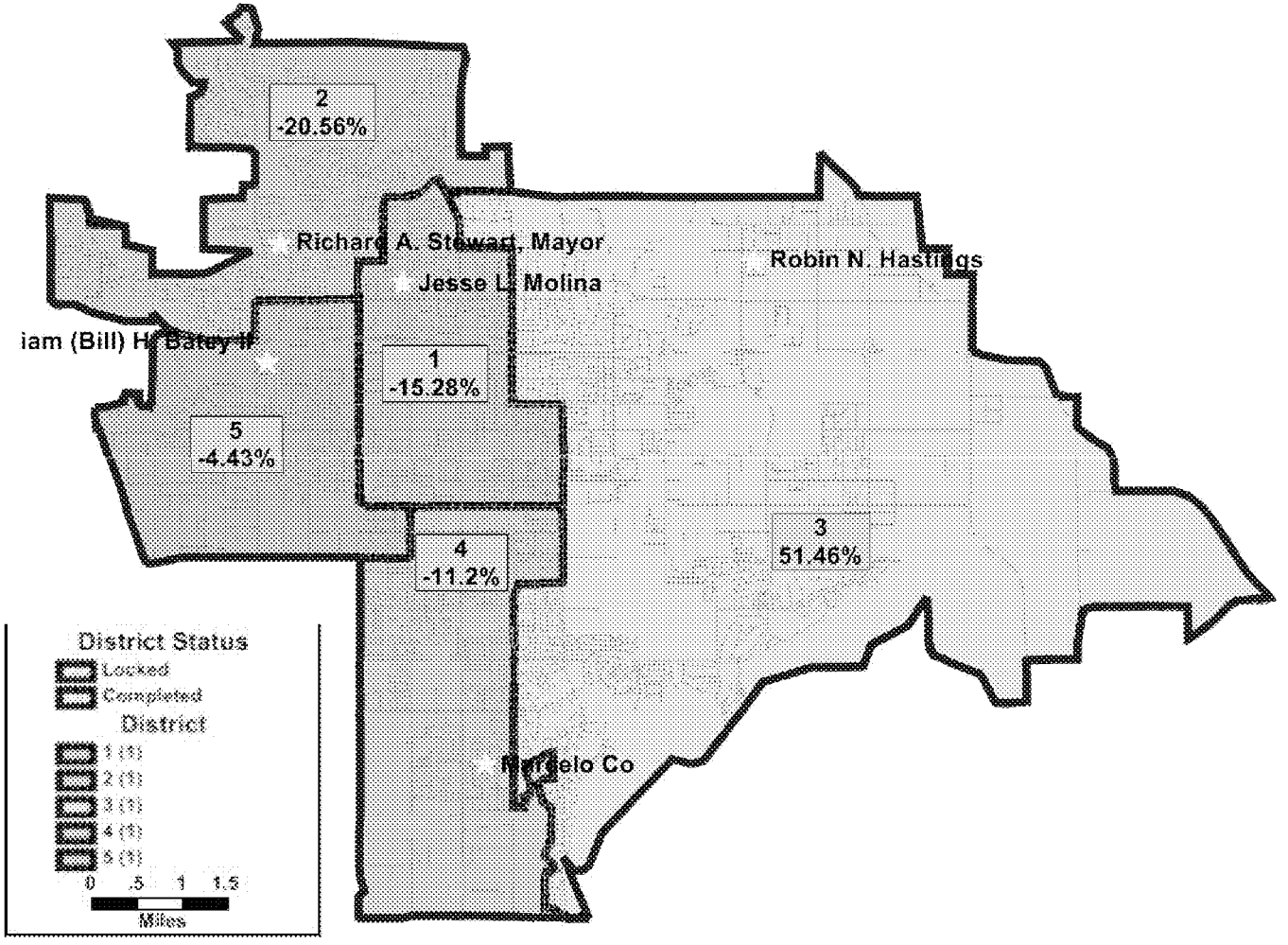

Hispanic / Latino Populatior

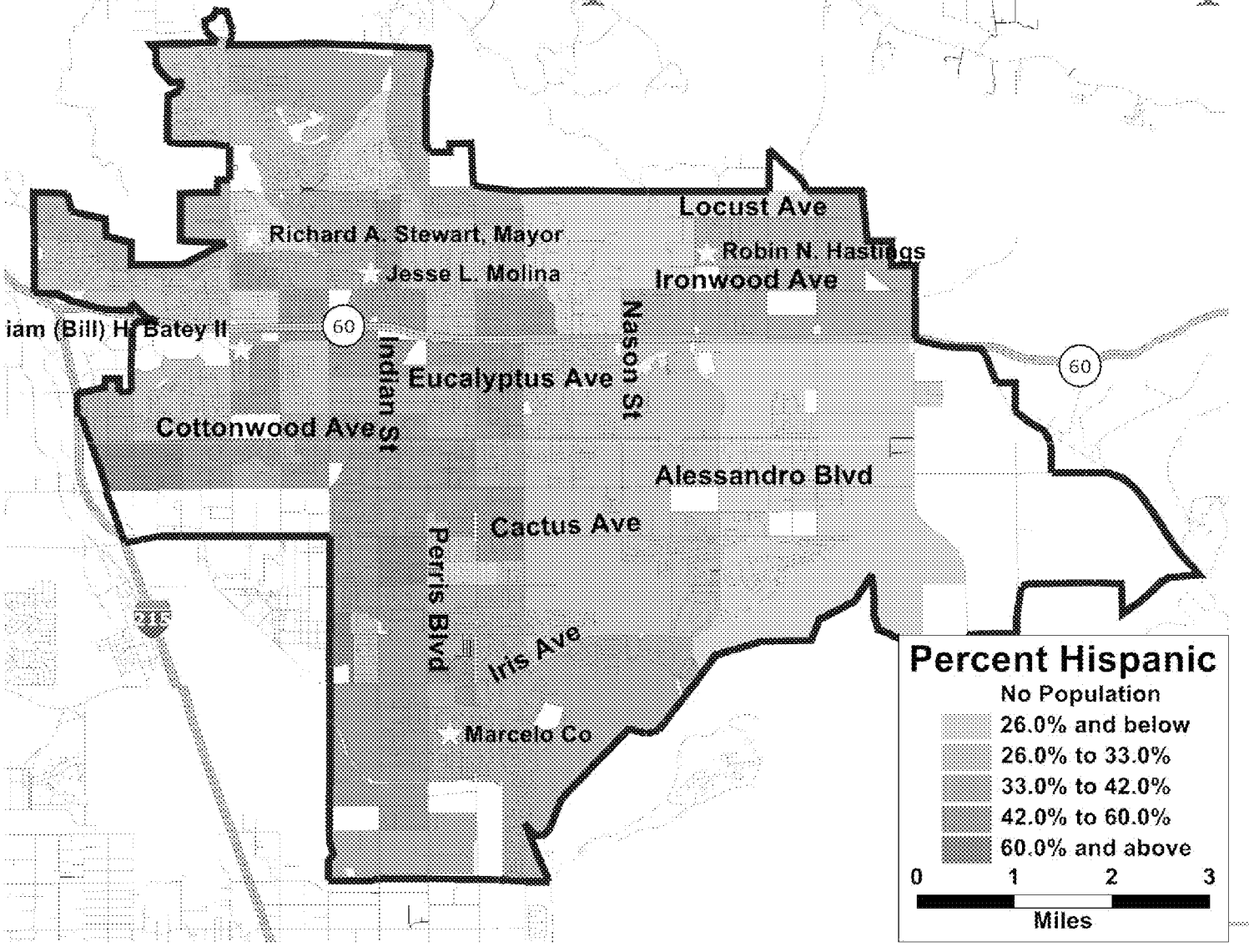

MV00131111

Current District Counts

Plan Name	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,765	-5,908	-15.28%	20,416	5,215	4,934	196	1,406	244	87	267
2	30,723	-7,950	-20.56%	13,540	9,036	5,369	142	2,147	122	59	308
3	58,576	19,903	51.46%	27,094	12,765	12,042	311	5,317	293	188	566
4	34,343	-4,330	-11.20%	21,681	4,691	5,595	114	1,742	177	79	264
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	27,853	72.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vc
1	21,678	12,350	4,323	3,374	143	1,110	168	62	148	10,489	4,018	142	134	276	4,563	1,549	59	57	
2	22,085	8,799	7,392	3,758	114	1,693	85	43	201	14,267	3,985	269	228	497	7,454	1,785	111	104	215
3	40,513	17,090	10,364	8,188	230	4,007	190	133	311	23,080	6,941	490	399	889	11,607	2,994	203	171	374
4	22,551	13,318	3,830	3,642	81	1,358	117	49	156	11,150	4,691	174	192	366	4,962	1,901	62	81	143
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan Name	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,286	6,219	5,227	2,835	651	50	206	100	15,509	6,277	5,293	2,867	623	39	290	328	3,591
2	18,698	5,831	8,058	3,287	1,254	204	0	65	18,568	5,632	8,148	3,212	1,083	121	54	526	3,333
3	29,076	8,963	10,467	6,359	2,570	258	213	260	29,318	9,369	10,226	6,218	2,398	202	260	931	5,723
4	15,368	6,664	4,354	3,113	835	172	41	183	15,166	6,425	4,167	3,128	956	151	55	383	4,302
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,281	31,877	19,760	6,072	559	708	2,705	20,528

MV00131112

Current District Percentages

Plan Name	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	15.9%	15.1%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.1%	29.4%	17.5%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.3%	21.8%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.1%	13.7%	16.3%	0.3%	5.1%	0.5%	0.2%	0.8%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.9%	15.6%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.4%	1.3%	2.6%	33.9%	1.3%	1.2%	2.5%
2	39.8%	33.5%	17.0%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.2%	25.6%	20.2%	0.6%	9.9%	0.5%	0.3%	0.8%	30.1%	2.1%	1.7%	3.9%	25.8%	1.7%	1.5%	3.2%
4	59.1%	17.0%	16.2%	0.4%	6.0%	0.5%	0.2%	0.7%	42.1%	1.6%	1.7%	3.3%	38.3%	1.2%	1.6%	2.9%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan Name	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.5%	40.7%	34.2%	18.5%	4.3%	0.3%	1.3%	0.7%	71.5%	40.5%	34.1%	18.5%	4.0%	0.3%	1.9%	2.1%	23.2%
2	84.7%	31.2%	43.1%	17.6%	6.7%	1.1%	0.0%	0.3%	84.1%	30.3%	43.9%	17.3%	5.8%	0.7%	0.3%	2.8%	18.0%
3	71.8%	30.8%	36.0%	21.9%	8.8%	0.9%	0.7%	0.9%	72.4%	32.0%	34.9%	21.2%	8.2%	0.7%	0.9%	3.2%	19.5%
4	68.1%	43.4%	28.3%	20.3%	5.4%	1.1%	0.3%	1.2%	67.3%	42.4%	27.5%	20.6%	6.3%	1.0%	0.4%	2.5%	28.4%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00131113

Redistricting Criteria

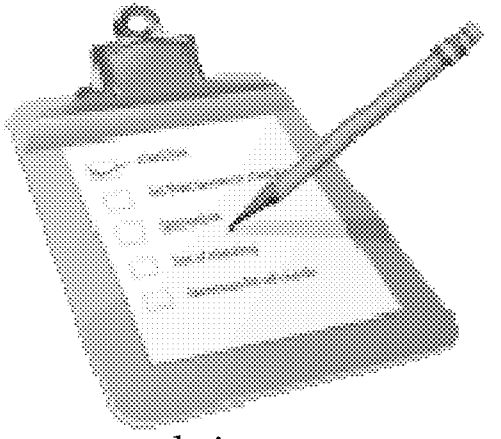

- **Equal Population**
- **Comply with Federal Voting Rights Act**
- **Respect communities of interest**
- **Follow Visible (natural & man-made) boundaries**
  - Make it easy for residents of a district to understand its borders (and to engage their neighbors in precinct walking or other election activities)
  - But do not use Highway 99 – try for districts that combine areas east and west of 99.
- **Compact & contiguous districts**
  - Also makes it easier for voters to understand their district's borders.
- **Continuity in office**
  - Redistricting, an administrative process, should not tell the voters they can no longer elect a candidate they have previously elected (which is what happens when two or more incumbents are "paired").
- **Population growth**
  - Growth is much less certain in 2011 than it was in 2011, so this is harder to justify than it was in 2001.
- **Preserve Core of existing districts**
  - Don't move voters around unless needed to achieve one of the other goals.

MV00131114

Federal Voting Rights Act: Section 2

- **Requires Protected Class populations have an equal opportunity to elect the candidates of their choice**

- **No packing**
- **No cracking**

- **No racial gerrymandering allowed**
  - Focus on communities and neighborhoods, not race/ethnicity

MV00131115

Process (I of III)

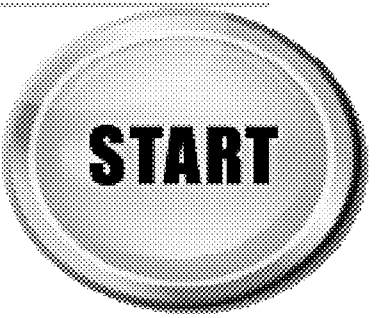

1. **Prepare**
   - Conduct initial demographic analysis
   - Adopt schedule
   - Adopt criteria
   - Launch project website
   - Create public participation kit (paper, excel and/or online)
   - Develop initial draft plans to jump-start discussion

MV00131116

Process (II of III)

2. **Outreach**
   - Educate, engage and empower the public, including:
     - Individuals
     - Community Groups, including "protected class"-focused organizations
     - The media
   - What are your community's "communities of interest"?
     - Which want to be united? Which want to be divided?
   - How well do the current and draft plans meet those goals?
   - Participation kits take the public input beyond just "yes" and "no"

MV00131117

Process (III of III)

3. **Decide**
   - Plan debate and adoption

4. **Implement**
   - Coordinated with the County Registrar

-360-
Item No. E.1
MV00131118

Tools (I of II)

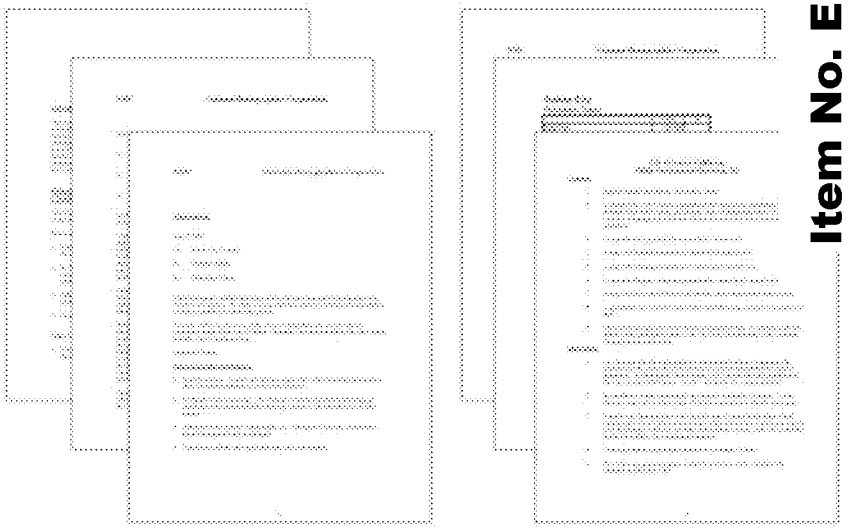

Traditional Redistricting Tools

1. 2010 Census data
2. Project website
3. Media & community education
4. GIS software
5. Information on redistricting, the Voting Rights Act, and how the public can participate
6. Provide paper & Excel public participation kits
7. Email address for public questions and public comment

MV00131119

Tools (II of II)

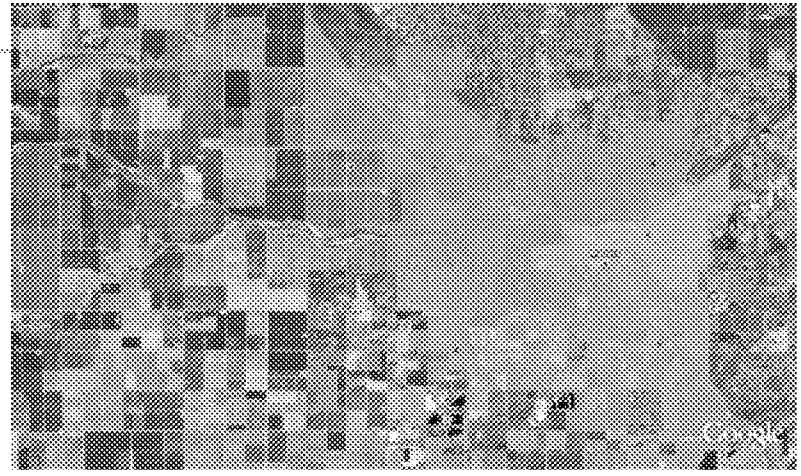

New Tools for 2011

1. American Community Survey data
2. Local GIS data
   - Zoning, homeowner associations, housing developments, neighborhood associations, key facilities, future development areas, school attendance areas, aerial imagery, etc.
3. Live, interactive maps of plans
4. Google Maps and Google Earth plan files

-362-
Item No. E.1
MV00131120

Draft Plan 1 Map

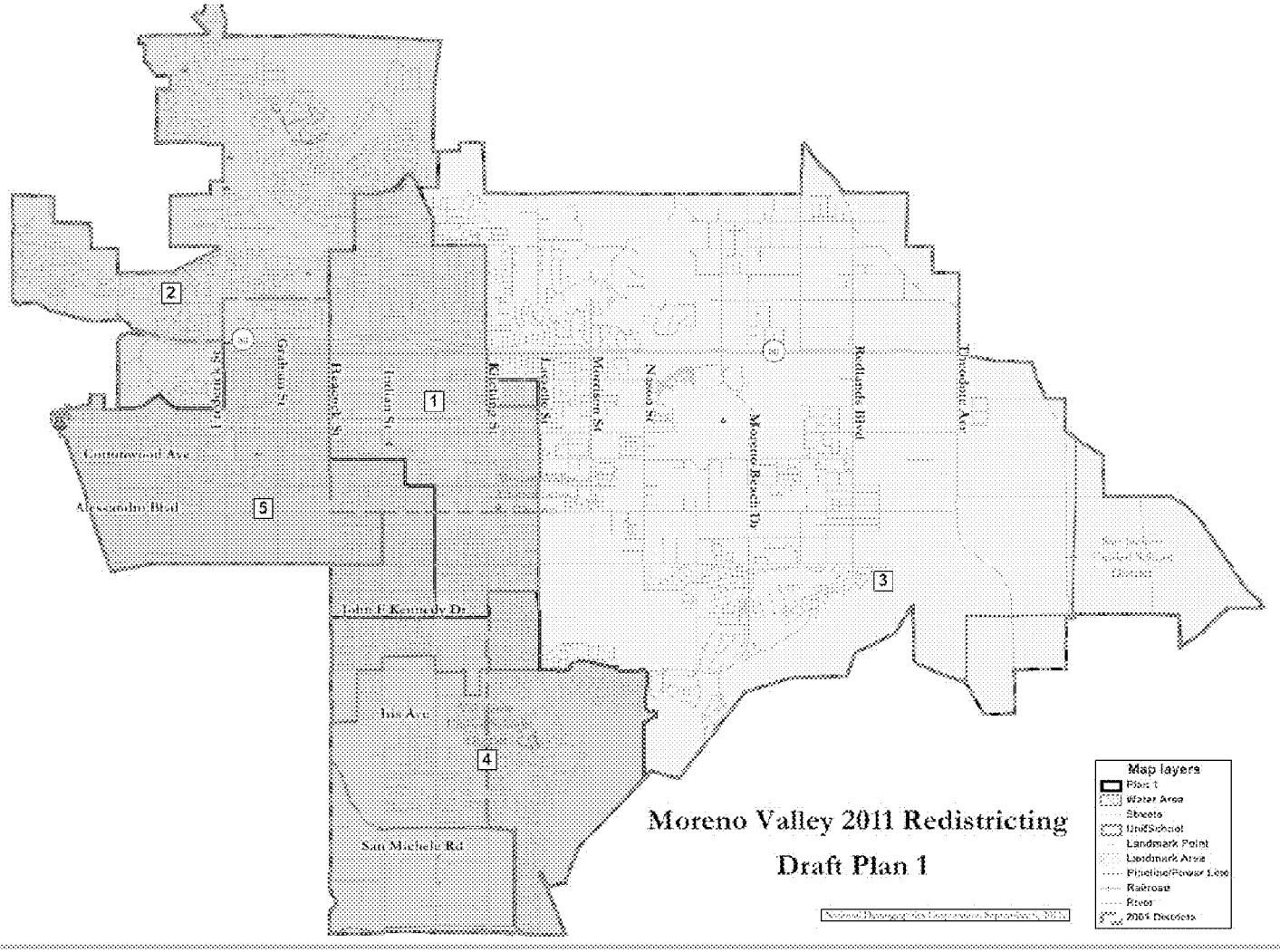

Draft Plan 1 Counts

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
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Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131122

Draft Plan 1 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00131123

Draft Plan 2 Map

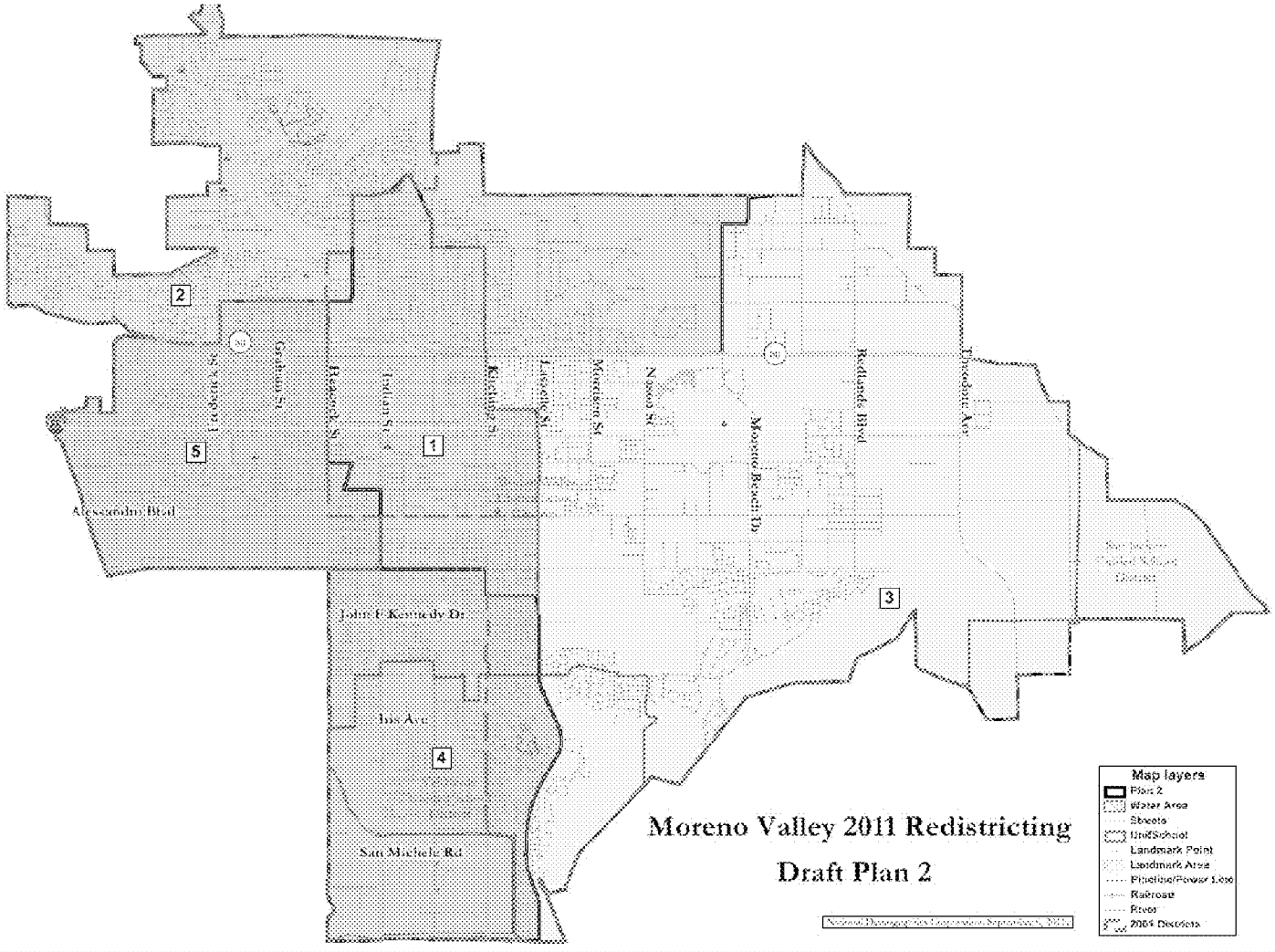

Draft Plan 2 Counts

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	[illegible]
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131125

Draft Plan 2 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	53.0%	36.0%	2.9%	1.1%	6.4%	0.2%	0.2%	0.2%
2	67.3%	26.2%	3.0%	0.9%	2.4%	0.0%	0.1%	0.1%
3	84.3%	11.5%	2.2%	0.8%	0.8%	0.1%	0.1%	0.3%
4	87.2%	8.2%	3.0%	0.5%	0.9%	0.0%	0.0%	0.1%
5	86.3%	8.6%	3.2%	0.7%	0.7%	0.0%	0.2%	0.2%
6	82.5%	10.8%	3.2%	0.9%	2.0%	0.1%	0.1%	0.4%
Total	76.7%	16.9%	2.9%	0.8%	2.2%	0.1%	0.1%	0.2%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.
1	47.6%	40.9%	3.0%	1.2%	6.7%	0.2%	0.1%	0.3%	36.6%	2.7%	1.1%	62.7%
2	61.2%	32.0%	3.0%	0.9%	2.6%	0.1%	0.1%	0.1%	44.0%	1.0%	1.2%	56.0%
3	80.7%	14.7%	2.3%	0.9%	0.8%	0.2%	0.1%	0.3%	57.2%	0.9%	2.0%	48.1%
4	84.1%	11.2%	3.0%	0.6%	1.0%	0.0%	0.0%	0.1%	64.9%	0.7%	1.1%	40.2%
5	82.5%	11.6%	3.8%	0.8%	0.8%	0.1%	0.2%	0.2%	58.8%	0.7%	1.1%	46.5%
6	78.9%	13.9%	3.4%	0.9%	2.3%	0.1%	0.2%	0.3%	60.9%	1.0%	1.3%	44.4%
Total	71.9%	21.2%	3.1%	0.9%	2.5%	0.1%	0.1%	0.2%	50.0%	1.4%	1.3%	52.4%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth C
1	83.1%	42.0%	48.8%	3.8%	3.4%	1.9%	0.0%	0.0%	79.5%	39.7%	50.7%	4.6%	3.2%	2.0%	0.0%	2.3%	
2	70.6%	42.8%	46.8%	6.8%	3.4%	0.2%	0.0%	0.0%	74.1%	47.1%	43.8%	5.1%	2.6%	1.5%	0.0%	1.6%	
3	42.6%	63.4%	30.4%	2.4%	1.8%	2.0%	0.1%	0.0%	51.8%	57.2%	33.6%	4.3%	2.6%	3.1%	0.1%	3.0%	
4	54.1%	60.4%	29.3%	4.6%	5.1%	0.7%	0.0%	0.0%	48.2%	60.4%	31.0%	4.4%	1.8%	3.8%	0.0%	2.5%	
5	42.5%	54.8%	31.1%	10.8%	1.5%	1.5%	0.0%	0.0%	44.0%	61.0%	25.4%	10.9%	1.5%	1.4%	0.0%	2.2%	
6	50.1%	64.6%	25.2%	9.5%	1.1%	0.0%	0.0%	0.0%	50.2%	59.0%	29.9%	9.3%	1.3%	0.7%	0.0%	1.5%	
Total	57.8%	52.2%	37.9%	6.0%	2.9%	1.1%	0.0%	0.0%	58.5%	51.8%	38.2%	6.1%	2.3%	2.1%	0.0%	2.2%	

Draft Plan 3 Map

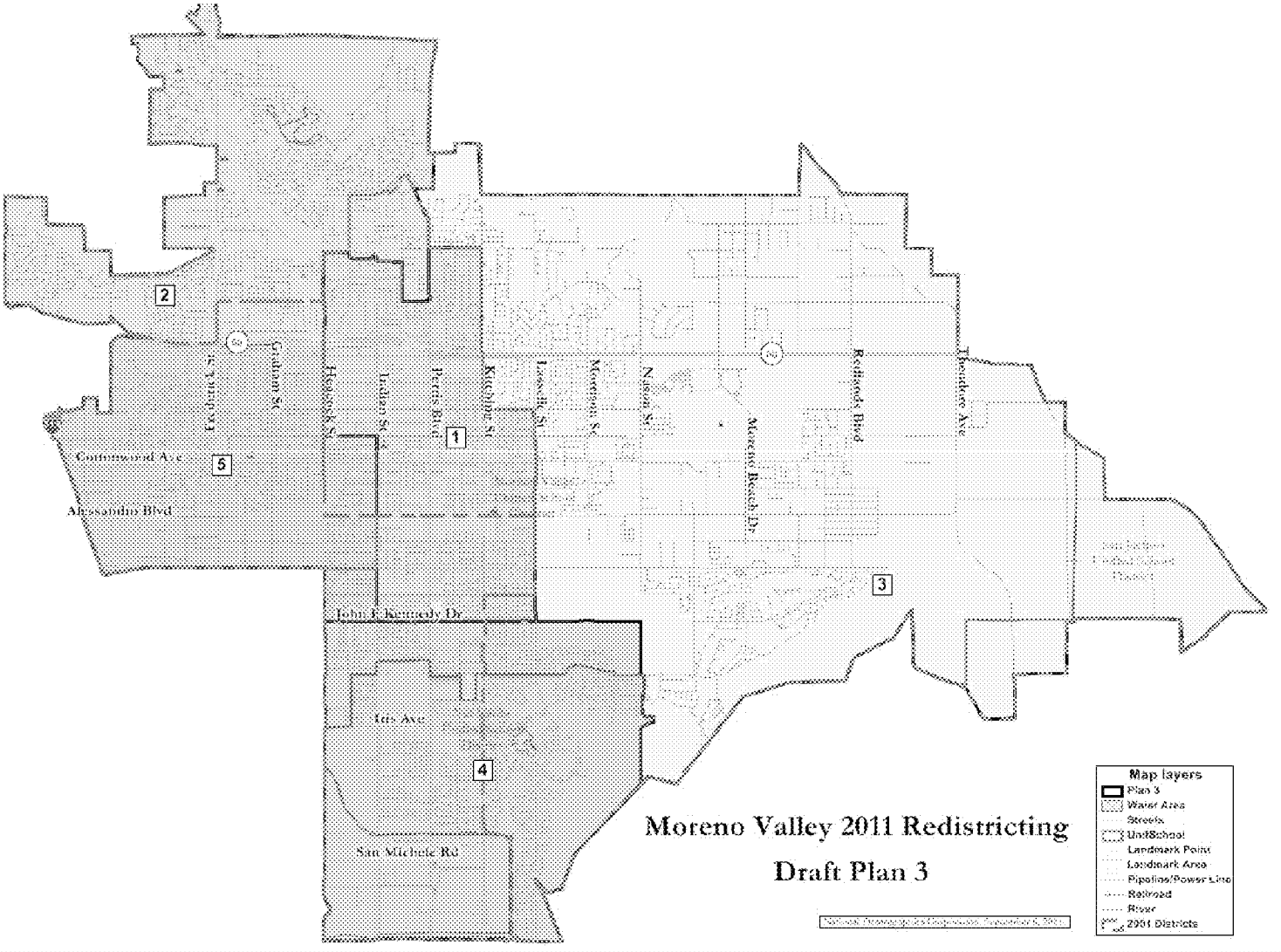

MV00131127

Draft Plan 3 Counts

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
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Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131128

Draft Plan 3 Percentages

% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

Special Tabulation								Amercian Community Survey (ACS)								
% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00131129

Draft Plan 4 Map

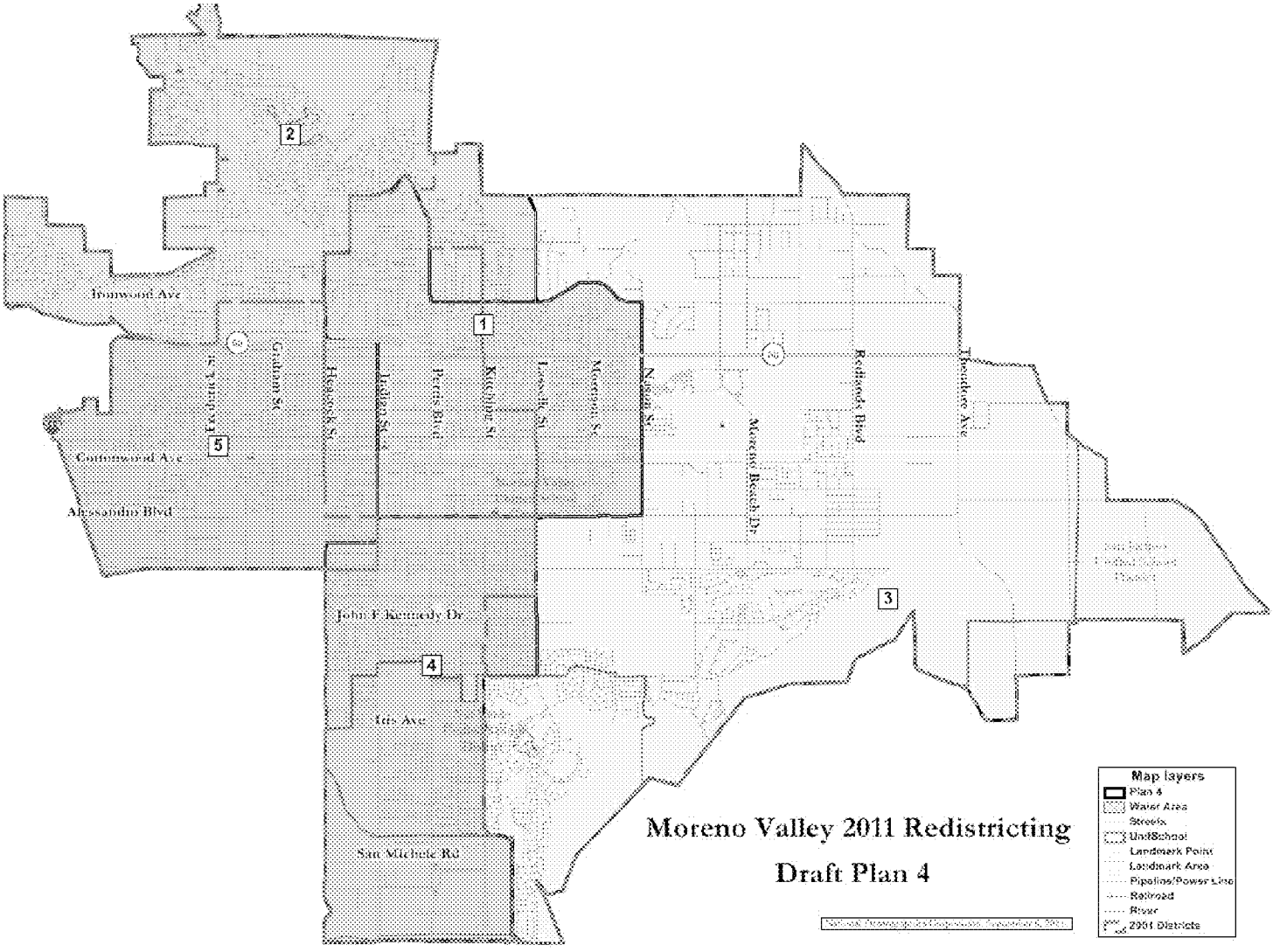

Draft Plan 4 Counts

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131131

Draft Plan 4 Percentages

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	[illegible]
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	

MV00131132

Public Plan 1 Map

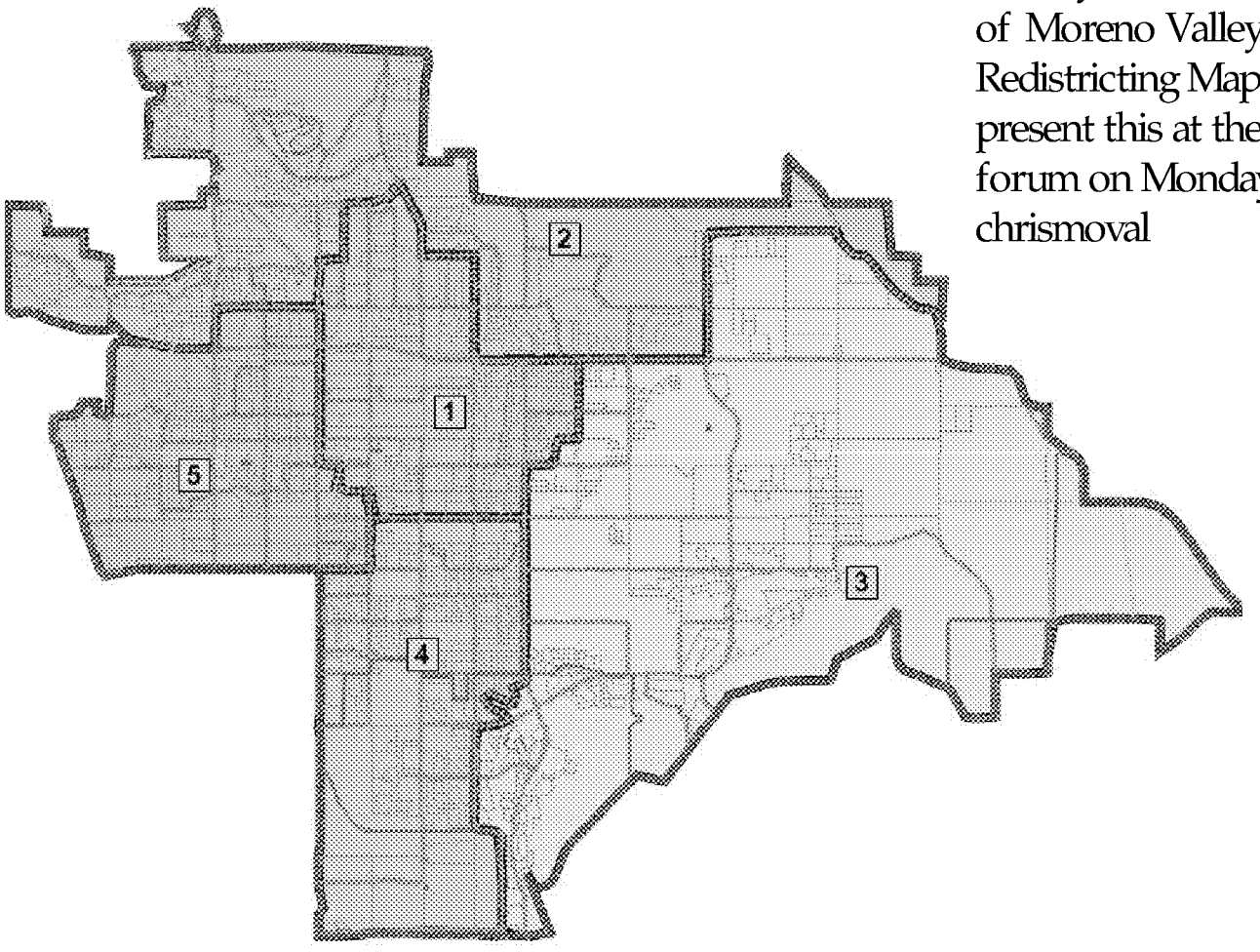

"On behalf of The 2011 Moreno Valley Redistricting Committee I here by submit our proposed City of Moreno Valley City Council Redistricting Map. I would like to present this at the community forum on Monday Sept.12 2011." - chrismoval

Public Plan 1 Counts

Public Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131134

Public Plan 1 Percentages

Public Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00131135

Public Plan 2 Map

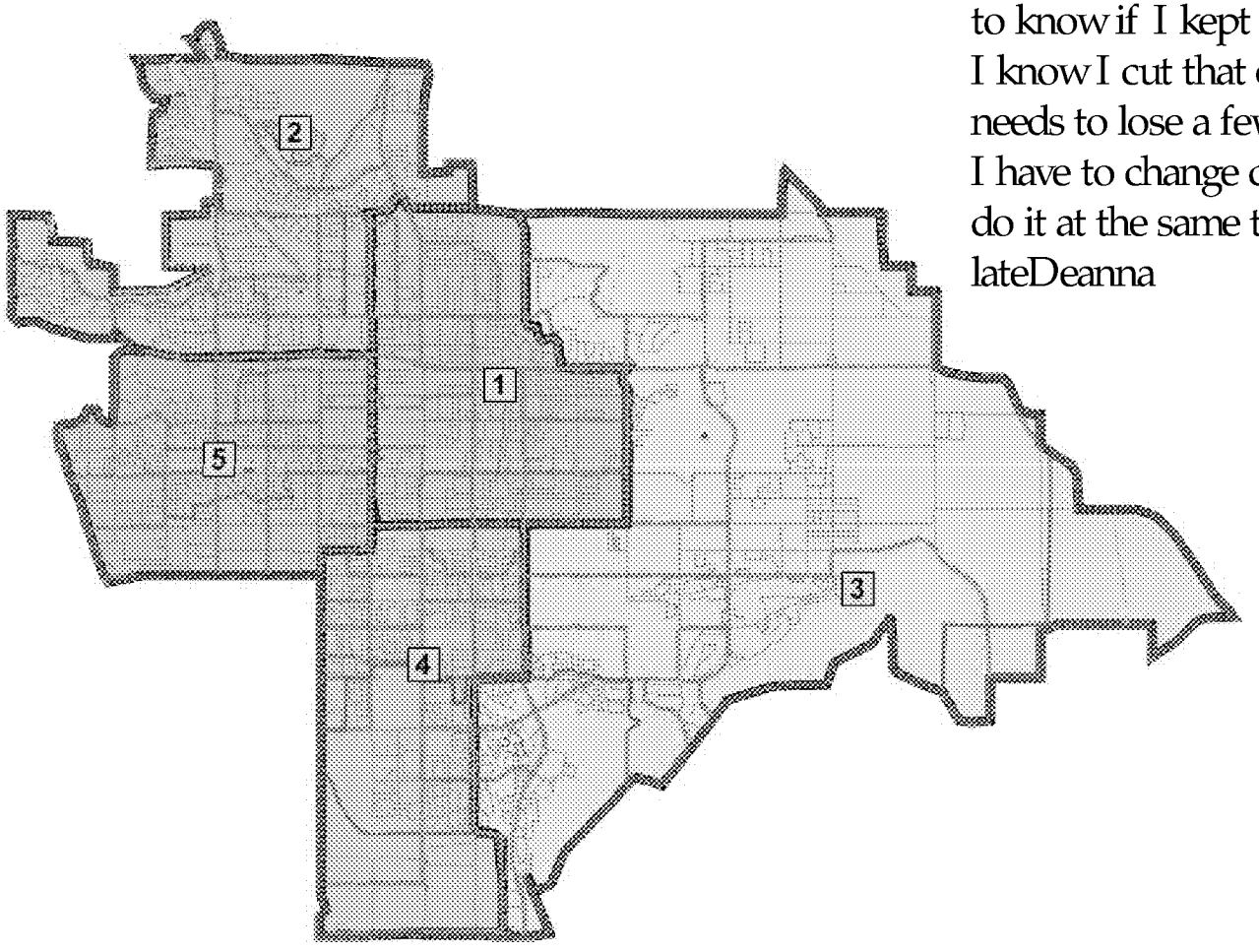

"This is my first preliminary map. What is the excepted plus or minus percentage for population. I really want to know if I kept Molina in his district I know I cut that one close. District 3 needs to lose a few more people but if I have to change district 1 anyway I'll do it at the same time. Thank-you!" - lateDeanna

Public Plan 2 Counts

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 2 Percentages

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

MV00131138

Public Plan 3 Map

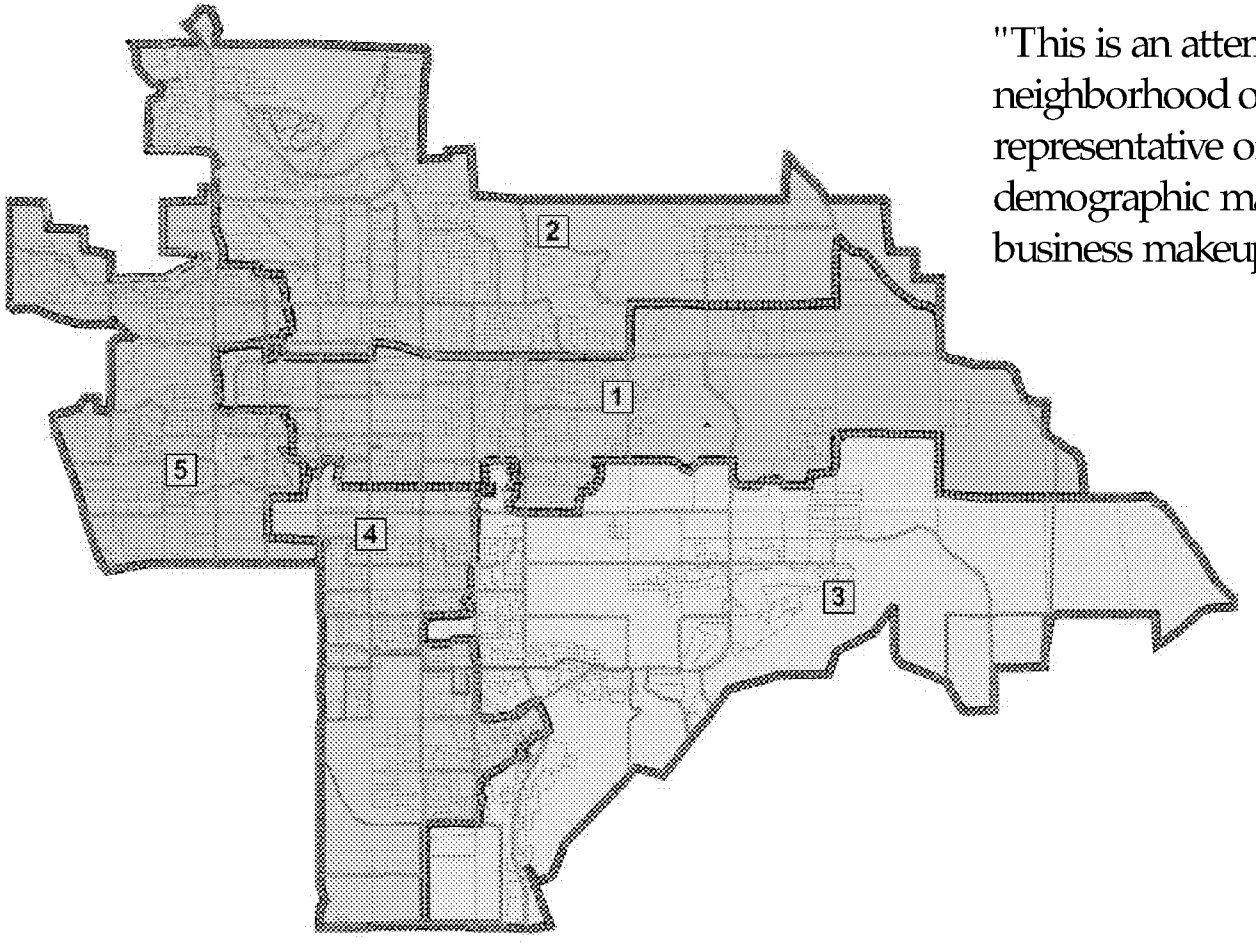

"This is an attempt to construct neighborhood oriented districts which is representative of the districts demographic make up residential and business makeups." - towings

MV00131139

Public Plan 3 Counts

Public Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131140

Public Plan 3 Percentages

Public Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00131141

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MV00131142

September 20, 2011

To: Honorable Mayor Stewart, Mayor Pro Tem Molina and Council Members

Fr: Douglas Johnson, President

National Demographics Corporation (NDC) developed four plans as a way to stimulate public interest in the redistricting process. Each plan was designed to meet the federal mandates (equality of population and compliance with the Voting Rights Act), but the plans differed markedly from one another in the way they attempted to meet the other criteria established by the City. These plans are attached hereto.

NDC has worked closely with City Clerk Jane Halstead and her office. We have been impressed by the City's outreach efforts and the attempt to inform the public of the redistricting process and the opportunities for involvement in it.

Although attendance at the two public meetings was less than hoped for, we are encouraged by the use of the online redistricting system. A total of 24 people have created user IDs to access the system, and they have already submitted four proposed plans. In addition a fifth plan was submitted using the paper version of the public participation kit. We have been impressed, also, by the technical proficiency of some of the citizen plans and the effort they made to meet the criteria established by the City Council. NDC has developed maps and statistics for each of the citizen-drawn plans and they are attached hereto.

NDC staff members will be present at the Council meeting on September 27th. At that time, we hope for Council comments and direction on the four plans developed by NDC, as well as on the public plans. (Please note: Additional plans that may be submitted by citizens will be forwarded directly to the Council as they are received). In light of Councimembers' comments on September 27th, NDC will then develop a plan or plans for a possible decision by Council at a following meeting.

ATTACHMENTS:

- NDC Plan 1 map and demographics
- NDC Plan 2 map and demographics
- NDC Plan 3 map and demographics
- NDC Plan 4 map and demographics
- Public Plan 1 map and demographics("Moreno Valley Redistricting Committee")
- Public Plan 2 map and demographics ("Moreno Valley Redistricting Committee")
- Public Plan 3 map and demographics (Bleckert)
- Public Plan 4 map and demographics (Owing)

Phone: (909) 624-1442
FAX (818) 254-1221

P.O. Box 5271
Glendale, C 1

info@ NDCresearc
www.NDCresearc

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MV00131144

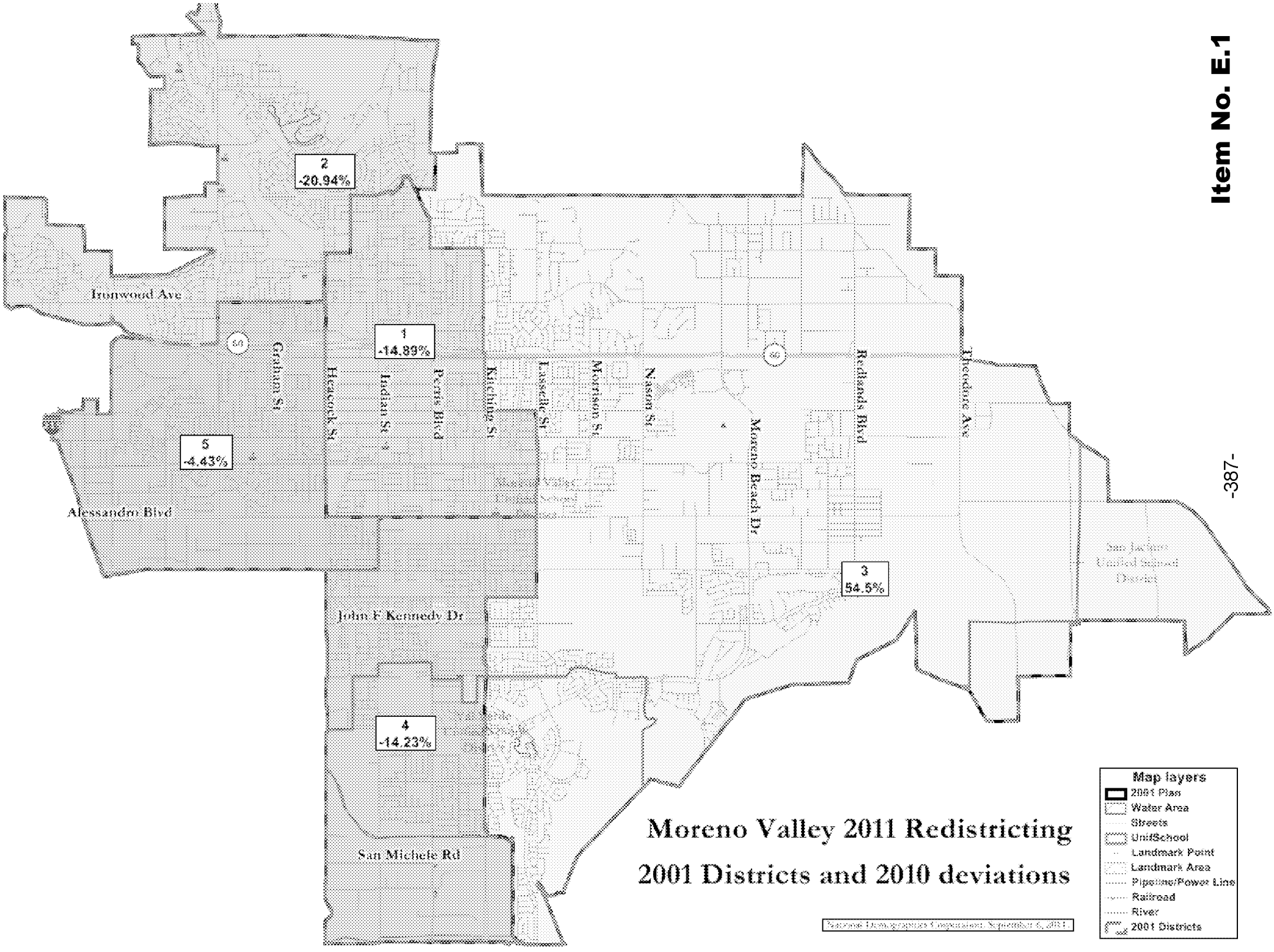
Moreno Valley 2011 Redistricting
2001 Districts and 2010 deviations
2
-20.94%
1
-14.89%
5
-4.43%
3
54.5%
4
-14.23%
Ironwood Ave
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
Alessandro Blvd
John F Kennedy Dr
San Michele Rd
Map layers
2001 Plan
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts

NDC

Moreno Valley 2001 Districts
Demographics

2001 Plan	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,915	-5,758	-14.89%	20,506	5,270	4,930	199	1,412	244	87	267
2	30,573	-8,100	-20.94%	13,450	8,981	5,373	139	2,141	122	59	308
3	59,750	21,077	54.50%	27,708	12,884	12,337	312	5,430	295	190	594
4	33,169	-5,504	-14.23%	21,067	4,572	5,300	113	1,629	175	77	236
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	29,177	75.45%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	21,794	12,416	4,369	3,369	146	1,116	168	62	148	10,535	4,035	142	134	276	4,583	1,557	59	57	116
2	21,969	8,733	7,346	3,763	111	1,687	85	43	201	14,221	3,968	269	228	497	7,434	1,777	111	104	215
3	41,255	17,459	10,458	8,371	231	4,092	191	135	318	23,563	7,129	503	417	920	11,812	3,071	208	177	385
4	21,809	12,949	3,736	3,459	80	1,273	116	47	149	10,667	4,503	161	174	335	4,757	1,824	57	75	132
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
2001 Plan	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,404	6,263	5,286	2,853	648	50	206	99	15,610	6,314	5,343	2,885	622	39	289	329	3,610
2	18,581	5,788	7,999	3,268	1,257	204	0	66	18,466	5,596	8,098	3,194	1,085	121	54	525	3,314
3	29,548	9,120	10,571	6,519	2,614	258	215	266	29,825	9,539	10,374	6,344	2,447	205	261	945	5,834
4	14,895	6,506	4,250	2,953	791	172	39	178	14,659	6,254	4,018	3,003	906	148	53	370	4,191
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131146

2001 Plan	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	16.0%	15.0%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.0%	29.4%	17.6%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.4%	21.6%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.5%	13.8%	16.0%	0.3%	4.9%	0.5%	0.2%	0.7%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	20.0%	15.5%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.3%	1.3%	2.6%	34.0%	1.3%	1.2%	2.5%
2	39.8%	33.4%	17.1%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.3%	25.3%	20.3%	0.6%	9.9%	0.5%	0.3%	0.8%	30.3%	2.1%	1.8%	3.9%	26.0%	1.8%	1.5%	3.3%
4	59.4%	17.1%	15.9%	0.4%	5.8%	0.5%	0.2%	0.7%	42.2%	1.5%	1.6%	3.1%	38.3%	1.2%	1.6%	2.8%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
2001 Plan	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.7%	40.7%	34.3%	18.5%	4.2%	0.3%	1.3%	0.6%	71.6%	40.4%	34.2%	18.5%	4.0%	0.2%	1.9%	2.1%	23.1%
2	84.6%	31.1%	43.0%	17.6%	6.8%	1.1%	0.0%	0.4%	84.1%	30.3%	43.9%	17.3%	5.9%	0.7%	0.3%	2.8%	17.9%
3	71.6%	30.9%	35.8%	22.1%	8.8%	0.9%	0.7%	0.9%	72.3%	32.0%	34.8%	21.3%	8.2%	0.7%	0.9%	3.2%	19.6%
4	68.3%	43.7%	28.5%	19.8%	5.3%	1.2%	0.3%	1.2%	67.2%	42.7%	27.4%	20.5%	6.2%	1.0%	0.4%	2.5%	28.6%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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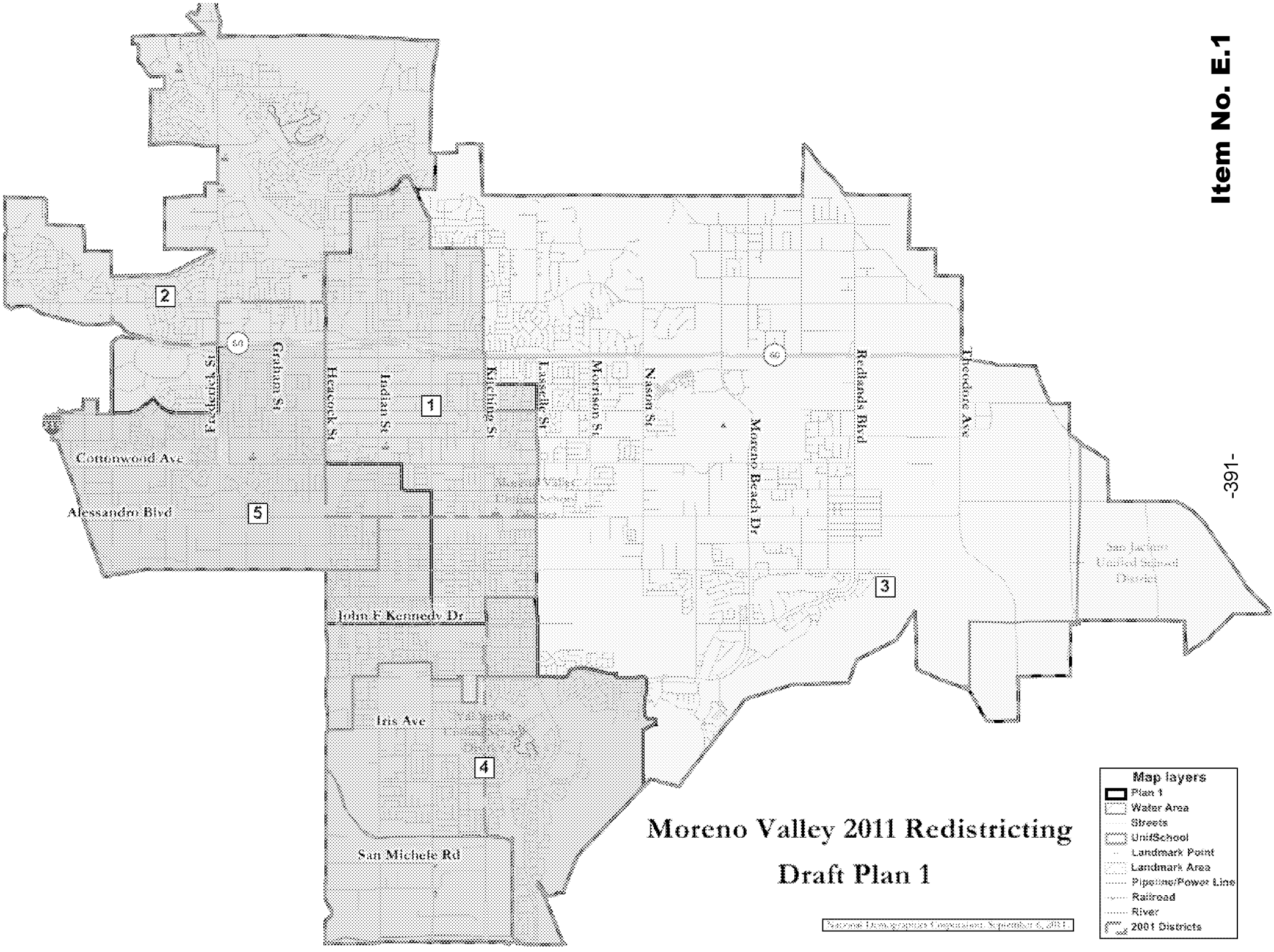
Moreno Valley 2011 Redistricting
Draft Plan 1
Map layers
Plan 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00131149

NDC

Moreno Valley Plan 1
Demographics

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
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Asn = Asian American
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Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	141
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131150

Moreno Valley Plan 1
Demographics

Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.1%	16.4%	15.8%	0.6%	4.5%	0.7%	0.3%	0.8%
2	44.5%	26.5%	20.1%	0.5%	6.7%	0.4%	0.2%	1.0%
3	44.2%	24.9%	18.9%	0.6%	9.6%	0.5%	0.4%	1.0%
4	57.3%	13.8%	20.3%	0.4%	6.6%	0.5%	0.2%	0.9%
5	65.1%	13.0%	14.7%	0.4%	5.2%	0.7%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.0%	20.4%	16.0%	0.6%	5.4%	0.7%	0.3%	0.6%	37.7%	1.3%	1.3%	2.6%	33.6%	1.1%	1.4%	2.5%
2	40.4%	30.6%	19.4%	0.5%	7.5%	0.4%	0.2%	1.0%	28.3%	1.9%	1.6%	3.5%	24.3%	1.5%	1.4%	2.9%
3	40.0%	28.8%	18.6%	0.6%	10.3%	0.4%	0.4%	0.8%	28.7%	2.2%	1.6%	3.9%	24.1%	1.8%	1.4%	3.2%
4	53.4%	16.8%	20.2%	0.4%	7.6%	0.6%	0.3%	0.7%	38.0%	1.9%	2.0%	3.9%	34.7%	1.6%	1.7%	3.3%
5	60.2%	16.4%	15.1%	0.4%	6.3%	0.7%	0.2%	0.7%	42.9%	1.9%	1.5%	3.3%	39.1%	1.5%	1.3%	2.8%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.5%	40.7%	33.6%	18.8%	4.7%	0.6%	1.1%	0.6%	73.3%	41.1%	32.9%	19.0%	4.6%	0.4%	1.6%	1.9%	23.0%
2	82.8%	31.4%	40.6%	19.7%	6.8%	0.9%	0.3%	0.4%	82.4%	30.7%	41.1%	19.3%	6.0%	0.6%	0.5%	3.0%	16.8%
3	73.9%	29.1%	39.0%	20.4%	9.0%	1.1%	0.9%	0.5%	74.1%	30.8%	37.6%	19.6%	7.7%	0.8%	1.2%	3.5%	18.4%
4	66.5%	37.6%	29.3%	23.4%	7.0%	0.5%	0.2%	1.9%	66.3%	35.9%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.5%	44.5%	24.0%	24.9%	5.6%	0.6%	0.1%	0.3%	66.1%	44.4%	22.9%	24.3%	5.7%	0.6%	0.2%	2.9%	27.5%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00131151

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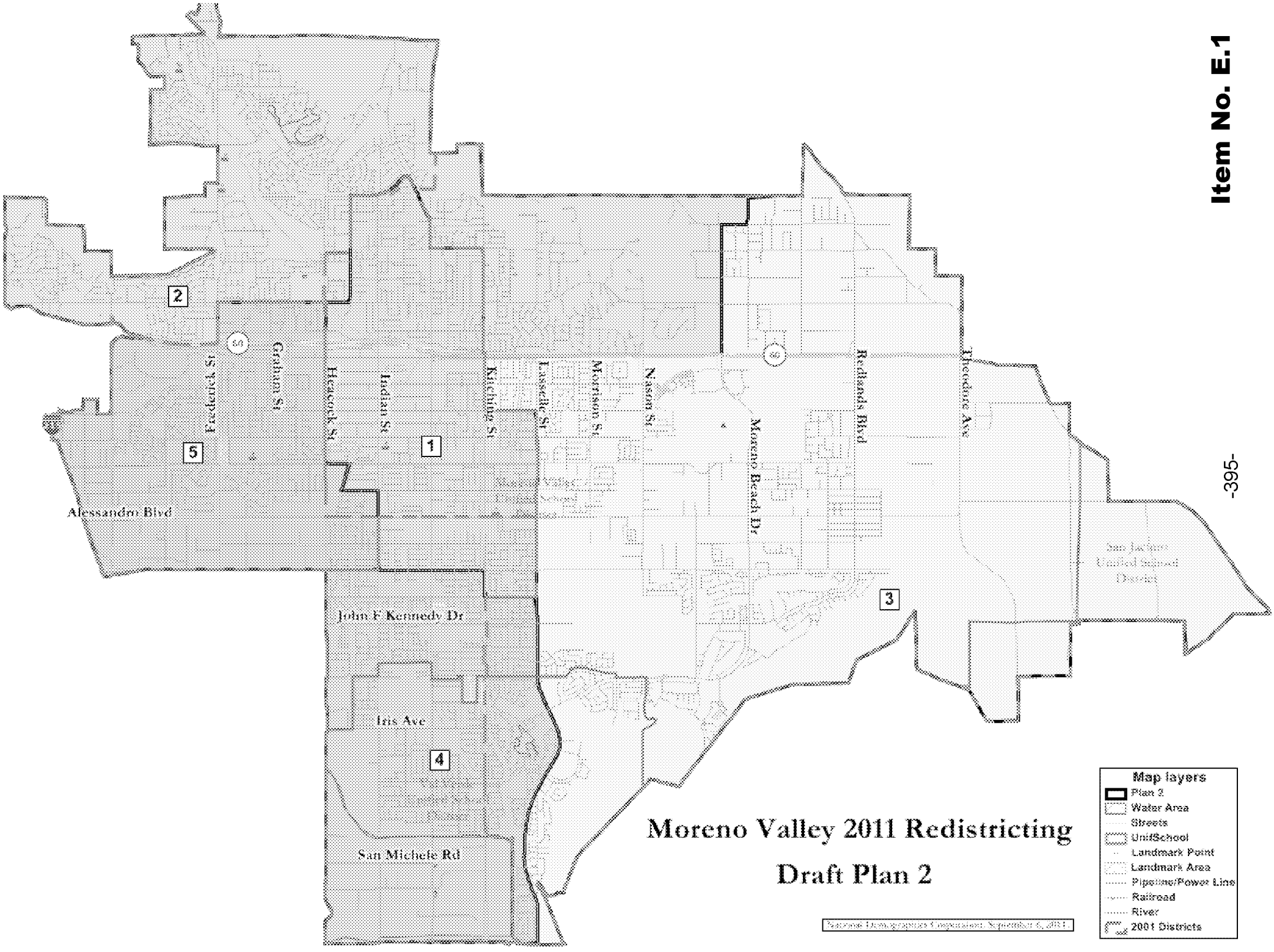
Moreno Valley 2011 Redistricting
Draft Plan 2
Map layers
Plan 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Graham St
Perris St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Moreno Valley Plan 2
Demographics

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	138
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131154

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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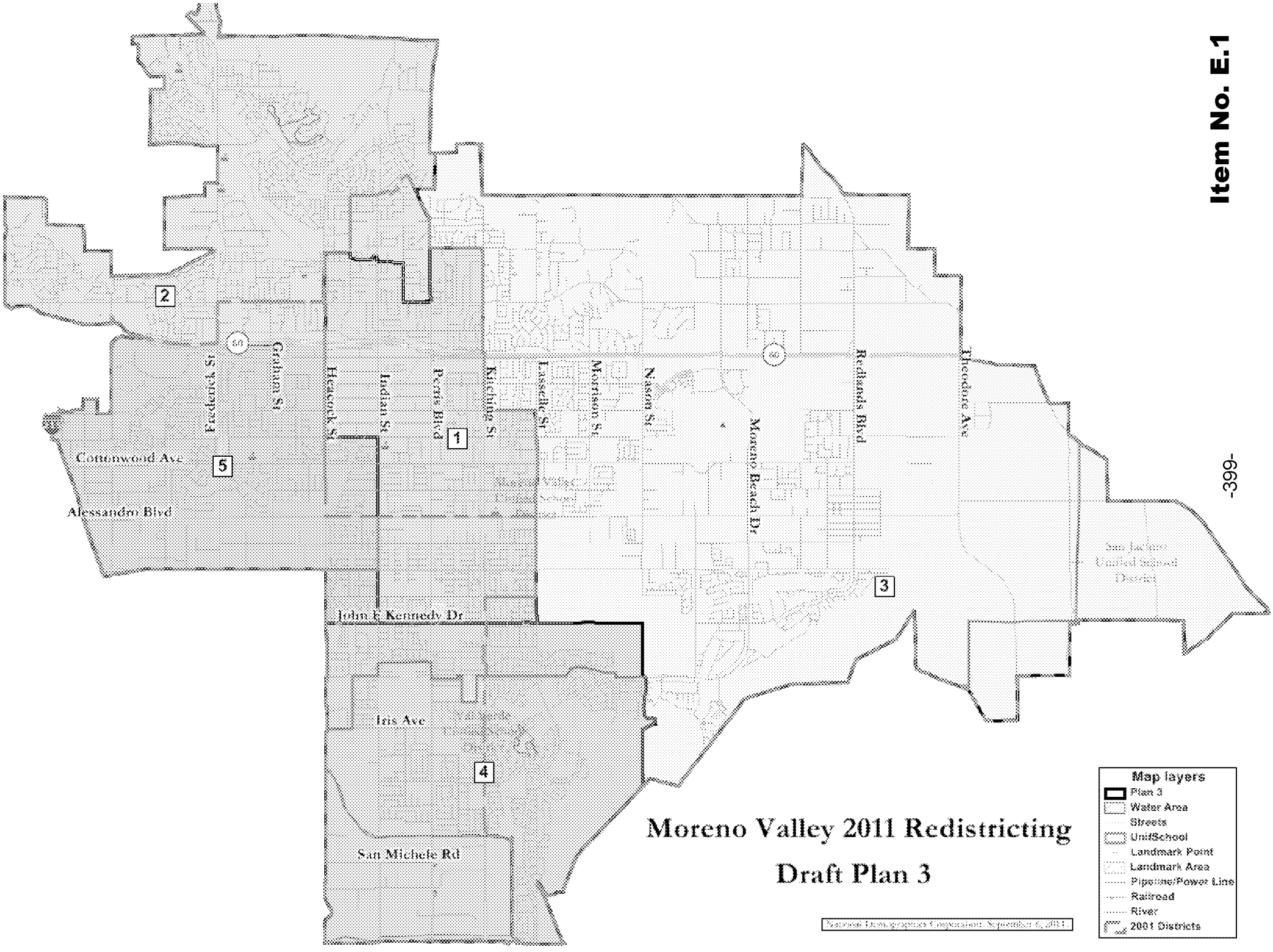
Moreno Valley 2011 Redistricting
Draft Plan 3
Map layers
Plan 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Moreno Valley Plan 3
Demographics

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131158

Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
2	45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
3	44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
4	56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
5	63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
2	40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
3	40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
4	52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
5	58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
2	84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
3	74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
4	66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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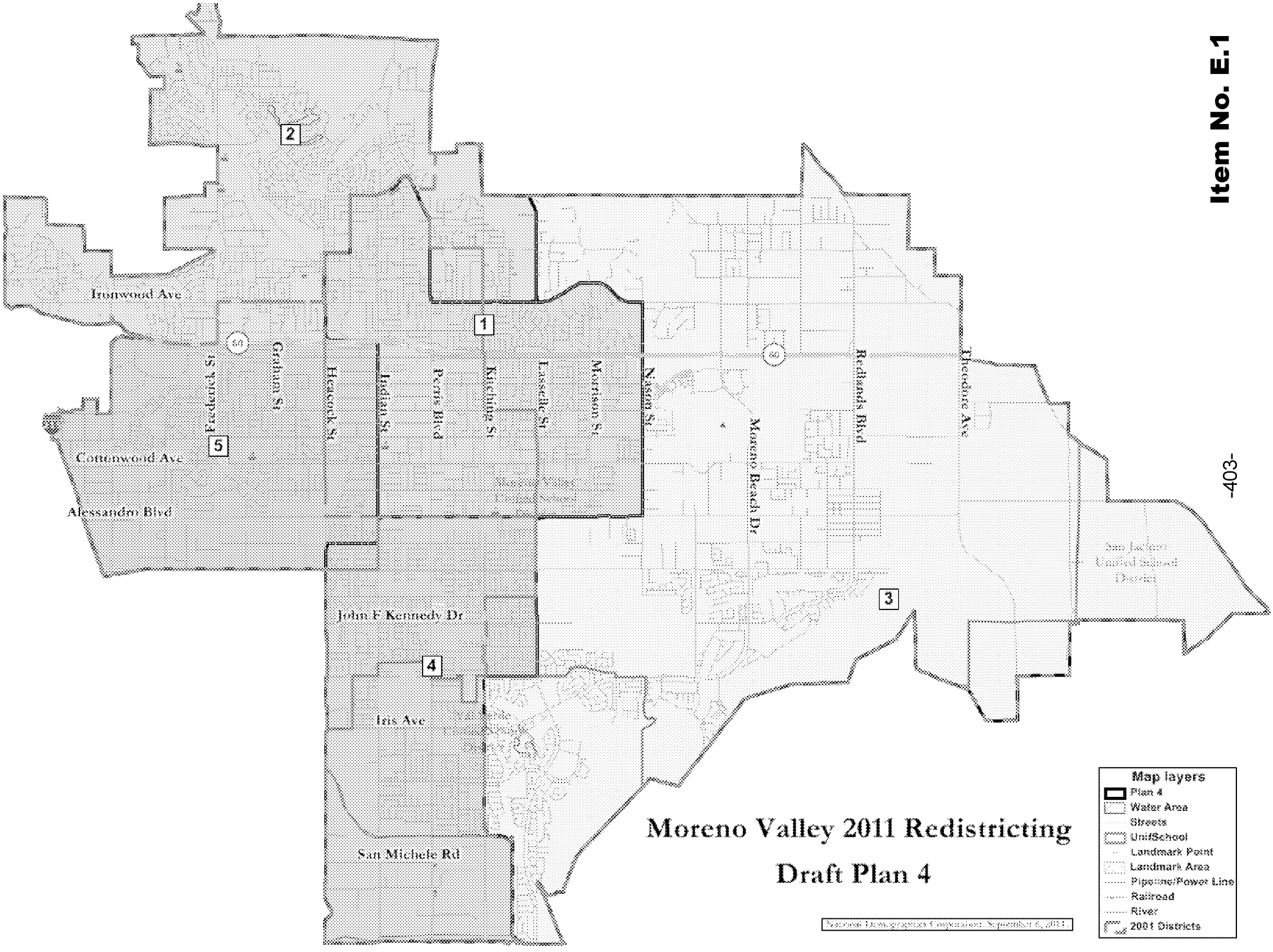
Moreno Valley 2011 Redistricting
Draft Plan 4
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
1
2
3
4
5
Map layers
Plan 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts

NDC

Moreno Valley Plan 4
Demographics

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	16.9%
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	19.4%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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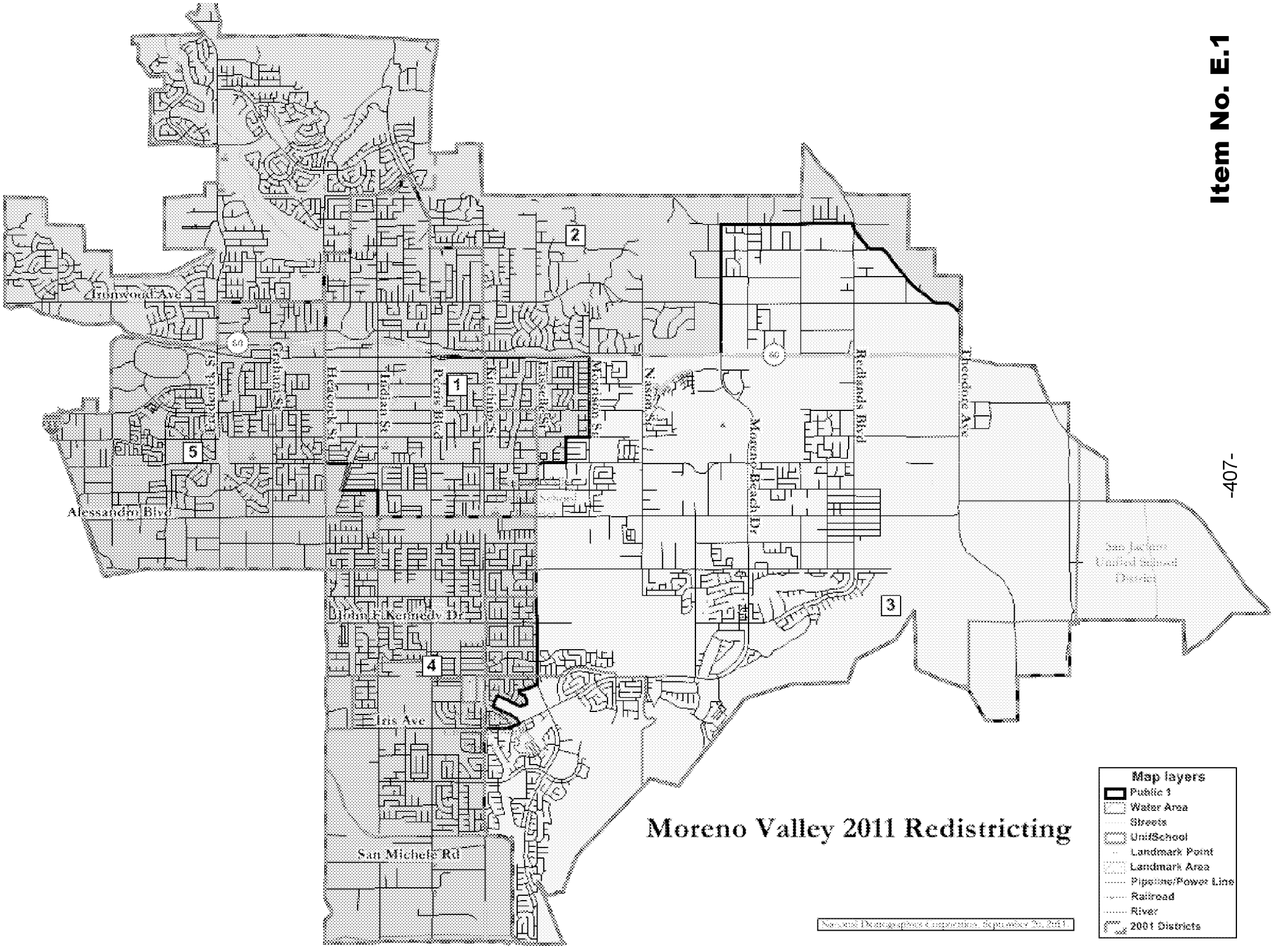
Moreno Valley 2011 Redistricting
Map layers
Public 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Indianwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Public Plan 1
Demographics

Pub. Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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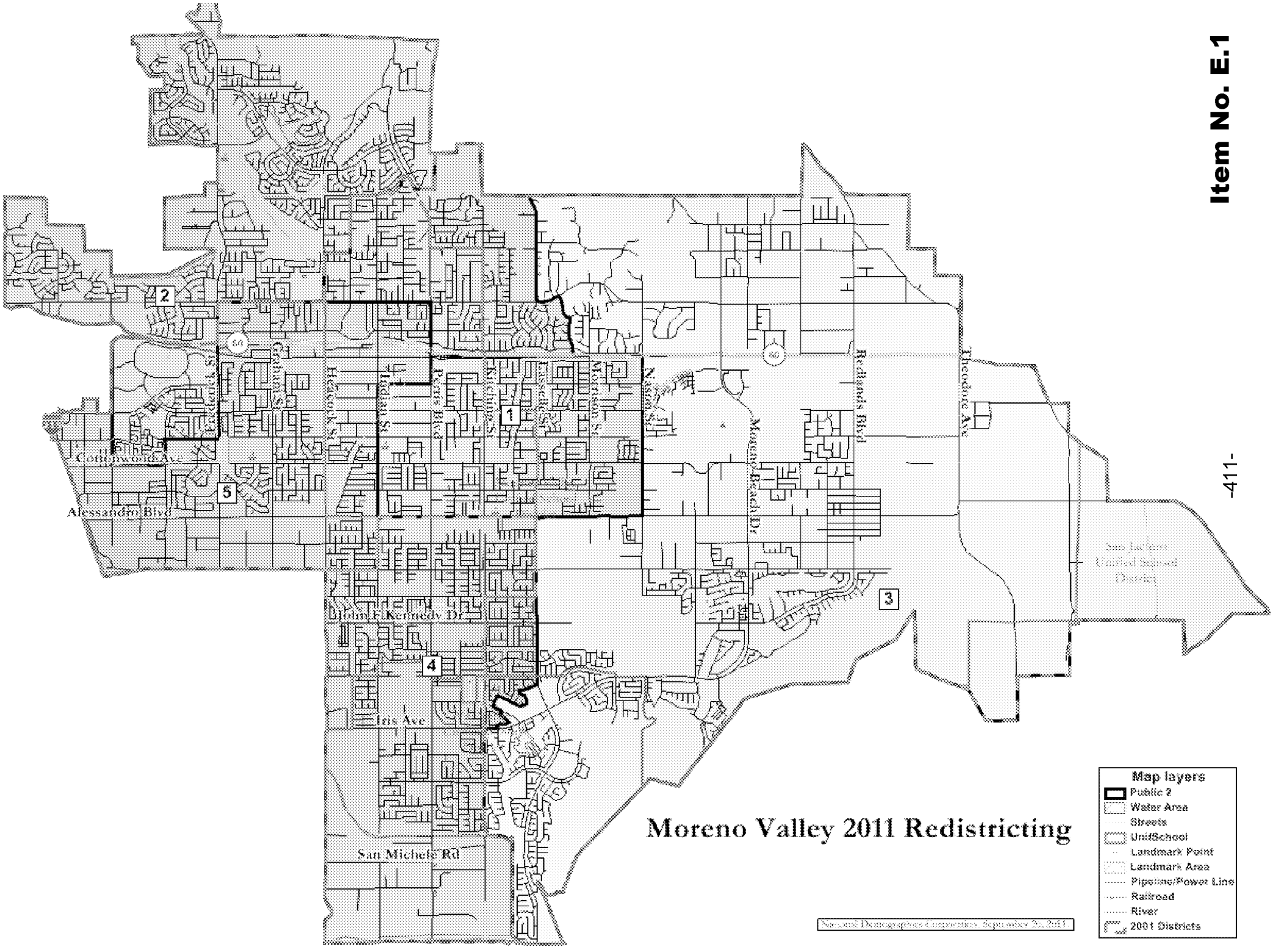
Moreno Valley 2011 Redistricting
Map layers
Public 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Cottonwood Ave
Graham St
Heacock St
Lindsay St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00131169

NDC

Public Plan 2
Demographics

Pub. Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,796	123	0.32%	22,173	7,301	5,917	249	2,477	237	117	325
2	38,840	167	0.43%	17,371	10,226	7,229	177	3,194	140	78	425
3	38,078	-595	-1.54%	16,012	8,760	8,571	170	3,827	214	120	404
4	38,679	6	0.02%	24,231	5,519	6,368	154	1,831	203	93	280
5	38,972	299	0.77%	25,382	4,767	6,643	163	1,303	306	72	336
Total	193,365	894	2.31%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,500	13,877	5,986	4,138	183	1,883	167	76	190	14,308	5,121	276	182	458	6,886	2,164	105	83	188
2	27,581	11,188	8,294	4,997	134	2,536	100	54	278	16,888	4,934	395	297	692	8,450	2,138	140	125	265
3	26,425	10,088	7,100	5,769	129	2,893	141	94	211	15,053	4,243	333	302	635	7,574	1,821	147	122	269
4	25,569	14,932	4,546	4,180	106	1,439	136	57	173	12,785	5,250	179	202	381	5,759	2,139	61	87	148
5	24,794	14,924	3,937	4,347	130	1,048	186	51	171	10,885	4,412	117	134	251	4,275	1,550	50	57	107
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,779	7,397	6,668	4,169	997	110	367	68	19,905	7,285	6,878	3,869	1,055	75	361	545	4,327
2	21,923	6,863	8,885	4,251	1,631	204	0	88	21,807	6,672	8,940	4,182	1,462	121	54	597	3,900
3	18,175	5,147	6,819	3,820	1,931	179	42	244	18,896	5,878	6,847	3,924	1,612	153	135	592	3,636
4	17,825	7,517	5,347	3,560	982	187	41	186	17,229	7,117	4,769	3,639	1,158	160	61	436	4,755
5	17,369	7,414	4,600	4,377	804	23	70	98	17,191	7,328	4,443	4,146	786	50	97	536	3,910
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.2%	18.8%	15.3%	0.6%	6.4%	0.6%	0.3%	0.8%
2	44.7%	26.3%	18.6%	0.5%	8.2%	0.4%	0.2%	1.1%
3	42.1%	23.0%	22.5%	0.4%	10.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.7%	0.5%	0.2%	0.7%
5	65.1%	12.2%	17.0%	0.4%	3.3%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.4%	22.6%	15.6%	0.7%	7.1%	0.6%	0.3%	0.7%	35.8%	1.9%	1.3%	3.2%	31.4%	1.5%	1.2%	2.7%
2	40.6%	30.1%	18.1%	0.5%	9.2%	0.4%	0.2%	1.0%	29.2%	2.3%	1.8%	4.1%	25.3%	1.7%	1.5%	3.1%
3	38.2%	26.9%	21.8%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.2%	2.0%	4.2%	24.0%	1.9%	1.6%	3.6%
4	58.4%	17.8%	16.3%	0.4%	5.6%	0.5%	0.2%	0.7%	41.1%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	60.2%	15.9%	17.5%	0.5%	4.2%	0.8%	0.2%	0.7%	40.5%	1.1%	1.2%	2.3%	36.3%	1.2%	1.3%	2.5%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.6%	37.4%	33.7%	21.1%	5.0%	0.6%	1.9%	0.3%	75.1%	36.6%	34.6%	19.4%	5.3%	0.4%	1.8%	2.7%	21.7%
2	79.5%	31.3%	40.5%	19.4%	7.4%	0.9%	0.0%	0.4%	79.1%	30.6%	41.0%	19.2%	6.7%	0.6%	0.2%	2.7%	17.9%
3	68.8%	28.3%	37.5%	21.0%	10.6%	1.0%	0.2%	1.3%	71.5%	31.1%	36.2%	20.8%	8.5%	0.8%	0.7%	3.1%	19.2%
4	69.7%	42.2%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	70.1%	42.7%	26.5%	25.2%	4.6%	0.1%	0.4%	0.6%	69.3%	42.6%	25.8%	24.1%	4.6%	0.3%	0.6%	3.1%	22.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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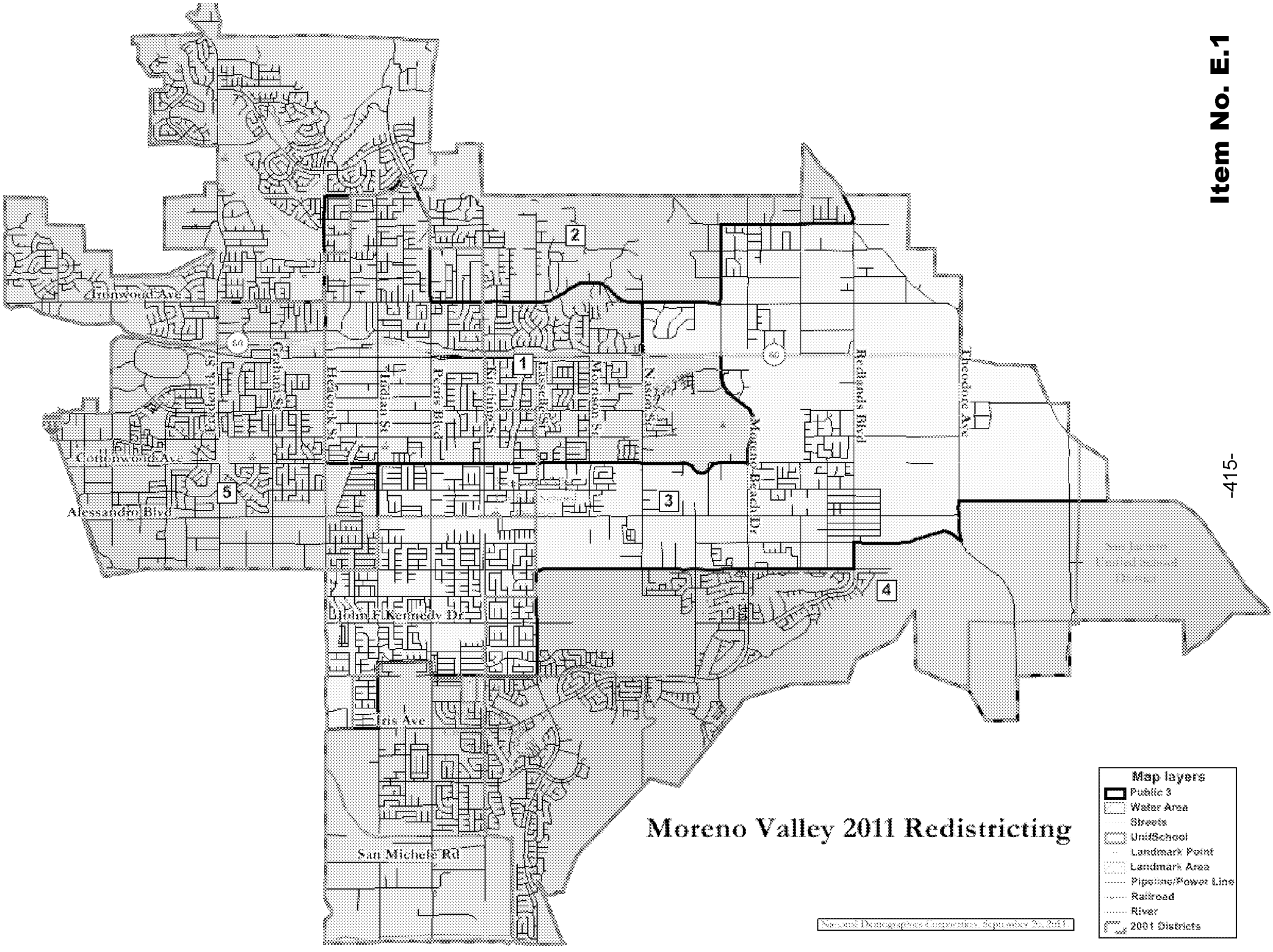
Moreno Valley 2011 Redistricting
Map layers
Public 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Indian St
Perris Blvd
Nason St
Redlands Blvd
Theodore Ave
Moreno Beach Dr
Graham St
Heacock St
Cottonwood Ave
Alessandro Blvd
San Michele Rd
Iris Ave

MV00131173

NDC

Public Plan 3
Demographics

Pub. Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	40,047	1,374	3.55%	23,337	7,050	6,329	250	2,368	232	124	357
2	33,724	-4,949	-12.80%	14,620	10,386	5,657	164	2,372	131	63	331
3	41,248	2,575	6.66%	24,589	7,521	6,126	195	2,173	221	111	312
4	38,875	202	0.52%	18,585	6,434	9,430	143	3,571	226	105	381
5	39,471	798	2.06%	24,038	5,182	7,186	161	2,148	290	77	389
Total	193,365	7,524	19.46%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,947	14,318	5,756	4,389	197	1,829	163	88	207	13,735	4,894	222	210	432	6,321	1,989	89	97	186
2	24,509	9,568	8,590	4,008	127	1,864	94	45	213	16,118	4,379	309	237	546	8,645	1,982	123	107	230
3	27,723	15,215	6,242	4,051	138	1,681	147	73	176	14,598	5,649	180	208	388	6,856	2,312	74	94	168
4	26,123	11,558	5,081	6,248	99	2,706	147	75	209	13,868	4,432	353	290	643	6,512	1,844	141	112	253
5	25,567	14,350	4,194	4,735	121	1,719	179	51	218	11,600	4,606	236	172	408	4,610	1,685	76	64	140
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,662	7,428	6,706	4,165	1,038	61	139	121	19,682	7,373	6,817	3,899	959	75	235	541	3,961
2	21,021	6,314	9,283	3,563	1,366	253	170	69	20,718	6,250	9,027	3,536	1,212	131	164	640	3,722
3	19,409	7,563	6,876	3,308	1,128	290	104	145	19,422	7,719	6,225	3,687	1,149	216	172	475	5,031
4	17,606	6,007	5,015	4,436	1,752	80	47	274	17,863	5,951	5,512	4,174	1,665	91	88	498	3,974
5	17,373	7,026	4,440	4,704	1,061	20	60	75	17,343	6,988	4,295	4,464	1,087	46	50	552	3,839
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00131174

Pub. Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.8%	0.6%	5.9%	0.6%	0.3%	0.9%
2	43.4%	30.8%	16.8%	0.5%	7.0%	0.4%	0.2%	1.0%
3	59.6%	18.2%	14.9%	0.5%	5.3%	0.5%	0.3%	0.8%
4	47.8%	16.6%	24.3%	0.4%	9.2%	0.6%	0.3%	1.0%
5	60.9%	13.1%	18.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.1%	21.4%	16.3%	0.7%	6.8%	0.6%	0.3%	0.8%	35.6%	1.6%	1.5%	3.1%	31.5%	1.4%	1.5%	2.9%
2	39.0%	35.0%	16.4%	0.5%	7.6%	0.4%	0.2%	0.9%	27.2%	1.9%	1.5%	3.4%	22.9%	1.4%	1.2%	2.7%
3	54.9%	22.5%	14.6%	0.5%	6.1%	0.5%	0.3%	0.6%	38.7%	1.2%	1.4%	2.7%	33.7%	1.1%	1.4%	2.5%
4	44.2%	19.5%	23.9%	0.4%	10.4%	0.6%	0.3%	0.8%	32.0%	2.5%	2.1%	4.6%	28.3%	2.2%	1.7%	3.9%
5	56.1%	16.4%	18.5%	0.5%	6.7%	0.7%	0.2%	0.9%	39.7%	2.0%	1.5%	3.5%	36.6%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.0%	37.8%	34.1%	21.2%	5.3%	0.3%	0.7%	0.6%	73.0%	37.5%	34.6%	19.8%	4.9%	0.4%	1.2%	2.7%	20.1%
2	85.8%	30.0%	44.2%	16.9%	6.5%	1.2%	0.8%	0.3%	84.5%	30.2%	43.6%	17.1%	5.9%	0.6%	0.8%	3.1%	18.0%
3	70.0%	39.0%	35.4%	17.0%	5.8%	1.5%	0.5%	0.7%	70.1%	39.7%	32.1%	19.0%	5.9%	1.1%	0.9%	2.4%	25.9%
4	67.4%	34.1%	28.5%	25.2%	10.0%	0.5%	0.3%	1.6%	68.4%	33.3%	30.9%	23.4%	9.3%	0.5%	0.5%	2.8%	22.3%
5	67.9%	40.4%	25.6%	27.1%	6.1%	0.1%	0.3%	0.4%	67.8%	40.3%	24.8%	25.7%	6.3%	0.3%	0.3%	3.2%	22.1%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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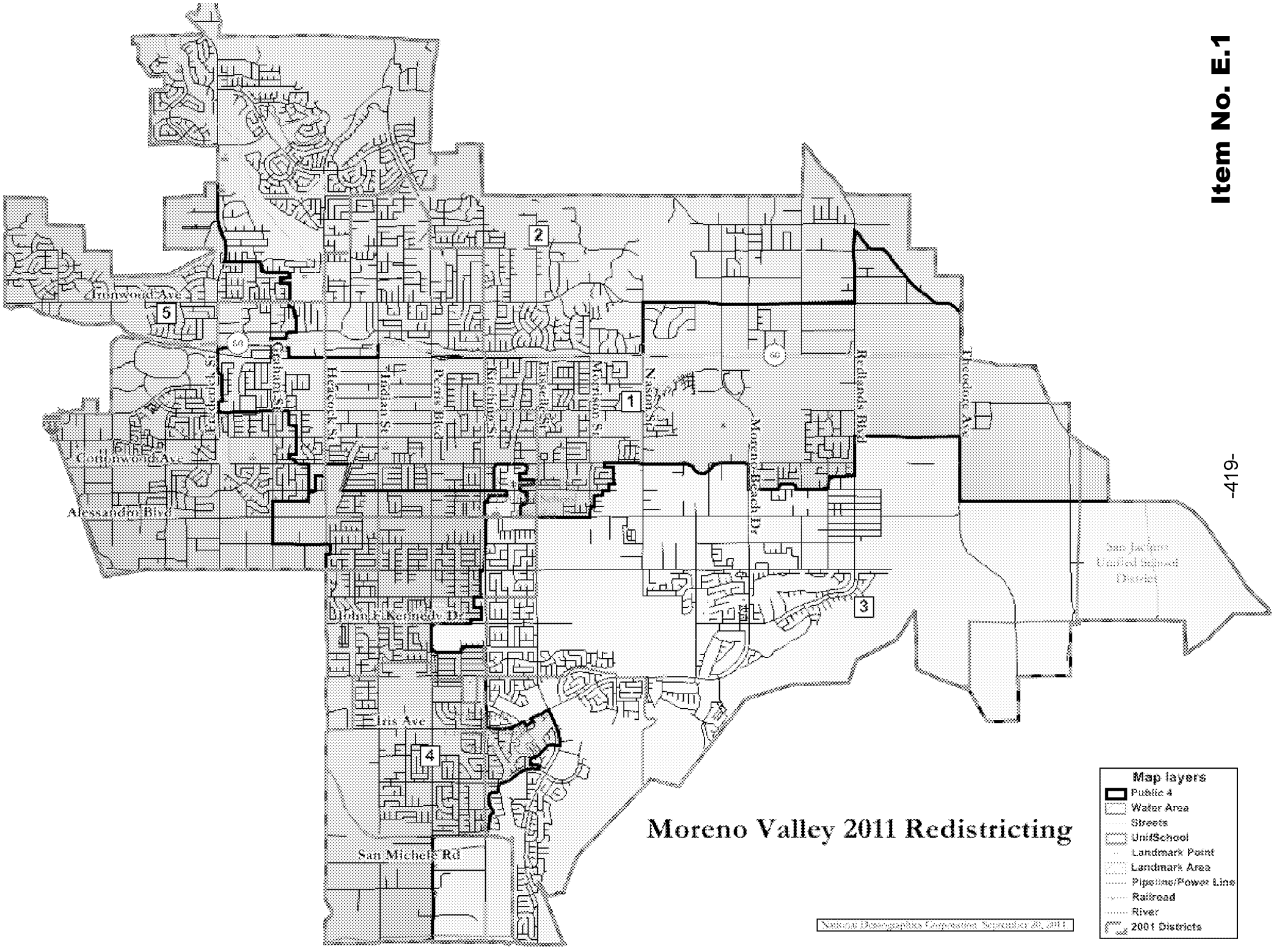
Moreno Valley 2011 Redistricting
Map layers
Public 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Iris Ave
San Michele Rd
John F Kennedy Dr
Alessandro Blvd
Cottonwood Ave
Eucalyptus Ave
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave

MV00131177

Public Plan 4 - Owings
Demographics

Pub. Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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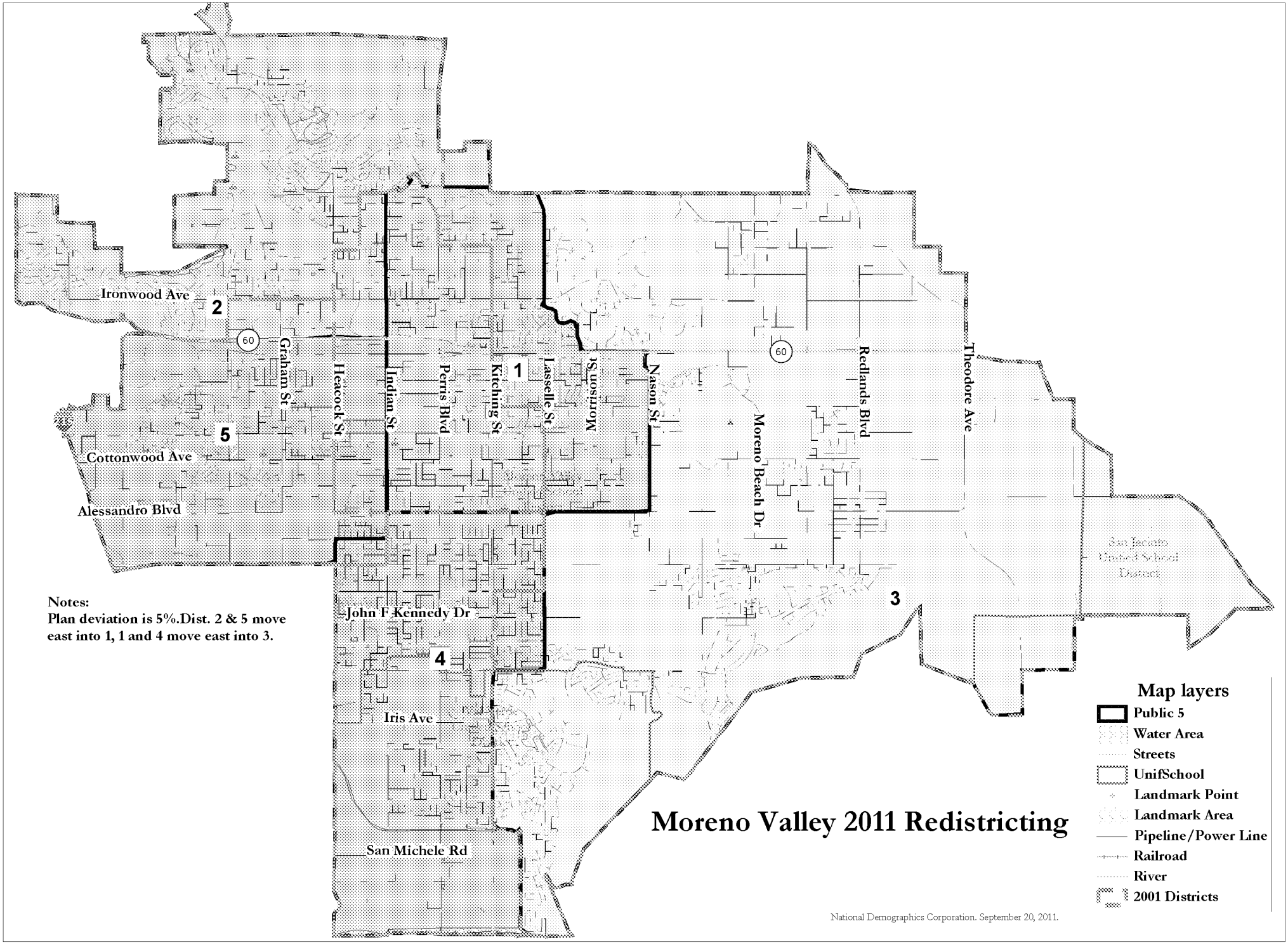

Moreno Valley 2011 Redistricting

Notes:
Plan deviation is 5%.Dist. 2 & 5 move east into 1, 1 and 4 move east into 3.

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Pub. Plan 5	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,368	-305	-0.79%	22,056	6,878	6,089	224	2,430	238	114	339
2	38,178	-495	-1.28%	17,347	10,448	7,200	200	2,373	158	73	379
3	40,050	1,377	3.56%	17,034	9,026	9,097	183	3,934	223	135	418
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,872	4.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,147	13,808	12,339	5,637	4,140	108	1,716	155	65	14,065	5,063	255	189	444	6,709	2,136	99	88	187
2	26,978	11,071	15,907	8,546	4,778	101	1,698	94	38	16,541	4,653	305	245	550	8,374	2,012	123	107	230
3	27,765	10,721	17,044	7,329	5,987	86	2,790	129	83	15,876	4,496	335	323	658	7,969	1,921	148	128	276
4	25,316	14,911	10,405	4,507	3,918	63	1,355	128	46	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	10,165	3,844	4,006	73	1,542	162	44	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	65,860	29,863	22,829	431	9,101	668	276	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 5	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,521	7,384	6,427	4,150	1,008	111	375	68	19,545	7,245	6,574	3,837	1,064	79	399	518	4,175
2	22,818	7,229	9,534	4,304	1,397	206	62	81	22,790	7,072	9,674	4,231	1,203	143	113	673	3,846
3	19,259	5,566	7,139	4,091	2,004	180	42	244	19,840	6,200	7,142	4,139	1,696	157	137	620	3,836
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 5	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.5%	17.9%	15.9%	0.6%	6.3%	0.6%	0.3%	0.9%
2	45.4%	27.4%	18.9%	0.5%	6.2%	0.4%	0.2%	1.0%
3	42.5%	22.5%	22.7%	0.5%	9.8%	0.6%	0.3%	1.0%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.8%	47.2%	21.6%	15.8%	0.4%	6.6%	0.6%	0.2%	36.0%	1.8%	1.3%	3.2%	31.8%	1.5%	1.3%	2.8%
2	41.0%	59.0%	31.7%	17.7%	0.4%	6.3%	0.3%	0.1%	28.1%	1.8%	1.5%	3.3%	24.0%	1.5%	1.3%	2.7%
3	38.6%	61.4%	26.4%	21.6%	0.3%	10.0%	0.5%	0.3%	28.3%	2.1%	2.0%	4.1%	24.1%	1.9%	1.6%	3.5%
4	58.9%	41.1%	17.8%	15.5%	0.2%	5.4%	0.5%	0.2%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	41.2%	15.6%	16.2%	0.3%	6.3%	0.7%	0.2%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	50.3%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 5	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.7%	37.8%	32.9%	21.3%	5.2%	0.6%	1.9%	0.3%	74.8%	37.1%	33.6%	19.6%	5.4%	0.4%	2.0%	2.6%	21.4%
2	84.6%	31.7%	41.8%	18.9%	6.1%	0.9%	0.3%	0.4%	84.5%	31.0%	42.4%	18.6%	5.3%	0.6%	0.5%	3.0%	16.9%
3	69.4%	28.9%	37.1%	21.2%	10.4%	0.9%	0.2%	1.3%	71.5%	31.2%	36.0%	20.9%	8.5%	0.8%	0.7%	3.1%	19.3%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

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MV00131186

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: September 27, 2011

TITLE: MEDIA AND COMMUNICATIONS STRATEGY

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed Media and Communications Strategy.

BACKGROUND

At the May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image. An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business*. One of the five action steps included in the plan was to improve the City's marketing and communication efforts. The proposed Media and Communication Strategy addresses the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

DISCUSSION

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly

positive reality that we recognize. Understanding that perception oftentimes equals reality, the proposed Media and Communication Strategy (attached) aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure accurate information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley. As indicated in the attached plan, each action has been assigned to the appropriate department for implementation.

ALTERNATIVES

1) Approve the proposed Media and Communications Strategy. *Staff recommends this alternative as the proposed strategy helps address the Council's expressed goals of enhancing the City's image, expanding communication outreach to the public and improving the City's marketing and communication efforts (one of the adopted action steps to make Moreno Valley a Best Place to do Business.)*

2) Not approve the proposed Media and Communications Strategy. *Staff does not recommend this alternative as the proposed strategy is a task related to the Council-adopted goal to enhance the City's image and is part of the Council-adopted action steps to make Moreno Valley a Best Place to do Business.*

FISCAL IMPACT

Implementing the proposed Media and Communications Strategy will have no fiscal impact as all of the strategies and action items can be executed within the adopted budget.

COUNCIL GOALS

Positive Environment: Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and

executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The proposed Media and Communications Strategy assists in addressing the City Council's goal of enhancing the City's image and implements the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business.* The proposed strategy will help enhance the City's efforts in economic development and in making Moreno Valley a great place to live, visit, work and do business.

ATTACHMENT

Proposed Media and Communications Strategy

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00131190

Introduction

At their May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image (see Attachment "A"). An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business* (Attachment "B"). One of the five action steps included in the plan was to improve the City's marketing and communication efforts. This Media and Communication Strategy address the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly positive reality that we recognize. Understanding that perception oftentimes equals reality, this Media and Communication Strategy aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure <u>accurate</u> information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley.

Target Audience

Communicating accurate information to better promote Moreno Valley is everybody's job. By providing target audiences with timely and informative news about their community we can help ensure that our many positives outweigh the periodic negative items that occur in every community. It is critical that the City clearly communicates information to the community in a helpful, accessible, consistent, and unintimidating manner to ensure that the citizens, businesses, and visitors to Moreno Valley feel welcome and engaged within in our community.

Primary Target Audience

The primary target audiences for an effective media and communications strategy are the groups of people with whom the City wishes to regularly communicate on a variety of topics and issues:

- Residents of Moreno Valley
- City Council, Commissions, and Committees
- Non-profit organizations
- County, State, and Federal representatives
- Community groups and organizations
- News media
- Development community
- Chambers of Commerce
- Existing businesses, property owners, and managers
- Public agencies
- Employees
- Regional organizations and agencies
- Volunteers
- School Districts
- Visitors to Moreno Valley

Secondary Target Audience

The secondary target audiences are groups with which the City communicates on a semi-regular basis:

- Businesses in neighboring cities and communities
- Other government television stations
- Residents living in neighboring cities and communities
- Future or potential residents

Goals, Strategies and Actions

With the understanding that a Media and Communications Strategy that builds on strong themes is more effective than a program with scattered and unrelated messages, key themes will be communicated frequently in a variety of ways utilizing simple messages. It is important that all communications reinforce and reflect the goals and target issues of the City as established by the City Council, underscoring the idea of an organization with its focus on "people, pride and progress."

Goal 1: Ensure Accurate Information is Disseminated to the Public

Accuracy is the most basic, and also the most critical, element in communicating effectively. The following goals and strategies will assist in ensuring that accurate and timely information is being provided by the City:

Strategy: Ensure continuity of message.

Action:

- **Review and reinforce City administrative policy #2.5, "Public Information & Media Relations"** (Attachment "C"), which establishes procedures and guidelines for the coordination and dissemination of information to the public on behalf of the City. In order to ensure accuracy and continuity of message, all departments will observe this policy, with particular attention to the following (Assigned to: All Departments):

  All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

Strategy: Ensure that the City's Website contains current information and continue to enhance the site to improve user-friendliness

Actions:

- **Perform an audit of the City's website** to ensure that it is user friendly and data rich, and identify areas where processes can be clarified (Assigned to: City Manager's Office and the Community and Economic Development Department)
- **Review the City's main web page daily** for current content and remove any outdated content immediately (Assigned to: City Manager's Office)
- **Reactivate the City's Media Liaison Team**
  - Update the current Media Liaison list to include one representative from each Department that is responsible to maintain the information on their department web pages (Assigned to: City Manager's Office)
  - Team will participate in regular meetings (Assigned to: All Departments)
  - Team will work together to improve the utilization of social media sources (Assigned to: All Departments)
  - Solicit article ideas for submission to various business journals, government magazines, and other news media to promote City programs and events (Assigned to: All Departments)
  - Review the City's *Brand & Style Guide* with all departments to ensure continued and consistent usage (Assigned to: All Departments)
  - Team will review information posted by the webmaster for accuracy (Assigned to: All Departments)

Goal 2: Maximize media and communication resources to 1) better promote the City's many positive events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business

Strategy: Develop a retooled marketing plan (Assigned to: Community and Economic Development Department)

Actions:

- **Encourage cooperative marketing opportunities** with targeted area developers to attract tenants through outreach to media outlets and the community
- **Promote the vision that Moreno Valley is a Medical Community** as outlined in the Economic Development Action Plan adopted by City Council in April 2011 through creating media content for the City's website, developing public service announcements, and working with media outlets to distribute storylines detailing this development
- **Brand the City as a Best Place to do Business and as a Job Center**
- **Identify new publications and aggressively pursue publication** of City stories to print media in addition to the Press-Enterprise and working with editors to ensure they are published, including business journals (Assigned to: City Manager's Office and Community and Economic Development Department)
- Work with the Moreno Valley Chamber of Commerce to **videotape the featured speaker at the monthly Wake Up Moreno Valley** meetings for airing on MVTV-3 to promote local programs and businesses (Assigned to: City Manager's Office)
- **Develop a City media packet** with information on City staff and community data (Assigned to: City Manager's Office)
- **Billboard signage campaign** to fill unused billboard space to promote City information for free or at reduced costs. (Assigned to: Community and Economic Development Department)
- Work with the Moreno Valley Police Department to **establish a press release policy** identifying which events and actions warrant media notification. (Assigned to: City Manager's Office)
- MVTV-3 **video productions promoting local restaurants**, similar to current Spotlight on Business productions (Assigned to: City Manager's Office)

Strategy: Develop smartphone applications to improve communication and connectivity (Assigned to: Financial and Administrative Services Department)

Actions:

- **Establish a City committee** to develop the use of Smartphone applications
    - Assign at least one committee member from each department
    - Invite the Chambers of Commerce to participate
    - Survey City staff, community members, and other cities to identify desired smartphone applications specific to Moreno Valley such as:
        - Promoting City events
        - Connecting to City services such as reporting stray animals, graffiti, potholes, etc.
        - Crime tip reporting and online crime maps
        - Places to dine and stay

- **Explore cost sharing opportunities** for the development and maintenance of applications that include:
    - Public Safety related items, seek grants for federal funding opportunities (Assigned to: City Manager's Office, Police and Fire)
    - Chamber of Commerce related items in order to create a "Things to do" and "Place to dine" section for the application (Assigned to: Community and Economic Development Department and City Manager's Office)

Strategy: Create and maintain a Community Calendar

Actions:
- Work with the Chambers of Commerce to **establish a joint community calendar of events** (Assigned to: Community and Economic Development Department and City Manager's Office).
- **Develop an online form** for businesses, non-profit organizations, homeowners associations, schools, etc. to easily submit information on community events that they are sponsoring (Assigned to: City Manager's Office)
- **Promote the Community Calendar events** by distributing the calendar via the City's e-mail database and ensure that the City's Twitter account sends out information in a timely manner regarding these events (Assigned to: City Manager's Office)

Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services

The City will be proactive in communicating with the community rather than reactive. By taking a positive approach in the planning and execution of communicating with the community, the City will build a stronger rapport with our residents, business owners, and stakeholders. While the City currently offers a variety of ways for its citizens to provide input and learn about City services, it is imperative that the City continues to encourage residents and businesses to communicate both positive and negative issues with their Council representative and with City staff. It is also important to demonstrate the value of City services so that our residents understand and support local government.

Strategy: Enhance direct communications by the City Council and City Staff with the community (Assigned to: City Manager's Office)

Actions
- **Establish Council Connection Town Hall meetings** within each City Council District promoting two-way communication with residents (Assigned to: City Manager's Office and City Council Office)
    - Include meet and greet with Department Heads, remarks by the Council Member and City Manager, a presentation focusing on one topic (public safety, economic development, etc.), and a question & answer session.
    - Post all questions and answers from each Town Hall meeting on the City's web site within on week.

- **Establish City and Business Connection Luncheons** in each Council District as an opportunity for business leaders to communicate with their Council Member (Assigned to: Community and Economic Development Department)
- **Develop and build an e-mail database** to distribute e-mail "blasts" to residents and businesses containing City news and events (Assigned to: City Manager's Office)
- Investigate the **use of podcasting** City Council and Planning Commission meetings (Assigned to: City Manager's Office)
- Convert "City Link" from a quarterly publication distributed as part of "Soaring" to a **monthly e-newsletter** (Assigned to: City Manager's Office)
- **Include performance indicators** in City publications to celebrate accomplishments and educate residents about the benefits of City programs and services.

Strategy: Improve the City's use of social networking

Actions
- **Increase the use of Facebook** by City Departments (Assigned to: City Manager's Office)
- **Increase the number of City followers on Twitter** by providing "how to" training to staff to enhance City Departments' use (Assigned to: All City Departments)
- Increase the community's awareness and viewership of City Programming that is available on **YouTube** (Assigned to: City Manager's Office)

Media and Communications Toolbox

The City uses a variety of interactive communication tools and techniques wherever and whenever possible to involve target audiences in the communications process. This aids in building the idea that this is not just the residents' City or the businesses' City but this is everyone's City. Below is a list of the tools to be used by City staff to communicate effectively with both our primary and secondary target audiences.

- Advertisements
- Booths at major events
- Brochures
- Citizen surveys
- City Council meetings
- *City Link* e-newsletter
- City website
- Comprehensive Annual Fiscal Report
- Fact Sheet
- Facebook
- Internet
- Media packet
- MVTV-3
- New conferences
- Open house events
- Parks and Recreation *Soaring* guide
- Press releases
- Public service announcements
- Publish articles in magazines and business journals
- Radio talk programs
- Town Hall meetings
- State of the City
- Council business luncheons
- Twitter
- Utility Bill Insert
- You Tube

Assessment

City Staff will periodically review and assess progress made in achieving the goals described in this Media and Communication Plan by measuring its success utilizing a variety of tools, including:

- Content of media coverage
- City Council surveys
- Communication and service awards
- Survey e-mail subscribers from the City's website
- News release totals
- Web visitors and Web analyses

Summary

The intent of this plan is to foster proactive communications with the Moreno Valley community and neighboring communities reflecting the many positive aspects of our City; to connect the public with the government by reaching out and establishing two-way communications through a variety of resources; to promote Moreno Valley as a *Best Place to do Business*; and to better control our message by ensuring that accurate information about Moreno Valley is distributed to the public. Every resident, business owner, and employee within the City "owns" a piece of Moreno Valley and it is the job of each of these stakeholders to promote our community as the place to be. This plan is a dynamic strategy that will serve as a road map to assist in this endeavor.

Attachment "A"

Prioritized Goal #5: Enhance City Image
Actions
1. Develop Media & Communications Strategy: a. Increase use of Social Networks b. E-mail Blasts c. Expand Communication Outreach/ Networking d. District Town Hall Meetings
2. Corridor Beautification Program

Further defined tasks, responsible department, and schedule:

TASK	DEPARTMENT	SCHEDULE
Develop database of e-mail addresses to distribute immediate information to residents, businesses, and other agencies	**CMgr**	**June 2011**
Transition "City Link" newsletter to an on-line e-newsletter posted on the web site and automatically e-mailed to subscribed residents and businesses	**CMgr**	**July 2011**
Expand options for distributing City information to magazines and news outlets, promote the community and events via alternative publications and through attendance at various meetings	**CMgr**	**September 2011**
Explore and discuss District Town Hall meetings with the Council, establish a schedule for quarterly or semi-annual events	**CMgr**	**June 2011**
Review options for a Citywide Corridor Beautification Program for Council consideration	**PW**	**August 2011**

"Attachment B"

Recommendations for Action Steps

to Make Moreno Valley a "Best Place to do Business"

Development Services

- Implement the use of "E-permitting" to accelerate the process of doing business in Moreno Valley

- Expand and strengthen business and development ombudsperson program to include new or expanding small businesses.

- Host quarterly workshops with contractors and developers aimed at improving development processes in Moreno Valley.

- Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business.

- Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

Business Attraction

- Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

- Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Business Retention and Expansion

- Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

- Pursue ways to increase local vendor preference, including expanding existing procurement policy.

- Implement a new meeting program with local businesses to discuss business opportunities. The Program would be held once a year in each Council District and include the opportunity to talk to the Councilmember, City Manager, and Community & Economic Development Director. The Program will compliment the existing Business Roundtable.

- Enhance the Business Resource Guide.

Marketing and Communication

- Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

- Develop a re-tooled marketing plan to incorporate the following:
    - Cooperative marketing opportunities with targeted area developers to attract tenants
    - Identifying the City as a medical community
    - Brand the City as a job center

- Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

- Increase use of social media.

- Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

- Explore use of Smartphone apps for improved communication and connectivity.

- Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

Community Vitality

The best places to do business also reflect characteristics of the best places to live. These places tend to exude a "sense of place" reflected in aspects of quality of life including activity, arts and culture, and beauty in the environment.

- Explore additional community events- things to do.

- Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

- Enhance neighborhood groups by implementing community update meetings.

PUBLIC INFORMATION & MEDIA RELATIONS

PURPOSE: To provide procedures and guidelines for coordinating and disseminating information to the public on behalf of the City of Moreno Valley. The policy will be modified and expanded as necessary.

STATEMENT: The City of Moreno Valley shall provide timely and accurate information to keep the Council, staff and community apprised of pertinent City issues, services and events. The City shall utilize appropriate and effective means to communicate its messages to both general and target audiences. This policy contains guidelines that will achieve the City's communications objectives and facilitate a successful working relationship with the local and regional media.

POLICY GOALS:

- Fully utilize the news and special interest media, MVTV-3, City publications and the City Web site as an effective means of communicating with citizens and target groups (including business sector, community leaders, homeowner groups, City employees).
- Facilitate the timely flow of public information to appropriate media through an effective internal process that maximizes message consistency, factual accuracy and proper positioning.
- Educate the community about how government works and encourage citizen participation in the policy-making process.

POLICY:

I. **General Public Communications:**

A. Letters and opinion surveys designed for mass distribution shall be reviewed by and coordinated with the City Manager's Office for content and format analysis and for placement strategies.

B. All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

II. **Federal Regulations for Newsletters and Mass Mailings:**

A. FPPC Compliance: All newsletters and mass-distributed documents prepared at "taxpayers' expense" that are to be mailed or delivered to 200 or more residences or businesses in a single calendar month must comply with guidelines established by the Fair Political Practices Commission with respect to how elected officials are identified in these materials. (A complete copy of these regulations is printed in the California Code of Regulations, Title 2. Administration, S18901, et seq., and on file in the City Attorney's Office.) Following are the major guidelines and restrictions:

1. A newsletter may include an article which references the name of a City Council member only if the Council has no control or review authority over the content of that newsletter. (This "independence" test is not violated if the Council merely approves a budget item to fund the newsletter, hires the staff to produce it, and dictates the frequency that the newsletter will be distributed.) If City staff determines that the independence test has been met, then they may include references regarding the activities of Council members as long as their names are not "featured."

Approved by: City Manager
September 1, 1991
*Revised 7/18/01; **12/21/07***

a. "Featured" is defined as "...singles out the elected officer by the manner of display of his/her name or office in the layout of the document, such as by headlines, captions, type size, typeface, or type color." Therefore, except for the roster listing of all of the Council members or use of letterhead, the name of an elected officer may not be set apart from the text, such as indicating that the author of the article was an elected official by putting their name in the caption to the article.

b. The name or office of a Council member may not be in the headlines of the article, because the type size and typeface of that heading is different from the type size and typeface of the text of the article.

c. The definition of "featured" also provides that the item distributed may not include the Council member's photograph or his/her signature.

2. The City or a Council member may send out informational notices on City stationery which meet the 200-per-month threshold as long as such notices do not reference the name of that elected official in the heading, text or by use of his/her signature. It may, however, be permissible to include the name of that elected official in the text of that notice printed on the City stationery as long as it was not prepared or sent in cooperation, consultation, coordination or in concert with that elected officer and it does not "feature" his/her name.

3. FPPC regulations allow Council members to send a letter which "features" their name by the manner of its display or by use of their photo or signature if it is a press release or editorial sent to members of the media. Therefore, there is no limitation on the content or format of any document sent only to members of the media. In addition, the number of copies of a mailing which is sent to the media is excluded from the 200-per-month threshold level.

4. The FPPC has opined that the intent of the guidelines governing printed material also applies to video productions prepared at taxpayer expense; a Council member may not be featured in such video production in any way that may be construed as promotion of the Council member. The role of an elected official in a tax-supported video production must be limited to educating and informing the public, to retain FPPC compliance.

III. **Media Response Philosophy**:

A. Timely and Accurate Responses: The City encourages accurate press coverage of programs, events and decisions which could be of interest and impact a significant segment of the community. In this regard, the City and the media have a mutual responsibility to provide accurate, objective information of City affairs to City residents. Inquiries from the news media are to be given a high priority and be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate and messages properly developed.

IV. **Press Releases**:

Press releases are any official written or verbal announcements initiated by City Hall to the media regarding official City business.

A. Responsibility. All media releases relative to major citywide policies and actions shall be prepared and distributed by the City Manager's Office. Other departments that may prepare their own releases include:

1. Parks & Community Services Department, promoting special recreational and cultural activities.

2. Police and Fire departments, providing fast-breaking news updates regarding major police and fire activity.

B. Assistance. Upon request, the City Manager's Office will provide assistance with media releases prepared by those above. Other departments requiring press releases or technical assistance in preparing press releases should provide the CMO with written information pertaining to the topic as well as any special distribution list.

C. Release Preparation & Format. Press releases shall be prepared according to the City's established format. Releases are kept on file in the City Manager's Office. A copy of all media releases distributed by any unit outside of the City Manager's Office should be forwarded to the City Manager's Office, which in turn will maintain a master file of press releases.

V. **Release of Information Pertaining to Significant Issues & Events**:

A. Definition of Issues. It is the responsibility of department directors to notify the City Manager of significant events or issues which occur within their departments which may be of major interest to the general public or media. Such issues include, but are not limited to:

1. An event/issue in an operating department or program that is controversial.

2. Injury or death of a City employee while on or off official duty.

3. Major malfunctions of a City facility which could impact the general welfare of the public or environment.

4. An unexpected work stoppage or inability to provide a critical City service.

5. The arrest or conviction of a City employee which may impact that individual's ability in successfully carrying out his/her professional responsibility.

6. Major police or fire activities. *(Note: This is handled through the City's Emergency Notification Policy.)*

B. Reporting Procedure. Once receiving the information, the City Manager will determine if it is necessary to contact the City Council, other department directors and the City's Public Information Officer. If public release of information is deemed appropriate, the City Manager, in consultation with the department director and the Public Information Officer, will determine the most appropriate mechanism in notifying the press.

C. Back-up Procedure. If the City Manager is unavailable, the department director should contact the Assistant City Manager, then the Public Information Officer directly for dissemination of information. On those occasions when neither of these individuals or an acting City Manager is available, the department director should use his/her own judgment in releasing information to the press on fast-breaking news stories.

VI. **Who Responds to Media Inquiries**:

A. Spokesperson. The City Manager will respond directly or designate a media spokesperson to respond to an issue of major public significance to ensure that the information is disseminated quickly and accurately to all interested media sources. When such a designation is made, the City Manager will notify the appropriate department director(s) and the Public Information Officer to forward all inquiries regarding the particular issue to the appointed spokesperson.

B. Media Contacts to Staff. Non-management employees shall refer media inquiries to their department heads. A department director may delegate an employee to respond to an inquiry because of her/his involvement with an event or issue. In such cases, the staff member should work with the department director and Public Information Officer before the interview to develop appropriate responses to anticipated questions.

C. City Council. Whenever possible, Council members are encouraged to notify the City Manager or Public Information Officer when they are approached by the media. Especially when having to respond to controversial issues, Council members are encouraged to review the issue with the City Manager and Public Information Officer to formulate their response.

D. Public Safety. The Disaster Director (City Manager or Assistant City Manager) will work with the Public Information Officer to develop media responses in the event of major emergencies and disasters. A more detailed description of emergency public information procedures are contained in the City's Standard Operating Procedures (SOP).

E. Police & Fire Issues. Whenever there is a fast-breaking story involving a major police/fire activity, the first media contact is the Police or Fire Chief or his/her designee, followed by the City Manager, public safety liaison and the Public Information Officer,.

Throughout the entire chain of responsibility, it is essential that each individual involved in providing information to the media is kept abreast and briefed on the status of the event as it occurs. The chain of command can be modified to expedite release of crucial information.

VII. **What to Do When Contacted by the Press**:

All media inquiries received by staff should be responded to as quickly as possible, keeping in mind the frequent deadlines that are often imposed upon the working media. Clerical staff should be instructed to give priority to media calls by alerting their respective department head of media inquiries.

A. Determine Nature & Focus of Story. It is important to determine the focus of the story as well as the specific information desired by the reporter. What may seem to be an "innocent" information request, oftentimes can turn out to be a front-page story, distorting the data supplied by the City. That's why it is always important to determine the reporter's focus and slant.

B. Notification Procedure. Any staff member (management or non-management) who responds to a media inquiry, provides an interview, appears on a radio or television program, etc., shall notify his/her immediate supervisor, the department director, the City Manager and the Public Information Officer either by phone or written memo.

Regarding controversial matters, the City Manager and/or Public Information Officer must be consulted before conducting the interview. This gives the spokesperson the opportunity to review anticipated questions and to formulate and properly position appropriate responses.

Departments which have on-going daily contact with the media are not required to follow the notification procedure for every media contact, only those which involve significant issues of concern.

VIII. **Media Etiquette**:

There are some very important "do's" and "don'ts" that should be observed in strengthening the relations between City Hall and the local media.

A. Responding to Council Actions. Staff should not publicly make judgmental comments regarding individual Council members, Council actions, City administration or official City policy when responding to media inquiries. Staff should also refrain from anticipating an action or position which has not been formally taken by the City Council or City. Any inquiry regarding "why" an individual Council member voted in a particular manner on a specific issue should be forwarded to the Council member in question.

B. Scope of Response. Staff members should not respond to media inquiries which are not directly related to carrying out the employee's professional responsibilities. If such a media inquiry is made, the staff members should assist the media in receiving the needed information by referring the source to the appropriate program manager or the Public Information Officer..

C. Inaccurate Information. The media should not be intentionally misled or provided inaccurate information by a staff member regarding any City policy or event. Such tactics can lead to "city bashing," media skepticism and unwanted investigations.

IX. **Public vs. Confidential Issues**:

Most City records and official City meetings are open to the public and media. The media are no more or less privileged than the general public in being provided access to City Council meetings and City records. While City operations need not be disrupted or extraordinary accommodations made to provide access to public records, it should be emphasized that adequate information provided to the media or the public is beneficial both to citizens and the City in carrying out its public information efforts.

A. Attendance at Meetings. The media and public are encouraged to attend and report on actions taken at Council meetings, study sessions, as well as regularly scheduled committee and commission meetings.

B. Closed Sessions. Public and media attendance is not allowed at closed Council sessions dealing with litigation, security, negotiations or personnel-related matters.

C. Public Records. The media and the general public shall be provided access to all records or proceedings which have been deemed to be of a public nature including:

1. Written and taped proceedings of City Council meetings, committee and commission meetings, special ad hoc committee meetings and public hearings.

2. Official City contracts and resolutions.

3. Public Safety summary, including the following information:

   a. crime reports
   b. booking information
   c. traffic collision reports
   d. fire reports (accidents causing death, injury, severe damage)
   e. fire inspection records for public assembly facilities

4. Salary grades of City employees, upon request.

5. FPPC/conflict of interest disclosure statements filed by the Council, commissioners and affected City staff.

6. Interoffice correspondence that is not in draft form and does not address a personnel or confidential legal matter.

D. Closed Records. City records that constitute an unwarranted invasion of individual privacy or involve confidential legal matters of City litigation are usually exempt from public disclosure. Such records include:

1. Personnel or medical records of City employees, including performance evaluations, background checks, disciplinary action, and such similar records.

2. Actual proceedings of closed Council sessions. (The media can be told whether the Council will be discussing a litigation or personnel issue.)

3. Preliminary labor negotiations leading up to labor contracts. Once executed, all employment contracts--both individual and union--become public records.

4. Certain police/fire records, including juvenile records, prior criminal records or information regarding the character or reputation of an accused individual in a criminal action; and certain fire investigation records.

5. Draft correspondence, including preliminary notes not yet finalized.

6. Records pertaining to pending City litigation in which the City is a party.

7. Confidential memos between the City Attorney and City officials/staff.

NOTE: In situations where there is a discrepancy or uncertainty on the part of a City employee regarding release of an official record to the media, the City Attorney should be contacted to make the final determination. Specific categories of records may be exempted by the Public Records Act.

E. Litigation Issues. Staff members shall not respond to media inquiries regarding an issue involving City litigation or render personal or legal opinions on City policies or activities. If an employee is in doubt, the City Attorney should be contacted for clarification before responding to a media inquiry.

X. **Correcting Misinformation**:

The City has an obligation to clarify or correct any information released by the media which contains inaccuracies or quotes taken out of context relating to a City issue.

A. Factual Discrepancies. The Public Information Officer shall contact the media when a story has been published or aired containing factual error which significantly impacts the public's perception of the issue being addressed. Managers are encouraged to notify the Public Information Officer immediately when they believe incorrect information is being communicated by the press regarding a City issue or program.

B. Editorial Discrepancies. Managers should contact the Public Information Officer when there is evidence that a specific editorial comment or news story has been published or aired which does not appropriately represent a balanced perspective of the issue being discussed. The City Manager, in consultation with the Public Information Officer, will determine when an official City rebuttal or response is appropriate.

C. Letters to the Editor. Department directors who believe an official City rebuttal is warranted regarding a news story should discuss the issue with the City Manager's Office. They will determine if a response is appropriate, as well as who should prepare and sign the letter. The City Manager must authorize and review all letters sent to editors on official City letterhead and/or by an employee who is acting in an official capacity commenting on City issues or programs.

D. Responding as Private Citizens. City employees who choose to contact, initiate or respond to City-related news stories as private citizens shall not prepare such responses on City time, by City phones, on City stationery, or mail at City expense. Responses or letters shall not state or imply that the response is on behalf of the City. Use of City facilities or supplies is prohibited. These guidelines also apply to employees responding to or initiating press contacts as official representatives of City-sanctioned employee groups.

XI. **Public Meeting Notification**:

Public notices are any printed official announcement which notifies the community of a scheduled public meeting or hearing. The announcement can take the form of a flyer, legal notice or form letter for mass distribution. A copy of all printed notices should be submitted to the City Manager's Office.

A. Public Meetings. Departments will be responsible for developing and disseminating notices announcing public meetings and hearings. Most affected are the City Clerk's Office, the Community Development Department, the Economic Development Department, the Redevelopment Agency, and the Public Works Department. The City Manager's Office will lend editorial graphics assistance in developing the notices.

B. Agenda Notification. City Council agendas shall be made available to the public prior to Council meetings at the City Clerk's Office, at public facilities designated by the Clerk and the City's Web site. Copies shall be made available to the news media at the City Clerk's Office.

XII. **Advertising**:

A. Display Advertising. The City Manager's Office coordinates development and placement of media advertising to promote City programs, services, events and issues. All requests for advertising must be

submitted to the City Manager's Office, which will coordinate copy development, graphic design and media placement with the requesting department. This policy does not apply to employment and legal advertising, which will be coordinated by the appropriate departments (i.e., Human Resources and City Clerk, respectively).

B. Public Service Announcement. The City Manager's Office is the central coordinator for developing and placing public service announcements with the broadcast media (radio, TV and cable). PSA spots are announced free by the media as a community service. Two-to-three-week lead times are desired by most stations. All requests for PSAs must be submitted to the City Manager's Office, which will coordinate copy development and placement with the requesting department.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

RECOMMENDED ACTION

Staff recommends that the City Council review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

BACKGROUND

The City of Moreno Valley is intent on moving quickly to improve the economic condition, development services, and quality of life within the community through a variety of methods.

Several actions have taken place to set this effort in motion:

1. March 22, 2011 - the City Council reviewed and provided input for an Economic Development Plan- Areas of Opportunity brought forth by the Community & Economic Development Department.

2. April 26, 2011 - the City Council adopted a 2-year Economic Development Action Plan targeting five key areas within the twelve Areas of Opportunity that have the potential for yielding the best and quickest near-term economic development benefits. These areas include TownGate, Centerpointe Business Park, South Moreno Valley Industrial Area, East Moreno Valley-Rancho Belago, and City Center. Included in the adoption of the 2-year Action Plan was the strategic decision of the re-sequencing of several Capital Improvement Program projects aimed at bolstering the economic development within the five focus areas.

Collectively, the objectives for the Economic Development Action Plan are 1) creating jobs and addressing the high unemployment rate; 2) addressing the jobs to housing imbalance; 3) strengthening and broadening the local economic base; and 4) enhancing City revenue generation.

3. June 14, 2011 - the City Council adopted the Prioritized Goals and Action Plan that was developed through the City Council Goal Setting workshop held on May 18, 2011. The adopted goals include: 1) Job Development; 2) Focus on further development of the Medical corridor and Health Services/ Educational Opportunities; 3) Maximize Transportation and Infrastructure Opportunities; 4) Economic and Tax Base Development; and 5) Enhance the City's Image.

4. July 12, 2011 - the City Council approved the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

DISCUSSION

To keep City Council and the general public properly informed, the attached documents provide an update of progress towards achievement of the objectives in the initiatives set forth among the five key Areas of Opportunity in the Economic Development Action Plan, along with implementation of the action steps aimed at making Moreno Valley a Best Place to do Business. Significant planning and substantial progress as been achieved in all five geographic areas contained in the Economic Development Action plan including:

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- East Moreno Valley- Rancho Belago
- City Center

To be as effective as possible, City staff from Economic Development has worked both internally with other departments as well as externally with the private sector and other public agencies to fully capitalize on near-term opportunities. As just one example of interdepartmental synergy, and in tandem with this Economic Development Action Plan Update, the City Manager's Office has developed and is proposing a Media and Communications Strategy containing elements that will serve to support and/ or expand the aspects of the approved action items listed in the Action Steps for Making Moreno Valley a Best Place to do Business. Staff, along with support from the Economic Development Subcommittee also continues to work hard at enhancing the development services process in Moreno Valley. A developer's workshop was held this past Spring and another will occur on October 6. The workshops are aimed at gathering feedback from developers (residential, office, industrial, and office) about ways to improve service delivery.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and polices to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Moreno Valley has a strategic location in the Inland Region and is clearly in the path of growth. City staff have taken several significant steps to enhance its economic base by pursuing ways for new commercial retail, office and industrial development. The five specified areas of opportunity focused within the proposed Economic Development Action Plan were selected because of location and potential for realizing success in the near-term development marketplace. Additionally, the Action Steps identified in the strategy to make Moreno Valley a Best Place to do Business are being implemented to further enhance the business and development environment in Moreno Valley. In a short period of time, Moreno Valley has made positive strides towards achieving the goals set forth in the approved and adopted plans. We will continue to pursue ways to make Moreno Valley a great place to live, visit, work in, and do business.

ATTACHMENTS/EXHIBITS

Attachment A- Economic Development Action Plan Update
Attachment B- Best Place to do Business Progress Update
Attachment C- PowerPoint – Economic Development Action Plan Update

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurs With:
Henry Garcia
City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00131212

Attachment A

Economic Development Action Plan Update

The focus of the Economic Development Plan- Areas of Opportunity was to create a well-rounded community with a strong economic foundation. The Areas of Opportunity contain twelve distinct areas. To capitalize on near-term opportunities, the City Council adopted the Economic Development Action Plan which focuses on several key initiatives within five of the Areas of Opportunity to be pursued within a short- term, or 2 year timeframe.

The following reiterates the plan focus and current progress achieved by Areas of Opportunity.

TownGate

Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area, including pursuing new users for vacant big-box retail space in TownGate Center and the Moreno Valley Mall.

Significant progress has been made in TownGate. The collaborative work between City staff and Developers to attract quality retailers and restaurants has been successful.

- The following three restaurant openings have occurred: Five Guys Burgers & Fries, Panera Bread, and Village Café. Additionally, the Miru Teriyaki and Sushi restaurant opened as a relocation and repositioning of the San Sai restaurant. Anna's Linens completed their relocation to TownGate Crossings and is now open with an updated retail concept. Work is underway for other activity including a new TJ Maxx and HomeGoods combo store for TownGate Center to be located in the 51,000 square foot building that was previously occupied by Ralph's grocery store. Promising negotiations continue with several other retailers to occupy the other two vacant anchorspaces.

- To assist the effort to attract users for vacant retail space and create new energy in TownGate Center & Plaza, the Fritz Duda Company will be constructing a new 80 foot freeway sign to replace the existing 35 foot high freeway sign. This will enhance visibility and provide additional space to promote more tenants.

- In TownGate Promenade, the restaurant building that was 65% constructed to originally be Carino's Italian Grill is now poised for construction completion. The project lender, Farmers & Merchants Bank, is working with a proven restaurant group to locate and open a new restaurant concept here.

- At the Moreno Valley Mall, the new owner - CW Capital is working on plans to upgrade, expand and reposition the 1.25 million square foot regional mall property. Architect firm Altoon + Porter has been retained and has already created conceptual plans for new restaurant and retail store opportunities. While the planning is preliminary, it demonstrates the commitment by CW Capital to the overall improvements of the Moreno Valley Mall and resolve to make it a thriving commercial center. CW Capital has already invested more than $250,000 in signage and interior improvements. Negotiations are underway with several desirable users.

Centerpointe Business Park

Advance the development on several projects in the Centerpointe Business Park area.

- Harbor Freight Tools is nearing completion of improvements for a new 779,016 square foot Distribution Center that is scheduled to open in November 2011 and will employ 350 workers. Additionally, staff has worked with Harbor Freight Tools to open a new Harbor Freight Tools retail store this November in Moreno Valley Plaza.

- Overton Moore Properties recently re-started the plan check process (building and grading) for a new 519,760 square foot industrial building to be situated on 25.9 acres at the northwest corner of Cactus Avenue and Frederick.

- Ridge Property Trust is moving forward in the planning process for a 353,869 square foot distribution building on 16.55 acres at the northwest corner of Cactus Avenue and Joy Street.

South Moreno Valley Industrial Specific Plan Area

Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area.

- Construction is underway for the First Inland Logistics Center, a 691,960 square foot industrial building located on 40 acres in the area between Nandina Avenue and San Michele Road just west of Perris Boulevard. Building permits were issued in late July and the concrete slabs were poured in August. Walls are going up now. Developer – First Industrial Realty Trust has negotiations ongoing with several prospective tenants.

- IDS Real Estate group is moving quickly on the development of the Nandina Distribution Center located at the northwest corner of Nandina

Avenue and Indian Street. The project includes a total of 1.18 million square feet, with Building B- 769,320 square fee under construction, and Building A- 413,598 square feet, is currently in plan check for construction drawings and grading plans.

- Being open 1 year, iHerb is already expanding to occupy the entire 360,440 square foot building located on the west side of Indian Street, north of the Perris Valley Storm Drain. This expansion includes increasing the number of employees by 75.

- Harman Kardon has leased the remaining 125,000 square feet available in their 400,000 square foot building and is now expanding its Distribution Center in Moreno Valley.

- Four industrial-distribution buildings with a total of 3.6 million square feet are in plan check and moving towards beginning construction this year.

Eastern Moreno Valley-Rancho Belago Area

Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in eastern Moreno Valley, in conjunction with the expiration of the Moreno Highlands Specific Plan and supporting Development Agreement.

- Development Services Staff continues to work with Highland Fairview and Skechers USA to open the new 1.82 million square foot Distribution Center at the Highland Fairview Corporate Park. A Temporary Certificate of Occupancy currently is in place and the facility is expected to be fully operational by October 2011.

- Ridge Property Trust has gained approval of West Ridge Commerce Center- a 937,000 square foot warehouse/ industrial building on 55 acres on the south side of SR 60, west of Redlands Boulevard.

- Prologis has re-started the planning and EIR processing of its five-building 2,268,000 square feet industrial business park proposed for the south side of the SR 60 just east of the Moreno Valley Auto Mall.

- Staff is working closely with Highland Fairview on formulating an effective methodology for the further development of the Highland Fairview Corporate Park, including the processing of a new master plan to replace the Moreno Highlands Specific Plan, which expires in September 2012. Highland Fairview has assembled a team of respected consultants that has already met with City staff to kick-off the plan development for this new project.

City Center

Re-sequence and fast-track three Capital Improvement Projects in the City Center area—1) SR60 south ramps and extension of Eucalyptus to connect with Moreno Beach, 2) installation of ultimate improvements on Cactus Avenue, between Lasselle and Nason and 3) the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue, along with pursuing the idea of repositioning part of the Aqua Bella area to expand the City's established medical office overlay zone.

- Construction is on schedule for new ramps at SR 60/ Nason Street. The bid process will occur in spring 2012 for the new SR 60/ Nason Street bridge.

- The improvement project for installation of the new SR 60/ Moreno Beach southerly ramps, along with the extension of Eucalyptus Avenue to connect with Moreno Beach Drive has secured environmental clearance from CalTrans and is in the process of acquiring right of way and utility rights. Concurrently, project design is underway. The project is scheduled to advertise for construction bids in August 2012.

- The installation of the ultimate improvements on Cactus Avenue between Lasselle Street and Nason Street and the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue will be built as one project. Plans, specifications and estimates are underway and anticipated to be complete this fall enabling the opening of construction bids. Completion of construction is anticipated for December 2012.

- The City's medical overlay zone is being pursued by forming a partnership with Highland Fairview on the development of a new major medical, health and wellness campus on approximately 200 acres of the Aqua Bella property. The project, along with expansion plans for Kaiser Permanente's Community Hospital, Riverside County Regional Medical Center and Moreno Valley College's Allied Health Services Program will help transform and position Moreno Valley into a leading health and wellness community.

- Kaiser Permanente is advancing expansion plans for Moreno Valley. The Planning Commission approved a 74,000 square foot new medical building to be constructed on the west side of Moreno Valley Community Hospital- Kaiser Foundation on Iris Avenue. Construction drawings and grading plans are in plan check and Kaiser expects to start development of the project in October.

- The newly erected digital Moreno Valley Auto Mall freeway sign along SR 60 is up and looks great. The Moreno Valley Auto Mall is now expanding

as Moss Bros. Auto Group brings Volkswagen of America Inc. to the Auto Mall in October 2011.

- While struggling with challenges from the short-term construction activity at SR 60/ Nason, the ownership of Stoneridge Towne Centre- Weingarten Realty and Trilogy Investment Group are excited about the completion of the many improvements at SR 60 at Nason and Moreno Beach, along with roadway enhancements on Nason and Cactus that will facilitate easier access to the shopping center.

- Merlone Geier has secured interest from several prospective tenants for the vacant retail space at Moreno Beach Plaza II (SW corner of SR 60 and Moreno Beach Drive). With the coming improvements including the new SR 60/ Moreno Beach ramps and connection of Eucalyptus to Moreno Beach, the finalization of leases are underway.

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MV00131218

Attachment B

Best Place to do Business Progress Update

As part of the effort to improve the City's economic development effectiveness, a study of more than thirty communities was conducted to identify key attributes of successful cities. The items listed in the Best Place to do Business Action Steps approved by City Council in July 2011 were derived as a result of the study. After roughly 60 days post-approval of the Best Place to do Business Action Steps, City staff has made the following progress as outlined by Action Step.

Development Services

1. Implement the use of "E-Permitting" to accelerate the process of doing business in Moreno Valley.

Community & Economic Development Department staff and the Technology Services Division of the Financial and Administrative Services Department staff have begun discussions about identifying a scope of work, funding sources and timeframes. Technology Services is currently underway with the conversion of City electronic processes to the New World System and will be largely dedicated to the implementation of that project for the next 18 months. Staff will continue discussions and working towards completion of preliminary analysis to define the specific needs to be met by an "E-permitting" system for Development Services.

2. Host workshops with contractors and developers aimed at improving development processes in Moreno Valley.

The first 2011 Developer Workshop was held March 7. As a follow up and consistent with the effort to enhancing communication with contractors and developers and improving development processes, the second workshop is scheduled for October 6. A regularly quarterly schedule for 2012 will be established via the Economic Development Subcommittee.

3. Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business. A number of small businesses have utilized the project review process to help advance development an/ or expansion plans.

4. Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

This action is addressed in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Business Attraction

1. Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

Further ground work must be accomplished to solidify this area of the action steps to identify and create meaningful groups to provide a comprehensive plan that will address the goals described above.

However, the National Association of Industrial and Office Properties (NAIOP) Inland Empire Chapter offers a Bus Tour of key development projects in and around the Inland Empire. Members of this real estate organization range from developers, brokers and site selectors to financiers and corporate real estate leaders. Community and Economic Development Staff is working to ensure that Moreno Valley projects are highlighted on the November 3, 2011 tour. This will be an opportunity to communicate with the attending members about the opportunities for developers and tenant brokers.

Additionally, Community & Economic Development staff exhibited and attended the September 8-9, 2011 International Council of Shopping Centers (ICSC) Western Division Conference to market the City of Moreno Valley as an opportunity for tenants and developers. The Community & Economic Development Director held twenty-four meetings in two days promoting the City and solidifying deals.

2. Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Staff is gathering information from programs from other cities.

Business Retention and Expansion

1. Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

An expanded program to include direct participation by Moreno Valley businesses is under development and will be included as a report to City Council in the coming months.

2. Pursue ways to increase local vendor preference, including expanding existing procurement policy.

Staff is gathering information and is working toward the development of a vendor's fair.

3. Implement a quarterly meeting with local businesses and vendors to discuss business opportunities with the City.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

Business & City Connecting is the new program targeting businesses by Council District to engage businesses on a micro level. A meeting has been scheduled for each Council District. The first meeting took place September 14 in Council District 2 and will be followed by Council District 4 on November 9; Council District 3 on February 8, 2012; Council District 5 on April 11; and Council District 1 on June 13.

4. Enhance the Business Resource Guide.

The Business Resource Guide was updated and published in Spring 2011. The Guide is available online only to reduce costs for printing. Hyperlinks are used within the document online to make it easy for the user to find the desired resource. In addition to traditional promotion of the Guide (link on website main page; MVTV-3 Bulletin; and word of mouth via chamber partners) staff produced a small postcard sized promotional card as a take-away for the public. Cards are placed at public counters at City Hall and the Conference and Recreation Center and are distributed at Chamber of Commerce meetings and events.

Marketing and Communication

1. Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

2. Develop re-tooled marketing plan

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business. Because branding is ultimately an experiential affect on consumers or publics, the specific branding of the City will take place over time. Specific elements of the overall plan will be addressed as funding and staffing opportunities becomes available.

3. Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. The conversion of the printed version of City Link from a printed distribution to a monthly electronic newsletter is complete. However, plans for an economic development focused e-newsletter targeting real estate professionals and the business community are underway by Community and Economic Development staff. Timing for distribution will be carefully coordinated so as not to burden subscribed recipients.

4. Increase use of social media.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. As communications programs increase, the integration of simultaneous communications tools will become more commonplace.

5. Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business.

6. Explore use of Smartphone apps for improved communication and connectivity.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business

7. Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Community Vitality

1. Explore additional community events- things to do.
2. Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

July 26, 2011 City Council formed the July 4th Advisory Committee to make recommendations for improving the July 4th festivities as well as develop partnerships in the community to assist in its funding.

3. Enhance neighborhood groups by implementing community update meetings.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

On August 11 the first "Council Connection" Town Hall meeting was held. Future "Council Connection" meetings are scheduled through November by the City Manager's Office. Also, the Business & City Connecting program was launched September 14. The next meeting is scheduled for November.

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MV00131224

ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

September 2011

MORENO VALLEY
WHERE DREAMS SOAR

MV00131225

Accomplishments to Advance Economic Development

- Identification of Economic Development Areas of Opportunity
- Approval of Economic Development Action Plan
- Adoption and State Certification of Updated Housing Element recognizing need to address jobs to housing imbalance
- Approval of Action Steps to make Moreno Valley a "Best Place to do Business"

MV00131226

Accomplishments to Advance Economic Development

- City Council adopted the Prioritized Goals and Action Plan from City Council Goal Setting workshop
- Combining Planning, Building & Safety, and Land Development with Economic Development to create the Community & Economic Development Department
- Pursuing efforts to ensure the continuation of the City's Redevelopment Agency
- Collaborating with major Developers on advancing projects

MV00131227

Objectives for Economic Development

- Create jobs locally and address City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen and broaden the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

MV00131228

Economic Development Action Plan

Focusing on key initiatives to be provided in 2 years

TownGate

Centerpointe Business Park

South Moreno Valley Industrial Area

Eastern Moreno Valley – Rancho Belago

City Center

MV00131229

Action Plan
Areas of Opportunity

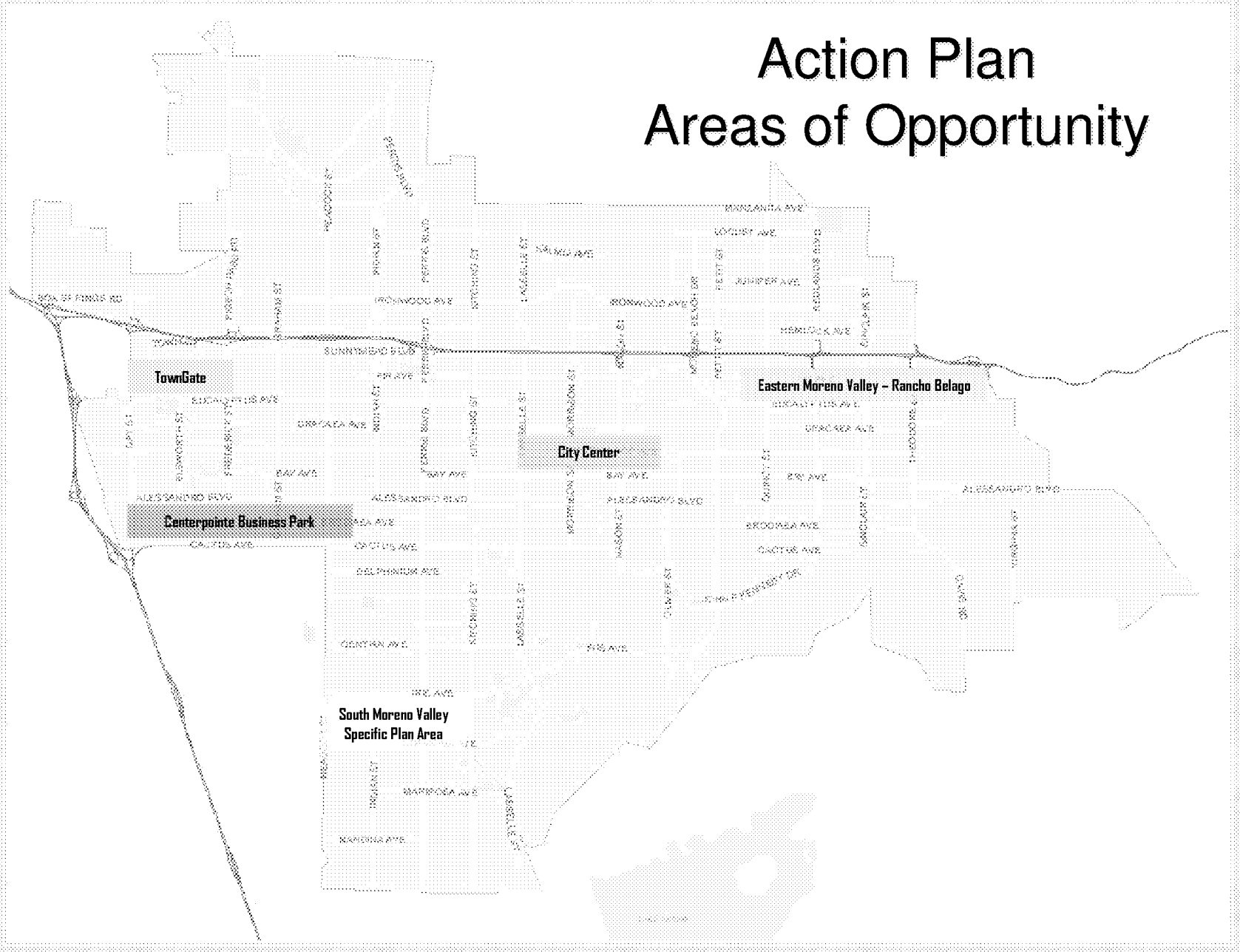

Key Initiatives of Action Plan

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area
- Advance the development of several projects in the Centerpointe Business Park
- Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in Eastern Moreno Valley- Rancho Belago area
- Re-sequence and fast-track three Capital Improvement Projects in the City Center Area

MV00131231

TownGate

- Recent openings for Five Guys Burgers & Fries, Panera Bread, Village Café and Anna's Linens
- TJ Maxx and HomeGoods combo store coming to TownGate Center
- Negotiations underway with three other users for TownGate Center

- Possible new restaurant group coming to former Carino's Italian Grill building in TownGate Promenade
- Approved new 80 foot sign for TownGate Center & Plaza along SR 60 to improve tenant promotion
- CW Capital, new owner of Moreno Valley Mall, retained Architect firm Altoon + Porter and has created exciting conceptual plans for expansion and repositioning
- Negotiations underway with several users for Moreno Valley Mall

MV00131232

Centerpointe Business Park

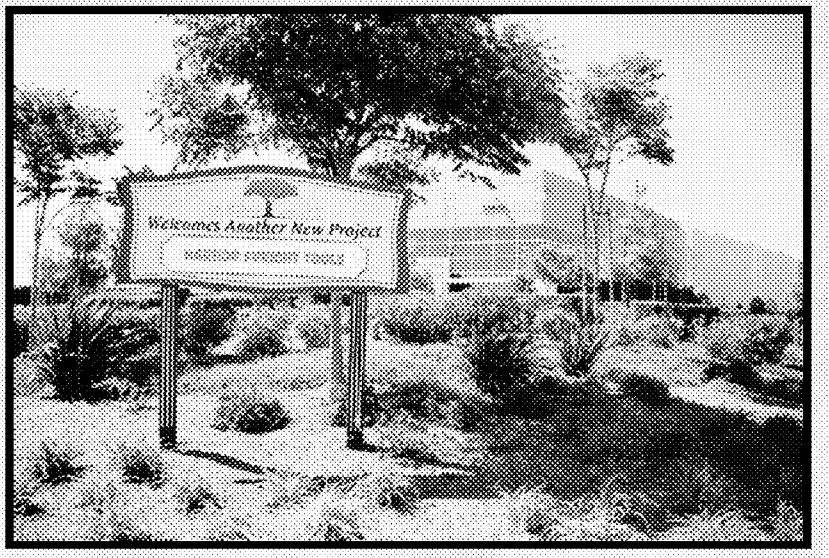

- Harbor Freight Tools
  - Will open new 779,016 s.f. Distribution Center in November 2011 at NWC of Cactus Avenue and Graham Street
  - 350 new jobs
- Overton Moore Properties
  - Re-started the grading plan check process for a new 519,760 s.f. industrial building at the NWC of Cactus Avenue and Frederick Street
- Ridge Property Trust
  - In Planning for a 353,869 s.f. industrial building at the NWC of Cactus Avenue and Joy Street

MV00131233

South Moreno Valley Industrial Area

- First Inland Logistics Center
  - First Industrial Realty Trust Inc.
  - 691,960 s.f.; Construction underway
- Nandina Distribution Center
  - IDS Real Estate Group
  - 1.18 million s.f. total
  - 769,320 square fee is under construction
  - 413,598 square feet is in plan check for construction drawings and grading plans.
- iHerb expansion
  - Will occupy entire 360,440 s.f.
  - Increase employees by as much as 75
- More Development Coming
  - Four Buildings with a total of 3.6 million s.f. in plan check

MV00131234

Eastern Moreno Valley-
Rancho Belago

- Skechers USA 90% occupied with full operations by October 2011

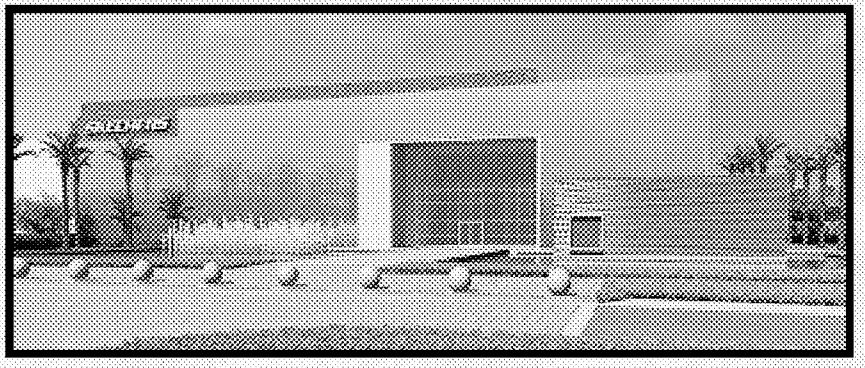

- Working with Highland Fairview on master plan to expand Highland Fairview Corporate Park

- Westridge Commerce Center approved 937,000 s.f. Distribution/logistics building on 55 acres

- Prologis is underway with planning and EIR processing of 2,268,000 s.f. industrial business park

MV00131235

City Center: Re-sequencing of CIP Projects

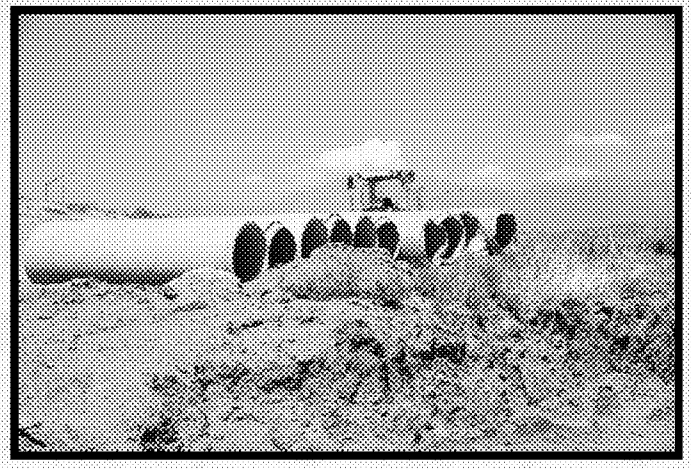

- Construction underway for SR 60/ Nason Improvements
- Installation of new SR 60 southerly ramps at Moreno Beach plus extension of Eucalyptus connecting with Moreno Beach
  - Has environmental clearance
  - In the process of acquiring right of way and utility rights and design is underway
  - Construction bid opening planned for Summer 2012
- Improvements on Cactus Ave. between Lasselle St. and Nason St.
- Extension of Nason St. southerly to connect Cactus Ave. with Iris Ave. will be built as one project
  - Plans, specifications and estimates are underway and anticipated to be complete this fall, ready to open the bid process
  - Construction completion anticipated for late 2012

MV00131236

City Center

- Advance the development of the City's medical overlay zone
  - Announcement of strategic partnership with Highland Fairview on the development of a new major medical, health and wellness campus on 200 acres of the Aqua Bella property
  - New CIP projects will help assist development of medical overlay area

- Kaiser Permanente's expansion plans
  - 74,000 s.f. new medical building
  - Construction drawings and grading plans were submitted in August 2011

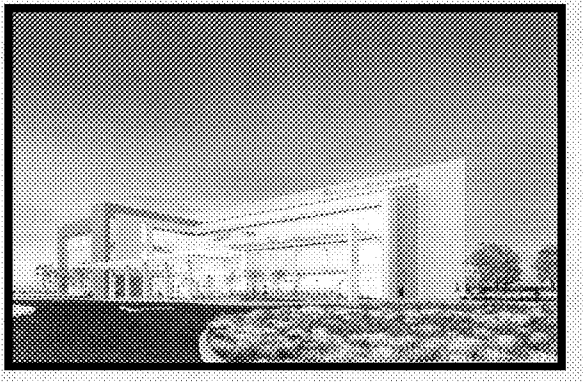

MV00131237

City Center

- Moreno Valley Auto Mall
  - Now expanding to welcome Volkswagen of America Inc.
  - New freeway sign installed

- Interest in re-occupancy of the three closed anchor spaces in Moreno Beach Plaza II
  - Any reuse of these spaces will be contingent on first connecting Eucalyptus to Moreno Beach

“Best Place to do Business” Action Steps

Development Services

Business Attraction

Business Retention and Expansion

Marketing and Communication

Community Vitality

MV00131239

Action Step Progress

- "E-permitting" to accelerate development service processes
  - Scope development
  - Funding identification
  - Timeframe
- Quarterly workshops with contractors and developers to improve development processes and communication
  - Second meeting set for October 6, 2011

MV00131240

Action Step Progress

- Creating synergy with industry groups
  - September 8-9, 2011ICSC Western Division Conference
  - November 3, 2011 NAIOP IE Bus Tour Event
- Shop MoVal campaign
  - Expanded program to include direct participation by local businesses
- Business Resource Guide
  - Online only guide
  - Improved marketing to include postcards at public counters and at business events

MV00131241

Action Step Progress

- Economic Development quarterly e-newsletter
  - Scope, content and graphic design underway
- Explore additional community events
  - July 4th Advisory Committee

MV00131242

Action Step Progress

- Proposed Media and Communications Strategy
  - Further develops several Action Steps
    - Consistent Communication
    - Website Audit
    - Re-tooled Marketing Plan
    - E-newsletter
    - Increase use of Social Media
    - Create Community Calendar
    - Explore use of Smartphone Applications
    - Feedback solicitation via survey
    - Enhance neighborhood groups with community updates
      - Council Connection
    - Quarterly meeting with local businesses and vendors
      - Business & City Connecting

MV00131243

Economic Development Strategy
Next Steps

Much More to Come….

MV00131244

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

RECOMMENDED ACTION

Staff recommends that the City Council introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

BACKGROUND

At the April 19, 2011 Study Session, the Mayor and City Council directed staff to move forward with proposing an ordinance regarding the spaying and neutering of dogs and cats.

California Health and Safety Code 122330 et seq. permits local government to enact ordinances taking appropriate action aimed at reducing and eliminating the uncontrolled and irresponsible breeding of dogs and cats. The irresponsible and uncontrolled breeding of dogs and cats leads to the overpopulation of these companion animals.

During FY 2010-11 the Moreno Valley Animal Shelter's animal population was represented by 60% of impounded dogs, 36% of impounded cats and 3% of other animal species (farm animals and wildlife). During FY 2010-11 the Moreno Valley Animal Shelter experienced an 8.9% increase in the number of animals impounded as compared to FY 2009-10. If this increase in animal impounds remains constant throughout FY 2011-12, the Moreno Valley Animal Shelter will expect to provide care for

approximately 12,000 animals. The Animal Services Division contracts with the City of Perris for animal sheltering. These numbers exclude animals impounded from the City of Perris.

DISCUSSION

The objectives of the proposed Mandatory Spay and Neuter ordinance:

- Reduce the number of homeless and unwanted companion animals by uncontrolled and irresponsible breeding.
- Reduce the number of companion animals being impounded at the Moreno Valley Animal Shelter.
- Reduce the euthanasia of unwanted companion animals.
- Reduce the tax burden of responsible pet owners.
- Require irresponsible pet owner to be held accountable.

The proposed ordinance will require pet owners to spay/neuter their dog or cat if the pet owner violated another local or state animal control regulation. Examples of a violation of a local or state animal control regulation would include an unlicensed dog, a leash law violation, nuisance animal noise or violation of other animal laws. The ordinance will not impact responsible pet owners who have licensed their pets, obey the leash laws and are in full compliance with existing regulations.

Municipal Code Section 10.02.100 currently requires a neuter deposit on all dogs and cats adopted from the Moreno Valley Animal Shelter if the animal is not already spayed or neutered. The majority of dogs and cats adopted from the Animal Shelter are spayed or neutered prior to the new owner taking possession of their new pet. Often dogs and cats too young to undergo a surgical sterilization procedure or pets exhibiting symptoms of illness where the clinic veterinarian deems the animal unfit for surgery are required to pay a spay-neuter deposit in the amount of $75.00. This fee is refunded to the new pet owner upon proof of sterilization. The proposed ordinance maintains the requirement of a spay-neuter deposit along with requiring dogs and cats in the City to be altered unless a specific exemption is applicable.

The proposed ordinance provides for specific exemptions to the mandatory spay and neuter with responsible pet owners. The proposed ordinance includes exemptions to pet owners with animal breeds recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by law enforcement or the military for law enforcement, military or rescue activities; a qualified service or assistance dog as defined in California Food & Agriculture Code Section 30850; and an animal medically qualified by a licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity. All of these exemptions are included in this Ordinance.

ALTERNATIVES

1) Adopt the proposed changes to Moreno Valley Municipal Code Section 10.02.100, and introduce Ordinance No. 833.
2) Direct staff to make changes to the proposed ordinance and return to a City Council meeting or Study Session on a later date with a revised ordinance.

3) Take no action. The existing ordinance will remain in effect.

FISCAL IMPACT

No significant fiscal impact is anticipated.

ATTACHMENTS/EXHIBITS

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00131248

ORDINANCE NO. 833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE ADDED:

1.1 Section 10.02.100 of the Moreno Valley Municipal Code is hereby amended to read as follows:

~~Section 10.02.100 Neuter deposits for dogs and cats.~~

"Section 10.02.100 Mandatory Spaying and Neutering – Dogs and Cats

~~A. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

A. Requirement.

1. No person may own, keep, or harbor an unaltered and unsprayed dog or cat in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

~~B. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

B. Exemptions.

This section shall not apply to any of the following:

1. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.

2. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.

3. Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry.

4. A dog used by law enforcement or the military for law enforcement, military or rescue activities.

5. A qualified service or assistance dog as defined in California Food & Agricultural Code Section 30850.

6. Any animal medically qualified by a California licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

~~C. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any shall be deemed unclaimed and nonrefundable.~~

C. Denial or revocation of unaltered dog license and reapplication.

The Animal Services Division may deny or revoke an unaltered an unaltered dog license for one or more of the following reasons:

1. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section.

2. The Animal Services Division has received at least three complaints, verified by the department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;

3. The owner, custodian, applicant, or licensee has been previously cited for violating a State law, local ordinance or other municipal provision relating to the care and control of animals;

4. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Moreno Valley Municipal Code or under state law;

5. Any unaltered dog license held by the applicant has been revoked;

6. The license application is discovered to contain a material misrepresentation or omission of fact.

D. Re-application for unaltered dog license.

1. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Animal Services Division shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.

2. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.

E. Appeal of denial or revocation of altered dog license – Request for Hearing.

1. Notice of intent to deny or revoke. The Animal Services Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

2. Hearing officer. The hearing shall be conducted by the Animal Services Division Manager's designee.

3. Notice and conduct of hearing. The Animal Services Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the department's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Animal Services Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

4. Change in location of dog. If the dog is moved after the Animal Services Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Animal Services Division with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

F. Transfer, sale, and breeding of unaltered dog or cat.

1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license must appear on a document transferring the animal to the new owner.

2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the department of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers, if any, must appear on a document transferring the animal to the new owner.

G. Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

1. An administrative citation, infraction, or other such authorize penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog or cat; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.

2. Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.

H. When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

1. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to animal services personnel;

2. Have the dog or cat spayed or neutered by a veterinarian under contract with the Animal Services Division at the expense of the owner

or custodian. Such expense may include additional fees due to extraordinary care required;

3. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay a spay/neuter deposit to the Animal Services Division. The veterinarian shall complete and return to the department within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

4. At the discretion of the Animal Services Division Manager, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or

5. If the owner or custodian demonstrates compliance with this section.

I. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.

1. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Animal Services Division in accordance with this chapter.

J. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section, subsection (f) shall be paid to the Animal Services Division for the purpose of defraying the cost of the implementation and enforcement of this program.

K. No person shall be permitted to adopt any dog or cat, which has not been neutered, unless and until a spay / neuter deposit shall have been paid to the city. The spay / neuter deposit shall be as established from time to time by resolution of the city council in accordance with California Food and Agriculture Code Section 30503.

L. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.

M. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any, shall be deemed unclaimed and nonrefundable.

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.5

MV00131257

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MV00131258

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011, and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on August 23, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011 and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on August 23, 2011, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with

and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

Ordinance No. 830
Date Adopted: _____

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

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MV00131270

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

September 27, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00132177

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
September 27, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Verizon Donation to the Moreno Valley Black Chamber of Commerce Community Foundation Family Adult Literacy Program and Technology (FALPT)

2. American Public Works Association (APWA) 2010 Project of the Year Award – Kitching Street Improvements Project

3. Recognition of Moreno Valley Rockets Field and Track Team

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
SEPTEMBER 27, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor James Samples - New Life Christian Fellowship

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF SEPTEMBER 6, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 APPROVAL OF CHECK REGISTER FOR JULY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

Resolution No. 2011-97

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of July, 2011

A.5 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT - PROJECT NO. 10-12272227 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc.;

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50

base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

A.6 TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRAN LOU DRIVE BETWEEN PERRIS BOULEVARD AND KITCHING STREET - DEVELOPER: LCTH INVESTMENT LP, NEWPORT BEACH, CA 92660 (Report of: Community and Economic Development)

Recommendation:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor Bond associated with Tract 20185 for public improvements; and

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

A.7 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324;

Resolution No. 2011-98

A Resolution of the City Council of the City of Moreno Valley, California, ordering the Vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3:

Section 8325;

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way); and

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

A.8 SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction;

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB;

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

A.9 ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT (Report of: Public Works Department)

Recommendation:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.; and

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

A.10 FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND COUNTY OF RIVERSIDE (Report of: Police Department)

Recommendation:
Adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

A.11 ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

A.12 APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST. (Report of: Human Resources Department)

Recommendation:

Adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

Resolution No. 2011-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the California Government Voluntary Employee Beneficiary Association (Calgoveba) Trust

A.13 PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011; DEVELOPER: FIRST INDUSTRIAL, L.P. A DELAWARE LIMITED PARTNERSHIP, EL

SEGUNDO, CA. 90245 (Report of: Community and Economic Development Department)

Recommendation:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011; and

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM (Report of: Parks and Community Services Department)

Recommendation:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year; and

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

Recommendation:
Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING (POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT) (Report of: City Clerk's Department)

Recommendation: That the City Council:
Conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

G.2 MEDIA AND COMMUNICATIONS STRATEGY (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the proposed Media and Communications Strategy.

G.3 ECONOMIC DEVELOPMENT ACTION PLAN UPDATE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

G.4 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

Ordinance No. 833

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 10.02.100 of the City of Moreno Valley Municipal Code Relating to the Mandatory Spay and Neuter of Dogs and Cats

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00132190

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 13, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the 10th Anniversary of 9-11
2. Constitution Week - September 17 - 23, 2011
3. Recognition of Moreno Valley Diamond Girls Softball Association
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 13, 2011

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:43 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Bishop Randy Triplett - Victory Temple of Deliverance Ministries

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Daryl Terrell (A9), Oscar Valdepena (A9), and received late was Chris Baca (A12).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of August 17 - September 6, 2011.

A.4 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (ALSO LISTED AS ITEM B.3) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35)

calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.5 REPLACEMENT OF PLAY STRUCTURES AND PLAYGROUND SURFACING AT RIDGECREST PARK, GATEWAY PARK, AND SUNNYMEAD PARK (Report: Parks and Community Services Department

Recommendation:

1. Award to Miracle Recreation Equipment Company, 878 E Hwy 60, Monett, MO 65708 for material and labor to replace play structures and playground surfacing at Ridgecrest Park, Gateway Park and Sunnymead Park; waive Faithful Performance and Material and Labor bonds; and

2. Authorize the Purchasing Manager to execute a purchase order in an amount not to exceed $242,994.95 as appropriated in FY11/12, in account code 461.65329.7500.

A.6 OFFER OF DEDICATION FOR RIGHT OF WAY FOR APN 475-272-054 - IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication for right of way for APN 475-272-054; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.7 MORRISON PARK FIRE STATION - OFFER OF DEDICATION - PROJECT NO. 11-43472527 LOCATED ON MORRISON STREET NORTH OF COTTONWOOD AVENUE (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Morrison Street north of Cottonwood Avenue; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR

THE LASSELLE/MARGARET TRAFFIC SIGNAL - PROJECT NO. 10-12566630 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Traffic Signal Improvements on Lasselle Street at Margaret Avenue Intersection to J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with J.F.L. Electric, Inc.;

3. Authorize the issuance of a Purchase Order to J.F.L. Electric, Inc. for a total amount of $211,660.00 ($176,382.63 base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with J.F.L. Electric, Inc., up to but not to exceed the Purchase Order's total contingency of $35,277.37, subject to the approval of the City Attorney.

A.9 ADOPT A RESOLUTION APPROVING A ONE-TIME BUSINESS LICENSE TAX AMNESTY PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve Resolution No. 2011-94 creating a one-time Business License Amnesty Program waiving the penalties and interest due on delinquent Business License Taxes and Fees; and

Resolution No. 2011-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a One-time Business License Tax Amnesty Program

2. Direct staff to continue to collect the Business License Tax and Fees for the three most recent delinquent years as provided in the existing ordinance.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE MORRISON PARK FIRE STATION (FIRE STATION 107) -- PROJECT NO. 11-43472527 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for $3,628,688 to Silver Creek Industries, 195 E. Morgan Street, Perris, CA 92571, the lowest responsible bidder, for construction of the Morrison Park Fire Station;

2. Authorize the City Manager to execute the Agreement with Silver Creek Industries;

3. Authorize the issuance of a Purchase Order to Silver Creek Industries for $4,354,426 ($3,628,688 bid plus 20% contingency) for construction of the Morrison Park Fire Station from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Silver Creek Industries up to, but not exceeding, the contingency amount of $725,738, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

A.12 CALIFORNIA OFFICE OF TRAFFIC SAFETY "SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES" GRANT (Report of: Police Department)

Recommendation:
Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Mini-Grant Program for Local Law Enforcement Agencies" in the amount of $72,340.27 for the period beginning November 1, 2011, and ending September 4, 2012.

A.13 APPROVE TEMPORARY LAND USE LICENSE AGREEMENT BETWEEN MORENO VALLEY COLLEGE AND THE CITY OF MORENO VALLEY FOR THE USE OF CITY PROPERTY FOR A CONSTRUCTION STAGING AREA LOCATED AT THE NORTHEAST CORNER OF LASSELLE STREET AND COLLEGE DRIVE (Report of: Community and Economic Development Department)

Recommendation:
1. Approve the Temporary Land Use License Agreement between Moreno Valley College and the City of Moreno Valley for the use of existing City-owned property at the northeast corner of Lasselle Street and College Drive;

2. Authorize the Mayor to execute the Agreement; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (AGENDA ITEM ALSO LISTED AS A.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.12) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Motion to Approve Joint Consent Calendar Items A.1 through D.2. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

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

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
After conducting the Public Hearing and accepting public testimony:

a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

b. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation a. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church NPDES "Yes", Passed

Buddhadhammo Temple NPDES "Yes", Passed

Motion to Approve Recommendations b, c, and d by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

2. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

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

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charges to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation 1. by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church CSD Zone M "Yes", passed

Buddhadhammo Temple CSD Zone M "Yes", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

E.3 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in its capacity as the President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:
   Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tract 31129;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tract 31129.

Motion to Approve Recommendation 1 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:
Tract No. 31129 Zone D "24 Yes"; "19 No"; "1 Invalid", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Mayor Pro Tem Mayor Pro Tem Jesse L. Molina Report on Riverside Transit Agency (RTA)

Mayor Pro Tem Jesse L. Molina reported on RTA holiday events as follows:

November 5, Perris Veteran's Day Parade

November 11, Murrieta Veteran's Day Parade

November 17, Riverside County Safe House - Stuff the Bus

November 25, Riverside Festival of Lights - Switch On Ceremony and Spark the Love Stuff the Bus

December 2, Temecula Electric Light Parade

December 3, Hemet Holiday Parade

Mayor Pro Tem Jesse L. Molina encouraged Moreno Valley to get involved.

G.2 APPOINTMENT TO THE PLANNING COMMISSION (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint one (1) member for a term expiring March 31, 2013; or

2. If the appointment is not made, authorize the City Clerk to re-notice the position as vacant.

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

Motion to Appoint Jeff Giba by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.3 APPROVAL OF A RESOLUTION SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE COUNCIL CHAMBER (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Approve Resolution No. 2011-95 supporting the display of the national motto "In God We Trust" in the Council Chamber, and

Resolution No. 2011-95

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Display of the National Motto "In God We Trust" in the Council Chamber

2. Direct staff to display the motto "In God We Trust" in the Council Chamber.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Tom Jerele Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.4 ADOPT RESOLUTION 2011-96, AUTHORIZING THE STREET NAME CHANGE OF CACTUS AVENUE TO MARCH MEMORIAL DRIVE FROM THE CITY'S WESTERN CITY LIMIT TO HEACOCK STREET (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-96, thereby changing the street name of Cactus Avenue to March Memorial Drive from the City's western city

limit to Heacock Street;

Resolution 2011-96

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Cactus Avenue to March Memorial Drive from the City's Western City Limit to Heacock Street

2. Direct the City Clerk to certify Resolution No. 2011-96 and transmit a copy of the resolution to the Riverside County Assessor's office, 911 Management at the Riverside County Sheriff's Department, as well as the Police Chief, Fire Chief, City Building Official, and the United States Postmaster at Moreno Valley, California;

3. Establish trust fund account number 00359.359.2239.15 for all expenditures and deposits related to the renaming of Cactus Avenue; and

4. Accept a donation from Donald E. Ecker in the amount of $43,569.90 to cover the expenditures associated with renaming Cactus Avenue to March Memorial Drive from the City's western city limit to Heacock Street.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Motion to Approve the name change from Cactus Avenue and accept donation for 43,569.90 from March Life Care by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 4-1, Mayor Pro Tem Jesse L. Molina opposed.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE

ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Continue Items H.2.1 and H.2.2 to September 27, 2011 City Council Meeting by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pete Bleckert

1. Voting on West Ridge Commerce Center Project

Tom Jerele

1. Spoke on fire in Sundance Building, commending Fire Department Personnel

Deanna Reeder

1. Support for Redistricting

Marcia Amino

1. Transperancy in Government

Jose Chavez

1. Check Points

Daryl Terrell

1. Stimulating our Local Economy

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

Council Member William H. Batey II

1. Complimented Tom Jerele for his comments on Fire Department.

Council Member Marcelo Co

1. Thanked participants for coming to Redistricting meeting, although not many turned out, he encouraged more to attend on Thursday.

Council Member Robin N. Hastings

1. Regarding parking at college and losing 300 parking spots. Temporary fix with an agreement worked out to help with parking, which would eliminate students taking up parking in front of mail boxes or residents homes.

2. Support for softball fields and lighting at ball fields.

3. Attended 9/11 Ceremony at March at 9:11 a.m. stating it was phenomenal.

4. Request camera's for October Fest

5. Redistricting

Mayor Pro Tem Jesse L. Molina

1. Redistricting information provided in Spanish on behalf of Chris Baca and himself.

Mayor Richard A. Stewart

1. Redistricting information

2. Developer Lunch with Ridge

3. Police Department - several good burglary arrests and a couple of robberies.

4. Five Guys Burger - Good

CLOSED SESSION - Cancelled

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY:

City Attorney announced reportable action from September 6, 2011 Closed Session:

City Council voted 5-0 to authorize the City Attorney to commence receivership on two properties under Government Code 54957.1, the particulars will be reported out when action commences; and the parties have been served.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:51 p.m. by unanimous informal consent. by m/Mayor Richard A. Stewart, s/Council Member William H. Batey II Approved by a vote of 5-0.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MINUTES
SPECIAL JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY

SPECIAL MEETING – 6:00 P.M.
SEPTEMBER 6, 2011

CALL TO ORDER - The Special Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION - Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
Marcelo Co	Council Member
William H. Batey II	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Rick Teichert	Financial & Administrative Services Director
Robert Hansen	City Attorney
Henry Garcia	City Manager
Michelle Dawson	Assistant City Manager
Chris Vogt	Public Works Director/City Engineer
Barry Foster	Economic Development Director
John Terell	Planning Official

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Mayor Pro Tem Jesse L. Molina pulled his motion (made at the August 23, 2011 meeting), Council Member Marcelo Co pulled his second.

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

Rebuttal by applicant Dennis Rice, President of Ridge Property Trust

Conditions of approval have been amended as follows to further enhance the WestRidge Commerce Center project:

1. Ridge Property Trust will add approximately 50% more glass to the building and match the color of the glass with Skechers glass color, and change the building's paint colors to more closely tie with Skechers.
2. Ridge Property Trust will add solar energy or some other cleaner alternative energy source (such as a micro-turbine) to power the office portion of the facility.
3. Ridge Property Trust will pay DIF fees at the "full rate" of $1.862/building SF. The current rate for DIF fees is discounted 50% from the full rate.
4. The building will be LEED certified. The WestRidge roof structure will be sized to carry the load of solar panels if a future tenant desires to use solar energy to power all or a portion of the building. Ridge Property Trust, will make available solar or other cleaner alternative energy source to power the office portion of the facility.
5. Ridge Property Trust will increase the tree box size to 36" (from the current 24" tree boxes) for the entire freeway frontage landscaping of the WestRidge project. This

will match the tree box size for the trees planted along the freeway in front of Skechers.

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned to Closed Session at 6:39 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JULY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in both the adopted FY 2010-11 and FY 2011-12 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-97
Check Register for Month of July, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JULY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period July 1, 2011 through July 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period July 1, 2011 through July 31, 2011, in the total amount of $11,090,197.25 is approved.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/5/2011	208529	39,425.62		
				REHAB COSTS-24330 MT RUSSELL	16,478.95
				REHAB COSTS-13651 LITTLER CT	22,946.67
	Vendor Total		**39,425.62**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCELA				Remit to: **SAN RAMON**	**CA**
	7/18/2011	883164	79,202.49		
				PP MAINT CLIENT SERVER	4,705.86
				PP MAINT WORKFLOW	3,625.95
				PP MAINT OFFICE LINK	525.39
				PP MAINT ACCELA GIS	10,142.70
				PP MAINT ACCELA WIRELESS	15,333.81
				PP MAINT ACCELA WIRELESS ONLIN	5,623.52
				PP MAINT CONNECT EST. 10891	4,419.76
				PP MAINT PERMITS PLUS	34,825.50
	Vendor Total		**79,202.49**		
FYTD for ACCELA			**79,202.49**		
AECOM TECHNICAL SERVICES INC				Remit to: **ONTARIO**	**CA**
	7/25/2011	208813	34,689.62		
				PERRIS BLVD WIDENING PROJ	34,689.62
	Vendor Total		**34,689.62**		
FYTD for AECOM TECHNICAL SERVICES INC			**34,689.62**		
AFTERSCHOOL STORE.COM				Remit to: **PALMDALE**	**CA**
	7/25/2011	208814	49,254.26		
				AFTERSCHOOL SNACKS-STARS PRGM	37,400.26
				AFTERSCHOOL SNACKS-STARS PRGM	11,854.00
	Vendor Total		**49,254.26**		
FYTD for AFTERSCHOOL STORE.COM			**49,254.26**		
ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	7/11/2011	208633	256,508.61		
				SR-60/NASON ST INTRCHNG PROJ	205,206.89
				SR-60/NASON ST INTRCHNG PROJ	51,301.72
	7/19/2011	110704	28,500.96		
				RETENTN PMT PER ESCRW AGREEMNT	28,500.96
	Vendor Total		**285,009.57**		
FYTD for ALL AMERICAN ASPHALT, INC.			**285,009.57**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEADOR CONSTRUCTION COMPANY, INC			Remit to: **CORONA**	**CA**
7/18/2011	208732	182,970.00		
			BRIDGE REPAIR MAINT PRGM SVCS	182,970.00
	Vendor Total	**182,970.00**		
FYTD for BEADOR CONSTRUCTION COMPANY, INC		**182,970.00**		
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
7/11/2011	883138	29,428.60		
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E3	10,625.00
			LANDSCAPE MAINT-E3A	1,000.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	513.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	1,272.00
	Vendor Total	**29,428.60**		
FYTD for BEMUS LANDSCAPE, INC.		**40,176.27**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
7/25/2011	883192	35,112.31		
			LEGAL SERVICES-HR	96.31
			LEGAL SERVICES-HR	1,824.00
			LEGAL SERVICES-HR	4,674.00
			LEGAL SERVICES-HR	28,518.00
	Vendor Total	**35,112.31**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**35,112.31**		
COUNTY OF RIVERSIDE AUDITOR			Remit to: **RIVERSIDE**	**CA**
7/18/2011	208745	27,074.71		
			PARKING CONTROL FEES	1,596.00
			PARKING CONTROL FEES	25,478.71
7/25/2011	208831	25,971.42		
			PARKING CONTROL FEES	1,050.00
			PARKING CONTROL FEES	10,132.79
			PARKING CONTROL FEES	14,788.63
	Vendor Total	**53,046.13**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**53,046.13**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
7/25/2011	883195	27,550.67		
			CITATION PRCSSNG SVCS-CODE	13,851.06
			CITATION PRCSSNG SVCS-CODE	13,699.61
	Vendor Total	**27,550.67**		
FYTD for DATA TICKET, INC.		**32,235.28**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DDL TRAFFIC				Remit to: **CHINO HILLS** **CA**	
	7/5/2011	208547	32,274.83		
				GLOBAL OPTICOM PHASE	11,000.00
				GLOBAL OPTICOM PHASE	962.50
				SPEED CONTROL RADAR	18,678.00
				SPEED CONTROL RADAR	1,634.33
	Vendor Total		**32,274.83**		
FYTD for DDL TRAFFIC			**32,274.83**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/18/2011	208751	63,562.53		
			WATER CHARGES	101.54
			WATER CHARGES	202.16
			WATER CHARGES	2,884.80
			WATER CHARGES	36.00
			WATER CHARGES	3,493.45
			WATER CHARGES	104.72
			WATER CHARGES	21,293.70
			WATER CHARGES	2,269.79
			WATER CHARGES	10,030.38
			WATER CHARGES	7,534.75
			WATER CHARGES	2,356.80
			WATER CHARGES	6,330.92
			WATER CHARGES	1,234.13
			WATER CHARGES	1,824.23
			WATER CHARGES	73.45
			WATER CHARGES	905.72
			WATER CHARGES	223.09
			WATER CHARGES	549.02
			WATER CHARGES	405.55
			WATER CHARGES	262.42
			WATER CHARGES	648.50
			WATER CHARGES	797.41
7/26/2011	208880	60,290.62		
			WATER CHARGES	1,431.07
			WATER CHARGES	995.31
			WATER CHARGES	732.41
			WATER CHARGES	828.03
			WATER CHARGES	17,551.05
			WATER CHARGES	3,002.77
			WATER CHARGES	3,404.47
			WATER CHARGES	5,350.41
			WATER CHARGES	11,151.43
			WATER CHARGES	603.95
			WATER CHARGES	302.14
			WATER CHARGES	2,544.37
			WATER CHARGES	3,842.79
			WATER CHARGES	2,358.00
			WATER CHARGES	1,506.22
			WATER CHARGES	522.99
			WATER CHARGES	107.29
			WATER CHARGES	287.95
			WATER CHARGES	649.87
			WATER CHARGES	2,511.70
			WATER CHARGES	606.40
	Vendor Total	**123,853.15**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2890	41,848.13		
				STATE INCOME TAX W/H 7/1/11	41,848.13
	7/15/2011	2900	32,708.26		
				STATE INCOME TAX W/H 7/15/11	32,708.26
	7/29/2011	2908	30,988.67		
				STATE INCOME TAX W/H 7/29/11	30,988.67
	Vendor Total		**105,545.06**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	7/18/2011	883171	143,882.08		
				SVCS FOR ELECTRIC UTILITY	137,928.50
				SVCS FOR ELECTRIC UTILITY	9,435.00
				SVCS FOR ELECTRIC UTILITY	-3,664.42
				SVCS FOR ELECTRIC UTILITY	183.00
	7/25/2011	883196	141,641.54		
				DISTRIBUTION CHRGS	95,521.08
				SPECIAL CHRGS	7,684.96
				BAD DEBT REDUCTION	-2,271.00
				ONLINE UTILITY EXCHANGE	207.30
				SVCS FOR ELECTRIC UTILITY	40,499.20
	Vendor Total		**285,523.62**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
FLEMING ENVIRONMENTAL, INC.				Remit to: **FULLERTON** **CA**	
	7/25/2011	208840	93,132.14		
				SHADOW MTN PARK LIGHTING PROJ	64,456.34
				SHADOW MTN PARK RESTROOM PROJ	28,675.80
	Vendor Total		**93,132.14**		
FYTD for FLEMING ENVIRONMENTAL, INC.			**93,132.14**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208842	28,050.00		
				SIGNS INSTALLATION-TRANSP	6,138.00
				FREESTANDING COMM ID SIGN	10,022.36
				LIGHT POLE MTD COMM ID SIGN	2,285.61
				LIGHT POLE MTD ID BANNERS	4,021.70
				FREESTANDING AMENITY DIR SIGN	2,794.71
				LIGHT POLE MTD AMNTY DIR SIGN	1,024.59
				CA SALES TAX	1,763.03
	Vendor Total		**28,050.00**		
FYTD for FUSION SIGN AND DESIGN, INC			**28,050.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
7/21/2011	208810	215,802.45		
			MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
	Vendor Total	**215,802.45**		
FYTD for H & H GENERAL CONTRACTORS		**215,802.45**		
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
7/18/2011	883177	206,300.38		
			DAY ST IMPRVMNTS PROJ SVCS	76,729.40
			DAY ST IMPRVMNTS PROJ SVCS	129,570.98
	Vendor Total	**206,300.38**		
FYTD for HILLCREST CONTRACTING, INC		**206,300.38**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
7/15/2011	2898	33,541.75		
			DEF COMP 457 7/15/11	33,541.75
	Vendor Total	**33,541.75**		
FYTD for ICMA RETIREMENT CORP 457		**42,062.58**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2889	175,259.79		
			FED INCOME TAX W/H 7/1/11	175,259.79
7/15/2011	2899	126,161.58		
			FED INCOME TAX W/H 7/15/11	126,161.58
7/29/2011	2907	121,341.76		
			FED INCOME TAX W/H 7/29/11	121,341.76
	Vendor Total	**422,763.13**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
JTB SUPPLY CO., INC.			Remit to: **ORANGE** **CA**	
7/18/2011	883178	49,274.63		
			MEYERS BATTERY BACKUP	7,550.00
			MP2000 BATTERY BACKUP UNITS	14,950.00
			250W HPS LUMINAIRES W/NO PEC	1,550.00
			DIALIGHT 12" LED RED ARROW	1,200.00
			DIALIGHT 12" LED RED BALL	1,200.00
			DIALIGHT 12" LED GREEN ARROW	900.00
			DIALIGHT 12" LED GREEN BALL	1,480.00
			DIALIGHT ITE CNTDWN MODULES	15,580.00
			NEMA CONFLICT MONITOR 12 CHNL	900.00
			CALIF SALES TAX	3,964.63
	Vendor Total	**49,274.63**		
FYTD for JTB SUPPLY CO., INC.		**64,456.14**		

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MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/11/2011	208675	26,820.19		
				REHAB COSTS-15438 CASA GRANDE	26,820.19
	7/25/2011	208850	30,554.31		
				REHAB COSTS-13150 KIOWA DR	30,554.31
	Vendor Total		**57,374.50**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA** **CA**	
	7/11/2011	883148	156,561.99		
				DEMO/INSTLL PARK PLAY EQUIPMNT	133,097.93
				CA SALES TAX	4,235.47
				DEMO/INSTLL PARK PLAY EQUIPMNT	17,681.46
				CA SALES TAX	1,547.13
	Vendor Total		**156,561.99**		
FYTD for MIRACLE PLAYGROUND SALES			**156,561.99**		
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/18/2011	208771	77,145.82		
				ELECTRICITY	134.12
				ELECTRICITY	1,820.60
				ELECTRICITY	261.88
				ELECTRICITY	576.89
				ELECTRICITY	16,750.54
				ELECTRICITY	15,316.06
				ELECTRICITY	4,685.80
				ELECTRICITY	9,926.95
				ELECTRICITY	1,590.67
				ELECTRICITY	3,540.92
				ELECTRICITY	11,772.97
				ELECTRICITY	7,439.89
				ELECTRICITY	204.84
				ELECTRICITY	124.87
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	165.10
				ELECTRICITY	119.57
				ELECTRICITY	2,537.21
	Vendor Total		**77,145.82**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		

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NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/15/2011	2896	89,191.65		
			DEF COMP 457 & 401(A) 7/15/11	89,191.65
7/29/2011	2904	25,173.70		
			DEF COMP 457 & 401(A) 7/29/11	25,173.70
	Vendor Total	**114,365.35**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NEW WORLD SYSTEMS, CORP			Remit to: **TROY** **MI**	
7/5/2011	208587	270,090.00		
			LOGOS 2011 EXEC CUSTOMER CONF.	1,890.00
			FM, HR/PY SOFTWARE LIC EFF DT	158,520.00
			SOFTWARE ESCROW SET-UP FEE	3,000.00
			SOFTWARE ESCROW ANNL ADMIN FEE	1,000.00
			FM, HR/PY SFTWARE LIC DELIVERY	105,680.00
	Vendor Total	**270,090.00**		
FYTD for NEW WORLD SYSTEMS, CORP		**270,090.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
7/11/2011	208684	130,384.06		
			ENERGY SVCS	130,384.06
	Vendor Total	**130,384.06**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**130,384.06**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
7/8/2011	110701	210,279.00		
			EMPLOYEE HEALTH INS 7/8/11	210,279.00
	Vendor Total	**210,279.00**		
FYTD for PERS HEALTH INSURANCE		**210,279.00**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
7/8/2011	2891	198,533.34		
			PERS RETIREMENT 7/1/11	198,533.34
7/22/2011	2901	221,172.56		
			PERS RETIREMENT 7/22/11	221,172.56
	Vendor Total	**419,705.90**		
FYTD for PERS RETIREMENT		**419,705.90**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PSOMAS				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208855	46,977.50		
				SR-60/NASON INTRCHNG PROJ SVCS	9,726.42
				SR-60/NASON INTRCHNG PROJ SVCS	1,260.16
				SR-60/NASON INTRCHNG PROJ SVCS	18,604.14
				SR-60/NASON INTRCHNG PROJ SVCS	2,410.36
				SR-60/NASON INTRCHNG PROJ SVCS	13,258.62
				SR-60/NASON INTRCHNG PROJ SVCS	1,717.80
	Vendor Total		**46,977.50**		
FYTD for PSOMAS			**46,977.50**		
RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	883151	450,141.45		
				IRONWOOD AVE/STORM DRAIN PROJ	182,929.10
				IRONWOOD AVE/STORM DRAIN PROJ	74,607.10
				IRONWOOD AVE/STORM DRAIN PROJ	28,885.50
				IRONWOOD AVE/STORM DRAIN PROJ	20,720.82
				IRONWOOD AVE-DAY TO BARCLAY	142,998.93
	Vendor Total		**450,141.45**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**500,157.17**		
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208878	2,621,009.49		
				CONTRACT LAW ENF BILL #10	44,257.44
				CONTRACT LAW ENF BILL #10	459.43
				CONTRACT LAW ENF BILL #10	1,419,988.41
				CONTRACT LAW ENF BILL #10	57,685.07
				CONTRACT LAW ENF BILL #10	362,907.97
				CONTRACT LAW ENF BILL #10	6,875.44
				CONTRACT LAW ENF BILL #10	87,171.93
				CONTRACT LAW ENF BILL #10	6,269.10
				CONTRACT LAW ENF BILL #10	72,109.18
				CONTRACT LAW ENF BILL #10	1,179.20
				CONTRACT LAW ENF BILL #10	173,447.24
				CONTRACT LAW ENF BILL #10	3,973.20
				CONTRACT LAW ENF BILL #10	303,502.31
				CONTRACT LAW ENF BILL #10	7,851.22
				CONTRACT LAW ENF BILL #10	34,281.80
				CONTRACT LAW ENF BILL #10	281.60
				CONTRACT LAW ENF BILL #10	27,781.89
				CONTRACT LAW ENF BILL #10	1,823.26
				CONTRACT LAW ENF BILL #10	1,069.00
				CONTRACT LAW ENF BILL #10	7,483.20
				CONTRACT LAW ENF BILL #10	611.60
	Vendor Total		**2,621,009.49**		
FYTD for RIVERSIDE COUNTY SHERIFF			**2,631,277.41**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883102	247,552.00		
			ANNUAL RMS/CLETS BILNG FY10/11	247,552.00
	Vendor Total	**247,552.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**247,552.00**		
SAN PEDRO SIGN COMPANY			Remit to: **WILMINGTON** **CA**	
7/18/2011	883183	247,614.87		
			AUTO MALL PYLON SIGN PROJECT	247,614.87
	Vendor Total	**247,614.87**		
FYTD for SAN PEDRO SIGN COMPANY		**247,614.87**		
SOUTHCOAST HEATING & AIR CONDITIONING			Remit to: **VISTA** **CA**	
7/11/2011	208701	87,612.30		
			CITY HALL HVAC SYSTEM REPLCMNT	87,612.30
	Vendor Total	**87,612.30**		
FYTD for SOUTHCOAST HEATING & AIR CONDITIONING		**87,612.30**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON				Remit to: **ROSEMEAD** **CA**	
	7/5/2011	208610	31,082.71		
				WDAT CHARGES-IRIS	2,752.38
				WDAT CHARGES-GRAHAM	4,055.01
				WDAT CHARGES-GLOBE	8,723.61
				WDAT CHARGES-NANDINA	2,647.31
				WDAT CHARGES-FREDERICK	2,457.09
				WDAT CHARGES-SUBSTATION	10,447.31
	7/18/2011	208792	131,907.55		
				ELECTRICITY	460.16
				ELECTRICITY	25.25
				ELECTRICITY	663.53
				ELECTRICITY	1,345.33
				ELECTRICITY	900.46
				ELECTRICITY	94,565.88
				ELECTRICITY	33,162.72
				ELECTRICITY	397.48
				ELECTRICITY	51.95
				ELECTRICITY	22.44
				ELECTRICITY	45.55
				ELECTRICITY	27.20
				ELECTRICITY	26.69
				ELECTRICITY	67.09
				ELECTRICITY	91.20
				ELECTRICITY	54.62
	7/25/2011	208864	39,660.58		
				ELECTRICITY	1,573.29
				ELECTRICITY	204.85
				ELECTRICITY	5,455.35
				ELECTRICITY	1,334.28
				ELECTRICITY	147.70
				ELECTRICITY	3,805.22
				ELECTRICITY	18.93
				ELECTRICITY	4,401.48
				ELECTRICITY	1,019.92
				ELECTRICITY	4,047.97
				ELECTRICITY	1,895.65
				ELECTRICITY	1,691.61
				ELECTRICITY	277.13
				ELECTRICITY	3,644.30
				ELECTRICITY	1,132.38
				ELECTRICITY	1,230.13
				ELECTRICITY	24.19
				ELECTRICITY	40.12
				ELECTRICITY	4,110.06
				ELECTRICITY	1,804.20
				ELECTRICITY	357.03
				ELECTRICITY	427.84
				ELECTRICITY	563.73
				ELECTRICITY	254.30
				ELECTRICITY	162.74
				ELECTRICITY	36.18

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	202,650.84		
FYTD for SOUTHERN CALIFORNIA EDISON		228,961.11		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
7/19/2011	208809	29,920.17		
			LIFE & DISABILITY INSURANCE	11,719.41
			LIFE & DISABILITY INSURANCE	18,284.60
			LIFE & DISABILITY INSURANCE	-83.84
	Vendor Total	29,920.17		
FYTD for STANDARD INSURANCE CO		31,970.69		
TCM GROUP			Remit to: **FONTANA**	**CA**
7/12/2011	208723	173,200.42		
			SR-60/NASON ST INTRCHNG PROJ	21,572.87
			SR-60/NASON ST INTRCHNG PROJ	42,633.50
			SR-60/NASON ST INTRCHNG PROJ	23,140.52
			SR-60/NASON ST INTRCHNG PROJ	85,853.53
7/25/2011	208879	178,371.96		
			SR-60/NASON INTRCHNG PROJ	103,945.47
			SR-60/NASON INTRCHNG PROJ	74,426.49
	Vendor Total	351,572.38		
FYTD for TCM GROUP		351,572.38		
TRANE			Remit to: **CITY OF INDUSTRY**	**CA**
7/27/2011	208882	143,234.46		
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
	Vendor Total	143,234.46		
FYTD for TRANE		143,234.46		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
7/19/2011	110707	129,465.57		
			CALCARD PYMT CYCLE END 7/7/11	129,465.57
	Vendor Total	129,465.57		
FYTD for U.S. BANK/CALCARDS		129,465.57		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
7/27/2011	110708	1,233,839.91		
			2007 TAB SERIES A DEBT PYMT	1,233,839.91
	Vendor Total	1,233,839.91		
FYTD for WELLS FARGO CORPORATE TRUST		1,233,839.91		

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For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCRCA				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208877	279,382.95		
				COMMERC./INDUSTR FEES-MSHCP	279,382.95
	Vendor Total		**279,382.95**		
FYTD for WRCRCA			**279,382.95**		
	Subtotal		**9,918,630.92**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

REGENCY THEATRES				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208630	460.00		
				TICKETS AND SNACKS	460.00
	Vendor Total		**460.00**		
FYTD for REGENCY THEATRES			**460.00**		
A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS** **CA**	
	7/25/2011	208811	19,550.44		
				REHAB COSTS-14950 RIO GRANDE	19,550.44
	Vendor Total		**19,550.44**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCESS SECURITY CONTROLS INT., INC.				Remit to: **TEMECULA** **CA**	
	7/11/2011	208631	75.00		
				SECURITY MONITORING SVCS-ERC	75.00
	Vendor Total		**75.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**75.00**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	7/5/2011	883043	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**318.73**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	883135	283.34		
				TRAINING FOR PD K9	283.34
	Vendor Total		**283.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**283.34**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCED ELECTRIC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208632	242.00		
				ELECTRICAL REPAIRS-PARKS	120.00
				ELECTRICAL REPAIRS-PARKS	60.00
				ELECTRICAL REPAIRS-GOLF COURSE	62.00
	7/18/2011	208724	2,554.00		
				ELECTRICAL REPAIRS	372.00
				REPLACED LIGHTING POLES	2,182.00
	7/25/2011	208812	3,098.00		
				ELECT REPAIR-PSB	977.00
				ELECT REPAIR-CONF & REC CTR	953.00
				ELECT REPAIR-CONF & REC CTR	519.00
				ELECT REPAIR-CONF & REC CTR	649.00
	Vendor Total		**5,894.00**		
FYTD for ADVANCED ELECTRIC			**5,894.00**		
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	7/11/2011	883136	362.50		
				CONSULTING SERVICES-NPDES	362.50
	Vendor Total		**362.50**		
FYTD for AEI-CASC ENGINEERING			**362.50**		
ALANIS, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208725	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALANIS, MICHELLE			**95.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	7/11/2011	208634	1,450.12		
				TRANSPORTATION SVCS-CHILDS PLC	373.43
				TRANSPORTATION SVCS-CHILDS PLC	717.79
				TRANSPORTATION SVCS-VALLEYCAMP	358.90
	Vendor Total		**1,450.12**		
FYTD for ALLIANCE BUS LINES INC			**1,450.12**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	7/18/2011	208726	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**75.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALPHACORP/SIRE TECHNOLOGIES			Remit to: **WEST VALLEY CITY**	**UT**
7/18/2011	883165	11,994.00		
			SIRE EDMS SOFTWARE ANN MAINT.	1,699.00
			PERMITS+ INTERFACE ANN MAINT.	509.00
			ENTERPRISE RETENTION MANAGER	899.00
			ENTERPRISE WORKFLOW MODULE	720.00
			CITY-WIDE SIRE CLIENT USER LIC	2,519.00
			PDF CONVERSION, OCR AND FULL	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE ANNUAL MAINT.	539.00
			SIRE FORMS ANNUAL MAINT.	899.00
			SIRE AGENDA PLUS ANNUAL MAINT.	6,119.00
			CAPTURE INDEX STATION ANNUAL	944.00
			PURCHASING INCENTIVE DISCOUNT	-4,000.00
	Vendor Total	**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**11,994.00**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208635	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for ALVAREZ, JUAN C		**52.50**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS**	**CA**
7/11/2011	883137	82.16		
			BLOOD DRAWS	82.16
	Vendor Total	**82.16**		
FYTD for AMERICAN FORENSIC NURSES		**82.16**		
AMERICAN TOWERS			Remit to: **CHARLOTTE**	**NC**
7/11/2011	208636	2,573.48		
			ATC TOWER LEASE	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**2,573.48**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM**	**CA**
7/11/2011	208637	121.92		
			ELEVATOR SVCS-CITY HALL	121.92
7/25/2011	208815	352.38		
			WHEELCHAIR LIFT SVC/REPAIR	230.46
			ELEVATOR SVC/REPAIRS-CITY HALL	121.92
	Vendor Total	**474.30**		
FYTD for AMTECH ELEVATOR SERVICES		**474.30**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
7/25/2011	883188	640.00		
			EMERGENCY VET SVCS	400.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
	Vendor Total	**640.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**640.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
7/18/2011	208727	325.00		
			BEE REMOVAL	325.00
7/25/2011	208816	1,790.00		
			PEST CONTROL-GOLF COURSE	180.00
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MFCC/MBF/MVEC	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	160.00
			PEST CONTROL-STARS BLDG	100.00
	Vendor Total	**2,115.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**2,115.00**		
APWA-AMERICAN PUBLIC WORKS ASSOCIATION			Remit to: **KANSAS CITY**	**MO**
7/18/2011	208728	550.00		
			MAINT FOR MICRO PAVER APPLIC.	550.00
7/25/2011	208817	2,380.00		
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
	Vendor Total	**2,930.00**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**2,930.00**		

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ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
7/18/2011	883166	1,346.48		
			OFFSITE STORAGE SVCS-CITY CLRK	1,331.65
			RECORDS DESTRUCTION-ANIMAL SVC	14.83
	Vendor Total	**1,346.48**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**1,346.48**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
7/5/2011	208530	340.78		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRFFC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-FS #2	25.00
			WATER PURIF RNTL-FS #6	25.00
			WATER PURIF RNTL-FS #48	25.00
			WATER PURIF RNTL-FS #58	15.77
			WATER PURIF RNTL-FS #65	25.00
			WATER PURIF RNTL-FS #91	25.00
7/18/2011	208729	200.01		
			WATER PURIF RNTL-ANML SVCS	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPCL DIST	25.00
			WATER PURIF RNTL-CONF & REC CT	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FAC ANNEX	25.00
			WATER PURIF RNTL-STARS	25.00
	Vendor Total	**540.79**		
FYTD for ARROWHEAD WATER		**540.79**		
AT&T MOBILITY			Remit to: **CAROL STREAM** **IL**	
7/5/2011	208531	91.04		
			CELL PH CHARGES-PD MBL CMMND C	91.04
	Vendor Total	**91.04**		
FYTD for AT&T MOBILITY		**91.04**		
AT&T NATIONAL COMPLIANCE CENTER			Remit to: **NORTH PALM BEACH** **FL**	
7/5/2011	208532	300.00		
			CELL PHONE PING FEES FOR PD	300.00
	Vendor Total	**300.00**		
FYTD for AT&T NATIONAL COMPLIANCE CENTER		**300.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	7/5/2011	208533	183.10		
				COMMUNICATION SVCS	183.10
	Vendor Total		**183.10**		
FYTD for AT&T/MCI			**183.10**		
AUTOMATIC STOREFRONT SERVICE, INC.				Remit to: **CHINO** **CA**	
	7/25/2011	208818	175.00		
				DOOR REPAIRS	87.50
				DOOR REPAIRS	87.50
	Vendor Total		**175.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**175.00**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208638	65.28		
				MILEAGE REIMBURSEMENT	65.28
	7/25/2011	208819	371.58		
				TRAVEL EXP.-CRRA CONFERENCE	123.08
				TRAVEL EXP.-CRRA CONFERENCE	248.50
	Vendor Total		**436.86**		
FYTD for AYALA, NANNERL A.			**436.86**		
AYERS, JAMES				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208730	34.00		
				REFUND-VARIOUS A/C FEES	22.00
				REFUND-VARIOUS A/C FEES	12.00
	Vendor Total		**34.00**		
FYTD for AYERS, JAMES			**34.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	7/5/2011	208534	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**318.73**		
BAGLEY, DENISE				Remit to: **HEMET** **CA**	
	7/5/2011	208535	87.00		
				REFUND-PARKS CLASS REGIS FEE	87.00
	Vendor Total		**87.00**		
FYTD for BAGLEY, DENISE			**87.00**		

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BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	7/5/2011	883044	119.73		
				RETIREE MED MAR '11, PD JUL '1	119.73
	Vendor Total		**119.73**		
FYTD for BARNES, DARLENE			**119.73**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	7/25/2011	208820	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARTUCCIO, ERICA			**20.00**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883189	60.00		
				BACKFLOW TESTING-PARKS	6.91
				BACKFLOW TESTING-PARKS	23.09
				BACKFLOW TESTING-PARKS	30.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**60.00**		
BASSET HOUND OF SO CALIF RESCUE				Remit to: **COSTA MESA** **CA**	
	7/25/2011	208821	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BASSET HOUND OF SO CALIF RESCUE			**75.00**		
BATONGMALAQUE, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208731	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATONGMALAQUE, BARBARA			**50.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208536	250.00		
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**250.00**		

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BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	7/5/2011	883045	10,660.49		
				LANDSCAPE MAINT-E4	114.31
				LANDSCAPE MAINT-E4	65.52
				LANDSCAPE MAINT-E4	65.10
				LANDSCAPE MAINT-E4	650.00
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STNS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E3	315.00
				LNDSCP MAINT-PAN AM SECTION	600.00
				LNDSCP MAINT-SCE & OLD LAKE DR	1,785.00
				LNDSCP MAINT-S AQDCT "A"	850.50
				LNDSCP MAINT-S AQDCT "B"	735.00
				LNDSCP MAINT-SENIOR CTR	262.50
				LNDSCP MAINT-N AQDCT	525.00
	7/25/2011	883190	87.18		
				LANDSCAPE MAINT-E4	87.18
	Vendor Total		**10,747.67**		
FYTD for BEMUS LANDSCAPE, INC.			**40,176.27**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	883191	846.50		
				COBRA ADMIN FEE	846.50
	Vendor Total		**846.50**		
FYTD for BENESYST, INC.			**846.50**		
BERMUDEZ, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208733	47.25		
				REFUND-CLASS REGIS FEE	7.75
				REFUND-CLASS REGIS FEE	15.00
				REFUND-CLASS REGIS FEE	19.25
				REFUND-CLASS REGIS FEE	5.25
	Vendor Total		**47.25**		
FYTD for BERMUDEZ, ASHLEY			**47.25**		
BERRY, RICK				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208639	836.00		
				REFUND-RENTAL DEPOSIT -TWNGATE	200.00
				REFUND-RENTAL DEPOSIT -TWNGATE	636.00
	Vendor Total		**836.00**		
FYTD for BERRY, RICK			**836.00**		

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BIO-TOX LABORATORIES			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208734	1,555.89		
			TOXICOLOGY TESTING-PD	1,555.89
	Vendor Total	**1,555.89**		
FYTD for BIO-TOX LABORATORIES		**1,555.89**		
BPC MEDIA WORKS, LLC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208822	1,530.00		
			ADVERTISING SVCS-EDD	1,530.00
	Vendor Total	**1,530.00**		
FYTD for BPC MEDIA WORKS, LLC		**1,530.00**		
BRACAMONTE, FRANCES			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208823	112.00		
			REFUND-CLASS REGIS FEE	112.00
	Vendor Total	**112.00**		
FYTD for BRACAMONTE, FRANCES		**112.00**		
BREAKTHROUGH CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208640	100.00		
			REFUND-RENTAL DEPOSIT -TWNGATE	100.00
	Vendor Total	**100.00**		
FYTD for BREAKTHROUGH CHURCH		**100.00**		
BRIGIE, DEBRA			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208824	17,855.60		
			SOLAR INCENTIVE REBATE	17,855.60
	Vendor Total	**17,855.60**		
FYTD for BRIGIE, DEBRA		**17,855.60**		
BRITTMON, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208641	66.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	10.00
	Vendor Total	**66.00**		
FYTD for BRITTMON, MICHELLE		**66.00**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	7/5/2011	883046	287.65		
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	49.03
				MISC BOOKS-LIBRARY	40.17
				MISC BOOKS-LIBRARY	51.24
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	38.69
	7/18/2011	883167	1,261.16		
				MISC BOOKS-LIBRARY	59.40
				MISC BOOKS-LIBRARY	146.07
				MISC BOOKS-LIBRARY	564.19
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	378.59
	Vendor Total		**1,548.81**		
FYTD for BRODART CO.			**1,548.81**		
BROWN, HOWARD				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208825	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROWN, HOWARD			**50.00**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	7/5/2011	208537	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**318.73**		
BURKE, JOHN R.				Remit to: **REDLANDS** **CA**	
	7/5/2011	208538	1,737.00		
				RETIREE MED JB 9/10-2/11, 5/11	1,737.00
	Vendor Total		**1,737.00**		
FYTD for BURKE, JOHN R.			**1,737.00**		

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BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
7/5/2011	208539	2,820.13		
			MISC BOOKS-LIBRARY	75.40
			MISC BOOKS-LIBRARY	15.50
			MISC BOOKS-LIBRARY	16.59
			MISC BOOKS-LIBRARY	51.65
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	1,059.61
			MISC BOOKS-LIBRARY	1,372.21
			MISC BOOKS-LIBRARY	84.69
			MISC BOOKS-LIBRARY	77.10
			MISC BOOKS-LIBRARY	26.43
			MISC BOOKS-LIBRARY	21.21
7/18/2011	208735	15.50		
			MISC BOOKS-LIBRARY	15.50
	Vendor Total	**2,835.63**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**2,835.63**		
C & H DISTRIBUTORS, INC.			Remit to: **MILWAUKEE** **WI**	
7/18/2011	208736	3,243.41		
			UPHLSTRD STACK CHAIRS W/O ARMS	2,340.80
			SHIPPING & HANDLING CHRG	697.79
			CA SALES TAX	204.82
	Vendor Total	**3,243.41**		
FYTD for C & H DISTRIBUTORS, INC.		**3,243.41**		
CA REGIONAL WATER QUALITY CONTROL BOARD			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208642	712.00		
			SEC 401 CERT FILING FEE	712.00
	Vendor Total	**712.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD		**712.00**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
7/5/2011	883047	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CAIN, GREGORY		**318.73**		
CALIFORNIA BUILDING STANDARDS COMMISSION			Remit to: **SACRAMENTO** **CA**	
7/12/2011	208720	376.20		
			SB 1473 FEES COLLECTD 4/1-6/30	376.20
	Vendor Total	**376.20**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		**376.20**		

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CALIFORNIA DEPARTMENT OF FISH AND GAME			Remit to: **LOS ALAMITOS** **CA**	
7/11/2011	208643	4,482.75		
			STREAMBED ALTER. AGRMNT FEE	4,482.75
	Vendor Total	**4,482.75**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME		**4,482.75**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208826	75.00		
			REFUND-PARK RNTL DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**75.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
7/5/2011	883048	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**318.73**		
CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
7/11/2011	208644	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**7,590.68**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883049	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**318.73**		
CARTER, TERRY			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208645	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CARTER, TERRY		**20.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
7/11/2011	208646	286.49		
			CEMENT PURCHASE	286.49
	Vendor Total	**286.49**		
FYTD for CEMEX		**286.49**		

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CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	883193	8,942.00		
				INVESTMENT MGT SVCS	8,942.00
	Vendor Total		**8,942.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**8,942.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208540	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**318.73**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883050	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**318.73**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883051	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**229.88**		

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CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
7/5/2011	883052	111.68		
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	13.00
			UNIFORM RNTL SVC-GOLF COURSE	5.56
7/11/2011	883139	341.36		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	61.60
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM SVCS-FACILITIES	12.40
7/18/2011	883168	66.90		
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
7/25/2011	883194	66.90		
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
			UNIFORM RNTL SVC-GOLF COURSE	2.79
	Vendor Total	**586.84**		
FYTD for CINTAS CORPORATION		**586.84**		
CITRUS BELT CHAPTER, I.C.C.			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208827	25.00		
			FY11/12 MEMBERSHIP RENEWAL	25.00
	Vendor Total	**25.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**25.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CITY OF DESERT HOT SPRINGS			Remit to: **DESERT HOT SPRINGS CA**	
7/11/2011	208647	80.00		
			7/11/11 LCC GEN MEMB MEETING	40.00
			7/11/11 LCC GEN MEMB MEETING	40.00
	Vendor Total	**80.00**		
FYTD for CITY OF DESERT HOT SPRINGS		**80.00**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY CA**	
7/18/2011	883169	4,475.00		
			EXEMPT VEBA	-37.50
			EXEMPT VEBA	700.00
			EXEMPT VEBA	3,812.50
	Vendor Total	**4,475.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**4,475.00**		
CITY OF TORRANCE			Remit to: **TORRANCE CA**	
7/18/2011	208737	6,870.00		
			SIPPLE ET AL V. CITY-LEGAL SVC	6,870.00
	Vendor Total	**6,870.00**		
FYTD for CITY OF TORRANCE		**6,870.00**		
CLARK, CHRISTINE			Remit to: **MORENO VALLEY CA**	
7/25/2011	208828	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CLARK, CHRISTINE		**75.00**		
COAST TO COAST LASER			Remit to: **MURRIETA CA**	
7/11/2011	208648	1,483.76		
			MVPD SHIELD STICKERS	741.88
			MVPD SHIELD STICKERS	741.88
	Vendor Total	**1,483.76**		
FYTD for COAST TO COAST LASER		**1,483.76**		
COBBS JR., JOE C			Remit to: **MORENO VALLEY CA**	
7/18/2011	208738	11,205.60		
			SOLAR INCENTIVE REBATE	11,205.60
	Vendor Total	**11,205.60**		
FYTD for COBBS JR., JOE C		**11,205.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLLINS, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208829	47.00		
				REFUND-PIANO CLASS CANCELLED	47.00
	Vendor Total		**47.00**		
FYTD for COLLINS, DANIEL			**47.00**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	7/5/2011	208541	6,935.24		
				SUPPLEMENTAL INSURANCE	6,935.24
	Vendor Total		**6,935.24**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**6,935.24**		
COMMUNITY HEALTH CHARITIES				Remit to: **ANAHEIM** **CA**	
	7/5/2011	208542	2.50		
				CHC CONTRIBUTIONS	2.50
	7/5/2011	208543	176.31		
				CHC CONTRIBUTIONS	176.31
	7/18/2011	208739	2.50		
				CHC CONTRIBUTIONS	2.50
	7/18/2011	208740	176.31		
				CHC CONTRIBUTIONS	176.31
	Vendor Total		**357.62**		
FYTD for COMMUNITY HEALTH CHARITIES			**357.62**		
CONCEPCION BARAJAS/JESSICA AVELAR				Remit to: **PERRIS** **CA**	
	7/5/2011	208544	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CONCEPCION BARAJAS/JESSICA AVELAR			**95.00**		
CONTINENTAL WESTERN TRANSPORTATION				Remit to: **SAN DIEGO** **CA**	
	7/11/2011	208649	6,752.25		
				ASPHALTIC MATERIALS PURCHASE	3,534.38
				ASPHALTIC MATERIALS PURCHASE	3,217.87
	Vendor Total		**6,752.25**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION			**6,752.25**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND** **CA**	
7/18/2011	208741	148.71		
			LEGAL PUBLICATIONS	12.20
			LEGAL PUBLICATIONS	136.51
	Vendor Total	**148.71**		
FYTD for CONTINUING EDUCATION OF THE BAR		**148.71**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208650	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for CONTRERAS, BIANCA		**52.50**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208651	175.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
			SPORTS OFFICIATING SVCS-SOCCER	70.00
	Vendor Total	**175.00**		
FYTD for CONTRERAS, JOSE		**175.00**		
CORTES, MARIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208742	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for CORTES, MARIA		**200.00**		
COSTCO			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208652	383.89		
			MISC SUPPLIES-CHILDS PLACE	140.59
			MISC SUPPLIES-STARS	243.30
7/18/2011	208743	1,350.19		
			SNACKS-"A CHILDS PLACE" PRGM	1,350.19
	Vendor Total	**1,734.08**		
FYTD for COSTCO		**1,734.08**		
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208830	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**1,250.00**		
FYTD for COUNSELING TEAM, THE		**1,250.00**		

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COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
7/5/2011	208545	64.12		
			REFUND-UUT USER TAXES	64.12
Vendor Total		**64.12**		
FYTD for COUNTRY SQUIRE ESTATES		**64.12**		
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208653	2,163.78		
			JANITORIAL SUPPLIES	1,936.67
			JANITORIAL SUPPLIES	227.11
Vendor Total		**2,163.78**		
FYTD for COUNTY OF RIVERSIDE		**2,163.78**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208744	42.70		
			RECORDATION REQUESTS-LAND DEV	8.30
			RECORDATION REQUESTS-LAND DEV	34.40
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**42.70**		
COVARRUBIAS, MELISSA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208654	75.00		
			REFUND-SN DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for COVARRUBIAS, MELISSA		**75.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
7/5/2011	883053	110.31		
			K-9 DOG FOOD	110.31
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**110.31**		
CUEVAS, GLORIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208746	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CUEVAS, GLORIA		**20.00**		
CUFF, STEPHANIE CERVANTES			Remit to: **PERRIS** **CA**	
7/11/2011	208655	19.38		
			MILEAGE REIMBURSEMENT	19.38
Vendor Total		**19.38**		
FYTD for CUFF, STEPHANIE CERVANTES		**19.38**		

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CUMBERLAND, AKOSUA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208546	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for CUMBERLAND, AKOSUA			**145.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.				Remit to: **VALENCIA** **CA**	
	7/25/2011	208832	745.00		
				DISPOSAL SVCS	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**745.00**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883054	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**318.73**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	7/11/2011	883140	4,684.61		
				CITATION PRCSSNG-PD	3,876.95
				CITATION PRCSSNG-ANML SVCS	407.36
				CITATION PRCSSNG-BLDG/SFTY	162.82
				CITATION PRCSSNG-ADDL PYMNT	237.48
	Vendor Total		**4,684.61**		
FYTD for DATA TICKET, INC.			**32,235.28**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	208833	130.50		
				ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**130.50**		
DE SANTIS, THOMAS M				Remit to: **TEMECULA** **CA**	
	7/5/2011	208548	14,000.00		
				PROF SVCS-CITY EVALUATION	12,000.00
				PROF SVCS-CITY EVALUATION	2,000.00
	Vendor Total		**14,000.00**		
FYTD for DE SANTIS, THOMAS M			**14,000.00**		

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DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	7/11/2011	208656	140.00		
				MONTHLY BOILER SVC-EOC	140.00
	7/18/2011	208747	29.36		
				REPLACED BOILER PARTS-EOC	29.36
	Vendor Total		**169.36**		
FYTD for DEBINAIRE COMPANY			**169.36**		
DEL REY APPRAISAL SRVCS				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208657	500.00		
				APPRAISAL SVCS-EDD	250.00
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**500.00**		
FYTD for DEL REY APPRAISAL SRVCS			**500.00**		
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208748	10,712.77		
				EMPLOYEE DENTAL INSURANCE	10,712.77
	Vendor Total		**10,712.77**		
FYTD for DELTA DENTAL			**10,712.77**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208549	6,033.46		
				EMPLOYEE DENTAL INSURANCE	6,033.46
	7/18/2011	208749	5,580.33		
				EMPLOYEE DENTAL INSURANCE	5,580.33
	Vendor Total		**11,613.79**		
FYTD for DELTACARE USA			**11,613.79**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	7/11/2011	883141	2,180.00		
				PLAN REVIEW SVCS-FIRE PREV	1,530.00
				PLAN REVIEW SVCS-FIRE PREV	650.00
	7/18/2011	883170	1,710.00		
				PLAN CHECK SVCS-FIRE PREV	1,150.00
				PLAN CHECK SVCS-FIRE PREV	560.00
	Vendor Total		**3,890.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**3,890.00**		

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DEPARTMENT OF CONSERVATION				Remit to: **SACRAMENTO** **CA**	
	7/11/2011	208658	578.26		
				SMI FEES 4/1-6/30/11	608.69
				SMI FEES 4/1-6/30/11	-30.43
	Vendor Total		**578.26**		
FYTD for DEPARTMENT OF CONSERVATION			**578.26**		
DESIGN WORKS				Remit to: **SAN JACINTO** **CA**	
	7/5/2011	208550	2,235.46		
				YTH SPORTS UNIFORMS	2,235.46
	7/11/2011	208659	1,950.35		
				UNIFORMS-YOUTH SPORTS	24.91
				UNIFORMS-YOUTH SPORTS	1,925.44
	7/25/2011	208834	150.07		
				YTH SPORTS UNIFORMS-PARKS	150.07
	Vendor Total		**4,335.88**		
FYTD for DESIGN WORKS			**4,335.88**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	7/5/2011	208551	10,031.59		
				DAY ST DRAINAGE IMPRVMNTS PROJ	10,031.59
	Vendor Total		**10,031.59**		
FYTD for DMC DESIGN GROUP, INC			**10,031.59**		
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	7/5/2011	208552	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**229.88**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208553	189.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**189.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
E.R. BLOCK PLUMBING & HEATING, INC.			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208660	2,560.87		
			BACKFLOW TESTING-NPDES	100.00
			BACKFLOW REPLACMNT-ZONE D	597.19
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
7/18/2011	208750	1,031.47		
			BACKFLOW REPLACMNT-ZONE D	583.97
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW TESTING-ZONE D	240.00
			BACKFLOW TESTING-ZONE E-14	20.00
	Vendor Total	**3,592.34**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**3,592.34**		
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/11/2011	208661	4,500.00		
			PLAN CK DEPOSIT W/EASEMENT	4,500.00
7/12/2011	208721	15,137.12		
			WATER CHARGES	322.43
			WATER CHARGES	10,105.12
			WATER CHARGES	423.54
			WATER CHARGES	2,616.82
			WATER CHARGES	1,184.99
			WATER CHARGES	22.28
			WATER CHARGES	193.03
			WATER CHARGES	268.91
	Vendor Total	**19,637.12**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883055	35.18		
			REFUND-UUT USER TAXES	35.18
	Vendor Total	**35.18**		
FYTD for EDGELANE MOBILE PARK		**35.18**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
7/5/2011	208554	325.66		
			RETIREE MED JUL '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**325.66**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ELIZARRARAZ, EDDIE				Remit to: **MORENO VALLEY CA**	
	7/18/2011	208752	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ELIZARRARAZ, EDDIE			**20.00**		
ELLIOTT, NISHA				Remit to: **MORENO VALLEY CA**	
	7/25/2011	208835	134.40		
				INSTRUCTOR SVCS-KICKBOXING	4.40
				INSTRUCTOR SVCS-KICKBOXING	103.60
				INSTRUCTOR SVCS-KICKBOXING	26.40
	Vendor Total		**134.40**		
FYTD for ELLIOTT, NISHA			**134.40**		
EMPIRE MOWER				Remit to: **MORENO VALLEY CA**	
	7/11/2011	208662	1,105.85		
				EQUIP REPAIRS-PARK MAINT	685.03
				EQUIP REPAIRS-PARK MAINT	420.82
	Vendor Total		**1,105.85**		
FYTD for EMPIRE MOWER			**1,105.85**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2893	500.00		
				STATE INCOME TAX W/H 7/1/11	500.00
	Vendor Total		**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM CA**	
	7/5/2011	883056	23,272.59		
				CABINET LEASE-IRIS	17.89
				CABINET LEASE-IRIS	1,232.11
				WORK AUTH-HIGHLAND FAIRVIEW	11,590.55
				12KV NEW REDLAND CKT WORK AUTH	10,432.04
	Vendor Total		**23,272.59**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
ESCOBAR, CARMEN				Remit to: **MORENO VALLEY CA**	
	7/25/2011	208836	31.20		
				REFUND-DANCE CLASS	31.20
	Vendor Total		**31.20**		
FYTD for ESCOBAR, CARMEN			**31.20**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883057	30.45		
			ENGRAVING SVCS-FACILITIES	28.00
			ENGRAVING SVCS-FACILITIES	2.45
7/18/2011	883172	30.45		
			ENGRAVING SVCS-PARKS	30.45
	Vendor Total	**60.90**		
FYTD for EVANS ENGRAVING & AWARDS		**60.90**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
7/18/2011	208753	129.29		
			IRRIGATION SUPPLIES-FIRE STATN	129.29
7/25/2011	208837	2,812.03		
			IRRIGATION SUPPLIES-PARKS	130.23
			IRRIGATION SUPPLIES-PARKS	305.72
			IRRIGATION SUPPLIES-PARKS	2,161.55
			IRRIGATION SUPPLIES-CFD#1	122.36
			IRRIGATION SUPPLIES-PARKS	92.17
	Vendor Total	**2,941.32**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**2,941.32**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
7/25/2011	208838	7,987.21		
			LANDSCAPE MAINT-E8	22.22
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-WQB	1,059.42
			LANDSCAPE MAINT-WQB	3,444.50
	Vendor Total	**7,987.21**		
FYTD for EXCEL LANDSCAPE, INC		**7,987.21**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
7/5/2011	883058	361.25		
			RETIREE MED JUL '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**361.25**		

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FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
7/5/2011	208555	586.00		
			ONLINE PROP INFO SVCS-CDD	331.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-EDD	170.00
7/25/2011	208839	526.00		
			ONLINE PROP INFO SVCS-CDD	271.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-NSP	170.00
	Vendor Total	**1,112.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**1,112.00**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
7/5/2011	883059	134.06		
			COFFEE SVCS-EMP PAID	1.40
			COFFEE SVCS-EMP PAID	132.66
7/11/2011	883142	550.48		
			COFFEE SVCS-EMP PAID	171.03
			COFFEE SVCS-EMP PAID	20.00
			COFFEE SVCS-EMP PAID	225.43
			COFFEE SVCS-EMP PAID	85.64
			COFFEE SVCS-EMP PAID	48.38
7/18/2011	883173	62.01		
			COFFEE SUPPLIES-CITY YARD	62.01
	Vendor Total	**746.55**		
FYTD for FIRST CHOICE SERVICES		**746.55**		
FLORES, ARCHIE			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208754	29.60		
			REFUND-PICNIC SHELTER RENTAL	29.60
	Vendor Total	**29.60**		
FYTD for FLORES, ARCHIE		**29.60**		
FOOTHILL CHAPTER - I.C.C.			Remit to: **FONTANA** **CA**	
7/25/2011	208841	50.00		
			MEMBERSHIP DUES	50.00
	Vendor Total	**50.00**		
FYTD for FOOTHILL CHAPTER - I.C.C.		**50.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883060	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**318.73**		

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FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	7/5/2011	208556	165.58		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	25.58
	7/18/2011	208755	255.00		
				GARNISHMENT	25.00
				GARNISHMENT	230.00
	Vendor Total		**420.58**		
FYTD for FRANCHISE TAX BOARD			**420.58**		
FRANCO, JUAN				Remit to: **PERRIS** **CA**	
	7/18/2011	208756	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FRANCO, JUAN			**75.00**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	7/11/2011	208663	193.29		
				MILEAGE REIMBURSEMENT	193.29
	Vendor Total		**193.29**		
FYTD for FRANKLIN, L. C.			**193.29**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208557	2,249.76		
				TRAFFIC PAINT	2,249.76
	Vendor Total		**2,249.76**		
FYTD for FRAZEE INDUSTRIES, INC			**2,249.76**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208757	140.00		
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	56.00
				SPORTS OFFICIATING SVCS-SFTBLL	4.00
	Vendor Total		**140.00**		
FYTD for FRESQUEZ, JOHN			**140.00**		
FUEL AND FLAME MINISTRY				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208664	480.00		
				REFUND-UNUSED PORTION OF DEP.	480.00
	Vendor Total		**480.00**		
FYTD for FUEL AND FLAME MINISTRY			**480.00**		

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FUEL PROS, INC				Remit to: **CHINO** **CA**	
	7/18/2011	208758	1,650.00		
				FUEL DISPENSER PUMP RPLCMNT	1,502.00
				FUEL DISPENSER PUMP RPLCMNT	148.00
	Vendor Total		**1,650.00**		
FYTD for FUEL PROS, INC			**1,650.00**		
GAGATCH, HEATHER				Remit to:	
	7/5/2011	208558	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for GAGATCH, HEATHER			**145.00**		
GAINES SR., GLENN E.				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208665	110.00		
				REFUND-CITATION FEE	110.00
	Vendor Total		**110.00**		
FYTD for GAINES SR., GLENN E.			**110.00**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208666	571.24		
				UNIFORMS-TRFFC UNIT	571.24
	7/18/2011	208759	26.10		
				UNIFORMS-TRFFC UNIT	26.10
	Vendor Total		**597.34**		
FYTD for GALLS INC., INLAND UNIFORM			**597.34**		
GAMA, LINA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208667	41.64		
				CRIME-FREE MULTI HOUSING SEMNR	41.64
	Vendor Total		**41.64**		
FYTD for GAMA, LINA			**41.64**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883061	174.30		
				RETIREE MED JUL '11	174.30
	Vendor Total		**174.30**		
FYTD for GASTON, RICHARD			**174.30**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
7/11/2011	883143	429.52		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
7/18/2011	883174	1,411.28		
			SECURITY SVCS-CRC 6/4/11 EVNT	76.70
			SECURITY SVCS-TCC RENTALS	360.49
			SECURITY SVCS-TCC RENTALS	145.73
			SECURITY SVCS-SENIOR CTR	291.46
			SECURITY SVCS-CRC	230.10
			SECURITY SVCS-CRC	226.26
			SECURITY SVCS-CRC	80.54
7/25/2011	883197	2,193.62		
			SECURITY SVCS-CITY HALL	230.10
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	490.88
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
Vendor Total		**4,034.42**		
FYTD for GENERAL SECURITY SERVICES, INC.		**4,034.42**		
GES EXPOSITION SERVICES			Remit to: **LAS VEGAS**	**NV**
7/25/2011	208843	2,433.11		
			TRADESHOW SVCS-VARIOUS	2,433.11
Vendor Total		**2,433.11**		
FYTD for GES EXPOSITION SERVICES		**2,433.11**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883062	7,252.50		
			LEGAL SVCS	3,941.75
			LEGAL SVCS	1,323.25
			LEGAL SVCS	1,987.50
Vendor Total		**7,252.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**7,252.50**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883063	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
Vendor Total		**318.73**		
FYTD for GONZALES, DOMILENA R.		**318.73**		

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GORM INC.				Remit to: **ONTARIO** **CA**	
	7/25/2011	208844	3,440.86		
				JANITORIAL SUPPLIES-CITY PARKS	1,720.43
				JANITORIAL SUPPLIES-CFD #1	1,720.43
		Vendor Total	**3,440.86**		
FYTD for GORM INC.			**3,440.86**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	883144	486.00		
				INSTRUCTOR SVCS-KUNG FU	270.00
				INSTRUCTOR SVCS-KUNG FU	216.00
		Vendor Total	**486.00**		
FYTD for GOZDECKI, DAN			**486.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208760	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
		Vendor Total	**1,000.00**		
FYTD for GRANICUS, INC.			**1,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	7/5/2011	883064	318.73		
				RETIREE MED JUL '11	318.73
		Vendor Total	**318.73**		
FYTD for GRIFFIN, MARLENE C			**318.73**		
GROUND CONTROL SYSTEMS, INC.				Remit to: **SAN LUIS OBISPO** **CA**	
	7/25/2011	883198	1,908.00		
				MOBILE SAT INTERNET SVC-PD	1,908.00
		Vendor Total	**1,908.00**		
FYTD for GROUND CONTROL SYSTEMS, INC.			**1,908.00**		
GUERRERO, CLAUDIO				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208668	20.00		
				REFUND-RABIES DEPOSIT	20.00
		Vendor Total	**20.00**		
FYTD for GUERRERO, CLAUDIO			**20.00**		
GUIDERO, DAVID				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208559	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for GUIDERO, DAVID			**75.00**		

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GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	7/5/2011	883065	551.34		
				RETIREE MED JUN-JUL '11, PD JU	551.34
	Vendor Total		**551.34**		
FYTD for GUILLAN, REBECCA S.			**551.34**		
GUTIERREZ, JOSHUA				Remit to: **BUENA PARK** **CA**	
	7/25/2011	208845	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for GUTIERREZ, JOSHUA			**20.00**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	7/5/2011	883066	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**318.73**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883175	4,049.00		
				CART RETRIEVAL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**4,049.00**		
H & H GENERAL CONTRACTORS				Remit to: **HIGHLAND** **CA**	
	7/18/2011	883176	0.00		
				MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
				VOIDED CHECK #883176 - 7/21/11	-215,802.45
	Vendor Total		**0.00**		
FYTD for H & H GENERAL CONTRACTORS			**215,802.45**		
H.O.C.I.E - HOUSING OPPORTUNITIES				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208560	1,440.00		
				FORECLOSURE COUNSELING SVCS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for H.O.C.I.E - HOUSING OPPORTUNITIES			**1,440.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883067	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**318.73**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883068	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**318.73**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	7/5/2011	208561	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**318.73**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	7/5/2011	208562	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**318.73**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208563	168.00		
				INSTRUCTOR SVCS-BODY SCULPTING	108.00
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
	Vendor Total		**168.00**		
FYTD for HASS, MINA			**168.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883069	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**318.73**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	7/5/2011	883070	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**318.73**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208564	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**318.73**		

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HERTZ EQUIPMENT RENTAL INC			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208565	688.29		
			CRANE TRUCK RENTAL	688.29
	Vendor Total	**688.29**		
FYTD for HERTZ EQUIPMENT RENTAL INC		**688.29**		
HIGGS, DEBRA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208761	108.00		
			INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total	**108.00**		
FYTD for HIGGS, DEBRA		**108.00**		
HODGE PRODUCTS, INC.			Remit to: **EL CAJON** **CA**	
7/25/2011	883199	677.87		
			LOCKS-CFD #1	172.97
			LOCKS-CITY PARKS	170.00
			LOCKS-CFD #1	27.03
			LOCKS-CFD #1	307.87
	Vendor Total	**677.87**		
FYTD for HODGE PRODUCTS, INC.		**677.87**		
HOUSER, EDITH E.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208566	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for HOUSER, EDITH E.		**318.73**		
HOUSTON RICHARD			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208762	100.00		
			REFUND-CHILD'S PLACE FEES	100.00
	Vendor Total	**100.00**		
FYTD for HOUSTON RICHARD		**100.00**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
7/29/2011	2906	8,520.83		
			DEF COMP 457 7/29/11	8,520.83
	Vendor Total	**8,520.83**		
FYTD for ICMA RETIREMENT CORP 457		**42,062.58**		
IL SORRENTO MOBILE PARK			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208567	112.29		
			REFUND-UUT USER TAXES	112.29
	Vendor Total	**112.29**		
FYTD for IL SORRENTO MOBILE PARK		**112.29**		

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IMANI PRAISE FELLOWSHIP SDA CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208568	100.00		
			REFUND-RENTAL DEPOSIT -MSU	100.00
	Vendor Total	**100.00**		
FYTD for IMANI PRAISE FELLOWSHIP SDA CHURCH		**100.00**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
7/18/2011	208763	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**475.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883200	2,782.13		
			ABATEMENT SVC-22385 COTTNWD AV	2,782.13
	Vendor Total	**2,782.13**		
FYTD for INLAND CONTRACTORS, INC.		**2,782.13**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS** **CA**	
7/11/2011	208669	4,575.00		
			ADVERTISING SVCS-PW SOLID WAST	400.00
			ADVERTISING SVCS-PW SOLID WAST	4,175.00
	Vendor Total	**4,575.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**4,575.00**		
INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883145	2,863.40		
			NUISANCE ABTMNT SVCS-CODE	957.90
			NUISANCE ABTMNT SVCS-CODE	900.00
			NUISANCE ABTMNT SVCS-CODE	346.50
			NUISANCE ABTMNT SVCS-CODE	432.00
			NUISANCE ABTMNT SVCS-CODE	227.00
7/25/2011	883201	1,456.00		
			NUISANCE ABATEMENT SVCS-CODE	252.00
			NUISANCE ABATEMENT SVCS-CODE	1,204.00
	Vendor Total	**4,319.40**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**4,319.40**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON CA**	
7/5/2011	883071	393.00		
			VAPOR RECOVERY TESTING-FS #2	393.00
7/25/2011	883202	140.00		
			HOSE RETRACTOR REPAIR-FS#91	140.00
	Vendor Total	**533.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**533.00**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2892	2,000.00		
			FED INCOME TAX W/H 7/1/11	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
J D H CONTRACTING			Remit to: **RIVERSIDE CA**	
7/11/2011	883146	8,960.00		
			CONTRACT SVCS-FIRE STATION 91	5,921.00
			CONTRACT SVCS-SENIOR CENTER	3,039.00
7/12/2011	883162	845.00		
			GOLF CTR ROOFING WORK	845.00
	Vendor Total	**9,805.00**		
FYTD for J D H CONTRACTING		**9,805.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE CA**	
7/11/2011	208670	36.00		
			SPORTS OFFICIATING SVCS-SFTBL	36.00
	Vendor Total	**36.00**		
FYTD for JACKSON, JAYE		**36.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE CA**	
7/18/2011	208764	75.00		
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**75.00**		
JARRETT, STEPHEN M.			Remit to: **BEAUMONT CA**	
7/5/2011	208569	485.91		
			TRAVEL EXP-ESRI INTL USER CONF	95.41
			TRAVEL EXP-ESRI INTL USER CONF	390.50
	Vendor Total	**485.91**		
FYTD for JARRETT, STEPHEN M.		**485.91**		

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JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	7/12/2011	883163	1,955.00		
				CONSULTING SVCS-TECH SVCS	1,955.00
	Vendor Total		**1,955.00**		
FYTD for JDEDGE SOFTWARE, LLC			**1,955.00**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	7/25/2011	208846	99.96		
				MILEAGE REIMBURSEMENT	99.96
	Vendor Total		**99.96**		
FYTD for JONES III, JOSEPH			**99.96**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883072	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**318.73**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	7/5/2011	883073	15,181.51		
				TRAFFIC SIGNAL SUPPLIES	3,371.25
				TRAFFIC SIGNAL SUPPLIES	3,599.63
				TRAF SIG SERVICE CABINET	7,550.00
				CA SALES TAX	660.63
	Vendor Total		**15,181.51**		
FYTD for JTB SUPPLY CO., INC.			**64,456.14**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208570	2,687.65		
				LEGAL SVCS	2,675.00
				LEGAL SVCS	12.65
	Vendor Total		**2,687.65**		
FYTD for KANE, BALLMER & BERKMAN			**2,687.65**		
KASHEFIPOUR, HOSSEIN				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208671	191.25		
				MILEAGE REIMBURSEMENT	43.35
				MILEAGE REIMBURSEMENT	58.65
				MILEAGE REIMBURSEMENT	89.25
	Vendor Total		**191.25**		
FYTD for KASHEFIPOUR, HOSSEIN			**191.25**		

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KATZ, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208765	48.00		
				REFUND-CLASS REGIS FEE	48.00
	Vendor Total		**48.00**		
FYTD for KATZ, MICHELLE			**48.00**		
KDM MERIDIAN, INC.				Remit to: **LAKE FOREST** **CA**	
	7/5/2011	883074	2,945.00		
				DAY ST WIDENING/EUCALYPTUS PRJ	1,608.00
				ANNL ADA COMPL CURB/RAMP PROJ	1,337.00
	Vendor Total		**2,945.00**		
FYTD for KDM MERIDIAN, INC.			**2,945.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	208571	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**267.88**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	7/25/2011	208847	761.06		
				SPLASH PAD SUPPLIES-CFD #1	186.21
				SPLASH PAD SUPPLIES-CFD #1	574.85
	Vendor Total		**761.06**		
FYTD for KNORR SYSTEMS, INC			**761.06**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883075	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**318.73**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883076	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**318.73**		

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KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	7/25/2011	208848	1,126.22		
				CALIBRATE/REPAIR LASER GUN-PD	200.00
				CALIBRATE/REPAIR LASER GUN-PD	126.21
				LASER GUN PARTS/REPAIR-PD	800.01
	Vendor Total		**1,126.22**		
FYTD for KUSTOM SIGNALS, INC.			**1,126.22**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	7/5/2011	883077	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**318.73**		
LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208572	168.00		
				LEGAL SERVICES-RISK MGT	168.00
	Vendor Total		**168.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**168.00**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883078	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**318.73**		
LANCE, SOLL & LUNGHARD, LLP				Remit to: **BREA** **CA**	
	7/25/2011	208849	620.00		
				PROF SVCS-RE: GANN LIMIT	620.00
	Vendor Total		**620.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP			**620.00**		
LANGENDORF, BENJAMIN				Remit to: **PERRIS** **CA**	
	7/5/2011	883079	221.40		
				RETIREE MED MAY 11, PD JUL 11	221.40
	Vendor Total		**221.40**		
FYTD for LANGENDORF, BENJAMIN			**221.40**		

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LANGSTON MOTORSPORTS				Remit to: **PERRIS** **CA**	
	7/18/2011	208766	2,355.27		
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	249.44
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	505.83
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
	Vendor Total		**2,355.27**		
FYTD for LANGSTON MOTORSPORTS			**2,355.27**		
LAWYERS TITLE INC				Remit to: **NEWPORT BEACH** **CA**	
	7/19/2011	110705	16,196.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,196.00
	7/19/2011	110706	21,386.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	21,386.00
	Vendor Total		**37,582.00**		
FYTD for LAWYERS TITLE INC			**37,582.00**		
LAZARUS, MARGERY A.				Remit to: **CORONA** **CA**	
	7/18/2011	208767	138.72		
				MILEAGE REIMB-SR60/NASON PROJ	49.47
				MILEAGE REIMB-INDIAN BASIN PRJ	30.09
				MILEAGE REIMB-SR60 MOR BCH PRJ	59.16
	Vendor Total		**138.72**		
FYTD for LAZARUS, MARGERY A.			**138.72**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883080	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**318.73**		
LIGHTS OUT DISPOSAL COMPANY				Remit to: **EL CAJON** **CA**	
	7/5/2011	208573	444.15		
				E-WASTE PICK UP SERVICES	444.15
	Vendor Total		**444.15**		
FYTD for LIGHTS OUT DISPOSAL COMPANY			**444.15**		

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LOGAN, CHARLENE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208574	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LOGAN, CHARLENE			**20.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883081	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**318.73**		
LONA, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208672	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for LONA, VERONICA			**300.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883179	4,501.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	1.00
				IRONWD AVE-DAY TO BARCLAY PROJ	4,500.00
	Vendor Total		**4,501.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**4,501.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883082	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**318.73**		
MACIAS JR., ANTHONY				Remit to: **RIALTO** **CA**	
	7/5/2011	208575	126.00		
				TUITION FEE REIMBURSEMENT	126.00
	Vendor Total		**126.00**		
FYTD for MACIAS JR., ANTHONY			**126.00**		
MAMCO, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208673	5,084.33		
				DRACAEA AVE SIDEWLK IMPRVMNTS	5,084.33
	Vendor Total		**5,084.33**		
FYTD for MAMCO, INC			**5,084.33**		

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MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208576	6.08		
			GAS CHARGES-MARCH FIELD PRK CC	4.96
			GAS CHARGES-MARCH FIELD PRK CC	1.12
	Vendor Total	**6.08**		
FYTD for MARCH JOINT POWERS AUTHORITY		**6.08**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
7/5/2011	883083	4,425.04		
			LANDSCAPE MAINT-DSG2N	668.42
			LANDSCAPE MAINT-DSG2N	3,756.62
7/25/2011	883203	4,994.91		
			LANDSCAPE MAINT-ZONE DSG-2S	4,994.91
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**9,419.95**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208577	280.00		
			INSTRUCTOR SVCS-BOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	112.00
	Vendor Total	**280.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**280.00**		
MARTINEZ, REGGIE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208674	105.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
	Vendor Total	**105.00**		
FYTD for MARTINEZ, REGGIE		**105.00**		
MATHIS, NOLAN			Remit to: **JACKSON** **KY**	
7/5/2011	883084	290.00		
			RETIREE MED MAY 11, PD JUL 11	290.00
	Vendor Total	**290.00**		
FYTD for MATHIS, NOLAN		**290.00**		
MAXINOSKI, SUE A.			Remit to: **AVINGER** **TX**	
7/5/2011	883085	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for MAXINOSKI, SUE A.		**318.73**		

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MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/12/2011	208722	19,969.47		
				REHAB COSTS-24395 DYNA PLACE	19,969.47
	Vendor Total		**19,969.47**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MC NEEL, MARGARETTE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208676	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MC NEEL, MARGARETTE			**50.00**		
MEDINA, EUNICE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208578	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MEDINA, EUNICE			**20.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	7/11/2011	883147	200.00		
				SPORTS OFFICIATING SVCS-SFTBL	80.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
	Vendor Total		**200.00**		
FYTD for MEEKS, DANIEL			**200.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	7/11/2011	208677	1,620.00		
				PLAN CHECK SVCS-BLDG/SFTY	1,620.00
	Vendor Total		**1,620.00**		
FYTD for MELAD & ASSOCIATES, INC			**1,620.00**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208678	135.66		
				MILEAGE REIMBURSEMENT	135.66
	Vendor Total		**135.66**		
FYTD for MENGISTU, YESHIALEM			**135.66**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	7/5/2011	883086	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**318.73**		

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METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	7/18/2011	208768	50.00		
				TEXT MESSAGE RETRIEVAL SVC	50.00
	Vendor Total		**50.00**		
FYTD for METROPCS WIRELESS, INC.			**50.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208579	483.00		
				INSTRUCTOR SVCS-DRAWING	378.00
				INSTRUCTOR SVCS-PHOTO	105.00
	Vendor Total		**483.00**		
FYTD for MEYERS, ROBERT			**483.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883087	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**229.88**		
MIMES, TANIYSHA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208769	64.00		
				REFUND-PICNIC SHELTER RENTAL	64.00
	Vendor Total		**64.00**		
FYTD for MIMES, TANIYSHA			**64.00**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	7/5/2011	883088	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**318.73**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	7/18/2011	883180	2,745.16		
				PLAYGROUND EQUIP PARTS-PARKS	1,961.65
				PLAYGROUND EQUIP PARTS-PARKS	307.64
				PLAYGROUND EQUIPMENT PARTS	475.87
	Vendor Total		**2,745.16**		
FYTD for MIRACLE RECREATION EQUIPMENT			**2,745.16**		

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MISTRETTA, ARTHUR			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883149	144.00		
			SPORTS OFFICIATING SVCS-SFTBL	54.00
			SPORTS OFFICIATING SVCS-SFTBL	36.00
			SPORTS OFFICIATING SVCS-SFTBL	54.00
	Vendor Total	**144.00**		
FYTD for MISTRETTA, ARTHUR		**144.00**		
MOELLER, DONNA M.			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208770	67.77		
			NEIGHBRHD CLEAN UP EXPENSE	67.77
	Vendor Total	**67.77**		
FYTD for MOELLER, DONNA M.		**67.77**		
MOLLICA, MIKE			Remit to: **DUNNELLON** **FL**	
7/5/2011	883089	401.42		
			RETIREE MED JUL '11	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**401.42**		
MONTEJANO, SHIRLEY			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208679	750.00		
			REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total	**750.00**		
FYTD for MONTEJANO, SHIRLEY		**750.00**		
MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208680	1,706.90		
			PLUMBING SVCS-CRC	1,075.00
			PLUMBING SVCS-ANIMAL SHELTER	631.90
	Vendor Total	**1,706.90**		
FYTD for MONTGOMERY PLUMBING INC		**1,706.90**		
MOORE, LEEPORSCHA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208681	22.00		
			REFUND-PARKS CLASS REGIS FEE	22.00
	Vendor Total	**22.00**		
FYTD for MOORE, LEEPORSCHA		**22.00**		
MOOSEPOINT TECHNOLOGY, INC.			Remit to: **SONOMA** **CA**	
7/25/2011	208851	9,000.00		
			GIS INTERNET SITE HOSTING SVCS	9,000.00
	Vendor Total	**9,000.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**9,000.00**		

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MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	7/5/2011	883090	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**318.73**		
MORENO VALLEY BOWL				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208580	320.00		
				INSTRUCTOR SVCS-BOWLING	320.00
	Vendor Total		**320.00**		
FYTD for MORENO VALLEY BOWL			**320.00**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208581	60.00		
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
	7/5/2011	208582	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**810.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**810.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	7/1/2011	2888	1,538.00		
				MVCEA DUES 7/1/11	1,538.00
	7/15/2011	2897	1,543.50		
				MVCEA DUES 7/15/11	1,543.50
	7/29/2011	2905	1,419.00		
				MVCEA DUES 7/29/11	1,419.00
	Vendor Total		**4,500.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**4,500.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRANO CA**	
	7/18/2011	883181	9,207.72		
				LEASE-SPEC DIST ANNEX-AUG 11	9,207.72
	7/25/2011	883204	7,934.87		
				LEASE-FACILITIES ANNEX	2,458.97
				LEASE-TECH SVCS ANNEX	5,475.90
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**17,142.59**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/5/2011	208583	91.54		
				ELECTRICITY-UT FLD OFFICE	91.54
	Vendor Total		**91.54**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		
MORENO, MARIO				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208852	230.00		
				PER DIEM-GANG VIOLENCE CONF.	230.00
	Vendor Total		**230.00**		
FYTD for MORENO, MARIO			**230.00**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	7/5/2011	883091	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**318.73**		
MPULSE MAINTENANCE SOFTWARE, INC.				Remit to: **EUGENE** **OR**	
	7/5/2011	883092	3,977.50		
				PROGRAM RENEWAL-TECH SVCS	3,977.50
	Vendor Total		**3,977.50**		
FYTD for MPULSE MAINTENANCE SOFTWARE, INC.			**3,977.50**		
MULTI W SYSTEMS, INC				Remit to: **EL MONTE** **CA**	
	7/25/2011	208853	975.00		
				PUMP REPAIR-COMM PARK SOCCER F	975.00
	Vendor Total		**975.00**		
FYTD for MULTI W SYSTEMS, INC			**975.00**		
MUNOZ, ARIEL				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208772	110.16		
				MILEAGE REIMBURSEMENT	80.07
				MILEAGE REIMBURSEMENT	30.09
	Vendor Total		**110.16**		
FYTD for MUNOZ, ARIEL			**110.16**		
MURILLO, MARIA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208773	750.00		
				REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total		**750.00**		
FYTD for MURILLO, MARIA			**750.00**		

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MUSICK, PEELER & GARRETT, LLP			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208774	240.00		
			LEGAL SVCS	240.00
	Vendor Total	**240.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP		**240.00**		
MYERS & SONS HI-WAY SAFETY INC			Remit to: **CHINO** **CA**	
7/11/2011	208682	11,957.06		
			TRUCK MNTD MSSG BOARD-PW	10,995.00
			TRUCK MNTD MSSG BOARD-PW	962.06
	Vendor Total	**11,957.06**		
FYTD for MYERS & SONS HI-WAY SAFETY INC		**11,957.06**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/1/2011	2886	4,288.72		
			PST DEF COMP FOR FICA 7/1/11	4,288.72
7/1/2011	2887	1,240.66		
			DEF COMP 457 & 401(A) 7/1/11	1,240.66
7/15/2011	2895	1,733.32		
			PST DEF COMP FOR FICA 7/15/11	1,733.32
7/29/2011	2903	2,082.83		
			PST DEF COMP FOR FICA 7/29/11	2,082.83
	Vendor Total	**9,345.53**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
7/5/2011	883093	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**318.73**		
NEAL, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208775	156.00		
			REFUND-PICNIC SHELTER RENTAL	156.00
	Vendor Total	**156.00**		
FYTD for NEAL, DEBORAH		**156.00**		
NEGRETTE, JENNIFER			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208584	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for NEGRETTE, JENNIFER		**20.00**		

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NELSON PAVING				Remit to: **PERRIS** **CA**	
	7/5/2011	208585	871.00		
				CONCRETE PAINTING	871.00
	Vendor Total		**871.00**		
FYTD for NELSON PAVING			**871.00**		
NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	7/5/2011	883094	325.66		
				RETIREE MED JUL '11	325.66
	Vendor Total		**325.66**		
FYTD for NELSON, ROBERT			**325.66**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	7/5/2011	883095	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**318.73**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	7/5/2011	208586	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**318.73**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883096	9.42		
				REFUND-UUT USER TAXES	9.42
	Vendor Total		**9.42**		
FYTD for NEW HORIZON MOBILE HOME PARK			**9.42**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208588	401.42		
				RETIREE MED JUL '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**401.42**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	7/18/2011	208776	2,713.31		
				NIGHT VISION GOGGLES FOR PD	2,495.00
				CA SALES TAX	218.31
	Vendor Total		**2,713.31**		
FYTD for NIGHT GALAXY, INC.			**2,713.31**		

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NINYO & MOORE GEOTECHNICAL				Remit to: **SAN DIEGO** **CA**	
	7/5/2011	208589	6,987.75		
				DRACAEA AVE SIDEWLK IMPRVMNTS	6,987.75
	7/11/2011	208683	539.25		
				IRONWD AVE ST/STORM DRAIN PROJ	539.25
	7/18/2011	208777	17,091.00		
				IRONWD AVE ST/STORM DRAIN PROJ	17,091.00
	Vendor Total		**24,618.00**		
FYTD for NINYO & MOORE GEOTECHNICAL			**24,618.00**		
NOLLAR, JANICE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208590	307.04		
				TRAVEL EXP-ESRI INTL USER CONF	94.04
				TRAVEL EXP-ESRI INTL USER CONF	213.00
	Vendor Total		**307.04**		
FYTD for NOLLAR, JANICE			**307.04**		
NOLTE ASSOCIATES, INC				Remit to: **SACRAMENTO** **CA**	
	7/18/2011	208778	113.43		
				REFUND-BUS LIC OVERPAYMENT	113.43
	Vendor Total		**113.43**		
FYTD for NOLTE ASSOCIATES, INC			**113.43**		
OAKRIDGE DATA MINING				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208779	2,370.00		
				CONSULTANT SVCS-TECH SVCS	2,370.00
	Vendor Total		**2,370.00**		
FYTD for OAKRIDGE DATA MINING			**2,370.00**		
OMNIGRAPHICS				Remit to: **HOLMES** **PA**	
	7/25/2011	208854	90.95		
				REFERENCE BOOKS	90.95
				REFERENCE BOOKS	7.96
				REFERENCE BOOKS	-7.96
	Vendor Total		**90.95**		
FYTD for OMNIGRAPHICS			**90.95**		
ORACLE AMERICA				Remit to: **SAN FRANCISCO** **CA**	
	7/5/2011	208591	21,621.68		
				ANNUAL MAINT-TECH SVCS	21,621.68
	Vendor Total		**21,621.68**		
FYTD for ORACLE AMERICA			**21,621.68**		

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ORCHID CELLMARK, INC				Remit to: **FARMERS BRANCH** **TX**	
	7/18/2011	208780	2,280.00		
				DETECT/TEST EVIDENCE/DNA-PD	2,280.00
	Vendor Total		**2,280.00**		
FYTD for ORCHID CELLMARK, INC			**2,280.00**		
ORROCK, POPKA, FORTINO & BRISLIN				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	883205	208.00		
				LEGAL SVCS	208.00
	Vendor Total		**208.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN			**208.00**		
ORTEGA, JORGE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208592	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**750.00**		
FYTD for ORTEGA, JORGE			**750.00**		
OVERLAND PACIFIC & CUTLER, INC.				Remit to: **LONG BEACH** **CA**	
	7/25/2011	883206	296.25		
				SR-60/NASON INTRCHNG PROJ SVCS	296.25
	7/25/2011	883207	6,800.00		
				APPRAISAL SVCS-HIGHLND FIRE ST	6,800.00
	Vendor Total		**7,096.25**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**7,096.25**		
PACIFIC GREEN HORTICULTURAL SVC				Remit to: **UPLAND** **CA**	
	7/25/2011	883208	989.00		
				TURF FERTILIZATION-ZONE E	302.97
				TURF FERTILIZATION-ZONE E	550.15
				TURF FERTILIZATION-ZONE E	112.61
				TURF FERTILIZATION-ZONE E	23.27
	Vendor Total		**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**989.00**		
PACIFIC TELEMANAGEMENT SERVICES				Remit to: **SAN RAMON** **CA**	
	7/5/2011	883097	375.84		
				PAYPHONE SVCS	313.20
				PAYPHONE SVCS-PD	62.64
	Vendor Total		**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**375.84**		

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PARSONS TRANSPORTATION GROUP, INC.				Remit to: **IRVINE** **CA**	
	7/18/2011	208781	13,592.47		
				SR-60/MOR BCH DR INTRCHNG PROJ	13,592.47
	Vendor Total		**13,592.47**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**13,592.47**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208593	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**229.88**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	7/11/2011	208685	110.00		
				SPORTS OFFICIATING SVCS-SFTBL	110.00
	Vendor Total		**110.00**		
FYTD for PAUL, MICHAEL			**110.00**		
PERKINS, NICOLE				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208594	72.00		
				INSTRUCTOR SVCS-RIPPED	36.00
				INSTRUCTOR SVCS-RIPPED	36.00
	Vendor Total		**72.00**		
FYTD for PERKINS, NICOLE			**72.00**		
PERMA				Remit to: **PALM DESERT** **CA**	
	7/25/2011	883209	1,548.17		
				SEMI-ANNUAL AUDIT INVOICE	1,548.17
	Vendor Total		**1,548.17**		
FYTD for PERMA			**1,548.17**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	7/5/2011	208595	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**318.73**		

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PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	7/5/2011	208596	458.63		
				LONG TERM CARE INSURANCE	458.63
	7/18/2011	208782	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**917.26**		

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PETTY CASH - FINANCE				Remit to: **MORENO VALLEY**	**CA**
	7/18/2011	208783	1,297.91		
				PETTY CASH FUND REPLENISHMENT	28.41
				PETTY CASH FUND REPLENISHMENT	36.05
				PETTY CASH FUND REPLENISHMENT	22.32
				PETTY CASH FUND REPLENISHMENT	27.03
				PETTY CASH FUND REPLENISHMENT	67.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	6.00
				PETTY CASH FUND REPLENISHMENT	91.64
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	20.80
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	10.50
				PETTY CASH FUND REPLENISHMENT	26.96
				PETTY CASH FUND REPLENISHMENT	56.25
				PETTY CASH FUND REPLENISHMENT	17.71
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	18.32
				PETTY CASH FUND REPLENISHMENT	10.24
				PETTY CASH FUND REPLENISHMENT	91.38
				PETTY CASH FUND REPLENISHMENT	91.87
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	4.34
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	50.00
				PETTY CASH FUND REPLENISHMENT	45.00
				PETTY CASH FUND REPLENISHMENT	3.25
				PETTY CASH FUND REPLENISHMENT	23.68
				PETTY CASH FUND REPLENISHMENT	30.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	21.69
			PETTY CASH FUND REPLENISHMENT	48.50
			PETTY CASH FUND REPLENISHMENT	13.00
			PETTY CASH FUND REPLENISHMENT	88.47
			PETTY CASH FUND REPLENISHMENT	6.50
			PETTY CASH FUND REPLENISHMENT	24.00
	Vendor Total	1,297.91		
FYTD for PETTY CASH - FINANCE		1,297.91		

PICTUREME PORTRAIT STUDIO #15193 Remit to: **ST. LOUIS** **MO**

7/11/2011	208686	71.76		
			REFUND-BUS LIC OVERPAYMENT	71.76
	Vendor Total	71.76		
FYTD for PICTUREME PORTRAIT STUDIO #15193		71.76		

POIEMA LANDSCAPE, INC. Remit to: **COLTON** **CA**

7/5/2011	883098	2,131.00		
			LANDSCAPE MAINT-E12	2,131.00
7/25/2011	883210	1,712.15		
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		3,843.15		

POLK, SHAKENDRA Remit to: **MORENO VALLEY** **CA**

7/18/2011	208784	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	25.00
			REFUND-RENTAL DEPOSIT-TWNGATE	175.00
	Vendor Total	200.00		
FYTD for POLK, SHAKENDRA		200.00		

PRICE, GEORGE E. Remit to: **MORENO VALLEY** **CA**

7/5/2011	883099	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	318.73		
FYTD for PRICE, GEORGE E.		318.73		

PROTECTION ONE, INC. Remit to: **WITCHITA** **KS**

7/18/2011	208785	42.00		
			MONITORING SVCS-GOLF PRO SHOP	17.00
			MONITORING SVCS-MVTV STUDIO	17.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
	Vendor Total	42.00		
FYTD for PROTECTION ONE, INC.		42.00		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	7/5/2011	883100	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**318.73**		
PULSE PRINT SOLUTIONS				Remit to: **ORANGE** **CA**	
	7/11/2011	208687	2,936.25		
				PRINT SVCS-EDUCATIONAL MAGNETS	2,700.00
				SALES TAX	236.25
	Vendor Total		**2,936.25**		
FYTD for PULSE PRINT SOLUTIONS			**2,936.25**		
QUINTERO, CYNTHIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208688	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for QUINTERO, CYNTHIA			**200.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	7/11/2011	883150	2,023.00		
				ROLL UP DOOR MAIN, FIRE STN 6	201.00
				ROLL UP DOOR MAIN, FIRE STN 6	695.00
				ROLL UP DOOR MAIN, FIRE STN 48	141.00
				ROLL UP DOOR MAIN, FIRE STN 2	201.00
				ROLL UP DOOR MAIN, FIRE STN 58	82.00
				ROLL UP DOOR MAIN, FIRE STN 58	119.00
				ROLL UP DOOR MAIN, FIRE STN 91	111.25
				ROLL UP DOOR MAIN, FIRE STN 91	89.75
				ROLL UP DOOR MAIN, FIRE STN 65	141.00
				ROLL UP DOOR MAIN, FIRE STN 65	130.75
				ROLL UP DOOR MAIN, FIRE STN 65	111.25
	Vendor Total		**2,023.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**2,023.00**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208597	168.81		
				REIMB-DUI SEMINAR TRNG CLASS	168.81
	Vendor Total		**168.81**		
FYTD for RAFAEL LOPEZ			**168.81**		

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RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208598	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.		**318.73**		
REGENTS OF U.C.			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208786	115.00		
			VIOLENT CRIME BEHAV SEMINAR	115.00
	Vendor Total	**115.00**		
FYTD for REGENTS OF U.C.		**115.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208599	384.60		
			SHADOW MTN PARK LIGHTING PROJ	384.60
7/25/2011	208856	3,401.50		
			SHADOW MTN PARK LIGHTING PROJ	2,951.50
			SHADOW MTN PARK LIGHTING PROJ	450.00
	Vendor Total	**3,786.10**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**3,786.10**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883101	2,582.50		
			DRACAEA AVE SIDEWLK IMPRVMNTS	2,582.50
7/18/2011	883182	11,995.00		
			TS@SUNNYMD RCH PKWY/VILLAGE RD	1,380.00
			TS@SUNNYMD RCH PKWY/VILLAGE RD	130.00
			2011 LOCAL ST. PAVEMNT RESURF.	7,545.00
			2011 LOCAL ST. PAVEMNT RESURF.	2,600.00
			DRACAEA AVE SIDEWLK IMPRVMNTS	340.00
	Vendor Total	**14,577.50**		
FYTD for RICK ENGINEERING COMPANY		**14,577.50**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208689	2,000.00		
			ENCR. PERMIT INITIAL DEPOSIT	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**2,000.00**		

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For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE**	**CA**
7/19/2011	110702	15,888.77		
			RETENTN PMT PER ESCRW AGREEMNT	15,888.77
7/19/2011	1107031	2,302.31		
			RETENTN PMT PER ESCRW AGREEMNT	2,302.31
7/19/2011	1107032	3,209.50		
			RETENTN PMT PER ESCRW AGREEMNT	3,209.50
7/19/2011	1107033	8,289.68		
			RETENTN PMT PER ESCRW AGREEMNT	8,289.68
7/19/2011	1107034	20,325.46		
			RETENTN PMT PER ESCRW AGREEMNT	20,325.46
	Vendor Total	**50,015.72**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**500,157.17**		
RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY			Remit to: **RIVERSIDE**	**CA**
7/25/2011	208857	10,572.22		
			TEAM RIV CTY 528140-ICSC CONF	2,770.00
			ICSC CONF.-GES LOGISTICS	997.50
			ICSC CONF.-EXHIBIT SPACE	3,500.00
			ICSC CONF.-ELECTRICITY COST	800.00
			ICSC CONF.-CARPET COST	2,400.00
			ICSC CONF-ADDTL FURNITURE COST	104.72
	Vendor Total	**10,572.22**		
FYTD for RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY		**10,572.22**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208690	3,781.83		
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			RADIO LEASE/MAIN-PD	170.10
			RADIO LEASE/MAIN-PD	9.45
			RADIO LEASE/MAIN-PD	33.12
			VPN CONNECTION SVCS-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**3,781.83**		
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883212	10,267.92		
			BOOKING FEES-PD	10,267.92
	Vendor Total	**10,267.92**		
FYTD for RIVERSIDE COUNTY SHERIFF		**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208787	138.00		
			REG-BASIC CRIMINAL INV. COURSE	138.00
	Vendor Total	**138.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**138.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208600	611.09		
			GARNISHMENT	173.05
			GARNISHMENT	438.04
7/18/2011	208788	674.82		
			GARNISHMENT	152.05
			GARNISHMENT	522.77
	Vendor Total	**1,285.91**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**1,285.91**		
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208858	322.00		
			7 ATTENDEES-CITZN DRIVER CLASS	322.00
	Vendor Total	**322.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPARTMENT		**322.00**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
7/25/2011	883213	6,417.00		
			TEMP STAFFING SVCS-CAP PROJS	6,417.00
	Vendor Total	**6,417.00**		
FYTD for RLZ ENGINEERING		**6,417.00**		
RMA GROUP			Remit to: **RANCHO CUCAMONGA** **CA**	
7/25/2011	208859	8,791.09		
			SR-60/NASON INTRCHNG PROJ SVCS	7,782.75
			SR-60/NASON INTRCHNG PROJ SVCS	1,008.34
	Vendor Total	**8,791.09**		
FYTD for RMA GROUP		**8,791.09**		
ROCHA, SARA L.			Remit to: **QUEEN CREEK** **AZ**	
7/5/2011	883103	826.20		
			RETIREE MED APR-JUN '11 ($160	826.20
	Vendor Total	**826.20**		
FYTD for ROCHA, SARA L.		**826.20**		

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ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	7/5/2011	883104	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**318.73**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208691	45.90		
				MILEAGE REIMBURSEMENT	45.90
	Vendor Total		**45.90**		
FYTD for ROGERS, KIANNA			**45.90**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883105	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**318.73**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	7/5/2011	883106	270.80		
				RETIREE MED JUL '11	174.30
				RETIREE MED JUL '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**270.80**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/25/2011	883214	357.50		
				PLUMBING REPAIRS-WOODLAND PARK	357.50
	Vendor Total		**357.50**		
FYTD for ROTO-ROOTER PLUMBERS			**357.50**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	7/5/2011	883107	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**229.88**		
RUTAN & TUCKER, LLP				Remit to: **COSTA MESA** **CA**	
	7/5/2011	208601	275.00		
				LEGAL SVCS-RE: PEG FEES	275.00
	Vendor Total		**275.00**		
FYTD for RUTAN & TUCKER, LLP			**275.00**		

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SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	7/25/2011	883215	5,400.00		
				TEMP STAFFING SVCS-CAP PROJS	5,400.00
	Vendor Total		**5,400.00**		
FYTD for SA ASSOCIATES			**5,400.00**		
SAFETY KLEEN CORP.				Remit to: **HIGHLAND** **CA**	
	7/11/2011	208692	134.33		
				MISC SUPPLIES-MAINT/OPS	134.33
	Vendor Total		**134.33**		
FYTD for SAFETY KLEEN CORP.			**134.33**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208693	144.00		
				INSTRUCTOR SVCS-ZUMBA	17.20
				INSTRUCTOR SVCS-ZUMBA	126.80
	Vendor Total		**144.00**		
FYTD for SALMAN, CLAUDIA			**144.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883108	60.00		
				FIRE SYSTEM INSPECTION SVC	8.00
				FIRE SYSTEM INSPECTION SVC	52.00
	Vendor Total		**60.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**60.00**		
SAXON, NANCY				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208602	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SAXON, NANCY			**20.00**		
SCAG/SOUTHERN CALIF ASSO OF GOVTS				Remit to: **LOS ANGELES** **CA**	
	7/11/2011	208694	15,680.00		
				DUES ASSESSMNT-FY 2011-12	15,680.00
	Vendor Total		**15,680.00**		
FYTD for SCAG/SOUTHERN CALIF ASSO OF GOVTS			**15,680.00**		
SCHIFFER, ROBYN				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208860	23,021.60		
				SOLAR INCENTIVE REBATE	23,021.60
	Vendor Total		**23,021.60**		
FYTD for SCHIFFER, ROBYN			**23,021.60**		

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SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208603	477.00		
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**477.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
7/5/2011	883109	62.50		
			REPAIRED DOOR JAM AT FS#48	62.50
7/25/2011	883216	987.63		
			LOCK/INSTALLATION-LIBRARY	49.00
			LOCK/INSTALLATION-LIBRARY	68.04
			LOCK/INSTALLATION-LIBRARY	402.21
			DOOR SVC-CITY CLRK FILE RM	423.38
			TRIP CHRG-SVC RE: WARRANT	45.00
	Vendor Total	**1,050.13**		
FYTD for SECURITY LOCK & KEY		**1,050.13**		
SEPULVEDA, SUSETTE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208695	49.60		
			REFUND-PARKS CLASS REGIS FEE	49.60
	Vendor Total	**49.60**		
FYTD for SEPULVEDA, SUSETTE		**49.60**		
SHABIR, AMNA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208696	427.00		
			REFUND-PARKS CLASS REGIS FEE	427.00
	Vendor Total	**427.00**		
FYTD for SHABIR, AMNA		**427.00**		
SHARRETT, SHARON K.			Remit to: **ONTARIO** **CA**	
7/5/2011	208604	174.30		
			RETIREE MED JUL '11	174.30
	Vendor Total	**174.30**		
FYTD for SHARRETT, SHARON K.		**174.30**		
SHELDON, STUART H.			Remit to: **MURRIETA** **CA**	
7/5/2011	208605	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for SHELDON, STUART H.		**318.73**		

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SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	7/18/2011	208789	111.00		
				FUEL PURCHASES	111.00
	7/25/2011	208861	21.25		
				FUEL PURCHASE	21.25
	Vendor Total		**132.25**		
FYTD for SHELL OIL CO.			**132.25**		
SIERRA SCREENPRINT GRAPHICS				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208697	1,508.91		
				CRIME FREE MULTI HSNG SIGNS-PD	1,387.50
				CALIF SALES TAX	121.41
	Vendor Total		**1,508.91**		
FYTD for SIERRA SCREENPRINT GRAPHICS			**1,508.91**		
SIERRA, GLORIA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208862	95.00		
				REFUND-RABIES DEPOSIT	20.00
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for SIERRA, GLORIA			**95.00**		
SKONBERG, RIX				Remit to: **LA VERNE** **CA**	
	7/18/2011	883184	0.00		
				TUITION REIMBURSEMENT	1,500.00
				VOIDED CHECK #883184 - 7/21/11	-1,500.00
	7/21/2011	883187	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for SKONBERG, RIX			**1,500.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883110	57.76		
				REFUND-UUT USER TAXES	57.76
	Vendor Total		**57.76**		
FYTD for SKY TRAILS MOBILE VILLAGE			**57.76**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883111	318.73		
				RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**318.73**		

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SMITH, ERNEST FRANK				Remit to: **FONTANA** **CA**	
	7/5/2011	208606	1,912.38		
				RETIREE MED JAN-JUN 11, PD JUL	1,912.38
	Vendor Total		**1,912.38**		
FYTD for SMITH, ERNEST FRANK			**1,912.38**		
SMITH, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208790	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SMITH, JOHN			**50.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883112	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**318.73**		
SMUS, PAULA				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208791	67.68		
				MILEAGE REIMBURSEMENT	67.68
	Vendor Total		**67.68**		
FYTD for SMUS, PAULA			**67.68**		
SO CAL FIRE PREVENTION OFFICERS ASSOC.				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/5/2011	208607	55.00		
				MEMBERSHIP RENEWAL	55.00
	Vendor Total		**55.00**		
FYTD for SO CAL FIRE PREVENTION OFFICERS ASSOC.			**55.00**		
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	7/11/2011	883152	14,671.30		
				FUEL PURCHASE	6,431.32
				FUEL PURCHASE	8,239.98
	Vendor Total		**14,671.30**		
FYTD for SOCO GROUP, INC			**14,671.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208698	103.20		
				INSTRUCTOR SVCS-YOGA CLASS	103.20
	Vendor Total		**103.20**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**103.20**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
7/5/2011	208608	416.41		
			OPERATING FEE-CH GENERATOR	303.56
			EMISSIONS FLAT FEE-CITY HALL	112.85
7/11/2011	208699	202.60		
			EMISSIONS FLAT FEE-CITY YARD	112.85
			ANNUAL OPERATING FEES-CITY YRD	89.75
7/11/2011	208700	112.31		
			AQMD FEE-JUL'10 TO JUN'11	112.31
7/25/2011	208863	112.31		
			HOT SPOTS FEE-JUL'10 TO JUN'11	112.31
	Vendor Total	**843.63**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**843.63**		
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208609	6,946.39		
			ELECTRICITY	94.55
			ELECTRICITY	104.01
			ELECTRICITY	916.01
			ELECTRICITY	1,791.93
			ELECTRICITY	135.60
			ELECTRICITY	248.78
			ELECTRICITY	706.85
			ELECTRICITY	824.38
			ELECTRICITY	154.13
			ELECTRICITY	309.68
			ELECTRICITY	25.25
			ELECTRICITY	1,083.80
			ELECTRICITY	205.83
			ELECTRICITY	197.81
			ELECTRICITY	70.49
			ELECTRICITY	77.29
7/11/2011	208702	5,217.15		
			ELECTRICITY	44.62
			ELECTRICITY	21.99
			ELECTRICITY	884.88
			ELECTRICITY	1,444.50
			ELECTRICITY	1,186.44
			ELECTRICITY	396.60
			ELECTRICITY	656.24
			ELECTRICITY	498.47
			ELECTRICITY	43.51
			ELECTRICITY	39.90
7/25/2011	208865	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**26,310.27**		
FYTD for SOUTHERN CALIFORNIA EDISON		**228,961.11**		

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK** **CA**	
	7/18/2011	208793	4,681.09		
				GAS CHARGES	711.38
				GAS CHARGES	2,158.36
				GAS CHARGES	14.30
				GAS CHARGES	22.71
				GAS CHARGES	356.59
				GAS CHARGES	146.36
				GAS CHARGES	20.74
				GAS CHARGES	224.49
				GAS CHARGES	78.57
				GAS CHARGES	105.47
				GAS CHARGES	64.73
				GAS CHARGES	80.09
				GAS CHARGES	68.95
				GAS CHARGES	99.38
				GAS CHARGES	22.44
				GAS CHARGES	506.53
	Vendor Total		**4,681.09**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**4,681.09**		
SPARKLETTS				Remit to: **DALLAS** **TX**	
	7/11/2011	208703	41.83		
				WATER SERVICE-CREEKSIDE ELEM	19.54
				WATER SERVICE-ARMADA ELEM.	22.29
	7/25/2011	208866	15.50		
				WATER SERVICE-SUNNYMD ELEM	15.50
	Vendor Total		**57.33**		
FYTD for SPARKLETTS			**57.33**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883113	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**318.73**		
SPECK, TIFFANY				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208867	28.00		
				REFUND-DRAWING FOR KIDS CLASS	28.00
	Vendor Total		**28.00**		
FYTD for SPECK, TIFFANY			**28.00**		

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SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	7/25/2011	883217	12,333.33		
				LNDSCP MAINT.-ZONE E-1	8,746.67
				LNDSCP MAINT.-ZONE E-1A	3,586.66
		Vendor Total	**12,333.33**		
FYTD for SPECTRUM CARE			**12,333.33**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883114	229.88		
				RETIREE MED JUL '11	229.88
		Vendor Total	**229.88**		
FYTD for SPENCER, MARTHA			**229.88**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	7/18/2011	208794	30.00		
				SUBPOENA COMPLNCE-MV111370237	30.00
		Vendor Total	**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	7/11/2011	883153	32.89		
				CELL PHONE SVCS-GANG TASK FRC	32.89
	7/25/2011	883218	607.43		
				CELL PHONE SVCS-PD/SET	607.43
		Vendor Total	**640.32**		
FYTD for SPRINT/NEXTEL			**640.32**		
SRINIVAS, ANAND				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208795	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for SRINIVAS, ANAND			**75.00**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	7/5/2011	208611	2,050.52		
				SUPPLEMENTAL INSURANCE	2,050.52
		Vendor Total	**2,050.52**		
FYTD for STANDARD INSURANCE CO			**31,970.69**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883219	140.00		
			FIRE ALARM SVCD-CONF & REC CTR	140.00
	Vendor Total	**140.00**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**140.00**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
7/25/2011	208868	6,246.25		
			ELECTRICAL ENERGY SURCHARGE	6,246.25
7/29/2011	63011	5,250.00		
			SALES & USE TAX 4/1/11-6/30/11	5,250.00
	Vendor Total	**11,496.25**		
FYTD for STATE BOARD OF EQUALIZATION		**11,496.25**		
STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208704	2,400.44		
			ANNL STREET REPORT 09/10 FY	2,400.44
	Vendor Total	**2,400.44**		
FYTD for STATE CONTROLLER'S OFFICE		**2,400.44**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
7/7/2011	2885	2,096.47		
			CHILD SUPPORT W/H 7/7/11	2,096.47
7/21/2011	2894	2,238.93		
			CHILD SUPPORT W/H 7/21/11	2,238.93
	Vendor Total	**4,335.40**		
FYTD for STATE DISBURSEMENT UNIT		**4,335.40**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
7/5/2011	208612	3,197.00		
			FINGERPRINTING SVCS-PD	3,197.00
7/11/2011	208705	958.00		
			BLOOD ALCOHOL ANALYSIS-PD	350.00
			FINGERPRINTING SVCS-BUS. LIC.	128.00
			FINGERPRINTING SVCS-H.R.	256.00
			FINGERPRINTING SVCS-STARS	32.00
			FINGERPRINTING SVCS-PRKS & REC	64.00
			FINGERPRINTING SVC-PD	96.00
			FINGERPRINTING SVC-CITY COUNCL	32.00
7/18/2011	208796	2,848.00		
			FINGERPRINTING SVCS-BUS. LIC.	192.00
			FINGERPRINTING SVCS-H.R.	128.00
			FINGERPRINTING SVCS-STARS	2,024.00
			FINGERPRINTING SVCS-STARS	504.00
	Vendor Total	**7,003.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**7,003.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
7/18/2011	208797	127.04		
			REFUND-MVU/J MCGLOTHEN	38.86
			REFUND-MVU/B SOLARES	88.18
	Vendor Total	**127.04**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**127.04**		
STEININGER, RICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208706	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for STEININGER, RICHELLE		**20.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
7/18/2011	208798	2,288.96		
			TRANSCRIPTION SVCS-PD	2,288.96
	Vendor Total	**2,288.96**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**2,288.96**		
STEWART TITLE OF CALIFORNIA			Remit to: **HOUSTON** **TX**	
7/5/2011	208629	250.00		
			APN482-230-13 LITIG. GUARANTEE	250.00
	Vendor Total	**250.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**250.00**		

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STEWART, CLIFFORD				Remit to: **GLENDALE** **AZ**	
	7/5/2011	883116	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for STEWART, CLIFFORD			**267.88**		
STILES ANIMAL REMOVAL, INC.				Remit to: **GUASTI** **CA**	
	7/25/2011	208869	300.00		
				LARGE ANIMAL REMOVAL SVCS	100.00
				LARGE ANIMAL REMOVAL SVCS	200.00
	Vendor Total		**300.00**		
FYTD for STILES ANIMAL REMOVAL, INC.			**300.00**		
STRADLING, YOCCA, CARLSON & RAUTH				Remit to: **NEWPORT BEACH** **CA**	
	7/11/2011	208707	1,550.10		
				LEGAL SVCS	79.50
				LEGAL SVCS	695.27
				LEGAL SVCS	775.33
	Vendor Total		**1,550.10**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**1,550.10**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883220	4,062.50		
				CONSULTING SVCS-EDD	4,062.50
	Vendor Total		**4,062.50**		
FYTD for STRICKLER ASSOCIATION, THE			**4,062.50**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883117	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**318.73**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208708	10.56		
				MISC SUPPLIES-PD	10.56
	Vendor Total		**10.56**		
FYTD for SUNNYMEAD ACE HARDWARE			**10.56**		
SYED, ADNAN				Remit to: **LAKE ELSINORE** **CA**	
	7/18/2011	208799	725.00		
				REFUND-RENTAL DEPOSIT-CRC	725.00
	Vendor Total		**725.00**		
FYTD for SYED, ADNAN			**725.00**		

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TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	7/5/2011	208613	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**6,250.00**		
TCM GROUP				Remit to: **FONTANA** **CA**	
	7/5/2011	883118	0.00		
				SR-60/NASON ST INTRCHNG PROJ	21,572.87
				SR-60/NASON ST INTRCHNG PROJ	42,633.50
				SR-60/NASON ST INTRCHNG PROJ	23,140.52
				SR-60/NASON ST INTRCHNG PROJ	85,853.53
				VOIDED CHECK #883118 - 7/12/11	-21,572.87
				VOIDED CHECK #883118 - 7/12/11	-42,633.50
				VOIDED CHECK #883118 - 7/12/11	-23,140.52
				VOIDED CHECK #883118 - 7/12/11	-85,853.53
	Vendor Total		**0.00**		
FYTD for TCM GROUP			**351,572.38**		
TEK TIME SYSTEMS, LLC				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208718	268.25		
				REPAIRS-DATE STAMP MACHINE-FIN	268.25
	Vendor Total		**268.25**		
FYTD for TEK TIME SYSTEMS, LLC			**268.25**		
TEK WORKS				Remit to: **POWAY** **CA**	
	7/18/2011	883185	960.10		
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.09
				CREDIT-CITY CLRK FILE RM DOOR	-693.78
	Vendor Total		**960.10**		
FYTD for TEK WORKS			**960.10**		
TENORIO, LIZETTE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208800	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for TENORIO, LIZETTE			**200.00**		

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TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	7/5/2011	208614	7,262.00		
				CITY HALL HVAC SYSTEM REDESIGN	7,262.00
	7/27/2011	208881	6,113.59		
				CITY HALL HVAC SYSTEM REDESIGN	6,113.59
	Vendor Total		**13,375.59**		
FYTD for TMAD TAYLOR & GAINES			**13,375.59**		
TOLEDANO, JANET				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208709	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for TOLEDANO, JANET			**75.00**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208870	2,530.80		
				INSTRUCTOR SVCS-BALLET INTERMD	66.60
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	222.00
				INSTRUCTOR SVCS-BALLET/JAZZ	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-HIP HOP DANCE	421.80
	Vendor Total		**2,530.80**		
FYTD for TRICHE, TARA			**2,530.80**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208615	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	7/11/2011	208710	25.00		
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**75.00**		
TRINITY DIVERSIFIED, INC.				Remit to: **LONG BEACH** **CA**	
	7/5/2011	208616	155.67		
				STRIPING/STENCIL TRCK SUPPLIES	155.67
	Vendor Total		**155.67**		
FYTD for TRINITY DIVERSIFIED, INC.			**155.67**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK** **CA**	
7/18/2011	208801	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
7/25/2011	208871	1,364.13		
			IRRIGATION REPAIRS-ZONE E-2	1,364.13
	Vendor Total	**17,064.13**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**17,064.13**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883222	14,093.25		
			LNDSCP MAINT.-ZONE M	5,289.24
			LNDSCP MAINT.-ZONE M	243.48
			LNDSCP MAINT.-ZONE DSG-1	6,075.53
			LNDSCP MAINT.-ZONE E-16	2,485.00
	Vendor Total	**14,093.25**		
FYTD for TRUGREEN LANDCARE		**14,093.25**		
TUNTLAND, JAMES			Remit to: **PRESCOTT** **AZ**	
7/5/2011	883119	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**267.88**		
TURBOSCAPE, INC.			Remit to: **SANTA CLARA** **UT**	
7/5/2011	883120	12,600.00		
			PLAYGRND FIBER FOR JFK PARK	11,550.00
			INSTALL FIBAR CHIPS-CITY PARKS	1,050.00
7/11/2011	883155	4,200.00		
			INSTALL FIBAR CHIPS-CITY PARKS	3,950.00
			INSTALL FIBAR CHIPS-CITY PARKS	250.00
	Vendor Total	**16,800.00**		
FYTD for TURBOSCAPE, INC.		**16,800.00**		
U.S. HEALTHWORKS MEDICAL GROUP			Remit to: **LOS ANGELES** **CA**	
7/25/2011	208872	50.00		
			FIT FOR DUTY EVALUATION-HR	50.00
	Vendor Total	**50.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		**50.00**		
U.S. POSTAL SERVICE			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208617	11,000.00		
			PERMIT #153-REC GUIDES POSTAGE	11,000.00
	Vendor Total	**11,000.00**		
FYTD for U.S. POSTAL SERVICE		**11,000.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNDERGROUND SERVICE ALERT			Remit to: **CORONA** **CA**	
7/5/2011	883121	433.50		
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
Vendor Total		**433.50**		
FYTD for UNDERGROUND SERVICE ALERT		**433.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO** **CA**	
7/5/2011	208618	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
Vendor Total		**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**291.67**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883122	270.00		
			AUTO MALL PYLON SIGN PROJECT	270.00
7/11/2011	883156	1,917.00		
			AUTO MALL PYLON SIGN PROJECT	1,917.00
Vendor Total		**2,187.00**		
FYTD for UNITED INSPECTION & TESTING INC		**2,187.00**		
UNITED POWER GENERATION, INC.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208619	265.00		
			GENERATOR TEST/REPAIR-FS #48	265.00
Vendor Total		**265.00**		
FYTD for UNITED POWER GENERATION, INC.		**265.00**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
7/11/2011	883157	1,501.02		
			BROOM KITS-ST SWEEPER	1,501.02
Vendor Total		**1,501.02**		
FYTD for UNITED ROTARY BRUSH CORP		**1,501.02**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
7/11/2011	883158	107.39		
			FENCE RENTAL-ANIMAL SHELTER	11.32
			FENCE RENTAL-ANIMAL SHELTER	96.07
Vendor Total		**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**107.39**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
7/5/2011	208620	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
7/18/2011	208802	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**100.00**		
FYTD for UNITED STATES TREASURY		**100.00**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208621	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
7/18/2011	208803	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
	Vendor Total	**989.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**989.38**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208622	3,652.45		
			FERTILIZER AND AG CHEMICALS	1,252.29
			FERTILIZER AND AG CHEMICALS	2,400.16
7/11/2011	208711	1,200.09		
			FERTILIZER AND AG CHEMICALS	919.37
			FERTILIZER AND AG CHEMICALS	280.72
	Vendor Total	**4,852.54**		
FYTD for UNIVAR USA, INC		**4,852.54**		
VACA, MONICA			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208873	3,000.00		
			SETTLEMENT	3,000.00
	Vendor Total	**3,000.00**		
FYTD for VACA, MONICA		**3,000.00**		

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VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
7/11/2011	883159	1,160.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL FIELD OFFICE	45.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
7/18/2011	883186	235.00		
			PEST CNTRL-LIBRARY	5.00
			PEST CNTRL-LIBRARY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,395.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**1,395.00**		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
7/5/2011	883123	8,120.00		
			TEMP STAFFING SVCS-CAP PROJS.	8,120.00
	Vendor Total	**8,120.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**8,120.00**		
VALUEQUEST PRO P.C.			Remit to: **PERRIS**	**CA**
7/5/2011	208623	250.00		
			APPRAISAL SVCS FOR NSP PRGM	250.00
	Vendor Total	**250.00**		
FYTD for VALUEQUEST PRO P.C.		**250.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAS ASSOCIATES, INC.			Remit to: **CORONA** **CA**	
7/5/2011	883124	16,320.00		
			TEMP STAFFING SVCS-CAP PROJS.	16,320.00
7/25/2011	883223	17,280.00		
			TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total	**33,600.00**		
FYTD for VAS ASSOCIATES, INC.		**33,600.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208712	15,890.00		
			ACCOUNTING SVCS	7,155.00
			ACCOUNTING SVCS	8,735.00
	Vendor Total	**15,890.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**15,890.00**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
7/5/2011	208624	172.63		
			PHONE LISTING CHARGE	172.63
	Vendor Total	**172.63**		
FYTD for VERIZON CALIFORNIA		**172.63**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
7/11/2011	208713	648.15		
			ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total	**648.15**		
FYTD for VICTOR MEDICAL CO		**648.15**		
VIEVU			Remit to: **SEATTLE** **WA**	
7/5/2011	208625	10,169.00		
			WEARABLE VIDEO CAMERAS FOR PD	8,750.00
			2YR EXTENDED WARRANTY	1,400.00
			SHIPPING	19.00
			CA USE TAX	888.13
			USE TAX ACCRUAL	-888.13
	Vendor Total	**10,169.00**		
FYTD for VIEVU		**10,169.00**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883125	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST		**318.73**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VILLAGE NURSERIES WHOLESALE, LLC			Remit to: **ORANGE** **CA**	
7/5/2011	883126	3,809.49		
			PLANTS/TREE MATERIALS - PARKS	3,000.00
			PLANTS/TREE MATERIALS - PARKS	745.02
			PLANTS/TREE MATERIALS - PARKS	64.47
	Vendor Total	**3,809.49**		
FYTD for VILLAGE NURSERIES WHOLESALE, LLC		**3,809.49**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
7/5/2011	883127	3,951.46		
			EMPLOYEE VISION INSURANCE	3,951.46
	Vendor Total	**3,951.46**		
FYTD for VISION SERVICE PLAN		**3,951.46**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208714	261.11		
			PAINT/SUPPL FOR PARKS GRAFFITI	77.52
			PAINT/SUPPL-GRAFFITI RMVL PRGM	147.02
			PAINT/SUPPL-GRAFFITI RMVL PRGM	36.57
	Vendor Total	**261.11**		
FYTD for VISTA PAINT CORPORATION		**261.11**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
7/11/2011	208715	896.37		
			ASPHALTIC MATERIALS	550.55
			ASPHALTIC MATERIALS	103.85
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	103.85
	Vendor Total	**896.37**		
FYTD for VULCAN MATERIALS CO, INC.		**896.37**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883128	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for WAGNER, GARY D.		**318.73**		
WAGONER, ROBERT			Remit to: **ZEPHYRHILLS** **FL**	
7/5/2011	883129	360.40		
			RETIREE MED JUN-JUL 11, PD JUL	360.40
	Vendor Total	**360.40**		
FYTD for WAGONER, ROBERT		**360.40**		

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WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208626	637.46		
				RETIREE MED MAY-JUN 11, PD JUL	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**637.46**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	208874	2,000.00		
				ANNUAL TRUSTEE FEES-2005 LRB	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**2,000.00**		
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	7/11/2011	208719	5,700.00		
				TRIM/THIN OLIVE TREES-VAR LOC.	5,700.00
	Vendor Total		**5,700.00**		
FYTD for WEST COAST ARBORISTS, INC.			**5,700.00**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208716	492.00		
				CALTRANS ENCRCHMNT PERMIT FEE	492.00
	Vendor Total		**492.00**		
FYTD for WEST COAST STRUCTURES INC			**492.00**		
WESTBOUND COMMUNICATIONS				Remit to: **ORANGE** **CA**	
	7/18/2011	208804	7,500.00		
				MAIL BALLOT PR CONSULTING SVCS	3,750.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
	Vendor Total		**7,500.00**		
FYTD for WESTBOUND COMMUNICATIONS			**7,500.00**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208875	3,274.78		
				WATER CHARGES	1,761.75
				WATER CHARGES	10.94
				WATER CHARGES	1,443.82
				WATER CHARGES	58.27
	Vendor Total		**3,274.78**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**3,274.78**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WHEELER, GERALD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208805	100.80		
				INSTRUCTOR SVCS-YOUTH GOLF	50.40
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
	Vendor Total		**100.80**		
FYTD for WHEELER, GERALD			**100.80**		
WHISNER, MARY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208806	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISNER, MARY			**50.00**		
WIELIN, RONALD A.				Remit to: **BANNING** **CA**	
	7/5/2011	883130	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**318.73**		
WILLDAN AND ASSOCIATES				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	208627	8,665.00		
				BLDG & SAFETY PLAN CHECK SVCS	7,455.00
				ON-SITE PERMIT INVESTIG. SVCS	1,210.00
	Vendor Total		**8,665.00**		
FYTD for WILLDAN AND ASSOCIATES			**8,665.00**		
WILLDAN FINANCIAL SERVICES				Remit to: **TEMECULA** **CA**	
	7/5/2011	208628	1,500.00		
				ARBITRAGE FEE-97 LSE REV BOND	500.00
				ARBITRAGE FEE-97 LSE REV BOND	1,000.00
	Vendor Total		**1,500.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**1,500.00**		
WILLIAMS, CHARMAINE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208807	62.00		
				REFUND-CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for WILLIAMS, CHARMAINE			**62.00**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	7/5/2011	883131	192.40		
				RETIREE MED JUN '11, PD JUL '1	192.40
	Vendor Total		**192.40**		
FYTD for WILLIAMS, JANE L.			**192.40**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	7/11/2011	208717	414.00		
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	90.00
	Vendor Total		**414.00**		
FYTD for WILLIS, ROBERT H			**414.00**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA** **CA**	
	7/5/2011	883132	7,600.00		
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	7/25/2011	883224	7,600.00		
				TEMP STAFFING SVCS-ELECTR UTIL	2,190.00
				TEMP STAFFING SVCS-ELECTR UTIL	5,410.00
	Vendor Total		**15,200.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**15,200.00**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208876	17,746.00		
				TUMF FEES COLLECTED	17,746.00
	Vendor Total		**17,746.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**17,746.00**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	7/5/2011	883133	1,620.00		
				MAINT. DAY PORTER SVCS	1,020.00
				JANITORIAL SVCS-TOWNGT RENTALS	600.00
	7/11/2011	883161	130.00		
				SPECIAL CLEANING SVCS-SNR CTR	130.00
	7/27/2011	883225	23,005.87		
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
				JANITORIAL SVCS-T.S. ANNEX	453.43
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-MRCH FLD PK CC	955.70
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-FAC. ANNEX	124.29
				JANITORIAL SVCS-SP DIST ANNEX	735.73
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRAILER	98.40
				JANITORIAL SVCS-CITY HALL	4,588.23
				MAINT. DAY PORTER SVCS	1,076.10
	Vendor Total		**24,755.87**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**24,755.87**		
XEROX				Remit to: **DALLAS** **TX**	
	7/18/2011	208808	3,520.61		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,618.85
				COPIER RNTL/MAINT-GRAPHICS	397.79
				COPIER RNTL/MAINT-PARKS	117.88
				COPIER RNTL/MAINT-PARKS	241.46
				COPIER RNTL/MAINT/PRINTS-PARKS	1,144.63
	Vendor Total		**3,520.61**		
FYTD for XEROX			**3,520.61**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	7/5/2011	883134	161.50		
				RETIREE MED MAY '11, PD JUL '1	161.50
	Vendor Total		**161.50**		
FYTD for YAMASHITA, JULIA J.			**161.50**		

Subtotal **1,171,566.33**

GRAND TOTAL **11,090,197.25**

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MV00132312

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT
PROJECT NO. 10-12272227

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

BACKGROUND

The design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In August 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

The Planning Division of the Community and Economic Development Department determined on July 25, 2011, that this project is exempt from the California

Environmental Quality Act (CEQA) as it is classified as a Class 1 Categorical Exemption under Section 15301(c) and, therefore, environmental documents are not required.

DISCUSSION

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The project improvements and locations are as follows:

- Curb, gutter, and sidewalk on the north side of Ironwood Avenue, east of Bayless Street.
- Curb, gutter, and sidewalk on the east side of Indian Street, south of Ironwood Avenue.
- Sidewalk on the east side of Pigeon Pass Road, north of Hemlock Avenue.
- Sidewalk on the south side of Calle San Juan De Los Lagos, west of Frederick Street.
- Ten pedestrian access ramps along Hemlock Avenue from Perris Boulevard to Leahy Street.
- Pedestrian access ramps on the northwest and southwest corners of Indian Avenue and Dorner Drive.
- Pedestrian access ramps on the southeast and northeast corners of Ramsdell Drive and Dorner Drive.
- Pedestrian access ramps on the southwest and southeast corners of Cottonwood Avenue and Bion Drive.
- Pedestrian access ramp and curb return on the southeast corner of Cactus Avenue and Elsworth Street.
- Pedestrian access ramp and curb return on the northwest corner of Iris Avenue and Oliver Street.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m., on September 12, 2011, for the subject project. The ten (10) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Mora's Equipment & Construction, Inc.**	**$182,993.50**
2.	TSR Construction & Inspection	$220,417.60
3.	Golden State Constructors, Inc.	$238,606.25
4.	CT&T, Inc.	$247,797.90
5.	STI, Inc.	$266,135.43
6.	Blair Rasmussen Construction	$280,741.12
7.	Elite Companies	$286,370.57
8.	JDC, Inc.	$320,910.60
9.	Avi-Con, Inc.	$375,398.00
10.	Bravo Concrete	$401,616.55

Engineer's Estimate $230,000.00

Staff has reviewed Mora's Equipment & Construction, Inc.'s bid and finds it to be the lowest responsive bid. Furthermore, Mora's Equipment & Construction, Inc. is in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Mora's Equipment & Construction, Inc. in their bid.

The lowest responsive bid was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternative items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternative items which comprise the ten locations identified in the DISCUSSION section. These ten locations are Phase 1 of the FY 10-11 SB 821 Grant Project as accepted by City Council on September 14, 2010. Phase 2 of the FY 10-11 SB 821 Grant Project will go out to bid in January of 2012.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor will coordinate construction activities such that impacts to motorists and pedestrians are minimized.

ALTERNATIVES

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc., in the form attached hereto, authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc. up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will allow for the timely construction of needed improvements.*

2. Do not award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, do not authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will delay the construction of these needed improvements.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2011/2012 Capital Improvements Project Budget and will be financed by SCAG Article 3 (Fund 122) and Measure "A" (Fund 125). RCTC will reimburse up to $150,000 of the construction costs. The funding for this project is restricted to street improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS FISCAL YEAR 2011/2012:

Citywide Sidewalks and Access Ramps (Account No. 122.72227)	$150,000
Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$150,000
Total Funds Available	**$300,000**

ESTIMATED CONSTRUCTION RELATED COSTS:

Construction (Includes 20% contingency)	$220,000
Construction Surveying Costs	$25,000
Construction Geotechnical Costs	$25,000
Project Administration and Inspection Services	$20,000
Total Estimated Construction Related Costs	**$290,000**

ANTICIPATED PROJECT SCHEDULE:

Start Construction	October 2011
Complete Construction	March 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The City Council is requested to approve the award of the construction contract to Mora's Equipment & Construction, Inc.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Mora's Equipment & Construction, Inc.

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\CC Reports\NOA-Phase 1 staff report\NOA for Citywide Sidewalks and Access Ramps_9-21-11.doc

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MV00132318

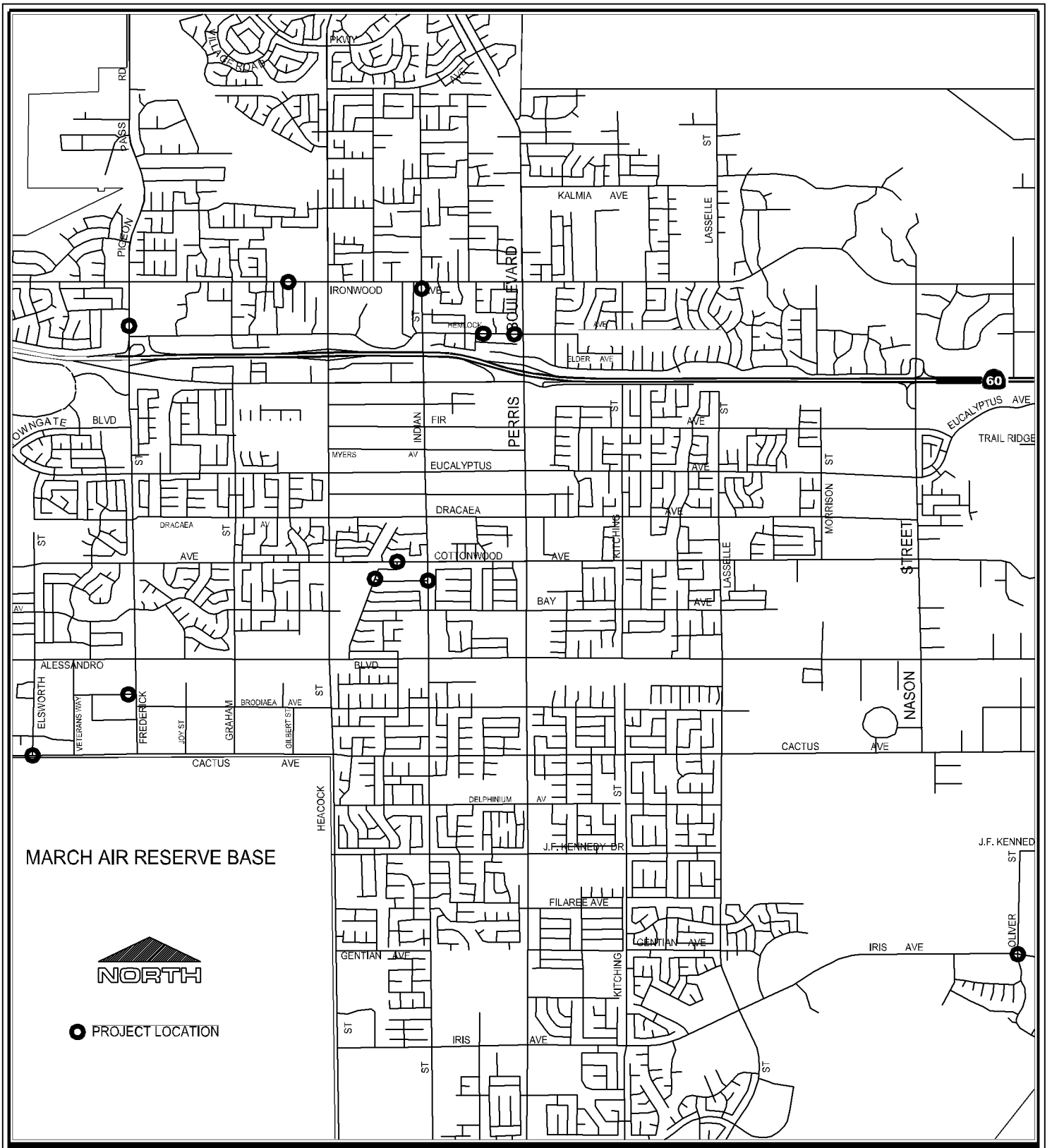

ATTACHMENT "A" - LOCATION MAP

Public Works Department Capital Projects Division	PROJECT NO. 10-12272227 CITYWIDE SIDEWALKS AND ACCESS RAMPS
Scale: None	

Item No. A.5

MV00132319

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MV00132320

Agreement No._____

AGREEMENT

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Mora's Equipment and Construction, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$182,993.50** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. After the Agreement has been fully executed by the Contractor and the City, the Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the "Notice to Proceed to Fulfill Preconstruction Requirements," which constitutes the start of the contract eighty (80) working days. Preconstruction Requirements include, but are not limited to, the following:

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan
- Submitting and obtaining approval of required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Contract Documents

After all preconstruction requirements are met, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor agrees to diligently prosecute the work, including corrective items of work, day to day thereafter, except as adjusted by subsequent Change Orders. The eighty (80) working days include the time necessary to both Fulfill Preconstruction Requirements and for Construction of the project.

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $365.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers,

employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

15. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

16. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12272227

CITY OF MORENO VALLEY, a Municipal Corporation

Mora's Equipment and Construction, Inc.

BY: _____
City Manager

DATE: _____

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\Specifications\2 Agreement - Basic Specs 07-11 - Citywide SW AR.DOC

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO

-ly attach this document to the signed document.

Item No. A.5

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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MV00132334

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

FRAN LOU DRIVE, BETWEEN PERRIS BOULEVARD AND KITCHING STREET

DEVELOPER - LCTH INVESTMENT, L.P.
1000 DOVE STREET
SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements.

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 27, 2003, the City Council of Moreno Valley approved Final Map 20185 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 20185 provided a Faithful Performance Bond in the amount of $2,072,000 and a Material and Labor Bond in the amount of $1,036,000 issued by Western Insurance Company.

On August 23, 2005, the City Council approved and accepted replacement bonds and an Agreement for Public Improvements for Tract 20185. The agreement expired August 23, 2007. Due to the current market conditions at that time, LCTH Investment, L.P. postponed development and focused on selling their current inventory of homes on other project sites.

On September 25, 2007, LCTH Investment, L.P. requested that the City provide a 24 month extension of time to their Agreement for Public Improvements. The amendment extended the agreement for Tract 20185 to August 23, 2009.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Do not direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 20185
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\9-27-11 - TR 20185- Exoneration of Agree.doc

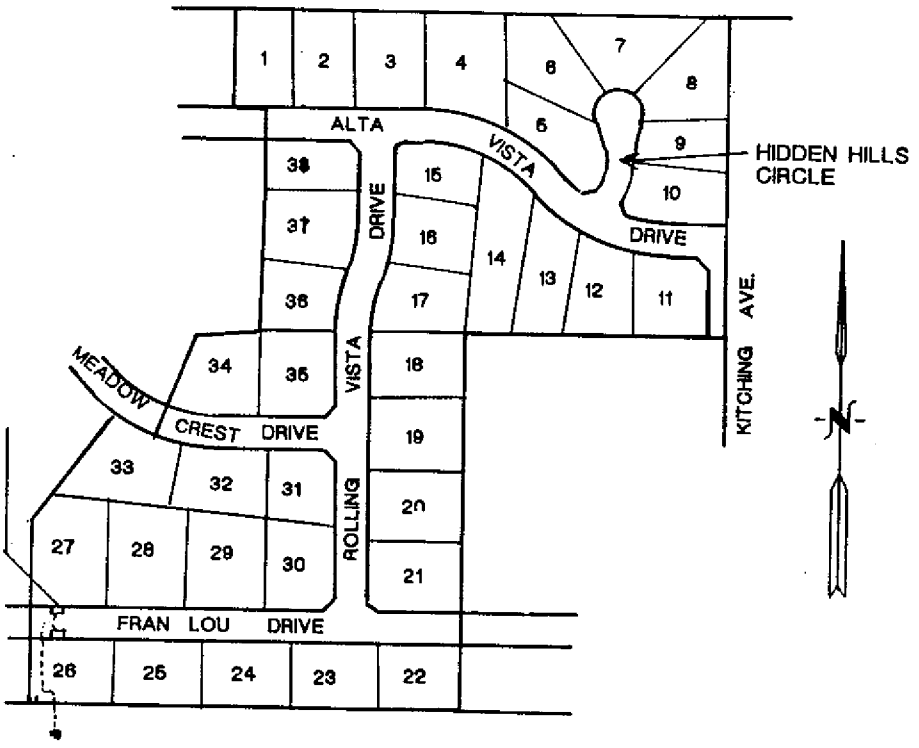

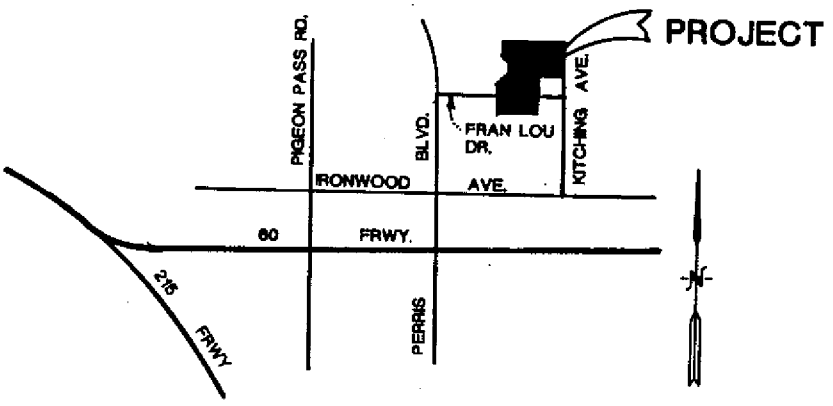

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

TRACT 20185
VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

Item No. A.6

MV00132339

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MV00132340

AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS FOR TRACT 20185

This Amendment to Agreement for Public Improvements is made and entered into by and between the City of Moreno Valley, hereinafter "City", and **LCTH INVESTMENT, L.P.,** hereinafter "Contractor", on the date the City signs this agreement.

1. RECITALS:

   (a) The City and the Contractor entered into an Agreement for Public Improvements hereinafter called the "Original Agreement" **(Doc #2005-0793184)** on August 23, 2005. That agreement will expire on August 23, 2007.

   (b) The City and the Contractor wish to amend the Original Agreement as hereinafter provided.

2. AMENDMENT TO ORIGINAL AGREEMENT:

   (a) Based upon the foregoing Recitals, the City and the Contractor hereby amend the Original Agreement, extending said agreement by twenty-four (24) months, up to and including the **23rd day of August 2009**, the time for completion of the required work and improvements by the Contractor.

   (b) The bonds currently on file are to remain in effect unless replacement bonds are being provided with this Amendment to Agreement for Public Improvements.

3. LIMITED EFFECT:

   Except as herein otherwise provided, the terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Contractor and the City have duly caused this Amendment to the Original Agreement to be executed as of the date executed by the Mayor of the City.

LCTH INVESTMENT, L.P.

By: C Christine Chung
Signature

CHRISTINE CHUNG MANAGER
Print Name & Title

By: _____
Signature

_____
Print Name & Title

ATTEST:

Alice Reed 10/2/07
City Clerk Date

CITY OF MORENO VALLEY

Charles White 9-29-07
Mayor Date:

APPROVED AS TO FORM:

RDH 9/29/07
City Attorney Date

Original-City Clerk Pink-Contractor Green-Land Dev. Blue-Project File

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

W:\LandDev\Lee Ann\Agreement Bond Packets\TR20185 - Amendment to Agreement-extension.doc

Exhibit "B"

Item No. A.6

MV00132341

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0.05	Thickness (ft.)				
	132550	S.F.	480	Ton	55.00	26,427
A.C. - Street 1	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	90.00	302,711
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	329,138

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

OFFSITE STREET WORK

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	0	Ton	90.00	0
Slurry Seal (Based on $150/Ton Type II)	14728	S.Y.	2.25	33,138
Sawcut	0	L.F.	1.50	0
Utility Trench	5000	L.F.	17.00	85,000
Trench Repaving	0	S.F.	12.00	0
Redwood Header	250	L.F.	6.00	1,500
A.C. Berm - 6"	163	L.F.	10.00	1,630
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	19	EA.	800.00	15,200
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	1800	L.F.		0
Curb and Gutter - 8"	5000	L.F.	25.00	125,000
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	3000	S.F.	15.00	45,000
Sidewalk	13800	S.F.	7.00	96,600
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	4350	S.F.	14.00	60,900
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	9	EA.	1,200.00	10,800
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	60	L.F.	100.00	6,000
	0			0
			SUBTOTAL:	480,768

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	16	EA.	4,000.00	64,000
Street Lights (22000 lumen)	0	EA.	5,000.00	0
Electrical Utility Infrastructure	0	L.S.	--	0
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	64,000
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordina	0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
Traffic Striping/raised pavement markers	1	L.S.	10000	10,000
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	5	EA.	200.00	1,000
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
	0		--	0
			SUBTOTAL:	12,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Cluster Mail Boxes	4	EA.	4,500.00	18,000
Erosion Control	24	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	178	EA.	100.00	17,800
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Street Trees	38	EA.	2,500.00	95,000
			SUBTOTAL:	130,800

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	48	L.F.	130.00	6,240
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	238	L.F.	180.00	42,840
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	3	EA.	5500.00	16,500
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
	0		---	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	21	EA.	5500.00	115,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	2	EA.	3500.00	7,000
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		---	0
Miscellaneous				
Rip Rap	200	TON	60.00	12,000
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		---	0
			SUBTOTAL:	203,080

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	2422		50.00	121,100
10" PVC C-900	0		55.00	0
12" PVC C-900	1045		60.00	62,700
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.	---	0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	5	EA.	800.00	4,000
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	1	EA.	1,800.00	1,800
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	4	EA.	3,000.00	12,000
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	3	EA.	2,500.00	7,500
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	7	EA.	2,800.00	19,600
6" Super Fire Hydrants	0	EA.	3,000.00	0
	0		---	0
Services Connections				
1" Service	38	EA.	500.00	19,000
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	2		200.00	400
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	6		750.00	4,500
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	2	EA.	2,800.00	5,600
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	3	CY	150.00	450
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
	0		---	0
			SUBTOTAL:	267,650

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	1143	L.F.	20.00	22,860
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	3000	L.F.	30.00	90,000
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	38	EA.	700.00	26,600
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	33	EA.	3,000.00	99,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	0	EA.	300.00	0
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	38	EA.	90.00	3,420
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	238,460

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK :	$329,138
STREET WORK :	$611,568
STORM DRAIN SYSTEM :	$203,080
WATER SYSTEM :	$267,650
SEWER SYSTEM :	$238,460
ENTERPRISE SERVICES ADMIN :	$64,000
TRANSPORTATION ENGNRNG :	$12,000
TOTAL COST (VALUE) OF IMPROVEMENTS:	$1,725,896
+20% CONTINGENCY:	$345,179
GRAND TOTAL:	$2,071,075

BOND AMOUNT: **$2,072,000**

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TRACT MAP 20185

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **LCTH INVESTMENT, L.P.**, hereinafter called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TRACT MAP 20185** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND AND NO/100** Dollars (*****$1,637,000*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:

LCTH Investment, L.P.
1000 Dove Street
Suite 100
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

LCTH Investment, L.P.

By: Christine Cheng Manager
Title

By: _____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: Alice Reed
City Clerk

(SEAL)

CITY OF MORENO VALLEY

Date: 8/24/05

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8/24/05

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

PROJECT: **Tract 20185 (2005 Version)**
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			3675	C.Y.	16.00	58,800
A.B. Class II	0.5	Thickness (ft.)				
	132550	S.F.	4805	Ton	16.00	76,879
A.C.	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	43.50	146,310
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Curb and Gutter - 6"			1800	L.F.	12.00	21,600
Curb and Gutter - 8"			5000	L.F.	13.00	65,000
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			3000	S.F.	11.00	33,000
Sidewalk			13800	S.F.	4.00	55,200
Driveway Approach - 6"			4350	S.F.	5.50	23,925
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			163	L.F.	10.00	1,630
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			14728	S.Y.	1.10	16,201
Redwood Header			250	L.F.	4.00	1,000
Sawcut			0	L.F.	1.10	0
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5000	L.F.	5.00	25,000
Wheelchair Ramp			9	EA.	400.00	3,600
Street Name Sign			0	EA.	425.00	0
Stop Sign			5	EA.	200.00	1,000
Barricade			60	L.F.	45.00	2,700
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			5	EA.	200.00	1,000
Traffic Striping/raised pavement markers			1	L.S.	–	4,464
Traffic Signal			0	EA.	160,000.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping			0	S.F.	5.00	0
Street Trees			38	EA.	150.00	5,700
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			16	EA.	3,000.00	48,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			19	EA.	550.00	10,450
Erosion Control			24	Ac.	5,500.00	132,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure						
Electrical Reimbursement						
					SUBTOTAL:	745,459

Monuments: 0 X 65.00 EA. $0

Item No. A.6

EXHIBIT "A"

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	48	L.F.	75.00	3,600
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	0	L.F.	95.00	0
30" Reinforced Concrete Pipe	238	L.F.	110.00	26,180
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	3	EA.	5000.00	15,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin	21	L.F.	450.00	9,450
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Junction Structure	0	EA.	4500.00	0
Headwall	0	EA.	3500.00	0
Rip Rap	200	TON	40.00	8,000
Parkway Drain	1	EA.	2000.00	2,000
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	1	EA.	1100.00	1,100
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
"V" Gutter	23810	S.F.	4.00	95,240
			SUBTOTAL:	160,570

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	1045	L.F.	60.00	62,700
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	2422	L.F.	50.00	121,100
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	7	EA.	2,000.00	14,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	2	EA.	200.00	400
10"	0	EA.	240.00	0
12"	6	EA.	750.00	4,500
Blow Off 6"	0	EA.	1,800.00	0
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	0	EA.	1,800.00	0
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	38	EA.	350.00	13,300
Blow-offs	3	EA.	1,300.00	3,900
Air Vac & Air Release	4	EA.	1,800.00	7,200
Hot Tap	2	EA.	2,000.00	4,000
12" BFV	1	EA.	1,800.00	1,800
8" BFV	5	EA.	800.00	4,000
Thrust Block	3	C.Y	150.00	450
			SUBTOTAL:	246,350

Item No. A.6

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	3000	L.F.	32.00	96,000
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1143	L.F.	24.00	27,432
15" Pipe Plastic Solid Wall	0	L.F.	35.00	0
12" Pipe Plastic Solid Wall	0	L.F.	33.00	0
10" Pipe Plastic Solid Wall	0	L.F.	21.00	0
8" Pipe Plastic Solid Wall	0	L.F.	17.00	0
6" Pipe Plastic Solid Wall	0	L.F.	13.00	0
4" Pipe Plastic Solid Wall	0	L.F.	9.00	0
Standard Manhole 48"	19	EA.	2,000.00	38,000
Terminus Manholes	14	EA.	1,700.00	23,800
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	38	EA.	600.00	22,800
Wyes	38	EA.	90.00	3,420
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
			SUBTOTAL:	211,452

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

IMPROVEMENT TYPE:

ROADWORK	:	$745,459
STORM DRAIN	:	$160,570
WATER SYSTEM	:	$246,350
SEWER SYSTEM	:	$211,452
SURVEY MONUMENTS	:	$0
TOTAL COST OF IMPROVEMENTS:		$1,363,831
+20% CONTINGENCY:		$272,766
GRAND TOTAL:		$1,636,597

BOND AMOUNT: **$1,637,000**

Item No. A.6

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MV00132358

Recording requested by and when recorded, mail to:

City of Moreno Valley
CEDD/Land Development Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Public Works Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Tract Number 20185,

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 20185 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the Public Works Department, Land Development Division located at 14177 Frederick Street, Moreno Valley, California, 92553 or by calling 951.413.3120.

By: _____
CHRIS A. VOGT,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date 8/31/11

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Notifications for PIA Req\TR 20185 - Notice of Requirement for PIA.doc

Exhibit "C"

Item No. A.6

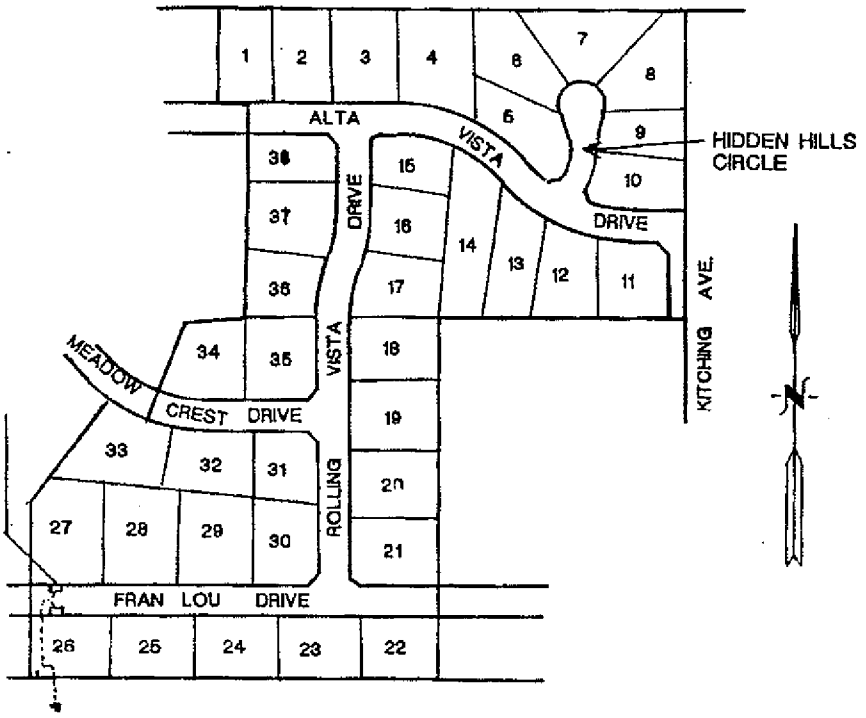

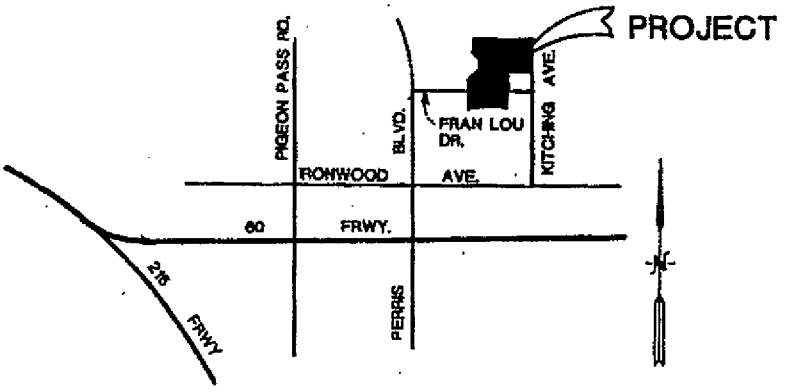

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT EXHIBIT "A"	TRACT 20185 VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Community and Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO REDEVELOPMENT AGENCY
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324.

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325.

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way).

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency:

> Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. The City Council approved Resolution No. 2011-88 for the Notice of Intent to Vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highways Code – Chapter 3, Sections 8320 through 8325. The Resolution provided for the following actions:

1. Set the date of the public hearing for the vacation proceeding as September 27, 2011 , in the City Council Chambers, at 6:30 p.m., for all persons interested in or objecting to the proposed street vacation; and

2. Directed the City Clerk to publish and advertise the hearing notice and directed the City Engineer to post Motor Way giving notice of the time of the public hearing; and

3. Directed the City Clerk to certify said resolution and transmit a copy to the office of the County Recorder for recordation.

DISCUSSION

The Community Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Part of the Auto Mall Specific Plan is to vacate the frontage road (Motor Way) between the Auto Mall properties and Auto Mall Parkway (Moreno Beach Drive) to enhance visibility. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno

Beach Drive) already serves, and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Bros. Moreno Valley Properties, LLC and Majestic Realty (also known as Auto Mall Resolution, LLC), who own the properties fronting Motor Way. Both owners support the vacation of Motor Way. To maintain access to two fronting properties along Lot "B", an ingress and egress easement are required as part of the vacation process.

The City also recommends that the property be transferred from the City of Moreno Valley's ownership to the RDA's ownership via a quitclaim deed. The transfer of ownership would allow the RDA to address various issues identified in the Auto Mall's Specific Plan Amendment No. 5 previously approved by City Council. There is no fee associated with the transfer of ownership.

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

ALTERNATIVES

1. Adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Adopting the Resolution ordering the Vacation will allow the City to finish the proposed street improvements.*

Authorizing the execution of the Quitclaim Deed and Easement Deeds will alleviate any future title issues and liability issues for the City.

2. Do not adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, do not direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, do not authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and do not authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Do not authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Not adopting the Resolution ordering the Vacation will not allow the City to finish the proposed street improvements along Motor Way and will cause the City to continue maintenance of the street. Not authorizing the execution of the Quitclaim Deed and Easement Deeds may cause future title issues and liability issues for the City.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution ordering the street vacation. There will be a transfer of land ownership between the City and the RDA but no financial transaction between the entities.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue,

excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

NOTIFICATION

Notice of the vacation has been given to various utility agencies. The public has been notified of the vacation by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Lot B Exhibit"
Attachment "C" – Proposed Resolution
Attachment "D" – Quitclaim Deed
Attachment "E" – Acceptance Certification
Attachment "F" – Easement Deed for Parcel "A" of LLA 817
Attachment "G" – Easement Deed for Parcel 1 of LLA 1008

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\Full Vacation for Motor Way and Transfer of Property 9-27-11 - Final.docx

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MV00132366

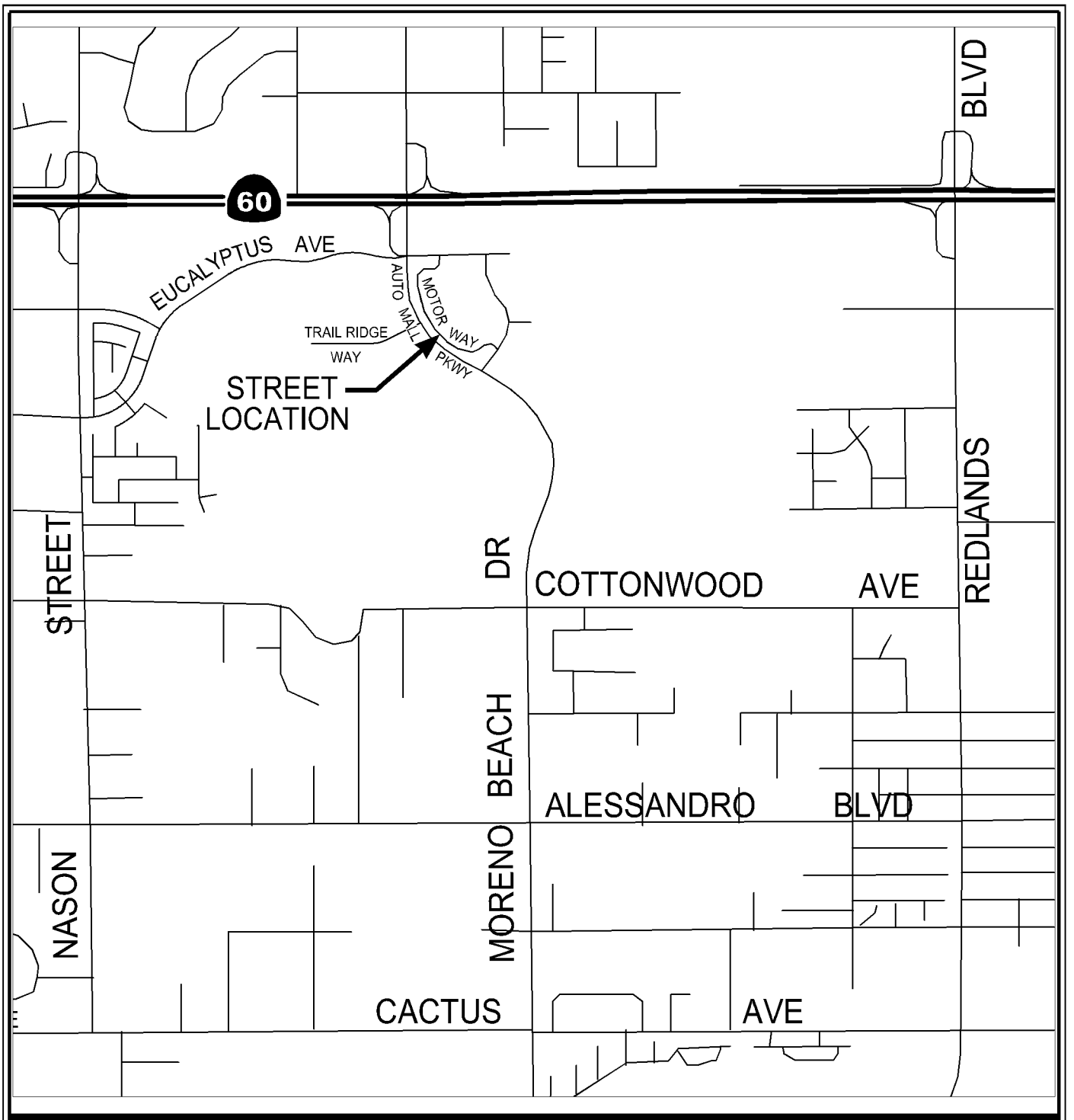

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

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MV00132368

"Lot B Exhibit"

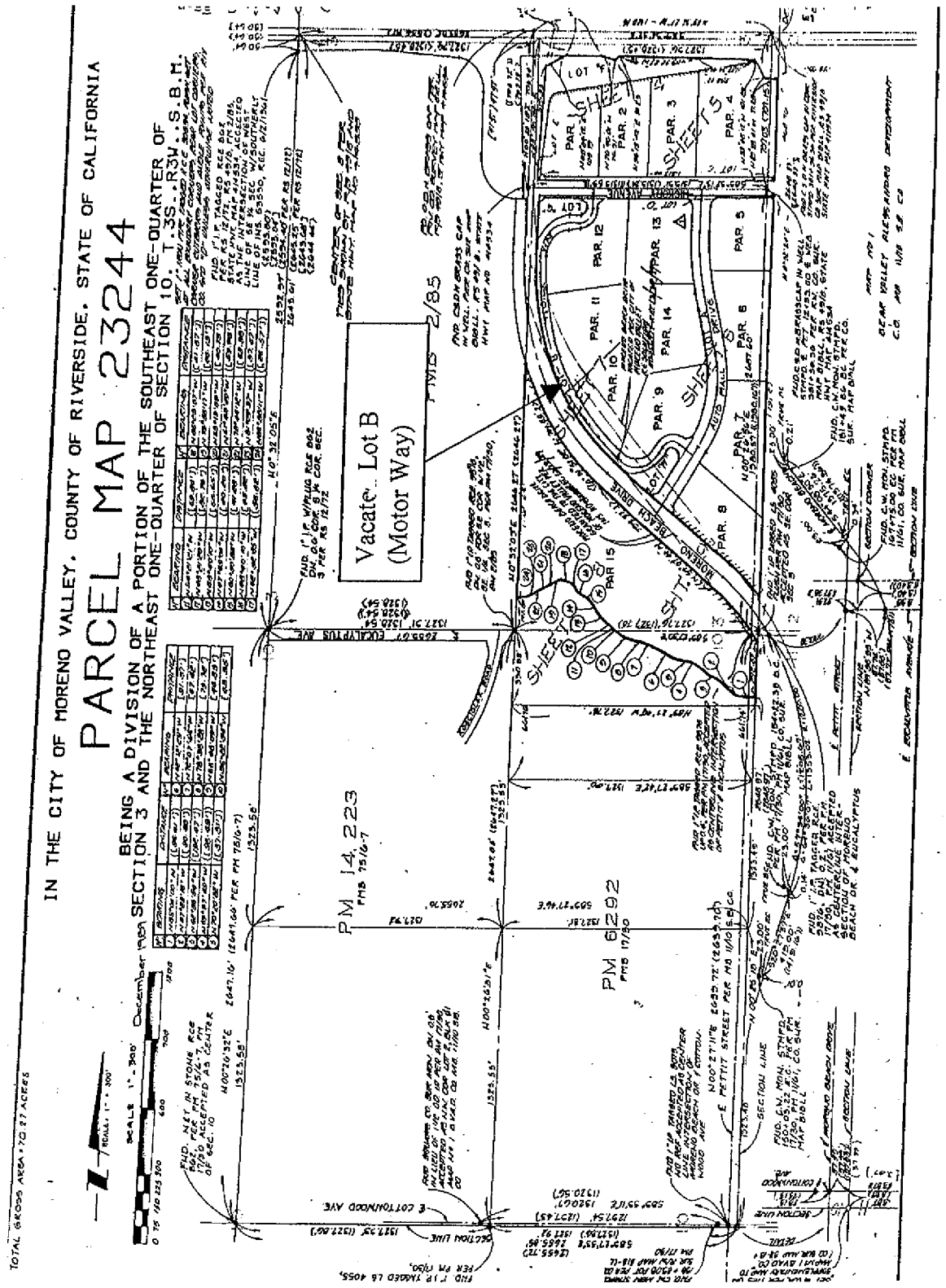

Attachment "B"

Item No. A.7

MV00132369

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MV00132370

RESOLUTION NO. 2011-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City Council, on August 23, 2011, adopted Resolution No. 2011-88 declaring its intention to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described in said Resolution No. 2011-88 on file with the City Clerk's office, and set a public hearing for September 27, 2011, at 6:30 p.m., as the time for all persons interested in or objecting to the proposed vacation; and

WHEREAS, this public hearing was duly noticed and held as required by law; and

WHEREAS, the public right-of-way proposed to be vacated was duly posted as provided by law; and

WHEREAS, there are existing public facilities and services in the area to be vacated, therefore reserving to the City an easement for public facilities and services; and

WHEREAS, the Council finds such public right-of-way is unnecessary for the following reasons:

1. The subject right-of-way is unnecessary for present and prospective public use.

2. The subject right-of-way is not needed as a non-motorized transportation facility.

3. The proposed vacation is consistent with the City of Moreno Valley Municipal Code and General Plan and it complies with the requirements for street vacations as cited in the California Streets and Highways Code Sections 8312 & 8324.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public right-of-way described as Lot B of Parcel Map 23244, as recorded and on file with the Riverside County Recorder's Office, be vacated.

BE IT FURTHER RESOLVED THAT the City is reserving unto itself an easement for public utilities and public facilities purposes.

BE IT FURTHER RESOLVED THAT the City is reserving ingress and egress access easements to Parcel A of Lot Line Adjustment Number 817 and Parcel 1 of Lot Line Adjustment Number 1008 along Lot B of Parcel Map 23244.

BE IT FURTHER RESOLVED THAT the City Clerk shall cause a certified copy of this order to be recorded by the Riverside County Recorder.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00132374

Recording requested by and when
recorded, mail to:
City of Moreno Valley
City Clerk
14177 Frederick Street
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N.

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the

City of Moreno Valley, a Municipal Corporation

hereby remises, releases and quitclaims to the COMMUNITY REDEVELOMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, the real property in the City of Moreno Valley, County of Riverside, State of California, as described:

Lot B of Parcel Map 23244 and as illustrated on the plat attached hereto and marked Exhibit "A".

Reserving therefrom, to said City of Moreno Valley an easement for public utilities and public facilities over, under, across and within the above described parcels of land.

IN WITNESS WHEREOF, this instrument has been executed this ____ day of_____, 2011.

STATE OF CALIFORNIA
County of Riverside

On _____ before me, _____
the undersigned. A Notary Public in and for said State, personally appeared_____
_____
proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

GRANTOR:

City of Moreno Valley

By:_____

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MV00132376

"Lot B Exhibit"

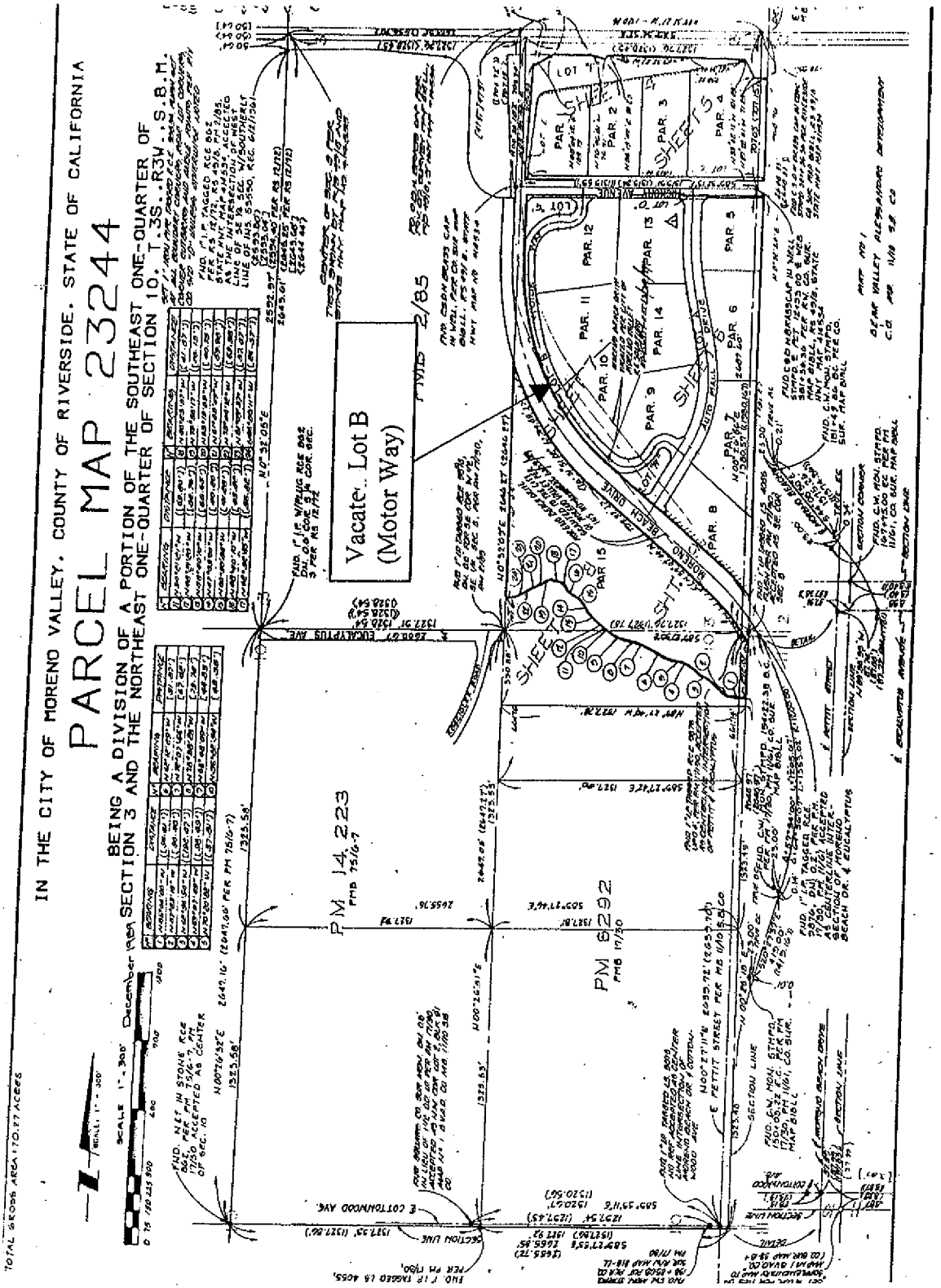

Exhibit "A"

Item No. A.7

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MV00132378

ACCEPTANCE CERTIFICATION

This is to certify that the interest in real property conveyed by the deed or grant dated September 27, 2011 from City of Moreno Valley to the Moreno Valley Community Redevelopment Agency, State of California, in the form attached hereto, is hereby accepted, subject to completion of Conditions of Resolution 2011-___, by the order of the Board of Directors of the Moreno Valley Redevelopment Agency, pursuant to authority so ordered on September 27, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____

By: _____
Richard A. Stewart, Chairman of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

State of California
County of_____ }

On_____ before me, _____, A Notary Public
Date — Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

_____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Attachment "E"

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MV00132380

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the AUTO MALL RESOLUTION, LLC, an easement for ingress and egress access purposes to Parcel "A" of Lot Line Adjustment Number 817 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Lot "A" (also know as Auto Mall Drive) and the prolongation of the northerly property line of Parcel "A" of Lot Line Adjustment Number 817 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "F"

Item No. A.7

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MV00132382

LOT LINE ADJUSTMENT 817

OF A PORTION OF PARCELS 10, 11, 12 AND 13 OF PARCEL MAP 23244
ON FILE IN BOOK 161 OF PARCEL MAPS AT PAGES 16 THROUGH 24,
RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

JUNE 1990

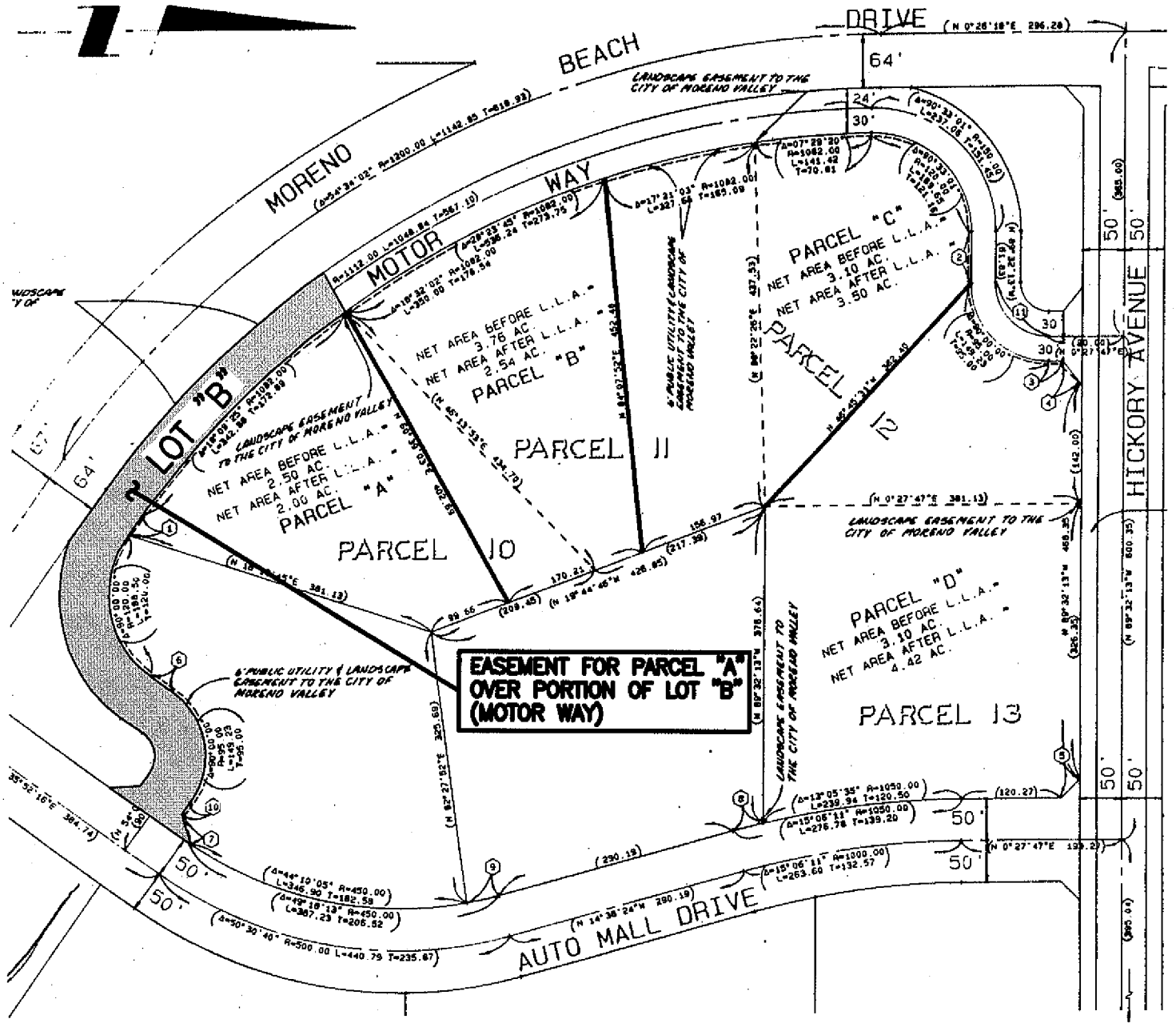

EXHIBIT "A"

NTS

INSTRUMENT No 302152

Item No. A.7

MV00132383

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MV00132384

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the MOSS BROS. MORENO VALLEY PROPERTIES, LLC, an easement for ingress and egress access purposes to Parcel 1 of Lot Line Adjustment 1008 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Eucalyptus Avenue (Hickory Avenue) and the prolongation of the southerly property line of Parcel 1 of Lot Line Adjustment 1008 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "G"

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MV00132386

EXHIBIT "A"
LOT LINE ADJUSTMENT No. 1008/ AND CERTIFICATE OF COMPLIANCE

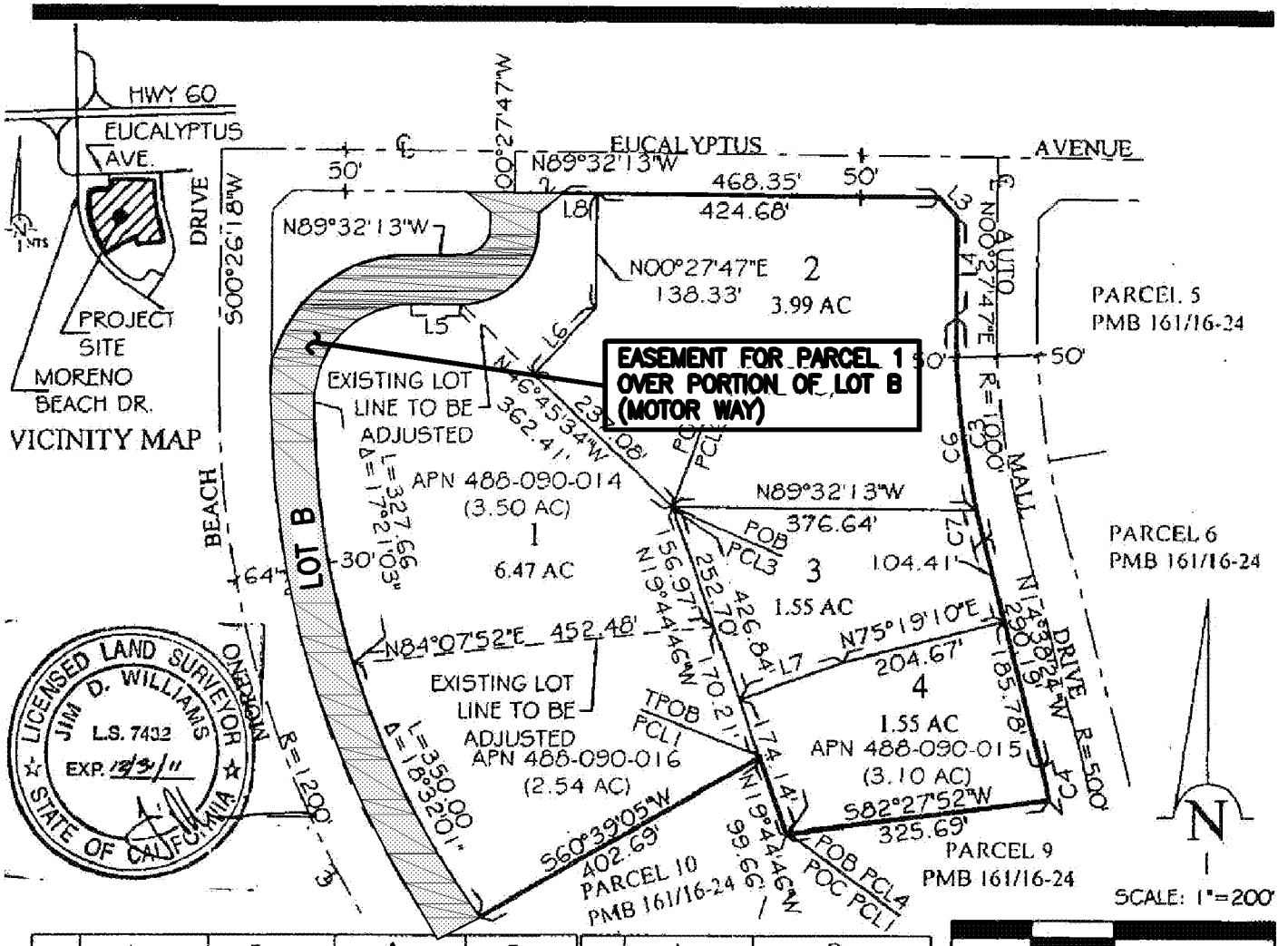

	L	R	Δ	T
C1	189.65'	120.00'	90°33'04"	121.16'
C2	149.23'	95.00'	90°00'00"	95.00'
C3	276.78'	1050.00'	15°06'11"	139.20'
C4	40.33'	450.00'	05°08'08"	20.18'
C5	677.66'	1082.00'	35°53'04"	350.36'
C6	239.94'	1050.00'	13°05'35"	120.50'
C7	36.84'	1050.00'	02°00'36"	18.42'

	L	B
L1	17.00'	N00°27'47"E
L2	37.01	N52°02'25"E
L3	32.53'	S44°32'13"E
L4	120.27'	S00°27'47"W
L5	61.83'	N89°32'13"W
L6	111.43'	N43°14'26"E
L7	136.37'	N70°14'02"E
L8	43.67'	S89°32'13"E

OWNERS:

APN 488-090-014,016
PARCEL 1 & 2
JB & RB REALTY, LLC
PO BOX 1770,
POMONA, CA 91769
(818) 601-1802
ATTN: JOHN BOULIANNE

APN 488-090-013,015
PARCEL 3 & 4
DJK, LLC
12625 AUTO MALL DRIVE,
MORENO VALLEY, CA 92555
(951) 485-3500
ATTN: DONALD J. ALLARD

PREPARED BY:

• land planning
• civil engineering
• landscape architecture
phone 909.748.7777
fax 909.748.7776
est. 1989
thatcher engineering & associates, inc.
1461 ford street, suite 105, redlands, ca 92373

LEGEND:

——	PROPOSED LOT LINES
▬▬	EXISTING BOUNDARY
— —	EXISTING LOT LINES
( )	AREA BEFORE ADJUSTMENT
POB	POINT OF BEGINNING
PCL	PARCEL
POC	POINT OF COMMENCEMENT

V:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Auto CAD\Exhibit 'A', PM 23244, LLA 1008.dwg

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MV00132388

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction.

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

BACKGROUND

In May 2005, City Council approved an agreement with PB for $939,331.84 to provide design services for improvements to the State Route 60/Nason Street Interchange. The original scope of work consisted of design, right-of-way acquisition, utility relocation,

plans, specifications and estimates (PS&E), agency coordination, bid support and construction support services.

In June 2006, the agreement was amended within the authorized contingency to add work related to the City's Streambed Alteration Agreement with the California Department of Fish and Game.

On October 14, 2008, the City Council approved the Second Amendment for additional design work required to coordinate the project's 95% design with the substantially completed Stoneridge development and update the design plans to optimize construction funds and enhance the ultimate State Route 60/Moreno Beach Drive and Nason Street bridge project.

In April 2009, the agreement was further amended for additional design work required to update the plans. In June 2009 and October 2009, the agreement was again amended to add conceptual design work related to property acquisition activities and agency requirements. All amendments were within the authorized contingency.

On January 11, 2011, the City Council awarded the construction contract to All American Asphalt. Construction is currently under way.

The agreement with PB was further amended in August 2011 (Sixth Amendment) within the approved contingency to extend the contract expiration date from December 31, 2011, to December 31, 2012, and to address staging and drainage issues encountered during construction.

DISCUSSION

The project is under construction and is on schedule. Services during construction that are required to be performed by the design engineer were estimated in 2005 during the time of the original proposal. The tasks and associated level of effort has changed since that time. They have been evaluated and consequently have increased due to changes in policies and procedures.

Weekly meetings are held with the construction management team, the City, Caltrans, and the contractor. Due to the accelerated nature of the work and the multiple parties involved in approvals, there is a time benefit in having the design engineer present at strategic weekly meetings and on-site afterwards to answer questions, evaluate any proposed adjustments, and optimize solutions. In addition, Caltrans requires the design engineer to review and concur with all Requests for Information, regardless of whether they involve a design change. The level of effort for these tasks is therefore higher than anticipated. In addition, it is expected that there will be continuing suggestions by the contractor and project team to adjust existing and proposed features to save time and money.

As-built drawings were anticipated to be done under the original contract in 2005. Since that time, Caltrans policy changed, and the as-builts were not to be done by the design

engineer. The task was removed from the scope in the Second Amendment. In 2010, the policy changed again to have the design engineer prepare the as-builts. Therefore, the scope has been re-inserted to have the design engineer prepare the final as-built set, including electronic copies to the City and Caltrans.

Caltrans recently changed carpool policies. In the last three months, Caltrans re-striped the SR-60 carpool lane from I-215 to Redlands Boulevard to provide for a continuous ingress/egress condition instead of defined segments of ingress/egress. Both the interim stage plans and the permanent striping plans for this project, when implemented, are required to be revised to reflect the new type of striping. In addition, the environmental permits for the project were issued prior to advertisement, and there are revised requirements to document and close out the permits and environmental commitments upon completion of construction.

The consultant has submitted a proposal for $76,875 to perform this work, bringing the cumulative contract total to approximately $1.57 million. This amount represents approximately 20% of the construction cost and includes both design and construction support services, which represent approximately 19% and 2.2% of the construction cost, respectively. The price is considered fair and reasonable based on industry standards for similar work, and results in an overall cost savings for the City on the project. The design engineer is also required to perform these tasks. The services covered in this amendment will be completed concurrently with the ongoing construction phase.

Construction is expected to continue through March 2012. As-builts and administrative project close-out activities are expected to continue through June 2012. A 20% contingency is requested to respond quickly to construction issues that may arise as the project is completed.

ALTERNATIVES

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will allow for completion of the design for the needed improvements.*

2. Do not approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB),

451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, do not authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, do not authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will delay the needed improvements.*

FISCAL IMPACT

The project is currently funded using federal funds and matching toll credits. Remaining available funding consists of DIF Interchange funds and Measure "A" funds. There are sufficient funds in the budget for the amendment.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act of the 21st Century, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 2,657,000
STPL Discretionary Funds (125.67029)	$ 4,941,000
STPL Toll Credit (125.67030)	$ 637,000
Demo Toll Credit (125.66930)	$ 664,000
Measure "A" Funds (125.89720)	$,446,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$11,085,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 8,283,000
Construction Management & Inspection Services	$ 601,000
Construction Support Services (Geotechnical & Survey)	$ 129,000
Construction Support Services (Design)	$ 92,000
Administrative Costs (Staff & Miscellaneous)	$ 50,000
Total Estimated Costs	$ 9,155,000

ANTICIPATED PROJECT SCHEDULE
Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff recommends amending the contract with PB for continuing services during construction for the SR-60/Nason Street Interchange Improvement Project by approving the Seventh Amendment to Agreement for Professional Consultant Services and authorizing a change order to increase the purchase order by $92,250.00 ($76,875.09 plus 20% contingency).

ATTACHMENTS/EXHIBITS

Attachment "A" — Seventh Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Marge - 98-25897 Route 60-Nason Interchange\CC Reports\7th Amendment - PB - Staff Report 09-27-11.doc

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MV00132394

SEVENTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 98-25897

This Seventh Amendment to Agreement is by and between the **City of Moreno Valley**, a municipal corporation, hereinafter referred to as "City," and **PB Americas Inc.**, a New York corporation, hereinafter referred to as "Consultant." This Seventh Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 18, 2005.

Whereas, the Consultant is providing consultant design services for State Route 60/Nason Street Interchange Improvements.

Whereas said Agreement was amended by the "First Amendment to Agreement for Professional Consultant Services" dated June 22, 2006.

Whereas said Agreement was further amended by the "Second Amendment to Agreement for Professional Consultant Services" dated November 7, 2008.

Whereas said Agreement was further amended by the "Third Amendment to Agreement for Professional Consultant Services" dated April 23, 2009.

Whereas said Agreement was further amended by the "Fourth Amendment to Agreement for Professional Consultant Services" dated June 23, 2009.

Whereas said Agreement was further amended by the "Fifth Amendment to Agreement for Professional Consultant Services" dated October 13, 2009.

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

Whereas said Agreement was further amended by the "Sixth Amendment to Agreement for Professional Consultant Services" dated _____, 2011.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Seventh Amendment.

Whereas, the Consultant has submitted a Proposal dated August 25, 2011, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2012,** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in the proposal (Exhibit "A").

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in the proposal (Exhibit "A").

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $76,875.09, as set forth in the above-referenced proposal (Exhibit "A") in consideration of the Consultant's performance of the work set forth in said proposal.

1.5 The total "Not to Exceed" fee for this contract is $1,570,430.09 ($939,331.84 for the original Agreement, $16,302.70 for the First Amendment, $375,748.00 for the Second Amendment, $48,370.67 for the Third Amendment to Agreement, $4,805.24 for the Fourth

Amendment to Agreement, $87,889.13 for the Fifth Amendment, $21,107.42 for the Sixth Amendment and $76,875.09 for the Seventh Amendment to Agreement.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

PB Americas, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Attachments: Exhibit "A" – Proposal Dated August 25, 2011

W:\CapProj\CapProj\PROJECTS\Marge - 98-25897 Route 60-Nason Interchange\Design Phase\Design Consultant (Design Phase)\Agreement\7th Amendment\7th Amendment - PB - Sep 2011.DOC

Parsons Brinckerhoff
451 E. Vanderbilt Way
Suite 200
San Bernardino, CA 92408

August 25, 2011

Ms. Margery A. Lazarus,
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: SR-60/Nason Street Interchange Improvements (PB Job No. 12676)
Project No. 98-25897

Dear Ms. Lazarus:

Attached is our scope of work, cost estimate and labor breakdown for additional services at the request of the City of Moreno Valley on the Nason Street Interchange Improvement Project. The effort has been identified in the following areas through the middle of March 2012:

- As-built Drawings
- Environmental Permits
- Attend weekly construction meetings
- Provide concurrence of RFI's
- PB will update all Staging and Striping plans affected by Caltrans HOV policy change.

The estimate for the above scope of work is $76,875.09.

Please do not hesitate to call should you have any questions 909.888.1106

Sincerely,
PB Americas, Inc

Douglas B. Sawyer
Senior Vice President

Scope of work for Amendment

Task 24 – As-built Drawings

PB shall incorporate all redline comments prepared by the Contractor and the project inspector on the signed design Plans. PB will put hanging file tabs on the Mylars. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment.

The estimated time for 251 sheets at 0.5 hour/per sheet would be 139 hours and will start on receipt of the complete package from the construction manager (TCM Group). This will include printing five (5) full size sets.

Electronic files will then be placed on three (3) CD's and delivered to construction manager (TCM – Group) for distribution.

Task 25 – Environmental Permits

Rather than paying the extraordinarily high maintenance fees associated with managing a half acre wetlands through the required third party management service, the city has opted to buy into an offsite mitigation bank.

This strategy will result in a savings to the city of well over $300,000.

PB will continue to work with the city to close the environmental permits, and to confirm compliance with the mitigation program in connection with closing out the project.

Task 26 – Weekly Meetings and Site Visits

Weekly Meetings and site visits thru the middle of March 2012 – The city together with Caltrans District 8 staff have requested our presence at the weekly construction meetings and site visits.

This additional effort was not anticipated or funded in the original design support during construction scope.

This task covers that additional coordination effort which will improve communication and reduce construction related delays.

This is based on 18 meetings and/or site visits for a total of 3 hours including travel time by the Project Manager or his/her representative.

If the construction is extended, these tasks will have to be revisited.

Task 27 – Review & Response

Additional Effort required providing concurrence on all RFI's thru the middle of March 2012. PB's involvement and concurrence in the RFI review and response process has increased significantly at the request of oversight agencies.

The requirement for the engineer to provide concurrence on all RFI's creates additional effort from the designer.

If the construction is extended, these tasks will have to be revisited.

Task 28 – Modify Interim Staging and Final Striping Plans

PB will modify interim staging and final striping plans to reflect changes in Caltrans policy to allow for continuous ingress/egress into HOV Lanes.

The estimated time for 10 sheets at 3 hour/per sheet would be 30 hours.

RESOURCE ALLOCATION MATRIX

Task No.	Task Name	Proj Mgr		Lead Engineer		Environmental Lead		Engineer		CADD		Project Administration		TOTAL HOURS	TOTAL COST
		PB AMERICAS HOURS													
		Jamey Dye		Craig Schneider		Stephanie Oslick		Courtney Otubuah		Chris Pitzer		Martha Garcia			
	Design Services														
24	**As-built Drawing**														
24.01	As-built Drawing	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
														0	$0.00
	Subtotals	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
25	**Environmental Permits**														
25.01	Environmental Permits	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
														0	$0.00
	Subtotals	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
26	**Weekly Meetings**														
26.01	1 Weekly Meeting through the middle of March	46	$10,730.40											46.00	$10,730.40
	Subtotals	46	$10,730.40											46.00	$10,730.40
27	**RFI Review & Response**														
27.01	RFI Review & Response through the middle of March	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
	Subtotals	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
28	**Modify Interim Staging and Final Striping Plans**														
28.01	Modify Interim Staging and Final Striping Plans	1	$223.55					5	$605.80	25	$3,141.75			31	$3,970.90
	Subtotals	1	$223.55					5	$605.80	25	$3,141.75			31	$3,970.90
	TOTAL	126	$28,882.51	10	$1,984.40	28	$4,391.52	99	$12,596.48	196	$27,773.07	3	$335.34	464.00	$75,763.72

OTHER DIRECT COSTS (ODC's):		
Mileage		$550.56
Reproduction		$539.00
Postage/Deliveries		$21.81
Phone/Fax		$0.00
TOTAL ODC's		$1,111.37
TOTAL COST	$0.00	$76,875.09

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

BACKGROUND

The SB 821 Bicycle and Pedestrian Facilities Program administered by the RCTC provides funding for sidewalks, bicycle lanes, access ramps, and pedestrian related enhancements. Eligible expenditures for this competitive grant program are limited to preliminary engineering, right of way acquisition, construction, and reconstruction.

At the April 12, 2011 City Council meeting, City Council approved the submittal of the grant application for the SB 821 Bicycle and Pedestrian Facilities Program FY 2011-12. The grant application requested funds for installation of access ramps at 11 locations citywide, as well as ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators at various locations along Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard.

On August 1, 2011, the City received notification from the RCTC of a successful grant application in the amount of $75,000 (50% of the estimated project costs) for the project.

DISCUSSION

The project will install sidewalk, curb and gutter, Americans with Disabilities Act (ADA) compliant access ramps, new pedestrian push buttons, and new pedestrian signal heads with countdown indications. Locations for the sidewalk and ramp improvements were selected based upon the results of the Public Right of Way Access ADA Transition Plan. City staff has received requests from disabled residents as well as completed the Tier 1 review of intersections and has developed a priority list of locations that need access ramp construction/reconstruction. A list of the locations, improvements, and priority follows:

- Patricia Street between Margaret Avenue and Gentian Avenue: Construct ADA ramps for a total of five intersections (citizen request).
- Cottonwood Avenue at Dilbeck Drive: Construct ADA ramps (Tier 1 review).
- Alessandro Boulevard at Chagall Court: Reconstruct ADA compliant ramps (Tier 1 review).
- Alessandro Boulevard at Ramsdell Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- John F. Kennedy Drive at Ely Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- Indian Street at Manzanita Avenue: Reconstruct ADA compliant ramps; modify intersection geometrics to reduce pedestrian crosswalk lengths (Tier 1 review).
- Centerpoint Drive at Center Plaza: Reconstruct ADA compliant ramps (Tier 1 review).

In addition, as part of a city-wide effort to enhance pedestrian safety and convenience, various locations long Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard will have ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators installed.

Per the provisions of the SB 821 Bicycle and Pedestrian Facilities Program (no agreement is needed between the City and the RCTC), the City is required to use its own funds to implement the project and then receives a reimbursement payment at the completion of the project. The $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance is requested such that staff can proceed with the design and construction phases. If the funds are not claimed prior to the end of FY 2012-13, the project will be deleted from the SB 821 Bicycle and Pedestrian Facilities Program and the funds will be reprogrammed by the RCTC.

ALTERNATIVES

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will allow the City to receive the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for the project.*

2. Do not accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and do not authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will prohibit the City from receiving the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for this project.*

FISCAL IMPACT

The SB 821 Bicycle and Pedestrian Facilities Program grant will provide for reimbursement of up to $75,000 (50% of project costs). Staff is requesting the City Council to approve the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance for the construction phase of the project. The program includes local match Measure "A" funding of $75,000 (50% of project costs) which is already programmed in the City's CIP budget for curb ramps and sidewalk at various locations. The total cost of this project is estimated at $150,000, and there is no impact to the General Fund.

FISCAL YEAR 2011/2012 FUNDS AVAILABLE:

Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$50,000
Indian St/Manzanita Ave Intersection Reconfiguration (Account No. 125.56334)	$25,000
SCAG Article 3 Funds Appropriation (Account No. 122.NEW)	$75,000
Total	$150,000

ESTIMATED PROJECT RELATED COSTS:

Design	$20,000
Construction	$107,000
Construction Geotechnical Services	$8,000
Construction Survey Services	$5,000
Project Administration	$10,000
Total	$150,000

ANTICIPATED PROJECT SCHEDULE:

Complete Design	August 2012
Award Construction Contract	October 2012

Notice to Proceed with Construction ..... November 2012
Complete Construction..... February 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property I the community, control the number and severity of fire and hazardous materials incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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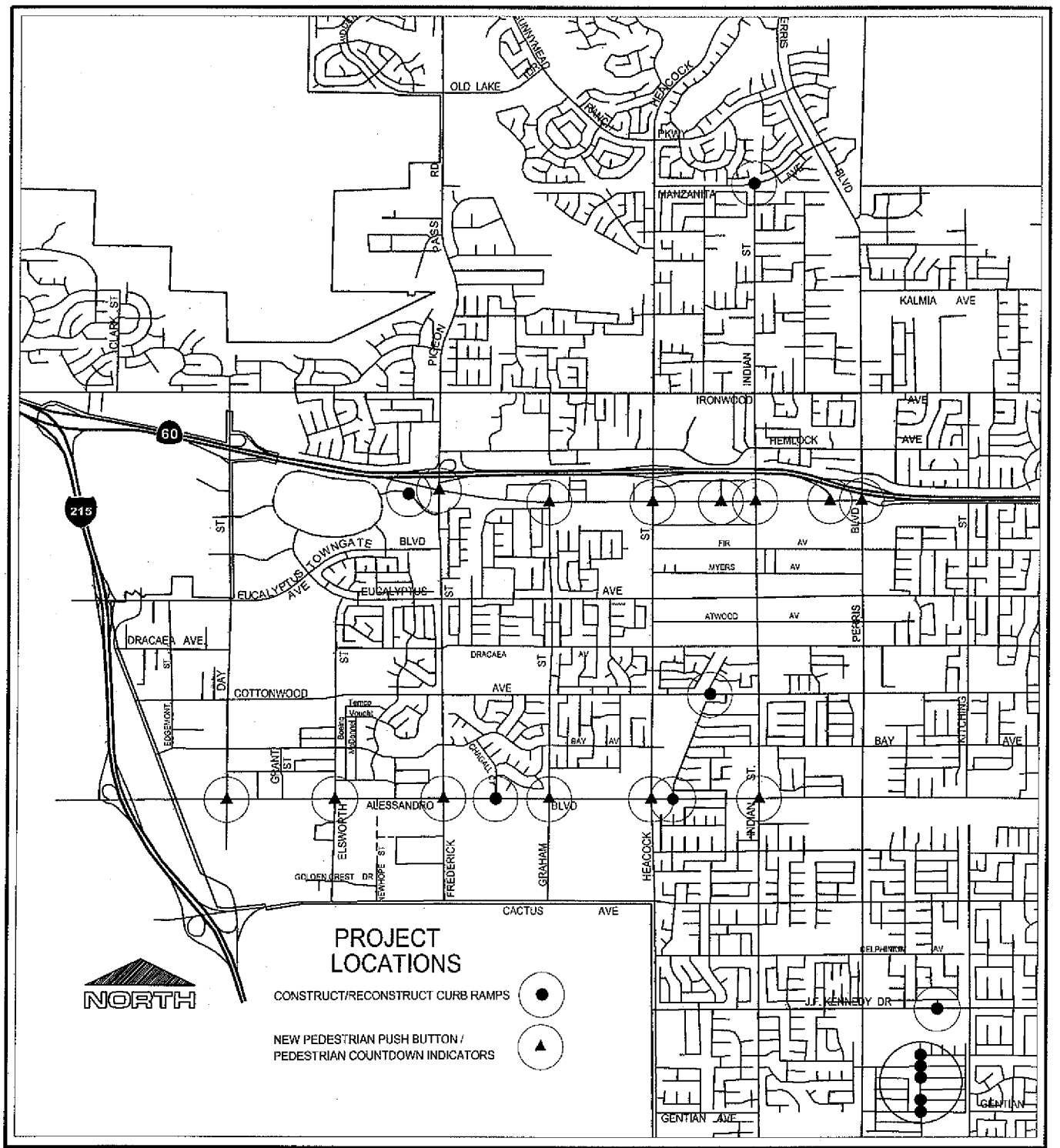

CITY OF MORENO VALLEY
DECEMBER 3, 1984

PEDESTRIAN ENHANCEMENT PROJECTS

Public Works Department
Capital Projects Division

LOCATION MAP

SB 821
FISCAL YEAR 2011 - 2012
GRANT SUBMITAL LOCATIONS

ATTACHMENT "A"

Item No. A.9

MV00132409

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MV00132410

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: September 27, 2011

TITLE: FOURTH AMENDMENT TO THE AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

Staff recommends that City Council adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

BACKGROUND

The original agreement with Riverside County Sheriff for law enforcement services was executed in 1985. A new agreement for law enforcement services was adopted on December 8, 1998 and became effective on January 1, 1999. Another new agreement for law enforcement services was approved on October 7, 2003 and expired on June 30, 2008. The most recent five-year agreement for law enforcement services was approved on December 16, 2008, with a retroactive effective date of July 1, 2008. The agreement is effective from July 1, 2008 through June 30, 2013.

Amendments are the method used to reflect changes in the allocated contract positions, changes in the average service hours, to add positions, and to reflect changes in contract language. The attached Fourth Amendment reflects a change in the average service hours, and the deletion of positions.

DISCUSSION

During the FY 11-12 budget preparation process, the City Manager directed the Moreno Valley Police to reduce its budget by one million dollars for FY 11-12, an additional two million dollars in FY 12-13, and an additional two million dollars in FY 13-14. In order to

meet the directive, it is necessary to reduce the amount of officers assigned to the Police Department.

On June 14, 2011, during the FY 11-12 budget approval process, the City Council approved a budget directing the reduction of one million dollars from the Police Department. In order to meet the directive, police services must be reduced by 25 service hours per day. Prior to the reduction, the contract called for 600 service hours per day. The Fourth Amendment reduces that daily number to 575 hours per day.

To meet the savings goal of one million dollars requires the reduction of 5 sworn officer positions.

ALTERNATIVES

The following alternatives are available for Council consideration:

1. Adopt the Fourth Amendment to the Agreement for Law Enforcement Services, and authorize the Mayor to sign the agreement.

2. Elect not to adopt the Fourth Amendment to the Agreement for Law Enforcement Services at this time, and provide further direction to staff.

FISCAL IMPACT

During the FY 11-12 budget approval process, Council approved a budget that required the reduction 8900 hours of service per year. The current contract calls for 600 hours of service per day. The reduction will set the daily service hours at 575.

Current contract FY 10-11
Hours per year = 218,940 (600 hours per day)

Proposed contract FY 11/12
Hours per year = 210,040 (575 hours per day)

The elimination of 8900 hours of service at the rate of $125.37 would save the City of Moreno Valley $1,115,793.00 for FY 11-12. This reduction equates to 5 sworn positions.

This agreement will be retroactive to July 1, 2011.

CITY COUNCIL GOALS

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit in the City of Moreno Valley.

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

On June 14, 2011, during a regular public meeting of the Moreno Valley City Council, Council Members voted to adopt the FY 11-12 budget. That budget included a reduction in allocated Police contract service hours and positions to meet a one million dollar deficit reduction plan approved by City Council on April 19, 2011.

NOTIFICATION

None.

ATTACHMENTS/EXHIBITS

Fourth Amendment to the Agreement for Law Enforcement Services between the City of Moreno Valley and the County of Riverside, including Attachment A-1 (Level of Service) and Attachment A-2 (Level of Service Detail)

Prepared By:
Name Chad Bianco
Title Lieutenant

Department Head Approval:
Name John Anderson
Title Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00132414

ORIGINAL

FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN COUNTY OF RIVERSIDE AND CITY OF MORENO VALLEY

IT IS MUTUALLY AGREED that the Agreement for Law Enforcement Services between the County of Riverside, a political subdivision of the State of California, on behalf of its Sheriff's Department, and the City of Moreno Valley, a General Law City, approved by the Board of Supervisors on December 16, 2008, for services effective July 1, 2008 through June 30, 2013, as amended on December 1, 2009, November 2, 2010 and November 30, 2010, is hereby amended in the following respects, and all other terms and conditions of the Agreement remain in full force and effect:

1. Attachment A-1 is amended to read as follows:

ATTACHMENT A-1
CITY OF MORENO VALLEY
LEVEL OF SERVICE

Average Patrol Services

575 supported hours per day. (Approximate equivalent of one hundred and eighteen (118) Deputy Sheriff positions @ 1,780 annual productive hours per position)

Dedicated Positions

One (1) Captain position (Applied at an equivalent to 90% of position hours)

One (1) Lieutenant position

Two (2) Sheriff's Sergeant positions

Ten (10) Deputy Sheriff (fully supported) positions - Motorcycle Team

Two (2) Deputy Sheriff (fully supported) positions - K-9

Three (3) Deputy Sheriff (unsupported) positions - Crime Prevention Officers

One (1) Deputy Sheriff (unsupported) position – Regional Gang Task Force

One (1) Deputy Sheriff (unsupported) position - Graffiti Prevention

One (1) Deputy Sheriff (unsupported) position – School Resource Officer

Two (2) Forensic Technicians

Sixteen (16) Community Service Officer II positions

Five (5) Community Service Officer I positions

One (1) Sheriff's Service Officer II position

Two (2) Office Assistant II positions

One (1) Supervising Office Assistant I position

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2. Attachment A-2 is amended to read as follows:

Attachment A-2

City of Moreno Valley
Positions by Program
Level of Service as of July 2011

PROGRAM: POLICE ADMINISTRATION (62110)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Captain	1.0	
Lieutenant	1.0	
Sergeant	1.0	
Accounting Technician		1.0
Senior Accounting Assistant		1.0
Accounting Assistant II		2.5
Supervising Office Assistant II		1.0
Supervising Office Assistant I		1.0
Office Assistant III		2.0
Office Assistant II		14.0
TOTAL	3.0	22.5

PROGRAM: POLICE PATROL (62210)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	2.0	
Sergeant	10.0	
Deputy	80.0	
Deputy (Includes 2 K-9 Officers)	2.0	
Community Service Officer II		13.0
Sheriff's Service Officer II		3.0
TOTAL	94.0	16.0

PROGRAM: POLICE TRAFFIC ENFORCEMENT TEAMS (62310)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	

Item No. A.10

Sergeant	2.0	
Deputy	18.0	
Community Service Officer II		5.0
TOTAL	21.0	5.0

PROGRAM: POLICE DETECTIVE UNIT (62410)

Position Title	Authorized Staffing Sworn	Classified
Lieutenant	1.0	
Sergeant	2.0	
Investigator	17.0	
Deputy (Burglary Suppression)	2.0	
Forensic Technicians		2.0
Sheriff's Service Officer II		1.0
TOTAL	22.0	3.0

PROGRAM: POLICE COMMUNITY SERVICES (62510)

Position Title	Authorized Staffing Sworn	Classified
Sergeant	2.0	
Deputy-Community Services	3.0	
Deputy-Graffiti Prevention	1.0	
Deputy-School Resource Officer	1.0	
Community Service Officer I - Cm.Services		3.0
TOTAL	7.0	3.0

PROGRAM: PROBLEM ORIENTED POLICING (62610)

Position Title	Authorized Staffing Sworn	Classified
Sergeant	2.0	
Deputy	9.0	
Community Service Officer I		2.0
TOTAL	11.0	2.0

PROGRAM: POLICE SPECIAL ENFORCEMENT TEAMS (62710)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	
Sergeant	2.0	
Deputy (Includes 1 K-9 Officer)	15.0	
Deputy (RGTF)	1.0	
TOTAL	19.0	0.0

PROGRAM: POLICE GRANT C-CAT (62810)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	
Sheriff's Service Officer II		1.0
TOTAL	2.0	1.0

PROGRAM: TOWNGATE MALL (62910)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	0.0
TOTAL	2.0	0.0

TOTAL STAFFING:	SWORN	CLASSIFIED
	181.0	52.5

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Item No. A.10

IN WITNESS WHEREOF, the City of Moreno Valley, by minute order or resolution duly adopted by its City Council, has caused this Agreement to be signed by its Mayor and attested and sealed by its Clerk, and the County of Riverside, by order of its Board of Supervisors, has caused this Agreement to be signed by the Chairman of said Board and sealed and attested by the Clerk of said Board, all on the dates indicated below.

CITY OF MORENO VALLEY

Dated:_____

By:_____
Richard A. Stewart, Mayor

ATTEST:

Name
Title

By:_____

COUNTY OF RIVERSIDE

Dated:_____

By:_____
Bob Buster, Chair,
Riverside County Board of Supervisors

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS DATE

By:_____
Deputy

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

BACKGROUND

The California Department of Food and Agriculture (CDFA) administers the Municipal Shelter Spay-Neuter Program through funds provided by the Franchise Tax Board. For the 2010 tax year, California taxpayers could elect to donate all or a portion of any of their tax refund monies to the Municipal Shelter Spay-Neuter Program. In order for this program to continue past the 2010 tax year a minimum of $250,000 in tax donations statewide was required. During 2010 a total of $197,000 in tax donations were available to eligible municipal animal shelters for the 2010 Spay-Neuter Program; therefore this program is not available in 2011.

The purpose of the Municipal Spay-Neuter Grant Fund Program is to provide grant funds to eligible animal shelters. Grant funds must supplement, not replace other funding sources. Impounded animals do not qualify for this service.

DISCUSSION

Moreno Valley Animal Services met the eligibility requirements of being current on the reporting requirements to the State Department of Public Health, Veterinary Public

Health Section (Annual Report of Rabies Control) along with offering low cost spay-neuter services for dogs and cats at the Moreno Valley Animal Clinic.

Grants awarded were on a first come, first serve basis. Eligible municipal animal shelters processing between 5,000 and 25,000 dogs and cats per year were eligible to receive up to $15,000. In FY 2010-11 the Moreno Valley Animal Shelter processed 8,378 dogs and 5,052 cats. The City was notified by CDFA in April 2011 that we were one of twelve shelters statewide that was awarded a grant (Attachment 1).

Grant funds will be used to sterilize approximately 200 dogs and/or cats owned by individual city residents.

ALTERNATIVES

1) Accept the grant award of $15,000.

2) Reject the grant award of $15,000.

3) Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the $15,000 grant award will increase the Animal Services Division's expenditure budget for FY 2011-12 as identified below. A separate business unit (BU 63240) has been created to track expenditures. Staff will process a Budget Appropriation Adjustment upon Council acceptance of the grant, increasing budgeted grant revenue and increasing the expense budget, directing staff to proceed with the grant expenditures.

General Ledger Account	Description	Current Budget	Grant Award Allocation	Revised Budget
2350.4611.1	Grant Revenue	$0	$15,000	$15,000
63240.6255	Other Professional Services (Veterinary contract)	$0	$15,000	$15,000

SUMMARY

Acceptance of the $15,000 grant award from the California Department of Food and Agriculture will allow the Animal Services Division to supplement the low cost spay-neuter services provided by the Moreno Valley Animal Clinic. Grant award funds will be used to assist city residents who otherwise could not afford the expense of spaying or neutering their pets. The grant award funds can only be used to assist pet owners

residing in the city and the pet owner's dog or cat has not been impounded at the Moreno Valley Animal Shelter. It is estimated approximately 200 pets from the community will be sterilized under this program.

ATTACHMENTS

Attachment 1: 2011 Municipal Spay-Neuter Grant Award Notice

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00132424

cdfa CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

May 2, 2011

Steve Fries
City of Moreno, Valley Animal Services Division
14041 Elsworth Street
Moreno Valley, CA 92552-0805

Subject: 2011 Municipal Spay-Neuter Grant Award Notice

Dear Mr. Fries,

Congratulations! Your organization's application submitted under the California Department of Food and Agriculture (CDFA), 2011 Municipal Spay-Neuter Grant Fund Program in January has met all the criteria and will be awarded $15,000 based on the funding formula provided in the California Revenue Taxation Code (CRTC) Section 18755.2(c). CDFA anticipates disbursing the Municipal Spay-Neuter Grant Program funds in August 2011. Awards will be made payable to the organization name and address as they appears on this letter.

Pursuant to (CRTC) Section 18755.2(e) all funds received must be used to supplement, not replace, other funding sources for spay-neuter services and programs. Additionally, no grant funds shall be used to spay or neuter any animal that is impounded by an eligible municipal shelter.

Thank you for your participation in the 2010 Municipal Spay-Neuter Grant process. If you have any questions, please feel free to submit them to grants@cdfa.ca.gov.

Sincerely,

Carl Baum
Grant Awards Coordinator
Grant Awards Unit

Federal Funds Management Office • 1220 N Street, Room 120 • Sacramento, California 95814
Telephone: 916.657.3231 • Fax: 916.653.0206 • www.cdfa.ca.gov/grants

CDFA ANNOUNCES MUNICIPAL SHELTERS ELIGIBLE TO RECEIVE FUNDING OF THE 2011 MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

Grants will be made available to the following Municipal Shelters providing low cost or free spay-neuter services for dog and cats owned by individual members of the public which have met all the criteria to receive funding:

City and County of San Francisco

City of Long Beach

City of Los Angeles

City of Moreno Valley

City of Sacramento

City of San José

County of Contra Costa

County of Riverside

County of San Bernardino

County of Santa Barbara

County of Yolo

Town of Truckee

4/30/11

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

The City has provided a VEBA benefit for City employees since 1994. In May 2011, the service provider that performed the VEBA accounting services for the City's VEBA Plan decided to stop providing the service to the City. City staff interviewed other providers and determined that CALGOVEBA is the most experienced, widely used by other government agencies in California and is the most complete service provider for administering the City's proposed VEBA Plan.

Staff is recommending approval of the attached Resolution establishing a new VEBA Trust. A VEBA Trust is a tax exempt benefit plan qualifying under Section 501 (c) (9) of the Internal Revenue Code. This plan is similar, in many respects, to a 125 Flexible Spending Account where accumulated assets are used for the payment of eligible health and other expenses for employees and their families. Unlike a 125 plan, however, accumulated assets in a VEBA Trust can be used to make premium payments.

The recommendation to implement a new VEBA Trust is based on a number of factors. The first is the significant positive impact the benefit will have on employees both during and after their retirement from service. By establishing a VEBA Trust, employees will be able to plan for current as well as future health care expenses not covered through the City's benefit program. Expenses such as Long Term Care, unreimbursed medical premiums, co-pays and pharmacy charges are all eligible under a VEBA Trust arrangement. Employees will realize a significant financial benefit since both eligible contributions to a VEBA Trust and the reimbursed expenses from the VEBA Trust are tax exempt. The City, however, is emphasizing the plan for retirement medical reimbursement purposes, even though the employees may use it for current medical expenses reimbursement.

Another factor is the flexibility of a VEBA over other alternatives available. One of the significant benefits of a VEBA is that it allows for levels of contribution and participation based on an employee group. Additionally, VEBA's, by law, require that they are collectively bargained. As a result, employees have a say in structuring a program that meets their needs. This means that the City employees associations may each agree on a different level of employee contribution rate, over and above the City paid contributions.

In addition, a VEBA Trust provides a more comprehensive approach to assisting with the greatest challenge for employers and employees, which is the rising cost of health care. A VEBA Trust is permitted to receive both, employer and employee contributions, the benefit being the opportunity to grow significantly greater assets for health care expenses in a shorter period of time. As a result, the VEBA program could also work in tandem with the City's existing post retirement medical commitments with employees' association members. For example, contributions by the City could be made directly to the respective VEBA accounts, thus ensuring a tax advantage for these employees.

In sum, by establishing the VEBA Trust, employees will be able to make health care choices that address their specific needs and have more money available for health care expenses due to tax savings realized through the program.

DISCUSSION

Staff is aware of a number of Public Agencies that have implemented VEBA Trusts for their employees. The proposed VEBA Trust was developed as a multi-agency Trust in order that other public agencies may provide similar benefits to their employees. The benefit of joining this particular VEBA Trust is that it was developed by the City of Foster City with our issues in mind. This Trust is also governed by a committee of Trustees formed from the list of participating agencies. Should the City of Moreno Valley choose to participate in the California Government VEBA, the City would hold representation on the Board of Trustees as well.

The City will not be responsible for any costs associated with this Plan. Each VEBA participant will pay a monthly maintenance fee of $4.45 regardless of the size of their account. The VEBA Trust will pay an asset-based fee equal to 50 basis points (0.50%) for funds held in a guaranteed fixed rate product at Metlife and 75 basis points (0.75%) for funds held in an actively managed advisory account at Ameriprise Financial. A variety of investment options exist for investment by the VEBA Trust for the benefit of participants in the program, one of which is a guaranteed fixed rate program through MetLife. Other investment options are available and are tailored to the City's requirements.

ALTERNATIVES

The action of the City Council to approve the attached resolution is consistent with the Fiscal Year 2011/12 MOUs with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The approval of the attached resolution and implementation of the new VEBA for City employees will have no impact on the City budget. The new VEBA Plan expenses are paid for out of the employees' contributions and investment earnings. As of June 30, 2011, the value of the City's current VEBA Trust assets was $995,257. The value of the assets has dropped due to market volatility in July and August 2011. As of September 15, 2011, the amount of the unrealized loss was approximately $51,575, compared with an unrealized gain of $160,634 for FYE 6/30/2011. All of the assets will be transferred to the new VEBA Trust and the value will be reported on a quarterly basis. The VEBA Trust assets for investment will be apportioned between the following two investment firms at the discretion of the City's VEBA Investment Committee: Ameriprise, Inc. and BAA Capital Advisors, Inc. The actively-managed portion (70%) will be managed by Ameriprise and the fixed-rate portion will be held in Metlife via BAA Capital Advisors, Inc. Cash will be held in two (2) accounts at Wells Fargo Bank.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future." The action will also fulfill City Council Deficit Elimination Plan Follow-up Goal No. 21, "Consider a Health Savings Account to allow set-aside of funds for future retiree medical costs on a pre-tax basis."

NOTIFICATION

The three employees associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and implement the

new VEBA. Copies of this staff report were sent to the employees associations and all three concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

1. Resolution Implementing a Voluntary Employee Beneficiary Association (VEBA) Trust.
2. California Government Voluntary Employees Beneficiary Association Restated Master Trust

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PARTICIPATION IN THE CALIFORNIA GOVERNMENT VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (CALGOVEBA) TRUST

WHEREAS, the City of Moreno Valley maintains a significant health and welfare benefit program for it's employees and their families; and

WHEREAS, modifications or additions are made from time to time to the City's benefit program; and

WHEREAS, the rising cost of health care is the one of single most important cost containment issue for the City and it's employees; and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association (CALGOVEBA) is a governmental multi-employer plan that permits employees to accumulate assets for this purpose, pursuant to the provisions of the Internal Revenue Code, section 501(c) (9); and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association provides for participation pursuant to collective bargaining agreements; and

WHEREAS, the City Council created a VEBA trust on April 25, 1995, referred to as the "Existing VEBA Trust"; and

WHEREAS, the assets in the existing VEBA trust needs to be transferred to the new CALGOVEBA trust; and

WHEREAS, once the assets are transferred, the existing VEBA trust needs to be terminated.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moreno Valley hereby approves the attached California Governmental Voluntary Employee Beneficiary Association Trust Agreement; and

That the City Council approves the transfer of assets from the existing VEBA trust to the new CALGOVEBA trust; and

That the City Council approves the termination of the existing VEBA trust upon the completion of the transfer of assets.

Attachment 1

Resolution No. 2011-99
Date Adopted: September 27, 2011

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00132434

CALIFORNIA GOVERNMENT

VOLUNTARY EMPLOYEES BENEFICIARY ASSOCIATION

RESTATED MASTER TRUST

TRUST restated in its entirety as of the 27th day of September, 2011 by and between The City of Moreno Valley, a forming public agency in the State of California (hereinafter referred to as the "Plan Sponsor "), and the Trust Committee of the California Government VEBA", (hereinafter referred to as the "Trustee").

W I T N E S S E T H:

WHEREAS, the Plan Sponsor adopts the California Government VEBA hereinafter referred to as the "Plan", and

WHEREAS, the Plan constitutes the California Government Voluntary Employees Beneficiary Association ("California Government VEBA"); and

WHEREAS, under the Plan, funds will from time to time be contributed to the Trustee, which funds, as and when received by the Trustee will constitute a trust fund to be held for the benefit of the Members and retirees of the Plan of the Plan Sponsor having a right to benefits, pursuant to the provisions of the Plan, and such funds will be invested by the Trustee pursuant to directions by the Plan Sponsor and/or Investment Manager as provided herein; and

WHEREAS, other Plan Sponsors may adopt this Trust as a Master Trust, subject to the provisions of this Trust, to hold assets for the purpose of funding plans that are a part of the California Government VEBA; and

WHEREAS, the Plan Sponsor having entered into this Master Trust with the Trustee for the purpose of holding the assets under the Master Trust attributable to the Plan and other amounts contributed thereunder; and

WHEREAS, the assets and funds to be held in the Master Trust established hereby, as and when received by the Trustee, will constitute a trust fund to be held for the benefit of the members of the Plan and their beneficiaries; and

WHEREAS, the Plan Sponsor desires the Trustee to hold such assets and funds and the Trustee is willing to hold such assets and funds pursuant to the terms of this trust; and

WHEREAS, the master trust is intended to qualify as a "Voluntary Employees Beneficiary Association" within the meaning of Section 501(c)(9) of the Internal Revenue Code, and

WHEREAS, the master trust is intended for the purpose of creating a fund to provide for the payment of benefits that qualify under Section 501(c)(9) of the Internal Revenue Code to participating Members, including their dependents, and their designated beneficiaries.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, the Plan Sponsor and the Trustee do hereby agree as follows:

1. The Plan Sponsor hereby adopts the California Government Voluntary Employees Beneficiary Association (VEBA) Trust (the "Master Trust") as a trust to fund the benefits provided by the Plan. All such money and property, all investments made therewith and proceeds thereof and all earnings and profits thereon, less the payments or other distributions which, at the time of reference, shall have been made by the Trustee, as authorized herein, are referred to herein as the "Fund" and shall be held by the Trustee, in trust, and dealt with in accordance with the provisions of this Trust.

2. Any other California public agency may become a Plan Sponsor and adopt the Master Trust to fund benefits provided under the California Government VEBA Plan if the Plan Sponsor adopts the Master Trust and the Plan in order to provide benefits that are funded from the Master Trust and the Trustee agrees to such adoption. The assets of each Plan Sponsor and the investment earnings thereon shall be available only to pay benefits to employees of that Plan Sponsor and any costs or fees associated with the administration of the Plan covered under this Trust.

3. It is intended that the Master Trust shall meet the requirements of Internal Revenue Code section 501(c)(9). All contributions hereunder and all assets and earnings of the Master Trust are solely and irrevocably dedicated to the payment of benefits that qualify under section 501(c)(9) of the Internal Revenue Code.

Effective January 1, 2008 and as referenced herein, the Trustee shall consist of a Trust Committee. The Trust Committee shall consist of one person designated by each Plan Sponsor. Such designated individual shall assume the responsibility of Trustee. Executive Trustees shall review all information and documents related to the daily activities and operation of the Trust and Plan and shall make recommendation(s) to the full body of Trustees forming the Trust Committee on such related matters. Such Executive Trustees shall consist of the ten original Plan Sponsors and five additional Trustees voted by the full body of Trustees to such position. A vote to fill the five additional positions shall occur every three years. Procedures to fill vacancies which occur in the interim periods shall be developed by the Trust Committee.

4. Trustee shall appoint a Trust Administrator and any and all successor Trust Administrators which shall have the authority to act for a Plan Sponsor in all matters relating to the establishment and maintenance of the Plan and Trust except those relating to the investment and management of the assets of the Trust and such other matters as are reserved to the Plan Sponsor or the Trustee under the provisions of this Trust. Without limiting the generality of the foregoing, the Trust Administrator shall have the following specific powers:

   A. To contract for and delegate the administration of the Plan to one or more administrators, subject to approval of the Trustee.
   B. To determine from time to time the benefits to be provided for participants under the Plan.
   C. To retain professional advisors, including auditors and legal advisors to provide services to the Trust.
   D. To prepare necessary filing with the state and federal government.

5. Responsibility for the management and control of the assets of the Plans which are held under the Master Trust as a funding medium (including the power to acquire or dispose of such assets) is vested in the Plan Sponsor, and/or in such one or more investment managers described in Article 13a who are appointed by the Plan Sponsor. That portion of the Fund for which the Plan Sponsor shall have such responsibility is hereinafter referred to as the "Plan Sponsor-Directed Fund." Any portion of the Fund over which an Investment Manager shall have such responsibility is hereinafter referred to as an "Investment Manager-Directed Fund." Allocations of assets of the Fund between or among any Plan Sponsor-Directed or Investment-Manager Directed Funds shall be determined by the Plan Sponsor. For efficiency or convenience of investment or administration, the Fund or any such Plan Sponsor-Directed or Investment Manager-Directed Fund may be divided into such one or more sub-funds as the Plan Sponsor or the Trustee may deem advisable.

6. The Trust Administrator shall maintain a separate account reflecting the equitable share in the Fund of each Plan Sponsor. For this purpose, the Trustee shall determine the value of the assets of the Fund as of the last day of each calendar quarter and as of such other dates as the Trustee may deem appropriate or on which the Plan Sponsor and the Trustee may agree. Assets shall be valued at their market values at the close of business on the date of valuation, or, in absence of readily accessible market values, at such values as the Trustee shall determine in accordance with methods consistently followed and uniformly applied. Anything herein to the contrary notwithstanding, with respect to assets constituting part of a Directed Fund hereunder, the Trustee may rely, for all purposes of this Trust, including for the purpose of determining the value of such assets as of any quarterly or other valuation date, on any certified appraisal or other form of valuation submitted to it by the Investment Manager(s). The Trustee may also rely on Assets reported by an Insurer in conjunction with contracts issued by that Insurer. Any amount paid from the Master Trust which is specifically allocable to a particular Plan Sponsor shall be charged against the equitable share of such Plan Sponsor; any

amount paid from the Master Trust which is allocable to all of the Plan Sponsors shall be charged against the individual Plan Sponsor assets on a pro-rata basis.

7. The Trustee shall not be required to maintain any separate records or accounts with respect to any Plan Sponsor or any participant in (or beneficiary of) any Plan Sponsor, and any such records or accounts required to be maintained pursuant to the terms of any such Plan shall be maintained by the Plan Sponsor or by the appropriate committee directly charged with such responsibility.

8. By entering into this Trust, the Trustee does not assume any responsibility or undertake any duty to enforce payment of any contribution under any collective bargaining agreement, any responsibility for the adequacy of the Fund or the funding standards adopted by any Plan Sponsor to meet or discharge any liabilities under such agreement or standard, or any responsibility under the terms of this Trust for the management or control of any Discretionary or Directed Funds. Except as may otherwise be required by law, no duties or obligations shall be imposed upon the Trustee unless they have been specifically undertaken by the express terms of this Trust.

9. The Trustee shall receive any contributions paid to it in cash or in other property acceptable to it. All contributions so received, together with the income therefrom and any other increment thereon, shall be held by the Trustee pursuant to the terms of this Trust without distinction between principal and income. The Trustee shall not be responsible for the collection of any contributions to the Plans.

10. The Trustee may from time to time consult with counsel, who may be counsel to the Plan Sponsor, with respect to any question arising as to the construction of this Trust or any action to be taken hereunder and the Trustee shall be fully protected, to the extent permitted by law, in acting in good faith upon the advice of counsel.

11. Subject to the provisions of Article 12 hereof, the Trustee from time to time upon receipt of written notice from the Trust Administrator, may make payments out of the Trust Fund to such persons, in such manner, in such amounts and for such purposes, including the payment of expenses of the Plan and the purchase of life insurance and/or annuity contracts, as may be specified by the Trust Administrator. Except as may otherwise be required by law, the Trustee shall be under no liability for any payment made by it pursuant to a written direction of the Trust Administrator and shall be under no duty to make inquiries as to whether any payment directed by the Trust Administrator is made pursuant to the provisions of the Plan.

12. Notwithstanding anything to the contrary contained in this Trust or in any amendment thereto, it shall be impossible, at any time prior to the satisfaction of all liabilities with respect to the members under the Plans or their beneficiaries, for any part of the Fund, other than such part as is required to pay taxes and expenses of administration, to be used for or diverted to purposes other than for the exclusive benefit of the members under the Plans or their beneficiaries.

13. Unless otherwise prohibited by law or otherwise specified herein, the Trustee shall have the following powers and authority with respect to the Trust Fund:

    a. To invest and reinvest, as directed by the Plan Sponsor and/or the Investment Manager, the principal and income of the Fund and keep the Fund invested without distinction between principal and income, in such securities or in such property, real or personal (whether or not income producing), wherever situated, including, but not limited to, life insurance, contracts, stocks, common or preferred; any mutual or other funds maintained or established by the Trustee or any affiliate thereof; bonds and mortgages and other evidence of indebtedness or ownership in any common, collective or commingled trust fund maintained by the Trustee, as the same may be amended from time to time, and during any period when such funds are used, the instrument

establishing such fund shall constitute a part of this Trust. In making such directed investments, the Trustee shall not be restricted to securities or other property of the character authorized or required by applicable law from time to time for trust investments. The Plan Sponsor and/or Investment Manager shall direct the Trustee in writing as to the asset allocation or percentage mix of types of investments to be used by the Trustee for the investment of the Trust Fund, and as to specific investments to be made by the Trustee of amounts in the Trust Fund. To the extent permitted by law, the Trustee shall not be liable and shall be held harmless and indemnified by the Plan Sponsor for any losses incurred in connection with the Trust Fund caused by its reliance thereon. Such losses may be either actual realized losses or losses in the nature of "lost investment opportunity."

b. To settle, compromise or submit to arbitration any claims, debts or damages, due or owing to or from the Master Trust, to commence or defend suits or legal proceedings and to represent the Master Trust in all suits or legal proceedings in any court of law or before any other body or tribunal.

c. To exercise any conversion privilege and/or subscription right available in connection with any securities or other property at any time held by it; to oppose or to consent to the reorganization, consolidation, merger or readjustment of the finances of any corporation, company or association, or to the sale, mortgage, pledge or lease of the property of any corporation, company or association any of the securities of which may from time to time be held by it and do any act with reference thereto, including the exercise of options, the making of trusts or subscriptions, and the payment of expenses, assessments or subscriptions, which may be deemed necessary or advisable in connection therewith, and to hold and retain any securities or other property which it may so require.

d. To exercise, personally or by general or by limited power of attorney, any rights, including the right to vote, appurtenant to any securities or other property held by it at any time.

e. To hold part or all of the Funds uninvested.

f. To employ and unemploy agents, including the Trust Administrator, counsel, and auditor and to pay from the Trust Fund their reasonable expenses and compensation.

g. To register any securities held by it hereunder in its own name or in the name of a nominee with or without the addition of words indicating that such securities are held in a fiduciary capacity and to hold any securities in bearer form.

h. To make, execute and deliver, as Trustee, any and all deeds, leases, mortgages, conveyances, waivers, releases or other instruments in writing necessary or desirable for the accomplishment of any of the foregoing powers.

i. To deposit any part of the Fund in interest bearing account deposits maintained by the Trustee.

j. Generally to do all acts, whether or not expressly authorized, which the Trustee may deem necessary or desirable for the protection of the Trust Fund.

14. The Plan Sponsor reserves the right to retain the services of one or more persons or firms for the management of (including the power to acquire and dispose of) all or any part of the Fund, provided that each of such persons or firms is registered as an investment advisor under the Investment Advisors Act of 1940, is a bank (as defined in that Act), or is an insurance company qualified to manage, acquire or dispose of trust assets under the laws of more than one state, and provided that each of such persons or firms has acknowledged in writing that he is a fiduciary with respect to the Plan; in such event, the investment manager or managers so retained (the "Investment Manger(s)") shall have the same investment powers and duties as the Trustee, and the Trustee shall not be liable for the acts or omissions of such Investment Manager(s), nor shall it be under any obligation to invest or otherwise manage any Trust Fund assets which are subject to the management of such Investment Manager(s).

15. The Trustee shall pay out of the Fund all personal property taxes, income taxes and other taxes of any and all kinds levied or assessed under existing or future laws against the Trust Fund.

16. The Trustee shall, within 90 days after the close of each calendar year, and within 90 days after the removal or resignation of the Trustee or the termination of the Trust or Plan, render accounts of its transactions to the Trust Administrator and Plan Sponsor. The Trust Administrator and Plan Sponsor may make exceptions to such accounts by an instrument in writing delivered to the Trustee. In the absence of the filing in writing with the Trustee of exceptions or objections to any such account within ninety (90) days of the rendering, shall be deemed to have been approved, the Trustee shall be released, relieved and discharged with respect to all matters and things set forth in such account as though such account had been settled by the decree of a court of competent jurisdiction. The Trustee shall keep accurate and detailed accounts of all investments, receipts, disbursements and other transactions hereunder for the Fund (including any Discretionary or Directed Fund) and all accounts, books and records relating thereto shall be open to inspection and audit at all reasonable times by any persons designated by the Trustee or Trust Administrator. Except as the Retirement Security Act of 1974, as amended ("ERISA"), provides otherwise, no person other than the Plan Sponsor may bring any action against the Trustee with respect to the Trust or their actions as Trustee. The Trustee shall from time to time permit an independent public accountant selected by the Plan Administrator (except one to whom the Trustee has reasonable objection) to have access during ordinary business hours to such records as may be necessary to audit the Trustee's accounts.

17. The Trustee shall be fully protected in relying upon notice from the Trust Administrator with respect to any instruction, direction or approval of the Trust Administrator, and protected also in relying upon a notice from the Trust Administrator as to the person or persons who are authorized to direct payments from

the Trust Fund and in continuing to rely upon such notice until a subsequent notice is filed with the Trustee.

The Trustee shall be fully protected in acting upon any instrument, certificates or paper believed by it to be genuine and to be signed or presented by the proper person or persons, and the Trustee shall be under no duty to make any investigation or inquiry as to any statement contained in writing, but may accept the same as conclusive evidence of the truth and accuracy of the statements therein contained.

The Trustee shall not be liable for the application of any part of the Fund if payments are made in accordance with the approved written instructions of the Trust Administrator as herein provided, nor shall the Trustee be responsible for the adequacy of the Fund to meet and discharge any and all payments and liabilities under the Plan. All persons dealing with the Trustee are released from inquiry into the decision or authority of the Trustee and from seeing to the application of any moneys, securities or other property paid or delivered to the Trustee.

The Trust Administrator and Plan Sponsor hereby agree to hold the Trustee harmless from and against all taxes, expenses (including counsel fees), liabilities, claims, damages, actions, suits or other charges incurred by or assessed against it as a successor Trustee, as a direct or indirect result of any act or omission of a predecessor Trustee or any other person charged under any trust affecting Fund assets for investment responsibilities with respect to such assets.

The Plan Sponsor agrees to hold harmless and indemnify the Trustee, to the fullest extent permitted under applicable law, for any and all liabilities of any kind incurred by the Trustee in connection with the Plans and Trust (a) relating to periods of time prior to the Trustee's becoming Trustee, or (b) relating to periods of time while the Trustee is Trustee if such liability is not due to the Trustee's negligence, willful misconduct, or breach of its fiduciary duties.

18. The Trustee may resign at any time by giving sixty (60) days written notice to the Trust Administrator. In the case of the resignation or removal of the Trustee, the Trust Administrator immediately shall appoint a successor Trustee. If for any reason the Trust Administrator cannot or does not act in the event of the resignation or removal of the Trustee, as hereinabove provided, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor Trustee. Any expenses incurred by the Trustee in connection therewith shall be paid from the Fund as an expense of administration. Any successor Trustee shall have the same powers and duties as those conferred upon the Trustee named in this Trust. The removal of the Trustee and the appointment of a new Trustee shall be by written instrument delivered to the Trustee.

19. This Trust, subject to the provisions of Article 1 may be amended by the Trustee at any time or from time to time and in any manner and the provisions of any such amendment may be made applicable to the Fund as constituted at the time of the amendment as well as to the part of the Fund subsequently acquired; provided, however, that no such amendment shall increase the duties of the Trustee without its consent. Any amendment shall be by a written instrument adopted by the Trustee.

20. This Trust and the trust created hereby may be terminated at any time by the Trustee, and upon such termination, the Fund shall be paid out by the Trustee as and when directed by the Trust Administrator in accordance with the provisions of Article 12 hereof.

21. The Trust Administrator shall provide the Trustee with copies of all documents constituting a Plan at the time the Trust is executed by a Plan Sponsor, as provided in Article 2, and all other documents amending or supplementing a participating Plan promptly upon their adoption. The Trustee shall be entitled to rely upon the Trust Administrator's attention to this obligation and shall be under no duty to inquire of

the Trust Administrator as to the existence of any documents not provided by the Trust Administrator hereunder. The Trustee is bound and acknowledges that it is a fiduciary with respect to the Master Trust and the participating Plans and by the fiduciary responsibility provisions of ERISA as applicable to governmental plans. The provisions of ERISA are expressly made applicable to the provisions of this Master Trust in order to ensure that the Master Trust meets the control requirements for a VEBA under the provisions of 501(c)(9) of the Internal Revenue Code.

22. To the extent consistent with the provisions of ERISA, this Agreement and the trust created hereby shall be construed, regulated and administered under the laws of the State of California, and the Trustee shall be liable to account only in the courts of the State. All contributions to the Trustee shall be deemed to take place in the State of California. Unless the provisions of ERISA provide otherwise, the Trustee may at any time initiate an action or proceeding for the settlement of its accounts or for instructions, and the only necessary party defendant to such action or proceeding shall be the Employer except that the Trustee may, if it so elects, bring in as parties defendant any person or persons.

IN WITNESS WHEREOF, this instrument has been executed as of the day and year first above written.

PLAN SPONSOR

ATTEST:

_____

By:_____

Name: Richard A. Stewart

Title: Mayor

Date: _____

TRUSTEE:

ATTEST:

Trust Committee

_____

By: _____

Name:

Title:

Date:

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MV00132448

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer and Barry Foster Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011

DEVELOPER: FIRST INDUSTRIAL, L.P.
A DELAWARE LIMITED PARTNERSHIP
898 NORTH SEPULVEDA BOULEVARD
SUITE 750
EL SEGUNDO, CA 90245

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011.

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

BACKGROUND

On November 6, 2008, the Planning Commission of the City of Moreno Valley approved Parcel Map No. 35859 (PA07-0165) along with Plot Plan (PA07-0166) for an approximately 700,000 square-foot industrial warehouse building (Building #1) and a

Plot Plan (PA07-0167) for a 180,000 square-foot industrial warehouse building (Building #2). The parcel map is a proposal to subdivide 40.3 gross acres into two parcels. The project is bounded by Perris Boulevard to the east, Knox Street to the west, San Michelle Road to the north, and Nandina Avenue to the south.

Since the original project approvals, the developer has submitted a Plot Plan (PA11-0011) planning application for an interim truck parking lot to be located on Parcel 2 of Parcel Map No. 35859, the ultimate location of Building #2, the 180,000 square-foot industrial warehouse building. The proposal covers the same footprint of the approved building with access from Perris Boulevard. The developer has also submitted an Amended Plot Plan (P11-017) planning application for minor modifications to the approved 700,000 square-foot building approved with PA07-0166. The modifications include a decrease in the overall building square footage with an increase in office space and changes to the location of Knox Street project entrances. Both of these planning applications were approved on July 5, 2011.

On July 26, 2011, the City Council of the City of Moreno Valley approved the Final Parcel Map and Public Improvement Agreement along with the corresponding securities. The Agreement and securities include the construction of the public street improvements.

DISCUSSION

First Industrial, L.P. is requesting a full road closure of Nandina Avenue between Perris Boulevard and Knox Street to facilitate the construction of street improvements on Nandina Avenue. The road closure will be for three months, or approximately ninety-one (91) calendar days. The request for the road closure is due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, curb, gutter, sidewalk, medians, driveway approaches, street lights, landscaping, storm drain culverts, dry utilities, traffic signal modification and associated signing and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on December 28, 2011.

There are 2 residential parcels in the area of construction. The road closure will affect the ingress or egress of both of the parcels, and it will require a detour to the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. The road closure/detour/traffic control plan for this closure has been reviewed and approved by the City Traffic Engineer.

ALTERNATIVES

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. There would be no road closure. *This alternative would result in an unsafe work environment and would significantly delay the completion of this project.*

FISCAL IMPACT

The developer will be responsible for all costs associated with this proposal.

CITY COUNCIL GOALS

PUBLIC SAFETY
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses and residents. The public will be notified by special roadside signage showing the dates of closure and detour signs.

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Road Closure Detour Map
Exhibit "C" – GIS Orthography Map – Road Closure Site Map

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00132452

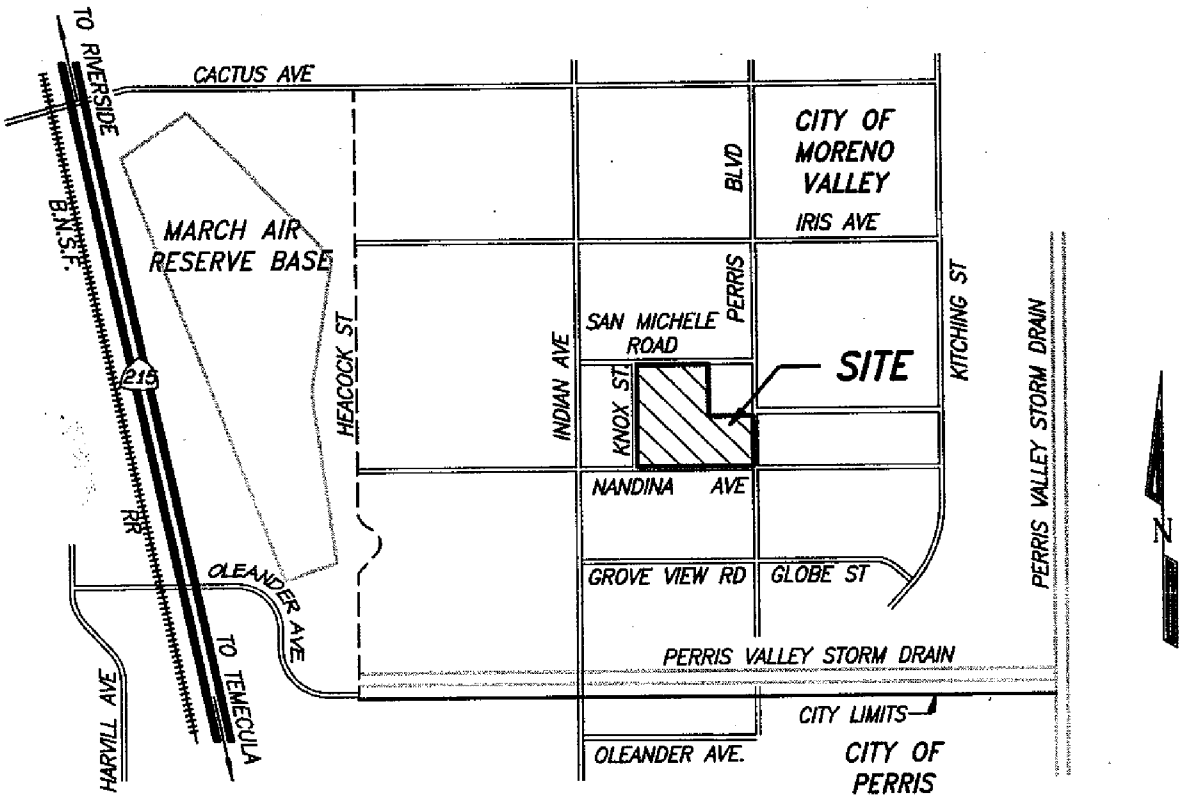

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0165** **PM 35859** **LOCATION MAP**

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MV00132454

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DETOUR PLAN

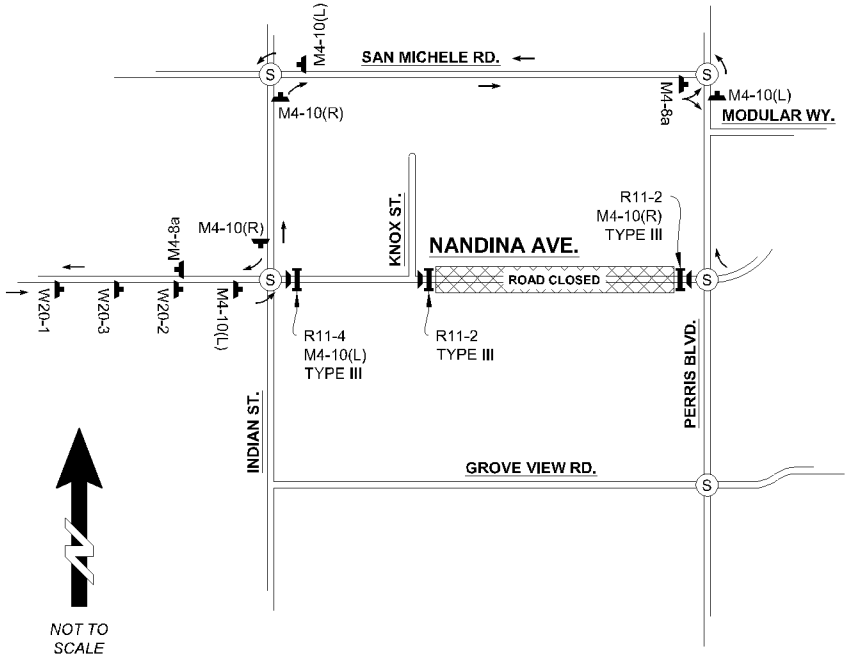

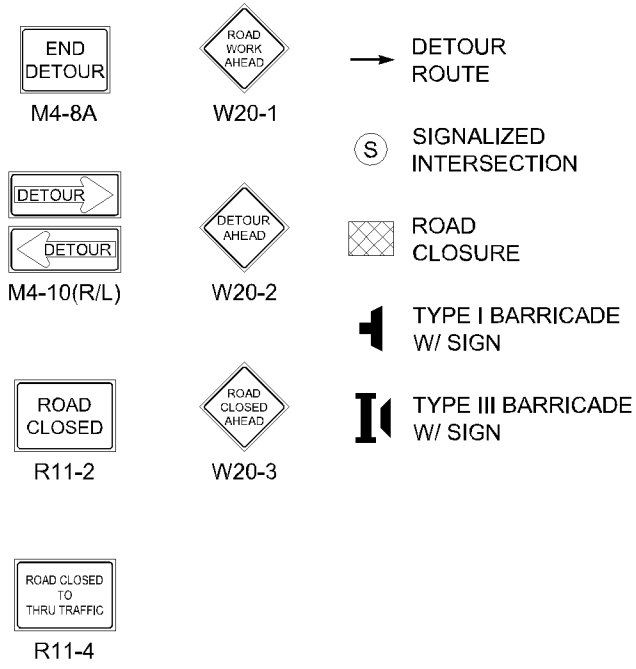

PREPARED BY:	CONTRACTOR:	STAMP:		CITY OF MORENO VALLEY APPROVALS		PROJECT NO.
A CONE ZONE INC. P.O. Box 1982 Corona, CA 92878 (951) 734-9535 License Number: 851996	**PETERSON PIPELINE** P.O. Box 1649 Chino, CA 91908 (909) 393-1906 License Number: 689680A		MARK / REVISIONS / APPR / DATE DESIGNED BY CB DRAWN BY CB CHECKED BY EN	APPROVED BY / DATE / BY SUPERVISING ENGINEER CITY TRAFFIC ENGINEER MAINTENANCE AND OPERATIONS MANAGER SENIOR ENGINEER	PREM KUMAR – DEPUTY DIRECTOR OF PUBLIC WORKS DATE R.C.E. 52463 EXP. DATE: 12/31/12 CHRIS A. VOGT – DIRECTOR OF PUBLIC WORKS DATE R.C.E. 44250 EXP. DATE: 06/30/12	PERRIS VALLEY MASTER DRAINAGE PLAN LATERAL B-1 & B-1.2 NANDINA AVE. CLOSURE	DRAWING NO. SHEET NO. X OF 4

Exhibit "B"

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MV00132456

ROAD CLOSURE SITE MAP

Nandina Avenue from Perris Blvd. to Knox St.

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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0 200 400 800ft

Powered By GeoSmart.net

Printed: 8/23/2011 11:03:47 AM

Exhibit "C"

MORENO VALLEY

MV00132457

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MV00132458

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00132460

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto.

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The Parks and Community Services Department oversees the After School Education and Safety Program and 43 school sites in the Moreno Valley Unified (MVUSD) and Val Verde Unified School District (VVUSD). As part of the After School Education and Safety Grant (ASES) the city is required to offer the students in the program a daily

nutritious snack that conforms to the nutrition standards in the California Education Code. To that end the City receives a grant from the Child and Adult Care Food Program (CACFP) which reimburses a set amount per nutritious snack served per student. The vendor contracted for this service must be capable of delivering snacks, to each school site weekly, that meet the requirements and portion sizes of the U.S. Department of Agriculture (USDA) as required by the CACFP Grant.

DISCUSSION

A request for proposal was prepared and advertised, with a closing date of August 22, 2011. Three proposals were received by deadline. A panel evaluated the proposals based on several items with the most weight given to: Ability to provide the required services; adherence to the RFP; quality of snacks compared to the USDA's requirements; and nutritional value of snacks compared to USDA's requirements.

The proposal with the highest score was received from Family Services Association. It is Staff's intention to enter into an agreement with Family Services Association to meet the required nutritional guidelines of the ASES and CACFP Grants.

ALTERNATIVES

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto and Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

2. Elect not to award the contract and execute a purchase order in the amount not to exceed $440,640 to Family Services Association and provide direction to staff.

FISCAL IMPACT

The funding of this program expenditure, in the amount not to exceed $440,640, is covered 100 percent (100%) through ASES and CACFP grant funding. No City General Funds will be used for this program. Funds are budgeted in the FY2011-12 Operating Budget (162.16215 and 162.16315). **ASES funding is specifically for the After School Education and Safety Program and CACFP grant is for nutritious after school snacks only.**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Contract agreement (Includes RFP)

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00132464

ATTACHMENT A

City of Moreno Valley
Community Services District

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by the Moreno Valley Community Services District, a district formed pursuant to California Community Services District Law, hereinafter referred to as the "CSD", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City and CSD policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the Mayor, Acting in the capacity as the President of the Board of Directors of the Moreno Valley Community Services District, signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Family Services Association
Address: 21250 Box Springs Rd. Ste 212
City: Moreno Valley State: CA Zip: 92557
Business Phone: (951)686-1096 Fax No. (661)947-5678
Other Contact Number: N/A
Social Security Number: N/A
Business License Number: 11605
Federal Tax I.D. Number: 95-4764967

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The CSD's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is 10/3/11 and the Contractor Ending Date is 06/30/12. The CSD acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CSD will not provide any training to Contractor or his/her/its employees.
B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual

whose compensation for services is paid by the Contractor, an agent or employee of the CSD, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the CSD, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the CSD.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the CSD. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the CSD shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the Moreno Valley Community Services District (CSD), City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the CSD, City and RDA, its officers, agents, or employees.

   The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. CSD Indemnification. The CSD agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CSD's, City's and RDA's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, City, and RDA, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

   The Contractor shall name as additional insured, the Moreno Valley Community Services District (CSD), the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and shall furnish the CSD with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the CSD in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any

excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the Moreno Valley Community Services District (CSD), it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the Moreno Valley Community Services District (CSD), the Community Redevelopment Agency of the City of Moreno Valley, California, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the CSD, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the CSD will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	**Each Occurrence**	**Aggregate**
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the CSD and the City. At the option of the CSD and the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the CSD, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the CSD with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

(a) The CSD may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the CSD. The CSD shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the CSD terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

I. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The CSD will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the CSD's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

J. Restrictions on CSD and City Employees. The Contractor shall not employ any CSD or City employee or official in the work performed pursuant to this Agreement. No officer or

employee of the CSD or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

K. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

L. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.
In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

M. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the CSD, the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

N. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the CSD.

O. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

P. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the Moreno Valley Community Services District (CSD).

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Board of Directors of the
Moreno Valley Community Services District

BY: _____
President

_____
Date

Family Services Association

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT A

SCOPE OF WORK

"Exhibit A"

GENERAL AGREEMENT

This agreement is entered between Family Service Association (FSA) and the Moreno Valley Community Services District ("CSD") for the purpose of providing after school snack services. It is recognized that the purpose of this agreement shall be constructed in a manner not inconsistent with the California Education Code and other laws of the State of California After School Education and Safety (ASES) Grant.

AGENCY AND PROGRAM BACKGROUND

Family Service Association is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals. Additionally, the FSA has provided the Federal Summer Youth Food Program at several FSA Community Centers.

SNACK PROGRAM SERVICES

Family Service Association will provide delivery of the snacks to each of the 43 ASES "CSD" sites every school day from October 3, 2011 until June 30, 2012 in accordance with the order from the Think Together. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times required. Snack will be provided for a set unit price of .72 per snack per day and total cost will vary based on CSD program enrollment. Snack nutritional values will be in accordance with Child and Adult Food Program.

PROGRAM DELIVERY

Snack will be delivered to CSD programs weekly. CSD program must provide a secure area for product to be stored. CSD program will assign a contact for each site who will sign for delivery. FSA will invoice monthly with NET 30 DAY terms based on documented number of nutritious snacks delivered.

PROGRAM STAFFING REQUIREMENTS

Family Service Association shall be solely responsible for staff in their employ under this agreement, Family Service Association certifies that staff providing services are adequately trained and prepared according to prevailing standards for providing such services. Family Service Association will provide adequate supervision of the staff. FSA will provide all necessary insurance for employees as specified in INDEPENDENT CONTRACTOR AGREEMENT.

RELEVENT DATES

FSA will deliver snack to (43) ASES sites per week starting October 3, 2011. All sites will have product to begin distribution on October 3, 2011.

CONTRACTORS RFP RESPONSE

ORIGINAL

CHILD AND ADULT CARE FOOD PROGRAM
SAMPLE CONTRACT FOR VENDED MEALS

THIS AGREEMENT, made and entered into this day of

20 11, in the State of California, by and between Moreno Valley Community Services District

hereinafter referred to as the Agency and _____,

* _____, hereinafter referred to as the Contractor.

WITNESSETH:

1. That the Contractor for and in consideration of the covenants, conditions, agreements, and stipulations of the Agency hereinafter expressed, does hereby agree to furnish to the Agency services and materials as described in the original Invitation for Proposal and Contract, Sections A, B, C, D, E, F, G, and H, and Schedules A, B, and C, which were attached and made a part hereof by this reference.

2. The period of this contract shall be from _____ through _____. This contract may be renewed for one-year periods up to three times upon agreement of the Agency and the Contractor. Any increase or decrease of the unit price(s) shall be negotiated during the renewal process.

3. In consideration of the service, performed in a manner acceptable to the Agency and in compliance with the Child and Adult Care Food Program regulations, Title 7 Code of Federal Regulations, Part 226, the agency shall pay the Contractor within 30 days of receipt, the full the amount Amount of the itemized invoices as confirmed by pickup receipts, at the unit price(s) specified in the contract.

4. The total amount payable by the Agency to the Contractor under this contract shall not exceed $_____.

SIGNATURE PAGE TO FOLLOW

/

/

/

/

/

/

MORENO VALLEY COMMUNITY SERVICES DISTRICT

(Name of Contractor)

BY: _____
City Manager

DATE: _____

License No./ Certification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

CITY ATTORNEY, ACTING IN THE CAPACITY OF GENERAL COUNSEL OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SECTION A
CHILD AND ADULT CARE FOOD PROGRAM
REQUEST FOR PROPOSAL AND CONTRACT
(DELIVERY)

RFP/CONTRACT NUMBER: (Formal Advertising Only)

ISSUED BY (AGENCY): Moreno Valley Community Services District

NAME	ADDRESS 14075 Frederick St.		
CITY Moreno Valley	STATE CA	ZIP 92553	TELEPHONE NUMBER (951) 413-3726

PROPOSAL DUE

DATE	TIME	LOCATION	ISSUE DATE
AUGUST 22, 2011	5:00 p.m.	Moreno Valley Parks and Community Services 14075 Frederick Street, Moreno Valley, CA 92553	

PROPOSAL

This document contains an RFP/Contract for the furnishing of meals (unitized if applicable) to be served to participants of the Child and Adult Care Food Program established by the United States Department of Agriculture (Title 7 Code of Federal Regulations, Part 226) and sets forth the terms and conditions applicable to the proposed procurement.

NAME OF COMPANY	FEDERAL ID NUMBER
Family Service Association	95-1803694
STREET ADDRESS	TELEPHONE NUMBER
21250 Box Springs Rd. Ste. 212	(951) 686-1096

CITY	STATE	ZIP CODE
Moreno Valley	CA	92557

TOTAL ESTIMATED AMOUNT OF PROPOSAL	
TO BE PROVIDED IN SEPARATE SEALED ENVELOPE	Prompt Payment Discount: N/A % for payment within days.

By submission of this proposal, the company certifies that, in the event they receive an award under this solicitation, they shall operate in accordance with all applicable, current Child and Adult Care Food Program regulations.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Bower	Chief Operating Officer	8/18/2011

ACCEPTANCE

Upon acceptance by the Agency and review by the California Department of Education, this document shall constitute the covenants, conditions, agreements, and stipulations of the contract between the company making the proposal and the Agency named above.

CONTRACT NUMBER	AGENCY NAME	DATE

SIGNATURE OF AGENCY REPRESENTATIVE	

PROCUREMENT METHOD: (Check One)

Competitive Negotiation ☐ Competitive Sealed Proposals ☒ Noncompetitive Negotiation ☐

FOR CDE USE ONLY

This Contract was reviewed for compliance with Title 7 Code of Federal Regulations, Part 226 by:

SIGNATURE	DATE

3

SECTION B
CERTIFICATE OF INDEPENDENT PRICE DETERMINATION, NO SANCTIONS, AND DRUG FREE WORKPLACE

BY SUBMISSION OF THIS PROPOSAL, THE SUBMITTER CERTIFIES AND IN THE CASE OF A JOINT PROPOSAL, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATIONS, THAT IN CONNECTION WITH THIS PROCUREMENT:

1. The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Submitter or with any competitor.
2. Unless otherwise required by law, the prices that have been quoted in this proposal have not been knowingly disclosed by the Submitter and will not knowingly be disclosed by the proposal prior to proposal opening, directly or indirectly to any other Submitter or to any competitor.
3. No attempt has been made or will be made by the Submitter to induce any person or firm to submit or not to submit a proposal for the purpose of restricting competition.
4. Neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

   Where the Submitter is unable to certify to any of the statements in this certification, such Agency shall attach an explanation to this proposal.
5. As required by the state drug-free workplace act of 1990 (Government Code Section 8350 et. Seq.) and the federal Drug-Free Workplace Act of 1988, and implemented at Title 34 Code of Federal Regulations, Part 85, Subpart F, for grantees, as defined at Title 34 Code of Federal Regulations, Part 85, Sections 85.605 and 85.610, the Submitter certifies that it will continue to provide a drug-free workplace.

EACH PERSON SIGNING THIS PROPOSAL CERTIFIES THAT:

1. He is the person in the Submitter's organization responsible within that organization for the decision as to the prices being offered herein or that he has been authorized in writing to act as agent for the persons responsible for such decisions in certifying that such persons have not participated and will not participate, in any action contrary to (1) through (3) above; and
2. He has not participated, and will not participate, in any action contrary to (1) through (3) above.

AND AS THEIR AGENT DOES HEREBY SO CERTIFY:

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011
NAME OF COMPANY		
Family Service Association		
In accepting this proposal, the agency certifies that the agency's officers, employees, or agents have not taken any action that may have jeopardized the independence of the proposal referred to above.		
SIGNATURE OF AUTHORIZED AGENCY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011

ACCEPTING A PROPOSAL DOES NOT CONSTITUTE ACCEPTANCE OF THE CONTRACT

SECTION C
INSTRUCTION TO SUBMITTERS

1. **Definitions --** (As used herein):

   (a) The term "Proposal" means an offer to perform the work described in the Request for Proposals at the fixed unit price specified in accordance with the terms and conditions of the solicitation.

   (b) The term "Submitter" means a food service management company submitting a proposal in response to this Request for Proposals.

   (c) The term "Contractor" means the food service management company to whom the proposal is awarded and with whom the contractual agreement is executed.

   (d) The term "CDE" means the California Department of Education, Nutrition Services Division.

   (e) The term "Food Service Management Company" means an organization, other than a public or private nonprofit school, with which an agency may contract for preparing, and unless otherwise provided for, delivering meals, with or without milk, for use in the Program.

   (f) The term "Request for Proposals ", hereafter referred to as RFP, means the document soliciting proposals through the formal advertising method of procurement. In the case of this Program, the RFP becomes a part of the contract upon acceptance by the Agency, review by CDE, and execution of the contractual agreement.

   (g) The term "Agency" means the Child and Adult Care Food Program agency that issues this RFP.

   (h) The term "Program" means the Child and Adult Care Food Program as set forth in the Title 7 Code of Federal Regulations, Part 226.

   (i) The term "Unitized Meal" means an individual pre-portioned meal consisting of a combination of foods meeting the complete meal requirements, delivered as a unit and served as a unit, with or without milk.

   Other terms shall have the meanings ascribed to them in the Child and Adult Care Food Program, Title 7 Code of Federal Regulations, Part 226.

2. **Submission of Proposals**

   (a) Submitters are expected to examine carefully the specifications, schedules, attachments, terms, and conditions of this RFP. Failure to do so shall be at the Submitter's own risk.

   (b) Proposals shall be executed and submitted in triplicate with one copy being marked "original". If accepted, this RFP will become a part of the contract and one copy of the accepted Proposal/contract will be forwarded to the successful Submitter with the notice of award. The copy marked "original" shall be governing should there be a variance between that "original" copy of the proposal and other copies submitted by the Submitter. No changes in the specifications or general conditions as presented by the Agency herein are allowed. Erasures on this proposal shall be initialed by the proposal prior to submission.

   (c) A copy of a current State or local health certificate for the food preparation facilities shall be submitted with the proposal.

   (d) The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.

   Failure to comply with any of the above shall be reason for rejection of the proposal.

3. **Explanation to Submitters**

Any explanation desired by a Submitter regarding the meaning or interpretation of the RFP specifications, etc., must be requested in writing prior to proposal opening and with sufficient time allowed for a reply to reach all Submitters before proposal opening. Oral explanations or instructions given before the award of the contract shall not be binding. Any information given to a prospective Submitter concerning an RFP shall be furnished to all prospective Submitters as an amendment to the RFP if such information is necessary to Submitter in submitting proposal on the RFP, or if the lack of such information would be prejudicial to uninformed Submitters.

4. **Acknowledgment of Amendments to RFPs**

Receipt of an amendment to an RFP by a Submitter must be acknowledged by signing and returning the amendment. Such acknowledgment must be received prior to the hour and date specified for proposal response date.

5. **Discounts**

Although a blank is provided for a time discount, prompt payment discounts offered for payment in less than twenty calendar days will not be considered in evaluating proposals for award. However, offered discounts of less than twenty days will be taken if payment is made within the discount period even though not considered in the evaluation of proposals.[1]

6. **Proposals Having Interest in More Than One Proposal**

If more than one proposal is submitted by any one person, by, or in the name of a clerk, partner, or other person, all such proposals shall be rejected.

7. **Time for Receiving Proposals**

Sealed proposals shall be deposited at the address specified on the RFP of the Agency no later than the exact time and date indicated on the face of this RFP. Proposals received prior to the time of opening will be securely kept, unopened.

8. **Errors in Proposals**

Submitters or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals; failure to do so shall be at the Submitter's own risk and he cannot secure relief on the plea of error.

9. **Award of Contract**

(a) The contract will be awarded to that responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered. Consideration shall be given to such matters as Contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

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[1] Payment discounts may only be used to determine the low proposal when prior experience of the Agency indicates that such discounts are generally taken.

(b) The Agency reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received when there are sound documented business reasons in the best interest of the Program.

(c) The Agency reserves the right to reject the proposal of a Submitter who has previously failed to perform properly or complete on time contracts of a similar nature, or the proposal of a Submitter whose investigation shows is not in a position to perform the contract.

10. **Late Proposals, Modifications of Proposals, or Withdrawals of Proposals**

(a) Any proposal received after the exact time specified for receipt will not be considered unless it is received before the award is made and it was sent by registered or certified mail, no later than the fifth calendar day prior to the date specified for the receipt of proposals (e.g., a proposal submitted in response to an RFP requiring receipt of proposals by the 20th of the month must have been mailed by the 15th or earlier).

(b) Any modification or withdrawal of a proposal is subject to the same conditions as in (a) above except that withdrawal of proposals by telegram is authorized. A proposal may also be withdrawn in person by a Submitter or his authorized representative, provided his identity is made known and he signs a receipt for the proposal, but only if the withdrawal is made prior to the exact time set for receipt of proposals.

(c) The only acceptable evidence to establish the date of mailing of a late proposal, modifications, or withdrawal sent either by registered or certified mail is the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. If the date on the postmark is illegible, the proposal, modification, or withdrawal shall be deemed to have been mailed late. (The term "postmark" means, a printed, stamped, or otherwise placed impression that is readily identifiable without further action as having been supplied and affixed on the date of mailing by employees of the U.S. Postal Service.)

(d) Notwithstanding the above, a late modification of an otherwise successful proposal that makes its terms more favorable to the Agency will be considered at any time it is received and may be accepted.

SECTION D
SCOPE OF SERVICES

1. The Contractor agrees to deliver unitized meals exclusive of milk to locations set out in Schedule A, attached hereto and made a part hereof, subject to the terms and conditions of this solicitation.

2. All meals furnished for the Program under this contract must meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products shall conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. The Contractor agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. The Contractor shall furnish meals for the Program as ordered by the Agency during the period of October 3, 2011 to June 8, 2012.

5. The Contractor shall furnish meals for the Program as ordered by the Agency 5 days a week excluding school holidays.

Item No. B.3

Section D

SCOPE OF SERVICES

1. Family Service Association (Contractor) agrees to deliver unitized meals exclusive of milk to 43 Elementary and Middle School Sites (as detailed on Schedule A).

2. All meals furnished for the Program under this contract will meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products will conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. Family Service Association (Contractor) agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. Family Service Association will furnish meals for the program as ordered by the Agency during the period of October 3, 2011- June 8, 2012.

5. Family Service Association will furnish meals for the Program as ordered by the Agency five (5) days per week (Monday-Friday).

SECTION F

CONTRACT PROVISIONS AND SPECIFICATIONS

1. **Requirements Contract**

   (a) This is a requirements contract for services specified in the Sections and Schedules and for the period set forth herein. The quantities of such services specified herein are estimates only and are not purchased hereby. Except as may be otherwise provided herein, in the event the Agency's requirements for services set forth in the Sections and Schedules do not result in orders in the amounts or quantities described as "estimated" in the Sections and Schedules, such event shall not constitute the basis for an equitable price adjustment under this contract.

   (b) The Agency shall not be required to purchase from the Contractor requirements in excess of the limit on total orders under this contract, if any.

   (c) The Agency may issue orders that provide for delivery or performance at multiple destinations.

   (d) The Agency shall not be obligated to place any minimum dollar amount of orders under this contract or any minimum number of orders. The utilization of the Contractor for services specified in the Sections and Schedules will be dependent upon the needs and requirements of the Agency.

   (e) Regulatory or guidance changes prescribed by the United States Department of Agriculture or CDE, during the duration of this contract, shall be considered a basis for renegotiation with prior approval and agreement from CDE, of the terms and conditions of the contract between the Agency and the Contractor. Authority for such renegotiation must be requested from CDE, in writing by the Agency, prior to the commencement of any such renegotiation.

2. **Pricing**

   Pricing shall be on the numbers described in Section E, "Unit Price Schedule". All Submitters must submit proposals on the same menu cycle provided by the Agency. Proposal prices must include the price of food, milk (if applicable), packaging, transportation, and all other related costs (e.g., condiments, utensils, etc.) that are essential to the content of the food service.

3. **Evaluation of Submitters**

   Each Submitter will be evaluated on the following factors:

   (a) Capability to perform a contract of the scope required.

   (b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards.

   (c) Previous experience performing services similar in nature and scope.

   (d) Other factors such as transportation capability, sanitation, and packaging.

   Submitter that do not satisfactorily meet the above criteria may be rejected as unresponsive and not considered for award.

4. **Unit Prices**

The unit prices of each meal type that the Submitter agrees to furnish must be written in ink or typed in the blank space provided in Section E of the Unit Price Schedule, including proper packaging as required in the specifications, and the costs of delivery to the designated sites. Unit prices shall include taxes; but, any charges or taxes that are required to be paid under future laws must be paid by the Submitter at no additional charge to the Agency. **The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.**

5. **Meal Orders**

The Agency will order meals on Friday of the week preceding the week of delivery; orders will be placed for the total number of days in the succeeding week, and will include breakdown totals for each center and each type of meal.

The Agency reserves the right to increase or decrease the number of meals ordered on a 24 hour notice (or less if mutually agreed upon between the parties to this contract).

6. **Menu-Cycle Change Procedure**

Meals shall be delivered on a daily basis in accordance with the menu cycle which appears in Schedule C. Deviation from this menu cycle shall be permitted only upon authorization of the Agency. When an emergency situation prevents the Contractor from delivering a specified meal component, the Contractor shall notify the Agency immediately so substitutions can be agreed upon. The Agency reserves the right to periodically suggest menu changes that are within the Contractor's food cost.

7. **Noncompliance**

The Agency reserves the right to inspect and determine the quality of food delivered and reject any meals that do not comply with the requirements and specifications of the contract. The Contractor shall not be paid for unauthorized menu changes, incomplete meals, meals not delivered within the specified delivery time period, and meals rejected because they do not comply with the specifications. The Agency reserves the right to obtain meals from other sources if meals are rejected due to any of the stated reasons. The Contractor shall be responsible for any excess cost, but will receive no adjustment in the event the meals are procured at a lesser cost. The Agency or agency representative inspecting shall notify the Contractor in writing as to the number of meals rejected and the reasons for rejection.

** Time frame should be no longer than 24 hours.

8. **Specifications**

(a) Packaging

(1) Hot Meal Unit-Packaging shall be suitable for maintaining meals in accordance with local health standards. Container and overlay should have an airtight closure, be of non-toxic material, and be capable of withstanding temperatures of 400°F (204°C) or higher.

(2) Cold Meal Unit or Unnecessary-to-Heat Container and overlay shall be plastic or paper and non-toxic.

(3) Cartons - Each carton shall be labeled. The label shall include:

A. The processor's (plant) name and address

B. Item identity and meal type

C. Date of production

D. Quantity of individual units per carton

(4) Meals shall be delivered with the following non-food items: condiments, straws, napkins, single service ware, etc.*

(b) Food Preparation

Meals shall be prepared under properly controlled temperatures and assembled not more than 24 hours prior to delivery.

(c) Food Specifications

Proposals are to be submitted on the menu cycle included as Schedule C and shall include, at a minimum, the portions specified by the U. S. Department of Agriculture for each meal, which are included in Schedule B of this RFP.

All meat and meat products, except sausage products, shall have been slaughtered, processed, and manufactured in plants inspected under a U. S. Department of Agriculture approved inspection program and bear the appropriate seal. Upon delivery, all meat and meat products must be sound, sanitary, and free of objectionable odors or signs of deterioration.

(d) Product Specifications

Milk and milk products are defined as "...fluid types of pasteurized flavored or unflavored whole milk or low-fat milk, or skim milk or cultured buttermilk, which meets State and local standards for such milk..." Milk delivered hereunder shall conform to these specifications.

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* The Agency shall insert or delete non-food items that are necessary for the meal to be eaten.

Section F

CONTRACT PROVISIONS AND SPECIFICATIONS

3. Evaluation of Submitters:

(a) Capability to Perform Contract of Scope Required:

Family Service Association (FSA) is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. The key program and service areas of FSA include: Mental Health, Child Development, Community Centers, Senior Nutrition and Senior Services and Affordable Housing. FSA has a substantial infrastructure that includes administrative and fiscal supports to all programs and services, and is certified by the Council on Accreditation for the majority of agency services, attesting to the highest quality in program delivery. Additionally, FSA's Human Resources Department enables the agency to hire/screen and interview staff quickly and efficiently. FSA also maximizes resources, including personnel, facilities and transportation to ensure cost-effective and timely services. For example, there are currently part-time personnel that are working in food service whose hours can be expanded up to full-time positions to serve this new program component. Vehicles that are used to deliver Senior Nutrition meals earlier in the day can also be used for delivery of snacks to the various school sites in the afternoon.

In the area of service relevant to the Child Care Food Program Notice, FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals, as described in detail in item (c). Additionally, the agency has provided the Federal Summer Youth Food Program at several FSA Community Centers.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products. FSA will provide delivery tickets (minimum of three copies – one for FSA, one for Center personnel, and one for the Agency). Each delivery ticket will be itemized to show the number of snacks provided to each center. Designees of the Agency at each site will check the adequacy of the delivery before signing the delivery ticket. FSA will maintain records supported by delivery tickets, purchase orders, and production records for this contract, and other evidence for inspection and reference to support payments and claims.

FSA will make the books and records pertaining to this contract available for a period of three years from the date the Agency submits to CDE, the final claim for reimbursement for meals provided under this contract.

FSA will procure and maintain at its sole expense, and throughout the term of the Agreement, General Liability and Worker's Compensation at the required levels.

(b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards:

FSA has a long history of compliance with food preparation regulations and standards in the course of operating eight (8) food service facilities. In both the food service programs for the Child Development Centers and the Senior Nutrition program, FSA is well-versed in the applicable State and local health, safety and sanitation standards of the CA Department of Education Child and Adult Food Programs, the Federal Summer Youth Food Program, and Title 22 regulations, as well as Environmental Health regulations.

Food preparation for this proposed program will take place at FSA's new Central Kitchen and Distribution Facility, scheduled to open on September 15, 2011. The facility is located at 21081 Alessandro Blvd. in Moreno Valley and is currently being renovated especially for the preparation of meals for the Senior Nutrition program.

The facility will be ideal for the proposed Child Care Food Program. During the morning hours, the facility will be used for the preparation and distribution of over 1,500 senior meals (congregate and home-delivered meals). The early afternoon hours can then be devoted to the preparation of the afternoon meal "snacks" required for this proposed program. The convenient location of the kitchen within close proximity to the service sites, the compliance of the facility with all applicable health regulations, and the trained and experienced staff assigned to work in this location on various programs make it an ideal place for this project.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products.

(c) Previous experience performing services similar in nature and scope:

As previously stated, FSA has over 15 years of experience in the meal preparation and food service process. FSA provides food service (breakfast, lunch and snacks) to approximately 2,000 children served at FSA's 10 Child Development Centers located throughout Riverside County. In addition, FSA has provided the Summer Youth Food Program to approximately 300 children and youth attending special programming at FSA's Community Centers in Highgrove, Mead Valley and Cabazon. Daily meals are delivered to 1,500 seniors through FSA's Senior Nutrition program, offering both congregate (20 sites) meal service, and home-delivered meals for frail, homebound elders.

In the provision of these food programs, FSA adheres to and has consistent compliance with environmental health standards for kitchen sanitation and safe food preparation. Food service personnel comply with all applicable CA Department of Education and Adult Food Programs, and Title 22 regulations that govern federally funded food programs, in addition to all Environmental Health regulations.

(d) Other factors such as transportation capability, sanitation and packaging:

FSA has over 20 vehicles that are used to deliver nutritious meals to seniors. The agency also owns a refrigerated truck as well as refrigerated hot and cold conversion vans that are available to deliver meals and snacks. In addition, FSA utilizes coolers and hot bags to maintain appropriate food temperatures for snack and meal deliveries.

FSA maintains the highest quality of sanitation possible for all cooking sites as well as warming kitchens. FSA is required by Title 22 regulations to have a registered dietician who inspects all sites on a quarterly basis. Written records are maintained on food temperatures as well as routine cleaning and sanitizing of all kitchen equipment.

FSA packages all meals and snacks that it prepares. Meals are placed in biodegradable meal trays and appropriately sealed. Side dishes, such as fruit, jello, etc. are individually cupped and/or sealed.

The Attached Environmental Health Permit is for one of FSA's eight kitchen and food preparation facilities.

The facility that will be serving as the centralized kitchen (Alessandro Central Kitchen and Distribution Center) for this project, will not be open until mid-September 2011.

ATTACHMENT A

Facility # FA0029398

COUNTY OF RIVERSIDE • COMMUNITY HEALTH AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH

Environmental Health Permit
Non-Transferable - Non-Refundable

Facility #: FA0029398
Permit Expiration Date: 01/31/2012
District Number: 0005

DBA:
Catering Ror A Cause
6080 Magnolia Ave
Riverside, CA 92506

Family Service Association
Catering Ror A Cause
21250 Box Springs Rd Ste 212
Moreno Valley, CA 92557

Record ID#: PR0040060

Type Of Business

3621 - Restaurant 2001 to 5999 sq ft

This permit is granted for the business indicated on the condition that the business will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, and the County of Riverside pertaining to the above mentioned business. This permit serves as a receipt for payment of fees for the above listed programs. This permit must be renewed on or before the expiration date shown above. This permit may be suspended or revoked by the enforcement officer for cause. Inspection of this business may be conducted by a duly authorized representative of the Director of Environmental Health. THIS PERMIT IS NOT TRANSFERABLE OR REFUNDABLE.

POST IN A CONSPICUOUS PLACE

DEH-SAN-050 (Revised 12/09)

SECTION G
GENERAL CONDITIONS

1. **Delivery Requirements**

   (a) Deliveries shall be made by the Contractor to each center listed on the Schedule A in accordance with the order from the Agency.

   (b) Meals shall be delivered, unloaded, and placed in the designated center weekly by the Contractor's personnel at each of the locations and times listed on the Schedule A.

   (c) The Contractor shall be responsible for the delivery of all meals and dairy products at the specified time. Adequate refrigeration or heating shall be provided during the transportation and delivery of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

   (d) The Agency reserves the right to **add or delete centers**. This shall be done by amendment of the Schedule A. The Agency shall notify the Contractor of such amendments to the Schedule A not less than one week prior to the required date of service. Any changes in transportation costs that occur as a result of adding or deleting centers shall be negotiated and noted in the modification. The Contractor's invoice shall show the cost as a separate item for that center.

2. **Supervision and Inspection**

   The Contractor shall provide management supervision at all times and maintain constant quality control inspections to check for portion size, appearance, and packaging, in addition to the quality of products.

3. **Record Keeping**

   (a) Delivery tickets must be prepared by the Contractor with a minimum of three copies -- one for the Contractor, one for center personnel, and one for the Agency. Delivery tickets must be itemized to show the number of meals of each type delivered to each center. Designees of the Agency at each center will check the adequacy of the delivery and the meals before signing the delivery ticket. Invoices shall be accepted by the Agency only if they accurately represent the delivery tickets signed by the Agency's designee at the center.

   (b) The Contractor shall maintain records supported by delivery tickets, purchase orders, and production records for this contract or other evidence for inspection and reference to support payments and claims.

   (c) The books and records of the Contractor pertaining to this contract shall be available for a period of three years from the date the Agency submits to CDE the final claim for reimbursement for meals provided under this contract, or until the final resolution of any audits for inspection and audit by representatives of CDE, the U. S. Department of Agriculture, the Agency, and the Controller General of the United States at any reasonable time and place.

4. **Method of Payment**

The Contractor shall submit its itemized invoice to the Agency monthly . Each invoice shall give a detailed breakdown of the number of meals delivered and signed for at each center during the preceding month . Payment will be made at the unit price specified in the contract. No payment shall be made unless the required delivery receipts have been signed by the center representative of the Agency.

5. **Inspection of Facility**

(a) The Agency, CDE, and the U.S. Department of Agriculture reserve the right to inspect the Contractor's preparation facilities prior to award and without notice at any time during the contract period, including the right to be present during preparation and delivery of meals.

(b) The Contractor's facilities shall be subject to periodic inspections by the U.S. Department of Agriculture, State and local health departments, or any other agency designated to inspect meal quality for the State. This will be accomplished in accordance with U.S. Department of Agriculture regulations.

(c) The Contractor shall provide for meals which it prepares to be periodically inspected by the local health department or an independent agency to determine bacteria levels in the meals being prepared, transported, and delivered. Such levels shall conform to the standards which are applied by the local health authority with respect to the level of bacteria which may be present in meals served by other establishments in the locality.

6. **Insurance**

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD) and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

7. **Availability of Funds**

The Agency shall have the option to cancel this contract if the Federal Government withdraws funds to support the Child and Adult Care Food Program. It is further understood that, in the event of cancellation of the contract, the Agency shall be responsible for meals that have already been assembled and/or delivered in accordance with this contract.

8. **Number of Meals and Delivery Times**

The Contractor must provide the exact number of meals ordered. Counts of meals will be made at all centers before meals are accepted. Damaged or incomplete meals shall not be included when the number of delivered meals is determined.

9. **Emergencies**

In the event of unforeseen emergency circumstances, the Contractor shall immediately notify the Agency by telephone or telegram of the following: (a) the impossibility of on-time delivery; (b) the circumstance(s) precluding delivery; and (c) a statement of whether or not succeeding deliveries will be affected. No payments will be made for deliveries made later than 1 hour(s) after specified mealtime. Emergency circumstances at the center precluding utilization of meals are the concern of the Agency. The Agency may cancel orders provided it gives the Contractor at least 48 hours notice. Adjustments for emergency situations affecting the Contractor's ability to deliver meals, or the Agency's ability to utilize meals for periods longer than 24 hours will be mutually worked out between the Contractor and the Agency.

10. **Termination**

(a) The Agency reserves the right to terminate this contract if the Contractor fails to comply with any of the requirements of this contract. The Agency shall notify the Contractor of specific instances of noncompliance in writing. In instances where the Contractor has been notified of noncompliance with the terms of the contract and has not taken immediate corrective action, the Agency shall have the right upon written notice to immediately terminate the contract and the Contractor shall be liable for any damages incurred by the Agency. The Agency shall negotiate a repurchase contract on a competitive basis to arrive at a fair and reasonable price.

(b) The Agency shall by written notice to the Contractor, terminate the right of the Contractor to proceed under this contract if it is found by the Agency that gratuities in the form of entertainment, gifts, or otherwise were offered or given by the Contractor to any officer or employee of the Agency, with a view toward securing the contract or securing favorable treatment with respect to the awarding or amending of the contract; provided that the existence of the facts upon which the Agency makes such findings shall be in issue and may be reviewed in any competent court.

(c) In the event this contract is terminated as provided in paragraph (b) hereof, the Agency shall be entitled (i) to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor, and (ii) as a penalty in addition to any other damages in an amount which shall not be less than three nor more than ten times the cost incurred by the Contractor in providing any such gratuities to any such officer or employee.

(d) The rights and remedies of the agencies provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

11. **Subcontracts and Assignments**

The Contractor shall not subcontract with any other company for the total meal, with or without milk, or for the assembly of the meal; and shall not assign, without the advance written consent of the Agency, this contract or any interest therein. In the event of any assignment, the Contractor shall remain liable to the Agency as principal for the performance of all his obligations under this contract.

12. **Equal Opportunity**

(The following clause is applicable unless this contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor (Title 41 Code of Federal Regulations, Chapter 60.)

During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex.

The Contractor will take affirmative action to ensure that the evaluation and treatment of his employees and applicants for employment are free of such discrimination. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and his subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

(b) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(c) In the event of the Contractor's noncompliance with the Equal Opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further State or federally funded contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, or by rule, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

SECTION H

GENERAL PROVISIONS FOR CONTRACTS EXCEEDING $100,000

THE FOLLOWING PROVISIONS ARE APPLICABLE ONLY IF THE CONTRACT EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT THE ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY ONE YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [41 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY ENVIRONMENTAL PROTECTION AGENCY, OR THE CONTRACT IS NOT OTHERWISE EXEMPT FROM THESE PROVISIONS.

Clean Air and Water

The Contractor agrees as follows:

1. To comply with all the requirements of Section 114 of the Clean Air Act, as amended (41 USC 1857, et seq., as amended by Public Law 91-604), and all requirements adopted pursuant to Division 26 of the California Health and Safety Code, Section 39000, et seq., respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements so specified, and all regulations and guidelines issued thereunder before the award of this contract.

2. To comply with all the requirements of Section 308 of the Federal Water Pollution Control Act (33 USC 1251, et seq., as amended by Public Law 92-500) and all requirements adopted pursuant to the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Section 13000, et seq.), respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Acts, and all regulations and guidelines issued thereunder before the award of this contract.

3. That no portion of the work required by this contract will be performed at a facility listed on the EPA List of Violating Facilities on the date when this contract was awarded unless and until the EPA eliminates the name of such facility or facilities from such listing.

4. To use his best efforts to comply with clean air standards and clean water standards at the facilities in which the contract is being performed.

5. To insert the substance of the provisions of this clause in any nonexempt subcontract including this paragraph 1(e).

Energy Policy and Conservation Act (P.L. 94-163)

The Contractor agrees to comply with all mandatory standards and policies relating to energy efficiency as contained in the California Administrative Code, Title 24, pursuant to the California State energy efficiency conservation plan issued in compliance with Public Law 94-163.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

CLEAN AIR AND WATER CERTIFICATION

THIS CERTIFICATION IS APPLICABLE IF PROPOSAL OR OFFER EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [42 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY EPA, OR IS NOT OTHERWISE EXEMPT.

The Submitter certifies as follows:

1. Any facility to be utilized in the performance of this proposed contract

   has [X] has not [ ]

   been listed on the Environmental Protection Agency List of Violating Facilities.

2. He will promptly notify the Agency Official, prior to award, of the receipt of any communication from the Director, Office of Federal Activities, U. S. Environmental Protection Agency, indicating that any facility that he proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities.

3. He will include substantially this certification, including this paragraph (3.) in every nonexempt subcontract.

NAME OF COMPANY		
Family Service Association		
SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Hower	Chief Operating Officer	8/18/2011

SCHEDULE A
CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Armada Elementary	25201 John F Kennedy Dr., Moreno Valley, CA		Afternoon Snack	75 per day		8/10/11-6/8/12 180 days
Badger Springs Mdl	24750 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	64 per day		8/10/11-6/8/12 180 days
Bear Valley Elem	26125 Fir Ave, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Box Springs Elem	11900 Athens Dr, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Butterfield Elem	13400 Kitching St, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Chaparral Hills Elem	24850 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Cloverdale Elem	12050 Kitching St., Moreno Valley, CA		Afternoon Snack	89 per day		8/10/11-6/6/12 176 days
Creekside Elem	13563 Heacock St., Moreno Valley, CA		Afternoon Snack	76 per day		8/10/11-6/6/12 176 days
Edgemont Elem	21790 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	92 per day		8/10/11-6/6/12 176 days
Hendrick Ranch Elem	25570 Brodiaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Hidden Springs Elem	9801 Hidden Springs Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Honey Hollow Elem	11765 Honey Hollow St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
La Jolla Elem	14745 Willowgrove Pl., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Landmark Mdl	15261 Legendary Dr., Moreno Valley, CA		Afternoon Snack	80 per day		8/10/11-6/6/12 176 days
Midland Elem	11440 Davis St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Moreno Elem	26700 Cottonwood Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Mountain View Mdl	13130 Morrison St., Moreno Valley, CA		Afternoon Snack	65 per day		8/10/11-6/6/12 176 days
Palm Mdl	11900 Slawson Ave., Moreno Valley, CA		Afternoon Snack	58 per day		8/10/11-6/6/12 176 days

ATTACHMENT A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Ramona Elem	24801 Bay Ave., Moreno Valley, CA		Afternoon Snack	91 per day		8/10/11-6/6/12 176 days
Ridge Crest Elem	28500 JFK Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Seneca Elem	11615 Wordsworth Rd, Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days
Serrano Elem	24100 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sugar Hill Elem	24455 Old Country Rd., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sunnymead Elem	24050 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Sunnymead Mdl	23996 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	54 per day		8/10/11-6/6/12 176 days
Sunnymeadows Elem	23200 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Town Gate Elem	22480 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Avalon Elem	1815 E. Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Columbia Elem	21350 Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Lakeside Mdl	27720 Walnut Ave., Perris, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Lasselle Elem	26446 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Manuel L. Real Elem	19150 Clark St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
March Mdl	15800 Indian Ave., Moreno Valley, CA		Afternoon Snack	67 per day		8/10/11-5/24/12 175 days
Mary McLeod Bethune Elem	25390 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
May Ranch Elem	900 E. Morgan St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Mead Valley Elem	21100 Oleander Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

DELIVERY – (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Rainbow Ridge Elem	15950 Indian Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Sierra Vista Elem	20300 Sherman Rd., Perris, CA		Afternoon Snack	77 per day		8/10/11-5/24/12 175 days
Tomas Rivera Mdl	21675 Main St., Perris, CA		Afternoon Snack	76 per day		8/10/11-5/24/12 175 days
Triple Crown Elem	530 Orange Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Val Verde Elem	2656 Indian Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Victoriano Elem	25650 Los Cabos Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

ATTACHMENT A

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Vista Verde Mdl	25777 Krameria, Moreno Valley, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03)

VENDOR #:
AGREEMENT #:

BREAKFAST	AGES ONE THROUGH THREE YEARS	AGES THREE THROUGH SIX YEARS	AGES SIX THROUGH TWELVE YEARS
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE, FRUIT OR FULL-STRENGTH (100%) JUICE	¼ CUP	½ CUP	½ CUP
GRAINS/BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
LUNCH OR SUPPER			
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE AND/OR FRUIT (TWO OR MORE KINDS)	¼ CUP TOTAL	½ CUP TOTAL	¾ CUP TOTAL
GRAINS/BREAD (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COOKED PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	1 OZ.	1-½ OZ.	2 OZ.
OR CHEESE (NATURAL OR PROCESSED)	1 OZ.	1-½ OZ.	2 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	¼ CUP *OR* 2 OZ.	⅜ CUP *OR* 3 OZ.	½ CUP *OR* 4 OZ.
OR EGG (LARGE)	1 EGG	1 EGG	1 EGG
OR COOKED DRIED BEANS OR DRIED PEAS *	¼ CUP	⅜ CUP	½ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	2 TBSP	3 TBSP	4 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS**	½ OZ.**	¾ OZ.**	1 OZ.**
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED	½ CUP	¾ CUP	1 CUP
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			
AM OR PM SUPPLEMENT (SELECT TWO OF THESE FOUR COMPONENTS)* **			
MILK, FLUID	½ CUP	½ CUP	1 CUP
VEGETABLE, FRUIT, OR FULL-STRENGTH (100%) JUICE	½ CUP	½ CUP	¾ CUP
GRAINS OR BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS.	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	½ OZ.	½ OZ.	1 OZ.
OR CHEESE (NATURAL OR PROCESSED)	½ OZ.	½ OZ.	1 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	⅛ CUP *OR* 1 OZ.	⅛ CUP *OR* 1 OZ.	¼ CUP *OR* 2 OZ.
OR EGG (LARGE)	½ EGG	½ EGG	1 EGG
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED****	¼ CUP	¼ CUP	½ CUP
OR COOKED DRIED BEANS OR DRIED PEAS*	⅛ CUP	⅛ CUP	¼ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	1 TBSP	1 TBSP	2 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS	½ OZ.	½ OZ.	1 OZ.
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			

CERTIFICATION

I hereby certify that all meals claimed shall meet the minimum requirements set forth in the meal pattern for older children as prescribed by Title 7 Code of Federal Regulations, Part 226.20 and as outlined in Schedule B, NSD 2050B.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE

AGENCY NAME

AGENCY ADDRESS

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03) PAGE 2

* DRIED BEANS OR DRIED PEAS MAY BE USED AS A MEAT ALTERNATE OR AS A VEGETABLE COMPONENT; BUT **CANNOT** BE COUNTED AS BOTH COMPONENTS IN THE SAME MEAL.

** NO MORE THAN 50 PERCENT OF THE REQUIREMENT SHALL BE MET WITH NUTS OR SEEDS. NUTS OR SEEDS SHALL BE COMBINED WITH ANOTHER MEAT/MEAT ALTERNATE TO FULFILL THE REQUIREMENT. TO DETERMINE COMBINATIONS, 1 OZ. OF NUTS OR SEEDS IS EQUAL TO 1 OZ. OF COOKED LEAN MEAT, POULTRY, OR FISH. ROASTED PEAS CAN COUNT AS A MEAT ALTERNATE OR VEGETABLE COMPONENT, BUT CANNOT BE COUNTED AS BOTH IN THE SAME MEAL.

*** JUICE **CANNOT** BE SERVED WHEN MILK IS SERVED AS THE ONLY OTHER COMPONENT.

**** IF YOGURT IS USED AS THE MEAT COMPONENT IN SUPPLEMENTS, MILK **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT. COMMERCIALLY ADDED FRUIT OR NUTS IN FLAVORED YOGURT **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT IN SUPPLEMENTS.

Item No. B.3

Family Services Association
Childrens Snack Program
October 2011

Date	Monday Oct	Tuesday Oct	Wednesday Oct	Thursday Oct	Friday Oct		
	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz		
Week 1	Prestzel Twist .25oz	Nutri grain Bar 1.03oz	Cheese/Peanut Butter Crackers 1.42oz	Mixed Fruit Cup 4oz	Club Cracker/ Apple Butter .05 oz		
Week 2	Peanuts 1.63oz	Graham Crackers 1oz	Cheezits White Cheddar 1.5oz	Quaker Oatmeal Cin Bar 1.4oz	Vanilla Crème Cookie 2.12oz		

SECTION E
UNIT PRICE SCHEDULE AND INSTRUCTIONS
PROVIDE THIS SCHEDULE IN A SEPARATE SEALED ENVELOPE

1. **Unit Price Schedule**

Submitters are to submit prices on the following meal types meeting the contract specifications set forth in Schedules B and C for meals to be delivered to all of the centers stated in Schedule A. *(See example on next page).*

A. Meal Type[1]	B. Estimated Servings Per Day[2]	C. Estimated Number of Serving Days[3]	D. Unit Price[4]	E. Total Price[5]
~~Breakfast~~				
~~AM Snack~~				
~~Lunch~~				
PM Snack	3,400	180	.72	440,640
~~Supper~~				
~~Evening Snack~~				

Submitters shall submit their proposals on an "all or none" basis. Except as otherwise provided in this solicitation, if a contract is awarded as a result of this solicitation, it will bind the Agency during the term of the contract, secure all of the identified meals from the successful Submitter, and such contract shall bind the Submitter/Contractor to perform all such work ordered by the Agency at prices specified in the contract. Award will be made to a single responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered.. Evaluation of prices will be on the basis of the estimated requirements set forth herein.

In the event of any inconsistencies or errors, the unit price (D) shall take precedence.

Instructions for completion of the Unit Price Schedule: (*See Example on next page.*)

[1] The Agency shall indicate which meal types the Contractor will be providing meals for during the contract period (strike-out extraneous meal types in Column A). If unitized meals will be required, the Agency must indicate so by placing "unitized meal" in parenthesis after the meal type.

[2] The Agency shall fill in the estimated number of meals that will be served each day (Column B) by meal type during the contract period.

[3] The Agency shall fill in the number of anticipated operating days that meals will be served (Column C) during the contact period.

[4] The Submitter shall insert the appropriate unit price (Column D) for each meal type indicated by the Agency.

[5] The Submitter shall calculate the total price (Column E) by multiplying B x C x D.

CITY OF MORENO VALLEY

BUSINESS LICENSE TAX RECEIPT

The person, firm or corporation named below has paid the appropriate fees to the City and is hereby granted this business license tax receipt for the business described below. Granting of this receipt does not entitle the holder to operate or maintain a business in violation of any law or ordinance. The City does not pass on the qualifications of the holder of this business license tax receipt.

Business Name: Family Service Association Of Western Riverside Co

Business Location: 21250 Box Springs Rd # 212, Moreno Valley, CA 92557

Business Owner: Family Service Association Of Western Riverside Co
Dom Betro

BUSINESS TYPE: 1922

Description: Individual And Family Social Services

BUSINESS LICENSE #: 11605

Effective Date: January 01, 2011

Expiration Date: December 31, 2011

FAMILY SERVICE ASSOCIATION OF
WESTERN RIVERSIDE CO
21250 BOX SPRINGS RD # 215
MORENO VALLEY, CA 92557

Richard Teichert
Financial & Administrative Services Director

TO BE POSTED IN A CONSPICUOUS PLACE

NOT TRANSFERABLE

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/07/2011 14:28

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Barney & Barney LLC
CA Insurance Lic: 0C03950
9171 Towne Centre Drive, Suite 500
San Diego, CA 92122
858-457-3414

CONTACT NAME: Cyndi Smoot
PHONE (A/C, No, Ext): (858) 587-7414 FAX (A/C, No):
E-MAIL ADDRESS: cyndis@barneyandbarney.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Philadelphia Indemnity Insurance Company	18058
INSURER B: Insurance Company of the West	27847
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Family Service Association

21250 Box Springs Road, Suite 212
Moreno Valley, CA 92557-8712

Client # 55323

COVERAGES CERTIFICATE NUMBER: 378650 MST NUMBER: 19124 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	X		PHPK743608	7/1/2011	7/1/2012	EACH OCCURRENCE	$	1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$	100,000
							MED EXP (Any one person)	$	10,000
							PERSONAL & ADV INJURY	$	1,000,000
							GENERAL AGGREGATE	$	3,000,000
							PRODUCTS - COMP/OP AGG	$	3,000,000
								$	
A	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS			PHPK743608	7/1/2011	7/1/2012	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
							BODILY INJURY (Per person)	$	
							BODILY INJURY (Per accident)	$	
							PROPERTY DAMAGE (Per accident)	$	
								$	
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $ 10,000			PHUB351940	7/1/2011	7/1/2012	EACH OCCURRENCE	$	4,000,000
							AGGREGATE	$	4,000,000
								$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WSD500180402	7/1/2011	7/1/2012	X WC STATU-TORY LIMITS OTH-ER		
							E.L. EACH ACCIDENT	$	1,000,000
							E.L. DISEASE - EA EMPLOYEE	$	1,000,000
							E.L. DISEASE - POLICY LIMIT	$	1,000,000
A	Professional Liability and Sexual Abuse Coverage			PHPK743608	7/1/2011	7/1/2012	$1,000,000 Each Occurence $3,000,000 Aggregate		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

*10 DAYS NOTICE OF CANCELLATION FOR NON-PAYMENT OF PREMIUM.

RE: After School Snack Program

The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District are additional insured per the attached

CERTIFICATE HOLDER

City of Moreno Valley Parks and Community Services

14075 Frederick Street
Moreno Valley, CA 92553

Subject

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cyndi Smoot

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ACORD 25 (2010/05)

The ACORD name and logo are registered marks of ACORD

Insured: Family Service Association Master # 19124 Cert # 378650

Attachment Page

COMPLETE LISTING OF CERTIFICATE HOLDER and/or ADDITIONAL INSURED:
(additional insureds apply only with respect to coverages marked by "X" under "Addtl Insrd" on the Certificate)

City of Moreno Valley Parks and Community Services
The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District

INSURED: Family Service Association

COMPANY: Philadelphia Indemnity Insurance Company

POLICY #: PHPK743608

POLICY PERIOD: 7/1/2011 TO 7/1/2012

EFFECTIVE DATE: 09/07/2011

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Moreno Valley Parks and Community Services The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or

B. In connection with your premises owned by or rented to you.

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ATTACHMENT A

Exhibit B"

MORENO VALLEY COMMUNITY SERVICES DISTRICT WILL SUPPORT PROGRAM:

Moreno Valley Community Services District agrees to support the ASES snack program with the following:

- By ensuring a site contact person is assigned to sign for snack delivery
- By ensuring the name, schedule and contact information for site contact is communicated to FSA
- By ensuring snack is distributed to students during ASES program
- By ensuring snack is counted daily and documentation regarding disbursement is turned in
- By ensuring fresh fruit is distributed the day after it is delivered to ensure product freshness
- By ensuring all boxes and containers are disposed of

ATTACHMENT A

"Exhibit C"

TERMS OF PAYMENT

1. The Contractor's compensation shall be computed based on a unit price of .72 cents per snack delivered not to exceed $440,640.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the CSD. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the CSD as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Parks and Community Services Department at:

   pattyg@moval.org or calls directed to (951) 413-3726.

3. The Contractor agrees that CSD payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the CSD. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

4. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date

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MV00132514

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00132516

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

RECOMMENDED ACTION

Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

SEE AGENDA ITEM A.7

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MV00132518

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00132520

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: September 27, 2011

TITLE: PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

BACKGROUND AND DISCUSSION

The California Elections Code provides that after each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, and community of interests of the districts. The council must adjust the boundaries of the council districts before the first day of November of the year following the year in which each decennial federal census is taken.

On August 23, 2011, the City Council adopted Resolution No. 2011-93, establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected. Two Citizens' Community Meetings were held on September 12 and 15, 2011 that gave the citizens of Moreno Valley the opportunity to provide input. The on-line redistricting tool was demonstrated by Dave Meyer at both meetings. The public hearings scheduled for September 27, 2011 and October 11, 2011 fulfill the requirements of Elections Code 21601.1, which states that the "council must

hold at least one public hearing on any proposal to adjust boundaries of a district prior to a public hearing at which the council votes to approve or defeat the proposal."

The consultant, Dr. Alan Heslop of National Demographics Corporation (NDC) has made a presentation to the City Council at the July 26, 2011 Special Meeting and August 23, 2011 Regular City Council Meeting.

Four NDC draft plans (maps) and five citizen-drawn plans (maps) have been provided to Council and are attached for review. A brief summary of the four NDC draft plans follows:

Plan 1 - District 3 loses SW corner; District 2 moves south
Plan 2 - District 3 loses a bit of SW but mostly NW, District 2 moves east
Plan 3 – District 3 loses SW corner; District 1 loses north end; District 2 moves south; Highly compact
Plan 4 - District 1 moves east; Most-compact districts; Least change to District 4

NOTIFICATION

Publication of the agenda

ALTERNATIVES

California statutes require a second public hearing. There are no other alternatives in order to comply with applicable state law.

FISCAL IMPACT

This expenditure has been included in the City Clerk's budget for 2011/12 fiscal year. Approved budget is located in: 13110.6291- not to exceed $45,000.00.

ATTACHMENTS/EXHIBITS

1. NDC Powerpoint
2. NDC Memo to Council
3. 2001 Plan and deviation & demographics
4. Plan 1 map & demographics
5. Plan 2 map & demographics
6. Plan 3 map & demographics
7. Plan 4 map & demographics
8. Public Plan 1 map & stats
9. Public Plan 2 map & stats
10. Public Plan 3 map & stats
11. Public Plan 4 map & stats
12. Public Plan 5 map & stats

Prepared By:
Jane Halstead, City Clerk

Department Head Approval:
Jane Halstead, City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00132524

City of Moreno Valley 2011

Redis

National
Demographics
Corporation

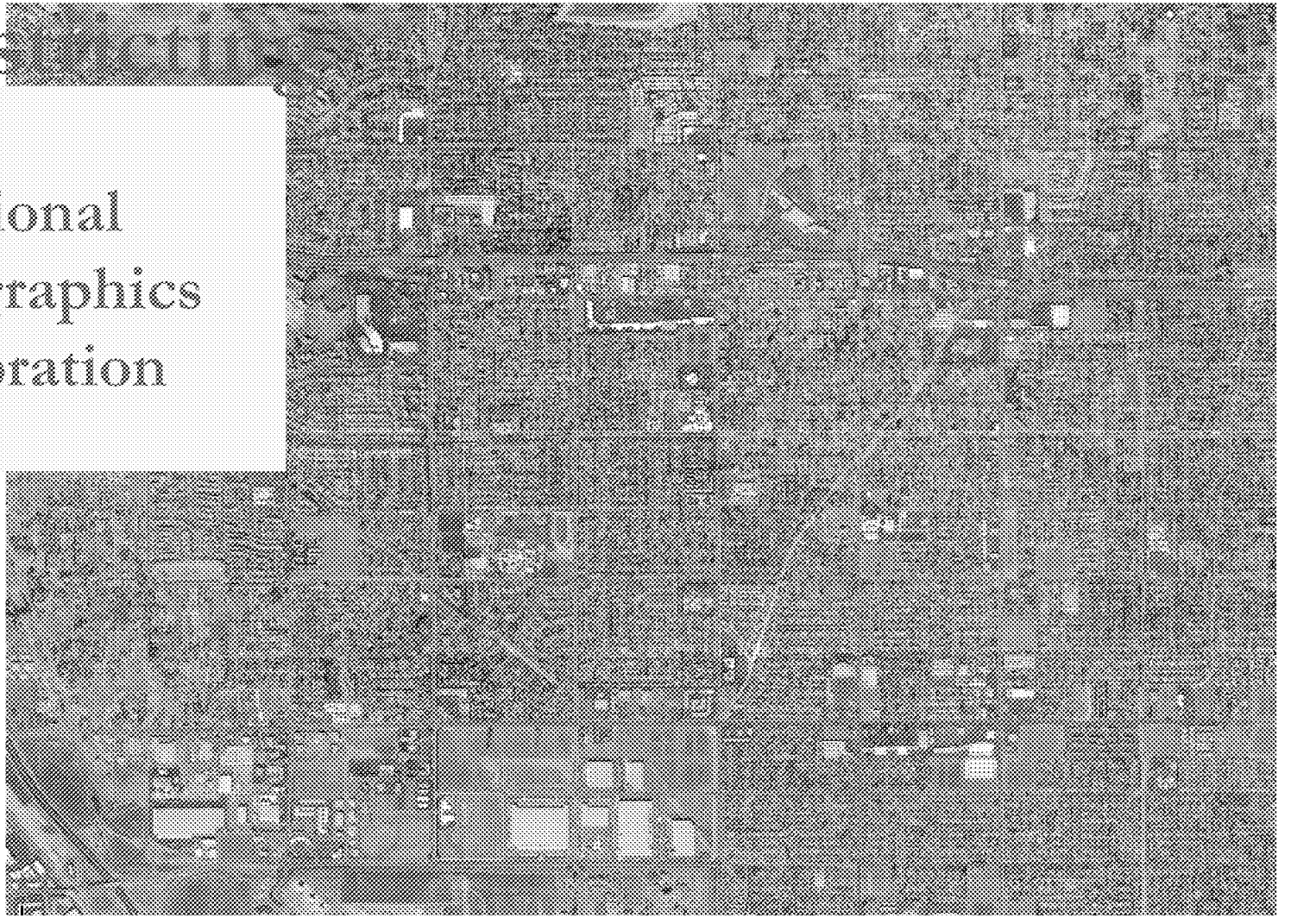

MV00132525

Current Demographics

Based on Census data from the 2010 Decennial Census and the Census Bureau's American Community Survey.

- **2010 Census Population**
  - 2010 Census total: **193,365**
    - + **50,817** (**50.0** %) growth from 2000
    - **54.4** % Hispanic
      - +50,480 (+92.3 %) growth from 2000
    - **18.9** % Non-Hispanic White
      - -9,308 (-25.4 %) from 2000
    - **18.0** % Non-Hispanic Black
    - **8.7** % Other
  - 2010 Census Voting Age Population
    - **49.7** % Hispanic
    - **22.8** % Non-Hispanic White
    - **17.9** % Non-Hispanic Black
    - **10.0** % Other
- **Other Data**
  - Citizen Voting Age Population
    - From ACS: **36.1** % Hispanic
    - From Census Special Tabulation: **36.1** % Hispanic
  - Voter Registration (Nov. 2010)
    - 69,919 Total
    - **34.3** % Hispanic-surname
  - Voter Turnout (Nov. 2010)
    - 32,944 Total
    - **29.8** % Hispanic-surname

MV00132526

Current District Total Population

District	Tot. Pop.	Deviation	Pct. Dev.
1	32,765	-5,908	-15.28%
2	30,723	-7,950	-20.56%
3	58,576	19,903	51.46%
4	34,343	-4,330	-11.20%
5	36,958	-1,715	-4.43%
Total	193,365	27,853	72.02%
Ideal	38,673		

Ideal population = total population / number of districts

MV00132527

Population Deviation

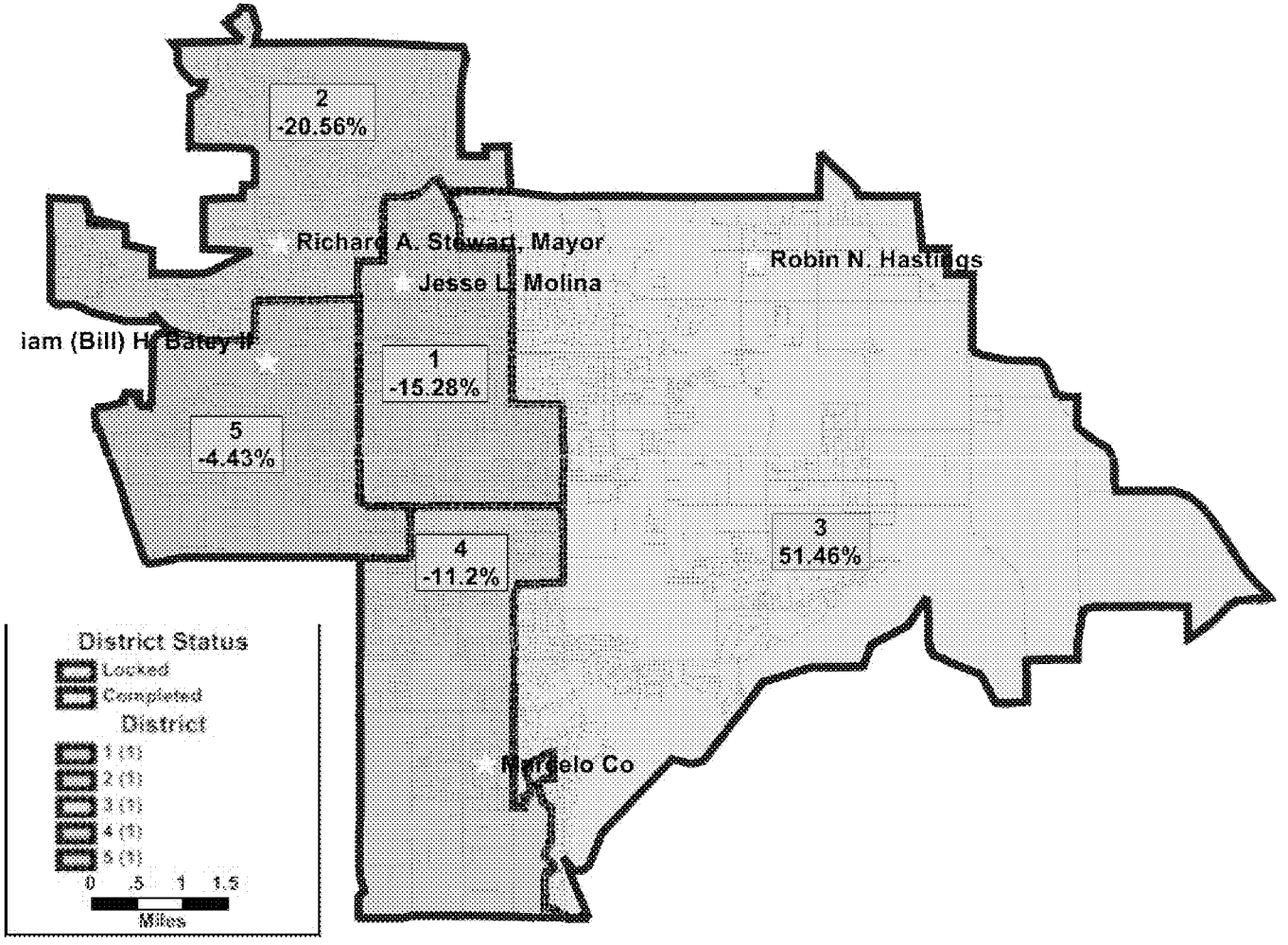

MV00132528

Hispanic / Latino Populatior

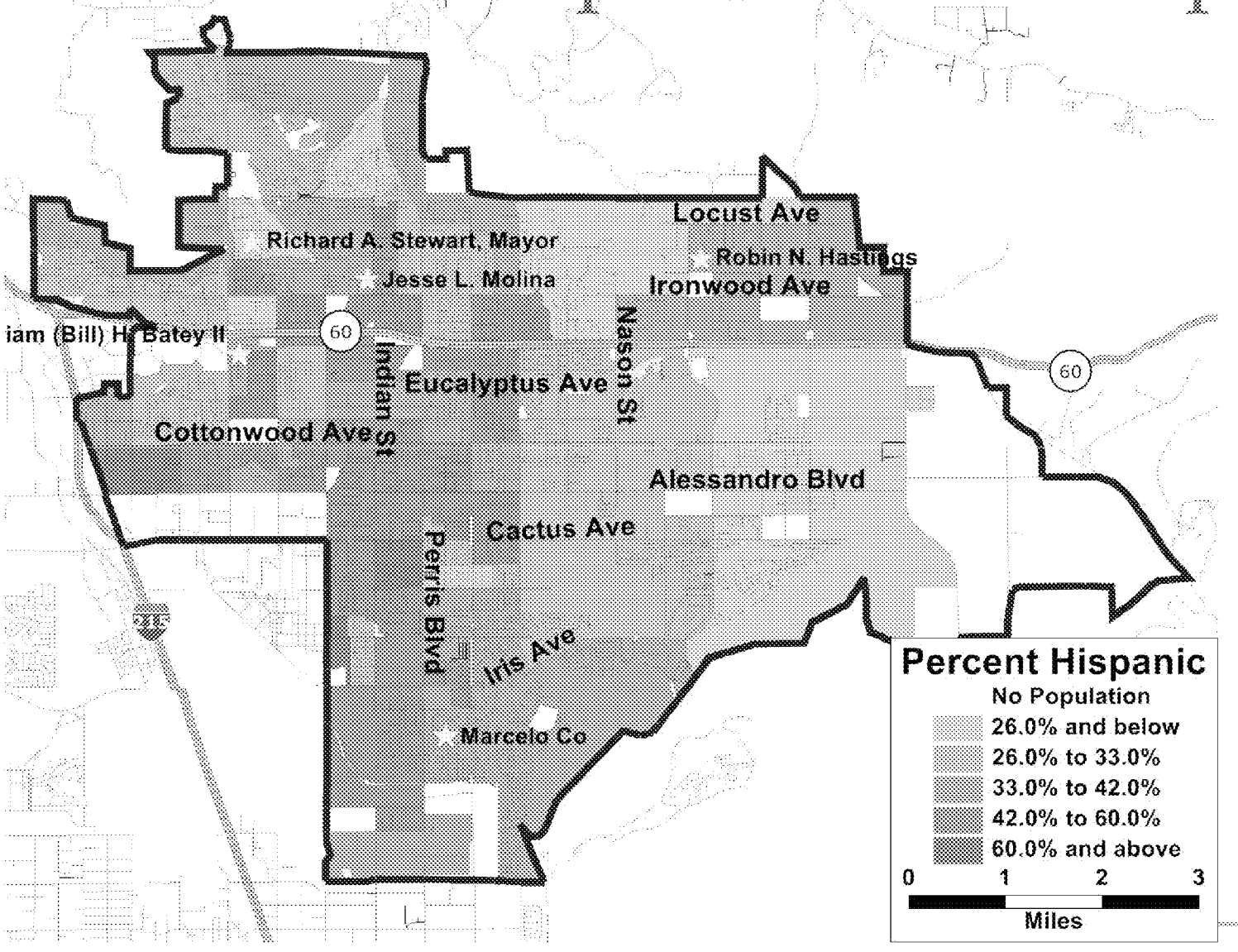

MV00132529

Current District Counts

Plan Name	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,765	-5,908	-15.28%	20,416	5,215	4,934	196	1,406	244	87	267
2	30,723	-7,950	-20.56%	13,540	9,036	5,369	142	2,147	122	59	308
3	58,576	19,903	51.46%	27,094	12,765	12,042	311	5,317	293	188	566
4	34,343	-4,330	-11.20%	21,681	4,691	5,595	114	1,742	177	79	264
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	27,853	72.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	21,678	12,350	4,323	3,374	143	1,110	168	62	148	10,489	4,018	142	134	276	4,563	1,549	59	57	
2	22,085	8,799	7,392	3,758	114	1,693	85	43	201	14,267	3,985	269	228	497	7,454	1,785	111	104	215
3	40,513	17,090	10,364	8,188	230	4,007	190	133	311	23,080	6,941	490	399	889	11,607	2,994	203	171	374
4	22,551	13,318	3,830	3,642	81	1,358	117	49	156	11,150	4,691	174	192	366	4,962	1,901	62	81	143
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan Name	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,286	6,219	5,227	2,835	651	50	206	100	15,509	6,277	5,293	2,867	623	39	290	328	3,591
2	18,698	5,831	8,058	3,287	1,254	204	0	65	18,568	5,632	8,148	3,212	1,083	121	54	526	3,333
3	29,076	8,963	10,467	6,359	2,570	258	213	260	29,318	9,369	10,226	6,218	2,398	202	260	931	5,723
4	15,368	6,664	4,354	3,113	835	172	41	183	15,166	6,425	4,167	3,128	956	151	55	383	4,302
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,281	31,877	19,760	6,072	559	708	2,705	20,528

MV00132530

Current District Percentages

Plan Name	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	15.9%	15.1%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.1%	29.4%	17.5%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.3%	21.8%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.1%	13.7%	16.3%	0.3%	5.1%	0.5%	0.2%	0.8%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.9%	15.6%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.4%	1.3%	2.6%	33.9%	1.3%	1.2%	2.5%
2	39.8%	33.5%	17.0%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.2%	25.6%	20.2%	0.6%	9.9%	0.5%	0.3%	0.8%	30.1%	2.1%	1.7%	3.9%	25.8%	1.7%	1.5%	3.2%
4	59.1%	17.0%	16.2%	0.4%	6.0%	0.5%	0.2%	0.7%	42.1%	1.6%	1.7%	3.3%	38.3%	1.2%	1.6%	2.9%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan Name	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.5%	40.7%	34.2%	18.5%	4.3%	0.3%	1.3%	0.7%	71.5%	40.5%	34.1%	18.5%	4.0%	0.3%	1.9%	2.1%	23.2%
2	84.7%	31.2%	43.1%	17.6%	6.7%	1.1%	0.0%	0.3%	84.1%	30.3%	43.9%	17.3%	5.8%	0.7%	0.3%	2.8%	18.0%
3	71.8%	30.8%	36.0%	21.9%	8.8%	0.9%	0.7%	0.9%	72.4%	32.0%	34.9%	21.2%	8.2%	0.7%	0.9%	3.2%	19.5%
4	68.1%	43.4%	28.3%	20.3%	5.4%	1.1%	0.3%	1.2%	67.3%	42.4%	27.5%	20.6%	6.3%	1.0%	0.4%	2.5%	28.4%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00132531

Redistricting Criteria

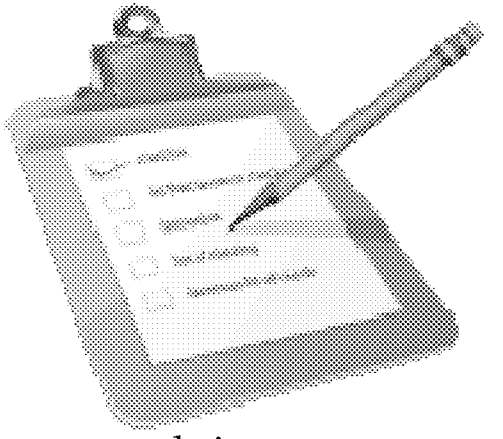

- **Equal Population**
- **Comply with Federal Voting Rights Act**
- **Respect communities of interest**
- **Follow Visible (natural & man-made) boundaries**
  - Make it easy for residents of a district to understand its borders (and to engage their neighbors in precinct walking or other election activities)
  - But do not use Highway 99 – try for districts that combine areas east and west of 99.
- **Compact & contiguous districts**
  - Also makes it easier for voters to understand their district's borders.
- **Continuity in office**
  - Redistricting, an administrative process, should not tell the voters they can no longer elect a candidate they have previously elected (which is what happens when two or more incumbents are "paired").
- **Population growth**
  - Growth is much less certain in 2011 than it was in 2011, so this is harder to justify than it was in 2001.
- **Preserve Core of existing districts**
  - Don't move voters around unless needed to achieve one of the other goals.

MV00132532

Federal Voting Rights Act: Section 2

- **Requires Protected Class populations have an equal opportunity to elect the candidates of their choice**

- **No packing**
- **No cracking**

- **No racial gerrymandering allowed**
  - Focus on communities and neighborhoods, not race/ethnicity

MV00132533

Process (I of III)

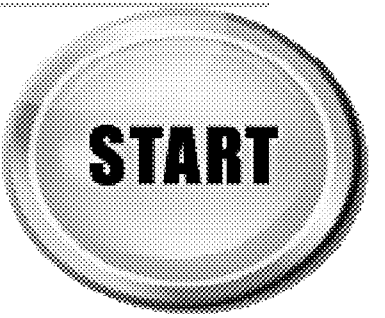

1. **Prepare**
   - Conduct initial demographic analysis
   - Adopt schedule
   - Adopt criteria
   - Launch project website
   - Create public participation kit (paper, excel and/or online)
   - Develop initial draft plans to jump-start discussion

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Item No. E.1
MV00132534

Process (II of III)

2. **Outreach**
   - Educate, engage and empower the public, including:
     - Individuals
     - Community Groups, including "protected class"-focused organizations
     - The media
   - What are your community's "communities of interest"?
     - Which want to be united? Which want to be divided?
   - How well do the current and draft plans meet those goals?
   - Participation kits take the public input beyond just "yes" and "no"

MV00132535

Process (III of III)

3. **Decide**
   - Plan debate and adoption

4. **Implement**
   - Coordinated with the County Registrar

MV00132536

Item No. E.1

Tools (I of II)

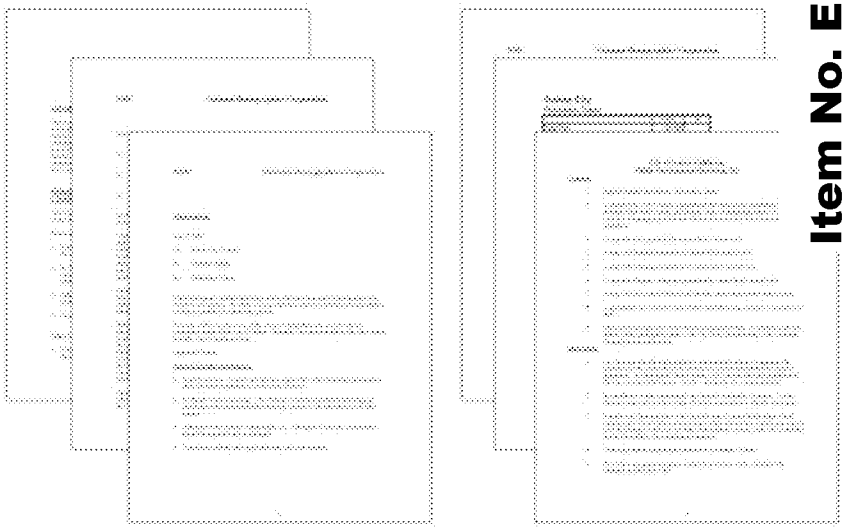

Traditional Redistricting Tools

1. 2010 Census data
2. Project website
3. Media & community education
4. GIS software
5. Information on redistricting, the Voting Rights Act, and how the public can participate
6. Provide paper & Excel public participation kits
7. Email address for public questions and public comment

MV00132537

Tools (II of II)

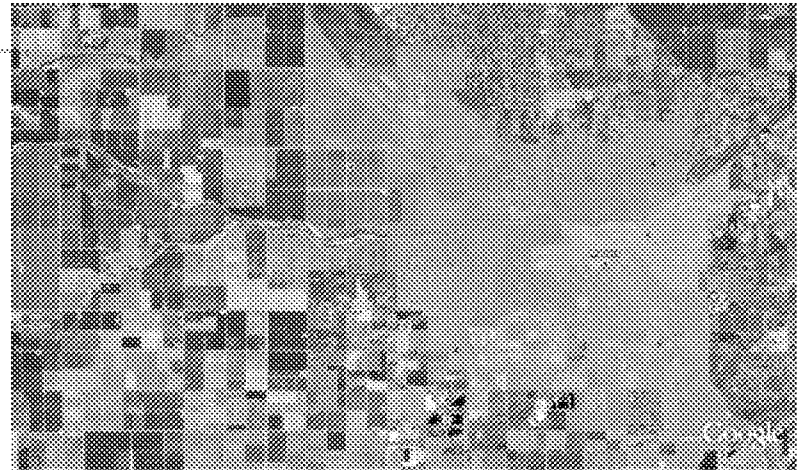

New Tools for 2011

1. American Community Survey data
2. Local GIS data
   - Zoning, homeowner associations, housing developments, neighborhood associations, key facilities, future development areas, school attendance areas, aerial imagery, etc.
3. Live, interactive maps of plans
4. Google Maps and Google Earth plan files

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Item No. E.1
MV00132538

Draft Plan 1 Map

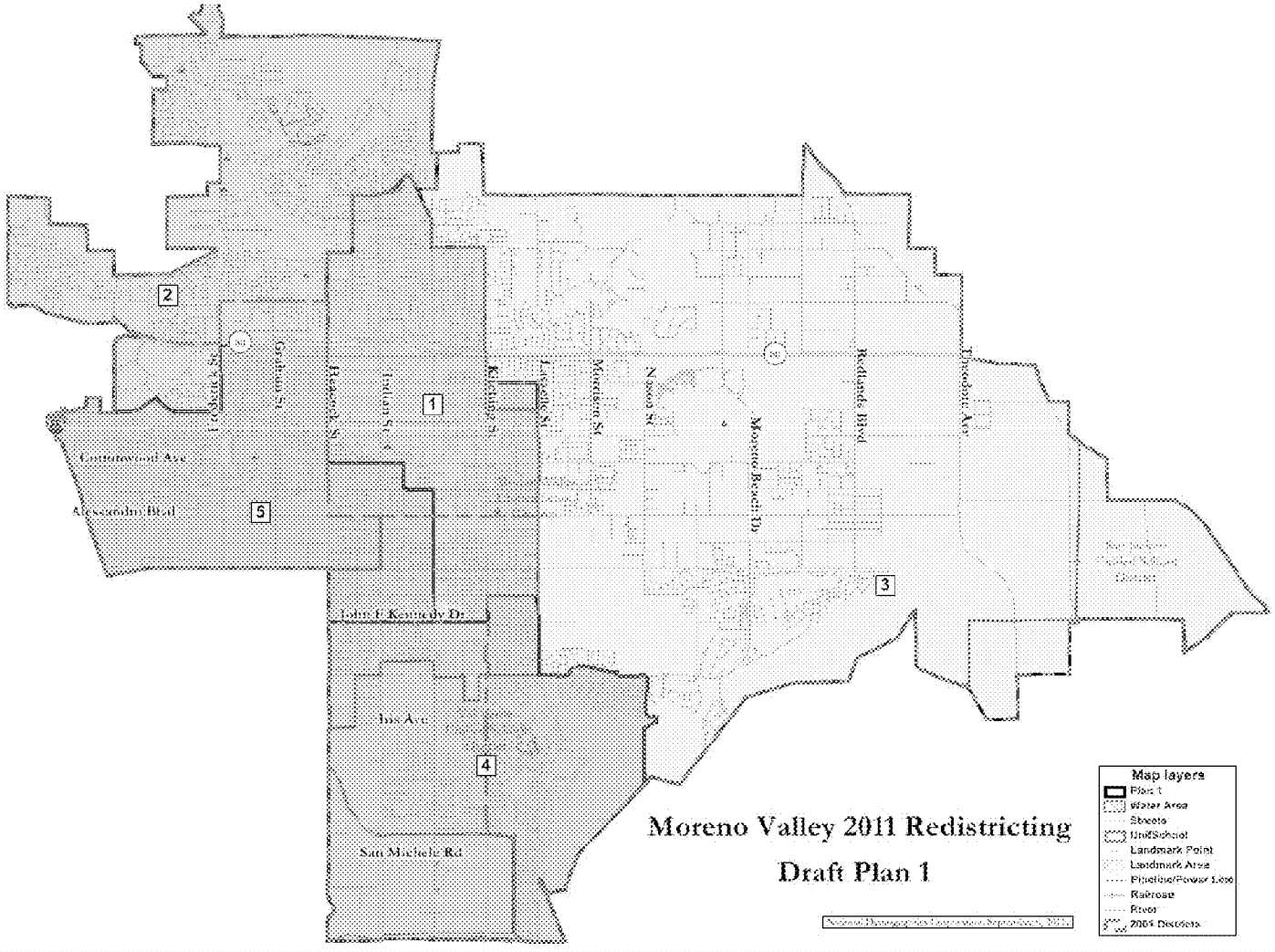

MV00132539

Draft Plan 1 Counts

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00132540

Draft Plan 1 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00132541

Draft Plan 2 Map

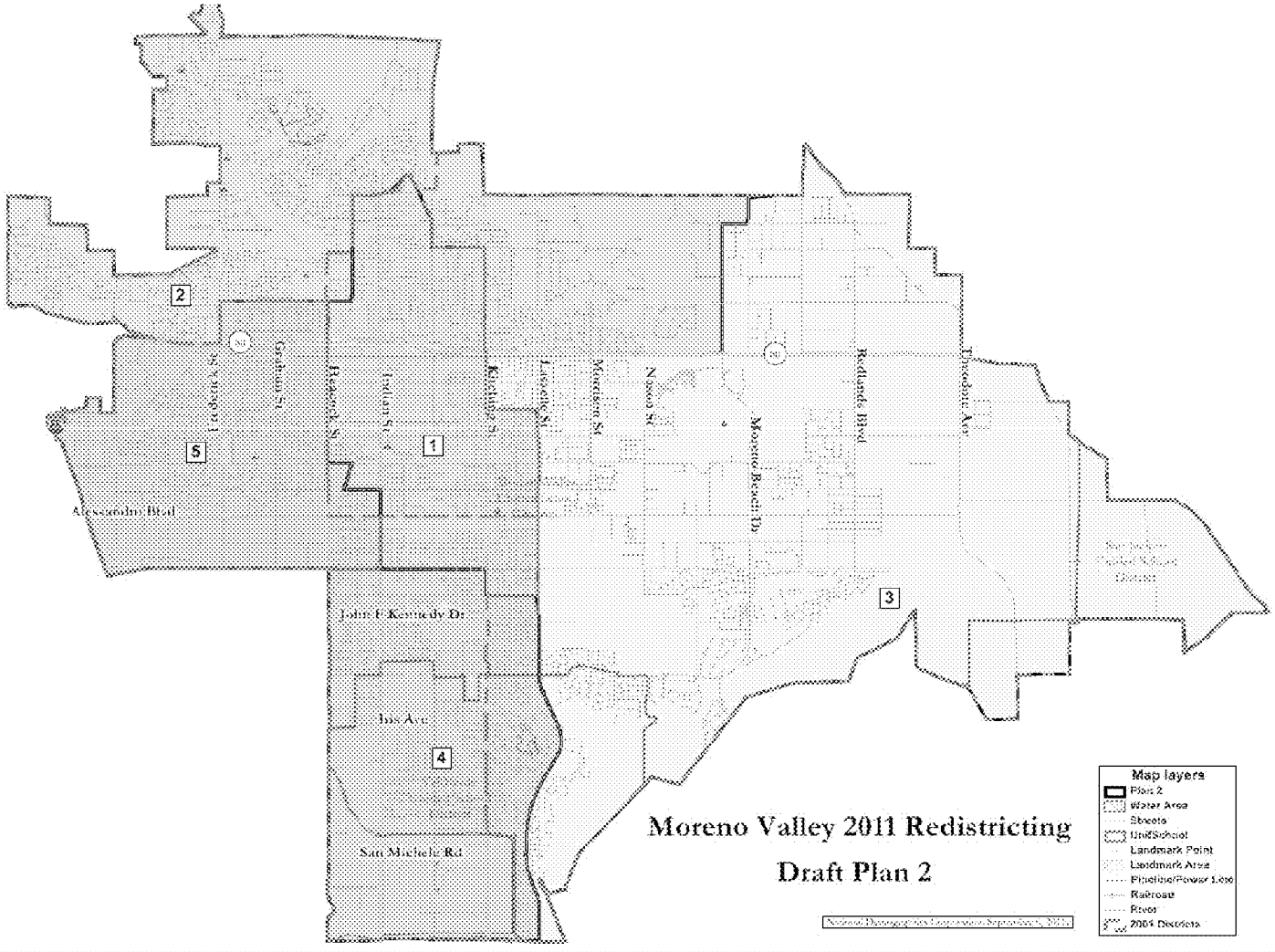

Draft Plan 2 Counts

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	[illegible]
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00132543

Draft Plan 2 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	53.0%	36.0%	2.9%	1.1%	6.4%	0.2%	0.2%	0.2%
2	67.3%	26.2%	3.0%	0.9%	2.4%	0.0%	0.1%	0.1%
3	84.3%	11.5%	2.2%	0.8%	0.8%	0.1%	0.1%	0.3%
4	87.2%	8.2%	3.0%	0.5%	0.9%	0.0%	0.0%	0.1%
5	86.3%	8.6%	3.2%	0.7%	0.7%	0.0%	0.2%	0.2%
6	82.5%	10.8%	3.2%	0.9%	2.0%	0.1%	0.1%	0.4%
Total	76.7%	16.9%	2.9%	0.8%	2.2%	0.1%	0.1%	0.2%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.
1	47.6%	40.9%	3.0%	1.2%	6.7%	0.2%	0.1%	0.3%	36.6%	2.7%	1.1%	62.7%
2	61.2%	32.0%	3.0%	0.9%	2.6%	0.1%	0.1%	0.1%	44.0%	1.0%	1.2%	56.0%
3	80.7%	14.7%	2.3%	0.9%	0.8%	0.2%	0.1%	0.3%	57.2%	0.9%	2.0%	48.1%
4	84.1%	11.2%	3.0%	0.6%	1.0%	0.0%	0.0%	0.1%	64.9%	0.7%	1.1%	40.2%
5	82.5%	11.6%	3.8%	0.8%	0.8%	0.1%	0.2%	0.2%	58.8%	0.7%	1.1%	46.5%
6	78.9%	13.9%	3.4%	0.9%	2.3%	0.1%	0.2%	0.3%	60.9%	1.0%	1.3%	44.4%
Total	71.9%	21.2%	3.1%	0.9%	2.5%	0.1%	0.1%	0.2%	50.0%	1.4%	1.3%	52.4%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth C
1	83.1%	42.0%	48.8%	3.8%	3.4%	1.9%	0.0%	0.0%	79.5%	39.7%	50.7%	4.6%	3.2%	2.0%	0.0%	2.3%	
2	70.6%	42.8%	46.8%	6.8%	3.4%	0.2%	0.0%	0.0%	74.1%	47.1%	43.8%	5.1%	2.6%	1.5%	0.0%	1.6%	
3	42.6%	63.4%	30.4%	2.4%	1.8%	2.0%	0.1%	0.0%	51.8%	57.2%	33.6%	4.3%	2.6%	3.1%	0.1%	3.0%	
4	54.1%	60.4%	29.3%	4.6%	5.1%	0.7%	0.0%	0.0%	48.2%	60.4%	31.0%	4.4%	1.8%	3.8%	0.0%	2.5%	
5	42.5%	54.8%	31.1%	10.8%	1.5%	1.5%	0.0%	0.0%	44.0%	61.0%	25.4%	10.9%	1.5%	1.4%	0.0%	2.2%	
6	50.1%	64.6%	25.2%	9.5%	1.1%	0.0%	0.0%	0.0%	50.2%	59.0%	29.9%	9.3%	1.3%	0.7%	0.0%	1.5%	
Total	57.8%	52.2%	37.9%	6.0%	2.9%	1.1%	0.0%	0.0%	58.5%	51.8%	38.2%	6.1%	2.3%	2.1%	0.0%	2.2%	

MV00132544

Draft Plan 3 Map

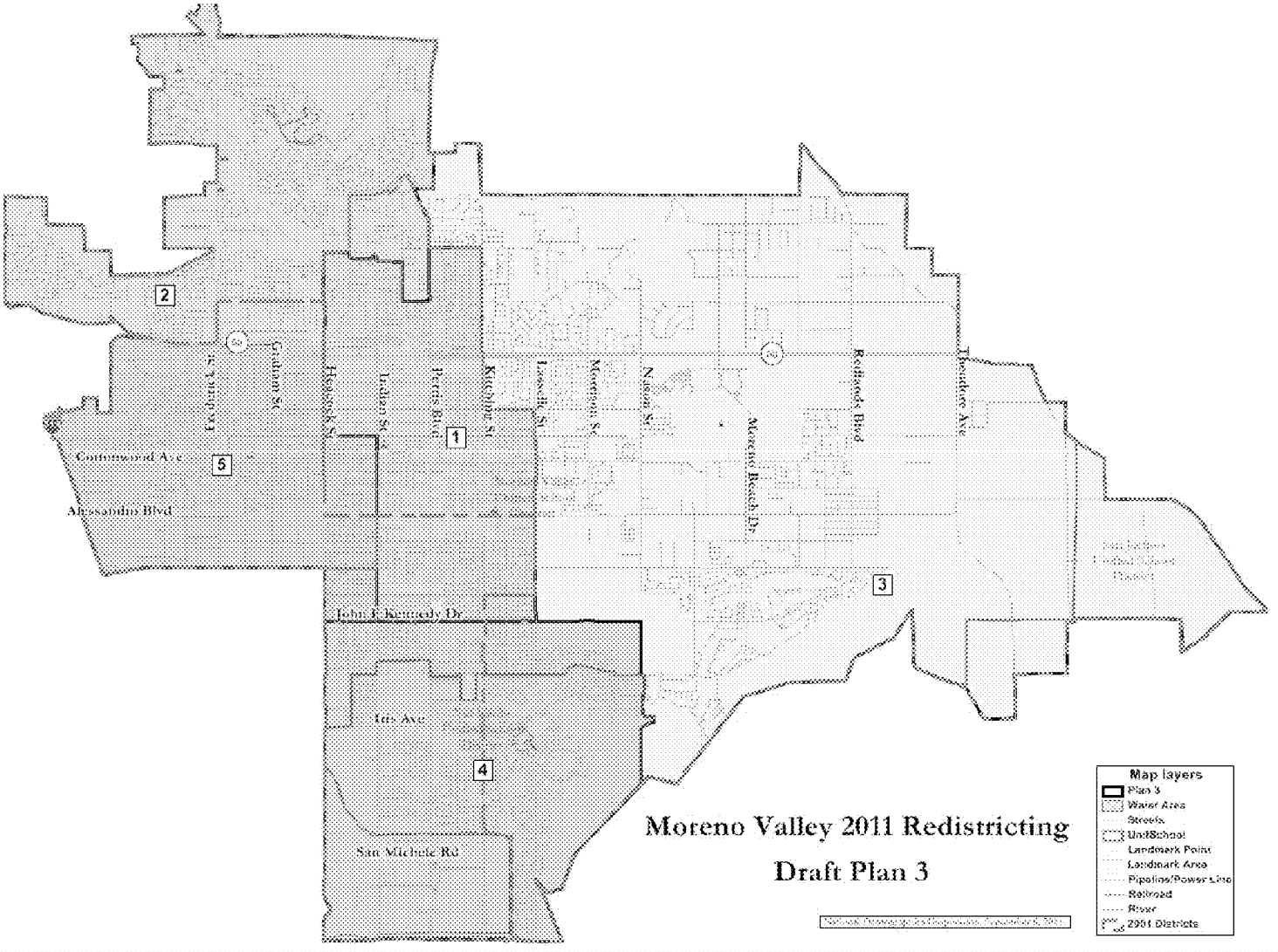

MV00132545

Draft Plan 3 Counts

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Vo
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00132546

Draft Plan 3 Percentages

% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

Special Tabulation								Amercian Community Survey (ACS)								
% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00132547

Draft Plan 4 Map

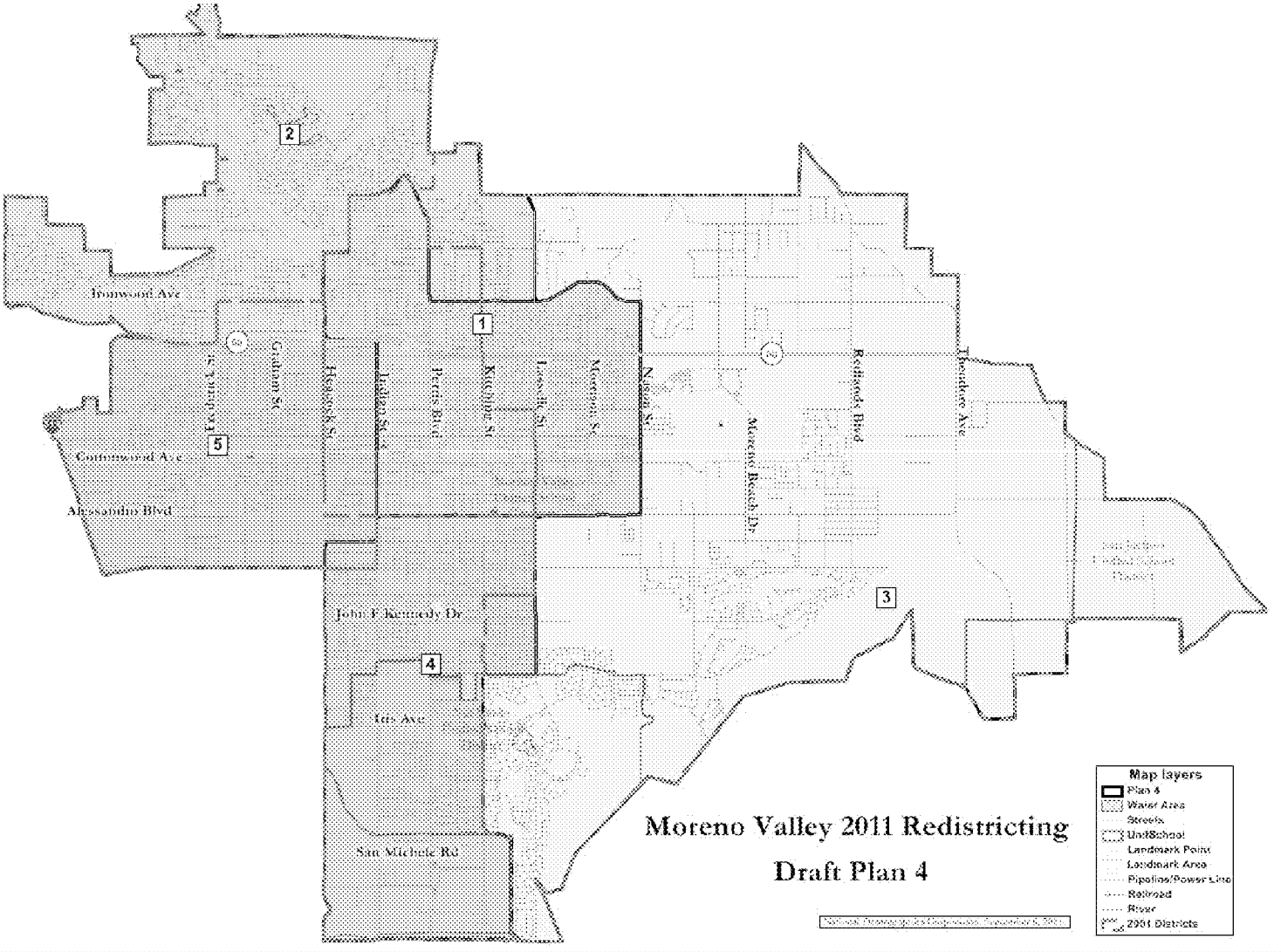

Draft Plan 4 Counts

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Vo
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00132549

Draft Plan 4 Percentages

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	[illegible]
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	

MV00132550

Public Plan 1 Map

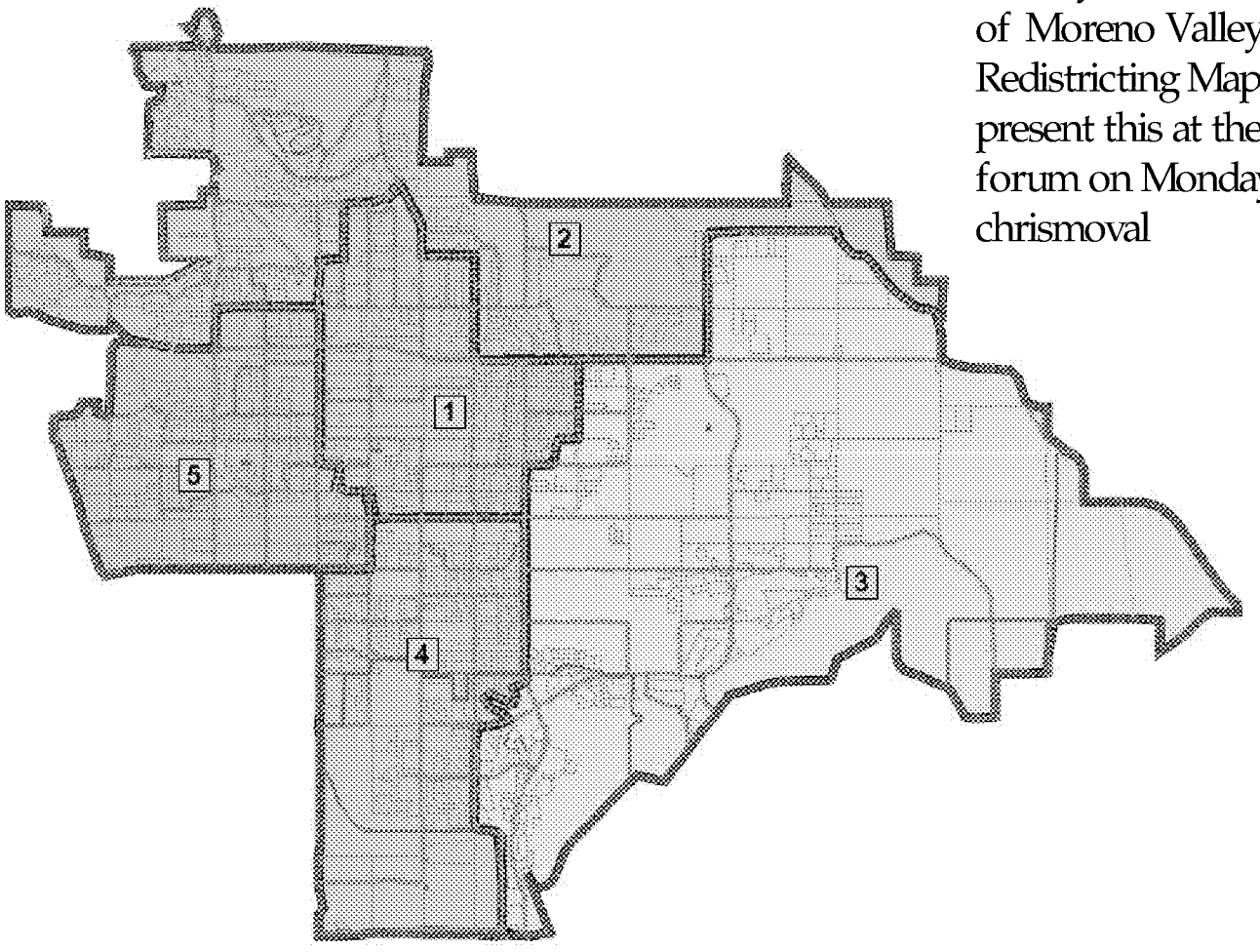

"On behalf of The 2011 Moreno Valley Redistricting Committee I here by submit our proposed City of Moreno Valley City Council Redistricting Map. I would like to present this at the community forum on Monday Sept.12 2011." - chrismoval

Public Plan 1 Counts

Public Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00132552

Public Plan 1 Percentages

Public Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00132553

Public Plan 2 Map

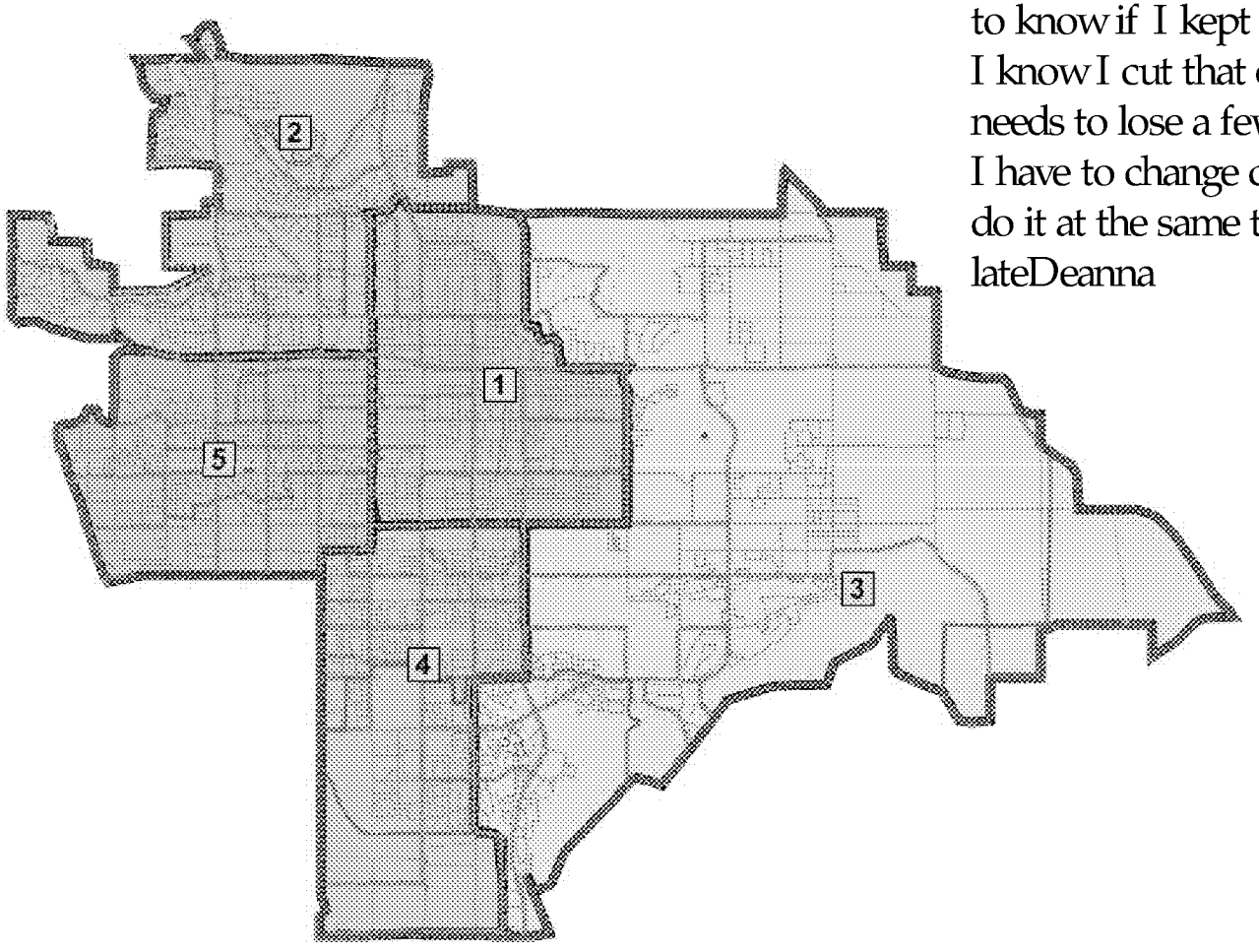

"This is my first preliminary map. What is the excepted plus or minus percentage for population. I really want to know if I kept Molina in his district I know I cut that one close. District 3 needs to lose a few more people but if I have to change district 1 anyway I'll do it at the same time. Thank-you!" - lateDeanna

MV00132554

Public Plan 2 Counts

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 2 Percentages

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

MV00132556

Public Plan 3 Map

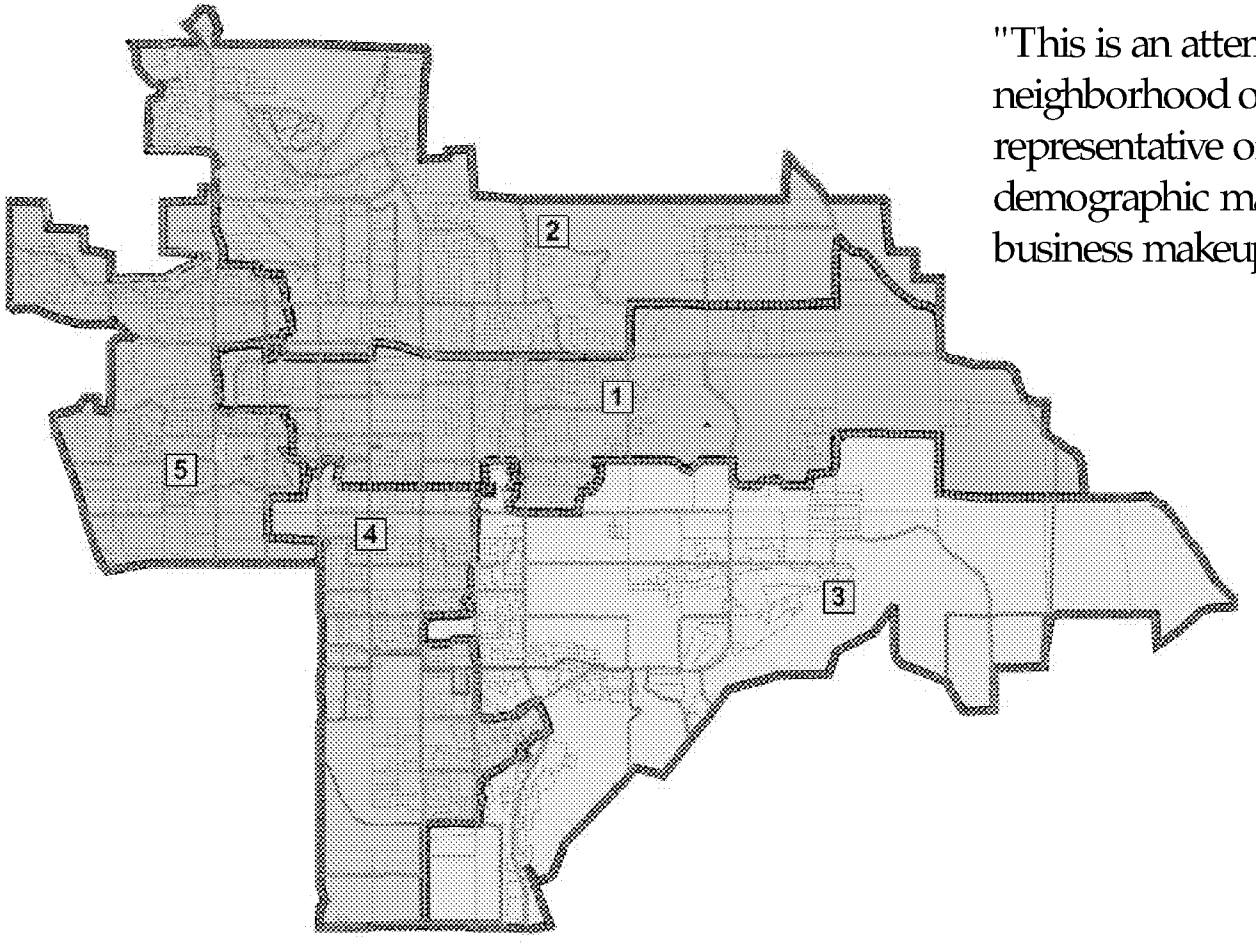

"This is an attempt to construct neighborhood oriented districts which is representative of the districts demographic make up residential and business makeups." - towings

MV00132557

Public Plan 3 Counts

Public Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00132558

Public Plan 3 Percentages

Public Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00132559

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MV00132560

September 20, 2011

To: Honorable Mayor Stewart, Mayor Pro Tem Molina and Council Members

Fr: Douglas Johnson, President

National Demographics Corporation (NDC) developed four plans as a way to stimulate public interest in the redistricting process. Each plan was designed to meet the federal mandates (equality of population and compliance with the Voting Rights Act), but the plans differed markedly from one another in the way they attempted to meet the other criteria established by the City. These plans are attached hereto.

NDC has worked closely with City Clerk Jane Halstead and her office. We have been impressed by the City's outreach efforts and the attempt to inform the public of the redistricting process and the opportunities for involvement in it.

Although attendance at the two public meetings was less than hoped for, we are encouraged by the use of the online redistricting system. A total of 24 people have created user IDs to access the system, and they have already submitted four proposed plans. In addition a fifth plan was submitted using the paper version of the public participation kit. We have been impressed, also, by the technical proficiency of some of the citizen plans and the effort they made to meet the criteria established by the City Council. NDC has developed maps and statistics for each of the citizen-drawn plans and they are attached hereto.

NDC staff members will be present at the Council meeting on September 27th. At that time, we hope for Council comments and direction on the four plans developed by NDC, as well as on the public plans. (Please note: Additional plans that may be submitted by citizens will be forwarded directly to the Council as they are received). In light of Councimembers' comments on September 27th, NDC will then develop a plan or plans for a possible decision by Council at a following meeting.

ATTACHMENTS:

- NDC Plan 1 map and demographics
- NDC Plan 2 map and demographics
- NDC Plan 3 map and demographics
- NDC Plan 4 map and demographics
- Public Plan 1 map and demographics("Moreno Valley Redistricting Committee")
- Public Plan 2 map and demographics ("Moreno Valley Redistricting Committee")
- Public Plan 3 map and demographics (Bleckert)
- Public Plan 4 map and demographics (Owing)

Phone: (909) 624-1442
FAX (818) 254-1221

P.O. Box 5271
Glendale, C 1

info@ NDCresearc
www.NDCresearc

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MV00132562

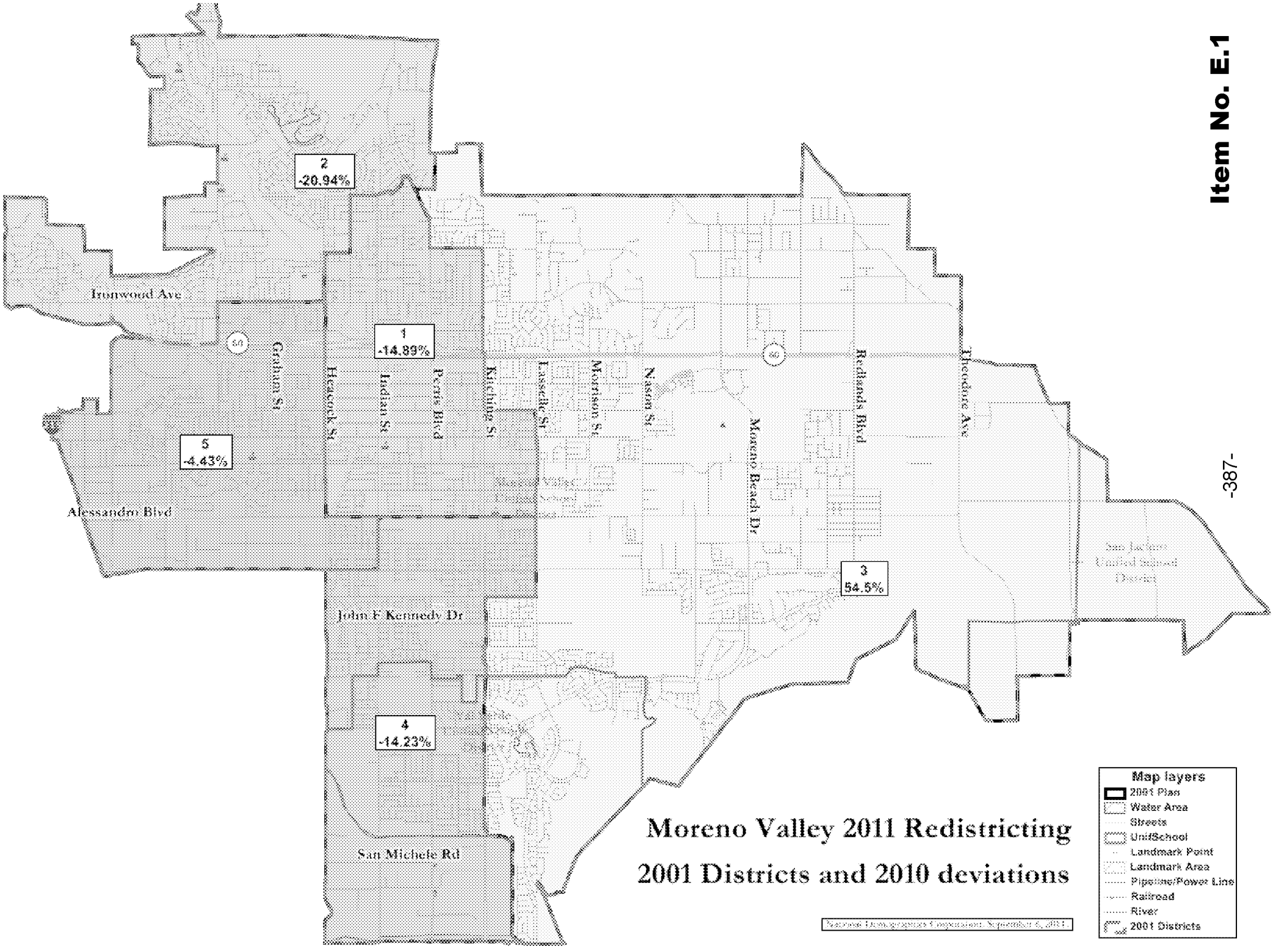
Moreno Valley 2011 Redistricting
2001 Districts and 2010 deviations
2
-20.94%
1
-14.89%
5
-4.43%
3
54.5%
4
-14.23%
Ironwood Ave
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
Alessandro Blvd
John F Kennedy Dr
San Michele Rd
Map layers
2001 Plan
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts

MV00132563

Moreno Valley 2001 Districts
Demographics

2001 Plan	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,915	-5,758	-14.89%	20,506	5,270	4,930	199	1,412	244	87	267
2	30,573	-8,100	-20.94%	13,450	8,981	5,373	139	2,141	122	59	308
3	59,750	21,077	54.50%	27,708	12,884	12,337	312	5,430	295	190	594
4	33,169	-5,504	-14.23%	21,067	4,572	5,300	113	1,629	175	77	236
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	29,177	75.45%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	21,794	12,416	4,369	3,369	146	1,116	168	62	148	10,535	4,035	142	134	276	4,583	1,557	59	57	116
2	21,969	8,733	7,346	3,763	111	1,687	85	43	201	14,221	3,968	269	228	497	7,434	1,777	111	104	215
3	41,255	17,459	10,458	8,371	231	4,092	191	135	318	23,563	7,129	503	417	920	11,812	3,071	208	177	385
4	21,809	12,949	3,736	3,459	80	1,273	116	47	149	10,667	4,503	161	174	335	4,757	1,824	57	75	132
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
2001 Plan	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,404	6,263	5,286	2,853	648	50	206	99	15,610	6,314	5,343	2,885	622	39	289	329	3,610
2	18,581	5,788	7,999	3,268	1,257	204	0	66	18,466	5,596	8,098	3,194	1,085	121	54	525	3,314
3	29,548	9,120	10,571	6,519	2,614	258	215	266	29,825	9,539	10,374	6,344	2,447	205	261	945	5,834
4	14,895	6,506	4,250	2,953	791	172	39	178	14,659	6,254	4,018	3,003	906	148	53	370	4,191
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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2001 Plan	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	16.0%	15.0%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.0%	29.4%	17.6%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.4%	21.6%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.5%	13.8%	16.0%	0.3%	4.9%	0.5%	0.2%	0.7%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	20.0%	15.5%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.3%	1.3%	2.6%	34.0%	1.3%	1.2%	2.5%
2	39.8%	33.4%	17.1%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.3%	25.3%	20.3%	0.6%	9.9%	0.5%	0.3%	0.8%	30.3%	2.1%	1.8%	3.9%	26.0%	1.8%	1.5%	3.3%
4	59.4%	17.1%	15.9%	0.4%	5.8%	0.5%	0.2%	0.7%	42.2%	1.5%	1.6%	3.1%	38.3%	1.2%	1.6%	2.8%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
2001 Plan	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.7%	40.7%	34.3%	18.5%	4.2%	0.3%	1.3%	0.6%	71.6%	40.4%	34.2%	18.5%	4.0%	0.2%	1.9%	2.1%	23.1%
2	84.6%	31.1%	43.0%	17.6%	6.8%	1.1%	0.0%	0.4%	84.1%	30.3%	43.9%	17.3%	5.9%	0.7%	0.3%	2.8%	17.9%
3	71.6%	30.9%	35.8%	22.1%	8.8%	0.9%	0.7%	0.9%	72.3%	32.0%	34.8%	21.3%	8.2%	0.7%	0.9%	3.2%	19.6%
4	68.3%	43.7%	28.5%	19.8%	5.3%	1.2%	0.3%	1.2%	67.2%	42.7%	27.4%	20.5%	6.2%	1.0%	0.4%	2.5%	28.6%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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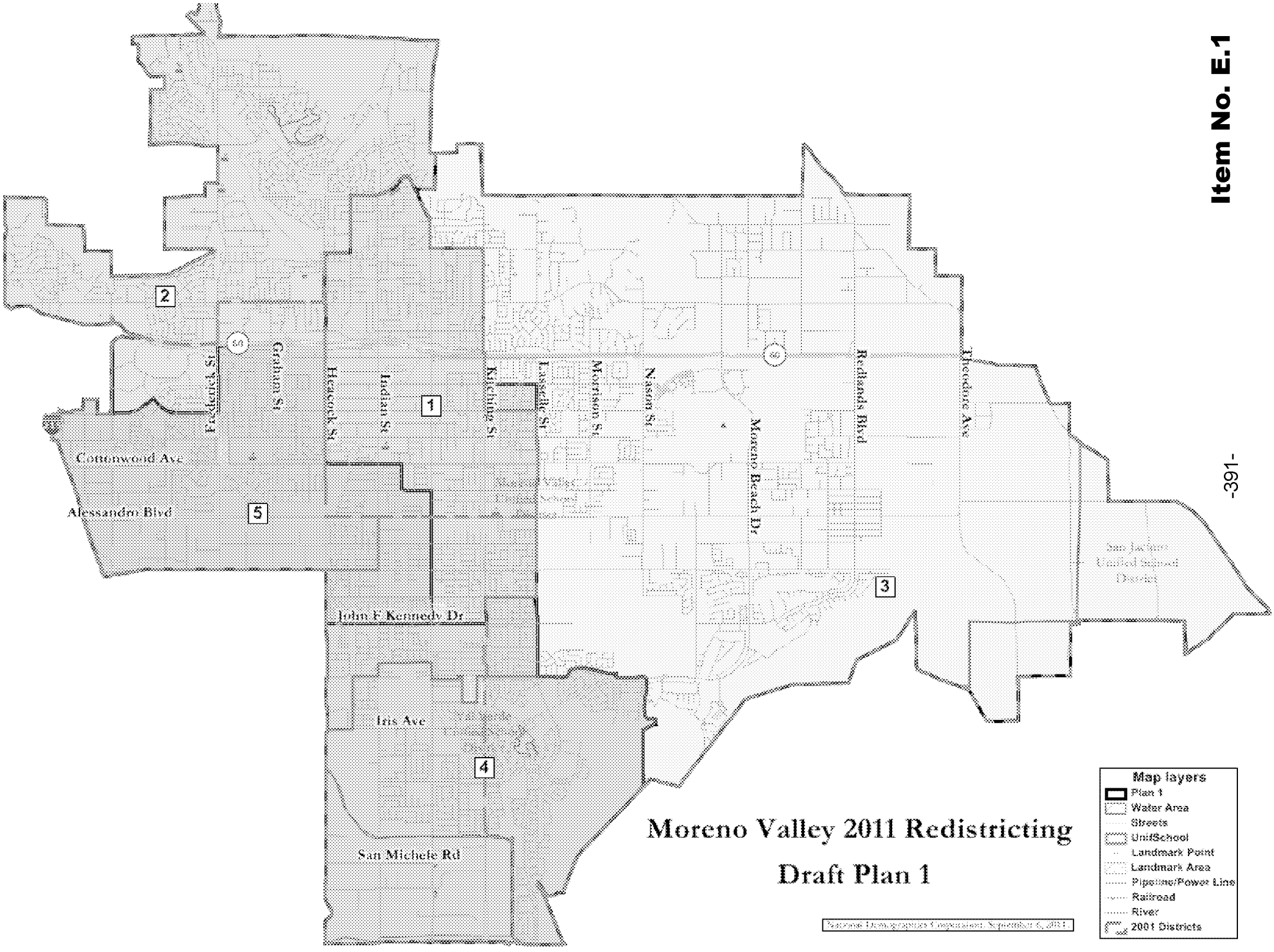
Moreno Valley 2011 Redistricting
Draft Plan 1
Map layers
Plan 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

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NDC

Moreno Valley Plan 1
Demographics

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	141
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.1%	16.4%	15.8%	0.6%	4.5%	0.7%	0.3%	0.8%
2	44.5%	26.5%	20.1%	0.5%	6.7%	0.4%	0.2%	1.0%
3	44.2%	24.9%	18.9%	0.6%	9.6%	0.5%	0.4%	1.0%
4	57.3%	13.8%	20.3%	0.4%	6.6%	0.5%	0.2%	0.9%
5	65.1%	13.0%	14.7%	0.4%	5.2%	0.7%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.0%	20.4%	16.0%	0.6%	5.4%	0.7%	0.3%	0.6%	37.7%	1.3%	1.3%	2.6%	33.6%	1.1%	1.4%	2.5%
2	40.4%	30.6%	19.4%	0.5%	7.5%	0.4%	0.2%	1.0%	28.3%	1.9%	1.6%	3.5%	24.3%	1.5%	1.4%	2.9%
3	40.0%	28.8%	18.6%	0.6%	10.3%	0.4%	0.4%	0.8%	28.7%	2.2%	1.6%	3.9%	24.1%	1.8%	1.4%	3.2%
4	53.4%	16.8%	20.2%	0.4%	7.6%	0.6%	0.3%	0.7%	38.0%	1.9%	2.0%	3.9%	34.7%	1.6%	1.7%	3.3%
5	60.2%	16.4%	15.1%	0.4%	6.3%	0.7%	0.2%	0.7%	42.9%	1.9%	1.5%	3.3%	39.1%	1.5%	1.3%	2.8%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.5%	40.7%	33.6%	18.8%	4.7%	0.6%	1.1%	0.6%	73.3%	41.1%	32.9%	19.0%	4.6%	0.4%	1.6%	1.9%	23.0%
2	82.8%	31.4%	40.6%	19.7%	6.8%	0.9%	0.3%	0.4%	82.4%	30.7%	41.1%	19.3%	6.0%	0.6%	0.5%	3.0%	16.8%
3	73.9%	29.1%	39.0%	20.4%	9.0%	1.1%	0.9%	0.5%	74.1%	30.8%	37.6%	19.6%	7.7%	0.8%	1.2%	3.5%	18.4%
4	66.5%	37.6%	29.3%	23.4%	7.0%	0.5%	0.2%	1.9%	66.3%	35.9%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.5%	44.5%	24.0%	24.9%	5.6%	0.6%	0.1%	0.3%	66.1%	44.4%	22.9%	24.3%	5.7%	0.6%	0.2%	2.9%	27.5%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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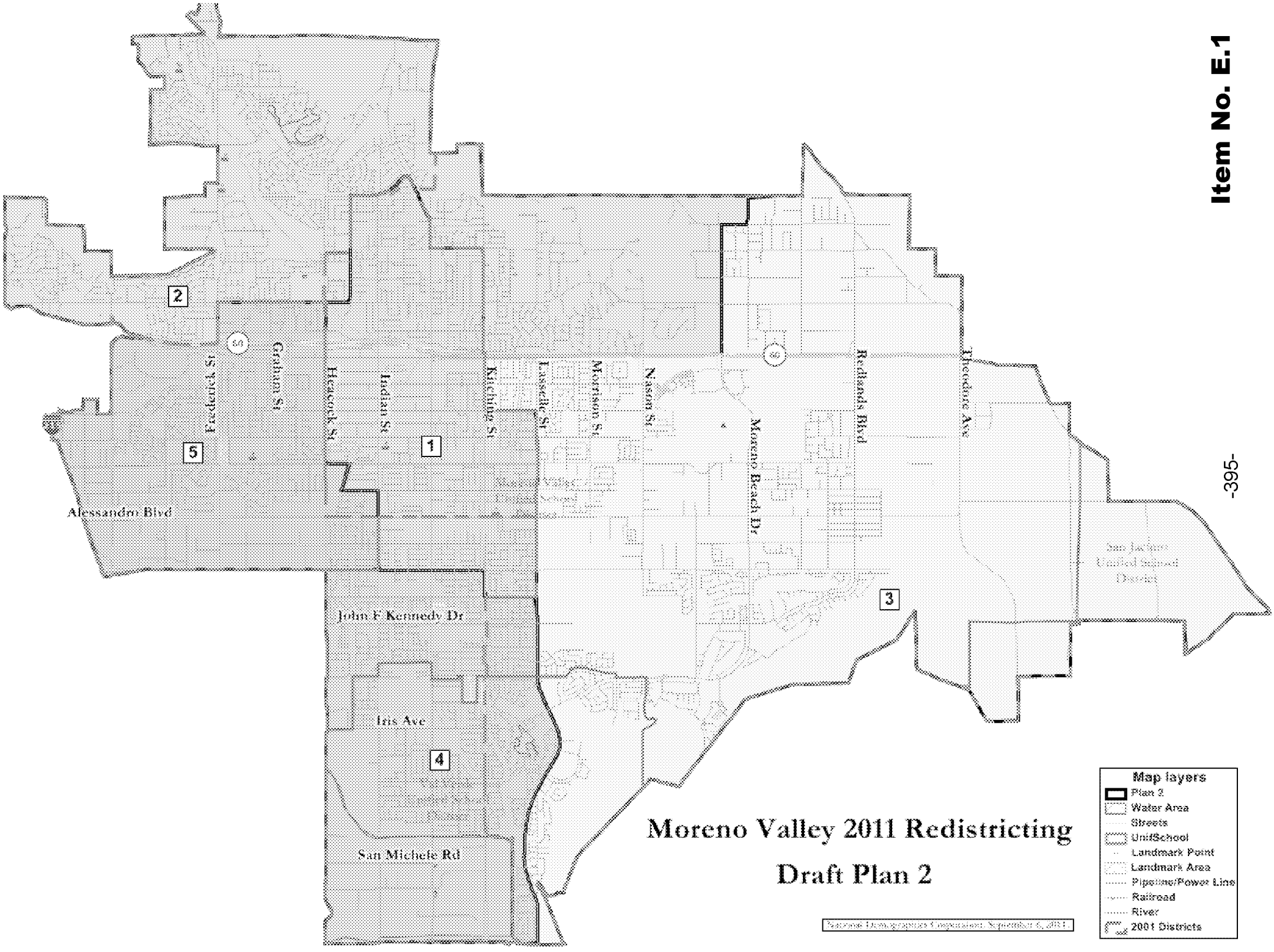
Moreno Valley 2011 Redistricting
Draft Plan 2
Map layers
Plan 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Graham St
Perris St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

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NDC

Moreno Valley Plan 2
Demographics

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
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Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	138
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00132572

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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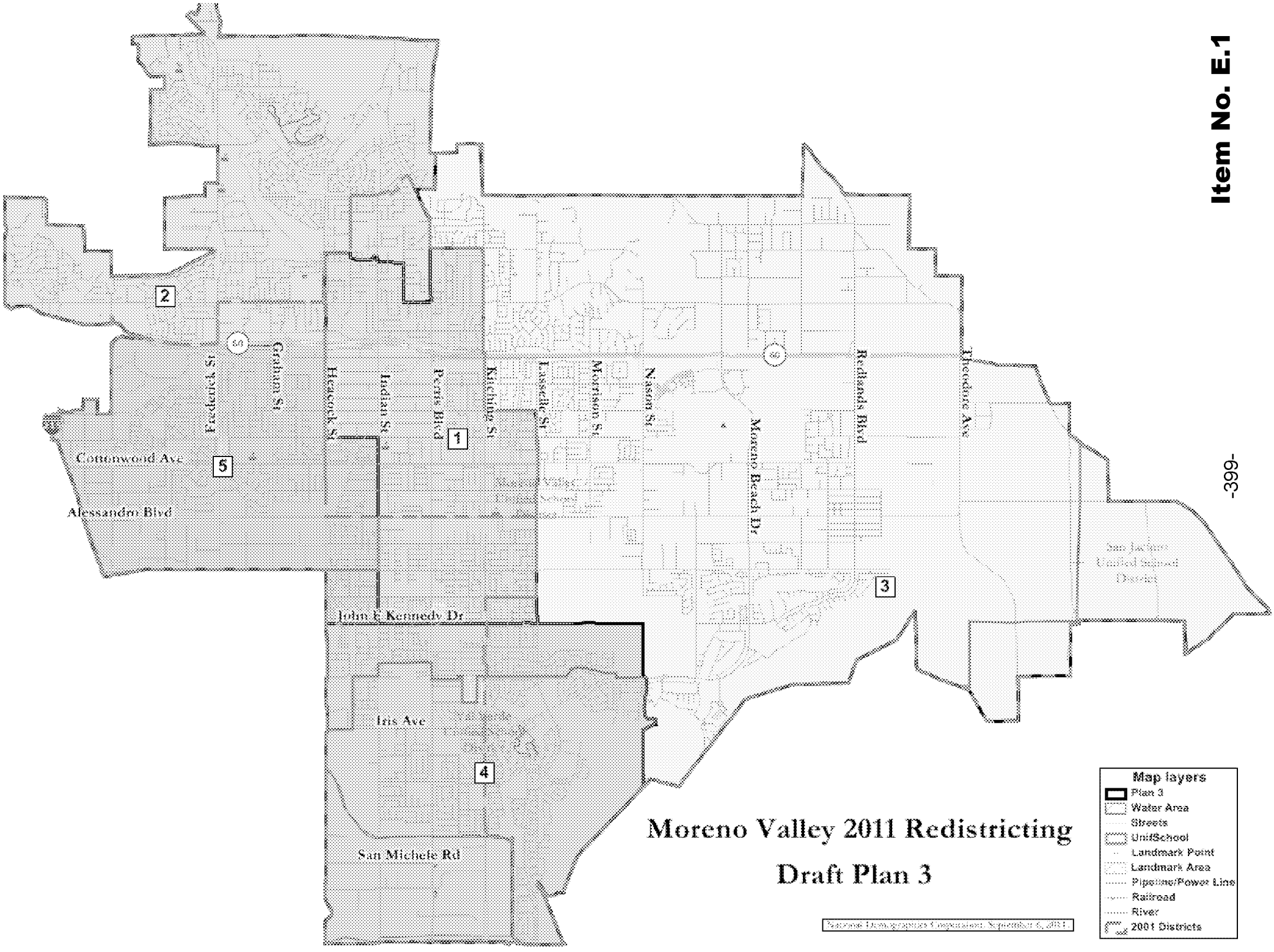
Moreno Valley 2011 Redistricting
Draft Plan 3
Map layers
Plan 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Pedrorena St
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

NDC

Moreno Valley Plan 3
Demographics

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00132576

Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
2	45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
3	44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
4	56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
5	63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
2	40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
3	40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
4	52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
5	58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
2	84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
3	74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
4	66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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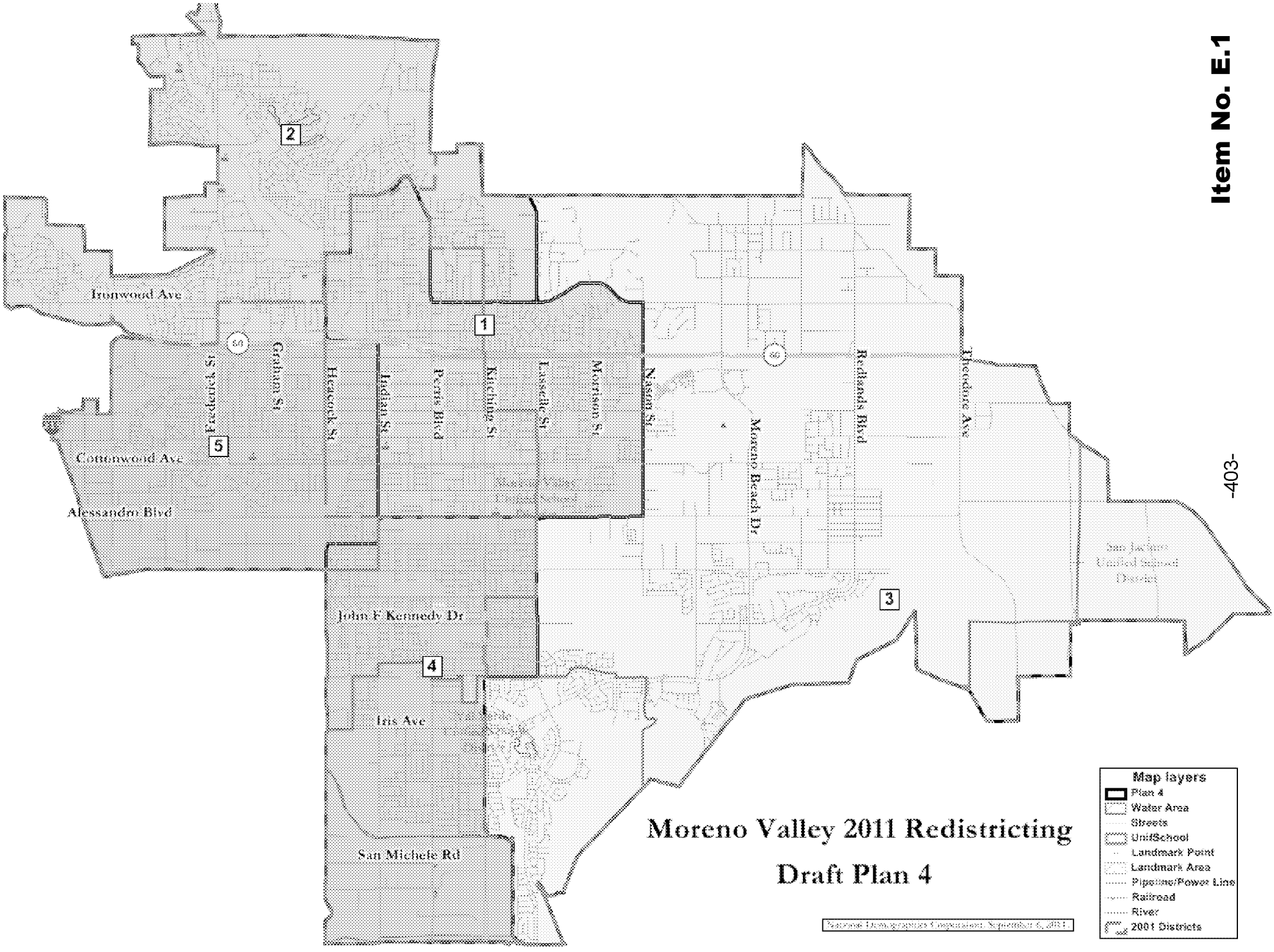
Moreno Valley 2011 Redistricting
Draft Plan 4
Map layers
Plan 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Moreno Valley Plan 4
Demographics

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00132580

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	16.9%
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	19.4%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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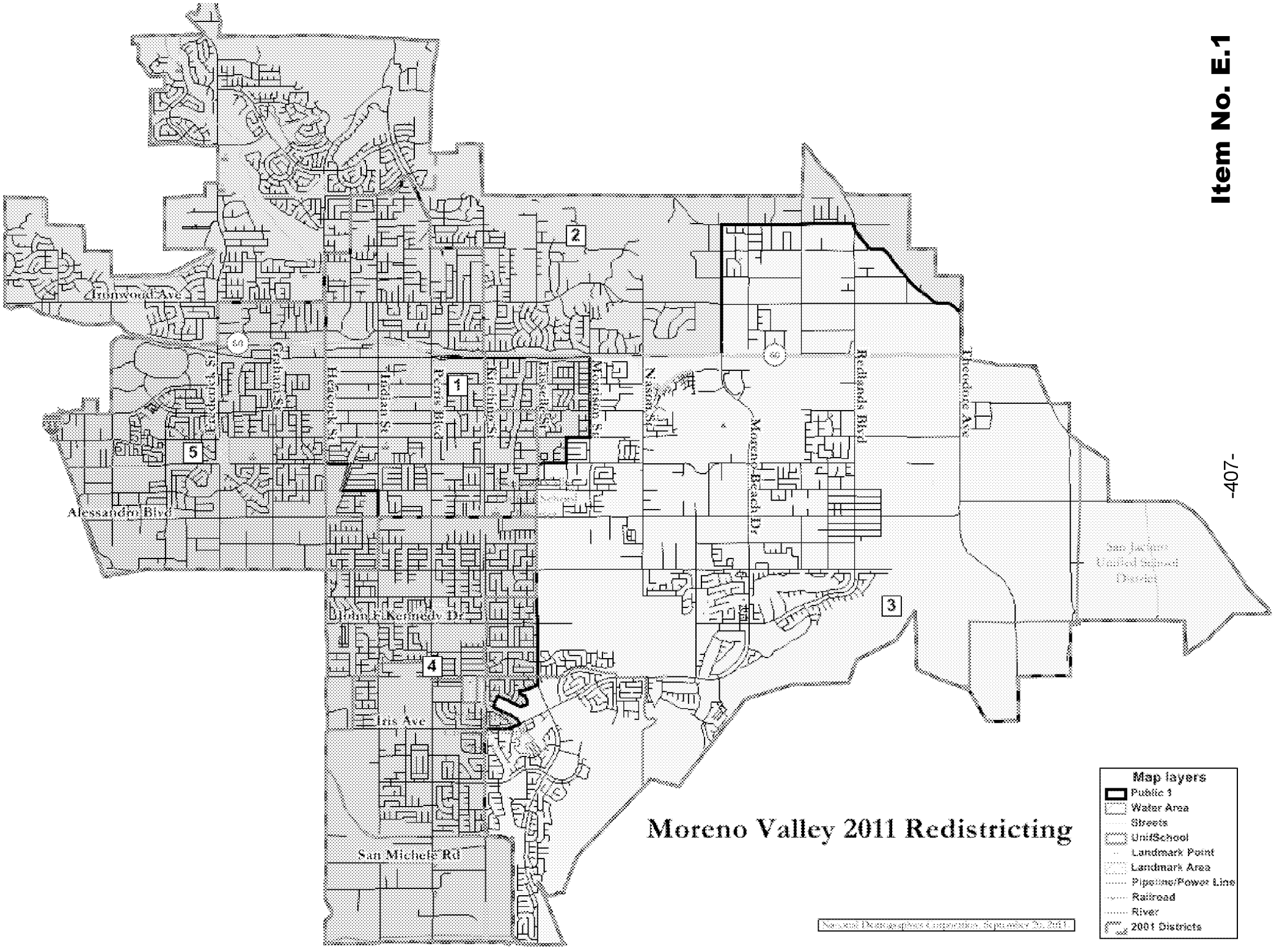
Moreno Valley 2011 Redistricting
Map layers
Public 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00132583

NDC

Public Plan 1
Demographics

Pub. Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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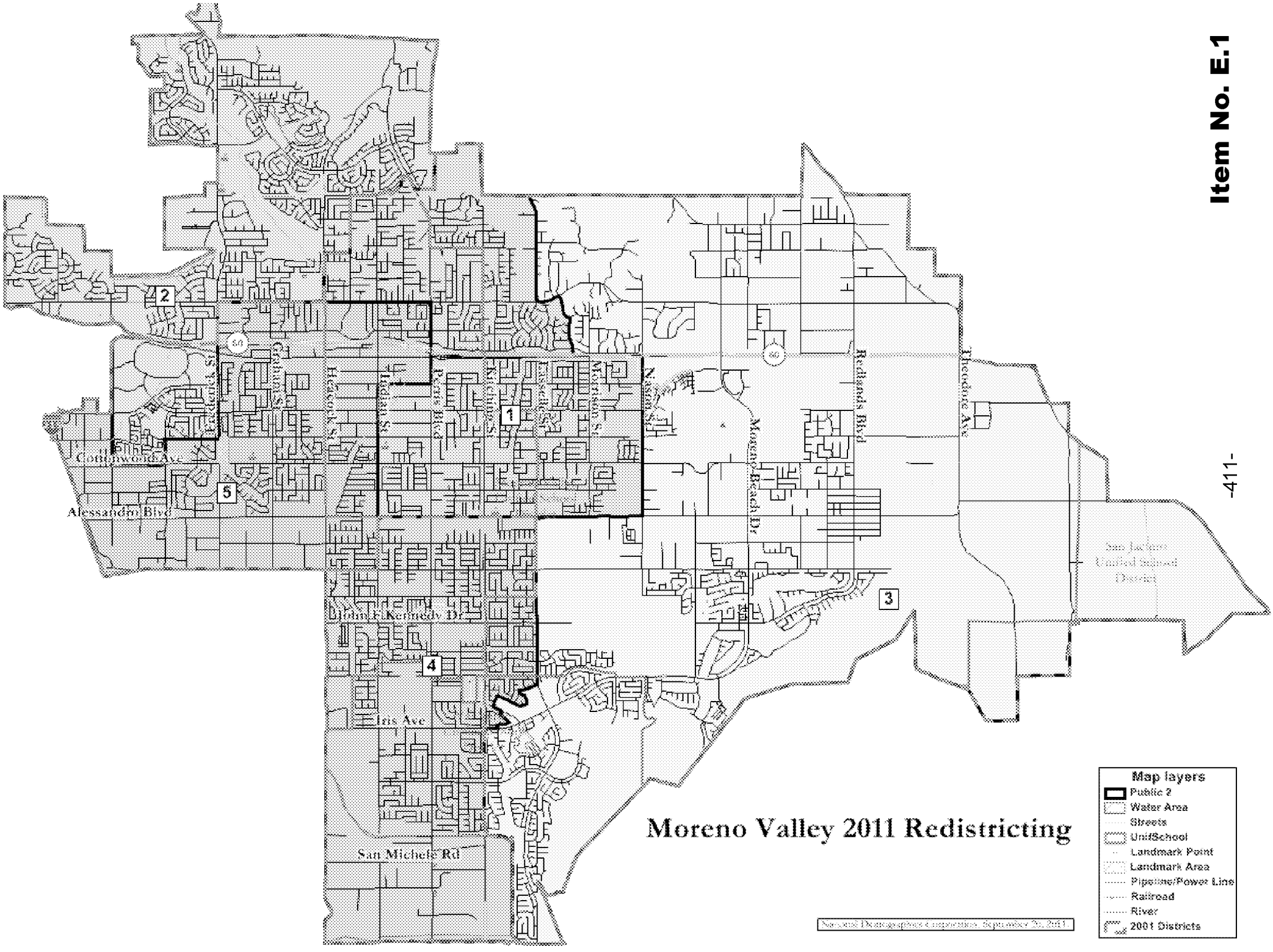
Moreno Valley 2011 Redistricting
Map layers
Public 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Cottonwood Ave
Graham St
Heacock St
Lindsay St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00132587

NDC

Public Plan 2
Demographics

Pub. Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,796	123	0.32%	22,173	7,301	5,917	249	2,477	237	117	325
2	38,840	167	0.43%	17,371	10,226	7,229	177	3,194	140	78	425
3	38,078	-595	-1.54%	16,012	8,760	8,571	170	3,827	214	120	404
4	38,679	6	0.02%	24,231	5,519	6,368	154	1,831	203	93	280
5	38,972	299	0.77%	25,382	4,767	6,643	163	1,303	306	72	336
Total	193,365	894	2.31%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,500	13,877	5,986	4,138	183	1,883	167	76	190	14,308	5,121	276	182	458	6,886	2,164	105	83	188
2	27,581	11,188	8,294	4,997	134	2,536	100	54	278	16,888	4,934	395	297	692	8,450	2,138	140	125	265
3	26,425	10,088	7,100	5,769	129	2,893	141	94	211	15,053	4,243	333	302	635	7,574	1,821	147	122	269
4	25,569	14,932	4,546	4,180	106	1,439	136	57	173	12,785	5,250	179	202	381	5,759	2,139	61	87	148
5	24,794	14,924	3,937	4,347	130	1,048	186	51	171	10,885	4,412	117	134	251	4,275	1,550	50	57	107
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,779	7,397	6,668	4,169	997	110	367	68	19,905	7,285	6,878	3,869	1,055	75	361	545	4,327
2	21,923	6,863	8,885	4,251	1,631	204	0	88	21,807	6,672	8,940	4,182	1,462	121	54	597	3,900
3	18,175	5,147	6,819	3,820	1,931	179	42	244	18,896	5,878	6,847	3,924	1,612	153	135	592	3,636
4	17,825	7,517	5,347	3,560	982	187	41	186	17,229	7,117	4,769	3,639	1,158	160	61	436	4,755
5	17,369	7,414	4,600	4,377	804	23	70	98	17,191	7,328	4,443	4,146	786	50	97	536	3,910
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.2%	18.8%	15.3%	0.6%	6.4%	0.6%	0.3%	0.8%
2	44.7%	26.3%	18.6%	0.5%	8.2%	0.4%	0.2%	1.1%
3	42.1%	23.0%	22.5%	0.4%	10.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.7%	0.5%	0.2%	0.7%
5	65.1%	12.2%	17.0%	0.4%	3.3%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.4%	22.6%	15.6%	0.7%	7.1%	0.6%	0.3%	0.7%	35.8%	1.9%	1.3%	3.2%	31.4%	1.5%	1.2%	2.7%
2	40.6%	30.1%	18.1%	0.5%	9.2%	0.4%	0.2%	1.0%	29.2%	2.3%	1.8%	4.1%	25.3%	1.7%	1.5%	3.1%
3	38.2%	26.9%	21.8%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.2%	2.0%	4.2%	24.0%	1.9%	1.6%	3.6%
4	58.4%	17.8%	16.3%	0.4%	5.6%	0.5%	0.2%	0.7%	41.1%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	60.2%	15.9%	17.5%	0.5%	4.2%	0.8%	0.2%	0.7%	40.5%	1.1%	1.2%	2.3%	36.3%	1.2%	1.3%	2.5%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.6%	37.4%	33.7%	21.1%	5.0%	0.6%	1.9%	0.3%	75.1%	36.6%	34.6%	19.4%	5.3%	0.4%	1.8%	2.7%	21.7%
2	79.5%	31.3%	40.5%	19.4%	7.4%	0.9%	0.0%	0.4%	79.1%	30.6%	41.0%	19.2%	6.7%	0.6%	0.2%	2.7%	17.9%
3	68.8%	28.3%	37.5%	21.0%	10.6%	1.0%	0.2%	1.3%	71.5%	31.1%	36.2%	20.8%	8.5%	0.8%	0.7%	3.1%	19.2%
4	69.7%	42.2%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	70.1%	42.7%	26.5%	25.2%	4.6%	0.1%	0.4%	0.6%	69.3%	42.6%	25.8%	24.1%	4.6%	0.3%	0.6%	3.1%	22.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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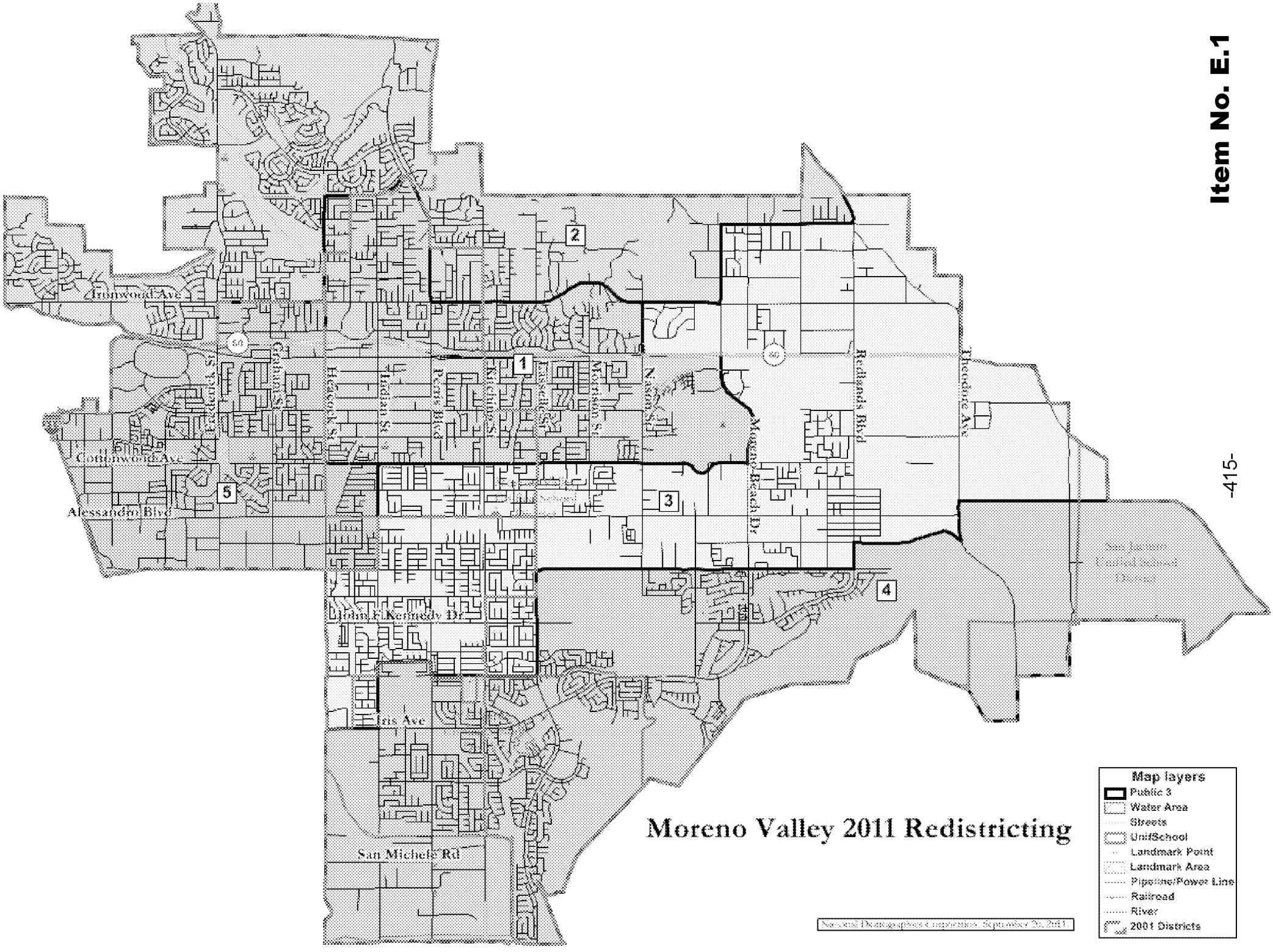
Moreno Valley 2011 Redistricting
Map layers
Public 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00132591

NDC

Public Plan 3
Demographics

Pub. Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	40,047	1,374	3.55%	23,337	7,050	6,329	250	2,368	232	124	357
2	33,724	-4,949	-12.80%	14,620	10,386	5,657	164	2,372	131	63	331
3	41,248	2,575	6.66%	24,589	7,521	6,126	195	2,173	221	111	312
4	38,875	202	0.52%	18,585	6,434	9,430	143	3,571	226	105	381
5	39,471	798	2.06%	24,038	5,182	7,186	161	2,148	290	77	389
Total	193,365	7,524	19.46%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,947	14,318	5,756	4,389	197	1,829	163	88	207	13,735	4,894	222	210	432	6,321	1,989	89	97	186
2	24,509	9,568	8,590	4,008	127	1,864	94	45	213	16,118	4,379	309	237	546	8,645	1,982	123	107	230
3	27,723	15,215	6,242	4,051	138	1,681	147	73	176	14,598	5,649	180	208	388	6,856	2,312	74	94	168
4	26,123	11,558	5,081	6,248	99	2,706	147	75	209	13,868	4,432	353	290	643	6,512	1,844	141	112	253
5	25,567	14,350	4,194	4,735	121	1,719	179	51	218	11,600	4,606	236	172	408	4,610	1,685	76	64	140
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,662	7,428	6,706	4,165	1,038	61	139	121	19,682	7,373	6,817	3,899	959	75	235	541	3,961
2	21,021	6,314	9,283	3,563	1,366	253	170	69	20,718	6,250	9,027	3,536	1,212	131	164	640	3,722
3	19,409	7,563	6,876	3,308	1,128	290	104	145	19,422	7,719	6,225	3,687	1,149	216	172	475	5,031
4	17,606	6,007	5,015	4,436	1,752	80	47	274	17,863	5,951	5,512	4,174	1,665	91	88	498	3,974
5	17,373	7,026	4,440	4,704	1,061	20	60	75	17,343	6,988	4,295	4,464	1,087	46	50	552	3,839
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.8%	0.6%	5.9%	0.6%	0.3%	0.9%
2	43.4%	30.8%	16.8%	0.5%	7.0%	0.4%	0.2%	1.0%
3	59.6%	18.2%	14.9%	0.5%	5.3%	0.5%	0.3%	0.8%
4	47.8%	16.6%	24.3%	0.4%	9.2%	0.6%	0.3%	1.0%
5	60.9%	13.1%	18.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.1%	21.4%	16.3%	0.7%	6.8%	0.6%	0.3%	0.8%	35.6%	1.6%	1.5%	3.1%	31.5%	1.4%	1.5%	2.9%
2	39.0%	35.0%	16.4%	0.5%	7.6%	0.4%	0.2%	0.9%	27.2%	1.9%	1.5%	3.4%	22.9%	1.4%	1.2%	2.7%
3	54.9%	22.5%	14.6%	0.5%	6.1%	0.5%	0.3%	0.6%	38.7%	1.2%	1.4%	2.7%	33.7%	1.1%	1.4%	2.5%
4	44.2%	19.5%	23.9%	0.4%	10.4%	0.6%	0.3%	0.8%	32.0%	2.5%	2.1%	4.6%	28.3%	2.2%	1.7%	3.9%
5	56.1%	16.4%	18.5%	0.5%	6.7%	0.7%	0.2%	0.9%	39.7%	2.0%	1.5%	3.5%	36.6%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.0%	37.8%	34.1%	21.2%	5.3%	0.3%	0.7%	0.6%	73.0%	37.5%	34.6%	19.8%	4.9%	0.4%	1.2%	2.7%	20.1%
2	85.8%	30.0%	44.2%	16.9%	6.5%	1.2%	0.8%	0.3%	84.5%	30.2%	43.6%	17.1%	5.9%	0.6%	0.8%	3.1%	18.0%
3	70.0%	39.0%	35.4%	17.0%	5.8%	1.5%	0.5%	0.7%	70.1%	39.7%	32.1%	19.0%	5.9%	1.1%	0.9%	2.4%	25.9%
4	67.4%	34.1%	28.5%	25.2%	10.0%	0.5%	0.3%	1.6%	68.4%	33.3%	30.9%	23.4%	9.3%	0.5%	0.5%	2.8%	22.3%
5	67.9%	40.4%	25.6%	27.1%	6.1%	0.1%	0.3%	0.4%	67.8%	40.3%	24.8%	25.7%	6.3%	0.3%	0.3%	3.2%	22.1%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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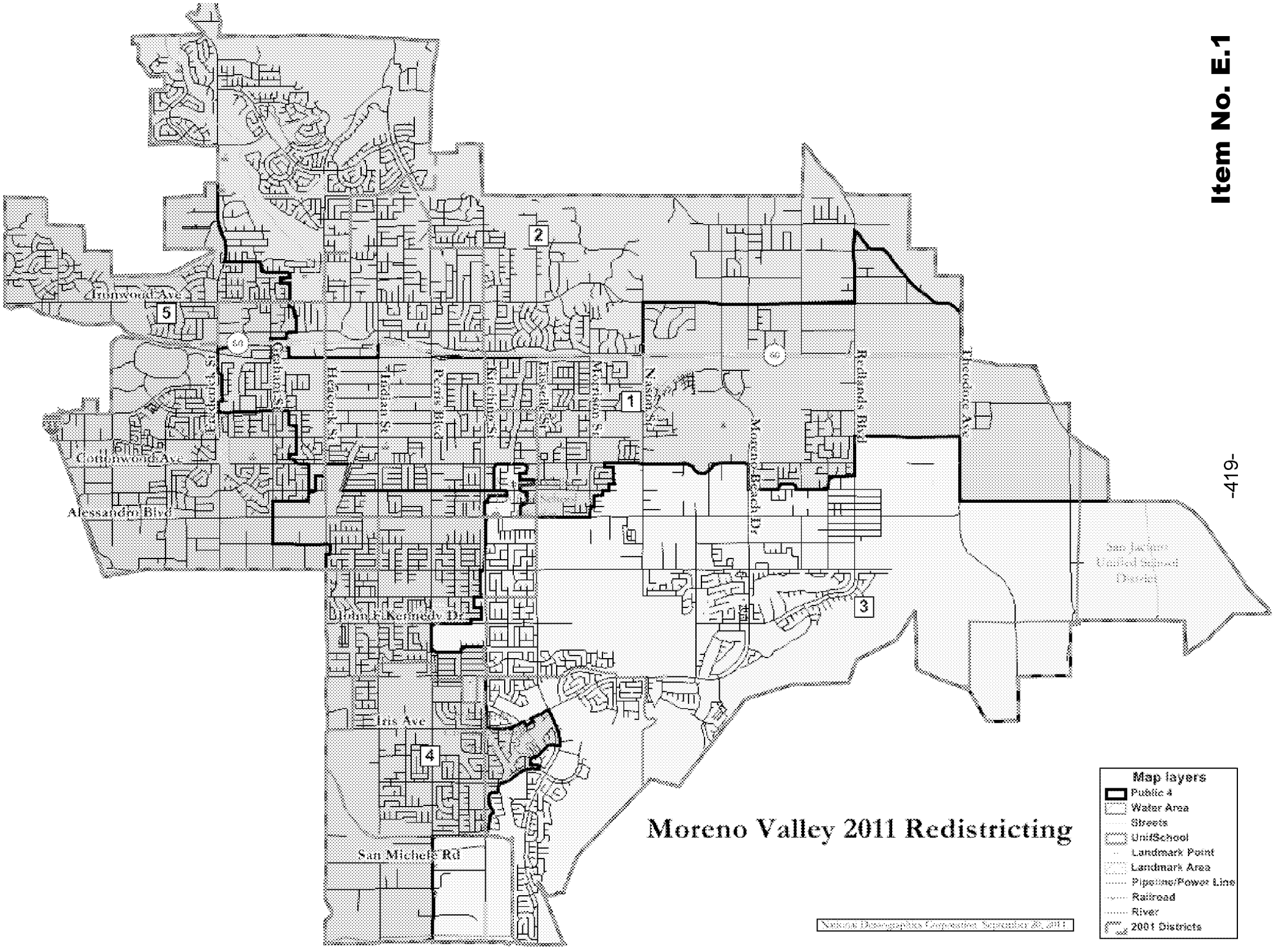
Moreno Valley 2011 Redistricting
Map layers
Public 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
1
2
3
4
5

MV00132595

NDC

Public Plan 4 - Owings
Demographics

Pub. Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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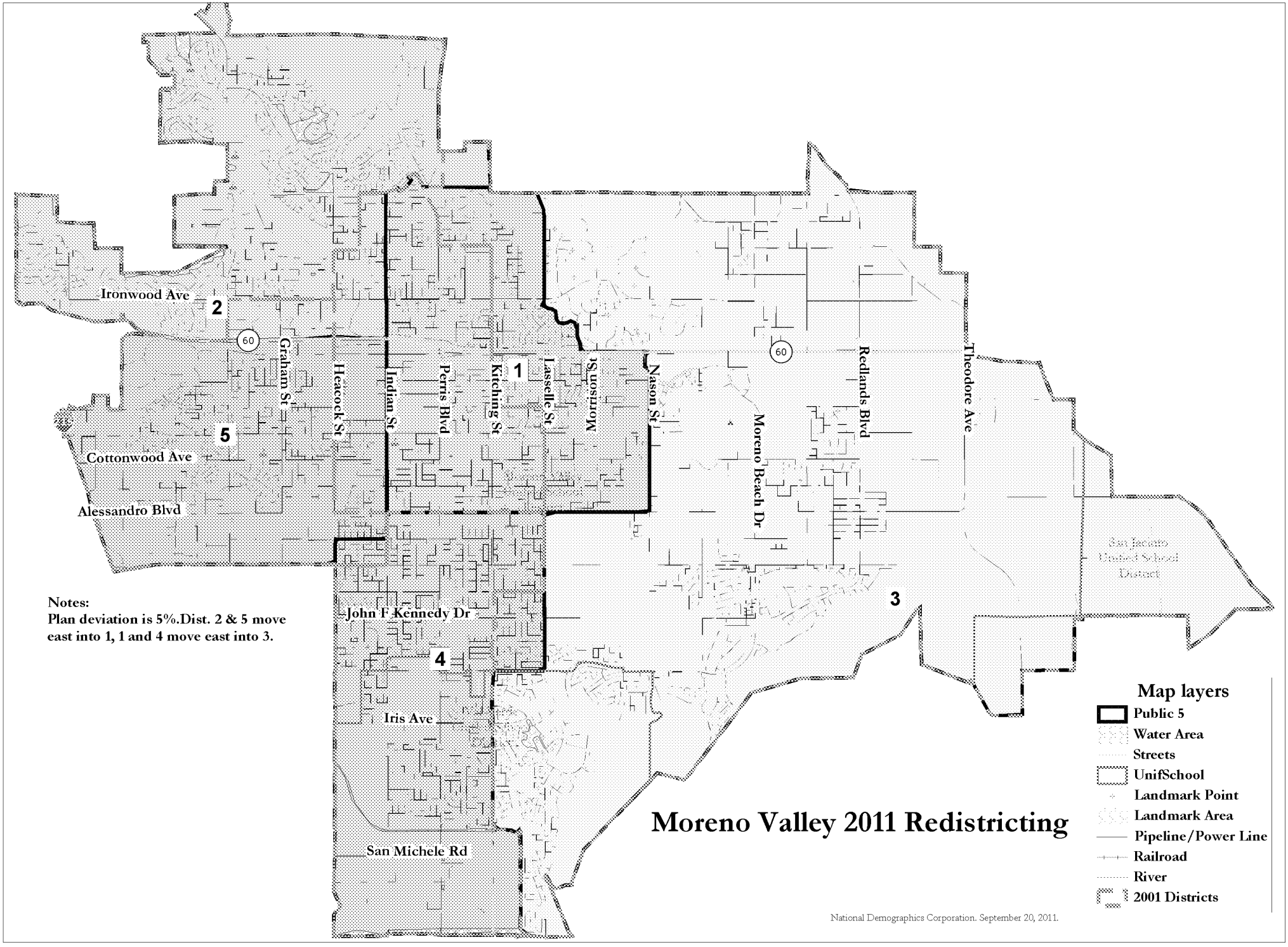

Notes:
Plan deviation is 5%.Dist. 2 & 5 move east into 1, 1 and 4 move east into 3.

Moreno Valley 2011 Redistricting

MV00132599

NDC

Public Plan 5
Demographics

Pub. Plan 5	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,368	-305	-0.79%	22,056	6,878	6,089	224	2,430	238	114	339
2	38,178	-495	-1.28%	17,347	10,448	7,200	200	2,373	158	73	379
3	40,050	1,377	3.56%	17,034	9,026	9,097	183	3,934	223	135	418
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,872	4.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,147	13,808	12,339	5,637	4,140	108	1,716	155	65	14,065	5,063	255	189	444	6,709	2,136	99	88	187
2	26,978	11,071	15,907	8,546	4,778	101	1,698	94	38	16,541	4,653	305	245	550	8,374	2,012	123	107	230
3	27,765	10,721	17,044	7,329	5,987	86	2,790	129	83	15,876	4,496	335	323	658	7,969	1,921	148	128	276
4	25,316	14,911	10,405	4,507	3,918	63	1,355	128	46	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	10,165	3,844	4,006	73	1,542	162	44	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	65,860	29,863	22,829	431	9,101	668	276	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 5	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,521	7,384	6,427	4,150	1,008	111	375	68	19,545	7,245	6,574	3,837	1,064	79	399	518	4,175
2	22,818	7,229	9,534	4,304	1,397	206	62	81	22,790	7,072	9,674	4,231	1,203	143	113	673	3,846
3	19,259	5,566	7,139	4,091	2,004	180	42	244	19,840	6,200	7,142	4,139	1,696	157	137	620	3,836
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00132600

Pub. Plan 5	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.5%	17.9%	15.9%	0.6%	6.3%	0.6%	0.3%	0.9%
2	45.4%	27.4%	18.9%	0.5%	6.2%	0.4%	0.2%	1.0%
3	42.5%	22.5%	22.7%	0.5%	9.8%	0.6%	0.3%	1.0%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.8%	47.2%	21.6%	15.8%	0.4%	6.6%	0.6%	0.2%	36.0%	1.8%	1.3%	3.2%	31.8%	1.5%	1.3%	2.8%
2	41.0%	59.0%	31.7%	17.7%	0.4%	6.3%	0.3%	0.1%	28.1%	1.8%	1.5%	3.3%	24.0%	1.5%	1.3%	2.7%
3	38.6%	61.4%	26.4%	21.6%	0.3%	10.0%	0.5%	0.3%	28.3%	2.1%	2.0%	4.1%	24.1%	1.9%	1.6%	3.5%
4	58.9%	41.1%	17.8%	15.5%	0.2%	5.4%	0.5%	0.2%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	41.2%	15.6%	16.2%	0.3%	6.3%	0.7%	0.2%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	50.3%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 5	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.7%	37.8%	32.9%	21.3%	5.2%	0.6%	1.9%	0.3%	74.8%	37.1%	33.6%	19.6%	5.4%	0.4%	2.0%	2.6%	21.4%
2	84.6%	31.7%	41.8%	18.9%	6.1%	0.9%	0.3%	0.4%	84.5%	31.0%	42.4%	18.6%	5.3%	0.6%	0.5%	3.0%	16.9%
3	69.4%	28.9%	37.1%	21.2%	10.4%	0.9%	0.2%	1.3%	71.5%	31.2%	36.0%	20.9%	8.5%	0.8%	0.7%	3.1%	19.3%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00132601

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MV00132602

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

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MV00132604

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: September 27, 2011

TITLE: MEDIA AND COMMUNICATIONS STRATEGY

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed Media and Communications Strategy.

BACKGROUND

At the May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image. An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business*. One of the five action steps included in the plan was to improve the City's marketing and communication efforts. The proposed Media and Communication Strategy addresses the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

DISCUSSION

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly

positive reality that we recognize. Understanding that perception oftentimes equals reality, the proposed Media and Communication Strategy (attached) aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure accurate information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley. As indicated in the attached plan, each action has been assigned to the appropriate department for implementation.

ALTERNATIVES

1) Approve the proposed Media and Communications Strategy. *Staff recommends this alternative as the proposed strategy helps address the Council's expressed goals of enhancing the City's image, expanding communication outreach to the public and improving the City's marketing and communication efforts (one of the adopted action steps to make Moreno Valley a Best Place to do Business.)*

2) Not approve the proposed Media and Communications Strategy. *Staff does not recommend this alternative as the proposed strategy is a task related to the Council-adopted goal to enhance the City's image and is part of the Council-adopted action steps to make Moreno Valley a Best Place to do Business.*

FISCAL IMPACT

Implementing the proposed Media and Communications Strategy will have no fiscal impact as all of the strategies and action items can be executed within the adopted budget.

COUNCIL GOALS

Positive Environment: Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and

executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The proposed Media and Communications Strategy assists in addressing the City Council's goal of enhancing the City's image and implements the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business.* The proposed strategy will help enhance the City's efforts in economic development and in making Moreno Valley a great place to live, visit, work and do business.

ATTACHMENT

Proposed Media and Communications Strategy

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00132608

Introduction

At their May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image (see Attachment "A"). An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business* (Attachment "B"). One of the five action steps included in the plan was to improve the City's marketing and communication efforts. This Media and Communication Strategy address the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly positive reality that we recognize. Understanding that perception oftentimes equals reality, this Media and Communication Strategy aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure <u>accurate</u> information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley.

Target Audience

Communicating accurate information to better promote Moreno Valley is everybody's job. By providing target audiences with timely and informative news about their community we can help ensure that our many positives outweigh the periodic negative items that occur in every community. It is critical that the City clearly communicates information to the community in a helpful, accessible, consistent, and unintimidating manner to ensure that the citizens, businesses, and visitors to Moreno Valley feel welcome and engaged within in our community.

Primary Target Audience

The primary target audiences for an effective media and communications strategy are the groups of people with whom the City wishes to regularly communicate on a variety of topics and issues:

- Residents of Moreno Valley
- City Council, Commissions, and Committees
- Non-profit organizations
- County, State, and Federal representatives
- Community groups and organizations
- News media
- Development community
- Chambers of Commerce
- Existing businesses, property owners, and managers
- Public agencies
- Employees
- Regional organizations and agencies
- Volunteers
- School Districts
- Visitors to Moreno Valley

Secondary Target Audience

The secondary target audiences are groups with which the City communicates on a semi-regular basis:

- Businesses in neighboring cities and communities
- Other government television stations
- Residents living in neighboring cities and communities
- Future or potential residents

Goals, Strategies and Actions

With the understanding that a Media and Communications Strategy that builds on strong themes is more effective than a program with scattered and unrelated messages, key themes will be communicated frequently in a variety of ways utilizing simple messages. It is important that all communications reinforce and reflect the goals and target issues of the City as established by the City Council, underscoring the idea of an organization with its focus on "people, pride and progress."

Goal 1: Ensure Accurate Information is Disseminated to the Public

Accuracy is the most basic, and also the most critical, element in communicating effectively. The following goals and strategies will assist in ensuring that accurate and timely information is being provided by the City:

Strategy: Ensure continuity of message.

Action:

- **Review and reinforce City administrative policy #2.5, "Public Information & Media Relations"** (Attachment "C"), which establishes procedures and guidelines for the coordination and dissemination of information to the public on behalf of the City. In order to ensure accuracy and continuity of message, all departments will observe this policy, with particular attention to the following (Assigned to: All Departments):

  All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

Strategy: Ensure that the City's Website contains current information and continue to enhance the site to improve user-friendliness

Actions:

- **Perform an audit of the City's website** to ensure that it is user friendly and data rich, and identify areas where processes can be clarified (Assigned to: City Manager's Office and the Community and Economic Development Department)
- **Review the City's main web page daily** for current content and remove any outdated content immediately (Assigned to: City Manager's Office)
- **Reactivate the City's Media Liaison Team**
  - Update the current Media Liaison list to include one representative from each Department that is responsible to maintain the information on their department web pages (Assigned to: City Manager's Office)
  - Team will participate in regular meetings (Assigned to: All Departments)
  - Team will work together to improve the utilization of social media sources (Assigned to: All Departments)
  - Solicit article ideas for submission to various business journals, government magazines, and other news media to promote City programs and events (Assigned to: All Departments)
  - Review the City's *Brand & Style Guide* with all departments to ensure continued and consistent usage (Assigned to: All Departments)
  - Team will review information posted by the webmaster for accuracy (Assigned to: All Departments)

Goal 2: Maximize media and communication resources to 1) better promote the City's many positive events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business

Strategy: Develop a retooled marketing plan (Assigned to: Community and Economic Development Department)

Actions:

- **Encourage cooperative marketing opportunities** with targeted area developers to attract tenants through outreach to media outlets and the community
- **Promote the vision that Moreno Valley is a Medical Community** as outlined in the Economic Development Action Plan adopted by City Council in April 2011 through creating media content for the City's website, developing public service announcements, and working with media outlets to distribute storylines detailing this development
- **Brand the City as a Best Place to do Business and as a Job Center**
- **Identify new publications and aggressively pursue publication** of City stories to print media in addition to the Press-Enterprise and working with editors to ensure they are published, including business journals (Assigned to: City Manager's Office and Community and Economic Development Department)
- Work with the Moreno Valley Chamber of Commerce to **videotape the featured speaker at the monthly Wake Up Moreno Valley** meetings for airing on MVTV-3 to promote local programs and businesses (Assigned to: City Manager's Office)
- **Develop a City media packet** with information on City staff and community data (Assigned to: City Manager's Office)
- **Billboard signage campaign** to fill unused billboard space to promote City information for free or at reduced costs. (Assigned to: Community and Economic Development Department)
- Work with the Moreno Valley Police Department to **establish a press release policy** identifying which events and actions warrant media notification. (Assigned to: City Manager's Office)
- MVTV-3 **video productions promoting local restaurants**, similar to current Spotlight on Business productions (Assigned to: City Manager's Office)

Strategy: Develop smartphone applications to improve communication and connectivity (Assigned to: Financial and Administrative Services Department)

Actions:

- **Establish a City committee** to develop the use of Smartphone applications
    - Assign at least one committee member from each department
    - Invite the Chambers of Commerce to participate
    - Survey City staff, community members, and other cities to identify desired smartphone applications specific to Moreno Valley such as:
        - Promoting City events
        - Connecting to City services such as reporting stray animals, graffiti, potholes, etc.
        - Crime tip reporting and online crime maps
        - Places to dine and stay

- **Explore cost sharing opportunities** for the development and maintenance of applications that include:
    - Public Safety related items, seek grants for federal funding opportunities (Assigned to: City Manager's Office, Police and Fire)
    - Chamber of Commerce related items in order to create a "Things to do" and "Place to dine" section for the application (Assigned to: Community and Economic Development Department and City Manager's Office)

Strategy: Create and maintain a Community Calendar

Actions:
- Work with the Chambers of Commerce to **establish a joint community calendar of events** (Assigned to: Community and Economic Development Department and City Manager's Office).
- **Develop an online form** for businesses, non-profit organizations, homeowners associations, schools, etc. to easily submit information on community events that they are sponsoring (Assigned to: City Manager's Office)
- **Promote the Community Calendar events** by distributing the calendar via the City's e-mail database and ensure that the City's Twitter account sends out information in a timely manner regarding these events (Assigned to: City Manager's Office)

Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services

The City will be proactive in communicating with the community rather than reactive. By taking a positive approach in the planning and execution of communicating with the community, the City will build a stronger rapport with our residents, business owners, and stakeholders. While the City currently offers a variety of ways for its citizens to provide input and learn about City services, it is imperative that the City continues to encourage residents and businesses to communicate both positive and negative issues with their Council representative and with City staff. It is also important to demonstrate the value of City services so that our residents understand and support local government.

Strategy: Enhance direct communications by the City Council and City Staff with the community (Assigned to: City Manager's Office)

Actions
- **Establish Council Connection Town Hall meetings** within each City Council District promoting two-way communication with residents (Assigned to: City Manager's Office and City Council Office)
    - Include meet and greet with Department Heads, remarks by the Council Member and City Manager, a presentation focusing on one topic (public safety, economic development, etc.), and a question & answer session.
    - Post all questions and answers from each Town Hall meeting on the City's web site within on week.

- **Establish City and Business Connection Luncheons** in each Council District as an opportunity for business leaders to communicate with their Council Member (Assigned to: Community and Economic Development Department)
- **Develop and build an e-mail database** to distribute e-mail "blasts" to residents and businesses containing City news and events (Assigned to: City Manager's Office)
- Investigate the **use of podcasting** City Council and Planning Commission meetings (Assigned to: City Manager's Office)
- Convert "City Link" from a quarterly publication distributed as part of "Soaring" to a **monthly e-newsletter** (Assigned to: City Manager's Office)
- **Include performance indicators** in City publications to celebrate accomplishments and educate residents about the benefits of City programs and services.

Strategy: Improve the City's use of social networking

Actions
- **Increase the use of Facebook** by City Departments (Assigned to: City Manager's Office)
- **Increase the number of City followers on Twitter** by providing "how to" training to staff to enhance City Departments' use (Assigned to: All City Departments)
- Increase the community's awareness and viewership of City Programming that is available on **YouTube** (Assigned to: City Manager's Office)

Media and Communications Toolbox

The City uses a variety of interactive communication tools and techniques wherever and whenever possible to involve target audiences in the communications process. This aids in building the idea that this is not just the residents' City or the businesses' City but this is everyone's City. Below is a list of the tools to be used by City staff to communicate effectively with both our primary and secondary target audiences.

- Advertisements
- Booths at major events
- Brochures
- Citizen surveys
- City Council meetings
- *City Link* e-newsletter
- City website
- Comprehensive Annual Fiscal Report
- Fact Sheet
- Facebook
- Internet
- Media packet
- MVTV-3
- New conferences
- Open house events
- Parks and Recreation *Soaring* guide
- Press releases
- Public service announcements
- Publish articles in magazines and business journals
- Radio talk programs
- Town Hall meetings
- State of the City
- Council business luncheons
- Twitter
- Utility Bill Insert
- You Tube

Assessment

City Staff will periodically review and assess progress made in achieving the goals described in this Media and Communication Plan by measuring its success utilizing a variety of tools, including:

- Content of media coverage
- City Council surveys
- Communication and service awards
- Survey e-mail subscribers from the City's website
- News release totals
- Web visitors and Web analyses

Summary

The intent of this plan is to foster proactive communications with the Moreno Valley community and neighboring communities reflecting the many positive aspects of our City; to connect the public with the government by reaching out and establishing two-way communications through a variety of resources; to promote Moreno Valley as a *Best Place to do Business*; and to better control our message by ensuring that accurate information about Moreno Valley is distributed to the public. Every resident, business owner, and employee within the City "owns" a piece of Moreno Valley and it is the job of each of these stakeholders to promote our community as the place to be. This plan is a dynamic strategy that will serve as a road map to assist in this endeavor.

Attachment "A"

Prioritized Goal #5: Enhance City Image
Actions
1. Develop Media & Communications Strategy: a. Increase use of Social Networks b. E-mail Blasts c. Expand Communication Outreach/ Networking d. District Town Hall Meetings
2. Corridor Beautification Program

Further defined tasks, responsible department, and schedule:

TASK	DEPARTMENT	SCHEDULE
Develop database of e-mail addresses to distribute immediate information to residents, businesses, and other agencies	**CMgr**	**June 2011**
Transition "City Link" newsletter to an on-line e-newsletter posted on the web site and automatically e-mailed to subscribed residents and businesses	**CMgr**	**July 2011**
Expand options for distributing City information to magazines and news outlets, promote the community and events via alternative publications and through attendance at various meetings	**CMgr**	**September 2011**
Explore and discuss District Town Hall meetings with the Council, establish a schedule for quarterly or semi-annual events	**CMgr**	**June 2011**
Review options for a Citywide Corridor Beautification Program for Council consideration	**PW**	**August 2011**

"Attachment B"

Recommendations for Action Steps

to Make Moreno Valley a "Best Place to do Business"

Development Services

- Implement the use of "E-permitting" to accelerate the process of doing business in Moreno Valley

- Expand and strengthen business and development ombudsperson program to include new or expanding small businesses.

- Host quarterly workshops with contractors and developers aimed at improving development processes in Moreno Valley.

- Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business.

- Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

Business Attraction

- Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

- Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Business Retention and Expansion

- Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

- Pursue ways to increase local vendor preference, including expanding existing procurement policy.

- Implement a new meeting program with local businesses to discuss business opportunities. The Program would be held once a year in each Council District and include the opportunity to talk to the Councilmember, City Manager, and Community & Economic Development Director. The Program will compliment the existing Business Roundtable.

- Enhance the Business Resource Guide.

Marketing and Communication

- Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

- Develop a re-tooled marketing plan to incorporate the following:
    - Cooperative marketing opportunities with targeted area developers to attract tenants
    - Identifying the City as a medical community
    - Brand the City as a job center

- Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

- Increase use of social media.

- Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

- Explore use of Smartphone apps for improved communication and connectivity.

- Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

Community Vitality

The best places to do business also reflect characteristics of the best places to live. These places tend to exude a "sense of place" reflected in aspects of quality of life including activity, arts and culture, and beauty in the environment.

- Explore additional community events- things to do.

- Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

- Enhance neighborhood groups by implementing community update meetings.

PUBLIC INFORMATION & MEDIA RELATIONS

PURPOSE: To provide procedures and guidelines for coordinating and disseminating information to the public on behalf of the City of Moreno Valley. The policy will be modified and expanded as necessary.

STATEMENT: The City of Moreno Valley shall provide timely and accurate information to keep the Council, staff and community apprised of pertinent City issues, services and events. The City shall utilize appropriate and effective means to communicate its messages to both general and target audiences. This policy contains guidelines that will achieve the City's communications objectives and facilitate a successful working relationship with the local and regional media.

POLICY GOALS:

- Fully utilize the news and special interest media, MVTV-3, City publications and the City Web site as an effective means of communicating with citizens and target groups (including business sector, community leaders, homeowner groups, City employees).
- Facilitate the timely flow of public information to appropriate media through an effective internal process that maximizes message consistency, factual accuracy and proper positioning.
- Educate the community about how government works and encourage citizen participation in the policy-making process.

POLICY:

I. **General Public Communications:**

A. Letters and opinion surveys designed for mass distribution shall be reviewed by and coordinated with the City Manager's Office for content and format analysis and for placement strategies.

B. All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

II. **Federal Regulations for Newsletters and Mass Mailings:**

A. FPPC Compliance: All newsletters and mass-distributed documents prepared at "taxpayers' expense" that are to be mailed or delivered to 200 or more residences or businesses in a single calendar month must comply with guidelines established by the Fair Political Practices Commission with respect to how elected officials are identified in these materials. (A complete copy of these regulations is printed in the California Code of Regulations, Title 2. Administration, S18901, et seq., and on file in the City Attorney's Office.) Following are the major guidelines and restrictions:

1. A newsletter may include an article which references the name of a City Council member only if the Council has no control or review authority over the content of that newsletter. (This "independence" test is not violated if the Council merely approves a budget item to fund the newsletter, hires the staff to produce it, and dictates the frequency that the newsletter will be distributed.) If City staff determines that the independence test has been met, then they may include references regarding the activities of Council members as long as their names are not "featured."

Approved by: City Manager
September 1, 1991
*Revised 7/18/01; **12/21/07***

a. "Featured" is defined as "...singles out the elected officer by the manner of display of his/her name or office in the layout of the document, such as by headlines, captions, type size, typeface, or type color." Therefore, except for the roster listing of all of the Council members or use of letterhead, the name of an elected officer may not be set apart from the text, such as indicating that the author of the article was an elected official by putting their name in the caption to the article.

b. The name or office of a Council member may not be in the headlines of the article, because the type size and typeface of that heading is different from the type size and typeface of the text of the article.

c. The definition of "featured" also provides that the item distributed may not include the Council member's photograph or his/her signature.

2. The City or a Council member may send out informational notices on City stationery which meet the 200-per-month threshold as long as such notices do not reference the name of that elected official in the heading, text or by use of his/her signature. It may, however, be permissible to include the name of that elected official in the text of that notice printed on the City stationery as long as it was not prepared or sent in cooperation, consultation, coordination or in concert with that elected officer and it does not "feature" his/her name.

3. FPPC regulations allow Council members to send a letter which "features" their name by the manner of its display or by use of their photo or signature if it is a press release or editorial sent to members of the media. Therefore, there is no limitation on the content or format of any document sent only to members of the media. In addition, the number of copies of a mailing which is sent to the media is excluded from the 200-per-month threshold level.

4. The FPPC has opined that the intent of the guidelines governing printed material also applies to video productions prepared at taxpayer expense; a Council member may not be featured in such video production in any way that may be construed as promotion of the Council member. The role of an elected official in a tax-supported video production must be limited to educating and informing the public, to retain FPPC compliance.

III. **Media Response Philosophy**:

A. Timely and Accurate Responses: The City encourages accurate press coverage of programs, events and decisions which could be of interest and impact a significant segment of the community. In this regard, the City and the media have a mutual responsibility to provide accurate, objective information of City affairs to City residents. Inquiries from the news media are to be given a high priority and be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate and messages properly developed.

IV. **Press Releases**:

Press releases are any official written or verbal announcements initiated by City Hall to the media regarding official City business.

A. Responsibility. All media releases relative to major citywide policies and actions shall be prepared and distributed by the City Manager's Office. Other departments that may prepare their own releases include:

1. Parks & Community Services Department, promoting special recreational and cultural activities.

2. Police and Fire departments, providing fast-breaking news updates regarding major police and fire activity.

B. Assistance. Upon request, the City Manager's Office will provide assistance with media releases prepared by those above. Other departments requiring press releases or technical assistance in preparing press releases should provide the CMO with written information pertaining to the topic as well as any special distribution list.

C. Release Preparation & Format. Press releases shall be prepared according to the City's established format. Releases are kept on file in the City Manager's Office. A copy of all media releases distributed by any unit outside of the City Manager's Office should be forwarded to the City Manager's Office, which in turn will maintain a master file of press releases.

V. **Release of Information Pertaining to Significant Issues & Events**:

A. Definition of Issues. It is the responsibility of department directors to notify the City Manager of significant events or issues which occur within their departments which may be of major interest to the general public or media. Such issues include, but are not limited to:

1. An event/issue in an operating department or program that is controversial.

2. Injury or death of a City employee while on or off official duty.

3. Major malfunctions of a City facility which could impact the general welfare of the public or environment.

4. An unexpected work stoppage or inability to provide a critical City service.

5. The arrest or conviction of a City employee which may impact that individual's ability in successfully carrying out his/her professional responsibility.

6. Major police or fire activities. *(Note: This is handled through the City's Emergency Notification Policy.)*

B. Reporting Procedure. Once receiving the information, the City Manager will determine if it is necessary to contact the City Council, other department directors and the City's Public Information Officer. If public release of information is deemed appropriate, the City Manager, in consultation with the department director and the Public Information Officer, will determine the most appropriate mechanism in notifying the press.

C. Back-up Procedure. If the City Manager is unavailable, the department director should contact the Assistant City Manager, then the Public Information Officer directly for dissemination of information. On those occasions when neither of these individuals or an acting City Manager is available, the department director should use his/her own judgment in releasing information to the press on fast-breaking news stories.

VI. **Who Responds to Media Inquiries**:

A. Spokesperson. The City Manager will respond directly or designate a media spokesperson to respond to an issue of major public significance to ensure that the information is disseminated quickly and accurately to all interested media sources. When such a designation is made, the City Manager will notify the appropriate department director(s) and the Public Information Officer to forward all inquiries regarding the particular issue to the appointed spokesperson.

B. Media Contacts to Staff. Non-management employees shall refer media inquiries to their department heads. A department director may delegate an employee to respond to an inquiry because of her/his involvement with an event or issue. In such cases, the staff member should work with the department director and Public Information Officer before the interview to develop appropriate responses to anticipated questions.

C. City Council. Whenever possible, Council members are encouraged to notify the City Manager or Public Information Officer when they are approached by the media. Especially when having to respond to controversial issues, Council members are encouraged to review the issue with the City Manager and Public Information Officer to formulate their response.

D. Public Safety. The Disaster Director (City Manager or Assistant City Manager) will work with the Public Information Officer to develop media responses in the event of major emergencies and disasters. A more detailed description of emergency public information procedures are contained in the City's Standard Operating Procedures (SOP).

E. Police & Fire Issues. Whenever there is a fast-breaking story involving a major police/fire activity, the first media contact is the Police or Fire Chief or his/her designee, followed by the City Manager, public safety liaison and the Public Information Officer,.

Throughout the entire chain of responsibility, it is essential that each individual involved in providing information to the media is kept abreast and briefed on the status of the event as it occurs. The chain of command can be modified to expedite release of crucial information.

VII. **What to Do When Contacted by the Press**:

All media inquiries received by staff should be responded to as quickly as possible, keeping in mind the frequent deadlines that are often imposed upon the working media. Clerical staff should be instructed to give priority to media calls by alerting their respective department head of media inquiries.

A. Determine Nature & Focus of Story. It is important to determine the focus of the story as well as the specific information desired by the reporter. What may seem to be an "innocent" information request, oftentimes can turn out to be a front-page story, distorting the data supplied by the City. That's why it is always important to determine the reporter's focus and slant.

B. Notification Procedure. Any staff member (management or non-management) who responds to a media inquiry, provides an interview, appears on a radio or television program, etc., shall notify his/her immediate supervisor, the department director, the City Manager and the Public Information Officer either by phone or written memo.

Regarding controversial matters, the City Manager and/or Public Information Officer must be consulted before conducting the interview. This gives the spokesperson the opportunity to review anticipated questions and to formulate and properly position appropriate responses.

Departments which have on-going daily contact with the media are not required to follow the notification procedure for every media contact, only those which involve significant issues of concern.

VIII. **Media Etiquette**:

There are some very important "do's" and "don'ts" that should be observed in strengthening the relations between City Hall and the local media.

A. Responding to Council Actions. Staff should not publicly make judgmental comments regarding individual Council members, Council actions, City administration or official City policy when responding to media inquiries. Staff should also refrain from anticipating an action or position which has not been formally taken by the City Council or City. Any inquiry regarding "why" an individual Council member voted in a particular manner on a specific issue should be forwarded to the Council member in question.

B. Scope of Response. Staff members should not respond to media inquiries which are not directly related to carrying out the employee's professional responsibilities. If such a media inquiry is made, the staff members should assist the media in receiving the needed information by referring the source to the appropriate program manager or the Public Information Officer..

C. Inaccurate Information. The media should not be intentionally misled or provided inaccurate information by a staff member regarding any City policy or event. Such tactics can lead to "city bashing," media skepticism and unwanted investigations.

IX. **Public vs. Confidential Issues**:

Most City records and official City meetings are open to the public and media. The media are no more or less privileged than the general public in being provided access to City Council meetings and City records. While City operations need not be disrupted or extraordinary accommodations made to provide access to public records, it should be emphasized that adequate information provided to the media or the public is beneficial both to citizens and the City in carrying out its public information efforts.

A. Attendance at Meetings. The media and public are encouraged to attend and report on actions taken at Council meetings, study sessions, as well as regularly scheduled committee and commission meetings.

B. Closed Sessions. Public and media attendance is not allowed at closed Council sessions dealing with litigation, security, negotiations or personnel-related matters.

C. Public Records. The media and the general public shall be provided access to all records or proceedings which have been deemed to be of a public nature including:

1. Written and taped proceedings of City Council meetings, committee and commission meetings, special ad hoc committee meetings and public hearings.

2. Official City contracts and resolutions.

3. Public Safety summary, including the following information:

   a. crime reports
   b. booking information
   c. traffic collision reports
   d. fire reports (accidents causing death, injury, severe damage)
   e. fire inspection records for public assembly facilities

4. Salary grades of City employees, upon request.

5. FPPC/conflict of interest disclosure statements filed by the Council, commissioners and affected City staff.

6. Interoffice correspondence that is not in draft form and does not address a personnel or confidential legal matter.

D. Closed Records. City records that constitute an unwarranted invasion of individual privacy or involve confidential legal matters of City litigation are usually exempt from public disclosure. Such records include:

1. Personnel or medical records of City employees, including performance evaluations, background checks, disciplinary action, and such similar records.

2. Actual proceedings of closed Council sessions. (The media can be told whether the Council will be discussing a litigation or personnel issue.)

3. Preliminary labor negotiations leading up to labor contracts. Once executed, all employment contracts--both individual and union--become public records.

4. Certain police/fire records, including juvenile records, prior criminal records or information regarding the character or reputation of an accused individual in a criminal action; and certain fire investigation records.

5. Draft correspondence, including preliminary notes not yet finalized.

6. Records pertaining to pending City litigation in which the City is a party.

7. Confidential memos between the City Attorney and City officials/staff.

NOTE: In situations where there is a discrepancy or uncertainty on the part of a City employee regarding release of an official record to the media, the City Attorney should be contacted to make the final determination. Specific categories of records may be exempted by the Public Records Act.

E. Litigation Issues. Staff members shall not respond to media inquiries regarding an issue involving City litigation or render personal or legal opinions on City policies or activities. If an employee is in doubt, the City Attorney should be contacted for clarification before responding to a media inquiry.

X. **Correcting Misinformation**:

The City has an obligation to clarify or correct any information released by the media which contains inaccuracies or quotes taken out of context relating to a City issue.

A. Factual Discrepancies. The Public Information Officer shall contact the media when a story has been published or aired containing factual error which significantly impacts the public's perception of the issue being addressed. Managers are encouraged to notify the Public Information Officer immediately when they believe incorrect information is being communicated by the press regarding a City issue or program.

B. Editorial Discrepancies. Managers should contact the Public Information Officer when there is evidence that a specific editorial comment or news story has been published or aired which does not appropriately represent a balanced perspective of the issue being discussed. The City Manager, in consultation with the Public Information Officer, will determine when an official City rebuttal or response is appropriate.

C. Letters to the Editor. Department directors who believe an official City rebuttal is warranted regarding a news story should discuss the issue with the City Manager's Office. They will determine if a response is appropriate, as well as who should prepare and sign the letter. The City Manager must authorize and review all letters sent to editors on official City letterhead and/or by an employee who is acting in an official capacity commenting on City issues or programs.

D. Responding as Private Citizens. City employees who choose to contact, initiate or respond to City-related news stories as private citizens shall not prepare such responses on City time, by City phones, on City stationery, or mail at City expense. Responses or letters shall not state or imply that the response is on behalf of the City. Use of City facilities or supplies is prohibited. These guidelines also apply to employees responding to or initiating press contacts as official representatives of City-sanctioned employee groups.

XI. **Public Meeting Notification**:

Public notices are any printed official announcement which notifies the community of a scheduled public meeting or hearing. The announcement can take the form of a flyer, legal notice or form letter for mass distribution. A copy of all printed notices should be submitted to the City Manager's Office.

A. Public Meetings. Departments will be responsible for developing and disseminating notices announcing public meetings and hearings. Most affected are the City Clerk's Office, the Community Development Department, the Economic Development Department, the Redevelopment Agency, and the Public Works Department. The City Manager's Office will lend editorial graphics assistance in developing the notices.

B. Agenda Notification. City Council agendas shall be made available to the public prior to Council meetings at the City Clerk's Office, at public facilities designated by the Clerk and the City's Web site. Copies shall be made available to the news media at the City Clerk's Office.

XII. **Advertising**:

A. Display Advertising. The City Manager's Office coordinates development and placement of media advertising to promote City programs, services, events and issues. All requests for advertising must be

submitted to the City Manager's Office, which will coordinate copy development, graphic design and media placement with the requesting department. This policy does not apply to employment and legal advertising, which will be coordinated by the appropriate departments (i.e., Human Resources and City Clerk, respectively).

B. Public Service Announcement. The City Manager's Office is the central coordinator for developing and placing public service announcements with the broadcast media (radio, TV and cable). PSA spots are announced free by the media as a community service. Two-to-three-week lead times are desired by most stations. All requests for PSAs must be submitted to the City Manager's Office, which will coordinate copy development and placement with the requesting department.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

RECOMMENDED ACTION

Staff recommends that the City Council review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

BACKGROUND

The City of Moreno Valley is intent on moving quickly to improve the economic condition, development services, and quality of life within the community through a variety of methods.

Several actions have taken place to set this effort in motion:

1. March 22, 2011 - the City Council reviewed and provided input for an Economic Development Plan- Areas of Opportunity brought forth by the Community & Economic Development Department.

2. April 26, 2011 - the City Council adopted a 2-year Economic Development Action Plan targeting five key areas within the twelve Areas of Opportunity that have the potential for yielding the best and quickest near-term economic development benefits. These areas include TownGate, Centerpointe Business Park, South Moreno Valley Industrial Area, East Moreno Valley-Rancho Belago, and City Center. Included in the adoption of the 2-year Action Plan was the strategic decision of the re-sequencing of several Capital Improvement Program projects aimed at bolstering the economic development within the five focus areas.

Collectively, the objectives for the Economic Development Action Plan are 1) creating jobs and addressing the high unemployment rate; 2) addressing the jobs to housing imbalance; 3) strengthening and broadening the local economic base; and 4) enhancing City revenue generation.

3. June 14, 2011 - the City Council adopted the Prioritized Goals and Action Plan that was developed through the City Council Goal Setting workshop held on May 18, 2011. The adopted goals include: 1) Job Development; 2) Focus on further development of the Medical corridor and Health Services/ Educational Opportunities; 3) Maximize Transportation and Infrastructure Opportunities; 4) Economic and Tax Base Development; and 5) Enhance the City's Image.

4. July 12, 2011 - the City Council approved the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

DISCUSSION

To keep City Council and the general public properly informed, the attached documents provide an update of progress towards achievement of the objectives in the initiatives set forth among the five key Areas of Opportunity in the Economic Development Action Plan, along with implementation of the action steps aimed at making Moreno Valley a Best Place to do Business. Significant planning and substantial progress as been achieved in all five geographic areas contained in the Economic Development Action plan including:

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- East Moreno Valley- Rancho Belago
- City Center

To be as effective as possible, City staff from Economic Development has worked both internally with other departments as well as externally with the private sector and other public agencies to fully capitalize on near-term opportunities. As just one example of interdepartmental synergy, and in tandem with this Economic Development Action Plan Update, the City Manager's Office has developed and is proposing a Media and Communications Strategy containing elements that will serve to support and/ or expand the aspects of the approved action items listed in the Action Steps for Making Moreno Valley a Best Place to do Business. Staff, along with support from the Economic Development Subcommittee also continues to work hard at enhancing the development services process in Moreno Valley. A developer's workshop was held this past Spring and another will occur on October 6. The workshops are aimed at gathering feedback from developers (residential, office, industrial, and office) about ways to improve service delivery.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and polices to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Moreno Valley has a strategic location in the Inland Region and is clearly in the path of growth. City staff have taken several significant steps to enhance its economic base by pursuing ways for new commercial retail, office and industrial development. The five specified areas of opportunity focused within the proposed Economic Development Action Plan were selected because of location and potential for realizing success in the near-term development marketplace. Additionally, the Action Steps identified in the strategy to make Moreno Valley a Best Place to do Business are being implemented to further enhance the business and development environment in Moreno Valley. In a short period of time, Moreno Valley has made positive strides towards achieving the goals set forth in the approved and adopted plans. We will continue to pursue ways to make Moreno Valley a great place to live, visit, work in, and do business.

ATTACHMENTS/EXHIBITS

Attachment A- Economic Development Action Plan Update
Attachment B- Best Place to do Business Progress Update
Attachment C- PowerPoint – Economic Development Action Plan Update

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurs With:
Henry Garcia
City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Attachment A

Economic Development Action Plan Update

The focus of the Economic Development Plan- Areas of Opportunity was to create a well-rounded community with a strong economic foundation. The Areas of Opportunity contain twelve distinct areas. To capitalize on near-term opportunities, the City Council adopted the Economic Development Action Plan which focuses on several key initiatives within five of the Areas of Opportunity to be pursued within a short- term, or 2 year timeframe.

The following reiterates the plan focus and current progress achieved by Areas of Opportunity.

TownGate

Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area, including pursuing new users for vacant big-box retail space in TownGate Center and the Moreno Valley Mall.

Significant progress has been made in TownGate. The collaborative work between City staff and Developers to attract quality retailers and restaurants has been successful.

- The following three restaurant openings have occurred: Five Guys Burgers & Fries, Panera Bread, and Village Café. Additionally, the Miru Teriyaki and Sushi restaurant opened as a relocation and repositioning of the San Sai restaurant. Anna's Linens completed their relocation to TownGate Crossings and is now open with an updated retail concept. Work is underway for other activity including a new TJ Maxx and HomeGoods combo store for TownGate Center to be located in the 51,000 square foot building that was previously occupied by Ralph's grocery store. Promising negotiations continue with several other retailers to occupy the other two vacant anchorspaces.

- To assist the effort to attract users for vacant retail space and create new energy in TownGate Center & Plaza, the Fritz Duda Company will be constructing a new 80 foot freeway sign to replace the existing 35 foot high freeway sign. This will enhance visibility and provide additional space to promote more tenants.

- In TownGate Promenade, the restaurant building that was 65% constructed to originally be Carino's Italian Grill is now poised for construction completion. The project lender, Farmers & Merchants Bank, is working with a proven restaurant group to locate and open a new restaurant concept here.

- At the Moreno Valley Mall, the new owner - CW Capital is working on plans to upgrade, expand and reposition the 1.25 million square foot regional mall property. Architect firm Altoon + Porter has been retained and has already created conceptual plans for new restaurant and retail store opportunities. While the planning is preliminary, it demonstrates the commitment by CW Capital to the overall improvements of the Moreno Valley Mall and resolve to make it a thriving commercial center. CW Capital has already invested more than $250,000 in signage and interior improvements. Negotiations are underway with several desirable users.

Centerpointe Business Park

Advance the development on several projects in the Centerpointe Business Park area.

- Harbor Freight Tools is nearing completion of improvements for a new 779,016 square foot Distribution Center that is scheduled to open in November 2011 and will employ 350 workers. Additionally, staff has worked with Harbor Freight Tools to open a new Harbor Freight Tools retail store this November in Moreno Valley Plaza.

- Overton Moore Properties recently re-started the plan check process (building and grading) for a new 519,760 square foot industrial building to be situated on 25.9 acres at the northwest corner of Cactus Avenue and Frederick.

- Ridge Property Trust is moving forward in the planning process for a 353,869 square foot distribution building on 16.55 acres at the northwest corner of Cactus Avenue and Joy Street.

South Moreno Valley Industrial Specific Plan Area

Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area.

- Construction is underway for the First Inland Logistics Center, a 691,960 square foot industrial building located on 40 acres in the area between Nandina Avenue and San Michele Road just west of Perris Boulevard. Building permits were issued in late July and the concrete slabs were poured in August. Walls are going up now. Developer – First Industrial Realty Trust has negotiations ongoing with several prospective tenants.

- IDS Real Estate group is moving quickly on the development of the Nandina Distribution Center located at the northwest corner of Nandina

Avenue and Indian Street. The project includes a total of 1.18 million square feet, with Building B- 769,320 square fee under construction, and Building A- 413,598 square feet, is currently in plan check for construction drawings and grading plans.

- Being open 1 year, iHerb is already expanding to occupy the entire 360,440 square foot building located on the west side of Indian Street, north of the Perris Valley Storm Drain. This expansion includes increasing the number of employees by 75.

- Harman Kardon has leased the remaining 125,000 square feet available in their 400,000 square foot building and is now expanding its Distribution Center in Moreno Valley.

- Four industrial-distribution buildings with a total of 3.6 million square feet are in plan check and moving towards beginning construction this year.

Eastern Moreno Valley-Rancho Belago Area

Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in eastern Moreno Valley, in conjunction with the expiration of the Moreno Highlands Specific Plan and supporting Development Agreement.

- Development Services Staff continues to work with Highland Fairview and Skechers USA to open the new 1.82 million square foot Distribution Center at the Highland Fairview Corporate Park. A Temporary Certificate of Occupancy currently is in place and the facility is expected to be fully operational by October 2011.

- Ridge Property Trust has gained approval of West Ridge Commerce Center- a 937,000 square foot warehouse/ industrial building on 55 acres on the south side of SR 60, west of Redlands Boulevard.

- Prologis has re-started the planning and EIR processing of its five-building 2,268,000 square feet industrial business park proposed for the south side of the SR 60 just east of the Moreno Valley Auto Mall.

- Staff is working closely with Highland Fairview on formulating an effective methodology for the further development of the Highland Fairview Corporate Park, including the processing of a new master plan to replace the Moreno Highlands Specific Plan, which expires in September 2012. Highland Fairview has assembled a team of respected consultants that has already met with City staff to kick-off the plan development for this new project.

City Center

Re-sequence and fast-track three Capital Improvement Projects in the City Center area—1) SR60 south ramps and extension of Eucalyptus to connect with Moreno Beach, 2) installation of ultimate improvements on Cactus Avenue, between Lasselle and Nason and 3) the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue, along with pursuing the idea of repositioning part of the Aqua Bella area to expand the City's established medical office overlay zone.

- Construction is on schedule for new ramps at SR 60/ Nason Street. The bid process will occur in spring 2012 for the new SR 60/ Nason Street bridge.

- The improvement project for installation of the new SR 60/ Moreno Beach southerly ramps, along with the extension of Eucalyptus Avenue to connect with Moreno Beach Drive has secured environmental clearance from CalTrans and is in the process of acquiring right of way and utility rights. Concurrently, project design is underway. The project is scheduled to advertise for construction bids in August 2012.

- The installation of the ultimate improvements on Cactus Avenue between Lasselle Street and Nason Street and the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue will be built as one project. Plans, specifications and estimates are underway and anticipated to be complete this fall enabling the opening of construction bids. Completion of construction is anticipated for December 2012.

- The City's medical overlay zone is being pursued by forming a partnership with Highland Fairview on the development of a new major medical, health and wellness campus on approximately 200 acres of the Aqua Bella property. The project, along with expansion plans for Kaiser Permanente's Community Hospital, Riverside County Regional Medical Center and Moreno Valley College's Allied Health Services Program will help transform and position Moreno Valley into a leading health and wellness community.

- Kaiser Permanente is advancing expansion plans for Moreno Valley. The Planning Commission approved a 74,000 square foot new medical building to be constructed on the west side of Moreno Valley Community Hospital- Kaiser Foundation on Iris Avenue. Construction drawings and grading plans are in plan check and Kaiser expects to start development of the project in October.

- The newly erected digital Moreno Valley Auto Mall freeway sign along SR 60 is up and looks great. The Moreno Valley Auto Mall is now expanding

as Moss Bros. Auto Group brings Volkswagen of America Inc. to the Auto Mall in October 2011.

- While struggling with challenges from the short-term construction activity at SR 60/ Nason, the ownership of Stoneridge Towne Centre- Weingarten Realty and Trilogy Investment Group are excited about the completion of the many improvements at SR 60 at Nason and Moreno Beach, along with roadway enhancements on Nason and Cactus that will facilitate easier access to the shopping center.

- Merlone Geier has secured interest from several prospective tenants for the vacant retail space at Moreno Beach Plaza II (SW corner of SR 60 and Moreno Beach Drive). With the coming improvements including the new SR 60/ Moreno Beach ramps and connection of Eucalyptus to Moreno Beach, the finalization of leases are underway.

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Attachment B

Best Place to do Business Progress Update

As part of the effort to improve the City's economic development effectiveness, a study of more than thirty communities was conducted to identify key attributes of successful cities. The items listed in the Best Place to do Business Action Steps approved by City Council in July 2011 were derived as a result of the study. After roughly 60 days post-approval of the Best Place to do Business Action Steps, City staff has made the following progress as outlined by Action Step.

Development Services

1. Implement the use of "E-Permitting" to accelerate the process of doing business in Moreno Valley.

Community & Economic Development Department staff and the Technology Services Division of the Financial and Administrative Services Department staff have begun discussions about identifying a scope of work, funding sources and timeframes. Technology Services is currently underway with the conversion of City electronic processes to the New World System and will be largely dedicated to the implementation of that project for the next 18 months. Staff will continue discussions and working towards completion of preliminary analysis to define the specific needs to be met by an "E-permitting" system for Development Services.

2. Host workshops with contractors and developers aimed at improving development processes in Moreno Valley.

The first 2011 Developer Workshop was held March 7. As a follow up and consistent with the effort to enhancing communication with contractors and developers and improving development processes, the second workshop is scheduled for October 6. A regularly quarterly schedule for 2012 will be established via the Economic Development Subcommittee.

3. Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business. A number of small businesses have utilized the project review process to help advance development an/ or expansion plans.

4. Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

This action is addressed in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Business Attraction

1. Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

Further ground work must be accomplished to solidify this area of the action steps to identify and create meaningful groups to provide a comprehensive plan that will address the goals described above.

However, the National Association of Industrial and Office Properties (NAIOP) Inland Empire Chapter offers a Bus Tour of key development projects in and around the Inland Empire. Members of this real estate organization range from developers, brokers and site selectors to financiers and corporate real estate leaders. Community and Economic Development Staff is working to ensure that Moreno Valley projects are highlighted on the November 3, 2011 tour. This will be an opportunity to communicate with the attending members about the opportunities for developers and tenant brokers.

Additionally, Community & Economic Development staff exhibited and attended the September 8-9, 2011 International Council of Shopping Centers (ICSC) Western Division Conference to market the City of Moreno Valley as an opportunity for tenants and developers. The Community & Economic Development Director held twenty-four meetings in two days promoting the City and solidifying deals.

2. Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Staff is gathering information from programs from other cities.

Business Retention and Expansion

1. Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

An expanded program to include direct participation by Moreno Valley businesses is under development and will be included as a report to City Council in the coming months.

2. Pursue ways to increase local vendor preference, including expanding existing procurement policy.

Staff is gathering information and is working toward the development of a vendor's fair.

3. Implement a quarterly meeting with local businesses and vendors to discuss business opportunities with the City.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

Business & City Connecting is the new program targeting businesses by Council District to engage businesses on a micro level. A meeting has been scheduled for each Council District. The first meeting took place September 14 in Council District 2 and will be followed by Council District 4 on November 9; Council District 3 on February 8, 2012; Council District 5 on April 11; and Council District 1 on June 13.

4. Enhance the Business Resource Guide.

The Business Resource Guide was updated and published in Spring 2011. The Guide is available online only to reduce costs for printing. Hyperlinks are used within the document online to make it easy for the user to find the desired resource. In addition to traditional promotion of the Guide (link on website main page; MVTV-3 Bulletin; and word of mouth via chamber partners) staff produced a small postcard sized promotional card as a take-away for the public. Cards are placed at public counters at City Hall and the Conference and Recreation Center and are distributed at Chamber of Commerce meetings and events.

Marketing and Communication

1. Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

2. Develop re-tooled marketing plan

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business. Because branding is ultimately an experiential affect on consumers or publics, the specific branding of the City will take place over time. Specific elements of the overall plan will be addressed as funding and staffing opportunities becomes available.

3. Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. The conversion of the printed version of City Link from a printed distribution to a monthly electronic newsletter is complete. However, plans for an economic development focused e-newsletter targeting real estate professionals and the business community are underway by Community and Economic Development staff. Timing for distribution will be carefully coordinated so as not to burden subscribed recipients.

4. Increase use of social media.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. As communications programs increase, the integration of simultaneous communications tools will become more commonplace.

5. Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business.

6. Explore use of Smartphone apps for improved communication and connectivity.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business

7. Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Community Vitality

1. Explore additional community events- things to do.
2. Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

July 26, 2011 City Council formed the July 4th Advisory Committee to make recommendations for improving the July 4th festivities as well as develop partnerships in the community to assist in its funding.

3. Enhance neighborhood groups by implementing community update meetings.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

On August 11 the first "Council Connection" Town Hall meeting was held. Future "Council Connection" meetings are scheduled through November by the City Manager's Office. Also, the Business & City Connecting program was launched September 14. The next meeting is scheduled for November.

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MV00132642

ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

September 2011

MORENO VALLEY
WHERE DREAMS SOAR

MV00132643

Accomplishments to Advance Economic Development

- Identification of Economic Development Areas of Opportunity
- Approval of Economic Development Action Plan
- Adoption and State Certification of Updated Housing Element recognizing need to address jobs to housing imbalance
- Approval of Action Steps to make Moreno Valley a "Best Place to do Business"

MV00132644

Accomplishments to Advance Economic Development

- City Council adopted the Prioritized Goals and Action Plan from City Council Goal Setting workshop
- Combining Planning, Building & Safety, and Land Development with Economic Development to create the Community & Economic Development Department
- Pursuing efforts to ensure the continuation of the City's Redevelopment Agency
- Collaborating with major Developers on advancing projects

MV00132645

Objectives for Economic Development

- Create jobs locally and address City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen and broaden the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

MV00132646

Economic Development Action Plan

Focusing on key initiatives to be provided in 2 years

TownGate

Centerpointe Business Park

South Moreno Valley Industrial Area

Eastern Moreno Valley – Rancho Belago

City Center

MV00132647

Action Plan
Areas of Opportunity

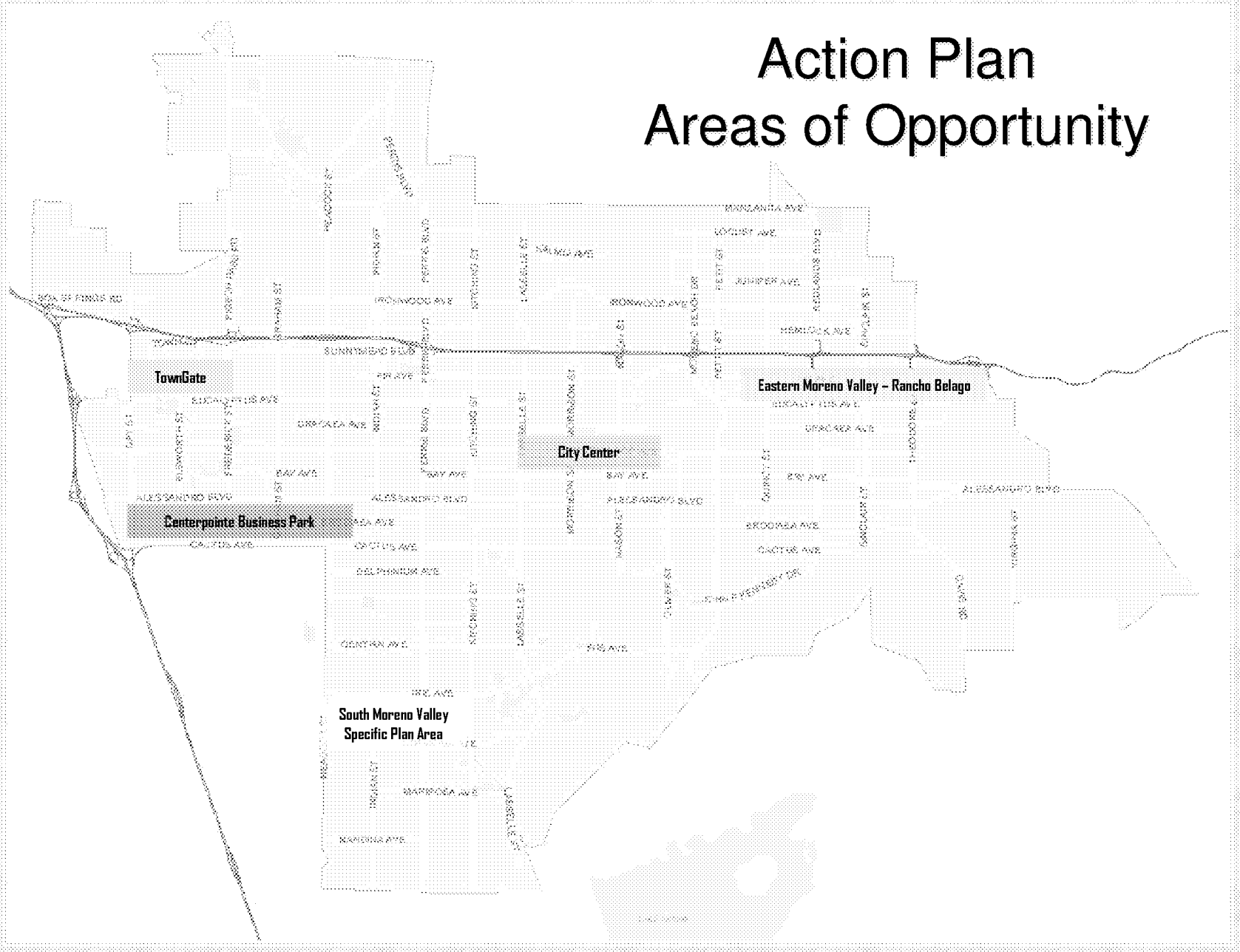

Key Initiatives of Action Plan

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area
- Advance the development of several projects in the Centerpointe Business Park
- Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in Eastern Moreno Valley- Rancho Belago area
- Re-sequence and fast-track three Capital Improvement Projects in the City Center Area

MV00132649

TownGate

- Recent openings for Five Guys Burgers & Fries, Panera Bread, Village Café and Anna's Linens
- TJ Maxx and HomeGoods combo store coming to TownGate Center
- Negotiations underway with three other users for TownGate Center

- Possible new restaurant group coming to former Carino's Italian Grill building in TownGate Promenade
- Approved new 80 foot sign for TownGate Center & Plaza along SR 60 to improve tenant promotion
- CW Capital, new owner of Moreno Valley Mall, retained Architect firm Altoon + Porter and has created exciting conceptual plans for expansion and repositioning
- Negotiations underway with several users for Moreno Valley Mall

MV00132650

Centerpointe Business Park

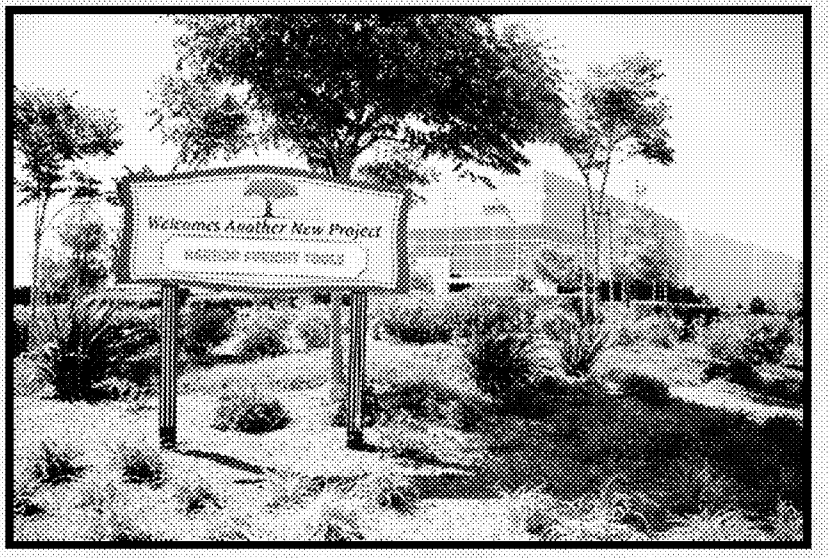

- Harbor Freight Tools
  - Will open new 779,016 s.f. Distribution Center in November 2011 at NWC of Cactus Avenue and Graham Street
  - 350 new jobs
- Overton Moore Properties
  - Re-started the grading plan check process for a new 519,760 s.f. industrial building at the NWC of Cactus Avenue and Frederick Street
- Ridge Property Trust
  - In Planning for a 353,869 s.f. industrial building at the NWC of Cactus Avenue and Joy Street

MV00132651

South Moreno Valley Industrial Area

- First Inland Logistics Center
  - First Industrial Realty Trust Inc.
  - 691,960 s.f.; Construction underway
- Nandina Distribution Center
  - IDS Real Estate Group
  - 1.18 million s.f. total
  - 769,320 square fee is under construction
  - 413,598 square feet is in plan check for construction drawings and grading plans.
- iHerb expansion
  - Will occupy entire 360,440 s.f.
  - Increase employees by as much as 75
- More Development Coming
  - Four Buildings with a total of 3.6 million s.f. in plan check

MV00132652

Eastern Moreno Valley-
Rancho Belago

- Skechers USA 90% occupied with full operations by October 2011

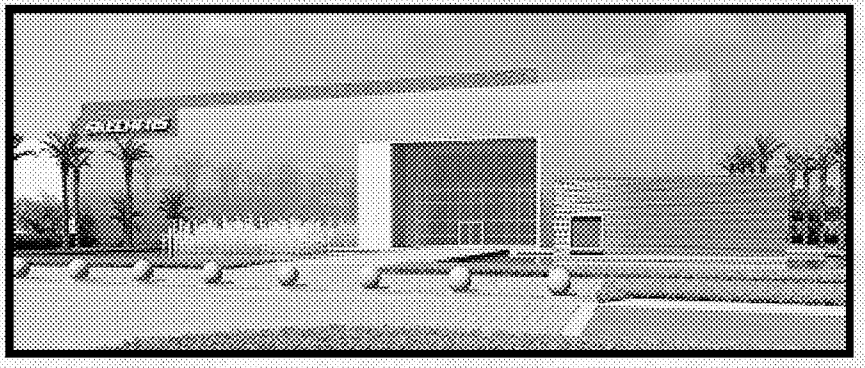

- Working with Highland Fairview on master plan to expand Highland Fairview Corporate Park

- Westridge Commerce Center approved 937,000 s.f. Distribution/logistics building on 55 acres

- Prologis is underway with planning and EIR processing of 2,268,000 s.f. industrial business park

MV00132653

City Center: Re-sequencing of CIP Projects

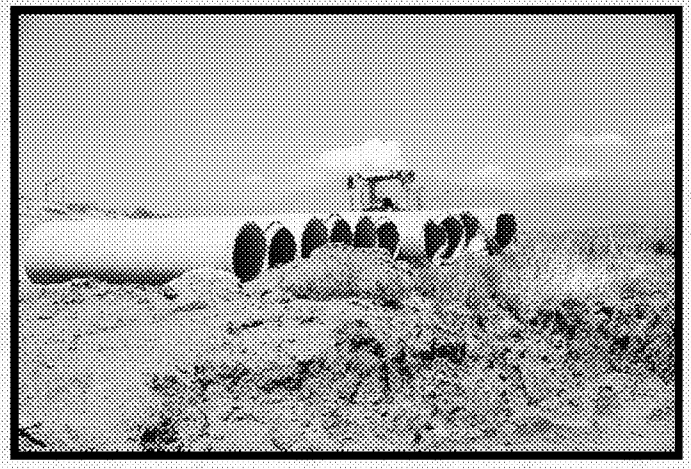

- Construction underway for SR 60/ Nason Improvements
- Installation of new SR 60 southerly ramps at Moreno Beach plus extension of Eucalyptus connecting with Moreno Beach
  - Has environmental clearance
  - In the process of acquiring right of way and utility rights and design is underway
  - Construction bid opening planned for Summer 2012
- Improvements on Cactus Ave. between Lasselle St. and Nason St.
- Extension of Nason St. southerly to connect Cactus Ave. with Iris Ave. will be built as one project
  - Plans, specifications and estimates are underway and anticipated to be complete this fall, ready to open the bid process
  - Construction completion anticipated for late 2012

MV00132654

City Center

- Advance the development of the City's medical overlay zone
  - Announcement of strategic partnership with Highland Fairview on the development of a new major medical, health and wellness campus on 200 acres of the Aqua Bella property
  - New CIP projects will help assist development of medical overlay area

- Kaiser Permanente's expansion plans
  - 74,000 s.f. new medical building
  - Construction drawings and grading plans were submitted in August 2011

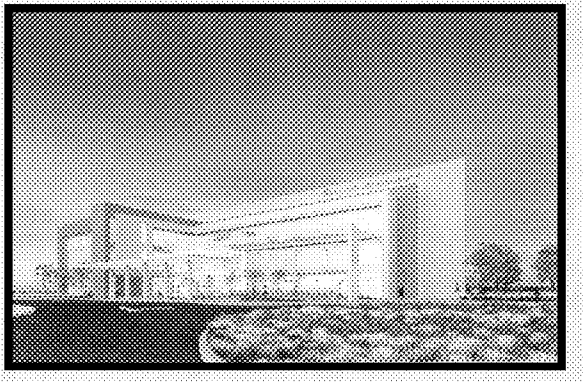

MV00132655

City Center

- Moreno Valley Auto Mall
  - Now expanding to welcome Volkswagen of America Inc.
  - New freeway sign installed

- Interest in re-occupancy of the three closed anchor spaces in Moreno Beach Plaza II
  - Any reuse of these spaces will be contingent on first connecting Eucalyptus to Moreno Beach

MV00132656

“Best Place to do Business” Action Steps

Development Services

Business Attraction

Business Retention and Expansion

Marketing and Communication

Community Vitality

MV00132657

Action Step Progress

- "E-permitting" to accelerate development service processes
  - Scope development
  - Funding identification
  - Timeframe
- Quarterly workshops with contractors and developers to improve development processes and communication
  - Second meeting set for October 6, 2011

MV00132658

Action Step Progress

- Creating synergy with industry groups
  - September 8-9, 2011ICSC Western Division Conference
  - November 3, 2011 NAIOP IE Bus Tour Event
- Shop MoVal campaign
  - Expanded program to include direct participation by local businesses
- Business Resource Guide
  - Online only guide
  - Improved marketing to include postcards at public counters and at business events

MV001132659

Action Step Progress

- Economic Development quarterly e-newsletter
  - Scope, content and graphic design underway
- Explore additional community events
  - July 4th Advisory Committee

MV00132660

Action Step Progress

- Proposed Media and Communications Strategy
  - Further develops several Action Steps
    - Consistent Communication
    - Website Audit
    - Re-tooled Marketing Plan
    - E-newsletter
    - Increase use of Social Media
    - Create Community Calendar
    - Explore use of Smartphone Applications
    - Feedback solicitation via survey
    - Enhance neighborhood groups with community updates
      - Council Connection
    - Quarterly meeting with local businesses and vendors
      - Business & City Connecting

MV00132661

Economic Development Strategy
Next Steps

Much More to Come….

MV001132662

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

RECOMMENDED ACTION

Staff recommends that the City Council introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

BACKGROUND

At the April 19, 2011 Study Session, the Mayor and City Council directed staff to move forward with proposing an ordinance regarding the spaying and neutering of dogs and cats.

California Health and Safety Code 122330 et seq. permits local government to enact ordinances taking appropriate action aimed at reducing and eliminating the uncontrolled and irresponsible breeding of dogs and cats. The irresponsible and uncontrolled breeding of dogs and cats leads to the overpopulation of these companion animals.

During FY 2010-11 the Moreno Valley Animal Shelter's animal population was represented by 60% of impounded dogs, 36% of impounded cats and 3% of other animal species (farm animals and wildlife). During FY 2010-11 the Moreno Valley Animal Shelter experienced an 8.9% increase in the number of animals impounded as compared to FY 2009-10. If this increase in animal impounds remains constant throughout FY 2011-12, the Moreno Valley Animal Shelter will expect to provide care for

approximately 12,000 animals. The Animal Services Division contracts with the City of Perris for animal sheltering. These numbers exclude animals impounded from the City of Perris.

DISCUSSION

The objectives of the proposed Mandatory Spay and Neuter ordinance:

- Reduce the number of homeless and unwanted companion animals by uncontrolled and irresponsible breeding.
- Reduce the number of companion animals being impounded at the Moreno Valley Animal Shelter.
- Reduce the euthanasia of unwanted companion animals.
- Reduce the tax burden of responsible pet owners.
- Require irresponsible pet owner to be held accountable.

The proposed ordinance will require pet owners to spay/neuter their dog or cat if the pet owner violated another local or state animal control regulation. Examples of a violation of a local or state animal control regulation would include an unlicensed dog, a leash law violation, nuisance animal noise or violation of other animal laws. The ordinance will not impact responsible pet owners who have licensed their pets, obey the leash laws and are in full compliance with existing regulations.

Municipal Code Section 10.02.100 currently requires a neuter deposit on all dogs and cats adopted from the Moreno Valley Animal Shelter if the animal is not already spayed or neutered. The majority of dogs and cats adopted from the Animal Shelter are spayed or neutered prior to the new owner taking possession of their new pet. Often dogs and cats too young to undergo a surgical sterilization procedure or pets exhibiting symptoms of illness where the clinic veterinarian deems the animal unfit for surgery are required to pay a spay-neuter deposit in the amount of $75.00. This fee is refunded to the new pet owner upon proof of sterilization. The proposed ordinance maintains the requirement of a spay-neuter deposit along with requiring dogs and cats in the City to be altered unless a specific exemption is applicable.

The proposed ordinance provides for specific exemptions to the mandatory spay and neuter with responsible pet owners. The proposed ordinance includes exemptions to pet owners with animal breeds recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by law enforcement or the military for law enforcement, military or rescue activities; a qualified service or assistance dog as defined in California Food & Agriculture Code Section 30850; and an animal medically qualified by a licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity. All of these exemptions are included in this Ordinance.

ALTERNATIVES

1) Adopt the proposed changes to Moreno Valley Municipal Code Section 10.02.100, and introduce Ordinance No. 833.
2) Direct staff to make changes to the proposed ordinance and return to a City Council meeting or Study Session on a later date with a revised ordinance.

3) Take no action. The existing ordinance will remain in effect.

FISCAL IMPACT

No significant fiscal impact is anticipated.

ATTACHMENTS/EXHIBITS

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00132666

ORDINANCE NO. 833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE ADDED:

1.1 Section 10.02.100 of the Moreno Valley Municipal Code is hereby amended to read as follows:

~~Section 10.02.100 Neuter deposits for dogs and cats.~~

"Section 10.02.100 Mandatory Spaying and Neutering – Dogs and Cats

~~A. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

A. Requirement.

1. No person may own, keep, or harbor an unaltered and unsprayed dog or cat in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

~~B. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

B. Exemptions.

This section shall not apply to any of the following:

1. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.

2. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.

3. Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry.

4. A dog used by law enforcement or the military for law enforcement, military or rescue activities.

5. A qualified service or assistance dog as defined in California Food & Agricultural Code Section 30850.

6. Any animal medically qualified by a California licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

~~C. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any shall be deemed unclaimed and nonrefundable.~~

C. Denial or revocation of unaltered dog license and reapplication.

The Animal Services Division may deny or revoke an unaltered an unaltered dog license for one or more of the following reasons:

1. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section.

2. The Animal Services Division has received at least three complaints, verified by the department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;

3. The owner, custodian, applicant, or licensee has been previously cited for violating a State law, local ordinance or other municipal provision relating to the care and control of animals;

4. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Moreno Valley Municipal Code or under state law;

5. Any unaltered dog license held by the applicant has been revoked;

6. The license application is discovered to contain a material misrepresentation or omission of fact.

D. Re-application for unaltered dog license.

1. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Animal Services Division shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.

2. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.

E. Appeal of denial or revocation of altered dog license – Request for Hearing.

1. Notice of intent to deny or revoke. The Animal Services Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

2. Hearing officer. The hearing shall be conducted by the Animal Services Division Manager's designee.

3. Notice and conduct of hearing. The Animal Services Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the department's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Animal Services Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

4. Change in location of dog. If the dog is moved after the Animal Services Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Animal Services Division with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

F. Transfer, sale, and breeding of unaltered dog or cat.

1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license must appear on a document transferring the animal to the new owner.

2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the department of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers, if any, must appear on a document transferring the animal to the new owner.

G. Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

1. An administrative citation, infraction, or other such authorize penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog or cat; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.

2. Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.

H. When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

1. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to animal services personnel;

2. Have the dog or cat spayed or neutered by a veterinarian under contract with the Animal Services Division at the expense of the owner

or custodian. Such expense may include additional fees due to extraordinary care required;

3. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay a spay/neuter deposit to the Animal Services Division. The veterinarian shall complete and return to the department within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

4. At the discretion of the Animal Services Division Manager, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or

5. If the owner or custodian demonstrates compliance with this section.

I. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.

1. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Animal Services Division in accordance with this chapter.

J. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section, subsection (f) shall be paid to the Animal Services Division for the purpose of defraying the cost of the implementation and enforcement of this program.

K. No person shall be permitted to adopt any dog or cat, which has not been neutered, unless and until a spay / neuter deposit shall have been paid to the city. The spay / neuter deposit shall be as established from time to time by resolution of the city council in accordance with California Food and Agriculture Code Section 30503.

L. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.

M. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any, shall be deemed unclaimed and nonrefundable.

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.5

MV00132675

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MV00132676

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011, and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on August 23, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011 and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on August 23, 2011, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with

and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

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B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00132688

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

September 27, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
September 27, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Verizon Donation to the Moreno Valley Black Chamber of Commerce Community Foundation Family Adult Literacy Program and Technology (FALPT)

2. American Public Works Association (APWA) 2010 Project of the Year Award – Kitching Street Improvements Project

3. Recognition of Moreno Valley Rockets Field and Track Team

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
SEPTEMBER 27, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor James Samples - New Life Christian Fellowship

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF SEPTEMBER 6, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 APPROVAL OF CHECK REGISTER FOR JULY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

Resolution No. 2011-97

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of July, 2011

A.5 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT - PROJECT NO. 10-12272227 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc.;

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50

base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

A.6 TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRAN LOU DRIVE BETWEEN PERRIS BOULEVARD AND KITCHING STREET - DEVELOPER: LCTH INVESTMENT LP, NEWPORT BEACH, CA 92660 (Report of: Community and Economic Development)

Recommendation:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor Bond associated with Tract 20185 for public improvements; and

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

A.7 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324;

Resolution No. 2011-98

A Resolution of the City Council of the City of Moreno Valley, California, ordering the Vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3:

Section 8325;

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way); and

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

A.8 SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction;

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB;

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

A.9 ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT (Report of: Public Works Department)

Recommendation:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.; and

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2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

A.10 FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND COUNTY OF RIVERSIDE (Report of: Police Department)

Recommendation:
Adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

A.11 ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

A.12 APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST. (Report of: Human Resources Department)

Recommendation:

Adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

Resolution No. 2011-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the California Government Voluntary Employee Beneficiary Association (Calgoveba) Trust

A.13 PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011; DEVELOPER: FIRST INDUSTRIAL, L.P. A DELAWARE LIMITED PARTNERSHIP, EL

SEGUNDO, CA. 90245 (Report of: Community and Economic Development Department)

Recommendation:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011; and

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM (Report of: Parks and Community Services Department)

Recommendation:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year; and

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

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Recommendation:
Approve as submitted.

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

Recommendation:
Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING (POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT) (Report of: City Clerk's Department)

Recommendation: That the City Council:
Conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

G.2 MEDIA AND COMMUNICATIONS STRATEGY (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the proposed Media and Communications Strategy.

G.3 ECONOMIC DEVELOPMENT ACTION PLAN UPDATE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

G.4 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

Ordinance No. 833

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 10.02.100 of the City of Moreno Valley Municipal Code Relating to the Mandatory Spay and Neuter of Dogs and Cats

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00132700

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 13, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the 10th Anniversary of 9-11
2. Constitution Week - September 17 - 23, 2011
3. Recognition of Moreno Valley Diamond Girls Softball Association
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 13, 2011

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:43 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Bishop Randy Triplett - Victory Temple of Deliverance Ministries

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

MV00132703

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Daryl Terrell (A9), Oscar Valdepena (A9), and received late was Chris Baca (A12).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of August 17 - September 6, 2011.

A.4 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (ALSO LISTED AS ITEM B.3) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35)

MV00132704

calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.5 REPLACEMENT OF PLAY STRUCTURES AND PLAYGROUND SURFACING AT RIDGECREST PARK, GATEWAY PARK, AND SUNNYMEAD PARK (Report: Parks and Community Services Department

Recommendation:

1. Award to Miracle Recreation Equipment Company, 878 E Hwy 60, Monett, MO 65708 for material and labor to replace play structures and playground surfacing at Ridgecrest Park, Gateway Park and Sunnymead Park; waive Faithful Performance and Material and Labor bonds; and

2. Authorize the Purchasing Manager to execute a purchase order in an amount not to exceed $242,994.95 as appropriated in FY11/12, in account code 461.65329.7500.

A.6 OFFER OF DEDICATION FOR RIGHT OF WAY FOR APN 475-272-054 - IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication for right of way for APN 475-272-054; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.7 MORRISON PARK FIRE STATION - OFFER OF DEDICATION - PROJECT NO. 11-43472527 LOCATED ON MORRISON STREET NORTH OF COTTONWOOD AVENUE (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Morrison Street north of Cottonwood Avenue; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR

MV00132705

THE LASSELLE/MARGARET TRAFFIC SIGNAL - PROJECT NO. 10-12566630 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Traffic Signal Improvements on Lasselle Street at Margaret Avenue Intersection to J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with J.F.L. Electric, Inc.;

3. Authorize the issuance of a Purchase Order to J.F.L. Electric, Inc. for a total amount of $211,660.00 ($176,382.63 base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with J.F.L. Electric, Inc., up to but not to exceed the Purchase Order's total contingency of $35,277.37, subject to the approval of the City Attorney.

A.9 ADOPT A RESOLUTION APPROVING A ONE-TIME BUSINESS LICENSE TAX AMNESTY PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve Resolution No. 2011-94 creating a one-time Business License Amnesty Program waiving the penalties and interest due on delinquent Business License Taxes and Fees; and

Resolution No. 2011-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a One-time Business License Tax Amnesty Program

2. Direct staff to continue to collect the Business License Tax and Fees for the three most recent delinquent years as provided in the existing ordinance.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE MORRISON PARK FIRE STATION (FIRE STATION 107) -- PROJECT NO. 11-43472527 (Report of: Public Works Department)

MV00132706

Recommendation:

1. Award the construction contract for $3,628,688 to Silver Creek Industries, 195 E. Morgan Street, Perris, CA 92571, the lowest responsible bidder, for construction of the Morrison Park Fire Station;

2. Authorize the City Manager to execute the Agreement with Silver Creek Industries;

3. Authorize the issuance of a Purchase Order to Silver Creek Industries for $4,354,426 ($3,628,688 bid plus 20% contingency) for construction of the Morrison Park Fire Station from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Silver Creek Industries up to, but not exceeding, the contingency amount of $725,738, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

MV00132707

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

A.12 CALIFORNIA OFFICE OF TRAFFIC SAFETY "SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES" GRANT (Report of: Police Department)

Recommendation:
Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Mini-Grant Program for Local Law Enforcement Agencies" in the amount of $72,340.27 for the period beginning November 1, 2011, and ending September 4, 2012.

A.13 APPROVE TEMPORARY LAND USE LICENSE AGREEMENT BETWEEN MORENO VALLEY COLLEGE AND THE CITY OF MORENO VALLEY FOR THE USE OF CITY PROPERTY FOR A CONSTRUCTION STAGING AREA LOCATED AT THE NORTHEAST CORNER OF LASSELLE STREET AND COLLEGE DRIVE (Report of: Community and Economic Development Department)

Recommendation:
1. Approve the Temporary Land Use License Agreement between Moreno Valley College and the City of Moreno Valley for the use of existing City-owned property at the northeast corner of Lasselle Street and College Drive;

2. Authorize the Mayor to execute the Agreement; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

MV00132708

Recommendation:
Approve as submitted.

B.3 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (AGENDA ITEM ALSO LISTED AS A.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.12) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

MV00132709

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Motion to Approve Joint Consent Calendar Items A.1 through D.2. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

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

MV00132710

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
After conducting the Public Hearing and accepting public testimony:

a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

b. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation a. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church NPDES "Yes", Passed

Buddhadhammo Temple NPDES "Yes", Passed

Motion to Approve Recommendations b, c, and d by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

MV00132711

Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

2. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

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

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charges to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation 1. by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church CSD Zone M "Yes", passed

Buddhadhammo Temple CSD Zone M "Yes", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

E.3 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in its capacity as the President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:
   Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tract 31129;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

MV00132712

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tract 31129.

Motion to Approve Recommendation 1 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:
Tract No. 31129 Zone D "24 Yes"; "19 No"; "1 Invalid", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Mayor Pro Tem Mayor Pro Tem Jesse L. Molina Report on Riverside Transit Agency (RTA)

Mayor Pro Tem Jesse L. Molina reported on RTA holiday events as follows:

November 5, Perris Veteran's Day Parade

November 11, Murrieta Veteran's Day Parade

November 17, Riverside County Safe House - Stuff the Bus

November 25, Riverside Festival of Lights - Switch On Ceremony and Spark the Love Stuff the Bus

December 2, Temecula Electric Light Parade

December 3, Hemet Holiday Parade

Mayor Pro Tem Jesse L. Molina encouraged Moreno Valley to get involved.

G.2 APPOINTMENT TO THE PLANNING COMMISSION (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint one (1) member for a term expiring March 31, 2013; or

2. If the appointment is not made, authorize the City Clerk to re-notice the position as vacant.

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

Motion to Appoint Jeff Giba by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.3 APPROVAL OF A RESOLUTION SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE COUNCIL CHAMBER (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Approve Resolution No. 2011-95 supporting the display of the national motto "In God We Trust" in the Council Chamber, and

Resolution No. 2011-95

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Display of the National Motto "In God We Trust" in the Council Chamber

2. Direct staff to display the motto "In God We Trust" in the Council Chamber.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Tom Jerele Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.4 ADOPT RESOLUTION 2011-96, AUTHORIZING THE STREET NAME CHANGE OF CACTUS AVENUE TO MARCH MEMORIAL DRIVE FROM THE CITY'S WESTERN CITY LIMIT TO HEACOCK STREET (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-96, thereby changing the street name of Cactus Avenue to March Memorial Drive from the City's western city

MV00132714

limit to Heacock Street;

Resolution 2011-96

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Cactus Avenue to March Memorial Drive from the City's Western City Limit to Heacock Street

2. Direct the City Clerk to certify Resolution No. 2011-96 and transmit a copy of the resolution to the Riverside County Assessor's office, 911 Management at the Riverside County Sheriff's Department, as well as the Police Chief, Fire Chief, City Building Official, and the United States Postmaster at Moreno Valley, California;

3. Establish trust fund account number 00359.359.2239.15 for all expenditures and deposits related to the renaming of Cactus Avenue; and

4. Accept a donation from Donald E. Ecker in the amount of $43,569.90 to cover the expenditures associated with renaming Cactus Avenue to March Memorial Drive from the City's western city limit to Heacock Street.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Motion to Approve the name change from Cactus Avenue and accept donation for 43,569.90 from March Life Care by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 4-1, Mayor Pro Tem Jesse L. Molina opposed.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE

MV00132715

ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Continue Items H.2.1 and H.2.2 to September 27, 2011 City Council Meeting by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

MV00132716

Pete Bleckert

1. Voting on West Ridge Commerce Center Project

Tom Jerele

1. Spoke on fire in Sundance Building, commending Fire Department Personnel

Deanna Reeder

1. Support for Redistricting

Marcia Amino

1. Transperancy in Government

Jose Chavez

1. Check Points

Daryl Terrell

1. Stimulating our Local Economy

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

Council Member William H. Batey II

1. Complimented Tom Jerele for his comments on Fire Department.

Council Member Marcelo Co

1. Thanked participants for coming to Redistricting meeting, although not many turned out, he encouraged more to attend on Thursday.

Council Member Robin N. Hastings

1. Regarding parking at college and losing 300 parking spots. Temporary fix with an agreement worked out to help with parking, which would eliminate students taking up parking in front of mail boxes or residents homes.

2. Support for softball fields and lighting at ball fields.

3. Attended 9/11 Ceremony at March at 9:11 a.m. stating it was phenomenal.

4. Request camera's for October Fest

5. Redistricting

MV00132717

Mayor Pro Tem Jesse L. Molina

1. Redistricting information provided in Spanish on behalf of Chris Baca and himself.

Mayor Richard A. Stewart

1. Redistricting information

2. Developer Lunch with Ridge

3. Police Department - several good burglary arrests and a couple of robberies.

4. Five Guys Burger - Good

CLOSED SESSION - Cancelled

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY:

City Attorney announced reportable action from September 6, 2011 Closed Session:

City Council voted 5-0 to authorize the City Attorney to commence receivership on two properties under Government Code 54957.1, the particulars will be reported out when action commences; and the parties have been served.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:51 p.m. by unanimous informal consent. by m/Mayor Richard A. Stewart, s/Council Member William H. Batey II Approved by a vote of 5-0.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

MV00132718

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

MV00132719

MINUTES
SPECIAL JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY

SPECIAL MEETING – 6:00 P.M.
SEPTEMBER 6, 2011

CALL TO ORDER - The Special Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION - Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
Marcelo Co	Council Member
William H. Batey II	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Rick Teichert	Financial & Administrative Services Director
Robert Hansen	City Attorney
Henry Garcia	City Manager
Michelle Dawson	Assistant City Manager
Chris Vogt	Public Works Director/City Engineer
Barry Foster	Economic Development Director
John Terell	Planning Official

MV00132720

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Mayor Pro Tem Jesse L. Molina pulled his motion (made at the August 23, 2011 meeting), Council Member Marcelo Co pulled his second.

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

Rebuttal by applicant Dennis Rice, President of Ridge Property Trust

Conditions of approval have been amended as follows to further enhance the WestRidge Commerce Center project:

1. Ridge Property Trust will add approximately 50% more glass to the building and match the color of the glass with Skechers glass color, and change the building's paint colors to more closely tie with Skechers.
2. Ridge Property Trust will add solar energy or some other cleaner alternative energy source (such as a micro-turbine) to power the office portion of the facility.
3. Ridge Property Trust will pay DIF fees at the "full rate" of $1.862/building SF. The current rate for DIF fees is discounted 50% from the full rate.
4. The building will be LEED certified. The WestRidge roof structure will be sized to carry the load of solar panels if a future tenant desires to use solar energy to power all or a portion of the building. Ridge Property Trust, will make available solar or other cleaner alternative energy source to power the office portion of the facility.

MV00132721

5. Ridge Property Trust will increase the tree box size to 36" (from the current 24" tree boxes) for the entire freeway frontage landscaping of the WestRidge project. This will match the tree box size for the trees planted along the freeway in front of Skechers.

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings

Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

MV00132723

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned to Closed Session at 6:39 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

enl

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JULY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in both the adopted FY 2010-11 and FY 2011-12 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-97
Check Register for Month of July, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JULY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period July 1, 2011 through July 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period July 1, 2011 through July 31, 2011, in the total amount of $11,090,197.25 is approved.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00132728

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

MV00132729

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC			Remit to: **SANTA FE SPRINGS**	**CA**
7/5/2011	208529	39,425.62		
			REHAB COSTS-24330 MT RUSSELL	16,478.95
			REHAB COSTS-13651 LITTLER CT	22,946.67
	Vendor Total	**39,425.62**		
FYTD for A N R INDUSTRIES, INC		**58,976.06**		
ACCELA			Remit to: **SAN RAMON**	**CA**
7/18/2011	883164	79,202.49		
			PP MAINT CLIENT SERVER	4,705.86
			PP MAINT WORKFLOW	3,625.95
			PP MAINT OFFICE LINK	525.39
			PP MAINT ACCELA GIS	10,142.70
			PP MAINT ACCELA WIRELESS	15,333.81
			PP MAINT ACCELA WIRELESS ONLIN	5,623.52
			PP MAINT CONNECT EST. 10891	4,419.76
			PP MAINT PERMITS PLUS	34,825.50
	Vendor Total	**79,202.49**		
FYTD for ACCELA		**79,202.49**		
AECOM TECHNICAL SERVICES INC			Remit to: **ONTARIO**	**CA**
7/25/2011	208813	34,689.62		
			PERRIS BLVD WIDENING PROJ	34,689.62
	Vendor Total	**34,689.62**		
FYTD for AECOM TECHNICAL SERVICES INC		**34,689.62**		
AFTERSCHOOL STORE.COM			Remit to: **PALMDALE**	**CA**
7/25/2011	208814	49,254.26		
			AFTERSCHOOL SNACKS-STARS PRGM	37,400.26
			AFTERSCHOOL SNACKS-STARS PRGM	11,854.00
	Vendor Total	**49,254.26**		
FYTD for AFTERSCHOOL STORE.COM		**49,254.26**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
7/11/2011	208633	256,508.61		
			SR-60/NASON ST INTRCHNG PROJ	205,206.89
			SR-60/NASON ST INTRCHNG PROJ	51,301.72
7/19/2011	110704	28,500.96		
			RETENTN PMT PER ESCRW AGREEMNT	28,500.96
	Vendor Total	**285,009.57**		
FYTD for ALL AMERICAN ASPHALT, INC.		**285,009.57**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEADOR CONSTRUCTION COMPANY, INC			Remit to: **CORONA**	**CA**
7/18/2011	208732	182,970.00		
			BRIDGE REPAIR MAINT PRGM SVCS	182,970.00
	Vendor Total	**182,970.00**		
FYTD for BEADOR CONSTRUCTION COMPANY, INC		**182,970.00**		
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
7/11/2011	883138	29,428.60		
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E3	10,625.00
			LANDSCAPE MAINT-E3A	1,000.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	513.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	1,272.00
	Vendor Total	**29,428.60**		
FYTD for BEMUS LANDSCAPE, INC.		**40,176.27**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
7/25/2011	883192	35,112.31		
			LEGAL SERVICES-HR	96.31
			LEGAL SERVICES-HR	1,824.00
			LEGAL SERVICES-HR	4,674.00
			LEGAL SERVICES-HR	28,518.00
	Vendor Total	**35,112.31**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**35,112.31**		
COUNTY OF RIVERSIDE AUDITOR			Remit to: **RIVERSIDE**	**CA**
7/18/2011	208745	27,074.71		
			PARKING CONTROL FEES	1,596.00
			PARKING CONTROL FEES	25,478.71
7/25/2011	208831	25,971.42		
			PARKING CONTROL FEES	1,050.00
			PARKING CONTROL FEES	10,132.79
			PARKING CONTROL FEES	14,788.63
	Vendor Total	**53,046.13**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**53,046.13**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
7/25/2011	883195	27,550.67		
			CITATION PRCSSNG SVCS-CODE	13,851.06
			CITATION PRCSSNG SVCS-CODE	13,699.61
	Vendor Total	**27,550.67**		
FYTD for DATA TICKET, INC.		**32,235.28**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DDL TRAFFIC				Remit to: **CHINO HILLS** **CA**	
	7/5/2011	208547	32,274.83		
				GLOBAL OPTICOM PHASE	11,000.00
				GLOBAL OPTICOM PHASE	962.50
				SPEED CONTROL RADAR	18,678.00
				SPEED CONTROL RADAR	1,634.33
	Vendor Total		**32,274.83**		
FYTD for DDL TRAFFIC			**32,274.83**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/18/2011	208751	63,562.53		
			WATER CHARGES	101.54
			WATER CHARGES	202.16
			WATER CHARGES	2,884.80
			WATER CHARGES	36.00
			WATER CHARGES	3,493.45
			WATER CHARGES	104.72
			WATER CHARGES	21,293.70
			WATER CHARGES	2,269.79
			WATER CHARGES	10,030.38
			WATER CHARGES	7,534.75
			WATER CHARGES	2,356.80
			WATER CHARGES	6,330.92
			WATER CHARGES	1,234.13
			WATER CHARGES	1,824.23
			WATER CHARGES	73.45
			WATER CHARGES	905.72
			WATER CHARGES	223.09
			WATER CHARGES	549.02
			WATER CHARGES	405.55
			WATER CHARGES	262.42
			WATER CHARGES	648.50
			WATER CHARGES	797.41
7/26/2011	208880	60,290.62		
			WATER CHARGES	1,431.07
			WATER CHARGES	995.31
			WATER CHARGES	732.41
			WATER CHARGES	828.03
			WATER CHARGES	17,551.05
			WATER CHARGES	3,002.77
			WATER CHARGES	3,404.47
			WATER CHARGES	5,350.41
			WATER CHARGES	11,151.43
			WATER CHARGES	603.95
			WATER CHARGES	302.14
			WATER CHARGES	2,544.37
			WATER CHARGES	3,842.79
			WATER CHARGES	2,358.00
			WATER CHARGES	1,506.22
			WATER CHARGES	522.99
			WATER CHARGES	107.29
			WATER CHARGES	287.95
			WATER CHARGES	649.87
			WATER CHARGES	2,511.70
			WATER CHARGES	606.40
	Vendor Total	**123,853.15**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
7/1/2011	2890	41,848.13		
			STATE INCOME TAX W/H 7/1/11	41,848.13
7/15/2011	2900	32,708.26		
			STATE INCOME TAX W/H 7/15/11	32,708.26
7/29/2011	2908	30,988.67		
			STATE INCOME TAX W/H 7/29/11	30,988.67
	Vendor Total	**105,545.06**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
7/18/2011	883171	143,882.08		
			SVCS FOR ELECTRIC UTILITY	137,928.50
			SVCS FOR ELECTRIC UTILITY	9,435.00
			SVCS FOR ELECTRIC UTILITY	-3,664.42
			SVCS FOR ELECTRIC UTILITY	183.00
7/25/2011	883196	141,641.54		
			DISTRIBUTION CHRGS	95,521.08
			SPECIAL CHRGS	7,684.96
			BAD DEBT REDUCTION	-2,271.00
			ONLINE UTILITY EXCHANGE	207.30
			SVCS FOR ELECTRIC UTILITY	40,499.20
	Vendor Total	**285,523.62**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**308,796.21**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON** **CA**	
7/25/2011	208840	93,132.14		
			SHADOW MTN PARK LIGHTING PROJ	64,456.34
			SHADOW MTN PARK RESTROOM PROJ	28,675.80
	Vendor Total	**93,132.14**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**93,132.14**		
FUSION SIGN AND DESIGN, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208842	28,050.00		
			SIGNS INSTALLATION-TRANSP	6,138.00
			FREESTANDING COMM ID SIGN	10,022.36
			LIGHT POLE MTD COMM ID SIGN	2,285.61
			LIGHT POLE MTD ID BANNERS	4,021.70
			FREESTANDING AMENITY DIR SIGN	2,794.71
			LIGHT POLE MTD AMNTY DIR SIGN	1,024.59
			CA SALES TAX	1,763.03
	Vendor Total	**28,050.00**		
FYTD for FUSION SIGN AND DESIGN, INC		**28,050.00**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND**	**CA**
7/21/2011	208810	215,802.45		
			MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
	Vendor Total	**215,802.45**		
FYTD for H & H GENERAL CONTRACTORS		**215,802.45**		
HILLCREST CONTRACTING, INC			Remit to: **CORONA**	**CA**
7/18/2011	883177	206,300.38		
			DAY ST IMPRVMNTS PROJ SVCS	76,729.40
			DAY ST IMPRVMNTS PROJ SVCS	129,570.98
	Vendor Total	**206,300.38**		
FYTD for HILLCREST CONTRACTING, INC		**206,300.38**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE**	**MD**
7/15/2011	2898	33,541.75		
			DEF COMP 457 7/15/11	33,541.75
	Vendor Total	**33,541.75**		
FYTD for ICMA RETIREMENT CORP 457		**42,062.58**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2889	175,259.79		
			FED INCOME TAX W/H 7/1/11	175,259.79
7/15/2011	2899	126,161.58		
			FED INCOME TAX W/H 7/15/11	126,161.58
7/29/2011	2907	121,341.76		
			FED INCOME TAX W/H 7/29/11	121,341.76
	Vendor Total	**422,763.13**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
JTB SUPPLY CO., INC.			Remit to: **ORANGE**	**CA**
7/18/2011	883178	49,274.63		
			MEYERS BATTERY BACKUP	7,550.00
			MP2000 BATTERY BACKUP UNITS	14,950.00
			250W HPS LUMINAIRES W/NO PEC	1,550.00
			DIALIGHT 12" LED RED ARROW	1,200.00
			DIALIGHT 12" LED RED BALL	1,200.00
			DIALIGHT 12" LED GREEN ARROW	900.00
			DIALIGHT 12" LED GREEN BALL	1,480.00
			DIALIGHT ITE CNTDWN MODULES	15,580.00
			NEMA CONFLICT MONITOR 12 CHNL	900.00
			CALIF SALES TAX	3,964.63
	Vendor Total	**49,274.63**		
FYTD for JTB SUPPLY CO., INC.		**64,456.14**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAYANS DEVELOPMENT INC			Remit to: **YORBA LINDA**	**CA**
7/11/2011	208675	26,820.19		
			REHAB COSTS-15438 CASA GRANDE	26,820.19
7/25/2011	208850	30,554.31		
			REHAB COSTS-13150 KIOWA DR	30,554.31
	Vendor Total	**57,374.50**		
FYTD for MAYANS DEVELOPMENT INC		**77,343.97**		
MIRACLE PLAYGROUND SALES			Remit to: **CORONA**	**CA**
7/11/2011	883148	156,561.99		
			DEMO/INSTLL PARK PLAY EQUIPMNT	133,097.93
			CA SALES TAX	4,235.47
			DEMO/INSTLL PARK PLAY EQUIPMNT	17,681.46
			CA SALES TAX	1,547.13
	Vendor Total	**156,561.99**		
FYTD for MIRACLE PLAYGROUND SALES		**156,561.99**		
MORENO VALLEY UTILITY			Remit to: **HEMET**	**CA**
7/18/2011	208771	77,145.82		
			ELECTRICITY	134.12
			ELECTRICITY	1,820.60
			ELECTRICITY	261.88
			ELECTRICITY	576.89
			ELECTRICITY	16,750.54
			ELECTRICITY	15,316.06
			ELECTRICITY	4,685.80
			ELECTRICITY	9,926.95
			ELECTRICITY	1,590.67
			ELECTRICITY	3,540.92
			ELECTRICITY	11,772.97
			ELECTRICITY	7,439.89
			ELECTRICITY	204.84
			ELECTRICITY	124.87
			ELECTRICITY	58.98
			ELECTRICITY	58.98
			ELECTRICITY	58.98
			ELECTRICITY	165.10
			ELECTRICITY	119.57
			ELECTRICITY	2,537.21
	Vendor Total	**77,145.82**		
FYTD for MORENO VALLEY UTILITY		**77,237.36**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS**	**OH**
7/15/2011	2896	89,191.65		
			DEF COMP 457 & 401(A) 7/15/11	89,191.65
7/29/2011	2904	25,173.70		
			DEF COMP 457 & 401(A) 7/29/11	25,173.70
	Vendor Total	**114,365.35**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NEW WORLD SYSTEMS, CORP			Remit to: **TROY**	**MI**
7/5/2011	208587	270,090.00		
			LOGOS 2011 EXEC CUSTOMER CONF.	1,890.00
			FM, HR/PY SOFTWARE LIC EFF DT	158,520.00
			SOFTWARE ESCROW SET-UP FEE	3,000.00
			SOFTWARE ESCROW ANNL ADMIN FEE	1,000.00
			FM, HR/PY SFTWARE LIC DELIVERY	105,680.00
	Vendor Total	**270,090.00**		
FYTD for NEW WORLD SYSTEMS, CORP		**270,090.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA**	**CA**
7/11/2011	208684	130,384.06		
			ENERGY SVCS	130,384.06
	Vendor Total	**130,384.06**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**130,384.06**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO**	**CA**
7/8/2011	110701	210,279.00		
			EMPLOYEE HEALTH INS 7/8/11	210,279.00
	Vendor Total	**210,279.00**		
FYTD for PERS HEALTH INSURANCE		**210,279.00**		
PERS RETIREMENT			Remit to: **SACRAMENTO**	**CA**
7/8/2011	2891	198,533.34		
			PERS RETIREMENT 7/1/11	198,533.34
7/22/2011	2901	221,172.56		
			PERS RETIREMENT 7/22/11	221,172.56
	Vendor Total	**419,705.90**		
FYTD for PERS RETIREMENT		**419,705.90**		

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PSOMAS				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208855	46,977.50		
				SR-60/NASON INTRCHNG PROJ SVCS	9,726.42
				SR-60/NASON INTRCHNG PROJ SVCS	1,260.16
				SR-60/NASON INTRCHNG PROJ SVCS	18,604.14
				SR-60/NASON INTRCHNG PROJ SVCS	2,410.36
				SR-60/NASON INTRCHNG PROJ SVCS	13,258.62
				SR-60/NASON INTRCHNG PROJ SVCS	1,717.80
	Vendor Total		**46,977.50**		
FYTD for PSOMAS			**46,977.50**		
RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	883151	450,141.45		
				IRONWOOD AVE/STORM DRAIN PROJ	182,929.10
				IRONWOOD AVE/STORM DRAIN PROJ	74,607.10
				IRONWOOD AVE/STORM DRAIN PROJ	28,885.50
				IRONWOOD AVE/STORM DRAIN PROJ	20,720.82
				IRONWOOD AVE-DAY TO BARCLAY	142,998.93
	Vendor Total		**450,141.45**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**500,157.17**		
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208878	2,621,009.49		
				CONTRACT LAW ENF BILL #10	44,257.44
				CONTRACT LAW ENF BILL #10	459.43
				CONTRACT LAW ENF BILL #10	1,419,988.41
				CONTRACT LAW ENF BILL #10	57,685.07
				CONTRACT LAW ENF BILL #10	362,907.97
				CONTRACT LAW ENF BILL #10	6,875.44
				CONTRACT LAW ENF BILL #10	87,171.93
				CONTRACT LAW ENF BILL #10	6,269.10
				CONTRACT LAW ENF BILL #10	72,109.18
				CONTRACT LAW ENF BILL #10	1,179.20
				CONTRACT LAW ENF BILL #10	173,447.24
				CONTRACT LAW ENF BILL #10	3,973.20
				CONTRACT LAW ENF BILL #10	303,502.31
				CONTRACT LAW ENF BILL #10	7,851.22
				CONTRACT LAW ENF BILL #10	34,281.80
				CONTRACT LAW ENF BILL #10	281.60
				CONTRACT LAW ENF BILL #10	27,781.89
				CONTRACT LAW ENF BILL #10	1,823.26
				CONTRACT LAW ENF BILL #10	1,069.00
				CONTRACT LAW ENF BILL #10	7,483.20
				CONTRACT LAW ENF BILL #10	611.60
	Vendor Total		**2,621,009.49**		
FYTD for RIVERSIDE COUNTY SHERIFF			**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF'S DEPT.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	883102	247,552.00		
				ANNUAL RMS/CLETS BILNG FY10/11	247,552.00
	Vendor Total		**247,552.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.			**247,552.00**		
SAN PEDRO SIGN COMPANY				Remit to: **WILMINGTON** **CA**	
	7/18/2011	883183	247,614.87		
				AUTO MALL PYLON SIGN PROJECT	247,614.87
	Vendor Total		**247,614.87**		
FYTD for SAN PEDRO SIGN COMPANY			**247,614.87**		
SOUTHCOAST HEATING & AIR CONDITIONING				Remit to: **VISTA** **CA**	
	7/11/2011	208701	87,612.30		
				CITY HALL HVAC SYSTEM REPLCMNT	87,612.30
	Vendor Total		**87,612.30**		
FYTD for SOUTHCOAST HEATING & AIR CONDITIONING			**87,612.30**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208610	31,082.71		
			WDAT CHARGES-IRIS	2,752.38
			WDAT CHARGES-GRAHAM	4,055.01
			WDAT CHARGES-GLOBE	8,723.61
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	2,457.09
			WDAT CHARGES-SUBSTATION	10,447.31
7/18/2011	208792	131,907.55		
			ELECTRICITY	460.16
			ELECTRICITY	25.25
			ELECTRICITY	663.53
			ELECTRICITY	1,345.33
			ELECTRICITY	900.46
			ELECTRICITY	94,565.88
			ELECTRICITY	33,162.72
			ELECTRICITY	397.48
			ELECTRICITY	51.95
			ELECTRICITY	22.44
			ELECTRICITY	45.55
			ELECTRICITY	27.20
			ELECTRICITY	26.69
			ELECTRICITY	67.09
			ELECTRICITY	91.20
			ELECTRICITY	54.62
7/25/2011	208864	39,660.58		
			ELECTRICITY	1,573.29
			ELECTRICITY	204.85
			ELECTRICITY	5,455.35
			ELECTRICITY	1,334.28
			ELECTRICITY	147.70
			ELECTRICITY	3,805.22
			ELECTRICITY	18.93
			ELECTRICITY	4,401.48
			ELECTRICITY	1,019.92
			ELECTRICITY	4,047.97
			ELECTRICITY	1,895.65
			ELECTRICITY	1,691.61
			ELECTRICITY	277.13
			ELECTRICITY	3,644.30
			ELECTRICITY	1,132.38
			ELECTRICITY	1,230.13
			ELECTRICITY	24.19
			ELECTRICITY	40.12
			ELECTRICITY	4,110.06
			ELECTRICITY	1,804.20
			ELECTRICITY	357.03
			ELECTRICITY	427.84
			ELECTRICITY	563.73
			ELECTRICITY	254.30
			ELECTRICITY	162.74
			ELECTRICITY	36.18

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	202,650.84		
FYTD for SOUTHERN CALIFORNIA EDISON		228,961.11		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
7/19/2011	208809	29,920.17		
			LIFE & DISABILITY INSURANCE	11,719.41
			LIFE & DISABILITY INSURANCE	18,284.60
			LIFE & DISABILITY INSURANCE	-83.84
	Vendor Total	29,920.17		
FYTD for STANDARD INSURANCE CO		31,970.69		
TCM GROUP			Remit to: **FONTANA**	**CA**
7/12/2011	208723	173,200.42		
			SR-60/NASON ST INTRCHNG PROJ	21,572.87
			SR-60/NASON ST INTRCHNG PROJ	42,633.50
			SR-60/NASON ST INTRCHNG PROJ	23,140.52
			SR-60/NASON ST INTRCHNG PROJ	85,853.53
7/25/2011	208879	178,371.96		
			SR-60/NASON INTRCHNG PROJ	103,945.47
			SR-60/NASON INTRCHNG PROJ	74,426.49
	Vendor Total	351,572.38		
FYTD for TCM GROUP		351,572.38		
TRANE			Remit to: **CITY OF INDUSTRY**	**CA**
7/27/2011	208882	143,234.46		
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
	Vendor Total	143,234.46		
FYTD for TRANE		143,234.46		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
7/19/2011	110707	129,465.57		
			CALCARD PYMT CYCLE END 7/7/11	129,465.57
	Vendor Total	129,465.57		
FYTD for U.S. BANK/CALCARDS		129,465.57		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
7/27/2011	110708	1,233,839.91		
			2007 TAB SERIES A DEBT PYMT	1,233,839.91
	Vendor Total	1,233,839.91		
FYTD for WELLS FARGO CORPORATE TRUST		1,233,839.91		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCRCA				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208877	279,382.95		
				COMMERC./INDUSTR FEES-MSHCP	279,382.95
	Vendor Total		**279,382.95**		
FYTD for WRCRCA			**279,382.95**		
	Subtotal		**9,918,630.92**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

REGENCY THEATRES				Remit to: **MORENO VALLEY**	**CA**
	7/11/2011	208630	460.00		
				TICKETS AND SNACKS	460.00
	Vendor Total		**460.00**		
FYTD for REGENCY THEATRES			**460.00**		
A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/25/2011	208811	19,550.44		
				REHAB COSTS-14950 RIO GRANDE	19,550.44
	Vendor Total		**19,550.44**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCESS SECURITY CONTROLS INT., INC.				Remit to: **TEMECULA**	**CA**
	7/11/2011	208631	75.00		
				SECURITY MONITORING SVCS-ERC	75.00
	Vendor Total		**75.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**75.00**		
ADAMS, MARK L.				Remit to: **REDLANDS**	**CA**
	7/5/2011	883043	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**318.73**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE**	**CA**
	7/11/2011	883135	283.34		
				TRAINING FOR PD K9	283.34
	Vendor Total		**283.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**283.34**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCED ELECTRIC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208632	242.00		
				ELECTRICAL REPAIRS-PARKS	120.00
				ELECTRICAL REPAIRS-PARKS	60.00
				ELECTRICAL REPAIRS-GOLF COURSE	62.00
	7/18/2011	208724	2,554.00		
				ELECTRICAL REPAIRS	372.00
				REPLACED LIGHTING POLES	2,182.00
	7/25/2011	208812	3,098.00		
				ELECT REPAIR-PSB	977.00
				ELECT REPAIR-CONF & REC CTR	953.00
				ELECT REPAIR-CONF & REC CTR	519.00
				ELECT REPAIR-CONF & REC CTR	649.00
	Vendor Total		**5,894.00**		
FYTD for ADVANCED ELECTRIC			**5,894.00**		
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	7/11/2011	883136	362.50		
				CONSULTING SERVICES-NPDES	362.50
	Vendor Total		**362.50**		
FYTD for AEI-CASC ENGINEERING			**362.50**		
ALANIS, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208725	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALANIS, MICHELLE			**95.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	7/11/2011	208634	1,450.12		
				TRANSPORTATION SVCS-CHILDS PLC	373.43
				TRANSPORTATION SVCS-CHILDS PLC	717.79
				TRANSPORTATION SVCS-VALLEYCAMP	358.90
	Vendor Total		**1,450.12**		
FYTD for ALLIANCE BUS LINES INC			**1,450.12**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	7/18/2011	208726	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**75.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALPHACORP/SIRE TECHNOLOGIES			Remit to: **WEST VALLEY CITY**	**UT**
7/18/2011	883165	11,994.00		
			SIRE EDMS SOFTWARE ANN MAINT.	1,699.00
			PERMITS+ INTERFACE ANN MAINT.	509.00
			ENTERPRISE RETENTION MANAGER	899.00
			ENTERPRISE WORKFLOW MODULE	720.00
			CITY-WIDE SIRE CLIENT USER LIC	2,519.00
			PDF CONVERSION, OCR AND FULL	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE ANNUAL MAINT.	539.00
			SIRE FORMS ANNUAL MAINT.	899.00
			SIRE AGENDA PLUS ANNUAL MAINT.	6,119.00
			CAPTURE INDEX STATION ANNUAL	944.00
			PURCHASING INCENTIVE DISCOUNT	-4,000.00
	Vendor Total	**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**11,994.00**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208635	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for ALVAREZ, JUAN C		**52.50**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS**	**CA**
7/11/2011	883137	82.16		
			BLOOD DRAWS	82.16
	Vendor Total	**82.16**		
FYTD for AMERICAN FORENSIC NURSES		**82.16**		
AMERICAN TOWERS			Remit to: **CHARLOTTE**	**NC**
7/11/2011	208636	2,573.48		
			ATC TOWER LEASE	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**2,573.48**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM**	**CA**
7/11/2011	208637	121.92		
			ELEVATOR SVCS-CITY HALL	121.92
7/25/2011	208815	352.38		
			WHEELCHAIR LIFT SVC/REPAIR	230.46
			ELEVATOR SVC/REPAIRS-CITY HALL	121.92
	Vendor Total	**474.30**		
FYTD for AMTECH ELEVATOR SERVICES		**474.30**		

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ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
7/25/2011	883188	640.00		
			EMERGENCY VET SVCS	400.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
	Vendor Total	**640.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**640.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
7/18/2011	208727	325.00		
			BEE REMOVAL	325.00
7/25/2011	208816	1,790.00		
			PEST CONTROL-GOLF COURSE	180.00
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MFCC/MBF/MVEC	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	160.00
			PEST CONTROL-STARS BLDG	100.00
	Vendor Total	**2,115.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**2,115.00**		
APWA-AMERICAN PUBLIC WORKS ASSOCIATION			Remit to: **KANSAS CITY**	**MO**
7/18/2011	208728	550.00		
			MAINT FOR MICRO PAVER APPLIC.	550.00
7/25/2011	208817	2,380.00		
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
	Vendor Total	**2,930.00**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**2,930.00**		

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ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
7/18/2011	883166	1,346.48		
			OFFSITE STORAGE SVCS-CITY CLRK	1,331.65
			RECORDS DESTRUCTION-ANIMAL SVC	14.83
	Vendor Total	**1,346.48**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**1,346.48**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
7/5/2011	208530	340.78		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRFFC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-FS #2	25.00
			WATER PURIF RNTL-FS #6	25.00
			WATER PURIF RNTL-FS #48	25.00
			WATER PURIF RNTL-FS #58	15.77
			WATER PURIF RNTL-FS #65	25.00
			WATER PURIF RNTL-FS #91	25.00
7/18/2011	208729	200.01		
			WATER PURIF RNTL-ANML SVCS	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPCL DIST	25.00
			WATER PURIF RNTL-CONF & REC CT	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FAC ANNEX	25.00
			WATER PURIF RNTL-STARS	25.00
	Vendor Total	**540.79**		
FYTD for ARROWHEAD WATER		**540.79**		
AT&T MOBILITY			Remit to: **CAROL STREAM** **IL**	
7/5/2011	208531	91.04		
			CELL PH CHARGES-PD MBL CMMND C	91.04
	Vendor Total	**91.04**		
FYTD for AT&T MOBILITY		**91.04**		
AT&T NATIONAL COMPLIANCE CENTER			Remit to: **NORTH PALM BEACH** **FL**	
7/5/2011	208532	300.00		
			CELL PHONE PING FEES FOR PD	300.00
	Vendor Total	**300.00**		
FYTD for AT&T NATIONAL COMPLIANCE CENTER		**300.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	7/5/2011	208533	183.10		
				COMMUNICATION SVCS	183.10
	Vendor Total		**183.10**		
FYTD for AT&T/MCI			**183.10**		
AUTOMATIC STOREFRONT SERVICE, INC.				Remit to: **CHINO** **CA**	
	7/25/2011	208818	175.00		
				DOOR REPAIRS	87.50
				DOOR REPAIRS	87.50
	Vendor Total		**175.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**175.00**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208638	65.28		
				MILEAGE REIMBURSEMENT	65.28
	7/25/2011	208819	371.58		
				TRAVEL EXP.-CRRA CONFERENCE	123.08
				TRAVEL EXP.-CRRA CONFERENCE	248.50
	Vendor Total		**436.86**		
FYTD for AYALA, NANNERL A.			**436.86**		
AYERS, JAMES				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208730	34.00		
				REFUND-VARIOUS A/C FEES	22.00
				REFUND-VARIOUS A/C FEES	12.00
	Vendor Total		**34.00**		
FYTD for AYERS, JAMES			**34.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	7/5/2011	208534	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**318.73**		
BAGLEY, DENISE				Remit to: **HEMET** **CA**	
	7/5/2011	208535	87.00		
				REFUND-PARKS CLASS REGIS FEE	87.00
	Vendor Total		**87.00**		
FYTD for BAGLEY, DENISE			**87.00**		

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BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	7/5/2011	883044	119.73		
				RETIREE MED MAR '11, PD JUL '1	119.73
	Vendor Total		**119.73**		
FYTD for BARNES, DARLENE			**119.73**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	7/25/2011	208820	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARTUCCIO, ERICA			**20.00**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883189	60.00		
				BACKFLOW TESTING-PARKS	6.91
				BACKFLOW TESTING-PARKS	23.09
				BACKFLOW TESTING-PARKS	30.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**60.00**		
BASSET HOUND OF SO CALIF RESCUE				Remit to: **COSTA MESA** **CA**	
	7/25/2011	208821	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BASSET HOUND OF SO CALIF RESCUE			**75.00**		
BATONGMALAQUE, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208731	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATONGMALAQUE, BARBARA			**50.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208536	250.00		
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**250.00**		

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BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	7/5/2011	883045	10,660.49		
				LANDSCAPE MAINT-E4	114.31
				LANDSCAPE MAINT-E4	65.52
				LANDSCAPE MAINT-E4	65.10
				LANDSCAPE MAINT-E4	650.00
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STNS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E3	315.00
				LNDSCP MAINT-PAN AM SECTION	600.00
				LNDSCP MAINT-SCE & OLD LAKE DR	1,785.00
				LNDSCP MAINT-S AQDCT "A"	850.50
				LNDSCP MAINT-S AQDCT "B"	735.00
				LNDSCP MAINT-SENIOR CTR	262.50
				LNDSCP MAINT-N AQDCT	525.00
	7/25/2011	883190	87.18		
				LANDSCAPE MAINT-E4	87.18
	Vendor Total		**10,747.67**		
FYTD for BEMUS LANDSCAPE, INC.			**40,176.27**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	883191	846.50		
				COBRA ADMIN FEE	846.50
	Vendor Total		**846.50**		
FYTD for BENESYST, INC.			**846.50**		
BERMUDEZ, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208733	47.25		
				REFUND-CLASS REGIS FEE	7.75
				REFUND-CLASS REGIS FEE	15.00
				REFUND-CLASS REGIS FEE	19.25
				REFUND-CLASS REGIS FEE	5.25
	Vendor Total		**47.25**		
FYTD for BERMUDEZ, ASHLEY			**47.25**		
BERRY, RICK				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208639	836.00		
				REFUND-RENTAL DEPOSIT -TWNGATE	200.00
				REFUND-RENTAL DEPOSIT -TWNGATE	636.00
	Vendor Total		**836.00**		
FYTD for BERRY, RICK			**836.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BIO-TOX LABORATORIES			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208734	1,555.89		
			TOXICOLOGY TESTING-PD	1,555.89
	Vendor Total	**1,555.89**		
FYTD for BIO-TOX LABORATORIES		**1,555.89**		
BPC MEDIA WORKS, LLC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208822	1,530.00		
			ADVERTISING SVCS-EDD	1,530.00
	Vendor Total	**1,530.00**		
FYTD for BPC MEDIA WORKS, LLC		**1,530.00**		
BRACAMONTE, FRANCES			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208823	112.00		
			REFUND-CLASS REGIS FEE	112.00
	Vendor Total	**112.00**		
FYTD for BRACAMONTE, FRANCES		**112.00**		
BREAKTHROUGH CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208640	100.00		
			REFUND-RENTAL DEPOSIT -TWNGATE	100.00
	Vendor Total	**100.00**		
FYTD for BREAKTHROUGH CHURCH		**100.00**		
BRIGIE, DEBRA			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208824	17,855.60		
			SOLAR INCENTIVE REBATE	17,855.60
	Vendor Total	**17,855.60**		
FYTD for BRIGIE, DEBRA		**17,855.60**		
BRITTMON, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208641	66.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	10.00
	Vendor Total	**66.00**		
FYTD for BRITTMON, MICHELLE		**66.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	7/5/2011	883046	287.65		
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	49.03
				MISC BOOKS-LIBRARY	40.17
				MISC BOOKS-LIBRARY	51.24
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	38.69
	7/18/2011	883167	1,261.16		
				MISC BOOKS-LIBRARY	59.40
				MISC BOOKS-LIBRARY	146.07
				MISC BOOKS-LIBRARY	564.19
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	378.59
	Vendor Total		**1,548.81**		
FYTD for BRODART CO.			**1,548.81**		
BROWN, HOWARD				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208825	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROWN, HOWARD			**50.00**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	7/5/2011	208537	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**318.73**		
BURKE, JOHN R.				Remit to: **REDLANDS** **CA**	
	7/5/2011	208538	1,737.00		
				RETIREE MED JB 9/10-2/11, 5/11	1,737.00
	Vendor Total		**1,737.00**		
FYTD for BURKE, JOHN R.			**1,737.00**		

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BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
7/5/2011	208539	2,820.13		
			MISC BOOKS-LIBRARY	75.40
			MISC BOOKS-LIBRARY	15.50
			MISC BOOKS-LIBRARY	16.59
			MISC BOOKS-LIBRARY	51.65
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	1,059.61
			MISC BOOKS-LIBRARY	1,372.21
			MISC BOOKS-LIBRARY	84.69
			MISC BOOKS-LIBRARY	77.10
			MISC BOOKS-LIBRARY	26.43
			MISC BOOKS-LIBRARY	21.21
7/18/2011	208735	15.50		
			MISC BOOKS-LIBRARY	15.50
	Vendor Total	**2,835.63**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**2,835.63**		
C & H DISTRIBUTORS, INC.			Remit to: **MILWAUKEE** **WI**	
7/18/2011	208736	3,243.41		
			UPHLSTRD STACK CHAIRS W/O ARMS	2,340.80
			SHIPPING & HANDLING CHRG	697.79
			CA SALES TAX	204.82
	Vendor Total	**3,243.41**		
FYTD for C & H DISTRIBUTORS, INC.		**3,243.41**		
CA REGIONAL WATER QUALITY CONTROL BOARD			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208642	712.00		
			SEC 401 CERT FILING FEE	712.00
	Vendor Total	**712.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD		**712.00**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
7/5/2011	883047	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CAIN, GREGORY		**318.73**		
CALIFORNIA BUILDING STANDARDS COMMISSION			Remit to: **SACRAMENTO** **CA**	
7/12/2011	208720	376.20		
			SB 1473 FEES COLLECTD 4/1-6/30	376.20
	Vendor Total	**376.20**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		**376.20**		

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CALIFORNIA DEPARTMENT OF FISH AND GAME				Remit to: **LOS ALAMITOS** **CA**	
	7/11/2011	208643	4,482.75		
				STREAMBED ALTER. AGRMNT FEE	4,482.75
	Vendor Total		**4,482.75**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**4,482.75**		
CALVARY CHAPEL OF MORENO VALLEY				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208826	75.00		
				REFUND-PARK RNTL DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY			**75.00**		
CANNON, ANA M.				Remit to: **HASLET** **TX**	
	7/5/2011	883048	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**318.73**		
CANON FINANCIAL SERVICES, INC.				Remit to: **CHICAGO** **IL**	
	7/11/2011	208644	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**7,590.68**		
CARTER, ROSALYN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883049	318.73		
				RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total		**318.73**		
FYTD for CARTER, ROSALYN			**318.73**		
CARTER, TERRY				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208645	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for CARTER, TERRY			**20.00**		
CEMEX				Remit to: **ONTARIO** **CA**	
	7/11/2011	208646	286.49		
				CEMENT PURCHASE	286.49
	Vendor Total		**286.49**		
FYTD for CEMEX			**286.49**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	883193	8,942.00		
				INVESTMENT MGT SVCS	8,942.00
	Vendor Total		**8,942.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**8,942.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208540	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**318.73**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883050	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**318.73**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883051	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**229.88**		

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CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
7/5/2011	883052	111.68		
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	13.00
			UNIFORM RNTL SVC-GOLF COURSE	5.56
7/11/2011	883139	341.36		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	61.60
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM SVCS-FACILITIES	12.40
7/18/2011	883168	66.90		
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
7/25/2011	883194	66.90		
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
			UNIFORM RNTL SVC-GOLF COURSE	2.79
	Vendor Total	**586.84**		
FYTD for CINTAS CORPORATION		**586.84**		
CITRUS BELT CHAPTER, I.C.C.			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208827	25.00		
			FY11/12 MEMBERSHIP RENEWAL	25.00
	Vendor Total	**25.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**25.00**		

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CITY OF DESERT HOT SPRINGS			Remit to: **DESERT HOT SPRINGS CA**	
7/11/2011	208647	80.00		
			7/11/11 LCC GEN MEMB MEETING	40.00
			7/11/11 LCC GEN MEMB MEETING	40.00
	Vendor Total	**80.00**		
FYTD for CITY OF DESERT HOT SPRINGS		**80.00**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY CA**	
7/18/2011	883169	4,475.00		
			EXEMPT VEBA	-37.50
			EXEMPT VEBA	700.00
			EXEMPT VEBA	3,812.50
	Vendor Total	**4,475.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**4,475.00**		
CITY OF TORRANCE			Remit to: **TORRANCE CA**	
7/18/2011	208737	6,870.00		
			SIPPLE ET AL V. CITY-LEGAL SVC	6,870.00
	Vendor Total	**6,870.00**		
FYTD for CITY OF TORRANCE		**6,870.00**		
CLARK, CHRISTINE			Remit to: **MORENO VALLEY CA**	
7/25/2011	208828	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CLARK, CHRISTINE		**75.00**		
COAST TO COAST LASER			Remit to: **MURRIETA CA**	
7/11/2011	208648	1,483.76		
			MVPD SHIELD STICKERS	741.88
			MVPD SHIELD STICKERS	741.88
	Vendor Total	**1,483.76**		
FYTD for COAST TO COAST LASER		**1,483.76**		
COBBS JR., JOE C			Remit to: **MORENO VALLEY CA**	
7/18/2011	208738	11,205.60		
			SOLAR INCENTIVE REBATE	11,205.60
	Vendor Total	**11,205.60**		
FYTD for COBBS JR., JOE C		**11,205.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLLINS, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208829	47.00		
				REFUND-PIANO CLASS CANCELLED	47.00
	Vendor Total		**47.00**		
FYTD for COLLINS, DANIEL			**47.00**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	7/5/2011	208541	6,935.24		
				SUPPLEMENTAL INSURANCE	6,935.24
	Vendor Total		**6,935.24**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**6,935.24**		
COMMUNITY HEALTH CHARITIES				Remit to: **ANAHEIM** **CA**	
	7/5/2011	208542	2.50		
				CHC CONTRIBUTIONS	2.50
	7/5/2011	208543	176.31		
				CHC CONTRIBUTIONS	176.31
	7/18/2011	208739	2.50		
				CHC CONTRIBUTIONS	2.50
	7/18/2011	208740	176.31		
				CHC CONTRIBUTIONS	176.31
	Vendor Total		**357.62**		
FYTD for COMMUNITY HEALTH CHARITIES			**357.62**		
CONCEPCION BARAJAS/JESSICA AVELAR				Remit to: **PERRIS** **CA**	
	7/5/2011	208544	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CONCEPCION BARAJAS/JESSICA AVELAR			**95.00**		
CONTINENTAL WESTERN TRANSPORTATION				Remit to: **SAN DIEGO** **CA**	
	7/11/2011	208649	6,752.25		
				ASPHALTIC MATERIALS PURCHASE	3,534.38
				ASPHALTIC MATERIALS PURCHASE	3,217.87
	Vendor Total		**6,752.25**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION			**6,752.25**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND** **CA**	
7/18/2011	208741	148.71		
			LEGAL PUBLICATIONS	12.20
			LEGAL PUBLICATIONS	136.51
	Vendor Total	**148.71**		
FYTD for CONTINUING EDUCATION OF THE BAR		**148.71**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208650	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for CONTRERAS, BIANCA		**52.50**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208651	175.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
			SPORTS OFFICIATING SVCS-SOCCER	70.00
	Vendor Total	**175.00**		
FYTD for CONTRERAS, JOSE		**175.00**		
CORTES, MARIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208742	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for CORTES, MARIA		**200.00**		
COSTCO			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208652	383.89		
			MISC SUPPLIES-CHILDS PLACE	140.59
			MISC SUPPLIES-STARS	243.30
7/18/2011	208743	1,350.19		
			SNACKS-"A CHILDS PLACE" PRGM	1,350.19
	Vendor Total	**1,734.08**		
FYTD for COSTCO		**1,734.08**		
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208830	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**1,250.00**		
FYTD for COUNSELING TEAM, THE		**1,250.00**		

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COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
7/5/2011	208545	64.12		
			REFUND-UUT USER TAXES	64.12
Vendor Total		**64.12**		
FYTD for COUNTRY SQUIRE ESTATES		**64.12**		
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208653	2,163.78		
			JANITORIAL SUPPLIES	1,936.67
			JANITORIAL SUPPLIES	227.11
Vendor Total		**2,163.78**		
FYTD for COUNTY OF RIVERSIDE		**2,163.78**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208744	42.70		
			RECORDATION REQUESTS-LAND DEV	8.30
			RECORDATION REQUESTS-LAND DEV	34.40
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**42.70**		
COVARRUBIAS, MELISSA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208654	75.00		
			REFUND-SN DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for COVARRUBIAS, MELISSA		**75.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
7/5/2011	883053	110.31		
			K-9 DOG FOOD	110.31
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**110.31**		
CUEVAS, GLORIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208746	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CUEVAS, GLORIA		**20.00**		
CUFF, STEPHANIE CERVANTES			Remit to: **PERRIS** **CA**	
7/11/2011	208655	19.38		
			MILEAGE REIMBURSEMENT	19.38
Vendor Total		**19.38**		
FYTD for CUFF, STEPHANIE CERVANTES		**19.38**		

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CUMBERLAND, AKOSUA			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208546	145.00		
			PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total	**145.00**		
FYTD for CUMBERLAND, AKOSUA		**145.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
7/25/2011	208832	745.00		
			DISPOSAL SVCS	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**745.00**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883054	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for DALE, KATHLEEN		**318.73**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH** **CA**	
7/11/2011	883140	4,684.61		
			CITATION PRCSSNG-PD	3,876.95
			CITATION PRCSSNG-ANML SVCS	407.36
			CITATION PRCSSNG-BLDG/SFTY	162.82
			CITATION PRCSSNG-ADDL PYMNT	237.48
	Vendor Total	**4,684.61**		
FYTD for DATA TICKET, INC.		**32,235.28**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO** **CA**	
7/25/2011	208833	130.50		
			ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total	**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**130.50**		
DE SANTIS, THOMAS M			Remit to: **TEMECULA** **CA**	
7/5/2011	208548	14,000.00		
			PROF SVCS-CITY EVALUATION	12,000.00
			PROF SVCS-CITY EVALUATION	2,000.00
	Vendor Total	**14,000.00**		
FYTD for DE SANTIS, THOMAS M		**14,000.00**		

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DEBINAIRE COMPANY			Remit to: **CORONA** **CA**	
7/11/2011	208656	140.00		
			MONTHLY BOILER SVC-EOC	140.00
7/18/2011	208747	29.36		
			REPLACED BOILER PARTS-EOC	29.36
	Vendor Total	**169.36**		
FYTD for DEBINAIRE COMPANY		**169.36**		
DEL REY APPRAISAL SRVCS			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208657	500.00		
			APPRAISAL SVCS-EDD	250.00
			APPRAISAL SVCS-EDD	250.00
	Vendor Total	**500.00**		
FYTD for DEL REY APPRAISAL SRVCS		**500.00**		
DELTA DENTAL			Remit to: **SAN FRANCISCO** **CA**	
7/18/2011	208748	10,712.77		
			EMPLOYEE DENTAL INSURANCE	10,712.77
	Vendor Total	**10,712.77**		
FYTD for DELTA DENTAL		**10,712.77**		
DELTACARE USA			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208549	6,033.46		
			EMPLOYEE DENTAL INSURANCE	6,033.46
7/18/2011	208749	5,580.33		
			EMPLOYEE DENTAL INSURANCE	5,580.33
	Vendor Total	**11,613.79**		
FYTD for DELTACARE USA		**11,613.79**		
DENNIS GRUBB & ASSOCIATES, LLC			Remit to: **MIRA LOMA** **CA**	
7/11/2011	883141	2,180.00		
			PLAN REVIEW SVCS-FIRE PREV	1,530.00
			PLAN REVIEW SVCS-FIRE PREV	650.00
7/18/2011	883170	1,710.00		
			PLAN CHECK SVCS-FIRE PREV	1,150.00
			PLAN CHECK SVCS-FIRE PREV	560.00
	Vendor Total	**3,890.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC		**3,890.00**		

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DEPARTMENT OF CONSERVATION			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208658	578.26		
			SMI FEES 4/1-6/30/11	608.69
			SMI FEES 4/1-6/30/11	-30.43
	Vendor Total	**578.26**		
FYTD for DEPARTMENT OF CONSERVATION		**578.26**		
DESIGN WORKS			Remit to: **SAN JACINTO** **CA**	
7/5/2011	208550	2,235.46		
			YTH SPORTS UNIFORMS	2,235.46
7/11/2011	208659	1,950.35		
			UNIFORMS-YOUTH SPORTS	24.91
			UNIFORMS-YOUTH SPORTS	1,925.44
7/25/2011	208834	150.07		
			YTH SPORTS UNIFORMS-PARKS	150.07
	Vendor Total	**4,335.88**		
FYTD for DESIGN WORKS		**4,335.88**		
DMC DESIGN GROUP, INC			Remit to: **CORONA** **CA**	
7/5/2011	208551	10,031.59		
			DAY ST DRAINAGE IMPRVMNTS PROJ	10,031.59
	Vendor Total	**10,031.59**		
FYTD for DMC DESIGN GROUP, INC		**10,031.59**		
DORY, ALLEEN F.			Remit to: **HEMET** **CA**	
7/5/2011	208552	229.88		
			RETIREE MED JUL '11	229.88
	Vendor Total	**229.88**		
FYTD for DORY, ALLEEN F.		**229.88**		
DURAN, BLANCA			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208553	189.00		
			INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total	**189.00**		
FYTD for DURAN, BLANCA		**189.00**		

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E.R. BLOCK PLUMBING & HEATING, INC.			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208660	2,560.87		
			BACKFLOW TESTING-NPDES	100.00
			BACKFLOW REPLACMNT-ZONE D	597.19
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
7/18/2011	208750	1,031.47		
			BACKFLOW REPLACMNT-ZONE D	583.97
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW TESTING-ZONE D	240.00
			BACKFLOW TESTING-ZONE E-14	20.00
	Vendor Total	**3,592.34**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**3,592.34**		
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/11/2011	208661	4,500.00		
			PLAN CK DEPOSIT W/EASEMENT	4,500.00
7/12/2011	208721	15,137.12		
			WATER CHARGES	322.43
			WATER CHARGES	10,105.12
			WATER CHARGES	423.54
			WATER CHARGES	2,616.82
			WATER CHARGES	1,184.99
			WATER CHARGES	22.28
			WATER CHARGES	193.03
			WATER CHARGES	268.91
	Vendor Total	**19,637.12**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883055	35.18		
			REFUND-UUT USER TAXES	35.18
	Vendor Total	**35.18**		
FYTD for EDGELANE MOBILE PARK		**35.18**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
7/5/2011	208554	325.66		
			RETIREE MED JUL '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**325.66**		

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ELIZARRARAZ, EDDIE			Remit to: **MORENO VALLEY CA**	
7/18/2011	208752	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for ELIZARRARAZ, EDDIE		**20.00**		
ELLIOTT, NISHA			Remit to: **MORENO VALLEY CA**	
7/25/2011	208835	134.40		
			INSTRUCTOR SVCS-KICKBOXING	4.40
			INSTRUCTOR SVCS-KICKBOXING	103.60
			INSTRUCTOR SVCS-KICKBOXING	26.40
	Vendor Total	**134.40**		
FYTD for ELLIOTT, NISHA		**134.40**		
EMPIRE MOWER			Remit to: **MORENO VALLEY CA**	
7/11/2011	208662	1,105.85		
			EQUIP REPAIRS-PARK MAINT	685.03
			EQUIP REPAIRS-PARK MAINT	420.82
	Vendor Total	**1,105.85**		
FYTD for EMPIRE MOWER		**1,105.85**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
7/1/2011	2893	500.00		
			STATE INCOME TAX W/H 7/1/11	500.00
	Vendor Total	**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM CA**	
7/5/2011	883056	23,272.59		
			CABINET LEASE-IRIS	17.89
			CABINET LEASE-IRIS	1,232.11
			WORK AUTH-HIGHLAND FAIRVIEW	11,590.55
			12KV NEW REDLAND CKT WORK AUTH	10,432.04
	Vendor Total	**23,272.59**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**308,796.21**		
ESCOBAR, CARMEN			Remit to: **MORENO VALLEY CA**	
7/25/2011	208836	31.20		
			REFUND-DANCE CLASS	31.20
	Vendor Total	**31.20**		
FYTD for ESCOBAR, CARMEN		**31.20**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883057	30.45		
			ENGRAVING SVCS-FACILITIES	28.00
			ENGRAVING SVCS-FACILITIES	2.45
7/18/2011	883172	30.45		
			ENGRAVING SVCS-PARKS	30.45
Vendor Total		**60.90**		
FYTD for EVANS ENGRAVING & AWARDS		**60.90**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
7/18/2011	208753	129.29		
			IRRIGATION SUPPLIES-FIRE STATN	129.29
7/25/2011	208837	2,812.03		
			IRRIGATION SUPPLIES-PARKS	130.23
			IRRIGATION SUPPLIES-PARKS	305.72
			IRRIGATION SUPPLIES-PARKS	2,161.55
			IRRIGATION SUPPLIES-CFD#1	122.36
			IRRIGATION SUPPLIES-PARKS	92.17
Vendor Total		**2,941.32**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**2,941.32**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
7/25/2011	208838	7,987.21		
			LANDSCAPE MAINT-E8	22.22
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-WQB	1,059.42
			LANDSCAPE MAINT-WQB	3,444.50
Vendor Total		**7,987.21**		
FYTD for EXCEL LANDSCAPE, INC		**7,987.21**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
7/5/2011	883058	361.25		
			RETIREE MED JUL '11	361.25
Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN		**361.25**		

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FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
7/5/2011	208555	586.00		
			ONLINE PROP INFO SVCS-CDD	331.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-EDD	170.00
7/25/2011	208839	526.00		
			ONLINE PROP INFO SVCS-CDD	271.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-NSP	170.00
	Vendor Total	**1,112.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**1,112.00**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
7/5/2011	883059	134.06		
			COFFEE SVCS-EMP PAID	1.40
			COFFEE SVCS-EMP PAID	132.66
7/11/2011	883142	550.48		
			COFFEE SVCS-EMP PAID	171.03
			COFFEE SVCS-EMP PAID	20.00
			COFFEE SVCS-EMP PAID	225.43
			COFFEE SVCS-EMP PAID	85.64
			COFFEE SVCS-EMP PAID	48.38
7/18/2011	883173	62.01		
			COFFEE SUPPLIES-CITY YARD	62.01
	Vendor Total	**746.55**		
FYTD for FIRST CHOICE SERVICES		**746.55**		
FLORES, ARCHIE			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208754	29.60		
			REFUND-PICNIC SHELTER RENTAL	29.60
	Vendor Total	**29.60**		
FYTD for FLORES, ARCHIE		**29.60**		
FOOTHILL CHAPTER - I.C.C.			Remit to: **FONTANA** **CA**	
7/25/2011	208841	50.00		
			MEMBERSHIP DUES	50.00
	Vendor Total	**50.00**		
FYTD for FOOTHILL CHAPTER - I.C.C.		**50.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883060	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**318.73**		

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FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	7/5/2011	208556	165.58		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	25.58
	7/18/2011	208755	255.00		
				GARNISHMENT	25.00
				GARNISHMENT	230.00
	Vendor Total		**420.58**		
FYTD for FRANCHISE TAX BOARD			**420.58**		
FRANCO, JUAN				Remit to: **PERRIS** **CA**	
	7/18/2011	208756	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FRANCO, JUAN			**75.00**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	7/11/2011	208663	193.29		
				MILEAGE REIMBURSEMENT	193.29
	Vendor Total		**193.29**		
FYTD for FRANKLIN, L. C.			**193.29**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208557	2,249.76		
				TRAFFIC PAINT	2,249.76
	Vendor Total		**2,249.76**		
FYTD for FRAZEE INDUSTRIES, INC			**2,249.76**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208757	140.00		
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	56.00
				SPORTS OFFICIATING SVCS-SFTBLL	4.00
	Vendor Total		**140.00**		
FYTD for FRESQUEZ, JOHN			**140.00**		
FUEL AND FLAME MINISTRY				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208664	480.00		
				REFUND-UNUSED PORTION OF DEP.	480.00
	Vendor Total		**480.00**		
FYTD for FUEL AND FLAME MINISTRY			**480.00**		

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FUEL PROS, INC				Remit to: **CHINO** **CA**	
	7/18/2011	208758	1,650.00		
				FUEL DISPENSER PUMP RPLCMNT	1,502.00
				FUEL DISPENSER PUMP RPLCMNT	148.00
	Vendor Total		**1,650.00**		
FYTD for FUEL PROS, INC			**1,650.00**		
GAGATCH, HEATHER				Remit to:	
	7/5/2011	208558	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for GAGATCH, HEATHER			**145.00**		
GAINES SR., GLENN E.				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208665	110.00		
				REFUND-CITATION FEE	110.00
	Vendor Total		**110.00**		
FYTD for GAINES SR., GLENN E.			**110.00**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208666	571.24		
				UNIFORMS-TRFFC UNIT	571.24
	7/18/2011	208759	26.10		
				UNIFORMS-TRFFC UNIT	26.10
	Vendor Total		**597.34**		
FYTD for GALLS INC., INLAND UNIFORM			**597.34**		
GAMA, LINA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208667	41.64		
				CRIME-FREE MULTI HOUSING SEMNR	41.64
	Vendor Total		**41.64**		
FYTD for GAMA, LINA			**41.64**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883061	174.30		
				RETIREE MED JUL '11	174.30
	Vendor Total		**174.30**		
FYTD for GASTON, RICHARD			**174.30**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
7/11/2011	883143	429.52		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
7/18/2011	883174	1,411.28		
			SECURITY SVCS-CRC 6/4/11 EVNT	76.70
			SECURITY SVCS-TCC RENTALS	360.49
			SECURITY SVCS-TCC RENTALS	145.73
			SECURITY SVCS-SENIOR CTR	291.46
			SECURITY SVCS-CRC	230.10
			SECURITY SVCS-CRC	226.26
			SECURITY SVCS-CRC	80.54
7/25/2011	883197	2,193.62		
			SECURITY SVCS-CITY HALL	230.10
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	490.88
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
	Vendor Total	**4,034.42**		
FYTD for GENERAL SECURITY SERVICES, INC.		**4,034.42**		
GES EXPOSITION SERVICES			Remit to: **LAS VEGAS**	**NV**
7/25/2011	208843	2,433.11		
			TRADESHOW SVCS-VARIOUS	2,433.11
	Vendor Total	**2,433.11**		
FYTD for GES EXPOSITION SERVICES		**2,433.11**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883062	7,252.50		
			LEGAL SVCS	3,941.75
			LEGAL SVCS	1,323.25
			LEGAL SVCS	1,987.50
	Vendor Total	**7,252.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**7,252.50**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883063	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total	**318.73**		
FYTD for GONZALES, DOMILENA R.		**318.73**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GORM INC.				Remit to: **ONTARIO** **CA**	
	7/25/2011	208844	3,440.86		
				JANITORIAL SUPPLIES-CITY PARKS	1,720.43
				JANITORIAL SUPPLIES-CFD #1	1,720.43
		Vendor Total	**3,440.86**		
FYTD for GORM INC.			**3,440.86**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	883144	486.00		
				INSTRUCTOR SVCS-KUNG FU	270.00
				INSTRUCTOR SVCS-KUNG FU	216.00
		Vendor Total	**486.00**		
FYTD for GOZDECKI, DAN			**486.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208760	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
		Vendor Total	**1,000.00**		
FYTD for GRANICUS, INC.			**1,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	7/5/2011	883064	318.73		
				RETIREE MED JUL '11	318.73
		Vendor Total	**318.73**		
FYTD for GRIFFIN, MARLENE C			**318.73**		
GROUND CONTROL SYSTEMS, INC.				Remit to: **SAN LUIS OBISPO** **CA**	
	7/25/2011	883198	1,908.00		
				MOBILE SAT INTERNET SVC-PD	1,908.00
		Vendor Total	**1,908.00**		
FYTD for GROUND CONTROL SYSTEMS, INC.			**1,908.00**		
GUERRERO, CLAUDIO				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208668	20.00		
				REFUND-RABIES DEPOSIT	20.00
		Vendor Total	**20.00**		
FYTD for GUERRERO, CLAUDIO			**20.00**		
GUIDERO, DAVID				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208559	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for GUIDERO, DAVID			**75.00**		

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GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	7/5/2011	883065	551.34		
				RETIREE MED JUN-JUL '11, PD JU	551.34
	Vendor Total		**551.34**		
FYTD for GUILLAN, REBECCA S.			**551.34**		
GUTIERREZ, JOSHUA				Remit to: **BUENA PARK** **CA**	
	7/25/2011	208845	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for GUTIERREZ, JOSHUA			**20.00**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	7/5/2011	883066	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**318.73**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883175	4,049.00		
				CART RETRIEVAL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**4,049.00**		
H & H GENERAL CONTRACTORS				Remit to: **HIGHLAND** **CA**	
	7/18/2011	883176	0.00		
				MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
				VOIDED CHECK #883176 - 7/21/11	-215,802.45
	Vendor Total		**0.00**		
FYTD for H & H GENERAL CONTRACTORS			**215,802.45**		
H.O.C.I.E - HOUSING OPPORTUNITIES				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208560	1,440.00		
				FORECLOSURE COUNSELING SVCS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for H.O.C.I.E - HOUSING OPPORTUNITIES			**1,440.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883067	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**318.73**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883068	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**318.73**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	7/5/2011	208561	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**318.73**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	7/5/2011	208562	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**318.73**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208563	168.00		
				INSTRUCTOR SVCS-BODY SCULPTING	108.00
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
	Vendor Total		**168.00**		
FYTD for HASS, MINA			**168.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883069	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**318.73**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	7/5/2011	883070	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**318.73**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208564	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**318.73**		

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HERTZ EQUIPMENT RENTAL INC			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208565	688.29		
			CRANE TRUCK RENTAL	688.29
	Vendor Total	**688.29**		
FYTD for HERTZ EQUIPMENT RENTAL INC		**688.29**		
HIGGS, DEBRA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208761	108.00		
			INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total	**108.00**		
FYTD for HIGGS, DEBRA		**108.00**		
HODGE PRODUCTS, INC.			Remit to: **EL CAJON** **CA**	
7/25/2011	883199	677.87		
			LOCKS-CFD #1	172.97
			LOCKS-CITY PARKS	170.00
			LOCKS-CFD #1	27.03
			LOCKS-CFD #1	307.87
	Vendor Total	**677.87**		
FYTD for HODGE PRODUCTS, INC.		**677.87**		
HOUSER, EDITH E.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208566	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for HOUSER, EDITH E.		**318.73**		
HOUSTON RICHARD			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208762	100.00		
			REFUND-CHILD'S PLACE FEES	100.00
	Vendor Total	**100.00**		
FYTD for HOUSTON RICHARD		**100.00**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
7/29/2011	2906	8,520.83		
			DEF COMP 457 7/29/11	8,520.83
	Vendor Total	**8,520.83**		
FYTD for ICMA RETIREMENT CORP 457		**42,062.58**		
IL SORRENTO MOBILE PARK			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208567	112.29		
			REFUND-UUT USER TAXES	112.29
	Vendor Total	**112.29**		
FYTD for IL SORRENTO MOBILE PARK		**112.29**		

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IMANI PRAISE FELLOWSHIP SDA CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208568	100.00		
			REFUND-RENTAL DEPOSIT -MSU	100.00
	Vendor Total	**100.00**		
FYTD for IMANI PRAISE FELLOWSHIP SDA CHURCH		**100.00**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
7/18/2011	208763	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**475.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883200	2,782.13		
			ABATEMENT SVC-22385 COTTNWD AV	2,782.13
	Vendor Total	**2,782.13**		
FYTD for INLAND CONTRACTORS, INC.		**2,782.13**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS** **CA**	
7/11/2011	208669	4,575.00		
			ADVERTISING SVCS-PW SOLID WAST	400.00
			ADVERTISING SVCS-PW SOLID WAST	4,175.00
	Vendor Total	**4,575.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**4,575.00**		
INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883145	2,863.40		
			NUISANCE ABTMNT SVCS-CODE	957.90
			NUISANCE ABTMNT SVCS-CODE	900.00
			NUISANCE ABTMNT SVCS-CODE	346.50
			NUISANCE ABTMNT SVCS-CODE	432.00
			NUISANCE ABTMNT SVCS-CODE	227.00
7/25/2011	883201	1,456.00		
			NUISANCE ABATEMENT SVCS-CODE	252.00
			NUISANCE ABATEMENT SVCS-CODE	1,204.00
	Vendor Total	**4,319.40**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**4,319.40**		

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INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON** **CA**	
7/5/2011	883071	393.00		
			VAPOR RECOVERY TESTING-FS #2	393.00
7/25/2011	883202	140.00		
			HOSE RETRACTOR REPAIR-FS#91	140.00
	Vendor Total	**533.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**533.00**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2892	2,000.00		
			FED INCOME TAX W/H 7/1/11	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
J D H CONTRACTING			Remit to: **RIVERSIDE** **CA**	
7/11/2011	883146	8,960.00		
			CONTRACT SVCS-FIRE STATION 91	5,921.00
			CONTRACT SVCS-SENIOR CENTER	3,039.00
7/12/2011	883162	845.00		
			GOLF CTR ROOFING WORK	845.00
	Vendor Total	**9,805.00**		
FYTD for J D H CONTRACTING		**9,805.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208670	36.00		
			SPORTS OFFICIATING SVCS-SFTBL	36.00
	Vendor Total	**36.00**		
FYTD for JACKSON, JAYE		**36.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208764	75.00		
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**75.00**		
JARRETT, STEPHEN M.			Remit to: **BEAUMONT** **CA**	
7/5/2011	208569	485.91		
			TRAVEL EXP-ESRI INTL USER CONF	95.41
			TRAVEL EXP-ESRI INTL USER CONF	390.50
	Vendor Total	**485.91**		
FYTD for JARRETT, STEPHEN M.		**485.91**		

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JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	7/12/2011	883163	1,955.00		
				CONSULTING SVCS-TECH SVCS	1,955.00
	Vendor Total		**1,955.00**		
FYTD for JDEDGE SOFTWARE, LLC			**1,955.00**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	7/25/2011	208846	99.96		
				MILEAGE REIMBURSEMENT	99.96
	Vendor Total		**99.96**		
FYTD for JONES III, JOSEPH			**99.96**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883072	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**318.73**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	7/5/2011	883073	15,181.51		
				TRAFFIC SIGNAL SUPPLIES	3,371.25
				TRAFFIC SIGNAL SUPPLIES	3,599.63
				TRAF SIG SERVICE CABINET	7,550.00
				CA SALES TAX	660.63
	Vendor Total		**15,181.51**		
FYTD for JTB SUPPLY CO., INC.			**64,456.14**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208570	2,687.65		
				LEGAL SVCS	2,675.00
				LEGAL SVCS	12.65
	Vendor Total		**2,687.65**		
FYTD for KANE, BALLMER & BERKMAN			**2,687.65**		
KASHEFIPOUR, HOSSEIN				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208671	191.25		
				MILEAGE REIMBURSEMENT	43.35
				MILEAGE REIMBURSEMENT	58.65
				MILEAGE REIMBURSEMENT	89.25
	Vendor Total		**191.25**		
FYTD for KASHEFIPOUR, HOSSEIN			**191.25**		

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KATZ, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208765	48.00		
				REFUND-CLASS REGIS FEE	48.00
	Vendor Total		**48.00**		
FYTD for KATZ, MICHELLE			**48.00**		
KDM MERIDIAN, INC.				Remit to: **LAKE FOREST** **CA**	
	7/5/2011	883074	2,945.00		
				DAY ST WIDENING/EUCALYPTUS PRJ	1,608.00
				ANNL ADA COMPL CURB/RAMP PROJ	1,337.00
	Vendor Total		**2,945.00**		
FYTD for KDM MERIDIAN, INC.			**2,945.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	208571	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**267.88**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	7/25/2011	208847	761.06		
				SPLASH PAD SUPPLIES-CFD #1	186.21
				SPLASH PAD SUPPLIES-CFD #1	574.85
	Vendor Total		**761.06**		
FYTD for KNORR SYSTEMS, INC			**761.06**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883075	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**318.73**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883076	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**318.73**		

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KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	7/25/2011	208848	1,126.22		
				CALIBRATE/REPAIR LASER GUN-PD	200.00
				CALIBRATE/REPAIR LASER GUN-PD	126.21
				LASER GUN PARTS/REPAIR-PD	800.01
	Vendor Total		**1,126.22**		
FYTD for KUSTOM SIGNALS, INC.			**1,126.22**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	7/5/2011	883077	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**318.73**		
LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208572	168.00		
				LEGAL SERVICES-RISK MGT	168.00
	Vendor Total		**168.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**168.00**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883078	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**318.73**		
LANCE, SOLL & LUNGHARD, LLP				Remit to: **BREA** **CA**	
	7/25/2011	208849	620.00		
				PROF SVCS-RE: GANN LIMIT	620.00
	Vendor Total		**620.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP			**620.00**		
LANGENDORF, BENJAMIN				Remit to: **PERRIS** **CA**	
	7/5/2011	883079	221.40		
				RETIREE MED MAY 11, PD JUL 11	221.40
	Vendor Total		**221.40**		
FYTD for LANGENDORF, BENJAMIN			**221.40**		

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LANGSTON MOTORSPORTS			Remit to: **PERRIS** **CA**	
7/18/2011	208766	2,355.27		
			MOTOR REPAIRS & PARTS	480.00
			MOTOR REPAIRS & PARTS	249.44
			MOTOR REPAIRS & PARTS	480.00
			MOTOR REPAIRS & PARTS	505.83
			MOTOR MAINT REPAIRS	160.00
			MOTOR MAINT REPAIRS	160.00
			MOTOR MAINT REPAIRS	160.00
			MOTOR MAINT REPAIRS	160.00
	Vendor Total	**2,355.27**		
FYTD for LANGSTON MOTORSPORTS		**2,355.27**		
LAWYERS TITLE INC			Remit to: **NEWPORT BEACH** **CA**	
7/19/2011	110705	16,196.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	16,196.00
7/19/2011	110706	21,386.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	21,386.00
	Vendor Total	**37,582.00**		
FYTD for LAWYERS TITLE INC		**37,582.00**		
LAZARUS, MARGERY A.			Remit to: **CORONA** **CA**	
7/18/2011	208767	138.72		
			MILEAGE REIMB-SR60/NASON PROJ	49.47
			MILEAGE REIMB-INDIAN BASIN PRJ	30.09
			MILEAGE REIMB-SR60 MOR BCH PRJ	59.16
	Vendor Total	**138.72**		
FYTD for LAZARUS, MARGERY A.		**138.72**		
LEWIS, CAROLYN S.			Remit to: **BEAUMONT** **CA**	
7/5/2011	883080	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for LEWIS, CAROLYN S.		**318.73**		
LIGHTS OUT DISPOSAL COMPANY			Remit to: **EL CAJON** **CA**	
7/5/2011	208573	444.15		
			E-WASTE PICK UP SERVICES	444.15
	Vendor Total	**444.15**		
FYTD for LIGHTS OUT DISPOSAL COMPANY		**444.15**		

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LOGAN, CHARLENE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208574	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LOGAN, CHARLENE			**20.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883081	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**318.73**		
LONA, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208672	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for LONA, VERONICA			**300.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883179	4,501.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	1.00
				IRONWD AVE-DAY TO BARCLAY PROJ	4,500.00
	Vendor Total		**4,501.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**4,501.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883082	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**318.73**		
MACIAS JR., ANTHONY				Remit to: **RIALTO** **CA**	
	7/5/2011	208575	126.00		
				TUITION FEE REIMBURSEMENT	126.00
	Vendor Total		**126.00**		
FYTD for MACIAS JR., ANTHONY			**126.00**		
MAMCO, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208673	5,084.33		
				DRACAEA AVE SIDEWLK IMPRVMNTS	5,084.33
	Vendor Total		**5,084.33**		
FYTD for MAMCO, INC			**5,084.33**		

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MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208576	6.08		
			GAS CHARGES-MARCH FIELD PRK CC	4.96
			GAS CHARGES-MARCH FIELD PRK CC	1.12
	Vendor Total	**6.08**		
FYTD for MARCH JOINT POWERS AUTHORITY		**6.08**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
7/5/2011	883083	4,425.04		
			LANDSCAPE MAINT-DSG2N	668.42
			LANDSCAPE MAINT-DSG2N	3,756.62
7/25/2011	883203	4,994.91		
			LANDSCAPE MAINT-ZONE DSG-2S	4,994.91
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**9,419.95**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208577	280.00		
			INSTRUCTOR SVCS-BOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	112.00
	Vendor Total	**280.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**280.00**		
MARTINEZ, REGGIE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208674	105.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
	Vendor Total	**105.00**		
FYTD for MARTINEZ, REGGIE		**105.00**		
MATHIS, NOLAN			Remit to: **JACKSON** **KY**	
7/5/2011	883084	290.00		
			RETIREE MED MAY 11, PD JUL 11	290.00
	Vendor Total	**290.00**		
FYTD for MATHIS, NOLAN		**290.00**		
MAXINOSKI, SUE A.			Remit to: **AVINGER** **TX**	
7/5/2011	883085	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for MAXINOSKI, SUE A.		**318.73**		

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MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/12/2011	208722	19,969.47		
				REHAB COSTS-24395 DYNA PLACE	19,969.47
	Vendor Total		**19,969.47**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MC NEEL, MARGARETTE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208676	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MC NEEL, MARGARETTE			**50.00**		
MEDINA, EUNICE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208578	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MEDINA, EUNICE			**20.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	7/11/2011	883147	200.00		
				SPORTS OFFICIATING SVCS-SFTBL	80.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
	Vendor Total		**200.00**		
FYTD for MEEKS, DANIEL			**200.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	7/11/2011	208677	1,620.00		
				PLAN CHECK SVCS-BLDG/SFTY	1,620.00
	Vendor Total		**1,620.00**		
FYTD for MELAD & ASSOCIATES, INC			**1,620.00**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208678	135.66		
				MILEAGE REIMBURSEMENT	135.66
	Vendor Total		**135.66**		
FYTD for MENGISTU, YESHIALEM			**135.66**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	7/5/2011	883086	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**318.73**		

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METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	7/18/2011	208768	50.00		
				TEXT MESSAGE RETRIEVAL SVC	50.00
	Vendor Total		**50.00**		
FYTD for METROPCS WIRELESS, INC.			**50.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208579	483.00		
				INSTRUCTOR SVCS-DRAWING	378.00
				INSTRUCTOR SVCS-PHOTO	105.00
	Vendor Total		**483.00**		
FYTD for MEYERS, ROBERT			**483.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883087	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**229.88**		
MIMES, TANIYSHA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208769	64.00		
				REFUND-PICNIC SHELTER RENTAL	64.00
	Vendor Total		**64.00**		
FYTD for MIMES, TANIYSHA			**64.00**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	7/5/2011	883088	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**318.73**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	7/18/2011	883180	2,745.16		
				PLAYGROUND EQUIP PARTS-PARKS	1,961.65
				PLAYGROUND EQUIP PARTS-PARKS	307.64
				PLAYGROUND EQUIPMENT PARTS	475.87
	Vendor Total		**2,745.16**		
FYTD for MIRACLE RECREATION EQUIPMENT			**2,745.16**		

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MISTRETTA, ARTHUR			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883149	144.00		
			SPORTS OFFICIATING SVCS-SFTBL	54.00
			SPORTS OFFICIATING SVCS-SFTBL	36.00
			SPORTS OFFICIATING SVCS-SFTBL	54.00
	Vendor Total	**144.00**		
FYTD for MISTRETTA, ARTHUR		**144.00**		
MOELLER, DONNA M.			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208770	67.77		
			NEIGHBRHD CLEAN UP EXPENSE	67.77
	Vendor Total	**67.77**		
FYTD for MOELLER, DONNA M.		**67.77**		
MOLLICA, MIKE			Remit to: **DUNNELLON** **FL**	
7/5/2011	883089	401.42		
			RETIREE MED JUL '11	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**401.42**		
MONTEJANO, SHIRLEY			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208679	750.00		
			REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total	**750.00**		
FYTD for MONTEJANO, SHIRLEY		**750.00**		
MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208680	1,706.90		
			PLUMBING SVCS-CRC	1,075.00
			PLUMBING SVCS-ANIMAL SHELTER	631.90
	Vendor Total	**1,706.90**		
FYTD for MONTGOMERY PLUMBING INC		**1,706.90**		
MOORE, LEEPORSCHA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208681	22.00		
			REFUND-PARKS CLASS REGIS FEE	22.00
	Vendor Total	**22.00**		
FYTD for MOORE, LEEPORSCHA		**22.00**		
MOOSEPOINT TECHNOLOGY, INC.			Remit to: **SONOMA** **CA**	
7/25/2011	208851	9,000.00		
			GIS INTERNET SITE HOSTING SVCS	9,000.00
	Vendor Total	**9,000.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**9,000.00**		

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MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	7/5/2011	883090	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**318.73**		
MORENO VALLEY BOWL				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208580	320.00		
				INSTRUCTOR SVCS-BOWLING	320.00
	Vendor Total		**320.00**		
FYTD for MORENO VALLEY BOWL			**320.00**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208581	60.00		
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
	7/5/2011	208582	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**810.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**810.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	7/1/2011	2888	1,538.00		
				MVCEA DUES 7/1/11	1,538.00
	7/15/2011	2897	1,543.50		
				MVCEA DUES 7/15/11	1,543.50
	7/29/2011	2905	1,419.00		
				MVCEA DUES 7/29/11	1,419.00
	Vendor Total		**4,500.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**4,500.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRANO CA**	
	7/18/2011	883181	9,207.72		
				LEASE-SPEC DIST ANNEX-AUG 11	9,207.72
	7/25/2011	883204	7,934.87		
				LEASE-FACILITIES ANNEX	2,458.97
				LEASE-TECH SVCS ANNEX	5,475.90
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**17,142.59**		

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MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/5/2011	208583	91.54		
				ELECTRICITY-UT FLD OFFICE	91.54
	Vendor Total		**91.54**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		
MORENO, MARIO				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208852	230.00		
				PER DIEM-GANG VIOLENCE CONF.	230.00
	Vendor Total		**230.00**		
FYTD for MORENO, MARIO			**230.00**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	7/5/2011	883091	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**318.73**		
MPULSE MAINTENANCE SOFTWARE, INC.				Remit to: **EUGENE** **OR**	
	7/5/2011	883092	3,977.50		
				PROGRAM RENEWAL-TECH SVCS	3,977.50
	Vendor Total		**3,977.50**		
FYTD for MPULSE MAINTENANCE SOFTWARE, INC.			**3,977.50**		
MULTI W SYSTEMS, INC				Remit to: **EL MONTE** **CA**	
	7/25/2011	208853	975.00		
				PUMP REPAIR-COMM PARK SOCCER F	975.00
	Vendor Total		**975.00**		
FYTD for MULTI W SYSTEMS, INC			**975.00**		
MUNOZ, ARIEL				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208772	110.16		
				MILEAGE REIMBURSEMENT	80.07
				MILEAGE REIMBURSEMENT	30.09
	Vendor Total		**110.16**		
FYTD for MUNOZ, ARIEL			**110.16**		
MURILLO, MARIA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208773	750.00		
				REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total		**750.00**		
FYTD for MURILLO, MARIA			**750.00**		

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MUSICK, PEELER & GARRETT, LLP			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208774	240.00		
			LEGAL SVCS	240.00
	Vendor Total	**240.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP		**240.00**		
MYERS & SONS HI-WAY SAFETY INC			Remit to: **CHINO** **CA**	
7/11/2011	208682	11,957.06		
			TRUCK MNTD MSSG BOARD-PW	10,995.00
			TRUCK MNTD MSSG BOARD-PW	962.06
	Vendor Total	**11,957.06**		
FYTD for MYERS & SONS HI-WAY SAFETY INC		**11,957.06**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/1/2011	2886	4,288.72		
			PST DEF COMP FOR FICA 7/1/11	4,288.72
7/1/2011	2887	1,240.66		
			DEF COMP 457 & 401(A) 7/1/11	1,240.66
7/15/2011	2895	1,733.32		
			PST DEF COMP FOR FICA 7/15/11	1,733.32
7/29/2011	2903	2,082.83		
			PST DEF COMP FOR FICA 7/29/11	2,082.83
	Vendor Total	**9,345.53**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
7/5/2011	883093	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**318.73**		
NEAL, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208775	156.00		
			REFUND-PICNIC SHELTER RENTAL	156.00
	Vendor Total	**156.00**		
FYTD for NEAL, DEBORAH		**156.00**		
NEGRETTE, JENNIFER			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208584	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for NEGRETTE, JENNIFER		**20.00**		

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NELSON PAVING				Remit to: **PERRIS** **CA**	
	7/5/2011	208585	871.00		
				CONCRETE PAINTING	871.00
	Vendor Total		**871.00**		
FYTD for NELSON PAVING			**871.00**		
NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	7/5/2011	883094	325.66		
				RETIREE MED JUL '11	325.66
	Vendor Total		**325.66**		
FYTD for NELSON, ROBERT			**325.66**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	7/5/2011	883095	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**318.73**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	7/5/2011	208586	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**318.73**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883096	9.42		
				REFUND-UUT USER TAXES	9.42
	Vendor Total		**9.42**		
FYTD for NEW HORIZON MOBILE HOME PARK			**9.42**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208588	401.42		
				RETIREE MED JUL '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**401.42**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	7/18/2011	208776	2,713.31		
				NIGHT VISION GOGGLES FOR PD	2,495.00
				CA SALES TAX	218.31
	Vendor Total		**2,713.31**		
FYTD for NIGHT GALAXY, INC.			**2,713.31**		

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NINYO & MOORE GEOTECHNICAL				Remit to: **SAN DIEGO** **CA**	
	7/5/2011	208589	6,987.75		
				DRACAEA AVE SIDEWLK IMPRVMNTS	6,987.75
	7/11/2011	208683	539.25		
				IRONWD AVE ST/STORM DRAIN PROJ	539.25
	7/18/2011	208777	17,091.00		
				IRONWD AVE ST/STORM DRAIN PROJ	17,091.00
	Vendor Total		**24,618.00**		
FYTD for NINYO & MOORE GEOTECHNICAL			**24,618.00**		
NOLLAR, JANICE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208590	307.04		
				TRAVEL EXP-ESRI INTL USER CONF	94.04
				TRAVEL EXP-ESRI INTL USER CONF	213.00
	Vendor Total		**307.04**		
FYTD for NOLLAR, JANICE			**307.04**		
NOLTE ASSOCIATES, INC				Remit to: **SACRAMENTO** **CA**	
	7/18/2011	208778	113.43		
				REFUND-BUS LIC OVERPAYMENT	113.43
	Vendor Total		**113.43**		
FYTD for NOLTE ASSOCIATES, INC			**113.43**		
OAKRIDGE DATA MINING				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208779	2,370.00		
				CONSULTANT SVCS-TECH SVCS	2,370.00
	Vendor Total		**2,370.00**		
FYTD for OAKRIDGE DATA MINING			**2,370.00**		
OMNIGRAPHICS				Remit to: **HOLMES** **PA**	
	7/25/2011	208854	90.95		
				REFERENCE BOOKS	90.95
				REFERENCE BOOKS	7.96
				REFERENCE BOOKS	-7.96
	Vendor Total		**90.95**		
FYTD for OMNIGRAPHICS			**90.95**		
ORACLE AMERICA				Remit to: **SAN FRANCISCO** **CA**	
	7/5/2011	208591	21,621.68		
				ANNUAL MAINT-TECH SVCS	21,621.68
	Vendor Total		**21,621.68**		
FYTD for ORACLE AMERICA			**21,621.68**		

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ORCHID CELLMARK, INC				Remit to: **FARMERS BRANCH** **TX**	
	7/18/2011	208780	2,280.00		
				DETECT/TEST EVIDENCE/DNA-PD	2,280.00
	Vendor Total		**2,280.00**		
FYTD for ORCHID CELLMARK, INC			**2,280.00**		
ORROCK, POPKA, FORTINO & BRISLIN				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	883205	208.00		
				LEGAL SVCS	208.00
	Vendor Total		**208.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN			**208.00**		
ORTEGA, JORGE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208592	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**750.00**		
FYTD for ORTEGA, JORGE			**750.00**		
OVERLAND PACIFIC & CUTLER, INC.				Remit to: **LONG BEACH** **CA**	
	7/25/2011	883206	296.25		
				SR-60/NASON INTRCHNG PROJ SVCS	296.25
	7/25/2011	883207	6,800.00		
				APPRAISAL SVCS-HIGHLND FIRE ST	6,800.00
	Vendor Total		**7,096.25**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**7,096.25**		
PACIFIC GREEN HORTICULTURAL SVC				Remit to: **UPLAND** **CA**	
	7/25/2011	883208	989.00		
				TURF FERTILIZATION-ZONE E	302.97
				TURF FERTILIZATION-ZONE E	550.15
				TURF FERTILIZATION-ZONE E	112.61
				TURF FERTILIZATION-ZONE E	23.27
	Vendor Total		**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**989.00**		
PACIFIC TELEMANAGEMENT SERVICES				Remit to: **SAN RAMON** **CA**	
	7/5/2011	883097	375.84		
				PAYPHONE SVCS	313.20
				PAYPHONE SVCS-PD	62.64
	Vendor Total		**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**375.84**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PARSONS TRANSPORTATION GROUP, INC.				Remit to: **IRVINE** **CA**	
	7/18/2011	208781	13,592.47		
				SR-60/MOR BCH DR INTRCHNG PROJ	13,592.47
	Vendor Total		**13,592.47**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**13,592.47**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208593	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**229.88**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	7/11/2011	208685	110.00		
				SPORTS OFFICIATING SVCS-SFTBL	110.00
	Vendor Total		**110.00**		
FYTD for PAUL, MICHAEL			**110.00**		
PERKINS, NICOLE				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208594	72.00		
				INSTRUCTOR SVCS-RIPPED	36.00
				INSTRUCTOR SVCS-RIPPED	36.00
	Vendor Total		**72.00**		
FYTD for PERKINS, NICOLE			**72.00**		
PERMA				Remit to: **PALM DESERT** **CA**	
	7/25/2011	883209	1,548.17		
				SEMI-ANNUAL AUDIT INVOICE	1,548.17
	Vendor Total		**1,548.17**		
FYTD for PERMA			**1,548.17**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	7/5/2011	208595	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**318.73**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	7/5/2011	208596	458.63		
				LONG TERM CARE INSURANCE	458.63
	7/18/2011	208782	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**917.26**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PETTY CASH - FINANCE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208783	1,297.91		
				PETTY CASH FUND REPLENISHMENT	28.41
				PETTY CASH FUND REPLENISHMENT	36.05
				PETTY CASH FUND REPLENISHMENT	22.32
				PETTY CASH FUND REPLENISHMENT	27.03
				PETTY CASH FUND REPLENISHMENT	67.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	6.00
				PETTY CASH FUND REPLENISHMENT	91.64
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	20.80
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	10.50
				PETTY CASH FUND REPLENISHMENT	26.96
				PETTY CASH FUND REPLENISHMENT	56.25
				PETTY CASH FUND REPLENISHMENT	17.71
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	18.32
				PETTY CASH FUND REPLENISHMENT	10.24
				PETTY CASH FUND REPLENISHMENT	91.38
				PETTY CASH FUND REPLENISHMENT	91.87
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	4.34
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	50.00
				PETTY CASH FUND REPLENISHMENT	45.00
				PETTY CASH FUND REPLENISHMENT	3.25
				PETTY CASH FUND REPLENISHMENT	23.68
				PETTY CASH FUND REPLENISHMENT	30.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	21.69
			PETTY CASH FUND REPLENISHMENT	48.50
			PETTY CASH FUND REPLENISHMENT	13.00
			PETTY CASH FUND REPLENISHMENT	88.47
			PETTY CASH FUND REPLENISHMENT	6.50
			PETTY CASH FUND REPLENISHMENT	24.00
	Vendor Total	1,297.91		
FYTD for PETTY CASH - FINANCE		1,297.91		

PICTUREME PORTRAIT STUDIO #15193 Remit to: **ST. LOUIS** **MO**

7/11/2011	208686	71.76		
			REFUND-BUS LIC OVERPAYMENT	71.76
	Vendor Total	71.76		
FYTD for PICTUREME PORTRAIT STUDIO #15193		71.76		

POIEMA LANDSCAPE, INC. Remit to: **COLTON** **CA**

7/5/2011	883098	2,131.00		
			LANDSCAPE MAINT-E12	2,131.00
7/25/2011	883210	1,712.15		
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		3,843.15		

POLK, SHAKENDRA Remit to: **MORENO VALLEY** **CA**

7/18/2011	208784	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	25.00
			REFUND-RENTAL DEPOSIT-TWNGATE	175.00
	Vendor Total	200.00		
FYTD for POLK, SHAKENDRA		200.00		

PRICE, GEORGE E. Remit to: **MORENO VALLEY** **CA**

7/5/2011	883099	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	318.73		
FYTD for PRICE, GEORGE E.		318.73		

PROTECTION ONE, INC. Remit to: **WITCHITA** **KS**

7/18/2011	208785	42.00		
			MONITORING SVCS-GOLF PRO SHOP	17.00
			MONITORING SVCS-MVTV STUDIO	17.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
	Vendor Total	42.00		
FYTD for PROTECTION ONE, INC.		42.00		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	7/5/2011	883100	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**318.73**		
PULSE PRINT SOLUTIONS				Remit to: **ORANGE** **CA**	
	7/11/2011	208687	2,936.25		
				PRINT SVCS-EDUCATIONAL MAGNETS	2,700.00
				SALES TAX	236.25
	Vendor Total		**2,936.25**		
FYTD for PULSE PRINT SOLUTIONS			**2,936.25**		
QUINTERO, CYNTHIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208688	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for QUINTERO, CYNTHIA			**200.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	7/11/2011	883150	2,023.00		
				ROLL UP DOOR MAIN, FIRE STN 6	201.00
				ROLL UP DOOR MAIN, FIRE STN 6	695.00
				ROLL UP DOOR MAIN, FIRE STN 48	141.00
				ROLL UP DOOR MAIN, FIRE STN 2	201.00
				ROLL UP DOOR MAIN, FIRE STN 58	82.00
				ROLL UP DOOR MAIN, FIRE STN 58	119.00
				ROLL UP DOOR MAIN, FIRE STN 91	111.25
				ROLL UP DOOR MAIN, FIRE STN 91	89.75
				ROLL UP DOOR MAIN, FIRE STN 65	141.00
				ROLL UP DOOR MAIN, FIRE STN 65	130.75
				ROLL UP DOOR MAIN, FIRE STN 65	111.25
	Vendor Total		**2,023.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**2,023.00**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208597	168.81		
				REIMB-DUI SEMINAR TRNG CLASS	168.81
	Vendor Total		**168.81**		
FYTD for RAFAEL LOPEZ			**168.81**		

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RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208598	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.		**318.73**		
REGENTS OF U.C.			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208786	115.00		
			VIOLENT CRIME BEHAV SEMINAR	115.00
	Vendor Total	**115.00**		
FYTD for REGENTS OF U.C.		**115.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208599	384.60		
			SHADOW MTN PARK LIGHTING PROJ	384.60
7/25/2011	208856	3,401.50		
			SHADOW MTN PARK LIGHTING PROJ	2,951.50
			SHADOW MTN PARK LIGHTING PROJ	450.00
	Vendor Total	**3,786.10**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**3,786.10**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883101	2,582.50		
			DRACAEA AVE SIDEWLK IMPRVMNTS	2,582.50
7/18/2011	883182	11,995.00		
			TS@SUNNYMD RCH PKWY/VILLAGE RD	1,380.00
			TS@SUNNYMD RCH PKWY/VILLAGE RD	130.00
			2011 LOCAL ST. PAVEMNT RESURF.	7,545.00
			2011 LOCAL ST. PAVEMNT RESURF.	2,600.00
			DRACAEA AVE SIDEWLK IMPRVMNTS	340.00
	Vendor Total	**14,577.50**		
FYTD for RICK ENGINEERING COMPANY		**14,577.50**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208689	2,000.00		
			ENCR. PERMIT INITIAL DEPOSIT	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**2,000.00**		

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RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE**	**CA**
7/19/2011	110702	15,888.77		
			RETENTN PMT PER ESCRW AGREEMNT	15,888.77
7/19/2011	1107031	2,302.31		
			RETENTN PMT PER ESCRW AGREEMNT	2,302.31
7/19/2011	1107032	3,209.50		
			RETENTN PMT PER ESCRW AGREEMNT	3,209.50
7/19/2011	1107033	8,289.68		
			RETENTN PMT PER ESCRW AGREEMNT	8,289.68
7/19/2011	1107034	20,325.46		
			RETENTN PMT PER ESCRW AGREEMNT	20,325.46
	Vendor Total	**50,015.72**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**500,157.17**		
RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY			Remit to: **RIVERSIDE**	**CA**
7/25/2011	208857	10,572.22		
			TEAM RIV CTY 528140-ICSC CONF	2,770.00
			ICSC CONF.-GES LOGISTICS	997.50
			ICSC CONF.-EXHIBIT SPACE	3,500.00
			ICSC CONF.-ELECTRICITY COST	800.00
			ICSC CONF.-CARPET COST	2,400.00
			ICSC CONF-ADDTL FURNITURE COST	104.72
	Vendor Total	**10,572.22**		
FYTD for RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY		**10,572.22**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208690	3,781.83		
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			RADIO LEASE/MAIN-PD	170.10
			RADIO LEASE/MAIN-PD	9.45
			RADIO LEASE/MAIN-PD	33.12
			VPN CONNECTION SVCS-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**3,781.83**		
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883212	10,267.92		
			BOOKING FEES-PD	10,267.92
	Vendor Total	**10,267.92**		
FYTD for RIVERSIDE COUNTY SHERIFF		**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208787	138.00		
			REG-BASIC CRIMINAL INV. COURSE	138.00
	Vendor Total	**138.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**138.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208600	611.09		
			GARNISHMENT	173.05
			GARNISHMENT	438.04
7/18/2011	208788	674.82		
			GARNISHMENT	152.05
			GARNISHMENT	522.77
	Vendor Total	**1,285.91**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**1,285.91**		
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208858	322.00		
			7 ATTENDEES-CITZN DRIVER CLASS	322.00
	Vendor Total	**322.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPARTMENT		**322.00**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
7/25/2011	883213	6,417.00		
			TEMP STAFFING SVCS-CAP PROJS	6,417.00
	Vendor Total	**6,417.00**		
FYTD for RLZ ENGINEERING		**6,417.00**		
RMA GROUP			Remit to: **RANCHO CUCAMONGA** **CA**	
7/25/2011	208859	8,791.09		
			SR-60/NASON INTRCHNG PROJ SVCS	7,782.75
			SR-60/NASON INTRCHNG PROJ SVCS	1,008.34
	Vendor Total	**8,791.09**		
FYTD for RMA GROUP		**8,791.09**		
ROCHA, SARA L.			Remit to: **QUEEN CREEK** **AZ**	
7/5/2011	883103	826.20		
			RETIREE MED APR-JUN '11 ($160	826.20
	Vendor Total	**826.20**		
FYTD for ROCHA, SARA L.		**826.20**		

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ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	7/5/2011	883104	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**318.73**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208691	45.90		
				MILEAGE REIMBURSEMENT	45.90
	Vendor Total		**45.90**		
FYTD for ROGERS, KIANNA			**45.90**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883105	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**318.73**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	7/5/2011	883106	270.80		
				RETIREE MED JUL '11	174.30
				RETIREE MED JUL '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**270.80**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/25/2011	883214	357.50		
				PLUMBING REPAIRS-WOODLAND PARK	357.50
	Vendor Total		**357.50**		
FYTD for ROTO-ROOTER PLUMBERS			**357.50**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	7/5/2011	883107	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**229.88**		
RUTAN & TUCKER, LLP				Remit to: **COSTA MESA** **CA**	
	7/5/2011	208601	275.00		
				LEGAL SVCS-RE: PEG FEES	275.00
	Vendor Total		**275.00**		
FYTD for RUTAN & TUCKER, LLP			**275.00**		

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SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	7/25/2011	883215	5,400.00		
				TEMP STAFFING SVCS-CAP PROJS	5,400.00
	Vendor Total		**5,400.00**		
FYTD for SA ASSOCIATES			**5,400.00**		
SAFETY KLEEN CORP.				Remit to: **HIGHLAND** **CA**	
	7/11/2011	208692	134.33		
				MISC SUPPLIES-MAINT/OPS	134.33
	Vendor Total		**134.33**		
FYTD for SAFETY KLEEN CORP.			**134.33**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208693	144.00		
				INSTRUCTOR SVCS-ZUMBA	17.20
				INSTRUCTOR SVCS-ZUMBA	126.80
	Vendor Total		**144.00**		
FYTD for SALMAN, CLAUDIA			**144.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883108	60.00		
				FIRE SYSTEM INSPECTION SVC	8.00
				FIRE SYSTEM INSPECTION SVC	52.00
	Vendor Total		**60.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**60.00**		
SAXON, NANCY				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208602	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SAXON, NANCY			**20.00**		
SCAG/SOUTHERN CALIF ASSO OF GOVTS				Remit to: **LOS ANGELES** **CA**	
	7/11/2011	208694	15,680.00		
				DUES ASSESSMNT-FY 2011-12	15,680.00
	Vendor Total		**15,680.00**		
FYTD for SCAG/SOUTHERN CALIF ASSO OF GOVTS			**15,680.00**		
SCHIFFER, ROBYN				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208860	23,021.60		
				SOLAR INCENTIVE REBATE	23,021.60
	Vendor Total		**23,021.60**		
FYTD for SCHIFFER, ROBYN			**23,021.60**		

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SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208603	477.00		
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**477.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
7/5/2011	883109	62.50		
			REPAIRED DOOR JAM AT FS#48	62.50
7/25/2011	883216	987.63		
			LOCK/INSTALLATION-LIBRARY	49.00
			LOCK/INSTALLATION-LIBRARY	68.04
			LOCK/INSTALLATION-LIBRARY	402.21
			DOOR SVC-CITY CLRK FILE RM	423.38
			TRIP CHRG-SVC RE: WARRANT	45.00
	Vendor Total	**1,050.13**		
FYTD for SECURITY LOCK & KEY		**1,050.13**		
SEPULVEDA, SUSETTE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208695	49.60		
			REFUND-PARKS CLASS REGIS FEE	49.60
	Vendor Total	**49.60**		
FYTD for SEPULVEDA, SUSETTE		**49.60**		
SHABIR, AMNA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208696	427.00		
			REFUND-PARKS CLASS REGIS FEE	427.00
	Vendor Total	**427.00**		
FYTD for SHABIR, AMNA		**427.00**		
SHARRETT, SHARON K.			Remit to: **ONTARIO** **CA**	
7/5/2011	208604	174.30		
			RETIREE MED JUL '11	174.30
	Vendor Total	**174.30**		
FYTD for SHARRETT, SHARON K.		**174.30**		
SHELDON, STUART H.			Remit to: **MURRIETA** **CA**	
7/5/2011	208605	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for SHELDON, STUART H.		**318.73**		

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SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	7/18/2011	208789	111.00		
				FUEL PURCHASES	111.00
	7/25/2011	208861	21.25		
				FUEL PURCHASE	21.25
	Vendor Total		**132.25**		
FYTD for SHELL OIL CO.			**132.25**		
SIERRA SCREENPRINT GRAPHICS				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208697	1,508.91		
				CRIME FREE MULTI HSNG SIGNS-PD	1,387.50
				CALIF SALES TAX	121.41
	Vendor Total		**1,508.91**		
FYTD for SIERRA SCREENPRINT GRAPHICS			**1,508.91**		
SIERRA, GLORIA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208862	95.00		
				REFUND-RABIES DEPOSIT	20.00
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for SIERRA, GLORIA			**95.00**		
SKONBERG, RIX				Remit to: **LA VERNE** **CA**	
	7/18/2011	883184	0.00		
				TUITION REIMBURSEMENT	1,500.00
				VOIDED CHECK #883184 - 7/21/11	-1,500.00
	7/21/2011	883187	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for SKONBERG, RIX			**1,500.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883110	57.76		
				REFUND-UUT USER TAXES	57.76
	Vendor Total		**57.76**		
FYTD for SKY TRAILS MOBILE VILLAGE			**57.76**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883111	318.73		
				RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**318.73**		

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SMITH, ERNEST FRANK				Remit to: **FONTANA** **CA**	
	7/5/2011	208606	1,912.38		
				RETIREE MED JAN-JUN 11, PD JUL	1,912.38
	Vendor Total		**1,912.38**		
FYTD for SMITH, ERNEST FRANK			**1,912.38**		
SMITH, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208790	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SMITH, JOHN			**50.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883112	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**318.73**		
SMUS, PAULA				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208791	67.68		
				MILEAGE REIMBURSEMENT	67.68
	Vendor Total		**67.68**		
FYTD for SMUS, PAULA			**67.68**		
SO CAL FIRE PREVENTION OFFICERS ASSOC.				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/5/2011	208607	55.00		
				MEMBERSHIP RENEWAL	55.00
	Vendor Total		**55.00**		
FYTD for SO CAL FIRE PREVENTION OFFICERS ASSOC.			**55.00**		
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	7/11/2011	883152	14,671.30		
				FUEL PURCHASE	6,431.32
				FUEL PURCHASE	8,239.98
	Vendor Total		**14,671.30**		
FYTD for SOCO GROUP, INC			**14,671.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208698	103.20		
				INSTRUCTOR SVCS-YOGA CLASS	103.20
	Vendor Total		**103.20**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**103.20**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
7/5/2011	208608	416.41		
			OPERATING FEE-CH GENERATOR	303.56
			EMISSIONS FLAT FEE-CITY HALL	112.85
7/11/2011	208699	202.60		
			EMISSIONS FLAT FEE-CITY YARD	112.85
			ANNUAL OPERATING FEES-CITY YRD	89.75
7/11/2011	208700	112.31		
			AQMD FEE-JUL'10 TO JUN'11	112.31
7/25/2011	208863	112.31		
			HOT SPOTS FEE-JUL'10 TO JUN'11	112.31
	Vendor Total	**843.63**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**843.63**		
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208609	6,946.39		
			ELECTRICITY	94.55
			ELECTRICITY	104.01
			ELECTRICITY	916.01
			ELECTRICITY	1,791.93
			ELECTRICITY	135.60
			ELECTRICITY	248.78
			ELECTRICITY	706.85
			ELECTRICITY	824.38
			ELECTRICITY	154.13
			ELECTRICITY	309.68
			ELECTRICITY	25.25
			ELECTRICITY	1,083.80
			ELECTRICITY	205.83
			ELECTRICITY	197.81
			ELECTRICITY	70.49
			ELECTRICITY	77.29
7/11/2011	208702	5,217.15		
			ELECTRICITY	44.62
			ELECTRICITY	21.99
			ELECTRICITY	884.88
			ELECTRICITY	1,444.50
			ELECTRICITY	1,186.44
			ELECTRICITY	396.60
			ELECTRICITY	656.24
			ELECTRICITY	498.47
			ELECTRICITY	43.51
			ELECTRICITY	39.90
7/25/2011	208865	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**26,310.27**		
FYTD for SOUTHERN CALIFORNIA EDISON		**228,961.11**		

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SOUTHERN CALIFORNIA GAS CO.			Remit to: **MONTEREY PARK** **CA**	
7/18/2011	208793	4,681.09		
			GAS CHARGES	711.38
			GAS CHARGES	2,158.36
			GAS CHARGES	14.30
			GAS CHARGES	22.71
			GAS CHARGES	356.59
			GAS CHARGES	146.36
			GAS CHARGES	20.74
			GAS CHARGES	224.49
			GAS CHARGES	78.57
			GAS CHARGES	105.47
			GAS CHARGES	64.73
			GAS CHARGES	80.09
			GAS CHARGES	68.95
			GAS CHARGES	99.38
			GAS CHARGES	22.44
			GAS CHARGES	506.53
	Vendor Total	**4,681.09**		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**4,681.09**		
SPARKLETTS			Remit to: **DALLAS** **TX**	
7/11/2011	208703	41.83		
			WATER SERVICE-CREEKSIDE ELEM	19.54
			WATER SERVICE-ARMADA ELEM.	22.29
7/25/2011	208866	15.50		
			WATER SERVICE-SUNNYMD ELEM	15.50
	Vendor Total	**57.33**		
FYTD for SPARKLETTS		**57.33**		
SPECK, GARY B.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883113	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for SPECK, GARY B.		**318.73**		
SPECK, TIFFANY			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208867	28.00		
			REFUND-DRAWING FOR KIDS CLASS	28.00
	Vendor Total	**28.00**		
FYTD for SPECK, TIFFANY		**28.00**		

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SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	7/25/2011	883217	12,333.33		
				LNDSCP MAINT.-ZONE E-1	8,746.67
				LNDSCP MAINT.-ZONE E-1A	3,586.66
	Vendor Total		**12,333.33**		
FYTD for SPECTRUM CARE			**12,333.33**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883114	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**229.88**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	7/18/2011	208794	30.00		
				SUBPOENA COMPLNCE-MV111370237	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	7/11/2011	883153	32.89		
				CELL PHONE SVCS-GANG TASK FRC	32.89
	7/25/2011	883218	607.43		
				CELL PHONE SVCS-PD/SET	607.43
	Vendor Total		**640.32**		
FYTD for SPRINT/NEXTEL			**640.32**		
SRINIVAS, ANAND				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208795	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SRINIVAS, ANAND			**75.00**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	7/5/2011	208611	2,050.52		
				SUPPLEMENTAL INSURANCE	2,050.52
	Vendor Total		**2,050.52**		
FYTD for STANDARD INSURANCE CO			**31,970.69**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883219	140.00		
			FIRE ALARM SVCD-CONF & REC CTR	140.00
	Vendor Total	**140.00**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**140.00**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
7/25/2011	208868	6,246.25		
			ELECTRICAL ENERGY SURCHARGE	6,246.25
7/29/2011	63011	5,250.00		
			SALES & USE TAX 4/1/11-6/30/11	5,250.00
	Vendor Total	**11,496.25**		
FYTD for STATE BOARD OF EQUALIZATION		**11,496.25**		
STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208704	2,400.44		
			ANNL STREET REPORT 09/10 FY	2,400.44
	Vendor Total	**2,400.44**		
FYTD for STATE CONTROLLER'S OFFICE		**2,400.44**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
7/7/2011	2885	2,096.47		
			CHILD SUPPORT W/H 7/7/11	2,096.47
7/21/2011	2894	2,238.93		
			CHILD SUPPORT W/H 7/21/11	2,238.93
	Vendor Total	**4,335.40**		
FYTD for STATE DISBURSEMENT UNIT		**4,335.40**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO**	**CA**
7/5/2011	208612	3,197.00		
			FINGERPRINTING SVCS-PD	3,197.00
7/11/2011	208705	958.00		
			BLOOD ALCOHOL ANALYSIS-PD	350.00
			FINGERPRINTING SVCS-BUS. LIC.	128.00
			FINGERPRINTING SVCS-H.R.	256.00
			FINGERPRINTING SVCS-STARS	32.00
			FINGERPRINTING SVCS-PRKS & REC	64.00
			FINGERPRINTING SVC-PD	96.00
			FINGERPRINTING SVC-CITY COUNCL	32.00
7/18/2011	208796	2,848.00		
			FINGERPRINTING SVCS-BUS. LIC.	192.00
			FINGERPRINTING SVCS-H.R.	128.00
			FINGERPRINTING SVCS-STARS	2,024.00
			FINGERPRINTING SVCS-STARS	504.00
	Vendor Total	**7,003.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**7,003.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO**	**CA**
7/18/2011	208797	127.04		
			REFUND-MVU/J MCGLOTHEN	38.86
			REFUND-MVU/B SOLARES	88.18
	Vendor Total	**127.04**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**127.04**		
STEININGER, RICHELLE			Remit to: **MORENO VALLEY**	**CA**
7/11/2011	208706	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for STEININGER, RICHELLE		**20.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA**	**CA**
7/18/2011	208798	2,288.96		
			TRANSCRIPTION SVCS-PD	2,288.96
	Vendor Total	**2,288.96**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**2,288.96**		
STEWART TITLE OF CALIFORNIA			Remit to: **HOUSTON**	**TX**
7/5/2011	208629	250.00		
			APN482-230-13 LITIG. GUARANTEE	250.00
	Vendor Total	**250.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**250.00**		

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STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
7/5/2011	883116	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for STEWART, CLIFFORD		**267.88**		
STILES ANIMAL REMOVAL, INC.			Remit to: **GUASTI** **CA**	
7/25/2011	208869	300.00		
			LARGE ANIMAL REMOVAL SVCS	100.00
			LARGE ANIMAL REMOVAL SVCS	200.00
	Vendor Total	**300.00**		
FYTD for STILES ANIMAL REMOVAL, INC.		**300.00**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH** **CA**	
7/11/2011	208707	1,550.10		
			LEGAL SVCS	79.50
			LEGAL SVCS	695.27
			LEGAL SVCS	775.33
	Vendor Total	**1,550.10**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**1,550.10**		
STRICKLER ASSOCIATION, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	883220	4,062.50		
			CONSULTING SVCS-EDD	4,062.50
	Vendor Total	**4,062.50**		
FYTD for STRICKLER ASSOCIATION, THE		**4,062.50**		
STRICKLER II, JOHN W.			Remit to: **SAN BERNARDINO** **CA**	
7/5/2011	883117	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for STRICKLER II, JOHN W.		**318.73**		
SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208708	10.56		
			MISC SUPPLIES-PD	10.56
	Vendor Total	**10.56**		
FYTD for SUNNYMEAD ACE HARDWARE		**10.56**		
SYED, ADNAN			Remit to: **LAKE ELSINORE** **CA**	
7/18/2011	208799	725.00		
			REFUND-RENTAL DEPOSIT-CRC	725.00
	Vendor Total	**725.00**		
FYTD for SYED, ADNAN		**725.00**		

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TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	7/5/2011	208613	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**6,250.00**		
TCM GROUP				Remit to: **FONTANA** **CA**	
	7/5/2011	883118	0.00		
				SR-60/NASON ST INTRCHNG PROJ	21,572.87
				SR-60/NASON ST INTRCHNG PROJ	42,633.50
				SR-60/NASON ST INTRCHNG PROJ	23,140.52
				SR-60/NASON ST INTRCHNG PROJ	85,853.53
				VOIDED CHECK #883118 - 7/12/11	-21,572.87
				VOIDED CHECK #883118 - 7/12/11	-42,633.50
				VOIDED CHECK #883118 - 7/12/11	-23,140.52
				VOIDED CHECK #883118 - 7/12/11	-85,853.53
	Vendor Total		**0.00**		
FYTD for TCM GROUP			**351,572.38**		
TEK TIME SYSTEMS, LLC				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208718	268.25		
				REPAIRS-DATE STAMP MACHINE-FIN	268.25
	Vendor Total		**268.25**		
FYTD for TEK TIME SYSTEMS, LLC			**268.25**		
TEK WORKS				Remit to: **POWAY** **CA**	
	7/18/2011	883185	960.10		
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.09
				CREDIT-CITY CLRK FILE RM DOOR	-693.78
	Vendor Total		**960.10**		
FYTD for TEK WORKS			**960.10**		
TENORIO, LIZETTE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208800	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for TENORIO, LIZETTE			**200.00**		

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TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	7/5/2011	208614	7,262.00		
				CITY HALL HVAC SYSTEM REDESIGN	7,262.00
	7/27/2011	208881	6,113.59		
				CITY HALL HVAC SYSTEM REDESIGN	6,113.59
	Vendor Total		**13,375.59**		
FYTD for TMAD TAYLOR & GAINES			**13,375.59**		
TOLEDANO, JANET				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208709	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for TOLEDANO, JANET			**75.00**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208870	2,530.80		
				INSTRUCTOR SVCS-BALLET INTERMD	66.60
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	222.00
				INSTRUCTOR SVCS-BALLET/JAZZ	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-HIP HOP DANCE	421.80
	Vendor Total		**2,530.80**		
FYTD for TRICHE, TARA			**2,530.80**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208615	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	7/11/2011	208710	25.00		
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**75.00**		
TRINITY DIVERSIFIED, INC.				Remit to: **LONG BEACH** **CA**	
	7/5/2011	208616	155.67		
				STRIPING/STENCIL TRCK SUPPLIES	155.67
	Vendor Total		**155.67**		
FYTD for TRINITY DIVERSIFIED, INC.			**155.67**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK** **CA**	
7/18/2011	208801	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
7/25/2011	208871	1,364.13		
			IRRIGATION REPAIRS-ZONE E-2	1,364.13
	Vendor Total	**17,064.13**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**17,064.13**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883222	14,093.25		
			LNDSCP MAINT.-ZONE M	5,289.24
			LNDSCP MAINT.-ZONE M	243.48
			LNDSCP MAINT.-ZONE DSG-1	6,075.53
			LNDSCP MAINT.-ZONE E-16	2,485.00
	Vendor Total	**14,093.25**		
FYTD for TRUGREEN LANDCARE		**14,093.25**		
TUNTLAND, JAMES			Remit to: **PRESCOTT** **AZ**	
7/5/2011	883119	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**267.88**		
TURBOSCAPE, INC.			Remit to: **SANTA CLARA** **UT**	
7/5/2011	883120	12,600.00		
			PLAYGRND FIBER FOR JFK PARK	11,550.00
			INSTALL FIBAR CHIPS-CITY PARKS	1,050.00
7/11/2011	883155	4,200.00		
			INSTALL FIBAR CHIPS-CITY PARKS	3,950.00
			INSTALL FIBAR CHIPS-CITY PARKS	250.00
	Vendor Total	**16,800.00**		
FYTD for TURBOSCAPE, INC.		**16,800.00**		
U.S. HEALTHWORKS MEDICAL GROUP			Remit to: **LOS ANGELES** **CA**	
7/25/2011	208872	50.00		
			FIT FOR DUTY EVALUATION-HR	50.00
	Vendor Total	**50.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		**50.00**		
U.S. POSTAL SERVICE			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208617	11,000.00		
			PERMIT #153-REC GUIDES POSTAGE	11,000.00
	Vendor Total	**11,000.00**		
FYTD for U.S. POSTAL SERVICE		**11,000.00**		

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For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNDERGROUND SERVICE ALERT			Remit to: **CORONA**	**CA**
7/5/2011	883121	433.50		
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
Vendor Total		**433.50**		
FYTD for UNDERGROUND SERVICE ALERT		**433.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO**	**CA**
7/5/2011	208618	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
Vendor Total		**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**291.67**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883122	270.00		
			AUTO MALL PYLON SIGN PROJECT	270.00
7/11/2011	883156	1,917.00		
			AUTO MALL PYLON SIGN PROJECT	1,917.00
Vendor Total		**2,187.00**		
FYTD for UNITED INSPECTION & TESTING INC		**2,187.00**		
UNITED POWER GENERATION, INC.			Remit to: **RIVERSIDE**	**CA**
7/5/2011	208619	265.00		
			GENERATOR TEST/REPAIR-FS #48	265.00
Vendor Total		**265.00**		
FYTD for UNITED POWER GENERATION, INC.		**265.00**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO**	**CA**
7/11/2011	883157	1,501.02		
			BROOM KITS-ST SWEEPER	1,501.02
Vendor Total		**1,501.02**		
FYTD for UNITED ROTARY BRUSH CORP		**1,501.02**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE**	**CA**
7/11/2011	883158	107.39		
			FENCE RENTAL-ANIMAL SHELTER	11.32
			FENCE RENTAL-ANIMAL SHELTER	96.07
Vendor Total		**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**107.39**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
7/5/2011	208620	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
7/18/2011	208802	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**100.00**		
FYTD for UNITED STATES TREASURY		**100.00**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208621	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
7/18/2011	208803	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
	Vendor Total	**989.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**989.38**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208622	3,652.45		
			FERTILIZER AND AG CHEMICALS	1,252.29
			FERTILIZER AND AG CHEMICALS	2,400.16
7/11/2011	208711	1,200.09		
			FERTILIZER AND AG CHEMICALS	919.37
			FERTILIZER AND AG CHEMICALS	280.72
	Vendor Total	**4,852.54**		
FYTD for UNIVAR USA, INC		**4,852.54**		
VACA, MONICA			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208873	3,000.00		
			SETTLEMENT	3,000.00
	Vendor Total	**3,000.00**		
FYTD for VACA, MONICA		**3,000.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
7/11/2011	883159	1,160.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL FIELD OFFICE	45.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
7/18/2011	883186	235.00		
			PEST CNTRL-LIBRARY	5.00
			PEST CNTRL-LIBRARY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,395.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**1,395.00**		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
7/5/2011	883123	8,120.00		
			TEMP STAFFING SVCS-CAP PROJS.	8,120.00
	Vendor Total	**8,120.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**8,120.00**		
VALUEQUEST PRO P.C.			Remit to: **PERRIS**	**CA**
7/5/2011	208623	250.00		
			APPRAISAL SVCS FOR NSP PRGM	250.00
	Vendor Total	**250.00**		
FYTD for VALUEQUEST PRO P.C.		**250.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAS ASSOCIATES, INC.			Remit to: **CORONA** **CA**	
7/5/2011	883124	16,320.00		
			TEMP STAFFING SVCS-CAP PROJS.	16,320.00
7/25/2011	883223	17,280.00		
			TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total	**33,600.00**		
FYTD for VAS ASSOCIATES, INC.		**33,600.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208712	15,890.00		
			ACCOUNTING SVCS	7,155.00
			ACCOUNTING SVCS	8,735.00
	Vendor Total	**15,890.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**15,890.00**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
7/5/2011	208624	172.63		
			PHONE LISTING CHARGE	172.63
	Vendor Total	**172.63**		
FYTD for VERIZON CALIFORNIA		**172.63**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
7/11/2011	208713	648.15		
			ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total	**648.15**		
FYTD for VICTOR MEDICAL CO		**648.15**		
VIEVU			Remit to: **SEATTLE** **WA**	
7/5/2011	208625	10,169.00		
			WEARABLE VIDEO CAMERAS FOR PD	8,750.00
			2YR EXTENDED WARRANTY	1,400.00
			SHIPPING	19.00
			CA USE TAX	888.13
			USE TAX ACCRUAL	-888.13
	Vendor Total	**10,169.00**		
FYTD for VIEVU		**10,169.00**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883125	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST		**318.73**		

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For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VILLAGE NURSERIES WHOLESALE, LLC			Remit to: **ORANGE** **CA**	
7/5/2011	883126	3,809.49		
			PLANTS/TREE MATERIALS - PARKS	3,000.00
			PLANTS/TREE MATERIALS - PARKS	745.02
			PLANTS/TREE MATERIALS - PARKS	64.47
	Vendor Total	**3,809.49**		
FYTD for VILLAGE NURSERIES WHOLESALE, LLC		**3,809.49**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
7/5/2011	883127	3,951.46		
			EMPLOYEE VISION INSURANCE	3,951.46
	Vendor Total	**3,951.46**		
FYTD for VISION SERVICE PLAN		**3,951.46**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208714	261.11		
			PAINT/SUPPL FOR PARKS GRAFFITI	77.52
			PAINT/SUPPL-GRAFFITI RMVL PRGM	147.02
			PAINT/SUPPL-GRAFFITI RMVL PRGM	36.57
	Vendor Total	**261.11**		
FYTD for VISTA PAINT CORPORATION		**261.11**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
7/11/2011	208715	896.37		
			ASPHALTIC MATERIALS	550.55
			ASPHALTIC MATERIALS	103.85
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	103.85
	Vendor Total	**896.37**		
FYTD for VULCAN MATERIALS CO, INC.		**896.37**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883128	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for WAGNER, GARY D.		**318.73**		
WAGONER, ROBERT			Remit to: **ZEPHYRHILLS** **FL**	
7/5/2011	883129	360.40		
			RETIREE MED JUN-JUL 11, PD JUL	360.40
	Vendor Total	**360.40**		
FYTD for WAGONER, ROBERT		**360.40**		

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For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208626	637.46		
				RETIREE MED MAY-JUN 11, PD JUL	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**637.46**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	208874	2,000.00		
				ANNUAL TRUSTEE FEES-2005 LRB	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**2,000.00**		
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	7/11/2011	208719	5,700.00		
				TRIM/THIN OLIVE TREES-VAR LOC.	5,700.00
	Vendor Total		**5,700.00**		
FYTD for WEST COAST ARBORISTS, INC.			**5,700.00**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208716	492.00		
				CALTRANS ENCRCHMNT PERMIT FEE	492.00
	Vendor Total		**492.00**		
FYTD for WEST COAST STRUCTURES INC			**492.00**		
WESTBOUND COMMUNICATIONS				Remit to: **ORANGE** **CA**	
	7/18/2011	208804	7,500.00		
				MAIL BALLOT PR CONSULTING SVCS	3,750.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
	Vendor Total		**7,500.00**		
FYTD for WESTBOUND COMMUNICATIONS			**7,500.00**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208875	3,274.78		
				WATER CHARGES	1,761.75
				WATER CHARGES	10.94
				WATER CHARGES	1,443.82
				WATER CHARGES	58.27
	Vendor Total		**3,274.78**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**3,274.78**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WHEELER, GERALD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208805	100.80		
				INSTRUCTOR SVCS-YOUTH GOLF	50.40
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
	Vendor Total		**100.80**		
FYTD for WHEELER, GERALD			**100.80**		
WHISNER, MARY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208806	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISNER, MARY			**50.00**		
WIELIN, RONALD A.				Remit to: **BANNING** **CA**	
	7/5/2011	883130	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**318.73**		
WILLDAN AND ASSOCIATES				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	208627	8,665.00		
				BLDG & SAFETY PLAN CHECK SVCS	7,455.00
				ON-SITE PERMIT INVESTIG. SVCS	1,210.00
	Vendor Total		**8,665.00**		
FYTD for WILLDAN AND ASSOCIATES			**8,665.00**		
WILLDAN FINANCIAL SERVICES				Remit to: **TEMECULA** **CA**	
	7/5/2011	208628	1,500.00		
				ARBITRAGE FEE-97 LSE REV BOND	500.00
				ARBITRAGE FEE-97 LSE REV BOND	1,000.00
	Vendor Total		**1,500.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**1,500.00**		
WILLIAMS, CHARMAINE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208807	62.00		
				REFUND-CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for WILLIAMS, CHARMAINE			**62.00**		

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For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	7/5/2011	883131	192.40		
				RETIREE MED JUN '11, PD JUL '1	192.40
	Vendor Total		**192.40**		
FYTD for WILLIAMS, JANE L.			**192.40**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	7/11/2011	208717	414.00		
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	90.00
	Vendor Total		**414.00**		
FYTD for WILLIS, ROBERT H			**414.00**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA** **CA**	
	7/5/2011	883132	7,600.00		
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	7/25/2011	883224	7,600.00		
				TEMP STAFFING SVCS-ELECTR UTIL	2,190.00
				TEMP STAFFING SVCS-ELECTR UTIL	5,410.00
	Vendor Total		**15,200.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**15,200.00**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208876	17,746.00		
				TUMF FEES COLLECTED	17,746.00
	Vendor Total		**17,746.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**17,746.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.			Remit to: **CORONA**	**CA**
7/5/2011	883133	1,620.00		
			MAINT. DAY PORTER SVCS	1,020.00
			JANITORIAL SVCS-TOWNGT RENTALS	600.00
7/11/2011	883161	130.00		
			SPECIAL CLEANING SVCS-SNR CTR	130.00
7/27/2011	883225	23,005.87		
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
			JANITORIAL SVCS-T.S. ANNEX	453.43
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-MRCH FLD PK CC	955.70
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-SP DIST ANNEX	735.73
			JANITORIAL SVCS-EMP RES CTR	532.81
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-CITY HALL	4,588.23
			MAINT. DAY PORTER SVCS	1,076.10
	Vendor Total	**24,755.87**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**24,755.87**		
XEROX			Remit to: **DALLAS**	**TX**
7/18/2011	208808	3,520.61		
			COPIER RNTL/MAINT/PRNTS-GRPHCS	1,618.85
			COPIER RNTL/MAINT-GRAPHICS	397.79
			COPIER RNTL/MAINT-PARKS	117.88
			COPIER RNTL/MAINT-PARKS	241.46
			COPIER RNTL/MAINT/PRINTS-PARKS	1,144.63
	Vendor Total	**3,520.61**		
FYTD for XEROX		**3,520.61**		
YAMASHITA, JULIA J.			Remit to: **LAGUNA WOODS**	**CA**
7/5/2011	883134	161.50		
			RETIREE MED MAY '11, PD JUL '1	161.50
	Vendor Total	**161.50**		
FYTD for YAMASHITA, JULIA J.		**161.50**		

Subtotal **1,171,566.33**

GRAND TOTAL **11,090,197.25**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT
PROJECT NO. 10-12272227

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

BACKGROUND

The design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In August 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

The Planning Division of the Community and Economic Development Department determined on July 25, 2011, that this project is exempt from the California

Environmental Quality Act (CEQA) as it is classified as a Class 1 Categorical Exemption under Section 15301(c) and, therefore, environmental documents are not required.

DISCUSSION

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The project improvements and locations are as follows:

- Curb, gutter, and sidewalk on the north side of Ironwood Avenue, east of Bayless Street.
- Curb, gutter, and sidewalk on the east side of Indian Street, south of Ironwood Avenue.
- Sidewalk on the east side of Pigeon Pass Road, north of Hemlock Avenue.
- Sidewalk on the south side of Calle San Juan De Los Lagos, west of Frederick Street.
- Ten pedestrian access ramps along Hemlock Avenue from Perris Boulevard to Leahy Street.
- Pedestrian access ramps on the northwest and southwest corners of Indian Avenue and Dorner Drive.
- Pedestrian access ramps on the southeast and northeast corners of Ramsdell Drive and Dorner Drive.
- Pedestrian access ramps on the southwest and southeast corners of Cottonwood Avenue and Bion Drive.
- Pedestrian access ramp and curb return on the southeast corner of Cactus Avenue and Elsworth Street.
- Pedestrian access ramp and curb return on the northwest corner of Iris Avenue and Oliver Street.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m., on September 12, 2011, for the subject project. The ten (10) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Mora's Equipment & Construction, Inc.**	**$182,993.50**
2.	TSR Construction & Inspection	$220,417.60
3.	Golden State Constructors, Inc.	$238,606.25
4.	CT&T, Inc.	$247,797.90
5.	STI, Inc.	$266,135.43
6.	Blair Rasmussen Construction	$280,741.12
7.	Elite Companies	$286,370.57
8.	JDC, Inc.	$320,910.60
9.	Avi-Con, Inc.	$375,398.00
10.	Bravo Concrete	$401,616.55

Engineer's Estimate $230,000.00

Staff has reviewed Mora's Equipment & Construction, Inc.'s bid and finds it to be the lowest responsive bid. Furthermore, Mora's Equipment & Construction, Inc. is in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Mora's Equipment & Construction, Inc. in their bid.

The lowest responsive bid was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternative items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternative items which comprise the ten locations identified in the DISCUSSION section. These ten locations are Phase 1 of the FY 10-11 SB 821 Grant Project as accepted by City Council on September 14, 2010. Phase 2 of the FY 10-11 SB 821 Grant Project will go out to bid in January of 2012.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor will coordinate construction activities such that impacts to motorists and pedestrians are minimized.

ALTERNATIVES

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc., in the form attached hereto, authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc. up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will allow for the timely construction of needed improvements.*

2. Do not award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, do not authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will delay the construction of these needed improvements.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2011/2012 Capital Improvements Project Budget and will be financed by SCAG Article 3 (Fund 122) and Measure "A" (Fund 125). RCTC will reimburse up to $150,000 of the construction costs. The funding for this project is restricted to street improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS FISCAL YEAR 2011/2012:

Citywide Sidewalks and Access Ramps (Account No. 122.72227)	$150,000
Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$150,000
Total Funds Available	**$300,000**

ESTIMATED CONSTRUCTION RELATED COSTS:

Construction (Includes 20% contingency)	$220,000
Construction Surveying Costs	$25,000
Construction Geotechnical Costs	$25,000
Project Administration and Inspection Services	$20,000
Total Estimated Construction Related Costs	**$290,000**

ANTICIPATED PROJECT SCHEDULE:

Start Construction	October 2011
Complete Construction	March 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The City Council is requested to approve the award of the construction contract to Mora's Equipment & Construction, Inc.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Mora's Equipment & Construction, Inc.

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\CC Reports\NOA-Phase 1 staff report\NOA for Citywide Sidewalks and Access Ramps_9-21-11.doc

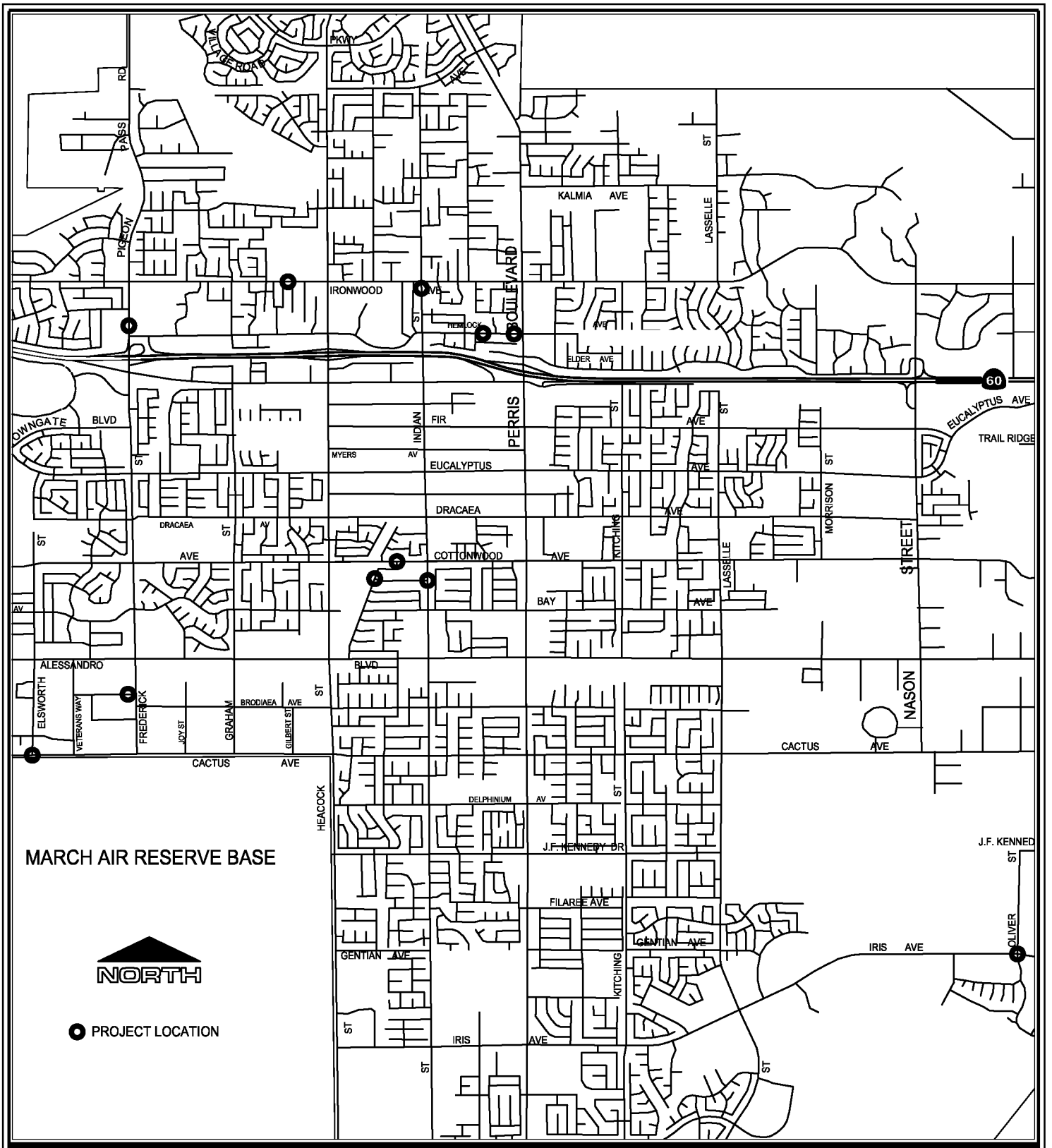

ATTACHMENT "A" - LOCATION MAP

Public Works Department Capital Projects Division	PROJECT NO. 10-12272227 CITYWIDE SIDEWALKS AND ACCESS RAMPS
Scale: None	

MV00132828

Agreement No._____

AGREEMENT

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Mora's Equipment and Construction, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$182,993.50** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. After the Agreement has been fully executed by the Contractor and the City, the Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the "Notice to Proceed to Fulfill Preconstruction Requirements," which constitutes the start of the contract eighty (80) working days. Preconstruction Requirements include, but are not limited to, the following:

Attachment "B"

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan
- Submitting and obtaining approval of required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Contract Documents

After all preconstruction requirements are met, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor agrees to diligently prosecute the work, including corrective items of work, day to day thereafter, except as adjusted by subsequent Change Orders. The eighty (80) working days include the time necessary to both Fulfill Preconstruction Requirements and for Construction of the project.

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $365.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers,

employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

MV00132831

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

15. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

16. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12272227

CITY OF MORENO VALLEY, a Municipal Corporation

BY: _____
City Manager

DATE: _____

Mora's Equipment and Construction, Inc.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

MV00132836

FAITHFUL PERFORMANCE BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

MV00132837

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

FRAN LOU DRIVE, BETWEEN PERRIS BOULEVARD AND KITCHING STREET

DEVELOPER - LCTH INVESTMENT, L.P.
1000 DOVE STREET
SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements.

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 27, 2003, the City Council of Moreno Valley approved Final Map 20185 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 20185 provided a Faithful Performance Bond in the amount of $2,072,000 and a Material and Labor Bond in the amount of $1,036,000 issued by Western Insurance Company.

On August 23, 2005, the City Council approved and accepted replacement bonds and an Agreement for Public Improvements for Tract 20185. The agreement expired August 23, 2007. Due to the current market conditions at that time, LCTH Investment, L.P. postponed development and focused on selling their current inventory of homes on other project sites.

On September 25, 2007, LCTH Investment, L.P. requested that the City provide a 24 month extension of time to their Agreement for Public Improvements. The amendment extended the agreement for Tract 20185 to August 23, 2009.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Do not direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 20185
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\9-27-11 - TR 20185- Exoneration of Agree.doc

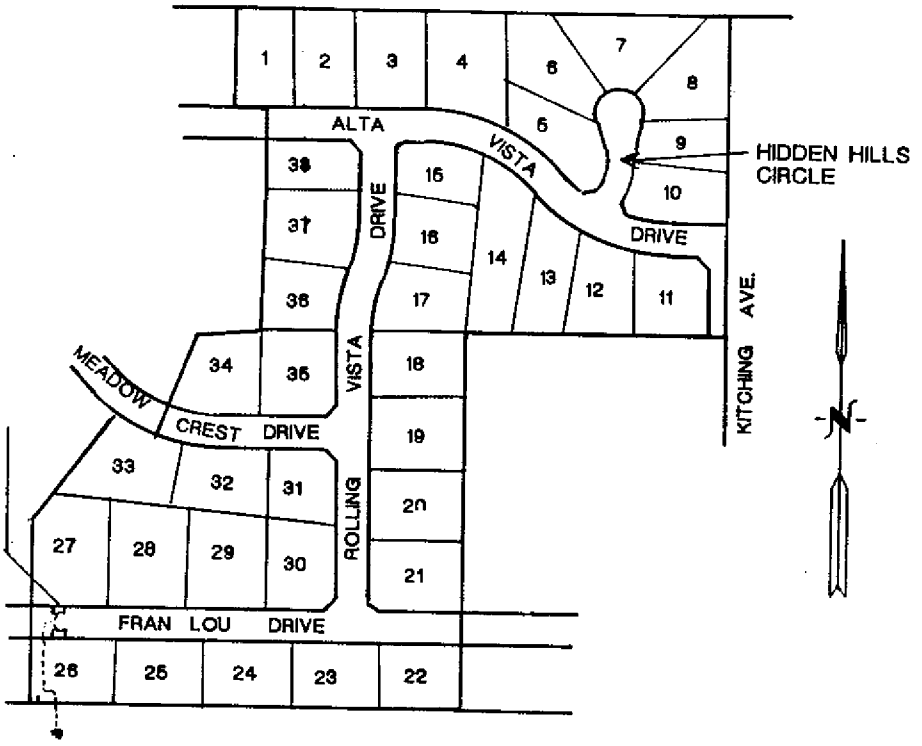

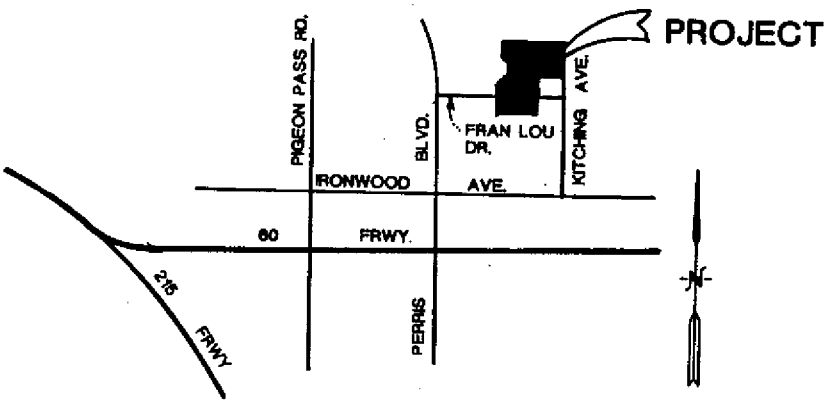

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

TRACT 20185
VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

MV00132846

AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS FOR TRACT 20185

This Amendment to Agreement for Public Improvements is made and entered into by and between the City of Moreno Valley, hereinafter "City", and **LCTH INVESTMENT, L.P.,** hereinafter "Contractor", on the date the City signs this agreement.

1. RECITALS:

   (a) The City and the Contractor entered into an Agreement for Public Improvements hereinafter called the "Original Agreement" **(Doc #2005-0793184)** on August 23, 2005. That agreement will expire on August 23, 2007.

   (b) The City and the Contractor wish to amend the Original Agreement as hereinafter provided.

2. AMENDMENT TO ORIGINAL AGREEMENT:

   (a) Based upon the foregoing Recitals, the City and the Contractor hereby amend the Original Agreement, extending said agreement by twenty-four (24) months, up to and including the **23rd day of August 2009**, the time for completion of the required work and improvements by the Contractor.

   (b) The bonds currently on file are to remain in effect unless replacement bonds are being provided with this Amendment to Agreement for Public Improvements.

3. LIMITED EFFECT:

   Except as herein otherwise provided, the terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Contractor and the City have duly caused this Amendment to the Original Agreement to be executed as of the date executed by the Mayor of the City.

LCTH INVESTMENT, L.P.

By: C Christine Chung
Signature

CHRISTINE CHUNG MANAGER
Print Name & Title

By: _____
Signature

_____
Print Name & Title

ATTEST:

Alice Reed 10/2/07
City Clerk Date

CITY OF MORENO VALLEY

Charles White 9-29-07
Mayor Date:

APPROVED AS TO FORM:

RDH 9/29/07
City Attorney Date

Original-City Clerk Pink-Contractor Green-Land Dev. Blue-Project File

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

W:\LandDev\Lee Ann\Agreement Bond Packets\TR20185 - Amendment to Agreement-extension.doc

Exhibit "B"

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0.05	Thickness (ft.)				
	132550	S.F.	480	Ton	55.00	26,427
A.C. - Street 1	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	90.00	302,711
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	329,138

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

OFFSITE STREET WORK

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	0	Ton	90.00	0
Slurry Seal (Based on $150/Ton Type II)	14728	S.Y.	2.25	33,138
Sawcut	0	L.F.	1.50	0
Utility Trench	5000	L.F.	17.00	85,000
Trench Repaving	0	S.F.	12.00	0
Redwood Header	250	L.F.	6.00	1,500
A.C. Berm - 6"	163	L.F.	10.00	1,630
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	19	EA.	800.00	15,200
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	1800	L.F.		0
Curb and Gutter - 8"	5000	L.F.	25.00	125,000
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	3000	S.F.	15.00	45,000
Sidewalk	13800	S.F.	7.00	96,600
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	4350	S.F.	14.00	60,900
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	9	EA.	1,200.00	10,800
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	60	L.F.	100.00	6,000
	0			0
			SUBTOTAL:	480,768

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	16	EA.	4,000.00	64,000
Street Lights (22000 lumen)	0	EA.	5,000.00	0
Electrical Utility Infrastructure	0	L.S.	--	0
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	64,000
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordina	0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
Traffic Striping/raised pavement markers	1	L.S.	10000	10,000
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	5	EA.	200.00	1,000
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
	0		--	0
			SUBTOTAL:	12,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Cluster Mail Boxes	4	EA.	4,500.00	18,000
Erosion Control	24	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	178	EA.	100.00	17,800
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Street Trees	38	EA.	2,500.00	95,000
			SUBTOTAL:	130,800

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	48	L.F.	130.00	6,240
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	238	L.F.	180.00	42,840
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	3	EA.	5500.00	16,500
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
	0		---	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	21	EA.	5500.00	115,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	2	EA.	3500.00	7,000
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		---	0
Miscellaneous				
Rip Rap	200	TON	60.00	12,000
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		---	0
			SUBTOTAL:	203,080

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	2422		50.00	121,100
10" PVC C-900	0		55.00	0
12" PVC C-900	1045		60.00	62,700
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.	---	0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	5	EA.	800.00	4,000
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	1	EA.	1,800.00	1,800
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	4	EA.	3,000.00	12,000
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	3	EA.	2,500.00	7,500
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	7	EA.	2,800.00	19,600
6" Super Fire Hydrants	0	EA.	3,000.00	0
	0		---	0
Services Connections				
1" Service	38	EA.	500.00	19,000
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	2		200.00	400
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	6		750.00	4,500
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	2	EA.	2,800.00	5,600
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	3	CY	150.00	450
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
	0		---	0
			SUBTOTAL:	267,650

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	1143	L.F.	20.00	22,860
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	3000	L.F.	30.00	90,000
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	38	EA.	700.00	26,600
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	33	EA.	3,000.00	99,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	0	EA.	300.00	0
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	38	EA.	90.00	3,420
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	238,460

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK :	$329,138
STREET WORK :	$611,568
STORM DRAIN SYSTEM :	$203,080
WATER SYSTEM :	$267,650
SEWER SYSTEM :	$238,460
ENTERPRISE SERVICES ADMIN :	$64,000
TRANSPORTATION ENGNRNG :	$12,000
TOTAL COST (VALUE) OF IMPROVEMENTS:	$1,725,896
+20% CONTINGENCY:	$345,179
GRAND TOTAL:	$2,071,075

BOND AMOUNT: **$2,072,000**

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TRACT MAP 20185

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **LCTH INVESTMENT, L.P.**, hereinafter called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TRACT MAP 20185** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND AND NO/100** Dollars (*****$1,637,000*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:

LCTH Investment, L.P.
1000 Dove Street
Suite 100
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

LCTH Investment, L.P.

By: Christine Cheng Manager
Title

By: _____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: Alice Reed
City Clerk

(SEAL)

CITY OF MORENO VALLEY

Date: 8/24/05

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8/24/05

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

PROJECT: **Tract 20185 (2005 Version)**
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			3675	C.Y.	16.00	58,800
A.B. Class II	0.5	Thickness (ft.)				
	132550	S.F.	4805	Ton	16.00	76,879
A.C.	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	43.50	146,310
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Curb and Gutter - 6"			1800	L.F.	12.00	21,600
Curb and Gutter - 8"			5000	L.F.	13.00	65,000
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			3000	S.F.	11.00	33,000
Sidewalk			13800	S.F.	4.00	55,200
Driveway Approach - 6"			4350	S.F.	5.50	23,925
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			163	L.F.	10.00	1,630
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			14728	S.Y.	1.10	16,201
Redwood Header			250	L.F.	4.00	1,000
Sawcut			0	L.F.	1.10	0
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5000	L.F.	5.00	25,000
Wheelchair Ramp			9	EA.	400.00	3,600
Street Name Sign			0	EA.	425.00	0
Stop Sign			5	EA.	200.00	1,000
Barricade			60	L.F.	45.00	2,700
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			5	EA.	200.00	1,000
Traffic Striping/raised pavement markers			1	L.S.	–	4,464
Traffic Signal			0	EA.	160,000.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping			0	S.F.	5.00	0
Street Trees			38	EA.	150.00	5,700
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			16	EA.	3,000.00	48,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			19	EA.	550.00	10,450
Erosion Control			24	Ac.	5,500.00	132,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure						
Electrical Reimbursement						
					SUBTOTAL:	745,459

Monuments: 0 X 65.00 EA. $0

EXHIBIT "A"

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	48	L.F.	75.00	3,600
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	0	L.F.	95.00	0
30" Reinforced Concrete Pipe	238	L.F.	110.00	26,180
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	3	EA.	5000.00	15,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin	21	L.F.	450.00	9,450
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Junction Structure	0	EA.	4500.00	0
Headwall	0	EA.	3500.00	0
Rip Rap	200	TON	40.00	8,000
Parkway Drain	1	EA.	2000.00	2,000
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	1	EA.	1100.00	1,100
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
"V" Gutter	23810	S.F.	4.00	95,240
			SUBTOTAL:	160,570

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	1045	L.F.	60.00	62,700
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	2422	L.F.	50.00	121,100
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	7	EA.	2,000.00	14,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	2	EA.	200.00	400
10"	0	EA.	240.00	0
12"	6	EA.	750.00	4,500
Blow Off 6"	0	EA.	1,800.00	0
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	0	EA.	1,800.00	0
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	38	EA.	350.00	13,300
Blow-offs	3	EA.	1,300.00	3,900
Air Vac & Air Release	4	EA.	1,800.00	7,200
Hot Tap	2	EA.	2,000.00	4,000
12" BFV	1	EA.	1,800.00	1,800
8" BFV	5	EA.	800.00	4,000
Thrust Block	3	C.Y	150.00	450
			SUBTOTAL:	246,350

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	3000	L.F.	32.00	96,000
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1143	L.F.	24.00	27,432
15" Pipe Plastic Solid Wall	0	L.F.	35.00	0
12" Pipe Plastic Solid Wall	0	L.F.	33.00	0
10" Pipe Plastic Solid Wall	0	L.F.	21.00	0
8" Pipe Plastic Solid Wall	0	L.F.	17.00	0
6" Pipe Plastic Solid Wall	0	L.F.	13.00	0
4" Pipe Plastic Solid Wall	0	L.F.	9.00	0
Standard Manhole 48"	19	EA.	2,000.00	38,000
Terminus Manholes	14	EA.	1,700.00	23,800
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	38	EA.	600.00	22,800
Wyes	38	EA.	90.00	3,420
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
			SUBTOTAL:	211,452

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

IMPROVEMENT TYPE:

ROADWORK	:	$745,459
STORM DRAIN	:	$160,570
WATER SYSTEM	:	$246,350
SEWER SYSTEM	:	$211,452
SURVEY MONUMENTS	:	$0
TOTAL COST OF IMPROVEMENTS:		$1,363,831
+20% CONTINGENCY:		$272,766
GRAND TOTAL:		$1,636,597

BOND AMOUNT: **$1,637,000**

Recording requested by and when recorded, mail to:

City of Moreno Valley
CEDD/Land Development Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Public Works Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Tract Number 20185,

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 20185 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the Public Works Department, Land Development Division located at 14177 Frederick Street, Moreno Valley, California, 92553 or by calling 951.413.3120.

By: _____
CHRIS A. VOGT,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date 8/31/11

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Notifications for PIA Req\TR 20185 - Notice of Requirement for PIA.doc

Exhibit "C"

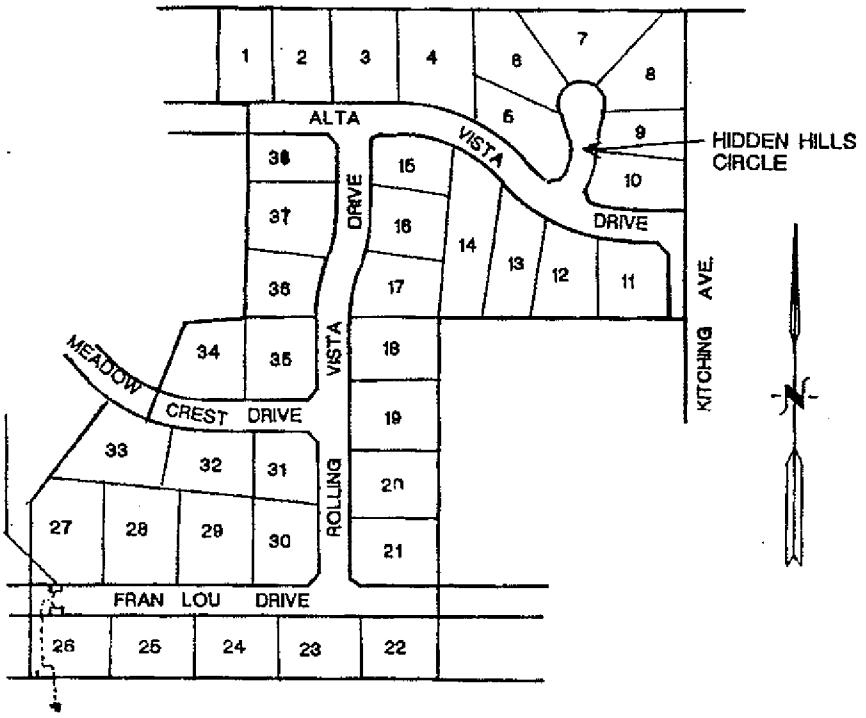

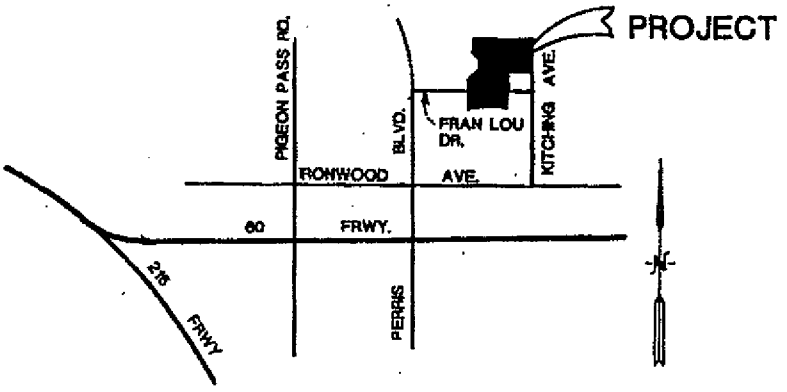

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

TRACT 20185
VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Community and Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO REDEVELOPMENT AGENCY
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324.

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325.

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way).

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency:

> Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. The City Council approved Resolution No. 2011-88 for the Notice of Intent to Vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highways Code – Chapter 3, Sections 8320 through 8325. The Resolution provided for the following actions:

1. Set the date of the public hearing for the vacation proceeding as September 27, 2011 , in the City Council Chambers, at 6:30 p.m., for all persons interested in or objecting to the proposed street vacation; and

2. Directed the City Clerk to publish and advertise the hearing notice and directed the City Engineer to post Motor Way giving notice of the time of the public hearing; and

3. Directed the City Clerk to certify said resolution and transmit a copy to the office of the County Recorder for recordation.

DISCUSSION

The Community Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Part of the Auto Mall Specific Plan is to vacate the frontage road (Motor Way) between the Auto Mall properties and Auto Mall Parkway (Moreno Beach Drive) to enhance visibility. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno

Beach Drive) already serves, and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Bros. Moreno Valley Properties, LLC and Majestic Realty (also known as Auto Mall Resolution, LLC), who own the properties fronting Motor Way. Both owners support the vacation of Motor Way. To maintain access to two fronting properties along Lot "B", an ingress and egress easement are required as part of the vacation process.

The City also recommends that the property be transferred from the City of Moreno Valley's ownership to the RDA's ownership via a quitclaim deed. The transfer of ownership would allow the RDA to address various issues identified in the Auto Mall's Specific Plan Amendment No. 5 previously approved by City Council. There is no fee associated with the transfer of ownership.

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

ALTERNATIVES

1. Adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Adopting the Resolution ordering the Vacation will allow the City to finish the proposed street improvements.*

Authorizing the execution of the Quitclaim Deed and Easement Deeds will alleviate any future title issues and liability issues for the City.

2. Do not adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, do not direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, do not authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and do not authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Do not authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Not adopting the Resolution ordering the Vacation will not allow the City to finish the proposed street improvements along Motor Way and will cause the City to continue maintenance of the street. Not authorizing the execution of the Quitclaim Deed and Easement Deeds may cause future title issues and liability issues for the City.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution ordering the street vacation. There will be a transfer of land ownership between the City and the RDA but no financial transaction between the entities.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue,

excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

NOTIFICATION

Notice of the vacation has been given to various utility agencies. The public has been notified of the vacation by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Lot B Exhibit"
Attachment "C" – Proposed Resolution
Attachment "D" – Quitclaim Deed
Attachment "E" – Acceptance Certification
Attachment "F" – Easement Deed for Parcel "A" of LLA 817
Attachment "G" – Easement Deed for Parcel 1 of LLA 1008

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\Full Vacation for Motor Way and Transfer of Property 9-27-11 - Final.docx

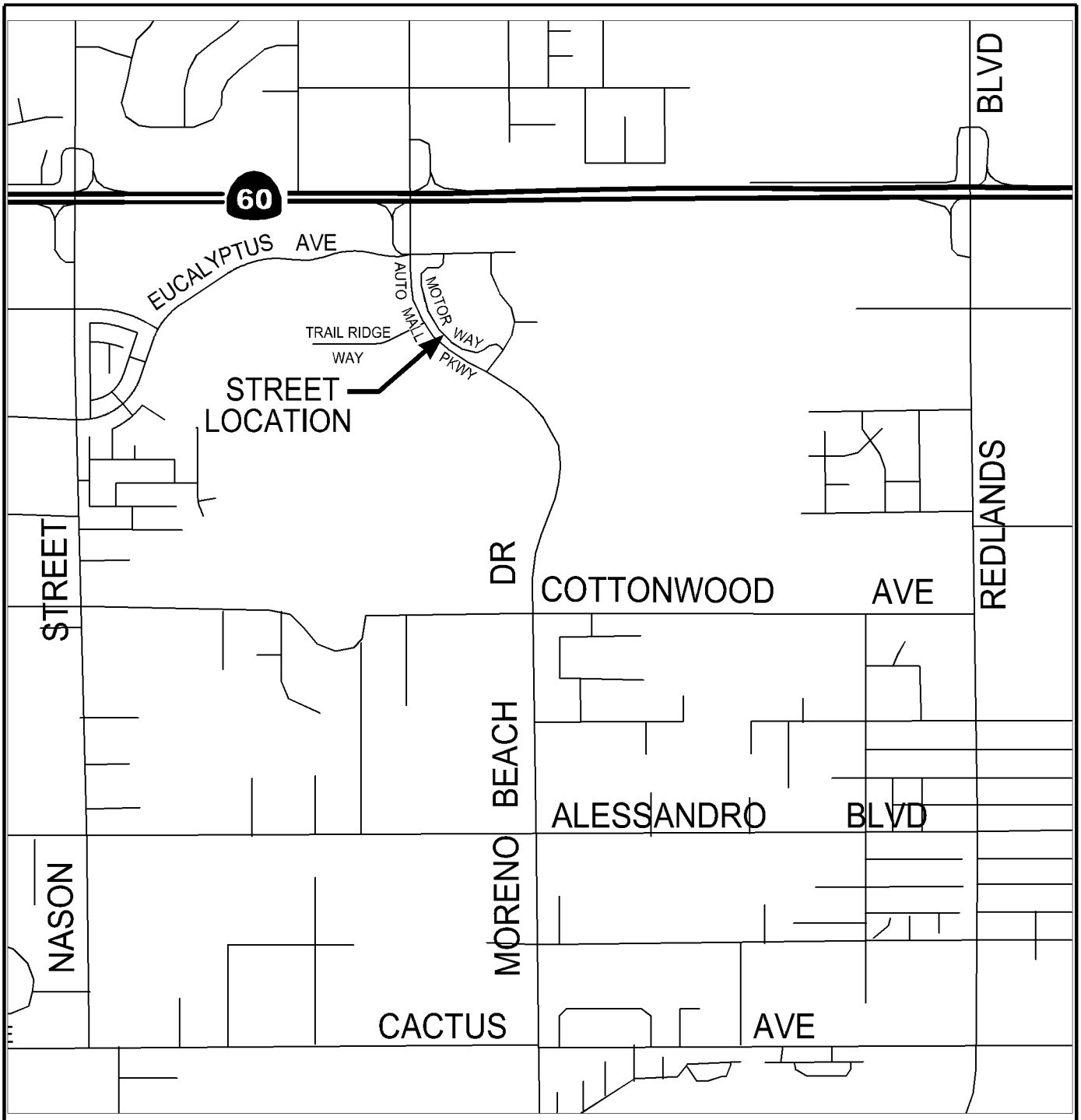

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

MV00132871

"Lot B Exhibit"

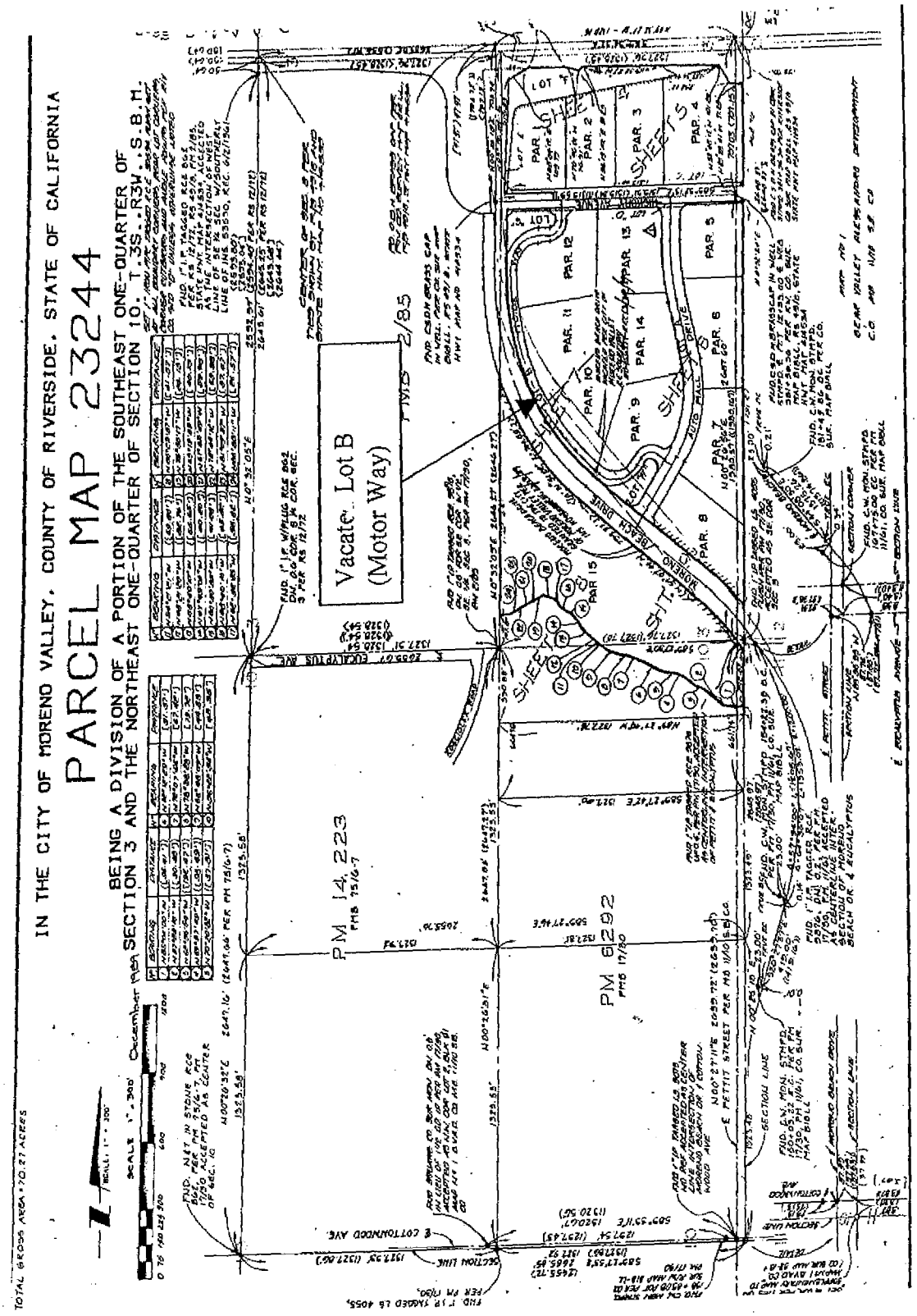

Attachment "B"

RESOLUTION NO. 2011-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City Council, on August 23, 2011, adopted Resolution No. 2011-88 declaring its intention to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described in said Resolution No. 2011-88 on file with the City Clerk's office, and set a public hearing for September 27, 2011, at 6:30 p.m., as the time for all persons interested in or objecting to the proposed vacation; and

WHEREAS, this public hearing was duly noticed and held as required by law; and

WHEREAS, the public right-of-way proposed to be vacated was duly posted as provided by law; and

WHEREAS, there are existing public facilities and services in the area to be vacated, therefore reserving to the City an easement for public facilities and services; and

WHEREAS, the Council finds such public right-of-way is unnecessary for the following reasons:

1. The subject right-of-way is unnecessary for present and prospective public use.

2. The subject right-of-way is not needed as a non-motorized transportation facility.

3. The proposed vacation is consistent with the City of Moreno Valley Municipal Code and General Plan and it complies with the requirements for street vacations as cited in the California Streets and Highways Code Sections 8312 & 8324.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public right-of-way described as Lot B of Parcel Map 23244, as recorded and on file with the Riverside County Recorder's Office, be vacated.

BE IT FURTHER RESOLVED THAT the City is reserving unto itself an easement for public utilities and public facilities purposes.

ATTACHMENT "C"

BE IT FURTHER RESOLVED THAT the City is reserving ingress and egress access easements to Parcel A of Lot Line Adjustment Number 817 and Parcel 1 of Lot Line Adjustment Number 1008 along Lot B of Parcel Map 23244.

BE IT FURTHER RESOLVED THAT the City Clerk shall cause a certified copy of this order to be recorded by the Riverside County Recorder.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00132874

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Recording requested by and when
recorded, mail to:
City of Moreno Valley
City Clerk
14177 Frederick Street
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N.

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the

City of Moreno Valley, a Municipal Corporation

hereby remises, releases and quitclaims to the COMMUNITY REDEVELOMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, the real property in the City of Moreno Valley, County of Riverside, State of California, as described:

Lot B of Parcel Map 23244 and as illustrated on the plat attached hereto and marked Exhibit "A".

Reserving therefrom, to said City of Moreno Valley an easement for public utilities and public facilities over, under, across and within the above described parcels of land.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of_____, 2011.

STATE OF CALIFORNIA
County of Riverside

On _____ before me, _____ the undersigned. A Notary Public in and for said State, personally appeared_____ _____ proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

GRANTOR:

City of Moreno Valley

By:_____

Attachment "D"

"Lot B Exhibit"

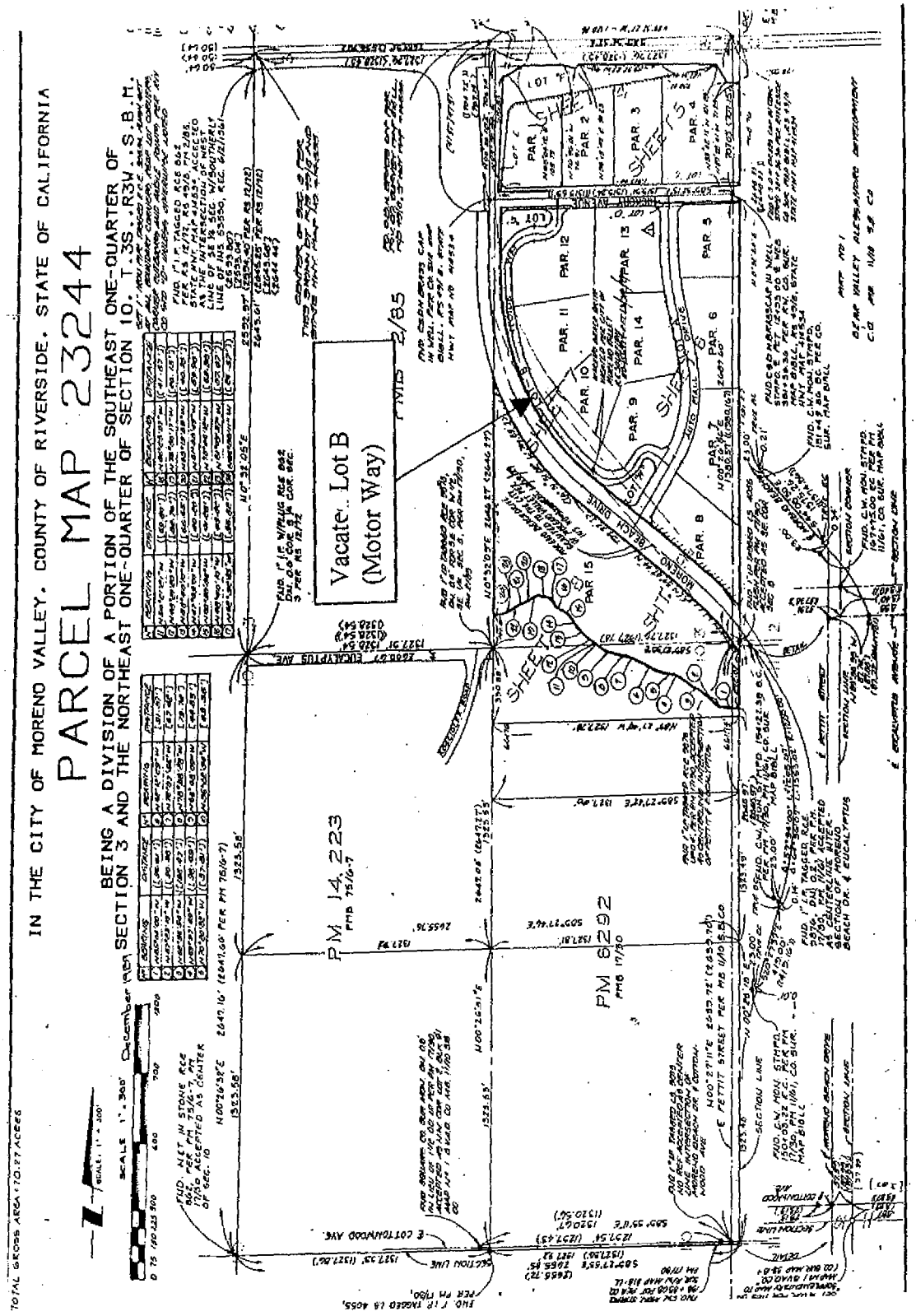

Exhibit "A"

ACCEPTANCE CERTIFICATION

This is to certify that the interest in real property conveyed by the deed or grant dated September 27, 2011 from City of Moreno Valley to the Moreno Valley Community Redevelopment Agency, State of California, in the form attached hereto, is hereby accepted, subject to completion of Conditions of Resolution 2011-___, by the order of the Board of Directors of the Moreno Valley Redevelopment Agency, pursuant to authority so ordered on September 27, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____

By: _____
Richard A. Stewart, Chairman of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

State of California
County of_____ }

On_____ before me, _____, A Notary Public
Date — Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

_____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Attachment "E"

Rev. 09/2011

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the AUTO MALL RESOLUTION, LLC, an easement for ingress and egress access purposes to Parcel "A" of Lot Line Adjustment Number 817 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Lot "A" (also know as Auto Mall Drive) and the prolongation of the northerly property line of Parcel "A" of Lot Line Adjustment Number 817 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Rev. 08/2008

Attachment "F"

LOT LINE ADJUSTMENT 817

OF A PORTION OF PARCELS 10, 11, 12 AND 13 OF PARCEL MAP 23244
ON FILE IN BOOK 161 OF PARCEL MAPS AT PAGES 16 THROUGH 24,
RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

JUNE 1990

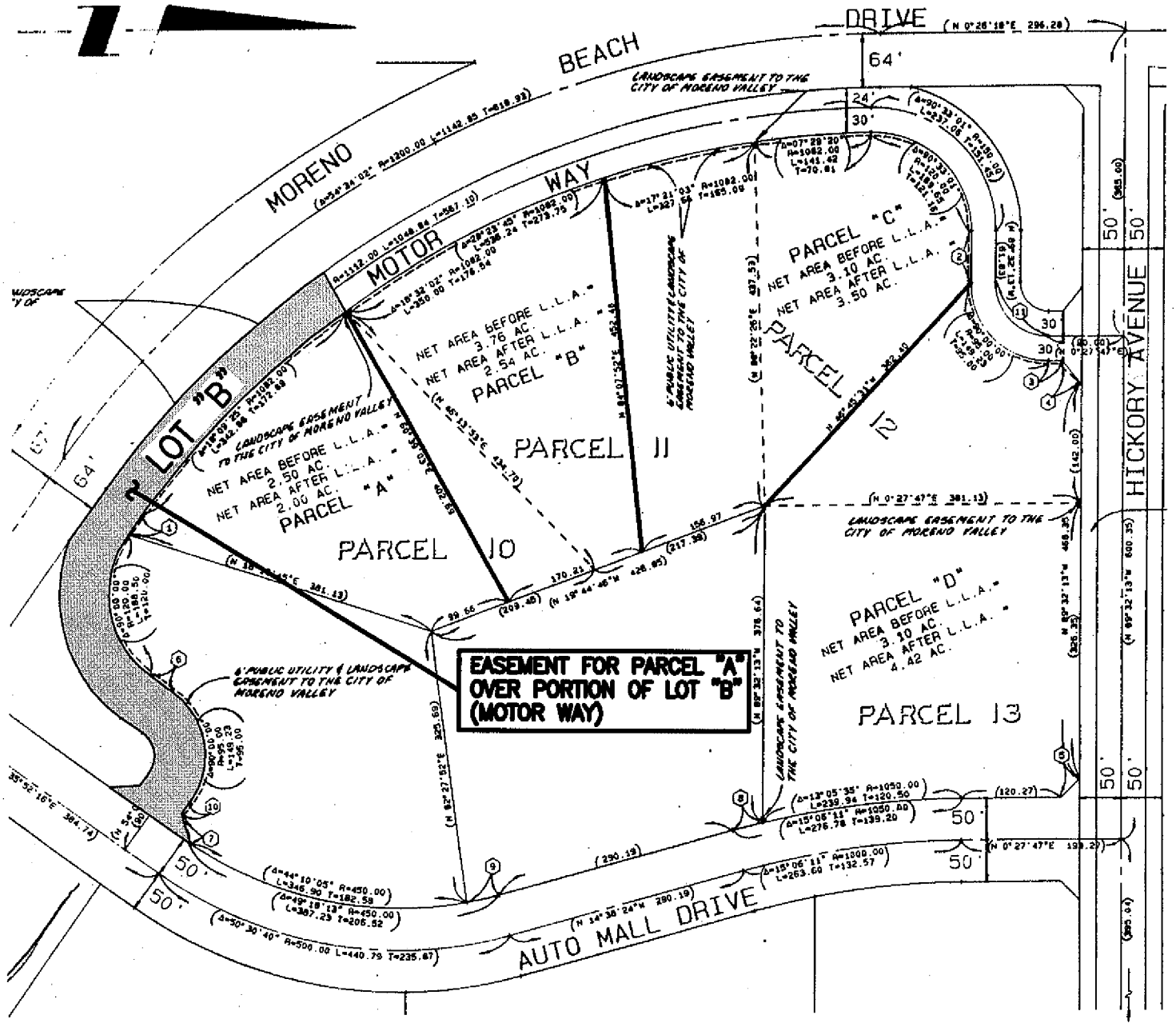

EXHIBIT "A"

NTS

INSTRUMENT No 302152

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the MOSS BROS. MORENO VALLEY PROPERTIES, LLC, an easement for ingress and egress access purposes to Parcel 1 of Lot Line Adjustment 1008 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Eucalyptus Avenue (Hickory Avenue) and the prolongation of the southerly property line of Parcel 1 of Lot Line Adjustment 1008 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Rev. 08/2008

Attachment "G"

MV00132881

EXHIBIT "A"
LOT LINE ADJUSTMENT No. 1008/ AND CERTIFICATE OF COMPLIANCE

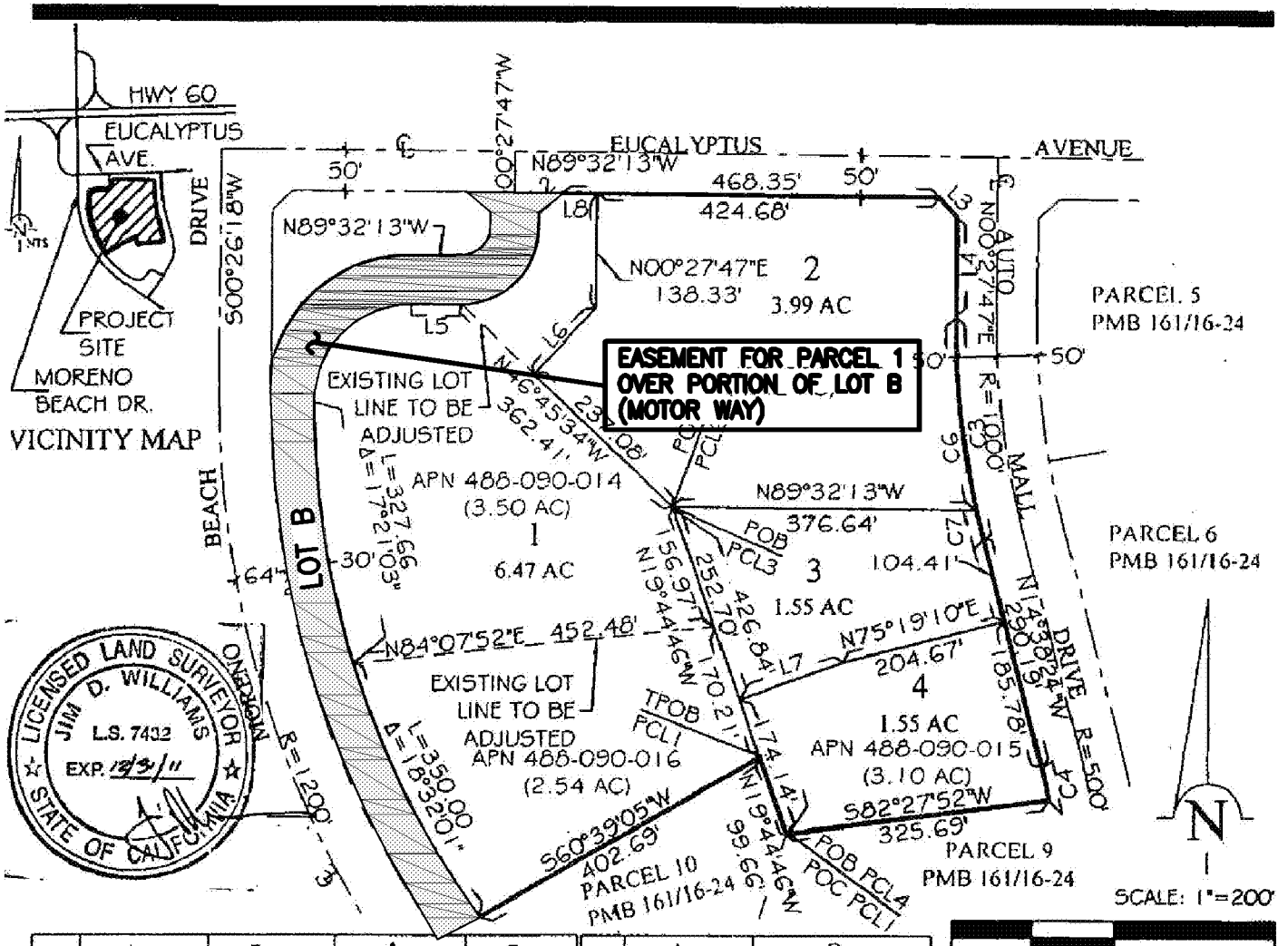

	L	R	Δ	T
C1	189.65'	120.00'	90°33'04"	121.16'
C2	149.23'	95.00'	90°00'00"	95.00'
C3	276.78'	1050.00'	15°06'11"	139.20'
C4	40.33'	450.00'	05°08'08"	20.18'
C5	677.66'	1082.00'	35°53'04"	350.36'
C6	239.94'	1050.00'	13°05'35"	120.50'
C7	36.84'	1050.00'	02°00'36"	18.42'

	L	B
L1	17.00'	N00°27'47"E
L2	37.01	N52°02'25"E
L3	32.53'	S44°32'13"E
L4	120.27'	S00°27'47"W
L5	61.83'	N89°32'13"W
L6	111.43'	N43°14'26"E
L7	136.37'	N70°14'02"E
L8	43.67'	S89°32'13"E

OWNERS:

APN 488-090-014,016
PARCEL 1 & 2
JB & RB REALTY, LLC
PO BOX 1770,
POMONA, CA 91769
(818) 601-1802
ATTN: JOHN BOULIANNE

APN 488-090-013,015
PARCEL 3 & 4
DJK, LLC
12625 AUTO MALL DRIVE,
MORENO VALLEY, CA 92555
(951) 485-3500
ATTN: DONALD J. ALLARD

PREPARED BY:

• land planning
• civil engineering
• landscape architecture
phone 909.748.7777
fax 909.748.7776
est. 1989
thatcher engineering & associates, inc.
1461 ford street, suite 105, redlands, ca 92373

LEGEND:

——	PROPOSED LOT LINES
▬▬	EXISTING BOUNDARY
— —	EXISTING LOT LINES
( )	AREA BEFORE ADJUSTMENT
POB	POINT OF BEGINNING
PCL	PARCEL
POC	POINT OF COMMENCEMENT

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Auto CAD\Exhibit 'A', PM 23244, LLA 1008.dwg

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction.

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

BACKGROUND

In May 2005, City Council approved an agreement with PB for $939,331.84 to provide design services for improvements to the State Route 60/Nason Street Interchange. The original scope of work consisted of design, right-of-way acquisition, utility relocation,

plans, specifications and estimates (PS&E), agency coordination, bid support and construction support services.

In June 2006, the agreement was amended within the authorized contingency to add work related to the City's Streambed Alteration Agreement with the California Department of Fish and Game.

On October 14, 2008, the City Council approved the Second Amendment for additional design work required to coordinate the project's 95% design with the substantially completed Stoneridge development and update the design plans to optimize construction funds and enhance the ultimate State Route 60/Moreno Beach Drive and Nason Street bridge project.

In April 2009, the agreement was further amended for additional design work required to update the plans. In June 2009 and October 2009, the agreement was again amended to add conceptual design work related to property acquisition activities and agency requirements. All amendments were within the authorized contingency.

On January 11, 2011, the City Council awarded the construction contract to All American Asphalt. Construction is currently under way.

The agreement with PB was further amended in August 2011 (Sixth Amendment) within the approved contingency to extend the contract expiration date from December 31, 2011, to December 31, 2012, and to address staging and drainage issues encountered during construction.

DISCUSSION

The project is under construction and is on schedule. Services during construction that are required to be performed by the design engineer were estimated in 2005 during the time of the original proposal. The tasks and associated level of effort has changed since that time. They have been evaluated and consequently have increased due to changes in policies and procedures.

Weekly meetings are held with the construction management team, the City, Caltrans, and the contractor. Due to the accelerated nature of the work and the multiple parties involved in approvals, there is a time benefit in having the design engineer present at strategic weekly meetings and on-site afterwards to answer questions, evaluate any proposed adjustments, and optimize solutions. In addition, Caltrans requires the design engineer to review and concur with all Requests for Information, regardless of whether they involve a design change. The level of effort for these tasks is therefore higher than anticipated. In addition, it is expected that there will be continuing suggestions by the contractor and project team to adjust existing and proposed features to save time and money.

As-built drawings were anticipated to be done under the original contract in 2005. Since that time, Caltrans policy changed, and the as-builts were not to be done by the design

engineer. The task was removed from the scope in the Second Amendment. In 2010, the policy changed again to have the design engineer prepare the as-builts. Therefore, the scope has been re-inserted to have the design engineer prepare the final as-built set, including electronic copies to the City and Caltrans.

Caltrans recently changed carpool policies. In the last three months, Caltrans re-striped the SR-60 carpool lane from I-215 to Redlands Boulevard to provide for a continuous ingress/egress condition instead of defined segments of ingress/egress. Both the interim stage plans and the permanent striping plans for this project, when implemented, are required to be revised to reflect the new type of striping. In addition, the environmental permits for the project were issued prior to advertisement, and there are revised requirements to document and close out the permits and environmental commitments upon completion of construction.

The consultant has submitted a proposal for $76,875 to perform this work, bringing the cumulative contract total to approximately $1.57 million. This amount represents approximately 20% of the construction cost and includes both design and construction support services, which represent approximately 19% and 2.2% of the construction cost, respectively. The price is considered fair and reasonable based on industry standards for similar work, and results in an overall cost savings for the City on the project. The design engineer is also required to perform these tasks. The services covered in this amendment will be completed concurrently with the ongoing construction phase.

Construction is expected to continue through March 2012. As-builts and administrative project close-out activities are expected to continue through June 2012. A 20% contingency is requested to respond quickly to construction issues that may arise as the project is completed.

ALTERNATIVES

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will allow for completion of the design for the needed improvements.*

2. Do not approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB),

451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, do not authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, do not authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will delay the needed improvements.*

FISCAL IMPACT

The project is currently funded using federal funds and matching toll credits. Remaining available funding consists of DIF Interchange funds and Measure "A" funds. There are sufficient funds in the budget for the amendment.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act of the 21st Century, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 2,657,000
STPL Discretionary Funds (125.67029)	$ 4,941,000
STPL Toll Credit (125.67030)	$ 637,000
Demo Toll Credit (125.66930)	$ 664,000
Measure "A" Funds (125.89720)	$,446,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$11,085,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 8,283,000
Construction Management & Inspection Services	$ 601,000
Construction Support Services (Geotechnical & Survey)	$ 129,000
Construction Support Services (Design)	$ 92,000
Administrative Costs (Staff & Miscellaneous)	$ 50,000
Total Estimated Costs	$ 9,155,000

ANTICIPATED PROJECT SCHEDULE
Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff recommends amending the contract with PB for continuing services during construction for the SR-60/Nason Street Interchange Improvement Project by approving the Seventh Amendment to Agreement for Professional Consultant Services and authorizing a change order to increase the purchase order by $92,250.00 ($76,875.09 plus 20% contingency).

ATTACHMENTS/EXHIBITS

Attachment "A" — Seventh Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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SEVENTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 98-25897

This Seventh Amendment to Agreement is by and between the **City of Moreno Valley**, a municipal corporation, hereinafter referred to as "City," and **PB Americas Inc.**, a New York corporation, hereinafter referred to as "Consultant." This Seventh Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 18, 2005.

Whereas, the Consultant is providing consultant design services for State Route 60/Nason Street Interchange Improvements.

Whereas said Agreement was amended by the "First Amendment to Agreement for Professional Consultant Services" dated June 22, 2006.

Whereas said Agreement was further amended by the "Second Amendment to Agreement for Professional Consultant Services" dated November 7, 2008.

Whereas said Agreement was further amended by the "Third Amendment to Agreement for Professional Consultant Services" dated April 23, 2009.

Whereas said Agreement was further amended by the "Fourth Amendment to Agreement for Professional Consultant Services" dated June 23, 2009.

Whereas said Agreement was further amended by the "Fifth Amendment to Agreement for Professional Consultant Services" dated October 13, 2009.

Attachment "A"

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

Whereas said Agreement was further amended by the "Sixth Amendment to Agreement for Professional Consultant Services" dated _____, 2011.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Seventh Amendment.

Whereas, the Consultant has submitted a Proposal dated August 25, 2011, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2012,** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in the proposal (Exhibit "A").

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in the proposal (Exhibit "A").

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $76,875.09, as set forth in the above-referenced proposal (Exhibit "A") in consideration of the Consultant's performance of the work set forth in said proposal.

1.5 The total "Not to Exceed" fee for this contract is $1,570,430.09 ($939,331.84 for the original Agreement, $16,302.70 for the First Amendment, $375,748.00 for the Second Amendment, $48,370.67 for the Third Amendment to Agreement, $4,805.24 for the Fourth Amendment to

Agreement, $87,889.13 for the Fifth Amendment, $21,107.42 for the Sixth Amendment and $76,875.09 for the Seventh Amendment to Agreement.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

PB Americas, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Attachments: Exhibit "A" – Proposal Dated August 25, 2011

Parsons Brinckerhoff
451 E. Vanderbilt Way
Suite 200
San Bernardino, CA 92408

August 25, 2011

Ms. Margery A. Lazarus,
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: SR-60/Nason Street Interchange Improvements (PB Job No. 12676)
Project No. 98-25897

Dear Ms. Lazarus:

Attached is our scope of work, cost estimate and labor breakdown for additional services at the request of the City of Moreno Valley on the Nason Street Interchange Improvement Project. The effort has been identified in the following areas through the middle of March 2012:

- As-built Drawings
- Environmental Permits
- Attend weekly construction meetings
- Provide concurrence of RFI's
- PB will update all Staging and Striping plans affected by Caltrans HOV policy change.

The estimate for the above scope of work is $76,875.09.

Please do not hesitate to call should you have any questions 909.888.1106

Sincerely,
PB Americas, Inc

Douglas B. Sawyer
Senior Vice President

Exhibit "A"

Scope of work for Amendment

Task 24 – As-built Drawings

PB shall incorporate all redline comments prepared by the Contractor and the project inspector on the signed design Plans. PB will put hanging file tabs on the Mylars. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment.

The estimated time for 251 sheets at 0.5 hour/per sheet would be 139 hours and will start on receipt of the complete package from the construction manager (TCM Group). This will include printing five (5) full size sets.

Electronic files will then be placed on three (3) CD's and delivered to construction manager (TCM – Group) for distribution.

Task 25 – Environmental Permits

Rather than paying the extraordinarily high maintenance fees associated with managing a half acre wetlands through the required third party management service, the city has opted to buy into an offsite mitigation bank.

This strategy will result in a savings to the city of well over $300,000.

PB will continue to work with the city to close the environmental permits, and to confirm compliance with the mitigation program in connection with closing out the project.

Task 26 – Weekly Meetings and Site Visits

Weekly Meetings and site visits thru the middle of March 2012 – The city together with Caltrans District 8 staff have requested our presence at the weekly construction meetings and site visits.

This additional effort was not anticipated or funded in the original design support during construction scope.

This task covers that additional coordination effort which will improve communication and reduce construction related delays.

This is based on 18 meetings and/or site visits for a total of 3 hours including travel time by the Project Manager or his/her representative.

If the construction is extended, these tasks will have to be revisited.

Task 27 – Review & Response

Additional Effort required providing concurrence on all RFI's thru the middle of March 2012. PB's involvement and concurrence in the RFI review and response process has increased significantly at the request of oversight agencies.

The requirement for the engineer to provide concurrence on all RFI's creates additional effort from the designer.

If the construction is extended, these tasks will have to be revisited.

Task 28 – Modify Interim Staging and Final Striping Plans

PB will modify interim staging and final striping plans to reflect changes in Caltrans policy to allow for continuous ingress/egress into HOV Lanes.

The estimated time for 10 sheets at 3 hour/per sheet would be 30 hours.

RESOURCE ALLOCATION MATRIX

Task No.	Task Name	Proj Mgr		Lead Engineer		Environmental Lead		Engineer		CADD		Project Administration		TOTAL HOURS	TOTAL COST
		PB AMERICAS HOURS													
		Jamey Dye		Craig Schneider		Stephanie Oslick		Courtney Otubuah		Chris Pitzer		Martha Garcia			
	Design Services														
24	**As-built Drawing**														
24.01	As-built Drawing	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
														0	$0.00
	Subtotals	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
25	**Environmental Permits**														
25.01	Environmental Permits	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
														0	$0.00
	Subtotals	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
26	**Weekly Meetings**														
26.01	1 Weekly Meeting through the middle of March	48	$10,730.40											48.00	$10,730.40
	Subtotals	48	$10,730.40											48.00	$10,730.40
27	**RFI Review & Response**														
27.01	RFI Review & Response through the middle of March	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
	Subtotals	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
28	**Modify Interim Staging and Final Striping Plans**														
28.01	Modify Interim Staging and Final Striping Plans	1	$223.55					5	$605.60	25	$3,141.75			31	$3,970.90
	Subtotals	1	$223.55					5	$605.60	25	$3,141.75			31	$3,970.90
	TOTAL	126	$28,582.91	10	$1,984.40	28	$4,391.52	99	$12,596.48	196	$27,773.07	3	$335.34	464.00	$75,763.72

OTHER DIRECT COSTS (ODC's):		
Mileage		$550.56
Reproduction		$539.00
Postage/Deliveries		$21.81
Phone/Fax		$0.00
TOTAL ODC's		$1,111.37
TOTAL COST	$0.00	$76,875.09

MV00132895

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

BACKGROUND

The SB 821 Bicycle and Pedestrian Facilities Program administered by the RCTC provides funding for sidewalks, bicycle lanes, access ramps, and pedestrian related enhancements. Eligible expenditures for this competitive grant program are limited to preliminary engineering, right of way acquisition, construction, and reconstruction.

At the April 12, 2011 City Council meeting, City Council approved the submittal of the grant application for the SB 821 Bicycle and Pedestrian Facilities Program FY 2011-12. The grant application requested funds for installation of access ramps at 11 locations citywide, as well as ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators at various locations along Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard.

On August 1, 2011, the City received notification from the RCTC of a successful grant application in the amount of $75,000 (50% of the estimated project costs) for the project.

DISCUSSION

The project will install sidewalk, curb and gutter, Americans with Disabilities Act (ADA) compliant access ramps, new pedestrian push buttons, and new pedestrian signal heads with countdown indications. Locations for the sidewalk and ramp improvements were selected based upon the results of the Public Right of Way Access ADA Transition Plan. City staff has received requests from disabled residents as well as completed the Tier 1 review of intersections and has developed a priority list of locations that need access ramp construction/reconstruction. A list of the locations, improvements, and priority follows:

- Patricia Street between Margaret Avenue and Gentian Avenue: Construct ADA ramps for a total of five intersections (citizen request).
- Cottonwood Avenue at Dilbeck Drive: Construct ADA ramps (Tier 1 review).
- Alessandro Boulevard at Chagall Court: Reconstruct ADA compliant ramps (Tier 1 review).
- Alessandro Boulevard at Ramsdell Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- John F. Kennedy Drive at Ely Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- Indian Street at Manzanita Avenue: Reconstruct ADA compliant ramps; modify intersection geometrics to reduce pedestrian crosswalk lengths (Tier 1 review).
- Centerpoint Drive at Center Plaza: Reconstruct ADA compliant ramps (Tier 1 review).

In addition, as part of a city-wide effort to enhance pedestrian safety and convenience, various locations long Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard will have ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators installed.

Per the provisions of the SB 821 Bicycle and Pedestrian Facilities Program (no agreement is needed between the City and the RCTC), the City is required to use its own funds to implement the project and then receives a reimbursement payment at the completion of the project. The $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance is requested such that staff can proceed with the design and construction phases. If the funds are not claimed prior to the end of FY 2012-13, the project will be deleted from the SB 821 Bicycle and Pedestrian Facilities Program and the funds will be reprogrammed by the RCTC.

ALTERNATIVES

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will allow the City to receive the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for the project.*

2. Do not accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and do not authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will prohibit the City from receiving the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for this project.*

FISCAL IMPACT

The SB 821 Bicycle and Pedestrian Facilities Program grant will provide for reimbursement of up to $75,000 (50% of project costs). Staff is requesting the City Council to approve the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance for the construction phase of the project. The program includes local match Measure "A" funding of $75,000 (50% of project costs) which is already programmed in the City's CIP budget for curb ramps and sidewalk at various locations. The total cost of this project is estimated at $150,000, and there is no impact to the General Fund.

FISCAL YEAR 2011/2012 FUNDS AVAILABLE:

Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$50,000
Indian St/Manzanita Ave Intersection Reconfiguration (Account No. 125.56334)	$25,000
SCAG Article 3 Funds Appropriation (Account No. 122.NEW)	$75,000
Total	$150,000

ESTIMATED PROJECT RELATED COSTS:

Design	$20,000
Construction	$107,000
Construction Geotechnical Services	$8,000
Construction Survey Services	$5,000
Project Administration	$10,000
Total	$150,000

ANTICIPATED PROJECT SCHEDULE:

Complete Design	August 2012
Award Construction Contract	October 2012

Notice to Proceed with Construction ..... November 2012
Complete Construction..... February 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property I the community, control the number and severity of fire and hazardous materials incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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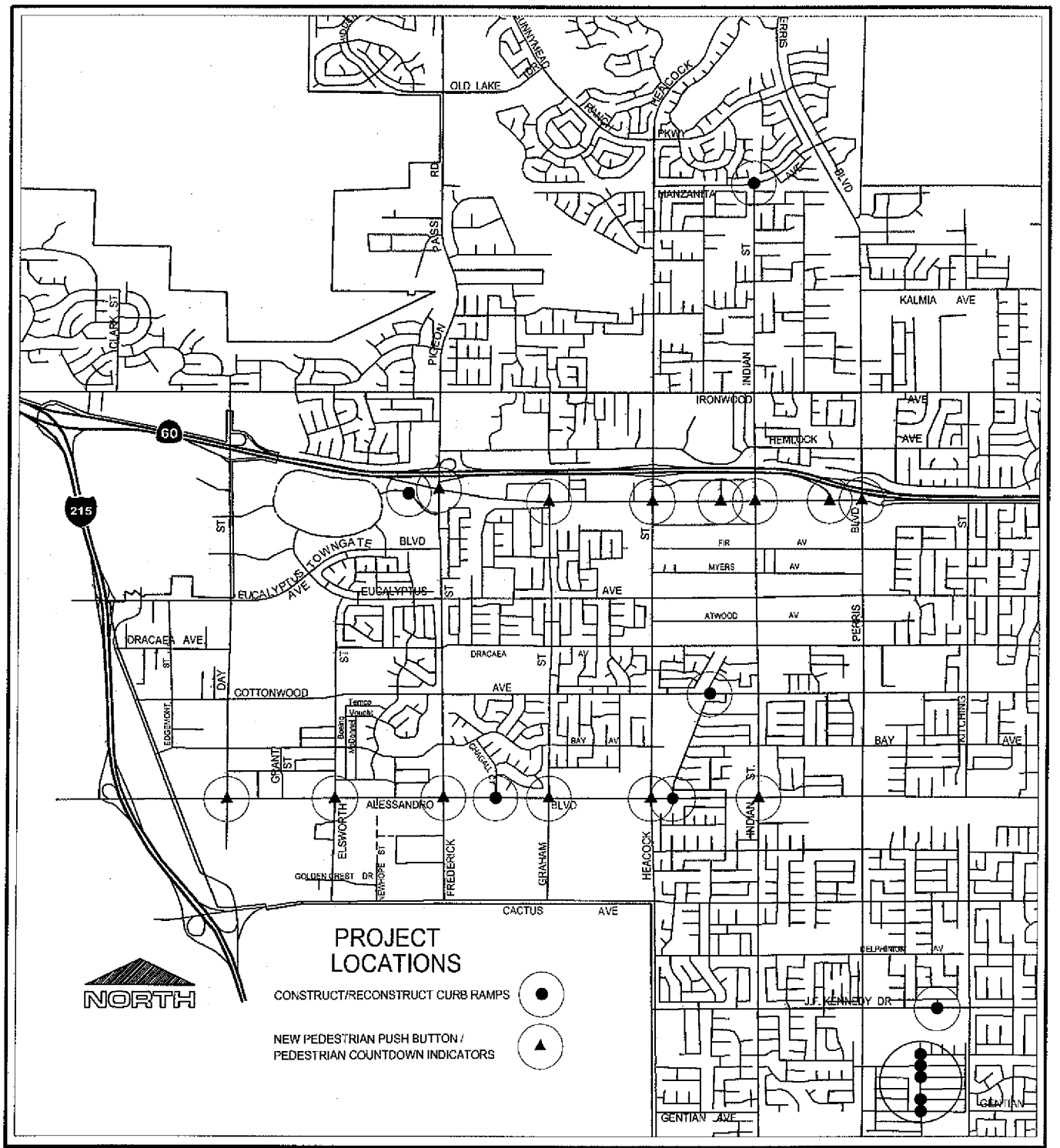

CITY OF MORENO VALLEY
DECEMBER 3, 1984

PEDESTRIAN ENHANCEMENT PROJECTS

Public Works Department
Capital Projects Division

LOCATION MAP

SB 821
FISCAL YEAR 2011 - 2012
GRANT SUBMITAL LOCATIONS

ATTACHMENT "A"

MV00132901

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: September 27, 2011

TITLE: FOURTH AMENDMENT TO THE AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

Staff recommends that City Council adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

BACKGROUND

The original agreement with Riverside County Sheriff for law enforcement services was executed in 1985. A new agreement for law enforcement services was adopted on December 8, 1998 and became effective on January 1, 1999. Another new agreement for law enforcement services was approved on October 7, 2003 and expired on June 30, 2008. The most recent five-year agreement for law enforcement services was approved on December 16, 2008, with a retroactive effective date of July 1, 2008. The agreement is effective from July 1, 2008 through June 30, 2013.

Amendments are the method used to reflect changes in the allocated contract positions, changes in the average service hours, to add positions, and to reflect changes in contract language. The attached Fourth Amendment reflects a change in the average service hours, and the deletion of positions.

DISCUSSION

During the FY 11-12 budget preparation process, the City Manager directed the Moreno Valley Police to reduce its budget by one million dollars for FY 11-12, an additional two million dollars in FY 12-13, and an additional two million dollars in FY 13-14. In order to

meet the directive, it is necessary to reduce the amount of officers assigned to the Police Department.

On June 14, 2011, during the FY 11-12 budget approval process, the City Council approved a budget directing the reduction of one million dollars from the Police Department. In order to meet the directive, police services must be reduced by 25 service hours per day. Prior to the reduction, the contract called for 600 service hours per day. The Fourth Amendment reduces that daily number to 575 hours per day.

To meet the savings goal of one million dollars requires the reduction of 5 sworn officer positions.

ALTERNATIVES

The following alternatives are available for Council consideration:

1. Adopt the Fourth Amendment to the Agreement for Law Enforcement Services, and authorize the Mayor to sign the agreement.

2. Elect not to adopt the Fourth Amendment to the Agreement for Law Enforcement Services at this time, and provide further direction to staff.

FISCAL IMPACT

During the FY 11-12 budget approval process, Council approved a budget that required the reduction 8900 hours of service per year. The current contract calls for 600 hours of service per day. The reduction will set the daily service hours at 575.

Current contract FY 10-11
Hours per year = 218,940 (600 hours per day)

Proposed contract FY 11/12
Hours per year = 210,040 (575 hours per day)

The elimination of 8900 hours of service at the rate of $125.37 would save the City of Moreno Valley $1,115,793.00 for FY 11-12. This reduction equates to 5 sworn positions.

This agreement will be retroactive to July 1, 2011.

CITY COUNCIL GOALS

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit in the City of Moreno Valley.

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

On June 14, 2011, during a regular public meeting of the Moreno Valley City Council, Council Members voted to adopt the FY 11-12 budget. That budget included a reduction in allocated Police contract service hours and positions to meet a one million dollar deficit reduction plan approved by City Council on April 19, 2011.

NOTIFICATION

None.

ATTACHMENTS/EXHIBITS

Fourth Amendment to the Agreement for Law Enforcement Services between the City of Moreno Valley and the County of Riverside, including Attachment A-1 (Level of Service) and Attachment A-2 (Level of Service Detail)

Prepared By:
Name Chad Bianco
Title Lieutenant

Department Head Approval:
Name John Anderson
Title Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ORIGINAL

FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN COUNTY OF RIVERSIDE AND CITY OF MORENO VALLEY

IT IS MUTUALLY AGREED that the Agreement for Law Enforcement Services between the County of Riverside, a political subdivision of the State of California, on behalf of its Sheriff's Department, and the City of Moreno Valley, a General Law City, approved by the Board of Supervisors on December 16, 2008, for services effective July 1, 2008 through June 30, 2013, as amended on December 1, 2009, November 2, 2010 and November 30, 2010, is hereby amended in the following respects, and all other terms and conditions of the Agreement remain in full force and effect:

1. Attachment A-1 is amended to read as follows:

ATTACHMENT A-1
CITY OF MORENO VALLEY
LEVEL OF SERVICE

Average Patrol Services

575 supported hours per day. (Approximate equivalent of one hundred and eighteen (118) Deputy Sheriff positions @ 1,780 annual productive hours per position)

Dedicated Positions

One (1) Captain position (Applied at an equivalent to 90% of position hours)

One (1) Lieutenant position

Two (2) Sheriff's Sergeant positions

Ten (10) Deputy Sheriff (fully supported) positions - Motorcycle Team

Two (2) Deputy Sheriff (fully supported) positions - K-9

Three (3) Deputy Sheriff (unsupported) positions - Crime Prevention Officers

One (1) Deputy Sheriff (unsupported) position – Regional Gang Task Force

One (1) Deputy Sheriff (unsupported) position - Graffiti Prevention

One (1) Deputy Sheriff (unsupported) position – School Resource Officer

Two (2) Forensic Technicians

MV00132905

Sixteen (16) Community Service Officer II positions

Five (5) Community Service Officer I positions

One (1) Sheriff's Service Officer II position

Two (2) Office Assistant II positions

One (1) Supervising Office Assistant I position

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2. Attachment A-2 is amended to read as follows:

Attachment A-2

City of Moreno Valley
Positions by Program
Level of Service as of July 2011

PROGRAM: POLICE ADMINISTRATION (62110)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Captain	1.0	
Lieutenant	1.0	
Sergeant	1.0	
Accounting Technician		1.0
Senior Accounting Assistant		1.0
Accounting Assistant II		2.5
Supervising Office Assistant II		1.0
Supervising Office Assistant I		1.0
Office Assistant III		2.0
Office Assistant II		14.0
TOTAL	3.0	22.5

PROGRAM: POLICE PATROL (62210)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	2.0	
Sergeant	10.0	
Deputy	80.0	
Deputy (Includes 2 K-9 Officers)	2.0	
Community Service Officer II		13.0
Sheriff's Service Officer II		3.0
TOTAL	94.0	16.0

PROGRAM: POLICE TRAFFIC ENFORCEMENT TEAMS (62310)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	

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Sergeant	2.0	
Deputy	18.0	
Community Service Officer II		5.0
TOTAL	21.0	5.0

PROGRAM: POLICE DETECTIVE UNIT (62410)

Position Title	Authorized Staffing Sworn	Classified
Lieutenant	1.0	
Sergeant	2.0	
Investigator	17.0	
Deputy (Burglary Suppression)	2.0	
Forensic Technicians		2.0
Sheriff's Service Officer II		1.0
TOTAL	22.0	3.0

PROGRAM: POLICE COMMUNITY SERVICES (62510)

Position Title	Authorized Staffing Sworn	Classified
Sergeant	2.0	
Deputy-Community Services	3.0	
Deputy-Graffiti Prevention	1.0	
Deputy-School Resource Officer	1.0	
Community Service Officer I - Cm.Services		3.0
TOTAL	7.0	3.0

PROGRAM: PROBLEM ORIENTED POLICING (62610)

Position Title	Authorized Staffing Sworn	Classified
Sergeant	2.0	
Deputy	9.0	
Community Service Officer I		2.0
TOTAL	11.0	2.0

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PROGRAM: POLICE SPECIAL ENFORCEMENT TEAMS (62710)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	
Sergeant	2.0	
Deputy (Includes 1 K-9 Officer)	15.0	
Deputy (RGTF)	1.0	
TOTAL	19.0	0.0

PROGRAM: POLICE GRANT C-CAT (62810)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	
Sheriff's Service Officer II		1.0
TOTAL	2.0	1.0

PROGRAM: TOWNGATE MALL (62910)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	0.0
TOTAL	2.0	0.0

TOTAL STAFFING:	SWORN	CLASSIFIED
	181.0	52.5

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MV00132909

IN WITNESS WHEREOF, the City of Moreno Valley, by minute order or resolution duly adopted by its City Council, has caused this Agreement to be signed by its Mayor and attested and sealed by its Clerk, and the County of Riverside, by order of its Board of Supervisors, has caused this Agreement to be signed by the Chairman of said Board and sealed and attested by the Clerk of said Board, all on the dates indicated below.

CITY OF MORENO VALLEY

Dated:_____

By:_____
Richard A. Stewart, Mayor

ATTEST:

Name
Title

By:_____

COUNTY OF RIVERSIDE

Dated:_____

By:_____
Bob Buster, Chair,
Riverside County Board of Supervisors

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

FORM APPROVED COUNTY COUNSEL
BY NEALE RIPNER DATE

By:_____
Deputy

MV00132910

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

BACKGROUND

The California Department of Food and Agriculture (CDFA) administers the Municipal Shelter Spay-Neuter Program through funds provided by the Franchise Tax Board. For the 2010 tax year, California taxpayers could elect to donate all or a portion of any of their tax refund monies to the Municipal Shelter Spay-Neuter Program. In order for this program to continue past the 2010 tax year a minimum of $250,000 in tax donations statewide was required. During 2010 a total of $197,000 in tax donations were available to eligible municipal animal shelters for the 2010 Spay-Neuter Program; therefore this program is not available in 2011.

The purpose of the Municipal Spay-Neuter Grant Fund Program is to provide grant funds to eligible animal shelters. Grant funds must supplement, not replace other funding sources. Impounded animals do not qualify for this service.

DISCUSSION

Moreno Valley Animal Services met the eligibility requirements of being current on the reporting requirements to the State Department of Public Health, Veterinary Public

Health Section (Annual Report of Rabies Control) along with offering low cost spay-neuter services for dogs and cats at the Moreno Valley Animal Clinic.

Grants awarded were on a first come, first serve basis. Eligible municipal animal shelters processing between 5,000 and 25,000 dogs and cats per year were eligible to receive up to $15,000. In FY 2010-11 the Moreno Valley Animal Shelter processed 8,378 dogs and 5,052 cats. The City was notified by CDFA in April 2011 that we were one of twelve shelters statewide that was awarded a grant (Attachment 1).

Grant funds will be used to sterilize approximately 200 dogs and/or cats owned by individual city residents.

ALTERNATIVES

1) Accept the grant award of $15,000.

2) Reject the grant award of $15,000.

3) Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the $15,000 grant award will increase the Animal Services Division's expenditure budget for FY 2011-12 as identified below. A separate business unit (BU 63240) has been created to track expenditures. Staff will process a Budget Appropriation Adjustment upon Council acceptance of the grant, increasing budgeted grant revenue and increasing the expense budget, directing staff to proceed with the grant expenditures.

General Ledger Account	Description	Current Budget	Grant Award Allocation	Revised Budget
2350.4611.1	Grant Revenue	$0	$15,000	$15,000
63240.6255	Other Professional Services (Veterinary contract)	$0	$15,000	$15,000

SUMMARY

Acceptance of the $15,000 grant award from the California Department of Food and Agriculture will allow the Animal Services Division to supplement the low cost spay-neuter services provided by the Moreno Valley Animal Clinic. Grant award funds will be used to assist city residents who otherwise could not afford the expense of spaying or neutering their pets. The grant award funds can only be used to assist pet owners

residing in the city and the pet owner's dog or cat has not been impounded at the Moreno Valley Animal Shelter. It is estimated approximately 200 pets from the community will be sterilized under this program.

ATTACHMENTS

Attachment 1: 2011 Municipal Spay-Neuter Grant Award Notice

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

cdfa CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

May 2, 2011

Steve Fries
City of Moreno, Valley Animal Services Division
14041 Elsworth Street
Moreno Valley, CA 92552-0805

Subject: 2011 Municipal Spay-Neuter Grant Award Notice

Dear Mr. Fries,

Congratulations! Your organization's application submitted under the California Department of Food and Agriculture (CDFA), 2011 Municipal Spay-Neuter Grant Fund Program in January has met all the criteria and will be awarded $15,000 based on the funding formula provided in the California Revenue Taxation Code (CRTC) Section 18755.2(c). CDFA anticipates disbursing the Municipal Spay-Neuter Grant Program funds in August 2011. Awards will be made payable to the organization name and address as they appears on this letter.

Pursuant to (CRTC) Section 18755.2(e) all funds received must be used to supplement, not replace, other funding sources for spay-neuter services and programs. Additionally, no grant funds shall be used to spay or neuter any animal that is impounded by an eligible municipal shelter.

Thank you for your participation in the 2010 Municipal Spay-Neuter Grant process. If you have any questions, please feel free to submit them to grants@cdfa.ca.gov.

Sincerely,

Carl Baum
Grant Awards Coordinator
Grant Awards Unit

CDFA ANNOUNCES MUNICIPAL SHELTERS ELIGIBLE TO RECEIVE FUNDING OF THE 2011 MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

Grants will be made available to the following Municipal Shelters providing low cost or free spay-neuter services for dog and cats owned by individual members of the public which have met all the criteria to receive funding:

City and County of San Francisco

City of Long Beach

City of Los Angeles

City of Moreno Valley

City of Sacramento

City of San José

County of Contra Costa

County of Riverside

County of San Bernardino

County of Santa Barbara

County of Yolo

Town of Truckee

4/30/11

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

The City has provided a VEBA benefit for City employees since 1994. In May 2011, the service provider that performed the VEBA accounting services for the City's VEBA Plan decided to stop providing the service to the City. City staff interviewed other providers and determined that CALGOVEBA is the most experienced, widely used by other government agencies in California and is the most complete service provider for administering the City's proposed VEBA Plan.

Staff is recommending approval of the attached Resolution establishing a new VEBA Trust. A VEBA Trust is a tax exempt benefit plan qualifying under Section 501 (c) (9) of the Internal Revenue Code. This plan is similar, in many respects, to a 125 Flexible Spending Account where accumulated assets are used for the payment of eligible health and other expenses for employees and their families. Unlike a 125 plan, however, accumulated assets in a VEBA Trust can be used to make premium payments.

The recommendation to implement a new VEBA Trust is based on a number of factors. The first is the significant positive impact the benefit will have on employees both during and after their retirement from service. By establishing a VEBA Trust, employees will be able to plan for current as well as future health care expenses not covered through the City's benefit program. Expenses such as Long Term Care, unreimbursed medical premiums, co-pays and pharmacy charges are all eligible under a VEBA Trust arrangement. Employees will realize a significant financial benefit since both eligible contributions to a VEBA Trust and the reimbursed expenses from the VEBA Trust are tax exempt. The City, however, is emphasizing the plan for retirement medical reimbursement purposes, even though the employees may use it for current medical expenses reimbursement.

Another factor is the flexibility of a VEBA over other alternatives available. One of the significant benefits of a VEBA is that it allows for levels of contribution and participation based on an employee group. Additionally, VEBA's, by law, require that they are collectively bargained. As a result, employees have a say in structuring a program that meets their needs. This means that the City employees associations may each agree on a different level of employee contribution rate, over and above the City paid contributions.

In addition, a VEBA Trust provides a more comprehensive approach to assisting with the greatest challenge for employers and employees, which is the rising cost of health care. A VEBA Trust is permitted to receive both, employer and employee contributions, the benefit being the opportunity to grow significantly greater assets for health care expenses in a shorter period of time. As a result, the VEBA program could also work in tandem with the City's existing post retirement medical commitments with employees' association members. For example, contributions by the City could be made directly to the respective VEBA accounts, thus ensuring a tax advantage for these employees.

In sum, by establishing the VEBA Trust, employees will be able to make health care choices that address their specific needs and have more money available for health care expenses due to tax savings realized through the program.

DISCUSSION

Staff is aware of a number of Public Agencies that have implemented VEBA Trusts for their employees. The proposed VEBA Trust was developed as a multi-agency Trust in order that other public agencies may provide similar benefits to their employees. The benefit of joining this particular VEBA Trust is that it was developed by the City of Foster City with our issues in mind. This Trust is also governed by a committee of Trustees formed from the list of participating agencies. Should the City of Moreno Valley choose to participate in the California Government VEBA, the City would hold representation on the Board of Trustees as well.

The City will not be responsible for any costs associated with this Plan. Each VEBA participant will pay a monthly maintenance fee of $4.45 regardless of the size of their account. The VEBA Trust will pay an asset-based fee equal to 50 basis points (0.50%) for funds held in a guaranteed fixed rate product at Metlife and 75 basis points (0.75%) for funds held in an actively managed advisory account at Ameriprise Financial. A variety of investment options exist for investment by the VEBA Trust for the benefit of participants in the program, one of which is a guaranteed fixed rate program through MetLife. Other investment options are available and are tailored to the City's requirements.

ALTERNATIVES

The action of the City Council to approve the attached resolution is consistent with the Fiscal Year 2011/12 MOUs with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The approval of the attached resolution and implementation of the new VEBA for City employees will have no impact on the City budget. The new VEBA Plan expenses are paid for out of the employees' contributions and investment earnings. As of June 30, 2011, the value of the City's current VEBA Trust assets was $995,257. The value of the assets has dropped due to market volatility in July and August 2011. As of September 15, 2011, the amount of the unrealized loss was approximately $51,575, compared with an unrealized gain of $160,634 for FYE 6/30/2011. All of the assets will be transferred to the new VEBA Trust and the value will be reported on a quarterly basis. The VEBA Trust assets for investment will be apportioned between the following two investment firms at the discretion of the City's VEBA Investment Committee: Ameriprise, Inc. and BAA Capital Advisors, Inc. The actively-managed portion (70%) will be managed by Ameriprise and the fixed-rate portion will be held in Metlife via BAA Capital Advisors, Inc. Cash will be held in two (2) accounts at Wells Fargo Bank.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future." The action will also fulfill City Council Deficit Elimination Plan Follow-up Goal No. 21, "Consider a Health Savings Account to allow set-aside of funds for future retiree medical costs on a pre-tax basis."

NOTIFICATION

The three employees associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and implement the

new VEBA. Copies of this staff report were sent to the employees associations and all three concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

1. Resolution Implementing a Voluntary Employee Beneficiary Association (VEBA) Trust.
2. California Government Voluntary Employees Beneficiary Association Restated Master Trust

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PARTICIPATION IN THE CALIFORNIA GOVERNMENT VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (CALGOVEBA) TRUST

WHEREAS, the City of Moreno Valley maintains a significant health and welfare benefit program for it's employees and their families; and

WHEREAS, modifications or additions are made from time to time to the City's benefit program; and

WHEREAS, the rising cost of health care is the one of single most important cost containment issue for the City and it's employees; and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association (CALGOVEBA) is a governmental multi-employer plan that permits employees to accumulate assets for this purpose, pursuant to the provisions of the Internal Revenue Code, section 501(c) (9); and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association provides for participation pursuant to collective bargaining agreements; and

WHEREAS, the City Council created a VEBA trust on April 25, 1995, referred to as the "Existing VEBA Trust"; and

WHEREAS, the assets in the existing VEBA trust needs to be transferred to the new CALGOVEBA trust; and

WHEREAS, once the assets are transferred, the existing VEBA trust needs to be terminated.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moreno Valley hereby approves the attached California Governmental Voluntary Employee Beneficiary Association Trust Agreement; and

That the City Council approves the transfer of assets from the existing VEBA trust to the new CALGOVEBA trust; and

That the City Council approves the termination of the existing VEBA trust upon the completion of the transfer of assets.

Attachment 1

Resolution No. 2011-99
Date Adopted: September 27, 2011

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CALIFORNIA GOVERNMENT

VOLUNTARY EMPLOYEES BENEFICIARY ASSOCIATION

RESTATED MASTER TRUST

TRUST restated in its entirety as of the 27th day of September, 2011 by and between The City of Moreno Valley, a forming public agency in the State of California (hereinafter referred to as the "Plan Sponsor "), and the Trust Committee of the California Government VEBA", (hereinafter referred to as the "Trustee").

W I T N E S S E T H:

WHEREAS, the Plan Sponsor adopts the California Government VEBA hereinafter referred to as the "Plan", and

WHEREAS, the Plan constitutes the California Government Voluntary Employees Beneficiary Association ("California Government VEBA"); and

WHEREAS, under the Plan, funds will from time to time be contributed to the Trustee, which funds, as and when received by the Trustee will constitute a trust fund to be held for the benefit of the Members and retirees of the Plan of the Plan Sponsor having a right to benefits, pursuant to the provisions of the Plan, and such funds will be invested by the Trustee pursuant to directions by the Plan Sponsor and/or Investment Manager as provided herein; and

WHEREAS, other Plan Sponsors may adopt this Trust as a Master Trust, subject to the provisions of this Trust, to hold assets for the purpose of funding plans that are a part of the California Government VEBA; and

WHEREAS, the Plan Sponsor having entered into this Master Trust with the Trustee for the purpose of holding the assets under the Master Trust attributable to the Plan and other amounts contributed thereunder; and

WHEREAS, the assets and funds to be held in the Master Trust established hereby, as and when received by the Trustee, will constitute a trust fund to be held for the benefit of the members of the Plan and their beneficiaries; and

WHEREAS, the Plan Sponsor desires the Trustee to hold such assets and funds and the Trustee is willing to hold such assets and funds pursuant to the terms of this trust; and

WHEREAS, the master trust is intended to qualify as a "Voluntary Employees Beneficiary Association" within the meaning of Section 501(c)(9) of the Internal Revenue Code, and

WHEREAS, the master trust is intended for the purpose of creating a fund to provide for the payment of benefits that qualify under Section 501(c)(9) of the Internal Revenue Code to participating Members, including their dependents, and their designated beneficiaries.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, the Plan Sponsor and the Trustee do hereby agree as follows:

1. The Plan Sponsor hereby adopts the California Government Voluntary Employees Beneficiary Association (VEBA) Trust (the "Master Trust") as a trust to fund the benefits provided by the Plan. All such money and property, all investments made therewith and proceeds thereof and all earnings and profits thereon, less the payments or other distributions which, at the time of reference, shall have been made by the Trustee, as authorized herein, are referred to herein as the "Fund" and shall be held by the Trustee, in trust, and dealt with in accordance with the provisions of this Trust.

2. Any other California public agency may become a Plan Sponsor and adopt the Master Trust to fund benefits provided under the California Government VEBA Plan if the Plan Sponsor adopts the Master Trust and the Plan in order to provide benefits that are funded from the Master Trust and the Trustee agrees to such adoption. The assets of each Plan Sponsor and the investment earnings thereon shall be available only to pay benefits to employees of that Plan Sponsor and any costs or fees associated with the administration of the Plan covered under this Trust.

3. It is intended that the Master Trust shall meet the requirements of Internal Revenue Code section 501(c)(9). All contributions hereunder and all assets and earnings of the Master Trust are solely and irrevocably dedicated to the payment of benefits that qualify under section 501(c)(9) of the Internal Revenue Code.

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Effective January 1, 2008 and as referenced herein, the Trustee shall consist of a Trust Committee. The Trust Committee shall consist of one person designated by each Plan Sponsor. Such designated individual shall assume the responsibility of Trustee. Executive Trustees shall review all information and documents related to the daily activities and operation of the Trust and Plan and shall make recommendation(s) to the full body of Trustees forming the Trust Committee on such related matters. Such Executive Trustees shall consist of the ten original Plan Sponsors and five additional Trustees voted by the full body of Trustees to such position. A vote to fill the five additional positions shall occur every three years. Procedures to fill vacancies which occur in the interim periods shall be developed by the Trust Committee.

4. Trustee shall appoint a Trust Administrator and any and all successor Trust Administrators which shall have the authority to act for a Plan Sponsor in all matters relating to the establishment and maintenance of the Plan and Trust except those relating to the investment and management of the assets of the Trust and such other matters as are reserved to the Plan Sponsor or the Trustee under the provisions of this Trust. Without limiting the generality of the foregoing, the Trust Administrator shall have the following specific powers:

   A. To contract for and delegate the administration of the Plan to one or more administrators, subject to approval of the Trustee.
   B. To determine from time to time the benefits to be provided for participants under the Plan.
   C. To retain professional advisors, including auditors and legal advisors to provide services to the Trust.
   D. To prepare necessary filing with the state and federal government.

5. Responsibility for the management and control of the assets of the Plans which are held under the Master Trust as a funding medium (including the power to acquire or

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dispose of such assets) is vested in the Plan Sponsor, and/or in such one or more investment managers described in Article 13a who are appointed by the Plan Sponsor. That portion of the Fund for which the Plan Sponsor shall have such responsibility is hereinafter referred to as the "Plan Sponsor-Directed Fund." Any portion of the Fund over which an Investment Manager shall have such responsibility is hereinafter referred to as an "Investment Manager-Directed Fund." Allocations of assets of the Fund between or among any Plan Sponsor-Directed or Investment-Manager Directed Funds shall be determined by the Plan Sponsor. For efficiency or convenience of investment or administration, the Fund or any such Plan Sponsor-Directed or Investment Manager-Directed Fund may be divided into such one or more sub-funds as the Plan Sponsor or the Trustee may deem advisable.

6. The Trust Administrator shall maintain a separate account reflecting the equitable share in the Fund of each Plan Sponsor. For this purpose, the Trustee shall determine the value of the assets of the Fund as of the last day of each calendar quarter and as of such other dates as the Trustee may deem appropriate or on which the Plan Sponsor and the Trustee may agree. Assets shall be valued at their market values at the close of business on the date of valuation, or, in absence of readily accessible market values, at such values as the Trustee shall determine in accordance with methods consistently followed and uniformly applied. Anything herein to the contrary notwithstanding, with respect to assets constituting part of a Directed Fund hereunder, the Trustee may rely, for all purposes of this Trust, including for the purpose of determining the value of such assets as of any quarterly or other valuation date, on any certified appraisal or other form of valuation submitted to it by the Investment Manager(s). The Trustee may also rely on Assets reported by an Insurer in conjunction with contracts issued by that Insurer. Any amount paid from the Master Trust which is specifically allocable to a particular Plan Sponsor shall be charged against the equitable share of such Plan Sponsor; any amount paid from the Master Trust which is allocable to all of the Plan Sponsors shall be charged against the individual Plan Sponsor assets on a pro-rata basis.

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7. The Trustee shall not be required to maintain any separate records or accounts with respect to any Plan Sponsor or any participant in (or beneficiary of) any Plan Sponsor, and any such records or accounts required to be maintained pursuant to the terms of any such Plan shall be maintained by the Plan Sponsor or by the appropriate committee directly charged with such responsibility.

8. By entering into this Trust, the Trustee does not assume any responsibility or undertake any duty to enforce payment of any contribution under any collective bargaining agreement, any responsibility for the adequacy of the Fund or the funding standards adopted by any Plan Sponsor to meet or discharge any liabilities under such agreement or standard, or any responsibility under the terms of this Trust for the management or control of any Discretionary or Directed Funds. Except as may otherwise be required by law, no duties or obligations shall be imposed upon the Trustee unless they have been specifically undertaken by the express terms of this Trust.

9. The Trustee shall receive any contributions paid to it in cash or in other property acceptable to it. All contributions so received, together with the income therefrom and any other increment thereon, shall be held by the Trustee pursuant to the terms of this Trust without distinction between principal and income. The Trustee shall not be responsible for the collection of any contributions to the Plans.

10. The Trustee may from time to time consult with counsel, who may be counsel to the Plan Sponsor, with respect to any question arising as to the construction of this Trust or any action to be taken hereunder and the Trustee shall be fully protected, to the extent permitted by law, in acting in good faith upon the advice of counsel.

11. Subject to the provisions of Article 12 hereof, the Trustee from time to time upon receipt of written notice from the Trust Administrator, may make payments out of the

MV00132927

Trust Fund to such persons, in such manner, in such amounts and for such purposes, including the payment of expenses of the Plan and the purchase of life insurance and/or annuity contracts, as may be specified by the Trust Administrator. Except as may otherwise be required by law, the Trustee shall be under no liability for any payment made by it pursuant to a written direction of the Trust Administrator and shall be under no duty to make inquiries as to whether any payment directed by the Trust Administrator is made pursuant to the provisions of the Plan.

12. Notwithstanding anything to the contrary contained in this Trust or in any amendment thereto, it shall be impossible, at any time prior to the satisfaction of all liabilities with respect to the members under the Plans or their beneficiaries, for any part of the Fund, other than such part as is required to pay taxes and expenses of administration, to be used for or diverted to purposes other than for the exclusive benefit of the members under the Plans or their beneficiaries.

13. Unless otherwise prohibited by law or otherwise specified herein, the Trustee shall have the following powers and authority with respect to the Trust Fund:

    a. To invest and reinvest, as directed by the Plan Sponsor and/or the Investment Manager, the principal and income of the Fund and keep the Fund invested without distinction between principal and income, in such securities or in such property, real or personal (whether or not income producing), wherever situated, including, but not limited to, life insurance, contracts, stocks, common or preferred; any mutual or other funds maintained or established by the Trustee or any affiliate thereof; bonds and mortgages and other evidence of indebtedness or ownership in any common, collective or commingled trust fund maintained by the Trustee, as the same may be amended from time to time, and during any period when such funds are used, the instrument establishing such fund shall constitute a part of this Trust. In making such directed investments, the Trustee shall not be restricted to securities or other property of the

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character authorized or required by applicable law from time to time for trust investments. The Plan Sponsor and/or Investment Manager shall direct the Trustee in writing as to the asset allocation or percentage mix of types of investments to be used by the Trustee for the investment of the Trust Fund, and as to specific investments to be made by the Trustee of amounts in the Trust Fund. To the extent permitted by law, the Trustee shall not be liable and shall be held harmless and indemnified by the Plan Sponsor for any losses incurred in connection with the Trust Fund caused by its reliance thereon. Such losses may be either actual realized losses or losses in the nature of "lost investment opportunity."

b. To settle, compromise or submit to arbitration any claims, debts or damages, due or owing to or from the Master Trust, to commence or defend suits or legal proceedings and to represent the Master Trust in all suits or legal proceedings in any court of law or before any other body or tribunal.

c. To exercise any conversion privilege and/or subscription right available in connection with any securities or other property at any time held by it; to oppose or to consent to the reorganization, consolidation, merger or readjustment of the finances of any corporation, company or association, or to the sale, mortgage, pledge or lease of the property of any corporation, company or association any of the securities of which may from time to time be held by it and do any act with reference thereto, including the exercise of options, the making of trusts or subscriptions, and the payment of expenses, assessments or subscriptions, which may be deemed necessary or advisable in connection therewith, and to hold and retain any securities or other property which it may so require.

d. To exercise, personally or by general or by limited power of attorney, any rights, including the right to vote, appurtenant to any securities or other property held by it at any time.

e. To hold part or all of the Funds uninvested.

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f. To employ and unemploy agents, including the Trust Administrator, counsel, and auditor and to pay from the Trust Fund their reasonable expenses and compensation.

g. To register any securities held by it hereunder in its own name or in the name of a nominee with or without the addition of words indicating that such securities are held in a fiduciary capacity and to hold any securities in bearer form.

h. To make, execute and deliver, as Trustee, any and all deeds, leases, mortgages, conveyances, waivers, releases or other instruments in writing necessary or desirable for the accomplishment of any of the foregoing powers.

i. To deposit any part of the Fund in interest bearing account deposits maintained by the Trustee.

j. Generally to do all acts, whether or not expressly authorized, which the Trustee may deem necessary or desirable for the protection of the Trust Fund.

14. The Plan Sponsor reserves the right to retain the services of one or more persons or firms for the management of (including the power to acquire and dispose of) all or any part of the Fund, provided that each of such persons or firms is registered as an investment advisor under the Investment Advisors Act of 1940, is a bank (as defined in that Act), or is an insurance company qualified to manage, acquire or dispose of trust assets under the laws of more than one state, and provided that each of such persons or firms has acknowledged in writing that he is a fiduciary with respect to the Plan; in such event, the investment manager or managers so retained (the "Investment Manger(s)") shall have the same investment powers and duties as the Trustee, and the Trustee shall not be liable for the acts or omissions of such Investment Manager(s), nor shall it be under any obligation to invest or otherwise manage any Trust Fund assets which are subject to the management of such Investment Manager(s).

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15. The Trustee shall pay out of the Fund all personal property taxes, income taxes and other taxes of any and all kinds levied or assessed under existing or future laws against the Trust Fund.

16. The Trustee shall, within 90 days after the close of each calendar year, and within 90 days after the removal or resignation of the Trustee or the termination of the Trust or Plan, render accounts of its transactions to the Trust Administrator and Plan Sponsor. The Trust Administrator and Plan Sponsor may make exceptions to such accounts by an instrument in writing delivered to the Trustee. In the absence of the filing in writing with the Trustee of exceptions or objections to any such account within ninety (90) days of the rendering, shall be deemed to have been approved, the Trustee shall be released, relieved and discharged with respect to all matters and things set forth in such account as though such account had been settled by the decree of a court of competent jurisdiction. The Trustee shall keep accurate and detailed accounts of all investments, receipts, disbursements and other transactions hereunder for the Fund (including any Discretionary or Directed Fund) and all accounts, books and records relating thereto shall be open to inspection and audit at all reasonable times by any persons designated by the Trustee or Trust Administrator. Except as the Retirement Security Act of 1974, as amended ("ERISA"), provides otherwise, no person other than the Plan Sponsor may bring any action against the Trustee with respect to the Trust or their actions as Trustee. The Trustee shall from time to time permit an independent public accountant selected by the Plan Administrator (except one to whom the Trustee has reasonable objection) to have access during ordinary business hours to such records as may be necessary to audit the Trustee's accounts.

17. The Trustee shall be fully protected in relying upon notice from the Trust Administrator with respect to any instruction, direction or approval of the Trust Administrator, and protected also in relying upon a notice from the Trust Administrator as to the person or persons who are authorized to direct payments from

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the Trust Fund and in continuing to rely upon such notice until a subsequent notice is filed with the Trustee.

The Trustee shall be fully protected in acting upon any instrument, certificates or paper believed by it to be genuine and to be signed or presented by the proper person or persons, and the Trustee shall be under no duty to make any investigation or inquiry as to any statement contained in writing, but may accept the same as conclusive evidence of the truth and accuracy of the statements therein contained.

The Trustee shall not be liable for the application of any part of the Fund if payments are made in accordance with the approved written instructions of the Trust Administrator as herein provided, nor shall the Trustee be responsible for the adequacy of the Fund to meet and discharge any and all payments and liabilities under the Plan. All persons dealing with the Trustee are released from inquiry into the decision or authority of the Trustee and from seeing to the application of any moneys, securities or other property paid or delivered to the Trustee.

The Trust Administrator and Plan Sponsor hereby agree to hold the Trustee harmless from and against all taxes, expenses (including counsel fees), liabilities, claims, damages, actions, suits or other charges incurred by or assessed against it as a successor Trustee, as a direct or indirect result of any act or omission of a predecessor Trustee or any other person charged under any trust affecting Fund assets for investment responsibilities with respect to such assets.

The Plan Sponsor agrees to hold harmless and indemnify the Trustee, to the fullest extent permitted under applicable law, for any and all liabilities of any kind incurred by the Trustee in connection with the Plans and Trust (a) relating to periods of time prior to the Trustee's becoming Trustee, or (b) relating to periods of time while the Trustee is Trustee if such liability is not due to the Trustee's negligence, willful misconduct, or breach of its fiduciary duties.

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18. The Trustee may resign at any time by giving sixty (60) days written notice to the Trust Administrator. In the case of the resignation or removal of the Trustee, the Trust Administrator immediately shall appoint a successor Trustee. If for any reason the Trust Administrator cannot or does not act in the event of the resignation or removal of the Trustee, as hereinabove provided, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor Trustee. Any expenses incurred by the Trustee in connection therewith shall be paid from the Fund as an expense of administration. Any successor Trustee shall have the same powers and duties as those conferred upon the Trustee named in this Trust. The removal of the Trustee and the appointment of a new Trustee shall be by written instrument delivered to the Trustee.

19. This Trust, subject to the provisions of Article 1 may be amended by the Trustee at any time or from time to time and in any manner and the provisions of any such amendment may be made applicable to the Fund as constituted at the time of the amendment as well as to the part of the Fund subsequently acquired; provided, however, that no such amendment shall increase the duties of the Trustee without its consent. Any amendment shall be by a written instrument adopted by the Trustee.

20. This Trust and the trust created hereby may be terminated at any time by the Trustee, and upon such termination, the Fund shall be paid out by the Trustee as and when directed by the Trust Administrator in accordance with the provisions of Article 12 hereof.

21. The Trust Administrator shall provide the Trustee with copies of all documents constituting a Plan at the time the Trust is executed by a Plan Sponsor, as provided in Article 2, and all other documents amending or supplementing a participating Plan promptly upon their adoption. The Trustee shall be entitled to rely upon the Trust Administrator's attention to this obligation and shall be under no duty to inquire of the

MV00132933

Trust Administrator as to the existence of any documents not provided by the Trust Administrator hereunder. The Trustee is bound and acknowledges that it is a fiduciary with respect to the Master Trust and the participating Plans and by the fiduciary responsibility provisions of ERISA as applicable to governmental plans. The provisions of ERISA are expressly made applicable to the provisions of this Master Trust in order to ensure that the Master Trust meets the control requirements for a VEBA under the provisions of 501(c)(9) of the Internal Revenue Code.

22. To the extent consistent with the provisions of ERISA, this Agreement and the trust created hereby shall be construed, regulated and administered under the laws of the State of California, and the Trustee shall be liable to account only in the courts of the State. All contributions to the Trustee shall be deemed to take place in the State of California. Unless the provisions of ERISA provide otherwise, the Trustee may at any time initiate an action or proceeding for the settlement of its accounts or for instructions, and the only necessary party defendant to such action or proceeding shall be the Employer except that the Trustee may, if it so elects, bring in as parties defendant any person or persons.

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IN WITNESS WHEREOF, this instrument has been executed as of the day and year first above written.

PLAN SPONSOR

ATTEST:

_____

By:_____

Name: Richard A. Stewart

Title: Mayor

Date: _____

TRUSTEE:

ATTEST:

Trust Committee

_____

By: _____

Name:

Title:

Date:

MV00132935

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer and Barry Foster Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011

DEVELOPER: FIRST INDUSTRIAL, L.P.
A DELAWARE LIMITED PARTNERSHIP
898 NORTH SEPULVEDA BOULEVARD
SUITE 750
EL SEGUNDO, CA 90245

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011.

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

BACKGROUND

On November 6, 2008, the Planning Commission of the City of Moreno Valley approved Parcel Map No. 35859 (PA07-0165) along with Plot Plan (PA07-0166) for an approximately 700,000 square-foot industrial warehouse building (Building #1) and a

Plot Plan (PA07-0167) for a 180,000 square-foot industrial warehouse building (Building #2). The parcel map is a proposal to subdivide 40.3 gross acres into two parcels. The project is bounded by Perris Boulevard to the east, Knox Street to the west, San Michelle Road to the north, and Nandina Avenue to the south.

Since the original project approvals, the developer has submitted a Plot Plan (PA11-0011) planning application for an interim truck parking lot to be located on Parcel 2 of Parcel Map No. 35859, the ultimate location of Building #2, the 180,000 square-foot industrial warehouse building. The proposal covers the same footprint of the approved building with access from Perris Boulevard. The developer has also submitted an Amended Plot Plan (P11-017) planning application for minor modifications to the approved 700,000 square-foot building approved with PA07-0166. The modifications include a decrease in the overall building square footage with an increase in office space and changes to the location of Knox Street project entrances. Both of these planning applications were approved on July 5, 2011.

On July 26, 2011, the City Council of the City of Moreno Valley approved the Final Parcel Map and Public Improvement Agreement along with the corresponding securities. The Agreement and securities include the construction of the public street improvements.

DISCUSSION

First Industrial, L.P. is requesting a full road closure of Nandina Avenue between Perris Boulevard and Knox Street to facilitate the construction of street improvements on Nandina Avenue. The road closure will be for three months, or approximately ninety-one (91) calendar days. The request for the road closure is due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, curb, gutter, sidewalk, medians, driveway approaches, street lights, landscaping, storm drain culverts, dry utilities, traffic signal modification and associated signing and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on December 28, 2011.

There are 2 residential parcels in the area of construction. The road closure will affect the ingress or egress of both of the parcels, and it will require a detour to the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. The road closure/detour/traffic control plan for this closure has been reviewed and approved by the City Traffic Engineer.

ALTERNATIVES

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. There would be no road closure. *This alternative would result in an unsafe work environment and would significantly delay the completion of this project.*

FISCAL IMPACT

The developer will be responsible for all costs associated with this proposal.

CITY COUNCIL GOALS

PUBLIC SAFETY
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses and residents. The public will be notified by special roadside signage showing the dates of closure and detour signs.

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Road Closure Detour Map
Exhibit "C" – GIS Orthography Map – Road Closure Site Map

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\9-27-11 - PM 35859 Nanadina Ave Improvements - Road Closure.doc

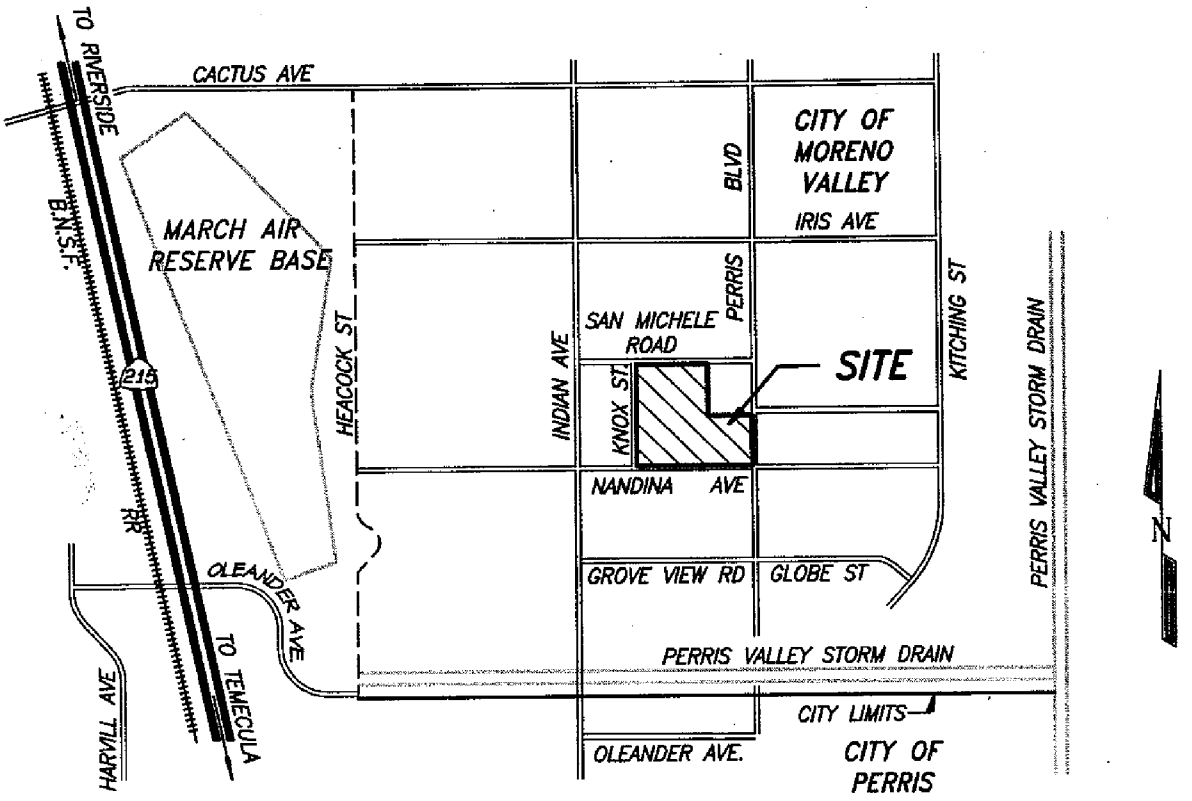

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0165** **PM 35859** **LOCATION MAP**

MV00132940

DETOUR PLAN

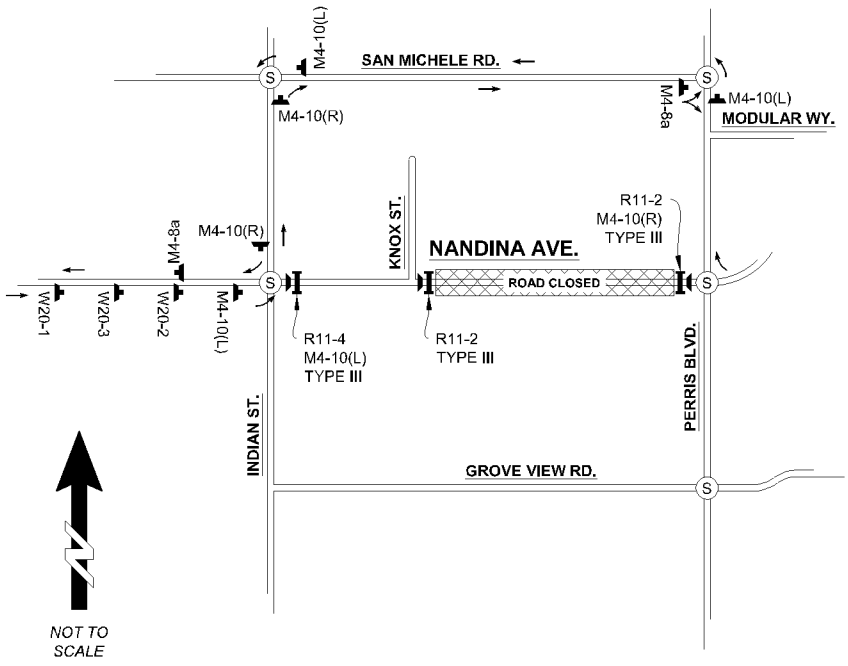

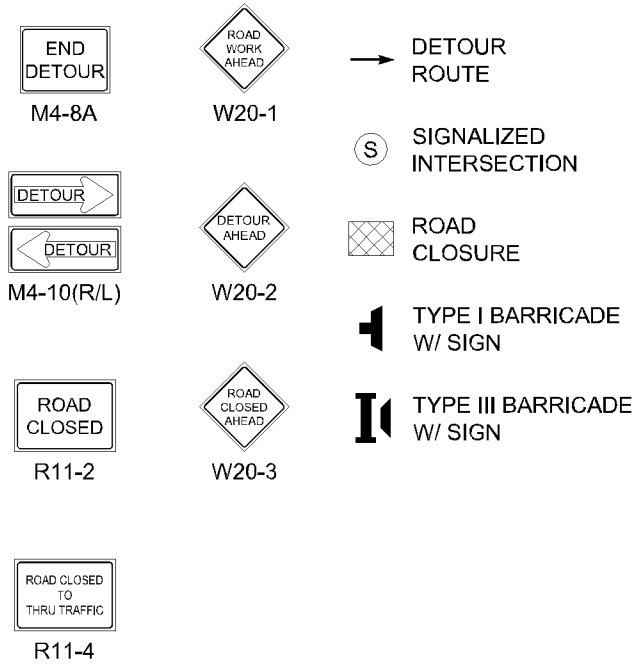

PREPARED BY:	CONTRACTOR:	STAMP:		CITY OF MORENO VALLEY APPROVALS		PERRIS VALLEY MASTER DRAINAGE PLAN LATERAL B-1 & B-1.2	PROJECT NO.
A CONE ZONE INC. P.O. Box 1982 Corona, CA 92878 (951) 734-9535 License Number: 851996	**PETERSON PIPELINE** P.O. Box 1649 Chino, CA 91908 (909) 393-1906 License Number: 689680A		MARK / REVISIONS / APPR / DATE DESIGNED BY CB DRAWN BY CB CHECKED BY EN	APPROVED BY / DATE / BY SUPERVISING ENGINEER CITY TRAFFIC ENGINEER MAINTENANCE AND OPERATIONS MANAGER SENIOR ENGINEER	PREM KUMAR – DEPUTY DIRECTOR OF PUBLIC WORKS DATE R.C.E. 52463 EXP. DATE: 12/31/12 CHRIS A. VOGT – DIRECTOR OF PUBLIC WORKS DATE R.C.E. 44250 EXP. DATE: 06/30/12	NANDINA AVE. CLOSURE	DRAWING NO. SHEET NO. X OF 4

Exhibit "B"

ROAD CLOSURE SITE MAP

Nandina Avenue fron Perris Blvd. to Knox St.

Legend

- Highways
- Parcels
- Roads
- March Installation Area
- Waterbodies
- Sphere of Influence
- Ortho Photography

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside

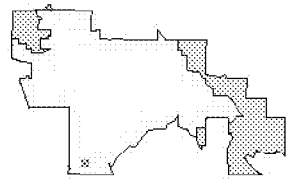

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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Printed: 8/23/2011 11:03:47 AM

Exhibit "C"

MORENO VALLEY

MV00132941

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	SMB
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto.

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The Parks and Community Services Department oversees the After School Education and Safety Program and 43 school sites in the Moreno Valley Unified (MVUSD) and Val Verde Unified School District (VVUSD). As part of the After School Education and Safety Grant (ASES) the city is required to offer the students in the program a daily

nutritious snack that conforms to the nutrition standards in the California Education Code. To that end the City receives a grant from the Child and Adult Care Food Program (CACFP) which reimburses a set amount per nutritious snack served per student. The vendor contracted for this service must be capable of delivering snacks, to each school site weekly, that meet the requirements and portion sizes of the U.S. Department of Agriculture (USDA) as required by the CACFP Grant.

DISCUSSION

A request for proposal was prepared and advertised, with a closing date of August 22, 2011. Three proposals were received by deadline. A panel evaluated the proposals based on several items with the most weight given to: Ability to provide the required services; adherence to the RFP; quality of snacks compared to the USDA's requirements; and nutritional value of snacks compared to USDA's requirements.

The proposal with the highest score was received from Family Services Association. It is Staff's intention to enter into an agreement with Family Services Association to meet the required nutritional guidelines of the ASES and CACFP Grants.

ALTERNATIVES

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto and Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

2. Elect not to award the contract and execute a purchase order in the amount not to exceed $440,640 to Family Services Association and provide direction to staff.

FISCAL IMPACT

The funding of this program expenditure, in the amount not to exceed $440,640, is covered 100 percent (100%) through ASES and CACFP grant funding. No City General Funds will be used for this program. Funds are budgeted in the FY2011-12 Operating Budget (162.16215 and 162.16315). **ASES funding is specifically for the After School Education and Safety Program and CACFP grant is for nutritious after school snacks only.**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Contract agreement (Includes RFP)

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT A

City of Moreno Valley
Community Services District

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by the Moreno Valley Community Services District, a district formed pursuant to California Community Services District Law, hereinafter referred to as the "CSD", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City and CSD policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the Mayor, Acting in the capacity as the President of the Board of Directors of the Moreno Valley Community Services District, signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Family Services Association
Address: 21250 Box Springs Rd. Ste 212
City: Moreno Valley State: CA Zip: 92557
Business Phone: (951)686-1096 Fax No. (661)947-5678
Other Contact Number: N/A
Social Security Number: N/A
Business License Number: 11605
Federal Tax I.D. Number: 95-4764967

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The CSD's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is 10/3/11 and the Contractor Ending Date is 06/30/12. The CSD acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CSD will not provide any training to Contractor or his/her/its employees.
B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual

whose compensation for services is paid by the Contractor, an agent or employee of the CSD, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the CSD, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the CSD.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the CSD. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the CSD shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the Moreno Valley Community Services District (CSD), City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the CSD, City and RDA, its officers, agents, or employees.

   The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. CSD Indemnification. The CSD agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CSD's, City's and RDA's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, City, and RDA, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

   The Contractor shall name as additional insured, the Moreno Valley Community Services District (CSD), the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and shall furnish the CSD with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the CSD in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any

excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the Moreno Valley Community Services District (CSD), it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the Moreno Valley Community Services District (CSD), the Community Redevelopment Agency of the City of Moreno Valley, California, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the CSD, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the CSD will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	**Each Occurrence**	**Aggregate**
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the CSD and the City. At the option of the CSD and the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the CSD, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the CSD with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

   (a) The CSD may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the CSD. The CSD shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

   (b) Either party may terminate this Agreement for cause. In the event the CSD terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

I. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The CSD will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the CSD's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

J. Restrictions on CSD and City Employees. The Contractor shall not employ any CSD or City employee or official in the work performed pursuant to this Agreement. No officer or

employee of the CSD or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

K. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

L. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.
In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

M. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the CSD, the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

N. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the CSD.

O. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

P. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the Moreno Valley Community Services District (CSD).

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Board of Directors of the
Moreno Valley Community Services District

BY: _____
President

_____
Date

Family Services Association

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT A

SCOPE OF WORK

"Exhibit A"

GENERAL AGREEMENT

This agreement is entered between Family Service Association (FSA) and the Moreno Valley Community Services District ("CSD") for the purpose of providing after school snack services. It is recognized that the purpose of this agreement shall be constructed in a manner not inconsistent with the California Education Code and other laws of the State of California After School Education and Safety (ASES) Grant.

AGENCY AND PROGRAM BACKGROUND

Family Service Association is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals. Additionally, the FSA has provided the Federal Summer Youth Food Program at several FSA Community Centers.

SNACK PROGRAM SERVICES

Family Service Association will provide delivery of the snacks to each of the 43 ASES "CSD" sites every school day from October 3, 2011 until June 30, 2012 in accordance with the order from the Think Together. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times required. Snack will be provided for a set unit price of .72 per snack per day and total cost will vary based on CSD program enrollment. Snack nutritional values will be in accordance with Child and Adult Food Program.

PROGRAM DELIVERY

Snack will be delivered to CSD programs weekly. CSD program must provide a secure area for product to be stored. CSD program will assign a contact for each site who will sign for delivery. FSA will invoice monthly with NET 30 DAY terms based on documented number of nutritious snacks delivered.

PROGRAM STAFFING REQUIREMENTS

Family Service Association shall be solely responsible for staff in their employ under this agreement, Family Service Association certifies that staff providing services are adequately trained and prepared according to prevailing standards for providing such services. Family Service Association will provide adequate supervision of the staff. FSA will provide all necessary insurance for employees as specified in INDEPENDENT CONTRACTOR AGREEMENT.

RELEVENT DATES

FSA will deliver snack to (43) ASES sites per week starting October 3, 2011. All sites will have product to begin distribution on October 3, 2011.

CONTRACTORS RFP RESPONSE

MV00132952

ORIGINAL

CHILD AND ADULT CARE FOOD PROGRAM
SAMPLE CONTRACT FOR VENDED MEALS

THIS AGREEMENT, made and entered into this day of

20 11, in the State of California, by and between Moreno Valley Community Services District

hereinafter referred to as the Agency and _____,

* _____, hereinafter referred to as the Contractor.

WITNESSETH:

1. That the Contractor for and in consideration of the covenants, conditions, agreements, and stipulations of the Agency hereinafter expressed, does hereby agree to furnish to the Agency services and materials as described in the original Invitation for Proposal and Contract, Sections A, B, C, D, E, F, G, and H, and Schedules A, B, and C, which were attached and made a part hereof by this reference.

2. The period of this contract shall be from _____ through _____. This contract may be renewed for one-year periods up to three times upon agreement of the Agency and the Contractor. Any increase or decrease of the unit price(s) shall be negotiated during the renewal process.

3. In consideration of the service, performed in a manner acceptable to the Agency and in compliance with the Child and Adult Care Food Program regulations, Title 7 Code of Federal Regulations, Part 226, the agency shall pay the Contractor within 30 days of receipt, the full the amount Amount of the itemized invoices as confirmed by pickup receipts, at the unit price(s) specified in the contract.

4. The total amount payable by the Agency to the Contractor under this contract shall not exceed $_____.

SIGNATURE PAGE TO FOLLOW

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/

/

/

MORENO VALLEY COMMUNITY SERVICES DISTRICT

(Name of Contractor)

BY: _____
City Manager

DATE: _____

License No./ Certification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

CITY ATTORNEY, ACTING IN THE CAPACITY OF GENERAL COUNSEL OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SECTION A
CHILD AND ADULT CARE FOOD PROGRAM
REQUEST FOR PROPOSAL AND CONTRACT
(DELIVERY)

RFP/CONTRACT NUMBER: (Formal Advertising Only)

ISSUED BY (AGENCY): Moreno Valley Community Services District

NAME	ADDRESS 14075 Frederick St.		
CITY Moreno Valley	STATE CA	ZIP 92553	TELEPHONE NUMBER (951) 413-3726

PROPOSAL DUE

DATE	TIME	LOCATION	ISSUE DATE
AUGUST 22, 2011	5:00 p.m.	Moreno Valley Parks and Community Services 14075 Frederick Street, Moreno Valley, CA 92553	

PROPOSAL

This document contains an RFP/Contract for the furnishing of meals (unitized if applicable) to be served to participants of the Child and Adult Care Food Program established by the United States Department of Agriculture (Title 7 Code of Federal Regulations, Part 226) and sets forth the terms and conditions applicable to the proposed procurement.

NAME OF COMPANY	FEDERAL ID NUMBER
Family Service Association	95-1803694
STREET ADDRESS	TELEPHONE NUMBER
21250 Box Springs Rd. Ste. 212	(951) 686-1096

CITY	STATE	ZIP CODE
Moreno Valley	CA	92557

TOTAL ESTIMATED AMOUNT OF PROPOSAL	
TO BE PROVIDED IN SEPARATE SEALED ENVELOPE	Prompt Payment Discount: N/A % for payment within days.

By submission of this proposal, the company certifies that, in the event they receive an award under this solicitation, they shall operate in accordance with all applicable, current Child and Adult Care Food Program regulations.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Bower	Chief Operating Officer	8/18/2011

ACCEPTANCE

Upon acceptance by the Agency and review by the California Department of Education, this document shall constitute the covenants, conditions, agreements, and stipulations of the contract between the company making the proposal and the Agency named above.

CONTRACT NUMBER	AGENCY NAME	DATE

SIGNATURE OF AGENCY REPRESENTATIVE	

PROCUREMENT METHOD: (Check One)

Competitive Negotiation ☐ Competitive Sealed Proposals ☒ Noncompetitive Negotiation ☐

FOR CDE USE ONLY

This Contract was reviewed for compliance with Title 7 Code of Federal Regulations, Part 226 by:

SIGNATURE	DATE

3

SECTION B
CERTIFICATE OF INDEPENDENT PRICE DETERMINATION, NO SANCTIONS, AND DRUG FREE WORKPLACE

BY SUBMISSION OF THIS PROPOSAL, THE SUBMITTER CERTIFIES AND IN THE CASE OF A JOINT PROPOSAL, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATIONS, THAT IN CONNECTION WITH THIS PROCUREMENT:

1. The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Submitter or with any competitor.
2. Unless otherwise required by law, the prices that have been quoted in this proposal have not been knowingly disclosed by the Submitter and will not knowingly be disclosed by the proposal prior to proposal opening, directly or indirectly to any other Submitter or to any competitor.
3. No attempt has been made or will be made by the Submitter to induce any person or firm to submit or not to submit a proposal for the purpose of restricting competition.
4. Neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

   Where the Submitter is unable to certify to any of the statements in this certification, such Agency shall attach an explanation to this proposal.
5. As required by the state drug-free workplace act of 1990 (Government Code Section 8350 et. Seq.) and the federal Drug-Free Workplace Act of 1988, and implemented at Title 34 Code of Federal Regulations, Part 85, Subpart F, for grantees, as defined at Title 34 Code of Federal Regulations, Part 85, Sections 85.605 and 85.610, the Submitter certifies that it will continue to provide a drug-free workplace.

EACH PERSON SIGNING THIS PROPOSAL CERTIFIES THAT:

1. He is the person in the Submitter's organization responsible within that organization for the decision as to the prices being offered herein or that he has been authorized in writing to act as agent for the persons responsible for such decisions in certifying that such persons have not participated and will not participate, in any action contrary to (1) through (3) above; and
2. He has not participated, and will not participate, in any action contrary to (1) through (3) above.

AND AS THEIR AGENT DOES HEREBY SO CERTIFY:

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011
NAME OF COMPANY		
Family Service Association		
In accepting this proposal, the agency certifies that the agency's officers, employees, or agents have not taken any action that may have jeopardized the independence of the proposal referred to above.		
SIGNATURE OF AUTHORIZED AGENCY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011

ACCEPTING A PROPOSAL DOES NOT CONSTITUTE ACCEPTANCE OF THE CONTRACT

MV00132956

SECTION C

INSTRUCTION TO SUBMITTERS

1. **Definitions --** (As used herein):

   (a) The term "Proposal" means an offer to perform the work described in the Request for Proposals at the fixed unit price specified in accordance with the terms and conditions of the solicitation.

   (b) The term "Submitter" means a food service management company submitting a proposal in response to this Request for Proposals.

   (c) The term "Contractor" means the food service management company to whom the proposal is awarded and with whom the contractual agreement is executed.

   (d) The term "CDE" means the California Department of Education, Nutrition Services Division.

   (e) The term "Food Service Management Company" means an organization, other than a public or private nonprofit school, with which an agency may contract for preparing, and unless otherwise provided for, delivering meals, with or without milk, for use in the Program.

   (f) The term "Request for Proposals ", hereafter referred to as RFP, means the document soliciting proposals through the formal advertising method of procurement. In the case of this Program, the RFP becomes a part of the contract upon acceptance by the Agency, review by CDE, and execution of the contractual agreement.

   (g) The term "Agency" means the Child and Adult Care Food Program agency that issues this RFP.

   (h) The term "Program" means the Child and Adult Care Food Program as set forth in the Title 7 Code of Federal Regulations, Part 226.

   (i) The term "Unitized Meal" means an individual pre-portioned meal consisting of a combination of foods meeting the complete meal requirements, delivered as a unit and served as a unit, with or without milk.

   Other terms shall have the meanings ascribed to them in the Child and Adult Care Food Program, Title 7 Code of Federal Regulations, Part 226.

2. **Submission of Proposals**

   (a) Submitters are expected to examine carefully the specifications, schedules, attachments, terms, and conditions of this RFP. Failure to do so shall be at the Submitter's own risk.

   (b) Proposals shall be executed and submitted in triplicate with one copy being marked "original". If accepted, this RFP will become a part of the contract and one copy of the accepted Proposal/contract will be forwarded to the successful Submitter with the notice of award. The copy marked "original" shall be governing should there be a variance between that "original" copy of the proposal and other copies submitted by the Submitter. No changes in the specifications or general conditions as presented by the Agency herein are allowed. Erasures on this proposal shall be initialed by the proposal prior to submission.

   (c) A copy of a current State or local health certificate for the food preparation facilities shall be submitted with the proposal.

   (d) The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.

   Failure to comply with any of the above shall be reason for rejection of the proposal.

MV00132957

3. **Explanation to Submitters**

Any explanation desired by a Submitter regarding the meaning or interpretation of the RFP specifications, etc., must be requested in writing prior to proposal opening and with sufficient time allowed for a reply to reach all Submitters before proposal opening. Oral explanations or instructions given before the award of the contract shall not be binding. Any information given to a prospective Submitter concerning an RFP shall be furnished to all prospective Submitters as an amendment to the RFP if such information is necessary to Submitter in submitting proposal on the RFP, or if the lack of such information would be prejudicial to uninformed Submitters.

4. **Acknowledgment of Amendments to RFPs**

Receipt of an amendment to an RFP by a Submitter must be acknowledged by signing and returning the amendment. Such acknowledgment must be received prior to the hour and date specified for proposal response date.

5. **Discounts**

Although a blank is provided for a time discount, prompt payment discounts offered for payment in less than twenty calendar days will not be considered in evaluating proposals for award. However, offered discounts of less than twenty days will be taken if payment is made within the discount period even though not considered in the evaluation of proposals.[1]

6. **Proposals Having Interest in More Than One Proposal**

If more than one proposal is submitted by any one person, by, or in the name of a clerk, partner, or other person, all such proposals shall be rejected.

7. **Time for Receiving Proposals**

Sealed proposals shall be deposited at the address specified on the RFP of the Agency no later than the exact time and date indicated on the face of this RFP. Proposals received prior to the time of opening will be securely kept, unopened.

8. **Errors in Proposals**

Submitters or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals; failure to do so shall be at the Submitter's own risk and he cannot secure relief on the plea of error.

9. **Award of Contract**

(a) The contract will be awarded to that responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered. Consideration shall be given to such matters as Contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

[1] Payment discounts may only be used to determine the low proposal when prior experience of the Agency indicates that such discounts are generally taken.

(b) The Agency reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received when there are sound documented business reasons in the best interest of the Program.

(c) The Agency reserves the right to reject the proposal of a Submitter who has previously failed to perform properly or complete on time contracts of a similar nature, or the proposal of a Submitter whose investigation shows is not in a position to perform the contract.

10. **Late Proposals, Modifications of Proposals, or Withdrawals of Proposals**

(a) Any proposal received after the exact time specified for receipt will not be considered unless it is received before the award is made and it was sent by registered or certified mail, no later than the fifth calendar day prior to the date specified for the receipt of proposals (e.g., a proposal submitted in response to an RFP requiring receipt of proposals by the 20th of the month must have been mailed by the 15th or earlier).

(b) Any modification or withdrawal of a proposal is subject to the same conditions as in (a) above except that withdrawal of proposals by telegram is authorized. A proposal may also be withdrawn in person by a Submitter or his authorized representative, provided his identity is made known and he signs a receipt for the proposal, but only if the withdrawal is made prior to the exact time set for receipt of proposals.

(c) The only acceptable evidence to establish the date of mailing of a late proposal, modifications, or withdrawal sent either by registered or certified mail is the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. If the date on the postmark is illegible, the proposal, modification, or withdrawal shall be deemed to have been mailed late. (The term "postmark" means, a printed, stamped, or otherwise placed impression that is readily identifiable without further action as having been supplied and affixed on the date of mailing by employees of the U.S. Postal Service.)

(d) Notwithstanding the above, a late modification of an otherwise successful proposal that makes its terms more favorable to the Agency will be considered at any time it is received and may be accepted.

SECTION D
SCOPE OF SERVICES

1. The Contractor agrees to deliver unitized meals exclusive of milk to locations set out in Schedule A, attached hereto and made a part hereof, subject to the terms and conditions of this solicitation.

2. All meals furnished for the Program under this contract must meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products shall conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. The Contractor agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. The Contractor shall furnish meals for the Program as ordered by the Agency during the period of October 3, 2011 to June 8, 2012.

5. The Contractor shall furnish meals for the Program as ordered by the Agency 5 days a week excluding school holidays.

Section D

SCOPE OF SERVICES

1. Family Service Association (Contractor) agrees to deliver unitized meals exclusive of milk to 43 Elementary and Middle School Sites (as detailed on Schedule A).

2. All meals furnished for the Program under this contract will meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products will conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. Family Service Association (Contractor) agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. Family Service Association will furnish meals for the program as ordered by the Agency during the period of October 3, 2011- June 8, 2012.

5. Family Service Association will furnish meals for the Program as ordered by the Agency five (5) days per week (Monday-Friday).

SECTION F

CONTRACT PROVISIONS AND SPECIFICATIONS

1. **Requirements Contract**

   (a) This is a requirements contract for services specified in the Sections and Schedules and for the period set forth herein. The quantities of such services specified herein are estimates only and are not purchased hereby. Except as may be otherwise provided herein, in the event the Agency's requirements for services set forth in the Sections and Schedules do not result in orders in the amounts or quantities described as "estimated" in the Sections and Schedules, such event shall not constitute the basis for an equitable price adjustment under this contract.

   (b) The Agency shall not be required to purchase from the Contractor requirements in excess of the limit on total orders under this contract, if any.

   (c) The Agency may issue orders that provide for delivery or performance at multiple destinations.

   (d) The Agency shall not be obligated to place any minimum dollar amount of orders under this contract or any minimum number of orders. The utilization of the Contractor for services specified in the Sections and Schedules will be dependent upon the needs and requirements of the Agency.

   (e) Regulatory or guidance changes prescribed by the United States Department of Agriculture or CDE, during the duration of this contract, shall be considered a basis for renegotiation with prior approval and agreement from CDE, of the terms and conditions of the contract between the Agency and the Contractor. Authority for such renegotiation must be requested from CDE, in writing by the Agency, prior to the commencement of any such renegotiation.

2. **Pricing**

   Pricing shall be on the numbers described in Section E, "Unit Price Schedule". All Submitters must submit proposals on the same menu cycle provided by the Agency. Proposal prices must include the price of food, milk (if applicable), packaging, transportation, and all other related costs (e.g., condiments, utensils, etc.) that are essential to the content of the food service.

3. **Evaluation of Submitters**

   Each Submitter will be evaluated on the following factors:

   (a) Capability to perform a contract of the scope required.

   (b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards.

   (c) Previous experience performing services similar in nature and scope.

   (d) Other factors such as transportation capability, sanitation, and packaging.

   Submitter that do not satisfactorily meet the above criteria may be rejected as unresponsive and not considered for award.

4. **Unit Prices**

The unit prices of each meal type that the Submitter agrees to furnish must be written in ink or typed in the blank space provided in Section E of the Unit Price Schedule, including proper packaging as required in the specifications, and the costs of delivery to the designated sites. Unit prices shall include taxes; but, any charges or taxes that are required to be paid under future laws must be paid by the Submitter at no additional charge to the Agency. **The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.**

5. **Meal Orders**

The Agency will order meals on Friday of the week preceding the week of delivery; orders will be placed for the total number of days in the succeeding week, and will include breakdown totals for each center and each type of meal.

The Agency reserves the right to increase or decrease the number of meals ordered on a 24 hour notice (or less if mutually agreed upon between the parties to this contract).

6. **Menu-Cycle Change Procedure**

Meals shall be delivered on a daily basis in accordance with the menu cycle which appears in Schedule C. Deviation from this menu cycle shall be permitted only upon authorization of the Agency. When an emergency situation prevents the Contractor from delivering a specified meal component, the Contractor shall notify the Agency immediately so substitutions can be agreed upon. The Agency reserves the right to periodically suggest menu changes that are within the Contractor's food cost.

7. **Noncompliance**

The Agency reserves the right to inspect and determine the quality of food delivered and reject any meals that do not comply with the requirements and specifications of the contract. The Contractor shall not be paid for unauthorized menu changes, incomplete meals, meals not delivered within the specified delivery time period, and meals rejected because they do not comply with the specifications. The Agency reserves the right to obtain meals from other sources if meals are rejected due to any of the stated reasons. The Contractor shall be responsible for any excess cost, but will receive no adjustment in the event the meals are procured at a lesser cost. The Agency or agency representative inspecting shall notify the Contractor in writing as to the number of meals rejected and the reasons for rejection.

** Time frame should be no longer than 24 hours.

MV00132963

8. **Specifications**

(a) Packaging

(1) Hot Meal Unit-Packaging shall be suitable for maintaining meals in accordance with local health standards. Container and overlay should have an airtight closure, be of non-toxic material, and be capable of withstanding temperatures of 400°F (204°C) or higher.

(2) Cold Meal Unit or Unnecessary-to-Heat Container and overlay shall be plastic or paper and non-toxic.

(3) Cartons - Each carton shall be labeled. The label shall include:

A. The processor's (plant) name and address

B. Item identity and meal type

C. Date of production

D. Quantity of individual units per carton

(4) Meals shall be delivered with the following non-food items: condiments, straws, napkins, single service ware, etc.*

(b) Food Preparation

Meals shall be prepared under properly controlled temperatures and assembled not more than 24 hours prior to delivery.

(c) Food Specifications

Proposals are to be submitted on the menu cycle included as Schedule C and shall include, at a minimum, the portions specified by the U. S. Department of Agriculture for each meal, which are included in Schedule B of this RFP.

All meat and meat products, except sausage products, shall have been slaughtered, processed, and manufactured in plants inspected under a U. S. Department of Agriculture approved inspection program and bear the appropriate seal. Upon delivery, all meat and meat products must be sound, sanitary, and free of objectionable odors or signs of deterioration.

(d) Product Specifications

Milk and milk products are defined as "...fluid types of pasteurized flavored or unflavored whole milk or low-fat milk, or skim milk or cultured buttermilk, which meets State and local standards for such milk..." Milk delivered hereunder shall conform to these specifications.

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* The Agency shall insert or delete non-food items that are necessary for the meal to be eaten.

Section F

CONTRACT PROVISIONS AND SPECIFICATIONS

3. Evaluation of Submitters:

(a) Capability to Perform Contract of Scope Required:

Family Service Association (FSA) is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. The key program and service areas of FSA include: Mental Health, Child Development, Community Centers, Senior Nutrition and Senior Services and Affordable Housing. FSA has a substantial infrastructure that includes administrative and fiscal supports to all programs and services, and is certified by the Council on Accreditation for the majority of agency services, attesting to the highest quality in program delivery. Additionally, FSA's Human Resources Department enables the agency to hire/screen and interview staff quickly and efficiently. FSA also maximizes resources, including personnel, facilities and transportation to ensure cost-effective and timely services. For example, there are currently part-time personnel that are working in food service whose hours can be expanded up to full-time positions to serve this new program component. Vehicles that are used to deliver Senior Nutrition meals earlier in the day can also be used for delivery of snacks to the various school sites in the afternoon.

In the area of service relevant to the Child Care Food Program Notice, FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals, as described in detail in item (c). Additionally, the agency has provided the Federal Summer Youth Food Program at several FSA Community Centers.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products. FSA will provide delivery tickets (minimum of three copies – one for FSA, one for Center personnel, and one for the Agency). Each delivery ticket will be itemized to show the number of snacks provided to each center. Designees of the Agency at each site will check the adequacy of the delivery before signing the delivery ticket. FSA will maintain records supported by delivery tickets, purchase orders, and production records for this contract, and other evidence for inspection and reference to support payments and claims.

FSA will make the books and records pertaining to this contract available for a period of three years from the date the Agency submits to CDE, the final claim for reimbursement for meals provided under this contract.

FSA will procure and maintain at its sole expense, and throughout the term of the Agreement, General Liability and Worker's Compensation at the required levels.

(b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards:

FSA has a long history of compliance with food preparation regulations and standards in the course of operating eight (8) food service facilities. In both the food service programs for the Child Development Centers and the Senior Nutrition program, FSA is well-versed in the applicable State and local health, safety and sanitation standards of the CA Department of Education Child and Adult Food Programs, the Federal Summer Youth Food Program, and Title 22 regulations, as well as Environmental Health regulations.

Food preparation for this proposed program will take place at FSA's new Central Kitchen and Distribution Facility, scheduled to open on September 15, 2011. The facility is located at 21081 Alessandro Blvd. in Moreno Valley and is currently being renovated especially for the preparation of meals for the Senior Nutrition program.

The facility will be ideal for the proposed Child Care Food Program. During the morning hours, the facility will be used for the preparation and distribution of over 1,500 senior meals (congregate and home-delivered meals). The early afternoon hours can then be devoted to the preparation of the afternoon meal "snacks" required for this proposed program. The convenient location of the kitchen within close proximity to the service sites, the compliance of the facility with all applicable health regulations, and the trained and experienced staff assigned to work in this location on various programs make it an ideal place for this project.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products.

(c) Previous experience performing services similar in nature and scope:

As previously stated, FSA has over 15 years of experience in the meal preparation and food service process. FSA provides food service (breakfast, lunch and snacks) to approximately 2,000 children served at FSA's 10 Child Development Centers located throughout Riverside County. In addition, FSA has provided the Summer Youth Food Program to approximately 300 children and youth attending special programming at FSA's Community Centers in Highgrove, Mead Valley and Cabazon. Daily meals are delivered to 1,500 seniors through FSA's Senior Nutrition program, offering both congregate (20 sites) meal service, and home-delivered meals for frail, homebound elders.

In the provision of these food programs, FSA adheres to and has consistent compliance with environmental health standards for kitchen sanitation and safe food preparation. Food service personnel comply with all applicable CA Department of Education and Adult Food Programs, and Title 22 regulations that govern federally funded food programs, in addition to all Environmental Health regulations.

(d) Other factors such as transportation capability, sanitation and packaging:

FSA has over 20 vehicles that are used to deliver nutritious meals to seniors. The agency also owns a refrigerated truck as well as refrigerated hot and cold conversion vans that are available to deliver meals and snacks. In addition, FSA utilizes coolers and hot bags to maintain appropriate food temperatures for snack and meal deliveries.

FSA maintains the highest quality of sanitation possible for all cooking sites as well as warming kitchens. FSA is required by Title 22 regulations to have a registered dietician who inspects all sites on a quarterly basis. Written records are maintained on food temperatures as well as routine cleaning and sanitizing of all kitchen equipment.

FSA packages all meals and snacks that it prepares. Meals are placed in biodegradable meal trays and appropriately sealed. Side dishes, such as fruit, jello, etc. are individually cupped and/or sealed.

ATTACHMENT A

The Attached Environmental Health Permit is for one of FSA's eight kitchen and food preparation facilities.

The facility that will be serving as the centralized kitchen (Alessandro Central Kitchen and Distribution Center) for this project, will not be open until mid-September 2011.

MV00132968

ATTACHMENT A

Facility # FA0029398

COUNTY OF RIVERSIDE • COMMUNITY HEALTH AGENCY

DEPARTMENT OF ENVIRONMENTAL HEALTH

Environmental Health Permit
Non-Transferable - Non-Refundable

Facility #: FA0029398
Permit Expiration Date: 01/31/2012
District Number: 0005

DBA:
Catering For A Cause
6080 Magnolia Ave
Riverside, CA 92506

Family Service Association
Catering For A Cause
21250 Box Springs Rd Ste 212
Moreno Valley, CA 92557

Record ID#: PR0040060

Type Of Business

3621 - Restaurant 2001 to 5999 sq ft

This permit is granted for the business indicated on the condition that the business will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, and the County of Riverside pertaining to the above mentioned business. This permit serves as a receipt for payment of fees for the above listed programs. This permit must be renewed on or before the expiration date shown above. This permit may be suspended or revoked by the enforcement officer for cause. Inspection of this business may be conducted by a duly authorized representative of the Director of Environmental Health. THIS PERMIT IS NOT TRANSFERABLE OR REFUNDABLE.

POST IN A CONSPICUOUS PLACE

DEH-SAN-050 (Revised 12/09)

MV00132969

SECTION G
GENERAL CONDITIONS

1. **Delivery Requirements**

   (a) Deliveries shall be made by the Contractor to each center listed on the Schedule A in accordance with the order from the Agency.

   (b) Meals shall be delivered, unloaded, and placed in the designated center weekly by the Contractor's personnel at each of the locations and times listed on the Schedule A.

   (c) The Contractor shall be responsible for the delivery of all meals and dairy products at the specified time. Adequate refrigeration or heating shall be provided during the transportation and delivery of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

   (d) The Agency reserves the right to **add or delete centers**. This shall be done by amendment of the Schedule A. The Agency shall notify the Contractor of such amendments to the Schedule A not less than one week prior to the required date of service. Any changes in transportation costs that occur as a result of adding or deleting centers shall be negotiated and noted in the modification. The Contractor's invoice shall show the cost as a separate item for that center.

2. **Supervision and Inspection**

   The Contractor shall provide management supervision at all times and maintain constant quality control inspections to check for portion size, appearance, and packaging, in addition to the quality of products.

3. **Record Keeping**

   (a) Delivery tickets must be prepared by the Contractor with a minimum of three copies -- one for the Contractor, one for center personnel, and one for the Agency. Delivery tickets must be itemized to show the number of meals of each type delivered to each center. Designees of the Agency at each center will check the adequacy of the delivery and the meals before signing the delivery ticket. Invoices shall be accepted by the Agency only if they accurately represent the delivery tickets signed by the Agency's designee at the center.

   (b) The Contractor shall maintain records supported by delivery tickets, purchase orders, and production records for this contract or other evidence for inspection and reference to support payments and claims.

   (c) The books and records of the Contractor pertaining to this contract shall be available for a period of three years from the date the Agency submits to CDE the final claim for reimbursement for meals provided under this contract, or until the final resolution of any audits for inspection and audit by representatives of CDE, the U. S. Department of Agriculture, the Agency, and the Controller General of the United States at any reasonable time and place.

MV00132970

4. **Method of Payment**

The Contractor shall submit its itemized invoice to the Agency monthly . Each invoice shall give a detailed breakdown of the number of meals delivered and signed for at each center during the preceding month . Payment will be made at the unit price specified in the contract. No payment shall be made unless the required delivery receipts have been signed by the center representative of the Agency.

5. **Inspection of Facility**

(a) The Agency, CDE, and the U.S. Department of Agriculture reserve the right to inspect the Contractor's preparation facilities prior to award and without notice at any time during the contract period, including the right to be present during preparation and delivery of meals.

(b) The Contractor's facilities shall be subject to periodic inspections by the U.S. Department of Agriculture, State and local health departments, or any other agency designated to inspect meal quality for the State. This will be accomplished in accordance with U.S. Department of Agriculture regulations.

(c) The Contractor shall provide for meals which it prepares to be periodically inspected by the local health department or an independent agency to determine bacteria levels in the meals being prepared, transported, and delivered. Such levels shall conform to the standards which are applied by the local health authority with respect to the level of bacteria which may be present in meals served by other establishments in the locality.

6. **Insurance**

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD) and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

MV00132972

7. **Availability of Funds**

The Agency shall have the option to cancel this contract if the Federal Government withdraws funds to support the Child and Adult Care Food Program. It is further understood that, in the event of cancellation of the contract, the Agency shall be responsible for meals that have already been assembled and/or delivered in accordance with this contract.

8. **Number of Meals and Delivery Times**

The Contractor must provide the exact number of meals ordered. Counts of meals will be made at all centers before meals are accepted. Damaged or incomplete meals shall not be included when the number of delivered meals is determined.

9. **Emergencies**

In the event of unforeseen emergency circumstances, the Contractor shall immediately notify the Agency by telephone or telegram of the following: (a) the impossibility of on-time delivery; (b) the circumstance(s) precluding delivery; and (c) a statement of whether or not succeeding deliveries will be affected. No payments will be made for deliveries made later than 1 hour(s) after specified mealtime. Emergency circumstances at the center precluding utilization of meals are the concern of the Agency. The Agency may cancel orders provided it gives the Contractor at least 48 hours notice. Adjustments for emergency situations affecting the Contractor's ability to deliver meals, or the Agency's ability to utilize meals for periods longer than 24 hours will be mutually worked out between the Contractor and the Agency.

10. **Termination**

(a) The Agency reserves the right to terminate this contract if the Contractor fails to comply with any of the requirements of this contract. The Agency shall notify the Contractor of specific instances of noncompliance in writing. In instances where the Contractor has been notified of noncompliance with the terms of the contract and has not taken immediate corrective action, the Agency shall have the right upon written notice to immediately terminate the contract and the Contractor shall be liable for any damages incurred by the Agency. The Agency shall negotiate a repurchase contract on a competitive basis to arrive at a fair and reasonable price.

(b) The Agency shall by written notice to the Contractor, terminate the right of the Contractor to proceed under this contract if it is found by the Agency that gratuities in the form of entertainment, gifts, or otherwise were offered or given by the Contractor to any officer or employee of the Agency, with a view toward securing the contract or securing favorable treatment with respect to the awarding or amending of the contract; provided that the existence of the facts upon which the Agency makes such findings shall be in issue and may be reviewed in any competent court.

(c) In the event this contract is terminated as provided in paragraph (b) hereof, the Agency shall be entitled (i) to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor, and (ii) as a penalty in addition to any other damages in an amount which shall not be less than three nor more than ten times the cost incurred by the Contractor in providing any such gratuities to any such officer or employee.

(d) The rights and remedies of the agencies provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

11. **Subcontracts and Assignments**

The Contractor shall not subcontract with any other company for the total meal, with or without milk, or for the assembly of the meal; and shall not assign, without the advance written consent of the Agency, this contract or any interest therein. In the event of any assignment, the Contractor shall remain liable to the Agency as principal for the performance of all his obligations under this contract.

12. **Equal Opportunity**

(The following clause is applicable unless this contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor (Title 41 Code of Federal Regulations, Chapter 60.)

During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex.

The Contractor will take affirmative action to ensure that the evaluation and treatment of his employees and applicants for employment are free of such discrimination. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and his subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

(b) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(c) In the event of the Contractor's noncompliance with the Equal Opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further State or federally funded contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, or by rule, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

SECTION H

GENERAL PROVISIONS FOR CONTRACTS EXCEEDING $100,000

THE FOLLOWING PROVISIONS ARE APPLICABLE ONLY IF THE CONTRACT EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT THE ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY ONE YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [41 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY ENVIRONMENTAL PROTECTION AGENCY, OR THE CONTRACT IS NOT OTHERWISE EXEMPT FROM THESE PROVISIONS.

Clean Air and Water

The Contractor agrees as follows:

1. To comply with all the requirements of Section 114 of the Clean Air Act, as amended (41 USC 1857, et seq., as amended by Public Law 91-604), and all requirements adopted pursuant to Division 26 of the California Health and Safety Code, Section 39000, et seq., respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements so specified, and all regulations and guidelines issued thereunder before the award of this contract.

2. To comply with all the requirements of Section 308 of the Federal Water Pollution Control Act (33 USC 1251, et seq., as amended by Public Law 92-500) and all requirements adopted pursuant to the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Section 13000, et seq.), respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Acts, and all regulations and guidelines issued thereunder before the award of this contract.

3. That no portion of the work required by this contract will be performed at a facility listed on the EPA List of Violating Facilities on the date when this contract was awarded unless and until the EPA eliminates the name of such facility or facilities from such listing.

4. To use his best efforts to comply with clean air standards and clean water standards at the facilities in which the contract is being performed.

5. To insert the substance of the provisions of this clause in any nonexempt subcontract including this paragraph 1(e).

Energy Policy and Conservation Act (P.L. 94-163)

The Contractor agrees to comply with all mandatory standards and policies relating to energy efficiency as contained in the California Administrative Code, Title 24, pursuant to the California State energy efficiency conservation plan issued in compliance with Public Law 94-163.

MV00132975

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

CLEAN AIR AND WATER CERTIFICATION

THIS CERTIFICATION IS APPLICABLE IF PROPOSAL OR OFFER EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [42 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY EPA, OR IS NOT OTHERWISE EXEMPT.

The Submitter certifies as follows:

1. Any facility to be utilized in the performance of this proposed contract

   has [X] has not [ ]

   been listed on the Environmental Protection Agency List of Violating Facilities.

2. He will promptly notify the Agency Official, prior to award, of the receipt of any communication from the Director, Office of Federal Activities, U. S. Environmental Protection Agency, indicating that any facility that he proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities.

3. He will include substantially this certification, including this paragraph (3.) in every nonexempt subcontract.

NAME OF COMPANY		
Family Service Association		
SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Hower	Chief Operating Officer	8/18/2011

MV00132976

SCHEDULE A
CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Armada Elementary	25201 John F Kennedy Dr., Moreno Valley, CA		Afternoon Snack	75 per day		8/10/11-6/8/12 180 days
Badger Springs Mdl	24750 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	64 per day		8/10/11-6/8/12 180 days
Bear Valley Elem	26125 Fir Ave, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Box Springs Elem	11900 Athens Dr, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Butterfield Elem	13400 Kitching St, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Chaparral Hills Elem	24850 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days

ATTACHMENT A

MV00132977

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Cloverdale Elem	12050 Kitching St., Moreno Valley, CA		Afternoon Snack	89 per day		8/10/11-6/6/12 176 days
Creekside Elem	13563 Heacock St., Moreno Valley, CA		Afternoon Snack	76 per day		8/10/11-6/6/12 176 days
Edgemont Elem	21790 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	92 per day		8/10/11-6/6/12 176 days
Hendrick Ranch Elem	25570 Brodiaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Hidden Springs Elem	9801 Hidden Springs Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Honey Hollow Elem	11765 Honey Hollow St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days

MV00132978

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
La Jolla Elem	14745 Willowgrove Pl., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Landmark Mdl	15261 Legendary Dr., Moreno Valley, CA		Afternoon Snack	80 per day		8/10/11-6/6/12 176 days
Midland Elem	11440 Davis St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Moreno Elem	26700 Cottonwood Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Mountain View Mdl	13130 Morrison St., Moreno Valley, CA		Afternoon Snack	65 per day		8/10/11-6/6/12 176 days
Palm Mdl	11900 Slawson Ave., Moreno Valley, CA		Afternoon Snack	58 per day		8/10/11-6/6/12 176 days

MV00132979

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Ramona Elem	24801 Bay Ave., Moreno Valley, CA		Afternoon Snack	91 per day		8/10/11-6/6/12 176 days
Ridge Crest Elem	28500 JFK Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Seneca Elem	11615 Wordsworth Rd, Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days
Serrano Elem	24100 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sugar Hill Elem	24455 Old Country Rd., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sunnymead Elem	24050 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days

MV00132980

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Sunnymead Mdl	23996 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	54 per day		8/10/11-6/6/12 176 days
Sunnymeadows Elem	23200 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Town Gate Elem	22480 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Avalon Elem	1815 E. Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Columbia Elem	21350 Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Lakeside Mdl	27720 Walnut Ave., Perris, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

MV00132981

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Lasselle Elem	26446 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Manuel L. Real Elem	19150 Clark St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
March Mdl	15800 Indian Ave., Moreno Valley, CA		Afternoon Snack	67 per day		8/10/11-5/24/12 175 days
Mary McLeod Bethune Elem	25390 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
May Ranch Elem	900 E. Morgan St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Mead Valley Elem	21100 Oleander Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

MV00132982

DELIVERY – (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Rainbow Ridge Elem	15950 Indian Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Sierra Vista Elem	20300 Sherman Rd., Perris, CA		Afternoon Snack	77 per day		8/10/11-5/24/12 175 days
Tomas Rivera Mdl	21675 Main St., Perris, CA		Afternoon Snack	76 per day		8/10/11-5/24/12 175 days
Triple Crown Elem	530 Orange Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Val Verde Elem	2656 Indian Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Victoriano Elem	25650 Los Cabos Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

MV00132983

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Vista Verde Mdl	25777 Krameria, Moreno Valley, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

MV00132984

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03)

VENDOR #:
AGREEMENT #:

BREAKFAST	AGES ONE THROUGH THREE YEARS	AGES THREE THROUGH SIX YEARS	AGES SIX THROUGH TWELVE YEARS
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE, FRUIT OR FULL-STRENGTH (100%) JUICE	¼ CUP	½ CUP	½ CUP
GRAINS/BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
LUNCH OR SUPPER			
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE AND/OR FRUIT (TWO OR MORE KINDS)	¼ CUP TOTAL	½ CUP TOTAL	¾ CUP TOTAL
GRAINS/BREAD (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COOKED PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	1 OZ.	1-½ OZ.	2 OZ.
OR CHEESE (NATURAL OR PROCESSED)	1 OZ.	1-½ OZ.	2 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	¼ CUP *OR* 2 OZ.	⅜ CUP *OR* 3 OZ.	½ CUP *OR* 4 OZ.
OR EGG (LARGE)	1 EGG	1 EGG	1 EGG
OR COOKED DRIED BEANS OR DRIED PEAS *	¼ CUP	⅜ CUP	½ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	2 TBSP	3 TBSP	4 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS**	½ OZ.**	¾ OZ.**	1 OZ.**
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED	½ CUP	¾ CUP	1 CUP
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			
AM OR PM SUPPLEMENT (SELECT TWO OF THESE FOUR COMPONENTS)* **			
MILK, FLUID	½ CUP	½ CUP	1 CUP
VEGETABLE, FRUIT, OR FULL-STRENGTH (100%) JUICE	½ CUP	½ CUP	¾ CUP
GRAINS OR BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS.	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	½ OZ.	½ OZ.	1 OZ.
OR CHEESE (NATURAL OR PROCESSED)	½ OZ.	½ OZ.	1 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	⅛ CUP *OR* 1 OZ.	⅛ CUP *OR* 1 OZ.	¼ CUP *OR* 2 OZ.
OR EGG (LARGE)	½ EGG	½ EGG	1 EGG
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED****	¼ CUP	¼ CUP	½ CUP
OR COOKED DRIED BEANS OR DRIED PEAS*	⅛ CUP	⅛ CUP	¼ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	1 TBSP	1 TBSP	2 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS	½ OZ.	½ OZ.	1 OZ.
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			

CERTIFICATION

I hereby certify that all meals claimed shall meet the minimum requirements set forth in the meal pattern for older children as prescribed by Title 7 Code of Federal Regulations, Part 226.20 and as outlined in Schedule B, NSD 2050B.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE

AGENCY NAME

AGENCY ADDRESS

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03) PAGE 2

* DRIED BEANS OR DRIED PEAS MAY BE USED AS A MEAT ALTERNATE OR AS A VEGETABLE COMPONENT; BUT **CANNOT** BE COUNTED AS BOTH COMPONENTS IN THE SAME MEAL.

** NO MORE THAN 50 PERCENT OF THE REQUIREMENT SHALL BE MET WITH NUTS OR SEEDS. NUTS OR SEEDS SHALL BE COMBINED WITH ANOTHER MEAT/MEAT ALTERNATE TO FULFILL THE REQUIREMENT. TO DETERMINE COMBINATIONS, 1 OZ. OF NUTS OR SEEDS IS EQUAL TO 1 OZ. OF COOKED LEAN MEAT, POULTRY, OR FISH. ROASTED PEAS CAN COUNT AS A MEAT ALTERNATE OR VEGETABLE COMPONENT, BUT CANNOT BE COUNTED AS BOTH IN THE SAME MEAL.

*** JUICE **CANNOT** BE SERVED WHEN MILK IS SERVED AS THE ONLY OTHER COMPONENT.

**** IF YOGURT IS USED AS THE MEAT COMPONENT IN SUPPLEMENTS, MILK **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT. COMMERCIALLY ADDED FRUIT OR NUTS IN FLAVORED YOGURT **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT IN SUPPLEMENTS.

Family Services Association
Childrens Snack Program
October 2011

Date	Monday Oct	Tuesday Oct	Wednesday Oct	Thursday Oct	Friday Oct		
	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz		
Week 1	Prestzel Twist .25oz	Nutri grain Bar 1.03oz	Cheese/Peanut Butter Crackers 1.42oz	Mixed Fruit Cup 4oz	Club Cracker/ Apple Butter .05 oz		
Week 2	Peanuts 1.63oz	Graham Crackers 1oz	Cheezits White Cheddar 1.5oz	Quaker Oatmeal Cin Bar 1.4oz	Vanilla Crème Cookie 2.12oz		

ATTACHMENT A

SECTION E
UNIT PRICE SCHEDULE AND INSTRUCTIONS
PROVIDE THIS SCHEDULE IN A SEPARATE SEALED ENVELOPE

1. **Unit Price Schedule**

Submitters are to submit prices on the following meal types meeting the contract specifications set forth in Schedules B and C for meals to be delivered to all of the centers stated in Schedule A. *(See example on next page).*

A. Meal Type[1]	B. Estimated Servings Per Day[2]	C. Estimated Number of Serving Days[3]	D. Unit Price[4]	E. Total Price[5]
~~Breakfast~~				
~~AM Snack~~				
~~Lunch~~				
PM Snack	3,400	180	.72	440,640
~~Supper~~				
~~Evening Snack~~				

Submitters shall submit their proposals on an "all or none" basis. Except as otherwise provided in this solicitation, if a contract is awarded as a result of this solicitation, it will bind the Agency during the term of the contract, secure all of the identified meals from the successful Submitter, and such contract shall bind the Submitter/Contractor to perform all such work ordered by the Agency at prices specified in the contract. Award will be made to a single responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered.. Evaluation of prices will be on the basis of the estimated requirements set forth herein.

In the event of any inconsistencies or errors, the unit price (D) shall take precedence.

Instructions for completion of the Unit Price Schedule: (*See Example on next page.*)

[1] The Agency shall indicate which meal types the Contractor will be providing meals for during the contract period (strike-out extraneous meal types in Column A). If unitized meals will be required, the Agency must indicate so by placing "unitized meal" in parenthesis after the meal type.

[2] The Agency shall fill in the estimated number of meals that will be served each day (Column B) by meal type during the contract period.

[3] The Agency shall fill in the number of anticipated operating days that meals will be served (Column C) during the contact period.

[4] The Submitter shall insert the appropriate unit price (Column D) for each meal type indicated by the Agency.

[5] The Submitter shall calculate the total price (Column E) by multiplying B x C x D.

CITY OF MORENO VALLEY

BUSINESS LICENSE TAX RECEIPT

The person, firm or corporation named below has paid the appropriate fees to the City and is hereby granted this business license tax receipt for the business described below. Granting of this receipt does not entitle the holder to operate or maintain a business in violation of any law or ordinance. The City does not pass on the qualifications of the holder of this business license tax receipt.

Business Name: Family Service Association Of Western Riverside Co

Business Location: 21250 Box Springs Rd # 212, Moreno Valley, CA 92557

Business Owner: Family Service Association Of Western Riverside Co
Dom Betro

BUSINESS TYPE: 1922

Description: Individual And Family Social Services

BUSINESS LICENSE #: 11605

Effective Date: January 01, 2011

Expiration Date: December 31, 2011

FAMILY SERVICE ASSOCIATION OF
WESTERN RIVERSIDE CO
21250 BOX SPRINGS RD # 215
MORENO VALLEY, CA 92557

Richard Teichert
Financial & Administrative Services Director

TO BE POSTED IN A CONSPICUOUS PLACE

NOT TRANSFERABLE

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/07/2011 14:28

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Barney & Barney LLC
CA Insurance Lic: 0C03950
9171 Towne Centre Drive, Suite 500
San Diego, CA 92122
858-457-3414

CONTACT NAME: Cyndi Smoot
PHONE (A/C, No, Ext): (858) 587-7414 FAX (A/C, No):
E-MAIL ADDRESS: cyndis@barneyandbarney.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Philadelphia Indemnity Insurance Company	18058
INSURER B: Insurance Company of the West	27847
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Family Service Association
21250 Box Springs Road, Suite 212
Moreno Valley, CA 92557-8712
Client # 55323

COVERAGES CERTIFICATE NUMBER: 378650 MST NUMBER: 19124 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	X		PHPK743608	7/1/2011	7/1/2012	EACH OCCURRENCE	$	1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$	100,000
							MED EXP (Any one person)	$	10,000
							PERSONAL & ADV INJURY	$	1,000,000
							GENERAL AGGREGATE	$	3,000,000
							PRODUCTS - COMP/OP AGG	$	3,000,000
								$	
A	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS			PHPK743608	7/1/2011	7/1/2012	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
							BODILY INJURY (Per person)	$	
							BODILY INJURY (Per accident)	$	
							PROPERTY DAMAGE (Per accident)	$	
								$	
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $ 10,000			PHUB351940	7/1/2011	7/1/2012	EACH OCCURRENCE	$	4,000,000
							AGGREGATE	$	4,000,000
								$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WSD500180402	7/1/2011	7/1/2012	X WC STATU-TORY LIMITS OTH-ER		
							E.L. EACH ACCIDENT	$	1,000,000
							E.L. DISEASE - EA EMPLOYEE	$	1,000,000
							E.L. DISEASE - POLICY LIMIT	$	1,000,000
A	Professional Liability and Sexual Abuse Coverage			PHPK743608	7/1/2011	7/1/2012	$1,000,000 Each Occurence $3,000,000 Aggregate		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

*10 DAYS NOTICE OF CANCELLATION FOR NON-PAYMENT OF PREMIUM.

RE: After School Snack Program

The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District are additional insured per the attached

CERTIFICATE HOLDER

City of Moreno Valley Parks and Community Services
14075 Frederick Street
Moreno Valley, CA 92553

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Cyndi Smoot

Subject

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Insured: Family Service Association Master # 19124 Cert # 378650

Attachment Page

COMPLETE LISTING OF CERTIFICATE HOLDER and/or ADDITIONAL INSURED:
(additional insureds apply only with respect to coverages marked by "X" under "Addtl Insrd" on the Certificate)

City of Moreno Valley Parks and Community Services
The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District

INSURED: Family Service Association

COMPANY: Philadelphia Indemnity Insurance Company

POLICY #: PHPK743608

POLICY PERIOD: 7/1/2011 TO 7/1/2012

EFFECTIVE DATE: 09/07/2011

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Moreno Valley Parks and Community Services The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or

B. In connection with your premises owned by or rented to you.

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ATTACHMENT A

Exhibit B”

MORENO VALLEY COMMUNITY SERVICES DISTRICT WILL SUPPORT PROGRAM:

Moreno Valley Community Services District agrees to support the ASES snack program with the following:

- By ensuring a site contact person is assigned to sign for snack delivery
- By ensuring the name, schedule and contact information for site contact is communicated to FSA
- By ensuring snack is distributed to students during ASES program
- By ensuring snack is counted daily and documentation regarding disbursement is turned in
- By ensuring fresh fruit is distributed the day after it is delivered to ensure product freshness
- By ensuring all boxes and containers are disposed of

ATTACHMENT A

"Exhibit C"

TERMS OF PAYMENT

1. The Contractor's compensation shall be computed based on a unit price of .72 cents per snack delivered not to exceed $440,640.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the CSD. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the CSD as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Parks and Community Services Department at:

   pattyg@moval.org or calls directed to (951) 413-3726.

3. The Contractor agrees that CSD payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the CSD. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

4. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date

MV00132994

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

RECOMMENDED ACTION

Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

SEE AGENDA ITEM A.7

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: September 27, 2011

TITLE: PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

BACKGROUND AND DISCUSSION

The California Elections Code provides that after each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, and community of interests of the districts. The council must adjust the boundaries of the council districts before the first day of November of the year following the year in which each decennial federal census is taken.

On August 23, 2011, the City Council adopted Resolution No. 2011-93, establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected. Two Citizens' Community Meetings were held on September 12 and 15, 2011 that gave the citizens of Moreno Valley the opportunity to provide input. The on-line redistricting tool was demonstrated by Dave Meyer at both meetings. The public hearings scheduled for September 27, 2011 and October 11, 2011 fulfill the requirements of Elections Code 21601.1, which states that the "council must

hold at least one public hearing on any proposal to adjust boundaries of a district prior to a public hearing at which the council votes to approve or defeat the proposal."

The consultant, Dr. Alan Heslop of National Demographics Corporation (NDC) has made a presentation to the City Council at the July 26, 2011 Special Meeting and August 23, 2011 Regular City Council Meeting.

Four NDC draft plans (maps) and five citizen-drawn plans (maps) have been provided to Council and are attached for review. A brief summary of the four NDC draft plans follows:

Plan 1 - District 3 loses SW corner; District 2 moves south
Plan 2 - District 3 loses a bit of SW but mostly NW, District 2 moves east
Plan 3 – District 3 loses SW corner; District 1 loses north end; District 2 moves south; Highly compact
Plan 4 - District 1 moves east; Most-compact districts; Least change to District 4

NOTIFICATION

Publication of the agenda

ALTERNATIVES

California statutes require a second public hearing. There are no other alternatives in order to comply with applicable state law.

FISCAL IMPACT

This expenditure has been included in the City Clerk's budget for 2011/12 fiscal year. Approved budget is located in: 13110.6291- not to exceed $45,000.00.

ATTACHMENTS/EXHIBITS

1. NDC Powerpoint
2. NDC Memo to Council
3. 2001 Plan and deviation & demographics
4. Plan 1 map & demographics
5. Plan 2 map & demographics
6. Plan 3 map & demographics
7. Plan 4 map & demographics
8. Public Plan 1 map & stats
9. Public Plan 2 map & stats
10. Public Plan 3 map & stats
11. Public Plan 4 map & stats
12. Public Plan 5 map & stats

Prepared By:
Jane Halstead, City Clerk

Department Head Approval:
Jane Halstead, City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

City of Moreno Valley 2011 Redistricting

National Demographics Corporation

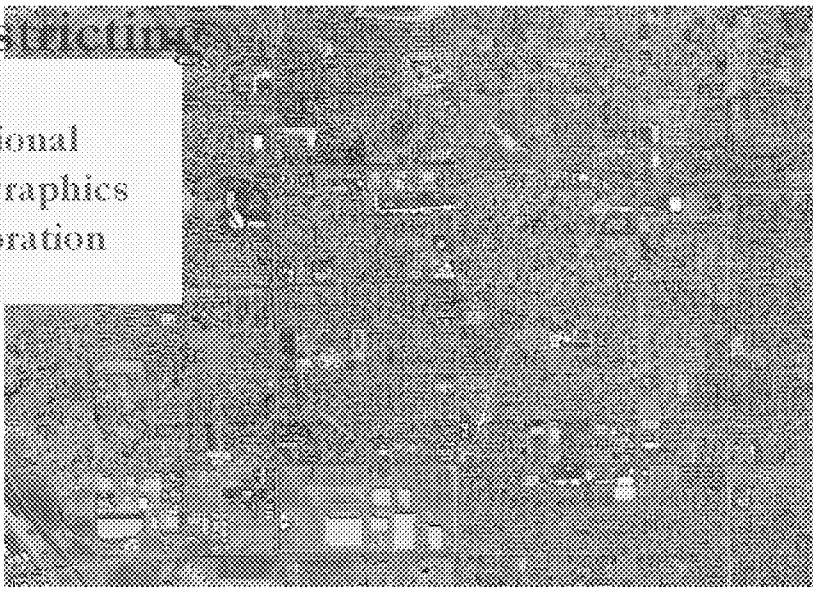

1

Current Demographics

Based on Census data from the 2010 Decennial Census and the Census Bureau's American Community Survey.

- **2010 Census Population**
  - 2010 Census total: **193,365**
    - **+ 50,817** (**50.0** %) growth from 2000
    - **54.4** % Hispanic
      - +50,480 (+92.3 %) growth from 2000
    - **18.9** % Non-Hispanic White
      - -9,308 (-25.4 %) from 2000
    - **18.0** % Non-Hispanic Black
    - **8.7** % Other
  - 2010 Census Voting Age Population
    - **49.7** % Hispanic
    - **22.8** % Non-Hispanic White
    - **17.9** % Non-Hispanic Black
    - **10.0** % Other
- **Other Data**
  - Citizen Voting Age Population
    - From ACS: **36.1** % Hispanic
    - From Census Special Tabulation: **36.1** % Hispanic
  - Voter Registration (Nov. 2010)
    - 69,919 Total
    - **34.3** % Hispanic-surname
  - Voter Turnout (Nov. 2010)
    - 32,944 Total
    - **29.8** % Hispanic-surname

MV00133002

Current District Total Population

District	Tot. Pop.	Deviation	Pct. Dev.
1	32,765	-5,908	-15.28%
2	30,723	-7,950	-20.56%
3	58,576	19,903	51.46%
4	34,343	-4,330	-11.20%
5	36,958	-1,715	-4.43%
Total	193,365	27,853	72.02%
Ideal	38,673		

Ideal population = total population / number of districts

3

MV00133003

Population Deviation

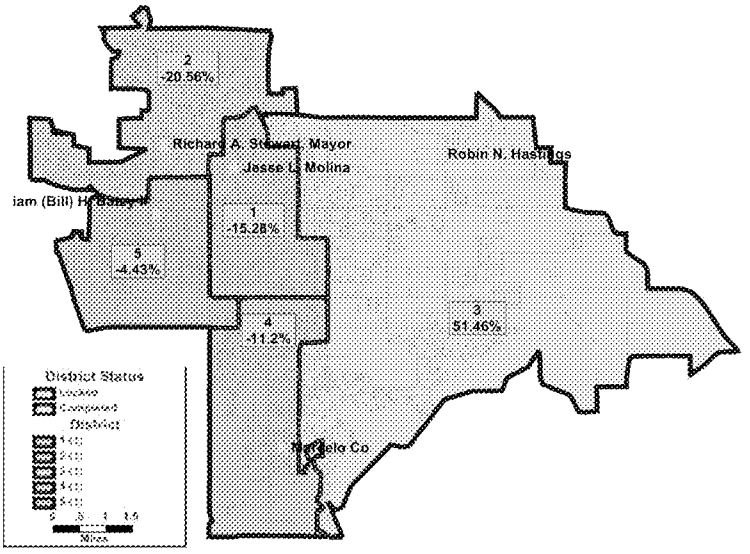

Hispanic / Latino Population

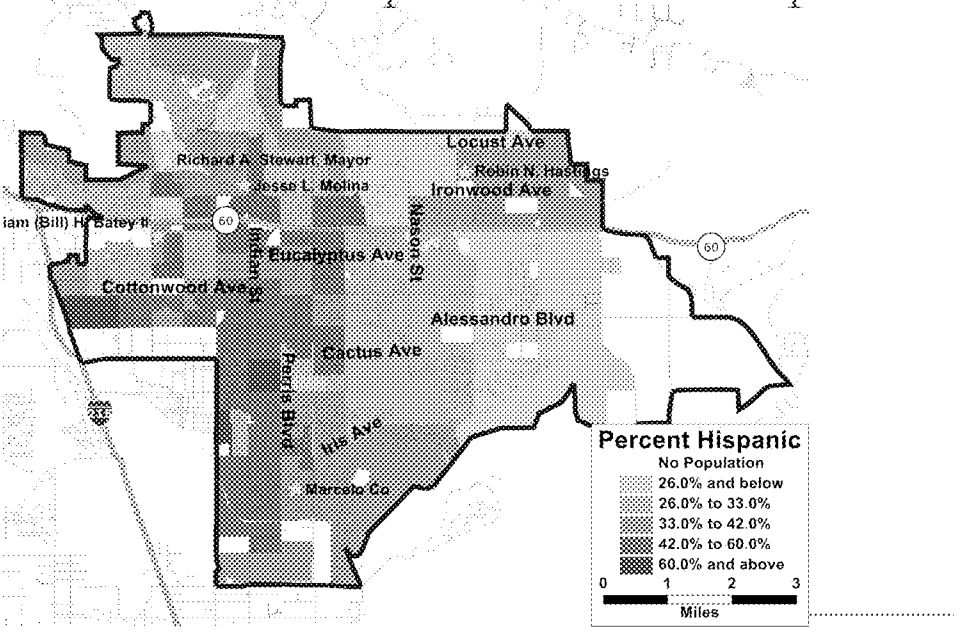

Current District Counts

Plan Name	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,765	-5,908	-15.28%	20,416	5,215	4,934	196	1,406	244	87	267
2	30,723	-7,950	-20.56%	13,540	9,036	5,369	142	2,147	122	59	308
3	58,576	19,903	51.46%	27,094	12,765	12,042	311	5,317	293	188	566
4	34,343	-4,330	-11.20%	21,681	4,691	5,595	114	1,742	177	79	264
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	27,853	72.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Hwn or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	21,678	12,559	4,525	3,374	143	1,119	168	62	148	10,489	4,018	142	134	276	4,563	1,549	59	57	116
2	22,085	8,799	7,392	3,758	114	1,693	85	45	201	14,267	3,985	269	228	497	7,454	1,785	111	104	215
3	40,513	17,099	10,364	8,188	239	4,007	190	133	311	23,080	6,941	490	399	889	11,607	2,994	203	171	374
4	22,551	13,518	3,839	3,642	81	1,358	117	49	156	11,150	4,691	174	192	366	4,962	1,991	62	81	143
5	24,042	13,452	3,954	4,469	114	1,631	179	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,969	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan Name	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,286	6,219	5,227	2,835	651	59	206	100	15,509	6,277	5,293	2,867	623	39	290	328	3,591
2	18,698	5,831	8,058	3,287	1,254	204	9	65	18,568	5,632	8,148	3,212	1,083	121	54	526	3,333
3	29,076	8,963	10,467	6,359	2,579	258	213	260	29,318	9,389	10,226	6,218	2,398	202	266	931	5,723
4	15,368	6,664	4,354	3,115	835	172	41	183	15,166	6,425	4,167	3,128	956	151	55	385	4,302
5	16,643	6,661	4,215	4,584	1,036	26	69	73	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,674	34,338	32,328	20,176	6,345	704	520	684	93,828	34,281	31,877	19,760	6,072	559	708	2,706	20,528

Current District Percentages

Plan Name	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	15.9%	15.1%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.1%	29.4%	17.5%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.3%	21.8%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.1%	13.7%	16.3%	0.3%	5.1%	0.5%	0.2%	0.8%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dom = Dominican
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Hwn or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.9%	19.8%	15.6%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.4%	1.3%	2.6%	33.9%	1.3%	1.2%	2.5%
2	39.8%	32.5%	17.0%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.2%	25.6%	20.2%	0.6%	9.9%	0.5%	0.3%	0.8%	36.1%	2.1%	1.7%	3.9%	25.8%	1.7%	1.5%	3.2%
4	59.1%	17.0%	16.2%	0.4%	6.0%	0.5%	0.2%	0.7%	42.1%	1.6%	1.7%	3.3%	36.3%	1.2%	1.6%	2.9%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								American Community Survey (ACS)							
Plan Name	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.5%	40.7%	34.2%	18.5%	4.3%	0.3%	1.3%	0.7%	71.5%	40.5%	34.1%	18.5%	4.0%	0.3%	1.9%	2.1%	23.2%
2	84.7%	31.2%	43.1%	17.6%	6.7%	1.1%	0.0%	0.3%	84.1%	30.5%	45.9%	17.3%	5.8%	0.7%	0.3%	2.8%	18.0%
3	71.8%	39.8%	36.0%	21.9%	8.8%	0.9%	0.7%	0.9%	72.4%	32.0%	34.9%	21.2%	8.2%	0.7%	0.9%	3.2%	19.5%
4	68.1%	43.4%	28.3%	20.3%	5.4%	1.1%	0.3%	1.2%	67.3%	42.4%	27.5%	20.6%	6.3%	1.0%	0.4%	2.5%	28.4%
5	69.2%	40.0%	33.3%	17.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.0%	34.6%	26.3%	6.4%	0.3%	0.3%	2.6%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

Redistricting Criteria

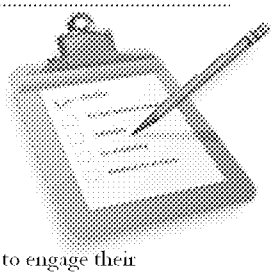

- **Equal Population**
- **Comply with Federal Voting Rights Act**
- **Respect communities of interest**
- **Follow Visible (natural & man-made) boundaries**
  - Make it easy for residents of a district to understand its borders (and to engage their neighbors in precinct walking or other election activities)
  - But do not use Highway 99 – try for districts that combine areas east and west of 99.
- **Compact & contiguous districts**
  - Also makes it easier for voters to understand their district's borders.
- **Continuity in office**
  - Redistricting, an administrative process, should not tell the voters they can no longer elect a candidate they have previously elected (which is what happens when two or more incumbents are "paired").
- **Population growth**
  - Growth is much less certain in 2011 than it was in 2011, so this is harder to justify than it was in 2001.
- **Preserve Core of existing districts**
  - Don't move voters around unless needed to achieve one of the other goals.

MV00133008

Federal Voting Rights Act: Section 2

- **Requires "Protected Class" populations have an "equal opportunity to elect the candidates of their choice"**

- **No "packing"**
- **No "cracking"**

- **No racial gerrymandering allowed**
  - Focus on communities and neighborhoods, not race/ethnicity

MV00133009

Process (I of III)

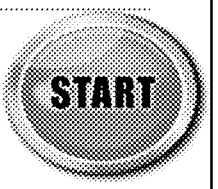

1. **Prepare**
   - Conduct initial demographic analysis
   - Adopt schedule
   - Adopt criteria
   - Launch project website
   - Create public participation kit (paper, excel and/or online)
   - Develop initial draft plans to jump-start discussion

MV00133010

Process (II of III)

2. **Outreach**
   - Educate, engage and empower the public, including:
     - Individuals
     - Community Groups, including "protected class"-focused organizations
     - The media
   - What are your community's "communities of interest"?
     - Which want to be united? Which want to be divided?
   - How well do the current and draft plans meet those goals?
   - Participation kits take the public input beyond just "yes" and "no"

MV00133011

Process (III of III)

3. **Decide**
   - Plan debate and adoption

4. **Implement**
   - Coordinated with the County Registrar

MV00133012

Tools (I of II)

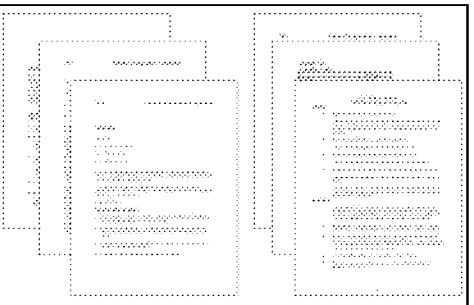

Traditional Redistricting Tools

1. 2010 Census data
2. Project website
3. Media & community education
4. GIS software
5. Information on redistricting, the Voting Rights Act, and how the public can participate
6. Provide paper & Excel public participation kits
7. Email address for public questions and public comment

MV00133013

Tools (II of II)

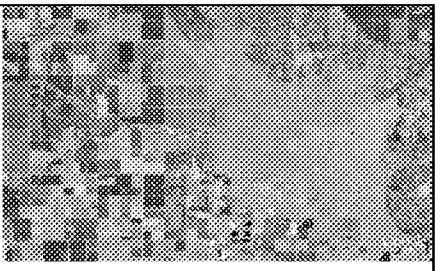

New Tools for 2011

1. American Community Survey data
2. Local GIS data
   - Zoning, homeowner associations, housing developments, neighborhood associations, key facilities, future development areas, school attendance areas, aerial imagery, etc.
3. Live, interactive maps of plans
4. Google Maps and Google Earth plan files

MV00133014

Draft Plan 1 Map

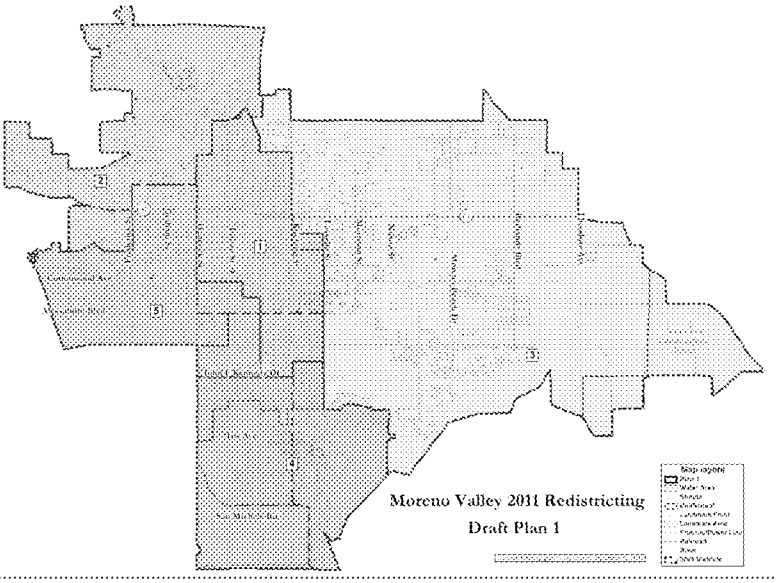

Draft Plan 1 Counts

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp.	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,548	-128	-0.33%	22,541	9,307	6,025	217	1,738	251	104	562
2	38,822	148	0.39%	17,288	10,501	7,500	184	2,803	158	81	907
3	38,811	138	0.36%	17,126	9,647	7,556	228	3,735	202	142	375
4	38,668	-7	-0.02%	22,145	8,228	7,860	140	2,548	207	82	343
5	38,521	-151	-0.39%	23,066	4,990	5,643	137	2,003	281	41	342
Tota	193,368	307	0.79%	102,167	42,673	34,584	906	12,827	1,100	450	2,529
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Hwn or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop.	Hisp. 18+ Pop.	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil Reg.	Tot. Vote	Hisp. Vote	Asn. Vote	Fil. Vote	Asn + Fil Vote
1	23,756	14,889	5,244	4,158	138	1,207	182	68	197	12,829	4,942	162	166	328	1,803	1,594	42	78	120
2	29,425	11,067	8,158	5,126	147	2,060	111	58	243	16,616	4,096	316	341	377	8,859	2,028	153	115	268
3	27,256	10,902	7,833	5,062	176	2,812	101	99	223	18,029	4,082	366	295	664	8,548	2,061	155	122	277
4	23,463	12,595	4,252	5,152	93	1,948	142	64	158	12,636	4,796	245	254	499	5,713	1,955	81	96	177
5	23,917	13,956	4,669	3,799	102	1,387	173	42	158	11,520	4,541	212	168	380	4,732	1,651	73	62	135
Total	130,862	63,009	29,862	23,421	652	9,709	709	332	1,023	69,619	23,060	1,300	1,217	2,517	30,944	9,812	504	474	977

Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
	Source: Tabulation								American Community Survey, ACS								
1	18,803	7,636	6,244	3,651	592	107	212	114	18,831	7,755	6,184	3,372	844	69	293	264	4,854
2	22,704	7,124	9,212	4,469	1,545	204	65	99	22,391	6,654	9,292	4,369	1,553	145	194	682	3,992
3	20,155	5,974	7,561	4,315	1,803	216	188	104	20,155	6,222	7,569	3,947	1,345	133	224	766	5,706
4	16,931	8,069	4,866	3,955	1,183	83	36	325	16,996	6,018	5,018	3,860	1,378	90	59	468	4,157
5	16,880	7,383	5,037	1,926	616	52	54	34	16,837	7,596	5,722	1,911	638	192	36	479	4,553
Total	95,473	36,186	32,920	18,316	5,739	662	555	676	95,210	34,245	33,785	17,459	5,758	629	806	2,658	23,262

Draft Plan 1 Percentages

Plan 2	% Hisp	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	18.7%	12.6%	0.5%	4.4%	0.7%	0.3%	0.3%
2	44.7%	39.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.3%	21.3%	0.5%	10.4%	0.4%	0.4%	1.0%
4	69.1%	13.8%	13.4%	0.4%	5.4%	0.5%	0.2%	0.3%
5	60.8%	13.1%	16.2%	0.7%	3.3%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	16.0%	0.5%	6.5%	0.5%	0.2%	0.8%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H15+ Pop	% NH15+ Wht	% NH15+ DOJ Blk	% NH15+ DOJ Ind	% NH15+ DOJ Asn	% NH15+ DOJ Hwn	% NH15+ DOJ Oth	% NH15+ DOJ OthMR	% Hisp Reg	% Asn. Reg	% Fil. Reg	% Asn + Fil Reg	Hisp Vote	Asn Vote	Fil Vote	Asn + Fil Vote
1	57.0%	19.7%	12.8%	0.6%	5.3%	0.7%	0.3%	0.8%	32.6%	1.5%	1.5%	2.9%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.6%	0.3%	0.2%	0.5%	25.2%	2.0%	1.4%	3.4%	23.6%	1.4%	1.2%	2.5%
3	40.3%	26.2%	20.5%	0.5%	11.4%	0.3%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	23.2%	1.8%	1.7%	3.4%
4	52.9%	17.1%	13.8%	0.4%	6.4%	0.5%	0.2%	0.7%	39.6%	1.9%	1.8%	3.7%	38.9%	1.3%	1.7%	3.0%
5	50.1%	16.4%	15.2%	0.3%	4.5%	0.7%	0.2%	0.9%	39.8%	2.0%	1.3%	3.3%	36.6%	1.5%	1.4%	2.9%
Total	46.7%	22.5%	17.0%	0.5%	7.6%	0.5%	0.3%	0.8%	34.5%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								American Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	79.8%	42.5%	21.6%	18.5%	5.0%	0.7%	1.2%	9.6%	72.1%	42.2%	22.0%	18.4%	4.3%	0.5%	1.5%	1.8%	24.5%
2	62.7%	51.6%	43.7%	16.8%	6.1%	1.1%	0.4%	0.5%	54.8%	51.2%	43.8%	16.5%	5.4%	0.6%	0.5%	1.2%	17.8%
3	49.4%	28.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	36.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.5%	18.2%
4	87.7%	39.2%	30.7%	21.6%	5.7%	0.5%	0.2%	1.8%	66.5%	38.0%	28.9%	22.7%	7.4%	0.5%	0.2%	2.0%	23.9%
5	68.4%	49.3%	23.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	23.5%	6.2%	0.1%	0.1%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.3%	0.7%	72.6%	38.2%	33.3%	19.4%	6.4%	0.6%	0.7%	2.5%	21.6%

Draft Plan 2 Map

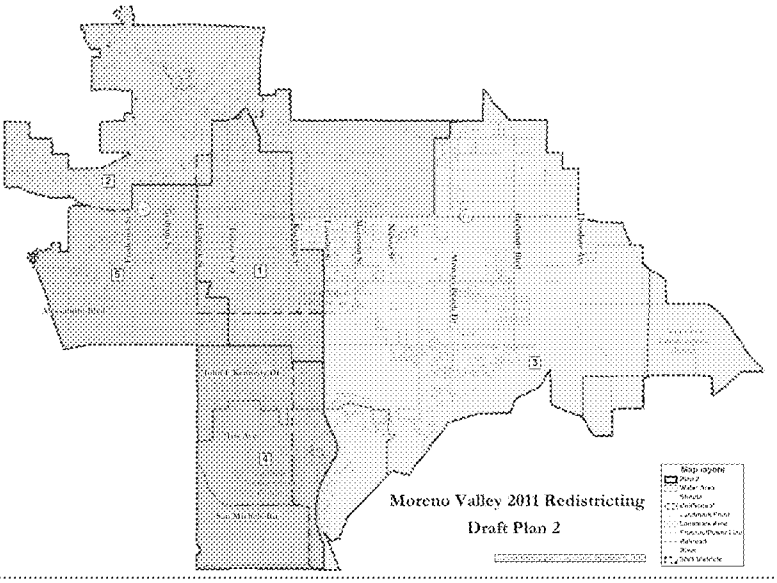

Draft Plan 2 Counts

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hpn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.38%	13,674	5,937	5,947	292	1,671	189	102	293
2	38,628	156	0.40%	17,373	11,744	6,363	214	2,612	136	78	565
3	38,934	261	0.67%	17,265	8,366	8,286	192	4,682	223	141	397
4	38,592	129	0.33%	13,327	5,292	7,120	159	2,181	291	83	226
5	38,649	-54	-0.06%	22,326	3,665	7,944	333	2,114	278	75	357
Total	193,383	782	2.00%	103,169	34,273	34,728	993	13,682	1,100	490	1,770
Ideal:	38,676										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Hpn or Hpn. = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting-Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hpn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg	Hisp. Reg	Asn. Reg	Fil. Reg	Asn + Fil. Reg	Tot. Vote	Hisp. Vote	Asn. Vote	Fil. Vote	Asn + Fil. Vote
1	25,313	14,440	4,878	4,666	245	1,328	182	69	182	12,415	4,820	384	156	220	3,419	1,331	65	70	135
2	28,566	11,232	9,626	4,442	168	2,040	95	58	538	18,086	5,160	565	251	614	9,754	2,910	137	138	275
3	26,751	10,790	6,730	3,377	144	3,048	135	102	218	15,135	4,423	337	306	643	7,453	1,875	131	126	257
4	25,747	14,388	4,412	4,774	195	1,699	136	56	188	12,725	3,026	208	234	442	5,756	2,030	77	97	174
5	25,928	14,040	4,200	4,821	117	1,682	175	-9	218	11,978	4,329	225	170	395	4,521	1,657	70	68	138
Total:	130,605	65,909	29,846	22,481	869	9,799	720	331	1,022	68,919	22,960	1,719	1,117	2,317	31,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hpn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hpn CVAP	NH MR CVAP	NH Oth CVAP
1	17,921	7,615	3,674	2,283	993	124	226	166	18,282	7,794	3,559	3,353	931	81	224	116	4,473
2	24,921	7,378	10,488	4,062	1,401	254	164	72	22,367	7,277	10,245	2,894	1,272	236	129	765	4,240
3	18,676	6,429	6,446	4,398	1,908	168	92	120	18,873	5,860	6,330	4,206	1,001	159	176	553	3,849
4	17,429	6,596	3,532	3,771	989	156	22	312	17,122	6,498	4,926	3,886	1,249	172	37	594	4,421
5	17,114	6,897	4,360	4,665	1,012	20	69	72	17,963	6,842	4,206	4,415	1,060	46	50	546	3,747
Total:	95,979	34,915	28,500	19,179	6,303	721	573	742	94,607	34,271	28,267	18,754	5,513	694	616	2,574	20,730

Draft Plan 2 Percentages

Plan 2	% Hisp	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	55.0%	38.0%	2.9%	1.1%	0.4%	0.2%	0.2%	0.2%
2	67.8%	20.2%	3.0%	0.9%	2.4%	0.0%	0.1%	0.1%
3	84.3%	11.3%	2.2%	0.5%	0.8%	0.1%	0.1%	0.1%
4	57.2%	9.2%	3.0%	0.3%	0.9%	0.0%	0.0%	0.1%
5	80.8%	6.6%	2.2%	0.7%	0.7%	0.0%	0.1%	0.1%
6	55.1%	10.5%	3.2%	0.8%	2.0%	0.1%	0.1%	0.4%
Total	70.7%	16.5%	2.9%	0.8%	0.7%	0.1%	0.1%	0.1%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Hwn or Hwn. = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H/S+ Pop	% NH/A+ Wht	% NH/A+ DOJ Blk	% NH/S+ Ind	% NH/S+ DOJ Asn	% NH/S+ DOJ Hwn	% NH/A+ DOJ Oth	% NH/S+ DOJ OthMR	% Hisp Reg	% Asn Reg	% Fil Reg	% Asn + Fil Reg
1	47.6%	40.9%	2.9%	1.1%	0.7%	0.2%	0.1%	0.1%	36.0%	2.7%	1.1%	34.7%
2	64.2%	22.0%	3.0%	0.9%	2.6%	0.1%	0.1%	0.1%	44.9%	1.0%	1.1%	36.0%
3	80.7%	14.7%	2.1%	0.9%	0.8%	0.2%	0.1%	0.1%	57.1%	0.8%	2.0%	48.1%
4	54.1%	11.2%	3.0%	0.6%	1.0%	0.0%	0.0%	0.1%	64.9%	0.7%	1.1%	46.2%
5	52.3%	11.6%	3.2%	0.7%	0.5%	0.1%	0.2%	0.2%	52.5%	0.7%	1.0%	48.5%
6	78.5%	13.8%	2.4%	0.9%	2.2%	0.1%	0.1%	0.5%	66.8%	1.0%	1.1%	44.4%
Total	73.8%	21.2%	3.1%	0.8%	1.1%	0.1%	0.1%	0.2%	50.0%	1.5%	1.1%	32.4%

	Special Tabulation								American Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	53.1%	42.0%	46.8%	3.8%	2.4%	1.0%	0.0%	0.0%	70.5%	39.7%	50.7%	4.8%	2.8%	1.0%	0.0%	2.0%	10.5%
2	70.4%	42.8%	46.3%	4.3%	3.4%	0.2%	0.0%	0.0%	74.1%	47.1%	45.6%	3.1%	2.6%	1.3%	0.0%	1.6%	11.1%
3	82.6%	63.5%	20.4%	2.4%	1.0%	0.0%	0.1%	0.0%	81.0%	57.0%	55.0%	0.1%	0.0%	0.1%	0.1%	0.0%	14.2%
4	54.1%	49.4%	28.2%	4.4%	3.1%	0.1%	0.0%	0.0%	48.2%	49.4%	21.5%	4.4%	1.5%	3.8%	0.0%	2.5%	14.9%
5	42.5%	54.8%	21.1%	10.5%	1.3%	1.5%	0.0%	0.0%	44.0%	61.0%	23.4%	10.1%	1.3%	1.4%	0.0%	2.1%	17.1%
6	50.2%	48.6%	23.2%	6.3%	2.3%	0.0%	0.0%	0.0%	50.0%	50.0%	20.9%	8.3%	1.9%	0.7%	0.0%	2.3%	16.4%
Total	47.8%	52.2%	47.9%	6.5%	2.0%	1.1%	0.0%	0.0%	55.6%	51.6%	35.2%	5.1%	2.2%	2.1%	0.0%	2.2%	18.2%

Draft Plan 3 Map

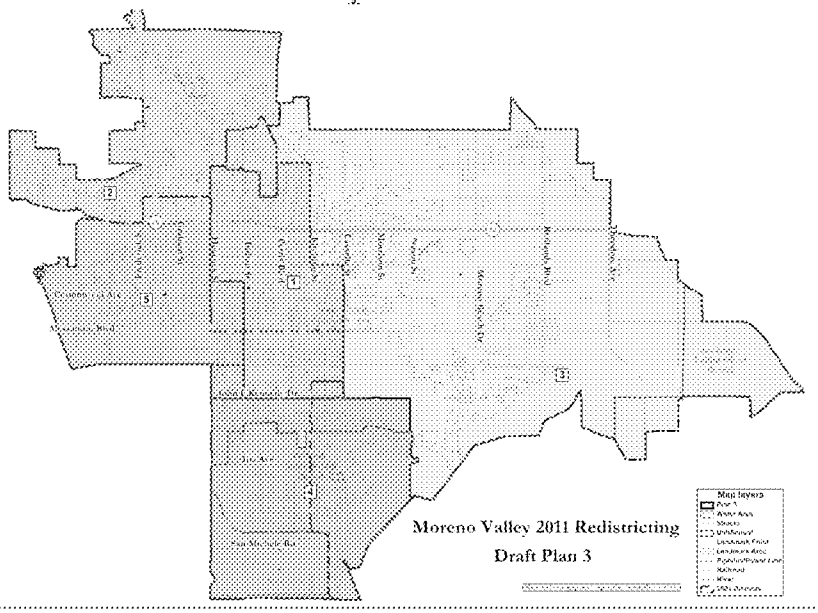

Draft Plan 3 Counts

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,907	3,059	5,561	191	1,709	206	94	295
2	38,572	199	0.51%	17,332	19,033	7,373	197	2,421	163	83	393
3	35,238	-615	-6.81%	17,986	8,555	7,993	220	3,659	173	135	353
4	38,022	352	0.91%	22,194	3,362	3,066	344	2,663	228	97	347
5	38,795	121	0.32%	24,620	4,014	6,211	151	2,177	284	73	350
Total	190,360	715	1.84%	106,189	38,023	29,723	913	12,632	1,100	480	1,770
Ideal	38,072										

Abbreviations:
Dev = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Hwn or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	Hisp 18+ Pop	NH 18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg	Hisp. Reg.	Asn. Reg.	Fil. Reg	Asn. + Fil. Reg.	Tot. Vote	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn. + Fil. Vote.
1	26,606	14,622	3,082	4,022	138	1,367	131	53	167	12,187	4,906	160	137	317	3,569	1,916	54	63	122
2	27,467	11,216	5,629	5,050	134	1,902	134	61	255	16,926	4,791	393	253	556	8,615	2,969	120	154	244
3	27,045	10,895	7,841	4,945	173	2,759	110	99	220	16,321	4,702	354	202	616	8,593	2,076	148	122	270
4	28,630	13,882	4,264	3,172	192	2,631	333	67	188	12,006	4,749	232	264	510	5,947	1,933	97	98	195
5	28,124	14,712	3,988	4,123	112	1,744	152	52	152	21,476	4,821	231	181	412	4,580	1,766	74	72	146
Total	150,868	65,009	28,805	21,432	682	9,799	860	332	1,022	63,916	23,969	1,370	1,137	2,411	31,244	9,812	503	474	977

Plan 3	Special Tabulation								American Community Survey (ACS)								
	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,334	722	194	215	92	18,446	7,789	5,742	3,615	764	215	399	333	4,330
2	23,098	7,299	8,589	4,276	1,559	594	64	110	23,033	7,152	8,725	4,172	1,928	121	120	683	3,935
3	20,102	5,864	7,909	4,125	1,697	216	183	88	20,133	6,275	7,536	3,958	1,497	160	232	694	3,794
4	16,654	6,297	4,922	3,872	1,344	70	37	122	16,984	9,091	5,021	2,585	1,289	91	49	862	4,162
5	18,428	6,982	4,559	4,240	1,125	20	0	60	19,433	6,970	3,823	4,142	1,094	40	0	501	4,773
Total	95,071	34,595	32,929	20,176	6,445	794	320	682	98,028	34,289	31,877	18,780	6,572	339	708	2,796	20,528

Draft Plan 3 Percentages

% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Int	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
62.1%	15.5%	15.6%	0.3%	4.5%	0.5%	0.2%	0.9%
45.2%	27.4%	18.0%	0.3%	6.2%	0.3%	0.2%	2.0%
44.3%	25.0%	18.5%	0.6%	8.2%	0.3%	0.4%	2.0%
56.6%	12.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
63.8%	12.7%	16.8%	0.4%	5.6%	0.5%	0.2%	0.5%
58.4%	15.9%	18.9%	0.5%	6.5%	0.6%	0.2%	0.8%

Abbreviations:
Dev = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Int = Native American
Asn = Asian American
Hwn or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

% H15+ Reg	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Int	% NH15+ DOJ Asn	% NH15+ DOJ Hwn	% NH15+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil Reg.	Hisp. Vote	Asn. Vote.	Fil. Vote.	Asn + Fil Vote.
57.2%	19.9%	15.7%	0.3%	3.8%	0.6%	0.2%	0.7%	36.0%	1.3%	1.2%	2.5%	34.5%	1.0%	1.2%	2.2%
40.8%	31.6%	18.4%	0.6%	6.8%	0.3%	0.2%	0.8%	28.5%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
40.2%	28.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	20.6%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
52.0%	16.6%	20.0%	0.4%	7.0%	0.6%	0.3%	0.7%	37.4%	2.0%	2.1%	4.1%	24.6%	1.7%	1.7%	3.3%
58.6%	15.8%	16.3%	0.4%	6.8%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	26.3%	1.6%	1.6%	3.2%
48.7%	22.8%	17.9%	0.5%	7.3%	0.6%	0.3%	0.8%	34.6%	1.9%	1.6%	3.3%	28.8%	1.5%	1.4%	3.0%

Special Tabulation								American Community Survey "ACS"								
% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Int CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Int CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
72.1%	41.7%	32.3%	19.3%	3.0%	1.1%	1.2%	0.3%	72.0%	43.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
84.1%	31.6%	41.4%	16.3%	4.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	3.5%	0.7%	0.6%	3.0%	17.1%
74.3%	29.8%	38.8%	20.6%	5.4%	1.1%	0.9%	0.3%	74.4%	31.2%	37.3%	19.6%	7.4%	0.5%	1.2%	3.5%	18.4%
66.3%	37.7%	29.0%	25.4%	7.3%	0.4%	0.2%	1.9%	66.3%	33.3%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.3%
63.4%	32.8%	29.3%	25.9%	6.8%	0.5%	0.9%	1.6%	65.0%	30.4%	32.8%	23.5%	8.0%	0.7%	0.9%	3.0%	23.4%
72.6%	36.1%	24.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.5%	33.3%	20.8%	6.4%	0.6%	0.7%	2.5%	21.9%

Draft Plan 4 Map

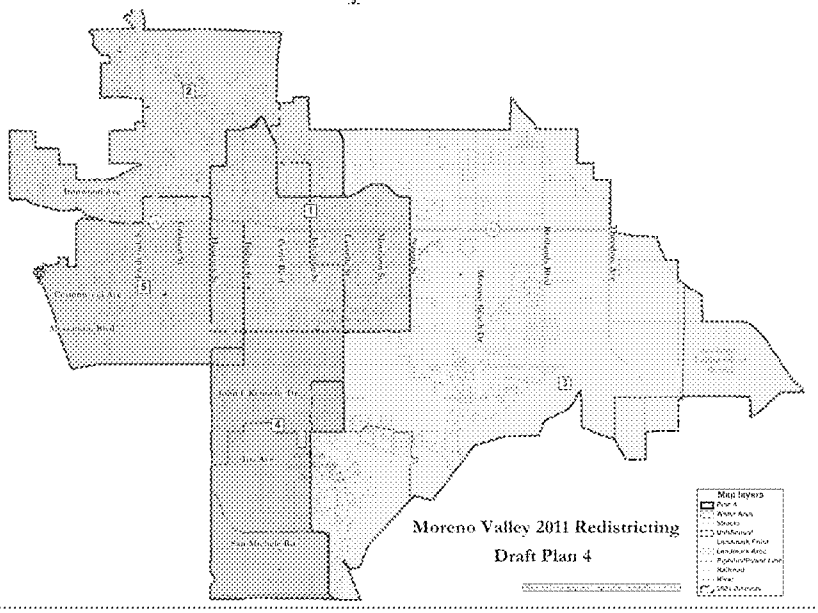

Draft Plan 4 Counts

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	56,432	736	1.96%	22,992	6,936	6,124	232	2,424	245	116	343
2	38,304	-169	-0.44%	17,128	10,822	7,282	193	2,457	135	73	383
3	38,669	-12	-0.03%	16,306	5,380	5,980	174	3,850	221	133	430
4	38,248	-524	-0.64%	24,223	5,478	6,169	146	1,836	265	86	266
5	36,420	-236	-0.65%	24,597	4,743	6,256	160	2,058	272	78	369
Total	183,073	1,083	2.30%	105,169	36,371	31,728	905	12,632	1,138	486	1,770
Ideal	38,679										

Abbreviations:
Dev = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Hwn or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg	Hisp. Reg	Asn. Reg	Fil. Reg	Asn + Fil Reg	Tot. Vote	Hisp. Vote	Asn. Vote	Fil. Vote	Asn + Fil Vote
1	26,716	14,306	3,667	4,247	179	1,650	171	76	209	14,148	3,109	283	202	485	6,624	2,147	103	92	195
2	27,579	11,020	5,247	5,009	154	1,926	165	51	248	17,062	4,746	515	241	556	8,416	2,055	126	107	233
3	26,804	10,265	6,975	6,045	137	2,955	147	102	225	15,280	4,097	327	314	641	7,812	1,884	149	124	263
4	25,316	14,811	4,997	4,665	194	1,437	138	69	187	12,561	3,115	183	192	375	5,632	2,124	93	56	149
5	24,663	14,498	3,844	4,121	118	1,602	171	51	194	10,876	4,322	222	108	330	4,260	1,610	70	65	135
Total	130,968	65,009	28,863	23,487	682	8,799	792	332	1,063	68,919	23,960	1,399	1,157	2,487	32,744	9,812	541	474	977

Plan 4	Special Tabulation: Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	American Community Survey (ACS): Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,727	7,531	6,692	4,114	1,046	74	207	73	19,976	7,556	6,562	3,882	1,016	74	298	489	4,225
2	22,459	7,220	9,744	4,408	1,432	244	256	83	22,195	7,000	9,720	4,395	1,384	145	314	745	3,303
3	18,872	6,322	6,603	4,023	1,933	179	42	223	19,033	5,901	6,802	4,941	1,445	157	137	577	3,498
4	17,402	7,515	3,175	3,542	954	137	41	136	17,112	7,174	4,655	3,026	1,119	165	39	431	4,302
5	15,972	6,646	3,065	3,069	955	69	9	85	16,748	5,559	3,559	3,931	990	96	9	339	3,365
Total	93,971	34,234	33,320	20,176	6,343	704	555	604	95,063	34,280	31,277	19,765	6,072	559	796	2,706	20,128

Draft Plan 4 Percentages

Plan 4	% Hisp	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.2%	17.6%	13.5%	0.6%	8.2%	0.6%	0.3%	0.8%
2	44.5%	26.4%	15.8%	0.5%	9.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	22.5%	0.3%	10.0%	0.6%	0.3%	1.1%
4	48.2%	14.3%	15.3%	0.4%	4.8%	0.3%	0.2%	0.7%
5	63.8%	12.5%	16.2%	0.4%	3.4%	0.7%	0.2%	1.0%
Total	54.4%	15.5%	18.0%	0.3%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR
1	58.5%	21.8%	15.2%	0.7%	8.2%	0.6%	0.3%	0.8%
2	46.8%	32.5%	18.5%	0.6%	7.9%	0.4%	0.2%	0.9%
3	38.3%	26.0%	22.6%	0.3%	10.6%	0.6%	0.4%	0.8%
4	48.8%	17.8%	15.8%	0.4%	5.7%	0.3%	0.2%	0.7%
5	58.3%	15.6%	16.7%	0.5%	4.7%	0.7%	0.2%	0.8%
Total	49.7%	22.8%	17.8%	0.5%	7.3%	0.6%	0.3%	0.8%

Plan 4	% Hisp Reg	% Asn Reg	% Fil Reg	% Asn + Fil Reg	Hisp Vote	Asn Vote	Fil Vote	Asn + Fil Vote
1	36.3%	1.9%	1.4%	3.2%	22.4%	1.6%	1.4%	2.9%
2	27.5%	1.8%	1.4%	3.5%	25.7%	1.4%	1.2%	2.6%
3	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	41.5%	1.5%	1.5%	3.0%	37.5%	1.1%	1.5%	2.6%
5	51.7%	2.0%	1.3%	3.6%	36.0%	1.6%	1.3%	3.2%
Total	34.2%	1.9%	1.6%	3.5%	29.9%	1.5%	1.4%	3.0%

	Special Tabulations								American Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.9%	36.2%	35.9%	29.6%	8.3%	9.4%	1.9%	6.4%	74.8%	37.9%	34.4%	19.3%	8.5%	9.4%	1.5%	2.4%	21.2%
2	61.9%	24.2%	41.5%	15.8%	6.2%	1.0%	1.0%	0.5%	84.6%	36.3%	42.0%	18.6%	5.3%	0.6%	0.2%	3.2%	16.9%
3	69.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	38.7%	21.2%	9.7%	0.8%	0.7%	3.0%	19.4%
4	68.3%	42.7%	28.4%	20.1%	3.4%	1.1%	0.2%	1.1%	67.6%	43.8%	27.2%	21.2%	8.5%	1.0%	0.3%	2.6%	23.3%
5	64.5%	41.5%	23.6%	28.3%	4.2%	0.1%	0.0%	0.7%	61.6%	41.9%	26.4%	24.5%	6.3%	0.1%	0.0%	2.3%	24.9%
Total	70.0%	36.1%	34.0%	21.2%	8.7%	0.7%	0.5%	2.7%	72.4%	36.1%	33.3%	20.8%	8.4%	0.6%	0.7%	2.8%	21.8%

Public Plan 1 Map

"On behalf of The 2011 Moreno Valley Redistricting Committee I here by submit our proposed City of Moreno Valley City Council Redistricting Map. I would like to present this at the community forum on Monday Sept.12 2011." - chrismoval

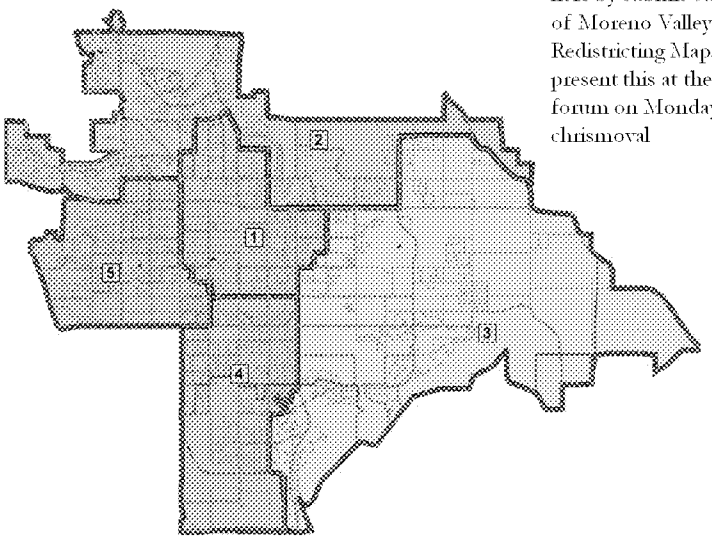

Public Plan 1 Counts

Public Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	167	366
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,392	8,906	165	4,269	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	298	96	289
5	38,649	-24	-0.06%	23,528	5,068	7,944	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,190	480	1,770
Ideal	38,673										

Abbreviations:
Dev = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Hwn or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,899	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,381	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,759	2,149	61	87	148
5	25,928	14,043	4,190	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,362	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,765	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,398	32,320	20,176	6,345	704	520	684	95,028	34,280	31,878	19,761	6,132	559	708	2,706	20,528

Public Plan 1 Percentages

Public Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.5%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Hwn or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.5%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								American Community Survey (ACS)								
Public Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.8%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.5%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

Public Plan 2 Map

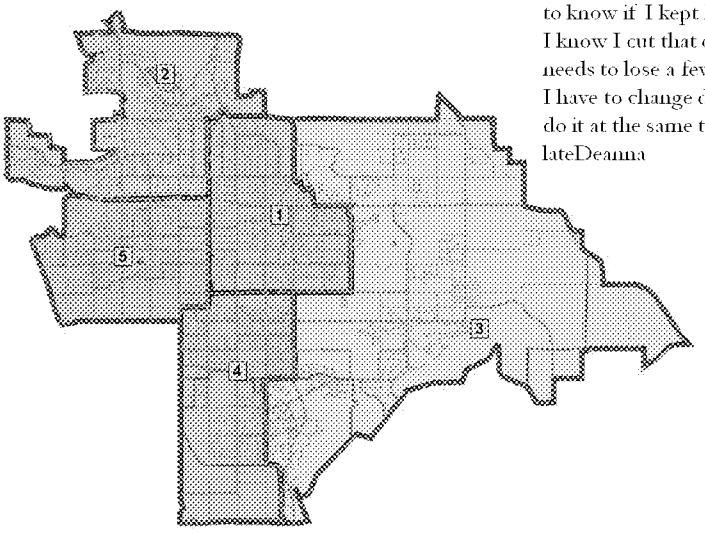

"This is my first preliminary map. What is the excepted plus or minus percentage for population. I really want to know if I kept Molina in his district I know I cut that one close. District 3 needs to lose a few more people but if I have to change district 1 anyway I'll do it at the same time. Thank-you!" - lateDeanna

Public Plan 2 Counts

Abbreviations:
Dev = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Hl = Hispanic
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 2 Percentages

Abbreviations:
Dev = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
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Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3 Map

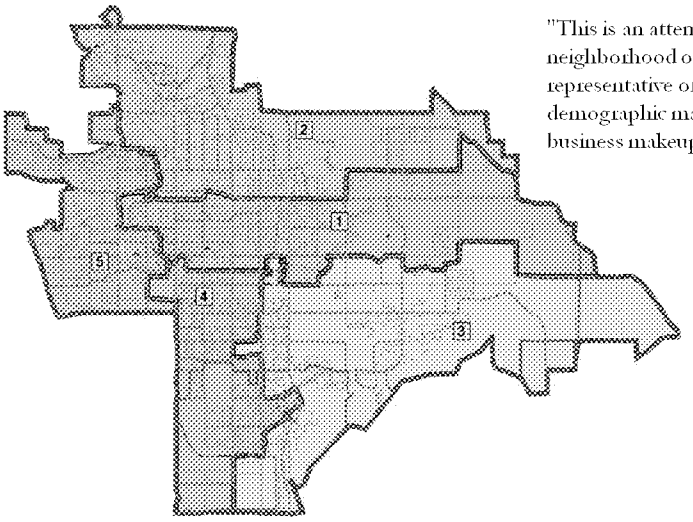

"This is an attempt to construct neighborhood oriented districts which is representative of the districts demographic make up residential and business makeups." - towings

Public Plan 3 Counts

Public Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,872	6,345	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,950	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
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Hwn or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,911	14,677	4,888	4,408	153	1,964	156	83	182	12,737	4,747	199	217	416	5,757	1,918	74	104	178
2	28,268	11,696	9,758	4,497	188	1,792	136	55	237	18,428	5,297	333	222	555	10,981	2,335	156	106	262
3	25,702	11,172	5,846	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,758	4,232	4,553	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,609	29,863	23,431	682	9,798	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

Public Plan 3	Special Tabulation: Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	American Community Survey (ACS): Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,078	103	131	469	4,044
2	23,834	7,567	10,157	4,548	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	365	770	5,990
3	18,961	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,753	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,867	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,971	34,338	32,320	20,376	6,345	704	520	684	95,028	34,280	31,898	19,760	6,072	559	768	2,706	20,528

Public Plan 3 Percentages

Public Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.8%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Hwn or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								American Community Survey (ACS)								
Public Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.8%	0.7%	2.8%	22.8%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	32.7%	31.6%	22.9%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.5%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.8%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.8%	36.1%	33.9%	20.8%	6.4%	0.8%	0.7%	2.8%	21.6%

September 20, 2011

To: Honorable Mayor Stewart, Mayor Pro Tem Molina and Council Members

Fr: Douglas Johnson, President

National Demographics Corporation (NDC) developed four plans as a way to stimulate public interest in the redistricting process. Each plan was designed to meet the federal mandates (equality of population and compliance with the Voting Rights Act), but the plans differed markedly from one another in the way they attempted to meet the other criteria established by the City. These plans are attached hereto.

NDC has worked closely with City Clerk Jane Halstead and her office. We have been impressed by the City's outreach efforts and the attempt to inform the public of the redistricting process and the opportunities for involvement in it.

Although attendance at the two public meetings was less than hoped for, we are encouraged by the use of the online redistricting system. A total of 24 people have created user IDs to access the system, and they have already submitted four proposed plans. In addition a fifth plan was submitted using the paper version of the public participation kit. We have been impressed, also, by the technical proficiency of some of the citizen plans and the effort they made to meet the criteria established by the City Council. NDC has developed maps and statistics for each of the citizen-drawn plans and they are attached hereto.

NDC staff members will be present at the Council meeting on September 27th. At that time, we hope for Council comments and direction on the four plans developed by NDC, as well as on the public plans. (Please note: Additional plans that may be submitted by citizens will be forwarded directly to the Council as they are received). In light of Councimembers' comments on September 27th, NDC will then develop a plan or plans for a possible decision by Council at a following meeting.

ATTACHMENTS:

- NDC Plan 1 map and demographics
- NDC Plan 2 map and demographics
- NDC Plan 3 map and demographics
- NDC Plan 4 map and demographics
- Public Plan 1 map and demographics("Moreno Valley Redistricting Committee")
- Public Plan 2 map and demographics ("Moreno Valley Redistricting Committee")
- Public Plan 3 map and demographics (Bleckert)
- Public Plan 4 map and demographics (Owing)

Phone: (909) 624-1442 P.O. Box 5271 info@NDCresearch.com
FAX (818) 254-1221 Glendale, CA 91221 www.NDCresearch.com

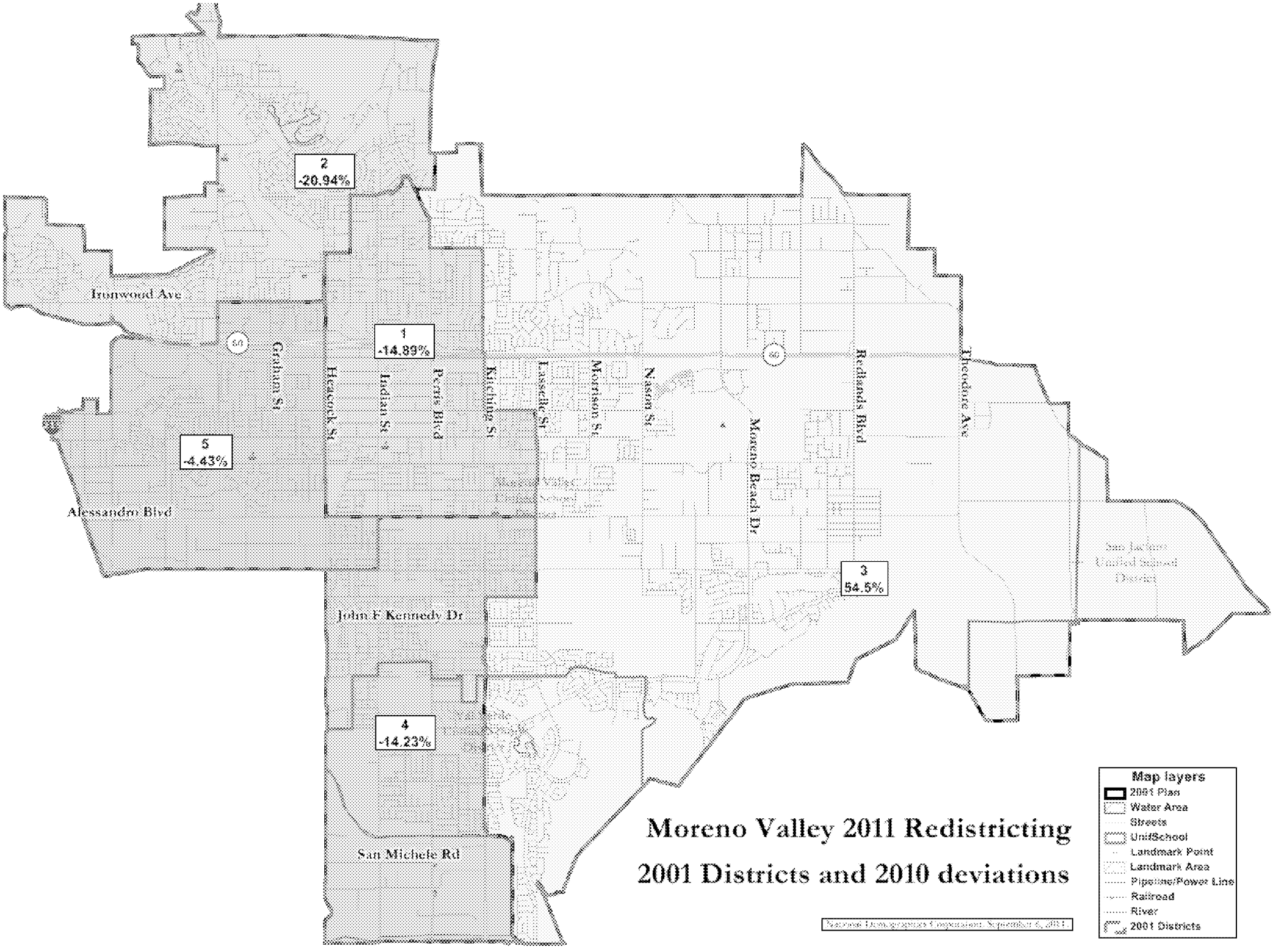

Moreno Valley 2011 Redistricting

2001 Districts and 2010 deviations

Source: Demographics Unlimited, September 6, 2011

MV00133037

NDC

Moreno Valley 2001 Districts
Demographics

2001 Plan	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,915	-5,758	-14.89%	20,506	5,270	4,930	199	1,412	244	87	267
2	30,573	-8,100	-20.94%	13,450	8,981	5,373	139	2,141	122	59	308
3	59,750	21,077	54.50%	27,708	12,884	12,337	312	5,430	295	190	594
4	33,169	-5,504	-14.23%	21,067	4,572	5,300	113	1,629	175	77	236
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	29,177	75.45%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	21,794	12,416	4,369	3,369	146	1,116	168	62	148	10,535	4,035	142	134	276	4,583	1,557	59	57	116
2	21,969	8,733	7,346	3,763	111	1,687	85	43	201	14,221	3,968	269	228	497	7,434	1,777	111	104	215
3	41,255	17,459	10,458	8,371	231	4,092	191	135	318	23,563	7,129	503	417	920	11,812	3,071	208	177	385
4	21,809	12,949	3,736	3,459	80	1,273	116	47	149	10,667	4,503	161	174	335	4,757	1,824	57	75	132
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
2001 Plan	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,404	6,263	5,286	2,853	648	50	206	99	15,610	6,314	5,343	2,885	622	39	289	329	3,610
2	18,581	5,788	7,999	3,268	1,257	204	0	66	18,466	5,596	8,098	3,194	1,085	121	54	525	3,314
3	29,548	9,120	10,571	6,519	2,614	258	215	266	29,825	9,539	10,374	6,344	2,447	205	261	945	5,834
4	14,895	6,506	4,250	2,953	791	172	39	178	14,659	6,254	4,018	3,003	906	148	53	370	4,191
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133038

2001 Plan	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	16.0%	15.0%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.0%	29.4%	17.6%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.4%	21.6%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.5%	13.8%	16.0%	0.3%	4.9%	0.5%	0.2%	0.7%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	20.0%	15.5%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.3%	1.3%	2.6%	34.0%	1.3%	1.2%	2.5%
2	39.8%	33.4%	17.1%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.3%	25.3%	20.3%	0.6%	9.9%	0.5%	0.3%	0.8%	30.3%	2.1%	1.8%	3.9%	26.0%	1.8%	1.5%	3.3%
4	59.4%	17.1%	15.9%	0.4%	5.8%	0.5%	0.2%	0.7%	42.2%	1.5%	1.6%	3.1%	38.3%	1.2%	1.6%	2.8%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
2001 Plan	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.7%	40.7%	34.3%	18.5%	4.2%	0.3%	1.3%	0.6%	71.6%	40.4%	34.2%	18.5%	4.0%	0.2%	1.9%	2.1%	23.1%
2	84.6%	31.1%	43.0%	17.6%	6.8%	1.1%	0.0%	0.4%	84.1%	30.3%	43.9%	17.3%	5.9%	0.7%	0.3%	2.8%	17.9%
3	71.6%	30.9%	35.8%	22.1%	8.8%	0.9%	0.7%	0.9%	72.3%	32.0%	34.8%	21.3%	8.2%	0.7%	0.9%	3.2%	19.6%
4	68.3%	43.7%	28.5%	19.8%	5.3%	1.2%	0.3%	1.2%	67.2%	42.7%	27.4%	20.5%	6.2%	1.0%	0.4%	2.5%	28.6%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133039

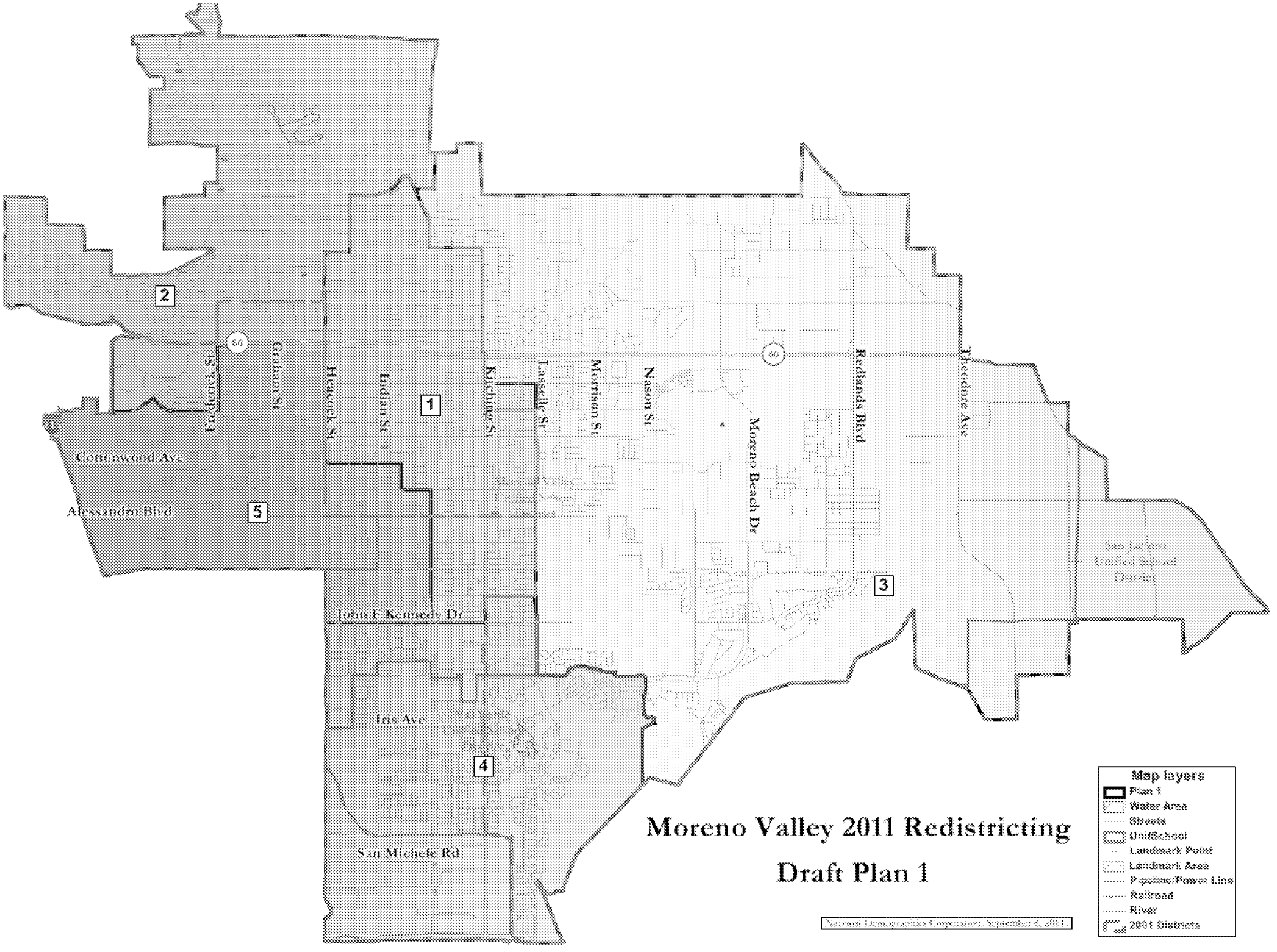
Moreno Valley 2011 Redistricting
Draft Plan 1
Map layers
Plan 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Frederick St
Graham St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00133040

Moreno Valley Plan 1
Demographics

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
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Hisp = Hispanic
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Wht = White
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Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	141
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133041

Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.1%	16.4%	15.8%	0.6%	4.5%	0.7%	0.3%	0.8%
2	44.5%	26.5%	20.1%	0.5%	6.7%	0.4%	0.2%	1.0%
3	44.2%	24.9%	18.9%	0.6%	9.6%	0.5%	0.4%	1.0%
4	57.3%	13.8%	20.3%	0.4%	6.6%	0.5%	0.2%	0.9%
5	65.1%	13.0%	14.7%	0.4%	5.2%	0.7%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.0%	20.4%	16.0%	0.6%	5.4%	0.7%	0.3%	0.6%	37.7%	1.3%	1.3%	2.6%	33.6%	1.1%	1.4%	2.5%
2	40.4%	30.6%	19.4%	0.5%	7.5%	0.4%	0.2%	1.0%	28.3%	1.9%	1.6%	3.5%	24.3%	1.5%	1.4%	2.9%
3	40.0%	28.8%	18.6%	0.6%	10.3%	0.4%	0.4%	0.8%	28.7%	2.2%	1.6%	3.9%	24.1%	1.8%	1.4%	3.2%
4	53.4%	16.8%	20.2%	0.4%	7.6%	0.6%	0.3%	0.7%	38.0%	1.9%	2.0%	3.9%	34.7%	1.6%	1.7%	3.3%
5	60.2%	16.4%	15.1%	0.4%	6.3%	0.7%	0.2%	0.7%	42.9%	1.9%	1.5%	3.3%	39.1%	1.5%	1.3%	2.8%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.5%	40.7%	33.6%	18.8%	4.7%	0.6%	1.1%	0.6%	73.3%	41.1%	32.9%	19.0%	4.6%	0.4%	1.6%	1.9%	23.0%
2	82.8%	31.4%	40.6%	19.7%	6.8%	0.9%	0.3%	0.4%	82.4%	30.7%	41.1%	19.3%	6.0%	0.6%	0.5%	3.0%	16.8%
3	73.9%	29.1%	39.0%	20.4%	9.0%	1.1%	0.9%	0.5%	74.1%	30.8%	37.6%	19.6%	7.7%	0.8%	1.2%	3.5%	18.4%
4	66.5%	37.6%	29.3%	23.4%	7.0%	0.5%	0.2%	1.9%	66.3%	35.9%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.5%	44.5%	24.0%	24.9%	5.6%	0.6%	0.1%	0.3%	66.1%	44.4%	22.9%	24.3%	5.7%	0.6%	0.2%	2.9%	27.5%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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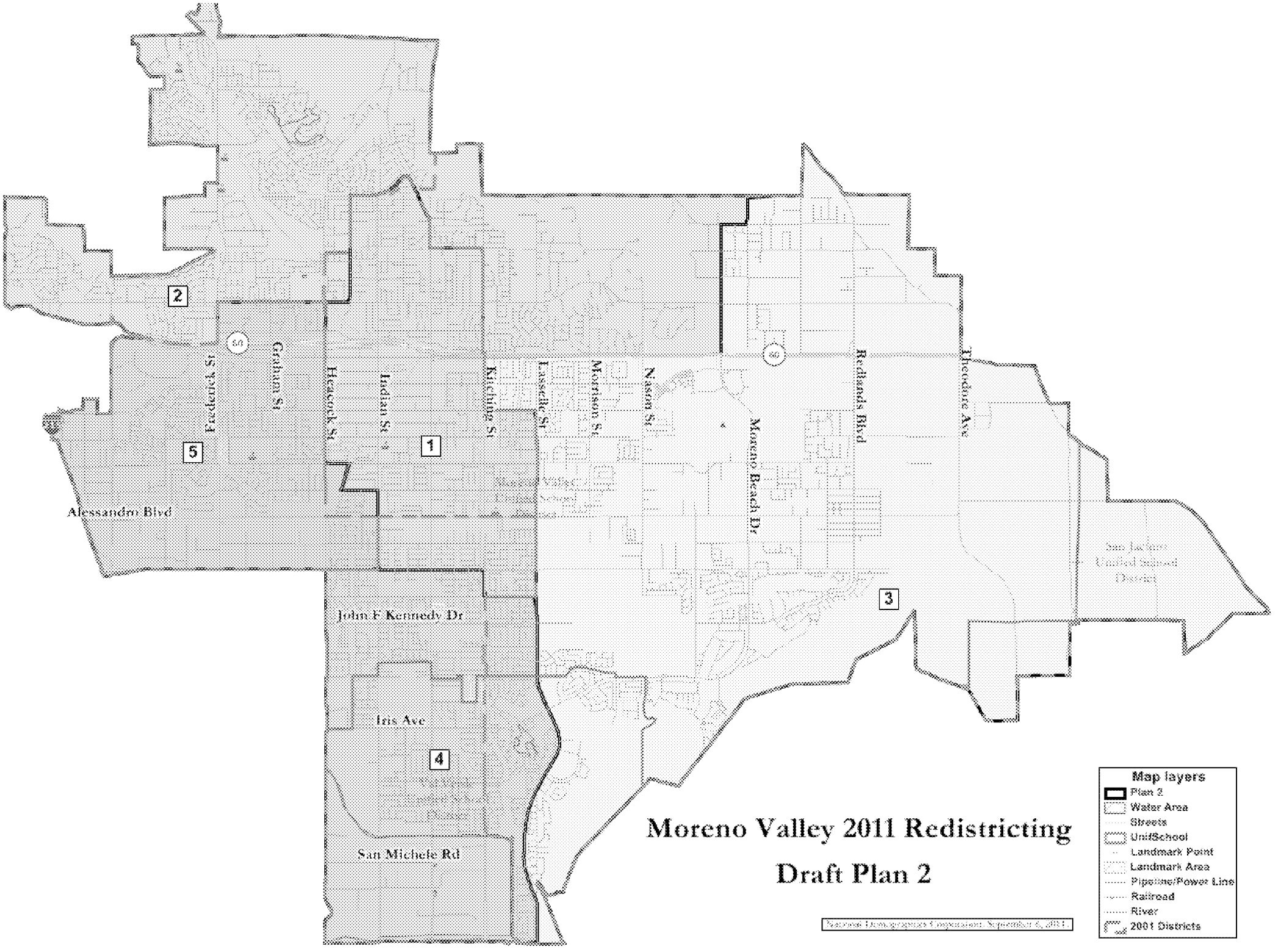
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Streets
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Landmark Point
Landmark Area
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Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Graham St
Perendal St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00133043

Moreno Valley Plan 2
Demographics

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	138
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133044

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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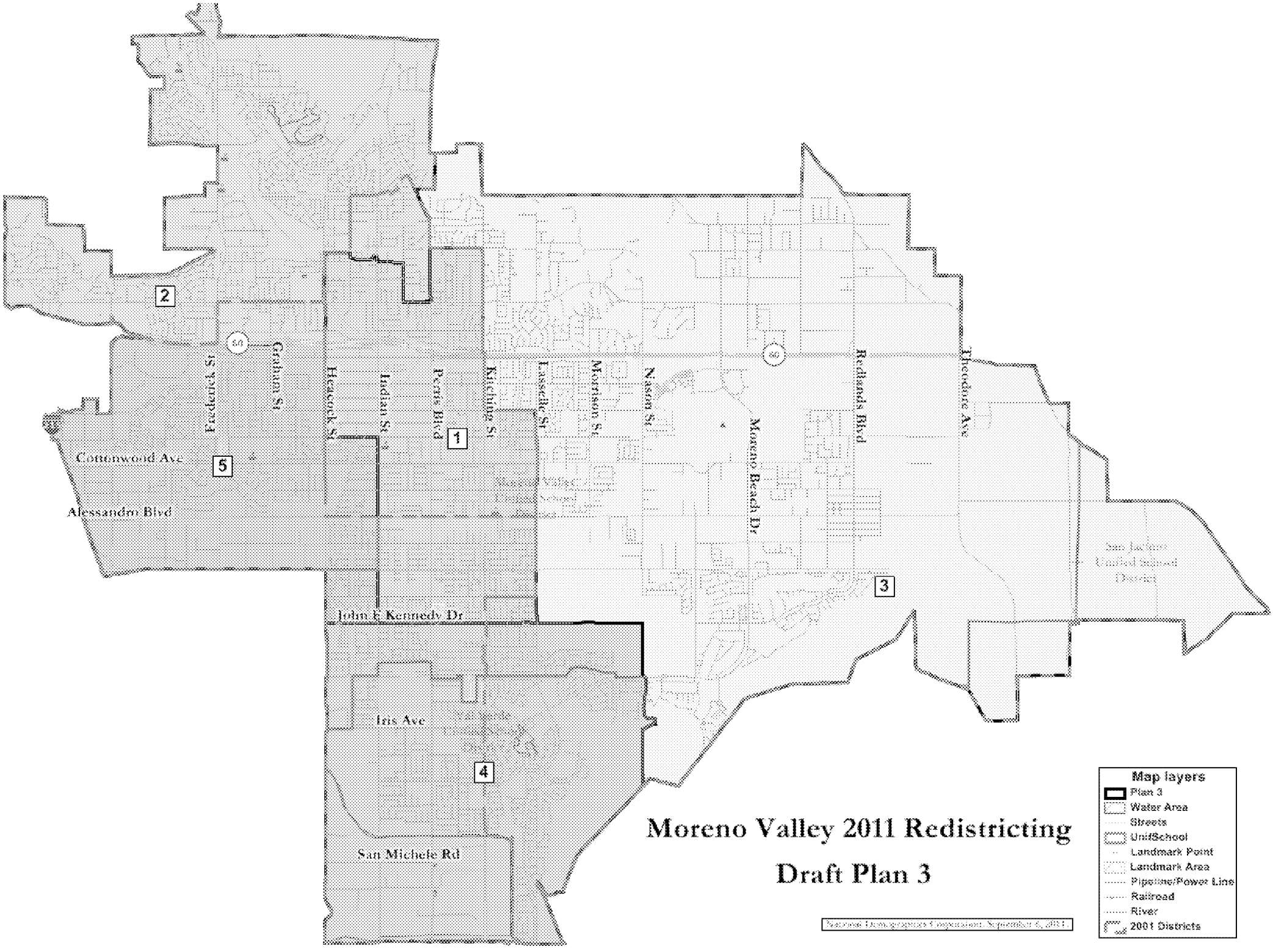
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Map layers
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Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00133046

Moreno Valley Plan 3
Demographics

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
2	45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
3	44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
4	56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
5	63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
2	40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
3	40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
4	52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
5	58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
2	84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
3	74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
4	66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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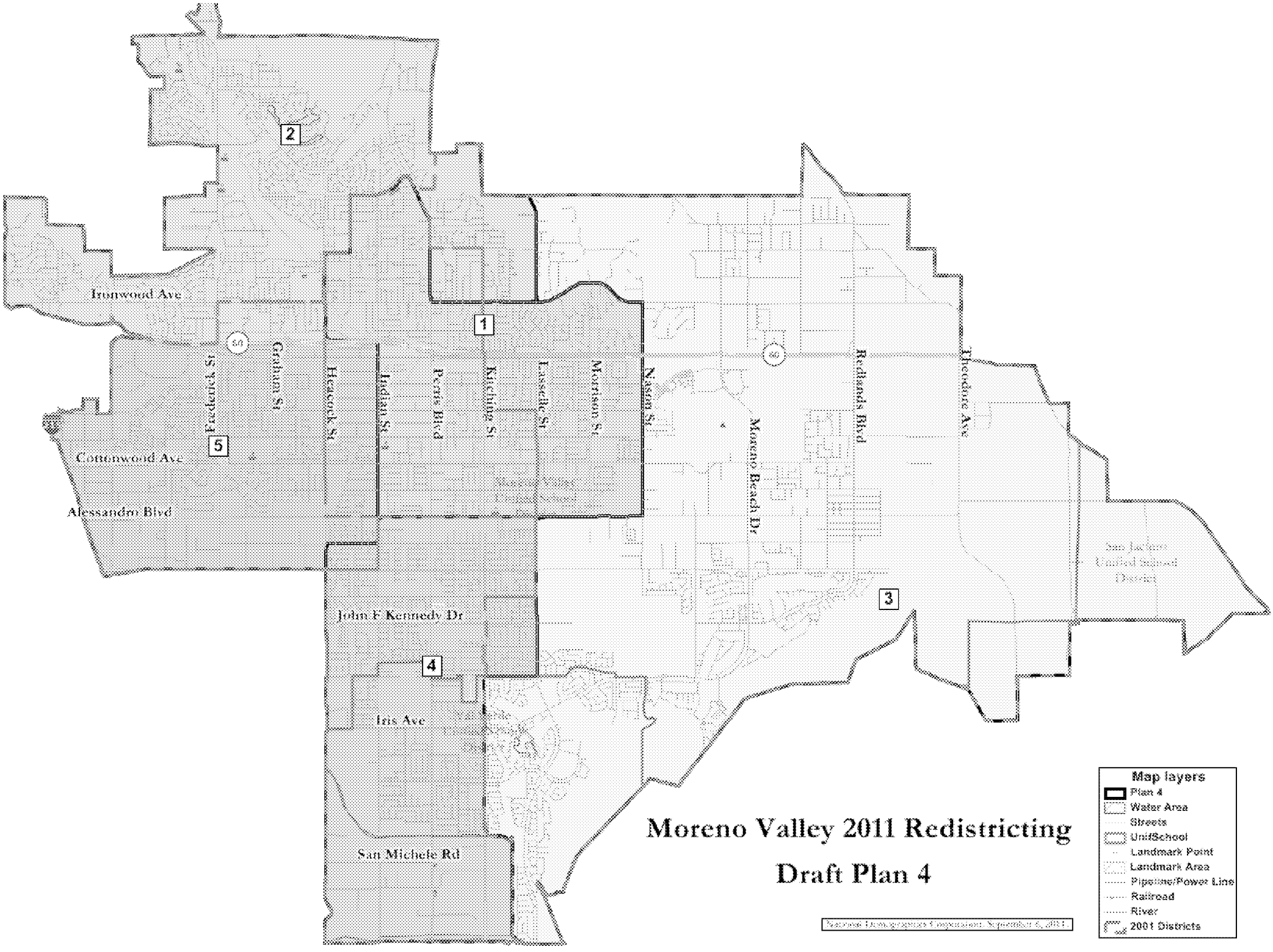
Moreno Valley 2011 Redistricting
Draft Plan 4
Map layers
Plan 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00133049

NDC

Moreno Valley Plan 4
Demographics

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	16.9%
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	19.4%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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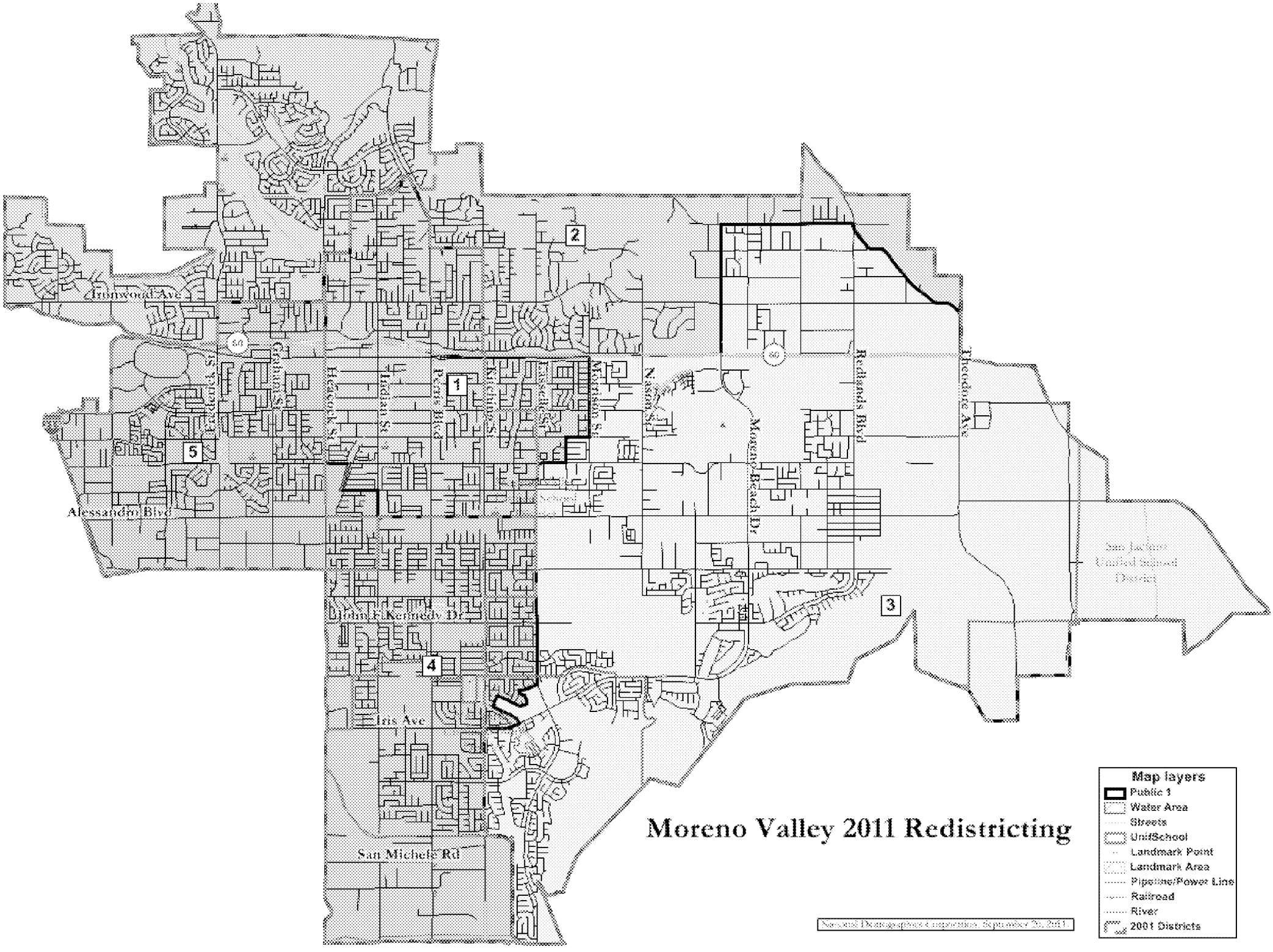
Moreno Valley 2011 Redistricting
Map layers
Public 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Gilman St
Heacock St
Indian St
Perris Blvd
Nuevo St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
Alessandro Blvd
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00133052

NDC

Public Plan 1
Demographics

Pub. Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133053

Pub. Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133054

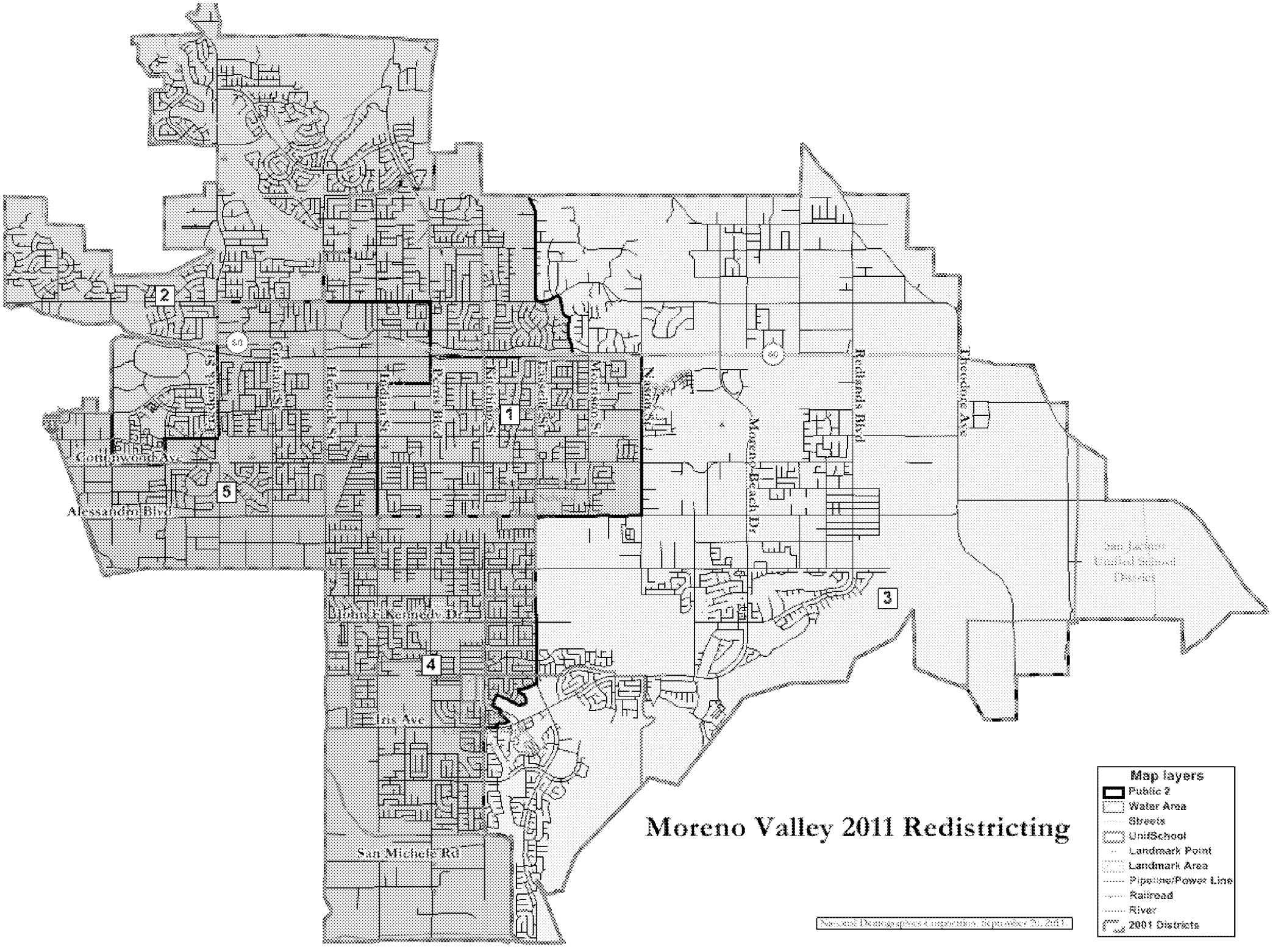
Moreno Valley 2011 Redistricting
Map layers
Public 2
Water Area
Streets
UnifSchool
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitchener St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00133055

NDC

Public Plan 2
Demographics

Pub. Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,796	123	0.32%	22,173	7,301	5,917	249	2,477	237	117	325
2	38,840	167	0.43%	17,371	10,226	7,229	177	3,194	140	78	425
3	38,078	-595	-1.54%	16,012	8,760	8,571	170	3,827	214	120	404
4	38,679	6	0.02%	24,231	5,519	6,368	154	1,831	203	93	280
5	38,972	299	0.77%	25,382	4,767	6,643	163	1,303	306	72	336
Total	193,365	894	2.31%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
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Hisp = Hispanic
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Wht = White
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Ind = Native American
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Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,500	13,877	5,986	4,138	183	1,883	167	76	190	14,308	5,121	276	182	458	6,886	2,164	105	83	188
2	27,581	11,188	8,294	4,997	134	2,536	100	54	278	16,888	4,934	395	297	692	8,450	2,138	140	125	265
3	26,425	10,088	7,100	5,769	129	2,893	141	94	211	15,053	4,243	333	302	635	7,574	1,821	147	122	269
4	25,569	14,932	4,546	4,180	106	1,439	136	57	173	12,785	5,250	179	202	381	5,759	2,139	61	87	148
5	24,794	14,924	3,937	4,347	130	1,048	186	51	171	10,885	4,412	117	134	251	4,275	1,550	50	57	107
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,779	7,397	6,668	4,169	997	110	367	68	19,905	7,285	6,878	3,869	1,055	75	361	545	4,327
2	21,923	6,863	8,885	4,251	1,631	204	0	88	21,807	6,672	8,940	4,182	1,462	121	54	597	3,900
3	18,175	5,147	6,819	3,820	1,931	179	42	244	18,896	5,878	6,847	3,924	1,612	153	135	592	3,636
4	17,825	7,517	5,347	3,560	982	187	41	186	17,229	7,117	4,769	3,639	1,158	160	61	436	4,755
5	17,369	7,414	4,600	4,377	804	23	70	98	17,191	7,328	4,443	4,146	786	50	97	536	3,910
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133056

Pub. Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.2%	18.8%	15.3%	0.6%	6.4%	0.6%	0.3%	0.8%
2	44.7%	26.3%	18.6%	0.5%	8.2%	0.4%	0.2%	1.1%
3	42.1%	23.0%	22.5%	0.4%	10.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.7%	0.5%	0.2%	0.7%
5	65.1%	12.2%	17.0%	0.4%	3.3%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.4%	22.6%	15.6%	0.7%	7.1%	0.6%	0.3%	0.7%	35.8%	1.9%	1.3%	3.2%	31.4%	1.5%	1.2%	2.7%
2	40.6%	30.1%	18.1%	0.5%	9.2%	0.4%	0.2%	1.0%	29.2%	2.3%	1.8%	4.1%	25.3%	1.7%	1.5%	3.1%
3	38.2%	26.9%	21.8%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.2%	2.0%	4.2%	24.0%	1.9%	1.6%	3.6%
4	58.4%	17.8%	16.3%	0.4%	5.6%	0.5%	0.2%	0.7%	41.1%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	60.2%	15.9%	17.5%	0.5%	4.2%	0.8%	0.2%	0.7%	40.5%	1.1%	1.2%	2.3%	36.3%	1.2%	1.3%	2.5%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.6%	37.4%	33.7%	21.1%	5.0%	0.6%	1.9%	0.3%	75.1%	36.6%	34.6%	19.4%	5.3%	0.4%	1.8%	2.7%	21.7%
2	79.5%	31.3%	40.5%	19.4%	7.4%	0.9%	0.0%	0.4%	79.1%	30.6%	41.0%	19.2%	6.7%	0.6%	0.2%	2.7%	17.9%
3	68.8%	28.3%	37.5%	21.0%	10.6%	1.0%	0.2%	1.3%	71.5%	31.1%	36.2%	20.8%	8.5%	0.8%	0.7%	3.1%	19.2%
4	69.7%	42.2%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	70.1%	42.7%	26.5%	25.2%	4.6%	0.1%	0.4%	0.6%	69.3%	42.6%	25.8%	24.1%	4.6%	0.3%	0.6%	3.1%	22.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133057

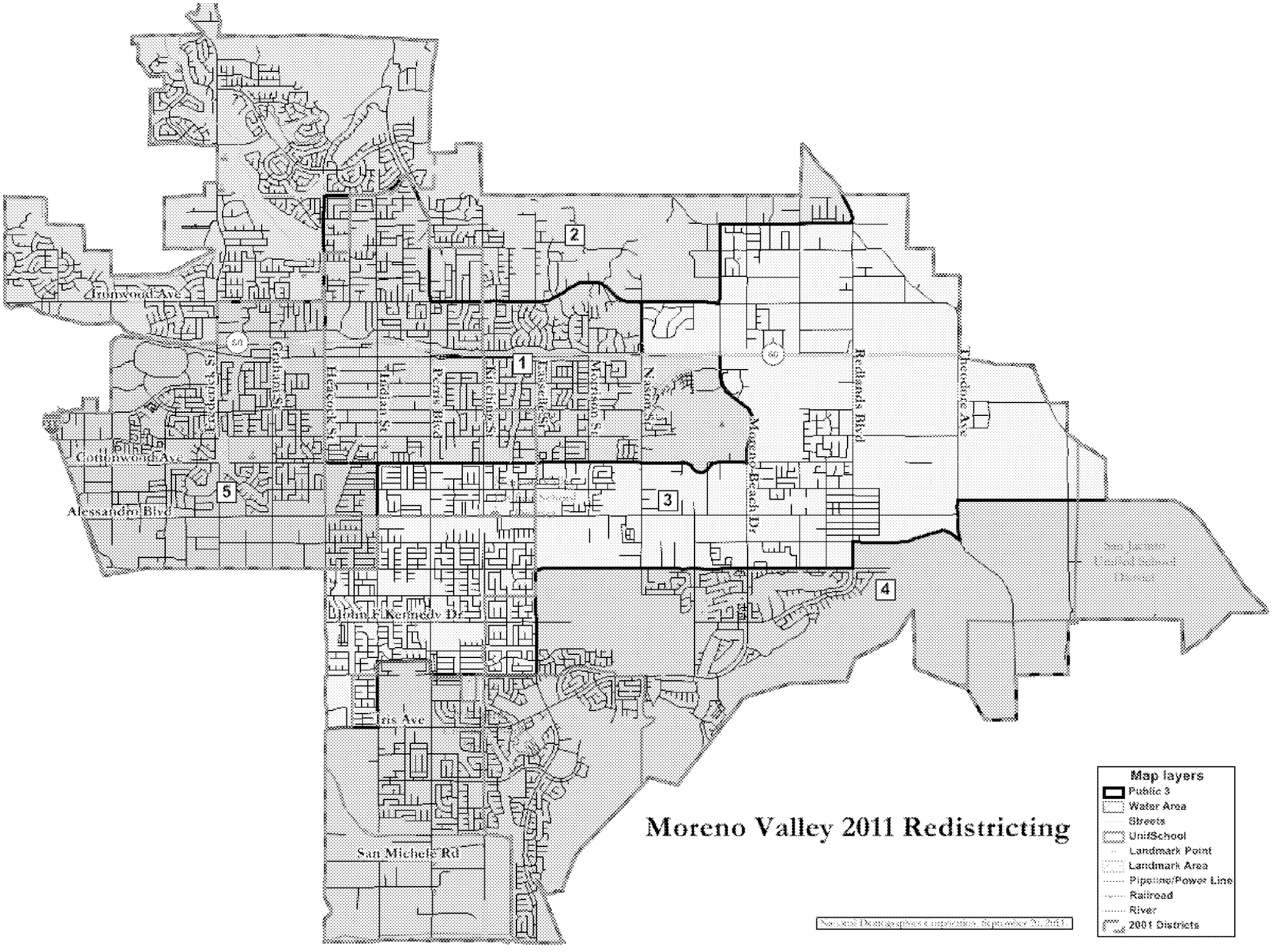
Moreno Valley 2011 Redistricting
Map layers
Public 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Indianwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00133058

NDC

Public Plan 3
Demographics

Pub. Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	40,047	1,374	3.55%	23,337	7,050	6,329	250	2,368	232	124	357
2	33,724	-4,949	-12.80%	14,620	10,386	5,657	164	2,372	131	63	331
3	41,248	2,575	6.66%	24,589	7,521	6,126	195	2,173	221	111	312
4	38,875	202	0.52%	18,585	6,434	9,430	143	3,571	226	105	381
5	39,471	798	2.06%	24,038	5,182	7,186	161	2,148	290	77	389
Total	193,365	7,524	19.46%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,947	14,318	5,756	4,389	197	1,829	163	88	207	13,735	4,894	222	210	432	6,321	1,989	89	97	186
2	24,509	9,568	8,590	4,008	127	1,864	94	45	213	16,118	4,379	309	237	546	8,645	1,982	123	107	230
3	27,723	15,215	6,242	4,051	138	1,681	147	73	176	14,598	5,649	180	208	388	6,856	2,312	74	94	168
4	26,123	11,558	5,081	6,248	99	2,706	147	75	209	13,868	4,432	353	290	643	6,512	1,844	141	112	253
5	25,567	14,350	4,194	4,735	121	1,719	179	51	218	11,600	4,606	236	172	408	4,610	1,685	76	64	140
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,662	7,428	6,706	4,165	1,038	61	139	121	19,682	7,373	6,817	3,899	959	75	235	541	3,961
2	21,021	6,314	9,283	3,563	1,366	253	170	69	20,718	6,250	9,027	3,536	1,212	131	164	640	3,722
3	19,409	7,563	6,876	3,308	1,128	290	104	145	19,422	7,719	6,225	3,687	1,149	216	172	475	5,031
4	17,606	6,007	5,015	4,436	1,752	80	47	274	17,863	5,951	5,512	4,174	1,665	91	88	498	3,974
5	17,373	7,026	4,440	4,704	1,061	20	60	75	17,343	6,988	4,295	4,464	1,087	46	50	552	3,839
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133059

Pub. Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.8%	0.6%	5.9%	0.6%	0.3%	0.9%
2	43.4%	30.8%	16.8%	0.5%	7.0%	0.4%	0.2%	1.0%
3	59.6%	18.2%	14.9%	0.5%	5.3%	0.5%	0.3%	0.8%
4	47.8%	16.6%	24.3%	0.4%	9.2%	0.6%	0.3%	1.0%
5	60.9%	13.1%	18.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.1%	21.4%	16.3%	0.7%	6.8%	0.6%	0.3%	0.8%	35.6%	1.6%	1.5%	3.1%	31.5%	1.4%	1.5%	2.9%
2	39.0%	35.0%	16.4%	0.5%	7.6%	0.4%	0.2%	0.9%	27.2%	1.9%	1.5%	3.4%	22.9%	1.4%	1.2%	2.7%
3	54.9%	22.5%	14.6%	0.5%	6.1%	0.5%	0.3%	0.6%	38.7%	1.2%	1.4%	2.7%	33.7%	1.1%	1.4%	2.5%
4	44.2%	19.5%	23.9%	0.4%	10.4%	0.6%	0.3%	0.8%	32.0%	2.5%	2.1%	4.6%	28.3%	2.2%	1.7%	3.9%
5	56.1%	16.4%	18.5%	0.5%	6.7%	0.7%	0.2%	0.9%	39.7%	2.0%	1.5%	3.5%	36.6%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.0%	37.8%	34.1%	21.2%	5.3%	0.3%	0.7%	0.6%	73.0%	37.5%	34.6%	19.8%	4.9%	0.4%	1.2%	2.7%	20.1%
2	85.8%	30.0%	44.2%	16.9%	6.5%	1.2%	0.8%	0.3%	84.5%	30.2%	43.6%	17.1%	5.9%	0.6%	0.8%	3.1%	18.0%
3	70.0%	39.0%	35.4%	17.0%	5.8%	1.5%	0.5%	0.7%	70.1%	39.7%	32.1%	19.0%	5.9%	1.1%	0.9%	2.4%	25.9%
4	67.4%	34.1%	28.5%	25.2%	10.0%	0.5%	0.3%	1.6%	68.4%	33.3%	30.9%	23.4%	9.3%	0.5%	0.5%	2.8%	22.3%
5	67.9%	40.4%	25.6%	27.1%	6.1%	0.1%	0.3%	0.4%	67.8%	40.3%	24.8%	25.7%	6.3%	0.3%	0.3%	3.2%	22.1%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133060

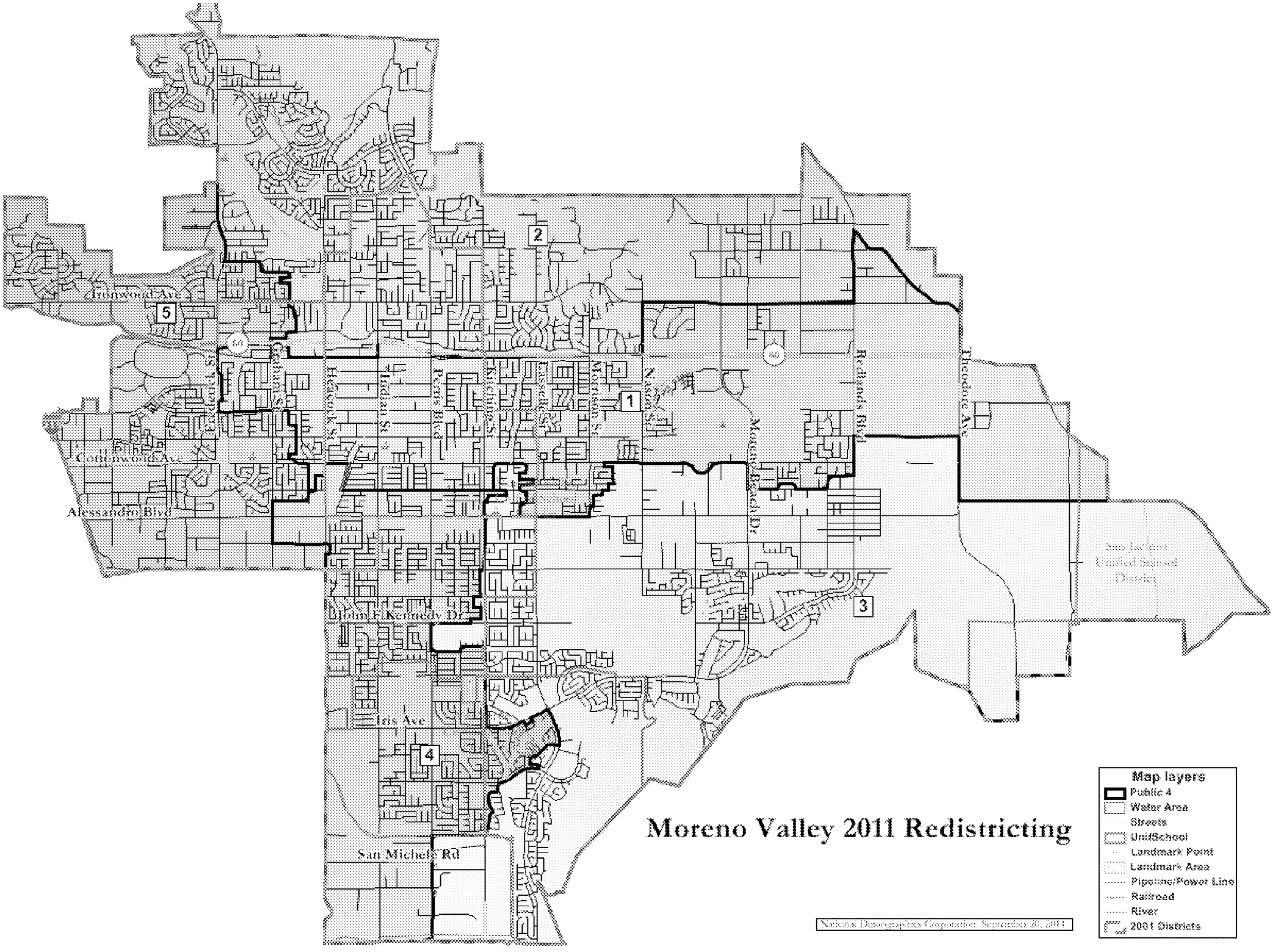
Moreno Valley 2011 Redistricting
Map layers
Public 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
Nason St
Redlands Blvd
Theodore Ave
Morgan Beach Dr
Iris Ave
San Michele Rd
Alessandro Blvd
Cottonwood Ave
Eucalyptus Ave
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
1
2
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4
5

MV00133061

Public Plan 4 - Owings
Demographics

Pub. Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133062

Pub. Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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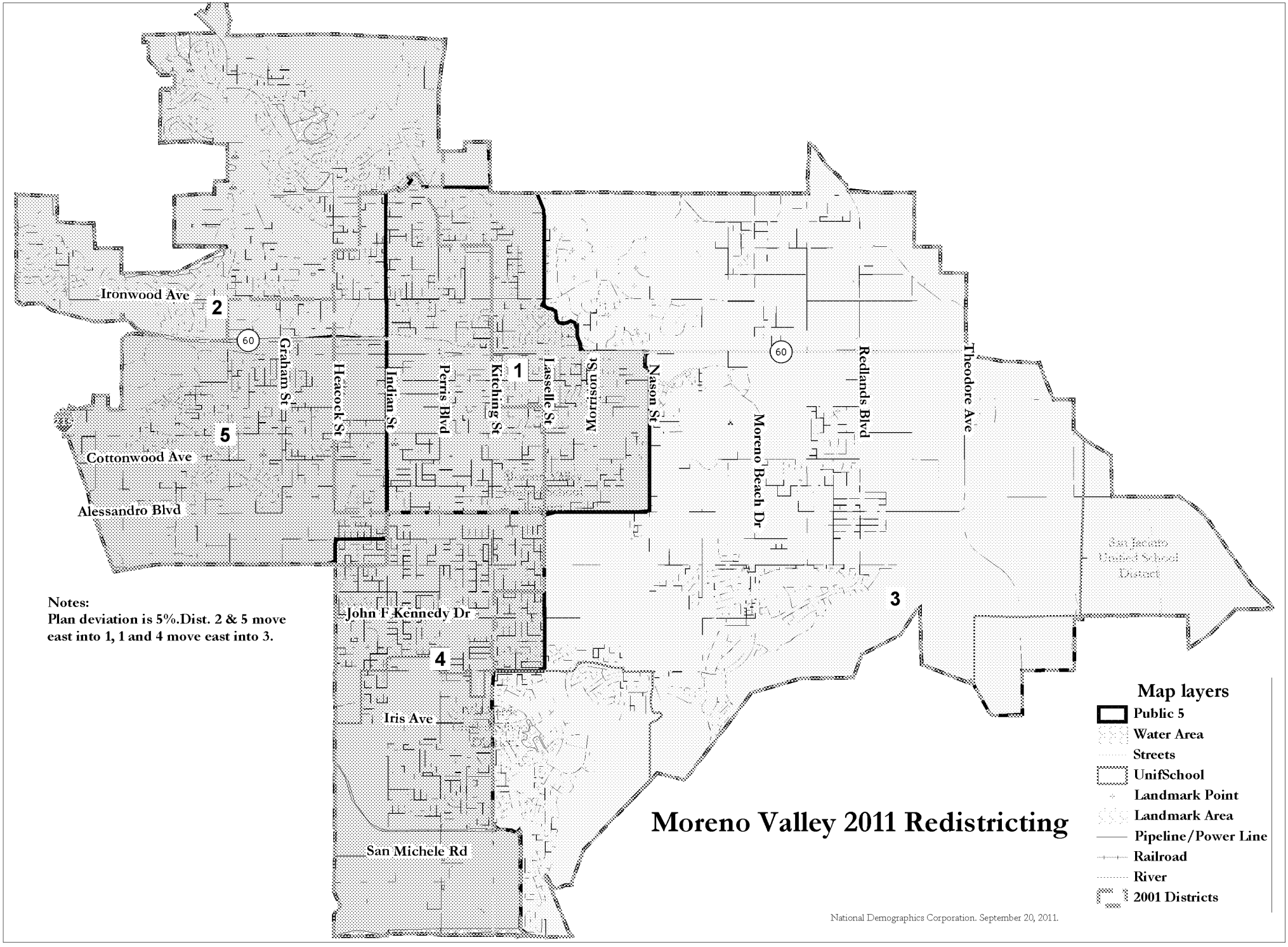
Moreno Valley 2011 Redistricting
Map layers
Public 5
Water Area
Streets
UnifSchool
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
Notes:
Plan deviation is 5%.Dist. 2 & 5 move east into 1, 1 and 4 move east into 3.
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
60
San Jacinto United School District
National Demographics Corporation. September 20, 2011.

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NDC

Public Plan 5
Demographics

Pub. Plan 5	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,368	-305	-0.79%	22,056	6,878	6,089	224	2,430	238	114	339
2	38,178	-495	-1.28%	17,347	10,448	7,200	200	2,373	158	73	379
3	40,050	1,377	3.56%	17,034	9,026	9,097	183	3,934	223	135	418
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,872	4.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,147	13,808	12,339	5,637	4,140	108	1,716	155	65	14,065	5,063	255	189	444	6,709	2,136	99	88	187
2	26,978	11,071	15,907	8,546	4,778	101	1,698	94	38	16,541	4,653	305	245	550	8,374	2,012	123	107	230
3	27,765	10,721	17,044	7,329	5,987	86	2,790	129	83	15,876	4,496	335	323	658	7,969	1,921	148	128	276
4	25,316	14,911	10,405	4,507	3,918	63	1,355	128	46	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	10,165	3,844	4,006	73	1,542	162	44	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	65,860	29,863	22,829	431	9,101	668	276	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 5	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,521	7,384	6,427	4,150	1,008	111	375	68	19,545	7,245	6,574	3,837	1,064	79	399	518	4,175
2	22,818	7,229	9,534	4,304	1,397	206	62	81	22,790	7,072	9,674	4,231	1,203	143	113	673	3,846
3	19,259	5,566	7,139	4,091	2,004	180	42	244	19,840	6,200	7,142	4,139	1,696	157	137	620	3,836
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 5	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.5%	17.9%	15.9%	0.6%	6.3%	0.6%	0.3%	0.9%
2	45.4%	27.4%	18.9%	0.5%	6.2%	0.4%	0.2%	1.0%
3	42.5%	22.5%	22.7%	0.5%	9.8%	0.6%	0.3%	1.0%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.8%	47.2%	21.6%	15.8%	0.4%	6.6%	0.6%	0.2%	36.0%	1.8%	1.3%	3.2%	31.8%	1.5%	1.3%	2.8%
2	41.0%	59.0%	31.7%	17.7%	0.4%	6.3%	0.3%	0.1%	28.1%	1.8%	1.5%	3.3%	24.0%	1.5%	1.3%	2.7%
3	38.6%	61.4%	26.4%	21.6%	0.3%	10.0%	0.5%	0.3%	28.3%	2.1%	2.0%	4.1%	24.1%	1.9%	1.6%	3.5%
4	58.9%	41.1%	17.8%	15.5%	0.2%	5.4%	0.5%	0.2%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	41.2%	15.6%	16.2%	0.3%	6.3%	0.7%	0.2%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	50.3%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 5	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.7%	37.8%	32.9%	21.3%	5.2%	0.6%	1.9%	0.3%	74.8%	37.1%	33.6%	19.6%	5.4%	0.4%	2.0%	2.6%	21.4%
2	84.6%	31.7%	41.8%	18.9%	6.1%	0.9%	0.3%	0.4%	84.5%	31.0%	42.4%	18.6%	5.3%	0.6%	0.5%	3.0%	16.9%
3	69.4%	28.9%	37.1%	21.2%	10.4%	0.9%	0.2%	1.3%	71.5%	31.2%	36.0%	20.9%	8.5%	0.8%	0.7%	3.1%	19.3%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133066

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: September 27, 2011

TITLE: MEDIA AND COMMUNICATIONS STRATEGY

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed Media and Communications Strategy.

BACKGROUND

At the May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image. An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business*. One of the five action steps included in the plan was to improve the City's marketing and communication efforts. The proposed Media and Communication Strategy addresses the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

DISCUSSION

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly

positive reality that we recognize. Understanding that perception oftentimes equals reality, the proposed Media and Communication Strategy (attached) aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure accurate information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley. As indicated in the attached plan, each action has been assigned to the appropriate department for implementation.

ALTERNATIVES

1) Approve the proposed Media and Communications Strategy. *Staff recommends this alternative as the proposed strategy helps address the Council's expressed goals of enhancing the City's image, expanding communication outreach to the public and improving the City's marketing and communication efforts (one of the adopted action steps to make Moreno Valley a Best Place to do Business.)*

2) Not approve the proposed Media and Communications Strategy. *Staff does not recommend this alternative as the proposed strategy is a task related to the Council-adopted goal to enhance the City's image and is part of the Council-adopted action steps to make Moreno Valley a Best Place to do Business.*

FISCAL IMPACT

Implementing the proposed Media and Communications Strategy will have no fiscal impact as all of the strategies and action items can be executed within the adopted budget.

COUNCIL GOALS

Positive Environment: Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and

executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The proposed Media and Communications Strategy assists in addressing the City Council's goal of enhancing the City's image and implements the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business.* The proposed strategy will help enhance the City's efforts in economic development and in making Moreno Valley a great place to live, visit, work and do business.

ATTACHMENT

Proposed Media and Communications Strategy

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Introduction

At their May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image (see Attachment "A"). An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business* (Attachment "B"). One of the five action steps included in the plan was to improve the City's marketing and communication efforts. This Media and Communication Strategy address the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly positive reality that we recognize. Understanding that perception oftentimes equals reality, this Media and Communication Strategy aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure <u>accurate</u> information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley.

Target Audience

Communicating accurate information to better promote Moreno Valley is everybody's job. By providing target audiences with timely and informative news about their community we can help ensure that our many positives outweigh the periodic negative items that occur in every community. It is critical that the City clearly communicates information to the community in a helpful, accessible, consistent, and unintimidating manner to ensure that the citizens, businesses, and visitors to Moreno Valley feel welcome and engaged within in our community.

Primary Target Audience

The primary target audiences for an effective media and communications strategy are the groups of people with whom the City wishes to regularly communicate on a variety of topics and issues:

- Residents of Moreno Valley
- City Council, Commissions, and Committees
- Non-profit organizations
- County, State, and Federal representatives
- Community groups and organizations
- News media
- Development community
- Chambers of Commerce
- Existing businesses, property owners, and managers
- Public agencies
- Employees
- Regional organizations and agencies
- Volunteers
- School Districts
- Visitors to Moreno Valley

Secondary Target Audience

The secondary target audiences are groups with which the City communicates on a semi-regular basis:

- Businesses in neighboring cities and communities
- Other government television stations
- Residents living in neighboring cities and communities
- Future or potential residents

Goals, Strategies and Actions

With the understanding that a Media and Communications Strategy that builds on strong themes is more effective than a program with scattered and unrelated messages, key themes will be communicated frequently in a variety of ways utilizing simple messages. It is important that all communications reinforce and reflect the goals and target issues of the City as established by the City Council, underscoring the idea of an organization with its focus on "people, pride and progress."

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Goal 1: Ensure Accurate Information is Disseminated to the Public

Accuracy is the most basic, and also the most critical, element in communicating effectively. The following goals and strategies will assist in ensuring that accurate and timely information is being provided by the City:

Strategy: Ensure continuity of message.

Action:

- **Review and reinforce City administrative policy #2.5, "Public Information & Media Relations"** (Attachment "C"), which establishes procedures and guidelines for the coordination and dissemination of information to the public on behalf of the City. In order to ensure accuracy and continuity of message, all departments will observe this policy, with particular attention to the following (Assigned to: All Departments):

  All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

Strategy: Ensure that the City's Website contains current information and continue to enhance the site to improve user-friendliness

Actions:

- **Perform an audit of the City's website** to ensure that it is user friendly and data rich, and identify areas where processes can be clarified (Assigned to: City Manager's Office and the Community and Economic Development Department)
- **Review the City's main web page daily** for current content and remove any outdated content immediately (Assigned to: City Manager's Office)
- **Reactivate the City's Media Liaison Team**
  - Update the current Media Liaison list to include one representative from each Department that is responsible to maintain the information on their department web pages (Assigned to: City Manager's Office)
  - Team will participate in regular meetings (Assigned to: All Departments)
  - Team will work together to improve the utilization of social media sources (Assigned to: All Departments)
  - Solicit article ideas for submission to various business journals, government magazines, and other news media to promote City programs and events (Assigned to: All Departments)
  - Review the City's *Brand & Style Guide* with all departments to ensure continued and consistent usage (Assigned to: All Departments)
  - Team will review information posted by the webmaster for accuracy (Assigned to: All Departments)

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Goal 2: Maximize media and communication resources to 1) better promote the City's many positive events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business

Strategy: Develop a retooled marketing plan (Assigned to: Community and Economic Development Department)

Actions:

- **Encourage cooperative marketing opportunities** with targeted area developers to attract tenants through outreach to media outlets and the community
- **Promote the vision that Moreno Valley is a Medical Community** as outlined in the Economic Development Action Plan adopted by City Council in April 2011 through creating media content for the City's website, developing public service announcements, and working with media outlets to distribute storylines detailing this development
- **Brand the City as a Best Place to do Business and as a Job Center**
- **Identify new publications and aggressively pursue publication** of City stories to print media in addition to the Press-Enterprise and working with editors to ensure they are published, including business journals (Assigned to: City Manager's Office and Community and Economic Development Department)
- Work with the Moreno Valley Chamber of Commerce to **videotape the featured speaker at the monthly Wake Up Moreno Valley** meetings for airing on MVTV-3 to promote local programs and businesses (Assigned to: City Manager's Office)
- **Develop a City media packet** with information on City staff and community data (Assigned to: City Manager's Office)
- **Billboard signage campaign** to fill unused billboard space to promote City information for free or at reduced costs. (Assigned to: Community and Economic Development Department)
- Work with the Moreno Valley Police Department to **establish a press release policy** identifying which events and actions warrant media notification. (Assigned to: City Manager's Office)
- MVTV-3 **video productions promoting local restaurants**, similar to current Spotlight on Business productions (Assigned to: City Manager's Office)

Strategy: Develop smartphone applications to improve communication and connectivity (Assigned to: Financial and Administrative Services Department)

Actions:

- **Establish a City committee** to develop the use of Smartphone applications
    - Assign at least one committee member from each department
    - Invite the Chambers of Commerce to participate
    - Survey City staff, community members, and other cities to identify desired smartphone applications specific to Moreno Valley such as:
        - Promoting City events
        - Connecting to City services such as reporting stray animals, graffiti, potholes, etc.
        - Crime tip reporting and online crime maps

        - Places to dine and stay
- **Explore cost sharing opportunities** for the development and maintenance of applications that include:
    - Public Safety related items, seek grants for federal funding opportunities (Assigned to: City Manager's Office, Police and Fire)
    - Chamber of Commerce related items in order to create a "Things to do" and "Place to dine" section for the application (Assigned to: Community and Economic Development Department and City Manager's Office)

Strategy: Create and maintain a Community Calendar

Actions:
- Work with the Chambers of Commerce to **establish a joint community calendar of events** (Assigned to: Community and Economic Development Department and City Manager's Office).
- **Develop an online form** for businesses, non-profit organizations, homeowners associations, schools, etc. to easily submit information on community events that they are sponsoring (Assigned to: City Manager's Office)
- **Promote the Community Calendar events** by distributing the calendar via the City's e-mail database and ensure that the City's Twitter account sends out information in a timely manner regarding these events (Assigned to: City Manager's Office)

Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services

The City will be proactive in communicating with the community rather than reactive. By taking a positive approach in the planning and execution of communicating with the community, the City will build a stronger rapport with our residents, business owners, and stakeholders. While the City currently offers a variety of ways for its citizens to provide input and learn about City services, it is imperative that the City continues to encourage residents and businesses to communicate both positive and negative issues with their Council representative and with City staff. It is also important to demonstrate the value of City services so that our residents understand and support local government.

Strategy: Enhance direct communications by the City Council and City Staff with the community (Assigned to: City Manager's Office)

Actions
- **Establish Council Connection Town Hall meetings** within each City Council District promoting two-way communication with residents (Assigned to: City Manager's Office and City Council Office)
    - Include meet and greet with Department Heads, remarks by the Council Member and City Manager, a presentation focusing on one topic (public safety, economic development, etc.), and a question & answer session.
    - Post all questions and answers from each Town Hall meeting on the City's web site within on week.

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- **Establish City and Business Connection Luncheons** in each Council District as an opportunity for business leaders to communicate with their Council Member (Assigned to: Community and Economic Development Department)
- **Develop and build an e-mail database** to distribute e-mail "blasts" to residents and businesses containing City news and events (Assigned to: City Manager's Office)
- Investigate the **use of podcasting** City Council and Planning Commission meetings (Assigned to: City Manager's Office)
- Convert "City Link" from a quarterly publication distributed as part of "Soaring" to a **monthly e-newsletter** (Assigned to: City Manager's Office)
- **Include performance indicators** in City publications to celebrate accomplishments and educate residents about the benefits of City programs and services.

Strategy: Improve the City's use of social networking

Actions
- **Increase the use of Facebook** by City Departments (Assigned to: City Manager's Office)
- **Increase the number of City followers on Twitter** by providing "how to" training to staff to enhance City Departments' use (Assigned to: All City Departments)
- Increase the community's awareness and viewership of City Programming that is available on **YouTube** (Assigned to: City Manager's Office)

Media and Communications Toolbox

The City uses a variety of interactive communication tools and techniques wherever and whenever possible to involve target audiences in the communications process. This aids in building the idea that this is not just the residents' City or the businesses' City but this is everyone's City. Below is a list of the tools to be used by City staff to communicate effectively with both our primary and secondary target audiences.

- Advertisements
- Booths at major events
- Brochures
- Citizen surveys
- City Council meetings
- *City Link* e-newsletter
- City website
- Comprehensive Annual Fiscal Report
- Fact Sheet
- Facebook
- Internet
- Media packet
- MVTV-3
- New conferences
- Open house events
- Parks and Recreation *Soaring* guide
- Press releases
- Public service announcements
- Publish articles in magazines and business journals
- Radio talk programs
- Town Hall meetings
- State of the City
- Council business luncheons
- Twitter
- Utility Bill Insert
- You Tube

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Assessment

City Staff will periodically review and assess progress made in achieving the goals described in this Media and Communication Plan by measuring its success utilizing a variety of tools, including:

- Content of media coverage
- City Council surveys
- Communication and service awards
- Survey e-mail subscribers from the City's website
- News release totals
- Web visitors and Web analyses

Summary

The intent of this plan is to foster proactive communications with the Moreno Valley community and neighboring communities reflecting the many positive aspects of our City; to connect the public with the government by reaching out and establishing two-way communications through a variety of resources; to promote Moreno Valley as a *Best Place to do Business*; and to better control our message by ensuring that accurate information about Moreno Valley is distributed to the public. Every resident, business owner, and employee within the City "owns" a piece of Moreno Valley and it is the job of each of these stakeholders to promote our community as <u>the</u> place to be. This plan is a dynamic strategy that will serve as a road map to assist in this endeavor.

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Attachment "A"

Prioritized Goal #5: Enhance City Image
Actions
1. Develop Media & Communications Strategy: a. Increase use of Social Networks b. E-mail Blasts c. Expand Communication Outreach/ Networking d. District Town Hall Meetings
2. Corridor Beautification Program

Further defined tasks, responsible department, and schedule:

TASK	DEPARTMENT	SCHEDULE
Develop database of e-mail addresses to distribute immediate information to residents, businesses, and other agencies	**CMgr**	**June 2011**
Transition "City Link" newsletter to an on-line e-newsletter posted on the web site and automatically e-mailed to subscribed residents and businesses	**CMgr**	**July 2011**
Expand options for distributing City information to magazines and news outlets, promote the community and events via alternative publications and through attendance at various meetings	**CMgr**	**September 2011**
Explore and discuss District Town Hall meetings with the Council, establish a schedule for quarterly or semi-annual events	**CMgr**	**June 2011**
Review options for a Citywide Corridor Beautification Program for Council consideration	**PW**	**August 2011**

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"Attachment B"

Recommendations for Action Steps

to Make Moreno Valley a "Best Place to do Business"

Development Services

- Implement the use of "E-permitting" to accelerate the process of doing business in Moreno Valley

- Expand and strengthen business and development ombudsperson program to include new or expanding small businesses.

- Host quarterly workshops with contractors and developers aimed at improving development processes in Moreno Valley.

- Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business.

- Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

Business Attraction

- Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

- Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Business Retention and Expansion

- Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

- Pursue ways to increase local vendor preference, including expanding existing procurement policy.

- Implement a new meeting program with local businesses to discuss business opportunities. The Program would be held once a year in each Council District and include the opportunity to talk to the Councilmember, City Manager, and Community & Economic Development Director. The Program will compliment the existing Business Roundtable.

- Enhance the Business Resource Guide.

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Marketing and Communication

- Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

- Develop a re-tooled marketing plan to incorporate the following:
    - Cooperative marketing opportunities with targeted area developers to attract tenants
    - Identifying the City as a medical community
    - Brand the City as a job center

- Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

- Increase use of social media.

- Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

- Explore use of Smartphone apps for improved communication and connectivity.

- Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

Community Vitality

The best places to do business also reflect characteristics of the best places to live. These places tend to exude a "sense of place" reflected in aspects of quality of life including activity, arts and culture, and beauty in the environment.

- Explore additional community events- things to do.

- Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

- Enhance neighborhood groups by implementing community update meetings.

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"Attachment C"

PUBLIC INFORMATION & MEDIA RELATIONS

PURPOSE: To provide procedures and guidelines for coordinating and disseminating information to the public on behalf of the City of Moreno Valley. The policy will be modified and expanded as necessary.

STATEMENT: The City of Moreno Valley shall provide timely and accurate information to keep the Council, staff and community apprised of pertinent City issues, services and events. The City shall utilize appropriate and effective means to communicate its messages to both general and target audiences. This policy contains guidelines that will achieve the City's communications objectives and facilitate a successful working relationship with the local and regional media.

POLICY GOALS:

- Fully utilize the news and special interest media, MVTV-3, City publications and the City Web site as an effective means of communicating with citizens and target groups (including business sector, community leaders, homeowner groups, City employees).
- Facilitate the timely flow of public information to appropriate media through an effective internal process that maximizes message consistency, factual accuracy and proper positioning.
- Educate the community about how government works and encourage citizen participation in the policy-making process.

POLICY:

I. **General Public Communications:**

A. Letters and opinion surveys designed for mass distribution shall be reviewed by and coordinated with the City Manager's Office for content and format analysis and for placement strategies.

B. All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

II. **Federal Regulations for Newsletters and Mass Mailings:**

A. FPPC Compliance: All newsletters and mass-distributed documents prepared at "taxpayers' expense" that are to be mailed or delivered to 200 or more residences or businesses in a single calendar month must comply with guidelines established by the Fair Political Practices Commission with respect to how elected officials are identified in these materials. (A complete copy of these regulations is printed in the California Code of Regulations, Title 2. Administration, S18901, et seq., and on file in the City Attorney's Office.) Following are the major guidelines and restrictions:

1. A newsletter may include an article which references the name of a City Council member only if the Council has no control or review authority over the content of that newsletter. (This "independence" test is not violated if the Council merely approves a budget item to fund the newsletter, hires the staff to produce it, and dictates the frequency that the newsletter will be distributed.) If City staff determines that the independence test has been met, then they may include references regarding the activities of Council members as long as their names are not "featured."

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a. "Featured" is defined as "...singles out the elected officer by the manner of display of his/her name or office in the layout of the document, such as by headlines, captions, type size, typeface, or type color." Therefore, except for the roster listing of all of the Council members or use of letterhead, the name of an elected officer may not be set apart from the text, such as indicating that the author of the article was an elected official by putting their name in the caption to the article.

b. The name or office of a Council member may not be in the headlines of the article, because the type size and typeface of that heading is different from the type size and typeface of the text of the article.

c. The definition of "featured" also provides that the item distributed may not include the Council member's photograph or his/her signature.

2. The City or a Council member may send out informational notices on City stationery which meet the 200-per-month threshold as long as such notices do not reference the name of that elected official in the heading, text or by use of his/her signature. It may, however, be permissible to include the name of that elected official in the text of that notice printed on the City stationery as long as it was not prepared or sent in cooperation, consultation, coordination or in concert with that elected officer and it does not "feature" his/her name.

3. FPPC regulations allow Council members to send a letter which "features" their name by the manner of its display or by use of their photo or signature if it is a press release or editorial sent to members of the media. Therefore, there is no limitation on the content or format of any document sent only to members of the media. In addition, the number of copies of a mailing which is sent to the media is excluded from the 200-per-month threshold level.

4. The FPPC has opined that the intent of the guidelines governing printed material also applies to video productions prepared at taxpayer expense; a Council member may not be featured in such video production in any way that may be construed as promotion of the Council member. The role of an elected official in a tax-supported video production must be limited to educating and informing the public, to retain FPPC compliance.

III. **Media Response Philosophy**:

A. Timely and Accurate Responses: The City encourages accurate press coverage of programs, events and decisions which could be of interest and impact a significant segment of the community. In this regard, the City and the media have a mutual responsibility to provide accurate, objective information of City affairs to City residents. Inquiries from the news media are to be given a high priority and be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate and messages properly developed.

IV. **Press Releases**:

Press releases are any official written or verbal announcements initiated by City Hall to the media regarding official City business.

A. Responsibility. All media releases relative to major citywide policies and actions shall be prepared and distributed by the City Manager's Office. Other departments that may prepare their own releases include:

1. Parks & Community Services Department, promoting special recreational and cultural activities.

2. Police and Fire departments, providing fast-breaking news updates regarding major police and fire activity.

B. Assistance. Upon request, the City Manager's Office will provide assistance with media releases prepared by those above. Other departments requiring press releases or technical assistance in preparing press releases should provide the CMO with written information pertaining to the topic as well as any special distribution list.

C. Release Preparation & Format. Press releases shall be prepared according to the City's established format. Releases are kept on file in the City Manager's Office. A copy of all media releases distributed by any unit outside of the City Manager's Office should be forwarded to the City Manager's Office, which in turn will maintain a master file of press releases.

V. **Release of Information Pertaining to Significant Issues & Events**:

A. Definition of Issues. It is the responsibility of department directors to notify the City Manager of significant events or issues which occur within their departments which may be of major interest to the general public or media. Such issues include, but are not limited to:

1. An event/issue in an operating department or program that is controversial.

2. Injury or death of a City employee while on or off official duty.

3. Major malfunctions of a City facility which could impact the general welfare of the public or environment.

4. An unexpected work stoppage or inability to provide a critical City service.

5. The arrest or conviction of a City employee which may impact that individual's ability in successfully carrying out his/her professional responsibility.

6. Major police or fire activities. *(Note: This is handled through the City's Emergency Notification Policy.)*

B. Reporting Procedure. Once receiving the information, the City Manager will determine if it is necessary to contact the City Council, other department directors and the City's Public Information Officer. If public release of information is deemed appropriate, the City Manager, in consultation with the department director and the Public Information Officer, will determine the most appropriate mechanism in notifying the press.

C. Back-up Procedure. If the City Manager is unavailable, the department director should contact the Assistant City Manager, then the Public Information Officer directly for dissemination of information. On those occasions when neither of these individuals or an acting City Manager is available, the department director should use his/her own judgment in releasing information to the press on fast-breaking news stories.

VI. **Who Responds to Media Inquiries**:

A. Spokesperson. The City Manager will respond directly or designate a media spokesperson to respond to an issue of major public significance to ensure that the information is disseminated quickly and accurately to all interested media sources. When such a designation is made, the City Manager will notify the appropriate department director(s) and the Public Information Officer to forward all inquiries regarding the particular issue to the appointed spokesperson.

B. Media Contacts to Staff. Non-management employees shall refer media inquiries to their department heads. A department director may delegate an employee to respond to an inquiry because of her/his involvement with an event or issue. In such cases, the staff member should work with the department director and Public Information Officer before the interview to develop appropriate responses to anticipated questions.

C. City Council. Whenever possible, Council members are encouraged to notify the City Manager or Public Information Officer when they are approached by the media. Especially when having to respond to controversial issues, Council members are encouraged to review the issue with the City Manager and Public Information Officer to formulate their response.

D. Public Safety. The Disaster Director (City Manager or Assistant City Manager) will work with the Public Information Officer to develop media responses in the event of major emergencies and disasters. A more detailed description of emergency public information procedures are contained in the City's Standard Operating Procedures (SOP).

E. Police & Fire Issues. Whenever there is a fast-breaking story involving a major police/fire activity, the first media contact is the Police or Fire Chief or his/her designee, followed by the City Manager, public safety liaison and the Public Information Officer,.

Throughout the entire chain of responsibility, it is essential that each individual involved in providing information to the media is kept abreast and briefed on the status of the event as it occurs. The chain of command can be modified to expedite release of crucial information.

VII. **What to Do When Contacted by the Press**:

All media inquiries received by staff should be responded to as quickly as possible, keeping in mind the frequent deadlines that are often imposed upon the working media. Clerical staff should be instructed to give priority to media calls by alerting their respective department head of media inquiries.

A. Determine Nature & Focus of Story. It is important to determine the focus of the story as well as the specific information desired by the reporter. What may seem to be an "innocent" information request, oftentimes can turn out to be a front-page story, distorting the data supplied by the City. That's why it is always important to determine the reporter's focus and slant.

B. Notification Procedure. Any staff member (management or non-management) who responds to a media inquiry, provides an interview, appears on a radio or television program, etc., shall notify his/her immediate supervisor, the department director, the City Manager and the Public Information Officer either by phone or written memo.

Regarding controversial matters, the City Manager and/or Public Information Officer must be consulted before conducting the interview. This gives the spokesperson the opportunity to review anticipated questions and to formulate and properly position appropriate responses.

Departments which have on-going daily contact with the media are not required to follow the notification procedure for every media contact, only those which involve significant issues of concern.

VIII. **Media Etiquette**:

There are some very important "do's" and "don'ts" that should be observed in strengthening the relations between City Hall and the local media.

A. Responding to Council Actions. Staff should not publicly make judgmental comments regarding individual Council members, Council actions, City administration or official City policy when responding to media inquiries. Staff should also refrain from anticipating an action or position which has not been formally taken by the City Council or City. Any inquiry regarding "why" an individual Council member voted in a particular manner on a specific issue should be forwarded to the Council member in question.

B. Scope of Response. Staff members should not respond to media inquiries which are not directly related to carrying out the employee's professional responsibilities. If such a media inquiry is made, the staff members should assist the media in receiving the needed information by referring the source to the appropriate program manager or the Public Information Officer..

C. Inaccurate Information. The media should not be intentionally misled or provided inaccurate information by a staff member regarding any City policy or event. Such tactics can lead to "city bashing," media skepticism and unwanted investigations.

IX. **Public vs. Confidential Issues**:

Most City records and official City meetings are open to the public and media. The media are no more or less privileged than the general public in being provided access to City Council meetings and City records. While City operations need not be disrupted or extraordinary accommodations made to provide access to public records, it should be emphasized that adequate information provided to the media or the public is beneficial both to citizens and the City in carrying out its public information efforts.

A. Attendance at Meetings. The media and public are encouraged to attend and report on actions taken at Council meetings, study sessions, as well as regularly scheduled committee and commission meetings.

B. Closed Sessions. Public and media attendance is not allowed at closed Council sessions dealing with litigation, security, negotiations or personnel-related matters.

C. Public Records. The media and the general public shall be provided access to all records or proceedings which have been deemed to be of a public nature including:

1. Written and taped proceedings of City Council meetings, committee and commission meetings, special ad hoc committee meetings and public hearings.

2. Official City contracts and resolutions.

3. Public Safety summary, including the following information:

   a. crime reports
   b. booking information
   c. traffic collision reports
   d. fire reports (accidents causing death, injury, severe damage)
   e. fire inspection records for public assembly facilities

4. Salary grades of City employees, upon request.

5. FPPC/conflict of interest disclosure statements filed by the Council, commissioners and affected City staff.

6. Interoffice correspondence that is not in draft form and does not address a personnel or confidential legal matter.

D. Closed Records. City records that constitute an unwarranted invasion of individual privacy or involve confidential legal matters of City litigation are usually exempt from public disclosure. Such records include:

1. Personnel or medical records of City employees, including performance evaluations, background checks, disciplinary action, and such similar records.

2. Actual proceedings of closed Council sessions. (The media can be told whether the Council will be discussing a litigation or personnel issue.)

3. Preliminary labor negotiations leading up to labor contracts. Once executed, all employment contracts--both individual and union--become public records.

4. Certain police/fire records, including juvenile records, prior criminal records or information regarding the character or reputation of an accused individual in a criminal action; and certain fire investigation records.

5. Draft correspondence, including preliminary notes not yet finalized.

6. Records pertaining to pending City litigation in which the City is a party.

7. Confidential memos between the City Attorney and City officials/staff.

NOTE: In situations where there is a discrepancy or uncertainty on the part of a City employee regarding release of an official record to the media, the City Attorney should be contacted to make the final determination. Specific categories of records may be exempted by the Public Records Act.

E. Litigation Issues. Staff members shall not respond to media inquiries regarding an issue involving City litigation or render personal or legal opinions on City policies or activities. If an employee is in doubt, the City Attorney should be contacted for clarification before responding to a media inquiry.

X. **Correcting Misinformation**:

The City has an obligation to clarify or correct any information released by the media which contains inaccuracies or quotes taken out of context relating to a City issue.

A. Factual Discrepancies. The Public Information Officer shall contact the media when a story has been published or aired containing factual error which significantly impacts the public's perception of the issue being addressed. Managers are encouraged to notify the Public Information Officer immediately when they believe incorrect information is being communicated by the press regarding a City issue or program.

B. Editorial Discrepancies. Managers should contact the Public Information Officer when there is evidence that a specific editorial comment or news story has been published or aired which does not appropriately represent a balanced perspective of the issue being discussed. The City Manager, in consultation with the Public Information Officer, will determine when an official City rebuttal or response is appropriate.

C. Letters to the Editor. Department directors who believe an official City rebuttal is warranted regarding a news story should discuss the issue with the City Manager's Office. They will determine if a response is appropriate, as well as who should prepare and sign the letter. The City Manager must authorize and review all letters sent to editors on official City letterhead and/or by an employee who is acting in an official capacity commenting on City issues or programs.

D. Responding as Private Citizens. City employees who choose to contact, initiate or respond to City-related news stories as private citizens shall not prepare such responses on City time, by City phones, on City stationery, or mail at City expense. Responses or letters shall not state or imply that the response is on behalf of the City. Use of City facilities or supplies is prohibited. These guidelines also apply to employees responding to or initiating press contacts as official representatives of City-sanctioned employee groups.

XI. **Public Meeting Notification**:

Public notices are any printed official announcement which notifies the community of a scheduled public meeting or hearing. The announcement can take the form of a flyer, legal notice or form letter for mass distribution. A copy of all printed notices should be submitted to the City Manager's Office.

A. Public Meetings. Departments will be responsible for developing and disseminating notices announcing public meetings and hearings. Most affected are the City Clerk's Office, the Community Development Department, the Economic Development Department, the Redevelopment Agency, and the Public Works Department. The City Manager's Office will lend editorial graphics assistance in developing the notices.

B. Agenda Notification. City Council agendas shall be made available to the public prior to Council meetings at the City Clerk's Office, at public facilities designated by the Clerk and the City's Web site. Copies shall be made available to the news media at the City Clerk's Office.

XII. **Advertising**:

A. Display Advertising. The City Manager's Office coordinates development and placement of media advertising to promote City programs, services, events and issues. All requests for advertising must be

submitted to the City Manager's Office, which will coordinate copy development, graphic design and media placement with the requesting department. This policy does not apply to employment and legal advertising, which will be coordinated by the appropriate departments (i.e., Human Resources and City Clerk, respectively).

B. Public Service Announcement. The City Manager's Office is the central coordinator for developing and placing public service announcements with the broadcast media (radio, TV and cable). PSA spots are announced free by the media as a community service. Two-to-three-week lead times are desired by most stations. All requests for PSAs must be submitted to the City Manager's Office, which will coordinate copy development and placement with the requesting department.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

RECOMMENDED ACTION

Staff recommends that the City Council review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

BACKGROUND

The City of Moreno Valley is intent on moving quickly to improve the economic condition, development services, and quality of life within the community through a variety of methods.

Several actions have taken place to set this effort in motion:

1. March 22, 2011 - the City Council reviewed and provided input for an Economic Development Plan- Areas of Opportunity brought forth by the Community & Economic Development Department.

2. April 26, 2011 - the City Council adopted a 2-year Economic Development Action Plan targeting five key areas within the twelve Areas of Opportunity that have the potential for yielding the best and quickest near-term economic development benefits. These areas include TownGate, Centerpointe Business Park, South Moreno Valley Industrial Area, East Moreno Valley-Rancho Belago, and City Center. Included in the adoption of the 2-year Action Plan was the strategic decision of the re-sequencing of several Capital Improvement Program projects aimed at bolstering the economic development within the five focus areas.

Collectively, the objectives for the Economic Development Action Plan are 1) creating jobs and addressing the high unemployment rate; 2) addressing the jobs to housing imbalance; 3) strengthening and broadening the local economic base; and 4) enhancing City revenue generation.

3. June 14, 2011 - the City Council adopted the Prioritized Goals and Action Plan that was developed through the City Council Goal Setting workshop held on May 18, 2011. The adopted goals include: 1) Job Development; 2) Focus on further development of the Medical corridor and Health Services/ Educational Opportunities; 3) Maximize Transportation and Infrastructure Opportunities; 4) Economic and Tax Base Development; and 5) Enhance the City's Image.

4. July 12, 2011 - the City Council approved the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

DISCUSSION

To keep City Council and the general public properly informed, the attached documents provide an update of progress towards achievement of the objectives in the initiatives set forth among the five key Areas of Opportunity in the Economic Development Action Plan, along with implementation of the action steps aimed at making Moreno Valley a Best Place to do Business. Significant planning and substantial progress as been achieved in all five geographic areas contained in the Economic Development Action plan including:

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- East Moreno Valley- Rancho Belago
- City Center

To be as effective as possible, City staff from Economic Development has worked both internally with other departments as well as externally with the private sector and other public agencies to fully capitalize on near-term opportunities. As just one example of interdepartmental synergy, and in tandem with this Economic Development Action Plan Update, the City Manager's Office has developed and is proposing a Media and Communications Strategy containing elements that will serve to support and/ or expand the aspects of the approved action items listed in the Action Steps for Making Moreno Valley a Best Place to do Business. Staff, along with support from the Economic Development Subcommittee also continues to work hard at enhancing the development services process in Moreno Valley. A developer's workshop was held this past Spring and another will occur on October 6. The workshops are aimed at gathering feedback from developers (residential, office, industrial, and office) about ways to improve service delivery.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and polices to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Moreno Valley has a strategic location in the Inland Region and is clearly in the path of growth. City staff have taken several significant steps to enhance its economic base by pursuing ways for new commercial retail, office and industrial development. The five specified areas of opportunity focused within the proposed Economic Development Action Plan were selected because of location and potential for realizing success in the near-term development marketplace. Additionally, the Action Steps identified in the strategy to make Moreno Valley a Best Place to do Business are being implemented to further enhance the business and development environment in Moreno Valley. In a short period of time, Moreno Valley has made positive strides towards achieving the goals set forth in the approved and adopted plans. We will continue to pursue ways to make Moreno Valley a great place to live, visit, work in, and do business.

ATTACHMENTS/EXHIBITS

Attachment A- Economic Development Action Plan Update
Attachment B- Best Place to do Business Progress Update
Attachment C- PowerPoint – Economic Development Action Plan Update

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurs With:
Henry Garcia
City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment A

Economic Development Action Plan Update

The focus of the Economic Development Plan- Areas of Opportunity was to create a well-rounded community with a strong economic foundation. The Areas of Opportunity contain twelve distinct areas. To capitalize on near-term opportunities, the City Council adopted the Economic Development Action Plan which focuses on several key initiatives within five of the Areas of Opportunity to be pursued within a short- term, or 2 year timeframe.

The following reiterates the plan focus and current progress achieved by Areas of Opportunity.

TownGate

Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area, including pursuing new users for vacant big-box retail space in TownGate Center and the Moreno Valley Mall.

Significant progress has been made in TownGate. The collaborative work between City staff and Developers to attract quality retailers and restaurants has been successful.

- The following three restaurant openings have occurred: Five Guys Burgers & Fries, Panera Bread, and Village Café. Additionally, the Miru Teriyaki and Sushi restaurant opened as a relocation and repositioning of the San Sai restaurant. Anna's Linens completed their relocation to TownGate Crossings and is now open with an updated retail concept. Work is underway for other activity including a new TJ Maxx and HomeGoods combo store for TownGate Center to be located in the 51,000 square foot building that was previously occupied by Ralph's grocery store. Promising negotiations continue with several other retailers to occupy the other two vacant anchorspaces.

- To assist the effort to attract users for vacant retail space and create new energy in TownGate Center & Plaza, the Fritz Duda Company will be constructing a new 80 foot freeway sign to replace the existing 35 foot high freeway sign. This will enhance visibility and provide additional space to promote more tenants.

- In TownGate Promenade, the restaurant building that was 65% constructed to originally be Carino's Italian Grill is now poised for construction completion. The project lender, Farmers & Merchants Bank, is working with a proven restaurant group to locate and open a new restaurant concept here.

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- At the Moreno Valley Mall, the new owner - CW Capital is working on plans to upgrade, expand and reposition the 1.25 million square foot regional mall property. Architect firm Altoon + Porter has been retained and has already created conceptual plans for new restaurant and retail store opportunities. While the planning is preliminary, it demonstrates the commitment by CW Capital to the overall improvements of the Moreno Valley Mall and resolve to make it a thriving commercial center. CW Capital has already invested more than $250,000 in signage and interior improvements. Negotiations are underway with several desirable users.

Centerpointe Business Park

Advance the development on several projects in the Centerpointe Business Park area.

- Harbor Freight Tools is nearing completion of improvements for a new 779,016 square foot Distribution Center that is scheduled to open in November 2011 and will employ 350 workers. Additionally, staff has worked with Harbor Freight Tools to open a new Harbor Freight Tools retail store this November in Moreno Valley Plaza.

- Overton Moore Properties recently re-started the plan check process (building and grading) for a new 519,760 square foot industrial building to be situated on 25.9 acres at the northwest corner of Cactus Avenue and Frederick.

- Ridge Property Trust is moving forward in the planning process for a 353,869 square foot distribution building on 16.55 acres at the northwest corner of Cactus Avenue and Joy Street.

South Moreno Valley Industrial Specific Plan Area

Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area.

- Construction is underway for the First Inland Logistics Center, a 691,960 square foot industrial building located on 40 acres in the area between Nandina Avenue and San Michele Road just west of Perris Boulevard. Building permits were issued in late July and the concrete slabs were poured in August. Walls are going up now. Developer – First Industrial Realty Trust has negotiations ongoing with several prospective tenants.

- IDS Real Estate group is moving quickly on the development of the Nandina Distribution Center located at the northwest corner of Nandina

Avenue and Indian Street. The project includes a total of 1.18 million square feet, with Building B- 769,320 square fee under construction, and Building A- 413,598 square feet, is currently in plan check for construction drawings and grading plans.

- Being open 1 year, iHerb is already expanding to occupy the entire 360,440 square foot building located on the west side of Indian Street, north of the Perris Valley Storm Drain. This expansion includes increasing the number of employees by 75.

- Harman Kardon has leased the remaining 125,000 square feet available in their 400,000 square foot building and is now expanding its Distribution Center in Moreno Valley.

- Four industrial-distribution buildings with a total of 3.6 million square feet are in plan check and moving towards beginning construction this year.

Eastern Moreno Valley-Rancho Belago Area

Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in eastern Moreno Valley, in conjunction with the expiration of the Moreno Highlands Specific Plan and supporting Development Agreement.

- Development Services Staff continues to work with Highland Fairview and Skechers USA to open the new 1.82 million square foot Distribution Center at the Highland Fairview Corporate Park. A Temporary Certificate of Occupancy currently is in place and the facility is expected to be fully operational by October 2011.

- Ridge Property Trust has gained approval of West Ridge Commerce Center- a 937,000 square foot warehouse/ industrial building on 55 acres on the south side of SR 60, west of Redlands Boulevard.

- Prologis has re-started the planning and EIR processing of its five-building 2,268,000 square feet industrial business park proposed for the south side of the SR 60 just east of the Moreno Valley Auto Mall.

- Staff is working closely with Highland Fairview on formulating an effective methodology for the further development of the Highland Fairview Corporate Park, including the processing of a new master plan to replace the Moreno Highlands Specific Plan, which expires in September 2012. Highland Fairview has assembled a team of respected consultants that has already met with City staff to kick-off the plan development for this new project.

City Center

Re-sequence and fast-track three Capital Improvement Projects in the City Center area—1) SR60 south ramps and extension of Eucalyptus to connect with Moreno Beach, 2) installation of ultimate improvements on Cactus Avenue, between Lasselle and Nason and 3) the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue, along with pursuing the idea of repositioning part of the Aqua Bella area to expand the City's established medical office overlay zone.

- Construction is on schedule for new ramps at SR 60/ Nason Street. The bid process will occur in spring 2012 for the new SR 60/ Nason Street bridge.

- The improvement project for installation of the new SR 60/ Moreno Beach southerly ramps, along with the extension of Eucalyptus Avenue to connect with Moreno Beach Drive has secured environmental clearance from CalTrans and is in the process of acquiring right of way and utility rights. Concurrently, project design is underway. The project is scheduled to advertise for construction bids in August 2012.

- The installation of the ultimate improvements on Cactus Avenue between Lasselle Street and Nason Street and the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue will be built as one project. Plans, specifications and estimates are underway and anticipated to be complete this fall enabling the opening of construction bids. Completion of construction is anticipated for December 2012.

- The City's medical overlay zone is being pursued by forming a partnership with Highland Fairview on the development of a new major medical, health and wellness campus on approximately 200 acres of the Aqua Bella property. The project, along with expansion plans for Kaiser Permanente's Community Hospital, Riverside County Regional Medical Center and Moreno Valley College's Allied Health Services Program will help transform and position Moreno Valley into a leading health and wellness community.

- Kaiser Permanente is advancing expansion plans for Moreno Valley. The Planning Commission approved a 74,000 square foot new medical building to be constructed on the west side of Moreno Valley Community Hospital- Kaiser Foundation on Iris Avenue. Construction drawings and grading plans are in plan check and Kaiser expects to start development of the project in October.

- The newly erected digital Moreno Valley Auto Mall freeway sign along SR 60 is up and looks great. The Moreno Valley Auto Mall is now expanding

as Moss Bros. Auto Group brings Volkswagen of America Inc. to the Auto Mall in October 2011.

- While struggling with challenges from the short-term construction activity at SR 60/ Nason, the ownership of Stoneridge Towne Centre- Weingarten Realty and Trilogy Investment Group are excited about the completion of the many improvements at SR 60 at Nason and Moreno Beach, along with roadway enhancements on Nason and Cactus that will facilitate easier access to the shopping center.

- Merlone Geier has secured interest from several prospective tenants for the vacant retail space at Moreno Beach Plaza II (SW corner of SR 60 and Moreno Beach Drive). With the coming improvements including the new SR 60/ Moreno Beach ramps and connection of Eucalyptus to Moreno Beach, the finalization of leases are underway.

MV00133096

Attachment B

Best Place to do Business Progress Update

As part of the effort to improve the City's economic development effectiveness, a study of more than thirty communities was conducted to identify key attributes of successful cities. The items listed in the Best Place to do Business Action Steps approved by City Council in July 2011 were derived as a result of the study. After roughly 60 days post-approval of the Best Place to do Business Action Steps, City staff has made the following progress as outlined by Action Step.

Development Services

1. Implement the use of "E-Permitting" to accelerate the process of doing business in Moreno Valley.

Community & Economic Development Department staff and the Technology Services Division of the Financial and Administrative Services Department staff have begun discussions about identifying a scope of work, funding sources and timeframes. Technology Services is currently underway with the conversion of City electronic processes to the New World System and will be largely dedicated to the implementation of that project for the next 18 months. Staff will continue discussions and working towards completion of preliminary analysis to define the specific needs to be met by an "E-permitting" system for Development Services.

2. Host workshops with contractors and developers aimed at improving development processes in Moreno Valley.

The first 2011 Developer Workshop was held March 7. As a follow up and consistent with the effort to enhancing communication with contractors and developers and improving development processes, the second workshop is scheduled for October 6. A regularly quarterly schedule for 2012 will be established via the Economic Development Subcommittee.

3. Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business. A number of small businesses have utilized the project review process to help advance development an/ or expansion plans.

4. Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

MV00133097

Attachment B

This action is addressed in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Business Attraction

1. Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

Further ground work must be accomplished to solidify this area of the action steps to identify and create meaningful groups to provide a comprehensive plan that will address the goals described above.

However, the National Association of Industrial and Office Properties (NAIOP) Inland Empire Chapter offers a Bus Tour of key development projects in and around the Inland Empire. Members of this real estate organization range from developers, brokers and site selectors to financiers and corporate real estate leaders. Community and Economic Development Staff is working to ensure that Moreno Valley projects are highlighted on the November 3, 2011 tour. This will be an opportunity to communicate with the attending members about the opportunities for developers and tenant brokers.

Additionally, Community & Economic Development staff exhibited and attended the September 8-9, 2011 International Council of Shopping Centers (ICSC) Western Division Conference to market the City of Moreno Valley as an opportunity for tenants and developers. The Community & Economic Development Director held twenty-four meetings in two days promoting the City and solidifying deals.

2. Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Staff is gathering information from programs from other cities.

Business Retention and Expansion

1. Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

MV00133098

An expanded program to include direct participation by Moreno Valley businesses is under development and will be included as a report to City Council in the coming months.

2. Pursue ways to increase local vendor preference, including expanding existing procurement policy.

Staff is gathering information and is working toward the development of a vendor's fair.

3. Implement a quarterly meeting with local businesses and vendors to discuss business opportunities with the City.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

Business & City Connecting is the new program targeting businesses by Council District to engage businesses on a micro level. A meeting has been scheduled for each Council District. The first meeting took place September 14 in Council District 2 and will be followed by Council District 4 on November 9; Council District 3 on February 8, 2012; Council District 5 on April 11; and Council District 1 on June 13.

4. Enhance the Business Resource Guide.

The Business Resource Guide was updated and published in Spring 2011. The Guide is available online only to reduce costs for printing. Hyperlinks are used within the document online to make it easy for the user to find the desired resource. In addition to traditional promotion of the Guide (link on website main page; MVTV-3 Bulletin; and word of mouth via chamber partners) staff produced a small postcard sized promotional card as a take-away for the public. Cards are placed at public counters at City Hall and the Conference and Recreation Center and are distributed at Chamber of Commerce meetings and events.

Marketing and Communication

1. Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

Attachment B

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

2. Develop re-tooled marketing plan

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business. Because branding is ultimately an experiential affect on consumers or publics, the specific branding of the City will take place over time. Specific elements of the overall plan will be addressed as funding and staffing opportunities becomes available.

3. Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. The conversion of the printed version of City Link from a printed distribution to a monthly electronic newsletter is complete. However, plans for an economic development focused e-newsletter targeting real estate professionals and the business community are underway by Community and Economic Development staff. Timing for distribution will be carefully coordinated so as not to burden subscribed recipients.

4. Increase use of social media.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. As communications programs increase, the integration of simultaneous communications tools will become more commonplace.

5. Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business.

MV00133100

6. Explore use of Smartphone apps for improved communication and connectivity.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business

7. Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Community Vitality

1. Explore additional community events- things to do.
2. Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

July 26, 2011 City Council formed the July 4th Advisory Committee to make recommendations for improving the July 4th festivities as well as develop partnerships in the community to assist in its funding.

3. Enhance neighborhood groups by implementing community update meetings.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

On August 11 the first "Council Connection" Town Hall meeting was held. Future "Council Connection" meetings are scheduled through November by the City Manager's Office. Also, the Business & City Connecting program was launched September 14. The next meeting is scheduled for November.

ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

September 2011

MORENO VALLEY
WHERE DREAMS SOAR

MV00133102

Accomplishments to Advance Economic Development

- Identification of Economic Development Areas of Opportunity
- Approval of Economic Development Action Plan
- Adoption and State Certification of Updated Housing Element recognizing need to address jobs to housing imbalance
- Approval of Action Steps to make Moreno Valley a "Best Place to do Business"

MV00133103

Accomplishments to Advance Economic Development

- City Council adopted the Prioritized Goals and Action Plan from City Council Goal Setting workshop
- Combining Planning, Building & Safety, and Land Development with Economic Development to create the Community & Economic Development Department
- Pursuing efforts to ensure the continuation of the City's Redevelopment Agency
- Collaborating with major Developers on advancing projects

MV00133104

Objectives for Economic Development

- Create jobs locally and address City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen and broaden the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

Economic Development Action Plan

Focusing on key initiatives to be provided in 2 years

TownGate

Centerpointe Business Park

South Moreno Valley Industrial Area

Eastern Moreno Valley – Rancho Belago

City Center

MV00133106

Action Plan
Areas of Opportunity

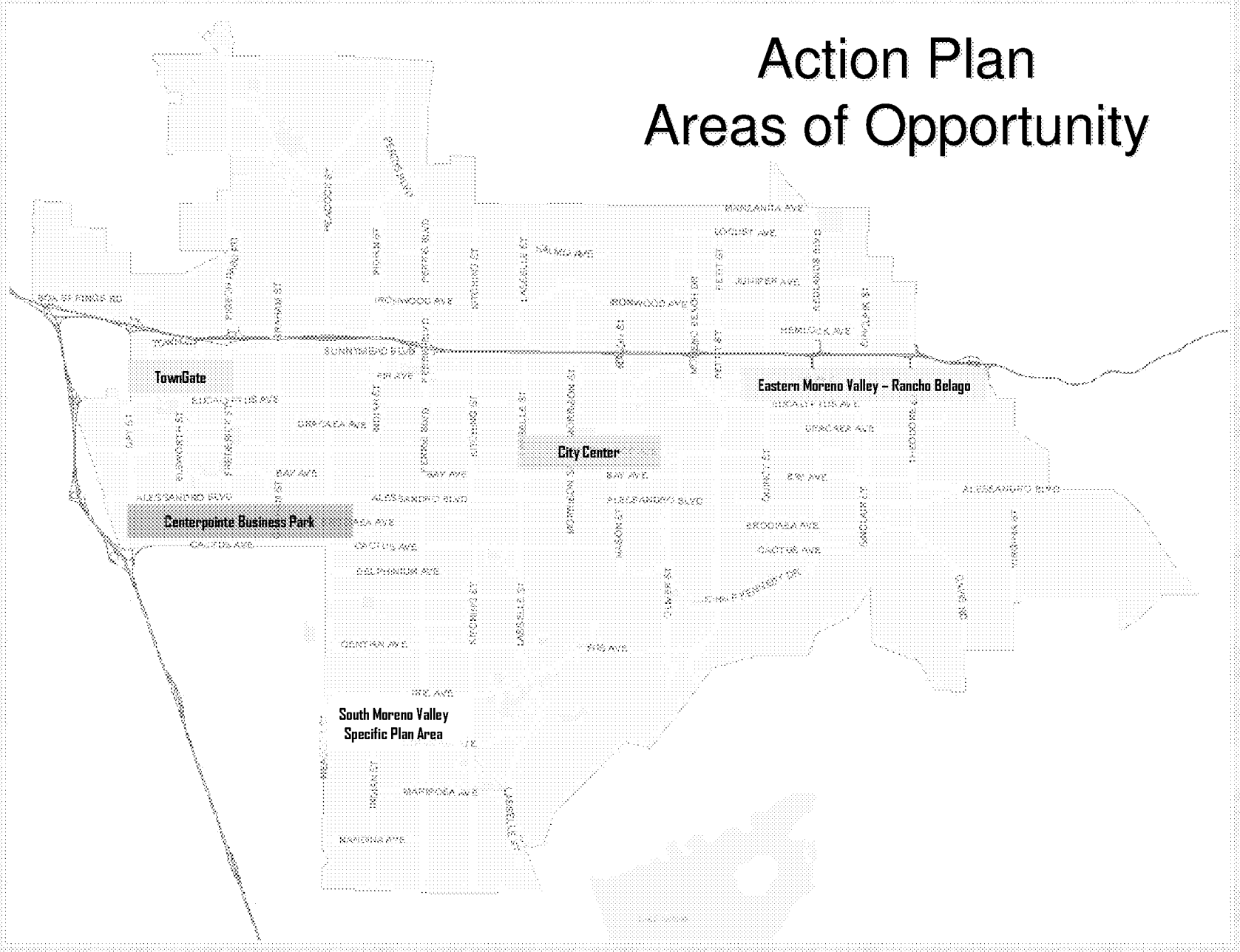

Key Initiatives of Action Plan

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area
- Advance the development of several projects in the Centerpointe Business Park
- Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in Eastern Moreno Valley- Rancho Belago area
- Re-sequence and fast-track three Capital Improvement Projects in the City Center Area

TownGate

- Recent openings for Five Guys Burgers & Fries, Panera Bread, Village Café and Anna's Linens
- TJ Maxx and HomeGoods combo store coming to TownGate Center
- Negotiations underway with three other users for TownGate Center

- Possible new restaurant group coming to former Carino's Italian Grill building in TownGate Promenade
- Approved new 80 foot sign for TownGate Center & Plaza along SR 60 to improve tenant promotion
- CW Capital, new owner of Moreno Valley Mall, retained Architect firm Altoon + Porter and has created exciting conceptual plans for expansion and repositioning
- Negotiations underway with several users for Moreno Valley Mall

Centerpointe Business Park

- Harbor Freight Tools
  - Will open new 779,016 s.f. Distribution Center in November 2011 at NWC of Cactus Avenue and Graham Street
  - 350 new jobs
- Overton Moore Properties
  - Re-started the grading plan check process for a new 519,760 s.f. industrial building at the NWC of Cactus Avenue and Frederick Street
- Ridge Property Trust
  - In Planning for a 353,869 s.f. industrial building at the NWC of Cactus Avenue and Joy Street

MV00133110

South Moreno Valley Industrial Area

- First Inland Logistics Center
  - First Industrial Realty Trust Inc.
  - 691,960 s.f.; Construction underway
- Nandina Distribution Center
  - IDS Real Estate Group
  - 1.18 million s.f. total
  - 769,320 square fee is under construction
  - 413,598 square feet is in plan check for construction drawings and grading plans.
- iHerb expansion
  - Will occupy entire 360,440 s.f.
  - Increase employees by as much as 75
- More Development Coming
  - Four Buildings with a total of 3.6 million s.f. in plan check

MV00133111

Eastern Moreno Valley-
Rancho Belago

- Skechers USA 90% occupied with full operations by October 2011

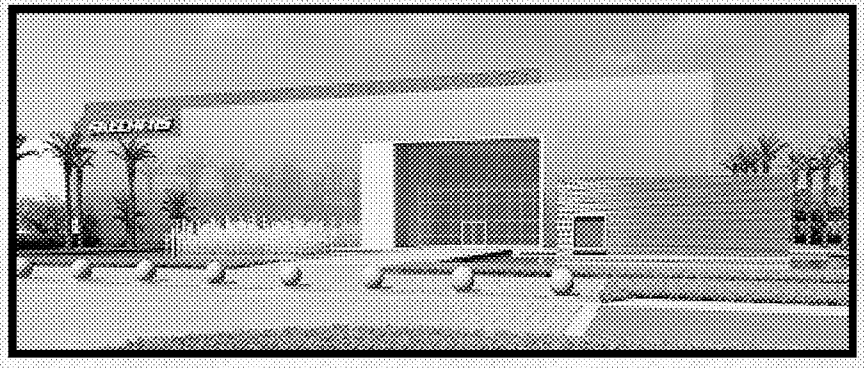

- Working with Highland Fairview on master plan to expand Highland Fairview Corporate Park

- Westridge Commerce Center approved 937,000 s.f. Distribution/logistics building on 55 acres

- Prologis is underway with planning and EIR processing of 2,268,000 s.f. industrial business park

City Center: Re-sequencing of CIP Projects

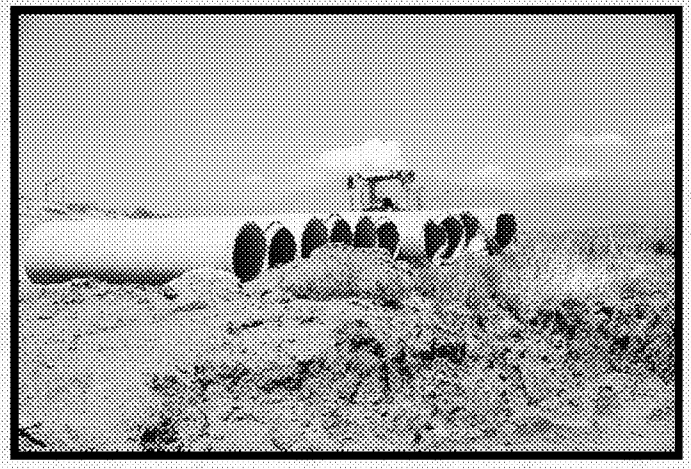

- Construction underway for SR 60/ Nason Improvements
- Installation of new SR 60 southerly ramps at Moreno Beach plus extension of Eucalyptus connecting with Moreno Beach
  - Has environmental clearance
  - In the process of acquiring right of way and utility rights and design is underway
  - Construction bid opening planned for Summer 2012
- Improvements on Cactus Ave. between Lasselle St. and Nason St.
- Extension of Nason St. southerly to connect Cactus Ave. with Iris Ave. will be built as one project
  - Plans, specifications and estimates are underway and anticipated to be complete this fall, ready to open the bid process
  - Construction completion anticipated for late 2012

MV00133113

City Center

- Advance the development of the City's medical overlay zone
  - Announcement of strategic partnership with Highland Fairview on the development of a new major medical, health and wellness campus on 200 acres of the Aqua Bella property
  - New CIP projects will help assist development of medical overlay area

- Kaiser Permanente's expansion plans
  - 74,000 s.f. new medical building
  - Construction drawings and grading plans were submitted in August 2011

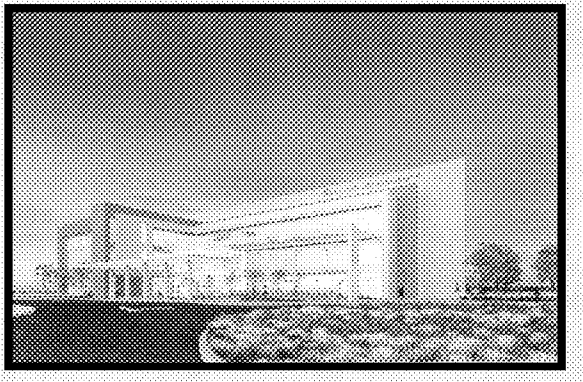

MV00133114

City Center

- Moreno Valley Auto Mall
  - Now expanding to welcome Volkswagen of America Inc.
  - New freeway sign installed

- Interest in re-occupancy of the three closed anchor spaces in Moreno Beach Plaza II
  - Any reuse of these spaces will be contingent on first connecting Eucalyptus to Moreno Beach

“Best Place to do Business” Action Steps

Development Services

Business Attraction

Business Retention and Expansion

Marketing and Communication

Community Vitality

MV00133116

Action Step Progress

- "E-permitting" to accelerate development service processes
  - Scope development
  - Funding identification
  - Timeframe
- Quarterly workshops with contractors and developers to improve development processes and communication
  - Second meeting set for October 6, 2011

MV00133117

Action Step Progress

- Creating synergy with industry groups
  - September 8-9, 2011ICSC Western Division Conference
  - November 3, 2011 NAIOP IE Bus Tour Event
- Shop MoVal campaign
  - Expanded program to include direct participation by local businesses
- Business Resource Guide
  - Online only guide
  - Improved marketing to include postcards at public counters and at business events

MV00133118

Action Step Progress

- Economic Development quarterly e-newsletter
  - Scope, content and graphic design underway
- Explore additional community events
  - July 4th Advisory Committee

MV00133119

Action Step Progress

- Proposed Media and Communications Strategy
  - Further develops several Action Steps
    - Consistent Communication
    - Website Audit
    - Re-tooled Marketing Plan
    - E-newsletter
    - Increase use of Social Media
    - Create Community Calendar
    - Explore use of Smartphone Applications
    - Feedback solicitation via survey
    - Enhance neighborhood groups with community updates
      - Council Connection
    - Quarterly meeting with local businesses and vendors
      - Business & City Connecting

MV00133120

Economic Development Strategy
Next Steps

Much More to Come….

MV00133121

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

RECOMMENDED ACTION

Staff recommends that the City Council introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

BACKGROUND

At the April 19, 2011 Study Session, the Mayor and City Council directed staff to move forward with proposing an ordinance regarding the spaying and neutering of dogs and cats.

California Health and Safety Code 122330 et seq. permits local government to enact ordinances taking appropriate action aimed at reducing and eliminating the uncontrolled and irresponsible breeding of dogs and cats. The irresponsible and uncontrolled breeding of dogs and cats leads to the overpopulation of these companion animals.

During FY 2010-11 the Moreno Valley Animal Shelter's animal population was represented by 60% of impounded dogs, 36% of impounded cats and 3% of other animal species (farm animals and wildlife). During FY 2010-11 the Moreno Valley Animal Shelter experienced an 8.9% increase in the number of animals impounded as compared to FY 2009-10. If this increase in animal impounds remains constant throughout FY 2011-12, the Moreno Valley Animal Shelter will expect to provide care for

approximately 12,000 animals. The Animal Services Division contracts with the City of Perris for animal sheltering. These numbers exclude animals impounded from the City of Perris.

DISCUSSION

The objectives of the proposed Mandatory Spay and Neuter ordinance:

- Reduce the number of homeless and unwanted companion animals by uncontrolled and irresponsible breeding.
- Reduce the number of companion animals being impounded at the Moreno Valley Animal Shelter.
- Reduce the euthanasia of unwanted companion animals.
- Reduce the tax burden of responsible pet owners.
- Require irresponsible pet owner to be held accountable.

The proposed ordinance will require pet owners to spay/neuter their dog or cat if the pet owner violated another local or state animal control regulation. Examples of a violation of a local or state animal control regulation would include an unlicensed dog, a leash law violation, nuisance animal noise or violation of other animal laws. The ordinance will not impact responsible pet owners who have licensed their pets, obey the leash laws and are in full compliance with existing regulations.

Municipal Code Section 10.02.100 currently requires a neuter deposit on all dogs and cats adopted from the Moreno Valley Animal Shelter if the animal is not already spayed or neutered. The majority of dogs and cats adopted from the Animal Shelter are spayed or neutered prior to the new owner taking possession of their new pet. Often dogs and cats too young to undergo a surgical sterilization procedure or pets exhibiting symptoms of illness where the clinic veterinarian deems the animal unfit for surgery are required to pay a spay-neuter deposit in the amount of $75.00. This fee is refunded to the new pet owner upon proof of sterilization. The proposed ordinance maintains the requirement of a spay-neuter deposit along with requiring dogs and cats in the City to be altered unless a specific exemption is applicable.

The proposed ordinance provides for specific exemptions to the mandatory spay and neuter with responsible pet owners. The proposed ordinance includes exemptions to pet owners with animal breeds recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by law enforcement or the military for law enforcement, military or rescue activities; a qualified service or assistance dog as defined in California Food & Agriculture Code Section 30850; and an animal medically qualified by a licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity. All of these exemptions are included in this Ordinance.

ALTERNATIVES

1) Adopt the proposed changes to Moreno Valley Municipal Code Section 10.02.100, and introduce Ordinance No. 833.
2) Direct staff to make changes to the proposed ordinance and return to a City Council meeting or Study Session on a later date with a revised ordinance.

3) Take no action. The existing ordinance will remain in effect.

FISCAL IMPACT

No significant fiscal impact is anticipated.

ATTACHMENTS/EXHIBITS

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ORDINANCE NO. 833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE ADDED:

1.1 Section 10.02.100 of the Moreno Valley Municipal Code is hereby amended to read as follows:

~~Section 10.02.100 Neuter deposits for dogs and cats.~~

"Section 10.02.100 Mandatory Spaying and Neutering – Dogs and Cats

~~A. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

A. Requirement.

1. No person may own, keep, or harbor an unaltered and unsprayed dog or cat in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

~~B. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

B. Exemptions.

This section shall not apply to any of the following:

1. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.

MV00133125

2. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.

3. Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry.

4. A dog used by law enforcement or the military for law enforcement, military or rescue activities.

5. A qualified service or assistance dog as defined in California Food & Agricultural Code Section 30850.

6. Any animal medically qualified by a California licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

~~C. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any shall be deemed unclaimed and nonrefundable.~~

C. Denial or revocation of unaltered dog license and reapplication.

The Animal Services Division may deny or revoke an unaltered an unaltered dog license for one or more of the following reasons:

1. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section.

2. The Animal Services Division has received at least three complaints, verified by the department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;

3. The owner, custodian, applicant, or licensee has been previously cited for violating a State law, local ordinance or other municipal provision relating to the care and control of animals;

4. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Moreno Valley Municipal Code or under state law;

5. Any unaltered dog license held by the applicant has been revoked;

6. The license application is discovered to contain a material misrepresentation or omission of fact.

D. Re-application for unaltered dog license.

1. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Animal Services Division shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.

2. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.

E. Appeal of denial or revocation of altered dog license – Request for Hearing.

1. Notice of intent to deny or revoke. The Animal Services Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

2. Hearing officer. The hearing shall be conducted by the Animal Services Division Manager's designee.

3. Notice and conduct of hearing. The Animal Services Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the department's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Animal Services Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

4. Change in location of dog. If the dog is moved after the Animal Services Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Animal Services Division with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

F. Transfer, sale, and breeding of unaltered dog or cat.

1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license must appear on a document transferring the animal to the new owner.

2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the department of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers, if any, must appear on a document transferring the animal to the new owner.

G. Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

1. An administrative citation, infraction, or other such authorize penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog or cat; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.

2. Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.

H. When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

1. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to animal services personnel;

2. Have the dog or cat spayed or neutered by a veterinarian under contract with the Animal Services Division at the expense of the owner

MV00133128

or custodian. Such expense may include additional fees due to extraordinary care required;

3. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay a spay/neuter deposit to the Animal Services Division. The veterinarian shall complete and return to the department within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

4. At the discretion of the Animal Services Division Manager, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or

5. If the owner or custodian demonstrates compliance with this section.

I. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.

1. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Animal Services Division in accordance with this chapter.

J. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section, subsection (f) shall be paid to the Animal Services Division for the purpose of defraying the cost of the implementation and enforcement of this program.

K. No person shall be permitted to adopt any dog or cat, which has not been neutered, unless and until a spay / neuter deposit shall have been paid to the city. The spay / neuter deposit shall be as established from time to time by resolution of the city council in accordance with California Food and Agriculture Code Section 30503.

L. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.

M. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any, shall be deemed unclaimed and nonrefundable.

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011, and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on August 23, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 829
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011 and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on August 23, 2011, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with

and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

   FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 830
Date Adopted: _____

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

September 27, 2011

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

MV00133145

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
September 27, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Verizon Donation to the Moreno Valley Black Chamber of Commerce Community Foundation Family Adult Literacy Program and Technology (FALPT)

2. American Public Works Association (APWA) 2010 Project of the Year Award – Kitching Street Improvements Project

3. Recognition of Moreno Valley Rockets Field and Track Team

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
SEPTEMBER 27, 2011

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor James Samples - New Life Christian Fellowship

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF SEPTEMBER 6, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 APPROVAL OF CHECK REGISTER FOR JULY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

Resolution No. 2011-97

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of July, 2011

A.5 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT - PROJECT NO. 10-12272227 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc.;

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50

base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

A.6 TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRAN LOU DRIVE BETWEEN PERRIS BOULEVARD AND KITCHING STREET - DEVELOPER: LCTH INVESTMENT LP, NEWPORT BEACH, CA 92660 (Report of: Community and Economic Development)

Recommendation:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor Bond associated with Tract 20185 for public improvements; and

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

A.7 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324;

Resolution No. 2011-98

A Resolution of the City Council of the City of Moreno Valley, California, ordering the Vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3:

Section 8325;

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way); and

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

A.8 SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction;

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB;

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

A.9 ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT (Report of: Public Works Department)

Recommendation:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.; and

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

A.10 FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND COUNTY OF RIVERSIDE (Report of: Police Department)

Recommendation:
Adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

A.11 ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

A.12 APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST. (Report of: Human Resources Department)

Recommendation:

Adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

Resolution No. 2011-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the California Government Voluntary Employee Beneficiary Association (Calgoveba) Trust

A.13 PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011; DEVELOPER: FIRST INDUSTRIAL, L.P. A DELAWARE LIMITED PARTNERSHIP, EL

SEGUNDO, CA. 90245 (Report of: Community and Economic Development Department)

Recommendation:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011; and

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM (Report of: Parks and Community Services Department)

Recommendation:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year; and

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

Recommendation:
Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING (POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT) (Report of: City Clerk's Department)

Recommendation: That the City Council:
Conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

G.2 MEDIA AND COMMUNICATIONS STRATEGY (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the proposed Media and Communications Strategy.

G.3 ECONOMIC DEVELOPMENT ACTION PLAN UPDATE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

G.4 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

Ordinance No. 833

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 10.02.100 of the City of Moreno Valley Municipal Code Relating to the Mandatory Spay and Neuter of Dogs and Cats

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE

JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00133158

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 13, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the 10th Anniversary of 9-11
2. Constitution Week - September 17 - 23, 2011
3. Recognition of Moreno Valley Diamond Girls Softball Association
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 13, 2011

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:43 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Bishop Randy Triplett - Victory Temple of Deliverance Ministries

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Daryl Terrell (A9), Oscar Valdepena (A9), and received late was Chris Baca (A12).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of August 17 - September 6, 2011.

A.4 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (ALSO LISTED AS ITEM B.3) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35)

calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.5 REPLACEMENT OF PLAY STRUCTURES AND PLAYGROUND SURFACING AT RIDGECREST PARK, GATEWAY PARK, AND SUNNYMEAD PARK (Report: Parks and Community Services Department

Recommendation:

1. Award to Miracle Recreation Equipment Company, 878 E Hwy 60, Monett, MO 65708 for material and labor to replace play structures and playground surfacing at Ridgecrest Park, Gateway Park and Sunnymead Park; waive Faithful Performance and Material and Labor bonds; and

2. Authorize the Purchasing Manager to execute a purchase order in an amount not to exceed $242,994.95 as appropriated in FY11/12, in account code 461.65329.7500.

A.6 OFFER OF DEDICATION FOR RIGHT OF WAY FOR APN 475-272-054 - IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication for right of way for APN 475-272-054; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.7 MORRISON PARK FIRE STATION - OFFER OF DEDICATION - PROJECT NO. 11-43472527 LOCATED ON MORRISON STREET NORTH OF COTTONWOOD AVENUE (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Morrison Street north of Cottonwood Avenue; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR

THE LASSELLE/MARGARET TRAFFIC SIGNAL - PROJECT NO. 10-12566630 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Traffic Signal Improvements on Lasselle Street at Margaret Avenue Intersection to J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with J.F.L. Electric, Inc.;

3. Authorize the issuance of a Purchase Order to J.F.L. Electric, Inc. for a total amount of $211,660.00 ($176,382.63 base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with J.F.L. Electric, Inc., up to but not to exceed the Purchase Order's total contingency of $35,277.37, subject to the approval of the City Attorney.

A.9 ADOPT A RESOLUTION APPROVING A ONE-TIME BUSINESS LICENSE TAX AMNESTY PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve Resolution No. 2011-94 creating a one-time Business License Amnesty Program waiving the penalties and interest due on delinquent Business License Taxes and Fees; and

Resolution No. 2011-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a One-time Business License Tax Amnesty Program

2. Direct staff to continue to collect the Business License Tax and Fees for the three most recent delinquent years as provided in the existing ordinance.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE MORRISON PARK FIRE STATION (FIRE STATION 107) -- PROJECT NO. 11-43472527 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for $3,628,688 to Silver Creek Industries, 195 E. Morgan Street, Perris, CA 92571, the lowest responsible bidder, for construction of the Morrison Park Fire Station;

2. Authorize the City Manager to execute the Agreement with Silver Creek Industries;

3. Authorize the issuance of a Purchase Order to Silver Creek Industries for $4,354,426 ($3,628,688 bid plus 20% contingency) for construction of the Morrison Park Fire Station from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Silver Creek Industries up to, but not exceeding, the contingency amount of $725,738, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

A.12 CALIFORNIA OFFICE OF TRAFFIC SAFETY "SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES" GRANT (Report of: Police Department)

Recommendation:
Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Mini-Grant Program for Local Law Enforcement Agencies" in the amount of $72,340.27 for the period beginning November 1, 2011, and ending September 4, 2012.

A.13 APPROVE TEMPORARY LAND USE LICENSE AGREEMENT BETWEEN MORENO VALLEY COLLEGE AND THE CITY OF MORENO VALLEY FOR THE USE OF CITY PROPERTY FOR A CONSTRUCTION STAGING AREA LOCATED AT THE NORTHEAST CORNER OF LASSELLE STREET AND COLLEGE DRIVE (Report of: Community and Economic Development Department)

Recommendation:
1. Approve the Temporary Land Use License Agreement between Moreno Valley College and the City of Moreno Valley for the use of existing City-owned property at the northeast corner of Lasselle Street and College Drive;

2. Authorize the Mayor to execute the Agreement; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 NOTICE OF COMPLETION AND ACCEPTANCE OF SHADOW MOUNTAIN PARK BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (AGENDA ITEM ALSO LISTED AS A.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Accept the work as complete for the Shadow Mountain Park Ballfield Lighting and Restroom Project constructed by Fleming Environmental, Inc., 1372 E. Valencia Drive, Fullerton, CA 92831;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendars days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Fleming Environmental, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET DRAINAGE IMPROVEMENTS FROM 690 FEET SOUTH OF COTTONWOOD AVENUE TO COTTONWOOD AVENUE (PHASE II) - PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.12) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Drainage Improvements from 690 feet south of Cottonwood Avenue to Cottonwood Avenue to STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508, the lowest responsible bidder;

2. Authorize the City Manager/Executive Director to execute the contract with STI Inc. Trucking and Materials;

3. Authorize the issuance of Purchase Orders to STI Inc. Trucking and Materials in the amount of $402,579.96 ($335,483.30 for the bid amount plus 20% contingency) for Day Street Drainage Improvements from 690 Feet South of Cottonwood Avenue to Cottonwood Avenue;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with STI Inc. Trucking and Materials up to, but not exceeding, the contingency amount of $67,096.66, subject to the approval of the City Attorney;

5. Authorize a full road closure of Day Street from Bay Avenue to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements for a maximum period of 25 consecutive working days, per the specifications; and

6. Authorize the Public Works Director/City Engineer to allow for an additional 15 consecutive working days extension to the proposed full road closure window if the project is delayed due to unforeseen construction issues.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Motion to Approve Joint Consent Calendar Items A.1 through D.2. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF AUGUST 23, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

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

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
After conducting the Public Hearing and accepting public testimony:

a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

b. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation a. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church NPDES "Yes", Passed

Buddhadhammo Temple NPDES "Yes", Passed

Motion to Approve Recommendations b, c, and d by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014;

2. Verify and accept the result of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

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

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charges to APNs 296-300-005, 296-300-007, and 488-210-014.

Motion to Approve Recommendation 1. by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:

Oasis Community Church CSD Zone M "Yes", passed

Buddhadhammo Temple CSD Zone M "Yes", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

E.3 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in its capacity as the President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:
   Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tract 31129;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tract 31129.

Motion to Approve Recommendation 1 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

The Secretary announced the results as follows:
Tract No. 31129 Zone D "24 Yes"; "19 No"; "1 Invalid", passed

Motion to Approve Recommendations 2, 3 and 4 by m/Board Member William H. Batey II, s/Vice President Jesse L. Molina
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Mayor Pro Tem Mayor Pro Tem Jesse L. Molina Report on Riverside Transit Agency (RTA)

Mayor Pro Tem Jesse L. Molina reported on RTA holiday events as follows:

November 5, Perris Veteran's Day Parade

November 11, Murrieta Veteran's Day Parade

November 17, Riverside County Safe House - Stuff the Bus

November 25, Riverside Festival of Lights - Switch On Ceremony and Spark the Love Stuff the Bus

December 2, Temecula Electric Light Parade

December 3, Hemet Holiday Parade

Mayor Pro Tem Jesse L. Molina encouraged Moreno Valley to get involved.

G.2 APPOINTMENT TO THE PLANNING COMMISSION (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint one (1) member for a term expiring March 31, 2013; or

2. If the appointment is not made, authorize the City Clerk to re-notice the position as vacant.

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

Motion to Appoint Jeff Giba by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.3 APPROVAL OF A RESOLUTION SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE COUNCIL CHAMBER (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Approve Resolution No. 2011-95 supporting the display of the national motto "In God We Trust" in the Council Chamber, and

Resolution No. 2011-95

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Display of the National Motto "In God We Trust" in the Council Chamber

2. Direct staff to display the motto "In God We Trust" in the Council Chamber.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Tom Jerele Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.4 ADOPT RESOLUTION 2011-96, AUTHORIZING THE STREET NAME CHANGE OF CACTUS AVENUE TO MARCH MEMORIAL DRIVE FROM THE CITY'S WESTERN CITY LIMIT TO HEACOCK STREET (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-96, thereby changing the street name of Cactus Avenue to March Memorial Drive from the City's western city

limit to Heacock Street;

Resolution 2011-96

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Cactus Avenue to March Memorial Drive from the City's Western City Limit to Heacock Street

2. Direct the City Clerk to certify Resolution No. 2011-96 and transmit a copy of the resolution to the Riverside County Assessor's office, 911 Management at the Riverside County Sheriff's Department, as well as the Police Chief, Fire Chief, City Building Official, and the United States Postmaster at Moreno Valley, California;

3. Establish trust fund account number 00359.359.2239.15 for all expenditures and deposits related to the renaming of Cactus Avenue; and

4. Accept a donation from Donald E. Ecker in the amount of $43,569.90 to cover the expenditures associated with renaming Cactus Avenue to March Memorial Drive from the City's western city limit to Heacock Street.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Motion to Approve the name change from Cactus Avenue and accept donation for 43,569.90 from March Life Care by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 4-1, Mayor Pro Tem Jesse L. Molina opposed.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE

ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Continue Items H.2.1 and H.2.2 to September 27, 2011 City Council Meeting by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pete Bleckert

1. Voting on West Ridge Commerce Center Project

Tom Jerele

1. Spoke on fire in Sundance Building, commending Fire Department Personnel

Deanna Reeder

1. Support for Redistricting

Marcia Amino

1. Transperancy in Government

Jose Chavez

1. Check Points

Daryl Terrell

1. Stimulating our Local Economy

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

Council Member William H. Batey II

1. Complimented Tom Jerele for his comments on Fire Department.

Council Member Marcelo Co

1. Thanked participants for coming to Redistricting meeting, although not many turned out, he encouraged more to attend on Thursday.

Council Member Robin N. Hastings

1. Regarding parking at college and losing 300 parking spots. Temporary fix with an agreement worked out to help with parking, which would eliminate students taking up parking in front of mail boxes or residents homes.

2. Support for softball fields and lighting at ball fields.

3. Attended 9/11 Ceremony at March at 9:11 a.m. stating it was phenomenal.

4. Request camera's for October Fest

5. Redistricting

Mayor Pro Tem Jesse L. Molina

1. Redistricting information provided in Spanish on behalf of Chris Baca and himself.

Mayor Richard A. Stewart

1. Redistricting information

2. Developer Lunch with Ridge

3. Police Department - several good burglary arrests and a couple of robberies.

4. Five Guys Burger - Good

CLOSED SESSION - Cancelled

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY:

City Attorney announced reportable action from September 6, 2011 Closed Session:

City Council voted 5-0 to authorize the City Attorney to commence receivership on two properties under Government Code 54957.1, the particulars will be reported out when action commences; and the parties have been served.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:51 p.m. by unanimous informal consent. by m/Mayor Richard A. Stewart, s/Council Member William H. Batey II Approved by a vote of 5-0.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MINUTES
SPECIAL JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY

SPECIAL MEETING – 6:00 P.M.
SEPTEMBER 6, 2011

CALL TO ORDER - The Special Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION - Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
Marcelo Co	Council Member
William H. Batey II	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Rick Teichert	Financial & Administrative Services Director
Robert Hansen	City Attorney
Henry Garcia	City Manager
Michelle Dawson	Assistant City Manager
Chris Vogt	Public Works Director/City Engineer
Barry Foster	Economic Development Director
John Terell	Planning Official

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Mayor Pro Tem Jesse L. Molina pulled his motion (made at the August 23, 2011 meeting), Council Member Marcelo Co pulled his second.

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

Rebuttal by applicant Dennis Rice, President of Ridge Property Trust

Conditions of approval have been amended as follows to further enhance the WestRidge Commerce Center project:

1. Ridge Property Trust will add approximately 50% more glass to the building and match the color of the glass with Skechers glass color, and change the building's paint colors to more closely tie with Skechers.
2. Ridge Property Trust will add solar energy or some other cleaner alternative energy source (such as a micro-turbine) to power the office portion of the facility.
3. Ridge Property Trust will pay DIF fees at the "full rate" of $1.862/building SF. The current rate for DIF fees is discounted 50% from the full rate.
4. The building will be LEED certified. The WestRidge roof structure will be sized to carry the load of solar panels if a future tenant desires to use solar energy to power all or a portion of the building. Ridge Property Trust, will make available solar or other cleaner alternative energy source to power the office portion of the facility.
5. Ridge Property Trust will increase the tree box size to 36" (from the current 24" tree boxes) for the entire freeway frontage landscaping of the WestRidge project. This

will match the tree box size for the trees planted along the freeway in front of Skechers.

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned to Closed Session at 6:39 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JULY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in both the adopted FY 2010-11 and FY 2011-12 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-97
Check Register for Month of July, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JULY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period July 1, 2011 through July 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period July 1, 2011 through July 31, 2011, in the total amount of $11,090,197.25 is approved.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/5/2011	208529	39,425.62		
				REHAB COSTS-24330 MT RUSSELL	16,478.95
				REHAB COSTS-13651 LITTLER CT	22,946.67
	Vendor Total		**39,425.62**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCELA				Remit to: **SAN RAMON**	**CA**
	7/18/2011	883164	79,202.49		
				PP MAINT CLIENT SERVER	4,705.86
				PP MAINT WORKFLOW	3,625.95
				PP MAINT OFFICE LINK	525.39
				PP MAINT ACCELA GIS	10,142.70
				PP MAINT ACCELA WIRELESS	15,333.81
				PP MAINT ACCELA WIRELESS ONLIN	5,623.52
				PP MAINT CONNECT EST. 10891	4,419.76
				PP MAINT PERMITS PLUS	34,825.50
	Vendor Total		**79,202.49**		
FYTD for ACCELA			**79,202.49**		
AECOM TECHNICAL SERVICES INC				Remit to: **ONTARIO**	**CA**
	7/25/2011	208813	34,689.62		
				PERRIS BLVD WIDENING PROJ	34,689.62
	Vendor Total		**34,689.62**		
FYTD for AECOM TECHNICAL SERVICES INC			**34,689.62**		
AFTERSCHOOL STORE.COM				Remit to: **PALMDALE**	**CA**
	7/25/2011	208814	49,254.26		
				AFTERSCHOOL SNACKS-STARS PRGM	37,400.26
				AFTERSCHOOL SNACKS-STARS PRGM	11,854.00
	Vendor Total		**49,254.26**		
FYTD for AFTERSCHOOL STORE.COM			**49,254.26**		
ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	7/11/2011	208633	256,508.61		
				SR-60/NASON ST INTRCHNG PROJ	205,206.89
				SR-60/NASON ST INTRCHNG PROJ	51,301.72
	7/19/2011	110704	28,500.96		
				RETENTN PMT PER ESCRW AGREEMNT	28,500.96
	Vendor Total		**285,009.57**		
FYTD for ALL AMERICAN ASPHALT, INC.			**285,009.57**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEADOR CONSTRUCTION COMPANY, INC			Remit to: **CORONA**	**CA**
7/18/2011	208732	182,970.00		
			BRIDGE REPAIR MAINT PRGM SVCS	182,970.00
	Vendor Total	**182,970.00**		
FYTD for BEADOR CONSTRUCTION COMPANY, INC		**182,970.00**		
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
7/11/2011	883138	29,428.60		
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E3	10,625.00
			LANDSCAPE MAINT-E3A	1,000.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	513.00
			LNDSCP MAINT-SCE/OLD LAKE DR.	1,272.00
	Vendor Total	**29,428.60**		
FYTD for BEMUS LANDSCAPE, INC.		**40,176.27**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES**	**CA**
7/25/2011	883192	35,112.31		
			LEGAL SERVICES-HR	96.31
			LEGAL SERVICES-HR	1,824.00
			LEGAL SERVICES-HR	4,674.00
			LEGAL SERVICES-HR	28,518.00
	Vendor Total	**35,112.31**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**35,112.31**		
COUNTY OF RIVERSIDE AUDITOR			Remit to: **RIVERSIDE**	**CA**
7/18/2011	208745	27,074.71		
			PARKING CONTROL FEES	1,596.00
			PARKING CONTROL FEES	25,478.71
7/25/2011	208831	25,971.42		
			PARKING CONTROL FEES	1,050.00
			PARKING CONTROL FEES	10,132.79
			PARKING CONTROL FEES	14,788.63
	Vendor Total	**53,046.13**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**53,046.13**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
7/25/2011	883195	27,550.67		
			CITATION PRCSSNG SVCS-CODE	13,851.06
			CITATION PRCSSNG SVCS-CODE	13,699.61
	Vendor Total	**27,550.67**		
FYTD for DATA TICKET, INC.		**32,235.28**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DDL TRAFFIC				Remit to: **CHINO HILLS** **CA**	
	7/5/2011	208547	32,274.83		
				GLOBAL OPTICOM PHASE	11,000.00
				GLOBAL OPTICOM PHASE	962.50
				SPEED CONTROL RADAR	18,678.00
				SPEED CONTROL RADAR	1,634.33
	Vendor Total		**32,274.83**		
FYTD for DDL TRAFFIC			**32,274.83**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/18/2011	208751	63,562.53		
			WATER CHARGES	101.54
			WATER CHARGES	202.16
			WATER CHARGES	2,884.80
			WATER CHARGES	36.00
			WATER CHARGES	3,493.45
			WATER CHARGES	104.72
			WATER CHARGES	21,293.70
			WATER CHARGES	2,269.79
			WATER CHARGES	10,030.38
			WATER CHARGES	7,534.75
			WATER CHARGES	2,356.80
			WATER CHARGES	6,330.92
			WATER CHARGES	1,234.13
			WATER CHARGES	1,824.23
			WATER CHARGES	73.45
			WATER CHARGES	905.72
			WATER CHARGES	223.09
			WATER CHARGES	549.02
			WATER CHARGES	405.55
			WATER CHARGES	262.42
			WATER CHARGES	648.50
			WATER CHARGES	797.41
7/26/2011	208880	60,290.62		
			WATER CHARGES	1,431.07
			WATER CHARGES	995.31
			WATER CHARGES	732.41
			WATER CHARGES	828.03
			WATER CHARGES	17,551.05
			WATER CHARGES	3,002.77
			WATER CHARGES	3,404.47
			WATER CHARGES	5,350.41
			WATER CHARGES	11,151.43
			WATER CHARGES	603.95
			WATER CHARGES	302.14
			WATER CHARGES	2,544.37
			WATER CHARGES	3,842.79
			WATER CHARGES	2,358.00
			WATER CHARGES	1,506.22
			WATER CHARGES	522.99
			WATER CHARGES	107.29
			WATER CHARGES	287.95
			WATER CHARGES	649.87
			WATER CHARGES	2,511.70
			WATER CHARGES	606.40
	Vendor Total	**123,853.15**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		

City of Moreno Valley

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For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2890	41,848.13		
				STATE INCOME TAX W/H 7/1/11	41,848.13
	7/15/2011	2900	32,708.26		
				STATE INCOME TAX W/H 7/15/11	32,708.26
	7/29/2011	2908	30,988.67		
				STATE INCOME TAX W/H 7/29/11	30,988.67
	Vendor Total		**105,545.06**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	7/18/2011	883171	143,882.08		
				SVCS FOR ELECTRIC UTILITY	137,928.50
				SVCS FOR ELECTRIC UTILITY	9,435.00
				SVCS FOR ELECTRIC UTILITY	-3,664.42
				SVCS FOR ELECTRIC UTILITY	183.00
	7/25/2011	883196	141,641.54		
				DISTRIBUTION CHRGS	95,521.08
				SPECIAL CHRGS	7,684.96
				BAD DEBT REDUCTION	-2,271.00
				ONLINE UTILITY EXCHANGE	207.30
				SVCS FOR ELECTRIC UTILITY	40,499.20
	Vendor Total		**285,523.62**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
FLEMING ENVIRONMENTAL, INC.				Remit to: **FULLERTON** **CA**	
	7/25/2011	208840	93,132.14		
				SHADOW MTN PARK LIGHTING PROJ	64,456.34
				SHADOW MTN PARK RESTROOM PROJ	28,675.80
	Vendor Total		**93,132.14**		
FYTD for FLEMING ENVIRONMENTAL, INC.			**93,132.14**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208842	28,050.00		
				SIGNS INSTALLATION-TRANSP	6,138.00
				FREESTANDING COMM ID SIGN	10,022.36
				LIGHT POLE MTD COMM ID SIGN	2,285.61
				LIGHT POLE MTD ID BANNERS	4,021.70
				FREESTANDING AMENITY DIR SIGN	2,794.71
				LIGHT POLE MTD AMNTY DIR SIGN	1,024.59
				CA SALES TAX	1,763.03
	Vendor Total		**28,050.00**		
FYTD for FUSION SIGN AND DESIGN, INC			**28,050.00**		

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For Period 7/1/2011 through 7/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
7/21/2011	208810	215,802.45		
			MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
	Vendor Total	**215,802.45**		
FYTD for H & H GENERAL CONTRACTORS		**215,802.45**		
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
7/18/2011	883177	206,300.38		
			DAY ST IMPRVMNTS PROJ SVCS	76,729.40
			DAY ST IMPRVMNTS PROJ SVCS	129,570.98
	Vendor Total	**206,300.38**		
FYTD for HILLCREST CONTRACTING, INC		**206,300.38**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
7/15/2011	2898	33,541.75		
			DEF COMP 457 7/15/11	33,541.75
	Vendor Total	**33,541.75**		
FYTD for ICMA RETIREMENT CORP 457		**42,062.58**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2889	175,259.79		
			FED INCOME TAX W/H 7/1/11	175,259.79
7/15/2011	2899	126,161.58		
			FED INCOME TAX W/H 7/15/11	126,161.58
7/29/2011	2907	121,341.76		
			FED INCOME TAX W/H 7/29/11	121,341.76
	Vendor Total	**422,763.13**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
JTB SUPPLY CO., INC.			Remit to: **ORANGE** **CA**	
7/18/2011	883178	49,274.63		
			MEYERS BATTERY BACKUP	7,550.00
			MP2000 BATTERY BACKUP UNITS	14,950.00
			250W HPS LUMINAIRES W/NO PEC	1,550.00
			DIALIGHT 12" LED RED ARROW	1,200.00
			DIALIGHT 12" LED RED BALL	1,200.00
			DIALIGHT 12" LED GREEN ARROW	900.00
			DIALIGHT 12" LED GREEN BALL	1,480.00
			DIALIGHT ITE CNTDWN MODULES	15,580.00
			NEMA CONFLICT MONITOR 12 CHNL	900.00
			CALIF SALES TAX	3,964.63
	Vendor Total	**49,274.63**		
FYTD for JTB SUPPLY CO., INC.		**64,456.14**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/11/2011	208675	26,820.19		
				REHAB COSTS-15438 CASA GRANDE	26,820.19
	7/25/2011	208850	30,554.31		
				REHAB COSTS-13150 KIOWA DR	30,554.31
	Vendor Total		**57,374.50**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA** **CA**	
	7/11/2011	883148	156,561.99		
				DEMO/INSTLL PARK PLAY EQUIPMNT	133,097.93
				CA SALES TAX	4,235.47
				DEMO/INSTLL PARK PLAY EQUIPMNT	17,681.46
				CA SALES TAX	1,547.13
	Vendor Total		**156,561.99**		
FYTD for MIRACLE PLAYGROUND SALES			**156,561.99**		
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/18/2011	208771	77,145.82		
				ELECTRICITY	134.12
				ELECTRICITY	1,820.60
				ELECTRICITY	261.88
				ELECTRICITY	576.89
				ELECTRICITY	16,750.54
				ELECTRICITY	15,316.06
				ELECTRICITY	4,685.80
				ELECTRICITY	9,926.95
				ELECTRICITY	1,590.67
				ELECTRICITY	3,540.92
				ELECTRICITY	11,772.97
				ELECTRICITY	7,439.89
				ELECTRICITY	204.84
				ELECTRICITY	124.87
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	58.98
				ELECTRICITY	165.10
				ELECTRICITY	119.57
				ELECTRICITY	2,537.21
	Vendor Total		**77,145.82**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/15/2011	2896	89,191.65		
			DEF COMP 457 & 401(A) 7/15/11	89,191.65
7/29/2011	2904	25,173.70		
			DEF COMP 457 & 401(A) 7/29/11	25,173.70
	Vendor Total	**114,365.35**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NEW WORLD SYSTEMS, CORP			Remit to: **TROY** **MI**	
7/5/2011	208587	270,090.00		
			LOGOS 2011 EXEC CUSTOMER CONF.	1,890.00
			FM, HR/PY SOFTWARE LIC EFF DT	158,520.00
			SOFTWARE ESCROW SET-UP FEE	3,000.00
			SOFTWARE ESCROW ANNL ADMIN FEE	1,000.00
			FM, HR/PY SFTWARE LIC DELIVERY	105,680.00
	Vendor Total	**270,090.00**		
FYTD for NEW WORLD SYSTEMS, CORP		**270,090.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
7/11/2011	208684	130,384.06		
			ENERGY SVCS	130,384.06
	Vendor Total	**130,384.06**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**130,384.06**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
7/8/2011	110701	210,279.00		
			EMPLOYEE HEALTH INS 7/8/11	210,279.00
	Vendor Total	**210,279.00**		
FYTD for PERS HEALTH INSURANCE		**210,279.00**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
7/8/2011	2891	198,533.34		
			PERS RETIREMENT 7/1/11	198,533.34
7/22/2011	2901	221,172.56		
			PERS RETIREMENT 7/22/11	221,172.56
	Vendor Total	**419,705.90**		
FYTD for PERS RETIREMENT		**419,705.90**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PSOMAS				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208855	46,977.50		
				SR-60/NASON INTRCHNG PROJ SVCS	9,726.42
				SR-60/NASON INTRCHNG PROJ SVCS	1,260.16
				SR-60/NASON INTRCHNG PROJ SVCS	18,604.14
				SR-60/NASON INTRCHNG PROJ SVCS	2,410.36
				SR-60/NASON INTRCHNG PROJ SVCS	13,258.62
				SR-60/NASON INTRCHNG PROJ SVCS	1,717.80
	Vendor Total		**46,977.50**		
FYTD for PSOMAS			**46,977.50**		
RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	883151	450,141.45		
				IRONWOOD AVE/STORM DRAIN PROJ	182,929.10
				IRONWOOD AVE/STORM DRAIN PROJ	74,607.10
				IRONWOOD AVE/STORM DRAIN PROJ	28,885.50
				IRONWOOD AVE/STORM DRAIN PROJ	20,720.82
				IRONWOOD AVE-DAY TO BARCLAY	142,998.93
	Vendor Total		**450,141.45**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**500,157.17**		
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208878	2,621,009.49		
				CONTRACT LAW ENF BILL #10	44,257.44
				CONTRACT LAW ENF BILL #10	459.43
				CONTRACT LAW ENF BILL #10	1,419,988.41
				CONTRACT LAW ENF BILL #10	57,685.07
				CONTRACT LAW ENF BILL #10	362,907.97
				CONTRACT LAW ENF BILL #10	6,875.44
				CONTRACT LAW ENF BILL #10	87,171.93
				CONTRACT LAW ENF BILL #10	6,269.10
				CONTRACT LAW ENF BILL #10	72,109.18
				CONTRACT LAW ENF BILL #10	1,179.20
				CONTRACT LAW ENF BILL #10	173,447.24
				CONTRACT LAW ENF BILL #10	3,973.20
				CONTRACT LAW ENF BILL #10	303,502.31
				CONTRACT LAW ENF BILL #10	7,851.22
				CONTRACT LAW ENF BILL #10	34,281.80
				CONTRACT LAW ENF BILL #10	281.60
				CONTRACT LAW ENF BILL #10	27,781.89
				CONTRACT LAW ENF BILL #10	1,823.26
				CONTRACT LAW ENF BILL #10	1,069.00
				CONTRACT LAW ENF BILL #10	7,483.20
				CONTRACT LAW ENF BILL #10	611.60
	Vendor Total		**2,621,009.49**		
FYTD for RIVERSIDE COUNTY SHERIFF			**2,631,277.41**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883102	247,552.00		
			ANNUAL RMS/CLETS BILNG FY10/11	247,552.00
	Vendor Total	**247,552.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**247,552.00**		
SAN PEDRO SIGN COMPANY			Remit to: **WILMINGTON** **CA**	
7/18/2011	883183	247,614.87		
			AUTO MALL PYLON SIGN PROJECT	247,614.87
	Vendor Total	**247,614.87**		
FYTD for SAN PEDRO SIGN COMPANY		**247,614.87**		
SOUTHCOAST HEATING & AIR CONDITIONING			Remit to: **VISTA** **CA**	
7/11/2011	208701	87,612.30		
			CITY HALL HVAC SYSTEM REPLCMNT	87,612.30
	Vendor Total	**87,612.30**		
FYTD for SOUTHCOAST HEATING & AIR CONDITIONING		**87,612.30**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON				Remit to: **ROSEMEAD** **CA**	
	7/5/2011	208610	31,082.71		
				WDAT CHARGES-IRIS	2,752.38
				WDAT CHARGES-GRAHAM	4,055.01
				WDAT CHARGES-GLOBE	8,723.61
				WDAT CHARGES-NANDINA	2,647.31
				WDAT CHARGES-FREDERICK	2,457.09
				WDAT CHARGES-SUBSTATION	10,447.31
	7/18/2011	208792	131,907.55		
				ELECTRICITY	460.16
				ELECTRICITY	25.25
				ELECTRICITY	663.53
				ELECTRICITY	1,345.33
				ELECTRICITY	900.46
				ELECTRICITY	94,565.88
				ELECTRICITY	33,162.72
				ELECTRICITY	397.48
				ELECTRICITY	51.95
				ELECTRICITY	22.44
				ELECTRICITY	45.55
				ELECTRICITY	27.20
				ELECTRICITY	26.69
				ELECTRICITY	67.09
				ELECTRICITY	91.20
				ELECTRICITY	54.62
	7/25/2011	208864	39,660.58		
				ELECTRICITY	1,573.29
				ELECTRICITY	204.85
				ELECTRICITY	5,455.35
				ELECTRICITY	1,334.28
				ELECTRICITY	147.70
				ELECTRICITY	3,805.22
				ELECTRICITY	18.93
				ELECTRICITY	4,401.48
				ELECTRICITY	1,019.92
				ELECTRICITY	4,047.97
				ELECTRICITY	1,895.65
				ELECTRICITY	1,691.61
				ELECTRICITY	277.13
				ELECTRICITY	3,644.30
				ELECTRICITY	1,132.38
				ELECTRICITY	1,230.13
				ELECTRICITY	24.19
				ELECTRICITY	40.12
				ELECTRICITY	4,110.06
				ELECTRICITY	1,804.20
				ELECTRICITY	357.03
				ELECTRICITY	427.84
				ELECTRICITY	563.73
				ELECTRICITY	254.30
				ELECTRICITY	162.74
				ELECTRICITY	36.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	202,650.84		
FYTD for SOUTHERN CALIFORNIA EDISON		228,961.11		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
7/19/2011	208809	29,920.17		
			LIFE & DISABILITY INSURANCE	11,719.41
			LIFE & DISABILITY INSURANCE	18,284.60
			LIFE & DISABILITY INSURANCE	-83.84
	Vendor Total	29,920.17		
FYTD for STANDARD INSURANCE CO		31,970.69		
TCM GROUP			Remit to: **FONTANA**	**CA**
7/12/2011	208723	173,200.42		
			SR-60/NASON ST INTRCHNG PROJ	21,572.87
			SR-60/NASON ST INTRCHNG PROJ	42,633.50
			SR-60/NASON ST INTRCHNG PROJ	23,140.52
			SR-60/NASON ST INTRCHNG PROJ	85,853.53
7/25/2011	208879	178,371.96		
			SR-60/NASON INTRCHNG PROJ	103,945.47
			SR-60/NASON INTRCHNG PROJ	74,426.49
	Vendor Total	351,572.38		
FYTD for TCM GROUP		351,572.38		
TRANE			Remit to: **CITY OF INDUSTRY**	**CA**
7/27/2011	208882	143,234.46		
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
			ROOFTOP AC UNIT FOR CITY HALL	65,854.92
			CA SALES TAX	5,762.31
	Vendor Total	143,234.46		
FYTD for TRANE		143,234.46		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
7/19/2011	110707	129,465.57		
			CALCARD PYMT CYCLE END 7/7/11	129,465.57
	Vendor Total	129,465.57		
FYTD for U.S. BANK/CALCARDS		129,465.57		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
7/27/2011	110708	1,233,839.91		
			2007 TAB SERIES A DEBT PYMT	1,233,839.91
	Vendor Total	1,233,839.91		
FYTD for WELLS FARGO CORPORATE TRUST		1,233,839.91		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCRCA				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208877	279,382.95		
				COMMERC./INDUSTR FEES-MSHCP	279,382.95
	Vendor Total		**279,382.95**		
FYTD for WRCRCA			**279,382.95**		
	Subtotal		**9,918,630.92**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

REGENCY THEATRES				Remit to: **MORENO VALLEY**	**CA**
	7/11/2011	208630	460.00		
				TICKETS AND SNACKS	460.00
	Vendor Total		**460.00**		
FYTD for REGENCY THEATRES			**460.00**		
A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	7/25/2011	208811	19,550.44		
				REHAB COSTS-14950 RIO GRANDE	19,550.44
	Vendor Total		**19,550.44**		
FYTD for A N R INDUSTRIES, INC			**58,976.06**		
ACCESS SECURITY CONTROLS INT., INC.				Remit to: **TEMECULA**	**CA**
	7/11/2011	208631	75.00		
				SECURITY MONITORING SVCS-ERC	75.00
	Vendor Total		**75.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**75.00**		
ADAMS, MARK L.				Remit to: **REDLANDS**	**CA**
	7/5/2011	883043	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**318.73**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE**	**CA**
	7/11/2011	883135	283.34		
				TRAINING FOR PD K9	283.34
	Vendor Total		**283.34**		
FYTD for ADLERHORST INTERNATIONAL INC.			**283.34**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCED ELECTRIC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208632	242.00		
				ELECTRICAL REPAIRS-PARKS	120.00
				ELECTRICAL REPAIRS-PARKS	60.00
				ELECTRICAL REPAIRS-GOLF COURSE	62.00
	7/18/2011	208724	2,554.00		
				ELECTRICAL REPAIRS	372.00
				REPLACED LIGHTING POLES	2,182.00
	7/25/2011	208812	3,098.00		
				ELECT REPAIR-PSB	977.00
				ELECT REPAIR-CONF & REC CTR	953.00
				ELECT REPAIR-CONF & REC CTR	519.00
				ELECT REPAIR-CONF & REC CTR	649.00
	Vendor Total		**5,894.00**		
FYTD for ADVANCED ELECTRIC			**5,894.00**		
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	7/11/2011	883136	362.50		
				CONSULTING SERVICES-NPDES	362.50
	Vendor Total		**362.50**		
FYTD for AEI-CASC ENGINEERING			**362.50**		
ALANIS, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208725	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALANIS, MICHELLE			**95.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	7/11/2011	208634	1,450.12		
				TRANSPORTATION SVCS-CHILDS PLC	373.43
				TRANSPORTATION SVCS-CHILDS PLC	717.79
				TRANSPORTATION SVCS-VALLEYCAMP	358.90
	Vendor Total		**1,450.12**		
FYTD for ALLIANCE BUS LINES INC			**1,450.12**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	7/18/2011	208726	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**75.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALPHACORP/SIRE TECHNOLOGIES			Remit to: **WEST VALLEY CITY**	**UT**
7/18/2011	883165	11,994.00		
			SIRE EDMS SOFTWARE ANN MAINT.	1,699.00
			PERMITS+ INTERFACE ANN MAINT.	509.00
			ENTERPRISE RETENTION MANAGER	899.00
			ENTERPRISE WORKFLOW MODULE	720.00
			CITY-WIDE SIRE CLIENT USER LIC	2,519.00
			PDF CONVERSION, OCR AND FULL	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE ANNUAL MAINT.	539.00
			SIRE FORMS ANNUAL MAINT.	899.00
			SIRE AGENDA PLUS ANNUAL MAINT.	6,119.00
			CAPTURE INDEX STATION ANNUAL	944.00
			PURCHASING INCENTIVE DISCOUNT	-4,000.00
	Vendor Total	**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**11,994.00**		
ALVAREZ, JUAN C			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208635	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for ALVAREZ, JUAN C		**52.50**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS**	**CA**
7/11/2011	883137	82.16		
			BLOOD DRAWS	82.16
	Vendor Total	**82.16**		
FYTD for AMERICAN FORENSIC NURSES		**82.16**		
AMERICAN TOWERS			Remit to: **CHARLOTTE**	**NC**
7/11/2011	208636	2,573.48		
			ATC TOWER LEASE	2,573.48
	Vendor Total	**2,573.48**		
FYTD for AMERICAN TOWERS		**2,573.48**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM**	**CA**
7/11/2011	208637	121.92		
			ELEVATOR SVCS-CITY HALL	121.92
7/25/2011	208815	352.38		
			WHEELCHAIR LIFT SVC/REPAIR	230.46
			ELEVATOR SVC/REPAIRS-CITY HALL	121.92
	Vendor Total	**474.30**		
FYTD for AMTECH ELEVATOR SERVICES		**474.30**		

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ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
7/25/2011	883188	640.00		
			EMERGENCY VET SVCS	400.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	55.00
	Vendor Total	**640.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**640.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
7/18/2011	208727	325.00		
			BEE REMOVAL	325.00
7/25/2011	208816	1,790.00		
			PEST CONTROL-GOLF COURSE	180.00
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MFCC/MBF/MVEC	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	160.00
			PEST CONTROL-STARS BLDG	100.00
	Vendor Total	**2,115.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**2,115.00**		
APWA-AMERICAN PUBLIC WORKS ASSOCIATION			Remit to: **KANSAS CITY**	**MO**
7/18/2011	208728	550.00		
			MAINT FOR MICRO PAVER APPLIC.	550.00
7/25/2011	208817	2,380.00		
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
			MEMBERSHIP RENEWAL	170.00
	Vendor Total	**2,930.00**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**2,930.00**		

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ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
7/18/2011	883166	1,346.48		
			OFFSITE STORAGE SVCS-CITY CLRK	1,331.65
			RECORDS DESTRUCTION-ANIMAL SVC	14.83
	Vendor Total	**1,346.48**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**1,346.48**		
ARROWHEAD WATER			Remit to: **COLTON** **CA**	
7/5/2011	208530	340.78		
			WATER PURIF RNTL-CITY HALL	125.01
			WATER PURIF RNTL-CITY YARD	25.00
			WATER PURIF RNTL-TRFFC TRLR	25.00
			WATER PURIF RNTL-LIBRARY	25.00
			WATER PURIF RNTL-FS #2	25.00
			WATER PURIF RNTL-FS #6	25.00
			WATER PURIF RNTL-FS #48	25.00
			WATER PURIF RNTL-FS #58	15.77
			WATER PURIF RNTL-FS #65	25.00
			WATER PURIF RNTL-FS #91	25.00
7/18/2011	208729	200.01		
			WATER PURIF RNTL-ANML SVCS	50.01
			WATER PURIF RNTL-SENIOR CTR	25.00
			WATER PURIF RNTL-SPCL DIST	25.00
			WATER PURIF RNTL-CONF & REC CT	25.00
			WATER PURIF RNTL-TS ANNEX	25.00
			WATER PURIF RNTL-FAC ANNEX	25.00
			WATER PURIF RNTL-STARS	25.00
	Vendor Total	**540.79**		
FYTD for ARROWHEAD WATER		**540.79**		
AT&T MOBILITY			Remit to: **CAROL STREAM** **IL**	
7/5/2011	208531	91.04		
			CELL PH CHARGES-PD MBL CMMND C	91.04
	Vendor Total	**91.04**		
FYTD for AT&T MOBILITY		**91.04**		
AT&T NATIONAL COMPLIANCE CENTER			Remit to: **NORTH PALM BEACH** **FL**	
7/5/2011	208532	300.00		
			CELL PHONE PING FEES FOR PD	300.00
	Vendor Total	**300.00**		
FYTD for AT&T NATIONAL COMPLIANCE CENTER		**300.00**		

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AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	7/5/2011	208533	183.10		
				COMMUNICATION SVCS	183.10
	Vendor Total		**183.10**		
FYTD for AT&T/MCI			**183.10**		
AUTOMATIC STOREFRONT SERVICE, INC.				Remit to: **CHINO** **CA**	
	7/25/2011	208818	175.00		
				DOOR REPAIRS	87.50
				DOOR REPAIRS	87.50
	Vendor Total		**175.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**175.00**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208638	65.28		
				MILEAGE REIMBURSEMENT	65.28
	7/25/2011	208819	371.58		
				TRAVEL EXP.-CRRA CONFERENCE	123.08
				TRAVEL EXP.-CRRA CONFERENCE	248.50
	Vendor Total		**436.86**		
FYTD for AYALA, NANNERL A.			**436.86**		
AYERS, JAMES				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208730	34.00		
				REFUND-VARIOUS A/C FEES	22.00
				REFUND-VARIOUS A/C FEES	12.00
	Vendor Total		**34.00**		
FYTD for AYERS, JAMES			**34.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	7/5/2011	208534	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**318.73**		
BAGLEY, DENISE				Remit to: **HEMET** **CA**	
	7/5/2011	208535	87.00		
				REFUND-PARKS CLASS REGIS FEE	87.00
	Vendor Total		**87.00**		
FYTD for BAGLEY, DENISE			**87.00**		

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BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	7/5/2011	883044	119.73		
				RETIREE MED MAR '11, PD JUL '1	119.73
	Vendor Total		**119.73**		
FYTD for BARNES, DARLENE			**119.73**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	7/25/2011	208820	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARTUCCIO, ERICA			**20.00**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883189	60.00		
				BACKFLOW TESTING-PARKS	6.91
				BACKFLOW TESTING-PARKS	23.09
				BACKFLOW TESTING-PARKS	30.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**60.00**		
BASSET HOUND OF SO CALIF RESCUE				Remit to: **COSTA MESA** **CA**	
	7/25/2011	208821	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BASSET HOUND OF SO CALIF RESCUE			**75.00**		
BATONGMALAQUE, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208731	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATONGMALAQUE, BARBARA			**50.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208536	250.00		
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**250.00**		

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BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	7/5/2011	883045	10,660.49		
				LANDSCAPE MAINT-E4	114.31
				LANDSCAPE MAINT-E4	65.52
				LANDSCAPE MAINT-E4	65.10
				LANDSCAPE MAINT-E4	650.00
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STNS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E3	315.00
				LNDSCP MAINT-PAN AM SECTION	600.00
				LNDSCP MAINT-SCE & OLD LAKE DR	1,785.00
				LNDSCP MAINT-S AQDCT "A"	850.50
				LNDSCP MAINT-S AQDCT "B"	735.00
				LNDSCP MAINT-SENIOR CTR	262.50
				LNDSCP MAINT-N AQDCT	525.00
	7/25/2011	883190	87.18		
				LANDSCAPE MAINT-E4	87.18
	Vendor Total		**10,747.67**		
FYTD for BEMUS LANDSCAPE, INC.			**40,176.27**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	883191	846.50		
				COBRA ADMIN FEE	846.50
	Vendor Total		**846.50**		
FYTD for BENESYST, INC.			**846.50**		
BERMUDEZ, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208733	47.25		
				REFUND-CLASS REGIS FEE	7.75
				REFUND-CLASS REGIS FEE	15.00
				REFUND-CLASS REGIS FEE	19.25
				REFUND-CLASS REGIS FEE	5.25
	Vendor Total		**47.25**		
FYTD for BERMUDEZ, ASHLEY			**47.25**		
BERRY, RICK				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208639	836.00		
				REFUND-RENTAL DEPOSIT -TWNGATE	200.00
				REFUND-RENTAL DEPOSIT -TWNGATE	636.00
	Vendor Total		**836.00**		
FYTD for BERRY, RICK			**836.00**		

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BIO-TOX LABORATORIES			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208734	1,555.89		
			TOXICOLOGY TESTING-PD	1,555.89
	Vendor Total	**1,555.89**		
FYTD for BIO-TOX LABORATORIES		**1,555.89**		
BPC MEDIA WORKS, LLC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208822	1,530.00		
			ADVERTISING SVCS-EDD	1,530.00
	Vendor Total	**1,530.00**		
FYTD for BPC MEDIA WORKS, LLC		**1,530.00**		
BRACAMONTE, FRANCES			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208823	112.00		
			REFUND-CLASS REGIS FEE	112.00
	Vendor Total	**112.00**		
FYTD for BRACAMONTE, FRANCES		**112.00**		
BREAKTHROUGH CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208640	100.00		
			REFUND-RENTAL DEPOSIT -TWNGATE	100.00
	Vendor Total	**100.00**		
FYTD for BREAKTHROUGH CHURCH		**100.00**		
BRIGIE, DEBRA			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208824	17,855.60		
			SOLAR INCENTIVE REBATE	17,855.60
	Vendor Total	**17,855.60**		
FYTD for BRIGIE, DEBRA		**17,855.60**		
BRITTMON, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208641	66.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	10.00
	Vendor Total	**66.00**		
FYTD for BRITTMON, MICHELLE		**66.00**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	7/5/2011	883046	287.65		
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	49.03
				MISC BOOKS-LIBRARY	40.17
				MISC BOOKS-LIBRARY	51.24
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	38.69
	7/18/2011	883167	1,261.16		
				MISC BOOKS-LIBRARY	59.40
				MISC BOOKS-LIBRARY	146.07
				MISC BOOKS-LIBRARY	564.19
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	378.59
	Vendor Total		**1,548.81**		
FYTD for BRODART CO.			**1,548.81**		
BROWN, HOWARD				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208825	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROWN, HOWARD			**50.00**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	7/5/2011	208537	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**318.73**		
BURKE, JOHN R.				Remit to: **REDLANDS** **CA**	
	7/5/2011	208538	1,737.00		
				RETIREE MED JB 9/10-2/11, 5/11	1,737.00
	Vendor Total		**1,737.00**		
FYTD for BURKE, JOHN R.			**1,737.00**		

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BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
7/5/2011	208539	2,820.13		
			MISC BOOKS-LIBRARY	75.40
			MISC BOOKS-LIBRARY	15.50
			MISC BOOKS-LIBRARY	16.59
			MISC BOOKS-LIBRARY	51.65
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	1,059.61
			MISC BOOKS-LIBRARY	1,372.21
			MISC BOOKS-LIBRARY	84.69
			MISC BOOKS-LIBRARY	77.10
			MISC BOOKS-LIBRARY	26.43
			MISC BOOKS-LIBRARY	21.21
7/18/2011	208735	15.50		
			MISC BOOKS-LIBRARY	15.50
	Vendor Total	**2,835.63**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**2,835.63**		
C & H DISTRIBUTORS, INC.			Remit to: **MILWAUKEE** **WI**	
7/18/2011	208736	3,243.41		
			UPHLSTRD STACK CHAIRS W/O ARMS	2,340.80
			SHIPPING & HANDLING CHRG	697.79
			CA SALES TAX	204.82
	Vendor Total	**3,243.41**		
FYTD for C & H DISTRIBUTORS, INC.		**3,243.41**		
CA REGIONAL WATER QUALITY CONTROL BOARD			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208642	712.00		
			SEC 401 CERT FILING FEE	712.00
	Vendor Total	**712.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD		**712.00**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
7/5/2011	883047	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CAIN, GREGORY		**318.73**		
CALIFORNIA BUILDING STANDARDS COMMISSION			Remit to: **SACRAMENTO** **CA**	
7/12/2011	208720	376.20		
			SB 1473 FEES COLLECTD 4/1-6/30	376.20
	Vendor Total	**376.20**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		**376.20**		

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CALIFORNIA DEPARTMENT OF FISH AND GAME			Remit to: **LOS ALAMITOS** **CA**	
7/11/2011	208643	4,482.75		
			STREAMBED ALTER. AGRMNT FEE	4,482.75
	Vendor Total	**4,482.75**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME		**4,482.75**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
7/25/2011	208826	75.00		
			REFUND-PARK RNTL DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**75.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
7/5/2011	883048	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**318.73**		
CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
7/11/2011	208644	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**7,590.68**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883049	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**318.73**		
CARTER, TERRY			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208645	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CARTER, TERRY		**20.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
7/11/2011	208646	286.49		
			CEMENT PURCHASE	286.49
	Vendor Total	**286.49**		
FYTD for CEMEX		**286.49**		

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CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	7/25/2011	883193	8,942.00		
				INVESTMENT MGT SVCS	8,942.00
	Vendor Total		**8,942.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**8,942.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208540	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**318.73**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883050	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**318.73**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883051	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**229.88**		

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CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
7/5/2011	883052	111.68		
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	13.00
			UNIFORM RNTL SVC-GOLF COURSE	5.56
7/11/2011	883139	341.36		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	61.60
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM SVCS-FACILITIES	12.40
7/18/2011	883168	66.90		
			UNIFORM RNTL SVC-GOLF COURSE	2.79
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
7/25/2011	883194	66.90		
			UNIFORM RNTL SVC-PARKS MAINT	52.98
			UNIFORM RNTL SVC-CFD #1 STAFF	11.13
			UNIFORM RNTL SVC-GOLF COURSE	2.79
	Vendor Total	**586.84**		
FYTD for CINTAS CORPORATION		**586.84**		
CITRUS BELT CHAPTER, I.C.C.			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208827	25.00		
			FY11/12 MEMBERSHIP RENEWAL	25.00
	Vendor Total	**25.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**25.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CITY OF DESERT HOT SPRINGS			Remit to: **DESERT HOT SPRINGS CA**	
7/11/2011	208647	80.00		
			7/11/11 LCC GEN MEMB MEETING	40.00
			7/11/11 LCC GEN MEMB MEETING	40.00
	Vendor Total	**80.00**		
FYTD for CITY OF DESERT HOT SPRINGS		**80.00**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY CA**	
7/18/2011	883169	4,475.00		
			EXEMPT VEBA	-37.50
			EXEMPT VEBA	700.00
			EXEMPT VEBA	3,812.50
	Vendor Total	**4,475.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**4,475.00**		
CITY OF TORRANCE			Remit to: **TORRANCE CA**	
7/18/2011	208737	6,870.00		
			SIPPLE ET AL V. CITY-LEGAL SVC	6,870.00
	Vendor Total	**6,870.00**		
FYTD for CITY OF TORRANCE		**6,870.00**		
CLARK, CHRISTINE			Remit to: **MORENO VALLEY CA**	
7/25/2011	208828	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CLARK, CHRISTINE		**75.00**		
COAST TO COAST LASER			Remit to: **MURRIETA CA**	
7/11/2011	208648	1,483.76		
			MVPD SHIELD STICKERS	741.88
			MVPD SHIELD STICKERS	741.88
	Vendor Total	**1,483.76**		
FYTD for COAST TO COAST LASER		**1,483.76**		
COBBS JR., JOE C			Remit to: **MORENO VALLEY CA**	
7/18/2011	208738	11,205.60		
			SOLAR INCENTIVE REBATE	11,205.60
	Vendor Total	**11,205.60**		
FYTD for COBBS JR., JOE C		**11,205.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLLINS, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208829	47.00		
				REFUND-PIANO CLASS CANCELLED	47.00
	Vendor Total		**47.00**		
FYTD for COLLINS, DANIEL			**47.00**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	7/5/2011	208541	6,935.24		
				SUPPLEMENTAL INSURANCE	6,935.24
	Vendor Total		**6,935.24**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**6,935.24**		
COMMUNITY HEALTH CHARITIES				Remit to: **ANAHEIM** **CA**	
	7/5/2011	208542	2.50		
				CHC CONTRIBUTIONS	2.50
	7/5/2011	208543	176.31		
				CHC CONTRIBUTIONS	176.31
	7/18/2011	208739	2.50		
				CHC CONTRIBUTIONS	2.50
	7/18/2011	208740	176.31		
				CHC CONTRIBUTIONS	176.31
	Vendor Total		**357.62**		
FYTD for COMMUNITY HEALTH CHARITIES			**357.62**		
CONCEPCION BARAJAS/JESSICA AVELAR				Remit to: **PERRIS** **CA**	
	7/5/2011	208544	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CONCEPCION BARAJAS/JESSICA AVELAR			**95.00**		
CONTINENTAL WESTERN TRANSPORTATION				Remit to: **SAN DIEGO** **CA**	
	7/11/2011	208649	6,752.25		
				ASPHALTIC MATERIALS PURCHASE	3,534.38
				ASPHALTIC MATERIALS PURCHASE	3,217.87
	Vendor Total		**6,752.25**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION			**6,752.25**		

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CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND** **CA**	
7/18/2011	208741	148.71		
			LEGAL PUBLICATIONS	12.20
			LEGAL PUBLICATIONS	136.51
	Vendor Total	**148.71**		
FYTD for CONTINUING EDUCATION OF THE BAR		**148.71**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208650	52.50		
			SPORTS OFFICIATING SVCS-SOCCER	17.50
			SPORTS OFFICIATING SVCS-SOCCER	35.00
	Vendor Total	**52.50**		
FYTD for CONTRERAS, BIANCA		**52.50**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208651	175.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
			SPORTS OFFICIATING SVCS-SOCCER	70.00
	Vendor Total	**175.00**		
FYTD for CONTRERAS, JOSE		**175.00**		
CORTES, MARIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208742	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for CORTES, MARIA		**200.00**		
COSTCO			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208652	383.89		
			MISC SUPPLIES-CHILDS PLACE	140.59
			MISC SUPPLIES-STARS	243.30
7/18/2011	208743	1,350.19		
			SNACKS-"A CHILDS PLACE" PRGM	1,350.19
	Vendor Total	**1,734.08**		
FYTD for COSTCO		**1,734.08**		
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO** **CA**	
7/25/2011	208830	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
	Vendor Total	**1,250.00**		
FYTD for COUNSELING TEAM, THE		**1,250.00**		

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COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
7/5/2011	208545	64.12		
			REFUND-UUT USER TAXES	64.12
Vendor Total		**64.12**		
FYTD for COUNTRY SQUIRE ESTATES		**64.12**		
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208653	2,163.78		
			JANITORIAL SUPPLIES	1,936.67
			JANITORIAL SUPPLIES	227.11
Vendor Total		**2,163.78**		
FYTD for COUNTY OF RIVERSIDE		**2,163.78**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208744	42.70		
			RECORDATION REQUESTS-LAND DEV	8.30
			RECORDATION REQUESTS-LAND DEV	34.40
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**42.70**		
COVARRUBIAS, MELISSA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208654	75.00		
			REFUND-SN DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for COVARRUBIAS, MELISSA		**75.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
7/5/2011	883053	110.31		
			K-9 DOG FOOD	110.31
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**110.31**		
CUEVAS, GLORIA			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208746	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CUEVAS, GLORIA		**20.00**		
CUFF, STEPHANIE CERVANTES			Remit to: **PERRIS** **CA**	
7/11/2011	208655	19.38		
			MILEAGE REIMBURSEMENT	19.38
Vendor Total		**19.38**		
FYTD for CUFF, STEPHANIE CERVANTES		**19.38**		

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CUMBERLAND, AKOSUA			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208546	145.00		
			PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total	**145.00**		
FYTD for CUMBERLAND, AKOSUA		**145.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
7/25/2011	208832	745.00		
			DISPOSAL SVCS	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**745.00**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883054	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for DALE, KATHLEEN		**318.73**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH** **CA**	
7/11/2011	883140	4,684.61		
			CITATION PRCSSNG-PD	3,876.95
			CITATION PRCSSNG-ANML SVCS	407.36
			CITATION PRCSSNG-BLDG/SFTY	162.82
			CITATION PRCSSNG-ADDL PYMNT	237.48
	Vendor Total	**4,684.61**		
FYTD for DATA TICKET, INC.		**32,235.28**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO** **CA**	
7/25/2011	208833	130.50		
			ONLINE SUBSCRIPTION-PD	130.50
	Vendor Total	**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**130.50**		
DE SANTIS, THOMAS M			Remit to: **TEMECULA** **CA**	
7/5/2011	208548	14,000.00		
			PROF SVCS-CITY EVALUATION	12,000.00
			PROF SVCS-CITY EVALUATION	2,000.00
	Vendor Total	**14,000.00**		
FYTD for DE SANTIS, THOMAS M		**14,000.00**		

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DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	7/11/2011	208656	140.00		
				MONTHLY BOILER SVC-EOC	140.00
	7/18/2011	208747	29.36		
				REPLACED BOILER PARTS-EOC	29.36
	Vendor Total		**169.36**		
FYTD for DEBINAIRE COMPANY			**169.36**		
DEL REY APPRAISAL SRVCS				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208657	500.00		
				APPRAISAL SVCS-EDD	250.00
				APPRAISAL SVCS-EDD	250.00
	Vendor Total		**500.00**		
FYTD for DEL REY APPRAISAL SRVCS			**500.00**		
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208748	10,712.77		
				EMPLOYEE DENTAL INSURANCE	10,712.77
	Vendor Total		**10,712.77**		
FYTD for DELTA DENTAL			**10,712.77**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208549	6,033.46		
				EMPLOYEE DENTAL INSURANCE	6,033.46
	7/18/2011	208749	5,580.33		
				EMPLOYEE DENTAL INSURANCE	5,580.33
	Vendor Total		**11,613.79**		
FYTD for DELTACARE USA			**11,613.79**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	7/11/2011	883141	2,180.00		
				PLAN REVIEW SVCS-FIRE PREV	1,530.00
				PLAN REVIEW SVCS-FIRE PREV	650.00
	7/18/2011	883170	1,710.00		
				PLAN CHECK SVCS-FIRE PREV	1,150.00
				PLAN CHECK SVCS-FIRE PREV	560.00
	Vendor Total		**3,890.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**3,890.00**		

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DEPARTMENT OF CONSERVATION			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208658	578.26		
			SMI FEES 4/1-6/30/11	608.69
			SMI FEES 4/1-6/30/11	-30.43
	Vendor Total	**578.26**		
FYTD for DEPARTMENT OF CONSERVATION		**578.26**		
DESIGN WORKS			Remit to: **SAN JACINTO** **CA**	
7/5/2011	208550	2,235.46		
			YTH SPORTS UNIFORMS	2,235.46
7/11/2011	208659	1,950.35		
			UNIFORMS-YOUTH SPORTS	24.91
			UNIFORMS-YOUTH SPORTS	1,925.44
7/25/2011	208834	150.07		
			YTH SPORTS UNIFORMS-PARKS	150.07
	Vendor Total	**4,335.88**		
FYTD for DESIGN WORKS		**4,335.88**		
DMC DESIGN GROUP, INC			Remit to: **CORONA** **CA**	
7/5/2011	208551	10,031.59		
			DAY ST DRAINAGE IMPRVMNTS PROJ	10,031.59
	Vendor Total	**10,031.59**		
FYTD for DMC DESIGN GROUP, INC		**10,031.59**		
DORY, ALLEEN F.			Remit to: **HEMET** **CA**	
7/5/2011	208552	229.88		
			RETIREE MED JUL '11	229.88
	Vendor Total	**229.88**		
FYTD for DORY, ALLEEN F.		**229.88**		
DURAN, BLANCA			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208553	189.00		
			INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total	**189.00**		
FYTD for DURAN, BLANCA		**189.00**		

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E.R. BLOCK PLUMBING & HEATING, INC.			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208660	2,560.87		
			BACKFLOW TESTING-NPDES	100.00
			BACKFLOW REPLACMNT-ZONE D	597.19
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW REPLACMNT-ZONE D	650.59
			BACKFLOW REPLACMNT-ZONE D	187.50
7/18/2011	208750	1,031.47		
			BACKFLOW REPLACMNT-ZONE D	583.97
			BACKFLOW REPLACMNT-ZONE D	187.50
			BACKFLOW TESTING-ZONE D	240.00
			BACKFLOW TESTING-ZONE E-14	20.00
	Vendor Total	**3,592.34**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**3,592.34**		
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
7/11/2011	208661	4,500.00		
			PLAN CK DEPOSIT W/EASEMENT	4,500.00
7/12/2011	208721	15,137.12		
			WATER CHARGES	322.43
			WATER CHARGES	10,105.12
			WATER CHARGES	423.54
			WATER CHARGES	2,616.82
			WATER CHARGES	1,184.99
			WATER CHARGES	22.28
			WATER CHARGES	193.03
			WATER CHARGES	268.91
	Vendor Total	**19,637.12**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**143,490.27**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883055	35.18		
			REFUND-UUT USER TAXES	35.18
	Vendor Total	**35.18**		
FYTD for EDGELANE MOBILE PARK		**35.18**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
7/5/2011	208554	325.66		
			RETIREE MED JUL '11	325.66
	Vendor Total	**325.66**		
FYTD for EGGERSTEN, ANNE		**325.66**		

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ELIZARRARAZ, EDDIE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208752	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ELIZARRARAZ, EDDIE			**20.00**		
ELLIOTT, NISHA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208835	134.40		
				INSTRUCTOR SVCS-KICKBOXING	4.40
				INSTRUCTOR SVCS-KICKBOXING	103.60
				INSTRUCTOR SVCS-KICKBOXING	26.40
	Vendor Total		**134.40**		
FYTD for ELLIOTT, NISHA			**134.40**		
EMPIRE MOWER				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208662	1,105.85		
				EQUIP REPAIRS-PARK MAINT	685.03
				EQUIP REPAIRS-PARK MAINT	420.82
	Vendor Total		**1,105.85**		
FYTD for EMPIRE MOWER			**1,105.85**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	7/1/2011	2893	500.00		
				STATE INCOME TAX W/H 7/1/11	500.00
	Vendor Total		**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**106,045.06**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	7/5/2011	883056	23,272.59		
				CABINET LEASE-IRIS	17.89
				CABINET LEASE-IRIS	1,232.11
				WORK AUTH-HIGHLAND FAIRVIEW	11,590.55
				12KV NEW REDLAND CKT WORK AUTH	10,432.04
	Vendor Total		**23,272.59**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**308,796.21**		
ESCOBAR, CARMEN				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208836	31.20		
				REFUND-DANCE CLASS	31.20
	Vendor Total		**31.20**		
FYTD for ESCOBAR, CARMEN			**31.20**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883057	30.45		
			ENGRAVING SVCS-FACILITIES	28.00
			ENGRAVING SVCS-FACILITIES	2.45
7/18/2011	883172	30.45		
			ENGRAVING SVCS-PARKS	30.45
	Vendor Total	**60.90**		
FYTD for EVANS ENGRAVING & AWARDS		**60.90**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
7/18/2011	208753	129.29		
			IRRIGATION SUPPLIES-FIRE STATN	129.29
7/25/2011	208837	2,812.03		
			IRRIGATION SUPPLIES-PARKS	130.23
			IRRIGATION SUPPLIES-PARKS	305.72
			IRRIGATION SUPPLIES-PARKS	2,161.55
			IRRIGATION SUPPLIES-CFD#1	122.36
			IRRIGATION SUPPLIES-PARKS	92.17
	Vendor Total	**2,941.32**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**2,941.32**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
7/25/2011	208838	7,987.21		
			LANDSCAPE MAINT-E8	22.22
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-WQB	1,059.42
			LANDSCAPE MAINT-WQB	3,444.50
	Vendor Total	**7,987.21**		
FYTD for EXCEL LANDSCAPE, INC		**7,987.21**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
7/5/2011	883058	361.25		
			RETIREE MED JUL '11	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**361.25**		

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FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
7/5/2011	208555	586.00		
			ONLINE PROP INFO SVCS-CDD	331.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-EDD	170.00
7/25/2011	208839	526.00		
			ONLINE PROP INFO SVCS-CDD	271.00
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-NSP	170.00
	Vendor Total	**1,112.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**1,112.00**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
7/5/2011	883059	134.06		
			COFFEE SVCS-EMP PAID	1.40
			COFFEE SVCS-EMP PAID	132.66
7/11/2011	883142	550.48		
			COFFEE SVCS-EMP PAID	171.03
			COFFEE SVCS-EMP PAID	20.00
			COFFEE SVCS-EMP PAID	225.43
			COFFEE SVCS-EMP PAID	85.64
			COFFEE SVCS-EMP PAID	48.38
7/18/2011	883173	62.01		
			COFFEE SUPPLIES-CITY YARD	62.01
	Vendor Total	**746.55**		
FYTD for FIRST CHOICE SERVICES		**746.55**		
FLORES, ARCHIE			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208754	29.60		
			REFUND-PICNIC SHELTER RENTAL	29.60
	Vendor Total	**29.60**		
FYTD for FLORES, ARCHIE		**29.60**		
FOOTHILL CHAPTER - I.C.C.			Remit to: **FONTANA** **CA**	
7/25/2011	208841	50.00		
			MEMBERSHIP DUES	50.00
	Vendor Total	**50.00**		
FYTD for FOOTHILL CHAPTER - I.C.C.		**50.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883060	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**318.73**		

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FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	7/5/2011	208556	165.58		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	25.58
	7/18/2011	208755	255.00		
				GARNISHMENT	25.00
				GARNISHMENT	230.00
	Vendor Total		**420.58**		
FYTD for FRANCHISE TAX BOARD			**420.58**		
FRANCO, JUAN				Remit to: **PERRIS** **CA**	
	7/18/2011	208756	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FRANCO, JUAN			**75.00**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	7/11/2011	208663	193.29		
				MILEAGE REIMBURSEMENT	193.29
	Vendor Total		**193.29**		
FYTD for FRANKLIN, L. C.			**193.29**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208557	2,249.76		
				TRAFFIC PAINT	2,249.76
	Vendor Total		**2,249.76**		
FYTD for FRAZEE INDUSTRIES, INC			**2,249.76**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208757	140.00		
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	40.00
				SPORTS OFFICIATING SVCS-SFTBLL	56.00
				SPORTS OFFICIATING SVCS-SFTBLL	4.00
	Vendor Total		**140.00**		
FYTD for FRESQUEZ, JOHN			**140.00**		
FUEL AND FLAME MINISTRY				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208664	480.00		
				REFUND-UNUSED PORTION OF DEP.	480.00
	Vendor Total		**480.00**		
FYTD for FUEL AND FLAME MINISTRY			**480.00**		

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FUEL PROS, INC				Remit to: **CHINO** **CA**	
	7/18/2011	208758	1,650.00		
				FUEL DISPENSER PUMP RPLCMNT	1,502.00
				FUEL DISPENSER PUMP RPLCMNT	148.00
	Vendor Total		**1,650.00**		
FYTD for FUEL PROS, INC			**1,650.00**		
GAGATCH, HEATHER				Remit to:	
	7/5/2011	208558	145.00		
				PER DIEM-INTL CRIME FREE CONF.	145.00
	Vendor Total		**145.00**		
FYTD for GAGATCH, HEATHER			**145.00**		
GAINES SR., GLENN E.				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208665	110.00		
				REFUND-CITATION FEE	110.00
	Vendor Total		**110.00**		
FYTD for GAINES SR., GLENN E.			**110.00**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208666	571.24		
				UNIFORMS-TRFFC UNIT	571.24
	7/18/2011	208759	26.10		
				UNIFORMS-TRFFC UNIT	26.10
	Vendor Total		**597.34**		
FYTD for GALLS INC., INLAND UNIFORM			**597.34**		
GAMA, LINA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208667	41.64		
				CRIME-FREE MULTI HOUSING SEMNR	41.64
	Vendor Total		**41.64**		
FYTD for GAMA, LINA			**41.64**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883061	174.30		
				RETIREE MED JUL '11	174.30
	Vendor Total		**174.30**		
FYTD for GASTON, RICHARD			**174.30**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
7/11/2011	883143	429.52		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
7/18/2011	883174	1,411.28		
			SECURITY SVCS-CRC 6/4/11 EVNT	76.70
			SECURITY SVCS-TCC RENTALS	360.49
			SECURITY SVCS-TCC RENTALS	145.73
			SECURITY SVCS-SENIOR CTR	291.46
			SECURITY SVCS-CRC	230.10
			SECURITY SVCS-CRC	226.26
			SECURITY SVCS-CRC	80.54
7/25/2011	883197	2,193.62		
			SECURITY SVCS-CITY HALL	230.10
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	490.88
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
Vendor Total		**4,034.42**		
FYTD for GENERAL SECURITY SERVICES, INC.		**4,034.42**		
GES EXPOSITION SERVICES			Remit to: **LAS VEGAS**	**NV**
7/25/2011	208843	2,433.11		
			TRADESHOW SVCS-VARIOUS	2,433.11
Vendor Total		**2,433.11**		
FYTD for GES EXPOSITION SERVICES		**2,433.11**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
7/5/2011	883062	7,252.50		
			LEGAL SVCS	3,941.75
			LEGAL SVCS	1,323.25
			LEGAL SVCS	1,987.50
Vendor Total		**7,252.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**7,252.50**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	883063	318.73		
			RETIREE MED JUN '11, PD JUL '1	318.73
Vendor Total		**318.73**		
FYTD for GONZALES, DOMILENA R.		**318.73**		

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GORM INC.				Remit to: **ONTARIO** **CA**	
	7/25/2011	208844	3,440.86		
				JANITORIAL SUPPLIES-CITY PARKS	1,720.43
				JANITORIAL SUPPLIES-CFD #1	1,720.43
		Vendor Total	**3,440.86**		
FYTD for GORM INC.			**3,440.86**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	883144	486.00		
				INSTRUCTOR SVCS-KUNG FU	270.00
				INSTRUCTOR SVCS-KUNG FU	216.00
		Vendor Total	**486.00**		
FYTD for GOZDECKI, DAN			**486.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	7/18/2011	208760	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
		Vendor Total	**1,000.00**		
FYTD for GRANICUS, INC.			**1,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	7/5/2011	883064	318.73		
				RETIREE MED JUL '11	318.73
		Vendor Total	**318.73**		
FYTD for GRIFFIN, MARLENE C			**318.73**		
GROUND CONTROL SYSTEMS, INC.				Remit to: **SAN LUIS OBISPO** **CA**	
	7/25/2011	883198	1,908.00		
				MOBILE SAT INTERNET SVC-PD	1,908.00
		Vendor Total	**1,908.00**		
FYTD for GROUND CONTROL SYSTEMS, INC.			**1,908.00**		
GUERRERO, CLAUDIO				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208668	20.00		
				REFUND-RABIES DEPOSIT	20.00
		Vendor Total	**20.00**		
FYTD for GUERRERO, CLAUDIO			**20.00**		
GUIDERO, DAVID				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208559	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for GUIDERO, DAVID			**75.00**		

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GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	7/5/2011	883065	551.34		
				RETIREE MED JUN-JUL '11, PD JU	551.34
	Vendor Total		**551.34**		
FYTD for GUILLAN, REBECCA S.			**551.34**		
GUTIERREZ, JOSHUA				Remit to: **BUENA PARK** **CA**	
	7/25/2011	208845	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for GUTIERREZ, JOSHUA			**20.00**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	7/5/2011	883066	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**318.73**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883175	4,049.00		
				CART RETRIEVAL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**4,049.00**		
H & H GENERAL CONTRACTORS				Remit to: **HIGHLAND** **CA**	
	7/18/2011	883176	0.00		
				MV UTIL. PROJ CONSTRUCT. SVCS	215,802.45
				VOIDED CHECK #883176 - 7/21/11	-215,802.45
	Vendor Total		**0.00**		
FYTD for H & H GENERAL CONTRACTORS			**215,802.45**		
H.O.C.I.E - HOUSING OPPORTUNITIES				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208560	1,440.00		
				FORECLOSURE COUNSELING SVCS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for H.O.C.I.E - HOUSING OPPORTUNITIES			**1,440.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883067	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**318.73**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883068	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**318.73**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	7/5/2011	208561	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**318.73**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	7/5/2011	208562	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**318.73**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208563	168.00		
				INSTRUCTOR SVCS-BODY SCULPTING	108.00
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
	Vendor Total		**168.00**		
FYTD for HASS, MINA			**168.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883069	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**318.73**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	7/5/2011	883070	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**318.73**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208564	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**318.73**		

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HERTZ EQUIPMENT RENTAL INC				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208565	688.29		
				CRANE TRUCK RENTAL	688.29
	Vendor Total		**688.29**		
FYTD for HERTZ EQUIPMENT RENTAL INC			**688.29**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208761	108.00		
				INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total		**108.00**		
FYTD for HIGGS, DEBRA			**108.00**		
HODGE PRODUCTS, INC.				Remit to: **EL CAJON** **CA**	
	7/25/2011	883199	677.87		
				LOCKS-CFD #1	172.97
				LOCKS-CITY PARKS	170.00
				LOCKS-CFD #1	27.03
				LOCKS-CFD #1	307.87
	Vendor Total		**677.87**		
FYTD for HODGE PRODUCTS, INC.			**677.87**		
HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208566	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**318.73**		
HOUSTON RICHARD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208762	100.00		
				REFUND-CHILD'S PLACE FEES	100.00
	Vendor Total		**100.00**		
FYTD for HOUSTON RICHARD			**100.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	7/29/2011	2906	8,520.83		
				DEF COMP 457 7/29/11	8,520.83
	Vendor Total		**8,520.83**		
FYTD for ICMA RETIREMENT CORP 457			**42,062.58**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208567	112.29		
				REFUND-UUT USER TAXES	112.29
	Vendor Total		**112.29**		
FYTD for IL SORRENTO MOBILE PARK			**112.29**		

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IMANI PRAISE FELLOWSHIP SDA CHURCH			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208568	100.00		
			REFUND-RENTAL DEPOSIT -MSU	100.00
	Vendor Total	**100.00**		
FYTD for IMANI PRAISE FELLOWSHIP SDA CHURCH		**100.00**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
7/18/2011	208763	475.00		
			NON-EXEMPT ANNUITY	475.00
	Vendor Total	**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**475.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883200	2,782.13		
			ABATEMENT SVC-22385 COTTNWD AV	2,782.13
	Vendor Total	**2,782.13**		
FYTD for INLAND CONTRACTORS, INC.		**2,782.13**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS** **CA**	
7/11/2011	208669	4,575.00		
			ADVERTISING SVCS-PW SOLID WAST	400.00
			ADVERTISING SVCS-PW SOLID WAST	4,175.00
	Vendor Total	**4,575.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**4,575.00**		
INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883145	2,863.40		
			NUISANCE ABTMNT SVCS-CODE	957.90
			NUISANCE ABTMNT SVCS-CODE	900.00
			NUISANCE ABTMNT SVCS-CODE	346.50
			NUISANCE ABTMNT SVCS-CODE	432.00
			NUISANCE ABTMNT SVCS-CODE	227.00
7/25/2011	883201	1,456.00		
			NUISANCE ABATEMENT SVCS-CODE	252.00
			NUISANCE ABATEMENT SVCS-CODE	1,204.00
	Vendor Total	**4,319.40**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**4,319.40**		

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INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON CA**	
7/5/2011	883071	393.00		
			VAPOR RECOVERY TESTING-FS #2	393.00
7/25/2011	883202	140.00		
			HOSE RETRACTOR REPAIR-FS#91	140.00
	Vendor Total	**533.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**533.00**		
INTERNAL REVENUE SERVICE			Remit to:	
7/1/2011	2892	2,000.00		
			FED INCOME TAX W/H 7/1/11	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**424,763.13**		
J D H CONTRACTING			Remit to: **RIVERSIDE CA**	
7/11/2011	883146	8,960.00		
			CONTRACT SVCS-FIRE STATION 91	5,921.00
			CONTRACT SVCS-SENIOR CENTER	3,039.00
7/12/2011	883162	845.00		
			GOLF CTR ROOFING WORK	845.00
	Vendor Total	**9,805.00**		
FYTD for J D H CONTRACTING		**9,805.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE CA**	
7/11/2011	208670	36.00		
			SPORTS OFFICIATING SVCS-SFTBL	36.00
	Vendor Total	**36.00**		
FYTD for JACKSON, JAYE		**36.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE CA**	
7/18/2011	208764	75.00		
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**75.00**		
JARRETT, STEPHEN M.			Remit to: **BEAUMONT CA**	
7/5/2011	208569	485.91		
			TRAVEL EXP-ESRI INTL USER CONF	95.41
			TRAVEL EXP-ESRI INTL USER CONF	390.50
	Vendor Total	**485.91**		
FYTD for JARRETT, STEPHEN M.		**485.91**		

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JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	7/12/2011	883163	1,955.00		
				CONSULTING SVCS-TECH SVCS	1,955.00
	Vendor Total		**1,955.00**		
FYTD for JDEDGE SOFTWARE, LLC			**1,955.00**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	7/25/2011	208846	99.96		
				MILEAGE REIMBURSEMENT	99.96
	Vendor Total		**99.96**		
FYTD for JONES III, JOSEPH			**99.96**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883072	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**318.73**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	7/5/2011	883073	15,181.51		
				TRAFFIC SIGNAL SUPPLIES	3,371.25
				TRAFFIC SIGNAL SUPPLIES	3,599.63
				TRAF SIG SERVICE CABINET	7,550.00
				CA SALES TAX	660.63
	Vendor Total		**15,181.51**		
FYTD for JTB SUPPLY CO., INC.			**64,456.14**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208570	2,687.65		
				LEGAL SVCS	2,675.00
				LEGAL SVCS	12.65
	Vendor Total		**2,687.65**		
FYTD for KANE, BALLMER & BERKMAN			**2,687.65**		
KASHEFIPOUR, HOSSEIN				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208671	191.25		
				MILEAGE REIMBURSEMENT	43.35
				MILEAGE REIMBURSEMENT	58.65
				MILEAGE REIMBURSEMENT	89.25
	Vendor Total		**191.25**		
FYTD for KASHEFIPOUR, HOSSEIN			**191.25**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KATZ, MICHELLE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208765	48.00		
				REFUND-CLASS REGIS FEE	48.00
	Vendor Total		**48.00**		
FYTD for KATZ, MICHELLE			**48.00**		
KDM MERIDIAN, INC.				Remit to: **LAKE FOREST** **CA**	
	7/5/2011	883074	2,945.00		
				DAY ST WIDENING/EUCALYPTUS PRJ	1,608.00
				ANNL ADA COMPL CURB/RAMP PROJ	1,337.00
	Vendor Total		**2,945.00**		
FYTD for KDM MERIDIAN, INC.			**2,945.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	208571	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**267.88**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	7/25/2011	208847	761.06		
				SPLASH PAD SUPPLIES-CFD #1	186.21
				SPLASH PAD SUPPLIES-CFD #1	574.85
	Vendor Total		**761.06**		
FYTD for KNORR SYSTEMS, INC			**761.06**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883075	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**318.73**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883076	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**318.73**		

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KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	7/25/2011	208848	1,126.22		
				CALIBRATE/REPAIR LASER GUN-PD	200.00
				CALIBRATE/REPAIR LASER GUN-PD	126.21
				LASER GUN PARTS/REPAIR-PD	800.01
	Vendor Total		**1,126.22**		
FYTD for KUSTOM SIGNALS, INC.			**1,126.22**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	7/5/2011	883077	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**318.73**		
LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	208572	168.00		
				LEGAL SERVICES-RISK MGT	168.00
	Vendor Total		**168.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**168.00**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883078	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**318.73**		
LANCE, SOLL & LUNGHARD, LLP				Remit to: **BREA** **CA**	
	7/25/2011	208849	620.00		
				PROF SVCS-RE: GANN LIMIT	620.00
	Vendor Total		**620.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP			**620.00**		
LANGENDORF, BENJAMIN				Remit to: **PERRIS** **CA**	
	7/5/2011	883079	221.40		
				RETIREE MED MAY 11, PD JUL 11	221.40
	Vendor Total		**221.40**		
FYTD for LANGENDORF, BENJAMIN			**221.40**		

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LANGSTON MOTORSPORTS				Remit to: **PERRIS** **CA**	
	7/18/2011	208766	2,355.27		
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	249.44
				MOTOR REPAIRS & PARTS	480.00
				MOTOR REPAIRS & PARTS	505.83
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
				MOTOR MAINT REPAIRS	160.00
	Vendor Total		**2,355.27**		
FYTD for LANGSTON MOTORSPORTS			**2,355.27**		
LAWYERS TITLE INC				Remit to: **NEWPORT BEACH** **CA**	
	7/19/2011	110705	16,196.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,196.00
	7/19/2011	110706	21,386.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	21,386.00
	Vendor Total		**37,582.00**		
FYTD for LAWYERS TITLE INC			**37,582.00**		
LAZARUS, MARGERY A.				Remit to: **CORONA** **CA**	
	7/18/2011	208767	138.72		
				MILEAGE REIMB-SR60/NASON PROJ	49.47
				MILEAGE REIMB-INDIAN BASIN PRJ	30.09
				MILEAGE REIMB-SR60 MOR BCH PRJ	59.16
	Vendor Total		**138.72**		
FYTD for LAZARUS, MARGERY A.			**138.72**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	7/5/2011	883080	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**318.73**		
LIGHTS OUT DISPOSAL COMPANY				Remit to: **EL CAJON** **CA**	
	7/5/2011	208573	444.15		
				E-WASTE PICK UP SERVICES	444.15
	Vendor Total		**444.15**		
FYTD for LIGHTS OUT DISPOSAL COMPANY			**444.15**		

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LOGAN, CHARLENE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208574	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LOGAN, CHARLENE			**20.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	7/5/2011	883081	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**318.73**		
LONA, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208672	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for LONA, VERONICA			**300.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	883179	4,501.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	1.00
				IRONWD AVE-DAY TO BARCLAY PROJ	4,500.00
	Vendor Total		**4,501.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**4,501.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883082	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**318.73**		
MACIAS JR., ANTHONY				Remit to: **RIALTO** **CA**	
	7/5/2011	208575	126.00		
				TUITION FEE REIMBURSEMENT	126.00
	Vendor Total		**126.00**		
FYTD for MACIAS JR., ANTHONY			**126.00**		
MAMCO, INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208673	5,084.33		
				DRACAEA AVE SIDEWLK IMPRVMNTS	5,084.33
	Vendor Total		**5,084.33**		
FYTD for MAMCO, INC			**5,084.33**		

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MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208576	6.08		
			GAS CHARGES-MARCH FIELD PRK CC	4.96
			GAS CHARGES-MARCH FIELD PRK CC	1.12
	Vendor Total	**6.08**		
FYTD for MARCH JOINT POWERS AUTHORITY		**6.08**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
7/5/2011	883083	4,425.04		
			LANDSCAPE MAINT-DSG2N	668.42
			LANDSCAPE MAINT-DSG2N	3,756.62
7/25/2011	883203	4,994.91		
			LANDSCAPE MAINT-ZONE DSG-2S	4,994.91
	Vendor Total	**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**9,419.95**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208577	280.00		
			INSTRUCTOR SVCS-BOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	56.00
			INSTRUCTOR SVCS-KICKBOXING	112.00
	Vendor Total	**280.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**280.00**		
MARTINEZ, REGGIE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208674	105.00		
			SPORTS OFFICIATING SVCS-SOCCER	105.00
	Vendor Total	**105.00**		
FYTD for MARTINEZ, REGGIE		**105.00**		
MATHIS, NOLAN			Remit to: **JACKSON** **KY**	
7/5/2011	883084	290.00		
			RETIREE MED MAY 11, PD JUL 11	290.00
	Vendor Total	**290.00**		
FYTD for MATHIS, NOLAN		**290.00**		
MAXINOSKI, SUE A.			Remit to: **AVINGER** **TX**	
7/5/2011	883085	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for MAXINOSKI, SUE A.		**318.73**		

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MAYANS DEVELOPMENT INC				Remit to: **YORBA LINDA** **CA**	
	7/12/2011	208722	19,969.47		
				REHAB COSTS-24395 DYNA PLACE	19,969.47
	Vendor Total		**19,969.47**		
FYTD for MAYANS DEVELOPMENT INC			**77,343.97**		
MC NEEL, MARGARETTE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208676	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MC NEEL, MARGARETTE			**50.00**		
MEDINA, EUNICE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208578	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MEDINA, EUNICE			**20.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	7/11/2011	883147	200.00		
				SPORTS OFFICIATING SVCS-SFTBL	80.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
				SPORTS OFFICIATING SVCS-SFTBL	60.00
	Vendor Total		**200.00**		
FYTD for MEEKS, DANIEL			**200.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	7/11/2011	208677	1,620.00		
				PLAN CHECK SVCS-BLDG/SFTY	1,620.00
	Vendor Total		**1,620.00**		
FYTD for MELAD & ASSOCIATES, INC			**1,620.00**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208678	135.66		
				MILEAGE REIMBURSEMENT	135.66
	Vendor Total		**135.66**		
FYTD for MENGISTU, YESHIALEM			**135.66**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	7/5/2011	883086	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**318.73**		

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METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	7/18/2011	208768	50.00		
				TEXT MESSAGE RETRIEVAL SVC	50.00
	Vendor Total		**50.00**		
FYTD for METROPCS WIRELESS, INC.			**50.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208579	483.00		
				INSTRUCTOR SVCS-DRAWING	378.00
				INSTRUCTOR SVCS-PHOTO	105.00
	Vendor Total		**483.00**		
FYTD for MEYERS, ROBERT			**483.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883087	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**229.88**		
MIMES, TANIYSHA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208769	64.00		
				REFUND-PICNIC SHELTER RENTAL	64.00
	Vendor Total		**64.00**		
FYTD for MIMES, TANIYSHA			**64.00**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	7/5/2011	883088	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**318.73**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	7/18/2011	883180	2,745.16		
				PLAYGROUND EQUIP PARTS-PARKS	1,961.65
				PLAYGROUND EQUIP PARTS-PARKS	307.64
				PLAYGROUND EQUIPMENT PARTS	475.87
	Vendor Total		**2,745.16**		
FYTD for MIRACLE RECREATION EQUIPMENT			**2,745.16**		

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MISTRETTA, ARTHUR			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	883149	144.00		
			SPORTS OFFICIATING SVCS-SFTBL	54.00
			SPORTS OFFICIATING SVCS-SFTBL	36.00
			SPORTS OFFICIATING SVCS-SFTBL	54.00
	Vendor Total	**144.00**		
FYTD for MISTRETTA, ARTHUR		**144.00**		
MOELLER, DONNA M.			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208770	67.77		
			NEIGHBRHD CLEAN UP EXPENSE	67.77
	Vendor Total	**67.77**		
FYTD for MOELLER, DONNA M.		**67.77**		
MOLLICA, MIKE			Remit to: **DUNNELLON** **FL**	
7/5/2011	883089	401.42		
			RETIREE MED JUL '11	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**401.42**		
MONTEJANO, SHIRLEY			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208679	750.00		
			REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total	**750.00**		
FYTD for MONTEJANO, SHIRLEY		**750.00**		
MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208680	1,706.90		
			PLUMBING SVCS-CRC	1,075.00
			PLUMBING SVCS-ANIMAL SHELTER	631.90
	Vendor Total	**1,706.90**		
FYTD for MONTGOMERY PLUMBING INC		**1,706.90**		
MOORE, LEEPORSCHA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208681	22.00		
			REFUND-PARKS CLASS REGIS FEE	22.00
	Vendor Total	**22.00**		
FYTD for MOORE, LEEPORSCHA		**22.00**		
MOOSEPOINT TECHNOLOGY, INC.			Remit to: **SONOMA** **CA**	
7/25/2011	208851	9,000.00		
			GIS INTERNET SITE HOSTING SVCS	9,000.00
	Vendor Total	**9,000.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**9,000.00**		

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MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	7/5/2011	883090	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**318.73**		
MORENO VALLEY BOWL				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208580	320.00		
				INSTRUCTOR SVCS-BOWLING	320.00
	Vendor Total		**320.00**		
FYTD for MORENO VALLEY BOWL			**320.00**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	7/5/2011	208581	60.00		
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
				WAKE-UP MEETING-6/22/11	15.00
	7/5/2011	208582	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**810.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**810.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	7/1/2011	2888	1,538.00		
				MVCEA DUES 7/1/11	1,538.00
	7/15/2011	2897	1,543.50		
				MVCEA DUES 7/15/11	1,543.50
	7/29/2011	2905	1,419.00		
				MVCEA DUES 7/29/11	1,419.00
	Vendor Total		**4,500.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**4,500.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRANO CA**	
	7/18/2011	883181	9,207.72		
				LEASE-SPEC DIST ANNEX-AUG 11	9,207.72
	7/25/2011	883204	7,934.87		
				LEASE-FACILITIES ANNEX	2,458.97
				LEASE-TECH SVCS ANNEX	5,475.90
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**17,142.59**		

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MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	7/5/2011	208583	91.54		
				ELECTRICITY-UT FLD OFFICE	91.54
	Vendor Total		**91.54**		
FYTD for MORENO VALLEY UTILITY			**77,237.36**		
MORENO, MARIO				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208852	230.00		
				PER DIEM-GANG VIOLENCE CONF.	230.00
	Vendor Total		**230.00**		
FYTD for MORENO, MARIO			**230.00**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	7/5/2011	883091	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**318.73**		
MPULSE MAINTENANCE SOFTWARE, INC.				Remit to: **EUGENE** **OR**	
	7/5/2011	883092	3,977.50		
				PROGRAM RENEWAL-TECH SVCS	3,977.50
	Vendor Total		**3,977.50**		
FYTD for MPULSE MAINTENANCE SOFTWARE, INC.			**3,977.50**		
MULTI W SYSTEMS, INC				Remit to: **EL MONTE** **CA**	
	7/25/2011	208853	975.00		
				PUMP REPAIR-COMM PARK SOCCER F	975.00
	Vendor Total		**975.00**		
FYTD for MULTI W SYSTEMS, INC			**975.00**		
MUNOZ, ARIEL				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208772	110.16		
				MILEAGE REIMBURSEMENT	80.07
				MILEAGE REIMBURSEMENT	30.09
	Vendor Total		**110.16**		
FYTD for MUNOZ, ARIEL			**110.16**		
MURILLO, MARIA				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208773	750.00		
				REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total		**750.00**		
FYTD for MURILLO, MARIA			**750.00**		

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MUSICK, PEELER & GARRETT, LLP			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208774	240.00		
			LEGAL SVCS	240.00
	Vendor Total	**240.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP		**240.00**		
MYERS & SONS HI-WAY SAFETY INC			Remit to: **CHINO** **CA**	
7/11/2011	208682	11,957.06		
			TRUCK MNTD MSSG BOARD-PW	10,995.00
			TRUCK MNTD MSSG BOARD-PW	962.06
	Vendor Total	**11,957.06**		
FYTD for MYERS & SONS HI-WAY SAFETY INC		**11,957.06**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
7/1/2011	2886	4,288.72		
			PST DEF COMP FOR FICA 7/1/11	4,288.72
7/1/2011	2887	1,240.66		
			DEF COMP 457 & 401(A) 7/1/11	1,240.66
7/15/2011	2895	1,733.32		
			PST DEF COMP FOR FICA 7/15/11	1,733.32
7/29/2011	2903	2,082.83		
			PST DEF COMP FOR FICA 7/29/11	2,082.83
	Vendor Total	**9,345.53**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**123,710.88**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
7/5/2011	883093	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**318.73**		
NEAL, DEBORAH			Remit to: **MORENO VALLEY** **CA**	
7/18/2011	208775	156.00		
			REFUND-PICNIC SHELTER RENTAL	156.00
	Vendor Total	**156.00**		
FYTD for NEAL, DEBORAH		**156.00**		
NEGRETTE, JENNIFER			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	208584	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for NEGRETTE, JENNIFER		**20.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NELSON PAVING				Remit to: **PERRIS** **CA**	
	7/5/2011	208585	871.00		
				CONCRETE PAINTING	871.00
	Vendor Total		**871.00**		
FYTD for NELSON PAVING			**871.00**		
NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	7/5/2011	883094	325.66		
				RETIREE MED JUL '11	325.66
	Vendor Total		**325.66**		
FYTD for NELSON, ROBERT			**325.66**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	7/5/2011	883095	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**318.73**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	7/5/2011	208586	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**318.73**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883096	9.42		
				REFUND-UUT USER TAXES	9.42
	Vendor Total		**9.42**		
FYTD for NEW HORIZON MOBILE HOME PARK			**9.42**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208588	401.42		
				RETIREE MED JUL '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**401.42**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	7/18/2011	208776	2,713.31		
				NIGHT VISION GOGGLES FOR PD	2,495.00
				CA SALES TAX	218.31
	Vendor Total		**2,713.31**		
FYTD for NIGHT GALAXY, INC.			**2,713.31**		

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NINYO & MOORE GEOTECHNICAL				Remit to: **SAN DIEGO** **CA**	
	7/5/2011	208589	6,987.75		
				DRACAEA AVE SIDEWLK IMPRVMNTS	6,987.75
	7/11/2011	208683	539.25		
				IRONWD AVE ST/STORM DRAIN PROJ	539.25
	7/18/2011	208777	17,091.00		
				IRONWD AVE ST/STORM DRAIN PROJ	17,091.00
	Vendor Total		**24,618.00**		
FYTD for NINYO & MOORE GEOTECHNICAL			**24,618.00**		
NOLLAR, JANICE				Remit to: **REDLANDS** **CA**	
	7/5/2011	208590	307.04		
				TRAVEL EXP-ESRI INTL USER CONF	94.04
				TRAVEL EXP-ESRI INTL USER CONF	213.00
	Vendor Total		**307.04**		
FYTD for NOLLAR, JANICE			**307.04**		
NOLTE ASSOCIATES, INC				Remit to: **SACRAMENTO** **CA**	
	7/18/2011	208778	113.43		
				REFUND-BUS LIC OVERPAYMENT	113.43
	Vendor Total		**113.43**		
FYTD for NOLTE ASSOCIATES, INC			**113.43**		
OAKRIDGE DATA MINING				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208779	2,370.00		
				CONSULTANT SVCS-TECH SVCS	2,370.00
	Vendor Total		**2,370.00**		
FYTD for OAKRIDGE DATA MINING			**2,370.00**		
OMNIGRAPHICS				Remit to: **HOLMES** **PA**	
	7/25/2011	208854	90.95		
				REFERENCE BOOKS	90.95
				REFERENCE BOOKS	7.96
				REFERENCE BOOKS	-7.96
	Vendor Total		**90.95**		
FYTD for OMNIGRAPHICS			**90.95**		
ORACLE AMERICA				Remit to: **SAN FRANCISCO** **CA**	
	7/5/2011	208591	21,621.68		
				ANNUAL MAINT-TECH SVCS	21,621.68
	Vendor Total		**21,621.68**		
FYTD for ORACLE AMERICA			**21,621.68**		

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ORCHID CELLMARK, INC				Remit to: **FARMERS BRANCH** **TX**	
	7/18/2011	208780	2,280.00		
				DETECT/TEST EVIDENCE/DNA-PD	2,280.00
	Vendor Total		**2,280.00**		
FYTD for ORCHID CELLMARK, INC			**2,280.00**		
ORROCK, POPKA, FORTINO & BRISLIN				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	883205	208.00		
				LEGAL SVCS	208.00
	Vendor Total		**208.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN			**208.00**		
ORTEGA, JORGE				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208592	750.00		
				REFUND-RENTAL DEPOSIT -CRC	750.00
	Vendor Total		**750.00**		
FYTD for ORTEGA, JORGE			**750.00**		
OVERLAND PACIFIC & CUTLER, INC.				Remit to: **LONG BEACH** **CA**	
	7/25/2011	883206	296.25		
				SR-60/NASON INTRCHNG PROJ SVCS	296.25
	7/25/2011	883207	6,800.00		
				APPRAISAL SVCS-HIGHLND FIRE ST	6,800.00
	Vendor Total		**7,096.25**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**7,096.25**		
PACIFIC GREEN HORTICULTURAL SVC				Remit to: **UPLAND** **CA**	
	7/25/2011	883208	989.00		
				TURF FERTILIZATION-ZONE E	302.97
				TURF FERTILIZATION-ZONE E	550.15
				TURF FERTILIZATION-ZONE E	112.61
				TURF FERTILIZATION-ZONE E	23.27
	Vendor Total		**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**989.00**		
PACIFIC TELEMANAGEMENT SERVICES				Remit to: **SAN RAMON** **CA**	
	7/5/2011	883097	375.84		
				PAYPHONE SVCS	313.20
				PAYPHONE SVCS-PD	62.64
	Vendor Total		**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**375.84**		

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PARSONS TRANSPORTATION GROUP, INC.				Remit to: **IRVINE** **CA**	
	7/18/2011	208781	13,592.47		
				SR-60/MOR BCH DR INTRCHNG PROJ	13,592.47
	Vendor Total		**13,592.47**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**13,592.47**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208593	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for PATTERSON, ALFREY			**229.88**		
PAUL, MICHAEL				Remit to: **SAN JACINTO** **CA**	
	7/11/2011	208685	110.00		
				SPORTS OFFICIATING SVCS-SFTBL	110.00
	Vendor Total		**110.00**		
FYTD for PAUL, MICHAEL			**110.00**		
PERKINS, NICOLE				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208594	72.00		
				INSTRUCTOR SVCS-RIPPED	36.00
				INSTRUCTOR SVCS-RIPPED	36.00
	Vendor Total		**72.00**		
FYTD for PERKINS, NICOLE			**72.00**		
PERMA				Remit to: **PALM DESERT** **CA**	
	7/25/2011	883209	1,548.17		
				SEMI-ANNUAL AUDIT INVOICE	1,548.17
	Vendor Total		**1,548.17**		
FYTD for PERMA			**1,548.17**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	7/5/2011	208595	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**318.73**		

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PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	7/5/2011	208596	458.63		
				LONG TERM CARE INSURANCE	458.63
	7/18/2011	208782	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**917.26**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PETTY CASH - FINANCE			Remit to: **MORENO VALLEY**	**CA**
7/18/2011	208783	1,297.91		
			PETTY CASH FUND REPLENISHMENT	28.41
			PETTY CASH FUND REPLENISHMENT	36.05
			PETTY CASH FUND REPLENISHMENT	22.32
			PETTY CASH FUND REPLENISHMENT	27.03
			PETTY CASH FUND REPLENISHMENT	67.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	3.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	6.00
			PETTY CASH FUND REPLENISHMENT	91.64
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	20.80
			PETTY CASH FUND REPLENISHMENT	25.00
			PETTY CASH FUND REPLENISHMENT	10.50
			PETTY CASH FUND REPLENISHMENT	26.96
			PETTY CASH FUND REPLENISHMENT	56.25
			PETTY CASH FUND REPLENISHMENT	17.71
			PETTY CASH FUND REPLENISHMENT	25.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	18.32
			PETTY CASH FUND REPLENISHMENT	10.24
			PETTY CASH FUND REPLENISHMENT	91.38
			PETTY CASH FUND REPLENISHMENT	91.87
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	4.34
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	20.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	50.00
			PETTY CASH FUND REPLENISHMENT	45.00
			PETTY CASH FUND REPLENISHMENT	3.25
			PETTY CASH FUND REPLENISHMENT	23.68
			PETTY CASH FUND REPLENISHMENT	30.00
			PETTY CASH FUND REPLENISHMENT	10.00
			PETTY CASH FUND REPLENISHMENT	25.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	15.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	21.69
			PETTY CASH FUND REPLENISHMENT	48.50
			PETTY CASH FUND REPLENISHMENT	13.00
			PETTY CASH FUND REPLENISHMENT	88.47
			PETTY CASH FUND REPLENISHMENT	6.50
			PETTY CASH FUND REPLENISHMENT	24.00
	Vendor Total	1,297.91		
FYTD for PETTY CASH - FINANCE		1,297.91		

PICTUREME PORTRAIT STUDIO #15193 Remit to: **ST. LOUIS** **MO**

7/11/2011	208686	71.76		
			REFUND-BUS LIC OVERPAYMENT	71.76
	Vendor Total	71.76		
FYTD for PICTUREME PORTRAIT STUDIO #15193		71.76		

POIEMA LANDSCAPE, INC. Remit to: **COLTON** **CA**

7/5/2011	883098	2,131.00		
			LANDSCAPE MAINT-E12	2,131.00
7/25/2011	883210	1,712.15		
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		3,843.15		

POLK, SHAKENDRA Remit to: **MORENO VALLEY** **CA**

7/18/2011	208784	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	25.00
			REFUND-RENTAL DEPOSIT-TWNGATE	175.00
	Vendor Total	200.00		
FYTD for POLK, SHAKENDRA		200.00		

PRICE, GEORGE E. Remit to: **MORENO VALLEY** **CA**

7/5/2011	883099	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	318.73		
FYTD for PRICE, GEORGE E.		318.73		

PROTECTION ONE, INC. Remit to: **WITCHITA** **KS**

7/18/2011	208785	42.00		
			MONITORING SVCS-GOLF PRO SHOP	17.00
			MONITORING SVCS-MVTV STUDIO	17.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
			MONITORING SVCS-PRO SHOP/MVTV	4.00
	Vendor Total	42.00		
FYTD for PROTECTION ONE, INC.		42.00		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	7/5/2011	883100	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**318.73**		
PULSE PRINT SOLUTIONS				Remit to: **ORANGE** **CA**	
	7/11/2011	208687	2,936.25		
				PRINT SVCS-EDUCATIONAL MAGNETS	2,700.00
				SALES TAX	236.25
	Vendor Total		**2,936.25**		
FYTD for PULSE PRINT SOLUTIONS			**2,936.25**		
QUINTERO, CYNTHIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208688	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for QUINTERO, CYNTHIA			**200.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	7/11/2011	883150	2,023.00		
				ROLL UP DOOR MAIN, FIRE STN 6	201.00
				ROLL UP DOOR MAIN, FIRE STN 6	695.00
				ROLL UP DOOR MAIN, FIRE STN 48	141.00
				ROLL UP DOOR MAIN, FIRE STN 2	201.00
				ROLL UP DOOR MAIN, FIRE STN 58	82.00
				ROLL UP DOOR MAIN, FIRE STN 58	119.00
				ROLL UP DOOR MAIN, FIRE STN 91	111.25
				ROLL UP DOOR MAIN, FIRE STN 91	89.75
				ROLL UP DOOR MAIN, FIRE STN 65	141.00
				ROLL UP DOOR MAIN, FIRE STN 65	130.75
				ROLL UP DOOR MAIN, FIRE STN 65	111.25
	Vendor Total		**2,023.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**2,023.00**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208597	168.81		
				REIMB-DUI SEMINAR TRNG CLASS	168.81
	Vendor Total		**168.81**		
FYTD for RAFAEL LOPEZ			**168.81**		

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RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208598	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.		**318.73**		
REGENTS OF U.C.			Remit to: **LOS ANGELES** **CA**	
7/18/2011	208786	115.00		
			VIOLENT CRIME BEHAV SEMINAR	115.00
	Vendor Total	**115.00**		
FYTD for REGENTS OF U.C.		**115.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208599	384.60		
			SHADOW MTN PARK LIGHTING PROJ	384.60
7/25/2011	208856	3,401.50		
			SHADOW MTN PARK LIGHTING PROJ	2,951.50
			SHADOW MTN PARK LIGHTING PROJ	450.00
	Vendor Total	**3,786.10**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**3,786.10**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE** **CA**	
7/5/2011	883101	2,582.50		
			DRACAEA AVE SIDEWLK IMPRVMNTS	2,582.50
7/18/2011	883182	11,995.00		
			TS@SUNNYMD RCH PKWY/VILLAGE RD	1,380.00
			TS@SUNNYMD RCH PKWY/VILLAGE RD	130.00
			2011 LOCAL ST. PAVEMNT RESURF.	7,545.00
			2011 LOCAL ST. PAVEMNT RESURF.	2,600.00
			DRACAEA AVE SIDEWLK IMPRVMNTS	340.00
	Vendor Total	**14,577.50**		
FYTD for RICK ENGINEERING COMPANY		**14,577.50**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
7/11/2011	208689	2,000.00		
			ENCR. PERMIT INITIAL DEPOSIT	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**2,000.00**		

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RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE**	**CA**
7/19/2011	110702	15,888.77		
			RETENTN PMT PER ESCRW AGREEMNT	15,888.77
7/19/2011	1107031	2,302.31		
			RETENTN PMT PER ESCRW AGREEMNT	2,302.31
7/19/2011	1107032	3,209.50		
			RETENTN PMT PER ESCRW AGREEMNT	3,209.50
7/19/2011	1107033	8,289.68		
			RETENTN PMT PER ESCRW AGREEMNT	8,289.68
7/19/2011	1107034	20,325.46		
			RETENTN PMT PER ESCRW AGREEMNT	20,325.46
	Vendor Total	**50,015.72**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**500,157.17**		
RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY			Remit to: **RIVERSIDE**	**CA**
7/25/2011	208857	10,572.22		
			TEAM RIV CTY 528140-ICSC CONF	2,770.00
			ICSC CONF.-GES LOGISTICS	997.50
			ICSC CONF.-EXHIBIT SPACE	3,500.00
			ICSC CONF.-ELECTRICITY COST	800.00
			ICSC CONF.-CARPET COST	2,400.00
			ICSC CONF-ADDTL FURNITURE COST	104.72
	Vendor Total	**10,572.22**		
FYTD for RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY		**10,572.22**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
7/11/2011	208690	3,781.83		
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			MOTORCYCLE RADIO MAIN-PD	1,769.45
			RADIO LEASE/MAIN-PD	170.10
			RADIO LEASE/MAIN-PD	9.45
			RADIO LEASE/MAIN-PD	33.12
			VPN CONNECTION SVCS-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**3,781.83**		
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883212	10,267.92		
			BOOKING FEES-PD	10,267.92
	Vendor Total	**10,267.92**		
FYTD for RIVERSIDE COUNTY SHERIFF		**2,631,277.41**		

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RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
7/18/2011	208787	138.00		
			REG-BASIC CRIMINAL INV. COURSE	138.00
	Vendor Total	**138.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**138.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208600	611.09		
			GARNISHMENT	173.05
			GARNISHMENT	438.04
7/18/2011	208788	674.82		
			GARNISHMENT	152.05
			GARNISHMENT	522.77
	Vendor Total	**1,285.91**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**1,285.91**		
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208858	322.00		
			7 ATTENDEES-CITZN DRIVER CLASS	322.00
	Vendor Total	**322.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPARTMENT		**322.00**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
7/25/2011	883213	6,417.00		
			TEMP STAFFING SVCS-CAP PROJS	6,417.00
	Vendor Total	**6,417.00**		
FYTD for RLZ ENGINEERING		**6,417.00**		
RMA GROUP			Remit to: **RANCHO CUCAMONGA** **CA**	
7/25/2011	208859	8,791.09		
			SR-60/NASON INTRCHNG PROJ SVCS	7,782.75
			SR-60/NASON INTRCHNG PROJ SVCS	1,008.34
	Vendor Total	**8,791.09**		
FYTD for RMA GROUP		**8,791.09**		
ROCHA, SARA L.			Remit to: **QUEEN CREEK** **AZ**	
7/5/2011	883103	826.20		
			RETIREE MED APR-JUN '11 ($160	826.20
	Vendor Total	**826.20**		
FYTD for ROCHA, SARA L.		**826.20**		

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ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	7/5/2011	883104	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**318.73**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208691	45.90		
				MILEAGE REIMBURSEMENT	45.90
	Vendor Total		**45.90**		
FYTD for ROGERS, KIANNA			**45.90**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883105	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**318.73**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	7/5/2011	883106	270.80		
				RETIREE MED JUL '11	174.30
				RETIREE MED JUL '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**270.80**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/25/2011	883214	357.50		
				PLUMBING REPAIRS-WOODLAND PARK	357.50
	Vendor Total		**357.50**		
FYTD for ROTO-ROOTER PLUMBERS			**357.50**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	7/5/2011	883107	229.88		
				RETIREE MED JUL '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**229.88**		
RUTAN & TUCKER, LLP				Remit to: **COSTA MESA** **CA**	
	7/5/2011	208601	275.00		
				LEGAL SVCS-RE: PEG FEES	275.00
	Vendor Total		**275.00**		
FYTD for RUTAN & TUCKER, LLP			**275.00**		

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SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	7/25/2011	883215	5,400.00		
				TEMP STAFFING SVCS-CAP PROJS	5,400.00
	Vendor Total		**5,400.00**		
FYTD for SA ASSOCIATES			**5,400.00**		
SAFETY KLEEN CORP.				Remit to: **HIGHLAND** **CA**	
	7/11/2011	208692	134.33		
				MISC SUPPLIES-MAINT/OPS	134.33
	Vendor Total		**134.33**		
FYTD for SAFETY KLEEN CORP.			**134.33**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208693	144.00		
				INSTRUCTOR SVCS-ZUMBA	17.20
				INSTRUCTOR SVCS-ZUMBA	126.80
	Vendor Total		**144.00**		
FYTD for SALMAN, CLAUDIA			**144.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883108	60.00		
				FIRE SYSTEM INSPECTION SVC	8.00
				FIRE SYSTEM INSPECTION SVC	52.00
	Vendor Total		**60.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**60.00**		
SAXON, NANCY				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208602	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SAXON, NANCY			**20.00**		
SCAG/SOUTHERN CALIF ASSO OF GOVTS				Remit to: **LOS ANGELES** **CA**	
	7/11/2011	208694	15,680.00		
				DUES ASSESSMNT-FY 2011-12	15,680.00
	Vendor Total		**15,680.00**		
FYTD for SCAG/SOUTHERN CALIF ASSO OF GOVTS			**15,680.00**		
SCHIFFER, ROBYN				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208860	23,021.60		
				SOLAR INCENTIVE REBATE	23,021.60
	Vendor Total		**23,021.60**		
FYTD for SCHIFFER, ROBYN			**23,021.60**		

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SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208603	477.00		
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
			ARMORED TRANSPORT SVCS	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**477.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
7/5/2011	883109	62.50		
			REPAIRED DOOR JAM AT FS#48	62.50
7/25/2011	883216	987.63		
			LOCK/INSTALLATION-LIBRARY	49.00
			LOCK/INSTALLATION-LIBRARY	68.04
			LOCK/INSTALLATION-LIBRARY	402.21
			DOOR SVC-CITY CLRK FILE RM	423.38
			TRIP CHRG-SVC RE: WARRANT	45.00
	Vendor Total	**1,050.13**		
FYTD for SECURITY LOCK & KEY		**1,050.13**		
SEPULVEDA, SUSETTE			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208695	49.60		
			REFUND-PARKS CLASS REGIS FEE	49.60
	Vendor Total	**49.60**		
FYTD for SEPULVEDA, SUSETTE		**49.60**		
SHABIR, AMNA			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208696	427.00		
			REFUND-PARKS CLASS REGIS FEE	427.00
	Vendor Total	**427.00**		
FYTD for SHABIR, AMNA		**427.00**		
SHARRETT, SHARON K.			Remit to: **ONTARIO** **CA**	
7/5/2011	208604	174.30		
			RETIREE MED JUL '11	174.30
	Vendor Total	**174.30**		
FYTD for SHARRETT, SHARON K.		**174.30**		
SHELDON, STUART H.			Remit to: **MURRIETA** **CA**	
7/5/2011	208605	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for SHELDON, STUART H.		**318.73**		

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SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	7/18/2011	208789	111.00		
				FUEL PURCHASES	111.00
	7/25/2011	208861	21.25		
				FUEL PURCHASE	21.25
	Vendor Total		**132.25**		
FYTD for SHELL OIL CO.			**132.25**		
SIERRA SCREENPRINT GRAPHICS				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208697	1,508.91		
				CRIME FREE MULTI HSNG SIGNS-PD	1,387.50
				CALIF SALES TAX	121.41
	Vendor Total		**1,508.91**		
FYTD for SIERRA SCREENPRINT GRAPHICS			**1,508.91**		
SIERRA, GLORIA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208862	95.00		
				REFUND-RABIES DEPOSIT	20.00
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for SIERRA, GLORIA			**95.00**		
SKONBERG, RIX				Remit to: **LA VERNE** **CA**	
	7/18/2011	883184	0.00		
				TUITION REIMBURSEMENT	1,500.00
				VOIDED CHECK #883184 - 7/21/11	-1,500.00
	7/21/2011	883187	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for SKONBERG, RIX			**1,500.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	7/5/2011	883110	57.76		
				REFUND-UUT USER TAXES	57.76
	Vendor Total		**57.76**		
FYTD for SKY TRAILS MOBILE VILLAGE			**57.76**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883111	318.73		
				RETIREE MED JUN '11, PD JUL '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**318.73**		

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SMITH, ERNEST FRANK				Remit to: **FONTANA** **CA**	
	7/5/2011	208606	1,912.38		
				RETIREE MED JAN-JUN 11, PD JUL	1,912.38
	Vendor Total		**1,912.38**		
FYTD for SMITH, ERNEST FRANK			**1,912.38**		
SMITH, JOHN				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208790	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SMITH, JOHN			**50.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883112	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**318.73**		
SMUS, PAULA				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208791	67.68		
				MILEAGE REIMBURSEMENT	67.68
	Vendor Total		**67.68**		
FYTD for SMUS, PAULA			**67.68**		
SO CAL FIRE PREVENTION OFFICERS ASSOC.				Remit to: **RANCHO CUCAMONGA** **CA**	
	7/5/2011	208607	55.00		
				MEMBERSHIP RENEWAL	55.00
	Vendor Total		**55.00**		
FYTD for SO CAL FIRE PREVENTION OFFICERS ASSOC.			**55.00**		
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	7/11/2011	883152	14,671.30		
				FUEL PURCHASE	6,431.32
				FUEL PURCHASE	8,239.98
	Vendor Total		**14,671.30**		
FYTD for SOCO GROUP, INC			**14,671.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208698	103.20		
				INSTRUCTOR SVCS-YOGA CLASS	103.20
	Vendor Total		**103.20**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**103.20**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
7/5/2011	208608	416.41		
			OPERATING FEE-CH GENERATOR	303.56
			EMISSIONS FLAT FEE-CITY HALL	112.85
7/11/2011	208699	202.60		
			EMISSIONS FLAT FEE-CITY YARD	112.85
			ANNUAL OPERATING FEES-CITY YRD	89.75
7/11/2011	208700	112.31		
			AQMD FEE-JUL'10 TO JUN'11	112.31
7/25/2011	208863	112.31		
			HOT SPOTS FEE-JUL'10 TO JUN'11	112.31
	Vendor Total	**843.63**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**843.63**		
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
7/5/2011	208609	6,946.39		
			ELECTRICITY	94.55
			ELECTRICITY	104.01
			ELECTRICITY	916.01
			ELECTRICITY	1,791.93
			ELECTRICITY	135.60
			ELECTRICITY	248.78
			ELECTRICITY	706.85
			ELECTRICITY	824.38
			ELECTRICITY	154.13
			ELECTRICITY	309.68
			ELECTRICITY	25.25
			ELECTRICITY	1,083.80
			ELECTRICITY	205.83
			ELECTRICITY	197.81
			ELECTRICITY	70.49
			ELECTRICITY	77.29
7/11/2011	208702	5,217.15		
			ELECTRICITY	44.62
			ELECTRICITY	21.99
			ELECTRICITY	884.88
			ELECTRICITY	1,444.50
			ELECTRICITY	1,186.44
			ELECTRICITY	396.60
			ELECTRICITY	656.24
			ELECTRICITY	498.47
			ELECTRICITY	43.51
			ELECTRICITY	39.90
7/25/2011	208865	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**26,310.27**		
FYTD for SOUTHERN CALIFORNIA EDISON		**228,961.11**		

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK** **CA**	
	7/18/2011	208793	4,681.09		
				GAS CHARGES	711.38
				GAS CHARGES	2,158.36
				GAS CHARGES	14.30
				GAS CHARGES	22.71
				GAS CHARGES	356.59
				GAS CHARGES	146.36
				GAS CHARGES	20.74
				GAS CHARGES	224.49
				GAS CHARGES	78.57
				GAS CHARGES	105.47
				GAS CHARGES	64.73
				GAS CHARGES	80.09
				GAS CHARGES	68.95
				GAS CHARGES	99.38
				GAS CHARGES	22.44
				GAS CHARGES	506.53
	Vendor Total		**4,681.09**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**4,681.09**		
SPARKLETTS				Remit to: **DALLAS** **TX**	
	7/11/2011	208703	41.83		
				WATER SERVICE-CREEKSIDE ELEM	19.54
				WATER SERVICE-ARMADA ELEM.	22.29
	7/25/2011	208866	15.50		
				WATER SERVICE-SUNNYMD ELEM	15.50
	Vendor Total		**57.33**		
FYTD for SPARKLETTS			**57.33**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883113	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**318.73**		
SPECK, TIFFANY				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208867	28.00		
				REFUND-DRAWING FOR KIDS CLASS	28.00
	Vendor Total		**28.00**		
FYTD for SPECK, TIFFANY			**28.00**		

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SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	7/25/2011	883217	12,333.33		
				LNDSCP MAINT.-ZONE E-1	8,746.67
				LNDSCP MAINT.-ZONE E-1A	3,586.66
		Vendor Total	**12,333.33**		
FYTD for SPECTRUM CARE			**12,333.33**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	883114	229.88		
				RETIREE MED JUL '11	229.88
		Vendor Total	**229.88**		
FYTD for SPENCER, MARTHA			**229.88**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	7/18/2011	208794	30.00		
				SUBPOENA COMPLNCE-MV111370237	30.00
		Vendor Total	**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	7/11/2011	883153	32.89		
				CELL PHONE SVCS-GANG TASK FRC	32.89
	7/25/2011	883218	607.43		
				CELL PHONE SVCS-PD/SET	607.43
		Vendor Total	**640.32**		
FYTD for SPRINT/NEXTEL			**640.32**		
SRINIVAS, ANAND				Remit to: **RIVERSIDE** **CA**	
	7/18/2011	208795	75.00		
				REFUND-SN DEPOSIT	75.00
		Vendor Total	**75.00**		
FYTD for SRINIVAS, ANAND			**75.00**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	7/5/2011	208611	2,050.52		
				SUPPLEMENTAL INSURANCE	2,050.52
		Vendor Total	**2,050.52**		
FYTD for STANDARD INSURANCE CO			**31,970.69**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
7/25/2011	883219	140.00		
			FIRE ALARM SVCD-CONF & REC CTR	140.00
	Vendor Total	**140.00**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**140.00**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
7/25/2011	208868	6,246.25		
			ELECTRICAL ENERGY SURCHARGE	6,246.25
7/29/2011	63011	5,250.00		
			SALES & USE TAX 4/1/11-6/30/11	5,250.00
	Vendor Total	**11,496.25**		
FYTD for STATE BOARD OF EQUALIZATION		**11,496.25**		
STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208704	2,400.44		
			ANNL STREET REPORT 09/10 FY	2,400.44
	Vendor Total	**2,400.44**		
FYTD for STATE CONTROLLER'S OFFICE		**2,400.44**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
7/7/2011	2885	2,096.47		
			CHILD SUPPORT W/H 7/7/11	2,096.47
7/21/2011	2894	2,238.93		
			CHILD SUPPORT W/H 7/21/11	2,238.93
	Vendor Total	**4,335.40**		
FYTD for STATE DISBURSEMENT UNIT		**4,335.40**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO**	**CA**
7/5/2011	208612	3,197.00		
			FINGERPRINTING SVCS-PD	3,197.00
7/11/2011	208705	958.00		
			BLOOD ALCOHOL ANALYSIS-PD	350.00
			FINGERPRINTING SVCS-BUS. LIC.	128.00
			FINGERPRINTING SVCS-H.R.	256.00
			FINGERPRINTING SVCS-STARS	32.00
			FINGERPRINTING SVCS-PRKS & REC	64.00
			FINGERPRINTING SVC-PD	96.00
			FINGERPRINTING SVC-CITY COUNCL	32.00
7/18/2011	208796	2,848.00		
			FINGERPRINTING SVCS-BUS. LIC.	192.00
			FINGERPRINTING SVCS-H.R.	128.00
			FINGERPRINTING SVCS-STARS	2,024.00
			FINGERPRINTING SVCS-STARS	504.00
	Vendor Total	**7,003.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**7,003.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO**	**CA**
7/18/2011	208797	127.04		
			REFUND-MVU/J MCGLOTHEN	38.86
			REFUND-MVU/B SOLARES	88.18
	Vendor Total	**127.04**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**127.04**		
STEININGER, RICHELLE			Remit to: **MORENO VALLEY**	**CA**
7/11/2011	208706	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for STEININGER, RICHELLE		**20.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA**	**CA**
7/18/2011	208798	2,288.96		
			TRANSCRIPTION SVCS-PD	2,288.96
	Vendor Total	**2,288.96**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**2,288.96**		
STEWART TITLE OF CALIFORNIA			Remit to: **HOUSTON**	**TX**
7/5/2011	208629	250.00		
			APN482-230-13 LITIG. GUARANTEE	250.00
	Vendor Total	**250.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**250.00**		

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STEWART, CLIFFORD				Remit to: **GLENDALE** **AZ**	
	7/5/2011	883116	267.88		
				RETIREE MED JUL '11	267.88
	Vendor Total		**267.88**		
FYTD for STEWART, CLIFFORD			**267.88**		
STILES ANIMAL REMOVAL, INC.				Remit to: **GUASTI** **CA**	
	7/25/2011	208869	300.00		
				LARGE ANIMAL REMOVAL SVCS	100.00
				LARGE ANIMAL REMOVAL SVCS	200.00
	Vendor Total		**300.00**		
FYTD for STILES ANIMAL REMOVAL, INC.			**300.00**		
STRADLING, YOCCA, CARLSON & RAUTH				Remit to: **NEWPORT BEACH** **CA**	
	7/11/2011	208707	1,550.10		
				LEGAL SVCS	79.50
				LEGAL SVCS	695.27
				LEGAL SVCS	775.33
	Vendor Total		**1,550.10**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**1,550.10**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	7/25/2011	883220	4,062.50		
				CONSULTING SVCS-EDD	4,062.50
	Vendor Total		**4,062.50**		
FYTD for STRICKLER ASSOCIATION, THE			**4,062.50**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	883117	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**318.73**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208708	10.56		
				MISC SUPPLIES-PD	10.56
	Vendor Total		**10.56**		
FYTD for SUNNYMEAD ACE HARDWARE			**10.56**		
SYED, ADNAN				Remit to: **LAKE ELSINORE** **CA**	
	7/18/2011	208799	725.00		
				REFUND-RENTAL DEPOSIT-CRC	725.00
	Vendor Total		**725.00**		
FYTD for SYED, ADNAN			**725.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	7/5/2011	208613	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**6,250.00**		
TCM GROUP				Remit to: **FONTANA** **CA**	
	7/5/2011	883118	0.00		
				SR-60/NASON ST INTRCHNG PROJ	21,572.87
				SR-60/NASON ST INTRCHNG PROJ	42,633.50
				SR-60/NASON ST INTRCHNG PROJ	23,140.52
				SR-60/NASON ST INTRCHNG PROJ	85,853.53
				VOIDED CHECK #883118 - 7/12/11	-21,572.87
				VOIDED CHECK #883118 - 7/12/11	-42,633.50
				VOIDED CHECK #883118 - 7/12/11	-23,140.52
				VOIDED CHECK #883118 - 7/12/11	-85,853.53
	Vendor Total		**0.00**		
FYTD for TCM GROUP			**351,572.38**		
TEK TIME SYSTEMS, LLC				Remit to: **SAN BERNARDINO** **CA**	
	7/11/2011	208718	268.25		
				REPAIRS-DATE STAMP MACHINE-FIN	268.25
	Vendor Total		**268.25**		
FYTD for TEK TIME SYSTEMS, LLC			**268.25**		
TEK WORKS				Remit to: **POWAY** **CA**	
	7/18/2011	883185	960.10		
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.09
				CREDIT-CITY CLRK FILE RM DOOR	-693.78
	Vendor Total		**960.10**		
FYTD for TEK WORKS			**960.10**		
TENORIO, LIZETTE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208800	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for TENORIO, LIZETTE			**200.00**		

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TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	7/5/2011	208614	7,262.00		
				CITY HALL HVAC SYSTEM REDESIGN	7,262.00
	7/27/2011	208881	6,113.59		
				CITY HALL HVAC SYSTEM REDESIGN	6,113.59
	Vendor Total		**13,375.59**		
FYTD for TMAD TAYLOR & GAINES			**13,375.59**		
TOLEDANO, JANET				Remit to: **MORENO VALLEY** **CA**	
	7/11/2011	208709	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for TOLEDANO, JANET			**75.00**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	7/25/2011	208870	2,530.80		
				INSTRUCTOR SVCS-BALLET INTERMD	66.60
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	222.00
				INSTRUCTOR SVCS-BALLET/JAZZ	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-HIP HOP DANCE	421.80
	Vendor Total		**2,530.80**		
FYTD for TRICHE, TARA			**2,530.80**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	7/5/2011	208615	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	7/11/2011	208710	25.00		
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**75.00**		
TRINITY DIVERSIFIED, INC.				Remit to: **LONG BEACH** **CA**	
	7/5/2011	208616	155.67		
				STRIPING/STENCIL TRCK SUPPLIES	155.67
	Vendor Total		**155.67**		
FYTD for TRINITY DIVERSIFIED, INC.			**155.67**		

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TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK**	**CA**
7/18/2011	208801	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
7/25/2011	208871	1,364.13		
			IRRIGATION REPAIRS-ZONE E-2	1,364.13
	Vendor Total	**17,064.13**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**17,064.13**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE**	**CA**
7/25/2011	883222	14,093.25		
			LNDSCP MAINT.-ZONE M	5,289.24
			LNDSCP MAINT.-ZONE M	243.48
			LNDSCP MAINT.-ZONE DSG-1	6,075.53
			LNDSCP MAINT.-ZONE E-16	2,485.00
	Vendor Total	**14,093.25**		
FYTD for TRUGREEN LANDCARE		**14,093.25**		
TUNTLAND, JAMES			Remit to: **PRESCOTT**	**AZ**
7/5/2011	883119	267.88		
			RETIREE MED JUL '11	267.88
	Vendor Total	**267.88**		
FYTD for TUNTLAND, JAMES		**267.88**		
TURBOSCAPE, INC.			Remit to: **SANTA CLARA**	**UT**
7/5/2011	883120	12,600.00		
			PLAYGRND FIBER FOR JFK PARK	11,550.00
			INSTALL FIBAR CHIPS-CITY PARKS	1,050.00
7/11/2011	883155	4,200.00		
			INSTALL FIBAR CHIPS-CITY PARKS	3,950.00
			INSTALL FIBAR CHIPS-CITY PARKS	250.00
	Vendor Total	**16,800.00**		
FYTD for TURBOSCAPE, INC.		**16,800.00**		
U.S. HEALTHWORKS MEDICAL GROUP			Remit to: **LOS ANGELES**	**CA**
7/25/2011	208872	50.00		
			FIT FOR DUTY EVALUATION-HR	50.00
	Vendor Total	**50.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		**50.00**		
U.S. POSTAL SERVICE			Remit to: **MORENO VALLEY**	**CA**
7/5/2011	208617	11,000.00		
			PERMIT #153-REC GUIDES POSTAGE	11,000.00
	Vendor Total	**11,000.00**		
FYTD for U.S. POSTAL SERVICE		**11,000.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNDERGROUND SERVICE ALERT			Remit to: **CORONA** **CA**	
7/5/2011	883121	433.50		
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.37
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
			DIGALERT TICKETS SUBSCRPTN SVC	108.38
Vendor Total		**433.50**		
FYTD for UNDERGROUND SERVICE ALERT		**433.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO** **CA**	
7/5/2011	208618	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
Vendor Total		**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**291.67**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883122	270.00		
			AUTO MALL PYLON SIGN PROJECT	270.00
7/11/2011	883156	1,917.00		
			AUTO MALL PYLON SIGN PROJECT	1,917.00
Vendor Total		**2,187.00**		
FYTD for UNITED INSPECTION & TESTING INC		**2,187.00**		
UNITED POWER GENERATION, INC.			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208619	265.00		
			GENERATOR TEST/REPAIR-FS #48	265.00
Vendor Total		**265.00**		
FYTD for UNITED POWER GENERATION, INC.		**265.00**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
7/11/2011	883157	1,501.02		
			BROOM KITS-ST SWEEPER	1,501.02
Vendor Total		**1,501.02**		
FYTD for UNITED ROTARY BRUSH CORP		**1,501.02**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
7/11/2011	883158	107.39		
			FENCE RENTAL-ANIMAL SHELTER	11.32
			FENCE RENTAL-ANIMAL SHELTER	96.07
Vendor Total		**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**107.39**		

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UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
7/5/2011	208620	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
7/18/2011	208802	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**100.00**		
FYTD for UNITED STATES TREASURY		**100.00**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
7/5/2011	208621	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
7/18/2011	208803	494.69		
			UNITED WAY CONTRIBUTIONS	5.00
			UNITED WAY CONTRIBUTIONS	489.69
	Vendor Total	**989.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**989.38**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
7/5/2011	208622	3,652.45		
			FERTILIZER AND AG CHEMICALS	1,252.29
			FERTILIZER AND AG CHEMICALS	2,400.16
7/11/2011	208711	1,200.09		
			FERTILIZER AND AG CHEMICALS	919.37
			FERTILIZER AND AG CHEMICALS	280.72
	Vendor Total	**4,852.54**		
FYTD for UNIVAR USA, INC		**4,852.54**		
VACA, MONICA			Remit to: **RIVERSIDE** **CA**	
7/25/2011	208873	3,000.00		
			SETTLEMENT	3,000.00
	Vendor Total	**3,000.00**		
FYTD for VACA, MONICA		**3,000.00**		

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VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY**	**CA**
7/11/2011	883159	1,160.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL FIELD OFFICE	45.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-GOLF PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
7/18/2011	883186	235.00		
			PEST CNTRL-LIBRARY	5.00
			PEST CNTRL-LIBRARY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
	Vendor Total	**1,395.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**1,395.00**		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
7/5/2011	883123	8,120.00		
			TEMP STAFFING SVCS-CAP PROJS.	8,120.00
	Vendor Total	**8,120.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**8,120.00**		
VALUEQUEST PRO P.C.			Remit to: **PERRIS**	**CA**
7/5/2011	208623	250.00		
			APPRAISAL SVCS FOR NSP PRGM	250.00
	Vendor Total	**250.00**		
FYTD for VALUEQUEST PRO P.C.		**250.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAS ASSOCIATES, INC.			Remit to: **CORONA** **CA**	
7/5/2011	883124	16,320.00		
			TEMP STAFFING SVCS-CAP PROJS.	16,320.00
7/25/2011	883223	17,280.00		
			TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total	**33,600.00**		
FYTD for VAS ASSOCIATES, INC.		**33,600.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
7/11/2011	208712	15,890.00		
			ACCOUNTING SVCS	7,155.00
			ACCOUNTING SVCS	8,735.00
	Vendor Total	**15,890.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**15,890.00**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
7/5/2011	208624	172.63		
			PHONE LISTING CHARGE	172.63
	Vendor Total	**172.63**		
FYTD for VERIZON CALIFORNIA		**172.63**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
7/11/2011	208713	648.15		
			ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total	**648.15**		
FYTD for VICTOR MEDICAL CO		**648.15**		
VIEVU			Remit to: **SEATTLE** **WA**	
7/5/2011	208625	10,169.00		
			WEARABLE VIDEO CAMERAS FOR PD	8,750.00
			2YR EXTENDED WARRANTY	1,400.00
			SHIPPING	19.00
			CA USE TAX	888.13
			USE TAX ACCRUAL	-888.13
	Vendor Total	**10,169.00**		
FYTD for VIEVU		**10,169.00**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883125	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST		**318.73**		

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VILLAGE NURSERIES WHOLESALE, LLC			Remit to: **ORANGE** **CA**	
7/5/2011	883126	3,809.49		
			PLANTS/TREE MATERIALS - PARKS	3,000.00
			PLANTS/TREE MATERIALS - PARKS	745.02
			PLANTS/TREE MATERIALS - PARKS	64.47
	Vendor Total	**3,809.49**		
FYTD for VILLAGE NURSERIES WHOLESALE, LLC		**3,809.49**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
7/5/2011	883127	3,951.46		
			EMPLOYEE VISION INSURANCE	3,951.46
	Vendor Total	**3,951.46**		
FYTD for VISION SERVICE PLAN		**3,951.46**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
7/11/2011	208714	261.11		
			PAINT/SUPPL FOR PARKS GRAFFITI	77.52
			PAINT/SUPPL-GRAFFITI RMVL PRGM	147.02
			PAINT/SUPPL-GRAFFITI RMVL PRGM	36.57
	Vendor Total	**261.11**		
FYTD for VISTA PAINT CORPORATION		**261.11**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
7/11/2011	208715	896.37		
			ASPHALTIC MATERIALS	550.55
			ASPHALTIC MATERIALS	103.85
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	103.85
	Vendor Total	**896.37**		
FYTD for VULCAN MATERIALS CO, INC.		**896.37**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY** **CA**	
7/5/2011	883128	318.73		
			RETIREE MED JUL '11	318.73
	Vendor Total	**318.73**		
FYTD for WAGNER, GARY D.		**318.73**		
WAGONER, ROBERT			Remit to: **ZEPHYRHILLS** **FL**	
7/5/2011	883129	360.40		
			RETIREE MED JUN-JUL 11, PD JUL	360.40
	Vendor Total	**360.40**		
FYTD for WAGONER, ROBERT		**360.40**		

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WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	7/5/2011	208626	637.46		
				RETIREE MED MAY-JUN 11, PD JUL	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**637.46**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	7/25/2011	208874	2,000.00		
				ANNUAL TRUSTEE FEES-2005 LRB	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**2,000.00**		
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	7/11/2011	208719	5,700.00		
				TRIM/THIN OLIVE TREES-VAR LOC.	5,700.00
	Vendor Total		**5,700.00**		
FYTD for WEST COAST ARBORISTS, INC.			**5,700.00**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	7/11/2011	208716	492.00		
				CALTRANS ENCRCHMNT PERMIT FEE	492.00
	Vendor Total		**492.00**		
FYTD for WEST COAST STRUCTURES INC			**492.00**		
WESTBOUND COMMUNICATIONS				Remit to: **ORANGE** **CA**	
	7/18/2011	208804	7,500.00		
				MAIL BALLOT PR CONSULTING SVCS	3,750.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
				MAIL BALLOT PR CONSULTING SVCS	1,875.00
	Vendor Total		**7,500.00**		
FYTD for WESTBOUND COMMUNICATIONS			**7,500.00**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208875	3,274.78		
				WATER CHARGES	1,761.75
				WATER CHARGES	10.94
				WATER CHARGES	1,443.82
				WATER CHARGES	58.27
	Vendor Total		**3,274.78**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**3,274.78**		

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WHEELER, GERALD				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208805	100.80		
				INSTRUCTOR SVCS-YOUTH GOLF	50.40
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
				INSTRUCTOR SVCS-YOUTH GOLF	25.20
	Vendor Total		**100.80**		
FYTD for WHEELER, GERALD			**100.80**		
WHISNER, MARY				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208806	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISNER, MARY			**50.00**		
WIELIN, RONALD A.				Remit to: **BANNING** **CA**	
	7/5/2011	883130	318.73		
				RETIREE MED JUL '11	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**318.73**		
WILLDAN AND ASSOCIATES				Remit to: **SAN BERNARDINO** **CA**	
	7/5/2011	208627	8,665.00		
				BLDG & SAFETY PLAN CHECK SVCS	7,455.00
				ON-SITE PERMIT INVESTIG. SVCS	1,210.00
	Vendor Total		**8,665.00**		
FYTD for WILLDAN AND ASSOCIATES			**8,665.00**		
WILLDAN FINANCIAL SERVICES				Remit to: **TEMECULA** **CA**	
	7/5/2011	208628	1,500.00		
				ARBITRAGE FEE-97 LSE REV BOND	500.00
				ARBITRAGE FEE-97 LSE REV BOND	1,000.00
	Vendor Total		**1,500.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**1,500.00**		
WILLIAMS, CHARMAINE				Remit to: **MORENO VALLEY** **CA**	
	7/18/2011	208807	62.00		
				REFUND-CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for WILLIAMS, CHARMAINE			**62.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	7/5/2011	883131	192.40		
				RETIREE MED JUN '11, PD JUL '1	192.40
	Vendor Total		**192.40**		
FYTD for WILLIAMS, JANE L.			**192.40**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	7/11/2011	208717	414.00		
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	90.00
	Vendor Total		**414.00**		
FYTD for WILLIS, ROBERT H			**414.00**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA** **CA**	
	7/5/2011	883132	7,600.00		
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	7/25/2011	883224	7,600.00		
				TEMP STAFFING SVCS-ELECTR UTIL	2,190.00
				TEMP STAFFING SVCS-ELECTR UTIL	5,410.00
	Vendor Total		**15,200.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**15,200.00**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				Remit to: **RIVERSIDE** **CA**	
	7/25/2011	208876	17,746.00		
				TUMF FEES COLLECTED	17,746.00
	Vendor Total		**17,746.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**17,746.00**		

City of Moreno Valley

Check Register

For Period 7/1/2011 through 7/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	7/5/2011	883133	1,620.00		
				MAINT. DAY PORTER SVCS	1,020.00
				JANITORIAL SVCS-TOWNGT RENTALS	600.00
	7/11/2011	883161	130.00		
				SPECIAL CLEANING SVCS-SNR CTR	130.00
	7/27/2011	883225	23,005.87		
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
				JANITORIAL SVCS-T.S. ANNEX	453.43
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-MRCH FLD PK CC	955.70
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-FAC. ANNEX	124.29
				JANITORIAL SVCS-SP DIST ANNEX	735.73
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRAILER	98.40
				JANITORIAL SVCS-CITY HALL	4,588.23
				MAINT. DAY PORTER SVCS	1,076.10
	Vendor Total		**24,755.87**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**24,755.87**		
XEROX				Remit to: **DALLAS** **TX**	
	7/18/2011	208808	3,520.61		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,618.85
				COPIER RNTL/MAINT-GRAPHICS	397.79
				COPIER RNTL/MAINT-PARKS	117.88
				COPIER RNTL/MAINT-PARKS	241.46
				COPIER RNTL/MAINT/PRINTS-PARKS	1,144.63
	Vendor Total		**3,520.61**		
FYTD for XEROX			**3,520.61**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	7/5/2011	883134	161.50		
				RETIREE MED MAY '11, PD JUL '1	161.50
	Vendor Total		**161.50**		
FYTD for YAMASHITA, JULIA J.			**161.50**		

Subtotal **1,171,566.33**

GRAND TOTAL **11,090,197.25**

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MV00133280

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT
PROJECT NO. 10-12272227

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

BACKGROUND

The design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In August 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

The Planning Division of the Community and Economic Development Department determined on July 25, 2011, that this project is exempt from the California

Environmental Quality Act (CEQA) as it is classified as a Class 1 Categorical Exemption under Section 15301(c) and, therefore, environmental documents are not required.

DISCUSSION

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The project improvements and locations are as follows:

- Curb, gutter, and sidewalk on the north side of Ironwood Avenue, east of Bayless Street.
- Curb, gutter, and sidewalk on the east side of Indian Street, south of Ironwood Avenue.
- Sidewalk on the east side of Pigeon Pass Road, north of Hemlock Avenue.
- Sidewalk on the south side of Calle San Juan De Los Lagos, west of Frederick Street.
- Ten pedestrian access ramps along Hemlock Avenue from Perris Boulevard to Leahy Street.
- Pedestrian access ramps on the northwest and southwest corners of Indian Avenue and Dorner Drive.
- Pedestrian access ramps on the southeast and northeast corners of Ramsdell Drive and Dorner Drive.
- Pedestrian access ramps on the southwest and southeast corners of Cottonwood Avenue and Bion Drive.
- Pedestrian access ramp and curb return on the southeast corner of Cactus Avenue and Elsworth Street.
- Pedestrian access ramp and curb return on the northwest corner of Iris Avenue and Oliver Street.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m., on September 12, 2011, for the subject project. The ten (10) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Mora's Equipment & Construction, Inc.**	**$182,993.50**
2.	TSR Construction & Inspection	$220,417.60
3.	Golden State Constructors, Inc.	$238,606.25
4.	CT&T, Inc.	$247,797.90
5.	STI, Inc.	$266,135.43
6.	Blair Rasmussen Construction	$280,741.12
7.	Elite Companies	$286,370.57
8.	JDC, Inc.	$320,910.60
9.	Avi-Con, Inc.	$375,398.00
10.	Bravo Concrete	$401,616.55

Engineer's Estimate $230,000.00

Staff has reviewed Mora's Equipment & Construction, Inc.'s bid and finds it to be the lowest responsive bid. Furthermore, Mora's Equipment & Construction, Inc. is in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Mora's Equipment & Construction, Inc. in their bid.

The lowest responsive bid was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternative items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternative items which comprise the ten locations identified in the DISCUSSION section. These ten locations are Phase 1 of the FY 10-11 SB 821 Grant Project as accepted by City Council on September 14, 2010. Phase 2 of the FY 10-11 SB 821 Grant Project will go out to bid in January of 2012.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor will coordinate construction activities such that impacts to motorists and pedestrians are minimized.

ALTERNATIVES

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc., in the form attached hereto, authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc. up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will allow for the timely construction of needed improvements.*

2. Do not award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder, do not authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties, and do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney. *This alternative will delay the construction of these needed improvements.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2011/2012 Capital Improvements Project Budget and will be financed by SCAG Article 3 (Fund 122) and Measure "A" (Fund 125). RCTC will reimburse up to $150,000 of the construction costs. The funding for this project is restricted to street improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS FISCAL YEAR 2011/2012:

Citywide Sidewalks and Access Ramps (Account No. 122.72227)	$150,000
Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$150,000
Total Funds Available	**$300,000**

ESTIMATED CONSTRUCTION RELATED COSTS:

Construction (Includes 20% contingency)	$220,000
Construction Surveying Costs	$25,000
Construction Geotechnical Costs	$25,000
Project Administration and Inspection Services	$20,000
Total Estimated Construction Related Costs	**$290,000**

ANTICIPATED PROJECT SCHEDULE:

Start Construction	October 2011
Complete Construction	March 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The project will install sidewalk, curb and gutter, and/or Americans with Disabilities Act (ADA) access ramps at ten locations citywide. Locations are in close proximity to major pedestrian generators such as bus stops, schools, churches, and commercial centers. By providing improvements at the identified locations, route continuity will be improved between the pedestrian generators and neighboring residential areas. The City Council is requested to approve the award of the construction contract to Mora's Equipment & Construction, Inc.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Mora's Equipment & Construction, Inc.

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\CC Reports\NOA-Phase 1 staff report\NOA for Citywide Sidewalks and Access Ramps_9-21-11.doc

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MV00133286

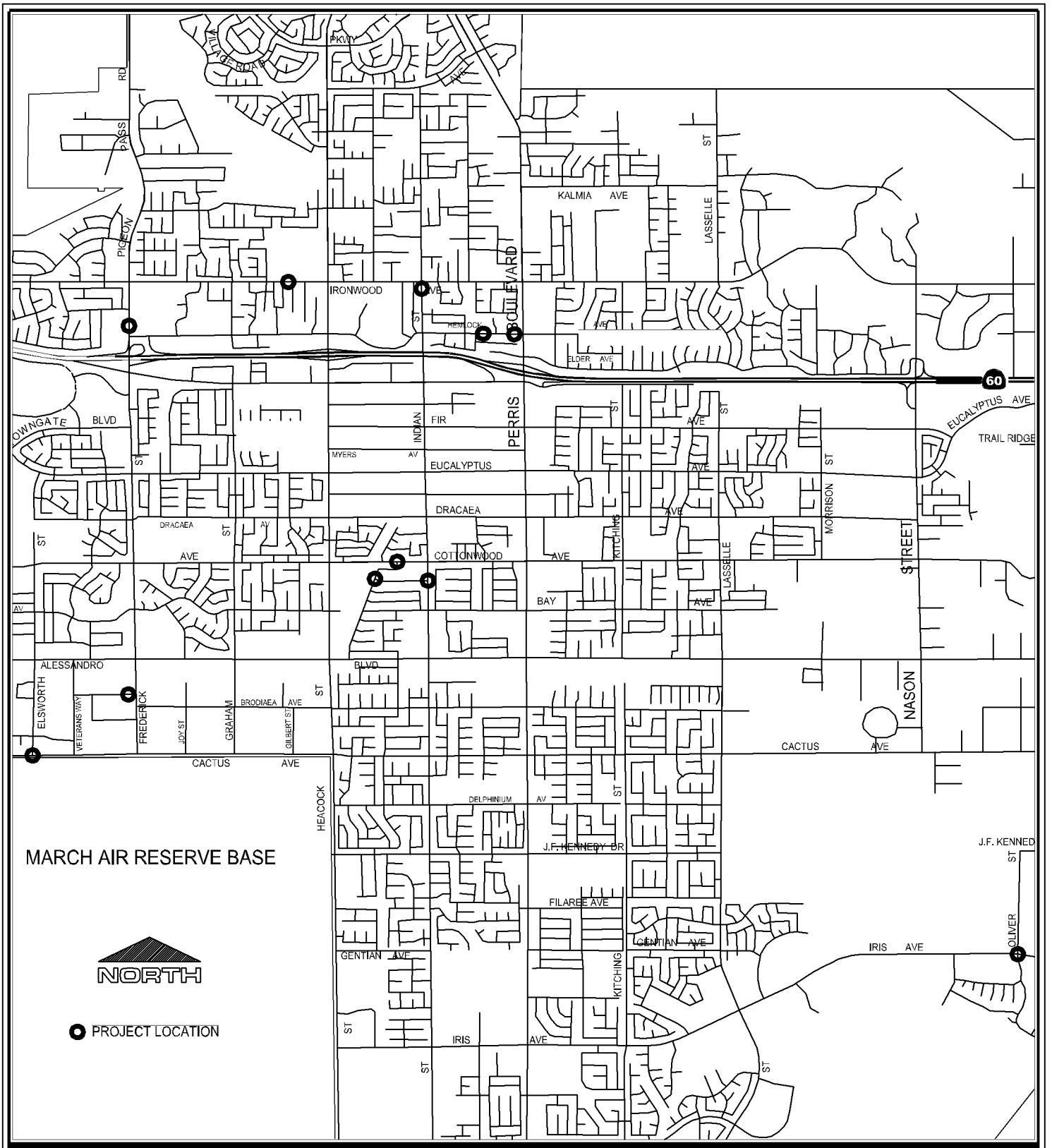

ATTACHMENT "A" - LOCATION MAP

Public Works Department Capital Projects Division	PROJECT NO. 10-12272227 CITYWIDE SIDEWALKS AND ACCESS RAMPS
Scale: None	

Item No. A.5

MV00133287

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MV00133288

Agreement No._____

AGREEMENT

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Mora's Equipment and Construction, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$182,993.50** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. After the Agreement has been fully executed by the Contractor and the City, the Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the "Notice to Proceed to Fulfill Preconstruction Requirements," which constitutes the start of the contract eighty (80) working days. Preconstruction Requirements include, but are not limited to, the following:

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan
- Submitting and obtaining approval of required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Contract Documents

After all preconstruction requirements are met, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor agrees to diligently prosecute the work, including corrective items of work, day to day thereafter, except as adjusted by subsequent Change Orders. The eighty (80) working days include the time necessary to both Fulfill Preconstruction Requirements and for Construction of the project.

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $365.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers,

employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

15. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

16. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12272227

CITY OF MORENO VALLEY, a Municipal Corporation

BY: _____
City Manager

DATE: _____

Mora's Equipment and Construction, Inc.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

W:\CapProj\CapProj\PROJECTS\Michael 10-12272227 - SB 821 City-wide Sidewalks and Access Ramps\Specifications\2 Agreement - Basic Specs 07-11 - Citywide SW AR.DOC

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO

-ly attach this document to the signed document.

Item No. A.5

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND

(100% of Total Contract Amount)

PROJECT NO. 10-12272227

STREET IMPROVEMENTS

Citywide Sidewalks and Access Ramps

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Mora's Equipment and Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 10-12272227**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 10-12272227

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
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- Securely attach this document to the signed document.

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MV00133302

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

FRAN LOU DRIVE, BETWEEN PERRIS BOULEVARD AND KITCHING STREET

DEVELOPER - LCTH INVESTMENT, L.P.
1000 DOVE STREET
SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements.

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 27, 2003, the City Council of Moreno Valley approved Final Map 20185 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 20185 provided a Faithful Performance Bond in the amount of $2,072,000 and a Material and Labor Bond in the amount of $1,036,000 issued by Western Insurance Company.

On August 23, 2005, the City Council approved and accepted replacement bonds and an Agreement for Public Improvements for Tract 20185. The agreement expired August 23, 2007. Due to the current market conditions at that time, LCTH Investment, L.P. postponed development and focused on selling their current inventory of homes on other project sites.

On September 25, 2007, LCTH Investment, L.P. requested that the City provide a 24 month extension of time to their Agreement for Public Improvements. The amendment extended the agreement for Tract 20185 to August 23, 2009.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 20185 for public improvements. Do not direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 20185
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2011\9-27-11 - TR 20185- Exoneration of Agree.doc

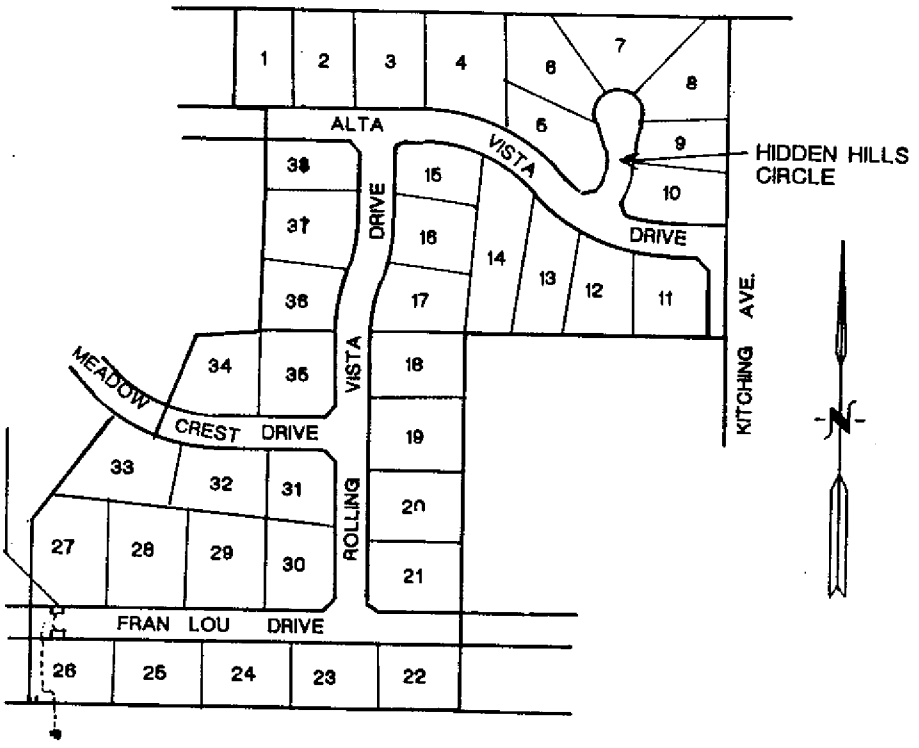

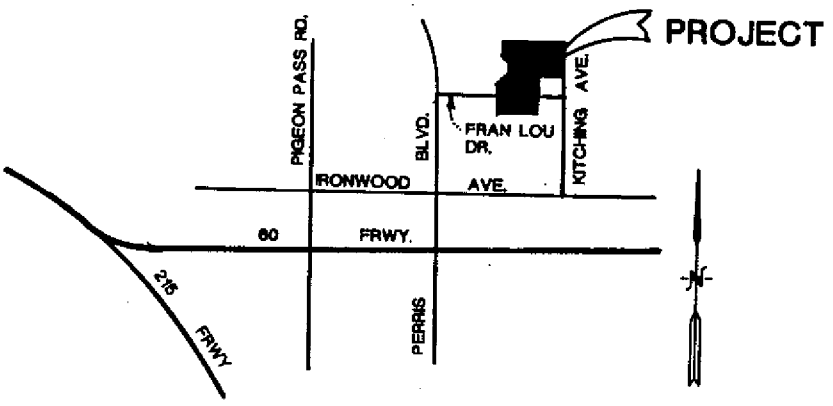

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

TRACT 20185
VICINITY MAP

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MV00133308

AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS FOR TRACT 20185

This Amendment to Agreement for Public Improvements is made and entered into by and between the City of Moreno Valley, hereinafter "City", and **LCTH INVESTMENT, L.P.,** hereinafter "Contractor", on the date the City signs this agreement.

1. RECITALS:

   (a) The City and the Contractor entered into an Agreement for Public Improvements hereinafter called the "Original Agreement" **(Doc #2005-0793184)** on August 23, 2005. That agreement will expire on August 23, 2007.

   (b) The City and the Contractor wish to amend the Original Agreement as hereinafter provided.

2. AMENDMENT TO ORIGINAL AGREEMENT:

   (a) Based upon the foregoing Recitals, the City and the Contractor hereby amend the Original Agreement, extending said agreement by twenty-four (24) months, up to and including the **23rd day of August 2009**, the time for completion of the required work and improvements by the Contractor.

   (b) The bonds currently on file are to remain in effect unless replacement bonds are being provided with this Amendment to Agreement for Public Improvements.

3. LIMITED EFFECT:

   Except as herein otherwise provided, the terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Contractor and the City have duly caused this Amendment to the Original Agreement to be executed as of the date executed by the Mayor of the City.

LCTH INVESTMENT, L.P.

By: C Christine Chung
Signature

CHRISTINE CHUNG MANAGER
Print Name & Title

By: _____
Signature

_____
Print Name & Title

ATTEST:

Alice Reed 10/2/07
City Clerk Date

CITY OF MORENO VALLEY

Charles White 9-29-07
Mayor Date:

APPROVED AS TO FORM:

RDH 9/29/07
City Attorney Date

Original-City Clerk Pink-Contractor Green-Land Dev. Blue-Project File

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

W:\LandDev\Lee Ann\Agreement Bond Packets\TR20185 - Amendment to Agreement-extension.doc

Exhibit "B"

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0.05	Thickness (ft.)				
	132550	S.F.	480	Ton	55.00	26,427
A.C. - Street 1	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	90.00	302,711
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	329,138

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

OFFSITE STREET WORK

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	0	Ton	90.00	0
Slurry Seal (Based on $150/Ton Type II)	14728	S.Y.	2.25	33,138
Sawcut	0	L.F.	1.50	0
Utility Trench	5000	L.F.	17.00	85,000
Trench Repaving	0	S.F.	12.00	0
Redwood Header	250	L.F.	6.00	1,500
A.C. Berm - 6"	163	L.F.	10.00	1,630
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	19	EA.	800.00	15,200
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	1800	L.F.		0
Curb and Gutter - 8"	5000	L.F.	25.00	125,000
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	3000	S.F.	15.00	45,000
Sidewalk	13800	S.F.	7.00	96,600
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	4350	S.F.	14.00	60,900
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	9	EA.	1,200.00	10,800
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	60	L.F.	100.00	6,000
	0			0
			SUBTOTAL:	480,768

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	16	EA.	4,000.00	64,000
Street Lights (22000 lumen)	0	EA.	5,000.00	0
Electrical Utility Infrastructure	0	L.S.	--	0
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	64,000
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordina	0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
Traffic Striping/raised pavement markers	1	L.S.	10000	10,000
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	5	EA.	200.00	1,000
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
	0		--	0
			SUBTOTAL:	12,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Cluster Mail Boxes	4	EA.	4,500.00	18,000
Erosion Control	24	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	178	EA.	100.00	17,800
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Street Trees	38	EA.	2,500.00	95,000
			SUBTOTAL:	130,800

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	48	L.F.	130.00	6,240
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	238	L.F.	180.00	42,840
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	3	EA.	5500.00	16,500
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
	0		---	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	21	EA.	5500.00	115,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	2	EA.	3500.00	7,000
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		---	0
Miscellaneous				
Rip Rap	200	TON	60.00	12,000
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		---	0
			SUBTOTAL:	203,080

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	2422		50.00	121,100
10" PVC C-900	0		55.00	0
12" PVC C-900	1045		60.00	62,700
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.	---	0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	5	EA.	800.00	4,000
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	1	EA.	1,800.00	1,800
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	4	EA.	3,000.00	12,000
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	3	EA.	2,500.00	7,500
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	7	EA.	2,800.00	19,600
6" Super Fire Hydrants	0	EA.	3,000.00	0
	0		---	0
Services Connections				
1" Service	38	EA.	500.00	19,000
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	2		200.00	400
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	6		750.00	4,500
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	2	EA.	2,800.00	5,600
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	3	CY	150.00	450
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
	0		---	0
			SUBTOTAL:	267,650

Item No. A.6

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	1143	L.F.	20.00	22,860
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	3000	L.F.	30.00	90,000
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	38	EA.	700.00	26,600
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	33	EA.	3,000.00	99,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	0	EA.	300.00	0
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	38	EA.	90.00	3,420
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	238,460

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: TR. 20185 (NEW)

DATE: 06/06/07
PREPARED BY: DAVID T. ROSS

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK :	$329,138
STREET WORK :	$611,568
STORM DRAIN SYSTEM :	$203,080
WATER SYSTEM :	$267,650
SEWER SYSTEM :	$238,460
ENTERPRISE SERVICES ADMIN :	$64,000
TRANSPORTATION ENGNRNG :	$12,000
TOTAL COST (VALUE) OF IMPROVEMENTS:	$1,725,896
+20% CONTINGENCY:	$345,179
GRAND TOTAL:	$2,071,075

BOND AMOUNT: **$2,072,000**

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TRACT MAP 20185

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **LCTH INVESTMENT, L.P.**, hereinafter called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TRACT MAP 20185** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND AND NO/100** Dollars (*****$1,637,000*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

AGREEMENT FOR PUBLIC IMPROVEMENTS **PROJECT NO. TRACT MAP 20185**

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:

LCTH Investment, L.P.
1000 Dove Street
Suite 100
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

LCTH Investment, L.P.

By: Christine Cheng Manager
Title

By: _____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: Alice Reed
City Clerk

(SEAL)

CITY OF MORENO VALLEY

Date: 8/24/05

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8/24/05

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

PROJECT: **Tract 20185 (2005 Version)**
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			3675	C.Y.	16.00	58,800
A.B. Class II	0.5	Thickness (ft.)				
	132550	S.F.	4805	Ton	16.00	76,879
A.C.	0.35	Thickness (ft.)				
	132550	S.F.	3363	Ton	43.50	146,310
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Curb and Gutter - 6"			1800	L.F.	12.00	21,600
Curb and Gutter - 8"			5000	L.F.	13.00	65,000
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			3000	S.F.	11.00	33,000
Sidewalk			13800	S.F.	4.00	55,200
Driveway Approach - 6"			4350	S.F.	5.50	23,925
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			163	L.F.	10.00	1,630
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			14728	S.Y.	1.10	16,201
Redwood Header			250	L.F.	4.00	1,000
Sawcut			0	L.F.	1.10	0
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5000	L.F.	5.00	25,000
Wheelchair Ramp			9	EA.	400.00	3,600
Street Name Sign			0	EA.	425.00	0
Stop Sign			5	EA.	200.00	1,000
Barricade			60	L.F.	45.00	2,700
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			5	EA.	200.00	1,000
Traffic Striping/raised pavement markers			1	L.S.	–	4,464
Traffic Signal			0	EA.	160,000.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping			0	S.F.	5.00	0
Street Trees			38	EA.	150.00	5,700
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			16	EA.	3,000.00	48,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			19	EA.	550.00	10,450
Erosion Control			24	Ac.	5,500.00	132,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure						
Electrical Reimbursement						
					SUBTOTAL:	745,459

Monuments: 0 X 65.00 EA. $0

Item No. A.6

EXHIBIT "A"

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	48	L.F.	75.00	3,600
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	0	L.F.	95.00	0
30" Reinforced Concrete Pipe	238	L.F.	110.00	26,180
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	3	EA.	5000.00	15,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin	21	L.F.	450.00	9,450
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Junction Structure	0	EA.	4500.00	0
Headwall	0	EA.	3500.00	0
Rip Rap	200	TON	40.00	8,000
Parkway Drain	1	EA.	2000.00	2,000
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	1	EA.	1100.00	1,100
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
"V" Gutter	23810	S.F.	4.00	95,240
			SUBTOTAL:	160,570

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	1045	L.F.	60.00	62,700
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	2422	L.F.	50.00	121,100
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	2	EA.	2,000.00	4,000
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	7	EA.	2,000.00	14,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	2	EA.	200.00	400
10"	0	EA.	240.00	0
12"	6	EA.	750.00	4,500
Blow Off 6"	0	EA.	1,800.00	0
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	0	EA.	1,800.00	0
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	38	EA.	350.00	13,300
Blow-offs	3	EA.	1,300.00	3,900
Air Vac & Air Release	4	EA.	1,800.00	7,200
Hot Tap	2	EA.	2,000.00	4,000
12" BFV	1	EA.	1,800.00	1,800
8" BFV	5	EA.	800.00	4,000
Thrust Block	3	C.Y	150.00	450
			SUBTOTAL:	246,350

Item No. A.6

EXHIBIT "A"

PROJECT: Tract 20185 (2005 Version)

DATE: 04/20/05
PREPARED BY: Anitra Holt

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	3000	L.F.	32.00	96,000
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1143	L.F.	24.00	27,432
15" Pipe Plastic Solid Wall	0	L.F.	35.00	0
12" Pipe Plastic Solid Wall	0	L.F.	33.00	0
10" Pipe Plastic Solid Wall	0	L.F.	21.00	0
8" Pipe Plastic Solid Wall	0	L.F.	17.00	0
6" Pipe Plastic Solid Wall	0	L.F.	13.00	0
4" Pipe Plastic Solid Wall	0	L.F.	9.00	0
Standard Manhole 48"	19	EA.	2,000.00	38,000
Terminus Manholes	14	EA.	1,700.00	23,800
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	38	EA.	600.00	22,800
Wyes	38	EA.	90.00	3,420
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
			SUBTOTAL:	211,452

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 20185 (2005 Version)**

DATE: **04/20/05**
PREPARED BY: **Anitra Holt**

IMPROVEMENT TYPE:

ROADWORK	:	$745,459
STORM DRAIN	:	$160,570
WATER SYSTEM	:	$246,350
SEWER SYSTEM	:	$211,452
SURVEY MONUMENTS	:	$0
TOTAL COST OF IMPROVEMENTS:		$1,363,831
+20% CONTINGENCY:		$272,766
GRAND TOTAL:		$1,636,597

BOND AMOUNT: **$1,637,000**

Item No. A.6

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MV00133326

Recording requested by and when recorded, mail to:

City of Moreno Valley
CEDD/Land Development Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Public Works Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Tract Number 20185,

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 20185 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the Public Works Department, Land Development Division located at 14177 Frederick Street, Moreno Valley, California, 92553 or by calling 951.413.3120.

By: _____
CHRIS A. VOGT,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date 8/31/11

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Notifications for PIA Req\TR 20185 - Notice of Requirement for PIA.doc

Exhibit "C"

Item No. A.6

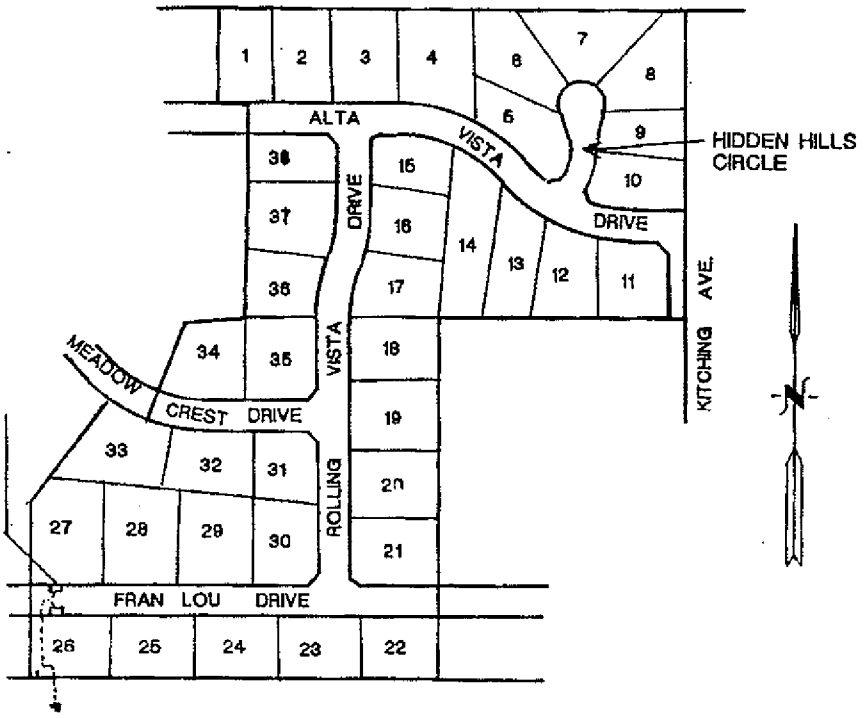

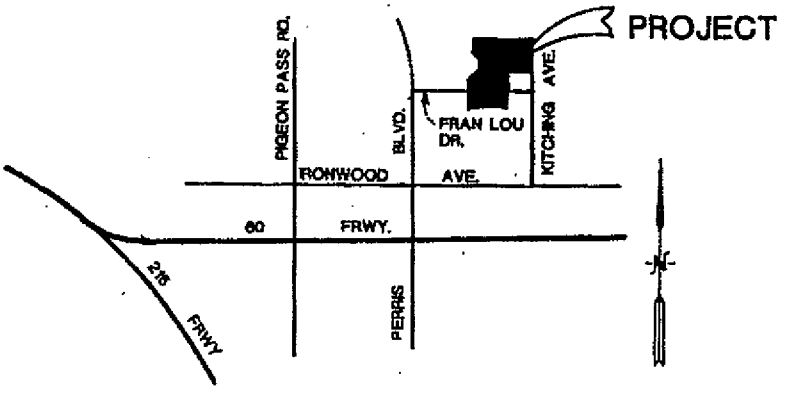

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** EXHIBIT "A"	**TRACT 20185** **VICINITY MAP**

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Community and Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO REDEVELOPMENT AGENCY
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324.

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325.

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way).

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency:

> Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. The City Council approved Resolution No. 2011-88 for the Notice of Intent to Vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highways Code – Chapter 3, Sections 8320 through 8325. The Resolution provided for the following actions:

1. Set the date of the public hearing for the vacation proceeding as September 27, 2011 , in the City Council Chambers, at 6:30 p.m., for all persons interested in or objecting to the proposed street vacation; and

2. Directed the City Clerk to publish and advertise the hearing notice and directed the City Engineer to post Motor Way giving notice of the time of the public hearing; and

3. Directed the City Clerk to certify said resolution and transmit a copy to the office of the County Recorder for recordation.

DISCUSSION

The Community Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Part of the Auto Mall Specific Plan is to vacate the frontage road (Motor Way) between the Auto Mall properties and Auto Mall Parkway (Moreno Beach Drive) to enhance visibility. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno

Beach Drive) already serves, and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Bros. Moreno Valley Properties, LLC and Majestic Realty (also known as Auto Mall Resolution, LLC), who own the properties fronting Motor Way. Both owners support the vacation of Motor Way. To maintain access to two fronting properties along Lot "B", an ingress and egress easement are required as part of the vacation process.

The City also recommends that the property be transferred from the City of Moreno Valley's ownership to the RDA's ownership via a quitclaim deed. The transfer of ownership would allow the RDA to address various issues identified in the Auto Mall's Specific Plan Amendment No. 5 previously approved by City Council. There is no fee associated with the transfer of ownership.

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

ALTERNATIVES

1. Adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Adopting the Resolution ordering the Vacation will allow the City to finish the proposed street improvements.*

Authorizing the execution of the Quitclaim Deed and Easement Deeds will alleviate any future title issues and liability issues for the City.

2. Do not adopt the proposed Resolution ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access in conformance with California Streets and Highways Code - Chapter 3: Section 8324, do not direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325, do not authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot "B" of Parcel Map 23244 (Motor Way), and do not authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. Do not authorize the Mayor, acting in his capacity of Chairman of the Board of Directors of the Community Redevelopment Agency to execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency. *Not adopting the Resolution ordering the Vacation will not allow the City to finish the proposed street improvements along Motor Way and will cause the City to continue maintenance of the street. Not authorizing the execution of the Quitclaim Deed and Easement Deeds may cause future title issues and liability issues for the City.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution ordering the street vacation. There will be a transfer of land ownership between the City and the RDA but no financial transaction between the entities.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff is requesting that the City Council approve and adopt the proposed Resolution ordering the vacation of Motor Way from Auto Mall Drive to Eucalyptus Avenue,

excepting and reserving an easement for existing public utilities and public access, directing the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording, and executing a quitclaim deed to transfer the property to the Community Redevelopment Agency. Furthermore, staff is recommending the Board of Directors authorize the execution of the Acceptance Certification of the Quitclaim Deed.

NOTIFICATION

Notice of the vacation has been given to various utility agencies. The public has been notified of the vacation by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Lot B Exhibit"
Attachment "C" – Proposed Resolution
Attachment "D" – Quitclaim Deed
Attachment "E" – Acceptance Certification
Attachment "F" – Easement Deed for Parcel "A" of LLA 817
Attachment "G" – Easement Deed for Parcel 1 of LLA 1008

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\Full Vacation for Motor Way and Transfer of Property 9-27-11 - Final.docx

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MV00133334

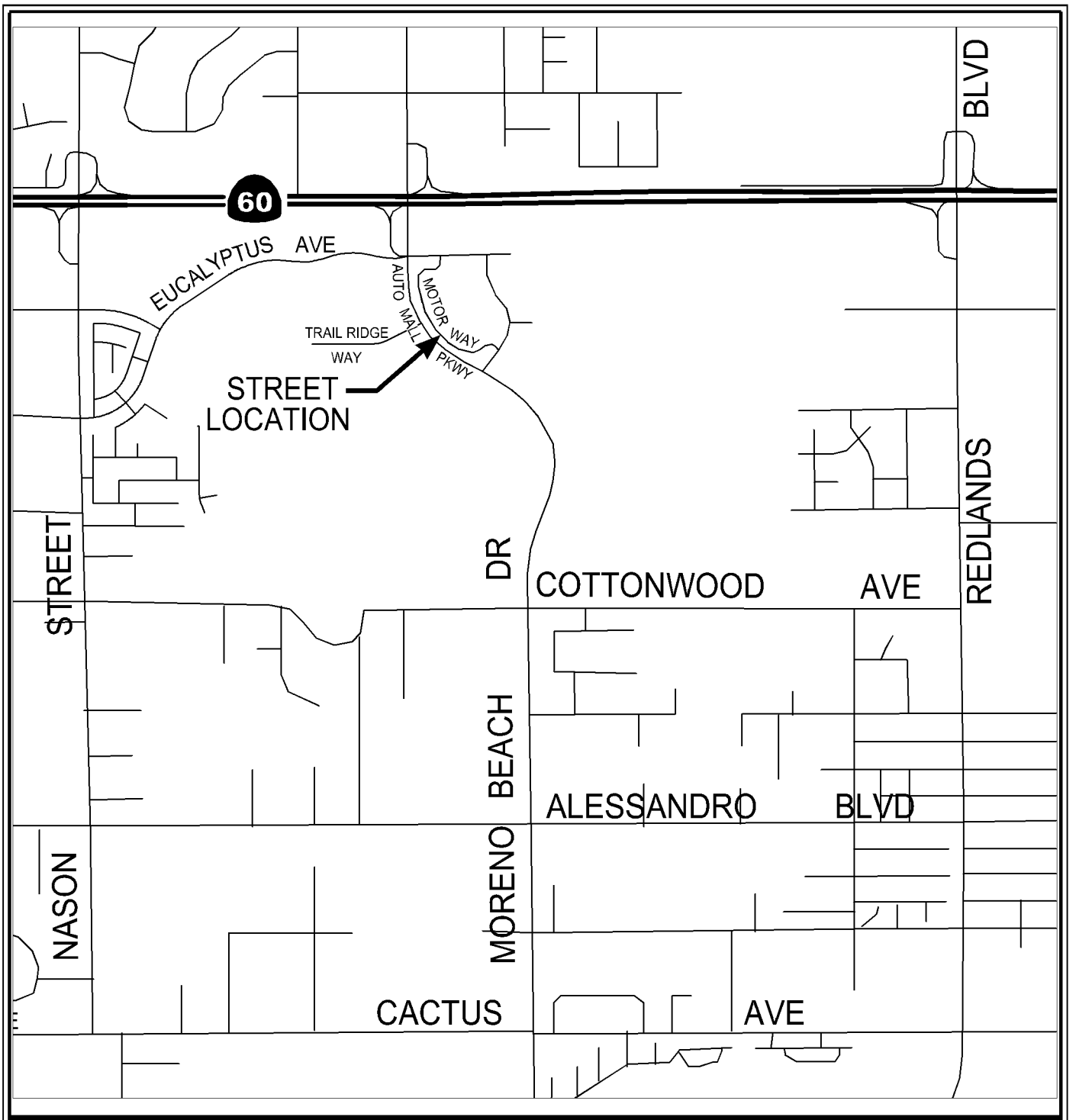

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

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MV00133336

"Lot B Exhibit"

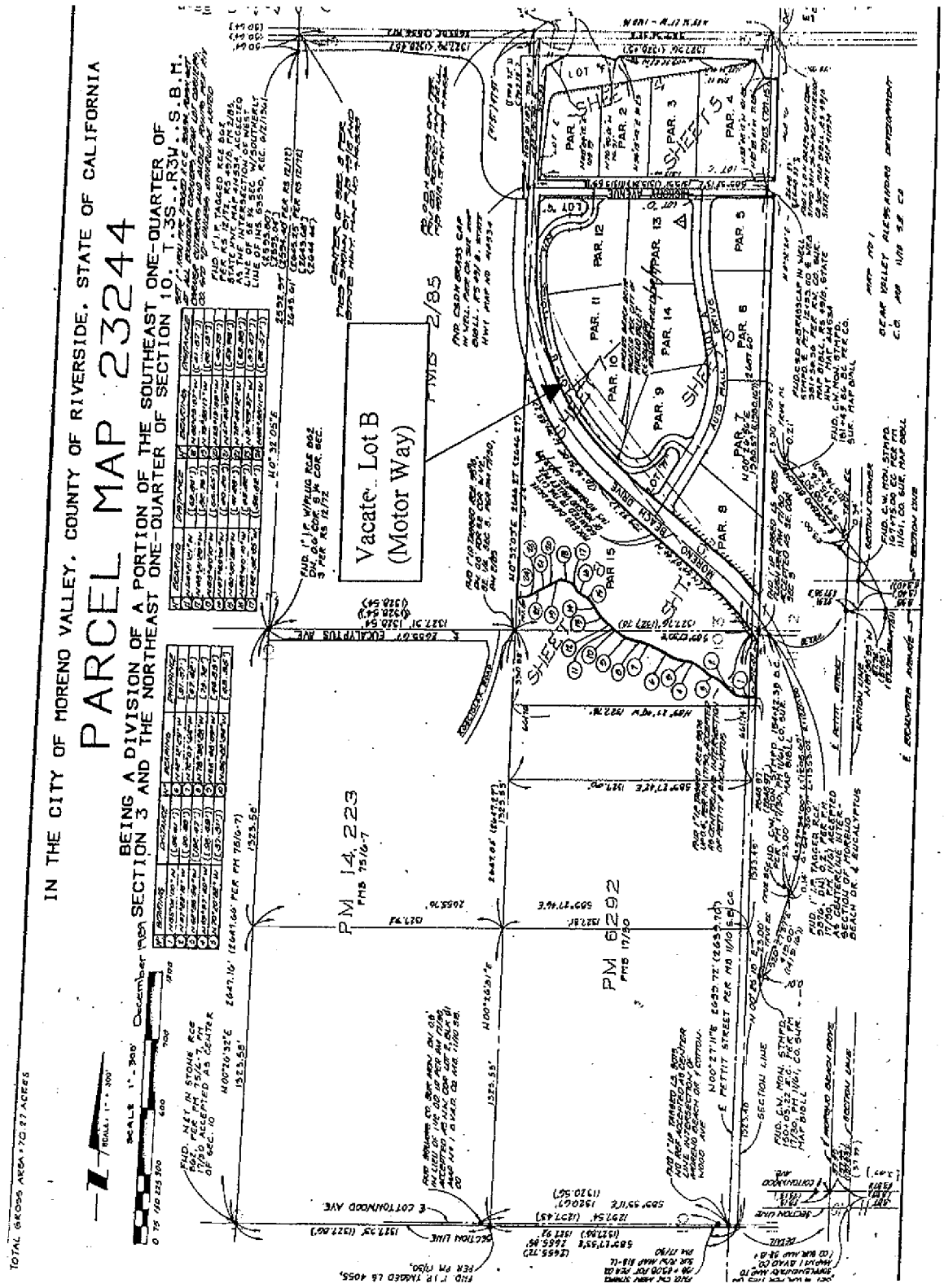

Attachment "B"

Item No. A.7

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MV00133338

RESOLUTION NO. 2011-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City Council, on August 23, 2011, adopted Resolution No. 2011-88 declaring its intention to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described in said Resolution No. 2011-88 on file with the City Clerk's office, and set a public hearing for September 27, 2011, at 6:30 p.m., as the time for all persons interested in or objecting to the proposed vacation; and

WHEREAS, this public hearing was duly noticed and held as required by law; and

WHEREAS, the public right-of-way proposed to be vacated was duly posted as provided by law; and

WHEREAS, there are existing public facilities and services in the area to be vacated, therefore reserving to the City an easement for public facilities and services; and

WHEREAS, the Council finds such public right-of-way is unnecessary for the following reasons:

1. The subject right-of-way is unnecessary for present and prospective public use.

2. The subject right-of-way is not needed as a non-motorized transportation facility.

3. The proposed vacation is consistent with the City of Moreno Valley Municipal Code and General Plan and it complies with the requirements for street vacations as cited in the California Streets and Highways Code Sections 8312 & 8324.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public right-of-way described as Lot B of Parcel Map 23244, as recorded and on file with the Riverside County Recorder's Office, be vacated.

BE IT FURTHER RESOLVED THAT the City is reserving unto itself an easement for public utilities and public facilities purposes.

BE IT FURTHER RESOLVED THAT the City is reserving ingress and egress access easements to Parcel A of Lot Line Adjustment Number 817 and Parcel 1 of Lot Line Adjustment Number 1008 along Lot B of Parcel Map 23244.

BE IT FURTHER RESOLVED THAT the City Clerk shall cause a certified copy of this order to be recorded by the Riverside County Recorder.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00133342

Recording requested by and when
recorded, mail to:
City of Moreno Valley
City Clerk
14177 Frederick Street
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N.

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the

City of Moreno Valley, a Municipal Corporation

hereby remises, releases and quitclaims to the COMMUNITY REDEVELOMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, the real property in the City of Moreno Valley, County of Riverside, State of California, as described:

Lot B of Parcel Map 23244 and as illustrated on the plat attached hereto and marked Exhibit "A".

Reserving therefrom, to said City of Moreno Valley an easement for public utilities and public facilities over, under, across and within the above described parcels of land.

IN WITNESS WHEREOF, this instrument has been executed this ____ day of_____, 2011.

STATE OF CALIFORNIA
County of Riverside

On _____ before me, _____
the undersigned. A Notary Public in and for said State, personally appeared_____
_____
proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

GRANTOR:

City of Moreno Valley

By:_____

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MV00133344

"Lot B Exhibit"

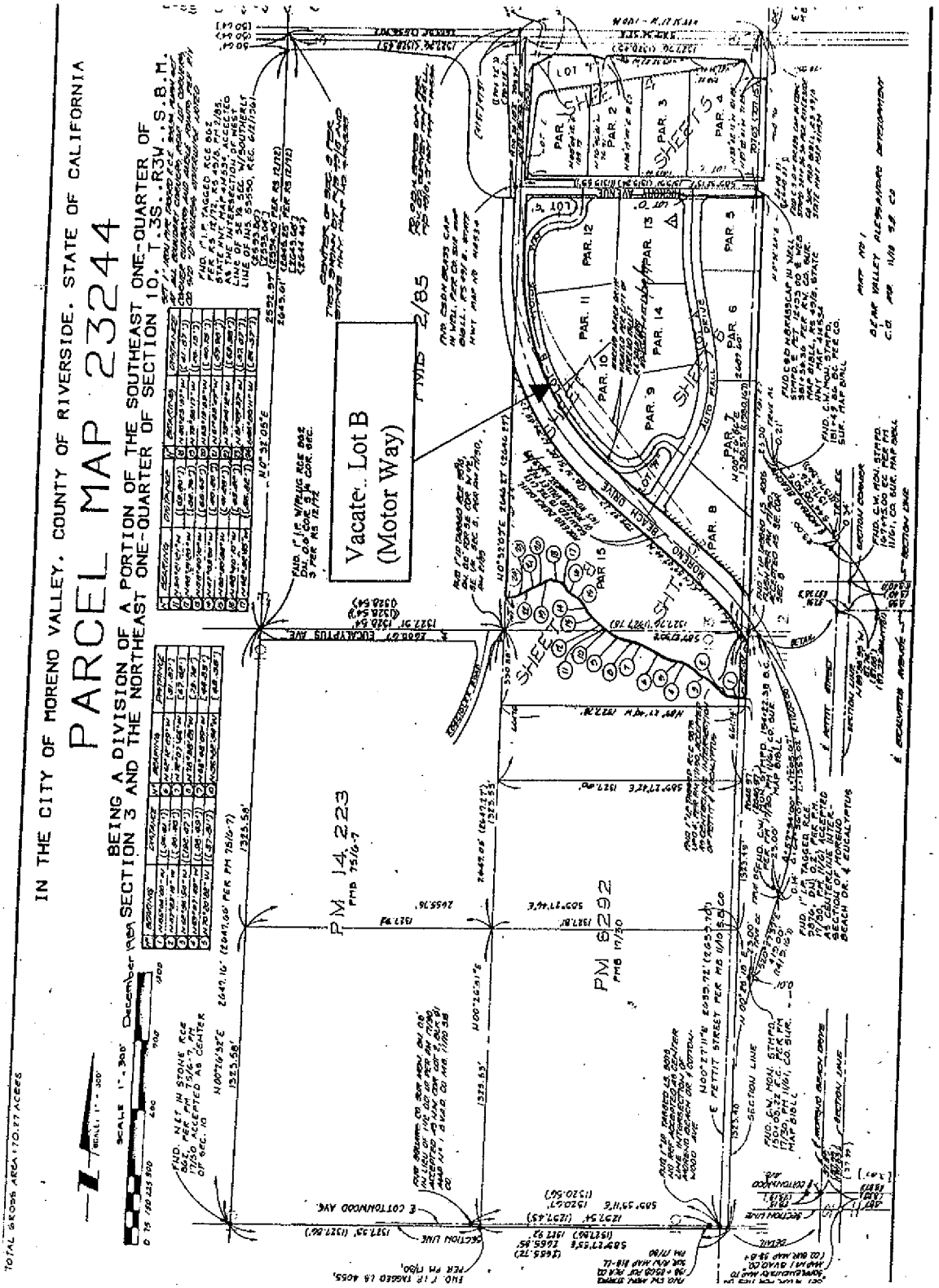

Exhibit "A"

Item No. A.7

MV00133345

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MV00133346

ACCEPTANCE CERTIFICATION

This is to certify that the interest in real property conveyed by the deed or grant dated September 27, 2011 from City of Moreno Valley to the Moreno Valley Community Redevelopment Agency, State of California, in the form attached hereto, is hereby accepted, subject to completion of Conditions of Resolution 2011-___, by the order of the Board of Directors of the Moreno Valley Redevelopment Agency, pursuant to authority so ordered on September 27, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____

By: _____
Richard A. Stewart, Chairman of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

State of California
County of_____ }

On_____ before me, _____, A Notary Public
Date — Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

_____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Attachment "E"

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MV00133348

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the AUTO MALL RESOLUTION, LLC, an easement for ingress and egress access purposes to Parcel "A" of Lot Line Adjustment Number 817 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Lot "A" (also know as Auto Mall Drive) and the prolongation of the northerly property line of Parcel "A" of Lot Line Adjustment Number 817 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "F"

Item No. A.7

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MV00133350

LOT LINE ADJUSTMENT 817

OF A PORTION OF PARCELS 10, 11, 12 AND 13 OF PARCEL MAP 23244
ON FILE IN BOOK 161 OF PARCEL MAPS AT PAGES 16 THROUGH 24,
RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

JUNE 1990

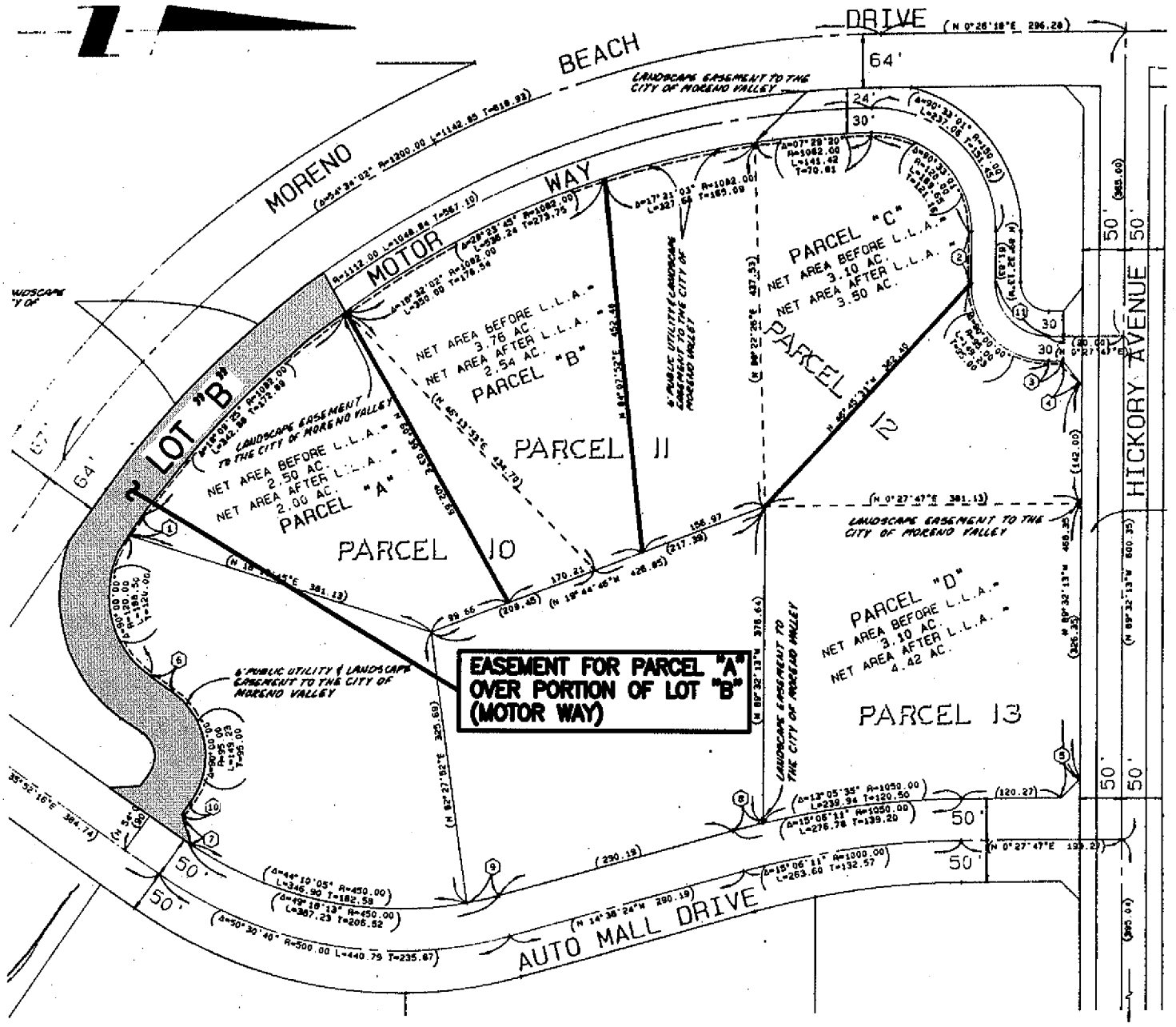

EXHIBIT "A"

NTS

INSTRUMENT No 302152

Item No. A.7

MV00133351

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MV00133352

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. ____ - ____ - ____

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF MORENO VALLEY, a municipal corporation,

GRANTOR(S) hereby grant(s) and convey(s) to the MOSS BROS. MORENO VALLEY PROPERTIES, LLC, an easement for ingress and egress access purposes to Parcel 1 of Lot Line Adjustment 1008 in and over the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Lot "B" of Parcel Map 23244 between Eucalyptus Avenue (Hickory Avenue) and the prolongation of the southerly property line of Parcel 1 of Lot Line Adjustment 1008 and illustrated on the plat attached hereto and marked ***Exhibit "A"*** attached hereto.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2011.

By: _____
Grantor **Date**

By: _____
Grantor **Date**

STATE OF CALIFORNIA)
County of _____)ss.
On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Attachment "G"

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MV00133354

EXHIBIT "A"
LOT LINE ADJUSTMENT No. 1008/ AND CERTIFICATE OF COMPLIANCE

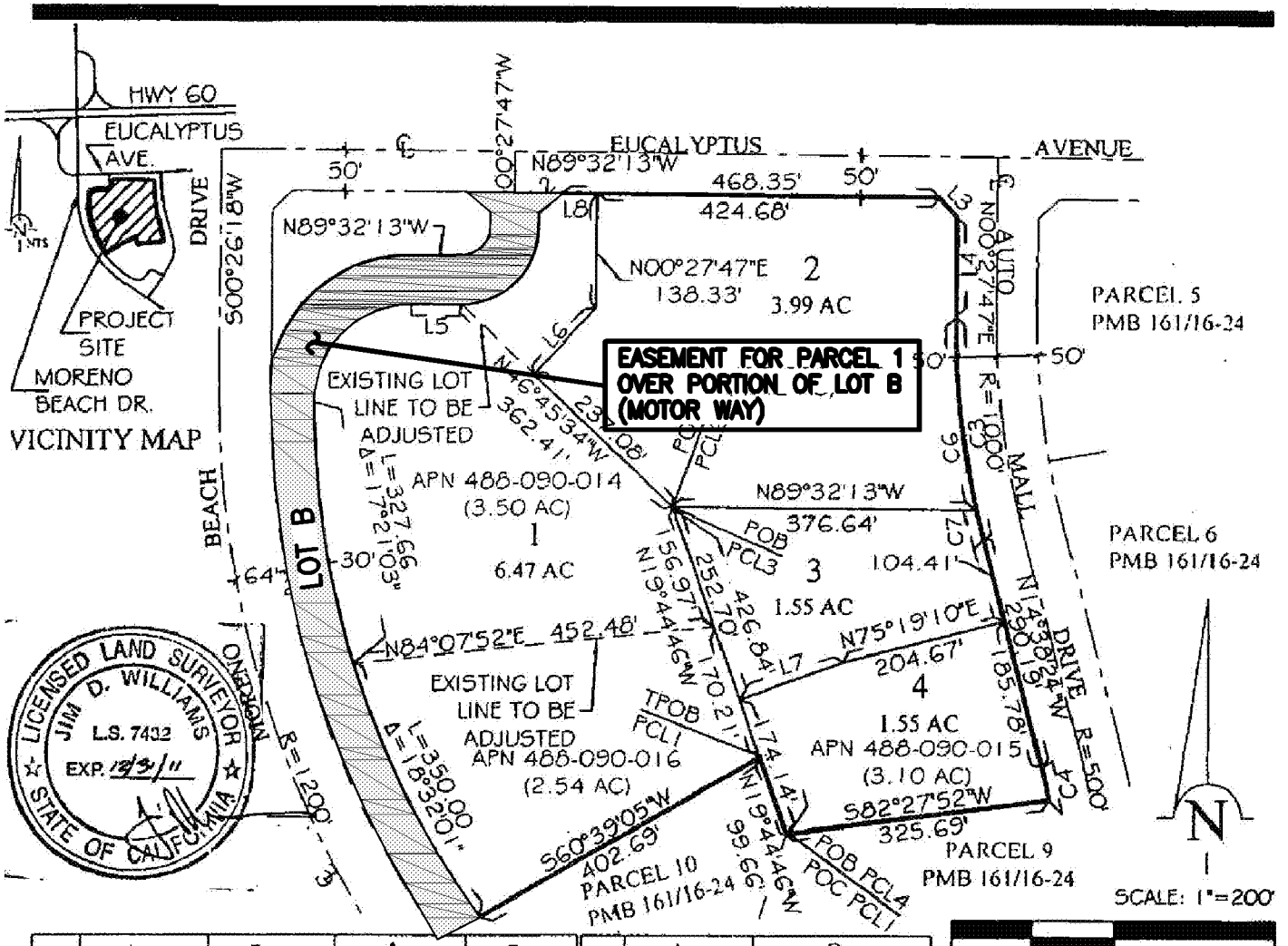

	L	R	Δ	T
C1	189.65'	120.00'	90°33'04"	121.16'
C2	149.23'	95.00'	90°00'00"	95.00'
C3	276.78'	1050.00'	15°06'11"	139.20'
C4	40.33'	450.00'	05°08'08"	20.18'
C5	677.66'	1082.00'	35°53'04"	350.36'
C6	239.94'	1050.00'	13°05'35"	120.50'
C7	36.84'	1050.00'	02°00'36"	18.42'

	L	B
L1	17.00'	N00°27'47"E
L2	37.01	N52°02'25"E
L3	32.53'	S44°32'13"E
L4	120.27'	S00°27'47"W
L5	61.83'	N89°32'13"W
L6	111.43'	N43°14'26"E
L7	136.37'	N70°14'02"E
L8	43.67'	S89°32'13"E

OWNERS:

APN 488-090-014,016
PARCEL 1 & 2
JB & RB REALTY, LLC
PO BOX 1770,
POMONA, CA 91769
(818) 601-1802
ATTN: JOHN BOULIANNE

APN 488-090-013,015
PARCEL 3 & 4
DJK, LLC
12625 AUTO MALL DRIVE,
MORENO VALLEY, CA 92555
(951) 485-3500
ATTN: DONALD J. ALLARD

PREPARED BY:

- land planning
- civil engineering
- landscape architecture

phone 909.748.7777
fax 909.748.7776

est. 1989

thatcher engineering & associates, inc.
1461 ford street, suite 105, redlands, ca 92373

LEGEND:

——	PROPOSED LOT LINES
▬▬	EXISTING BOUNDARY
— —	EXISTING LOT LINES
( )	AREA BEFORE ADJUSTMENT
POB	POINT OF BEGINNING
PCL	PARCEL
POC	POINT OF COMMENCEMENT

V:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Auto CAD\Exhibit 'A', PM 23244, LLA 1008.dwg

Item No. A.7

MV00133355

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MV00133356

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction.

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

BACKGROUND

In May 2005, City Council approved an agreement with PB for $939,331.84 to provide design services for improvements to the State Route 60/Nason Street Interchange. The original scope of work consisted of design, right-of-way acquisition, utility relocation,

plans, specifications and estimates (PS&E), agency coordination, bid support and construction support services.

In June 2006, the agreement was amended within the authorized contingency to add work related to the City's Streambed Alteration Agreement with the California Department of Fish and Game.

On October 14, 2008, the City Council approved the Second Amendment for additional design work required to coordinate the project's 95% design with the substantially completed Stoneridge development and update the design plans to optimize construction funds and enhance the ultimate State Route 60/Moreno Beach Drive and Nason Street bridge project.

In April 2009, the agreement was further amended for additional design work required to update the plans. In June 2009 and October 2009, the agreement was again amended to add conceptual design work related to property acquisition activities and agency requirements. All amendments were within the authorized contingency.

On January 11, 2011, the City Council awarded the construction contract to All American Asphalt. Construction is currently under way.

The agreement with PB was further amended in August 2011 (Sixth Amendment) within the approved contingency to extend the contract expiration date from December 31, 2011, to December 31, 2012, and to address staging and drainage issues encountered during construction.

DISCUSSION

The project is under construction and is on schedule. Services during construction that are required to be performed by the design engineer were estimated in 2005 during the time of the original proposal. The tasks and associated level of effort has changed since that time. They have been evaluated and consequently have increased due to changes in policies and procedures.

Weekly meetings are held with the construction management team, the City, Caltrans, and the contractor. Due to the accelerated nature of the work and the multiple parties involved in approvals, there is a time benefit in having the design engineer present at strategic weekly meetings and on-site afterwards to answer questions, evaluate any proposed adjustments, and optimize solutions. In addition, Caltrans requires the design engineer to review and concur with all Requests for Information, regardless of whether they involve a design change. The level of effort for these tasks is therefore higher than anticipated. In addition, it is expected that there will be continuing suggestions by the contractor and project team to adjust existing and proposed features to save time and money.

As-built drawings were anticipated to be done under the original contract in 2005. Since that time, Caltrans policy changed, and the as-builts were not to be done by the design

engineer. The task was removed from the scope in the Second Amendment. In 2010, the policy changed again to have the design engineer prepare the as-builts. Therefore, the scope has been re-inserted to have the design engineer prepare the final as-built set, including electronic copies to the City and Caltrans.

Caltrans recently changed carpool policies. In the last three months, Caltrans re-striped the SR-60 carpool lane from I-215 to Redlands Boulevard to provide for a continuous ingress/egress condition instead of defined segments of ingress/egress. Both the interim stage plans and the permanent striping plans for this project, when implemented, are required to be revised to reflect the new type of striping. In addition, the environmental permits for the project were issued prior to advertisement, and there are revised requirements to document and close out the permits and environmental commitments upon completion of construction.

The consultant has submitted a proposal for $76,875 to perform this work, bringing the cumulative contract total to approximately $1.57 million. This amount represents approximately 20% of the construction cost and includes both design and construction support services, which represent approximately 19% and 2.2% of the construction cost, respectively. The price is considered fair and reasonable based on industry standards for similar work, and results in an overall cost savings for the City on the project. The design engineer is also required to perform these tasks. The services covered in this amendment will be completed concurrently with the ongoing construction phase.

Construction is expected to continue through March 2012. As-builts and administrative project close-out activities are expected to continue through June 2012. A 20% contingency is requested to respond quickly to construction issues that may arise as the project is completed.

ALTERNATIVES

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will allow for completion of the design for the needed improvements.*

2. Do not approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB),

451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction, do not authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB in the form attached hereto, do not authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney. *This alternative will delay the needed improvements.*

FISCAL IMPACT

The project is currently funded using federal funds and matching toll credits. Remaining available funding consists of DIF Interchange funds and Measure "A" funds. There are sufficient funds in the budget for the amendment.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act of the 21st Century, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 2,657,000
STPL Discretionary Funds (125.67029)	$ 4,941,000
STPL Toll Credit (125.67030)	$ 637,000
Demo Toll Credit (125.66930)	$ 664,000
Measure "A" Funds (125.89720)	$,446,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$11,085,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 8,283,000
Construction Management & Inspection Services	$ 601,000
Construction Support Services (Geotechnical & Survey)	$ 129,000
Construction Support Services (Design)	$ 92,000
Administrative Costs (Staff & Miscellaneous)	$ 50,000
Total Estimated Costs	$ 9,155,000

ANTICIPATED PROJECT SCHEDULE
Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff recommends amending the contract with PB for continuing services during construction for the SR-60/Nason Street Interchange Improvement Project by approving the Seventh Amendment to Agreement for Professional Consultant Services and authorizing a change order to increase the purchase order by $92,250.00 ($76,875.09 plus 20% contingency).

ATTACHMENTS/EXHIBITS

Attachment "A" — Seventh Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00133362

SEVENTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 98-25897

This Seventh Amendment to Agreement is by and between the **City of Moreno Valley**, a municipal corporation, hereinafter referred to as "City," and **PB Americas Inc.**, a New York corporation, hereinafter referred to as "Consultant." This Seventh Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 18, 2005.

Whereas, the Consultant is providing consultant design services for State Route 60/Nason Street Interchange Improvements.

Whereas said Agreement was amended by the "First Amendment to Agreement for Professional Consultant Services" dated June 22, 2006.

Whereas said Agreement was further amended by the "Second Amendment to Agreement for Professional Consultant Services" dated November 7, 2008.

Whereas said Agreement was further amended by the "Third Amendment to Agreement for Professional Consultant Services" dated April 23, 2009.

Whereas said Agreement was further amended by the "Fourth Amendment to Agreement for Professional Consultant Services" dated June 23, 2009.

Whereas said Agreement was further amended by the "Fifth Amendment to Agreement for Professional Consultant Services" dated October 13, 2009.

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

Whereas said Agreement was further amended by the "Sixth Amendment to Agreement for Professional Consultant Services" dated _____, 2011.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Seventh Amendment.

Whereas, the Consultant has submitted a Proposal dated August 25, 2011, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2012,** is not extended by this Amendment.

1.2 Exhibit “B” to the Agreement is hereby amended by adding to the scope of work section described in the proposal (Exhibit "A").

1.3 Exhibit “D” to the Agreement is hereby further amended by adding to the cost proposal section thereof described in the proposal (Exhibit "A").

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed” fee of $76,875.09, as set forth in the above-referenced proposal (Exhibit "A") in consideration of the Consultant's performance of the work set forth in said proposal.

1.5 The total “Not to Exceed” fee for this contract is $1,570,430.09 ($939,331.84 for the original Agreement, $16,302.70 for the First Amendment, $375,748.00 for the Second Amendment, $48,370.67 for the Third Amendment to Agreement, $4,805.24 for the Fourth

Amendment to Agreement, $87,889.13 for the Fifth Amendment, $21,107.42 for the Sixth Amendment and $76,875.09 for the Seventh Amendment to Agreement.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 98-25897

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

PB Americas, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – Proposal Dated August 25, 2011

W:\CapProj\CapProj\PROJECTS\Marge - 98-25897 Route 60-Nason Interchange\Design Phase\Design Consultant (Design Phase)\Agreement\7th Amendment\7th Amendment - PB - Sep 2011.DOC

Parsons Brinckerhoff
451 E. Vanderbilt Way
Suite 200
San Bernardino, CA 92408

August 25, 2011

Ms. Margery A. Lazarus,
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: SR-60/Nason Street Interchange Improvements (PB Job No. 12676)
Project No. 98-25897

Dear Ms. Lazarus:

Attached is our scope of work, cost estimate and labor breakdown for additional services at the request of the City of Moreno Valley on the Nason Street Interchange Improvement Project. The effort has been identified in the following areas through the middle of March 2012:

- As-built Drawings
- Environmental Permits
- Attend weekly construction meetings
- Provide concurrence of RFI's
- PB will update all Staging and Striping plans affected by Caltrans HOV policy change.

The estimate for the above scope of work is $76,875.09.

Please do not hesitate to call should you have any questions 909.888.1106

Sincerely,
PB Americas, Inc

Douglas B. Sawyer
Senior Vice President

Scope of work for Amendment

Task 24 – As-built Drawings

PB shall incorporate all redline comments prepared by the Contractor and the project inspector on the signed design Plans. PB will put hanging file tabs on the Mylars. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment.

The estimated time for 251 sheets at 0.5 hour/per sheet would be 139 hours and will start on receipt of the complete package from the construction manager (TCM Group). This will include printing five (5) full size sets.

Electronic files will then be placed on three (3) CD's and delivered to construction manager (TCM – Group) for distribution.

Task 25 – Environmental Permits

Rather than paying the extraordinarily high maintenance fees associated with managing a half acre wetlands through the required third party management service, the city has opted to buy into an offsite mitigation bank.

This strategy will result in a savings to the city of well over $300,000.

PB will continue to work with the city to close the environmental permits, and to confirm compliance with the mitigation program in connection with closing out the project.

Task 26 – Weekly Meetings and Site Visits

Weekly Meetings and site visits thru the middle of March 2012 – The city together with Caltrans District 8 staff have requested our presence at the weekly construction meetings and site visits.

This additional effort was not anticipated or funded in the original design support during construction scope.

This task covers that additional coordination effort which will improve communication and reduce construction related delays.

This is based on 18 meetings and/or site visits for a total of 3 hours including travel time by the Project Manager or his/her representative.

If the construction is extended, these tasks will have to be revisited.

Task 27 – Review & Response

Additional Effort required providing concurrence on all RFI's thru the middle of March 2012. PB's involvement and concurrence in the RFI review and response process has increased significantly at the request of oversight agencies.

The requirement for the engineer to provide concurrence on all RFI's creates additional effort from the designer.

If the construction is extended, these tasks will have to be revisited.

Task 28 – Modify Interim Staging and Final Striping Plans

PB will modify interim staging and final striping plans to reflect changes in Caltrans policy to allow for continuous ingress/egress into HOV Lanes.

The estimated time for 10 sheets at 3 hour/per sheet would be 30 hours.

RESOURCE ALLOCATION MATRIX

Task No.	Task Name	Proj Mgr		Lead Engineer		Environmental Lead		Engineer		CADD		Project Administration		TOTAL HOURS	TOTAL COST
		PB AMERICAS HOURS													
		Jamey Dye		Craig Schneider		Stephanie Oslick		Courtney Otubuah		Chris Pitzer		Martha Garcia			
	Design Services														
24	**As-built Drawing**														
24.01	As-built Drawing	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
														0	$0.00
	Subtotals	30	$6,706.50	10	$1,984.40			34	$4,118.08	105	$13,195.35	3	$335.34	182	$26,339.67
25	**Environmental Permits**														
25.01	Environmental Permits	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
														0	$0.00
	Subtotals	17	$3,845.31			28	$4,391.52							45.00	$8,036.83
26	**Weekly Meetings**														
26.01	1 Weekly Meeting through the middle of March	48	$10,730.40											48.00	$10,730.40
	Subtotals	48	$10,730.40											48.00	$10,730.40
27	**RFI Review & Response**														
27.01	RFI Review & Response through the middle of March	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
	Subtotals	33	$7,377.15					65	$7,872.80	91	$11,435.97			189	$26,685.92
28	**Modify Interim Staging and Final Striping Plans**														
28.01	Modify Interim Staging and Final Striping Plans	1	$223.55					5	$605.80	25	$3,141.75			31	$3,970.90
	Subtotals	1	$223.55					5	$605.80	25	$3,141.75			31	$3,970.90
	TOTAL	128	$28,882.51	10	$1,984.40	28	$4,391.52	99	$12,596.48	196	$27,773.07	3	$335.34	464.00	$75,763.72

OTHER DIRECT COSTS (ODC's):		
Mileage		$550.56
Reproduction		$539.00
Postage/Deliveries		$21.81
Phone/Fax		$0.00
TOTAL ODC's		$1,111.37
TOTAL COST	$0.00	$76,875.09

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

BACKGROUND

The SB 821 Bicycle and Pedestrian Facilities Program administered by the RCTC provides funding for sidewalks, bicycle lanes, access ramps, and pedestrian related enhancements. Eligible expenditures for this competitive grant program are limited to preliminary engineering, right of way acquisition, construction, and reconstruction.

At the April 12, 2011 City Council meeting, City Council approved the submittal of the grant application for the SB 821 Bicycle and Pedestrian Facilities Program FY 2011-12. The grant application requested funds for installation of access ramps at 11 locations citywide, as well as ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators at various locations along Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard.

On August 1, 2011, the City received notification from the RCTC of a successful grant application in the amount of $75,000 (50% of the estimated project costs) for the project.

DISCUSSION

The project will install sidewalk, curb and gutter, Americans with Disabilities Act (ADA) compliant access ramps, new pedestrian push buttons, and new pedestrian signal heads with countdown indications. Locations for the sidewalk and ramp improvements were selected based upon the results of the Public Right of Way Access ADA Transition Plan. City staff has received requests from disabled residents as well as completed the Tier 1 review of intersections and has developed a priority list of locations that need access ramp construction/reconstruction. A list of the locations, improvements, and priority follows:

- Patricia Street between Margaret Avenue and Gentian Avenue: Construct ADA ramps for a total of five intersections (citizen request).
- Cottonwood Avenue at Dilbeck Drive: Construct ADA ramps (Tier 1 review).
- Alessandro Boulevard at Chagall Court: Reconstruct ADA compliant ramps (Tier 1 review).
- Alessandro Boulevard at Ramsdell Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- John F. Kennedy Drive at Ely Drive: Reconstruct ADA compliant ramps (Tier 1 review).
- Indian Street at Manzanita Avenue: Reconstruct ADA compliant ramps; modify intersection geometrics to reduce pedestrian crosswalk lengths (Tier 1 review).
- Centerpoint Drive at Center Plaza: Reconstruct ADA compliant ramps (Tier 1 review).

In addition, as part of a city-wide effort to enhance pedestrian safety and convenience, various locations long Alessandro Boulevard between Day Street and Indian Street as well as Sunnymead Boulevard between Frederick Street and Perris Boulevard will have ADA compliant pedestrian push buttons and pedestrian signal heads with countdown indicators installed.

Per the provisions of the SB 821 Bicycle and Pedestrian Facilities Program (no agreement is needed between the City and the RCTC), the City is required to use its own funds to implement the project and then receives a reimbursement payment at the completion of the project. The $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance is requested such that staff can proceed with the design and construction phases. If the funds are not claimed prior to the end of FY 2012-13, the project will be deleted from the SB 821 Bicycle and Pedestrian Facilities Program and the funds will be reprogrammed by the RCTC.

ALTERNATIVES

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will allow the City to receive the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for the project.*

2. Do not accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project, and do not authorize the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) funds for the construction costs for the Citywide Pedestrian Enhancements project. *This alternative will prohibit the City from receiving the SB 821 Bicycle and Pedestrian Facilities Program reimbursement for this project.*

FISCAL IMPACT

The SB 821 Bicycle and Pedestrian Facilities Program grant will provide for reimbursement of up to $75,000 (50% of project costs). Staff is requesting the City Council to approve the $75,000 appropriation of unencumbered SCAG Article 3 (Fund 122) fund balance for the construction phase of the project. The program includes local match Measure "A" funding of $75,000 (50% of project costs) which is already programmed in the City's CIP budget for curb ramps and sidewalk at various locations. The total cost of this project is estimated at $150,000, and there is no impact to the General Fund.

FISCAL YEAR 2011/2012 FUNDS AVAILABLE:

Annual ADA Compliant Curb Ramp Upgrades (Account No. 125.66629)	$50,000
Indian St/Manzanita Ave Intersection Reconfiguration (Account No. 125.56334)	$25,000
SCAG Article 3 Funds Appropriation (Account No. 122.NEW)	$75,000
Total	$150,000

ESTIMATED PROJECT RELATED COSTS:

Design	$20,000
Construction	$107,000
Construction Geotechnical Services	$8,000
Construction Survey Services	$5,000
Project Administration	$10,000
Total	$150,000

ANTICIPATED PROJECT SCHEDULE:

Complete Design	August 2012
Award Construction Contract	October 2012

Notice to Proceed with Construction ..... November 2012
Complete Construction..... February 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property I the community, control the number and severity of fire and hazardous materials incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00133376

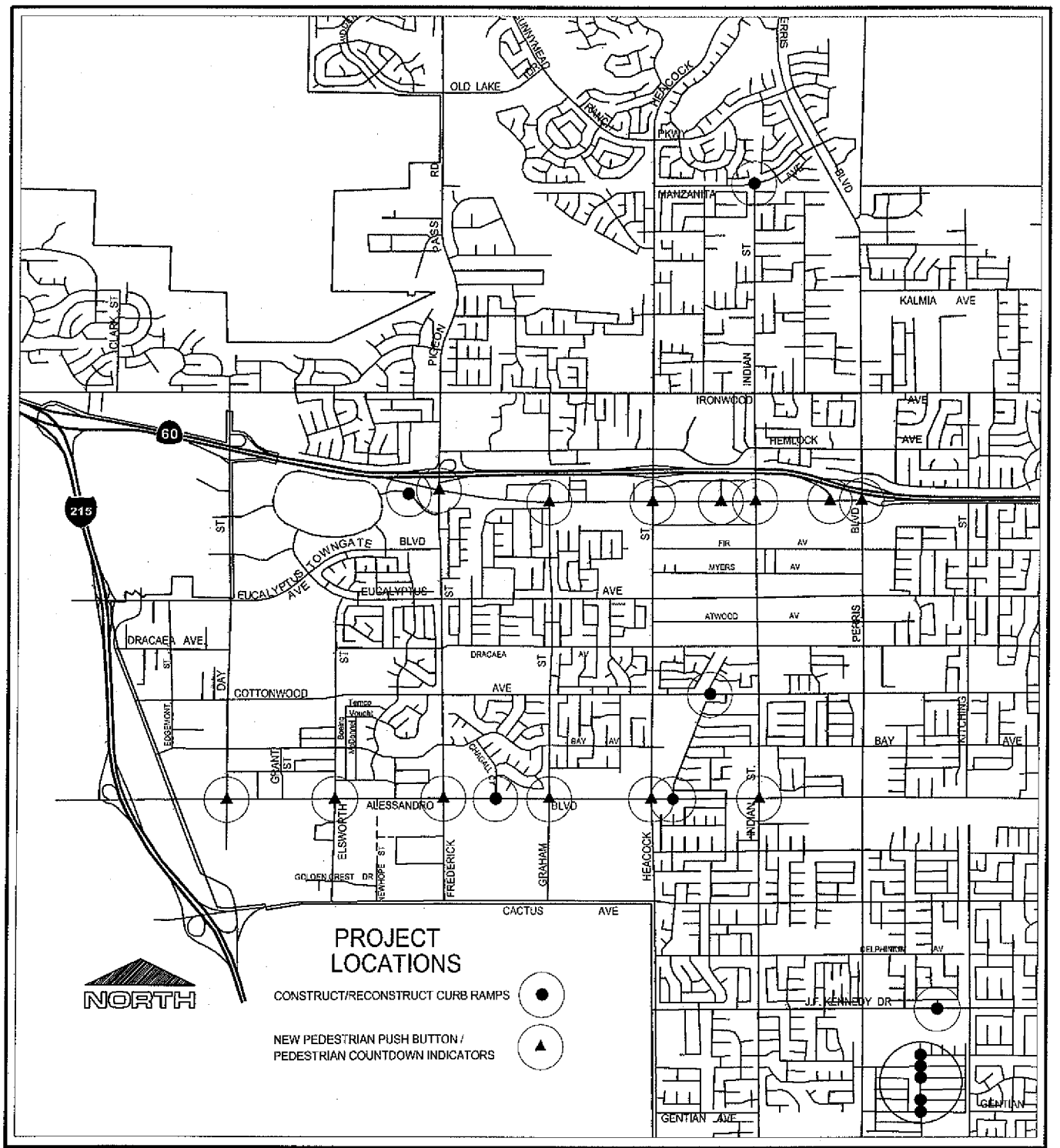

CITY OF MORENO VALLEY
DECEMBER 3, 1984

PEDESTRIAN ENHANCEMENT PROJECTS

Public Works Department
Capital Projects Division

LOCATION MAP

SB 821
FISCAL YEAR 2011 - 2012
GRANT SUBMITAL LOCATIONS

ATTACHMENT "A"

Item No. A.9

MV00133377

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MV00133378

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: September 27, 2011

TITLE: FOURTH AMENDMENT TO THE AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

Staff recommends that City Council adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

BACKGROUND

The original agreement with Riverside County Sheriff for law enforcement services was executed in 1985. A new agreement for law enforcement services was adopted on December 8, 1998 and became effective on January 1, 1999. Another new agreement for law enforcement services was approved on October 7, 2003 and expired on June 30, 2008. The most recent five-year agreement for law enforcement services was approved on December 16, 2008, with a retroactive effective date of July 1, 2008. The agreement is effective from July 1, 2008 through June 30, 2013.

Amendments are the method used to reflect changes in the allocated contract positions, changes in the average service hours, to add positions, and to reflect changes in contract language. The attached Fourth Amendment reflects a change in the average service hours, and the deletion of positions.

DISCUSSION

During the FY 11-12 budget preparation process, the City Manager directed the Moreno Valley Police to reduce its budget by one million dollars for FY 11-12, an additional two million dollars in FY 12-13, and an additional two million dollars in FY 13-14. In order to

meet the directive, it is necessary to reduce the amount of officers assigned to the Police Department.

On June 14, 2011, during the FY 11-12 budget approval process, the City Council approved a budget directing the reduction of one million dollars from the Police Department. In order to meet the directive, police services must be reduced by 25 service hours per day. Prior to the reduction, the contract called for 600 service hours per day. The Fourth Amendment reduces that daily number to 575 hours per day.

To meet the savings goal of one million dollars requires the reduction of 5 sworn officer positions.

ALTERNATIVES

The following alternatives are available for Council consideration:

1. Adopt the Fourth Amendment to the Agreement for Law Enforcement Services, and authorize the Mayor to sign the agreement.

2. Elect not to adopt the Fourth Amendment to the Agreement for Law Enforcement Services at this time, and provide further direction to staff.

FISCAL IMPACT

During the FY 11-12 budget approval process, Council approved a budget that required the reduction 8900 hours of service per year. The current contract calls for 600 hours of service per day. The reduction will set the daily service hours at 575.

Current contract FY 10-11
Hours per year = 218,940 (600 hours per day)

Proposed contract FY 11/12
Hours per year = 210,040 (575 hours per day)

The elimination of 8900 hours of service at the rate of $125.37 would save the City of Moreno Valley $1,115,793.00 for FY 11-12. This reduction equates to 5 sworn positions.

This agreement will be retroactive to July 1, 2011.

CITY COUNCIL GOALS

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit in the City of Moreno Valley.

Create a positive environment for the development of Moreno Valley's future.

SUMMARY

On June 14, 2011, during a regular public meeting of the Moreno Valley City Council, Council Members voted to adopt the FY 11-12 budget. That budget included a reduction in allocated Police contract service hours and positions to meet a one million dollar deficit reduction plan approved by City Council on April 19, 2011.

NOTIFICATION

None.

ATTACHMENTS/EXHIBITS

Fourth Amendment to the Agreement for Law Enforcement Services between the City of Moreno Valley and the County of Riverside, including Attachment A-1 (Level of Service) and Attachment A-2 (Level of Service Detail)

Prepared By:
Name Chad Bianco
Title Lieutenant

Department Head Approval:
Name John Anderson
Title Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00133382

ORIGINAL

FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN COUNTY OF RIVERSIDE AND CITY OF MORENO VALLEY

IT IS MUTUALLY AGREED that the Agreement for Law Enforcement Services between the County of Riverside, a political subdivision of the State of California, on behalf of its Sheriff's Department, and the City of Moreno Valley, a General Law City, approved by the Board of Supervisors on December 16, 2008, for services effective July 1, 2008 through June 30, 2013, as amended on December 1, 2009, November 2, 2010 and November 30, 2010, is hereby amended in the following respects, and all other terms and conditions of the Agreement remain in full force and effect:

1. Attachment A-1 is amended to read as follows:

ATTACHMENT A-1
CITY OF MORENO VALLEY
LEVEL OF SERVICE

Average Patrol Services

575 supported hours per day. (Approximate equivalent of one hundred and eighteen (118) Deputy Sheriff positions @ 1,780 annual productive hours per position)

Dedicated Positions

One (1) Captain position (Applied at an equivalent to 90% of position hours)

One (1) Lieutenant position

Two (2) Sheriff's Sergeant positions

Ten (10) Deputy Sheriff (fully supported) positions - Motorcycle Team

Two (2) Deputy Sheriff (fully supported) positions - K-9

Three (3) Deputy Sheriff (unsupported) positions - Crime Prevention Officers

One (1) Deputy Sheriff (unsupported) position – Regional Gang Task Force

One (1) Deputy Sheriff (unsupported) position - Graffiti Prevention

One (1) Deputy Sheriff (unsupported) position – School Resource Officer

Two (2) Forensic Technicians

Sixteen (16) Community Service Officer II positions

Five (5) Community Service Officer I positions

One (1) Sheriff's Service Officer II position

Two (2) Office Assistant II positions

One (1) Supervising Office Assistant I position

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2. Attachment A-2 is amended to read as follows:

Attachment A-2

City of Moreno Valley
Positions by Program
Level of Service as of July 2011

PROGRAM: POLICE ADMINISTRATION (62110)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Captain	1.0	
Lieutenant	1.0	
Sergeant	1.0	
Accounting Technician		1.0
Senior Accounting Assistant		1.0
Accounting Assistant II		2.5
Supervising Office Assistant II		1.0
Supervising Office Assistant I		1.0
Office Assistant III		2.0
Office Assistant II		14.0
TOTAL	3.0	22.5

PROGRAM: POLICE PATROL (62210)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	2.0	
Sergeant	10.0	
Deputy	80.0	
Deputy (Includes 2 K-9 Officers)	2.0	
Community Service Officer II		13.0
Sheriff's Service Officer II		3.0
TOTAL	94.0	16.0

PROGRAM: POLICE TRAFFIC ENFORCEMENT TEAMS (62310)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	

Item No. A.10

Sergeant	2.0	
Deputy	18.0	
Community Service Officer II		5.0
TOTAL	21.0	5.0

PROGRAM: POLICE DETECTIVE UNIT (62410)

Position Title	Authorized Staffing Sworn	Classified
Lieutenant	1.0	
Sergeant	2.0	
Investigator	17.0	
Deputy (Burglary Suppression)	2.0	
Forensic Technicians		2.0
Sheriff's Service Officer II		1.0
TOTAL	22.0	3.0

PROGRAM: POLICE COMMUNITY SERVICES (62510)

Position Title	Authorized Staffing Sworn	Classified
Sergeant	2.0	
Deputy-Community Services	3.0	
Deputy-Graffiti Prevention	1.0	
Deputy-School Resource Officer	1.0	
Community Service Officer I - Cm.Services		3.0
TOTAL	7.0	3.0

PROGRAM: PROBLEM ORIENTED POLICING (62610)

Position Title	Authorized Staffing Sworn	Classified
Sergeant	2.0	
Deputy	9.0	
Community Service Officer I		2.0
TOTAL	11.0	2.0

PROGRAM: POLICE SPECIAL ENFORCEMENT TEAMS (62710)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Lieutenant	1.0	
Sergeant	2.0	
Deputy (Includes 1 K-9 Officer)	15.0	
Deputy (RGTF)	1.0	
TOTAL	19.0	0.0

PROGRAM: POLICE GRANT C-CAT (62810)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	
Sheriff's Service Officer II		1.0
TOTAL	2.0	1.0

PROGRAM: TOWNGATE MALL (62910)

Position Title	Authorized Staffing Sworn	Authorized Staffing Classified
Deputy	2.0	0.0
TOTAL	2.0	0.0

TOTAL STAFFING:	SWORN	CLASSIFIED
	181.0	52.5

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Item No. A.10

MV00133387

IN WITNESS WHEREOF, the City of Moreno Valley, by minute order or resolution duly adopted by its City Council, has caused this Agreement to be signed by its Mayor and attested and sealed by its Clerk, and the County of Riverside, by order of its Board of Supervisors, has caused this Agreement to be signed by the Chairman of said Board and sealed and attested by the Clerk of said Board, all on the dates indicated below.

CITY OF MORENO VALLEY

Dated:_____

By:_____
Richard A. Stewart, Mayor

ATTEST:

Name
Title

By:_____

COUNTY OF RIVERSIDE

Dated:_____

By:_____
Bob Buster, Chair,
Riverside County Board of Supervisors

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

FORM APPROVED COUNTY COUNSEL
BY NEAL R. KIPNIS DATE

By:_____
Deputy

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

BACKGROUND

The California Department of Food and Agriculture (CDFA) administers the Municipal Shelter Spay-Neuter Program through funds provided by the Franchise Tax Board. For the 2010 tax year, California taxpayers could elect to donate all or a portion of any of their tax refund monies to the Municipal Shelter Spay-Neuter Program. In order for this program to continue past the 2010 tax year a minimum of $250,000 in tax donations statewide was required. During 2010 a total of $197,000 in tax donations were available to eligible municipal animal shelters for the 2010 Spay-Neuter Program; therefore this program is not available in 2011.

The purpose of the Municipal Spay-Neuter Grant Fund Program is to provide grant funds to eligible animal shelters. Grant funds must supplement, not replace other funding sources. Impounded animals do not qualify for this service.

DISCUSSION

Moreno Valley Animal Services met the eligibility requirements of being current on the reporting requirements to the State Department of Public Health, Veterinary Public

Health Section (Annual Report of Rabies Control) along with offering low cost spay-neuter services for dogs and cats at the Moreno Valley Animal Clinic.

Grants awarded were on a first come, first serve basis. Eligible municipal animal shelters processing between 5,000 and 25,000 dogs and cats per year were eligible to receive up to $15,000. In FY 2010-11 the Moreno Valley Animal Shelter processed 8,378 dogs and 5,052 cats. The City was notified by CDFA in April 2011 that we were one of twelve shelters statewide that was awarded a grant (Attachment 1).

Grant funds will be used to sterilize approximately 200 dogs and/or cats owned by individual city residents.

ALTERNATIVES

1) Accept the grant award of $15,000.

2) Reject the grant award of $15,000.

3) Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the $15,000 grant award will increase the Animal Services Division's expenditure budget for FY 2011-12 as identified below. A separate business unit (BU 63240) has been created to track expenditures. Staff will process a Budget Appropriation Adjustment upon Council acceptance of the grant, increasing budgeted grant revenue and increasing the expense budget, directing staff to proceed with the grant expenditures.

General Ledger Account	Description	Current Budget	Grant Award Allocation	Revised Budget
2350.4611.1	Grant Revenue	$0	$15,000	$15,000
63240.6255	Other Professional Services (Veterinary contract)	$0	$15,000	$15,000

SUMMARY

Acceptance of the $15,000 grant award from the California Department of Food and Agriculture will allow the Animal Services Division to supplement the low cost spay-neuter services provided by the Moreno Valley Animal Clinic. Grant award funds will be used to assist city residents who otherwise could not afford the expense of spaying or neutering their pets. The grant award funds can only be used to assist pet owners

residing in the city and the pet owner's dog or cat has not been impounded at the Moreno Valley Animal Shelter. It is estimated approximately 200 pets from the community will be sterilized under this program.

ATTACHMENTS

Attachment 1: 2011 Municipal Spay-Neuter Grant Award Notice

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00133392

cdfa CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

May 2, 2011

Steve Fries
City of Moreno, Valley Animal Services Division
14041 Elsworth Street
Moreno Valley, CA 92552-0805

Subject: 2011 Municipal Spay-Neuter Grant Award Notice

Dear Mr. Fries,

Congratulations! Your organization's application submitted under the California Department of Food and Agriculture (CDFA), 2011 Municipal Spay-Neuter Grant Fund Program in January has met all the criteria and will be awarded $15,000 based on the funding formula provided in the California Revenue Taxation Code (CRTC) Section 18755.2(c). CDFA anticipates disbursing the Municipal Spay-Neuter Grant Program funds in August 2011. Awards will be made payable to the organization name and address as they appears on this letter.

Pursuant to (CRTC) Section 18755.2(e) all funds received must be used to supplement, not replace, other funding sources for spay-neuter services and programs. Additionally, no grant funds shall be used to spay or neuter any animal that is impounded by an eligible municipal shelter.

Thank you for your participation in the 2010 Municipal Spay-Neuter Grant process. If you have any questions, please feel free to submit them to grants@cdfa.ca.gov.

Sincerely,

Carl Baum
Grant Awards Coordinator
Grant Awards Unit

Federal Funds Management Office • 1220 N Street, Room 120 • Sacramento, California 95814
Telephone: 916.657.3231 • Fax: 916.653.0206 • www.cdfa.ca.gov/grants

CDFA ANNOUNCES MUNICIPAL SHELTERS ELIGIBLE TO RECEIVE FUNDING OF THE 2011 MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM

Grants will be made available to the following Municipal Shelters providing low cost or free spay-neuter services for dog and cats owned by individual members of the public which have met all the criteria to receive funding:

City and County of San Francisco

City of Long Beach

City of Los Angeles

City of Moreno Valley

City of Sacramento

City of San José

County of Contra Costa

County of Riverside

County of San Bernardino

County of Santa Barbara

County of Yolo

Town of Truckee

4/30/11

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: September 27, 2011

TITLE: APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

The City has provided a VEBA benefit for City employees since 1994. In May 2011, the service provider that performed the VEBA accounting services for the City's VEBA Plan decided to stop providing the service to the City. City staff interviewed other providers and determined that CALGOVEBA is the most experienced, widely used by other government agencies in California and is the most complete service provider for administering the City's proposed VEBA Plan.

Staff is recommending approval of the attached Resolution establishing a new VEBA Trust. A VEBA Trust is a tax exempt benefit plan qualifying under Section 501 (c) (9) of the Internal Revenue Code. This plan is similar, in many respects, to a 125 Flexible Spending Account where accumulated assets are used for the payment of eligible health and other expenses for employees and their families. Unlike a 125 plan, however, accumulated assets in a VEBA Trust can be used to make premium payments.

The recommendation to implement a new VEBA Trust is based on a number of factors. The first is the significant positive impact the benefit will have on employees both during and after their retirement from service. By establishing a VEBA Trust, employees will be able to plan for current as well as future health care expenses not covered through the City's benefit program. Expenses such as Long Term Care, unreimbursed medical premiums, co-pays and pharmacy charges are all eligible under a VEBA Trust arrangement. Employees will realize a significant financial benefit since both eligible contributions to a VEBA Trust and the reimbursed expenses from the VEBA Trust are tax exempt. The City, however, is emphasizing the plan for retirement medical reimbursement purposes, even though the employees may use it for current medical expenses reimbursement.

Another factor is the flexibility of a VEBA over other alternatives available. One of the significant benefits of a VEBA is that it allows for levels of contribution and participation based on an employee group. Additionally, VEBA's, by law, require that they are collectively bargained. As a result, employees have a say in structuring a program that meets their needs. This means that the City employees associations may each agree on a different level of employee contribution rate, over and above the City paid contributions.

In addition, a VEBA Trust provides a more comprehensive approach to assisting with the greatest challenge for employers and employees, which is the rising cost of health care. A VEBA Trust is permitted to receive both, employer and employee contributions, the benefit being the opportunity to grow significantly greater assets for health care expenses in a shorter period of time. As a result, the VEBA program could also work in tandem with the City's existing post retirement medical commitments with employees' association members. For example, contributions by the City could be made directly to the respective VEBA accounts, thus ensuring a tax advantage for these employees.

In sum, by establishing the VEBA Trust, employees will be able to make health care choices that address their specific needs and have more money available for health care expenses due to tax savings realized through the program.

DISCUSSION

Staff is aware of a number of Public Agencies that have implemented VEBA Trusts for their employees. The proposed VEBA Trust was developed as a multi-agency Trust in order that other public agencies may provide similar benefits to their employees. The benefit of joining this particular VEBA Trust is that it was developed by the City of Foster City with our issues in mind. This Trust is also governed by a committee of Trustees formed from the list of participating agencies. Should the City of Moreno Valley choose to participate in the California Government VEBA, the City would hold representation on the Board of Trustees as well.

The City will not be responsible for any costs associated with this Plan. Each VEBA participant will pay a monthly maintenance fee of $4.45 regardless of the size of their account. The VEBA Trust will pay an asset-based fee equal to 50 basis points (0.50%) for funds held in a guaranteed fixed rate product at Metlife and 75 basis points (0.75%) for funds held in an actively managed advisory account at Ameriprise Financial. A variety of investment options exist for investment by the VEBA Trust for the benefit of participants in the program, one of which is a guaranteed fixed rate program through MetLife. Other investment options are available and are tailored to the City's requirements.

ALTERNATIVES

The action of the City Council to approve the attached resolution is consistent with the Fiscal Year 2011/12 MOUs with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The approval of the attached resolution and implementation of the new VEBA for City employees will have no impact on the City budget. The new VEBA Plan expenses are paid for out of the employees' contributions and investment earnings. As of June 30, 2011, the value of the City's current VEBA Trust assets was $995,257. The value of the assets has dropped due to market volatility in July and August 2011. As of September 15, 2011, the amount of the unrealized loss was approximately $51,575, compared with an unrealized gain of $160,634 for FYE 6/30/2011. All of the assets will be transferred to the new VEBA Trust and the value will be reported on a quarterly basis. The VEBA Trust assets for investment will be apportioned between the following two investment firms at the discretion of the City's VEBA Investment Committee: Ameriprise, Inc. and BAA Capital Advisors, Inc. The actively-managed portion (70%) will be managed by Ameriprise and the fixed-rate portion will be held in Metlife via BAA Capital Advisors, Inc. Cash will be held in two (2) accounts at Wells Fargo Bank.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future." The action will also fulfill City Council Deficit Elimination Plan Follow-up Goal No. 21, "Consider a Health Savings Account to allow set-aside of funds for future retiree medical costs on a pre-tax basis."

NOTIFICATION

The three employees associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and implement the

new VEBA. Copies of this staff report were sent to the employees associations and all three concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

1. Resolution Implementing a Voluntary Employee Beneficiary Association (VEBA) Trust.
2. California Government Voluntary Employees Beneficiary Association Restated Master Trust

Prepared and Approved By:

Sonny Morkus
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2011-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PARTICIPATION IN THE CALIFORNIA GOVERNMENT VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (CALGOVEBA) TRUST

WHEREAS, the City of Moreno Valley maintains a significant health and welfare benefit program for it's employees and their families; and

WHEREAS, modifications or additions are made from time to time to the City's benefit program; and

WHEREAS, the rising cost of health care is the one of single most important cost containment issue for the City and it's employees; and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association (CALGOVEBA) is a governmental multi-employer plan that permits employees to accumulate assets for this purpose, pursuant to the provisions of the Internal Revenue Code, section 501(c) (9); and

WHEREAS, the California Governmental Voluntary Employee Beneficiary Association provides for participation pursuant to collective bargaining agreements; and

WHEREAS, the City Council created a VEBA trust on April 25, 1995, referred to as the "Existing VEBA Trust"; and

WHEREAS, the assets in the existing VEBA trust needs to be transferred to the new CALGOVEBA trust; and

WHEREAS, once the assets are transferred, the existing VEBA trust needs to be terminated.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moreno Valley hereby approves the attached California Governmental Voluntary Employee Beneficiary Association Trust Agreement; and

That the City Council approves the transfer of assets from the existing VEBA trust to the new CALGOVEBA trust; and

That the City Council approves the termination of the existing VEBA trust upon the completion of the transfer of assets.

Attachment 1

Resolution No. 2011-99
Date Adopted: September 27, 2011

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00133402

CALIFORNIA GOVERNMENT

VOLUNTARY EMPLOYEES BENEFICIARY ASSOCIATION

RESTATED MASTER TRUST

TRUST restated in its entirety as of the 27th day of September, 2011 by and between The City of Moreno Valley, a forming public agency in the State of California (hereinafter referred to as the "Plan Sponsor "), and the Trust Committee of the California Government VEBA", (hereinafter referred to as the "Trustee").

W I T N E S S E T H:

WHEREAS, the Plan Sponsor adopts the California Government VEBA hereinafter referred to as the "Plan", and

WHEREAS, the Plan constitutes the California Government Voluntary Employees Beneficiary Association ("California Government VEBA"); and

WHEREAS, under the Plan, funds will from time to time be contributed to the Trustee, which funds, as and when received by the Trustee will constitute a trust fund to be held for the benefit of the Members and retirees of the Plan of the Plan Sponsor having a right to benefits, pursuant to the provisions of the Plan, and such funds will be invested by the Trustee pursuant to directions by the Plan Sponsor and/or Investment Manager as provided herein; and

WHEREAS, other Plan Sponsors may adopt this Trust as a Master Trust, subject to the provisions of this Trust, to hold assets for the purpose of funding plans that are a part of the California Government VEBA; and

WHEREAS, the Plan Sponsor having entered into this Master Trust with the Trustee for the purpose of holding the assets under the Master Trust attributable to the Plan and other amounts contributed thereunder; and

WHEREAS, the assets and funds to be held in the Master Trust established hereby, as and when received by the Trustee, will constitute a trust fund to be held for the benefit of the members of the Plan and their beneficiaries; and

WHEREAS, the Plan Sponsor desires the Trustee to hold such assets and funds and the Trustee is willing to hold such assets and funds pursuant to the terms of this trust; and

WHEREAS, the master trust is intended to qualify as a "Voluntary Employees Beneficiary Association" within the meaning of Section 501(c)(9) of the Internal Revenue Code, and

WHEREAS, the master trust is intended for the purpose of creating a fund to provide for the payment of benefits that qualify under Section 501(c)(9) of the Internal Revenue Code to participating Members, including their dependents, and their designated beneficiaries.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, the Plan Sponsor and the Trustee do hereby agree as follows:

1. The Plan Sponsor hereby adopts the California Government Voluntary Employees Beneficiary Association (VEBA) Trust (the "Master Trust") as a trust to fund the benefits provided by the Plan. All such money and property, all investments made therewith and proceeds thereof and all earnings and profits thereon, less the payments or other distributions which, at the time of reference, shall have been made by the Trustee, as authorized herein, are referred to herein as the "Fund" and shall be held by the Trustee, in trust, and dealt with in accordance with the provisions of this Trust.

2. Any other California public agency may become a Plan Sponsor and adopt the Master Trust to fund benefits provided under the California Government VEBA Plan if the Plan Sponsor adopts the Master Trust and the Plan in order to provide benefits that are funded from the Master Trust and the Trustee agrees to such adoption. The assets of each Plan Sponsor and the investment earnings thereon shall be available only to pay benefits to employees of that Plan Sponsor and any costs or fees associated with the administration of the Plan covered under this Trust.

3. It is intended that the Master Trust shall meet the requirements of Internal Revenue Code section 501(c)(9). All contributions hereunder and all assets and earnings of the Master Trust are solely and irrevocably dedicated to the payment of benefits that qualify under section 501(c)(9) of the Internal Revenue Code.

Effective January 1, 2008 and as referenced herein, the Trustee shall consist of a Trust Committee. The Trust Committee shall consist of one person designated by each Plan Sponsor. Such designated individual shall assume the responsibility of Trustee. Executive Trustees shall review all information and documents related to the daily activities and operation of the Trust and Plan and shall make recommendation(s) to the full body of Trustees forming the Trust Committee on such related matters. Such Executive Trustees shall consist of the ten original Plan Sponsors and five additional Trustees voted by the full body of Trustees to such position. A vote to fill the five additional positions shall occur every three years. Procedures to fill vacancies which occur in the interim periods shall be developed by the Trust Committee.

4. Trustee shall appoint a Trust Administrator and any and all successor Trust Administrators which shall have the authority to act for a Plan Sponsor in all matters relating to the establishment and maintenance of the Plan and Trust except those relating to the investment and management of the assets of the Trust and such other matters as are reserved to the Plan Sponsor or the Trustee under the provisions of this Trust. Without limiting the generality of the foregoing, the Trust Administrator shall have the following specific powers:

   A. To contract for and delegate the administration of the Plan to one or more administrators, subject to approval of the Trustee.
   B. To determine from time to time the benefits to be provided for participants under the Plan.
   C. To retain professional advisors, including auditors and legal advisors to provide services to the Trust.
   D. To prepare necessary filing with the state and federal government.

5. Responsibility for the management and control of the assets of the Plans which are held under the Master Trust as a funding medium (including the power to acquire or dispose of such assets) is vested in the Plan Sponsor, and/or in such one or more investment managers described in Article 13a who are appointed by the Plan Sponsor. That portion of the Fund for which the Plan Sponsor shall have such responsibility is hereinafter referred to as the "Plan Sponsor-Directed Fund." Any portion of the Fund over which an Investment Manager shall have such responsibility is hereinafter referred to as an "Investment Manager-Directed Fund." Allocations of assets of the Fund between or among any Plan Sponsor-Directed or Investment-Manager Directed Funds shall be determined by the Plan Sponsor. For efficiency or convenience of investment or administration, the Fund or any such Plan Sponsor-Directed or Investment Manager-Directed Fund may be divided into such one or more sub-funds as the Plan Sponsor or the Trustee may deem advisable.

6. The Trust Administrator shall maintain a separate account reflecting the equitable share in the Fund of each Plan Sponsor. For this purpose, the Trustee shall determine the value of the assets of the Fund as of the last day of each calendar quarter and as of such other dates as the Trustee may deem appropriate or on which the Plan Sponsor and the Trustee may agree. Assets shall be valued at their market values at the close of business on the date of valuation, or, in absence of readily accessible market values, at such values as the Trustee shall determine in accordance with methods consistently followed and uniformly applied. Anything herein to the contrary notwithstanding, with respect to assets constituting part of a Directed Fund hereunder, the Trustee may rely, for all purposes of this Trust, including for the purpose of determining the value of such assets as of any quarterly or other valuation date, on any certified appraisal or other form of valuation submitted to it by the Investment Manager(s). The Trustee may also rely on Assets reported by an Insurer in conjunction with contracts issued by that Insurer. Any amount paid from the Master Trust which is specifically allocable to a particular Plan Sponsor shall be charged against the equitable share of such Plan Sponsor; any

amount paid from the Master Trust which is allocable to all of the Plan Sponsors shall be charged against the individual Plan Sponsor assets on a pro-rata basis.

7. The Trustee shall not be required to maintain any separate records or accounts with respect to any Plan Sponsor or any participant in (or beneficiary of) any Plan Sponsor, and any such records or accounts required to be maintained pursuant to the terms of any such Plan shall be maintained by the Plan Sponsor or by the appropriate committee directly charged with such responsibility.

8. By entering into this Trust, the Trustee does not assume any responsibility or undertake any duty to enforce payment of any contribution under any collective bargaining agreement, any responsibility for the adequacy of the Fund or the funding standards adopted by any Plan Sponsor to meet or discharge any liabilities under such agreement or standard, or any responsibility under the terms of this Trust for the management or control of any Discretionary or Directed Funds. Except as may otherwise be required by law, no duties or obligations shall be imposed upon the Trustee unless they have been specifically undertaken by the express terms of this Trust.

9. The Trustee shall receive any contributions paid to it in cash or in other property acceptable to it. All contributions so received, together with the income therefrom and any other increment thereon, shall be held by the Trustee pursuant to the terms of this Trust without distinction between principal and income. The Trustee shall not be responsible for the collection of any contributions to the Plans.

10. The Trustee may from time to time consult with counsel, who may be counsel to the Plan Sponsor, with respect to any question arising as to the construction of this Trust or any action to be taken hereunder and the Trustee shall be fully protected, to the extent permitted by law, in acting in good faith upon the advice of counsel.

11. Subject to the provisions of Article 12 hereof, the Trustee from time to time upon receipt of written notice from the Trust Administrator, may make payments out of the Trust Fund to such persons, in such manner, in such amounts and for such purposes, including the payment of expenses of the Plan and the purchase of life insurance and/or annuity contracts, as may be specified by the Trust Administrator. Except as may otherwise be required by law, the Trustee shall be under no liability for any payment made by it pursuant to a written direction of the Trust Administrator and shall be under no duty to make inquiries as to whether any payment directed by the Trust Administrator is made pursuant to the provisions of the Plan.

12. Notwithstanding anything to the contrary contained in this Trust or in any amendment thereto, it shall be impossible, at any time prior to the satisfaction of all liabilities with respect to the members under the Plans or their beneficiaries, for any part of the Fund, other than such part as is required to pay taxes and expenses of administration, to be used for or diverted to purposes other than for the exclusive benefit of the members under the Plans or their beneficiaries.

13. Unless otherwise prohibited by law or otherwise specified herein, the Trustee shall have the following powers and authority with respect to the Trust Fund:

    a. To invest and reinvest, as directed by the Plan Sponsor and/or the Investment Manager, the principal and income of the Fund and keep the Fund invested without distinction between principal and income, in such securities or in such property, real or personal (whether or not income producing), wherever situated, including, but not limited to, life insurance, contracts, stocks, common or preferred; any mutual or other funds maintained or established by the Trustee or any affiliate thereof; bonds and mortgages and other evidence of indebtedness or ownership in any common, collective or commingled trust fund maintained by the Trustee, as the same may be amended from time to time, and during any period when such funds are used, the instrument

establishing such fund shall constitute a part of this Trust. In making such directed investments, the Trustee shall not be restricted to securities or other property of the character authorized or required by applicable law from time to time for trust investments. The Plan Sponsor and/or Investment Manager shall direct the Trustee in writing as to the asset allocation or percentage mix of types of investments to be used by the Trustee for the investment of the Trust Fund, and as to specific investments to be made by the Trustee of amounts in the Trust Fund. To the extent permitted by law, the Trustee shall not be liable and shall be held harmless and indemnified by the Plan Sponsor for any losses incurred in connection with the Trust Fund caused by its reliance thereon. Such losses may be either actual realized losses or losses in the nature of "lost investment opportunity."

b. To settle, compromise or submit to arbitration any claims, debts or damages, due or owing to or from the Master Trust, to commence or defend suits or legal proceedings and to represent the Master Trust in all suits or legal proceedings in any court of law or before any other body or tribunal.

c. To exercise any conversion privilege and/or subscription right available in connection with any securities or other property at any time held by it; to oppose or to consent to the reorganization, consolidation, merger or readjustment of the finances of any corporation, company or association, or to the sale, mortgage, pledge or lease of the property of any corporation, company or association any of the securities of which may from time to time be held by it and do any act with reference thereto, including the exercise of options, the making of trusts or subscriptions, and the payment of expenses, assessments or subscriptions, which may be deemed necessary or advisable in connection therewith, and to hold and retain any securities or other property which it may so require.

d. To exercise, personally or by general or by limited power of attorney, any rights, including the right to vote, appurtenant to any securities or other property held by it at any time.

e. To hold part or all of the Funds uninvested.

f. To employ and unemploy agents, including the Trust Administrator, counsel, and auditor and to pay from the Trust Fund their reasonable expenses and compensation.

g. To register any securities held by it hereunder in its own name or in the name of a nominee with or without the addition of words indicating that such securities are held in a fiduciary capacity and to hold any securities in bearer form.

h. To make, execute and deliver, as Trustee, any and all deeds, leases, mortgages, conveyances, waivers, releases or other instruments in writing necessary or desirable for the accomplishment of any of the foregoing powers.

i. To deposit any part of the Fund in interest bearing account deposits maintained by the Trustee.

j. Generally to do all acts, whether or not expressly authorized, which the Trustee may deem necessary or desirable for the protection of the Trust Fund.

14. The Plan Sponsor reserves the right to retain the services of one or more persons or firms for the management of (including the power to acquire and dispose of) all or any part of the Fund, provided that each of such persons or firms is registered as an investment advisor under the Investment Advisors Act of 1940, is a bank (as defined in that Act), or is an insurance company qualified to manage, acquire or dispose of trust assets under the laws of more than one state, and provided that each of such persons or firms has acknowledged in writing that he is a fiduciary with respect to the Plan; in such event, the investment manager or managers so retained (the "Investment Manger(s)") shall have the same investment powers and duties as the Trustee, and the Trustee shall not be liable for the acts or omissions of such Investment Manager(s), nor shall it be under any obligation to invest or otherwise manage any Trust Fund assets which are subject to the management of such Investment Manager(s).

15. The Trustee shall pay out of the Fund all personal property taxes, income taxes and other taxes of any and all kinds levied or assessed under existing or future laws against the Trust Fund.

16. The Trustee shall, within 90 days after the close of each calendar year, and within 90 days after the removal or resignation of the Trustee or the termination of the Trust or Plan, render accounts of its transactions to the Trust Administrator and Plan Sponsor. The Trust Administrator and Plan Sponsor may make exceptions to such accounts by an instrument in writing delivered to the Trustee. In the absence of the filing in writing with the Trustee of exceptions or objections to any such account within ninety (90) days of the rendering, shall be deemed to have been approved, the Trustee shall be released, relieved and discharged with respect to all matters and things set forth in such account as though such account had been settled by the decree of a court of competent jurisdiction. The Trustee shall keep accurate and detailed accounts of all investments, receipts, disbursements and other transactions hereunder for the Fund (including any Discretionary or Directed Fund) and all accounts, books and records relating thereto shall be open to inspection and audit at all reasonable times by any persons designated by the Trustee or Trust Administrator. Except as the Retirement Security Act of 1974, as amended ("ERISA"), provides otherwise, no person other than the Plan Sponsor may bring any action against the Trustee with respect to the Trust or their actions as Trustee. The Trustee shall from time to time permit an independent public accountant selected by the Plan Administrator (except one to whom the Trustee has reasonable objection) to have access during ordinary business hours to such records as may be necessary to audit the Trustee's accounts.

17. The Trustee shall be fully protected in relying upon notice from the Trust Administrator with respect to any instruction, direction or approval of the Trust Administrator, and protected also in relying upon a notice from the Trust Administrator as to the person or persons who are authorized to direct payments from

the Trust Fund and in continuing to rely upon such notice until a subsequent notice is filed with the Trustee.

The Trustee shall be fully protected in acting upon any instrument, certificates or paper believed by it to be genuine and to be signed or presented by the proper person or persons, and the Trustee shall be under no duty to make any investigation or inquiry as to any statement contained in writing, but may accept the same as conclusive evidence of the truth and accuracy of the statements therein contained.

The Trustee shall not be liable for the application of any part of the Fund if payments are made in accordance with the approved written instructions of the Trust Administrator as herein provided, nor shall the Trustee be responsible for the adequacy of the Fund to meet and discharge any and all payments and liabilities under the Plan. All persons dealing with the Trustee are released from inquiry into the decision or authority of the Trustee and from seeing to the application of any moneys, securities or other property paid or delivered to the Trustee.

The Trust Administrator and Plan Sponsor hereby agree to hold the Trustee harmless from and against all taxes, expenses (including counsel fees), liabilities, claims, damages, actions, suits or other charges incurred by or assessed against it as a successor Trustee, as a direct or indirect result of any act or omission of a predecessor Trustee or any other person charged under any trust affecting Fund assets for investment responsibilities with respect to such assets.

The Plan Sponsor agrees to hold harmless and indemnify the Trustee, to the fullest extent permitted under applicable law, for any and all liabilities of any kind incurred by the Trustee in connection with the Plans and Trust (a) relating to periods of time prior to the Trustee's becoming Trustee, or (b) relating to periods of time while the Trustee is Trustee if such liability is not due to the Trustee's negligence, willful misconduct, or breach of its fiduciary duties.

18. The Trustee may resign at any time by giving sixty (60) days written notice to the Trust Administrator. In the case of the resignation or removal of the Trustee, the Trust Administrator immediately shall appoint a successor Trustee. If for any reason the Trust Administrator cannot or does not act in the event of the resignation or removal of the Trustee, as hereinabove provided, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor Trustee. Any expenses incurred by the Trustee in connection therewith shall be paid from the Fund as an expense of administration. Any successor Trustee shall have the same powers and duties as those conferred upon the Trustee named in this Trust. The removal of the Trustee and the appointment of a new Trustee shall be by written instrument delivered to the Trustee.

19. This Trust, subject to the provisions of Article 1 may be amended by the Trustee at any time or from time to time and in any manner and the provisions of any such amendment may be made applicable to the Fund as constituted at the time of the amendment as well as to the part of the Fund subsequently acquired; provided, however, that no such amendment shall increase the duties of the Trustee without its consent. Any amendment shall be by a written instrument adopted by the Trustee.

20. This Trust and the trust created hereby may be terminated at any time by the Trustee, and upon such termination, the Fund shall be paid out by the Trustee as and when directed by the Trust Administrator in accordance with the provisions of Article 12 hereof.

21. The Trust Administrator shall provide the Trustee with copies of all documents constituting a Plan at the time the Trust is executed by a Plan Sponsor, as provided in Article 2, and all other documents amending or supplementing a participating Plan promptly upon their adoption. The Trustee shall be entitled to rely upon the Trust Administrator's attention to this obligation and shall be under no duty to inquire of

the Trust Administrator as to the existence of any documents not provided by the Trust Administrator hereunder. The Trustee is bound and acknowledges that it is a fiduciary with respect to the Master Trust and the participating Plans and by the fiduciary responsibility provisions of ERISA as applicable to governmental plans. The provisions of ERISA are expressly made applicable to the provisions of this Master Trust in order to ensure that the Master Trust meets the control requirements for a VEBA under the provisions of 501(c)(9) of the Internal Revenue Code.

22. To the extent consistent with the provisions of ERISA, this Agreement and the trust created hereby shall be construed, regulated and administered under the laws of the State of California, and the Trustee shall be liable to account only in the courts of the State. All contributions to the Trustee shall be deemed to take place in the State of California. Unless the provisions of ERISA provide otherwise, the Trustee may at any time initiate an action or proceeding for the settlement of its accounts or for instructions, and the only necessary party defendant to such action or proceeding shall be the Employer except that the Trustee may, if it so elects, bring in as parties defendant any person or persons.

IN WITNESS WHEREOF, this instrument has been executed as of the day and year first above written.

PLAN SPONSOR

ATTEST:

_____

By:_____

Name: Richard A. Stewart

Title: Mayor

Date: _____

TRUSTEE:

ATTEST:

Trust Committee

_____

By: _____

Name:

Title:

Date:

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MV00133416

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer and Barry Foster Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011

DEVELOPER: FIRST INDUSTRIAL, L.P.
A DELAWARE LIMITED PARTNERSHIP
898 NORTH SEPULVEDA BOULEVARD
SUITE 750
EL SEGUNDO, CA 90245

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011.

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

BACKGROUND

On November 6, 2008, the Planning Commission of the City of Moreno Valley approved Parcel Map No. 35859 (PA07-0165) along with Plot Plan (PA07-0166) for an approximately 700,000 square-foot industrial warehouse building (Building #1) and a

Plot Plan (PA07-0167) for a 180,000 square-foot industrial warehouse building (Building #2). The parcel map is a proposal to subdivide 40.3 gross acres into two parcels. The project is bounded by Perris Boulevard to the east, Knox Street to the west, San Michelle Road to the north, and Nandina Avenue to the south.

Since the original project approvals, the developer has submitted a Plot Plan (PA11-0011) planning application for an interim truck parking lot to be located on Parcel 2 of Parcel Map No. 35859, the ultimate location of Building #2, the 180,000 square-foot industrial warehouse building. The proposal covers the same footprint of the approved building with access from Perris Boulevard. The developer has also submitted an Amended Plot Plan (P11-017) planning application for minor modifications to the approved 700,000 square-foot building approved with PA07-0166. The modifications include a decrease in the overall building square footage with an increase in office space and changes to the location of Knox Street project entrances. Both of these planning applications were approved on July 5, 2011.

On July 26, 2011, the City Council of the City of Moreno Valley approved the Final Parcel Map and Public Improvement Agreement along with the corresponding securities. The Agreement and securities include the construction of the public street improvements.

DISCUSSION

First Industrial, L.P. is requesting a full road closure of Nandina Avenue between Perris Boulevard and Knox Street to facilitate the construction of street improvements on Nandina Avenue. The road closure will be for three months, or approximately ninety-one (91) calendar days. The request for the road closure is due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, curb, gutter, sidewalk, medians, driveway approaches, street lights, landscaping, storm drain culverts, dry utilities, traffic signal modification and associated signing and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on December 28, 2011.

There are 2 residential parcels in the area of construction. The road closure will affect the ingress or egress of both of the parcels, and it will require a detour to the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. The road closure/detour/traffic control plan for this closure has been reviewed and approved by the City Traffic Engineer.

ALTERNATIVES

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. There would be no road closure. *This alternative would result in an unsafe work environment and would significantly delay the completion of this project.*

FISCAL IMPACT

The developer will be responsible for all costs associated with this proposal.

CITY COUNCIL GOALS

PUBLIC SAFETY
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses and residents. The public will be notified by special roadside signage showing the dates of closure and detour signs.

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Road Closure Detour Map
Exhibit "C" – GIS Orthography Map – Road Closure Site Map

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00133420

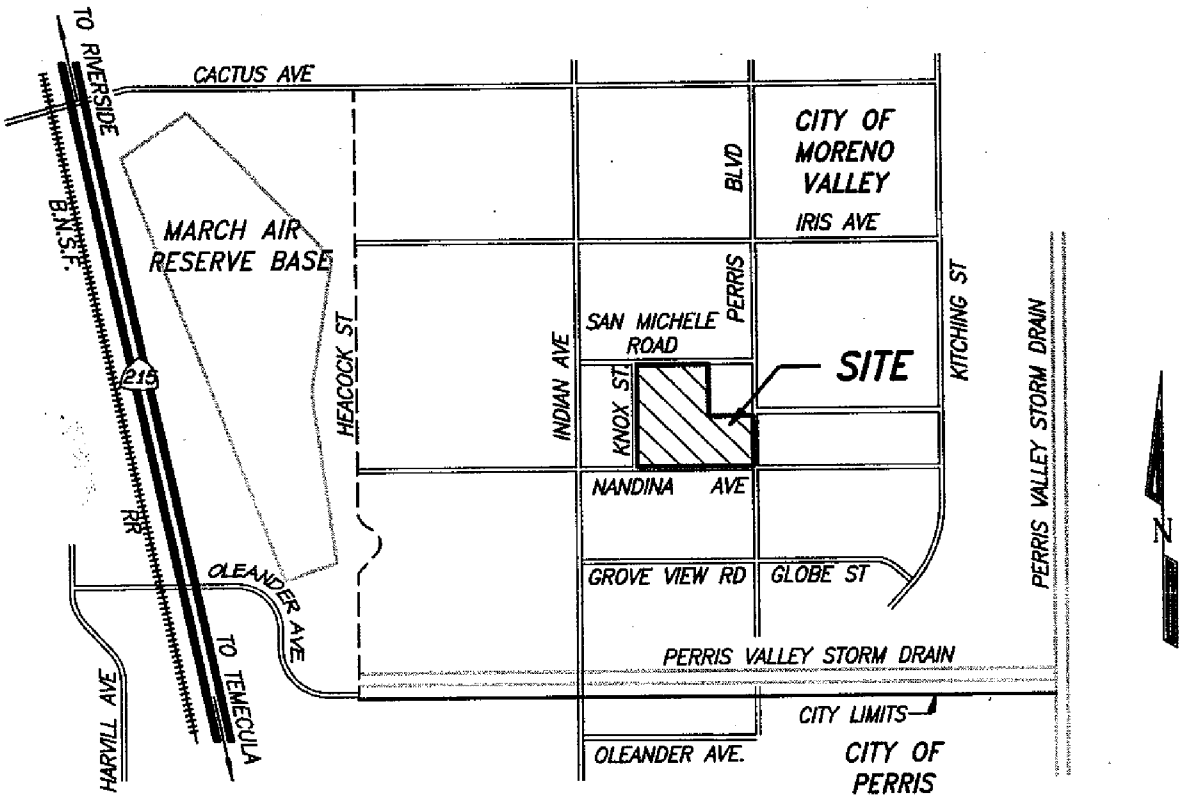

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0165** **PM 35859** **LOCATION MAP**

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MV00133422

MV00133423

DETOUR PLAN

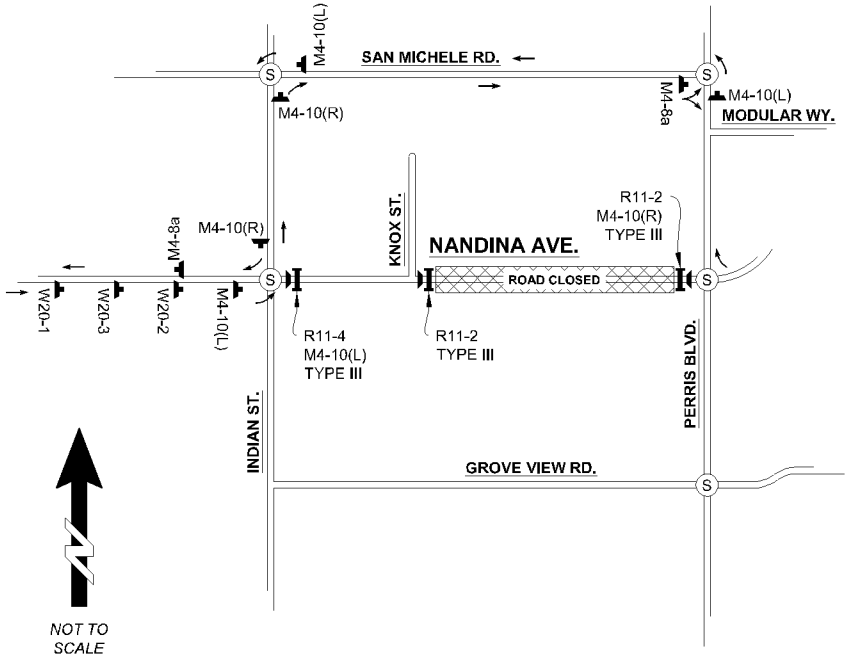

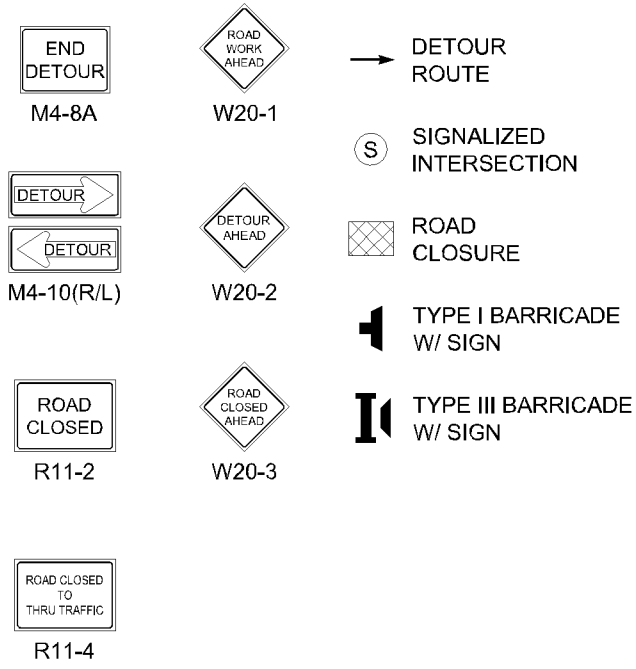

PREPARED BY:	CONTRACTOR:	STAMP:		CITY OF MORENO VALLEY APPROVALS		PROJECT NO.
A CONE ZONE INC. P.O. Box 1982 Corona, CA 92878 (951) 734-9535 License Number: 851996	**PETERSON PIPELINE** P.O. Box 1649 Chino, CA 91908 (909) 393-1906 License Number: 689680A		MARK / REVISIONS / APPR / DATE DESIGNED BY CB DRAWN BY CB CHECKED BY EN	APPROVED BY / DATE / BY SUPERVISING ENGINEER CITY TRAFFIC ENGINEER MAINTENANCE AND OPERATIONS MANAGER SENIOR ENGINEER	PREM KUMAR – DEPUTY DIRECTOR OF PUBLIC WORKS DATE R.C.E. 52463 EXP. DATE: 12/31/12 CHRIS A. VOGT – DIRECTOR OF PUBLIC WORKS DATE R.C.E. 44250 EXP. DATE: 06/30/12	PERRIS VALLEY MASTER DRAINAGE PLAN LATERAL B-1 & B-1.2 NANDINA AVE. CLOSURE	DRAWING NO. SHEET NO. X OF 4

Exhibit "B"

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MV00133424

ROAD CLOSURE SITE MAP

Nandina Avenue from Perris Blvd. to Knox St.

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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Printed: 8/23/2011 11:03:47 AM

Exhibit "C"

MORENO VALLEY

MV00133425

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MV00133426

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00133428

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: September 27, 2011

TITLE: AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto.

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The Parks and Community Services Department oversees the After School Education and Safety Program and 43 school sites in the Moreno Valley Unified (MVUSD) and Val Verde Unified School District (VVUSD). As part of the After School Education and Safety Grant (ASES) the city is required to offer the students in the program a daily

nutritious snack that conforms to the nutrition standards in the California Education Code. To that end the City receives a grant from the Child and Adult Care Food Program (CACFP) which reimburses a set amount per nutritious snack served per student. The vendor contracted for this service must be capable of delivering snacks, to each school site weekly, that meet the requirements and portion sizes of the U.S. Department of Agriculture (USDA) as required by the CACFP Grant.

DISCUSSION

A request for proposal was prepared and advertised, with a closing date of August 22, 2011. Three proposals were received by deadline. A panel evaluated the proposals based on several items with the most weight given to: Ability to provide the required services; adherence to the RFP; quality of snacks compared to the USDA's requirements; and nutritional value of snacks compared to USDA's requirements.

The proposal with the highest score was received from Family Services Association. It is Staff's intention to enter into an agreement with Family Services Association to meet the required nutritional guidelines of the ASES and CACFP Grants.

ALTERNATIVES

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year in the form attached hereto and Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

2. Elect not to award the contract and execute a purchase order in the amount not to exceed $440,640 to Family Services Association and provide direction to staff.

FISCAL IMPACT

The funding of this program expenditure, in the amount not to exceed $440,640, is covered 100 percent (100%) through ASES and CACFP grant funding. No City General Funds will be used for this program. Funds are budgeted in the FY2011-12 Operating Budget (162.16215 and 162.16315). **ASES funding is specifically for the After School Education and Safety Program and CACFP grant is for nutritious after school snacks only.**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Contract agreement (Includes RFP)

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00133432

ATTACHMENT A

City of Moreno Valley
Community Services District

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by the Moreno Valley Community Services District, a district formed pursuant to California Community Services District Law, hereinafter referred to as the "CSD", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City and CSD policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the Mayor, Acting in the capacity as the President of the Board of Directors of the Moreno Valley Community Services District, signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Family Services Association
Address: 21250 Box Springs Rd. Ste 212
City: Moreno Valley State: CA Zip: 92557
Business Phone: (951)686-1096 Fax No. (661)947-5678
Other Contact Number: N/A
Social Security Number: N/A
Business License Number: 11605
Federal Tax I.D. Number: 95-4764967

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The CSD's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is 10/3/11 and the Contractor Ending Date is 06/30/12. The CSD acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CSD will not provide any training to Contractor or his/her/its employees.
B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual

whose compensation for services is paid by the Contractor, an agent or employee of the CSD, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the CSD, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the CSD.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the CSD. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the CSD shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the Moreno Valley Community Services District (CSD), City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the CSD, City and RDA, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. CSD Indemnification. The CSD agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CSD's, City's and RDA's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, City, and RDA, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the Moreno Valley Community Services District (CSD), the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and shall furnish the CSD with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the CSD in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any

excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the Moreno Valley Community Services District (CSD), it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the Moreno Valley Community Services District (CSD), the Community Redevelopment Agency of the City of Moreno Valley, California, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the CSD, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the CSD will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	**Each Occurrence**	**Aggregate**
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the CSD and the City. At the option of the CSD and the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the CSD, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the CSD with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

(a) The CSD may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the CSD. The CSD shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the CSD terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

I. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The CSD will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the CSD's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

J. Restrictions on CSD and City Employees. The Contractor shall not employ any CSD or City employee or official in the work performed pursuant to this Agreement. No officer or

employee of the CSD or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

K. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

L. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.
In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

M. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the CSD, the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

N. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the CSD.

O. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

P. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the Moreno Valley Community Services District (CSD).

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Board of Directors of the
Moreno Valley Community Services District

BY: _____
President

_____
Date

Family Services Association

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT A

SCOPE OF WORK

"Exhibit A"

GENERAL AGREEMENT

This agreement is entered between Family Service Association (FSA) and the Moreno Valley Community Services District ("CSD") for the purpose of providing after school snack services. It is recognized that the purpose of this agreement shall be constructed in a manner not inconsistent with the California Education Code and other laws of the State of California After School Education and Safety (ASES) Grant.

AGENCY AND PROGRAM BACKGROUND

Family Service Association is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals. Additionally, the FSA has provided the Federal Summer Youth Food Program at several FSA Community Centers.

SNACK PROGRAM SERVICES

Family Service Association will provide delivery of the snacks to each of the 43 ASES "CSD" sites every school day from October 3, 2011 until June 30, 2012 in accordance with the order from the Think Together. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times required. Snack will be provided for a set unit price of .72 per snack per day and total cost will vary based on CSD program enrollment. Snack nutritional values will be in accordance with Child and Adult Food Program.

PROGRAM DELIVERY

Snack will be delivered to CSD programs weekly. CSD program must provide a secure area for product to be stored. CSD program will assign a contact for each site who will sign for delivery. FSA will invoice monthly with NET 30 DAY terms based on documented number of nutritious snacks delivered.

PROGRAM STAFFING REQUIREMENTS

Family Service Association shall be solely responsible for staff in their employ under this agreement, Family Service Association certifies that staff providing services are adequately trained and prepared according to prevailing standards for providing such services. Family Service Association will provide adequate supervision of the staff. FSA will provide all necessary insurance for employees as specified in INDEPENDENT CONTRACTOR AGREEMENT.

RELEVENT DATES

FSA will deliver snack to (43) ASES sites per week starting October 3, 2011. All sites will have product to begin distribution on October 3, 2011.

CONTRACTORS RFP RESPONSE

ORIGINAL

CHILD AND ADULT CARE FOOD PROGRAM
SAMPLE CONTRACT FOR VENDED MEALS

THIS AGREEMENT, made and entered into this day of

20 11, in the State of California, by and between Moreno Valley Community Services District

hereinafter referred to as the Agency and _____,

* _____, hereinafter referred to as the Contractor.

WITNESSETH:

1. That the Contractor for and in consideration of the covenants, conditions, agreements, and stipulations of the Agency hereinafter expressed, does hereby agree to furnish to the Agency services and materials as described in the original Invitation for Proposal and Contract, Sections A, B, C, D, E, F, G, and H, and Schedules A, B, and C, which were attached and made a part hereof by this reference.

2. The period of this contract shall be from _____ through _____. This contract may be renewed for one-year periods up to three times upon agreement of the Agency and the Contractor. Any increase or decrease of the unit price(s) shall be negotiated during the renewal process.

3. In consideration of the service, performed in a manner acceptable to the Agency and in compliance with the Child and Adult Care Food Program regulations, Title 7 Code of Federal Regulations, Part 226, the agency shall pay the Contractor within 30 days of receipt, the full the amount Amount of the itemized invoices as confirmed by pickup receipts, at the unit price(s) specified in the contract.

4. The total amount payable by the Agency to the Contractor under this contract shall not exceed $_____.

SIGNATURE PAGE TO FOLLOW

/

/

/

/

/

/

MORENO VALLEY COMMUNITY SERVICES DISTRICT

(Name of Contractor)

BY: _____
City Manager

DATE: _____

License No./
Certification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

CITY ATTORNEY, ACTING IN THE CAPACITY OF GENERAL COUNSEL OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SECTION A
CHILD AND ADULT CARE FOOD PROGRAM
REQUEST FOR PROPOSAL AND CONTRACT
(DELIVERY)

RFP/CONTRACT NUMBER: (Formal Advertising Only)

ISSUED BY (AGENCY): Moreno Valley Community Services District

NAME	ADDRESS 14075 Frederick St.		
CITY Moreno Valley	STATE CA	ZIP 92553	TELEPHONE NUMBER (951) 413-3726

PROPOSAL DUE

DATE	TIME	LOCATION	ISSUE DATE
AUGUST 22, 2011	5:00 p.m.	Moreno Valley Parks and Community Services 14075 Frederick Street, Moreno Valley, CA 92553	

PROPOSAL

This document contains an RFP/Contract for the furnishing of meals (unitized if applicable) to be served to participants of the Child and Adult Care Food Program established by the United States Department of Agriculture (Title 7 Code of Federal Regulations, Part 226) and sets forth the terms and conditions applicable to the proposed procurement.

NAME OF COMPANY	FEDERAL ID NUMBER
Family Service Association	95-1803694
STREET ADDRESS	TELEPHONE NUMBER
21250 Box Springs Rd. Ste. 212	(951) 686-1096

CITY	STATE	ZIP CODE
Moreno Valley	CA	92557

TOTAL ESTIMATED AMOUNT OF PROPOSAL	
TO BE PROVIDED IN SEPARATE SEALED ENVELOPE	Prompt Payment Discount: N/A % for payment within days.

By submission of this proposal, the company certifies that, in the event they receive an award under this solicitation, they shall operate in accordance with all applicable, current Child and Adult Care Food Program regulations.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Bower	Chief Operating Officer	8/18/2011

ACCEPTANCE

Upon acceptance by the Agency and review by the California Department of Education, this document shall constitute the covenants, conditions, agreements, and stipulations of the contract between the company making the proposal and the Agency named above.

CONTRACT NUMBER	AGENCY NAME	DATE

SIGNATURE OF AGENCY REPRESENTATIVE	

PROCUREMENT METHOD: (Check One)

Competitive Negotiation ☐ Competitive Sealed Proposals ☒ Noncompetitive Negotiation ☐

FOR CDE USE ONLY

This Contract was reviewed for compliance with Title 7 Code of Federal Regulations, Part 226 by:

SIGNATURE	DATE

3

SECTION B
CERTIFICATE OF INDEPENDENT PRICE DETERMINATION, NO SANCTIONS, AND DRUG FREE WORKPLACE

BY SUBMISSION OF THIS PROPOSAL, THE SUBMITTER CERTIFIES AND IN THE CASE OF A JOINT PROPOSAL, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATIONS, THAT IN CONNECTION WITH THIS PROCUREMENT:

1. The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Submitter or with any competitor.
2. Unless otherwise required by law, the prices that have been quoted in this proposal have not been knowingly disclosed by the Submitter and will not knowingly be disclosed by the proposal prior to proposal opening, directly or indirectly to any other Submitter or to any competitor.
3. No attempt has been made or will be made by the Submitter to induce any person or firm to submit or not to submit a proposal for the purpose of restricting competition.
4. Neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

   Where the Submitter is unable to certify to any of the statements in this certification, such Agency shall attach an explanation to this proposal.
5. As required by the state drug-free workplace act of 1990 (Government Code Section 8350 et. Seq.) and the federal Drug-Free Workplace Act of 1988, and implemented at Title 34 Code of Federal Regulations, Part 85, Subpart F, for grantees, as defined at Title 34 Code of Federal Regulations, Part 85, Sections 85.605 and 85.610, the Submitter certifies that it will continue to provide a drug-free workplace.

EACH PERSON SIGNING THIS PROPOSAL CERTIFIES THAT:

1. He is the person in the Submitter's organization responsible within that organization for the decision as to the prices being offered herein or that he has been authorized in writing to act as agent for the persons responsible for such decisions in certifying that such persons have not participated and will not participate, in any action contrary to (1) through (3) above; and
2. He has not participated, and will not participate, in any action contrary to (1) through (3) above.

AND AS THEIR AGENT DOES HEREBY SO CERTIFY:

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011
NAME OF COMPANY		
Family Service Association		
In accepting this proposal, the agency certifies that the agency's officers, employees, or agents have not taken any action that may have jeopardized the independence of the proposal referred to above.		
SIGNATURE OF AUTHORIZED AGENCY REPRESENTATIVE	TITLE	DATE
Veronica Dover	Chief Operating Officer	8/18/2011

ACCEPTING A PROPOSAL DOES NOT CONSTITUTE ACCEPTANCE OF THE CONTRACT

Item No. B.3

SECTION C
INSTRUCTION TO SUBMITTERS

1. **Definitions --** (As used herein):

   (a) The term "Proposal" means an offer to perform the work described in the Request for Proposals at the fixed unit price specified in accordance with the terms and conditions of the solicitation.

   (b) The term "Submitter" means a food service management company submitting a proposal in response to this Request for Proposals.

   (c) The term "Contractor" means the food service management company to whom the proposal is awarded and with whom the contractual agreement is executed.

   (d) The term "CDE" means the California Department of Education, Nutrition Services Division.

   (e) The term "Food Service Management Company" means an organization, other than a public or private nonprofit school, with which an agency may contract for preparing, and unless otherwise provided for, delivering meals, with or without milk, for use in the Program.

   (f) The term "Request for Proposals ", hereafter referred to as RFP, means the document soliciting proposals through the formal advertising method of procurement. In the case of this Program, the RFP becomes a part of the contract upon acceptance by the Agency, review by CDE, and execution of the contractual agreement.

   (g) The term "Agency" means the Child and Adult Care Food Program agency that issues this RFP.

   (h) The term "Program" means the Child and Adult Care Food Program as set forth in the Title 7 Code of Federal Regulations, Part 226.

   (i) The term "Unitized Meal" means an individual pre-portioned meal consisting of a combination of foods meeting the complete meal requirements, delivered as a unit and served as a unit, with or without milk.

   Other terms shall have the meanings ascribed to them in the Child and Adult Care Food Program, Title 7 Code of Federal Regulations, Part 226.

2. **Submission of Proposals**

   (a) Submitters are expected to examine carefully the specifications, schedules, attachments, terms, and conditions of this RFP. Failure to do so shall be at the Submitter's own risk.

   (b) Proposals shall be executed and submitted in triplicate with one copy being marked "original". If accepted, this RFP will become a part of the contract and one copy of the accepted Proposal/contract will be forwarded to the successful Submitter with the notice of award. The copy marked "original" shall be governing should there be a variance between that "original" copy of the proposal and other copies submitted by the Submitter. No changes in the specifications or general conditions as presented by the Agency herein are allowed. Erasures on this proposal shall be initialed by the proposal prior to submission.

   (c) A copy of a current State or local health certificate for the food preparation facilities shall be submitted with the proposal.

   (d) The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.

   Failure to comply with any of the above shall be reason for rejection of the proposal.

3. **Explanation to Submitters**

Any explanation desired by a Submitter regarding the meaning or interpretation of the RFP specifications, etc., must be requested in writing prior to proposal opening and with sufficient time allowed for a reply to reach all Submitters before proposal opening. Oral explanations or instructions given before the award of the contract shall not be binding. Any information given to a prospective Submitter concerning an RFP shall be furnished to all prospective Submitters as an amendment to the RFP if such information is necessary to Submitter in submitting proposal on the RFP, or if the lack of such information would be prejudicial to uninformed Submitters.

4. **Acknowledgment of Amendments to RFPs**

Receipt of an amendment to an RFP by a Submitter must be acknowledged by signing and returning the amendment. Such acknowledgment must be received prior to the hour and date specified for proposal response date.

5. **Discounts**

Although a blank is provided for a time discount, prompt payment discounts offered for payment in less than twenty calendar days will not be considered in evaluating proposals for award. However, offered discounts of less than twenty days will be taken if payment is made within the discount period even though not considered in the evaluation of proposals.[1]

6. **Proposals Having Interest in More Than One Proposal**

If more than one proposal is submitted by any one person, by, or in the name of a clerk, partner, or other person, all such proposals shall be rejected.

7. **Time for Receiving Proposals**

Sealed proposals shall be deposited at the address specified on the RFP of the Agency no later than the exact time and date indicated on the face of this RFP. Proposals received prior to the time of opening will be securely kept, unopened.

8. **Errors in Proposals**

Submitters or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals; failure to do so shall be at the Submitter's own risk and he cannot secure relief on the plea of error.

9. **Award of Contract**

(a) The contract will be awarded to that responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered. Consideration shall be given to such matters as Contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

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[1] Payment discounts may only be used to determine the low proposal when prior experience of the Agency indicates that such discounts are generally taken.

(b) The Agency reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received when there are sound documented business reasons in the best interest of the Program.

(c) The Agency reserves the right to reject the proposal of a Submitter who has previously failed to perform properly or complete on time contracts of a similar nature, or the proposal of a Submitter whose investigation shows is not in a position to perform the contract.

10. **Late Proposals, Modifications of Proposals, or Withdrawals of Proposals**

(a) Any proposal received after the exact time specified for receipt will not be considered unless it is received before the award is made and it was sent by registered or certified mail, no later than the fifth calendar day prior to the date specified for the receipt of proposals (e.g., a proposal submitted in response to an RFP requiring receipt of proposals by the 20th of the month must have been mailed by the 15th or earlier).

(b) Any modification or withdrawal of a proposal is subject to the same conditions as in (a) above except that withdrawal of proposals by telegram is authorized. A proposal may also be withdrawn in person by a Submitter or his authorized representative, provided his identity is made known and he signs a receipt for the proposal, but only if the withdrawal is made prior to the exact time set for receipt of proposals.

(c) The only acceptable evidence to establish the date of mailing of a late proposal, modifications, or withdrawal sent either by registered or certified mail is the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. If the date on the postmark is illegible, the proposal, modification, or withdrawal shall be deemed to have been mailed late. (The term "postmark" means, a printed, stamped, or otherwise placed impression that is readily identifiable without further action as having been supplied and affixed on the date of mailing by employees of the U.S. Postal Service.)

(d) Notwithstanding the above, a late modification of an otherwise successful proposal that makes its terms more favorable to the Agency will be considered at any time it is received and may be accepted.

SECTION D
SCOPE OF SERVICES

1. The Contractor agrees to deliver unitized meals exclusive of milk to locations set out in Schedule A, attached hereto and made a part hereof, subject to the terms and conditions of this solicitation.

2. All meals furnished for the Program under this contract must meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products shall conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. The Contractor agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. The Contractor shall furnish meals for the Program as ordered by the Agency during the period of October 3, 2011 to June 8, 2012.

5. The Contractor shall furnish meals for the Program as ordered by the Agency 5 days a week excluding school holidays.

Item No. B.3

Section D

SCOPE OF SERVICES

1. Family Service Association (Contractor) agrees to deliver unitized meals exclusive of milk to 43 Elementary and Middle School Sites (as detailed on Schedule A).

2. All meals furnished for the Program under this contract will meet or exceed United States Department of Agriculture requirements set out in Schedule B, attached hereto and made a part hereof. All yields of cooked and uncooked products will conform to yields identified in the United States Department of Agriculture's Food Buying Guide.

3. Family Service Association (Contractor) agrees to furnish meals for the Program in accordance with the menu cycle that appears in Schedule C, attached hereto and made a part hereof.

4. Family Service Association will furnish meals for the program as ordered by the Agency during the period of October 3, 2011- June 8, 2012.

5. Family Service Association will furnish meals for the Program as ordered by the Agency five (5) days per week (Monday-Friday).

SECTION F

CONTRACT PROVISIONS AND SPECIFICATIONS

1. **Requirements Contract**

   (a) This is a requirements contract for services specified in the Sections and Schedules and for the period set forth herein. The quantities of such services specified herein are estimates only and are not purchased hereby. Except as may be otherwise provided herein, in the event the Agency's requirements for services set forth in the Sections and Schedules do not result in orders in the amounts or quantities described as "estimated" in the Sections and Schedules, such event shall not constitute the basis for an equitable price adjustment under this contract.

   (b) The Agency shall not be required to purchase from the Contractor requirements in excess of the limit on total orders under this contract, if any.

   (c) The Agency may issue orders that provide for delivery or performance at multiple destinations.

   (d) The Agency shall not be obligated to place any minimum dollar amount of orders under this contract or any minimum number of orders. The utilization of the Contractor for services specified in the Sections and Schedules will be dependent upon the needs and requirements of the Agency.

   (e) Regulatory or guidance changes prescribed by the United States Department of Agriculture or CDE, during the duration of this contract, shall be considered a basis for renegotiation with prior approval and agreement from CDE, of the terms and conditions of the contract between the Agency and the Contractor. Authority for such renegotiation must be requested from CDE, in writing by the Agency, prior to the commencement of any such renegotiation.

2. **Pricing**

   Pricing shall be on the numbers described in Section E, "Unit Price Schedule". All Submitters must submit proposals on the same menu cycle provided by the Agency. Proposal prices must include the price of food, milk (if applicable), packaging, transportation, and all other related costs (e.g., condiments, utensils, etc.) that are essential to the content of the food service.

3. **Evaluation of Submitters**

   Each Submitter will be evaluated on the following factors:

   (a) Capability to perform a contract of the scope required.

   (b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards.

   (c) Previous experience performing services similar in nature and scope.

   (d) Other factors such as transportation capability, sanitation, and packaging.

   Submitter that do not satisfactorily meet the above criteria may be rejected as unresponsive and not considered for award.

4. **Unit Prices**

The unit prices of each meal type that the Submitter agrees to furnish must be written in ink or typed in the blank space provided in Section E of the Unit Price Schedule, including proper packaging as required in the specifications, and the costs of delivery to the designated sites. Unit prices shall include taxes; but, any charges or taxes that are required to be paid under future laws must be paid by the Submitter at no additional charge to the Agency. **The Proposal and Unit Price Schedule shall be submitted in separate sealed envelopes.**

5. **Meal Orders**

The Agency will order meals on Friday of the week preceding the week of delivery; orders will be placed for the total number of days in the succeeding week, and will include breakdown totals for each center and each type of meal.

The Agency reserves the right to increase or decrease the number of meals ordered on a 24 hour notice (or less if mutually agreed upon between the parties to this contract).

6. **Menu-Cycle Change Procedure**

Meals shall be delivered on a daily basis in accordance with the menu cycle which appears in Schedule C. Deviation from this menu cycle shall be permitted only upon authorization of the Agency. When an emergency situation prevents the Contractor from delivering a specified meal component, the Contractor shall notify the Agency immediately so substitutions can be agreed upon. The Agency reserves the right to periodically suggest menu changes that are within the Contractor's food cost.

7. **Noncompliance**

The Agency reserves the right to inspect and determine the quality of food delivered and reject any meals that do not comply with the requirements and specifications of the contract. The Contractor shall not be paid for unauthorized menu changes, incomplete meals, meals not delivered within the specified delivery time period, and meals rejected because they do not comply with the specifications. The Agency reserves the right to obtain meals from other sources if meals are rejected due to any of the stated reasons. The Contractor shall be responsible for any excess cost, but will receive no adjustment in the event the meals are procured at a lesser cost. The Agency or agency representative inspecting shall notify the Contractor in writing as to the number of meals rejected and the reasons for rejection.

** Time frame should be no longer than 24 hours.

8. **Specifications**

(a) Packaging

(1) Hot Meal Unit-Packaging shall be suitable for maintaining meals in accordance with local health standards. Container and overlay should have an airtight closure, be of non-toxic material, and be capable of withstanding temperatures of 400°F (204°C) or higher.

(2) Cold Meal Unit or Unnecessary-to-Heat Container and overlay shall be plastic or paper and non-toxic.

(3) Cartons - Each carton shall be labeled. The label shall include:

A. The processor's (plant) name and address

B. Item identity and meal type

C. Date of production

D. Quantity of individual units per carton

(4) Meals shall be delivered with the following non-food items: condiments, straws, napkins, single service ware, etc.*

(b) Food Preparation

Meals shall be prepared under properly controlled temperatures and assembled not more than 24 hours prior to delivery.

(c) Food Specifications

Proposals are to be submitted on the menu cycle included as Schedule C and shall include, at a minimum, the portions specified by the U. S. Department of Agriculture for each meal, which are included in Schedule B of this RFP.

All meat and meat products, except sausage products, shall have been slaughtered, processed, and manufactured in plants inspected under a U. S. Department of Agriculture approved inspection program and bear the appropriate seal. Upon delivery, all meat and meat products must be sound, sanitary, and free of objectionable odors or signs of deterioration.

(d) Product Specifications

Milk and milk products are defined as "...fluid types of pasteurized flavored or unflavored whole milk or low-fat milk, or skim milk or cultured buttermilk, which meets State and local standards for such milk..." Milk delivered hereunder shall conform to these specifications.

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* The Agency shall insert or delete non-food items that are necessary for the meal to be eaten.

Section F

CONTRACT PROVISIONS AND SPECIFICATIONS

3. Evaluation of Submitters:

(a) Capability to Perform Contract of Scope Required:

Family Service Association (FSA) is a large, multi-service agency that serves over 25,000 individuals and families in the two-county Riverside and San Bernardino region. The key program and service areas of FSA include: Mental Health, Child Development, Community Centers, Senior Nutrition and Senior Services and Affordable Housing. FSA has a substantial infrastructure that includes administrative and fiscal supports to all programs and services, and is certified by the Council on Accreditation for the majority of agency services, attesting to the highest quality in program delivery. Additionally, FSA's Human Resources Department enables the agency to hire/screen and interview staff quickly and efficiently. FSA also maximizes resources, including personnel, facilities and transportation to ensure cost-effective and timely services. For example, there are currently part-time personnel that are working in food service whose hours can be expanded up to full-time positions to serve this new program component. Vehicles that are used to deliver Senior Nutrition meals earlier in the day can also be used for delivery of snacks to the various school sites in the afternoon.

In the area of service relevant to the Child Care Food Program Notice, FSA has over 15 years of experience in both Child Development centers and Congregate and Home-Delivered Senior Meals, as described in detail in item (c). Additionally, the agency has provided the Federal Summer Youth Food Program at several FSA Community Centers.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products. FSA will provide delivery tickets (minimum of three copies – one for FSA, one for Center personnel, and one for the Agency). Each delivery ticket will be itemized to show the number of snacks provided to each center. Designees of the Agency at each site will check the adequacy of the delivery before signing the delivery ticket. FSA will maintain records supported by delivery tickets, purchase orders, and production records for this contract, and other evidence for inspection and reference to support payments and claims.

FSA will make the books and records pertaining to this contract available for a period of three years from the date the Agency submits to CDE, the final claim for reimbursement for meals provided under this contract.

FSA will procure and maintain at its sole expense, and throughout the term of the Agreement, General Liability and Worker's Compensation at the required levels.

(b) Adequacy of plant facilities for food preparation, with approved licensing certification that facilities meet all applicable State and local health, safety, and sanitation standards:

FSA has a long history of compliance with food preparation regulations and standards in the course of operating eight (8) food service facilities. In both the food service programs for the Child Development Centers and the Senior Nutrition program, FSA is well-versed in the applicable State and local health, safety and sanitation standards of the CA Department of Education Child and Adult Food Programs, the Federal Summer Youth Food Program, and Title 22 regulations, as well as Environmental Health regulations.

Food preparation for this proposed program will take place at FSA's new Central Kitchen and Distribution Facility, scheduled to open on September 15, 2011. The facility is located at 21081 Alessandro Blvd. in Moreno Valley and is currently being renovated especially for the preparation of meals for the Senior Nutrition program.

The facility will be ideal for the proposed Child Care Food Program. During the morning hours, the facility will be used for the preparation and distribution of over 1,500 senior meals (congregate and home-delivered meals). The early afternoon hours can then be devoted to the preparation of the afternoon meal "snacks" required for this proposed program. The convenient location of the kitchen within close proximity to the service sites, the compliance of the facility with all applicable health regulations, and the trained and experienced staff assigned to work in this location on various programs make it an ideal place for this project.

FSA will provide delivery of the snacks to each center listed on Schedule A in accordance with the order from the agency. FSA will deliver, unload and place snacks in the designated center weekly by FSA personnel at each of the locations and times listed on Schedule A. During transport, FSA will provide adequate refrigeration of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

Management and supervision will be provided at all times to maintain constant quality control inspections to check for portion size, appearance, packaging, in addition to the quality of products.

(c) Previous experience performing services similar in nature and scope:

As previously stated, FSA has over 15 years of experience in the meal preparation and food service process. FSA provides food service (breakfast, lunch and snacks) to approximately 2,000 children served at FSA's 10 Child Development Centers located throughout Riverside County. In addition, FSA has provided the Summer Youth Food Program to approximately 300 children and youth attending special programming at FSA's Community Centers in Highgrove, Mead Valley and Cabazon. Daily meals are delivered to 1,500 seniors through FSA's Senior Nutrition program, offering both congregate (20 sites) meal service, and home-delivered meals for frail, homebound elders.

In the provision of these food programs, FSA adheres to and has consistent compliance with environmental health standards for kitchen sanitation and safe food preparation. Food service personnel comply with all applicable CA Department of Education and Adult Food Programs, and Title 22 regulations that govern federally funded food programs, in addition to all Environmental Health regulations.

(d) Other factors such as transportation capability, sanitation and packaging:

FSA has over 20 vehicles that are used to deliver nutritious meals to seniors. The agency also owns a refrigerated truck as well as refrigerated hot and cold conversion vans that are available to deliver meals and snacks. In addition, FSA utilizes coolers and hot bags to maintain appropriate food temperatures for snack and meal deliveries.

FSA maintains the highest quality of sanitation possible for all cooking sites as well as warming kitchens. FSA is required by Title 22 regulations to have a registered dietician who inspects all sites on a quarterly basis. Written records are maintained on food temperatures as well as routine cleaning and sanitizing of all kitchen equipment.

FSA packages all meals and snacks that it prepares. Meals are placed in biodegradable meal trays and appropriately sealed. Side dishes, such as fruit, jello, etc. are individually cupped and/or sealed.

The Attached Environmental Health Permit is for one of FSA's eight kitchen and food preparation facilities.

The facility that will be serving as the centralized kitchen (Alessandro Central Kitchen and Distribution Center) for this project, will not be open until mid-September 2011.

ATTACHMENT A

Facility # FA0029398

COUNTY OF RIVERSIDE • COMMUNITY HEALTH AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH

Environmental Health Permit
Non-Transferable - Non-Refundable

Facility #: FA0029398
Permit Expiration Date: 01/31/2012
District Number: 0005

DBA:
Catering Ror A Cause
6080 Magnolia Ave
Riverside, CA 92506

Family Service Association
Catering Ror A Cause
21250 Box Springs Rd Ste 212
Moreno Valley, CA 92557

Record ID#: PR0040060

Type Of Business

3621 - Restaurant 2001 to 5999 sq ft

This permit is granted for the business indicated on the condition that the business will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, and the County of Riverside pertaining to the above mentioned business. This permit serves as a receipt for payment of fees for the above listed programs. This permit must be renewed on or before the expiration date shown above. This permit may be suspended or revoked by the enforcement officer for cause. Inspection of this business may be conducted by a duly authorized representative of the Director of Environmental Health. THIS PERMIT IS NOT TRANSFERABLE OR REFUNDABLE.

POST IN A CONSPICUOUS PLACE

DEH-SAN-050 (Revised 12/09)

SECTION G
GENERAL CONDITIONS

1. **Delivery Requirements**

   (a) Deliveries shall be made by the Contractor to each center listed on the Schedule A in accordance with the order from the Agency.

   (b) Meals shall be delivered, unloaded, and placed in the designated center weekly by the Contractor's personnel at each of the locations and times listed on the Schedule A.

   (c) The Contractor shall be responsible for the delivery of all meals and dairy products at the specified time. Adequate refrigeration or heating shall be provided during the transportation and delivery of all food to insure the wholesomeness of food at delivery in accordance with State or local health codes.

   (d) The Agency reserves the right to **add or delete centers**. This shall be done by amendment of the Schedule A. The Agency shall notify the Contractor of such amendments to the Schedule A not less than one week prior to the required date of service. Any changes in transportation costs that occur as a result of adding or deleting centers shall be negotiated and noted in the modification. The Contractor's invoice shall show the cost as a separate item for that center.

2. **Supervision and Inspection**

   The Contractor shall provide management supervision at all times and maintain constant quality control inspections to check for portion size, appearance, and packaging, in addition to the quality of products.

3. **Record Keeping**

   (a) Delivery tickets must be prepared by the Contractor with a minimum of three copies -- one for the Contractor, one for center personnel, and one for the Agency. Delivery tickets must be itemized to show the number of meals of each type delivered to each center. Designees of the Agency at each center will check the adequacy of the delivery and the meals before signing the delivery ticket. Invoices shall be accepted by the Agency only if they accurately represent the delivery tickets signed by the Agency's designee at the center.

   (b) The Contractor shall maintain records supported by delivery tickets, purchase orders, and production records for this contract or other evidence for inspection and reference to support payments and claims.

   (c) The books and records of the Contractor pertaining to this contract shall be available for a period of three years from the date the Agency submits to CDE the final claim for reimbursement for meals provided under this contract, or until the final resolution of any audits for inspection and audit by representatives of CDE, the U. S. Department of Agriculture, the Agency, and the Controller General of the United States at any reasonable time and place.

4. **Method of Payment**

The Contractor shall submit its itemized invoice to the Agency monthly . Each invoice shall give a detailed breakdown of the number of meals delivered and signed for at each center during the preceding month . Payment will be made at the unit price specified in the contract. No payment shall be made unless the required delivery receipts have been signed by the center representative of the Agency.

5. **Inspection of Facility**

(a) The Agency, CDE, and the U.S. Department of Agriculture reserve the right to inspect the Contractor's preparation facilities prior to award and without notice at any time during the contract period, including the right to be present during preparation and delivery of meals.

(b) The Contractor's facilities shall be subject to periodic inspections by the U.S. Department of Agriculture, State and local health departments, or any other agency designated to inspect meal quality for the State. This will be accomplished in accordance with U.S. Department of Agriculture regulations.

(c) The Contractor shall provide for meals which it prepares to be periodically inspected by the local health department or an independent agency to determine bacteria levels in the meals being prepared, transported, and delivered. Such levels shall conform to the standards which are applied by the local health authority with respect to the level of bacteria which may be present in meals served by other establishments in the locality.

6. **Insurance**

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD) and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

7. **Availability of Funds**

The Agency shall have the option to cancel this contract if the Federal Government withdraws funds to support the Child and Adult Care Food Program. It is further understood that, in the event of cancellation of the contract, the Agency shall be responsible for meals that have already been assembled and/or delivered in accordance with this contract.

8. **Number of Meals and Delivery Times**

The Contractor must provide the exact number of meals ordered. Counts of meals will be made at all centers before meals are accepted. Damaged or incomplete meals shall not be included when the number of delivered meals is determined.

9. **Emergencies**

In the event of unforeseen emergency circumstances, the Contractor shall immediately notify the Agency by telephone or telegram of the following: (a) the impossibility of on-time delivery; (b) the circumstance(s) precluding delivery; and (c) a statement of whether or not succeeding deliveries will be affected. No payments will be made for deliveries made later than 1 hour(s) after specified mealtime. Emergency circumstances at the center precluding utilization of meals are the concern of the Agency. The Agency may cancel orders provided it gives the Contractor at least 48 hours notice. Adjustments for emergency situations affecting the Contractor's ability to deliver meals, or the Agency's ability to utilize meals for periods longer than 24 hours will be mutually worked out between the Contractor and the Agency.

10. **Termination**

(a) The Agency reserves the right to terminate this contract if the Contractor fails to comply with any of the requirements of this contract. The Agency shall notify the Contractor of specific instances of noncompliance in writing. In instances where the Contractor has been notified of noncompliance with the terms of the contract and has not taken immediate corrective action, the Agency shall have the right upon written notice to immediately terminate the contract and the Contractor shall be liable for any damages incurred by the Agency. The Agency shall negotiate a repurchase contract on a competitive basis to arrive at a fair and reasonable price.

(b) The Agency shall by written notice to the Contractor, terminate the right of the Contractor to proceed under this contract if it is found by the Agency that gratuities in the form of entertainment, gifts, or otherwise were offered or given by the Contractor to any officer or employee of the Agency, with a view toward securing the contract or securing favorable treatment with respect to the awarding or amending of the contract; provided that the existence of the facts upon which the Agency makes such findings shall be in issue and may be reviewed in any competent court.

(c) In the event this contract is terminated as provided in paragraph (b) hereof, the Agency shall be entitled (i) to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor, and (ii) as a penalty in addition to any other damages in an amount which shall not be less than three nor more than ten times the cost incurred by the Contractor in providing any such gratuities to any such officer or employee.

(d) The rights and remedies of the agencies provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

11. **Subcontracts and Assignments**

The Contractor shall not subcontract with any other company for the total meal, with or without milk, or for the assembly of the meal; and shall not assign, without the advance written consent of the Agency, this contract or any interest therein. In the event of any assignment, the Contractor shall remain liable to the Agency as principal for the performance of all his obligations under this contract.

12. **Equal Opportunity**

(The following clause is applicable unless this contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor (Title 41 Code of Federal Regulations, Chapter 60.)

During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex.

The Contractor will take affirmative action to ensure that the evaluation and treatment of his employees and applicants for employment are free of such discrimination. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and his subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

(b) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(c) In the event of the Contractor's noncompliance with the Equal Opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further State or federally funded contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, or by rule, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

SECTION H

GENERAL PROVISIONS FOR CONTRACTS EXCEEDING $100,000

THE FOLLOWING PROVISIONS ARE APPLICABLE ONLY IF THE CONTRACT EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT THE ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY ONE YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [41 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY ENVIRONMENTAL PROTECTION AGENCY, OR THE CONTRACT IS NOT OTHERWISE EXEMPT FROM THESE PROVISIONS.

Clean Air and Water

The Contractor agrees as follows:

1. To comply with all the requirements of Section 114 of the Clean Air Act, as amended (41 USC 1857, et seq., as amended by Public Law 91-604), and all requirements adopted pursuant to Division 26 of the California Health and Safety Code, Section 39000, et seq., respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements so specified, and all regulations and guidelines issued thereunder before the award of this contract.

2. To comply with all the requirements of Section 308 of the Federal Water Pollution Control Act (33 USC 1251, et seq., as amended by Public Law 92-500) and all requirements adopted pursuant to the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Section 13000, et seq.), respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Acts, and all regulations and guidelines issued thereunder before the award of this contract.

3. That no portion of the work required by this contract will be performed at a facility listed on the EPA List of Violating Facilities on the date when this contract was awarded unless and until the EPA eliminates the name of such facility or facilities from such listing.

4. To use his best efforts to comply with clean air standards and clean water standards at the facilities in which the contract is being performed.

5. To insert the substance of the provisions of this clause in any nonexempt subcontract including this paragraph 1(e).

Energy Policy and Conservation Act (P.L. 94-163)

The Contractor agrees to comply with all mandatory standards and policies relating to energy efficiency as contained in the California Administrative Code, Title 24, pursuant to the California State energy efficiency conservation plan issued in compliance with Public Law 94-163.

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

CLEAN AIR AND WATER CERTIFICATION

THIS CERTIFICATION IS APPLICABLE IF PROPOSAL OR OFFER EXCEEDS $100,000 OR THE AGENCY OFFICIAL HAS DETERMINED THAT ORDERS UNDER AN INDEFINITE QUANTITY CONTRACT IN ANY YEAR WILL EXCEED $100,000, OR A FACILITY TO BE USED HAS BEEN THE SUBJECT OF A CONVICTION UNDER THE CLEAN AIR ACT [42 USC 1857C-8(C)(1)], OR THE FEDERAL WATER POLLUTION CONTROL ACT [33 USC 1319(C)], AND IS LISTED BY EPA, OR IS NOT OTHERWISE EXEMPT.

The Submitter certifies as follows:

1. Any facility to be utilized in the performance of this proposed contract

   has [X] has not [ ]

   been listed on the Environmental Protection Agency List of Violating Facilities.

2. He will promptly notify the Agency Official, prior to award, of the receipt of any communication from the Director, Office of Federal Activities, U. S. Environmental Protection Agency, indicating that any facility that he proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities.

3. He will include substantially this certification, including this paragraph (3.) in every nonexempt subcontract.

NAME OF COMPANY		
Family Service Association		
SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE
Veronica Hower	Chief Operating Officer	8/18/2011

SCHEDULE A
CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Armada Elementary	25201 John F Kennedy Dr., Moreno Valley, CA		Afternoon Snack	75 per day		8/10/11-6/8/12 180 days
Badger Springs Mdl	24750 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	64 per day		8/10/11-6/8/12 180 days
Bear Valley Elem	26125 Fir Ave, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Box Springs Elem	11900 Athens Dr, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Butterfield Elem	13400 Kitching St, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days
Chaparral Hills Elem	24850 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/8/12 180 days

ATTACHMENT A

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Cloverdale Elem	12050 Kitching St., Moreno Valley, CA		Afternoon Snack	89 per day		8/10/11-6/6/12 176 days
Creekside Elem	13563 Heacock St., Moreno Valley, CA		Afternoon Snack	76 per day		8/10/11-6/6/12 176 days
Edgemont Elem	21790 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	92 per day		8/10/11-6/6/12 176 days
Hendrick Ranch Elem	25570 Brodiaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Hidden Springs Elem	9801 Hidden Springs Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Honey Hollow Elem	11765 Honey Hollow St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
La Jolla Elem	14745 Willowgrove Pl., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Landmark Mdl	15261 Legendary Dr., Moreno Valley, CA		Afternoon Snack	80 per day		8/10/11-6/6/12 176 days
Midland Elem	11440 Davis St., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Moreno Elem	26700 Cottonwood Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Mountain View Mdl	13130 Morrison St., Moreno Valley, CA		Afternoon Snack	65 per day		8/10/11-6/6/12 176 days
Palm Mdl	11900 Slawson Ave., Moreno Valley, CA		Afternoon Snack	58 per day		8/10/11-6/6/12 176 days

ATTACHMENT A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Ramona Elem	24801 Bay Ave., Moreno Valley, CA		Afternoon Snack	91 per day		8/10/11-6/6/12 176 days
Ridge Crest Elem	28500 JFK Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Seneca Elem	11615 Wordsworth Rd, Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days
Serrano Elem	24100 Delphinium Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sugar Hill Elem	24455 Old Country Rd., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Sunnymead Elem	24050 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	88 per day		8/10/11-6/6/12 176 days

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Sunnymead Mdl	23996 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	54 per day		8/10/11-6/6/12 176 days
Sunnymeadows Elem	23200 Eucalyptus Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Town Gate Elem	22480 Dracaea Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-6/6/12 176 days
Avalon Elem	1815 E. Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Columbia Elem	21350 Rider St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Lakeside Mdl	27720 Walnut Ave., Perris, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

MV00133468

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

SCHEDULE A

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Lasselle Elem	26446 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Manuel L. Real Elem	19150 Clark St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
March Mdl	15800 Indian Ave., Moreno Valley, CA		Afternoon Snack	67 per day		8/10/11-5/24/12 175 days
Mary McLeod Bethune Elem	25390 Krameria, Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
May Ranch Elem	900 E. Morgan St., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Mead Valley Elem	21100 Oleander Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

DELIVERY – (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Rainbow Ridge Elem	15950 Indian Ave., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Sierra Vista Elem	20300 Sherman Rd., Perris, CA		Afternoon Snack	77 per day		8/10/11-5/24/12 175 days
Tomas Rivera Mdl	21675 Main St., Perris, CA		Afternoon Snack	76 per day		8/10/11-5/24/12 175 days
Triple Crown Elem	530 Orange Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Val Verde Elem	2656 Indian Ave., Perris, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days
Victoriano Elem	25650 Los Cabos Dr., Moreno Valley, CA		Afternoon Snack	100 per day		8/10/11-5/24/12 175 days

ATTACHMENT A

DELIVERY -- (REV. 2/09)

SCHEDULE A

CHILD AND ADULT CARE FOOD PROGRAM
INVITATION FOR PROPOSAL AND CONTRACT – DELIVERY

CENTERS WHERE PROGRAM WILL OPERATE

NAME OF CENTER	ADDRESS AND TELEPHONE NUMBER	AUTHORIZED DESIGNEE	TYPES OF MEALS	NUMBER OF EACH MEAL TYPE NEEDED	DELIVERY TIME FOR EACH MEAL TYPE	BEGINNING AND ENDING DATES OF PROGRAM AT EACH CENTER
Vista Verde Mdl	25777 Krameria, Moreno Valley, CA		Afternoon Snack	66 per day		8/10/11-5/24/12 175 days

CITY OF MORENO VALLEY
NOTICE INVITING PROPOSALS
CHILD CARE FOOD PROGRAM

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03)

VENDOR #:
AGREEMENT #:

BREAKFAST	AGES ONE THROUGH THREE YEARS	AGES THREE THROUGH SIX YEARS	AGES SIX THROUGH TWELVE YEARS
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE, FRUIT OR FULL-STRENGTH (100%) JUICE	¼ CUP	½ CUP	½ CUP
GRAINS/BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
LUNCH OR SUPPER			
MILK, FLUID	½ CUP	¾ CUP	1 CUP
VEGETABLE AND/OR FRUIT (TWO OR MORE KINDS)	¼ CUP TOTAL	½ CUP TOTAL	¾ CUP TOTAL
GRAINS/BREAD (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.,	½ SERVING	½ SERVING	1 SERVING
OR COOKED PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	1 OZ.	1-½ OZ.	2 OZ.
OR CHEESE (NATURAL OR PROCESSED)	1 OZ.	1-½ OZ.	2 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	¼ CUP *OR* 2 OZ.	⅜ CUP *OR* 3 OZ.	½ CUP *OR* 4 OZ.
OR EGG (LARGE)	1 EGG	1 EGG	1 EGG
OR COOKED DRIED BEANS OR DRIED PEAS *	¼ CUP	⅜ CUP	½ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	2 TBSP	3 TBSP	4 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS**	½ OZ.**	¾ OZ.**	1 OZ.**
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED	½ CUP	¾ CUP	1 CUP
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			
AM OR PM SUPPLEMENT (SELECT TWO OF THESE FOUR COMPONENTS)*			
MILK, FLUID	½ CUP	½ CUP	1 CUP
VEGETABLE, FRUIT, OR FULL-STRENGTH (100%) JUICE	½ CUP	½ CUP	¾ CUP
GRAINS OR BREADS (WHOLE GRAIN OR ENRICHED): BREAD	½ SLICE	½ SLICE	1 SLICE
OR ROLLS, MUFFINS, ETC.	½ SERVING	½ SERVING	1 SERVING
OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS)	¼ CUP *OR* ⅓ OZ.	⅓ CUP *OR* ½ OZ.	¾ CUP *OR* 1 OZ.
OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS.	¼ CUP	¼ CUP	½ CUP
MEAT/MEAT ALTERNATES			
LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED)	½ OZ.	½ OZ.	1 OZ.
OR CHEESE (NATURAL OR PROCESSED)	½ OZ.	½ OZ.	1 OZ.
OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE	⅛ CUP *OR* 1 OZ.	⅛ CUP *OR* 1 OZ.	¼ CUP *OR* 2 OZ.
OR EGG (LARGE)	½ EGG	½ EGG	1 EGG
OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED****	¼ CUP	¼ CUP	½ CUP
OR COOKED DRIED BEANS OR DRIED PEAS*	⅛ CUP	⅛ CUP	¼ CUP
OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS	1 TBSP	1 TBSP	2 TBSP
OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS	½ OZ.	½ OZ.	1 OZ.
OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES.			

CERTIFICATION

I hereby certify that all meals claimed shall meet the minimum requirements set forth in the meal pattern for older children as prescribed by Title 7 Code of Federal Regulations, Part 226.20 and as outlined in Schedule B, NSD 2050B.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	TITLE	DATE

AGENCY NAME

AGENCY ADDRESS

29

SCHEDULE B

CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN

NSD 2050B (REV. 07/03) PAGE 2

* DRIED BEANS OR DRIED PEAS MAY BE USED AS A MEAT ALTERNATE OR AS A VEGETABLE COMPONENT; BUT **CANNOT** BE COUNTED AS BOTH COMPONENTS IN THE SAME MEAL.

** NO MORE THAN 50 PERCENT OF THE REQUIREMENT SHALL BE MET WITH NUTS OR SEEDS. NUTS OR SEEDS SHALL BE COMBINED WITH ANOTHER MEAT/MEAT ALTERNATE TO FULFILL THE REQUIREMENT. TO DETERMINE COMBINATIONS, 1 OZ. OF NUTS OR SEEDS IS EQUAL TO 1 OZ. OF COOKED LEAN MEAT, POULTRY, OR FISH. ROASTED PEAS CAN COUNT AS A MEAT ALTERNATE OR VEGETABLE COMPONENT, BUT CANNOT BE COUNTED AS BOTH IN THE SAME MEAL.

*** JUICE **CANNOT** BE SERVED WHEN MILK IS SERVED AS THE ONLY OTHER COMPONENT.

**** IF YOGURT IS USED AS THE MEAT COMPONENT IN SUPPLEMENTS, MILK **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT. COMMERCIALLY ADDED FRUIT OR NUTS IN FLAVORED YOGURT **CANNOT** BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT IN SUPPLEMENTS.

Family Services Association
Childrens Snack Program
October 2011

Date	Monday Oct	Tuesday Oct	Wednesday Oct	Thursday Oct	Friday Oct		
	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz	Capri Sun 100% Juice 6oz		
Week 1	Prestzel Twist .25oz	Nutri grain Bar 1.03oz	Cheese/Peanut Butter Crackers 1.42oz	Mixed Fruit Cup 4oz	Club Cracker/ Apple Butter .05 oz		
Week 2	Peanuts 1.63oz	Graham Crackers 1oz	Cheezits White Cheddar 1.5oz	Quaker Oatmeal Cin Bar 1.4oz	Vanilla Crème Cookie 2.12oz		

SECTION E
UNIT PRICE SCHEDULE AND INSTRUCTIONS
PROVIDE THIS SCHEDULE IN A SEPARATE SEALED ENVELOPE

1. **Unit Price Schedule**

Submitters are to submit prices on the following meal types meeting the contract specifications set forth in Schedules B and C for meals to be delivered to all of the centers stated in Schedule A. *(See example on next page).*

A. Meal Type[1]	B. Estimated Servings Per Day[2]	C. Estimated Number of Serving Days[3]	D. Unit Price[4]	E. Total Price[5]
~~Breakfast~~				
~~AM Snack~~				
~~Lunch~~				
PM Snack	3,400	180	.72	440,640
~~Supper~~				
~~Evening Snack~~				

Submitters shall submit their proposals on an "all or none" basis. Except as otherwise provided in this solicitation, if a contract is awarded as a result of this solicitation, it will bind the Agency during the term of the contract, secure all of the identified meals from the successful Submitter, and such contract shall bind the Submitter/Contractor to perform all such work ordered by the Agency at prices specified in the contract. Award will be made to a single responsive and responsible Submitter whose proposal will be most advantageous to the Agency, price, and other factors considered.. Evaluation of prices will be on the basis of the estimated requirements set forth herein.

In the event of any inconsistencies or errors, the unit price (D) shall take precedence.

Instructions for completion of the Unit Price Schedule: *(See Example on next page.)*

[1] The Agency shall indicate which meal types the Contractor will be providing meals for during the contract period (strike-out extraneous meal types in Column A). If unitized meals will be required, the Agency must indicate so by placing "unitized meal" in parenthesis after the meal type.

[2] The Agency shall fill in the estimated number of meals that will be served each day (Column B) by meal type during the contract period.

[3] The Agency shall fill in the number of anticipated operating days that meals will be served (Column C) during the contact period.

[4] The Submitter shall insert the appropriate unit price (Column D) for each meal type indicated by the Agency.

[5] The Submitter shall calculate the total price (Column E) by multiplying B x C x D.

CITY OF MORENO VALLEY

BUSINESS LICENSE TAX RECEIPT

The person, firm or corporation named below has paid the appropriate fees to the City and is hereby granted this business license tax receipt for the business described below. Granting of this receipt does not entitle the holder to operate or maintain a business in violation of any law or ordinance. The City does not pass on the qualifications of the holder of this business license tax receipt.

Business Name: Family Service Association Of Western Riverside Co

Business Location: 21250 Box Springs Rd # 212, Moreno Valley, CA 92557

Business Owner: Family Service Association Of Western Riverside Co
Dom Betro

BUSINESS TYPE: 1922

Description: Individual And Family Social Services

BUSINESS LICENSE #: 11605

Effective Date: January 01, 2011

Expiration Date: December 31, 2011

FAMILY SERVICE ASSOCIATION OF
WESTERN RIVERSIDE CO
21250 BOX SPRINGS RD # 215
MORENO VALLEY, CA 92557

Richard Teichert
Financial & Administrative Services Director

TO BE POSTED IN A CONSPICUOUS PLACE

NOT TRANSFERABLE

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/07/2011 14:28

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Barney & Barney LLC
CA Insurance Lic: 0C03950
9171 Towne Centre Drive, Suite 500
San Diego, CA 92122
858-457-3414

CONTACT NAME: Cyndi Smoot
PHONE (A/C, No, Ext): (858) 587-7414 FAX (A/C, No):
E-MAIL ADDRESS: cyndis@barneyandbarney.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Philadelphia Indemnity Insurance Company	18058
INSURER B: Insurance Company of the West	27847
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Family Service Association

21250 Box Springs Road, Suite 212
Moreno Valley, CA 92557-8712

Client # 55323

COVERAGES CERTIFICATE NUMBER: 378650 MST NUMBER: 19124 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	X		PHPK743608	7/1/2011	7/1/2012	EACH OCCURRENCE	$	1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$	100,000
							MED EXP (Any one person)	$	10,000
							PERSONAL & ADV INJURY	$	1,000,000
							GENERAL AGGREGATE	$	3,000,000
							PRODUCTS - COMP/OP AGG	$	3,000,000
								$	
A	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS			PHPK743608	7/1/2011	7/1/2012	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
							BODILY INJURY (Per person)	$	
							BODILY INJURY (Per accident)	$	
							PROPERTY DAMAGE (Per accident)	$	
								$	
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $ 10,000			PHUB351940	7/1/2011	7/1/2012	EACH OCCURRENCE	$	4,000,000
							AGGREGATE	$	4,000,000
								$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WSD500180402	7/1/2011	7/1/2012	X WC STATU-TORY LIMITS OTH-ER		
							E.L. EACH ACCIDENT	$	1,000,000
							E.L. DISEASE - EA EMPLOYEE	$	1,000,000
							E.L. DISEASE - POLICY LIMIT	$	1,000,000
A	Professional Liability and Sexual Abuse Coverage			PHPK743608	7/1/2011	7/1/2012	$1,000,000 Each Occurence $3,000,000 Aggregate		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

*10 DAYS NOTICE OF CANCELLATION FOR NON-PAYMENT OF PREMIUM.

RE: After School Snack Program

The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District are additional insured per the attached

CERTIFICATE HOLDER

City of Moreno Valley Parks and Community Services

14075 Frederick Street
Moreno Valley, CA 92553

Subject

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cyndi Smoot

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ACORD 25 (2010/05)

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Insured: Family Service Association Master # 19124 Cert # 378650

Attachment Page

COMPLETE LISTING OF CERTIFICATE HOLDER and/or ADDITIONAL INSURED:
(additional insureds apply only with respect to coverages marked by "X" under "Addtl Insrd" on the Certificate)

City of Moreno Valley Parks and Community Services
The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District

INSURED: Family Service Association

COMPANY: Philadelphia Indemnity Insurance Company

POLICY #: PHPK743608

POLICY PERIOD: 7/1/2011 TO 7/1/2012

EFFECTIVE DATE: 09/07/2011

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Moreno Valley Parks and Community Services The City of Moreno Valley, Moreno Valley Community Services District, The Community Redevelopment Agency of the City of Moreno Valley, Think Together, Val Verde Unified School District and the Moreno Valley Unified School District
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or

B. In connection with your premises owned by or rented to you.

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ATTACHMENT A

Exhibit B"

MORENO VALLEY COMMUNITY SERVICES DISTRICT WILL SUPPORT PROGRAM:

Moreno Valley Community Services District agrees to support the ASES snack program with the following:

- By ensuring a site contact person is assigned to sign for snack delivery
- By ensuring the name, schedule and contact information for site contact is communicated to FSA
- By ensuring snack is distributed to students during ASES program
- By ensuring snack is counted daily and documentation regarding disbursement is turned in
- By ensuring fresh fruit is distributed the day after it is delivered to ensure product freshness
- By ensuring all boxes and containers are disposed of

ATTACHMENT A

"Exhibit C"

TERMS OF PAYMENT

1. The Contractor's compensation shall be computed based on a unit price of .72 cents per snack delivered not to exceed $440,640.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the CSD. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the CSD as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Parks and Community Services Department at:

   pattyg@moval.org or calls directed to (951) 413-3726.

3. The Contractor agrees that CSD payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the CSD. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

4. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date

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MV00133482

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00133484

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

RECOMMENDED ACTION

Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

SEE AGENDA ITEM A.7

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MV00133486

MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00133488

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: September 27, 2011

TITLE: PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

BACKGROUND AND DISCUSSION

The California Elections Code provides that after each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, and community of interests of the districts. The council must adjust the boundaries of the council districts before the first day of November of the year following the year in which each decennial federal census is taken.

On August 23, 2011, the City Council adopted Resolution No. 2011-93, establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected. Two Citizens' Community Meetings were held on September 12 and 15, 2011 that gave the citizens of Moreno Valley the opportunity to provide input. The on-line redistricting tool was demonstrated by Dave Meyer at both meetings. The public hearings scheduled for September 27, 2011 and October 11, 2011 fulfill the requirements of Elections Code 21601.1, which states that the "council must

hold at least one public hearing on any proposal to adjust boundaries of a district prior to a public hearing at which the council votes to approve or defeat the proposal."

The consultant, Dr. Alan Heslop of National Demographics Corporation (NDC) has made a presentation to the City Council at the July 26, 2011 Special Meeting and August 23, 2011 Regular City Council Meeting.

Four NDC draft plans (maps) and five citizen-drawn plans (maps) have been provided to Council and are attached for review. A brief summary of the four NDC draft plans follows:

Plan 1 - District 3 loses SW corner; District 2 moves south
Plan 2 - District 3 loses a bit of SW but mostly NW, District 2 moves east
Plan 3 – District 3 loses SW corner; District 1 loses north end; District 2 moves south; Highly compact
Plan 4 - District 1 moves east; Most-compact districts; Least change to District 4

NOTIFICATION

Publication of the agenda

ALTERNATIVES

California statutes require a second public hearing. There are no other alternatives in order to comply with applicable state law.

FISCAL IMPACT

This expenditure has been included in the City Clerk's budget for 2011/12 fiscal year. Approved budget is located in: 13110.6291- not to exceed $45,000.00.

ATTACHMENTS/EXHIBITS

1. NDC Powerpoint
2. NDC Memo to Council
3. 2001 Plan and deviation & demographics
4. Plan 1 map & demographics
5. Plan 2 map & demographics
6. Plan 3 map & demographics
7. Plan 4 map & demographics
8. Public Plan 1 map & stats
9. Public Plan 2 map & stats
10. Public Plan 3 map & stats
11. Public Plan 4 map & stats
12. Public Plan 5 map & stats

Prepared By:
Jane Halstead, City Clerk

Department Head Approval:
Jane Halstead, City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00133492

City of Moreno Valley 2011

Redis

National
Demographics
Corporation

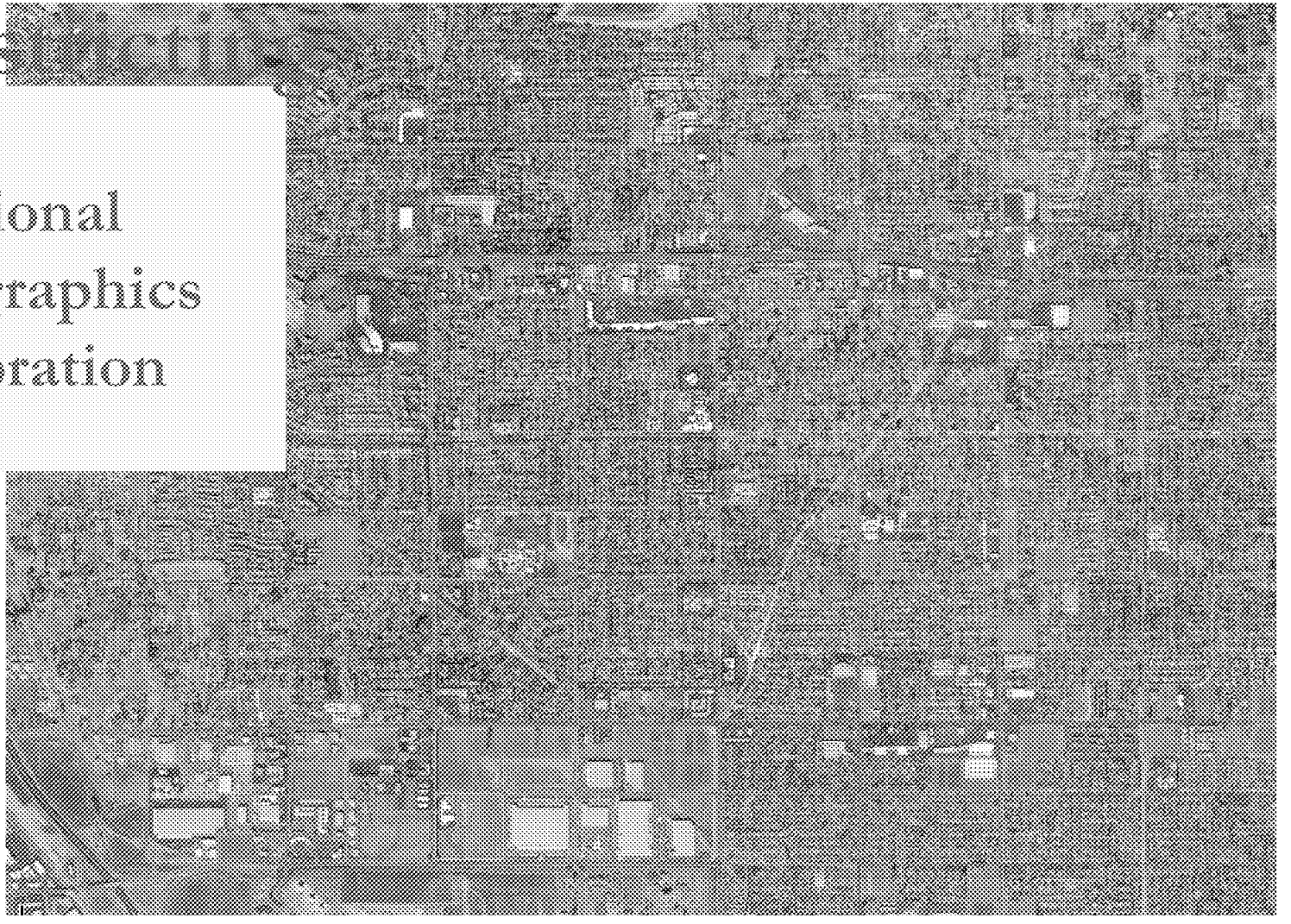

MV00133493

Current Demographics

Based on Census data from the 2010 Decennial Census and the Census Bureau's American Community Survey.

- **2010 Census Population**
  - 2010 Census total: **193,365**
    - + **50,817** (**50.0** %) growth from 2000
    - **54.4** % Hispanic
      - +50,480 (+92.3 %) growth from 2000
    - **18.9** % Non-Hispanic White
      - -9,308 (-25.4 %) from 2000
    - **18.0** % Non-Hispanic Black
    - **8.7** % Other
  - 2010 Census Voting Age Population
    - **49.7** % Hispanic
    - **22.8** % Non-Hispanic White
    - **17.9** % Non-Hispanic Black
    - **10.0** % Other
- **Other Data**
  - Citizen Voting Age Population
    - From ACS: **36.1** % Hispanic
    - From Census Special Tabulation: **36.1** % Hispanic
  - Voter Registration (Nov. 2010)
    - 69,919 Total
    - **34.3** % Hispanic-surname
  - Voter Turnout (Nov. 2010)
    - 32,944 Total
    - **29.8** % Hispanic-surname

MV00133494

Current District Total Population

District	Tot. Pop.	Deviation	Pct. Dev.
1	32,765	-5,908	-15.28%
2	30,723	-7,950	-20.56%
3	58,576	19,903	51.46%
4	34,343	-4,330	-11.20%
5	36,958	-1,715	-4.43%
Total	193,365	27,853	72.02%
Ideal	38,673		

Ideal population = total population / number of districts

MV00133495

Population Deviation

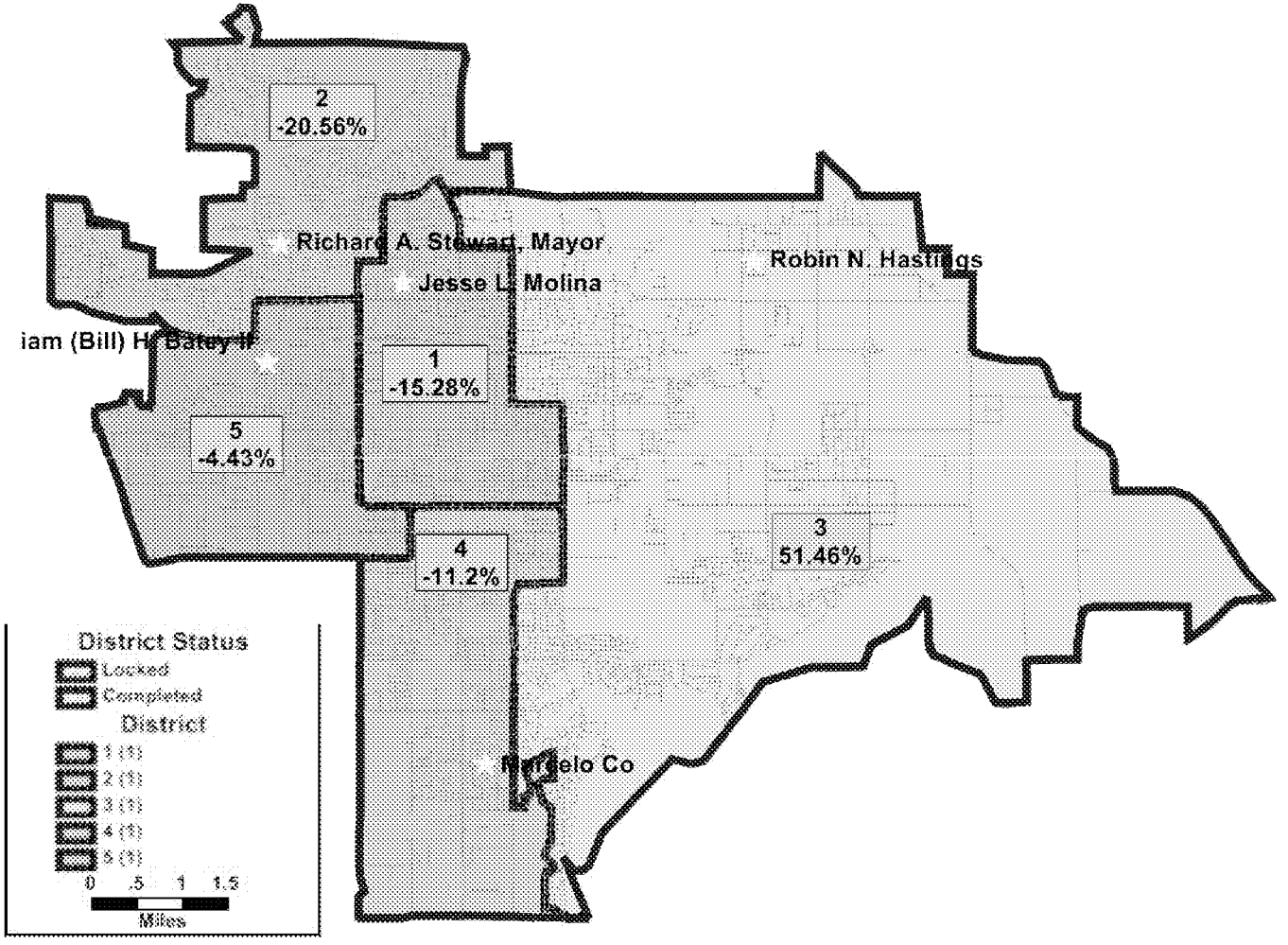

Item No. E.1

MV00133496

Hispanic / Latino Populatior

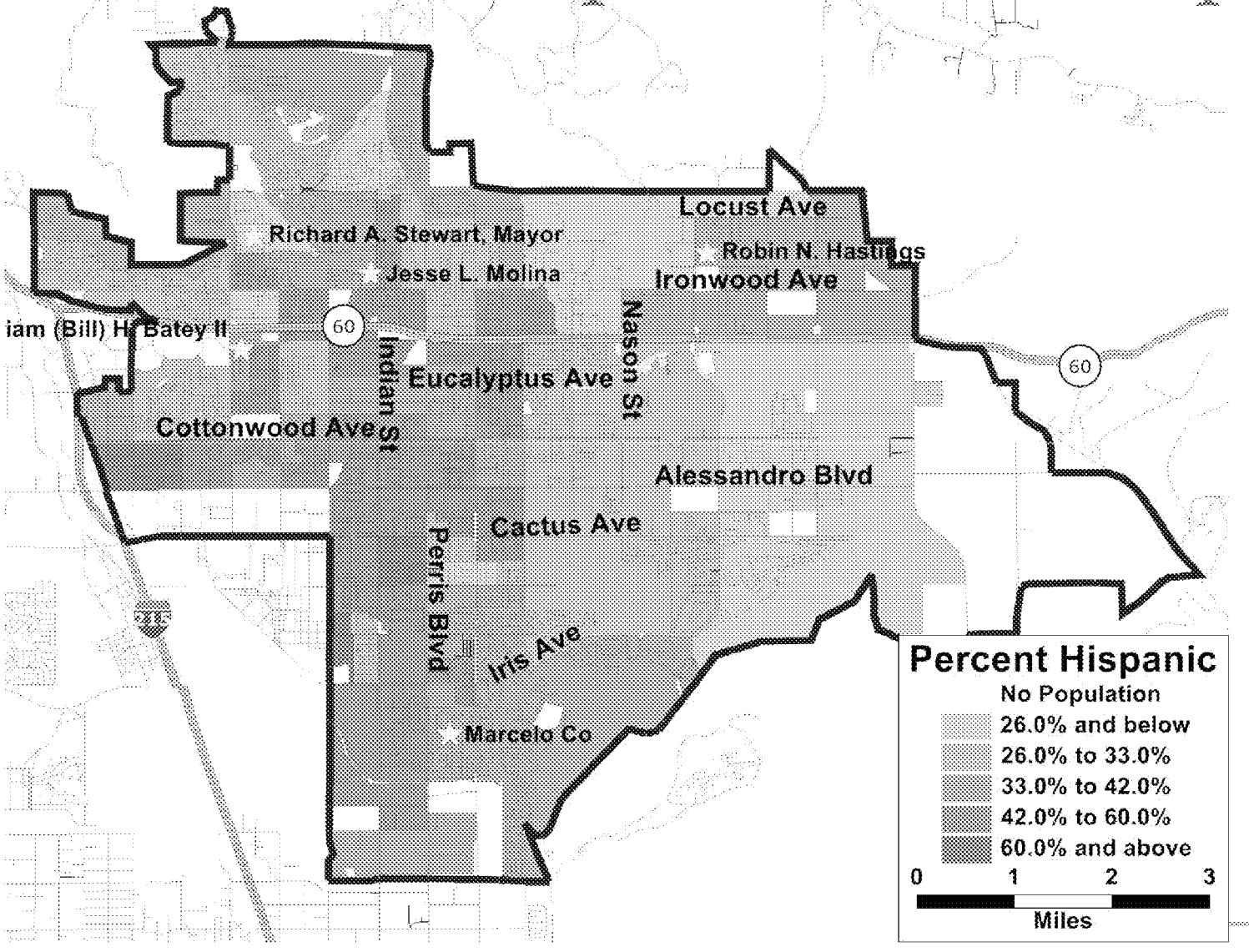

MV00133497

Current District Counts

Plan Name	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,765	-5,908	-15.28%	20,416	5,215	4,934	196	1,406	244	87	267
2	30,723	-7,950	-20.56%	13,540	9,036	5,369	142	2,147	122	59	308
3	58,576	19,903	51.46%	27,094	12,765	12,042	311	5,317	293	188	566
4	34,343	-4,330	-11.20%	21,681	4,691	5,595	114	1,742	177	79	264
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	27,853	72.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vc
1	21,678	12,350	4,323	3,374	143	1,110	168	62	148	10,489	4,018	142	134	276	4,563	1,549	59	57	
2	22,085	8,799	7,392	3,758	114	1,693	85	43	201	14,267	3,985	269	228	497	7,454	1,785	111	104	215
3	40,513	17,090	10,364	8,188	230	4,007	190	133	311	23,080	6,941	490	399	889	11,607	2,994	203	171	374
4	22,551	13,318	3,830	3,642	81	1,358	117	49	156	11,150	4,691	174	192	366	4,962	1,901	62	81	143
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan Name	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,286	6,219	5,227	2,835	651	50	206	100	15,509	6,277	5,293	2,867	623	39	290	328	3,591
2	18,698	5,831	8,058	3,287	1,254	204	0	65	18,568	5,632	8,148	3,212	1,083	121	54	526	3,333
3	29,076	8,963	10,467	6,359	2,570	258	213	260	29,318	9,369	10,226	6,218	2,398	202	260	931	5,723
4	15,368	6,664	4,354	3,113	835	172	41	183	15,166	6,425	4,167	3,128	956	151	55	383	4,302
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,281	31,877	19,760	6,072	559	708	2,705	20,528

MV00133498

Current District Percentages

Plan Name	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	15.9%	15.1%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.1%	29.4%	17.5%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.3%	21.8%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.1%	13.7%	16.3%	0.3%	5.1%	0.5%	0.2%	0.8%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan Name	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.9%	15.6%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.4%	1.3%	2.6%	33.9%	1.3%	1.2%	2.5%
2	39.8%	33.5%	17.0%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.2%	25.6%	20.2%	0.6%	9.9%	0.5%	0.3%	0.8%	30.1%	2.1%	1.7%	3.9%	25.8%	1.7%	1.5%	3.2%
4	59.1%	17.0%	16.2%	0.4%	6.0%	0.5%	0.2%	0.7%	42.1%	1.6%	1.7%	3.3%	38.3%	1.2%	1.6%	2.9%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan Name	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.5%	40.7%	34.2%	18.5%	4.3%	0.3%	1.3%	0.7%	71.5%	40.5%	34.1%	18.5%	4.0%	0.3%	1.9%	2.1%	23.2%
2	84.7%	31.2%	43.1%	17.6%	6.7%	1.1%	0.0%	0.3%	84.1%	30.3%	43.9%	17.3%	5.8%	0.7%	0.3%	2.8%	18.0%
3	71.8%	30.8%	36.0%	21.9%	8.8%	0.9%	0.7%	0.9%	72.4%	32.0%	34.9%	21.2%	8.2%	0.7%	0.9%	3.2%	19.5%
4	68.1%	43.4%	28.3%	20.3%	5.4%	1.1%	0.3%	1.2%	67.3%	42.4%	27.5%	20.6%	6.3%	1.0%	0.4%	2.5%	28.4%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133499

Redistricting Criteria

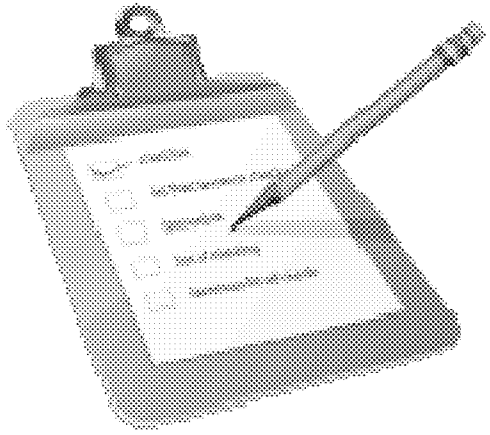

- **Equal Population**
- **Comply with Federal Voting Rights Act**
- **Respect communities of interest**
- **Follow Visible (natural & man-made) boundaries**
  - Make it easy for residents of a district to understand its borders (and to engage their neighbors in precinct walking or other election activities)
  - But do not use Highway 99 – try for districts that combine areas east and west of 99.
- **Compact & contiguous districts**
  - Also makes it easier for voters to understand their district's borders.
- **Continuity in office**
  - Redistricting, an administrative process, should not tell the voters they can no longer elect a candidate they have previously elected (which is what happens when two or more incumbents are "paired").
- **Population growth**
  - Growth is much less certain in 2011 than it was in 2011, so this is harder to justify than it was in 2001.
- **Preserve Core of existing districts**
  - Don't move voters around unless needed to achieve one of the other goals.

MV00133500

Federal Voting Rights Act: Section 2

- **Requires Protected Class populations have an equal opportunity to elect the candidates of their choice**

- **No packing**
- **No cracking**

- **No racial gerrymandering allowed**
  - Focus on communities and neighborhoods, not race/ethnicity

MV00133501

Process (I of III)

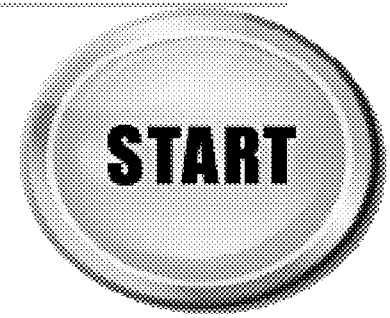

1. **Prepare**
   - Conduct initial demographic analysis
   - Adopt schedule
   - Adopt criteria
   - Launch project website
   - Create public participation kit (paper, excel and/or online)
   - Develop initial draft plans to jump-start discussion

MV00133502

Process (II of III)

2. **Outreach**
   - Educate, engage and empower the public, including:
     - Individuals
     - Community Groups, including "protected class"-focused organizations
     - The media
   - What are your community's "communities of interest"?
     - Which want to be united? Which want to be divided?
   - How well do the current and draft plans meet those goals?
   - Participation kits take the public input beyond just "yes" and "no"

Process (III of III)

3. **Decide**
   - Plan debate and adoption

4. **Implement**
   - Coordinated with the County Registrar

MV00133504

Item No. E.1

Tools (I of II)

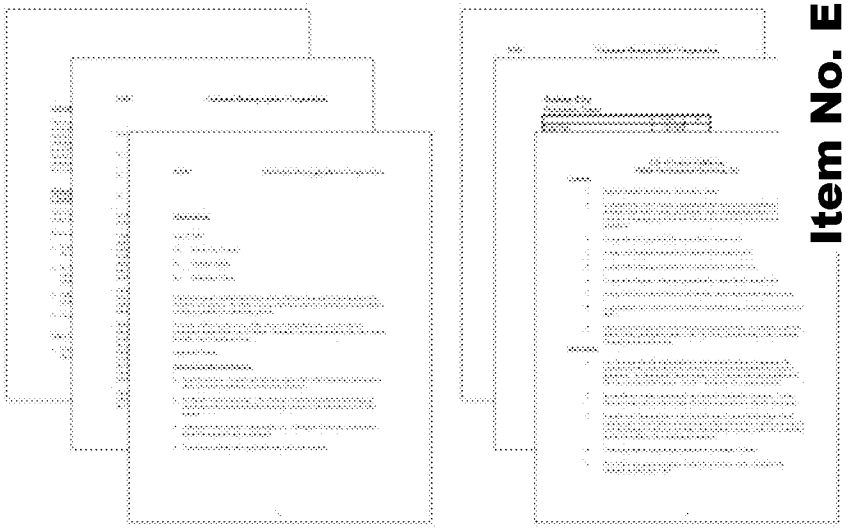

Traditional Redistricting Tools

1. 2010 Census data
2. Project website
3. Media & community education
4. GIS software
5. Information on redistricting, the Voting Rights Act, and how the public can participate
6. Provide paper & Excel public participation kits
7. Email address for public questions and public comment

MV00133505

Tools (II of II)

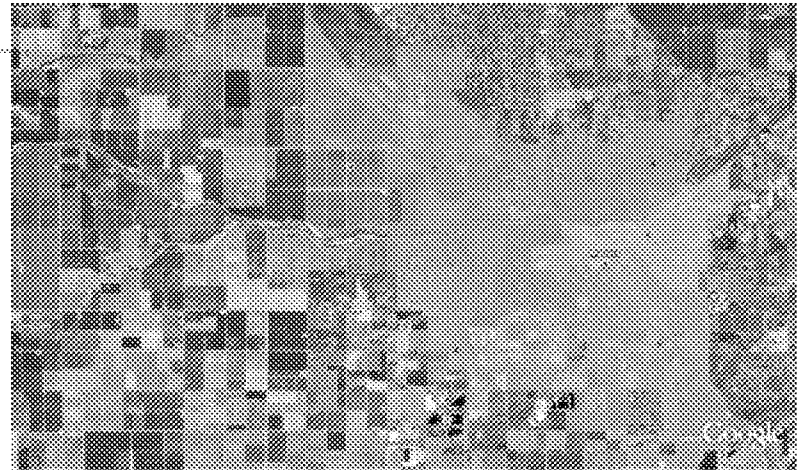

New Tools for 2011

1. American Community Survey data
2. Local GIS data
   - Zoning, homeowner associations, housing developments, neighborhood associations, key facilities, future development areas, school attendance areas, aerial imagery, etc.
3. Live, interactive maps of plans
4. Google Maps and Google Earth plan files

-362-
Item No. E.1
MV00133506

Draft Plan 1 Map

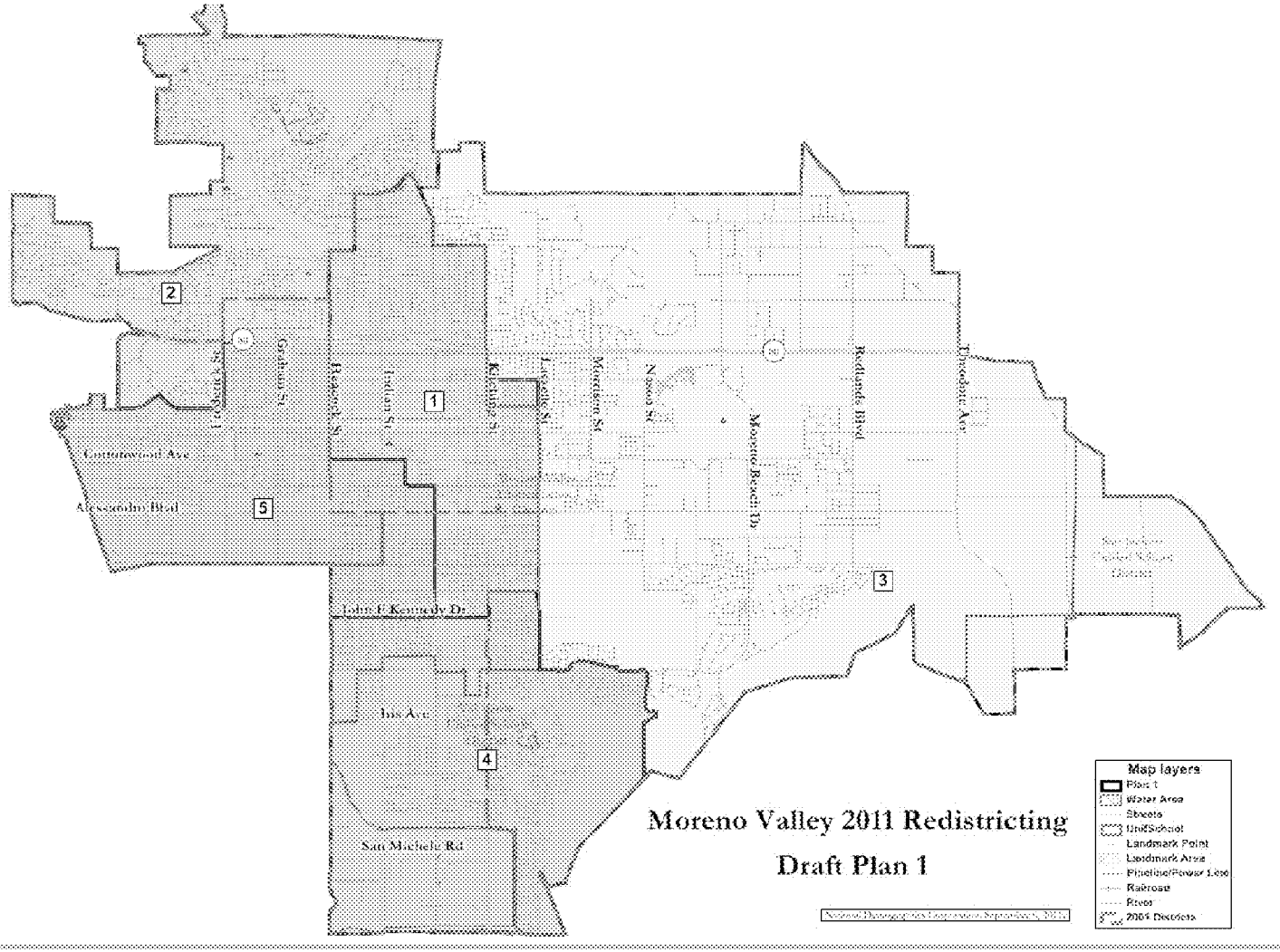

MV00133507

Draft Plan 1 Counts

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133508

Draft Plan 1 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
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Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133509

Draft Plan 2 Map

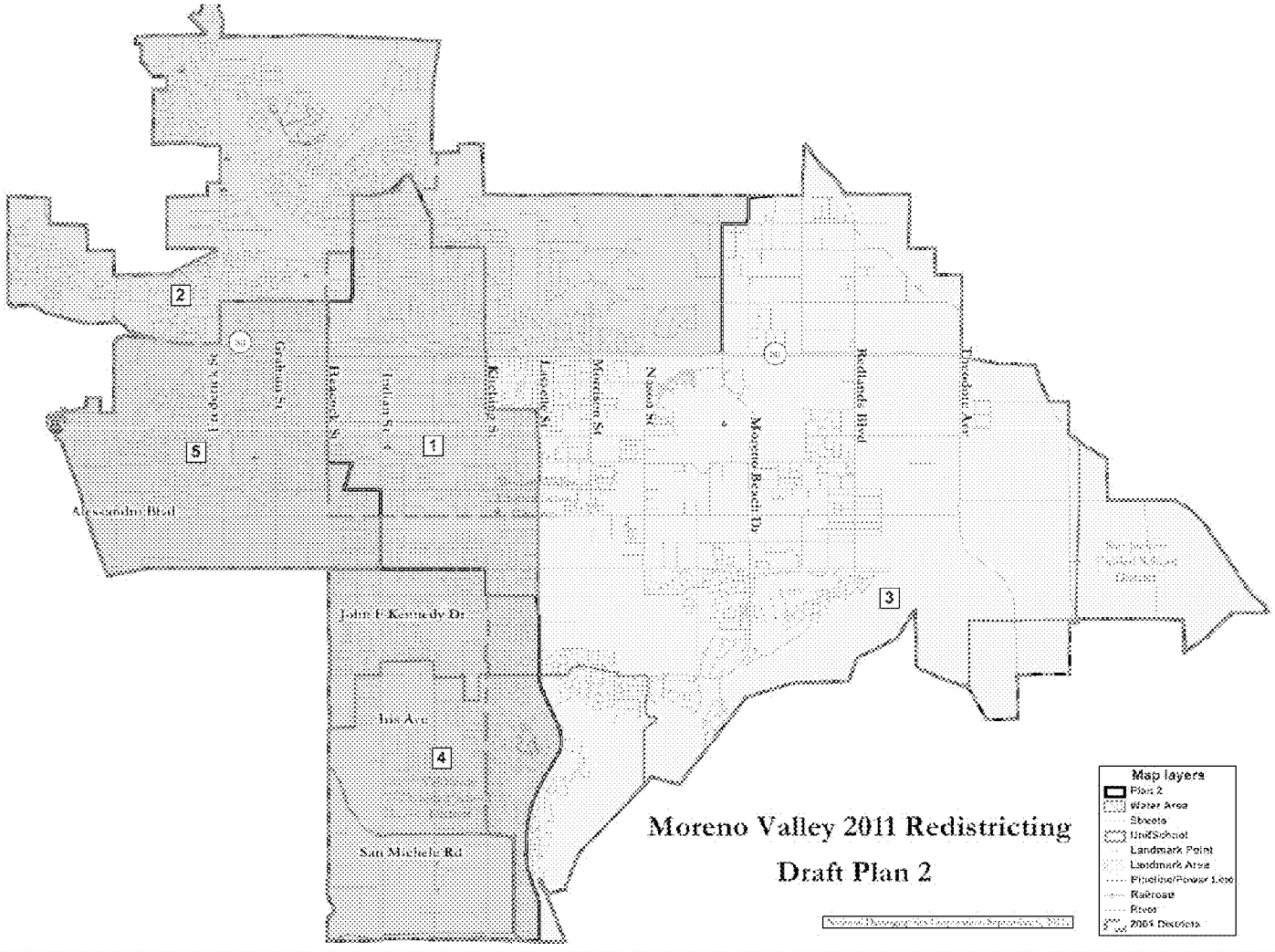

Draft Plan 2 Counts

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
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Blk = Black / African American
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Fil = Filipino
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Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	[illegible]
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133511

Draft Plan 2 Percentages

Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	53.0%	36.0%	2.9%	1.1%	6.4%	0.2%	0.2%	0.2%
2	67.3%	26.2%	3.0%	0.9%	2.4%	0.0%	0.1%	0.1%
3	84.3%	11.5%	2.2%	0.8%	0.8%	0.1%	0.1%	0.3%
4	87.2%	8.2%	3.0%	0.5%	0.9%	0.0%	0.0%	0.1%
5	86.3%	8.6%	3.2%	0.7%	0.7%	0.0%	0.2%	0.2%
6	82.5%	10.8%	3.2%	0.9%	2.0%	0.1%	0.1%	0.4%
Total	76.7%	16.9%	2.9%	0.8%	2.2%	0.1%	0.1%	0.2%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.
1	47.6%	40.9%	3.0%	1.2%	6.7%	0.2%	0.1%	0.3%	36.6%	2.7%	1.1%	62.7%
2	61.2%	32.0%	3.0%	0.9%	2.6%	0.1%	0.1%	0.1%	44.0%	1.0%	1.2%	56.0%
3	80.7%	14.7%	2.3%	0.9%	0.8%	0.2%	0.1%	0.3%	57.2%	0.9%	2.0%	48.1%
4	84.1%	11.2%	3.0%	0.6%	1.0%	0.0%	0.0%	0.1%	64.9%	0.7%	1.1%	40.2%
5	82.5%	11.6%	3.8%	0.8%	0.8%	0.1%	0.2%	0.2%	58.8%	0.7%	1.1%	46.5%
6	78.9%	13.9%	3.4%	0.9%	2.3%	0.1%	0.2%	0.3%	60.9%	1.0%	1.3%	44.4%
Total	71.9%	21.2%	3.1%	0.9%	2.5%	0.1%	0.1%	0.2%	50.0%	1.4%	1.3%	52.4%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth C
1	83.1%	42.0%	48.8%	3.8%	3.4%	1.9%	0.0%	0.0%	79.5%	39.7%	50.7%	4.6%	3.2%	2.0%	0.0%	2.3%	
2	70.6%	42.8%	46.8%	6.8%	3.4%	0.2%	0.0%	0.0%	74.1%	47.1%	43.8%	5.1%	2.6%	1.5%	0.0%	1.6%	
3	42.6%	63.4%	30.4%	2.4%	1.8%	2.0%	0.1%	0.0%	51.8%	57.2%	33.6%	4.3%	2.6%	3.1%	0.1%	3.0%	
4	54.1%	60.4%	29.3%	4.6%	5.1%	0.7%	0.0%	0.0%	48.2%	60.4%	31.0%	4.4%	1.8%	3.8%	0.0%	2.5%	
5	42.5%	54.8%	31.1%	10.8%	1.5%	1.5%	0.0%	0.0%	44.0%	61.0%	25.4%	10.9%	1.5%	1.4%	0.0%	2.2%	
6	50.1%	64.6%	25.2%	9.5%	1.1%	0.0%	0.0%	0.0%	50.2%	59.0%	29.9%	9.3%	1.3%	0.7%	0.0%	1.5%	
Total	57.8%	52.2%	37.9%	6.0%	2.9%	1.1%	0.0%	0.0%	58.5%	51.8%	38.2%	6.1%	2.3%	2.1%	0.0%	2.2%	

Draft Plan 3 Map

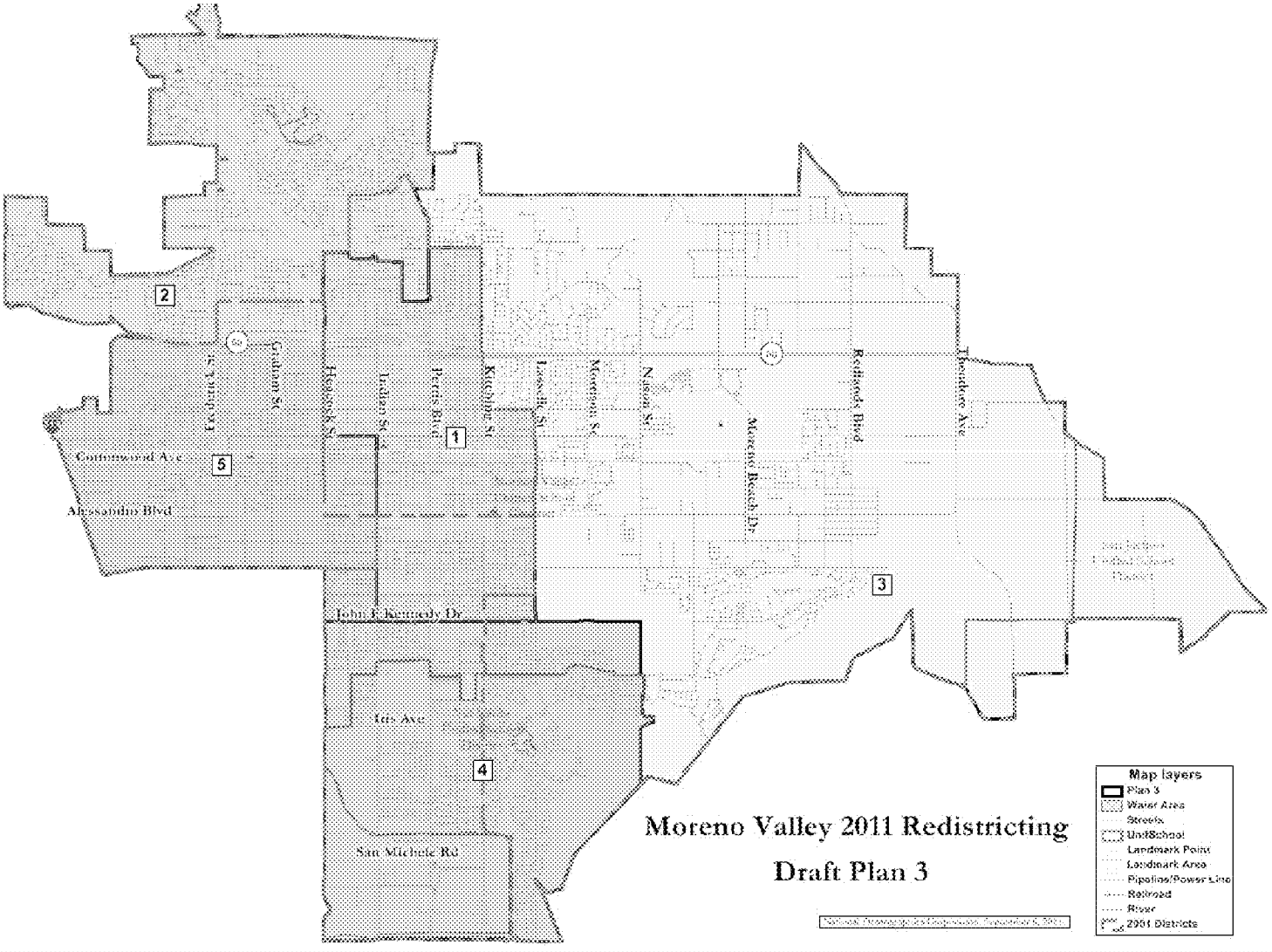

MV00133513

Draft Plan 3 Counts

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
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Hisp = Hispanic
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Wht = White
Blk = Black / African American
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Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Vo
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133514

Draft Plan 3 Percentages

% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

Special Tabulation								Amercian Community Survey (ACS)								
% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133515

Draft Plan 4 Map

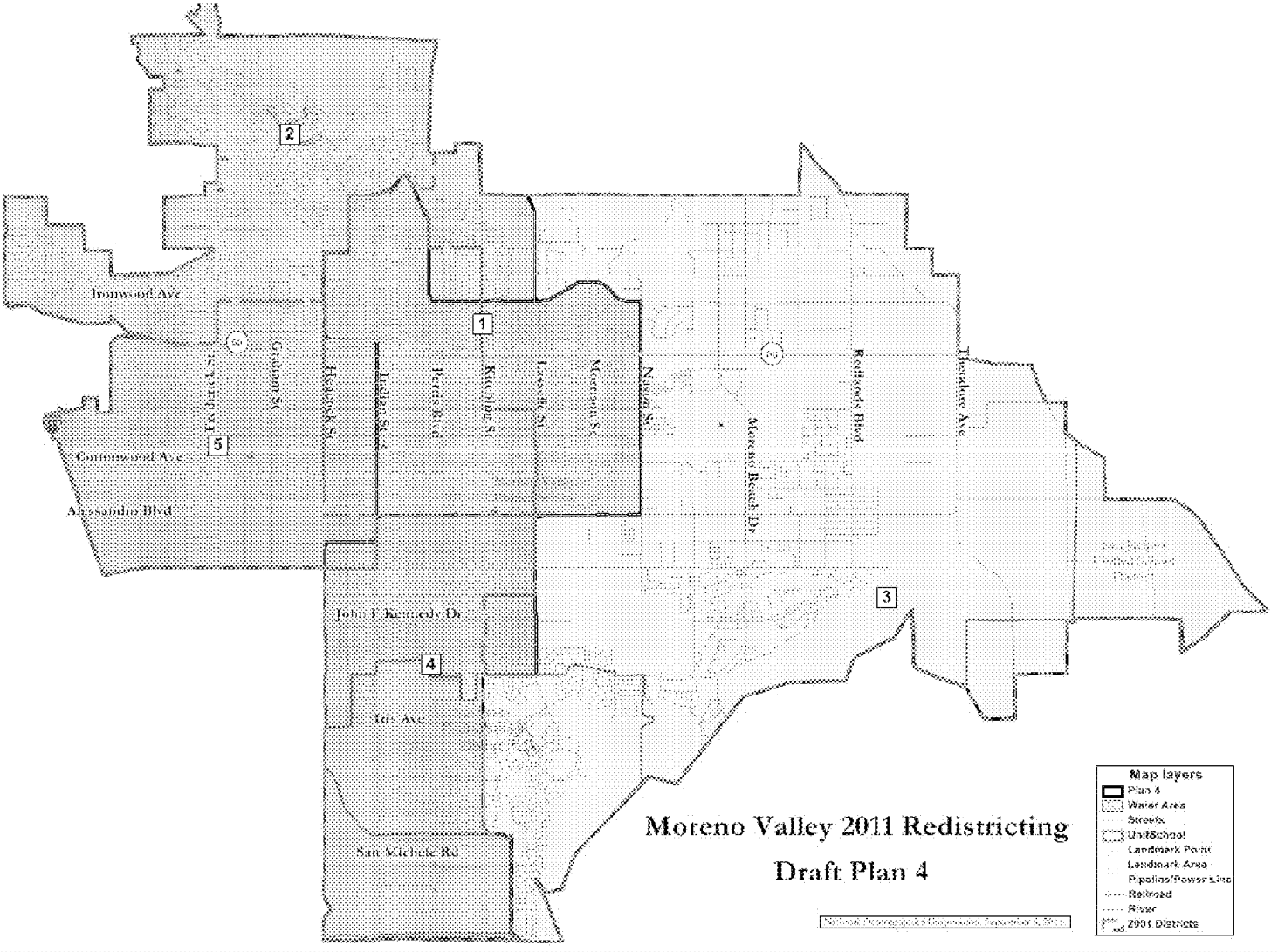

Draft Plan 4 Counts

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Vo
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133517

Draft Plan 4 Percentages

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	[illegible]
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	

MV00133518

Public Plan 1 Map

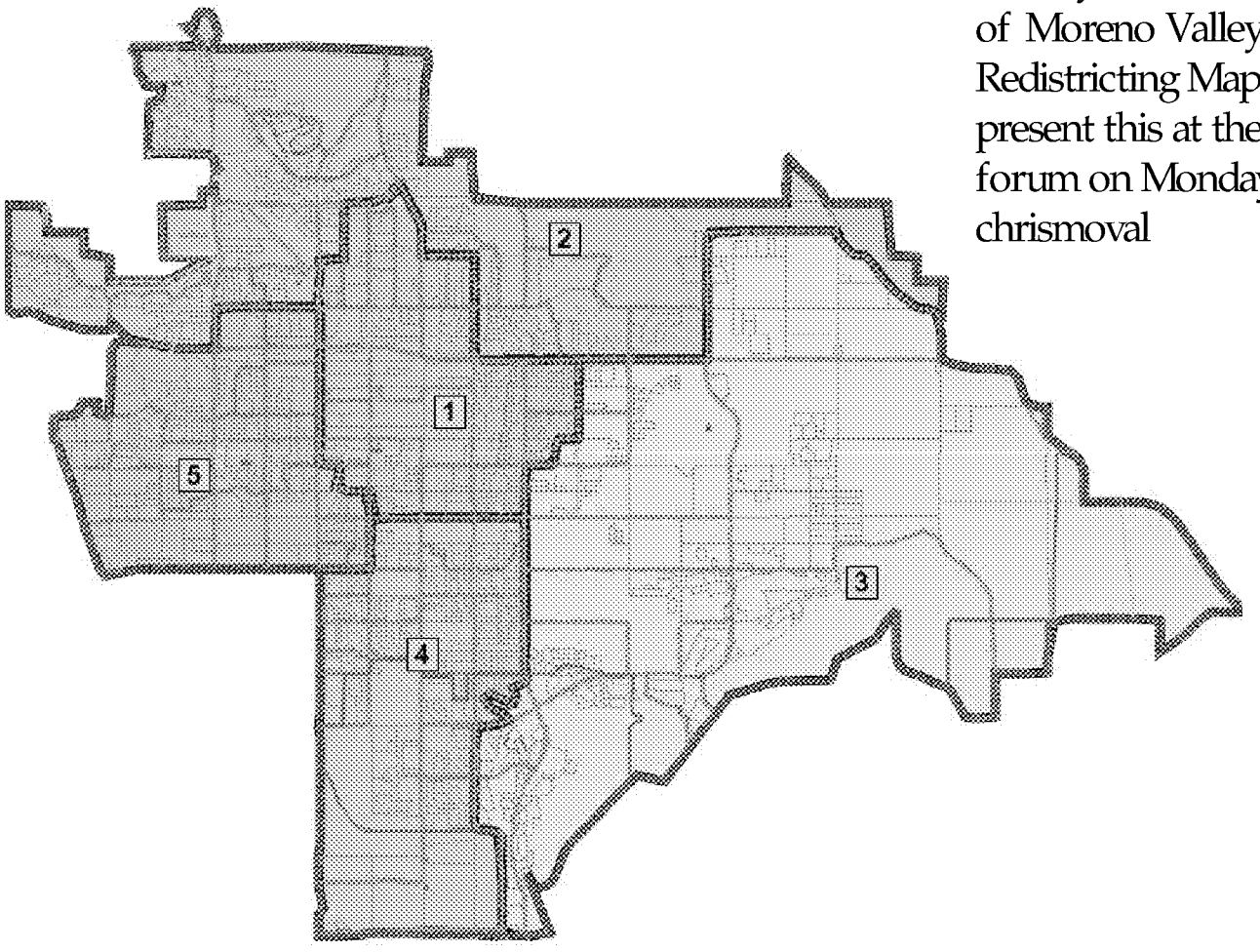

"On behalf of The 2011 Moreno Valley Redistricting Committee I here by submit our proposed City of Moreno Valley City Council Redistricting Map. I would like to present this at the community forum on Monday Sept.12 2011." - chrismoval

Public Plan 1 Counts

Public Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133520

Public Plan 1 Percentages

Public Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133521

Public Plan 2 Map

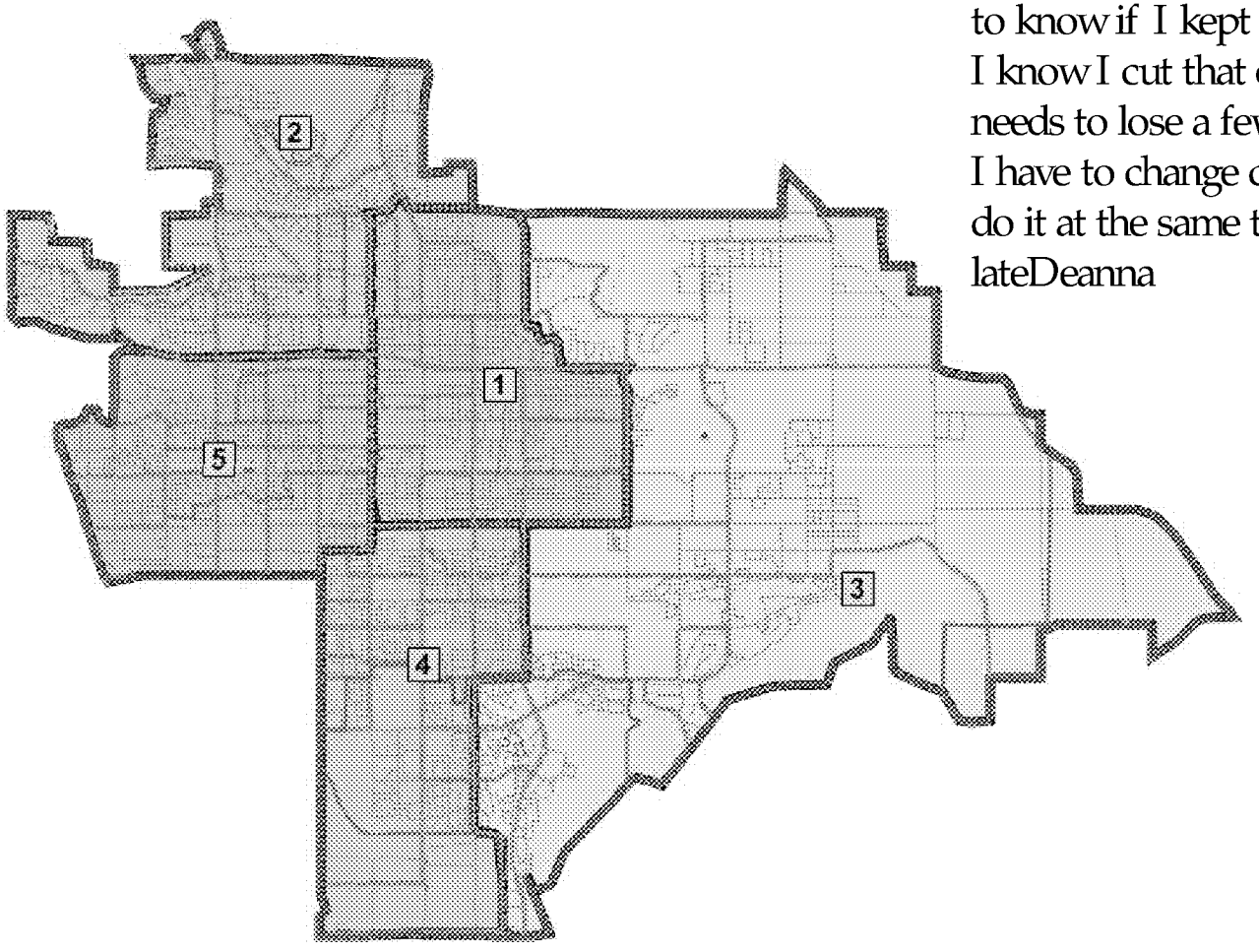

"This is my first preliminary map. What is the excepted plus or minus percentage for population. I really want to know if I kept Molina in his district I know I cut that one close. District 3 needs to lose a few more people but if I have to change district 1 anyway I'll do it at the same time. Thank-you!" - lateDeanna

MV00133522

Public Plan 2 Counts

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 2 Percentages

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

MV00133524

Public Plan 3 Map

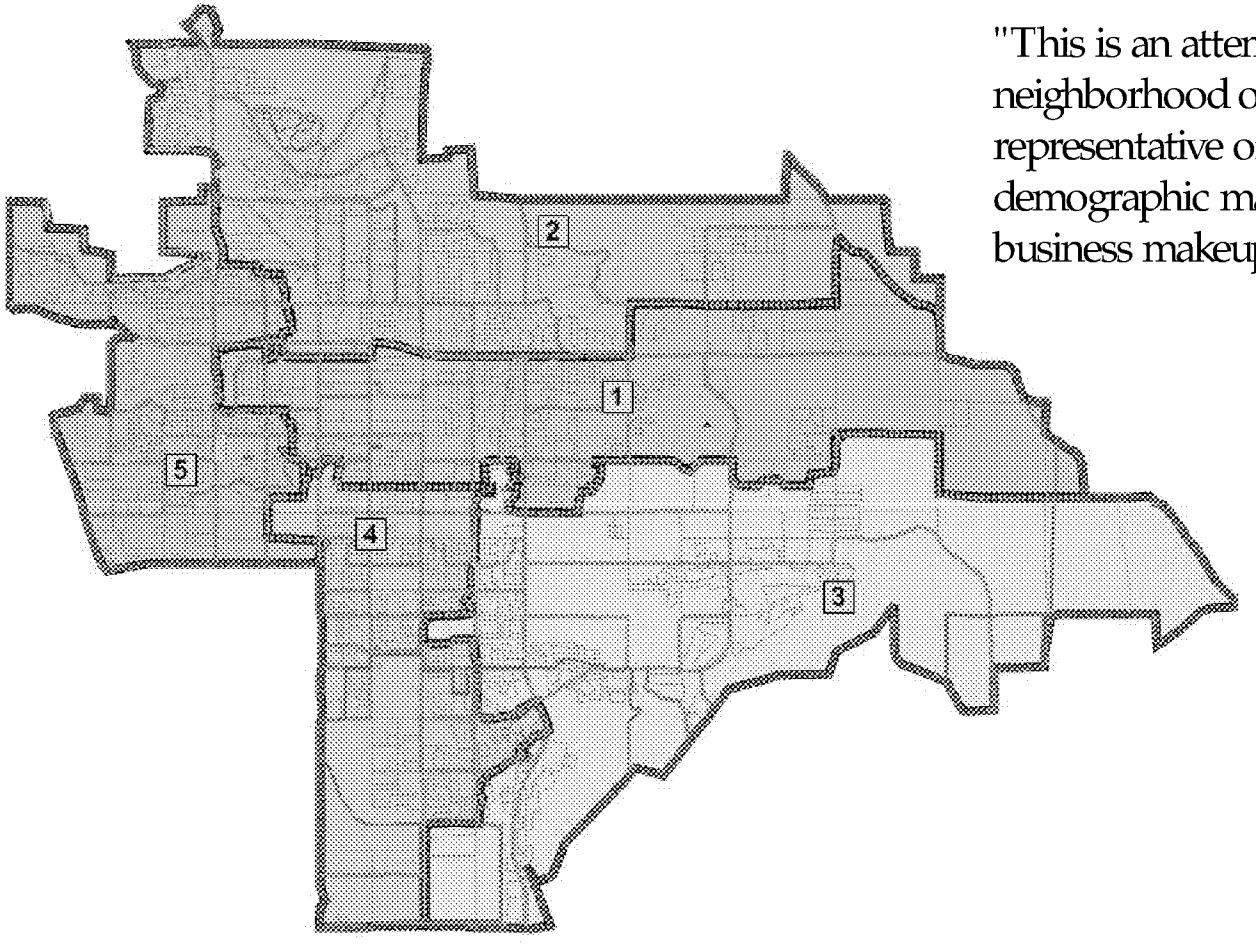

"This is an attempt to construct neighborhood oriented districts which is representative of the districts demographic make up residential and business makeups." - towings

MV00133525

Public Plan 3 Counts

Public Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + F Vo
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Public Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133526

Public Plan 3 Percentages

Public Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Public Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Public Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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MV00133528

September 20, 2011

To: Honorable Mayor Stewart, Mayor Pro Tem Molina and Council Members

Fr: Douglas Johnson, President

National Demographics Corporation (NDC) developed four plans as a way to stimulate public interest in the redistricting process. Each plan was designed to meet the federal mandates (equality of population and compliance with the Voting Rights Act), but the plans differed markedly from one another in the way they attempted to meet the other criteria established by the City. These plans are attached hereto.

NDC has worked closely with City Clerk Jane Halstead and her office. We have been impressed by the City's outreach efforts and the attempt to inform the public of the redistricting process and the opportunities for involvement in it.

Although attendance at the two public meetings was less than hoped for, we are encouraged by the use of the online redistricting system. A total of 24 people have created user IDs to access the system, and they have already submitted four proposed plans. In addition a fifth plan was submitted using the paper version of the public participation kit. We have been impressed, also, by the technical proficiency of some of the citizen plans and the effort they made to meet the criteria established by the City Council. NDC has developed maps and statistics for each of the citizen-drawn plans and they are attached hereto.

NDC staff members will be present at the Council meeting on September 27th. At that time, we hope for Council comments and direction on the four plans developed by NDC, as well as on the public plans. (Please note: Additional plans that may be submitted by citizens will be forwarded directly to the Council as they are received). In light of Councimembers' comments on September 27th, NDC will then develop a plan or plans for a possible decision by Council at a following meeting.

ATTACHMENTS:

- NDC Plan 1 map and demographics
- NDC Plan 2 map and demographics
- NDC Plan 3 map and demographics
- NDC Plan 4 map and demographics
- Public Plan 1 map and demographics("Moreno Valley Redistricting Committee")
- Public Plan 2 map and demographics ("Moreno Valley Redistricting Committee")
- Public Plan 3 map and demographics (Bleckert)
- Public Plan 4 map and demographics (Owing)

Phone: (909) 624-1442
FAX (818) 254-1221

P.O. Box 5271
Glendale, C 1

info@ NDCresearc
www.NDCresearc

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MV00133530

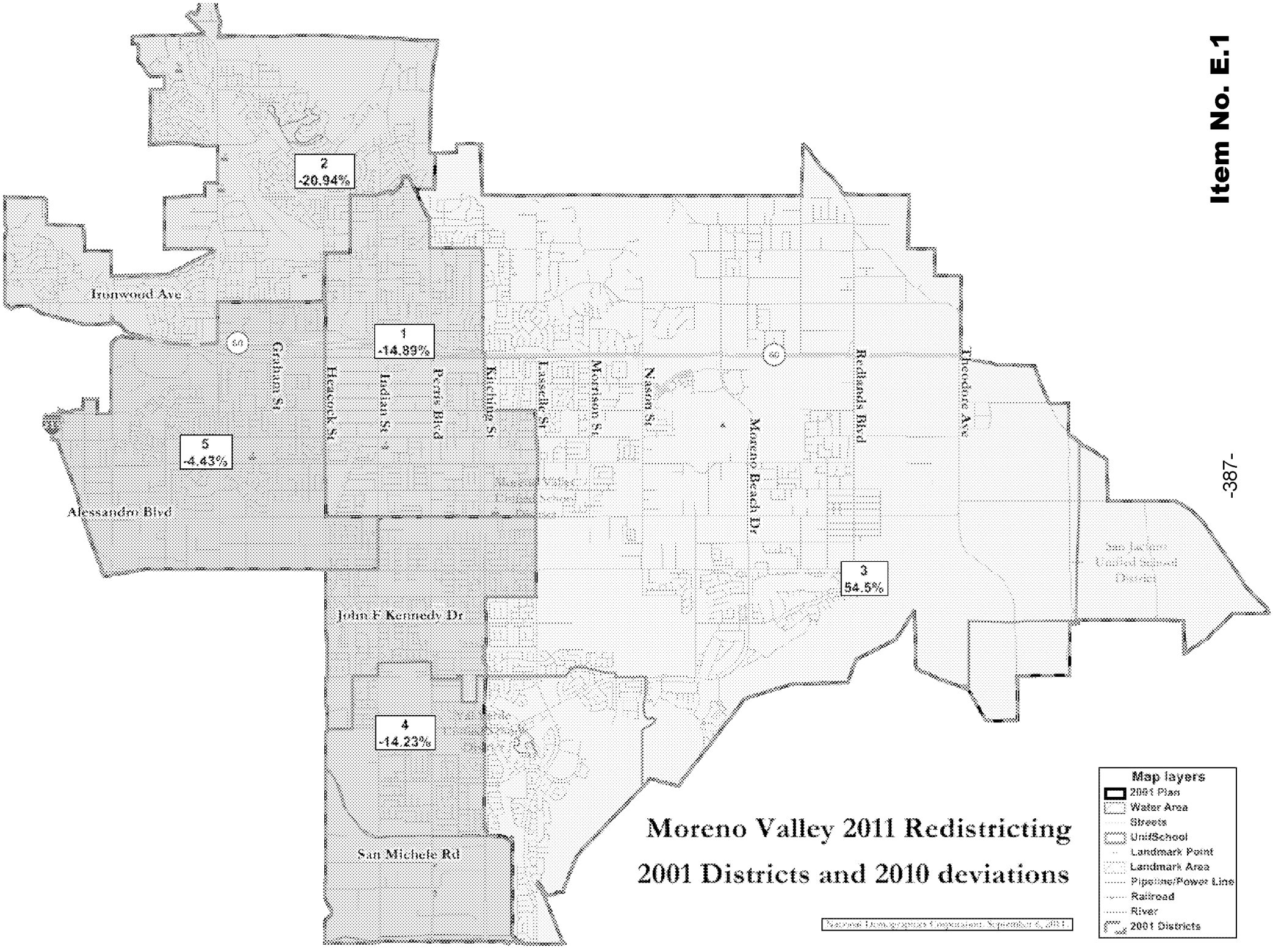
Moreno Valley 2011 Redistricting
2001 Districts and 2010 deviations
1
-14.89%
2
-20.94%
3
54.5%
4
-14.23%
5
-4.43%
Ironwood Ave
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
Alessandro Blvd
John F Kennedy Dr
San Michele Rd
San Jacinto Unified School District
Map layers
2001 Plan
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts

MV00133531

NDC

Moreno Valley 2001 Districts
Demographics

2001 Plan	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	32,915	-5,758	-14.89%	20,506	5,270	4,930	199	1,412	244	87	267
2	30,573	-8,100	-20.94%	13,450	8,981	5,373	139	2,141	122	59	308
3	59,750	21,077	54.50%	27,708	12,884	12,337	312	5,430	295	190	594
4	33,169	-5,504	-14.23%	21,067	4,572	5,300	113	1,629	175	77	236
5	36,958	-1,715	-4.43%	22,438	4,866	6,788	150	2,020	264	67	365
Total	193,365	29,177	75.45%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	21,794	12,416	4,369	3,369	146	1,116	168	62	148	10,535	4,035	142	134	276	4,583	1,557	59	57	116
2	21,969	8,733	7,346	3,763	111	1,687	85	43	201	14,221	3,968	269	228	497	7,434	1,777	111	104	215
3	41,255	17,459	10,458	8,371	231	4,092	191	135	318	23,563	7,129	503	417	920	11,812	3,071	208	177	385
4	21,809	12,949	3,736	3,459	80	1,273	116	47	149	10,667	4,503	161	174	335	4,757	1,824	57	75	132
5	24,042	13,452	3,954	4,469	114	1,631	170	45	207	10,933	4,325	225	164	389	4,358	1,583	68	61	129
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
2001 Plan	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	15,404	6,263	5,286	2,853	648	50	206	99	15,610	6,314	5,343	2,885	622	39	289	329	3,610
2	18,581	5,788	7,999	3,268	1,257	204	0	66	18,466	5,596	8,098	3,194	1,085	121	54	525	3,314
3	29,548	9,120	10,571	6,519	2,614	258	215	266	29,825	9,539	10,374	6,344	2,447	205	261	945	5,834
4	14,895	6,506	4,250	2,953	791	172	39	178	14,659	6,254	4,018	3,003	906	148	53	370	4,191
5	16,643	6,661	4,215	4,584	1,036	20	60	75	16,467	6,578	4,044	4,334	1,012	46	50	537	3,579
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133532

2001 Plan	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.3%	16.0%	15.0%	0.6%	4.3%	0.7%	0.3%	0.8%
2	44.0%	29.4%	17.6%	0.5%	7.0%	0.4%	0.2%	1.0%
3	46.4%	21.6%	20.6%	0.5%	9.1%	0.5%	0.3%	1.0%
4	63.5%	13.8%	16.0%	0.3%	4.9%	0.5%	0.2%	0.7%
5	60.7%	13.2%	18.4%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

2001 Plan	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	20.0%	15.5%	0.7%	5.1%	0.8%	0.3%	0.7%	38.3%	1.3%	1.3%	2.6%	34.0%	1.3%	1.2%	2.5%
2	39.8%	33.4%	17.1%	0.5%	7.7%	0.4%	0.2%	0.9%	27.9%	1.9%	1.6%	3.5%	23.9%	1.5%	1.4%	2.9%
3	42.3%	25.3%	20.3%	0.6%	9.9%	0.5%	0.3%	0.8%	30.3%	2.1%	1.8%	3.9%	26.0%	1.8%	1.5%	3.3%
4	59.4%	17.1%	15.9%	0.4%	5.8%	0.5%	0.2%	0.7%	42.2%	1.5%	1.6%	3.1%	38.3%	1.2%	1.6%	2.8%
5	56.0%	16.4%	18.6%	0.5%	6.8%	0.7%	0.2%	0.9%	39.6%	2.1%	1.5%	3.6%	36.3%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
2001 Plan	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.7%	40.7%	34.3%	18.5%	4.2%	0.3%	1.3%	0.6%	71.6%	40.4%	34.2%	18.5%	4.0%	0.2%	1.9%	2.1%	23.1%
2	84.6%	31.1%	43.0%	17.6%	6.8%	1.1%	0.0%	0.4%	84.1%	30.3%	43.9%	17.3%	5.9%	0.7%	0.3%	2.8%	17.9%
3	71.6%	30.9%	35.8%	22.1%	8.8%	0.9%	0.7%	0.9%	72.3%	32.0%	34.8%	21.3%	8.2%	0.7%	0.9%	3.2%	19.6%
4	68.3%	43.7%	28.5%	19.8%	5.3%	1.2%	0.3%	1.2%	67.2%	42.7%	27.4%	20.5%	6.2%	1.0%	0.4%	2.5%	28.6%
5	69.2%	40.0%	25.3%	27.5%	6.2%	0.1%	0.4%	0.5%	68.5%	39.9%	24.6%	26.3%	6.1%	0.3%	0.3%	3.3%	21.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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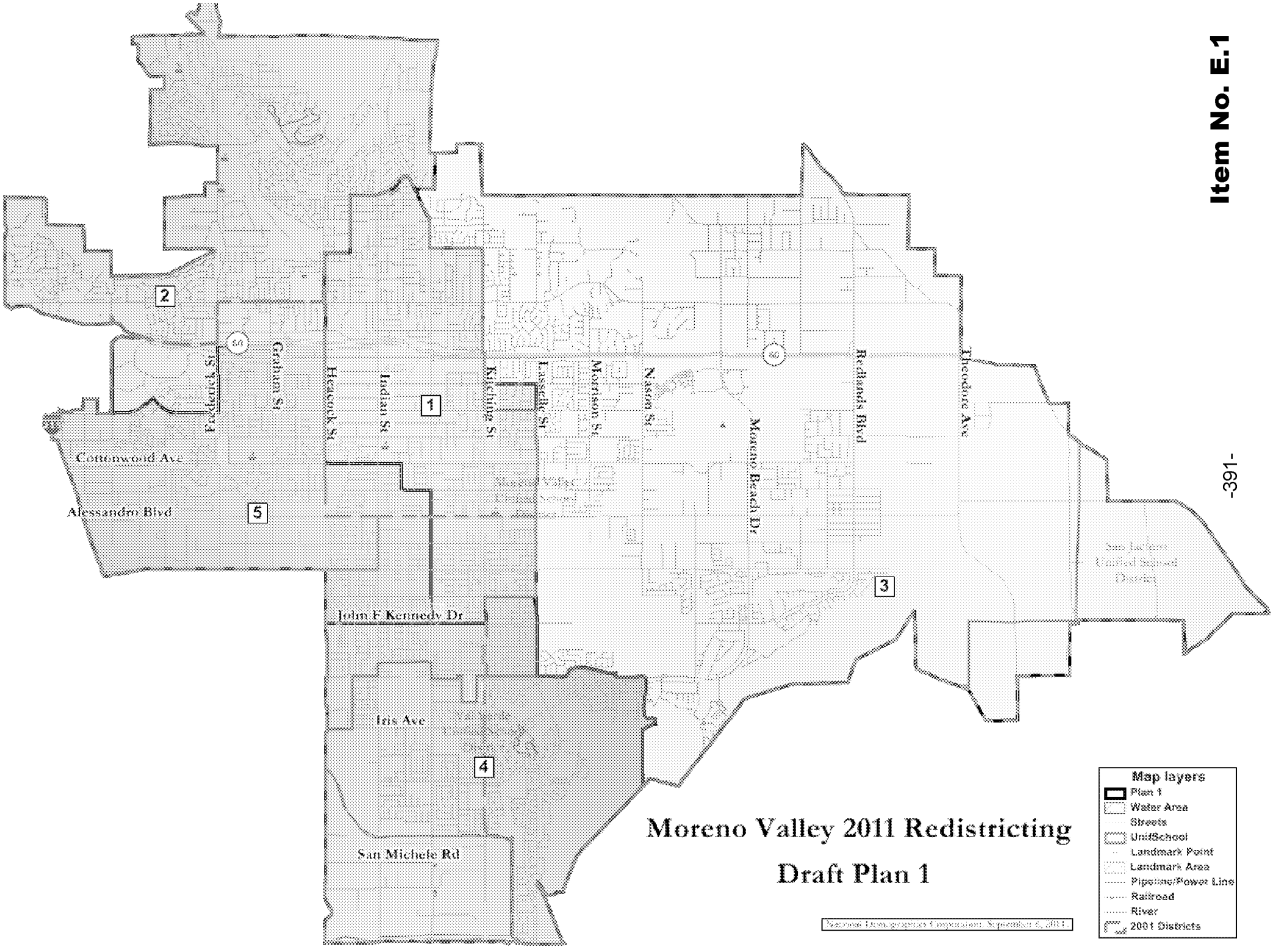
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2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Frederick St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

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NDC

Moreno Valley Plan 1
Demographics

Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,545	-128	-0.33%	23,541	6,307	6,085	217	1,738	251	104	302
2	38,822	149	0.39%	17,289	10,301	7,800	184	2,601	159	81	407
3	38,811	138	0.36%	17,136	9,647	7,338	229	3,739	202	142	378
4	38,666	-7	-0.02%	22,143	5,328	7,860	146	2,549	207	92	341
5	38,521	-152	-0.39%	25,060	4,990	5,645	137	2,005	281	61	342
Total	193,365	301	0.78%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,708	14,389	5,241	4,105	158	1,397	183	68	167	12,829	4,842	162	166	328	5,633	1,894	62	79	141
2	27,425	11,067	8,389	5,326	147	2,060	111	58	267	16,616	4,696	316	261	577	8,320	2,023	123	115	238
3	27,256	10,902	7,855	5,068	176	2,812	121	100	222	16,329	4,682	366	268	634	8,545	2,061	155	122	277
4	25,463	13,595	4,282	5,152	99	1,943	142	64	186	12,636	4,799	243	254	497	5,713	1,983	91	96	187
5	25,017	15,056	4,096	3,780	102	1,587	173	42	181	11,509	4,941	213	168	381	4,733	1,851	72	62	134
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,903	7,686	6,344	3,551	892	107	212	114	18,835	7,735	6,194	3,572	861	69	298	354	4,326
2	22,704	7,124	9,212	4,469	1,545	204	60	89	22,591	6,934	9,293	4,369	1,353	143	104	682	3,805
3	20,153	5,874	7,861	4,115	1,805	216	188	104	20,185	6,222	7,589	3,947	1,545	155	234	706	3,706
4	16,931	6,369	4,966	3,955	1,185	85	36	325	16,880	6,053	5,018	3,860	1,378	90	39	489	4,137
5	16,380	7,285	3,937	4,086	918	92	24	51	16,537	7,336	3,783	4,011	935	102	32	476	4,554
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.1%	16.4%	15.8%	0.6%	4.5%	0.7%	0.3%	0.8%
2	44.5%	26.5%	20.1%	0.5%	6.7%	0.4%	0.2%	1.0%
3	44.2%	24.9%	18.9%	0.6%	9.6%	0.5%	0.4%	1.0%
4	57.3%	13.8%	20.3%	0.4%	6.6%	0.5%	0.2%	0.9%
5	65.1%	13.0%	14.7%	0.4%	5.2%	0.7%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.0%	20.4%	16.0%	0.6%	5.4%	0.7%	0.3%	0.6%	37.7%	1.3%	1.3%	2.6%	33.6%	1.1%	1.4%	2.5%
2	40.4%	30.6%	19.4%	0.5%	7.5%	0.4%	0.2%	1.0%	28.3%	1.9%	1.6%	3.5%	24.3%	1.5%	1.4%	2.9%
3	40.0%	28.8%	18.6%	0.6%	10.3%	0.4%	0.4%	0.8%	28.7%	2.2%	1.6%	3.9%	24.1%	1.8%	1.4%	3.2%
4	53.4%	16.8%	20.2%	0.4%	7.6%	0.6%	0.3%	0.7%	38.0%	1.9%	2.0%	3.9%	34.7%	1.6%	1.7%	3.3%
5	60.2%	16.4%	15.1%	0.4%	6.3%	0.7%	0.2%	0.7%	42.9%	1.9%	1.5%	3.3%	39.1%	1.5%	1.3%	2.8%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.5%	40.7%	33.6%	18.8%	4.7%	0.6%	1.1%	0.6%	73.3%	41.1%	32.9%	19.0%	4.6%	0.4%	1.6%	1.9%	23.0%
2	82.8%	31.4%	40.6%	19.7%	6.8%	0.9%	0.3%	0.4%	82.4%	30.7%	41.1%	19.3%	6.0%	0.6%	0.5%	3.0%	16.8%
3	73.9%	29.1%	39.0%	20.4%	9.0%	1.1%	0.9%	0.5%	74.1%	30.8%	37.6%	19.6%	7.7%	0.8%	1.2%	3.5%	18.4%
4	66.5%	37.6%	29.3%	23.4%	7.0%	0.5%	0.2%	1.9%	66.3%	35.9%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.5%	44.5%	24.0%	24.9%	5.6%	0.6%	0.1%	0.3%	66.1%	44.4%	22.9%	24.3%	5.7%	0.6%	0.2%	2.9%	27.5%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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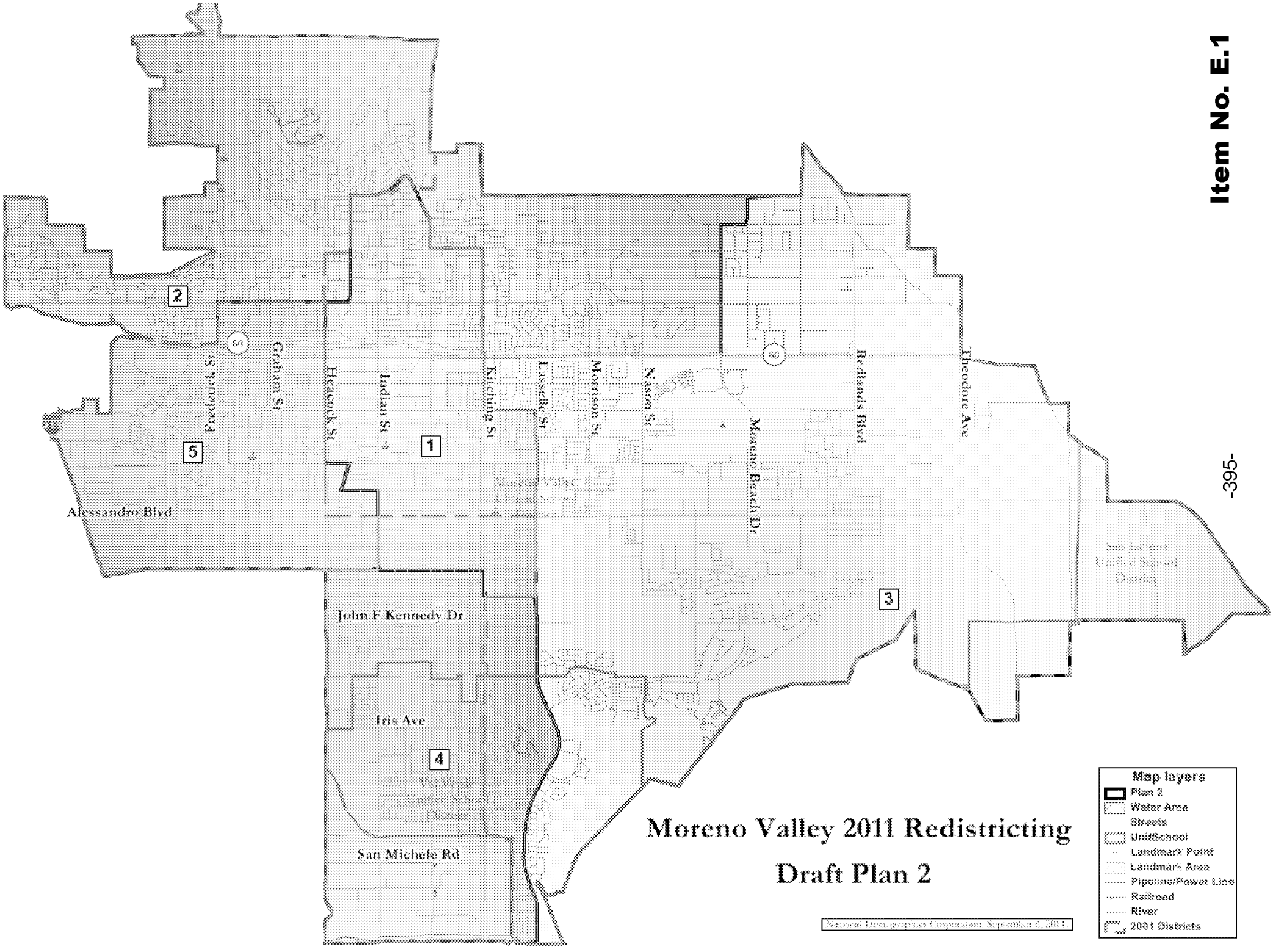
Moreno Valley 2011 Redistricting
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2001 Districts
1
2
3
4
5
Alessandro Blvd
Graham St
Perris St
Heacock St
Indian St
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

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NDC

Moreno Valley Plan 2
Demographics

Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,151	-522	-1.35%	23,674	5,997	5,947	202	1,673	260	103	295
2	38,829	156	0.40%	17,375	11,744	6,305	214	2,612	136	78	365
3	38,934	261	0.67%	17,265	8,366	8,296	192	4,052	225	141	397
4	38,802	129	0.33%	23,327	5,398	7,136	150	2,181	201	83	326
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	783	2.02%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,313	14,440	4,979	4,006	145	1,329	183	69	162	12,415	4,820	164	156	320	5,419	1,881	68	70	138
2	28,030	11,353	9,636	4,443	168	2,040	98	56	236	18,266	5,160	363	251	614	9,754	2,319	157	118	275
3	26,751	10,790	6,736	5,577	144	3,048	135	102	219	15,135	4,425	337	306	643	7,453	1,875	131	126	257
4	25,747	14,383	4,412	4,774	108	1,690	136	56	188	12,725	5,026	208	234	442	5,796	2,080	77	97	174
5	25,028	14,043	4,100	4,631	117	1,692	178	49	218	11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,931	7,613	5,674	3,283	905	124	236	100	18,263	7,704	5,850	3,359	831	83	324	336	4,471
2	24,021	7,578	10,488	4,062	1,461	254	104	75	23,637	7,377	10,345	3,891	1,272	138	121	765	4,240
3	18,575	5,420	6,446	4,398	1,938	168	92	122	18,975	5,860	6,550	4,206	1,661	159	176	553	3,649
4	17,429	6,830	5,352	3,772	989	139	28	312	17,121	6,498	4,926	3,886	1,249	132	37	504	4,421
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.7%	15.6%	0.5%	4.4%	0.7%	0.3%	0.8%
2	44.7%	30.2%	16.2%	0.6%	6.7%	0.4%	0.2%	0.9%
3	44.3%	21.5%	21.3%	0.5%	10.4%	0.6%	0.4%	1.0%
4	60.1%	13.9%	18.4%	0.4%	5.6%	0.5%	0.2%	0.8%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.0%	19.7%	15.8%	0.6%	5.3%	0.7%	0.3%	0.6%	38.8%	1.3%	1.3%	2.6%	34.7%	1.3%	1.3%	2.5%
2	40.5%	34.4%	15.9%	0.6%	7.3%	0.3%	0.2%	0.8%	28.2%	2.0%	1.4%	3.4%	23.8%	1.6%	1.2%	2.8%
3	40.3%	25.2%	20.8%	0.5%	11.4%	0.5%	0.4%	0.8%	29.2%	2.2%	2.0%	4.2%	25.2%	1.8%	1.7%	3.4%
4	55.9%	17.1%	18.5%	0.4%	6.6%	0.5%	0.2%	0.7%	39.5%	1.6%	1.8%	3.5%	35.9%	1.3%	1.7%	3.0%
5	56.1%	16.4%	18.5%	0.5%	6.8%	0.7%	0.2%	0.9%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	70.8%	42.5%	31.6%	18.3%	5.0%	0.7%	1.3%	0.6%	72.1%	42.2%	32.0%	18.4%	4.5%	0.5%	1.8%	1.8%	24.5%
2	85.7%	31.5%	43.7%	16.9%	6.1%	1.1%	0.4%	0.3%	84.3%	31.2%	43.8%	16.5%	5.4%	0.6%	0.5%	3.2%	17.9%
3	69.4%	29.2%	34.7%	23.7%	10.4%	0.9%	0.5%	0.7%	70.9%	30.9%	34.5%	22.2%	8.8%	0.8%	0.9%	2.9%	19.2%
4	67.7%	39.2%	30.7%	21.6%	5.7%	0.8%	0.2%	1.8%	66.5%	38.0%	28.8%	22.7%	7.3%	0.8%	0.2%	2.9%	25.8%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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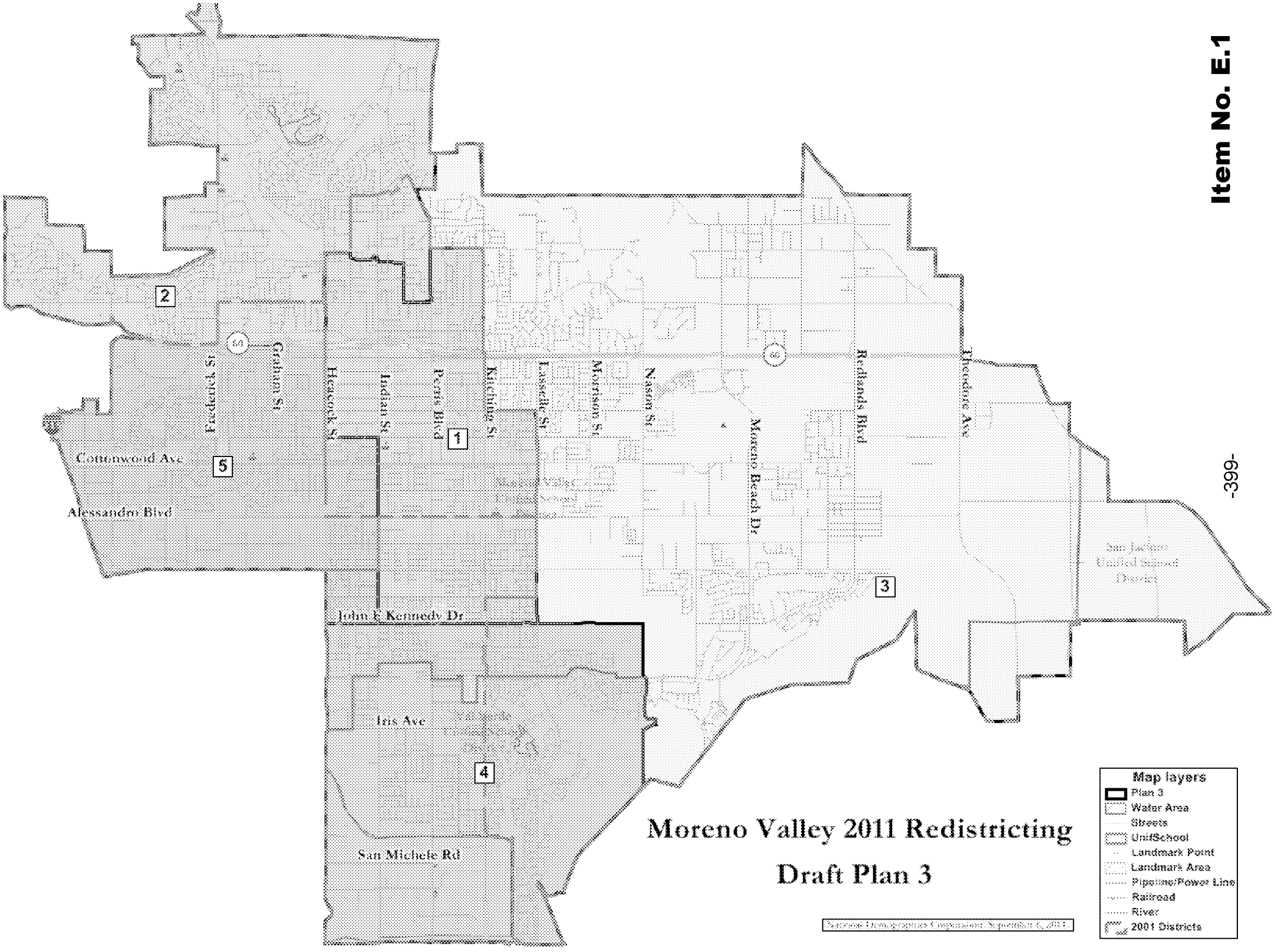
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Map layers
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Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Perris St
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00133543

NDC

Moreno Valley Plan 3
Demographics

Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,312	-361	-0.93%	23,807	6,059	5,961	191	1,709	206	84	295
2	38,872	199	0.51%	17,552	10,653	7,375	197	2,424	193	85	393
3	38,358	-315	-0.81%	17,086	9,585	7,095	230	3,659	179	139	385
4	39,025	352	0.91%	22,104	5,362	8,086	144	2,663	228	97	341
5	38,798	125	0.32%	24,620	4,914	6,211	151	2,177	294	75	356
Total	193,365	713	1.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,603	14,633	5,081	4,022	139	1,357	151	53	167	12,587	4,906	160	157	317	5,509	1,916	54	68	122
2	27,467	11,216	8,689	5,050	154	1,908	134	61	255	16,926	4,791	303	253	556	8,615	2,099	130	114	244
3	27,045	10,893	7,841	4,945	175	2,759	110	99	223	16,322	4,702	354	262	616	8,583	2,076	148	122	270
4	25,630	13,552	4,264	5,275	102	2,031	153	67	186	12,608	4,740	252	264	516	5,647	1,955	97	98	195
5	25,124	14,715	3,988	4,139	112	1,744	182	52	192	11,476	4,821	231	181	412	4,590	1,766	74	72	146
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,452	7,697	5,989	3,554	722	194	213	93	18,446	7,789	5,742	3,618	764	118	301	333	4,550
2	23,099	7,299	9,569	4,276	1,553	204	84	110	23,035	7,152	9,723	4,173	1,328	151	136	685	3,933
3	20,108	5,984	7,800	4,135	1,697	216	185	99	20,115	6,278	7,536	3,938	1,497	160	232	694	3,704
4	16,984	6,397	4,932	3,971	1,244	70	37	322	16,994	6,091	5,051	3,888	1,389	91	40	492	4,162
5	16,428	6,962	4,030	4,240	1,128	20	0	60	16,438	6,970	3,825	4,143	1,094	40	0	501	4,179
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133544

Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	62.1%	15.8%	15.6%	0.5%	4.5%	0.5%	0.2%	0.8%
2	45.2%	27.4%	19.0%	0.5%	6.2%	0.5%	0.2%	1.0%
3	44.5%	25.0%	18.5%	0.6%	9.5%	0.5%	0.4%	1.0%
4	56.6%	13.7%	20.7%	0.4%	6.8%	0.6%	0.2%	0.9%
5	63.5%	12.7%	16.0%	0.4%	5.6%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	57.2%	19.8%	15.7%	0.5%	5.3%	0.6%	0.2%	0.7%	39.0%	1.3%	1.2%	2.5%	34.8%	1.0%	1.2%	2.2%
2	40.8%	31.6%	18.4%	0.6%	6.9%	0.5%	0.2%	0.9%	28.3%	1.8%	1.5%	3.3%	24.4%	1.5%	1.3%	2.8%
3	40.3%	29.0%	18.3%	0.6%	10.2%	0.4%	0.4%	0.8%	28.8%	2.2%	1.6%	3.8%	24.2%	1.7%	1.4%	3.1%
4	52.9%	16.6%	20.6%	0.4%	7.9%	0.6%	0.3%	0.7%	37.6%	2.0%	2.1%	4.1%	34.6%	1.7%	1.7%	3.5%
5	58.6%	15.9%	16.5%	0.4%	6.9%	0.7%	0.2%	0.8%	42.0%	2.0%	1.6%	3.6%	38.5%	1.6%	1.6%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.1%	41.7%	32.5%	19.3%	3.9%	1.1%	1.2%	0.5%	72.0%	42.2%	31.1%	19.6%	4.1%	0.6%	1.6%	1.8%	24.7%
2	84.1%	31.6%	41.4%	18.5%	6.7%	0.9%	0.4%	0.5%	83.9%	31.0%	42.2%	18.1%	5.8%	0.7%	0.6%	3.0%	17.1%
3	74.3%	29.8%	38.8%	20.6%	8.4%	1.1%	0.9%	0.5%	74.4%	31.2%	37.5%	19.6%	7.4%	0.8%	1.2%	3.5%	18.4%
4	66.3%	37.7%	29.0%	23.4%	7.3%	0.4%	0.2%	1.9%	66.3%	35.8%	29.7%	22.9%	8.2%	0.5%	0.2%	2.9%	24.5%
5	65.4%	42.4%	24.5%	25.8%	6.9%	0.1%	0.0%	0.4%	65.4%	42.4%	23.3%	25.2%	6.7%	0.2%	0.0%	3.0%	25.4%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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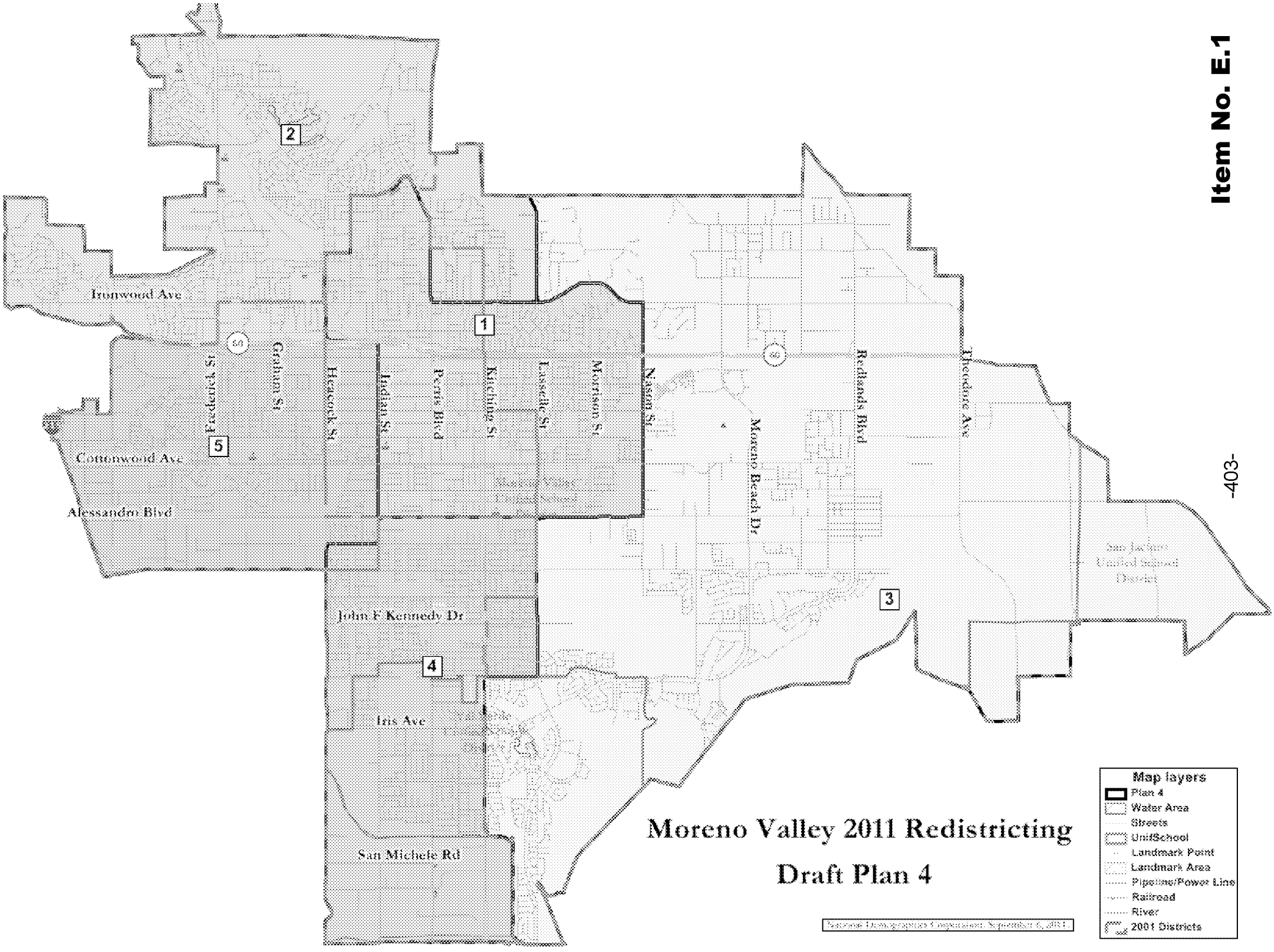
Moreno Valley 2011 Redistricting
Draft Plan 4
Map layers
Plan 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00133547

NDC

Moreno Valley Plan 4
Demographics

Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	39,432	759	1.96%	22,992	6,950	6,124	238	2,424	245	116	343
2	38,504	-169	-0.44%	17,139	10,822	7,282	195	2,457	153	73	383
3	38,660	-13	-0.03%	16,306	8,580	8,980	174	3,856	221	133	410
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,083	2.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,716	14,305	5,687	4,247	179	1,850	171	76	201	14,148	5,169	253	202	455	6,624	2,147	103	92	195
2	27,370	11,030	8,847	5,009	154	1,926	105	51	248	17,082	4,746	315	241	556	8,816	2,088	126	107	233
3	26,804	10,265	6,978	6,049	127	2,923	147	102	213	15,252	4,297	327	314	641	7,612	1,834	141	124	265
4	25,316	14,911	4,507	4,005	104	1,437	136	49	167	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	3,844	4,121	118	1,663	171	54	194	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,737	7,531	6,692	4,114	1,046	74	207	75	19,976	7,550	6,862	3,862	1,016	74	298	489	4,255
2	23,489	7,326	9,744	4,408	1,453	244	230	80	23,165	7,066	9,726	4,305	1,284	148	214	745	3,905
3	18,372	5,322	6,665	4,023	1,911	179	42	238	19,033	5,901	6,802	4,041	1,663	157	137	577	3,698
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133548

Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.5%	0.6%	6.1%	0.6%	0.3%	0.9%
2	44.5%	28.1%	18.9%	0.5%	6.4%	0.4%	0.2%	1.0%
3	42.2%	22.2%	23.2%	0.5%	10.0%	0.6%	0.3%	1.1%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.5%	21.3%	15.9%	0.7%	6.9%	0.6%	0.3%	0.8%	36.5%	1.8%	1.4%	3.2%	32.4%	1.6%	1.4%	2.9%
2	40.3%	32.3%	18.3%	0.6%	7.0%	0.4%	0.2%	0.9%	27.8%	1.8%	1.4%	3.3%	23.7%	1.4%	1.2%	2.6%
3	38.3%	26.0%	22.6%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.1%	2.1%	4.2%	24.1%	1.9%	1.6%	3.5%
4	58.9%	17.8%	15.8%	0.4%	5.7%	0.5%	0.2%	0.7%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	15.6%	16.7%	0.5%	6.7%	0.7%	0.2%	0.8%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.9%	38.2%	33.9%	20.8%	5.3%	0.4%	1.0%	0.4%	74.8%	37.8%	34.4%	19.3%	5.1%	0.4%	1.5%	2.4%	21.3%
2	85.8%	31.2%	41.5%	18.8%	6.2%	1.0%	1.0%	0.3%	84.6%	30.5%	42.0%	18.6%	5.5%	0.6%	0.9%	3.2%	16.9%
3	68.5%	29.0%	36.3%	21.9%	10.4%	1.0%	0.2%	1.3%	71.0%	31.0%	35.7%	21.2%	8.7%	0.8%	0.7%	3.0%	19.4%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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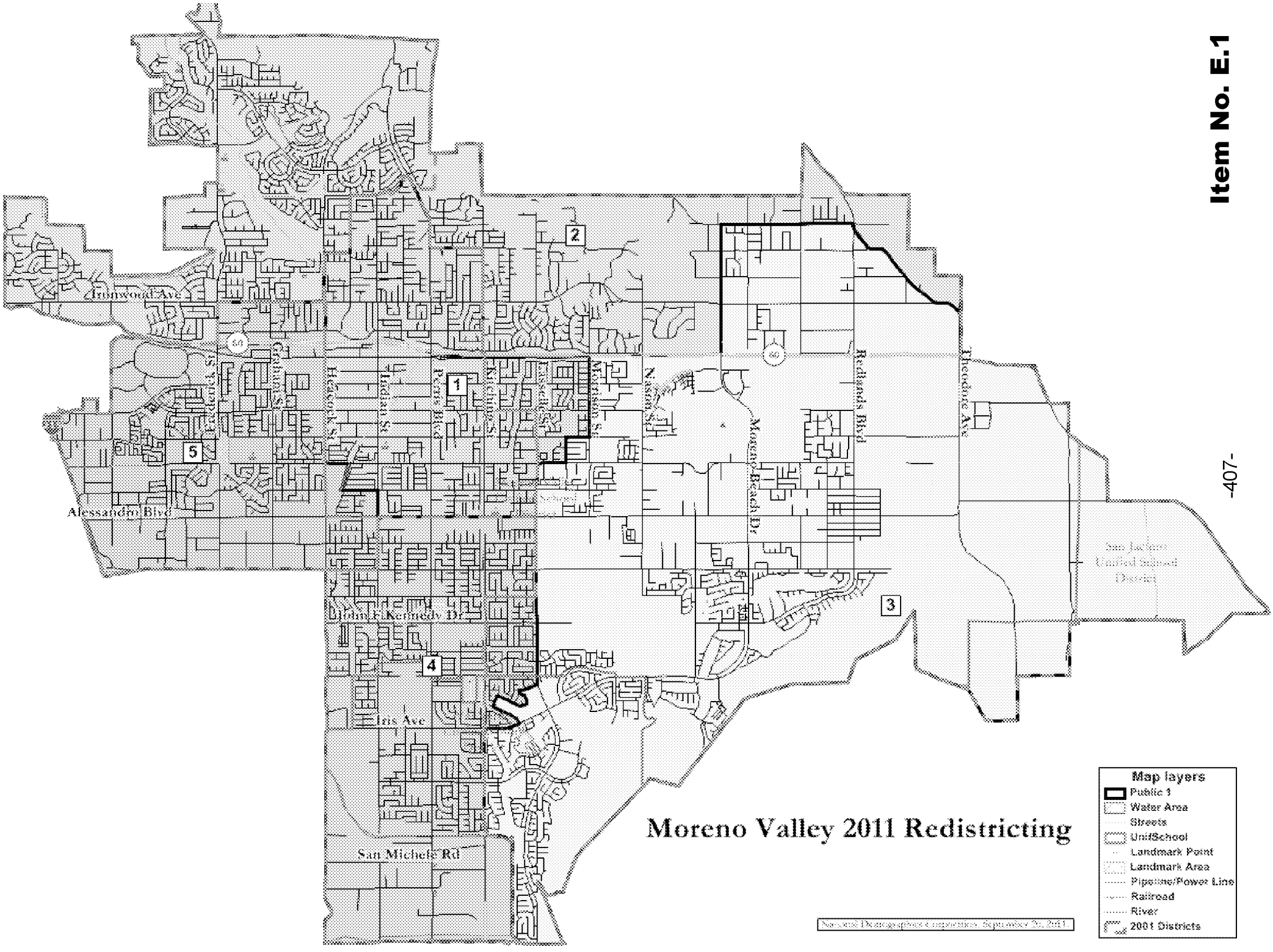
Moreno Valley 2011 Redistricting
Map layers
Public 1
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Indianwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Nuevo St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00133551

NDC

Public Plan 1
Demographics

Pub. Plan 1	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,685	12	0.03%	23,712	6,169	6,086	235	1,807	263	107	306
2	38,631	-42	-0.11%	17,160	11,789	6,297	204	2,601	136	79	365
3	38,546	-127	-0.33%	16,453	7,992	8,906	165	4,260	215	123	432
4	38,854	181	0.47%	24,316	5,555	6,395	154	1,850	208	96	280
5	38,649	-24	-0.06%	23,528	5,068	7,044	155	2,114	278	75	387
Total	193,365	308	0.80%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,777	14,469	5,103	4,068	126	1,335	167	68		12,624	4,773	168	167	335	5,595	1,890	64	74	138
2	27,903	11,205	9,673	4,305	90	1,821	81	44		18,301	5,126	360	255	615	9,821	2,312	158	119	277
3	26,476	10,311	6,414	5,842	80	3,012	119	69		14,775	4,265	365	322	687	7,217	1,804	150	131	281
4	25,685	14,981	4,573	4,106	66	1,369	132	56		12,841	5,267	179	203	382	5,789	2,149	61	87	148
5	25,028	14,043	4,100	4,508	69	1,564	169	39		11,378	4,529	228	170	398	4,522	1,657	70	63	133
Total	130,869	65,009	29,863	22,829	431	9,101	668	276	0	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 1	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	18,639	7,302	6,163	3,870	879	63	257	106	18,593	7,303	6,148	3,719	852	66	318	401	4,197
2	23,818	7,443	10,480	3,987	1,465	264	104	76	23,554	7,327	10,317	3,856	1,290	143	122	768	4,234
3	17,580	5,143	5,943	4,075	1,960	171	58	242	18,540	5,664	6,414	4,109	1,705	143	157	553	3,577
4	17,920	7,553	5,374	3,584	989	187	41	186	17,308	7,144	4,792	3,659	1,165	161	61	438	4,772
5	17,114	6,897	4,360	4,661	1,052	20	60	75	17,033	6,843	4,206	4,418	1,060	46	50	546	3,747
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133552

Pub. Plan 1	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	61.3%	15.9%	15.7%	0.6%	4.7%	0.7%	0.3%	0.8%
2	44.4%	30.5%	16.3%	0.5%	6.7%	0.4%	0.2%	0.9%
3	42.7%	20.7%	23.1%	0.4%	11.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.8%	0.5%	0.2%	0.7%
5	60.9%	13.1%	18.2%	0.4%	5.5%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 1	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	56.1%	19.8%	15.8%	0.5%	5.2%	0.6%	0.3%	0.0%	37.8%	1.3%	1.3%	2.7%	33.8%	1.1%	1.3%	2.5%
2	40.2%	34.7%	15.4%	0.3%	6.5%	0.3%	0.2%	0.0%	28.0%	2.0%	1.4%	3.4%	23.5%	1.6%	1.2%	2.8%
3	38.9%	24.2%	22.1%	0.3%	11.4%	0.4%	0.3%	0.0%	28.9%	2.5%	2.2%	4.6%	25.0%	2.1%	1.8%	3.9%
4	58.3%	17.8%	16.0%	0.3%	5.3%	0.5%	0.2%	0.0%	41.0%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	56.1%	16.4%	18.0%	0.3%	6.2%	0.7%	0.2%	0.0%	39.8%	2.0%	1.5%	3.5%	36.6%	1.5%	1.4%	2.9%
Total	49.7%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	0.0%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 1	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	72.3%	39.2%	33.1%	20.8%	4.7%	0.3%	1.4%	0.6%	72.1%	39.3%	33.1%	20.0%	4.6%	0.4%	1.7%	2.2%	22.6%
2	85.4%	31.3%	44.0%	16.7%	6.1%	1.1%	0.4%	0.3%	84.4%	31.1%	43.8%	16.4%	5.5%	0.6%	0.5%	3.3%	18.0%
3	66.4%	29.3%	33.8%	23.2%	11.2%	1.0%	0.3%	1.4%	70.0%	30.6%	34.6%	22.2%	9.2%	0.8%	0.8%	3.0%	19.3%
4	69.8%	42.1%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	68.4%	40.3%	25.5%	27.2%	6.1%	0.1%	0.4%	0.4%	68.1%	40.2%	24.7%	25.9%	6.2%	0.3%	0.3%	3.2%	22.0%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133553

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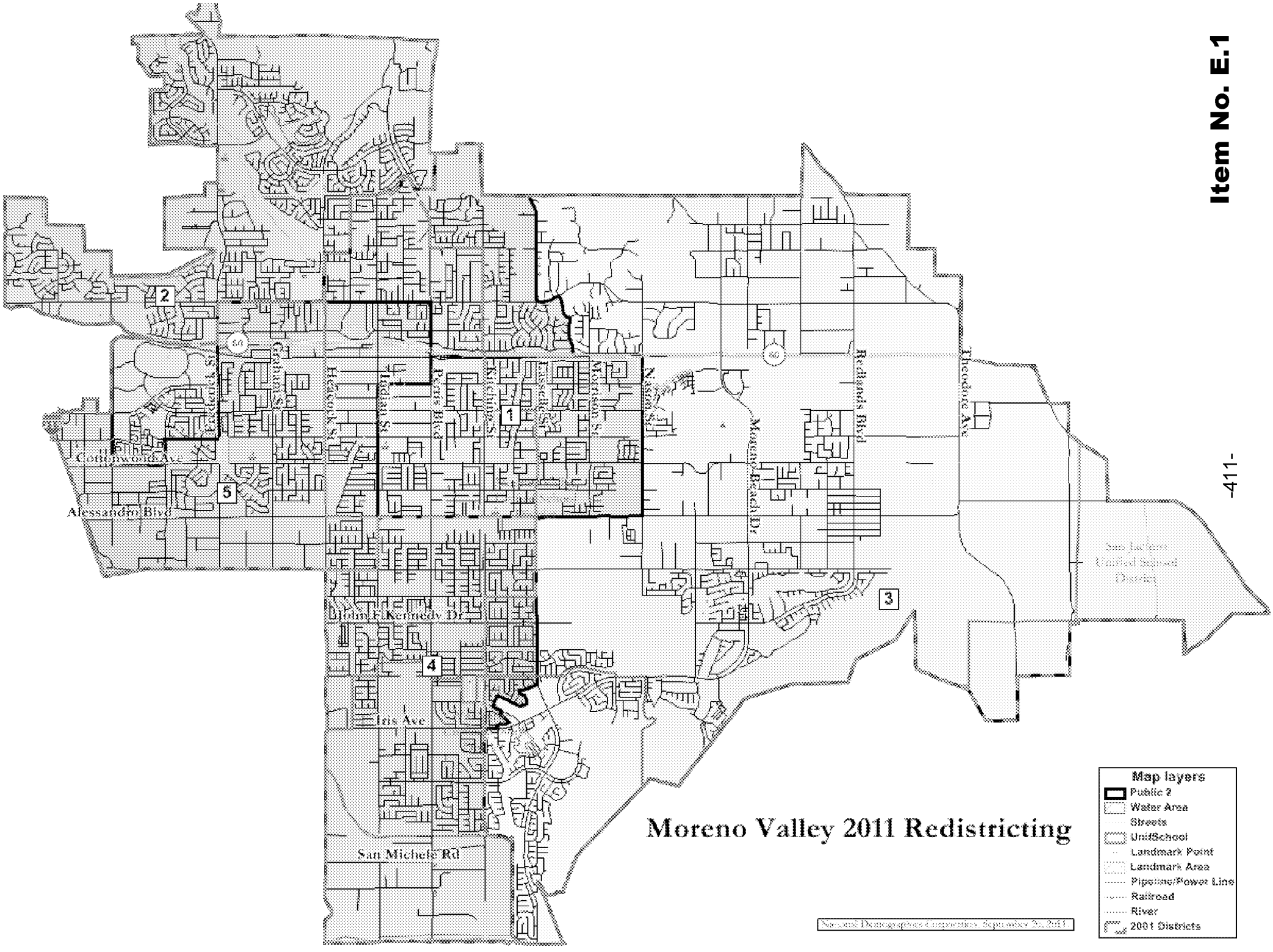
Moreno Valley 2011 Redistricting
Map layers
Public 2
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Alessandro Blvd
Cottonwood Ave
Graham St
Hubbard St
Heacock St
Indian St
Perris Blvd
Kitchener St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
San Jacinto Unified School District

MV00133555

NDC

Public Plan 2
Demographics

Pub. Plan 2	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,796	123	0.32%	22,173	7,301	5,917	249	2,477	237	117	325
2	38,840	167	0.43%	17,371	10,226	7,229	177	3,194	140	78	425
3	38,078	-595	-1.54%	16,012	8,760	8,571	170	3,827	214	120	404
4	38,679	6	0.02%	24,231	5,519	6,368	154	1,831	203	93	280
5	38,972	299	0.77%	25,382	4,767	6,643	163	1,303	306	72	336
Total	193,365	894	2.31%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,500	13,877	5,986	4,138	183	1,883	167	76	190	14,308	5,121	276	182	458	6,886	2,164	105	83	188
2	27,581	11,188	8,294	4,997	134	2,536	100	54	278	16,888	4,934	395	297	692	8,450	2,138	140	125	265
3	26,425	10,088	7,100	5,769	129	2,893	141	94	211	15,053	4,243	333	302	635	7,574	1,821	147	122	269
4	25,569	14,932	4,546	4,180	106	1,439	136	57	173	12,785	5,250	179	202	381	5,759	2,139	61	87	148
5	24,794	14,924	3,937	4,347	130	1,048	186	51	171	10,885	4,412	117	134	251	4,275	1,550	50	57	107
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 2	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,779	7,397	6,668	4,169	997	110	367	68	19,905	7,285	6,878	3,869	1,055	75	361	545	4,327
2	21,923	6,863	8,885	4,251	1,631	204	0	88	21,807	6,672	8,940	4,182	1,462	121	54	597	3,900
3	18,175	5,147	6,819	3,820	1,931	179	42	244	18,896	5,878	6,847	3,924	1,612	153	135	592	3,636
4	17,825	7,517	5,347	3,560	982	187	41	186	17,229	7,117	4,769	3,639	1,158	160	61	436	4,755
5	17,369	7,414	4,600	4,377	804	23	70	98	17,191	7,328	4,443	4,146	786	50	97	536	3,910
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133556

Pub. Plan 2	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.2%	18.8%	15.3%	0.6%	6.4%	0.6%	0.3%	0.8%
2	44.7%	26.3%	18.6%	0.5%	8.2%	0.4%	0.2%	1.1%
3	42.1%	23.0%	22.5%	0.4%	10.1%	0.6%	0.3%	1.1%
4	62.6%	14.3%	16.5%	0.4%	4.7%	0.5%	0.2%	0.7%
5	65.1%	12.2%	17.0%	0.4%	3.3%	0.8%	0.2%	0.9%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 2	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.4%	22.6%	15.6%	0.7%	7.1%	0.6%	0.3%	0.7%	35.8%	1.9%	1.3%	3.2%	31.4%	1.5%	1.2%	2.7%
2	40.6%	30.1%	18.1%	0.5%	9.2%	0.4%	0.2%	1.0%	29.2%	2.3%	1.8%	4.1%	25.3%	1.7%	1.5%	3.1%
3	38.2%	26.9%	21.8%	0.5%	10.9%	0.5%	0.4%	0.8%	28.2%	2.2%	2.0%	4.2%	24.0%	1.9%	1.6%	3.6%
4	58.4%	17.8%	16.3%	0.4%	5.6%	0.5%	0.2%	0.7%	41.1%	1.4%	1.6%	3.0%	37.1%	1.1%	1.5%	2.6%
5	60.2%	15.9%	17.5%	0.5%	4.2%	0.8%	0.2%	0.7%	40.5%	1.1%	1.2%	2.3%	36.3%	1.2%	1.3%	2.5%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 2	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.6%	37.4%	33.7%	21.1%	5.0%	0.6%	1.9%	0.3%	75.1%	36.6%	34.6%	19.4%	5.3%	0.4%	1.8%	2.7%	21.7%
2	79.5%	31.3%	40.5%	19.4%	7.4%	0.9%	0.0%	0.4%	79.1%	30.6%	41.0%	19.2%	6.7%	0.6%	0.2%	2.7%	17.9%
3	68.8%	28.3%	37.5%	21.0%	10.6%	1.0%	0.2%	1.3%	71.5%	31.1%	36.2%	20.8%	8.5%	0.8%	0.7%	3.1%	19.2%
4	69.7%	42.2%	30.0%	20.0%	5.5%	1.0%	0.2%	1.0%	67.4%	41.3%	27.7%	21.1%	6.7%	0.9%	0.4%	2.5%	27.6%
5	70.1%	42.7%	26.5%	25.2%	4.6%	0.1%	0.4%	0.6%	69.3%	42.6%	25.8%	24.1%	4.6%	0.3%	0.6%	3.1%	22.7%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

MV00133557

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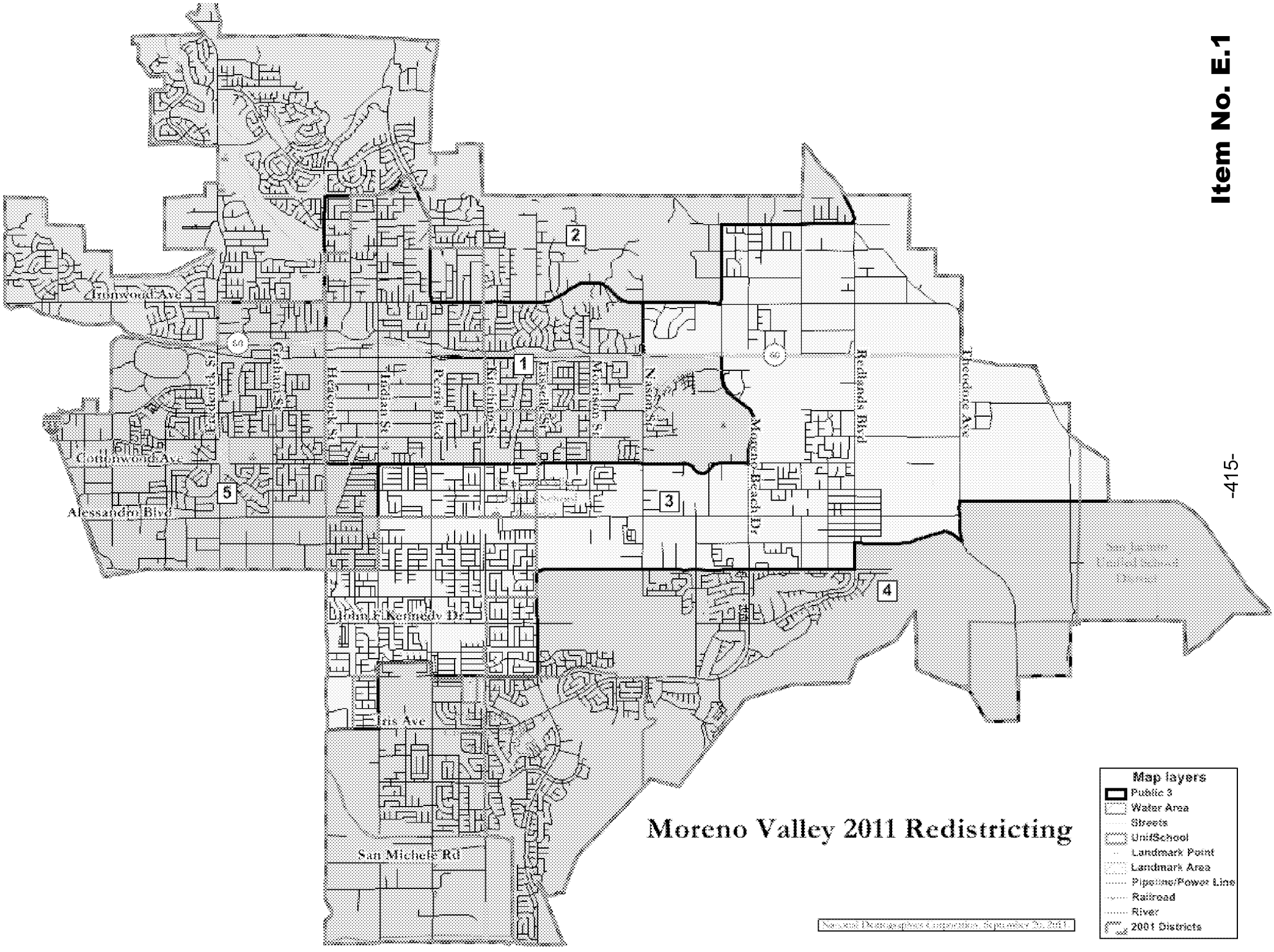
Moreno Valley 2011 Redistricting
Map layers
Public 3
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

MV00133559

Pub. Plan 3	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	40,047	1,374	3.55%	23,337	7,050	6,329	250	2,368	232	124	357
2	33,724	-4,949	-12.80%	14,620	10,386	5,657	164	2,372	131	63	331
3	41,248	2,575	6.66%	24,589	7,521	6,126	195	2,173	221	111	312
4	38,875	202	0.52%	18,585	6,434	9,430	143	3,571	226	105	381
5	39,471	798	2.06%	24,038	5,182	7,186	161	2,148	290	77	389
Total	193,365	7,524	19.46%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,947	14,318	5,756	4,389	197	1,829	163	88	207	13,735	4,894	222	210	432	6,321	1,989	89	97	186
2	24,509	9,568	8,590	4,008	127	1,864	94	45	213	16,118	4,379	309	237	546	8,645	1,982	123	107	230
3	27,723	15,215	6,242	4,051	138	1,681	147	73	176	14,598	5,649	180	208	388	6,856	2,312	74	94	168
4	26,123	11,558	5,081	6,248	99	2,706	147	75	209	13,868	4,432	353	290	643	6,512	1,844	141	112	253
5	25,567	14,350	4,194	4,735	121	1,719	179	51	218	11,600	4,606	236	172	408	4,610	1,685	76	64	140
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 3	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,662	7,428	6,706	4,165	1,038	61	139	121	19,682	7,373	6,817	3,899	959	75	235	541	3,961
2	21,021	6,314	9,283	3,563	1,366	253	170	69	20,718	6,250	9,027	3,536	1,212	131	164	640	3,722
3	19,409	7,563	6,876	3,308	1,128	290	104	145	19,422	7,719	6,225	3,687	1,149	216	172	475	5,031
4	17,606	6,007	5,015	4,436	1,752	80	47	274	17,863	5,951	5,512	4,174	1,665	91	88	498	3,974
5	17,373	7,026	4,440	4,704	1,061	20	60	75	17,343	6,988	4,295	4,464	1,087	46	50	552	3,839
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

MV00133560

Pub. Plan 3	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	58.3%	17.6%	15.8%	0.6%	5.9%	0.6%	0.3%	0.9%
2	43.4%	30.8%	16.8%	0.5%	7.0%	0.4%	0.2%	1.0%
3	59.6%	18.2%	14.9%	0.5%	5.3%	0.5%	0.3%	0.8%
4	47.8%	16.6%	24.3%	0.4%	9.2%	0.6%	0.3%	1.0%
5	60.9%	13.1%	18.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 3	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	53.1%	21.4%	16.3%	0.7%	6.8%	0.6%	0.3%	0.8%	35.6%	1.6%	1.5%	3.1%	31.5%	1.4%	1.5%	2.9%
2	39.0%	35.0%	16.4%	0.5%	7.6%	0.4%	0.2%	0.9%	27.2%	1.9%	1.5%	3.4%	22.9%	1.4%	1.2%	2.7%
3	54.9%	22.5%	14.6%	0.5%	6.1%	0.5%	0.3%	0.6%	38.7%	1.2%	1.4%	2.7%	33.7%	1.1%	1.4%	2.5%
4	44.2%	19.5%	23.9%	0.4%	10.4%	0.6%	0.3%	0.8%	32.0%	2.5%	2.1%	4.6%	28.3%	2.2%	1.7%	3.9%
5	56.1%	16.4%	18.5%	0.5%	6.7%	0.7%	0.2%	0.9%	39.7%	2.0%	1.5%	3.5%	36.6%	1.6%	1.4%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 3	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	73.0%	37.8%	34.1%	21.2%	5.3%	0.3%	0.7%	0.6%	73.0%	37.5%	34.6%	19.8%	4.9%	0.4%	1.2%	2.7%	20.1%
2	85.8%	30.0%	44.2%	16.9%	6.5%	1.2%	0.8%	0.3%	84.5%	30.2%	43.6%	17.1%	5.9%	0.6%	0.8%	3.1%	18.0%
3	70.0%	39.0%	35.4%	17.0%	5.8%	1.5%	0.5%	0.7%	70.1%	39.7%	32.1%	19.0%	5.9%	1.1%	0.9%	2.4%	25.9%
4	67.4%	34.1%	28.5%	25.2%	10.0%	0.5%	0.3%	1.6%	68.4%	33.3%	30.9%	23.4%	9.3%	0.5%	0.5%	2.8%	22.3%
5	67.9%	40.4%	25.6%	27.1%	6.1%	0.1%	0.3%	0.4%	67.8%	40.3%	24.8%	25.7%	6.3%	0.3%	0.3%	3.2%	22.1%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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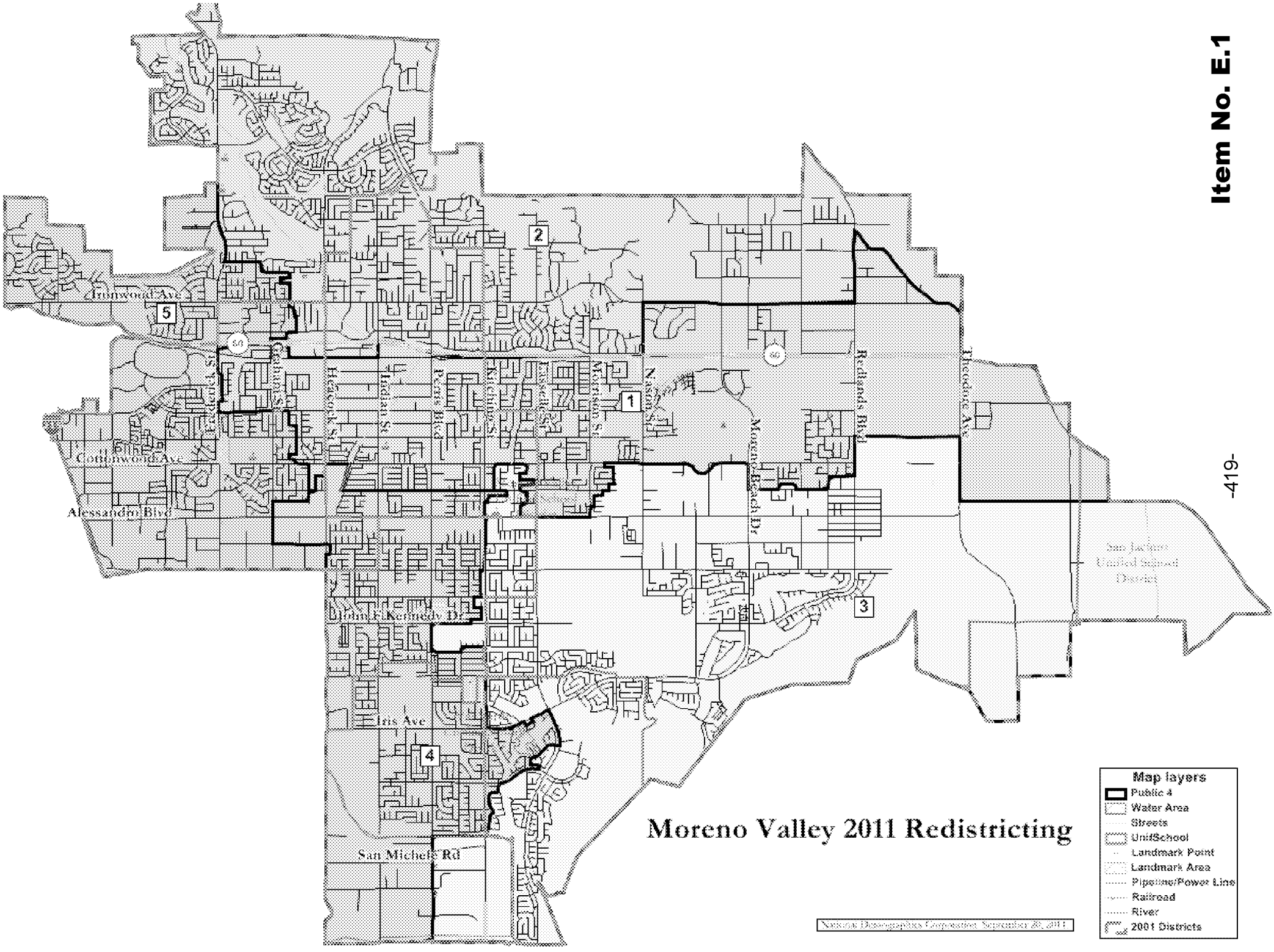
Moreno Valley 2011 Redistricting
Map layers
Public 4
Water Area
Streets
Unif/School
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
1
2
3
4
5
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd

NDC

Public Plan 4 - Owings
Demographics

Pub. Plan 4	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,760	87	0.22%	22,987	5,972	6,343	190	2,562	246	119	341
2	39,395	722	1.87%	18,170	11,823	6,230	242	2,288	194	81	367
3	37,987	-686	-1.77%	18,009	7,231	8,511	182	3,318	234	131	371
4	38,661	-12	-0.03%	24,051	5,216	6,594	144	2,068	218	73	297
5	38,562	-111	-0.29%	21,952	6,331	7,050	155	2,396	208	76	394
Total	193,365	1,408	3.64%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	25,911	14,077	4,888	4,408	153	1,964	156	83	182	12,727	4,747	199	217	416	5,757	1,918	74	104	178
2	28,269	11,696	9,758	4,407	188	1,792	136	55	237	18,428	5,207	333	222	555	10,001	2,335	156	106	262
3	25,702	11,172	5,845	5,591	128	2,532	154	89	191	14,061	4,471	304	252	556	6,661	1,866	129	97	226
4	25,399	14,753	4,232	4,353	97	1,589	140	50	185	12,187	5,021	188	211	399	5,373	2,012	68	86	154
5	25,588	13,311	5,140	4,672	116	1,922	144	55	228	12,516	4,514	276	215	491	5,152	1,681	76	81	157
Total	130,869	65,009	29,863	23,431	682	9,799	730	332	1,023	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 4	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	17,990	6,679	5,739	4,126	1,135	106	119	97	17,877	6,691	5,524	4,009	1,076	103	131	469	4,044
2	23,834	7,567	10,157	4,348	1,236	224	230	62	23,763	7,543	10,086	4,209	1,064	87	305	770	3,990
3	18,061	5,861	5,780	4,115	2,025	97	60	142	18,126	6,107	5,733	3,986	1,819	96	139	454	3,939
4	16,950	7,324	4,807	3,584	729	193	51	264	16,953	7,062	4,783	3,649	917	167	56	465	4,756
5	18,235	6,907	5,837	4,003	1,220	85	60	119	18,309	6,878	5,752	3,907	1,196	106	78	548	3,799
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 4	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	59.3%	15.4%	16.4%	0.5%	6.6%	0.6%	0.3%	0.9%
2	46.1%	30.0%	15.8%	0.6%	5.8%	0.5%	0.2%	0.9%
3	47.4%	19.0%	22.4%	0.5%	8.7%	0.6%	0.3%	1.0%
4	62.2%	13.5%	17.1%	0.4%	5.3%	0.6%	0.2%	0.8%
5	56.9%	16.4%	18.3%	0.4%	6.2%	0.5%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 4	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	54.3%	18.9%	17.0%	0.6%	7.6%	0.6%	0.3%	0.7%	37.3%	1.6%	1.7%	3.3%	33.3%	1.3%	1.8%	3.1%
2	41.4%	34.5%	15.6%	0.7%	6.3%	0.5%	0.2%	0.8%	28.3%	1.8%	1.2%	3.0%	23.3%	1.6%	1.1%	2.6%
3	43.5%	22.7%	21.8%	0.5%	9.9%	0.6%	0.3%	0.7%	31.8%	2.2%	1.8%	4.0%	28.0%	1.9%	1.5%	3.4%
4	58.1%	16.7%	17.1%	0.4%	6.3%	0.6%	0.2%	0.7%	41.2%	1.5%	1.7%	3.3%	37.4%	1.3%	1.6%	2.9%
5	52.0%	20.1%	18.3%	0.5%	7.5%	0.6%	0.2%	0.9%	36.1%	2.2%	1.7%	3.9%	32.6%	1.5%	1.6%	3.0%
Total	49.7%	22.8%	17.9%	0.5%	7.5%	0.6%	0.3%	0.8%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 4	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	69.4%	37.1%	31.9%	22.9%	6.3%	0.6%	0.7%	0.5%	69.0%	37.4%	30.9%	22.4%	6.0%	0.6%	0.7%	2.6%	22.6%
2	84.3%	31.8%	42.6%	18.2%	5.2%	0.9%	1.0%	0.3%	84.1%	31.7%	42.4%	17.7%	4.5%	0.4%	1.3%	3.2%	16.8%
3	70.3%	32.4%	32.0%	22.8%	11.2%	0.5%	0.3%	0.8%	70.5%	33.7%	31.6%	22.0%	10.0%	0.5%	0.8%	2.5%	21.7%
4	66.7%	43.2%	28.4%	21.1%	4.3%	1.1%	0.3%	1.6%	66.7%	41.7%	28.2%	21.5%	5.4%	1.0%	0.3%	2.7%	28.1%
5	71.3%	37.9%	32.0%	22.0%	6.7%	0.5%	0.3%	0.7%	71.6%	37.6%	31.4%	21.3%	6.5%	0.6%	0.4%	3.0%	20.8%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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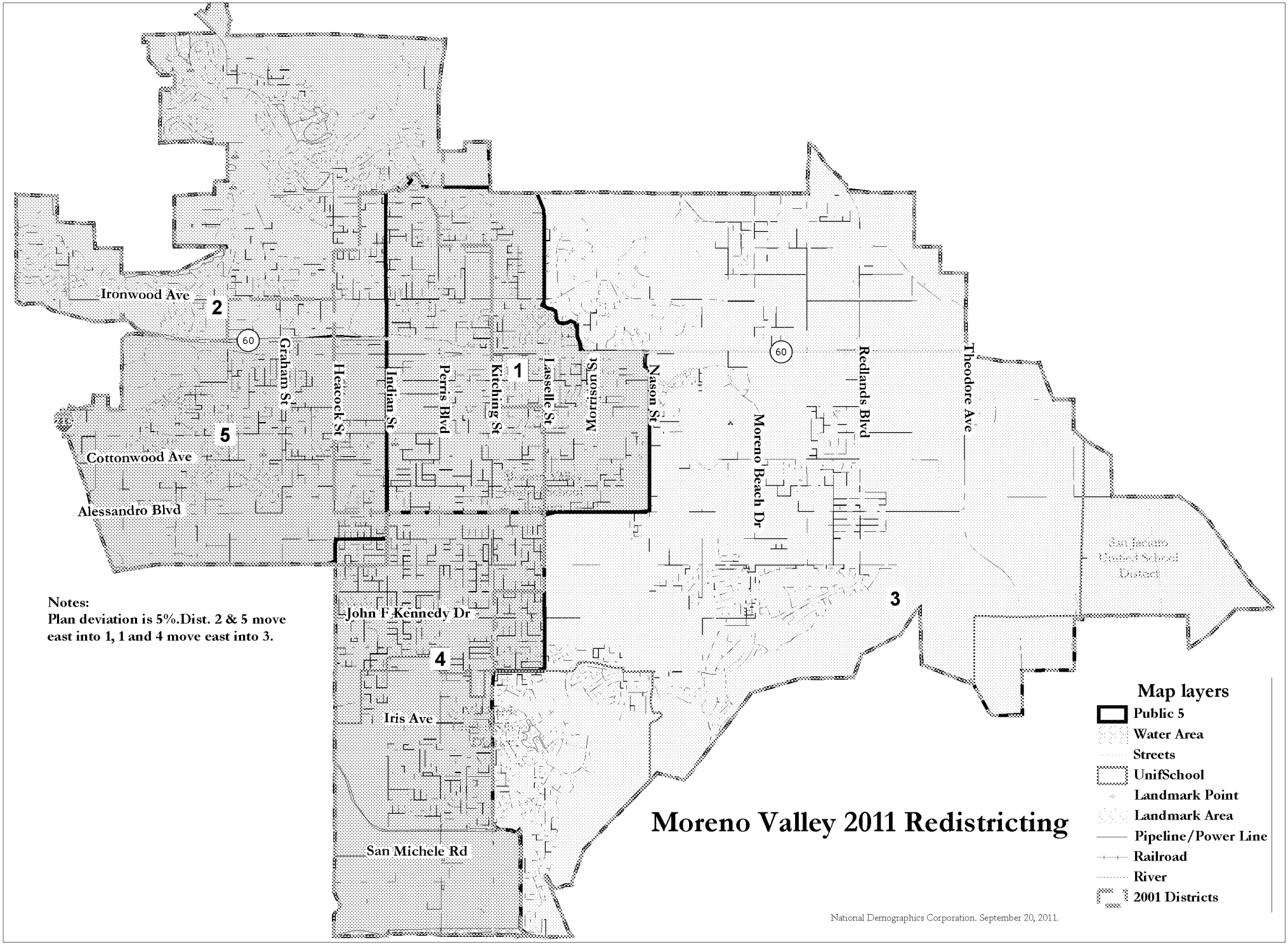
Moreno Valley 2011 Redistricting
Map layers
Public 5
Water Area
Streets
UnifSchool
Landmark Point
Landmark Area
Pipeline/Power Line
Railroad
River
2001 Districts
Notes:
Plan deviation is 5%.Dist. 2 & 5 move east into 1, 1 and 4 move east into 3.
1
2
3
4
5
Ironwood Ave
Cottonwood Ave
Alessandro Blvd
Graham St
Heacock St
Indian St
Perris Blvd
Kitching St
Lasselle St
Morrison St
Nason St
Moreno Beach Dr
Redlands Blvd
Theodore Ave
John F Kennedy Dr
Iris Ave
San Michele Rd
60
San Jacinto United School District
National Demographics Corporation. September 20, 2011.

MV00133567

NDC

Public Plan 5
Demographics

Pub. Plan 5	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
1	38,368	-305	-0.79%	22,056	6,878	6,089	224	2,430	238	114	339
2	38,178	-495	-1.28%	17,347	10,448	7,200	200	2,373	158	73	379
3	40,050	1,377	3.56%	17,034	9,026	9,097	183	3,934	223	135	418
4	38,349	-324	-0.84%	24,225	5,478	6,109	146	1,836	209	80	266
5	38,420	-253	-0.65%	24,507	4,743	6,233	160	2,059	272	78	368
Total	193,365	1,872	4.84%	105,169	36,573	34,728	913	12,632	1,100	480	1,770
Ideal	38,673										

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	18+ Pop	H18+ Pop	NH18+ Wht	NH18+ DOJ Blk	NH18+ DOJ Ind	NH18+ DOJ Asn	NH18+ DOJ Hwn	NH18+ DOJ Oth	NH18+ DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Asn + Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	26,147	13,808	12,339	5,637	4,140	108	1,716	155	65	14,065	5,063	255	189	444	6,709	2,136	99	88	187
2	26,978	11,071	15,907	8,546	4,778	101	1,698	94	38	16,541	4,653	305	245	550	8,374	2,012	123	107	230
3	27,765	10,721	17,044	7,329	5,987	86	2,790	129	83	15,876	4,496	335	323	658	7,969	1,921	148	128	276
4	25,316	14,911	10,405	4,507	3,918	63	1,355	128	46	12,561	5,215	183	192	375	5,632	2,124	63	86	149
5	24,663	14,498	10,165	3,844	4,006	73	1,542	162	44	10,876	4,533	222	168	390	4,260	1,619	70	65	135
Total	130,869	65,009	65,860	29,863	22,829	431	9,101	668	276	69,919	23,960	1,300	1,117	2,417	32,944	9,812	503	474	977

	Special Tabulation								American Community Survey (ACS)								
Pub. Plan 5	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP
1	19,521	7,384	6,427	4,150	1,008	111	375	68	19,545	7,245	6,574	3,837	1,064	79	399	518	4,175
2	22,818	7,229	9,534	4,304	1,397	206	62	81	22,790	7,072	9,674	4,231	1,203	143	113	673	3,846
3	19,259	5,566	7,139	4,091	2,004	180	42	244	19,840	6,200	7,142	4,139	1,696	157	137	620	3,836
4	17,602	7,513	5,175	3,542	954	187	41	186	17,113	7,174	4,653	3,636	1,119	165	59	451	4,802
5	15,871	6,646	4,045	4,090	981	20	0	105	15,740	6,589	3,834	3,916	990	16	0	444	3,869
Total	95,071	34,338	32,320	20,176	6,345	704	520	684	95,028	34,280	31,877	19,760	6,072	559	708	2,706	20,528

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Pub. Plan 5	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
1	57.5%	17.9%	15.9%	0.6%	6.3%	0.6%	0.3%	0.9%
2	45.4%	27.4%	18.9%	0.5%	6.2%	0.4%	0.2%	1.0%
3	42.5%	22.5%	22.7%	0.5%	9.8%	0.6%	0.3%	1.0%
4	63.2%	14.3%	15.9%	0.4%	4.8%	0.5%	0.2%	0.7%
5	63.8%	12.3%	16.2%	0.4%	5.4%	0.7%	0.2%	1.0%
Total	54.4%	18.9%	18.0%	0.5%	6.5%	0.6%	0.2%	0.9%

Abbreviations:
Dev. = Deviation
Hisp = Hispanic
NH = "Non-Hispanic"
Wht = White
Blk = Black / African American
Ind = Native American
Asn = Asian American
Haw or Hwn = Hawaiian and Pacific Islander
Oth = Other
OthMR or MR = Multi-Race
Fil = Filipino
"DOJ" = Aggregated according to U.S. Department of Justice guidance
Reg = Voter Registration
CVAP = Citizen Voting Age Population

Pub. Plan 5	% H18+ Pop	% NH18+ Wht	% NH18+ DOJ Blk	% NH18+ DOJ Ind	% NH18+ DOJ Asn	% NH18+ DOJ Hwn	% NH18+ DOJ Oth	% NH18+ DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Asn + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
1	52.8%	47.2%	21.6%	15.8%	0.4%	6.6%	0.6%	0.2%	36.0%	1.8%	1.3%	3.2%	31.8%	1.5%	1.3%	2.8%
2	41.0%	59.0%	31.7%	17.7%	0.4%	6.3%	0.3%	0.1%	28.1%	1.8%	1.5%	3.3%	24.0%	1.5%	1.3%	2.7%
3	38.6%	61.4%	26.4%	21.6%	0.3%	10.0%	0.5%	0.3%	28.3%	2.1%	2.0%	4.1%	24.1%	1.9%	1.6%	3.5%
4	58.9%	41.1%	17.8%	15.5%	0.2%	5.4%	0.5%	0.2%	41.5%	1.5%	1.5%	3.0%	37.7%	1.1%	1.5%	2.6%
5	58.8%	41.2%	15.6%	16.2%	0.3%	6.3%	0.7%	0.2%	41.7%	2.0%	1.5%	3.6%	38.0%	1.6%	1.5%	3.2%
Total	49.7%	50.3%	22.8%	17.4%	0.3%	7.0%	0.5%	0.2%	34.3%	1.9%	1.6%	3.5%	29.8%	1.5%	1.4%	3.0%

	Special Tabulation								Amercian Community Survey (ACS)								
Pub. Plan 5	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Total CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
1	74.7%	37.8%	32.9%	21.3%	5.2%	0.6%	1.9%	0.3%	74.8%	37.1%	33.6%	19.6%	5.4%	0.4%	2.0%	2.6%	21.4%
2	84.6%	31.7%	41.8%	18.9%	6.1%	0.9%	0.3%	0.4%	84.5%	31.0%	42.4%	18.6%	5.3%	0.6%	0.5%	3.0%	16.9%
3	69.4%	28.9%	37.1%	21.2%	10.4%	0.9%	0.2%	1.3%	71.5%	31.2%	36.0%	20.9%	8.5%	0.8%	0.7%	3.1%	19.3%
4	69.5%	42.7%	29.4%	20.1%	5.4%	1.1%	0.2%	1.1%	67.6%	41.9%	27.2%	21.2%	6.5%	1.0%	0.3%	2.6%	28.1%
5	64.4%	41.9%	25.5%	25.8%	6.2%	0.1%	0.0%	0.7%	63.8%	41.9%	24.4%	24.9%	6.3%	0.1%	0.0%	2.8%	24.6%
Total	72.6%	36.1%	34.0%	21.2%	6.7%	0.7%	0.5%	0.7%	72.6%	36.1%	33.5%	20.8%	6.4%	0.6%	0.7%	2.8%	21.6%

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MV00133570

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

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MV00133572

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: September 27, 2011

TITLE: MEDIA AND COMMUNICATIONS STRATEGY

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed Media and Communications Strategy.

BACKGROUND

At the May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image. An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business*. One of the five action steps included in the plan was to improve the City's marketing and communication efforts. The proposed Media and Communication Strategy addresses the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

DISCUSSION

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly

positive reality that we recognize. Understanding that perception oftentimes equals reality, the proposed Media and Communication Strategy (attached) aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure accurate information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley. As indicated in the attached plan, each action has been assigned to the appropriate department for implementation.

ALTERNATIVES

1) Approve the proposed Media and Communications Strategy. *Staff recommends this alternative as the proposed strategy helps address the Council's expressed goals of enhancing the City's image, expanding communication outreach to the public and improving the City's marketing and communication efforts (one of the adopted action steps to make Moreno Valley a Best Place to do Business.)*

2) Not approve the proposed Media and Communications Strategy. *Staff does not recommend this alternative as the proposed strategy is a task related to the Council-adopted goal to enhance the City's image and is part of the Council-adopted action steps to make Moreno Valley a Best Place to do Business.*

FISCAL IMPACT

Implementing the proposed Media and Communications Strategy will have no fiscal impact as all of the strategies and action items can be executed within the adopted budget.

COUNCIL GOALS

Positive Environment: Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and

executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The proposed Media and Communications Strategy assists in addressing the City Council's goal of enhancing the City's image and implements the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business.* The proposed strategy will help enhance the City's efforts in economic development and in making Moreno Valley a great place to live, visit, work and do business.

ATTACHMENT

Proposed Media and Communications Strategy

Prepared By:
Michelle Dawson
Assistant City Manager

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Introduction

At their May 2011 Goal Setting Workshop, the City Council identified prioritized goals and developed specific action items to achieve these collective goals to continue to move Moreno Valley forward. One prioritized goal identified by the Council was to enhance the City's image (see Attachment "A"). An integral part of this is the development of a Media and Communications Strategy that will increase the use of social media and e-mail communications with the community as well as expand communication outreach to the public. Council also directed City staff to develop a series of town hall meetings with at least one meeting conducted in each Council District per year.

In July 2011 the City Council adopted action steps to make Moreno Valley a *Best Place to do Business* (Attachment "B"). One of the five action steps included in the plan was to improve the City's marketing and communication efforts. This Media and Communication Strategy address the necessary steps to ensure the City is successfully and enthusiastically marketed as a *Best Place to do Business* in a cohesive and focused manner.

Council Members, City staff, residents, business owners and local stakeholders often express frustration with the City's image. Simply put, they are unhappy that the perception of our community is negative and not indicative of the overwhelmingly positive reality that we recognize. Understanding that perception oftentimes equals reality, this Media and Communication Strategy aims to better control our message and enhance the dissemination of accurate information about Moreno Valley. Three goals identified to achieve this include:

- ***Goal 1: Ensure <u>accurate</u> information is disseminated to the public***
- ***Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business***
- ***Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services***

This Media and Communications Strategy aims to achieve these goals in a coordinated, concerted, and cost-effective manner. Through effective communication with all of the stakeholders within Moreno Valley, the City can enhance community pride, create a more positive environment, and attract and retain key business partners in Moreno Valley.

Target Audience

Communicating accurate information to better promote Moreno Valley is everybody's job. By providing target audiences with timely and informative news about their community we can help ensure that our many positives outweigh the periodic negative items that occur in every community. It is critical that the City clearly communicates information to the community in a helpful, accessible, consistent, and unintimidating manner to ensure that the citizens, businesses, and visitors to Moreno Valley feel welcome and engaged within in our community.

Primary Target Audience

The primary target audiences for an effective media and communications strategy are the groups of people with whom the City wishes to regularly communicate on a variety of topics and issues:

- Residents of Moreno Valley
- City Council, Commissions, and Committees
- Non-profit organizations
- County, State, and Federal representatives
- Community groups and organizations
- News media
- Development community
- Chambers of Commerce
- Existing businesses, property owners, and managers
- Public agencies
- Employees
- Regional organizations and agencies
- Volunteers
- School Districts
- Visitors to Moreno Valley

Secondary Target Audience

The secondary target audiences are groups with which the City communicates on a semi-regular basis:

- Businesses in neighboring cities and communities
- Other government television stations
- Residents living in neighboring cities and communities
- Future or potential residents

Goals, Strategies and Actions

With the understanding that a Media and Communications Strategy that builds on strong themes is more effective than a program with scattered and unrelated messages, key themes will be communicated frequently in a variety of ways utilizing simple messages. It is important that all communications reinforce and reflect the goals and target issues of the City as established by the City Council, underscoring the idea of an organization with its focus on "people, pride and progress."

Goal 1: Ensure Accurate Information is Disseminated to the Public

Accuracy is the most basic, and also the most critical, element in communicating effectively. The following goals and strategies will assist in ensuring that accurate and timely information is being provided by the City:

Strategy: Ensure continuity of message.

Action:

- **Review and reinforce City administrative policy #2.5, "Public Information & Media Relations"** (Attachment "C"), which establishes procedures and guidelines for the coordination and dissemination of information to the public on behalf of the City. In order to ensure accuracy and continuity of message, all departments will observe this policy, with particular attention to the following (Assigned to: All Departments):

  All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

Strategy: Ensure that the City's Website contains current information and continue to enhance the site to improve user-friendliness

Actions:

- **Perform an audit of the City's website** to ensure that it is user friendly and data rich, and identify areas where processes can be clarified (Assigned to: City Manager's Office and the Community and Economic Development Department)
- **Review the City's main web page daily** for current content and remove any outdated content immediately (Assigned to: City Manager's Office)
- **Reactivate the City's Media Liaison Team**
  - Update the current Media Liaison list to include one representative from each Department that is responsible to maintain the information on their department web pages (Assigned to: City Manager's Office)
  - Team will participate in regular meetings (Assigned to: All Departments)
  - Team will work together to improve the utilization of social media sources (Assigned to: All Departments)
  - Solicit article ideas for submission to various business journals, government magazines, and other news media to promote City programs and events (Assigned to: All Departments)
  - Review the City's *Brand & Style Guide* with all departments to ensure continued and consistent usage (Assigned to: All Departments)
  - Team will review information posted by the webmaster for accuracy (Assigned to: All Departments)

Goal 2: Maximize media and communication resources to 1) better promote the City's many positive events, programs and services, 2) enhance the City's "Shop MoVal" program, and 3) advance Moreno Valley as a Best Place to do Business

Strategy: Develop a retooled marketing plan (Assigned to: Community and Economic Development Department)

Actions:

- **Encourage cooperative marketing opportunities** with targeted area developers to attract tenants through outreach to media outlets and the community
- **Promote the vision that Moreno Valley is a Medical Community** as outlined in the Economic Development Action Plan adopted by City Council in April 2011 through creating media content for the City's website, developing public service announcements, and working with media outlets to distribute storylines detailing this development
- **Brand the City as a Best Place to do Business and as a Job Center**
- **Identify new publications and aggressively pursue publication** of City stories to print media in addition to the Press-Enterprise and working with editors to ensure they are published, including business journals (Assigned to: City Manager's Office and Community and Economic Development Department)
- Work with the Moreno Valley Chamber of Commerce to **videotape the featured speaker at the monthly Wake Up Moreno Valley** meetings for airing on MVTV-3 to promote local programs and businesses (Assigned to: City Manager's Office)
- **Develop a City media packet** with information on City staff and community data (Assigned to: City Manager's Office)
- **Billboard signage campaign** to fill unused billboard space to promote City information for free or at reduced costs. (Assigned to: Community and Economic Development Department)
- Work with the Moreno Valley Police Department to **establish a press release policy** identifying which events and actions warrant media notification. (Assigned to: City Manager's Office)
- MVTV-3 **video productions promoting local restaurants**, similar to current Spotlight on Business productions (Assigned to: City Manager's Office)

Strategy: Develop smartphone applications to improve communication and connectivity (Assigned to: Financial and Administrative Services Department)

Actions:

- **Establish a City committee** to develop the use of Smartphone applications
    - Assign at least one committee member from each department
    - Invite the Chambers of Commerce to participate
    - Survey City staff, community members, and other cities to identify desired smartphone applications specific to Moreno Valley such as:
        - Promoting City events
        - Connecting to City services such as reporting stray animals, graffiti, potholes, etc.
        - Crime tip reporting and online crime maps
        - Places to dine and stay

- **Explore cost sharing opportunities** for the development and maintenance of applications that include:
    - Public Safety related items, seek grants for federal funding opportunities (Assigned to: City Manager's Office, Police and Fire)
    - Chamber of Commerce related items in order to create a "Things to do" and "Place to dine" section for the application (Assigned to: Community and Economic Development Department and City Manager's Office)

Strategy: Create and maintain a Community Calendar

Actions:
- Work with the Chambers of Commerce to **establish a joint community calendar of events** (Assigned to: Community and Economic Development Department and City Manager's Office).
- **Develop an online form** for businesses, non-profit organizations, homeowners associations, schools, etc. to easily submit information on community events that they are sponsoring (Assigned to: City Manager's Office)
- **Promote the Community Calendar events** by distributing the calendar via the City's e-mail database and ensure that the City's Twitter account sends out information in a timely manner regarding these events (Assigned to: City Manager's Office)

Goal 3: Enhance our residents' connection with City Government and demonstrate the value of City services

The City will be proactive in communicating with the community rather than reactive. By taking a positive approach in the planning and execution of communicating with the community, the City will build a stronger rapport with our residents, business owners, and stakeholders. While the City currently offers a variety of ways for its citizens to provide input and learn about City services, it is imperative that the City continues to encourage residents and businesses to communicate both positive and negative issues with their Council representative and with City staff. It is also important to demonstrate the value of City services so that our residents understand and support local government.

Strategy: Enhance direct communications by the City Council and City Staff with the community (Assigned to: City Manager's Office)

Actions
- **Establish Council Connection Town Hall meetings** within each City Council District promoting two-way communication with residents (Assigned to: City Manager's Office and City Council Office)
    - Include meet and greet with Department Heads, remarks by the Council Member and City Manager, a presentation focusing on one topic (public safety, economic development, etc.), and a question & answer session.
    - Post all questions and answers from each Town Hall meeting on the City's web site within on week.

- **Establish City and Business Connection Luncheons** in each Council District as an opportunity for business leaders to communicate with their Council Member (Assigned to: Community and Economic Development Department)
- **Develop and build an e-mail database** to distribute e-mail "blasts" to residents and businesses containing City news and events (Assigned to: City Manager's Office)
- Investigate the **use of podcasting** City Council and Planning Commission meetings (Assigned to: City Manager's Office)
- Convert "City Link" from a quarterly publication distributed as part of "Soaring" to a **monthly e-newsletter** (Assigned to: City Manager's Office)
- **Include performance indicators** in City publications to celebrate accomplishments and educate residents about the benefits of City programs and services.

Strategy: Improve the City's use of social networking

Actions
- **Increase the use of Facebook** by City Departments (Assigned to: City Manager's Office)
- **Increase the number of City followers on Twitter** by providing "how to" training to staff to enhance City Departments' use (Assigned to: All City Departments)
- Increase the community's awareness and viewership of City Programming that is available on **YouTube** (Assigned to: City Manager's Office)

Media and Communications Toolbox

The City uses a variety of interactive communication tools and techniques wherever and whenever possible to involve target audiences in the communications process. This aids in building the idea that this is not just the residents' City or the businesses' City but this is everyone's City. Below is a list of the tools to be used by City staff to communicate effectively with both our primary and secondary target audiences.

- Advertisements
- Booths at major events
- Brochures
- Citizen surveys
- City Council meetings
- *City Link* e-newsletter
- City website
- Comprehensive Annual Fiscal Report
- Fact Sheet
- Facebook
- Internet
- Media packet
- MVTV-3
- New conferences
- Open house events
- Parks and Recreation *Soaring* guide
- Press releases
- Public service announcements
- Publish articles in magazines and business journals
- Radio talk programs
- Town Hall meetings
- State of the City
- Council business luncheons
- Twitter
- Utility Bill Insert
- You Tube

Assessment

City Staff will periodically review and assess progress made in achieving the goals described in this Media and Communication Plan by measuring its success utilizing a variety of tools, including:

- Content of media coverage
- City Council surveys
- Communication and service awards
- Survey e-mail subscribers from the City's website
- News release totals
- Web visitors and Web analyses

Summary

The intent of this plan is to foster proactive communications with the Moreno Valley community and neighboring communities reflecting the many positive aspects of our City; to connect the public with the government by reaching out and establishing two-way communications through a variety of resources; to promote Moreno Valley as a *Best Place to do Business*; and to better control our message by ensuring that accurate information about Moreno Valley is distributed to the public. Every resident, business owner, and employee within the City "owns" a piece of Moreno Valley and it is the job of each of these stakeholders to promote our community as the place to be. This plan is a dynamic strategy that will serve as a road map to assist in this endeavor.

Attachment "A"

Prioritized Goal #5: Enhance City Image
Actions
1. Develop Media & Communications Strategy: a. Increase use of Social Networks b. E-mail Blasts c. Expand Communication Outreach/ Networking d. District Town Hall Meetings
2. Corridor Beautification Program

Further defined tasks, responsible department, and schedule:

TASK	DEPARTMENT	SCHEDULE
Develop database of e-mail addresses to distribute immediate information to residents, businesses, and other agencies	**CMgr**	**June 2011**
Transition "City Link" newsletter to an on-line e-newsletter posted on the web site and automatically e-mailed to subscribed residents and businesses	**CMgr**	**July 2011**
Expand options for distributing City information to magazines and news outlets, promote the community and events via alternative publications and through attendance at various meetings	**CMgr**	**September 2011**
Explore and discuss District Town Hall meetings with the Council, establish a schedule for quarterly or semi-annual events	**CMgr**	**June 2011**
Review options for a Citywide Corridor Beautification Program for Council consideration	**PW**	**August 2011**

"Attachment B"

Recommendations for Action Steps

to Make Moreno Valley a "Best Place to do Business"

Development Services

- Implement the use of "E-permitting" to accelerate the process of doing business in Moreno Valley

- Expand and strengthen business and development ombudsperson program to include new or expanding small businesses.

- Host quarterly workshops with contractors and developers aimed at improving development processes in Moreno Valley.

- Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business.

- Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

Business Attraction

- Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

- Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Business Retention and Expansion

- Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

- Pursue ways to increase local vendor preference, including expanding existing procurement policy.

- Implement a new meeting program with local businesses to discuss business opportunities. The Program would be held once a year in each Council District and include the opportunity to talk to the Councilmember, City Manager, and Community & Economic Development Director. The Program will compliment the existing Business Roundtable.

- Enhance the Business Resource Guide.

Marketing and Communication

- Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

- Develop a re-tooled marketing plan to incorporate the following:
    - Cooperative marketing opportunities with targeted area developers to attract tenants
    - Identifying the City as a medical community
    - Brand the City as a job center

- Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

- Increase use of social media.

- Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

- Explore use of Smartphone apps for improved communication and connectivity.

- Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

Community Vitality

The best places to do business also reflect characteristics of the best places to live. These places tend to exude a "sense of place" reflected in aspects of quality of life including activity, arts and culture, and beauty in the environment.

- Explore additional community events- things to do.

- Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

- Enhance neighborhood groups by implementing community update meetings.

PUBLIC INFORMATION & MEDIA RELATIONS

PURPOSE: To provide procedures and guidelines for coordinating and disseminating information to the public on behalf of the City of Moreno Valley. The policy will be modified and expanded as necessary.

STATEMENT: The City of Moreno Valley shall provide timely and accurate information to keep the Council, staff and community apprised of pertinent City issues, services and events. The City shall utilize appropriate and effective means to communicate its messages to both general and target audiences. This policy contains guidelines that will achieve the City's communications objectives and facilitate a successful working relationship with the local and regional media.

POLICY GOALS:

- Fully utilize the news and special interest media, MVTV-3, City publications and the City Web site as an effective means of communicating with citizens and target groups (including business sector, community leaders, homeowner groups, City employees).
- Facilitate the timely flow of public information to appropriate media through an effective internal process that maximizes message consistency, factual accuracy and proper positioning.
- Educate the community about how government works and encourage citizen participation in the policy-making process.

POLICY:

I. **General Public Communications:**

A. Letters and opinion surveys designed for mass distribution shall be reviewed by and coordinated with the City Manager's Office for content and format analysis and for placement strategies.

B. All printed materials (fliers, posters, signs, pamphlets, brochures, advertisements, maps, presentation materials, etc.) designed for distribution to and/or viewing by the public shall be reviewed by the Public Information Officer prior to printing or copying.

II. **Federal Regulations for Newsletters and Mass Mailings:**

A. FPPC Compliance: All newsletters and mass-distributed documents prepared at "taxpayers' expense" that are to be mailed or delivered to 200 or more residences or businesses in a single calendar month must comply with guidelines established by the Fair Political Practices Commission with respect to how elected officials are identified in these materials. (A complete copy of these regulations is printed in the California Code of Regulations, Title 2. Administration, S18901, et seq., and on file in the City Attorney's Office.) Following are the major guidelines and restrictions:

1. A newsletter may include an article which references the name of a City Council member only if the Council has no control or review authority over the content of that newsletter. (This "independence" test is not violated if the Council merely approves a budget item to fund the newsletter, hires the staff to produce it, and dictates the frequency that the newsletter will be distributed.) If City staff determines that the independence test has been met, then they may include references regarding the activities of Council members as long as their names are not "featured."

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a. "Featured" is defined as "...singles out the elected officer by the manner of display of his/her name or office in the layout of the document, such as by headlines, captions, type size, typeface, or type color." Therefore, except for the roster listing of all of the Council members or use of letterhead, the name of an elected officer may not be set apart from the text, such as indicating that the author of the article was an elected official by putting their name in the caption to the article.

b. The name or office of a Council member may not be in the headlines of the article, because the type size and typeface of that heading is different from the type size and typeface of the text of the article.

c. The definition of "featured" also provides that the item distributed may not include the Council member's photograph or his/her signature.

2. The City or a Council member may send out informational notices on City stationery which meet the 200-per-month threshold as long as such notices do not reference the name of that elected official in the heading, text or by use of his/her signature. It may, however, be permissible to include the name of that elected official in the text of that notice printed on the City stationery as long as it was not prepared or sent in cooperation, consultation, coordination or in concert with that elected officer and it does not "feature" his/her name.

3. FPPC regulations allow Council members to send a letter which "features" their name by the manner of its display or by use of their photo or signature if it is a press release or editorial sent to members of the media. Therefore, there is no limitation on the content or format of any document sent only to members of the media. In addition, the number of copies of a mailing which is sent to the media is excluded from the 200-per-month threshold level.

4. The FPPC has opined that the intent of the guidelines governing printed material also applies to video productions prepared at taxpayer expense; a Council member may not be featured in such video production in any way that may be construed as promotion of the Council member. The role of an elected official in a tax-supported video production must be limited to educating and informing the public, to retain FPPC compliance.

III. **Media Response Philosophy**:

A. Timely and Accurate Responses: The City encourages accurate press coverage of programs, events and decisions which could be of interest and impact a significant segment of the community. In this regard, the City and the media have a mutual responsibility to provide accurate, objective information of City affairs to City residents. Inquiries from the news media are to be given a high priority and be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate and messages properly developed.

IV. **Press Releases**:

Press releases are any official written or verbal announcements initiated by City Hall to the media regarding official City business.

A. Responsibility. All media releases relative to major citywide policies and actions shall be prepared and distributed by the City Manager's Office. Other departments that may prepare their own releases include:

1. Parks & Community Services Department, promoting special recreational and cultural activities.

2. Police and Fire departments, providing fast-breaking news updates regarding major police and fire activity.

B. Assistance. Upon request, the City Manager's Office will provide assistance with media releases prepared by those above. Other departments requiring press releases or technical assistance in preparing press releases should provide the CMO with written information pertaining to the topic as well as any special distribution list.

C. Release Preparation & Format. Press releases shall be prepared according to the City's established format. Releases are kept on file in the City Manager's Office. A copy of all media releases distributed by any unit outside of the City Manager's Office should be forwarded to the City Manager's Office, which in turn will maintain a master file of press releases.

V. **Release of Information Pertaining to Significant Issues & Events**:

A. Definition of Issues. It is the responsibility of department directors to notify the City Manager of significant events or issues which occur within their departments which may be of major interest to the general public or media. Such issues include, but are not limited to:

1. An event/issue in an operating department or program that is controversial.

2. Injury or death of a City employee while on or off official duty.

3. Major malfunctions of a City facility which could impact the general welfare of the public or environment.

4. An unexpected work stoppage or inability to provide a critical City service.

5. The arrest or conviction of a City employee which may impact that individual's ability in successfully carrying out his/her professional responsibility.

6. Major police or fire activities. *(Note: This is handled through the City's Emergency Notification Policy.)*

B. Reporting Procedure. Once receiving the information, the City Manager will determine if it is necessary to contact the City Council, other department directors and the City's Public Information Officer. If public release of information is deemed appropriate, the City Manager, in consultation with the department director and the Public Information Officer, will determine the most appropriate mechanism in notifying the press.

C. Back-up Procedure. If the City Manager is unavailable, the department director should contact the Assistant City Manager, then the Public Information Officer directly for dissemination of information. On those occasions when neither of these individuals or an acting City Manager is available, the department director should use his/her own judgment in releasing information to the press on fast-breaking news stories.

PUBLIC INFORMATION & MEDIA RELATIONS

VI. **Who Responds to Media Inquiries**:

A. Spokesperson. The City Manager will respond directly or designate a media spokesperson to respond to an issue of major public significance to ensure that the information is disseminated quickly and accurately to all interested media sources. When such a designation is made, the City Manager will notify the appropriate department director(s) and the Public Information Officer to forward all inquiries regarding the particular issue to the appointed spokesperson.

B. Media Contacts to Staff. Non-management employees shall refer media inquiries to their department heads. A department director may delegate an employee to respond to an inquiry because of her/his involvement with an event or issue. In such cases, the staff member should work with the department director and Public Information Officer before the interview to develop appropriate responses to anticipated questions.

C. City Council. Whenever possible, Council members are encouraged to notify the City Manager or Public Information Officer when they are approached by the media. Especially when having to respond to controversial issues, Council members are encouraged to review the issue with the City Manager and Public Information Officer to formulate their response.

D. Public Safety. The Disaster Director (City Manager or Assistant City Manager) will work with the Public Information Officer to develop media responses in the event of major emergencies and disasters. A more detailed description of emergency public information procedures are contained in the City's Standard Operating Procedures (SOP).

E. Police & Fire Issues. Whenever there is a fast-breaking story involving a major police/fire activity, the first media contact is the Police or Fire Chief or his/her designee, followed by the City Manager, public safety liaison and the Public Information Officer,.

Throughout the entire chain of responsibility, it is essential that each individual involved in providing information to the media is kept abreast and briefed on the status of the event as it occurs. The chain of command can be modified to expedite release of crucial information.

VII. **What to Do When Contacted by the Press**:

All media inquiries received by staff should be responded to as quickly as possible, keeping in mind the frequent deadlines that are often imposed upon the working media. Clerical staff should be instructed to give priority to media calls by alerting their respective department head of media inquiries.

A. Determine Nature & Focus of Story. It is important to determine the focus of the story as well as the specific information desired by the reporter. What may seem to be an "innocent" information request, oftentimes can turn out to be a front-page story, distorting the data supplied by the City. That's why it is always important to determine the reporter's focus and slant.

B. Notification Procedure. Any staff member (management or non-management) who responds to a media inquiry, provides an interview, appears on a radio or television program, etc., shall notify his/her immediate supervisor, the department director, the City Manager and the Public Information Officer either by phone or written memo.

Regarding controversial matters, the City Manager and/or Public Information Officer must be consulted before conducting the interview. This gives the spokesperson the opportunity to review anticipated questions and to formulate and properly position appropriate responses.

Departments which have on-going daily contact with the media are not required to follow the notification procedure for every media contact, only those which involve significant issues of concern.

VIII. **Media Etiquette**:

There are some very important "do's" and "don'ts" that should be observed in strengthening the relations between City Hall and the local media.

A. Responding to Council Actions. Staff should not publicly make judgmental comments regarding individual Council members, Council actions, City administration or official City policy when responding to media inquiries. Staff should also refrain from anticipating an action or position which has not been formally taken by the City Council or City. Any inquiry regarding "why" an individual Council member voted in a particular manner on a specific issue should be forwarded to the Council member in question.

B. Scope of Response. Staff members should not respond to media inquiries which are not directly related to carrying out the employee's professional responsibilities. If such a media inquiry is made, the staff members should assist the media in receiving the needed information by referring the source to the appropriate program manager or the Public Information Officer..

C. Inaccurate Information. The media should not be intentionally misled or provided inaccurate information by a staff member regarding any City policy or event. Such tactics can lead to "city bashing," media skepticism and unwanted investigations.

IX. **Public vs. Confidential Issues**:

Most City records and official City meetings are open to the public and media. The media are no more or less privileged than the general public in being provided access to City Council meetings and City records. While City operations need not be disrupted or extraordinary accommodations made to provide access to public records, it should be emphasized that adequate information provided to the media or the public is beneficial both to citizens and the City in carrying out its public information efforts.

A. Attendance at Meetings. The media and public are encouraged to attend and report on actions taken at Council meetings, study sessions, as well as regularly scheduled committee and commission meetings.

B. Closed Sessions. Public and media attendance is not allowed at closed Council sessions dealing with litigation, security, negotiations or personnel-related matters.

C. Public Records. The media and the general public shall be provided access to all records or proceedings which have been deemed to be of a public nature including:

1. Written and taped proceedings of City Council meetings, committee and commission meetings, special ad hoc committee meetings and public hearings.

2. Official City contracts and resolutions.

3. Public Safety summary, including the following information:

   a. crime reports
   b. booking information
   c. traffic collision reports
   d. fire reports (accidents causing death, injury, severe damage)
   e. fire inspection records for public assembly facilities

4. Salary grades of City employees, upon request.

5. FPPC/conflict of interest disclosure statements filed by the Council, commissioners and affected City staff.

6. Interoffice correspondence that is not in draft form and does not address a personnel or confidential legal matter.

D. Closed Records. City records that constitute an unwarranted invasion of individual privacy or involve confidential legal matters of City litigation are usually exempt from public disclosure. Such records include:

1. Personnel or medical records of City employees, including performance evaluations, background checks, disciplinary action, and such similar records.

2. Actual proceedings of closed Council sessions. (The media can be told whether the Council will be discussing a litigation or personnel issue.)

3. Preliminary labor negotiations leading up to labor contracts. Once executed, all employment contracts--both individual and union--become public records.

4. Certain police/fire records, including juvenile records, prior criminal records or information regarding the character or reputation of an accused individual in a criminal action; and certain fire investigation records.

5. Draft correspondence, including preliminary notes not yet finalized.

6. Records pertaining to pending City litigation in which the City is a party.

7. Confidential memos between the City Attorney and City officials/staff.

NOTE: In situations where there is a discrepancy or uncertainty on the part of a City employee regarding release of an official record to the media, the City Attorney should be contacted to make the final determination. Specific categories of records may be exempted by the Public Records Act.

E. Litigation Issues. Staff members shall not respond to media inquiries regarding an issue involving City litigation or render personal or legal opinions on City policies or activities. If an employee is in doubt, the City Attorney should be contacted for clarification before responding to a media inquiry.

X. **Correcting Misinformation**:

The City has an obligation to clarify or correct any information released by the media which contains inaccuracies or quotes taken out of context relating to a City issue.

A. Factual Discrepancies. The Public Information Officer shall contact the media when a story has been published or aired containing factual error which significantly impacts the public's perception of the issue being addressed. Managers are encouraged to notify the Public Information Officer immediately when they believe incorrect information is being communicated by the press regarding a City issue or program.

B. Editorial Discrepancies. Managers should contact the Public Information Officer when there is evidence that a specific editorial comment or news story has been published or aired which does not appropriately represent a balanced perspective of the issue being discussed. The City Manager, in consultation with the Public Information Officer, will determine when an official City rebuttal or response is appropriate.

C. Letters to the Editor. Department directors who believe an official City rebuttal is warranted regarding a news story should discuss the issue with the City Manager's Office. They will determine if a response is appropriate, as well as who should prepare and sign the letter. The City Manager must authorize and review all letters sent to editors on official City letterhead and/or by an employee who is acting in an official capacity commenting on City issues or programs.

D. Responding as Private Citizens. City employees who choose to contact, initiate or respond to City-related news stories as private citizens shall not prepare such responses on City time, by City phones, on City stationery, or mail at City expense. Responses or letters shall not state or imply that the response is on behalf of the City. Use of City facilities or supplies is prohibited. These guidelines also apply to employees responding to or initiating press contacts as official representatives of City-sanctioned employee groups.

XI. **Public Meeting Notification**:

Public notices are any printed official announcement which notifies the community of a scheduled public meeting or hearing. The announcement can take the form of a flyer, legal notice or form letter for mass distribution. A copy of all printed notices should be submitted to the City Manager's Office.

A. Public Meetings. Departments will be responsible for developing and disseminating notices announcing public meetings and hearings. Most affected are the City Clerk's Office, the Community Development Department, the Economic Development Department, the Redevelopment Agency, and the Public Works Department. The City Manager's Office will lend editorial graphics assistance in developing the notices.

B. Agenda Notification. City Council agendas shall be made available to the public prior to Council meetings at the City Clerk's Office, at public facilities designated by the Clerk and the City's Web site. Copies shall be made available to the news media at the City Clerk's Office.

XII. **Advertising**:

A. Display Advertising. The City Manager's Office coordinates development and placement of media advertising to promote City programs, services, events and issues. All requests for advertising must be

submitted to the City Manager's Office, which will coordinate copy development, graphic design and media placement with the requesting department. This policy does not apply to employment and legal advertising, which will be coordinated by the appropriate departments (i.e., Human Resources and City Clerk, respectively).

B. Public Service Announcement. The City Manager's Office is the central coordinator for developing and placing public service announcements with the broadcast media (radio, TV and cable). PSA spots are announced free by the media as a community service. Two-to-three-week lead times are desired by most stations. All requests for PSAs must be submitted to the City Manager's Office, which will coordinate copy development and placement with the requesting department.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 27, 2011

TITLE: ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

RECOMMENDED ACTION

Staff recommends that the City Council review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

BACKGROUND

The City of Moreno Valley is intent on moving quickly to improve the economic condition, development services, and quality of life within the community through a variety of methods.

Several actions have taken place to set this effort in motion:

1. March 22, 2011 - the City Council reviewed and provided input for an Economic Development Plan- Areas of Opportunity brought forth by the Community & Economic Development Department.

2. April 26, 2011 - the City Council adopted a 2-year Economic Development Action Plan targeting five key areas within the twelve Areas of Opportunity that have the potential for yielding the best and quickest near-term economic development benefits. These areas include TownGate, Centerpointe Business Park, South Moreno Valley Industrial Area, East Moreno Valley-Rancho Belago, and City Center. Included in the adoption of the 2-year Action Plan was the strategic decision of the re-sequencing of several Capital Improvement Program projects aimed at bolstering the economic development within the five focus areas.

Collectively, the objectives for the Economic Development Action Plan are 1) creating jobs and addressing the high unemployment rate; 2) addressing the jobs to housing imbalance; 3) strengthening and broadening the local economic base; and 4) enhancing City revenue generation.

3. June 14, 2011 - the City Council adopted the Prioritized Goals and Action Plan that was developed through the City Council Goal Setting workshop held on May 18, 2011. The adopted goals include: 1) Job Development; 2) Focus on further development of the Medical corridor and Health Services/ Educational Opportunities; 3) Maximize Transportation and Infrastructure Opportunities; 4) Economic and Tax Base Development; and 5) Enhance the City's Image.

4. July 12, 2011 - the City Council approved the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

DISCUSSION

To keep City Council and the general public properly informed, the attached documents provide an update of progress towards achievement of the objectives in the initiatives set forth among the five key Areas of Opportunity in the Economic Development Action Plan, along with implementation of the action steps aimed at making Moreno Valley a Best Place to do Business. Significant planning and substantial progress as been achieved in all five geographic areas contained in the Economic Development Action plan including:

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- East Moreno Valley- Rancho Belago
- City Center

To be as effective as possible, City staff from Economic Development has worked both internally with other departments as well as externally with the private sector and other public agencies to fully capitalize on near-term opportunities. As just one example of interdepartmental synergy, and in tandem with this Economic Development Action Plan Update, the City Manager's Office has developed and is proposing a Media and Communications Strategy containing elements that will serve to support and/ or expand the aspects of the approved action items listed in the Action Steps for Making Moreno Valley a Best Place to do Business. Staff, along with support from the Economic Development Subcommittee also continues to work hard at enhancing the development services process in Moreno Valley. A developer's workshop was held this past Spring and another will occur on October 6. The workshops are aimed at gathering feedback from developers (residential, office, industrial, and office) about ways to improve service delivery.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and polices to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Moreno Valley has a strategic location in the Inland Region and is clearly in the path of growth. City staff have taken several significant steps to enhance its economic base by pursuing ways for new commercial retail, office and industrial development. The five specified areas of opportunity focused within the proposed Economic Development Action Plan were selected because of location and potential for realizing success in the near-term development marketplace. Additionally, the Action Steps identified in the strategy to make Moreno Valley a Best Place to do Business are being implemented to further enhance the business and development environment in Moreno Valley. In a short period of time, Moreno Valley has made positive strides towards achieving the goals set forth in the approved and adopted plans. We will continue to pursue ways to make Moreno Valley a great place to live, visit, work in, and do business.

ATTACHMENTS/EXHIBITS

Attachment A- Economic Development Action Plan Update
Attachment B- Best Place to do Business Progress Update
Attachment C- PowerPoint – Economic Development Action Plan Update

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurs With:
Henry Garcia
City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00133598

Attachment A

Economic Development Action Plan Update

The focus of the Economic Development Plan- Areas of Opportunity was to create a well-rounded community with a strong economic foundation. The Areas of Opportunity contain twelve distinct areas. To capitalize on near-term opportunities, the City Council adopted the Economic Development Action Plan which focuses on several key initiatives within five of the Areas of Opportunity to be pursued within a short- term, or 2 year timeframe.

The following reiterates the plan focus and current progress achieved by Areas of Opportunity.

TownGate

Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area, including pursuing new users for vacant big-box retail space in TownGate Center and the Moreno Valley Mall.

Significant progress has been made in TownGate. The collaborative work between City staff and Developers to attract quality retailers and restaurants has been successful.

- The following three restaurant openings have occurred: Five Guys Burgers & Fries, Panera Bread, and Village Café. Additionally, the Miru Teriyaki and Sushi restaurant opened as a relocation and repositioning of the San Sai restaurant. Anna's Linens completed their relocation to TownGate Crossings and is now open with an updated retail concept. Work is underway for other activity including a new TJ Maxx and HomeGoods combo store for TownGate Center to be located in the 51,000 square foot building that was previously occupied by Ralph's grocery store. Promising negotiations continue with several other retailers to occupy the other two vacant anchorspaces.

- To assist the effort to attract users for vacant retail space and create new energy in TownGate Center & Plaza, the Fritz Duda Company will be constructing a new 80 foot freeway sign to replace the existing 35 foot high freeway sign. This will enhance visibility and provide additional space to promote more tenants.

- In TownGate Promenade, the restaurant building that was 65% constructed to originally be Carino's Italian Grill is now poised for construction completion. The project lender, Farmers & Merchants Bank, is working with a proven restaurant group to locate and open a new restaurant concept here.

- At the Moreno Valley Mall, the new owner - CW Capital is working on plans to upgrade, expand and reposition the 1.25 million square foot regional mall property. Architect firm Altoon + Porter has been retained and has already created conceptual plans for new restaurant and retail store opportunities. While the planning is preliminary, it demonstrates the commitment by CW Capital to the overall improvements of the Moreno Valley Mall and resolve to make it a thriving commercial center. CW Capital has already invested more than $250,000 in signage and interior improvements. Negotiations are underway with several desirable users.

Centerpointe Business Park

Advance the development on several projects in the Centerpointe Business Park area.

- Harbor Freight Tools is nearing completion of improvements for a new 779,016 square foot Distribution Center that is scheduled to open in November 2011 and will employ 350 workers. Additionally, staff has worked with Harbor Freight Tools to open a new Harbor Freight Tools retail store this November in Moreno Valley Plaza.

- Overton Moore Properties recently re-started the plan check process (building and grading) for a new 519,760 square foot industrial building to be situated on 25.9 acres at the northwest corner of Cactus Avenue and Frederick.

- Ridge Property Trust is moving forward in the planning process for a 353,869 square foot distribution building on 16.55 acres at the northwest corner of Cactus Avenue and Joy Street.

South Moreno Valley Industrial Specific Plan Area

Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area.

- Construction is underway for the First Inland Logistics Center, a 691,960 square foot industrial building located on 40 acres in the area between Nandina Avenue and San Michele Road just west of Perris Boulevard. Building permits were issued in late July and the concrete slabs were poured in August. Walls are going up now. Developer – First Industrial Realty Trust has negotiations ongoing with several prospective tenants.

- IDS Real Estate group is moving quickly on the development of the Nandina Distribution Center located at the northwest corner of Nandina

Avenue and Indian Street. The project includes a total of 1.18 million square feet, with Building B- 769,320 square fee under construction, and Building A- 413,598 square feet, is currently in plan check for construction drawings and grading plans.

- Being open 1 year, iHerb is already expanding to occupy the entire 360,440 square foot building located on the west side of Indian Street, north of the Perris Valley Storm Drain. This expansion includes increasing the number of employees by 75.

- Harman Kardon has leased the remaining 125,000 square feet available in their 400,000 square foot building and is now expanding its Distribution Center in Moreno Valley.

- Four industrial-distribution buildings with a total of 3.6 million square feet are in plan check and moving towards beginning construction this year.

Eastern Moreno Valley-Rancho Belago Area

Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in eastern Moreno Valley, in conjunction with the expiration of the Moreno Highlands Specific Plan and supporting Development Agreement.

- Development Services Staff continues to work with Highland Fairview and Skechers USA to open the new 1.82 million square foot Distribution Center at the Highland Fairview Corporate Park. A Temporary Certificate of Occupancy currently is in place and the facility is expected to be fully operational by October 2011.

- Ridge Property Trust has gained approval of West Ridge Commerce Center- a 937,000 square foot warehouse/ industrial building on 55 acres on the south side of SR 60, west of Redlands Boulevard.

- Prologis has re-started the planning and EIR processing of its five-building 2,268,000 square feet industrial business park proposed for the south side of the SR 60 just east of the Moreno Valley Auto Mall.

- Staff is working closely with Highland Fairview on formulating an effective methodology for the further development of the Highland Fairview Corporate Park, including the processing of a new master plan to replace the Moreno Highlands Specific Plan, which expires in September 2012. Highland Fairview has assembled a team of respected consultants that has already met with City staff to kick-off the plan development for this new project.

City Center

Re-sequence and fast-track three Capital Improvement Projects in the City Center area—1) SR60 south ramps and extension of Eucalyptus to connect with Moreno Beach, 2) installation of ultimate improvements on Cactus Avenue, between Lasselle and Nason and 3) the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue, along with pursuing the idea of repositioning part of the Aqua Bella area to expand the City's established medical office overlay zone.

- Construction is on schedule for new ramps at SR 60/ Nason Street. The bid process will occur in spring 2012 for the new SR 60/ Nason Street bridge.

- The improvement project for installation of the new SR 60/ Moreno Beach southerly ramps, along with the extension of Eucalyptus Avenue to connect with Moreno Beach Drive has secured environmental clearance from CalTrans and is in the process of acquiring right of way and utility rights. Concurrently, project design is underway. The project is scheduled to advertise for construction bids in August 2012.

- The installation of the ultimate improvements on Cactus Avenue between Lasselle Street and Nason Street and the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue will be built as one project. Plans, specifications and estimates are underway and anticipated to be complete this fall enabling the opening of construction bids. Completion of construction is anticipated for December 2012.

- The City's medical overlay zone is being pursued by forming a partnership with Highland Fairview on the development of a new major medical, health and wellness campus on approximately 200 acres of the Aqua Bella property. The project, along with expansion plans for Kaiser Permanente's Community Hospital, Riverside County Regional Medical Center and Moreno Valley College's Allied Health Services Program will help transform and position Moreno Valley into a leading health and wellness community.

- Kaiser Permanente is advancing expansion plans for Moreno Valley. The Planning Commission approved a 74,000 square foot new medical building to be constructed on the west side of Moreno Valley Community Hospital- Kaiser Foundation on Iris Avenue. Construction drawings and grading plans are in plan check and Kaiser expects to start development of the project in October.

- The newly erected digital Moreno Valley Auto Mall freeway sign along SR 60 is up and looks great. The Moreno Valley Auto Mall is now expanding

as Moss Bros. Auto Group brings Volkswagen of America Inc. to the Auto Mall in October 2011.

- While struggling with challenges from the short-term construction activity at SR 60/ Nason, the ownership of Stoneridge Towne Centre- Weingarten Realty and Trilogy Investment Group are excited about the completion of the many improvements at SR 60 at Nason and Moreno Beach, along with roadway enhancements on Nason and Cactus that will facilitate easier access to the shopping center.

- Merlone Geier has secured interest from several prospective tenants for the vacant retail space at Moreno Beach Plaza II (SW corner of SR 60 and Moreno Beach Drive). With the coming improvements including the new SR 60/ Moreno Beach ramps and connection of Eucalyptus to Moreno Beach, the finalization of leases are underway.

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MV00133604

Attachment B

Best Place to do Business Progress Update

As part of the effort to improve the City's economic development effectiveness, a study of more than thirty communities was conducted to identify key attributes of successful cities. The items listed in the Best Place to do Business Action Steps approved by City Council in July 2011 were derived as a result of the study. After roughly 60 days post-approval of the Best Place to do Business Action Steps, City staff has made the following progress as outlined by Action Step.

Development Services

1. Implement the use of "E-Permitting" to accelerate the process of doing business in Moreno Valley.

Community & Economic Development Department staff and the Technology Services Division of the Financial and Administrative Services Department staff have begun discussions about identifying a scope of work, funding sources and timeframes. Technology Services is currently underway with the conversion of City electronic processes to the New World System and will be largely dedicated to the implementation of that project for the next 18 months. Staff will continue discussions and working towards completion of preliminary analysis to define the specific needs to be met by an "E-permitting" system for Development Services.

2. Host workshops with contractors and developers aimed at improving development processes in Moreno Valley.

The first 2011 Developer Workshop was held March 7. As a follow up and consistent with the effort to enhancing communication with contractors and developers and improving development processes, the second workshop is scheduled for October 6. A regularly quarterly schedule for 2012 will be established via the Economic Development Subcommittee.

3. Improve Pre-Project Review Staff Committee (PRSC) and PRSC process to include project management services to small business. A number of small businesses have utilized the project review process to help advance development an/ or expansion plans.

4. Create consistent explanation (website and handouts) of codes and processes, and to provide clarity and coordination of development services processes.

This action is addressed in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Business Attraction

1. Identify and form key industry leadership groups to create industry specific synergy in the community helping to mitigate any obstacles to business attraction and help develop strategies to attract industry related business and workforce, improve city processes, and evaluate policies that may require updating to support the objectives outlined in the Economic Development Action Plan.

Further ground work must be accomplished to solidify this area of the action steps to identify and create meaningful groups to provide a comprehensive plan that will address the goals described above.

However, the National Association of Industrial and Office Properties (NAIOP) Inland Empire Chapter offers a Bus Tour of key development projects in and around the Inland Empire. Members of this real estate organization range from developers, brokers and site selectors to financiers and corporate real estate leaders. Community and Economic Development Staff is working to ensure that Moreno Valley projects are highlighted on the November 3, 2011 tour. This will be an opportunity to communicate with the attending members about the opportunities for developers and tenant brokers.

Additionally, Community & Economic Development staff exhibited and attended the September 8-9, 2011 International Council of Shopping Centers (ICSC) Western Division Conference to market the City of Moreno Valley as an opportunity for tenants and developers. The Community & Economic Development Director held twenty-four meetings in two days promoting the City and solidifying deals.

2. Explore policy development for the creation of a tiered Moreno Valley Electric Utility "Economic Development" rate structure and incentive program.

Staff is gathering information from programs from other cities.

Business Retention and Expansion

1. Develop ways to expand the Shop MoVal campaign to provide more exposure for local business and encourage increased business-to-business relationships.

An expanded program to include direct participation by Moreno Valley businesses is under development and will be included as a report to City Council in the coming months.

2. Pursue ways to increase local vendor preference, including expanding existing procurement policy.

Staff is gathering information and is working toward the development of a vendor's fair.

3. Implement a quarterly meeting with local businesses and vendors to discuss business opportunities with the City.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

Business & City Connecting is the new program targeting businesses by Council District to engage businesses on a micro level. A meeting has been scheduled for each Council District. The first meeting took place September 14 in Council District 2 and will be followed by Council District 4 on November 9; Council District 3 on February 8, 2012; Council District 5 on April 11; and Council District 1 on June 13.

4. Enhance the Business Resource Guide.

The Business Resource Guide was updated and published in Spring 2011. The Guide is available online only to reduce costs for printing. Hyperlinks are used within the document online to make it easy for the user to find the desired resource. In addition to traditional promotion of the Guide (link on website main page; MVTV-3 Bulletin; and word of mouth via chamber partners) staff produced a small postcard sized promotional card as a take-away for the public. Cards are placed at public counters at City Hall and the Conference and Recreation Center and are distributed at Chamber of Commerce meetings and events.

Marketing and Communication

1. Perform an audit of the City's website to ensure that it is user friendly and data rich, and identify areas where processes can be clarified.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

2. Develop re-tooled marketing plan

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business. Because branding is ultimately an experiential affect on consumers or publics, the specific branding of the City will take place over time. Specific elements of the overall plan will be addressed as funding and staffing opportunities becomes available.

3. Create an e-newsletter or explore other communication methods to improve residents' and business' knowledge about what's happening in the City.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. The conversion of the printed version of City Link from a printed distribution to a monthly electronic newsletter is complete. However, plans for an economic development focused e-newsletter targeting real estate professionals and the business community are underway by Community and Economic Development staff. Timing for distribution will be carefully coordinated so as not to burden subscribed recipients.

4. Increase use of social media.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community. As communications programs increase, the integration of simultaneous communications tools will become more commonplace.

5. Create and maintain a community calendar to include business networking and education opportunities as well as community events and meetings.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business.

6. Explore use of Smartphone apps for improved communication and connectivity.

This action is addressed as a strategy in the proposed Media and Communications Strategy under Goal 2: Maximize media and communication resources to 1) better promote the City's many positive City events, programs and services and 2) advance Moreno Valley as a Best Place to do Business

7. Encourage on going feedback (How are we doing?) by posting regular surveys on the city's website.

This action is addressed as an action in the proposed Media and Communications Strategy under Goal 1: Ensure Accurate Information is Disseminated to the Public.

Community Vitality

1. Explore additional community events- things to do.
2. Explore idea of annual corporate sponsorship programs to create marketing value for local business and provide funding for community events.

July 26, 2011 City Council formed the July 4th Advisory Committee to make recommendations for improving the July 4th festivities as well as develop partnerships in the community to assist in its funding.

3. Enhance neighborhood groups by implementing community update meetings.

This action is addressed in the proposed Media and Communications Strategy under Goal 3: Enhance direct communications by the City Council and City Staff with the Community.

On August 11 the first "Council Connection" Town Hall meeting was held. Future "Council Connection" meetings are scheduled through November by the City Manager's Office. Also, the Business & City Connecting program was launched September 14. The next meeting is scheduled for November.

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MV00133610

ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

September 2011

MORENO VALLEY
WHERE DREAMS SOAR

MV00133611

Accomplishments to Advance Economic Development

- Identification of Economic Development Areas of Opportunity
- Approval of Economic Development Action Plan
- Adoption and State Certification of Updated Housing Element recognizing need to address jobs to housing imbalance
- Approval of Action Steps to make Moreno Valley a "Best Place to do Business"

MV00133612

Accomplishments to Advance Economic Development

- City Council adopted the Prioritized Goals and Action Plan from City Council Goal Setting workshop
- Combining Planning, Building & Safety, and Land Development with Economic Development to create the Community & Economic Development Department
- Pursuing efforts to ensure the continuation of the City's Redevelopment Agency
- Collaborating with major Developers on advancing projects

MV00133613

Objectives for Economic Development

- Create jobs locally and address City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen and broaden the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

MV00133614

Economic Development Action Plan

Focusing on key initiatives to be provided in 2 years

TownGate

Centerpointe Business Park

South Moreno Valley Industrial Area

Eastern Moreno Valley – Rancho Belago

City Center

MV00133615

Action Plan
Areas of Opportunity

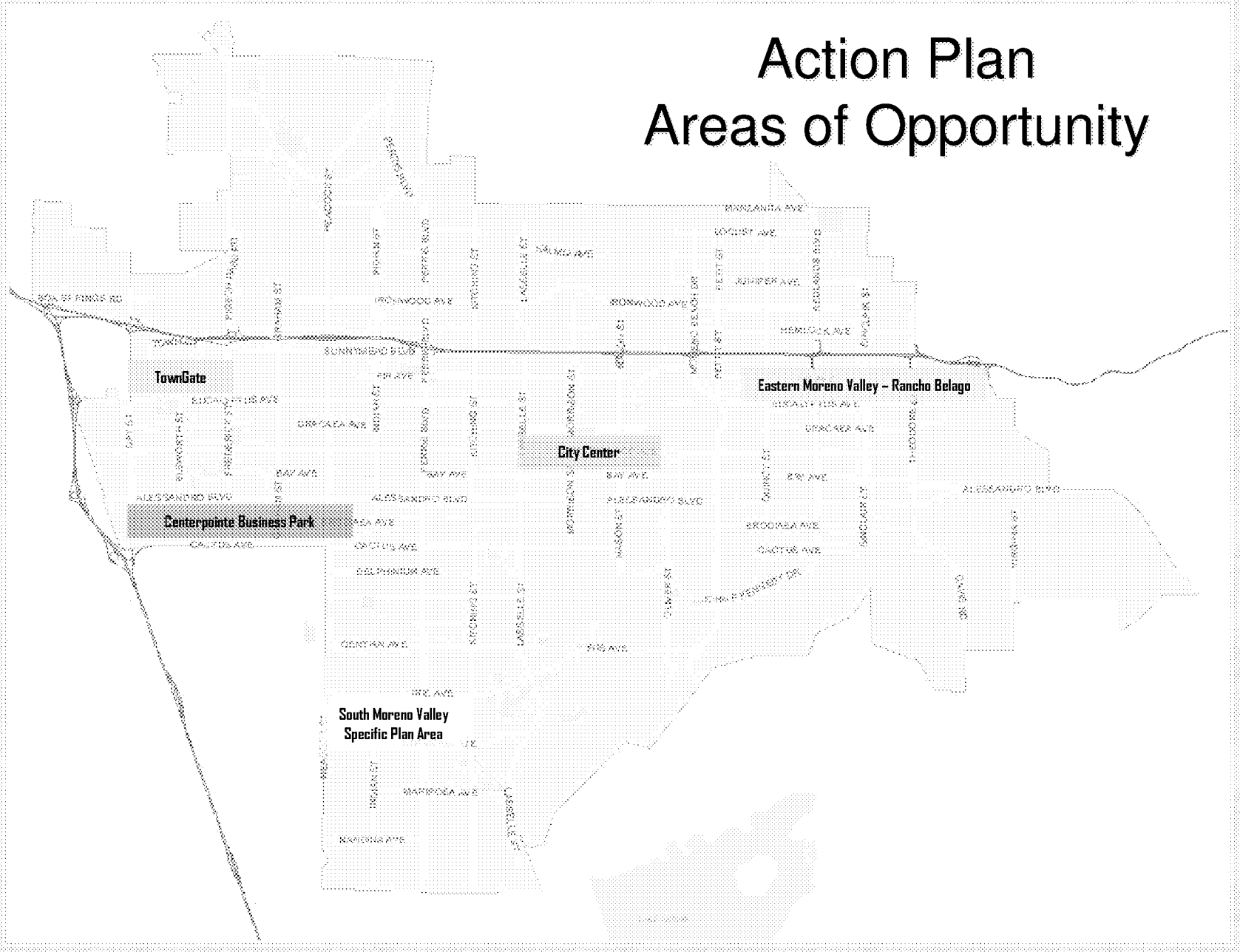

Key Initiatives of Action Plan

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area
- Advance the development of several projects in the Centerpointe Business Park
- Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in Eastern Moreno Valley- Rancho Belago area
- Re-sequence and fast-track three Capital Improvement Projects in the City Center Area

MV00133617

TownGate

- Recent openings for Five Guys Burgers & Fries, Panera Bread, Village Café and Anna's Linens
- TJ Maxx and HomeGoods combo store coming to TownGate Center
- Negotiations underway with three other users for TownGate Center

- Possible new restaurant group coming to former Carino's Italian Grill building in TownGate Promenade
- Approved new 80 foot sign for TownGate Center & Plaza along SR 60 to improve tenant promotion
- CW Capital, new owner of Moreno Valley Mall, retained Architect firm Altoon + Porter and has created exciting conceptual plans for expansion and repositioning
- Negotiations underway with several users for Moreno Valley Mall

MV00133618

Centerpointe Business Park

- Harbor Freight Tools
  - Will open new 779,016 s.f. Distribution Center in November 2011 at NWC of Cactus Avenue and Graham Street
  - 350 new jobs

- Overton Moore Properties
  - Re-started the grading plan check process for a new 519,760 s.f. industrial building at the NWC of Cactus Avenue and Frederick Street

- Ridge Property Trust
  - In Planning for a 353,869 s.f. industrial building at the NWC of Cactus Avenue and Joy Street

MV00133619

South Moreno Valley Industrial Area

- First Inland Logistics Center
  - First Industrial Realty Trust Inc.
  - 691,960 s.f.; Construction underway
- Nandina Distribution Center
  - IDS Real Estate Group
  - 1.18 million s.f. total
  - 769,320 square fee is under construction
  - 413,598 square feet is in plan check for construction drawings and grading plans.
- iHerb expansion
  - Will occupy entire 360,440 s.f.
  - Increase employees by as much as 75
- More Development Coming
  - Four Buildings with a total of 3.6 million s.f. in plan check

MV00133620

Eastern Moreno Valley-
Rancho Belago

- Skechers USA 90% occupied with full operations by October 2011

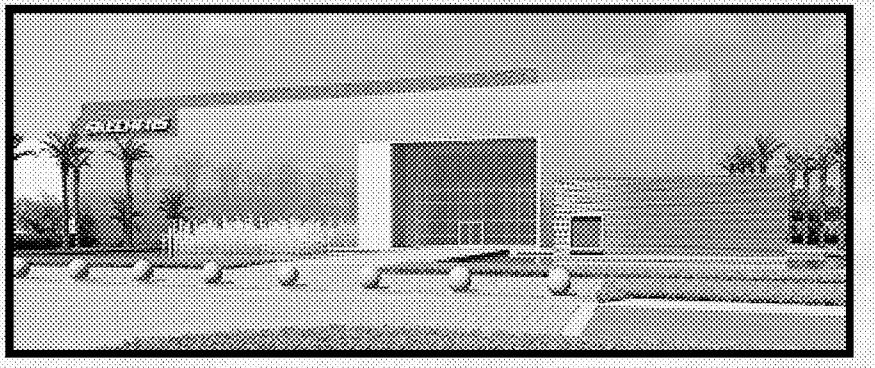

- Working with Highland Fairview on master plan to expand Highland Fairview Corporate Park

- Westridge Commerce Center approved 937,000 s.f. Distribution/logistics building on 55 acres

- Prologis is underway with planning and EIR processing of 2,268,000 s.f. industrial business park

MV00133621

City Center: Re-sequencing of CIP Projects

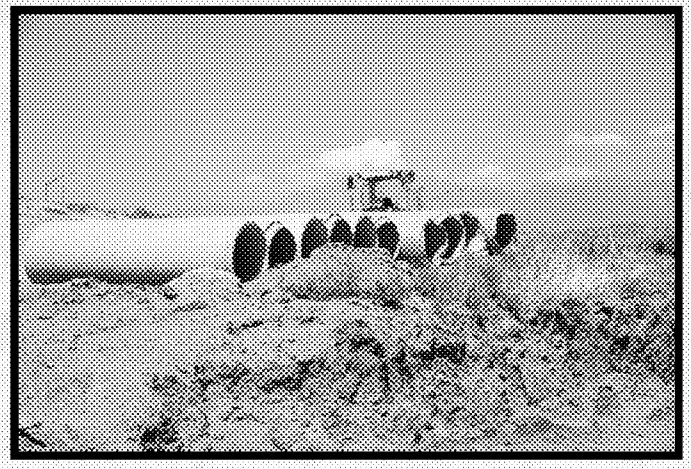

- Construction underway for SR 60/ Nason Improvements
- Installation of new SR 60 southerly ramps at Moreno Beach plus extension of Eucalyptus connecting with Moreno Beach
  - Has environmental clearance
  - In the process of acquiring right of way and utility rights and design is underway
  - Construction bid opening planned for Summer 2012
- Improvements on Cactus Ave. between Lasselle St. and Nason St.
- Extension of Nason St. southerly to connect Cactus Ave. with Iris Ave. will be built as one project
  - Plans, specifications and estimates are underway and anticipated to be complete this fall, ready to open the bid process
  - Construction completion anticipated for late 2012

MV00133622

City Center

- Advance the development of the City's medical overlay zone
  - Announcement of strategic partnership with Highland Fairview on the development of a new major medical, health and wellness campus on 200 acres of the Aqua Bella property
  - New CIP projects will help assist development of medical overlay area

- Kaiser Permanente's expansion plans
  - 74,000 s.f. new medical building
  - Construction drawings and grading plans were submitted in August 2011

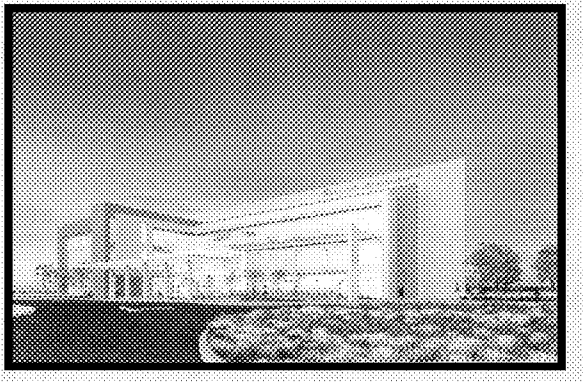

MV00133623

City Center

- Moreno Valley Auto Mall
  - Now expanding to welcome Volkswagen of America Inc.
  - New freeway sign installed

- Interest in re-occupancy of the three closed anchor spaces in Moreno Beach Plaza II
  - Any reuse of these spaces will be contingent on first connecting Eucalyptus to Moreno Beach

MV00133624

“Best Place to do Business” Action Steps

Development Services

Business Attraction

Business Retention and Expansion

Marketing and Communication

Community Vitality

MV00133625

Action Step Progress

- "E-permitting" to accelerate development service processes
  - Scope development
  - Funding identification
  - Timeframe
- Quarterly workshops with contractors and developers to improve development processes and communication
  - Second meeting set for October 6, 2011

MV00133626

Action Step Progress

- Creating synergy with industry groups
  - September 8-9, 2011ICSC Western Division Conference
  - November 3, 2011 NAIOP IE Bus Tour Event
- Shop MoVal campaign
  - Expanded program to include direct participation by local businesses
- Business Resource Guide
  - Online only guide
  - Improved marketing to include postcards at public counters and at business events

MV00133627

Action Step Progress

- Economic Development quarterly e-newsletter
  - Scope, content and graphic design underway
- Explore additional community events
  - July 4th Advisory Committee

MV001133628

Action Step Progress

- Proposed Media and Communications Strategy
  - Further develops several Action Steps
    - Consistent Communication
    - Website Audit
    - Re-tooled Marketing Plan
    - E-newsletter
    - Increase use of Social Media
    - Create Community Calendar
    - Explore use of Smartphone Applications
    - Feedback solicitation via survey
    - Enhance neighborhood groups with community updates
      - Council Connection
    - Quarterly meeting with local businesses and vendors
      - Business & City Connecting

MV00133629

Economic Development Strategy
Next Steps

Much More to Come….

MV00133630

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 27, 2011

TITLE: INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

RECOMMENDED ACTION

Staff recommends that the City Council introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

BACKGROUND

At the April 19, 2011 Study Session, the Mayor and City Council directed staff to move forward with proposing an ordinance regarding the spaying and neutering of dogs and cats.

California Health and Safety Code 122330 et seq. permits local government to enact ordinances taking appropriate action aimed at reducing and eliminating the uncontrolled and irresponsible breeding of dogs and cats. The irresponsible and uncontrolled breeding of dogs and cats leads to the overpopulation of these companion animals.

During FY 2010-11 the Moreno Valley Animal Shelter's animal population was represented by 60% of impounded dogs, 36% of impounded cats and 3% of other animal species (farm animals and wildlife). During FY 2010-11 the Moreno Valley Animal Shelter experienced an 8.9% increase in the number of animals impounded as compared to FY 2009-10. If this increase in animal impounds remains constant throughout FY 2011-12, the Moreno Valley Animal Shelter will expect to provide care for

approximately 12,000 animals. The Animal Services Division contracts with the City of Perris for animal sheltering. These numbers exclude animals impounded from the City of Perris.

DISCUSSION

The objectives of the proposed Mandatory Spay and Neuter ordinance:

- Reduce the number of homeless and unwanted companion animals by uncontrolled and irresponsible breeding.
- Reduce the number of companion animals being impounded at the Moreno Valley Animal Shelter.
- Reduce the euthanasia of unwanted companion animals.
- Reduce the tax burden of responsible pet owners.
- Require irresponsible pet owner to be held accountable.

The proposed ordinance will require pet owners to spay/neuter their dog or cat if the pet owner violated another local or state animal control regulation. Examples of a violation of a local or state animal control regulation would include an unlicensed dog, a leash law violation, nuisance animal noise or violation of other animal laws. The ordinance will not impact responsible pet owners who have licensed their pets, obey the leash laws and are in full compliance with existing regulations.

Municipal Code Section 10.02.100 currently requires a neuter deposit on all dogs and cats adopted from the Moreno Valley Animal Shelter if the animal is not already spayed or neutered. The majority of dogs and cats adopted from the Animal Shelter are spayed or neutered prior to the new owner taking possession of their new pet. Often dogs and cats too young to undergo a surgical sterilization procedure or pets exhibiting symptoms of illness where the clinic veterinarian deems the animal unfit for surgery are required to pay a spay-neuter deposit in the amount of $75.00. This fee is refunded to the new pet owner upon proof of sterilization. The proposed ordinance maintains the requirement of a spay-neuter deposit along with requiring dogs and cats in the City to be altered unless a specific exemption is applicable.

The proposed ordinance provides for specific exemptions to the mandatory spay and neuter with responsible pet owners. The proposed ordinance includes exemptions to pet owners with animal breeds recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by law enforcement or the military for law enforcement, military or rescue activities; a qualified service or assistance dog as defined in California Food & Agriculture Code Section 30850; and an animal medically qualified by a licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity. All of these exemptions are included in this Ordinance.

ALTERNATIVES

1) Adopt the proposed changes to Moreno Valley Municipal Code Section 10.02.100, and introduce Ordinance No. 833.
2) Direct staff to make changes to the proposed ordinance and return to a City Council meeting or Study Session on a later date with a revised ordinance.

3) Take no action. The existing ordinance will remain in effect.

FISCAL IMPACT

No significant fiscal impact is anticipated.

ATTACHMENTS/EXHIBITS

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS.

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Name
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00133634

ORDINANCE NO. 833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE ADDED:

1.1 Section 10.02.100 of the Moreno Valley Municipal Code is hereby amended to read as follows:

~~Section 10.02.100 Neuter deposits for dogs and cats.~~

"Section 10.02.100 Mandatory Spaying and Neutering – Dogs and Cats

~~A. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

A. Requirement.

1. No person may own, keep, or harbor an unaltered and unsprayed dog or cat in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

~~B. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.~~

B. Exemptions.

This section shall not apply to any of the following:

1. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.

2. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.

3. Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry.

4. A dog used by law enforcement or the military for law enforcement, military or rescue activities.

5. A qualified service or assistance dog as defined in California Food & Agricultural Code Section 30850.

6. Any animal medically qualified by a California licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

~~C. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any shall be deemed unclaimed and nonrefundable.~~

C. Denial or revocation of unaltered dog license and reapplication.

The Animal Services Division may deny or revoke an unaltered an unaltered dog license for one or more of the following reasons:

1. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section.

2. The Animal Services Division has received at least three complaints, verified by the department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;

3. The owner, custodian, applicant, or licensee has been previously cited for violating a State law, local ordinance or other municipal provision relating to the care and control of animals;

4. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Moreno Valley Municipal Code or under state law;

5. Any unaltered dog license held by the applicant has been revoked;

6. The license application is discovered to contain a material misrepresentation or omission of fact.

D. Re-application for unaltered dog license.

1. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Animal Services Division shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.

2. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.

E. Appeal of denial or revocation of altered dog license – Request for Hearing.

1. Notice of intent to deny or revoke. The Animal Services Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

2. Hearing officer. The hearing shall be conducted by the Animal Services Division Manager's designee.

3. Notice and conduct of hearing. The Animal Services Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the department's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Animal Services Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

4. Change in location of dog. If the dog is moved after the Animal Services Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Animal Services Division with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

F. Transfer, sale, and breeding of unaltered dog or cat.

1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license must appear on a document transferring the animal to the new owner.

2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the department of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers, if any, must appear on a document transferring the animal to the new owner.

G. Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

1. An administrative citation, infraction, or other such authorize penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog or cat; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.

2. Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.

H. When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

1. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to animal services personnel;

2. Have the dog or cat spayed or neutered by a veterinarian under contract with the Animal Services Division at the expense of the owner

or custodian. Such expense may include additional fees due to extraordinary care required;

3. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay a spay/neuter deposit to the Animal Services Division. The veterinarian shall complete and return to the department within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

4. At the discretion of the Animal Services Division Manager, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or

5. If the owner or custodian demonstrates compliance with this section.

I. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.

1. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Animal Services Division in accordance with this chapter.

J. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section, subsection (f) shall be paid to the Animal Services Division for the purpose of defraying the cost of the implementation and enforcement of this program.

K. No person shall be permitted to adopt any dog or cat, which has not been neutered, unless and until a spay / neuter deposit shall have been paid to the city. The spay / neuter deposit shall be as established from time to time by resolution of the city council in accordance with California Food and Agriculture Code Section 30503.

L. Upon presentation to the animal services administrator of a written statement or receipt from a veterinarian that such adopted dog or cat has been altered within six months, the alter deposit shall be refunded to the person who paid the deposit.

M. All adopted dogs or cats, if not already spayed or neutered, shall be altered within sixty (60) days; or the alter deposit if any, shall be deemed unclaimed and nonrefundable.

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.5

MV00133643

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MV00133644

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011, and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on August 23, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on August 23, 2011 and continued to September 6, 2011, for deliberations and decision.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on August 23, 2011, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with

and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

Ordinance No. 830
Date Adopted: _____

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00133656

AGENDA

NOTICE AND CALL OF SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY

September 6, 2011

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
Jesse L. Molina Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
SEPTEMBER 6, 2011

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Moreno Valley will be held on September 6, 2011 commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

Agenda

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC TESTIMONY WAS RECEIVED ON AUGUST 23, 2011 AND THAT PORTION OF THE PUBLIC HEARING IS CLOSED.

E. PUBLIC HEARINGS

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND

MV00141851

APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

ADJOURNMENT

* Materials related to an item on this Agenda submitted to the City Council/Community Services District or Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

AGENDA
September 6, 2011

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 6, 2011 (Continued from August 23, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. 2011-76
3. Environmental Impact Report Resolution No. 2011-77, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. 829 - Zone Change
5. Ordinance No. 830 - Municipal Code Amendment
6. Resolution No. 2011-78 - Plot Plan PA08-0097
7. Resolution No. 2011-79 - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

MV00141864

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
p (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at Westridge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the Westridge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

MV00141865

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

MV00141866

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- ☐ Administrative Plot Plan
- ☐ Administrative Variance
- ☐ Amended Conditional Use Permit
- ☐ Amended Plot Plan
- ☐ Change of Zone
- ☐ Conditional Use Permit
- ☐ Development Agreement
- ☐ Development Code Amendment
- ☐ Extension of Time
- ☐ General Plan Amendment
- ☐ Plot Plan
- ☐ Pre-Application Review
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Tentative Parcel Map
- ☐ Tentative Tract Map
- ☐ Variance
- ☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (If any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 85 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3520

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dricca@ptrnet.com

Contact Person: Dennis Rica

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services LLC — Telephone: (951) 845-1003

Address 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gilsnerch@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranche Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

MV00141868

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	CHECK NUMBER		
5-17-11	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	CHECK NUMBER		
5-17-11	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A GOLDREED BACKGROUND ON WHITE PAPER!

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1330

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60608

24710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈00001194⑈ ⑆071000013⑆954942 3⑈

MV00141869

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

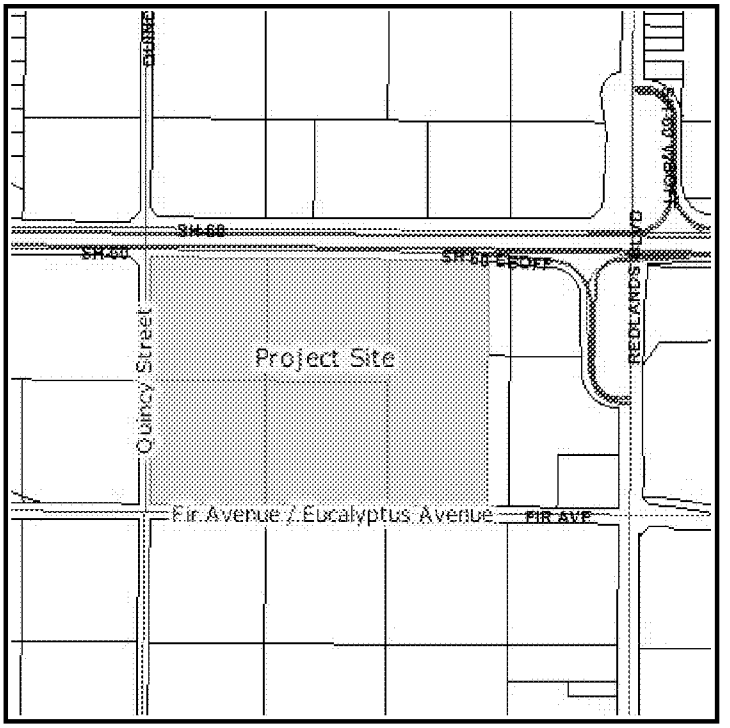

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

RESOLUTION NO. 2011-76

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00141873

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

MV00141874

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

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west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. Project Description

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

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3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

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III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

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- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

MV00141883

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

MV00141884

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

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1. Land Use

a. General Plan Consistency

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. Zoning Consistency

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

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required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

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Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

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developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

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2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

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b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

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the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

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Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

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completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

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- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

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approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

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- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

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a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

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heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

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Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

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4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

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Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. <u>Hydrology and Water Quality</u>

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

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County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

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and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

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c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

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located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

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hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

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of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. Biological Resources

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

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b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

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f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

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Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

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Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

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the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

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overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

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- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

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equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

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Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

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subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

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4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

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minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

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Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

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Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

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opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

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4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

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thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

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would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

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- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

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improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 *Moreno Beach Drive at SR-60 Westbound Ramps Improvements:*

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

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from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

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- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

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of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

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of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

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right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

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General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

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- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 *Redlands Boulevard at Cottonwood Avenue Improvements:*

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

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- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

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b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

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the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

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c. Freeway Mainline Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. <u>Air Quality</u>

a. Short-Term Construction Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

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the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce* PM_{10} *and* $PM_{2.5}$ *fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

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specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

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- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

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cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

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Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

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d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

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standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

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weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

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Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

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requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

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that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

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noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

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3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

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General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

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and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

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to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

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conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

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(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

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9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

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The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

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This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

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amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

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3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

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4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

MV00141963

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141965

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141966

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141967

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141968

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

MV00141969

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

MV00141970

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141971

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141972

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141973

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd) *right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;* • *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;* • *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and* • *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.* *The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.*				

MV00141974

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141975

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141976

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141977

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

MV00141978

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141979

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

MV00141980

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141981

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of first building permit

MV00141982

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.19 (cont'd) • *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.*			Department	
Air Quality *To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.*				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated : • *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.* • *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction

MV00141983

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

MV00141984

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

MV00141985

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

MV00141986

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

MV00141987

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141988

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00141989

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

MV00141990

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

MV00141991

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) o *Installation of catalytic converters on gasoline-powered equipment.* o *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* o *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* o *Provision of preferential parking for EV and CNG vehicles;* o *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* o *Use of electric (instead of diesel or gasoline-powered) yard trucks;* o *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00141992

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00141993

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00141994

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

MV00141995

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00141996

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00141997

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00141998

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00141999

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

MV00142000

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 829
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 830
Date Adopted: _____

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

MV00142012

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-78 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;
• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.
• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,
• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

P98. MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

P99. MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

P100. MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

P101. MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. **Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.**

f. **The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under <u>no</u> circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

MV00142078

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

MV00142079

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-79, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

MV00142082

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00142083

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-79 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

MV00142084

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

MV00142085

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

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Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

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F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

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multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

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PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

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LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

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c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

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to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

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secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. **A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.**

c. **The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.**

d. **A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.**

e. **A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.**

f. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.**

g. **Corner cutback right-of-way dedications per City Standard 208.**

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5**

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

<u>Prior to Acceptance of Streets Into The City-maintained Road System</u>

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

MV00142117

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

MV00142121

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

MV00142124

PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical

features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days

required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

ATTACHMENT 9

MV00142134

separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

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improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

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The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

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Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

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housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

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The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

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ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

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PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

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may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

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Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

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PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

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PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

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PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

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COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

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COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

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freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

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improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

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COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

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COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

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COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

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PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

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and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

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300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

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COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

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COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

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APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

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COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

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APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

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to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

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APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

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the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

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Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

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at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

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told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

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PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

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base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

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live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

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Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

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PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

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VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

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VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

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Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

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Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

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1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans**) for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

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these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

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- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

*4.3.~~6~~**5** In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

*4.3.~~7~~**6** During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~ **utilized to** power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

*4.3.~~8~~**7** The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~ **"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be** consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

*4.3.~~9~~**8** Grading plans, construction specifications and bid documents shall **also** include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~ **the following notations:***

- ***Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;***

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- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

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• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

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- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****~~A~~ll recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

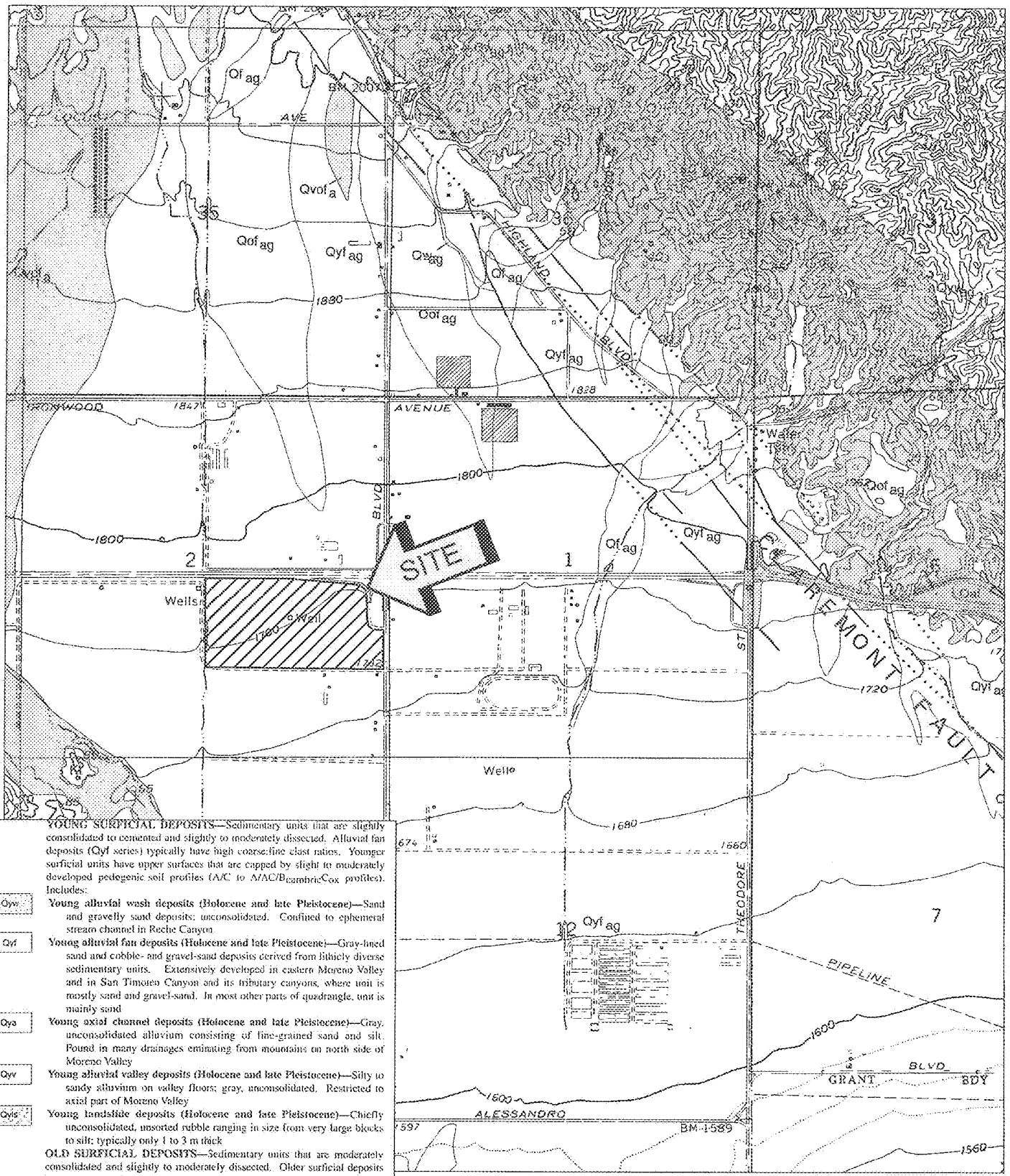

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

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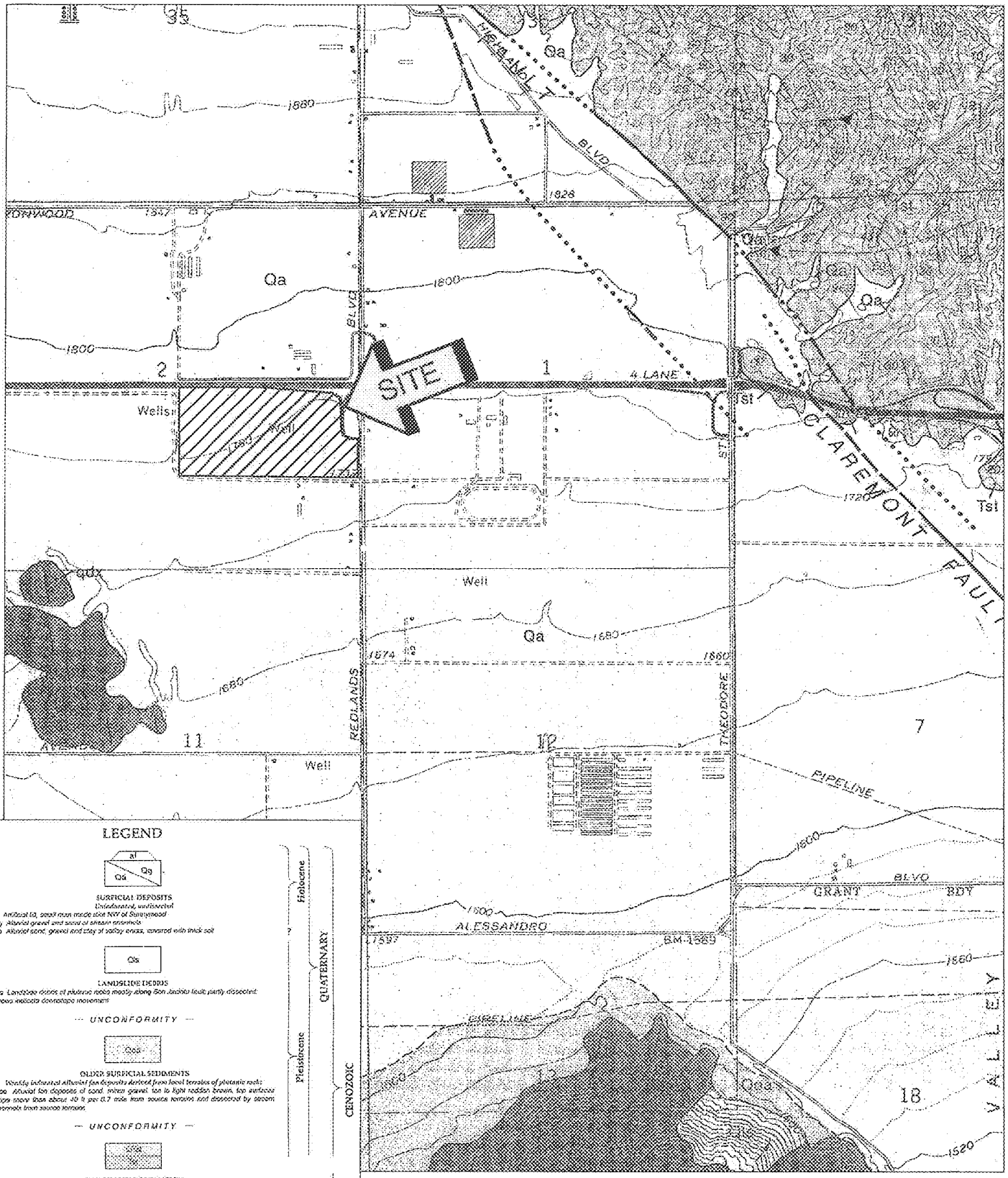

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made site NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Hills of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1951), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); whole part referred to be of Pliocene age (Morton and Matti, 2001)

QTst Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle

Tst Main part (pebble part of Morton and Matti, 2001); lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'

DRAWN: DRK
CHKD: JAS

SCG PROJECT
06G285-2

PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00142200

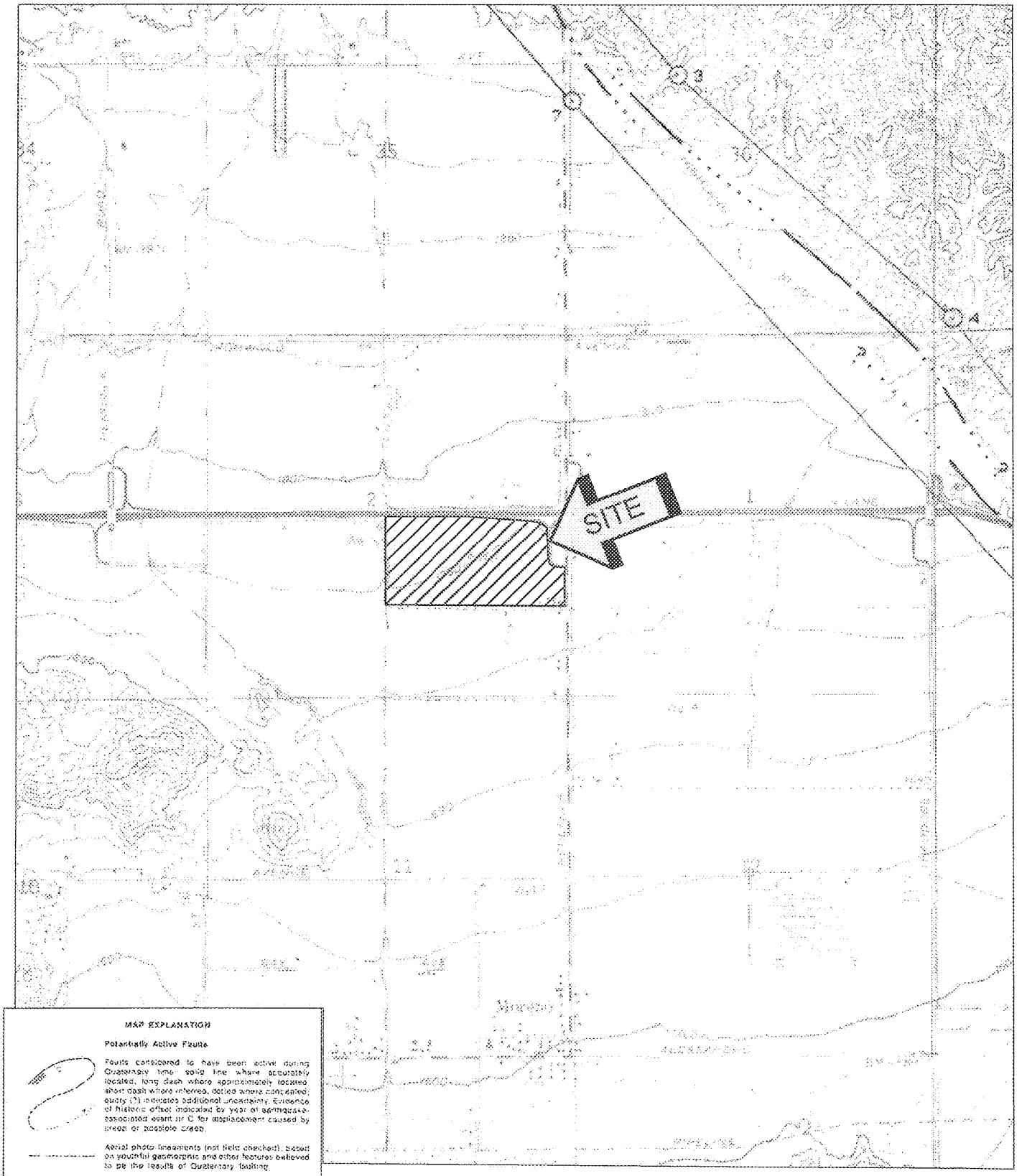

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the result of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00142201

FAULT ZONES
03/16/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00142202

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

MV00142204

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

MV00142205

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

MV00142206

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

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Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

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Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

MV00142214

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

MV00142215

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

MV00142216

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

MV00142217

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

MV00142218

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

MV00142219

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

MV00142220

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

<u>Response CDFG-5</u>

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

MV00142221

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

MV00142222

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

MV00142223

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

MV00142224

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

MV00142225

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

MV00142226

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

MV00142227

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

MV00142228

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

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[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

MV00142232

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

MV00142233

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

MV00142234

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Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***): EMWD-2

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the***

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 6, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time.
More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

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adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> *4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

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on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

MV00142240

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

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permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

MV00142244

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
2

truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
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> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs". MA-11 cont'd.

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

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and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

MV00142250

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

MV00142251

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

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the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

MV00142253

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

MV00142254

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

MV00142256

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

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3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

MV00142257

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

MV00142258

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

MV00142259

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

MV00142260

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

MV00142261

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

MV00142262

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

MV00142263

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

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The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

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DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

GB-5

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason. GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR? GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault? GB-9

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east. GB-10

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 • Calimesa, California 92320 • Telephone (909) 446-0041 • Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

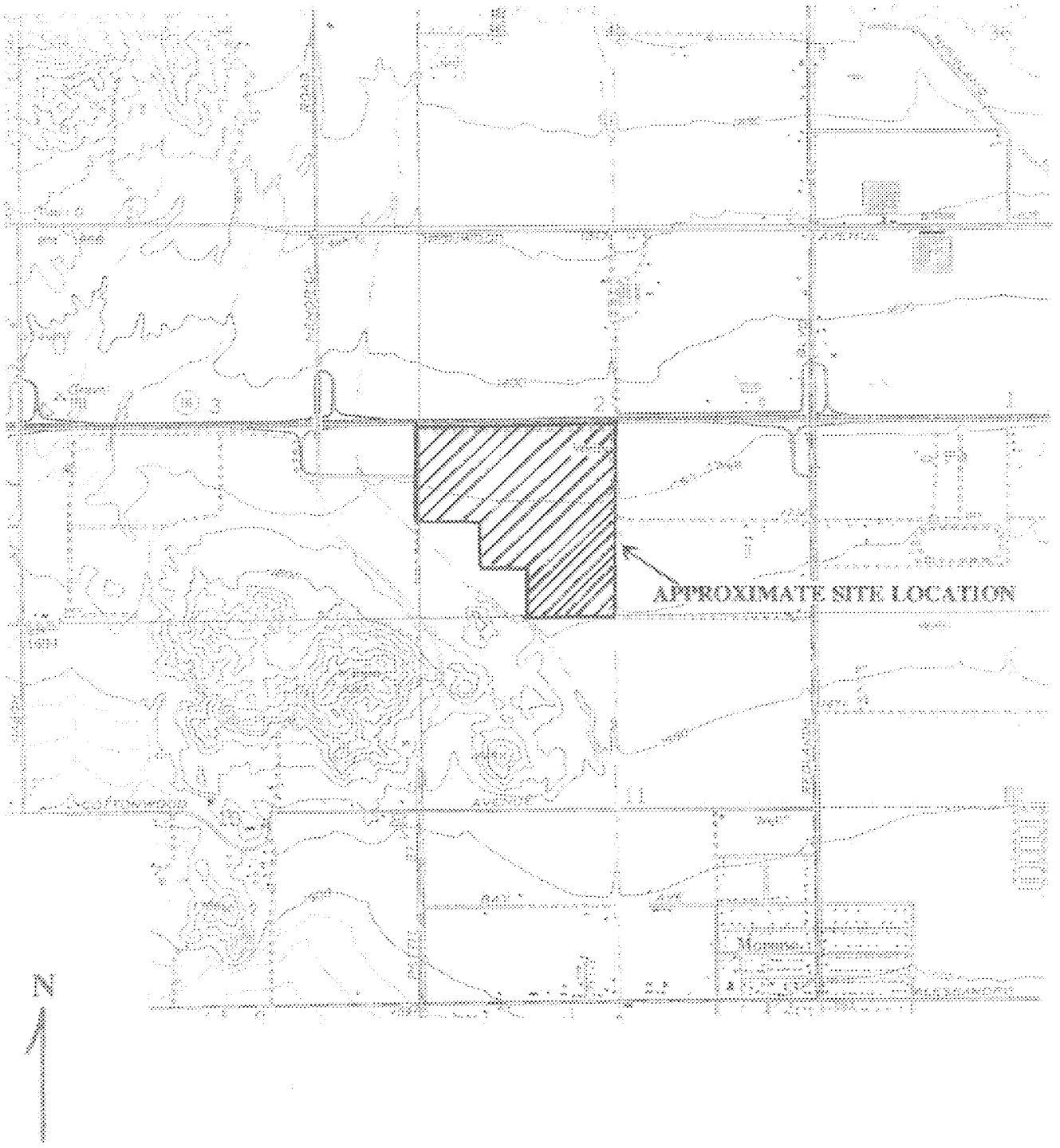

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 130± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

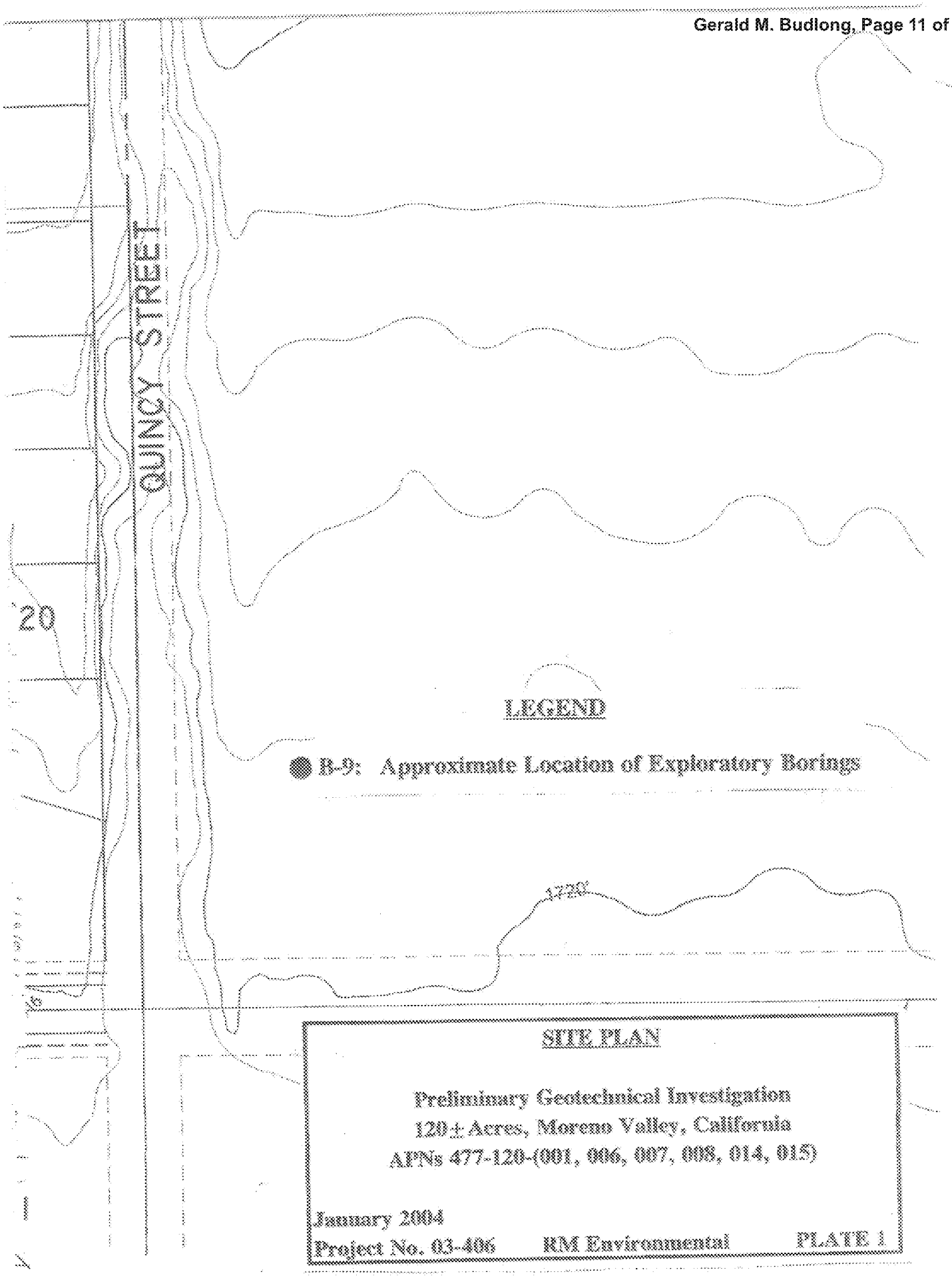

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

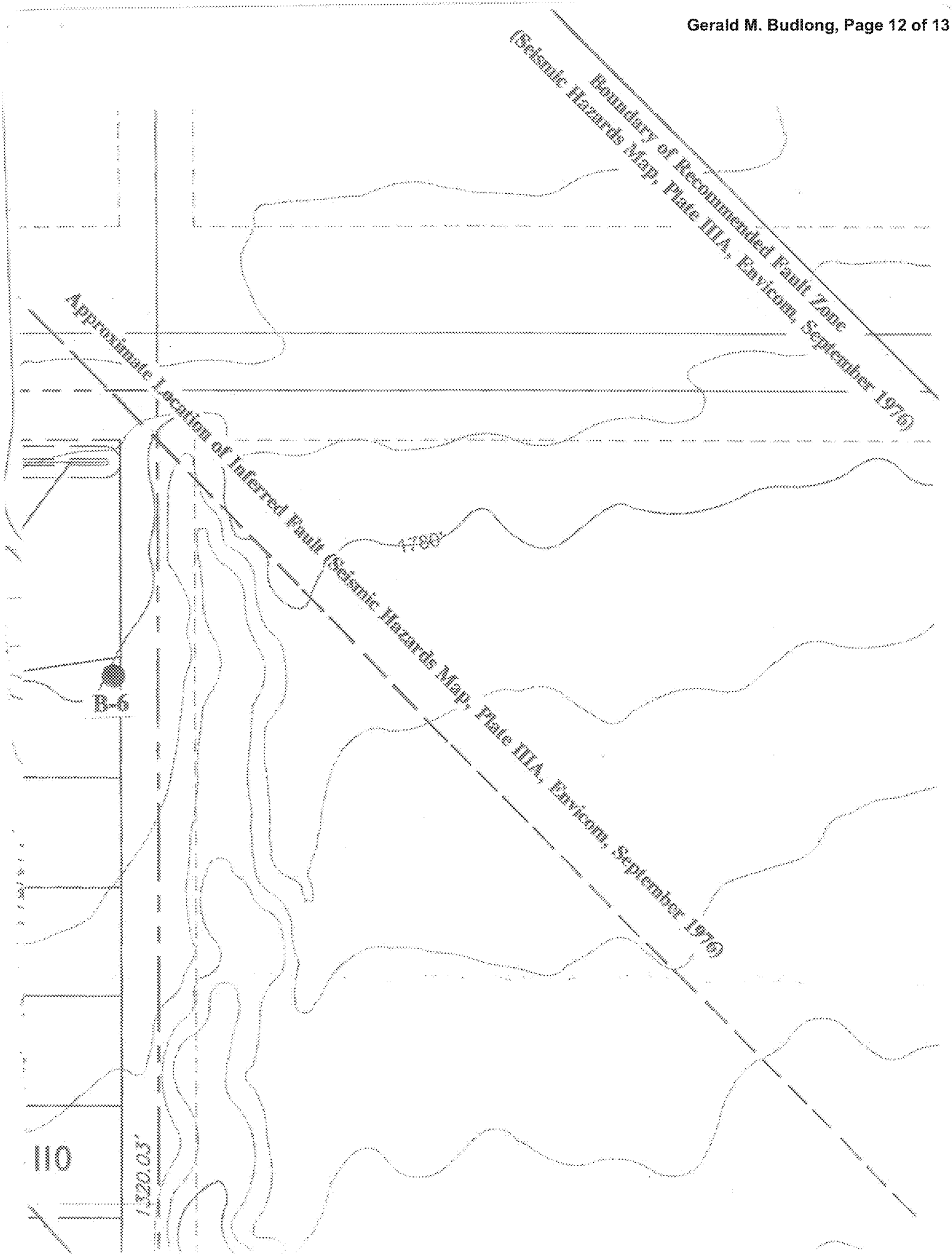
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
1780'
B-6
1320.03'
110

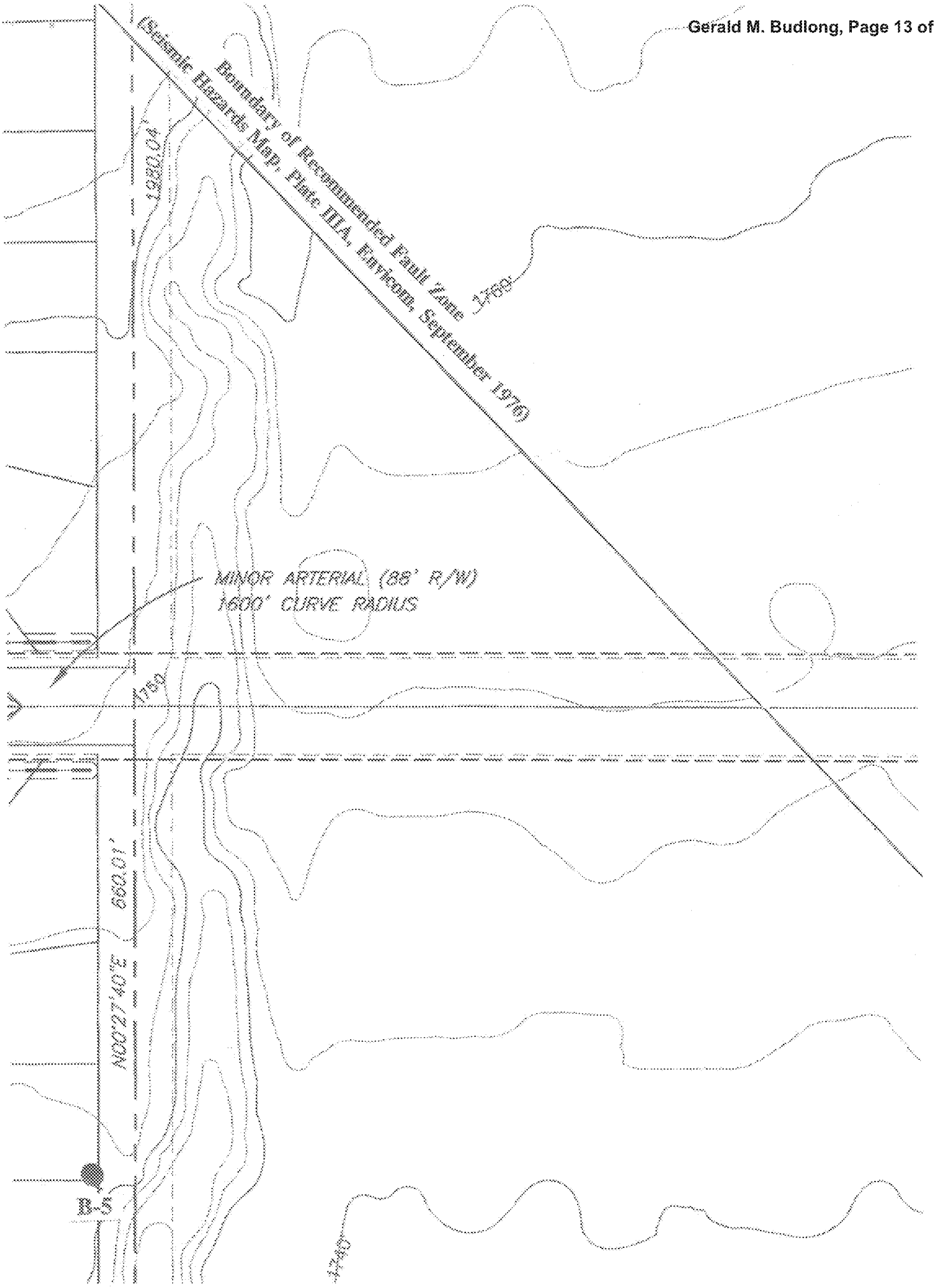
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harrison, September 1976
1920.04'
1769'
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

MV00142279

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

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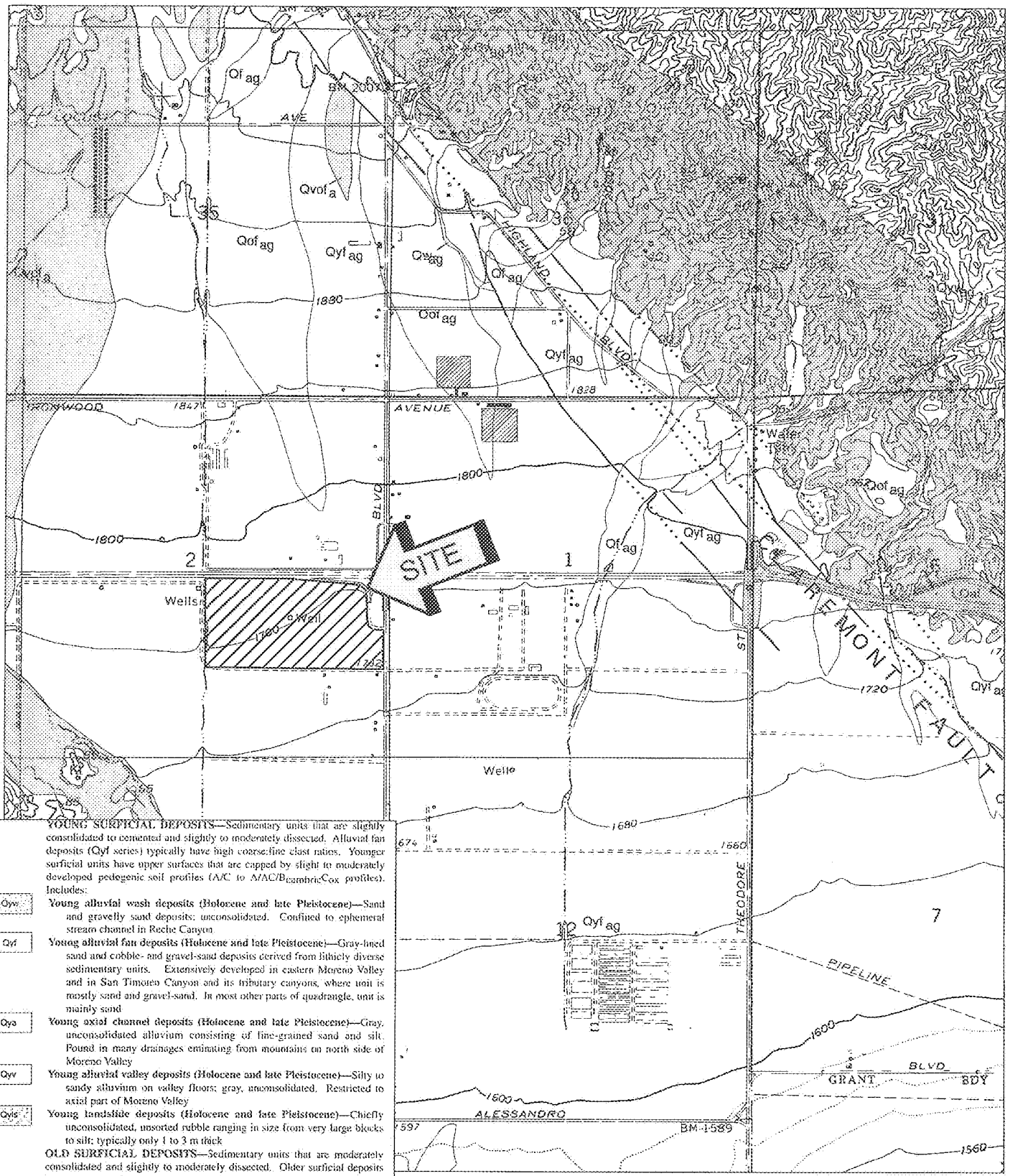

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00142281

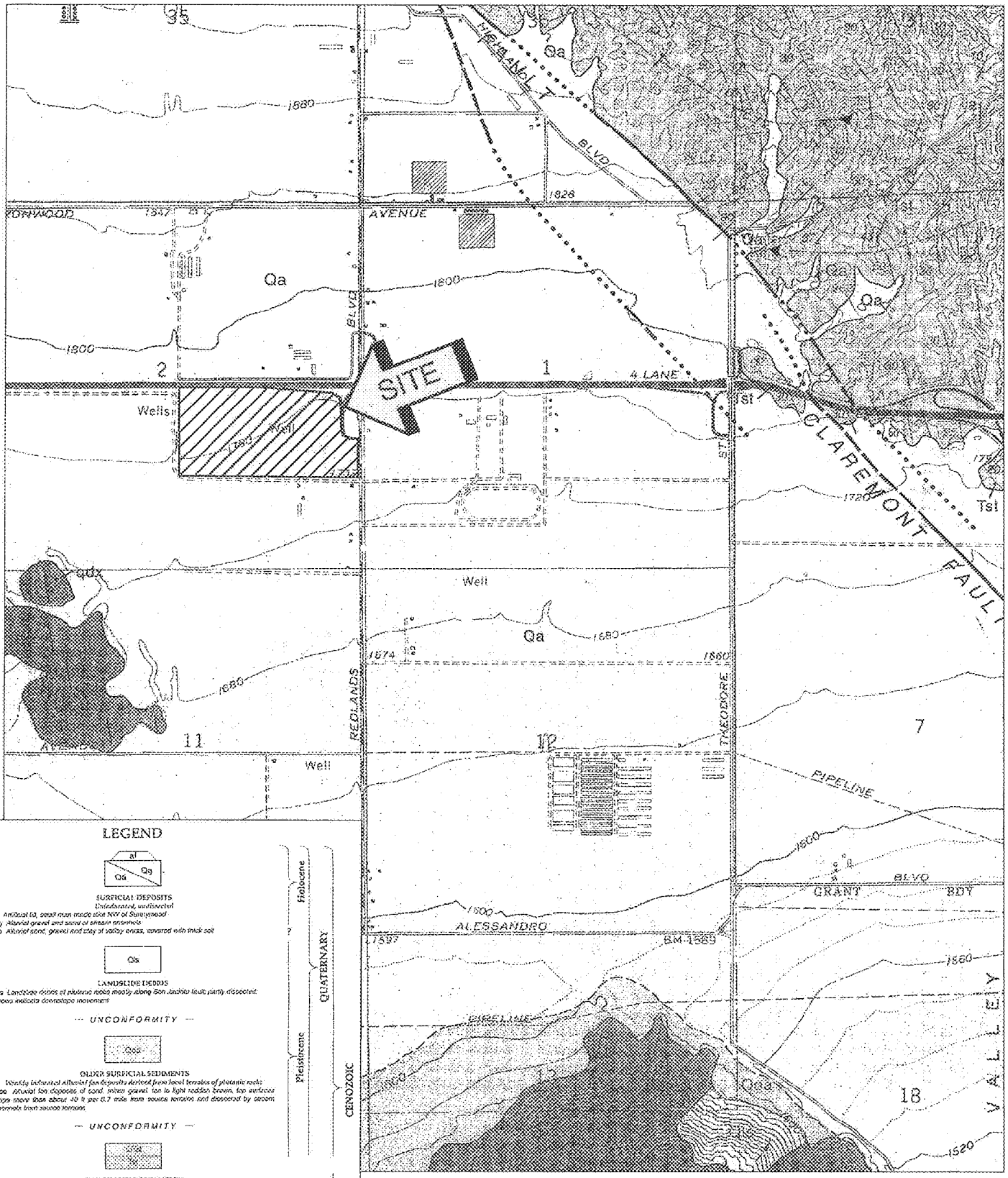

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made site NW of Sunnymead
Qg Alluvial gravel and sand of stream channels
Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:
Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1951), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); whole part referred to Ice of Pliocene age (Morton and Miall, 2004)

QTsa Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone, tentatively (?) overlain by Qoa in this quadrangle
Tst Main part (pebble part of Morton and Miall, 2004), lithologically similar to upper part, within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Qa, Qg, af	Holocene	QUATERNARY
Qls, Qoa	Pleistocene	QUATERNARY
QTsa	Pliocene	TERTIARY
		CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00142282

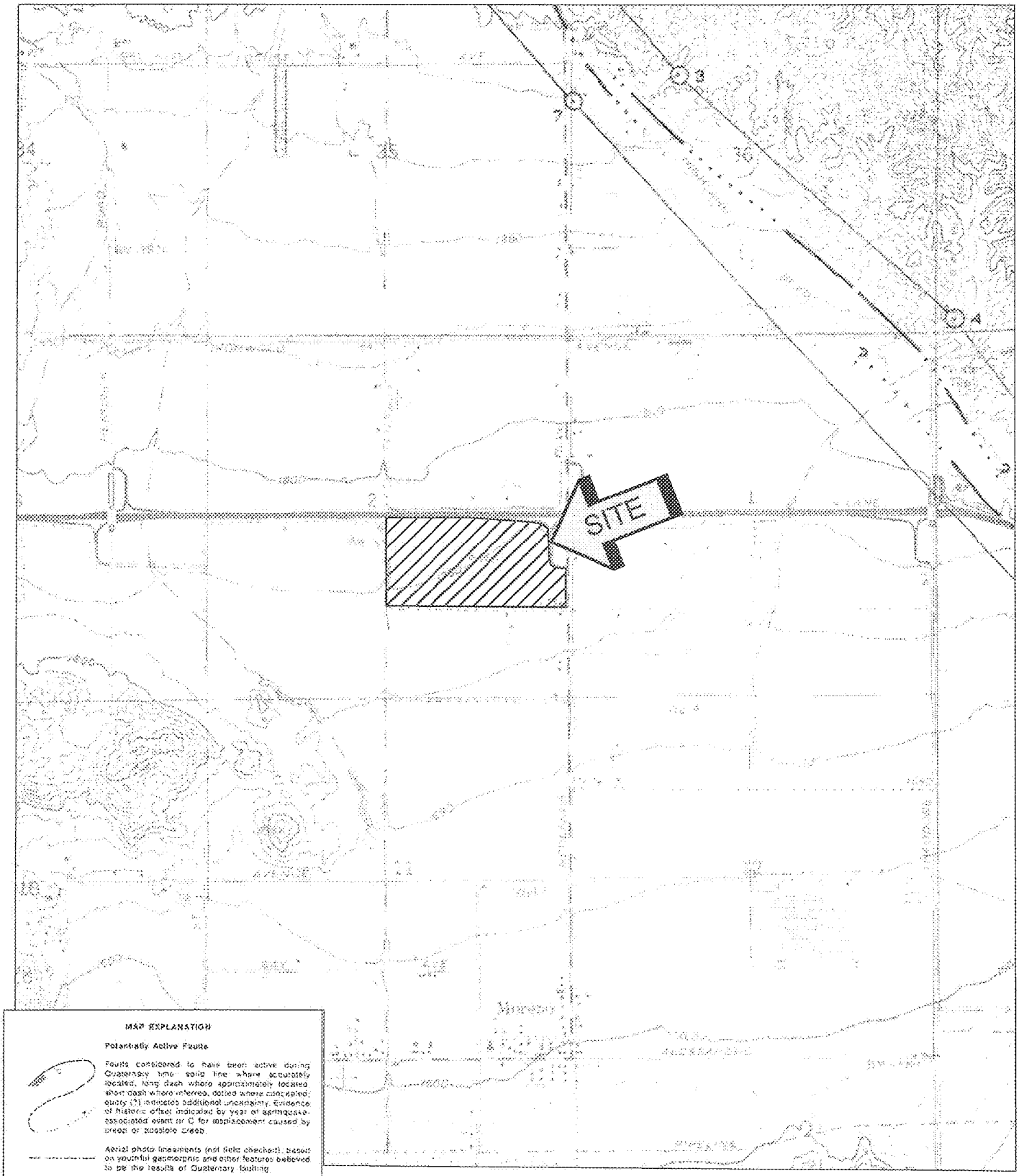

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

MV00142283

FAULT ZONES
03/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

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Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

MV00142285

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

MV00142286

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

MV00142288

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

MV00142291

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

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mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

MV00142293

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

MV00142294

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

MV00142295

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

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[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

MV00142296

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

MV00142297

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

MV00142299

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

MV00142301

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

MV00142302

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

MV00142303

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

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impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

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- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

MV00142306

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

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which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

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area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

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There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

MV00142330

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

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review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

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Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

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> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

MV00142334

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

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In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

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Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

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Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

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TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

MV00142339

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

MV00142340

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

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(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

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The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

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Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

MV00142344

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

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services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

MV00142346

- ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
- ***Installation of catalytic converters on gasoline-powered equipment.***
- ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
- ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
- ***Provision of preferential parking for EV and CNG vehicles;***
- ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***
- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

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be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

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measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

MV00142349

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

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Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

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Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

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Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

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To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

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herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

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- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

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is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

<u>Response FNSJ-23</u>

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

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- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

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The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

MV00142359

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

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Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

MV00142362

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

MV00142363

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

MV00142364

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

MV00142365

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

MV00142366

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

MV00142368

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

JS-14 (cont'd)

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts.

JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document.

JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of

JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is <u>not</u> the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

JS-54

(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

JS-55

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated. JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

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ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

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The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

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mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

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Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

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Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

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5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

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limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

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study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

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> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

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Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

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Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

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to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

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potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

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Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

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(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

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site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

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tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

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Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

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measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

MV00142414

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

MV00142415

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

MV00142416

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

MV00142417

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

MV00142418

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

MV00142419

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

MV00142420

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

MV00142421

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

MV00142422

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

MV00142423

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

MV00142424

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

MV00142425

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

MV00142426

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

MV00142427

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

MV00142428

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

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Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
>
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

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[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

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As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

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emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

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Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

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opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

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performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

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- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

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Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

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that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

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Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

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Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

MV00142441

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

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Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

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The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

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Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

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specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

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statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

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Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

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4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

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reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

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greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

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Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

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As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

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Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

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> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

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There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

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range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

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heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

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Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response JS-41

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

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2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

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Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

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Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

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proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

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Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

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Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> *4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

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exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

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repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

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Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

> **5.8 Direct impacts to wildlife**
>
> **5.8.1 Common Wildlife**
>
> The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

MV00142468

in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

Common Wildlife Species

The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

Response JS-52

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

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substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

<u>Response JS-53</u>

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

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range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

MV00142471

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

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As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

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and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

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anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

MV00142476

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

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Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

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shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

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It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

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Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

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Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

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> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

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As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

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anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

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acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

<u>Response NDN-12</u>

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

MV00142488

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

MV00142489

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

MV00142491

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

MV00142492

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

MV00142493

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

MV00142494

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

MV00142495

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

MV00142496

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

MV00142497

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

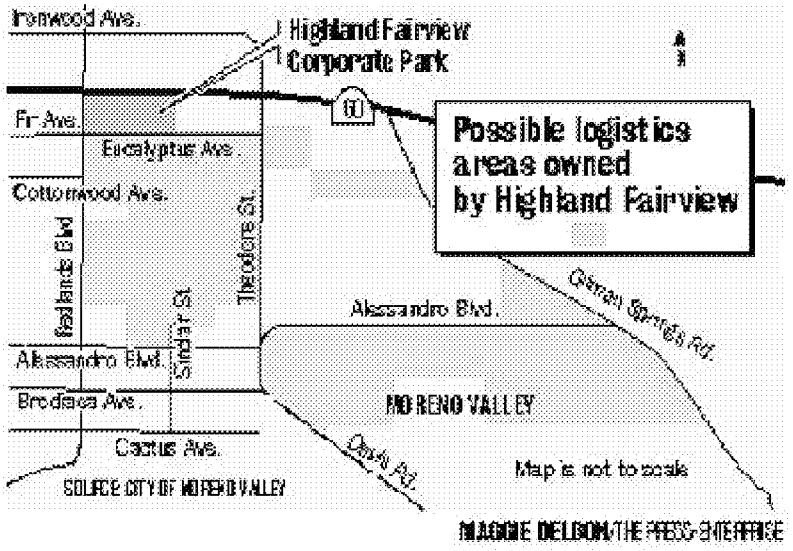

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

MV00142501

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools? RLMV-2

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow? RLMV-3
   Why is the cumulative effect of future development not considered?

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

MV00142505

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

MV00142506

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

MV00142507

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- SC-1
without factoring Moreno Highlands into the equation. How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

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to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

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Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

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Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

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Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

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Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

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Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

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address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

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recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

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discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

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anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

MV00142520

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to <u>show the impacted views from the 60 Freeway looking south across the project site</u> to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

<u>Recommendation</u>: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

<u>Building</u> – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **<u>mitigation measure reducing the height of the structure to preserve some of the scenic vistas should be imposed.</u>** Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

<u>Light and Glare</u> – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: <u>www.darksky.org</u> lists lighting fixtures and methods to meet dark sky specifications. <u>Add a Mitigation Measure</u> (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

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eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

<u>*Screen Walls*</u> – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

<u>*Landscaping*</u> – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

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tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

MV00142526

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

MV00142527

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

MV00142528

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

MV00142529

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

MV00142530

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

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> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

MV00142532

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

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With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

MV00142534

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

MV00142535

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

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because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

MV00142537

> percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

MV00142538

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGahee Dr. Moreno Valley 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto Wildlife Area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

MV00142540

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

MV00142541

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Richard Johnson Phone: 951-243-0804
*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

MV00142543

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area.

This report must include all the impacts of all 35 million sq ft in order to be of actual value to the community. DR-C-2

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

MV00142545

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

MV00142547

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

MV00142548

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

MV00142549

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

MV00142551

APPENDICES

Please refer to accompanying CD-ROM

MV00142552

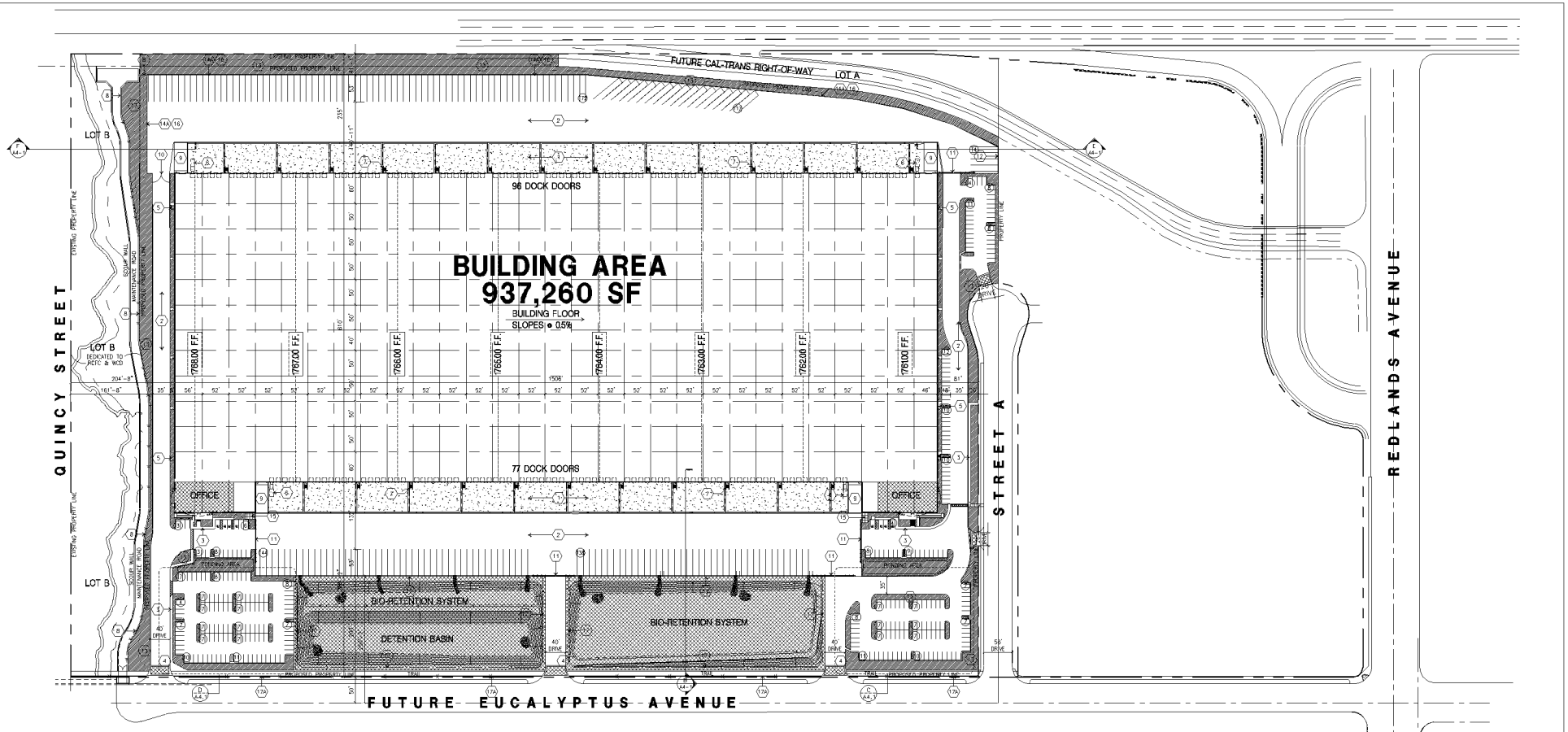

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

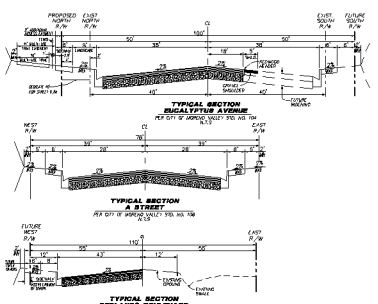

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.68
Net site area (in s.q.ft.)	2,269,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k@1/1,000 s.f.	20		
2nd. 20k@1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' WIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 8' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLOS, LLC
c/o PIERCE PROPERTY TRUST
301 CONVAL AVE. - STE. #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROVIA COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: GIL SWENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DRWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- P — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TINA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25500 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DALENHAUER

VICINITY MAP

N.T.S.

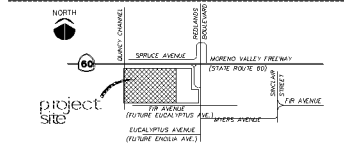

WestRidge Commerce Center

MORENO VALLEY, CALIFORNIA

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

HPA# 6342

NOVEMBER 5, 2010

A1.1

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

PIERCE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

ATTACHMENT 11

MV00142553

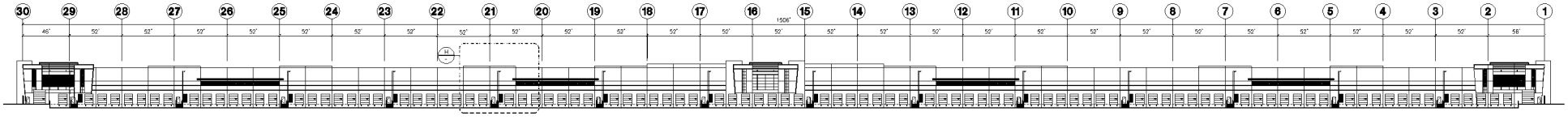

NORTH ELEVATION (A)
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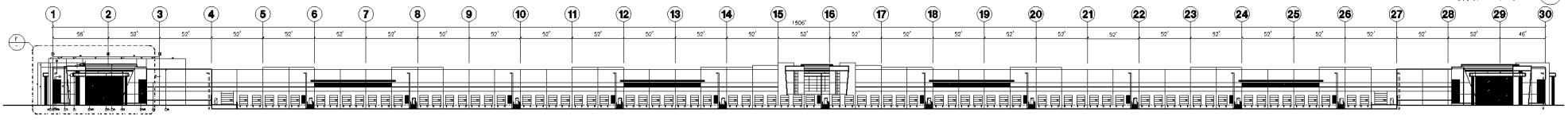

SOUTH ELEVATION (B)
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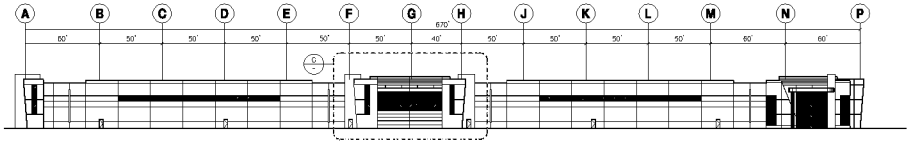

WEST ELEVATION (D)
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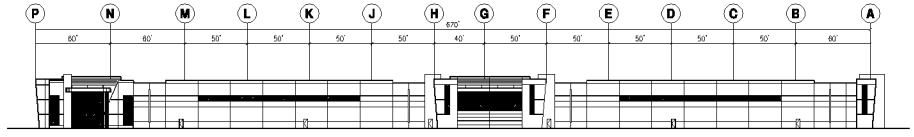

EAST ELEVATION (C)
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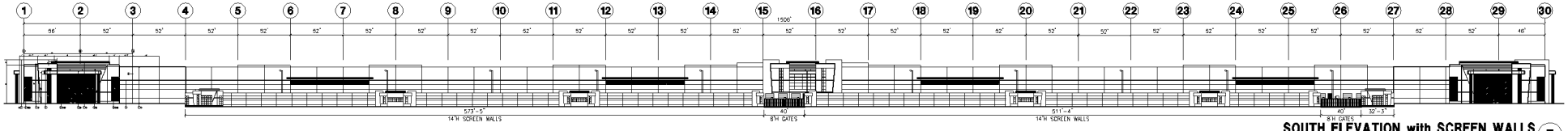

SOUTH ELEVATION with SCREEN WALLS (E)
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SCALE: 1"=40'
0 40' 80' 120'

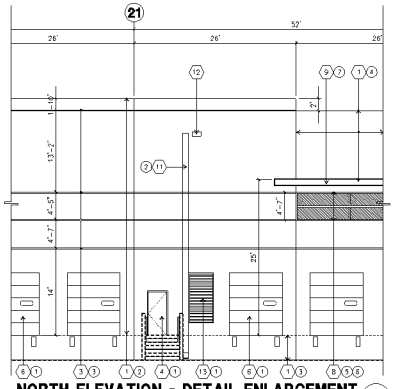

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
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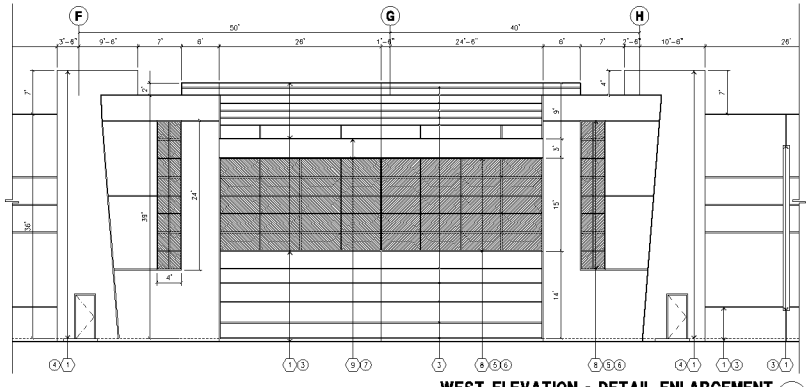

WEST ELEVATION - DETAIL ENLARGEMENT (G)
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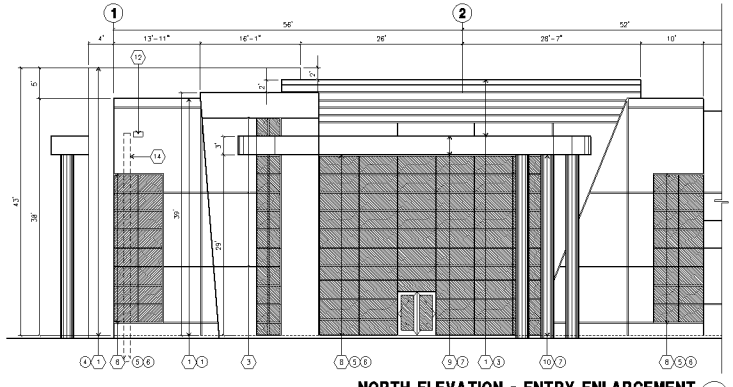

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173M EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566A DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

A3.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 12

MV00142554

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

MV00142555

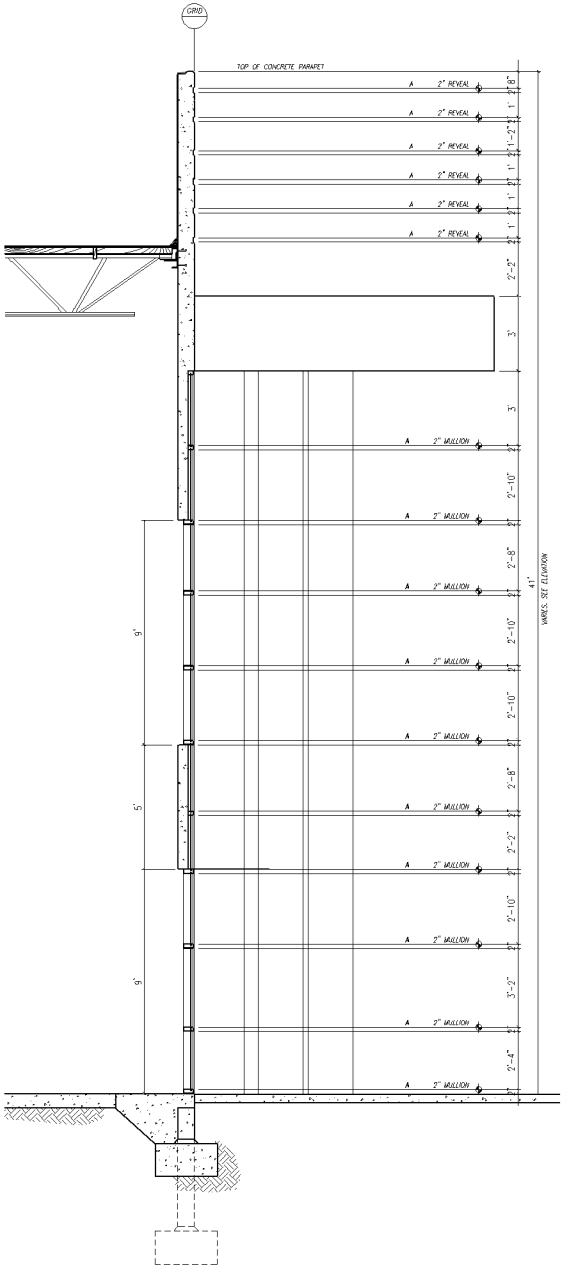

BUILDING SECTION @ OFFICE AREA (A)
scale: 1/2" = 1'-0"

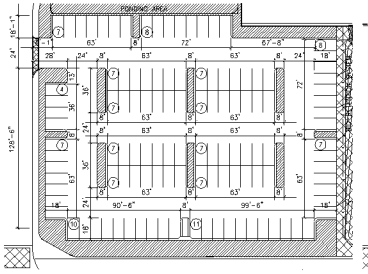

ENLARGED SITE PLAN @ SOUTHWEST (D)
scale: 1" = 40'-0"

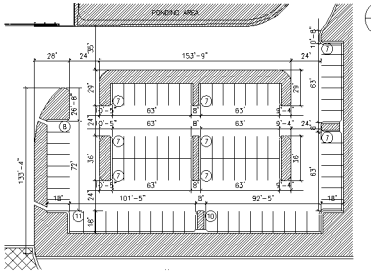

ENLARGED SITE PLAN @ SOUTHEAST (C)
scale: 1" = 40'-0"

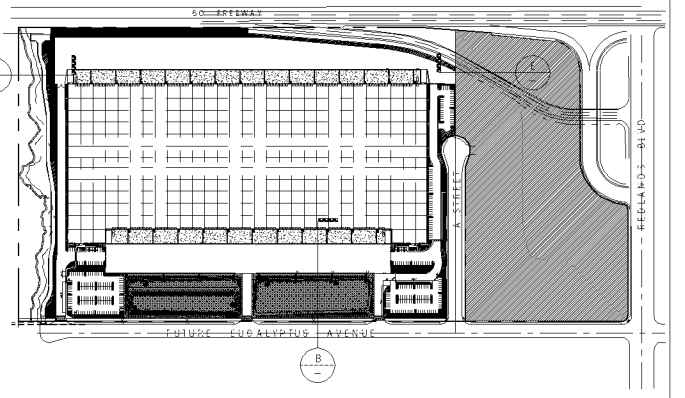

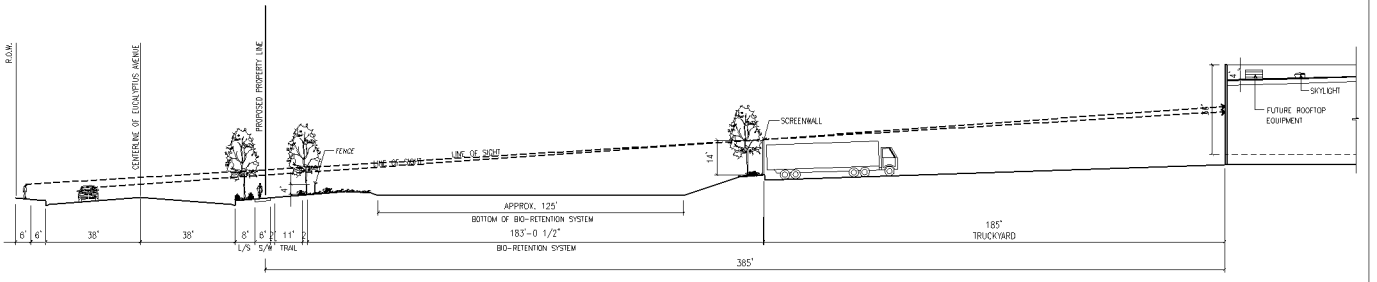

LINE OF SIGHT (B)
scale: 1" = 20'-0"

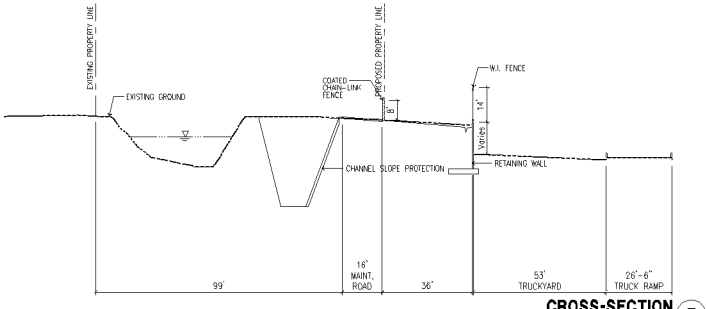

CROSS-SECTION (F)
scale: 1" = 20'-0"

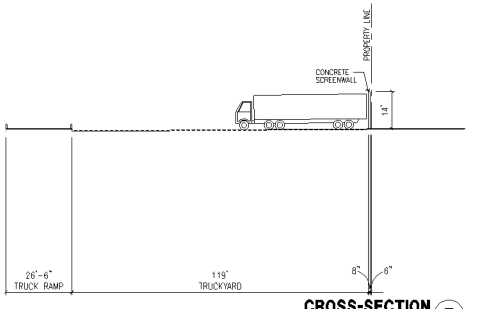

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

Rexford Property Trust
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A4.1

ATTACHMENT 14

MV00142556

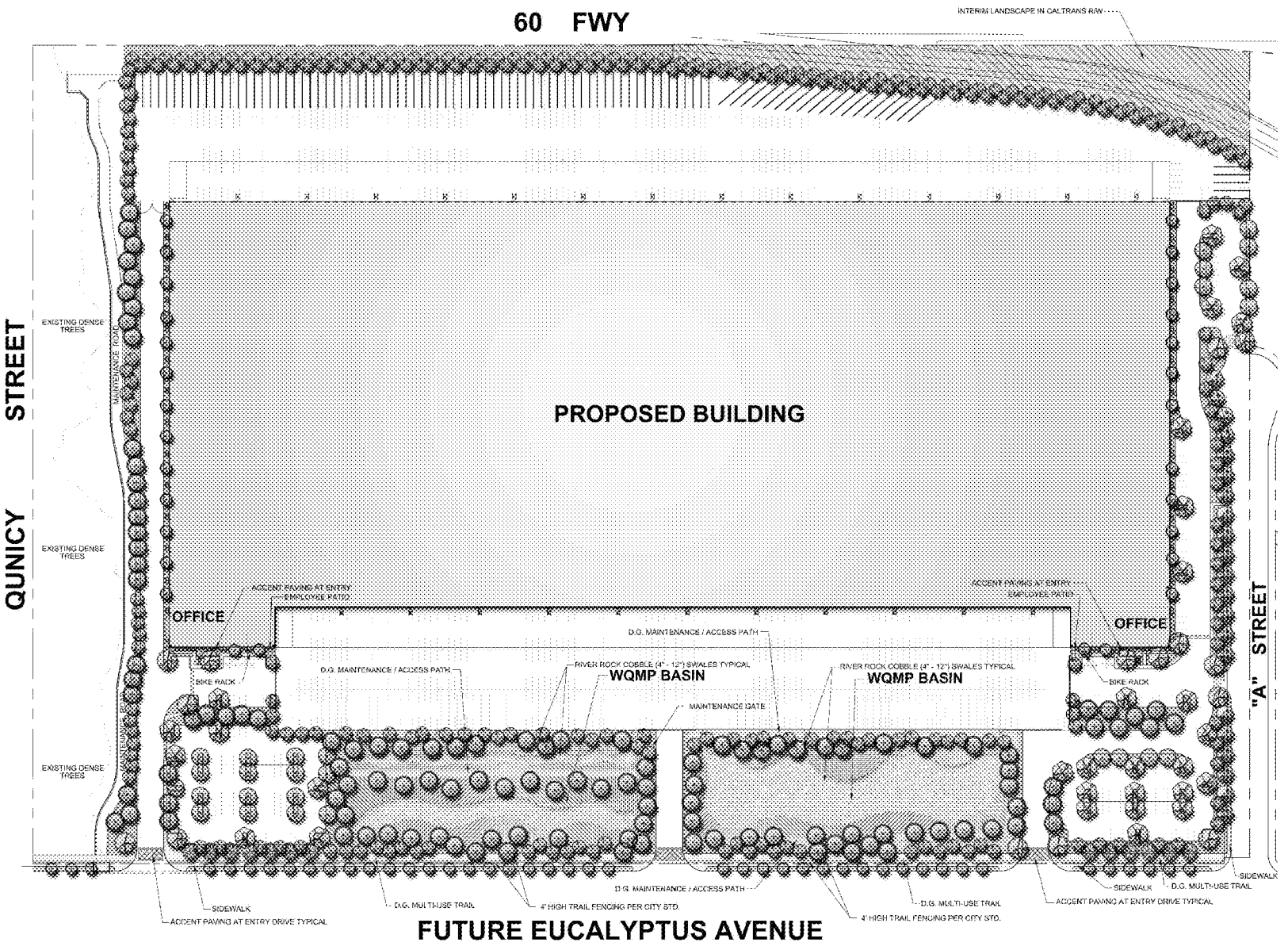

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus lobata (Valley Oak)	15 GAL 24" BOX	10 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (European Linden)	48" BOX	16
	Ulmus parvifolia (Chinese Elm) Pinus elderica (Elderica Pine)	15 GAL 24" BOX	152 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Includes Street Tree)	24" BOX	13
	Pistacia chinensis (Chinese Pistache)	15 GAL	152
	Pistacia chinensis (Chinese Pistache) (Includes Street Tree)	24" BOX	21
	Quercus agrifolia (Coast Live Oak)	24" BOX	25
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 10' OF HARDSCAPE SHALL BE 18" X 4' SHANTOWN ROOT BARRIER 24" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Muhlenbergia rigida 'Nashville' (MCR)	5 gallon	30" o.c. spacing
Acacia cultriformis (Knife Acacia)	5 gallon	6' o.c. spacing
Adenanthos sericeus (Coast Woolly Bush)	5 gallon	72" o.c. (5-6' o.c. spacing)
Agave americana (Century Plant)	5 & 15 gallon	6' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Anigozanthos flavidus (Kangaroo Paw)	5 gallon	3' o.c. spacing
Arctostaphylos (Manzanita Species)	5 gallon	5' o.c. spacing
Calocephalus (Silver Bush)	5 gallon	3' o.c. spacing
Carex divulsa (Berkeley Sedge)	5 gallon	3-4' o.c. spacing
Ceanothus (California Lilac)	5 gallon	4' o.c. spacing
Cistus (Rockrose)	5 gallon	4' o.c. spacing
Cotoneaster Species (Cotoneaster)	5 gallon	3' o.c. spacing
Dietes vieirae (Fortnight Lily)	5 gallon	3' o.c. spacing
Elaeagnus pungens 'Maculata' (Gold Leaf Duff)	5 gallon	4-5' o.c. spacing
Elaeagnus pungens 'Marjorie'	5 gallon	4-5' o.c. spacing
Fragaria chiloensis (Strawberry)	5 gallon	4-5' o.c. spacing
Galvezia speciosa (Island Snapdragon)	5 gallon	3-4' o.c. spacing
Heteromeles arbutifolia (Toyon)	5 & 15 gallon	5-6' o.c. spacing
Juniperus species (Juniper)	1 and 5 gallon	varies
Leucadendron laureolum (Leucadendron)	1 and 5 gallon	24" o.c. to 48" o.c. spacing
Leucophyllum frutescens 'Rio Bravo'	5 gallon	4' o.c. spacing
Leucophyllum frutescens 'Green Cloud' (Texas Ranger)	5 gallon	4-5' o.c. spacing
Ligustrum lucidum (Wax Leaf Privet)	5 gallon	30" o.c. spacing
Muehlenbergia emersleyana (Deergrass/Feather Grass)	5 gallon	24" o.c. spacing
Miscanthus sinensis (MCR)	5 gallon	24" o.c. spacing
Muhlenbergia capillaris (Pink Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis (Species) (True Myrtle)	5 gallon	24" o.c. spacing
Nandina domestica (Species) (Species)	5 gallon	24"-30" o.c. spacing
Pennisetum (Fountain Grass) (Pennisetum)	5 gallon	4-5' o.c. spacing
Phormium species (Flax)	5 gallon	4-5' o.c. spacing
Plumbago auriculata (Cape Honeysuckle)	5 gallon	4-5' o.c. spacing
Rhamnus californica (Coffeeberry)	5 gallon	4-5' o.c. spacing
Rosa rugosa (Rugosa)	5 gallon	varies
Rosmarinus officinalis (Rosemary)	1 & 5 gallon	30" o.c. spacing
Salvia clevelandii (Cleveland Sage)	5 gallon	5' o.c. spacing
Verbena lilacina (Lilac Verbena)	5 gallon	4-5' o.c. spacing
Zauschneria species (Hardy Fuchsia)	5 gallon	4-5' o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (MCR)	1 and 5 gallon	48" o.c. spacing max.
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing max.
Carex divulsa (Berkeley Sedge)	1 gallon	42" o.c. spacing max.
Delosperma cooperi (Trailing Ice Plant)	1 gallon	24" o.c. spacing max.
Hedera helix (Ivy) (MCR)	1 gallon	24" o.c. spacing
Juniperus species (Juniper)	1 gallon	30" o.c. spacing
Lantana montevidensis (Trailing Lantana) (Purple Trailing Lantana)	1 gallon	18" o.c. spacing
Myoporum parvifolium (Myoporum)	1 gallon	24"-48" o.c. spacing
Myoporum species (Prostrate)	1 gallon	48" o.c. spacing
Rosmarinus officinalis prostratus (Rosemary)	1 gallon	30" o.c. spacing
Trachelospermum jasminoides (Star Jasmine)	Flats and 1 gallon	18" o.c. spacing

INTERIM LANDSCAPE WITHIN CALTRANS R/W - PLANT 1 GAL. ACHIEVE RESOLVE TO 2 O.C. WITH 3" INNER LAYER OFFER DESIGN BOOK. TRANSFER SCAPE IRRIGATED WITH DRIP IRRIGATION.

SIDEWALK VIEW - AVAILABLE NON-SAMPLE HYDROSEEDING MIX

0.25 LBS/AC	ACHNATHERUM LENE
0.25 LBS/AC	NASSELLA CORNUA
0.25 LBS/AC	MUHLENBERGIA RIGIDES
0.25 LBS/AC	NASSELLA PULCHRA
0.25 LBS/AC	MULGA MORGENS CA
0.25 LBS/AC	VULPIA MICROSTACHYS
0.25 LBS/AC	MUHLENBERGIA SACROSPERMA

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Ficus repens (Creeping fig)	1 gallon	12" o.c. spacing
	Bougainvillea (Bougainvillea)	1 gallon	12" o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Dendrocalamus strictus (Red Bamboo)	5 gallon	6' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM PLANTMASTERS (951) 970-0700

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

MV00142557

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INDUSTRIE, BLOCK 35, OF MAP NO. 1 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT–ZOLLARS

NOVEMBER, 2010

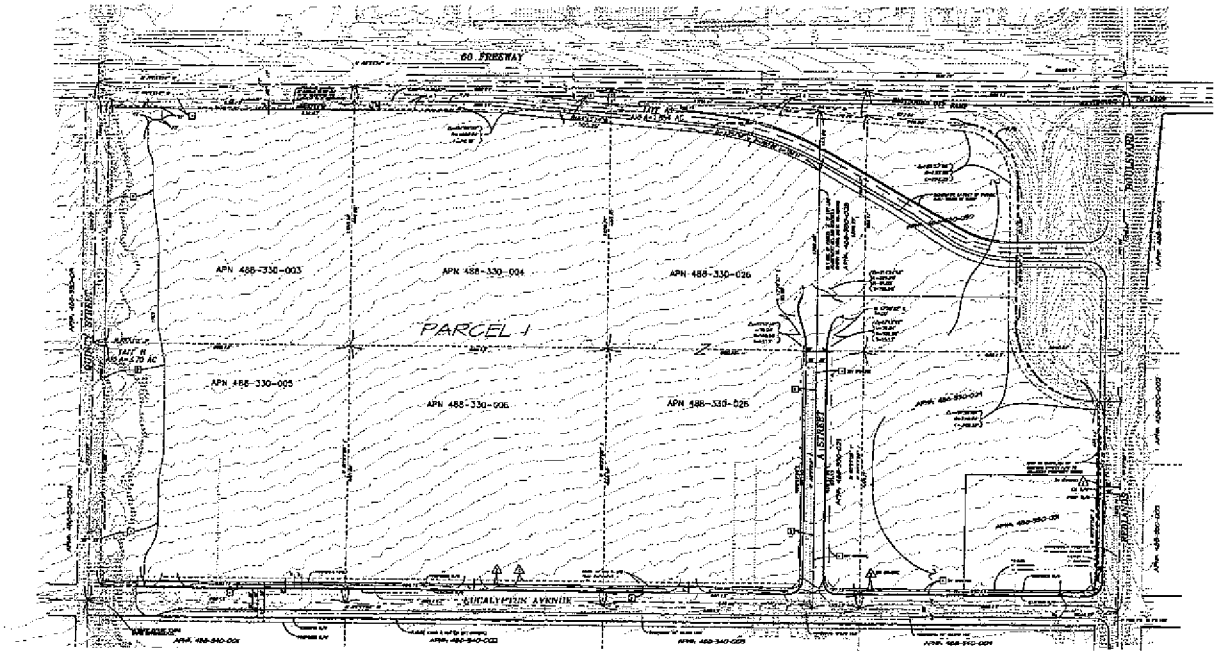

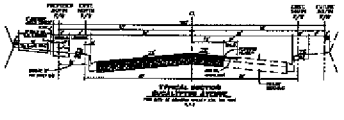

EASEMENT NOTES

(A) EASEMENTS FOR THE PURPOSES SHOWN ON THE MAP WITH INDIVIDUAL NUMBERS AS DESIGNED BY A. BOUNDARY

GRANTED TO:	EASTERN MUNICIPAL WATER DISTRICT
PURPOSE:	WATER AND SANITARY SEWER
RECORDED:	OCTOBER 15, 1986, AS INSTRUMENT NO. 274846, BOOK 2012, PAGE 1062, OF OFFICIAL RECORDS

PROPOSED EASEMENT

(1) 17' LANDSCAPE FOR MULTI-USE TRAIL TO BE CITY OF MORENO VALLEY.

(2) 5' EASEMENT FOR THE PURPOSE OF DRAINAGE AND ACCESS OF DRAINAGE TO THE CITY OF MORENO VALLEY.

PROPOSED DEDICATION

[1] DEDICATE 30' ADDITIONAL STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

[2] DEDICATE 30' STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

[3] PLOT A DEDICATION TO BE DONE TO THE CITY OF MORENO VALLEY FOR FUTURE CULTURAL USE.

[4] LOT A DEDICATE TO BE DONE TO THE CITY OF MORENO VALLEY FOR SAFETY CHANNEL USE.

LINE DATA		
LINE	BEARING	DISTANCE
L1	N 89°43'00" E	41.00'
L2	N 89°43'00" E	80.00'
L3	N 89°43'00" E	20.00'
L4	N 89°43'00" E	20.00'
L5	N 89°43'00" E	20.00'
L6	N 89°43'00" E	20.00'
L7	N 89°43'00" E	20.00'
L8	N 89°43'00" E	20.00'
L9	N 89°43'00" E	20.00'

PARCEL TABULATION TABLE	
PARCEL 1	14.00 ACRES
PARCEL 2	0.50 ACRES
TOTAL	14.50 ACRES

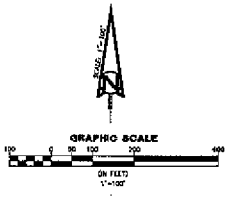

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: INDUSTRIAL, AND IS PARALLEL TO THE 60 FREEWAY, ADJACENT TO THE SOUTH, BETWEEN THE 60 FREEWAY AND EUCALYPTUS, TO THE EAST
3. GROSS LOT SIZE: 14.50 ACRE
4. EXISTING ZONING: IP1 PROPOSED ZONING: IP1
5. PLANNED STAGE OF PARCEL MAP: UNCONDITIONAL
6. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
7. PROPOSED WATER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
8. PROPOSED SEWER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
9. ALL UTILITIES SHALL BE UNDERGROUND:
   GAS: SOUTHERN CALIFORNIA GAS COMPANY
   ELECTRIC: CITY OF MORENO VALLEY ELECTRICAL UTILITY
   TELEPHONE: VERIZON TELEPHONE COMPANY
10. ALL SLOPES SHALL BE CONSTRUCTED AT A MAXIMUM RATIO OF 2:1 UNLESS OTHERWISE PERMITTED
11. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS.
12. GROSS TOPOGRAPHY PROVIDED BY: SYDOW MAPPING INC.
13. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
14. BREAKLINE AS

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELAGIO, LLC
[illegible]

PREPARED IN THE OFFICE OF
HUITT–ZOLLARS, INC.
[illegible]

UTILITY PROVIDERS

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

GAS
SOUTHERN CALIFORNIA GAS COMPANY
[illegible]

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TELEPHONE
VERIZON
[illegible]
PERRIS, CA 92570

CABLE – TV
MEDIACOM COMMUNICATIONS
[illegible]

PROJECT ENGINEER

LAND USE

GROSS AREA	14.50 ACRES
NET AREA	[illegible]
PARCEL AREA	[illegible]

EARTHWORK

CUT	[illegible]
FILL	[illegible]
IMPORT	[illegible]
EXPORT	[illegible]

LEGEND / ABBREVIATIONS

	PROPOSED BOUNDARY LINE
	PROPOSED CURB BREAK LINE
	PROPOSED DIMENSIONS BETWEEN LINE
	PROPOSED SEWER LINE
	PROPOSED STORM DRAIN
	EXISTING GAS LINE
	EXISTING WATER LINE
	EXISTING SEWER LINE
	EXISTING STORM DRAIN
	STORM DRAIN INLET
	CATCH BASIN
	[illegible]
	EXISTING RIGHT OF WAY/ROAD BOUNDARY
	CENTERLINE
	LOT LINE
	FIRE HYDRANT

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW HAVE BEEN CONTRACTED FROM A PRELIMINARY TITLE REPORT PROVIDED BY [illegible] THE COMPANY DATED [illegible] AND ENUMERATED AS [illegible] PARCEL 1 [illegible] PARCEL 2 [illegible] PARCEL 3 [illegible] PARCEL 4 [illegible] PARCEL 5 [illegible] PARCEL 6 [illegible] PARCEL A [illegible]

CITY CASE NO. PAD9-0022

HUITT–ZOLLARS

DESIGNED BY: [illegible]	SHEET 1 OF 1
DRAWN BY: [illegible]	DATE: [illegible]
CHECKED BY: [illegible]	
P.O.D.: [illegible]	

ATTACHMENT 16

MV00142558

West Ridge Commece Center Project

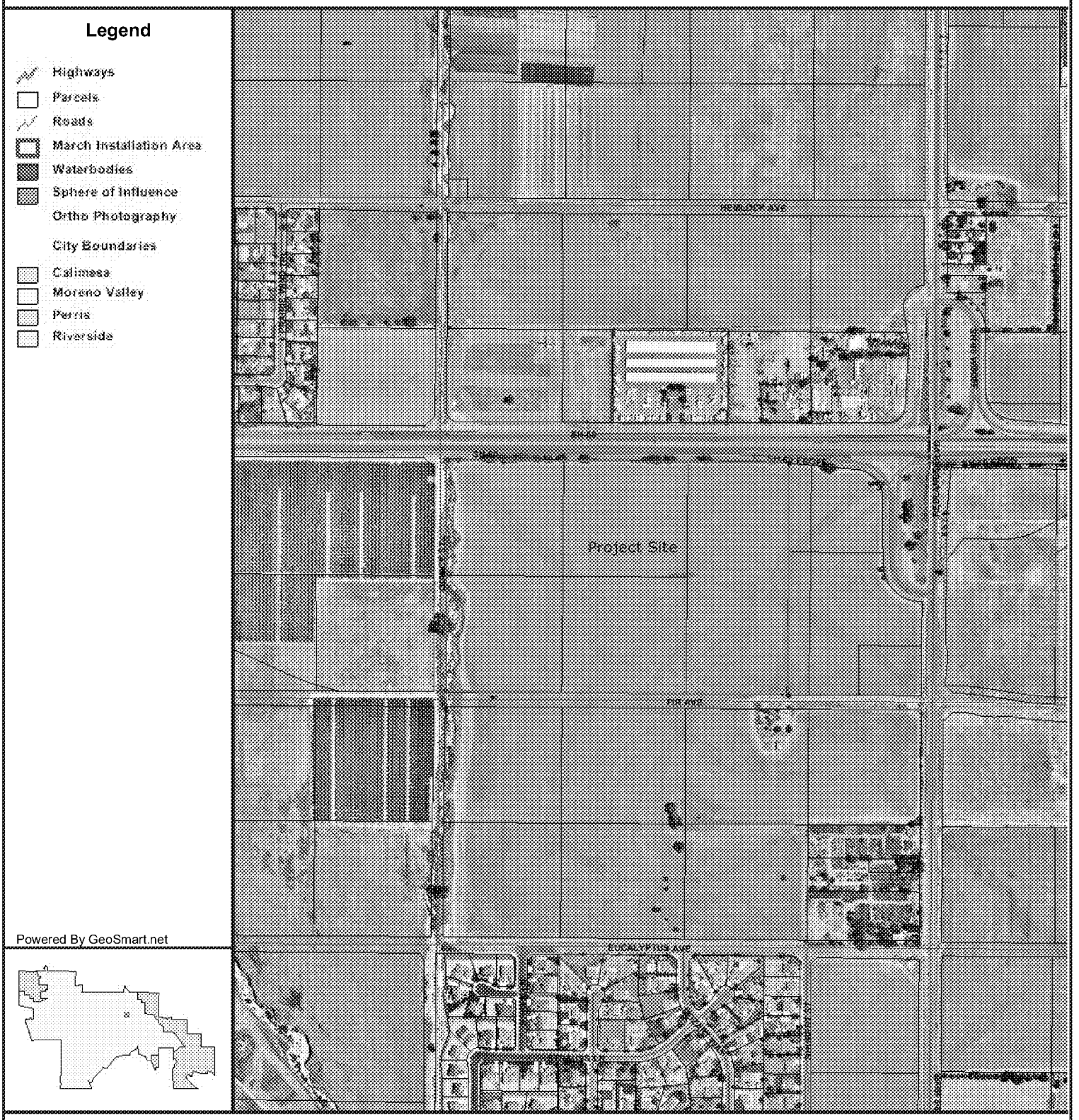

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

N

0 300 600 1200ft

Printed: 5/4/2011 11:52:36 AM

MORENO VALLEY
WHERE DREAMS SOAR

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP /II[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  - ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  - ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

AQMD-5 cont'd.

Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction

AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

MV00142570

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

MV00142571

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

MV00142572

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

MV00142573

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

MV00142574

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

MV00142575

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

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AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

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AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

MV00142578

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

MV00142580

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

MV00142581

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

MV00142582

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

MV00142583

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

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The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

MV00142585

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

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3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services LLC 909-325-0430 — Telephone: (951) 845-1003

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC (Print Name) am the owner of the property described in this application and hereby authorize Dennis S. Rice (Applicant/Representative Name) to act on my behalf on matters pertaining to this application.

Property Owner's Signature: [signature] Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature: [signature] Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 719549123⑈

MV00142590

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

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Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer.

ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

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Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

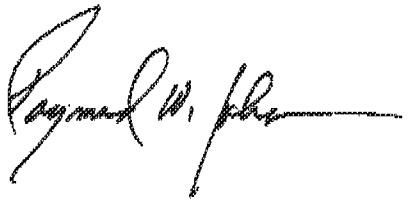

Raymond W. Johnson
JOHNSON & SEDLACK

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

AGENDA

NOTICE AND CALL OF SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY

September 6, 2011

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
Jesse L. Molina Mayor Pro Tem
Robin N. Hastings, Council Member
Marcelo Co, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
SEPTEMBER 6, 2011

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Moreno Valley will be held on September 6, 2011 commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

Agenda

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC TESTIMONY WAS RECEIVED ON AUGUST 23, 2011 AND THAT PORTION OF THE PUBLIC HEARING IS CLOSED.

E. PUBLIC HEARINGS

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND

MV00142613

APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

ADJOURNMENT

* Materials related to an item on this Agenda submitted to the City Council/Community Services District or Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

AGENDA
September 6, 2011

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 6, 2011 (Continued from August 23, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

1. **ADOPT** City Council Resolution No. 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

1. **ADOPT** City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

2. **INTRODUCE** Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

3. **INTRODUCE** Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

4. **ADOPT** City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

5. **ADOPT** City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. 2011-76
3. Environmental Impact Report Resolution No. 2011-77, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. 829 - Zone Change
5. Ordinance No. 830 - Municipal Code Amendment
6. Resolution No. 2011-78 - Plot Plan PA08-0097
7. Resolution No. 2011-79 - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00142627

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t (562) 856-3819 | f (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- ☐ Administrative Plot Plan
- ☐ Administrative Variance
- ☐ Amended Conditional Use Permit
- ☐ Amended Plot Plan
- ☐ Change of Zone
- ☐ Conditional Use Permit
- ☐ Development Agreement
- ☐ Development Code Amendment
- ☐ Extension of Time
- ☐ General Plan Amendment
- ☐ Plot Plan
- ☐ Pre-Application Review
- ☐ Specific Plan
- ☐ Specific Plan Amendment
- ☐ Tentative Parcel Map
- ☐ Tentative Tract Map
- ☐ Variance
- ☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet east of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Ranch Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@ptrnet.com

Contact Person: Derek Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services LLC — Telephone: (951) 845-1003 cell 909-226-0420

Address 931 Monarch Court — Fax No. (951) 845-9225

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson26@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Dennis S. Rice 5-18-2011
Property Owner's Signature Date

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Dennis S. Rice 5-18-2011
Applicant's Signature Date

W:\CDD Admin\lists\FORMS - Development Services\Planning forms\ProjectApplication rev FEB11.doc Revised: 2/1/2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60605

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈001194⑈ ⑆071000013⑆495693⑈

Item No. E.1

MV00142633

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

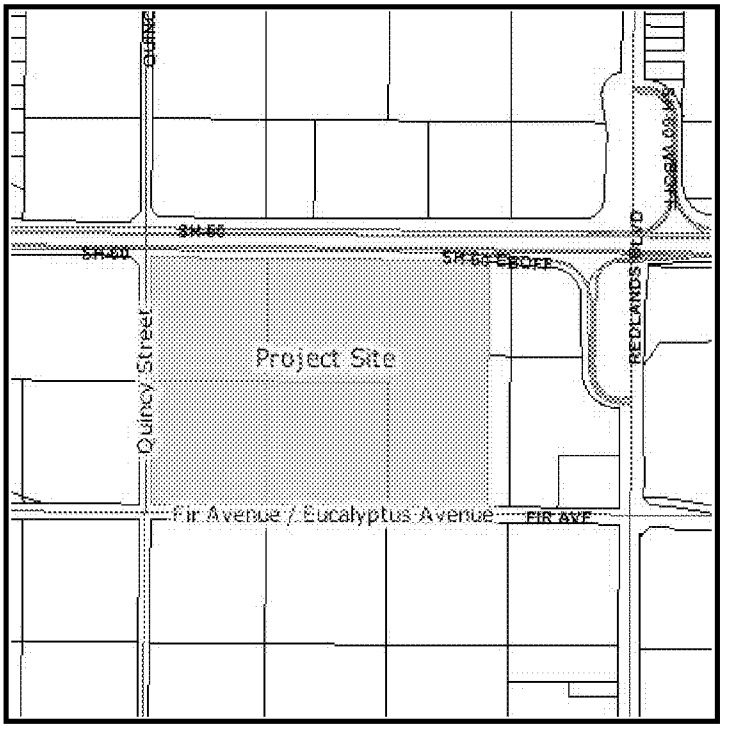

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

Item No. E.1

MV00142634

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MV00142635

RESOLUTION NO. 2011-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00142639

RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS, on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the Westridge Commerce Center Project (State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. <u>Project Description</u>

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Land Use**

a. **General Plan Consistency**

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. **Zoning Consistency**

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. Hydrology and Water Quality

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. Biological Resources

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: No federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. Biological Resources

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

c. **Freeway Mainline Segments**

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. **Air Quality**

a. **Short-Term Construction Emissions**

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of

standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00142730

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00142732

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

MV00142734

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00142736

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00142738

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd) *right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;* • *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;* • *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and* • *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.* *The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00142740

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00142742

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00142744

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of fi building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.19 (cont'd)			Department	
• *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*				
The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.				
Air Quality				
To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction
• *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*				
• *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*				

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

MV00142754

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) ○ *Installation of catalytic converters on gasoline-powered equipment.* ○ *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* ○ *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* ○ *Provision of preferential parking for EV and CNG vehicles;* ○ *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* ○ *Use of electric (instead of diesel or gasoline-powered) yard trucks;* ○ *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

MV00142758

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building pe

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
Cultural Resources				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of fi grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

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Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 829
Date Adopted: _____

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00142777

RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-78 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area

will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. **(GP) Prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P36. **(GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.**

P37. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

P38. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A.** **A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B.** **Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C.** **A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D.** **Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and

• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;

• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);

• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.

• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;
• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and
• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:
• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;
• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;
• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and
• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane;
• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

P98. MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

P99. MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

P100. MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.

P101. MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the

Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;

f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact

Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.

e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The

drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. **Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.**

LD67. **Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.**

LD68. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).**

LD69. **Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.**

LD70. **Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.**

LD71. **Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.**

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

e. **Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.**

f. **The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of*

Moreno Valley Public Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements

shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under <u>no</u> circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, the project and/or its tenants and employees will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-79, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-79 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of August, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow; hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F9. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F10. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In

multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F17. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and

approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

~~PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION~~

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

~~General Conditions~~

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map and plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD11. (G) Upon approval of the tentative tract map and plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

~~Prior to Grading Plan Approval or Grading Permit~~

LD12. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD13. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD20. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

~~Prior to Map Approval or Recordation~~

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree

to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD34. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD36. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD37. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD38. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD39. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

LD40. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD43. (IPA) Prior to approval of the improvement plans, any drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD44. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one

lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD45. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD47. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD48. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD51. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD52. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD59. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD60. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to

secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD61. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

f. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD77. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD79. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD80. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

~~PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS DIVISION~~

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA08-0097; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. **If a median is required to be constructed then**, plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. **If a median is required to be constructed then**, the developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD9. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service

responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD14. (CO) **If a median is required to be constructed then**, all parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Recordation of Final Map

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

Prior to Issuance of Building Permit

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and

other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property.

The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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MV00142891

PLANNING COMMISSION STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

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3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

ATTACHMENT 9

separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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Item No. E.1

1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans)** for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

4.3.~~6~~5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.~~7~~6 *During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.~~8~~7 *The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~* ***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be*** *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.~~9~~8 *Grading plans, construction specifications and bid documents shall* ***also*** *include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~* ***the following notations:***

- ***Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;***

- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*

• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking.~~ Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."

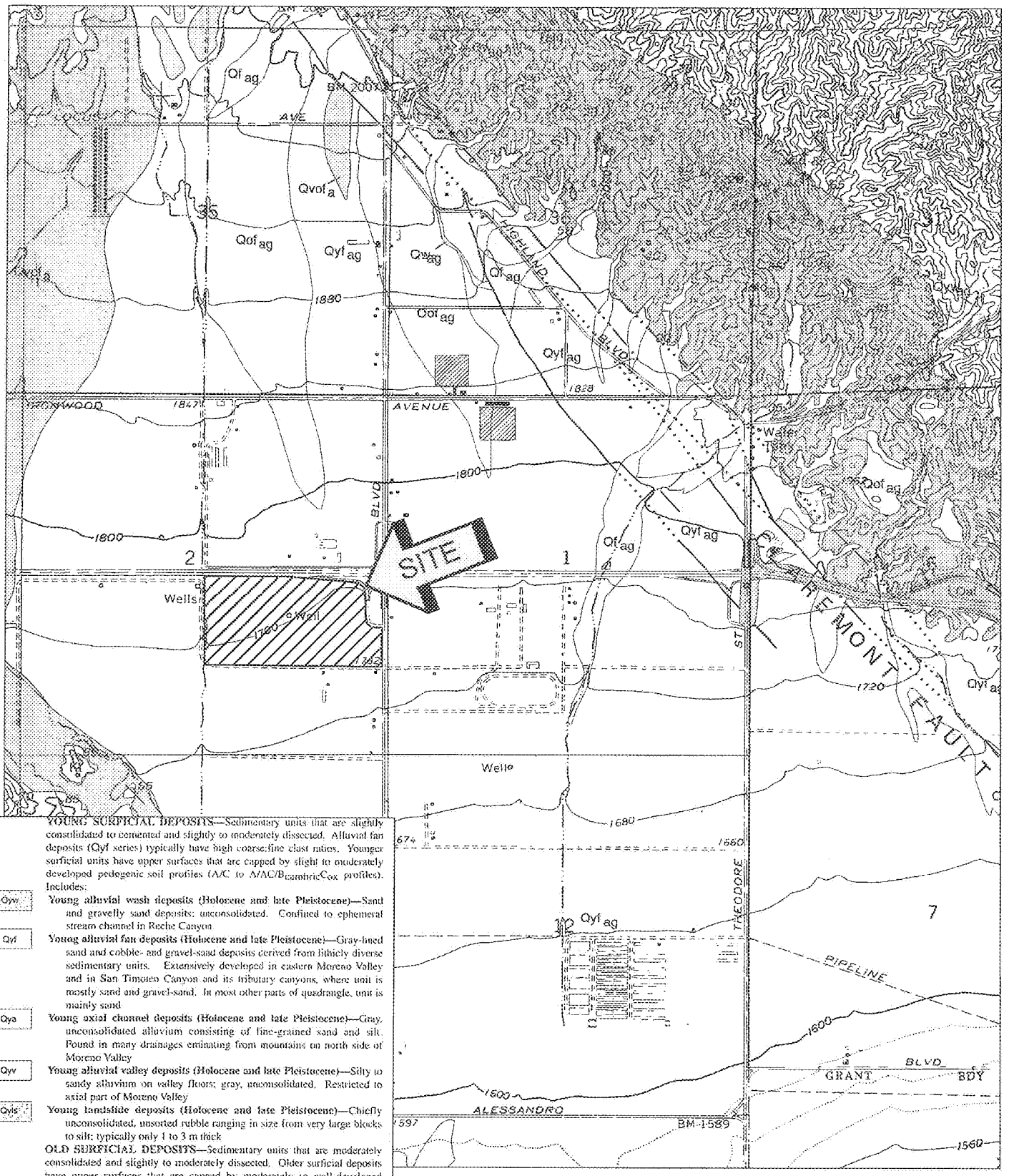

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00142967

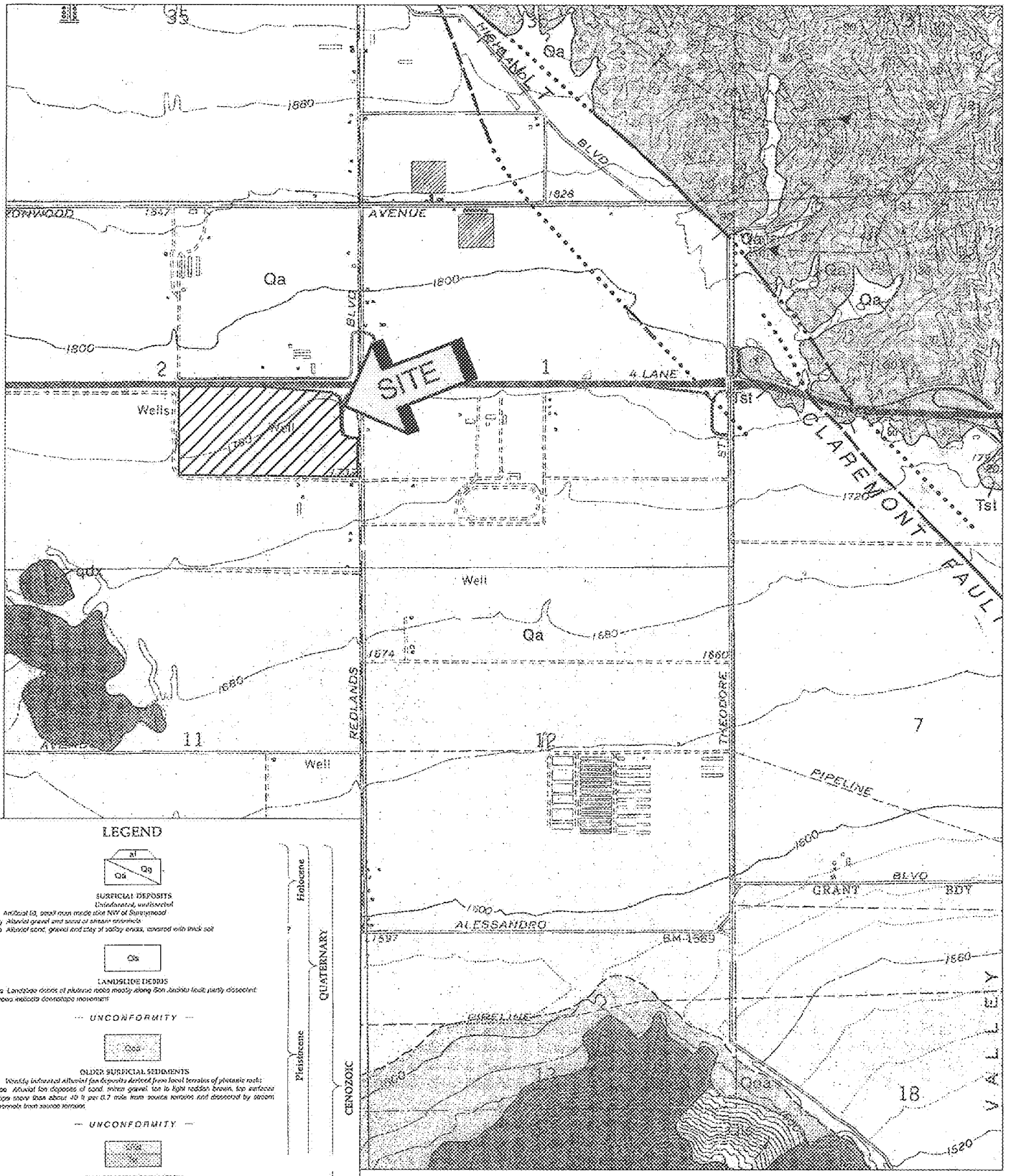

LEGEND

SURFICIAL DEPOSITS
Unconsolidated, undissected

af Artificial fill, small mass made due NW of Sunnymead

Qg Alluvial gravel and sand of stream channels

Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks:

Qoa Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, fan surfaces slope more than about 40 ft per 0.7 mile from source terrains and dissected by stream channels from source terrains

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Sets of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); strata part referred to late of Pliocene age (Morton and Miall, 2004)

QTsa Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone, tentatively (?) overlain by Qoa in this quadrangle

Tsl Main part (pebble part of Morton and Miall, 2004), lithologically similar to upper part, within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene
Pleistocene
QUATERNARY
Pliocene
TERTIARY
CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00142968

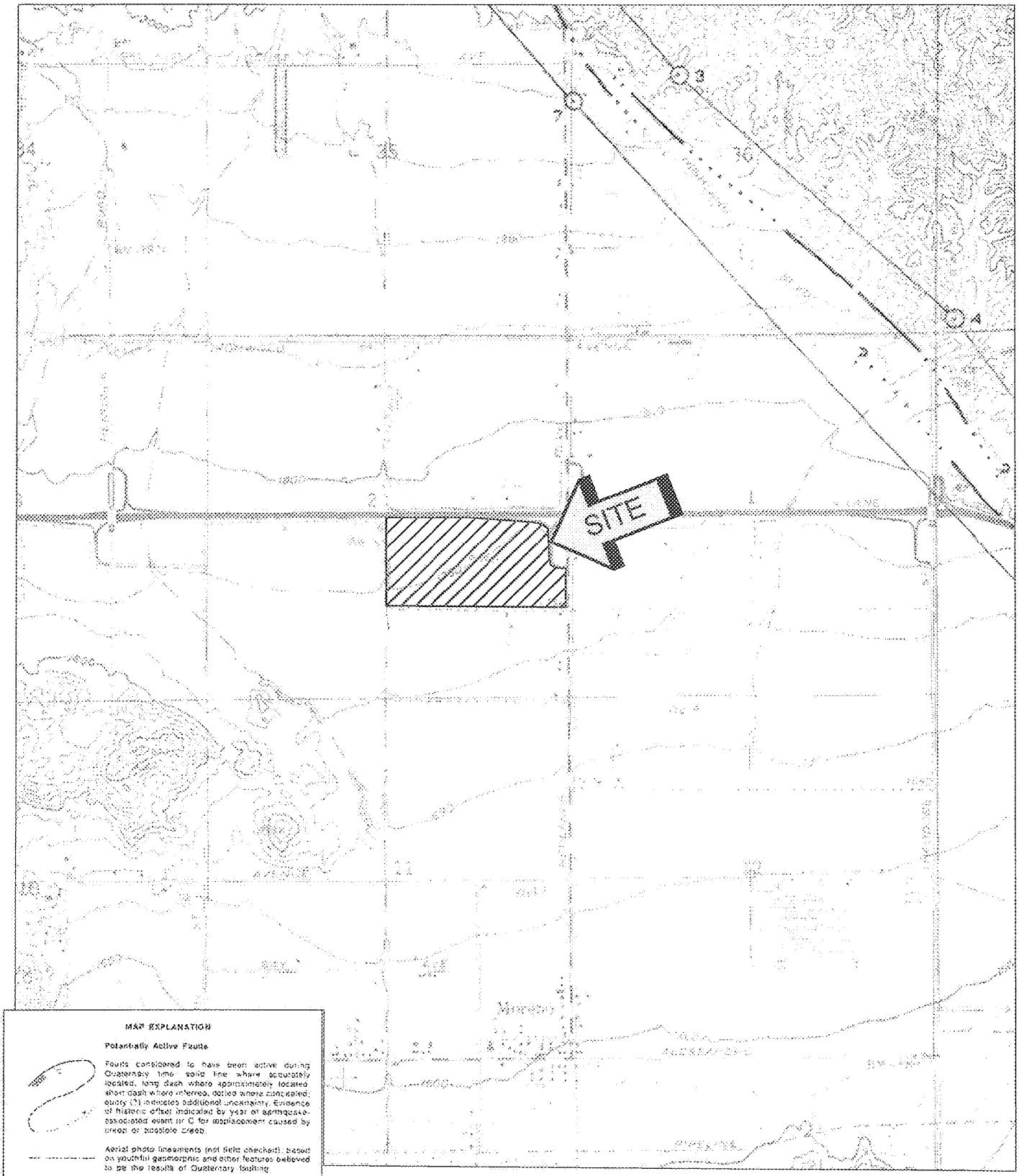

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

FAULT ZONES
03/16/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00142970

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

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Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

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Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead age

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 *Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*

4.8.2 *Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*

4.8.3 *Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be*

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 *Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division.*

4.8.5 *Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:*

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

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[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

Board of Directors

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***): EMWD-2

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the***

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 6, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

Board of Directors

President
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General Manager
Anthony J. Pack

Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time. More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet: www.emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> 4.5.3 *The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> 4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr.~~ Bradshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley. **I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life ...**" and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
2

truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents. Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

"II. THE ENVIRONMENTAL ISSUES

Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.

Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11

Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.

The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
4

> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs". MA-11 cont'd.

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

---

3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

RECEIVED
DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1, Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s) and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary?

GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study?

GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates.

GB-5

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason. GB-7, cont'd

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR?

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR? GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault? GB-9

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east. GB-10

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Petit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 878 • Calimesa, California 92320 • Telephone (909) 446-0041 • Fax (909) 446-0136

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

E M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.

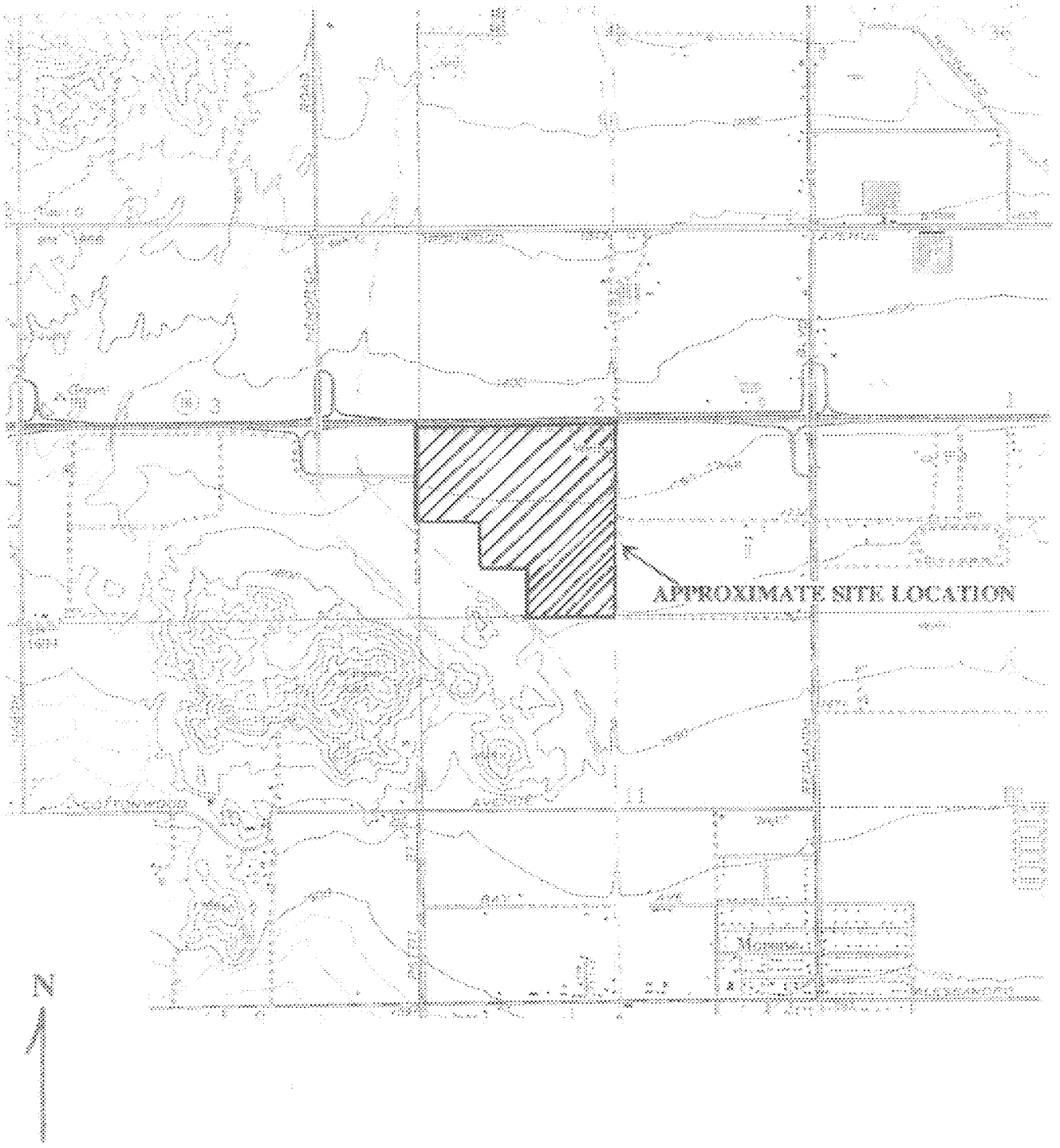

Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 130± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

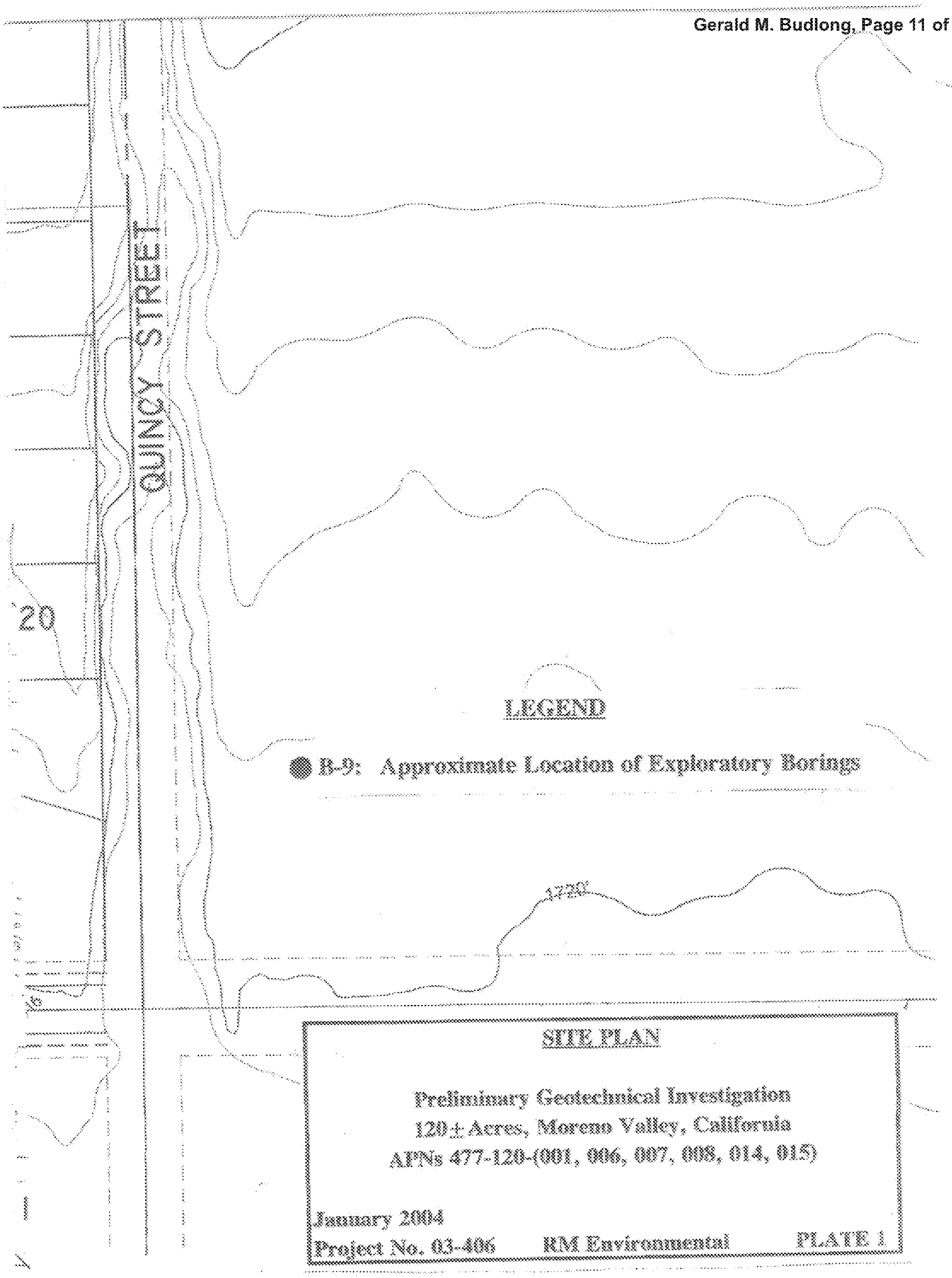

SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 RM Environmental PLATE 1

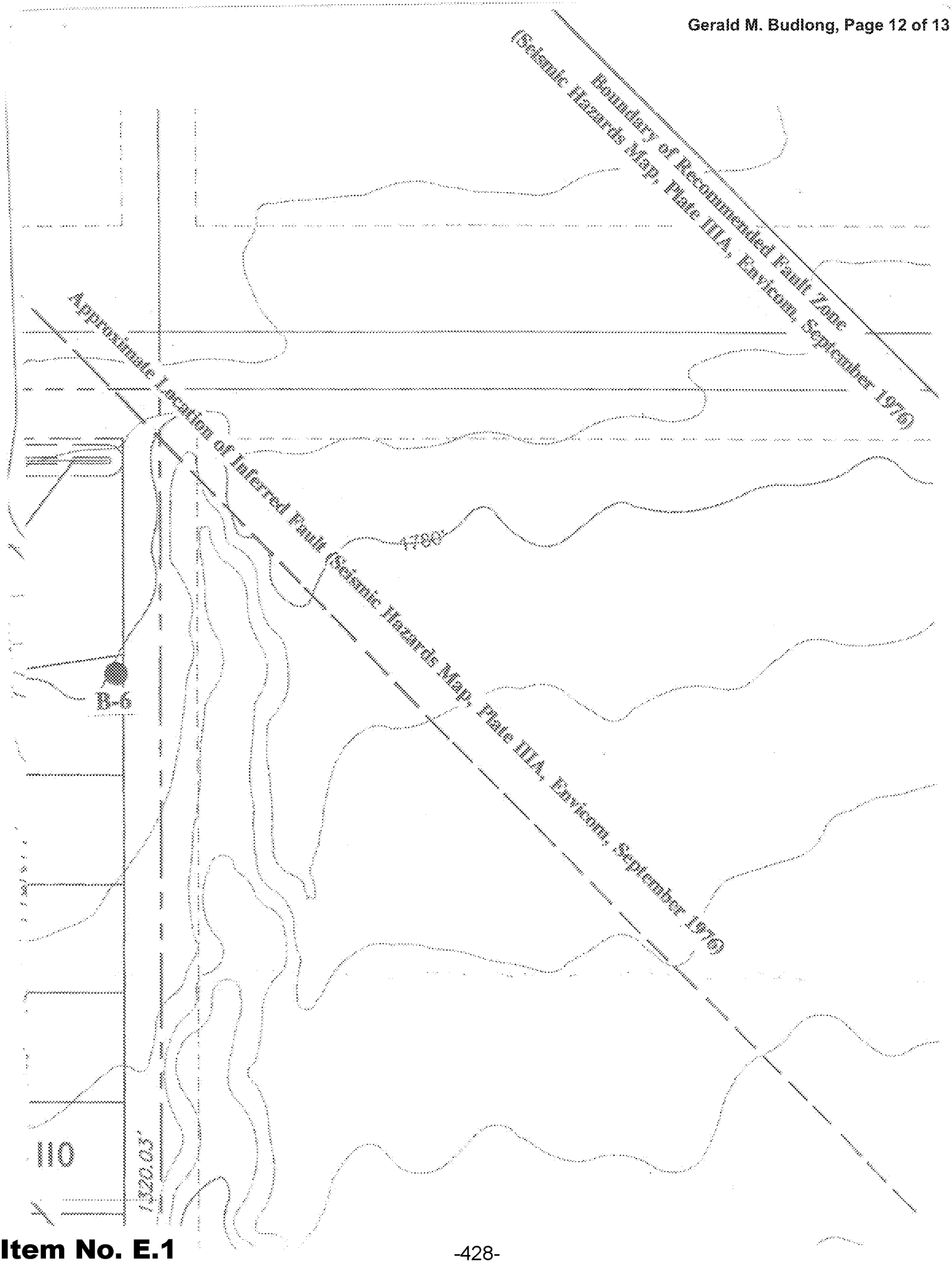
Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Earthcom, September 1976)
1780'
B-6
110
1320.03'

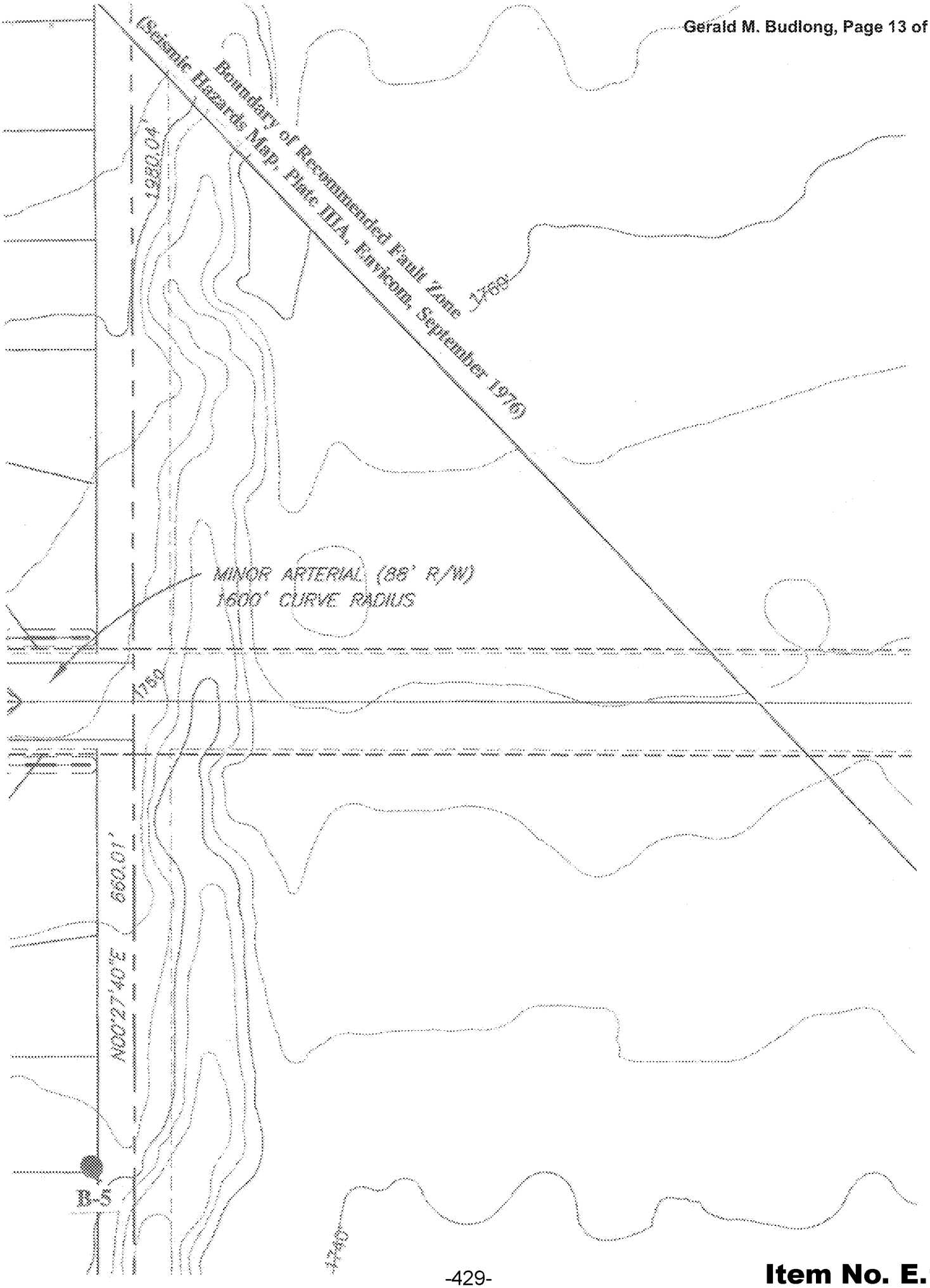
Boundary of Recommended Fault Zone
Seismic Hazards Map, Plate IIIA, Harlicom, September 1976
1920.04'
1760
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1760
660.01'
N00°27'40"E
1740

Item No. E.1

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.

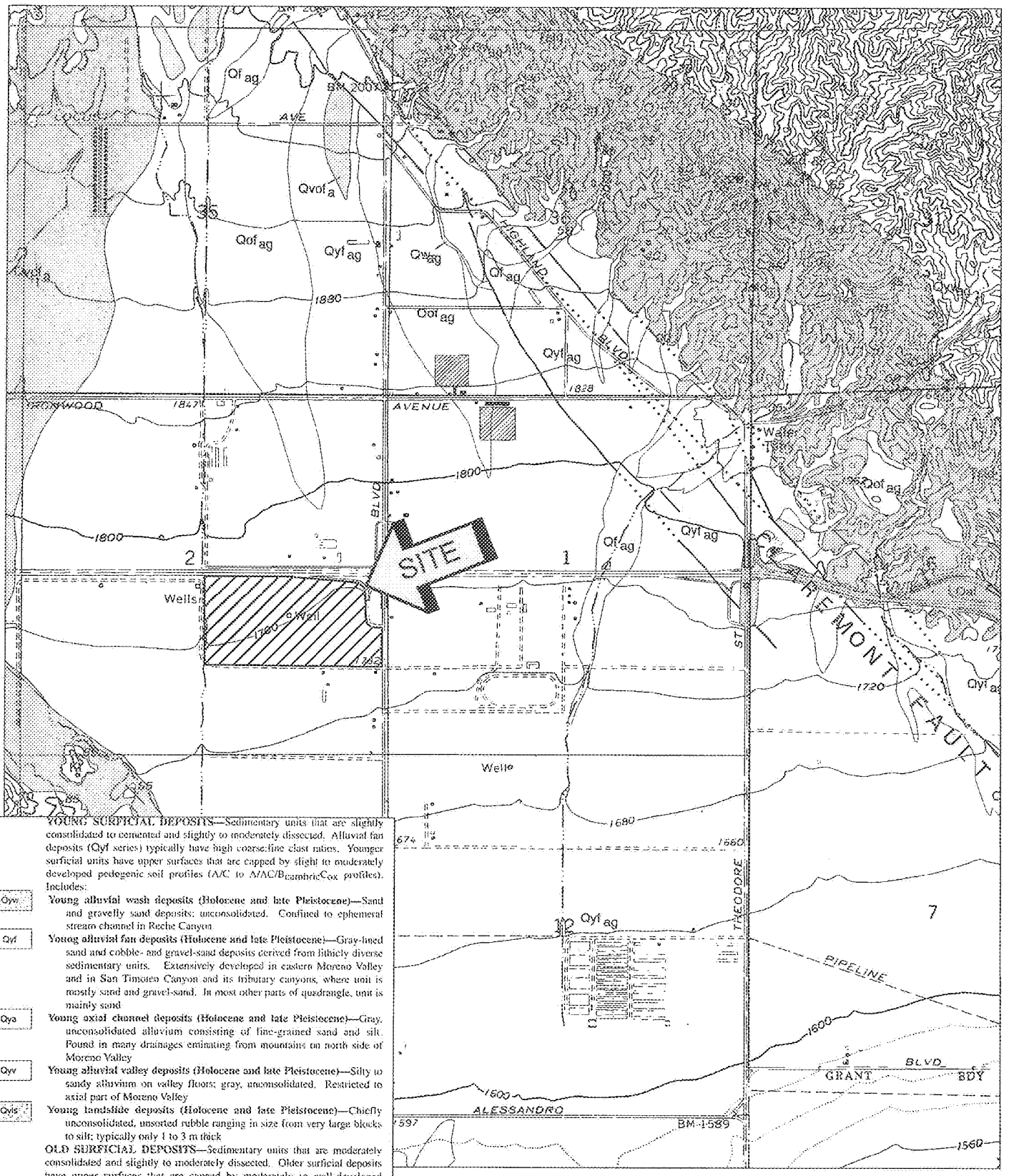

YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon.

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand.

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages emanating from mountains on north side of Moreno Valley.

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley.

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick.

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravelly alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected; reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SOUTHERN CALIFORNIA GEOTECHNICAL

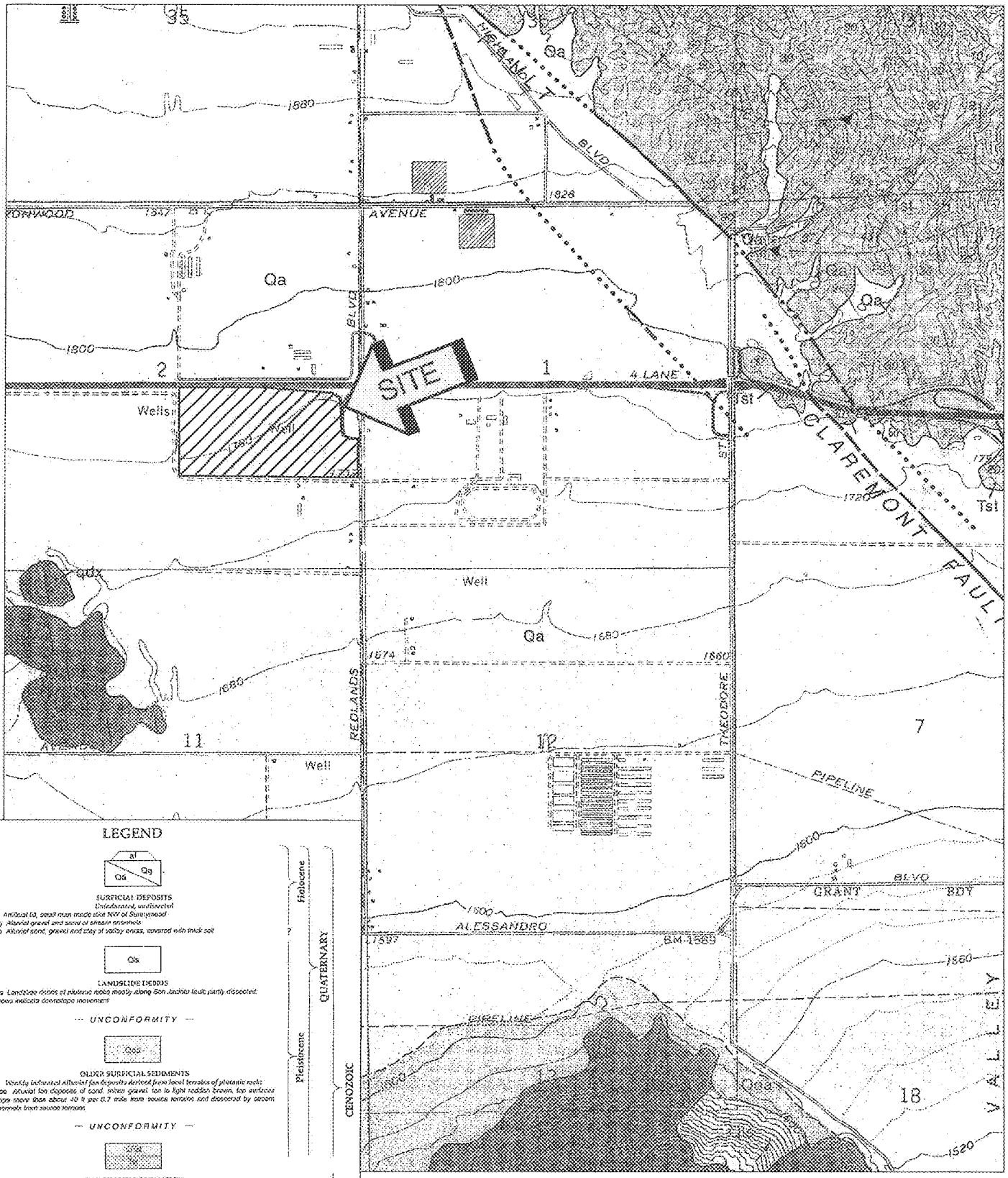

LEGEND

SURFICIAL DEPOSITS
Unlaminated, undissected

af Artificial fill, small man made site NW of Sunnymead
Qg Alluvial gravel and sand of stream channels
Qa Alluvial sand, gravel and clay of valley areas, covered with thick soil

LANDSLIDE DEBRIS

Qls Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected; arrows indicate downslope movement

— UNCONFORMITY —

OLDER SURFICIAL SEDIMENTS

Qoa Weakly indurated Alluvial fan deposits derived from local terraces of plutonic rocks; Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, fan surfaces slope more than about 40 ft per 0.7 mile from source terraces and dissected by stream channels from source terraces

— UNCONFORMITY —

SAN TIMOTEO FORMATION

(San Timoteo Hills of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernardino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Reynolds, 1991); whole part referred to be of Pliocene age (Morton and Matti, 2001)

QTsa Upper part, conglomerate, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic outcrop, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish clay claystone; unconformably (?) overlain by Qoa in this quadrangle

Tsi Main part (pebble part of Morton and Matti, 2001), lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle

Holocene	QUATERNARY	CENOZOIC
Pleistocene	QUATERNARY	CENOZOIC
Pliocene	TERTIARY	CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00143050

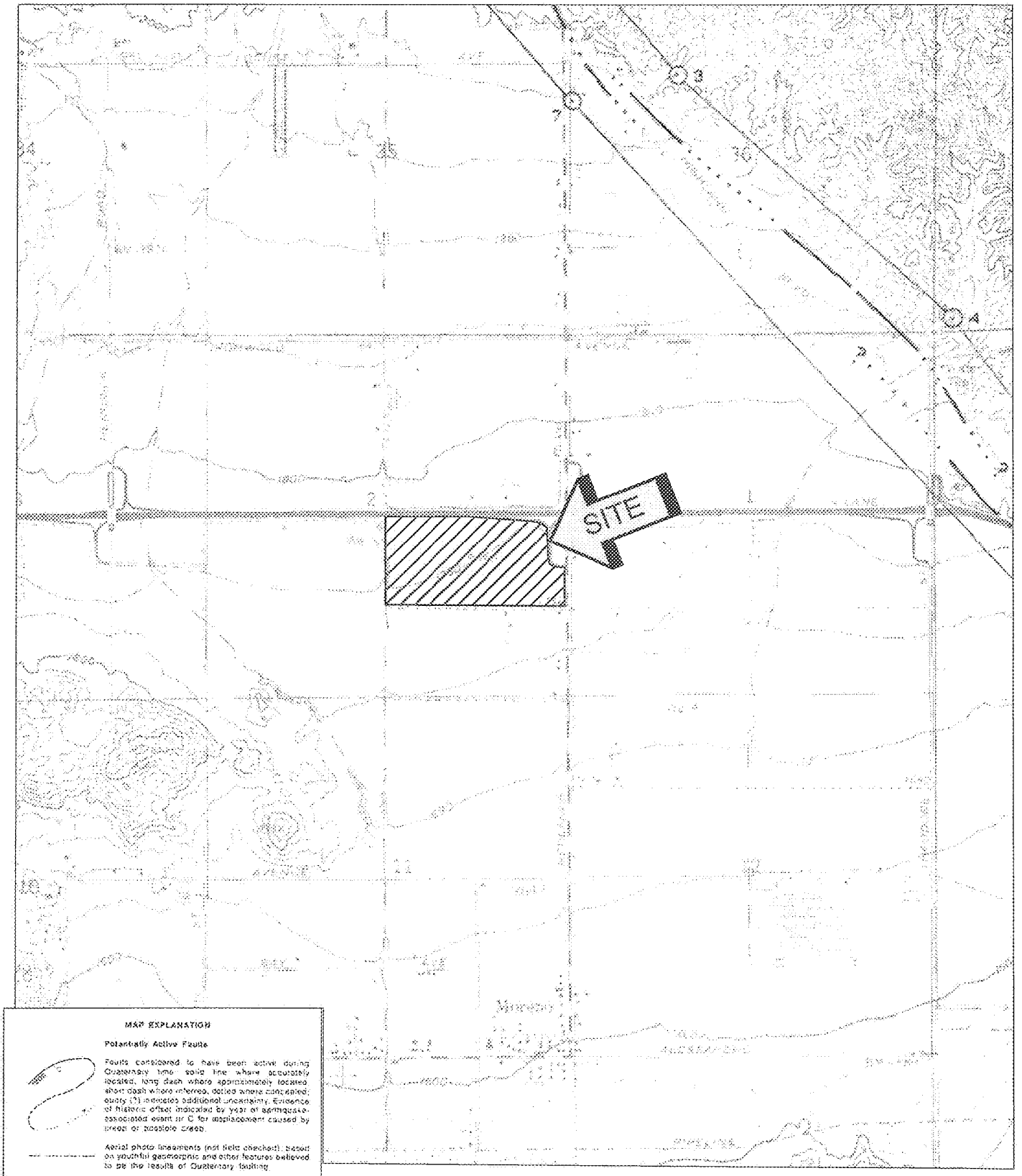

MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked), based on youthful geomorphic and other features believed to be the results of Quaternary faulting.

Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP

PROPOSED WEST RIDGE BUSINESS CENTER

MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	
DRAWN: DRK CHKD: JAS	
SCG PROJECT 09G285-2	
PLATE 3	

SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.1

MV00143051

FAULT ZONES
03/16/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'	SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: DRK CHKD: JAS	
SCG PROJECT 06G285-2	
PLATE 4	

Item No. E.1

MV00143052

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

rachel.l@ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

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[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting FNSJ-18
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

Ann L. Turner McKibben

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

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FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds $PM_{10}/PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).
[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

Response FNSJ-23

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls...how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq., *Retired*
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Sarah Krejca, Esq.

26785 Camino Seco, Temecula CA 92590

E-mail: EsqAICP@Wildblue.net
Abby.JSLaw@Gmail.com
Kim.JSLaw@Gmail.com
Sarah.JSLaw@Gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

Air Quality

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

JS-14 (cont'd)

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts.

JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document.

JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of

JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces.**
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

Climate Change/GHG emissions:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is <u>not</u> the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance ...." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

JS-54

(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

RAYMOND W. JOHNSON, Esq., AICP

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

JS-55

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

JS-55 (cont'd)

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track. Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

JS-55 (cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~* ***utilized to*** *power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less than significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis,* Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: *"All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design."*) The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: *"vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible"* are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-38

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response JS-41

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> 4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays,* ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2.,* ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~A~~ll*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

5.8 Direct impacts to wildlife

5.8.1 Common Wildlife

The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

Common Wildlife Species

The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

Response JS-52

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

<u>Response JS-53</u>

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Response SM-6

The commentor's concerns will be forwarded to decision-makers for their consideration.

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists [illegible] LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Response NDN-12

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below

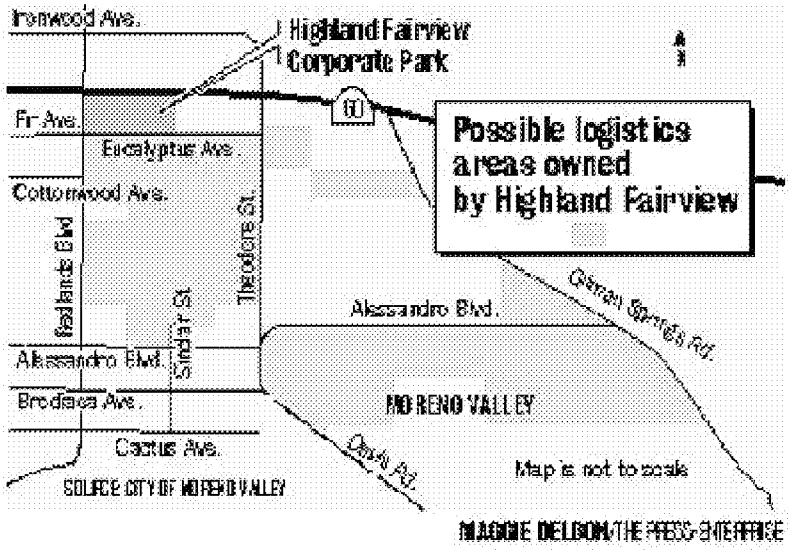

"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools?

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

RLMV-2

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

RLMV-3

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- SC-1
without factoring Moreno Highlands into the equation. How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

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11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (*South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, Page D-3).

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to show the impacted views from the 60 Freeway looking south across the project site to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

Recommendation: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

Building – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **mitigation measure reducing the height of the structure to preserve some of the scenic vistas should be imposed.** Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

Light and Glare – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: www.darksky.org lists lighting fixtures and methods to meet dark sky specifications. Add a Mitigation Measure (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

Screen Walls – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

Landscaping – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community? TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts. TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be mitigation measures requiring a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGehee Dr. Moreno Valley 92555 E-Mail:

*Note: Your name and contact information will become part of the public record for this project.

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

My main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward effect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else, whereas the San Jacinto Wildlife Area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Richard Johnson Phone: 951-243-0804

*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

*Note: Your name and contact information will become part of the public record for this project.

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

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DEC - 6 2010
CITY OF MORENO VALLEY

Item No. E.1

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:

*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area.

This report most include all the impacts of all 35 million sq ft in order to be of actual value to the community. DR-C-2

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

Item No. E.1

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

APPENDICES

Please refer to accompanying CD-ROM

Item No. E.1

MV00143320

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MV00143321

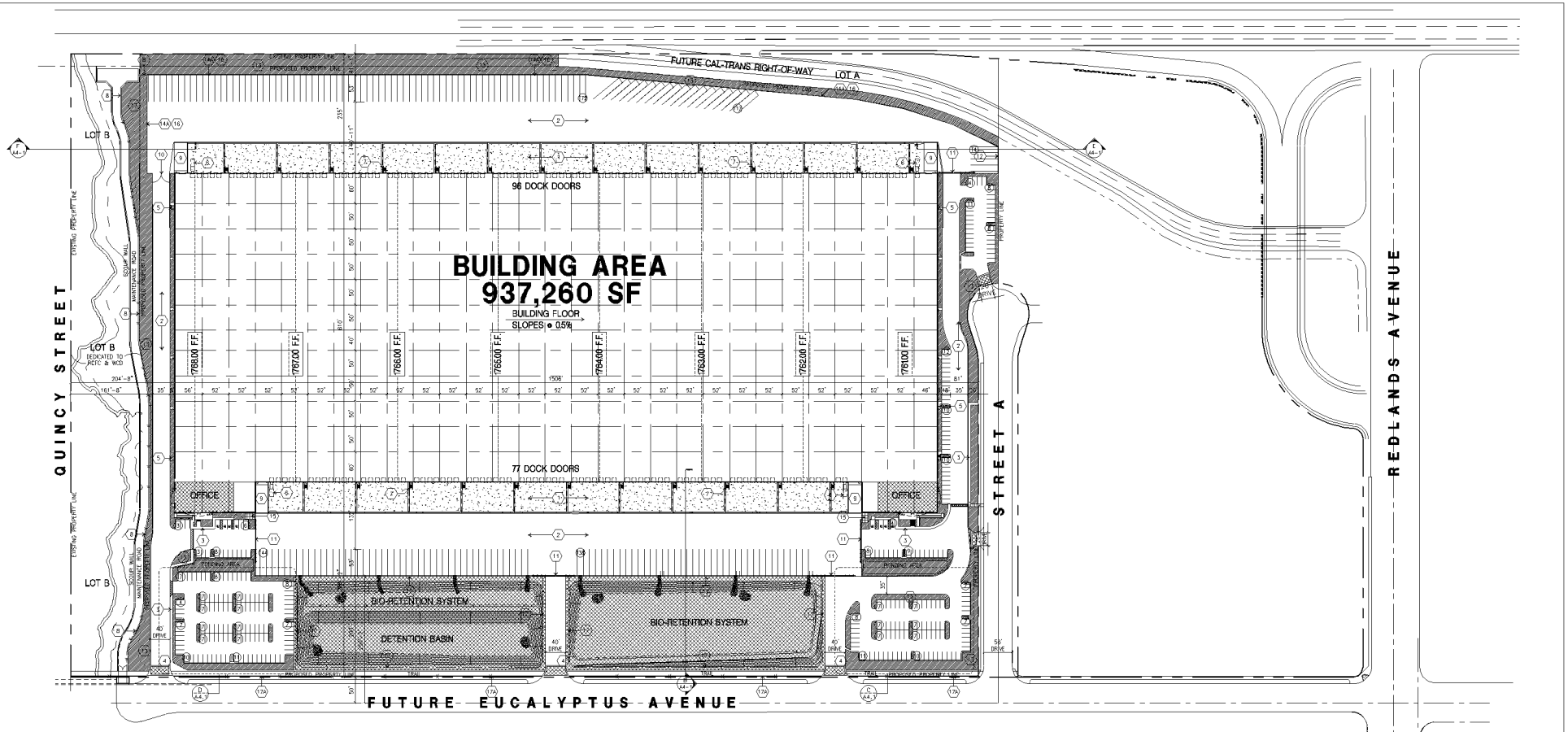

OVERALL SITE PLAN

scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS

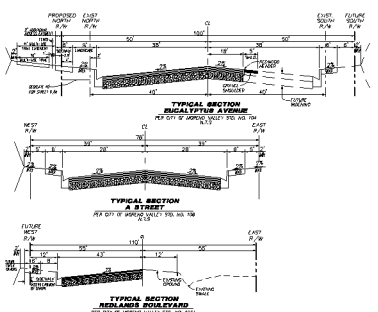

PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in s.q.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.68
Net site area (in s.q.ft.)	2,269,040		2,251,964
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k@1/1,000 s.f.	20		
2nd. 20k@1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT. SEE "C" & "S" DWGS.
2. ASPHALT CONCRETE (AC) PAVING. SEE "C" DWGS.
3. CONCRETE WALKWAY. SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAIN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' SIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 6' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H CONCRETE SCREENWALL. PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL. SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

PIERCE RANCHO BELLAGIO, LLC
c/o PIERCE PROPERTY TRUST
301 CONVAL AVE. - STE. #8
LONG BEACH, CA 90803
TEL: (562) 856-3619
CONTACT: DENNIS PICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INDRI CHANG

Applicant's Representative

INLAND EMPIRE DEVELOPMENT SERVICES, INC.
531 MONROE COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: GIL SWENT

Civil Engineer

HUITT ZOLLARS
1101 S. MILIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-9400
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 10 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC PAVING - SEE "C" DWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTND RIGHT OF WAY/SITE BOUNDARY
- P — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6839
CONTACT: TIA CARSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3450
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25000 TRUMBLE ROAD SC 6058
ROMOLAND, CA 92380
PHONE: (951) 335-3502
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DAUENHAUER

VICINITY MAP

N.T.S.

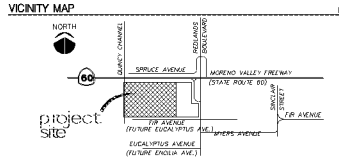

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center

MORENO VALLEY, CALIFORNIA

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612

PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

HPA# 6342

NOVEMBER 5, 2010

A1.1

(949) 863-1770

ATTACHMENT 11

MV00143322

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MV00143323

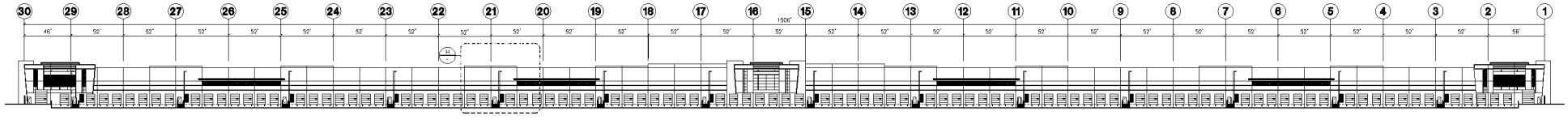

NORTH ELEVATION (A)
scale: 1"=40'-0"

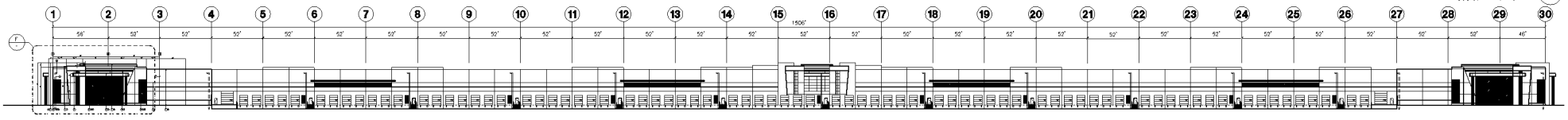

SOUTH ELEVATION (B)
scale: 1"=40'-0"

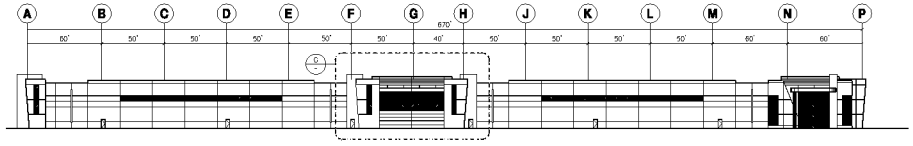

WEST ELEVATION (D)
scale: 1"=40'-0"

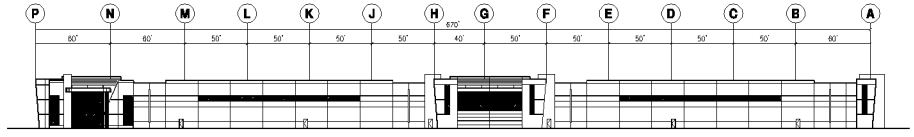

EAST ELEVATION (C)
scale: 1"=40'-0"

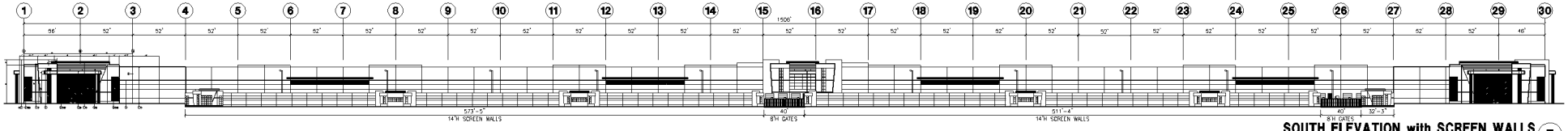

SOUTH ELEVATION with SCREEN WALLS (E)
scale: 1"=40'-0"

SCALE: 1"=40'
0 40' 80' 120'

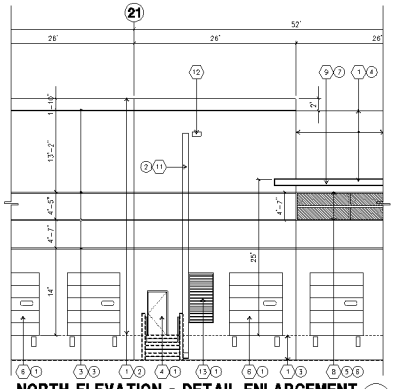

NORTH ELEVATION - DETAIL ENLARGEMENT (H)
scale: 1/8"=1'-0"

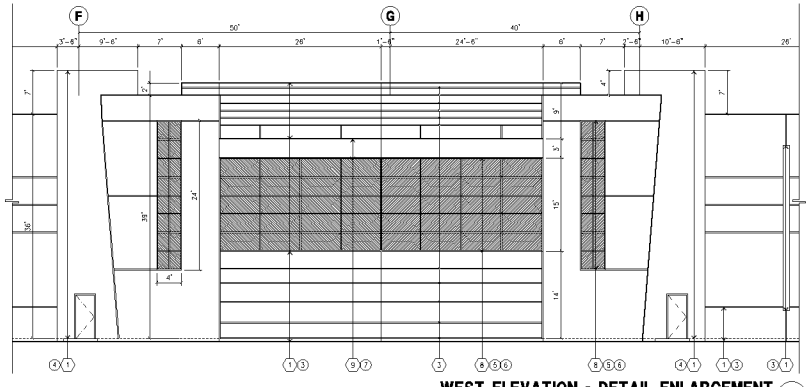

WEST ELEVATION - DETAIL ENLARGEMENT (G)
scale: 1/8"=1'-0"

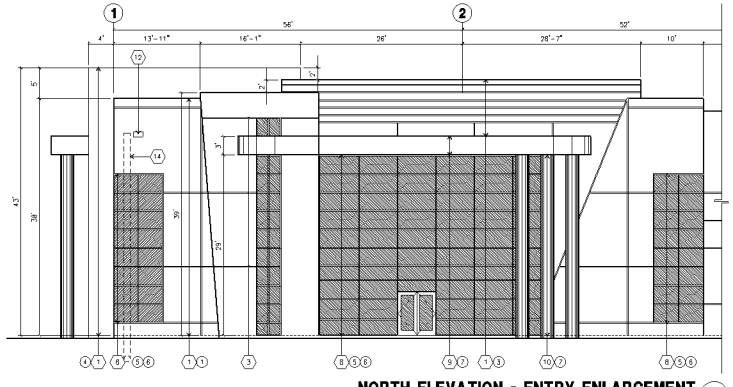

NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS. SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H METAL LOUVER PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F.= FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH, EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173M EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2566A DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

- SPANDREL GLASS
- VISION GLASS
- TEMPERED SPANDREL GLASS
- TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA06-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

A3.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 12

MV00143324

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MV00143325

HPA

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

WestRidge Commerce Center

Moreno Valley, California

RIDGE PROPERTY TRUST

August 9, 2010/Job#8418

ATTACHMENT 13

MV00143326

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MV00143327

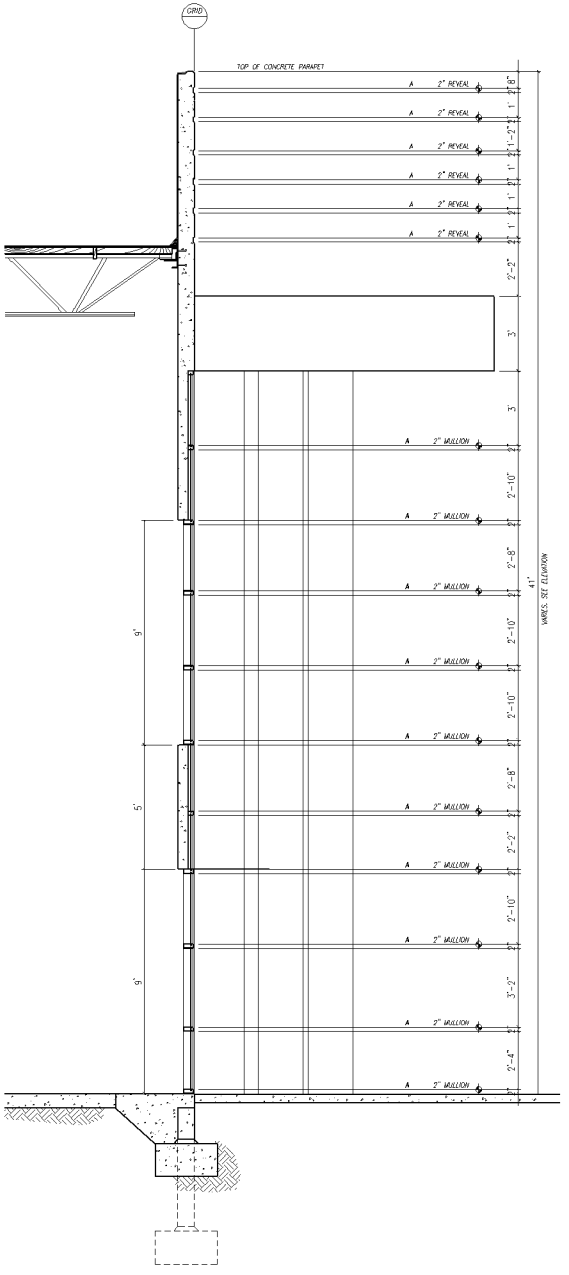

BUILDING SECTION @ OFFICE AREA (A)
scale: 1/2" = 1'-0"

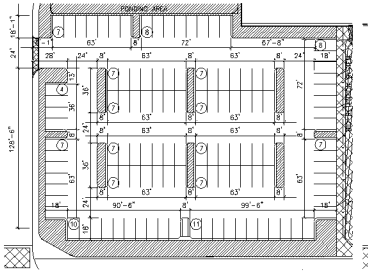

ENLARGED SITE PLAN @ SOUTHWEST (D)
scale: 1" = 40'-0"

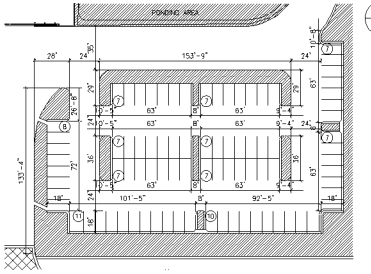

ENLARGED SITE PLAN @ SOUTHEAST (C)
scale: 1" = 40'-0"

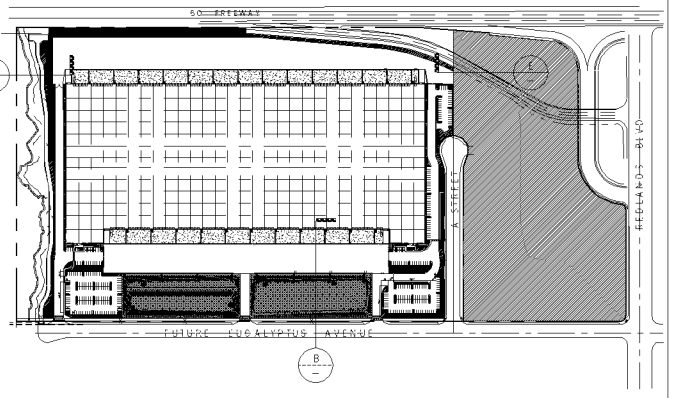

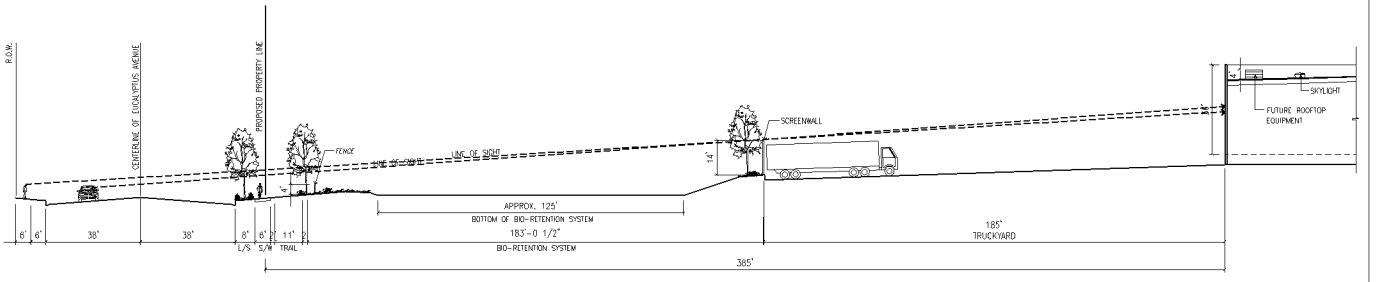

LINE OF SIGHT (B)
scale: 1" = 20'-0"

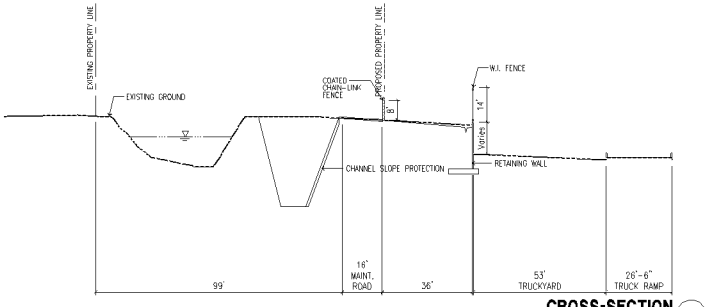

CROSS-SECTION (F)
scale: 1" = 20'-0"

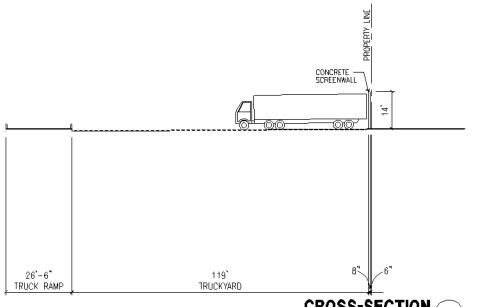

CROSS-SECTION (E)
scale: 1" = 20'-0"

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge Commerce Center
MORENO VALLEY, CALIFORNIA

Rexford Property Trust
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

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ATTACHMENT 14

MV00143328

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MV00143329

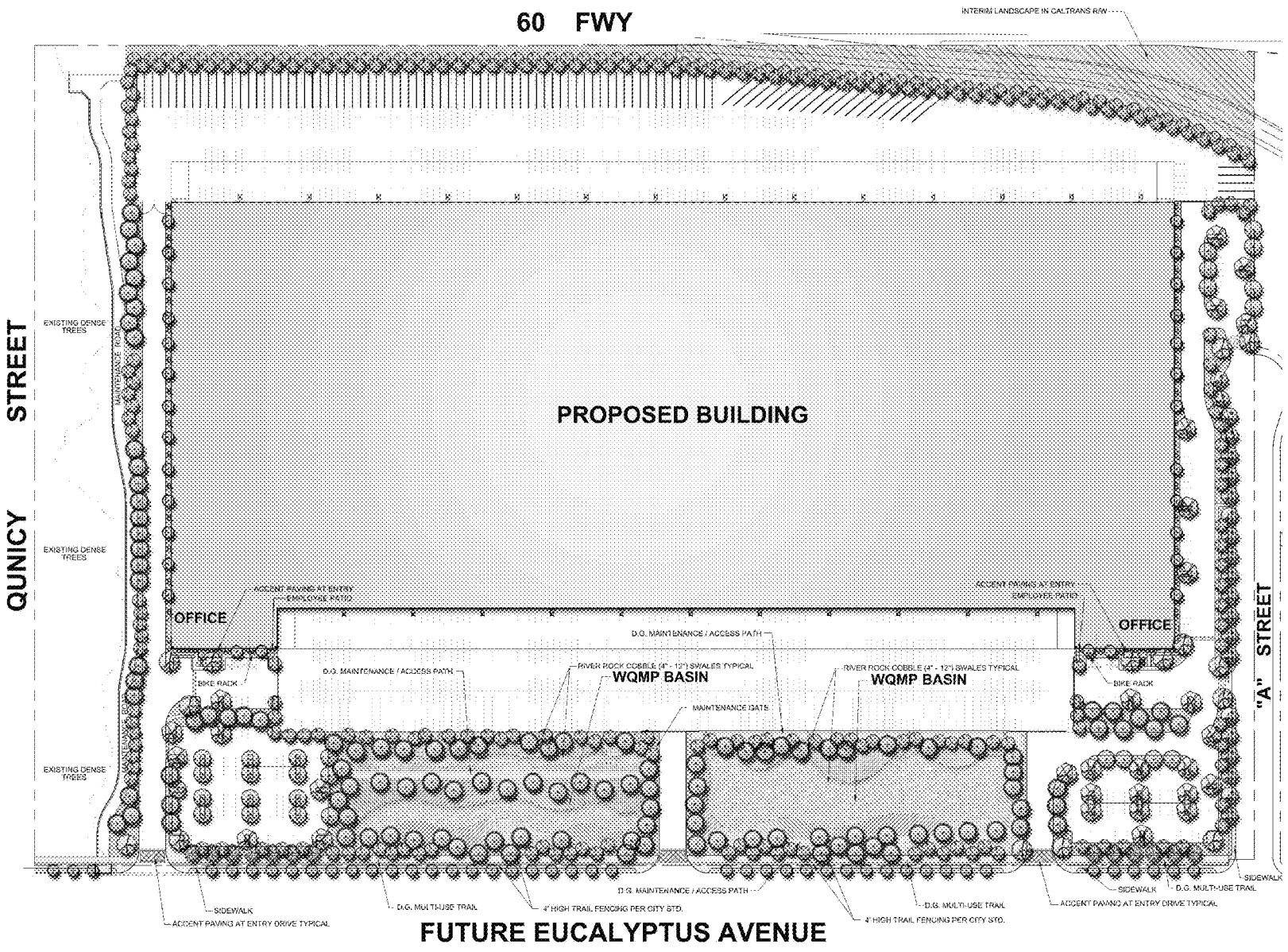

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Quercus suber (Cork Oak)	15 GAL 24" BOX	30 51
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	79
	Tilia cordata (Crimean Linden) Malia Trees	48" BOX	16
	Ulmus americana (Liberty and Pink) OR Pistacia atlantica (Shade Pro)	15 GAL 24" BOX	150 104
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Includes Street Tree)	24" BOX	13
	Pinus canariensis (Canary Island Pine)	15 GAL	152
	Pistacia chinensis 'Keith Davey' (Includes Street Tree)	24" BOX	21
	Quercus virginiana (Southern Live Oak)	24" BOX	24
	Rhus lancea (African Sumac)	15 GAL	27

ROOT BARRIER NOTE

ALL TREES WITHIN 5' OF HARDSCAPE SHALL BE 18" X 4' SHANTOWN ROOT BARRIER 24" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Abelia grandiflora 'full Scarlet' (ACR)	5 gallon	30" o.c. spacing
Acacia cf. (Shrub Type Acacia)	5 gallon	6' o.c. spacing
Adenanthos sericeus (Woolly Bush)	5 gallon	72" o.c. (5-36" o.c. varies)
Agave americana (Century Plant)	5 & 15 gallon	6' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Anigozanthos flavidus (Kangaroo Paw)	5 gallon	3' o.c. spacing
Arbutus unedo (Strawberry Tree)	5 gallon	5' o.c. spacing
Calocephalus (Cassiope) (Multicaule)	5 gallon	3-4' o.c. spacing
Carpenteria californica (Tree Anemone)	5 gallon	3-4' o.c. spacing
Ceanothus cuneatus (Buckbrush)	5 gallon	4' o.c. spacing
Cistus Species (Rock rose)	5 gallon	4' o.c. spacing
Cotoneaster Species (Cotoneaster)	5 gallon	3' o.c. spacing
Dodonaea viscosa (Hop Bush)	5 gallon	3' o.c. spacing
Elaeagnus pungens 'Maculata' (Variegated Silver Berry)	5 gallon	3-4' o.c. spacing
Elaeagnus pungens (Silverberry)	5 gallon	4-5' o.c. spacing
Fremontodendron (Flannelbush)	5 gallon	3-4' o.c. spacing
Galvezia speciosa (Island Snapdragon)	5 gallon	3-4' o.c. spacing
Heteromeles arbutifolia (Red Berry)	5 & 15 gallon	5-6' o.c. spacing
Juniperus species (various)	1 and 5 gallon	varies
Leucadendron (Leucadendron)	1 and 5 gallon	24" o.c. to 48" o.c. spacing
Leucophyllum frutescens 'Rio Grande'	5 gallon	4' o.c. spacing
Leucophyllum frutescens 'Green Cloud' (Texas Ranger)	5 gallon	4-5' o.c. spacing
Ligustrum ovalifolium (Wax-leaf Privet)	5 gallon	30" o.c. spacing
Macadamia integrifolia and tetraphylla (Macadamia Nut)	5 gallon	24" o.c. spacing
Mimetes cucullatus (Pink Pineapple)	5 gallon	24" o.c. spacing
Muhlenbergia capillaris (Pink Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis (Species Myrtle)	5 gallon	24" o.c. spacing
Nandina domestica (Heavenly Bamboo)	5 gallon	24"-36" o.c. spacing
Photinia fraseri 'Red Tip' (Fraser Photinia)	5 gallon	4-5' o.c. spacing
Pittosporum species	5 gallon	4-5' o.c. spacing
Plumbago capensis (Cape Leadwort)	5 gallon	4-5' o.c. spacing
Rhamnus californica (California Coffeeberry)	5 gallon	4-5' o.c. spacing
Rosa species (Roses)	5 gallon	varies
Rosmarinus officinalis (Rosemary)	1 & 5 gallon	30"-36" o.c. spacing
Salvia clevelandii (Cleveland Sage)	5 gallon	3' o.c. spacing
Verbena lilacina (Lilac Verbena)	5 gallon	4-5' o.c. spacing
Xylosma congestum (Shiny Xylosma)	5 gallon	4-5' o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia redolens (ACRN)	1 and 5 gallon	48" o.c. spacing max
Baccharis pilularis (Coyote Brush)	1 gallon	48" o.c. spacing max
Carex divulsa (Berkeley)	1 gallon	42" o.c. spacing max
Dichondra repens (Kidneywort) (Groundcover)	1 gallon	24" o.c. spacing max
Hedera helix (Ivy) (Ivy)	1 gallon	24" o.c. spacing
Juniperus species (various)	1 gallon	30" o.c. spacing
Lonicera japonica 'Halliana' (Hall's Honeysuckle)	1 gallon	18" o.c. spacing
Myoporum parvifolium (Myoporum)	1 gallon	24"-42" o.c. spacing
Myoporum species (Prostrate)	1 gallon	48" o.c. spacing
Rosmarinus officinalis prostratus (Rosemary)	1 gallon	30" o.c. spacing
Vinca major, minor, species (Vinca, periwinkle)	Flats and 1 gallon	18" o.c. spacing

INTERIM LANDSCAPE IN THE CALTRANS R/W - PLANT 1 GAL., ACHIEVE RESOLVE TO 2 O.C. WITH 3" INNER LAYER OF DECORATIVE ROCK. THAT IS TO BE IRRIGATED WITH DRIP IRRIGATION.

SIDEWALK VINE - AVAILABLE NON-SPARSE PURPLE ESCING VINE

0.25 AC	ACTINOSTEMMA LINE
0.50 AC	MASSELLA CERRUN
0.25 AC	MONLENSFOOR RUBERS
0.50 AC	NORSUCUA AMERICANA
0.25 AC	NOLCUS MORSEN CA
0.50 AC	VOLTRAS CORSTAGONS
0.25 AC	WONLOWSFOR SANCTIPRIMA

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Pyrus communis (Common Pear)	1 gallon	10' o.c. spacing
	Berberidaceae mahonia (Oregon Grape)	1 gallon	12' o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Decodon Decodon (Red Swamp Vine)	1 gallon	8' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM KURTH MULCHES (951) 970-0266

West Ridge Commerce Center

Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

MV00143330

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MV00143331

TENTATIVE PARCEL MAP NO. 36207

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INCLUSIVE, BLOCK 35, OF MAP NO. 7 OF REAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 71, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT–ZOLLARS

NOVEMBER, 2010

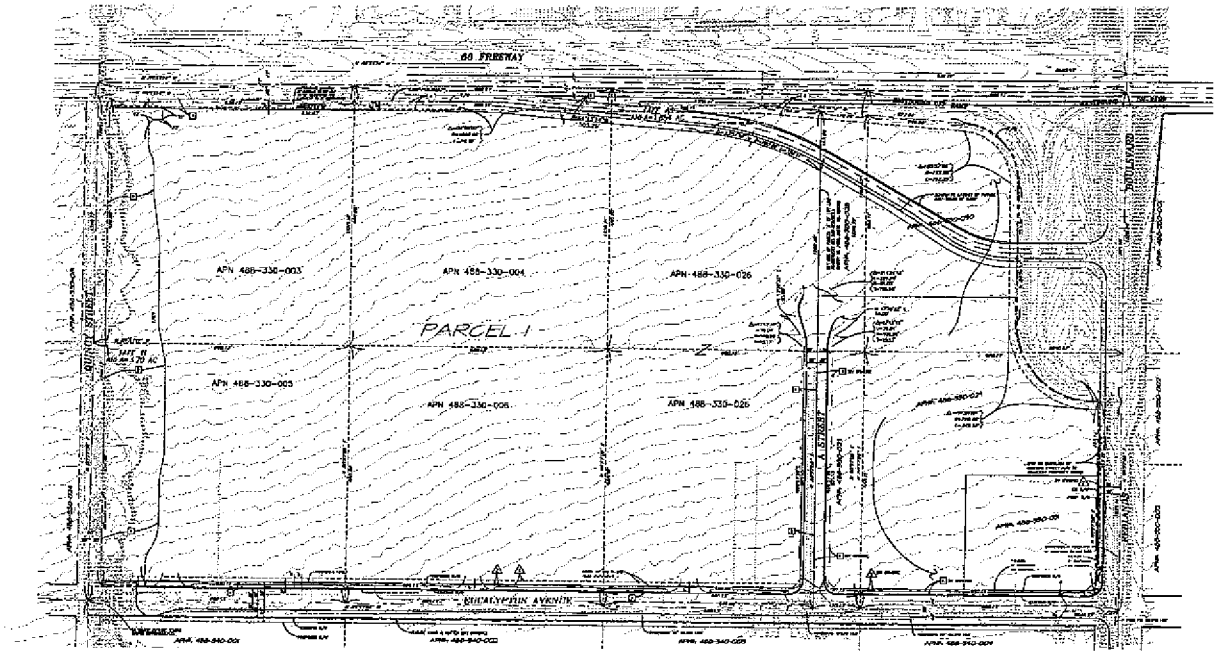

TYPICAL SECTION
EUCALYPTUS AVENUE

TYPICAL SECTION
A STREET

TYPICAL SECTION
BREAKER EXCAVATION

EASEMENT NOTES

(A) EASEMENT(S) FOR THE PURPOSES SHOWN BELOW AND HEREIN INCLUDED, RECORDED AS INSTRUMENT OF A WRITTEN RECORD

GRANTED TO:	EASTERN MUNICIPAL WATER DISTRICT
PURPOSE:	PUBLIC PIPELINES AND PURPOSES
RECORDED:	DECEMBER 18, 1963, AS INSTRUMENT NO. 139444, BOOK 1963, PAGE 302, OF OFFICIAL RECORDS

PROPOSED EASEMENT

(1) 10' EASEMENT FOR ALL-WEATHER ROAD TO THE CITY OF MORENO VALLEY

(2) 5' EASEMENT FOR THE PURPOSE OF DISTRIBUTING FIRE WATER TO THE CITY OF MORENO VALLEY

PROPOSED DEDICATION

(A) 30' INCLUSIVE OF EXISTING STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY

(B) DEDICATE 30' STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY

(C) 10' A, DEDICATE TO THE CITY OF MORENO VALLEY FOR FUTURE CULTURAL USE

(D) 10' A, DEDICATE TO THE STATE OF THE CITY OF MORENO VALLEY FOR FUTURE CULTURAL USE (SEE ACCESS EASEMENTS)

LINE DATA:

LINE	BEARING	DISTANCE
L1	N 89°59'00" E	10.00'
L2	N 89°59'00" E	10.00'
L3	N 89°59'00" E	10.00'
L4	N 89°59'00" E	10.00'
L5	N 89°59'00" E	10.00'
L6	N 89°59'00" E	10.00'
L7	N 89°59'00" E	10.00'
L8	N 89°59'00" E	10.00'
L9	N 89°59'00" E	10.00'
L10	N 89°59'00" E	10.00'
L11	N 89°59'00" E	10.00'

PARCEL SUMMARY TABLE

PARCEL 1	1.00 ACRES
TOTAL	1.00 ACRES

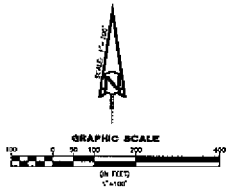

GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: INDUSTRIAL/AND IS FAMILY TO THE EAST; AGRICULTURE TO THE SOUTH; VACANT TO THE NORTH AND TEMPORARY TO THE WEST
3. MINIMUM LOT SIZE: 1 ACRE
4. EXISTING ZONING: IP1 PROPOSED ZONING: IP1
5. FLOOD ZONE X: PANEL NO. 06065C0729G EFF. DATE: AUGUST 28, 2008
6. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
7. PROPOSED WATER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
8. PROPOSED SEWER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
9. ALL UTILITIES SHALL BE UNDERGROUND:
   GAS: SOUTHERN CALIFORNIA GAS COMPANY
   ELECTRIC: CITY OF MORENO VALLEY ELECTRIC UTILITY
   TELEPHONE: VERIZON TELEPHONE COMPANY
10. ALL SIGNS SHALL BE CONSTRUCTED AT A MINIMUM SIZE OF 24" UNLESS OTHERWISE PERMITTED
11. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS
12. ACTUAL TEMPORARY PROVIDED BY: DIGITAL MAPPING INC.
13. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
14. AREA=0.0444 ACS

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELACO, LLC
[illegible]

PREPARED IN THE OFFICE OF
HUITT–ZOLLARS, INC.
[illegible]

UTILITY PROVIDERS
WATER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]

GAS
SOUTHERN CALIFORNIA GAS COMPANY
[illegible]

ELECTRIC
MORENO VALLEY ELECTRIC UTILITY
[illegible]

TELEPHONE
VERIZON
[illegible]

SEWER
EASTERN MUNICIPAL WATER DISTRICT
[illegible]

CABLE – TV
MEDIACOM COMPANY
[illegible]

LAND USE
AP ____ GROSS ACRES

CONTOURS
[illegible]

LEGEND / ABBREVIATIONS
PROPOSED WATER LINE
PROPOSED FIRE WATER LINE
PROPOSED SANITARY SEWER LINE
PROPOSED SEWER LINE
PROPOSED STORM DRAIN
EXISTING GAS LINE
EXISTING WATER LINE
EXISTING SEWER LINE
EXISTING STORM DRAIN
STORM DRAIN INLET
CATCH BASIN
BASIS OF BEARINGS BOUNDARY
EXISTING RIGHT OF WAY/SITE BOUNDARY
EXISTING SITE LINE
LOT LINE
FIRE HYDRANT

LEGAL DESCRIPTIONS

[illegible]

PARCEL 1:

[illegible]

PARCEL 2:

[illegible]

PARCEL 3:

[illegible]

PARCEL 4:

[illegible]

PARCEL 5:

[illegible]

PARCEL 6:

[illegible]

CITY CASE NO. PA09-0022

HUITT–ZOLLARS
HUITT–ZOLLARS, INC.
[illegible]

DESIGNED BY: R.G.S.
DRAWN BY: T.T. SUN
CHECKED BY: R.G.S.
SHEET 1 OF 1 SHEETS
DATE: [illegible]
JOB NO. [illegible]

ATTACHMENT 16

Item No. E.1

MV00143332

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MV00143333

West Ridge Commece Center Project

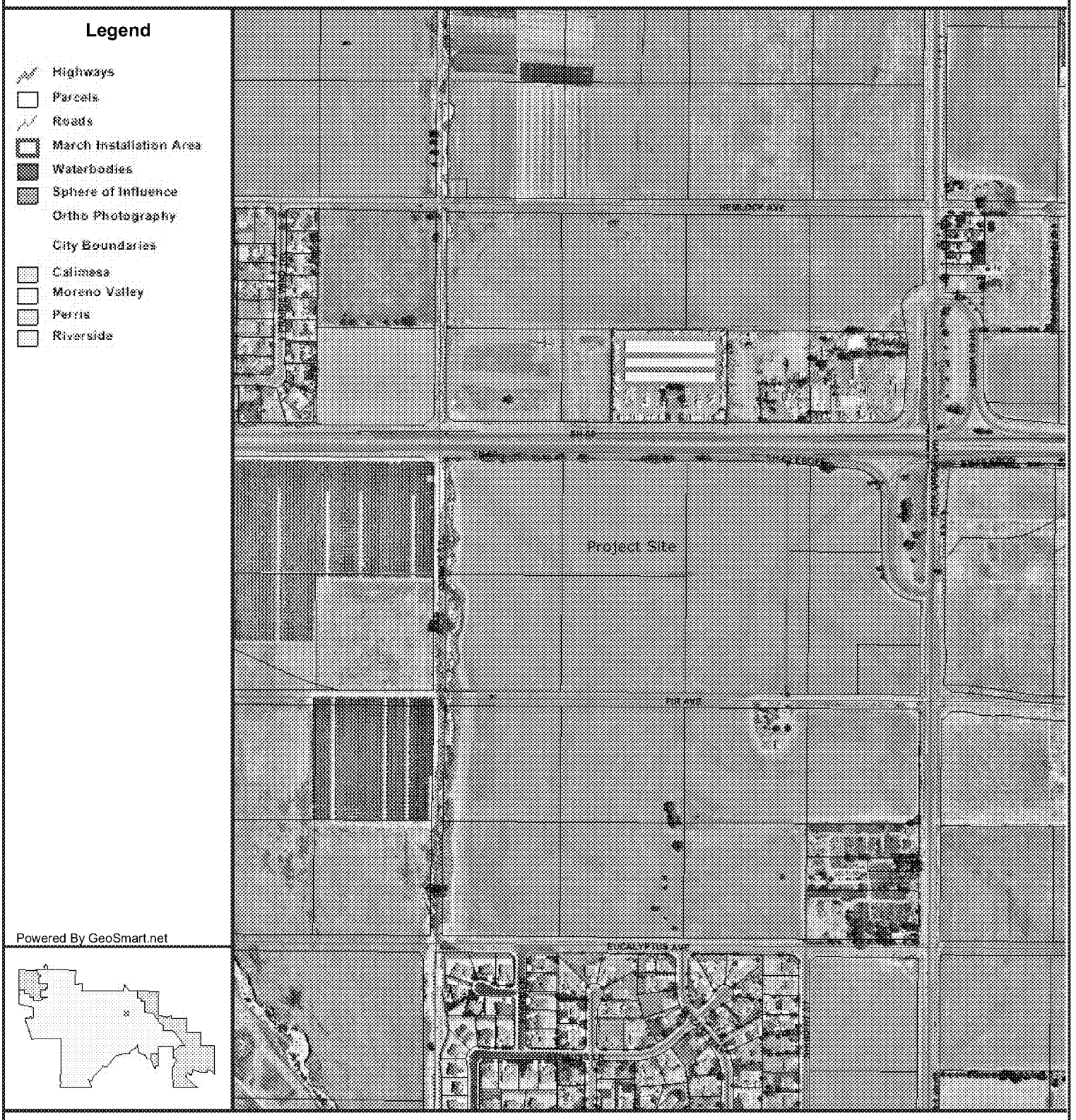

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 17

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MV00143334

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MV00143335

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010
jeffreyb@moval.org

December 10, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254):
http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. AQMD-5 cont'd.

  ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

  Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction AQMD-6

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

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MV00143355

From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

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MV00143361

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
t: (562) 856-3819 | f: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PA08-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: dave@rptrust.com

Contact Person: Dennis Rice

OWNER Name: Same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-325-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gibson2@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Ranch Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Property Owner's Signature — Date: 5-18-2011

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Applicant's Signature — Date: 5-18-2011

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK---HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000013⑆ 751 354912 3⑈

Item No. E.1

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MV00143369

From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer. ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

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MV00143375

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,

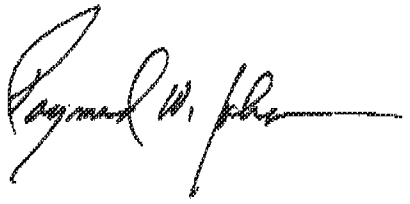

Raymond W. Johnson
JOHNSON & SEDLACK

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South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 12, 2011 May 12, 2011
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

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MV00143393

MINUTES
SPECIAL JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY

SPECIAL MEETING – 6:00 P.M.
SEPTEMBER 6, 2011

CALL TO ORDER - The Special Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION - Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
Marcelo Co	Council Member
William H. Batey II	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Rick Teichert	Financial & Administrative Services Director
Robert Hansen	City Attorney
Henry Garcia	City Manager
Michelle Dawson	Assistant City Manager
Chris Vogt	Public Works Director/City Engineer
Barry Foster	Economic Development Director
John Terell	Planning Official

MV00143394

E.1 A CONTINUANCE FOR DELIBERATION AND DECISION ONLY REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM AUGUST 23, 2011 BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Mayor Pro Tem Jesse L. Molina pulled his motion (made at the August 23, 2011 meeting), Council Member Marcelo Co pulled his second.

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

Rebuttal by applicant Dennis Rice, President of Ridge Property Trust

Conditions of approval have been amended as follows to further enhance the WestRidge Commerce Center project:

1. Ridge Property Trust will add approximately 50% more glass to the building and match the color of the glass with Skechers glass color, and change the building's paint colors to more closely tie with Skechers.
2. Ridge Property Trust will add solar energy or some other cleaner alternative energy source (such as a micro-turbine) to power the office portion of the facility.
3. Ridge Property Trust will pay DIF fees at the "full rate" of $1.862/building SF. The current rate for DIF fees is discounted 50% from the full rate.
4. The building will be LEED certified. The WestRidge roof structure will be sized to carry the load of solar panels if a future tenant desires to use solar energy to power all or a portion of the building. Ridge Property Trust, will make available solar or other cleaner alternative energy source to power the office portion of the facility.

MV00143395

5. Ridge Property Trust will increase the tree box size to 36" (from the current 24" tree boxes) for the entire freeway frontage landscaping of the WestRidge project. This will match the tree box size for the trees planted along the freeway in front of Skechers.

Recommendation: That the City Council:

1. If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

   ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

   Resolution No. 2011-76

   A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

   If the City Council elects to overturn the Planning Commission decision, and approve the project:

   ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

   Resolution No. 2011-77

   A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings

MV00143396

Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

MV00143397

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Approve based on the findings in the Resolution, and the conditions of approval as amended by m/Council Member William H. Batey II, s/Council Member Robin L. Hastings
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina and Council Member Marcelo Co opposed.

ADJOURNMENT

MV00143398

There being no further business to conduct, the meeting was adjourned to Closed Session at 6:39 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

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

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MV00143399

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
July 12, 2011

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart

INVOCATION - Pastor Diane Gardner

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member (via conference call)

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Barry Foster	Community & Economic Development Director
Chris Vogt	Public Works Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A23) and Deanna Reeder (Items A5, A17, A18, and A19).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 22 - July 5, 2011.

A.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction

MV00148698

Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.5 APPROVE AGREEMENT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES WITH TRANSTECH ENGINEERS, INC. FOR STREET IMPROVEMENTS ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET AND ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Professional Construction Management and Construction Inspection Consultant Services with Transtech Engineers, Inc. (Transtech) 413 MacKay Drive, San Bernardino, CA 92408, for Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue;

2. Authorize the City Manager to execute a contract with Transtech;

3. Authorize the issuance a Purchase Order to Transtech in the amount of $999,200 ($868,870 for the agreement plus the 15% contingency amount of $130,330) when the Agreement has been signed by all parties; and

4. Authorize the City Engineer to execute any subsequent amendments to the Agreement with Transtech, up to but not to exceed the Purchase Order contingency, subject to the approval of the City Attorney.

A.6 P07-144 – APPROVE TRACT MAP NO. 35760, A SIX-LOT RESIDENTIAL SUBDIVISION OF TRACT MAP NO. 31129. DEVELOPER - WESTERN

MV00148699

PACIFIC HOUSING, INC. IRVINE, CA 92606 (Report of: Public Works Department)

Recommendation:

1. Approve Tract Map No. 35760; and

2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.7 AUTHORIZATION TO AWARD AGREEMENT FOR CENTRAL TRAFFIC CONTROL SOFTWARE SERVICES IN SUPPORT OF THE TRANSPORTATION MANAGEMENT CENTER (PROJECT NO. 10-13768129) (Report of Public Works Department)

Recommendation:

1. Approve the agreement with Kimley-Horn and Associates, Inc., 7878 N. 16th Street, Phoenix, Arizona 85020, to provide a central traffic control software system;

2. Authorize the City Manager to execute said Agreement with Kimley-Horn and Associates, Inc.;

3. Authorize the issuance of a Purchase Order to Kimley-Horn and Associates, Inc., in the amount of $315,000; and

4. Authorize the Public Works Director to execute any subsequent amendments related to this agreement.

A.8 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH GIBBS, GIDEN, LOCHER, TURNER & SENET, LLP FOR LEGAL SERVICES FOR LOS ANGELES ENGINEERING, INC. V. CITY OF MORENO VALLEY RIVERSIDE SUPERIOR COURT CASE RIC 524877 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 36928 to Gibbs, Giden, Locher, Turner & Senet, LLP by the amount of $100,000 for a total not-to-exceed amount of $196,000 (Account No. 461.65325.7500);

2. Authorize payment to Gibbs, Giden, Locher, Turner & Senet, LLP in an amount of up to $196,000 for legal services for Los Angeles Engineering, Inc. v. City of Moreno Valley Riverside Superior Court Case RIC 524877; and

3. Authorize an appropriation of $100,000 from the unencumbered fund

balance of Parkland Facilities DIF (Fund 205) to Account No. 461.65325 to allow for said increase to Purchase Order No. 36928.

A.9 TRACT MAP 32707 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: REDHAWK COMMUNITIES, INC. A CALIFORNIA CORPORATION, TEMECULA, CA 92590 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-72 authorizing the acceptance of the public improvements within Tract Map 32707 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system; and

   Resolution No. 2011-72

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32707 and Accepting the Portion of Lasselle Street Associated with the Project Into the City's Maintained Street System

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

A.10 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 CITYWIDE BRIDGE MAINTENANCE PROGRAM, PROJECT NO. 11-22679828, DIRECT THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed for the 2011 Citywide Bridge Maintenance Program, constructed by Beador Construction Company, Inc. (Beador), 26320 Lester Circle, Corona CA 92883;

MV00148701

2. Direct the City Clerk to record the Notice of Completion within ten (10) alendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Beador Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.11 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

MV00148702

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

A.12 FIRST AMENDMENT TO AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Overland, Pacific and Cutler, Inc. (OPC) to provide Professional Consultant Right of Way Services for various projects of the Capital Projects Division;

2. Authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with OPC; and

3. Authorize an increase to the purchase order to OPC, in the amount of $85,000 when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.13 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;
3. Authorize the Financial and Administrative Services Director to release

MV00148703

the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.14 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE TRAFFIC SIGNAL IMPROVEMENTS ON SUNNYMEAD RANCH PARKWAY AT VILLAGE ROAD (EAST) INTERSECTION PROJECT NO. 10-41779229, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AND AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east), constructed by SoCal Engineers, Inc., 17595 Harvard, Suite C2160, Irvine, CA 92614;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to SoCal Engineers, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.15 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS

MV00148704

FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.16 RESCIND RESOLUTION NO. 2005-30 AND RE-DESIGNATE AND AUTHORIZE SIGNATURE AUTHORITIES TO EXECUTE APPLICATIONS AND DOCUMENTS FOR PURPOSES OF OBTAINING FINANCIAL ASSISTANCE UNDER SECTION 404 OF PUBLIC LAW 93-288, AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ACT OF 1988. (Report of: Fire Department)

Recommendation:

Adopt Resolution No. 2011-73, rescinding Resolution No. 2005-30, and designating and authorizing certain City officials to execute applications and documents for purposes of obtaining financial assistance under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

Resolution No. 2011-73

A Resolution Of The City Council Of The City Of Moreno Valley, California, Rescinding Resolution No. 2005-30, And Re-Designate And Authorize Certain City Officials To Execute Applications And Documents For Purposes Of Obtaining Financial Assistance Under Section 404 Of Public Law 93-288, As Amended By The Robert T. Stafford Disaster Relief And Emergency Act Of 1988

A.17 FIRST AMENDMENT TO AGREEMENT FOR ON-CALL PROJECT MANAGEMENT SERVICES WITH VAS ASSOCIATES, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for On-Call Project Management Services" with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide temporary professional project management services for budgeted Capital Improvement Plan (CIP) projects on an as-needed basis;

2. Authorize the City Manager to execute said "First Amendment to Agreement for On-Call Project Management Services" with VAS; and

3. Authorize a purchase order to VAS in the amount of $312,000 when "First Amendment to Agreement for On-Call Project Management Services" has been signed by all parties.

A.18 AGREEMENT FOR PROFESSIONAL CONSULTANT ADMINISTRATIVE SERVICES WITH DMC DESIGN GROUP, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Professional Consultant Administrative Services" with DMC Design Group, Inc. (DMC), 170 N. Maple Street, Corona, CA 92880-1703, to provide Professional Consultant Administrative Services for budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Agreement for Professional Consultant Administrative Services" with DMC; and

3. Authorize a purchase order to DMC in the amount of $139,000 when said "Agreement for Professional Consultant Administrative Services" has been signed by all parties.

A.19 FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES, INC. (Report of:

MV00148706

Public Works Department)

Recommendation:

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services budgeted Capital Improvement Plan (CIP) projects;

2. Authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with SA; and

3. Authorize a Change Order to increase the Purchase Order to SA in the amount of $185,000 when "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

A.20 RESOLUTION DECLARING THE REAL PROPERTY AS EXCESS AND SETTING A PUBLIC HEARING AUTHORIZING SALE FOR REMAINDER OF PARCEL APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

Approve and adopt Resolution No. 2011-74 to declare the real property, APN 475-272-054, as excess, set a public hearing to identify any issues with the sale of the remainder parcel, and authorize staff to solicit offers for the purchase of said real property.

Resolution No. 2011-74

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Convenience Require the Sale of a Remainder Parcel Excess to Public Use

A.21 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2011-75 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2011-75

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

MV00148707

A.22 APPROVE THREE-YEAR AGREEMENT WITH CANON BUSINESS SOLUTIONS TO EXTEND THE CURRENT COPIER CONTRACT (Report of: Financial & Administrative Services Department)

Recommendation:
Approve the three-year agreement to extend the current contract with Canon Business Solutions in the total base amount of $261,828, representing a 23.75% price decrease or total savings of $81,540, as being in the best interest of the City.

A.23 STAFF ASSIGNMENTS IN SUPPORT OF COUNCIL MEMBER PARTICIPATION WITH REGIONAL AGENCIES (Report of: City Manager's Office)

Recommendation:
Approve the proposed staff assignments in support of Council Member participation with regional agencies.

A.24 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 PAVEMENT RESURFACING PROJECT NO. 11-12556330, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Pavement Resurfacing Project, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release he retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

MV00148708

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.25 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 LOCAL STREET PAVEMENT RESURFACING – PHASE 1 PROJECT NO. 11-22679728, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Local Street Pavement Resurfacing – Phase, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hardy & Harper, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.26 CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD, DEVELOPER: CITY OF MORENO VALLEY, MORENO VALLEY, CA 92552 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard; and

MV00148709

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.27 PA07-0090 – EUCALYPTUS STREET IMPROVEMENTS - AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.28 PA07-0090 – EUCALYPTUS WATER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

MV00148710

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

A.29 PA07-0090 – EUCALYPTUS RECYCLED WATER – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALUPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

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

A.30 PA07-0090 – EUCALYPTUS SEWER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the

MV00148711

remaining public improvements are completed and punch-list items have been addressed; and

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

A.31 PA07-0090 – LINE F STORM DRAIN IMPROVEMENTS – REQUEST TO RATIFY THE PARTIAL REDUCTION TO THE IMPROVEMENT SECURITY AND AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN PROPER CLEARANCES ARE RECEIVED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553. (Report of: Public Works Department)

Recommendation:

1. Ratify the partial reduction to the public improvement security provided by the City Engineer on March 3, 2011 for the Line F Storm Drain Improvements for PA07-0090;

2. Authorize the Public Works Director/City Engineer to accept the work as complete once the proper clearances are provided by Riverside County Flood Control and Water Conservation District; and

3. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to enter said improvements into the 12 month guarantee and warranty period, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:

MV00148712

Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.4) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

MV00148713

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM A.11) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

C.5 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME,

MV00148714

AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Riverside Construction Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.6 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM A.15) (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro

Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

C.7 AUTHORIZE FIRST AMENDMENT TO PROJECT SPECIFIC AGREEMENT AND AUTHORIZE CHANGE ORDER TO THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the First Amendment to the Project Agreement on behalf of the Community Redevelopment Agency; and

2. Authorize a Change Order to increase Purchase Order No. 37386 for VA Consulting, Inc., in the amount of $25,000 for additional professional consultant design services, bid design support services, and construction support services (Account No. 897.91725).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

MV00148716

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A DEVELOPMENT AGREEMENT (PA10-0029) FOR ROCKLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING, AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 (RESIDENTIAL 15) AND OS (OPEN SPACE) LAND USE DISTRICTS. THE PROJECT SITE IS ON THE SOUTHEAST CORNER OF FIR AVENUE AND EUCALYPTUS AVENUE. THE APPLICANT AND OWNER OF THE SITE IS BEAZER HOMES (Continued from March 22, 2011 and May 24, 2011) (Report of: Community & Economic Development Department)

Recommendation:

Introduce Ordinance No. 823, for adoption of a development agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 and conditional use permit/ planned unit development consisting of 275 residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use districts.

Ordinance No. 823

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Development Agreement (PA10-0029) for Rockcliffe at Stoneridge, an Approved Project Encompassing Tentative Tract Map No. 36340 and a Conditional Use Permit/Planned Unit Development Consisting of 275 Residential Lots, a Recreational Building and Private Open Space on Approximately 29 acres in the R15 (Residential 15) and OS (Open Space) Land Use Districts

Motion to Continue to October 11, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, AND 316-200-029 BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

MV00148717

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

Recommendation: That the City Council:

After conducting the individual Public Hearings and accepting public testimony:

a: Direct the City Clerk to tabulate the national Pollutant Discharge Elimination System (NPDES) ballots for First Industrial;

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

10 – "yes" 0 – "no", 0 – "invalid"

b: Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing:

c: Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

d: If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to Assessors Parcel Numbers (APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

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

Recommendation: That the CSD:
That the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conduction the Public Hearing and accepting public testimony:

a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD

MV00148718

Zone M ballot for First Industrial;

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

8,490.43 – "Yes", 0 – "no", 0 – "invalid"

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC. (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

MV00148719

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

Resolution No. 2011-76

A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2.

OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

Resolution No. 2011-77

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Ecualyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Motion to Continue to August 23, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.4 A PUBLIC HEARING FOR CONSIDERATION OF THE REVISION OF TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT, SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, APPLICATIONS FOR LIGHTING, SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK

MV00148721

SKY PROVISIONS FOR GENERAL ON-SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING CITYWIDE. THE APPLICANT IS THE CITY OF MORENO VALLEY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no action is required. Should the City Council choose to adopt the new standards, the following actions are required:

   RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 831 approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

   Ordinance No. 831

   An Ordinance of the City Council of the City of Moreno Valley, California Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI Applications for Lighting and Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030 "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

Bring back to a Study session after the implementation of the new Federal law, incorporate any changes in the use of LED or solar and include a review of the impact, if any, of the Federal law.

Motion to Approve to continue to March 2012 Study Session by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR

SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)

An audit is being conducted. The contract management of the residential area of Green Acres was dismissed, and now there is in-house management. The first part of the agreement with March Health Care is being looked at for approval. There is no specific timeline for the dedication of a fire station or a funding mechanism for funding of fire fighters. A fire station will be built. There is no decision on when and where it will be located. The developer needs to pick a site before all the land is dedicated away. A fire protection district might be formed.

G.2 APPROVAL OF CONCESSIONAIRE AGREEMENT WITH PACIFICA UNIVERSITY, INC., FOR THE COTTONWOOD GOLF CENTER (Report of: Parks and Community Services)

President Stewart opened the agenda item for public comments, which were received from Rick Madott, Mick Rood, Kenny Bell, L. T. Duffy, and Tom Jerele, Sr.

Recommendation: That the City Council:
Acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, approve a long-term Concessionaire Agreement between the Moreno Valley Community Services District and Pacifica University, Inc., to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility.

Motion to Approve as amended between the Moreno Valley Community Services District and Pacifica University, Inc. to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

G.3 "BEST PLACE TO DO BUSINESS" ACTION STEPS (Report of: Community & Economic Development Department)
Recommendation: That the City Council:
Approve the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

Mayor Stewart opened the agenda item for public comments, which were received

MV00148723

from Tom Jerele, Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Marcelo Co
Approved by a vote of 5-0.

G.4 APPOINTMENT OF CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE PURPOSE OF REESTABLISHING JULY 4TH EVENTS FOR 2012 (Report of: City Manager's Office)

Recommendation: That the City Council:
Appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012.

Mayor Stewart opened the agenda item for public comments, which were received from Debra Craig, Pete Bleckert, Deanna Reeder, and Tom Jerele, Sr.

Motion to Approve appointment of Council Member Hastings and Mayor Pro Tem Molina to serve as City Council Ad Hoc Subcommittee by m/Mayor Richard A. Stewart, s/Council Member Marcelo Co
Approved by a vote of 5-0.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder
1. August 2 National Night Out
2. Main Street Has Talent

Pete Bleckert
1. Chamber of Commerce

Susan Gilchrist
1. Sound Study

Tom Jerele, Jr.
1. 4th of July Committee
2. Joint Task Force Meetings

Jose Chavez
1. Fireworks

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,

MV00148724

COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Robin N. Hastings

1. Main Street Has Talent is located by Bob's Big Boy at Stoneridge. There are a variety of events to celebrate our young people and to provide a place for them to keep safe in the city. National Night Out will be held there.

2. Attended a Grab and Go event at the ABC Market on the corner of Perris and Alessandro. It is a partnership with the Department of Public Health, and they are putting fruits and vegetables in small convenience markets. Juvenile Diabetes is on the rise. The largest at risk group is our African American community, and they constitute 60% of obesity in the state.

3. In Washington, DC promoting the AB811 Energy Efficiency Program for Moreno Valley. The entire funding model was approved by the Court, and contractors will be trained starting August 2. Applications will be available in August. There is a link at WRCOG.ca.gov that will provide information, applications, what the program is about, and what is going to be available. There is $325M available that was bonded for Western Riverside County. It's the largest program of its type in the United States.

Council Member Marcelo Co

1. Will try very hard to provide the July 4 event. Please ask the business people to participate. They will be more likely to promote their business. Apologize for not having the event, but there weren't any funds. The committee will have a big task to make sure the next one is twice as good as the ones in the past. Everyone is asked to participate. Your help is needed.

Council Member William H. Batey II

1. On August 2 everyone is encouraged to get to know their neighbors and find out who lives in their neighborhood. That's what National Night Out is about. If you know who your neighbors are, you know who does and doesn't belong in your neighborhood. There are three groups getting together in District 5 that evening.

Mayor Pro Tem Jesse L. Molina

1. There will be a Prayer Walk for Hearts for Victims on Friday, July 15, at 5:00 p.m. at Stoneridge on Main Street at Bob's Big Boy in honor of Norma Lopez. (Mayor Pro Tem Molina speaks in Spanish.) Somebody out there knows something, and anyone with information, please go to the police. No one will rest until it is solved.

2. On July 1 the new city of Jurupa Valley held its first council meeting.

3. Still recuperating.

Mayor Richard A. Stewart

1. Impressed with the Golf Course Committee and the way they operated.

2. The Police Department received an Office Traffic Safety grant for approximately $190,000.

3. Through the California Law Enforcement Challenge, the Traffic Division took First Place in Traffic Safety.

4. The International Association of Chiefs of Police notified the Police Department they received First Place at the national level in a category dealing with Traffic Safety.

AGENDA ORDER

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

Meeting Resumed

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:42 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:02 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MV00148727

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
August 23, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter - Investigator Duke Viveros

2. Employee of the Quarter - Patty Posey

3. Recognition of 2011 Summer Reading Program Super Readers, by Moreno Valley Friends of the Library

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
August 23, 2011

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:40 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Council Member Co.

INVOCATION - Pastor O. J. Philpot - Christ Community Church

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

MV00148743

John Terell Planning Official

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Scott Heveran (A.15), and Deanna Reeder (A10, A17, & A15).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of July 6 - August 16, 2011.

A.5 AMENDMENT TO THE RULE 20A UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST (Report of: Public Works Department)

Recommendation:
1. Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2. Approve the reprioritized Rule 20A priority list.

MV00148744

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE. (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive. All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained electric utility system.

A.7 APPROVAL OF CHECK REGISTER FOR MAY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

MV00148745

Resolution No. 2011-85

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2011

A.8 APPROVAL OF CHECK REGISTER FOR JUNE, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

Resolution No. 2011-86

A Resolution of the City Council of the City Of Moreno Valley, California, Approving the Check Register for the Month of June, 2011

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED JUNE 30, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY (Report of: Community & Economic Development Department)

Recommendation:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

MV00148746

Resolution No. 2011-87

A Resolution of the City Council of the City of Moreno Valley, California, in Support of and Participation with the Southern California Association of Governments as a Compass Blueprint Strategy Demonstration Community.

A.11 ADOPT A RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321;

Resolution No. 2011-88

A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intent to Vacate Motor Way Between Auto Mall Drive and Eucalyptus Avenue

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323;

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323; and

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

A.12 ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING –SEPTEMBER 23, 2011 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

Resolution No. 2011-89

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2011 Annual Conference

A.13 PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT, AND ROLANDA DRIVE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

Resolution No. 2011-90

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Pattilyn Drive, Challis Court and Rolanda Drive.

A.14 PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS; BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET DEVELOPER: IDS REAL ESTATE GROUP, LOS ANGELES, CA 90071 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements;

2. Authorize the Mayor to execute the DIF Agreement in the form; and

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

MV00148748

A.15 ORDINANCE NO. 832, AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE (RECEIVED FIRST READING AND INTRODUCTION ON JULY 26, 2011, BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation:

Adopt Ordinance No. 832, an Ordinance of the City of Moreno Valley electing to comply with and participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code.

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

A.16 AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS - PROJECT NO. LED-229-80510 (Report of: Public Works Department)

Recommendation:

1. Award the contract for the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, CA. 91763; and

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

A.17 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12 (ATTACHMENT A TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Human Resources Department)

Recommendation:

Approve the successor Memoranda of Understanding (MOU's) between

MV00148749

the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.4 EXTENSION OF CONTRACT - APPROVE SECOND AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and; TWENTY-FIVE THOUSAND NINE HUNDRED

MV00148750

TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.5 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2001-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

Resolution No. CSD 2011-23

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2011/12

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:

MV00148751

Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A.1 through D.2 by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING FOR PA11- 0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres;

Resolution No. 2011-91

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Detachment of two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley to allow for Concurrent Annexation to the City of Perris

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels; and

Resolution No. CSD 2011-24

MV00148752

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California to request the Riverside Local Agency Formation Commission Initiate Proceedings for a City Boundary Amendment involving a Detachment of Parcels from the Moreno Valley Community Services District

3. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

Resolution No. 2011-92

A Resolution of the City Council of the City of Moreno Valley, California, approving a Property Tax Transfer Agreement between the City of Moreno Valley and City of Perris regarding the Detachment of Two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley and concurrent Annexation to the City of Perris

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder.

Motion to Approve Recommendation No. 1 by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Board Member Robin N. Hastings, s/Board Member William H. Batey II
Approved by a vote of 5-0.

Motion to Approve Recommendation No. 3 by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear

MV00148753

and protest the proposed sale of excess property; and

2. Authorize staff to solicit offers for the purchase of said real property.

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Pete Bleckert.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

AGENDA ORDER
Item E.3 discussed after Public Comments

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM JULY 12, 2011 BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

Resolution No. 2011-76

A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP

MV00148754

(Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

Resolution No. 2011-77

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley,

MV00148755

California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder (opposes), Frank Wright (opposes), Mike Rios, Daryl Terrell (supports), Theresa Carson (representing Sierra Club; opposes), Susan Gilchrist (opposes), Pete Bleckert (opposes), and Francisco Cuevas (opposes).

Motion to Continue the meeting past 11:00 p.m. until the completion of the last item by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

Motion to uphold Planning Commission decision and to deny zoning changing application by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Marcelo Co

No action taken - Motion pending.

Substitute Motion:

Substitute motion to continue the item (deliberation and decision only) to the September 6, 2011 special meeting (public testimony was closed) by m/Council Member William H. Batey II, s/Mayor Richard A. Stewart
Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina, Council Member Marcelo Co opposed.

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

G. REPORTS

AGENDA ORDER

Item G1 discussed after Item G4.

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)
b. Council Member Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

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

Mayor Richard A. Stewart reported on the new education hanger at March Air Base Museum.

AMRO, an aviation-related manufacturing company, will hold a job fair on Thursday, August 25 at 9 a.m. at March Joint Powers Office inside the old base.

Council Member Robin N. Hastings reported that the issue of appointing a representative of Riverside County Office on Education to the executive committee serving as an ex officio, with no voting rights was brought to the attention of the administration of the Finance Committee; asked the Council for the input/opinion; received support from the council.

Item G2 discussed after Item G1.

G.2 RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS (Report of: City Clerk's Department)

MV00148757

Recommendation: That the City Council:

Adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected.

Resolution No. 2011-93

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Criteria to Guide the Process of Revising the Boundaries of the Districts from which Members of the City Council are Elected

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Deanna Reeder, Mike Rios and Tom Jerele Sr.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

G.3 CITIZENS' PARTICIPATION ON-LINE REDISTRICTING (PRESENTATION BY NATIONAL DEMOGRAPHICS CONSULTANT, ALAN HESLOP)

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Mike Rios.

No action required.

AGENDA ORDER

Item G4 discussed after Item E2.

G.4 APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER) (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

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

MV00148758

Motion to Appoint Sierra Marrero by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

AGENDA ORDER

Item G5 discussed after Item G3.

G.5 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNs 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

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

No action required.

G.6 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

President Richard A. Stewart opened the agenda item for public comments, which were received from Scott Heveran.

No action required.

G.7 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A

MV00148759

MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

President Richard A. Stewart opened the agenda item for public comments; there being none, public comments were closed.

No action required.

AGENDA ORDER

Item G.8 discussed after Item G.9

G.8 ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON SEPTEMBER 30, 2011 AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CALPERS (Report of: Human Resources Department)

Recommendation:

1. Adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after September 30, 2011, and conduct the first reading of the related ordinance as required by CalPERS.

Resolution No. 2011-59

A Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Moreno Valley, California

MV00148760

2. Introduce Ordinance No. 828.

Ordinance No. 828

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

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

Motion to Continue to a date uncertain by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

Recess;

Reconvened

AGENDA ORDER

Item G.9 discussed after Item G.7

G.9 A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (Report of: Community & Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution No. RDA 2011-12, approving an Enforceable Obligation Payment Schedule.

Resolution No. RDA 2011-12

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Enforceable Obligation Schedule

Chairperson Richard A. Stewart opened the agenda item for public comments, which were received from Tom Jerele Sr.

Motion to Approve by m/Agency Member William H. Batey II, s/Agency Member Robin N. Hastings
Approved by a vote of 5-0.

MV00148761

G.10 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Public comments taken after Item G.8.

Pete Bleckert

1. Davis Road closure

Kenny Bell

1. AB 742

2. Pawn shops

Alicia Espinoza

1. Directly elected mayor

2. Pawn shops

Francisco Cuevas

1. Pawn shops

Deanna Reeder

1. Elected mayor issue

Daryl Terrell

1. New directions

Mike Rios

1. Pawn shops

2. Elected mayor

Scott Heveran

1. Elected mayor

2. Redistricting

Tom Jerele Sr.

1. Pawn shops

2. Televised study sessions

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY - None

CLOSED SESSION - canceled

ADJOURNMENT

Motion to Adjourn: there being no further business to conduct, the meeting was adjourned at 12:04 p.m. by unanimous informal consent.
by m/Mayor Richard A. Stewart
Approved by a vote of 5-0.

Submitted by:

_____
City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

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MV00148764

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 27, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Verizon Donation to the Moreno Valley Black Chamber of Commerce Community Foundation Family Adult Literacy Program and Technology (FALPT)

2. American Public Works Association (APWA) 2010 Project of the Year Award – Kitching Street Improvements Project

3. Recognition of Moreno Valley Rockets Field and Track Team

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 27, 2011

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:32 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Robin N. Hastings

INVOCATION

Pastor James Samples - New Life Christian Fellowship

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
Robin N. Hastings	Council Member

Absent:

Marcel Co	Council Member
William H. Batey II	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief

MV00148784

Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director
Prem Kumar	Assistant City Engineer

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF SEPTEMBER 6, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 APPROVAL OF CHECK REGISTER FOR JULY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of $11,090,197.25.

Resolution No. 2011-97

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of July, 2011

A.5 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT - PROJECT NO. 10-12272227 (Report of: Public Works Department)

MV00148785

Recommendation:

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc.;

3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of $219,592.20 ($182,993.50 base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of $36,598.70, subject to the approval of the City Attorney.

A.6 TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRAN LOU DRIVE BETWEEN PERRIS BOULEVARD AND KITCHING STREET - DEVELOPER: LCTH INVESTMENT LP, NEWPORT BEACH, CA 92660 (Report of: Community and Economic Development)

Recommendation:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor Bond associated with Tract 20185 for public improvements; and

2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

A.7 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324;

MV00148786

Resolution No. 2011-98

A Resolution of the City Council of the City of Moreno Valley, California, ordering the Vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3: Section 8325;

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way); and

4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

Motion to Continue Item A.7 to October 25, 2011 by m/Council Member Robin N. Hastings, s/Mayor Pro Tem Jesse L. Molina Approved by a vote of 3-0-2, William H. Batey II, and Marcelo Co absent.

A.8 SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of $76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction;

2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB;

3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of $92,250.00 ($76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720); and

4. Authorize the Public Works Director/City Engineer to execute any

MV00148787

subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of $15,374.91, subject to the approval of the City Attorney.

A.9 ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT (Report of: Public Works Department)

Recommendation:

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to $75,000 in funds for the Citywide Pedestrian Enhancements project.; and

2. Authorize the $75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

A.10 FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND COUNTY OF RIVERSIDE (Report of: Police Department)

Recommendation:

Adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

A.11 ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and accept a grant award in the amount of $15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

A.12 APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) TRUST, AND TERMINATING THE EXISTING VEBA TRUST. (Report of: Human Resources Department)

Recommendation:

Adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary

MV00148788

Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

Resolution No. 2011-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the California Government Voluntary Employee Beneficiary Association (Calgoveba) Trust

A.13 PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011; DEVELOPER: FIRST INDUSTRIAL, L.P. A DELAWARE LIMITED PARTNERSHIP, EL SEGUNDO, CA. 90245 (Report of: Community and Economic Development Department)

Recommendation:

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011; and

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM (Report of: Parks and Community Services Department)

Recommendation:

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and

MV00148789

Safety Program sites for the balance of the 2011/2012 school year; and

2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed $440,640 to Family Services Association.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 (ALSO LISTED AS ITEM A.7) (Report of: Public Works Department)

Recommendation:
Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

Motion to Continue Item C.3 to October 25, 2011 by m/Council Member Robin N. Hastings, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 3-0-2, Council Member William H. Batey II, and Council Member Marcelo Co absent.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

Motion to Approve Items A.2 through D.2. by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings
Approved by a vote of 3-0-2, Council Member William H. Batey II, and Council Member Marcelo Co absent.

MV00148790

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 13, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING COUNCILMANIC REDISTRICTING (POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT) (Report of: City Clerk's Department)

Recommendation: That the City Council:
Conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley.

Motion to Continue Item E.1 to October 11, 2011 by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings
Approved by a vote of 3-0-2, Council Member William H. Batey II, and Council Member Marcelo Co absent.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a. Council Member Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

Report of Council Member William H. Batey II, since he is absent Mayor Richard A. Stewart continued to October 11, 2011.

G.2 MEDIA AND COMMUNICATIONS STRATEGY (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the proposed Media and Communications Strategy.

Motion to Continue Item G.2 to October 11, 2011 by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings

MV00148791

Approved by a vote of 3-0-2, Council Member William H. Batey II, and Council Member Marcelo Co absent.

G.3 ECONOMIC DEVELOPMENT ACTION PLAN UPDATE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received by Daryl Terrell.

G.4 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

Ordinance No. 833

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 10.02.100 of the City of Moreno Valley Municipal Code Relating to the Mandatory Spay and Neuter of Dogs and Cats

Motion to Approve Item G.4 by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings
Approved by a vote of 3-0-2, Council Member William H. Batey II, and Council Member Marcelo Co absent.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

MV00148792

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 829

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

Motion to Continue Item H.2.1 to October 11, 2011. by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings
Approved by a vote of 3-0-2, Council Member William H. Batey II, and Council Member Marcelo Co absent.

H.2 .2 ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 830

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

MV00148793

Motion to Continue Item H.2.2 to October 11, 2011. by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings Approved by a vote of 3-0-2, Council Member William H. Batey II, and Council Member Marcelo Co absent.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder

1. Lawsuit by the City

Adolf Krueger

1. Attended City Council meeting on July 26, 2011; continuing Police Department issues.

Pete Bleckert

1. Black Chamber of Commerce

2. Moreno Valley Chamber of Commerce

3. March Life Care

4. Nason Street Construction

Chris Baca

1. Towing Fees

Jose Chavez

1. Cancellation of Drivers License

2. Fix sidewalks

Daryl Terrell

1. Economic Stimulus Plan

MV00148794

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

Robin L. Hastings

1. Kaiser Groundbreaking

2. Boy Scout Citizen of the Year Dinner - Honoring Paul Cook

- Thanked the 5-Nations for the honor of Chairperson for the last two years
- Raised $22,000 for the Moreno Valley Community Boy Scouts

3. Redistricting

- Looking for more participation
- Appreciates those who have submitted public maps for consideration on the redistricting

4. Nason Street Investments and Capital Improvements

- Asked staff to provide clarification on the difference to what was said and what's being said now concerning this project

Mayor Pro Tem Jesse L. Molina

1. Reported on his recent attendance at the League of California Cities conference in San Francisco, California.

- Revival in Downtown Parliamentary Procedures for Mayors and Council Members
- Branding your City using council protocols to build consensus making ethical decisions
- Signage
- Ordinances
- Social Media
- SB 89 and California Proposition 82 (Important for the State balancing its budget)
- Smarter Cities are driving growth
- Property through "Strategic Use"

MV00148795

- Thanked Rick Teichert, Michelle Dawson and the Mayor for showing him around the City of San Francisco

2. Come together as a "Community"; United as a Community - We must all get along

Mayor Richard A. Stewart

1. League of California Cities

- Intense Schedule
- Common General Sessions and Work Sessions
- Staff Sessions
- Attended several sessions on Economic Development
- Branding very interesting
- "Competing" with neighboring cities and at the same time "partnering"

2. Jobs

3. Medical Corridor

4. Redistricting

CLOSED SESSION

Cancelled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:29 p.m. by unanimous informal consent.

MV00148796

Submitted by:

_____
City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

MV00148797

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

April 10, 2012

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

William H. Batey II, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
Marcelo Co, Council Member

MV00159540

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 10, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing April is Child Abuse Prevention Month
2. Recognition of Rancho Verde High School CIF Championship
3. "Spotlight on Moreno Valley Business"
    a) Eastern Municipal Water District
    b) Café Gossip

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY MORENO VALLEY HOUSING AUTHORITY
AND BOARD OF LIBRARY TRUSTEES

THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

REGULAR MEETING - 6:30 PM
APRIL 10, 2012

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority, and Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Diane Gardner, Beautiful Women of God - Diane Gardner Ministries

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, City as Successor Agency for the Redevelopment Agency, Housing Authority or Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

A.3 AUTHORIZE CHANGE ORDER TO INCREASE PURCHASE ORDER WITH EASTERN MUNICIPAL WATER DISTRICT (EMWD) FOR THE SR-60/NASON INTERCHANGE PROJECT– PROJECT NO. 98-25897 (Report of: Public Works Department/CPD)

Recommendation:
Authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720).

A.4 APPROVAL OF THE 2012/2013 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2012/2013 in the amount of $548,506; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2012/2013.

A.5 AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL DESIGN CONSULTANT SERVICES TO RBF CONSULTING FOR THE ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD - PROJECT NO. 13-12566851 HSIPL-5441(050) (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project;

2. Authorize the City Manager to execute the Agreement for Professional Design Services with RBF Consulting;

3. Authorize the issuance of a Purchase Order to RBF Consulting in the amount of $137,027.00 when the Agreement has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with RBF Consulting, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

A.6 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO RASMUSSEN BROTHERS CONSTRUCTION, INC. FOR THE MORENO VALLEY POLICE DEPARTMENT TRAFFIC DIVISION OFFICE RENOVATION - PROJECT NO. 11-50182328 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation;

2. Authorize the City Manager to execute a contract with RBC;

3. Authorize the issuance of a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project.

A.7 AGREEMENT FOR REIMBURSEMENT OF TRANSPORTATION

UNIFORM MITIGATION FEE FUNDS BETWEEN RIVERSIDE COUNTY TRANSPORTATION COMMISSION AND THE CITY OF MORENO VALLEY FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE – PROJECT NO. 11-41570125 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project;

2. Authorize the City Manager to execute the Agreement between RCTC and the City of Moreno Valley;

3. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the TUMF Agreement between RCTC and the City of Moreno Valley for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, subject to the approval of the City Attorney;

4. Reappropriate $262,000 from Account No. 415.70225 (Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue) to Account No. 415.70125 (Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue); and

5. Authorize the revenue and expense budgets in the TUMF Capital Projects Fund (Fund 415) for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project in the amounts of $5,110,000, respectively, upon approval of the agreement for the reimbursement of TUMF funds between RCTC and the City of Moreno Valley.

A.8 AUTHORIZE THE FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH PARSONS TRANSPORTATION GROUP FOR SR-60/MORENO BEACH DRIVE PHASE 1 AND NASON STREET OVERCROSSING IMPROVEMENTS -- PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701 to finalize all design and right-of-way documentation for Caltrans

approval for the SR-60/Moreno Beach Drive Interchange Phase 1 and SR-60/Nason Overcrossing projects;

2. Authorize the City Manager to execute the Fifth Amendment to Agreement for Professional Consultant Services with Parsons;

3. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval; and

4. Authorize Change Orders to increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group totaling $680,000 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000) when the Fifth Amendment has been signed by all parties.

A.9 APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR PARTIAL ACQUISITION OF APN 297-170-077 FOR THE FIRE STATION NO. 65 PROJECT – PROJECT NO. 11-43472526 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project;

2. Authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526); and

3. Authorize the City Manager to execute said Agreement and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.

A.10 CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "SOBRIETY CHECKPOINT GRANT PROGRAM" (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) “Sobriety Checkpoint Grant Program” in the amount of $150,400 for the period beginning October 1, 2012 and ending September 30, 2013; and

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the Sobriety Checkpoint Grant Program in the amounts of $150,400, respectively, upon approval and acceptance of the grant from OTS.

A.11 CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "GME STEP PROGRAM" (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the California Office of Traffic Safety (OTS) grant in the amount of $129,870, entitled "GME STEP Program (Selective Traffic Enforcement Program)"; and

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the GME STEP Program (Selective Traffic Enforcement Program in the amounts of $129,870, respectively, upon approval and acceptance of the grant from OTS.

A.12 APPROVAL OF THREE-YEAR ENTERPRISE LICENSING AGREEMENT OF MICROSOFT LICENSES THROUGH COMPUCOM SYSTEMS, INC., UTILIZING THE COUNTY OF RIVERSIDE'S MICROSOFT ENTERPRISE MASTER AGREEMENT (Report of: Financial & Administrative Services Department)

Recommendation:

1. Waive formal bidding per Municipal Code Section 3.12.260 (Cooperative Purchasing);

2. Approve a three-year enterprise licensing agreement of Microsoft licenses through CompuCom Systems, Inc., utilizing the County of Riverside's Microsoft Enterprise Licensing Master Agreement;

3. Authorize the City Manager to execute the Microsoft Enterprise Master Agreement and any related documents required to effectuate participation in the Microsoft Enterprise Master Agreement; and

4. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to CompuCom systems to maintain the current licensing level at an annual cost not-to-exceed $115,000.

A.13 "IT'S UP TO US": A PEDESTRIAN SAFETY PUBLIC EDUCATION CAMPAIGN MINI-GRANT (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) grant in the amount not to exceed $4,999.99, entitled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant; and

2. Authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH.

A.14 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 21 – April 3, 2012.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

B.3 EXTENSION OF CONTRACT - APPROVE THIRD AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the Third Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:
   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months; and

   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND

NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:

1. After conducting the Public Hearing and accepting public testimony:

   Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 296-280-018;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the NPDES maximum

commercial/industrial regulatory rate to APN 296-280-018.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:

1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

   Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 296-280-018;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 296-280-018.

E.3 PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT NO. 3, THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY PROGRAM (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 3, the Community Development Block Grant - Recovery Program (CDBG-R);

2. Review and adopt the proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 3, the Community Development Block Grant - Recovery Program; and

3. Authorize the budget re-appropriation of $107,841 from account 199.19910.6849.002 (CDBG-R Eco Green Incentive) and $840 from account 199.19910.6849.003 (CDBG-R Employment Creation Manufacturing) to (new) ADA Park Improvements Project # 199.19910.6849.xxx.

E.4 PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN,

SUBSTANTIAL AMENDMENT NO. 2, THE HOMELESSNESS PREVENTION AND RAPID REHOUSING PROGRAM (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2011-12 Annual Action Plan Substantial Amendment No. 2;

2. Adopt the proposed Substantial Amendment No. 2; and

3. Authorize revenue and expense budget appropriations of $36,228 to accounts 198.1980.4610.1 and 198.19810.6847.003 (HPRP-Rental Assistance) respectively

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)

G.2 JULY 4TH UPDATE (ORAL PRESENTATION) (Report of: Parks and Community Services Department)

G.3 INSTALLATION OF SYNTHETIC TURF AT MARCH FIELD PARK (Report of: Parks and Community Services Department)

Recommendation: That the City Council and CSD:

1. Award to Field Turf USA, Inc. 8088 Mountview Road, Montreal, Quebec, CN for material and labor to install synthetic turf at March Field Park;

2. Authorize the issuance of a Purchase Order to Field Turf USA, Inc., in the amount of $196,667.00 ($178,788.50 for the bid amount plus 10% contingency) when the contract has been signed by all parties;

3. Authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Field Turf USA, Inc., up to but not to exceed the Purchase Order contingency of $17,878.50 subject to the approval of the City Attorney; and

4. Authorize the Parks and Community Services Director to accept the improvements into the CSD's maintained system upon acceptance of the improvements as complete.

G.4 INTRODUCTION OF ORDINANCE AMENDING CHAPTER 3.12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE CITY'S PURCHASING REGULATIONS (Report of: Financial & Administrative Services)

Recommendation: That the City Council:
Approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations.

Ordinance No. 844

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 3.12, Purchasing.

G.5 RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2012 TO DECEMBER 31, 2012 (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Serving as the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

   Adopt Resolution No. 2012-22 approving a Second Recognized Obligation Payment Schedule, for the period of July 1, 2012 to December 31, 2012;

   Resolution No. 2012-22

   A Resolution of the City Council of the City of Moreno Valley Serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley Approving Second Recognized Obligation Payment Schedule and Authorizing the Executive Director or his Designee to Make Modifications Thereto

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the ROPS to the Oversight Board for review and approval.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 841 - AN ORDINANCE OF THE CITY OF MORENO VALLEY ESTABLISHING AN UNDERGROUND UTILITY DISTRICT ALONG NASON STREET FROM CACTUS AVENUE TO FIR AVENUE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

Adopt Ordinance No. 841.

Ordinance No. 841

An Ordinance of the City of Moreno Valley Establishing an Underground Utility District Along Nason Street from Cactus Avenue to Fir Avenue

H.2 .2 ORDINANCE NO. 842 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION P10-050 FOR A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP214) (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

ADOPT Ordinance No. 842;

Ordinance No. 842

An Ordinance of the City Council of the CIty of Moreno Valley, California, Approving Application P10-050 for a Specific Plan Amendment to Repeal the Cactus Corridor Specific Plan (SP214)

H.2 .3 ORDINANCE NO. 843 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A

ZONE CHANGE (PA10-0027) TO ESTABLISH CITY LAND USE DESIGNATIONS FOR THE PROPERTIES WITHIN SP214 (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

ADOPT Ordinance No. 843.

Ordinance No. 843

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA10-0027) to Establish City Land Use Designations for the Properties Within SP214

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY AND HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/ City as Successor Agency for the Community Redevelopment Agency/Housing Authority or Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services, City as Successor Agency for the Community Redevelopment Agency and Housing Authority of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a) Case: *Ramirez V. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 1106011

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

4 SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

a) Property: SR60/Moreno Beach Drive Interchange Project (Phase 2)
City Negotiator: Ahmad Ansari

Under Negotiation:	Price and terms of payment
APN/Caltrans Parcel:	473-160-007, 473-160-008, 473-160-009, 488-270-022 and 488-270-023
Owner:	Julie Yu Chu (488-270-022 and 488-270-023)

b) Property: Ironwood Avenue Street Improvement from Heacock Street to Perris Boulevard
City Negotiator: Ahmad Ansari
Under Negotiation: Price and terms of payment
APN/Caltrans Parcel: 475-272-054
Owner: City of Moreno Valley

5 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00159557

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
March 27, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the Moreno Valley Lions Club

2. Officer of the Quarter - Officer Victor Magana

3. Officer of the Year Investigator Duke Viveros

4. "Avoid the 30" DUI Program Award - Officers Dennis Pleta and Eric Robinson

5. Recognition of Mayor Pro Tem William H. Batey II for 15 Years of Service

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 27, 2012

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Housing Authority and the Board of Library Trustees was called to order at 6:31 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

Mayor Richard A. Stewart announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina

INVOCATION - Pastor Arnold Espinoza - Praise Chapel Christian Fellowship

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Council Member
William H. Batey II	Mayor Pro Tem
Robin N. Hastings	Council Member

Absent:

Marcelo Co	Council Member

Staff:

Jane Halstead	City Clerk
Kathy Gross	Executive Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager

John Anderson	Police Chief
Abdul Ahmad	Fire Chief
Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Interim Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY MORENO VALLEY HOUSING AUTHORITY BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 7-20, 2012.

A.4 FINAL MAP 32505--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN CITY OF MORENO VALLEY AND WESTERN PACIFIC HOUSING, INC. (Report of: Community & Economic Development Department)

Recommendation:
1. Approve the Maintenance Agreement by and between the City of Moreno Valley (City) and Western Pacific Housing, Inc.;

2. Authorize the Mayor to execute the Maintenance Agreement;

3. Authorize the City Attorney to work with Western Pacific Housing, Inc. and/or Mayfield Owners Association to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement;

4. Authorize the City Treasurer to invest the required Trust Funds pursuant to Section 8 of the Maintenance Agreement;

5. Authorize the City Manager to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and

6. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation.

A.5 PA02-0133 (Tract 31089) - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING JAFFA WAY, NAVEL AVENUE, SHALU AVENUE, CITRUS COURT, TANGERINE ROAD AND THE PORTIONS OF KITCHING STREET AND TUSCOLA STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BEAZER HOMES HOLDING CORP, BREA, CA 92821 (Report of: Community & Economic Development Department)

Recommendation:

1. Adopt Resolution No. 2012-17; and

Resolution No. 2012-17

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within PA02-0133 (Tract 31089) and Accepting Jaffa Way, Navel Avenue, Shalu Avenue, Citrus Court, Tangerine Road, and the Portions of Kitching Street and Tuscola Street Associated with the Project into the City's Maintained Street System

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

A.6 AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO HILLCREST CONTRACTING FOR THE COTTONWOOD AVENUE

IMPROVEMENTS FROM PERRIS BOULEVARD TO 650 FEET EAST - PROJECT NO. 12-41678528 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract for the Cottonwood Avenue Improvements (from Perris Boulevard to 650 Feet East) to Hillcrest Contracting, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hillcrest Contracting;

3. Authorize the issuance a Purchase Order to Hillcrest Contracting for the amount of $188,728.75 ($150,983.00 base bid amount plus 25% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hillcrest Contracting, up to but not to exceed the Purchase Order's total contingency amount of $37,745.75, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained roadway system, and release the retention to Hillcrest Contracting, if no claims are filed against the project.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF STREET IMPROVEMENTS FOR CITYWIDE SIDEWALKS AND ACCESS RAMPS CONSTRUCTED BY MORA'S EQUIPMENT & CONSTRUCTION, INC. - PROJECT NO. 10-12272227 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Street Improvements for Citywide Sidewalks and Access Ramps, constructed by Mora's Equipment & Construction, Inc.;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Mora's Equipment & Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO GOLDEN STATE CONSTRUCTORS, INC. FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS – PHASE II
PROJECT NO. 12-12566629 (Report of: Public Works Department/CPD)

Recommendation:

1. Waive any and all minor irregularities and award the construction contract for the Citywide Sidewalks and Access Ramps – Phase II to Golden State Constructors, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Golden State Constructors, Inc.;

3. Authorize the issuance of a Purchase Order to Golden State Constructors, Inc. for a total amount of $174,142.65 ($158,311.50 bid amount plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Golden State Constructors, Inc., up to but not to exceed the Purchase Order's total contingency of $15,831.15 subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to Golden State Constructors, Inc., if no claims are filed against the project.

A.9 AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO ELITE COMPANIES US FOR THE HEACOCK STREET SIDEWALK IMPROVEMENTS FROM ATWOOD AVENUE TO MYERS AVENUE
PROJECT NO. 12-12556333 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract for the Heacock Street Sidewalk Improvements from Atwood Avenue to Myers Avenue to Elite Companies US, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Elite Companies US;

3. Authorize the issuance a Purchase Order to Elite Companies US for

the amount of $105,422.64 ($87,852.20 base bid amount plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Elite Companies US, up to but not to exceed the Purchase Order's total contingency amount of $17,570.44, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained roadway system, and release the retention to Elite Companies US, if no claims are filed against the project.

A.10 APPROVE AND EXECUTE THREE PUBLIC UTILITY EASEMENT DEEDS TO CONVEY PORTIONS OF PARCEL NO. 21447 (NO APN) AND PARCEL NO. 21459 (APN 488-330-001), AND APPROVE AND EXECUTE A GRANT DEED TO CONVEY A PORTION OF PARCEL NO. 21459 FOR THE SR-60/MORENO BEACH INTERCHANGE PROJECT (PHASE 1) - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve and authorize the City Manager to execute three easement deeds to convey rights across portions of Parcel No. 21447 (No APN) and Parcel No. 21459 (APN 488-330-001) to Southern California Edison and Eastern Municipal Water District for the SR-60/Moreno Beach Improvement Project (Phase 1); and

2. Approve and authorize the City Manager to execute a Grant Deed to Convey a Portion of Parcel No. 21459 (APN 488-330-001) to Caltrans upon completion of construction of the project.

A.11 PA01-0053 (PM 30472) PHASE 2B – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF A SEGMENT OF MODULAR WAY AND A SEGMENT OF KITCHING STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM MARCH 28, 2012 – AUGUST 28, 2012; DEVELOPER: WALGREEN CO., DEERFIELD, IL 60015 (Report of: Community & Economic Development Department)

Recommendation:

Authorize a full road closure of Modular Way from Kitching Street to approximately 800 feet west of Kitching Street and Kitching Street from approximately 350 feet north of Modular Way to approximately 1,500 feet south of Modular Way for the construction of street improvements from March 28, 2012 – August 28, 2012.

A.12 APPROVAL OF CHECK REGISTER FOR JANUARY, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2012-19, approving the Check Register for the month of January, 2012 in the amount of $11,915,839.98.

Resolution No. 2012-19

A Resolution of the City Council of the City of Moreno Valley, California Approving the Check Register for the Month of January, 2012

A.13 PM 30472 – (PHASE 2b) MODULAR WAY AND KITCHING STREET – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) EAST OF PERRIS BOULEVARD AT NANDINA AVENUE - DEVELOPER: WALGREEN CO., DEERFIELD, IL 60015 (Report of: Public Works Department/ Community & Economic Development Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for PM 30472 - Phase 2 Modular Way and Kitching Street;

2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and

3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.14 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2011.

A.15 RESOLUTION NO. 2012-21, AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH CALTRANS FOR TRANSPORTATION PLANNING GRANTS (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2012-21.

Resolution No. 2012-21

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City Manager to Execute Agreements with CalTrans for Transportation Planning Grants

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve Consent Calendar Items A.1 through D.2 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO ADOPT AN ORDINANCE TO ESTABLISH AN UNDERGROUND UTILITY DISTRICT - NASON STREET FROM CACTUS AVENUE TO FIR AVENUE (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

1. Conduct the public hearing and accept public comments, for consideration of the establishment of an underground utility district along Nason Street from Cactus Avenue to Fir Avenue; and

2. Introduce Ordinance No. 841.

Ordinance No. 841

An Ordinance of the City of Moreno Valley Establishing an Underground Utility District Along Nason Street from Cactus Avenue to Fir Avenue

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Russell Miller.

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem William H. Batey II
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E.2 FY 2012/13 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for CDBG and the HOME grant programs to allow public comment on the proposed FY 2012/13 programs; and

2. Review and select programs for funding for social service, housing, and economic development activities to be included in the City's FY 2012/13 Annual Action Plan.

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Karyn Young-Lowe.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E.3 A PUBLIC HEARING ON A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP 214) AND ESTABLISH CITY ZONING DESIGNATIONS FOR THE AREA (P10-050, PA10-0026, PA10-0027). THE CACTUS CORRIDOR SPECIFIC PLAN IS LOCATED GENERALLY BETWEEN MORENO BEACH DRIVE, THEODORE STREET, BRODIAEA AVENUE AND CACTUS AVENUE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing, RECOGNIZE that applications P10-050 (Specific Plan Amendment), PA10-0026 (General Plan Amendment) and PA10-0027 (Zone Change) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. INTRODUCE Ordinance No. 842;

   Ordinance No. 842

   An Ordinance of the City Council of the CIty of Moreno Valley, California, Approving Application P10-050 for a Specific Plan Amendment to Repeal the Cactus Corridor Specific Plan (SP214)

3. ADOPT City Council Resolution No. 2012-20; and

   Resolution No. 2012-20

   A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0026) to Make Minor Changes to Establish Land Use Designations for Certain Properties Within SP214

4. INTRODUCE Ordinance No. 843.

   Ordinance No. 843

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA10-0027) to Establish City Land Use Designations for the Properties Within SP214

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Ryan Thomas (Support Item), Allan Smiley, Seval Haley and Craig Haley.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E.4 GENERAL PLAN AMENDMENT/SPECIFIC PLAN 208 AMENDMENT TO MODIFY THE CIRCULATION PLAN AND CIRCULATION EXHIBIT, RESPECTIVELY (PA12-0001) (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

After conducting a public hearing to consider the action taken by the Plannig Commission on February 9, 2012, recommending approval of a General Plan Amendment and Specific Plan 208 Amendment (PA12-0001), and subsequent to the public hearing, Approve the proposed City Council Resolution No. 2012-18, thereby ADOPTING a Negative Declaration for PA12-0001 in that the project will not result in significant environmental impacts, and APPROVING the General Plan Amendment and Specific Plan 208 Amendment (PA12-0001), based on the findings in the City Council Resolution.

Resolution No. 2012-18

A Resolution of the City Council of the City of Moreno Valley, California Approving a General Plan Amendment and Specific Plan 208 Amendment (PA12-0001) to Modify the City Circulation Plan and Circulation Exhibit, Respectively

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

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

None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a) Report by Council Member Council Member Jesse L. Molina on the Riverside Transit Agency (RTA)

Jesse Molina gave an update on RTA, stating February was a high record for RTA. Additionally, RTA, in honor of their 35-year Anniversary, invites all to join them in the celebration by submitting photographs of yourself, family and friends while taking a trip on a bus and get the chance of winning a 30-day pass as well as having your pictures placed on their website. RTA began in 1977 and is incorporating a 70's scene, although it's not required for winning the contest.

A bus driver, Mr. Charles, was recognized for finding a purse that had been lost on March 6, 2012.

RTA is applying for a 4.8 million dollar Federal Clean Fuel Grant to help replace the aging fleet.

RTA's Chief Executive Officer, Larry Rubio, was named Manager of the Year.

G.2 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 296-280-018 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

G.3 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:
Accept public comments regarding the mail ballot proceeding for APN 296-280-018 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.4 FIRST AMENDMENT TO AGREEMENT WITH FALCON ENGINEERING SERVICES INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE SR-60/NASON OVERCROSSING PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

1. Authorize the "First Amendment to Agreement for Professional Consultant Services, Transportation Uniform Mitigation Fee (TUMF) – Zonal" (First Amendment) with Falcon Engineering Services, Inc. (Falcon), to provide construction management services for the SR-60/Nason Bridge project for $1,942,779;

2. Authorize the City Manager to execute said First Amendment with Falcon;

3. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval;

4. Authorize a Change Order to increase Purchase Order No. 42266 with Falcon by $1,942,779 from Account No. 797.79718.7200 once the First Amendment has been signed by all parties; and

5. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the contract with Falcon within the authorized purchase order amount subject to the approval of the City Attorney.

Mayor Richard A. Stewart opened the agenda item for public comments, which was received from Deanna Reeder.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 2.26 OF

TITLE 2 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE ARTS COMMISSION, BY INCREASING THE NUMBER OF MEMBERS SERVING TO NINE PUBLIC MEMBERS, TO INCLUDE TWO TEEN MEMBERS (RECEIVED FIRST READING AND INTRODUCTION ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Parks and Community Services Department)

Recommendation: That the City Council:

Adopt Ordinance No. 839.

Ordinance No. 839

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 2.26 of Title 2 of the City of Moreno Valley Municipal Code, Relating to the Arts Commission, by Increasing the Number of Members Serving to Nine Public Members, to Include Two Teen Members

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

H.2 .2 ORDINANCE NO. 840 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, EXTENDING THE EXPIRATION DATE OF CERTAIN DISCRETIONARY PERMITS OR ENTITLEMENTS WITH A VALID ENTITLEMENT AS OF JANUARY 1, 2011 (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 13, 2012 BY A 4-0-1 VOTE, BATEY ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 840.

Ordinance No. 840

An Ordinance of the City Council of the City of Moreno Valley, California, Extending the Expiration Date of Certain Discretionary Permits or Entitlements with a Valid Entitlement as of January 1, 2011

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Adolf Kruger

1. Skechers
2. Automation - Loss of Jobs
3. MVPD Corruption

Deanna Reeder

1. RDA Oversight Board
2. Public Comments Location on Oversight Board Agenda

Pete Bleckert

1. Choke Points

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY MORENO VALLEY HOUSING AUTHORITY BOARD OF LIBRARY TRUSTEES

Jesse Molina

1. Roads moving at a faster pace
2. United Council
3. Vietnam - Wall that Heals
4. Moreno Valley Beauty Pageant - www.valleyqueens.org (September 2012)
5. Recently attended a Senior Center meeting. Request of Media - requests computer classes on TV for seniors

6. Future Surveillance Camera at Senior Center - Request to be first to receive

Robin Hastings

1. VVHS very first Mr. Eagle Contest - Renaissance Program
2. Congratulations to Michael Curry who is the first Mr. Eagle
3. Vietnam - Wall that Heals - Part of the Welcome Home Vietnam Vets
4. Relay for Life - April 14th at VVHS
5. Health & Safety Fair - April 28th at the MV Auto Mall
6. Congratulations to my son, James, finished his last class today and will receive his degree in Information Technology from University of Kentucky
7. Congratulations to my daughter, Julie, for putting an offer on her first home here in Moreno Valley
8. To my husband, celebrating our 41st Wedding Anniversary - You're the Best

William H. Batey

1. Vietnam - Wall that Heals - Kudos to Robin Hastings for beginning the Readings today
2. Soon will be Presenting the winners of our Reading Contest

Mayor Richard A. Stewart

1. Oversight Board not a "Rubber Stamp". Example: The MJPA Oversight Board loaned Redevelopment Agency at March Joint Powers 3 1/2 million dollars; RDA has been paying back slowly, now State Treasurer disapproved and said it was a gift. This money is needed to keep their operation running. The City has a lot more substantial debt and may be faced with not being paid back. The Oversight Board is not a de novo look at expenditures - they're not the ones doing the work, but rather the ones overseeing the work to be done.

2. Construction taking place outside of Conference Recreation Center Ballroom - trying to make it more rentable. Parks & Community Services Director Mike McCarty provided explanation that the concrete tiles and grass area will be replaced with a color concrete slab; removal and replanting of the trees to allow for the possibility of big tents or Gazebos; grass will be planted around parameter; and a mural will be placed at the entrance way representing Moreno Valley's history. This will help with renting for future weddings and big events, generating more revenue for the City.

CLOSED SESSION

The Closed Session was held in the City Manager's Conference Room will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: City Manager Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: City Manager Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: City Manager Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:00 p.m. by unanimous informal consent.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Secretary, Housing Authority
Secretary, Board of Library Trustees

Approved by:

_____

Mayor Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Housing Authority
Chairperson, Board of Library Trustees

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MV00159577

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH EASTERN MUNICIPAL WATER DISTRICT (EMWD) FOR THE SR-60/NASON INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720).

BACKGROUND

The overall purpose of the SR-60/Nason Street Interchange Improvements project is to improve the interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated traffic demand.

The City Council approved a "Reimbursement Agreement -- Relocation of Waterline within Fir Avenue" with EMWD on March 10, 2009, for abandonment of the existing waterline along SR-60 and construction of a replacement line in Fir Avenue. On December 8, 2009, the City Council approved a "Reimbursement Agreement – Relocation of Waterline Valves" with EMWD for the relocation of remaining facilities in the vicinity of the project, including valves along the right shoulder of eastbound SR-60. The Council authorized a purchase order for the Fir Avenue agreement, and an increase to the purchase order for the valve agreement. The Fir Avenue work was completed by EMWD in August 2009. The valve relocation work was advertised by EMWD in July 2011. The total amount of the work completed is nearing the authorized

purchase order amount, and in accordance with the agreements, the City had committed to increasing the funds when necessary.

DISCUSSION

The valve agreement identified responsibilities between the City and EMWD for relocation of two 12" water mainline valve clusters, construction of a 24-inch waterline under the freeway to facilitate relocation and provide an upgraded crossing for EMWD, and related valve/shutdown locations. In August 2011, EMWD awarded a contract to Genesis Construction for all the work. The City's total for the valve work based on the low bid amount was $318,321 (including EMWD administrative costs). Construction started in mid-October 2011 and was anticipated to be completed in late June 2012. EMWD's contractor is proceeding diligently with the work in order to keep pace with the City's 60/Nason interchange project. At several excavation locations, the contractor encountered differing existing waterline configurations than anticipated. He proposed alternate routings, which EMWD and the City have agreed with. Even with the differing conditions, the work is two months ahead of schedule. The two valve clusters adjacent to the 60/Nason project are expected to be completed ahead of schedule, with the overall EMWD contract being complete by late April 2012.

The City is responsible for all costs associated with relocating the valves outside State right of way, as well as proportional shares of EMWD construction administration, surveying and materials testing. Terms of the agreement allow for adjustments based on actual costs and changes during construction. Based on a current total of construction costs and changes, the value of the City's work is projected to exceed the authorized purchase order amount. In accordance with the valve agreement, each party will request additional funds when the costs are projected to exceed the authorized funding. In order to provide sufficient funding authority to support EMWD, a change order to increase the purchase order by $70,000 is needed. There may be additional costs for which the City is responsible, including future construction change orders and EMWD administrative costs, which will be evaluated when presented by EMWD.

ALTERNATIVES

1. Authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720). *This alternative allows the City to complete the SR-60/Nason Street Interchange Improvements Project on schedule.*

2. Do not authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720). *This alternative will delay completion of needed utility relocations for the SR-60/Nason Street Interchange Improvements Project.*

FISCAL IMPACT

The City Council approved $177,120 ($147,600 plus $29,520 contingency) on March 10, 2009, and $368,000 ($320,000 plus $48,000 contingency) on December 8, 2009 for a total authorized amount of $545,120. The Fir Avenue work was completed for $147,600 within the original budget and the $29,520 contingency remained available. City-estimated costs to date are approximately $540,000 ($147,600 paid for Fir, $318,000 for valve low bid, and $75,000 in change orders). The $70,000 increase to the purchase order brings the total amount to $615,120. The project is currently funded using federal Surface Transportation Program, federal Transportation Efficiency Act of the 21st Century, matching toll credits, Measure "A," and DIF Interchange funds. There are sufficient funds within the project budget for the request.

All funding sources for this project are restricted for capital improvements related to transportation projects or for the SR-60/Nason interchange and cannot be utilized for operational activities. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS - SR-60 / Nason Street Interchange

TEA 21 Demonstration Funds (125.66929)	$ 2,254,000
STPL Discretionary Funds (125.67029)	$ 6,571,000
STPL Toll Credit (125.67030)	$ 754,000
Demo Toll Credit (125.66930)	$ 563,000
Measure "A" Funds (125.89720)	$ 381,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$12,263,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 7,000,000
Construction Management & Inspection Services	$ 1,000,000
Construction Support Services (Geotechnical & Survey)	$ 300,000
Construction Support Services (Design firm)	$ 100,000
EMWD Utility Relocation*	$ 398,000
EMWD Utility Relocation (current request)	$ 70,000
Administrative Costs (Staff & Miscellaneous)	$ 100,000
Total Estimated Costs	$ 8,968,000

**Balance of previous funding authorizations for EMWD*

PROJECT SCHEDULE

Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

As the EMWD relocation for the SR-60/Nason Interchange Improvements project nears completion, the value of the City's work is projected to exceed the authorized purchase order amount. In accordance with the approved agreement, the City will request additional funds when the costs are projected to exceed the authorized funding. An increase of $70,000 to the purchase order is needed in order to provide sufficient funding authority to support EMWD.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 10, 2012

TITLE: APPROVAL OF THE 2012/2013 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2012/2013 in the amount of $548,506; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2012/2013.

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152. On October 26, 2010, the City Council authorized the Mayor to execute a new Administrative Services Agreement.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2012/2013 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2012/2013.

The revenues collected will normally increase even if the charge for the annual assessment remains constant, as a result of new development. This occurs because the total number of properties paying the assessment increases each year.

Current information provided by the County of Riverside Economic Development Agency and staff indicates an increase in the FY 2012/2013 CSA 152 projected revenues of $10,953 from the current fiscal year projected revenues. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2012/2013 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2012
2.	First installment to City	January 2013

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $37,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2012/2013 in the amount of $548,506 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2012/2013. *Approval of this alternative assures that a portion of the funds necessary to support the various storm water management and maintenance programs for the City will continue to be collected.*

2. Do not approve the CSA 152 Budget for FY 2012/2013 in the amount of $548,506, and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2012/2013. *This alternative does not provide for the collection of the assessment on the annual tax rolls, that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 Budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2012/2013 City budget process.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the CSA 152 budget will help relieve the burden on fund transfers.

The CSA levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.
- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 Budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2012/2013

staff is recommending Council adopt the CSA 152 Budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Barry Foster
Community & Economic Development Director

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00159587

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL DESIGN CONSULTANT SERVICES TO RBF CONSULTING FOR THE ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD – PROJECT NO. 13-12566851 HSIPL-5441(050)

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project.

2. Authorize the City Manager to execute the Agreement for Professional Design Services with RBF Consulting in the form attached hereto.

3. Authorize the issuance of a Purchase Order to RBF Consulting in the amount of $137,027.00 when the Agreement has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with RBF Consulting, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

BACKGROUND

On December 13, 2011, the City Council accepted a California Department of Transportation (Caltrans) Highway Safety Improvement Program (HSIP) Cycle 4 grant award of up to $900,000 in funds for the Alessandro Boulevard Median between Indian Street and Perris Boulevard project and authorized the $1,000,000 appropriation of

unencumbered Measure "A" funds (Fund 125) for the design and construction costs of the project.

DISCUSSION

A safety analysis identified a high rate of collisions, including pedestrian collisions, along Alessandro Boulevard between Indian Street and Perris Boulevard. In order to address this, the project will install/construct the following:

- A raised median along Alessandro Boulevard from 350 feet east of Indian Street to Perris Boulevard.
- Install a traffic signal at the intersection of Alessandro Boulevard and Covey Quail Lane and construct ADA compliant pedestrian access ramps.
- Construct dual left turn lanes in the eastbound and westbound directions of Alessandro Boulevard at Perris Boulevard, modify the existing traffic signal, and construct ADA compliant pedestrian access ramps.

The raised median along Alessandro Boulevard is anticipated to reduce the collision rates. The proposed traffic signal at Alessandro Boulevard and Covey Quail Lane will assist pedestrians crossing Alessandro Boulevard from the residential area on the north to the commercial centers on the south. Finally, the improvements at Perris Boulevard and Alessandro Boulevard are anticipated to enhance pedestrian mobility through the intersection and reduce congestion.

In order to proceed with the planning and design efforts for the proposed improvements along Alessandro Boulevard, staff solicited proposals from professional design consultants. Requests for Proposals for Professional Design Services were requested by mass email to a list of several hundred professional consultants within the City's database, posting to the City Website, and advertisement in the Press Enterprise. Eight (8) firms responded by submitting proposals. A Selection Review Committee, comprised of Public Works Staff Engineers, reviewed and rated all proposals, based on qualification based selection criteria. After interviewing the three (3) top rated firms, RBF Consulting was selected as the most qualified consultant to complete the subject project.

The Consultant will provide design services in two (2) progressive phases: Phase 1 – Preliminary Concept Design, Environmental, and 35% Level Completion; Phase 2 - 100% Level PS & E Completion and Construction Bidding Services. Upon City Council approval of the Agreement for Professional Design Services with RBF Consulting, the City will issue a Notice to Proceed for Phase 1 (35% plans, Summary Memorandum, and Caltrans acceptance of environmental documentation) only. Upon successful completion of Phase 1, the City may issue written authorization to proceed with Phase 2 (Final PS & E) or terminate the contract.

ALTERNATIVES

1. Approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project, authorize the City Manager to execute the Agreement for Professional Design Services with RBF Consulting in the form attached hereto, authorize the issuance of a Purchase Order to RBF Consulting in the amount of $137,027.00 when the Agreement has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with RBF Consulting, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney. *This recommendation will allow for the design of the much needed improvements along Alessandro Boulevard and meet HSIP grant schedule requirements.*

2. Do not approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project. *This alternative will delay the design for the much needed improvements along Alessandro Boulevard and will put the HSIP grant monies at risk.*

FISCAL IMPACT

The City of Moreno Valley will fund the design and construction with Measure "A" Funds (Fund 125). The HSIP grant will provide reimbursement of up to 90%. There is no impact to the General Fund.

BUDGETED FUNDS FOR ALESSANDRO BOULEVARD MEDIAN / INDIAN STREET TO PERRIS BOULEVARD:

Fiscal Year 2011/2012 Budget (Account No. 125.66850)	$900,000
Fiscal Year 2011/2012 Budget (Account No. 125.66851)	$100,000
Total Project Budget	$1,000,000

ESTIMATED PROJECT COSTS:

Design Consultant Costs	$137,000
City Design Support Costs	$13,000
Construction and Construction Management Costs	$850,000
Total Estimated Project Costs	$1,000,000

ANTICIPATED PROJECT SCHEDULE

Preliminary Engineering and Environmental Clearance Complete	October 2012
PS&E Complete	December 2012
Receive Caltrans Authorization for Construction	April 2013
Award Construction Contract	July 2013
Complete Construction	December 2013

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The proposed improvements will install a raised median along Alessandro Boulevard between Indian Street and Perris Boulevard, install a traffic signal at Alessandro Boulevard and Covey Quail Lane, and modify the existing traffic signal at Alessandro Boulevard and Perris Boulevard. Staff recommends award of the agreement to RBF Consulting, based on a qualification based selection process.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with RBF Consulting

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

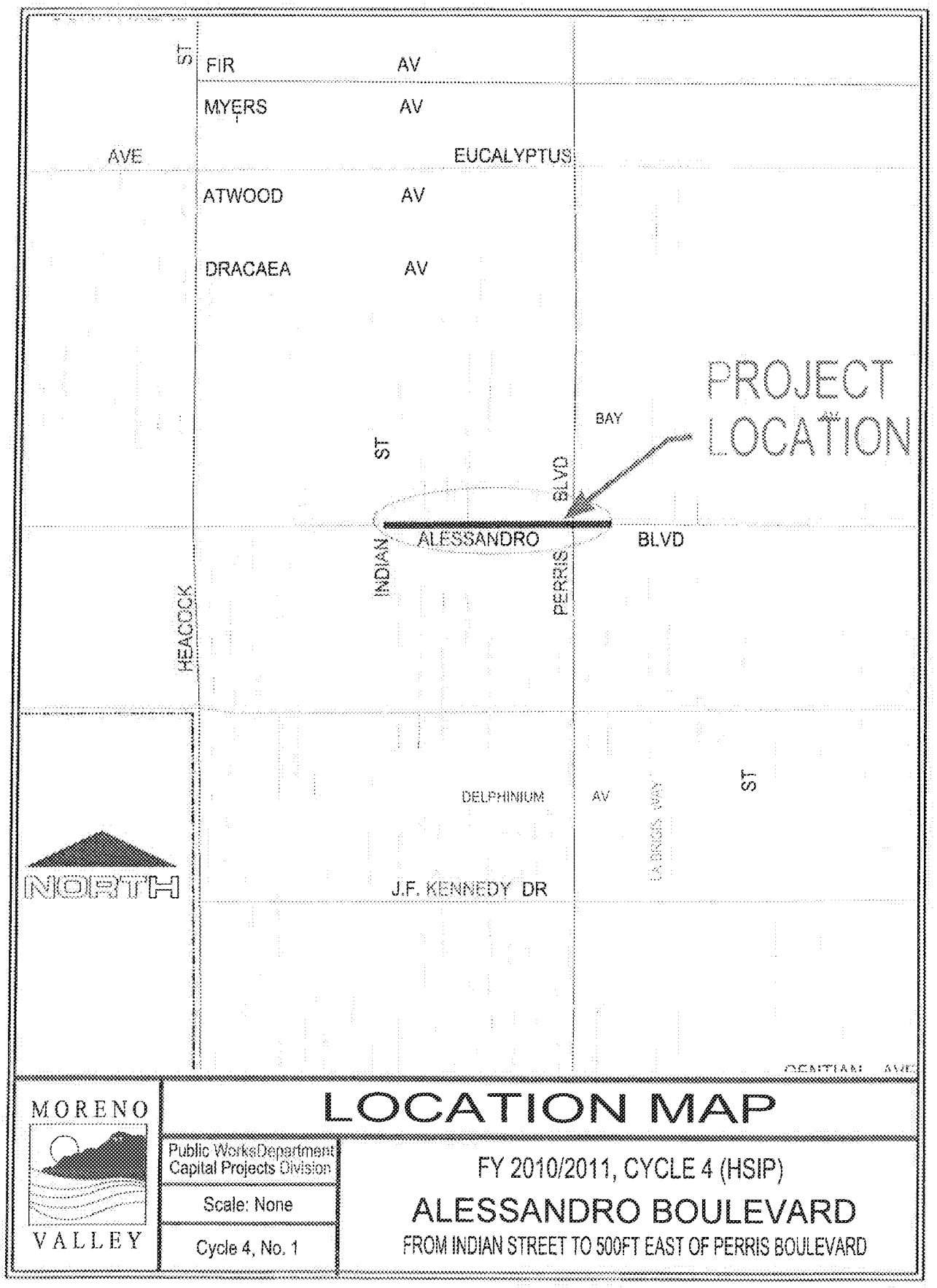

Attachment "A"

Item No. A.5

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MV00159593

AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES
PROJECT NO. 13-12566851

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and RBF, Consulting, a (California corporation) hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

DESCRIPTION OF PROJECT

1. The project is described as professional consultant design services for:

ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD

Project No. 13-12566851

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$137,027.00** in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **June 30, 2013** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the

responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other

obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents, or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant, its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, MVHA and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) The City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents shall be named

as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that

cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other work without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either

written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree that, to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this

Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

SIGNATURE PAGE FOLLOWS

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

RBF Consulting

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule
Exhibit "F" – Certificate of Consultant
Exhibit "G" – Certificate of Local Agency

REQUEST FOR PROPOSAL
FOR PROFESSIONAL DESIGN CONSULTANT SERVICES

ALESSANDRO BOULEVARD MEDIAN
FROM INDIAN STREET TO PERRIS BOULEVARD
PROJECT NO. 13-12566851
HSIPL-5441(050)

I. INVITATION

Your firm is hereby invited to submit a proposal for professional consultant services for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project.

Four copies (one (1) of the copies will be unbound and paper clipped, with no tabs, holes, perforations, or cardboard inserts, suitable for copying with an automatic-feed copy machine) of your proposal shall be submitted no later than **5:00 p.m., February 23, 2012**, addressed to Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (mail delivery), Attention: Michael Lloyd, Senior Engineer (Contract Administrator).

II. PROJECT DESCRIPTION

This project will install a hardscaped raised median along Alessandro Boulevard from Indian Street to approximately 500' east of Perris Boulevard, install a new traffic signal at Alessandro Boulevard/Covey Quail Lane, install ADA compliant pedestrian ramps at Alessandro Boulevard/Covey Quail Lane, install eastbound and westbound dual left turn lanes at Alessandro Boulevard/Perris Boulevard, modify the existing traffic signal at Alessandro Boulevard/Perris Boulevard, install ADA compliant pedestrian ramps at Alessandro Boulevard/Perris Boulevard, and revise signing and striping.

Background

Alessandro Boulevard is designated as a Divided Major Arterial with a cross section of 110 feet curb face to curb face and 134 foot right-of-way, also designated as a truck route. To the south of Alessandro Boulevard along the project segment are commercial uses. To the north of Alessandro Boulevard along the project segment are single family residential units with commercial uses at the major intersections.

Along the project segment of Alessandro Boulevard, the roadway is built to its ultimate width curb to curb with a painted median for a majority of the segment. Sidewalk exists on both sides of Alessandro Boulevard. RTA bus route #20 currently has stops along the project segment. A SCAG Compass Blueprint study was recently completed for the Alessandro Boulevard corridor.

No additional right of way is anticipated for the project. Utility adjustments such as adjusting pullboxes to grade may be required.

III. PROJECT FUNDING AND SCHEDULE

The Project (planning, environmental, and design) is funded by the Federal Highway Safety Improvement Program (HSIP) under the jurisdiction of Caltrans District 8 Local Assistance

Exhibit "A"

with the City matching funds from Measure A (1/2 Cent Local Sales Tax). It is imperative that all activities associated with this project conform to the Caltrans Local Assistance Procedures Manual, otherwise, funding will be jeopardized.

SCHEDULE

The City's tentative schedule is the following:

Proposals due:	February 23, 2012
Award of Consultant Contract:	April 24, 2012
Preliminary Engineering and Design:	May 2012 to December 2012
Advertise for Construction:	April 2013
Award Construction Contract:	July 2013
Construction:	August 2013 to December 2013

IV. SCOPE OF ENGINEERING SERVICES

The scope of work consists of three (3) phases. The first phase of the work will be the planning/environmental, the second phase will be the design (PS&E), and the third phase will be the construction support. The work shall be in accordance with the requirements of the Caltrans Local Assistance Procedures Manual, City of Moreno Valley standards, Caltrans standard plans (latest version), and the California Manual on Uniform Traffic Control Devices (latest version).

A. GENERAL

1. Meetings

As a minimum, the Consultant shall schedule and attend meetings in the planning phase as follows:

1. Kickoff meeting including sub-consultants (if any).
2. Project Development Team (PDT) meetings, monthly.
3. Attend monthly Alessandro Boulevard Median PDT meetings.
4. Environmental Meetings.
5. City Council Meeting/Council Study Session
6. Other meetings as necessary such as, but not limited to, agencies, field reviews, utilities, and meetings with individuals/property owners/business owners.

The Consultant shall schedule, chair, and prepare meeting agendas and minutes for all meetings. The agendas are to be submitted to the City for review five (5) working days before the meeting. The minutes shall be distributed to all attendees, everyone who was invited, and the City's Project Manager within five (5) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phone numbers

and E-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to action items.

2. Schedule

The project schedule shall be developed by the Consultant for the design and construction utilizing Microsoft Project®. The schedule shall be provided to the City in both digital and hard copy. An updated schedule is to be handed out during the PDT Meetings.

The project schedule shall be divided into tasks and subtasks in full detail including, but are not limited to, City function timeline, critical path, and other outside sources such as agencies or utilities. Some of the tasks shall be, but are not limited to, planning, environmental, design, relevant City Council meetings, Caltrans review, advertising, and construction. The schedule is to indicate anticipated durations for all tasks.

B. PHASE I – PLANNING, ENVIRONMENTAL, AND CONCEPTUAL DESIGN (35% COMPLETE)

1. Report of Project Issues

The consultant shall provide a Report of Project Issues based on the findings of research and investigation of record information. The report, at a minimum, shall include, but not be limited to, the following:

a. The report shall itemize the results of all research and investigation including cataloging the sources of information.

b. Identify locations of potential conflicts or constraints that may impact the design of the project.

c. Identify conflicts of potholed underground utilities and overhead improvements.

d. Identify right-of-way, easement and environmental constraints.

2. Research of Record Information

a. The Consultant shall provide engineering services related to the research and investigation of utility company and agency records to secure all the information required to identify, locate and accurately lay out all underground improvements, easements, centerline, right-of-way and private property lines. The research should include, but not be limited to, utility maps and street improvement plans.

b. The City will provide copies of available pertinent City records, such as survey ties, benchmarks, street plans, tract and parcel maps the City knowingly has in its possession.

3. **Environmental**

The environmental procedures shall be in compliance with the Caltrans Local Assistance Procedures Manual (LAPM). The Preliminary Environmental Study (PES) with comments and photographs; Natural Environmental Study (NES); and required maps/documents at a minimum will be submitted to Caltrans. The Consultant shall prepare, submit, and coordinate with Caltrans through final approval of the environmental document on behalf of the City. The City will review all documents before submission to Caltrans.

The Consultant shall ensure complete environmental documents and reports are submitted for review. The Consultant shall address all comments generated by the City and/or Caltrans in order to receive a final approval.

Should the Consultant believe that further environmental study is needed, the Consultant shall meet with City Staff to identify the additional work and applicable resource/regulatory agencies involved. Consultant shall submit the estimated cost and schedule to prepare the additional environmental studies and/or report, permit applications, or other materials to obtain clearance through all applicable agencies for the project.

4. **Surveying and Topographic Mapping**

The Consultant shall perform all surveys necessary for the concept drawings and the design of the project establishing a uniform stationing on all streets, increasing northerly and easterly.

The Consultant shall provide cross-sections at fifty feet intervals on center within the project limits. The cross sections shall be incorporated in the design plans for construction bidding purposes.

The Consultant shall collect field survey data necessary for the design of the proposed improvements along the roadway which shall include the preparation of topographic base mapping through field survey methods. The field survey data shall be compiled to develop a topographic base map of the project area.

Topography shall include, but not be limited to, all features within the right of way and 25 feet beyond. The topography shall extend a minimum of 100 feet beyond the limits along Alessandro Boulevard at the intersections of Alessandro Boulevard/Covey Quail Lane and Alessandro Boulevard/Perris Boulevard.

Field survey information shall also include all features within and around the project area, and the existing roadway profile and pavement limits. The consultant shall perform detailed surveying work, including the tie-out of any and all existing survey centerlines and property corner monuments that could be disturbed and affected by the proposed work.

The survey topography shall be submitted in ASC II format on CD-ROM and a hard copy plot provided using AutoCAD Land Development or compatible software approved by the City. Survey points with coordinates, elevations, and description key shall be AutoCAD

Land Development Standard Survey Descriptions only, no other survey description will be allowed.

The Consultant shall indicate on the plans the stationing of all intersections, and the beginning or end of curves. Survey monuments and monument wells shall be noted for preservation and where missing installed per City standards by the Contractor. The setting or marking of the actual monuments setting or marking shall be performed by a land surveyor contracted by the City during or at the end of Construction, and a Record of Survey shall be submitted to the City. These items must be quantified and shown on the Improvement Plans, Specifications, and Estimate. The Consultant shall note that the Construction Contractor shall be responsible for replacing disturbed monuments or ties after construction is completed.

5. Existing Utilities Research

The Consultant shall conduct existing utility research for all utilities within the project limits to identify, locate, and accurately lay out all underground improvements.

The Consultant shall determine which utility is to receive notification, address the utility notification letters and provide the City with a copy of the letters. The City will print on City letterhead, mail to the respective utility and provide the Consultant with a copy of the letter and response. The utility letters comprise of first utility notice letter (Preliminary Project Notice) with response form, second utility notice letter (Prepare to Relocate) with response form, third utility notice letter (Notice to Relocate), and fourth utility notice letter (Notice to Relocate Immediately) will be forwarded to the Consultant. The Consultant may also need to call the utility companies, as necessary, until a written response form is received from each potentially conflicting utility.

The Consultant shall positively locate all utilities in accordance with Caltrans policy on High and Low Risk Utilities.

The Consultant shall identify all utilities that could potentially conflict with the planned project, and determine special requirements for facilities including protection, relocation, right-of-way, easements, and construction. The Consultant shall coordinate with the utility companies to schedule the relocation of the utilities prior to the start of construction.

6. Utility Potholing

The Consultant shall pothole all underground utilities to determine the depth for clearance or conflicts for any underground improvements such as gas lines, telephone lines, electrical lines, sewer lines, water lines, storm drain lines, etc. The Consultant shall submit to each utility company a preliminary set of plans that provide the location, elevation of the utility, and the elevation of the improvement with the conflict area clouded to show the utility companies the areas of conflict with the proposed improvement. The potholing information and plan shall be submitted to the City after completion of that task. If an area of possible conflict was not potholed, the Consultant shall pothole the area to verify no conflicts, at **no** cost to the City. Potholes shall be repaired per City Standard Plan No. 602D.

It will be the responsibility of the Consultant to notify Underground Service Alert and provide traffic control during potholing operation

7. **Right-of-Way**

The Consultant is required to perform basic right-of-way research to ensure any needed right-of-way acquisitions are identified and provide Right-of-Way Certification for Caltrans project clearance for authorization to proceed to construction. The Consultant shall prepare base sheets showing existing property lines with all right-of-way and easement areas, assessor's parcel numbers, addresses, owners and/or types of businesses.

a. The Consultant shall perform research for all outstanding offers of dedication.

b. The Consultant shall prepare all documents necessary for temporary construction easements and the City will have the documents executed by the affected property owners. This function must be completed at least thirty (30) days prior to finalizing plans and specifications for bidding purposes.

c. The Consultant shall identify all utilities that have prior rights.

8. **Preliminary Design (Conceptual Layout Plans, 35%)**

The Consultant shall prepare conceptual layout plans showing the raised median, striping, tentative traffic signal pole locations, and locations for ADA compliant pedestrian access ramps. See **Exhibit "A"** for General Design Submission Requirements.

9. **Submittals**

a. The Consultant shall submit five (5) sets of bond copies of the preliminary design drawings with each submittal for checking by the City, along with the previous red-lined check prints. The Consultant shall perform quality control on all submittals. The design drawings should be as complete, accurate, and error-free as possible before plan checking is considered, in order to reduce the number of plan checks required and related costs therefore to the City and Consultant.

b. The Consultant shall, at no additional cost to the City, correct errors, omissions, and unworkable and/or improper design/drafting on the original drawings, which are discovered subsequent to the completion of the plan checking process.

c. The Consultant shall directly submit to **each utility company a preliminary set of plans that provide the location, elevation of the utility, and the elevation of the improvement with the conflict area clouded to show the utility companies the areas that conflict.** The Consultant shall coordinate with the utilities for planning the relocation of their facilities if required. The City shall supply the Consultant with the required format for the utility notice in a Microsoft Word format.

d. The City shall be provided with a copy of all transmittals, submittals, and letters sent to utilities and agencies regarding the project.

e. Consultant shall submit all necessary PES documentation to the City for initial review. Upon City review and addressing any comments, the Consultant shall submit the PES and supporting documents to Caltrans District 8, DLAE for review. The Consultant shall address all Caltrans comments in order to receive final approval and findings are made.

C. PHASE II – DESIGN (PS&E)

Work on this phase shall not commence until the completion of Phase I and written authorization to proceed from the City. Any work performed prior to authorization by the City cannot be billed by the Consultant and will be subject to rework at the Consultant's expense based upon approvals granted during Phase I work. The design shall perform all the work involved for providing documents, plans, specifications, and estimates for the improvements. The design shall conform to requirements of the City of Moreno Valley, Caltrans LAPM, Caltrans standard plans (latest version), and CAMUTCD (latest version).

1. Improvement Plan Preparation

The Consultant shall design a hardscaped raised median along the project segment, a new traffic signal at Alessandro Boulevard/Covey Quail Lane, ADA compliant pedestrian access ramps at Alessandro Boulevard/Covey Quail Lane, eastbound and westbound dual left turn lanes at Alessandro Boulevard/Perris Boulevard, a traffic signal modification for Alessandro Boulevard/Perris Boulevard, ADA compliant pedestrian access ramps at Alessandro Boulevard/Perris Boulevard, and revised signing and striping. The striping is to extend a minimum of 100 feet beyond the construction limits.

The street improvement plans and striping plans shall be in accordance with the current City of Moreno Valley standard plans or standards approved by the City Engineer. Existing utilities shall be indicated in plan view. These plans shall be prepared at 1"=20' scale, on 24" x 36" improvement plan sheets, and shall consist of:

a. **Title Sheet** – include title sheet per City Standard Plan 710.

b. **Detail/Typical Cross Section Sheets** - include typical sections and other details as required

c. **Roadway Improvement Plans** - includes plans for the proposed raised median and ADA compliant pedestrian access ramps which includes all necessary removals and repairs to the existing AC pavement and PCC sidewalks, etc. Plans shall provide roadway improvements in accordance with the City's recommendations. The roadway improvement plan shall consist of a plan and profile format with details as necessary. All existing surface improvements, driveways, curbs, gutters, cross gutters, sidewalks, access ramps landscaping, bus stops, utility facilities, street lights, traffic loops, traffic signal equipment, signs, catch basins and other storm drain facilities, right of way and lot lines, and all other surface features that could be affected by the new construction shall be

included in a half-tone or dashed background format to distinguish then from the new improvements.

d. **Traffic Signal Plans** – includes plans for the new traffic signal at Alessandro Boulevard/Covey Quail Lane and the modified traffic signal at Alessandro Boulevard/Perris Boulevard. Preparation of the new traffic signal plans for Alessandro Boulevard/Covey Quail Lane shall require coordination with SCE for electrical service design. The traffic signal plans shall include eight phase controllers with bicycle logic, emergency vehicle pre-emption, traffic signal interconnect, battery back-up, pedestrian and bicycle push buttons, poles and pole foundations designed to a wind velocity of 100 MPH or greater, adequate storage for left turn lanes, and any other improvements necessary for the new traffic signal and/or traffic signal modification as directed by the City. The plans shall show lane dimensions, signal pole and push button pole placements, controller and power meter cabinet placements, conduit runs and hand holes or pullbox placements, lane channelization, detection loop placement, circuitry and conductor schedules, signal pole and mast arm schedules, phase schedules, schedules for signal heads, schedules for loop detectors, signal pole location details, emergency vehicle pre-emption details, and all other notes, schedules, details and/or drawing components required for complete traffic signal construction plans.

e. **Signing and Striping Plans** – includes existing and proposed access ramp locations and types, curbs, driveways, existing and proposed striping (including striping upstream/downstream of the project segment that may be affected by the project), crosswalks, traffic lane widths, existing and proposed traffic signal loop detectors, and existing and proposed signing (including signs upstream of the project segment that may be affected by the project).

f. **Cross Sections** - includes roadway cross sections based on the previously prepared field survey at 100-foot intervals showing the proposed street improvements.

2. **Deliverables**

The design deliverables shall include, but not be limited to (See **Exhibit "A"** for General Design Submission Requirements): Providing Improvement Plans ink on Mylar ready for advertising and bidding, along with Specifications (including appendices), and a complete Estimate, all wet seal stamp and signed by a licensed California Civil Engineer. The design shall be in compliance with current Federal Americans with Disabilities Act (ADA) and State Title 24 requirements, whichever is more restrictive. The design and scope of services shall also include: complete and detailed estimate of quantities; construction cost estimate; answers to all questions regarding the design during design, bidding and construction; review of the project site to ensure that the Plans are drawn correctly; and attendance at project related meetings, including the pre-construction meeting.

The Consultant shall monitor quality on all deliverables, calculations, and other work products. The Consultant shall prepare a Quality Control Plan for use on the project,

and submit a copy to the City within thirty (30) calendar days of Notice-to-Proceed. This is not a separate task, but shall be included as part of project management.

The Plans, Specifications, and Estimate must conform to the City of Moreno Valley's standards and practices. The Consultant shall provide clear, concise, and complete plans and profiles which shall include, but are not limited to, the following items: project title; vicinity (location) map; title blocks; north arrows; scales 1"=20' for bridge and roadway improvements, nothing precludes the requirement to have drawings at a larger scale or larger scale for details); general notes; construction notes; construction legend; telephone numbers of utilities and other affected agencies and businesses; details; centerline profile; future north and south curb line profiles; existing improvements; power poles; driveway approaches; edge of pavement, water service relocation and/or installation; sewer manhole lid and water valve lid adjustment; pedestrian ramps; painting of traffic stripes and thermoplastic legends; signs; traffic signal; traffic loops (if any); curb returns; details of private improvements to be constructed, reconstructed, or relocated, such as driveways, fences, gates, irrigation systems, trees and landscaping; overhead utility lines; and other details that are of benefit to the design of the project.

a. All drawings shall be prepared with AutoCAD Land Development software or design software that is compatible with the Land Development software approved by the City. The design shall be plotted using permanent drafting ink on Mylar, and drafted on twenty-four inch by thirty-six inch (24" x 36") Mylar sheets. The final plans shall be signed by a Civil Engineer registered in the State of California. No "stick-ons" will be allowed. The originals and the electronic data of these drawings are to be considered to be the property of the City at all times, and shall be submitted to the City, along with a CD-ROM disk in AutoCAD Land Development format upon completion or as otherwise directed by the City. The electronic data shall also include all survey data and point information.

b. The Consultant shall prepare driveway profiles where work will extend beyond the public right-of-way limits. The profile shall be extended to the garage or as required for a transition to the existing driveway.

c. Cross sections are considered necessary to properly and accurately design the improvements and to accurately establish the earthwork volumes and extent of construction or reconstruction beyond the right-of-way lines onto private property, where and if necessary. Cross sections shall be at fifty foot (50') maximum intervals drawn on twenty-four inch by thirty-six inch (24" x 36") Mylar and shall be included with the bid set. The cross section shall be computer generated using AutoCAD Land Development software or compatible software. The cut and fill quantities shall be computer generated and shall be included with the cross sections. The cross sections shall be provided to the City at the 35% Conceptual Design, 65%, 100%, and final submittal. Hand drafting of cross sections will not be allowed.

d. AutoCAD DRAWINGS

The topography map will be set up with the following guidelines:

i. Drawing scale is 1" = 20'.

ii. Lettering style shall be Complex and sizes will correspond to standard Leroy Scales (i.e. 80,100, 120, 140...500). City Title Block will be used.

iii. The following is a table of items that shall be placed on designated layers as shown:

Description	Layer	Color
Points	POINTS	White
Point numbers	PNTS	Red
Point elevations	ELEV	Red
Point descriptions	DESC	Red
Contours	INTER	Brown
Index contours	INDEX	Yellow
Topography	TOPO	Yellow
Text	TEXT	Cyan
Centerline	CL	White
R/W	RW	Green
Curb and gutter	CG	White
Sidewalk	SW	White

iv. The following is a table of Standard Survey Descriptions that shall be used on all survey-related work. Use a Z (code) for any shots **not** at ground surface i.e., use Z10 for top of fire hydrant.

** Input sequence number, space, description

Input #	Item	Input #	Item
01	Centerline	38	Transformer
01M	Centerline Monument	39	C.L. Improvement
01C	Control Point	40	A.C. Speed Bump
02	Mailbox	41	Wood Guard Rail
03	Water Meter	42	A.C. Bike Path
04	Power Pole	43	Curb
05	Gut Wire	44	Traffic Signal Box
06	Gate Valve	45	Concrete Apron
07	Fence	46	Concrete Slab
08	Tree	47	Concrete Rip Rap
09	Pedestal	48	Yellow Stripe
10	Fire Hydrant	49	White Stripe
11	Edge of Pavement	50	Delineator
12	Driveway	51	Landscape Area
13	Sewer Manhole	52	Block Wall
14	Utility Manhole	53	Top Asphalt
15	Utility Mark	54	Face of Curb (1/2" wide)
16	Sign	55	Gutter
17	Curb and Gutter	56	Street Light
18	Vertical Curb	57	Edge of Gravel

Input #	Item	Input #	Item
19	Asphalt Curb	58	Air Vac
20	Toe of Asphalt Curb	59	Drop Inlet
21	Top of Asphalt Curb	60	Toe of Dirt Berm
22	Flow Line of Culvert	61	Top of Dirt Berm
23	Miscellaneous	70	Temp. Storage Area
24	Walks	71	Stl. Conc. Guard Post
25	Bushes	72	Pump
26	Shrubs	73	Canopy Post
27	Gas Line Main	74	Curb Flush w/A.C.
28	Gate	75	Oil Riser
29	Water Line Main	76	Water Riser
30	Toe of Slope	77	Build. Corner
31	Top of Slope	78	Temp Storage Build.
32	Planter	79	Concrete Swale
33	Sprinkler Head	80	Eroded Undermined
34	Edge of Travel Way	81	Conc. Expansion Joint
35	Gas Valve	82	Head Wall
36	Transformer		
37	Ground Shot		

Other layers may be used; however, the layer should be named to correspond with the item referenced on that particular layer.

e. The City will provide the Consultant with its boilerplate Specifications and Technical Provisions in Microsoft Word, Windows 2000 format. The City will be responsible for compiling the Project Specification. The Consultant will provide a write up for the project specific scope of work in the Technical Specifications and provide special Technical Provisions beyond the City's standard Technical Provisions. The Specifications shall be signed by the consultant Civil Engineer registered in the state of California that is complete and ready for bidding purposes and awarding contracts for construction for the improvements. The latest edition of the Greenbook (Standard Specifications for Public Works Construction and subsequent amendments) will be used on the project, except for striping and traffic signs. The technical portion of the Caltrans Standard Specifications will be used for the striping and traffic signs.

Technical Provisions for the bridge improvements based upon Caltrans Standard Specifications dated, 2006 (latest imperial units' specifications) and the latest Caltrans Standard Special Provisions shall be incorporated into the City's bid documents.

Specifications for the project shall conform to the most recent applicable standards and specifications from:

a. City of Moreno Valley

b. Standard Specifications for Public Works Construction (*Greenbook, current edition*)

c. State of California Transportation Department Standard Specifications and Standard Plans (latest version)

d. The consultant shall calculate the amount of liquidated damages and determine the length of time in working days for construction.

3. **Submittals to City, Agencies, Utilities, Etc.**

a. The Consultant shall submit five (5) sets of bond copies of the design drawings with each submittal for checking by the City, along with the previous red lined check prints. The design drawings should be as complete, accurate, and error-free as possible before Plan checking is considered, in order to reduce the number of Plan checks required and related costs therefore to the City and Consultant. Submittals shall be 35% Conceptual, 65%, 100%, and final.

b. The Consultant shall submit three (3) sets of quantity calculations with each submittal for checking by the City, along with the previous checked calculations.

c. The Consultant shall submit two (2) sets of the contract documents with each submittal for checking by the City, along with the previous check prints. A disk in Microsoft Word format containing the final Contract Documents shall be submitted to the City.

d. The Consultant shall, at no additional cost to the City, correct errors, omissions, and unworkable and/or improper design/drafting on the original drawings, which are discovered subsequent to the completion of the Plan checking process.

e. The Consultant shall submit five (5) sets of bond copies of cross sections along with each submittal of the design drawings for Plan checking. One (1) reproducible and four (4) bond copies sets of cross sections shall be submitted along with the final submittal of the design drawing.

f. The Consultant shall directly submit to **each utility company a final set of Plans that provide the location, elevation of the utility, and the elevation of the improvement with the conflict area clouded to show the utility companies the areas that conflict.** The Consultant shall coordinate with the utilities for relocation of their facilities if required.

g. The City shall receive a copy of all correspondence, transmittals, submittals, and letters sent to utilities and agencies regarding the project.

4. **Final Estimate of Quantities and Cost**

The Consultant shall provide a construction quantity and cost estimate with each submittal of plans. The unit costs shall be based upon the most current cost information for recent similar projects in the area compiled by the Consultant and approved by the City.

a. The estimated items of work with quantities shall include but not be limited to: itemizing all removals, relocations, PCC sidewalk, PCC curb & gutter, PCC pedestrian access ramps, median hardscape, traffic signal poles, traffic signal equipment, traffic signal wiring, aggregate base, Asphalt Concrete (AC) paving, survey monument wells, SWPPP preparation, painting of pavement legends & striping, signs, traffic control, raised pavement markers, and project signs. The estimated items of work with quantities shall be arranged in chronological order of construction and shall contain all the information needed to prepare the Engineer's Estimate of Costs. The engineer's estimate shall be prepared and submitted on the City's estimate form.

b. The Consultant will be required to periodically submit updated preliminary cost estimates as design progresses.

c. The Consultant's final construction cost estimate shall be based upon, and in agreement with, the final items of work with estimated quantities. Computations showing estimated quantities and costs for each location of work as well as the sum totals shall be submitted to the City for review along with a set of plans showing items of work with quantities on each sheet. Submission of computations does not relieve the Consultant's responsibility of submitting an accurate estimate of quantities.

5. Reproduction of the Design Drawings and Contract Documents

The City will have copies of the design drawings and Contract Specifications reproduced for bidding purposes.

6. Questions During Bidding And Pre-Construction Meeting

The Consultant shall answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during the bidding process. The Consultant shall assist the City, at no charge, in preparation of Addenda regarding omissions or conflicts in the design.

D. PHASE III – CONSTRUCTION

1. Pre-Construction Meeting and Contractor Submittal Reviews

The Consultant shall attend the Pre-construction Meeting and answer questions regarding the Technical Provisions and the design drawings during the meeting. The Contractor will be required to submit a SWPPP and traffic control plan prior to commencing construction. The Consultant shall review the submittals and provide comments to the City. A minimum of two reviews are typical.

2. Construction

A. Questions During Construction

The Consultant shall be available to review design change request and assist the City in issuing Contract Change Orders. A line item shall be included in the proposal for design change request during construction.

The Consultant shall be available to answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during the construction, and assist the City in issuing Contract Change Orders regarding omissions or conflicts in the design, at no charge to the City.

B. Preparation of As-Built Drawings

The Consultant shall incorporate all redline comments prepared by the Contractor and project inspector on the signed design Plans. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment. The Consultant shall attach hanging file tabs to the Mylar as-built drawings. A line item shall be included in the proposal for as-built drawings.

C. GASB 34 Documentation

The Consultant shall submit GASB 34 documentation in the City's format along with the as-built drawings. A line item shall be included in the proposal for GASB 34 documentation.

D. Owner Of Original Drawings, Documents And Other Information

The City will be the owner of all original drawings, documents, and digital information. All digital and or computer generated drawings shall be the property of the City and a copy shall be submitted to the City on a CD-RW disk.

V. CONSULTANT'S PROPOSAL AND COMPENSATION

The Consultant's Proposal shall be no more than 20 pages, excluding a cover letter of up to two pages, dividers, and certificates. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services and failing to comply with requirements and conditions of the RFP will not be given further consideration.

At a minimum, the Proposal shall include the following sections:

A. **Project Understanding:** This section should clearly convey clear understanding of the nature of the work, indemnification of major project issues and proposed solutions thereof, from both the Consultant and the sub-consultants (consultant team).

B. **Approach and Management Plan:** This section provides the consultant team's proposed approach and management plan for providing services. Include an organization chart showing proposed relationship among consultant team/staff as well as any other parties that may have significant role in the delivery of this project.

C. **Qualifications and Experience:** Provide qualifications and experience of the team for this project. Emphasize the specific qualifications and experience from projects similar to this project for the key team members including references. Identify and provide in-depth information for the proposed Consultant Project Manager's qualifications, track record and relevant experience.

D. **Staffing Plan:** Discuss staffing plan, workload, both current and anticipated, for all key team members, and their capacity to perform the requested services according to the proposed schedule. Discuss the firm/team's approach for completing the services required for this project within budget and schedule.

E. **Work Plan and Schedule:** Include a description of how each task of the project will be conducted, identification of deliverables for each task and implementation schedule. The work plan should include sufficient detail to demonstrate a clear understanding of the project. Discuss the consultant team's approach for completing the project.

F. **Quality Control and Assurance:** Discuss QA/QC proposed for each phase/deliverable for this project, including various independent plan check reviews and 95% plan biddability/constructability/claims avoidance reviews.

G. **Additional Relevant Information:** Provide additional relevant information that may be helpful in the selection process (not to exceed two pages).

The Consultant's Proposal shall include the following statements:

A. A statement that this RFP shall be incorporated in its entirety as a part of the Consultant's Proposal.

B. A statement that this RFP and the Consultant's Proposal will jointly become part of the Agreement for Professional Consultant Services (a sample of the Agreement is attached as **Exhibit "B"**) for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley. **The Statement must include that the Consultant will be able to execute the City standard agreement without any modifications.**

C. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's RFP except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

D. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedent over this RFP.

E. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles,

addresses and telephone numbers of the appropriate persons whom the City could contact. If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.

F. A resource allocation matrix *must* be submitted with the Proposal. The resource allocation matrix must list detailed tasks in rows and the appropriate individual (Job Title Only) as well as the number of hours that these individuals will be working on each task listed, will be included in adjacent columns. The resource allocation matrix and the project preliminary engineering and design phase schedule are required of both the primary consultant, as well as any sub-consultant. For the construction support services Consultant is not required to provide a Project Schedule with milestones.

G. A statement of sub-consultant's (include relief personnel) qualifications applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.

   A statement that the Consultant acknowledges and understands that the consultant will not be allowed to change the sub-consultant without written permission from the City.

H. A statement that all charges for Consultant (design services) is a "Not-to-Exceed Fixed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.

I. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

J. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

K. A copy of the Consultant's hourly rate schedule and a statement that said hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this RFP. **An itemized cost breakdown for the work described herein must be submitted in a separate sealed envelope as part of your Fee Proposal submittal**. All extra work will require prior approval from the City.

L. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

M. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

N. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.

O. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.

P. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.

Q. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

R. This Agreement is subject to 49 CFR, Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Proposers who obtain DBE participation on this contract will assist Caltrans in meeting its federally mandated statewide overall DBE goal.

DBEs and other small businesses are strongly encouraged to participate in the performance of Agreements financed in whole or in part with federal funds (See 49 CFR 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs"). The Proposer should ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The Proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

Pursuant to recently released Race-Neutral DBE policy directives issued by the U.S. DOT in response to the Ninth Circuit U.S. Court of Appeals decision in *Western States Paving Co. v. Washington State Department of Transportation, the City has implemented a wholly Race-Neutral DBE Program.*
A Race-Neutral DBE Program is one that, while benefiting DBEs, is not solely focused on DBE firms. A Race-Neutral Program utilizes measures that can assist a wide variety of small businesses including DBEs, such as arranging solicitations, times for the presentation of proposals, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation (e.g., unbundling large contracts to make them more accessible to small businesses,

requiring or encouraging prime Consultants to subcontract portions of work that they might, otherwise, perform with their own forces). However, under a Race-Neutral DBE Program, the City may no longer advertise DOT-assisted contracts containing numeric race-conscious goals or require a Proposer to utilize DBEs as a condition of award. Race-neutral DBE participation includes any time a DBE obtains a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE goal.

S. Complete Disclosure of Lobbying Activities (Form LLL – see attached).

T. Complete Proposer's List of Subconsultants (DBE and Non-DBE) – Parts I and II.

U. The Consultant shall provide its complete name and address, including whether Consultant is an individual, a partnership, or a corporation. The Consultant shall list the location of the office where Consultant's work will be available for inspection by local agency and State representatives.

VI. GENERAL COMPLIANCE WITH LAWS AND WAGE RATES

A. The Consultant shall be required to comply with all federal, state, and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

B. The Consultant is required to submit certified payrolls weekly. This applies to all applicable field personnel working on the project. In accordance with Section 1771.5 (b) (5) of the California Labor Code, the City will withhold payments when the payroll records are delinquent or inadequate.

VII. FEDERAL EMPLOYEE BENEFIT

No member of, or delegate to, the Congress of the United States, and no Resident Commissioner shall be admitted to any share or part of the Agreement to the said project or to any benefit to arise from the same.

The Consultant shall complete and include the "Certification for Contracts, Grants, Loans, and Cooperative Agreements" and "Disclosure of Lobbying Activities" forms with the Proposal.

VIII. PAYMENT TO CONSULTANT

A. This work is to be performed for a "Not-to-Exceed Fixed Fee." This method of payment is similar to the Cost per Unit Work, which is defined in Chapter 10 of the Caltrans LAPM, as follows: The Consultant is paid based on the work performed.

B. The Consultant shall provide a "Payment Schedule" indicating the fee for individual tasks with a "Not-to-Exceed Fixed Fee" which shall be the sum of all tasks.

C. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

D. The City will pay the Consultant for work completed at the completion of the defined milestones. There will be no monthly invoice payments unless specifically identified otherwise below. These Milestones are:

1. Report of Project Issues complete.
2. Environmental Clearance obtained.
3. "Phase 1, 35% Level Completion" is complete.
4. "Phase 2, 65% Level Completion" is complete.
5. "Phase 2, 95% Level Completion" is complete.
6. "Phase 2, 100% Level Completion" is complete.
7. Project Bidding and Construction Support on a monthly basis.
8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment.

E. Milestone invoice payments and where applicable monthly invoices will specifically identify job title, person-hours, and costs incurred by each task or it will be rejected and asked to be re-submitted.

F. Sub-categorization of tasks is permitted to better define the task for payment.

G. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

H. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

I. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services."

J. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services," an "Amendment to the Agreement" will be executed between the City and Consultant.

K. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the consultant's proposal.

IX. INSURANCE

A. The Consultant shall provide Errors and Omissions Professional Insurance. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

B. The Consultant shall have Public Liability and Property Damage Insurance in the amounts as follows:

GENERAL LIABILITY		
Bodily Injury	$1,000,000	per occurrence
Property Damage	$ 500,000	per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

C. The Consultant shall have Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment in the amount of not less than $1,000,000.

D. The Consultant shall have Workers' Compensation Insurance in the amounts as will fully comply with the laws of the State of California.

E. A Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers and employees and agents, under any third party liability policy."

F. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

G. The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverage's nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the Agency, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amount established.

H. It is the consultant's responsibility to ensure that all subconsultants comply with the following: Each subconsultant that encroaches within the City's right-of-way **and** affects (i.e., damages or impacts) City infrastructure must comply with the liability insurance requirements of the City's Land Development Division. Examples of such subconsultant work include soil sample borings, utility potholing, etc.

The "Application for Encroachment Permit" form (four pages), including "Application for Encroachment Permit Liability Insurance Requirements," is available in the Land Development Division and must be completed and submitted in full to the City Project Manager. It is the Consultant's responsibility to ensure that all subconsultants submit the appropriate encroachment permit and insurance documentation at the same time that the Consultant's insurance documentation is submitted.

X. INDEMNIFICATION

A. To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District, their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, MVHA and CDS, their officers, agents or employees.

B. The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, their officers, agents or employees.

C. The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

XI. TERMINATION FOR CONVENIENCE OF THE CITY

The City reserves the right to terminate the "Agreement for Professional Consultant Services" for the "convenience of the City" at any time by giving ten (10) days written notice

to the Consultant of such termination and specifying the effective date thereof. All finished or unfinished drawings, maps, documents, field notes and other materials produced and procured by the Consultant under the said aforementioned Agreement is, at the option of the City, City property and shall be delivered to the City by the Consultant within ten (10) working days from the date of such termination. The City will reimburse the Consultant for all acceptable work performed as set forth in the executed Agreement.

XII. INDEPENDENT CONTRACTOR

The Consultant's relationship to the City in the performance of the Consultant's services for this project is that of an independent Contractor. The personnel performing said Surveying Services shall at all times be under the Consultant's exclusive direction and control and shall be employees of the Consultant and not employees of the City. The Consultant shall pay all wages, salaries and other amounts due his employees in connection with the performance of said work shall be responsible for all employee reports and obligations, including but not necessarily restricted to, social security, income tax withholding, unemployment compensation, and Workers' Compensation.

XIII. CONTRACT

The Contract includes the Agreement for Professional Consultant Services, City's Request for Proposal, Consultant's Proposal, and Exhibits.

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract.

XIV. GENERAL CONDITIONS

A. Pre-contractual expenses are defined as expenses incurred by the Consultant in: (1) preparing the Proposal; (2) submitting the Proposal to the City; (3) presentation during selection interview; (4) negotiating with the City any matter related to this Proposal; (5) any other expenses incurred by the Consultant prior to an executed Agreement.

The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Consultant.

B. The Consultant is responsible for notifying Underground Service Alert and providing proper traffic control, at no additional expense to the City.

C. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any Agreement will be awarded to any Consultant responding to this RFP. The City expressly reserves the right to postpone reviewing the Proposal for its own convenience and to reject any and all Proposals responding to this RFP without indicating any reasons for such rejection(s).

D. The City reserves the right to reject any or all Proposals submitted. Any Contract awarded for these Consultant engagements will be made to the Consultant who, in the opinion of the City, is best qualified.

XV. OTHER REQUIREMENTS

The following requirements are mandatory:

A. The Agreement may be subject to pre-award audit by the Department, which is estimated to take a minimum of thirty (30) calendar days from the time the Department receives the pre-award audit submittal. After the pre-award audit recommendations are received (if necessary), the Consultant's Proposal shall be adjusted by the Contract Manager to conform to the audit recommendations. The Consultant agrees that any audit recommendations regarding the contract amount, the Consultant's Proposal, or individual items of cost may be incorporated into the contract at the State's sole discretion. Refusal by the Consultant to incorporate the audit recommendations will be considered a breach of contract terms and cause for termination of the contract or rejection for consideration of contract.

B. The Consultant shall commence services upon written direction to proceed from the City. No charges are to be incurred prior to the Notice to Proceed.

C. The Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to City, State, and the Federal Highway Administration at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to City, State, and the Federal Highway Administration. Such records shall be maintained by the Consultant for three (3) years following receipt of final payment.

D. Cost Principles – Title 48 Code of Federal Regulations (CFR) Chapter 1, Part 31 and Uniform Administrative Requirements, Title 49 CFR, Part 18 are incorporated herein by reference. Any costs for which payment has been made to the Consultant that are determined by subsequent audit to be unallowable under 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et seq. or 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, are subject to repayment by the Consultant to the City.

E. The Consultant warrants that he/she has not employed or retained any company or person, other than a bona fide employee working for the Consultant, to solicit or secure this agreement, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or formation of this agreement. For breach or violation of this warranty, the City shall have the right to annul this agreement without liability, or at its discretion to deduct from the agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

F. Subcontractors, Assignment and Transfer - Consultant services are considered to be a personal relationship between the City and the Consultant; therefore, subcontracting, assignment, or transfer of any of the work except as otherwise provided for in the executed agreement is expressly prohibited. All subcontracts exceeding $25,000 in cost shall contain all required provisions of the prime contract.

G. Reimbursement for transportation and subsistence costs shall not exceed the rates to be paid non-represented employees under current State Department of Personnel Administration rules listed in the Caltrans Travel Guide.

XVI. SELECTION CRITERIA

The Consultant may be invited to a selection interview. The Proposals will be rated/ranked according to the following criteria:

A. The Firm's General Experience and Qualification Information (20 points) – Information about the company (and all sub-consultants) including professional licenses held; ability to furnish required insurance and meet stipulations of the City's "boiler plate" agreement; details about comparable projects completed by the firm, as well as local experience; and its ability to provide the required services.

B. Experience of Key Personnel (40 points) – Background on key personnel (including all sub-consultants) qualifications, abilities, familiarity with state and federal procedures, local experience on comparable projects and length of service with the firm, reference information preferably with municipal agencies.

C. Project Approach/Understanding (40 points) – Discussion of major issues identified on the project and how the consultant team plans to address them; the management approach and organization necessary to complete the specific project; and outline quality control measures to ensure delivery of a quality product on time and within budget.

Exhibits/Attachments (incorporated by reference):

Exhibit "A" – General Design Submission Requirements

Attachment "A" – Location Map
Attachment "B" – City Standard Consultant Agreement (no changes to this agreement will be allowed)
Attachment "C" – Exhibit 10-F Certification of Consultant, Commissions & Fees
Attachment "D" – Exhibit 10-G Certification of Local Agency
Attachment "E" – Exhibit 10-I Notice to Proposers DBE Information
Attachment "F" – Exhibit 10-P Nonlobbying Certification for Federal-Aid Contracts
Attachment "G" – Exhibit 12-E Debarment and Suspension Certification
Attachment "H" – Exhibit 15H UDBE Information – Good Faith Efforts

Exhibit "A"

General Design Submission Requirements

The following typical elements of the General Design Submission Requirements are representative of the specific completion levels, but not necessarily all-inclusive.

1. **35% Level Completion:** Complete supporting plans and estimates for Report of Project Issues; complete Special (Technical) Provisions outline; resolve alternatives and alignment issues; identify preliminary right-of-way and easement needs; complete environmental documentation; and obtain all environmental approvals.
   - Basis for design are established and preliminary level design (foot print) is frozen. There are either few or no more basic design changes.
   - Initial plan review by all city departments, utility companies, and other associated agencies is complete.
   - As necessary, public meetings have taken place and the concept is established and approved.
   - City client departments have signed-off on the design.
   - City's Drawing standards are to be used.
   - Conceptual work is complete and the design is ready to proceed in to PS&E documentation phase.
   - Surveys are completed and boundaries established on plans.
   - Horizontal and Vertical alignments are established on plans.
   - Curb/gutter lines to centerline dimensions are shown on plans.
   - Intersection and corner radius information is shown on plans.
   - Parcel delineation, with site address and Assessors Parcel Number, are shown on plans.
   - Special (Technical) Provisions outline is established and is based on City's boiler format.
   - Preliminary Engineer's Estimate is compared to project budget – perform a reality check.
   - Design Schedule, with required critical path, is approved.
   - Inter-/Intra-discipline Quality Assurance/Quality Control check is performed.
   - Utilities initial investigation is complete and tracked using a utility response matrix.
   - First meeting with utility companies has taken place and all are on-board, if necessary.
   - Proposed utilities' connections/improvements, etc., are essentially agreed upon.
   - Existing utilities to be relocated, to be abandoned, and/or re-routed are established and agreed upon.
   - Meeting with all other interested parties, such as fire and police, etc., have taken place.
   - All preliminary right-of-way and easement needs are shown and analyzed, and ownership is investigated.
   - Required Environmental Document is complete and approved.

2. **65 % Level Completion:** Resolve right-of-way issues, if any; complete detailed street, traffic signal, and signing and striping design; complete project specific plans improvements.
   - Overall Design progress must be at a level that was established in the critical path.
   - Horizontal and Vertical alignments are complete.
   - Draft Specifications, including General Provisions and Special Provisions, are complete.
   - Complete Engineer's Estimate reflecting 65% complete level design work effort.
   - 2nd inter-/intra-discipline Quality Assurance/Quality Control check is performed for Plans, Specifications, and Engineer's Estimate (PS&E).
   - Must include a set of drawings and a comments matrix with responses proving that all comments made at 35% have been addressed.
   - Follow-up meetings with utility companies, if necessary, have taken place.
   - All existing utility conflicts are addressed and resolved, and tracked using a utility response matrix.
   - SCE electrical service design for the new traffic signal is incorporated into the design.
   - All right-of-way and easement needs are shown and finalized, and ownership is confirmed, if necessary, with Title Reports.

3. **95% Level Completion:** Obtain all needed right-of-way; complete plans, specifications, and estimates and submit for final review and comments.
   - All design documents (PS&E) are essentially complete as if ready to bid.
   - PS&E is ready to submit for review.
   - Specifications document includes General Provisions and Special Provisions and shall be complete in every manner.
   - Liquidated damage calculation is complete.
   - 100% Engineer's Estimate is complete. It shall be at or 10% (maximum) below the construction budget amount provided by the City.
   - 3rd inter-/intra-discipline Quality Assurance/Quality Control check is performed for Plans, Specifications, and Engineer's Estimate (PS&E).
   - Must include a set of drawings and a comments matrix with responses proving that all comments made at 65% have been addressed.
   - Ready for biddability, claim avoidance, and constructability reviews.
   - All right-of-way and easement documents have been obtained, or are in the final process of being obtained.

4. **100 % Level Completion:** Final detail to plans, specifications and estimates ready for signatures.
   - PS&E is ready for signature.
   - Must include a set of drawings and a comments matrix with responses proving that all comments made at 95% have been addressed.
   - Project is ready for advertisement.
   - All available and applicable permits have been received.
   - Sign-off has been obtained from all entities having jurisdiction on approving the PS&E documents, including sign-off by the City's required departments or divisions.
   - All right-of-way and easement documents have been obtained.

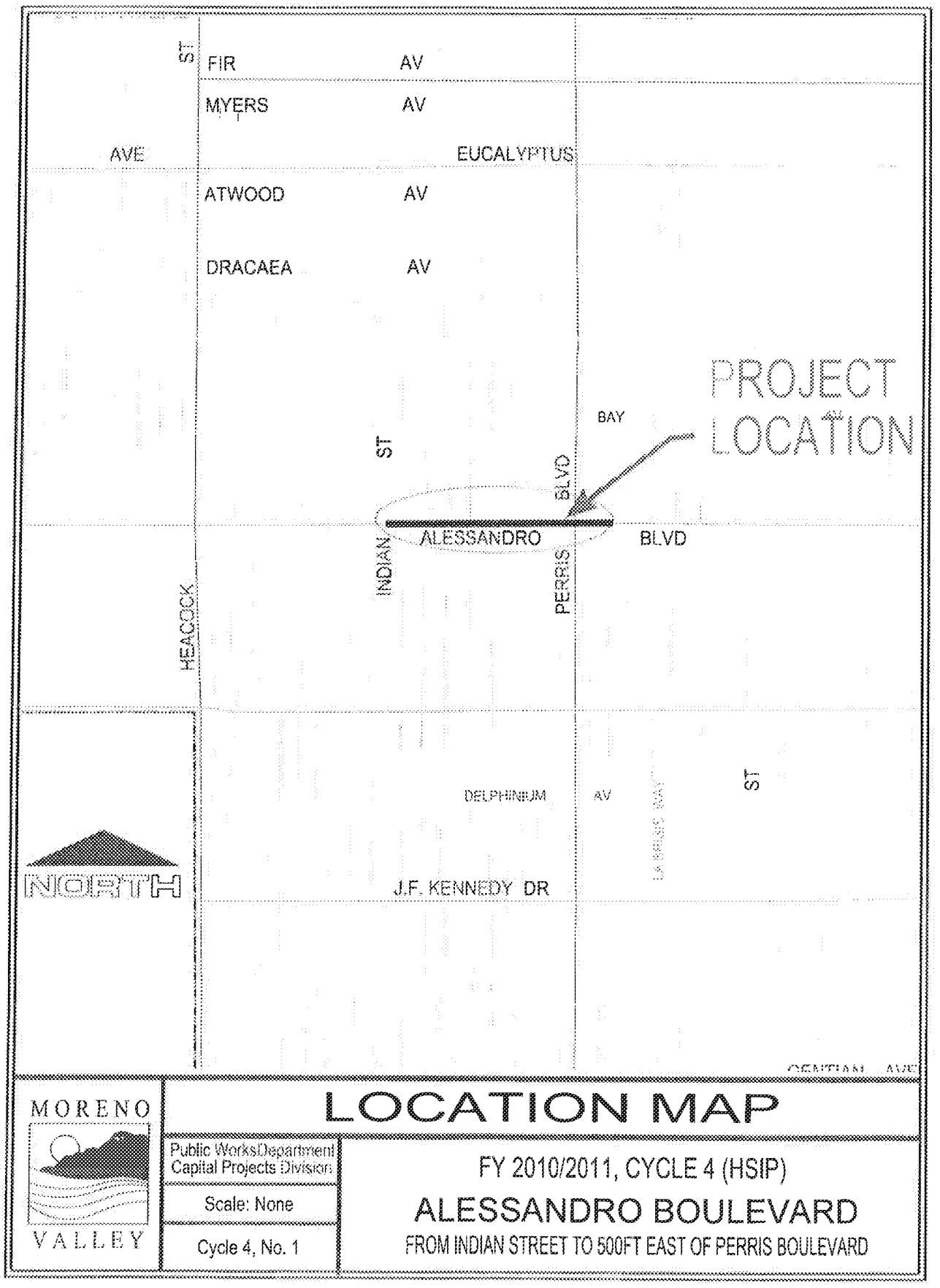

Attachment "A"

Item No. A.5

AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES
PROJECT NO. 13-12566851

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and _____, a (California corporation, partnership, sole ownership) hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

DESCRIPTION OF PROJECT

1. The project is described as professional consultant design services for:

ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD

Project No. 13-12566851

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$**_____ in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **Month Date**, **Year** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

OR

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant

or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this

indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents, or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant, its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any

property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, MVHA and CSD against any loss, claim, or damage arising from any injuries or

occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) The City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other work without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this

Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree that, to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be

delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

SIGNATURE PAGE FOLLOWS

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Department Head/Mayor/City Manager/FASD
(Select only one please)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

Consultant Name

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $_____.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City upon completion of the defined milestones for progress payments along with documentation evidencing services completed to date. There will be no monthly invoice payments unless specifically identified otherwise below. These Milestones are:

    1. Report of Project Issues complete.
    2. Environmental Clearance obtained.
    3. "Phase 1, 35% Level Completion" is complete.
    4. "Phase 2, 65% Level Completion" is complete.
    5. "Phase 2, 95% Level Completion" is complete.
    6. "Phase 2, 100% Level Completion" is complete.
    7. Project Bidding and Construction Support on a monthly basis..
    8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's

EXHIBIT "D"

determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zarat@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

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Exhibit 10-F Certification of Consultant, Commissions & Fees

CERTIFICATION OF CONSULTANT

I HEREBY CERTIFY that I am the _____, and duly authorized representative of the firm of _____, whose address is _____, and that, except as hereby expressly stated, neither I nor the above firm that I represent have:

(a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit or secure this agreement; nor

(b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the agreement; nor

(c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind, foror in connection with, procuring or carrying out this agreement.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this agreement involving participation of Federal-aid Highway funds, and is subject to applicable state and federal laws, both criminal and civil.

_____ (Date)

_____ (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

Exhibit 10-G Certification of Local Agency

CERTIFICATION OF LOCAL AGENCY

I HEREBY CERTIFY that I am the ..... of the ..... (local agency) ....., and that the consulting firm of ..... ,or its representative has not been required (except as herein expressly stated), directly or indirectly, as an express or implied condition in connection with obtaining or carrying out this Agreement to:

(a) employ, retain, agree to employ or retain, any firm or person, or

(b) pay or agree to pay, to any firm, person or organization, any fee, contribution, donation, or consideration of any kind.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this Agreement involving participation of federal-aid highway funds, and is subject to applicable state and federal laws, both criminal and civil.

..... (Date)

..... (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

EXHIBIT 10-I NOTICE TO PROPOSERS DBE INFORMATION

LOCAL AGENCY LETTERHEAD
(DATE)

NOTICE TO PROPOSERS
DISADVANTAGED BUSINESS ENTERPRISE
INFORMATION

The Agency has established an Underutilized DBE goal for this Agreement of .....%

OR

The Agency has not established an Underutilized goal for this Agreement. However, proposers are encouraged to obtain DBE participation for this Agreement.

1. TERMS AS USED IN THIS DOCUMENT

- The term "Disadvantaged Business Enterprise" or "DBE" means a for-profit small business concern owned and controlled by a socially and economically disadvantaged person(s) as defined in Title 49, Part 26.5, Code of Federal Regulations (CFR).
- The term "Underutilized Disadvantaged Business Enterprise" or "UDBE." DBE classes that have been determined in the 2007 Caltrans Disparity Study to have a statistically significant disparity in their utilization in previously awarded transportation contracts. UDBEs include: African Americans, Native Americans, Asian-Pacific Americans, and Women.
- The term "Agreement" also means "Contract."
- Agency also means the local entity entering into this contract with the Contractor or Consultant.
- The term "Small Business" or "SB" is as defined in 49 CFR 26.65.

2. AUTHORITY AND RESPONSIBILITY

A. DBEs and other small businesses are strongly encouraged to participate in the performance of Agreements financed in whole or in part with federal funds (See 49 CFR 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs"). The Contractor should ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

B. Proposers are encouraged to use services offered by financial institutions owned and controlled by DBEs.

Attachment "E"

Item No. A.5

3. SUBMISSION OF UDBE AND DBE INFORMATION

If there is a UDBE goal on the contract, a "Local Agency Proposer UDBE Commitment (Consultant Contract)" (Exhibit 10-O1) form shall be included in the Request for Proposal. In order for a proposer to be considered responsible and responsive, the proposer must make good faith efforts to meet the goal established for the contract. If the goal is not met, the proposer must document adequate good faith efforts. Only UDBE participation will be counted towards the contract goal; however, all DBE participation shall be collected and reported.

A "Local Agency Proposer DBE Information (Consultant Contract)" (Exhibit 10-O2) form shall be included with the Request for Proposal. The purpose of the form is to collect data required under 49 CFR 26. For contracts with UDBE goals, this form collects DBE participation by DBEs owned by Hispanic American and Subcontinent Asian Americans males (persons whose origin are from India, Pakistan, Bangladesh, Bhutan, Maldives Islands, Nepal or Sri Lanka). For contracts with no goals, this form collects information on all DBEs, including UDBEs. Even if no DBE participation will be reported, the successful proposer must execute and return the form.

4. DBE PARTICIPATION GENERAL INFORMATION

It is the proposer's responsibility to be fully informed regarding the requirements of 49 CFR, Part 26, and the Department's DBE program developed pursuant to the regulations. Particular attention is directed to the following:

A. A DBE must be a small business firm defined pursuant to 13 CFR 121 and be certified through the California Unified Certification Program (CUCP).

B. A certified DBE may participate as a prime contractor, subcontractor, joint venture partner, as a vendor of material or supplies, or as a trucking company.

C. A UDBE proposer not proposing as a joint venture with a non-DBE, will be required to document one or a combination of the following:

1. The proposer is a UDBE and will meet the goal by performing work with its own forces.

2. The proposer will meet the goal through work performed by UDBE subcontractors, suppliers or trucking companies.

3. The proposer, prior to proposing, made adequate good faith efforts to meet the goal.

D. A DBE joint venture partner must be responsible for specific contract items of work or clearly defined portions thereof. Responsibility means actually performing, managing, and supervising the work with its own forces. The DBE joint venture partner must share in the capital contribution, control, management, risks and profits of the joint venture commensurate with its ownership interest.

E. A DBE must perform a commercially useful function pursuant to 49 CFR 26.55, that is, a DBE firm must be responsible for the execution of a distinct element of the work and must carry out its responsibility by actually performing, managing and supervising the work.

F. The proposer shall list only one subcontractor for each portion of work as defined in their proposal and all DBE subcontractors should be listed in the bid/cost proposal list of subcontractors.

G. A prime contractor who is a certified DBE is eligible to claim all of the work in the Agreement toward the DBE participation except that portion of the work to be performed by non-DBE subcontractors.

5. **RESOURCES**

A. The CUCP database includes the certified DBEs from all certifying agencies participating in the CUCP. If you believe a firm is certified that cannot be located on the database, please contact the Caltrans Office of Certification toll free number 1-866-810-6346 for assistance. Proposer may call (916) 440-0539 for web or download assistance.

B. Access the CUCP database from the Department of Transportation, Civil Rights, Business Enterprise Program web site at: http://www.dot.ca.gov/hq/bep/.

- Click on the link in the left menu titled *Disadvantaged Business Enterprise*
- Click on *Search for a DBE Firm* link
- Click on *Access to the DBE Query Form* located on the first line in the center of the page
- Searches can be performed by one or more criteria
- Follow instructions on the screen

C. How to Obtain a List of Certified DBEs without Internet Access

D. DBE Directory: If you do not have Internet access, Caltrans also publishes a directory of certified DBE firms extracted from the online database. A copy of the directory of certified DBEs may be ordered at: http://caltrans-opac.ca.gov/publicat.htm

6. **MATERIALS OR SUPPLIES PURCHASED FROM DBES COUNT TOWARDS DBE CREDIT, AND IF A DBE IS ALSO A UDBE, PURCHASES WILL COUNT TOWARDS THE UDBE GOAL UNDER THE FOLLOWING CONDITIONS:**

A. If the materials or supplies are obtained from a DBE manufacturer, count 100 percent of the cost of the materials or supplies. A DBE manufacturer is a firm that operates or maintains a factory, or establishment that produces on the premises the materials, supplies, articles, or equipment required under the Agreement and of the general character described by the specifications.

B. If the materials or supplies purchased from a DBE regular dealer, count 60 percent of the cost of the materials or supplies. A DBE regular dealer is a firm that owns, operates or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the Agreement are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a DBE regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. A person may be a DBE regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone or asphalt without owning, operating or maintaining a place of business provided in this section.

C. If the person both owns and operates distribution equipment for the products, any supplementing of regular dealers' own distribution equipment shall be, by a long-term lease agreement and not an ad hoc or Agreement-by-Agreement basis. Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not UDBE regular dealers within the meaning of this section.

D. Materials or supplies purchased from a DBE, which is neither a manufacturer nor a regular dealer, will be limited to the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on the job site, provided the fees are reasonable and not excessive as compared with fees charged for similar services.

7. **FOR DBE TRUCKING COMPANIES: CREDIT FOR DBEs WILL COUNT TOWARDS DBE CREDIT, AND IF A DBE IS A UDBE, CREDIT WILL COUNT TOWARDS THE UDBE GOAL UNDER THE FOLLOWING CONDITIONS:**

A. The DBE must be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular Agreement, and there cannot be a contrived arrangement for the purpose of meeting the UDBE goal.

B. The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the Agreement.

C. The DBE receives credit for the total value of the transportation services it provides on the Agreement using trucks it owns, insures, and operates using drivers it employs.

D. The DBE may lease trucks from another DBE firm including an owner-operator who is certified as a DBE. A DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the Agreement.

E. The DBE may also lease trucks from a non-DBE firm, including an owner-operator. A DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease arrangement. A DBE does not receive credit for the total value of the transportation services provided by the lessee, since these services are not provided by the DBE.

F. For the purposes of this Section D, a lease must indicate that the DBE has exclusive use and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, as long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.

EXHIBIT 10-P NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS

The prospective participant certifies by signing and submitting this proposal/bid to the best of his or her knowledge and belief that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The prospective participant also agrees by submitting his/her proposal/bid that he/she shall require that the language of this certification be included in all lower-tier subcontracts which exceed $100,000 and that all such sub-recipients shall certify and disclose accordingly.

Attachment "F"

Item No. A.5

ATTACHMENT E DEBARMENT AND SUSPENSION CERTIFICATION

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, and manager:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Notes: Providing false information may result in criminal prosecution or administrative sanctions.
The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

Attachment "G"

UDBE INFORMATION - GOOD FAITH EFFORTS

Federal-aid Project No. _____ Bid Opening Date _____

The _____(City/County of)_____established an Underutilized Disadvantaged Business Enterprise (UDBE) goal of _____% for this project. The information provided herein shows that a good faith effort was made.

Lowest, second lowest and third lowest bidders shall submit the following information to document adequate good faith efforts. Bidders should submit the following information even if the "Local Agency Bidder UDBE Commitment" form indicates that the bidder has met the UDBE goal. This will protect the bidder's eligibility for award of the contract if the administering agency determines that the bidder failed to meet the goal for various reasons, e.g., a UDBE firm was not certified at bid opening, or the bidder made a mathematical error.

Submittal of only the "Local Agency Bidder UDBE Commitment" form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

The following items are listed in the Section entitled "Submission of UDBE Commitment" of the Special Provisions:

A. The names and dates of each publication in which a request for UDBE participation for this project was placed by the bidder (please attach copies of advertisements or proofs of publication):

Publications	Dates of Advertisement

B. The names and dates of written notices sent to certified UDBEs soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the UDBEs were interested (please attach copies of solicitations, telephone records, fax confirmations, etc.):

Names of UDBEs Solicited	Date of Initial Solicitation	Follow Up Methods and Dates

C. The items of work which the bidder made available to UDBE firms including, where appropriate, any breaking down of the contract work items (including those items normally performed by the bidder with its own forces) into economically feasible units to facilitate UDBE participation. It is the bidder's responsibility to demonstrate that sufficient work to facilitate UDBE participation was made available to UDBE firms.

Items of Work	Bidder Normally Performs Item (Y/N)	Breakdown of Items	Amount ($)	Percentage Of Contract

D. The names, addresses and phone numbers of rejected UDBE firms, the reasons for the bidder's rejection of the UDBEs, the firms selected for that work (please attach copies of quotes from the firms involved), and the price difference for each UDBE if the selected firm is not a UDBE:

Names, addresses and phone numbers of rejected UDBEs and the reasons for the bidder's rejection of the UDBEs:

Names, addresses and phone numbers of firms selected for the work above:

E. Efforts made to assist interested UDBEs in obtaining bonding, lines of credit or insurance, and any technical assistance or information related to the plans, specifications and requirements for the work which was provided to UDBEs:

F. Efforts made to assist interested UDBEs in obtaining necessary equipment, supplies, materials or related assistance or services, excluding supplies and equipment the UDBE subcontractor purchases or leases from the prime contractor or its affiliate:

G. The names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using UDBE firms (please attach copies of requests to agencies and any responses received, i.e., lists, Internet page download, etc.):

Name of Agency/Organization	Method/Date of Contact	Results

H. Any additional data to support a demonstration of good faith efforts (use additional sheets if necessary):

NOTE: USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.

MORENO VALLEY

Alessandro Boulevard Median

from Indian Street to Perris Boulevard

Project No. 13-12566851 HSIPL-5441(050)

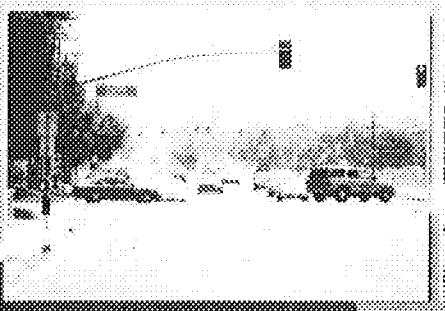

Proposal | Professional Design Consultant Services

RBF CONSULTING

A company

Exhibit "B"

Mission Statement

Make the world a better place through the application of the principle of sustainable development by providing professional design services that enhance the quality of life and the environment.

Provide development, infrastructure, planning and environmental services to public and private sector clients in local, regional and global markets.

Lead as professionals specializing in planning, design and construction.

Look forward to the future with a commitment to building opportunities and value for our clients and ourselves.

RBF CONSULTING
A Baker Company

February 23, 2012

JN 10-108571.999

City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, California 92552
Attention: Michael Lloyd, P.E., Senior Engineer (Contract Administrator)

RE: Proposal for Design Consultant Services: Alessandro Boulevard Median (Indian Street to Perris Boulevard) Project No. 13-12566851, HSIPL-5441(050)

Dear Mr. Lloyd:

RBF Consulting, *a Company of Michael Baker Corporation*, (RBF) is one of the largest engineering, design and construction management firms in the Nation. From RBF's beginning in 1944 in southern California, the company has grown to a full service consulting firm with more than 3,200 professionals nationwide and a team of 526 professionals in 16 offices within the western United States. The combined resources serve local, national and international markets, with the capability to provide a comprehensive range of services on a national scale for all sizes and categories of projects. Expertise includes transportation and traffic engineering, water and wastewater engineering, civil, structural, mechanical, and electrical engineering; architecture, landscape architecture; environmental; survey/mapping; GIS and construction management. RBF has been serving the Inland Empire from our Ontario office since 2002.

Why select RBF Consulting for this project?

- RBF's Project Manager, **Brian Anderson, P.E.** has 26 years of experience designing transportation facilities;
- **Tim Haile, P.E.**, has been working with Caltrans and is the Caltrans District Local Assistance liaison;
- RBF has been providing engineering services to the City of Moreno Valley since 2002 on various sidewalk, street rehabilitation, and traffic engineering projects;
- RBF staff is qualified and eager to continue our relationship with the City of Moreno Valley;
- RBF is a well established and stable firm with a history of completing similar projects;
- RBF staff has exceptional experience providing services to municipal clients and Caltrans, including environmental documentation;
- RBF will utilize an expert, **Cogstone** (Paleontoloty-Archaeology-History), in preparing compliance. RBF has a working relationship with them and have successfully collaborated on the Mojave Water Agency Ground Water Replenishment Project, and Victoria Avenue Underground Project;
- RBF staff has traffic data for Alessandro Boulevard from an ongoing project.

The proposal is contained in the following sections and page numbers.

Table of Contents
Cover Letter
Table of Contents
Section A: **Project Understanding** 1
Section B: **Approach and Management Plan** 3
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Section D: **Staffing Plan** 8
Section E: **Work Plan and Schedule** 9
Section F: **Quality Control and Assurance** 15
Section G: **Additional Relevant Information** 16
Letters of Commendation
Section H: **Statements of Understanding and Required Forms** 17
Disclosure of Lobbying Activities (Form LLL)
Complete Proposer's List of Subconsultants (DEB and Non-DBE) Part I and II

Cost Breakdown (Provided in separate sealed envelope)

We have thoroughly reviewed the City's RFP and have included assurances and statements of understanding in Section H of the Proposal. We acknowledge receipt of Addendum No. 1. We encourage you to contact our client references to verify our qualifications and client services approach. Please feel free to contact me at (949) 330-4145 or banderson@rbf.com should you have any questions regarding our proposed scope of services or fee.

Respectfully submitted,

Gary Miller, P.E.
Vice President, Transportation/Public Works
Principal in Charge

Brian Anderson, P.E.
Senior Associate | Project Manager

Section A:
Project Understanding

SECTION A – Project Understanding

Planned Improvements

The City of Moreno Valley is requesting a proposal from a qualified engineering firm to provide Professional Engineering Services for the design of a raised median within Alessandro Boulevard from Indian Street to approximately 500 feet east of Perris Boulevard; install a new traffic signal and ADA pedestrian ramps at Alessandro Boulevard and Covey Quail Lane; install eastbound and westbound dual left turn lanes at Alessandro Boulevard and Perris Boulevard intersection; modify the existing traffic signal and install ADA compliant pedestrian ramps at Alessandro Boulevard and Perris Boulevard intersection; and revise the signing and striping to accommodate these improvements.

Research and Existing Conditions

In order to gain a complete understanding of the proposed project, the RBF Team has reviewed the Request for Proposal, reviewed the SCAG Compass Blueprint report, studied aerial photography, and performed a site-specific field walk of Alessandro from Perris Boulevard to Indian Street. The principal objective of this project is to address traffic safety by limiting multiple cross-traffic operations from adjacent residential and commercial/retail business traffic.

The project has been funded under federal Highway Safety Improvement Program (HSIP) funding as a safety improvement project to address traffic collisions on this segment of the highway. The existing Alessandro Boulevard is designated as a Divided Major Arterial with a roadway cross-section of 110 feet curb face to curb face and a 134 feet right-of-way. The current median is striped to allow traffic to turn-left into either the Commercial businesses properties, located along the south side of Alessandro Boulevard, or into the single family residents along the north. A raised median is currently provided to channelize left turn movements at the intersections of Alessandro/Perris Boulevard and at Alessandro Boulevard/ Indian Street. In addition, a channelized left turn lane has been provided at the intersection of Gaye Street and Alessandro Boulevard to allow westbound traffic to enter the main commercial drive approximately 485 feet west of Alessandro/Perris Boulevard intersection. Based on the information from the Request for Proposal, these channelized turn lanes shall remain and proposed median improvements will either join or modify the current turn lane configurations. The Alessandro/ Perris Boulevard left turn pocket will be modified to allow dual turn lanes in the eastbound and westbound directions. A new channelized left turn pocket will be provided at Covey Quail Lane/ Alessandro Boulevard intersection as part of this new signalization work. RBF will discuss with the City if restricted left turn median openings should be installed within the proposed raised median to maintain westbound access to the remaining commercial drive entrances. *Please see the Exhibit 1.*

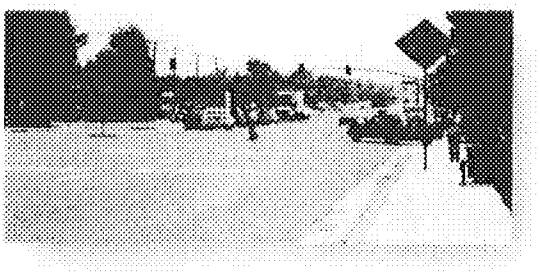

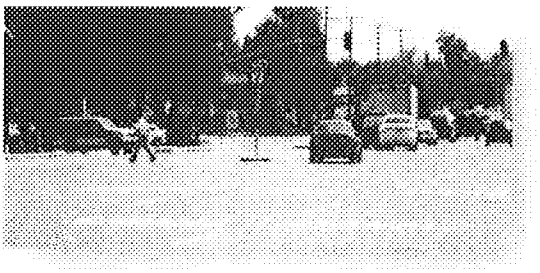

Alessandro/ Perris Boulevard Intersection

The proposed dual eastbound and westbound left turn lanes at Alessandro Boulevard/ Perris Boulevard intersection can be accommodated in a cost effective manner within the existing roadway section, please see Exhibit 1. Modifications to the intersection sidewalk areas will be necessary to accommodate new traffic signal poles, and ADA ramp modifications to make them current under ADA requirements. Lane striping transitions will be provided to join existing lane striping at the limits

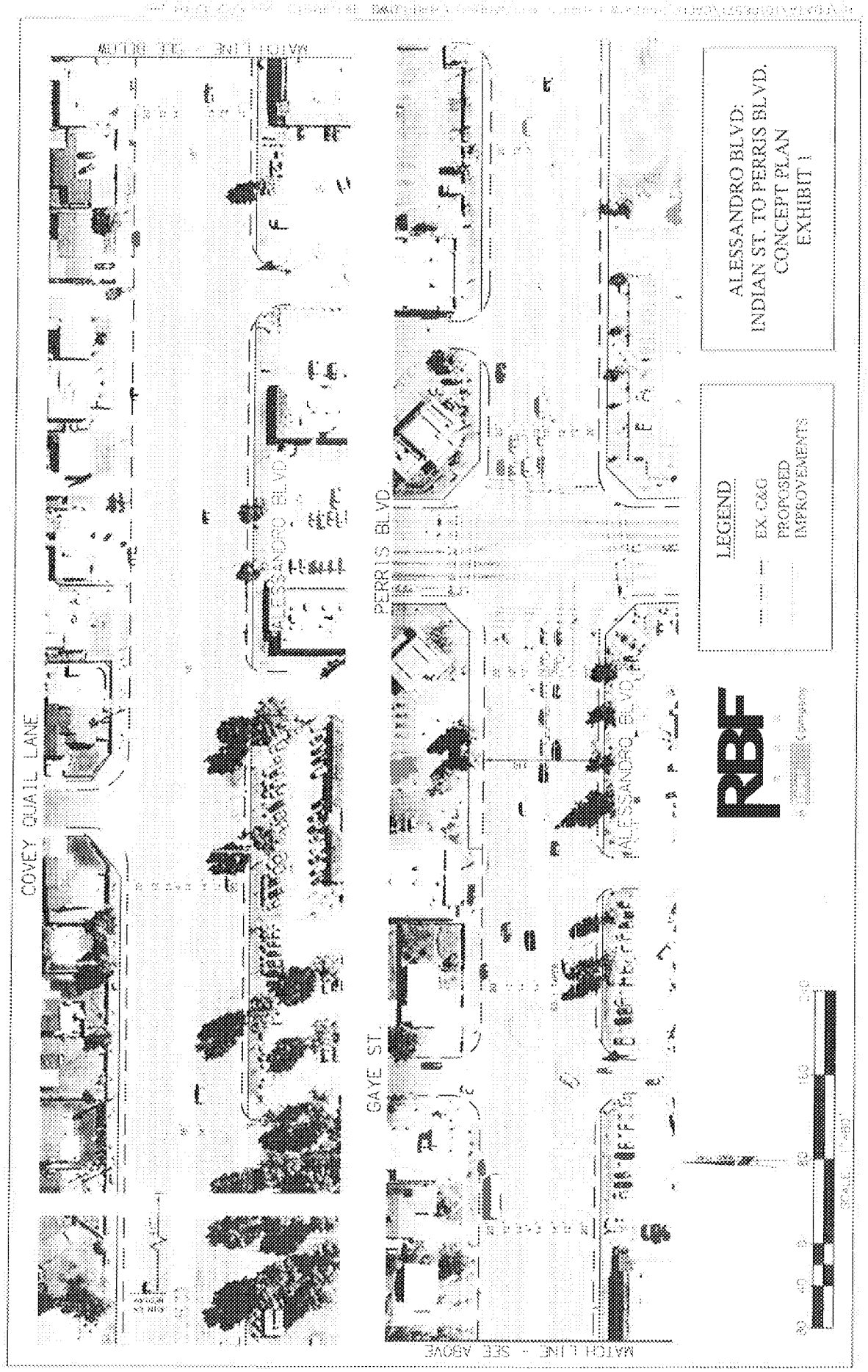
ALESSANDRO BLVD:
INDIAN ST. TO PERRIS BLVD.
CONCEPT PLAN
EXHIBIT 1
LEGEND
EX. C&G
PROPOSED
IMPROVEMENTS
RBF
COVEY QUAIL LANE
ALESSANDRO BLVD
PERRIS BLVD
GAYE ST.
MATCH LINE - SEE ABOVE
MATCH LINE - SEE BELOW
SCALE 1"=80'

Section B:
Approach and Management Plan

Item No. A.5

SECTION B – Project Approach and Management Plan

PROJECT ISSUES AND APPROACH

Key Project Issues:

A. Geometrics

The proposed project median and intersection improvements will be designed following the City of Moreno Valley Standard Plans. A Geometric Approval Drawing (GAD) will be prepared showing the proposed raised median and both intersection improvements including:

- Realignment of the Alessandro/Perris Boulevard intersection to provide dual left-turn lanes
- Pavement repair
- Recommended improvements due to proposed intersection modifications including: medians, curb, gutter, sidewalk, and ADA pedestrian ramps
- Recommended striping improvements
- Recommended traffic signal improvements
- Recommended median improvements including hardscape
- Striping transitions to existing conditions
- Underground and overhead utilities (High and Low Risk)
- Limits of improvements

Intersection parkway areas will be highlighted on the GAD including areas that may have impact due to new traffic signal equipment (e.g. signal controller, signal poles, safety lighting, etc.), utility relocation, and commercial signage. The GAD will also show the recommended improvements along the median areas including new curbs, new left turn lanes, and stamped concrete limits.

The GAD will be provided to City staff for their review and approval prior to preparation of final plans. The GAD and supporting documents will follow the "General Design Submission Requirements" as provided under this RFP.

B. Truck Turning Review

The RBF Team will evaluate constraints to truck turning movements at the intersections based on the dual left-turn lane configuration at Alessandro Boulevard/Perris Boulevard intersection. A geometric analysis of truck turning movements will be performed to identify constraints within the existing right of way. Large trucks turning right may need to use portion of the middle lane in order to make the proper turning radii. Therefore, the lane widths will be evaluated to minimize truck turning impacts to the number two and three lanes. Impacts identified during this review will be discussed with the City for further action.

C Utility Coordination

It is anticipated that utility impacts may occur at locations of the proposed signal poles. If potential utility conflicts are identified, we will work with the City's representative to minimize the impact. Although the design of utility relocations is not included in this scope of work, RBF will prepare a utility location plan to facilitate communications with the utility owners.RBF will identify utilities in accordance with Caltrans policy on High and Low Risk Utilities. The utility location plan will identify pot-hole locations with conflict areas clouded. Utility depths and locations from record utility information will be updated after the field investigation. Pothole repair shall be performed per City Standard. RBF will coordinate with Southern California Edison for the electrical service point for the new traffic signal at Alessandro Boulevard/Covey Quail Lane intersection.

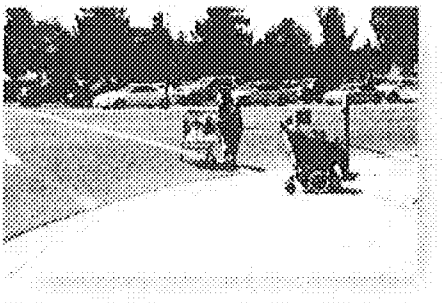

D. ADA Compliance

Per field observations, the pedestrian ramps at the intersections of Alessandro Boulevard/Perris Boulevard and Alessandro Boulevard/Covey Quail Lane are not fully compliant with ADA requirements. The RBF Project Team will work with the City to meet the project goals for ADA

compliance. We will evaluate the most efficient means to provide the pedestrian access while considering the right of way constraints.

E. Traffic Signal Systems

The existing traffic signal at the Alessandro Boulevard/Perris Boulevard intersection will be modified for the proposed dual left-turn lanes. It is anticipated that the traffic signal poles and mast arms for the eastbound and westbound directions will be replace due to the addition of the second left-turn lane. Other equipment will be evaluated to determine if meets curent Caltrans and City's requirements and provide recommendations for replacement or upgrade.

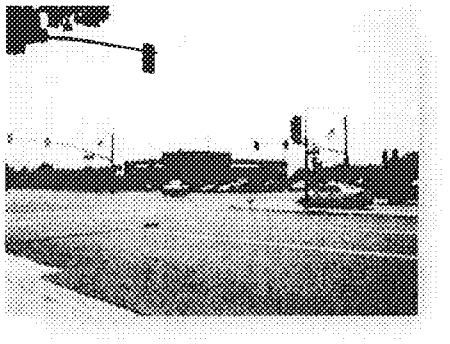

The new traffic signal at the Alessandro Boulevard/Covey Quail Lane will be designed to meet current Caltrans and City's requirements. It is anticipated that the intersection will have one marked crossing on the west leg and left-turn phasing will be required for vehicles turning left onto Covey Quail Lane. Traffic signal interconnect system will be incoroporated to link the new traffic signal with the adjacent signalized intersections at Alessandro Boulevard/Indian Street and Alessandro Boulevard/Perris Boulevard intersections. RBF will disuss with City staff the requirements to link the new traffic signal system with KITS, the City's traffic management system.

F. Signage and Striping

New striping that will be consistent with the requirements of the City and Caltrans will be provided for this intersection to accommodate the new double left turn pockets along with appropriate transitions. Alternative markings to improve the visibility at the mid-block crossings will be discussed with City staff.

All existing regulatory, warning and guide signs that will be impacted due to the proposed improvements will be replaced with new signs that meet the latest California MUTCD requirements, including reflectivity requirements.

G. Drainage

RBF will identify the existing storm drain system within the project limits. A review of this facility will be provided.

No drainage inlet structures are planned for the proposed within the median, either stamped concrete "hardscape" or graded in-fill will be designed to divert storm run-off away from the proposed median improvements. RBF's detailed understanding of storm drain design and hydraulics will help determine proper hydraulic assumptions for efficient design. If deficiencies are determined and upgrades are required, we can assist in system storm drain design per a separate work order.

H. Water Quality

This project is subject to local, state, and federal requirements for water quality including complying with the region's NPDES Program post-construction treatment BMP requirements. The project is required to comply with the Riverside County NPDES permit (Order No. R8-2010-0033). The site ultimately drains with the Santa Ana River watershed. A Water Quality Management Plan is not required due to project parameters below the required measures: 5,000 square feet or more of impervious surface on an existing developed site

I. Caltrans Environmental Process

The City's pursuit of Highway Safety Improvement Program (HSIP) funds will require a diligent review under the National Environmental Policy Act (NEPA). The proposed project will require the approval of NEPA documentation through the Caltrans Division of Local Assistance (District 8). RBF anticipates that a Categorical Exclusion (CE), with supporting technical studies, will be applicable to the project. To support the CE, RBF proposes to prepare special studies related to hazardous materials (for minor grading/excavation associated with the project), aesthetics (due to installation of a new traffic signal and median improvements), and cultural resources (for compliance with NEPA, Caltrans standards, and Section 106 of the National Historical Preservation Act). The environmental documentation will address potential impacts to residential uses located immediately north of Alessandro Boulevard along the project alignment. The project need and objectives will be supported in the

environmental documentation utilizing City-provided information, including accident and traffic warrant data included within the City's Application for HSIP Funds.

The NEPA clearance process will be a key component of the Planning/Environmental phase. Based upon RBF's extensive experience with similar projects and familiarity with the Local Assistance process and District 8, the RBF Team will act as an extension of staff to expedite the NEPA process while preparing a defensible, thorough analysis.

J. E-76 Processing with DLAE Caltrans Forms and Requirements

The RBF Project Team has extensive experience in completing and processing the numerous federal funding authorization forms through Caltrans District Local Assistance Engineer (DLAE) and the Federal Highway Administration, as well as incorporating all required special provisions in the project specifications to ensure that federal funding is not jeopardized. RBF has performed this task for several Cities and Agencies throughout Southern California. RBF has developed a comprehensive table summarizing the various authorization forms required in a matrix format that can be used to clearly identify the steps to be followed and the responsible parties. The RBF Project Team can support the City of Moreno Valley as may be necessary in the preparation of submittals for processing with DLAE. It is anticipated that submittals would be required for the final PS&E submittal process as follows:

- Authorization to begin Right-of-Way Work
- Authorization to Advertise

Additional processing will be required during construction and will be provided at the request of the City during the construction phase of the project. It is anticipated that submittals will be required construction submittal process as follows:

- Award Submittal Process
- Progress Payment Requests; and
- Final Invoice/Closeout Submittals

For ease of reference, a summary of the items to be prepared for submittal for both the design phase and construction phase along with the responsibility for preparation will be included in tables.

RBF's staff maintains an on-going dialogue with local, regional, and state jurisdictional agencies and continually keeps abreast of the changing requirements and procedures of the Federal, State and local agencies. For several years, RBF has participated on various Caltrans District and Headquarters Professional Liaison committees, which promotes an effective communication exchange between Caltrans, cities, counties, transportation authorities and consultants.

With a strong management approach and continuous close coordination between the City of Moreno Valley and our project team, the preparation of the City's Project should be straightforward with a logical progression through the work tasks. Continuous close coordination, communication and a focused project development process are the keys to successful completion of this important project. In order to complete the project within the proposed time frame, it is essential to develop a team relationship with all of the affected parties, identify responsibilities and obtain a commitment by each team member to the timely review and completion of the tasks within their realm of responsibility.

Management Plan

The RBF Team's management approach has been proven effective on past projects by meeting or exceeding the client goals such as completing on-schedule and within budget. This experience will be useful to develop relationships among the project stakeholders, solicit input, and develop consensus for all alternatives during the PS&E development process. The basic components of our project approach are as follows:

Define Project Objectives and Scope

RBF will work with the City to identify the objectives of the project and to confirm that the scope meets these objectives. This initial collaboration is important so that all team members focus on the same goals. If our scope is clear, then the project schedule is an accurate representation of the work required and the team can meet deadlines to please the community and to meet funding deadlines. RBF uses Microsoft Office software to prepare and maintain the project schedule for the team. We prefer simple and easy-to-use schedules to facilitate control of the project.

Project Initiation and Momentum

RBF will foster a productive relationship between all the team members so that meetings are efficient. Once the project is kicked off, RBF will maintain momentum with regular meetings and efficient follow up and communications. Regular status reports will be prepared using methods to highlight action items, to track progress and to keep the team accountable. The RBF project team includes one sub-consultant with the rest of the project staff under one roof. Counts Unlimited, Inc. will prepare the traffic count data as needed and we are confident of their work.

Budget Control

RBF will control costs with frequent monitoring and early identification of potential scope changes. Our work plan will be easy to follow and track so that tasks along with budget are readily available. It will be updated monthly and can be provided upon request at any time during the project.

Quality Control

The RBF Team's Quality Assurance/Quality Control Program is a continuous process used not just at project milestones, but also on a daily basis as work flows from desk to desk, discipline to discipline and consultant to client. Our managers, both within RBF and our sub-consultant, will oversee their staff on a daily basis.

Our ability to meet the demands of the project within the budget and time constraints begins with our management philosophy. We can provide quality services by analyzing the needs of each project and assembling a team with clear lines of communications and committed to the project. The staff listed in the Organizational Chart will be dedicated to this project.

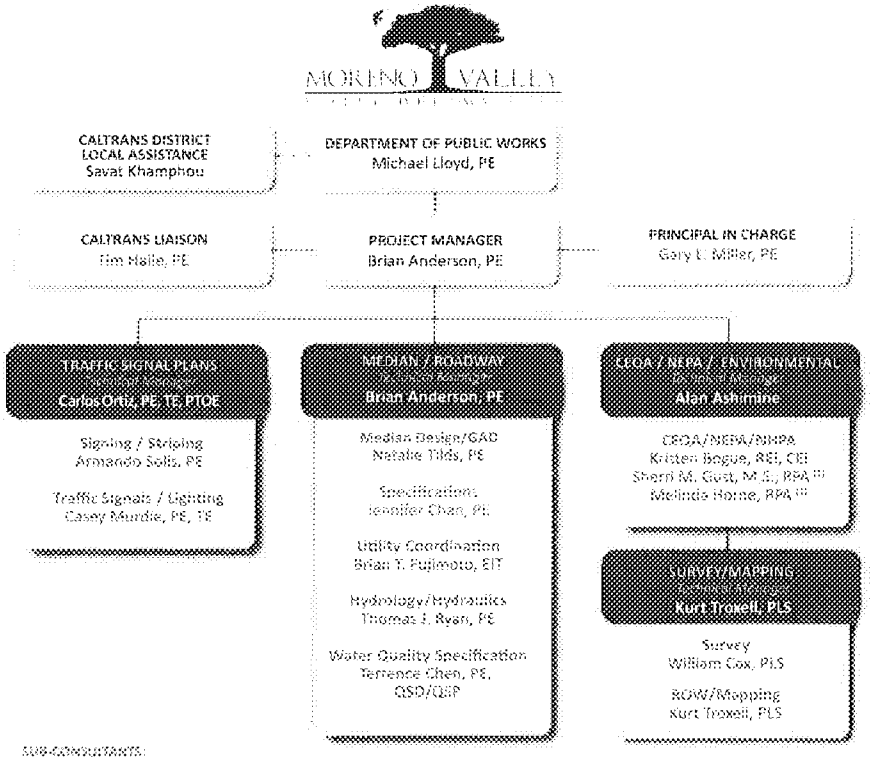

Section C:
Qualifications and Experience

SECTION C – Qualifications and Experience

Qualifications

In addition to the company information provided in our cover letter, the following details about our key personnel and projects are relevant to this particular project.

KEY PERSONNEL:

Brian Anderson, P.E., (CE #55298) Project Manager | Mr. Anderson has been designing transportation facilities for 26 years. His focus has been in the management and development of complex multi-agency projects meeting Federal and State standards. He has provided engineering for public works and Caltrans project that include: Sand Canyon Avenue Grade Separation, 190th Street Rehabilitation, Alton Parkway Extension, Newport Coast Drive/Pelican Hill Road Right Turn Improvements, Midway City Street and Storm Drain Improvements, Tustin Ranch Road, Warner and Armstrong Street Improvements, State Route 57/Lambert Road PSR, SR 91 Outside Widening PSR.

Gary Miller, P.E., (CE #36897) Principal in Charge | Mr. Miller has 38 years of experience in Transportation/Public Works engineering and knowledge of the requirements for projects funded through local, State, and Federal, and Caltrans Local Assistance. He has completed street improvement and median programs for the cities of Beverly Hills, Torrance, Long Beach, Santa Monica, Midway City, Thousand Oaks, San Juan Capistrano, Tustin, Irvine, Lake Forest, Mission Viejo, and others.

Tim Haile, P.E., (CE #72109) Caltrans Liaison | Mr. Haile has 14 years of experience with public works and transportation projects. He is an expert in Caltrans design policies, procedures and standards that apply to transportation projects. He has been managing and assisting with large multi-discipline projects, such as the State Route 91 Corridor Improvement Project, Mid County Parkway, High Desert Corridor, and the Orange County/ Riverside County Major Investment Study. Mr. Haile has extensive knowledge of the Inland Empire and Riverside County.

Carlos Ortiz, P.E., T.E., P.T.O.E. (CE #C057535, TE #2025, PTOE #426) Traffic Signal Plans Technical Manager | Mr. Ortiz manages the traffic engineering aspects for RBF's transportation projects. Mr. Ortiz's 23 years of professional experience includes the design of site and grading improvements, street improvements, intelligent transportation systems, traffic signals, traffic signal communication systems (twisted pair, fiber optic, wireless), lighting, ramp metering systems, traffic monitoring systems, dynamic message sign systems, stage construction/traffic handling, and signing and striping.

Kurt Troxell, P.L.S. (PLS #7854) Survey/Mapping Technical Manager | Mr. Troxell has extensive experience in cadastral and geodetic control surveys, including preparation of records of surveys, right-of-way documents and legal descriptions, topographic mapping, ALTA surveys, and tentative / final subdivision mapping. With 24 years of experience, he brings a thorough knowledge of widely used CADD / Data Collector platforms and expertise in integrating these systems into an efficient workflow process based on project specifications.

Alan Ashimine, CEQA/NEPA/Environmental Technical Manager | Mr. Ashimine prepares environmental and planning studies for public and private sector clients under the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). He has 13 years of extensive experience in the research, analysis, and writing of environmental documentation for a variety of projects involving infrastructure, redevelopment, residential, and industrial uses. He provides defensible CEQA/NEPA compliance review and environmental documentation.

Experience

190th Street Rehabilitation | Torrance, CA

RBF assisted the City of Torrance by preparing a final design for pavement rehabilitation along approximately one mile of the 190th Street. The project was a collaborative

Client: City of Torrance
Mr. Craig Bilezerian, PE
Engineering Manager
310/618-3054
cbilezerian@torrnet.com

effort, requiring outreach and coordination with the City of Redondo Beach. RBF's project design resulted in a cost-effective approach to extending the pavement life within the budgetary constraints of the City. *Staff: Brian Anderson, Gary Miller, Jennifer Chan, Bill Cox, Brian Fujimoto, Gary Miller, Carlos Ortiz, Armando Solis, Natalie Tilds, Kurt Troxell*

Sand Canyon Avenue Grade Separation at the Metrolink/BNSF Railroad (Phase 1) | Irvine, CA

Client: City of Irvine
Mr. Steve Ollo, PE, LS
949/724-7562

RBF was responsible for roadway layout, structures design, pump station design, railroad permitting and coordination, railroad shoofly design, drainage design, utility relocation coordination, survey/right-of-way engineering, community outreach, landscape/irrigation, identification of funding and geotechnical engineering services. RBF provided Caltrans Encroachment Permit for work within their Right-of-Way; and Storm water system including pump station design and meeting storm water quality standards for discharge. *Staff: Brian Anderson, Terrance Chen, Bill Cox, Gary Miller, Armando Solis, Kurt Troxell*

Alton Parkway Extension

Client: County of Orange
Mr. Ignacio Ochoa, 714/667-3213
ignacio.ochoa@rdmd.ocgov.com

RBF prepared improvement plans in 1992, but the construction did not occur. Since the original plans were prepared, the Borrego Canyon Wash has experienced heavy flows and significant erosion. Additionally, the requirements for regulatory compliance have changed significantly to obtain CEQA clearances, therefore, the topographical information, as well as other pertinent information, provided on the plans, requires updating and new permit processing with the regulatory agencies. The roadway alignment is severely constrained due to its immediate proximity to a portion of lands within the Nature Reserve of Orange County, the proposed El Toro Federal Wildlife Refuge, the Borrego Canyon Wash and the ongoing landfill activities by the Navy within the former MCAS El Toro. Under a subsequent contract with the County of Orange, RBF provided environmental documentation, permitting, and successfully completed CEQA clearances in 2007. RBF prepared plans, specifications and estimates for this approximately 1.25 mile reach of new roadway. The project is being construction and near completion. *Staff: Brian Anderson, Jennifer Chan, Brian Fujimoto, Gary Miller, Carlos Ortiz*

The Edison Right-of-Way (ROW) Bikeway | Anaheim, CA

Client: City of Anaheim, Public Works Department
Mr. Cesar Carrillo
714/765-5176
ccarrillo@anaheim.net

Project is a one mile long bicycle and pedestrian trail, primarily within the City of Anaheim. The project provides a safe transportation route for students and bicycle commuters to commute through an urban neighborhood to two public schools and Orange County Transportation Authority (OCTA) bus routes. In addition to schools, the trail provides linkages to other City facilities such as Maxwell Park, Haskett Public Library, a youth center and two churches/temples. The RBF team provided NEPA environmental clearance through Caltrans and prepared final PS&E, which included ROW support services and Caltrans Local Assistance processing. The project was completed in five months to address funding constraints. *Staff: Alan Ashimine, Bill Cox, Gary Miller, Casey Murdie, Carlos Ortiz, Natalie Tilds, Kurt Troxell*

Alessandro Boulevard Implementation Plan (SCAG | Compass Blueprint Demonstration Program | RBF is under contract for the implementation of the Alessandro Boulevard Corridor Project, funded through the SCAG. Zoning standards will be modified with CEQA clearance to accommodate increased transit ridership along the busy Alessandro Boulevard supportive of a future Bus Rapid Transit Project. RBF is coordinating with the City to plan a land use and transportation system that links key nodes of activity. *Staff: Paul Martin (Traffic Engineer/Project Manager) Client: City of Moreno Valley, Mr. Eric Lewis, 951/413-3149, ericle@moval.org*

Section D: Staffing Plan

SECTION D | Staffing Plan

Staff	Role	Current/Anticipated Workload	Avail.
Gary Miller, PE	Principal in Charge	Commerce Washington Blvd.; Alton Parkway Extension; Sand Canyon Grade Separation	30%
Tim Haile, PE	Caltrans Liaison	I-10/Jefferson Street Interchange (25%); I-25 PSR/PDS (25%)	40%
Brian Anderson, PE	Project Manager/ Median-Roadway	Sand Canyon Construction support (10% for 1 year); Washington Blvd. Improvements (30%)	70%
Carlos Ortiz, PE, TE, PTOE	Traffic Signal Plans	City of Palm Springs Citywide Interconnect and TMC; City of Long Beach Bicycle Gap Closure; City of Santa Monica I-10 Signage Improv. (80%)	20%
Alan Ashimine	CEQA/NEPA/ Environmental	Bandini Industrial Center Initial Study; Carrari Ranch EIR; Cabot-Camino Capistrano Bridge Project Initial Study; Hyundai Motor America Headquarters EIR; State Route 91 Westbound Widening Project Addendum; Southwest Industrial Park Specific Plan Update EIR (60%)	40%
Kurt Troxell PLS	Survey/Mapping	County of Orange Alton Parkway Construction (10%), NAVFAC SW Seal Beach Naval Weapons Station (20%) end 5/2012; Cow Camp Road (20%) ends 12/2012; *Anticipated: SR-241 Toll Road Extension (10%)*	60-70%
Armando Solis, PE	Signing/Striping	SR-91 WB Widening; Camarillo Hills Drain Traffic Control Plans	30%
Casey Murdie, PE, TE	Traffic Signals/ Lighting	Newport Center Dr. Signing and Striping Plans and Sight Distance Analysis; Camarillo Hills Drain Traffic Control Plans; City of Long Beach Bicycle Gap Closure and Improved LA River Bike Path Access; *Anticipated: Santa Monica ITS Project; Daisy Avenue Corridor Blvd.; LA Co. Traffic Engr Svcs*	50%
Natalie Tilds, PE	Median Design/ CAD	Cow Camp Road; Buena Park Storm Drain Master Plan; *Anticipated: Washington Boulevard (beginning in March)* (20%)	80%
Jennifer Chan, PE	Median/ Roadway Specifications	Sand Canyon Grade, Separation, Alton Parkway (OCPW), Rockfield Blvd (Construction Support); R-14; Tustin Ranch Road; Mission Viejo Safe Routes to School (20%); *Anticipated: OCSD Plant 1 & 2 Pavement Rehab*	80%
Brian Fujimoto, EIT	Utility Coord.	Cow Camp Road (Phase 1A and Phase 1B)	50%
Thomas Ryan, PE	Hydrology/ Hydraulics	Buena Park Master Plan; Laguna Woods Village Storm Drain Pipe Replacement Project; Los Canyons Development (Drainage & Design); Wildwood Creek Ecosystem Restoration (Yucaipa); Laguna Woods Village, Aliso Creek Culvert Design; Smith Creek Embankment Stabilization and Design Plans (Riverside) (20-50%)	50-80%
Terrence Chen, PE, QSD/QSP	Water Quality Specification	Caltrans Corridor Study SR-14 (50%); SR-57 Lambert Rd (25%); *Cow Camp Rd. WQMP (25%)*	25%
William Cox PLS	Survey	Tonner Hills Grading Surveys (20%); County of Orange-Alton Parkway (15%); Santa Ana River Interceptor Tunnel Monitoring (15%); Beverly Hills High School Topo (10%); Soka University Parking Structure Lot B (10%)	30%
Kristen Bogue, REI, CEI	Environmental	SR-57/Lambert Road Interchange Improvement Project (Phase I Initial Site Assessment and Visual Impact Assessment; SR-57/60 Confluence at Grand Avenue (Visual Impact Assessment); Carrari Ranch Specific Plan Environmental Impact Report (Supporting Analyst)(60%)	40%
Sherri M. Gust, MS, RPA	Archaeologist/Paleontologist	Devers Mirage (5%); VanNuys (5%); Expo II (10%)	80%
Melinda Horne, RPA	Archaeologist/ Paleontologist	Yucaipa Valley General Plan (5%); Park Once (5%)	90%

The RBF staff selected for this project is highly qualified and registered or certified in each of their disciplines.

Our Team approach for completing services on time and within budget is to achieve a complete understanding and commitment from each team member regarding the scope of services, their Project responsibilities within the work scope, as well as the budget and schedule.

RBF's capacity to perform to schedule will result from having a dedicated team and the strength of cross-trained individuals who can support this project.

Section E:
Work Plan and Schedule

SECTION E – Work Plan and Schedule

The following scope of work has been developed in accordance with the Three Phase project approach as outlined within the Request for Proposal for this project, (Phase Three has been removed and differed for Construction Work). RBF will provide surveying, mapping, environmental, and engineering services to plan and construct the Alessandro Boulevard improvements.

TASK 1 | Project Management/ Meetings

A. Prepare a detailed Project Schedule. The schedule will be a refinement of the schedule included in this Proposal. The schedule will identify milestone events and will be tracked and updated on a monthly basis. RBF prepare schedule using Microsoft Project software, and submitted to the Project Manager and staff at each PDT meeting.

B. Prepare an Action Item Matrix which will identify:
   - Critical issues
   - Responsible parties
   - Target resolution dates
   - Actual resolution dates

   The action item matrix will be updated on a monthly basis.

C. Initiate and maintain a Quality Assurance program.

D. Prepare monthly progress reports to document progress on this project. The report will consist of the following:
   - Work accomplished during the reporting period
   - Work anticipated during the next reporting period
   - Issues
   - Progress Schedule

E. Chair, Schedule, and Attend Meetings in the Planning phase as follows:
   - Project Kickoff Meeting (1) Start of Project
   - Project Development Team Meetings, (7); (3- Physical on-site meetings at time of submittal; 4 – teleconference call meetings)
   - Property Owner Meeting, (1)
   - Environmental Meeting, (1)
   - City Council Meeting, (1)

   RBF will prepare meeting agendas and minutes for meetings as appropriate. Agendas will be prepared five days prior to scheduled meeting and submitted to the Project Manager for approval. Minutes will be distributed to attendees with contact information including names, phone numbers and email addresses. Action item lists will be generated and distributed after each meeting.

Phase: Planning, Environmental, and Conceptual Design

Environmental Approval is independent of the work performed for Preliminary Engineering Task for this phase of work. The City of Moreno Valley will release payment for Preliminary Engineering Task (2.1, 2.2, 2.2.1, 2.4, 2.5, 2.7, and 2.9) at completion and approval of the work. Work performed for Environmental clearance shall be paid at Approval of the Environmental Document(s).

TASK 2.1 | Research and Investigation

Research all information such as existing records and documents in order to complete the project. Items that may require verification during construction will be considered during the project planning phase for incorporation into future plans and contract documents. Conduct a site review of the project area, photograph and inventory key site features.

TASK 2.2 | Report of Project Issues

RBF will prepare project issues report based on the findings of the research and record information investigation performed under task 2.1. The report shall include an itemized listing of supplied materials, site photos, reports, studies, record information as found or identified. Conflict areas, constraints, and project issues will be identified. The report will identify utility conflicts, if any; right of way impacts; and lastly a summary of environmental issues.

TASK 2.2.1 | Conceptual Median Hardscape Plan

Conceptual Hardscape Plan. The Conceptual Hardscape Plan will identify the materials to be used with their approximate locations within the proposed medians. Utilizing the base map, inventory information, and input received from the City, RBF will prepare one (1) presentation quality color rendered Conceptual Hardscape Plan at an appropriate scale, showing the horizontal layout of the median features. The intent of this plan is to submit to the City Staff and Council for review and concurrence, any changes (hardscape design) will be incorporated within the final design drawings. The Conceptual Hardscape Plan will include the following:

- Raised curb locations
- Median hardscape locations and materials, such as pavers, concrete, rock cobble, or decomposed granite
- Images of the final median paving and material selections
- One (1) typical median cross section
- A preliminary Opinion of Probable Construction Costs

Product:

- One (1) full-sized color rendered final Conceptual Hardscape Plans
- Five (5) 11 x 17 colored rendered Conceptual Hardscape Plans
- One (1) electronic copy of the Conceptual Hardscape Plans in JPG or PDF format

TASK 2.3 | Environmental

RBF will prepare environmental documentation to satisfy the requirements of the National Environmental Policy Act (NEPA) due to the intended use of Federal funding for the proposed project. Based on information provided by the City, the project is exempt from the California Environmental Quality Act (CEQA) and CEQA clearance documentation is not included in this scope of work. This task assumes that the appropriate form of NEPA documentation will be a Categorical Exclusion (CE) with supporting technical study(s) and that the project will be processed through the Caltrans (District 8) Division of Local Assistance.

Preliminary Environmental Study Form. RBF will prepare a Preliminary Environmental Study (PES) Form in accordance with the Caltrans *Local Assistance Procedures Manual* environmental reporting criteria. The PES Form will provide a preliminary analysis of potential environmental impacts associated with the project and identify environmental issues that may require further detailed study. The PES Form will be submitted to the City/Caltrans for concurrence prior to the initiation of the technical study work program. Caltrans will be responsible for a determination of the appropriate scope of work for the project. A final determination regarding the range of technical studies and appropriate NEPA action will not be made until Caltrans approves the PES Form for the project. Note. This scope includes the task for the Phase I Initial Site Assessment only, additional studies, if necessary, can be added for additional fee. Final determination of studies is anticipated on approval of the PES form.

Special Studies

- **Phase I Initial Site Assessment:** Hazardous Materials Memorandum: RBF will prepare a Phase I Initial Site Assessment (ISA) for the proposed project in accordance with the American Society for Testing and Materials (ASTM) Standard Practice E 1527-05 and the Caltrans Standard Environmental Reference (SER). It is acknowledged in this scope of work that one (1) build alternative will be considered.

Categorical Exclusion. On behalf of the City, RBF will forward all supporting NEPA special studies and preliminary engineering documentation demonstrating that significant environmental effects will not result with project implementation. This submittal will consist of a draft CE and technical study package with formal request to Caltrans for approval. It is assumed that the project would qualify for a CE under Section 6004, 23 CFR 771 Activity c(4).

Environmental Commitments Record. In compliance with the Caltrans SER, RBF will prepare an Environmental Commitments Record (ECR) to track and document the completion of environmental commitments through the project delivery process. The ECR will combine relevant environmental compliance information together in a single place, making it easier to track progress and easier for project team members to identify implementing actions. RBF will consult with Caltrans staff to determine the preferred format and outline of the ECR.

TASK 2.4 | Survey/Mapping

RBF Consulting shall perform the following Scope of Survey Services:

Project Control. RBF Consulting shall provide horizontal and vertical control for the project. Unless otherwise directed by the City, the basis of horizontal control will be North American Datum of 1983 (NAD 83), Zone 6, Epoch 2007. Coordinates will be expressed as grid values in terms of the U.S. survey foot.

Unless otherwise directed by the City, the basis of vertical control will be the North American Vertical Datum of 1988 (NAVD88).

Topographic Survey. Topography shall include obtaining locations, elevations and descriptions of:

- Cross Sections on 50' intervals, and extending 25' outside of ROW at street intersections.
- Curb, gutters, sidewalks and driveways.
- Pavement areas including streets and asphalt berms.
- Power poles, streetlights and traffic signals, and major signs.
- Trees and major specimen plants, with trunk diameters greater than 6".
- Above ground utilities including valves, pullboxes, meters, and vaults.
- Manholes and storm drain structures.
- All major surface features that define the shape of the terrain, such as tops and toes of slopes, grade breaks and natural ground.
- Spot elevations at critical locations along the alignment.
- Inventory of street monuments that may be destroyed during construction.

All field topography shall be collected electronically for data processing using field descriptor codes as shown on pages 10 & 11 of the Request for Proposal.

All field topography shall be collected electronically for data processing. Consultant shall deliver all topography in AutoCAD 2009 format on standard formatting which is compatible with existing City equipment. All layering will follow City standards. All Autocad symbols will be blocked and will not be exploded.

The finished topographic map shall include the basis of horizontal and vertical control, Benchmark, North arrow, date of survey, Crew chief review, notes and details if necessary. Electronically formatted files can be E-mailed to the Client if requested. Raw Field data and processed field coordinates will be delivered in ASCII format on CD and a hard copy plot will be provided at the conclusion of the topographic mapping.

Right-of-Way Base Mapping. Since there are no right-of-way acquisitions anticipated for the project, RBF Consulting will compile right-of-way base mapping for the from Riverside GIS parcel data files. Said parcel data files will be reviewed for conformity with Riverside County Assessor's parcel maps and exist site topography. GIS parcel data found to be insufficient for project purposes will be supplemented by calculations of existing centerlines and right-of-ways shown on available record maps and/or assessor's parcel maps.

TASK 2.5 | Utilities Research

Perform all necessary research to establish the location of utilities within the work limits. Coordinate utility work with the City of Moreno Valley and all impacted agencies. Preliminary and final plans are to be sent to impacted utility companies. RBF will identify appropriate list of distribution to the City. The City will prepare letters on City Letterhead and mail to distribution list. City will forward copies of all letters and response received from utility agencies for tracking purposes. RBF will coordinate with utility agencies to obtain written confirmation of identified utilities. RBF will base any potential conflicts utilizing the

approved GAD alignment study. Utilities in project area to be relocated, adjusted, or otherwise modified will be identified. A time assessment of utility relocation will be incorporated into the construction schedule, as necessary. RBF will locate utilities within the project area in accordance with Caltrans policy on High and Low risk utilities. RBF will coordinate with SCE for the electrical service point for the new traffic signal system.

TASK 2.7 | Preliminary Concept Design (GAD Drawings 35%)
RBF will prepare conceptual layout plans showing the raised median, striping, tentative traffic signal pole locations, and locations of ADA compliant access ramps. The plans will include project items as identified within the General Design Submission Requirements "Exhibit A" found in the request for proposal for this project. Clarification for GAD Deliverable and submission requirements as outlined in "Exhibit A" – 1) No Vertical plan information for medians at this level is planned. 2) No planned meetings with Fire, Police, or Utility Companies are included with this SOW. 3) Environmental clearance is separate from Preliminary Engineering tasks as described under the Phase of work.

TASK 2.9 | Preliminary Submittals
RBF will submit the follow items under this phase of work:

- Five (5) sets of bond copies plan drawings (redline check prints, if applicable)
- One (1) set of drawings to each utility agency identified under task 2.4 of this scope of work.
- Copies of transmittals, submittals, and letters sent to the utility agencies regarding the project.
- Environmental documentation for initial review to the City and after approval sent to Caltrans District 8, DLAE for review.

Phase: Design (PS&E)

TASK 3.0 | Final Design Drawings
Work under this phase shall commence only after completion and approval of the prior phase of work and written authorization to proceed by the City.

Design plans will be completed in conformance with the latest available design, drafting, policy, and procedure manuals of the City of Moreno Valley. All drawings will be prepared with AutoCAD LD software. Final approved drawings will be plotted on 24" by 36" Mylar. Plans are to be submitted at 65%, 95%, and Final completion levels. The following is a listing of proposed plan sheets:

Task	Plan	English Scale	Number of Sheets
3.1	Title Sheet	N/A	1
3.2	Typical Cross Sections and Details	N/A	1
3.3	General and Construction Notes	N/A	1
3.4	Roadway Improvement Plans (Plan) (Double Loaded)	1 in = 40 ft	3
3.5	Signing and Striping Plans	1 in = 40 ft	3
3.6	Traffic Signal Plans	1 in = 20 ft	2
3.8	Hardscape Drawings/ Details	*Varies*	1
		TOTAL SHEETS	12

The fees provided have taken into consideration the detail required to perform these tasks. The tasks to be performed to accommodate the project are outlined as follows:

- Roadway Improvement Plans will be prepared within the project limits. Plans will include plan view (Double Loaded per sheet) of proposed median curb improvements at a scale of 1"=40'. Vertical elevations (existing and proposed) will be placed on the design plan views at 50-foot intervals along tangent sections, and all BC's, EC's, BCR's, ECR's, and every 20-foot intervals within turn pocket areas.
- Signing and Striping Plans will be prepared in accordance with standards set forth by the City of Moreno Valley or Caltrans;
- Prepare traffic signal and intersection lighting plans at the following locations:
  1. Traffic Signal Modification – Alessandro Boulevard/ Perris Boulevard
  2. New Signal System – Alessandro Boulevard/ Covey Quail Lane

TASK 3.7 | Cross Sections
RBF will create working cross–sections based on previously prepared field survey at 100 –foot intervals. Section will show existing and proposed roadway median curb improvements.

TASK 3.8 | Hardscape Construction Drawings

RBF will prepare one set of final hardscape construction plans, technical specifications, and opinion of probable Hardscape construction costs in sufficient form and detail to obtain City approval and use for bidding and construction. The plans will be prepared based on the Conceptual Hardscape Plan, will comply with the City's Landscape Design Guidelines, and will be prepared in AutoCAD using a base map of the project layout. It is anticipated that the plans will be included in the overall construction document improvement package and will indicate median paving materials, specifications, and an Opinion of Probable Construction Costs as described below:

a) No Planting and Irrigation (100% Hardscape). RBF will provide median "hardscape" plan and details that indicate the median design to consist of materials such as interlocking concrete pavers, concrete with different colors or textures, rock cobble, or decomposed granite. No planting or irrigation design in included with this task.

TASK 3.9 | Final Quantity and Cost Estimate
RBF will prepare quantity calculations and final construction cost estimates in accordance with City of Moreno Valley requirements utilizing current City construction cost data and similar project construction item bids from recent projects. The quantities and cost data will be submitted with each project submittal.

TASK 3.10 | Technical Specification
RBF will prepare Technical Specifications per City of Moreno Valley requirements for bidding by the City. The City will provide "boiler plate" specifications in Microsoft word format. RBF will amend the technical specifications for project specific items of work. The Technical Specifications will be prepared in current "Greenbook" format and Caltrans format for traffic striping and signals.

TASK 3.11 | Plan Revisions and Final Document Submittals
RBF will review comments provided by the City from the previous submittals and incorporate applicable revisions. Provide final submittal of the plans, specifications and estimates along with supporting calculations to the City for subsequent advertising of construction. The submittal documents will be in compliance with the General Design Submission Requirements "Exhibit A" provided in the Request for Proposal of this project. Note: Title Reports are not included with this work; No additional Right–of-Way is anticipated or work required for acquisition of Right-of-Way is included in this Scope of Work.

RBF will submit the follow items under this phase of work:

- Five (5) sets of bond copies plan drawings and specifications at 65%, 95%, and Final (redline check prints, if applicable)
- Three (3) set of quantity calculations at 65%, 95%, and Final
- Five (5) sets of bond copies of the cross-sections at 65%, and 95%. One (1) reproducible and four (4) bond copies a t final submittal.
- Final Copy of design plans to each utility agency as identified in the distribution list.
- Final PS&E documents through Caltrans District 8 DLAE for review and approval.

TASK 3.12 | Questions During Bidding
RBF will respond to bidders questions received in writing from the City.

Scope Assumptions (General)

- No additional studies, reports, or investigation not specifically identified in this scope of work shall be provided without amendment to fee and scope and approval of a contract modification.
- The City will pay all permit fees that may be required.
- City will prepare E-76 forms and process with Caltrans District 8 DLAE
- The City will be responsible for the development of all utility relocation agreements, acquisition documents, and

negotiations of any utility relocation.

* Traffic data, signal warrants, and studies shall be provided by the City for the consultants use.
* The City shall require any construction contractors to indemnify RBF from any and all losses, damages, claims, expenses, including attorneys fees, and costs arising out of the contractor's work , excepting only losses, damages, claims expenses, including attorneys fees, and costs which are caused by the sole negligence or willful misconduct of RBF in performing their services under this agreement.
  The City will require the construction contractor to add RBF as an additional insured in the comprehensive general liability, auto liability, worker's compensation and builders risk insurance coverage required by the City.

MORENO VALLEY
Alessandro Boulevard Median Improvemnts
from Indian Street to Perris Boulevard
Proposed Project Schedule
RBF CONSULTING

	Task Name	Duration	Start	Finish
1	PROJECT DESIGN SCHEDULE	437 days	Tue 4/24/12	Wed 12/25/13
2	PHASE: PLANNING, ENVIRONMENTAL, AND CONCEPT	114.5 days	Tue 4/24/12	Mon 10/1/12
3	Notice to Proceed	1 day	Tue 4/24/12	Tue 4/24/12
4	Project Kickoff Meeting	1 day	Wed 5/2/12	Wed 5/2/12
5	Research & Data Collection	3 wks	Thu 5/3/12	Wed 5/23/12
6	Site Visit & Review	1.5 wks	Thu 5/3/12	Mon 5/14/12
7	Topographic Survey	2 wks	Thu 5/24/12	Wed 6/6/12
8	Utility Notifications	10 wks	Thu 6/7/12	Wed 8/15/12
9	Utility Potholing	2 wks	Thu 8/16/12	Wed 8/29/12
10	Base Map Preparation	5 wks	Thu 8/7/12	Wed 8/27/12
11	Permit Engineering Evaluation Report (PEER) & Fact Sheet (Caltrans Approvals)	100 days	Mon 5/14/12	Mon 10/1/12
12	Environmental Review	4 wks	Mon 5/14/12	Mon 6/11/12
13	Caltrans Review, Revisions and Approvals	16 wks	Mon 6/11/12	Mon 10/1/12
14	Geometric Approval Drawings & Constraints Analysis	50 days	Thu 6/28/12	Wed 9/19/12
15	Develop Alignment & Reviews	4 wks	Thu 6/28/12	Wed 7/25/12
16	Final Precise Alignment & Reviews	4 wks	Thu 8/23/12	Wed 9/19/12
17	PHASE: DESIGN (PS&E)	50 days	Thu 9/20/12	Wed 11/28/12
18	Plans, Specifications and Estimates	50 days	Thu 9/20/12	Wed 11/28/12
19	Plan Set Preparation	4 wks	Thu 9/20/12	Wed 10/17/12
20	Cost Estimate	2 wks	Thu 11/1/12	Wed 11/14/12
21	Specifications	3 wks	Thu 10/25/12	Wed 11/14/12
22	Plan City Review & Revisions Processing	4 wks	Thu 10/18/12	Wed 11/14/12
23	Final Plans, Specifications and Estimates Complete	2 wks	Thu 11/15/12	Wed 11/28/12
24	PHASE: CONSTRUCTION	198 days	Thu 5/8/13	Wed 12/25/13
25	Construction Support	5 mons	Thu 8/8/13	Wed 12/25/13

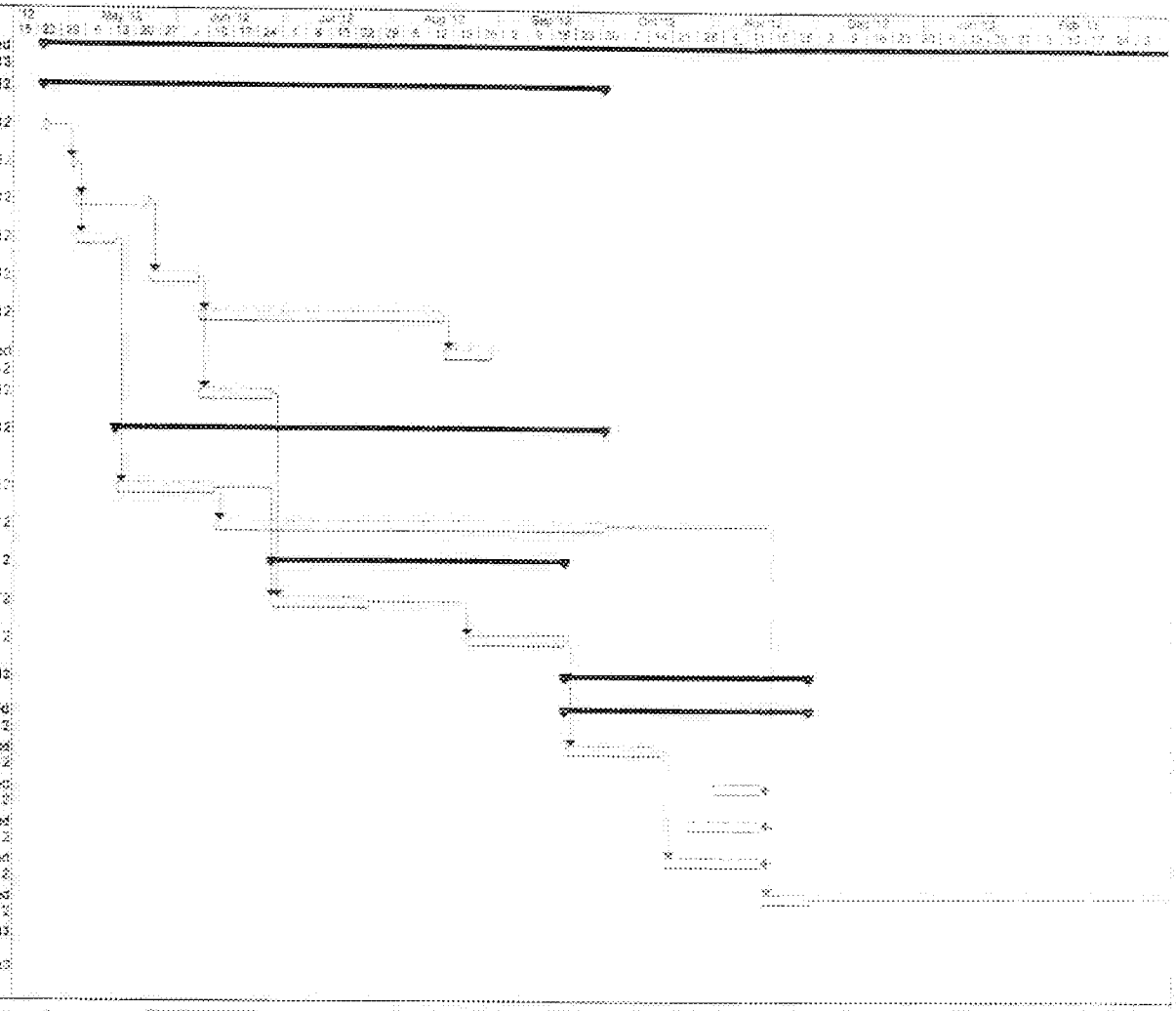

Project: Project Schedule.mpp
Date: Thu 2/23/12

Task | Split | Progress | Milestone | Summary | Project Summary | External Tasks | External Milestone | Deadline

C:\Documents and Settings\BANDERSON\Desktop\Project Schedule.mpp

Section F:
Quality Control and Assurance

Item No. A.5

SECTION F – Quality Control and Assurance

RBF Philosophy

RBF's concept for Quality Assurance/Quality Control is to remove barriers so that each professional can complete each element of the project correctly, the first time. This starts with designation of individuals with appropriate experience and availability to manage the project, lead tasks and accomplish technical work.

A second key element is to achieve a complete understanding and commitment from each team member regarding the scope of services, their Project responsibilities within the work scope as well as the budget and schedule. A third element is to provide a structured process for review of the work.

The QA/QC Process. The RBF Quality Assurance/Control Program places responsibility at a level closest to the production of each work element. This internal peer review is designed to make improvements in reviews and decisions.

Levels of Review. The Project Manager will provide guidance on field procedures and will review and coordinate with other disciplines as required to complete assigned tasks.

The Principal-In-Charge is responsible for Quality Control and will provide an on-going review of the overall process. This work may include any procedure which will assure that quality control is fully implemented and working for the entire team.

Client Coordination. The Project Manager will be the primary contact with the client. The Principal-In-Charge will be a secondary contact, but only in the unlikely event that the Project Manager is not available.

The Project Manager will keep the client informed of the project progress on a monthly basis unless otherwise indicated in the work plan or contract work scope. The monthly progress reports will at a minimum include:

- Schedule status
- Work planned for upcoming month
- Progress to date
- List of issues which may affect individual task orders

Budget Control. Costs will be controlled by frequent monitoring and early identification of any scope of work change impacting the Project budget. This estimate will then be compared to the preliminary cost and revised accordingly for the final baseline.

Section G:
Additional Relevant Information

Item No. A.5

SECTION G – Additional Information

Commendation Letters

CITY OF IRVINE

January 24, 2011

Mr. Gary Miller, Vice President
RBF Consulting
14725 Alton Parkway
Irvine, CA 92618

Subject: Sand Canyon Avenue Grade Separation at the Metrolink/SCRRA Railroad

Dear Gary,

On behalf of the City of Irvine, I would like to thank RBF for its continued service and commitment to excellence on projects such as the Sand Canyon Avenue Grade Separation at the Metrolink/SCRRA Railroad crossing. You and your staff exceeded our expectations in providing design services for the removal of this at-grade crossing which will significantly improve safety to vehicles, bicyclists, and pedestrians and reduce noise levels.

Your careful execution of a multitude of services included roadway layout, structures design, pump station design, railroad permitting and coordination, railroad shoofly design, drainage design, utility relocation coordination, survey/right-of-way engineering, landscape/irrigation, identification of funding, and geotechnical engineering services. Through the many challenges of this project, including Caltrans coordination, complex construction staging, and major utility relocations, RBF was able to successfully deliver this project within the planned timeframe and budget.

We sincerely appreciate the commitment and professionalism of your staff and look forward to our continued partnership with RBF during construction.

Sincerely,

Steve Otto, PE, LS
Senior Civil Engineer

cc: Manuel Gomez, Director of Public Works
Joyce Amerson, Deputy Director of Public Works
Mark Cambi, City Engineer
Dave Moir, Project Development Administrator

January 19, 2011

Mr. Gary Miller, Vice President
RBF Consulting
14725 Alton Parkway
Irvine, CA 92618

RE: 190th Street Rehabilitation

Dear Gary

I would like to extend my gratitude to you and your team for again providing excellent consulting engineering design services to the City of Torrance. Most recently, you provided these services for the 190th Street Rehabilitation Project. This pavement rehabilitation project included the development and final design for approximately one mile of 190th Street in the City of Torrance. Your collaborative approach with the City to develop cost effective pavement repair methods helped maximize pavement life and allowed us to remain within our project budget. Also, it required your assistance with outreach and coordination with the City of Redondo Beach to ensure a successful project.

Our professional association with your firm extends back approximately a decade with your firm having previously provided the engineering design for the Artesia Boulevard Improvement Project and the Sepulveda Boulevard Rehabilitation and Water Main Replacement Project. Both of these projects were considered a success and in part due to the efforts of you and your team. We appreciate RBF's commitment to continuously providing excellent service to the City and look forward to the opportunity to work together on future projects. Lastly, we would be happy to recommend you and your team to perform engineering services to other agencies and clients.

Sincerely,

CRAIG BLEZERIAN, P.E.
Engineering Manager

Section H: Statements of Understanding and Required Forms

Item No. A.5

SECTION H - Statements of Understanding

RBF certifies the following statements:

A. The Request for Proposal shall be incorporated in its entirety as a part of RBF's Proposal.

B. The Request for Proposal and RBF's Proposal will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by RBF and the Mayor or City Manager of Moreno Valley.

C. RBF's Services to be provided, and fees therefore, will be in accordance with the City's Request for Proposal except as otherwise specified in RBF's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

D. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" contains a complete and detailed description of all of the exceptions to the provisions and conditions of the City's Request for Proposal upon which RBF's Proposal is contingent and shall take precedence over the Request for Proposal for Professional Consultant Services.

E. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of RBF's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact are provided in Section C of this proposal. If one or more of RBF's staff should become unavailable, RBF may substitute other staff of at least equal competence only after prior written approval by the City.

F. Resource Allocation Matix. *Provided at the end of this section.*

G. Statement of Sub-Consultant: RBF selected Cogstone to provide Cultural Resources and will not change the subconsultant without prior approval from the City.

Cogstone | Paleontology – Archaeology – History| is a California Corporation formed in April 2001, serving both public and private-sector clients throughout California. The State of California (DGS) and the Metropolitan Water District of Southern California (MWD) each certify Cogstone as a Small Business Enterprise (SBE). Cogstone is certified as a Disadvantaged Business Enterprise (DBE) under the California Unified Certification Program (CUCP) and a Woman Business Enterprise (WBE) by the California Public Utilities Commission (CPUC). They will provide assistance on the CEQA/ NEPA/ environmental compliance portion of the project. Their main office is at 1518 West Taft Avenue, Orange, CA 92865. Principal, Sherri M. Gust, MS, RPA can be contacted at 714/974-8300.

Cogstone References: 1) La Mesa/Nisqualli Road Interchange, Victorville, San Bernardino County, CA. (Caltrans District 8). (*Parsons Brinckerhoff, Stephanie Oslick, Environmental Planner: 505 South Main Street, Suite 900, Orange, CA 92868-4529; (714) 973-4880*); **2) Arroyo Drive Project, Riverside, Riverside County, CA,** (*Community Design Works, Tim Maloney: 4649 Brockton Avenue, Riverside, CA 92506; (951) 369-4039*); 3) **San Bernardino County Road Improvement Projects. (Caltrans District 8 On-Call Contract),** Paleontology subconsultant to Applied Earthworks. Prepared portions of Paleontological Identification Reports, Paleontological Evaluation Reports and Paleontological Mitigation Plan for projects including I10, SR58, SR138, SR247 *(Applied Earthworks, Susan Goldberg, Division Manager: 3292 E. Florida Ave., Suite A, Hemet, CA 92544-4941; 951-766-2000)*

H. All charges for RBF's services is a "Not-to-Exceed Fee" which includes conservatively estimated reimbursable expenses, as submitted with and made a part of RBF's Proposal.

I. RBF will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

J. RBF will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

K. A rate schedule has been submitted with this Proposal at the end of this section, as stated in the Request for Proposal. The rate schedule includes titles, names, roles, and hourly billing rates in rows. The hourly rate schedule is part of RBF's Proposal for use in invoicing for progress payments and for extra work incurred. All extra work will require prior approval from the City.

L. RBF will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

M. All federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

N. RBF shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project only. All relevant records shall be retained for at least three years.

O. RBF shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision and State of California prevailing wage rates, respectively.

P. RBF shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR3) issued pursuant thereto, and any amendments thereof.

Q. RBF offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (1 5 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 167001 of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to RBF, without further acknowledgment by the parties.

R. RBF understands that this Agreement is subject to 49 CFR, Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Proposers who obtain DBE participation on this contract will assist Caltrans in meeting its federally mandated statewide overall DBE goal.

RBF routinely uses the services of disadvantaged business enterprises. We have established relationships with many qualified firms and have successfully worked with them on numerous projects (including public works contracts).

S. Disclosure of Lobbying Activities (Form LLL). *Please find at the end of this section.*

T. Proposer's List of Subconsultants (DBE and Non-DBE) Parts I and II. *Please find at the end of this section.*

U. **Company**: RBF Consulting; 14725 Alton Parkway, Irvine, California 92618; **Entity**: California Corporation

RBF's electronic files will be available for inspection by local agency and State representatives at the following address: 3300 E. Guasti Rd., Suite 100, Ontario, CA 91761 or the address listed in Item U. above. Hard copies will be maintained at the office in Irvine.

RBF CONSULTING

HOURLY RATE SCHEDULE

Effective January 2012 through December 2012

OFFICE PERSONNEL	$/hr.
Senior Principal	$245.00
Principal	225.00
Project Director	220.00
Program Manager	215.00
Senior Project Manager	205.00
Project Manager	195.00
Structural Engineer	195.00
Technical Manager	190.00
Senior Engineer	185.00
Senior Planner	183.00
Electrical Engineer	169.00
Landscape Architect	160.00
Senior GIS Analyst	150.00
Project Engineer	148.00
Project Planner	148.00
Environmental Specialist	138.00
Design Engineer/Senior Designer/Manager	135.00
GIS Analyst	122.00
Designer/Planner	118.00
Project Coordinator	110.00
Graphic Artist	97.00
Environmental Analyst/Staff Planner	97.00
Design Technician	97.00
Assistant Engineer/Planner	95.00
Permit Processor	93.00
Engineering Aide/Planning Aide	75.00
Office Support/Clerical	63.00

FIELD PERSONNEL	
2-Person Survey Crew	$245.00
1-Person Survey Crew	195.00
Licensed Surveyor	175.00
Field Supervisor	172.00

CONSTRUCTION MANAGEMENT PERSONNEL	
Construction Manager	$165.00
Resident Engineer/Project Manager	154.00
Senior Construction Inspector	125.00
Construction Inspector	116.00
Field Office Engineer	110.00
Construction Technician	85.00

Note:
Reproduction, messenger service and other direct expenses will be charged as an additional cost plus 10%. A Sub-consultant Management Fee of fifteen percent (15%) will be added to the direct cost of all sub-consultant services to provide for the cost of administrative, sub-consultant coordination and insurance. Vehicle mileage will be charged as an additional cost at $0.51 per mile.

cogstone

2012 Fee Schedule

Field Crews	Hourly	Overtime
Monitor Technician	$ 52.00	$ 78.00
Crew Chief	$ 61.00	$ 91.50
Supervisor I	$ 67.00	$ 100.50
Supervisor II	$ 75.00	$ 112.50
Director I	$ 77.00	$ 115.50
Director II	$ 82.00	$ 123.00
Project Manager /Principal Investigator I	$ 105.00	Exempt
Project Manager /Principal Investigator II	$ 112.00	Exempt
Project Manager /Principal Investigator III	$ 126.00	Exempt
GIS Specialist	$ 68.00	$ 102.00
GIS Manager	$ 105.00	$ 157.50
Clerk	$ 46.00	$ 69.00
Administrative Assistant	$ 52.00	$ 78.00
Contracts Manager	$ 90.00	Exempt

Other Costs		
Mileage	Mile	Current State Rate
Trimble® GeoXH (sub-foot accuracy)	Daily	$ 100.00
Expendable Supplies	Lump Sum	Actual Cost
Outside Services	Lump Sum	Actual Cost

FEE ESTIMATE

PROPOSAL TO THE CITY OF MORENO VALLEY

Alessandro Boulevard Median from Indian Street to Perris Boulevard

Prepared February 23, 2012
Revised 4.0 March 23, 2012
W 10-108575

ANTICIPATED SCOPE OF WORK	No. of Sheets	Project Director $220		Technical Manager $180		Project Engineer $148		Senior Planner $145		Designer / Manager $125		CADD Designer / Drafter $115		Admin (Word Proc.) $285		Clerical $63		Expenses		Hours	Cost	HOURS / SHEET
PHASE: REPORT OF PROJECT ISSUES																						
Task 2.1 RESEARCH & DATA COLLECTION	N/A					6	$891			8	$1,000									14	$1,672	N/A
2.4 SURVEY/ MAPPING	N/A			1	$180	6	$888			12	$1,500			24	$6,800					43	$8,568	N/A
2.5 UTILITY RESEARCH/ NOTIFICATION	N/A					12	$1,776			12	$1,500					4	$252			28	$3,648	N/A
2.2.3 CONCEPT HARDSCAPE PLAN	N/A			8	$1,440	4	$592	14	$1,890			14	$1,610							40	$5,734	N/A
2.2 REPORT OF PROJECT ISSUES	N/A			8	$1,440	12	$1,776													20	$3,216	N/A
2.3 PRELIMINARY SUBMITTALS																						
Conceptual Design Package	N/A			2	$360	6	$888			2	$500									14	$1,668	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																						
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	6	$1,080											2	$126			10	$2,216	N/A
3.2 PROJECT KICK-OFF MEETING	N/A	3	$660	4	$720											1	$63			8	$1,443	N/A
3.3 PROJECT DEV MEETINGS (3 TO 5 per Phase)	N/A			2	$360											1	$63			3	$423	N/A
3.5 CITY COUNCIL MEETINGS (1)	N/A			4	$720											1	$63			5	$783	N/A
3.6 PROPERTY OWNERS MEETING (1)	N/A			4	$720											1	$63			5	$783	N/A
Sub-Totals =	**N/A**	**5**	**$1,100**	**16**	**$2,880**	**42**	**$6,312**	**14**	**$2,030**	**36**	**$4,500**	**14**	**$1,610**	**24**	**$6,800**	**10**	**$630**			**[illegible]**	**[illegible]**	**N/A**
PHASE: ENVIRONMENTAL CLEARANCE																						
Task 2.2 ENVIRONMENTAL																						
Preparation of Numerous Study Tasks	N/A							32	$4,640											32	$4,640	N/A
Special Studies Show/Study	N/A											62	$7,315							62	$7,315	N/A
Category of Exemption	N/A							4	$580											4	$580	N/A
Preparation of Categorical Exemption	N/A							8	$1,160											8	$1,160	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																						
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	8	$1,440											2	$126			12	$2,216	N/A
3.4 ENVIRONMENTAL MEETINGS (1)	N/A			4	$720			4	$580							1	$63			9	$1,363	N/A
3.5 PROJECT DEV MEETINGS (1 Telecon/Meeting)	N/A			4	$720	2	$296									1	$125			8	$1,141	N/A
Sub-Totals =	**N/A**	**2**	**$880**	**16**	**$2,880**	**2**	**$296**	**48**	**$6,960**			**62**	**$7,315**			**5**	**$315**			**[illegible]**	**[illegible]**	**N/A**
PHASE: DESIGN (GAD) 35% COMPLETION																						
Task 2.7 PRELIMINARY CONCEPT DESIGN (GAD)	3			6	$1,080	16	$2,368			18	$2,250	16	$2,176							58	$8,002	19
2.8 PRELIMINARY SUBMITTALS																						
Conceptual Design Package	3	1	$220	2	$360	6	$888			2	$500									15	$2,278	5
3.0 PROJECT MANAGEMENT/ MEETINGS																						
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	4	$720															6	$940	N/A
3.5 PROJECT DEV MEETINGS (1 Phase of Drawing)	N/A			4	$720	4	$592									1	$63			9	$1,375	N/A
Sub-Totals =	**3**	**3**	**$660**	**16**	**$2,880**	**26**	**$3,848**			**24**	**$3,250**	**16**	**$2,176**			**1**	**$63**			**[illegible]**	**[illegible]**	**N/A**
PHASE: DESIGN (PS&E) 65% COMPLETION																						
Task 3.0 FINAL DESIGN DRAWINGS																						
3.1 Title Sheet	1					1	$148			4	$500	4	$460							9	$1,168	9
3.2 Roadway Typical Sections & Details	1			1	$180	2	$296			10	$1,250	10	$1,150							25	$3,202	25
3.3 General and Construction Notes	1			2	$360	12	$1,776			10	$1,250	8	$920							32	$4,358	32
3.4 Roadway Plan	3	1	$220	6	$1,080	16	$2,368			24	$3,000	26	$2,990							73	$9,958	24
3.5 Signing & Striping Plans	1	1	$220	1	$180	8	$1,184			18	$2,250	18	$2,070							46	$6,108	46
3.6 Traffic Signal/ Signal Modification Plans	2	1	$440	10	$1,800	16	$2,368			40	$5,000	30	$3,450							96	$12,158	48
3.7 CROSS SECTIONS	1					6	$888			14	$1,750									20	$2,638	20
3.8 Hardscape Construction Drawings	1			2	$360	12	$1,776			40	$5,000									52	$7,136	52
3.9 FINAL QUANTITIES/ COST ESTIMATE	N/A	1	$220	4	$720	16	$2,368	4	$580	16	$2,000					5	$315			46	$6,203	N/A
3.10 TECHNICAL SPECIFICATIONS	N/A	2	$440	8	$1,440	32	$4,736	8	$1,160							5	$315			55	$8,091	N/A
3.11 PLAN CHECK PROCESSING (1 Submittal)	N/A			2	$360	4	$592					8	$920							14	$1,896	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																						
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	4	$720															6	$1,160	N/A
3.5 PROJECT DEV MEETINGS (1 Phase of Drawing)	N/A			4	$720	4	$592									1	$63			9	$1,375	N/A
Sub-Totals =	**16**	**8**	**$1,760**	**44**	**$7,920**	**132**	**$19,024**	**8**	**$1,160**	**142**	**$19,170**	**102**	**$11,730**			**11**	**$693**			**[illegible]**	**[illegible]**	**N/A**
DESIGN (PS&E) 95% COMPLETION																						
3.11 PLAN CHECK PROCESSING (1 Submittal)	N/A			2	$360	4	$592					8	$920							14	$1,896	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																						
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	4	$720															6	$1,160	N/A
3.5 PROJECT DEV MEETINGS (1 Phase of Drawing)	N/A			4	$720	4	$592									1	$63			9	$1,375	N/A
Sub-Totals =	**16**	**2**	**$440**	**8**	**$1,440**	**8**	**$1,184**					**8**	**$920**			**1**	**$63**			**[illegible]**	**[illegible]**	**N/A**
DESIGN (PS&E) 100% COMPLETION																						
3.11 PLAN CHECK PROCESSING (1 Submittal)	N/A			2	$360	4	$592					8	$920							14	$1,896	N/A

Item No. A.5

MV00159692

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FEE ESTIMATE

PROPOSAL TO THE CITY OF MORENO VALLEY

Alessandro Boulevard Median from Indian Street to Perris Boulevard

Prepared February 28, 2012
Revised 4.0 March 23, 2012
IN 50-108571

ANTICIPATED SCOPE OF WORK	No. of Sheets	Project Director	Technical Manager	Project Engineer	Senior Planner	Designer / Manager	CADD Designer / Drafter	Senior Clerical Staff	Clerical	Expenses	TOTAL HOURS	TOTAL FEE	HOURS / SHEET
		$220	$180	$148	$145	$135	$112	$245	$63				
1.0 PROJECT MANAGEMENT/ MEETINGS													
1.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	1 $220	4 $720								5	$940	N/A
1.2 PROJECT REVIEW MEETINGS (1 Meeting/month)	N/A		2 $360						1 $63		3	$423	N/A
Sub-Totals =	**14**	**1 $220**	**6 $1,080**	**2 $296**				**1 $245**	**1 $63**				**N/A**
PHASE: BIDDING													
3.12 QUESTION RESPONSE AT BIDDING	N/A		4 $720	4 $592					1 $63		9	$1,375	N/A
1.0 PROJECT MANAGEMENT													
1.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	1 $220	2 $360								3	$580	N/A
Sub-Totals =	**N/A**	**1 $220**	**6 $1,080**	**4 $592**					**1 $63**				**N/A**
Project Management (Additional Services)													
1.1a Additional Services	N/A		15 $2,700						1 $63		16	$2,763	N/A
Sub-Totals =	**N/A**		**15 $2,700**						**1 $63**				**N/A**
Task REIMBURSABLE EXPENSES (Mileage/Reports)												$1,120	
Total =	**17**	**2 $440**	**151 $27,720**	**111 $12,908**	**70 $10,150**	**104 $17,540**	**212 $23,816**	**24 $5,880**	**31 $1,953**				**N/A**
Percent of Total Fee =		0.5%	20.2%	15.9%	7.4%	20.1%	17.3%	4.3%	1.5%		100%		

Prepared by: Kimley-Horn and Associates, Inc.

Item No. A.5

MV00159693

SECTION H - Required Forms

DISCLOSURE OF LOBBYING ACTIVITIES

LIST OF SUBCONSULTANTS (DBE AND NON-DBE) PARTS I AND II

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

1. Type of Federal Action: ☐ a. Contract N/A b. Grant c. Cooperative agreement d. Loan e. Loan guarantee f. Loan insurance	**2. Status of Federal Action:** ☐ a. Bid/offer/application N/A b. Initial award c. Post-award	**3. Report Type:** ☐ a. Initial filing N/A b. Material change **For Material Change Only:** Year _____ Quarter_____ Date of last report _____
4. Name and Address of Reporting Entity: ☒ Prime ☐ Subawardee Tier_____, *if known* **Congressional District,** *if known:*	**5. If Reporting Entity in No. 4 is Subawardee. Enter Name and Address of Prime:** N/A **Congressional District,** *if known:*	
6. Federal Department/Agency: N/A	**7. Federal Program Name/Description:** N/A CFDA Number, *if applicable*_____	
8. Federal Action Number, *if known:* N/A	**9. Award Amount,** *if known:* N/A $	
10. Name and Address of Lobbying Entity N/A *(If individual, last name, first name, MI):*	**b. Individuals Performing Services** *(including address if different from No. 10a)* *(Last name, first name, MI):*	
11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	**Signature:** **Print Name:** Michael V. Valenza **Title:** Vice President of Finance **Telephone No.:** 949-855-5730 **Date:** 02-15-12	
Federal Use Only:	Authorized for Local Reproduction Standard Form – LLL (Rev. 7-97)	

Standard Form LLL Rev. 06-04-90
W:\CapProj\CapProj\BOILER\Consultant\RFP-Letter-Attachment\Boiler-RFP Attachment-Form LLL-OBE.doc

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART I

The proposer shall list all subconsultants (both DBE and non-DBE) in accordance with Title 49, Section 26.11 of the Code of Federal Regulations. The listing is required in addition to listing DBE subconsultants elsewhere in the proposal. **Photocopy this form for additional firms.**

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
Cogstone | *Paleontology-Archaeology-History*	Sherrie Gust, RPA, Principal	☐ < $1million	Cultural Resources in support of the Environmental Compliance	☐ YES
		☑ < $5 million		☐ NO
1518 West Taft Avenue	Ph: 714/974-8300	☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
Orange, CA 92865	Fax: 714/974-8303	☐ > $15 million		Age of Firm (Yrs.) 10

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Distribute: 1) Original – Local Agency File

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART II

The proposer shall list all subconsultants who provided a quote or bid but were not selected by the proposer to participate as a subconsultant on this project. This is required for compliance with Title 49, Section 26 of the Code of Federal Regulations. Photocopy this form for additional firms.

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
Not applicable.		☐ < $1 million ☐ < $5 million		☐ YES ☐ NO *If YES list DBE #*
		☐ < $10 million ☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1 million ☐ < $5 million		☐ YES ☐ NO *If YES list DBE #*
		☐ < $10 million ☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1 million ☐ < $5 million		☐ YES ☐ NO *If YES list DBE #*
		☐ < $10 million ☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1 million ☐ < $5 million		☐ YES ☐ NO *If YES list DBE #*
		☐ < $10 million ☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Distribute: 1) Original – Local Agency File

MV00159697

RBF CONSULTING
A Baker Company

14725 Alton Parkway
Irvine, CA 92618
949.472.3505

40810 County Center Drive, Suite 100
Temecula, CA 92591
951.676.8042

www.rbf.com
www.mbakercorp.com

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $137,027.00.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City upon completion of the defined milestones for progress payments along with documentation evidencing services completed to date. There will be no monthly invoice payments unless specifically identified otherwise below. These Milestones are:

    1. Report of Project Issues complete.
    2. Environmental Clearance obtained.
    3. "Phase 1, 35% Level Completion" is complete.
    4. "Phase 2, 65% Level Completion" is complete.
    5. "Phase 2, 95% Level Completion" is complete.
    6. "Phase 2, 100% Level Completion" is complete.
    7. Project Bidding on a monthly basis.
    8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's

EXHIBIT "D"

determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zarat@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees,

   late charges, or other penalties. The ACH Authorization Form is located at:

   http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

MORENO VALLEY
Alessandro Boulevard Median Improvemnts
from Indian Street to Perris Boulevard
Proposed Project Schedule
RBF CONSULTING

	Task Name	Duration	Start	Finish
1	PROJECT DESIGN SCHEDULE	437 days	Tue 4/24/12	Wed 12/25/13
2	PHASE: PLANNING, ENVIRONMENTAL, AND CONCEPT	114.5 days	Tue 4/24/12	Mon 10/1/12
3	Notice to Proceed	1 day	Tue 4/24/12	Tue 4/24/12
4	Project Kickoff Meeting	1 day	Wed 5/2/12	Wed 5/2/12
5	Research & Data Collection	3 wks	Thu 5/3/12	Wed 5/23/12
6	Site Visit & Review	1.5 wks	Thu 5/3/12	Mon 5/14/12
7	Topographic Survey	2 wks	Thu 5/24/12	Wed 6/6/12
8	Utility Notifications	10 wks	Thu 5/7/12	Wed 8/15/12
9	Utility Potholing	2 wks	Thu 8/16/12	Wed 8/29/12
10	Base Map Preparation	3 wks	Thu 6/7/12	Wed 6/27/12
11	Permit Engineering Evaluation Report (PEER) & Fact Sheet (Caltrans Approvals)	100 days	Mon 5/14/12	Mon 10/1/12
12	Environmental Review	4 wks	Mon 5/14/12	Mon 8/11/12
13	Caltrans Review, Revisions and Approvals	15 wks	Mon 8/11/12	Mon 10/1/12
14	Geometric Approval Drawings & Constraints Analysis	60 days	Thu 6/28/12	Wed 9/19/12
15	Develop Alignment & Reviews	4 wks	Thu 6/28/12	Wed 7/25/12
16	Final Precise Alignment & Reviews	4 wks	Thu 8/23/12	Wed 9/19/12
17	PHASE: DESIGN (PS&E)	50 days	Thu 9/20/12	Wed 11/28/12
18	Plans, Specifications and Estimates	50 days	Thu 9/20/12	Wed 11/28/12
19	Plan Set Preparation	4 wks	Thu 9/20/12	Wed 10/17/12
20	Cost Estimate	2 wks	Thu 11/1/12	Wed 11/14/12
21	Specifications	3 wks	Thu 10/25/12	Wed 11/14/12
22	Plan City Review & Revisions Processing	4 wks	Thu 10/18/12	Wed 11/14/12
23	Final Plans, Specifications and Estimates Complete	2 wks	Thu 11/15/12	Wed 11/28/12
24	PHASE: CONSTRUCTION	100 days	Thu 8/8/13	Wed 12/25/13
25	Construction Support	5 mons	Thu 8/8/13	Wed 12/25/13

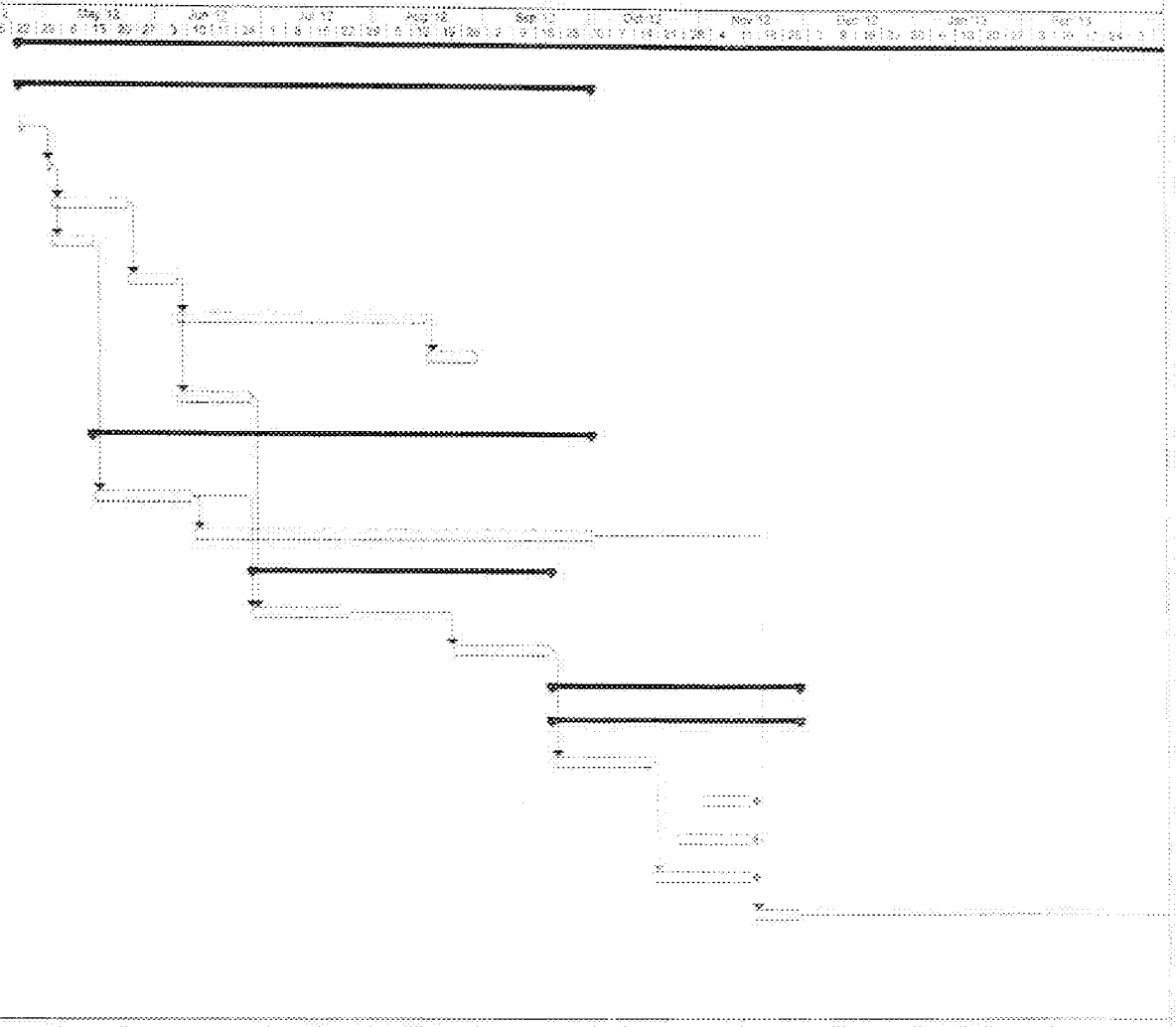

Project: Project Schedule.mpp
Date: Thu 8/30/12
Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Split

C:\Documents and Settings\DANGERS\Desktop\Project Schedule.mpp

Exhibit "E"

Item No. A.5

Exhibit 10-F Certification of Consultant, Commissions & Fees

CERTIFICATION OF CONSULTANT

I HEREBY CERTIFY that I am the _____, and duly authorized representative of the firm of _____, whose address is _____, and that, except as hereby expressly stated, neither I nor the above firm that I represent have:

(a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit or secure this agreement; nor

(b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the agreement; nor

(c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind, foror in connection with, procuring or carrying out this agreement.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this agreement involving participation of Federal-aid Highway funds, and is subject to applicable state and federal laws, both criminal and civil.

_____ (Date)

_____ (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

Exhibit "F"

Item No. A.5

Exhibit 10-G Certification of Local Agency

CERTIFICATION OF LOCAL AGENCY

I HEREBY CERTIFY that I am the _____ of the _____ (local agency) _____, and that the consulting firm of _____, or its representative has not been required (except as herein expressly stated), directly or indirectly, as an express or implied condition in connection with obtaining or carrying out this Agreement to:

(a) employ, retain, agree to employ or retain, any firm or person, or

(b) pay or agree to pay, to any firm, person or organization, any fee, contribution, donation, or consideration of any kind.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this Agreement involving participation of federal-aid highway funds, and is subject to applicable state and federal laws, both criminal and civil.

_____ (Date)

_____ (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

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MV00159705

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director / City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO RASMUSSEN BROTHERS CONSTRUCTION, INC. FOR THE MORENO VALLEY POLICE DEPARTMENT TRAFFIC DIVISION OFFICE RENOVATION PROJECT NO. 11-50182328

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation.

2. Authorize the City Manager to execute a contract with RBC in the form attached hereto.

3. Authorize the issuance of a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780.

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project.

BACKGROUND

On June 14, 2011, the City Council adopted the Fiscal Year 2011/2012 Capital Improvement Plan. Under this plan, $600,000 was allocated for the reconfiguration of the old Emergency Operations Center for the design and construction of relocation and expansion of the City's Police Traffic Division.

On October 19, 2011, the Financial and Administrative Service's Director executed an agreement with TR Design Group Architecture for Professional Consultant Design Services for Moreno Valley Police Department Traffic Division Office Renovation. The design phase was completed in February 2012 and advertised for construction bids on February 16, 2012.

DISCUSSION

In November 2010, the City completed the construction of a new Emergency Operations Center (EOC) building adjacent to the Public Safety Building (PSB). The previous EOC space in the PSB was left vacant. The Moreno Valley Police Department Traffic Division needed more space and therefore it was decided that the area left vacant by the EOC would be renovated to accommodate the Traffic Division's needs.

The project includes the demolition of the existing interior partitions, construction of new partitions, removal and modification to the existing acoustical tile ceilings and installation of new tile ceilings, demolition of the existing split system HVAC unit, removal and replacement of a fan-coil unit above the existing ceiling and a condenser unit on the roof, new ductwork and piping, and retrofit of existing supply and return ductwork in the space. Renovations to be completed also include removal and relocation of existing base and wall cabinetry, removal of kitchen cabinets and fabrication of new cabinets, and electrical demolition and rough and finish electrical construction. The renovated space will be re-carpeted and re-painted as well.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m. on March 19, 2012, for the subject project. The eight (8) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Rasmussen Brothers Construction, Inc.**	**$138,892**
2.	Avi-Con, Inc. dba CA Construction	$177,000
3.	Blair Rasmussen Construction, Inc.	$179,000
4.	De La Riva Construction, Inc.	$188,090
5.	DLE Construction, Inc.	$190,000
6.	Dalke & Sons Construction, Inc.	$195,480
7.	Dennis Patrick Contracting	$230,000
8.	MDE Group, Inc.	$249,900

Staff has reviewed the bid by Rasmussen Brothers Construction, Inc. (RBC) and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by RBC.

ALTERNATIVES

1. Award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation, authorize the City Manager to execute a contract with RBC in the form attached hereto, authorize the issuance a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780, and authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project. *This alternative will allow for much needed improvements.*

2. Do not award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation. authorize the City Manager to execute a contract with RBC in the form attached hereto, authorize the issuance a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780, and authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project.*This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The design and construction of the Moreno Valley Police Department Traffic Division Office Renovation project is included in the adopted Fiscal Year 2011/2012 Capital Improvement Project as part of the Public Safety Building Phase II. The project is funded by Fund 501 (2005 Lease Revenue Bonds). These funds have been allocated for the Moreno Valley Police Department Traffic Division Office Renovation project and cannot be utilized for operational activities. There is no impact on the General Fund.

BUDGETED PROJECT FUNDS:
Public Safety Building Conversion
FY 2011/2012 Budget (Account No. 501.82328) $600,000

ESTIMATED PROJECT RELATED COSTS:

Architectural Design & Construction Support Services	$60,000
Construction Costs*	$167,000
Partitions and Furniture	$150,000
Riverside County IT Installation	$40,000
Construction Management & Inspection	$80,000
Moving and Logistics Cost	$20,000
Project Administration**	$20,000
Total Estimated Project Related Costs	**$537,000**

* Includes 20% contingency
** Includes project management, advertising, printing, and other miscellaneous costs.

ANTICIPATED PROJECT SCHEDULE:

Notice of Award	April 2012
Start Construction	May 2012
Complete Construction	July 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

This project will renovate the existing unused space in the Public Safety Building to allow for better functionality of the City's Police Department Traffic Division. Staff recommends awarding the contract to Rasmussen Brothers Construction, Inc. and authorizing the issuance of a purchase order in the amount of $166,672, inclusive of a 20% contingency when the agreement has been signed by all parties.

ATTACHMENTS

Attachment "A" – Contract Agreement

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director / Assistant City Engineer

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director / City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00159711

Agreement No._____

AGREEMENT

PROJECT NO. 11-50182328

MORENO VALLEY POLICE DEPARTMENT
TRAFFIC DIVISION OFFICE RENOVATION

THIS Agreement, effective as of the date signed by the City of Moreno by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Rasmussen Brothers Construction, Inc.**, hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. CONTRACT DOCUMENTS. The Contract Documents consist of the following, which are incorporated herein by this reference:

A. Governmental approvals, including, but not limited to, permits required for the Work
B. Any and all Contract Change Orders issued after execution of this Agreement
C. This Agreement
D. Addenda Nos. __1_____ inclusive, issued prior to the opening of the Bids
E. City Special Provisions, including the General Provisions and Technical Provisions
F. Standard Specifications for Public Works Construction ("Greenbook") – latest edition in effect at the Bid Deadline, as modified by the City Special Provisions
G. Reference Specifications/Reference Documents
H. Project Plans
I. City Standard Plans
J. The bound Bidding Documents
K. Contractor's Certificates of Insurance and Additional Insured Endorsements
L. Contractor's Bidder's Proposal and Subcontractor Listing

In the event of conflict between any of the Contract Documents, the provisions placing a more stringent requirement on the Contractor shall prevail. The Contractor shall provide the better quality or greater quantity of Work and/or materials unless otherwise directed by City in writing. In the event none of the Contract Documents place a more stringent requirement or greater burden on the Contractor, the controlling provision shall be that which is found in the document with higher precedence in accordance with the above order of precedence.

2. REFERENCE DOCUMENTS. The following Reference Documents are not considered Contract Documents and were provided to the Contractor for informational purposes:

A. None

3. SCOPE OF WORK. The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract Documents, except as otherwise provided in the Plans, Standard Specifications, or City Special Provisions to be the responsibility of others.

ATTACHMENT "A"

4. PAYMENT.

4.1. **Contract Price and Basis for Payment**. In consideration for the Contractor's full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items and Alternate Bid Items, if any, set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items and Alternate Bid Items, if any, awarded by the City is One Hundred Thirty Eight Thousand Eight Hundred and Ninety-Two Dollars ($138,892) ("Contract Price"). It is understood and agreed that the quantities set forth in the Bidder's Proposal for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of work, the unit prices set forth in the Bidder's Proposal multiplied by the actual number of units performed, constructed, or completed as directed by the City Engineer.

4.2. **Payment Procedures**. Based upon applications for payment submitted by the Contractor to the City, the City shall make payments to the Contractor in accordance with Article 9 of the Standard Specifications, as modified by Article 9 of the City Special Provisions.

5. CONTRACT TIME.

A. Initial Notice to Proceed. After the Agreement has been fully executed by the Contractor and the City, the City shall issue the "Notice to Proceed to Fulfill Preconstruction Requirements." The date specified in the Notice to Proceed to Fulfill Preconstruction Requirements constitutes the date of commencement of the Contract Time of Seventy **(70) Working Days**. The Contract Time includes the time necessary to fulfill preconstruction requirements, and to complete construction of the Project (except as adjusted by subsequent Change Orders).

The Notice to Proceed to Fulfill Preconstruction shall further specify that Contractor must complete the preconstruction requirements within twenty **(20) Working Days** after the date of commencement of the Contract Time; this duration is part of the Contract Time.

Critical preconstruction requirements include, but are not limited to, the following:

- Submitting and obtaining approval of critical required submittals/ deferred submittals
- Installation of the approved Project Identification Signs
- Obtaining Building Permit and other Deferred Permits
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Bidding Documents
- Completion of all pre-construction activities.

If the City's issuance of a Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials is delayed due to Contractor's failure to return the fully executed Agreement and insurance and bond documents within ten (10) Working Days after Contract award, then Contractor agrees to the deduction of one (1) Working Day from the number of days to complete the Project for every Working Day of delay in the City's receipt of said documents. This right is in addition to and does not affect the City's right to demand forfeiture of Contractor's Bid Security of Contractor persistently delays in providing the required documentation.

B. Notice to Proceed with Construction. After all preconstruction requirements are met in accordance with the Notice to Proceed to Fulfill Preconstruction Requirements, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor shall diligently

prosecute the Work, including corrective items of Work, day to day thereafter, within the remaining Contract Time.

6. LIQUIDATED DAMAGES

6.1. **Liquidated Damages.** The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to fulfill the preconstruction requirements, and/or failure to complete the Work within the Contract Time. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadline for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to fulfill the preconstruction requirements and/or fails to complete the Work within the Contract Time, Contractor agrees to pay the City **$500.00 per Calendar day** that completion of the Work is delayed beyond the Contract Time, as adjusted by Contract Change Orders. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

The Contractor and City acknowledge and agree that the foregoing liquidated damages have been set based on an evaluation of damages that the City will incur in the event of late completion of the Work. The Contractor and City acknowledge and agree that the amount of such damages are impossible to ascertain as of the date of execution hereof and have agreed to such liquidated damages to fix the City's damages and to avoid later disputes. It is understood and agreed by Contractor that liquidated damages payable pursuant to this Agreement are not a penalty and that such amounts are not manifestly unreasonable under the circumstances existing as of the date of execution of this Agreement.

It is further mutually agreed that the City will have the right to deduct liquidated damages against progress payments or retainage and that the City will issue a Change Order or Construction Change Directive and reduce the Contract Price accordingly. In the event the remaining unpaid Contract Price is insufficient to cover the full amount of liquidated damages, Contractor shall pay the difference to the City.

6.2. **Owner is Exempt from Liability for Early Completion Delay Damages**. While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-6 of the Standard Specifications and City Special Provisions regarding compensation for delays.

7. INSURANCE.

7.1. **General**. The Contractor shall procure and maintain at its sole expense and throughout the term of this Agreement, any extension thereof, Commercial General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described herein.

7.2. **Additional Insured Endorsements**. The Contractor shall cause the insurance required by the Contract Document to include the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives as an additional insureds. For the Commercial General Liability coverage, said parties shall be named as additional insureds utilizing either:

1. Insurance Services Office ("ISO") Additional Insured endorsement CG 20 10 (11/85); or

2. ISO Additional Insured endorsement CG 20 10 (10/01) and Additional Insured Completed Operations endorsement CG 20 37 (10/01); or

3. substitute endorsements providing equivalent coverage, approved by the City.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The coverage shall contain no special limitations on the scope of protection afforded to such additional insureds. Coverage for such additional insureds does not extend to liability to the extent prohibited by Insurance Code Section 11580.4.

7.3. **Waivers of Subrogation**. All policies of insurance required by the Contract Documents shall include or be endorsed to provide a waiver by the insurers of any rights of recovery or subrogation that the insurers may have at any time against the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives.

7.4. **Primary Coverage**. All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

7.5. **Coverage Applies Separately to Each Insured and Additional Insured**. Coverage shall state that the Contractor's (and its Subcontractors') insurance shall apply separately to each insured or additional insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Coverage shall apply to any claim or suit brought by an additional insured against a named insured or other insured.

7.6. **Self-Insurance**. Any self-insurance (including deductibles or self-insured retention in excess of $50,000) in lieu of liability insurance must be declared by Contractor and approved by the City in writing prior to execution of the Agreement. The City's approval of self-insurance, if any, is within the City's sole discretion and is subject to the following conditions:

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions, maintain and upon Owner's reasonable request provide evidence of:

   (a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property and equipment and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;

   (b) financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill; and

   (c) a claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.

2. If at any time after such self-insurance has been approved Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:

   (a) the Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or

   (b) the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or

   (c) the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

7.7. **Insurer Financial Rating**. Insurance companies providing insurance hereunder shall be rated A-:VII or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

7.8. **Notices to City of Cancellation or Changes**. Each insurance policy described in this Paragraph 7 shall contain a provision or be endorsed to state that coverage will not be cancelled without **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be

provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

7.9. **Commercial General Liability**. Coverage shall be written on an ISO Commercial General Liability "occurrence" form CG 00 01 (10/01 or later edition) or equivalent form approved by the City for coverage on an occurrence basis. The insurance shall cover liability, including, but not limited to, that arising from premises operations, stop gap liability, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The policy shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 (11/85). Coverage shall contain no contractors' limitation or other endorsement limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground (x, c, u) property damage. Contractor shall provide Products/Completed Operations coverage to be maintained continuously for a minimum of **one (1) year** after Final Acceptance of the Work, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: $1,000,000 per occurrence / $2,000,000 aggregate / $2,000,000 products-completed operations.

7.10. **Business Automobile Liability**. Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with $1,000,000 combined single limit per accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.11. **Workers' Compensation**. Contractor shall comply with the applicable sections of the California Labor Code concerning workers' compensation for injuries on the job. Compliance is accomplished in one of the following manners:

1. Provide copy of permissive self-insurance certificate approved by the State of California; or
2. Secure and maintain in force a policy of workers' compensation insurance with statutory limits and Employer's Liability Insurance with a minimal limit of **$1,000,000** per accident; or
3. Provide a "waiver" form certifying that no employees subject to the Labor Code's Workers' Compensation provision will be used in performance of this Contract.

7.12. **Subcontractors' Insurance**. The Contractor shall include all Subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to all of the requirements stated herein.

8. BONDS. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be

furnished as a guarantee of the faithful performance of the requirements of the Contact Documents as may be amended from time to time, including, but not limited to, liability for delays and damages (both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the Satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments hall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

Contractor agrees that the Labor and Materials Payment Bond and the Performance Bond attached to this Agreement are for reference purposes only, and shall not be considered part of this Agreement. Contractor further agrees that said bonds are separate obligations of the Contractor and its surety, and that any attorneys' fee provision contained in any payment bond or performance bond shall not apply to this Agreement. In the event there is any litigation between the parties arising from the breach of this Agreement, each party will bear its own attorneys' fees in the litigation.

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records

shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for at least three (3) years after Final Acceptance.

10. INDEMNIFICATION.

10.1. **General**. To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold harmless and defend (even if the allegations are false, fraudulent, or groundless), the City of Moreno Valley, its City Council, and the Moreno Valley Community Services District (CSD), and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

A. Any activity on or use of the City's premises or facilities;
B. Any liability incurred due to Contractor acting outside the scope of its authority pursuant to the Contract, whether or not caused in part by an Indemnified Party;
C. The failure of Contractor or the Work to comply with any Applicable Law, permit or orders;
D. Any misrepresentation, misstatement or omission with respect to any statement made in the Contract Documents or any document furnished by the Contractor in connection therewith;
E. Any breach of any duty, obligation or requirement under the Contract Documents, including, but not limited to any breach of Contractor's warranties, representations or agreements set forth in the Contract Documents;
F. Any failure to coordinate the Work with City's Separate Contractors;
G. Any failure to provide notice to any party as required under the Contract Documents;
H. Any failure to act in such a manner as to protect the Project from loss, cost, expense or liability;
I. Bodily or personal injury, emotional injury, sickness or disease, or death at any time to any persons including without limitation employees of Contractor;
J. Damage or injury to real property or personal property, equipment and materials (including, but without limitation, property under the care and custody of the Contractor or the City) sustained by any person or persons (including, but not limited to, companies, corporations, utility company or property owner, Contractor and its employees or agents, and members of the general public);
K. Any liability imposed by Applicable Law including, but not limited to criminal or civil fines or penalties;

L. Any dangerous, hazardous, unsafe or defective condition of, in or on the Site, of any nature whatsoever, which may exist by reason of any act, omission, neglect, or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors;

M. Any operation conducted upon or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors under or pursuant to the provisions of the Contract or otherwise;

N. Any acts, errors, omission or negligence of Contractor, its officers, agents, employees, or Subcontractors;

O. Infringement of any patent rights, licenses, copyrights or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and

P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence**. Contractor's obligations to indemnify and hold the Indemnitees harmless **exclude** only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph 11. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

10.3. **Independent Defense Obligation.** The duty of the Contractor to indemnify and hold harmless the Indemnitees includes the separate and independent duty to defend the Indemnitees, which duty arises immediately upon receipt by Contractor of the tender of any Indemnity Claim from an Indemnitee. The Contractor's obligation to defend the Indemnitee(s) shall be at Contractor's sole expense, and not be excused because of the Contractor's inability to evaluate liability or because the Contractor evaluates liability and determines that the Contractor is not liable. This duty to defend shall apply whether or not an Indemnity Claim has merit or is meritless, or which involves claims or allegations that any or all of the Indemnitees were actively, passively, or concurrently negligent, or which otherwise asserts that the Indemnitees are responsible, in whole or in part, for any Indemnity Claim. The Contractor shall respond within thirty (30) Calendar Days to the tender of any Indemnity Claim for defense and/or indemnity by an Indemnitee, unless the Indemnitee agrees in writing to an extension of this time. The defense provided to the Indemnitees by Contractor shall be by well qualified, adequately insured and experienced legal counsel acceptable to the City.

10.4. **Intent of Parties Regarding Scope of Indemnity.** It is the intent of the parties that the Contractor and its Subcontractors of all tiers shall provide the Indemnitees with the broadest defense and indemnity permitted by Applicable Law. In the event that any of the defense, indemnity or hold harmless provisions in the Contract Documents are found to be ambiguous, or in conflict with one another, it is the parties' intent that the broadest and most expansive interpretation in favor of providing defense and/or indemnity to the Indemnitees be given effect.

10.5. **Waiver of Indemnity Rights Against Indemnitees.** With respect to third party claims against the Contractor, to the fullest extent permitted by law, the Contractor waives any and all rights to any type of express or implied indemnity against the Indemnitees.

10.6. **Subcontractor Requirements.** In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Paragraph 11.

10.7. **No Limitation or Waiver of Rights.** Contractor's obligations under this Paragraph 11 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Paragraph 11 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Paragraph 11 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

10.8. **Withholding to Secure Obligations.** In the event an Indemnity Claim arises prior to final payment to Contractor, the City may, in its sole discretion, reserve, retain or apply any monies due Contractor for the purpose of resolving such Indemnity Claims; provided, however, the City may release such funds if the Contractor provides the City with reasonable assurances of protection of the Indemnitees' interests. The City shall, in its sole discretion, determine whether such assurances are reasonable.

10.9. **Survival of Indemnity Obligations.** Contractor's obligations under this Paragraph 11 are binding on Contractor's and its Subcontractors' successors, heirs and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

11. SUCCESSORS AND ASSIGNS. The Parties bind themselves, their heirs, executors, administrators, successors and assigns the covenants, agreements and obligations contained in the Contract Documents. The Contractor shall not, either voluntarily or by action of law, assign any right or obligation of the Contractor under the Contract Documents without prior written consent of the City.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY:_____
City Manager

DATE:_____

Rasmussen Brothers Construction, Inc.

License No./
Classification:_____

Expiration Date:_____

Federal I.D. No.:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer
(if contract exceeds $15,000)

_____
Date

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

Signature(s) must be accompanied by a completed notary certificate of acknowledgement attached hereto. A general partner must sign on behalf of a partnership. **Two (2)** corporate officers must sign on behalf of a corporation unless the corporation has a corporate resolution that allows one person to sign on behalf of the corporation; if applicable, said resolution must be attached hereto. The corporate seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Price)

PROJECT NO. 11-50182328

MORENO VALLEY POLICE DEPARTRMENT
TRAFFIC DIVISION OFFICE RENOVATION

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Rasmussen Brothers Construction, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Project No. 11-50182328**, and all Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Documents and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents or to the Work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California
County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

Item No. A.6

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 11-50182328

MORENO VALLEY POLICE DEPARTMENT
TRAFFIC DIVISION OFFICE RENOVATION

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Rasmussen Brothers Construction, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Project No. 11-50182328**, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director / City Engineer

AGENDA DATE: April 10, 2012

TITLE: AGREEMENT FOR THE REIMBURSEMENT OF TRANSPORTATION UNIFORM MITIGATION FEE FUNDS BETWEEN RIVERSIDE COUNTY TRANSPORTATION COMMISSION AND THE CITY OF MORENO VALLEY FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE PROJECT NO. 11-41570125

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project.

2. Authorize the City Manager to execute the Agreement between RCTC and the City of Moreno Valley in the form attached hereto.

3. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the TUMF Agreement between RCTC and the City of Moreno Valley for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, subject to the approval of the City Attorney.

4. Reappropriate $262,000 from Account No. 415.70225 (Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue) to Account No. 415.70125 (Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue).

5. Authorize the revenue and expense budgets in the TUMF Capital Projects Fund (Fund 415) for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral

"B" to Cactus Avenue project in the amounts of $5,110,000, respectively, upon approval of the agreement for the reimbursement of TUMF funds between RCTC and the City of Moreno Valley.

BACKGROUND

At the August 22, 2006 City Council meeting, the City and RCTC entered into the Agreement for the Funding of TUMF Regional Arterial Improvements with the City of Moreno Valley for the Project Approvals & Environmental Document (PA&ED) and Plans, Specifications, & Estimate (PS&E) phases of the Perris Boulevard Widening from Ramona Expressway to Cactus Avenue, Project 5106 (TUMF Agreement).

The project, as set forth in the TUMF Agreement, originally encompassed Perris Boulevard from Ramona Expressway to Cactus Avenue. On March 11, 2008, City Council approved The First Amendment to the TUMF Agreement that changed the project limits and reduced the funding amount, resulting in project limits located fully within City of Moreno Valley City boundaries. Pursuant to the First Amendment, the project boundaries and description changed to "Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue, Project 5106".

The Second Amendment to the TUMF Agreement for the inclusion of reimbursement for the Right of Way phase was approved by City Council at its meeting on November 10, 2009. The existing TUMF Agreement and two subsequent amendments did not include funds for the Construction phase.

DISCUSSION

Perris Boulevard is an existing partially improved north/south arterial street between the limits of Perris Valley Storm Drain Lateral "B" (Southerly City Limits) and Cactus Avenue in the City of Moreno Valley. The existing improvements, which vary in width, consist of a two-lane road with shoulders in some areas to other areas that are fully built out. This project is to widen and improve Perris Boulevard within the project limits to an arterial street standard with a curb-to-curb width of 86 feet (86') within a 110 feet (110') right of way. The proposed improvements will include curb, gutter, sidewalk, pavement, traffic signal modifications, streetlight relocations, utility relocations, signing and striping, and related road improvements. Additionally, right of way acquisition was acquired in areas where the ultimate street right of way had not been previously obtained.

The City has two TUMF Regional Arterial Improvement projects ready for construction that both realized substantial savings during the pre-construction phases: Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue ($1.25 million in savings) and Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue ($415,000 in savings). City staff met with RCTC staff to discuss constructing both projects using TUMF funds. It was determined, however, that there were not sufficient TUMF funds available to construct both projects. After further discussion between City staff and RCTC, RCTC agreed to support programming an additional $4

million to supplement the above savings for a total of $5,665,000 of funding for the Construction phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project. The construction of the Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue project would be placed on hold until funding is available and approximately $262,000 in TUMF funds of its remaining FY 2011/2012 budget are proposed to be reappropriated to the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project.

On March 14, 2012, the RCTC Board of Commissioners voted to carry over approximately $1.25 million in savings from the Design and Right of Way phases of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, plus $415,000 in savings from the Design and Right of Way phases of the Perris Boulevard from Ironwood Avenue to Manzanita Avenue project, plus $4 million in new obligations. RCTC has prepared a new Agreement for the Construction Phase (Agreement No. 12-72-059-00) and designated a maximum amount of $5,665,000 of TUMF funds for this phase. There is no requirement for local agency match for this Agreement and all project expenditures are anticipated to be reimbursable; however, existing DIF funds in the project budget may be used to cover minor administrative and ancillary expenses that may not be eligible for reimbursement by TUMF funds.

ALTERNATIVES

1. Accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project; authorize the City Manager to execute the Agreement between RCTC and the City of Moreno Valley in the form attached hereto; authorize the Public Works Director/City Engineer to execute any subsequent amendments to the TUMF Agreement between RCTC and the City of Moreno Valley for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, subject to the approval of the City Attorney; reappropriate $262,000 from Account No. 415.70225 (Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue) to Account No. 415.70125 (Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue); and authorize the revenue and expense budgets in the TUMF Capital Projects Fund (Fund 415) for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project in the amounts of $5,110,000, respectively, upon approval of the agreement for the reimbursement of TUMF funds between RCTC and the City of Moreno Valley. *This alternative will allow for the construction of needed improvements.*

2. Do not accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus

Avenue project. *This alternative will result in not accepting $5,665,000 in TUMF funds from RCTC and delay the construction of needed improvements.*

FISCAL IMPACT

The City's current FY 2011/2012 budget includes approximately $293,000 available in TUMF Account No. 415.70125 and approximately $80,000 available in Developer Impact Fee Arterial Streets Capital Projects (DIF) Account No. 416.78526 for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project. The City's current FY 2011/2012 budget also includes approximately $262,000 available for reappropriation from the Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue project (Account No. 415.70225) to the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project (Account No. 415.70125). Staff requests a new appropriation of $5,110,000 in TUMF funds to Account No. 415.70125. Altogether, total TUMF funding for this project is $5,665,000. TUMF funding will pay for the Construction phase of this project, although there are some minor administrative and ancillary expenses that may be paid by DIF funds. Approving this Agreement has no impact on the City's General Fund.

AVAILABLE AND PROPOSED REVENUE FUNDS

Available Budgeted TUMF Revenue (RCTC Reimb-415.4150.4660) $555,000
Additional Appropriation of TUMF Revenue (RCTC Reimb-415.4150.4660) .. $5,110.000
Available Budgeted DIF Revenue (416.4160.4701) $80,000
Available and Proposed Revenue Funds $5,745,000

AVAILABLE AND PROPOSED EXPENDITURE FUNDS:

Available Budgeted TUMF Funds Perris Boulevard Widening / Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Acct. No. 415.70125) $293,000
Appropriation of TUMF Funds Perris Boulevard Widening / Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Acct. No. 415.70125) $5,110,000
Reappropriation of Budgeted TUMF Funds Perris Boulevard / Ironwood Avenue to Manzanita Avenue (Acct. No. 415.70225) $262,000
Available Budgeted DIF Funds Perris Boulevard Widening / Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Acct. No. 416.78526) $80,000
Available and Proposed Expenditure Funds $5,745,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction..... $60,000
Contractor Construction Costs (includes 20% contingency)..... $5,130,000
Construction Geotechnical Services..... $105,000
Construction Survey Services $110,000
Project Management and City Inspection..... $240,000
Administrative and Miscellaneous $100,000
Total Estimated Construction Related Costs $5,745,000

ANTICIPATED SCHEDULE:
Advertise / Bid / Award ..... April 2012 to June 2012
Construction ..... July 2012 to April 2013

CITY COUNCIL GOALS

ADVOCACY:
Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Approval of the TUMF Agreement will allow RCTC to obligate funds in the amount of $5,665,000 for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project. The City will then proceed with the advertisement, bid, award, and construction process and subsequently submit statements to RCTC for reimbursement.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement for the Funding of TUMF Regional Arterial Improvements with the City of Moreno Valley

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

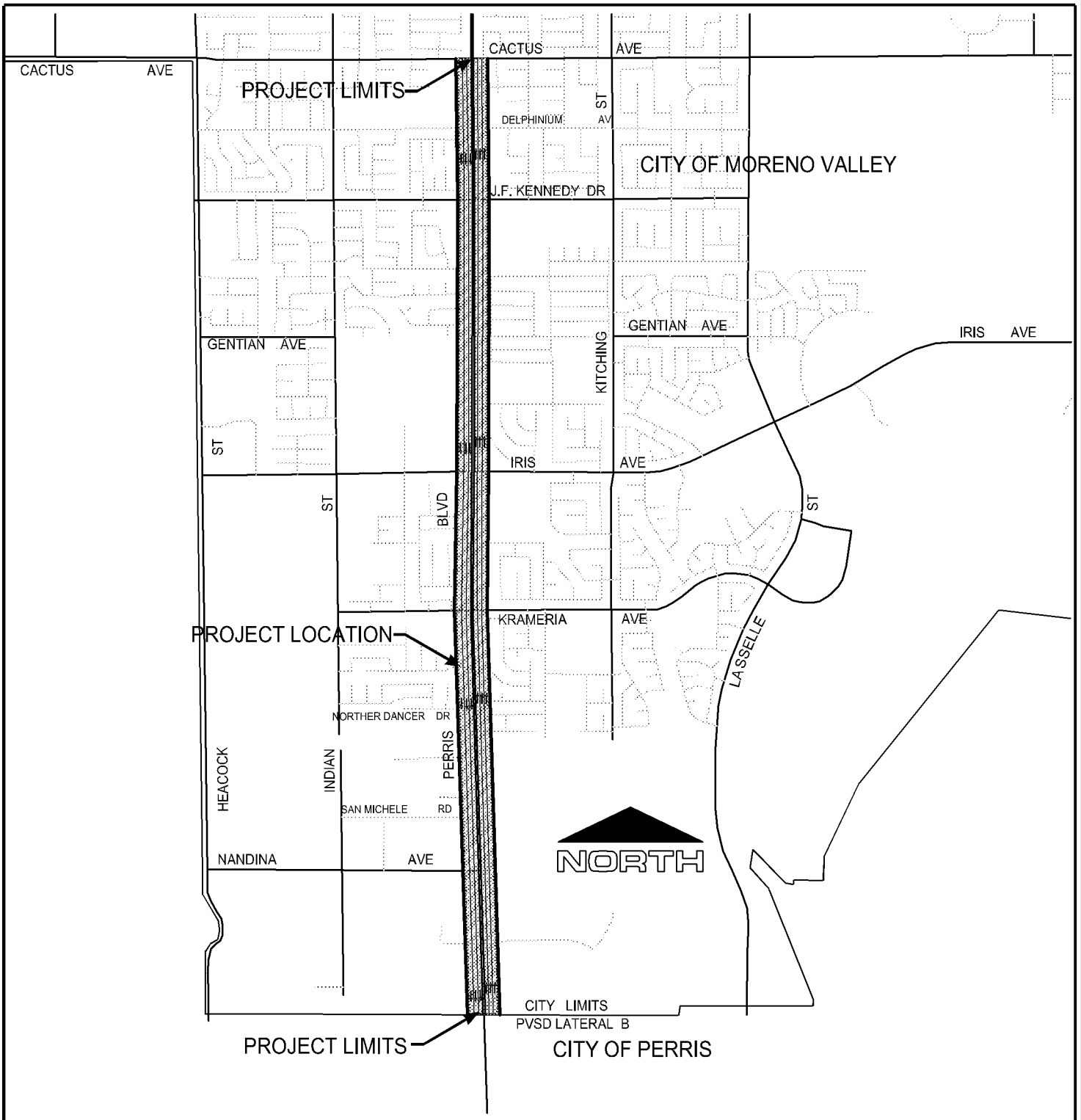

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: Not to scale

ATTACHMENT "A"

PERRIS BOULEVARD WIDENING
FROM
PVSD LATERAL "B" TO CACTUS AVE.

Date: 26 Oct 09 – 10:22 am
File: W:\CapProj\CapProj\PROJECTS\Larry – 11-41570125 Perris Blvd. from PVSD Lateral B to Cactus Ave\Design Phase\Auto CAD\Perris Widening from Cactus to PVSD Lat B Location Map for RCTC.dwg
User: deepaks

Item No. A.7

MV00159736

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MV00159737

AGREEMENT FOR THE FUNDING OF TUMF REGIONAL ARTERIAL IMPROVEMENTS WITH THE CITY OF MOREVO VALLEY FOR THE PERRIS BOULEVARD WIDENING FROM CACTUS AVE TO PVSD LATERAL "B" PROJECT 5106

1. Parties and Date.

1.1 This Agreement is executed and entered into this ___ day of _____, 2012, by and between the RIVERSIDE COUNTY TRANSPORTATION COMMISSION ("RCTC") and the **CITY OF MORENO VALLEY** ("City"). RCTC and City are sometimes collectively referred to herein as the "Parties".

2. Recitals.

2.1 RCTC is a county transportation commission created and existing pursuant to California Public Utilities Code Sections 130053 and 130053.5.

2.2 On November 5, 2002 the voters of Riverside County approved Measure A authorizing the collection of a one-half percent (1/2%) retail transactions and use tax to fund transportation programs and improvements within the County of Riverside, and adopting the Riverside County Transportation Improvement Plan (the "Plan").

2.3 The Plan requires cities and the County in western Riverside County to participate in a Transportation Uniform Mitigation Fee ("TUMF") Program to be eligible to receive Local Streets and Roads funds generated by Measure A.

2.4 The Plan further requires that the first $400 million in revenues from TUMF be made available to RCTC to fund equally the Regional Arterial System and development of New Transportation Corridors identified through the Community and Environmental Transportation Acceptability Process ("CETAP"). To receive TUMF funding, CETAP corridors must also be designated on the Regional System of Highways and Arterials as established in the TUMF Nexus Study, as last amended in October 2009, and as may be amended in the future.

2.5 The Western Riverside Council of Governments ("WRCOG") has been selected to administer the overall TUMF Program pursuant to applicable state laws including Government Code Sections 66000 *et seq.* and has entered into a Memorandum of Understanding ("MOU") with RCTC dated July 10, 2003 regarding the allocation of the $400 million in TUMF Regional Funds to be made available to RCTC for programming.

ATTACHMENT "B"

2.6 RCTC issued to the cities and the County a "Call for Projects" to be funded with TUMF Regional funds, and in response to the Project Nomination Forms, took action on September 8, 2004 to adopt a five year TUMF Regional Arterial Program which identifies the projects and the maximum funding commitments awarded for specific phases of work. RCTC's TUMF Regional Arterial Program may be updated from time to time.

2.7 RCTC intends, by this Agreement, to distribute TUMF Regional Funds, subject to the conditions provided herein, and to participate in the joint development of the Project, as defined herein.

3. Terms.

3.1 Description of Work. This Agreement is intended to distribute TUMF Regional Funds to the City for the construction of the Perris Boulevard Widening from Cactus Avenue to the Perris Valley Storm Drain Lateral "B" (the "Work"). The Work, including a timetable and a detailed scope of work, is more fully described in Exhibit "A" attached hereto and, pursuant to Section 3.15 below, is subject to modification as requested by the City and approved by RCTC. The Work shall be consistent with one or more of the defined RCTC Call for Projects phases detailed herein as follows:

1) PA&ED – Project Approvals & Environmental Document
2) PS&E – Plans, Specifications and Estimates
3) R/W – Right of Way Acquisition and Utility Relocation
4) CONS – Construction

The Work phase(s) funded pursuant to this Agreement shall be consistent with the City's Call for Projects Nomination Form submitted to the RCTC ("the Project") and as approved by the RCTC on September 8, 2004. The Project is more fully described in Exhibit "B" attached hereto. It is understood and agreed that the City shall expend TUMF Regional Funds only as set forth in this Agreement and only for the Work. To this end, any use of funds provided pursuant to this Agreement shall be subject to the review and approval of RCTC.

3.2 RCTC Funding Amount. RCTC hereby agrees to distribute to the City, on the terms and conditions set forth herein, a sum not to exceed **Five Million Six Hundred and Sixty Five Thousand dollars and no cents ($ 5,665,000.00)**, to be used exclusively for reimbursing the City for eligible Work expenses as described herein ("Funding Amount"). The City acknowledges and agrees that the Funding Amount may be less than the actual cost of the Work, and that RCTC shall not contribute TUMF Regional Funds in excess of the maximum TUMF share for the phase/project identified in Appendix F of the TUMF Nexus Study.

3.2.1 Eligible Work Costs. The total Work costs ("Total Work Cost") may include the following items, provided that such items are included in the scope of work attached as Exhibit "A": (1) City and/or consultant costs associated with direct Work coordination and support; (2) funds expended in preparation of preliminary engineering studies; (3) funds expended for preparation of environmental review documentation for the Work; (4) all costs associated with right-of-way

acquisition, including right-of-way engineering, appraisal, acquisition, legal costs for condemnation procedures if authorized by the City, and costs of reviewing appraisals and offers for property acquisition; (5) costs reasonably incurred if condemnation proceeds; (6) costs incurred in the preparation of plans, specifications, and estimates by City or consultants; (7) City costs associated with bidding, advertising and awarding of the Work contracts; (8) construction costs, including change orders to construction contract approved by the City; and (9) construction management, field inspection and material testing costs.

3.2.1.1 Right-of-Way Acquisition. The Parties acknowledge that in order to protect the City's ability to deliver the Project in a timely cost effective manner, the City may purchase parcels of property in advance of the completion of the Project's final design (PS&E). The Parties acknowledge that acquired parcels or remnants purchased in advance of final design may not ultimately be required for the Project. Upon completion of the Project's final design, the City shall provide RCTC with a detailed list of all parcels purchased by the City for which it received TUMF Regional Funds pursuant to this Agreement. The City shall identify any parcels or remnants thereof which were acquired using TUMF Regional Funds and are not required for construction of the Project. A preliminary list shall be submitted to the RCTC 30 days before the issuance of bid documents for construction of the Project and a final list shall be submitted to the RCTC no later than 30 days following the recording of the Certificated of Completion for the Project.

3.2.1.2 Valuation and Repayment of Any Property Remnants. Upon receipt of the City's final list, RCTC shall meet with the City for the purpose of identifying any parcel or reasonably usable remnant of a parcel for which TUMF Regional Funds were expended that may reasonably be developed for other use by the City and/or sold. The Parties shall confer in good faith to agree upon the disposition of such parcels and remnant parcels and their fair market value as of a date agreed to by the parties, but in no event later than the date of completion of the Project. "Fair Market Value" shall have the definition set forth in Code of Civil Procedure Section 1263.320 and "remnant" shall have the definition set forth in Code of Civil Procedure Section 1240.410. Nothing herein shall preclude the City and RCTC from beginning the meetings earlier in the event both parties agree that the parcel or remnant will not be used for the Project.

3.2.1.3 Reimbursement for Unused Parcels. Following recordation of the Certificate of Completion for the Project, the City shall be responsible for promptly reimbursing RCTC for any TUMF Regional Funds which were used to acquire parcels which are completely unused in the Project. If City funds other than TUMF were used to purchase the Parcel, those local funds shall be considered in determining the reimbursement amount.

3.2.1.4 Appeal to Commission. In the event of a disagreement between the Parties regarding the reimbursement of TUMF Regional Funds under this section 3.2.1, either party may appeal, in writing, to the RCTC Board. The RCTC Board's determination regarding excess right-of-way and value pursuant to this section shall be final.

3.2.2 Ineligible Work Costs. The Total Work Cost shall not include the following items which shall be borne solely by the City without reimbursement: (1) City administrative costs; (2) City costs attributed to the preparation of invoices, billings and payments; (3) any City fees

attributed to the processing of the Work; and (4) expenses for items of work not included within the scope of work in Exhibit "A".

3.2.3 Increases in Work Funding. The Funding Amount may, in RCTC's sole discretion, be augmented with additional TUMF Regional Funds if the TUMF Nexus Study is amended to increase the maximum eligible TUMF share for the Work. Any such increase in the Funding Amount must be approved in writing by RCTC's Executive Director. In no case shall the amount of TUMF Regional Funds allocated to the City exceed the then-current maximum eligible TUMF share for the Work. No such increased funding shall be expended to pay for any Work already completed. For purposes of this Agreement, the Work or any portion thereof shall be deemed complete upon its acceptance by RCTC's Executive Director.

3.2.4 No Funding for Temporary Improvements. Only segments or components of the Work that are intended to form part of or be integrated into the Work may be funded by TUMF Regional Funds. No improvement which is temporary in nature, including but not limited to temporary roads, curbs, or drainage facilities, shall be funded with TUMF Regional Funds except as needed for staged construction of the Work.

3.3 City's Funding Obligation to Complete the Work. In the event that the TUMF Regional Funds allocated to the Work represent less than the total cost of the Work, the City shall provide such additional funds as may be required to complete the Work as described in Exhibit "A".

3.3.1 City's Obligation to Repay TUMF Regional Funds to RCTC. In the event that: (i) the City, for any reason, determines not to proceed with or complete the Work; or (ii) the Work is not timely completed, subject to any extension of time granted by RCTC pursuant to Section 3.15; the City agrees that any TUMF Regional Funds that were distributed to the City for the Work shall be repaid in full to RCTC. The Parties shall enter into good faith negotiations to establish a reasonable repayment schedule and repayment mechanism which may include, but is not limited to, withholding of Measure A Local Streets and Roads revenues. The City acknowledges and agrees that RCTC shall have the right to withhold any Measure A Local Streets and Roads revenues due the City, in an amount not to exceed the total of the funds distributed to the City, and/or initiate legal action to compel repayment, if the City fails to repay RCTC within a reasonable time period not to exceed 180 days from receipt of written notification from RCTC that repayment is required.

3.4 Work Responsibilities of the City. The City shall be responsible for the following aspects of the Work, in compliance with state and federal law provided that such items are included in the Project scope of work attached as Exhibit "A": (i) development and approval of plans, specifications and engineer's estimate (PS&E), environmental clearance, right of way acquisition, and obtaining all permits required by impacted agencies prior to commencement of the Work ; (ii) all aspects of bidding, awarding, and administration of the contracts for the Work; (iii) all construction management of any construction activities undertaken in connection with the Work, including survey and material testing; and (iv) development of a budget for the Work prior to award of any contract for the Work, taking into consideration available funding, including TUMF Regional Funds.

3.5 Term/Notice of Completion. The term of this Agreement shall be from the date first herein above written until: (i) the date RCTC formally accepts the Work as complete, pursuant to Section 3.2.3; (ii) termination of this Agreement pursuant to Section 3.9; or (iii) the City has fully satisfied its obligations under this Agreement, (Note: If this Agreement is for Phase I work do not include the following text) "including full repayment of TUMF Regional Funds to RCTC as provided herein". All applicable indemnification provisions of this Agreement shall remain in effect following the termination of this Agreement.

3.6 Representatives of the Parties. RCTC's Executive Director, or his or her designee, shall serve as RCTC's representative and shall have the authority to act on behalf of RCTC for all purposes under this Agreement. The City hereby designates **Ahmad R. Ansari, P.E., Public Works Director/City Engineer**, or his or her designee, as the City's representative to RCTC. The City's representative shall have the authority to act on behalf of the City for all purposes under this Agreement and shall coordinate all activities of the Work under the City's responsibility. The City shall work closely and cooperate fully with RCTC's representative and any other agencies which may have jurisdiction over or an interest in the Work.

3.7 Expenditure of Funds by City Prior to Execution of Agreement. Nothing in this Agreement shall be construed to prevent or preclude the City from expending funds on the Work prior to the execution of the Agreement, or from being reimbursed by RCTC for such expenditures. However, the City understands and acknowledges that any expenditure of funds on the Work prior to the execution of the Agreement is made at the City's sole risk, and that some expenditures by the City may not be eligible for reimbursement under this Agreement.

3.8 Review of Services. The City shall allow RCTC's Representative to inspect or review the progress of the Work at any reasonable time in order to determine whether the terms of this Agreement are being met.

3.9 Termination. This Agreement may be terminated for cause or convenience as further specified below.

3.9.1 Termination for Convenience.

3.9.1.1 Notice. Either RCTC or the City may, by written notice to the other party, terminate this Agreement, in whole or in part, for convenience by giving thirty (30) days' written notice to the other party of such termination and specifying the effective date thereof.

3.9.1.2 Effect of Termination for Convenience. In the event that the City terminates this Agreement for convenience, the City shall, within 180 days, repay to RCTC in full all TUMF Regional Funds provided to the City under this Agreement. In the event that RCTC terminates this Agreement for convenience, RCTC shall, within 90 days, distribute to the City TUMF Regional Funds in an amount equal to the aggregate total of all unpaid invoices which have been received from the City regarding the Work at the time of the notice of termination; provided, however, that RCTC shall be entitled to exercise its rights under Section 3.14.2, including but not limited to conducting a review of the invoices and requesting additional information. This

Agreement shall terminate upon receipt by the non-terminating party of the amounts due it under this Section 3.9.1.2.

3.9.2 Termination for Cause.

3.9.2.1 Notice. Either RCTC or the City may, by written notice to the other party, terminate this Agreement, in whole or in part, in response to a material breach hereof by the other party, by giving written notice to the other party of such termination and specifying the effective date thereof. The written notice shall provide a 30 day period to cure any alleged breach. During the 30 day cure period, the Parties shall discuss, in good faith, the manner in which the breach can be cured.

3.9.2.2 Effect of Termination for Cause. In the event that the City terminates this Agreement in response to RCTC's uncured material breach hereof, RCTC shall, within 90 days, distribute to the City TUMF Regional Funds in an amount equal to the aggregate total of all unpaid invoices which have been received from the City regarding the Work at the time of the notice of termination. In the event that RCTC terminates this Agreement in response to the City's uncured material breach hereof, the City shall, within 180 days, repay to RCTC in full all TUMF Regional Funds provided to the City under this Agreement. Notwithstanding termination of this Agreement by RCTC pursuant to this Section 3.9.2.2, RCTC shall be entitled to exercise its rights under Section 3.14.2, including but not limited to conducting a review of the invoices and requesting additional information. This Agreement shall terminate upon receipt by the non-terminating party of the amounts due it under this Section 3.9.2.2.

3.9.3 Cumulative Remedies. The rights and remedies of the Parties provided in this Section are in addition to any other rights and remedies provided by law or under this Agreement.

3.10 Prevailing Wages. The City and any other person or entity hired to perform services on the Work are alerted to the requirements of California Labor Code Sections 1770 et seq., which would require the payment of prevailing wages were the services or any portion thereof determined to be a public work, as defined therein. The City shall ensure compliance with these prevailing wage requirements by any person or entity hired to perform the Work. The City shall defend, indemnify, and hold harmless RCTC, its officers, employees, consultants, and agents from any claim or liability, including without limitation attorneys, fees, arising from its failure or alleged failure to comply with California Labor Code Sections 1770 et seq.

3.11 Progress Reports. RCTC may request the City to provide RCTC with progress reports concerning the status of the Work.

3.12 Indemnification.

3.12.1 City Responsibilities. In addition to the indemnification required under Section 3.10, the City agrees to indemnify and hold harmless RCTC, its officers, agents, consultants, and employees from any and all claims, demands, costs or liability arising from or connected with all activities governed by this Agreement including all design and construction activities, due to

negligent acts, errors or omissions or willful misconduct of the City or its subcontractors. The City will reimburse RCTC for any expenditures, including reasonable attorneys' fees, incurred by RCTC, in defending against claims ultimately determined to be due to negligent acts, errors or omissions or willful misconduct of the City.

3.12.2 RCTC Responsibilities. RCTC agrees to indemnify and hold harmless the City, its officers, agents, consultants, and employees from any and all claims, demands, costs or liability arising from or connected with all activities governed by this Agreement including all design and construction activities, due to negligent acts, errors or omissions or willful misconduct of RCTC or its sub-consultants. RCTC will reimburse the City for any expenditures, including reasonable attorneys' fees, incurred by the City, in defending against claims ultimately determined to be due to negligent acts, errors or omissions or willful misconduct of RCTC.

3.12.3 Effect of Acceptance. The City shall be responsible for the professional quality, technical accuracy and the coordination of any services provided to complete the Work. RCTC's review, acceptance or funding of any services performed by the City or any other person or entity under this agreement shall not be construed to operate as a waiver of any rights RCTC may hold under this Agreement or of any cause of action arising out of this Agreement. Further, the City shall be and remain liable to RCTC, in accordance with applicable law, for all damages to RCTC caused by the City's negligent performance of this Agreement or supervision of any services provided to complete the Work.

3.13 Insurance. The City shall require, at a minimum, all persons or entities hired to perform the Work to obtain, and require their subcontractors to obtain, insurance of the types and in the amounts described below and satisfactory to the City and RCTC. Such insurance shall be maintained throughout the term of this Agreement, or until completion of the Work, whichever occurs last.

3.13.1 Commercial General Liability Insurance. Occurrence version commercial general liability insurance or equivalent form with a combined single limit of not less than $1,000,000.00 per occurrence. If such insurance contains a general aggregate limit, it shall apply separately to the Work or be no less than two times the occurrence limit. Such insurance shall:

3.13.1.1 Name RCTC and City, and their respective officials, officers, employees, agents, and consultants as insured with respect to performance of the services on the Work and shall contain no special limitations on the scope of coverage or the protection afforded to these insured;

3.13.1.2 Be primary with respect to any insurance or self insurance programs covering RCTC and City, and/or their respective officials, officers, employees, agents, and consultants; and

3.13.1.3 Contain standard separation of insured provisions.

3.13.2 Business Automobile Liability Insurance. Business automobile liability insurance or equivalent form with a combined single limit of not less than $1,000,000.00 per occurrence. Such insurance shall include coverage for owned, hired and non-owned automobiles.

3.13.3 Professional Liability Insurance. Errors and omissions liability insurance with a limit of not less than $1,000,000.00 Professional liability insurance shall only be required of design or engineering professionals.

3.13.4 Workers' Compensation Insurance. Workers' compensation insurance with statutory limits and employers' liability insurance with limits of not less than $1,000,000.00 each accident.

3.14 Procedures for Distribution of TUMF Regional Funds to City.

3.14.1 Initial Payment by the City. The City shall be responsible for initial payment of all the Work costs as they are incurred. Following payment of such Work costs, the City shall submit invoices to RCTC requesting reimbursement of eligible Work costs. Each invoice shall be accompanied by detailed contractor invoices, or other demands for payment addressed to the City, and documents evidencing the City's payment of the invoices or demands for payment. The City shall submit invoices not more often than monthly and not less often than quarterly.

3.14.2 Review and Reimbursement by RCTC. Upon receipt of an invoice from the City, RCTC may request additional documentation or explanation of the Work costs for which reimbursement is sought. Undisputed amounts shall be paid by RCTC to the City within thirty (30) days. In the event that RCTC disputes the eligibility of the City for reimbursement of all or a portion of an invoiced amount, the Parties shall meet and confer in an attempt to resolve the dispute. If the meet and confer process is unsuccessful in resolving the dispute, the City may appeal RCTC's decision as to the eligibility of one or more invoices to RCTC's Executive Director. The City may appeal the decision of the Executive Director to the full RCTC Board, the decision of which shall be final. Additional details concerning the procedure for the City's submittal of invoices to RCTC and RCTC's consideration and payment of submitted invoices are set forth in Exhibit "C", attached hereto.

3.14.3 Funding Amount/Adjustment. If a post Work audit or review indicates that RCTC has provided reimbursement to the City in an amount in excess of the maximum eligible TUMF share of the Work, as determined by the TUMF Nexus Study, or has provided reimbursement of ineligible Work costs, the City shall reimburse RCTC for the excess or ineligible payments within 30 days of notification by RCTC.

3.15 Work Amendments. Changes to the characteristics of the Work, including the deadline for Work completion, and any responsibilities of the City or RCTC may be requested in writing by the City and are subject to the approval of RCTC's Representative, which approval will not be unreasonably withheld, provided that extensions of time for completion of the Work shall be approved in the sole discretion of RCTC's Representative. Nothing in this Agreement shall be construed to require or allow completion of the Work without full compliance with the California

Environmental Quality Act (Public Resources Code Section 21000 *et seq.;* "CEQA") and the National Environmental Policy Act of 1969 (42 USC 4231 *et seq.*), but the necessity of compliance with CEQA and NEPA shall not justify, excuse, or permit a delay in completion of the Work.

3.16 Conflict of Interest. For the term of this Agreement, no member, officer or employee of the City or RCTC, during the term of his or her service with the City or RCTC, as the case may be, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.17 Limited Scope of Duties. RCTC's and the City's duties and obligations under this Agreement are limited to those described herein. RCTC has no obligation with respect to the safety of any Work performed at a job site. In addition, RCTC shall not be liable for any action of City or its contractors relating to the condemnation of property undertaken by City or construction related to the Work.

3.18 Books and Records. Each party shall maintain complete, accurate, and clearly identifiable records with respect to costs incurred for the Work under this Agreement. They shall make available for examination by the other party, its authorized agents, officers or employees any and all ledgers and books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or related to the expenditures and disbursements charged to the other party pursuant to this disbursements charged to the other party pursuant to this Agreement. Further, each party shall furnish to the other party, its agents or employees such other evidence or information as they may require with respect to any such expense or disbursement charged by them. All such information shall be retained by the Parties for at least three (3) years following termination of this Agreement, and they shall have access to such information during the three-year period for the purposes of examination or audit.

3.19 Equal Opportunity Employment. The Parties represent that they are equal opportunity employers and they shall not discriminate against any employee or applicant of reemployment because of race, religion, color, national origin, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

3.20 Governing Law. This Agreement shall be governed by and construed with the laws of the State of California.

3.21 Attorneys' Fees. If either party commences an action against the other party arising out of or in connection with this Agreement, the prevailing party in such litigation shall be entitled to have and recover from the losing party reasonable attorneys' fees and costs of suit.

3.22 Time of Essence. Time is of the essence for each and every provision of this Agreement.

3.23 Headings. Article and Section Headings, paragraph captions or marginal headings contained in this Agreement are for convenience only and shall have no effect in the construction or interpretation of any provision herein.

3.24 Notification. All notices hereunder and communications regarding interpretation of the terms of the Agreement or changes thereto shall be provided by the mailing thereof by registered or certified mail, return receipt requested, postage prepaid and addressed as follows:

City of Moreno Valley
Capital Projects Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

ATTN: Ahmad R Ansari, P.E.
Public Works Director/ City Engineer

RCTC
Riverside County Transportation Commission
4080 Lemon, 3rd Floor
Mailing address: P.O. Box 12008
Riverside, CA 92501

ATTN: Executive Director

Any notice so given shall be considered served on the other party three (3) days after deposit in the U.S. mail, first class postage prepaid, return receipt requested, and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred regardless of the method of service.

3.25 Conflicting Provisions. In the event that provisions of any attached appendices or exhibits conflict in any way with the provisions set forth in this Agreement, the language, terms and conditions contained in this Agreement shall control the actions and obligations of the Parties and the interpretation of the Parties' understanding concerning the performance of the Services.

3.26 Contract Amendment. In the event that the Parties determine that the provisions of this Agreement should be altered, the Parties may execute a contract amendment to add any provision to this Agreement, or delete or amend any provision of this Agreement. All such contract amendments must be in the form of a written instrument signed by the original signatories to this Agreement, or their successors or designees.

3.27 Entire Agreement. This Agreement constitutes the entire agreement between the Parties relating to the subject matter hereof and supersedes any previous agreements or understandings.

3.28 Validity of Agreement. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

3.29 Independent Contractors. Any person or entities retained by the City or any contractor shall be retained on an independent contractor basis and shall not be employees of RCTC. Any personnel performing services on the Work shall at all times be under the exclusive direction and control of the City or contractor, whichever is applicable. The City or contractor shall pay all wages,

salaries and other amounts due such personnel in connection with their performance of services on the Work and as required by law. The City or consultant shall be responsible for all reports and obligations respecting such personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance and workers' compensation insurance.

[Signatures on following page]

SIGNATURE PAGE
TO
AGREEMENT FOR THE FUNDING OF
TUMF REGIONAL ARTERIAL IMPROVEMENTS

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first herein above written.

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

By: _____
John J. Benoit
Chair

APPROVED AS TO FORM:

By: _____
Best, Best & Krieger
Counsel to the Riverside County Transportation Commission

CITY OF MORENO VALLEY

By: _____
Henry Garcia
City Manager

APPROVED AS TO FORM:

By: _____
Robert L. Hansen
City Attorney

EXHIBIT "A"

SCOPE OF WORK,
FUNDING AND TIMETABLE

SCOPE OF WORK: The Phase of Work to be performed under this Agreement is construction.

FUNDING:

PHASE	TUMF	LOCAL	TOTAL
CONSTRUCTION	$5,665,000	$ 0	$5,665,000
TOTAL	$5,665,000	$ 0	$5,665,000

TIMETABLE:

Expected start date: July 2012

Estimated Completion date: April 2013

Funding expenditures shall be consistent with the attached Exhibit "A-1" unless otherwise approved by RCTC.

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EXHIBIT "A-1"

The following list of items generally identified as eligible or ineligible for TUMF Regional Funding reimbursement are consistent with those used to develop the costs for improvements in the first NEXUS Study prepared by WRCOG.

In general, all improvements, with the exception of sidewalks, must be within the curbs of the roadway and extend no further than the curb returns at intersections. In addition, all improvements on or connecting to interstate and state route facilities shall be consistent with Caltrans Highway Design Manual standards.

Items which are typically considered eligible include:

- Asphalt concrete pavement, up to 16' per lane, to accomplish a 12' travel lane and ancillary treatment and appropriate base materials
- Concrete curb and gutter and associated drainage – paved roadway shoulders and swale may be used as a substitute
- Class II Bike Lanes
- Paved and painted 14' median, may be used as a dual left turn lanes
- Traffic signals at intersections with state highways and major arterials which are also on the TUMF Network
- Pavement striping and roadway signing as required.

Items which are not typically considered eligible include:

- Portland Cement pavement or other aesthetic pavement types (except at intersections)
- Major rehabilitation or overlay of existing pavement in adjacent roadway lanes
- Raised Medians
- Parking Lanes
- Landscaping
- Lighting
- Class I Bike Lanes

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EXHIBIT "B"

PROJECT DESCRIPTION, FUNDING AND MILESTONES

PROJECT DESCRIPTION: PA&ED, PS&E and R/W have been completed. This Agreement is for the only for construction phase to widen Perris Boulevard from Cactus Avenue to Perris Valley Storm Drain Lateral "B".

FUNDING: Identify TUMF, local, state and/or federal funding for each Phase of Work.

PHASE	TUMF	LOCAL	TOTAL
CONSTRUCTION	$5,665,000	$ 0	$5,665,000
TOTAL	$5,665,000	$5,665,000	$5,665,000

MILESTONES – provide a list of phases and milestones for completion of the improvements and estimated dates when each is expected to be accomplished.

Construction Start Date: July 2012

Estimated Completion date: April 2013

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EXHIBIT "C"

PROCEDURES FOR SUBMITTAL, CONSIDERATION AND PAYMENT OF INVOICES

1. RCTC recommends that the City incorporate Exhibit "C-1" into its contracts with any subcontractors to establish a standard method for preparation of invoices by contractors to the City and ultimately to RCTC for reimbursement of City contractor costs.

2. Each month the City shall submit an invoice for eligible Work costs incurred during the preceding month. The original invoice shall be submitted to RCTC's Executive Director with a copy to RCTC's Project Coordinator. Each invoice shall be accompanied by a cover letter in a format substantially similar to that of Exhibit "C-2".

3. Each invoice shall include documentation from each contractor used by the City for the Work, listing labor costs, subcontractor costs, and other expenses. Each invoice shall also include a monthly progress report and spreadsheets showing the hours or amounts expended by each contractor or consultant for the month and for the entire Work to date. A sample of an acceptable progress report is attached as Exhibit "C-4". All documentation from the City's contractors should be accompanied by a cover letter in a format substantially similar to that of Exhibit "C-3".

4. If the City is seeking reimbursement for direct expenses incurred by City staff for eligible Work costs, the City shall detail the same level of information for its labor and any expenses in the same level of detail as required of contractors pursuant to Exhibit "C" and its attachments.

5. Charges for each task and milestone listed in Exhibit "A" shall be listed separately in the invoice.

6. Each invoice shall include a certification signed by the City Representative or his or her designee which reads as follows:

   "I hereby certify that the hours and salary rates submitted for reimbursement in this invoice are the actual hours and rates worked and paid to the consultants or contractors listed.

   Signed _____

   Title _____

   Date _____

   Invoice No. _____

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7. RCTC will pay the City within 30 days after receipt by the Commission of an invoice. If RCTC disputes any portion of an invoice, payment for that portion will be withheld, without interest, pending resolution of the dispute, but the uncontested balance will be paid.

8. The final payment under this Agreement will be made only after: (i) the City has obtained a Release and Certificate of Final Payment from each contractor or consultant used on theWork; (ii) the City has executed a Release and Certificate of Final Payment; and (iii) the City has provided copies of each such Release to RCTC.

EXHIBIT "C-1"
[Sample for Contracts with Subcontractors]

For the satisfactory performance and completion of the Services under this Agreement, the City will pay the Contractor compensation as set forth herein. The total compensation for this service shall not exceed (_____INSERT WRITTEN DOLLAR AMOUNT___) ($___INSERT NUMERICAL DOLLAR AMOUNT___) without written approval of the City Manager [or applicable position] ("Total Compensation").

1. ELEMENTS OF COMPENSATION.

Compensation for the Services will be comprised of the following elements: 1.1 Direct Labor Costs; 1.2 Fixed Fee; and 1.3 Additional Direct Costs.

1.1 DIRECT LABOR COSTS.

Direct Labor costs shall be paid in an amount equal to the product of the Direct Salary Costs and the Multiplier which are defined as follows:

1.1.1 DIRECT SALARY COSTS

Direct Salary Costs are the base salaries and wages actually paid to the Contractor's personnel directly engaged in performance of the Services under the Agreement. (The range of hourly rates paid to the Contractor's personnel appears in Section 2 below.)

1.1.2 MULTIPLIER

The Multiplier to be applied to the Direct Salary Costs to determine the Direct Labor Costs is _____, and is the sum of the following components:

1.1.2.1 Direct Salary Costs _____

1.1.2.2 Payroll Additives _____

The Decimal Ratio of Payroll Additives to Direct Salary Costs. Payroll Additives include all employee benefits, allowances for vacation, sick leave, and holidays, and company portion of employee insurance and social and retirement benefits, all federal and state payroll taxes, premiums for insurance which are measured by payroll costs, and other contributions and benefits imposed by applicable laws and regulations.

1.1.2.3 Overhead Costs _____

The Decimal Ratio of Allowable Overhead Costs to the Contractor Firm's Total Direct Salary Costs. Allowable Overhead Costs include general, administrative and overhead costs of maintaining and operating established offices, and consistent with established firm policies, and as defined in the Federal Acquisitions Regulations, Part 31.2.

Total Multiplier _____
(sum of 1.1.2.1, 1.1.2.2, and 1.1.2.3)

1.2 FIXED FEE.

1.2.1 The fixed fee is $_____.

1.2.2 A pro-rata share of the Fixed Fee shall be applied to the total Direct Labor Costs expended for services each month, and shall be included on each monthly invoice.

1.3 ADDITIONAL DIRECT COSTS.

Additional Direct Costs directly identifiable to the performance of the services of this Agreement shall be reimbursed at the rates below, or at actual invoiced cost.

Rates for identified Additional Direct Costs are as follows:

ITEM	REIMBURSEMENT RATE
	[___insert charges___]
Per Diem	$ /day
Car mileage	$ /mile
Travel	$ /trip
Computer Charges	$ /hour
Photocopies	$ /copy
Blueline	$ /sheet
LD Telephone	$ /call
Fax	$ /sheet
Photographs	$ /sheet

Travel by air and travel in excess of 100 miles from the Contractor's office nearest to the City's office must have the City's prior written approval to be reimbursed under this Agreement.

2. DIRECT SALARY RATES

Direct Salary Rates, which are the range of hourly rates to be used in determining Direct Salary Costs in Section 1.1.1 above, are given below and are subject to the following:

2.1 Direct Salary Rates shall be applicable to both straight time and overtime work, unless payment of a premium for overtime work is required by law, regulation or craft agreement, or is otherwise specified in this Agreement. In such event, the premium portion of Direct Salary Costs will not be subject to the Multiplier defined in Paragraph 1.1.2 above.

2.2 Direct Salary Rates shown herein are in effect for one year following the effective date of the Agreement. Thereafter, they may be adjusted annually to reflect the Contractor's adjustments to individual compensation. The Contractor shall notify the City in writing prior to a change in the range of rates included herein, and prior to each subsequent change.

POSITION OR CLASSIFICATION	RANGE OF HOURLY RATES
[___sample___]	
Principal	$ .00 - $ .00/hour
Project Manager	$ .00 - $ .00/hour
Sr. Engineer/Planner	$ .00 - $ .00/hour
Project Engineer/Planner	$ .00 - $ .00/hour
Assoc. Engineer/Planner	$ .00 - $ .00/hour
Technician	$ .00 - $ .00/hour
Drafter/CADD Operator	$ .00 - $ .00/hour
Word Processor	$ .00 - $ .00/hour

2.3 The above rates are for the Contractor only. All rates for subcontractors to the Contractor will be in accordance with the Contractor's cost proposal.

3. INVOICING.

3.1 Each month the Contractor shall submit an invoice for Services performed during the preceding month. The original invoice shall be submitted to the City Manager with two (2) copies to the Project Coordinator.

3.2 Charges shall be billed in accordance with the terms and rates included herein, unless otherwise agreed in writing by the City's Representative.

3.3 Base Work and Extra Work shall be charged separately, and the charges for each task and Milestone listed in the Scope of Services, shall be listed separately. The charges

for each individual assigned by the Contractor under this Agreement shall be listed separately on an attachment to the invoice.

3.4 A charge of $500 or more for any one item of Additional Direct Costs shall be accompanied by substantiating documentation satisfactory to the City such as invoices, telephone logs, etc.

3.5 Each copy of each invoice shall be accompanied by a Monthly Progress Report and spreadsheets showing hours expended by task for each month and total project to date.

3.6 If applicable, each invoice shall indicate payments to DBE subcontractors or supplies by dollar amount and as a percentage of the total invoice.

3.7 Each invoice shall include a certification signed by the Contractor's Representative or an officer of the firm which reads as follows:

I hereby certify that the hours and salary rates charged in this invoice are the actual hours and rates worked and paid to the employees listed.

Signed _____

Title _____

Date _____

Invoice No. _____

4. PAYMENT

4.1 City shall pay the Contractor within four to six weeks after receipt by City of an original invoice. Should City contest any portion of an invoice, that portion shall be held for resolution, without interest, but the uncontested balance shall be paid.

4.2 The final payment for Services under this Agreement will be made only after the Contractor has executed a Release and Certificate of Final Payment.

EXHIBIT C-2
Sample Cover Letter to RCTC

Date

Ms. Anne Mayer
Executive Director
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, CA 92501
ATTN: Accounts Payable

Re: Project Title - Invoice #__

Enclosed for your review and payment approval is the City's invoice for professional and technical services that was rendered by our contractors in connection with the TUMF Regional Arterial Improvements per Agreement No. _____ effective __(Month/Day/Year)__. The required support documentation received from each contractor is included as backup to the invoice.

Invoice period covered is from __Month/Date/Year__ to __Month/Date/Year__.

Total Authorized Agreement Amount:	$0,000,000.00
Total Invoiced to Date:	$0,000,000.00
Total Previously Invoiced:	$0,000,000.00
Balance Remaining:	$0,000,000.00
Amount due this Invoice:	**$0,000,000.00**

I certify that the hours and salary rates charged in this invoice are the actual hours and rates worked and paid to the contractors listed.

By: _____
Name
Title

cc:

EXHIBIT C-3
Sample Letter from Contractor to City

Month/Date/Year

[INSERT CITY ADDRESS]

Invoice #_____

For **[type of services]** rendered by **[contractor name]** in connection with **[name of project]** This is per agreement No. XX-XX-XXX effective Month/Date/Year .

Invoice period covered is from Month/Date/Year to Month/Date/Year .

Total Base Contract Amount:	$000,000.00
Authorized Extra Work (if Applicable)	$000,000.00

TOTAL AUTHORIZED CONTRACT AMOUNT:	$000,000.00
Total Invoice to Date:	$000,000.00
Total Previously Billed:	$000,000.00
Balance Remaining:	$000,000.00
Amount Due this Invoice:	$000,000.00

I certify that the hours and salary rates charged in this invoice are the actual hours and rates worked and paid to the employees listed,

By: _____
Name
Title

EXHIBIT C-4
Sample Progress Report

REPORTING PERIOD: Month/Date/Year to Month/Date/Year
PROGRESS REPORT: #1

A. Activities and Work Completed during Current Work Periods

TASK 01 – 100% PS&E SUBMITTAL

1. Responded to Segment 1 comments from Department of Transportation
2. Completed and submitted Segment 1 final PS&E

B. Current/Potential Problems Encountered & Corrective Action

Problems	Corrective Action
None	None

C. Work Planned Next Period

TASK 01 – 100% PS&E SUBMITTAL

1. Completing and to submit Traffic Signal and Electrical Design plans
2. Responding to review comments

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting as the Successor Agency

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZE THE FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH PARSONS TRANSPORTATION GROUP FOR SR-60/MORENO BEACH DRIVE PHASE 1 AND NASON STREET OVERCROSSING IMPROVEMENTS -- PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701 to finalize all design and right-of-way documentation for Caltrans approval for the SR-60/Moreno Beach Drive Interchange Phase 1 and SR-60/Nason Overcrossing projects.

2. Authorize the City Manager to execute the Fifth Amendment to Agreement for Professional Consultant Services with Parsons in the form attached hereto.

3. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval.

4. Authorize Change Orders to increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group totaling $680,000 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000) when the Fifth Amendment has been signed by all parties.

BACKGROUND

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons for design, right-of-way engineering, and construction support services for the SR-60/Nason Overcrossing and the SR-60/Moreno Beach Interchange. The agreement covered the design of both interchanges as one construction project.

On January 13, 2009, the City Council reprioritized capital projects funded by Redevelopment Agency (RDA) bonds and allocated sufficient funds to the SR-60/Nason Overcrossing project, which required that the City request Caltrans approve splitting and re-validating both projects, which was completed in 2010.

On March 8, 2011, the City Council entered into a Cooperative Agreement with the Redevelopment Agency and again reprioritized projects. Funding was allocated to SR-60/Moreno Beach project phase (Phase 1) to build the freeway ramp alignments at the south side of the SR-60/Moreno Beach Drive Interchange and connect Eucalyptus Avenue to Moreno Beach Drive.

On June 14, 2011, the City Council approved the Fourth Amendment to Agreement for Parsons to provide for engineering and environmental services to split the SR-60/Moreno Beach Interchange into two stand-alone construction phases as well as to update the SR-60/Nason Overcrossing plans. Contract Amendments 1, 2, and 3 revised the scope of work within the approved contingency to address appraisal/excess land services, storm water grant application services, environmental re-validations and new Supplemental Project Reports to split Nason and Moreno Beach into two projects, new Caltrans pavement analysis requirements, and extended survey services.

DISCUSSION

The SR-60/Moreno Beach Phase 1 improvements include reconstruction of the eastbound on- and off-ramps to SR-60, connection of the west leg of Eucalyptus Avenue to Moreno Beach Drive, and the addition of an eastbound auxiliary lane. The SR-60/Nason Overcrossing project replaces the bridge, constructs a new sound wall, and completes the ultimate improvements at this location. The City's Economic Development Plan identifies both projects as priority projects.

The scope of engineering and survey services outlined in Parsons' Fifth Amendment is needed to keep pace with and address recent significant constructability measures savings, reduced design and construction time, reduction in construction costs to meet budgets, elimination of “throw-away” improvements, address Caltrans comments, facilitate Caltrans approval, expedite utility agreements, and facilitate right-of-way negotiations, all in order to meet project milestones and objectives.

For the SR-60/Moreno Beach Phase 1 project, Parsons successfully assisted with the following tasks:

- Negotiation for acquisition of property east of Fire Station 58 at a reduced cost to the City, avoiding project delays.
- Negotiation for an expedited Caltrans project review in exchange for substantial compliance with recent mandatory Caltrans requirements for a longer pavement life cycle and other cost-saving measures.
- As a result of Parsons' efforts, the City anticipates right-of-way and construction cost savings of over $800,000 as well as a reduction of construction duration from thirteen months to nine months.

For the SR-60/Nason Overcrossing project, Parsons successfully assisted with the following tasks:

- Project review for constructability issues and suggested recommendations that would result in significant savings in time and cost for the construction phase.
- Reduction in project duration, providing a substantial benefit to residents and businesses in the Nason area as well as saving at least $700,000 in construction and support costs.
- Recommendation of several measures for the SR-60/Nason ramp project to eliminate "throw-away" work, eliminating the need for some future ramp and freeway closures.
- Adjustments to proposed structures based on underground soil conditions uncovered during the current construction project that will reduce potential future change orders.

Parsons' services for both projects covered by the Fifth Amendment consist of incorporating the work into the plans, specifications, estimates, and related reports, and ensuring Caltrans approval. The amendment provides for completed construction documents that expedite construction, reduce potential change orders, and meet budgets. The majority of the work for this amendment has already been done in order to address Caltrans' comments and submit final plans in a timely manner. In response to the City's strong desire to get these projects delivered to the community, the City and the consultant have agreed to a not-to-exceed amount of $680,000. Staff is continuing to negotiate with Caltrans and the consultant as Caltrans review comments arise, to focus on only mandatory tasks to get the plans approved. The consultant has also agreed to payment upon the performance goal of Caltrans-approved plans.

Final plans for the SR-60/Nason Overcrossing project were submitted to Caltrans on February 6, 2012, and are in the approval process. Final plans and right-of-way acquisition for the SR-60/Moreno Beach Phase 1 project are on schedule for late March 2012 submittal to Caltrans.

The recommended contract award is an action of the City Council acting as the Successor Agency of the former City of Moreno Valley Redevelopment Authority. The recommended actions are included on the Recognized Obligations Payment Schedule (ROPS) approved by the City Council acting as the Successor Agency on February 14,

2011. However, the Successor Agency Oversight Board has not yet approved the ROPS and there is a risk that the Oversight Board may not approve the expenditure of Tax Allocation Bond proceeds as an enforceable obligation of the Successor Agency. In addition, the State Department of Finance (DOF) has the authority to challenge actions approved by the Oversight Board within 10 days of the approved action. In light of the current status of the ROPS, the tax increment to pay the contracts being recommended has not been authorized to pay these contract obligations. The City Council by approving the recommended contract is assuming the risk that in the event tax increment is not approved to pay the contracts by the Oversight Board or through successful challenge by the State DOF, the City would be obligated to pay the contract commitments from alternative funding sources, most likely the City's General Fund.

ALTERNATIVES

1. Approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701 to finalize all design and right-of-way documentation for Caltrans approval for the SR-60/Moreno Beach Drive Interchange Phase 1 and SR-60/Nason Overcrossing projects, authorize the City Manager to execute the Fifth Amendment to Agreement for Professional Consultant Services with Parsons in the form attached hereto, acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval, and authorize Change Orders to increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group totaling $680,000 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000) and when the Fifth Amendment has been signed by all parties. *This alternative will facilitate the timely construction of needed improvements.*

2. Do not approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The projects are currently funded using 2007 Redevelopment Agency Tax Allocation Bond proceeds (Series A) (Fund 897), Successor Agency TABS (Fund 797), Transportation Uniform Mitigation Fees (Design Phase - Fund 415) and Developer In-lieu Street Improvement Funds (Fund 414). These funds have been allocated for the SR-60/Moreno Beach Interchange and SR-60/Nason Overcrossing improvement projects and cannot be utilized for operational activities. There is no impact to the General Fund.

The contract total is $5,506,047.86 ($3,387,611.00 for the original Agreement plus $49,667.00 for the First Amendment, $89,771.86 for the Second Amendment,

$114,021.59 for the Third Amendment, $1,184,976.41 for the Fourth Amendment and $680,000.00 for the Fifth Amendment). The First, Second and Third Amendments were funded from the contingency included in the original contract approved by the City Council on March 13, 2008. Change Orders totaling $680,000.00 will increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group and will be funded from Account Numbers 797.91718 ($430,000.00) and 797.79731 ($250,000.00).

SR-60/Moreno Beach – Phase 1

AVAILABLE FUNDS - FY 2011/2012

FY 2011/2012 RDA Funds (Account 897.91731)	$ 472,000
FY 2011/2012 Successor Agency to RDA Funds (Account 797.79731)**	$ 1,869,000
Total FY 2011/2012 Project Budget*	$ 2,341,000

**As approved in the FY2011/2012 Capital Improvement Plan.*
***Incurred prior to February 1, 2012.*

FY 2011/2012 ESTIMATED COSTS (DESIGN & R/W PHASE)

Right-of-Way, Utility, and Support Costs	$ 500,000
Design*	$ 462,000
Design – Fifth Amendment	$ 250,000
Estimated Cost	$1,212,000

**Balance of previous funding authorizations*

ANTICIPATED PROJECT SCHEDULE

Complete Design and Right-of-Way	March 2012
Caltrans Approval and Authorization to Bid	July 2012
Advertise Project	August 2012
Begin Construction	November 2012
Complete Construction	August 2013

SR-60/Nason Overcrossing

AVAILABLE FUNDS - FY 2011/2012

FY 2011/2012 Developer In-lieu Street Improvement Funds (Account 414.80429)	$ 30,000
FY 2011/2012 RDA Funds (Account 897.91728)**	$ 570,000
FY 2011/2012 Successor Agency to RDA Funds (Account 797.79718)	$15,578,000
Total FY 2011/2012 Project Budget*	$16,178,000

**As approved in the FY2011/2012 Capital Improvement Plan.*
***Incurred prior to February 1, 2012.*

FY 2011/2012 ESTIMATED COSTS

Construction and Related Support Costs	$ 900,000
Design*	$ 415,000
Design – Fifth Amendment	$ 430,000
Estimated Cost	$ 1,745,000

**Balance of previous funding authorizations*

ANTICIPATED PROJECT SCHEDULE

Complete Design	February 2012
Caltrans Approval and Authorization to Bid	March 2012 – May 2012
Advertise Project*	June 2012
Begin Construction*	November 2012
Complete Construction*	January 2014

** Contingent upon reprogramming of funds by Caltrans prior to advertisement*

CITY COUNCIL GOALS

ADVOCACY:
Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Additional design, right-of-way work, utility coordination, and Caltrans documentation is needed for the SR-60/Nason Overcrossing and SR-60/Moreno Beach Phase 1 projects. The consultant has submitted a proposal for $680,000 to perform this additional work. A significant amount of this work has occurred in order to finalize and send plans and right of way documents to Caltrans in March 2012. Staff recommends approval of the Fifth Amendment to Agreement for Professional Consultant Services with Parsons Transportation Group as well as an $680,000 increase to Purchase Order Numbers 42265 and 42275 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000).

ATTACHMENTS

Attachment "A" – Fifth Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00159769

FIFTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 07-41570024

This Fifth Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and Parsons Transportation Group, Inc., an Illinois corporation, hereinafter referred to as "Consultant." This Fifth Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 22, 2008.

Whereas, the Consultant is providing consultant design services for State Route 60/Moreno Beach Drive Interchange and Nason Street Overcrossing improvements.

Whereas, the Agreement was amended on May 4, 2009 to extend the professional consultant services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on September 10, 2009 to extend the professional consultant services in the Second Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was further amended on June 20, 2010, to extend the professional consultant services in the Third Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was again amended on June 21, 2011, to extend the professional consultant services in the Fourth Amendment to Agreement for Professional Consultant Services.

Attachment "A"

Whereas, it is desirable to further amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Fifth Amendment.

Whereas, the Consultant has submitted a Proposal dated February 18, 2012, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A -- Fifth Amendment" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2014,** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A -- Fifth Amendment," entitled "SR60/Moreno Beach Drive Phase 1 and SR60/Nason Overcrossing Improvement Projects -- Amendment #5 Scope of Work."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in "Exhibit A -- Fifth Amendment," entitled " SR60/Moreno Beach Drive Phase 1 and SR60/Nason Overcrossing Improvement Projects -- Amendment #5 Scope of Work."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $680,000.00 in consideration of the Consultant's performance of the work set forth in "Exhibit A -- Fifth Amendment."

1.5 The total "Not to Exceed" fee for this contract is $5,506,047.86 ($3,387,611.00 for the original Agreement plus $49,667.00 for the First Amendment, $89,771.86 for the Second Amendment, $114,021.59 for the Third Amendment, $1,184,976.41 for the Fourth Amendment, and $680,000 for the Fifth Amendment).

FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 07-41570024

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 07-41570024

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

Parsons Transportation Group Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

Attachment: "Exhibit A – Fifth Amendment"

W:\CapProj\CapProj\PROJECTS\Marge - 07-41570024 Rte 60 Nason-Moreno Beach Bridge Intrchng\Design Phase\Consultant - Parsons\Agreement\Design Phase\Fifth Amendment\Fifth Amendment - Parsons.doc

SR-60/MORENO BEACH DRIVE PHASE 1
AND SR60/NASON OVERCROSSING IMPROVEMENT PROJECT(S)
AMENDMENT #5 – SCOPE OF WORK
DATE: 2-18-2012

BACKGROUND

Pursuant to construction-phase changes for the Nason Ramp Project and related coordination and design support provided by Parsons to Caltrans and the Nason Ramp project team – Parsons identified opportunities to reduce construction costs for both the Nason Ramp Project and for the Nason Bridge Project. The design changes identified include eliminating some overlapping work between the two projects, and design revisions to the Nason Ramp drainage and layout plans in order to minimize "throwaway costs." As a result of the coordination during the last 12 months, Parsons Team has been able to identify and implement design changes that will help reduce both the construction schedule for the Bridge project by 6 months and to minimize rework – resulting in construction cost savings estimated at $550,000.

In addition, pursuant to changes to the conceptual design at the Moreno Beach Drive Phase 1 project, Parsons has proposed reducing the duration of Phase 1 construction schedule by 4 months, by reducing the limits of re-paving on Moreno Beach drive north of Eucalyptus Avenue (Phase 1 design would be "widening only" on Moreno Beach Drive). In addition, Parsons has proposed design changes to the EB on-ramp to reduce the grading quantity, and reduce the limits of reconstruction of the existing 84" Line G storm Drain and related drainage facilities. In addition, Parsons has identified proposed changes to the 12" EMWD water line relocation alignment to reduce impacts to existing Automall block wall, reducing both the construction duration and construction costs.

Regarding the right-of-way acquisition process: Parsons Team successfully negotiated with Prologis (Owner of the parcel just east of City Fire Station No. 58) and EMWD to resolve drainage and access easement issues for the 12" water line relocation across the Prologis parcel at a significant cost savings. After effective coordination with both EMWD and Prologis, Parsons was able to get both parties to move forward with the acquisition process subject to a letter outlining specific conditions required by Prologis. Parsons drafted the letter outlining the conditions acceptable to Prologis and EMWD and then had EMWD issue this letter to Prologis regarding the future disposition of the relocated 12" water line. As a result, Prologis agreed to the City's offer of compensation for the proposed easements at a price of $80,000. This figure is $160,000 below the price ceiling that City staff had been authorized to expend for this acquisition. Parsons effective work with this landowner avoided project delays and achieved the right-of-way acquisitions needed for the project.

In addition to the changes noted above, Parsons has coordinated with the City and Caltrans to resolve several design changes that have been required by Caltrans to the pavement design life and related paving requirements. In exchange for Caltrans agreeing to expedite reviews to finalize the Nason Bridge project PS&E approvals, the city has agreed to comply with Caltrans latest design guidelines for pavement life cycle cost designs for this project. The changes to the project plans, specifications and estimates include revisions to reflect a thicker pavement design for a Traffic Index T.I.=15.0 which is consistent with a 20+ year design life for the eastbound and westbound auxiliary lanes on this project. In addition, Caltrans new policy requires grind-and-overlay of the adjacent lane for any locations that the project is widening (adding an Auxiliary lane) to the existing freeway. Parsons was successful in negotiating this compromise with Caltrans. (Caltrans original position required a 40-year long-life pavement – at a cost of over $400,000 more than the approved 20+ year pavement).

Exhibit "A"

As a result of the four issues described above Parsons has estimated the additional design tasks including hours and budgets that would be required to implement the design changes and achieve the related construction cost savings and schedule reductions. Additional design changes to specific disciplines are described below. A summary of the Construction phase and R/W phase cost savings is provided below.

Project Cost Savings due to Parsons Planned Design Phase Tasks:

1. Design revisions to Moreno Phase 1 to protect in place 96' of existing 84" storm drain: Savings = $150,000 and related reduction in Construction schedule of 15 working days reduction.

2. Grading revision to Moreno Phase 1, to save 500 lineal feet of existing concrete ditch along north side of existing Automall block wall = Cost savings $50,000 in reduced grading, and $40,000 in reduced removal of concrete channel and related schedule savings and would reduce working days by 20 days.

3. Drainage crossing revisions at Eucalyptus Avenue based upon 2nd round of Potholing - will minimize or eliminate impacts to five existing Utilities within Eucalyptus Avenue including (5) SCE conduits, (4) MVU conduits, 1-12" water, and (1) 24" water and existing underground Verizon conduits. Cost savings to avoid these Utility impacts: = Estimated savings of 40 working days, and $150,000 on Utility relocations.

4. Design revisions at EMWD water relocation. The preliminary design per the Project Report/Environmental Document phase proposed 3200 lineal feet of new parallel water system. Revised final design developed by Parsons (and agreed to by EMWD) resulted in a revised waterline alignment at east end of Automall within an existing EMWD easement, and then along the north-end of the parking lot at City Fire station Number 58, and through the adjacent Citrus Grove. Proposed revised design solution resulted in a reduction of 1800 lineal feet of water line relocation compared to the original concept and construction cost savings of $200,000.

5. Caltrans originally mandated a 40-year pavement design life for the WB and EB Auxiliary lanes along SR60 between Nason Street and Moreno beach Drive per Caltrans policy for State Routes with Average Annual Daily Traffic (AADT) greater than 150,000. However, as a result of Parsons Coordination and design efforts, we were able to get Caltrans to drop the 40-year TI =16.5 design requirement and agree to a compromise "20 year +" (long life) TI = 15.0. The extra effort by Parsons resulted in a compromise design structural section of 20+ year design that will be approximately $500,000 less expensive than Caltrans originally proposed 40-year PCC pavement design.

6. Reduction in time-related-overhead cost during construction of Nason Bridge project – due to schedule savings.

1.	150,000	Drainage changes at Moreno Beach Drive 84" pipe
2.	90,000	Reduced grading and drainage impacts (Moreno Phase 1)
3.	150,000	Reduced Utility Relocations at Eucalyptus/Moreno Beach Drive
4.	200,000	Reduced Water Line Relocation Costs
5.	500,000	Reduced Pavement Construction Cost
6.	300,000	Time Related OH savings (Nason)

Total Estimated Construction Cost savings: $1,390,000 -- directly resulting from Parsons Design & coordination efforts.

Schedule Acceleration:

Note that all of the proposed construction phase savings will be achieved without any impact to the current design phase schedule. The project is on schedule to have the designs for Nason Street Overcrossing and for Moreno Beach Drive (Phase 1) completed, approved by Caltrans, and under construction by or before August 2012.

In addition, since the Moreno Beach Drive project is locally funded, and since all of the right-of-way has been acquired for this project (final parcel is in escrow as of 1/2012), the Moreno Phase 1 project could be accelerated to begin construction before the Nason Bridge project and it would accelerate the date when the Eucalyptus Avenue connection to Moreno Beach Drive is opened.

The City recently hired a Construction management firm to complete an early action task of a constructability review for both the Nason Bridge project and the Moreno Beach Drive phase 1 project. Parsons met with City/Caltrans/and CM firm on 1-10-2012 and 1-26-2012 to discuss implementation of the CM firm's constructability comments. The benefits to the City of this process will include reduced probability for construction phase change orders or claims and improved Bid package– resulting in better bids and streamlined construction contract administration.

Changes in Scope:

As Parsons proposes to provide design services beyond the contract scope of work to finalize the project Plans Specifications and Estimates for the Nason Bridge Project, and the Moreno Beach Drive-Phase 1 project including: changes due to the revised "existing conditions" pursuant to the Nason Ramp Project the changes to pavement design, and other project updates described above. The impacts to the affected project plans, reports and coordination activities required to achieve the proposed construction schedule and construction cost savings described below.

1. Nason and Moreno: Extra work related to Pavement Design, Grind and overlay adjacent lane next to widening, and ongoing updates to Life Cycle Cost Analysis report.
2. Moreno: Extra work required to prepare a separate Moreno Beach Drive Phase 1 – PS&E package. Amendment #4 was based upon a limited effort to "reformat" the existing design. It was also assumed that the packages would go directly to a "100 percent" PS&E packages, when in fact there were a number of conceptual design issues raised by City and Caltrans "typical 30% and 60% design issues" including: interim profiles, interim striping, interim grading, interim drainage concepts, interim landscaping-water-supply, which involved design development tasks (typical of 30/60 percent PS&E). The required design effort was not recognized in the amount budgeted for the "Phase 1" PS&E

3. Nason: Extra work will be required to address project changes due to construction phase changes in the "Nason-Ramp-Project." These changes will include revisions to rock blanket, revisions to drainage plans, profiles, quantities and reports, changes to Traffic signal plans, and changes to Utility plans to accommodate an SCE Temporary Pole line and Moreno Valley Utility (MVU).
4. Striping and Signing changes will be required to SR-60 mainline to address the continuous HOV access restriping project that was implemented by Caltrans as part of a separate project in August 2011.
5. Additional design survey of the as-built pavement elevations and new embankments after completion of the Nason Ramp Project – as discussed at the January 10, 2012 Constructability Review Meeting – additional design surveys are recommended to be done in March or April 2012 so that the bridge project can be updated if necessary to exactly match the newly constructed "existing condition" and this minimal design phase cost could help reduce or eliminate potential claims during the Construction phase for the Bridge project.

PART 1 - SR60/Nason PS&E

The additional design and coordination effort required to finalize the project plans, specifications and estimates will include updates including the following tasks and work products:

1. Meetings, Coordination and Comment Resolution: Parsons will conduct project coordination with Caltrans, City and the Nason ramp project team to resolve project issues and develop consensus regarding proposed design changes described above, and in the more detailed sections below.
2. Layout plans and Typical Sections and Design updates: Parsons reviewed the 2009 layout plans and typical cross sections in light of the pavement structural section types proposed by the Nason Ramp project plans and made recommendations to City to extend the limits of the WB auxiliary lane at the WB off ramp in order to reduce reconstruction limits within the gore area and minimize the related ramp closure as part of the Nason Bridge project. This extra design coordination and plan updates will result in significant construction cost savings for the Bridge project. In addition, Parsons conducted a detailed review of the limits of pavement overlay and pavement reconstruction along Nason Street and made revisions to the Nason Bridge Project PS&E paving limits-resulting in reduced pavement quantities and construction cost savings for the bridge project.

   SB left turn storage design at Nason/Fir intersection: The City indicated that the existing SB left turn pocket at Nason/Fir intersection has experienced long queues that back up into the through lanes – observed since completion of the recently opened EB ramps at Nason Street/SR-60. Parsons redesigned and revised the project geometry for median curb and striping on Nason Street – both NB and SB in order to provide

increase SB left turn storage length. This re-design effort was not anticipated in the hours allocated for the PS&E updates.

Review and update ADA requirements at Curb Returns – Fir Avenue: The City has requested that Parsons review the existing curb-ramps at the NW corner of Nason/Fir intersection and provide updates in the project plans to bring them in compliance with current ADA standards.

3. Construction Details: In October 2010, Caltrans conducted a grind-and-overlay project along the mainline of SR-60 which resulted in higher elevations (approximately ¾") along the join locations for the project. In addition, the Nason Ramp Project will reconstruct the gore areas for the WB off- and on-ramps. In order to finalize the design and construction details for the WB auxiliary lane, "as-constructed" design surveys will be required at these locations and then the related construction details will be need to be updated. Pursuant to these change of existing conditions, Parsons will expend additional design effort to update the construction detail plans

4. Utility Plans and Coordination: The City of Moreno Valley Electrical Utility (MVU) decided to add underground electrical facilities along the East side of Nason Street within the project limits. This decision was made in August 2011, after the 100% PS&E had been submitted. This addition required additional coordinating by Parsons, review of preliminary MVU plans, and revisions to the Utility base plans to reflect the additional facilities.

5. Pavement Delineation Plans: In approximately July 2011, Caltrans completed a restriping project along the mainline of SR-60 to make the existing carpool lane striping "continuous access". This resulted in changes to the project striping plans and quantities for the Nason Bridge project to reflect the changes to striping and signing along the existing EB and WB carpool lanes.

6. Traffic Electrical plans: Parsons reviewed the 2009 traffic electrical plans and identified updates necessary to make the plans consistent with the February 2010-approved Nason Ramp project. In addition, the temporary traffic signal plans required extensive revisions due to changes in the Construction Staging concepts noted above.

7. Construction staging and Detour plans: Pursuant to comments from the City regarding proposed ramp closures for the EB off-ramp and "lessons learned" regarding the detours on the Nason ramp project, the staging plans will be revised to minimize the EB off ramp closure to a single 54-hour weekend closure. In addition, the staging plans will be updated to include a ramp closure for the WB off ramp to allow for construction of the PCC (concrete) ramp terminal pavement.

8. Sound wall Plans: Pursuant to constructability and aesthetic plans updates, there will be some updates to the Sound wall plans, and proposed grading along both sides of the proposed sound wall along Elder Avenue.

9. Bridge Plan Updates: Additional design updates will be required to finalize updates to the bridge plans including incorporating the "decorative lighting" and changes to address constructability review comments.

10. Pavement Section Updates: Pursuant to updated requirements in Caltrans Highway Design Manual – the project plans will need to include "grind and overlay" the freeway lane adjacent to the proposed widening on the project plans. Per ongoing discussions with Caltrans Materials group, the City has agreed to provide a 0.20' grind and overlay of the adjacent lane for proposed Auxiliary lane locations in exchange for Caltrans agreement to expedite the approval process for the PS&E and to thereby ensure that $1-million in "State and Local Program" (SLPP) funds are not lost by missing the funding deadline. In addition, Caltrans now requires a "20+ year design life" pavement section that will require additional changes/updates to the plans, specifications, quantities and estimates.

11. Constructability Review and Coordination: The City recently selected a Construction Management (CM) firm to oversee the Construction phase for the Nason Bridge Project. Pursuant to the schedule and cost savings ideas identified by this firm in their CM proposal and interview, the city requested that Parsons review and assess the viability of incorporating the recommendations into the project PS&E.

12. Caltrans Special Provisions Updates: Pursuant to ongoing changes in Caltrans special provisions, additional iterations of updates to SSP's will be required to finalize the SSP package.

13. Quantity and Engineer's Estimate Updates: Pursuant to design changes and updates to the "existing condition" per the Nason Ramp project – additional quantity summary updates will be required to finalize the project estimate.

14. Landscaping plan Updates and Coordination: Parsons Team has coordinated with EMWD regarding the available water pressure and point of connection locations for the proposed project irrigation plans. Pursuant to the water pressure tests by EMWD, there is insufficient water pressure to run the proposed project irrigation systems and "booster pumps" will need to be added to the project plans, specifications and estimates.

15. Drainage Design Revisions: Change Orders related to the Nason ramp project have resulted in changes and updates to proposed drainage systems. This will require updates to drainage plans, profiles and quantity sheets. The most significant changes pertain to the drainage system in the SW quadrant of the interchange at the existing hook-ramps – Drainage system 10 – items (a, b,c,d,e,f). As a result of Parsons coordination with City/Caltrans & the Nason Ramp Design team, over 300 feet of concrete trapezoidal channel has been replaced by CCO with RSP channel that will eliminate the need to remove and reconstruct this channel as part of the bridge project. The resolution of this issue will require additional drainage design calculations, changes to the project drainage plans, details, quantities and Storm Water Data Report, and related conference calls and project coordination. The result of the changes will be significant construction cost savings to the

City by eliminating some re-work that would have been required for the Nason Bridge Project.

16. Stockpile – Environmental Testing (EMI): Caltrans reviewed the proposed scope of work for environmental testing that Parsons developed for the Allesandro "stockpile", and the proposed testing has been completed and documented in a report that has been submitted for Caltrans review and approval. Upon approval by Caltrans, this existing stockpile will be added to the project Bid package as an "optional borrow site". If the borrow material is not used by the Nason Bridge project, the City will have the option to make it a "mandatory borrow site" as part of the Moreno Beach Drive Phase 1 project.

17. "As-Built" Surveys: Parsons proposed that upon completion of the construction phase grading and improvements by the "Nason Ramp Project", the embankments, pavement and selected features be surveyed such that the "new" existing condition can be used to update the design quantities for earthwork, the limits of grading, and to confirm the revised existing ground for the bridge project. This new data will be used to verify the quantities calculated for the Nason Bridge Project and thereby reduce the potential for change orders and claims during construction of the Nason Bridge Project.

PART 2 - SR60/Moreno Beach Drive-Phase 1 PS&E

The work completed by Parsons to prepare updated "Final" Plans, Specifications and Estimates:

1. Meetings, Coordination and Comment Resolution: Parsons will conduct project coordination with Caltrans and the City to resolve project issues and develop consensus regarding proposed design changes described above, and in the more detailed sections below.

2. Layouts and Typical Sections and Design updates: As a result of creating a new set of plans to construct only the EB ramps (per Amendment #4), Parsons reviewed the opportunities to minimize the "throw-away costs" related to construction in Phase 1 which will need to be "reconstructed" during Phase 2. It was noted that a portion (300' +/-) of EB off- and on-ramps need to be constructed with an interim profile to join the existing Moreno Beach Drive profile since the existing bridge over SR60 will remain in place during Phase 1. As a result of this condition, Parsons assessed the opportunity to reduce project costs by minimizing the amount of paving on Moreno Beach Drive during Phase 1. Based upon this approach, we developed a design with "ultimate pavement/profile" within the Eucalyptus/Moreno Beach Drive intersection – and any pavement north of the north cross-walk at this intersection – would be "widening only" in the same plane as the existing pavement. This concept will help simplify the construction staging and expedite the construction schedule for the Phase 1 project, and would minimize the limits of pavement to be removed and

reconstructed in Phase 2. The City agreed to this concept and it has been implemented in the plans. However, the interim condition resulted in a corner sight distance design exception at the corner of EB off-ramp/Moreno Beach Drive intersection. In addition there was a new "horizontal clearance to obstruction" issue between the NB traffic on MBD and the west-side end of existing bridge railing. In order to address both of these design issues, Parsons has developed a revised configuration for the EB off ramp, tapering and narrowing the EB left shoulder, additional construction details between the proposed MBGR and the concrete barriers and related changes to the signing, striping, paving, layout, and construction detail plans.

Review and update ADA requirements at Curb Returns – Eucalyptus Avenue: City has requested that Parsons review the existing curb-ramps at all four corners of Eucalyptus/Moreno Beach Drive intersection and provide updates in the project plans to bring them in compliance with current ADA standards. This task was not anticipated in the original contract scope. In addition, there are conflicts between City's ADA curb-ramp preferences (single ramp per corner) and Caltrans preferences (2- ramps per corner). Additional coordination is required to resolve the pending ADA issues and satisfy Caltrans comments.

Grading Plans: On sheets EC-2 and D-2, City has requested that the grading be revised to "create maximum flat area for future city development". Grading changes can be made to this area, but if we use steeper slopes that 4:1 shown, the changes trigger changes to the drainage pattern, drainage system #10 etc. If city and Caltrans concur with the proposed re-design concept, it will require additional design work and an updated "slope design exception letter" will be required.

Traffic Operational Analysis Updates: Per comment #72 from Caltrans review of the September 2011 submittal, Caltrans requested updated traffic analysis of the "interim" intersection level of service and queuing for the EB off ramp/Moreno Beach Drive intersection. Per the approved Environmental Revalidation, analysis of "interim year traffic condition" was not required by Caltrans at that time, however in order to address this comment, Parsons has conducted additional traffic analysis of the Off-ramp intersection and the intersection at Eucalyptus Avenue/MBD and prepared Supplemental Traffic memoranda summarizing the results for each location.

3. Construction Details and Irrigation Plans: The previous scope of work for Phase 1, did not identify the need for revisions to the existing water supply line to protect and maintain the existing water supply from corner of Eucalyptus Avenue/Moreno Beach Drive – northerly to SR60, across under the freeway to provide water supply for the existing irrigation on the north side of SR-60.

4. Utility Plan Updates: Based upon coordination with EMWD, SCE, MVU and recent potholing of the existing utilities in Eucalyptus Avenue, the utility base plans to reflect the additional facilities. In order to ensure that the Pettit Street/SR60 SCE electrical transmission/distribution/communications relocation design and related utility agreement and easement issues are moving forward on schedule and that issues are fully resolved within the project schedule, we have been holding weekly telephone conference calls with SCE design/planners/right-of-way staff. The level of

coordination required to complete this extensive hands-on process has been more extensive than was identified in the contract scope.

EMWD Water Relocation Plans: Pursuant to the discussion above, some additional design changes will be needed to the plans to potentially revise the alignment and profile at the gate behind the Automall in order to reduce the impacts to the existing block wall yet remain within the planned water line easement.

5. Pavement Delineation and Signing Plans: During 2011 Caltrans completed a restriping project on SR-60 to provide continuous access to the Carpool lane. This change resulted in changes to the Project staging and striping plans, quantities and specifications to update them to match the new "existing condition." Also the City is currently preparing and implementing striping changes on Eucalyptus Avenue west of MBD pursuant to the Automall improvement project. These changes to the existing striping on Moreno Beach Drive required additional edits/changes to the project topographic and striping files.

6. Traffic Electrical plans: Additional changes have been required to the electrical plans to address Caltrans and City comments and to resolve issues including the City's preference that to provide LED internally illuminated Street Name Signs on the at the on/off ramp traffic signals. There has also been extra comments/coordination/analysis to resolve Caltrans comments regarding the "lighting levels" at the EB off ramp intersection.

7. Construction Staging and Detour Plans: Updates have been required to the staging plans to address changes to the project design at the EB off ramp intersection pursuant to the corner sight distance design changes.

8. Retaining Wall Plan Revisions: Pursuant to proposed cost savings to revise slopes and reduce impacts to the existing concrete lined channel along north side of AutoMall block-wall, and to accommodate the planed "bio-swale", updates will be required to the limits of the proposed retaining wall in SE quadrant of the Moreno Beach Drive/SR-60 interchange.

9. Pavement structural Section Changes: Per ongoing discussions with Caltrans Materials group, they are requiring the City provide a 0.20' grind and overlay of the adjacent lane for proposed Auxiliary lane locations. In addition, Caltrans now requires a "20+ year design life" pavement section that will require additional changes/updates to the plans, specifications, quantities and estimates.

10. Constructability Review and Coordination: The city has hired a Construction Management firm to oversee the Construction phase for the Moreno Beach Drive Phase 1 Project. The City plans to have their CM firm conduct a "constructability review" and would like Parsons review and assess the viability of incorporating the CM firm's recommendations into the project PS&E.

11. Special Provisions Revisions: Pursuant the propose design revisions described herein, updates will be required to the project special provisions.

12. Quantity and Cost Estimate Updates: Pursuant to the proposed design revisions described herein, updates will be required to the project cost estimates.

13. Drainage Design Revisions to existing 84" Pipe –pursuant to changes noted above, Parsons proposes to revise the drainage details and limits of replacement for the 84" storm drain in order to protect-in-place 96-feet of the existing 84" pipe and to protect-in-place the existing headwall reducing the cost of this proposed drainage system by $150,000 and reducing the duration of the construction schedule.
14. Design Survey along Existing Block Wall - Pursuant to field reviews by Parsons staff, it was determined that additional design surveys along the existing block wall at the north west corner of the Automall Dealer properties is required in order to ensure that the proposed retaining wall design and pile foundations can be constructed within the existing R/W and the proposed 4:1 embankments slopes can be designed to avoid the existing block wall and any potential Right-of-way impacts to the Automall property. The outlet of the existing drainage channel located 350' east of the NW corner of the Automall will also be surveyed to ensure the proposed grading and drainage details will not extend beyond the existing city-owned right-of-way.

ASSUMPTIONS/EXCLUSIONS:

1. Additional Management and Engineering for design phase services due to any additional schedule extensions beyond August 2012 are not included in this amendment.
2. Any additional utility coordination to address new utilities or additional changes by Utility companies beyond the items addressed herein is not included in this amendment.
3. Potential schedule delays due to R/W condemnation for Phase 2 tasks and potential updates to out-dated appraisals for the Phase 2 acquistions are not included in this amendment.
4. Separate R/W requirements maps and R/W appraisal maps for Moreno Beach (Phase 1 and Phase 2) will not be required.
5. The Line K-1 plans are part of the Moreno Phase 2 budget. Some additional design and coordination efforts have been identified for the Line K-1 plans, but that effort is not addressed in this amendment.
6. The completion of the Phase 2 – Moreno Beach Drive PS&E package is subject to a separate scope and budget. There are proposed design changes for the Phase 2 project will need to be addressed as part of a separate amendment.

AMENDMENT #5 NASON DATE: 2-17-2012

DESIGN UPDATES TO REDUCE CONSTRUCTION PHASE COSTS

PARSONS STAFF - LABOR HOURS AND COSTS

	STAFF & PROJECT TITLE	SPEIRS	Gonzalez & Malasic Bottcher	Kolmodorogo	D. Ten Moiset M.	LEES	SANDIRA - UTNAYA	MULLANGI	PEARMAN	Serafica	STRASSNER	TOTAL	DIRECT	
	TASK NO. - Description	Project Manager	Roadwky Design Lead Engineer	senior Engineer	Roadway Associate	SR Utility Engineer	Structures Lead	Structural Engineer	CADD Sr.	or Traffic Engineer	ADMIN	LABOR	LABOR	WBS
	NASON STREET/SR60 PS&E													
1	Meetings, Coordination and comment resolution	10	16	10							20	56	$3,348	11601
2	Layout Plans and Typical Sections and Design Updates	16		160	120				75			371	$18,441	11601
3	Construction Details			120	120							240	$11,640	11601
4	Utility Plans and Coordination	16		40	40	60			20			176	$9,293	11601
5	Pavement Delineation Plans	4			20				40	44		108	$5,814	11604
6	Traffic Electrical Plans	4							64	158		226	$13,537	11601
7	Construction Staging and Detour plans	8	24	130	110				22	40		334	$17,722	11603
8	Soundwall plans	2					35	35	40			112	$5,457	11601
9	Bridge Plan Updates	4	24				32	40				100	$5,607	11950
10	Pavement Structural Section updates	8		40	24							72	$3,885	11601
11	Constructability Review and Coordination	8	40	60			24					132	$8,219	11601
12	Caltrans Special Provisions Updates		120	120								240	$15,014	11606
13	Quantity & Eng Estimate updates	6	24	80	80							190	$9,951	11605
14	Landscape plan updates & Coordination	2	4	6	4				2			20	$1,144	11601
15	Drainage design revisions			40	120				80			240	$10,702	11602
	Totals	88	252	808	638	60	91	75	343	242	20	2617	$139,775	
	PARSONS TOTAL FOR DESIGN PHASE	88	252	808	638	60	91	75	343	242	20	2617		
	TOTAL DIRECT LABOR COSTS	$7,450	$17,670	$44,440	$26,796	$3,193	$5,449	$3,130	$14,845	$15,972	$830		$139,775	

Overhead	153.40%	$214,415
Profit	10%	$35,419
Escalation	0%	$0
TOTAL LABOR COSTS		$389,609

	SUBCONSULTANTS AND DIRECT COSTS		
	PARSONS DIRECT COSTS		$3,390.64
Task 14	Landscaping Updates (Tatsumi)		$5,000.00
Task 16	EMI Stockpile Environmental Testing		$22,000.00
Task 17	PB- As-Constructed Design Surveys		$10,000.00
			$40,390.64
		total	$430,000.00

AMENDMENT #5 PHASE 1 -- MORENO DATE: 2-17-2012

DESIGN UPDATES TO REDUCE CONSTRUCTION PHASE COSTS

PARSONS STAFF - LABOR HOURS AND COSTS

	STAFF & PROJECT TITLE	SPEIRS	Gonzalez Moteale	COOPER	Yan	LEES GALVAN	SANDIRA - UTHAYA	MULLANGI	PEARMAN	SeroRco	STRASSNER	TOTAL	DIRECT	WBS
	TASK NO. - Description	Project Manager	Roadway Design Lead Engineer	senior Engineer	Roadway Associate	SR Engineer	Structures Lead	Structural Engineer	CADD Sr.	sr Traffic Engineer	ADMIN	LABOR	LABOR	
	MORENO BEACH DR PS&E													
1	Meetings Coordination and comment resolution	18	22	22								62	$4,431	66601
2	Layouts and Typical Sections, Design Updates	8	6	146	170	20			97			447	$22,553	66601
3	Construction Details & Irrigation Plans	2	2	220	20							244	$14,790	66601
4	Utility Plan Updates	40			40	24						104	$6,344	66601
5	Pavement Delineation and Signing Plans									24		24	$1,584	66601
6	Traffic Electrical Plans	2							20	38		60	$3,543	66601
7	Construction Staging and Detour plans	2		24	24				24			74	$3,704	66601
8	Retaining wall Plan revisions			30	24		40	60				154	$7,767	66601
9	Pavement Structural Section updates	4		24	24							52	$2,835	66601
10	Constructability Review and Coordination	12	12	24			12		12			72	$4,583	66601
11	Special Provision Updates	16	65									81	$5,912	66601
12	Quantity & Cost Estimate updates	1	2	22	20							45	$2,429	66601
13	Drainage design revisions to existing 84" pipe	4	2	42	32	36			24			140	$7,362	
	totals	109	111	554	354	80	52	60	177	62	0	1559	$87,855	
	PARSONS TOTAL FOR DESIGN PHASE	109	111	554	354	80	52	60	177	62	0	1559		
	TOTAL DIRECT LABOR COSTS	$9,228	$7,783	$34,348	$14,868	$4,258	$3,114	$2,504	$7,661	$4,092	$0		$87,855	

Overhead	153.40%	$134,770
Profit	10%	$22,262
Escalation	0%	$0
TOTAL LABOR COSTS		$244,887

	SUBCONSULTANTS AND DIRECT COSTS	PHASE 1
	PARSONS DIRECT COSTS	$2,213.03
Task 14	Design Survey along Exist Block Wall (PB)	$2,900.00
	Subs + ODC	$5,113.03
	LABOR	$244,886.97
	TOTAL -PHASE 1 - MORENO	$250,000.00

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief
Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR PARTIAL ACQUISITION OF APN 297-170-077 FOR THE FIRE STATION NO. 65 PROJECT – PROJECT NO. 11-43472526

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project.

2. Authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526).

3. Authorize the City Manager to execute said Agreement in the form attached hereto and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.

BACKGROUND

Fire Station No. 65 is currently located at Kennedy Park. The Fire Department has strategically identified the need for relocation of Fire Station No. 65 to a new site in the City's Center Point area to provide service to the surrounding neighborhood.

Land acquisition was funded in the Fiscal Year 2010-2011 Capital Improvement Plan to take advantage of depressed real estate values. The City Council authorized staff to negotiate and acquire the property at its July 2011 Closed Session.

DISCUSSION

The site, located on the northeast corner of Rebecca Street and Brodiaea Avenue (Assessor's Parcel Number 297-170-077), meets the Fire Department's needs. The site is in Business Park zoning with an area of approximately 1.50 acres.

After negotiation, the owner has agreed to a cash purchase price of $412,650. The partial acquisition of APN 297-170-077 exceeds the $100,000 threshold of the City Manager's signature authority and, therefore, requires the Agreement for Conveyance of Property to be approved by the City Council.

ALTERNATIVES

1. Approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project, authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526), and authorize the City Manager to execute said Agreement in the form attached hereto and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney. *This alternative allows the City to acquire the land needed for the construction of Fire Station No. 65.*

2. Do not approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project, do not authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526), and do not authorize the City Manager to execute said Agreement in the form attached hereto and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney. *This alternative will result in delaying acquisition of land required for City Fire Station projects.*

FISCAL IMPACT

Funding for the proposed land acquisition is included in the Fiscal Year 2011/2012 Capital Improvement Plan budget and is funded by the Fire Services Capital Projects Fund (Fund 434), which was originally funded by transfers from the General Fund.

AVAILABLE PROJECT FUNDS – FIRE STATION NO. 65 (FORMERLY FIRE STATION #65 REPLACEMENT)

FY 2011/2012 Fire Services Capital Projects Fund (Account No. 434.72526)	$ 497,000

ESTIMATED LAND ACQUISITION EXPENDITURES

Land Acquisition	$ 412,700
Escrow Costs	$ 6,300
Project Administration and Miscellaneous Costs	$ 20,000
Total Land Acquisition-related Expenditures	**$ 439,000**

ANTICIPATED PROJECT SCHEDULE:

Open Escrow	April 2012
Complete Land Acquisition	June 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Fire Department has been planning the relocation of Fire Station No. 65 from Kennedy Park to the Center Point area at the southwest portion of the City. The selected site (portion of APN 297-170-077) is approximately 1.50 acres in size, is located at the northeast corner of Rebecca Street and Brodiaea Avenue, and meets the Fire Department's needs. The City Council is requested to authorize issuance of a purchase order for $419,000 for acquisition of this property ($412,650 acquisition cost plus escrow closing fees).

ATTACHMENTS/EXHIBITS

Attachment "A" – Location Map
Attachment "B" – Agreement for Conveyance of Real Property

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Concurrence:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.,
Deputy Public Works Director / Acting City Engineer

Department Head Approval:
Abdul Ahmad
Fire Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

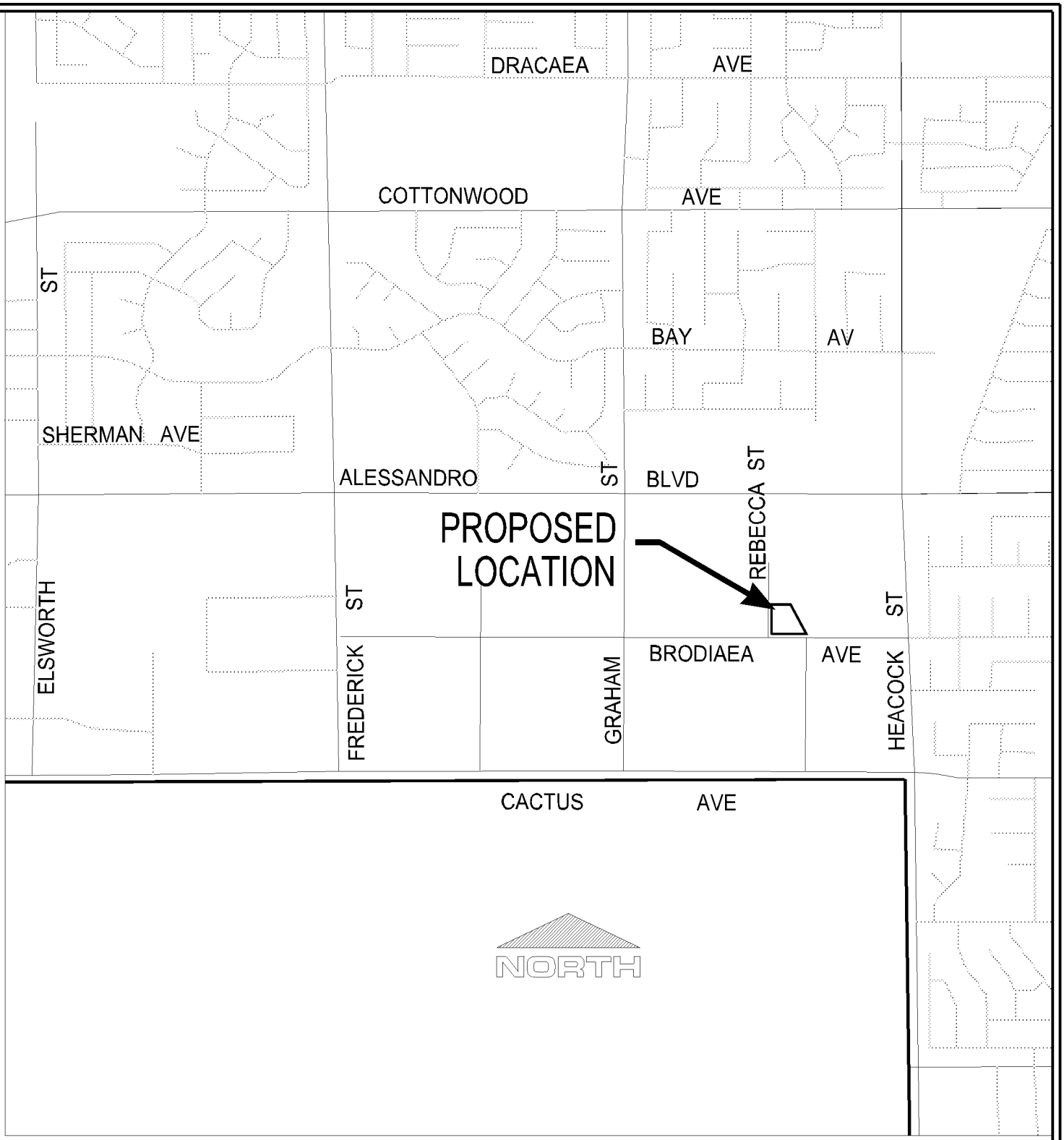

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

Attachment "A"

FIRE STATION 65 RELOCATION

PROJECT No. 11-43472526

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MV00159791

AGREEMENT FOR CONVEYANCE OF REAL PROPERTY

THIS AGREEMENT is entered into by and between Group V San Bernardino, LP, a California limited Partnership ("Grantor") and CITY OF MORENO VALLEY, a municipal corporation ("Grantee").

RECITALS

A. Grantor owns certain real property located at the northeast corner of Rebecca Street and Brodiaea Avenue, Moreno Valley, bearing Assessor Parcel No. 297-170-077 (the "Property").

B. Grantee desires to purchase a portion of the Property and Grantor desires to sell and convey a portion of the Property as described in Exhibit A which is attached hereto (the "Parcel").

C. The parties desire by this Agreement to provide the terms and conditions for the purchase and sale of the Parcel.

AGREEMENT

The parties therefore agree as follows:

1. PURCHASE.

Grantee agrees to buy and Grantor agrees to sell and convey the Parcel for the purchase price and upon the terms and conditions hereinafter set forth. The Purchase Price, defined below, is acknowledged by both parties to be a negotiated value for the Parcel.

2. ESCROW.

Upon execution of this Agreement by all parties, Grantee shall open an escrow (the "Escrow") with Lawyers Title (the "Escrow Holder") for the purpose of consummating the purchase and sale of the Parcel. The parties hereto shall execute and deliver to Escrow Holder such escrow instructions prepared by Escrow Holder as may be required to consummate this transaction. Any such instructions shall not conflict with, amend, or supersede any provision of this Agreement. If there is any inconsistency between such instructions and this Agreement, this Agreement shall control unless the parties agree in writing otherwise. The Escrow Instructions shall include the following terms and conditions of sale:

2.1 Purchase Price.

The total purchase price for the Parcel shall be $412,650.00, which shall be paid by Grantee to Grantor through Escrow Holder in cash at the close of escrow.

Attachment "B"

2.2 Close of Escrow.

Escrow shall close on or before sixty (60) days following the execution of this Agreement (the "Close of Escrow"). If the Escrow is not in a condition to close within 60 days from the opening date of "Escrow", any party who is not then in default may, in writing, demand the return of its/his/her money and/or documents. Thereupon, subject to the provisions in paragraph 3, all obligations and liabilities of the parties under this Agreement shall cease and terminate.

Close of escrow is contingent upon First Citizens Bank approving the pay down of the existing note, subject to the lot split and remainder parcel, and also subject to approval by the FDIC, who retains a residual interest in regards to the failure of First Regional Bank, the loan originator. First Citizens Bank is processing the approval and may need additional time in escrow, Buyer will agree to a reasonable extension of time if necessary.

2.3 Condition of Title to the Parcel.

Grantor shall convey title to the Parcel to Grantee as evidenced by a CLTA Standard Form Policy or Binder of Title Insurance ("Title Policy") issued by a title insurance company to be selected by Grantee in an amount equal to the purchase price. The Title Policy shall show as exceptions with respect to the Parcel only matters approved in writing by Grantee. Any exceptions to title representing monetary liens or encumbrances are hereby disapproved by Grantee, and Escrow Holder is hereby authorized and instructed to cause the reconveyance, partial reconveyance, or subordination, as the case may be, of any such monetary exceptions to Grantee's title to the Parcel at or prior to the Close of Escrow.

2.4 Escrow and Closing Costs.

Grantee shall pay the cost of the Title Policy, all Escrow fees (including reconveyance fees, trustee's fees or forwarding fees for any partial reconveyance or subordination of a deed of trust or mortgage), and all recording costs incurred herein. All parties acknowledge that Grantee is exempt from payment of documentary transfer taxes.

2.5 Investigations.

Prior to the Close of Escrow, Grantee may, at its option, conduct, at Grantee's expense, any and all investigations, inspections, surveys, and tests of the Property including, without limitation, soils, groundwater, wells, percolation, geology, environmental, drainage, engineering and utilities investigations, inspections, surveys, and tests, which determines, in its sole discretion, are required to determine the suitability of the Parcel for Grantee's intended use thereof. If Grantee determines that the Parcel is not suitable for its intended use, Grantee may disapprove this item and terminate this Agreement as provided at Section 2.2 above. Grantor hereby grants to

Grantee, and Grantee's employees, representatives, agents and independent contractors, a license to enter the Property for purposes of conducting such investigations, inspections, surveys, and tests. Grantee shall repair any damage to the Property resulting from such investigations, inspections, surveys, and tests conducted by Grantee or Grantee's employees, representatives, agents or independent contractors. Grantee's approval of any of such investigations, inspections, surveys, or tests shall not alter or diminish Grantor's representations or warranties under this Agreement, and Grantor acknowledges and agrees that Grantee is relying upon Grantor's representations and warranties made herein, unless such representation or warranty is specifically waived in whole or in part by Grantor. Grantee to indemnify Grantor and provide a policy of general liability insurance of $1,000,000 for Grantee's employees and agents during the investigative period and name Grantor as additional insured.

2.6 Deposit of Funds and Documents.

(a) Prior to Close of Escrow, Grantee shall deposit into Escrow (i) all Escrow and Closing Costs as described above; (ii) the cash portion of the purchase price to be paid to Grantor through Escrow; and (iii) such other documentation as is necessary to close Escrow in conformance herewith.

(b) Prior to the Close of Escrow, Grantor shall deposit into Escrow (I) the properly executed Grant Deed conveying the Parcel; and (ii) such other documents and sums, if any, as are necessary to close Escrow in conformance herewith.

2.7 Grantee's Conditions Precedent to Close of Escrow.

The Close of Escrow is subject to the following conditions:

(a) All representations and warranties of Grantor set forth in this Agreement shall be true and correct as of the Close of Escrow; and

(b) Grantor shall timely perform all obligations required by the terms of this Agreement to be performed by them.

2.8 Grantor's Conditions Precedent to Close of Escrow.

For the benefit of Grantor, the Close of Escrow shall be conditioned upon the timely performance by Grantee of all obligations required of Grantee by the terms of this Agreement.

3. REPRESENTATIONS AND WARRANTIES OF GRANTOR.

Grantor makes the following representations and warranties, each of which shall survive the Close of Escrow:

(a) Grantor holds title to an indefeasible estate in fee simple in the Property. Grantor is the sole owner of the Property and has good, absolute and marketable title to

the Property and has full power and authority to own and sell and convey the Parcel over, under and/or through the Property to Grantee and to enter into and perform his/her/its obligations pursuant to this Agreement;

(b) The execution and delivery of this Agreement by Grantor, Grantor's performance hereunder, and the consummation of this transaction will not constitute a violation of any order or decree or result in the breach of any contract or agreement to which Grantor are at present parties, or by which Grantor are bound;

(c) Grantor will not enter into any agreements or undertake any new obligations prior to Close of Escrow which will in any way burden, encumber or otherwise affect the Property without the prior written consent of Grantee;

(d) To Grantor's knowledge, no litigation and no governmental, administrative or regulatory act or proceeding regarding the environmental, health and safety aspects of the Property is pending, proposed or threatened;

(e) According to Grantor's knowledge, the Property is not in violation of any federal, state or local statute, regulation or ordinance relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions underlying the Property which could affect the Parcel or its use, and Grantor has not used, generated, manufactured, stored or disposed of on, under or about the Property, or transported to or from the Property, any flammable materials, explosives, radioactive materials, hazardous or contaminated materials or substances, toxic or noxious materials, substances or related materials or substances ("Hazardous Materials"). For the purpose of this Section, Hazardous Materials shall include, without limitation, substances defined as "hazardous substances," "hazardous materials," "toxic substances," "hazardous wastes," "extremely hazardous wastes," or "restricted hazardous wastes," or stated to be known to cause cancer or reproductive toxicity, under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. sections 9601 et seq; the Hazardous Materials Transportation Act, 49 U.S.C. sections 1801 et seq; the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901et seq; the Federal Water Pollution Control Act, 33 U.S.C. sections 1317 et seq; sections 25115, 25117, 25122.7, 25140, 25249.5, 25249.8, 25281, 25316 or 25501 of the California Health & Safety Code; or any substances so defined or stated in any of the regulations adopted and publications promulgated pursuant to said laws as they may be amended from time to time.

4. REPRESENTATIONS AND WARRANTIES OF GRANTEE.

A. Grantee shall save harmless and indemnify Grantor against any and all claims, demands, suits, judgments, expenses, and costs on account of injury to, or death of, persons, or loss of, or damage to, property of others, incurred during or proximately caused by acts or omissions of Grantee or Grantee's contractor in the performance of any work by Grantee or Grantee's contractor to construct the works of improvement for which the Parcel is conveyed.

5. ACKNOWLEDGMENT OF FULL BENEFITS AND RELEASE.

A. By execution of this Agreement, Grantor, on behalf of themselves and their respective heirs, executors, administrators, successors and assigns, hereby acknowledge that this Agreement provides full payment for the acquisition of the Parcel by Grantee, and Grantor hereby expressly and unconditionally waives any and all claims for damages, relocation assistance benefits, severance damages, interest, loss of goodwill, claims for inverse condemnation or unreasonable pre-condemnation conduct, or any other compensation or benefits, other than as already expressly provided for in this Agreement, it being understood that this is a complete and full settlement of all acquisition claims, liabilities, or benefits of any type or nature whatsoever relating to or in connection with the acquisition of the Parcel.

B. This Agreement arose out of Grantee's efforts to acquire the Parcel through its municipal authority. The parties agree that this Agreement is a settlement of claims in order to avoid litigation and shall not in any manner be construed as an admission of the fair market value of the Parcel or of the Property or of liability by any party to this Agreement. Grantor, on behalf of themselves and their respective heirs, executors, administrators, successors and assigns, hereby fully release Grantee, its successors, agents, representatives, and assigns, and all other persons and associations, known or unknown, from all claims and causes of action by reason of any damage which has been sustained, or may be sustained, as a result of Grantee's efforts to acquire the Parcel or to construct works of improvement thereon, or any preliminary steps thereto, except as set forth in Section 5 above. Grantor further release and agree to hold Grantee harmless from any and all claims by reason of any leasehold interest in the Property.

C. Grantor does hereby acknowledge that they are familiar with the provisions of California Civil Code section 1542, which provides as follows:

These representations and warranties shall survive the Close of Escrow. "A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor." Grantor acknowledges that they may have sustained damage, loss, costs or expenses which are presently unknown and unsuspected, and such damage, loss, costs or expenses which may have been sustained, may give rise to additional damage, loss, costs or expenses in the future. Nevertheless, Grantor does hereby acknowledge that this Agreement has been negotiated and agreed upon in light of that situation, and hereby expressly waive any and all rights which they may have under California Civil Code section 1542, or under any statute or common law or equitable principal of similar effect, except as set forth in Section 5 above.

This acknowledgment and release shall survive the Close of Escrow.

6. REMEDIES

If Grantor defaults under this Agreement, then Grantee may, at Grantee's option, terminate the Escrow or initiate an action for specific performance of this Agreement, or pursue any other rights or remedies that Grantee may have at law or in equity. If Grantee defaults under this Agreement, then Grantor may, at Grantor' option, terminate the Escrow or pursue any rights or remedies that Grantor may have at law or in equity.

7. MISCELLANEOUS.

A. Notice. Any notice to be given or other document or documents to be delivered to either party by the other hereunder may be delivered in person or may be deposited in the United States Mail in the State of California, duly registered or certified, with postage prepaid, and addressed as follows:

Grantor:

Group V San Bernardino, LP
C/O Everet Miller
Pama Management Company
4900 Santa Anita, Suite2C
El Monte, CA 91731

Grantee:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
Attention: Henry Ngo, Senior Engineer, P.E.

Any party hereto may, from time to time, by written notice to the other parties, designate a different address, which shall be substituted for the one specified above. Any notice or other documents sent by registered or certified mail as aforesaid shall be deemed to have been effectively served or delivered at the expiration of twenty-four (24) hours following the deposit of said notice or other documents in the United States mail.

B. Time of Essence. Time is of the essence with respect to each and every provision hereof.

C. Assignment. Neither this Agreement, nor any interest herein, shall be assignable by any party without prior written consent of the other party.

D. Governing Law. All questions with respect to this Agreement, and the rights and liabilities of the parties hereto, shall be governed by the laws of the State of California.

E. Inurement. This Agreement shall inure to the benefit of, and shall be binding upon, the assigns, successors in interest, personal representatives, estates, heirs and legatees of each of the parties hereto.

F. Attorneys Fees. If any legal action, arbitration or other proceeding is brought for the interpretation or enforcement of this Agreement, or because of any alleged dispute, breach, default or misrepresentation in connection with the Agreement, the successful or prevailing party shall be entitled to recover reasonable attorneys fees (including fees for in-house counsel, paraprofessionals and similar personnel and disbursements) and other costs it incurs in that action or proceeding, in addition to any other relief to which it may be entitled. The venue of any such action, arbitration, lawsuit or other proceeding or litigation may, at the option of the City, be in Riverside County, California, and the parties waive any right to change of venue.

G. Entire Agreement. This Agreement contains the entire Agreement of the parties hereto, and supersedes any prior written or oral agreements between them concerning the subject matter contained herein. There are no representations, agreements, arrangements, or understandings, oral or written, between the parties hereto, relating to the subject matter contained in this Agreement which are not fully expressed herein.

H. Additional Documents. The parties hereto agree to execute any and all additional documents and instruments necessary to carry out the terms of this Agreement.

I. Confidentiality. Grantor will keep confidential the terms of this Agreement and refrain from disclosing or causing same to be disclosed to any person or entity not specifically released herein. In no event, however, shall Grantor be required to refrain from disclosing the terms of this Agreement where: (I) they are legally required to do so, whether by statute, court order, process or otherwise; or (ii) disclosure is required or necessary to enforce any right, duty, obligation or release arising under the terms of this Agreement; or (iii) disclosure is required or necessary in order for Grantor, or any of their agents or employees, to maintain or compile their personal or business books or records; or (iv) disclosure is necessary or required in order for Grantor, or any of their agents or employees, to prepare and file income tax returns or any other forms required by any governmental, administrative or regulatory entities, boards or authorities.

J. No Admissions. This Agreement is a compromise and settlement of outstanding claims between the parties relating to Grantee's acquisition of the Parcel and shall never be treated as an admission by either party to the Agreement for any purpose in any judicial, arbitration or administrative proceeding between the parties. This paragraph shall not apply to any claim that one may have against the other for breach of any provision or covenant of this Agreement.

K. No Merger. All representations, warranties, acknowledgments, releases, covenants and obligations contained in this Agreement shall survive delivery and recordation of the Grant Deed for the Parcel.

L. Ratification. This Agreement is subject to approval and ratification by the City Council of the City of Moreno Valley.

M. Broker. Grantor and Grantee each represent and warrant to the other that no broker, agent or finder has been engaged by it in connection with the transaction contemplated by this Agreement and that all negotiations relative to these instructions and this transaction have been carried out by such party directly with the other party without the intervention of any person in such a manner as to give rise to any valid claim against either of the parties for a broker's commission, finder's fee or other like payment. Each of the parties shall indemnify and defend the other party and hold it harmless from any and all loss, damage, liability or expense, including costs and reasonable attorneys' fees, which the other party may incur or sustain by reason of or in connection with any misrepresentation or breach of warranty by the indemnifying party with respect to the foregoing.

N. Counterparts. This Agreement may be signed in counterpart or duplicate copies, and any signed counterpart or duplicate copy shall be equivalent to a signed original for all purposes.

EXECUTED on the date or dates set forth below. This Agreement shall be effective as of the date signed by all parties.

DATED:_____

Grantor:

Group V San Bernardino, LP, a California Limited Partnership

By: _____

Its: _____

DATED:_____

Grantee:

CITY OF MORENO VALLEY

By:_____

Its: City Manager

APPROVED AS TO FORM:

_____

City Attorney

Y:\Henry - 11-43472526 - Fire Station #65\Design Phase\Real Property\Acquisition Folder\Agreement for Conveyance of Real Property.doc

PROPERTY INFORMATION:

APN 297-170-077

NORTHEAST CORNER OF BRODIAEA AVE. / REBECCA ST.

PARTIAL LAND ACQUISITION

FIRE STATION 65

RELOCATION

LAND ACQUISITION MAP

PROJECT No. 11-43472628

Exhibit "A"

MV00159801

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: April 10, 2012

TITLE: CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "SOBRIETY CHECKPOINT GRANT PROGRAM"

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Grant Program" in the amount of $150,400 for the period beginning October 1, 2012 and ending September 30, 2013.

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the Sobriety Checkpoint Grant Program in the amounts of $150,400, respectively, upon approval and acceptance of the grant from OTS.

ADVISORY COMMITTEE RECOMENDATION

On March 19, 2012, the Public Safety Sub-Committee granted the Chief of Police permission to apply for this grant and recommended the acceptance of this OTS grant opportunity.

BACKGROUND

The City of Moreno Valley is committed to providing a safe environment for the citizens of Moreno Valley. The City Council has made it a priority to provide financial support to the Traffic Team and Patrol units to deal with quality of life issues in the community.

This statewide program is administered by the UC Berkeley, Safe Transportation Research and Education Center (TREC) and targets the following enforcement periods:

December 14, 2012 through January 1, 2013
August 16, 2013 through September 2, 2013

DISCUSSION

The California Office of Traffic Safety recently announced they were accepting grant applications for the 2012-2013, "Sobriety Checkpoint Grant Program." The Moreno Valley Police Department (MVPD) currently operates Driving Under the Influence (DUI) Sobriety Checkpoint Operations on a regular basis. These operations require a great number of resources. The specific resources required vary based on the time of day, day of week and location of the sobriety checkpoint. On average however, a single operation will last 6 hours and consist of 2 sergeants, 17 officers, 5 community service officers, 1 dispatcher, 4 reserve officers, 10 volunteers and 10 explorers. A majority of these personnel are paid for with overtime funding.

This grant will provide specific funding for MVPD personnel to deploy in an overtime capacity during these DUI Sobriety Checkpoint Operations. The grant specifies that some of the deployment must take place during specific time frames throughout the year. These designated enforcement periods are designed to coincide with major holiday enforcement periods. The grant also specifies personnel assigned to work these operations must be dedicated to DUI Sobriety Checkpoints.

The amount we requested from the "Sobriety Checkpoint Grant Program" will cover all overtime costs associated with 18 DUI Sobriety Checkpoint Operations conducted during the year-long campaign. This includes overtime funding for sergeants, officers, community service officers, and dispatchers. As a requirement of the grant, the MVPD will be required to conduct detailed statistical analysis regarding the enforcement campaign and claim forms will be completed and submitted to the UC Berkeley, Safe TREC.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application for the OTS Grant titled "Sobriety Checkpoint Grant Program", in the amount of $150,400 and subsequently accept the grant award from OTS. **Staff recommends this alternative.**

2) Decline the application for the OTS Grant titled "Sobriety Checkpoint Grant Program" in the amount of $150,400. **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund. Budget appropriations are as follows upon approval and acceptance of the grant:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OTS - POLICE FUND (136)	1360.4611.1 (State Grant Oper. Rev.)	REV	$150,400
OTS - POLICE FUND (136)	136XX (Sobriety Checkpoint Grant)	EXP	$150,400

CITY COUNCIL GOALS

To provide a safe and secure environment for people and property in the community, and provide protection for citizens who live, work and visit the City of Moreno Valley. The City-wide camera surveillance system will aid in this goal by helping to reduce crime, identify criminals who do commit crimes, and make a safer and more secure environment for the citizens in our community.

SUMMARY

The City Council is requested to approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Grant Program" in the amount of $150,400 for the period beginning October 1, 2012 and ending September 30, 2013 and authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the Sobriety Checkpoint Grant Program in the amounts of $150,400, respectively, upon approval and acceptance of the grant from OTS.

Prepared by:
Launa Jimenez
Management Analyst

Department Head Approval:
John Anderson
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00159805

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: April 10, 2012

TITLE: CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "GME STEP PROGRAM"

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if awarded) of the California Office of Traffic Safety (OTS) grant in the amount of $129,870, entitled "GME STEP Program (Selective Traffic Enforcement Program)."

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the GME STEP Program (Selective Traffic Enforcement Program in the amounts of $129,870, respectively, upon approval and acceptance of the grant from OTS.

ADVISORY COMMITTEE RECOMMENDATION

On March 19, 2012, the Public Safety Sub-Committee granted the Chief of Police permission to apply for this grant and recommended the acceptance of this OTS grant opportunity.

BACKGROUND

The Moreno Valley Police Department receives grants from the Office of Traffic Safety (OTS) on a routine basis. Most grants offered through OTS are for a one year period and they run concurrently with the federal fiscal year.

DISCUSSION

In March 2012, staff received notice of a competitive grant program offered by OTS called the "GME STEP Program." This grant can be used to fund law enforcement operations involving DUI saturation patrols, DUI warrant sweeps, stakeout operations for known DUI offenders, distracted driving enforcement (cellphone and texting) and primary collision factor (PCF) violation enforcement (red light, speed, stop sign, etc).

The Police Department is proposing to apply for this grant and if awarded, conduct approximately 22 DUI saturation patrols, 3 DUI warrant sweep operations, 4 known DUI offender stakeout operations, 44 distracted driving and 44 PCF violation enforcement operations.

In addition, we are asking for grant funds to pay for training and travel for two training courses. The grant would fund the training for three officers to attend a five day "Cavenaugh and Associates" DUI Seminar class. The grant would fund the registration, lodging, and per diem for the three officers to attend this training. This class has proven to be a great resource in building the skills necessary to handle DUI cases. The grant would fund the training for four officers to attend the Vehicular Homicide Seminar. The grant would fund the registration, lodging, and per diem for this seminar. This seminar is designed for prosecutors and law enforcement officers who handle misdemeanor and felony vehicular homicides. The course will assist prosecutors and law enforcement officers in developing the knowledge and skills necessary to investigate, evaluate, prepare, and handle cases involving vehicular fatalities. Subjects will include California substantive law, collision investigation and reconstruction, post-collision determination of speed, how kinematics can assist in driver identification, understanding expert testimony, cross-examining a defense expert, and basic toxicology.

The amount we are requesting is $129,870 for FY 12/13, which we believe will assist the Police Department in enhancing traffic safety within the City of Moreno Valley.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application and acceptance (if awarded) of the OTS Grant titled "GME STEP Program" for $129,870. **Staff recommends this alternative.**

2) Not approve the application for the OTS Grant titled "GME STEP Program." **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund.

Budget appropriations are as follows upon approval and acceptance of the grant:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OTS - POLICE FUND (136)	1360.4611.1 (State Grant Oper. Rev.)	REV	$129,870
OTS - POLICE FUND (136)	136XX (GME STEP Grant)	EXP	$129,870

CITY COUNCIL GOALS

To provide a safe and secure environment for people and property in the community, and provide protection for citizens who live, work and visit the City of Moreno Valley. The City-wide camera surveillance system will aid in this goal by helping to reduce crime, identify criminals who do commit crimes, and make a safer and more secure environment for the citizens in our community.

SUMMARY

The City Council is requested to approve the grant application and authorize acceptance (if awarded) of the California Office of Traffic Safety (OTS) grant in the amount of $129,870, entitled "GME STEP Program (Selective Traffic Enforcement Program) and authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the GME STEP Program (Selective Traffic Enforcement Program in the amounts of $129,870, respectively, upon approval and acceptance of the grant from OTS.

Prepared by:
Launa Jimenez
Management Analyst

Department Head Approval:
John Anderson
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00159809

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: April 10, 2012

TITLE: APPROVAL OF THREE-YEAR ENTERPRISE LICENSING AGREEMENT OF MICROSOFT LICENSES THROUGH COMPUCOM SYSTEMS, INC., UTILIZING THE COUNTY OF RIVERSIDE'S MICROSOFT ENTERPRISE MASTER AGREEMENT

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Waive formal bidding per Municipal Code Section 3.12.260 (Cooperative Purchasing); and

2. Approve a three-year enterprise licensing agreement of Microsoft licenses through CompuCom Systems, Inc., utilizing the County of Riverside's Microsoft Enterprise Licensing Master Agreement; and

3. Authorize the City Manager to execute the Microsoft Enterprise Master Agreement and any related documents required to effectuate participation in the Microsoft Enterprise Master Agreement; and

4. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to CompuCom systems to maintain the current licensing level at an annual cost not-to-exceed $115,000.

The agreement provides for the maintenance and support of Microsoft server operating system and client access software licenses to provide continued corrective, security, and enhancement updates to the City's existing network in an annual amount not-to-exceed $115,000 for each of the next three years (May 1, 2012 through April 30, 2015.) The agreement utilizes the County of Riverside's Microsoft Enterprise Agreement (a

cooperative purchasing agreement that approximately 500 California cities utilize) and identifies CompuCom Systems, Inc., a Microsoft Large Account Reseller, as the administrator of the agreement. Since this expenditure is over $100,000, City Council approval is required per the City's procurement policy.

BACKGROUND

The City has participated in the California County Information Services Directors Association (CCISDA) Enterprise Agreement for Microsoft licensing for the past eight years. This agreement was negotiated for the California state and local governments by the County of Riverside as the lead agency and is available to all California state, county, and local agencies. The purpose of the agreement is to pool the buying power of these public entities to accomplish discounted pricing not available through traditional channels. The City's current agreement term expires April 30, 2012.

Prior to 2004, the City of Moreno Valley purchased software licenses from retailers at predetermined "Select Level" pricing for each new PC and for any upgrades. Under the Select Licensing program, designed for corporate, government, and academic customers with 250 or more desktops and mixed product and purchasing requirements, the City realized discounts over standard retail pricing; however, new versions required additional purchases with no pricing guarantee. The program also provided no privileged access to Microsoft technical support and services.

Beginning in 2004, the City joined CCISDA Enterprise Agreement for Microsoft licensing. The former Chief Information Officer (CIO) of the County of Riverside was one of the leaders in the negotiations for CCISDA and offered to facilitate the County's hosting of the Request for Proposals (RFP) to allow cooperative participation in the Enterprise Agreement by California cities and counties. Following this competitive selection process, the cooperative agreement became open for participation by all eligible California local government entities (counties, cities, special districts, etc.). Starting that year, the City of Moreno Valley began utilizing this contract to obtain Microsoft licenses through CompuCom Systems, Inc., a Microsoft Large Account Reseller (LAR). CompuCom Systems was one of the five vendors who responded to the County's original RFP and presented the lowest price per desktop. CompuCom currently administers the Enterprise Agreements for 283 California agencies and was selected by Riverside County again this past year to service the County's current agreement through 2016.

DISCUSSION

The City's core software infrastructure is based on Microsoft desktop, server, and development products. The Enterprise Agreement positions the City to benefit from the next generation of Microsoft platform products seamlessly through ownership of Software Assurance. Specifically, this maintenance agreement ensures that the City has access to the latest version of the software and that technical support is available. This reduces the required level of staff support and also enables software upgrade decisions to be made based on technical considerations, deployment plans and staffing

availability, rather than primarily cost considerations. Also, more products and services become automatically available within the Enterprise Agreement. The City utilizes many Microsoft products and services as shown in the table on the following page. Examples of such software products are SharePoint Portal Services (SPS), a collaboration-based web portal product, and Systems Center, a product which automates inventory of software and hardware, automates deployments, and allows for remote desktop support. Most importantly, the cost-per-desktop savings is substantial under the Enterprise Agreement. CompuCom has offered the City the lowest Microsoft licensing cost on the County's Agreement.

The following table lists the Microsoft software and services utilized by the City:

Operating Systems, Server and Client Software
Windows Server and Desktop Operating Systems
Office Professional
Exchange Server (including Outlook)
Lync Server
SharePoint Server
Microsoft SQL Server
Microsoft Project
Microsoft Desktop Optimization
Microsoft Dynamics CRM
Microsoft Visio
Microsoft Systems Center
Windows Rights Management Service
Software Updates
New Version Rights for Applications
New Version Rights for Windows Client
New Version Rights for Servers
New Version Rights for Server CALs
Services and Programs
Training Vouchers
Professional Services
Online E-Learning: Applications
Online E-Learning: Systems
Online E-Learning: Servers
Employee Purchase Program (EPP)
Home Use Program (HUP)
Maintenance and Support
24 x 7 Phone Support Incidents
Web Incidents
User ID's for Web Support
TechNet Plus Direct
TechNet SA Subscription Services
Cold Backup for Disaster Recovery
Transition Tools
Extended Hot-Fix Support for Office
Extended Hot-Fix Support for Windows Client
Extended Hot-Fix Support for Servers

Windows Fundamentals for Legacy PCs

Microsoft does not license its software directly, but instead requires licensing of its products through a reseller. Should the City decide not to obtain its software licenses through the Enterprise Agreement, staff would need to undertake a separate RFP process to determine the best pricing from another reseller. It is highly unlikely that lower pricing could be obtained than what is provided under the Enterprise Agreement.

ALTERNATIVES

1. Approve three-year Enterprise Agreement of Microsoft licenses through CompuCom Systems, Inc. by taking the following actions:
    a. Waive formal bidding per Municipal Code Section 3.12.260 (Cooperative Purchasing);
    b. Approve a three-year enterprise licensing agreement of Microsoft licenses through Compucom Systems, Inc., utilizing the County of Riverside's Microsoft Enterprise Licensing Master Agreement;
    c. Authorize the City Manager to execute the Microsoft Enterprise Master Agreement and any related documents required to effectuate participation in the Microsoft Enterprise Master Agreement; and
    d. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to CompuCom systems to maintain the current licensing level at an annual cost not-to-exceed $115,000.

    This alternative is recommended by staff.

2. Elect not to renew the Microsoft software licenses utilizing the County of Riverside's Microsoft Enterprise Agreement with CompuCom Systems, and direct staff to undertake a separate RFP process to select a reseller of Microsoft licenses. ***This alternative is not recommended by staff, as it is highly unlikely that lower pricing could be obtained and it would require a substantial expenditure of staff time.***

3. Provide staff with further direction.

FISCAL IMPACT

Approval of staff's recommendation will obligate the City to a FY 2011-12 expenditure of $115,000. Funds for this purchase are available in the Technology Services software maintenance/support budget, account 750.32010.6258. Although the Enterprise Agreement is for a three-year term, it has cancellation provisions that allow early termination if funds are not appropriated in subsequent fiscal years.

CITY COUNCIL GOALS

Utilizing a cooperative purchasing agreement through the County of Riverside to obtain the best pricing for software licenses promotes the City Council goals of sound **fiscal policies to support essential services** and the **development of cooperative intergovernmental relationships**.

SUMMARY

To maintain Microsoft licensing compliance and support, the City has enrolled with the County of Riverside's Microsoft Enterprise Licensing Agreement. CompuCom, a Microsoft Large Account Reseller, offered the City the lowest Microsoft licensing cost under the umbrella of the County's cooperative agreement. The City's current agreement term expires April 30, 2012. City Council approval is requested to authorize the City Manager to execute the new three-year agreement before the due date at an annual cost not to exceed $115,000. Funds for this expenditure are available in the Technology Services budget for FY 2011-12. The City may cancel this agreement in subsequent years if funding is not approved through the budget process.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Not applicable

Prepared By:
Dori Lienhard
Enterprise Systems Administrator

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Steve Hargis
Technology Services Division Manager

Concurred By:
Rix Skonberg
Purchasing & Facilities Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: April 10, 2012

TITLE: "IT'S UP TO US": A PEDESTRIAN SAFETY PUBLIC EDUCATION CAMPAIGN MINI GRANT

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if awarded) of the Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) grant in the amount not to exceed $4,999.99, entitled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant; and

2. Authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH.

ADVISORY COMMITTEE RECOMMENDATION

On March 19, 2012, the Public Safety Sub-Committee granted the Chief of Police permission to apply for this grant and recommended the acceptance of this CDPH grant opportunity.

BACKGROUND

The California Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) is pleased to offer mini-grants for local implementation of the newly

released "It's Up to Us" pedestrian safety education campaign. This campaign is funded by a grant from the California Office of Traffic Safety (OTS) through California's Kids' Plates funding. It is California's first effort to create and disseminate educational templates that provide consistent statewide messaging regarding pedestrian safety. Some of the designs have a norm change focus, since the most effective form of pedestrian safety education is that which influences cultural shifts. The target audiences include pedestrians, drivers and communities, with particular emphasis on youth.

DISCUSSION

In March 2012, staff received notice of a competitive grant program offered by the California Department of Public Health. All service activities awarded through this application will be for promotion and implementation of a local educational campaign using "It's Up to Us" materials. The materials for the "It's Up to Us" campaign consist of several high resolution educational templates that can be promoted through the internet, community outreach and educational forums.

Awardees will have roughly three months to complete the campaign, from March 26, 2012 – June 15, 2012. This is a reimbursement program. Selected applicants must use their own funds first and at the conclusion of the campaign period, submit a final invoice on their agency letterhead to CDPH/SACB. The invoice must be submitted by June 22, 2012, for reimbursement along with a one-page summary of the project activities that took place during the award period.

We are planning to kick off our campaign with a press release informing the citizens of Moreno Valley that we are serious about pedestrian safety. Pedestrian safety is a collaborative effort between pedestrians, drivers and our community. We would like to produce "It's Up to Us" campaign posters and flyers to display and disseminate on our school campuses, community centers and parks. Additionally, we would also like to produce stickers, pencils and bookmarks so that we can reach our younger population as well.

The Traffic Division plans to coordinate assemblies with some of our local schools. The assemblies will be conducted by law enforcement personnel and the purpose will be to educate the students on the dangers of crossing the street while distracted and inattentive. We will also instruct students on how to properly cross the street. Furthermore, we would also like to assemble a community/ media event at one of our local schools. We plan on inviting the Chief of Police and City Officials to prove to our community that pedestrian safety is a high priority. Law enforcement officers will be present at our community/ media event showing the children the proper way to cross the street.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application and acceptance (if awarded) of the CDPH Grant titled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99 and authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH. **Staff recommends this alternative.**

2) Not approve the application for the CDPH Grant titled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant not authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH. **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund.

Budget appropriations are as follows upon approval and acceptance of the grant:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OTS - POLICE FUND (136)	1360.4611.1 (State Grant Oper. Rev.)	REV	$4,999.99
OTS - POLICE FUND (136)	136XX (CDPH - SACB Grant)	EXP	$4,999.99

CITY COUNCIL GOALS

To provide a safe and secure environment for people and property in the community, and provide protection for citizens who live, work and visit the City of Moreno Valley. The City-wide camera surveillance system will aid in this goal by helping to reduce crime, identify criminals who do commit crimes, and make a safer and more secure environment for the citizens in our community.

SUMMARY

Approve the grant application and authorize acceptance (if awarded) of the Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) grant in the

amount not to exceed $4,999.99, entitled “It’s Up to Us”: A Pedestrian Safety Public Education Campaign Mini Grant and authorize the revenue and expense budgets in the California Department of Public Health – Police Fund (Fund 136) for the “It’s Up to Us”: A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH.

Prepared by:
Launa Jimenez
Management Analyst

Department Head Approval:
John Anderson
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 10, 2012

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 21 – April 3, 2012.

Reports on Reimbursable Activities March 21 – April 3, 2012		
Council Member	Date	Meeting
William H. Batey II		None
Marcelo Co	3/28/12	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	4/3/12	Moreno Valley Hispanic Chamber of Commerce Adelante
Robin N. Hastings		None
Jesse L. Molina	3/28/12	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00159821

MINUTES - REGULAR MEETING OF MARCH 27, 2012
(Report of: City Clerk Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00159823

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: April 10, 2012

TITLE: **EXTENSION OF CONTRACT** - APPROVE THIRD AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period.

2. Authorize the President to execute the Third Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc. in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY DOLLARS AND NO CENTS ($122,760.00) for CSD Zone A for twelve months; and
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY DOLLARS AND NO CENTS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the third of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. will expire on June 30, 2012. On February 14, 2012, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the fourth term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the third of four, twelve-month extensions. The contract amount for the third extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the Third Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2012-2013. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the Third Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this Third Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2012-2013 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this Third Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period.
2. Authorize the President to execute the Third Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto; and
3. Authorize the Purchase and Facilities Division Manager to issue purchase orders in the amounts of:
   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY DOLLARS AND NO CENTS ($122,760.00) for CSD Zone A for twelve months; and
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY DOLLARS AND NO CENTS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: Third Amendment to Agreement
Attachment 2: Second Amendment to Agreement
Attachment 3: First Amendment to Agreement
Attachment 4: Agreement
Attachment 5: Insurance

Prepared By:
Dean Ristow
Parks Maintenance Supervisor

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

THIRD AMENDMENT TO AGREEMENT

This Third Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as “CSD”), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the third twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2012 and finish on June 30, 2013.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Michael McCarty, Director
Parks and Community Services

Date: _____

SECOND AMENDMENT TO AGREEMENT

This Second Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the second twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2011 and finish on June 30, 2012.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 2

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 9/8/11

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 6/7/2011

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 6-20-11

RECOMMENDED FOR APPROVAL:

_____
for Department Head

Date: 6/22/11

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 3

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 7/13/10

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 5/24/2010

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: July 1, 2010

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-24-10

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 4

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. **OWNERSHIP OF DOCUMENTS.** All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. **PUBLICATION OF DOCUMENTS.** Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. **INDEMNIFICATION.** Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. **PUBLIC RECORDS ACT.** The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. **ASSIGNABILITY.** This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. **INDEPENDENT CONTRACTOR.** The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. **AUDIT OF RECORDS.** Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

44. **ENTIRE AGREEMENT.** This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

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communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.

   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

MV00159857

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

MV00159859

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

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MV00159861

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/16/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
131 EAST MAIN ST
SUITE 203
EL CAJON CA 92020
Agency Lic#: 0F82058

CONTACT NAME: Joshua K Schwartz
PHONE (A/C, No, Ext): FAX (A/C, No):
E-MAIL ADDRESS: josh@bcisinc.net
PRODUCER CUSTOMER ID: 2278

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Navigators Specialty Ins. Co. A(X)SLW	36056
INSURER B :	
INSURER C :	
INSURER D:	
INSURER E :	
INSURER F :	

COVERAGES CERTIFICATE NUMBER: 12716 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	Y		04N0025934	09/12/11	09/12/12	EACH OCCURRENCE	$ 1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurence)	$ 100,000
	CLAIMS-MADE X OCCUR						MED. EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS						BODILY INJURY (Per accident)	$
	SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	$
	HIRED AUTOS							$
	NON-OWNED AUTOS							$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DEDUCTIBLE							$
	RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATU-TORY LIMITS / OTH ER	$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					E.L. EACH ACCIDENT	$
							E.L. DISEASE-EA EMPLOYEE	$
							E.L. DISEASE-POLICY LIMIT	$

RISK MANAGEMENT Approved
M. Alonzo 9-22-11
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevlopment Agency of Moreno Valley are named Additional Insured per written contract. RE: Various Locations * Endorsement is attached.

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Joshua K Schwartz

Attachment 5

ACORD 25 (2009/09)

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Item No. B.3

MV00159862

BLANKET ADDITIONAL INSUREDS– OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Policy Number: 04-N0025934	Endorsement Effective: 9/12/2011 12:01 a.m.
Named Insured D L S LANDSCAPE INC, DBA: D L S LANDSCAPE INC	Countersigned By: Lisa Erickson

SCHEDULE

Name of Person or Organization: **Any person or organization that the named insured is obligated by virtue of a written contract or agreement to provide insurance such as is afforded by this policy.**
Location:

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

A. **Section II – Who Is An Insured** is amended to include as an insured the person or organization shown in the Schedule, but only to the extent that the person or organization shown in the Schedule is held liable for your acts or omissions arising out of your ongoing operations performed for that insured.

B. With respect to the insurance afforded to these additional insureds, the following exclusion is added:

2. Exclusions

This insurance does not apply to "bodily injury" or "property damage" occurring after:

(1) All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the site of the covered operations has been completed; or

(2) That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. The words "you" and "your" refer to the Named Insured shown in the Declarations.

D. "Your work" means work or operations performed by you or on your behalf; and materials, parts or equipment furnished in connection with such work or operations.

Primary Wording

If required by written contract or agreement: Such insurance as is afforded by this policy shall be primary insurance, and any insurance or self-insurance maintained by the above additional insured(s) shall be excess of the insurance afforded to the named insured and shall not contribute to it.

Waiver of Subrogation

If required by written contract or agreement: We waive any right of recovery we may have against an entity that is an additional insured per the terms of this endorsement because of payments we make for injury or damage arising out of "your work" done under a contract with that person or organization.

ANF- ES 043 (5/2006)

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/15/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Amorelli, Rosemann & Associates
3333 E Concours St
Building 9-200
Ontario CA 91764

CONTACT NAME: Danette Miller
PHONE (A/C, No, Ext): (909) 987-7600 FAX (A/C, No): (909) 987-7656
E-MAIL ADDRESS: danettem@arainsurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: State Compensation Insurance	NF35076 (CA)
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
D L S Landscape, Inc
PO BOX 67
Redlands CA 92373

COVERAGES CERTIFICATE NUMBER: 11-12 wc master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY						EACH OCCURRENCE	$
	COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
	CLAIMS-MADE OCCUR						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
							GENERAL AGGREGATE	$
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$
								$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO			RISK MANAGEMENT Approved			BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR			By: M. Alonzo	Date: 11-17-11		EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						X WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		9000380-11	11/1/2011	11/1/2012	E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
PROOF OF INSURANCE FOR CERTIFICATE HOLDER

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
MOreno Valley, CA 92552

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Danette Miller/DANETT

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A+(ist) CA

CERTIFICATE OF INSURANCE

☒ ALLSTATE INSURANCE COMPANY ☐ ALLSTATE INDEMNITY COMPANY ☐ ALLSTATE TEXAS LLOYD'S

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY Policy Number: Effective Date: Expiration Date:

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	
PHYSICAL DAMAGE LIMIT	ANY ONE LOSS
MEDICAL EXPENSE LIMIT	ANY ONE PERSON

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY Policy Number: Effective Date: Expiration Date:

Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		
	BODILY INJURY BY ACCIDENT		EACH ACCIDENT
EMPLOYERS'	BODILY INJURY BE DISEASE		EACH EMPLOYEE
LIABILITY	BODILY INJURY BY DISEASE		POLICY LIMIT

AUTOMOBILE LIABILITY Policy Number: 048319593 Effective Date: 11/08/2011 Expiration Date: 11/08/2012

Coverage Basis	Limits		
☒ ANY AUTO ☐ OWNED AUTOS ☐ HIRED AUTOS	Combined Single Limit of Liability		
	BODILY INJURY & PROPERTY DAMAGE	$1,000,000	EACH ACCIDENT
☐ SPECIFIED AUTO ☐ NON-OWNED AUTOS	Split Liability Limits		
	Bodily Injury	Property Damage	Each
☐ OWNED PRIVATE PASSENGER AUTOS			PERSON
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			ACCIDENT

UMBRELLA LIABILITY Policy Number: Effective Date: Expiration Date:

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy) Policy Number: 050001000 Effective Date: 1/17/2011 Expiration Date: 1/17/2012

RISK MANAGEMENT
Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By: [signature] Date: 12-1-11

CANCELLATION

Number of days notice 30 DOUG MOORE (909) 463-6716 **November 30, 2011**

Authorized Representative Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives

Item No. B.3

MV00159865

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/15/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER
Amorelli, Rosemann & Associates
3333 E Concours St
Building 9-200
Ontario CA 91764

CONTACT NAME: Danette Miller
PHONE (A/C, No, Ext): (909) 987-7600 FAX (A/C, No): (909) 987-7656
E-MAIL ADDRESS: danettem@arainsurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: State Compensation Insurance	35076
INSURER B: NR(5) CA	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
D L S Landscape, Inc
PO BOX 67
Redlands CA 92373

COVERAGES CERTIFICATE NUMBER: 11-12 wc master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY						EACH OCCURRENCE	$
	COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
	CLAIMS-MADE OCCUR						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
							GENERAL AGGREGATE	$
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$
								$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO			RISK MANAGEMENT Approved			BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR			By	Date		EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						X WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		9000380-11	11/1/2011	11/1/2012	E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
PROOF OF INSURANCE FOR CERTIFICATE HOLDER

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
MOreno Valley, CA 92552

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Danette Miller/DANETT

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MV00159867

MINUTES - REGULAR MEETING OF MARCH 27, 2012
(Report of: City Clerk Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00159869

MINUTES - REGULAR MEETING OF MARCH 27, 2012
(Report of: City Clerk Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00159871

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in its Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES

PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the Public Hearing and accepting public testimony:

1. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;
3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APN 296-280-018.

Staff recommends that the Mayor and City Council, acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

1. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 296-280-018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Conditions of Approval for APN 296-280-018 require that a funding source be provided to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owner of APN 296-280-018 ("Property Owner") the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. The Property Owner is given two opportunities to address the legislative body. These two opportunities are the Public Meeting on March 27, 2012 and the Public Hearing on April 10, 2012, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance

records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballot is approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charge was estimated based on the parcel's front linear footage to the existing Alessandro Blvd. median. Upon approval of the charge, APN 296-280-018 will be subject to the annual charge. If the APN is subdivided in the future the CSD Zone M charge shall be proportionally adjusted.

ALTERNATIVES

1. **Conduct the Public Hearing,** tabulate the ballots, verify, and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet, receive and file with the City Clerk's office the accepted Official Tally Sheet, and if approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate and the annual charge for CSD Zone M to APN 296-280-018 (and any division thereof). *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing,** tabulate the ballots, verify, or accept the results of the mail ballot proceeding for APN 296-280-018. *This alternative would be contrary to Proposition 218 mandates.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charge is as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
APN 296-280-018 (and any division thereof)	$212	$1,770.14

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-

Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The Property Owner is being balloted to provide a funding source for the maintenance costs of an existing median. The CSD Zone M charge will offset a portion of the contribution from the General Fund for this median. **Collections of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public testimony, tabulate the returned ballots, verify, and accept the results of the mail ballot proceeding for APN 296-280-018.

NOTIFICATION

The Property Owner was given the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots, instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the March 27, 2012, Public Meeting and April 10, 2012, Public Hearing was published in The Press-Enterprise on March 8, 2012. Additionally, the Public Hearing notification was published on March 22 and again on March 29, 2012.

ATTACHMENTS

Attachment 1: Mail Ballot Packet for APN 296-280-018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00159877

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Yoon Ku Byun
19826 Hidden Trail Pl
Walnut, CA 91789

February 23, 2012

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 296-280-018

******* OFFICIAL BALLOTS ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Number (APN) 296-280-018 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 296-280-018 is subdivided in the future. The charge levied shall not exceed the charge previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2011/12 for the program as a whole is $396,356.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $1,770.14. The total amount of the CSD Zone M charges levied for FY 2011/12 for the program as a whole is $156,303.84.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 296-280-018 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD

Zone M charge shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, March 27, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, April 10, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if the ballot is marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if the ballot is marked in favor of the annual charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If the returned valid ballot is marked opposing the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If the returned valid ballot is marked opposing the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the two enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, April 10, 2012**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

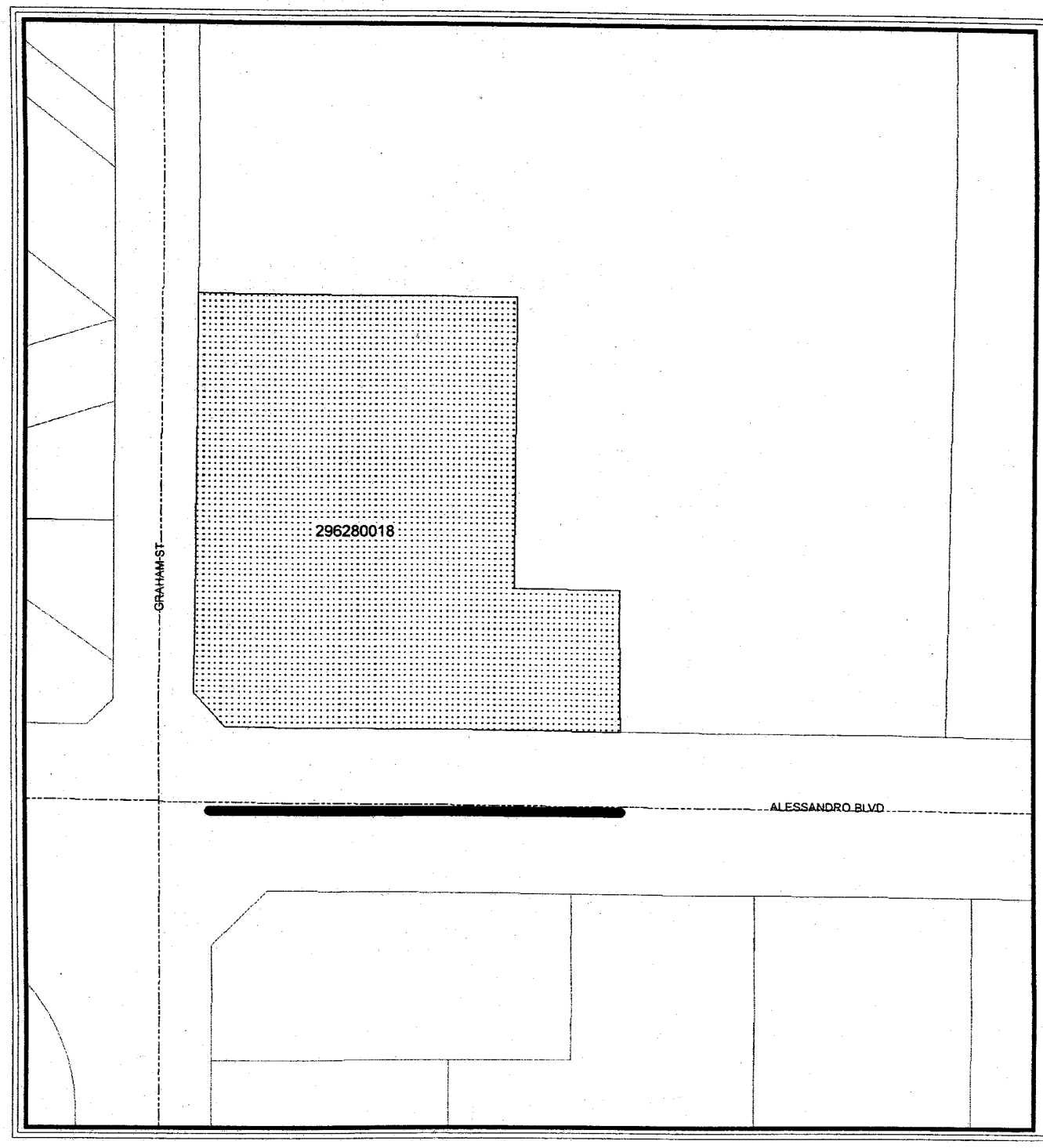

Assessor Parcel Number 296-280-018

- Median
- Landscaped Areas
- 296-280-018
- Roads
- Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2012.

N

0 65 130 195 260 Feet

G:\AVP\SDA\PA09-0031 Conv Store and Carwash.

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00159883

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 296-280-018, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 296-280-018, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-280-018 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 296-280-018, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $1,770.14. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 296-280-018, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
296-280-018 (and any division thereof)	☐	☐	$1,770.14

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in its Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES

PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the Public Hearing and accepting public testimony:

1. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;
3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APN 296-280-018.

Staff recommends that the Mayor and City Council, acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

1. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 296-280-018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Conditions of Approval for APN 296-280-018 require that a funding source be provided to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owner of APN 296-280-018 ("Property Owner") the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. The Property Owner is given two opportunities to address the legislative body. These two opportunities are the Public Meeting on March 27, 2012 and the Public Hearing on April 10, 2012, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance

records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballot is approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charge was estimated based on the parcel's front linear footage to the existing Alessandro Blvd. median. Upon approval of the charge, APN 296-280-018 will be subject to the annual charge. If the APN is subdivided in the future the CSD Zone M charge shall be proportionally adjusted.

ALTERNATIVES

1. **Conduct the Public Hearing,** tabulate the ballots, verify, and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet, receive and file with the City Clerk's office the accepted Official Tally Sheet, and if approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate and the annual charge for CSD Zone M to APN 296-280-018 (and any division thereof). *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing,** tabulate the ballots, verify, or accept the results of the mail ballot proceeding for APN 296-280-018. *This alternative would be contrary to Proposition 218 mandates.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charge is as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
APN 296-280-018 (and any division thereof)	$212	$1,770.14

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-

Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The Property Owner is being balloted to provide a funding source for the maintenance costs of an existing median. The CSD Zone M charge will offset a portion of the contribution from the General Fund for this median. **Collections of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public testimony, tabulate the returned ballots, verify, and accept the results of the mail ballot proceeding for APN 296-280-018.

NOTIFICATION

The Property Owner was given the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots, instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the March 27, 2012, Public Meeting and April 10, 2012, Public Hearing was published in The Press-Enterprise on March 8, 2012. Additionally, the Public Hearing notification was published on March 22 and again on March 29, 2012.

ATTACHMENTS

Attachment 1: Mail Ballot Packet for APN 296-280-018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00159891

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Yoon Ku Byun
19826 Hidden Trail Pl
Walnut, CA 91789

February 23, 2012

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 296-280-018

******* OFFICIAL BALLOTS ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Number (APN) 296-280-018 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 296-280-018 is subdivided in the future. The charge levied shall not exceed the charge previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2011/12 for the program as a whole is $396,356.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $1,770.14. The total amount of the CSD Zone M charges levied for FY 2011/12 for the program as a whole is $156,303.84.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 296-280-018 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD

Zone M charge shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, March 27, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, April 10, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if the ballot is marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if the ballot is marked in favor of the annual charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If the returned valid ballot is marked opposing the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If the returned valid ballot is marked opposing the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the two enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, April 10, 2012**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

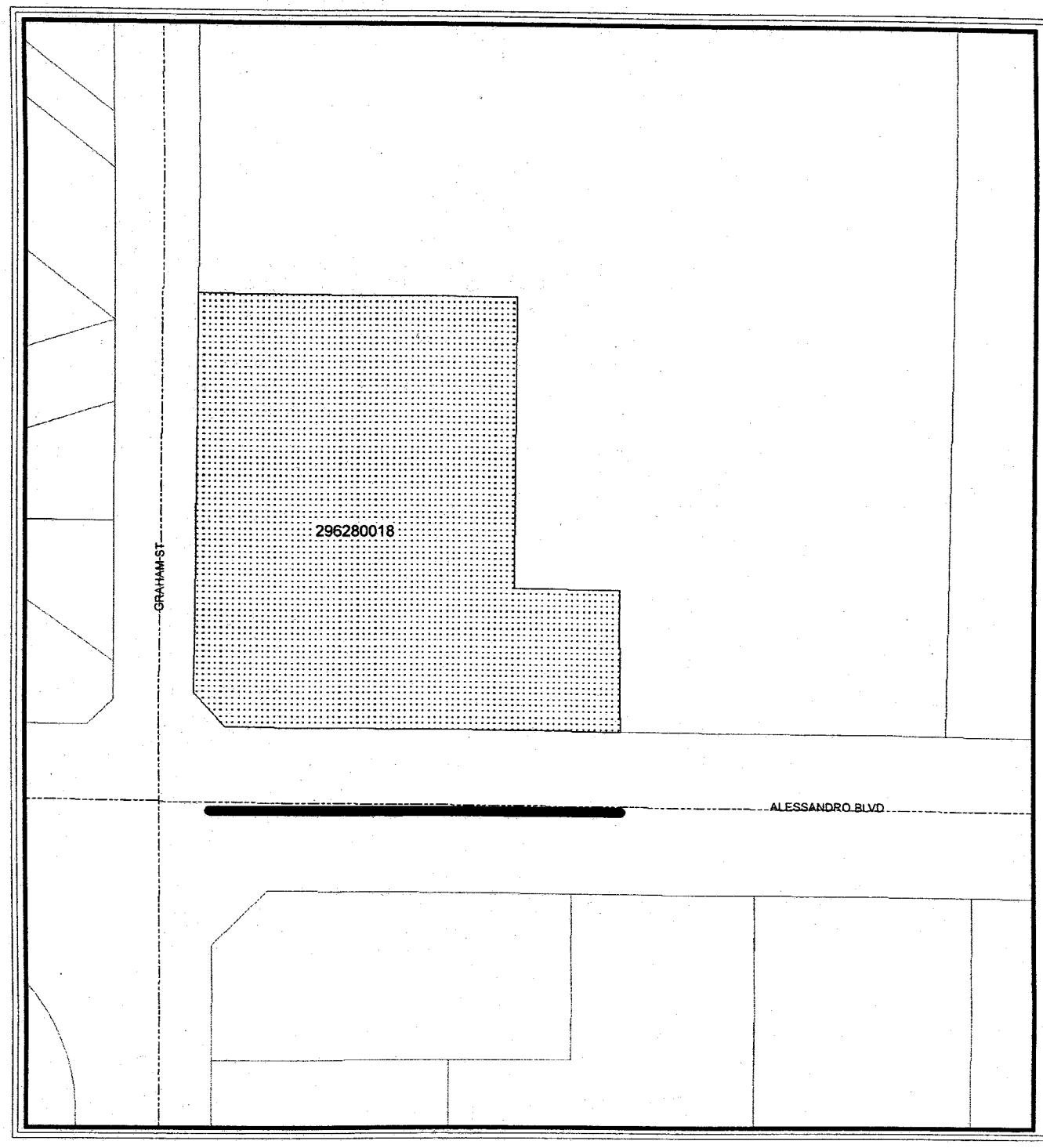

Assessor Parcel Number 296-280-018

- Median
- Landscaped Areas
- 296-280-018
- Roads
- Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2012.

N

0 65 130 195 260 Feet

G:\AVP\SDA\PA09-0031 Conv Store and Carwash.

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00159897

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 296-280-018, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 296-280-018, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-280-018 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 296-280-018, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $1,770.14. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 296-280-018, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
296-280-018 (and any division thereof)	☐	☐	$1,770.14

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

MV00159899

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT #3, THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed FY 2011-12 Annual Action Plan Substantial Amendment #3, the Community Development Block Grant - Recovery Program (CDBG-R).

2. Review and adopt the proposed FY 2011-12 Annual Action Plan Substantial Amendment #3, the Community Development Block Grant - Recovery Program.

3. Authorize the budget re-appropriation of $107,841 from account 199.19910.6849.002 (CDBG-R Eco Green Incentive) and $840 from account 199.19910.6849.003 (CDBG-R Employment Creation Manufacturing) to (new) ADA Park Improvements Project # 199.19910.6849.xxx.

BACKGROUND

The U.S. Department of Housing and Urban Development (HUD) requires that Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) recipient cities such as Moreno Valley prepare a strategic planning document called the Annual Action Plan. The Annual Action Plan details the activities and projects the City will undertake over the course of the upcoming program year using all grant monies received from HUD (including CDBG, HOME, CDBG-R, and HPRP).

When there is a change to the Annual Action Plan, such as the reallocation of funding from one project/activity to another, it is considered by HUD to be a 'substantial amendment' and therefore requires the opportunity for citizen participation/comment through a public hearing. This report proposes one substantial amendment under the Community Development Block Grant – Recovery (CDBG-R) program for City Council consideration.

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act of 2009 (ARRA), which included $1 billion for supplemental Community Development Block Grant - Recovery (CDBG-R) funding to help stimulate the economy through projects that create employment opportunities, modernize infrastructure, promote energy efficiency, expand educational programs, or improve access to health care.

The Department of Housing and Urban Development (HUD) is responsible for administering the CDBG-R program. In 2009, HUD allocated $479,292 to the City of Moreno Valley for CDBG-R in establishing a program that addresses the following overall goals:

- Preserves or creates jobs and promotes economic recovery,
- Assists those most impacted by the recession,
- Provides investment to increase economic efficiency,
- Invests in transportation, environmental protection / independence, or other infrastructure needs that will provide long term benefits,

The Community Development Block Grant - Recovery (CDBG-R) Program requires eligible cities to formulate a proactive plan that addresses community needs and meets the criteria spelled out in HUD's program requirements. On May 29, 2009, City Council approved the following plan for use of CDBG-R funding.

PROGRAM OVERVIEW

The CDBG-R program is designed to stimulate the economy through job creation, infrastructure projects, energy efficiency projects, expanding educational opportunities, and improving access to health care. With Moreno Valley's CDBG-R allocation, four activities were proposed that benefit the low and moderate-income population and meet the Recovery Act objectives while providing for responsible spending.

The table below describes the activities that were selected for funding under the CDBG-R plan.

Approved Grant Activities	Funding Allocation	Selected Projects	Project Description
Grant Administration	$47,929	City Administration	Consistent with CDBG-R guidelines, a maximum of ten percent of the grant ($47,929) is reserved for grant planning and management. Administration of the grant is conducted by current staff.
Utility – Infrastructure Improvement Project	$107,841	MV Utilities Infrastructure – Elsworth Street Utility Improvements	Installation of new, environmentally conscious/energy effective utilities by installing electrical conduit and vaults on Elsworth St. from Goldencrest Dr. to Corporate Center.
Economic Incentive for Green and Technology Businesses	$107,845	MVP – EV (electric vehicle manufacturing company) Relocation	Relocation of company's national manufacturing plant to the City of Moreno Valley. The goal of this activity was to incentivize an environmentally conscious business to relocate or expand an existing facility in exchange for creation or retention of employment of low-to-moderate income persons.
Employment Creation Incentive for Distribution & Manufacturing Businesses	$107,841	Frazee Paint Relocation	Relocation of company's west coast distribution center to Moreno Valley's Centerpointe Business Park. This business opened July 2010 and created approximately 70 jobs. This activity focused on creating or retaining employment opportunities in the City's CDBG Target Area by assisting in producing new jobs for distribution and manufacturing uses.
Employment Creation Incentive for Vacant Restaurant Reuse	$107,840	Buffalo Wild Wings Expansion	Expansion of restaurant chain to Moreno Valley's Town Gate Crossing. This business opened March 2011 and created approximately 100 jobs. The program incentivized job creation for low-to-moderate income persons at vacant restaurants located in both the Redevelopment (RDA) Project Area and the CDBG Target Area by providing funds for new restaurateurs in exchange for creation of employment opportunities.
Total Grant Allocation	**$479,292**		

DISCUSSION

Under the Economic Incentive for Green Technology Business component of the CDBG-R plan, a project entitled MVP EV, Inc. was selected to receive $107,841. This project would have provided funding for an electrical vehicle manufacturing plant located on Elsworth Street in Moreno Valley. The City entered into a Participation Agreement with MVP EV, Inc in November 2009. However since this time, the company decided to locate its operations to another jurisdiction. As a result, the $107,841 originally allocated to MVP-EV is now available to be used for another activity. In addition, there is approximately $840.00 in unspent CDBG-R funds from other activities.

Per CDBG-R regulations, the City must expend all CDBG-R funding by September 30, 2012 or risk having funds recaptured. In order to prevent recapture of CDBG-R funding, staff is proposing that $108,681 be reallocated to the Parks ADA Improvement Project under the Utility/Infrastructure Improvement Project CDBG-R plan. This project will upgrade existing non-ADA compliant facilities (restrooms), park/parking lot ramps, and sidewalks throughout the two parks. Both projects include design and construction. Moreno Valley Community Park is located at the corner of Cottonwood Avenue and Frederick Street. JFK Park is located at the corner of John F. Kennedy Drive and Indian Street. Making these park improvements will increase access to and use of park facilities for all Moreno Valley residents.

ALTERNATIVES

1. **Alternative 1**. Conduct a Public Hearing and adopt the FY 2011-12 Annual Action Plan Substantial Amendment #3. ***Staff recommends this alternative as it will ensure the City will meet the CDBG-R expenditure deadline in compliance with ARRA regulations.***

2. **Alternative 2.** Do not conduct a public hearing and decline to adopt FY 2011-12 Annual Action Plan Substantial Amendment #3. ***Staff does not recommend this alternative because it may lead to the recapture of CDBG-R funding.***

FISCAL IMPACT

Fund 199	Budget FY 2011-12	Budget Appropriation	Revised Budget FY 2011-12
199.19910.6849.002	$107,841	$-107,841	$0
199.19910.003	$840	-$840	$0
199.19910.6849.xxx	$0	$108,681	$108,681

The CDBG-R funds are a HUD grant and do not require matching funds. Therefore, FY 2011-12 Annual Action Plan Amendment #3 will have no fiscal impact on the General Fund.

CITY COUNCIL GOALS

1. **REVENUE DIVERSIFICATION & PRESERVATION**
   CDBG-R funds will directly or indirectly enhance the City's ability to stabilize residents' housing and preserve City neighborhoods.

2. **PUBLIC SAFETY**
   CDBG-R activity will directly or indirectly help to provide a secure environment for individuals in the community.

3. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS
The CDBG-R will help to preserve and enhance the City's existing neighborhoods.

NOTIFICATION

In order to reallocate this funding, the proposed Substantial Amendment must adhere to the citizen participation requirements prior to being adopted by the City Council. In conforming with the federal requirements, the proposed amendment was made available for public review from March 8, 2012 to April 9, 2012. Notice of this meeting was published in the Press-Enterprise newspaper March 26, 2012.

ATTACHMENTS

ATTACHMENT A Proposed FY 2011-12 Annual Action Plan Substantial Amendment #3

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred by:
Dante G. Hall
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00159905

CITY OF MORENO VALLEY
FY 2011/12 ACTION PLAN
AMENDMENT NO. 3

The Action Plan addresses the City's plan for use of CDBG and HOME funds during FY 2011-12. The plan is based upon the Consolidated Plan prepared for both programs. The Action Plan facilitates the strategy outlined in the Consolidated Plan by addressing community needs through various mechanisms.

This amendment to the FY 2011-12 Annual Action Plan requires citizen participation (including public hearing, public notice and 30-day review period) because the issue is considered a "substantial amendment." This substantial amendment will be available for public review from March 8, 2012 through April 9, 2012. A public hearing will be conducted at the April 10, 2012 Moreno Valley City Council Meeting at 6:30 p.m. Amendment No. 3 to the City of Moreno Valley's FY 2011-12 Annual Action Plan includes the following changes:

Reallocation of $107,841 in funding for the MVP EV, Inc. project to the ADA Park Improvements Project. Reallocation of $840 in remaining CDBG-R funds to the ADA Park Improvements Project. The new project (total cost of $108,681) will provide for the upgrade of existing non-ADA compliant facilities (restrooms), park/parking lot ramps, and sidewalks throughout the two parks. Both projects include design and construction.

Approved by: _____
Henry Garcia, City Manager

ATTACHMENT A

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MV00159907

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN SUBSTANTIAL AMENDMENT No. 2 – HOMELESSNESS PREVENTION AND RAPID REHOUSING PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council:

1) Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2011-12 Annual Action Plan Substantial Amendment No. 2;

2) Adopt the proposed Substantial Amendment No. 2; and

3) Authorize revenue and expense budget appropriations of $36,228 to accounts 198.1980.4610.1 and 198.19810.6847.003 (HPRP-Rental Assistance) respectively.

BACKGROUND

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act of 2009 (ARRA), which includes $1.5 billion for homelessness prevention and recovery activities. Funding for this program is called the Homelessness Prevention and Rapid Re-Housing Program (HPRP).

In 2009 the City of Moreno Valley received an HPRP allocation of $732,872 to assist households that could otherwise become homeless – many due to the economic crisis – or rapidly re-house those who are homeless or at risk of homelessness. The City conducted an RFQ process to procure qualified subrecipient organizations to administer

the program. The chart below details the activities and organizations awarded contracts to carryout the activities under HPRP.

TOTAL HPRP GRANT:	Subrecipient Organization	Funding Amount
City Administration (5%)	City of Moreno Valley	$ 36,644
Case Management	Family Services Association	$ 35,000
Rent Assistance	Volunteer Center ($127,500) Family Service Association ($127,500) Catholic Charities ($127,500)	$ 382,500
Rent Arrears	Volunteer Center ($34,166) Family Service Assoc. ($34,166) Catholic Charities ($34,166)	$ 102,500
Utility Assistance / Arrears	Lutheran Social Services	$ 27,500
Security Deposits	PW Enhancement Center ($28,330) Lutheran Social Services ($38,438)	$ 76,875
Motel Vouchers	PW Enhancement Center	$ 25,625
Legal Assistance	Inland Counties Legal Services	$ 40,000
Outreach	$ to market programs (fliers, website, MVTV3, Soaring, 211 / svc provider cross-sell)	$ 6,228
	TOTAL:	$ 732,872

The U.S. Department of Housing and Urban Development (HUD) requires that Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) recipient cities such as Moreno Valley prepare a strategic planning document called the Annual Action Plan. The Annual Action Plan details the activities and projects the City will undertake over the course of the upcoming program year using all grant monies received from HUD (including CDBG, HOME, CDBG-R, and HPRP).

When there is a change to the Annual Action Plan, such as the reallocation of funding from one project/activity to another, it is considered by HUD to be a 'substantial amendment' and therefore requires the opportunity for citizen participation/comment through a public hearing. This report proposes one substantial amendment under the HPRP program for City Council consideration.

DISCUSSION

As a condition of the HPRP grant agreement, grantees must expend all funding within three years of the grant agreement. The expenditure deadline for Moreno Valley's HPRP is August 18, 2012. As of the date of this report $694,436 (95%) of the $732,872 allocation has been spent. The majority of subrecipients have sufficiently spent down their allocations of HPRP funding with the exception of Inland Counties Legal Services which still has a balance of $30,000 to be spent for legal services. In addition, the City did not incur any outreach costs under the program which leaves a balance of $6,228.

In order to meet the August 18, 2012 expenditure deadline, staff is proposing to reallocate the $30,000 in unspent legal services funding and the $6,228 in outreach funding to provide $36,228 of additional rental assistance to eligible HPRP households. This reallocation is being suggested as funding for rental assistance has been the highest demanded activity from the public under the HPRP. Staff is confident that this extra funding can be expended in a timely manner which will allow the City to meet the HUD expenditure timelines while also serving the demands of the community.

ALTERNATIVES

1. **Alternative 1** - Conduct a Public Hearing for the proposed Substantial Amendments, adopt the proposed Substantial Amendments and authorize the transfer of requested funds between the stipulated business units. **Staff recommends this alternative as it will ensure compliance with HUD's HPRP expenditure deadline.**
2. **Alternative 2** – Decline to conduct a Public Hearing for the proposed Substantial Amendments, adopt the proposed Substantial Amendments, and authorize the transfer of requested funds between the stipulated business units. **Staff does not recommend this alternative as it may hinder the City from meeting the HUD mandated HPRP expenditure deadline.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund.

Budget appropriations are as follows upon approval of the recommended actions.

Fund	Account	Type	
Homelessness Prevention and Rapid Re-Housing Program (198)	198.1980.4610.1 Federal Grant Revenue	Rev	$36,228
Homelessness Prevention and Rapid Re-Housing Program (198)	198.19810.6847.003 HPRP Rental Assistance	Exp	$36,228

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION & PRESERVATION
CDBG funds enhance the City's ability to create a stable revenue base and fiscal policies that support essential City improvements and services.

PUBLIC SAFETY
CDBG projects and programs directly or indirectly help to provide a secure environment for people and property in the community.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS
The Foreclosure Prevention Workshops may preserve Moreno Valley's existing neighborhoods and the overall attractiveness of the City.

POSITIVE ENVIRONMENT
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

In order to reallocate this funding, the proposed Substantial Amendments must adhere to the citizen participation requirements prior to being adopted by the City Council. In conforming with the federal requirements, the proposed amendments were made available for public review from March 8, 2012 to April 9, 2012. Notice of this meeting was published in the Press-Enterprise newspaper on March 26, 2012.

ATTACHMENTS/EXHIBITS

ATTACHMENT A Proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 2

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
Dante G. Hall
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00159913

CITY OF MORENO VALLEY
FY 2011-12 ACTION PLAN
AMENDMENT NO. 2

The Action Plan addresses the City's plan for use of CDBG and HOME funds during FY 2011-12. The plan is based upon the Consolidated Plan prepared for both programs. The Action Plan facilitates the strategy outlined in the Consolidated Plan by addressing community needs through various mechanisms.

This amendment to the FY 2011-12 Annual Action Plan requires citizen participation (including public hearing, public notice and 30-day review period) because the issue is considered a "substantial amendment." This substantial amendment will be available for public review from March 8, 2012 through April 9, 2012. A public hearing will be conducted at the April 10, 2012 Moreno Valley City Council Meeting at 6:30 p.m. Amendment No. 2 to the City of Moreno Valley's FY 2011-12 Annual Action Plan includes the following changes:

The proposed FY 2011-12 Amendment 2 includes reallocation of $30,000 from the legal services activity to the rental assistance activity, and $6,228 in outreach funding to rental assistance activities. The original allocations were as follows:

Rental Assistance - $382,500
Legal Assistance - $40,000
Outreach - $6,228

The revised allocations are as follows:

Rental Assistance - $418,728
Legal Assistance - $10,000
Outreach - $0

Approved by: _____
Henry Garcia, City Manager

ATTACHMENT A

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MV00159915

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)

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MV00159917

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: City Council and Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: April 10, 2012

TITLE: INSTALLATION OF SYNTHETIC TURF AT MARCH FIELD PARK

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award to Field Turf USA, Inc. 8088 Mountview Road, Montreal, Quebec, CN for material and labor to install synthetic turf at March Field Park.

2. Authorize the issuance of a Purchase Order to Field Turf USA, Inc., in the amount of $196,667.00 ($178,788.50 for the bid amount plus 10% contingency) when the contract has been signed by all parties.

3. Authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Field Turf USA, Inc., up to but not to exceed the Purchase Order contingency of $17,878.50 subject to the approval of the City Attorney.

4. Authorize the Parks and Community Services Director to accept the improvements into the CSD's maintained system upon acceptance of the improvements as complete.

BACKGROUND

The City applied for and received approval in 1995 from the National Park Service for federal surplus property when March Air Force Base was downsized to March Air

Reserve Base. This 90-acre property, currently known as March Field Park, was obtained at no cost to the City.

Subsequently, Parks and Community Services updated the existing softball fields for public use and cleaned up the site. In 2008, the final deeded transfer of the park was made. The deed came with requirements that the site be used for public recreation activities, which included softball/baseball, soccer, and other activities associated with public parks.

March Field Park skate facility was constructed in 2004. The facility includes a concession building, restroom facility, skate park, and hockey rink.

DISCUSSION

Over the years the demand for in-line hockey has greatly diminished, and staff has researched ideas to revitalize this amenity. The City is in need of soccer facilities, and enclosed soccer arenas have exploded in popularity. Although this site is not covered, the area is enclosed and lighted. By enhancing this area to accommodate the sport of "enclosed" soccer, staff believes the usage will improve and consequently we will see a definite increase in revenue. Currently, the skate park averages 600 participants a month. It should also be noted that an additional 100 people a month are already utilizing the concrete surface of the roller hockey rink for open play. By adding the synthetic turf, which is a safer surface than the concrete, and making an indoor soccer arena to provide open and league play, staff projects usage of the facility should increase by a minimum of 1,200 participants a month.

Soccer arenas utilizing synthetic turf are the upcoming soccer sport, since it raises the level of skills needed, due to the ball being consistently in-play. The sport can be played all year, day and evening. The synthetic turf, which is permeable, would be installed over the current hockey rink, which is an excellent surface for this application. Water drainage would be similar to the way the concrete drains now (to the sides and under the dasher board).

Project materials and labor costs for this project have all been publically negotiated utilizing the U.S. General Services Administration (GSA). Public Contract Code (PCC) 12101.5 established the California Multiple Award Schedule (CMAS) program in 1994, utilizing pre-bid products and services awarded on a Federal GSA schedule. PCC sections 10298 and 10299 authorize local government agencies to use CMAS agreements without further competitive bidding. The products and prices specified in the attached Contractor Agreement conform to the products and prices authorized by CMAS. Additionally, City of Moreno Valley Municipal Code 3.12.260 authorizes corporative purchases and piggybacking of materials, supplies, equipment or contractual services with CMAS. It should be noted that the materials for this project are made in the USA.

ALTERNATIVES

1. Award to Field Turf USA, Inc. 8088 Mountview Road, Montreal, Quebec, CN for material and labor to install synthetic turf at March Field Park; Authorize the issuance of a Purchase Order to Field Turf USA, Inc., in the amount of $196,667.00 ($178,788.50 for the bid amount plus 10% contingency) when the contract has been signed by all parties; authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Field Turf USA, Inc., up to but not to exceed the Purchase Order contingency of $17,878.50 subject to the approval of the City Attorney; authorize the Parks and Community Services Director to accept the improvements into the CSD's maintained system upon acceptance of the improvements as complete.

2. Elect not to award a purchase order to Field Turf USA, Inc. at this time and provide further direction to staff.

FISCAL IMPACT

Funding for the new synthetic turf is $196,667.00, utilizing Parkland Development Impact Fees (205) and Quimby (206). This item is an approved budget item for FY 11/12 in Business Unit 461.65331.7200.

This recommended action imposes NO fiscal impact to the General Fund.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE, AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Posting of the agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A': Independent Contractor Agreement with Field Turf USA, Inc.
Exhibit 'B': Field Turf USA, Inc. CMAS Contract, Details & Quote

Prepared By:
Tony Hetherman
Parks Projects Coordinator

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

INDEPENDENT CONTRACTOR AGREEMENT

PROJECT 11/12-461.65331

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Field Turf USA, Inc.
8088 Montview
Montreal, Quebec, Canada
H4P 2L7
Business Phone: 800-724-2969, Fax No. 514-340-9311
Email: tara.clarini@fieldturf.com
Social Security Number: N/A
Business License Number:
Federal Tax I.D. Number: 27-2502420

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Attachment 'A' attached hereto and incorporated herein by this reference.

B. The City's responsibility and project locations, other than payment, is described in Attachment 'B' attached hereto and incorporated herein by this reference.

C. Payment terms are provided in Attachment 'C' attached hereto and incorporated herein by this reference.

D. This Agreement is made and entered into effective the date the City signs this Agreement. The termination date of the Agreement shall be June 30, 2012.

E. The Contractor Starting Date is the date listed on the issued Purchase Order, which will be utilized as the "Notice to Proceed". The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **ninety (90) working days** after said date in the "Notice to Proceed". The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

F. The work performed in this contract shall be performed Monday through Friday, 7 a.m. to 4 p.m. City observed holidays shall be observed by the Contractor and no work shall be performed on these dates.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and the (CSD), its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and the Moreno Valley Community Services District (CSD)and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Moreno Valley Unified School District are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Document Ownership. Any system or documents developed, produced or provided under this Agreement, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

(a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through

the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

J. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement. Partial Payments.

No partial payments shall be made on this project.

K. Stop Notice Withholds. The City may withhold payments to cover claims filed under Civil Code § 3179 et seq.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

O. Warranty. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and/or Specifications.

P. Prevailing Wage. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations and Prevailing Wage Rates. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents. The Contractor shall submit a list of all trades utilized in the project

and corresponding DIR wage determinations. Certified payroll reports, Certificates of Compliance and Fringe Benefit Statements shall be submitted weekly. A copy of DIR prevailing wage rates can be obtained from the DIR at www.dir.ca.gov (Statistics and Research) or type into web browser: http://www.dir.ca.gov/dlsr/PWD/index.htm. Additionally, prevailing wage rates are on file in the City's Capital Projects Division, available upon request.

Q. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

R. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

S. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

T. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

U. Licensing. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826.Mailing address: P.O.Box 26000,Sacramento, CA 95826.

V. Surety Bonds. The Contractor shall post Surety Bonds for 'Faithful Performance' and 'Labor and Materials'. Surety Bonds shall be sufficient to cover the project and approved by the City. Bonds shall be in the amount equal to one-hundred percent (100%) of the contract price.

W. Business License. The Contractor shall obtain a City of Moreno Valley Business License prior to the issuance of a purchase order.

4. **SPECIAL TERMS AND CONDITIONS**:

A. California Multiple Award Services (CMAS). The Contractor shall adhere to all terms and conditions set forth by CMAS for Contract number 4-06-78-0031A.

B. CMAS Reports. The Contractor shall provide the City a copy of all required reports filed with CMAS.

C. Warranty. The Contractor shall provide the City a written warranty for the synthetic turf. The warranty period shall be eight (8) years, covering material defects. Commencement of the warranty shall be the date of completion of installation.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Mayor

_____
Date

Field Turf USA, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT 'A'

SCOPE OF WORK

Site: March Field Park Hockey Rink

Per CMAS contract #4-06-78-0031A, provide and install:

15,700 square feet of Easy Turf Easy Play synthetic turf and Infill to consisting of silica sand and crumb rubber (made from California recycled tires)

15,700 square feet of Easy Turf Drainage Tiles over existing concrete surface

Permanent white inlays for the sport of soccer

ATTACHMENT 'B'

CITY'S RESPONSIBILITY AND PROJECT LOCATION

→ Provide access to the site.

→ Provide contractor access to electrical panels.

→ Ensure irrigation water is off as necessary for the Contractor to perform their duties. The contractor shall notify the Park Maintenance Division two working days in advance to have irrigation turned off.

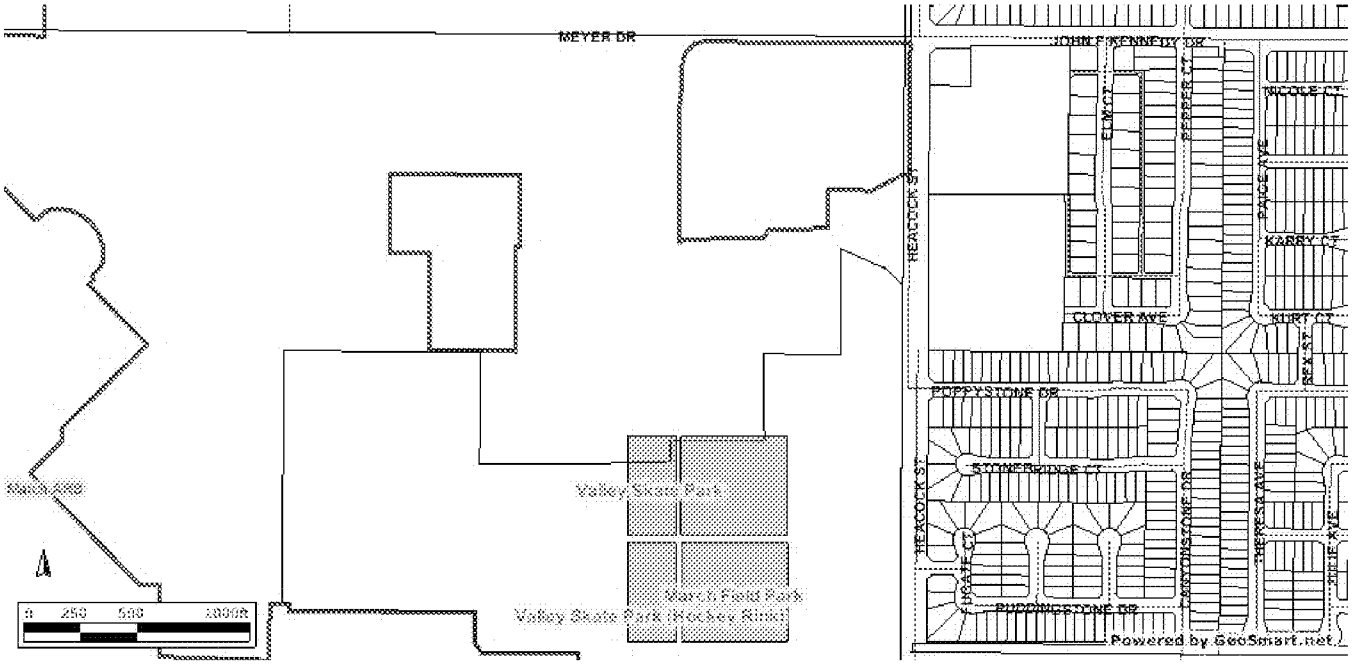

Item No. G.3

ATTACHMENT 'C'

TERMS OF PAYMENT

1. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the CMAS Contract as full compensation for the work required under the Scope of Work awarded by the City, to wit, the sum total amount of **$ 178,788.50,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract Documents.

2. The Contractor will submit one invoice to the City along with documentation evidencing services completed. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due shall be final.

3. The City shall pay the Contractor for all invoiced, materials and labor as identified in the contract within thirty (30) days of acceptance of the project.

EXHIBIT B

DGS CALIFORNIA DEPARTMENT OF GENERAL SERVICES

Procurement Division
707 Third Street, 2nd Floor, MS #2-202
West Sacramento, CA 95605-2811

State of California

MULTIPLE AWARD SCHEDULE

FieldTurf USA, Inc.

CONTRACT NUMBER:	**4-06-78-0031A**
SUPPLEMENT NO.:	2
CMAS CONTRACT TERM:	11/08/2011 through 11/30/2016
CONTRACT CATEGORY:	Non Information Technology Goods
APPLICABLE TERMS & CONDITIONS:	August 2010
MAXIMUM ORDER LIMIT:	$100,000
FOR USE BY:	State & Local Government Agencies
BASE GSA SCHEDULE NO.:	GS-07F-9631S
BASE SCHEDULE HOLDER:	FieldTurf USA, Inc.

This contract provides for the purchase, warranty and installation of synthetic turf, surface and flooring. Installation charges are included in the price of the product. (See page 2 for the specific brands and restrictions applicable to this contract.)

NOTICE: Products and/or services on this CMAS contract may be available on a Mandatory Statewide Contract (formerly Strategically Sourced Contract). If this is the case, the use of this CMAS contract is restricted unless the State agency has an approved exemption pursuant to MM 05-11, and as further explained in the Statewide Contract User Instructions. Information regarding Statewide Contracts can be obtained at the website: http://www.documents.dgs.ca.gov/pd/contracts/contractindexlisting.htm. This requirement is not applicable to local government entities.

The purpose of this supplement is to renew this contract through 11-30-16. In addition, this supplement replaces in its entirety FieldTurf USA, Inc.'s existing California Multiple Award Schedule (CMAS) that expires on 11-30-11. The most current Ordering Instructions and Special Provisions and CMAS Terms and Conditions dated August 2010, products and/or services and pricing are included herein. Please review these provisions carefully because they may have changed since issuance of your last contract.

The services provided under this CMAS contract are only in support of the products sold under this CMAS contract.

Agency non-compliance with the requirements of this contract may result in the loss of delegated authority to use the CMAS program.

Contractor non-compliance with the requirements of this contract may result in contract termination.

Marisa Truax Effective Date: **11/08/2011**

MARISA TRUAX, Program Analyst, California Multiple Award Schedu

Item No. G.3

MV00159932

CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS)
FIELDTURF USA, INC.
CMAS NO. 4-06-78-0031A, SUPPLEMENT NO. 2

CMAS PRODUCT & SERVICE CODES

The CMAS Product & Service Codes listed below are for marketing purposes only. Review this CMAS contract and the base contract identified below for the products and/or services available on this contract.

Brand-Fieldturf
Floor Cov-Hardwood
Floor Cov-Rubber Sheeting/Tile
Floor Cov-Sport Flooring
Floor Cov-Synthetic Turf
Playground-Surface Rubberized
Sport Surface-Synthetic Track

AVAILABLE PRODUCTS AND/OR SERVICES

Only products from the manufacturer(s) listed below are available within the scope of this contract:

FieldTurf

The ordering agency must verify all products and/or services are currently available on the base GSA schedule at the GSA eLibrary. Access the GSA eLibrary at www.gsaelibrary.gsa.gov.

CMAS BASE CONTRACT

This CMAS contract is based on some or all of the products and/or services and prices from GSA #GS-07F-9631S (FIELDTURF USA, INC.) with a GSA term of 8/07/2011 through 8/06/2016. The term of this CMAS contract incorporates an extension of three months beyond the expiration of the base GSA contract, and is shown in the "CMAS Term Dates" on page 1.

ISSUE PURCHASE ORDER TO

Agency purchase orders must be mailed to the following address, or faxed to **(514) 340-9374:**

FieldTurf USA, Inc.
8088 Montview Rd
Montreal, QC H4P 2L7
CANADA
Attn: Tara Clarini

Agencies with questions regarding products and/or services may contact the contractor as follows:

Phone: (514) 340-9311, Ext 158
E-mail: tara.clarini@fieldturf.com

CALIFORNIA SELLER'S PERMIT

FieldTurf USA, Inc.'s California Seller's Permit No. is 97731798. Prior to placing an order with this company, agencies should verify that this permit is still valid at the following website: www.boe.ca.gov.

CONTRACT PRICES

The maximum prices allowed for the products and/or services available in this CMAS contract are those set forth in the base contract identified on page 2 of this contract.

The ordering agency is encouraged to seek prices lower than those on this CMAS contract. When responding to an agency's Request for Offer (RFO), the contractor can offer lower prices to be competitive.

DARFUR CONTRACTING ACT

This contractor has certified compliance to the Darfur Contracting Act per PCC section 10475, et seq. See the attached certification from this contractor regarding this act.

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)

Ordering departments executing purchases using ARRA funding must attach the ARRA Supplemental Terms and Conditions document to their individual RFOs and purchase documents. Departments are reminded that these terms and conditions supplement, but do not replace, standard State terms and conditions associated with this CMAS contract. The ARRA Supplemental Terms and Conditions can be accessed at www.documents.dgs.ca.gov/pd/poliproc/ARRATand%20C081009final.pdf.

WARRANTY

For warranties, see the federal GSA schedule and the CMAS Terms and Conditions, General Provisions, CMAS Warranty.

DELIVERY

60 days after receipt of order, or as negotiated between agency and contractor and included in the purchase order, or as otherwise stipulated in the contract.

PURCHASING AUTHORITY DOLLAR THRESHOLD

No CMAS order may be executed by a State agency that exceeds that agency's CMAS purchasing authority threshold or the CMAS maximum order limit, whichever is less.

HOW TO USE CMAS CONTRACTS

Agencies must adhere to the detailed requirements in the State Contracting Manual (SCM) when using CMAS contracts. The requirements for the following bullets are in the SCM, Volume 2, Chapter 6 (for non-IT) and the SCM, Volume 3, Chapter 6 (for IT):

- Develop a Request for Offer, which includes a Scope of Work (SOW), and Bidder Declaration form. For information on the Bidder Declaration requirements, see the SCM, Volume 2, Section 3.5.7 and Volume 3, Section 3.4.7.
- Search for potential CMAS contractors at www.dgs.ca.gov/pd/Programs/Leveraged/CMAS.aspx, select "Find a CMAS Contract".
- Solicit offers from a minimum of 3 CMAS contractors including one small business and/or DVBE, if available, who are authorized to sell the products and/or services needed
- If soliciting offers from a certified DVBE, include the Disabled Veteran Business Enterprise Declarations form (Std. 843) in the Request for Offer. This declaration must be completed and returned by the DVBE prime contractor and/or any DVBE subcontractors. (See the SCM Volumes 2 and 3, Chapter 3)
- This is not a bid transaction, so the small business preference, DVBE participation goals, protest language, intents to award, evaluation criteria, advertising, etc., are not applicable.
- If less than 3 offers are received, State agencies must document their file with the reasons why the other suppliers solicited did not respond with an offer.
- Assess the offers received using best value methodology, with cost as one of the criteria.
- Issue a Purchase Order to the selected contractor.
- For CMAS transactions under $5,000 only one offer is required if the State agency can establish and document that the price is fair and reasonable.
- Orders for Information Technology goods and services exceeding $250,000 require approval by Agency Secretary and Department Director or immediate next ranking official.

Local governments set their own order limits, and are not bound by the order limits on the cover page of this contract.

SPLITTING ORDERS

Splitting orders to avoid any monetary limitations is prohibited.

Do not circumvent normal procurement methods by splitting purchases into a series of delegated purchase orders (SAM 3572).

Splitting a project into small projects to avoid either fiscal or procedural controls is prohibited (SAM 4819.34).

MINIMUM ORDER LIMITATION

The minimum dollar value of an order to be issued under this contract is $2,000.

ORDERING PROCEDURES

1. Order Form

State agencies shall use a Contract/Delegation Purchase Order (Std. 65) for purchases and services.

Local governments shall, in lieu of the State's Purchase Order (Std. 65), use their own purchase order document.

Electronic copies of the State Standard Forms can be found at the Office of State Publishing website. The site provides information on the various forms and use with the Adobe Acrobat Reader. Beyond the Reader capabilities, Adobe Acrobat advanced features may be utilized if you have Adobe Business Tools or Adobe Acrobat 4.0 installed on your computer. Direct link to the Standard Form 65: www.dgs.ca.gov/osp/Programs/FormsManagementCenter/FillPrintList.aspx

2. Purchase Orders

State and Local Government agencies are required to send a copy of each CMAS purchase order to:

Department of General Services
Procurement Division, Data Management Unit
PO Box 989052, MS #2-203
West Sacramento, CA 95798-9052
(or via Interagency Mail Service #Z-1)

The agency is required to complete and distribute the order form. For services, the agency shall modify the information contained on the order to include the service period (start and end date), and the monthly cost (or other intermittent cost), and any [illegible] pertinent to the services being [illegible]st for each line item should be included in the order, not just system totals.

The contractor must immediately reject orders that are not accurate. Discrepancies are to be negotiated and incorporated into the order prior to the products and services being delivered.

3. Service and Delivery after Contract Expiration

The purchase order must be issued before the CMAS contract end term expires. However, delivery of the products or completion of the services may be after the contract end term expires (unless otherwise specifically stated in the contract), but must be as provided for in the contract and as specified in the purchase order.

4. **Multiple Contracts on STD. 65 Order Form**

   Agencies may include multiple CMAS contracts from the same contractor on a single Std. 65 Contract/Delegation Purchase Order. For guidelines, see the SCM, Volumes 2 & 3, Chapter 6.B4.1.

5. **Amendments to Agency's Purchase Orders**

   Agency purchase orders cannot be amended if the CMAS contract has expired.

   The SCM, Volumes 2 & 3, Chapter 6.A5.0 provides the following direction regarding amendments to all types of CMAS purchase orders:

   > Original orders, which include options for changes (e.g., quantity or time), that were evaluated and considered in the selection for award during the RFO process, may be amended consistent with the terms of the original order, provided that the original order allowed for amendments. If the original order did not evaluate options, then amendments are not allowed unless an NCB is approved for those amendments.

   Amendments unique to non-IT services are covered in the SCM, Volume 2, Chapter 6.B2.9 as follows:

   > If the original contract permitted amendments, but did not specify the changes (e.g., quantity or time), it may be amended. This only applies to the first amendment. The time shall not exceed one year, or add not more than 30% of the original order value and may not exceed $250,000. If the original contract did not have language permitting amendments, the NCB process must be followed.

   Also, see the SCM, Volumes 2 & 3, Chapter 8, Topic 6, for more information on amending purchase orders.

CONTRACTOR OWNERSHIP INFORMATION

FieldTurf USA, Inc. is a large business enterprise.

SMALL BUSINESS MUST BE CONSIDERED

Prior to placing orders under the CMAS program, State agencies shall whenever practicable first consider offers from small businesses that have established CMAS contracts [GC Section 14846(b)]. NOTE: The Department of General Services auditors will request substantiation of compliance with this requirement when agency files are reviewed.

The following website lists CMAS Small Business and Disabled Veteran Partners:
www.dgs.ca.gov/pd/Programs/Leveraged/CMAS.aspx
then select "Find a CMAS Contractor."

In response to our commitment to increase participation by small businesses, the Department of General Services **waives the administrative fee (a fee currently charged to customer agencies to support the CMAS program) for orders to certified small business enterprises.**

See the current fees in the DGS Price Book at:
www.dgs.ca.gov/ofs/Resources/Pricebook.aspx

SMALL BUSINESS/DVBE - TRACKING

State agencies are able to claim subcontracting dollars towards their small business or DVBE goals whenever the Contractor subcontracts a commercially useful function to a certified small business or DVBE. The Contractor will provide the ordering agency with the name of the small business or DVBE used and the dollar amount the ordering agency can apply towards its small business or DVBE goal.

SMALL BUSINESS/DVBE - SUBCONTRACTING

1. The amount an ordering agency can claim towards achieving its small business or DVBE goals is the dollar amount of the subcontract award made by the Contractor to each small business or DVBE.

2. The Contractor will provide an ordering agency with the following information at the time the order is quoted:

   a. The Contractor will state that, as the prime Contractor, it shall be responsible for the overall execution of the fulfillment of the order.

   b. The Contractor will indicate to the ordering agency how the order meets the small business or DVBE goal, as follows:

      - List the name of each company that is certified by the Office of Small Business and DVBE Certification that it intends to subcontract a commercially useful function to; and
      - Include the small business or DVBE certification number of each company listed, and attach a copy of each certification; and
      - Indicate the dollar amount of each subcontract with a small business or DVBE that may be claimed by the ordering agency towards the small business or DVBE goal; and
      - Indicate what commercially useful function the small business or DVBE subcontractor will be providing towards fulfillment of the order.

3. The ordering agency's purchase order must be addressed to the prime Contractor, and the purchase order must reference the information provided by the prime Contractor as outlined above.

NEW EQUIPMENT REQUIRED

The State will procure new equipment. All equipment must be new (or warranted as newly manufactured) and the latest model in current production. Used, shopworn, demonstrator, prototype, or discontinued models are not acceptable.

Where Federal Energy Management Program (FEMP) standards are available, all State agencies shall purchase only those products that meet the recommended standards. All products displaying the Energy Star label meet the FEMP standards.

SPECIAL MANUFACTURED GOODS

Any contract for goods to be manufactured by the contractor specifically for the State and not suitable for sale to others may require progress payments.

For Non-IT goods contracts, see the CMAS contract Non-IT Commodities Terms & Conditions, Provision #69, Progress Payments.

PRODUCT INSTALLATION

The contractor is fully responsible for all installation services performed under the CMAS contract. Product installations must be performed by manufacturer authorized personnel and meet manufacturer documented specifications.

The prime contractor, as well as any subcontractors, must hold any certifications and/or licenses required for the project.

PUBLIC WORKS (INSTALLATION SERVICES ONLY)

A public works contract is defined as an agreement for "the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind" in accordance with the Public Contract Code (PCC) Section 1101. State agencies planning these types of projects need to review the SCM, Volume 1, Chapters 10 and 11 for applicable guidelines and regulations. Also, the Department of General Services (DGS), Real Estate Services Division (RESD) can be contacted at (916) 376-1748, if you have questions about these types of transactions.

Agency CMAS purchase orders may allow for public works installation only when it is incidental to the total purchase order amount. **The total dollar value of all public works services included in the purchase order must not exceed the dollar value of the products.**

Agencies are to ensure that the applicable laws and codes pertaining to the contractor and sub-contractor licensing, prevailing wage rates, bonding, labor code requirements, etc., are adhered to by the prime contractor as well as any sub-contractor during performance under the CMAS purchase order.

The bond amount for public works has increased to a sum not less than one hundred percent (100%) of the purchase order price.

NOTE: In accordance with Labor Code Section 1773.2, the ordering agency is responsible for determining the appropriate craft, classification or type of worker needed for any contract for public works. Also, the agency is to specify the applicable prevailing wage rates as determined by the Director of the Department of Industrial Relations (DIR). In lieu of specifying the prevailing wage rates, the agency may include a statement on the order that the prevailing wage rates are on file at the agency's office, and will be made available upon request. The prevailing wage rates are available from the DIR at www.dir.ca.gov (select Statistics & Research) or (415) 703-4774.

Bonds: For guidelines, see CMAS contract, General Terms and Conditions, Public Works Requirements.

State Contractor's License: Public works services can be obtained through CMAS only if incidental to the overall purchase order. If incidental public works services are included in the purchase order, prior to issuing the order agencies should contact the State Contractor's License Board at 1-800-321-2752 or at www.cslb.ca.gov to verify that the Contractor's License shown below is still active and in good standing.

FieldTurf USA, Inc.'s California Contractor's License number is 849044. This is a Class D12 Synthetic Products license that is valid through 10/31/2012.

NOT SPECIFICALLY PRICED (NSP) ITEMS

This provision is not applicable to this CMAS contract.

STATE AND LOCAL GOVERNMENTS CAN USE CMAS

State and local government agency use of CMAS contracts is optional. A local government is any city, county, city and county, district, or other local governmental body or corporation, including UC, CSU, K-12 schools and community colleges empowered to expend public funds. While the State makes this contract available, each local government agency should make its own determination whether the CMAS program is consistent with their procurement policies and regulations.

UPDATES AND/OR CHANGES

A CMAS amendment is not required for updates and/or changes once the update and/or change becomes effective for the federal GSA schedule, except as follows:

- A CMAS amendment is required when the contract is based on products and/or services from another contractor's multiple award contract and the contractor wants to add a new manufacturer's products and/or services.

- A CMAS amendment is required for new federal contract terms and conditions that constitute a material difference from existing contract terms and conditions. A material change has a potentially significant effect on the delivery, quantity or quality of items provided, the amount paid to the contractor or on the cost to the State.
- A CMAS amendment is required for changes to contracts that require California Prison Industry Authority (CALPIA) approval.

A CMAS amendment is required to update and/or change terms and conditions and/or products and services based on a non-federal GSA multiple award contract.

SELF-DELETING FEDERAL GSA TERMS AND CONDITIONS

Instructions, or terms and conditions that appear in the Special Items or other provisions of the federal GSA and apply to the purchase, license, or rental (as applicable) of products or services by the U.S. Government in the United States, and/or to any overseas location shall be self-deleting. (Example: "Examinations of Records" provision).

Federal regulations and standards, such as Federal Acquisition Regulation (FAR), Federal Information Resources Management Regulation (FIRMR), Federal Information Processing Standards (FIPS), General Services Administration Regulation (GSAR), or Federal Installment Payment Agreement (FIPA) shall be self-deleting. Federal blanket orders and small order procedures are not applicable.

ORDER OF PRECEDENCE

The CMAS Terms and Conditions shall prevail if there is a conflict between the terms and conditions of the contractor's federal GSA (or other multiple award contract), packaging, invoices, catalogs, brochures, technical data sheets or other documents (see CMAS Terms and Conditions, CONFLICT OF TERMS).

APPLICABLE CODES, POLICIES AND GUIDELINES

All California codes, policies, and guidelines are applicable. THE USE OF CMAS DOES NOT REDUCE OR RELIEVE STATE AGENCIES OF THEIR RESPONSIBILITY TO MEET STATEWIDE REQUIREMENTS REGARDING CONTRACTING OR THE PROCUREMENT OF GOODS OR SERVICES. Most procurement and contract codes, policies, and guidelines are incorporated into CMAS contracts. Notwithstanding this, there is no guarantee that "every" possible requirement that pertains to all the different and unique State processes has been included.

STATEWIDE PROCUREMENT REQUIREMENTS

Agencies must carefully review and adhere to all statewide procurement requirements in the SCM, Volumes 2 and 3, such as:

- Automated Accounting System requirements of State Administrative Manual (SAM) Section 7260-62
- Productive Use Requirements, per the SCM, Volume 3, Chapter 2, Section 2.B6.2.
- SAM Sections 4819.41 and 4832 certifications for information technology procurements and compliance with policies.
- Services may not be paid for in advance.
- Agencies are required to file with the Department of Fair Employment and Housing (DFEH) a Contract Award Report Std. 16 for each order over $5,000 within 10 days of award, including supplements that exceed $5,000.
- Pursuant to Public Contract Code Section 10359 State agencies are to report all Consulting Services Contract activity for the preceding fiscal year to DGS and the six legislative committees and individuals that are listed on the annual memorandum from DGS.
- Pursuant to Unemployment Insurance Code Section 1088.8, State and local government agencies must report to the Employment Development Department (EDD) all payments for services that equal $600 or more to independent sole proprietor contractors. See the contractor's Std. Form 204, Payee Data Record, in the CMAS contract to determine sole proprietorship. For inquiries regarding this subject, contact EDD at (916) 651-6945 for technical questions or (888) 745-3886 for information and forms.
- Annual small business and disabled veteran reports.
- Post evaluation reports. Public Contract Code 10369 requires State agencies to prepare post evaluations on form Std. 4 for all completed non-IT consulting services contracts of more than $5,000. Copies of negative evaluations for non-IT consulting services only must be sent to the DGS, Office of Legal Services. The Bureau of State Audits requires State agencies annually to certify compliance with these requirements.

ETHNICITY/RACE/GENDER REPORTING REQUIREMENT

Effective January 1, 2007, in accordance with Public Contract Code 10111, State agencies are to capture information on ethnicity, race, and gender of business owners (not subcontractors) for all awarded contracts, including CAL-Card transactions. Each department is required to independently report this information to the Governor and the Legislature on an annual basis.

Agencies are responsible for developing their own guidelines and forms for collecting and reporting this information.

Contractor participation is voluntary.

Item No. G.3

PAYMENTS AND INVOICES

1. Payment Terms

Prompt Payment Terms: Prompt payment discount of 1% when full payment is received with days or less of installation completion. Net 45 days.

Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 927 et. seq. Unless expressly exempted by statute, the Act requires State agencies to pay properly submitted, undisputed invoices not more than 45 days after (i) the date of acceptance of goods or performance of services; or (ii) receipt of an undisputed invoice, whichever is later.

2. Payee Data Record (Std. 204)

Each State accounting office must have a copy of the attached Payee Data Record (Std. 204) in order to process payment of invoices. Agencies should forward a copy of the Std. 204 to their accounting office(s). Without the Std. 204, payment may be unnecessarily delayed.

3. DGS Administrative and Incentive Fees

Orders from State Agencies:
The Department of General Services (DGS) will bill each State agency directly an administrative fee for use of CMAS contracts. The administrative fee should NOT be included in the order total, nor remitted before an invoice is received from DGS. This administrative fee is waived for CMAS purchase orders issued to California certified small businesses.

See the current administrative fees in the DGS Price Book at:
www.dgs.ca.gov/ofs/Resources/Pricebook.aspx.

Orders from Local Government Agencies:
Effective for CMAS orders dated 1/1/2010 or later, CMAS contractors, who are not California certified small businesses, are required to remit to the DGS an incentive fee equal to 1% of the total of all local government agency orders (excluding sales tax and freight) placed against their CMAS contract(s). This incentive fee is in lieu of local government agencies being billed the above referenced DGS administrative fee.

This incentive fee is waived for CMAS purchase orders issued to California certified small businesses.

The check covering this fee shall be made payable to the Department of General Services, CMAS Unit, and mailed to the CMAS Unit along with the applicable Quarterly Report. See the provision in this contract entitled "Contractor Quarterly Report Process" for information on when and where to send these checks and reports.

4. Contractor Invoices

Unless otherwise stipulated, the contractor must send their invoices to the agency address set forth in the purchase order. Invoices shall be submitted in triplicate and shall include the following:

- Contract number
- Agency purchase order number
- Agency Bill Code
- Line item number
- Unit price
- Extended line item price
- Invoice total

State sales tax and/or use tax shall be itemized separately and added to each invoice as applicable.

The company name on the CMAS contract, purchase order and invoice must match or the State Controller's Office will not approve payment.

5. Advance Payments

Advance payment is allowed for services only under limited, narrowly defined circumstances, e.g., between specific departments and certain types of non-profit organizations, or when paying another government agency (GC 11256 – 11263 and 11019).

It is NOT acceptable to pay in advance, except software maintenance and license fees, which are considered a subscription, may be paid in advance if a provision addressing payment in advance is included in the purchase order.

Warranty upgrades and extensions may also be paid for in advance, one time.

6. Credit Card

FieldTurf USA, Inc. does not accept the State of California credit card (CAL-Card).

7. Lease/Purchase Analysis

State agencies must complete a Lease/Purchase Analysis (LPA) to determine best value when contemplating a lease/rental, and retain a copy for future audit purposes (SAM 3700). Approval by the Department of General Services is not required.

8. Leasing

Except for Federal Lease to Own Purchase (LTOP) and hardware rental provisions with no residual value owed at end term ($1 residual value is acceptable), Federal GSA Lease provisions are NOT available through CMAS because the rates and contract terms and conditions are not acceptable or applicable to the State.

SEAT Management financing options are NOT available through this contract.

As an alternative, agencies may consider financing through the State's financial marketplace GS $Mart™. All terms and conditions and lenders are pre-approved for easy financing. The GS $Mart™ Internet address is www.dgs.ca.gov/pd/programs/statefinancialmarketplace.aspx. Buyers may contact the GS $Mart™ Administrator, Pat Mullen by phone at (916) 375-4617 or via e-mail at pat.mullen@dgs.ca.gov for further information.

CONTRACTOR QUARTERLY REPORT PROCESS

Contractors are required to submit a detailed CMAS Business Activity Report on a quarterly basis to the CMAS Unit. See Attachment B for a copy of this form and instructions. This report shall be mailed to:

Department of General Services
Procurement Division – CMAS Unit
Attention: Quarterly Report Processing
PO Box 989052, MS #2-202
West Sacramento, CA 95798-9052

Reports that include checks for incentive fees or that exceed a total of **5** pages must be mailed and shall not be faxed or e-mailed. All other reports may be faxed or e-mailed to the attention of Quarterly Report Processing as follows:

CMAS Unit Fax Number: (916) 375-4663
CMAS Unit E-Mail: cmas@dgs.ca.gov

For the full instructions on completing and submitting CMAS Quarterly Business Activity Reports, and a soft copy of a blank quarterly report form, go to www.dgs.ca.gov/pd/Programs/Leveraged/CMAS.aspx, then select "For Suppliers/Contractors".

Important things to remember regarding CMAS Quarterly Business Activity Reports (referred to as "reports" below):

- A report is required for each CMAS contract each quarter, even when no new purchase orders are received in the quarter.
- A separate report is required for each CMAS contract.
- Each purchase order must be reported only once in the quarter identified by the purchase order date, regardless of when the services were performed, the products were delivered, the invoice was sent, or the payment was received.
- Purchase orders from State and local government agencies must be separated on the report, as shown in the instructions.
- Contractors must report the sales activity for all resellers listed on their CMAS contract.
- Any report that does not follow the required format or that excludes required information will be deemed incomplete and returned to the contractor for corrections.
- Taxes and freight must not be included in the report.
- For CMAS orders dated 1/1/2010 or later, contractors are no longer required to attach copies of purchase orders to their reports. This changed requirement will start on Q1-2010 reports, which are due 4/15/2010.
- For CMAS orders dated 1/1/2010 or later, contractors who are not California certified small businesses must attach to their quarterly report a check covering the required incentive fee for all CMAS sales to local government agencies (see more information below). This new requirement will start on Q1-2010 reports, which are due 4/15/2010.
- New contracts, contract renewals or extensions, and contract modifications will be approved only if the contractor has submitted all required quarterly reports and incentive fees.

CMAS Quarterly Business Activity Reports are due in the CMAS Unit within two weeks after the end of each quarter as shown below:

Quarter 1	Jan 1 to Mar 31	Due Apr 15
Quarter 2	Apr 1 to Jun 30	Due Jul 15
Quarter 3	Jul 1 to Sep 30	Due Oct 15
Quarter 4	Oct 1 to Dec 31	Due Jan 15

CONTRACTOR QUARTERLY INCENTIVE FEES

CMAS contractors who are not California certified small businesses must remit to the DGS an incentive fee equal to 1% of the total of all local government agency orders (excluding sales tax and freight) placed against their CMAS contract(s). This incentive fee is in lieu of local government agencies being billed the above referenced DGS administrative fee.

CMAS contractors cannot charge local government agencies an additional 1% charge on a separate line item to cover the incentive fee. The contractor must include the 1% incentive fee in the price of the products or services offered, and the line item prices must not exceed the applicable GSA prices.

A local government agency is any city, county, district, or other local governmental body, including the California State University (CSU) and University of California (UC) systems, K-12 public schools and community colleges empowered to expend public funds.

This incentive fee is waived for CMAS purchase orders issued to California certified small businesses.

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The check covering this fee shall be made payable to the Department of General Services, CMAS Unit, and mailed to the CMAS Unit along with the applicable Quarterly Report. See the provision in this contract entitled "Contractor Quarterly Report Process" for information on when and where to send these checks and reports.

CONTRACTOR PROVIDES COPY OF THE CONTRACT AND SUPPLEMENTS

CMAS contractors are required to provide the entire contract that consists of the following:

- Cover pages with DGS logo and CMAS analyst's signature, and Ordering Instructions and Special Provisions.
- Payee Data Record (Std. 204).
- California CMAS Terms and Conditions.
- Federal GSA Terms and Conditions.
- Federal GSA products, services, and price list.
- Supplements, if applicable.

It is important for the agency to confirm that the required products, services, and prices are included in the contract and are at or below contract rates. To streamline substantiation that the needed items are in the contract, the agencies should ask the contractor to identify the specific pages from the contract that include the required products, services, and prices. Agencies should save these pages for their file documentation.

CONTRACTORS ACTING AS FISCAL AGENTS ARE PROHIBITED

When a subcontractor ultimately provides all of the products or performs all of the services that a contractor has agreed to provide, and the prime contractor only handles the invoicing of expenditures, then the prime contractor's role becomes that of a fiscal agent because it is merely administrative in nature, and does not provide a Commercially Useful Function (CUF). It is unacceptable to use fiscal agents in this manner because the agency is paying unnecessary administrative costs.

AGENCY RESPONSIBILITY

Agencies must contact contractors to obtain copies of the contracts and compare them for a best value purchasing decision.

Each agency is responsible for its own contracting program and purchasing decisions, including use of the CMAS program and associated outcomes.

This responsibility includes, but is not necessarily limited to, ensuring the necessity of the services, securing appropriate funding, complying with laws and policies, preparing the purchase order in a manner that safeguards the State's interests, obtaining required approvals, and documenting compliance with Government Code 19130.b (3) for outsourcing services.

It is the responsibility of each agency to consult as applicable with their legal staff and contracting offices for advice depending upon the scope or complexity of the purchase order.

If you do not have legal services available to you within your agency, the DGS Office of Legal Services is available to provide services on a contractual basis.

CONFLICT OF INTEREST

Agencies must evaluate the proposed purchase order to determine if there are any potential conflict of interest issues. See the attached CMAS Terms and Conditions, Conflict of Interest, for more information.

FEDERAL DEBARMENT

When federal funds are being expended, the agency is required to obtain (retain in file) a signed "Federal Debarment" certification from the contractor before the purchase order is issued.

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants; responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

LIQUIDATED DAMAGES FOR LATE DELIVERY

The value of the liquidated damages must be included in the purchase order to be applicable, mutually agreed upon by agency and contractor, and cannot be a penalty.

ACCEPTANCE TESTING CRITERIA

If the agency wants to include acceptance testing for all newly installed technology systems, and individual equipment, and machines which are added or field modified (modification of a machine from one model to another) after a successful performance period, the test criteria must be included in the purchase order to be applicable.

SHIPPING INSTRUCTIONS

F.O.B. (Free On Board) Destination. Seller pays the freight charges.

AMERICANS WITH DISABILITY ACT (ADA)

Section 504 of the Rehabilitation Act of 1973 as amended; Title VI and VII of the Civil Rights Act of 1964 as amended; Americans with Disabilities Act, 42 USC 12101; California Code of Regulations, Title 2, Title 22; California Government Code, Sections 11135, et seq.; and other federal and State laws, and Executive Orders prohibit discrimination. All programs, activities, employment opportunities, and services must be made available to all persons, including persons with disabilities. See Attachment A for Procurement Division's ADA Compliance Policy of Nondiscrimination on the Basis of Disability.

Individual government agencies are responsible for self-compliance with ADA regulations.

Contractor sponsored events must provide reasonable accommodations for persons with disabilities.

DGS PROCUREMENT DIVISION CONTACT AND PHONE NUMBER

Department of General Services
Procurement Division, CMAS Unit
707 Third Street, 2nd Floor, MS 202
West Sacramento, CA 95605-2811

Phone # (916) 375-4363
Fax # (916) 375-4663

ATTACHMENT A

ADA NOTICE

Procurement Division (State Department of General Services) AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE
POLICY OF NONDISCRIMINATION ON THE BASIS OF DISABILITY

To meet and carry out compliance with the nondiscrimination requirements of the Americans With Disabilities Act (ADA), it is the policy of the Procurement Division (within the State Department of General Services) to make every effort to ensure that its programs, activities, and services are available to all persons, including persons with disabilities.

For persons with a disability needing a reasonable accommodation to participate in the Procurement process, or for persons having questions regarding reasonable accommodations for the Procurement process, please contact the Procurement Division at (916) 375-4400 (main office); the Procurement Division TTY/TDD (telephone device for the deaf) or California Relay Service numbers which are listed below. You may also contact directly the Procurement Division contact person who is handling this procurement.

IMPORTANT: TO ENSURE THAT WE CAN MEET YOUR NEED, IT IS BEST THAT WE RECEIVE YOUR REQUEST AT LEAST 10 WORKING DAYS BEFORE THE SCHEDULED EVENT (i.e., MEETING, CONFERENCE, WORKSHOP, etc.) OR DEADLINE DUE-DATE FOR PROCUREMENT DOCUMENTS.

The Procurement Division TTY telephone numbers are:

Sacramento Office:	(916) 376-1891
Fullerton Office:	(714) 773-2093

The California Relay Service Telephone Numbers are:

Voice	1-800-735-2922 or 1-888-877-5379
TTY:	1-800-735-2929 or 1-888-877-5378
Speech-to-Speech:	1-800-854-7784

Item No. G.3

ATTACHMENT B

CMAS QUARTERLY BUSINESS ACTIVITY REPORT

ntractor Name: _____

Contract Number: _____

For Questions Regarding This Report Contact:

Name: _____

Phone Number: _____

E-mail: _____

Reporting Calendar Year: _____ Revision ☐

Reporting Quarter: Q1 (Jan-Mar) ☐

Q2 (Apr-Jun) ☐

Q3 (Jul-Sep) ☐

Q4 (Oct-Dec) ☐

Check Here if No New Orders for This Quarter ☐

STATE AGENCY PURCHASES

State Agency Name	Purchase Order Number	Purchase Order Date	Agency Billing Code	Total Dollars Per Purchase Order	Agency Contact	Agency Address	Phone Number

Total State Agency Dollars Reported for Quarter: $ _____

LOCAL GOVERNMENT AGENCY PURCHASES

Local Government Agency Name	Purchase Order Number	Purchase Order Date	Total Dollars Per Purchase Order	Agency Contact	Agency Address	Phone Number

Total Local Government Agency Dollars for Quarter: $ _____ 1% Remitted to DGS (does not apply to CA certified S/Bs): $ _____

Total of State and Local Government Agency Dollars Reported for this Quarter: $ _____

Updated 1/1/2010

MV00159943

ATTACHMENT B

CMAS QUARTERLY BUSINESS ACTIVITY REPORT

Instructions for completing the CMAS Quarterly Business Activity Report.

1. Complete the top of the form with the appropriate information for your company.
2. **Agency Name** - Identify the State agency or Local Government agency that issued the order.
3. **Purchase Order Number** - Identify the purchase order number (and amendment number if applicable) on the order form. This is not your invoice number. This is the number the State agency or Local Government agency assigns to the order.
4. **Purchase Order Date** - Identify the date the purchase order was issued, as shown on the order. This is not the date you received, accepted, or invoiced the order.
5. **Agency Billing Code** - Identify the State agency billing code. This is a five-digit number identified on the upper right hand corner of the Std. 65 purchase order form. You must identify this number on all purchases made by State of California agencies. Billing codes are not applicable to Local Government agencies.
6. **Total Dollars Per PO** - Identify the total dollars of the order excluding tax and freight. Tax must NOT be included in the quarterly report, even if the agency includes tax on the purchase order. The total dollars per order should indicate the entire purchase order amount (less tax and freight) regardless of when you invoice order, perform services, deliver product, or receive payment.
7. **Agency Contact** - Identify the ordering agency's contact person on the purchase order.
8. **Agency Address** - Identify the ordering agency's address on the purchase order.
9. **Phone Number** - Identify the phone number for the ordering agency's contact person.
10. **Total State Sales & Total Local Sales** - Separately identify the total State dollars and/or Local Government agency dollars (pre-tax) for all orders placed in quarter.
11. **1% Remitted to DGS** - Identify 1% of the total Local Government agency dollars reported for the quarter. This is the amount to be remitted to DGS by contractors who are not California certified small businesses.
12. **Grand Total** - Identify the total of all State and Local Government agency dollars reported for the quarter.

Notes:

- A report is required for each CMAS contract, each quarter, even when there are no new orders for the quarter.
- Quarterly reports are due two weeks after the end of the quarter.

STATE OF CALIFORNIA-DEPARTMENT OF FINANCE

PAYEE DATA RECORD

(Required when receiving payment from the State of California in lieu of IRS W-9)

STD. 204 (Rev. 6-2003)

1

INSTRUCTIONS: Complete all information on this form. Sign, date, and return to the State agency (department/office) address shown at the bottom of this page. Prompt return of this **fully completed** form will prevent delays when processing payments. Information provided in this form will be used by State agencies to prepare Information Returns (1099). See reverse side for more information and Privacy Statement.

NOTE: Governmental entities, federal, State, and local (including school districts), are not required to submit this form.

2

PAYEE'S LEGAL BUSINESS NAME (Type or Print) FieldTurf USA, Inc	
SOLE PROPRIETOR – ENTER NAME AS SHOWN ON SSN (Last, First, M.I.)	E-MAIL ADDRESS info@fieldturf.com
MAILING ADDRESS 8088 Montview	BUSINESS ADDRESS 175 North Industrial Blvd. NE
CITY, STATE, ZIP CODE Montreal, QC, H4P 2L7	CITY, STATE, ZIP CODE Calhoun, GA, 30701

3

PAYEE ENTITY TYPE

CHECK ONE BOX ONLY

ENTER FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN): 5 8 - 2 3 3 0 4 1 0

☐ PARTNERSHIP

☐ ESTATE OR TRUST

CORPORATION:

- ☐ MEDICAL (e.g., dentistry, psychotherapy, chiropractic, etc.)
- ☐ LEGAL (e.g., attorney services)
- ☐ EXEMPT (nonprofit)
- ☑ ALL OTHERS

☐ INDIVIDUAL OR SOLE PROPRIETOR ENTER SOCIAL SECURITY NUMBER: ___ - __ - ____

(SSN required by authority of California Revenue and Tax Code Section 18646)

NOTE: Payment will not be processed without an accompanying taxpayer I.D. number.

4

PAYEE RESIDENCY STATUS

☑ California resident - Qualified to do business in California or maintains a permanent place of business in California.

☐ California nonresident (see reverse side) - Payments to nonresidents for services may be subject to State income tax withholding.

- ☐ No services performed in California.
- ☐ Copy of Franchise Tax Board waiver of State withholding attached.

5

I hereby certify under penalty of perjury that the information provided on this document is true and correct. Should my residency status change, I will promptly notify the State agency below.

AUTHORIZED PAYEE REPRESENTATIVE'S NAME (Type or Print) ALAIN TANGUAY		TITLE CFO
SIGNATURE	DATE OCT 19, 2011	TELEPHONE (800) 724-2969

6

Please return completed form to:

Department/Office: Department of General Services

Unit/Section: Procurement Division, CMAS Section

Mailing Address: 707 3rd Street, 2nd floor

City/State/Zip: West Sacramento, CA 95605

Telephone: (916) 375-4365 Fax: (916) 375-4663

E-mail Address: cmas@dgs.ca.gov

Item No. G.3

MV00159945

Darfur Contracting Act Certification Form

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a "scrutinized" company as defined in Public Contract Code section 10476. (See back for instructions.)

Therefore, to be eligible to submit a bid, proposal, or CMAS application, please insert your company name and Federal ID Number and complete only one of the following three paragraphs (via initials for Paragraph #1 or Paragraph #2, or via initials and certification for Paragraph #3):

FieldTurf USA, Inc. — *Company/Vendor Name (Printed)*

58 2330410 — *Federal ID Number*

Printed Name and Title of Person Initialing (for Options 1 or 2)

1. _____ Initials — We do not currently have, or we have not had within the previous three years, business activities or other operations outside of the United States.

OR

2. _____ Initials — We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services (DGS) to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.

OR

3. ED Initials & Certification Below — We currently have, or we have had within the previous three years, business activities or other operations outside of the United States, but we certify below that we are not a scrutinized company as defined in Public Contract Code section 10476.

CERTIFICATION FOR #3

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder/applicant to the clause listed above in #3. This certification is made under the laws of the State of California.

By (Authorized Signature)

ERIC DALIERE, PRESIDENT

Printed Name and Title of Person Signing

OCTOBER 20, 2011 — *Date Executed*

MONTREAL, QUEBEC — *Executed in the County and State of*

Note Regarding Change of Status – If your company has a change of status, with regard to this certification, during the term of your contract(s) then it is incumbent on your company to submit an updated Certification. For questions regarding a change of status, please contact the contract's designated State Contract Administrator.

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

1. **DEFINITIONS:** The following terms shall be given the meaning shown, unless context requires otherwise or a unique meaning is otherwise specified.
   a) **"Business entity"** means any individual, business, partnership, joint venture, corporation, S-corporation, limited liability corporation, limited liability partnership, sole proprietorship, joint stock company, consortium, or other private legal entity recognized by statute.
   b) **"Buyer"** means the State's authorized Contracting official.
   c) **"Contract"** means this Contract or agreement (including any purchase order), by whatever name known or in whatever format used.
   d) **"Contractor"** means the Business Entity with whom the State enters into this Contract. Contractor shall be synonymous with "supplier", "vendor" or other similar term.
   e) **"Goods"** (commodities) means all types of tangible personal property, including but not limited to materials, supplies, and equipment (including computer equipment and telecommunications).
   f) **"State"** means the government of the State of California, its employees and authorized representatives, including without limitation any department, agency, or other unit of the government of the State of California.

2. **CONTRACT FORMATION:** If this Contract results from a Contract Offer, then Contractor's offer is deemed a firm offer and this Contract document is the State's acceptance of that offer.

3. **COMPLETE INTEGRATION:** This Contract, including any documents incorporated herein by express reference, is intended to be a complete integration and there are no prior or contemporaneous different or additional agreements pertaining to the subject matter of the Contract.

4. **SEVERABILITY:** The Contractor and the State agree that if any provision of this Contract is found to be illegal or unenforceable, such term or provision shall be deemed stricken and the remainder of the Contract shall remain in full force and effect. Either party having knowledge of such term or provision shall promptly inform the other of the presumed non-applicability of such provision.

5. **INDEPENDENT CONTRACTOR:** Contractor and the agents and employees of Contractor, in the performance of this Contract, shall act in an independent capacity and not as officers or employees or agents of the State.

6. **APPLICABLE LAW:** This Contract shall be governed by and shall be interpreted in accordance with the laws of the State of California; venue of any action brought with regard to this Contract shall be in Sacramento County, Sacramento, California. The United Nations Convention on Contracts for the International Sale of Goods shall not apply to this Contract.

7. **COMPLIANCE WITH STATUTES AND REGULATIONS:**
   a) Contractor warrants and certifies that in the performance of this Contract, it will comply with all applicable statutes, rules, regulations and orders of the United States and the State of California and agrees to indemnify the State against any loss, cost, damage or liability by reason of Contractor's violation of this provision.
   b) If this Contract is in excess of $554,000, it is subject to the requirements of the World Trade Organization (WTO) Government Procurement Agreement (GPA).

8. **CONTRACTOR'S POWER AND AUTHORITY:** The Contractor warrants that it has full power and authority to grant the rights herein granted and will hold the State harmless from and against any loss, cost, liability, and expense (including reasonable attorney fees) arising out of any breach of this warranty. Further, Contractor avers that it will not enter into any arrangement with any third party which might abridge any rights of the State under this Contract.
   a) The State will notify Contractor of any such claim in writing and tender the defense thereof within a reasonable time; and
   b) Contractor will have sole control of the defense of any action on such claim and all negotiations for its settlement or compromise; provided that (i) when substantial principles of government or public law are involved, when litigation might create precedent affecting future State operations or liability, or when involvement of the State is othewise mandated by law, the State may participate in such action at its own expense with respect to attorneys' fees and costs (but not liability); (ii) the State will have the right to approve or disapprove any settlement or compromise, which approval will not unreasonably be withheld or delayed; and (iii) the State will reasonably cooperate in the defense and in any related settlement negotiations.

9. **CMAS -- ASSIGNMENT:** This Contract shall not be assignable by the Contractor in whole or in part without the written consent of the State. For the purpose of this paragraph, State will not unreasonably prohibit Contractor from freely assigning its right to payment, provided that Contractor remains responsible for its obligations hereunder.

   Should the State desire financing of the assets provided hereunder through GS $Mart, the State's financial marketplace, the Contractor agrees to assign to a State-designated lender its right to receive payment from the State for the assets in exchange for payment by the lender of the cash purchase price for the assets. Upon notice to do so from the State-designated lender at any time prior to payment by the State for the assets, the Contractor will execute and deliver to the State-designated lender an assignment agreement and any additional documents necessary for the State selected financing plan. The State-designated lender will pay the Contractor according to the terms of the Contractor's invoice upon acceptance of the assets by the State.

10. **WAIVER OF RIGHTS:** Any action or inaction by the State or the failure of the State on any occasion, to enforce any right or provision of the Contract, shall not be construed to be a waiver by the State of its rights hereunder and shall not prevent the State from enforcing such provision or right on any future occasion. The rights and remedies of the State herein are cumulative and are in addition to any other rights or remedies that the State may have at law or in equity.

11. **CMAS -- ORDER OF PRECEDENCE.** In the event of any inconsistency between the articles, attachments, specifications or provisions which constitute this Contract, the following order of precedence shall apply:

    a) these General Provisions -- Non-IT Commodities;
    b) Contract form, i.e., Purchase Order STD 65, etc., and any amendments thereto;
    c) federal GSA (or other multiple award) terms and conditions;

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

d) Statement of Work, including any specifications incorporated by reference herein;
e) special terms and conditions; and
f) all other attachments incorporated in the Contract by reference.

12. **PACKING AND SHIPMENT:**
a) All Goods are to be packed in suitable containers for protection in shipment and storage, and in accordance with applicable specifications. Each container of a multiple container shipment shall be identified to:
i) show the number of the container and the total number of containers in the shipment; and
ii) the number of the container in which the packing sheet has been enclosed.
b) All shipments by Contractor or its subContractors must include packing sheets identifying: the State's Contract number; item number; quantity and unit of measure; part number and description of the Goods shipped; and appropriate evidence of inspection, if required. Goods for different Contracts shall be listed on separate packing sheets.
c) Shipments must be made as specified in this Contract, as it may be amended, or otherwise directed in writing by the State's Transportation Management Unit within the Department of General Services, Procurement Division.

13. **TRANSPORTATION COSTS AND OTHER FEES OR EXPENSES:** No charge for delivery, drayage, express, parcel post, packing, cartage, insurance, license fees, permits, cost of bonds, or for any other purpose will be paid by the State unless expressly included and itemized in the Contract.
a) Contractor must strictly follow Contract requirements regarding Free on Board (F.O.B.), freight terms and routing instructions. The State may permit use of an alternate carrier at no additional cost to the State with advance written authorization of the Buyer.
b) If "prepay and add" is selected, supporting freight bills are required when over $50, unless an exact freight charge is approved by the Transportation Management Unit within the Department of General Services Procurement Division and a waiver is granted.
c) On "F.O.B. Shipping Point" transactions, should any shipments under the Contract be received by the State in a damaged condition and any related freight loss and damage claims filed against the carrier or carriers be wholly or partially declined by the carrier or carriers with the inference that damage was the result of the act of the shipper such as inadequate packaging or loading or some inherent defect in the equipment and/or material, Contractor, on request of the State, shall at Contractor's own expense assist the State in establishing carrier liability by supplying evidence that the equipment and/or material was properly constructed, manufactured, packaged, and secured to withstand normal transportation conditions.

14. **TIME IS OF THE ESSENCE:** Time is of the essence in this Contract

15. **DELIVERY:** Contractor shall strictly adhere to the delivery and completion schedules specified in this Contract. Time, if stated as a number of days, shall mean calendar days unless otherwise specified. The quantities specified herein are the only quantities required. If Contractor delivers in excess of the quantities specified herein, the State shall not be required to make any payment for the excess Goods, and may return them to Contractor at Contractor's expense or utilize any other rights available to the State at law or in equity.

16. **SUBSTITUTIONS:** Substitution of Goods may not be tendered without advance written consent of the Buyer. Contractor shall not use any specification in lieu of those contained in the Contract without written consent of the Buyer.

17. **INSPECTION, ACCEPTANCE AND REJECTION:**
a) Contractor and its subContractors will provide and maintain a quality assurance system acceptable to the State covering Goods and services under this Contract and will tender to the State only those Goods that have been inspected and found to conform to this Contract's requirements. Contractor will keep records evidencing inspections and their result, and will make these records available to the State during Contract performance and for three years after final payment. Contractor shall permit the State to review procedures, practices, processes and related documents to determine the acceptability of Contractor's quality assurance system or other business practices related to performance of the Contract.
b) All Goods may be subject to inspection and test by the State or its authorized representatives.
c) Contractor and its subContractors shall provide all reasonable facilities for the safety and convenience of inspectors at no additional cost to the State. Contractor shall furnish to inspectors all information and data as may be reasonably required to perform their inspection.
d) All Goods to be delivered hereunder may be subject to final inspection, test and acceptance by the State at destination, notwithstanding any payment or inspection at source.
e) The State shall give written notice of rejection of Goods delivered or services performed hereunder within a reasonable time after receipt of such Goods or performance of such services. Such notice of rejection will state the respects in which the Goods do not substantially conform to their specifications. If the State does not provide such notice of rejection within thirty (30) days, unless otherwise specified in the Statement of Work, of delivery, such Goods and services will be deemed to have been accepted. Acceptance by the State will be final and irreversible, except as it relates to latent defects, fraud, and gross mistakes amounting to fraud. Acceptance shall not be construed to waive any warranty rights that the State might have at law or by express reservation in this Contract with respect to any nonconformity.

18. **SAMPLES:**
a) Samples of items may be required by the State for inspection and specification testing and must be furnished free of expense to the State. The samples furnished must be identical in all respects to the products offered and/or specified in the Contract.
b) Samples, if not destroyed by tests, may, upon request made at the time the sample is furnished, be returned at Contractor's expense.

19. **CMAS -- WARRANTY:** The following warranty language is in addition to the warranty language provided in the federal GSA Multiple Award Schedule or other base Contract used to establish this CMAS Contract. When there is a conflict between the language, the following warranty language overrides.

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

Unless otherwise specified, the warranties contained in this Contract begin after acceptance has occurred.

a) Contractor warrants that Goods and services furnished hereunder will conform to the requirements of this Contract (including all descriptions, specifications and drawings made a part hereof), and such Goods will be merchantable, fit for their intended purposes, free from all defects in materials and workmanship and to the extent not manufactured pursuant to detailed designs furnished by the State, free from defects in design. The State's approval of designs or specifications furnished by Contractor shall not relieve the Contractor of its obligations under this warranty.

b) All warranties, including special warranties specified elsewhere herein, shall inure to the State, its successors, assigns, customer agencies and users of the Goods or services.

20. **SAFETY AND ACCIDENT PREVENTION:** In performing work under this Contract on State premises, Contractor shall conform to any specific safety requirements contained in the Contract or as required by law or regulation. Contractor shall take any additional precautions as the State may reasonably require for safety and accident prevention purposes. Any violation of such rules and requirements, unless promptly corrected, shall be grounds for termination of this Contract in accordance with the default provisions hereof.

21. **INSURANCE:** When performing work on property in the care, custody or control of the State, Contractor shall maintain all commercial general liability insurance, workers' compensation insurance and any other insurance the State deems appropriate under the Contract. Contractor shall furnish an insurance certificate evidencing required insurance coverage acceptable to the State. Upon request by the Buyer, the Contractor may be required to have the State shown as an "additional insured" on selected policies.

22. **TERMINATION FOR NON-APPROPRIATION OF FUNDS:**

a) If the term of this Contract extends into fiscal years subsequent to that in which it is approved, such continuation of the Contract is contingent on the appropriation of funds for such purpose by the Legislature. If funds to effect such continued payment are not appropriated, Contractor agrees to take back any affected Goods furnished under this Contract, terminate any services supplied to the State under this Contract, and relieve the State of any further obligation therefor.

b) STATE AGREES THAT IF PARAGRAPH (a) ABOVE IS INVOKED, GOODS SHALL BE RETURNED TO THE CONTRACTOR IN SUBSTANTIALLY THE SAME CONDITION IN WHICH DELIVERED TO THE STATE, SUBJECT TO NORMAL WEAR AND TEAR. STATE FURTHER AGREES TO PAY FOR PACKING, CRATING, TRANSPORTATION TO CONTRACTOR'S NEAREST FACILITY AND FOR REIMBURSEMENT TO THE CONTRACTOR FOR EXPENSES INCURRED FOR THEIR ASSISTANCE IN SUCH PACKING AND CRATING.

23. **TERMINATION FOR THE CONVENIENCE OF THE STATE:**

a) The State may terminate performance of work under this Contract for its convenience in whole or, from time to time, in part, if the Department of General Services, Deputy Director, Procurement Division, or designee, determines that a termination is in the State's interest. The Department of General Services, Deputy Director, Procurement Division, or designee, shall terminate by delivering to the Contractor a Notice of Termination specifying the extent of termination and the effective date thereof. The parties agree that, as to the terminated portion of the Contract, the Contract shall be deemed to remain in effect until such time as the termination settlement, if any, is concluded and the Contract shall not be void.

b) After receipt of a Notice of Termination, and except as directed by the State, the Contractor shall immediately proceed with the following obligations, as applicable, regardless of any delay in determining or adjusting any amounts due under this clause. The Contractor shall:

i) Stop work as specified in the Notice of Termination.

ii) Place no further subContracts for materials, services, or facilities, except as necessary to complete the continued portion of the Contract.

iii) Terminate all subContracts to the extent they relate to the work terminated.

iv) Settle all outstanding liabilities and termination settlement proposals arising from the termination of subContracts; the approval or ratification of which will be final for purposes of this clause.

24. **TERMINATION FOR DEFAULT:**

a) The State may, subject to the Force Majeure paragraph contained herein, by written notice of default to the Contractor, terminate this Contract in whole or in part if the Contractor fails to:

i) Deliver the Goods or to perform the services within the time specified in the Contract or any amendment thereto;

ii) Make progress, so as to endanger performance of this Contract (but see subparagraph (b) below); or

iii) Perform any of the other provisions of this Contract (but see subparagraph (b), below).

b) The State's right to terminate this Contract under subparagraphs (a)(ii) and (a)(iii) above, may be exercised if the Contractor does not cure such failure within the time frame stated in the cure notice issued by the Buyer.

c) If the State terminates this Contract in whole or in part, it may acquire, under the terms and in the manner the Buyer considers appropriate, Goods or services similar to those terminated, and the Contractor will be liable to the State for any excess costs for those Goods or services. However, the Contractor shall continue the work not terminated.

d) If the Contract is terminated for default, the State may require the Contractor to transfer title and deliver to the State, as directed by the Buyer, any:

i) Completed Goods, and

ii) Partially completed Goods and materials, parts, tools, dies, jigs, fixtures, plans, drawings, information, and Contract rights (collectively referred to as "manufacturing materials" in this clause) that the Contractor has specifically produced or acquired for the terminated portion of this Contract. Upon direction of the Buyer, the Contractor shall also protect and preserve property in its possession in which the State has an interest.

e) The State shall pay Contract price for completed Goods delivered and accepted. The Contractor and Buyer shall agree on the amount of payment for manufacturing materials delivered and accepted for the protection and preservation of the property. Failure to agree will be a dispute under the Disputes clause. The State may withhold from these amounts any sum the Buyer determines to be

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

necessary to protect the State against loss because of outstanding liens or claims of former lien holders.

f) If, after termination, it is determined that the Contractor was not in default, or that the default was excusable, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of the State.

g) The rights and remedies of the State in this clause are in addition to any other rights and remedies provided by law or under this Contract.

25. **FORCE MAJEURE:**
Except for defaults of subContractors at any tier, the Contractor shall not be liable for any excess costs if the failure to perform the Contract arises from causes beyond the control and without the fault or negligence of the Contractor. Examples of such causes include, but are not limited to:
a) Acts of God or of the public enemy, and
b) Acts of the federal or state government in either its sovereign or Contractual capacity.
If the failure to perform is caused by the default of a subContractor at any tier, and if the cause of the default is beyond the control of both the Contractor and subContractor, and without the fault or negligence of either, the Contractor shall not be liable for any excess costs for failure to perform.

26. **RIGHTS AND REMEDIES OF STATE FOR DEFAULT:**
a) In the event any Goods furnished or services provided by the Contractor in the performance of the Contract should fail to conform to the requirements herein, or to the sample submitted by the Contractor, the State may reject the same, and it shall become the duty of the Contractor to reclaim and remove the item promptly or to correct the performance of services, without expense to the State, and immediately replace all such rejected items with others conforming to the Contract.
b) In addition to any other rights and remedies the State may have, the State may require Contractor, at Contractor's expense, to ship Goods via air freight or expedited routing to avoid or minimize actual or potential delay if the delay is the fault of the Contractor.
c) In the event of the termination of the Contract, either in whole or in part, by reason of default or breach by the Contractor, any loss or damage sustained by the State in procuring any items which the Contractor agreed to supply shall be borne and paid for by the Contractor.
d) The State reserves the right to offset the reasonable cost of all damages caused to the State against any outstanding invoices or amounts owed to Contractor or to make a claim against the Contractor therefore.

27. **CONTRACTOR'S LIABILITY FOR INJURY TO PERSONS OR DAMAGE TO PROPERTY:**
a) The Contractor shall be liable for damages arising out of injury to the person and/or damage to the property of the State, employees of the State, persons designated by the State for training, or any other person(s) other than agents or employees of the Contractor, designated by the State for any purpose, prior to, during, or subsequent to delivery, installation, acceptance, and use of the Goods either at the Contractor's site or at the State's place of business, provided that the injury or damage was caused by the fault or neligence of the Contractor.
b) Contractor shall not be liable for damages arising out of or caused by an alteration or an attachment not made or installed by the Contractor, or for damage to alterations or attachments that may result from the normal operation and maintenance of the Goods provided by the Contractor during the Contract.

28. **INDEMNIFICATION:** Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all Contractors, subContractors, suppliers, laborers and any other person, firm, or corporation furnishing or supplying work, services, materials or supplies in connection with the performance of this Contract, and from any and all claims and losses accruing or resulting to any person, firm or corporation which may be injured or damaged by Contractor in the performance of this Contract.

29. **INVOICES:** Unless otherwise specified, invoices shall be sent to the address set forth herein. Invoices shall be submitted in triplicate and shall include the Contract number; release order number (if applicable); item number; unit price, extended item price and invoice total amount. State sales tax and/or use tax shall be itemized separately and added to each invoice as applicable.

30. **REQUIRED PAYMENT DATE:** Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 927 et. seq. Unless expressly exempted by statute, the Act requires state agencies to pay properly submitted, undisputed invoices not more than 45 days after (i) the date of acceptance of Goods or performance of services; or (ii) receipt of an undisputed invoice, whichever is later.

31. **TAXES:** Unless otherwise required by law, the State of California is exempt from Federal excise taxes. The State will only pay for any State or local sales or use taxes on the services rendered or Goods supplied to the State pursuant to this Contract.

32. **NEWLY MANUFACTURED GOODS:** All Goods furnished under this Contract shall be newly manufactured Goods; used or reconditioned Goods are prohibited, unless otherwise specified.

33. **CONTRACT MODIFICATION:** No amendment or variation of the terms of this Contract shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or agreement not incorporated in the Contract is binding on any of the parties.

34. **CONFIDENTIALITY OF DATA:** All financial, statistical, personal, technical and other data and information relating to the State's operation which are designated confidential by the State and made available to the Contractor in order to carry out this Contract, or which become available to the Contractor in carrying out this Contract, shall be protected by the Contractor from unauthorized use and disclosure through the observance of the same or more effective procedural requirements as are applicable to the State. The identification of all such confidential data and information as well as the State's procedural requirements for protection of such data and information from unauthorized use and disclosure shall be provided by the State in writing to the Contractor. If the methods and procedures employed by the Contractor for the protection of the Contractor's data and information are deemed by the State to be adequate for the protection of the State's confidential information, such methods and procedures may be used, with the written consent

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of the State, to carry out the intent of this paragraph. The Contractor shall not be required under the provisions of this paragraph to keep confidential any data or information which is or becomes publicly available, is already rightfully in the Contractor's possession, is independently developed by the Contractor outside the scope of this Contract, or is rightfully obtained from third parties.

35. **NEWS RELEASES:** Unless otherwise exempted, news releases pertaining to this Contract shall not be made without prior written approval of the Department of General Services.

36. **PATENT, COPYRIGHT AND TRADE SECRET INDEMNITY:**
   a) Contractor shall hold the State of California, its officers, agents and employees, harmless from liability of any nature or kind, including costs and expenses, for infringement or use of any copyrighted or uncopyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in connection with the Contract.
   b) Contractor may be required to furnish a bond to the State against any and all loss, damage, costs, expenses, claims and liability for patent, copyright and trade secret infringement.
   c) Contractor, at its own expense, shall defend any action brought against the State to the extent that such action is based upon a claim that the Goods or software supplied by the Contractor or the operation of such Goods pursuant to a current version of Contractor supplied operating software infringes a United States patent or copyright or violates a trade secret. The Contractor shall pay those costs and damages finally awarded against the State in any such action. Such defense and payment shall be conditioned on the following:
      i) That the Contractor shall be notified within a reasonable time in writing by the State of any notice of such claim; and,
      ii) That the Contractor shall have the sole control of the defense of any action on such claim and all negotiations for its settlement or compromise, provided, however, that when principles of government or public law are involved, the State shall have the option to participate in such action at its own expense.
   d) Should the Goods or software, or the operation thereof, become, or in the Contractor's opinion are likely to become, the subject of a claim of infringement of a United States patent or copyright or a trade secret, the State shall permit the Contractor at its option and expense either to procure for the State the right to continue using the Goods or software, or to replace or modify the same so that they become non-infringing. If none of these options can reasonably be taken, or if the use of such Goods or software by the State shall be prevented by injunction, the Contractor agrees to take back such Goods or software and make every reasonable effort to assist the State in procuring substitute Goods or software. If, in the sole opinion of the State, the return of such infringing Goods or software makes the retention of other Goods or software acquired from the Contractor under this Contract impractical, the State shall then have the option of terminating such Contracts, or applicable portions thereof, without penalty or termination charge. The Contractor agrees to take back such Goods or software and refund any sums the State has paid Contractor less any reasonable amount for use or damage.
   e) The Contractor shall have no liability to the State under any provision of this clause with respect to any claim of patent, copyright or trade secret infringement which is based upon:
      i) The combination or utilization of Goods furnished hereunder with equipment or devices not made or furnished by the Contractor; or,
      ii) The operation of equipment furnished by the Contractor under the control of any operating software other than, or in addition to, the current version of Contractor-supplied operating software; or
      iii) The modification by the State of the equipment furnished hereunder or of the software; or
      iv) The combination or utilization of software furnished hereunder with non-Contractor supplied software.
   f) Contractor certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this Contract for the acquisition, operation or maintenance of computer software in violation of copyright laws.
   g) The foregoing states the entire liability of the Contractor to the State with respect to infringement of patents, copyrights or trade secrets.

37. **EXAMINATION AND AUDIT:** Contractor agrees that the State, or its designated representative shall have the right to review and copy any records and supporting documentation pertaining to performance of this Contract. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees or others who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subContract related to performance of this Contract.

38. **DISPUTES:**
   a) The parties shall deal in good faith and attempt to resolve potential disputes informally. If the dispute persists, *Contractor* shall submit to the Department Director or designee a written demand for a final decision regarding the disposition of any dispute between the parties arising under, related to or involving this Contract, unless the State, on its own initiative, has already rendered such a final decision. Contractor's written demand shall be fully supported by factual information, and if such demand involves a cost adjustment to the Contract, Contractor shall include with the demand a written statement signed by an authorized person indicating that the demand is made in good faith, that the supporting data are accurate and complete and that the amount requested accurately reflects the Contract adjustment for which Contractor believes the State is liable. If the Contractor is not satisfied with the decision of the Department Director or designee, the Contractor may appeal the decision to the Department of General Services, Deputy Director, Procurement Division. In the event that this Contract is for information technology Goods and/or services, the decision may be appealed to an Executive Committee of State and Contractor personnel.
   b) Pending the final resolution of any dispute arising under, related to or involving this Contract, Contractor agrees to diligently proceed with the performance of this Contract, including the delivery of Goods or providing of services in accordance with the State's instructions. Contractor's failure

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to diligently proceed in accordance with the State's instructions shall be considered a material breach of this Contract.

c) Any final decision of the State shall be expressly identified as such, shall be in writing, and shall be signed by the Department Director or designee or Deputy Director, Procurement Division if an appeal was made. If the State fails to render a final decision within 90 days after receipt of Contractor's demand, it shall be deemed a final decision adverse to Contractor's contentions. The State's final decision shall be conclusive and binding regarding the dispute unless Contractor commences an action in a court of competent jurisdiction to contest such decision within 90 days following the date of the final decision or one (1) year following the accrual of the cause of action, whichever is later.

39. **STOP WORK:**

a) The State may, at any time, by written Stop Work Order to the Contractor, require the Contractor to stop all, or any part, of the work called for by this Contract for a period up to 90 days after the Stop Work Order is delivered to the Contractor, and for any further period to which the parties may agree. The Stop Work Order shall be specifically identified as such and shall indicate it is issued under this clause. Upon receipt of the Stop Work Order, the Contractor shall immediately comply with its terms and take all reasonable steps to minimize the incurrence of costs allocable to the work covered by the Stop Work Order during the period of work stoppage. Within a period of 90 days after a Stop Work Order is delivered to the Contractor, or within any extension of that period to which the parties shall have agreed, the State shall either:

i) Cancel the Stop Work Order; or

ii) Terminate the work covered by the Stop Work Order as provided for in the termination for default or the termination for convenience clause of this Contract.

b) If a Stop Work Order issued under this clause is canceled or the period of the Stop Work Order or any extension thereof expires, the Contractor shall resume work. The State shall make an equitable adjustment in the delivery schedule, the Contract price, or both, and the Contract shall be modified, in writing, accordingly, if:

i) The Stop Work Order results in an increase in the time required for, or in the Contractor's cost properly allocable to the performance of any part of this Contract; and

ii) The Contractor asserts its right to an equitable adjustment within 30 days after the end of the period of work stoppage; provided, that if the State decides the facts justify the action, the State may receive and act upon a proposal submitted at any time before final payment under this Contract.

c) If a Stop Work Order is not canceled and the work covered by the Stop Work Order is terminated in accordance with the provision entitled Termination for the Convenience of the State, the State shall allow reasonable costs resulting from the Stop Work Order in arriving at the termination settlement.

d) The State shall not be liable to the Contractor for loss of profits because of a Stop Work Order issued under this clause.

40. **PRIORITY HIRING CONSIDERATIONS:** If this Contract includes services in excess of $200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with PCC Section 10353.

41. **COVENANT AGAINST GRATUITIES:** The Contractor warrants that no gratuities (in the form of entertainment, gifts, or otherwise) were offered or given by the Contractor, or any agent or representative of the Contractor, to any officer or employee of the State with a view toward securing the Contract or securing favorable treatment with respect to any determinations concerning the performance of the Contract. For breach or violation of this warranty, the State shall have the right to terminate the Contract, either in whole or in part, and any loss or damage sustained by the State in procuring on the open market any items which Contractor agreed to supply shall be borne and paid for by the Contractor. The rights and remedies of the State provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or in equity.

42. **NONDISCRIMINATION CLAUSE:**

a) During the performance of this Contract, Contractor and its subContractors shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment because of sex, sexual orientation, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (cancer), age, marital status, and denial of family care leave. Contractor and subContractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subContractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12990 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this Contract by reference and made a part hereof as if set forth in full. Contractor and its subContractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

b) The Contractor shall include the nondiscrimination and compliance provisions of this clause in all subContracts to perform work under the Contract.

43. **NATIONAL LABOR RELATIONS BOARD CERTIFICATION:** Contractor swears under penalty of perjury that no more than one final, unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two-year period because of the Contractor's failure to comply with an order of the National Labor Relations Board. This provision is required by, and shall be construed in accordance with, PCC Section 10296.

44. **ASSIGNMENT OF ANTITRUST ACTIONS:** Pursuant to Government Code Sections 4552, 4553, and 4554, the following provisions are incorporated herein:

a) In submitting an offer to the State, the supplier offers and agrees that if the offer is accepted, it will assign to the State all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. 15)

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or under the Cartwright Act (Chapter 2, commencing with Section 16700, of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of Goods, material, or services by the supplier for sale to the State pursuant to the solicitation. Such assignment shall be made and become effective at the time the State tenders final payment to the supplier.

b) If the State receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the State any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the State as part of the offer price, less the expenses incurred in obtaining that portion of the recovery.

c) Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and

   i) the assignee has not been injured thereby, or

   ii) the assignee declines to file a court action for the cause of action.

45. **DRUG-FREE WORKPLACE CERTIFICATION:** The Contractor certifies under penalty of perjury under the laws of the State of California that the Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) and will provide a drug-free workplace by taking the following actions:

   a) Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).

   b) Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b) to inform employees about all of the following:

      i) the dangers of drug abuse in the workplace;

      ii) the person's or organization's policy of maintaining a drug-free workplace;

      iii) any available counseling, rehabilitation and employee assistance programs; and,

      iv) penalties that may be imposed upon employees for drug abuse violations.

   c) Provide, as required by Government Code Section 8355(c), that every employee who works on the proposed or resulting Contract:

      i) will receive a copy of the company's drug-free policy statement; and,

      ii) will agree to abide by the terms of the company's statement as a condition of employment on the Contract.

46. **FOUR-DIGIT DATE COMPLIANCE:** Contractor warrants that it will provide only Four-Digit Date Compliant (as defined below) Deliverables and/or services to the State. "Four Digit Date Compliant" Deliverables and services can accurately process, calculate, compare, and sequence date data, including without limitation date data arising out of or relating to leap years and changes in centuries. This warranty and representation is subject to the warranty terms and conditions of this Contract and does not limit the generality of warranty obligations set forth elsewhere herein.

47. **SWEATFREE CODE OF CONDUCT:**

   a) Contractor declares under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the State pursuant to the Contract have been produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. Contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

   b) Contractor agrees to cooperate fully in providing reasonable access to its records, documents, agents or employees, or premises if reasonably required by authorized officials of the State, the Department of Industrial Relations, or the Department of Justice to determine Contractor's compliance with the requirements under paragraph (a).

48. **RECYCLING:** The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post consumer material as defined in the Public Contract Code Section 12200, in products, materials, Goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (PCC 12205).

49. **CHILD SUPPORT COMPLIANCE ACT:** For any Contract in excess of $100,000, the Contractor acknowledges in accordance with PCC Section 7110, that:

   a) The Contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with Section 5200) of Part 5 of Division 9 of the Family Code; and

   b) The Contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

50. **AMERICANS WITH DISABILITIES ACT:** Contractor assures the State that Contractor complies with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq).

51. **ELECTRONIC WASTE RECYCLING ACT OF 2003:** The Contractor certifies that it complies with the requirements of the Electronic Waste Recycling Act of 2003, Chapter 8.5, Part 3 of Division 30, commencing with Section 42460 of the Public Resources Code, relating to hazardous and solid waste. Contractor shall maintain documentation and provide reasonable access to its records and documents that evidence compliance.

52. **USE TAX COLLECTION:** In accordance with PCC Section 10295.1, Contractor certifies that it complies with the requirements of Section 7101 of the Revenue and Taxation Code. Contractor further certifies that it will immediately advise State of

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any change in its retailer's seller's permit or certification of registration or applicable affiliate's seller's permit or certificate of registration as described in subdivision (a) of PCC Section 10295.1.

53. **EXPATRIATE CORPORATIONS:** Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of PCC Section 10286 and 10286.1, and is eligible to Contract with the State.

54. **DOMESTIC PARTNERS:** For Contracts over $100,000 executed or amended after January 1, 2007, the Contractor certifies that the Contractor is in compliance with Public Contract Code section 10295.3.

55. **SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:**
    a) If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)
    b) If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract;
    (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and
    (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

56. **LOSS LEADER:** It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10302(b).).

ADDITIONAL CMAS TERMS AND CONDITIONS

57. **CMAS -- CONTRACTOR'S LICENSE REQUIREMENTS:**
Contracts that include installation or the wording "Furnish and Install" require at the time of Contract award that Contractors possess a valid California State Contractor's License. If sub-Contractors are used, they must also possess a valid California State Contractor's License. All businesses which construct or alter any building, highway, road, parking facility, railroad, excavation, or other structure in California must be licensed by the California State License Board (CSLB) if the total cost (labor and materials) of the project is $500.00 or more. Failure to be licensed or to keep the license current and in good standing shall be grounds for Contract revocation.

58. **CMAS -- PUBLIC WORKS REQUIREMENTS (LABOR/INSTALLATION):**
    a) Prior to the commencement of performance, the Contractor must obtain and provide to the State, a payment bond, on Standard Form 807, when the Contract involves a public works expenditure (labor/installation costs) in excess of $5,000. Such bond shall be in a sum not less than one hundred percent (100%) of the Contract price. Forms shall be provided to the Contractor.
    b) In accordance with the provisions of Section 1773 of the California Labor Code, the Contractor shall, conform and stipulates to the general prevailing rate of wages, including employer benefits as defined in Section 1773.1 of the California Labor Code, applicable to the classes of labor to be used for public works such as at the delivery site for the assembly and installation of the equipment or materials under the purchase order. Pursuant to Section 1770 of the California Labor Code, the Department of Industrial Relations has ascertained the general prevailing rate of wages in the county in which the work is to be done, to be as listed in the Department of Transportation booklet entitled General Prevailing Wage Rates. The booklet is compiled monthly and copies of the same are available from the Department of Industrial Relations, Prevailing Wage Unit at www.dir.ca.gov (select Statistics & Research) or (415) 703-4774. The booklet is required to be posted at the job site.
    c) The Contractor hereby certifies by signing this Contract that:
        i) Contractor has met or will comply with the standards of affirmative compliance with the Non-Discrimination Clause Requirements included herein.
        ii) Contractor is aware of the provisions of Section 3700 of the Labor Code that require every employer to be insured against liability for workmen's compensation or to undertake self-insurance in accordance with the provisions of that Code, and Contractor will comply with such provisions before commencing the performance of the work of the purchase order.
    d) Laws to be Observed
        i) Labor
        Pursuant to Section 1775 of the California Labor Code the Contractor shall, as a penalty to the State or Political subdivision on whose behalf the purchase order is made or awarded, forfeit not more than fifty ($50.00) for each calendar day, or portions thereof, for each worker paid by him or subContractor under him, less than the prevailing wage so stipulated; and in addition, the Contractor further agrees to pay to each workman the difference between the actual amount paid for each calendar day, or portions thereof, and the stipulated prevailing wage rate for the same. This provision shall not apply to properly indentured apprentices.

        Pursuant to Sections 1810-1815 of the California Labor Code, inclusive, it is further agreed that the maximum hours a worker is to be employed is limited to eight hours a day and forty hours a week and the Contractor shall forfeit, as a penalty to the State, twenty-five ($25) for each worker employed in the execution of the purchase order for each calendar day during which a workman is required or permitted to labor more than eight hours in any calendar day or more than forty hours in any calendar week, in violation of California Labor Code Sections 1810-1815, inclusive.
        ii) Worker's Compensation Insurance

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The Contractor will be required to secure the payment of compensation to its employees in accordance with the provisions of Labor Code Section 3700.

iii) Travel and Subsistence Payments
Travel and subsistence payments shall be paid to each worker needed to execute the work, as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with Labor Code Section 1773.8.

iv) Apprentices
Special attention is directed to Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code and Title 8, California Administrative Code Section 200 et seq. Each Contractor and/or subContractor must, prior to commencement of the public works Contract/purchase order, contact the Division of Apprenticeship Standards, 525 Golden Gate Avenue, San Francisco, CA, or one of its branch offices to insure compliance and complete understanding of the law regarding apprentices and specifically the required ratio thereunder. Responsibility for compliance with this section lies with the prime Contractor.

v) Payroll
The Contractor shall keep an accurate payroll record /showing the name, social security account, and work classification specific and straight time and overtime hours worked by each employee. A certified copy of the employee's payroll record shall be available for inspection as specified in section 1776 of the California Labor Code.

59. **CMAS -- TERMINATION OF CMAS CONTRACT:**
   a) The State may terminate this CMAS Contract at any time upon 30 days prior written notice.
   b) If the Contractor's GSA Multiple Award Schedule is terminated within the term of the California Multiple Award Schedule, the California schedule shall also be considered terminated on the same date.
   c) Upon termination or other expiration of this Contract, each party will assist the other party in orderly termination of the Contract and the transfer of all assets, tangible and intangible, as may facilitate the orderly, nondisrupted business continuation of each party.
   d) Prior to the expiration of this Contract, this Contract may be terminated for the convenience of both parties by mutual consent.
   e) This provision shall not relieve the Contractor of the obligation to perform under any purchase order or other similar ordering document executed prior to the termination becoming effective.

60. **CMAS -- CONTRACT AMOUNT**: There is no guarantee of minimum purchase of Contractor's products or services by the State.

61. **CMAS -- DEBARMENT CERTIFICATION (FEDERALLY FUNDED CONTRACTS)**: When Federal funds are being expended, the prospective recipient of Federal assistance funds is required to certify to the Buyer, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

62. **CMAS -- PURCHASE ORDERS FUNDED IN WHOLE OR PART BY THE FEDERAL GOVERNMENT**: All Contracts (including individual orders), except for State construction projects, which are funded in whole or in part by the federal government may be canceled with 30 days notice, and are subject to the following:
   a) It is mutually understood between the parties that this Contract (order) may have been written before ascertaining the availability of congressional appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays which would occur if the Contract (order) were executed after that determination was made.
   b) This Contract (order) is valid and enforceable only if sufficient funds are made available to the State by the United States Government for the fiscal year during which the order was generated for the purposes of this program. In addition, this Contract (order) is subject to any additional restrictions, limitations, or conditions enacted by the Congress or any statute enacted by the Congress that may affect the provisions, terms or funding of this Contract (order) in any manner.
   c) It is mutually agreed that if the Congress does not appropriate sufficient funds for the program, this Contract (order) shall be amended to reflect any reduction in funds. The department has the option to void the Contract (order) under the 30-day cancellation clause or to amend the Contract to reflect any reduction of funds.

63. **CMAS -- CONFLICT OF INTEREST:**
   a) Current State Employees (Public Contract Code Section 10410):
      i) No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any State agency, unless the employment, activity or enterprise is required as a condition of regular State employment.
      ii) No officer or employee shall Contract on his or her own behalf as an independent Contractor with any State agency to provide Goods or services.
   b) Former State Employees (Public Contract Code Section 10411):
      i) For the two-year period from the date he or she left State employment, no former State officer or employee may enter into a Contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the Contract while employed in any capacity by any State agency.
      ii) For the twelve-month period from the date he or she left State employment, no former State officer or employee may enter into a Contract with any State agency if he or she was employed by that State agency in a policy-making position in the same general subject area as the proposed Contract within the twelve-month period prior to his or her leaving State service.

64. **CMAS -- SUBCONTRACTING REQUIREMENTS:**
Any subContractor that the CMAS supplier chooses to use in fulfilling the requirements of this Contract/purchase order, and which is expected to receive more than ten (10) percent of value of the Contract/purchase order, must also meet all Contractual, administrative, and technical requirements of the Contract/purchase order, as applicable.

65. **CMAS -- RENTAL AGREEMENTS:**

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

The State does not agree to:

- Indemnify a Contractor;
- Assume responsibility for matters beyond its control;
- Agree to make payments in advance;
- Accept any other provision creating a contingent liability against the State; or
- Agree to obtain insurance to protect the Contractor.

The State's responsibility for repairs and liability for damage or loss is restricted to that made necessary by or resulting from the negligent act or omission of the State or its officers, employees, or agents.

If the Contractor maintains the equipment, the Contractor must keep the equipment in good working order and make all necessary repairs and adjustments without qualification. The State may terminate for default or cease paying rent should the Contractor fail to maintain the equipment properly.

Personal property taxes are not generally reimbursed when leasing equipment (SAM 8736).

66. **CMAS -- LEASE (Lease $Mart ™):** If an agency desires to lease through Lease $Mart ™, the Contractor agrees to sell to lessor the assets at the same price as they agree to sell to the State.

67. **CMAS -- QUARTERLY REPORTS:** Contractors are required to submit quarterly business activity reports, as specified in this Contract, even when there is no activity. A separate report is required for each Contract, as differentiated by alpha suffix.

68. **CMAS -- LIQUIDATED DAMAGES:**
In the event that the Contractor fails to deliver in accordance with the Contract requirements, the parties agree that the delay will interfere with the proper implementation of the State's programs, to the loss and damage of the State. From the nature of the case, it would be impracticable and extremely difficult to fix the actual damages sustained in the event of any such delay. The State and Contractor, therefore, presume that in the event of any such delay the amount of damage which will be sustained from a delay will be the amounts set forth in the Statement of Work, and the State and the Contractor agree that in the event of any such delay, the Contractor shall pay such amounts as liquidated damages and not as a penalty. Amounts due the State as liquidated damages may be deducted by the State from any money payable to the Contractor. The State shall notify the Contractor in writing of any claim for liquidated damages pursuant to this paragraph on or before the date State deducts such sums from money payable to the Contractor.

69. **CMAS -- PROGRESS PAYMENTS/PERFORMANCE BONDS:**
In accordance with PCC 10314: Any Contract for Goods to be manufactured by the Contractor specially for the State and not suitable for sale to others in the ordinary course of the Contractor's business may provide, on such terms and conditions as the department deems necessary to protect the State's interests, for progress payments for work performed and costs incurred at the Contractor's shop or plant, provided that not less than 10 percent of the Contract price is required to be withheld until final delivery and acceptance of the Goods, and provided further, that the Contractor is required to submit a faithful performance bond, acceptable to the department, in a sum not less than one-half of the total amount payable under the Contract securing the faithful performance of the Contract by the Contractor.

GSA Advantage!

No image available at this time

$9.49 EA

sold and shipped by FIELDTURF USA INC.

visit contractor's website

EASYTURF EASYPLAY (MIN 500 SQ.FT)

Mfr Part No.:	EASYTURF EASYPLAY (MIN 500 SQ.FT)
Manufacturer:	FIELDTURF
Contract No.:	GS-07F-9631S (ends: Aug 6, 2016)
MAS Schedule/SIN:	078/192 09
Warranty:	8 YR
Made In:	UNITED STATES OF AMERICA

- Desc

1L (SF), EasyTurf EasyPlay is comprised of single-color premium UV-resistant polyethylene fibrillated silt-film blades. It is made using 100% polyethylene fiber construction containing no nylon. Each fiber is cut into a unique interior honeycomb pattern, making EasyPlay one of the strongest and most resilient synthetic grass options for high-use areas. Designed specifically for commercial applications, this quality synthetic grass is ideal for large common areas, parade grounds, parks and high-trafficindoor sports applications. EasyPlay significantly reduces water consumption, eliminates the need for harmful fertilizers and pesticides, and improves drainage and erosion control.

Compare Available Sources

Quantity: Add to Cart

Instructions: Select price below, enter qty at left, then Add to Cart. To view another contractor description, simply select the Contractor in the list below. ◈Indicates when volume discounts are offered.

	Price/Unit	Contractor	Socio	Deliv Days	Min	FOB/Shipping
◈	**$9.49** EA	FIELDTURF USA INC.	o	60 days delivered ARO	$2,000.00	D-CONUS,AK,PR,HI

Item No. G.3

GSA Advantage!

No image available at this time

$1.47 EA

sold and shipped by FIELDTURF USA INC.

visit contractor's website

EASYTURF DRAINAGE TILES (MIN 500 SQ.FT)

Mfr Part No.:	EASYTURF DRAINAGE TILES (MIN 500 SQ.FT)
Manufacturer:	FIELDTURF
Contract No.:	GS-07F-9631S (ends: Aug 6, 2016)
MAS Schedule/SIN:	078/192 09
Warranty:	8 YR
Made In:	UNITED STATES OF AMERICA

- Desc

1L (SF), EasyTurf Drainage Tiles are recommended for use with a non-permeable liner or hard non-permeable surfaces such as concrete or asphalt. EasyTurf Drainage Tiles maximize drainage over these surfaces, allowing FieldTurf synthetic grass systems to drainas designed. Installation of EasyTurf Drainage Tiles reduces base installation time by approximately 30%, while also reducing the amount of ground prep necessary during a synthetic grass installation.

Compare Available Sources

Quantity: 1 Add to Cart

Instructions: Select price below, enter qty at left, then Add to Cart. To view another contractor description, simply select the Contractor in the list below. Indicates when volume discounts are offered.

Price/Unit	Contractor	Socio	Deliv Days	Min	FOB/Shipping
$1.47 EA	FIELDTURF USA INC.	o	60 days delivered ARO	$2,000.00	D-CONUS,AK,PR,HI

GSA Advantage!

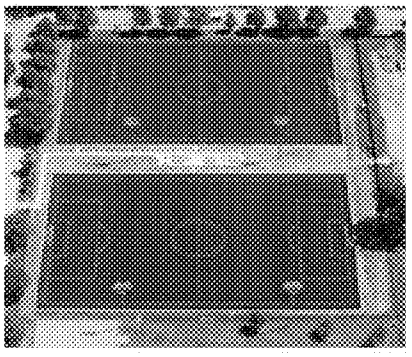

Enlarge/More Views >>

$6,716.50 EA

sold and shipped by
FIELDTURF USA INC.

visit contractor's website

SOCCER MARKINGS

Mfr Part No.:	SOCCER MARKINGS
Contractor Part No.:	SOCCER MARKINGS
Manufacturer:	FIELDTURF
Contract No.:	GS-07F-9631S (ends: Aug 6, 2016)
MAS Schedule/SIN:	078/192 09
Warranty:	8 YR
Made In:	UNITED STATES OF AMERICA

- Desc

1L (ST), Permanent soccer markings

Compare Available Sources

Quantity: 1 Add to Cart

Instructions: Select price below, enter qty at left, then Add to Cart. To view another contractor description, simply select the Contractor in the list below. Indicates when volume discounts are offered.

	Price/Unit	Contractor	Socio	Photo	Deliv Days	Min	FOB/Shipping
	$6,716.50 EA	FIELDTURF USA INC.	o		60 days delivered ARO	$2,000.00	D-CONUS,AK,PR,HI

Item No. G.3

FieldTurf A Tarkett Sports Company | EASYTURF A FieldTurf Company

Bid Proposal for City of Moreno Valley Outdoor Soccer Arena

PRODUCTS & INSTALLATION

1. EasyTurf to install 15,700 square feet of the following products:

   EasyTurf EasyPlay - MAS Schedule/SIN: 078/192 09
   EasyTurf EasyPlay is comprised of a single-color of premium UV-Resistant Polyethylene Parallel Fibrillated Slit-Film blades. It is made using 100% polyethylene fiber construction containing no nylon. EasyTurf to supply and install Patented Infill System with silica sand and crumb rubber and this high quality synthetic grass is ideal for main gate areas; headquarter lawns, housing areas, public walkways, obstacle courses, parks and common areas. It significantly reduces water consumption, eliminates the need for harmful fertilizers and pesticides, and improves drainage and erosion control.

   EasyTurf Drainage Tiles- MAS Schedule/SIN: 078/192 09
   EasyTurf Drainage Tiles deliver the Precision Performance and Maximized Drainage that the player and the facility demand. Consistent response throughout the field ensures that elite levels of play can always be reached. Maximizing the drainage ensures the on-field performance when the weather gets tough. Wet or dry your level of play remains the same. The installation of the EDT system is user friendly and reduces base installation time by approximately 30% while reducing base costs by up to 50%. Your players and facility demand the best.

   Soccer Markings - MAS Schedule/SIN: 078/192 09
   Permanent Soccer Markings for a Soccer Field

2. FieldTurf to supply and install Patented Infill System with silica sand and crumb rubber to simulate the look and feel of natural grass.

3. FieldTurf to provide an eight (8) year, third-party pre paid insured warranty for all products.

Pricing (GSA/CMAS Contract Number): GS-07F-9631 (ends: Aug 6, 2016)	**GSA Unit Price**	**Total**
Installation of 15,700 Square Feet of EasyTurf EasyPlay	$9.49 x 15,700 Sq Ft	$148,993.00
Installation of 15,700 Square Feet of EASYTURF DRAINAGE TILES	$1.47 x 15,700 Sq Ft	$ 23,079.00
Installation of Permanent Soccer Markings	$6,716.50	$ 6,716.50
Total		**$178,788.50**

Name: _____ **Organization:** _____

Signature: _____ **Title:** _____ **Date:** _____

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MV00159961

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Rick Teichert, Financial & Administrative Services Director

AGENDA DATE: April 10, 2012

TITLE: INTRODUCTION OF ORDINANCE AMENDING CHAPTER 3.12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE CITY'S PURCHASING REGULATIONS

RECOMMENDED ACTION

The Finance Sub-Committee recommends that the City Council approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations.

BACKGROUND

The City's Purchasing Ordinance was last updated in 2009. City Council has expressed interest in updating the Local Vendor Preference portion of the purchasing regulations to support and grow the local economy and to provide jobs within the community.

Changes in State law regarding public projects require an amendment to Section 3.12.300 of the City's ordinance to comply with the requirement to maintain a list of qualified contractors for the selection of contractors to perform informal procurements for public projects.

DISCUSSION

Two changes to the Purchasing Ordinance are detailed as follows:

Local Small Business Preference:

The Purchasing Ordinance, as currently written in section 3.12.150, provides for a 1% "local vendor preference", but only when the quality and pricing of contracted materials and services are equal. Therefore, if all factors in a bid are equal, the award would go to a bidder located within the City based on a 1% preference. Staff has researched the ability to provide a preference to local businesses greater than the current 1% allowed by the City's Purchasing Ordinance. Staff discovered that a number of cities were providing greater local preferences. Upon consultation with the City Attorney, staff was advised that some of the cities providing greater local preference in their purchasing ordinances were charter cities. The City Attorney advised that Moreno Valley, as a General Law city, could utilize the provisions of Public Contract Code Section 2002 to provide a small business preference; this code section reads:

> **2002.** (a) Notwithstanding any other provision of law requiring a local agency to award contracts to the lowest responsible bidder, any local agency may do any of the following in facilitating **contract** awards to small businesses:
> (1) Provide for a small business preference in construction, the procurement of goods, or the delivery of services where responsibility and quality are equal. The preference to a small business shall be up to 5 percent of the lowest responsible bidder meeting specifications.
> (2) Establish a subcontracting participation goal for small businesses on contracts and grant a preference, up to a maximum of 5 percent, to those bidders who meet the goal.
> (3) Require bidders to make good faith efforts to meet a subcontracting participation goal for small business contracts. Bidders that fail to meet the goal shall demonstrate that they made good faith efforts to utilize small business contractors.
> (b) The term "small business," as used in this section, shall be defined by each local agency.

In an effort to promote local small businesses and stimulate the local economy, the local vendor preference will be deleted and replaced with a "local small business preference" afforded to local small businesses (as allowed by California Public Contracts Code, Section 2002) to provide a five-percent (5%) advantage to local small business vendors, regardless of ranking to the lowest responder, who are responding to provide the City non-professional services, supplies, materials and equipment (see pages #7-8 of the Purchasing Ordinance 3.12).

Where the local small business vendor's price is not the lowest price, their response would be evaluated to verify if it is within 5% of the low responder. If within 5% of the lowest responder, the lowest responding local small business vendor is selected to negotiate a satisfactory contract with the City. If the local small business vendor successfully negotiates a satisfactory contract with the City, they are awarded the contract. This provides an opportunity to keep the contract award local, benefiting a local small business vendor, but potentially at no additional cost to the City. If the local vendor does not meet the City's requirements for satisfactory terms, the next lowest local small business vendor may be afforded the opportunity to negotiate a satisfactory contract with the City, or the City will negotiate with the lowest responding vendor. This option potentially allows the local small business vendor to make the sale and to receive

business from the city. The city receives the item at the best terms it is able to negotiate, while the community benefits from keeping business local.

Public Projects Update:
Per California Public Contract Code (PCC), pursuant to Article 2 (commencing with Section 22010),

> *"The agency shall enact an informal bidding ordinance to govern the selection of contractors to perform public projects pursuant to subdivision (b) of Section 22032.*
>
> *And;*
>
> Pursuant to subdivision (b) of Section 22032, *"a public agency shall maintain a list of qualified contractors for the selection of contractors to perform informal public projects".*

The Purchasing Ordinance has been silent to this requirement and simply required following the PCC. This update will fulfill the state PCC requirement. See page #12 of the Purchasing Ordinance.

All proposed revisions to the Purchasing Ordinance are shown in the attached redline version of the Ordinance to facilitate Council's review.

ALTERNATIVES

1. Approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations. The revisions proposed by staff and the Finance Sub-Committee to:
    a. Adopt the 5% Local Vendor Preference. (***This alternative is recommended by staff and the Finance Sub-Committee***); and
    b. Adopt the Public Project Update according to PCC 22010 (***This alternative is recommended by staff and the Finance Sub-Committee)***.

2. Approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, regarding purchasing regulations, with additional revisions as directed by the City Council.

3. Do not approve the introduction of Ordinance No.844; maintain the current Purchasing Ordinance without revision.

4. Provide staff with further direction.

FISCAL IMPACT

There is no fiscal impact to the City.

CITY COUNCIL GOALS

Positive Environment. Create a positive environment for the development of Moreno Valley's future. By offering an additional five percent (5%) bid advantage to local vendors, the City is supporting local businesses which will enhance local business relationships, thus creating a positive business environment.

SUMMARY

The City's current Purchasing Ordinance provides for a 1% "local merchant preference" but only when quality and pricing of contracted services are equal. The ordinance is updated to comply with State Public Contracting Code related to requirements for informal bidding procedures. In an effort to promote local businesses and stimulate the local economy, the Purchasing Ordinance has been revised to provide a five-percent (5%) consideration to local vendors who are bidding on City materials and services. This preference will promote local businesses.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Attachment "A" - Revised Purchasing Ordinance

Prepared By:
Rix Skonberg
Purchasing & Facilities Division Manager

Department Head Approval:
Rick Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT "A"

REVISED PURCHASING ORDINANCE NO. 844

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY, CALIFORNIA,
AMENDING TITLE 3 OF THE CITY OF MORENO
VALLEY MUNICIPAL CODE BY REPEALING AND
REENACTING CHAPTER 3.12, PURCHASING.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 3.12 of Title 3 of the City of Moreno Valley Municipal Code is hereby repealed, the repeal to be effective only upon the effective date of the reenactment of said Chapter 3.12, as set forth in Section 2 of this Ordinance.

SECTION 2. REENACTMENT OF CHAPTER 3.12:

2.1 Chapter 3.12 of Title 3 of the City of Moreno Valley Municipal Code is hereby reenacted in its entirety to read as follows:

Chapter 3.12

PURCHASING

Sections:

3.12.010 Definitions.
3.12.020 General—Purpose.
3.12.025 Requisites for contract enforceability.
3.12.030 General—Establishment of centralized purchasing system.
3.12.040 General—Delegation of purchasing authority.
3.12.050 General—Procurement methods.
3.12.060 General—Award criteria.
3.12.070 General—Protest procedures.
3.12.080 General—Single source and sole source.
3.12.090 General—State and federal funds.
3.12.100 General—Conflict of interest and unlawful activity.
3.12.110 General—Collusion with bidder.
3.12.120 General—Collusion by bidder.
3.12.130 General—Monetary limits.
3.12.140 General—Emergency purchases.
3.12.150 Materials, supplies and equipment—Local vendor preference.
3.12.160 Materials, supplies and equipment—Record keeping of informal quotes.

3.12.170 Materials, supplies and equipment—Bid limits.
3.12.180 Materials, supplies and equipment—Publication of notice inviting formal bids.
3.12.190 Materials, supplies and equipment—Bidder's security.
3.12.200 Materials, supplies and equipment—Authorization and execution of contract.
3.12.210 Materials, supplies and equipment—Rejection of bids.
3.12.220 Materials, supplies and equipment—Tie formal bids.
3.12.230 Materials, supplies and equipment—No formal bids received.
3.12.240 Materials, supplies and equipment—Withdrawal or correction of formal bid.
3.12.250 Materials, supplies and equipment—Waiver of formal bid procedures.
3.12.260 Materials, supplies and equipment—Cooperative purchasing or "piggybacking."
3.12.270 Contracted services—General.
3.12.280 Contracted services—Paid for by others.
3.12.290 Contracted services—Legal services.
3.12.300 Public projects—General.
3.12.310 Public projects—Professional services.
3.12.320 Severability
3.12.330 Debarment or Suspension (federally funded contractors)

3.12.010 Definitions.

"Cooperative purchasing" means a form of intergovernmental cooperative purchasing in which one government agency or jurisdiction performs the solicitation and award process for several agencies or jurisdictions, but separate contracts or purchase orders are executed between each participating agency and the vendor; the agency contracting for the prices bears no contractual responsibility to the vendor. (See "piggyback")

"Direct pay form" means a method of payment submitted to the Financial & Administrative Services Department for payment of a commodity or service, typically after it has been procured. Administrative policies and regulations shall apply.

"Emergency" means the existence or threatened existence of conditions of extreme peril to the safety of persons and property within the City that may vitally affect the life, health or convenience of citizens. Events of: (1) disaster such as caused by fire, flood, storm, epidemic, riot, earthquake, drought, energy shortage, the existence or threatened existence of which has been proclaimed by the City Council or the City Manager in his/her capacity as Director of Emergency Services; or (2) the existence of a breakdown in machinery, equipment or essential governmental services which requires the immediate purchase of materials, supplies, equipment or services to protect the public health, safety or general welfare of the residents of the City; or (3) where an essential governmental operation affecting the public health, safety or general welfare could be greatly hampered or disrupted by following the standard procurement procedures.

"Force account" means any work that is performed by current City staff (force).

"Formal bid" means a bid that must be submitted in a sealed envelope and in conformance with a prescribed format to be opened in public at a specified time.

"General prevailing rate of per diem wages" means the payment of prevailing wages upon public works as defined in Section 16000 of the California Code of Regulations Title 8, Group 3.

"Informal bid" means a competitive bid or price quotation for supplies or services that is conveyed by letter, telephone, or other means and does not require a sealed bid, public opening, or reading of bids.

"Local small business vendor" means a business entity that has for at least the last twelve (12) months prior to submittal of its RFP response or quote (i) held a current business license issued by the City, and (ii) maintained fixed offices or distribution points located within the City's geographic boundaries, and (iii) that either employs fewer than one hundred (100) employees or has average annual gross receipts of ten million dollars ($10,000,000) or less over the previous three years. .

"Lowest responsible bidder" means the bidder or offeror that submitted a responsive bid or quote at the lowest price of all the responsive bids or quotes submitted, and whose past performance, reputation and financial capability is deemed acceptable. (See "responsible bidder")

"Piggyback" means the form of intergovernmental cooperative purchasing in which a public agency requests competitive sealed bids, enters into a contract and arranges, as part of the contract, for other public agencies to purchase from the selected vendor under the same terms and conditions as itself. This process eliminates the need to competitively bid the particular item again. (See "cooperative purchasing")

"Professional services" means the services rendered by members of a recognized profession or possessing a special skill. Such services are generally acquired to obtain information, advice, training or direct assistance; includes any type of professional service that may be lawfully rendered but does not include "public projects".

"Public project" is defined in Sections 22002 and 22003 of the Public Contract Code as follows:

(1) Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.

(2) Painting or repainting of any publicly owned, leased, or operated facility.

(3) In the case of a publicly owned utility system, "public project" shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.

"Public project" does not include maintenance work. For purposes of this section, "maintenance work" includes all of the following:

(1) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.

(2) Minor repainting.

(3) Resurfacing of streets and highways at less than one inch.

(4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

(5) Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.

For purposes of this chapter, "facility" means any plant, building, structure, ground facility, utility system, subject to the limitation found in paragraph (3) of subdivision (c), real property, streets and highways, or other public work improvement.

A public agency which has, by resolution, elected to become subject to the uniform construction cost accounting procedures set forth in Article 2 (commencing with Section 22010), may utilize the bidding procedures set forth in Article 3 (commencing with Section 22030) when contracting for "maintenance work," as defined in Section 22002, or when contracting for any other work which does not fall within the definition of "public project," as defined in Section 22002.

"Public works contract" means an agreement or contract, awarded through competitive bids, for a public project that is for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind.

"Purchase order" means a purchaser's written document to a vendor formalizing all the terms and conditions of a proposed transaction and including or referring to all required elements of a contract. A purchase order is requested from the Purchasing Division by use of ~~city~~ a City purchase requisition form. It is to be utilized when a vendor requests a purchase order or when products cannot be procured through the use of the procurement card or other approved purchasing method.

"Responsible bidder" means a bidder or offeror who has the capability in all respects to perform fully the contract requirements and the experience, integrity, perseverance, reliability, capacity, facilities, equipment, and credit which will assure good faith performance.

"Request for proposal (RFP)" means all documents, whether attached or incorporated by reference, utilized for soliciting competitive proposals. Procedures for the RFP process are incorporated in administrative policy and may be changed as required from time to time.

"Request for quote (RFQ)" means an informal solicitation or request for information, where oral or written quotes are obtained from vendors, without formal advertising or receipt of sealed bids, such as small or emergency purchases, but price competition is desired. Procedures for the RFQ process are incorporated in administrative policy and may be changed as required from time to time.

"Single source" means a contract for the purchase of goods or services entered into after soliciting and negotiating only with one source, usually because of the technology required or uniqueness of the product or service provided. (Compare to "sole source")

"Sole source" means that only one vendor possesses the unique and singularly available capability to meet the requirement of the solicitation, such as technical qualifications, matching to currently owned equipment or supplies, the ability to deliver at a particular time, or services from a public utility. (Compare to "single source") (Ord. 587 § 2.1 (part), 2001)

3.12.020 General—Purpose.

The purpose of this chapter is to ensure that:

1. A purchasing system is efficient to the end user;
2. Goods and services are procured at a fair and competitive price;
3. All contracting, including public works contracts, follow all applicable state and federal laws and regulations;
4. This chapter shall be interpreted and construed to be consistent with state law. (Ord. 587 § 2.1 (part), 2001)

3.12.025 Requisites for contract enforceability.

Except as specifically provided by the City of Moreno Valley Municipal Code, now or in the future, the City is not bound by any contract unless the same shall be in writing and signed by the Mayor, after City Council approval, or by such other officer of the City as authorized by ordinance, resolution, or action of the City Council. (Ord. 624 § 1.8, 2003)

3.12.030 General—Establishment of centralized purchasing system.

A centralized purchasing system is established in order to:

1. Create efficient procedures for the acquisition of supplies, materials, equipment and services for the various departments of the City;
2. Exercise positive financial control over purchases;
3. Clearly define the authority for the purchasing function;
4. Assure the quality of purchases;
5. Purchase without favor or prejudice. (Ord. 587 § 2.1 (part), 2001)

3.12.040 General—Delegation of purchasing authority.

The City Manager may authorize any department to purchase supplies, materials, equipment and contractual services, provided that such purchases or contracts shall be made in conformity with this chapter and all applicable administrative policies and procedures. Such purchases or contracts shall be subject to review by the Purchasing Manager (or equivalent position). (Ord. 587 § 2.1 (part), 2001)

3.12.050 General—Procurement methods.

All procurement methods shall be in accordance with adopted policies and procedures. All purchase orders shall be signed by the Purchasing Manager or designated representative. The City Manager may adopt administrative policies that further implement the intent of this ordinance. Specifications for procurement may include references to brand name, for illustrative purposes only, provided each brand name used is followed by the words "or equal." (Ord. 587 § 2.1 (part), 2001)

3.12.060 General—Award criteria.

To the extent not inconsistent with state law the following guidelines are to be followed for awards made under this chapter. Awards shall be based on the best value to the City. The determination of best value shall be pursuant to the findings and recommendations presented by the Purchasing Manager at the time of award. Award criteria of contracts, agreements, instruments and conveyances not otherwise covered by this chapter may be prescribed by City Council resolution. (Ord. 587 § 2.1 (part), 2001)

3.12.070 General—Protest procedures.

To the extent not inconsistent with state law the following guidelines are to be followed for protests of awards made under this chapter. Any bidder, offeror or contractor who is allegedly

aggrieved in connection with the solicitation of a contract or purchase order may protest. Protests of the contents of the specifications shall not be considered. Protests must be received by the City Clerk no later than the close of business on the second City business day after the date of award. Protest documents will be date and time stamped by City personnel. Failure to submit a timely protest to the City Clerk shall bar consideration of such protest. It is the responsibility of the protestor to verify the date of award and that the City Clerk received their protest.

The City Manager or designee shall respond in writing to the protestor within five City business days. If the protestor wishes to appeal the decision rendered by the City Manager or designee, such appeal must be made in accordance with the provisions for appeal set forth in Chapter 2.04 of this code. All protests shall be in writing and must include the following information:

1. The name, address and telephone number of the protestor;
2. The signature of the protestor or protestor's representative;
3. The solicitation, bid or contract number;
4. A detailed statement of all legal and factual grounds for the protest;
5. All documentation supporting the protestor's grounds for the protest;
6. The form of relief requested and the legal basis for such relief. (Ord. 587 § 2.1 (part), 2001)

3.12.080 General—Single source and sole source.

Where applicable and not otherwise provided by state or federal law, purchasing from a single source or sole source may be permitted after written justification from the requesting department explaining why a single or sole source has been specified, and a factual finding by the person or body authorizing the purchase that it is in the best interest of the City to purchase without competitive purchasing. Single and sole source procedures are not applicable to public works projects except as permitted by state law. (Ord. 587 § 2.1 (part), 2001)

3.12.090 General—State and federal funds.

All applicable statutes, regulations, rules and guidelines are to be followed when using state or federal funds. (Ord. 587 § 2.1 (part), 2001)

3.12.100 General—Conflict of interest and unlawful activity.

Any evaluation or selection practice under this chapter that would result in unlawful activity including, but not limited to, any rebate, kickback or unlawful consideration is expressly prohibited. Any award of a contract where a public official has used his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest in any person or entity who seeks such a contract or in the outcome of the selection process in any way, is expressly prohibited. Employees of the City, who are related to persons or have interests in business entities seeking to contract under this chapter, shall not participate in any aspect of the contract review or selection process. (Ord. 587 § 2.1 (part), 2001)

3.12.110 General—Collusion with bidder.

Any employee of the City or any department thereof shall be deemed guilty of malfeasance and shall be disciplined in accordance with City personnel rules and regulations for engaging in any of the following activities:

1. Aiding or assisting a bidder in securing a contract to furnish supplies, materials, equipment or contractual services at a higher price than that proposed by any other bidder;
2. Favoring one bidder over another by giving or withholding information;
3. Willfully misleading any bidder in regard to any matter relevant to the competitive bidding process or the character of the materials or supplies called for by the contract;
4. Knowingly accepting commodities of a quality inferior to those called for by the contract contrary to best interest of the City;
5. Knowingly certifying to a greater amount of service or work performed than has actually been performed;
6. Knowingly certifying to the receipt of an amount or different kind of materials, supplies or equipment than have actually been received. (Ord. 587 § 2.1 (part), 2001)

3.12.120 General—Collusion by bidder.

If at any time it shall be found that the person, firm or corporation to whom a contract has been awarded has colluded with any other party or parties for the purpose of preventing any other bid being made or being made at a lower amount, then the contract so awarded shall be null and void. (Ord. 587 § 2.1 (part), 2001)

3.12.130 General—Monetary limits.

All monetary limits for signature and award authority shall be as set forth in a resolution of the City Council as adopted from time to time. (Ord. 587 § 2.1 (part), 2001)

3.12.140 General—Emergency purchases.

If an emergency occurs at a time other than during regular business hours, the City Manager may authorize City department heads to purchase directly, any supplies, materials, equipment or contractual services where immediate procurement is essential to prevent delays, in the work of the using department, which may vitally affect the life, health or convenience of citizens. The head of such using department shall submit, as soon as possible, to the Purchasing Manager, a record of the emergency purchase together with a report of the circumstances of the emergency. All emergency purchases, which would otherwise require City Council approval, shall be submitted to the City Council by the City Manager at the next regular City Council meeting for ratification. (Ord. 587 § 2.1 (part), 2001)

3.12.150 Materials, supplies and equipment—Local vendor preference.

A 5% preference shall be given to local small business vendors for the purchase of non-professional services, supplies, materials and equipment, quality and price being equal, provided the local small business vendor meets the requirements of this chapter. (Ord. 587 § 2.1 (part), 2001).

The following requirements apply:

1. The City may, but is not required to, consider a local small business vendor preference in awarding qualifying contracts.
2. To be considered for a local small business vendor preference, the business must qualify as a "local small business vendor" as defined in Section 3.12.010.
3. In determining whether to offer a qualified local small business vendor the preference, the City may consider its needs, the contract requirements, the qualifications of all vendors, and all other relevant factors.
4. The 5% local small business preference shall apply to all contracts awarded by the City except for the following contracts:
    a. A contract for a public project or any other contract required to be awarded to the lowest responsible bidder;
    b. A contract for professional services pursuant to Section 3.12.270.
    c. A contract, which if awarded based upon application of the local small business vendor preference, would be prohibited by state or federal law or regulation;
    d. Contracts required as a result of an emergency where a delay in the performance of the contract would jeopardize the public health, safety or welfare of the residents of the City;
    e. Contracts where a significant function of City government would be seriously threatened if the contract were not entered into expeditiously as determined by the City;
    f. A contract which if awarded based upon application of the local vendor preference would result in the loss of state or federal funding.

    .

5. Where competitive quotes or proposals are utilized and the lowest responder is not a local small business vendor, the purchasing officer shall provide the lowest local small business vendor, should one exist and its response is within 5% of the lowest responsible responder, with notice that the local small business vendor is the selected vendor.
6. Upon providing notice to the local small business vendor, the local small business vendor shall have two business days to negotiate a satisfactory contract with the City. In the event a satisfactory contract is negotiated, the contract will be awarded to the local small business vendor. In the event a satisfactory contract is not negotiated, the City may, but is not required to, negotiate and award the contract to:
    a. The next lowest local small business vendor responding with a cost within 5% of the actual lowest responder, in order of the lowest to highest value; or
    b. The actual lowest qualifying responder.

3.12.160 Materials, supplies and equipment—Record keeping of informal quotes.

The respective department responsible for an open market purchase using a procurement method other than a purchase order shall keep a record of quotations submitted for the purchase. The Purchasing Division shall maintain records of purchases made through the issuance of purchase orders. The Financial & Administrative Services Department shall maintain all other procurement method records. Such records shall be open to public inspection during business hours and shall

be subject to any fees or charges as may be established by City Council. (Ord. 587 § 2.1 (part), 2001)

3.12.170 Materials, supplies and equipment—Bid limits.

Except as otherwise provided by this chapter, as restricted by law or when directed by the City Manager, all purchases of materials, supplies and equipment shall be governed by City administrative policy.

3.12.180 Materials, supplies and equipment—Publication of notice inviting formal bids.

Notice inviting bids shall be published in a newspaper of general circulation and/or by any other method of advertising that is recognized and accepted for public agency purchasing and is consistent with applicable state law. Advertisements shall be at least fourteen (14) calendar days before the time of the bid opening. It shall be the responsibility of the Purchasing Manager to encourage as wide a response as possible from prospective vendors. Notice inviting bids shall state the time and place for the receiving and opening of sealed bids, a general description of the materials, supplies or equipment to be purchased, the location where bid documents and specifications may be secured and the cost, if any, of the documents and specifications. (Ord. 587 § 2.1 (part), 2001)

3.12.190 Materials, supplies and equipment—Bidder's security.

A. When not so required but deemed necessary or desirable by the Purchasing Manager, bids shall be accompanied by a bidder's security. Such security shall be in an amount not less than the amount specified by the notice inviting bids or in the specifications referred to therein, or if no amount is specified by the notice inviting bids, then in an amount not less than ten (10) percent of the aggregate amount of the bid.

B. If the successful bidder neglects or refuses to enter into the contract, or to provide the supplies, materials or equipment according to specifications within the required time, then the amount of the bidder's security shall be declared forfeited to the City. Amounts collected shall be paid into the appropriate fund. All bonds forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

C. All bids not submitted with the requested bidder's security shall be rejected. Unsuccessful bidders shall be entitled to the return of security when such has been requested.

D. When required bidder's security shall be made payable to the city and in one of the following forms:

1. Certified or cashier's check;
2. Bidders bond made payable to the City. Bond to be executed by a corporate surety authorized to engage in such business in California, and listed in the U.S. Department of Treasury's listing of approved sureties;
3. Cash (U.S. funds only). (Ord. 587 § 2.1 (part), 2001)

3.12.200 Materials, supplies and equipment—Authorization and execution of contract.

A. Award of contracts for which there are appropriated funds in the City Council approved budget, may be authorized by the City Manager based on levels prescribed by City Council reso-

lution. The Purchasing Manager will execute the contract based on the criteria of this chapter, pertinent resolution(s) and policies. Staff authorized to award contracts may defer to the City Manager or City Council for approval where deemed necessary or otherwise appropriate.

B. Award of bids for items over the prescribed amount authorized by City Council resolution, for which there are appropriated funds in the City Council approved budget, shall be made by the City Council. Once awarded by the City Council, the Mayor or the City Manager, or designee, shall sign such contracts.

3.12.210 Materials, supplies and equipment—Rejection of bids.

The City reserves the right to reject any or all bids and to waive any informality or technical defect in a bid. The City, after rejecting bids or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the City Manager, or designee, the purchase in question may be made without a formal bid procedure and may proceed to have said purchase made in the manner stated without further observation of the provisions of this section. (Ord. 587 § 2.1 (part), 2001)

3.12.220 Materials, supplies and equipment—Tie formal bids.

Except as otherwise provided in this chapter, if two or more formal bids received for the purchase of materials, supplies or equipment are for the same aggregate amount or unit price, quality and service being equal, and if the public interest will not permit the delay of re-advertising for bids, at its discretion and at the prescribed authority levels in this chapter, the Purchasing Manager or the City Council may accept either bid or the lowest bid made by and after negotiation with the tie bidders. (Ord. 587 § 2.1 (part), 2001)

3.12.230 Materials, supplies and equipment—No formal bids received.

When no bids or no responsive bids are received, the Purchasing Manager is authorized to negotiate for written proposals. Award of contract may be made in accordance with applicable provisions prescribed herein. (Ord. 587 § 2.1 (part), 2001)

3.12.240 Materials, supplies and equipment—Withdrawal or correction of formal bid.

A. Prior to bid opening date and time, bids submitted may be withdrawn by written or telegraphic request received by the City before the hour set for opening. After such hour it may not be withdrawn.

B. After bid opening date and time, any bidder who seeks to withdraw or modify a bid because of inadvertent computational error shall notify the Purchasing Manager no later than three City working days following the bid opening. The bidder shall provide worksheets and other such information as may be appropriate or required by the Purchasing Manager to substantiate the claim of inadvertent error. Failure to do so may bar such relief and allow recourse from the bid surety if applicable. The burden shall be upon the bidder to prove such error. (Ord. 587 § 2.1 (part), 2001)

3.12.250 Materials, supplies and equipment—Waiver of formal bid procedures.

In any of the following instances and not withstanding any provision of this chapter to the contrary, the formal bid procedures shall be dispensed with provided there exists an unencumbered appropriation in the program against which the expense is to be charged (approved budgeted item):

1. The commodity can be obtained from only one vendor (a sole source or single source), as prescribed in Section 3.12.080;
2. Acquisition of materials, supplies and equipment utilizing the "piggyback" process following all laws, rules and regulations;
3. The purchase of used material or equipment;
4. The purchase of materials, supplies and equipment from another government entity;
5. During an emergency;
6. California Multiple Award Schedule (CMAS) is utilized when competitively awarded by the State of California. (Ord. 624 § 1.6, 2003: Ord. 587 § 2.1 (part), 2001)

3.12.260 Materials, supplies and equipment—Cooperative purchasing or "piggybacking."

Where advantageous for the City and to the extent consistent with state law, the City Manager may authorize the Financial & Administrative Services Director or the Purchasing Manager to purchase supplies, materials, equipment or contractual services through legal, competitively awarded contracts with or of other governmental jurisdictions or public agencies, including California Multiple Award Schedules (CMAS) commonly referred to as "piggybacking," without further contracting, solicitation or formal bidding as described in this chapter. (Ord. 624 § 1.7, 2003: Ord. 587 § 2.1 (part), 2001)

3.12.270 Contracted services—General.

Due to the nature of contracts for service, formal bids shall not be required. Contracts for service, negotiated by the City, shall be based on the vendor's demonstrated competence and professional qualifications for the service required. Whenever possible, quotes should be obtained from at least three sources using the request for quote or the request for proposal process. Vendor selection, without obtaining three quotes, shall require justification to the City Manager or designee. Upon approval by the City Manager, or designee, each contract will be accompanied by a purchase order. Authority to contract for service is based on signature authority set forth by City Council resolution from time to time. (Ord. 587 § 2.1 (part), 2001)

3.12.280 Contracted services—Paid for by others.

The provisions of this chapter shall not apply to contracted services that are not paid for out of public funds. (Ord. 587 § 2.1 (part), 2001)

3.12.290 Contracted services—Legal services.

The provisions of this chapter shall not apply to attorney or consultant services contracted for under the direction of the City Attorney or other individual per the City Manager.
(Ord. 587 § 2.1 (part), 2001)

3.12.300 Public projects—General.

A. The process for obtaining contractors for work on a public project shall be in accordance with applicable provisions of California Public Contract Code Division 2, General Provisions. The City has adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act (the "Act") commencing with California Public Contract Code 22000-22045 (see Resolution No. 86-40). All public works contracts shall be advertised, bid, awarded in conformity with the Act and any other applicable state or federal law or regulation.

B. All public works contracts shall include all required clauses, as prescribed by federal and state laws and codes.

C. The City Council shall award contracts greater than the prescribed limit based on the most current public contract code. The City Manager may award and execute contracts, including all contracts for work performed under assessment district, community facilities district proceedings and for public works construction, improvement, repair, or maintenance up to the prescribed limit, except as restricted by law.

D. The payment of general prevailing rate of wages shall be required of all public works contracts, as required by the applicable state and/or federal law and regulations.

E. The alternative contracting procedures dollar amount limitations shall be in conformance with the Act, as amended from time to time, and any applicable regulations.

F. Informal bidding for the selection of contractors to perform public projects pursuant to subdivision (b) of Section 22032 of the Public Contract Code. This ordinance shall include all of the following:

(a) The public agency shall maintain a list of qualified contractors, identified according to categories of work. Minimum criteria for development and maintenance of the contractors list shall be determined by the Public Agency, consistent with the requirements of the commission.

(b) All contractors on the list for the category of work being bid or all construction trade journals specified in Section 22036, or both all contractors on the list for the category of work being bid and all construction trade journals specified in Section 22036, shall be mailed a notice inviting informal bids unless the product or service is proprietary.

(c) All mailing of notices to contractors and construction trade journals pursuant to subdivision (b) shall be completed not less than the prescribed limit, based on the most recent public contract code, before bids are due.

(d) The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.

(e) The governing body of the public agency may delegate the authority to award informal contracts to the public works director, general manager, purchasing agent, or other appropriate person.

(f) If all bids received are in excess of the prescribed limit based on the most current public contract code, the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at the higher prescribed limit based on the most current public contract code, or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

G. Public projects for emergency repair or replacement of public facilities may be let to contract by emergency contracting procedures shall be in conformance with the Public Contract Code, Section 22050, Emergency Contracting Procedures.

H. It shall be unlawful to split or separate a public project into smaller work orders or projects for the purpose of evading the provisions of Article 4, Division 2, Section 20163 of the Public Contract Code, requiring public work to be done by contract after competitive bidding. Every person who willfully violates this provision of this section is guilty of a misdemeanor, per Penal Code Section 19. (Ord. 587 § 2.1 (part), 2001)

I. The design-build method of construction may be utilized when following all local, state and federal laws.

3.12.310 Public projects—Professional services.

A. The process for obtaining professional and incidental services work shall be in accordance with the California Government Code Title 1, Division 5, Chapter 10, Section 4525 through Section 4529.8.

B. The process for obtaining professional and incidental services for federally financed projects shall be in accordance with the California Government Code Title 1, Division 5, Chapter 10, Section 4525 through Section 4529.5, Federal Property and Administrative Services Act of 1949 Title 40, USCA Section 541 through Section 544.

C. All public works professional service contracts shall include all required clauses, as prescribed by federal and state laws and codes.

D. Selection of professional services firms shall be based on demonstrated competence and qualifications for the types of services to be performed at fair and reasonable prices per Section 4526 of the Government Code. Furthermore, these procedures shall assure maximum participation of small business firms, as defined by the state's Director of General Services pursuant to Section 14837 of the Government Code.

E. The City Manager, or designee, shall negotiate a contract with the most qualified firm, except as provided for emergency purchases. (Ord. 587 § 2.1 (part), 2001)

3.12.320 Severability

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it

would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

3.12.330 Debarment or Suspension (federally funded contractors)
Where federal funding is utilized, in whole or part, the City of Moreno Valley shall solicit offers from, award contracts to, and consent to subcontracts with responsible contractors and ensure that they do not solicit offers from, award contracts to, or consent to subcontracts with contractors whose names are in the Excluded Parties List System (EPLS), as outlined in the Federal Acquisition Regulation (FAR) FAR 9.4, pursuant to the provisions of 31 U.S.C. 6101, note, E.O. 12549, E.O. 12689, 48 CFR 9.404

SECTION 3. EFFECT OF ENACTMENT:

3.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the City.

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this _____ day of _____, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

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MV00159981

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 10, 2012

TITLE: RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2012 TO DECEMBER 31, 2012

RECOMMENDED ACTION

Staff recommends that the City Council of the City of Moreno Valley serving as the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

1. Adopt Resolution No. 2012-22 approving a Second Recognized Obligation Payment Schedule, for the period of July 1, 2012 to December 31, 2012;

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the ROPS (Exhibit A to Resolution No. 2012-22) to the the Oversight Board for review and approval.

BACKGROUND

The City of Moreno Valley is the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley (RDA) pursuant to Part 1.85 of Division 24 of the Health and Safety Code. As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations due for Enforceable Obligations of the

former RDA. On February 28, 2012, the City Council adopted Resolution No. 2012-13 approving a Recognized Obligation Payment Schedule (ROPS) for the period of January 1, 2012 through June 30, 2012 to facilitate that process.

DISCUSSION

Enforceable Obligation Payment Schedule

In accordance with ABX1 26, the Successor Agency is required to adopt an Enforceable Obligation Payment Schedule ("EOPS"). The EOPS lists all of the Agency's legally binding and enforceable agreement obligations and anticipated payments. Enforceable obligations include bonds, loans, judgments, settlements, any legally binding and enforceable agreements or contracts, and contracts and agreements for agency administration or operation costs.

Section 34177(a)(1) of ABX1 26 provides that upon the dissolution of the Agency, the Successor Agency may only make those payments required pursuant to the most recent Enforceable Obligation Payment Schedule adopted by the Agency and the Successor Agency, and until such time the Recognized Obligation Payment Schedule becomes operative.

Recognized Obligation Payment Schedule

ABX1 26 requires the Successor Agency to approve a Recognized Obligation Payment Schedule ("ROPS"). The ROPS supersedes the EOPS, and is required for each six-month period.

Similar to the EOPS, the required content of the ROPS, set forth in Health and Safety Code Section 34177(l)(1), details all of the Agency's legally binding and enforceable obligations, anticipated payments, and sources of payments. Recognized obligations include bonds, loans, judgments, settlements, any legally binding and enforceable agreements or contracts, and contracts and agreements for agency administration or operation costs. The attached ROPS sets forth the enforceable obligations for the period between July 1, 2012 and December 31, 2012 ("Second ROPS").

The Second ROPS will be reviewed and certified as to its accuracy by an external auditor designated by the County Auditor-Controller. The Second ROPS will be submitted to the Oversight Board for review and approval. Once the ROPS is approved by the Oversight Board, a copy of the approved ROPS will be transmitted to the County-Auditor Controller, the State Controller's Office, and the Department of Finance, and posted to the Successor Agency's website.

ALTERNATIVES

1. Adopt the attached resolution, which approves the Second Recognized Obligation Payment Schedule for the period of July 1, 2012 to December 31, 2012, authorizing the Executive Director or his designee to make modifications

thereto, and authorizing the transmittal of the certified Schedule to the Oversight Board for review and approval. *Staff recommends this alternative because it allows the City serving as the Successor Agency to make required debt service payments in accordance with the State legislation.*

2. Decline to adopt the attached resolution which would not allow the City, acting as the Successor Agency, to maintain the operations, and fulfill debt obligations of the former RDA as required by law. *Staff does not recommend this alternative.*

FISCAL IMPACT

The Recognized Obligation Payment Schedule provides the details necessary for the City serving as the Successor Agency to fulfill the former RDA's legally binding and enforceable agreements. The ROPS will serve as authorization to pay obligations listed in lieu of a budget appropriation by the City Council. Staff is working to create a recommended budget for the Successor Agency and the Moreno Valley Housing Authority that will be presented to City Council with the FY 2012-13 Budget review later this month. There will be some impact to the General Fund to absorb costs that are no longer paid by the former Redevelopment Agency for either RDA administration or operations and for Low and Moderate Income Housing Fund work. Staff estimates that this cost will be between $200,000 - $400,000 for the next fiscal year. This impact will be discussed with the presentation of the recommended budgets for the Successor Agency and Housing Authority for FY 2012-13.

SUMMARY

As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations due for Enforceable Obligations of the former RDA. The Recognized Obligation Payment Schedule for the period of July 1, 2012 to December 31, 2012 provides the details necessary for the City serving as the Successor Agency to fulfill the former RDA's legally binding and enforceable agreements as required by law.

NOTIFICATION

No public notice is required prior to the City Council taking action on this item. However, the agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council agendas.

ATTACHMENTS/EXHIBITS

Attachment A: Resolution No. 2012-22

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Concurred by:
Rick Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY SERVING AS SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO MAKE MODIFICATIONS THERETO

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011 (which dated has been deemed to be February 1, 2012 pursuant to a decision by the California Supreme Court), and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain

"enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, in connection with the implementation of those provisions of ABX1 26 which require the adoption of an enforceable obligation schedule, the City serving as the Successor Agency has previously adopted an amended enforceable obligation schedule in the form previously submitted (the "Amended Enforceable Obligation Schedule") and has authorized the City Manager or his designee to augment, modify or revise such Amended Enforceable Obligation Schedule; and

WHEREAS, ABX1 26 further requires the adoption of an Initial Recognized Obligation Payment Schedule; such initial Recognized Obligation Payment Schedule was approved by Resolution No. 2012-13 of the City of Moreno Valley serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley ("Successor Agency") on February 28, 2012.

WHEREAS, an oversight board, as provided under ABX1 26 ("Oversight Board") has been established for the former Agency;

WHEREAS, pursuant to ABX1 26 and the implementation thereof, the Sucessor Agency desires to adopt a Recognized Obligation Payment Scheudule ("ROPS") for the period covering July 1, 2012 throught December 31, 2012 (the "Second ROPS"), in the form submitted herewith. The Second ROPS is attached hereto, marked as Exhibit "A", and is incorporated herein by reference. By this resolution, the City Council, on behalf of the Successor Agency, approves and authorizes the transmittal of the Second ROPS to the to the Oversight Board;

WHEREAS, given the adoption of ABX1 26, the City Council, on behalf of the City acting in its capacity as Successor Agency to the Agency, has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, in its capacity as Successor Agency to the Agency, and the health, safety, and welfare of the residents of the City, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, SERVING AS THE SUCCESSOR AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That Second ROPS (Exhibit "A") is approved as the Recognized Obligation Payment Schedule as to the Agency for the above-referenced period,

together with such augmentation, modification, additions or revisions as the Executive Director of the Sucessor Agency or his designee may make thereto.

Section 3. The City Clerk shall cause the Second ROPS to be transmitted to the Oversight Board.

Section 4. This Resolution shall be effective immediately upon adoption.

Section 5. The City Clerk shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of the Successor Agency

ATTEST:

_____
City Clerk

APPROVE AS TO FORM:

_____
City Attorney

Resolution No. 2012-22
Date Adopted: April 10, 2012

Resolution Jurat

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-22 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

City Clerk

Resolution No. 2012-22
Date Adopted: April 10, 2012

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

Funding Source	
RPTTF	Redevelopment Property Tax Trust Fund
LMIHF	Low and Moderate Income Housing Fund
Bonds	Bond Proceeds
Admin	Successor Agency Administrative Allowance
Other	Reserve, Rents, Interest Earnings, etc.

SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Payable from the Redevelopment Property Tax Increment Fund (RPTIF) Payments by month July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
1)	2007 Tax Allocation Bonds*	Wells Fargo Bank	Debt service payments for bonds issued to finance various capital projects*	Original Area	80,651,663.75	3,271,125.63	RPTTF						1,016,741.88	$ 1,016,741.88
2)	2007 Special Tax Refunding Bonds - Towngate 87-1	Wells Fargo Bank	Debt service payments for bonds issued to finance the acquisition of public facilities*	Original Area	10,721,899.84	1,175,566.36	RPTTF						587,783.18	$ 587,783.18
3)	Improvement Area No. 1 Special Tax Refunding Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities*	Original Area	3,080,142.63	276,026.76	RPTTF						138,013.38	$ 138,013.38
4)	CFD No. 3 - Auto Mall Refinance	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities*	Original Area	2,109,335.61	35,137.64	RPTTF						17,568.82	$ 17,568.82
5)	2005 Lease Revenue Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance Sunnymead Blvd project*	Original Area	13,535,660.41	192,573.75	RPTTF						192,573.75	$ 192,573.75
6)	2011 Refunding of 97 LRB Bonds	Bank of America	Debt service payments for bonds issued to finance the construction of a public facility*	Original Area	1,500,000.00	150,000.00	RPTTF	12,500.00	12,500.00	12,500.00	12,500.00	12,500.00	12,500.00	$ 75,000.00
7)	On-going Housing Monitoring Requirements	City of Moreno Valley/Successor Agency	Costs to perform the recertification and monitoring of housing units	Original Area	40,000.00	40,000.00	RPTTF						20,000.00	$ 20,000.00
8)	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth	Legal services - General	Original Area	72,000.00	72,000.00	RPTTF	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	$ 36,000.00
9)	Contract for Abatement of Properties	Fire Prevention/Inland Empire Property Service, Inc.	Nuisance/weed abatement of Agency owned properties	Original Area	5,000.00	5,000.00	RPTTF	2,500.00					2,500.00	$ 5,000.00
	tract for Special Tax Reporting	Willdan/Staff Administration	Preparation of Continuing Disclosure Report	Original Area	2,500.00	2,500.00	RPTTF						2,500.00	$ 2,500.00
	ERS Retirement Liability	The California Public Employees' Retirement System (CalPERS)	Unfunded PERS Retirement Liability Acct	Original Area	599,992.00	13,855.14	RPTTF	13,855.14						$ 13,855.14
12)	Retiree Medical Trust (CERBT)	California Employers' Retiree Medical Trust(CERBT)/CalPERS	Unfunded Retiree Medical Trust Acct	Original Area	193,221.00	4,461.90	RPTTF	4,461.90						$ 4,461.90
13)	Agency Loans #1 &# 2	City of Moreno Valley	City/Agency Loan Agreement	Original Area	2,217,643.00		RPTTF							$ -
14)	Conference & Recreation Cntr Agreement	City of Moreno Valley	Purchase and Sale Agreement	Original Area	35,664,339.00	316,693.00	RPTTF	26,391.08	26,391.08	26,391.08	26,391.08	26,391.08	26,391.10	$ 158,346.50
15)	Price Club Acquisition Note	The Price Family Charitable Fund	Participation Agreement	Original Area	1,410,529.68	480,000.00	RPTTF	120,000.00				120,000.00		$ 240,000.00
16)	Towngate Acquisition Note	City of Moreno Valley	Participation Agreement	Original Area	15,655,083.42	480,000.00	RPTTF	120,000.00				120,000.00		$ 240,000.00
17)	Cactus/Day/Old 215 Land	City of Moreno Valley	Land purchased - Loan	Original Area	2,360,500.00		RPTTF							$ -
18)	Moss Bros. Autogroup Participation Agreement	Moss Bros. Autogroup	Participation Agreement	Original Area	500,000.00	267,959.00	RPTTF					267,959.00		$ 267,959.00
	son's Ready Mix, Inc. OPA	Robertson's Ready Mix, Inc.	Owner Participation Agreement	Original Area	4,000,000.00		RPTTF							$ -
	ck Family Apartments	Rancho Belago, Inc.	Affordable Housing Agreement	Original Area	6,300,000.00		RPTTF							$ -
	o Dorado Apts - South	MV Rancho Dorado Limited Partnership	Affordable Housing Agreement	Original Area	6,950,000.00		RPTTF							$ -
	ct for Legal Services	Stradling, Yocca, Carlson & Rauth	Legal services - Specific to AHA	Original Area	25,000.00	12,500.00	RPTTF	2,083.33	2,083.33	2,083.33	2,083.33	2,083.33	2,083.35	$ 12,500.00
	ct for Professional Service	Strickler Association	Title & Closing Costs	Original Area	5,000.00	2,500.00	RPTTF	416.67	416.67	416.67	416.67	416.67	416.65	$ 2,500.00
	- This Page (RPTIF Funding)				$ 187,599,510.34	$ 6,797,899.18		$ 308,208.12	$ 47,391.08	$ 47,391.08	$ 47,391.08	$ 555,350.08	$ 2,025,072.11	$ 3,030,803.55
	- Page 2 (RPTIF Funding)				$ 314,160.12	$ 314,160.12		$ 14,692.72	$ 14,692.68	$ 14,693.68	$ 14,693.68	$ 14,693.68	$ 240,693.68	$ 314,160.12
	- Page 2 (Other Funding)				$ 486,038.45	$ 456,038.45		$ 181,475.14	$ 131,386.14	$ 30,281.27	$ 30,281.27	$ 25,281.27	$ 25,281.27	$ 423,986.36
	- Page 3 (Other Funding)				$ 18,301,719.05	$ 4,524,932.25		$ 594,380.50	$ 554,979.78	$ 613,865.00	$ 715,730.36	$ 713,865.02	$ 1,332,111.59	$ 4,524,932.25
	- Page 4 (Administrative Cost Allowance)				$ 39,928.34	$ 39,928.34		$ 39,928.34	$ 39,928.34	$ 39,928.34	$ 39,928.34	$ 39,928.34	$ 39,928.30	$ 239,570.00
	- Page 5 (Pass Thru Payments)				$ -	$ -		$ -	$ -	$ -	$ -	$ -	$ -	$ -
	d total - All Pages				$ 206,741,356.30	$ 12,132,958.34		$ 1,138,684.82	$ 788,378.02	$ 746,159.37	$ 848,024.73	$ 1,349,118.39	$ 3,663,086.95	$ 8,533,452.28

includes payments to be made between July 2012 through February 2013
** All totals due during fiscal year and payment amounts are projected.

EXHIBIT "A"

Date: 04/04/12

Item No. G.5

MV00159990

N edevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

F a(s) RDA Project Area All

SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34169 (*)

	F ne / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Payable from Other Revenue Sources Payments by month July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
1)	S l Blvd.	Excel*	Capital Project Contract, CIP 79221	Original Area	50,000.00	50,000.00	RPTTF						50,000.00	$ 50,000.00
2)	C	Harris & Assoc.*	Capital Project Contract, CIP 79221	Original Area	176,000.00	176,000.00	RPTTF						176,000.00	$ 176,000.00
3)		City of Moreno Valley	Project Management CIP 79221	Original Area	12,300.00	12,300.00	RPTTF	2,050.00	2,050.00	2,050.00	2,050.00	2,050.00	2,050.00	$ 12,300.00
4)		City Consultants	Project Management CIP 79221	Original Area	1,960.00	1,960.00	RPTTF	326.00	326.00	327.00	327.00	327.00	327.00	$ 1,960.00
5)		Gibbs, Giden, Locher, Turner & Senet LLP*	Additional Legal Fees - CIP 79221	Original Area	66,000.00	66,000.00	RPTTF	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	$ 66,000.00
6)	Storm Drain/Day Street to Cottonwood CIP 79222	Gibbs, Giden, Locher, Turner & Senet*	Contractual Services PO# 42123 CIP 79222	Original Area	6,204.96	6,204.96	RPTTF	1,034.16	1,034.16	1,034.16	1,034.16	1,034.16	1,034.16	$ 6,204.96
7)		City of Moreno Valley	Project Management CIP 79222	Original Area	1,695.16	1,695.16	RPTTF	282.56	282.52	282.52	282.52	282.52	282.52	$ 1,695.16
8)	Day Street/Alessandro Blvd to Cottonwood CIP 79724	DMC Design	Contractual Services PO#40920 CIP 79724	Original Area	5,880.84	5,880.84	Bonds	980.14	980.14	980.14	980.14	980.14	980.14	$ 5,880.84
9)		AEI-CASC	Contractual Services PO#35423 CIP 79724	Original Area	8,775.83	8,775.83	Bonds	1,462.58	1,462.63	1,462.63	1,462.63	1,462.63	1,462.63	$ 8,775.73
10)		Group Delta	Contractual Services PO#39328 CIP 79724	Original Area	7,359.00	7,359.00	Bonds	1,226.50	1,226.50	1,226.50	1,226.50	1,226.50	1,226.50	$ 7,359.00
11)		KDM Meridian	Contractual Services PO#41865 CIP 79724	Original Area	3,992.50	3,992.50	Bonds	665.45	665.41	665.41	665.41	665.41	665.41	$ 3,992.50
12)		STI Inc.	Contractual Services PO#41859 CIP 79724	Original Area	73,322.22	73,322.22	Bonds	12,220.37	12,220.37	12,220.37	12,220.37	12,220.37	12,220.37	$ 73,322.22
13)		City of Moreno Valley	Project Management CIP 79724	Original Area	20,395.33	20,395.33	Bonds	3,399.23	3,399.22	3,399.22	3,399.22	3,399.22	3,399.22	$ 20,395.33
14)	Auto Mall Street Upgrades CIP 79725	VA Consulting	Capital Project Contract, CIP 79725	Original Area	2,333.32	2,333.32	Bonds	1,166.66	1,166.66					$ 2,333.32
15)		City of Moreno Valley	Project Management CIP 79725	Original Area	6,451.00	6,451.00	Bonds	3,225.00	3,226.00					$ 6,451.00
16)		United Inspection (Geotech)	Capital Project Contract, CIP 79725	Original Area	1,575.00	1,575.00	Bonds	787.50	787.50					$ 1,575.00
17)		VA Consulting Inc. (Survey)	Capital Project Contract, CIP 79725	Original Area	1,650.00	1,650.00	Bonds	825.00	825.00					$ 1,650.00
18)		SME&C (Contractor)	Capital Project Contract, CIP 79725	Original Area	190,379.41	190,379.41	Bonds	95,189.71	95,189.71					$ 190,379.42
19)	Indian Basin, Appurtenant CIP 79726	Lim & Nascimento Engineering	Contractual Services PO#35828 CIP 79726	Original Area	50,000.00	50,000.00	Bonds	50,000.00						$ 50,000.00
20)		City of Moreno Valley	Project Management CIP 79726	Original Area	38,000.00	20,000.00	Bonds	5,000.00	5,000.00	5,000.00	5,000.00			$ 20,000.00
21)	Ironwood Ave-Day St/Barclay Dr CIP 79727	AEI-CASC Engineering	Capital Project Contract, CIP 79727	Original Area	51,924.00	51,924.00	Bonds	4,327.00	4,237.00	4,327.00	4,327.00	4,327.00	4,327.00	$ 25,872.00
22)		City of Moreno Valley	Project Management CIP 79727	Original Area	24,000.00	12,000.00	Bonds	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	$ 6,000.00
					$ 314,160.12	$ 314,160.12		$ 14,692.72	$ 14,692.68	$ 14,693.68	$ 14,693.68	$ 14,693.68	$ 240,693.68	$ 314,160.12
					$ 486,038.45	$ 456,038.45		$ 181,475.14	$ 131,386.14	$ 30,281.27	$ 30,281.27	$ 25,281.27	$ 25,281.27	$ 423,986.36
	Grand total - This Page				$ 800,198.57	$ 770,198.57		$ 196,167.86	$ 146,078.82	$ 44,974.95	$ 44,974.95	$ 39,974.95	$ 265,974.95	$ 738,146.48

*Pending Litigation
**All total due during fiscal year and payment amounts are projected.

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Payable from Other Revenue Sources Payments by month July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
23)	Nason/SR-60 Bridge CIP 91728	Singer & Coffin, APC	Legal Services CIP 91728	Original Area	2,310.00	2,310.00	Bonds	385.00	385.00	385.00	385.00	385.00	385.00	$ 2,310.00
24)		Parsons Transportation	Contractual Services CIP 91728	Original Area	13,818.00	13,818.00	Bonds	13,818.00						$ 13,818.00
25)		City Consultants	Project Management CIP 91728	Original Area	4,800.00	4,800.00	Bonds	800.00	800.00	800.00	800.00	800.00	800.00	$ 4,800.00
26)		City of Moreno Valley	Project Management CIP 91728	Original Area	73,000.00	48,000.00	Bonds	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	$ 48,000.00
27)		Survey Consultant	Capital Project Contract, CIP 91728	Original Area	145,000.00	30,000.00	Bonds				10,000.00	10,000.00	10,000.00	$ 30,000.00
28)		Contractor	Capital Project Contract, CIP 91728	Original Area	12,146,233.75	1,070,000.00	Bonds				20,000.00	50,000.00	1,000,000.00	$ 1,070,000.00
29)		CM/Inspection	Capital Project Contract, CIP 91728	Original Area	1,930,000.00	180,000.00	Bonds			10,000.00	20,000.00	50,000.00	100,000.00	$ 180,000.00
30)		Geotechnical Consultant	Capital Project Contract, CIP 91728	Original Area	170,000.00	30,000.00	Bonds				10,000.00	10,000.00	10,000.00	$ 30,000.00
31)		City of Moreno Valley	Project Management CIP 91728	Original Area	120,700.00	90,000.00	Bonds	10,000.00	10,000.00	15,000.00	15,000.00	20,000.00	20,000.00	$ 90,000.00
32)		Parsons Transportation	Contractual Services CIP 91728	Original Area	100,000.00	100,000.00	Bonds	15,000.00	15,000.00	10,000.00	10,000.00	20,000.00	30,000.00	$ 100,000.00
33)	Morrison Park Fire Station CIP 79729	City of Moreno Valley	Project Management CIP 79729	Original Area	159,144.64	159,144.64	Bonds	26,524.11	26,524.11	26,524.11	26,524.11	26,524.11	26,524.09	$ 159,144.64
34)		STK Architecture	Capital Project Contract, CIP 79729	Original Area	93,811.37	93,811.37	Bonds	18,762.27	18,762.27	18,762.27	18,762.27	18,762.29		$ 93,811.37
35)		Silver Creek Industries	Capital Project Contract, CIP 79729	Original Area	1,814,955.60	1,814,955.60	Bonds	362,991.12	362,991.12	362,991.12	362,991.12	362,991.12		$ 1,814,955.60
36)		Enco Utility	Capital Project Contract, CIP 79729	Original Area	417.28	417.28	Bonds		417.28					$ 417.28
37)		Riverside County IT	Capital Project Contract, CIP 79729	Original Area	13,210.00	13,210.00	Bonds			3,302.50	3,302.50	3,302.50	3,302.50	$ 13,210.00
38)		Construction Contract	Construction Costs CIP 79729	Original Area	351,865.36	351,865.36	Bonds	90,000.00	90,000.00	90,000.00	81,865.36			$ 351,865.36
39)	Moreno Beach Ramps - Phase 1 CIP 91731	City of Moreno Valley	Proj. Mgmt. & Expenses CIP 91731	Original Area	132,567.62	93,200.00	Bonds	12,200.00	12,200.00	17,200.00	17,200.00	22,200.00	12,200.00	$ 93,200.00
40)		Staff Consultants	Capital Project Contract CIP 91731	Original Area	5,473.88	5,400.00	Bonds	900.00	900.00	900.00	900.00	900.00	900.00	$ 5,400.00
41)		Survey Consultant	Capital Project Contract CIP 91731	Original Area	98,000.00	37,000.00	Bonds		2,000.00	5,000.00	10,000.00	10,000.00	10,000.00	$ 37,000.00
42)		Falcon Engineering - CM	Capital Project Contract CIP 91731	Original Area	733,411.55	270,000.00	Bonds			30,000.00	80,000.00	80,000.00	80,000.00	$ 270,000.00
43)		Geotechnical Consultant	Capital Project Contract CIP 91731	Original Area	88,000.00	37,000.00	Bonds		2,000.00	5,000.00	10,000.00	10,000.00	10,000.00	$ 37,000.00
44)		CHP	Const. zone enforcement CIP 91731	Original Area	30,000.00	30,000.00	Bonds	30,000.00						$ 30,000.00
45)		Parsons Transportation	Capital Project Contract CIP 91731	Original Area	75,000.00	50,000.00	Bonds	5,000.00	5,000.00	10,000.00	10,000.00	10,000.00	10,000.00	$ 50,000.00
	Totals - Bonds				$ 18,301,719.05	$ 4,524,932.25		$ 594,380.50	$ 554,979.78	$ 613,865.00	$ 715,730.36	$ 713,865.02	$ 1,332,111.59	$ 4,524,932.25
	Grand total - This Page				$ 18,301,719.05	$ 4,524,932.25		$ 594,380.50	$ 554,979.78	$ 613,865.00	$ 715,730.36	$ 713,865.02	$ 1,332,111.59	$ 4,524,932.25

** All total due during fiscal year and payment amounts are projected.

MV00159992

of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

t Area(s) RDA Project Area All

SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34169 (*)

	t Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Payable from the Administrative Allowance Allocation — Payments by month: July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
	gency Employee Payroll	City of Moreno Valley/Employees	Payroll Costs	Original Area	353,715.00	353,715.00	Admin	31,116.67	31,116.67	31,116.67	31,116.67	31,116.67	31,116.65	$ 186,700.00
	gency - Operating Costs	City of Moreno Valley	Operating Costs	Original Area	85,800.00	85,800.00	Admin	8,811.67	8,811.67	8,811.67	8,811.67	8,811.67	8,811.65	$ 52,870.00
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	Totals - Administrative Allowance Allocation				**$ 439,515.00**	**$ 439,515.00**		**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.30**	**$ 239,570.00**

**All total due during fiscal year and payment amounts are projected.

Item No. G.5

MV00159993

Name of Redevelopment Agency The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34169 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Pass Through and Other Payments — Payments by month: July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
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Totals - Pass Through and Other Obligations				**$ -**	**$ -**		**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**

* ue during fiscal year and payment amounts are projected.

Item No. G.5

MV00159994

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MV00159995

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.6

MV00159996

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MV00159997

ORDINANCE NO. 841

AN ORDINANCE OF THE CITY OF MORENO VALLEY ESTABLISHING AN UNDERGROUND UTILITY DISTRICT ALONG NASON STREET FROM CACTUS AVENUE TO FIR AVENUE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS

1.1 WHEREAS, the California Public Utilities Commission rule for the replacement of overhead electric utilities with underground facilities, Tariff Rule 20, Section A (hereinafter referred to as "Rule 20A") require that the City Council make a determination, after consultation with the Utility and after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:

a. The proposed "undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities";
b. The street "is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic";
c. The street "adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public"; or
d. The street "is considered an arterial street or major collector" in the City's General Plan.

1.2 WHEREAS, with regard to facilities owned by Verizon, the California Public Utilities Commission rule for the replacement of overhead utilities with underground facilities, Tariff Rule 40, Section A, (hereinafter referred to as "Rule 40A") requires that the City Council make a determination, after consultation with the Utility and after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:

a. The proposed "undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities";
b. The street "is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic";
c. The street "adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public."

1.3 WHEREAS, on October 12, 1999, the City Council adopted General Policy # 2.33, Overhead Utility Equipment Conversion Policy, specifying procedures for administering and prioritizing Rule 20A funded projects.

Attachment "B"

Ordinance No. 841
Date Adopted: April 10, 2012

1.4 WHEREAS, on August 23, 2011, the City Council approved an amendment to General Policy # 2.33 and reprioritized Rule 20A funded projects. Said amendment ranked two segments of Nason Street as second (State Highway 60 to Alessandro Boulevard) and third (Alessandro Boulevard to Cactus Avenue) on the priority list.

1.5 WHEREAS, utilities along the segments of Nason Street from Cactus Avenue to Delphinium Avenue and from Eucalyptus Avenue to Cottonwood Avenue are already undergrounded.

1.6 WHEREAS, the segment of Nason Street from SR-60 to Fir Avenue is scheduled to be undergrounded as part of the planned Nason Street / SR-60 Overcrossing project.

1.7 WHEREAS, the City Council also authorized the addition of the Nason Street Project from Cactus Avenue to Fir Avenue to the FY 2011-12 Capital Improvement Plan (CIP) on July 26, 2011. The project requires widening of Nason Street to its ultimate width specified in the City General Plan and per the City Standard Plans.

1.8 WHEREAS, preliminary engineering analysis has revealed that the existing overhead utility facilities conflict with the construction of the proposed widened roadway and related ultimate improvements for Nason Street.

1.9 WHEREAS, with regard to facilities owned by Southern California Edison (SCE), City staff and SCE representatives agree that under Rule 20A, said undergrounding is in the general public interest for the following reason, as listed under Section 1.1:

> The street "is considered an arterial street or major collector" in the City's General Plan.

1.10 WHEREAS, with regard to facilities owned by Verizon, City staff's opinion is that under Rule 40A, said undergrounding is in the general public interest, at least for the following reason, and possibly others, as listed under Section .1.2:

> The street "is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic".

1.11 WHEREAS, representatives of the Public Works Department have requested and received input from all impacted utility firms on the feasibility of converting the existing overhead utilities along Nason Street from Cactus Avenue to Fir Avenue. These firms include Southern California Edison Company, Verizon Communications Inc., LLC, Time Warner Cable, and Sunesys.

1.12 WHEREAS, analyses of documents and written and verbal feedback received from the four utilities indicate that, subject to proper design and other

processes of each of the utilities, the conversion of the existing overhead utilities to underground facilities is physically and technically feasible.

1.13 WHEREAS, the City Council of Moreno Valley set and held a public hearing on March 27, 2012, in the Council Chambers of the City of Moreno Valley, City Hall, 14177 Frederick Street, Moreno Valley, to ascertain whether an underground utility district should be established along Nason Street from Cactus Avenue to Fir Avenue.

1.14 WHEREAS, written notice of the Public Hearing has been given to all affected property owners, as shown on the last equalized assessment roll, and to all utilities of concern.

1.15 WHEREAS, written notice of the Public Hearing has been published in a local newspaper of wide circulation.

1.16 WHEREAS, the Public Hearing has been duly and regularly held, and all persons interested have been given a reasonable opportunity to be heard.

SECTION 2 FORMATION OF UNDERGROUND UTILITY DISTRICT NO. ---

2.1 The City Council hereby finds and determines, based on the Public Hearing, including the staff report, that the conditions set out above exist within the proposed district, and that public necessity, health, safety, and welfare require, and that it is in the general public interest, that existing poles and overhead wires along Nason Street from Cactus Avenue to Fir Avenue be removed therefrom and thereafter be prohibited, and that the wires and associated facilities for transmitting, conducting, conveying, distributing, supplying, or providing electricity, light, power, telephone, communication, television, or other similar or associated service, be installed underground.

2.2 The City Council hereby declares that a certain area of the City of Moreno Valley shown on EXHIBIT “A-1,” attached hereto, made a part hereof, and incorporated herein by reference is established as an underground utility district to be designated "UNDERGROUND UTILITY DISTRICT NO. ---" and hereby orders and requires that existing poles and overhead wires within said district be removed therefrom by the operators of the utilities and thereafter prohibited and that wires and associated facilities within said district for transmitting, conducting, conveying, distributing, supplying, or providing electricity, light, heat, power, telephone, telegraph, communication, television, or other similar or associated service, be installed underground.

2.3 Existing poles and overhead wires and associated facilities within said district for transmitting, conducting, conveying, distributing, supplying, or providing electricity, power, telephone, communication, television or other similar or associated service shall be removed by the operators of the utilities no later than December 31, 2013.

2.4 Wires and associated facilities within said district for transmitting, conducting, conveying, distributing, supplying, or providing electricity, power, telephone, communication, television or other similar or associated service shall be installed underground no later than December 31, 2013.

2.5 The Public Works Director / City Engineer is hereby empowered to extend the time for any act required under this ordinance and to authorize the phasing of utility relocation construction, including the temporary relocation of overhead facilities, as necessary.

2.6 That the Director of Public Works, within ten (10) days after the adoption of the ordinance, shall communicate this City Council action and deliver a City Clerk certified copy of the ordinance, to each of the affected utilities.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the City.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 841
Date Adopted: April 10, 2012

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 841 had its first reading on March 27, 2012 and had its second reading on April 10, 2012 and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem, and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 841
Date Adopted: April 10, 2012

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MV00160003

ORDINANCE NO. 842

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION P10-050 FOR A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP214).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2. FINDINGS:

2.1 With respect to the proposed Specific Plan Amendment, and based upon substantial evidence presented to the City Council during the public hearing on March 27, 2012, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) applies to approximately 280 acres located generally between Moreno Beach Drive and Theodore Street and Brodiaea Avenue and Cactus Avenue.

2. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) and all related approvals including the text of the specific plan, the specific plan design manual and specific plan zoning. The repeal will not result in any internal inconsistencies within the City's existing General Plan. This amendment does not conflict with the Land Use Policies of the General Plan in terms of land use types and intensity of development and will provide for development consistent with and compatible with the existing General Plan. The repeal will not adversely affect public health, safety and welfare.

SECTION 3. SPECIFIC PLAN AMENDMENT:

3.1 The Cactus Corridor Specific Plan (SP 214) is repealed in its entirety including but not limited to the text of the specific plan, the specific plan design manual and specific plan zoning.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect upon the date of its adoption.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on March 27, 2012 and had its second reading on April 10, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00160007

ORDINANCE NO. 842

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION P10-050 FOR A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP214).

The City Council of the City of Moreno Valley does ordain as follows:

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1. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) applies to approximately 280 acres located generally between Moreno Beach Drive and Theodore Street and Brodiaea Avenue and Cactus Avenue.

2. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) and all related approvals including the text of the specific plan, the specific plan design manual and specific plan zoning. The repeal will not result in any internal inconsistencies within the City's existing General Plan. This amendment does not conflict with the Land Use Policies of the General Plan in terms of land use types and intensity of development and will provide for development consistent with and compatible with the existing General Plan. The repeal will not adversely affect public health, safety and welfare.

SECTION 3. SPECIFIC PLAN AMENDMENT:

3.1 The Cactus Corridor Specific Plan (SP 214) is repealed in its entirety including but not limited to the text of the specific plan, the specific plan design manual and specific plan zoning.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

ATTACHMENT 2

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect upon the date of its adoption.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on March 27, 2012 and had its second reading on April 10, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00160011

Zone Change

Repeal of Cactus Corridor Specific Plan

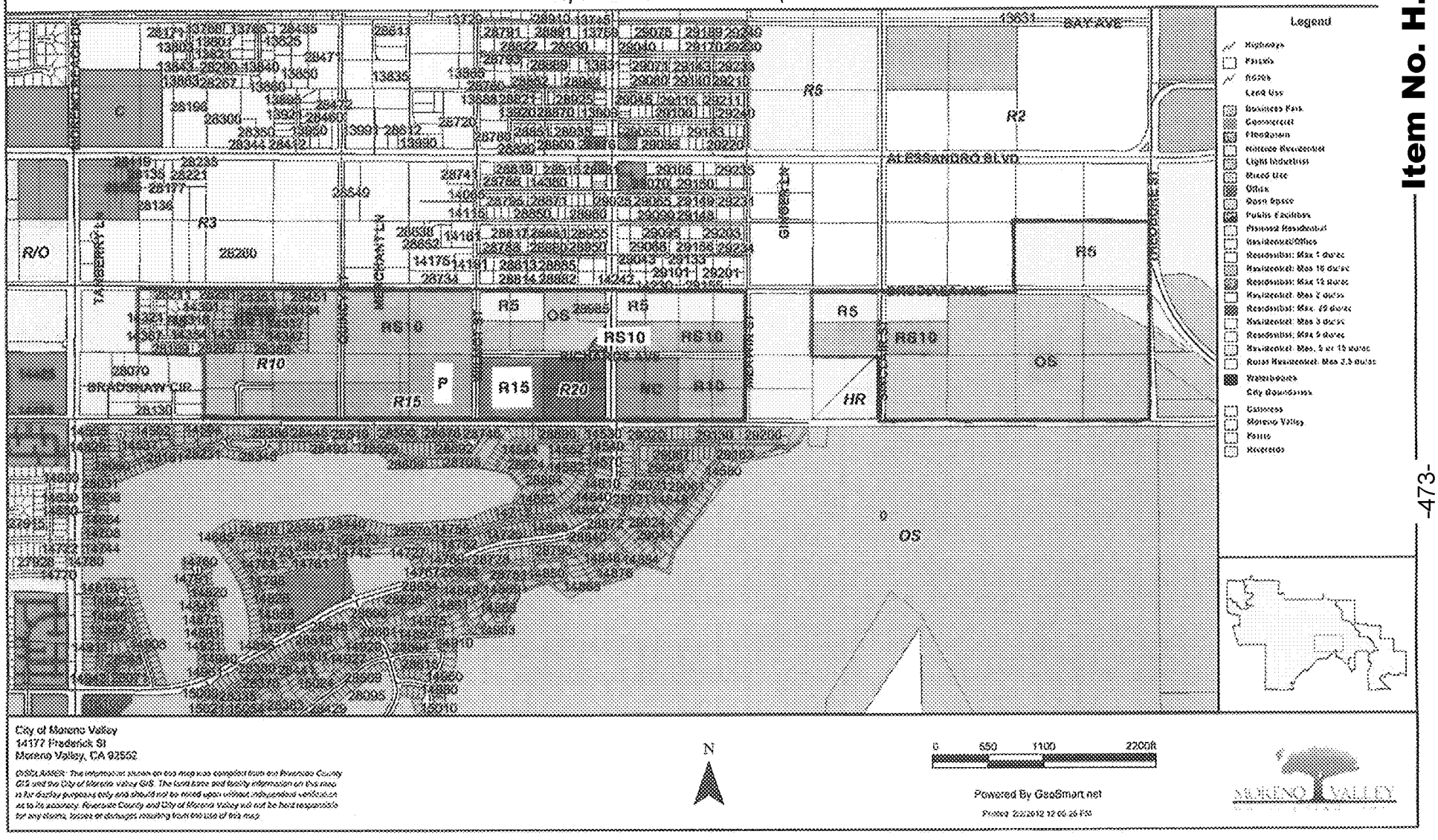

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92552

DISCLAIMER: The information shown on this map was compiled from an Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

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MORENO VALLEY

EXHIBIT A

Item No. H.2 .3

MV00160012

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MV00160013

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

April 10, 2012

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
William H. Batey II, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
Marcelo Co, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 10, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing April is Child Abuse Prevention Month

2. Recognition of Rancho Verde High School CIF Championship

3. "Spotlight on Moreno Valley Business"

   a) Eastern Municipal Water District

   b) Café Gossip

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY MORENO VALLEY HOUSING AUTHORITY
AND BOARD OF LIBRARY TRUSTEES

THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

REGULAR MEETING - 6:30 PM
APRIL 10, 2012

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority, and Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Diane Gardner, Beautiful Women of God - Diane Gardner Ministries

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

MV00160016

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, City as Successor Agency for the Redevelopment Agency, Housing Authority or Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

A.3 AUTHORIZE CHANGE ORDER TO INCREASE PURCHASE ORDER WITH EASTERN MUNICIPAL WATER DISTRICT (EMWD) FOR THE SR-60/NASON INTERCHANGE PROJECT– PROJECT NO. 98-25897 (Report of: Public Works Department/CPD)

Recommendation:
Authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720).

A.4 APPROVAL OF THE 2012/2013 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Community & Economic Development Department)

Recommendation:
1. Approve the County Service Area (CSA) 152 Budget for FY 2012/2013 in the amount of $548,506; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2012/2013.

A.5 AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL DESIGN CONSULTANT SERVICES TO RBF CONSULTING FOR THE ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD - PROJECT NO. 13-12566851 HSIPL-5441(050) (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project;

2. Authorize the City Manager to execute the Agreement for Professional Design Services with RBF Consulting;

3. Authorize the issuance of a Purchase Order to RBF Consulting in the amount of $137,027.00 when the Agreement has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with RBF Consulting, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

A.6 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO RASMUSSEN BROTHERS CONSTRUCTION, INC. FOR THE MORENO VALLEY POLICE DEPARTMENT TRAFFIC DIVISION OFFICE RENOVATION - PROJECT NO. 11-50182328 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation;

2. Authorize the City Manager to execute a contract with RBC;

3. Authorize the issuance of a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project.

A.7 AGREEMENT FOR REIMBURSEMENT OF TRANSPORTATION

UNIFORM MITIGATION FEE FUNDS BETWEEN RIVERSIDE COUNTY TRANSPORTATION COMMISSION AND THE CITY OF MORENO VALLEY FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE – PROJECT NO. 11-41570125 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project;

2. Authorize the City Manager to execute the Agreement between RCTC and the City of Moreno Valley;

3. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the TUMF Agreement between RCTC and the City of Moreno Valley for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, subject to the approval of the City Attorney;

4. Reappropriate $262,000 from Account No. 415.70225 (Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue) to Account No. 415.70125 (Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue); and

5. Authorize the revenue and expense budgets in the TUMF Capital Projects Fund (Fund 415) for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project in the amounts of $5,110,000, respectively, upon approval of the agreement for the reimbursement of TUMF funds between RCTC and the City of Moreno Valley.

A.8 AUTHORIZE THE FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH PARSONS TRANSPORTATION GROUP FOR SR-60/MORENO BEACH DRIVE PHASE 1 AND NASON STREET OVERCROSSING IMPROVEMENTS -- PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701 to finalize all design and right-of-way documentation for Caltrans

approval for the SR-60/Moreno Beach Drive Interchange Phase 1 and SR-60/Nason Overcrossing projects;

2. Authorize the City Manager to execute the Fifth Amendment to Agreement for Professional Consultant Services with Parsons;

3. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval; and

4. Authorize Change Orders to increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group totaling $680,000 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000) when the Fifth Amendment has been signed by all parties.

A.9 APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR PARTIAL ACQUISITION OF APN 297-170-077 FOR THE FIRE STATION NO. 65 PROJECT – PROJECT NO. 11-43472526 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project;

2. Authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526); and

3. Authorize the City Manager to execute said Agreement and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.

A.10 CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "SOBRIETY CHECKPOINT GRANT PROGRAM" (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) “Sobriety Checkpoint Grant Program” in the amount of $150,400 for the period beginning October 1, 2012 and ending September 30, 2013; and

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the Sobriety Checkpoint Grant Program in the amounts of $150,400, respectively, upon approval and acceptance of the grant from OTS.

A.11 CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "GME STEP PROGRAM" (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the California Office of Traffic Safety (OTS) grant in the amount of $129,870, entitled "GME STEP Program (Selective Traffic Enforcement Program)"; and

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the GME STEP Program (Selective Traffic Enforcement Program in the amounts of $129,870, respectively, upon approval and acceptance of the grant from OTS.

A.12 APPROVAL OF THREE-YEAR ENTERPRISE LICENSING AGREEMENT OF MICROSOFT LICENSES THROUGH COMPUCOM SYSTEMS, INC., UTILIZING THE COUNTY OF RIVERSIDE'S MICROSOFT ENTERPRISE MASTER AGREEMENT (Report of: Financial & Administrative Services Department)

Recommendation:

1. Waive formal bidding per Municipal Code Section 3.12.260 (Cooperative Purchasing);

2. Approve a three-year enterprise licensing agreement of Microsoft licenses through CompuCom Systems, Inc., utilizing the County of Riverside's Microsoft Enterprise Licensing Master Agreement;

3. Authorize the City Manager to execute the Microsoft Enterprise Master Agreement and any related documents required to effectuate participation in the Microsoft Enterprise Master Agreement; and

4. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to CompuCom systems to maintain the current licensing level at an annual cost not-to-exceed $115,000.

A.13 "IT'S UP TO US": A PEDESTRIAN SAFETY PUBLIC EDUCATION CAMPAIGN MINI-GRANT (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) grant in the amount not to exceed $4,999.99, entitled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant; and

2. Authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH.

A.14 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 21 – April 3, 2012.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

B.3 EXTENSION OF CONTRACT - APPROVE THIRD AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the Third Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:
a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months; and

b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND

NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:

1. After conducting the Public Hearing and accepting public testimony:

   Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 296-280-018;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the NPDES maximum

commercial/industrial regulatory rate to APN 296-280-018.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:

1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

   Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 296-280-018;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 296-280-018.

E.3 PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT NO. 3, THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY PROGRAM (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 3, the Community Development Block Grant - Recovery Program (CDBG-R);

2. Review and adopt the proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 3, the Community Development Block Grant - Recovery Program; and

3. Authorize the budget re-appropriation of $107,841 from account 199.19910.6849.002 (CDBG-R Eco Green Incentive) and $840 from account 199.19910.6849.003 (CDBG-R Employment Creation Manufacturing) to (new) ADA Park Improvements Project # 199.19910.6849.xxx.

E.4 PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN,

SUBSTANTIAL AMENDMENT NO. 2, THE HOMELESSNESS PREVENTION AND RAPID REHOUSING PROGRAM (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2011-12 Annual Action Plan Substantial Amendment No. 2;

2. Adopt the proposed Substantial Amendment No. 2; and

3. Authorize revenue and expense budget appropriations of $36,228 to accounts 198.1980.4610.1 and 198.19810.6847.003 (HPRP-Rental Assistance) respectively

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)

G.2 JULY 4TH UPDATE (ORAL PRESENTATION) (Report of: Parks and Community Services Department)

G.3 INSTALLATION OF SYNTHETIC TURF AT MARCH FIELD PARK (Report of: Parks and Community Services Department)

Recommendation: That the City Council and CSD:

1. Award to Field Turf USA, Inc. 8088 Mountview Road, Montreal, Quebec, CN for material and labor to install synthetic turf at March Field Park;

2. Authorize the issuance of a Purchase Order to Field Turf USA, Inc., in the amount of $196,667.00 ($178,788.50 for the bid amount plus 10% contingency) when the contract has been signed by all parties;

3. Authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Field Turf USA, Inc., up to but not to exceed the Purchase Order contingency of $17,878.50 subject to the approval of the City Attorney; and

4. Authorize the Parks and Community Services Director to accept the improvements into the CSD's maintained system upon acceptance of the improvements as complete.

G.4 INTRODUCTION OF ORDINANCE AMENDING CHAPTER 3.12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE CITY'S PURCHASING REGULATIONS (Report of: Financial & Administrative Services)

Recommendation: That the City Council:
Approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations.

Ordinance No. 844

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 3.12, Purchasing.

G.5 RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2012 TO DECEMBER 31, 2012 (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Serving as the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

   Adopt Resolution No. 2012-22 approving a Second Recognized Obligation Payment Schedule, for the period of July 1, 2012 to December 31, 2012;

   Resolution No. 2012-22

   A Resolution of the City Council of the City of Moreno Valley Serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley Approving Second Recognized Obligation Payment Schedule and Authorizing the Executive Director or his Designee to Make Modifications Thereto

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the ROPS to the Oversight Board for review and approval.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 841 - AN ORDINANCE OF THE CITY OF MORENO VALLEY ESTABLISHING AN UNDERGROUND UTILITY DISTRICT ALONG NASON STREET FROM CACTUS AVENUE TO FIR AVENUE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

Adopt Ordinance No. 841.

Ordinance No. 841

An Ordinance of the City of Moreno Valley Establishing an Underground Utility District Along Nason Street from Cactus Avenue to Fir Avenue

H.2 .2 ORDINANCE NO. 842 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION P10-050 FOR A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP214) (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

ADOPT Ordinance No. 842;

Ordinance No. 842

An Ordinance of the City Council of the CIty of Moreno Valley, California, Approving Application P10-050 for a Specific Plan Amendment to Repeal the Cactus Corridor Specific Plan (SP214)

H.2 .3 ORDINANCE NO. 843 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A

ZONE CHANGE (PA10-0027) TO ESTABLISH CITY LAND USE DESIGNATIONS FOR THE PROPERTIES WITHIN SP214 (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

ADOPT Ordinance No. 843.

Ordinance No. 843

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA10-0027) to Establish City Land Use Designations for the Properties Within SP214

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY AND HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/ City as Successor Agency for the Community Redevelopment Agency/Housing Authority or Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services, City as Successor Agency for the Community Redevelopment Agency and Housing Authority of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a) Case: *Ramirez V. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 1106011

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

4 SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

a) Property: SR60/Moreno Beach Drive Interchange Project (Phase 2)
City Negotiator: Ahmad Ansari

	Under Negotiation:	Price and terms of payment
	APN/Caltrans Parcel:	473-160-007, 473-160-008, 473-160-009, 488-270-022 and 488-270-023
	Owner:	Julie Yu Chu (488-270-022 and 488-270-023)
b)	Property:	Ironwood Avenue Street Improvement from Heacock Street to Perris Boulevard
	City Negotiator:	Ahmad Ansari
	Under Negotiation:	Price and terms of payment
	APN/Caltrans Parcel:	475-272-054
	Owner:	City of Moreno Valley

5 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
March 27, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the Moreno Valley Lions Club

2. Officer of the Quarter - Officer Victor Magana

3. Officer of the Year Investigator Duke Viveros

4. "Avoid the 30" DUI Program Award - Officers Dennis Pleta and Eric Robinson

5. Recognition of Mayor Pro Tem William H. Batey II for 15 Years of Service

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 27, 2012

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Housing Authority and the Board of Library Trustees was called to order at 6:31 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

Mayor Richard A. Stewart announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina

INVOCATION - Pastor Arnold Espinoza - Praise Chapel Christian Fellowship

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Council Member
William H. Batey II	Mayor Pro Tem
Robin N. Hastings	Council Member

Absent:

Marcelo Co	Council Member

Staff:

Jane Halstead	City Clerk
Kathy Gross	Executive Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager

John Anderson	Police Chief
Abdul Ahmad	Fire Chief
Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Interim Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY MORENO VALLEY HOUSING AUTHORITY BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 7-20, 2012.

A.4 FINAL MAP 32505--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN CITY OF MORENO VALLEY AND WESTERN PACIFIC HOUSING, INC. (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the Maintenance Agreement by and between the City of Moreno Valley (City) and Western Pacific Housing, Inc.;

2. Authorize the Mayor to execute the Maintenance Agreement;

3. Authorize the City Attorney to work with Western Pacific Housing, Inc. and/or Mayfield Owners Association to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement;

4. Authorize the City Treasurer to invest the required Trust Funds pursuant to Section 8 of the Maintenance Agreement;

5. Authorize the City Manager to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and

6. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation.

A.5 PA02-0133 (Tract 31089) - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING JAFFA WAY, NAVEL AVENUE, SHALU AVENUE, CITRUS COURT, TANGERINE ROAD AND THE PORTIONS OF KITCHING STREET AND TUSCOLA STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BEAZER HOMES HOLDING CORP, BREA, CA 92821 (Report of: Community & Economic Development Department)

Recommendation:

1. Adopt Resolution No. 2012-17; and

Resolution No. 2012-17

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within PA02-0133 (Tract 31089) and Accepting Jaffa Way, Navel Avenue, Shalu Avenue, Citrus Court, Tangerine Road, and the Portions of Kitching Street and Tuscola Street Associated with the Project into the City's Maintained Street System

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

A.6 AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO HILLCREST CONTRACTING FOR THE COTTONWOOD AVENUE

IMPROVEMENTS FROM PERRIS BOULEVARD TO 650 FEET EAST - PROJECT NO. 12-41678528 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract for the Cottonwood Avenue Improvements (from Perris Boulevard to 650 Feet East) to Hillcrest Contracting, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hillcrest Contracting;

3. Authorize the issuance a Purchase Order to Hillcrest Contracting for the amount of $188,728.75 ($150,983.00 base bid amount plus 25% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hillcrest Contracting, up to but not to exceed the Purchase Order's total contingency amount of $37,745.75, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained roadway system, and release the retention to Hillcrest Contracting, if no claims are filed against the project.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF STREET IMPROVEMENTS FOR CITYWIDE SIDEWALKS AND ACCESS RAMPS CONSTRUCTED BY MORA'S EQUIPMENT & CONSTRUCTION, INC. - PROJECT NO. 10-12272227 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Street Improvements for Citywide Sidewalks and Access Ramps, constructed by Mora's Equipment & Construction, Inc.;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Mora's Equipment & Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO GOLDEN STATE CONSTRUCTORS, INC. FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS – PHASE II
PROJECT NO. 12-12566629 (Report of: Public Works Department/CPD)

Recommendation:

1. Waive any and all minor irregularities and award the construction contract for the Citywide Sidewalks and Access Ramps – Phase II to Golden State Constructors, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Golden State Constructors, Inc.;

3. Authorize the issuance of a Purchase Order to Golden State Constructors, Inc. for a total amount of $174,142.65 ($158,311.50 bid amount plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Golden State Constructors, Inc., up to but not to exceed the Purchase Order's total contingency of $15,831.15 subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to Golden State Constructors, Inc., if no claims are filed against the project.

A.9 AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO ELITE COMPANIES US FOR THE HEACOCK STREET SIDEWALK IMPROVEMENTS FROM ATWOOD AVENUE TO MYERS AVENUE
PROJECT NO. 12-12556333 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract for the Heacock Street Sidewalk Improvements from Atwood Avenue to Myers Avenue to Elite Companies US, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Elite Companies US;

3. Authorize the issuance a Purchase Order to Elite Companies US for

the amount of $105,422.64 ($87,852.20 base bid amount plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Elite Companies US, up to but not to exceed the Purchase Order's total contingency amount of $17,570.44, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained roadway system, and release the retention to Elite Companies US, if no claims are filed against the project.

A.10 APPROVE AND EXECUTE THREE PUBLIC UTILITY EASEMENT DEEDS TO CONVEY PORTIONS OF PARCEL NO. 21447 (NO APN) AND PARCEL NO. 21459 (APN 488-330-001), AND APPROVE AND EXECUTE A GRANT DEED TO CONVEY A PORTION OF PARCEL NO. 21459 FOR THE SR-60/MORENO BEACH INTERCHANGE PROJECT (PHASE 1) - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve and authorize the City Manager to execute three easement deeds to convey rights across portions of Parcel No. 21447 (No APN) and Parcel No. 21459 (APN 488-330-001) to Southern California Edison and Eastern Municipal Water District for the SR-60/Moreno Beach Improvement Project (Phase 1); and

2. Approve and authorize the City Manager to execute a Grant Deed to Convey a Portion of Parcel No. 21459 (APN 488-330-001) to Caltrans upon completion of construction of the project.

A.11 PA01-0053 (PM 30472) PHASE 2B – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF A SEGMENT OF MODULAR WAY AND A SEGMENT OF KITCHING STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM MARCH 28, 2012 – AUGUST 28, 2012; DEVELOPER: WALGREEN CO., DEERFIELD, IL 60015 (Report of: Community & Economic Development Department)

Recommendation:

Authorize a full road closure of Modular Way from Kitching Street to approximately 800 feet west of Kitching Street and Kitching Street from approximately 350 feet north of Modular Way to approximately 1,500 feet south of Modular Way for the construction of street improvements from March 28, 2012 – August 28, 2012.

A.12 APPROVAL OF CHECK REGISTER FOR JANUARY, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2012-19, approving the Check Register for the month of January, 2012 in the amount of $11,915,839.98.

Resolution No. 2012-19

A Resolution of the City Council of the City of Moreno Valley, California Approving the Check Register for the Month of January, 2012

A.13 PM 30472 – (PHASE 2b) MODULAR WAY AND KITCHING STREET – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) EAST OF PERRIS BOULEVARD AT NANDINA AVENUE - DEVELOPER: WALGREEN CO., DEERFIELD, IL 60015 (Report of: Public Works Department/ Community & Economic Development Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for PM 30472 - Phase 2 Modular Way and Kitching Street;

2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and

3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.14 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2011.

A.15 RESOLUTION NO. 2012-21, AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH CALTRANS FOR TRANSPORTATION PLANNING GRANTS (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2012-21.

Resolution No. 2012-21

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City Manager to Execute Agreements with CalTrans for Transportation Planning Grants

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve Consent Calendar Items A.1 through D.2 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO ADOPT AN ORDINANCE TO ESTABLISH AN UNDERGROUND UTILITY DISTRICT - NASON STREET FROM CACTUS AVENUE TO FIR AVENUE (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

1. Conduct the public hearing and accept public comments, for consideration of the establishment of an underground utility district along Nason Street from Cactus Avenue to Fir Avenue; and

2. Introduce Ordinance No. 841.

Ordinance No. 841

An Ordinance of the City of Moreno Valley Establishing an Underground Utility District Along Nason Street from Cactus Avenue to Fir Avenue

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Russell Miller.

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem William H. Batey II
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E.2 FY 2012/13 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for CDBG and the HOME grant programs to allow public comment on the proposed FY 2012/13 programs; and

2. Review and select programs for funding for social service, housing, and economic development activities to be included in the City's FY 2012/13 Annual Action Plan.

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Karyn Young-Lowe.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E.3 A PUBLIC HEARING ON A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP 214) AND ESTABLISH CITY ZONING DESIGNATIONS FOR THE AREA (P10-050, PA10-0026, PA10-0027). THE CACTUS CORRIDOR SPECIFIC PLAN IS LOCATED GENERALLY BETWEEN MORENO BEACH DRIVE, THEODORE STREET, BRODIAEA AVENUE AND CACTUS AVENUE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing, RECOGNIZE that applications P10-050 (Specific Plan Amendment), PA10-0026 (General Plan Amendment) and PA10-0027 (Zone Change) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. INTRODUCE Ordinance No. 842;

Ordinance No. 842

An Ordinance of the City Council of the CIty of Moreno Valley, California, Approving Application P10-050 for a Specific Plan Amendment to Repeal the Cactus Corridor Specific Plan (SP214)

3. ADOPT City Council Resolution No. 2012-20; and

Resolution No. 2012-20

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0026) to Make Minor Changes to Establish Land Use Designations for Certain Properties Within SP214

4. INTRODUCE Ordinance No. 843.

Ordinance No. 843

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA10-0027) to Establish City Land Use Designations for the Properties Within SP214

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Ryan Thomas (Support Item), Allan Smiley, Seval Haley and Craig Haley.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E.4 GENERAL PLAN AMENDMENT/SPECIFIC PLAN 208 AMENDMENT TO MODIFY THE CIRCULATION PLAN AND CIRCULATION EXHIBIT, RESPECTIVELY (PA12-0001) (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

After conducting a public hearing to consider the action taken by the Plannig Commission on February 9, 2012, recommending approval of a General Plan Amendment and Specific Plan 208 Amendment (PA12-0001), and subsequent to the public hearing, Approve the proposed City Council Resolution No. 2012-18, thereby ADOPTING a Negative Declaration for PA12-0001 in that the project will not result in significant environmental impacts, and APPROVING the General Plan Amendment and Specific Plan 208 Amendment (PA12-0001), based on the findings in the City Council Resolution.

Resolution No. 2012-18

A Resolution of the City Council of the City of Moreno Valley, California Approving a General Plan Amendment and Specific Plan 208 Amendment (PA12-0001) to Modify the City Circulation Plan and Circulation Exhibit, Respectively

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

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

None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a) Report by Council Member Council Member Jesse L. Molina on the Riverside Transit Agency (RTA)

Jesse Molina gave an update on RTA, stating February was a high record for RTA. Additionally, RTA, in honor of their 35-year Anniversary, invites all to join them in the celebration by submitting photographs of yourself, family and friends while taking a trip on a bus and get the chance of winning a 30-day pass as well as having your pictures placed on their website. RTA began in 1977 and is incorporating a 70's scene, although it's not required for winning the contest.

A bus driver, Mr. Charles, was recognized for finding a purse that had been lost on March 6, 2012.

RTA is applying for a 4.8 million dollar Federal Clean Fuel Grant to help replace the aging fleet.

RTA's Chief Executive Officer, Larry Rubio, was named Manager of the Year.

G.2 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 296-280-018 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

G.3 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:
Accept public comments regarding the mail ballot proceeding for APN 296-280-018 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.4 FIRST AMENDMENT TO AGREEMENT WITH FALCON ENGINEERING SERVICES INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE SR-60/NASON OVERCROSSING PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

1. Authorize the "First Amendment to Agreement for Professional Consultant Services, Transportation Uniform Mitigation Fee (TUMF) – Zonal" (First Amendment) with Falcon Engineering Services, Inc. (Falcon), to provide construction management services for the SR-60/Nason Bridge project for $1,942,779;

2. Authorize the City Manager to execute said First Amendment with Falcon;

3. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval;

4. Authorize a Change Order to increase Purchase Order No. 42266 with Falcon by $1,942,779 from Account No. 797.79718.7200 once the First Amendment has been signed by all parties; and

5. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the contract with Falcon within the authorized purchase order amount subject to the approval of the City Attorney.

Mayor Richard A. Stewart opened the agenda item for public comments, which was received from Deanna Reeder.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 2.26 OF

TITLE 2 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE ARTS COMMISSION, BY INCREASING THE NUMBER OF MEMBERS SERVING TO NINE PUBLIC MEMBERS, TO INCLUDE TWO TEEN MEMBERS (RECEIVED FIRST READING AND INTRODUCTION ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Parks and Community Services Department)

Recommendation: That the City Council:

Adopt Ordinance No. 839.

Ordinance No. 839

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 2.26 of Title 2 of the City of Moreno Valley Municipal Code, Relating to the Arts Commission, by Increasing the Number of Members Serving to Nine Public Members, to Include Two Teen Members

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

H.2 .2 ORDINANCE NO. 840 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, EXTENDING THE EXPIRATION DATE OF CERTAIN DISCRETIONARY PERMITS OR ENTITLEMENTS WITH A VALID ENTITLEMENT AS OF JANUARY 1, 2011 (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 13, 2012 BY A 4-0-1 VOTE, BATEY ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 840.

Ordinance No. 840

An Ordinance of the City Council of the City of Moreno Valley, California, Extending the Expiration Date of Certain Discretionary Permits or Entitlements with a Valid Entitlement as of January 1, 2011

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Adolf Kruger

1. Skechers
2. Automation - Loss of Jobs
3. MVPD Corruption

Deanna Reeder

1. RDA Oversight Board
2. Public Comments Location on Oversight Board Agenda

Pete Bleckert

1. Choke Points

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY MORENO VALLEY HOUSING AUTHORITY BOARD OF LIBRARY TRUSTEES

Jesse Molina

1. Roads moving at a faster pace
2. United Council
3. Vietnam - Wall that Heals
4. Moreno Valley Beauty Pageant - www.valleyqueens.org (September 2012)
5. Recently attended a Senior Center meeting. Request of Media - requests computer classes on TV for seniors

6. Future Surveillance Camera at Senior Center - Request to be first to receive

Robin Hastings

1. VVHS very first Mr. Eagle Contest - Renaissance Program
2. Congratulations to Michael Curry who is the first Mr. Eagle
3. Vietnam - Wall that Heals - Part of the Welcome Home Vietnam Vets
4. Relay for Life - April 14th at VVHS
5. Health & Safety Fair - April 28th at the MV Auto Mall
6. Congratulations to my son, James, finished his last class today and will receive his degree in Information Technology from University of Kentucky
7. Congratulations to my daughter, Julie, for putting an offer on her first home here in Moreno Valley
8. To my husband, celebrating our 41st Wedding Anniversary - You're the Best

William H. Batey

1. Vietnam - Wall that Heals - Kudos to Robin Hastings for beginning the Readings today
2. Soon will be Presenting the winners of our Reading Contest

Mayor Richard A. Stewart

1. Oversight Board not a "Rubber Stamp". Example: The MJPA Oversight Board loaned Redevelopment Agency at March Joint Powers 3 1/2 million dollars; RDA has been paying back slowly, now State Treasurer disapproved and said it was a gift. This money is needed to keep their operation running. The City has a lot more substantial debt and may be faced with not being paid back. The Oversight Board is not a de novo look at expenditures - they're not the ones doing the work, but rather the ones overseeing the work to be done.

2. Construction taking place outside of Conference Recreation Center Ballroom - trying to make it more rentable. Parks & Community Services Director Mike McCarty provided explanation that the concrete tiles and grass area will be replaced with a color concrete slab; removal and replanting of the trees to allow for the possibility of big tents or Gazebos; grass will be planted around parameter; and a mural will be placed at the entrance way representing Moreno Valley's history. This will help with renting for future weddings and big events, generating more revenue for the City.

CLOSED SESSION

The Closed Session was held in the City Manager's Conference Room will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: City Manager Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: City Manager Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: City Manager Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:00 p.m. by unanimous informal consent.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Secretary, Housing Authority
Secretary, Board of Library Trustees

Approved by:

_____

Mayor Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Housing Authority
Chairperson, Board of Library Trustees

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH EASTERN MUNICIPAL WATER DISTRICT (EMWD) FOR THE SR-60/NASON INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720).

BACKGROUND

The overall purpose of the SR-60/Nason Street Interchange Improvements project is to improve the interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated traffic demand.

The City Council approved a "Reimbursement Agreement -- Relocation of Waterline within Fir Avenue" with EMWD on March 10, 2009, for abandonment of the existing waterline along SR-60 and construction of a replacement line in Fir Avenue. On December 8, 2009, the City Council approved a "Reimbursement Agreement – Relocation of Waterline Valves" with EMWD for the relocation of remaining facilities in the vicinity of the project, including valves along the right shoulder of eastbound SR-60. The Council authorized a purchase order for the Fir Avenue agreement, and an increase to the purchase order for the valve agreement. The Fir Avenue work was completed by EMWD in August 2009. The valve relocation work was advertised by EMWD in July 2011. The total amount of the work completed is nearing the authorized

purchase order amount, and in accordance with the agreements, the City had committed to increasing the funds when necessary.

DISCUSSION

The valve agreement identified responsibilities between the City and EMWD for relocation of two 12" water mainline valve clusters, construction of a 24-inch waterline under the freeway to facilitate relocation and provide an upgraded crossing for EMWD, and related valve/shutdown locations. In August 2011, EMWD awarded a contract to Genesis Construction for all the work. The City's total for the valve work based on the low bid amount was $318,321 (including EMWD administrative costs). Construction started in mid-October 2011 and was anticipated to be completed in late June 2012. EMWD's contractor is proceeding diligently with the work in order to keep pace with the City's 60/Nason interchange project. At several excavation locations, the contractor encountered differing existing waterline configurations than anticipated. He proposed alternate routings, which EMWD and the City have agreed with. Even with the differing conditions, the work is two months ahead of schedule. The two valve clusters adjacent to the 60/Nason project are expected to be completed ahead of schedule, with the overall EMWD contract being complete by late April 2012.

The City is responsible for all costs associated with relocating the valves outside State right of way, as well as proportional shares of EMWD construction administration, surveying and materials testing. Terms of the agreement allow for adjustments based on actual costs and changes during construction. Based on a current total of construction costs and changes, the value of the City's work is projected to exceed the authorized purchase order amount. In accordance with the valve agreement, each party will request additional funds when the costs are projected to exceed the authorized funding. In order to provide sufficient funding authority to support EMWD, a change order to increase the purchase order by $70,000 is needed. There may be additional costs for which the City is responsible, including future construction change orders and EMWD administrative costs, which will be evaluated when presented by EMWD.

ALTERNATIVES

1. Authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720). *This alternative allows the City to complete the SR-60/Nason Street Interchange Improvements Project on schedule.*

2. Do not authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720). *This alternative will delay completion of needed utility relocations for the SR-60/Nason Street Interchange Improvements Project.*

FISCAL IMPACT

The City Council approved $177,120 ($147,600 plus $29,520 contingency) on March 10, 2009, and $368,000 ($320,000 plus $48,000 contingency) on December 8, 2009 for a total authorized amount of $545,120. The Fir Avenue work was completed for $147,600 within the original budget and the $29,520 contingency remained available. City-estimated costs to date are approximately $540,000 ($147,600 paid for Fir, $318,000 for valve low bid, and $75,000 in change orders). The $70,000 increase to the purchase order brings the total amount to $615,120. The project is currently funded using federal Surface Transportation Program, federal Transportation Efficiency Act of the 21st Century, matching toll credits, Measure "A," and DIF Interchange funds. There are sufficient funds within the project budget for the request.

All funding sources for this project are restricted for capital improvements related to transportation projects or for the SR-60/Nason interchange and cannot be utilized for operational activities. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS - SR-60 / Nason Street Interchange

TEA 21 Demonstration Funds (125.66929)	$ 2,254,000
STPL Discretionary Funds (125.67029)	$ 6,571,000
STPL Toll Credit (125.67030)	$ 754,000
Demo Toll Credit (125.66930)	$ 563,000
Measure "A" Funds (125.89720)	$ 381,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$12,263,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 7,000,000
Construction Management & Inspection Services	$ 1,000,000
Construction Support Services (Geotechnical & Survey)	$ 300,000
Construction Support Services (Design firm)	$ 100,000
EMWD Utility Relocation*	$ 398,000
EMWD Utility Relocation (current request)	$ 70,000
Administrative Costs (Staff & Miscellaneous)	$ 100,000
Total Estimated Costs	$ 8,968,000

**Balance of previous funding authorizations for EMWD*

PROJECT SCHEDULE

Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

As the EMWD relocation for the SR-60/Nason Interchange Improvements project nears completion, the value of the City's work is projected to exceed the authorized purchase order amount. In accordance with the approved agreement, the City will request additional funds when the costs are projected to exceed the authorized funding. An increase of $70,000 to the purchase order is needed in order to provide sufficient funding authority to support EMWD.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 10, 2012

TITLE: APPROVAL OF THE 2012/2013 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2012/2013 in the amount of $548,506; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2012/2013.

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152. On October 26, 2010, the City Council authorized the Mayor to execute a new Administrative Services Agreement.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2012/2013 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2012/2013.

The revenues collected will normally increase even if the charge for the annual assessment remains constant, as a result of new development. This occurs because the total number of properties paying the assessment increases each year.

Current information provided by the County of Riverside Economic Development Agency and staff indicates an increase in the FY 2012/2013 CSA 152 projected revenues of $10,953 from the current fiscal year projected revenues. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2012/2013 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2012
2.	First installment to City	January 2013

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $37,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2012/2013 in the amount of $548,506 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2012/2013. *Approval of this alternative assures that a portion of the funds necessary to support the various storm water management and maintenance programs for the City will continue to be collected.*

2. Do not approve the CSA 152 Budget for FY 2012/2013 in the amount of $548,506, and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2012/2013. *This alternative does not provide for the collection of the assessment on the annual tax rolls, that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 Budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2012/2013 City budget process.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the CSA 152 budget will help relieve the burden on fund transfers.

The CSA levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.
- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 Budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2012/2013

staff is recommending Council adopt the CSA 152 Budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Barry Foster
Community & Economic Development Director

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL DESIGN CONSULTANT SERVICES TO RBF CONSULTING FOR THE ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD – PROJECT NO. 13-12566851 HSIPL-5441(050)

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project.

2. Authorize the City Manager to execute the Agreement for Professional Design Services with RBF Consulting in the form attached hereto.

3. Authorize the issuance of a Purchase Order to RBF Consulting in the amount of $137,027.00 when the Agreement has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with RBF Consulting, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

BACKGROUND

On December 13, 2011, the City Council accepted a California Department of Transportation (Caltrans) Highway Safety Improvement Program (HSIP) Cycle 4 grant award of up to $900,000 in funds for the Alessandro Boulevard Median between Indian Street and Perris Boulevard project and authorized the $1,000,000 appropriation of

unencumbered Measure "A" funds (Fund 125) for the design and construction costs of the project.

DISCUSSION

A safety analysis identified a high rate of collisions, including pedestrian collisions, along Alessandro Boulevard between Indian Street and Perris Boulevard. In order to address this, the project will install/construct the following:

- A raised median along Alessandro Boulevard from 350 feet east of Indian Street to Perris Boulevard.
- Install a traffic signal at the intersection of Alessandro Boulevard and Covey Quail Lane and construct ADA compliant pedestrian access ramps.
- Construct dual left turn lanes in the eastbound and westbound directions of Alessandro Boulevard at Perris Boulevard, modify the existing traffic signal, and construct ADA compliant pedestrian access ramps.

The raised median along Alessandro Boulevard is anticipated to reduce the collision rates. The proposed traffic signal at Alessandro Boulevard and Covey Quail Lane will assist pedestrians crossing Alessandro Boulevard from the residential area on the north to the commercial centers on the south. Finally, the improvements at Perris Boulevard and Alessandro Boulevard are anticipated to enhance pedestrian mobility through the intersection and reduce congestion.

In order to proceed with the planning and design efforts for the proposed improvements along Alessandro Boulevard, staff solicited proposals from professional design consultants. Requests for Proposals for Professional Design Services were requested by mass email to a list of several hundred professional consultants within the City's database, posting to the City Website, and advertisement in the Press Enterprise. Eight (8) firms responded by submitting proposals. A Selection Review Committee, comprised of Public Works Staff Engineers, reviewed and rated all proposals, based on qualification based selection criteria. After interviewing the three (3) top rated firms, RBF Consulting was selected as the most qualified consultant to complete the subject project.

The Consultant will provide design services in two (2) progressive phases: Phase 1 – Preliminary Concept Design, Environmental, and 35% Level Completion; Phase 2 - 100% Level PS & E Completion and Construction Bidding Services. Upon City Council approval of the Agreement for Professional Design Services with RBF Consulting, the City will issue a Notice to Proceed for Phase 1 (35% plans, Summary Memorandum, and Caltrans acceptance of environmental documentation) only. Upon successful completion of Phase 1, the City may issue written authorization to proceed with Phase 2 (Final PS & E) or terminate the contract.

ALTERNATIVES

1. Approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project, authorize the City Manager to execute the Agreement for Professional Design Services with RBF Consulting in the form attached hereto, authorize the issuance of a Purchase Order to RBF Consulting in the amount of $137,027.00 when the Agreement has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with RBF Consulting, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney. *This recommendation will allow for the design of the much needed improvements along Alessandro Boulevard and meet HSIP grant schedule requirements.*

2. Do not approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project. *This alternative will delay the design for the much needed improvements along Alessandro Boulevard and will put the HSIP grant monies at risk.*

FISCAL IMPACT

The City of Moreno Valley will fund the design and construction with Measure "A" Funds (Fund 125). The HSIP grant will provide reimbursement of up to 90%. There is no impact to the General Fund.

BUDGETED FUNDS FOR ALESSANDRO BOULEVARD MEDIAN / INDIAN STREET TO PERRIS BOULEVARD:

Fiscal Year 2011/2012 Budget (Account No. 125.66850)	$900,000
Fiscal Year 2011/2012 Budget (Account No. 125.66851)	$100,000
Total Project Budget	$1,000,000

ESTIMATED PROJECT COSTS:

Design Consultant Costs	$137,000
City Design Support Costs	$13,000
Construction and Construction Management Costs	$850,000
Total Estimated Project Costs	$1,000,000

ANTICIPATED PROJECT SCHEDULE

Preliminary Engineering and Environmental Clearance Complete	October 2012
PS&E Complete	December 2012
Receive Caltrans Authorization for Construction	April 2013
Award Construction Contract	July 2013
Complete Construction	December 2013

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The proposed improvements will install a raised median along Alessandro Boulevard between Indian Street and Perris Boulevard, install a traffic signal at Alessandro Boulevard and Covey Quail Lane, and modify the existing traffic signal at Alessandro Boulevard and Perris Boulevard. Staff recommends award of the agreement to RBF Consulting, based on a qualification based selection process.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with RBF Consulting

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

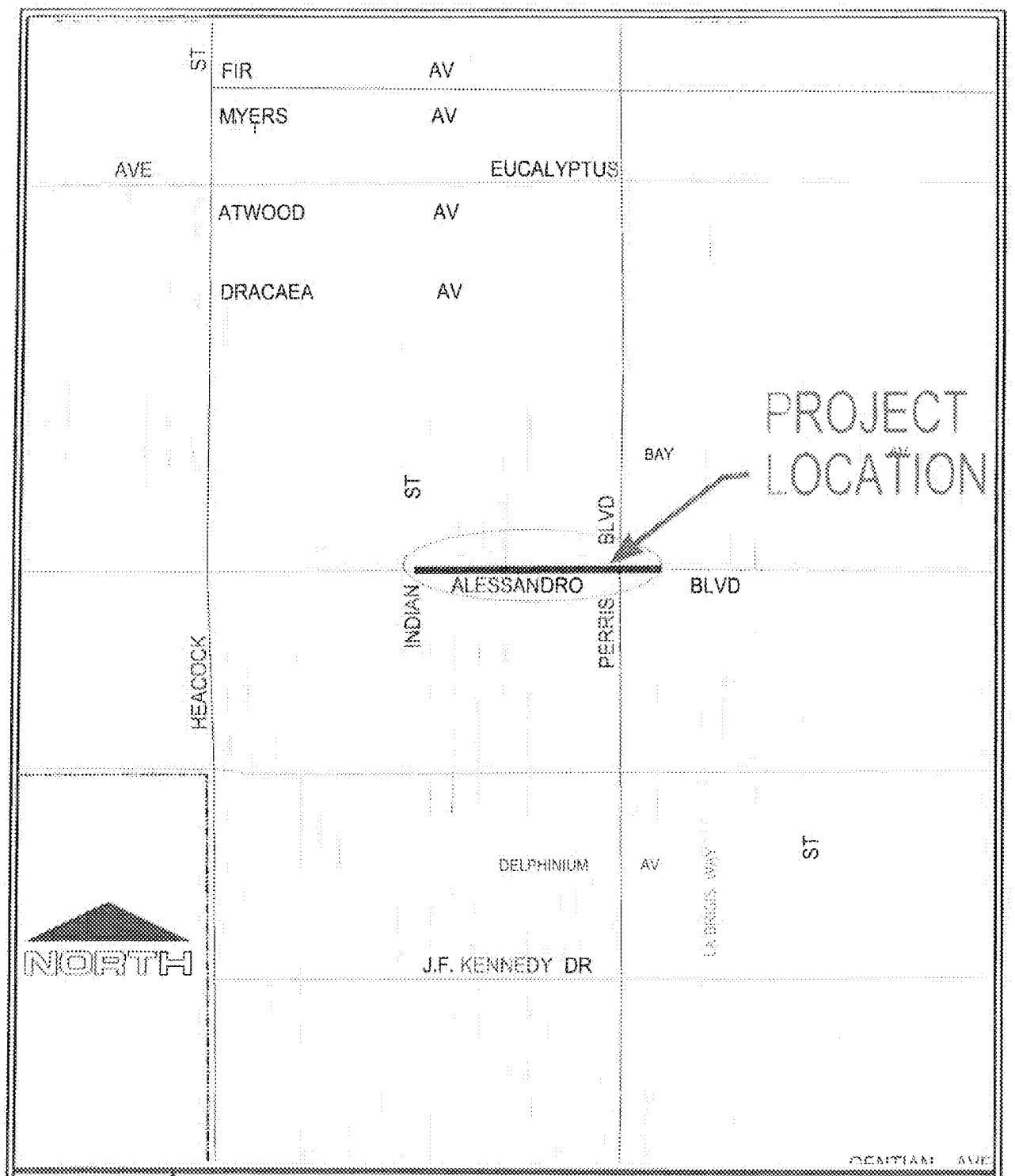

MORENO VALLEY

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Cycle 4, No. 1

FY 2010/2011, CYCLE 4 (HSIP)

ALESSANDRO BOULEVARD

FROM INDIAN STREET TO 500FT EAST OF PERRIS BOULEVARD

Attachment "A"

AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES
PROJECT NO. 13-12566851

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and RBF, Consulting, a (California corporation) hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 13-12566851

DESCRIPTION OF PROJECT

1. The project is described as professional consultant design services for:

ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD

Project No. 13-12566851

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$137,027.00** in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **June 30, 2013** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the

responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other

obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents, or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant, its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, MVHA and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) The City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents shall be named

as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that

cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other work without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either

written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree that, to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this

Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

SIGNATURE PAGE FOLLOWS

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

RBF Consulting

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule
Exhibit "F" – Certificate of Consultant
Exhibit "G" – Certificate of Local Agency

REQUEST FOR PROPOSAL
FOR PROFESSIONAL DESIGN CONSULTANT SERVICES

ALESSANDRO BOULEVARD MEDIAN
FROM INDIAN STREET TO PERRIS BOULEVARD
PROJECT NO. 13-12566851
HSIPL-5441(050)

I. INVITATION

Your firm is hereby invited to submit a proposal for professional consultant services for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project.

Four copies (one (1) of the copies will be unbound and paper clipped, with no tabs, holes, perforations, or cardboard inserts, suitable for copying with an automatic-feed copy machine) of your proposal shall be submitted no later than **5:00 p.m., February 23, 2012**, addressed to Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (mail delivery), Attention: Michael Lloyd, Senior Engineer (Contract Administrator).

II. PROJECT DESCRIPTION

This project will install a hardscaped raised median along Alessandro Boulevard from Indian Street to approximately 500' east of Perris Boulevard, install a new traffic signal at Alessandro Boulevard/Covey Quail Lane, install ADA compliant pedestrian ramps at Alessandro Boulevard/Covey Quail Lane, install eastbound and westbound dual left turn lanes at Alessandro Boulevard/Perris Boulevard, modify the existing traffic signal at Alessandro Boulevard/Perris Boulevard, install ADA compliant pedestrian ramps at Alessandro Boulevard/Perris Boulevard, and revise signing and striping.

Background

Alessandro Boulevard is designated as a Divided Major Arterial with a cross section of 110 feet curb face to curb face and 134 foot right-of-way, also designated as a truck route. To the south of Alessandro Boulevard along the project segment are commercial uses. To the north of Alessandro Boulevard along the project segment are single family residential units with commercial uses at the major intersections.

Along the project segment of Alessandro Boulevard, the roadway is built to its ultimate width curb to curb with a painted median for a majority of the segment. Sidewalk exists on both sides of Alessandro Boulevard. RTA bus route #20 currently has stops along the project segment. A SCAG Compass Blueprint study was recently completed for the Alessandro Boulevard corridor.

No additional right of way is anticipated for the project. Utility adjustments such as adjusting pullboxes to grade may be required.

III. PROJECT FUNDING AND SCHEDULE

The Project (planning, environmental, and design) is funded by the Federal Highway Safety Improvement Program (HSIP) under the jurisdiction of Caltrans District 8 Local Assistance

Exhibit "A"

with the City matching funds from Measure A (1/2 Cent Local Sales Tax). It is imperative that all activities associated with this project conform to the Caltrans Local Assistance Procedures Manual, otherwise, funding will be jeopardized.

SCHEDULE

The City's tentative schedule is the following:

Proposals due:	February 23, 2012
Award of Consultant Contract:	April 24, 2012
Preliminary Engineering and Design:	May 2012 to December 2012
Advertise for Construction:	April 2013
Award Construction Contract:	July 2013
Construction:	August 2013 to December 2013

IV. SCOPE OF ENGINEERING SERVICES

The scope of work consists of three (3) phases. The first phase of the work will be the planning/environmental, the second phase will be the design (PS&E), and the third phase will be the construction support. The work shall be in accordance with the requirements of the Caltrans Local Assistance Procedures Manual, City of Moreno Valley standards, Caltrans standard plans (latest version), and the California Manual on Uniform Traffic Control Devices (latest version).

A. GENERAL

1. Meetings

As a minimum, the Consultant shall schedule and attend meetings in the planning phase as follows:

1. Kickoff meeting including sub-consultants (if any).
2. Project Development Team (PDT) meetings, monthly.
3. Attend monthly Alessandro Boulevard Median PDT meetings.
4. Environmental Meetings.
5. City Council Meeting/Council Study Session
6. Other meetings as necessary such as, but not limited to, agencies, field reviews, utilities, and meetings with individuals/property owners/business owners.

The Consultant shall schedule, chair, and prepare meeting agendas and minutes for all meetings. The agendas are to be submitted to the City for review five (5) working days before the meeting. The minutes shall be distributed to all attendees, everyone who was invited, and the City's Project Manager within five (5) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phone numbers

and E-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to action items.

2. **Schedule**

The project schedule shall be developed by the Consultant for the design and construction utilizing Microsoft Project®. The schedule shall be provided to the City in both digital and hard copy. An updated schedule is to be handed out during the PDT Meetings.

The project schedule shall be divided into tasks and subtasks in full detail including, but are not limited to, City function timeline, critical path, and other outside sources such as agencies or utilities. Some of the tasks shall be, but are not limited to, planning, environmental, design, relevant City Council meetings, Caltrans review, advertising, and construction. The schedule is to indicate anticipated durations for all tasks.

B. PHASE I – PLANNING, ENVIRONMENTAL, AND CONCEPTUAL DESIGN (35% COMPLETE)

1. **Report of Project Issues**

The consultant shall provide a Report of Project Issues based on the findings of research and investigation of record information. The report, at a minimum, shall include, but not be limited to, the following:

a. The report shall itemize the results of all research and investigation including cataloging the sources of information.

b. Identify locations of potential conflicts or constraints that may impact the design of the project.

c. Identify conflicts of potholed underground utilities and overhead improvements.

d. Identify right-of-way, easement and environmental constraints.

2. **Research of Record Information**

a. The Consultant shall provide engineering services related to the research and investigation of utility company and agency records to secure all the information required to identify, locate and accurately lay out all underground improvements, easements, centerline, right-of-way and private property lines. The research should include, but not be limited to, utility maps and street improvement plans.

b. The City will provide copies of available pertinent City records, such as survey ties, benchmarks, street plans, tract and parcel maps the City knowingly has in its possession.

3. **Environmental**

The environmental procedures shall be in compliance with the Caltrans Local Assistance Procedures Manual (LAPM). The Preliminary Environmental Study (PES) with comments and photographs; Natural Environmental Study (NES); and required maps/documents at a minimum will be submitted to Caltrans. The Consultant shall prepare, submit, and coordinate with Caltrans through final approval of the environmental document on behalf of the City. The City will review all documents before submission to Caltrans.

The Consultant shall ensure complete environmental documents and reports are submitted for review. The Consultant shall address all comments generated by the City and/or Caltrans in order to receive a final approval.

Should the Consultant believe that further environmental study is needed, the Consultant shall meet with City Staff to identify the additional work and applicable resource/regulatory agencies involved. Consultant shall submit the estimated cost and schedule to prepare the additional environmental studies and/or report, permit applications, or other materials to obtain clearance through all applicable agencies for the project.

4. **Surveying and Topographic Mapping**

The Consultant shall perform all surveys necessary for the concept drawings and the design of the project establishing a uniform stationing on all streets, increasing northerly and easterly.

The Consultant shall provide cross-sections at fifty feet intervals on center within the project limits. The cross sections shall be incorporated in the design plans for construction bidding purposes.

The Consultant shall collect field survey data necessary for the design of the proposed improvements along the roadway which shall include the preparation of topographic base mapping through field survey methods. The field survey data shall be compiled to develop a topographic base map of the project area.

Topography shall include, but not be limited to, all features within the right of way and 25 feet beyond. The topography shall extend a minimum of 100 feet beyond the limits along Alessandro Boulevard at the intersections of Alessandro Boulevard/Covey Quail Lane and Alessandro Boulevard/Perris Boulevard.

Field survey information shall also include all features within and around the project area, and the existing roadway profile and pavement limits. The consultant shall perform detailed surveying work, including the tie-out of any and all existing survey centerlines and property corner monuments that could be disturbed and affected by the proposed work.

The survey topography shall be submitted in ASC II format on CD-ROM and a hard copy plot provided using AutoCAD Land Development or compatible software approved by the City. Survey points with coordinates, elevations, and description key shall be AutoCAD

Land Development Standard Survey Descriptions only, no other survey description will be allowed.

The Consultant shall indicate on the plans the stationing of all intersections, and the beginning or end of curves. Survey monuments and monument wells shall be noted for preservation and where missing installed per City standards by the Contractor. The setting or marking of the actual monuments setting or marking shall be performed by a land surveyor contracted by the City during or at the end of Construction, and a Record of Survey shall be submitted to the City. These items must be quantified and shown on the Improvement Plans, Specifications, and Estimate. The Consultant shall note that the Construction Contractor shall be responsible for replacing disturbed monuments or ties after construction is completed.

5. Existing Utilities Research

The Consultant shall conduct existing utility research for all utilities within the project limits to identify, locate, and accurately lay out all underground improvements.

The Consultant shall determine which utility is to receive notification, address the utility notification letters and provide the City with a copy of the letters. The City will print on City letterhead, mail to the respective utility and provide the Consultant with a copy of the letter and response. The utility letters comprise of first utility notice letter (Preliminary Project Notice) with response form, second utility notice letter (Prepare to Relocate) with response form, third utility notice letter (Notice to Relocate), and fourth utility notice letter (Notice to Relocate Immediately) will be forwarded to the Consultant. The Consultant may also need to call the utility companies, as necessary, until a written response form is received from each potentially conflicting utility.

The Consultant shall positively locate all utilities in accordance with Caltrans policy on High and Low Risk Utilities.

The Consultant shall identify all utilities that could potentially conflict with the planned project, and determine special requirements for facilities including protection, relocation, right-of-way, easements, and construction. The Consultant shall coordinate with the utility companies to schedule the relocation of the utilities prior to the start of construction.

6. Utility Potholing

The Consultant shall pothole all underground utilities to determine the depth for clearance or conflicts for any underground improvements such as gas lines, telephone lines, electrical lines, sewer lines, water lines, storm drain lines, etc. The Consultant shall submit to each utility company a preliminary set of plans that provide the location, elevation of the utility, and the elevation of the improvement with the conflict area clouded to show the utility companies the areas of conflict with the proposed improvement. The potholing information and plan shall be submitted to the City after completion of that task. If an area of possible conflict was not potholed, the Consultant shall pothole the area to verify no conflicts, at **no** cost to the City. Potholes shall be repaired per City Standard Plan No. 602D.

It will be the responsibility of the Consultant to notify Underground Service Alert and provide traffic control during potholing operation

7. **Right-of-Way**

The Consultant is required to perform basic right-of-way research to ensure any needed right-of-way acquisitions are identified and provide Right-of-Way Certification for Caltrans project clearance for authorization to proceed to construction. The Consultant shall prepare base sheets showing existing property lines with all right-of-way and easement areas, assessor's parcel numbers, addresses, owners and/or types of businesses.

a. The Consultant shall perform research for all outstanding offers of dedication.

b. The Consultant shall prepare all documents necessary for temporary construction easements and the City will have the documents executed by the affected property owners. This function must be completed at least thirty (30) days prior to finalizing plans and specifications for bidding purposes.

c. The Consultant shall identify all utilities that have prior rights.

8. **Preliminary Design (Conceptual Layout Plans, 35%)**

The Consultant shall prepare conceptual layout plans showing the raised median, striping, tentative traffic signal pole locations, and locations for ADA compliant pedestrian access ramps. See **Exhibit "A"** for General Design Submission Requirements.

9. **Submittals**

a. The Consultant shall submit five (5) sets of bond copies of the preliminary design drawings with each submittal for checking by the City, along with the previous red-lined check prints. The Consultant shall perform quality control on all submittals. The design drawings should be as complete, accurate, and error-free as possible before plan checking is considered, in order to reduce the number of plan checks required and related costs therefore to the City and Consultant.

b. The Consultant shall, at no additional cost to the City, correct errors, omissions, and unworkable and/or improper design/drafting on the original drawings, which are discovered subsequent to the completion of the plan checking process.

c. The Consultant shall directly submit to **each utility company a preliminary set of plans that provide the location, elevation of the utility, and the elevation of the improvement with the conflict area clouded to show the utility companies the areas that conflict.** The Consultant shall coordinate with the utilities for planning the relocation of their facilities if required. The City shall supply the Consultant with the required format for the utility notice in a Microsoft Word format.

d. The City shall be provided with a copy of all transmittals, submittals, and letters sent to utilities and agencies regarding the project.

e. Consultant shall submit all necessary PES documentation to the City for initial review. Upon City review and addressing any comments, the Consultant shall submit the PES and supporting documents to Caltrans District 8, DLAE for review. The Consultant shall address all Caltrans comments in order to receive final approval and findings are made.

C. PHASE II – DESIGN (PS&E)

Work on this phase shall not commence until the completion of Phase I and written authorization to proceed from the City. Any work performed prior to authorization by the City cannot be billed by the Consultant and will be subject to rework at the Consultant's expense based upon approvals granted during Phase I work. The design shall perform all the work involved for providing documents, plans, specifications, and estimates for the improvements. The design shall conform to requirements of the City of Moreno Valley, Caltrans LAPM, Caltrans standard plans (latest version), and CAMUTCD (latest version).

1. Improvement Plan Preparation

The Consultant shall design a hardscaped raised median along the project segment, a new traffic signal at Alessandro Boulevard/Covey Quail Lane, ADA compliant pedestrian access ramps at Alessandro Boulevard/Covey Quail Lane, eastbound and westbound dual left turn lanes at Alessandro Boulevard/Perris Boulevard, a traffic signal modification for Alessandro Boulevard/Perris Boulevard, ADA compliant pedestrian access ramps at Alessandro Boulevard/Perris Boulevard, and revised signing and striping. The striping is to extend a minimum of 100 feet beyond the construction limits.

The street improvement plans and striping plans shall be in accordance with the current City of Moreno Valley standard plans or standards approved by the City Engineer. Existing utilities shall be indicated in plan view. These plans shall be prepared at 1"=20' scale, on 24" x 36" improvement plan sheets, and shall consist of:

a. **Title Sheet** – include title sheet per City Standard Plan 710.

b. **Detail/Typical Cross Section Sheets** - include typical sections and other details as required

c. **Roadway Improvement Plans** - includes plans for the proposed raised median and ADA compliant pedestrian access ramps which includes all necessary removals and repairs to the existing AC pavement and PCC sidewalks, etc. Plans shall provide roadway improvements in accordance with the City's recommendations. The roadway improvement plan shall consist of a plan and profile format with details as necessary. All existing surface improvements, driveways, curbs, gutters, cross gutters, sidewalks, access ramps landscaping, bus stops, utility facilities, street lights, traffic loops, traffic signal equipment, signs, catch basins and other storm drain facilities, right of way and lot lines, and all other surface features that could be affected by the new construction shall be

included in a half-tone or dashed background format to distinguish then from the new improvements.

d. **Traffic Signal Plans** – includes plans for the new traffic signal at Alessandro Boulevard/Covey Quail Lane and the modified traffic signal at Alessandro Boulevard/Perris Boulevard. Preparation of the new traffic signal plans for Alessandro Boulevard/Covey Quail Lane shall require coordination with SCE for electrical service design. The traffic signal plans shall include eight phase controllers with bicycle logic, emergency vehicle pre-emption, traffic signal interconnect, battery back-up, pedestrian and bicycle push buttons, poles and pole foundations designed to a wind velocity of 100 MPH or greater, adequate storage for left turn lanes, and any other improvements necessary for the new traffic signal and/or traffic signal modification as directed by the City. The plans shall show lane dimensions, signal pole and push button pole placements, controller and power meter cabinet placements, conduit runs and hand holes or pullbox placements, lane channelization, detection loop placement, circuitry and conductor schedules, signal pole and mast arm schedules, phase schedules, schedules for signal heads, schedules for loop detectors, signal pole location details, emergency vehicle pre-emption details, and all other notes, schedules, details and/or drawing components required for complete traffic signal construction plans.

e. **Signing and Striping Plans** – includes existing and proposed access ramp locations and types, curbs, driveways, existing and proposed striping (including striping upstream/downstream of the project segment that may be affected by the project), crosswalks, traffic lane widths, existing and proposed traffic signal loop detectors, and existing and proposed signing (including signs upstream of the project segment that may be affected by the project).

f. **Cross Sections** - includes roadway cross sections based on the previously prepared field survey at 100-foot intervals showing the proposed street improvements.

2. **Deliverables**

The design deliverables shall include, but not be limited to (See **Exhibit "A"** for General Design Submission Requirements): Providing Improvement Plans ink on Mylar ready for advertising and bidding, along with Specifications (including appendices), and a complete Estimate, all wet seal stamp and signed by a licensed California Civil Engineer. The design shall be in compliance with current Federal Americans with Disabilities Act (ADA) and State Title 24 requirements, whichever is more restrictive. The design and scope of services shall also include: complete and detailed estimate of quantities; construction cost estimate; answers to all questions regarding the design during design, bidding and construction; review of the project site to ensure that the Plans are drawn correctly; and attendance at project related meetings, including the pre-construction meeting.

The Consultant shall monitor quality on all deliverables, calculations, and other work products. The Consultant shall prepare a Quality Control Plan for use on the project,

and submit a copy to the City within thirty (30) calendar days of Notice-to-Proceed. This is not a separate task, but shall be included as part of project management.

The Plans, Specifications, and Estimate must conform to the City of Moreno Valley's standards and practices. The Consultant shall provide clear, concise, and complete plans and profiles which shall include, but are not limited to, the following items: project title; vicinity (location) map; title blocks; north arrows; scales 1"=20' for bridge and roadway improvements, nothing precludes the requirement to have drawings at a larger scale or larger scale for details); general notes; construction notes; construction legend; telephone numbers of utilities and other affected agencies and businesses; details; centerline profile; future north and south curb line profiles; existing improvements; power poles; driveway approaches; edge of pavement, water service relocation and/or installation; sewer manhole lid and water valve lid adjustment; pedestrian ramps; painting of traffic stripes and thermoplastic legends; signs; traffic signal; traffic loops (if any); curb returns; details of private improvements to be constructed, reconstructed, or relocated, such as driveways, fences, gates, irrigation systems, trees and landscaping; overhead utility lines; and other details that are of benefit to the design of the project.

a. All drawings shall be prepared with AutoCAD Land Development software or design software that is compatible with the Land Development software approved by the City. The design shall be plotted using permanent drafting ink on Mylar, and drafted on twenty-four inch by thirty-six inch (24" x 36") Mylar sheets. The final plans shall be signed by a Civil Engineer registered in the State of California. No "stick-ons" will be allowed. The originals and the electronic data of these drawings are to be considered to be the property of the City at all times, and shall be submitted to the City, along with a CD-ROM disk in AutoCAD Land Development format upon completion or as otherwise directed by the City. The electronic data shall also include all survey data and point information.

b. The Consultant shall prepare driveway profiles where work will extend beyond the public right-of-way limits. The profile shall be extended to the garage or as required for a transition to the existing driveway.

c. Cross sections are considered necessary to properly and accurately design the improvements and to accurately establish the earthwork volumes and extent of construction or reconstruction beyond the right-of-way lines onto private property, where and if necessary. Cross sections shall be at fifty foot (50') maximum intervals drawn on twenty-four inch by thirty-six inch (24" x 36") Mylar and shall be included with the bid set. The cross section shall be computer generated using AutoCAD Land Development software or compatible software. The cut and fill quantities shall be computer generated and shall be included with the cross sections. The cross sections shall be provided to the City at the 35% Conceptual Design, 65%, 100%, and final submittal. Hand drafting of cross sections will not be allowed.

d. AutoCAD DRAWINGS

The topography map will be set up with the following guidelines:

i. Drawing scale is 1" = 20'.

ii. Lettering style shall be Complex and sizes will correspond to standard Leroy Scales (i.e. 80,100, 120, 140...500). City Title Block will be used.

iii. The following is a table of items that shall be placed on designated layers as shown:

Description	Layer	Color
Points	POINTS	White
Point numbers	PNTS	Red
Point elevations	ELEV	Red
Point descriptions	DESC	Red
Contours	INTER	Brown
Index contours	INDEX	Yellow
Topography	TOPO	Yellow
Text	TEXT	Cyan
Centerline	CL	White
R/W	RW	Green
Curb and gutter	CG	White
Sidewalk	SW	White

iv. The following is a table of Standard Survey Descriptions that shall be used on all survey-related work. Use a Z (code) for any shots **not** at ground surface i.e., use Z10 for top of fire hydrant.

** Input sequence number, space, description

Input #	Item	Input #	Item
01	Centerline	38	Transformer
01M	Centerline Monument	39	C.L. Improvement
01C	Control Point	40	A.C. Speed Bump
02	Mailbox	41	Wood Guard Rail
03	Water Meter	42	A.C. Bike Path
04	Power Pole	43	Curb
05	Gut Wire	44	Traffic Signal Box
06	Gate Valve	45	Concrete Apron
07	Fence	46	Concrete Slab
08	Tree	47	Concrete Rip Rap
09	Pedestal	48	Yellow Stripe
10	Fire Hydrant	49	White Stripe
11	Edge of Pavement	50	Delineator
12	Driveway	51	Landscape Area
13	Sewer Manhole	52	Block Wall
14	Utility Manhole	53	Top Asphalt
15	Utility Mark	54	Face of Curb (1/2" wide)
16	Sign	55	Gutter
17	Curb and Gutter	56	Street Light
18	Vertical Curb	57	Edge of Gravel

Input #	Item	Input #	Item
19	Asphalt Curb	58	Air Vac
20	Toe of Asphalt Curb	59	Drop Inlet
21	Top of Asphalt Curb	60	Toe of Dirt Berm
22	Flow Line of Culvert	61	Top of Dirt Berm
23	Miscellaneous	70	Temp. Storage Area
24	Walks	71	Stl. Conc. Guard Post
25	Bushes	72	Pump
26	Shrubs	73	Canopy Post
27	Gas Line Main	74	Curb Flush w/A.C.
28	Gate	75	Oil Riser
29	Water Line Main	76	Water Riser
30	Toe of Slope	77	Build. Corner
31	Top of Slope	78	Temp Storage Build.
32	Planter	79	Concrete Swale
33	Sprinkler Head	80	Eroded Undermined
34	Edge of Travel Way	81	Conc. Expansion Joint
35	Gas Valve	82	Head Wall
36	Transformer		
37	Ground Shot		

Other layers may be used; however, the layer should be named to correspond with the item referenced on that particular layer.

e. The City will provide the Consultant with its boilerplate Specifications and Technical Provisions in Microsoft Word, Windows 2000 format. The City will be responsible for compiling the Project Specification. The Consultant will provide a write up for the project specific scope of work in the Technical Specifications and provide special Technical Provisions beyond the City's standard Technical Provisions. The Specifications shall be signed by the consultant Civil Engineer registered in the state of California that is complete and ready for bidding purposes and awarding contracts for construction for the improvements. The latest edition of the Greenbook (Standard Specifications for Public Works Construction and subsequent amendments) will be used on the project, except for striping and traffic signs. The technical portion of the Caltrans Standard Specifications will be used for the striping and traffic signs.

Technical Provisions for the bridge improvements based upon Caltrans Standard Specifications dated, 2006 (latest imperial units' specifications) and the latest Caltrans Standard Special Provisions shall be incorporated into the City's bid documents.

Specifications for the project shall conform to the most recent applicable standards and specifications from:

a. City of Moreno Valley

b. Standard Specifications for Public Works Construction (*Greenbook, current edition*)

c. State of California Transportation Department Standard Specifications and Standard Plans (latest version)

d. The consultant shall calculate the amount of liquidated damages and determine the length of time in working days for construction.

3. **Submittals to City, Agencies, Utilities, Etc.**

a. The Consultant shall submit five (5) sets of bond copies of the design drawings with each submittal for checking by the City, along with the previous red lined check prints. The design drawings should be as complete, accurate, and error-free as possible before Plan checking is considered, in order to reduce the number of Plan checks required and related costs therefore to the City and Consultant. Submittals shall be 35% Conceptual, 65%, 100%, and final.

b. The Consultant shall submit three (3) sets of quantity calculations with each submittal for checking by the City, along with the previous checked calculations.

c. The Consultant shall submit two (2) sets of the contract documents with each submittal for checking by the City, along with the previous check prints. A disk in Microsoft Word format containing the final Contract Documents shall be submitted to the City.

d. The Consultant shall, at no additional cost to the City, correct errors, omissions, and unworkable and/or improper design/drafting on the original drawings, which are discovered subsequent to the completion of the Plan checking process.

e. The Consultant shall submit five (5) sets of bond copies of cross sections along with each submittal of the design drawings for Plan checking. One (1) reproducible and four (4) bond copies sets of cross sections shall be submitted along with the final submittal of the design drawing.

f. The Consultant shall directly submit to **each utility company a final set of Plans that provide the location, elevation of the utility, and the elevation of the improvement with the conflict area clouded to show the utility companies the areas that conflict.** The Consultant shall coordinate with the utilities for relocation of their facilities if required.

g. The City shall receive a copy of all correspondence, transmittals, submittals, and letters sent to utilities and agencies regarding the project.

4. **Final Estimate of Quantities and Cost**

The Consultant shall provide a construction quantity and cost estimate with each submittal of plans. The unit costs shall be based upon the most current cost information for recent similar projects in the area compiled by the Consultant and approved by the City.

a. The estimated items of work with quantities shall include but not be limited to: itemizing all removals, relocations, PCC sidewalk, PCC curb & gutter, PCC pedestrian access ramps, median hardscape, traffic signal poles, traffic signal equipment, traffic signal wiring, aggregate base, Asphalt Concrete (AC) paving, survey monument wells, SWPPP preparation, painting of pavement legends & striping, signs, traffic control, raised pavement markers, and project signs. The estimated items of work with quantities shall be arranged in chronological order of construction and shall contain all the information needed to prepare the Engineer's Estimate of Costs. The engineer's estimate shall be prepared and submitted on the City's estimate form.

b. The Consultant will be required to periodically submit updated preliminary cost estimates as design progresses.

c. The Consultant's final construction cost estimate shall be based upon, and in agreement with, the final items of work with estimated quantities. Computations showing estimated quantities and costs for each location of work as well as the sum totals shall be submitted to the City for review along with a set of plans showing items of work with quantities on each sheet. Submission of computations does not relieve the Consultant's responsibility of submitting an accurate estimate of quantities.

5. Reproduction of the Design Drawings and Contract Documents

The City will have copies of the design drawings and Contract Specifications reproduced for bidding purposes.

6. Questions During Bidding And Pre-Construction Meeting

The Consultant shall answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during the bidding process. The Consultant shall assist the City, at no charge, in preparation of Addenda regarding omissions or conflicts in the design.

D. PHASE III – CONSTRUCTION

1. Pre-Construction Meeting and Contractor Submittal Reviews

The Consultant shall attend the Pre-construction Meeting and answer questions regarding the Technical Provisions and the design drawings during the meeting. The Contractor will be required to submit a SWPPP and traffic control plan prior to commencing construction. The Consultant shall review the submittals and provide comments to the City. A minimum of two reviews are typical.

2. Construction

A. Questions During Construction

The Consultant shall be available to review design change request and assist the City in issuing Contract Change Orders. A line item shall be included in the proposal for design change request during construction.

The Consultant shall be available to answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during the construction, and assist the City in issuing Contract Change Orders regarding omissions or conflicts in the design, at no charge to the City.

B. Preparation of As-Built Drawings

The Consultant shall incorporate all redline comments prepared by the Contractor and project inspector on the signed design Plans. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment. The Consultant shall attach hanging file tabs to the Mylar as-built drawings. A line item shall be included in the proposal for as-built drawings.

C. GASB 34 Documentation

The Consultant shall submit GASB 34 documentation in the City's format along with the as-built drawings. A line item shall be included in the proposal for GASB 34 documentation.

D. Owner Of Original Drawings, Documents And Other Information

The City will be the owner of all original drawings, documents, and digital information. All digital and or computer generated drawings shall be the property of the City and a copy shall be submitted to the City on a CD-RW disk.

V. CONSULTANT'S PROPOSAL AND COMPENSATION

The Consultant's Proposal shall be no more than 20 pages, excluding a cover letter of up to two pages, dividers, and certificates. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services and failing to comply with requirements and conditions of the RFP will not be given further consideration.

At a minimum, the Proposal shall include the following sections:

A. **Project Understanding:** This section should clearly convey clear understanding of the nature of the work, indemnification of major project issues and proposed solutions thereof, from both the Consultant and the sub-consultants (consultant team).

B. **Approach and Management Plan:** This section provides the consultant team's proposed approach and management plan for providing services. Include an organization chart showing proposed relationship among consultant team/staff as well as any other parties that may have significant role in the delivery of this project.

C. **Qualifications and Experience:** Provide qualifications and experience of the team for this project. Emphasize the specific qualifications and experience from projects similar to this project for the key team members including references. Identify and provide in-depth information for the proposed Consultant Project Manager's qualifications, track record and relevant experience.

D. **Staffing Plan:** Discuss staffing plan, workload, both current and anticipated, for all key team members, and their capacity to perform the requested services according to the proposed schedule. Discuss the firm/team's approach for completing the services required for this project within budget and schedule.

E. **Work Plan and Schedule:** Include a description of how each task of the project will be conducted, identification of deliverables for each task and implementation schedule. The work plan should include sufficient detail to demonstrate a clear understanding of the project. Discuss the consultant team's approach for completing the project.

F. **Quality Control and Assurance:** Discuss QA/QC proposed for each phase/deliverable for this project, including various independent plan check reviews and 95% plan biddability/constructability/claims avoidance reviews.

G. **Additional Relevant Information:** Provide additional relevant information that may be helpful in the selection process (not to exceed two pages).

The Consultant's Proposal shall include the following statements:

A. A statement that this RFP shall be incorporated in its entirety as a part of the Consultant's Proposal.

B. A statement that this RFP and the Consultant's Proposal will jointly become part of the Agreement for Professional Consultant Services (a sample of the Agreement is attached as **Exhibit "B"**) for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley. **The Statement must include that the Consultant will be able to execute the City standard agreement without any modifications.**

C. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's RFP except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

D. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedent over this RFP.

E. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles,

addresses and telephone numbers of the appropriate persons whom the City could contact. If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.

F. A resource allocation matrix *must* be submitted with the Proposal. The resource allocation matrix must list detailed tasks in rows and the appropriate individual (Job Title Only) as well as the number of hours that these individuals will be working on each task listed, will be included in adjacent columns. The resource allocation matrix and the project preliminary engineering and design phase schedule are required of both the primary consultant, as well as any sub-consultant. For the construction support services Consultant is not required to provide a Project Schedule with milestones.

G. A statement of sub-consultant's (include relief personnel) qualifications applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.

   A statement that the Consultant acknowledges and understands that the consultant will not be allowed to change the sub-consultant without written permission from the City.

H. A statement that all charges for Consultant (design services) is a "Not-to-Exceed Fixed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.

I. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

J. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

K. A copy of the Consultant's hourly rate schedule and a statement that said hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this RFP. **An itemized cost breakdown for the work described herein must be submitted in a separate sealed envelope as part of your Fee Proposal submittal**. All extra work will require prior approval from the City.

L. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

M. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

N. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.

O. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.

P. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.

Q. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

R. This Agreement is subject to 49 CFR, Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Proposers who obtain DBE participation on this contract will assist Caltrans in meeting its federally mandated statewide overall DBE goal.

DBEs and other small businesses are strongly encouraged to participate in the performance of Agreements financed in whole or in part with federal funds (See 49 CFR 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs"). The Proposer should ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The Proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

Pursuant to recently released Race-Neutral DBE policy directives issued by the U.S. DOT in response to the Ninth Circuit U.S. Court of Appeals decision in *Western States Paving Co. v. Washington State Department of Transportation, the City has implemented a wholly Race-Neutral DBE Program.*
A Race-Neutral DBE Program is one that, while benefiting DBEs, is not solely focused on DBE firms. A Race-Neutral Program utilizes measures that can assist a wide variety of small businesses including DBEs, such as arranging solicitations, times for the presentation of proposals, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation (e.g., unbundling large contracts to make them more accessible to small businesses,

requiring or encouraging prime Consultants to subcontract portions of work that they might, otherwise, perform with their own forces). However, under a Race-Neutral DBE Program, the City may no longer advertise DOT-assisted contracts containing numeric race-conscious goals or require a Proposer to utilize DBEs as a condition of award. Race-neutral DBE participation includes any time a DBE obtains a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE goal.

S. Complete Disclosure of Lobbying Activities (Form LLL – see attached).

T. Complete Proposer's List of Subconsultants (DBE and Non-DBE) – Parts I and II.

U. The Consultant shall provide its complete name and address, including whether Consultant is an individual, a partnership, or a corporation. The Consultant shall list the location of the office where Consultant's work will be available for inspection by local agency and State representatives.

VI. GENERAL COMPLIANCE WITH LAWS AND WAGE RATES

A. The Consultant shall be required to comply with all federal, state, and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

B. The Consultant is required to submit certified payrolls weekly. This applies to all applicable field personnel working on the project. In accordance with Section 1771.5 (b) (5) of the California Labor Code, the City will withhold payments when the payroll records are delinquent or inadequate.

VII. FEDERAL EMPLOYEE BENEFIT

No member of, or delegate to, the Congress of the United States, and no Resident Commissioner shall be admitted to any share or part of the Agreement to the said project or to any benefit to arise from the same.

The Consultant shall complete and include the "Certification for Contracts, Grants, Loans, and Cooperative Agreements" and "Disclosure of Lobbying Activities" forms with the Proposal.

VIII. PAYMENT TO CONSULTANT

A. This work is to be performed for a "Not-to-Exceed Fixed Fee." This method of payment is similar to the Cost per Unit Work, which is defined in Chapter 10 of the Caltrans LAPM, as follows: The Consultant is paid based on the work performed.

B. The Consultant shall provide a "Payment Schedule" indicating the fee for individual tasks with a "Not-to-Exceed Fixed Fee" which shall be the sum of all tasks.

C. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

D. The City will pay the Consultant for work completed at the completion of the defined milestones. There will be no monthly invoice payments unless specifically identified otherwise below. These Milestones are:

1. Report of Project Issues complete.
2. Environmental Clearance obtained.
3. "Phase 1, 35% Level Completion" is complete.
4. "Phase 2, 65% Level Completion" is complete.
5. "Phase 2, 95% Level Completion" is complete.
6. "Phase 2, 100% Level Completion" is complete.
7. Project Bidding and Construction Support on a monthly basis.
8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment.

E. Milestone invoice payments and where applicable monthly invoices will specifically identify job title, person-hours, and costs incurred by each task or it will be rejected and asked to be re-submitted.

F. Sub-categorization of tasks is permitted to better define the task for payment.

G. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

H. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

I. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services."

J. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services," an "Amendment to the Agreement" will be executed between the City and Consultant.

K. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the consultant's proposal.

IX. INSURANCE

A. The Consultant shall provide Errors and Omissions Professional Insurance. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

B. The Consultant shall have Public Liability and Property Damage Insurance in the amounts as follows:

GENERAL LIABILITY		
Bodily Injury	$1,000,000	per occurrence
Property Damage	$ 500,000	per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

C. The Consultant shall have Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment in the amount of not less than $1,000,000.

D. The Consultant shall have Workers' Compensation Insurance in the amounts as will fully comply with the laws of the State of California.

E. A Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers and employees and agents, under any third party liability policy."

F. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

G. The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverage's nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the Agency, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amount established.

H. It is the consultant's responsibility to ensure that all subconsultants comply with the following: Each subconsultant that encroaches within the City's right-of-way **and** affects (i.e., damages or impacts) City infrastructure must comply with the liability insurance requirements of the City's Land Development Division. Examples of such subconsultant work include soil sample borings, utility potholing, etc.

The "Application for Encroachment Permit" form (four pages), including "Application for Encroachment Permit Liability Insurance Requirements," is available in the Land Development Division and must be completed and submitted in full to the City Project Manager. It is the Consultant's responsibility to ensure that all subconsultants submit the appropriate encroachment permit and insurance documentation at the same time that the Consultant's insurance documentation is submitted.

X. INDEMNIFICATION

A. To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District, their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, MVHA and CDS, their officers, agents or employees.

B. The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, their officers, agents or employees.

C. The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

XI. TERMINATION FOR CONVENIENCE OF THE CITY

The City reserves the right to terminate the "Agreement for Professional Consultant Services" for the "convenience of the City" at any time by giving ten (10) days written notice

to the Consultant of such termination and specifying the effective date thereof. All finished or unfinished drawings, maps, documents, field notes and other materials produced and procured by the Consultant under the said aforementioned Agreement is, at the option of the City, City property and shall be delivered to the City by the Consultant within ten (10) working days from the date of such termination. The City will reimburse the Consultant for all acceptable work performed as set forth in the executed Agreement.

XII. INDEPENDENT CONTRACTOR

The Consultant's relationship to the City in the performance of the Consultant's services for this project is that of an independent Contractor. The personnel performing said Surveying Services shall at all times be under the Consultant's exclusive direction and control and shall be employees of the Consultant and not employees of the City. The Consultant shall pay all wages, salaries and other amounts due his employees in connection with the performance of said work shall be responsible for all employee reports and obligations, including but not necessarily restricted to, social security, income tax withholding, unemployment compensation, and Workers' Compensation.

XIII. CONTRACT

The Contract includes the Agreement for Professional Consultant Services, City's Request for Proposal, Consultant's Proposal, and Exhibits.

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract.

XIV. GENERAL CONDITIONS

A. Pre-contractual expenses are defined as expenses incurred by the Consultant in: (1) preparing the Proposal; (2) submitting the Proposal to the City; (3) presentation during selection interview; (4) negotiating with the City any matter related to this Proposal; (5) any other expenses incurred by the Consultant prior to an executed Agreement.

The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Consultant.

B. The Consultant is responsible for notifying Underground Service Alert and providing proper traffic control, at no additional expense to the City.

C. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any Agreement will be awarded to any Consultant responding to this RFP. The City expressly reserves the right to postpone reviewing the Proposal for its own convenience and to reject any and all Proposals responding to this RFP without indicating any reasons for such rejection(s).

D. The City reserves the right to reject any or all Proposals submitted. Any Contract awarded for these Consultant engagements will be made to the Consultant who, in the opinion of the City, is best qualified.

XV. OTHER REQUIREMENTS

The following requirements are mandatory:

A. The Agreement may be subject to pre-award audit by the Department, which is estimated to take a minimum of thirty (30) calendar days from the time the Department receives the pre-award audit submittal. After the pre-award audit recommendations are received (if necessary), the Consultant's Proposal shall be adjusted by the Contract Manager to conform to the audit recommendations. The Consultant agrees that any audit recommendations regarding the contract amount, the Consultant's Proposal, or individual items of cost may be incorporated into the contract at the State's sole discretion. Refusal by the Consultant to incorporate the audit recommendations will be considered a breach of contract terms and cause for termination of the contract or rejection for consideration of contract.

B. The Consultant shall commence services upon written direction to proceed from the City. No charges are to be incurred prior to the Notice to Proceed.

C. The Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to City, State, and the Federal Highway Administration at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to City, State, and the Federal Highway Administration. Such records shall be maintained by the Consultant for three (3) years following receipt of final payment.

D. Cost Principles – Title 48 Code of Federal Regulations (CFR) Chapter 1, Part 31 and Uniform Administrative Requirements, Title 49 CFR, Part 18 are incorporated herein by reference. Any costs for which payment has been made to the Consultant that are determined by subsequent audit to be unallowable under 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et seq. or 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, are subject to repayment by the Consultant to the City.

E. The Consultant warrants that he/she has not employed or retained any company or person, other than a bona fide employee working for the Consultant, to solicit or secure this agreement, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or formation of this agreement. For breach or violation of this warranty, the City shall have the right to annul this agreement without liability, or at its discretion to deduct from the agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

F. Subcontractors, Assignment and Transfer - Consultant services are considered to be a personal relationship between the City and the Consultant; therefore, subcontracting, assignment, or transfer of any of the work except as otherwise provided for in the executed agreement is expressly prohibited. All subcontracts exceeding $25,000 in cost shall contain all required provisions of the prime contract.

G. Reimbursement for transportation and subsistence costs shall not exceed the rates to be paid non-represented employees under current State Department of Personnel Administration rules listed in the Caltrans Travel Guide.

XVI. SELECTION CRITERIA

The Consultant may be invited to a selection interview. The Proposals will be rated/ranked according to the following criteria:

A. The Firm's General Experience and Qualification Information (20 points) – Information about the company (and all sub-consultants) including professional licenses held; ability to furnish required insurance and meet stipulations of the City's "boiler plate" agreement; details about comparable projects completed by the firm, as well as local experience; and its ability to provide the required services.

B. Experience of Key Personnel (40 points) – Background on key personnel (including all sub-consultants) qualifications, abilities, familiarity with state and federal procedures, local experience on comparable projects and length of service with the firm, reference information preferably with municipal agencies.

C. Project Approach/Understanding (40 points) – Discussion of major issues identified on the project and how the consultant team plans to address them; the management approach and organization necessary to complete the specific project; and outline quality control measures to ensure delivery of a quality product on time and within budget.

Exhibits/Attachments (incorporated by reference):

Exhibit "A" – General Design Submission Requirements

Attachment "A" – Location Map
Attachment "B" – City Standard Consultant Agreement (no changes to this agreement will be allowed)
Attachment "C" – Exhibit 10-F Certification of Consultant, Commissions & Fees
Attachment "D" – Exhibit 10-G Certification of Local Agency
Attachment "E" – Exhibit 10-I Notice to Proposers DBE Information
Attachment "F" – Exhibit 10-P Nonlobbying Certification for Federal-Aid Contracts
Attachment "G" – Exhibit 12-E Debarment and Suspension Certification
Attachment "H" – Exhibit 15H UDBE Information – Good Faith Efforts

Exhibit "A"

General Design Submission Requirements

The following typical elements of the General Design Submission Requirements are representative of the specific completion levels, but not necessarily all-inclusive.

1. **35% Level Completion:** Complete supporting plans and estimates for Report of Project Issues; complete Special (Technical) Provisions outline; resolve alternatives and alignment issues; identify preliminary right-of-way and easement needs; complete environmental documentation; and obtain all environmental approvals.
   - Basis for design are established and preliminary level design (foot print) is frozen. There are either few or no more basic design changes.
   - Initial plan review by all city departments, utility companies, and other associated agencies is complete.
   - As necessary, public meetings have taken place and the concept is established and approved.
   - City client departments have signed-off on the design.
   - City's Drawing standards are to be used.
   - Conceptual work is complete and the design is ready to proceed in to PS&E documentation phase.
   - Surveys are completed and boundaries established on plans.
   - Horizontal and Vertical alignments are established on plans.
   - Curb/gutter lines to centerline dimensions are shown on plans.
   - Intersection and corner radius information is shown on plans.
   - Parcel delineation, with site address and Assessors Parcel Number, are shown on plans.
   - Special (Technical) Provisions outline is established and is based on City's boiler format.
   - Preliminary Engineer's Estimate is compared to project budget – perform a reality check.
   - Design Schedule, with required critical path, is approved.
   - Inter-/Intra-discipline Quality Assurance/Quality Control check is performed.
   - Utilities initial investigation is complete and tracked using a utility response matrix.
   - First meeting with utility companies has taken place and all are on-board, if necessary.
   - Proposed utilities' connections/improvements, etc., are essentially agreed upon.
   - Existing utilities to be relocated, to be abandoned, and/or re-routed are established and agreed upon.
   - Meeting with all other interested parties, such as fire and police, etc., have taken place.
   - All preliminary right-of-way and easement needs are shown and analyzed, and ownership is investigated.
   - Required Environmental Document is complete and approved.

2. **65 % Level Completion:** Resolve right-of-way issues, if any; complete detailed street, traffic signal, and signing and striping design; complete project specific plans improvements.
   - Overall Design progress must be at a level that was established in the critical path.
   - Horizontal and Vertical alignments are complete.
   - Draft Specifications, including General Provisions and Special Provisions, are complete.
   - Complete Engineer's Estimate reflecting 65% complete level design work effort.
   - 2nd inter-/intra-discipline Quality Assurance/Quality Control check is performed for Plans, Specifications, and Engineer's Estimate (PS&E).
   - Must include a set of drawings and a comments matrix with responses proving that all comments made at 35% have been addressed.
   - Follow-up meetings with utility companies, if necessary, have taken place.
   - All existing utility conflicts are addressed and resolved, and tracked using a utility response matrix.
   - SCE electrical service design for the new traffic signal is incorporated into the design.
   - All right-of-way and easement needs are shown and finalized, and ownership is confirmed, if necessary, with Title Reports.

3. **95% Level Completion:** Obtain all needed right-of-way; complete plans, specifications, and estimates and submit for final review and comments.
   - All design documents (PS&E) are essentially complete as if ready to bid.
   - PS&E is ready to submit for review.
   - Specifications document includes General Provisions and Special Provisions and shall be complete in every manner.
   - Liquidated damage calculation is complete.
   - 100% Engineer's Estimate is complete. It shall be at or 10% (maximum) below the construction budget amount provided by the City.
   - 3rd inter-/intra-discipline Quality Assurance/Quality Control check is performed for Plans, Specifications, and Engineer's Estimate (PS&E).
   - Must include a set of drawings and a comments matrix with responses proving that all comments made at 65% have been addressed.
   - Ready for biddability, claim avoidance, and constructability reviews.
   - All right-of-way and easement documents have been obtained, or are in the final process of being obtained.

4. **100 % Level Completion:** Final detail to plans, specifications and estimates ready for signatures.
   - PS&E is ready for signature.
   - Must include a set of drawings and a comments matrix with responses proving that all comments made at 95% have been addressed.
   - Project is ready for advertisement.
   - All available and applicable permits have been received.
   - Sign-off has been obtained from all entities having jurisdiction on approving the PS&E documents, including sign-off by the City's required departments or divisions.
   - All right-of-way and easement documents have been obtained.

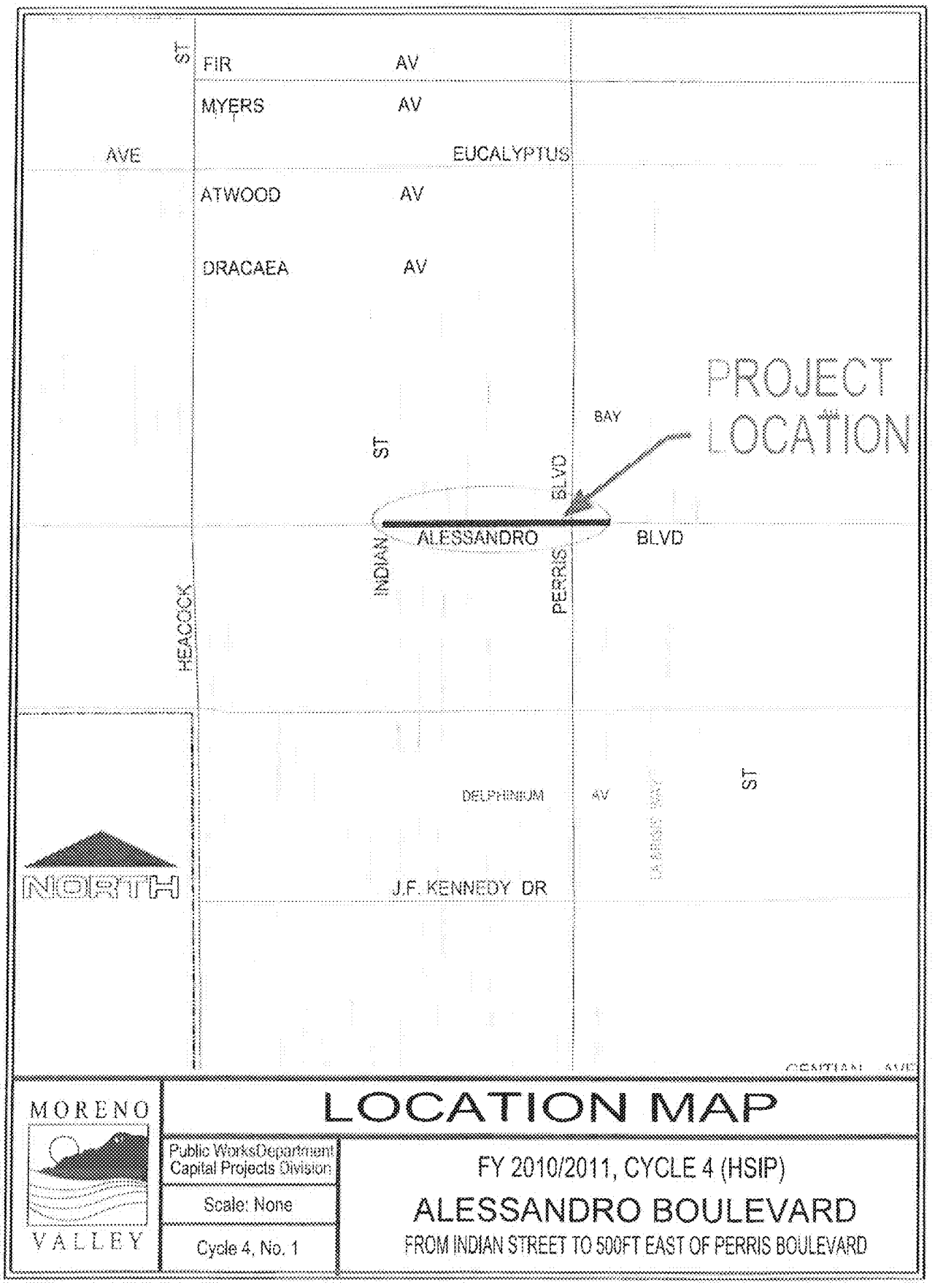

Attachment "A"

AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES
PROJECT NO. 13-12566851

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and _____, a (California corporation, partnership, sole ownership) hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 13-12566851

DESCRIPTION OF PROJECT

1. The project is described as professional consultant design services for:

ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD

Project No. 13-12566851

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$**_____ in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **Month Date, Year** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

OR

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant

or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this

indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents, or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant, its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any

property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, MVHA and CSD against any loss, claim, or damage arising from any injuries or

occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) The City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other work without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this

Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree that, to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be

delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 13-12566851

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Department Head/Mayor/City Manager/FASD
(Select only one please)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

Consultant Name

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $_____.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City upon completion of the defined milestones for progress payments along with documentation evidencing services completed to date. There will be no monthly invoice payments unless specifically identified otherwise below. These Milestones are:

    1. Report of Project Issues complete.
    2. Environmental Clearance obtained.
    3. "Phase 1, 35% Level Completion" is complete.
    4. "Phase 2, 65% Level Completion" is complete.
    5. "Phase 2, 95% Level Completion" is complete.
    6. "Phase 2, 100% Level Completion" is complete.
    7. Project Bidding and Construction Support on a monthly basis..
    8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's

determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zarat@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

Exhibit 10-F Certification of Consultant, Commissions & Fees

CERTIFICATION OF CONSULTANT

I HEREBY CERTIFY that I am the ....., and duly authorized representative of the firm of ....., whose address is ....., and that, except as hereby expressly stated, neither I nor the above firm that I represent have:

(a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit or secure this agreement; nor

(b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the agreement; nor

(c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind, foror in connection with, procuring or carrying out this agreement.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this agreement involving participation of Federal-aid Highway funds, and is subject to applicable state and federal laws, both criminal and civil.

..... (Date)

..... (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

MV00160118

Exhibit 10-G Certification of Local Agency

CERTIFICATION OF LOCAL AGENCY

I HEREBY CERTIFY that I am the _____ of the _____ (local agency) _____, and that the consulting firm of _____, or its representative has not been required (except as herein expressly stated), directly or indirectly, as an express or implied condition in connection with obtaining or carrying out this Agreement to:

(a) employ, retain, agree to employ or retain, any firm or person, or

(b) pay or agree to pay, to any firm, person or organization, any fee, contribution, donation, or consideration of any kind.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this Agreement involving participation of federal-aid highway funds, and is subject to applicable state and federal laws, both criminal and civil.

_____ (Date)

_____ (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) OLAE (copy)

MV00160119

EXHIBIT 10-I NOTICE TO PROPOSERS DBE INFORMATION

LOCAL AGENCY LETTERHEAD
(DATE)

NOTICE TO PROPOSERS
DISADVANTAGED BUSINESS ENTERPRISE
INFORMATION

The Agency has established an Underutilized DBE goal for this Agreement of .....%

OR

The Agency has not established an Underutilized goal for this Agreement. However, proposers are encouraged to obtain DBE participation for this Agreement.

1. TERMS AS USED IN THIS DOCUMENT

- The term "Disadvantaged Business Enterprise" or "DBE" means a for-profit small business concern owned and controlled by a socially and economically disadvantaged person(s) as defined in Title 49, Part 26.5, Code of Federal Regulations (CFR).
- The term "Underutilized Disadvantaged Business Enterprise" or "UDBE." DBE classes that have been determined in the 2007 Caltrans Disparity Study to have a statistically significant disparity in their utilization in previously awarded transportation contracts. UDBEs include: African Americans, Native Americans, Asian-Pacific Americans, and Women.
- The term "Agreement" also means "Contract."
- Agency also means the local entity entering into this contract with the Contractor or Consultant.
- The term "Small Business" or "SB" is as defined in 49 CFR 26.65.

2. AUTHORITY AND RESPONSIBILITY

A. DBEs and other small businesses are strongly encouraged to participate in the performance of Agreements financed in whole or in part with federal funds (See 49 CFR 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs"). The Contractor should ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

B. Proposers are encouraged to use services offered by financial institutions owned and controlled by DBEs.

Attachment "E"

MV00160120

3. SUBMISSION OF UDBE AND DBE INFORMATION

If there is a UDBE goal on the contract, a "Local Agency Proposer UDBE Commitment (Consultant Contract)" (Exhibit 10-O1) form shall be included in the Request for Proposal. In order for a proposer to be considered responsible and responsive, the proposer must make good faith efforts to meet the goal established for the contract. If the goal is not met, the proposer must document adequate good faith efforts. Only UDBE participation will be counted towards the contract goal; however, all DBE participation shall be collected and reported.

A "Local Agency Proposer DBE Information (Consultant Contract)" (Exhibit 10-O2) form shall be included with the Request for Proposal. The purpose of the form is to collect data required under 49 CFR 26. For contracts with UDBE goals, this form collects DBE participation by DBEs owned by Hispanic American and Subcontinent Asian Americans males (persons whose origin are from India, Pakistan, Bangladesh, Bhutan, Maldives Islands, Nepal or Sri Lanka). For contracts with no goals, this form collects information on all DBEs, including UDBEs. Even if no DBE participation will be reported, the successful proposer must execute and return the form.

4. DBE PARTICIPATION GENERAL INFORMATION

It is the proposer's responsibility to be fully informed regarding the requirements of 49 CFR, Part 26, and the Department's DBE program developed pursuant to the regulations. Particular attention is directed to the following:

A. A DBE must be a small business firm defined pursuant to 13 CFR 121 and be certified through the California Unified Certification Program (CUCP).

B. A certified DBE may participate as a prime contractor, subcontractor, joint venture partner, as a vendor of material or supplies, or as a trucking company.

C. A UDBE proposer not proposing as a joint venture with a non-DBE, will be required to document one or a combination of the following:

1. The proposer is a UDBE and will meet the goal by performing work with its own forces.

2. The proposer will meet the goal through work performed by UDBE subcontractors, suppliers or trucking companies.

3. The proposer, prior to proposing, made adequate good faith efforts to meet the goal.

D. A DBE joint venture partner must be responsible for specific contract items of work or clearly defined portions thereof. Responsibility means actually performing, managing, and supervising the work with its own forces. The DBE joint venture partner must share in the capital contribution, control, management, risks and profits of the joint venture commensurate with its ownership interest.

E. A DBE must perform a commercially useful function pursuant to 49 CFR 26.55, that is, a DBE firm must be responsible for the execution of a distinct element of the work and must carry out its responsibility by actually performing, managing and supervising the work.

F. The proposer shall list only one subcontractor for each portion of work as defined in their proposal and all DBE subcontractors should be listed in the bid/cost proposal list of subcontractors.

G. A prime contractor who is a certified DBE is eligible to claim all of the work in the Agreement toward the DBE participation except that portion of the work to be performed by non-DBE subcontractors.

MV00160121

5. RESOURCES

A. The CUCP database includes the certified DBEs from all certifying agencies participating in the CUCP. If you believe a firm is certified that cannot be located on the database, please contact the Caltrans Office of Certification toll free number 1-866-810-6346 for assistance. Proposer may call (916) 440-0539 for web or download assistance.

B. Access the CUCP database from the Department of Transportation, Civil Rights, Business Enterprise Program web site at: http://www.dot.ca.gov/hq/bep/.

- Click on the link in the left menu titled *Disadvantaged Business Enterprise*
- Click on *Search for a DBE Firm* link
- Click on *Access to the DBE Query Form* located on the first line in the center of the page
- Searches can be performed by one or more criteria
- Follow instructions on the screen

C. How to Obtain a List of Certified DBEs without Internet Access

D. DBE Directory: If you do not have Internet access, Caltrans also publishes a directory of certified DBE firms extracted from the online database. A copy of the directory of certified DBEs may be ordered at: http://caltrans-opac.ca.gov/publicat.htm

6. MATERIALS OR SUPPLIES PURCHASED FROM DBES COUNT TOWARDS DBE CREDIT, AND IF A DBE IS ALSO A UDBE, PURCHASES WILL COUNT TOWARDS THE UDBE GOAL UNDER THE FOLLOWING CONDITIONS:

A. If the materials or supplies are obtained from a DBE manufacturer, count 100 percent of the cost of the materials or supplies. A DBE manufacturer is a firm that operates or maintains a factory, or establishment that produces on the premises the materials, supplies, articles, or equipment required under the Agreement and of the general character described by the specifications.

B. If the materials or supplies purchased from a DBE regular dealer, count 60 percent of the cost of the materials or supplies. A DBE regular dealer is a firm that owns, operates or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the Agreement are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a DBE regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. A person may be a DBE regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone or asphalt without owning, operating or maintaining a place of business provided in this section.

MV00160122

C. If the person both owns and operates distribution equipment for the products, any supplementing of regular dealers' own distribution equipment shall be, by a long-term lease agreement and not an ad hoc or Agreement-by-Agreement basis. Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not UDBE regular dealers within the meaning of this section.

D. Materials or supplies purchased from a DBE, which is neither a manufacturer nor a regular dealer, will be limited to the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on the job site, provided the fees are reasonable and not excessive as compared with fees charged for similar services.

7. **FOR DBE TRUCKING COMPANIES: CREDIT FOR DBEs WILL COUNT TOWARDS DBE CREDIT, AND IF A DBE IS A UDBE, CREDIT WILL COUNT TOWARDS THE UDBE GOAL UNDER THE FOLLOWING CONDITIONS:**

A. The DBE must be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular Agreement, and there cannot be a contrived arrangement for the purpose of meeting the UDBE goal.

B. The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the Agreement.

C. The DBE receives credit for the total value of the transportation services it provides on the Agreement using trucks it owns, insures, and operates using drivers it employs.

D. The DBE may lease trucks from another DBE firm including an owner-operator who is certified as a DBE. A DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the Agreement.

E. The DBE may also lease trucks from a non-DBE firm, including an owner-operator. A DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease arrangement. A DBE does not receive credit for the total value of the transportation services provided by the lessee, since these services are not provided by the DBE.

F. For the purposes of this Section D, a lease must indicate that the DBE has exclusive use and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, as long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.

MV00160123

EXHIBIT 10-P NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS

The prospective participant certifies by signing and submitting this proposal/bid to the best of his or her knowledge and belief that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The prospective participant also agrees by submitting his/her proposal/bid that he/she shall require that the language of this certification be included in all lower-tier subcontracts which exceed $100,000 and that all such sub-recipients shall certify and disclose accordingly.

Attachment "F"

MV00160124

ATTACHMENT E DEBARMENT AND SUSPENSION CERTIFICATION

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, and manager:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Notes: Providing false information may result in criminal prosecution or administrative sanctions.
The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

Attachment "G"

MV00160125

EXHIBIT 15-H UDBE INFORMATION —GOOD FAITH EFFORTS

UDBE INFORMATION - GOOD FAITH EFFORTS

Federal-aid Project No. _____ Bid Opening Date _____

The _____(City/County of)_____established an Underutilized Disadvantaged Business Enterprise (UDBE) goal of _____% for this project. The information provided herein shows that a good faith effort was made.

Lowest, second lowest and third lowest bidders shall submit the following information to document adequate good faith efforts. Bidders should submit the following information even if the "Local Agency Bidder UDBE Commitment" form indicates that the bidder has met the UDBE goal. This will protect the bidder's eligibility for award of the contract if the administering agency determines that the bidder failed to meet the goal for various reasons, e.g., a UDBE firm was not certified at bid opening, or the bidder made a mathematical error.

Submittal of only the "Local Agency Bidder UDBE Commitment" form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

The following items are listed in the Section entitled "Submission of UDBE Commitment" of the Special Provisions:

A. The names and dates of each publication in which a request for UDBE participation for this project was placed by the bidder (please attach copies of advertisements or proofs of publication):

Publications	Dates of Advertisement

B. The names and dates of written notices sent to certified UDBEs soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the UDBEs were interested (please attach copies of solicitations, telephone records, fax confirmations, etc.):

Names of UDBEs Solicited	Date of Initial Solicitation	Follow Up Methods and Dates

Attachment "H"

MV00160126

C. The items of work which the bidder made available to UDBE firms including, where appropriate, any breaking down of the contract work items (including those items normally performed by the bidder with its own forces) into economically feasible units to facilitate UDBE participation. It is the bidder's responsibility to demonstrate that sufficient work to facilitate UDBE participation was made available to UDBE firms.

Items of Work	Bidder Normally Performs Item (Y/N)	Breakdown of Items	Amount ($)	Percentage Of Contract

D. The names, addresses and phone numbers of rejected UDBE firms, the reasons for the bidder's rejection of the UDBEs, the firms selected for that work (please attach copies of quotes from the firms involved), and the price difference for each UDBE if the selected firm is not a UDBE:

Names, addresses and phone numbers of rejected UDBEs and the reasons for the bidder's rejection of the UDBEs:

Names, addresses and phone numbers of firms selected for the work above:

E. Efforts made to assist interested UDBEs in obtaining bonding, lines of credit or insurance, and any technical assistance or information related to the plans, specifications and requirements for the work which was provided to UDBEs:

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F. Efforts made to assist interested UDBEs in obtaining necessary equipment, supplies, materials or related assistance or services, excluding supplies and equipment the UDBE subcontractor purchases or leases from the prime contractor or its affiliate:

G. The names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using UDBE firms (please attach copies of requests to agencies and any responses received, i.e., lists, Internet page download, etc.):

Name of Agency/Organization	Method/Date of Contact	Results

H. Any additional data to support a demonstration of good faith efforts (use additional sheets if necessary):

NOTE: USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.

MV00160128

MORENO VALLEY

Alessandro Boulevard Median

from Indian Street to Perris Boulevard

Project No. 13-12566851 HSIPL-5441(050)

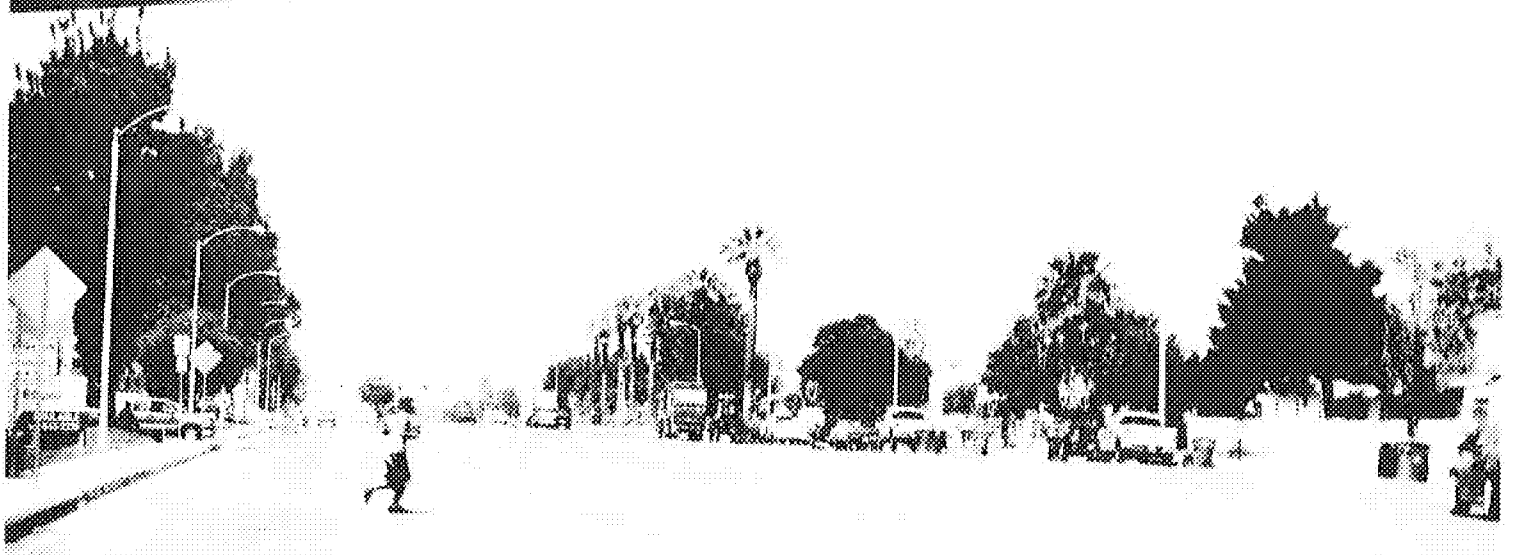

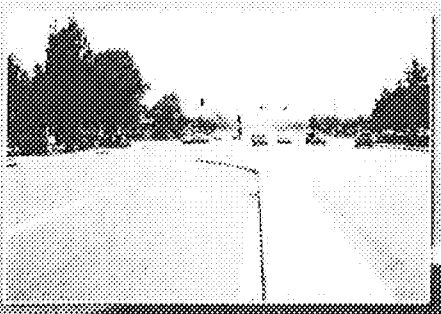

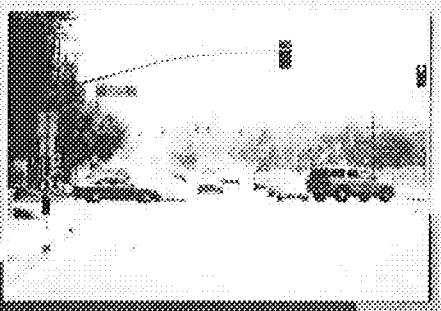

Proposal | Professional Design Consultant Services

RBF CONSULTING

A [redacted] Company

Exhibit "B"

Mission Statement

Make the world a better place through the application of the principle of sustainable development by providing professional design services that enhance the quality of life and the environment.

Provide development, infrastructure, planning and environmental services to public and private sector clients in local, regional and global markets.

Lead as professionals specializing in planning, design and construction.

Look forward to the future with a commitment to building opportunities and value for our clients and ourselves.

RBF CONSULTING
A Baker Company

February 23, 2012

JN 10-108571.999

City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, California 92552
Attention: Michael Lloyd, P.E., Senior Engineer (Contract Administrator)

RE: Proposal for Design Consultant Services: Alessandro Boulevard Median (Indian Street to Perris Boulevard) Project No. 13-12566851, HSIPL-5441(050)

Dear Mr. Lloyd:

RBF Consulting, *a Company of Michael Baker Corporation*, (RBF) is one of the largest engineering, design and construction management firms in the Nation. From RBF's beginning in 1944 in southern California, the company has grown to a full service consulting firm with more than 3,200 professionals nationwide and a team of 526 professionals in 16 offices within the western United States. The combined resources serve local, national and international markets, with the capability to provide a comprehensive range of services on a national scale for all sizes and categories of projects. Expertise includes transportation and traffic engineering, water and wastewater engineering, civil, structural, mechanical, and electrical engineering; architecture, landscape architecture; environmental; survey/mapping; GIS and construction management. RBF has been serving the Inland Empire from our Ontario office since 2002.

Why select RBF Consulting for this project?

- RBF's Project Manager, **Brian Anderson, P.E.** has 26 years of experience designing transportation facilities;
- **Tim Haile, P.E.**, has been working with Caltrans and is the Caltrans District Local Assistance liaison;
- RBF has been providing engineering services to the City of Moreno Valley since 2002 on various sidewalk, street rehabilitation, and traffic engineering projects;
- RBF staff is qualified and eager to continue our relationship with the City of Moreno Valley;
- RBF is a well established and stable firm with a history of completing similar projects;
- RBF staff has exceptional experience providing services to municipal clients and Caltrans, including environmental documentation;
- RBF will utilize an expert, **Cogstone** (Paleontoloty-Archaeology-History), in preparing compliance. RBF has a working relationship with them and have successfully collaborated on the Mojave Water Agency Ground Water Replenishment Project, and Victoria Avenue Underground Project;
- RBF staff has traffic data for Alessandro Boulevard from an ongoing project.

MV00160131

The proposal is contained in the following sections and page numbers.

Table of Contents
Cover Letter
Table of Contents
Section A: **Project Understanding** 1
Section B: **Approach and Management Plan** 3
Section C: **Qualifications and Experience** 7
Section D: **Staffing Plan** 8
Section E: **Work Plan and Schedule** 9
Section F: **Quality Control and Assurance** 15
Section G: **Additional Relevant Information** 16
Letters of Commendation
Section H: **Statements of Understanding and Required Forms** 17
Disclosure of Lobbying Activities (Form LLL)
Complete Proposer's List of Subconsultants (DEB and Non-DBE) Part I and II

Cost Breakdown (Provided in separate sealed envelope)

We have thoroughly reviewed the City's RFP and have included assurances and statements of understanding in Section H of the Proposal. We acknowledge receipt of Addendum No. 1. We encourage you to contact our client references to verify our qualifications and client services approach. Please feel free to contact me at (949) 330-4145 or banderson@rbf.com should you have any questions regarding our proposed scope of services or fee.

Respectfully submitted,

Gary Miller, P.E.
Vice President, Transportation/Public Works
Principal in Charge

Brian Anderson, P.E.
Senior Associate | Project Manager

Section A:
Project Understanding

SECTION A – Project Understanding

Planned Improvements

The City of Moreno Valley is requesting a proposal from a qualified engineering firm to provide Professional Engineering Services for the design of a raised median within Alessandro Boulevard from Indian Street to approximately 500 feet east of Perris Boulevard; install a new traffic signal and ADA pedestrian ramps at Alessandro Boulevard and Covey Quail Lane; install eastbound and westbound dual left turn lanes at Alessandro Boulevard and Perris Boulevard intersection; modify the existing traffic signal and install ADA compliant pedestrian ramps at Alessandro Boulevard and Perris Boulevard intersection; and revise the signing and striping to accommodate these improvements.

Research and Existing Conditions

In order to gain a complete understanding of the proposed project, the RBF Team has reviewed the Request for Proposal, reviewed the SCAG Compass Blueprint report, studied aerial photography, and performed a site-specific field walk of Alessandro from Perris Boulevard to Indian Street. The principal objective of this project is to address traffic safety by limiting multiple cross-traffic operations from adjacent residential and commercial/retail business traffic.

The project has been funded under federal Highway Safety Improvement Program (HSIP) funding as a safety improvement project to address traffic collisions on this segment of the highway. The existing Alessandro Boulevard is designated as a Divided Major Arterial with a roadway cross-section of 110 feet curb face to curb face and a 134 feet right-of-way. The current median is striped to allow traffic to turn-left into either the Commercial businesses properties, located along the south side of Alessandro Boulevard, or into the single family residents along the north. A raised median is currently provided to channelize left turn movements at the intersections of Alessandro/Perris Boulevard and at Alessandro Boulevard/ Indian Street. In addition, a channelized left turn lane has been provided at the intersection of Gaye Street and Alessandro Boulevard to allow westbound traffic to enter the main commercial drive approximately 485 feet west of Alessandro/Perris Boulevard intersection. Based on the information from the Request for Proposal, these channelized turn lanes shall remain and proposed median improvements will either join or modify the current turn lane configurations. The Alessandro/ Perris Boulevard left turn pocket will be modified to allow dual turn lanes in the eastbound and westbound directions. A new channelized left turn pocket will be provided at Covey Quail Lane/ Alessandro Boulevard intersection as part of this new signalization work. RBF will discuss with the City if restricted left turn median openings should be installed within the proposed raised median to maintain westbound access to the remaining commercial drive entrances. *Please see the Exhibit 1.*

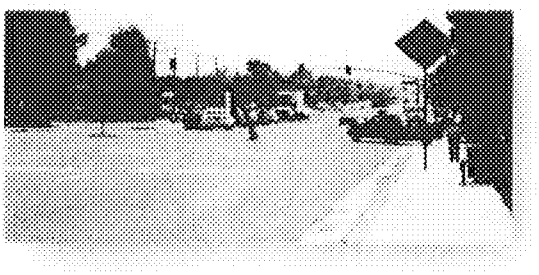

Alessandro/ Perris Boulevard Intersection

The proposed dual eastbound and westbound left turn lanes at Alessandro Boulevard/ Perris Boulevard intersection can be accommodated in a cost effective manner within the existing roadway section, please see Exhibit 1. Modifications to the intersection sidewalk areas will be necessary to accommodate new traffic signal poles, and ADA ramp modifications to make them current under ADA requirements. Lane striping transitions will be provided to join existing lane striping at the limits

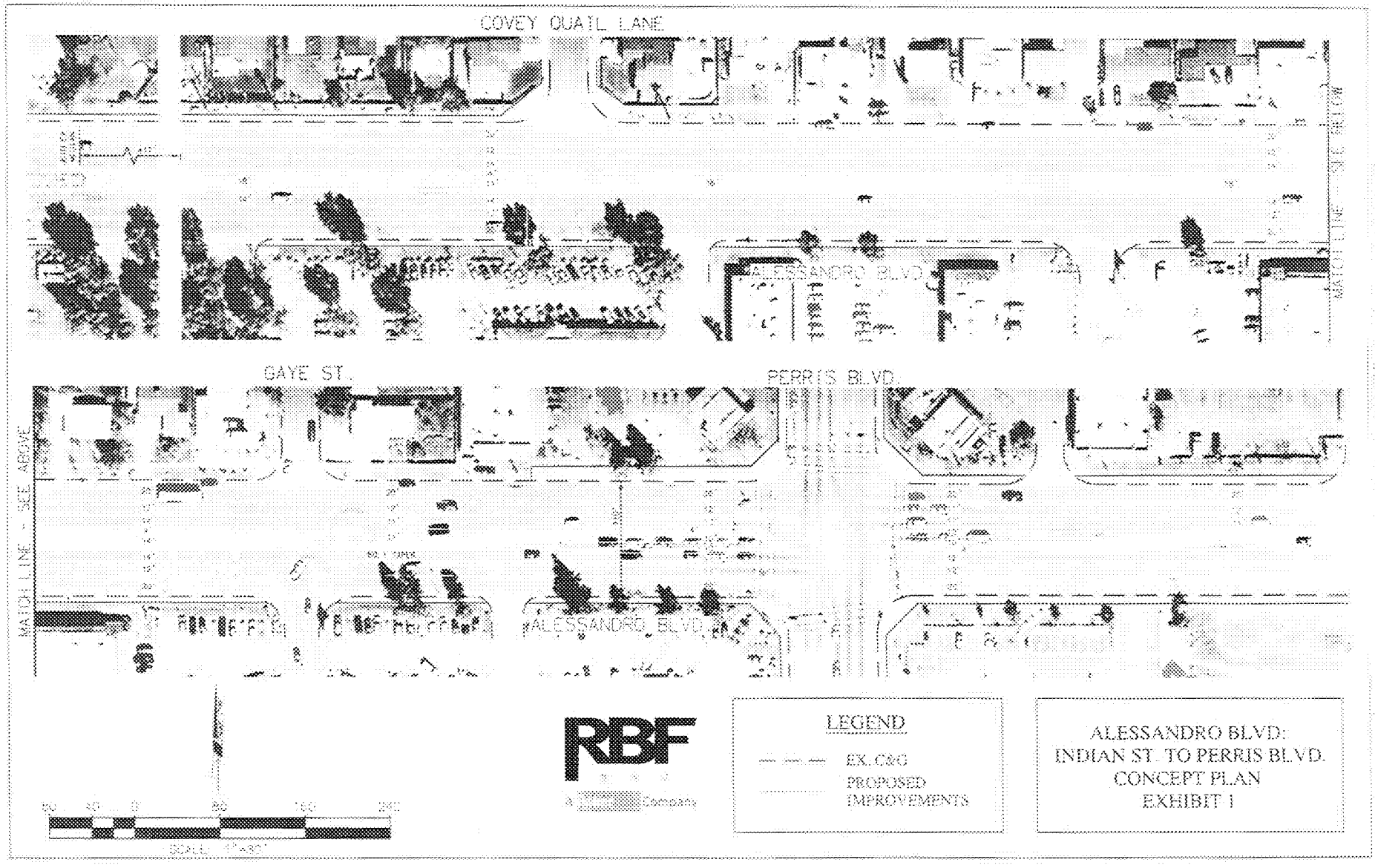
COVEY QUAIL LANE
ALESSANDRO BLVD.
GAYE ST.
PERRIS BLVD.
MATCH LINE - SEE ABOVE
ALESSANDRO BLVD.
RBF
A Company
LEGEND
EX. C&G
PROPOSED IMPROVEMENTS
ALESSANDRO BLVD:
INDIAN ST. TO PERRIS BLVD.
CONCEPT PLAN
EXHIBIT 1

MV00160135

Section B:
Approach and Management Plan

SECTION B – Project Approach and Management Plan

PROJECT ISSUES AND APPROACH

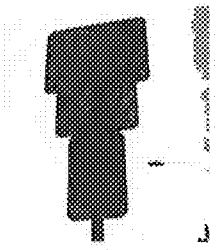

Key Project Issues:

A. Geometrics

The proposed project median and intersection improvements will be designed following the City of Moreno Valley Standard Plans. A Geometric Approval Drawing (GAD) will be prepared showing the proposed raised median and both intersection improvements including:

- Realignment of the Alessandro/Perris Boulevard intersection to provide dual left-turn lanes
- Pavement repair
- Recommended improvements due to proposed intersection modifications including: medians, curb, gutter, sidewalk, and ADA pedestrian ramps
- Recommended striping improvements
- Recommended traffic signal improvements
- Recommended median improvements including hardscape
- Striping transitions to existing conditions
- Underground and overhead utilities (High and Low Risk)
- Limits of improvements

Intersection parkway areas will be highlighted on the GAD including areas that may have impact due to new traffic signal equipment (e.g. signal controller, signal poles, safety lighting, etc.), utility relocation, and commercial signage. The GAD will also show the recommended improvements along the median areas including new curbs, new left turn lanes, and stamped concrete limits.

The GAD will be provided to City staff for their review and approval prior to preparation of final plans. The GAD and supporting documents will follow the "General Design Submission Requirements" as provided under this RFP.

B. Truck Turning Review

The RBF Team will evaluate constraints to truck turning movements at the intersections based on the dual left-turn lane configuration at Alessandro Boulevard/Perris Boulevard intersection. A geometric analysis of truck turning movements will be performed to identify constraints within the existing right of way. Large trucks turning right may need to use portion of the middle lane in order to make the proper turning radii. Therefore, the lane widths will be evaluated to minimize truck turning impacts to the number two and three lanes. Impacts identified during this review will be discussed with the City for further action.

C Utility Coordination

It is anticipated that utility impacts may occur at locations of the proposed signal poles. If potential utility conflicts are identified, we will work with the City's representative to minimize the impact. Although the design of utility relocations is not included in this scope of work, RBF will prepare a utility location plan to facilitate communications with the utility owners.RBF will identify utilities in accordance with Caltrans policy on High and Low Risk Utilities. The utility location plan will identify pot-hole locations with conflict areas clouded. Utility depths and locations from record utility information will be updated after the field investigation. Pothole repair shall be performed per City Standard. RBF will coordinate with Southern California Edison for the electrical service point for the new traffic signal at Alessandro Boulevard/Covey Quail Lane intersection.

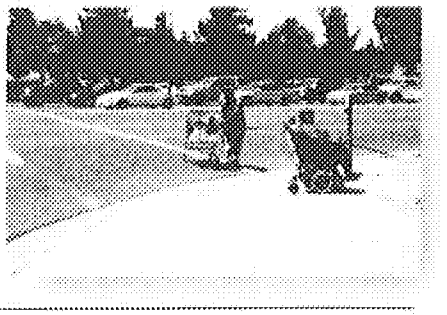

D. ADA Compliance

Per field observations, the pedestrian ramps at the intersections of Alessandro Boulevard/Perris Boulevard and Alessandro Boulevard/Covey Quail Lane are not fully compliant with ADA requirements. The RBF Project Team will work with the City to meet the project goals for ADA

compliance. We will evaluate the most efficient means to provide the pedestrian access while considering the right of way constraints.

E. Traffic Signal Systems

The existing traffic signal at the Alessandro Boulevard/Perris Boulevard intersection will be modified for the proposed dual left-turn lanes. It is anticipated that the traffic signal poles and mast arms for the eastbound and westbound directions will be replace due to the addition of the second left-turn lane. Other equipment will be evaluated to determine if meets curent Caltrans and City's requirements and provide recommendations for replacement or upgrade.

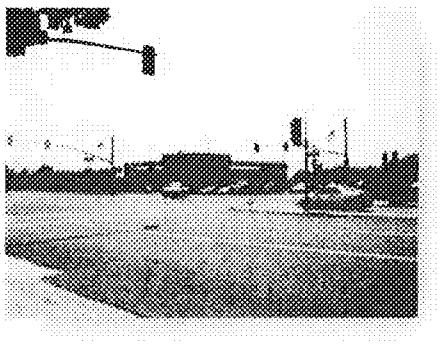

The new traffic signal at the Alessandro Boulevard/Covey Quail Lane will be designed to meet current Caltrans and City's requirements. It is anticipated that the intersection will have one marked crossing on the west leg and left-turn phasing will be required for vehicles turning left onto Covey Quail Lane. Traffic signal interconnect system will be incoroporated to link the new traffic signal with the adjacent signalized intersections at Alessandro Boulevard/Indian Street and Alessandro Boulevard/Perris Boulevard intersections. RBF will disuss with City staff the requirements to link the new traffic signal system with KITS, the City's traffic management system.

F. Signage and Striping

New striping that will be consistent with the requirements of the City and Caltrans will be provided for this intersection to accommodate the new double left turn pockets along with appropriate transitions. Alternative markings to improve the visibility at the mid-block crossings will be discussed with City staff.

All existing regulatory, warning and guide signs that will be impacted due to the proposed improvements will be replaced with new signs that meet the latest California MUTCD requirements, including reflectivity requirements.

G. Drainage

RBF will identify the existing storm drain system within the project limits. A review of this facility will be provided.

No drainage inlet structures are planned for the proposed within the median, either stamped concrete "hardscape" or graded in-fill will be designed to divert storm run-off away from the proposed median improvements. RBF's detailed understanding of storm drain design and hydraulics will help determine proper hydraulic assumptions for efficient design. If deficiencies are determined and upgrades are required, we can assist in system storm drain design per a separate work order.

H. Water Quality

This project is subject to local, state, and federal requirements for water quality including complying with the region's NPDES Program post-construction treatment BMP requirements. The project is required to comply with the Riverside County NPDES permit (Order No. R8-2010-0033). The site ultimately drains with the Santa Ana River watershed. A Water Quality Management Plan is not required due to project parameters below the required measures: 5,000 square feet or more of impervious surface on an existing developed site

I. Caltrans Environmental Process

The City's pursuit of Highway Safety Improvement Program (HSIP) funds will require a diligent review under the National Environmental Policy Act (NEPA). The proposed project will require the approval of NEPA documentation through the Caltrans Division of Local Assistance (District 8). RBF anticipates that a Categorical Exclusion (CE), with supporting technical studies, will be applicable to the project. To support the CE, RBF proposes to prepare special studies related to hazardous materials (for minor grading/excavation associated with the project), aesthetics (due to installation of a new traffic signal and median improvements), and cultural resources (for compliance with NEPA, Caltrans standards, and Section 106 of the National Historical Preservation Act). The environmental documentation will address potential impacts to residential uses located immediately north of Alessandro Boulevard along the project alignment. The project need and objectives will be supported in the

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environmental documentation utilizing City-provided information, including accident and traffic warrant data included within the City's Application for HSIP Funds.

The NEPA clearance process will be a key component of the Planning/Environmental phase. Based upon RBF's extensive experience with similar projects and familiarity with the Local Assistance process and District 8, the RBF Team will act as an extension of staff to expedite the NEPA process while preparing a defensible, thorough analysis.

J. E-76 Processing with DLAE Caltrans Forms and Requirements

The RBF Project Team has extensive experience in completing and processing the numerous federal funding authorization forms through Caltrans District Local Assistance Engineer (DLAE) and the Federal Highway Administration, as well as incorporating all required special provisions in the project specifications to ensure that federal funding is not jeopardized. RBF has performed this task for several Cities and Agencies throughout Southern California. RBF has developed a comprehensive table summarizing the various authorization forms required in a matrix format that can be used to clearly identify the steps to be followed and the responsible parties. The RBF Project Team can support the City of Moreno Valley as may be necessary in the preparation of submittals for processing with DLAE. It is anticipated that submittals would be required for the final PS&E submittal process as follows:

- Authorization to begin Right-of-Way Work
- Authorization to Advertise

Additional processing will be required during construction and will be provided at the request of the City during the construction phase of the project. It is anticipated that submittals will be required construction submittal process as follows:

- Award Submittal Process
- Progress Payment Requests; and
- Final Invoice/Closeout Submittals

For ease of reference, a summary of the items to be prepared for submittal for both the design phase and construction phase along with the responsibility for preparation will be included in tables.

RBF's staff maintains an on-going dialogue with local, regional, and state jurisdictional agencies and continually keeps abreast of the changing requirements and procedures of the Federal, State and local agencies. For several years, RBF has participated on various Caltrans District and Headquarters Professional Liaison committees, which promotes an effective communication exchange between Caltrans, cities, counties, transportation authorities and consultants.

With a strong management approach and continuous close coordination between the City of Moreno Valley and our project team, the preparation of the City's Project should be straightforward with a logical progression through the work tasks. Continuous close coordination, communication and a focused project development process are the keys to successful completion of this important project. In order to complete the project within the proposed time frame, it is essential to develop a team relationship with all of the affected parties, identify responsibilities and obtain a commitment by each team member to the timely review and completion of the tasks within their realm of responsibility.

Management Plan

The RBF Team's management approach has been proven effective on past projects by meeting or exceeding the client goals such as completing on-schedule and within budget. This experience will be useful to develop relationships among the project stakeholders, solicit input, and develop consensus for all alternatives during the PS&E development process. The basic components of our project approach are as follows:

Define Project Objectives and Scope

RBF will work with the City to identify the objectives of the project and to confirm that the scope meets these objectives. This initial collaboration is important so that all team members focus on the same goals. If our scope is clear, then the project schedule is an accurate representation of the work required and the team can meet deadlines to please the community and to meet funding deadlines. RBF uses Microsoft Office software to prepare and maintain the project schedule for the team. We prefer simple and easy-to-use schedules to facilitate control of the project.

Project Initiation and Momentum

RBF will foster a productive relationship between all the team members so that meetings are efficient. Once the project is kicked off, RBF will maintain momentum with regular meetings and efficient follow up and communications. Regular status reports will be prepared using methods to highlight action items, to track progress and to keep the team accountable. The RBF project team includes one sub-consultant with the rest of the project staff under one roof. Counts Unlimited, Inc. will prepare the traffic count data as needed and we are confident of their work.

Budget Control

RBF will control costs with frequent monitoring and early identification of potential scope changes. Our work plan will be easy to follow and track so that tasks along with budget are readily available. It will be updated monthly and can be provided upon request at any time during the project.

Quality Control

The RBF Team's Quality Assurance/Quality Control Program is a continuous process used not just at project milestones, but also on a daily basis as work flows from desk to desk, discipline to discipline and consultant to client. Our managers, both within RBF and our sub-consultant, will oversee their staff on a daily basis.

Our ability to meet the demands of the project within the budget and time constraints begins with our management philosophy. We can provide quality services by analyzing the needs of each project and assembling a team with clear lines of communications and committed to the project. The staff listed in the Organizational Chart will be dedicated to this project.

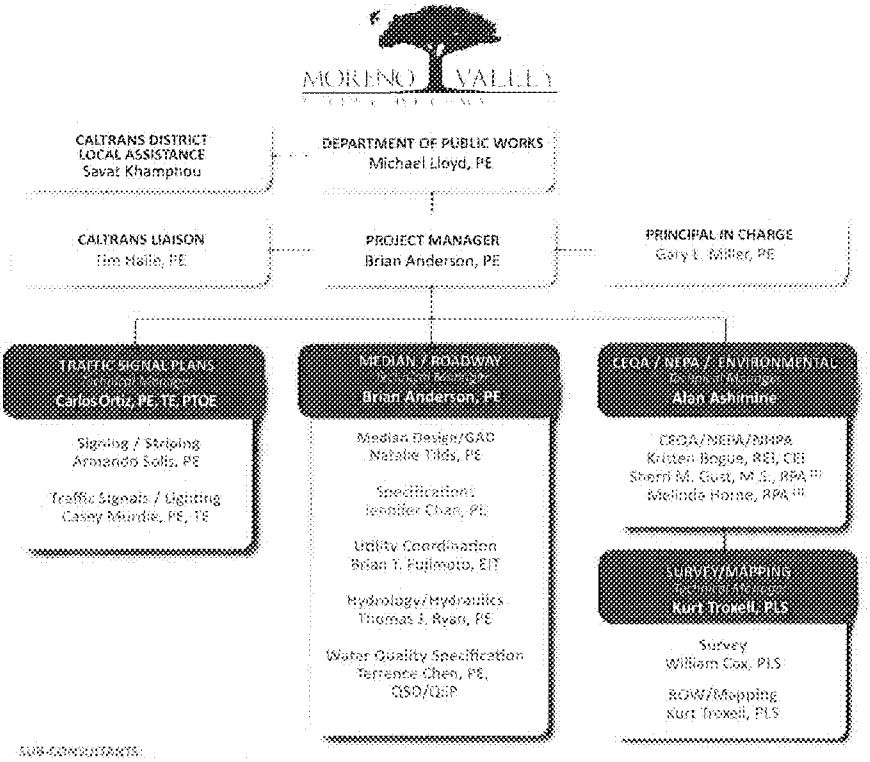

SUB-CONSULTANTS:
J. Cogstone | Paleontology, Archaeology, History

Section C:
Qualifications and Experience

SECTION C – Qualifications and Experience

Qualifications

In addition to the company information provided in our cover letter, the following details about our key personnel and projects are relevant to this particular project.

KEY PERSONNEL:

Brian Anderson, P.E., (CE #55298) Project Manager | Mr. Anderson has been designing transportation facilities for 26 years. His focus has been in the management and development of complex multi-agency projects meeting Federal and State standards. He has provided engineering for public works and Caltrans project that include: Sand Canyon Avenue Grade Separation, 190th Street Rehabilitation, Alton Parkway Extension, Newport Coast Drive/Pelican Hill Road Right Turn Improvements, Midway City Street and Storm Drain Improvements, Tustin Ranch Road, Warner and Armstrong Street Improvements, State Route 57/Lambert Road PSR, SR 91 Outside Widening PSR.

Gary Miller, P.E., (CE #36897) Principal in Charge | Mr. Miller has 38 years of experience in Transportation/Public Works engineering and knowledge of the requirements for projects funded through local, State, and Federal, and Caltrans Local Assistance. He has completed street improvement and median programs for the cities of Beverly Hills, Torrance, Long Beach, Santa Monica, Midway City, Thousand Oaks, San Juan Capistrano, Tustin, Irvine, Lake Forest, Mission Viejo, and others.

Tim Haile, P.E., (CE #72109) Caltrans Liaison | Mr. Haile has 14 years of experience with public works and transportation projects. He is an expert in Caltrans design policies, procedures and standards that apply to transportation projects. He has been managing and assisting with large multi-discipline projects, such as the State Route 91 Corridor Improvement Project, Mid County Parkway, High Desert Corridor, and the Orange County/ Riverside County Major Investment Study. Mr. Haile has extensive knowledge of the Inland Empire and Riverside County.

Carlos Ortiz, P.E., T.E., P.T.O.E. (CE #C057535, TE #2025, PTOE #426) Traffic Signal Plans Technical Manager | Mr. Ortiz manages the traffic engineering aspects for RBF's transportation projects. Mr. Ortiz's 23 years of professional experience includes the design of site and grading improvements, street improvements, intelligent transportation systems, traffic signals, traffic signal communication systems (twisted pair, fiber optic, wireless), lighting, ramp metering systems, traffic monitoring systems, dynamic message sign systems, stage construction/traffic handling, and signing and striping.

Kurt Troxell, P.L.S. (PLS #7854) Survey/Mapping Technical Manager | Mr. Troxell has extensive experience in cadastral and geodetic control surveys, including preparation of records of surveys, right-of-way documents and legal descriptions, topographic mapping, ALTA surveys, and tentative / final subdivision mapping. With 24 years of experience, he brings a thorough knowledge of widely used CADD / Data Collector platforms and expertise in integrating these systems into an efficient workflow process based on project specifications.

Alan Ashimine, CEQA/NEPA/Environmental Technical Manager | Mr. Ashimine prepares environmental and planning studies for public and private sector clients under the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). He has 13 years of extensive experience in the research, analysis, and writing of environmental documentation for a variety of projects involving infrastructure, redevelopment, residential, and industrial uses. He provides defensible CEQA/NEPA compliance review and environmental documentation.

Experience

190th Street Rehabilitation | Torrance, CA

RBF assisted the City of Torrance by preparing a final design for pavement rehabilitation along approximately one mile of the 190th Street. The project was a collaborative

Client: City of Torrance
Mr. Craig Bilezerian, PE
Engineering Manager
310/618-3054
cbilezerian@tormet.com

effort, requiring outreach and coordination with the City of Redondo Beach. RBF's project design resulted in a cost-effective approach to extending the pavement life within the budgetary constraints of the City. *Staff: Brian Anderson, Gary Miller, Jennifer Chan, Bill Cox, Brian Fujimoto, Gary Miller, Carlos Ortiz, Armando Solis, Natalie Tilds, Kurt Troxell*

Sand Canyon Avenue Grade Separation at the Metrolink/BNSF Railroad (Phase 1) | Irvine, CA

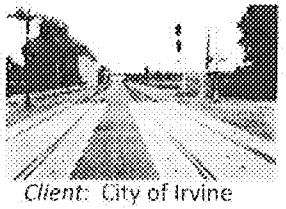

Client: City of Irvine
Mr. Steve Ollo, PE, LS
949/724-7562

RBF was responsible for roadway layout, structures design, pump station design, railroad permitting and coordination, railroad shoofly design, drainage design, utility relocation coordination, survey/right-of-way engineering, community outreach, landscape/irrigation, identification of funding and geotechnical engineering services. RBF provided Caltrans Encroachment Permit for work within their Right-of-Way; and Storm water system including pump station design and meeting storm water quality standards for discharge. *Staff: Brian Anderson, Terrance Chen, Bill Cox, Gary Miller, Armando Solis, Kurt Troxell*

Alton Parkway Extension

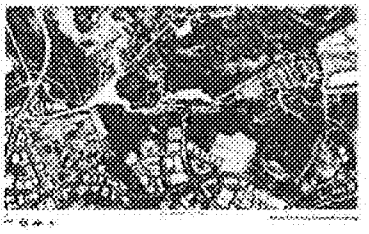

Client: County of Orange
Mr. Ignacio Ochoa, 714/667-3213
ignacio.ochoa@rdmd.ocgov.com

RBF prepared improvement plans in 1992, but the construction did not occur. Since the original plans were prepared, the Borrego Canyon Wash has experienced heavy flows and significant erosion. Additionally, the requirements for regulatory compliance have changed significantly to obtain CEQA clearances, therefore, the topographical information, as well as other pertinent information, provided on the plans, requires updating and new permit processing with the regulatory agencies. The roadway alignment is severely constrained due to its immediate proximity to a portion of lands within the Nature Reserve of Orange County, the proposed El Toro Federal Wildlife Refuge, the Borrego Canyon Wash and the ongoing landfill activities by the Navy within the former MCAS El Toro. Under a subsequent contract with the County of Orange, RBF provided environmental documentation, permitting, and successfully completed CEQA clearances in 2007. RBF prepared plans, specifications and estimates for this approximately 1.25 mile reach of new roadway. The project is being construction and near completion. *Staff: Brian Anderson, Jennifer Chan, Brian Fujimoto, Gary Miller, Carlos Ortiz*

The Edison Right-of-Way (ROW) Bikeway | Anaheim, CA

Client: City of Anaheim, Public Works Department
Mr. Cesar Carrillo
714/765-5176
ccarrillo@anaheim.net

Project is a one mile long bicycle and pedestrian trail, primarily within the City of Anaheim. The project provides a safe transportation route for students and bicycle commuters to commute through an urban neighborhood to two public schools and Orange County Transportation Authority (OCTA) bus routes. In addition to schools, the trail provides linkages to other City facilities such as Maxwell Park, Haskett Public Library, a youth center and two churches/temples. The RBF team provided NEPA environmental clearance through Caltrans and prepared final PS&E, which included ROW support services and Caltrans Local Assistance processing. The project was completed in five months to address funding constraints. *Staff: Alan Ashimine, Bill Cox, Gary Miller, Casey Murdie, Carlos Ortiz, Natalie Tilds, Kurt Troxell*

Alessandro Boulevard Implementation Plan (SCAG | Compass Blueprint Demonstration Program | RBF is under contract for the implementation of the Alessandro Boulevard Corridor Project, funded through the SCAG. Zoning standards will be modified with CEQA clearance to accommodate increased transit ridership along the busy Alessandro Boulevard supportive of a future Bus Rapid Transit Project. RBF is coordinating with the City to plan a land use and transportation system that links key nodes of activity. *Staff: Paul Martin (Traffic Engineer/Project Manager) Client: City of Moreno Valley, Mr. Eric Lewis, 951/413-3149, ericle@moval.org*

Section D: Staffing Plan

SECTION D | Staffing Plan

Staff	Role	Current/Anticipated Workload	Avail.
Gary Miller, PE	Principal in Charge	Commerce Washington Blvd.; Alton Parkway Extension; Sand Canyon Grade Separation	30%
Tim Haile, PE	Caltrans Liaison	I-10/Jefferson Street Interchange (25%); I-25 PSR/PDS (25%)	40%
Brian Anderson, PE	Project Manager/ Median-Roadway	Sand Canyon Construction support (10% for 1 year); Washington Blvd. Improvements (30%)	70%
Carlos Ortiz, PE, TE, PTOE	Traffic Signal Plans	City of Palm Springs Citywide Interconnect and TMC; City of Long Beach Bicycle Gap Closure; City of Santa Monica I-10 Signage Improv. (80%)	20%
Alan Ashimine	CEQA/NEPA/ Environmental	Bandini Industrial Center Initial Study; Carrari Ranch EIR; Cabot-Camino Capistrano Bridge Project Initial Study; Hyundai Motor America Headquarters EIR; State Route 91 Westbound Widening Project Addendum; Southwest Industrial Park Specific Plan Update EIR (60%)	40%
Kurt Troxell PLS	Survey/Mapping	County of Orange Alton Parkway Construction (10%), NAVFAC SW Seal Beach Naval Weapons Station (20%) end 5/2012; Cow Camp Road (20%) ends 12/2012; *Anticipated: SR-241 Toll Road Extension (10%)*	60-70%
Armando Solis, PE	Signing/Striping	SR-91 WB Widening; Camarillo Hills Drain Traffic Control Plans	30%
Casey Murdie, PE, TE	Traffic Signals/ Lighting	Newport Center Dr. Signing and Striping Plans and Sight Distance Analysis; Camarillo Hills Drain Traffic Control Plans; City of Long Beach Bicycle Gap Closure and Improved LA River Bike Path Access; *Anticipated: Santa Monica ITS Project; Daisy Avenue Corridor Blvd.; LA Co. Traffic Engr Svcs*	50%
Natalie Tilds, PE	Median Design/ CAD	Cow Camp Road; Buena Park Storm Drain Master Plan; *Anticipated: Washington Boulevard (beginning in March)* (20%)	80%
Jennifer Chan, PE	Median/ Roadway Specifications	Sand Canyon Grade, Separation, Alton Parkway (OCPW), Rockfield Blvd (Construction Support); R-14; Tustin Ranch Road; Mission Viejo Safe Routes to School (20%); *Anticipated: OCSD Plant 1 & 2 Pavement Rehab*	80%
Brian Fujimoto, EIT	Utility Coord.	Cow Camp Road (Phase 1A and Phase 1B)	50%
Thomas Ryan, PE	Hydrology/ Hydraulics	Buena Park Master Plan; Laguna Woods Village Storm Drain Pipe Replacement Project; Los Canyons Development (Drainage & Design); Wildwood Creek Ecosystem Restoration (Yucaipa); Laguna Woods Village, Aliso Creek Culvert Design; Smith Creek Embankment Stabilization and Design Plans (Riverside) (20-50%)	50-80%
Terrence Chen, PE, QSD/QSP	Water Quality Specification	Caltrans Corridor Study SR-14 (50%); SR-57 Lambert Rd (25%); *Cow Camp Rd. WQMP (25%)*	25%
William Cox PLS	Survey	Tonner Hills Grading Surveys (20%); County of Orange-Alton Parkway (15%); Santa Ana River Interceptor Tunnel Monitoring (15%); Beverly Hills High School Topo (10%); Soka University Parking Structure Lot B (10%)	30%
Kristen Bogue, REI, CEI	Environmental	SR-57/Lambert Road Interchange Improvement Project (Phase I Initial Site Assessment and Visual Impact Assessment; SR-57/60 Confluence at Grand Avenue (Visual Impact Assessment); Carrari Ranch Specific Plan Environmental Impact Report (Supporting Analyst)(60%)	40%
Sherri M. Gust, MS, RPA	Archaeologist/Paleontologist	Devers Mirage (5%); VanNuys (5%); Expo II (10%)	80%
Melinda Horne, RPA	Archaeologist/ Paleontologist	Yucaipa Valley General Plan (5%); Park Once (5%)	90%

The RBF staff selected for this project is highly qualified and registered or certified in each of their disciplines.

Our Team approach for completing services on time and within budget is to achieve a complete understanding and commitment from each team member regarding the scope of services, their Project responsibilities within the work scope, as well as the budget and schedule.

RBF's capacity to perform to schedule will result from having a dedicated team and the strength of cross-trained individuals who can support this project.

Section E:
Work Plan and Schedule

SECTION E - Work Plan and Schedule

The following scope of work has been developed in accordance with the Three Phase project approach as outlined within the Request for Proposal for this project, (Phase Three has been removed and differed for Construction Work). RBF will provide surveying, mapping, environmental, and engineering services to plan and construct the Alessandro Boulevard improvements.

TASK 1 | Project Management/ Meetings

A. Prepare a detailed Project Schedule. The schedule will be a refinement of the schedule included in this Proposal. The schedule will identify milestone events and will be tracked and updated on a monthly basis. RBF prepare schedule using Microsoft Project software, and submitted to the Project Manager and staff at each PDT meeting.

B. Prepare an Action Item Matrix which will identify:
   - Critical issues
   - Responsible parties
   - Target resolution dates
   - Actual resolution dates

   The action item matrix will be updated on a monthly basis.

C. Initiate and maintain a Quality Assurance program.

D. Prepare monthly progress reports to document progress on this project. The report will consist of the following:
   - Work accomplished during the reporting period
   - Work anticipated during the next reporting period
   - Issues
   - Progress Schedule

E. Chair, Schedule, and Attend Meetings in the Planning phase as follows:
   - Project Kickoff Meeting (1) Start of Project
   - Project Development Team Meetings, (7); (3- Physical on-site meetings at time of submittal; 4 – teleconference call meetings)
   - Property Owner Meeting, (1)
   - Environmental Meeting, (1)
   - City Council Meeting, (1)

   RBF will prepare meeting agendas and minutes for meetings as appropriate. Agendas will be prepared five days prior to scheduled meeting and submitted to the Project Manager for approval. Minutes will be distributed to attendees with contact information including names, phone numbers and email addresses. Action item lists will be generated and distributed after each meeting.

Phase: Planning, Environmental, and Conceptual Design

Environmental Approval is independent of the work performed for Preliminary Engineering Task for this phase of work. The City of Moreno Valley will release payment for Preliminary Engineering Task (2.1, 2.2, 2.2.1, 2.4, 2.5, 2.7, and 2.9) at completion and approval of the work. Work performed for Environmental clearance shall be paid at Approval of the Environmental Document(s).

TASK 2.1 | Research and Investigation

Research all information such as existing records and documents in order to complete the project. Items that may require verification during construction will be considered during the project planning phase for incorporation into future plans and contract documents. Conduct a site review of the project area, photograph and inventory key site features.

TASK 2.2 | Report of Project Issues

RBF will prepare project issues report based on the findings of the research and record information investigation performed under task 2.1. The report shall include an itemized listing of supplied materials, site photos, reports, studies, record information as found or identified. Conflict areas, constraints, and project issues will be identified. The report will identify utility conflicts, if any; right of way impacts; and lastly a summary of environmental issues.

TASK 2.2.1 | Conceptual Median Hardscape Plan

Conceptual Hardscape Plan. The Conceptual Hardscape Plan will identify the materials to be used with their approximate locations within the proposed medians. Utilizing the base map, inventory information, and input received from the City, RBF will prepare one (1) presentation quality color rendered Conceptual Hardscape Plan at an appropriate scale, showing the horizontal layout of the median features. The intent of this plan is to submit to the City Staff and Council for review and concurrence, any changes (hardscape design) will be incorporated within the final design drawings. The Conceptual Hardscape Plan will include the following:

- Raised curb locations
- Median hardscape locations and materials, such as pavers, concrete, rock cobble, or decomposed granite
- Images of the final median paving and material selections
- One (1) typical median cross section
- A preliminary Opinion of Probable Construction Costs

Product:

- One (1) full-sized color rendered final Conceptual Hardscape Plans
- Five (5) 11 x 17 colored rendered Conceptual Hardscape Plans
- One (1) electronic copy of the Conceptual Hardscape Plans in JPG or PDF format

TASK 2.3 | Environmental

RBF will prepare environmental documentation to satisfy the requirements of the National Environmental Policy Act (NEPA) due to the intended use of Federal funding for the proposed project. Based on information provided by the City, the project is exempt from the California Environmental Quality Act (CEQA) and CEQA clearance documentation is not included in this scope of work. This task assumes that the appropriate form of NEPA documentation will be a Categorical Exclusion (CE) with supporting technical study(s) and that the project will be processed through the Caltrans (District 8) Division of Local Assistance.

Preliminary Environmental Study Form. RBF will prepare a Preliminary Environmental Study (PES) Form in accordance with the Caltrans *Local Assistance Procedures Manual* environmental reporting criteria. The PES Form will provide a preliminary analysis of potential environmental impacts associated with the project and identify environmental issues that may require further detailed study. The PES Form will be submitted to the City/Caltrans for concurrence prior to the initiation of the technical study work program. Caltrans will be responsible for a determination of the appropriate scope of work for the project. A final determination regarding the range of technical studies and appropriate NEPA action will not be made until Caltrans approves the PES Form for the project. Note. This scope includes the task for the Phase I Initial Site Assessment only, additional studies, if necessary, can be added for additional fee. Final determination of studies is anticipated on approval of the PES form.

Special Studies

- **Phase I Initial Site Assessment:** Hazardous Materials Memorandum: RBF will prepare a Phase I Initial Site Assessment (ISA) for the proposed project in accordance with the American Society for Testing and Materials (ASTM) Standard Practice E 1527-05 and the Caltrans Standard Environmental Reference (SER). It is acknowledged in this scope of work that one (1) build alternative will be considered.

Categorical Exclusion. On behalf of the City, RBF will forward all supporting NEPA special studies and preliminary engineering documentation demonstrating that significant environmental effects will not result with project implementation. This submittal will consist of a draft CE and technical study package with formal request to Caltrans for approval. It is assumed that the project would qualify for a CE under Section 6004, 23 CFR 771 Activity c(4).

Environmental Commitments Record. In compliance with the Caltrans SER, RBF will prepare an Environmental Commitments Record (ECR) to track and document the completion of environmental commitments through the project delivery process. The ECR will combine relevant environmental compliance information together in a single place, making it easier to track progress and easier for project team members to identify implementing actions. RBF will consult with Caltrans staff to determine the preferred format and outline of the ECR.

TASK 2.4 | Survey/Mapping

RBF Consulting shall perform the following Scope of Survey Services:

Project Control. RBF Consulting shall provide horizontal and vertical control for the project. Unless otherwise directed by the City, the basis of horizontal control will be North American Datum of 1983 (NAD 83), Zone 6, Epoch 2007. Coordinates will be expressed as grid values in terms of the U.S. survey foot.

Unless otherwise directed by the City, the basis of vertical control will be the North American Vertical Datum of 1988 (NAVD88).

Topographic Survey. Topography shall include obtaining locations, elevations and descriptions of:

- Cross Sections on 50' intervals, and extending 25' outside of ROW at street intersections.
- Curb, gutters, sidewalks and driveways.
- Pavement areas including streets and asphalt berms.
- Power poles, streetlights and traffic signals, and major signs.
- Trees and major specimen plants, with trunk diameters greater than 6".
- Above ground utilities including valves, pullboxes, meters, and vaults.
- Manholes and storm drain structures.
- All major surface features that define the shape of the terrain, such as tops and toes of slopes, grade breaks and natural ground.
- Spot elevations at critical locations along the alignment.
- Inventory of street monuments that may be destroyed during construction.

All field topography shall be collected electronically for data processing using field descriptor codes as shown on pages 10 & 11 of the Request for Proposal.

All field topography shall be collected electronically for data processing. Consultant shall deliver all topography in AutoCAD 2009 format on standard formatting which is compatible with existing City equipment. All layering will follow City standards. All Autocad symbols will be blocked and will not be exploded.

The finished topographic map shall include the basis of horizontal and vertical control, Benchmark, North arrow, date of survey, Crew chief review, notes and details if necessary. Electronically formatted files can be E-mailed to the Client if requested. Raw Field data and processed field coordinates will be delivered in ASCII format on CD and a hard copy plot will be provided at the conclusion of the topographic mapping.

Right-of-Way Base Mapping. Since there are no right-of-way acquisitions anticipated for the project, RBF Consulting will compile right-of-way base mapping for the from Riverside GIS parcel data files. Said parcel data files will be reviewed for conformity with Riverside County Assessor's parcel maps and exist site topography. GIS parcel data found to be insufficient for project purposes will be supplemented by calculations of existing centerlines and right-of-ways shown on available record maps and/or assessor's parcel maps.

TASK 2.5 | Utilities Research

Perform all necessary research to establish the location of utilities within the work limits. Coordinate utility work with the City of Moreno Valley and all impacted agencies. Preliminary and final plans are to be sent to impacted utility companies. RBF will identify appropriate list of distribution to the City. The City will prepare letters on City Letterhead and mail to distribution list. City will forward copies of all letters and response received from utility agencies for tracking purposes. RBF will coordinate with utility agencies to obtain written confirmation of identified utilities. RBF will base any potential conflicts utilizing the

approved GAD alignment study. Utilities in project area to be relocated, adjusted, or otherwise modified will be identified. A time assessment of utility relocation will be incorporated into the construction schedule, as necessary. RBF will locate utilities within the project area in accordance with Caltrans policy on High and Low risk utilities. RBF will coordinate with SCE for the electrical service point for the new traffic signal system.

TASK 2.7 | Preliminary Concept Design (GAD Drawings 35%)

RBF will prepare conceptual layout plans showing the raised median, striping, tentative traffic signal pole locations, and locations of ADA compliant access ramps. The plans will include project items as identified within the General Design Submission Requirements "Exhibit A" found in the request for proposal for this project. Clarification for GAD Deliverable and submission requirements as outlined in "Exhibit A" – 1) No Vertical plan information for medians at this level is planned. 2) No planned meetings with Fire, Police, or Utility Companies are included with this SOW. 3) Environmental clearance is separate from Preliminary Engineering tasks as described under the Phase of work.

TASK 2.9 | Preliminary Submittals

RBF will submit the follow items under this phase of work:

- Five (5) sets of bond copies plan drawings (redline check prints, if applicable)
- One (1) set of drawings to each utility agency identified under task 2.4 of this scope of work.
- Copies of transmittals, submittals, and letters sent to the utility agencies regarding the project.
- Environmental documentation for initial review to the City and after approval sent to Caltrans District 8, DLAE for review.

Phase: Design (PS&E)

TASK 3.0 | Final Design Drawings

Work under this phase shall commence only after completion and approval of the prior phase of work and written authorization to proceed by the City.

Design plans will be completed in conformance with the latest available design, drafting, policy, and procedure manuals of the City of Moreno Valley. All drawings will be prepared with AutoCAD LD software. Final approved drawings will be plotted on 24" by 36" Mylar. Plans are to be submitted at 65%, 95%, and Final completion levels. The following is a listing of proposed plan sheets:

Task	Plan	English Scale	Number of Sheets
3.1	Title Sheet	N/A	1
3.2	Typical Cross Sections and Details	N/A	1
3.3	General and Construction Notes	N/A	1
3.4	Roadway Improvement Plans (Plan) (Double Loaded)	1 in = 40 ft	3
3.5	Signing and Striping Plans	1 in = 40 ft	3
3.6	Traffic Signal Plans	1 in = 20 ft	2
3.8	Hardscape Drawings/ Details	*Varies*	1
		TOTAL SHEETS	**12**

The fees provided have taken into consideration the detail required to perform these tasks. The tasks to be performed to accommodate the project are outlined as follows:

- Roadway Improvement Plans will be prepared within the project limits. Plans will include plan view (Double Loaded per sheet) of proposed median curb improvements at a scale of 1"=40'. Vertical elevations (existing and proposed) will be placed on the design plan views at 50-foot intervals along tangent sections, and all BC's, EC's, BCR's, ECR's, and every 20-foot intervals within turn pocket areas.
- Signing and Striping Plans will be prepared in accordance with standards set forth by the City of Moreno Valley or Caltrans;
- Prepare traffic signal and intersection lighting plans at the following locations:
  1. Traffic Signal Modification – Alessandro Boulevard/ Perris Boulevard
  2. New Signal System – Alessandro Boulevard/ Covey Quail Lane

TASK 3.7 | Cross Sections
RBF will create working cross–sections based on previously prepared field survey at 100 –foot intervals. Section will show existing and proposed roadway median curb improvements.

TASK 3.8 | Hardscape Construction Drawings

RBF will prepare one set of final hardscape construction plans, technical specifications, and opinion of probable Hardscape construction costs in sufficient form and detail to obtain City approval and use for bidding and construction. The plans will be prepared based on the Conceptual Hardscape Plan, will comply with the City's Landscape Design Guidelines, and will be prepared in AutoCAD using a base map of the project layout. It is anticipated that the plans will be included in the overall construction document improvement package and will indicate median paving materials, specifications, and an Opinion of Probable Construction Costs as described below:

a) No Planting and Irrigation (100% Hardscape). RBF will provide median "hardscape" plan and details that indicate the median design to consist of materials such as interlocking concrete pavers, concrete with different colors or textures, rock cobble, or decomposed granite. No planting or irrigation design in included with this task.

TASK 3.9 | Final Quantity and Cost Estimate
RBF will prepare quantity calculations and final construction cost estimates in accordance with City of Moreno Valley requirements utilizing current City construction cost data and similar project construction item bids from recent projects. The quantities and cost data will be submitted with each project submittal.

TASK 3.10 | Technical Specification
RBF will prepare Technical Specifications per City of Moreno Valley requirements for bidding by the City. The City will provide "boiler plate" specifications in Microsoft word format. RBF will amend the technical specifications for project specific items of work. The Technical Specifications will be prepared in current "Greenbook" format and Caltrans format for traffic striping and signals.

TASK 3.11 | Plan Revisions and Final Document Submittals
RBF will review comments provided by the City from the previous submittals and incorporate applicable revisions. Provide final submittal of the plans, specifications and estimates along with supporting calculations to the City for subsequent advertising of construction. The submittal documents will be in compliance with the General Design Submission Requirements "Exhibit A" provided in the Request for Proposal of this project. Note: Title Reports are not included with this work; No additional Right–of-Way is anticipated or work required for acquisition of Right-of-Way is included in this Scope of Work.

RBF will submit the follow items under this phase of work:

- Five (5) sets of bond copies plan drawings and specifications at 65%, 95%, and Final (redline check prints, if applicable)
- Three (3) set of quantity calculations at 65%, 95%, and Final
- Five (5) sets of bond copies of the cross-sections at 65%, and 95%. One (1) reproducible and four (4) bond copies a t final submittal.
- Final Copy of design plans to each utility agency as identified in the distribution list.
- Final PS&E documents through Caltrans District 8 DLAE for review and approval.

TASK 3.12 | Questions During Bidding
RBF will respond to bidders questions received in writing from the City.

Scope Assumptions (General)

- No additional studies, reports, or investigation not specifically identified in this scope of work shall be provided without amendment to fee and scope and approval of a contract modification.
- The City will pay all permit fees that may be required.
- City will prepare E-76 forms and process with Caltrans District 8 DLAE
- The City will be responsible for the development of all utility relocation agreements, acquisition documents, and

negotiations of any utility relocation.

* Traffic data, signal warrants, and studies shall be provided by the City for the consultants use.
* The City shall require any construction contractors to indemnify RBF from any and all losses, damages, claims, expenses, including attorneys fees, and costs arising out of the contractor's work , excepting only losses, damages, claims expenses, including attorneys fees, and costs which are caused by the sole negligence or willful misconduct of RBF in performing their services under this agreement.
  The City will require the construction contractor to add RBF as an additional insured in the comprehensive general liability, auto liability, worker's compensation and builders risk insurance coverage required by the City.

MORENO VALLEY
Alessandro Boulevard Median Improvements
from Indian Street to Perris Boulevard
Proposed Project Schedule
RBF CONSULTING

	Task name	Duration	Start	Finish
1	PROJECT DESIGN SCHEDULE	437 days	Tue 4/24/12	Wed 12/25/13
2	PHASE: PLANNING, ENVIRONMENTAL, AND CONCEPT	114.5 days	Tue 4/24/12	Mon 10/1/12
3	Notice to Proceed	1 day	Tue 4/24/12	Tue 4/24/12
4	Project Kick-off Meeting	1 day	Wed 5/2/12	Wed 5/2/12
5	Research & Data Collection	3 wks	Thu 5/3/12	Wed 5/23/12
6	Site Visit & Review	1.5 wks	Thu 5/3/12	Mon 5/14/12
7	Topographic Survey	2 wks	Thu 5/24/12	Wed 6/6/12
8	Utility Notifications	10 wks	Thu 6/7/12	Wed 8/15/12
9	Utility Potholing	2 wks	Thu 8/16/12	Wed 8/29/12
10	Base Map Preparation	3 wks	Thu 8/7/12	Wed 8/27/12
11	Permit Engineering Evaluation Report (PEER) & Fact Sheet (Caltrans Approvals)	100 days	Mon 5/14/12	Mon 10/1/12
12	Environmental Review	4 wks	Mon 5/14/12	Mon 6/11/12
13	Caltrans Review, Revisions and Approvals	16 wks	Mon 6/11/12	Mon 10/1/12
14	Geometric Approval Drawings & Constraints Analysis	60 days	Thu 6/28/12	Wed 9/19/12
15	Develop Alignment & Reviews	4 wks	Thu 6/28/12	Wed 7/25/12
16	Final Precise Alignment & Reviews	4 wks	Thu 8/2/12	Wed 8/29/12
17	PHASE: DESIGN (PS&E)	50 days	Thu 9/20/12	Wed 11/28/12
18	Plans, Specifications and Estimates	50 days	Thu 9/20/12	Wed 11/28/12
19	Plan Set Preparation	4 wks	Thu 9/20/12	Wed 10/17/12
20	Cost Estimate	3 wks	Thu 10/11/12	Wed 10/31/12
21	Specifications	3 wks	Thu 10/25/12	Wed 11/14/12
22	Plan City Review & Resource Processing	4 wks	Thu 10/18/12	Wed 11/14/12
23	Final Plans, Specifications and Estimates Complete	2 wks	Thu 11/15/12	Wed 11/28/12
24	PHASE: CONSTRUCTION	108 days	Thu 6/6/13	Wed 12/25/13
25	Construction Support	5 mons	Thu 9/5/13	Wed 12/25/13

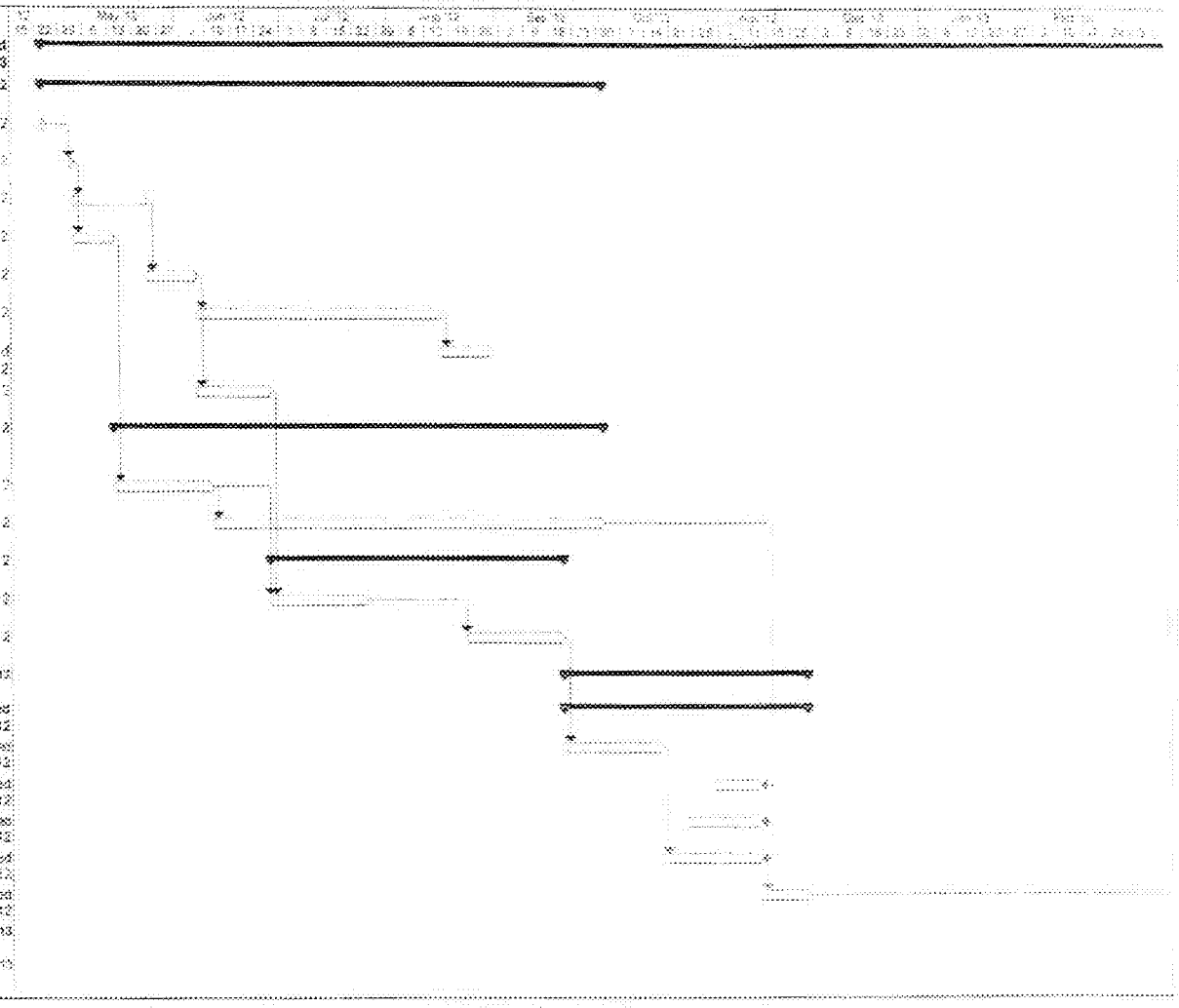

Project: Project Schedule.mpp
Date: Thu 4/26/12

Task | Progress | Summary | External Tasks | Split
Milestone | Project Summary | External Milestone

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Section F:
Quality Control and Assurance

SECTION F – Quality Control and Assurance

RBF Philosophy

RBF's concept for Quality Assurance/Quality Control is to remove barriers so that each professional can complete each element of the project correctly, the first time. This starts with designation of individuals with appropriate experience and availability to manage the project, lead tasks and accomplish technical work.

A second key element is to achieve a complete understanding and commitment from each team member regarding the scope of services, their Project responsibilities within the work scope as well as the budget and schedule. A third element is to provide a structured process for review of the work.

The QA/QC Process. The RBF Quality Assurance/Control Program places responsibility at a level closest to the production of each work element. This internal peer review is designed to make improvements in reviews and decisions.

Levels of Review. The Project Manager will provide guidance on field procedures and will review and coordinate with other disciplines as required to complete assigned tasks.

The Principal-In-Charge is responsible for Quality Control and will provide an on-going review of the overall process. This work may include any procedure which will assure that quality control is fully implemented and working for the entire team.

Client Coordination. The Project Manager will be the primary contact with the client. The Principal-In-Charge will be a secondary contact, but only in the unlikely event that the Project Manager is not available.

The Project Manager will keep the client informed of the project progress on a monthly basis unless otherwise indicated in the work plan or contract work scope. The monthly progress reports will at a minimum include:

- Schedule status
- Work planned for upcoming month
- Progress to date
- List of issues which may affect individual task orders

Budget Control. Costs will be controlled by frequent monitoring and early identification of any scope of work change impacting the Project budget. This estimate will then be compared to the preliminary cost and revised accordingly for the final baseline.

MV00160155

Section G:
Additional Relevant Information

SECTION G – Additional Information

Commendation Letters

CITY OF IRVINE

January 24, 2011

Mr. Gary Miller, Vice President
RBF Consulting
14725 Alton Parkway
Irvine, CA 92618

Subject: Sand Canyon Avenue Grade Separation at the Metrolink/SCRRA Railroad

Dear Gary,

On behalf of the City of Irvine, I would like to thank RBF for its continued service and commitment to excellence on projects such as the Sand Canyon Avenue Grade Separation at the Metrolink/SCRRA Railroad crossing. You and your staff exceeded our expectations in providing design services for the removal of this at-grade crossing which will significantly improve safety to vehicles, bicyclists, and pedestrians and reduce noise levels.

Your careful execution of a multitude of services included roadway layout, structures design, pump station design, railroad permitting and coordination, railroad shoofly design, drainage design, utility relocation coordination, survey/right-of-way engineering, landscape/irrigation, identification of funding, and geotechnical engineering services. Through the many challenges of this project, including Caltrans coordination, complex construction staging, and major utility relocations, RBF was able to successfully deliver this project within the planned timeframe and budget.

We sincerely appreciate the commitment and professionalism of your staff and look forward to our continued partnership with RBF during construction.

Sincerely,

Steve Otto, PE, LS
Senior Civil Engineer

cc: Manuel Gomez, Director of Public Works
Joyce Amerson, Deputy Director of Public Works
Mark Cornil, City Engineer
Dave Mon, Project Development Administrator

October 19, 2011

Mr. Gary Miller, Vice President
RBF Consulting
14725 Alton Parkway
Irvine, CA 92618

RE: 190th Street Rehabilitation

Dear Gary,

I would like to extend my gratitude to you and your team for again providing excellent consulting engineering design services to the City of Torrance. Most recently, you provided these services for the 190th Street Rehabilitation Project. This pavement rehabilitation project included the development and final design for approximately one mile of 190th Street in the City of Torrance. Your collaborative approach with the City to develop cost effective pavement repair methods helped maximize pavement life and allowed us to remain within our project budget. Also, it required your assistance with outreach and coordination with the City of Redondo Beach to ensure a successful project.

Our professional association with your firm extends back approximately a decade with your firm having previously provided the engineering design for the Artesia Boulevard Improvement Project and the Sepulveda Boulevard Rehabilitation and Water Main Replacement Project. Both of these projects were considered a success and in part due to the efforts of you and your team. We appreciate RBF's commitment to continuously providing excellent service to the City and look forward to the opportunity to work together on future projects. Lastly, we would be happy to recommend you and your team to perform engineering services to other agencies and clients.

Sincerely,

CRAIG BILEZERIAN, P.E.
Engineering Manager

CITY OF COLUMBUS

Section H: Statements of Understanding and Required Forms

SECTION H - Statements of Understanding

RBF certifies the following statements:

A. The Request for Proposal shall be incorporated in its entirety as a part of RBF's Proposal.

B. The Request for Proposal and RBF's Proposal will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by RBF and the Mayor or City Manager of Moreno Valley.

C. RBF's Services to be provided, and fees therefore, will be in accordance with the City's Request for Proposal except as otherwise specified in RBF's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

D. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" contains a complete and detailed description of all of the exceptions to the provisions and conditions of the City's Request for Proposal upon which RBF's Proposal is contingent and shall take precedence over the Request for Proposal for Professional Consultant Services.

E. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of RBF's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact are provided in Section C of this proposal. If one or more of RBF's staff should become unavailable, RBF may substitute other staff of at least equal competence only after prior written approval by the City.

F. Resource Allocation Matix. *Provided at the end of this section.*

G. Statement of Sub-Consultant: RBF selected Cogstone to provide Cultural Resources and will not change the subconsultant without prior approval from the City.

Cogstone | Paleontology – Archaeology – History| is a California Corporation formed in April 2001, serving both public and private-sector clients throughout California. The State of California (DGS) and the Metropolitan Water District of Southern California (MWD) each certify Cogstone as a Small Business Enterprise (SBE). Cogstone is certified as a Disadvantaged Business Enterprise (DBE) under the California Unified Certification Program (CUCP) and a Woman Business Enterprise (WBE) by the California Public Utilities Commission (CPUC). They will provide assistance on the CEQA/ NEPA/ environmental compliance portion of the project. Their main office is at 1518 West Taft Avenue, Orange, CA 92865. Principal, Sherri M. Gust, MS, RPA can be contacted at 714/974-8300.

Cogstone References: 1) La Mesa/Nisqualli Road Interchange, Victorville, San Bernardino County, CA. (Caltrans District 8). (*Parsons Brinckerhoff, Stephanie Oslick, Environmental Planner: 505 South Main Street, Suite 900, Orange, CA 92868-4529; (714) 973-4880*); **2) Arroyo Drive Project, Riverside, Riverside County, CA,** (*Community Design Works, Tim Maloney: 4649 Brockton Avenue, Riverside, CA 92506; (951) 369-4039*); 3) **San Bernardino County Road Improvement Projects. (Caltrans District 8 On-Call Contract),** Paleontology subconsultant to Applied Earthworks. Prepared portions of Paleontological Identification Reports, Paleontological Evaluation Reports and Paleontological Mitigation Plan for projects including I10, SR58, SR138, SR247 *(Applied Earthworks, Susan Goldberg, Division Manager: 3292 E. Florida Ave., Suite A, Hemet, CA 92544-4941; 951-766-2000)*

H. All charges for RBF's services is a "Not-to-Exceed Fee" which includes conservatively estimated reimbursable expenses, as submitted with and made a part of RBF's Proposal.

I. RBF will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

J. RBF will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

K. A rate schedule has been submitted with this Proposal at the end of this section, as stated in the Request for Proposal. The rate schedule includes titles, names, roles, and hourly billing rates in rows. The hourly rate schedule is part of RBF's Proposal for use in invoicing for progress payments and for extra work incurred. All extra work will require prior approval from the City.

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L. RBF will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

M. All federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

N. RBF shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project only. All relevant records shall be retained for at least three years.

O. RBF shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision and State of California prevailing wage rates, respectively.

P. RBF shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR3) issued pursuant thereto, and any amendments thereof.

Q. RBF offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (1 5 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 167001 of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to RBF, without further acknowledgment by the parties.

R. RBF understands that this Agreement is subject to 49 CFR, Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Proposers who obtain DBE participation on this contract will assist Caltrans in meeting its federally mandated statewide overall DBE goal.

RBF routinely uses the services of disadvantaged business enterprises. We have established relationships with many qualified firms and have successfully worked with them on numerous projects (including public works contracts).

S. Disclosure of Lobbying Activities (Form LLL). *Please find at the end of this section.*

T. Proposer's List of Subconsultants (DBE and Non-DBE) Parts I and II. *Please find at the end of this section.*

U. **Company**: RBF Consulting; 14725 Alton Parkway, Irvine, California 92618; **Entity**: California Corporation

RBF's electronic files will be available for inspection by local agency and State representatives at the following address: 3300 E. Guasti Rd., Suite 100, Ontario, CA 91761 or the address listed in Item U. above. Hard copies will be maintained at the office in Irvine.

RBF

HOURLY RATE SCHEDULE

Effective January 2012 through December 2012

OFFICE PERSONNEL	$/Hr.
Senior Principal	$245.00
Principal	225.00
Project Director	220.00
Program Manager	215.00
Senior Project Manager	205.00
Project Manager	195.00
Structural Engineer	195.00
Technical Manager	190.00
Senior Engineer	183.00
Senior Planner	183.00
Electrical Engineer	169.00
Landscape Architect	160.00
Senior GIS Analyst	150.00
Project Engineer	148.00
Project Planner	148.00
Environmental Specialist	138.00
Design Engineer/Senior Designer/Manager	136.00
GIS Analyst	122.00
Designer/Planner	118.00
Project Coordinator	110.00
Graphic Artist	97.00
Environmental Analyst/Staff Planner	97.00
Design Technician	97.00
Assistant Engineer/Planner	93.00
Permit Processor	93.00
Engineering Aide/Planning Aide	75.00
Office Support/Clerical	63.00

FIELD PERSONNEL	
2-Person Survey Crew	$245.00
1-Person Survey Crew	195.00
Licensed Surveyor	175.00
Field Supervisor	172.00

CONSTRUCTION MANAGEMENT PERSONNEL	
Construction Manager	$165.00
Resident Engineer/Project Manager	154.00
Senior Construction Inspector	123.00
Construction Inspector	116.00
Field Office Engineer	110.00
Construction Technician	86.00

Note:
Reproducing reproduction, messenger service and other field expenses will be charged as an additional 15% plus 10%. A Subcontracting Management Fee of fifteen percent (15%) will be added to the direct cost of all sub-consultant services to provide for the cost of internal sub-sub consultant coordination and insurance. Vehicle mileage will be charged as an additional cost at $0.51 per mile.

cogstone

2012 Fee Schedule

[illegible]	[illegible]	[illegible]
Monitor Technician	$ 52.00	$ 78.00
Crew Chief	$ 61.00	$ 92.50
Supervisor I	$ 67.00	$ 100.50
Supervisor II	$ 75.00	$ 108.00
Director I	$ 77.00	$ 115.50
Director II	$ 82.00	$ 123.00
Project Manager/Principal Investigator I	$ 105.00	Exempt
Project Manager/Principal Investigator II	$ 112.00	Exempt
Project Manager/Principal Investigator III	$ 126.00	Exempt
GIS Specialist	$ 88.00	$ 132.00
GIS Manager	$ 105.00	$ 157.50
Clerk	$ 66.00	$ 99.00
Administrative Assistant	$ 52.00	$ 78.00
Contracts Manager	$ 90.00	Exempt

[illegible]	[illegible]	[illegible]
Mileage	Mile	Current State Rate
Trimble® GeoXH (sub-foot accuracy)	Daily	$ 100.00
Expendable Supplies	Lump Sum	Actual Cost
Outside Services	Lump Sum	Actual Cost

FEE ESTIMATE

PROPOSAL TO THE CITY OF MORENO VALLEY

Alessandro Boulevard Median from Indian Street to Perris Boulevard

Prepared February 23, 2012
Revised 4.0 March 23, 2012
W 10-168576

ANTICIPATED SCOPE OF WORK	No. of Sheets	Project Director $220		Project Manager $180		Project Engineer $140		Senior Analyst $145		Designer / Analyst $135		CADD Drafting Support $115		Admin $65		Expenses		TOTAL HOURS	TOTAL $	HOURS / SHEET
PHASE: REPORT OF PROJECT ISSUES																				
Task 2.1 RESEARCH & DATA COLLECTION	N/A					4	$561			8	$1,080							12	$1,641	N/A
2.4 SURVEY/ MAPPING	N/A			1	$180	6	$840			12	$1,620			24	$1,560			43	$4,200	N/A
2.5 UTILITY RESEARCH/ NOTIFICATION	N/A					12	$1,680			12	$1,620			4	$260			28	$3,648	N/A
2.2.1 CONCEPT HARDSCAPE PLAN	N/A			8	$1,440	4	$561	16	$2,320			14	$1,610					40	$5,931	N/A
2.2 REPORT OF PROJECT ISSUES	N/A			8	$1,440	12	$1,776											20	$3,216	N/A
2.3 PRELIMINARY SUBMITTALS																				
Conceptual Design Package	N/A			2	$360	6	$840			6	$810							14	$2,010	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																				
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	6	$1,080									2	$130			10	$1,650	N/A
3.2 PROJECT KICK OFF MEETING	N/A	3	$660	4	$720									1	$65			8	$1,445	N/A
3.3 PROJECT DEV MEETINGS (2) (Teleconferences)	N/A			2	$360									1	$65			3	$425	N/A
3.4 CITY COUNCIL MEETINGS (1)	N/A			4	$720									1	$65			5	$785	N/A
3.6 PROJECT OWNERS MEETINGS (2)	N/A			4	$720									1	$65			5	$785	N/A
Sub-Totals =	**N/A**	**8**	**$1,760**	**16**	**$2,880**	**42**	**$5,512**	**16**	**$2,320**	**38**	**$5,130**	**14**	**$1,610**	**14**	**$1,820**	**10**	**$650**			**N/A**
PHASE: ENVIRONMENTAL CLEARANCE																				
Task 2.1 ENVIRONMENTAL																				
Preliminary Environmental Study Form	N/A							32	$4,640									32	$4,640	N/A
Special Studies (See Below)	N/A											62	$7,315					62	$7,315	N/A
Biologist Questionnaire	N/A							4	$580									4	$580	N/A
Archaeological Questionnaire Report	N/A							8	$1,160									8	$1,160	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																				
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	2	$360									2	$130			13	$2,215	N/A
3.2 ENVIRONMENTAL MEETINGS (2)	N/A			4	$720			4	$580					1	$65			9	$1,365	N/A
3.3 PROJECT DEV MEETINGS (2) (Teleconferences)	N/A			4	$720	2	$280							1	$65			8	$1,065	N/A
Sub-Totals =	**N/A**	**2**	**$440**	**16**	**$2,160**	**2**	**$280**	**48**	**$6,960**			**62**	**$7,315**			**2**	**$130**			**N/A**
PHASE: DESIGN (GAD) 35% COMPLETION																				
Task 2.7 PRELIMINARY CONCEPT DESIGN (GAD)	3			6	$1,080	16	$2,304			18	$2,430	16	$2,176					58	$8,002	19
2.8 PRELIMINARY SUBMITTALS																				
Conceptual Design Package	3	1	$220	2	$360	4	$560			6	$810							15	$2,170	5
3.0 PROJECT MANAGEMENT/ MEETINGS																				
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	1	$220	4	$720													5	$940	N/A
3.2 PROJECT DEV MEETINGS (5) (Project Meetings)	N/A			4	$720	4	$560							1	$65			9	$1,345	N/A
Sub-Totals =	**3**	**2**	**$440**	**16**	**$2,880**	**20**	**$2,848**			**24**	**$3,240**	**16**	**$2,176**			**1**	**$65**			**N/A**
PHASE: DESIGN (PS&E) 65% COMPLETION																				
Task 3.0 FINAL DESIGN DRAWINGS																				
3.1 Title Sheet	1					1	$140			4	$540	4	$460					9	$1,140	9
3.2 Roadway Typical Sections & Details	1			1	$180	9	$1,260			30	$4,050	20	$2,300					61	$7,790	61
3.3 General and Construction Notes	1			2	$360	12	$1,680			18	$2,430	8	$920					40	$5,390	40
3.4 Roadway Plan	5	1	$220	6	$1,080	36	$5,040			24	$3,240	24	$2,760					91	$12,340	18
3.5 Signing & Striping Plans	5	1	$220	1	$180	8	$1,120			18	$2,430	18	$2,070					46	$6,020	9
3.6 Traffic Signal/ Signal Modification Plans	2	1	$440	10	$1,800	16	$2,240			40	$5,400	30	$3,450					97	$13,330	49
3.7 CROSS SECTIONS	2					6	$840			14	$1,890							20	$2,730	10
3.8 Hardscape Construction Drawings	1			2	$360	14	$1,960			16	$2,160							32	$4,480	32
3.9 FINAL QUANTITIES/ COST ESTIMATE	N/A	1	$220	4	$720	16	$2,240	4	$580	16	$2,160			5	$325			46	$6,245	N/A
3.10 TECHNICAL SPECIFICATIONS	N/A	2	$440	8	$1,440	31	$4,340	8	$1,160					5	$325			54	$7,265	N/A
3.11 PLAN CHECK PROCESSING (1 Submittal)	N/A			2	$360	4	$560					8	$920					14	$1,840	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																				
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	4	$720													6	$1,160	N/A
3.2 PROJECT DEV MEETINGS (5) (Project Meetings)	N/A			4	$720	4	$560							1	$65			9	$1,345	N/A
Sub-Totals =	**14**	**8**	**$1,760**	**44**	**$7,920**	**123**	**$17,024**	**8**	**$1,160**	**142**	**$19,170**	**102**	**$11,730**			**11**	**$715**			**N/A**
PHASE: DESIGN (PS&E) 95% COMPLETION																				
3.12 PLAN CHECK PROCESSING (1 Submittal)	N/A			2	$360	4	$560					8	$920					14	$1,840	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																				
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	1	$220	2	$360													3	$580	N/A
3.2 PROJECT DEV MEETINGS (5) (Project Meetings)	N/A			4	$720	4	$560							1	$65			9	$1,345	N/A
Sub-Totals =	**16**	**1**	**$220**	**8**	**$1,440**	**8**	**$1,120**					**8**	**$920**			**1**	**$65**			**N/A**
PHASE: DESIGN (PS&E) 100% COMPLETION																				
3.13 PLAN CHECK PROCESSING (1 Submittal)	N/A			2	$360	4	$560					8	$920					14	$1,840	N/A

MV00160162

FEE ESTIMATE

PROPOSAL TO THE CITY OF MORENO VALLEY

Alessandro Boulevard Median from Indian Street to Perris Boulevard

Prepared February 28, 2012
Revised 4.0 March 23, 2012
IN 50-108571

ANTICIPATED SCOPE OF WORK	No. of Sheets	Project Director		Technical Manager		Project Engineer		Senior Planner		Designer / Engineer		CADD Designer / Technical Support		Admin Asst / Proofer		Clerical		Expenses		TOTAL HOURS	TOTAL $	HOURS / SHEET
		$220		$180		$148		$145		$135		$112		$245		$63						
1.0 PROJECT MANAGEMENT/ MEETINGS																						
1.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	1	$220	4	$720															5	$940	N/A
1.2 PROJECT REVIEW MEETINGS (1 Administrative)	N/A			2	$360											1	$63			3	$423	N/A
Sub-Total =	**14**	**1**	**$220**	**6**	**$1,080**	**2**	**$296**					**8**	**$896**			**1**	**$63**					**N/A**
PHASE: BIDDING																						
3.13 QUESTION RESPONSE AT BIDDING	N/A			4	$720	4	$592									1	$63			9	$1,375	N/A
1.0 PROJECT MANAGEMENT																						
1.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	1	$220	2	$360															3	$580	N/A
Sub-Total =	**N/A**	**1**	**$220**	**6**	**$1,080**	**4**	**$592**									**1**	**$63**					**N/A**
Project Management (Additional Services)																						
1.16 Additional Services	N/A			15	$2,700											1	$63			16	$2,763	N/A
Sub-Total =	**N/A**			**15**	**$2,700**											**1**	**$63**					**N/A**
Task REIMBURSABLE EXPENSES (Mileage/Reports)																					$1,120	
Total =	**17**	**2**	**$440**	**151**	**$27,720**	**211**	**$32,708**	**70**	**$10,150**	**204**	**$27,540**	**212**	**$23,616**	**24**	**$5,880**	**31**	**$1,953**					**N/A**
Percent of Total Fee =			3.5%		20.2%		25.9%		7.4%		20.1%		18.2%		4.3%		1.6%			100%		

SECTION H - Required Forms

DISCLOSURE OF LOBBYING ACTIVITIES

LIST OF SUBCONSULTANTS (DBE AND NON-DBE) PARTS I AND II

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

1. Type of Federal Action: ☐ a. Contract N/A b. Grant c. Cooperative agreement d. Loan e. Loan guarantee f. Loan insurance	**2. Status of Federal Action:** ☐ a. Bid/offer/application N/A b. Initial award c. Post-award	**3. Report Type:** ☐ a. Initial filing N/A b. Material change **For Material Change Only:** Year _____ Quarter_____ Date of last report _____
4. Name and Address of Reporting Entity: ☒ Prime ☐ Subawardee Tier_____, *if known* **Congressional District,** *if known:*	**5. If Reporting Entity in No. 4 is Subawardee. Enter Name and Address of Prime:** N/A **Congressional District,** *if known:*	
6. Federal Department/Agency: N/A	**7. Federal Program Name/Description:** N/A CFDA Number, *if applicable*_____	
8. Federal Action Number, *if known:* N/A	**9. Award Amount,** *if known:* N/A $	
10. Name and Address of Lobbying Entity N/A *(If individual, last name, first name, MI):*	**b. Individuals Performing Services** *(including address if different from No. 10a)* *(Last name, first name, MI):*	
11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	**Signature:** **Print Name:** Michael V. Valenza **Title:** Vice President of Finance **Telephone No.:** 949-855-5730 **Date:** 02-15-12	
Federal Use Only:	Authorized for Local Reproduction Standard Form – LLL (Rev. 7-97)	

Standard Form LLL Rev. 06-04-90
W:\CapProj\CapProj\BOILER\Consultant\RFP-Letter-Attachment\Boiler-RFP Attachment-Form LLL-OBE.doc

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART I

The proposer shall list all subconsultants (both DBE and non-DBE) in accordance with Title 49, Section 26.11 of the Code of Federal Regulations. The listing is required in addition to listing DBE subconsultants elsewhere in the proposal. **Photocopy this form for additional firms.**

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
Cogstone	*Paleontology-Archaeology-History*	☐ < $1million	Cultural Resources in support of the Environmental Compliance	☐ YES
	Sherrie Gust, RPA, Principal	☒ < $5 million		☐ NO
1518 West Taft Avenue	Ph: 714/974-8300	☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
Orange, CA 92865	Fax: 714/974-8303	☐ > $15 million		Age of Firm (Yrs.) 10

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Distribute: 1) Original – Local Agency File

MV00160166

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART II

The proposer shall list all subconsultants who provided a quote or bid but were not selected by the proposer to participate as a subconsultant on this project. This is required for compliance with Title 49, Section 26 of the Code of Federal Regulations. Photocopy this form for additional firms.

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
Not applicable.		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Distribute: 1) Original - Local Agency File

MV00160167

RBF CONSULTING
A Baker Company

14725 Alton Parkway
Irvine, CA 92618
949.472.3505

40810 County Center Drive, Suite 100
Temecula, CA 92591
951.676.8042

www.rbf.com
www.mbakercorp.com

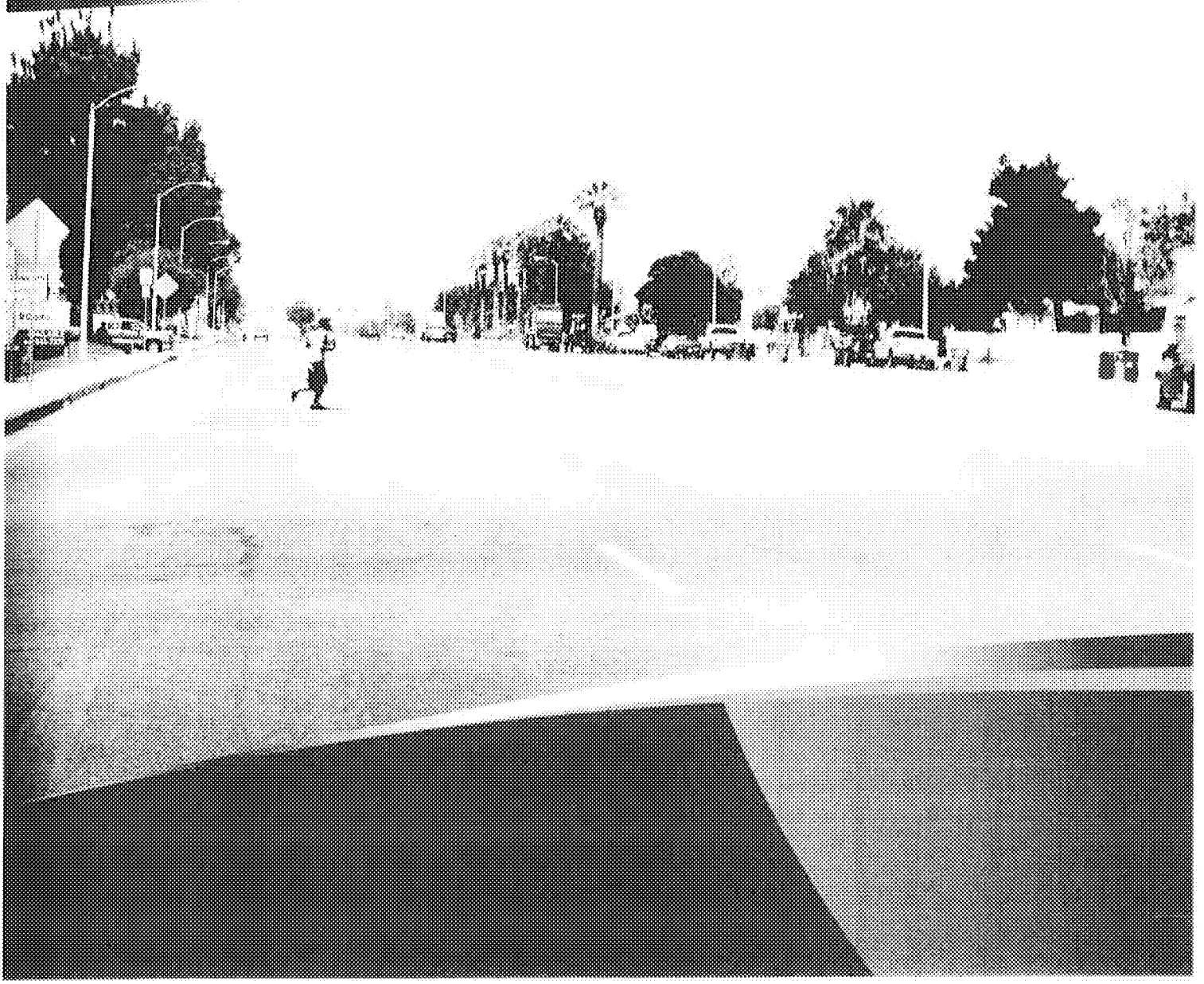

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $137,027.00.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City upon completion of the defined milestones for progress payments along with documentation evidencing services completed to date. There will be no monthly invoice payments unless specifically identified otherwise below. These Milestones are:

    1. Report of Project Issues complete.
    2. Environmental Clearance obtained.
    3. "Phase 1, 35% Level Completion" is complete.
    4. "Phase 2, 65% Level Completion" is complete.
    5. "Phase 2, 95% Level Completion" is complete.
    6. "Phase 2, 100% Level Completion" is complete.
    7. Project Bidding on a monthly basis.
    8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's

determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zarat@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees,

   late charges, or other penalties. The ACH Authorization Form is located at:

   http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

RBF

MORENO VALLEY
Alessandro Boulevard Median Improvements
from Indian Street to Perris Boulevard
Proposed Project Schedule
RBF CONSULTING

	Task Name	Duration	Start	Finish
1	PROJECT DESIGN SCHEDULE	437 days	Tue 4/24/12	Wed 12/25/13
2	PHASE: PLANNING, ENVIRONMENTAL, AND CONCEPT	114.5 days	Tue 4/24/12	Mon 10/1/12
3	Notice to Proceed	1 day	Tue 4/24/12	Tue 4/24/12
4	Project Kickoff Meeting	1 day	Wed 5/2/12	Wed 5/2/12
5	Research & Data Collection	3 wks	Thu 5/3/12	Wed 5/23/12
6	Site Visit & Review	1.5 wks	Thu 5/3/12	Mon 5/14/12
7	Topographic Survey	2 wks	Thu 5/24/12	Wed 6/6/12
8	Utility Notifications	10 wks	Thu 6/7/12	Wed 8/15/12
9	Utility Potholing	2 wks	Thu 8/16/12	Wed 8/29/12
10	Base Map Preparation	3 wks	Thu 6/7/12	Wed 6/27/12
11	Permit Engineering Evaluation Report (PEER) & Fact Sheet (Caltrans Approvals)	100 days	Mon 5/14/12	Mon 10/1/12
12	Environmental Review	4 wks	Mon 5/14/12	Mon 6/11/12
13	Caltrans Review, Revisions and Approvals	16 wks	Mon 6/11/12	Mon 10/1/12
14	Geometric Approval Drawings & Constraints Analysis	60 days	Thu 8/23/12	Wed 11/14/12
15	Develop Alignment & Reviews	4 wks	Thu 8/23/12	Wed 9/19/12
16	Final Precise Alignment & Reviews	4 wks	Thu 9/20/12	Wed 10/17/12
17	PHASE: DESIGN (PS&E)	50 days	Thu 9/20/12	Wed 11/28/12
18	Plans, Specifications and Estimates	50 days	Thu 9/20/12	Wed 11/28/12
19	Plan Set Preparation	4 wks	Thu 9/20/12	Wed 10/17/12
20	Cost Estimate	2 wks	Thu 11/1/12	Wed 11/14/12
21	Specifications	3 wks	Thu 10/25/12	Wed 11/14/12
22	Plan City Review & Revisions Processing	4 wks	Thu 10/18/12	Wed 11/14/12
23	Final Plans, Specifications and Estimates Complete	2 wks	Thu 11/15/12	Wed 11/28/12
24	PHASE: CONSTRUCTION	100 days	Thu 8/8/13	Wed 12/25/13
25	Construction Support	5 mons	Thu 8/8/13	Wed 12/25/13

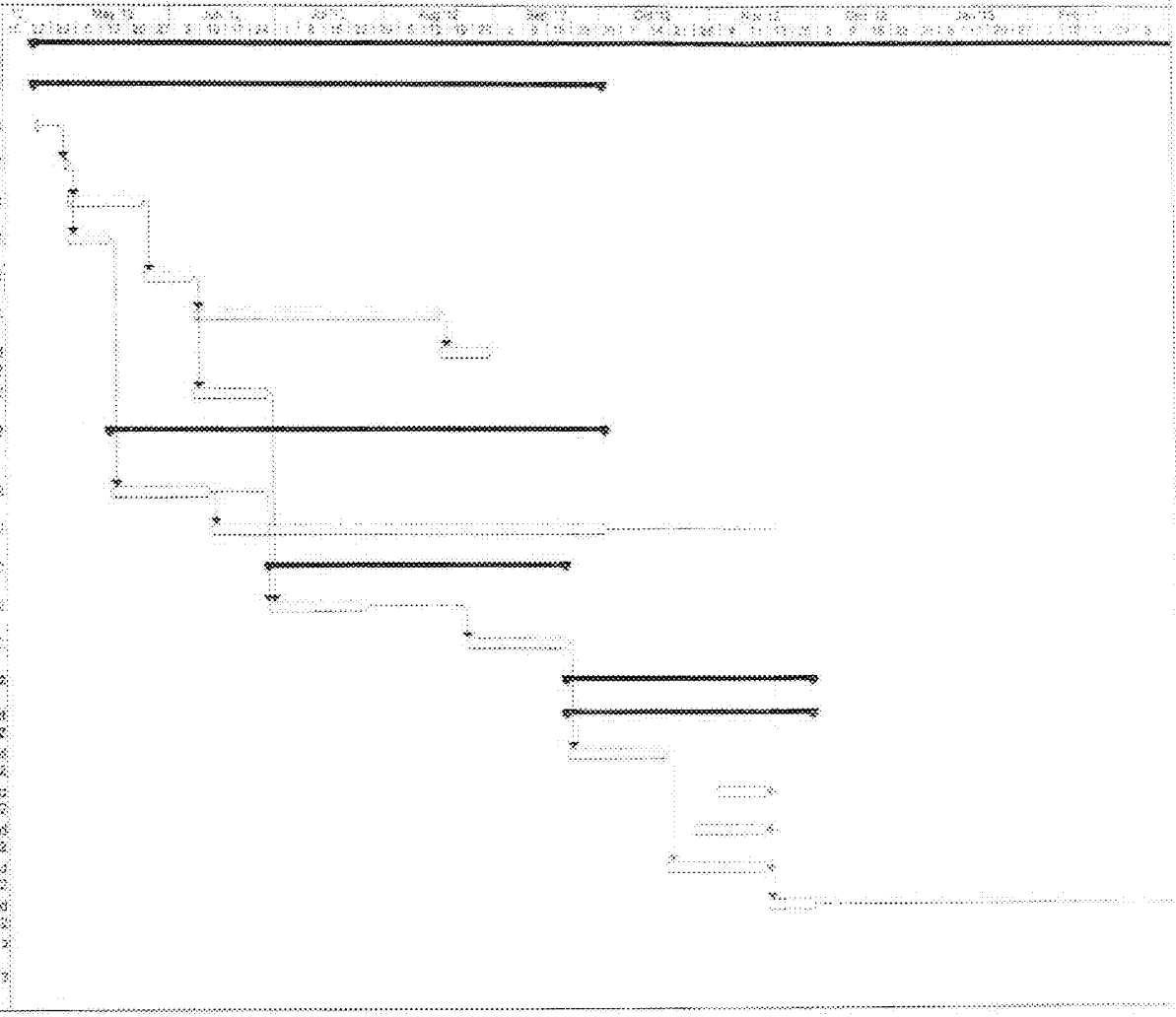

Project: Project Schedule.mpp
Date: Thu 2/21/13

Task | Split | Progress | Milestone | Summary | Project Summary | External Tasks | External Milestone | Deadline

Exhibit "E"

Exhibit 10-F Certification of Consultant, Commissions & Fees

CERTIFICATION OF CONSULTANT

I HEREBY CERTIFY that I am the _____, and duly authorized representative of the firm of _____, whose address is _____, and that, except as hereby expressly stated, neither I nor the above firm that I represent have:

(a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit or secure this agreement; nor

(b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the agreement; nor

(c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind, foror in connection with, procuring or carrying out this agreement.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this agreement involving participation of Federal-aid Highway funds, and is subject to applicable state and federal laws, both criminal and civil.

_____ (Date)

_____ (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

Exhibit "F"

MV00160173

Exhibit 10-G Certification of Local Agency

CERTIFICATION OF LOCAL AGENCY

I HEREBY CERTIFY that I am the _____ of the _____ (local agency) _____, and that the consulting firm of _____, or its representative has not been required (except as herein expressly stated), directly or indirectly, as an express or implied condition in connection with obtaining or carrying out this Agreement to:

(a) employ, retain, agree to employ or retain, any firm or person, or

(b) pay or agree to pay, to any firm, person or organization, any fee, contribution, donation, or consideration of any kind.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this Agreement involving participation of federal-aid highway funds, and is subject to applicable state and federal laws, both criminal and civil.

_____ (Date)

_____ (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

Exhibit "G"

MV00160174

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director / City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO RASMUSSEN BROTHERS CONSTRUCTION, INC. FOR THE MORENO VALLEY POLICE DEPARTMENT TRAFFIC DIVISION OFFICE RENOVATION PROJECT NO. 11-50182328

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation.

2. Authorize the City Manager to execute a contract with RBC in the form attached hereto.

3. Authorize the issuance of a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780.

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project.

BACKGROUND

On June 14, 2011, the City Council adopted the Fiscal Year 2011/2012 Capital Improvement Plan. Under this plan, $600,000 was allocated for the reconfiguration of the old Emergency Operations Center for the design and construction of relocation and expansion of the City's Police Traffic Division.

On October 19, 2011, the Financial and Administrative Service's Director executed an agreement with TR Design Group Architecture for Professional Consultant Design Services for Moreno Valley Police Department Traffic Division Office Renovation. The design phase was completed in February 2012 and advertised for construction bids on February 16, 2012.

DISCUSSION

In November 2010, the City completed the construction of a new Emergency Operations Center (EOC) building adjacent to the Public Safety Building (PSB). The previous EOC space in the PSB was left vacant. The Moreno Valley Police Department Traffic Division needed more space and therefore it was decided that the area left vacant by the EOC would be renovated to accommodate the Traffic Division's needs.

The project includes the demolition of the existing interior partitions, construction of new partitions, removal and modification to the existing acoustical tile ceilings and installation of new tile ceilings, demolition of the existing split system HVAC unit, removal and replacement of a fan-coil unit above the existing ceiling and a condenser unit on the roof, new ductwork and piping, and retrofit of existing supply and return ductwork in the space. Renovations to be completed also include removal and relocation of existing base and wall cabinetry, removal of kitchen cabinets and fabrication of new cabinets, and electrical demolition and rough and finish electrical construction. The renovated space will be re-carpeted and re-painted as well.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m. on March 19, 2012, for the subject project. The eight (8) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Rasmussen Brothers Construction, Inc.**	**$138,892**
2.	Avi-Con, Inc. dba CA Construction	$177,000
3.	Blair Rasmussen Construction, Inc.	$179,000
4.	De La Riva Construction, Inc.	$188,090
5.	DLE Construction, Inc.	$190,000
6.	Dalke & Sons Construction, Inc.	$195,480
7.	Dennis Patrick Contracting	$230,000
8.	MDE Group, Inc.	$249,900

Staff has reviewed the bid by Rasmussen Brothers Construction, Inc. (RBC) and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by RBC.

ALTERNATIVES

1. Award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation, authorize the City Manager to execute a contract with RBC in the form attached hereto, authorize the issuance a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780, and authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project. *This alternative will allow for much needed improvements.*

2. Do not award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation. authorize the City Manager to execute a contract with RBC in the form attached hereto, authorize the issuance a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780, and authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project.*This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The design and construction of the Moreno Valley Police Department Traffic Division Office Renovation project is included in the adopted Fiscal Year 2011/2012 Capital Improvement Project as part of the Public Safety Building Phase II. The project is funded by Fund 501 (2005 Lease Revenue Bonds). These funds have been allocated for the Moreno Valley Police Department Traffic Division Office Renovation project and cannot be utilized for operational activities. There is no impact on the General Fund.

BUDGETED PROJECT FUNDS:
Public Safety Building Conversion
FY 2011/2012 Budget (Account No. 501.82328) $600,000

ESTIMATED PROJECT RELATED COSTS:

Architectural Design & Construction Support Services	$60,000
Construction Costs*	$167,000
Partitions and Furniture	$150,000
Riverside County IT Installation	$40,000
Construction Management & Inspection	$80,000
Moving and Logistics Cost	$20,000
Project Administration**	$20,000
Total Estimated Project Related Costs	**$537,000**

* Includes 20% contingency
** Includes project management, advertising, printing, and other miscellaneous costs.

ANTICIPATED PROJECT SCHEDULE:

Notice of Award	April 2012
Start Construction	May 2012
Complete Construction	July 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

This project will renovate the existing unused space in the Public Safety Building to allow for better functionality of the City's Police Department Traffic Division. Staff recommends awarding the contract to Rasmussen Brothers Construction, Inc. and authorizing the issuance of a purchase order in the amount of $166,672, inclusive of a 20% contingency when the agreement has been signed by all parties.

ATTACHMENTS

Attachment "A" – Contract Agreement

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director / Assistant City Engineer

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director / City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Agreement No._____

AGREEMENT

PROJECT NO. 11-50182328

MORENO VALLEY POLICE DEPARTMENT
TRAFFIC DIVISION OFFICE RENOVATION

THIS Agreement, effective as of the date signed by the City of Moreno by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Rasmussen Brothers Construction, Inc.**, hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. CONTRACT DOCUMENTS. The Contract Documents consist of the following, which are incorporated herein by this reference:

A. Governmental approvals, including, but not limited to, permits required for the Work
B. Any and all Contract Change Orders issued after execution of this Agreement
C. This Agreement
D. Addenda Nos. __1_____ inclusive, issued prior to the opening of the Bids
E. City Special Provisions, including the General Provisions and Technical Provisions
F. Standard Specifications for Public Works Construction ("Greenbook") – latest edition in effect at the Bid Deadline, as modified by the City Special Provisions
G. Reference Specifications/Reference Documents
H. Project Plans
I. City Standard Plans
J. The bound Bidding Documents
K. Contractor's Certificates of Insurance and Additional Insured Endorsements
L. Contractor's Bidder's Proposal and Subcontractor Listing

In the event of conflict between any of the Contract Documents, the provisions placing a more stringent requirement on the Contractor shall prevail. The Contractor shall provide the better quality or greater quantity of Work and/or materials unless otherwise directed by City in writing. In the event none of the Contract Documents place a more stringent requirement or greater burden on the Contractor, the controlling provision shall be that which is found in the document with higher precedence in accordance with the above order of precedence.

2. REFERENCE DOCUMENTS. The following Reference Documents are not considered Contract Documents and were provided to the Contractor for informational purposes:

A. None

3. SCOPE OF WORK. The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract Documents, except as otherwise provided in the Plans, Standard Specifications, or City Special Provisions to be the responsibility of others.

ATTACHMENT "A"

4. PAYMENT.

4.1. **Contract Price and Basis for Payment**. In consideration for the Contractor's full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items and Alternate Bid Items, if any, set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items and Alternate Bid Items, if any, awarded by the City is One Hundred Thirty Eight Thousand Eight Hundred and Ninety-Two Dollars ($138,892) ("Contract Price"). It is understood and agreed that the quantities set forth in the Bidder's Proposal for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of work, the unit prices set forth in the Bidder's Proposal multiplied by the actual number of units performed, constructed, or completed as directed by the City Engineer.

4.2. **Payment Procedures**. Based upon applications for payment submitted by the Contractor to the City, the City shall make payments to the Contractor in accordance with Article 9 of the Standard Specifications, as modified by Article 9 of the City Special Provisions.

5. CONTRACT TIME.

A. Initial Notice to Proceed. After the Agreement has been fully executed by the Contractor and the City, the City shall issue the "Notice to Proceed to Fulfill Preconstruction Requirements." The date specified in the Notice to Proceed to Fulfill Preconstruction Requirements constitutes the date of commencement of the Contract Time of Seventy **(70) Working Days**. The Contract Time includes the time necessary to fulfill preconstruction requirements, and to complete construction of the Project (except as adjusted by subsequent Change Orders).

The Notice to Proceed to Fulfill Preconstruction shall further specify that Contractor must complete the preconstruction requirements within twenty **(20) Working Days** after the date of commencement of the Contract Time; this duration is part of the Contract Time.

Critical preconstruction requirements include, but are not limited to, the following:

- Submitting and obtaining approval of critical required submittals/ deferred submittals
- Installation of the approved Project Identification Signs
- Obtaining Building Permit and other Deferred Permits
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Bidding Documents
- Completion of all pre-construction activities.

If the City's issuance of a Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials is delayed due to Contractor's failure to return the fully executed Agreement and insurance and bond documents within ten (10) Working Days after Contract award, then Contractor agrees to the deduction of one (1) Working Day from the number of days to complete the Project for every Working Day of delay in the City's receipt of said documents. This right is in addition to and does not affect the City's right to demand forfeiture of Contractor's Bid Security of Contractor persistently delays in providing the required documentation.

B. Notice to Proceed with Construction. After all preconstruction requirements are met in accordance with the Notice to Proceed to Fulfill Preconstruction Requirements, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor shall diligently

prosecute the Work, including corrective items of Work, day to day thereafter, within the remaining Contract Time.

6. LIQUIDATED DAMAGES

6.1. **Liquidated Damages.** The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to fulfill the preconstruction requirements, and/or failure to complete the Work within the Contract Time. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadline for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to fulfill the preconstruction requirements and/or fails to complete the Work within the Contract Time, Contractor agrees to pay the City **$500.00 per Calendar day** that completion of the Work is delayed beyond the Contract Time, as adjusted by Contract Change Orders. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

The Contractor and City acknowledge and agree that the foregoing liquidated damages have been set based on an evaluation of damages that the City will incur in the event of late completion of the Work. The Contractor and City acknowledge and agree that the amount of such damages are impossible to ascertain as of the date of execution hereof and have agreed to such liquidated damages to fix the City's damages and to avoid later disputes. It is understood and agreed by Contractor that liquidated damages payable pursuant to this Agreement are not a penalty and that such amounts are not manifestly unreasonable under the circumstances existing as of the date of execution of this Agreement.

It is further mutually agreed that the City will have the right to deduct liquidated damages against progress payments or retainage and that the City will issue a Change Order or Construction Change Directive and reduce the Contract Price accordingly. In the event the remaining unpaid Contract Price is insufficient to cover the full amount of liquidated damages, Contractor shall pay the difference to the City.

6.2. **Owner is Exempt from Liability for Early Completion Delay Damages**. While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-6 of the Standard Specifications and City Special Provisions regarding compensation for delays.

7. INSURANCE.

7.1. **General**. The Contractor shall procure and maintain at its sole expense and throughout the term of this Agreement, any extension thereof, Commercial General Liability,

Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described herein.

7.2. **Additional Insured Endorsements**. The Contractor shall cause the insurance required by the Contract Document to include the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives as an additional insureds. For the Commercial General Liability coverage, said parties shall be named as additional insureds utilizing either:

1. Insurance Services Office ("ISO") Additional Insured endorsement CG 20 10 (11/85); or

2. ISO Additional Insured endorsement CG 20 10 (10/01) and Additional Insured Completed Operations endorsement CG 20 37 (10/01); or

3. substitute endorsements providing equivalent coverage, approved by the City.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The coverage shall contain no special limitations on the scope of protection afforded to such additional insureds. Coverage for such additional insureds does not extend to liability to the extent prohibited by Insurance Code Section 11580.4.

7.3. **Waivers of Subrogation**. All policies of insurance required by the Contract Documents shall include or be endorsed to provide a waiver by the insurers of any rights of recovery or subrogation that the insurers may have at any time against the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives.

7.4. **Primary Coverage**. All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

7.5. **Coverage Applies Separately to Each Insured and Additional Insured**. Coverage shall state that the Contractor's (and its Subcontractors') insurance shall apply separately to each insured or additional insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Coverage shall apply to any claim or suit brought by an additional insured against a named insured or other insured.

7.6. **Self-Insurance**. Any self-insurance (including deductibles or self-insured retention in excess of $50,000) in lieu of liability insurance must be declared by Contractor and approved by the City in writing prior to execution of the Agreement. The City's approval of self-insurance, if any, is within the City's sole discretion and is subject to the following conditions:

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project, and any extension of the one-year correction guarantee period in accordance with

Section 6-8.1 of the City Special Provisions, maintain and upon Owner's reasonable request provide evidence of:

(a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property and equipment and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;

(b) financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill; and

(c) a claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.

2. If at any time after such self-insurance has been approved Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:

(a) the Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or

(b) the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or

(c) the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

7.7. **Insurer Financial Rating**. Insurance companies providing insurance hereunder shall be rated A-:VII or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

7.8. **Notices to City of Cancellation or Changes**. Each insurance policy described in this Paragraph 7 shall contain a provision or be endorsed to state that coverage will not be cancelled without **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that

upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

7.9. **Commercial General Liability**. Coverage shall be written on an ISO Commercial General Liability "occurrence" form CG 00 01 (10/01 or later edition) or equivalent form approved by the City for coverage on an occurrence basis. The insurance shall cover liability, including, but not limited to, that arising from premises operations, stop gap liability, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The policy shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 (11/85). Coverage shall contain no contractors' limitation or other endorsement limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground (x, c, u) property damage. Contractor shall provide Products/Completed Operations coverage to be maintained continuously for a minimum of **one (1) year** after Final Acceptance of the Work, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: $1,000,000 per occurrence / $2,000,000 aggregate / $2,000,000 products-completed operations.

7.10. **Business Automobile Liability**. Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with $1,000,000 combined single limit per accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.11. **Workers' Compensation**. Contractor shall comply with the applicable sections of the California Labor Code concerning workers' compensation for injuries on the job. Compliance is accomplished in one of the following manners:

1. Provide copy of permissive self-insurance certificate approved by the State of California; or
2. Secure and maintain in force a policy of workers' compensation insurance with statutory limits and Employer's Liability Insurance with a minimal limit of **$1,000,000** per accident; or
3. Provide a "waiver" form certifying that no employees subject to the Labor Code's Workers' Compensation provision will be used in performance of this Contract.

7.12. **Subcontractors' Insurance**. The Contractor shall include all Subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to all of the requirements stated herein.

8. BONDS. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be furnished as a guarantee of the faithful performance of the requirements of the Contact Documents as may be amended from time to time, including, but not limited to, liability for delays and damages (both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the Satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments hall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

Contractor agrees that the Labor and Materials Payment Bond and the Performance Bond attached to this Agreement are for reference purposes only, and shall not be considered part of this Agreement. Contractor further agrees that said bonds are separate obligations of the Contractor and its surety, and that any attorneys' fee provision contained in any payment bond or performance bond shall not apply to this Agreement. In the event there is any litigation between the parties arising from the breach of this Agreement, each party will bear its own attorneys' fees in the litigation.

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for at least three (3) years after Final Acceptance.

10. INDEMNIFICATION.

10.1. **General**. To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold harmless and defend (even if the allegations are false, fraudulent, or groundless), the City of Moreno Valley, its City Council, and the Moreno Valley Community Services District (CSD), and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

A. Any activity on or use of the City's premises or facilities;
B. Any liability incurred due to Contractor acting outside the scope of its authority pursuant to the Contract, whether or not caused in part by an Indemnified Party;
C. The failure of Contractor or the Work to comply with any Applicable Law, permit or orders;
D. Any misrepresentation, misstatement or omission with respect to any statement made in the Contract Documents or any document furnished by the Contractor in connection therewith;
E. Any breach of any duty, obligation or requirement under the Contract Documents, including, but not limited to any breach of Contractor's warranties, representations or agreements set forth in the Contract Documents;
F. Any failure to coordinate the Work with City's Separate Contractors;
G. Any failure to provide notice to any party as required under the Contract Documents;
H. Any failure to act in such a manner as to protect the Project from loss, cost, expense or liability;
I. Bodily or personal injury, emotional injury, sickness or disease, or death at any time to any persons including without limitation employees of Contractor;
J. Damage or injury to real property or personal property, equipment and materials (including, but without limitation, property under the care and custody of the Contractor or the City) sustained by any person or persons (including, but not limited to, companies, corporations, utility company or property owner, Contractor and its employees or agents, and members of the general public);
K. Any liability imposed by Applicable Law including, but not limited to criminal or civil fines or penalties;
L. Any dangerous, hazardous, unsafe or defective condition of, in or on the Site, of any nature whatsoever, which may exist by reason of any act, omission, neglect, or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors;

M. Any operation conducted upon or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors under or pursuant to the provisions of the Contract or otherwise;

N. Any acts, errors, omission or negligence of Contractor, its officers, agents, employees, or Subcontractors;

O. Infringement of any patent rights, licenses, copyrights or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and

P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence**. Contractor's obligations to indemnify and hold the Indemnitees harmless **exclude** only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph 11. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

10.3. **Independent Defense Obligation.** The duty of the Contractor to indemnify and hold harmless the Indemnitees includes the separate and independent duty to defend the Indemnitees, which duty arises immediately upon receipt by Contractor of the tender of any Indemnity Claim from an Indemnitee. The Contractor's obligation to defend the Indemnitee(s) shall be at Contractor's sole expense, and not be excused because of the Contractor's inability to evaluate liability or because the Contractor evaluates liability and determines that the Contractor is not liable. This duty to defend shall apply whether or not an Indemnity Claim has merit or is meritless, or which involves claims or allegations that any or all of the Indemnitees were actively, passively, or concurrently negligent, or which otherwise asserts that the Indemnitees are responsible, in whole or in part, for any Indemnity Claim. The Contractor shall respond within thirty (30) Calendar Days to the tender of any Indemnity Claim for defense and/or indemnity by an Indemnitee, unless the Indemnitee agrees in writing to an extension of this time. The defense provided to the Indemnitees by Contractor shall be by well qualified, adequately insured and experienced legal counsel acceptable to the City.

10.4. **Intent of Parties Regarding Scope of Indemnity.** It is the intent of the parties that the Contractor and its Subcontractors of all tiers shall provide the Indemnitees with the broadest defense and indemnity permitted by Applicable Law. In the event that any of the defense, indemnity or hold harmless provisions in the Contract Documents are found to be ambiguous, or in conflict with one another, it is the parties' intent that the broadest and most expansive interpretation in favor of providing defense and/or indemnity to the Indemnitees be given effect.

10.5. **Waiver of Indemnity Rights Against Indemnitees.** With respect to third party claims against the Contractor, to the fullest extent permitted by law, the Contractor waives any and all rights to any type of express or implied indemnity against the Indemnitees.

10.6. **Subcontractor Requirements.** In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Paragraph 11.

10.7. **No Limitation or Waiver of Rights.** Contractor's obligations under this Paragraph 11 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Paragraph 11 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Paragraph 11 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

10.8. **Withholding to Secure Obligations.** In the event an Indemnity Claim arises prior to final payment to Contractor, the City may, in its sole discretion, reserve, retain or apply any monies due Contractor for the purpose of resolving such Indemnity Claims; provided, however, the City may release such funds if the Contractor provides the City with reasonable assurances of protection of the Indemnitees' interests. The City shall, in its sole discretion, determine whether such assurances are reasonable.

10.9. **Survival of Indemnity Obligations.** Contractor's obligations under this Paragraph 11 are binding on Contractor's and its Subcontractors' successors, heirs and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

11. SUCCESSORS AND ASSIGNS. The Parties bind themselves, their heirs, executors, administrators, successors and assigns the covenants, agreements and obligations contained in the Contract Documents. The Contractor shall not, either voluntarily or by action of law, assign any right or obligation of the Contractor under the Contract Documents without prior written consent of the City.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY:_____
City Manager

DATE:_____

Rasmussen Brothers Construction, Inc.

License No./
Classification:_____

Expiration Date:_____

Federal I.D. No.:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer
(if contract exceeds $15,000)

_____
Date

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

Signature(s) must be accompanied by a completed notary certificate of acknowledgement attached hereto. A general partner must sign on behalf of a partnership. **Two (2)** corporate officers must sign on behalf of a corporation unless the corporation has a corporate resolution that allows one person to sign on behalf of the corporation; if applicable, said resolution must be attached hereto. The corporate seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____.
(Here insert name and title of the officer)

personally appeared _____.

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Price)

PROJECT NO. 11-50182328

MORENO VALLEY POLICE DEPARTRMENT
TRAFFIC DIVISION OFFICE RENOVATION

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Rasmussen Brothers Construction, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Project No. 11-50182328**, and all Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Documents and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents or to the Work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California
County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 11-50182328

MORENO VALLEY POLICE DEPARTMENT
TRAFFIC DIVISION OFFICE RENOVATION

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Rasmussen Brothers Construction, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Project No. 11-50182328**, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director / City Engineer

AGENDA DATE: April 10, 2012

TITLE: AGREEMENT FOR THE REIMBURSEMENT OF TRANSPORTATION UNIFORM MITIGATION FEE FUNDS BETWEEN RIVERSIDE COUNTY TRANSPORTATION COMMISSION AND THE CITY OF MORENO VALLEY FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE PROJECT NO. 11-41570125

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project.

2. Authorize the City Manager to execute the Agreement between RCTC and the City of Moreno Valley in the form attached hereto.

3. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the TUMF Agreement between RCTC and the City of Moreno Valley for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, subject to the approval of the City Attorney.

4. Reappropriate $262,000 from Account No. 415.70225 (Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue) to Account No. 415.70125 (Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue).

5. Authorize the revenue and expense budgets in the TUMF Capital Projects Fund (Fund 415) for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral

"B" to Cactus Avenue project in the amounts of $5,110,000, respectively, upon approval of the agreement for the reimbursement of TUMF funds between RCTC and the City of Moreno Valley.

BACKGROUND

At the August 22, 2006 City Council meeting, the City and RCTC entered into the Agreement for the Funding of TUMF Regional Arterial Improvements with the City of Moreno Valley for the Project Approvals & Environmental Document (PA&ED) and Plans, Specifications, & Estimate (PS&E) phases of the Perris Boulevard Widening from Ramona Expressway to Cactus Avenue, Project 5106 (TUMF Agreement).

The project, as set forth in the TUMF Agreement, originally encompassed Perris Boulevard from Ramona Expressway to Cactus Avenue. On March 11, 2008, City Council approved The First Amendment to the TUMF Agreement that changed the project limits and reduced the funding amount, resulting in project limits located fully within City of Moreno Valley City boundaries. Pursuant to the First Amendment, the project boundaries and description changed to "Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue, Project 5106".

The Second Amendment to the TUMF Agreement for the inclusion of reimbursement for the Right of Way phase was approved by City Council at its meeting on November 10, 2009. The existing TUMF Agreement and two subsequent amendments did not include funds for the Construction phase.

DISCUSSION

Perris Boulevard is an existing partially improved north/south arterial street between the limits of Perris Valley Storm Drain Lateral "B" (Southerly City Limits) and Cactus Avenue in the City of Moreno Valley. The existing improvements, which vary in width, consist of a two-lane road with shoulders in some areas to other areas that are fully built out. This project is to widen and improve Perris Boulevard within the project limits to an arterial street standard with a curb-to-curb width of 86 feet (86') within a 110 feet (110') right of way. The proposed improvements will include curb, gutter, sidewalk, pavement, traffic signal modifications, streetlight relocations, utility relocations, signing and striping, and related road improvements. Additionally, right of way acquisition was acquired in areas where the ultimate street right of way had not been previously obtained.

The City has two TUMF Regional Arterial Improvement projects ready for construction that both realized substantial savings during the pre-construction phases: Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue ($1.25 million in savings) and Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue ($415,000 in savings). City staff met with RCTC staff to discuss constructing both projects using TUMF funds. It was determined, however, that there were not sufficient TUMF funds available to construct both projects. After further discussion between City staff and RCTC, RCTC agreed to support programming an additional $4

million to supplement the above savings for a total of $5,665,000 of funding for the Construction phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project. The construction of the Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue project would be placed on hold until funding is available and approximately $262,000 in TUMF funds of its remaining FY 2011/2012 budget are proposed to be reappropriated to the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project.

On March 14, 2012, the RCTC Board of Commissioners voted to carry over approximately $1.25 million in savings from the Design and Right of Way phases of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, plus $415,000 in savings from the Design and Right of Way phases of the Perris Boulevard from Ironwood Avenue to Manzanita Avenue project, plus $4 million in new obligations. RCTC has prepared a new Agreement for the Construction Phase (Agreement No. 12-72-059-00) and designated a maximum amount of $5,665,000 of TUMF funds for this phase. There is no requirement for local agency match for this Agreement and all project expenditures are anticipated to be reimbursable; however, existing DIF funds in the project budget may be used to cover minor administrative and ancillary expenses that may not be eligible for reimbursement by TUMF funds.

ALTERNATIVES

1. Accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project; authorize the City Manager to execute the Agreement between RCTC and the City of Moreno Valley in the form attached hereto; authorize the Public Works Director/City Engineer to execute any subsequent amendments to the TUMF Agreement between RCTC and the City of Moreno Valley for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, subject to the approval of the City Attorney; reappropriate $262,000 from Account No. 415.70225 (Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue) to Account No. 415.70125 (Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue); and authorize the revenue and expense budgets in the TUMF Capital Projects Fund (Fund 415) for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project in the amounts of $5,110,000, respectively, upon approval of the agreement for the reimbursement of TUMF funds between RCTC and the City of Moreno Valley. *This alternative will allow for the construction of needed improvements.*

2. Do not accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus

Avenue project. *This alternative will result in not accepting $5,665,000 in TUMF funds from RCTC and delay the construction of needed improvements.*

FISCAL IMPACT

The City's current FY 2011/2012 budget includes approximately $293,000 available in TUMF Account No. 415.70125 and approximately $80,000 available in Developer Impact Fee Arterial Streets Capital Projects (DIF) Account No. 416.78526 for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project. The City's current FY 2011/2012 budget also includes approximately $262,000 available for reappropriation from the Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue project (Account No. 415.70225) to the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project (Account No. 415.70125). Staff requests a new appropriation of $5,110,000 in TUMF funds to Account No. 415.70125. Altogether, total TUMF funding for this project is $5,665,000. TUMF funding will pay for the Construction phase of this project, although there are some minor administrative and ancillary expenses that may be paid by DIF funds. Approving this Agreement has no impact on the City's General Fund.

AVAILABLE AND PROPOSED REVENUE FUNDS

Available Budgeted TUMF Revenue (RCTC Reimb-415.4150.4660) $555,000
Additional Appropriation of TUMF Revenue (RCTC Reimb-415.4150.4660) .. $5,110.000
Available Budgeted DIF Revenue (416.4160.4701) $80,000
Available and Proposed Revenue Funds $5,745,000

AVAILABLE AND PROPOSED EXPENDITURE FUNDS:

Available Budgeted TUMF Funds Perris Boulevard Widening / Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Acct. No. 415.70125) $293,000
Appropriation of TUMF Funds Perris Boulevard Widening / Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Acct. No. 415.70125) $5,110,000
Reappropriation of Budgeted TUMF Funds Perris Boulevard / Ironwood Avenue to Manzanita Avenue (Acct. No. 415.70225) $262,000
Available Budgeted DIF Funds Perris Boulevard Widening / Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Acct. No. 416.78526) $80,000
Available and Proposed Expenditure Funds $5,745,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction..... $60,000
Contractor Construction Costs (includes 20% contingency)..... $5,130,000
Construction Geotechnical Services..... $105,000
Construction Survey Services $110,000
Project Management and City Inspection..... $240,000
Administrative and Miscellaneous $100,000
Total Estimated Construction Related Costs $5,745,000

ANTICIPATED SCHEDULE:
Advertise / Bid / Award ..... April 2012 to June 2012
Construction ..... July 2012 to April 2013

CITY COUNCIL GOALS

ADVOCACY:
Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Approval of the TUMF Agreement will allow RCTC to obligate funds in the amount of $5,665,000 for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project. The City will then proceed with the advertisement, bid, award, and construction process and subsequently submit statements to RCTC for reimbursement.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement for the Funding of TUMF Regional Arterial Improvements with the City of Moreno Valley

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

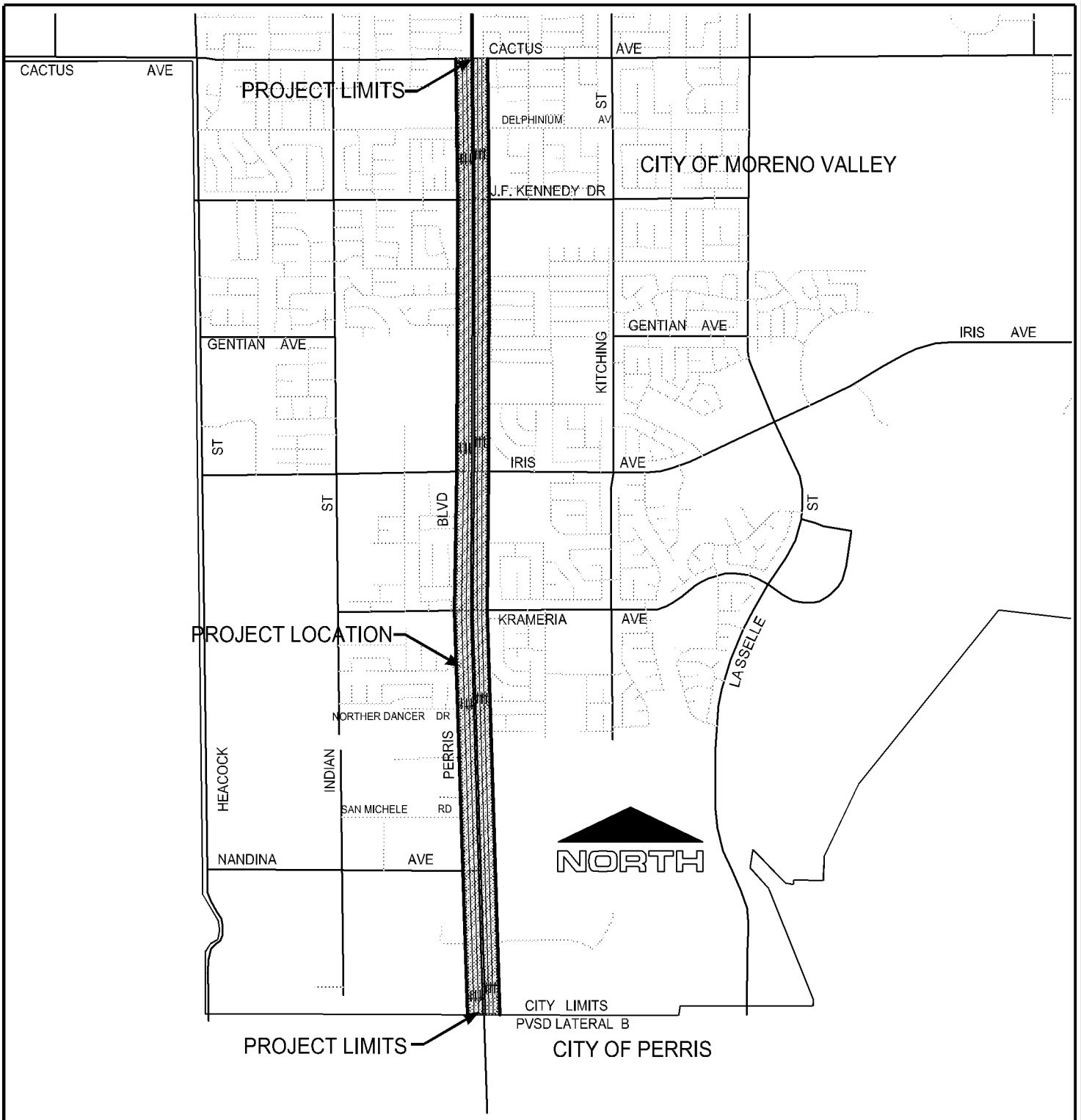

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: Not to scale

ATTACHMENT "A"

PERRIS BOULEVARD WIDENING
FROM
PVSD LATERAL "B" TO CACTUS AVE.

Date: 26 Oct 09 – 10:22 am
File: W:\CapProj\CapProj\PROJECTS\Larry – 11-41570125 Perris Blvd. from PVSD Lateral B to Cactus Ave\Design Phase\Auto CAD\Perris Widening from Cactus to PVSD Lat B Location Map for RCTC.dwg
User: deepaks

MV00160204

AGREEMENT FOR THE FUNDING OF TUMF REGIONAL ARTERIAL IMPROVEMENTS WITH THE CITY OF MOREVO VALLEY FOR THE PERRIS BOULEVARD WIDENING FROM CACTUS AVE TO PVSD LATERAL "B" PROJECT 5106

1. Parties and Date.

1.1 This Agreement is executed and entered into this ___ day of _____, 2012, by and between the RIVERSIDE COUNTY TRANSPORTATION COMMISSION ("RCTC") and the **CITY OF MORENO VALLEY** ("City"). RCTC and City are sometimes collectively referred to herein as the "Parties".

2. Recitals.

2.1 RCTC is a county transportation commission created and existing pursuant to California Public Utilities Code Sections 130053 and 130053.5.

2.2 On November 5, 2002 the voters of Riverside County approved Measure A authorizing the collection of a one-half percent (1/2%) retail transactions and use tax to fund transportation programs and improvements within the County of Riverside, and adopting the Riverside County Transportation Improvement Plan (the "Plan").

2.3 The Plan requires cities and the County in western Riverside County to participate in a Transportation Uniform Mitigation Fee ("TUMF") Program to be eligible to receive Local Streets and Roads funds generated by Measure A.

2.4 The Plan further requires that the first $400 million in revenues from TUMF be made available to RCTC to fund equally the Regional Arterial System and development of New Transportation Corridors identified through the Community and Environmental Transportation Acceptability Process ("CETAP"). To receive TUMF funding, CETAP corridors must also be designated on the Regional System of Highways and Arterials as established in the TUMF Nexus Study, as last amended in October 2009, and as may be amended in the future.

2.5 The Western Riverside Council of Governments ("WRCOG") has been selected to administer the overall TUMF Program pursuant to applicable state laws including Government Code Sections 66000 *et seq.* and has entered into a Memorandum of Understanding ("MOU") with RCTC dated July 10, 2003 regarding the allocation of the $400 million in TUMF Regional Funds to be made available to RCTC for programming.

ATTACHMENT "B"

2.6 RCTC issued to the cities and the County a "Call for Projects" to be funded with TUMF Regional funds, and in response to the Project Nomination Forms, took action on September 8, 2004 to adopt a five year TUMF Regional Arterial Program which identifies the projects and the maximum funding commitments awarded for specific phases of work. RCTC's TUMF Regional Arterial Program may be updated from time to time.

2.7 RCTC intends, by this Agreement, to distribute TUMF Regional Funds, subject to the conditions provided herein, and to participate in the joint development of the Project, as defined herein.

3. Terms.

3.1 Description of Work. This Agreement is intended to distribute TUMF Regional Funds to the City for the construction of the Perris Boulevard Widening from Cactus Avenue to the Perris Valley Storm Drain Lateral "B" (the "Work"). The Work, including a timetable and a detailed scope of work, is more fully described in Exhibit "A" attached hereto and, pursuant to Section 3.15 below, is subject to modification as requested by the City and approved by RCTC. The Work shall be consistent with one or more of the defined RCTC Call for Projects phases detailed herein as follows:

1) PA&ED – Project Approvals & Environmental Document
2) PS&E – Plans, Specifications and Estimates
3) R/W – Right of Way Acquisition and Utility Relocation
4) CONS – Construction

The Work phase(s) funded pursuant to this Agreement shall be consistent with the City's Call for Projects Nomination Form submitted to the RCTC ("the Project") and as approved by the RCTC on September 8, 2004. The Project is more fully described in Exhibit "B" attached hereto. It is understood and agreed that the City shall expend TUMF Regional Funds only as set forth in this Agreement and only for the Work. To this end, any use of funds provided pursuant to this Agreement shall be subject to the review and approval of RCTC.

3.2 RCTC Funding Amount. RCTC hereby agrees to distribute to the City, on the terms and conditions set forth herein, a sum not to exceed **Five Million Six Hundred and Sixty Five Thousand dollars and no cents ($ 5,665,000.00)**, to be used exclusively for reimbursing the City for eligible Work expenses as described herein ("Funding Amount"). The City acknowledges and agrees that the Funding Amount may be less than the actual cost of the Work, and that RCTC shall not contribute TUMF Regional Funds in excess of the maximum TUMF share for the phase/project identified in Appendix F of the TUMF Nexus Study.

3.2.1 Eligible Work Costs. The total Work costs ("Total Work Cost") may include the following items, provided that such items are included in the scope of work attached as Exhibit "A": (1) City and/or consultant costs associated with direct Work coordination and support; (2) funds expended in preparation of preliminary engineering studies; (3) funds expended for preparation of environmental review documentation for the Work; (4) all costs associated with right-of-way

acquisition, including right-of-way engineering, appraisal, acquisition, legal costs for condemnation procedures if authorized by the City, and costs of reviewing appraisals and offers for property acquisition; (5) costs reasonably incurred if condemnation proceeds; (6) costs incurred in the preparation of plans, specifications, and estimates by City or consultants; (7) City costs associated with bidding, advertising and awarding of the Work contracts; (8) construction costs, including change orders to construction contract approved by the City; and (9) construction management, field inspection and material testing costs.

3.2.1.1 Right-of-Way Acquisition. The Parties acknowledge that in order to protect the City's ability to deliver the Project in a timely cost effective manner, the City may purchase parcels of property in advance of the completion of the Project's final design (PS&E). The Parties acknowledge that acquired parcels or remnants purchased in advance of final design may not ultimately be required for the Project. Upon completion of the Project's final design, the City shall provide RCTC with a detailed list of all parcels purchased by the City for which it received TUMF Regional Funds pursuant to this Agreement. The City shall identify any parcels or remnants thereof which were acquired using TUMF Regional Funds and are not required for construction of the Project. A preliminary list shall be submitted to the RCTC 30 days before the issuance of bid documents for construction of the Project and a final list shall be submitted to the RCTC no later than 30 days following the recording of the Certificated of Completion for the Project.

3.2.1.2 Valuation and Repayment of Any Property Remnants. Upon receipt of the City's final list, RCTC shall meet with the City for the purpose of identifying any parcel or reasonably usable remnant of a parcel for which TUMF Regional Funds were expended that may reasonably be developed for other use by the City and/or sold. The Parties shall confer in good faith to agree upon the disposition of such parcels and remnant parcels and their fair market value as of a date agreed to by the parties, but in no event later than the date of completion of the Project. "Fair Market Value" shall have the definition set forth in Code of Civil Procedure Section 1263.320 and "remnant" shall have the definition set forth in Code of Civil Procedure Section 1240.410. Nothing herein shall preclude the City and RCTC from beginning the meetings earlier in the event both parties agree that the parcel or remnant will not be used for the Project.

3.2.1.3 Reimbursement for Unused Parcels. Following recordation of the Certificate of Completion for the Project, the City shall be responsible for promptly reimbursing RCTC for any TUMF Regional Funds which were used to acquire parcels which are completely unused in the Project. If City funds other than TUMF were used to purchase the Parcel, those local funds shall be considered in determining the reimbursement amount.

3.2.1.4 Appeal to Commission. In the event of a disagreement between the Parties regarding the reimbursement of TUMF Regional Funds under this section 3.2.1, either party may appeal, in writing, to the RCTC Board. The RCTC Board's determination regarding excess right-of-way and value pursuant to this section shall be final.

3.2.2 Ineligible Work Costs. The Total Work Cost shall not include the following items which shall be borne solely by the City without reimbursement: (1) City administrative costs; (2) City costs attributed to the preparation of invoices, billings and payments; (3) any City fees

attributed to the processing of the Work; and (4) expenses for items of work not included within the scope of work in Exhibit "A".

3.2.3 Increases in Work Funding. The Funding Amount may, in RCTC's sole discretion, be augmented with additional TUMF Regional Funds if the TUMF Nexus Study is amended to increase the maximum eligible TUMF share for the Work. Any such increase in the Funding Amount must be approved in writing by RCTC's Executive Director. In no case shall the amount of TUMF Regional Funds allocated to the City exceed the then-current maximum eligible TUMF share for the Work. No such increased funding shall be expended to pay for any Work already completed. For purposes of this Agreement, the Work or any portion thereof shall be deemed complete upon its acceptance by RCTC's Executive Director.

3.2.4 No Funding for Temporary Improvements. Only segments or components of the Work that are intended to form part of or be integrated into the Work may be funded by TUMF Regional Funds. No improvement which is temporary in nature, including but not limited to temporary roads, curbs, or drainage facilities, shall be funded with TUMF Regional Funds except as needed for staged construction of the Work.

3.3 City's Funding Obligation to Complete the Work. In the event that the TUMF Regional Funds allocated to the Work represent less than the total cost of the Work, the City shall provide such additional funds as may be required to complete the Work as described in Exhibit "A".

3.3.1 City's Obligation to Repay TUMF Regional Funds to RCTC. In the event that: (i) the City, for any reason, determines not to proceed with or complete the Work; or (ii) the Work is not timely completed, subject to any extension of time granted by RCTC pursuant to Section 3.15; the City agrees that any TUMF Regional Funds that were distributed to the City for the Work shall be repaid in full to RCTC. The Parties shall enter into good faith negotiations to establish a reasonable repayment schedule and repayment mechanism which may include, but is not limited to, withholding of Measure A Local Streets and Roads revenues. The City acknowledges and agrees that RCTC shall have the right to withhold any Measure A Local Streets and Roads revenues due the City, in an amount not to exceed the total of the funds distributed to the City, and/or initiate legal action to compel repayment, if the City fails to repay RCTC within a reasonable time period not to exceed 180 days from receipt of written notification from RCTC that repayment is required.

3.4 Work Responsibilities of the City. The City shall be responsible for the following aspects of the Work, in compliance with state and federal law provided that such items are included in the Project scope of work attached as Exhibit "A": (i) development and approval of plans, specifications and engineer's estimate (PS&E), environmental clearance, right of way acquisition, and obtaining all permits required by impacted agencies prior to commencement of the Work ; (ii) all aspects of bidding, awarding, and administration of the contracts for the Work; (iii) all construction management of any construction activities undertaken in connection with the Work, including survey and material testing; and (iv) development of a budget for the Work prior to award of any contract for the Work, taking into consideration available funding, including TUMF Regional Funds.

3.5 Term/Notice of Completion. The term of this Agreement shall be from the date first herein above written until: (i) the date RCTC formally accepts the Work as complete, pursuant to Section 3.2.3; (ii) termination of this Agreement pursuant to Section 3.9; or (iii) the City has fully satisfied its obligations under this Agreement, (Note: If this Agreement is for Phase I work do not include the following text) "including full repayment of TUMF Regional Funds to RCTC as provided herein". All applicable indemnification provisions of this Agreement shall remain in effect following the termination of this Agreement.

3.6 Representatives of the Parties. RCTC's Executive Director, or his or her designee, shall serve as RCTC's representative and shall have the authority to act on behalf of RCTC for all purposes under this Agreement. The City hereby designates **Ahmad R. Ansari, P.E., Public Works Director/City Engineer**, or his or her designee, as the City's representative to RCTC. The City's representative shall have the authority to act on behalf of the City for all purposes under this Agreement and shall coordinate all activities of the Work under the City's responsibility. The City shall work closely and cooperate fully with RCTC's representative and any other agencies which may have jurisdiction over or an interest in the Work.

3.7 Expenditure of Funds by City Prior to Execution of Agreement. Nothing in this Agreement shall be construed to prevent or preclude the City from expending funds on the Work prior to the execution of the Agreement, or from being reimbursed by RCTC for such expenditures. However, the City understands and acknowledges that any expenditure of funds on the Work prior to the execution of the Agreement is made at the City's sole risk, and that some expenditures by the City may not be eligible for reimbursement under this Agreement.

3.8 Review of Services. The City shall allow RCTC's Representative to inspect or review the progress of the Work at any reasonable time in order to determine whether the terms of this Agreement are being met.

3.9 Termination. This Agreement may be terminated for cause or convenience as further specified below.

3.9.1 Termination for Convenience.

3.9.1.1 Notice. Either RCTC or the City may, by written notice to the other party, terminate this Agreement, in whole or in part, for convenience by giving thirty (30) days' written notice to the other party of such termination and specifying the effective date thereof.

3.9.1.2 Effect of Termination for Convenience. In the event that the City terminates this Agreement for convenience, the City shall, within 180 days, repay to RCTC in full all TUMF Regional Funds provided to the City under this Agreement. In the event that RCTC terminates this Agreement for convenience, RCTC shall, within 90 days, distribute to the City TUMF Regional Funds in an amount equal to the aggregate total of all unpaid invoices which have been received from the City regarding the Work at the time of the notice of termination; provided, however, that RCTC shall be entitled to exercise its rights under Section 3.14.2, including but not limited to conducting a review of the invoices and requesting additional information. This

Agreement shall terminate upon receipt by the non-terminating party of the amounts due it under this Section 3.9.1.2.

3.9.2 Termination for Cause.

3.9.2.1 Notice. Either RCTC or the City may, by written notice to the other party, terminate this Agreement, in whole or in part, in response to a material breach hereof by the other party, by giving written notice to the other party of such termination and specifying the effective date thereof. The written notice shall provide a 30 day period to cure any alleged breach. During the 30 day cure period, the Parties shall discuss, in good faith, the manner in which the breach can be cured.

3.9.2.2 Effect of Termination for Cause. In the event that the City terminates this Agreement in response to RCTC's uncured material breach hereof, RCTC shall, within 90 days, distribute to the City TUMF Regional Funds in an amount equal to the aggregate total of all unpaid invoices which have been received from the City regarding the Work at the time of the notice of termination. In the event that RCTC terminates this Agreement in response to the City's uncured material breach hereof, the City shall, within 180 days, repay to RCTC in full all TUMF Regional Funds provided to the City under this Agreement. Notwithstanding termination of this Agreement by RCTC pursuant to this Section 3.9.2.2, RCTC shall be entitled to exercise its rights under Section 3.14.2, including but not limited to conducting a review of the invoices and requesting additional information. This Agreement shall terminate upon receipt by the non-terminating party of the amounts due it under this Section 3.9.2.2.

3.9.3 Cumulative Remedies. The rights and remedies of the Parties provided in this Section are in addition to any other rights and remedies provided by law or under this Agreement.

3.10 Prevailing Wages. The City and any other person or entity hired to perform services on the Work are alerted to the requirements of California Labor Code Sections 1770 et seq., which would require the payment of prevailing wages were the services or any portion thereof determined to be a public work, as defined therein. The City shall ensure compliance with these prevailing wage requirements by any person or entity hired to perform the Work. The City shall defend, indemnify, and hold harmless RCTC, its officers, employees, consultants, and agents from any claim or liability, including without limitation attorneys, fees, arising from its failure or alleged failure to comply with California Labor Code Sections 1770 et seq.

3.11 Progress Reports. RCTC may request the City to provide RCTC with progress reports concerning the status of the Work.

3.12 Indemnification.

3.12.1 City Responsibilities. In addition to the indemnification required under Section 3.10, the City agrees to indemnify and hold harmless RCTC, its officers, agents, consultants, and employees from any and all claims, demands, costs or liability arising from or connected with all activities governed by this Agreement including all design and construction activities, due to

negligent acts, errors or omissions or willful misconduct of the City or its subcontractors. The City will reimburse RCTC for any expenditures, including reasonable attorneys' fees, incurred by RCTC, in defending against claims ultimately determined to be due to negligent acts, errors or omissions or willful misconduct of the City.

3.12.2 RCTC Responsibilities. RCTC agrees to indemnify and hold harmless the City, its officers, agents, consultants, and employees from any and all claims, demands, costs or liability arising from or connected with all activities governed by this Agreement including all design and construction activities, due to negligent acts, errors or omissions or willful misconduct of RCTC or its sub-consultants. RCTC will reimburse the City for any expenditures, including reasonable attorneys' fees, incurred by the City, in defending against claims ultimately determined to be due to negligent acts, errors or omissions or willful misconduct of RCTC.

3.12.3 Effect of Acceptance. The City shall be responsible for the professional quality, technical accuracy and the coordination of any services provided to complete the Work. RCTC's review, acceptance or funding of any services performed by the City or any other person or entity under this agreement shall not be construed to operate as a waiver of any rights RCTC may hold under this Agreement or of any cause of action arising out of this Agreement. Further, the City shall be and remain liable to RCTC, in accordance with applicable law, for all damages to RCTC caused by the City's negligent performance of this Agreement or supervision of any services provided to complete the Work.

3.13 Insurance. The City shall require, at a minimum, all persons or entities hired to perform the Work to obtain, and require their subcontractors to obtain, insurance of the types and in the amounts described below and satisfactory to the City and RCTC. Such insurance shall be maintained throughout the term of this Agreement, or until completion of the Work, whichever occurs last.

3.13.1 Commercial General Liability Insurance. Occurrence version commercial general liability insurance or equivalent form with a combined single limit of not less than $1,000,000.00 per occurrence. If such insurance contains a general aggregate limit, it shall apply separately to the Work or be no less than two times the occurrence limit. Such insurance shall:

3.13.1.1 Name RCTC and City, and their respective officials, officers, employees, agents, and consultants as insured with respect to performance of the services on the Work and shall contain no special limitations on the scope of coverage or the protection afforded to these insured;

3.13.1.2 Be primary with respect to any insurance or self insurance programs covering RCTC and City, and/or their respective officials, officers, employees, agents, and consultants; and

3.13.1.3 Contain standard separation of insured provisions.

3.13.2 Business Automobile Liability Insurance. Business automobile liability insurance or equivalent form with a combined single limit of not less than $1,000,000.00 per occurrence. Such insurance shall include coverage for owned, hired and non-owned automobiles.

3.13.3 Professional Liability Insurance. Errors and omissions liability insurance with a limit of not less than $1,000,000.00 Professional liability insurance shall only be required of design or engineering professionals.

3.13.4 Workers' Compensation Insurance. Workers' compensation insurance with statutory limits and employers' liability insurance with limits of not less than $1,000,000.00 each accident.

3.14 Procedures for Distribution of TUMF Regional Funds to City.

3.14.1 Initial Payment by the City. The City shall be responsible for initial payment of all the Work costs as they are incurred. Following payment of such Work costs, the City shall submit invoices to RCTC requesting reimbursement of eligible Work costs. Each invoice shall be accompanied by detailed contractor invoices, or other demands for payment addressed to the City, and documents evidencing the City's payment of the invoices or demands for payment. The City shall submit invoices not more often than monthly and not less often than quarterly.

3.14.2 Review and Reimbursement by RCTC. Upon receipt of an invoice from the City, RCTC may request additional documentation or explanation of the Work costs for which reimbursement is sought. Undisputed amounts shall be paid by RCTC to the City within thirty (30) days. In the event that RCTC disputes the eligibility of the City for reimbursement of all or a portion of an invoiced amount, the Parties shall meet and confer in an attempt to resolve the dispute. If the meet and confer process is unsuccessful in resolving the dispute, the City may appeal RCTC's decision as to the eligibility of one or more invoices to RCTC's Executive Director. The City may appeal the decision of the Executive Director to the full RCTC Board, the decision of which shall be final. Additional details concerning the procedure for the City's submittal of invoices to RCTC and RCTC's consideration and payment of submitted invoices are set forth in Exhibit "C", attached hereto.

3.14.3 Funding Amount/Adjustment. If a post Work audit or review indicates that RCTC has provided reimbursement to the City in an amount in excess of the maximum eligible TUMF share of the Work, as determined by the TUMF Nexus Study, or has provided reimbursement of ineligible Work costs, the City shall reimburse RCTC for the excess or ineligible payments within 30 days of notification by RCTC.

3.15 Work Amendments. Changes to the characteristics of the Work, including the deadline for Work completion, and any responsibilities of the City or RCTC may be requested in writing by the City and are subject to the approval of RCTC's Representative, which approval will not be unreasonably withheld, provided that extensions of time for completion of the Work shall be approved in the sole discretion of RCTC's Representative. Nothing in this Agreement shall be construed to require or allow completion of the Work without full compliance with the California

Environmental Quality Act (Public Resources Code Section 21000 *et seq.;* "CEQA") and the National Environmental Policy Act of 1969 (42 USC 4231 *et seq.*), but the necessity of compliance with CEQA and NEPA shall not justify, excuse, or permit a delay in completion of the Work.

3.16 Conflict of Interest. For the term of this Agreement, no member, officer or employee of the City or RCTC, during the term of his or her service with the City or RCTC, as the case may be, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.17 Limited Scope of Duties. RCTC's and the City's duties and obligations under this Agreement are limited to those described herein. RCTC has no obligation with respect to the safety of any Work performed at a job site. In addition, RCTC shall not be liable for any action of City or its contractors relating to the condemnation of property undertaken by City or construction related to the Work.

3.18 Books and Records. Each party shall maintain complete, accurate, and clearly identifiable records with respect to costs incurred for the Work under this Agreement. They shall make available for examination by the other party, its authorized agents, officers or employees any and all ledgers and books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or related to the expenditures and disbursements charged to the other party pursuant to this disbursements charged to the other party pursuant to this Agreement. Further, each party shall furnish to the other party, its agents or employees such other evidence or information as they may require with respect to any such expense or disbursement charged by them. All such information shall be retained by the Parties for at least three (3) years following termination of this Agreement, and they shall have access to such information during the three-year period for the purposes of examination or audit.

3.19 Equal Opportunity Employment. The Parties represent that they are equal opportunity employers and they shall not discriminate against any employee or applicant of reemployment because of race, religion, color, national origin, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

3.20 Governing Law. This Agreement shall be governed by and construed with the laws of the State of California.

3.21 Attorneys' Fees. If either party commences an action against the other party arising out of or in connection with this Agreement, the prevailing party in such litigation shall be entitled to have and recover from the losing party reasonable attorneys' fees and costs of suit.

3.22 Time of Essence. Time is of the essence for each and every provision of this Agreement.

3.23 Headings. Article and Section Headings, paragraph captions or marginal headings contained in this Agreement are for convenience only and shall have no effect in the construction or interpretation of any provision herein.

3.24 Notification. All notices hereunder and communications regarding interpretation of the terms of the Agreement or changes thereto shall be provided by the mailing thereof by registered or certified mail, return receipt requested, postage prepaid and addressed as follows:

City of Moreno Valley
Capital Projects Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

ATTN: Ahmad R Ansari, P.E.
Public Works Director/ City Engineer

RCTC
Riverside County Transportation Commission
4080 Lemon, 3rd Floor
Mailing address: P.O. Box 12008
Riverside, CA 92501

ATTN: Executive Director

Any notice so given shall be considered served on the other party three (3) days after deposit in the U.S. mail, first class postage prepaid, return receipt requested, and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred regardless of the method of service.

3.25 Conflicting Provisions. In the event that provisions of any attached appendices or exhibits conflict in any way with the provisions set forth in this Agreement, the language, terms and conditions contained in this Agreement shall control the actions and obligations of the Parties and the interpretation of the Parties' understanding concerning the performance of the Services.

3.26 Contract Amendment. In the event that the Parties determine that the provisions of this Agreement should be altered, the Parties may execute a contract amendment to add any provision to this Agreement, or delete or amend any provision of this Agreement. All such contract amendments must be in the form of a written instrument signed by the original signatories to this Agreement, or their successors or designees.

3.27 Entire Agreement. This Agreement constitutes the entire agreement between the Parties relating to the subject matter hereof and supersedes any previous agreements or understandings.

3.28 Validity of Agreement. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

3.29 Independent Contractors. Any person or entities retained by the City or any contractor shall be retained on an independent contractor basis and shall not be employees of RCTC. Any personnel performing services on the Work shall at all times be under the exclusive direction and control of the City or contractor, whichever is applicable. The City or contractor shall pay all wages,

salaries and other amounts due such personnel in connection with their performance of services on the Work and as required by law. The City or consultant shall be responsible for all reports and obligations respecting such personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance and workers' compensation insurance.

[Signatures on following page]

SIGNATURE PAGE
TO
AGREEMENT FOR THE FUNDING OF
TUMF REGIONAL ARTERIAL IMPROVEMENTS

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first herein above written.

RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

By: _____
John J. Benoit
Chair

APPROVED AS TO FORM:

By: _____
Best, Best & Krieger
Counsel to the Riverside County
Transportation Commission

CITY OF
MORENO VALLEY

By: _____
Henry Garcia
City Manager

APPROVED AS TO FORM:

By: _____
Robert L. Hansen
City Attorney

17336.02600\7318866.2

EXHIBIT "A"

SCOPE OF WORK,
FUNDING AND TIMETABLE

SCOPE OF WORK: The Phase of Work to be performed under this Agreement is construction.

FUNDING:

PHASE	TUMF	LOCAL	TOTAL
CONSTRUCTION	$5,665,000	$ 0	$5,665,000
TOTAL	$5,665,000	$ 0	$5,665,000

TIMETABLE:

Expected start date: July 2012

Estimated Completion date: April 2013

Funding expenditures shall be consistent with the attached Exhibit "A-1" unless otherwise approved by RCTC.

EXHIBIT "A-1"

The following list of items generally identified as eligible or ineligible for TUMF Regional Funding reimbursement are consistent with those used to develop the costs for improvements in the first NEXUS Study prepared by WRCOG.

In general, all improvements, with the exception of sidewalks, must be within the curbs of the roadway and extend no further than the curb returns at intersections. In addition, all improvements on or connecting to interstate and state route facilities shall be consistent with Caltrans Highway Design Manual standards.

Items which are typically considered eligible include:

- Asphalt concrete pavement, up to 16' per lane, to accomplish a 12' travel lane and ancillary treatment and appropriate base materials
- Concrete curb and gutter and associated drainage – paved roadway shoulders and swale may be used as a substitute
- Class II Bike Lanes
- Paved and painted 14' median, may be used as a dual left turn lanes
- Traffic signals at intersections with state highways and major arterials which are also on the TUMF Network
- Pavement striping and roadway signing as required.

Items which are not typically considered eligible include:

- Portland Cement pavement or other aesthetic pavement types (except at intersections)
- Major rehabilitation or overlay of existing pavement in adjacent roadway lanes
- Raised Medians
- Parking Lanes
- Landscaping
- Lighting
- Class I Bike Lanes

EXHIBIT "B"

PROJECT DESCRIPTION, FUNDING AND MILESTONES

PROJECT DESCRIPTION: PA&ED, PS&E and R/W have been completed. This Agreement is for the only for construction phase to widen Perris Boulevard from Cactus Avenue to Perris Valley Storm Drain Lateral "B".

FUNDING: Identify TUMF, local, state and/or federal funding for each Phase of Work.

PHASE	TUMF	LOCAL	TOTAL
CONSTRUCTION	$5,665,000	$ 0	$5,665,000
TOTAL	$5,665,000	$5,665,000	$5,665,000

MILESTONES – provide a list of phases and milestones for completion of the improvements and estimated dates when each is expected to be accomplished.

Construction Start Date: July 2012

Estimated Completion date: April 2013

EXHIBIT "C"

PROCEDURES FOR SUBMITTAL, CONSIDERATION AND PAYMENT OF INVOICES

1. RCTC recommends that the City incorporate Exhibit "C-1" into its contracts with any subcontractors to establish a standard method for preparation of invoices by contractors to the City and ultimately to RCTC for reimbursement of City contractor costs.

2. Each month the City shall submit an invoice for eligible Work costs incurred during the preceding month. The original invoice shall be submitted to RCTC's Executive Director with a copy to RCTC's Project Coordinator. Each invoice shall be accompanied by a cover letter in a format substantially similar to that of Exhibit "C-2".

3. Each invoice shall include documentation from each contractor used by the City for the Work, listing labor costs, subcontractor costs, and other expenses. Each invoice shall also include a monthly progress report and spreadsheets showing the hours or amounts expended by each contractor or consultant for the month and for the entire Work to date. A sample of an acceptable progress report is attached as Exhibit "C-4". All documentation from the City's contractors should be accompanied by a cover letter in a format substantially similar to that of Exhibit "C-3".

4. If the City is seeking reimbursement for direct expenses incurred by City staff for eligible Work costs, the City shall detail the same level of information for its labor and any expenses in the same level of detail as required of contractors pursuant to Exhibit "C" and its attachments.

5. Charges for each task and milestone listed in Exhibit "A" shall be listed separately in the invoice.

6. Each invoice shall include a certification signed by the City Representative or his or her designee which reads as follows:

   "I hereby certify that the hours and salary rates submitted for reimbursement in this invoice are the actual hours and rates worked and paid to the consultants or contractors listed.

   Signed _____

   Title _____

   Date _____

   Invoice No. _____

17336.02600\7318866.2

7. RCTC will pay the City within 30 days after receipt by the Commission of an invoice. If RCTC disputes any portion of an invoice, payment for that portion will be withheld, without interest, pending resolution of the dispute, but the uncontested balance will be paid.

8. The final payment under this Agreement will be made only after: (i) the City has obtained a Release and Certificate of Final Payment from each contractor or consultant used on theWork; (ii) the City has executed a Release and Certificate of Final Payment; and (iii) the City has provided copies of each such Release to RCTC.

EXHIBIT "C-1"
[Sample for Contracts with Subcontractors]

For the satisfactory performance and completion of the Services under this Agreement, the City will pay the Contractor compensation as set forth herein. The total compensation for this service shall not exceed (_____INSERT WRITTEN DOLLAR AMOUNT___) ($___INSERT NUMERICAL DOLLAR AMOUNT___) without written approval of the City Manager [or applicable position] ("Total Compensation").

1. ELEMENTS OF COMPENSATION.

Compensation for the Services will be comprised of the following elements: 1.1 Direct Labor Costs; 1.2 Fixed Fee; and 1.3 Additional Direct Costs.

1.1 DIRECT LABOR COSTS.

Direct Labor costs shall be paid in an amount equal to the product of the Direct Salary Costs and the Multiplier which are defined as follows:

1.1.1 DIRECT SALARY COSTS

Direct Salary Costs are the base salaries and wages actually paid to the Contractor's personnel directly engaged in performance of the Services under the Agreement. (The range of hourly rates paid to the Contractor's personnel appears in Section 2 below.)

1.1.2 MULTIPLIER

The Multiplier to be applied to the Direct Salary Costs to determine the Direct Labor Costs is _____, and is the sum of the following components:

1.1.2.1 Direct Salary Costs _____

1.1.2.2 Payroll Additives _____

The Decimal Ratio of Payroll Additives to Direct Salary Costs. Payroll Additives include all employee benefits, allowances for vacation, sick leave, and holidays, and company portion of employee insurance and social and retirement benefits, all federal and state payroll taxes, premiums for insurance which are measured by payroll costs, and other contributions and benefits imposed by applicable laws and regulations.

1.1.2.3 Overhead Costs _____

The Decimal Ratio of Allowable Overhead Costs to the Contractor Firm's Total Direct Salary Costs. Allowable Overhead Costs include general, administrative and overhead costs of maintaining and operating established offices, and consistent with established firm policies, and as defined in the Federal Acquisitions Regulations, Part 31.2.

Total Multiplier _____
(sum of 1.1.2.1, 1.1.2.2, and 1.1.2.3)

1.2 FIXED FEE.

1.2.1 The fixed fee is $_____.

1.2.2 A pro-rata share of the Fixed Fee shall be applied to the total Direct Labor Costs expended for services each month, and shall be included on each monthly invoice.

1.3 ADDITIONAL DIRECT COSTS.

Additional Direct Costs directly identifiable to the performance of the services of this Agreement shall be reimbursed at the rates below, or at actual invoiced cost.

Rates for identified Additional Direct Costs are as follows:

ITEM	REIMBURSEMENT RATE
	[___insert charges___]
Per Diem	$ /day
Car mileage	$ /mile
Travel	$ /trip
Computer Charges	$ /hour
Photocopies	$ /copy
Blueline	$ /sheet
LD Telephone	$ /call
Fax	$ /sheet
Photographs	$ /sheet

Travel by air and travel in excess of 100 miles from the Contractor's office nearest to the City's office must have the City's prior written approval to be reimbursed under this Agreement.

2. DIRECT SALARY RATES

Direct Salary Rates, which are the range of hourly rates to be used in determining Direct Salary Costs in Section 1.1.1 above, are given below and are subject to the following:

2.1 Direct Salary Rates shall be applicable to both straight time and overtime work, unless payment of a premium for overtime work is required by law, regulation or craft agreement, or is otherwise specified in this Agreement. In such event, the premium portion of Direct Salary Costs will not be subject to the Multiplier defined in Paragraph 1.1.2 above.

2.2 Direct Salary Rates shown herein are in effect for one year following the effective date of the Agreement. Thereafter, they may be adjusted annually to reflect the Contractor's adjustments to individual compensation. The Contractor shall notify the City in writing prior to a change in the range of rates included herein, and prior to each subsequent change.

POSITION OR CLASSIFICATION	RANGE OF HOURLY RATES
[___sample___]	
Principal	$ .00 - $ .00/hour
Project Manager	$ .00 - $ .00/hour
Sr. Engineer/Planner	$ .00 - $ .00/hour
Project Engineer/Planner	$ .00 - $ .00/hour
Assoc. Engineer/Planner	$ .00 - $ .00/hour
Technician	$ .00 - $ .00/hour
Drafter/CADD Operator	$ .00 - $ .00/hour
Word Processor	$ .00 - $ .00/hour

2.3 The above rates are for the Contractor only. All rates for subcontractors to the Contractor will be in accordance with the Contractor's cost proposal.

3. INVOICING.

3.1 Each month the Contractor shall submit an invoice for Services performed during the preceding month. The original invoice shall be submitted to the City Manager with two (2) copies to the Project Coordinator.

3.2 Charges shall be billed in accordance with the terms and rates included herein, unless otherwise agreed in writing by the City's Representative.

3.3 Base Work and Extra Work shall be charged separately, and the charges for each task and Milestone listed in the Scope of Services, shall be listed separately. The charges

for each individual assigned by the Contractor under this Agreement shall be listed separately on an attachment to the invoice.

3.4 A charge of $500 or more for any one item of Additional Direct Costs shall be accompanied by substantiating documentation satisfactory to the City such as invoices, telephone logs, etc.

3.5 Each copy of each invoice shall be accompanied by a Monthly Progress Report and spreadsheets showing hours expended by task for each month and total project to date.

3.6 If applicable, each invoice shall indicate payments to DBE subcontractors or supplies by dollar amount and as a percentage of the total invoice.

3.7 Each invoice shall include a certification signed by the Contractor's Representative or an officer of the firm which reads as follows:

I hereby certify that the hours and salary rates charged in this invoice are the actual hours and rates worked and paid to the employees listed.

Signed _____

Title _____

Date _____

Invoice No. _____

4. PAYMENT

4.1 City shall pay the Contractor within four to six weeks after receipt by City of an original invoice. Should City contest any portion of an invoice, that portion shall be held for resolution, without interest, but the uncontested balance shall be paid.

4.2 The final payment for Services under this Agreement will be made only after the Contractor has executed a Release and Certificate of Final Payment.

EXHIBIT C-2
Sample Cover Letter to RCTC

Date

Ms. Anne Mayer
Executive Director
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, CA 92501
ATTN: Accounts Payable

Re: Project Title - Invoice #__

Enclosed for your review and payment approval is the City's invoice for professional and technical services that was rendered by our contractors in connection with the TUMF Regional Arterial Improvements per Agreement No. _____ effective __(Month/Day/Year)__. The required support documentation received from each contractor is included as backup to the invoice.

Invoice period covered is from __Month/Date/Year__ to __Month/Date/Year__.

Total Authorized Agreement Amount:	$0,000,000.00
Total Invoiced to Date:	$0,000,000.00
Total Previously Invoiced:	$0,000,000.00
Balance Remaining:	$0,000,000.00
Amount due this Invoice:	**$0,000,000.00**

I certify that the hours and salary rates charged in this invoice are the actual hours and rates worked and paid to the contractors listed.

By: _____
Name
Title

cc:

EXHIBIT C-3
Sample Letter from Contractor to City

Month/Date/Year

[INSERT CITY ADDRESS]

Invoice #_____

For **[type of services]** rendered by **[contractor name]** in connection with **[name of project]** This is per agreement No. XX-XX-XXX effective __Month/Date/Year__.

Invoice period covered is from __Month/Date/Year__ to __Month/Date/Year__.

Total Base Contract Amount:	$000,000.00
Authorized Extra Work (if Applicable)	$000,000.00

TOTAL AUTHORIZED CONTRACT AMOUNT:	$000,000.00
Total Invoice to Date:	$000,000.00
Total Previously Billed:	$000,000.00
Balance Remaining:	$000,000.00
Amount Due this Invoice:	$000,000.00

I certify that the hours and salary rates charged in this invoice are the actual hours and rates worked and paid to the employees listed,

By: _____
Name
Title

EXHIBIT C-4
Sample Progress Report

REPORTING PERIOD: Month/Date/Year to Month/Date/Year
PROGRESS REPORT: #1

A. Activities and Work Completed during Current Work Periods

TASK 01 – 100% PS&E SUBMITTAL

1. Responded to Segment 1 comments from Department of Transportation
2. Completed and submitted Segment 1 final PS&E

B. Current/Potential Problems Encountered & Corrective Action

Problems	Corrective Action
None	None

C. Work Planned Next Period

TASK 01 – 100% PS&E SUBMITTAL

1. Completing and to submit Traffic Signal and Electrical Design plans
2. Responding to review comments

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting as the Successor Agency

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZE THE FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH PARSONS TRANSPORTATION GROUP FOR SR-60/MORENO BEACH DRIVE PHASE 1 AND NASON STREET OVERCROSSING IMPROVEMENTS -- PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701 to finalize all design and right-of-way documentation for Caltrans approval for the SR-60/Moreno Beach Drive Interchange Phase 1 and SR-60/Nason Overcrossing projects.

2. Authorize the City Manager to execute the Fifth Amendment to Agreement for Professional Consultant Services with Parsons in the form attached hereto.

3. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval.

4. Authorize Change Orders to increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group totaling $680,000 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000) when the Fifth Amendment has been signed by all parties.

BACKGROUND

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons for design, right-of-way engineering, and construction support services for the SR-60/Nason Overcrossing and the SR-60/Moreno Beach Interchange. The agreement covered the design of both interchanges as one construction project.

On January 13, 2009, the City Council reprioritized capital projects funded by Redevelopment Agency (RDA) bonds and allocated sufficient funds to the SR-60/Nason Overcrossing project, which required that the City request Caltrans approve splitting and re-validating both projects, which was completed in 2010.

On March 8, 2011, the City Council entered into a Cooperative Agreement with the Redevelopment Agency and again reprioritized projects. Funding was allocated to SR-60/Moreno Beach project phase (Phase 1) to build the freeway ramp alignments at the south side of the SR-60/Moreno Beach Drive Interchange and connect Eucalyptus Avenue to Moreno Beach Drive.

On June 14, 2011, the City Council approved the Fourth Amendment to Agreement for Parsons to provide for engineering and environmental services to split the SR-60/Moreno Beach Interchange into two stand-alone construction phases as well as to update the SR-60/Nason Overcrossing plans. Contract Amendments 1, 2, and 3 revised the scope of work within the approved contingency to address appraisal/excess land services, storm water grant application services, environmental re-validations and new Supplemental Project Reports to split Nason and Moreno Beach into two projects, new Caltrans pavement analysis requirements, and extended survey services.

DISCUSSION

The SR-60/Moreno Beach Phase 1 improvements include reconstruction of the eastbound on- and off-ramps to SR-60, connection of the west leg of Eucalyptus Avenue to Moreno Beach Drive, and the addition of an eastbound auxiliary lane. The SR-60/Nason Overcrossing project replaces the bridge, constructs a new sound wall, and completes the ultimate improvements at this location. The City's Economic Development Plan identifies both projects as priority projects.

The scope of engineering and survey services outlined in Parsons' Fifth Amendment is needed to keep pace with and address recent significant constructability measures savings, reduced design and construction time, reduction in construction costs to meet budgets, elimination of “throw-away” improvements, address Caltrans comments, facilitate Caltrans approval, expedite utility agreements, and facilitate right-of-way negotiations, all in order to meet project milestones and objectives.

For the SR-60/Moreno Beach Phase 1 project, Parsons successfully assisted with the following tasks:

- Negotiation for acquisition of property east of Fire Station 58 at a reduced cost to the City, avoiding project delays.
- Negotiation for an expedited Caltrans project review in exchange for substantial compliance with recent mandatory Caltrans requirements for a longer pavement life cycle and other cost-saving measures.
- As a result of Parsons' efforts, the City anticipates right-of-way and construction cost savings of over $800,000 as well as a reduction of construction duration from thirteen months to nine months.

For the SR-60/Nason Overcrossing project, Parsons successfully assisted with the following tasks:

- Project review for constructability issues and suggested recommendations that would result in significant savings in time and cost for the construction phase.
- Reduction in project duration, providing a substantial benefit to residents and businesses in the Nason area as well as saving at least $700,000 in construction and support costs.
- Recommendation of several measures for the SR-60/Nason ramp project to eliminate “throw-away” work, eliminating the need for some future ramp and freeway closures.
- Adjustments to proposed structures based on underground soil conditions uncovered during the current construction project that will reduce potential future change orders.

Parsons' services for both projects covered by the Fifth Amendment consist of incorporating the work into the plans, specifications, estimates, and related reports, and ensuring Caltrans approval. The amendment provides for completed construction documents that expedite construction, reduce potential change orders, and meet budgets. The majority of the work for this amendment has already been done in order to address Caltrans' comments and submit final plans in a timely manner. In response to the City’s strong desire to get these projects delivered to the community, the City and the consultant have agreed to a not-to-exceed amount of $680,000. Staff is continuing to negotiate with Caltrans and the consultant as Caltrans review comments arise, to focus on only mandatory tasks to get the plans approved. The consultant has also agreed to payment upon the performance goal of Caltrans-approved plans.

Final plans for the SR-60/Nason Overcrossing project were submitted to Caltrans on February 6, 2012, and are in the approval process. Final plans and right-of-way acquisition for the SR-60/Moreno Beach Phase 1 project are on schedule for late March 2012 submittal to Caltrans.

The recommended contract award is an action of the City Council acting as the Successor Agency of the former City of Moreno Valley Redevelopment Authority. The recommended actions are included on the Recognized Obligations Payment Schedule (ROPS) approved by the City Council acting as the Successor Agency on February 14,

2011. However, the Successor Agency Oversight Board has not yet approved the ROPS and there is a risk that the Oversight Board may not approve the expenditure of Tax Allocation Bond proceeds as an enforceable obligation of the Successor Agency. In addition, the State Department of Finance (DOF) has the authority to challenge actions approved by the Oversight Board within 10 days of the approved action. In light of the current status of the ROPS, the tax increment to pay the contracts being recommended has not been authorized to pay these contract obligations. The City Council by approving the recommended contract is assuming the risk that in the event tax increment is not approved to pay the contracts by the Oversight Board or through successful challenge by the State DOF, the City would be obligated to pay the contract commitments from alternative funding sources, most likely the City's General Fund.

ALTERNATIVES

1. Approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701 to finalize all design and right-of-way documentation for Caltrans approval for the SR-60/Moreno Beach Drive Interchange Phase 1 and SR-60/Nason Overcrossing projects, authorize the City Manager to execute the Fifth Amendment to Agreement for Professional Consultant Services with Parsons in the form attached hereto, acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval, and authorize Change Orders to increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group totaling $680,000 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000) and when the Fifth Amendment has been signed by all parties. *This alternative will facilitate the timely construction of needed improvements.*

2. Do not approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The projects are currently funded using 2007 Redevelopment Agency Tax Allocation Bond proceeds (Series A) (Fund 897), Successor Agency TABS (Fund 797), Transportation Uniform Mitigation Fees (Design Phase - Fund 415) and Developer In-lieu Street Improvement Funds (Fund 414). These funds have been allocated for the SR-60/Moreno Beach Interchange and SR-60/Nason Overcrossing improvement projects and cannot be utilized for operational activities. There is no impact to the General Fund.

The contract total is $5,506,047.86 ($3,387,611.00 for the original Agreement plus $49,667.00 for the First Amendment, $89,771.86 for the Second Amendment,

$114,021.59 for the Third Amendment, $1,184,976.41 for the Fourth Amendment and $680,000.00 for the Fifth Amendment). The First, Second and Third Amendments were funded from the contingency included in the original contract approved by the City Council on March 13, 2008. Change Orders totaling $680,000.00 will increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group and will be funded from Account Numbers 797.91718 ($430,000.00) and 797.79731 ($250,000.00).

SR-60/Moreno Beach – Phase 1

AVAILABLE FUNDS - FY 2011/2012

FY 2011/2012 RDA Funds (Account 897.91731)	$ 472,000
FY 2011/2012 Successor Agency to RDA Funds (Account 797.79731)**	$ 1,869,000
Total FY 2011/2012 Project Budget*	$ 2,341,000

**As approved in the FY2011/2012 Capital Improvement Plan.*
***Incurred prior to February 1, 2012.*

FY 2011/2012 ESTIMATED COSTS (DESIGN & R/W PHASE)

Right-of-Way, Utility, and Support Costs	$ 500,000
Design*	$ 462,000
Design – Fifth Amendment	$ 250,000
Estimated Cost	$1,212,000

**Balance of previous funding authorizations*

ANTICIPATED PROJECT SCHEDULE

Complete Design and Right-of-Way	March 2012
Caltrans Approval and Authorization to Bid	July 2012
Advertise Project	August 2012
Begin Construction	November 2012
Complete Construction	August 2013

SR-60/Nason Overcrossing

AVAILABLE FUNDS - FY 2011/2012

FY 2011/2012 Developer In-lieu Street Improvement Funds (Account 414.80429)	$ 30,000
FY 2011/2012 RDA Funds (Account 897.91728)**	$ 570,000
FY 2011/2012 Successor Agency to RDA Funds (Account 797.79718)	$15,578,000
Total FY 2011/2012 Project Budget*	$16,178,000

**As approved in the FY2011/2012 Capital Improvement Plan.*
***Incurred prior to February 1, 2012.*

FY 2011/2012 ESTIMATED COSTS

Construction and Related Support Costs	$ 900,000
Design*	$ 415,000
Design – Fifth Amendment	$ 430,000
Estimated Cost	$ 1,745,000

**Balance of previous funding authorizations*

ANTICIPATED PROJECT SCHEDULE

Complete Design	February 2012
Caltrans Approval and Authorization to Bid	March 2012 – May 2012
Advertise Project*	June 2012
Begin Construction*	November 2012
Complete Construction*	January 2014

** Contingent upon reprogramming of funds by Caltrans prior to advertisement*

CITY COUNCIL GOALS

ADVOCACY:
Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Additional design, right-of-way work, utility coordination, and Caltrans documentation is needed for the SR-60/Nason Overcrossing and SR-60/Moreno Beach Phase 1 projects. The consultant has submitted a proposal for $680,000 to perform this additional work. A significant amount of this work has occurred in order to finalize and send plans and right of way documents to Caltrans in March 2012. Staff recommends approval of the Fifth Amendment to Agreement for Professional Consultant Services with Parsons Transportation Group as well as an $680,000 increase to Purchase Order Numbers 42265 and 42275 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000).

ATTACHMENTS

Attachment "A" – Fifth Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

FIFTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 07-41570024

This Fifth Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and Parsons Transportation Group, Inc., an Illinois corporation, hereinafter referred to as "Consultant." This Fifth Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 22, 2008.

Whereas, the Consultant is providing consultant design services for State Route 60/Moreno Beach Drive Interchange and Nason Street Overcrossing improvements.

Whereas, the Agreement was amended on May 4, 2009 to extend the professional consultant services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on September 10, 2009 to extend the professional consultant services in the Second Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was further amended on June 20, 2010, to extend the professional consultant services in the Third Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was again amended on June 21, 2011, to extend the professional consultant services in the Fourth Amendment to Agreement for Professional Consultant Services.

Whereas, it is **Attachment "A"** desirable to further

amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Fifth Amendment.

Whereas, the Consultant has submitted a Proposal dated February 18, 2012, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A -- Fifth Amendment" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2014,** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A -- Fifth Amendment," entitled "SR60/Moreno Beach Drive Phase 1 and SR60/Nason Overcrossing Improvement Projects -- Amendment #5 Scope of Work."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in "Exhibit A -- Fifth Amendment," entitled " SR60/Moreno Beach Drive Phase 1 and SR60/Nason Overcrossing Improvement Projects -- Amendment #5 Scope of Work."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $680,000.00 in consideration of the Consultant's performance of the work set forth in "Exhibit A -- Fifth Amendment."

1.5 The total "Not to Exceed" fee for this contract is $5,506,047.86 ($3,387,611.00 for the original Agreement plus $49,667.00 for the First Amendment, $89,771.86 for the Second Amendment, $114,021.59 for the Third Amendment, $1,184,976.41 for the Fourth Amendment, and $680,000 for the Fifth Amendment).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 07-41570024

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

Parsons Transportation Group Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

Attachment: "Exhibit A – Fifth Amendment"

SR-60/MORENO BEACH DRIVE PHASE 1
AND SR60/NASON OVERCROSSING IMPROVEMENT PROJECT(S)
AMENDMENT #5 – SCOPE OF WORK
DATE: 2-18-2012

BACKGROUND

Pursuant to construction-phase changes for the Nason Ramp Project and related coordination and design support provided by Parsons to Caltrans and the Nason Ramp project team – Parsons identified opportunities to reduce construction costs for both the Nason Ramp Project and for the Nason Bridge Project. The design changes identified include eliminating some overlapping work between the two projects, and design revisions to the Nason Ramp drainage and layout plans in order to minimize "throwaway costs." As a result of the coordination during the last 12 months, Parsons Team has been able to identify and implement design changes that will help reduce both the construction schedule for the Bridge project by 6 months and to minimize rework – resulting in construction cost savings estimated at $550,000.

In addition, pursuant to changes to the conceptual design at the Moreno Beach Drive Phase 1 project, Parsons has proposed reducing the duration of Phase 1 construction schedule by 4 months, by reducing the limits of re-paving on Moreno Beach drive north of Eucalyptus Avenue (Phase 1 design would be "widening only" on Moreno Beach Drive). In addition, Parsons has proposed design changes to the EB on-ramp to reduce the grading quantity, and reduce the limits of reconstruction of the existing 84" Line G storm Drain and related drainage facilities. In addition, Parsons has identified proposed changes to the 12" EMWD water line relocation alignment to reduce impacts to existing Automall block wall, reducing both the construction duration and construction costs.

Regarding the right-of-way acquisition process: Parsons Team successfully negotiated with Prologis (Owner of the parcel just east of City Fire Station No. 58) and EMWD to resolve drainage and access easement issues for the 12" water line relocation across the Prologis parcel at a significant cost savings. After effective coordination with both EMWD and Prologis, Parsons was able to get both parties to move forward with the acquisition process subject to a letter outlining specific conditions required by Prologis. Parsons drafted the letter outlining the conditions acceptable to Prologis and EMWD and then had EMWD issue this letter to Prologis regarding the future disposition of the relocated 12" water line. As a result, Prologis agreed to the City's offer of compensation for the proposed easements at a price of $80,000. This figure is $160,000 below the price ceiling that City staff had been authorized to expend for this acquisition. Parsons effective work with this landowner avoided project delays and achieved the right-of-way acquisitions needed for the project.

In addition to the changes noted above, Parsons has coordinated with the City and Caltrans to resolve several design changes that have been required by Caltrans to the pavement design life and related paving requirements. In exchange for Caltrans agreeing to expedite reviews to finalize the Nason Bridge project PS&E approvals, the city has agreed to comply with Caltrans latest design guidelines for pavement life cycle cost designs for this project. The changes to the project plans, specifications and estimates include revisions to reflect a thicker pavement design for a Traffic Index T.I.=15.0 which is consistent with a 20+ year design life for the eastbound and westbound auxiliary lanes on this project. In addition, Caltrans new policy requires grind-and-overlay of the adjacent lane for any locations that the project is widening (adding an Auxiliary lane) to the existing freeway. Parsons was successful in negotiating this compromise with Caltrans. (Caltrans original position required a 40-year long-life pavement – at a cost of over $400,000 more than the approved 20+ year pavement).

Exhibit "A"

As a result of the four issues described above Parsons has estimated the additional design tasks including hours and budgets that would be required to implement the design changes and achieve the related construction cost savings and schedule reductions. Additional design changes to specific disciplines are described below. A summary of the Construction phase and R/W phase cost savings is provided below.

Project Cost Savings due to Parsons Planned Design Phase Tasks:

1. Design revisions to Moreno Phase 1 to protect in place 96' of existing 84" storm drain: Savings = $150,000 and related reduction in Construction schedule of 15 working days reduction.

2. Grading revision to Moreno Phase 1, to save 500 lineal feet of existing concrete ditch along north side of existing Automall block wall = Cost savings $50,000 in reduced grading, and $40,000 in reduced removal of concrete channel and related schedule savings and would reduce working days by 20 days.

3. Drainage crossing revisions at Eucalyptus Avenue based upon 2nd round of Potholing - will minimize or eliminate impacts to five existing Utilities within Eucalyptus Avenue including (5) SCE conduits, (4) MVU conduits, 1-12" water, and (1) 24" water and existing underground Verizon conduits. Cost savings to avoid these Utility impacts: = Estimated savings of 40 working days, and $150,000 on Utility relocations.

4. Design revisions at EMWD water relocation. The preliminary design per the Project Report/Environmental Document phase proposed 3200 lineal feet of new parallel water system. Revised final design developed by Parsons (and agreed to by EMWD) resulted in a revised waterline alignment at east end of Automall within an existing EMWD easement, and then along the north-end of the parking lot at City Fire station Number 58, and through the adjacent Citrus Grove. Proposed revised design solution resulted in a reduction of 1800 lineal feet of water line relocation compared to the original concept and construction cost savings of $200,000.

5. Caltrans originally mandated a 40-year pavement design life for the WB and EB Auxiliary lanes along SR60 between Nason Street and Moreno beach Drive per Caltrans policy for State Routes with Average Annual Daily Traffic (AADT) greater than 150,000. However, as a result of Parsons Coordination and design efforts, we were able to get Caltrans to drop the 40-year TI =16.5 design requirement and agree to a compromise "20 year +" (long life) TI = 15.0. The extra effort by Parsons resulted in a compromise design structural section of 20+ year design that will be approximately $500,000 less expensive than Caltrans originally proposed 40-year PCC pavement design.

6. Reduction in time-related-overhead cost during construction of Nason Bridge project – due to schedule savings.

1.	150,000	Drainage changes at Moreno Beach Drive 84" pipe
2.	90,000	Reduced grading and drainage impacts (Moreno Phase 1)
3.	150,000	Reduced Utility Relocations at Eucalyptus/Moreno Beach Drive
4.	200,000	Reduced Water Line Relocation Costs
5.	500,000	Reduced Pavement Construction Cost
6.	300,000	Time Related OH savings (Nason)

Total Estimated Construction Cost savings: $1,390,000 -- directly resulting from Parsons Design & coordination efforts.

Schedule Acceleration:

Note that all of the proposed construction phase savings will be achieved without any impact to the current design phase schedule. The project is on schedule to have the designs for Nason Street Overcrossing and for Moreno Beach Drive (Phase 1) completed, approved by Caltrans, and under construction by or before August 2012.

In addition, since the Moreno Beach Drive project is locally funded, and since all of the right-of-way has been acquired for this project (final parcel is in escrow as of 1/2012), the Moreno Phase 1 project could be accelerated to begin construction before the Nason Bridge project and it would accelerate the date when the Eucalyptus Avenue connection to Moreno Beach Drive is opened.

The City recently hired a Construction management firm to complete an early action task of a constructability review for both the Nason Bridge project and the Moreno Beach Drive phase 1 project. Parsons met with City/Caltrans/and CM firm on 1-10-2012 and 1-26-2012 to discuss implementation of the CM firm's constructability comments. The benefits to the City of this process will include reduced probability for construction phase change orders or claims and improved Bid package– resulting in better bids and streamlined construction contract administration.

Changes in Scope:

As Parsons proposes to provide design services beyond the contract scope of work to finalize the project Plans Specifications and Estimates for the Nason Bridge Project, and the Moreno Beach Drive-Phase 1 project including: changes due to the revised "existing conditions" pursuant to the Nason Ramp Project the changes to pavement design, and other project updates described above. The impacts to the affected project plans, reports and coordination activities required to achieve the proposed construction schedule and construction cost savings described below.

1. Nason and Moreno: Extra work related to Pavement Design, Grind and overlay adjacent lane next to widening, and ongoing updates to Life Cycle Cost Analysis report.
2. Moreno: Extra work required to prepare a separate Moreno Beach Drive Phase 1 – PS&E package. Amendment #4 was based upon a limited effort to "reformat" the existing design. It was also assumed that the packages would go directly to a "100 percent" PS&E packages, when in fact there were a number of conceptual design issues raised by City and Caltrans "typical 30% and 60% design issues" including: interim profiles, interim striping, interim grading, interim drainage concepts, interim landscaping-water-supply, which involved design development tasks (typical of 30/60 percent PS&E). The required design effort was not recognized in the amount budgeted for the "Phase 1" PS&E

3. Nason: Extra work will be required to address project changes due to construction phase changes in the "Nason-Ramp-Project." These changes will include revisions to rock blanket, revisions to drainage plans, profiles, quantities and reports, changes to Traffic signal plans, and changes to Utility plans to accommodate an SCE Temporary Pole line and Moreno Valley Utility (MVU).
4. Striping and Signing changes will be required to SR-60 mainline to address the continuous HOV access restriping project that was implemented by Caltrans as part of a separate project in August 2011.
5. Additional design survey of the as-built pavement elevations and new embankments after completion of the Nason Ramp Project – as discussed at the January 10, 2012 Constructability Review Meeting – additional design surveys are recommended to be done in March or April 2012 so that the bridge project can be updated if necessary to exactly match the newly constructed "existing condition" and this minimal design phase cost could help reduce or eliminate potential claims during the Construction phase for the Bridge project.

PART 1 - SR60/Nason PS&E

The additional design and coordination effort required to finalize the project plans, specifications and estimates will include updates including the following tasks and work products:

1. Meetings, Coordination and Comment Resolution: Parsons will conduct project coordination with Caltrans, City and the Nason ramp project team to resolve project issues and develop consensus regarding proposed design changes described above, and in the more detailed sections below.
2. Layout plans and Typical Sections and Design updates: Parsons reviewed the 2009 layout plans and typical cross sections in light of the pavement structural section types proposed by the Nason Ramp project plans and made recommendations to City to extend the limits of the WB auxiliary lane at the WB off ramp in order to reduce reconstruction limits within the gore area and minimize the related ramp closure as part of the Nason Bridge project. This extra design coordination and plan updates will result in significant construction cost savings for the Bridge project. In addition, Parsons conducted a detailed review of the limits of pavement overlay and pavement reconstruction along Nason Street and made revisions to the Nason Bridge Project PS&E paving limits-resulting in reduced pavement quantities and construction cost savings for the bridge project.

   SB left turn storage design at Nason/Fir intersection: The City indicated that the existing SB left turn pocket at Nason/Fir intersection has experienced long queues that back up into the through lanes – observed since completion of the recently opened EB ramps at Nason Street/SR-60. Parsons redesigned and revised the project geometry for median curb and striping on Nason Street – both NB and SB in order to provide

increase SB left turn storage length. This re-design effort was not anticipated in the hours allocated for the PS&E updates.

Review and update ADA requirements at Curb Returns – Fir Avenue: The City has requested that Parsons review the existing curb-ramps at the NW corner of Nason/Fir intersection and provide updates in the project plans to bring them in compliance with current ADA standards.

3. Construction Details: In October 2010, Caltrans conducted a grind-and-overlay project along the mainline of SR-60 which resulted in higher elevations (approximately ¾") along the join locations for the project. In addition, the Nason Ramp Project will reconstruct the gore areas for the WB off- and on-ramps. In order to finalize the design and construction details for the WB auxiliary lane, "as-constructed" design surveys will be required at these locations and then the related construction details will be need to be updated. Pursuant to these change of existing conditions, Parsons will expend additional design effort to update the construction detail plans

4. Utility Plans and Coordination: The City of Moreno Valley Electrical Utility (MVU) decided to add underground electrical facilities along the East side of Nason Street within the project limits. This decision was made in August 2011, after the 100% PS&E had been submitted. This addition required additional coordinating by Parsons, review of preliminary MVU plans, and revisions to the Utility base plans to reflect the additional facilities.

5. Pavement Delineation Plans: In approximately July 2011, Caltrans completed a restriping project along the mainline of SR-60 to make the existing carpool lane striping "continuous access". This resulted in changes to the project striping plans and quantities for the Nason Bridge project to reflect the changes to striping and signing along the existing EB and WB carpool lanes.

6. Traffic Electrical plans: Parsons reviewed the 2009 traffic electrical plans and identified updates necessary to make the plans consistent with the February 2010-approved Nason Ramp project. In addition, the temporary traffic signal plans required extensive revisions due to changes in the Construction Staging concepts noted above.

7. Construction staging and Detour plans: Pursuant to comments from the City regarding proposed ramp closures for the EB off-ramp and "lessons learned" regarding the detours on the Nason ramp project, the staging plans will be revised to minimize the EB off ramp closure to a single 54-hour weekend closure. In addition, the staging plans will be updated to include a ramp closure for the WB off ramp to allow for construction of the PCC (concrete) ramp terminal pavement.

8. Sound wall Plans: Pursuant to constructability and aesthetic plans updates, there will be some updates to the Sound wall plans, and proposed grading along both sides of the proposed sound wall along Elder Avenue.

9. Bridge Plan Updates: Additional design updates will be required to finalize updates to the bridge plans including incorporating the "decorative lighting" and changes to address constructability review comments.

10. Pavement Section Updates: Pursuant to updated requirements in Caltrans Highway Design Manual – the project plans will need to include "grind and overlay" the freeway lane adjacent to the proposed widening on the project plans. Per ongoing discussions with Caltrans Materials group, the City has agreed to provide a 0.20' grind and overlay of the adjacent lane for proposed Auxiliary lane locations in exchange for Caltrans agreement to expedite the approval process for the PS&E and to thereby ensure that $1-million in "State and Local Program" (SLPP) funds are not lost by missing the funding deadline. In addition, Caltrans now requires a "20+ year design life" pavement section that will require additional changes/updates to the plans, specifications, quantities and estimates.

11. Constructability Review and Coordination: The City recently selected a Construction Management (CM) firm to oversee the Construction phase for the Nason Bridge Project. Pursuant to the schedule and cost savings ideas identified by this firm in their CM proposal and interview, the city requested that Parsons review and assess the viability of incorporating the recommendations into the project PS&E.

12. Caltrans Special Provisions Updates: Pursuant to ongoing changes in Caltrans special provisions, additional iterations of updates to SSP's will be required to finalize the SSP package.

13. Quantity and Engineer's Estimate Updates: Pursuant to design changes and updates to the "existing condition" per the Nason Ramp project – additional quantity summary updates will be required to finalize the project estimate.

14. Landscaping plan Updates and Coordination: Parsons Team has coordinated with EMWD regarding the available water pressure and point of connection locations for the proposed project irrigation plans. Pursuant to the water pressure tests by EMWD, there is insufficient water pressure to run the proposed project irrigation systems and "booster pumps" will need to be added to the project plans, specifications and estimates.

15. Drainage Design Revisions: Change Orders related to the Nason ramp project have resulted in changes and updates to proposed drainage systems. This will require updates to drainage plans, profiles and quantity sheets. The most significant changes pertain to the drainage system in the SW quadrant of the interchange at the existing hook-ramps – Drainage system 10 – items (a, b,c,d,e,f). As a result of Parsons coordination with City/Caltrans & the Nason Ramp Design team, over 300 feet of concrete trapezoidal channel has been replaced by CCO with RSP channel that will eliminate the need to remove and reconstruct this channel as part of the bridge project. The resolution of this issue will require additional drainage design calculations, changes to the project drainage plans, details, quantities and Storm Water Data Report, and related conference calls and project coordination. The result of the changes will be significant construction cost savings to the

City by eliminating some re-work that would have been required for the Nason Bridge Project.

16. Stockpile – Environmental Testing (EMI): Caltrans reviewed the proposed scope of work for environmental testing that Parsons developed for the Allesandro "stockpile", and the proposed testing has been completed and documented in a report that has been submitted for Caltrans review and approval. Upon approval by Caltrans, this existing stockpile will be added to the project Bid package as an "optional borrow site". If the borrow material is not used by the Nason Bridge project, the City will have the option to make it a "mandatory borrow site" as part of the Moreno Beach Drive Phase 1 project.

17. "As-Built" Surveys: Parsons proposed that upon completion of the construction phase grading and improvements by the "Nason Ramp Project", the embankments, pavement and selected features be surveyed such that the "new" existing condition can be used to update the design quantities for earthwork, the limits of grading, and to confirm the revised existing ground for the bridge project. This new data will be used to verify the quantities calculated for the Nason Bridge Project and thereby reduce the potential for change orders and claims during construction of the Nason Bridge Project.

PART 2 - SR60/Moreno Beach Drive-Phase 1 PS&E

The work completed by Parsons to prepare updated "Final" Plans, Specifications and Estimates:

1. Meetings, Coordination and Comment Resolution: Parsons will conduct project coordination with Caltrans and the City to resolve project issues and develop consensus regarding proposed design changes described above, and in the more detailed sections below.

2. Layouts and Typical Sections and Design updates: As a result of creating a new set of plans to construct only the EB ramps (per Amendment #4), Parsons reviewed the opportunities to minimize the "throw-away costs" related to construction in Phase 1 which will need to be "reconstructed" during Phase 2. It was noted that a portion (300' +/-) of EB off- and on-ramps need to be constructed with an interim profile to join the existing Moreno Beach Drive profile since the existing bridge over SR60 will remain in place during Phase 1. As a result of this condition, Parsons assessed the opportunity to reduce project costs by minimizing the amount of paving on Moreno Beach Drive during Phase 1. Based upon this approach, we developed a design with "ultimate pavement/profile" within the Eucalyptus/Moreno Beach Drive intersection – and any pavement north of the north cross-walk at this intersection – would be "widening only" in the same plane as the existing pavement. This concept will help simplify the construction staging and expedite the construction schedule for the Phase 1 project, and would minimize the limits of pavement to be removed and

reconstructed in Phase 2. The City agreed to this concept and it has been implemented in the plans. However, the interim condition resulted in a corner sight distance design exception at the corner of EB off-ramp/Moreno Beach Drive intersection. In addition there was a new "horizontal clearance to obstruction" issue between the NB traffic on MBD and the west-side end of existing bridge railing. In order to address both of these design issues, Parsons has developed a revised configuration for the EB off ramp, tapering and narrowing the EB left shoulder, additional construction details between the proposed MBGR and the concrete barriers and related changes to the signing, striping, paving, layout, and construction detail plans.

Review and update ADA requirements at Curb Returns – Eucalyptus Avenue: City has requested that Parsons review the existing curb-ramps at all four corners of Eucalyptus/Moreno Beach Drive intersection and provide updates in the project plans to bring them in compliance with current ADA standards. This task was not anticipated in the original contract scope. In addition, there are conflicts between City's ADA curb-ramp preferences (single ramp per corner) and Caltrans preferences (2- ramps per corner). Additional coordination is required to resolve the pending ADA issues and satisfy Caltrans comments.

Grading Plans: On sheets EC-2 and D-2, City has requested that the grading be revised to "create maximum flat area for future city development". Grading changes can be made to this area, but if we use steeper slopes that 4:1 shown, the changes trigger changes to the drainage pattern, drainage system #10 etc. If city and Caltrans concur with the proposed re-design concept, it will require additional design work and an updated "slope design exception letter" will be required.

Traffic Operational Analysis Updates: Per comment #72 from Caltrans review of the September 2011 submittal, Caltrans requested updated traffic analysis of the "interim" intersection level of service and queuing for the EB off ramp/Moreno Beach Drive intersection. Per the approved Environmental Revalidation, analysis of "interim year traffic condition" was not required by Caltrans at that time, however in order to address this comment, Parsons has conducted additional traffic analysis of the Off-ramp intersection and the intersection at Eucalyptus Avenue/MBD and prepared Supplemental Traffic memoranda summarizing the results for each location.

3. Construction Details and Irrigation Plans: The previous scope of work for Phase 1, did not identify the need for revisions to the existing water supply line to protect and maintain the existing water supply from corner of Eucalyptus Avenue/Moreno Beach Drive – northerly to SR60, across under the freeway to provide water supply for the existing irrigation on the north side of SR-60.

4. Utility Plan Updates: Based upon coordination with EMWD, SCE, MVU and recent potholing of the existing utilities in Eucalyptus Avenue, the utility base plans to reflect the additional facilities. In order to ensure that the Pettit Street/SR60 SCE electrical transmission/distribution/communications relocation design and related utility agreement and easement issues are moving forward on schedule and that issues are fully resolved within the project schedule, we have been holding weekly telephone conference calls with SCE design/planners/right-of-way staff. The level of

coordination required to complete this extensive hands-on process has been more extensive than was identified in the contract scope.

EMWD Water Relocation Plans: Pursuant to the discussion above, some additional design changes will be needed to the plans to potentially revise the alignment and profile at the gate behind the Automall in order to reduce the impacts to the existing block wall yet remain within the planned water line easement.

5. Pavement Delineation and Signing Plans: During 2011 Caltrans completed a restriping project on SR-60 to provide continuous access to the Carpool lane. This change resulted in changes to the Project staging and striping plans, quantities and specifications to update them to match the new "existing condition." Also the City is currently preparing and implementing striping changes on Eucalyptus Avenue west of MBD pursuant to the Automall improvement project. These changes to the existing striping on Moreno Beach Drive required additional edits/changes to the project topographic and striping files.

6. Traffic Electrical plans: Additional changes have been required to the electrical plans to address Caltrans and City comments and to resolve issues including the City's preference that to provide LED internally illuminated Street Name Signs on the at the on/off ramp traffic signals. There has also been extra comments/coordination/analysis to resolve Caltrans comments regarding the "lighting levels" at the EB off ramp intersection.

7. Construction Staging and Detour Plans: Updates have been required to the staging plans to address changes to the project design at the EB off ramp intersection pursuant to the corner sight distance design changes.

8. Retaining Wall Plan Revisions: Pursuant to proposed cost savings to revise slopes and reduce impacts to the existing concrete lined channel along north side of AutoMall block-wall, and to accommodate the planed "bio-swale", updates will be required to the limits of the proposed retaining wall in SE quadrant of the Moreno Beach Drive/SR-60 interchange.

9. Pavement structural Section Changes: Per ongoing discussions with Caltrans Materials group, they are requiring the City provide a 0.20' grind and overlay of the adjacent lane for proposed Auxiliary lane locations. In addition, Caltrans now requires a "20+ year design life" pavement section that will require additional changes/updates to the plans, specifications, quantities and estimates.

10. Constructability Review and Coordination: The city has hired a Construction Management firm to oversee the Construction phase for the Moreno Beach Drive Phase 1 Project. The City plans to have their CM firm conduct a "constructability review" and would like Parsons review and assess the viability of incorporating the CM firm's recommendations into the project PS&E.

11. Special Provisions Revisions: Pursuant the propose design revisions described herein, updates will be required to the project special provisions.

12. Quantity and Cost Estimate Updates: Pursuant to the proposed design revisions described herein, updates will be required to the project cost estimates.

13. Drainage Design Revisions to existing 84" Pipe –pursuant to changes noted above, Parsons proposes to revise the drainage details and limits of replacement for the 84" storm drain in order to protect-in-place 96-feet of the existing 84" pipe and to protect-in-place the existing headwall reducing the cost of this proposed drainage system by $150,000 and reducing the duration of the construction schedule.

14. Design Survey along Existing Block Wall - Pursuant to field reviews by Parsons staff, it was determined that additional design surveys along the existing block wall at the north west corner of the Automall Dealer properties is required in order to ensure that the proposed retaining wall design and pile foundations can be constructed within the existing R/W and the proposed 4:1 embankments slopes can be designed to avoid the existing block wall and any potential Right-of-way impacts to the Automall property. The outlet of the existing drainage channel located 350' east of the NW corner of the Automall will also be surveyed to ensure the proposed grading and drainage details will not extend beyond the existing city-owned right-of-way.

ASSUMPTIONS/EXCLUSIONS:

1. Additional Management and Engineering for design phase services due to any additional schedule extensions beyond August 2012 are not included in this amendment.
2. Any additional utility coordination to address new utilities or additional changes by Utility companies beyond the items addressed herein is not included in this amendment.
3. Potential schedule delays due to R/W condemnation for Phase 2 tasks and potential updates to out-dated appraisals for the Phase 2 acquistions are not included in this amendment.
4. Separate R/W requirements maps and R/W appraisal maps for Moreno Beach (Phase 1 and Phase 2) will not be required.
5. The Line K-1 plans are part of the Moreno Phase 2 budget. Some additional design and coordination efforts have been identified for the Line K-1 plans, but that effort is not addressed in this amendment.
6. The completion of the Phase 2 – Moreno Beach Drive PS&E package is subject to a separate scope and budget. There are proposed design changes for the Phase 2 project will need to be addressed as part of a separate amendment.

AMENDMENT #5 NASON DATE: 2-17-2012

DESIGN UPDATES TO REDUCE CONSTRUCTION PHASE COSTS

PARSONS STAFF - LABOR HOURS AND COSTS

	STAFF & PROJECT TITLE	BEERS	Gonzalez & Matsato Belcher	Kosmowski Cooper	B. Tan Mohsen M.	LEES	SANDINA / UTSATA	MULLANGI	PEARMAN	Sanchez	STRASSNER	TOTAL	DIRECT	
	TASK NO. - Description	Project Manager	Roadway Design Lead Engineer	senior Engineer	Roadway Associate	SR Utility Engineer	Structures Lead	Structural Engineer	CADD Sr.	or Traffic Engineer	ADMIN	LABOR	LABOR	
	NASON STREET/SR60 PS&E													WBS
1	Meetings, Coordination and comment resolution	10	16	10							20	56	$3,348	11601
2	Layout Plans and Typical Sections and Design Updates	16		160	120				75			371	$18,441	11601
3	Construction Details			120	120							240	$11,640	11601
4	Utility Plans and Coordination	16		40	40	60			20			176	$9,293	11601
5	Pavement Delineation Plans	4			20				40	44		108	$5,614	11604
6	Traffic Electrical Plans	4							64	156		226	$13,537	11601
7	Construction Staging and Detour plans	8	24	130	110				22	40		334	$17,722	11603
8	Soundwall plans	2					35	35	40			112	$5,457	11601
9	Bridge Plan Updates	4	24				32	40				100	$5,607	11950
10	Pavement Structural Section updates	8		40	24							72	$3,885	11601
11	Constructability Review and Coordination	8	40	60			24					132	$8,219	11601
12	Caltrans Special Provisions Updates		120	120								240	$15,014	11605
13	Quantity & Eng Estimate updates	6	24	90	80							190	$9,951	11605
14	Landscape plan updates & Coordination	2	4	8	4				2			20	$1,144	11601
15	Drainage design revisions			40	120				80			240	$10,702	11602
	Totals	88	252	808	638	60	91	75	343	242	20	2617	$139,775	
	PARSONS TOTAL FOR DESIGN PHASE	**88**	**252**	**808**	**638**	**60**	**91**	**75**	**343**	**242**	**20**	**2617**		
	TOTAL DIRECT LABOR COSTS	$7,450	$17,670	$44,440	$26,796	$3,193	$5,449	$3,130	$14,645	$15,972	$830		$139,775	

Overhead	153.40%	$214,415
Profit	10%	$35,419
Escalation	0%	$0
TOTAL LABOR COSTS		$389,609

	SUBCONSULTANTS AND DIRECT COSTS		
	PARSONS DIRECT COSTS		$3,390.64
Task 14	Landscaping Updates (Tatsumi)		$5,000.00
Task 15	EMI Stockpile Environmental Testing		$22,000.00
Task 17	PB- As-Constructed Design Surveys		$10,000.00
			$40,390.64
		total	$430,000.00

MV00160250

AMENDMENT #5 PHASE 1 -- MORENO DATE: 2-17-2012

DESIGN UPDATES TO REDUCE CONSTRUCTION PHASE COSTS

PARSONS STAFF - LABOR HOURS AND COSTS

	STAFF & PROJECT TITLE	SPEIRS	Gonzalez Malasic	COOPER	Tao	LEES GALVAN	SANDIRA - UTHAYA	MULLANGI	PEARMAN	Sandica	STRASSNER	TOTAL	DIRECT	
	TASK NO. - Description	Project Manager	Roadway Design Lead Engineer	senior Engineer	Roadway Associate	SR Engineer	Structures Lead	Structural Engineer	CADD Sr.	sr Traffic Engineer	ADMIN	LABOR	LABOR	
	MORENO BEACH DR PS&E													WBS
1	Meetings Coordination and comment resolution	18	22	22								62	$4,431	66601
2	Layouts and Typical Sections, Design Updates	8	6	146	170	30			97			447	$22,553	66601
3	Construction Details & Irrigation Plans	2	2	220	20							244	$14,790	66601
4	Utility Plan Updates	40			40	24						104	$6,344	66601
5	Pavement Delineation and Signing Plans									24		24	$1,554	66601
6	Traffic Electrical Plans	2							20	38		60	$3,543	66601
7	Construction Staging and Detour plans	2		24	24				24			74	$3,704	66601
8	Retaining wall Plan revisions			30	24		40	60				154	$7,767	66601
9	Pavement Structural Section updates	4		24	24							52	$2,835	66601
10	Constructability Review and Coordination	12	12	24			12		12			72	$4,583	66601
11	Special Provision Updates	18	65									81	$5,912	66601
12	Quantity & Cost Estimate updates	1	2	22	20							45	$2,429	66601
13	Drainage design revisions to existing 84" pipe	4	2	42	32	36			24			140	$7,382	
	totals	109	111	554	354	80	52	60	177	62	0	1559	$87,855	
	PARSONS TOTAL FOR DESIGN PHASE	109	111	554	354	80	52	60	177	62	0	1559		
	TOTAL DIRECT LABOR COSTS	$9,228	$7,753	$34,346	$14,865	$4,256	$3,114	$2,904	$7,661	$4,092	$0		$87,855	

Overhead	153.40%	$134,779
Profit	10%	$22,262
Escalation	0%	$0
TOTAL LABOR COSTS		$244,887

	SUBCONSULTANTS AND DIRECT COSTS	PHASE 1
	PARSONS DIRECT COSTS	$2,213.03
Task 14	Design Survey along Exist Block Wall (PB)	$2,900.00
	Subs + ODC	$5,113.03
	LABOR	$244,886.97
	TOTAL -PHASE 1 - MORENO	$250,000.00

MV00160251

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief
Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR PARTIAL ACQUISITION OF APN 297-170-077 FOR THE FIRE STATION NO. 65 PROJECT – PROJECT NO. 11-43472526

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project.

2. Authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526).

3. Authorize the City Manager to execute said Agreement in the form attached hereto and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.

BACKGROUND

Fire Station No. 65 is currently located at Kennedy Park. The Fire Department has strategically identified the need for relocation of Fire Station No. 65 to a new site in the City's Center Point area to provide service to the surrounding neighborhood.

Land acquisition was funded in the Fiscal Year 2010-2011 Capital Improvement Plan to take advantage of depressed real estate values. The City Council authorized staff to negotiate and acquire the property at its July 2011 Closed Session.

DISCUSSION

The site, located on the northeast corner of Rebecca Street and Brodiaea Avenue (Assessor's Parcel Number 297-170-077), meets the Fire Department's needs. The site is in Business Park zoning with an area of approximately 1.50 acres.

After negotiation, the owner has agreed to a cash purchase price of $412,650. The partial acquisition of APN 297-170-077 exceeds the $100,000 threshold of the City Manager's signature authority and, therefore, requires the Agreement for Conveyance of Property to be approved by the City Council.

ALTERNATIVES

1. Approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project, authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526), and authorize the City Manager to execute said Agreement in the form attached hereto and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney. *This alternative allows the City to acquire the land needed for the construction of Fire Station No. 65.*

2. Do not approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project, do not authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526), and do not authorize the City Manager to execute said Agreement in the form attached hereto and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney. *This alternative will result in delaying acquisition of land required for City Fire Station projects.*

FISCAL IMPACT

Funding for the proposed land acquisition is included in the Fiscal Year 2011/2012 Capital Improvement Plan budget and is funded by the Fire Services Capital Projects Fund (Fund 434), which was originally funded by transfers from the General Fund.

AVAILABLE PROJECT FUNDS – FIRE STATION NO. 65 (FORMERLY FIRE STATION #65 REPLACEMENT)

FY 2011/2012 Fire Services Capital Projects Fund (Account No. 434.72526)	$ 497,000

ESTIMATED LAND ACQUISITION EXPENDITURES

Land Acquisition	$ 412,700
Escrow Costs	$ 6,300
Project Administration and Miscellaneous Costs	$ 20,000
Total Land Acquisition-related Expenditures	**$ 439,000**

ANTICIPATED PROJECT SCHEDULE:

Open Escrow	April 2012
Complete Land Acquisition	June 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Fire Department has been planning the relocation of Fire Station No. 65 from Kennedy Park to the Center Point area at the southwest portion of the City. The selected site (portion of APN 297-170-077) is approximately 1.50 acres in size, is located at the northeast corner of Rebecca Street and Brodiaea Avenue, and meets the Fire Department's needs. The City Council is requested to authorize issuance of a purchase order for $419,000 for acquisition of this property ($412,650 acquisition cost plus escrow closing fees).

ATTACHMENTS/EXHIBITS

Attachment "A" – Location Map
Attachment "B" – Agreement for Conveyance of Real Property

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Concurrence:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.,
Deputy Public Works Director / Acting City Engineer

Department Head Approval:
Abdul Ahmad
Fire Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

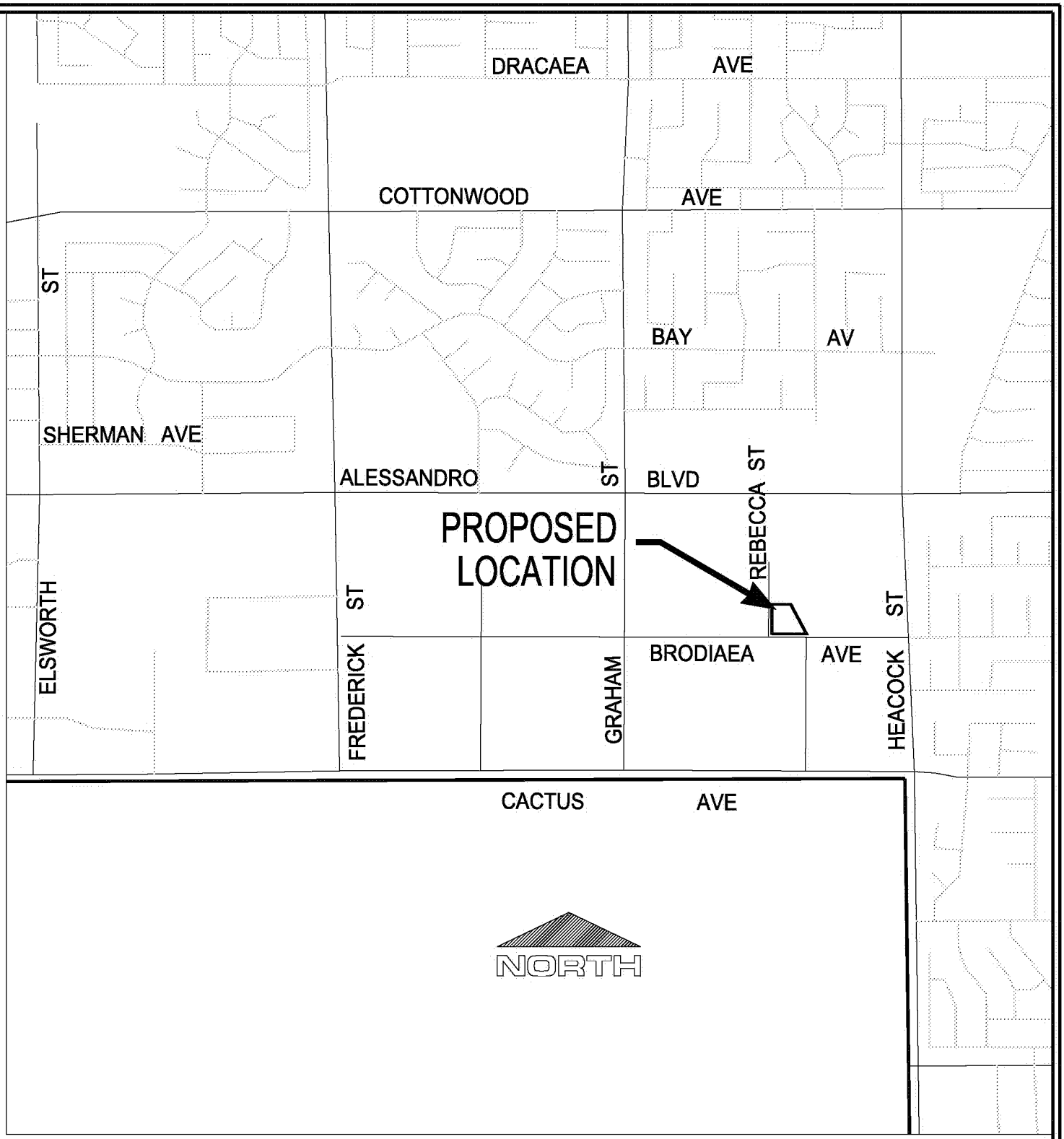

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

Attachment "A"

FIRE STATION 65 RELOCATION

PROJECT No. 11-43472526

MV00160256

AGREEMENT FOR CONVEYANCE OF REAL PROPERTY

THIS AGREEMENT is entered into by and between Group V San Bernardino, LP, a California limited Partnership ("Grantor") and CITY OF MORENO VALLEY, a municipal corporation ("Grantee").

RECITALS

A. Grantor owns certain real property located at the northeast corner of Rebecca Street and Brodiaea Avenue, Moreno Valley, bearing Assessor Parcel No. 297-170-077 (the "Property").

B. Grantee desires to purchase a portion of the Property and Grantor desires to sell and convey a portion of the Property as described in Exhibit A which is attached hereto (the "Parcel").

C. The parties desire by this Agreement to provide the terms and conditions for the purchase and sale of the Parcel.

AGREEMENT

The parties therefore agree as follows:

1. PURCHASE.

Grantee agrees to buy and Grantor agrees to sell and convey the Parcel for the purchase price and upon the terms and conditions hereinafter set forth. The Purchase Price, defined below, is acknowledged by both parties to be a negotiated value for the Parcel.

2. ESCROW.

Upon execution of this Agreement by all parties, Grantee shall open an escrow (the "Escrow") with Lawyers Title (the "Escrow Holder") for the purpose of consummating the purchase and sale of the Parcel. The parties hereto shall execute and deliver to Escrow Holder such escrow instructions prepared by Escrow Holder as may be required to consummate this transaction. Any such instructions shall not conflict with, amend, or supersede any provision of this Agreement. If there is any inconsistency between such instructions and this Agreement, this Agreement shall control unless the parties agree in writing otherwise. The Escrow Instructions shall include the following terms and conditions of sale:

2.1 Purchase Price.

The total purchase price for the Parcel shall be $412,650.00, which shall be paid by Grantee to Grantor through Escrow Holder in cash at the close of escrow.

Attachment "B"

2.2 Close of Escrow.

Escrow shall close on or before sixty (60) days following the execution of this Agreement (the "Close of Escrow"). If the Escrow is not in a condition to close within 60 days from the opening date of "Escrow", any party who is not then in default may, in writing, demand the return of its/his/her money and/or documents. Thereupon, subject to the provisions in paragraph 3, all obligations and liabilities of the parties under this Agreement shall cease and terminate.

Close of escrow is contingent upon First Citizens Bank approving the pay down of the existing note, subject to the lot split and remainder parcel, and also subject to approval by the FDIC, who retains a residual interest in regards to the failure of First Regional Bank, the loan originator. First Citizens Bank is processing the approval and may need additional time in escrow, Buyer will agree to a reasonable extension of time if necessary.

2.3 Condition of Title to the Parcel.

Grantor shall convey title to the Parcel to Grantee as evidenced by a CLTA Standard Form Policy or Binder of Title Insurance ("Title Policy") issued by a title insurance company to be selected by Grantee in an amount equal to the purchase price. The Title Policy shall show as exceptions with respect to the Parcel only matters approved in writing by Grantee. Any exceptions to title representing monetary liens or encumbrances are hereby disapproved by Grantee, and Escrow Holder is hereby authorized and instructed to cause the reconveyance, partial reconveyance, or subordination, as the case may be, of any such monetary exceptions to Grantee's title to the Parcel at or prior to the Close of Escrow.

2.4 Escrow and Closing Costs.

Grantee shall pay the cost of the Title Policy, all Escrow fees (including reconveyance fees, trustee's fees or forwarding fees for any partial reconveyance or subordination of a deed of trust or mortgage), and all recording costs incurred herein. All parties acknowledge that Grantee is exempt from payment of documentary transfer taxes.

2.5 Investigations.

Prior to the Close of Escrow, Grantee may, at its option, conduct, at Grantee's expense, any and all investigations, inspections, surveys, and tests of the Property including, without limitation, soils, groundwater, wells, percolation, geology, environmental, drainage, engineering and utilities investigations, inspections, surveys, and tests, which determines, in its sole discretion, are required to determine the suitability of the Parcel for Grantee's intended use thereof. If Grantee determines that the Parcel is not suitable for its intended use, Grantee may disapprove this item and terminate this Agreement as provided at Section 2.2 above. Grantor hereby grants to

Grantee, and Grantee's employees, representatives, agents and independent contractors, a license to enter the Property for purposes of conducting such investigations, inspections, surveys, and tests. Grantee shall repair any damage to the Property resulting from such investigations, inspections, surveys, and tests conducted by Grantee or Grantee's employees, representatives, agents or independent contractors. Grantee's approval of any of such investigations, inspections, surveys, or tests shall not alter or diminish Grantor's representations or warranties under this Agreement, and Grantor acknowledges and agrees that Grantee is relying upon Grantor's representations and warranties made herein, unless such representation or warranty is specifically waived in whole or in part by Grantor. Grantee to indemnify Grantor and provide a policy of general liability insurance of $1,000,000 for Grantee's employees and agents during the investigative period and name Grantor as additional insured.

2.6 Deposit of Funds and Documents.

(a) Prior to Close of Escrow, Grantee shall deposit into Escrow (i) all Escrow and Closing Costs as described above; (ii) the cash portion of the purchase price to be paid to Grantor through Escrow; and (iii) such other documentation as is necessary to close Escrow in conformance herewith.

(b) Prior to the Close of Escrow, Grantor shall deposit into Escrow (I) the properly executed Grant Deed conveying the Parcel; and (ii) such other documents and sums, if any, as are necessary to close Escrow in conformance herewith.

2.7 Grantee's Conditions Precedent to Close of Escrow.

The Close of Escrow is subject to the following conditions:

(a) All representations and warranties of Grantor set forth in this Agreement shall be true and correct as of the Close of Escrow; and

(b) Grantor shall timely perform all obligations required by the terms of this Agreement to be performed by them.

2.8 Grantor's Conditions Precedent to Close of Escrow.

For the benefit of Grantor, the Close of Escrow shall be conditioned upon the timely performance by Grantee of all obligations required of Grantee by the terms of this Agreement.

3. REPRESENTATIONS AND WARRANTIES OF GRANTOR.

Grantor makes the following representations and warranties, each of which shall survive the Close of Escrow:

(a) Grantor holds title to an indefeasible estate in fee simple in the Property. Grantor is the sole owner of the Property and has good, absolute and marketable title to

the Property and has full power and authority to own and sell and convey the Parcel over, under and/or through the Property to Grantee and to enter into and perform his/her/its obligations pursuant to this Agreement;

(b) The execution and delivery of this Agreement by Grantor, Grantor's performance hereunder, and the consummation of this transaction will not constitute a violation of any order or decree or result in the breach of any contract or agreement to which Grantor are at present parties, or by which Grantor are bound;

(c) Grantor will not enter into any agreements or undertake any new obligations prior to Close of Escrow which will in any way burden, encumber or otherwise affect the Property without the prior written consent of Grantee;

(d) To Grantor's knowledge, no litigation and no governmental, administrative or regulatory act or proceeding regarding the environmental, health and safety aspects of the Property is pending, proposed or threatened;

(e) According to Grantor's knowledge, the Property is not in violation of any federal, state or local statute, regulation or ordinance relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions underlying the Property which could affect the Parcel or its use, and Grantor has not used, generated, manufactured, stored or disposed of on, under or about the Property, or transported to or from the Property, any flammable materials, explosives, radioactive materials, hazardous or contaminated materials or substances, toxic or noxious materials, substances or related materials or substances ("Hazardous Materials"). For the purpose of this Section, Hazardous Materials shall include, without limitation, substances defined as "hazardous substances," "hazardous materials," "toxic substances," "hazardous wastes," "extremely hazardous wastes," or "restricted hazardous wastes," or stated to be known to cause cancer or reproductive toxicity, under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. sections 9601 et seq; the Hazardous Materials Transportation Act, 49 U.S.C. sections 1801 et seq; the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901et seq; the Federal Water Pollution Control Act, 33 U.S.C. sections 1317 et seq; sections 25115, 25117, 25122.7, 25140, 25249.5, 25249.8, 25281, 25316 or 25501 of the California Health & Safety Code; or any substances so defined or stated in any of the regulations adopted and publications promulgated pursuant to said laws as they may be amended from time to time.

4. REPRESENTATIONS AND WARRANTIES OF GRANTEE.

A. Grantee shall save harmless and indemnify Grantor against any and all claims, demands, suits, judgments, expenses, and costs on account of injury to, or death of, persons, or loss of, or damage to, property of others, incurred during or proximately caused by acts or omissions of Grantee or Grantee's contractor in the performance of any work by Grantee or Grantee's contractor to construct the works of improvement for which the Parcel is conveyed.

5. ACKNOWLEDGMENT OF FULL BENEFITS AND RELEASE.

A. By execution of this Agreement, Grantor, on behalf of themselves and their respective heirs, executors, administrators, successors and assigns, hereby acknowledge that this Agreement provides full payment for the acquisition of the Parcel by Grantee, and Grantor hereby expressly and unconditionally waives any and all claims for damages, relocation assistance benefits, severance damages, interest, loss of goodwill, claims for inverse condemnation or unreasonable pre-condemnation conduct, or any other compensation or benefits, other than as already expressly provided for in this Agreement, it being understood that this is a complete and full settlement of all acquisition claims, liabilities, or benefits of any type or nature whatsoever relating to or in connection with the acquisition of the Parcel.

B. This Agreement arose out of Grantee's efforts to acquire the Parcel through its municipal authority. The parties agree that this Agreement is a settlement of claims in order to avoid litigation and shall not in any manner be construed as an admission of the fair market value of the Parcel or of the Property or of liability by any party to this Agreement. Grantor, on behalf of themselves and their respective heirs, executors, administrators, successors and assigns, hereby fully release Grantee, its successors, agents, representatives, and assigns, and all other persons and associations, known or unknown, from all claims and causes of action by reason of any damage which has been sustained, or may be sustained, as a result of Grantee's efforts to acquire the Parcel or to construct works of improvement thereon, or any preliminary steps thereto, except as set forth in Section 5 above. Grantor further release and agree to hold Grantee harmless from any and all claims by reason of any leasehold interest in the Property.

C. Grantor does hereby acknowledge that they are familiar with the provisions of California Civil Code section 1542, which provides as follows:

These representations and warranties shall survive the Close of Escrow. "A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor." Grantor acknowledges that they may have sustained damage, loss, costs or expenses which are presently unknown and unsuspected, and such damage, loss, costs or expenses which may have been sustained, may give rise to additional damage, loss, costs or expenses in the future. Nevertheless, Grantor does hereby acknowledge that this Agreement has been negotiated and agreed upon in light of that situation, and hereby expressly waive any and all rights which they may have under California Civil Code section 1542, or under any statute or common law or equitable principal of similar effect, except as set forth in Section 5 above.

This acknowledgment and release shall survive the Close of Escrow.

6. REMEDIES

If Grantor defaults under this Agreement, then Grantee may, at Grantee's option, terminate the Escrow or initiate an action for specific performance of this Agreement, or pursue any other rights or remedies that Grantee may have at law or in equity. If Grantee defaults under this Agreement, then Grantor may, at Grantor' option, terminate the Escrow or pursue any rights or remedies that Grantor may have at law or in equity.

7. MISCELLANEOUS.

A. Notice. Any notice to be given or other document or documents to be delivered to either party by the other hereunder may be delivered in person or may be deposited in the United States Mail in the State of California, duly registered or certified, with postage prepaid, and addressed as follows:

Grantor:

Group V San Bernardino, LP
C/O Everet Miller
Pama Management Company
4900 Santa Anita, Suite2C
El Monte, CA 91731

Grantee:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
Attention: Henry Ngo, Senior Engineer, P.E.

Any party hereto may, from time to time, by written notice to the other parties, designate a different address, which shall be substituted for the one specified above. Any notice or other documents sent by registered or certified mail as aforesaid shall be deemed to have been effectively served or delivered at the expiration of twenty-four (24) hours following the deposit of said notice or other documents in the United States mail.

B. Time of Essence. Time is of the essence with respect to each and every provision hereof.

C. Assignment. Neither this Agreement, nor any interest herein, shall be assignable by any party without prior written consent of the other party.

D. Governing Law. All questions with respect to this Agreement, and the rights and liabilities of the parties hereto, shall be governed by the laws of the State of California.

E. Inurement. This Agreement shall inure to the benefit of, and shall be binding upon, the assigns, successors in interest, personal representatives, estates, heirs and legatees of each of the parties hereto.

F. Attorneys Fees. If any legal action, arbitration or other proceeding is brought for the interpretation or enforcement of this Agreement, or because of any alleged dispute, breach, default or misrepresentation in connection with the Agreement, the successful or prevailing party shall be entitled to recover reasonable attorneys fees (including fees for in-house counsel, paraprofessionals and similar personnel and disbursements) and other costs it incurs in that action or proceeding, in addition to any other relief to which it may be entitled. The venue of any such action, arbitration, lawsuit or other proceeding or litigation may, at the option of the City, be in Riverside County, California, and the parties waive any right to change of venue.

G. Entire Agreement. This Agreement contains the entire Agreement of the parties hereto, and supersedes any prior written or oral agreements between them concerning the subject matter contained herein. There are no representations, agreements, arrangements, or understandings, oral or written, between the parties hereto, relating to the subject matter contained in this Agreement which are not fully expressed herein.

H. Additional Documents. The parties hereto agree to execute any and all additional documents and instruments necessary to carry out the terms of this Agreement.

I. Confidentiality. Grantor will keep confidential the terms of this Agreement and refrain from disclosing or causing same to be disclosed to any person or entity not specifically released herein. In no event, however, shall Grantor be required to refrain from disclosing the terms of this Agreement where: (I) they are legally required to do so, whether by statute, court order, process or otherwise; or (ii) disclosure is required or necessary to enforce any right, duty, obligation or release arising under the terms of this Agreement; or (iii) disclosure is required or necessary in order for Grantor, or any of their agents or employees, to maintain or compile their personal or business books or records; or (iv) disclosure is necessary or required in order for Grantor, or any of their agents or employees, to prepare and file income tax returns or any other forms required by any governmental, administrative or regulatory entities, boards or authorities.

J. No Admissions. This Agreement is a compromise and settlement of outstanding claims between the parties relating to Grantee's acquisition of the Parcel and shall never be treated as an admission by either party to the Agreement for any purpose in any judicial, arbitration or administrative proceeding between the parties. This paragraph shall not apply to any claim that one may have against the other for breach of any provision or covenant of this Agreement.

K. No Merger. All representations, warranties, acknowledgments, releases, covenants and obligations contained in this Agreement shall survive delivery and recordation of the Grant Deed for the Parcel.

L. Ratification. This Agreement is subject to approval and ratification by the City Council of the City of Moreno Valley.

M. Broker. Grantor and Grantee each represent and warrant to the other that no broker, agent or finder has been engaged by it in connection with the transaction contemplated by this Agreement and that all negotiations relative to these instructions and this transaction have been carried out by such party directly with the other party without the intervention of any person in such a manner as to give rise to any valid claim against either of the parties for a broker's commission, finder's fee or other like payment. Each of the parties shall indemnify and defend the other party and hold it harmless from any and all loss, damage, liability or expense, including costs and reasonable attorneys' fees, which the other party may incur or sustain by reason of or in connection with any misrepresentation or breach of warranty by the indemnifying party with respect to the foregoing.

N. Counterparts. This Agreement may be signed in counterpart or duplicate copies, and any signed counterpart or duplicate copy shall be equivalent to a signed original for all purposes.

EXECUTED on the date or dates set forth below. This Agreement shall be effective as of the date signed by all parties.

DATED:_____

Grantor:

Group V San Bernardino, LP, a California Limited Partnership

By: _____

Its: _____

DATED:_____

Grantee:

CITY OF MORENO VALLEY

By:_____

Its: City Manager

APPROVED AS TO FORM:

_____

City Attorney

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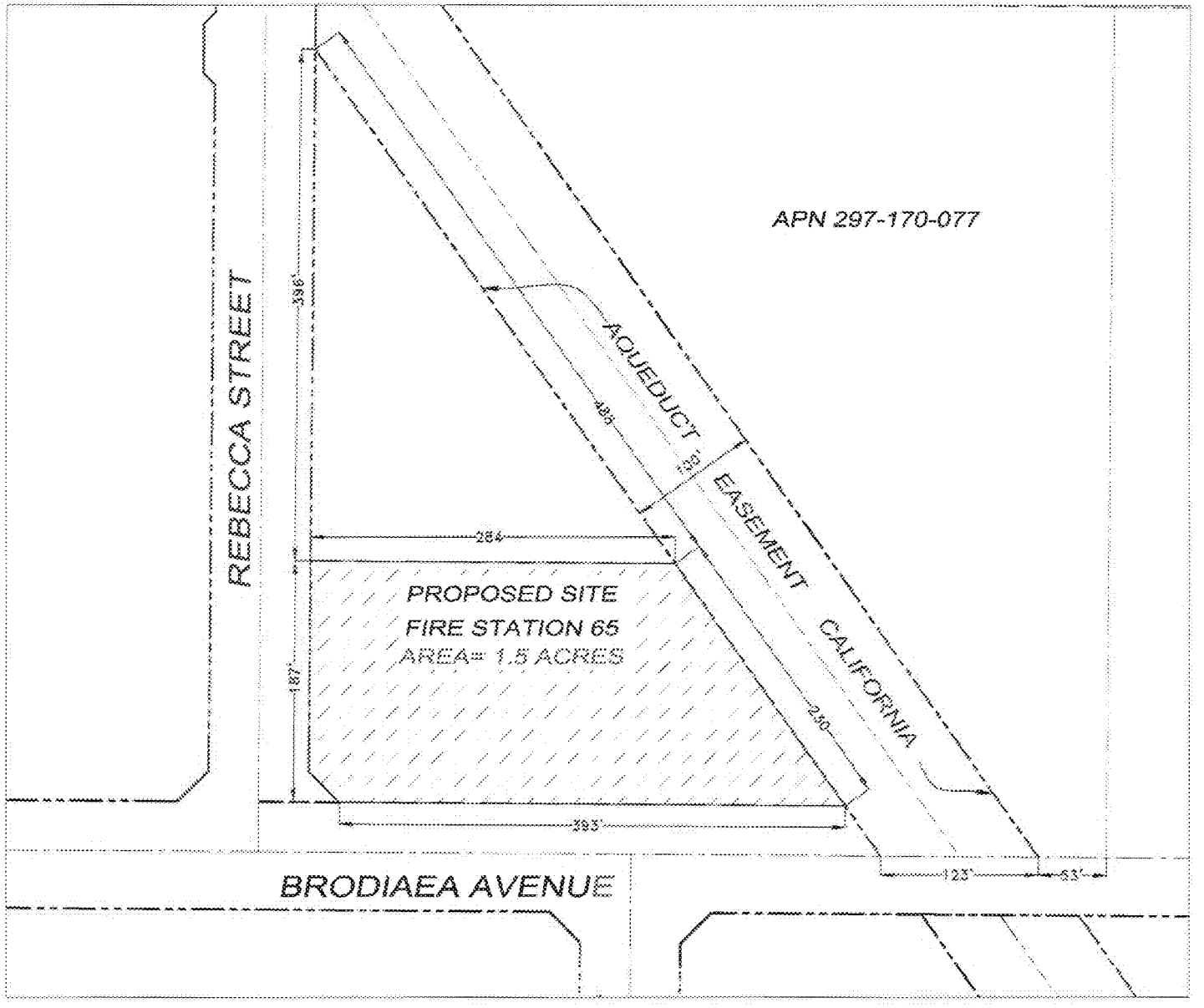

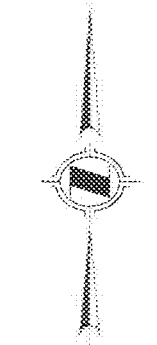

PROPERTY INFORMATION:

APN 297-170-077

NORTHEAST CORNER OF BRODIAEA AVE. / REBECCA ST.

PARTIAL LAND ACQUISITION

FIRE STATION 65

RELOCATION LAND ACQUISITION MAP

PROJECT No. 11-42472628

Exhibit "A"

MV00160266

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: April 10, 2012

TITLE: CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "SOBRIETY CHECKPOINT GRANT PROGRAM"

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Grant Program" in the amount of $150,400 for the period beginning October 1, 2012 and ending September 30, 2013.

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the Sobriety Checkpoint Grant Program in the amounts of $150,400, respectively, upon approval and acceptance of the grant from OTS.

ADVISORY COMMITTEE RECOMENDATION

On March 19, 2012, the Public Safety Sub-Committee granted the Chief of Police permission to apply for this grant and recommended the acceptance of this OTS grant opportunity.

BACKGROUND

The City of Moreno Valley is committed to providing a safe environment for the citizens of Moreno Valley. The City Council has made it a priority to provide financial support to the Traffic Team and Patrol units to deal with quality of life issues in the community.

This statewide program is administered by the UC Berkeley, Safe Transportation Research and Education Center (TREC) and targets the following enforcement periods:

December 14, 2012 through January 1, 2013
August 16, 2013 through September 2, 2013

DISCUSSION

The California Office of Traffic Safety recently announced they were accepting grant applications for the 2012-2013, "Sobriety Checkpoint Grant Program." The Moreno Valley Police Department (MVPD) currently operates Driving Under the Influence (DUI) Sobriety Checkpoint Operations on a regular basis. These operations require a great number of resources. The specific resources required vary based on the time of day, day of week and location of the sobriety checkpoint. On average however, a single operation will last 6 hours and consist of 2 sergeants, 17 officers, 5 community service officers, 1 dispatcher, 4 reserve officers, 10 volunteers and 10 explorers. A majority of these personnel are paid for with overtime funding.

This grant will provide specific funding for MVPD personnel to deploy in an overtime capacity during these DUI Sobriety Checkpoint Operations. The grant specifies that some of the deployment must take place during specific time frames throughout the year. These designated enforcement periods are designed to coincide with major holiday enforcement periods. The grant also specifies personnel assigned to work these operations must be dedicated to DUI Sobriety Checkpoints.

The amount we requested from the "Sobriety Checkpoint Grant Program" will cover all overtime costs associated with 18 DUI Sobriety Checkpoint Operations conducted during the year-long campaign. This includes overtime funding for sergeants, officers, community service officers, and dispatchers. As a requirement of the grant, the MVPD will be required to conduct detailed statistical analysis regarding the enforcement campaign and claim forms will be completed and submitted to the UC Berkeley, Safe TREC.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application for the OTS Grant titled "Sobriety Checkpoint Grant Program", in the amount of $150,400 and subsequently accept the grant award from OTS. **Staff recommends this alternative.**

2) Decline the application for the OTS Grant titled "Sobriety Checkpoint Grant Program" in the amount of $150,400. **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund. Budget appropriations are as follows upon approval and acceptance of the grant:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OTS - POLICE FUND (136)	1360.4611.1 (State Grant Oper. Rev.)	REV	$150,400
OTS - POLICE FUND (136)	136XX (Sobriety Checkpoint Grant)	EXP	$150,400

CITY COUNCIL GOALS

To provide a safe and secure environment for people and property in the community, and provide protection for citizens who live, work and visit the City of Moreno Valley. The City-wide camera surveillance system will aid in this goal by helping to reduce crime, identify criminals who do commit crimes, and make a safer and more secure environment for the citizens in our community.

SUMMARY

The City Council is requested to approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Grant Program" in the amount of $150,400 for the period beginning October 1, 2012 and ending September 30, 2013 and authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the Sobriety Checkpoint Grant Program in the amounts of $150,400, respectively, upon approval and acceptance of the grant from OTS.

Prepared by:
Launa Jimenez
Management Analyst

Department Head Approval:
John Anderson
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: April 10, 2012

TITLE: CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "GME STEP PROGRAM"

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if awarded) of the California Office of Traffic Safety (OTS) grant in the amount of $129,870, entitled "GME STEP Program (Selective Traffic Enforcement Program)."

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the GME STEP Program (Selective Traffic Enforcement Program in the amounts of $129,870, respectively, upon approval and acceptance of the grant from OTS.

ADVISORY COMMITTEE RECOMMENDATION

On March 19, 2012, the Public Safety Sub-Committee granted the Chief of Police permission to apply for this grant and recommended the acceptance of this OTS grant opportunity.

BACKGROUND

The Moreno Valley Police Department receives grants from the Office of Traffic Safety (OTS) on a routine basis. Most grants offered through OTS are for a one year period and they run concurrently with the federal fiscal year.

DISCUSSION

In March 2012, staff received notice of a competitive grant program offered by OTS called the "GME STEP Program." This grant can be used to fund law enforcement operations involving DUI saturation patrols, DUI warrant sweeps, stakeout operations for known DUI offenders, distracted driving enforcement (cellphone and texting) and primary collision factor (PCF) violation enforcement (red light, speed, stop sign, etc).

The Police Department is proposing to apply for this grant and if awarded, conduct approximately 22 DUI saturation patrols, 3 DUI warrant sweep operations, 4 known DUI offender stakeout operations, 44 distracted driving and 44 PCF violation enforcement operations.

In addition, we are asking for grant funds to pay for training and travel for two training courses. The grant would fund the training for three officers to attend a five day "Cavenaugh and Associates" DUI Seminar class. The grant would fund the registration, lodging, and per diem for the three officers to attend this training. This class has proven to be a great resource in building the skills necessary to handle DUI cases. The grant would fund the training for four officers to attend the Vehicular Homicide Seminar. The grant would fund the registration, lodging, and per diem for this seminar. This seminar is designed for prosecutors and law enforcement officers who handle misdemeanor and felony vehicular homicides. The course will assist prosecutors and law enforcement officers in developing the knowledge and skills necessary to investigate, evaluate, prepare, and handle cases involving vehicular fatalities. Subjects will include California substantive law, collision investigation and reconstruction, post-collision determination of speed, how kinematics can assist in driver identification, understanding expert testimony, cross-examining a defense expert, and basic toxicology.

The amount we are requesting is $129,870 for FY 12/13, which we believe will assist the Police Department in enhancing traffic safety within the City of Moreno Valley.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application and acceptance (if awarded) of the OTS Grant titled "GME STEP Program" for $129,870. **Staff recommends this alternative.**

2) Not approve the application for the OTS Grant titled "GME STEP Program." **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund.

Budget appropriations are as follows upon approval and acceptance of the grant:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OTS - POLICE FUND (136)	1360.4611.1 (State Grant Oper. Rev.)	REV	$129,870
OTS - POLICE FUND (136)	136XX (GME STEP Grant)	EXP	$129,870

CITY COUNCIL GOALS

To provide a safe and secure environment for people and property in the community, and provide protection for citizens who live, work and visit the City of Moreno Valley. The City-wide camera surveillance system will aid in this goal by helping to reduce crime, identify criminals who do commit crimes, and make a safer and more secure environment for the citizens in our community.

SUMMARY

The City Council is requested to approve the grant application and authorize acceptance (if awarded) of the California Office of Traffic Safety (OTS) grant in the amount of $129,870, entitled "GME STEP Program (Selective Traffic Enforcement Program) and authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the GME STEP Program (Selective Traffic Enforcement Program in the amounts of $129,870, respectively, upon approval and acceptance of the grant from OTS.

Prepared by:
Launa Jimenez
Management Analyst

Department Head Approval:
John Anderson
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: April 10, 2012

TITLE: APPROVAL OF THREE-YEAR ENTERPRISE LICENSING AGREEMENT OF MICROSOFT LICENSES THROUGH COMPUCOM SYSTEMS, INC., UTILIZING THE COUNTY OF RIVERSIDE'S MICROSOFT ENTERPRISE MASTER AGREEMENT

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Waive formal bidding per Municipal Code Section 3.12.260 (Cooperative Purchasing); and

2. Approve a three-year enterprise licensing agreement of Microsoft licenses through CompuCom Systems, Inc., utilizing the County of Riverside's Microsoft Enterprise Licensing Master Agreement; and

3. Authorize the City Manager to execute the Microsoft Enterprise Master Agreement and any related documents required to effectuate participation in the Microsoft Enterprise Master Agreement; and

4. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to CompuCom systems to maintain the current licensing level at an annual cost not-to-exceed $115,000.

The agreement provides for the maintenance and support of Microsoft server operating system and client access software licenses to provide continued corrective, security, and enhancement updates to the City's existing network in an annual amount not-to-exceed $115,000 for each of the next three years (May 1, 2012 through April 30, 2015.) The agreement utilizes the County of Riverside's Microsoft Enterprise Agreement (a

cooperative purchasing agreement that approximately 500 California cities utilize) and identifies CompuCom Systems, Inc., a Microsoft Large Account Reseller, as the administrator of the agreement. Since this expenditure is over $100,000, City Council approval is required per the City's procurement policy.

BACKGROUND

The City has participated in the California County Information Services Directors Association (CCISDA) Enterprise Agreement for Microsoft licensing for the past eight years. This agreement was negotiated for the California state and local governments by the County of Riverside as the lead agency and is available to all California state, county, and local agencies. The purpose of the agreement is to pool the buying power of these public entities to accomplish discounted pricing not available through traditional channels. The City's current agreement term expires April 30, 2012.

Prior to 2004, the City of Moreno Valley purchased software licenses from retailers at predetermined "Select Level" pricing for each new PC and for any upgrades. Under the Select Licensing program, designed for corporate, government, and academic customers with 250 or more desktops and mixed product and purchasing requirements, the City realized discounts over standard retail pricing; however, new versions required additional purchases with no pricing guarantee. The program also provided no privileged access to Microsoft technical support and services.

Beginning in 2004, the City joined CCISDA Enterprise Agreement for Microsoft licensing. The former Chief Information Officer (CIO) of the County of Riverside was one of the leaders in the negotiations for CCISDA and offered to facilitate the County's hosting of the Request for Proposals (RFP) to allow cooperative participation in the Enterprise Agreement by California cities and counties. Following this competitive selection process, the cooperative agreement became open for participation by all eligible California local government entities (counties, cities, special districts, etc.). Starting that year, the City of Moreno Valley began utilizing this contract to obtain Microsoft licenses through CompuCom Systems, Inc., a Microsoft Large Account Reseller (LAR). CompuCom Systems was one of the five vendors who responded to the County's original RFP and presented the lowest price per desktop. CompuCom currently administers the Enterprise Agreements for 283 California agencies and was selected by Riverside County again this past year to service the County's current agreement through 2016.

DISCUSSION

The City's core software infrastructure is based on Microsoft desktop, server, and development products. The Enterprise Agreement positions the City to benefit from the next generation of Microsoft platform products seamlessly through ownership of Software Assurance. Specifically, this maintenance agreement ensures that the City has access to the latest version of the software and that technical support is available. This reduces the required level of staff support and also enables software upgrade decisions to be made based on technical considerations, deployment plans and staffing

availability, rather than primarily cost considerations. Also, more products and services become automatically available within the Enterprise Agreement. The City utilizes many Microsoft products and services as shown in the table on the following page. Examples of such software products are SharePoint Portal Services (SPS), a collaboration-based web portal product, and Systems Center, a product which automates inventory of software and hardware, automates deployments, and allows for remote desktop support. Most importantly, the cost-per-desktop savings is substantial under the Enterprise Agreement. CompuCom has offered the City the lowest Microsoft licensing cost on the County's Agreement.

The following table lists the Microsoft software and services utilized by the City:

Operating Systems, Server and Client Software
Windows Server and Desktop Operating Systems
Office Professional
Exchange Server (including Outlook)
Lync Server
SharePoint Server
Microsoft SQL Server
Microsoft Project
Microsoft Desktop Optimization
Microsoft Dynamics CRM
Microsoft Visio
Microsoft Systems Center
Windows Rights Management Service
Software Updates
New Version Rights for Applications
New Version Rights for Windows Client
New Version Rights for Servers
New Version Rights for Server CALs
Services and Programs
Training Vouchers
Professional Services
Online E-Learning: Applications
Online E-Learning: Systems
Online E-Learning: Servers
Employee Purchase Program (EPP)
Home Use Program (HUP)
Maintenance and Support
24 x 7 Phone Support Incidents
Web Incidents
User ID's for Web Support
TechNet Plus Direct
TechNet SA Subscription Services
Cold Backup for Disaster Recovery
Transition Tools
Extended Hot-Fix Support for Office
Extended Hot-Fix Support for Windows Client
Extended Hot-Fix Support for Servers

Windows Fundamentals for Legacy PCs

Microsoft does not license its software directly, but instead requires licensing of its products through a reseller. Should the City decide not to obtain its software licenses through the Enterprise Agreement, staff would need to undertake a separate RFP process to determine the best pricing from another reseller. It is highly unlikely that lower pricing could be obtained than what is provided under the Enterprise Agreement.

ALTERNATIVES

1. Approve three-year Enterprise Agreement of Microsoft licenses through CompuCom Systems, Inc. by taking the following actions:
    a. Waive formal bidding per Municipal Code Section 3.12.260 (Cooperative Purchasing);
    b. Approve a three-year enterprise licensing agreement of Microsoft licenses through Compucom Systems, Inc., utilizing the County of Riverside's Microsoft Enterprise Licensing Master Agreement;
    c. Authorize the City Manager to execute the Microsoft Enterprise Master Agreement and any related documents required to effectuate participation in the Microsoft Enterprise Master Agreement; and
    d. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to CompuCom systems to maintain the current licensing level at an annual cost not-to-exceed $115,000.

    This alternative is recommended by staff.

2. Elect not to renew the Microsoft software licenses utilizing the County of Riverside's Microsoft Enterprise Agreement with CompuCom Systems, and direct staff to undertake a separate RFP process to select a reseller of Microsoft licenses. ***This alternative is not recommended by staff, as it is highly unlikely that lower pricing could be obtained and it would require a substantial expenditure of staff time.***

3. Provide staff with further direction.

FISCAL IMPACT

Approval of staff's recommendation will obligate the City to a FY 2011-12 expenditure of $115,000. Funds for this purchase are available in the Technology Services software maintenance/support budget, account 750.32010.6258. Although the Enterprise Agreement is for a three-year term, it has cancellation provisions that allow early termination if funds are not appropriated in subsequent fiscal years.

CITY COUNCIL GOALS

Utilizing a cooperative purchasing agreement through the County of Riverside to obtain the best pricing for software licenses promotes the City Council goals of sound **fiscal policies to support essential services** and the **development of cooperative intergovernmental relationships**.

SUMMARY

To maintain Microsoft licensing compliance and support, the City has enrolled with the County of Riverside's Microsoft Enterprise Licensing Agreement. CompuCom, a Microsoft Large Account Reseller, offered the City the lowest Microsoft licensing cost under the umbrella of the County's cooperative agreement. The City's current agreement term expires April 30, 2012. City Council approval is requested to authorize the City Manager to execute the new three-year agreement before the due date at an annual cost not to exceed $115,000. Funds for this expenditure are available in the Technology Services budget for FY 2011-12. The City may cancel this agreement in subsequent years if funding is not approved through the budget process.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Not applicable

Prepared By:
Dori Lienhard
Enterprise Systems Administrator

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Steve Hargis
Technology Services Division Manager

Concurred By:
Rix Skonberg
Purchasing & Facilities Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: April 10, 2012

TITLE: "IT'S UP TO US": A PEDESTRIAN SAFETY PUBLIC EDUCATION CAMPAIGN MINI GRANT

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if awarded) of the Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) grant in the amount not to exceed $4,999.99, entitled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant; and

2. Authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH.

ADVISORY COMMITTEE RECOMMENDATION

On March 19, 2012, the Public Safety Sub-Committee granted the Chief of Police permission to apply for this grant and recommended the acceptance of this CDPH grant opportunity.

BACKGROUND

The California Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) is pleased to offer mini-grants for local implementation of the newly

released "It's Up to Us" pedestrian safety education campaign. This campaign is funded by a grant from the California Office of Traffic Safety (OTS) through California's Kids' Plates funding. It is California's first effort to create and disseminate educational templates that provide consistent statewide messaging regarding pedestrian safety. Some of the designs have a norm change focus, since the most effective form of pedestrian safety education is that which influences cultural shifts. The target audiences include pedestrians, drivers and communities, with particular emphasis on youth.

DISCUSSION

In March 2012, staff received notice of a competitive grant program offered by the California Department of Public Health. All service activities awarded through this application will be for promotion and implementation of a local educational campaign using "It's Up to Us" materials. The materials for the "It's Up to Us" campaign consist of several high resolution educational templates that can be promoted through the internet, community outreach and educational forums.

Awardees will have roughly three months to complete the campaign, from March 26, 2012 – June 15, 2012. This is a reimbursement program. Selected applicants must use their own funds first and at the conclusion of the campaign period, submit a final invoice on their agency letterhead to CDPH/SACB. The invoice must be submitted by June 22, 2012, for reimbursement along with a one-page summary of the project activities that took place during the award period.

We are planning to kick off our campaign with a press release informing the citizens of Moreno Valley that we are serious about pedestrian safety. Pedestrian safety is a collaborative effort between pedestrians, drivers and our community. We would like to produce "It's Up to Us" campaign posters and flyers to display and disseminate on our school campuses, community centers and parks. Additionally, we would also like to produce stickers, pencils and bookmarks so that we can reach our younger population as well.

The Traffic Division plans to coordinate assemblies with some of our local schools. The assemblies will be conducted by law enforcement personnel and the purpose will be to educate the students on the dangers of crossing the street while distracted and inattentive. We will also instruct students on how to properly cross the street. Furthermore, we would also like to assemble a community/ media event at one of our local schools. We plan on inviting the Chief of Police and City Officials to prove to our community that pedestrian safety is a high priority. Law enforcement officers will be present at our community/ media event showing the children the proper way to cross the street.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application and acceptance (if awarded) of the CDPH Grant titled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99 and authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH. **Staff recommends this alternative.**

2) Not approve the application for the CDPH Grant titled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant not authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH. **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund.

Budget appropriations are as follows upon approval and acceptance of the grant:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OTS - POLICE FUND (136)	1360.4611.1 (State Grant Oper. Rev.)	REV	$4,999.99
OTS - POLICE FUND (136)	136XX (CDPH - SACB Grant)	EXP	$4,999.99

CITY COUNCIL GOALS

To provide a safe and secure environment for people and property in the community, and provide protection for citizens who live, work and visit the City of Moreno Valley. The City-wide camera surveillance system will aid in this goal by helping to reduce crime, identify criminals who do commit crimes, and make a safer and more secure environment for the citizens in our community.

SUMMARY

Approve the grant application and authorize acceptance (if awarded) of the Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) grant in the

amount not to exceed $4,999.99, entitled “It’s Up to Us”: A Pedestrian Safety Public Education Campaign Mini Grant and authorize the revenue and expense budgets in the California Department of Public Health – Police Fund (Fund 136) for the “It’s Up to Us”: A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH.

Prepared by:
Launa Jimenez
Management Analyst

Department Head Approval:
John Anderson
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 10, 2012

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 21 – April 3, 2012.

Reports on Reimbursable Activities March 21 – April 3, 2012		
Council Member	Date	Meeting
William H. Batey II		None
Marcelo Co	3/28/12	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	4/3/12	Moreno Valley Hispanic Chamber of Commerce Adelante
Robin N. Hastings		None
Jesse L. Molina	3/28/12	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MINUTES - REGULAR MEETING OF MARCH 27, 2012
(Report of: City Clerk Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: April 10, 2012

TITLE: **EXTENSION OF CONTRACT** - APPROVE THIRD AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period.

2. Authorize the President to execute the Third Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc. in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY DOLLARS AND NO CENTS ($122,760.00) for CSD Zone A for twelve months; and
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY DOLLARS AND NO CENTS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the third of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. will expire on June 30, 2012. On February 14, 2012, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the fourth term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the third of four, twelve-month extensions. The contract amount for the third extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the Third Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2012-2013. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the Third Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this Third Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2012-2013 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this Third Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period.
2. Authorize the President to execute the Third Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto; and
3. Authorize the Purchase and Facilities Division Manager to issue purchase orders in the amounts of:
   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY DOLLARS AND NO CENTS ($122,760.00) for CSD Zone A for twelve months; and
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY DOLLARS AND NO CENTS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: Third Amendment to Agreement
Attachment 2: Second Amendment to Agreement
Attachment 3: First Amendment to Agreement
Attachment 4: Agreement
Attachment 5: Insurance

Prepared By:
Dean Ristow
Parks Maintenance Supervisor

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

THIRD AMENDMENT TO AGREEMENT

This Third Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as “CSD”), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the third twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2012 and finish on June 30, 2013.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Michael McCarty, Director
Parks and Community Services

Date: _____

SECOND AMENDMENT TO AGREEMENT

This Second Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the second twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2011 and finish on June 30, 2012.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 2

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 9/8/11

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 6/7/2011

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 6-20-11

RECOMMENDED FOR APPROVAL:

_____
for Department Head

Date: 6/22/11

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 3

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 7/13/10

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 5/24/2010

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: July 1, 2010

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-24-10

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 4

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

MV00160296

ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

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than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

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The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

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immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

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will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

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this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. **PUBLIC RECORDS ACT.** The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. **ASSIGNABILITY.** This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. **INDEPENDENT CONTRACTOR.** The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. **AUDIT OF RECORDS.** Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

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Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

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E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

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Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

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extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

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44. **ENTIRE AGREEMENT.** This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

MV00160307

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

MV00160308

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.
   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/16/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
131 EAST MAIN ST
SUITE 203
EL CAJON CA 92020
Agency Lic#: 0F82058

CONTACT NAME: Joshua K Schwartz
PHONE (A/C, No, Ext):
FAX (A/C, No):
E-MAIL ADDRESS: josh@bcisinc.net
PRODUCER CUSTOMER ID: 2278

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Navigators Specialty Ins. Co. A(X)SLW	36056
INSURER B :	
INSURER C :	
INSURER D:	
INSURER E :	
INSURER F :	

COVERAGES CERTIFICATE NUMBER: 12716 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	Y		04N0025934	09/12/11	09/12/12	EACH OCCURRENCE	$ 1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurence)	$ 100,000
	CLAIMS-MADE X OCCUR						MED. EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$ 2,000,000
	X POLICY PRO-JECT LOC							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS						BODILY INJURY (Per accident)	$
	SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	$
	HIRED AUTOS							$
	NON-OWNED AUTOS							$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DEDUCTIBLE							$
	RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATU-TORY LIMITS / OTH-ER	$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					E.L. EACH ACCIDENT	$
							E.L. DISEASE-EA EMPLOYEE	$
							E.L. DISEASE-POLICY LIMIT	$

RISK MANAGEMENT
Approved
M. Alonso 9-22-11
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevlopment Agency of Moreno Valley are named Additional Insured per written contract. RE: Various Locations * Endorsement is attached.

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Joshua K Schwartz

Attachment 5

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BLANKET ADDITIONAL INSUREDS– OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Policy Number: 04-N0025934	Endorsement Effective: 9/12/2011 12:01 a.m.
Named Insured D L S LANDSCAPE INC, DBA: D L S LANDSCAPE INC	Countersigned By: Lisa Erickson

SCHEDULE

Name of Person or Organization: **Any person or organization that the named insured is obligated by virtue of a written contract or agreement to provide insurance such as is afforded by this policy.**
Location:

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

A. **Section II – Who Is An Insured** is amended to include as an insured the person or organization shown in the Schedule, but only to the extent that the person or organization shown in the Schedule is held liable for your acts or omissions arising out of your ongoing operations performed for that insured.

B. With respect to the insurance afforded to these additional insureds, the following exclusion is added:

2. Exclusions

This insurance does not apply to "bodily injury" or "property damage" occurring after:

(1) All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the site of the covered operations has been completed; or

(2) That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. The words "you" and "your" refer to the Named Insured shown in the Declarations.

D. "Your work" means work or operations performed by you or on your behalf; and materials, parts or equipment furnished in connection with such work or operations.

Primary Wording

If required by written contract or agreement: Such insurance as is afforded by this policy shall be primary insurance, and any insurance or self-insurance maintained by the above additional insured(s) shall be excess of the insurance afforded to the named insured and shall not contribute to it.

Waiver of Subrogation

If required by written contract or agreement: We waive any right of recovery we may have against an entity that is an additional insured per the terms of this endorsement because of payments we make for injury or damage arising out of "your work" done under a contract with that person or organization.

ANF- ES 043 (5/2006)

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/15/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER
Amorelli, Rosemann & Associates
3333 E Concours St
Building 9-200
Ontario CA 91764

CONTACT NAME: Danette Miller
PHONE (A/C, No, Ext): (909) 987-7600 FAX (A/C, No): (909) 987-7656
E-MAIL ADDRESS: danettem@arainsurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: State Compensation Insurance	N/A (35076) CA
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
D L S Landscape, Inc
PO BOX 67
Redlands CA 92373

COVERAGES CERTIFICATE NUMBER: 11-12 wc master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY						EACH OCCURRENCE	$
	COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
	CLAIMS-MADE OCCUR						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
							GENERAL AGGREGATE	$
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$
								$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						X WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		9000380-11	11/1/2011	11/1/2012	E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

RISK MANAGEMENT Approved
By: M. Alonzo Date: 11-17-11

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
PROOF OF INSURANCE FOR CERTIFICATE HOLDER

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
MOreno Valley, CA 92552

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Danette Miller/DANETT

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MV00160324

A(CA) CA **CERTIFICATE OF INSURANCE**

☒ **ALLSTATE INSURANCE COMPANY** ☐ **ALLSTATE INDEMNITY COMPANY** ☐ **ALLSTATE TEXAS LLOYD'S**

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY Policy Number | Effective Date | Expiration Date

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	
PHYSICAL DAMAGE LIMIT	ANY ONE LOSS
~~MEDICAL EXPENSE LIMIT~~	~~ANY ONE PERSON~~

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY Policy Number | Effective Date | Expiration Date

Coverage	Limits		
WORKERS' COMPENSATION	**STATUTORY - applies only in the following states:**		
	BODILY INJURY BY ACCIDENT		EACH ACCIDENT
EMPLOYERS'	BODILY INJURY BE DISEASE		EACH EMPLOYEE
LIABILITY	BODILY INJURY BY DISEASE		POLICY LIMIT

AUTOMOBILE LIABILITY Policy Number **048319593** | Effective Date **11/08/2011** | Expiration Date **11/08/2012**

Coverage Basis	Limits		
☒ ANY AUTO ☐ OWNED AUTOS ☐ HIRED AUTOS	**Combined Single Limit of Liability**		
	BODILY INJURY & PROPERTY DAMAGE	**$1,000,000**	EACH ACCIDENT
☐ SPECIFIED AUTO ☐ NON-OWNED AUTOS	**Split Liability Limits**		
	Bodily Injury	**Property Damage**	**Each**
☐ OWNED PRIVATE PASSENGER AUTOS			PERSON
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			ACCIDENT

UMBRELLA LIABILITY Policy Number | Effective Date | Expiration Date

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy) Policy Number 050001000 | Effective Date 1/17/2011 | Expiration Date 1/17/2012

RISK MANAGEMENT
Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By Date 12-12-11

CANCELLATION

Number of days notice 30 | DOUG MOORE (909) 463-6716 Authorized Representative | **November 30, 2011** Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives

U10523-2

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/15/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Amorelli, Rosemann & Associates
3333 E Concours St
Building 9-200
Ontario CA 91764

CONTACT NAME: Danette Miller
PHONE (A/C, No, Ext): (909) 987-7600 FAX (A/C, No): (909) 987-7656
E-MAIL ADDRESS: danettem@arainsurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: State Compensation Insurance	35076
INSURER B: NR(5) CA	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
D L S Landscape, Inc
PO BOX 67
Redlands CA 92373

COVERAGES CERTIFICATE NUMBER: 11-12 wc master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY						EACH OCCURRENCE	$
	COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
	CLAIMS-MADE / OCCUR						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
							GENERAL AGGREGATE	$
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / PRO-JECT / LOC						PRODUCTS - COMP/OP AGG	$
								$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO			RISK MANAGEMENT Approved			BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR			By	Date		EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						X WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH)	N/A		9000380-11	11/1/2011	11/1/2012	E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
PROOF OF INSURANCE FOR CERTIFICATE HOLDER

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
MOreno Valley, CA 92552

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Danette Miller/DANETT

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MV00160326

MINUTES - REGULAR MEETING OF MARCH 27, 2012
(Report of: City Clerk Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF MARCH 27, 2012
(Report of: City Clerk Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in its Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES

PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the Public Hearing and accepting public testimony:

1. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;
3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APN 296-280-018.

Staff recommends that the Mayor and City Council, acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

1. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 296-280-018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Conditions of Approval for APN 296-280-018 require that a funding source be provided to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owner of APN 296-280-018 ("Property Owner") the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. The Property Owner is given two opportunities to address the legislative body. These two opportunities are the Public Meeting on March 27, 2012 and the Public Hearing on April 10, 2012, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance

records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballot is approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charge was estimated based on the parcel's front linear footage to the existing Alessandro Blvd. median. Upon approval of the charge, APN 296-280-018 will be subject to the annual charge. If the APN is subdivided in the future the CSD Zone M charge shall be proportionally adjusted.

ALTERNATIVES

1. **Conduct the Public Hearing,** tabulate the ballots, verify, and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet, receive and file with the City Clerk's office the accepted Official Tally Sheet, and if approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate and the annual charge for CSD Zone M to APN 296-280-018 (and any division thereof). *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing,** tabulate the ballots, verify, or accept the results of the mail ballot proceeding for APN 296-280-018. *This alternative would be contrary to Proposition 218 mandates.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charge is as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
APN 296-280-018 (and any division thereof)	$212	$1,770.14

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-

Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The Property Owner is being balloted to provide a funding source for the maintenance costs of an existing median. The CSD Zone M charge will offset a portion of the contribution from the General Fund for this median. **Collections of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public testimony, tabulate the returned ballots, verify, and accept the results of the mail ballot proceeding for APN 296-280-018.

NOTIFICATION

The Property Owner was given the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots, instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the March 27, 2012, Public Meeting and April 10, 2012, Public Hearing was published in The Press-Enterprise on March 8, 2012. Additionally, the Public Hearing notification was published on March 22 and again on March 29, 2012.

ATTACHMENTS

Attachment 1: Mail Ballot Packet for APN 296-280-018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Yoon Ku Byun
19826 Hidden Trail Pl
Walnut, CA 91789

February 23, 2012

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 296-280-018

******* OFFICIAL BALLOTS ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Number (APN) 296-280-018 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 296-280-018 is subdivided in the future. The charge levied shall not exceed the charge previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2011/12 for the program as a whole is $396,356.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $1,770.14. The total amount of the CSD Zone M charges levied for FY 2011/12 for the program as a whole is $156,303.84.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 296-280-018 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD

Zone M charge shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, March 27, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, April 10, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if the ballot is marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if the ballot is marked in favor of the annual charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If the returned valid ballot is marked opposing the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If the returned valid ballot is marked opposing the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the two enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, April 10, 2012**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

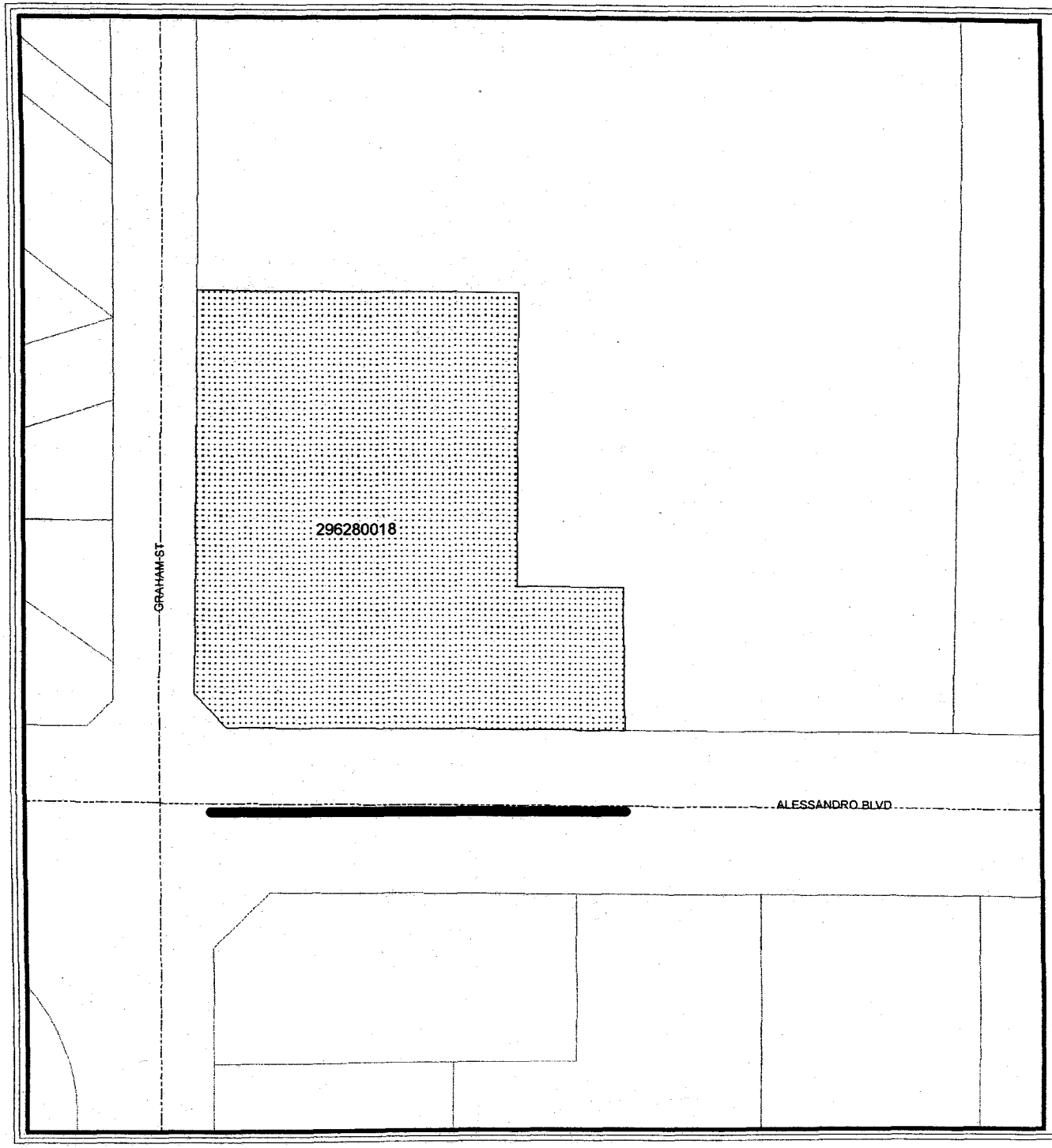

Assessor Parcel Number 296-280-018

- Median
- Landscaped Areas
- 296-280-018
- Roads
- Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2012.

N

0 65 130 195 260 Feet

G:\AVP\SDA\PA09-0031 Conv Store and Carwash.

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00160339

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 296-280-018, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 296-280-018, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-280-018 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 296-280-018, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $1,770.14. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 296-280-018, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
296-280-018 (and any division thereof)	☐	☐	$1,770.14

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in its Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES

PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the Public Hearing and accepting public testimony:

1. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;
3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APN 296-280-018.

Staff recommends that the Mayor and City Council, acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

1. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 296-280-018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Conditions of Approval for APN 296-280-018 require that a funding source be provided to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owner of APN 296-280-018 ("Property Owner") the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. The Property Owner is given two opportunities to address the legislative body. These two opportunities are the Public Meeting on March 27, 2012 and the Public Hearing on April 10, 2012, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance

records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballot is approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charge was estimated based on the parcel's front linear footage to the existing Alessandro Blvd. median. Upon approval of the charge, APN 296-280-018 will be subject to the annual charge. If the APN is subdivided in the future the CSD Zone M charge shall be proportionally adjusted.

ALTERNATIVES

1. **Conduct the Public Hearing,** tabulate the ballots, verify, and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet, receive and file with the City Clerk's office the accepted Official Tally Sheet, and if approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate and the annual charge for CSD Zone M to APN 296-280-018 (and any division thereof). *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing,** tabulate the ballots, verify, or accept the results of the mail ballot proceeding for APN 296-280-018. *This alternative would be contrary to Proposition 218 mandates.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charge is as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
APN 296-280-018 (and any division thereof)	$212	$1,770.14

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-

Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The Property Owner is being balloted to provide a funding source for the maintenance costs of an existing median. The CSD Zone M charge will offset a portion of the contribution from the General Fund for this median. **Collections of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public testimony, tabulate the returned ballots, verify, and accept the results of the mail ballot proceeding for APN 296-280-018.

NOTIFICATION

The Property Owner was given the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots, instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the March 27, 2012, Public Meeting and April 10, 2012, Public Hearing was published in The Press-Enterprise on March 8, 2012. Additionally, the Public Hearing notification was published on March 22 and again on March 29, 2012.

ATTACHMENTS

Attachment 1: Mail Ballot Packet for APN 296-280-018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Yoon Ku Byun
19826 Hidden Trail Pl
Walnut, CA 91789

February 23, 2012

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 296-280-018

******* OFFICIAL BALLOTS ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Number (APN) 296-280-018 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 296-280-018 is subdivided in the future. The charge levied shall not exceed the charge previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2011/12 for the program as a whole is $396,356.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $1,770.14. The total amount of the CSD Zone M charges levied for FY 2011/12 for the program as a whole is $156,303.84.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 296-280-018 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD

Zone M charge shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, March 27, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, April 10, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if the ballot is marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if the ballot is marked in favor of the annual charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If the returned valid ballot is marked opposing the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If the returned valid ballot is marked opposing the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the two enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, April 10, 2012**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

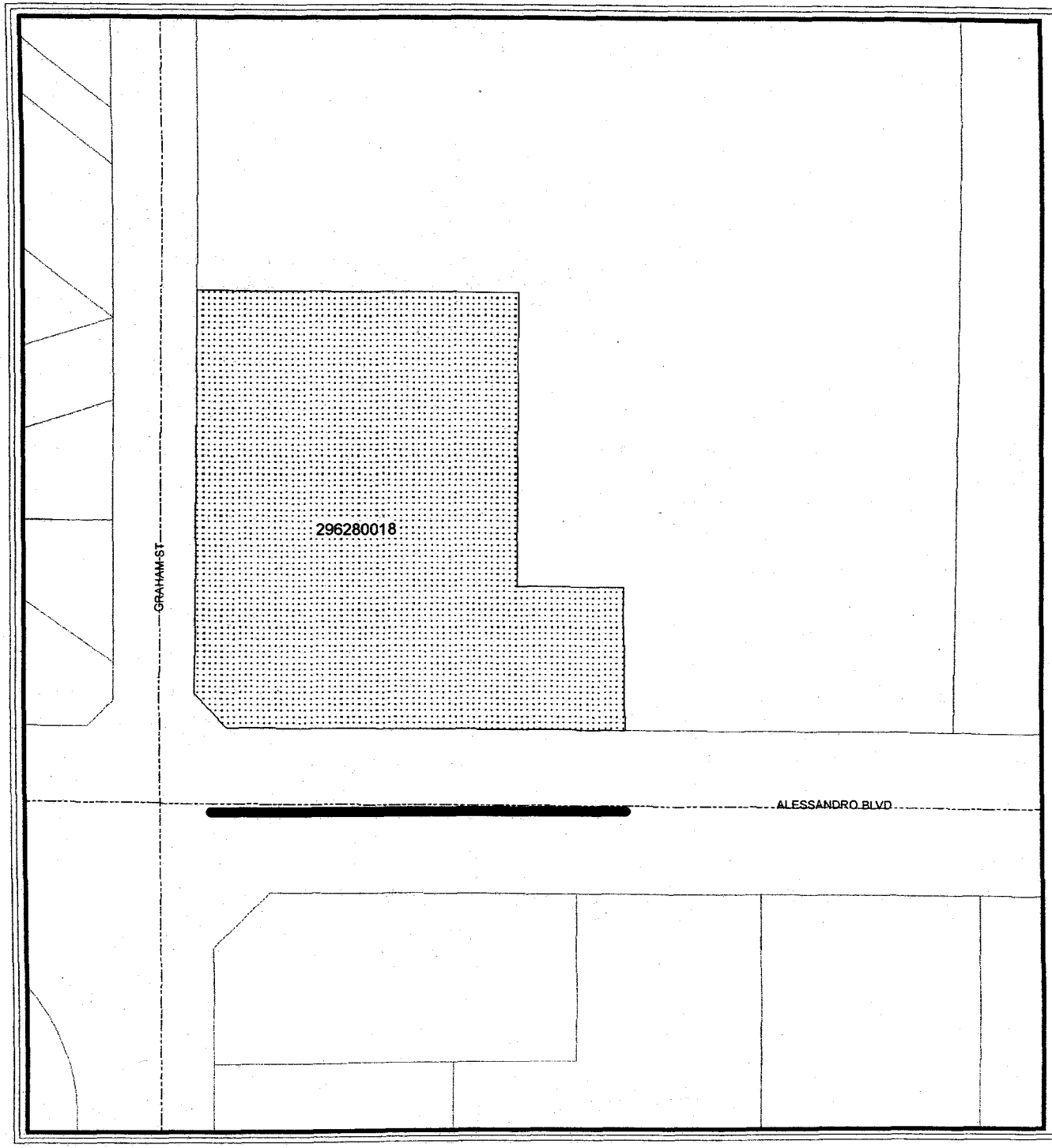

Assessor Parcel Number 296-280-018

- Median
- Landscaped Areas
- 296-280-018
- Roads
- Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2012.

N

0 65 130 195 260 Feet

G:\AVP\SDA\PA09-0031 Conv Store and Carwash.

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00160351

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00160352

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 296-280-018, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 296-280-018, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-280-018 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 296-280-018, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $1,770.14. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 296-280-018, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
296-280-018 (and any division thereof)	☐	☐	$1,770.14

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT #3, THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed FY 2011-12 Annual Action Plan Substantial Amendment #3, the Community Development Block Grant - Recovery Program (CDBG-R).

2. Review and adopt the proposed FY 2011-12 Annual Action Plan Substantial Amendment #3, the Community Development Block Grant - Recovery Program.

3. Authorize the budget re-appropriation of $107,841 from account 199.19910.6849.002 (CDBG-R Eco Green Incentive) and $840 from account 199.19910.6849.003 (CDBG-R Employment Creation Manufacturing) to (new) ADA Park Improvements Project # 199.19910.6849.xxx.

BACKGROUND

The U.S. Department of Housing and Urban Development (HUD) requires that Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) recipient cities such as Moreno Valley prepare a strategic planning document called the Annual Action Plan. The Annual Action Plan details the activities and projects the City will undertake over the course of the upcoming program year using all grant monies received from HUD (including CDBG, HOME, CDBG-R, and HPRP).

When there is a change to the Annual Action Plan, such as the reallocation of funding from one project/activity to another, it is considered by HUD to be a 'substantial amendment' and therefore requires the opportunity for citizen participation/comment through a public hearing. This report proposes one substantial amendment under the Community Development Block Grant – Recovery (CDBG-R) program for City Council consideration.

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act of 2009 (ARRA), which included $1 billion for supplemental Community Development Block Grant - Recovery (CDBG-R) funding to help stimulate the economy through projects that create employment opportunities, modernize infrastructure, promote energy efficiency, expand educational programs, or improve access to health care.

The Department of Housing and Urban Development (HUD) is responsible for administering the CDBG-R program. In 2009, HUD allocated $479,292 to the City of Moreno Valley for CDBG-R in establishing a program that addresses the following overall goals:

- Preserves or creates jobs and promotes economic recovery,
- Assists those most impacted by the recession,
- Provides investment to increase economic efficiency,
- Invests in transportation, environmental protection / independence, or other infrastructure needs that will provide long term benefits,

The Community Development Block Grant - Recovery (CDBG-R) Program requires eligible cities to formulate a proactive plan that addresses community needs and meets the criteria spelled out in HUD's program requirements. On May 29, 2009, City Council approved the following plan for use of CDBG-R funding.

PROGRAM OVERVIEW

The CDBG-R program is designed to stimulate the economy through job creation, infrastructure projects, energy efficiency projects, expanding educational opportunities, and improving access to health care. With Moreno Valley's CDBG-R allocation, four activities were proposed that benefit the low and moderate-income population and meet the Recovery Act objectives while providing for responsible spending.

The table below describes the activities that were selected for funding under the CDBG-R plan.

Approved Grant Activities	Funding Allocation	Selected Projects	Project Description
Grant Administration	$47,929	City Administration	Consistent with CDBG-R guidelines, a maximum of ten percent of the grant ($47,929) is reserved for grant planning and management. Administration of the grant is conducted by current staff.
Utility – Infrastructure Improvement Project	$107,841	MV Utilities Infrastructure – Elsworth Street Utility Improvements	Installation of new, environmentally conscious/energy effective utilities by installing electrical conduit and vaults on Elsworth St. from Goldencrest Dr. to Corporate Center.
Economic Incentive for Green and Technology Businesses	$107,845	MVP – EV (electric vehicle manufacturing company) Relocation	Relocation of company's national manufacturing plant to the City of Moreno Valley. The goal of this activity was to incentivize an environmentally conscious business to relocate or expand an existing facility in exchange for creation or retention of employment of low-to-moderate income persons.
Employment Creation Incentive for Distribution & Manufacturing Businesses	$107,841	Frazee Paint Relocation	Relocation of company's west coast distribution center to Moreno Valley's Centerpointe Business Park. This business opened July 2010 and created approximately 70 jobs. This activity focused on creating or retaining employment opportunities in the City's CDBG Target Area by assisting in producing new jobs for distribution and manufacturing uses.
Employment Creation Incentive for Vacant Restaurant Reuse	$107,840	Buffalo Wild Wings Expansion	Expansion of restaurant chain to Moreno Valley's Town Gate Crossing. This business opened March 2011 and created approximately 100 jobs. The program incentivized job creation for low-to-moderate income persons at vacant restaurants located in both the Redevelopment (RDA) Project Area and the CDBG Target Area by providing funds for new restaurateurs in exchange for creation of employment opportunities.
Total Grant Allocation	**$479,292**		

DISCUSSION

Under the Economic Incentive for Green Technology Business component of the CDBG-R plan, a project entitled MVP EV, Inc. was selected to receive $107,841. This project would have provided funding for an electrical vehicle manufacturing plant located on Elsworth Street in Moreno Valley. The City entered into a Participation Agreement with MVP EV, Inc in November 2009. However since this time, the company decided to locate its operations to another jurisdiction. As a result, the $107,841 originally allocated to MVP-EV is now available to be used for another activity. In addition, there is approximately $840.00 in unspent CDBG-R funds from other activities.

Per CDBG-R regulations, the City must expend all CDBG-R funding by September 30, 2012 or risk having funds recaptured. In order to prevent recapture of CDBG-R funding, staff is proposing that $108,681 be reallocated to the Parks ADA Improvement Project under the Utility/Infrastructure Improvement Project CDBG-R plan. This project will upgrade existing non-ADA compliant facilities (restrooms), park/parking lot ramps, and sidewalks throughout the two parks. Both projects include design and construction. Moreno Valley Community Park is located at the corner of Cottonwood Avenue and Frederick Street. JFK Park is located at the corner of John F. Kennedy Drive and Indian Street. Making these park improvements will increase access to and use of park facilities for all Moreno Valley residents.

ALTERNATIVES

1. **Alternative 1**. Conduct a Public Hearing and adopt the FY 2011-12 Annual Action Plan Substantial Amendment #3. ***Staff recommends this alternative as it will ensure the City will meet the CDBG-R expenditure deadline in compliance with ARRA regulations.***

2. **Alternative 2.** Do not conduct a public hearing and decline to adopt FY 2011-12 Annual Action Plan Substantial Amendment #3. ***Staff does not recommend this alternative because it may lead to the recapture of CDBG-R funding.***

FISCAL IMPACT

Fund 199	Budget FY 2011-12	Budget Appropriation	Revised Budget FY 2011-12
199.19910.6849.002	$107,841	$-107,841	$0
199.19910.003	$840	-$840	$0
199.19910.6849.xxx	$0	$108,681	$108,681

The CDBG-R funds are a HUD grant and do not require matching funds. Therefore, FY 2011-12 Annual Action Plan Amendment #3 will have no fiscal impact on the General Fund.

CITY COUNCIL GOALS

1. **REVENUE DIVERSIFICATION & PRESERVATION**
   CDBG-R funds will directly or indirectly enhance the City's ability to stabilize residents' housing and preserve City neighborhoods.

2. **PUBLIC SAFETY**
   CDBG-R activity will directly or indirectly help to provide a secure environment for individuals in the community.

3. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS
The CDBG-R will help to preserve and enhance the City's existing neighborhoods.

NOTIFICATION

In order to reallocate this funding, the proposed Substantial Amendment must adhere to the citizen participation requirements prior to being adopted by the City Council. In conforming with the federal requirements, the proposed amendment was made available for public review from March 8, 2012 to April 9, 2012. Notice of this meeting was published in the Press-Enterprise newspaper March 26, 2012.

ATTACHMENTS

ATTACHMENT A Proposed FY 2011-12 Annual Action Plan Substantial Amendment #3

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred by:
Dante G. Hall
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY OF MORENO VALLEY
FY 2011/12 ACTION PLAN
AMENDMENT NO. 3

The Action Plan addresses the City's plan for use of CDBG and HOME funds during FY 2011-12. The plan is based upon the Consolidated Plan prepared for both programs. The Action Plan facilitates the strategy outlined in the Consolidated Plan by addressing community needs through various mechanisms.

This amendment to the FY 2011-12 Annual Action Plan requires citizen participation (including public hearing, public notice and 30-day review period) because the issue is considered a "substantial amendment." This substantial amendment will be available for public review from March 8, 2012 through April 9, 2012. A public hearing will be conducted at the April 10, 2012 Moreno Valley City Council Meeting at 6:30 p.m. Amendment No. 3 to the City of Moreno Valley's FY 2011-12 Annual Action Plan includes the following changes:

Reallocation of $107,841 in funding for the MVP EV, Inc. project to the ADA Park Improvements Project. Reallocation of $840 in remaining CDBG-R funds to the ADA Park Improvements Project. The new project (total cost of $108,681) will provide for the upgrade of existing non-ADA compliant facilities (restrooms), park/parking lot ramps, and sidewalks throughout the two parks. Both projects include design and construction.

Approved by: _____

Henry Garcia, City Manager

ATTACHMENT A

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN SUBSTANTIAL AMENDMENT No. 2 – HOMELESSNESS PREVENTION AND RAPID REHOUSING PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council:

1) Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2011-12 Annual Action Plan Substantial Amendment No. 2;

2) Adopt the proposed Substantial Amendment No. 2; and

3) Authorize revenue and expense budget appropriations of $36,228 to accounts 198.1980.4610.1 and 198.19810.6847.003 (HPRP-Rental Assistance) respectively.

BACKGROUND

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act of 2009 (ARRA), which includes $1.5 billion for homelessness prevention and recovery activities. Funding for this program is called the Homelessness Prevention and Rapid Re-Housing Program (HPRP).

In 2009 the City of Moreno Valley received an HPRP allocation of $732,872 to assist households that could otherwise become homeless – many due to the economic crisis – or rapidly re-house those who are homeless or at risk of homelessness. The City conducted an RFQ process to procure qualified subrecipient organizations to administer

the program. The chart below details the activities and organizations awarded contracts to carryout the activities under HPRP.

TOTAL HPRP GRANT:	Subrecipient Organization	Funding Amount
City Administration (5%)	City of Moreno Valley	$ 36,644
Case Management	Family Services Association	$ 35,000
Rent Assistance	Volunteer Center ($127,500) Family Service Association ($127,500) Catholic Charities ($127,500)	$ 382,500
Rent Arrears	Volunteer Center ($34,166) Family Service Assoc. ($34,166) Catholic Charities ($34,166)	$ 102,500
Utility Assistance / Arrears	Lutheran Social Services	$ 27,500
Security Deposits	PW Enhancement Center ($28,330) Lutheran Social Services ($38,438)	$ 76,875
Motel Vouchers	PW Enhancement Center	$ 25,625
Legal Assistance	Inland Counties Legal Services	$ 40,000
Outreach	$ to market programs (fliers, website, MVTV3, Soaring, 211 / svc provider cross-sell)	$ 6,228
	TOTAL:	$ 732,872

The U.S. Department of Housing and Urban Development (HUD) requires that Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) recipient cities such as Moreno Valley prepare a strategic planning document called the Annual Action Plan. The Annual Action Plan details the activities and projects the City will undertake over the course of the upcoming program year using all grant monies received from HUD (including CDBG, HOME, CDBG-R, and HPRP).

When there is a change to the Annual Action Plan, such as the reallocation of funding from one project/activity to another, it is considered by HUD to be a 'substantial amendment' and therefore requires the opportunity for citizen participation/comment through a public hearing. This report proposes one substantial amendment under the HPRP program for City Council consideration.

DISCUSSION

As a condition of the HPRP grant agreement, grantees must expend all funding within three years of the grant agreement. The expenditure deadline for Moreno Valley's HPRP is August 18, 2012. As of the date of this report $694,436 (95%) of the $732,872 allocation has been spent. The majority of subrecipients have sufficiently spent down their allocations of HPRP funding with the exception of Inland Counties Legal Services which still has a balance of $30,000 to be spent for legal services. In addition, the City did not incur any outreach costs under the program which leaves a balance of $6,228.

In order to meet the August 18, 2012 expenditure deadline, staff is proposing to reallocate the $30,000 in unspent legal services funding and the $6,228 in outreach funding to provide $36,228 of additional rental assistance to eligible HPRP households. This reallocation is being suggested as funding for rental assistance has been the highest demanded activity from the public under the HPRP. Staff is confident that this extra funding can be expended in a timely manner which will allow the City to meet the HUD expenditure timelines while also serving the demands of the community.

ALTERNATIVES

1. **Alternative 1** - Conduct a Public Hearing for the proposed Substantial Amendments, adopt the proposed Substantial Amendments and authorize the transfer of requested funds between the stipulated business units. **Staff recommends this alternative as it will ensure compliance with HUD's HPRP expenditure deadline.**
2. **Alternative 2** – Decline to conduct a Public Hearing for the proposed Substantial Amendments, adopt the proposed Substantial Amendments, and authorize the transfer of requested funds between the stipulated business units. **Staff does not recommend this alternative as it may hinder the City from meeting the HUD mandated HPRP expenditure deadline.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund.

Budget appropriations are as follows upon approval of the recommended actions.

Fund	Account	Type	
Homelessness Prevention and Rapid Re-Housing Program (198)	198.1980.4610.1 Federal Grant Revenue	Rev	$36,228
Homelessness Prevention and Rapid Re-Housing Program (198)	198.19810.6847.003 HPRP Rental Assistance	Exp	$36,228

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION & PRESERVATION
CDBG funds enhance the City's ability to create a stable revenue base and fiscal policies that support essential City improvements and services.

PUBLIC SAFETY
CDBG projects and programs directly or indirectly help to provide a secure environment for people and property in the community.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS
The Foreclosure Prevention Workshops may preserve Moreno Valley's existing neighborhoods and the overall attractiveness of the City.

POSITIVE ENVIRONMENT
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

In order to reallocate this funding, the proposed Substantial Amendments must adhere to the citizen participation requirements prior to being adopted by the City Council. In conforming with the federal requirements, the proposed amendments were made available for public review from March 8, 2012 to April 9, 2012. Notice of this meeting was published in the Press-Enterprise newspaper on March 26, 2012.

ATTACHMENTS/EXHIBITS

ATTACHMENT A Proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 2

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
Dante G. Hall
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY OF MORENO VALLEY
FY 2011-12 ACTION PLAN
AMENDMENT NO. 2

The Action Plan addresses the City's plan for use of CDBG and HOME funds during FY 2011-12. The plan is based upon the Consolidated Plan prepared for both programs. The Action Plan facilitates the strategy outlined in the Consolidated Plan by addressing community needs through various mechanisms.

This amendment to the FY 2011-12 Annual Action Plan requires citizen participation (including public hearing, public notice and 30-day review period) because the issue is considered a "substantial amendment." This substantial amendment will be available for public review from March 8, 2012 through April 9, 2012. A public hearing will be conducted at the April 10, 2012 Moreno Valley City Council Meeting at 6:30 p.m. Amendment No. 2 to the City of Moreno Valley's FY 2011-12 Annual Action Plan includes the following changes:

The proposed FY 2011-12 Amendment 2 includes reallocation of $30,000 from the legal services activity to the rental assistance activity, and $6,228 in outreach funding to rental assistance activities. The original allocations were as follows:

Rental Assistance - $382,500
Legal Assistance - $40,000
Outreach - $6,228

The revised allocations are as follows:

Rental Assistance - $418,728
Legal Assistance - $10,000
Outreach - $0

Approved by: _____
Henry Garcia, City Manager

ATTACHMENT A

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: City Council and Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: April 10, 2012

TITLE: INSTALLATION OF SYNTHETIC TURF AT MARCH FIELD PARK

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award to Field Turf USA, Inc. 8088 Mountview Road, Montreal, Quebec, CN for material and labor to install synthetic turf at March Field Park.

2. Authorize the issuance of a Purchase Order to Field Turf USA, Inc., in the amount of $196,667.00 ($178,788.50 for the bid amount plus 10% contingency) when the contract has been signed by all parties.

3. Authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Field Turf USA, Inc., up to but not to exceed the Purchase Order contingency of $17,878.50 subject to the approval of the City Attorney.

4. Authorize the Parks and Community Services Director to accept the improvements into the CSD's maintained system upon acceptance of the improvements as complete.

BACKGROUND

The City applied for and received approval in 1995 from the National Park Service for federal surplus property when March Air Force Base was downsized to March Air

Reserve Base. This 90-acre property, currently known as March Field Park, was obtained at no cost to the City.

Subsequently, Parks and Community Services updated the existing softball fields for public use and cleaned up the site. In 2008, the final deeded transfer of the park was made. The deed came with requirements that the site be used for public recreation activities, which included softball/baseball, soccer, and other activities associated with public parks.

March Field Park skate facility was constructed in 2004. The facility includes a concession building, restroom facility, skate park, and hockey rink.

DISCUSSION

Over the years the demand for in-line hockey has greatly diminished, and staff has researched ideas to revitalize this amenity. The City is in need of soccer facilities, and enclosed soccer arenas have exploded in popularity. Although this site is not covered, the area is enclosed and lighted. By enhancing this area to accommodate the sport of "enclosed" soccer, staff believes the usage will improve and consequently we will see a definite increase in revenue. Currently, the skate park averages 600 participants a month. It should also be noted that an additional 100 people a month are already utilizing the concrete surface of the roller hockey rink for open play. By adding the synthetic turf, which is a safer surface than the concrete, and making an indoor soccer arena to provide open and league play, staff projects usage of the facility should increase by a minimum of 1,200 participants a month.

Soccer arenas utilizing synthetic turf are the upcoming soccer sport, since it raises the level of skills needed, due to the ball being consistently in-play. The sport can be played all year, day and evening. The synthetic turf, which is permeable, would be installed over the current hockey rink, which is an excellent surface for this application. Water drainage would be similar to the way the concrete drains now (to the sides and under the dasher board).

Project materials and labor costs for this project have all been publically negotiated utilizing the U.S. General Services Administration (GSA). Public Contract Code (PCC) 12101.5 established the California Multiple Award Schedule (CMAS) program in 1994, utilizing pre-bid products and services awarded on a Federal GSA schedule. PCC sections 10298 and 10299 authorize local government agencies to use CMAS agreements without further competitive bidding. The products and prices specified in the attached Contractor Agreement conform to the products and prices authorized by CMAS. Additionally, City of Moreno Valley Municipal Code 3.12.260 authorizes corporative purchases and piggybacking of materials, supplies, equipment or contractual services with CMAS. It should be noted that the materials for this project are made in the USA.

ALTERNATIVES

1. Award to Field Turf USA, Inc. 8088 Mountview Road, Montreal, Quebec, CN for material and labor to install synthetic turf at March Field Park; Authorize the issuance of a Purchase Order to Field Turf USA, Inc., in the amount of $196,667.00 ($178,788.50 for the bid amount plus 10% contingency) when the contract has been signed by all parties; authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Field Turf USA, Inc., up to but not to exceed the Purchase Order contingency of $17,878.50 subject to the approval of the City Attorney; authorize the Parks and Community Services Director to accept the improvements into the CSD's maintained system upon acceptance of the improvements as complete.

2. Elect not to award a purchase order to Field Turf USA, Inc. at this time and provide further direction to staff.

FISCAL IMPACT

Funding for the new synthetic turf is $196,667.00, utilizing Parkland Development Impact Fees (205) and Quimby (206). This item is an approved budget item for FY 11/12 in Business Unit 461.65331.7200.

This recommended action imposes NO fiscal impact to the General Fund.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE, AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Posting of the agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A': Independent Contractor Agreement with Field Turf USA, Inc.
Exhibit 'B': Field Turf USA, Inc. CMAS Contract, Details & Quote

Prepared By:
Tony Hetherman
Parks Projects Coordinator

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

INDEPENDENT CONTRACTOR AGREEMENT

PROJECT 11/12-461.65331

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Field Turf USA, Inc.
8088 Montview
Montreal, Quebec, Canada
H4P 2L7
Business Phone: 800-724-2969, Fax No. 514-340-9311
Email: tara.clarini@fieldturf.com
Social Security Number: N/A
Business License Number:
Federal Tax I.D. Number: 27-2502420

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Attachment 'A' attached hereto and incorporated herein by this reference.

B. The City's responsibility and project locations, other than payment, is described in Attachment 'B' attached hereto and incorporated herein by this reference.

C. Payment terms are provided in Attachment 'C' attached hereto and incorporated herein by this reference.

D. This Agreement is made and entered into effective the date the City signs this Agreement. The termination date of the Agreement shall be June 30, 2012.

E. The Contractor Starting Date is the date listed on the issued Purchase Order, which will be utilized as the "Notice to Proceed". The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **ninety (90) working days** after said date in the "Notice to Proceed". The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

F. The work performed in this contract shall be performed Monday through Friday, 7 a.m. to 4 p.m. City observed holidays shall be observed by the Contractor and no work shall be performed on these dates.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and the (CSD), its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and the Moreno Valley Community Services District (CSD)and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Moreno Valley Unified School District are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Document Ownership. Any system or documents developed, produced or provided under this Agreement, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

(a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through

the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

J. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement. Partial Payments.

No partial payments shall be made on this project.

K. Stop Notice Withholds. The City may withhold payments to cover claims filed under Civil Code § 3179 et seq.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

O. Warranty. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and/or Specifications.

P. Prevailing Wage. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations and Prevailing Wage Rates. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents. The Contractor shall submit a list of all trades utilized in the project

and corresponding DIR wage determinations. Certified payroll reports, Certificates of Compliance and Fringe Benefit Statements shall be submitted weekly. A copy of DIR prevailing wage rates can be obtained from the DIR at www.dir.ca.gov (Statistics and Research) or type into web browser: http://www.dir.ca.gov/dlsr/PWD/index.htm. Additionally, prevailing wage rates are on file in the City's Capital Projects Division, available upon request.

Q. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

R. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

S. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

T. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

U. Licensing. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826.Mailing address: P.O.Box 26000,Sacramento, CA 95826.

V. Surety Bonds. The Contractor shall post Surety Bonds for 'Faithful Performance' and 'Labor and Materials'. Surety Bonds shall be sufficient to cover the project and approved by the City. Bonds shall be in the amount equal to one-hundred percent (100%) of the contract price.

W. Business License. The Contractor shall obtain a City of Moreno Valley Business License prior to the issuance of a purchase order.

4. **SPECIAL TERMS AND CONDITIONS**:

A. California Multiple Award Services (CMAS). The Contractor shall adhere to all terms and conditions set forth by CMAS for Contract number 4-06-78-0031A.

B. CMAS Reports. The Contractor shall provide the City a copy of all required reports filed with CMAS.

C. Warranty. The Contractor shall provide the City a written warranty for the synthetic turf. The warranty period shall be eight (8) years, covering material defects. Commencement of the warranty shall be the date of completion of installation.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Mayor

_____
Date

Field Turf USA, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT 'A'

SCOPE OF WORK

Site: March Field Park Hockey Rink

Per CMAS contract #4-06-78-0031A, provide and install:

15,700 square feet of Easy Turf Easy Play synthetic turf and Infill to consisting of silica sand and crumb rubber (made from California recycled tires)

15,700 square feet of Easy Turf Drainage Tiles over existing concrete surface

Permanent white inlays for the sport of soccer

ATTACHMENT 'B'

CITY'S RESPONSIBILITY AND PROJECT LOCATION

→ Provide access to the site.

→ Provide contractor access to electrical panels.

→ Ensure irrigation water is off as necessary for the Contractor to perform their duties. The contractor shall notify the Park Maintenance Division two working days in advance to have irrigation turned off.

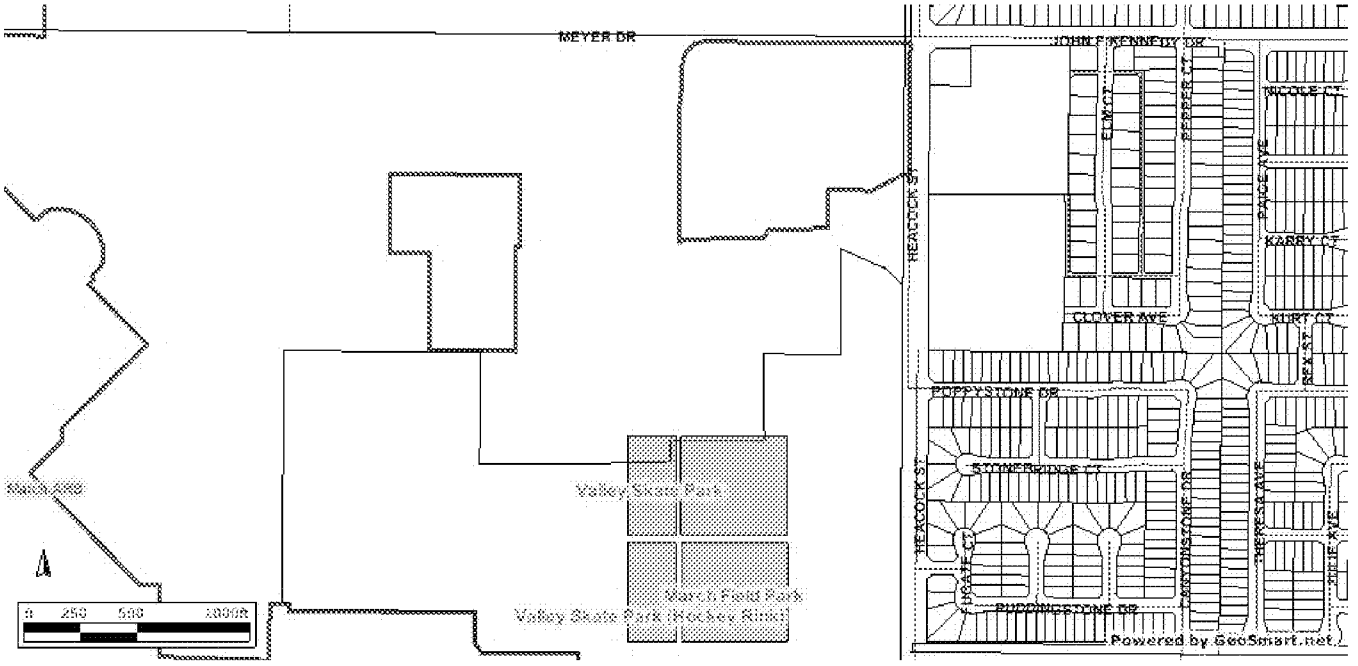

ATTACHMENT 'C'

TERMS OF PAYMENT

1. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the CMAS Contract as full compensation for the work required under the Scope of Work awarded by the City, to wit, the sum total amount of **$ 178,788.50,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract Documents.

2. The Contractor will submit one invoice to the City along with documentation evidencing services completed. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due shall be final.

3. The City shall pay the Contractor for all invoiced, materials and labor as identified in the contract within thirty (30) days of acceptance of the project.

EXHIBIT B

DGS CALIFORNIA DEPARTMENT OF GENERAL SERVICES

Procurement Division
707 Third Street, 2nd Floor, MS #2-202
West Sacramento, CA 95605-2811

State of California

MULTIPLE AWARD SCHEDULE

FieldTurf USA, Inc.

CONTRACT NUMBER:	**4-06-78-0031A**
SUPPLEMENT NO.:	2
CMAS CONTRACT TERM:	11/08/2011 through 11/30/2016
CONTRACT CATEGORY:	Non Information Technology Goods
APPLICABLE TERMS & CONDITIONS:	August 2010
MAXIMUM ORDER LIMIT:	$100,000
FOR USE BY:	State & Local Government Agencies
BASE GSA SCHEDULE NO.:	GS-07F-9631S
BASE SCHEDULE HOLDER:	FieldTurf USA, Inc.

This contract provides for the purchase, warranty and installation of synthetic turf, surface and flooring. Installation charges are included in the price of the product. (See page 2 for the specific brands and restrictions applicable to this contract.)

NOTICE: Products and/or services on this CMAS contract may be available on a Mandatory Statewide Contract (formerly Strategically Sourced Contract). If this is the case, the use of this CMAS contract is restricted unless the State agency has an approved exemption pursuant to MM 05-11, and as further explained in the Statewide Contract User Instructions. Information regarding Statewide Contracts can be obtained at the website: http://www.documents.dgs.ca.gov/pd/contracts/contractindexlisting.htm. This requirement is not applicable to local government entities.

The purpose of this supplement is to renew this contract through 11-30-16. In addition, this supplement replaces in its entirety FieldTurf USA, Inc.'s existing California Multiple Award Schedule (CMAS) that expires on 11-30-11. The most current Ordering Instructions and Special Provisions and CMAS Terms and Conditions dated August 2010, products and/or services and pricing are included herein. Please review these provisions carefully because they may have changed since issuance of your last contract.

The services provided under this CMAS contract are only in support of the products sold under this CMAS contract.

Agency non-compliance with the requirements of this contract may result in the loss of delegated authority to use the CMAS program.

Contractor non-compliance with the requirements of this contract may result in contract termination.

Marisa Truax Effective Date: **11/08/2011**

MARISA TRUAX, Program Analyst, California Multiple Award Schedules Unit

CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS)
FIELDTURF USA, INC.
CMAS NO. 4-06-78-0031A, SUPPLEMENT NO. 2

CMAS PRODUCT & SERVICE CODES

The CMAS Product & Service Codes listed below are for marketing purposes only. Review this CMAS contract and the base contract identified below for the products and/or services available on this contract.

Brand-Fieldturf
Floor Cov-Hardwood
Floor Cov-Rubber Sheeting/Tile
Floor Cov-Sport Flooring
Floor Cov-Synthetic Turf
Playground-Surface Rubberized
Sport Surface-Synthetic Track

AVAILABLE PRODUCTS AND/OR SERVICES

Only products from the manufacturer(s) listed below are available within the scope of this contract:

FieldTurf

The ordering agency must verify all products and/or services are currently available on the base GSA schedule at the GSA eLibrary. Access the GSA eLibrary at www.gsaelibrary.gsa.gov.

CMAS BASE CONTRACT

This CMAS contract is based on some or all of the products and/or services and prices from GSA #GS-07F-9631S (FIELDTURF USA, INC.) with a GSA term of 8/07/2011 through 8/06/2016. The term of this CMAS contract incorporates an extension of three months beyond the expiration of the base GSA contract, and is shown in the "CMAS Term Dates" on page 1.

ISSUE PURCHASE ORDER TO

Agency purchase orders must be mailed to the following address, or faxed to **(514) 340-9374:**

FieldTurf USA, Inc.
8088 Montview Rd
Montreal, QC H4P 2L7
CANADA
Attn: Tara Clarini

Agencies with questions regarding products and/or services may contact the contractor as follows:

Phone: (514) 340-9311, Ext 158
E-mail: tara.clarini@fieldturf.com

CALIFORNIA SELLER'S PERMIT

FieldTurf USA, Inc.'s California Seller's Permit No. is 97731798. Prior to placing an order with this company, agencies should verify that this permit is still valid at the following website: www.boe.ca.gov.

CONTRACT PRICES

The maximum prices allowed for the products and/or services available in this CMAS contract are those set forth in the base contract identified on page 2 of this contract.

The ordering agency is encouraged to seek prices lower than those on this CMAS contract. When responding to an agency's Request for Offer (RFO), the contractor can offer lower prices to be competitive.

DARFUR CONTRACTING ACT

This contractor has certified compliance to the Darfur Contracting Act per PCC section 10475, et seq. See the attached certification from this contractor regarding this act.

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)

Ordering departments executing purchases using ARRA funding must attach the ARRA Supplemental Terms and Conditions document to their individual RFOs and purchase documents. Departments are reminded that these terms and conditions supplement, but do not replace, standard State terms and conditions associated with this CMAS contract. The ARRA Supplemental Terms and Conditions can be accessed at www.documents.dgs.ca.gov/pd/poliproc/ARRATand%20C081009final.pdf.

WARRANTY

For warranties, see the federal GSA schedule and the CMAS Terms and Conditions, General Provisions, CMAS Warranty.

DELIVERY

60 days after receipt of order, or as negotiated between agency and contractor and included in the purchase order, or as otherwise stipulated in the contract.

PURCHASING AUTHORITY DOLLAR THRESHOLD

No CMAS order may be executed by a State agency that exceeds that agency's CMAS purchasing authority threshold or the CMAS maximum order limit, whichever is less.

HOW TO USE CMAS CONTRACTS

Agencies must adhere to the detailed requirements in the State Contracting Manual (SCM) when using CMAS contracts. The requirements for the following bullets are in the SCM, Volume 2, Chapter 6 (for non-IT) and the SCM, Volume 3, Chapter 6 (for IT):

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- Develop a Request for Offer, which includes a Scope of Work (SOW), and Bidder Declaration form. For information on the Bidder Declaration requirements, see the SCM, Volume 2, Section 3.5.7 and Volume 3, Section 3.4.7.
- Search for potential CMAS contractors at www.dgs.ca.gov/pd/Programs/Leveraged/CMAS.aspx, select "Find a CMAS Contract".
- Solicit offers from a minimum of 3 CMAS contractors including one small business and/or DVBE, if available, who are authorized to sell the products and/or services needed
- If soliciting offers from a certified DVBE, include the Disabled Veteran Business Enterprise Declarations form (Std. 843) in the Request for Offer. This declaration must be completed and returned by the DVBE prime contractor and/or any DVBE subcontractors. (See the SCM Volumes 2 and 3, Chapter 3)
- This is not a bid transaction, so the small business preference, DVBE participation goals, protest language, intents to award, evaluation criteria, advertising, etc., are not applicable.
- If less than 3 offers are received, State agencies must document their file with the reasons why the other suppliers solicited did not respond with an offer.
- Assess the offers received using best value methodology, with cost as one of the criteria.
- Issue a Purchase Order to the selected contractor.
- For CMAS transactions under $5,000 only one offer is required if the State agency can establish and document that the price is fair and reasonable.
- Orders for Information Technology goods and services exceeding $250,000 require approval by Agency Secretary and Department Director or immediate next ranking official.

Local governments set their own order limits, and are not bound by the order limits on the cover page of this contract.

SPLITTING ORDERS

Splitting orders to avoid any monetary limitations is prohibited.

Do not circumvent normal procurement methods by splitting purchases into a series of delegated purchase orders (SAM 3572).

Splitting a project into small projects to avoid either fiscal or procedural controls is prohibited (SAM 4819.34).

MINIMUM ORDER LIMITATION

The minimum dollar value of an order to be issued under this contract is $2,000.

ORDERING PROCEDURES

1. Order Form

State agencies shall use a Contract/Delegation Purchase Order (Std. 65) for purchases and services.

Local governments shall, in lieu of the State's Purchase Order (Std. 65), use their own purchase order document.

Electronic copies of the State Standard Forms can be found at the Office of State Publishing website. The site provides information on the various forms and use with the Adobe Acrobat Reader. Beyond the Reader capabilities, Adobe Acrobat advanced features may be utilized if you have Adobe Business Tools or Adobe Acrobat 4.0 installed on your computer. Direct link to the Standard Form 65: www.dgs.ca.gov/osp/Programs/FormsManagementCenter/FillPrintList.aspx

2. Purchase Orders

State and Local Government agencies are required to send a copy of each CMAS purchase order to:

Department of General Services
Procurement Division, Data Management Unit
PO Box 989052, MS #2-203
West Sacramento, CA 95798-9052
(or via Interagency Mail Service #Z-1)

The agency is required to complete and distribute the order form. For services, the agency shall modify the information contained on the order to include the service period (start and end date), and the monthly cost (or other intermittent cost), and any [illegible] pertinent to the services being [illegible]st for each line item should be [illegible]rder, not just system totals.

The contractor must immediately reject orders that are not accurate. Discrepancies are to be negotiated and incorporated into the order prior to the products and services being delivered.

3. Service and Delivery after Contract Expiration

The purchase order must be issued before the CMAS contract end term expires. However, delivery of the products or completion of the services may be after the contract end term expires (unless otherwise specifically stated in the contract), but must be as provided for in the contract and as specified in the purchase order.

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4. **Multiple Contracts on STD. 65 Order Form**

   Agencies may include multiple CMAS contracts from the same contractor on a single Std. 65 Contract/Delegation Purchase Order. For guidelines, see the SCM, Volumes 2 & 3, Chapter 6.B4.1.

5. **Amendments to Agency's Purchase Orders**

   Agency purchase orders cannot be amended if the CMAS contract has expired.

   The SCM, Volumes 2 & 3, Chapter 6.A5.0 provides the following direction regarding amendments to all types of CMAS purchase orders:

   > Original orders, which include options for changes (e.g., quantity or time), that were evaluated and considered in the selection for award during the RFO process, may be amended consistent with the terms of the original order, provided that the original order allowed for amendments. If the original order did not evaluate options, then amendments are not allowed unless an NCB is approved for those amendments.

   Amendments unique to non-IT services are covered in the SCM, Volume 2, Chapter 6.B2.9 as follows:

   > If the original contract permitted amendments, but did not specify the changes (e.g., quantity or time), it may be amended. This only applies to the first amendment. The time shall not exceed one year, or add not more than 30% of the original order value and may not exceed $250,000. If the original contract did not have language permitting amendments, the NCB process must be followed.

   Also, see the SCM, Volumes 2 & 3, Chapter 8, Topic 6, for more information on amending purchase orders.

CONTRACTOR OWNERSHIP INFORMATION

FieldTurf USA, Inc. is a large business enterprise.

SMALL BUSINESS MUST BE CONSIDERED

Prior to placing orders under the CMAS program, State agencies shall whenever practicable first consider offers from small businesses that have established CMAS contracts [GC Section 14846(b)]. NOTE: The Department of General Services auditors will request substantiation of compliance with this requirement when agency files are reviewed.

The following website lists CMAS Small Business and Disabled Veteran Partners:
www.dgs.ca.gov/pd/Programs/Leveraged/CMAS.aspx
then select "Find a CMAS Contractor."

In response to our commitment to increase participation by small businesses, the Department of General Services **waives the administrative fee (a fee currently charged to customer agencies to support the CMAS program) for orders to certified small business enterprises.**

See the current fees in the DGS Price Book at:
www.dgs.ca.gov/ofs/Resources/Pricebook.aspx

SMALL BUSINESS/DVBE - TRACKING

State agencies are able to claim subcontracting dollars towards their small business or DVBE goals whenever the Contractor subcontracts a commercially useful function to a certified small business or DVBE. The Contractor will provide the ordering agency with the name of the small business or DVBE used and the dollar amount the ordering agency can apply towards its small business or DVBE goal.

SMALL BUSINESS/DVBE - SUBCONTRACTING

1. The amount an ordering agency can claim towards achieving its small business or DVBE goals is the dollar amount of the subcontract award made by the Contractor to each small business or DVBE.

2. The Contractor will provide an ordering agency with the following information at the time the order is quoted:

   a. The Contractor will state that, as the prime Contractor, it shall be responsible for the overall execution of the fulfillment of the order.

   b. The Contractor will indicate to the ordering agency how the order meets the small business or DVBE goal, as follows:

      - List the name of each company that is certified by the Office of Small Business and DVBE Certification that it intends to subcontract a commercially useful function to; and
      - Include the small business or DVBE certification number of each company listed, and attach a copy of each certification; and
      - Indicate the dollar amount of each subcontract with a small business or DVBE that may be claimed by the ordering agency towards the small business or DVBE goal; and
      - Indicate what commercially useful function the small business or DVBE subcontractor will be providing towards fulfillment of the order.

3. The ordering agency's purchase order must be addressed to the prime Contractor, and the purchase order must reference the information provided by the prime Contractor as outlined above.

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NEW EQUIPMENT REQUIRED

The State will procure new equipment. All equipment must be new (or warranted as newly manufactured) and the latest model in current production. Used, shopworn, demonstrator, prototype, or discontinued models are not acceptable.

Where Federal Energy Management Program (FEMP) standards are available, all State agencies shall purchase only those products that meet the recommended standards. All products displaying the Energy Star label meet the FEMP standards.

SPECIAL MANUFACTURED GOODS

Any contract for goods to be manufactured by the contractor specifically for the State and not suitable for sale to others may require progress payments.

For Non-IT goods contracts, see the CMAS contract Non-IT Commodities Terms & Conditions, Provision #69, Progress Payments.

PRODUCT INSTALLATION

The contractor is fully responsible for all installation services performed under the CMAS contract. Product installations must be performed by manufacturer authorized personnel and meet manufacturer documented specifications.

The prime contractor, as well as any subcontractors, must hold any certifications and/or licenses required for the project.

PUBLIC WORKS (INSTALLATION SERVICES ONLY)

A public works contract is defined as an agreement for "the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind" in accordance with the Public Contract Code (PCC) Section 1101. State agencies planning these types of projects need to review the SCM, Volume 1, Chapters 10 and 11 for applicable guidelines and regulations. Also, the Department of General Services (DGS), Real Estate Services Division (RESD) can be contacted at (916) 376-1748, if you have questions about these types of transactions.

Agency CMAS purchase orders may allow for public works installation only when it is incidental to the total purchase order amount. **The total dollar value of all public works services included in the purchase order must not exceed the dollar value of the products.**

Agencies are to ensure that the applicable laws and codes pertaining to the contractor and sub-contractor licensing, prevailing wage rates, bonding, labor code requirements, etc., are adhered to by the prime contractor as well as any sub-contractor during performance under the CMAS purchase order.

The bond amount for public works has increased to a sum not less than one hundred percent (100%) of the purchase order price.

NOTE: In accordance with Labor Code Section 1773.2, the ordering agency is responsible for determining the appropriate craft, classification or type of worker needed for any contract for public works. Also, the agency is to specify the applicable prevailing wage rates as determined by the Director of the Department of Industrial Relations (DIR). In lieu of specifying the prevailing wage rates, the agency may include a statement on the order that the prevailing wage rates are on file at the agency's office, and will be made available upon request. The prevailing wage rates are available from the DIR at www.dir.ca.gov (select Statistics & Research) or (415) 703-4774.

Bonds: For guidelines, see CMAS contract, General Terms and Conditions, Public Works Requirements.

State Contractor's License: Public works services can be obtained through CMAS only if incidental to the overall purchase order. If incidental public works services are included in the purchase order, prior to issuing the order agencies should contact the State Contractor's License Board at 1-800-321-2752 or at www.cslb.ca.gov to verify that the Contractor's License shown below is still active and in good standing.

FieldTurf USA, Inc.'s California Contractor's License number is 849044. This is a Class D12 Synthetic Products license that is valid through 10/31/2012.

NOT SPECIFICALLY PRICED (NSP) ITEMS

This provision is not applicable to this CMAS contract.

STATE AND LOCAL GOVERNMENTS CAN USE CMAS

State and local government agency use of CMAS contracts is optional. A local government is any city, county, city and county, district, or other local governmental body or corporation, including UC, CSU, K-12 schools and community colleges empowered to expend public funds. While the State makes this contract available, each local government agency should make its own determination whether the CMAS program is consistent with their procurement policies and regulations.

UPDATES AND/OR CHANGES

A CMAS amendment is not required for updates and/or changes once the update and/or change becomes effective for the federal GSA schedule, except as follows:

- A CMAS amendment is required when the contract is based on products and/or services from another contractor's multiple award contract and the contractor wants to add a new manufacturer's products and/or services.

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- A CMAS amendment is required for new federal contract terms and conditions that constitute a material difference from existing contract terms and conditions. A material change has a potentially significant effect on the delivery, quantity or quality of items provided, the amount paid to the contractor or on the cost to the State.
- A CMAS amendment is required for changes to contracts that require California Prison Industry Authority (CALPIA) approval.

A CMAS amendment is required to update and/or change terms and conditions and/or products and services based on a non-federal GSA multiple award contract.

SELF-DELETING FEDERAL GSA TERMS AND CONDITIONS

Instructions, or terms and conditions that appear in the Special Items or other provisions of the federal GSA and apply to the purchase, license, or rental (as applicable) of products or services by the U.S. Government in the United States, and/or to any overseas location shall be self-deleting. (Example: "Examinations of Records" provision).

Federal regulations and standards, such as Federal Acquisition Regulation (FAR), Federal Information Resources Management Regulation (FIRMR), Federal Information Processing Standards (FIPS), General Services Administration Regulation (GSAR), or Federal Installment Payment Agreement (FIPA) shall be self-deleting. Federal blanket orders and small order procedures are not applicable.

ORDER OF PRECEDENCE

The CMAS Terms and Conditions shall prevail if there is a conflict between the terms and conditions of the contractor's federal GSA (or other multiple award contract), packaging, invoices, catalogs, brochures, technical data sheets or other documents (see CMAS Terms and Conditions, CONFLICT OF TERMS).

APPLICABLE CODES, POLICIES AND GUIDELINES

All California codes, policies, and guidelines are applicable. THE USE OF CMAS DOES NOT REDUCE OR RELIEVE STATE AGENCIES OF THEIR RESPONSIBILITY TO MEET STATEWIDE REQUIREMENTS REGARDING CONTRACTING OR THE PROCUREMENT OF GOODS OR SERVICES. Most procurement and contract codes, policies, and guidelines are incorporated into CMAS contracts. Notwithstanding this, there is no guarantee that "every" possible requirement that pertains to all the different and unique State processes has been included.

STATEWIDE PROCUREMENT REQUIREMENTS

Agencies must carefully review and adhere to all statewide procurement requirements in the SCM, Volumes 2 and 3, such as:

- Automated Accounting System requirements of State Administrative Manual (SAM) Section 7260-62
- Productive Use Requirements, per the SCM, Volume 3, Chapter 2, Section 2.B6.2.
- SAM Sections 4819.41 and 4832 certifications for information technology procurements and compliance with policies.
- Services may not be paid for in advance.
- Agencies are required to file with the Department of Fair Employment and Housing (DFEH) a Contract Award Report Std. 16 for each order over $5,000 within 10 days of award, including supplements that exceed $5,000.
- Pursuant to Public Contract Code Section 10359 State agencies are to report all Consulting Services Contract activity for the preceding fiscal year to DGS and the six legislative committees and individuals that are listed on the annual memorandum from DGS.
- Pursuant to Unemployment Insurance Code Section 1088.8, State and local government agencies must report to the Employment Development Department (EDD) all payments for services that equal $600 or more to independent sole proprietor contractors. See the contractor's Std. Form 204, Payee Data Record, in the CMAS contract to determine sole proprietorship. For inquiries regarding this subject, contact EDD at (916) 651-6945 for technical questions or (888) 745-3886 for information and forms.
- Annual small business and disabled veteran reports.
- Post evaluation reports. Public Contract Code 10369 requires State agencies to prepare post evaluations on form Std. 4 for all completed non-IT consulting services contracts of more than $5,000. Copies of negative evaluations for non-IT consulting services only must be sent to the DGS, Office of Legal Services. The Bureau of State Audits requires State agencies annually to certify compliance with these requirements.

ETHNICITY/RACE/GENDER REPORTING REQUIREMENT

Effective January 1, 2007, in accordance with Public Contract Code 10111, State agencies are to capture information on ethnicity, race, and gender of business owners (not subcontractors) for all awarded contracts, including CAL-Card transactions. Each department is required to independently report this information to the Governor and the Legislature on an annual basis.

Agencies are responsible for developing their own guidelines and forms for collecting and reporting this information.

Contractor participation is voluntary.

MV00160387

PAYMENTS AND INVOICES

1. Payment Terms

Prompt Payment Terms: Prompt payment discount of 1% when full payment is received with days or less of installation completion. Net 45 days.

Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 927 et. seq. Unless expressly exempted by statute, the Act requires State agencies to pay properly submitted, undisputed invoices not more than 45 days after (i) the date of acceptance of goods or performance of services; or (ii) receipt of an undisputed invoice, whichever is later.

2. Payee Data Record (Std. 204)

Each State accounting office must have a copy of the attached Payee Data Record (Std. 204) in order to process payment of invoices. Agencies should forward a copy of the Std. 204 to their accounting office(s). Without the Std. 204, payment may be unnecessarily delayed.

3. DGS Administrative and Incentive Fees

Orders from State Agencies:
The Department of General Services (DGS) will bill each State agency directly an administrative fee for use of CMAS contracts. The administrative fee should NOT be included in the order total, nor remitted before an invoice is received from DGS. This administrative fee is waived for CMAS purchase orders issued to California certified small businesses.

See the current administrative fees in the DGS Price Book at:
www.dgs.ca.gov/ofs/Resources/Pricebook.aspx.

Orders from Local Government Agencies:
Effective for CMAS orders dated 1/1/2010 or later, CMAS contractors, who are not California certified small businesses, are required to remit to the DGS an incentive fee equal to 1% of the total of all local government agency orders (excluding sales tax and freight) placed against their CMAS contract(s). This incentive fee is in lieu of local government agencies being billed the above referenced DGS administrative fee.

This incentive fee is waived for CMAS purchase orders issued to California certified small businesses.

The check covering this fee shall be made payable to the Department of General Services, CMAS Unit, and mailed to the CMAS Unit along with the applicable Quarterly Report. See the provision in this contract entitled "Contractor Quarterly Report Process" for information on when and where to send these checks and reports.

4. Contractor Invoices

Unless otherwise stipulated, the contractor must send their invoices to the agency address set forth in the purchase order. Invoices shall be submitted in triplicate and shall include the following:

- Contract number
- Agency purchase order number
- Agency Bill Code
- Line item number
- Unit price
- Extended line item price
- Invoice total

State sales tax and/or use tax shall be itemized separately and added to each invoice as applicable.

The company name on the CMAS contract, purchase order and invoice must match or the State Controller's Office will not approve payment.

5. Advance Payments

Advance payment is allowed for services only under limited, narrowly defined circumstances, e.g., between specific departments and certain types of non-profit organizations, or when paying another government agency (GC 11256 – 11263 and 11019).

It is NOT acceptable to pay in advance, except software maintenance and license fees, which are considered a subscription, may be paid in advance if a provision addressing payment in advance is included in the purchase order.

Warranty upgrades and extensions may also be paid for in advance, one time.

6. Credit Card

FieldTurf USA, Inc. does not accept the State of California credit card (CAL-Card).

7. Lease/Purchase Analysis

State agencies must complete a Lease/Purchase Analysis (LPA) to determine best value when contemplating a lease/rental, and retain a copy for future audit purposes (SAM 3700). Approval by the Department of General Services is not required.

8. Leasing

Except for Federal Lease to Own Purchase (LTOP) and hardware rental provisions with no residual value owed at end term ($1 residual value is acceptable), Federal GSA Lease provisions are NOT available through CMAS because the rates and contract terms and conditions are not acceptable or applicable to the State.

SEAT Management financing options are NOT available through this contract.

As an alternative, agencies may consider financing through the State's financial marketplace GS $Mart™. All terms and conditions and lenders are pre-approved for easy financing. The GS $Mart™ Internet address is www.dgs.ca.gov/pd/programs/statefinancialmarketplace.aspx. Buyers may contact the GS $Mart™ Administrator, Pat Mullen by phone at (916) 375-4617 or via e-mail at pat.mullen@dgs.ca.gov for further information.

CONTRACTOR QUARTERLY REPORT PROCESS

Contractors are required to submit a detailed CMAS Business Activity Report on a quarterly basis to the CMAS Unit. See Attachment B for a copy of this form and instructions. This report shall be mailed to:

Department of General Services
Procurement Division – CMAS Unit
Attention: Quarterly Report Processing
PO Box 989052, MS #2-202
West Sacramento, CA 95798-9052

Reports that include checks for incentive fees or that exceed a total of **5** pages must be mailed and shall not be faxed or e-mailed. All other reports may be faxed or e-mailed to the attention of Quarterly Report Processing as follows:

CMAS Unit Fax Number: (916) 375-4663
CMAS Unit E-Mail: cmas@dgs.ca.gov

For the full instructions on completing and submitting CMAS Quarterly Business Activity Reports, and a soft copy of a blank quarterly report form, go to www.dgs.ca.gov/pd/Programs/Leveraged/CMAS.aspx, then select "For Suppliers/Contractors".

Important things to remember regarding CMAS Quarterly Business Activity Reports (referred to as "reports" below):

- A report is required for each CMAS contract each quarter, even when no new purchase orders are received in the quarter.
- A separate report is required for each CMAS contract.
- Each purchase order must be reported only once in the quarter identified by the purchase order date, regardless of when the services were performed, the products were delivered, the invoice was sent, or the payment was received.
- Purchase orders from State and local government agencies must be separated on the report, as shown in the instructions.
- Contractors must report the sales activity for all resellers listed on their CMAS contract.
- Any report that does not follow the required format or that excludes required information will be deemed incomplete and returned to the contractor for corrections.
- Taxes and freight must not be included in the report.
- For CMAS orders dated 1/1/2010 or later, contractors are no longer required to attach copies of purchase orders to their reports. This changed requirement will start on Q1-2010 reports, which are due 4/15/2010.
- For CMAS orders dated 1/1/2010 or later, contractors who are not California certified small businesses must attach to their quarterly report a check covering the required incentive fee for all CMAS sales to local government agencies (see more information below). This new requirement will start on Q1-2010 reports, which are due 4/15/2010.
- New contracts, contract renewals or extensions, and contract modifications will be approved only if the contractor has submitted all required quarterly reports and incentive fees.

CMAS Quarterly Business Activity Reports are due in the CMAS Unit within two weeks after the end of each quarter as shown below:

Quarter 1	Jan 1 to Mar 31	Due Apr 15
Quarter 2	Apr 1 to Jun 30	Due Jul 15
Quarter 3	Jul 1 to Sep 30	Due Oct 15
Quarter 4	Oct 1 to Dec 31	Due Jan 15

CONTRACTOR QUARTERLY INCENTIVE FEES

CMAS contractors who are not California certified small businesses must remit to the DGS an incentive fee equal to 1% of the total of all local government agency orders (excluding sales tax and freight) placed against their CMAS contract(s). This incentive fee is in lieu of local government agencies being billed the above referenced DGS administrative fee.

CMAS contractors cannot charge local government agencies an additional 1% charge on a separate line item to cover the incentive fee. The contractor must include the 1% incentive fee in the price of the products or services offered, and the line item prices must not exceed the applicable GSA prices.

A local government agency is any city, county, district, or other local governmental body, including the California State University (CSU) and University of California (UC) systems, K-12 public schools and community colleges empowered to expend public funds.

This incentive fee is waived for CMAS purchase orders issued to California certified small businesses.

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The check covering this fee shall be made payable to the Department of General Services, CMAS Unit, and mailed to the CMAS Unit along with the applicable Quarterly Report. See the provision in this contract entitled "Contractor Quarterly Report Process" for information on when and where to send these checks and reports.

CONTRACTOR PROVIDES COPY OF THE CONTRACT AND SUPPLEMENTS

CMAS contractors are required to provide the entire contract that consists of the following:

- Cover pages with DGS logo and CMAS analyst's signature, and Ordering Instructions and Special Provisions.
- Payee Data Record (Std. 204).
- California CMAS Terms and Conditions.
- Federal GSA Terms and Conditions.
- Federal GSA products, services, and price list.
- Supplements, if applicable.

It is important for the agency to confirm that the required products, services, and prices are included in the contract and are at or below contract rates. To streamline substantiation that the needed items are in the contract, the agencies should ask the contractor to identify the specific pages from the contract that include the required products, services, and prices. Agencies should save these pages for their file documentation.

CONTRACTORS ACTING AS FISCAL AGENTS ARE PROHIBITED

When a subcontractor ultimately provides all of the products or performs all of the services that a contractor has agreed to provide, and the prime contractor only handles the invoicing of expenditures, then the prime contractor's role becomes that of a fiscal agent because it is merely administrative in nature, and does not provide a Commercially Useful Function (CUF). It is unacceptable to use fiscal agents in this manner because the agency is paying unnecessary administrative costs.

AGENCY RESPONSIBILITY

Agencies must contact contractors to obtain copies of the contracts and compare them for a best value purchasing decision.

Each agency is responsible for its own contracting program and purchasing decisions, including use of the CMAS program and associated outcomes.

This responsibility includes, but is not necessarily limited to, ensuring the necessity of the services, securing appropriate funding, complying with laws and policies, preparing the purchase order in a manner that safeguards the State's interests, obtaining required approvals, and documenting compliance with Government Code 19130.b (3) for outsourcing services.

It is the responsibility of each agency to consult as applicable with their legal staff and contracting offices for advice depending upon the scope or complexity of the purchase order.

If you do not have legal services available to you within your agency, the DGS Office of Legal Services is available to provide services on a contractual basis.

CONFLICT OF INTEREST

Agencies must evaluate the proposed purchase order to determine if there are any potential conflict of interest issues. See the attached CMAS Terms and Conditions, Conflict of Interest, for more information.

FEDERAL DEBARMENT

When federal funds are being expended, the agency is required to obtain (retain in file) a signed "Federal Debarment" certification from the contractor before the purchase order is issued.

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants; responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

LIQUIDATED DAMAGES FOR LATE DELIVERY

The value of the liquidated damages must be included in the purchase order to be applicable, mutually agreed upon by agency and contractor, and cannot be a penalty.

ACCEPTANCE TESTING CRITERIA

If the agency wants to include acceptance testing for all newly installed technology systems, and individual equipment, and machines which are added or field modified (modification of a machine from one model to another) after a successful performance period, the test criteria must be included in the purchase order to be applicable.

SHIPPING INSTRUCTIONS

F.O.B. (Free On Board) Destination. Seller pays the freight charges.

MV00160390

AMERICANS WITH DISABILITY ACT (ADA)

Section 504 of the Rehabilitation Act of 1973 as amended; Title VI and VII of the Civil Rights Act of 1964 as amended; Americans with Disabilities Act, 42 USC 12101; California Code of Regulations, Title 2, Title 22; California Government Code, Sections 11135, et seq.; and other federal and State laws, and Executive Orders prohibit discrimination. All programs, activities, employment opportunities, and services must be made available to all persons, including persons with disabilities. See Attachment A for Procurement Division's ADA Compliance Policy of Nondiscrimination on the Basis of Disability.

Individual government agencies are responsible for self-compliance with ADA regulations.

Contractor sponsored events must provide reasonable accommodations for persons with disabilities.

DGS PROCUREMENT DIVISION CONTACT AND PHONE NUMBER

Department of General Services
Procurement Division, CMAS Unit
707 Third Street, 2nd Floor, MS 202
West Sacramento, CA 95605-2811

Phone # (916) 375-4363
Fax # (916) 375-4663

ATTACHMENT A

ADA NOTICE

Procurement Division (State Department of General Services) AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE
POLICY OF NONDISCRIMINATION ON THE BASIS OF DISABILITY

To meet and carry out compliance with the nondiscrimination requirements of the Americans With Disabilities Act (ADA), it is the policy of the Procurement Division (within the State Department of General Services) to make every effort to ensure that its programs, activities, and services are available to all persons, including persons with disabilities.

For persons with a disability needing a reasonable accommodation to participate in the Procurement process, or for persons having questions regarding reasonable accommodations for the Procurement process, please contact the Procurement Division at (916) 375-4400 (main office); the Procurement Division TTY/TDD (telephone device for the deaf) or California Relay Service numbers which are listed below. You may also contact directly the Procurement Division contact person who is handling this procurement.

IMPORTANT: TO ENSURE THAT WE CAN MEET YOUR NEED, IT IS BEST THAT WE RECEIVE YOUR REQUEST AT LEAST 10 WORKING DAYS BEFORE THE SCHEDULED EVENT (i.e., MEETING, CONFERENCE, WORKSHOP, etc.) OR DEADLINE DUE-DATE FOR PROCUREMENT DOCUMENTS.

The Procurement Division TTY telephone numbers are:

Sacramento Office:	(916) 376-1891
Fullerton Office:	(714) 773-2093

The California Relay Service Telephone Numbers are:

Voice	1-800-735-2922 or 1-888-877-5379
TTY:	1-800-735-2929 or 1-888-877-5378
Speech-to-Speech:	1-800-854-7784

ATTACHMENT B

CMAS QUARTERLY BUSINESS ACTIVITY REPORT

Contractor Name: _____

Contract Number: _____

For Questions Regarding This Report Contact:

Name: _____

Phone Number: _____

E-mail: _____

Reporting Calendar Year: _____ Revision ☐

Reporting Quarter: Q1 (Jan-Mar) ☐

Q2 (Apr-Jun) ☐

Q3 (Jul-Sep) ☐

Q4 (Oct-Dec) ☐

Check Here if No New Orders for This Quarter ☐

STATE AGENCY PURCHASES

State Agency Name	Purchase Order Number	Purchase Order Date	Agency Billing Code	Total Dollars Per Purchase Order	Agency Contact	Agency Address	Phone Number

Total State Agency Dollars Reported for Quarter: $ _____

LOCAL GOVERNMENT AGENCY PURCHASES

Local Government Agency Name	Purchase Order Number	Purchase Order Date	Total Dollars Per Purchase Order	Agency Contact	Agency Address	Phone Number

Total Local Government Agency Dollars for Quarter: $ _____ 1% Remitted to DGS (does not apply to CA certified S/Bs): $ _____

Total of State and Local Government Agency Dollars Reported for this Quarter: $ _____

Updated 1/1/2010

MV00160393

ATTACHMENT B

CMAS QUARTERLY BUSINESS ACTIVITY REPORT

Instructions for completing the CMAS Quarterly Business Activity Report.

1. Complete the top of the form with the appropriate information for your company.
2. **Agency Name** - Identify the State agency or Local Government agency that issued the order.
3. **Purchase Order Number** - Identify the purchase order number (and amendment number if applicable) on the order form. This is not your invoice number. This is the number the State agency or Local Government agency assigns to the order.
4. **Purchase Order Date** - Identify the date the purchase order was issued, as shown on the order. This is not the date you received, accepted, or invoiced the order.
5. **Agency Billing Code** - Identify the State agency billing code. This is a five-digit number identified on the upper right hand corner of the Std. 65 purchase order form. You must identify this number on all purchases made by State of California agencies. Billing codes are not applicable to Local Government agencies.
6. **Total Dollars Per PO** - Identify the total dollars of the order excluding tax and freight. Tax must NOT be included in the quarterly report, even if the agency includes tax on the purchase order. The total dollars per order should indicate the entire purchase order amount (less tax and freight) regardless of when you invoice order, perform services, deliver product, or receive payment.
7. **Agency Contact** - Identify the ordering agency's contact person on the purchase order.
8. **Agency Address** - Identify the ordering agency's address on the purchase order.
9. **Phone Number** - Identify the phone number for the ordering agency's contact person.
10. **Total State Sales & Total Local Sales** - Separately identify the total State dollars and/or Local Government agency dollars (pre-tax) for all orders placed in quarter.
11. **1% Remitted to DGS** - Identify 1% of the total Local Government agency dollars reported for the quarter. This is the amount to be remitted to DGS by contractors who are not California certified small businesses.
12. **Grand Total** - Identify the total of all State and Local Government agency dollars reported for the quarter.

Notes:

- A report is required for each CMAS contract, each quarter, even when there are no new orders for the quarter.
- Quarterly reports are due two weeks after the end of the quarter.

STATE OF CALIFORNIA-DEPARTMENT OF FINANCE

PAYEE DATA RECORD

(Required when receiving payment from the State of California in lieu of IRS W-9)

STD. 204 (Rev. 6-2003)

1

INSTRUCTIONS: Complete all information on this form. Sign, date, and return to the State agency (department/office) address shown at the bottom of this page. Prompt return of this **fully completed** form will prevent delays when processing payments. Information provided in this form will be used by State agencies to prepare Information Returns (1099). See reverse side for more information and Privacy Statement.

NOTE: Governmental entities, federal, State, and local (including school districts), are not required to submit this form.

2

PAYEE'S LEGAL BUSINESS NAME (Type or Print) FieldTurf USA, Inc	
SOLE PROPRIETOR – ENTER NAME AS SHOWN ON SSN (Last, First, M.I.)	E-MAIL ADDRESS info@fieldturf.com
MAILING ADDRESS 8088 Montview	BUSINESS ADDRESS 175 North Industrial Blvd. NE
CITY, STATE, ZIP CODE Montreal, QC, H4P 2L7	CITY, STATE, ZIP CODE Calhoun, GA, 30701

3

PAYEE ENTITY TYPE

CHECK ONE BOX ONLY

ENTER FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN): 5 8 - 2 3 3 0 4 1 0

☐ PARTNERSHIP

☐ ESTATE OR TRUST

CORPORATION:

- ☐ MEDICAL (e.g., dentistry, psychotherapy, chiropractic, etc.)
- ☐ LEGAL (e.g., attorney services)
- ☐ EXEMPT (nonprofit)
- ☑ ALL OTHERS

☐ INDIVIDUAL OR SOLE PROPRIETOR ENTER SOCIAL SECURITY NUMBER: ___ - __ - ____

(SSN required by authority of California Revenue and Tax Code Section 18646)

NOTE: Payment will not be processed without an accompanying taxpayer I.D. number.

4

PAYEE RESIDENCY STATUS

☑ California resident - Qualified to do business in California or maintains a permanent place of business in California.

☐ California nonresident (see reverse side) - Payments to nonresidents for services may be subject to State income tax withholding.

- ☐ No services performed in California.
- ☐ Copy of Franchise Tax Board waiver of State withholding attached.

5

I hereby certify under penalty of perjury that the information provided on this document is true and correct. Should my residency status change, I will promptly notify the State agency below.

AUTHORIZED PAYEE REPRESENTATIVE'S NAME (Type or Print) ALAIN TANGUAY		TITLE CFO
SIGNATURE	DATE OCT 19, 2011	TELEPHONE (800) 724-2969

6

Please return completed form to:

Department/Office: Department of General Services

Unit/Section: Procurement Division, CMAS Section

Mailing Address: 707 3rd Street, 2nd floor

City/State/Zip: West Sacramento, CA 95605

Telephone: (916) 375-4365 **Fax:** (916) 375-4663

E-mail Address: cmas@dgs.ca.gov

MV00160395

Darfur Contracting Act Certification Form

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a "scrutinized" company as defined in Public Contract Code section 10476. (See back for instructions.)

Therefore, to be eligible to submit a bid, proposal, or CMAS application, please insert your company name and Federal ID Number and complete only one of the following three paragraphs (via initials for Paragraph #1 or Paragraph #2, or via initials and certification for Paragraph #3):

FieldTurf USA, Inc. — *Company/Vendor Name (Printed)*

58 2330410 — *Federal ID Number*

Printed Name and Title of Person Initialing (for Options 1 or 2)

1. _____ Initials — We do not currently have, or we have not had within the previous three years, business activities or other operations outside of the United States.

OR

2. _____ Initials — We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services (DGS) to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.

OR

3. ED Initials & Certification Below — We currently have, or we have had within the previous three years, business activities or other operations outside of the United States, but we certify below that we are not a scrutinized company as defined in Public Contract Code section 10476.

CERTIFICATION FOR #3

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder/applicant to the clause listed above in #3. This certification is made under the laws of the State of California.

By (Authorized Signature)

ERIC DALIERE, PRESIDENT

Printed Name and Title of Person Signing

OCTOBER 20, 2011 — *Date Executed*

MONTREAL, QUEBEC — *Executed in the County and State of*

Note Regarding Change of Status – If your company has a change of status, with regard to this certification, during the term of your contract(s) then it is incumbent on your company to submit an updated Certification. For questions regarding a change of status, please contact the contract's designated State Contract Administrator.

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

1. **DEFINITIONS:** The following terms shall be given the meaning shown, unless context requires otherwise or a unique meaning is otherwise specified.
   a) **"Business entity"** means any individual, business, partnership, joint venture, corporation, S-corporation, limited liability corporation, limited liability partnership, sole proprietorship, joint stock company, consortium, or other private legal entity recognized by statute.
   b) **"Buyer"** means the State's authorized Contracting official.
   c) **"Contract"** means this Contract or agreement (including any purchase order), by whatever name known or in whatever format used.
   d) **"Contractor"** means the Business Entity with whom the State enters into this Contract. Contractor shall be synonymous with "supplier", "vendor" or other similar term.
   e) **"Goods"** (commodities) means all types of tangible personal property, including but not limited to materials, supplies, and equipment (including computer equipment and telecommunications).
   f) **"State"** means the government of the State of California, its employees and authorized representatives, including without limitation any department, agency, or other unit of the government of the State of California.

2. **CONTRACT FORMATION:** If this Contract results from a Contract Offer, then Contractor's offer is deemed a firm offer and this Contract document is the State's acceptance of that offer.

3. **COMPLETE INTEGRATION:** This Contract, including any documents incorporated herein by express reference, is intended to be a complete integration and there are no prior or contemporaneous different or additional agreements pertaining to the subject matter of the Contract.

4. **SEVERABILITY:** The Contractor and the State agree that if any provision of this Contract is found to be illegal or unenforceable, such term or provision shall be deemed stricken and the remainder of the Contract shall remain in full force and effect. Either party having knowledge of such term or provision shall promptly inform the other of the presumed non-applicability of such provision.

5. **INDEPENDENT CONTRACTOR:** Contractor and the agents and employees of Contractor, in the performance of this Contract, shall act in an independent capacity and not as officers or employees or agents of the State.

6. **APPLICABLE LAW:** This Contract shall be governed by and shall be interpreted in accordance with the laws of the State of California; venue of any action brought with regard to this Contract shall be in Sacramento County, Sacramento, California. The United Nations Convention on Contracts for the International Sale of Goods shall not apply to this Contract.

7. **COMPLIANCE WITH STATUTES AND REGULATIONS:**
   a) Contractor warrants and certifies that in the performance of this Contract, it will comply with all applicable statutes, rules, regulations and orders of the United States and the State of California and agrees to indemnify the State against any loss, cost, damage or liability by reason of Contractor's violation of this provision.
   b) If this Contract is in excess of $554,000, it is subject to the requirements of the World Trade Organization (WTO) Government Procurement Agreement (GPA).

8. **CONTRACTOR'S POWER AND AUTHORITY:** The Contractor warrants that it has full power and authority to grant the rights herein granted and will hold the State harmless from and against any loss, cost, liability, and expense (including reasonable attorney fees) arising out of any breach of this warranty. Further, Contractor avers that it will not enter into any arrangement with any third party which might abridge any rights of the State under this Contract.
   a) The State will notify Contractor of any such claim in writing and tender the defense thereof within a reasonable time; and
   b) Contractor will have sole control of the defense of any action on such claim and all negotiations for its settlement or compromise; provided that (i) when substantial principles of government or public law are involved, when litigation might create precedent affecting future State operations or liability, or when involvement of the State is othewise mandated by law, the State may participate in such action at its own expense with respect to attorneys' fees and costs (but not liability); (ii) the State will have the right to approve or disapprove any settlement or compromise, which approval will not unreasonably be withheld or delayed; and (iii) the State will reasonably cooperate in the defense and in any related settlement negotiations.

9. **CMAS -- ASSIGNMENT:** This Contract shall not be assignable by the Contractor in whole or in part without the written consent of the State. For the purpose of this paragraph, State will not unreasonably prohibit Contractor from freely assigning its right to payment, provided that Contractor remains responsible for its obligations hereunder.

   Should the State desire financing of the assets provided hereunder through GS $Mart, the State's financial marketplace, the Contractor agrees to assign to a State-designated lender its right to receive payment from the State for the assets in exchange for payment by the lender of the cash purchase price for the assets. Upon notice to do so from the State-designated lender at any time prior to payment by the State for the assets, the Contractor will execute and deliver to the State-designated lender an assignment agreement and any additional documents necessary for the State selected financing plan. The State-designated lender will pay the Contractor according to the terms of the Contractor's invoice upon acceptance of the assets by the State.

10. **WAIVER OF RIGHTS:** Any action or inaction by the State or the failure of the State on any occasion, to enforce any right or provision of the Contract, shall not be construed to be a waiver by the State of its rights hereunder and shall not prevent the State from enforcing such provision or right on any future occasion. The rights and remedies of the State herein are cumulative and are in addition to any other rights or remedies that the State may have at law or in equity.

11. **CMAS -- ORDER OF PRECEDENCE.** In the event of any inconsistency between the articles, attachments, specifications or provisions which constitute this Contract, the following order of precedence shall apply:

    a) these General Provisions -- Non-IT Commodities;
    b) Contract form, i.e., Purchase Order STD 65, etc., and any amendments thereto;
    c) federal GSA (or other multiple award) terms and conditions;

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

d) Statement of Work, including any specifications incorporated by reference herein;
e) special terms and conditions; and
f) all other attachments incorporated in the Contract by reference.

12. **PACKING AND SHIPMENT:**
a) All Goods are to be packed in suitable containers for protection in shipment and storage, and in accordance with applicable specifications. Each container of a multiple container shipment shall be identified to:
i) show the number of the container and the total number of containers in the shipment; and
ii) the number of the container in which the packing sheet has been enclosed.
b) All shipments by Contractor or its subContractors must include packing sheets identifying: the State's Contract number; item number; quantity and unit of measure; part number and description of the Goods shipped; and appropriate evidence of inspection, if required. Goods for different Contracts shall be listed on separate packing sheets.
c) Shipments must be made as specified in this Contract, as it may be amended, or otherwise directed in writing by the State's Transportation Management Unit within the Department of General Services, Procurement Division.

13. **TRANSPORTATION COSTS AND OTHER FEES OR EXPENSES:** No charge for delivery, drayage, express, parcel post, packing, cartage, insurance, license fees, permits, cost of bonds, or for any other purpose will be paid by the State unless expressly included and itemized in the Contract.
a) Contractor must strictly follow Contract requirements regarding Free on Board (F.O.B.), freight terms and routing instructions. The State may permit use of an alternate carrier at no additional cost to the State with advance written authorization of the Buyer.
b) If "prepay and add" is selected, supporting freight bills are required when over $50, unless an exact freight charge is approved by the Transportation Management Unit within the Department of General Services Procurement Division and a waiver is granted.
c) On "F.O.B. Shipping Point" transactions, should any shipments under the Contract be received by the State in a damaged condition and any related freight loss and damage claims filed against the carrier or carriers be wholly or partially declined by the carrier or carriers with the inference that damage was the result of the act of the shipper such as inadequate packaging or loading or some inherent defect in the equipment and/or material, Contractor, on request of the State, shall at Contractor's own expense assist the State in establishing carrier liability by supplying evidence that the equipment and/or material was properly constructed, manufactured, packaged, and secured to withstand normal transportation conditions.

14. **TIME IS OF THE ESSENCE:** Time is of the essence in this Contract

15. **DELIVERY:** Contractor shall strictly adhere to the delivery and completion schedules specified in this Contract. Time, if stated as a number of days, shall mean calendar days unless otherwise specified. The quantities specified herein are the only quantities required. If Contractor delivers in excess of the quantities specified herein, the State shall not be required to make any payment for the excess Goods, and may return them to Contractor at Contractor's expense or utilize any other rights available to the State at law or in equity.

16. **SUBSTITUTIONS:** Substitution of Goods may not be tendered without advance written consent of the Buyer. Contractor shall not use any specification in lieu of those contained in the Contract without written consent of the Buyer.

17. **INSPECTION, ACCEPTANCE AND REJECTION:**
a) Contractor and its subContractors will provide and maintain a quality assurance system acceptable to the State covering Goods and services under this Contract and will tender to the State only those Goods that have been inspected and found to conform to this Contract's requirements. Contractor will keep records evidencing inspections and their result, and will make these records available to the State during Contract performance and for three years after final payment. Contractor shall permit the State to review procedures, practices, processes and related documents to determine the acceptability of Contractor's quality assurance system or other business practices related to performance of the Contract.
b) All Goods may be subject to inspection and test by the State or its authorized representatives.
c) Contractor and its subContractors shall provide all reasonable facilities for the safety and convenience of inspectors at no additional cost to the State. Contractor shall furnish to inspectors all information and data as may be reasonably required to perform their inspection.
d) All Goods to be delivered hereunder may be subject to final inspection, test and acceptance by the State at destination, notwithstanding any payment or inspection at source.
e) The State shall give written notice of rejection of Goods delivered or services performed hereunder within a reasonable time after receipt of such Goods or performance of such services. Such notice of rejection will state the respects in which the Goods do not substantially conform to their specifications. If the State does not provide such notice of rejection within thirty (30) days, unless otherwise specified in the Statement of Work, of delivery, such Goods and services will be deemed to have been accepted. Acceptance by the State will be final and irreversible, except as it relates to latent defects, fraud, and gross mistakes amounting to fraud. Acceptance shall not be construed to waive any warranty rights that the State might have at law or by express reservation in this Contract with respect to any nonconformity.

18. **SAMPLES:**
a) Samples of items may be required by the State for inspection and specification testing and must be furnished free of expense to the State. The samples furnished must be identical in all respects to the products offered and/or specified in the Contract.
b) Samples, if not destroyed by tests, may, upon request made at the time the sample is furnished, be returned at Contractor's expense.

19. **CMAS -- WARRANTY:** The following warranty language is in addition to the warranty language provided in the federal GSA Multiple Award Schedule or other base Contract used to establish this CMAS Contract. When there is a conflict between the language, the following warranty language overrides.

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Unless otherwise specified, the warranties contained in this Contract begin after acceptance has occurred.

a) Contractor warrants that Goods and services furnished hereunder will conform to the requirements of this Contract (including all descriptions, specifications and drawings made a part hereof), and such Goods will be merchantable, fit for their intended purposes, free from all defects in materials and workmanship and to the extent not manufactured pursuant to detailed designs furnished by the State, free from defects in design. The State's approval of designs or specifications furnished by Contractor shall not relieve the Contractor of its obligations under this warranty.

b) All warranties, including special warranties specified elsewhere herein, shall inure to the State, its successors, assigns, customer agencies and users of the Goods or services.

20. **SAFETY AND ACCIDENT PREVENTION:** In performing work under this Contract on State premises, Contractor shall conform to any specific safety requirements contained in the Contract or as required by law or regulation. Contractor shall take any additional precautions as the State may reasonably require for safety and accident prevention purposes. Any violation of such rules and requirements, unless promptly corrected, shall be grounds for termination of this Contract in accordance with the default provisions hereof.

21. **INSURANCE:** When performing work on property in the care, custody or control of the State, Contractor shall maintain all commercial general liability insurance, workers' compensation insurance and any other insurance the State deems appropriate under the Contract. Contractor shall furnish an insurance certificate evidencing required insurance coverage acceptable to the State. Upon request by the Buyer, the Contractor may be required to have the State shown as an "additional insured" on selected policies.

22. **TERMINATION FOR NON-APPROPRIATION OF FUNDS:**

a) If the term of this Contract extends into fiscal years subsequent to that in which it is approved, such continuation of the Contract is contingent on the appropriation of funds for such purpose by the Legislature. If funds to effect such continued payment are not appropriated, Contractor agrees to take back any affected Goods furnished under this Contract, terminate any services supplied to the State under this Contract, and relieve the State of any further obligation therefor.

b) STATE AGREES THAT IF PARAGRAPH (a) ABOVE IS INVOKED, GOODS SHALL BE RETURNED TO THE CONTRACTOR IN SUBSTANTIALLY THE SAME CONDITION IN WHICH DELIVERED TO THE STATE, SUBJECT TO NORMAL WEAR AND TEAR. STATE FURTHER AGREES TO PAY FOR PACKING, CRATING, TRANSPORTATION TO CONTRACTOR'S NEAREST FACILITY AND FOR REIMBURSEMENT TO THE CONTRACTOR FOR EXPENSES INCURRED FOR THEIR ASSISTANCE IN SUCH PACKING AND CRATING.

23. **TERMINATION FOR THE CONVENIENCE OF THE STATE:**

a) The State may terminate performance of work under this Contract for its convenience in whole or, from time to time, in part, if the Department of General Services, Deputy Director, Procurement Division, or designee, determines that a termination is in the State's interest. The Department of General Services, Deputy Director, Procurement Division, or designee, shall terminate by delivering to the Contractor a Notice of Termination specifying the extent of termination and the effective date thereof. The parties agree that, as to the terminated portion of the Contract, the Contract shall be deemed to remain in effect until such time as the termination settlement, if any, is concluded and the Contract shall not be void.

b) After receipt of a Notice of Termination, and except as directed by the State, the Contractor shall immediately proceed with the following obligations, as applicable, regardless of any delay in determining or adjusting any amounts due under this clause. The Contractor shall:

i) Stop work as specified in the Notice of Termination.

ii) Place no further subContracts for materials, services, or facilities, except as necessary to complete the continued portion of the Contract.

iii) Terminate all subContracts to the extent they relate to the work terminated.

iv) Settle all outstanding liabilities and termination settlement proposals arising from the termination of subContracts; the approval or ratification of which will be final for purposes of this clause.

24. **TERMINATION FOR DEFAULT:**

a) The State may, subject to the Force Majeure paragraph contained herein, by written notice of default to the Contractor, terminate this Contract in whole or in part if the Contractor fails to:

i) Deliver the Goods or to perform the services within the time specified in the Contract or any amendment thereto;

ii) Make progress, so as to endanger performance of this Contract (but see subparagraph (b) below); or

iii) Perform any of the other provisions of this Contract (but see subparagraph (b), below).

b) The State's right to terminate this Contract under subparagraphs (a)(ii) and (a)(iii) above, may be exercised if the Contractor does not cure such failure within the time frame stated in the cure notice issued by the Buyer.

c) If the State terminates this Contract in whole or in part, it may acquire, under the terms and in the manner the Buyer considers appropriate, Goods or services similar to those terminated, and the Contractor will be liable to the State for any excess costs for those Goods or services. However, the Contractor shall continue the work not terminated.

d) If the Contract is terminated for default, the State may require the Contractor to transfer title and deliver to the State, as directed by the Buyer, any:

i) Completed Goods, and

ii) Partially completed Goods and materials, parts, tools, dies, jigs, fixtures, plans, drawings, information, and Contract rights (collectively referred to as "manufacturing materials" in this clause) that the Contractor has specifically produced or acquired for the terminated portion of this Contract. Upon direction of the Buyer, the Contractor shall also protect and preserve property in its possession in which the State has an interest.

e) The State shall pay Contract price for completed Goods delivered and accepted. The Contractor and Buyer shall agree on the amount of payment for manufacturing materials delivered and accepted for the protection and preservation of the property. Failure to agree will be a dispute under the Disputes clause. The State may withhold from these amounts any sum the Buyer determines to be

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necessary to protect the State against loss because of outstanding liens or claims of former lien holders.

f) If, after termination, it is determined that the Contractor was not in default, or that the default was excusable, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of the State.

g) The rights and remedies of the State in this clause are in addition to any other rights and remedies provided by law or under this Contract.

25. **FORCE MAJEURE:**
Except for defaults of subContractors at any tier, the Contractor shall not be liable for any excess costs if the failure to perform the Contract arises from causes beyond the control and without the fault or negligence of the Contractor. Examples of such causes include, but are not limited to:
a) Acts of God or of the public enemy, and
b) Acts of the federal or state government in either its sovereign or Contractual capacity.
If the failure to perform is caused by the default of a subContractor at any tier, and if the cause of the default is beyond the control of both the Contractor and subContractor, and without the fault or negligence of either, the Contractor shall not be liable for any excess costs for failure to perform.

26. **RIGHTS AND REMEDIES OF STATE FOR DEFAULT:**
a) In the event any Goods furnished or services provided by the Contractor in the performance of the Contract should fail to conform to the requirements herein, or to the sample submitted by the Contractor, the State may reject the same, and it shall become the duty of the Contractor to reclaim and remove the item promptly or to correct the performance of services, without expense to the State, and immediately replace all such rejected items with others conforming to the Contract.
b) In addition to any other rights and remedies the State may have, the State may require Contractor, at Contractor's expense, to ship Goods via air freight or expedited routing to avoid or minimize actual or potential delay if the delay is the fault of the Contractor.
c) In the event of the termination of the Contract, either in whole or in part, by reason of default or breach by the Contractor, any loss or damage sustained by the State in procuring any items which the Contractor agreed to supply shall be borne and paid for by the Contractor.
d) The State reserves the right to offset the reasonable cost of all damages caused to the State against any outstanding invoices or amounts owed to Contractor or to make a claim against the Contractor therefore.

27. **CONTRACTOR'S LIABILITY FOR INJURY TO PERSONS OR DAMAGE TO PROPERTY:**
a) The Contractor shall be liable for damages arising out of injury to the person and/or damage to the property of the State, employees of the State, persons designated by the State for training, or any other person(s) other than agents or employees of the Contractor, designated by the State for any purpose, prior to, during, or subsequent to delivery, installation, acceptance, and use of the Goods either at the Contractor's site or at the State's place of business, provided that the injury or damage was caused by the fault or neligence of the Contractor.
b) Contractor shall not be liable for damages arising out of or caused by an alteration or an attachment not made or installed by the Contractor, or for damage to alterations or attachments that may result from the normal operation and maintenance of the Goods provided by the Contractor during the Contract.

28. **INDEMNIFICATION:** Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all Contractors, subContractors, suppliers, laborers and any other person, firm, or corporation furnishing or supplying work, services, materials or supplies in connection with the performance of this Contract, and from any and all claims and losses accruing or resulting to any person, firm or corporation which may be injured or damaged by Contractor in the performance of this Contract.

29. **INVOICES:** Unless otherwise specified, invoices shall be sent to the address set forth herein. Invoices shall be submitted in triplicate and shall include the Contract number; release order number (if applicable); item number; unit price, extended item price and invoice total amount. State sales tax and/or use tax shall be itemized separately and added to each invoice as applicable.

30. **REQUIRED PAYMENT DATE:** Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 927 et. seq. Unless expressly exempted by statute, the Act requires state agencies to pay properly submitted, undisputed invoices not more than 45 days after (i) the date of acceptance of Goods or performance of services; or (ii) receipt of an undisputed invoice, whichever is later.

31. **TAXES:** Unless otherwise required by law, the State of California is exempt from Federal excise taxes. The State will only pay for any State or local sales or use taxes on the services rendered or Goods supplied to the State pursuant to this Contract.

32. **NEWLY MANUFACTURED GOODS:** All Goods furnished under this Contract shall be newly manufactured Goods; used or reconditioned Goods are prohibited, unless otherwise specified.

33. **CONTRACT MODIFICATION:** No amendment or variation of the terms of this Contract shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or agreement not incorporated in the Contract is binding on any of the parties.

34. **CONFIDENTIALITY OF DATA:** All financial, statistical, personal, technical and other data and information relating to the State's operation which are designated confidential by the State and made available to the Contractor in order to carry out this Contract, or which become available to the Contractor in carrying out this Contract, shall be protected by the Contractor from unauthorized use and disclosure through the observance of the same or more effective procedural requirements as are applicable to the State. The identification of all such confidential data and information as well as the State's procedural requirements for protection of such data and information from unauthorized use and disclosure shall be provided by the State in writing to the Contractor. If the methods and procedures employed by the Contractor for the protection of the Contractor's data and information are deemed by the State to be adequate for the protection of the State's confidential information, such methods and procedures may be used, with the written consent

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of the State, to carry out the intent of this paragraph. The Contractor shall not be required under the provisions of this paragraph to keep confidential any data or information which is or becomes publicly available, is already rightfully in the Contractor's possession, is independently developed by the Contractor outside the scope of this Contract, or is rightfully obtained from third parties.

35. **NEWS RELEASES:** Unless otherwise exempted, news releases pertaining to this Contract shall not be made without prior written approval of the Department of General Services.

36. **PATENT, COPYRIGHT AND TRADE SECRET INDEMNITY:**
    a) Contractor shall hold the State of California, its officers, agents and employees, harmless from liability of any nature or kind, including costs and expenses, for infringement or use of any copyrighted or uncopyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in connection with the Contract.
    b) Contractor may be required to furnish a bond to the State against any and all loss, damage, costs, expenses, claims and liability for patent, copyright and trade secret infringement.
    c) Contractor, at its own expense, shall defend any action brought against the State to the extent that such action is based upon a claim that the Goods or software supplied by the Contractor or the operation of such Goods pursuant to a current version of Contractor supplied operating software infringes a United States patent or copyright or violates a trade secret. The Contractor shall pay those costs and damages finally awarded against the State in any such action. Such defense and payment shall be conditioned on the following:
        i) That the Contractor shall be notified within a reasonable time in writing by the State of any notice of such claim; and,
        ii) That the Contractor shall have the sole control of the defense of any action on such claim and all negotiations for its settlement or compromise, provided, however, that when principles of government or public law are involved, the State shall have the option to participate in such action at its own expense.
    d) Should the Goods or software, or the operation thereof, become, or in the Contractor's opinion are likely to become, the subject of a claim of infringement of a United States patent or copyright or a trade secret, the State shall permit the Contractor at its option and expense either to procure for the State the right to continue using the Goods or software, or to replace or modify the same so that they become non-infringing. If none of these options can reasonably be taken, or if the use of such Goods or software by the State shall be prevented by injunction, the Contractor agrees to take back such Goods or software and make every reasonable effort to assist the State in procuring substitute Goods or software. If, in the sole opinion of the State, the return of such infringing Goods or software makes the retention of other Goods or software acquired from the Contractor under this Contract impractical, the State shall then have the option of terminating such Contracts, or applicable portions thereof, without penalty or termination charge. The Contractor agrees to take back such Goods or software and refund any sums the State has paid Contractor less any reasonable amount for use or damage.
    e) The Contractor shall have no liability to the State under any provision of this clause with respect to any claim of patent, copyright or trade secret infringement which is based upon:
        i) The combination or utilization of Goods furnished hereunder with equipment or devices not made or furnished by the Contractor; or,
        ii) The operation of equipment furnished by the Contractor under the control of any operating software other than, or in addition to, the current version of Contractor-supplied operating software; or
        iii) The modification by the State of the equipment furnished hereunder or of the software; or
        iv) The combination or utilization of software furnished hereunder with non-Contractor supplied software.
    f) Contractor certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this Contract for the acquisition, operation or maintenance of computer software in violation of copyright laws.
    g) The foregoing states the entire liability of the Contractor to the State with respect to infringement of patents, copyrights or trade secrets.

37. **EXAMINATION AND AUDIT:** Contractor agrees that the State, or its designated representative shall have the right to review and copy any records and supporting documentation pertaining to performance of this Contract. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees or others who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subContract related to performance of this Contract.

38. **DISPUTES:**
    a) The parties shall deal in good faith and attempt to resolve potential disputes informally. If the dispute persists, *Contractor* shall submit to the Department Director or designee a written demand for a final decision regarding the disposition of any dispute between the parties arising under, related to or involving this Contract, unless the State, on its own initiative, has already rendered such a final decision. Contractor's written demand shall be fully supported by factual information, and if such demand involves a cost adjustment to the Contract, Contractor shall include with the demand a written statement signed by an authorized person indicating that the demand is made in good faith, that the supporting data are accurate and complete and that the amount requested accurately reflects the Contract adjustment for which Contractor believes the State is liable. If the Contractor is not satisfied with the decision of the Department Director or designee, the Contractor may appeal the decision to the Department of General Services, Deputy Director, Procurement Division. In the event that this Contract is for information technology Goods and/or services, the decision may be appealed to an Executive Committee of State and Contractor personnel.
    b) Pending the final resolution of any dispute arising under, related to or involving this Contract, Contractor agrees to diligently proceed with the performance of this Contract, including the delivery of Goods or providing of services in accordance with the State's instructions. Contractor's failure

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to diligently proceed in accordance with the State's instructions shall be considered a material breach of this Contract.

c) Any final decision of the State shall be expressly identified as such, shall be in writing, and shall be signed by the Department Director or designee or Deputy Director, Procurement Division if an appeal was made. If the State fails to render a final decision within 90 days after receipt of Contractor's demand, it shall be deemed a final decision adverse to Contractor's contentions. The State's final decision shall be conclusive and binding regarding the dispute unless Contractor commences an action in a court of competent jurisdiction to contest such decision within 90 days following the date of the final decision or one (1) year following the accrual of the cause of action, whichever is later.

39. **STOP WORK:**

a) The State may, at any time, by written Stop Work Order to the Contractor, require the Contractor to stop all, or any part, of the work called for by this Contract for a period up to 90 days after the Stop Work Order is delivered to the Contractor, and for any further period to which the parties may agree. The Stop Work Order shall be specifically identified as such and shall indicate it is issued under this clause. Upon receipt of the Stop Work Order, the Contractor shall immediately comply with its terms and take all reasonable steps to minimize the incurrence of costs allocable to the work covered by the Stop Work Order during the period of work stoppage. Within a period of 90 days after a Stop Work Order is delivered to the Contractor, or within any extension of that period to which the parties shall have agreed, the State shall either:

i) Cancel the Stop Work Order; or

ii) Terminate the work covered by the Stop Work Order as provided for in the termination for default or the termination for convenience clause of this Contract.

b) If a Stop Work Order issued under this clause is canceled or the period of the Stop Work Order or any extension thereof expires, the Contractor shall resume work. The State shall make an equitable adjustment in the delivery schedule, the Contract price, or both, and the Contract shall be modified, in writing, accordingly, if:

i) The Stop Work Order results in an increase in the time required for, or in the Contractor's cost properly allocable to the performance of any part of this Contract; and

ii) The Contractor asserts its right to an equitable adjustment within 30 days after the end of the period of work stoppage; provided, that if the State decides the facts justify the action, the State may receive and act upon a proposal submitted at any time before final payment under this Contract.

c) If a Stop Work Order is not canceled and the work covered by the Stop Work Order is terminated in accordance with the provision entitled Termination for the Convenience of the State, the State shall allow reasonable costs resulting from the Stop Work Order in arriving at the termination settlement.

d) The State shall not be liable to the Contractor for loss of profits because of a Stop Work Order issued under this clause.

40. **PRIORITY HIRING CONSIDERATIONS:** If this Contract includes services in excess of $200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with PCC Section 10353.

41. **COVENANT AGAINST GRATUITIES:** The Contractor warrants that no gratuities (in the form of entertainment, gifts, or otherwise) were offered or given by the Contractor, or any agent or representative of the Contractor, to any officer or employee of the State with a view toward securing the Contract or securing favorable treatment with respect to any determinations concerning the performance of the Contract. For breach or violation of this warranty, the State shall have the right to terminate the Contract, either in whole or in part, and any loss or damage sustained by the State in procuring on the open market any items which Contractor agreed to supply shall be borne and paid for by the Contractor. The rights and remedies of the State provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or in equity.

42. **NONDISCRIMINATION CLAUSE:**

a) During the performance of this Contract, Contractor and its subContractors shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment because of sex, sexual orientation, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (cancer), age, marital status, and denial of family care leave. Contractor and subContractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subContractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12990 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this Contract by reference and made a part hereof as if set forth in full. Contractor and its subContractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

b) The Contractor shall include the nondiscrimination and compliance provisions of this clause in all subContracts to perform work under the Contract.

43. **NATIONAL LABOR RELATIONS BOARD CERTIFICATION:** Contractor swears under penalty of perjury that no more than one final, unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two-year period because of the Contractor's failure to comply with an order of the National Labor Relations Board. This provision is required by, and shall be construed in accordance with, PCC Section 10296.

44. **ASSIGNMENT OF ANTITRUST ACTIONS:** Pursuant to Government Code Sections 4552, 4553, and 4554, the following provisions are incorporated herein:

a) In submitting an offer to the State, the supplier offers and agrees that if the offer is accepted, it will assign to the State all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. 15)

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or under the Cartwright Act (Chapter 2, commencing with Section 16700, of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of Goods, material, or services by the supplier for sale to the State pursuant to the solicitation. Such assignment shall be made and become effective at the time the State tenders final payment to the supplier.

b) If the State receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the State any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the State as part of the offer price, less the expenses incurred in obtaining that portion of the recovery.

c) Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and

   i) the assignee has not been injured thereby, or

   ii) the assignee declines to file a court action for the cause of action.

45. **DRUG-FREE WORKPLACE CERTIFICATION:** The Contractor certifies under penalty of perjury under the laws of the State of California that the Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) and will provide a drug-free workplace by taking the following actions:

   a) Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).

   b) Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b) to inform employees about all of the following:

      i) the dangers of drug abuse in the workplace;

      ii) the person's or organization's policy of maintaining a drug-free workplace;

      iii) any available counseling, rehabilitation and employee assistance programs; and,

      iv) penalties that may be imposed upon employees for drug abuse violations.

   c) Provide, as required by Government Code Section 8355(c), that every employee who works on the proposed or resulting Contract:

      i) will receive a copy of the company's drug-free policy statement; and,

      ii) will agree to abide by the terms of the company's statement as a condition of employment on the Contract.

46. **FOUR-DIGIT DATE COMPLIANCE:** Contractor warrants that it will provide only Four-Digit Date Compliant (as defined below) Deliverables and/or services to the State. "Four Digit Date Compliant" Deliverables and services can accurately process, calculate, compare, and sequence date data, including without limitation date data arising out of or relating to leap years and changes in centuries. This warranty and representation is subject to the warranty terms and conditions of this Contract and does not limit the generality of warranty obligations set forth elsewhere herein.

47. **SWEATFREE CODE OF CONDUCT:**

   a) Contractor declares under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the State pursuant to the Contract have been produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. Contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

   b) Contractor agrees to cooperate fully in providing reasonable access to its records, documents, agents or employees, or premises if reasonably required by authorized officials of the State, the Department of Industrial Relations, or the Department of Justice to determine Contractor's compliance with the requirements under paragraph (a).

48. **RECYCLING:** The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post consumer material as defined in the Public Contract Code Section 12200, in products, materials, Goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (PCC 12205).

49. **CHILD SUPPORT COMPLIANCE ACT:** For any Contract in excess of $100,000, the Contractor acknowledges in accordance with PCC Section 7110, that:

   a) The Contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with Section 5200) of Part 5 of Division 9 of the Family Code; and

   b) The Contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

50. **AMERICANS WITH DISABILITIES ACT:** Contractor assures the State that Contractor complies with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq).

51. **ELECTRONIC WASTE RECYCLING ACT OF 2003:** The Contractor certifies that it complies with the requirements of the Electronic Waste Recycling Act of 2003, Chapter 8.5, Part 3 of Division 30, commencing with Section 42460 of the Public Resources Code, relating to hazardous and solid waste. Contractor shall maintain documentation and provide reasonable access to its records and documents that evidence compliance.

52. **USE TAX COLLECTION:** In accordance with PCC Section 10295.1, Contractor certifies that it complies with the requirements of Section 7101 of the Revenue and Taxation Code. Contractor further certifies that it will immediately advise State of

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

any change in its retailer's seller's permit or certification of registration or applicable affiliate's seller's permit or certificate of registration as described in subdivision (a) of PCC Section 10295.1.

53. **EXPATRIATE CORPORATIONS:** Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of PCC Section 10286 and 10286.1, and is eligible to Contract with the State.

54. **DOMESTIC PARTNERS:** For Contracts over $100,000 executed or amended after January 1, 2007, the Contractor certifies that the Contractor is in compliance with Public Contract Code section 10295.3.

55. **SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:**
    a) If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)
    b) If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract;
    (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and
    (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

56. **LOSS LEADER:** It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10302(b).).

ADDITIONAL CMAS TERMS AND CONDITIONS

57. **CMAS -- CONTRACTOR'S LICENSE REQUIREMENTS:**
    Contracts that include installation or the wording "Furnish and Install" require at the time of Contract award that Contractors possess a valid California State Contractor's License. If sub-Contractors are used, they must also possess a valid California State Contractor's License. All businesses which construct or alter any building, highway, road, parking facility, railroad, excavation, or other structure in California must be licensed by the California State License Board (CSLB) if the total cost (labor and materials) of the project is $500.00 or more. Failure to be licensed or to keep the license current and in good standing shall be grounds for Contract revocation.

58. **CMAS -- PUBLIC WORKS REQUIREMENTS (LABOR/INSTALLATION):**
    a) Prior to the commencement of performance, the Contractor must obtain and provide to the State, a payment bond, on Standard Form 807, when the Contract involves a public works expenditure (labor/installation costs) in excess of $5,000. Such bond shall be in a sum not less than one hundred percent (100%) of the Contract price. Forms shall be provided to the Contractor.
    b) In accordance with the provisions of Section 1773 of the California Labor Code, the Contractor shall, conform and stipulates to the general prevailing rate of wages, including employer benefits as defined in Section 1773.1 of the California Labor Code, applicable to the classes of labor to be used for public works such as at the delivery site for the assembly and installation of the equipment or materials under the purchase order. Pursuant to Section 1770 of the California Labor Code, the Department of Industrial Relations has ascertained the general prevailing rate of wages in the county in which the work is to be done, to be as listed in the Department of Transportation booklet entitled General Prevailing Wage Rates. The booklet is compiled monthly and copies of the same are available from the Department of Industrial Relations, Prevailing Wage Unit at www.dir.ca.gov (select Statistics & Research) or (415) 703-4774. The booklet is required to be posted at the job site.
    c) The Contractor hereby certifies by signing this Contract that:
        i) Contractor has met or will comply with the standards of affirmative compliance with the Non-Discrimination Clause Requirements included herein.
        ii) Contractor is aware of the provisions of Section 3700 of the Labor Code that require every employer to be insured against liability for workmen's compensation or to undertake self-insurance in accordance with the provisions of that Code, and Contractor will comply with such provisions before commencing the performance of the work of the purchase order.
    d) Laws to be Observed
        i) Labor
        Pursuant to Section 1775 of the California Labor Code the Contractor shall, as a penalty to the State or Political subdivision on whose behalf the purchase order is made or awarded, forfeit not more than fifty ($50.00) for each calendar day, or portions thereof, for each worker paid by him or subContractor under him, less than the prevailing wage so stipulated; and in addition, the Contractor further agrees to pay to each workman the difference between the actual amount paid for each calendar day, or portions thereof, and the stipulated prevailing wage rate for the same. This provision shall not apply to properly indentured apprentices.

        Pursuant to Sections 1810-1815 of the California Labor Code, inclusive, it is further agreed that the maximum hours a worker is to be employed is limited to eight hours a day and forty hours a week and the Contractor shall forfeit, as a penalty to the State, twenty-five ($25) for each worker employed in the execution of the purchase order for each calendar day during which a workman is required or permitted to labor more than eight hours in any calendar day or more than forty hours in any calendar week, in violation of California Labor Code Sections 1810-1815, inclusive.
        ii) Worker's Compensation Insurance

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

The Contractor will be required to secure the payment of compensation to its employees in accordance with the provisions of Labor Code Section 3700.

iii) Travel and Subsistence Payments
Travel and subsistence payments shall be paid to each worker needed to execute the work, as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with Labor Code Section 1773.8.

iv) Apprentices
Special attention is directed to Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code and Title 8, California Administrative Code Section 200 et seq. Each Contractor and/or subContractor must, prior to commencement of the public works Contract/purchase order, contact the Division of Apprenticeship Standards, 525 Golden Gate Avenue, San Francisco, CA, or one of its branch offices to insure compliance and complete understanding of the law regarding apprentices and specifically the required ratio thereunder. Responsibility for compliance with this section lies with the prime Contractor.

v) Payroll
The Contractor shall keep an accurate payroll record /showing the name, social security account, and work classification specific and straight time and overtime hours worked by each employee. A certified copy of the employee's payroll record shall be available for inspection as specified in section 1776 of the California Labor Code.

59. **CMAS -- TERMINATION OF CMAS CONTRACT:**
   a) The State may terminate this CMAS Contract at any time upon 30 days prior written notice.
   b) If the Contractor's GSA Multiple Award Schedule is terminated within the term of the California Multiple Award Schedule, the California schedule shall also be considered terminated on the same date.
   c) Upon termination or other expiration of this Contract, each party will assist the other party in orderly termination of the Contract and the transfer of all assets, tangible and intangible, as may facilitate the orderly, nondisrupted business continuation of each party.
   d) Prior to the expiration of this Contract, this Contract may be terminated for the convenience of both parties by mutual consent.
   e) This provision shall not relieve the Contractor of the obligation to perform under any purchase order or other similar ordering document executed prior to the termination becoming effective.

60. **CMAS -- CONTRACT AMOUNT**: There is no guarantee of minimum purchase of Contractor's products or services by the State.

61. **CMAS -- DEBARMENT CERTIFICATION (FEDERALLY FUNDED CONTRACTS)**: When Federal funds are being expended, the prospective recipient of Federal assistance funds is required to certify to the Buyer, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

62. **CMAS -- PURCHASE ORDERS FUNDED IN WHOLE OR PART BY THE FEDERAL GOVERNMENT**: All Contracts (including individual orders), except for State construction projects, which are funded in whole or in part by the federal government may be canceled with 30 days notice, and are subject to the following:
   a) It is mutually understood between the parties that this Contract (order) may have been written before ascertaining the availability of congressional appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays which would occur if the Contract (order) were executed after that determination was made.
   b) This Contract (order) is valid and enforceable only if sufficient funds are made available to the State by the United States Government for the fiscal year during which the order was generated for the purposes of this program. In addition, this Contract (order) is subject to any additional restrictions, limitations, or conditions enacted by the Congress or any statute enacted by the Congress that may affect the provisions, terms or funding of this Contract (order) in any manner.
   c) It is mutually agreed that if the Congress does not appropriate sufficient funds for the program, this Contract (order) shall be amended to reflect any reduction in funds. The department has the option to void the Contract (order) under the 30-day cancellation clause or to amend the Contract to reflect any reduction of funds.

63. **CMAS -- CONFLICT OF INTEREST:**
   a) Current State Employees (Public Contract Code Section 10410):
      i) No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any State agency, unless the employment, activity or enterprise is required as a condition of regular State employment.
      ii) No officer or employee shall Contract on his or her own behalf as an independent Contractor with any State agency to provide Goods or services.
   b) Former State Employees (Public Contract Code Section 10411):
      i) For the two-year period from the date he or she left State employment, no former State officer or employee may enter into a Contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the Contract while employed in any capacity by any State agency.
      ii) For the twelve-month period from the date he or she left State employment, no former State officer or employee may enter into a Contract with any State agency if he or she was employed by that State agency in a policy-making position in the same general subject area as the proposed Contract within the twelve-month period prior to his or her leaving State service.

64. **CMAS -- SUBCONTRACTING REQUIREMENTS:**
Any subContractor that the CMAS supplier chooses to use in fulfilling the requirements of this Contract/purchase order, and which is expected to receive more than ten (10) percent of value of the Contract/purchase order, must also meet all Contractual, administrative, and technical requirements of the Contract/purchase order, as applicable.

65. **CMAS -- RENTAL AGREEMENTS:**

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

The State does not agree to:

- Indemnify a Contractor;
- Assume responsibility for matters beyond its control;
- Agree to make payments in advance;
- Accept any other provision creating a contingent liability against the State; or
- Agree to obtain insurance to protect the Contractor.

The State's responsibility for repairs and liability for damage or loss is restricted to that made necessary by or resulting from the negligent act or omission of the State or its officers, employees, or agents.

If the Contractor maintains the equipment, the Contractor must keep the equipment in good working order and make all necessary repairs and adjustments without qualification. The State may terminate for default or cease paying rent should the Contractor fail to maintain the equipment properly.

Personal property taxes are not generally reimbursed when leasing equipment (SAM 8736).

66. **CMAS -- LEASE (Lease $Mart ™):** If an agency desires to lease through Lease $Mart ™, the Contractor agrees to sell to lessor the assets at the same price as they agree to sell to the State.

67. **CMAS -- QUARTERLY REPORTS:** Contractors are required to submit quarterly business activity reports, as specified in this Contract, even when there is no activity. A separate report is required for each Contract, as differentiated by alpha suffix.

68. **CMAS -- LIQUIDATED DAMAGES:**
In the event that the Contractor fails to deliver in accordance with the Contract requirements, the parties agree that the delay will interfere with the proper implementation of the State's programs, to the loss and damage of the State. From the nature of the case, it would be impracticable and extremely difficult to fix the actual damages sustained in the event of any such delay. The State and Contractor, therefore, presume that in the event of any such delay the amount of damage which will be sustained from a delay will be the amounts set forth in the Statement of Work, and the State and the Contractor agree that in the event of any such delay, the Contractor shall pay such amounts as liquidated damages and not as a penalty. Amounts due the State as liquidated damages may be deducted by the State from any money payable to the Contractor. The State shall notify the Contractor in writing of any claim for liquidated damages pursuant to this paragraph on or before the date State deducts such sums from money payable to the Contractor.

69. **CMAS -- PROGRESS PAYMENTS/PERFORMANCE BONDS:**
In accordance with PCC 10314: Any Contract for Goods to be manufactured by the Contractor specially for the State and not suitable for sale to others in the ordinary course of the Contractor's business may provide, on such terms and conditions as the department deems necessary to protect the State's interests, for progress payments for work performed and costs incurred at the Contractor's shop or plant, provided that not less than 10 percent of the Contract price is required to be withheld until final delivery and acceptance of the Goods, and provided further, that the Contractor is required to submit a faithful performance bond, acceptable to the department, in a sum not less than one-half of the total amount payable under the Contract securing the faithful performance of the Contract by the Contractor.

GSA Advantage!

No image available at this time

$9.49 EA

sold and shipped by FIELDTURF USA INC.

visit contractor's website

EASYTURF EASYPLAY (MIN 500 SQ.FT)

Mfr Part No.:	EASYTURF EASYPLAY (MIN 500 SQ.FT)
Manufacturer:	FIELDTURF
Contract No.:	GS-07F-9631S (ends: Aug 6, 2016)
MAS Schedule/SIN:	078/192 09
Warranty:	8 YR
Made In:	UNITED STATES OF AMERICA

- Desc

1L (SF), EasyTurf EasyPlay is comprised of single-color premium UV-resistant polyethylene fibrillated silt-film blades. It is made using 100% polyethylene fiber construction containing no nylon. Each fiber is cut into a unique interior honeycomb pattern, making EasyPlay one of the strongest and most resilient synthetic grass options for high-use areas. Designed specifically for commercial applications, this quality synthetic grass is ideal for large common areas, parade grounds, parks and high-trafficindoor sports applications. EasyPlay significantly reduces water consumption, eliminates the need for harmful fertilizers and pesticides, and improves drainage and erosion control.

Compare Available Sources

Quantity: Add to Cart

Instructions: Select price below, enter qty at left, then Add to Cart. To view another contractor description, simply select the Contractor in the list below. ◈Indicates when volume discounts are offered.

Price/Unit	Contractor	Socio	Deliv Days	Min	FOB/Shipping
$9.49 EA	FIELDTURF USA INC.	o	60 days delivered ARO	$2,000.00	D-CONUS,AK,PR,HI

MV00160407

GSA Advantage!

No image available at this time

$1.47 EA

sold and shipped by FIELDTURF USA INC.

visit contractor's website

EASYTURF DRAINAGE TILES (MIN 500 SQ.FT)

Mfr Part No.:	EASYTURF DRAINAGE TILES (MIN 500 SQ.FT)
Manufacturer:	FIELDTURF
Contract No.:	GS-07F-9631S (ends: Aug 6, 2016)
MAS Schedule/SIN:	078/192 09
Warranty:	8 YR
Made In:	UNITED STATES OF AMERICA

- Desc

1L (SF), EasyTurf Drainage Tiles are recommended for use with a non-permeable liner or hard non-permeable surfaces such as concrete or asphalt. EasyTurf Drainage Tiles maximize drainage over these surfaces, allowing FieldTurf synthetic grass systems to drainas designed. Installation of EasyTurf Drainage Tiles reduces base installation time by approximately 30%, while also reducing the amount of ground prep necessary during a synthetic grass installation.

Compare Available Sources

Quantity: 1 Add to Cart

Instructions: Select price below, enter qty at left, then Add to Cart. To view another contractor description, simply select the Contractor in the list below. Indicates when volume discounts are offered.

Price/Unit	Contractor	Socio	Deliv Days	Min	FOB/Shipping
$1.47 EA	FIELDTURF USA INC.	o	60 days delivered ARO	$2,000.00	D-CONUS,AK,PR,HI

MV00160408

GSA Advantage!

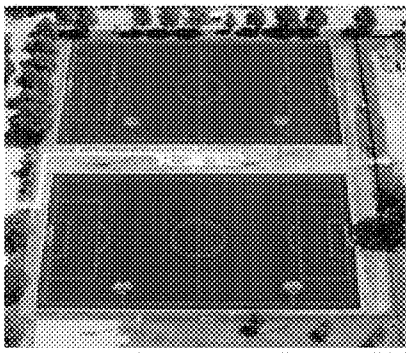

Enlarge/More Views >>

$6,716.50 EA

sold and shipped by
FIELDTURF USA INC.

visit contractor's website

SOCCER MARKINGS

Mfr Part No.:	SOCCER MARKINGS
Contractor Part No.:	SOCCER MARKINGS
Manufacturer:	FIELDTURF
Contract No.:	GS-07F-9631S (ends: Aug 6, 2016)
MAS Schedule/SIN:	078/192 09
Warranty:	8 YR
Made In:	UNITED STATES OF AMERICA

- Desc

1L (ST), Permanent soccer markings

Compare Available Sources

Quantity: 1 Update qty

Instructions: Select price below, enter qty at left, then Add to Cart. To view another contractor description, simply select the Contractor in the list below. Indicates when volume discounts are offered.

	Price/Unit	Contractor	Socio	Photo	Deliv Days	Min	FOB/Shipping
	$6,716.50 EA	FIELDTURF USA INC.	o		60 days delivered ARO	$2,000.00	D-CONUS,AK,PR,HI

FieldTurf A Tarkett Sports Company | EASYTURF A FieldTurf Company

Bid Proposal for City of Moreno Valley Outdoor Soccer Arena

PRODUCTS & INSTALLATION

1. EasyTurf to install 15,700 square feet of the following products:

   EasyTurf EasyPlay - MAS Schedule/SIN: 078/192 09
   EasyTurf EasyPlay is comprised of a single-color of premium UV-Resistant Polyethylene Parallel Fibrillated Slit-Film blades. It is made using 100% polyethylene fiber construction containing no nylon. EasyTurf to supply and install Patented Infill System with silica sand and crumb rubber and this high quality synthetic grass is ideal for main gate areas; headquarter lawns, housing areas, public walkways, obstacle courses, parks and common areas. It significantly reduces water consumption, eliminates the need for harmful fertilizers and pesticides, and improves drainage and erosion control.

   EasyTurf Drainage Tiles- MAS Schedule/SIN: 078/192 09
   EasyTurf Drainage Tiles deliver the Precision Performance and Maximized Drainage that the player and the facility demand. Consistent response throughout the field ensures that elite levels of play can always be reached. Maximizing the drainage ensures the on-field performance when the weather gets tough. Wet or dry your level of play remains the same. The installation of the EDT system is user friendly and reduces base installation time by approximately 30% while reducing base costs by up to 50%. Your players and facility demand the best.

   Soccer Markings - MAS Schedule/SIN: 078/192 09
   Permanent Soccer Markings for a Soccer Field

2. FieldTurf to supply and install Patented Infill System with silica sand and crumb rubber to simulate the look and feel of natural grass.

3. FieldTurf to provide an eight (8) year, third-party pre paid insured warranty for all products.

Pricing (GSA/CMAS Contract Number): GS-07F-9631 (ends: Aug 6, 2016)	**GSA Unit Price**	**Total**
Installation of 15,700 Square Feet of EasyTurf EasyPlay	$9.49 x 15,700 Sq Ft	$148,993.00
Installation of 15,700 Square Feet of EASYTURF DRAINAGE TILES	$1.47 x 15,700 Sq Ft	$ 23,079.00
Installation of Permanent Soccer Markings	$6,716.50	$ 6,716.50
Total		**$178,788.50**

Name: _____ **Organization:** _____

Signature: _____ **Title:** _____ **Date:** _____

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Rick Teichert, Financial & Administrative Services Director

AGENDA DATE: April 10, 2012

TITLE: INTRODUCTION OF ORDINANCE AMENDING CHAPTER 3.12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE CITY'S PURCHASING REGULATIONS

RECOMMENDED ACTION

The Finance Sub-Committee recommends that the City Council approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations.

BACKGROUND

The City's Purchasing Ordinance was last updated in 2009. City Council has expressed interest in updating the Local Vendor Preference portion of the purchasing regulations to support and grow the local economy and to provide jobs within the community.

Changes in State law regarding public projects require an amendment to Section 3.12.300 of the City's ordinance to comply with the requirement to maintain a list of qualified contractors for the selection of contractors to perform informal procurements for public projects.

DISCUSSION

Two changes to the Purchasing Ordinance are detailed as follows:

Local Small Business Preference:

The Purchasing Ordinance, as currently written in section 3.12.150, provides for a 1% "local vendor preference", but only when the quality and pricing of contracted materials and services are equal. Therefore, if all factors in a bid are equal, the award would go to a bidder located within the City based on a 1% preference. Staff has researched the ability to provide a preference to local businesses greater than the current 1% allowed by the City's Purchasing Ordinance. Staff discovered that a number of cities were providing greater local preferences. Upon consultation with the City Attorney, staff was advised that some of the cities providing greater local preference in their purchasing ordinances were charter cities. The City Attorney advised that Moreno Valley, as a General Law city, could utilize the provisions of Public Contract Code Section 2002 to provide a small business preference; this code section reads:

> **2002.** (a) Notwithstanding any other provision of law requiring a local agency to award contracts to the lowest responsible bidder, any local agency may do any of the following in facilitating **contract** awards to small businesses:
>
> (1) Provide for a small business preference in construction, the procurement of goods, or the delivery of services where responsibility and quality are equal. The preference to a small business shall be up to 5 percent of the lowest responsible bidder meeting specifications.
>
> (2) Establish a subcontracting participation goal for small businesses on contracts and grant a preference, up to a maximum of 5 percent, to those bidders who meet the goal.
>
> (3) Require bidders to make good faith efforts to meet a subcontracting participation goal for small business contracts. Bidders that fail to meet the goal shall demonstrate that they made good faith efforts to utilize small business contractors.
>
> (b) The term "small business," as used in this section, shall be defined by each local agency.

In an effort to promote local small businesses and stimulate the local economy, the local vendor preference will be deleted and replaced with a "local small business preference" afforded to local small businesses (as allowed by California Public Contracts Code, Section 2002) to provide a five-percent (5%) advantage to local small business vendors, regardless of ranking to the lowest responder, who are responding to provide the City non-professional services, supplies, materials and equipment (see pages #7-8 of the Purchasing Ordinance 3.12).

Where the local small business vendor's price is not the lowest price, their response would be evaluated to verify if it is within 5% of the low responder. If within 5% of the lowest responder, the lowest responding local small business vendor is selected to negotiate a satisfactory contract with the City. If the local small business vendor successfully negotiates a satisfactory contract with the City, they are awarded the contract. This provides an opportunity to keep the contract award local, benefiting a local small business vendor, but potentially at no additional cost to the City. If the local vendor does not meet the City's requirements for satisfactory terms, the next lowest local small business vendor may be afforded the opportunity to negotiate a satisfactory contract with the City, or the City will negotiate with the lowest responding vendor. This option potentially allows the local small business vendor to make the sale and to receive

business from the city. The city receives the item at the best terms it is able to negotiate, while the community benefits from keeping business local.

Public Projects Update:

Per California Public Contract Code (PCC), pursuant to Article 2 (commencing with Section 22010),

> *"The agency shall enact an informal bidding ordinance to govern the selection of contractors to perform public projects pursuant to subdivision (b) of Section 22032.*
>
> *And;*
>
> Pursuant to subdivision (b) of Section 22032, *"a public agency shall maintain a list of qualified contractors for the selection of contractors to perform informal public projects".*

The Purchasing Ordinance has been silent to this requirement and simply required following the PCC. This update will fulfill the state PCC requirement. See page #12 of the Purchasing Ordinance.

All proposed revisions to the Purchasing Ordinance are shown in the attached redline version of the Ordinance to facilitate Council's review.

ALTERNATIVES

1. Approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations. The revisions proposed by staff and the Finance Sub-Committee to:
    a. Adopt the 5% Local Vendor Preference. (***This alternative is recommended by staff and the Finance Sub-Committee***); and
    b. Adopt the Public Project Update according to PCC 22010 (***This alternative is recommended by staff and the Finance Sub-Committee)***.

2. Approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, regarding purchasing regulations, with additional revisions as directed by the City Council.

3. Do not approve the introduction of Ordinance No.844; maintain the current Purchasing Ordinance without revision.

4. Provide staff with further direction.

FISCAL IMPACT

There is no fiscal impact to the City.

CITY COUNCIL GOALS

Positive Environment. Create a positive environment for the development of Moreno Valley's future. By offering an additional five percent (5%) bid advantage to local vendors, the City is supporting local businesses which will enhance local business relationships, thus creating a positive business environment.

SUMMARY

The City's current Purchasing Ordinance provides for a 1% "local merchant preference" but only when quality and pricing of contracted services are equal. The ordinance is updated to comply with State Public Contracting Code related to requirements for informal bidding procedures. In an effort to promote local businesses and stimulate the local economy, the Purchasing Ordinance has been revised to provide a five-percent (5%) consideration to local vendors who are bidding on City materials and services. This preference will promote local businesses.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Attachment "A" - Revised Purchasing Ordinance

Prepared By:
Rix Skonberg
Purchasing & Facilities Division Manager

Department Head Approval:
Rick Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT "A"

REVISED PURCHASING ORDINANCE NO. 844

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY, CALIFORNIA,
AMENDING TITLE 3 OF THE CITY OF MORENO
VALLEY MUNICIPAL CODE BY REPEALING AND
REENACTING CHAPTER 3.12, PURCHASING.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 3.12 of Title 3 of the City of Moreno Valley Municipal Code is hereby repealed, the repeal to be effective only upon the effective date of the reenactment of said Chapter 3.12, as set forth in Section 2 of this Ordinance.

SECTION 2. REENACTMENT OF CHAPTER 3.12:

2.1 Chapter 3.12 of Title 3 of the City of Moreno Valley Municipal Code is hereby reenacted in its entirety to read as follows:

Chapter 3.12

PURCHASING

Sections:

3.12.010 Definitions.
3.12.020 General—Purpose.
3.12.025 Requisites for contract enforceability.
3.12.030 General—Establishment of centralized purchasing system.
3.12.040 General—Delegation of purchasing authority.
3.12.050 General—Procurement methods.
3.12.060 General—Award criteria.
3.12.070 General—Protest procedures.
3.12.080 General—Single source and sole source.
3.12.090 General—State and federal funds.
3.12.100 General—Conflict of interest and unlawful activity.
3.12.110 General—Collusion with bidder.
3.12.120 General—Collusion by bidder.
3.12.130 General—Monetary limits.
3.12.140 General—Emergency purchases.
3.12.150 Materials, supplies and equipment—Local vendor preference.
3.12.160 Materials, supplies and equipment—Record keeping of informal quotes.

MV00160415

3.12.170 **Materials, supplies and equipment—Bid limits.**
3.12.180 **Materials, supplies and equipment—Publication of notice inviting formal bids.**
3.12.190 **Materials, supplies and equipment—Bidder's security.**
3.12.200 **Materials, supplies and equipment—Authorization and execution of contract.**
3.12.210 **Materials, supplies and equipment—Rejection of bids.**
3.12.220 **Materials, supplies and equipment—Tie formal bids.**
3.12.230 **Materials, supplies and equipment—No formal bids received.**
3.12.240 **Materials, supplies and equipment—Withdrawal or correction of formal bid.**
3.12.250 **Materials, supplies and equipment—Waiver of formal bid procedures.**
3.12.260 **Materials, supplies and equipment—Cooperative purchasing or "piggybacking."**
3.12.270 **Contracted services—General.**
3.12.280 **Contracted services—Paid for by others.**
3.12.290 **Contracted services—Legal services.**
3.12.300 **Public projects—General.**
3.12.310 **Public projects—Professional services.**
3.12.320 **Severability**
3.12.330 **Debarment or Suspension (federally funded contractors)**

3.12.010 Definitions.

"Cooperative purchasing" means a form of intergovernmental cooperative purchasing in which one government agency or jurisdiction performs the solicitation and award process for several agencies or jurisdictions, but separate contracts or purchase orders are executed between each participating agency and the vendor; the agency contracting for the prices bears no contractual responsibility to the vendor. (See "piggyback")

"Direct pay form" means a method of payment submitted to the Financial & Administrative Services Department for payment of a commodity or service, typically after it has been procured. Administrative policies and regulations shall apply.

"Emergency" means the existence or threatened existence of conditions of extreme peril to the safety of persons and property within the City that may vitally affect the life, health or convenience of citizens. Events of: (1) disaster such as caused by fire, flood, storm, epidemic, riot, earthquake, drought, energy shortage, the existence or threatened existence of which has been proclaimed by the City Council or the City Manager in his/her capacity as Director of Emergency Services; or (2) the existence of a breakdown in machinery, equipment or essential governmental services which requires the immediate purchase of materials, supplies, equipment or services to protect the public health, safety or general welfare of the residents of the City; or (3) where an essential governmental operation affecting the public health, safety or general welfare could be greatly hampered or disrupted by following the standard procurement procedures.

"Force account" means any work that is performed by current City staff (force).

"Formal bid" means a bid that must be submitted in a sealed envelope and in conformance with a prescribed format to be opened in public at a specified time.

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"General prevailing rate of per diem wages" means the payment of prevailing wages upon public works as defined in Section 16000 of the California Code of Regulations Title 8, Group 3.

"Informal bid" means a competitive bid or price quotation for supplies or services that is conveyed by letter, telephone, or other means and does not require a sealed bid, public opening, or reading of bids.

"Local small business vendor" means a business entity that has for at least the last twelve (12) months prior to submittal of its RFP response or quote (i) held a current business license issued by the City, and (ii) maintained fixed offices or distribution points located within the City's geographic boundaries, and (iii) that either employs fewer than one hundred (100) employees or has average annual gross receipts of ten million dollars ($10,000,000) or less over the previous three years.

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"Lowest responsible bidder" means the bidder or offeror that submitted a responsive bid or quote at the lowest price of all the responsive bids or quotes submitted, and whose past performance, reputation and financial capability is deemed acceptable. (See "responsible bidder")

"Piggyback" means the form of intergovernmental cooperative purchasing in which a public agency requests competitive sealed bids, enters into a contract and arranges, as part of the contract, for other public agencies to purchase from the selected vendor under the same terms and conditions as itself. This process eliminates the need to competitively bid the particular item again. (See "cooperative purchasing")

"Professional services" means the services rendered by members of a recognized profession or possessing a special skill. Such services are generally acquired to obtain information, advice, training or direct assistance; includes any type of professional service that may be lawfully rendered but does not include "public projects".

"Public project" is defined in Sections 22002 and 22003 of the Public Contract Code as follows:

(1) Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.

(2) Painting or repainting of any publicly owned, leased, or operated facility.

(3) In the case of a publicly owned utility system, "public project" shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.

"Public project" does not include maintenance work. For purposes of this section, "maintenance work" includes all of the following:

(1) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.

(2) Minor repainting.

(3) Resurfacing of streets and highways at less than one inch.

(4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

(5) Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.

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For purposes of this chapter, "facility" means any plant, building, structure, ground facility, utility system, subject to the limitation found in paragraph (3) of subdivision (c), real property, streets and highways, or other public work improvement.

A public agency which has, by resolution, elected to become subject to the uniform construction cost accounting procedures set forth in Article 2 (commencing with Section 22010), may utilize the bidding procedures set forth in Article 3 (commencing with Section 22030) when contracting for "maintenance work," as defined in Section 22002, or when contracting for any other work which does not fall within the definition of "public project," as defined in Section 22002.

"Public works contract" means an agreement or contract, awarded through competitive bids, for a public project that is for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind.

"Purchase order" means a purchaser's written document to a vendor formalizing all the terms and conditions of a proposed transaction and including or referring to all required elements of a contract. A purchase order is requested from the Purchasing Division by use of ~~city~~ a City purchase requisition form. It is to be utilized when a vendor requests a purchase order or when products cannot be procured through the use of the procurement card or other approved purchasing method.

"Responsible bidder" means a bidder or offeror who has the capability in all respects to perform fully the contract requirements and the experience, integrity, perseverance, reliability, capacity, facilities, equipment, and credit which will assure good faith performance.

"Request for proposal (RFP)" means all documents, whether attached or incorporated by reference, utilized for soliciting competitive proposals. Procedures for the RFP process are incorporated in administrative policy and may be changed as required from time to time.

"Request for quote (RFQ)" means an informal solicitation or request for information, where oral or written quotes are obtained from vendors, without formal advertising or receipt of sealed bids, such as small or emergency purchases, but price competition is desired. Procedures for the RFQ process are incorporated in administrative policy and may be changed as required from time to time.

"Single source" means a contract for the purchase of goods or services entered into after soliciting and negotiating only with one source, usually because of the technology required or uniqueness of the product or service provided. (Compare to "sole source")

"Sole source" means that only one vendor possesses the unique and singularly available capability to meet the requirement of the solicitation, such as technical qualifications, matching to currently owned equipment or supplies, the ability to deliver at a particular time, or services from a public utility. (Compare to "single source") (Ord. 587 § 2.1 (part), 2001)

3.12.020 General—Purpose.

The purpose of this chapter is to ensure that:

1. A purchasing system is efficient to the end user;
2. Goods and services are procured at a fair and competitive price;
3. All contracting, including public works contracts, follow all applicable state and federal laws and regulations;

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4. This chapter shall be interpreted and construed to be consistent with state law. (Ord. 587 § 2.1 (part), 2001)

3.12.025 Requisites for contract enforceability.

Except as specifically provided by the City of Moreno Valley Municipal Code, now or in the future, the City is not bound by any contract unless the same shall be in writing and signed by the Mayor, after City Council approval, or by such other officer of the City as authorized by ordinance, resolution, or action of the City Council. (Ord. 624 § 1.8, 2003)

3.12.030 General—Establishment of centralized purchasing system.

A centralized purchasing system is established in order to:

1. Create efficient procedures for the acquisition of supplies, materials, equipment and services for the various departments of the City;
2. Exercise positive financial control over purchases;
3. Clearly define the authority for the purchasing function;
4. Assure the quality of purchases;
5. Purchase without favor or prejudice. (Ord. 587 § 2.1 (part), 2001)

3.12.040 General—Delegation of purchasing authority.

The City Manager may authorize any department to purchase supplies, materials, equipment and contractual services, provided that such purchases or contracts shall be made in conformity with this chapter and all applicable administrative policies and procedures. Such purchases or contracts shall be subject to review by the Purchasing Manager (or equivalent position). (Ord. 587 § 2.1 (part), 2001)

3.12.050 General—Procurement methods.

All procurement methods shall be in accordance with adopted policies and procedures. All purchase orders shall be signed by the Purchasing Manager or designated representative. The City Manager may adopt administrative policies that further implement the intent of this ordinance. Specifications for procurement may include references to brand name, for illustrative purposes only, provided each brand name used is followed by the words "or equal." (Ord. 587 § 2.1 (part), 2001)

3.12.060 General—Award criteria.

To the extent not inconsistent with state law the following guidelines are to be followed for awards made under this chapter. Awards shall be based on the best value to the City. The determination of best value shall be pursuant to the findings and recommendations presented by the Purchasing Manager at the time of award. Award criteria of contracts, agreements, instruments and conveyances not otherwise covered by this chapter may be prescribed by City Council resolution. (Ord. 587 § 2.1 (part), 2001)

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3.12.070 General—Protest procedures.

To the extent not inconsistent with state law the following guidelines are to be followed for protests of awards made under this chapter. Any bidder, offeror or contractor who is allegedly aggrieved in connection with the solicitation of a contract or purchase order may protest. Protests of the contents of the specifications shall not be considered. Protests must be received by the City Clerk no later than the close of business on the second City business day after the date of award. Protest documents will be date and time stamped by City personnel. Failure to submit a timely protest to the City Clerk shall bar consideration of such protest. It is the responsibility of the protestor to verify the date of award and that the City Clerk received their protest.

The City Manager or designee shall respond in writing to the protestor within five City business days. If the protestor wishes to appeal the decision rendered by the City Manager or designee, such appeal must be made in accordance with the provisions for appeal set forth in Chapter 2.04 of this code. All protests shall be in writing and must include the following information:

1. The name, address and telephone number of the protestor;
2. The signature of the protestor or protestor's representative;
3. The solicitation, bid or contract number;
4. A detailed statement of all legal and factual grounds for the protest;
5. All documentation supporting the protestor's grounds for the protest;
6. The form of relief requested and the legal basis for such relief. (Ord. 587 § 2.1 (part), 2001)

3.12.080 General—Single source and sole source.

Where applicable and not otherwise provided by state or federal law, purchasing from a single source or sole source may be permitted after written justification from the requesting department explaining why a single or sole source has been specified, and a factual finding by the person or body authorizing the purchase that it is in the best interest of the City to purchase without competitive purchasing. Single and sole source procedures are not applicable to public works projects except as permitted by state law. (Ord. 587 § 2.1 (part), 2001)

3.12.090 General—State and federal funds.

All applicable statutes, regulations, rules and guidelines are to be followed when using state or federal funds. (Ord. 587 § 2.1 (part), 2001)

3.12.100 General—Conflict of interest and unlawful activity.

Any evaluation or selection practice under this chapter that would result in unlawful activity including, but not limited to, any rebate, kickback or unlawful consideration is expressly prohibited. Any award of a contract where a public official has used his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest in any person or entity who seeks such a contract or in the outcome of the selection process in any way, is expressly prohibited. Employees of the City, who are related to persons or have interests in business entities seeking to contract under this chapter, shall not participate in any aspect of the contract review or selection process. (Ord. 587 § 2.1 (part), 2001)

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3.12.110 General—Collusion with bidder.

Any employee of the City or any department thereof shall be deemed guilty of malfeasance and shall be disciplined in accordance with City personnel rules and regulations for engaging in any of the following activities:

1. Aiding or assisting a bidder in securing a contract to furnish supplies, materials, equipment or contractual services at a higher price than that proposed by any other bidder;
2. Favoring one bidder over another by giving or withholding information;
3. Willfully misleading any bidder in regard to any matter relevant to the competitive bidding process or the character of the materials or supplies called for by the contract;
4. Knowingly accepting commodities of a quality inferior to those called for by the contract contrary to best interest of the City;
5. Knowingly certifying to a greater amount of service or work performed than has actually been performed;
6. Knowingly certifying to the receipt of an amount or different kind of materials, supplies or equipment than have actually been received. (Ord. 587 § 2.1 (part), 2001)

3.12.120 General—Collusion by bidder.

If at any time it shall be found that the person, firm or corporation to whom a contract has been awarded has colluded with any other party or parties for the purpose of preventing any other bid being made or being made at a lower amount, then the contract so awarded shall be null and void. (Ord. 587 § 2.1 (part), 2001)

3.12.130 General—Monetary limits.

All monetary limits for signature and award authority shall be as set forth in a resolution of the City Council as adopted from time to time. (Ord. 587 § 2.1 (part), 2001)

3.12.140 General—Emergency purchases.

If an emergency occurs at a time other than during regular business hours, the City Manager may authorize City department heads to purchase directly, any supplies, materials, equipment or contractual services where immediate procurement is essential to prevent delays, in the work of the using department, which may vitally affect the life, health or convenience of citizens. The head of such using department shall submit, as soon as possible, to the Purchasing Manager, a record of the emergency purchase together with a report of the circumstances of the emergency. All emergency purchases, which would otherwise require City Council approval, shall be submitted to the City Council by the City Manager at the next regular City Council meeting for ratification. (Ord. 587 § 2.1 (part), 2001)

3.12.150 Materials, supplies and equipment—Local vendor preference.

A 5% preference shall be given to local small business vendors for the purchase of non-professional services, supplies, materials and equipment, quality and price being equal, provided the local small business vendor meets the requirements of this chapter. (Ord. 587 § 2.1 (part), 2001).

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The following requirements apply:

1. The City may, but is not required to, consider a local small business vendor preference in awarding qualifying contracts.
2. To be considered for a local small business vendor preference, the business must qualify as a "local small business vendor" as defined in Section 3.12.010.
3. In determining whether to offer a qualified local small business vendor the preference, the City may consider its needs, the contract requirements, the qualifications of all vendors, and all other relevant factors.
4. The 5% local small business preference shall apply to all contracts awarded by the City except for the following contracts:
   a. A contract for a public project or any other contract required to be awarded to the lowest responsible bidder;
   b. A contract for professional services pursuant to Section 3.12.270.
   c. A contract, which if awarded based upon application of the local small business vendor preference, would be prohibited by state or federal law or regulation;
   d. Contracts required as a result of an emergency where a delay in the performance of the contract would jeopardize the public health, safety or welfare of the residents of the City;
   e. Contracts where a significant function of City government would be seriously threatened if the contract were not entered into expeditiously as determined by the City;
   f. A contract which if awarded based upon application of the local vendor preference would result in the loss of state or federal funding.
5. Where competitive quotes or proposals are utilized and the lowest responder is not a local small business vendor, the purchasing officer shall provide the lowest local small business vendor, should one exist and its response is within 5% of the lowest responsible responder, with notice that the local small business vendor is the selected vendor.
6. Upon providing notice to the local small business vendor, the local small business vendor shall have two business days to negotiate a satisfactory contract with the City. In the event a satisfactory contract is negotiated, the contract will be awarded to the local small business vendor. In the event a satisfactory contract is not negotiated, the City may, but is not required to, negotiate and award the contract to:
   a. The next lowest local small business vendor responding with a cost within 5% of the actual lowest responder, in order of the lowest to highest value; or
   b. The actual lowest qualifying responder.

Deleted: Additionally, the City may in its sole discretion, reduce an original bid submitted by a qualified local vendor by an amount equal to one percent (1%) representing the City's portion of sales tax, provided the conditions below are met: In determining whether to reduce the original bid of a qualified local vendor, the City shall consider its needs, the contract requirements, the qualifications of all vendors, and all other relevant factors. ¶

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Where sales tax to the City is not collected;¶
Where a service is considered for a local bidder preference, taxes must be received. ¶
by state or federal law;¶
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Deleted: Contracts where a significant function of City government would be seriously threatened if the contract were not entered into expeditiously as determined by the City;¶
e. . A contract which if awarded based upon application of the local vendor preference would result in the loss of state or federal funding.

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3.12.160 Materials, supplies and equipment—Record keeping of informal quotes.

The respective department responsible for an open market purchase using a procurement method other than a purchase order shall keep a record of quotations submitted for the purchase. The Purchasing Division shall maintain records of purchases made through the issuance of purchase orders. The Financial & Administrative Services Department shall maintain all other procurement method records. Such records shall be open to public inspection during business hours

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and shall be subject to any fees or charges as may be established by City Council. (Ord. 587 § 2.1 (part), 2001)

3.12.170 Materials, supplies and equipment—Bid limits.

Except as otherwise provided by this chapter, as restricted by law or when directed by the City Manager, all purchases of materials, supplies and equipment shall be governed by City administrative policy.

3.12.180 Materials, supplies and equipment—Publication of notice inviting formal bids.

Notice inviting bids shall be published in a newspaper of general circulation and/or by any other method of advertising that is recognized and accepted for public agency purchasing and is consistent with applicable state law. Advertisements shall be at least fourteen (14) calendar days before the time of the bid opening. It shall be the responsibility of the Purchasing Manager to encourage as wide a response as possible from prospective vendors. Notice inviting bids shall state the time and place for the receiving and opening of sealed bids, a general description of the materials, supplies or equipment to be purchased, the location where bid documents and specifications may be secured and the cost, if any, of the documents and specifications. (Ord. 587 § 2.1 (part), 2001)

3.12.190 Materials, supplies and equipment—Bidder's security.

A. When not so required but deemed necessary or desirable by the Purchasing Manager, bids shall be accompanied by a bidder's security. Such security shall be in an amount not less than the amount specified by the notice inviting bids or in the specifications referred to therein, or if no amount is specified by the notice inviting bids, then in an amount not less than ten (10) percent of the aggregate amount of the bid.

B. If the successful bidder neglects or refuses to enter into the contract, or to provide the supplies, materials or equipment according to specifications within the required time, then the amount of the bidder's security shall be declared forfeited to the City. Amounts collected shall be paid into the appropriate fund. All bonds forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

C. All bids not submitted with the requested bidder's security shall be rejected. Unsuccessful bidders shall be entitled to the return of security when such has been requested.

D. When required bidder's security shall be made payable to the city and in one of the following forms:

1. Certified or cashier's check;
2. Bidders bond made payable to the City. Bond to be executed by a corporate surety authorized to engage in such business in California, and listed in the U.S. Department of Treasury's listing of approved sureties;
3. Cash (U.S. funds only). (Ord. 587 § 2.1 (part), 2001)

3.12.200 Materials, supplies and equipment—Authorization and execution of contract.

A. Award of contracts for which there are appropriated funds in the City Council approved budget, may be authorized by the City Manager based on levels prescribed by City Council reso-

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lution. The Purchasing Manager will execute the contract based on the criteria of this chapter, pertinent resolution(s) and policies. Staff authorized to award contracts may defer to the City Manager or City Council for approval where deemed necessary or otherwise appropriate.

B. Award of bids for items over the prescribed amount authorized by City Council resolution, for which there are appropriated funds in the City Council approved budget, shall be made by the City Council. Once awarded by the City Council, the Mayor or the City Manager, or designee, shall sign such contracts.

3.12.210 Materials, supplies and equipment—Rejection of bids.

The City reserves the right to reject any or all bids and to waive any informality or technical defect in a bid. The City, after rejecting bids or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the City Manager, or designee, the purchase in question may be made without a formal bid procedure and may proceed to have said purchase made in the manner stated without further observation of the provisions of this section. (Ord. 587 § 2.1 (part), 2001)

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3.12.220 Materials, supplies and equipment—Tie formal bids.

Except as otherwise provided in this chapter, if two or more formal bids received for the purchase of materials, supplies or equipment are for the same aggregate amount or unit price, quality and service being equal, and if the public interest will not permit the delay of re-advertising for bids, at its discretion and at the prescribed authority levels in this chapter, the Purchasing Manager or the City Council may accept either bid or the lowest bid made by and after negotiation with the tie bidders. (Ord. 587 § 2.1 (part), 2001)

3.12.230 Materials, supplies and equipment—No formal bids received.

When no bids or no responsive bids are received, the Purchasing Manager is authorized to negotiate for written proposals. Award of contract may be made in accordance with applicable provisions prescribed herein. (Ord. 587 § 2.1 (part), 2001)

3.12.240 Materials, supplies and equipment—Withdrawal or correction of formal bid.

A. Prior to bid opening date and time, bids submitted may be withdrawn by written or telegraphic request received by the City before the hour set for opening. After such hour it may not be withdrawn.

B. After bid opening date and time, any bidder who seeks to withdraw or modify a bid because of inadvertent computational error shall notify the Purchasing Manager no later than three City working days following the bid opening. The bidder shall provide worksheets and other such information as may be appropriate or required by the Purchasing Manager to substantiate the claim of inadvertent error. Failure to do so may bar such relief and allow recourse from the bid surety if applicable. The burden shall be upon the bidder to prove such error. (Ord. 587 § 2.1 (part), 2001)

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3.12.250 Materials, supplies and equipment—Waiver of formal bid procedures.

In any of the following instances and not withstanding any provision of this chapter to the contrary, the formal bid procedures shall be dispensed with provided there exists an unencumbered appropriation in the program against which the expense is to be charged (approved budgeted item):

1. The commodity can be obtained from only one vendor (a sole source or single source), as prescribed in Section 3.12.080;
2. Acquisition of materials, supplies and equipment utilizing the "piggyback" process following all laws, rules and regulations;
3. The purchase of used material or equipment;
4. The purchase of materials, supplies and equipment from another government entity;
5. During an emergency;
6. California Multiple Award Schedule (CMAS) is utilized when competitively awarded by the State of California. (Ord. 624 § 1.6, 2003: Ord. 587 § 2.1 (part), 2001)

3.12.260 Materials, supplies and equipment—Cooperative purchasing or "piggybacking."

Where advantageous for the City and to the extent consistent with state law, the City Manager may authorize the Financial & Administrative Services Director or the Purchasing Manager to purchase supplies, materials, equipment or contractual services through legal, competitively awarded contracts with or of other governmental jurisdictions or public agencies, including California Multiple Award Schedules (CMAS) commonly referred to as "piggybacking," without further contracting, solicitation or formal bidding as described in this chapter. (Ord. 624 § 1.7, 2003: Ord. 587 § 2.1 (part), 2001)

3.12.270 Contracted services—General.

Due to the nature of contracts for service, formal bids shall not be required. Contracts for service, negotiated by the City, shall be based on the vendor's demonstrated competence and professional qualifications for the service required. Whenever possible, quotes should be obtained from at least three sources using the request for quote or the request for proposal process. Vendor selection, without obtaining three quotes, shall require justification to the City Manager or designee. Upon approval by the City Manager, or designee, each contract will be accompanied by a purchase order. Authority to contract for service is based on signature authority set forth by City Council resolution from time to time. (Ord. 587 § 2.1 (part), 2001)

3.12.280 Contracted services—Paid for by others.

The provisions of this chapter shall not apply to contracted services that are not paid for out of public funds. (Ord. 587 § 2.1 (part), 2001)

3.12.290 Contracted services—Legal services.

The provisions of this chapter shall not apply to attorney or consultant services contracted for under the direction of the City Attorney or other individual per the City Manager.
(Ord. 587 § 2.1 (part), 2001)

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3.12.300 Public projects—General.

A. The process for obtaining contractors for work on a public project shall be in accordance with applicable provisions of California Public Contract Code Division 2, General Provisions. The City has adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act (the "Act") commencing with California Public Contract Code 22000-22045 (see Resolution No. 86-40). All public works contracts shall be advertised, bid, awarded in conformity with the Act and any other applicable state or federal law or regulation.

B. All public works contracts shall include all required clauses, as prescribed by federal and state laws and codes.

C. The City Council shall award contracts greater than the prescribed limit based on the most current public contract code. The City Manager may award and execute contracts, including all contracts for work performed under assessment district, community facilities district proceedings and for public works construction, improvement, repair, or maintenance up to the prescribed limit, except as restricted by law.

D. The payment of general prevailing rate of wages shall be required of all public works contracts, as required by the applicable state and/or federal law and regulations.

E. The alternative contracting procedures dollar amount limitations shall be in conformance with the Act, as amended from time to time, and any applicable regulations.

F. Informal bidding for the selection of contractors to perform public projects pursuant to subdivision (b) of Section 22032 of the Public Contract Code. This ordinance shall include all of the following:

(a) The public agency shall maintain a list of qualified contractors, identified according to categories of work. Minimum criteria for development and maintenance of the contractors list shall be determined by the Public Agency, consistent with the requirements of the commission.

(b) All contractors on the list for the category of work being bid or all construction trade journals specified in Section 22036, or both all contractors on the list for the category of work being bid and all construction trade journals specified in Section 22036, shall be mailed a notice inviting informal bids unless the product or service is proprietary.

(c) All mailing of notices to contractors and construction trade journals pursuant to subdivision (b) shall be completed not less than the prescribed limit, based on the most recent public contract code, before bids are due.

(d) The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.

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(e) The governing body of the public agency may delegate the authority to award informal contracts to the public works director, general manager, purchasing agent, or other appropriate person.

(f) If all bids received are in excess of the prescribed limit based on the most current public contract code, the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at the higher prescribed limit based on the most current public contract code, or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

G. Public projects for emergency repair or replacement of public facilities may be let to contract by emergency contracting procedures shall be in conformance with the Public Contract Code, Section 22050, Emergency Contracting Procedures.

H. It shall be unlawful to split or separate a public project into smaller work orders or projects for the purpose of evading the provisions of Article 4, Division 2, Section 20163 of the Public Contract Code, requiring public work to be done by contract after competitive bidding. Every person who willfully violates this provision of this section is guilty of a misdemeanor, per Penal Code Section 19. (Ord. 587 § 2.1 (part), 2001)

I. The design-build method of construction may be utilized when following all local, state and federal laws.

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3.12.310 Public projects—Professional services.

A. The process for obtaining professional and incidental services work shall be in accordance with the California Government Code Title 1, Division 5, Chapter 10, Section 4525 through Section 4529.8.

B. The process for obtaining professional and incidental services for federally financed projects shall be in accordance with the California Government Code Title 1, Division 5, Chapter 10, Section 4525 through Section 4529.5, Federal Property and Administrative Services Act of 1949 Title 40, USCA Section 541 through Section 544.

C. All public works professional service contracts shall include all required clauses, as prescribed by federal and state laws and codes.

D. Selection of professional services firms shall be based on demonstrated competence and qualifications for the types of services to be performed at fair and reasonable prices per Section 4526 of the Government Code. Furthermore, these procedures shall assure maximum participation of small business firms, as defined by the state's Director of General Services pursuant to Section 14837 of the Government Code.

E. The City Manager, or designee, shall negotiate a contract with the most qualified firm, except as provided for emergency purchases. (Ord. 587 § 2.1 (part), 2001)

3.12.320 Severability

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it

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would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

3.12.330 Debarment or Suspension (federally funded contractors)
Where federal funding is utilized, in whole or part, the City of Moreno Valley shall solicit offers from, award contracts to, and consent to subcontracts with responsible contractors and ensure that they do not solicit offers from, award contracts to, or consent to subcontracts with contractors whose names are in the Excluded Parties List System (EPLS), as outlined in the Federal Acquisition Regulation (FAR) FAR 9.4, pursuant to the provisions of 31 U.S.C. 6101, note, E.O. 12549, E.O. 12689, 48 CFR 9.404

SECTION 3. EFFECT OF ENACTMENT:

3.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the City.

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect thirty days after the date of its adoption.

MV00160428

APPROVED AND ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this _____ day of _____, 2012.

Deleted: 2009

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

MV00160429

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 10, 2012

TITLE: RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2012 TO DECEMBER 31, 2012

RECOMMENDED ACTION

Staff recommends that the City Council of the City of Moreno Valley serving as the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

1. Adopt Resolution No. 2012-22 approving a Second Recognized Obligation Payment Schedule, for the period of July 1, 2012 to December 31, 2012;

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the ROPS (Exhibit A to Resolution No. 2012-22) to the the Oversight Board for review and approval.

BACKGROUND

The City of Moreno Valley is the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley (RDA) pursuant to Part 1.85 of Division 24 of the Health and Safety Code. As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations due for Enforceable Obligations of the

former RDA. On February 28, 2012, the City Council adopted Resolution No. 2012-13 approving a Recognized Obligation Payment Schedule (ROPS) for the period of January 1, 2012 through June 30, 2012 to facilitate that process.

DISCUSSION

Enforceable Obligation Payment Schedule

In accordance with ABX1 26, the Successor Agency is required to adopt an Enforceable Obligation Payment Schedule ("EOPS"). The EOPS lists all of the Agency's legally binding and enforceable agreement obligations and anticipated payments. Enforceable obligations include bonds, loans, judgments, settlements, any legally binding and enforceable agreements or contracts, and contracts and agreements for agency administration or operation costs.

Section 34177(a)(1) of ABX1 26 provides that upon the dissolution of the Agency, the Successor Agency may only make those payments required pursuant to the most recent Enforceable Obligation Payment Schedule adopted by the Agency and the Successor Agency, and until such time the Recognized Obligation Payment Schedule becomes operative.

Recognized Obligation Payment Schedule

ABX1 26 requires the Successor Agency to approve a Recognized Obligation Payment Schedule ("ROPS"). The ROPS supersedes the EOPS, and is required for each six-month period.

Similar to the EOPS, the required content of the ROPS, set forth in Health and Safety Code Section 34177(l)(1), details all of the Agency's legally binding and enforceable obligations, anticipated payments, and sources of payments. Recognized obligations include bonds, loans, judgments, settlements, any legally binding and enforceable agreements or contracts, and contracts and agreements for agency administration or operation costs. The attached ROPS sets forth the enforceable obligations for the period between July 1, 2012 and December 31, 2012 ("Second ROPS").

The Second ROPS will be reviewed and certified as to its accuracy by an external auditor designated by the County Auditor-Controller. The Second ROPS will be submitted to the Oversight Board for review and approval. Once the ROPS is approved by the Oversight Board, a copy of the approved ROPS will be transmitted to the County-Auditor Controller, the State Controller's Office, and the Department of Finance, and posted to the Successor Agency's website.

ALTERNATIVES

1. Adopt the attached resolution, which approves the Second Recognized Obligation Payment Schedule for the period of July 1, 2012 to December 31, 2012, authorizing the Executive Director or his designee to make modifications

thereto, and authorizing the transmittal of the certified Schedule to the Oversight Board for review and approval. *Staff recommends this alternative because it allows the City serving as the Successor Agency to make required debt service payments in accordance with the State legislation.*

2. Decline to adopt the attached resolution which would not allow the City, acting as the Successor Agency, to maintain the operations, and fulfill debt obligations of the former RDA as required by law. *Staff does not recommend this alternative.*

FISCAL IMPACT

The Recognized Obligation Payment Schedule provides the details necessary for the City serving as the Successor Agency to fulfill the former RDA's legally binding and enforceable agreements. The ROPS will serve as authorization to pay obligations listed in lieu of a budget appropriation by the City Council. Staff is working to create a recommended budget for the Successor Agency and the Moreno Valley Housing Authority that will be presented to City Council with the FY 2012-13 Budget review later this month. There will be some impact to the General Fund to absorb costs that are no longer paid by the former Redevelopment Agency for either RDA administration or operations and for Low and Moderate Income Housing Fund work. Staff estimates that this cost will be between $200,000 - $400,000 for the next fiscal year. This impact will be discussed with the presentation of the recommended budgets for the Successor Agency and Housing Authority for FY 2012-13.

SUMMARY

As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations due for Enforceable Obligations of the former RDA. The Recognized Obligation Payment Schedule for the period of July 1, 2012 to December 31, 2012 provides the details necessary for the City serving as the Successor Agency to fulfill the former RDA's legally binding and enforceable agreements as required by law.

NOTIFICATION

No public notice is required prior to the City Council taking action on this item. However, the agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council agendas.

ATTACHMENTS/EXHIBITS

Attachment A: Resolution No. 2012-22

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Concurred by:
Rick Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY SERVING AS SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO MAKE MODIFICATIONS THERETO

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011 (which dated has been deemed to be February 1, 2012 pursuant to a decision by the California Supreme Court), and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain

"enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, in connection with the implementation of those provisions of ABX1 26 which require the adoption of an enforceable obligation schedule, the City serving as the Successor Agency has previously adopted an amended enforceable obligation schedule in the form previously submitted (the "Amended Enforceable Obligation Schedule") and has authorized the City Manager or his designee to augment, modify or revise such Amended Enforceable Obligation Schedule; and

WHEREAS, ABX1 26 further requires the adoption of an Initial Recognized Obligation Payment Schedule; such initial Recognized Obligation Payment Schedule was approved by Resolution No. 2012-13 of the City of Moreno Valley serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley ("Successor Agency") on February 28, 2012.

WHEREAS, an oversight board, as provided under ABX1 26 ("Oversight Board") has been established for the former Agency;

WHEREAS, pursuant to ABX1 26 and the implementation thereof, the Sucessor Agency desires to adopt a Recognized Obligation Payment Scheudule ("ROPS") for the period covering July 1, 2012 throught December 31, 2012 (the "Second ROPS"), in the form submitted herewith. The Second ROPS is attached hereto, marked as Exhibit "A", and is incorporated herein by reference. By this resolution, the City Council, on behalf of the Successor Agency, approves and authorizes the transmittal of the Second ROPS to the to the Oversight Board;

WHEREAS, given the adoption of ABX1 26, the City Council, on behalf of the City acting in its capacity as Successor Agency to the Agency, has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, in its capacity as Successor Agency to the Agency, and the health, safety, and welfare of the residents of the City, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, SERVING AS THE SUCCESSOR AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That Second ROPS (Exhibit "A") is approved as the Recognized Obligation Payment Schedule as to the Agency for the above-referenced period,

together with such augmentation, modification, additions or revisions as the Executive Director of the Sucessor Agency or his designee may make thereto.

Section 3. The City Clerk shall cause the Second ROPS to be transmitted to the Oversight Board.

Section 4. This Resolution shall be effective immediately upon adoption.

Section 5. The City Clerk shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of the Successor Agency

ATTEST:

_____
City Clerk

APPROVE AS TO FORM:

_____
City Attorney

Resolution No. 2012-22
Date Adopted: April 10, 2012

Resolution Jurat

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-22 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

City Clerk

Resolution No. 2012-22
Date Adopted: April 10, 2012

	A	B	C
1		Name of Redevelopment Agency:	The Community Redevelopment Agency of the City of Moreno Valley
2		Project Area(s)	RDA Project Area All
3			
4			
5			**SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE**
6			**Per AB 26 - Section 34169 (*)**
7			
8			
9			
10			
11		Project Name / Debt Obligation	Payee
12	1)	2007 Tax Allocation Bonds*	Wells Fargo Bank
13	2)	2007 Special Tax Refunding Bonds - Towngate 87-1	Wells Fargo Bank
14	3)	Improvement Area No. 1 Special Tax Refunding Bonds	Wells Fargo Bank
15	4)	CFD No. 3 - Auto Mall Refinance	Wells Fargo Bank
16	5)	2005 Lease Revenue Bonds	Wells Fargo Bank
17	6)	2011 Refunding of 97 LRB Bonds	Bank of America
18	7)	On-going Housing Monitoring Requirements	City of Moreno Valley/Successor Agency
19	8)	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth
20	9)	Contract for Abatement of Properties	Fire Prevention/Inland Empire Property Service, Inc.
21	10)	Contract for Special Tax Reporting	Willdan/Staff Administration
22	11)	CalPERS Retirement Liability	The California Public Employees' Retirement System (CalPERS)
23	12)	Retiree Medical Trust (CERBT)	California Employers' Retiree Medical Trust(CERBT)/CalPERS
24	13)	Agency Loans #1 &# 2	City of Moreno Valley
25	14)	Conference & Recreation Cntr Agreement	City of Moreno Valley
26	15)	Price Club Acquisition Note	The Price Family Charitable Fund
27	16)	Towngate Acquisition Note	City of Moreno Valley
28	17)	Cactus/Day/Old 215 Land	City of Moreno Valley
29	18)	Moss Bros. Autogroup Participation Agreement	Moss Bros. Autogroup
30	19)	Robertson's Ready Mix, Inc. OPA	Robertson's Ready Mix, Inc.
31	20)	Hemlock Family Apartments	Rancho Belago, Inc.
32	21)	Rancho Dorado Apts - South	MV Rancho Dorado Limited Partnership
33	22)	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth
34	23)	Contract for Professional Service	Strickler Association
35		Totals - This Page (RPTIF Funding)	
36		Totals - Page 2 (RPTIF Funding)	
37		Totals - Page 2 (Other Funding)	
38		Totals - Page 3 (Other Funding)	
39		Totals - Page 4 (Administrative Cost Allowance)	
40		Totals - Page 5 (Pass Thru Payments)	
41			
42		Grand total - All Pages	
43			
44		*Includes payments to be made between July 2012 through February 2013	
45		** All totals due during fiscal year and payment amounts are projected.	
46			
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	D	E	F	G	H
1					
2					
3					RPTTF
4					LMIHF
5					Bonds
6					Admin
7					Other
8					
9				Total Due During	
10				Fiscal Year	
11	Description	Project Area	Total Outstanding Debt or Obligation	2011-2012**	*** Funding Source
12	Debt service payments for bonds issued to finance various capital projects*	Original Area	81,671,305.63	3,072,625.64	RPTTF
13	Debt service payments for bonds issued to finance the acquisition of public facilities*	Original Area	11,749,731.00	1,175,145.00	RPTTF
14	Debt service payments for bonds issued to finance the construction of public facilities*	Original Area	3,331,759.00	274,445.00	RPTTF
15	Debt service payments for bonds issued to finance the construction of public facilities*	Original Area	2,263,711.00	29,292.00	RPTTF
16	Debt service payments for bonds issued to finance Sunnymead Blvd project*	Original Area	14,130,258.00	999,396.00	RPTTF
17	Debt service payments for bonds issued to finance the construction of a public facility*	Original Area	1,650,000.00	150,000.00	RPTTF
18	Costs to perform the recertification and monitoring of housing units	Original Area	20,000.00	20,000.00	RPTTF
19	Legal services - General	Original Area	106,678.00	106,678.00	RPTTF
20	Nuisance/weed abatement of Agency owned properties	Original Area	5,000.00	5,000.00	RPTTF
21	Preparation of Continuing Disclosure Report	Original Area	2,000.00	2,000.00	RPTTF
22	Unfunded PERS Retirement Liability Acct	Original Area	599,992.00	12,889.00	RPTTF
23	Unfunded Retiree Medical Trust Acct	Original Area	193,221.00	4,151.00	RPTTF
24	City/Agency Loan Agreement	Original Area	2,217,643.00		RPTTF
25	Purchase and Sale Agreement	Original Area	35,971,807.00	307,468.00	RPTTF
26	Participation Agreement	Original Area	1,736,068.00	240,000.00	RPTTF
27	Participation Agreement	Original Area	15,200,726.00	550,000.00	RPTTF
28	Land purchased - Loan	Original Area	2,360,500.00		RPTTF
29	Participation Agreement	Original Area	500,000.00	232,041.00	RPTTF
30	Owner Participation Agreement	Original Area	4,000,000.00		RPTTF
31	Affordable Housing Agreement	Original Area	6,300,000.00	5,300,000.00	
32	Affordable Housing Agreement	Original Area	6,950,000.00	-	RPTTF
33	Legal services - Specific to AHA	Original Area	33,000.00	33,000.00	RPTTF
34	Title & Closing Costs	Original Area	5,000.00	5,000.00	RPTTF
35			$ 190,998,399.63	$ 12,519,130.64	
36			$ 349,700.00	$ 349,700.00	
37			$ 1,112,609.43	$ 694,248.56	
38			$ 22,321,487.64	$ 639,690.54	
39			$ 1,730,920.00	$ 1,730,920.00	
40			$ 320,414,811.43	$ 15,286,223.44	
41					
42			$ 536,927,928.13	$ 31,219,913.18	N/A
43					
44					
45		**EXHIBIT "A"**			
46					
47					
48					
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60					

	I	J	K	L	M	N	O
1						Page 1 of 7 Pages	
2			Funding Source				
3			Redevelopment Property Tax Trust Fund				
4			Low and Moderate Income Housing Fund				
5			Bond Proceeds				
6			Successor Agency Administrative Allowance				
7			Reserve, Rents, Interest Earnings, etc.				
8							
9			**Payable from the Redevelopment Property Tax Increment Fund (RPTIF)**				
10			Payments by month				
11	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
12	1,021,891.88					1,246,891.88	$ 2,268,783.76
13	587,572.50					587,572.50	$ 1,175,145.00
14	137,222.50					137,222.50	$ 274,445.00
15	14,646.00					14,646.00	$ 29,292.00
16	594,597.50					404,798.75	$ 999,396.25
17	75,000.00					75,000.00	$ 150,000.00
18	10,000.00					10,000.00	$ 20,000.00
19	17,779.67	17,779.67	17,779.67	17,779.67	17,779.65	17,779.67	$ 106,678.00
20				2,500.00		2,500.00	$ 5,000.00
21	2,000.00						$ 2,000.00
22		5,371.00					$ 5,371.00
23		1,730.00					$ 1,730.00
24							$ -
25	153,734.00					153,734.00	$ 307,468.00
26			240,000.00				$ 240,000.00
27	137,500.00	137,500.00		137,500.00		137,500.00	$ 550,000.00
28							$ -
29	232,041.00						$ 232,041.00
30							$ -
31							
32							$ -
33		6,600.00	6,600.00	6,600.00	6,600.00	6,600.00	$ 33,000.00
34					5,000.00		$ 5,000.00
35	$ 2,983,985.05	$ 168,980.67	$ 264,379.67	$ 164,379.67	$ 29,379.65	$ 2,794,245.30	$ 6,405,350.01
36	$ 10,250.00	$ 10,250.00	$ 60,250.00	$ 10,250.00	$ 34,000.00	$ 224,700.00	$ 349,700.00
37	$ 124,731.36	$ 133,206.21	$ 259,785.37	$ 238,944.81	$ 153,783.31	$ 153,783.31	$ 1,064,234.37
38	$ 639,690.54	$ 638,666.84	$ 793,545.11	$ 781,545.11	$ 798,545.11	$ 1,162,124.64	$ 4,827,643.47
39	$ 164,388.17	$ 164,388.17	$ 164,388.17	$ 164,388.17	$ 164,388.17	$ 164,388.15	$ 986,329.00
40	$ 8,505,234.94	$ -	$ -	$ -	$ -	$ 6,879,083.49	$ 15,384,318.43
41							
42	$ 12,428,280.06	$ 1,115,491.89	$ 1,542,348.32	$ 1,359,507.76	$ 1,180,096.24	$ 11,378,324.89	$ 29,017,575.28
43							
44							
45						Date:	
46							
47							
48			Variances		EOPS	ROPS	Variance
49			Total for the period		35,799,415.54	29,017,575.28	6,781,840.26
50							
51				2007 TABS - include admin fees	2,263,783.76	2,268,783.76	(5,000.00)
52				Housing - Legal & Profesional Service	0.00	38,000.00	(38,000.00)
53				Day St/Eucalyptus - delete non-contract	168,000.00	10,500.00	157,500.00
54				Cactus/Nason - delete CIP detail - showing reserve only	1,319,000.00	0.00	1,319,000.00
55				Housing Set Aside - delete line #1	1,736,828.49	0.00	1,736,828.49
56				Housing Set Aside - delete line #2	1,736,828.49	0.00	1,736,828.49
57				County Fees increased	135,551.05	233,646.02	(98,094.97)
58							4,809,062.01
59							
60							1,972,778.25

	P	Q	R	S	T	U	V
1							
2			Funding Source				
3			RPTTF	Redevelopment Property Tax Trust Fund			
4			LMIHF	Low and Moderate Income Housing Fund			
5			Bonds	Bond Proceeds			
6			Admin	Successor Agency Administrative Allowance			
7			Other	Reserve, Rents, Interest Earnings, etc.			
8							
9		Total Due During		**Payable from the Redevelopment Property Tax Increment Fund (**			
10		Fiscal Year		Payments by month			
11	Total Outstanding Debt or Obligation	2012-2013**	Funding Source	July 2012	Aug 2012	Sept 2012	Oct 2012
12	80,651,663.75	3,271,125.63	RPTTF				
13	10,721,899.84	1,175,566.36	RPTTF				
14	3,080,142.63	276,026.76	RPTTF				
15	2,109,335.61	35,137.64	RPTTF				
16	13,535,660.41	192,573.75	RPTTF				
17	1,500,000.00	150,000.00	RPTTF	12,500.00	12,500.00	12,500.00	12,500.00
18	40,000.00	40,000.00	RPTTF				
19	72,000.00	72,000.00	RPTTF	6,000.00	6,000.00	6,000.00	6,000.00
20	5,000.00	5,000.00	RPTTF	2,500.00			
21	2,500.00	2,500.00	RPTTF				
22	599,992.00	13,855.14	RPTTF	13,855.14			
23	193,221.00	4,461.90	RPTTF	4,461.90			
24	2,217,643.00		RPTTF				
25	35,664,339.00	316,693.00	RPTTF	26,391.08	26,391.08	26,391.08	26,391.08
26	1,410,529.68	480,000.00	RPTTF	120,000.00			
27	15,655,083.42	480,000.00	RPTTF	120,000.00			
28	2,360,500.00		RPTTF				
29	500,000.00	267,959.00	RPTTF				
30	4,000,000.00		RPTTF				
31	6,300,000.00		RPTTF				
32	6,950,000.00		RPTTF				
33	25,000.00	12,500.00	RPTTF	2,083.33	2,083.33	2,083.33	2,083.33
34	5,000.00	2,500.00	RPTTF	416.67	416.67	416.67	416.67
35	$ 187,599,510.34	$ 6,797,899.18		$ 308,208.12	$ 47,391.08	$ 47,391.08	$ 47,391.08
36	$ 314,160.12	$ 314,160.12		$ 14,692.72	$ 14,692.68	$ 14,693.68	$ 14,693.68
37	$ 486,038.45	$ 456,038.45		$ 181,475.14	$ 131,386.14	$ 30,281.27	$ 30,281.27
38	$ 18,301,719.05	$ 4,524,932.25		$ 594,380.50	$ 554,979.78	$ 613,865.00	$ 715,730.36
39	$ 39,928.34	$ 39,928.34		$ 39,928.34	$ 39,928.34	$ 39,928.34	$ 39,928.34
40	$ -	$ -		$ -	$ -	$ -	$ -
41							
42	$ 206,741,356.30	$ 12,132,958.34	N/A	$ 1,138,684.82	$ 788,378.02	$ 746,159.37	$ 848,024.73
43							
44							
45							
46							
47							
48						Variances	
49						Total for the period	
50							
51							2007 TABS - include admin fees
52							Housing - Legal & Profesional Service
53							Day St/Eucalyptus - delete non-contract
54							Cactus/Nason - delete CIP detail - showing reserve only
55							Housing Set Aside - delete line #1
56							Housing Set Aside - delete line #2
57							County Fees increased
58							
59							
60							

	W	X	Y	Z	AA	AB	AC
1		Page 1 of 5 Pages					
2							
3							
4							
5							
6							
7							
8							
9	**RPTIF)**						
10							
11	Nov 2012	Dec 2012	Total				
12		1,016,741.88	$ 1,016,741.88		1,016,741.88		
13		587,783.18	$ 587,783.18		1,010,939.13		
14		138,013.38	$ 138,013.38				
15		17,568.82	$ 17,568.82				
16		192,573.75	$ 192,573.75				
17	12,500.00	12,500.00	$ 75,000.00				
18		20,000.00	$ 20,000.00		1,003,122.54		
19	6,000.00	6,000.00	$ 36,000.00				
20		2,500.00	$ 5,000.00				
21		2,500.00	$ 2,500.00				
22			$ 13,855.14				
23			$ 4,461.90				
24			$ -				
25	26,391.08	26,391.10	$ 158,346.50				
26	120,000.00		$ 240,000.00				
27	120,000.00		$ 240,000.00				
28			$ -				
29	267,959.00		$ 267,959.00				
30			$ -				
31			$ -				
32			$ -				
33	2,083.33	2,083.35	$ 12,500.00				
34	416.67	416.65	$ 2,500.00				
35	$ 555,350.08	$ 2,025,072.11	$ 3,030,803.55		**Request**		**County**
36	$ 14,693.68	$ 240,693.68	$ 314,160.12				
37	$ 25,281.27	$ 25,281.27	$ 423,986.36	Page 1	3,030,803.55	Est TI for SS2	8,684,143.00
38	$ 713,865.02	$ 1,332,111.59	$ 4,524,932.25	Page 2	314,160.12	Est P/T	(6,434,207.00)
39	$ 39,928.34	$ 39,928.30	$ 239,570.00	Total	3,344,963.67	County Admin	(200,000.00)
40	$ -	$ -	$ -			Available TI	2,049,936.00
41							
42	$ 1,349,118.39	$ 3,663,086.95	$ 8,533,452.28			ROPS Request	3,344,963.67
43				0.00			
44						Shortage	(1,295,027.67)
45		Date:					
46							
47							
48	EOPS	ROPS	Variance				
49	35,799,415.54	8,533,452.28	27,265,963.26				
50							
51	2,263,783.76	1,016,741.88	1,247,041.88				
52	0.00	38,000.00	(38,000.00)				
53	168,000.00	10,500.00	157,500.00				
54	1,319,000.00	0.00	1,319,000.00				
55	1,736,828.49	0.00	1,736,828.49				
56	1,736,828.49	0.00	1,736,828.49				
57	135,551.05	233,646.02	(98,094.97)				
58			6,061,103.89				
59							
60			21,204,859.37				

	A	B	C	D	E
1		Name of Redevelopment Agency:	The Community Redevelopment Agency of the City of Moreno Valley		
2		Project Area(s)	RDA Project Area All		
3					
4		**SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE**			
5		**Per AB 26 - Section 34169 (*)**			
6					
7					
8					
9		Project Name / Debt Obligation	Payee	Description	Project Area
10					
11	1)	Sunnymead Blvd. CIP 79221	Excel*	Capital Project Contract, CIP 79221	Original Area
12	2)		Harris & Assoc.*	Capital Project Contract, CIP 79221	Original Area
13	3)		City of Moreno Valley	Project Management CIP 79221	Original Area
14	4)		City Consultants	Project Management CIP 79221	Original Area
15	5)		Gibbs, Giden, Locher, Turner & Senet LLP*	Additional Legal Fees - CIP 79221	Original Area
16	6)	Storm Drain/Day Street to Cottonwood CIP 79222	Gibbs, Giden, Locher, Turner & Senet*	Contractual Services PO# 42123 CIP 79222	Original Area
17	7)		City of Moreno Valley	Project Management CIP 79222	Original Area
18	8)	Day Street/Alessandro Blvd to Cottonwood CIP 79724	DMC Design	Contractual Services PO#40920 CIP 79724	Original Area
19	9)		AEI-CASC	Contractual Services PO#35423 CIP 79724	Original Area
20	10)		Group Delta	Contractual Services PO#39328 CIP 79724	Original Area
21	11)		KDM Meridian	Contractual Services PO#41865 CIP 79724	Original Area
22	12)		STI Inc.	Contractual Services PO#41859 CIP 79724	Original Area
23	13)		City of Moreno Valley	Project Management CIP 79724	Original Area
24	14)	Auto Mall Street Upgrades CIP 79725	VA Consulting	Capital Project Contract, CIP 79725	Original Area
25	15)		City of Moreno Valley	Project Management CIP 79725	Original Area
26	16)		United Inspection (Geotech)	Capital Project Contract, CIP 79725	Original Area
27	17)		VA Consulting Inc. (Survey)	Capital Project Contract, CIP 79725	Original Area
28	18)		SME&C (Contractor)	Capital Project Contract, CIP 79725	Original Area
29	19)	Indian Basin, Appurtenant CIP 79726	Lim & Nascimento Engineering	Contractual Services PO#35828 CIP 79726	Original Area
30	20)		City of Moreno Valley	Project Management CIP 79726	Original Area
31	21)	Ironwood Ave-Day St/Barclay Dr CIP 79727	AEI-CASC Engineering	Capital Project Contract, CIP 79727	Original Area
32	22)		City of Moreno Valley	Project Management CIP 79727	Original Area
33					
34					
35					
36					
37		Grand total - This Page			
38					
39					
40		*Pending Litigation			
41		**All total due during fiscal year and payment amounts are projected.			
42					

	F	G	H	I	J	K	L	M	N	O
7		Total Due During Fiscal Year 2011-2012**		Payable from Other Revenue Sources						
8				Payments by month						
9	Total Outstanding Debt or Obligation		*** Funding Source	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
10										
11	50,000.00	50,000.00	TI CAP	-	-	50,000.00	-	-	-	$ 50,000.00
12	176,000.00	176,000.00	TI CAP	-	-	-	-	-	176,000.00	$ 176,000.00
13	18,000.00	18,000.00	TI CAP	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	$ 18,000.00
14	6,000.00	6,000.00	TI CAP	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	$ 6,000.00
15	74,700.00	74,700.00	TI CAP					30,000.00	44,700.00	$ 74,700.00
16	20,000.00	20,000.00	TI CAP	5,000.00	5,000.00	5,000.00	5,000.00			$ 20,000.00
17	5,000.00	5,000.00	TI CAP	1,250.00	1,250.00	1,250.00	1,250.00			$ 5,000.00
18	14,790.84	14,790.84	Bonds	3,697.71	3,697.71	3,697.71	3,697.71			$ 14,790.84
19	5,006.61	5,006.61	Bonds	1,251.65	1,251.65	1,251.65	1,251.66			$ 5,006.61
20	11,579.00	11,579.00	Bonds	2,894.75	2,894.75	2,894.75	2,894.75			$ 11,579.00
21	13,145.00	13,145.00	Bonds	3,286.25	3,286.25	3,286.25	3,286.25			$ 13,145.00
22	240,760.71	240,760.71	Bonds	60,190.17	60,190.18	60,190.18	60,190.18			$ 240,760.71
23	35,363.80	35,363.80	Bonds	8,840.95	8,840.95	8,840.95	8,840.95			$ 35,363.80
24	28,400.00	23,433.00	Bonds	2,250.00	2,250.00	2,250.00	2,250.00	2,250.00	2,250.00	$ 13,500.00
25	57,300.00	6,451.00	Bonds	1,075.17	9,550.00	9,550.00	9,550.00	9,550.00	9,550.00	$ 48,825.17
26	4,725.00	1,575.00	Bonds			1,181.25	1,181.25	1,181.25	1,181.25	$ 4,725.00
27	4,950.00	1,650.00	Bonds			1,237.50	1,237.50	1,237.50	1,237.50	$ 4,950.00
28	496,641.95	165,547.08	Bonds			124,160.43	124,160.43	124,160.43	124,160.43	$ 496,641.72
29	62,521.73	62,521.73	Bonds	20,840.58	20,840.58	20,840.57	0.00	0.00	0.00	$ 62,521.73
30	45,000.00	20,000.00	Bonds	5,000.00	5,000.00	5,000.00	5,000.00	0.00	0.00	$ 20,000.00
31	62,424.79	62,424.79	Bonds	10,404.13	10,404.14	10,404.13	10,404.13	10,404.13	10,404.13	$ 62,424.79
32	30,000.00	30,000.00	Bonds	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	$ 30,000.00
33										
34	$ 349,700.00	$ 349,700.00		$ 10,250.00	$ 10,250.00	$ 60,250.00	$ 10,250.00	$ 34,000.00	$ 224,700.00	$ 349,700.00
35	$ 1,112,609.43	$ 694,248.56		$ 124,731.36	$ 133,206.21	$ 259,785.37	$ 238,944.81	$ 153,783.31	$ 153,783.31	$ 1,064,234.37
36										
37	$ 1,462,309.43	$ 1,043,948.56		$ 134,981.36	$ 143,456.21	$ 320,035.37	$ 249,194.81	$ 187,783.31	$ 378,483.31	$ 1,413,934.37
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	P	Q	R	S	T	U	V	W	X
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7				Total Due During		**Payable from Other Rev**			
8				Fiscal Year					Payments by m
9	Reconciliation to the Total previously reported	Revised Total	Total Outstanding Debt or Obligation	2012-2013**	Funding Source	July 2012	Aug 2012	Sept 2012	Oct 2012
10									
11	$ -	$ 50,000.00	50,000.00	50,000.00	RPTTF				
12	$ -	$ 176,000.00	176,000.00	176,000.00	RPTTF				
13	$ (5,700.00)	$ 12,300.00	12,300.00	12,300.00	RPTTF	2,050.00	2,050.00	2,050.00	2,050.00
14	$ (4,040.00)	$ 1,960.00	1,960.00	1,960.00	RPTTF	326.00	326.00	327.00	327.00
15	$ (8,700.00)	$ 66,000.00	66,000.00	66,000.00	RPTTF	11,000.00	11,000.00	11,000.00	11,000.00
16	$ (13,795.04)	$ 6,204.96	6,204.96	6,204.96	RPTTF	1,034.16	1,034.16	1,034.16	1,034.16
17	$ (3,304.84)	$ 1,695.16	1,695.16	1,695.16	RPTTF	282.56	282.52	282.52	282.52
18	$ (8,910.00)	$ 5,880.84	5,880.84	5,880.84	Bonds	980.14	980.14	980.14	980.14
19	$ 3,769.22	$ 8,775.83	8,775.83	8,775.83	Bonds	1,462.58	1,462.63	1,462.63	1,462.63
20	$ (4,220.00)	$ 7,359.00	7,359.00	7,359.00	Bonds	1,226.50	1,226.50	1,226.50	1,226.50
21	$ (9,152.50)	$ 3,992.50	3,992.50	3,992.50	Bonds	665.45	665.41	665.41	665.41
22	$ (167,438.49)	$ 73,322.22	73,322.22	73,322.22	Bonds	12,220.37	12,220.37	12,220.37	12,220.37
23	$ (14,968.47)	$ 20,395.33	20,395.33	20,395.33	Bonds	3,399.23	3,399.22	3,399.22	3,399.22
24	$ (14,599.68)	$ 8,833.32	2,333.32	2,333.32	Bonds	1,166.66	1,166.66		
25	$ (24,400.00)	$ 24,425.17	6,451.00	6,451.00	Bonds	3,225.00	3,226.00		
26	$ (3,150.00)	$ 1,575.00	1,575.00	1,575.00	Bonds	787.50	787.50		
27	$ (3,300.00)	$ 1,650.00	1,650.00	1,650.00	Bonds	825.00	825.00		
28	$ (331,094.64)	$ 190,379.41	190,379.41	190,379.41	Bonds	95,189.71	95,189.71		
29	$ 62,521.73	$ -	50,000.00	50,000.00	Bonds	50,000.00			
30	$ 7,000.00	$ 13,000.00	38,000.00	20,000.00	Bonds	5,000.00	5,000.00	5,000.00	5,000.00
31	$ 10,500.00	$ 51,924.79	51,924.00	51,924.00	Bonds	4,327.00	4,237.00	4,327.00	4,327.00
32	$ 6,000.00	$ 24,000.00	24,000.00	12,000.00	Bonds	1,000.00	1,000.00	1,000.00	1,000.00
33									
34	$ (35,539.88)	$ 314,160.12	$ 314,160.12	$ 314,160.12		$ 14,692.72	$ 14,692.68	$ 14,693.68	$ 14,693.68
35	$ (491,442.83)	$ 435,513.41	$ 486,038.45	$ 456,038.45		$ 181,475.14	$ 131,386.14	$ 30,281.27	$ 30,281.27
36									
37	$ (526,982.71)	$ 749,673.53	$ 800,198.57	$ 770,198.57		$ 196,167.86	$ 146,078.82	$ 44,974.95	$ 44,974.95
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	Y	Z	AA
1		Page 2 of 5 Pages	
2			
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7	**enue Sources**		
8	onth		
9	Nov 2012	Dec 2012	Total
10			
11		50,000.00	$ 50,000.00
12		176,000.00	$ 176,000.00
13	2,050.00	2,050.00	$ 12,300.00
14	327.00	327.00	$ 1,960.00
15	11,000.00	11,000.00	$ 66,000.00
16	1,034.16	1,034.16	$ 6,204.96
17	282.52	282.52	$ 1,695.16
18	980.14	980.14	$ 5,880.84
19	1,462.63	1,462.63	$ 8,775.73
20	1,226.50	1,226.50	$ 7,359.00
21	665.41	665.41	$ 3,992.50
22	12,220.37	12,220.37	$ 73,322.22
23	3,399.22	3,399.22	$ 20,395.33
24			$ 2,333.32
25			$ 6,451.00
26			$ 1,575.00
27			$ 1,650.00
28			$ 190,379.42
29			$ 50,000.00
30			$ 20,000.00
31	4,327.00	4,327.00	$ 25,872.00
32	1,000.00	1,000.00	$ 6,000.00
33			
34	$ 14,693.68	$ 240,693.68	$ 314,160.12
35	$ 25,281.27	$ 25,281.27	$ 423,986.36
36			
37	$ 39,974.95	$ 265,974.95	$ 738,146.48
38			
39			
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41			
42			

	A	B	C	D	E
1		Name of Redevelopment Agency:	The Community Redevelopment Agency of the City of Moreno Valley		
2		Project Area(s)	RDA Project Area All		
3					
4		**SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE**			
5		**Per AB 26 - Section 34169 (*)**			
6					
7					
8					
9		Project Name / Debt Obligation	Payee	Description	Project Area
10					
11	23)	Nason/SR-60 Bridge CIP 91728	Singer & Coffin, APC	Legal Services CIP 91728	Original Area
12	24)		Parsons Transportation	Contractual Services CIP 91728	Original Area
13	25)		City Consultants	Project Management CIP 91728	Original Area
14	26)		City of Moreno Valley	Project Management CIP 91728	Original Area
15	27)		Survey Consultant	Capital Project Contract, CIP 91728	Original Area
16	28)		Contractor	Capital Project Contract, CIP 91728	Original Area
17	29)		CM/Inspection	Capital Project Contract, CIP 91728	Original Area
18	30)		Geotechnical Consultant	Capital Project Contract, CIP 91728	Original Area
19	31)		City of Moreno Valley	Project Management CIP 91728	Original Area
20	32)		Parsons Transportation	Contractual Services CIP 91728	Original Area
21	33)	Morrison Park Fire Station CIP 79729	City of Moreno Valley	Project Management CIP 79729	Original Area
22	34)		STK Architecture	Capital Project Contract, CIP 79729	Original Area
23	35)		Silver Creek Industries	Capital Project Contract, CIP 79729	Original Area
24	36)		Enco Utility	Capital Project Contract, CIP 79729	Original Area
25	37)		Riverside County IT	Capital Project Contract, CIP 79729	Original Area
26	38)		Construction Contract	Construction Costs CIP 79729	Original Area
27	39)	Moreno Beach Ramps - Phase 1 CIP 91731	City of Moreno Valley	Proj. Mgmt. & Expenses CIP 91731	Original Area
28	40)		Staff Consultants	Capital Project Contract CIP 91731	Original Area
29	41)		Survey Consultant	Capital Project Contract CIP 91731	Original Area
30	42)		Falcon Engineering - CM	Capital Project Contract CIP 91731	Original Area
31	43)		Geotechnical Consultant	Capital Project Contract CIP 91731	Original Area
32	44)		CHP	Const. zone enforcement CIP 91731	Original Area
33	45)		Parsons Transportation	Capital Project Contract CIP 91731	Original Area
34		Totals - Bonds			
35					
36		Grand total - This Page			
37					
38					
39		** All total due during fiscal year and payment amounts are projected.			
40					

	F	G	H	I	J	K	L	M	N	O
7		Total Due During Fiscal Year 2011-2012**		Payable from Other Revenue Sources						
8				Payments by month						
9	Total Outstanding Debt or Obligation		Funding Source	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
10										
11	2,000.00	2,000.00	Bonds	333.33	333.33	333.33	333.33	333.33	333.35	$ 2,000.00
12	25,000.00	25,000.00	Bonds			25,000.00				$ 25,000.00
13	2,000.00	2,000.00	Bonds	333.33	333.33	333.33	333.33	333.33	333.35	$ 2,000.00
14	145,000.00	145,000.00	Bonds	24,166.67	24,166.67	24,166.67	24,166.67	24,166.67	24,166.65	$ 145,000.00
15	150,000.00	5,000.00	Bonds						5,000.00	$ 5,000.00
16	12,264,122.75	-	Bonds							$ -
17	2,000,000.00	70,000.00	Bonds			10,000.00	20,000.00	20,000.00	20,000.00	$ 70,000.00
18	175,000.00	5,000.00	Bonds						5,000.00	$ 5,000.00
19	200,000.00	70,000.00	Bonds	10,000.00	10,000.00	10,000.00	10,000.00	15,000.00	15,000.00	$ 70,000.00
20	450,000.00	350,000.00	Bonds			87,500.00	87,500.00	87,500.00	87,500.00	$ 350,000.00
21	267,489.24	108,344.60	Bonds	5,500.00	5,500.00	24,336.15	24,336.15	24,336.15	24,336.15	$ 108,344.60
22	293,811.37	200,000.00	Bonds	33,333.33	33,333.33	33,333.33	33,333.33	33,333.33	33,333.35	$ 200,000.00
23	4,035,455.60	3,000,000.00	Bonds	500,000.00	500,000.00	500,000.00	500,000.00	500,000.00	500,000.00	$ 3,000,000.00
24	2,167.28	2,100.00	Bonds	350.00	350.00	350.00	350.00	350.00	350.00	$ 2,100.00
25	26,420.00	13,210.00	Bonds			3,302.50	3,302.50	3,302.50	3,302.50	$ 13,210.00
26	691,158.97	345,579.49	Bonds						345,579.49	$ 345,579.49
27	252,577.00	115,050.88		4,800.00	14,650.18	19,889.80	22,889.80	29,889.80	27,889.80	$ 120,009.38
28	10,873.88	10,873.88	Bonds	10,873.88						$ 5,400.00
29	100,000.00	5,000.00	Bonds						5,000.00	$ 2,000.00
30	763,411.55	30,000.00	Bonds			5,000.00	5,000.00	10,000.00	10,000.00	$ 30,000.00
31	90,000.00	5,000.00	Bonds						5,000.00	$ 2,000.00
32	25,000.00	-	Bonds							$ -
33	350,000.00	300,000.00	Bonds	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	$ 325,000.00
34	$ 22,321,487.64	$ 4,809,158.85	$ -	$ 639,690.54	$ 638,666.84	$ 793,545.11	$ 781,545.11	$ 798,545.11	$ 1,162,124.64	$ 4,827,643.47
35										
36	$ 22,321,487.64	$ 4,809,158.85		$ 639,690.54	$ 638,666.84	$ 793,545.11	$ 781,545.11	$ 798,545.11	$ 1,162,124.64	$ 4,827,643.47
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	P	Q	R	S	T	U	V	W
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7				Total Due During Fiscal Year				**Payab**
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9	Reconciliation to the Total previously reported	Revised Total	Total Outstanding Debt or Obligation	2012-2013**	Funding Source	July 2012	Aug 2012	Sept 2012
10								
11	$ 2,000.00	$ -	2,310.00	2,310.00	Bonds	385.00	385.00	385.00
12	$ 113,771.00	$ (88,771.00)	13,818.00	13,818.00	Bonds	13,818.00		
13	$ 2,000.00	$ -	4,800.00	4,800.00	Bonds	800.00	800.00	800.00
14	$ 72,000.00	$ 73,000.00	73,000.00	48,000.00	Bonds	8,000.00	8,000.00	8,000.00
15	$ 5,000.00	$ 145,000.00	145,000.00	30,000.00	Bonds			
16	$ -	$ 12,264,122.75	12,146,233.75	1,070,000.00	Bonds			
17	$ 70,000.00	$ 1,930,000.00	1,930,000.00	180,000.00	Bonds			10,000.00
18	$ 5,000.00	$ 170,000.00	170,000.00	30,000.00	Bonds			
19	$ 79,300.00	$ 120,700.00	120,700.00	90,000.00	Bonds	10,000.00	10,000.00	15,000.00
20	$ 350,000.00	$ 100,000.00	100,000.00	100,000.00	Bonds	15,000.00	15,000.00	10,000.00
21	$ (108,344.60)	$ 159,144.64	159,144.64	159,144.64	Bonds	26,524.11	26,524.11	26,524.11
22	$ (200,000.00)	$ 93,811.37	93,811.37	93,811.37	Bonds	18,762.27	18,762.27	18,762.27
23	$ (2,220,500.00)	$ 1,814,955.60	1,814,955.60	1,814,955.60	Bonds	362,991.12	362,991.12	362,991.12
24	$ (1,750.00)	$ 417.28	417.28	417.28	Bonds		417.28	
25	$ (13,210.00)	$ 13,210.00	13,210.00	13,210.00	Bonds			3,302.50
26	$ (339,293.61)	$ 351,865.36	351,865.36	351,865.36	Bonds	90,000.00	90,000.00	90,000.00
27		$ -	132,567.62	93,200.00	Bonds	12,200.00	12,200.00	17,200.00
28	$ 5,473.88	$ 5,473.88	5,473.88	5,400.00	Bonds	900.00	900.00	900.00
29	$ 98,000.00	$ 98,000.00	98,000.00	37,000.00	Bonds		2,000.00	5,000.00
30	$ 733,411.55	$ 733,411.55	733,411.55	270,000.00	Bonds			30,000.00
31	$ 88,000.00	$ 88,000.00	88,000.00	37,000.00	Bonds		2,000.00	5,000.00
32	$ 25,000.00	$ 25,000.00	30,000.00	30,000.00	Bonds	30,000.00		
33	$ 25,000.00	$ 25,000.00	75,000.00	50,000.00	Bonds	5,000.00	5,000.00	10,000.00
34	$ (1,209,141.78)	$ 18,122,341.43	$ 18,301,719.05	$ 4,524,932.25	$ -	$ 594,380.50	$ 554,979.78	$ 613,865.00
35								
36			$ 18,301,719.05	$ 4,524,932.25		$ 594,380.50	$ 554,979.78	$ 613,865.00
37								
38								
39								
40								

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1			Page 3 of 5 Pages	
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7	**le from Other Revenue Sources**			
8	Payments by month			
9	Oct 2012	Nov 2012	Dec 2012	Total
10				
11	385.00	385.00	385.00	$ 2,310.00
12				$ 13,818.00
13	800.00	800.00	800.00	$ 4,800.00
14	8,000.00	8,000.00	8,000.00	$ 48,000.00
15	10,000.00	10,000.00	10,000.00	$ 30,000.00
16	20,000.00	50,000.00	1,000,000.00	$ 1,070,000.00
17	20,000.00	50,000.00	100,000.00	$ 180,000.00
18	10,000.00	10,000.00	10,000.00	$ 30,000.00
19	15,000.00	20,000.00	20,000.00	$ 90,000.00
20	10,000.00	20,000.00	30,000.00	$ 100,000.00
21	26,524.11	26,524.11	26,524.09	$ 159,144.64
22	18,762.27	18,762.29		$ 93,811.37
23	362,991.12	362,991.12		$ 1,814,955.60
24				$ 417.28
25	3,302.50	3,302.50	3,302.50	$ 13,210.00
26	81,865.36			$ 351,865.36
27	17,200.00	22,200.00	12,200.00	$ 93,200.00
28	900.00	900.00	900.00	$ 5,400.00
29	10,000.00	10,000.00	10,000.00	$ 37,000.00
30	80,000.00	80,000.00	80,000.00	$ 270,000.00
31	10,000.00	10,000.00	10,000.00	$ 37,000.00
32				$ 30,000.00
33	10,000.00	10,000.00	10,000.00	$ 50,000.00
34	$ 715,730.36	$ 713,865.02	$ 1,332,111.59	$ 4,524,932.25
35				
36	$ 715,730.36	$ 713,865.02	$ 1,332,111.59	$ 4,524,932.25
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	A	B	C	D	E
1		Name of Redevelopment Agency:	The Community Redevelopment Agency of the City of Moreno Valley		
2		Project Area(s)	RDA Project Area All		
3					
4		**SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE**			
5		**Per AB 26 - Section 34169 (*)**			
6					
7					
8					
9		Project Name / Debt Obligation	Payee	Description	Project Area
10					
11	1)	City/Agency Employee Payroll	City of Moreno Valley/Employees	Payroll Costs	Original Area
12	2)	City/Agency - Operating Costs	City of Moreno Valley	Operating Costs	Original Area
13	3)				
14	4)				
15	5)				
16	6)				
17	7)				
18	8)				
19	9)				
20	10)				
21	11)				
22	12)				
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24	14)				
25	15)				
26	16)				
27	17)				
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46	36)				
47		**Totals - Administrative Allowance Allocation**			
48					
49		**All total due during fiscal year and payment amounts are projected.			

	F	G	H	I	J	K	L	M	N
7				Payable from the Administrative Allowance Allocation					
8				Payments by month					
9	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	*** Funding Source	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012
11	1,225,804.00	1,225,804.00	Admin	145,251.00	145,251.00	145,251.00	145,251.00	145,251.00	145,251.00
12	505,116.00	505,116.00	Admin	19,137.17	19,137.17	19,137.17	19,137.17	19,137.17	19,137.15
47	**$ 1,730,920.00**	**$ 1,730,920.00**		**$ 164,388.17**	**$ 164,388.17**	**$ 164,388.17**	**$ 164,388.17**	**$ 164,388.17**	**$ 164,388.15**

	O	P	Q	R	S	T	U	V	W	X
7			Total Due During Fiscal Year 2012-2013**		Payable from the Administrative Allowance Allocation					
8					Payments by month					
9	Total	Total Outstanding Debt or Obligation		Funding Source	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012
10										
11	$ 871,506.00	353,715.00	353,715.00	Admin	31,116.67	31,116.67	31,116.67	31,116.67	31,116.67	31,116.65
12	$ 114,823.00	85,800.00	85,800.00	Admin	8,811.67	8,811.67	8,811.67	8,811.67	8,811.67	8,811.65
13	$ -									
14	$ -									
15	$ -									
16	$ -									
17	$ -									
18	$ -									
19	$ -									
20	$ -									
21	$ -									
22	$ -									
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42	$ -									
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45	$ -									
46										
47	**$986,329.00**	**$ 439,515.00**	**$ 439,515.00**		**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.30**
48										
49										

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9	Total	
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11	$ 186,700.00	
12	$ 52,870.00	
13	$ -	
14	$ -	
15	$ -	
16	$ -	
17	$ -	
18	$ -	
19	$ -	
20	$ -	
21	$ -	
22	$ -	
23	$ -	
24	$ -	
25	$ -	
26	$ -	
27	$ -	
28	$ -	
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32	$ -	
33	$ -	
34	$ -	
35	$ -	
36	$ -	
37	$ -	
38	$ -	
39	$ -	
40	$ -	
41	$ -	
42	$ -	
43	$ -	
44	$ -	
45	$ -	
46		
47	**$ 239,570.00**	0.00
48		
49		

	A	B	C	D	E
1		Name of Redevelopment Agency:	The Community Redevelopment Agency of the City of Moreno Valley		
2		Project Area(s)	RDA Project Area All		
3					
4		**SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE**			
5		**Per AB 26 - Section 34169 (*)**			
6					
7					
8					
9		Project Name / Debt Obligation	Payee	Description	Project Area
10					
11	1)	Section 33676 2% Pass Through	Moreno Valley & Val Verde Unified SDs	Payments per former CRL 33676	Original Area
12	2)	Section 33676 2% Pass Through	Riverside City Community College	Payments per former CRL 33676	Original Area
13	3)	Section 33676 2% Pass Through	School Funds	Payments per former CRL 33676	Original Area
14	4)	Section 33676 2% Pass Through	Co Supt of Schools	Payments per former CRL 33676	Original Area
15	5)	Tax Sharing Agreement/County Pass Through Agreement	County of Riverside	Per Pass Through Agreement	Original Area
16	6)	SB 2557 County Admin Fees	County of Riverside	County Administrative Fees	Original Area
17	7)	Tax Sharing Agreement/Flood Control Agreement*****	Riverside Flood Control and Water Conservation Dist.	Per Pass Through Agreement	Original Area
18	8)	Tax Sharing Agreement/Flood Control Agreement*****	Riverside Flood Control and Water Conservation Dist.	Pass Through for the Construction of Storm Drain Projects CIP 99524	Original Area
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48		**Totals - Pass Through and Other Obligations**			
49					
50		**All total due during fiscal year and payment amounts are projected.			
51					
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	F	G	H	I	J	K	L	M	N	O
7		Total Due During Fiscal Year		Pass Through and Other Payments						
8				Payments by month						
9	Total Outstanding Debt or Obligation	2011-2012**	*** Funding Source	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
10										
11	26,474,567.24	819,615.94	RPTTF	409,807.97					409,807.97	$ 819,615.94
12	5,251,156.04	162,568.54	RPTTF	81,284.27					81,284.27	$ 162,568.54
13	55,719.68	1,725.01	RPTTF	862.51					862.51	$ 1,725.02
14	4,218,555.04	130,600.64	RPTTF	65,300.32					65,300.32	$ 130,600.64
15	247,398,090.00	7,615,185.00	RPTTF	1,684,143.00					5,931,042.00	$ 7,615,185.00
16	6,034,100.00	135,551.05	RPTTF	233,646.02						$ 233,646.02
17	25,343,219.00	781,572.83	RPTTF	390,786.42					390,786.42	$ 781,572.84
18	5,639,404.43	5,639,404.43	RPTTF	5,639,404.43						$ 5,639,404.43
19										$ -
20										$ -
21										$ -
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48	**$ 320,414,811.43**	**$ 15,286,223.44**		**$ 8,505,234.94**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 6,879,083.49**	**$ 15,384,318.43**
49										
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52										
53										
54										
55				5,639,404.43	390,786.42					

	P	Q	R	S	T	U	V	W	X	Y	Z	AA
7		Total Due During Fiscal Year		Pass Through and Other Payments								
8				Payments by month								
9	Total Outstanding Debt or Obligation	2012-2013**	Funding Source	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total		
10												
11										$ -		
12										$ -		
13										$ -		
14										$ -	0.00	Schools
15										$ -	0.00	County P/T
16										$ -	0.00	County Fees
17										$ -	0.00	Flood P/T
18										$ -	0.00	Flood Reserve
19										$ -		
20										$ -		
21										$ -		
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CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

ORDINANCE NO. 841

AN ORDINANCE OF THE CITY OF MORENO VALLEY ESTABLISHING AN UNDERGROUND UTILITY DISTRICT ALONG NASON STREET FROM CACTUS AVENUE TO FIR AVENUE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS

1.1 WHEREAS, the California Public Utilities Commission rule for the replacement of overhead electric utilities with underground facilities, Tariff Rule 20, Section A (hereinafter referred to as "Rule 20A") require that the City Council make a determination, after consultation with the Utility and after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:

a. The proposed "undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities";
b. The street "is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic";
c. The street "adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public"; or
d. The street "is considered an arterial street or major collector" in the City's General Plan.

1.2 WHEREAS, with regard to facilities owned by Verizon, the California Public Utilities Commission rule for the replacement of overhead utilities with underground facilities, Tariff Rule 40, Section A, (hereinafter referred to as "Rule 40A") requires that the City Council make a determination, after consultation with the Utility and after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:

a. The proposed "undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities";
b. The street "is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic";
c. The street "adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public."

1.3 WHEREAS, on October 12, 1999, the City Council adopted General Policy # 2.33, Overhead Utility Equipment Conversion Policy, specifying procedures for administering and prioritizing Rule 20A funded projects.

1.4 WHEREAS, on August 23, 2011, the City Council approved an amendment to General Policy # 2.33 and reprioritized Rule 20A funded projects. Said amendment ranked two segments of Nason Street as second (State Highway 60 to Alessandro Boulevard) and third (Alessandro Boulevard to Cactus Avenue) on the priority list.

1.5 WHEREAS, utilities along the segments of Nason Street from Cactus Avenue to Delphinium Avenue and from Eucalyptus Avenue to Cottonwood Avenue are already undergrounded.

1.6 WHEREAS, the segment of Nason Street from SR-60 to Fir Avenue is scheduled to be undergrounded as part of the planned Nason Street / SR-60 Overcrossing project.

1.7 WHEREAS, the City Council also authorized the addition of the Nason Street Project from Cactus Avenue to Fir Avenue to the FY 2011-12 Capital Improvement Plan (CIP) on July 26, 2011. The project requires widening of Nason Street to its ultimate width specified in the City General Plan and per the City Standard Plans.

1.8 WHEREAS, preliminary engineering analysis has revealed that the existing overhead utility facilities conflict with the construction of the proposed widened roadway and related ultimate improvements for Nason Street.

1.9 WHEREAS, with regard to facilities owned by Southern California Edison (SCE), City staff and SCE representatives agree that under Rule 20A, said undergrounding is in the general public interest for the following reason, as listed under Section 1.1:

> The street "is considered an arterial street or major collector" in the City's General Plan.

1.10 WHEREAS, with regard to facilities owned by Verizon, City staff's opinion is that under Rule 40A, said undergrounding is in the general public interest, at least for the following reason, and possibly others, as listed under Section .1.2:

> The street "is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic".

1.11 WHEREAS, representatives of the Public Works Department have requested and received input from all impacted utility firms on the feasibility of converting the existing overhead utilities along Nason Street from Cactus Avenue to Fir Avenue. These firms include Southern California Edison Company, Verizon Communications Inc., LLC, Time Warner Cable, and Sunesys.

1.12 WHEREAS, analyses of documents and written and verbal feedback received from the four utilities indicate that, subject to proper design and other

processes of each of the utilities, the conversion of the existing overhead utilities to underground facilities is physically and technically feasible.

1.13 WHEREAS, the City Council of Moreno Valley set and held a public hearing on March 27, 2012, in the Council Chambers of the City of Moreno Valley, City Hall, 14177 Frederick Street, Moreno Valley, to ascertain whether an underground utility district should be established along Nason Street from Cactus Avenue to Fir Avenue.

1.14 WHEREAS, written notice of the Public Hearing has been given to all affected property owners, as shown on the last equalized assessment roll, and to all utilities of concern.

1.15 WHEREAS, written notice of the Public Hearing has been published in a local newspaper of wide circulation.

1.16 WHEREAS, the Public Hearing has been duly and regularly held, and all persons interested have been given a reasonable opportunity to be heard.

SECTION 2 FORMATION OF UNDERGROUND UTILITY DISTRICT NO. ---

2.1 The City Council hereby finds and determines, based on the Public Hearing, including the staff report, that the conditions set out above exist within the proposed district, and that public necessity, health, safety, and welfare require, and that it is in the general public interest, that existing poles and overhead wires along Nason Street from Cactus Avenue to Fir Avenue be removed therefrom and thereafter be prohibited, and that the wires and associated facilities for transmitting, conducting, conveying, distributing, supplying, or providing electricity, light, power, telephone, communication, television, or other similar or associated service, be installed underground.

2.2 The City Council hereby declares that a certain area of the City of Moreno Valley shown on EXHIBIT "A-1," attached hereto, made a part hereof, and incorporated herein by reference is established as an underground utility district to be designated "UNDERGROUND UTILITY DISTRICT NO. ---" and hereby orders and requires that existing poles and overhead wires within said district be removed therefrom by the operators of the utilities and thereafter prohibited and that wires and associated facilities within said district for transmitting, conducting, conveying, distributing, supplying, or providing electricity, light, heat, power, telephone, telegraph, communication, television, or other similar or associated service, be installed underground.

2.3 Existing poles and overhead wires and associated facilities within said district for transmitting, conducting, conveying, distributing, supplying, or providing electricity, power, telephone, communication, television or other similar or associated service shall be removed by the operators of the utilities no later than December 31, 2013.

2.4 Wires and associated facilities within said district for transmitting, conducting, conveying, distributing, supplying, or providing electricity, power, telephone, communication, television or other similar or associated service shall be installed underground no later than December 31, 2013.

2.5 The Public Works Director / City Engineer is hereby empowered to extend the time for any act required under this ordinance and to authorize the phasing of utility relocation construction, including the temporary relocation of overhead facilities, as necessary.

2.6 That the Director of Public Works, within ten (10) days after the adoption of the ordinance, shall communicate this City Council action and deliver a City Clerk certified copy of the ordinance, to each of the affected utilities.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the City.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 841
Date Adopted: April 10, 2012

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 841 had its first reading on March 27, 2012 and had its second reading on April 10, 2012 and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem, and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 841
Date Adopted: April 10, 2012

ORDINANCE NO. 842

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION P10-050 FOR A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP214).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2. FINDINGS:

2.1 With respect to the proposed Specific Plan Amendment, and based upon substantial evidence presented to the City Council during the public hearing on March 27, 2012, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) applies to approximately 280 acres located generally between Moreno Beach Drive and Theodore Street and Brodiaea Avenue and Cactus Avenue.

2. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) and all related approvals including the text of the specific plan, the specific plan design manual and specific plan zoning. The repeal will not result in any internal inconsistencies within the City's existing General Plan. This amendment does not conflict with the Land Use Policies of the General Plan in terms of land use types and intensity of development and will provide for development consistent with and compatible with the existing General Plan. The repeal will not adversely affect public health, safety and welfare.

SECTION 3. SPECIFIC PLAN AMENDMENT:

3.1 The Cactus Corridor Specific Plan (SP 214) is repealed in its entirety including but not limited to the text of the specific plan, the specific plan design manual and specific plan zoning.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect upon the date of its adoption.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 842
Date Adopted: April 10, 2012

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on March 27, 2012 and had its second reading on April 10, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 842
Date Adopted: April 10, 2012

ORDINANCE NO. 842

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION P10-050 FOR A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP214).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2. FINDINGS:

2.1 With respect to the proposed Specific Plan Amendment, and based upon substantial evidence presented to the City Council during the public hearing on March 27, 2012, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) applies to approximately 280 acres located generally between Moreno Beach Drive and Theodore Street and Brodiaea Avenue and Cactus Avenue.

2. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) and all related approvals including the text of the specific plan, the specific plan design manual and specific plan zoning. The repeal will not result in any internal inconsistencies within the City's existing General Plan. This amendment does not conflict with the Land Use Policies of the General Plan in terms of land use types and intensity of development and will provide for development consistent with and compatible with the existing General Plan. The repeal will not adversely affect public health, safety and welfare.

SECTION 3. SPECIFIC PLAN AMENDMENT:

3.1 The Cactus Corridor Specific Plan (SP 214) is repealed in its entirety including but not limited to the text of the specific plan, the specific plan design manual and specific plan zoning.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

ATTACHMENT 2

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect upon the date of its adoption.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 842
Date Adopted: April 10, 2012

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on March 27, 2012 and had its second reading on April 10, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 842
Date Adopted: April 10, 2012

Zone Change

Repeal of Cactus Corridor Specific Plan

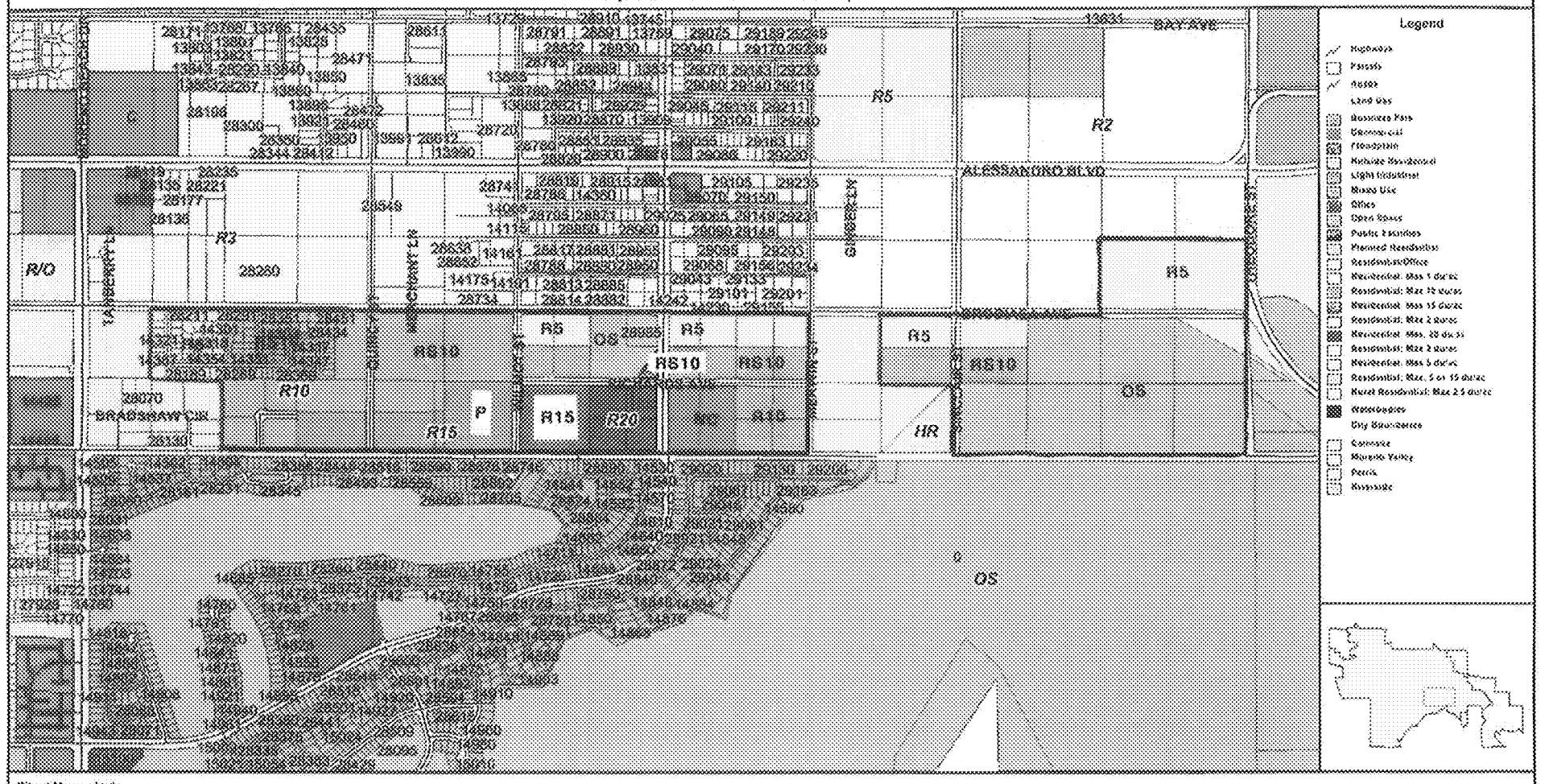

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92552

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

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Printed: 2/22/2012 12:00:20 PM

MORENO VALLEY

EXHIBIT A

MV00160471

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

April 10, 2012

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

William H. Batey II, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
Marcelo Co, Council Member

MV00160472

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 10, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing April is Child Abuse Prevention Month
2. Recognition of Rancho Verde High School CIF Championship
3. "Spotlight on Moreno Valley Business"
    a) Eastern Municipal Water District
    b) Café Gossip

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY MORENO VALLEY HOUSING AUTHORITY
AND BOARD OF LIBRARY TRUSTEES

THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

REGULAR MEETING - 6:30 PM
APRIL 10, 2012

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority, and Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Diane Gardner, Beautiful Women of God - Diane Gardner Ministries

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, City as Successor Agency for the Redevelopment Agency, Housing Authority or Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

A.3 AUTHORIZE CHANGE ORDER TO INCREASE PURCHASE ORDER WITH EASTERN MUNICIPAL WATER DISTRICT (EMWD) FOR THE SR-60/NASON INTERCHANGE PROJECT– PROJECT NO. 98-25897 (Report of: Public Works Department/CPD)

Recommendation:
Authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720).

A.4 APPROVAL OF THE 2012/2013 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2012/2013 in the amount of $548,506; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2012/2013.

A.5 AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL DESIGN CONSULTANT SERVICES TO RBF CONSULTING FOR THE ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD - PROJECT NO. 13-12566851 HSIPL-5441(050) (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project;

2. Authorize the City Manager to execute the Agreement for Professional Design Services with RBF Consulting;

3. Authorize the issuance of a Purchase Order to RBF Consulting in the amount of $137,027.00 when the Agreement has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with RBF Consulting, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

A.6 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO RASMUSSEN BROTHERS CONSTRUCTION, INC. FOR THE MORENO VALLEY POLICE DEPARTMENT TRAFFIC DIVISION OFFICE RENOVATION - PROJECT NO. 11-50182328 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation;

2. Authorize the City Manager to execute a contract with RBC;

3. Authorize the issuance of a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project.

A.7 AGREEMENT FOR REIMBURSEMENT OF TRANSPORTATION

UNIFORM MITIGATION FEE FUNDS BETWEEN RIVERSIDE COUNTY TRANSPORTATION COMMISSION AND THE CITY OF MORENO VALLEY FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE – PROJECT NO. 11-41570125 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project;

2. Authorize the City Manager to execute the Agreement between RCTC and the City of Moreno Valley;

3. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the TUMF Agreement between RCTC and the City of Moreno Valley for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, subject to the approval of the City Attorney;

4. Reappropriate $262,000 from Account No. 415.70225 (Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue) to Account No. 415.70125 (Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue); and

5. Authorize the revenue and expense budgets in the TUMF Capital Projects Fund (Fund 415) for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project in the amounts of $5,110,000, respectively, upon approval of the agreement for the reimbursement of TUMF funds between RCTC and the City of Moreno Valley.

A.8 AUTHORIZE THE FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH PARSONS TRANSPORTATION GROUP FOR SR-60/MORENO BEACH DRIVE PHASE 1 AND NASON STREET OVERCROSSING IMPROVEMENTS -- PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701 to finalize all design and right-of-way documentation for Caltrans

approval for the SR-60/Moreno Beach Drive Interchange Phase 1 and SR-60/Nason Overcrossing projects;

2. Authorize the City Manager to execute the Fifth Amendment to Agreement for Professional Consultant Services with Parsons;

3. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval; and

4. Authorize Change Orders to increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group totaling $680,000 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000) when the Fifth Amendment has been signed by all parties.

A.9 APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR PARTIAL ACQUISITION OF APN 297-170-077 FOR THE FIRE STATION NO. 65 PROJECT – PROJECT NO. 11-43472526 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project;

2. Authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526); and

3. Authorize the City Manager to execute said Agreement and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.

A.10 CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "SOBRIETY CHECKPOINT GRANT PROGRAM" (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) “Sobriety Checkpoint Grant Program” in the amount of $150,400 for the period beginning October 1, 2012 and ending September 30, 2013; and

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the Sobriety Checkpoint Grant Program in the amounts of $150,400, respectively, upon approval and acceptance of the grant from OTS.

A.11 CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "GME STEP PROGRAM" (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the California Office of Traffic Safety (OTS) grant in the amount of $129,870, entitled "GME STEP Program (Selective Traffic Enforcement Program)"; and

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the GME STEP Program (Selective Traffic Enforcement Program in the amounts of $129,870, respectively, upon approval and acceptance of the grant from OTS.

A.12 APPROVAL OF THREE-YEAR ENTERPRISE LICENSING AGREEMENT OF MICROSOFT LICENSES THROUGH COMPUCOM SYSTEMS, INC., UTILIZING THE COUNTY OF RIVERSIDE'S MICROSOFT ENTERPRISE MASTER AGREEMENT (Report of: Financial & Administrative Services Department)

Recommendation:

1. Waive formal bidding per Municipal Code Section 3.12.260 (Cooperative Purchasing);

2. Approve a three-year enterprise licensing agreement of Microsoft licenses through CompuCom Systems, Inc., utilizing the County of Riverside's Microsoft Enterprise Licensing Master Agreement;

3. Authorize the City Manager to execute the Microsoft Enterprise Master Agreement and any related documents required to effectuate participation in the Microsoft Enterprise Master Agreement; and

4. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to CompuCom systems to maintain the current licensing level at an annual cost not-to-exceed $115,000.

A.13 "IT'S UP TO US": A PEDESTRIAN SAFETY PUBLIC EDUCATION CAMPAIGN MINI-GRANT (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) grant in the amount not to exceed $4,999.99, entitled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant; and

2. Authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH.

A.14 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 21 – April 3, 2012.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

B.3 EXTENSION OF CONTRACT - APPROVE THIRD AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the Third Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:
   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months; and

   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND

NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:

1. After conducting the Public Hearing and accepting public testimony:

   Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 296-280-018;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the NPDES maximum

commercial/industrial regulatory rate to APN 296-280-018.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:

1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

   Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 296-280-018;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 296-280-018.

E.3 PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT NO. 3, THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY PROGRAM (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 3, the Community Development Block Grant - Recovery Program (CDBG-R);

2. Review and adopt the proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 3, the Community Development Block Grant - Recovery Program; and

3. Authorize the budget re-appropriation of $107,841 from account 199.19910.6849.002 (CDBG-R Eco Green Incentive) and $840 from account 199.19910.6849.003 (CDBG-R Employment Creation Manufacturing) to (new) ADA Park Improvements Project # 199.19910.6849.xxx.

E.4 PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN,

SUBSTANTIAL AMENDMENT NO. 2, THE HOMELESSNESS PREVENTION AND RAPID REHOUSING PROGRAM (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2011-12 Annual Action Plan Substantial Amendment No. 2;

2. Adopt the proposed Substantial Amendment No. 2; and

3. Authorize revenue and expense budget appropriations of $36,228 to accounts 198.1980.4610.1 and 198.19810.6847.003 (HPRP-Rental Assistance) respectively

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)

G.2 JULY 4TH UPDATE (ORAL PRESENTATION) (Report of: Parks and Community Services Department)

G.3 INSTALLATION OF SYNTHETIC TURF AT MARCH FIELD PARK (Report of: Parks and Community Services Department)

Recommendation: That the City Council and CSD:

1. Award to Field Turf USA, Inc. 8088 Mountview Road, Montreal, Quebec, CN for material and labor to install synthetic turf at March Field Park;

2. Authorize the issuance of a Purchase Order to Field Turf USA, Inc., in the amount of $196,667.00 ($178,788.50 for the bid amount plus 10% contingency) when the contract has been signed by all parties;

3. Authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Field Turf USA, Inc., up to but not to exceed the Purchase Order contingency of $17,878.50 subject to the approval of the City Attorney; and

4. Authorize the Parks and Community Services Director to accept the improvements into the CSD's maintained system upon acceptance of the improvements as complete.

G.4 INTRODUCTION OF ORDINANCE AMENDING CHAPTER 3.12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE CITY'S PURCHASING REGULATIONS (Report of: Financial & Administrative Services)

Recommendation: That the City Council:
Approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations.

Ordinance No. 844

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 3.12, Purchasing.

G.5 RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2012 TO DECEMBER 31, 2012 (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Serving as the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

   Adopt Resolution No. 2012-22 approving a Second Recognized Obligation Payment Schedule, for the period of July 1, 2012 to December 31, 2012;

   Resolution No. 2012-22

   A Resolution of the City Council of the City of Moreno Valley Serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley Approving Second Recognized Obligation Payment Schedule and Authorizing the Executive Director or his Designee to Make Modifications Thereto

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the ROPS to the Oversight Board for review and approval.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ORDINANCE NO. 841 - AN ORDINANCE OF THE CITY OF MORENO VALLEY ESTABLISHING AN UNDERGROUND UTILITY DISTRICT ALONG NASON STREET FROM CACTUS AVENUE TO FIR AVENUE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

Adopt Ordinance No. 841.

Ordinance No. 841

An Ordinance of the City of Moreno Valley Establishing an Underground Utility District Along Nason Street from Cactus Avenue to Fir Avenue

H.2 .2 ORDINANCE NO. 842 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION P10-050 FOR A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP214) (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

ADOPT Ordinance No. 842;

Ordinance No. 842

An Ordinance of the City Council of the CIty of Moreno Valley, California, Approving Application P10-050 for a Specific Plan Amendment to Repeal the Cactus Corridor Specific Plan (SP214)

H.2 .3 ORDINANCE NO. 843 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A

ZONE CHANGE (PA10-0027) TO ESTABLISH CITY LAND USE DESIGNATIONS FOR THE PROPERTIES WITHIN SP214 (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

ADOPT Ordinance No. 843.

Ordinance No. 843

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA10-0027) to Establish City Land Use Designations for the Properties Within SP214

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY AND HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/ City as Successor Agency for the Community Redevelopment Agency/Housing Authority or Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services, City as Successor Agency for the Community Redevelopment Agency and Housing Authority of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a) Case: *Ramirez V. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 1106011

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

4 SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

a) Property: SR60/Moreno Beach Drive Interchange Project (Phase 2)
City Negotiator: Ahmad Ansari

Under Negotiation:	Price and terms of payment
APN/Caltrans Parcel:	473-160-007, 473-160-008, 473-160-009, 488-270-022 and 488-270-023
Owner:	Julie Yu Chu (488-270-022 and 488-270-023)

b) Property: Ironwood Avenue Street Improvement from Heacock Street to Perris Boulevard
City Negotiator: Ahmad Ansari
Under Negotiation: Price and terms of payment
APN/Caltrans Parcel: 475-272-054
Owner: City of Moreno Valley

5 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00160489

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
March 27, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing the Moreno Valley Lions Club

2. Officer of the Quarter - Officer Victor Magana

3. Officer of the Year Investigator Duke Viveros

4. "Avoid the 30" DUI Program Award - Officers Dennis Pleta and Eric Robinson

5. Recognition of Mayor Pro Tem William H. Batey II for 15 Years of Service

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 27, 2012

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Housing Authority and the Board of Library Trustees was called to order at 6:31 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

Mayor Richard A. Stewart announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina

INVOCATION - Pastor Arnold Espinoza - Praise Chapel Christian Fellowship

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Council Member
William H. Batey II	Mayor Pro Tem
Robin N. Hastings	Council Member

Absent:

Marcelo Co	Council Member

Staff:

Jane Halstead	City Clerk
Kathy Gross	Executive Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager

John Anderson	Police Chief
Abdul Ahmad	Fire Chief
Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Interim Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY MORENO VALLEY HOUSING AUTHORITY BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 7-20, 2012.

A.4 FINAL MAP 32505--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN CITY OF MORENO VALLEY AND WESTERN PACIFIC HOUSING, INC. (Report of: Community & Economic Development Department)

Recommendation:
1. Approve the Maintenance Agreement by and between the City of Moreno Valley (City) and Western Pacific Housing, Inc.;

2. Authorize the Mayor to execute the Maintenance Agreement;

3. Authorize the City Attorney to work with Western Pacific Housing, Inc. and/or Mayfield Owners Association to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement;

4. Authorize the City Treasurer to invest the required Trust Funds pursuant to Section 8 of the Maintenance Agreement;

5. Authorize the City Manager to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and

6. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation.

A.5 PA02-0133 (Tract 31089) - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING JAFFA WAY, NAVEL AVENUE, SHALU AVENUE, CITRUS COURT, TANGERINE ROAD AND THE PORTIONS OF KITCHING STREET AND TUSCOLA STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BEAZER HOMES HOLDING CORP, BREA, CA 92821 (Report of: Community & Economic Development Department)

Recommendation:

1. Adopt Resolution No. 2012-17; and

Resolution No. 2012-17

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within PA02-0133 (Tract 31089) and Accepting Jaffa Way, Navel Avenue, Shalu Avenue, Citrus Court, Tangerine Road, and the Portions of Kitching Street and Tuscola Street Associated with the Project into the City's Maintained Street System

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

A.6 AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO HILLCREST CONTRACTING FOR THE COTTONWOOD AVENUE

IMPROVEMENTS FROM PERRIS BOULEVARD TO 650 FEET EAST - PROJECT NO. 12-41678528 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract for the Cottonwood Avenue Improvements (from Perris Boulevard to 650 Feet East) to Hillcrest Contracting, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hillcrest Contracting;

3. Authorize the issuance a Purchase Order to Hillcrest Contracting for the amount of $188,728.75 ($150,983.00 base bid amount plus 25% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hillcrest Contracting, up to but not to exceed the Purchase Order's total contingency amount of $37,745.75, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained roadway system, and release the retention to Hillcrest Contracting, if no claims are filed against the project.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF STREET IMPROVEMENTS FOR CITYWIDE SIDEWALKS AND ACCESS RAMPS CONSTRUCTED BY MORA'S EQUIPMENT & CONSTRUCTION, INC. - PROJECT NO. 10-12272227 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Street Improvements for Citywide Sidewalks and Access Ramps, constructed by Mora's Equipment & Construction, Inc.;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Mora's Equipment & Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO GOLDEN STATE CONSTRUCTORS, INC. FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS – PHASE II
PROJECT NO. 12-12566629 (Report of: Public Works Department/CPD)

Recommendation:

1. Waive any and all minor irregularities and award the construction contract for the Citywide Sidewalks and Access Ramps – Phase II to Golden State Constructors, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Golden State Constructors, Inc.;

3. Authorize the issuance of a Purchase Order to Golden State Constructors, Inc. for a total amount of $174,142.65 ($158,311.50 bid amount plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Golden State Constructors, Inc., up to but not to exceed the Purchase Order's total contingency of $15,831.15 subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to Golden State Constructors, Inc., if no claims are filed against the project.

A.9 AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO ELITE COMPANIES US FOR THE HEACOCK STREET SIDEWALK IMPROVEMENTS FROM ATWOOD AVENUE TO MYERS AVENUE
PROJECT NO. 12-12556333 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract for the Heacock Street Sidewalk Improvements from Atwood Avenue to Myers Avenue to Elite Companies US, Inc., the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Elite Companies US;

3. Authorize the issuance a Purchase Order to Elite Companies US for

the amount of $105,422.64 ($87,852.20 base bid amount plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Elite Companies US, up to but not to exceed the Purchase Order's total contingency amount of $17,570.44, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained roadway system, and release the retention to Elite Companies US, if no claims are filed against the project.

A.10 APPROVE AND EXECUTE THREE PUBLIC UTILITY EASEMENT DEEDS TO CONVEY PORTIONS OF PARCEL NO. 21447 (NO APN) AND PARCEL NO. 21459 (APN 488-330-001), AND APPROVE AND EXECUTE A GRANT DEED TO CONVEY A PORTION OF PARCEL NO. 21459 FOR THE SR-60/MORENO BEACH INTERCHANGE PROJECT (PHASE 1) - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve and authorize the City Manager to execute three easement deeds to convey rights across portions of Parcel No. 21447 (No APN) and Parcel No. 21459 (APN 488-330-001) to Southern California Edison and Eastern Municipal Water District for the SR-60/Moreno Beach Improvement Project (Phase 1); and

2. Approve and authorize the City Manager to execute a Grant Deed to Convey a Portion of Parcel No. 21459 (APN 488-330-001) to Caltrans upon completion of construction of the project.

A.11 PA01-0053 (PM 30472) PHASE 2B – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF A SEGMENT OF MODULAR WAY AND A SEGMENT OF KITCHING STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM MARCH 28, 2012 – AUGUST 28, 2012; DEVELOPER: WALGREEN CO., DEERFIELD, IL 60015 (Report of: Community & Economic Development Department)

Recommendation:

Authorize a full road closure of Modular Way from Kitching Street to approximately 800 feet west of Kitching Street and Kitching Street from approximately 350 feet north of Modular Way to approximately 1,500 feet south of Modular Way for the construction of street improvements from March 28, 2012 – August 28, 2012.

A.12 APPROVAL OF CHECK REGISTER FOR JANUARY, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2012-19, approving the Check Register for the month of January, 2012 in the amount of $11,915,839.98.

Resolution No. 2012-19

A Resolution of the City Council of the City of Moreno Valley, California Approving the Check Register for the Month of January, 2012

A.13 PM 30472 – (PHASE 2b) MODULAR WAY AND KITCHING STREET – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) EAST OF PERRIS BOULEVARD AT NANDINA AVENUE - DEVELOPER: WALGREEN CO., DEERFIELD, IL 60015 (Report of: Public Works Department/ Community & Economic Development Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for PM 30472 - Phase 2 Modular Way and Kitching Street;

2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and

3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.14 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2011.

A.15 RESOLUTION NO. 2012-21, AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH CALTRANS FOR TRANSPORTATION PLANNING GRANTS (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2012-21.

Resolution No. 2012-21

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City Manager to Execute Agreements with CalTrans for Transportation Planning Grants

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 13, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve Consent Calendar Items A.1 through D.2 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO ADOPT AN ORDINANCE TO ESTABLISH AN UNDERGROUND UTILITY DISTRICT - NASON STREET FROM CACTUS AVENUE TO FIR AVENUE (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

1. Conduct the public hearing and accept public comments, for consideration of the establishment of an underground utility district along Nason Street from Cactus Avenue to Fir Avenue; and

2. Introduce Ordinance No. 841.

Ordinance No. 841

An Ordinance of the City of Moreno Valley Establishing an Underground Utility District Along Nason Street from Cactus Avenue to Fir Avenue

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Russell Miller.

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem William H. Batey II
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E.2 FY 2012/13 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for CDBG and the HOME grant programs to allow public comment on the proposed FY 2012/13 programs; and

2. Review and select programs for funding for social service, housing, and economic development activities to be included in the City's FY 2012/13 Annual Action Plan.

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Karyn Young-Lowe.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E.3 A PUBLIC HEARING ON A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP 214) AND ESTABLISH CITY ZONING DESIGNATIONS FOR THE AREA (P10-050, PA10-0026, PA10-0027). THE CACTUS CORRIDOR SPECIFIC PLAN IS LOCATED GENERALLY BETWEEN MORENO BEACH DRIVE, THEODORE STREET, BRODIAEA AVENUE AND CACTUS AVENUE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing, RECOGNIZE that applications P10-050 (Specific Plan Amendment), PA10-0026 (General Plan Amendment) and PA10-0027 (Zone Change) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. INTRODUCE Ordinance No. 842;

   Ordinance No. 842

   An Ordinance of the City Council of the CIty of Moreno Valley, California, Approving Application P10-050 for a Specific Plan Amendment to Repeal the Cactus Corridor Specific Plan (SP214)

3. ADOPT City Council Resolution No. 2012-20; and

   Resolution No. 2012-20

   A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0026) to Make Minor Changes to Establish Land Use Designations for Certain Properties Within SP214

4. INTRODUCE Ordinance No. 843.

   Ordinance No. 843

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA10-0027) to Establish City Land Use Designations for the Properties Within SP214

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Ryan Thomas (Support Item), Allan Smiley, Seval Haley and Craig Haley.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

E.4 GENERAL PLAN AMENDMENT/SPECIFIC PLAN 208 AMENDMENT TO MODIFY THE CIRCULATION PLAN AND CIRCULATION EXHIBIT, RESPECTIVELY (PA12-0001) (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

After conducting a public hearing to consider the action taken by the Plannig Commission on February 9, 2012, recommending approval of a General Plan Amendment and Specific Plan 208 Amendment (PA12-0001), and subsequent to the public hearing, Approve the proposed City Council Resolution No. 2012-18, thereby ADOPTING a Negative Declaration for PA12-0001 in that the project will not result in significant environmental impacts, and APPROVING the General Plan Amendment and Specific Plan 208 Amendment (PA12-0001), based on the findings in the City Council Resolution.

Resolution No. 2012-18

A Resolution of the City Council of the City of Moreno Valley, California Approving a General Plan Amendment and Specific Plan 208 Amendment (PA12-0001) to Modify the City Circulation Plan and Circulation Exhibit, Respectively

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

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

None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a) Report by Council Member Council Member Jesse L. Molina on the Riverside Transit Agency (RTA)

Jesse Molina gave an update on RTA, stating February was a high record for RTA. Additionally, RTA, in honor of their 35-year Anniversary, invites all to join them in the celebration by submitting photographs of yourself, family and friends while taking a trip on a bus and get the chance of winning a 30-day pass as well as having your pictures placed on their website. RTA began in 1977 and is incorporating a 70's scene, although it's not required for winning the contest.

A bus driver, Mr. Charles, was recognized for finding a purse that had been lost on March 6, 2012.

RTA is applying for a 4.8 million dollar Federal Clean Fuel Grant to help replace the aging fleet.

RTA's Chief Executive Officer, Larry Rubio, was named Manager of the Year.

G.2 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 296-280-018 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

G.3 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:
Accept public comments regarding the mail ballot proceeding for APN 296-280-018 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.4 FIRST AMENDMENT TO AGREEMENT WITH FALCON ENGINEERING SERVICES INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE SR-60/NASON OVERCROSSING PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

1. Authorize the "First Amendment to Agreement for Professional Consultant Services, Transportation Uniform Mitigation Fee (TUMF) – Zonal" (First Amendment) with Falcon Engineering Services, Inc. (Falcon), to provide construction management services for the SR-60/Nason Bridge project for $1,942,779;

2. Authorize the City Manager to execute said First Amendment with Falcon;

3. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval;

4. Authorize a Change Order to increase Purchase Order No. 42266 with Falcon by $1,942,779 from Account No. 797.79718.7200 once the First Amendment has been signed by all parties; and

5. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the contract with Falcon within the authorized purchase order amount subject to the approval of the City Attorney.

Mayor Richard A. Stewart opened the agenda item for public comments, which was received from Deanna Reeder.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 2.26 OF

TITLE 2 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE ARTS COMMISSION, BY INCREASING THE NUMBER OF MEMBERS SERVING TO NINE PUBLIC MEMBERS, TO INCLUDE TWO TEEN MEMBERS (RECEIVED FIRST READING AND INTRODUCTION ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Parks and Community Services Department)

Recommendation: That the City Council:

Adopt Ordinance No. 839.

Ordinance No. 839

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 2.26 of Title 2 of the City of Moreno Valley Municipal Code, Relating to the Arts Commission, by Increasing the Number of Members Serving to Nine Public Members, to Include Two Teen Members

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

H.2 .2 ORDINANCE NO. 840 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, EXTENDING THE EXPIRATION DATE OF CERTAIN DISCRETIONARY PERMITS OR ENTITLEMENTS WITH A VALID ENTITLEMENT AS OF JANUARY 1, 2011 (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 13, 2012 BY A 4-0-1 VOTE, BATEY ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 840.

Ordinance No. 840

An Ordinance of the City Council of the City of Moreno Valley, California, Extending the Expiration Date of Certain Discretionary Permits or Entitlements with a Valid Entitlement as of January 1, 2011

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Marcelo Co absent.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Adolf Kruger

1. Skechers
2. Automation - Loss of Jobs
3. MVPD Corruption

Deanna Reeder

1. RDA Oversight Board
2. Public Comments Location on Oversight Board Agenda

Pete Bleckert

1. Choke Points

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY MORENO VALLEY HOUSING AUTHORITY BOARD OF LIBRARY TRUSTEES

Jesse Molina

1. Roads moving at a faster pace
2. United Council
3. Vietnam - Wall that Heals
4. Moreno Valley Beauty Pageant - www.valleyqueens.org (September 2012)
5. Recently attended a Senior Center meeting. Request of Media - requests computer classes on TV for seniors

6. Future Surveillance Camera at Senior Center - Request to be first to receive

Robin Hastings

1. VVHS very first Mr. Eagle Contest - Renaissance Program
2. Congratulations to Michael Curry who is the first Mr. Eagle
3. Vietnam - Wall that Heals - Part of the Welcome Home Vietnam Vets
4. Relay for Life - April 14th at VVHS
5. Health & Safety Fair - April 28th at the MV Auto Mall
6. Congratulations to my son, James, finished his last class today and will receive his degree in Information Technology from University of Kentucky
7. Congratulations to my daughter, Julie, for putting an offer on her first home here in Moreno Valley
8. To my husband, celebrating our 41st Wedding Anniversary - You're the Best

William H. Batey

1. Vietnam - Wall that Heals - Kudos to Robin Hastings for beginning the Readings today
2. Soon will be Presenting the winners of our Reading Contest

Mayor Richard A. Stewart

1. Oversight Board not a "Rubber Stamp". Example: The MJPA Oversight Board loaned Redevelopment Agency at March Joint Powers 3 1/2 million dollars; RDA has been paying back slowly, now State Treasurer disapproved and said it was a gift. This money is needed to keep their operation running. The City has a lot more substantial debt and may be faced with not being paid back. The Oversight Board is not a de novo look at expenditures - they're not the ones doing the work, but rather the ones overseeing the work to be done.

2. Construction taking place outside of Conference Recreation Center Ballroom - trying to make it more rentable. Parks & Community Services Director Mike McCarty provided explanation that the concrete tiles and grass area will be replaced with a color concrete slab; removal and replanting of the trees to allow for the possibility of big tents or Gazebos; grass will be planted around parameter; and a mural will be placed at the entrance way representing Moreno Valley's history. This will help with renting for future weddings and big events, generating more revenue for the City.

CLOSED SESSION

The Closed Session was held in the City Manager's Conference Room will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: City Manager Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: City Manager Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: City Manager Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:00 p.m. by unanimous informal consent.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Secretary, Housing Authority
Secretary, Board of Library Trustees

Approved by:

_____

Mayor Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Housing Authority
Chairperson, Board of Library Trustees

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MV00160509

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH EASTERN MUNICIPAL WATER DISTRICT (EMWD) FOR THE SR-60/NASON INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720).

BACKGROUND

The overall purpose of the SR-60/Nason Street Interchange Improvements project is to improve the interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated traffic demand.

The City Council approved a "Reimbursement Agreement -- Relocation of Waterline within Fir Avenue" with EMWD on March 10, 2009, for abandonment of the existing waterline along SR-60 and construction of a replacement line in Fir Avenue. On December 8, 2009, the City Council approved a "Reimbursement Agreement – Relocation of Waterline Valves" with EMWD for the relocation of remaining facilities in the vicinity of the project, including valves along the right shoulder of eastbound SR-60. The Council authorized a purchase order for the Fir Avenue agreement, and an increase to the purchase order for the valve agreement. The Fir Avenue work was completed by EMWD in August 2009. The valve relocation work was advertised by EMWD in July 2011. The total amount of the work completed is nearing the authorized

purchase order amount, and in accordance with the agreements, the City had committed to increasing the funds when necessary.

DISCUSSION

The valve agreement identified responsibilities between the City and EMWD for relocation of two 12" water mainline valve clusters, construction of a 24-inch waterline under the freeway to facilitate relocation and provide an upgraded crossing for EMWD, and related valve/shutdown locations. In August 2011, EMWD awarded a contract to Genesis Construction for all the work. The City's total for the valve work based on the low bid amount was $318,321 (including EMWD administrative costs). Construction started in mid-October 2011 and was anticipated to be completed in late June 2012. EMWD's contractor is proceeding diligently with the work in order to keep pace with the City's 60/Nason interchange project. At several excavation locations, the contractor encountered differing existing waterline configurations than anticipated. He proposed alternate routings, which EMWD and the City have agreed with. Even with the differing conditions, the work is two months ahead of schedule. The two valve clusters adjacent to the 60/Nason project are expected to be completed ahead of schedule, with the overall EMWD contract being complete by late April 2012.

The City is responsible for all costs associated with relocating the valves outside State right of way, as well as proportional shares of EMWD construction administration, surveying and materials testing. Terms of the agreement allow for adjustments based on actual costs and changes during construction. Based on a current total of construction costs and changes, the value of the City's work is projected to exceed the authorized purchase order amount. In accordance with the valve agreement, each party will request additional funds when the costs are projected to exceed the authorized funding. In order to provide sufficient funding authority to support EMWD, a change order to increase the purchase order by $70,000 is needed. There may be additional costs for which the City is responsible, including future construction change orders and EMWD administrative costs, which will be evaluated when presented by EMWD.

ALTERNATIVES

1. Authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720). *This alternative allows the City to complete the SR-60/Nason Street Interchange Improvements Project on schedule.*

2. Do not authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720). *This alternative will delay completion of needed utility relocations for the SR-60/Nason Street Interchange Improvements Project.*

FISCAL IMPACT

The City Council approved $177,120 ($147,600 plus $29,520 contingency) on March 10, 2009, and $368,000 ($320,000 plus $48,000 contingency) on December 8, 2009 for a total authorized amount of $545,120. The Fir Avenue work was completed for $147,600 within the original budget and the $29,520 contingency remained available. City-estimated costs to date are approximately $540,000 ($147,600 paid for Fir, $318,000 for valve low bid, and $75,000 in change orders). The $70,000 increase to the purchase order brings the total amount to $615,120. The project is currently funded using federal Surface Transportation Program, federal Transportation Efficiency Act of the 21st Century, matching toll credits, Measure "A," and DIF Interchange funds. There are sufficient funds within the project budget for the request.

All funding sources for this project are restricted for capital improvements related to transportation projects or for the SR-60/Nason interchange and cannot be utilized for operational activities. There is no impact to the General Fund.

FY 2011/2012 BUDGETED FUNDS - SR-60 / Nason Street Interchange

TEA 21 Demonstration Funds (125.66929)	$ 2,254,000
STPL Discretionary Funds (125.67029)	$ 6,571,000
STPL Toll Credit (125.67030)	$ 754,000
Demo Toll Credit (125.66930)	$ 563,000
Measure "A" Funds (125.89720)	$ 381,000
DIF Interchange Improvement Funds (418.83630)	$ 1,740,000
Total Available Funds	$12,263,000

FY 2011/2012 ESTIMATED CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$ 7,000,000
Construction Management & Inspection Services	$ 1,000,000
Construction Support Services (Geotechnical & Survey)	$ 300,000
Construction Support Services (Design firm)	$ 100,000
EMWD Utility Relocation*	$ 398,000
EMWD Utility Relocation (current request)	$ 70,000
Administrative Costs (Staff & Miscellaneous)	$ 100,000
Total Estimated Costs	$ 8,968,000

**Balance of previous funding authorizations for EMWD*

PROJECT SCHEDULE

Interchange Construction End Date ..... March 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

As the EMWD relocation for the SR-60/Nason Interchange Improvements project nears completion, the value of the City's work is projected to exceed the authorized purchase order amount. In accordance with the approved agreement, the City will request additional funds when the costs are projected to exceed the authorized funding. An increase of $70,000 to the purchase order is needed in order to provide sufficient funding authority to support EMWD.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 10, 2012

TITLE: APPROVAL OF THE 2012/2013 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2012/2013 in the amount of $548,506; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2012/2013.

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152. On October 26, 2010, the City Council authorized the Mayor to execute a new Administrative Services Agreement.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2012/2013 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2012/2013.

The revenues collected will normally increase even if the charge for the annual assessment remains constant, as a result of new development. This occurs because the total number of properties paying the assessment increases each year.

Current information provided by the County of Riverside Economic Development Agency and staff indicates an increase in the FY 2012/2013 CSA 152 projected revenues of $10,953 from the current fiscal year projected revenues. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2012/2013 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2012
2.	First installment to City	January 2013

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $37,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2012/2013 in the amount of $548,506 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2012/2013. *Approval of this alternative assures that a portion of the funds necessary to support the various storm water management and maintenance programs for the City will continue to be collected.*

2. Do not approve the CSA 152 Budget for FY 2012/2013 in the amount of $548,506, and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2012/2013. *This alternative does not provide for the collection of the assessment on the annual tax rolls, that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 Budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2012/2013 City budget process.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the CSA 152 budget will help relieve the burden on fund transfers.

The CSA levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.
- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 Budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2012/2013

staff is recommending Council adopt the CSA 152 Budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Barry Foster
Community & Economic Development Director

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00160519

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL DESIGN CONSULTANT SERVICES TO RBF CONSULTING FOR THE ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD – PROJECT NO. 13-12566851 HSIPL-5441(050)

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project.

2. Authorize the City Manager to execute the Agreement for Professional Design Services with RBF Consulting in the form attached hereto.

3. Authorize the issuance of a Purchase Order to RBF Consulting in the amount of $137,027.00 when the Agreement has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with RBF Consulting, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

BACKGROUND

On December 13, 2011, the City Council accepted a California Department of Transportation (Caltrans) Highway Safety Improvement Program (HSIP) Cycle 4 grant award of up to $900,000 in funds for the Alessandro Boulevard Median between Indian Street and Perris Boulevard project and authorized the $1,000,000 appropriation of

unencumbered Measure "A" funds (Fund 125) for the design and construction costs of the project.

DISCUSSION

A safety analysis identified a high rate of collisions, including pedestrian collisions, along Alessandro Boulevard between Indian Street and Perris Boulevard. In order to address this, the project will install/construct the following:

- A raised median along Alessandro Boulevard from 350 feet east of Indian Street to Perris Boulevard.
- Install a traffic signal at the intersection of Alessandro Boulevard and Covey Quail Lane and construct ADA compliant pedestrian access ramps.
- Construct dual left turn lanes in the eastbound and westbound directions of Alessandro Boulevard at Perris Boulevard, modify the existing traffic signal, and construct ADA compliant pedestrian access ramps.

The raised median along Alessandro Boulevard is anticipated to reduce the collision rates. The proposed traffic signal at Alessandro Boulevard and Covey Quail Lane will assist pedestrians crossing Alessandro Boulevard from the residential area on the north to the commercial centers on the south. Finally, the improvements at Perris Boulevard and Alessandro Boulevard are anticipated to enhance pedestrian mobility through the intersection and reduce congestion.

In order to proceed with the planning and design efforts for the proposed improvements along Alessandro Boulevard, staff solicited proposals from professional design consultants. Requests for Proposals for Professional Design Services were requested by mass email to a list of several hundred professional consultants within the City's database, posting to the City Website, and advertisement in the Press Enterprise. Eight (8) firms responded by submitting proposals. A Selection Review Committee, comprised of Public Works Staff Engineers, reviewed and rated all proposals, based on qualification based selection criteria. After interviewing the three (3) top rated firms, RBF Consulting was selected as the most qualified consultant to complete the subject project.

The Consultant will provide design services in two (2) progressive phases: Phase 1 – Preliminary Concept Design, Environmental, and 35% Level Completion; Phase 2 - 100% Level PS & E Completion and Construction Bidding Services. Upon City Council approval of the Agreement for Professional Design Services with RBF Consulting, the City will issue a Notice to Proceed for Phase 1 (35% plans, Summary Memorandum, and Caltrans acceptance of environmental documentation) only. Upon successful completion of Phase 1, the City may issue written authorization to proceed with Phase 2 (Final PS & E) or terminate the contract.

ALTERNATIVES

1. Approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project, authorize the City Manager to execute the Agreement for Professional Design Services with RBF Consulting in the form attached hereto, authorize the issuance of a Purchase Order to RBF Consulting in the amount of $137,027.00 when the Agreement has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with RBF Consulting, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney. *This recommendation will allow for the design of the much needed improvements along Alessandro Boulevard and meet HSIP grant schedule requirements.*

2. Do not approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project. *This alternative will delay the design for the much needed improvements along Alessandro Boulevard and will put the HSIP grant monies at risk.*

FISCAL IMPACT

The City of Moreno Valley will fund the design and construction with Measure "A" Funds (Fund 125). The HSIP grant will provide reimbursement of up to 90%. There is no impact to the General Fund.

BUDGETED FUNDS FOR ALESSANDRO BOULEVARD MEDIAN / INDIAN STREET TO PERRIS BOULEVARD:

Fiscal Year 2011/2012 Budget (Account No. 125.66850)	$900,000
Fiscal Year 2011/2012 Budget (Account No. 125.66851)	$100,000
Total Project Budget	$1,000,000

ESTIMATED PROJECT COSTS:

Design Consultant Costs	$137,000
City Design Support Costs	$13,000
Construction and Construction Management Costs	$850,000
Total Estimated Project Costs	$1,000,000

ANTICIPATED PROJECT SCHEDULE

Preliminary Engineering and Environmental Clearance Complete	October 2012
PS&E Complete	December 2012
Receive Caltrans Authorization for Construction	April 2013
Award Construction Contract	July 2013
Complete Construction	December 2013

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The proposed improvements will install a raised median along Alessandro Boulevard between Indian Street and Perris Boulevard, install a traffic signal at Alessandro Boulevard and Covey Quail Lane, and modify the existing traffic signal at Alessandro Boulevard and Perris Boulevard. Staff recommends award of the agreement to RBF Consulting, based on a qualification based selection process.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with RBF Consulting

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

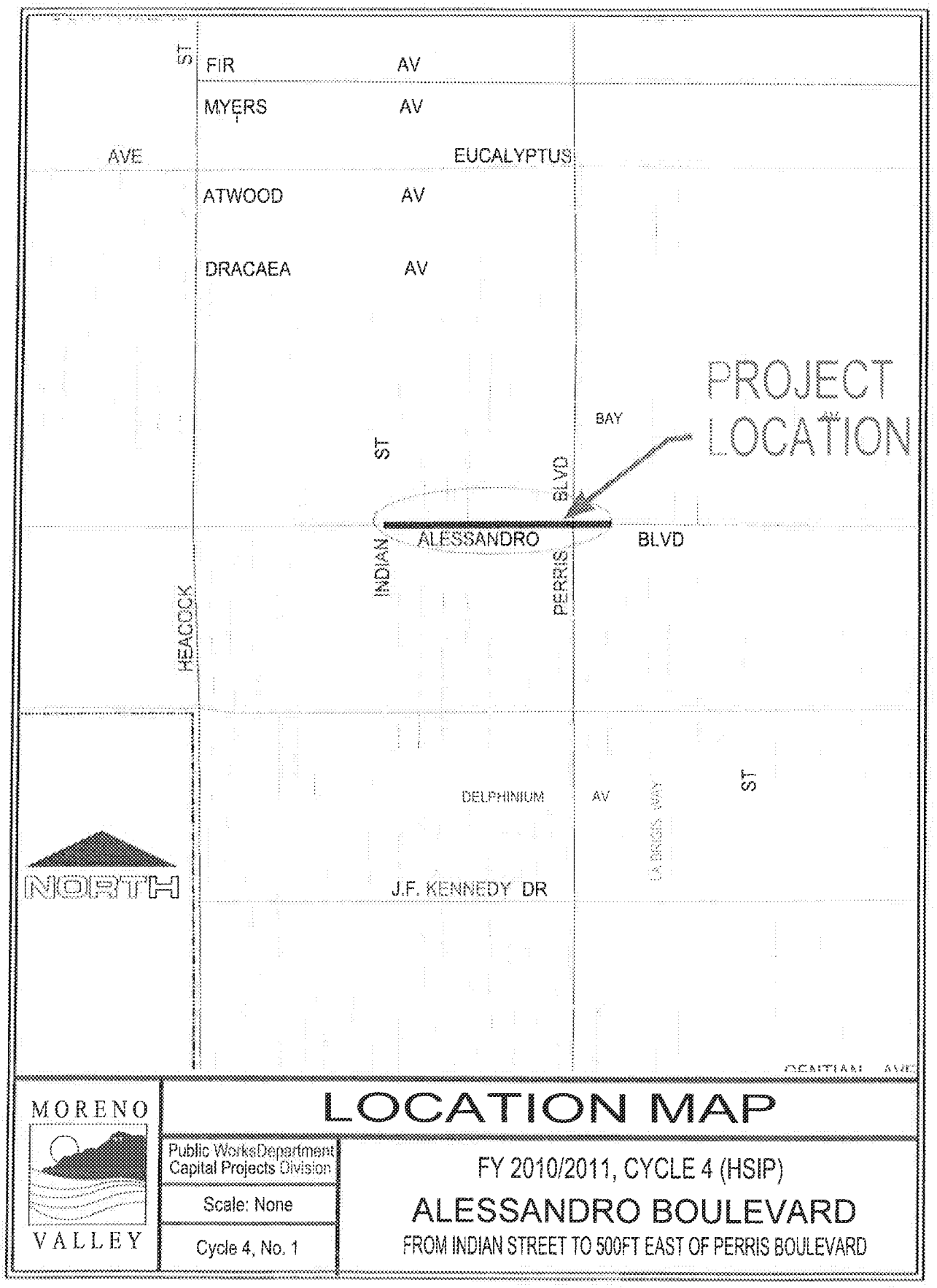

Attachment "A"

Item No. A.5

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MV00160525

AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES
PROJECT NO. 13-12566851

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and RBF, Consulting, a (California corporation) hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

DESCRIPTION OF PROJECT

1. The project is described as professional consultant design services for:

ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD

Project No. 13-12566851

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$137,027.00** in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **June 30, 2013** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the

responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other

obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents, or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant, its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, MVHA and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) The City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents shall be named

as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that

cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other work without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either

written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree that, to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this

Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

SIGNATURE PAGE FOLLOWS

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

RBF Consulting

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule
Exhibit "F" – Certificate of Consultant
Exhibit "G" – Certificate of Local Agency

REQUEST FOR PROPOSAL
FOR PROFESSIONAL DESIGN CONSULTANT SERVICES

ALESSANDRO BOULEVARD MEDIAN
FROM INDIAN STREET TO PERRIS BOULEVARD
PROJECT NO. 13-12566851
HSIPL-5441(050)

I. INVITATION

Your firm is hereby invited to submit a proposal for professional consultant services for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project.

Four copies (one (1) of the copies will be unbound and paper clipped, with no tabs, holes, perforations, or cardboard inserts, suitable for copying with an automatic-feed copy machine) of your proposal shall be submitted no later than **5:00 p.m., February 23, 2012**, addressed to Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (mail delivery), Attention: Michael Lloyd, Senior Engineer (Contract Administrator).

II. PROJECT DESCRIPTION

This project will install a hardscaped raised median along Alessandro Boulevard from Indian Street to approximately 500' east of Perris Boulevard, install a new traffic signal at Alessandro Boulevard/Covey Quail Lane, install ADA compliant pedestrian ramps at Alessandro Boulevard/Covey Quail Lane, install eastbound and westbound dual left turn lanes at Alessandro Boulevard/Perris Boulevard, modify the existing traffic signal at Alessandro Boulevard/Perris Boulevard, install ADA compliant pedestrian ramps at Alessandro Boulevard/Perris Boulevard, and revise signing and striping.

Background

Alessandro Boulevard is designated as a Divided Major Arterial with a cross section of 110 feet curb face to curb face and 134 foot right-of-way, also designated as a truck route. To the south of Alessandro Boulevard along the project segment are commercial uses. To the north of Alessandro Boulevard along the project segment are single family residential units with commercial uses at the major intersections.

Along the project segment of Alessandro Boulevard, the roadway is built to its ultimate width curb to curb with a painted median for a majority of the segment. Sidewalk exists on both sides of Alessandro Boulevard. RTA bus route #20 currently has stops along the project segment. A SCAG Compass Blueprint study was recently completed for the Alessandro Boulevard corridor.

No additional right of way is anticipated for the project. Utility adjustments such as adjusting pullboxes to grade may be required.

III. PROJECT FUNDING AND SCHEDULE

The Project (planning, environmental, and design) is funded by the Federal Highway Safety Improvement Program (HSIP) under the jurisdiction of Caltrans District 8 Local Assistance

Exhibit "A"

with the City matching funds from Measure A (1/2 Cent Local Sales Tax). It is imperative that all activities associated with this project conform to the Caltrans Local Assistance Procedures Manual, otherwise, funding will be jeopardized.

SCHEDULE

The City's tentative schedule is the following:

Proposals due:	February 23, 2012
Award of Consultant Contract:	April 24, 2012
Preliminary Engineering and Design:	May 2012 to December 2012
Advertise for Construction:	April 2013
Award Construction Contract:	July 2013
Construction:	August 2013 to December 2013

IV. SCOPE OF ENGINEERING SERVICES

The scope of work consists of three (3) phases. The first phase of the work will be the planning/environmental, the second phase will be the design (PS&E), and the third phase will be the construction support. The work shall be in accordance with the requirements of the Caltrans Local Assistance Procedures Manual, City of Moreno Valley standards, Caltrans standard plans (latest version), and the California Manual on Uniform Traffic Control Devices (latest version).

A. GENERAL

1. Meetings

As a minimum, the Consultant shall schedule and attend meetings in the planning phase as follows:

1. Kickoff meeting including sub-consultants (if any).
2. Project Development Team (PDT) meetings, monthly.
3. Attend monthly Alessandro Boulevard Median PDT meetings.
4. Environmental Meetings.
5. City Council Meeting/Council Study Session
6. Other meetings as necessary such as, but not limited to, agencies, field reviews, utilities, and meetings with individuals/property owners/business owners.

The Consultant shall schedule, chair, and prepare meeting agendas and minutes for all meetings. The agendas are to be submitted to the City for review five (5) working days before the meeting. The minutes shall be distributed to all attendees, everyone who was invited, and the City's Project Manager within five (5) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phone numbers

and E-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to action items.

2. Schedule

The project schedule shall be developed by the Consultant for the design and construction utilizing Microsoft Project®. The schedule shall be provided to the City in both digital and hard copy. An updated schedule is to be handed out during the PDT Meetings.

The project schedule shall be divided into tasks and subtasks in full detail including, but are not limited to, City function timeline, critical path, and other outside sources such as agencies or utilities. Some of the tasks shall be, but are not limited to, planning, environmental, design, relevant City Council meetings, Caltrans review, advertising, and construction. The schedule is to indicate anticipated durations for all tasks.

B. PHASE I – PLANNING, ENVIRONMENTAL, AND CONCEPTUAL DESIGN (35% COMPLETE)

1. Report of Project Issues

The consultant shall provide a Report of Project Issues based on the findings of research and investigation of record information. The report, at a minimum, shall include, but not be limited to, the following:

a. The report shall itemize the results of all research and investigation including cataloging the sources of information.

b. Identify locations of potential conflicts or constraints that may impact the design of the project.

c. Identify conflicts of potholed underground utilities and overhead improvements.

d. Identify right-of-way, easement and environmental constraints.

2. Research of Record Information

a. The Consultant shall provide engineering services related to the research and investigation of utility company and agency records to secure all the information required to identify, locate and accurately lay out all underground improvements, easements, centerline, right-of-way and private property lines. The research should include, but not be limited to, utility maps and street improvement plans.

b. The City will provide copies of available pertinent City records, such as survey ties, benchmarks, street plans, tract and parcel maps the City knowingly has in its possession.

3. **Environmental**

The environmental procedures shall be in compliance with the Caltrans Local Assistance Procedures Manual (LAPM). The Preliminary Environmental Study (PES) with comments and photographs; Natural Environmental Study (NES); and required maps/documents at a minimum will be submitted to Caltrans. The Consultant shall prepare, submit, and coordinate with Caltrans through final approval of the environmental document on behalf of the City. The City will review all documents before submission to Caltrans.

The Consultant shall ensure complete environmental documents and reports are submitted for review. The Consultant shall address all comments generated by the City and/or Caltrans in order to receive a final approval.

Should the Consultant believe that further environmental study is needed, the Consultant shall meet with City Staff to identify the additional work and applicable resource/regulatory agencies involved. Consultant shall submit the estimated cost and schedule to prepare the additional environmental studies and/or report, permit applications, or other materials to obtain clearance through all applicable agencies for the project.

4. **Surveying and Topographic Mapping**

The Consultant shall perform all surveys necessary for the concept drawings and the design of the project establishing a uniform stationing on all streets, increasing northerly and easterly.

The Consultant shall provide cross-sections at fifty feet intervals on center within the project limits. The cross sections shall be incorporated in the design plans for construction bidding purposes.

The Consultant shall collect field survey data necessary for the design of the proposed improvements along the roadway which shall include the preparation of topographic base mapping through field survey methods. The field survey data shall be compiled to develop a topographic base map of the project area.

Topography shall include, but not be limited to, all features within the right of way and 25 feet beyond. The topography shall extend a minimum of 100 feet beyond the limits along Alessandro Boulevard at the intersections of Alessandro Boulevard/Covey Quail Lane and Alessandro Boulevard/Perris Boulevard.

Field survey information shall also include all features within and around the project area, and the existing roadway profile and pavement limits. The consultant shall perform detailed surveying work, including the tie-out of any and all existing survey centerlines and property corner monuments that could be disturbed and affected by the proposed work.

The survey topography shall be submitted in ASC II format on CD-ROM and a hard copy plot provided using AutoCAD Land Development or compatible software approved by the City. Survey points with coordinates, elevations, and description key shall be AutoCAD

Land Development Standard Survey Descriptions only, no other survey description will be allowed.

The Consultant shall indicate on the plans the stationing of all intersections, and the beginning or end of curves. Survey monuments and monument wells shall be noted for preservation and where missing installed per City standards by the Contractor. The setting or marking of the actual monuments setting or marking shall be performed by a land surveyor contracted by the City during or at the end of Construction, and a Record of Survey shall be submitted to the City. These items must be quantified and shown on the Improvement Plans, Specifications, and Estimate. The Consultant shall note that the Construction Contractor shall be responsible for replacing disturbed monuments or ties after construction is completed.

5. Existing Utilities Research

The Consultant shall conduct existing utility research for all utilities within the project limits to identify, locate, and accurately lay out all underground improvements.

The Consultant shall determine which utility is to receive notification, address the utility notification letters and provide the City with a copy of the letters. The City will print on City letterhead, mail to the respective utility and provide the Consultant with a copy of the letter and response. The utility letters comprise of first utility notice letter (Preliminary Project Notice) with response form, second utility notice letter (Prepare to Relocate) with response form, third utility notice letter (Notice to Relocate), and fourth utility notice letter (Notice to Relocate Immediately) will be forwarded to the Consultant. The Consultant may also need to call the utility companies, as necessary, until a written response form is received from each potentially conflicting utility.

The Consultant shall positively locate all utilities in accordance with Caltrans policy on High and Low Risk Utilities.

The Consultant shall identify all utilities that could potentially conflict with the planned project, and determine special requirements for facilities including protection, relocation, right-of-way, easements, and construction. The Consultant shall coordinate with the utility companies to schedule the relocation of the utilities prior to the start of construction.

6. Utility Potholing

The Consultant shall pothole all underground utilities to determine the depth for clearance or conflicts for any underground improvements such as gas lines, telephone lines, electrical lines, sewer lines, water lines, storm drain lines, etc. The Consultant shall submit to each utility company a preliminary set of plans that provide the location, elevation of the utility, and the elevation of the improvement with the conflict area clouded to show the utility companies the areas of conflict with the proposed improvement. The potholing information and plan shall be submitted to the City after completion of that task. If an area of possible conflict was not potholed, the Consultant shall pothole the area to verify no conflicts, at **no** cost to the City. Potholes shall be repaired per City Standard Plan No. 602D.

It will be the responsibility of the Consultant to notify Underground Service Alert and provide traffic control during potholing operation

7. **Right-of-Way**

The Consultant is required to perform basic right-of-way research to ensure any needed right-of-way acquisitions are identified and provide Right-of-Way Certification for Caltrans project clearance for authorization to proceed to construction. The Consultant shall prepare base sheets showing existing property lines with all right-of-way and easement areas, assessor's parcel numbers, addresses, owners and/or types of businesses.

a. The Consultant shall perform research for all outstanding offers of dedication.

b. The Consultant shall prepare all documents necessary for temporary construction easements and the City will have the documents executed by the affected property owners. This function must be completed at least thirty (30) days prior to finalizing plans and specifications for bidding purposes.

c. The Consultant shall identify all utilities that have prior rights.

8. **Preliminary Design (Conceptual Layout Plans, 35%)**

The Consultant shall prepare conceptual layout plans showing the raised median, striping, tentative traffic signal pole locations, and locations for ADA compliant pedestrian access ramps. See **Exhibit "A"** for General Design Submission Requirements.

9. **Submittals**

a. The Consultant shall submit five (5) sets of bond copies of the preliminary design drawings with each submittal for checking by the City, along with the previous red-lined check prints. The Consultant shall perform quality control on all submittals. The design drawings should be as complete, accurate, and error-free as possible before plan checking is considered, in order to reduce the number of plan checks required and related costs therefore to the City and Consultant.

b. The Consultant shall, at no additional cost to the City, correct errors, omissions, and unworkable and/or improper design/drafting on the original drawings, which are discovered subsequent to the completion of the plan checking process.

c. The Consultant shall directly submit to **each utility company a preliminary set of plans that provide the location, elevation of the utility, and the elevation of the improvement with the conflict area clouded to show the utility companies the areas that conflict.** The Consultant shall coordinate with the utilities for planning the relocation of their facilities if required. The City shall supply the Consultant with the required format for the utility notice in a Microsoft Word format.

d. The City shall be provided with a copy of all transmittals, submittals, and letters sent to utilities and agencies regarding the project.

e. Consultant shall submit all necessary PES documentation to the City for initial review. Upon City review and addressing any comments, the Consultant shall submit the PES and supporting documents to Caltrans District 8, DLAE for review. The Consultant shall address all Caltrans comments in order to receive final approval and findings are made.

C. PHASE II – DESIGN (PS&E)

Work on this phase shall not commence until the completion of Phase I and written authorization to proceed from the City. Any work performed prior to authorization by the City cannot be billed by the Consultant and will be subject to rework at the Consultant's expense based upon approvals granted during Phase I work. The design shall perform all the work involved for providing documents, plans, specifications, and estimates for the improvements. The design shall conform to requirements of the City of Moreno Valley, Caltrans LAPM, Caltrans standard plans (latest version), and CAMUTCD (latest version).

1. Improvement Plan Preparation

The Consultant shall design a hardscaped raised median along the project segment, a new traffic signal at Alessandro Boulevard/Covey Quail Lane, ADA compliant pedestrian access ramps at Alessandro Boulevard/Covey Quail Lane, eastbound and westbound dual left turn lanes at Alessandro Boulevard/Perris Boulevard, a traffic signal modification for Alessandro Boulevard/Perris Boulevard, ADA compliant pedestrian access ramps at Alessandro Boulevard/Perris Boulevard, and revised signing and striping. The striping is to extend a minimum of 100 feet beyond the construction limits.

The street improvement plans and striping plans shall be in accordance with the current City of Moreno Valley standard plans or standards approved by the City Engineer. Existing utilities shall be indicated in plan view. These plans shall be prepared at 1"=20' scale, on 24" x 36" improvement plan sheets, and shall consist of:

a. **Title Sheet** – include title sheet per City Standard Plan 710.

b. **Detail/Typical Cross Section Sheets** - include typical sections and other details as required

c. **Roadway Improvement Plans** - includes plans for the proposed raised median and ADA compliant pedestrian access ramps which includes all necessary removals and repairs to the existing AC pavement and PCC sidewalks, etc. Plans shall provide roadway improvements in accordance with the City's recommendations. The roadway improvement plan shall consist of a plan and profile format with details as necessary. All existing surface improvements, driveways, curbs, gutters, cross gutters, sidewalks, access ramps landscaping, bus stops, utility facilities, street lights, traffic loops, traffic signal equipment, signs, catch basins and other storm drain facilities, right of way and lot lines, and all other surface features that could be affected by the new construction shall be

included in a half-tone or dashed background format to distinguish then from the new improvements.

d. **Traffic Signal Plans** – includes plans for the new traffic signal at Alessandro Boulevard/Covey Quail Lane and the modified traffic signal at Alessandro Boulevard/Perris Boulevard. Preparation of the new traffic signal plans for Alessandro Boulevard/Covey Quail Lane shall require coordination with SCE for electrical service design. The traffic signal plans shall include eight phase controllers with bicycle logic, emergency vehicle pre-emption, traffic signal interconnect, battery back-up, pedestrian and bicycle push buttons, poles and pole foundations designed to a wind velocity of 100 MPH or greater, adequate storage for left turn lanes, and any other improvements necessary for the new traffic signal and/or traffic signal modification as directed by the City. The plans shall show lane dimensions, signal pole and push button pole placements, controller and power meter cabinet placements, conduit runs and hand holes or pullbox placements, lane channelization, detection loop placement, circuitry and conductor schedules, signal pole and mast arm schedules, phase schedules, schedules for signal heads, schedules for loop detectors, signal pole location details, emergency vehicle pre-emption details, and all other notes, schedules, details and/or drawing components required for complete traffic signal construction plans.

e. **Signing and Striping Plans** – includes existing and proposed access ramp locations and types, curbs, driveways, existing and proposed striping (including striping upstream/downstream of the project segment that may be affected by the project), crosswalks, traffic lane widths, existing and proposed traffic signal loop detectors, and existing and proposed signing (including signs upstream of the project segment that may be affected by the project).

f. **Cross Sections** - includes roadway cross sections based on the previously prepared field survey at 100-foot intervals showing the proposed street improvements.

2. **Deliverables**

The design deliverables shall include, but not be limited to (See **Exhibit "A"** for General Design Submission Requirements): Providing Improvement Plans ink on Mylar ready for advertising and bidding, along with Specifications (including appendices), and a complete Estimate, all wet seal stamp and signed by a licensed California Civil Engineer. The design shall be in compliance with current Federal Americans with Disabilities Act (ADA) and State Title 24 requirements, whichever is more restrictive. The design and scope of services shall also include: complete and detailed estimate of quantities; construction cost estimate; answers to all questions regarding the design during design, bidding and construction; review of the project site to ensure that the Plans are drawn correctly; and attendance at project related meetings, including the pre-construction meeting.

The Consultant shall monitor quality on all deliverables, calculations, and other work products. The Consultant shall prepare a Quality Control Plan for use on the project,

and submit a copy to the City within thirty (30) calendar days of Notice-to-Proceed. This is not a separate task, but shall be included as part of project management.

The Plans, Specifications, and Estimate must conform to the City of Moreno Valley's standards and practices. The Consultant shall provide clear, concise, and complete plans and profiles which shall include, but are not limited to, the following items: project title; vicinity (location) map; title blocks; north arrows; scales 1"=20' for bridge and roadway improvements, nothing precludes the requirement to have drawings at a larger scale or larger scale for details); general notes; construction notes; construction legend; telephone numbers of utilities and other affected agencies and businesses; details; centerline profile; future north and south curb line profiles; existing improvements; power poles; driveway approaches; edge of pavement, water service relocation and/or installation; sewer manhole lid and water valve lid adjustment; pedestrian ramps; painting of traffic stripes and thermoplastic legends; signs; traffic signal; traffic loops (if any); curb returns; details of private improvements to be constructed, reconstructed, or relocated, such as driveways, fences, gates, irrigation systems, trees and landscaping; overhead utility lines; and other details that are of benefit to the design of the project.

a. All drawings shall be prepared with AutoCAD Land Development software or design software that is compatible with the Land Development software approved by the City. The design shall be plotted using permanent drafting ink on Mylar, and drafted on twenty-four inch by thirty-six inch (24" x 36") Mylar sheets. The final plans shall be signed by a Civil Engineer registered in the State of California. No "stick-ons" will be allowed. The originals and the electronic data of these drawings are to be considered to be the property of the City at all times, and shall be submitted to the City, along with a CD-ROM disk in AutoCAD Land Development format upon completion or as otherwise directed by the City. The electronic data shall also include all survey data and point information.

b. The Consultant shall prepare driveway profiles where work will extend beyond the public right-of-way limits. The profile shall be extended to the garage or as required for a transition to the existing driveway.

c. Cross sections are considered necessary to properly and accurately design the improvements and to accurately establish the earthwork volumes and extent of construction or reconstruction beyond the right-of-way lines onto private property, where and if necessary. Cross sections shall be at fifty foot (50') maximum intervals drawn on twenty-four inch by thirty-six inch (24" x 36") Mylar and shall be included with the bid set. The cross section shall be computer generated using AutoCAD Land Development software or compatible software. The cut and fill quantities shall be computer generated and shall be included with the cross sections. The cross sections shall be provided to the City at the 35% Conceptual Design, 65%, 100%, and final submittal. Hand drafting of cross sections will not be allowed.

d. AutoCAD DRAWINGS

The topography map will be set up with the following guidelines:

i. Drawing scale is 1" = 20'.

ii. Lettering style shall be Complex and sizes will correspond to standard Leroy Scales (i.e. 80,100, 120, 140...500). City Title Block will be used.

iii. The following is a table of items that shall be placed on designated layers as shown:

Description	Layer	Color
Points	POINTS	White
Point numbers	PNTS	Red
Point elevations	ELEV	Red
Point descriptions	DESC	Red
Contours	INTER	Brown
Index contours	INDEX	Yellow
Topography	TOPO	Yellow
Text	TEXT	Cyan
Centerline	CL	White
R/W	RW	Green
Curb and gutter	CG	White
Sidewalk	SW	White

iv. The following is a table of Standard Survey Descriptions that shall be used on all survey-related work. Use a Z (code) for any shots **not** at ground surface i.e., use Z10 for top of fire hydrant.

** Input sequence number, space, description

Input #	Item	Input #	Item
01	Centerline	38	Transformer
01M	Centerline Monument	39	C.L. Improvement
01C	Control Point	40	A.C. Speed Bump
02	Mailbox	41	Wood Guard Rail
03	Water Meter	42	A.C. Bike Path
04	Power Pole	43	Curb
05	Gut Wire	44	Traffic Signal Box
06	Gate Valve	45	Concrete Apron
07	Fence	46	Concrete Slab
08	Tree	47	Concrete Rip Rap
09	Pedestal	48	Yellow Stripe
10	Fire Hydrant	49	White Stripe
11	Edge of Pavement	50	Delineator
12	Driveway	51	Landscape Area
13	Sewer Manhole	52	Block Wall
14	Utility Manhole	53	Top Asphalt
15	Utility Mark	54	Face of Curb (1/2" wide)
16	Sign	55	Gutter
17	Curb and Gutter	56	Street Light
18	Vertical Curb	57	Edge of Gravel

Input #	Item	Input #	Item
19	Asphalt Curb	58	Air Vac
20	Toe of Asphalt Curb	59	Drop Inlet
21	Top of Asphalt Curb	60	Toe of Dirt Berm
22	Flow Line of Culvert	61	Top of Dirt Berm
23	Miscellaneous	70	Temp. Storage Area
24	Walks	71	Stl. Conc. Guard Post
25	Bushes	72	Pump
26	Shrubs	73	Canopy Post
27	Gas Line Main	74	Curb Flush w/A.C.
28	Gate	75	Oil Riser
29	Water Line Main	76	Water Riser
30	Toe of Slope	77	Build. Corner
31	Top of Slope	78	Temp Storage Build.
32	Planter	79	Concrete Swale
33	Sprinkler Head	80	Eroded Undermined
34	Edge of Travel Way	81	Conc. Expansion Joint
35	Gas Valve	82	Head Wall
36	Transformer		
37	Ground Shot		

Other layers may be used; however, the layer should be named to correspond with the item referenced on that particular layer.

e. The City will provide the Consultant with its boilerplate Specifications and Technical Provisions in Microsoft Word, Windows 2000 format. The City will be responsible for compiling the Project Specification. The Consultant will provide a write up for the project specific scope of work in the Technical Specifications and provide special Technical Provisions beyond the City's standard Technical Provisions. The Specifications shall be signed by the consultant Civil Engineer registered in the state of California that is complete and ready for bidding purposes and awarding contracts for construction for the improvements. The latest edition of the Greenbook (Standard Specifications for Public Works Construction and subsequent amendments) will be used on the project, except for striping and traffic signs. The technical portion of the Caltrans Standard Specifications will be used for the striping and traffic signs.

Technical Provisions for the bridge improvements based upon Caltrans Standard Specifications dated, 2006 (latest imperial units' specifications) and the latest Caltrans Standard Special Provisions shall be incorporated into the City's bid documents.

Specifications for the project shall conform to the most recent applicable standards and specifications from:

a. City of Moreno Valley

b. Standard Specifications for Public Works Construction (*Greenbook, current edition*)

c. State of California Transportation Department Standard Specifications and Standard Plans (latest version)

d. The consultant shall calculate the amount of liquidated damages and determine the length of time in working days for construction.

3. **Submittals to City, Agencies, Utilities, Etc.**

a. The Consultant shall submit five (5) sets of bond copies of the design drawings with each submittal for checking by the City, along with the previous red lined check prints. The design drawings should be as complete, accurate, and error-free as possible before Plan checking is considered, in order to reduce the number of Plan checks required and related costs therefore to the City and Consultant. Submittals shall be 35% Conceptual, 65%, 100%, and final.

b. The Consultant shall submit three (3) sets of quantity calculations with each submittal for checking by the City, along with the previous checked calculations.

c. The Consultant shall submit two (2) sets of the contract documents with each submittal for checking by the City, along with the previous check prints. A disk in Microsoft Word format containing the final Contract Documents shall be submitted to the City.

d. The Consultant shall, at no additional cost to the City, correct errors, omissions, and unworkable and/or improper design/drafting on the original drawings, which are discovered subsequent to the completion of the Plan checking process.

e. The Consultant shall submit five (5) sets of bond copies of cross sections along with each submittal of the design drawings for Plan checking. One (1) reproducible and four (4) bond copies sets of cross sections shall be submitted along with the final submittal of the design drawing.

f. The Consultant shall directly submit to **each utility company a final set of Plans that provide the location, elevation of the utility, and the elevation of the improvement with the conflict area clouded to show the utility companies the areas that conflict.** The Consultant shall coordinate with the utilities for relocation of their facilities if required.

g. The City shall receive a copy of all correspondence, transmittals, submittals, and letters sent to utilities and agencies regarding the project.

4. **Final Estimate of Quantities and Cost**

The Consultant shall provide a construction quantity and cost estimate with each submittal of plans. The unit costs shall be based upon the most current cost information for recent similar projects in the area compiled by the Consultant and approved by the City.

a. The estimated items of work with quantities shall include but not be limited to: itemizing all removals, relocations, PCC sidewalk, PCC curb & gutter, PCC pedestrian access ramps, median hardscape, traffic signal poles, traffic signal equipment, traffic signal wiring, aggregate base, Asphalt Concrete (AC) paving, survey monument wells, SWPPP preparation, painting of pavement legends & striping, signs, traffic control, raised pavement markers, and project signs. The estimated items of work with quantities shall be arranged in chronological order of construction and shall contain all the information needed to prepare the Engineer's Estimate of Costs. The engineer's estimate shall be prepared and submitted on the City's estimate form.

b. The Consultant will be required to periodically submit updated preliminary cost estimates as design progresses.

c. The Consultant's final construction cost estimate shall be based upon, and in agreement with, the final items of work with estimated quantities. Computations showing estimated quantities and costs for each location of work as well as the sum totals shall be submitted to the City for review along with a set of plans showing items of work with quantities on each sheet. Submission of computations does not relieve the Consultant's responsibility of submitting an accurate estimate of quantities.

5. Reproduction of the Design Drawings and Contract Documents

The City will have copies of the design drawings and Contract Specifications reproduced for bidding purposes.

6. Questions During Bidding And Pre-Construction Meeting

The Consultant shall answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during the bidding process. The Consultant shall assist the City, at no charge, in preparation of Addenda regarding omissions or conflicts in the design.

D. PHASE III – CONSTRUCTION

1. Pre-Construction Meeting and Contractor Submittal Reviews

The Consultant shall attend the Pre-construction Meeting and answer questions regarding the Technical Provisions and the design drawings during the meeting. The Contractor will be required to submit a SWPPP and traffic control plan prior to commencing construction. The Consultant shall review the submittals and provide comments to the City. A minimum of two reviews are typical.

2. Construction

A. Questions During Construction

The Consultant shall be available to review design change request and assist the City in issuing Contract Change Orders. A line item shall be included in the proposal for design change request during construction.

The Consultant shall be available to answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during the construction, and assist the City in issuing Contract Change Orders regarding omissions or conflicts in the design, at no charge to the City.

B. Preparation of As-Built Drawings

The Consultant shall incorporate all redline comments prepared by the Contractor and project inspector on the signed design Plans. The as-built drawings shall be provided to the City and approved prior to the release of the final progress payment. The Consultant shall attach hanging file tabs to the Mylar as-built drawings. A line item shall be included in the proposal for as-built drawings.

C. GASB 34 Documentation

The Consultant shall submit GASB 34 documentation in the City's format along with the as-built drawings. A line item shall be included in the proposal for GASB 34 documentation.

D. Owner Of Original Drawings, Documents And Other Information

The City will be the owner of all original drawings, documents, and digital information. All digital and or computer generated drawings shall be the property of the City and a copy shall be submitted to the City on a CD-RW disk.

V. CONSULTANT'S PROPOSAL AND COMPENSATION

The Consultant's Proposal shall be no more than 20 pages, excluding a cover letter of up to two pages, dividers, and certificates. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services and failing to comply with requirements and conditions of the RFP will not be given further consideration.

At a minimum, the Proposal shall include the following sections:

A. **Project Understanding:** This section should clearly convey clear understanding of the nature of the work, indemnification of major project issues and proposed solutions thereof, from both the Consultant and the sub-consultants (consultant team).

B. **Approach and Management Plan:** This section provides the consultant team's proposed approach and management plan for providing services. Include an organization chart showing proposed relationship among consultant team/staff as well as any other parties that may have significant role in the delivery of this project.

C. **Qualifications and Experience:** Provide qualifications and experience of the team for this project. Emphasize the specific qualifications and experience from projects similar to this project for the key team members including references. Identify and provide in-depth information for the proposed Consultant Project Manager's qualifications, track record and relevant experience.

D. **Staffing Plan:** Discuss staffing plan, workload, both current and anticipated, for all key team members, and their capacity to perform the requested services according to the proposed schedule. Discuss the firm/team's approach for completing the services required for this project within budget and schedule.

E. **Work Plan and Schedule:** Include a description of how each task of the project will be conducted, identification of deliverables for each task and implementation schedule. The work plan should include sufficient detail to demonstrate a clear understanding of the project. Discuss the consultant team's approach for completing the project.

F. **Quality Control and Assurance:** Discuss QA/QC proposed for each phase/deliverable for this project, including various independent plan check reviews and 95% plan biddability/constructability/claims avoidance reviews.

G. **Additional Relevant Information:** Provide additional relevant information that may be helpful in the selection process (not to exceed two pages).

The Consultant's Proposal shall include the following statements:

A. A statement that this RFP shall be incorporated in its entirety as a part of the Consultant's Proposal.

B. A statement that this RFP and the Consultant's Proposal will jointly become part of the Agreement for Professional Consultant Services (a sample of the Agreement is attached as **Exhibit "B"**) for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley. **The Statement must include that the Consultant will be able to execute the City standard agreement without any modifications.**

C. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's RFP except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

D. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedent over this RFP.

E. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles,

addresses and telephone numbers of the appropriate persons whom the City could contact. If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.

F. A resource allocation matrix *must* be submitted with the Proposal. The resource allocation matrix must list detailed tasks in rows and the appropriate individual (Job Title Only) as well as the number of hours that these individuals will be working on each task listed, will be included in adjacent columns. The resource allocation matrix and the project preliminary engineering and design phase schedule are required of both the primary consultant, as well as any sub-consultant. For the construction support services Consultant is not required to provide a Project Schedule with milestones.

G. A statement of sub-consultant's (include relief personnel) qualifications applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.

   A statement that the Consultant acknowledges and understands that the consultant will not be allowed to change the sub-consultant without written permission from the City.

H. A statement that all charges for Consultant (design services) is a "Not-to-Exceed Fixed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.

I. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

J. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

K. A copy of the Consultant's hourly rate schedule and a statement that said hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this RFP. **An itemized cost breakdown for the work described herein must be submitted in a separate sealed envelope as part of your Fee Proposal submittal**. All extra work will require prior approval from the City.

L. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

M. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

N. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.

O. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.

P. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.

Q. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

R. This Agreement is subject to 49 CFR, Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Proposers who obtain DBE participation on this contract will assist Caltrans in meeting its federally mandated statewide overall DBE goal.

DBEs and other small businesses are strongly encouraged to participate in the performance of Agreements financed in whole or in part with federal funds (See 49 CFR 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs"). The Proposer should ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The Proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

Pursuant to recently released Race-Neutral DBE policy directives issued by the U.S. DOT in response to the Ninth Circuit U.S. Court of Appeals decision in *Western States Paving Co. v. Washington State Department of Transportation, the City has implemented a wholly Race-Neutral DBE Program.*
A Race-Neutral DBE Program is one that, while benefiting DBEs, is not solely focused on DBE firms. A Race-Neutral Program utilizes measures that can assist a wide variety of small businesses including DBEs, such as arranging solicitations, times for the presentation of proposals, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation (e.g., unbundling large contracts to make them more accessible to small businesses,

requiring or encouraging prime Consultants to subcontract portions of work that they might, otherwise, perform with their own forces). However, under a Race-Neutral DBE Program, the City may no longer advertise DOT-assisted contracts containing numeric race-conscious goals or require a Proposer to utilize DBEs as a condition of award. Race-neutral DBE participation includes any time a DBE obtains a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE goal.

S. Complete Disclosure of Lobbying Activities (Form LLL – see attached).

T. Complete Proposer's List of Subconsultants (DBE and Non-DBE) – Parts I and II.

U. The Consultant shall provide its complete name and address, including whether Consultant is an individual, a partnership, or a corporation. The Consultant shall list the location of the office where Consultant's work will be available for inspection by local agency and State representatives.

VI. GENERAL COMPLIANCE WITH LAWS AND WAGE RATES

A. The Consultant shall be required to comply with all federal, state, and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

B. The Consultant is required to submit certified payrolls weekly. This applies to all applicable field personnel working on the project. In accordance with Section 1771.5 (b) (5) of the California Labor Code, the City will withhold payments when the payroll records are delinquent or inadequate.

VII. FEDERAL EMPLOYEE BENEFIT

No member of, or delegate to, the Congress of the United States, and no Resident Commissioner shall be admitted to any share or part of the Agreement to the said project or to any benefit to arise from the same.

The Consultant shall complete and include the "Certification for Contracts, Grants, Loans, and Cooperative Agreements" and "Disclosure of Lobbying Activities" forms with the Proposal.

VIII. PAYMENT TO CONSULTANT

A. This work is to be performed for a "Not-to-Exceed Fixed Fee." This method of payment is similar to the Cost per Unit Work, which is defined in Chapter 10 of the Caltrans LAPM, as follows: The Consultant is paid based on the work performed.

B. The Consultant shall provide a "Payment Schedule" indicating the fee for individual tasks with a "Not-to-Exceed Fixed Fee" which shall be the sum of all tasks.

C. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

D. The City will pay the Consultant for work completed at the completion of the defined milestones. There will be no monthly invoice payments unless specifically identified otherwise below. These Milestones are:

1. Report of Project Issues complete.
2. Environmental Clearance obtained.
3. "Phase 1, 35% Level Completion" is complete.
4. "Phase 2, 65% Level Completion" is complete.
5. "Phase 2, 95% Level Completion" is complete.
6. "Phase 2, 100% Level Completion" is complete.
7. Project Bidding and Construction Support on a monthly basis.
8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment.

E. Milestone invoice payments and where applicable monthly invoices will specifically identify job title, person-hours, and costs incurred by each task or it will be rejected and asked to be re-submitted.

F. Sub-categorization of tasks is permitted to better define the task for payment.

G. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

H. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

I. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services."

J. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services," an "Amendment to the Agreement" will be executed between the City and Consultant.

K. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the consultant's proposal.

IX. INSURANCE

A. The Consultant shall provide Errors and Omissions Professional Insurance. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

B. The Consultant shall have Public Liability and Property Damage Insurance in the amounts as follows:

GENERAL LIABILITY		
Bodily Injury	$1,000,000	per occurrence
Property Damage	$ 500,000	per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

C. The Consultant shall have Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment in the amount of not less than $1,000,000.

D. The Consultant shall have Workers' Compensation Insurance in the amounts as will fully comply with the laws of the State of California.

E. A Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers and employees and agents, under any third party liability policy."

F. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

G. The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverage's nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the Agency, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amount established.

H. It is the consultant's responsibility to ensure that all subconsultants comply with the following: Each subconsultant that encroaches within the City's right-of-way **and** affects (i.e., damages or impacts) City infrastructure must comply with the liability insurance requirements of the City's Land Development Division. Examples of such subconsultant work include soil sample borings, utility potholing, etc.

The "Application for Encroachment Permit" form (four pages), including "Application for Encroachment Permit Liability Insurance Requirements," is available in the Land Development Division and must be completed and submitted in full to the City Project Manager. It is the Consultant's responsibility to ensure that all subconsultants submit the appropriate encroachment permit and insurance documentation at the same time that the Consultant's insurance documentation is submitted.

X. INDEMNIFICATION

A. To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District, their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, MVHA and CDS, their officers, agents or employees.

B. The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, their officers, agents or employees.

C. The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

XI. TERMINATION FOR CONVENIENCE OF THE CITY

The City reserves the right to terminate the "Agreement for Professional Consultant Services" for the "convenience of the City" at any time by giving ten (10) days written notice

to the Consultant of such termination and specifying the effective date thereof. All finished or unfinished drawings, maps, documents, field notes and other materials produced and procured by the Consultant under the said aforementioned Agreement is, at the option of the City, City property and shall be delivered to the City by the Consultant within ten (10) working days from the date of such termination. The City will reimburse the Consultant for all acceptable work performed as set forth in the executed Agreement.

XII. INDEPENDENT CONTRACTOR

The Consultant's relationship to the City in the performance of the Consultant's services for this project is that of an independent Contractor. The personnel performing said Surveying Services shall at all times be under the Consultant's exclusive direction and control and shall be employees of the Consultant and not employees of the City. The Consultant shall pay all wages, salaries and other amounts due his employees in connection with the performance of said work shall be responsible for all employee reports and obligations, including but not necessarily restricted to, social security, income tax withholding, unemployment compensation, and Workers' Compensation.

XIII. CONTRACT

The Contract includes the Agreement for Professional Consultant Services, City's Request for Proposal, Consultant's Proposal, and Exhibits.

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract.

XIV. GENERAL CONDITIONS

A. Pre-contractual expenses are defined as expenses incurred by the Consultant in: (1) preparing the Proposal; (2) submitting the Proposal to the City; (3) presentation during selection interview; (4) negotiating with the City any matter related to this Proposal; (5) any other expenses incurred by the Consultant prior to an executed Agreement.

The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Consultant.

B. The Consultant is responsible for notifying Underground Service Alert and providing proper traffic control, at no additional expense to the City.

C. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any Agreement will be awarded to any Consultant responding to this RFP. The City expressly reserves the right to postpone reviewing the Proposal for its own convenience and to reject any and all Proposals responding to this RFP without indicating any reasons for such rejection(s).

D. The City reserves the right to reject any or all Proposals submitted. Any Contract awarded for these Consultant engagements will be made to the Consultant who, in the opinion of the City, is best qualified.

XV. OTHER REQUIREMENTS

The following requirements are mandatory:

A. The Agreement may be subject to pre-award audit by the Department, which is estimated to take a minimum of thirty (30) calendar days from the time the Department receives the pre-award audit submittal. After the pre-award audit recommendations are received (if necessary), the Consultant's Proposal shall be adjusted by the Contract Manager to conform to the audit recommendations. The Consultant agrees that any audit recommendations regarding the contract amount, the Consultant's Proposal, or individual items of cost may be incorporated into the contract at the State's sole discretion. Refusal by the Consultant to incorporate the audit recommendations will be considered a breach of contract terms and cause for termination of the contract or rejection for consideration of contract.

B. The Consultant shall commence services upon written direction to proceed from the City. No charges are to be incurred prior to the Notice to Proceed.

C. The Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to City, State, and the Federal Highway Administration at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to City, State, and the Federal Highway Administration. Such records shall be maintained by the Consultant for three (3) years following receipt of final payment.

D. Cost Principles – Title 48 Code of Federal Regulations (CFR) Chapter 1, Part 31 and Uniform Administrative Requirements, Title 49 CFR, Part 18 are incorporated herein by reference. Any costs for which payment has been made to the Consultant that are determined by subsequent audit to be unallowable under 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et seq. or 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, are subject to repayment by the Consultant to the City.

E. The Consultant warrants that he/she has not employed or retained any company or person, other than a bona fide employee working for the Consultant, to solicit or secure this agreement, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or formation of this agreement. For breach or violation of this warranty, the City shall have the right to annul this agreement without liability, or at its discretion to deduct from the agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

F. Subcontractors, Assignment and Transfer - Consultant services are considered to be a personal relationship between the City and the Consultant; therefore, subcontracting, assignment, or transfer of any of the work except as otherwise provided for in the executed agreement is expressly prohibited. All subcontracts exceeding $25,000 in cost shall contain all required provisions of the prime contract.

G. Reimbursement for transportation and subsistence costs shall not exceed the rates to be paid non-represented employees under current State Department of Personnel Administration rules listed in the Caltrans Travel Guide.

XVI. SELECTION CRITERIA

The Consultant may be invited to a selection interview. The Proposals will be rated/ranked according to the following criteria:

A. The Firm's General Experience and Qualification Information (20 points) – Information about the company (and all sub-consultants) including professional licenses held; ability to furnish required insurance and meet stipulations of the City's "boiler plate" agreement; details about comparable projects completed by the firm, as well as local experience; and its ability to provide the required services.

B. Experience of Key Personnel (40 points) – Background on key personnel (including all sub-consultants) qualifications, abilities, familiarity with state and federal procedures, local experience on comparable projects and length of service with the firm, reference information preferably with municipal agencies.

C. Project Approach/Understanding (40 points) – Discussion of major issues identified on the project and how the consultant team plans to address them; the management approach and organization necessary to complete the specific project; and outline quality control measures to ensure delivery of a quality product on time and within budget.

Exhibits/Attachments (incorporated by reference):

Exhibit "A" – General Design Submission Requirements

Attachment "A" – Location Map
Attachment "B" – City Standard Consultant Agreement (no changes to this agreement will be allowed)
Attachment "C" – Exhibit 10-F Certification of Consultant, Commissions & Fees
Attachment "D" – Exhibit 10-G Certification of Local Agency
Attachment "E" – Exhibit 10-I Notice to Proposers DBE Information
Attachment "F" – Exhibit 10-P Nonlobbying Certification for Federal-Aid Contracts
Attachment "G" – Exhibit 12-E Debarment and Suspension Certification
Attachment "H" – Exhibit 15H UDBE Information – Good Faith Efforts

Exhibit "A"

General Design Submission Requirements

The following typical elements of the General Design Submission Requirements are representative of the specific completion levels, but not necessarily all-inclusive.

1. **35% Level Completion:** Complete supporting plans and estimates for Report of Project Issues; complete Special (Technical) Provisions outline; resolve alternatives and alignment issues; identify preliminary right-of-way and easement needs; complete environmental documentation; and obtain all environmental approvals.
   - Basis for design are established and preliminary level design (foot print) is frozen. There are either few or no more basic design changes.
   - Initial plan review by all city departments, utility companies, and other associated agencies is complete.
   - As necessary, public meetings have taken place and the concept is established and approved.
   - City client departments have signed-off on the design.
   - City's Drawing standards are to be used.
   - Conceptual work is complete and the design is ready to proceed in to PS&E documentation phase.
   - Surveys are completed and boundaries established on plans.
   - Horizontal and Vertical alignments are established on plans.
   - Curb/gutter lines to centerline dimensions are shown on plans.
   - Intersection and corner radius information is shown on plans.
   - Parcel delineation, with site address and Assessors Parcel Number, are shown on plans.
   - Special (Technical) Provisions outline is established and is based on City's boiler format.
   - Preliminary Engineer's Estimate is compared to project budget – perform a reality check.
   - Design Schedule, with required critical path, is approved.
   - Inter-/Intra-discipline Quality Assurance/Quality Control check is performed.
   - Utilities initial investigation is complete and tracked using a utility response matrix.
   - First meeting with utility companies has taken place and all are on-board, if necessary.
   - Proposed utilities' connections/improvements, etc., are essentially agreed upon.
   - Existing utilities to be relocated, to be abandoned, and/or re-routed are established and agreed upon.
   - Meeting with all other interested parties, such as fire and police, etc., have taken place.
   - All preliminary right-of-way and easement needs are shown and analyzed, and ownership is investigated.
   - Required Environmental Document is complete and approved.

2. **65 % Level Completion:** Resolve right-of-way issues, if any; complete detailed street, traffic signal, and signing and striping design; complete project specific plans improvements.
   - Overall Design progress must be at a level that was established in the critical path.
   - Horizontal and Vertical alignments are complete.
   - Draft Specifications, including General Provisions and Special Provisions, are complete.
   - Complete Engineer's Estimate reflecting 65% complete level design work effort.
   - 2nd inter-/intra-discipline Quality Assurance/Quality Control check is performed for Plans, Specifications, and Engineer's Estimate (PS&E).
   - Must include a set of drawings and a comments matrix with responses proving that all comments made at 35% have been addressed.
   - Follow-up meetings with utility companies, if necessary, have taken place.
   - All existing utility conflicts are addressed and resolved, and tracked using a utility response matrix.
   - SCE electrical service design for the new traffic signal is incorporated into the design.
   - All right-of-way and easement needs are shown and finalized, and ownership is confirmed, if necessary, with Title Reports.

3. **95% Level Completion:** Obtain all needed right-of-way; complete plans, specifications, and estimates and submit for final review and comments.
   - All design documents (PS&E) are essentially complete as if ready to bid.
   - PS&E is ready to submit for review.
   - Specifications document includes General Provisions and Special Provisions and shall be complete in every manner.
   - Liquidated damage calculation is complete.
   - 100% Engineer's Estimate is complete. It shall be at or 10% (maximum) below the construction budget amount provided by the City.
   - 3rd inter-/intra-discipline Quality Assurance/Quality Control check is performed for Plans, Specifications, and Engineer's Estimate (PS&E).
   - Must include a set of drawings and a comments matrix with responses proving that all comments made at 65% have been addressed.
   - Ready for biddability, claim avoidance, and constructability reviews.
   - All right-of-way and easement documents have been obtained, or are in the final process of being obtained.

4. **100 % Level Completion:** Final detail to plans, specifications and estimates ready for signatures.
   - PS&E is ready for signature.
   - Must include a set of drawings and a comments matrix with responses proving that all comments made at 95% have been addressed.
   - Project is ready for advertisement.
   - All available and applicable permits have been received.
   - Sign-off has been obtained from all entities having jurisdiction on approving the PS&E documents, including sign-off by the City's required departments or divisions.
   - All right-of-way and easement documents have been obtained.

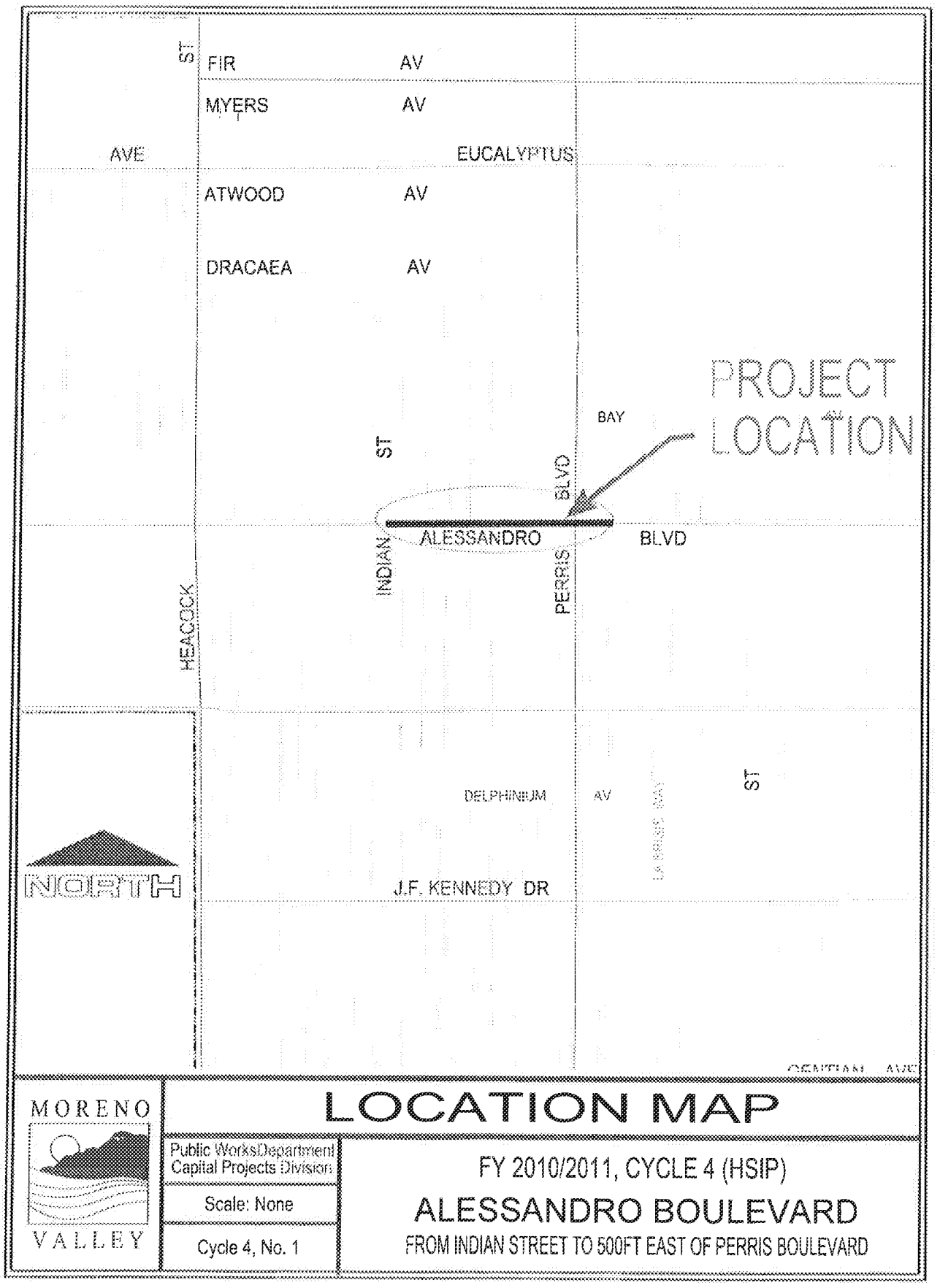

Attachment "A"

Item No. A.5

AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES
PROJECT NO. 13-12566851

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and _____, a (California corporation, partnership, sole ownership) hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

DESCRIPTION OF PROJECT

1. The project is described as professional consultant design services for:

ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD

Project No. 13-12566851

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$**_____ in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **Month Date**, **Year** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

OR

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant

or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this

indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents, or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant, its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any

property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, MVHA and CSD against any loss, claim, or damage arising from any injuries or

occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) The City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other work without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this

Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree that, to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be

delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

SIGNATURE PAGE FOLLOWS

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Department Head/Mayor/City Manager/FASD
(Select only one please)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

Consultant Name

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $_____.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City upon completion of the defined milestones for progress payments along with documentation evidencing services completed to date. There will be no monthly invoice payments unless specifically identified otherwise below. These Milestones are:

    1. Report of Project Issues complete.
    2. Environmental Clearance obtained.
    3. "Phase 1, 35% Level Completion" is complete.
    4. "Phase 2, 65% Level Completion" is complete.
    5. "Phase 2, 95% Level Completion" is complete.
    6. "Phase 2, 100% Level Completion" is complete.
    7. Project Bidding and Construction Support on a monthly basis..
    8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's

EXHIBIT "D"

determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zarat@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

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Exhibit 10-F Certification of Consultant, Commissions & Fees

CERTIFICATION OF CONSULTANT

I HEREBY CERTIFY that I am the _____, and duly authorized representative of the firm of _____, whose address is _____, and that, except as hereby expressly stated, neither I nor the above firm that I represent have:

(a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit or secure this agreement; nor

(b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the agreement; nor

(c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind, foror in connection with, procuring or carrying out this agreement.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this agreement involving participation of Federal-aid Highway funds, and is subject to applicable state and federal laws, both criminal and civil.

_____ (Date)

_____ (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

Exhibit 10-G Certification of Local Agency

CERTIFICATION OF LOCAL AGENCY

I HEREBY CERTIFY that I am the ..... of the ..... (local agency) ....., and that the consulting firm of ..... ,or its representative has not been required (except as herein expressly stated), directly or indirectly, as an express or implied condition in connection with obtaining or carrying out this Agreement to:

(a) employ, retain, agree to employ or retain, any firm or person, or

(b) pay or agree to pay, to any firm, person or organization, any fee, contribution, donation, or consideration of any kind.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this Agreement involving participation of federal-aid highway funds, and is subject to applicable state and federal laws, both criminal and civil.

..... (Date)

..... (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

EXHIBIT 10-I NOTICE TO PROPOSERS DBE INFORMATION

LOCAL AGENCY LETTERHEAD
(DATE)

NOTICE TO PROPOSERS
DISADVANTAGED BUSINESS ENTERPRISE
INFORMATION

The Agency has established an Underutilized DBE goal for this Agreement of .....%

OR

The Agency has not established an Underutilized goal for this Agreement. However, proposers are encouraged to obtain DBE participation for this Agreement.

1. TERMS AS USED IN THIS DOCUMENT

- The term "Disadvantaged Business Enterprise" or "DBE" means a for-profit small business concern owned and controlled by a socially and economically disadvantaged person(s) as defined in Title 49, Part 26.5, Code of Federal Regulations (CFR).
- The term "Underutilized Disadvantaged Business Enterprise" or "UDBE." DBE classes that have been determined in the 2007 Caltrans Disparity Study to have a statistically significant disparity in their utilization in previously awarded transportation contracts. UDBEs include: African Americans, Native Americans, Asian-Pacific Americans, and Women.
- The term "Agreement" also means "Contract."
- Agency also means the local entity entering into this contract with the Contractor or Consultant.
- The term "Small Business" or "SB" is as defined in 49 CFR 26.65.

2. AUTHORITY AND RESPONSIBILITY

A. DBEs and other small businesses are strongly encouraged to participate in the performance of Agreements financed in whole or in part with federal funds (See 49 CFR 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs"). The Contractor should ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

B. Proposers are encouraged to use services offered by financial institutions owned and controlled by DBEs.

Attachment "E"

Item No. A.5

3. SUBMISSION OF UDBE AND DBE INFORMATION

If there is a UDBE goal on the contract, a "Local Agency Proposer UDBE Commitment (Consultant Contract)" (Exhibit 10-O1) form shall be included in the Request for Proposal. In order for a proposer to be considered responsible and responsive, the proposer must make good faith efforts to meet the goal established for the contract. If the goal is not met, the proposer must document adequate good faith efforts. Only UDBE participation will be counted towards the contract goal; however, all DBE participation shall be collected and reported.

A "Local Agency Proposer DBE Information (Consultant Contract)" (Exhibit 10-O2) form shall be included with the Request for Proposal. The purpose of the form is to collect data required under 49 CFR 26. For contracts with UDBE goals, this form collects DBE participation by DBEs owned by Hispanic American and Subcontinent Asian Americans males (persons whose origin are from India, Pakistan, Bangladesh, Bhutan, Maldives Islands, Nepal or Sri Lanka). For contracts with no goals, this form collects information on all DBEs, including UDBEs. Even if no DBE participation will be reported, the successful proposer must execute and return the form.

4. DBE PARTICIPATION GENERAL INFORMATION

It is the proposer's responsibility to be fully informed regarding the requirements of 49 CFR, Part 26, and the Department's DBE program developed pursuant to the regulations. Particular attention is directed to the following:

A. A DBE must be a small business firm defined pursuant to 13 CFR 121 and be certified through the California Unified Certification Program (CUCP).

B. A certified DBE may participate as a prime contractor, subcontractor, joint venture partner, as a vendor of material or supplies, or as a trucking company.

C. A UDBE proposer not proposing as a joint venture with a non-DBE, will be required to document one or a combination of the following:

1. The proposer is a UDBE and will meet the goal by performing work with its own forces.
2. The proposer will meet the goal through work performed by UDBE subcontractors, suppliers or trucking companies.
3. The proposer, prior to proposing, made adequate good faith efforts to meet the goal.

D. A DBE joint venture partner must be responsible for specific contract items of work or clearly defined portions thereof. Responsibility means actually performing, managing, and supervising the work with its own forces. The DBE joint venture partner must share in the capital contribution, control, management, risks and profits of the joint venture commensurate with its ownership interest.

E. A DBE must perform a commercially useful function pursuant to 49 CFR 26.55, that is, a DBE firm must be responsible for the execution of a distinct element of the work and must carry out its responsibility by actually performing, managing and supervising the work.

F. The proposer shall list only one subcontractor for each portion of work as defined in their proposal and all DBE subcontractors should be listed in the bid/cost proposal list of subcontractors.

G. A prime contractor who is a certified DBE is eligible to claim all of the work in the Agreement toward the DBE participation except that portion of the work to be performed by non-DBE subcontractors.

5. **RESOURCES**

A. The CUCP database includes the certified DBEs from all certifying agencies participating in the CUCP. If you believe a firm is certified that cannot be located on the database, please contact the Caltrans Office of Certification toll free number 1-866-810-6346 for assistance. Proposer may call (916) 440-0539 for web or download assistance.

B. Access the CUCP database from the Department of Transportation, Civil Rights, Business Enterprise Program web site at: http://www.dot.ca.gov/hq/bep/.

- Click on the link in the left menu titled *Disadvantaged Business Enterprise*
- Click on *Search for a DBE Firm* link
- Click on *Access to the DBE Query Form* located on the first line in the center of the page
- Searches can be performed by one or more criteria
- Follow instructions on the screen

C. How to Obtain a List of Certified DBEs without Internet Access

D. DBE Directory: If you do not have Internet access, Caltrans also publishes a directory of certified DBE firms extracted from the online database. A copy of the directory of certified DBEs may be ordered at: http://caltrans-opac.ca.gov/publicat.htm

6. **MATERIALS OR SUPPLIES PURCHASED FROM DBES COUNT TOWARDS DBE CREDIT, AND IF A DBE IS ALSO A UDBE, PURCHASES WILL COUNT TOWARDS THE UDBE GOAL UNDER THE FOLLOWING CONDITIONS:**

A. If the materials or supplies are obtained from a DBE manufacturer, count 100 percent of the cost of the materials or supplies. A DBE manufacturer is a firm that operates or maintains a factory, or establishment that produces on the premises the materials, supplies, articles, or equipment required under the Agreement and of the general character described by the specifications.

B. If the materials or supplies purchased from a DBE regular dealer, count 60 percent of the cost of the materials or supplies. A DBE regular dealer is a firm that owns, operates or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the Agreement are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a DBE regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. A person may be a DBE regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone or asphalt without owning, operating or maintaining a place of business provided in this section.

C. If the person both owns and operates distribution equipment for the products, any supplementing of regular dealers' own distribution equipment shall be, by a long-term lease agreement and not an ad hoc or Agreement-by-Agreement basis. Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not UDBE regular dealers within the meaning of this section.

D. Materials or supplies purchased from a DBE, which is neither a manufacturer nor a regular dealer, will be limited to the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on the job site, provided the fees are reasonable and not excessive as compared with fees charged for similar services.

7. **FOR DBE TRUCKING COMPANIES: CREDIT FOR DBEs WILL COUNT TOWARDS DBE CREDIT, AND IF A DBE IS A UDBE, CREDIT WILL COUNT TOWARDS THE UDBE GOAL UNDER THE FOLLOWING CONDITIONS:**

A. The DBE must be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular Agreement, and there cannot be a contrived arrangement for the purpose of meeting the UDBE goal.

B. The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the Agreement.

C. The DBE receives credit for the total value of the transportation services it provides on the Agreement using trucks it owns, insures, and operates using drivers it employs.

D. The DBE may lease trucks from another DBE firm including an owner-operator who is certified as a DBE. A DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the Agreement.

E. The DBE may also lease trucks from a non-DBE firm, including an owner-operator. A DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease arrangement. A DBE does not receive credit for the total value of the transportation services provided by the lessee, since these services are not provided by the DBE.

F. For the purposes of this Section D, a lease must indicate that the DBE has exclusive use and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, as long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.

EXHIBIT 10-P NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS

The prospective participant certifies by signing and submitting this proposal/bid to the best of his or her knowledge and belief that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The prospective participant also agrees by submitting his/her proposal/bid that he/she shall require that the language of this certification be included in all lower-tier subcontracts which exceed $100,000 and that all such sub-recipients shall certify and disclose accordingly.

Attachment "F"

Item No. A.5

ATTACHMENT E DEBARMENT AND SUSPENSION CERTIFICATION

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, and manager:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Notes: Providing false information may result in criminal prosecution or administrative sanctions.
The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

Attachment "G"

UDBE INFORMATION - GOOD FAITH EFFORTS

Federal-aid Project No. _____ Bid Opening Date _____

The _____(City/County of)_____established an Underutilized Disadvantaged Business Enterprise (UDBE) goal of _____% for this project. The information provided herein shows that a good faith effort was made.

Lowest, second lowest and third lowest bidders shall submit the following information to document adequate good faith efforts. Bidders should submit the following information even if the "Local Agency Bidder UDBE Commitment" form indicates that the bidder has met the UDBE goal. This will protect the bidder's eligibility for award of the contract if the administering agency determines that the bidder failed to meet the goal for various reasons, e.g., a UDBE firm was not certified at bid opening, or the bidder made a mathematical error.

Submittal of only the "Local Agency Bidder UDBE Commitment" form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

The following items are listed in the Section entitled "Submission of UDBE Commitment" of the Special Provisions:

A. The names and dates of each publication in which a request for UDBE participation for this project was placed by the bidder (please attach copies of advertisements or proofs of publication):

Publications	Dates of Advertisement

B. The names and dates of written notices sent to certified UDBEs soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the UDBEs were interested (please attach copies of solicitations, telephone records, fax confirmations, etc.):

Names of UDBEs Solicited	Date of Initial Solicitation	Follow Up Methods and Dates

C. The items of work which the bidder made available to UDBE firms including, where appropriate, any breaking down of the contract work items (including those items normally performed by the bidder with its own forces) into economically feasible units to facilitate UDBE participation. It is the bidder's responsibility to demonstrate that sufficient work to facilitate UDBE participation was made available to UDBE firms.

Items of Work	Bidder Normally Performs Item (Y/N)	Breakdown of Items	Amount ($)	Percentage Of Contract

D. The names, addresses and phone numbers of rejected UDBE firms, the reasons for the bidder's rejection of the UDBEs, the firms selected for that work (please attach copies of quotes from the firms involved), and the price difference for each UDBE if the selected firm is not a UDBE:

Names, addresses and phone numbers of rejected UDBEs and the reasons for the bidder's rejection of the UDBEs:

Names, addresses and phone numbers of firms selected for the work above:

E. Efforts made to assist interested UDBEs in obtaining bonding, lines of credit or insurance, and any technical assistance or information related to the plans, specifications and requirements for the work which was provided to UDBEs:

F. Efforts made to assist interested UDBEs in obtaining necessary equipment, supplies, materials or related assistance or services, excluding supplies and equipment the UDBE subcontractor purchases or leases from the prime contractor or its affiliate:

G. The names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using UDBE firms (please attach copies of requests to agencies and any responses received, i.e., lists, Internet page download, etc.):

Name of Agency/Organization	Method/Date of Contact	Results

H. Any additional data to support a demonstration of good faith efforts (use additional sheets if necessary):

NOTE: USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.

MORENO VALLEY

Alessandro Boulevard Median

from Indian Street to Perris Boulevard

Project No. 13-12566851 HSIPL-54-41(050)

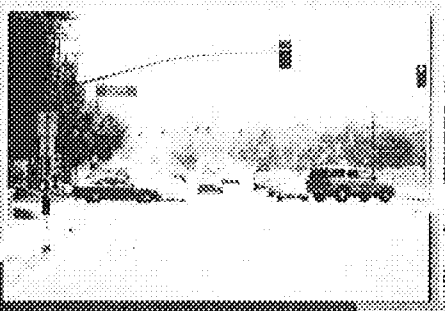

Proposal | Professional Design Consultant Services

RBF CONSULTING
A [redacted] Company

Exhibit "B"

Mission Statement

Make the world a better place through the application of the principle of sustainable development by providing professional design services that enhance the quality of life and the environment.

Provide development, infrastructure, planning and environmental services to public and private sector clients in local, regional and global markets.

Lead as professionals specializing in planning, design and construction.

Look forward to the future with a commitment to building opportunities and value for our clients and ourselves.

RBF CONSULTING
A Baker Company

February 23, 2012

JN 10-108571.999

City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, California 92552
Attention: Michael Lloyd, P.E., Senior Engineer (Contract Administrator)

RE: Proposal for Design Consultant Services: Alessandro Boulevard Median (Indian Street to Perris Boulevard) Project No. 13-12566851, HSIPL-5441(050)

Dear Mr. Lloyd:

RBF Consulting, *a Company of Michael Baker Corporation*, (RBF) is one of the largest engineering, design and construction management firms in the Nation. From RBF's beginning in 1944 in southern California, the company has grown to a full service consulting firm with more than 3,200 professionals nationwide and a team of 526 professionals in 16 offices within the western United States. The combined resources serve local, national and international markets, with the capability to provide a comprehensive range of services on a national scale for all sizes and categories of projects. Expertise includes transportation and traffic engineering, water and wastewater engineering, civil, structural, mechanical, and electrical engineering; architecture, landscape architecture; environmental; survey/mapping; GIS and construction management. RBF has been serving the Inland Empire from our Ontario office since 2002.

Why select RBF Consulting for this project?

- RBF's Project Manager, **Brian Anderson, P.E.** has 26 years of experience designing transportation facilities;
- **Tim Haile, P.E.**, has been working with Caltrans and is the Caltrans District Local Assistance liaison;
- RBF has been providing engineering services to the City of Moreno Valley since 2002 on various sidewalk, street rehabilitation, and traffic engineering projects;
- RBF staff is qualified and eager to continue our relationship with the City of Moreno Valley;
- RBF is a well established and stable firm with a history of completing similar projects;
- RBF staff has exceptional experience providing services to municipal clients and Caltrans, including environmental documentation;
- RBF will utilize an expert, **Cogstone** (Paleontoloty-Archaeology-History), in preparing compliance. RBF has a working relationship with them and have successfully collaborated on the Mojave Water Agency Ground Water Replenishment Project, and Victoria Avenue Underground Project;
- RBF staff has traffic data for Alessandro Boulevard from an ongoing project.

The proposal is contained in the following sections and page numbers.

Table of Contents
Cover Letter
Table of Contents
Section A: **Project Understanding** 1
Section B: **Approach and Management Plan** 3
Section C: **Qualifications and Experience** 7
Section D: **Staffing Plan** 8
Section E: **Work Plan and Schedule** 9
Section F: **Quality Control and Assurance** 15
Section G: **Additional Relevant Information** 16
Letters of Commendation
Section H: **Statements of Understanding and Required Forms** 17
Disclosure of Lobbying Activities (Form LLL)
Complete Proposer's List of Subconsultants (DEB and Non-DBE) Part I and II

Cost Breakdown (Provided in separate sealed envelope)

We have thoroughly reviewed the City's RFP and have included assurances and statements of understanding in Section H of the Proposal. We acknowledge receipt of Addendum No. 1. We encourage you to contact our client references to verify our qualifications and client services approach. Please feel free to contact me at (949) 330-4145 or banderson@rbf.com should you have any questions regarding our proposed scope of services or fee.

Respectfully submitted,

Gary Miller, P.E.
Vice President, Transportation/Public Works
Principal in Charge

Brian Anderson, P.E.
Senior Associate | Project Manager

Section A:
Project Understanding

SECTION A – Project Understanding

Planned Improvements

The City of Moreno Valley is requesting a proposal from a qualified engineering firm to provide Professional Engineering Services for the design of a raised median within Alessandro Boulevard from Indian Street to approximately 500 feet east of Perris Boulevard; install a new traffic signal and ADA pedestrian ramps at Alessandro Boulevard and Covey Quail Lane; install eastbound and westbound dual left turn lanes at Alessandro Boulevard and Perris Boulevard intersection; modify the existing traffic signal and install ADA compliant pedestrian ramps at Alessandro Boulevard and Perris Boulevard intersection; and revise the signing and striping to accommodate these improvements.

Research and Existing Conditions

In order to gain a complete understanding of the proposed project, the RBF Team has reviewed the Request for Proposal, reviewed the SCAG Compass Blueprint report, studied aerial photography, and performed a site-specific field walk of Alessandro from Perris Boulevard to Indian Street. The principal objective of this project is to address traffic safety by limiting multiple cross-traffic operations from adjacent residential and commercial/retail business traffic.

The project has been funded under federal Highway Safety Improvement Program (HSIP) funding as a safety improvement project to address traffic collisions on this segment of the highway. The existing Alessandro Boulevard is designated as a Divided Major Arterial with a roadway cross-section of 110 feet curb face to curb face and a 134 feet right-of-way. The current median is striped to allow traffic to turn-left into either the Commercial businesses properties, located along the south side of Alessandro Boulevard, or into the single family residents along the north. A raised median is currently provided to channelize left turn movements at the intersections of Alessandro/Perris Boulevard and at Alessandro Boulevard/ Indian Street. In addition, a channelized left turn lane has been provided at the intersection of Gaye Street and Alessandro Boulevard to allow westbound traffic to enter the main commercial drive approximately 485 feet west of Alessandro/Perris Boulevard intersection. Based on the information from the Request for Proposal, these channelized turn lanes shall remain and proposed median improvements will either join or modify the current turn lane configurations. The Alessandro/ Perris Boulevard left turn pocket will be modified to allow dual turn lanes in the eastbound and westbound directions. A new channelized left turn pocket will be provided at Covey Quail Lane/ Alessandro Boulevard intersection as part of this new signalization work. RBF will discuss with the City if restricted left turn median openings should be installed within the proposed raised median to maintain westbound access to the remaining commercial drive entrances. *Please see the Exhibit 1.*

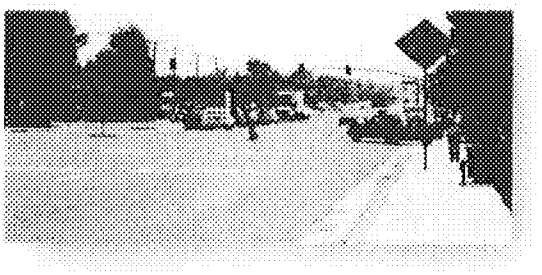

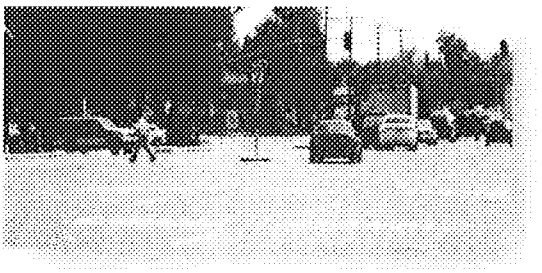

Alessandro/ Perris Boulevard Intersection

The proposed dual eastbound and westbound left turn lanes at Alessandro Boulevard/ Perris Boulevard intersection can be accommodated in a cost effective manner within the existing roadway section, please see Exhibit 1. Modifications to the intersection sidewalk areas will be necessary to accommodate new traffic signal poles, and ADA ramp modifications to make them current under ADA requirements. Lane striping transitions will be provided to join existing lane striping at the limits

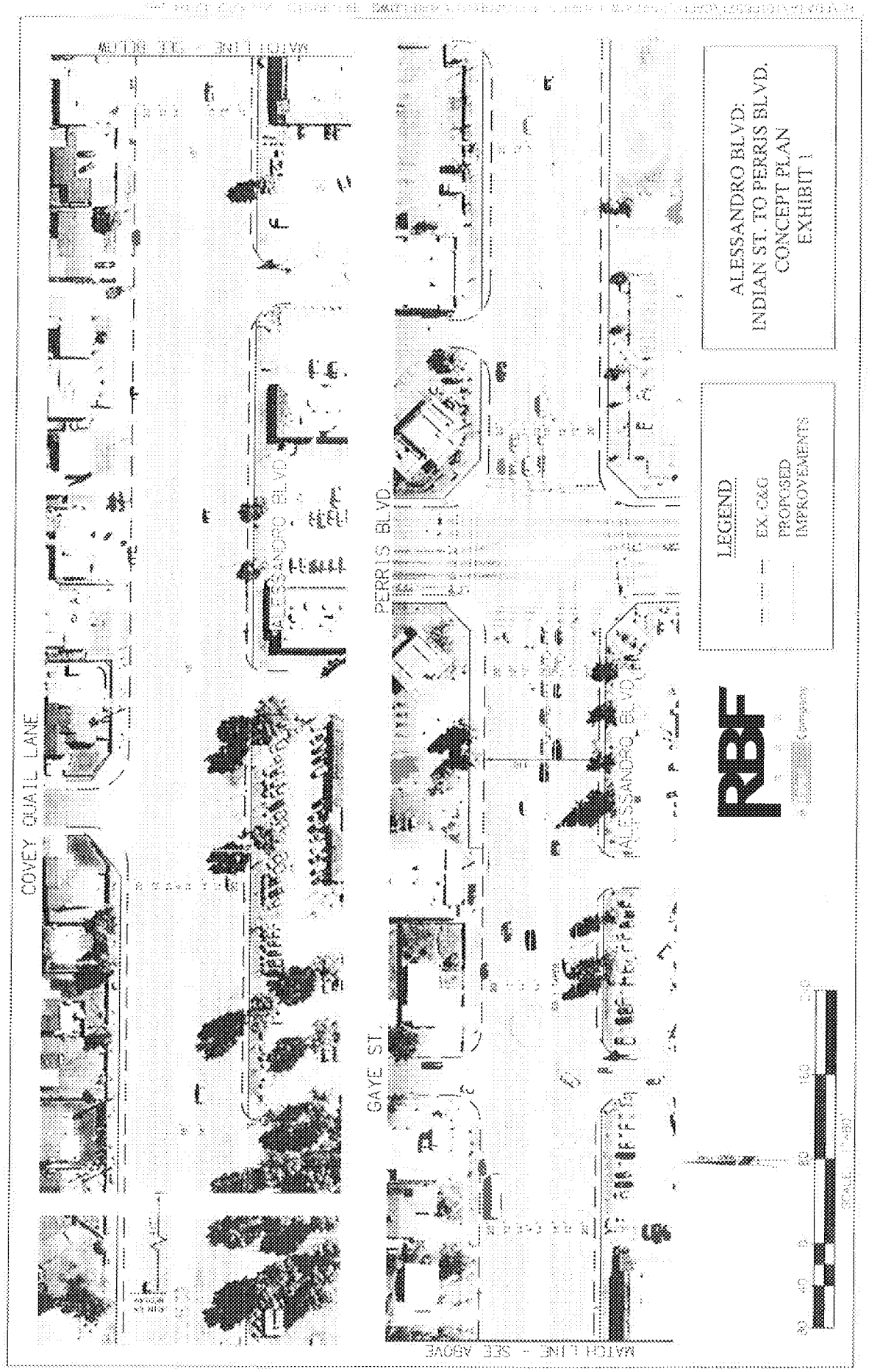
ALESSANDRO BLVD:
INDIAN ST. TO PERRIS BLVD.
CONCEPT PLAN
EXHIBIT 1
LEGEND
EX. C&G
PROPOSED
IMPROVEMENTS
RBF
COVEY QUAIL LANE
ALESSANDRO BLVD
PERRIS BLVD
GAYE ST.
MATCH LINE - SEE ABOVE
MATCH LINE - SEE BELOW

Section B:
Approach and Management Plan

Item No. A.5

SECTION B – Project Approach and Management Plan

PROJECT ISSUES AND APPROACH

Key Project Issues:

A. Geometrics

The proposed project median and intersection improvements will be designed following the City of Moreno Valley Standard Plans. A Geometric Approval Drawing (GAD) will be prepared showing the proposed raised median and both intersection improvements including:

- Realignment of the Alessandro/Perris Boulevard intersection to provide dual left-turn lanes
- Pavement repair
- Recommended improvements due to proposed intersection modifications including: medians, curb, gutter, sidewalk, and ADA pedestrian ramps
- Recommended striping improvements
- Recommended traffic signal improvements
- Recommended median improvements including hardscape
- Striping transitions to existing conditions
- Underground and overhead utilities (High and Low Risk)
- Limits of improvements

Intersection parkway areas will be highlighted on the GAD including areas that may have impact due to new traffic signal equipment (e.g. signal controller, signal poles, safety lighting, etc.), utility relocation, and commercial signage. The GAD will also show the recommended improvements along the median areas including new curbs, new left turn lanes, and stamped concrete limits.

The GAD will be provided to City staff for their review and approval prior to preparation of final plans. The GAD and supporting documents will follow the "General Design Submission Requirements" as provided under this RFP.

B. Truck Turning Review

The RBF Team will evaluate constraints to truck turning movements at the intersections based on the dual left-turn lane configuration at Alessandro Boulevard/Perris Boulevard intersection. A geometric analysis of truck turning movements will be performed to identify constraints within the existing right of way. Large trucks turning right may need to use portion of the middle lane in order to make the proper turning radii. Therefore, the lane widths will be evaluated to minimize truck turning impacts to the number two and three lanes. Impacts identified during this review will be discussed with the City for further action.

C Utility Coordination

It is anticipated that utility impacts may occur at locations of the proposed signal poles. If potential utility conflicts are identified, we will work with the City's representative to minimize the impact. Although the design of utility relocations is not included in this scope of work, RBF will prepare a utility location plan to facilitate communications with the utility owners.RBF will identify utilities in accordance with Caltrans policy on High and Low Risk Utilities. The utility location plan will identify pot-hole locations with conflict areas clouded. Utility depths and locations from record utility information will be updated after the field investigation. Pothole repair shall be performed per City Standard. RBF will coordinate with Southern California Edison for the electrical service point for the new traffic signal at Alessandro Boulevard/Covey Quail Lane intersection.

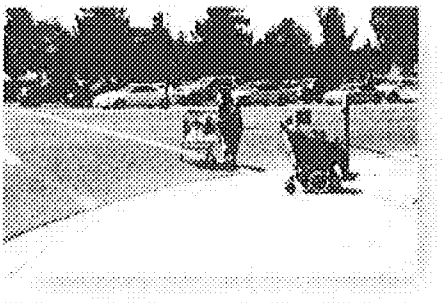

D. ADA Compliance

Per field observations, the pedestrian ramps at the intersections of Alessandro Boulevard/Perris Boulevard and Alessandro Boulevard/Covey Quail Lane are not fully compliant with ADA requirements. The RBF Project Team will work with the City to meet the project goals for ADA

compliance. We will evaluate the most efficient means to provide the pedestrian access while considering the right of way constraints.

E. Traffic Signal Systems

The existing traffic signal at the Alessandro Boulevard/Perris Boulevard intersection will be modified for the proposed dual left-turn lanes. It is anticipated that the traffic signal poles and mast arms for the eastbound and westbound directions will be replace due to the addition of the second left-turn lane. Other equipment will be evaluated to determine if meets curent Caltrans and City's requirements and provide recommendations for replacement or upgrade.

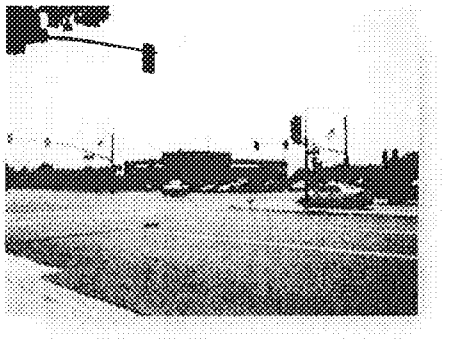

The new traffic signal at the Alessandro Boulevard/Covey Quail Lane will be designed to meet current Caltrans and City's requirements. It is anticipated that the intersection will have one marked crossing on the west leg and left-turn phasing will be required for vehicles turning left onto Covey Quail Lane. Traffic signal interconnect system will be incoroporated to link the new traffic signal with the adjacent signalized intersections at Alessandro Boulevard/Indian Street and Alessandro Boulevard/Perris Boulevard intersections. RBF will disuss with City staff the requirements to link the new traffic signal system with KITS, the City's traffic management system.

F. Signage and Striping

New striping that will be consistent with the requirements of the City and Caltrans will be provided for this intersection to accommodate the new double left turn pockets along with appropriate transitions. Alternative markings to improve the visibility at the mid-block crossings will be discussed with City staff.

All existing regulatory, warning and guide signs that will be impacted due to the proposed improvements will be replaced with new signs that meet the latest California MUTCD requirements, including reflectivity requirements.

G. Drainage

RBF will identify the existing storm drain system within the project limits. A review of this facility will be provided.

No drainage inlet structures are planned for the proposed within the median, either stamped concrete "hardscape" or graded in-fill will be designed to divert storm run-off away from the proposed median improvements. RBF's detailed understanding of storm drain design and hydraulics will help determine proper hydraulic assumptions for efficient design. If deficiencies are determined and upgrades are required, we can assist in system storm drain design per a separate work order.

H. Water Quality

This project is subject to local, state, and federal requirements for water quality including complying with the region's NPDES Program post-construction treatment BMP requirements. The project is required to comply with the Riverside County NPDES permit (Order No. R8-2010-0033). The site ultimately drains with the Santa Ana River watershed. A Water Quality Management Plan is not required due to project parameters below the required measures: 5,000 square feet or more of impervious surface on an existing developed site

I. Caltrans Environmental Process

The City's pursuit of Highway Safety Improvement Program (HSIP) funds will require a diligent review under the National Environmental Policy Act (NEPA). The proposed project will require the approval of NEPA documentation through the Caltrans Division of Local Assistance (District 8). RBF anticipates that a Categorical Exclusion (CE), with supporting technical studies, will be applicable to the project. To support the CE, RBF proposes to prepare special studies related to hazardous materials (for minor grading/excavation associated with the project), aesthetics (due to installation of a new traffic signal and median improvements), and cultural resources (for compliance with NEPA, Caltrans standards, and Section 106 of the National Historical Preservation Act). The environmental documentation will address potential impacts to residential uses located immediately north of Alessandro Boulevard along the project alignment. The project need and objectives will be supported in the

environmental documentation utilizing City-provided information, including accident and traffic warrant data included within the City's Application for HSIP Funds.

The NEPA clearance process will be a key component of the Planning/Environmental phase. Based upon RBF's extensive experience with similar projects and familiarity with the Local Assistance process and District 8, the RBF Team will act as an extension of staff to expedite the NEPA process while preparing a defensible, thorough analysis.

J. E-76 Processing with DLAE Caltrans Forms and Requirements

The RBF Project Team has extensive experience in completing and processing the numerous federal funding authorization forms through Caltrans District Local Assistance Engineer (DLAE) and the Federal Highway Administration, as well as incorporating all required special provisions in the project specifications to ensure that federal funding is not jeopardized. RBF has performed this task for several Cities and Agencies throughout Southern California. RBF has developed a comprehensive table summarizing the various authorization forms required in a matrix format that can be used to clearly identify the steps to be followed and the responsible parties. The RBF Project Team can support the City of Moreno Valley as may be necessary in the preparation of submittals for processing with DLAE. It is anticipated that submittals would be required for the final PS&E submittal process as follows:

- Authorization to begin Right-of-Way Work
- Authorization to Advertise

Additional processing will be required during construction and will be provided at the request of the City during the construction phase of the project. It is anticipated that submittals will be required construction submittal process as follows:

- Award Submittal Process
- Progress Payment Requests; and
- Final Invoice/Closeout Submittals

For ease of reference, a summary of the items to be prepared for submittal for both the design phase and construction phase along with the responsibility for preparation will be included in tables.

RBF's staff maintains an on-going dialogue with local, regional, and state jurisdictional agencies and continually keeps abreast of the changing requirements and procedures of the Federal, State and local agencies. For several years, RBF has participated on various Caltrans District and Headquarters Professional Liaison committees, which promotes an effective communication exchange between Caltrans, cities, counties, transportation authorities and consultants.

With a strong management approach and continuous close coordination between the City of Moreno Valley and our project team, the preparation of the City's Project should be straightforward with a logical progression through the work tasks. Continuous close coordination, communication and a focused project development process are the keys to successful completion of this important project. In order to complete the project within the proposed time frame, it is essential to develop a team relationship with all of the affected parties, identify responsibilities and obtain a commitment by each team member to the timely review and completion of the tasks within their realm of responsibility.

Management Plan

The RBF Team's management approach has been proven effective on past projects by meeting or exceeding the client goals such as completing on-schedule and within budget. This experience will be useful to develop relationships among the project stakeholders, solicit input, and develop consensus for all alternatives during the PS&E development process. The basic components of our project approach are as follows:

Define Project Objectives and Scope

RBF will work with the City to identify the objectives of the project and to confirm that the scope meets these objectives. This initial collaboration is important so that all team members focus on the same goals. If our scope is clear, then the project schedule is an accurate representation of the work required and the team can meet deadlines to please the community and to meet funding deadlines. RBF uses Microsoft Office software to prepare and maintain the project schedule for the team. We prefer simple and easy-to-use schedules to facilitate control of the project.

Project Initiation and Momentum

RBF will foster a productive relationship between all the team members so that meetings are efficient. Once the project is kicked off, RBF will maintain momentum with regular meetings and efficient follow up and communications. Regular status reports will be prepared using methods to highlight action items, to track progress and to keep the team accountable. The RBF project team includes one sub-consultant with the rest of the project staff under one roof. Counts Unlimited, Inc. will prepare the traffic count data as needed and we are confident of their work.

Budget Control

RBF will control costs with frequent monitoring and early identification of potential scope changes. Our work plan will be easy to follow and track so that tasks along with budget are readily available. It will be updated monthly and can be provided upon request at any time during the project.

Quality Control

The RBF Team's Quality Assurance/Quality Control Program is a continuous process used not just at project milestones, but also on a daily basis as work flows from desk to desk, discipline to discipline and consultant to client. Our managers, both within RBF and our sub-consultant, will oversee their staff on a daily basis.

Our ability to meet the demands of the project within the budget and time constraints begins with our management philosophy. We can provide quality services by analyzing the needs of each project and assembling a team with clear lines of communications and committed to the project. The staff listed in the Organizational Chart will be dedicated to this project.

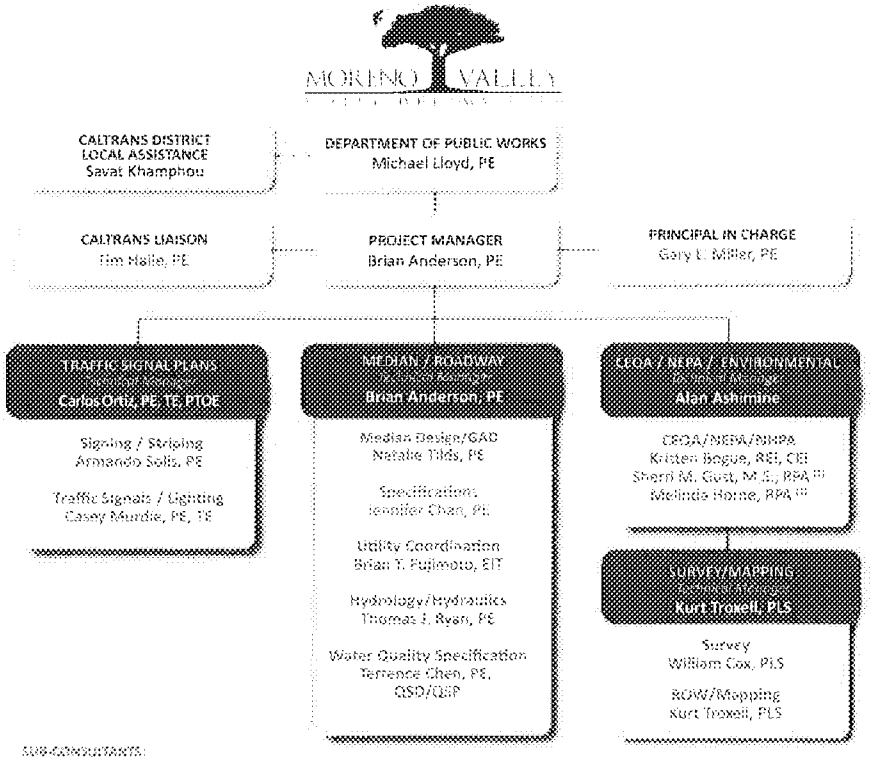

Section C:
Qualifications and Experience

SECTION C – Qualifications and Experience

Qualifications

In addition to the company information provided in our cover letter, the following details about our key personnel and projects are relevant to this particular project.

KEY PERSONNEL:

Brian Anderson, P.E., (CE #55298) Project Manager | Mr. Anderson has been designing transportation facilities for 26 years. His focus has been in the management and development of complex multi-agency projects meeting Federal and State standards. He has provided engineering for public works and Caltrans project that include: Sand Canyon Avenue Grade Separation, 190th Street Rehabilitation, Alton Parkway Extension, Newport Coast Drive/Pelican Hill Road Right Turn Improvements, Midway City Street and Storm Drain Improvements, Tustin Ranch Road, Warner and Armstrong Street Improvements, State Route 57/Lambert Road PSR, SR 91 Outside Widening PSR.

Gary Miller, P.E., (CE #36897) Principal in Charge | Mr. Miller has 38 years of experience in Transportation/Public Works engineering and knowledge of the requirements for projects funded through local, State, and Federal, and Caltrans Local Assistance. He has completed street improvement and median programs for the cities of Beverly Hills, Torrance, Long Beach, Santa Monica, Midway City, Thousand Oaks, San Juan Capistrano, Tustin, Irvine, Lake Forest, Mission Viejo, and others.

Tim Haile, P.E., (CE #72109) Caltrans Liaison | Mr. Haile has 14 years of experience with public works and transportation projects. He is an expert in Caltrans design policies, procedures and standards that apply to transportation projects. He has been managing and assisting with large multi-discipline projects, such as the State Route 91 Corridor Improvement Project, Mid County Parkway, High Desert Corridor, and the Orange County/ Riverside County Major Investment Study. Mr. Haile has extensive knowledge of the Inland Empire and Riverside County.

Carlos Ortiz, P.E., T.E., P.T.O.E. (CE #C057535, TE #2025, PTOE #426) Traffic Signal Plans Technical Manager | Mr. Ortiz manages the traffic engineering aspects for RBF's transportation projects. Mr. Ortiz's 23 years of professional experience includes the design of site and grading improvements, street improvements, intelligent transportation systems, traffic signals, traffic signal communication systems (twisted pair, fiber optic, wireless), lighting, ramp metering systems, traffic monitoring systems, dynamic message sign systems, stage construction/traffic handling, and signing and striping.

Kurt Troxell, P.L.S. (PLS #7854) Survey/Mapping Technical Manager | Mr. Troxell has extensive experience in cadastral and geodetic control surveys, including preparation of records of surveys, right-of-way documents and legal descriptions, topographic mapping, ALTA surveys, and tentative / final subdivision mapping. With 24 years of experience, he brings a thorough knowledge of widely used CADD / Data Collector platforms and expertise in integrating these systems into an efficient workflow process based on project specifications.

Alan Ashimine, CEQA/NEPA/Environmental Technical Manager | Mr. Ashimine prepares environmental and planning studies for public and private sector clients under the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). He has 13 years of extensive experience in the research, analysis, and writing of environmental documentation for a variety of projects involving infrastructure, redevelopment, residential, and industrial uses. He provides defensible CEQA/NEPA compliance review and environmental documentation.

Experience

190th Street Rehabilitation | Torrance, CA

RBF assisted the City of Torrance by preparing a final design for pavement rehabilitation along approximately one mile of the 190th Street. The project was a collaborative

Client: City of Torrance
Mr. Craig Bilezerian, PE
Engineering Manager
310/618-3054
cbilezerian@torrnet.com

effort, requiring outreach and coordination with the City of Redondo Beach. RBF's project design resulted in a cost-effective approach to extending the pavement life within the budgetary constraints of the City. *Staff: Brian Anderson, Gary Miller, Jennifer Chan, Bill Cox, Brian Fujimoto, Gary Miller, Carlos Ortiz, Armando Solis, Natalie Tilds, Kurt Troxell*

Sand Canyon Avenue Grade Separation at the Metrolink/BNSF Railroad (Phase 1) | Irvine, CA

Client: City of Irvine
Mr. Steve Ollo, PE, LS
949/724-7562

RBF was responsible for roadway layout, structures design, pump station design, railroad permitting and coordination, railroad shoofly design, drainage design, utility relocation coordination, survey/right-of-way engineering, community outreach, landscape/irrigation, identification of funding and geotechnical engineering services. RBF provided Caltrans Encroachment Permit for work within their Right-of-Way; and Storm water system including pump station design and meeting storm water quality standards for discharge. *Staff: Brian Anderson, Terrance Chen, Bill Cox, Gary Miller, Armando Solis, Kurt Troxell*

Alton Parkway Extension

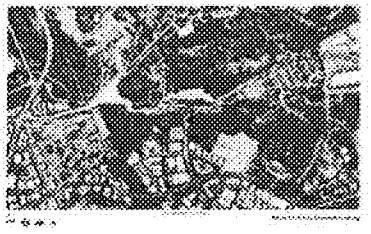

Client: County of Orange
Mr. Ignacio Ochoa, 714/667-3213
ignacio.ochoa@rdmd.ocgov.com

RBF prepared improvement plans in 1992, but the construction did not occur. Since the original plans were prepared, the Borrego Canyon Wash has experienced heavy flows and significant erosion. Additionally, the requirements for regulatory compliance have changed significantly to obtain CEQA clearances, therefore, the topographical information, as well as other pertinent information, provided on the plans, requires updating and new permit processing with the regulatory agencies. The roadway alignment is severely constrained due to its immediate proximity to a portion of lands within the Nature Reserve of Orange County, the proposed El Toro Federal Wildlife Refuge, the Borrego Canyon Wash and the ongoing landfill activities by the Navy within the former MCAS El Toro. Under a subsequent contract with the County of Orange, RBF provided environmental documentation, permitting, and successfully completed CEQA clearances in 2007. RBF prepared plans, specifications and estimates for this approximately 1.25 mile reach of new roadway. The project is being construction and near completion. *Staff: Brian Anderson, Jennifer Chan, Brian Fujimoto, Gary Miller, Carlos Ortiz*

The Edison Right-of-Way (ROW) Bikeway | Anaheim, CA

Client: City of Anaheim, Public Works Department
Mr. Cesar Carrillo
714/765-5176
ccarrillo@anaheim.net

Project is a one mile long bicycle and pedestrian trail, primarily within the City of Anaheim. The project provides a safe transportation route for students and bicycle commuters to commute through an urban neighborhood to two public schools and Orange County Transportation Authority (OCTA) bus routes. In addition to schools, the trail provides linkages to other City facilities such as Maxwell Park, Haskett Public Library, a youth center and two churches/temples. The RBF team provided NEPA environmental clearance through Caltrans and prepared final PS&E, which included ROW support services and Caltrans Local Assistance processing. The project was completed in five months to address funding constraints. *Staff: Alan Ashimine, Bill Cox, Gary Miller, Casey Murdie, Carlos Ortiz, Natalie Tilds, Kurt Troxell*

Alessandro Boulevard Implementation Plan (SCAG | Compass Blueprint Demonstration Program | RBF is under contract for the implementation of the Alessandro Boulevard Corridor Project, funded through the SCAG. Zoning standards will be modified with CEQA clearance to accommodate increased transit ridership along the busy Alessandro Boulevard supportive of a future Bus Rapid Transit Project. RBF is coordinating with the City to plan a land use and transportation system that links key nodes of activity. *Staff: Paul Martin (Traffic Engineer/Project Manager) Client: City of Moreno Valley, Mr. Eric Lewis, 951/413-3149, ericle@moval.org*

Section D: Staffing Plan

SECTION D | Staffing Plan

Staff	Role	Current/Anticipated Workload	Avail.
Gary Miller, PE	Principal in Charge	Commerce Washington Blvd.; Alton Parkway Extension; Sand Canyon Grade Separation	30%
Tim Haile, PE	Caltrans Liaison	I-10/Jefferson Street Interchange (25%); I-25 PSR/PDS (25%)	40%
Brian Anderson, PE	Project Manager/ Median-Roadway	Sand Canyon Construction support (10% for 1 year); Washington Blvd. Improvements (30%)	70%
Carlos Ortiz, PE, TE, PTOE	Traffic Signal Plans	City of Palm Springs Citywide Interconnect and TMC; City of Long Beach Bicycle Gap Closure; City of Santa Monica I-10 Signage Improv. (80%)	20%
Alan Ashimine	CEQA/NEPA/ Environmental	Bandini Industrial Center Initial Study; Carrari Ranch EIR; Cabot-Camino Capistrano Bridge Project Initial Study; Hyundai Motor America Headquarters EIR; State Route 91 Westbound Widening Project Addendum; Southwest Industrial Park Specific Plan Update EIR (60%)	40%
Kurt Troxell PLS	Survey/Mapping	County of Orange Alton Parkway Construction (10%), NAVFAC SW Seal Beach Naval Weapons Station (20%) end 5/2012; Cow Camp Road (20%) ends 12/2012; *Anticipated: SR-241 Toll Road Extension (10%)*	60-70%
Armando Solis, PE	Signing/Striping	SR-91 WB Widening; Camarillo Hills Drain Traffic Control Plans	30%
Casey Murdie, PE, TE	Traffic Signals/ Lighting	Newport Center Dr. Signing and Striping Plans and Sight Distance Analysis; Camarillo Hills Drain Traffic Control Plans; City of Long Beach Bicycle Gap Closure and Improved LA River Bike Path Access; *Anticipated: Santa Monica ITS Project; Daisy Avenue Corridor Blvd.; LA Co. Traffic Engr Svcs*	50%
Natalie Tilds, PE	Median Design/ CAD	Cow Camp Road; Buena Park Storm Drain Master Plan; *Anticipated: Washington Boulevard (beginning in March)* (20%)	80%
Jennifer Chan, PE	Median/ Roadway Specifications	Sand Canyon Grade, Separation, Alton Parkway (OCPW), Rockfield Blvd (Construction Support); R-14; Tustin Ranch Road; Mission Viejo Safe Routes to School (20%); *Anticipated: OCSD Plant 1 & 2 Pavement Rehab*	80%
Brian Fujimoto, EIT	Utility Coord.	Cow Camp Road (Phase 1A and Phase 1B)	50%
Thomas Ryan, PE	Hydrology/ Hydraulics	Buena Park Master Plan; Laguna Woods Village Storm Drain Pipe Replacement Project; Los Canyons Development (Drainage & Design); Wildwood Creek Ecosystem Restoration (Yucaipa); Laguna Woods Village, Aliso Creek Culvert Design; Smith Creek Embankment Stabilization and Design Plans (Riverside) (20-50%)	50-80%
Terrence Chen, PE, QSD/QSP	Water Quality Specification	Caltrans Corridor Study SR-14 (50%); SR-57 Lambert Rd (25%); *Cow Camp Rd. WQMP (25%)*	25%
William Cox PLS	Survey	Tonner Hills Grading Surveys (20%); County of Orange-Alton Parkway (15%); Santa Ana River Interceptor Tunnel Monitoring (15%); Beverly Hills High School Topo (10%); Soka University Parking Structure Lot B (10%)	30%
Kristen Bogue, REI, CEI	Environmental	SR-57/Lambert Road Interchange Improvement Project (Phase I Initial Site Assessment and Visual Impact Assessment; SR-57/60 Confluence at Grand Avenue (Visual Impact Assessment); Carrari Ranch Specific Plan Environmental Impact Report (Supporting Analyst)(60%)	40%
Sherri M. Gust, MS, RPA	Archaeologist/Paleontologist	Devers Mirage (5%); VanNuys (5%); Expo II (10%)	80%
Melinda Horne, RPA	Archaeologist/ Paleontologist	Yucaipa Valley General Plan (5%); Park Once (5%)	90%

The RBF staff selected for this project is highly qualified and registered or certified in each of their disciplines.

Our Team approach for completing services on time and within budget is to achieve a complete understanding and commitment from each team member regarding the scope of services, their Project responsibilities within the work scope, as well as the budget and schedule.

RBF's capacity to perform to schedule will result from having a dedicated team and the strength of cross-trained individuals who can support this project.

Section E:
Work Plan and Schedule

SECTION E – Work Plan and Schedule

The following scope of work has been developed in accordance with the Three Phase project approach as outlined within the Request for Proposal for this project, (Phase Three has been removed and differed for Construction Work). RBF will provide surveying, mapping, environmental, and engineering services to plan and construct the Alessandro Boulevard improvements.

TASK 1 | Project Management/ Meetings

A. Prepare a detailed Project Schedule. The schedule will be a refinement of the schedule included in this Proposal. The schedule will identify milestone events and will be tracked and updated on a monthly basis. RBF prepare schedule using Microsoft Project software, and submitted to the Project Manager and staff at each PDT meeting.

B. Prepare an Action Item Matrix which will identify:
   - Critical issues
   - Responsible parties
   - Target resolution dates
   - Actual resolution dates

   The action item matrix will be updated on a monthly basis.

C. Initiate and maintain a Quality Assurance program.

D. Prepare monthly progress reports to document progress on this project. The report will consist of the following:
   - Work accomplished during the reporting period
   - Work anticipated during the next reporting period
   - Issues
   - Progress Schedule

E. Chair, Schedule, and Attend Meetings in the Planning phase as follows:
   - Project Kickoff Meeting (1) Start of Project
   - Project Development Team Meetings, (7); (3- Physical on-site meetings at time of submittal; 4 – teleconference call meetings)
   - Property Owner Meeting, (1)
   - Environmental Meeting, (1)
   - City Council Meeting, (1)

   RBF will prepare meeting agendas and minutes for meetings as appropriate. Agendas will be prepared five days prior to scheduled meeting and submitted to the Project Manager for approval. Minutes will be distributed to attendees with contact information including names, phone numbers and email addresses. Action item lists will be generated and distributed after each meeting.

Phase: Planning, Environmental, and Conceptual Design

Environmental Approval is independent of the work performed for Preliminary Engineering Task for this phase of work. The City of Moreno Valley will release payment for Preliminary Engineering Task (2.1, 2.2, 2.2.1, 2.4, 2.5, 2.7, and 2.9) at completion and approval of the work. Work performed for Environmental clearance shall be paid at Approval of the Environmental Document(s).

TASK 2.1 | Research and Investigation

Research all information such as existing records and documents in order to complete the project. Items that may require verification during construction will be considered during the project planning phase for incorporation into future plans and contract documents. Conduct a site review of the project area, photograph and inventory key site features.

TASK 2.2 | Report of Project Issues

RBF will prepare project issues report based on the findings of the research and record information investigation performed under task 2.1. The report shall include an itemized listing of supplied materials, site photos, reports, studies, record information as found or identified. Conflict areas, constraints, and project issues will be identified. The report will identify utility conflicts, if any; right of way impacts; and lastly a summary of environmental issues.

TASK 2.2.1 | Conceptual Median Hardscape Plan

Conceptual Hardscape Plan. The Conceptual Hardscape Plan will identify the materials to be used with their approximate locations within the proposed medians. Utilizing the base map, inventory information, and input received from the City, RBF will prepare one (1) presentation quality color rendered Conceptual Hardscape Plan at an appropriate scale, showing the horizontal layout of the median features. The intent of this plan is to submit to the City Staff and Council for review and concurrence, any changes (hardscape design) will be incorporated within the final design drawings. The Conceptual Hardscape Plan will include the following:

- Raised curb locations
- Median hardscape locations and materials, such as pavers, concrete, rock cobble, or decomposed granite
- Images of the final median paving and material selections
- One (1) typical median cross section
- A preliminary Opinion of Probable Construction Costs

Product:

- One (1) full-sized color rendered final Conceptual Hardscape Plans
- Five (5) 11 x 17 colored rendered Conceptual Hardscape Plans
- One (1) electronic copy of the Conceptual Hardscape Plans in JPG or PDF format

TASK 2.3 | Environmental

RBF will prepare environmental documentation to satisfy the requirements of the National Environmental Policy Act (NEPA) due to the intended use of Federal funding for the proposed project. Based on information provided by the City, the project is exempt from the California Environmental Quality Act (CEQA) and CEQA clearance documentation is not included in this scope of work. This task assumes that the appropriate form of NEPA documentation will be a Categorical Exclusion (CE) with supporting technical study(s) and that the project will be processed through the Caltrans (District 8) Division of Local Assistance.

Preliminary Environmental Study Form. RBF will prepare a Preliminary Environmental Study (PES) Form in accordance with the Caltrans *Local Assistance Procedures Manual* environmental reporting criteria. The PES Form will provide a preliminary analysis of potential environmental impacts associated with the project and identify environmental issues that may require further detailed study. The PES Form will be submitted to the City/Caltrans for concurrence prior to the initiation of the technical study work program. Caltrans will be responsible for a determination of the appropriate scope of work for the project. A final determination regarding the range of technical studies and appropriate NEPA action will not be made until Caltrans approves the PES Form for the project. Note. This scope includes the task for the Phase I Initial Site Assessment only, additional studies, if necessary, can be added for additional fee. Final determination of studies is anticipated on approval of the PES form.

Special Studies

- **Phase I Initial Site Assessment:** Hazardous Materials Memorandum: RBF will prepare a Phase I Initial Site Assessment (ISA) for the proposed project in accordance with the American Society for Testing and Materials (ASTM) Standard Practice E 1527-05 and the Caltrans Standard Environmental Reference (SER). It is acknowledged in this scope of work that one (1) build alternative will be considered.

Categorical Exclusion. On behalf of the City, RBF will forward all supporting NEPA special studies and preliminary engineering documentation demonstrating that significant environmental effects will not result with project implementation. This submittal will consist of a draft CE and technical study package with formal request to Caltrans for approval. It is assumed that the project would qualify for a CE under Section 6004, 23 CFR 771 Activity c(4).

Environmental Commitments Record. In compliance with the Caltrans SER, RBF will prepare an Environmental Commitments Record (ECR) to track and document the completion of environmental commitments through the project delivery process. The ECR will combine relevant environmental compliance information together in a single place, making it easier to track progress and easier for project team members to identify implementing actions. RBF will consult with Caltrans staff to determine the preferred format and outline of the ECR.

TASK 2.4 | Survey/Mapping

RBF Consulting shall perform the following Scope of Survey Services:

Project Control. RBF Consulting shall provide horizontal and vertical control for the project. Unless otherwise directed by the City, the basis of horizontal control will be North American Datum of 1983 (NAD 83), Zone 6, Epoch 2007. Coordinates will be expressed as grid values in terms of the U.S. survey foot.

Unless otherwise directed by the City, the basis of vertical control will be the North American Vertical Datum of 1988 (NAVD88).

Topographic Survey. Topography shall include obtaining locations, elevations and descriptions of:

- Cross Sections on 50' intervals, and extending 25' outside of ROW at street intersections.
- Curb, gutters, sidewalks and driveways.
- Pavement areas including streets and asphalt berms.
- Power poles, streetlights and traffic signals, and major signs.
- Trees and major specimen plants, with trunk diameters greater than 6".
- Above ground utilities including valves, pullboxes, meters, and vaults.
- Manholes and storm drain structures.
- All major surface features that define the shape of the terrain, such as tops and toes of slopes, grade breaks and natural ground.
- Spot elevations at critical locations along the alignment.
- Inventory of street monuments that may be destroyed during construction.

All field topography shall be collected electronically for data processing using field descriptor codes as shown on pages 10 & 11 of the Request for Proposal.

All field topography shall be collected electronically for data processing. Consultant shall deliver all topography in AutoCAD 2009 format on standard formatting which is compatible with existing City equipment. All layering will follow City standards. All Autocad symbols will be blocked and will not be exploded.

The finished topographic map shall include the basis of horizontal and vertical control, Benchmark, North arrow, date of survey, Crew chief review, notes and details if necessary. Electronically formatted files can be E-mailed to the Client if requested. Raw Field data and processed field coordinates will be delivered in ASCII format on CD and a hard copy plot will be provided at the conclusion of the topographic mapping.

Right-of-Way Base Mapping. Since there are no right-of-way acquisitions anticipated for the project, RBF Consulting will compile right-of-way base mapping for the from Riverside GIS parcel data files. Said parcel data files will be reviewed for conformity with Riverside County Assessor's parcel maps and exist site topography. GIS parcel data found to be insufficient for project purposes will be supplemented by calculations of existing centerlines and right-of-ways shown on available record maps and/or assessor's parcel maps.

TASK 2.5 | Utilities Research

Perform all necessary research to establish the location of utilities within the work limits. Coordinate utility work with the City of Moreno Valley and all impacted agencies. Preliminary and final plans are to be sent to impacted utility companies. RBF will identify appropriate list of distribution to the City. The City will prepare letters on City Letterhead and mail to distribution list. City will forward copies of all letters and response received from utility agencies for tracking purposes. RBF will coordinate with utility agencies to obtain written confirmation of identified utilities. RBF will base any potential conflicts utilizing the

approved GAD alignment study. Utilities in project area to be relocated, adjusted, or otherwise modified will be identified. A time assessment of utility relocation will be incorporated into the construction schedule, as necessary. RBF will locate utilities within the project area in accordance with Caltrans policy on High and Low risk utilities. RBF will coordinate with SCE for the electrical service point for the new traffic signal system.

TASK 2.7 | Preliminary Concept Design (GAD Drawings 35%)

RBF will prepare conceptual layout plans showing the raised median, striping, tentative traffic signal pole locations, and locations of ADA compliant access ramps. The plans will include project items as identified within the General Design Submission Requirements "Exhibit A" found in the request for proposal for this project. Clarification for GAD Deliverable and submission requirements as outlined in "Exhibit A" – 1) No Vertical plan information for medians at this level is planned. 2) No planned meetings with Fire, Police, or Utility Companies are included with this SOW. 3) Environmental clearance is separate from Preliminary Engineering tasks as described under the Phase of work.

TASK 2.9 | Preliminary Submittals

RBF will submit the follow items under this phase of work:

- Five (5) sets of bond copies plan drawings (redline check prints, if applicable)
- One (1) set of drawings to each utility agency identified under task 2.4 of this scope of work.
- Copies of transmittals, submittals, and letters sent to the utility agencies regarding the project.
- Environmental documentation for initial review to the City and after approval sent to Caltrans District 8, DLAE for review.

Phase: Design (PS&E)

TASK 3.0 | Final Design Drawings

Work under this phase shall commence only after completion and approval of the prior phase of work and written authorization to proceed by the City.

Design plans will be completed in conformance with the latest available design, drafting, policy, and procedure manuals of the City of Moreno Valley. All drawings will be prepared with AutoCAD LD software. Final approved drawings will be plotted on 24" by 36" Mylar. Plans are to be submitted at 65%, 95%, and Final completion levels. The following is a listing of proposed plan sheets:

Task	Plan	English Scale	Number of Sheets
3.1	Title Sheet	N/A	1
3.2	Typical Cross Sections and Details	N/A	1
3.3	General and Construction Notes	N/A	1
3.4	Roadway Improvement Plans (Plan) (Double Loaded)	1 in = 40 ft	3
3.5	Signing and Striping Plans	1 in = 40 ft	3
3.6	Traffic Signal Plans	1 in = 20 ft	2
3.8	Hardscape Drawings/ Details	*Varies*	1
		TOTAL SHEETS	12

The fees provided have taken into consideration the detail required to perform these tasks. The tasks to be performed to accommodate the project are outlined as follows:

- Roadway Improvement Plans will be prepared within the project limits. Plans will include plan view (Double Loaded per sheet) of proposed median curb improvements at a scale of 1"=40'. Vertical elevations (existing and proposed) will be placed on the design plan views at 50-foot intervals along tangent sections, and all BC's, EC's, BCR's, ECR's, and every 20-foot intervals within turn pocket areas.
- Signing and Striping Plans will be prepared in accordance with standards set forth by the City of Moreno Valley or Caltrans;
- Prepare traffic signal and intersection lighting plans at the following locations:
  1. Traffic Signal Modification – Alessandro Boulevard/ Perris Boulevard
  2. New Signal System – Alessandro Boulevard/ Covey Quail Lane

TASK 3.7 | Cross Sections
RBF will create working cross–sections based on previously prepared field survey at 100 –foot intervals. Section will show existing and proposed roadway median curb improvements.

TASK 3.8 | Hardscape Construction Drawings

RBF will prepare one set of final hardscape construction plans, technical specifications, and opinion of probable Hardscape construction costs in sufficient form and detail to obtain City approval and use for bidding and construction. The plans will be prepared based on the Conceptual Hardscape Plan, will comply with the City's Landscape Design Guidelines, and will be prepared in AutoCAD using a base map of the project layout. It is anticipated that the plans will be included in the overall construction document improvement package and will indicate median paving materials, specifications, and an Opinion of Probable Construction Costs as described below:

a) No Planting and Irrigation (100% Hardscape). RBF will provide median "hardscape" plan and details that indicate the median design to consist of materials such as interlocking concrete pavers, concrete with different colors or textures, rock cobble, or decomposed granite. No planting or irrigation design in included with this task.

TASK 3.9 | Final Quantity and Cost Estimate
RBF will prepare quantity calculations and final construction cost estimates in accordance with City of Moreno Valley requirements utilizing current City construction cost data and similar project construction item bids from recent projects. The quantities and cost data will be submitted with each project submittal.

TASK 3.10 | Technical Specification
RBF will prepare Technical Specifications per City of Moreno Valley requirements for bidding by the City. The City will provide "boiler plate" specifications in Microsoft word format. RBF will amend the technical specifications for project specific items of work. The Technical Specifications will be prepared in current "Greenbook" format and Caltrans format for traffic striping and signals.

TASK 3.11 | Plan Revisions and Final Document Submittals
RBF will review comments provided by the City from the previous submittals and incorporate applicable revisions. Provide final submittal of the plans, specifications and estimates along with supporting calculations to the City for subsequent advertising of construction. The submittal documents will be in compliance with the General Design Submission Requirements "Exhibit A" provided in the Request for Proposal of this project. Note: Title Reports are not included with this work; No additional Right–of-Way is anticipated or work required for acquisition of Right-of-Way is included in this Scope of Work.

RBF will submit the follow items under this phase of work:

- Five (5) sets of bond copies plan drawings and specifications at 65%, 95%, and Final (redline check prints, if applicable)
- Three (3) set of quantity calculations at 65%, 95%, and Final
- Five (5) sets of bond copies of the cross-sections at 65%, and 95%. One (1) reproducible and four (4) bond copies a t final submittal.
- Final Copy of design plans to each utility agency as identified in the distribution list.
- Final PS&E documents through Caltrans District 8 DLAE for review and approval.

TASK 3.12 | Questions During Bidding
RBF will respond to bidders questions received in writing from the City.

Scope Assumptions (General)

- No additional studies, reports, or investigation not specifically identified in this scope of work shall be provided without amendment to fee and scope and approval of a contract modification.
- The City will pay all permit fees that may be required.
- City will prepare E-76 forms and process with Caltrans District 8 DLAE
- The City will be responsible for the development of all utility relocation agreements, acquisition documents, and

negotiations of any utility relocation.

* Traffic data, signal warrants, and studies shall be provided by the City for the consultants use.
* The City shall require any construction contractors to indemnify RBF from any and all losses, damages, claims, expenses, including attorneys fees, and costs arising out of the contractor's work , excepting only losses, damages, claims expenses, including attorneys fees, and costs which are caused by the sole negligence or willful misconduct of RBF in performing their services under this agreement.
  The City will require the construction contractor to add RBF as an additional insured in the comprehensive general liability, auto liability, worker's compensation and builders risk insurance coverage required by the City.

MORENO VALLEY
Alessandro Boulevard Median Improvemnts
from Indian Street to Perris Boulevard
Proposed Project Schedule
RBF CONSULTING

	Task Name	Duration	Start	Finish
1	PROJECT DESIGN SCHEDULE	437 days	Tue 4/24/12	Wed 12/25/13
2	PHASE: PLANNING, ENVIRONMENTAL, AND CONCEPT	114.5 days	Tue 4/24/12	Mon 10/1/12
3	Notice to Proceed	1 day	Tue 4/24/12	Tue 4/24/12
4	Project Kickoff Meeting	1 day	Wed 5/2/12	Wed 5/2/12
5	Research & Data Collection	3 wks	Thu 5/3/12	Wed 5/23/12
6	Site Visit & Review	1.5 wks	Thu 5/3/12	Mon 5/14/12
7	Topographic Survey	2 wks	Thu 5/24/12	Wed 6/6/12
8	Utility Notifications	10 wks	Thu 6/7/12	Wed 8/15/12
9	Utility Potholing	2 wks	Thu 8/16/12	Wed 8/29/12
10	Base Map Preparation	5 wks	Thu 8/7/12	Wed 8/27/12
11	Permit Engineering Evaluation Report (PEER) & Fact Sheet (Caltrans Approvals)	100 days	Mon 5/14/12	Mon 10/1/12
12	Environmental Review	4 wks	Mon 5/14/12	Mon 6/11/12
13	Caltrans Review, Revisions and Approvals	16 wks	Mon 6/11/12	Mon 10/1/12
14	Geometric Approval Drawings & Constraints Analysis	50 days	Thu 6/28/12	Wed 9/19/12
15	Develop Alignment & Reviews	4 wks	Thu 6/28/12	Wed 7/25/12
16	Final Precise Alignment & Reviews	4 wks	Thu 8/23/12	Wed 9/19/12
17	PHASE: DESIGN (PS&E)	50 days	Thu 9/20/12	Wed 11/28/12
18	Plans, Specifications and Estimates	50 days	Thu 9/20/12	Wed 11/28/12
19	Plan Set Preparation	4 wks	Thu 9/20/12	Wed 10/17/12
20	Cost Estimate	2 wks	Thu 11/1/12	Wed 11/14/12
21	Specifications	3 wks	Thu 10/25/12	Wed 11/14/12
22	Plan City Review & Revisions Processing	4 wks	Thu 10/18/12	Wed 11/14/12
23	Final Plans, Specifications and Estimates Complete	2 wks	Thu 11/15/12	Wed 11/28/12
24	PHASE: CONSTRUCTION	198 days	Thu 5/8/13	Wed 12/25/13
25	Construction Support	5 mons	Thu 8/8/13	Wed 12/25/13

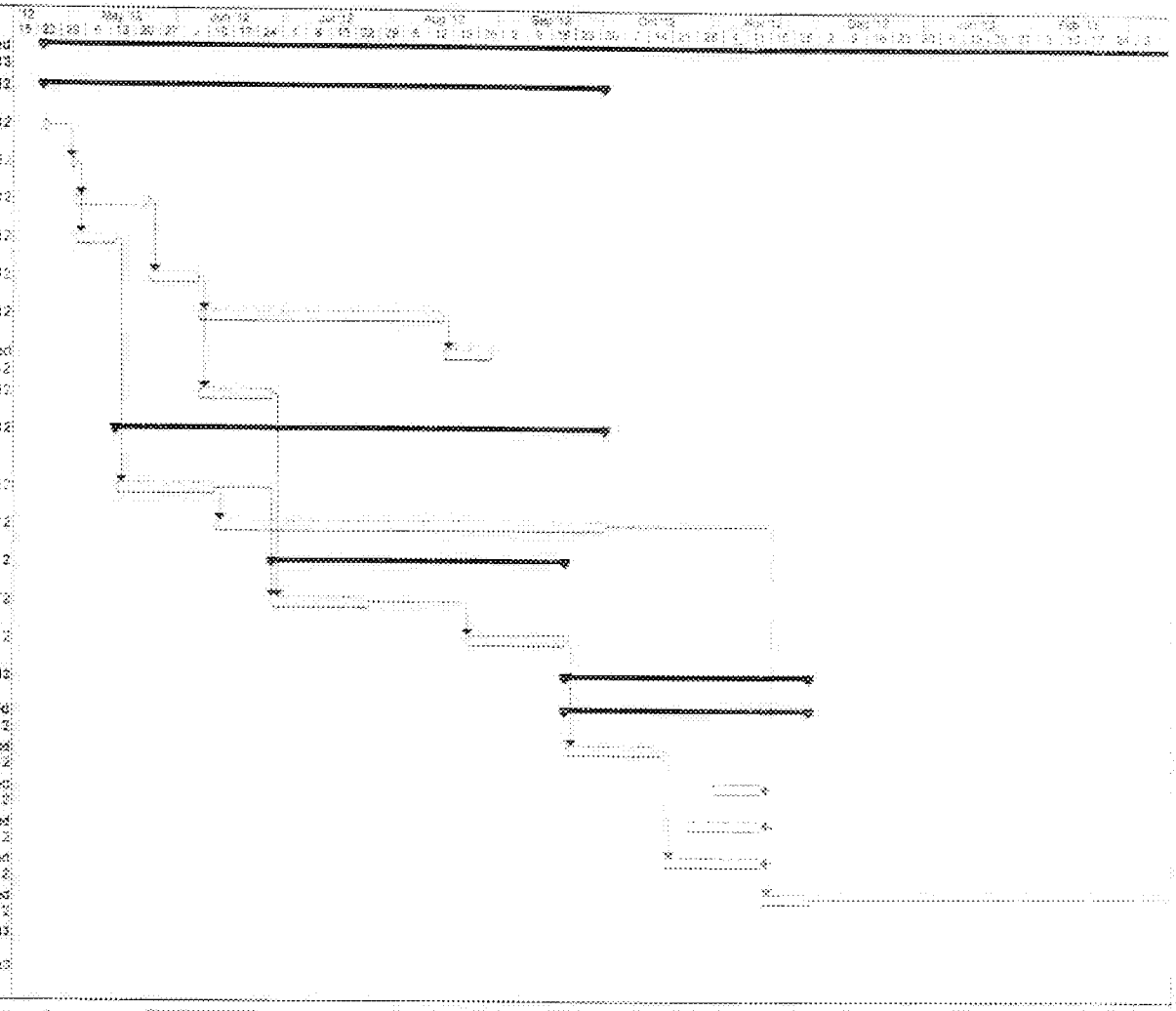

Project: Project Schedule.mpp
Date: Thu 3/29/12

Task | Split | Progress | Milestone | Summary | Project Summary | External Tasks | External Milestone | Deadline

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Section F:
Quality Control and Assurance

Item No. A.5

SECTION F – Quality Control and Assurance

RBF Philosophy

RBF's concept for Quality Assurance/Quality Control is to remove barriers so that each professional can complete each element of the project correctly, the first time. This starts with designation of individuals with appropriate experience and availability to manage the project, lead tasks and accomplish technical work.

A second key element is to achieve a complete understanding and commitment from each team member regarding the scope of services, their Project responsibilities within the work scope as well as the budget and schedule. A third element is to provide a structured process for review of the work.

The QA/QC Process. The RBF Quality Assurance/Control Program places responsibility at a level closest to the production of each work element. This internal peer review is designed to make improvements in reviews and decisions.

Levels of Review. The Project Manager will provide guidance on field procedures and will review and coordinate with other disciplines as required to complete assigned tasks.

The Principal-In-Charge is responsible for Quality Control and will provide an on-going review of the overall process. This work may include any procedure which will assure that quality control is fully implemented and working for the entire team.

Client Coordination. The Project Manager will be the primary contact with the client. The Principal-In-Charge will be a secondary contact, but only in the unlikely event that the Project Manager is not available.

The Project Manager will keep the client informed of the project progress on a monthly basis unless otherwise indicated in the work plan or contract work scope. The monthly progress reports will at a minimum include:

- Schedule status
- Work planned for upcoming month
- Progress to date
- List of issues which may affect individual task orders

Budget Control. Costs will be controlled by frequent monitoring and early identification of any scope of work change impacting the Project budget. This estimate will then be compared to the preliminary cost and revised accordingly for the final baseline.

Section G:
Additional Relevant Information

Item No. A.5

SECTION G – Additional Information

Commendation Letters

CITY OF IRVINE

January 24, 2011

Mr. Gary Miller, Vice President
RBF Consulting
14725 Alton Parkway
Irvine, CA 92618

Subject: Sand Canyon Avenue Grade Separation at the Metrolink/SCRRA Railroad

Dear Gary,

On behalf of the City of Irvine, I would like to thank RBF for its continued service and commitment to excellence on projects such as the Sand Canyon Avenue Grade Separation at the Metrolink/SCRRA Railroad crossing. You and your staff exceeded our expectations in providing design services for the removal of this at-grade crossing which will significantly improve safety to vehicles, bicyclists, and pedestrians and reduce noise levels.

Your careful execution of a multitude of services included roadway layout, structures design, pump station design, railroad permitting and coordination, railroad shoofly design, drainage design, utility relocation coordination, survey/right-of-way engineering, landscape/irrigation, identification of funding, and geotechnical engineering services. Through the many challenges of this project, including Caltrans coordination, complex construction staging, and major utility relocations, RBF was able to successfully deliver this project within the planned timeframe and budget.

We sincerely appreciate the commitment and professionalism of your staff and look forward to our continued partnership with RBF during construction.

Sincerely,

Steve Otto, PE, LS
Senior Civil Engineer

cc: Manuel Gomez, Director of Public Works
Joyce Amerson, Deputy Director of Public Works
Mark Cambi, City Engineer
Dave Moir, Project Development Administrator

January 19, 2011

Mr. Gary Miller, Vice President
RBF Consulting
14725 Alton Parkway
Irvine, CA 92618

RE: 190th Street Rehabilitation

Dear Gary

I would like to extend my gratitude to you and your team for again providing excellent consulting engineering design services to the City of Torrance. Most recently, you provided these services for the 190th Street Rehabilitation Project. This pavement rehabilitation project included the development and final design for approximately one mile of 190th Street in the City of Torrance. Your collaborative approach with the City to develop cost effective pavement repair methods helped maximize pavement life and allowed us to remain within our project budget. Also, it required your assistance with outreach and coordination with the City of Redondo Beach to ensure a successful project.

Our professional association with your firm extends back approximately a decade with your firm having previously provided the engineering design for the Artesia Boulevard Improvement Project and the Sepulveda Boulevard Rehabilitation and Water Main Replacement Project. Both of these projects were considered a success and in part due to the efforts of you and your team. We appreciate RBF's commitment to continuously providing excellent service to the City and look forward to the opportunity to work together on future projects. Lastly, we would be happy to recommend you and your team to perform engineering services to other agencies and clients.

Sincerely,

CRAIG BLEZERIAN, P.E.
Engineering Manager

Section H: Statements of Understanding and Required Forms

Item No. A.5

SECTION H - Statements of Understanding

RBF certifies the following statements:

A. The Request for Proposal shall be incorporated in its entirety as a part of RBF's Proposal.

B. The Request for Proposal and RBF's Proposal will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by RBF and the Mayor or City Manager of Moreno Valley.

C. RBF's Services to be provided, and fees therefore, will be in accordance with the City's Request for Proposal except as otherwise specified in RBF's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

D. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" contains a complete and detailed description of all of the exceptions to the provisions and conditions of the City's Request for Proposal upon which RBF's Proposal is contingent and shall take precedence over the Request for Proposal for Professional Consultant Services.

E. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of RBF's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact are provided in Section C of this proposal. If one or more of RBF's staff should become unavailable, RBF may substitute other staff of at least equal competence only after prior written approval by the City.

F. Resource Allocation Matix. *Provided at the end of this section.*

G. Statement of Sub-Consultant: RBF selected Cogstone to provide Cultural Resources and will not change the subconsultant without prior approval from the City.

Cogstone | Paleontology – Archaeology – History| is a California Corporation formed in April 2001, serving both public and private-sector clients throughout California. The State of California (DGS) and the Metropolitan Water District of Southern California (MWD) each certify Cogstone as a Small Business Enterprise (SBE). Cogstone is certified as a Disadvantaged Business Enterprise (DBE) under the California Unified Certification Program (CUCP) and a Woman Business Enterprise (WBE) by the California Public Utilities Commission (CPUC). They will provide assistance on the CEQA/ NEPA/ environmental compliance portion of the project. Their main office is at 1518 West Taft Avenue, Orange, CA 92865. Principal, Sherri M. Gust, MS, RPA can be contacted at 714/974-8300.

Cogstone References: 1) La Mesa/Nisqualli Road Interchange, Victorville, San Bernardino County, CA. (Caltrans District 8). (*Parsons Brinckerhoff, Stephanie Oslick, Environmental Planner: 505 South Main Street, Suite 900, Orange, CA 92868-4529; (714) 973-4880*); **2) Arroyo Drive Project, Riverside, Riverside County, CA,** (*Community Design Works, Tim Maloney: 4649 Brockton Avenue, Riverside, CA 92506; (951) 369-4039*); 3) **San Bernardino County Road Improvement Projects. (Caltrans District 8 On-Call Contract),** Paleontology subconsultant to Applied Earthworks. Prepared portions of Paleontological Identification Reports, Paleontological Evaluation Reports and Paleontological Mitigation Plan for projects including I10, SR58, SR138, SR247 *(Applied Earthworks, Susan Goldberg, Division Manager: 3292 E. Florida Ave., Suite A, Hemet, CA 92544-4941; 951-766-2000)*

H. All charges for RBF's services is a "Not-to-Exceed Fee" which includes conservatively estimated reimbursable expenses, as submitted with and made a part of RBF's Proposal.

I. RBF will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

J. RBF will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

K. A rate schedule has been submitted with this Proposal at the end of this section, as stated in the Request for Proposal. The rate schedule includes titles, names, roles, and hourly billing rates in rows. The hourly rate schedule is part of RBF's Proposal for use in invoicing for progress payments and for extra work incurred. All extra work will require prior approval from the City.

L. RBF will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

M. All federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

N. RBF shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project only. All relevant records shall be retained for at least three years.

O. RBF shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision and State of California prevailing wage rates, respectively.

P. RBF shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR3) issued pursuant thereto, and any amendments thereof.

Q. RBF offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (1 5 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 167001 of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to RBF, without further acknowledgment by the parties.

R. RBF understands that this Agreement is subject to 49 CFR, Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Proposers who obtain DBE participation on this contract will assist Caltrans in meeting its federally mandated statewide overall DBE goal.

RBF routinely uses the services of disadvantaged business enterprises. We have established relationships with many qualified firms and have successfully worked with them on numerous projects (including public works contracts).

S. Disclosure of Lobbying Activities (Form LLL). *Please find at the end of this section.*

T. Proposer's List of Subconsultants (DBE and Non-DBE) Parts I and II. *Please find at the end of this section.*

U. **Company**: RBF Consulting; 14725 Alton Parkway, Irvine, California 92618; **Entity**: California Corporation

RBF's electronic files will be available for inspection by local agency and State representatives at the following address: 3300 E. Guasti Rd., Suite 100, Ontario, CA 91761 or the address listed in Item U. above. Hard copies will be maintained at the office in Irvine.

RBF CONSULTING

HOURLY RATE SCHEDULE

Effective January 2012 through December 2012

OFFICE PERSONNEL	$/hr.
Senior Principal	$245.00
Principal	225.00
Project Director	220.00
Program Manager	215.00
Senior Project Manager	205.00
Project Manager	195.00
Structural Engineer	195.00
Technical Manager	190.00
Senior Engineer	185.00
Senior Planner	183.00
Electrical Engineer	169.00
Landscape Architect	160.00
Senior GIS Analyst	150.00
Project Engineer	148.00
Project Planner	148.00
Environmental Specialist	138.00
Design Engineer/Senior Designer/Manager	135.00
GIS Analyst	122.00
Designer/Planner	118.00
Project Coordinator	110.00
Graphic Artist	97.00
Environmental Analyst/Staff Planner	97.00
Design Technician	97.00
Assistant Engineer/Planner	95.00
Permit Processor	93.00
Engineering Aide/Planning Aide	75.00
Office Support/Clerical	63.00

FIELD PERSONNEL	
2-Person Survey Crew	$245.00
1-Person Survey Crew	195.00
Licensed Surveyor	175.00
Field Supervisor	172.00

CONSTRUCTION MANAGEMENT PERSONNEL	
Construction Manager	$165.00
Resident Engineer/Project Manager	154.00
Senior Construction Inspector	125.00
Construction Inspector	116.00
Field Office Engineer	110.00
Construction Technician	85.00

Note:
Reproduction, messenger service and other direct expenses will be charged as an additional cost plus 10%. A Sub-consultant Management Fee of fifteen percent (15%) will be added to the direct cost of all sub-consultant services to provide for the cost of administrative sub-consultant consultation and insurance. Vehicle mileage will be charged as an additional cost at $0.51 per mile.

cogstone

2012 Fee Schedule

Field Crews	Hourly	Overtime
Monitor Technician	$ 52.00	$ 78.00
Crew Chief	$ 61.00	$ 91.50
Supervisor I	$ 67.00	$ 100.50
Supervisor II	$ 75.00	$ 112.50
Director I	$ 77.00	$ 115.50
Director II	$ 82.00	$ 123.00
Project Manager /Principal Investigator I	$ 105.00	Exempt
Project Manager /Principal Investigator II	$ 112.00	Exempt
Project Manager /Principal Investigator III	$ 126.00	Exempt
GIS Specialist	$ 68.00	$ 102.00
GIS Manager	$ 105.00	$ 157.50
Clerk	$ 46.00	$ 69.00
Administrative Assistant	$ 52.00	$ 78.00
Contracts Manager	$ 90.00	Exempt

Other Costs		
Mileage	Mile	Current State Rate
Trimble® GeoXH (sub-foot accuracy)	Daily	$ 100.00
Expendable Supplies	Lump Sum	Actual Cost
Outside Services	Lump Sum	Actual Cost

FEE ESTIMATE

PROPOSAL TO THE CITY OF MORENO VALLEY

Alessandro Boulevard Median from Indian Street to Perris Boulevard

Prepared February 23, 2012
Revised 4.0 March 23, 2012
W 10-108575

ANTICIPATED SCOPE OF WORK	No. of Sheets	Project Director		Project Manager		Project Engineer		Senior Planner		Designer / Planner		CADD Designer / Drafter		Admin (Word Proc.)		Clerical		Expenses		TOTAL HOURS	TOTAL COST	HOURS / SHEET
		$220		$180		$148		$145		$135		$116		$145		$63						
PHASE: REPORT OF PROJECT ISSUES																						
Task 2.1 RESEARCH & DATA COLLECTION	N/A					6	$891			8	$1,080									14	$1,971	N/A
2.4 SURVEY/ MAPPING	N/A			1	$180	6	$888			12	$1,620			24	$3,480					43	$6,168	N/A
2.5 UTILITY RESEARCH/ NOTIFICATION	N/A					12	$1,776			12	$1,620					4	$252			28	$3,648	N/A
2.2.5 CONCEPT HARDSCAPE PLAN	N/A			8	$1,440	4	$592	14	$2,030			14	$1,624							40	$5,734	N/A
2.2 REPORT OF PROJECT ISSUES	N/A			8	$1,440	12	$1,776													20	$3,216	N/A
2.3 PRELIMINARY SUBMITTALS																						
Conceptual Design Package	N/A			2	$360	6	$888			6	$810									14	$2,058	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																						
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	6	$1,080											2	$126			10	$2,226	N/A
3.2 PROJECT KICK-OFF MEETING	N/A	2	$440	4	$720											1	$63			8	$1,243	N/A
3.3 PROJECT DEV MEETINGS (3 TO 6 per Phase)	N/A			2	$360											1	$63			3	$423	N/A
3.5 CITY COUNCIL MEETINGS (1)	N/A			4	$720											1	$63			5	$783	N/A
3.6 PROPERTY OWNERS MEETING (1)	N/A			4	$720											1	$63			5	$783	N/A
Sub-Totals =	**N/A**	**8**	**$1,760**	**44**	**$7,920**	**42**	**$6,216**	**14**	**$2,030**	**38**	**$5,130**	**14**	**$1,624**	**24**	**$3,480**	**10**	**$630**			**194**	**$28,748**	**N/A**
PHASE: ENVIRONMENTAL CLEARANCE																						
Task 2.2 ENVIRONMENTAL																						
Preliminary Or Numerous Study Area	N/A							32	$4,640											32	$4,640	N/A
Special Studies (Specifiers)	N/A											62	$7,316							62	$7,316	N/A
Category of Exemption	N/A							4	$580											4	$580	N/A
Environmental Determination	N/A							8	$1,160											8	$1,160	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																						
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	8	$1,440											2	$126			12	$2,006	N/A
3.4 ENVIRONMENTAL MEETINGS (1)	N/A			4	$720			4	$580							1	$63			9	$1,363	N/A
3.3 PROJECT DEV MEETINGS (1 Telecon/Meeting)	N/A			4	$720	2	$296									1	$126			8	$1,142	N/A
Sub-Totals =	**N/A**	**2**	**$880**	**16**	**$2,880**	**2**	**$296**	**48**	**$6,960**			**62**	**$7,316**			**5**	**$315**			**131**	**$18,647**	**N/A**
PHASE: DESIGN (GAD) 35% COMPLETION																						
Task 2.7 PRELIMINARY CONCEPT DESIGN (GAD)	3			6	$1,080	16	$2,368			18	$2,430	16	$2,176							58	$8,052	19
2.8 PRELIMINARY SUBMITTALS																						
Conceptual Design Package	3	1	$220	2	$360	6	$888			6	$810									15	$2,278	5
3.0 PROJECT MANAGEMENT/ MEETINGS																						
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	4	$720															6	$940	N/A
3.3 PROJECT DEV MEETINGS (1 Phase of Drawing)	N/A			4	$720	4	$592									1	$63			9	$1,375	N/A
Sub-Totals =	**3**	**3**	**$660**	**16**	**$2,880**	**26**	**$3,848**			**24**	**$3,240**	**16**	**$2,176**			**1**	**$63**			**88**	**$12,667**	**N/A**
PHASE: DESIGN (PS&E) 65% COMPLETION																						
Task 3.0 FINAL DESIGN DRAWINGS																						
3.1 Title Sheet	1					1	$148			4	$540	4	$472							9	$1,160	9
3.2 Roadway Typical Sections & Details	1			1	$180	2	$592			10	$1,350	10	$1,160							23	$3,282	23
3.3 General and Construction Notes	1			2	$360	12	$1,776			10	$1,350	8	$928							32	$4,414	32
3.4 Roadway Plan	3	1	$220	6	$1,080	16	$2,368			24	$3,240	24	$2,784							71	$9,692	24
3.5 Signing & Striping Plans	1	1	$220	1	$180	8	$1,184			12	$1,620	12	$1,392							35	$4,616	35
3.6 Traffic Signal/ Signal Modification Plans	2	1	$440	10	$1,800	16	$2,368			30	$4,050	30	$3,480							88	$12,138	44
3.7 CROSS SECTIONS	1					6	$888			12	$1,620									18	$2,508	18
3.8 Hardscape Construction Drawings	1			2	$360	12	$1,776			30	$4,050									32	$6,186	32
3.9 FINAL QUANTITIES/ COST ESTIMATE	N/A	1	$220	4	$720	16	$2,368	4	$580	16	$2,160					1	$63			42	$6,111	N/A
3.10 TECHNICAL SPECIFICATIONS	N/A	1	$220	8	$1,440	32	$4,736	8	$1,160							1	$63			50	$7,619	N/A
3.11 PLAN CHECK PROCESSING (1 Submittal)	N/A			2	$360	4	$592					8	$944							14	$1,896	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																						
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	4	$720															6	$1,160	N/A
3.3 PROJECT DEV MEETINGS (1 Phase of Drawing)	N/A			4	$720	4	$592									1	$63			9	$1,375	N/A
Sub-Totals =	**16**	**8**	**$1,760**	**44**	**$7,920**	**132**	**$19,024**	**8**	**$1,160**	**142**	**$19,170**	**102**	**$12,036**			**11**	**$693**			**[illegible]**	**[illegible]**	**N/A**
DESIGN (PS&E) 95% COMPLETION																						
3.11 PLAN CHECK PROCESSING (1 Submittal)	N/A			2	$360	4	$592					8	$944							14	$1,896	N/A
3.0 PROJECT MANAGEMENT/ MEETINGS																						
3.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	2	$440	4	$720															6	$1,160	N/A
3.3 PROJECT DEV MEETINGS (1 Phase of Drawing)	N/A			4	$720	4	$592									1	$63			9	$1,375	N/A
Sub-Totals =	**16**	**2**	**$220**	**8**	**$1,440**	**8**	**$1,184**					**8**	**$944**			**1**	**$63**			**[illegible]**	**[illegible]**	**N/A**
DESIGN (PS&E) 100% COMPLETION																						
3.11 PLAN CHECK PROCESSING (1 Submittal)	N/A			2	$360	4	$592					8	$944							14	$1,896	N/A

Item No. A.5

MV00160624

FEE ESTIMATE

PROPOSAL TO THE CITY OF MORENO VALLEY

Alessandro Boulevard Median from Indian Street to Perris Boulevard

Prepared February 28, 2012
Revised 4.0 March 23, 2012
IN 50-108571

ANTICIPATED SCOPE OF WORK	No. of Sheets	Project Director		Technical Manager		Project Engineer		Senior Planner		Designer / Manager		CADD Designer / Drafter		Admin Coord / Proof		Clerical		Expenses		TOTAL HOURS	TOTAL COST	HOURS / SHEET
		$220		$180		$148		$145		$135		$112		$245		$63						
1.0 PROJECT MANAGEMENT/ MEETINGS																						
1.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	1	$220	4	$720															5	$940	N/A
1.2 PROJECT REVIEW MEETINGS (1 - Kickoff/Workshop)	N/A			2	$360											1	$63			3	$423	N/A
Sub-Totals =	14	1	$220	6	$1,080	2	$296					8	$896			1	$63			18	$2,555	N/A
PHASE: BIDDING																						
3.12 QUESTION RESPONSE AT BIDDING	N/A			4	$720	4	$592									1	$63			9	$1,375	N/A
1.0 PROJECT MANAGEMENT																						
1.1 MANAGEMENT WORK PLAN AND COORDINATION	N/A	1	$220	2	$360															3	$580	N/A
Sub-Totals =	N/A	1	$220	6	$1,080	4	$592									1	$63			12	$1,955	N/A
Project Management (Additional Services)																						
1.3a Additional Services	N/A			35	$1,700											1	$63			16	$2,763	N/A
Sub-Totals =	N/A			35	$1,700											1	$63			16	$2,763	N/A
Task REIMBURSABLE EXPENSES (Mileage/Reprod)																					$1,120	
Total =	17	2	$440	154	$27,720	214	$32,708	70	$10,150	204	$27,540	212	$23,616	24	$5,880	31	$1,953			911	$137,327	N/A
Percent of Total Fee =			0.3%		20.2%		23.9%		7.4%		20.1%		17.2%		4.3%		1.4%			100%		

MV00160625

SECTION H - Required Forms

DISCLOSURE OF LOBBYING ACTIVITIES

LIST OF SUBCONSULTANTS (DBE AND NON-DBE) PARTS I AND II

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

1. Type of Federal Action: ☐ a. Contract N/A b. Grant c. Cooperative agreement d. Loan e. Loan guarantee f. Loan insurance	**2. Status of Federal Action:** ☐ a. Bid/offer/application N/A b. Initial award c. Post-award	**3. Report Type:** ☐ a. Initial filing N/A b. Material change **For Material Change Only:** Year _____ Quarter_____ Date of last report _____
4. Name and Address of Reporting Entity: ☒ Prime ☐ Subawardee Tier_____, *if known* **Congressional District,** *if known:*	**5. If Reporting Entity in No. 4 is Subawardee. Enter Name and Address of Prime:** N/A **Congressional District,** *if known:*	
6. Federal Department/Agency: N/A	**7. Federal Program Name/Description:** N/A CFDA Number, *if applicable*_____	
8. Federal Action Number, *if known:* N/A	**9. Award Amount,** *if known:* N/A $	
10. Name and Address of Lobbying Entity N/A *(If individual, last name, first name, MI):*	**b. Individuals Performing Services** *(including address if different from No. 10a)* *(Last name, first name, MI):*	
11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	**Signature:** **Print Name:** Michael V. Valenza **Title:** Vice President of Finance **Telephone No.:** 949-855-5730 **Date:** 02-15-12	
Federal Use Only:	Authorized for Local Reproduction Standard Form – LLL (Rev. 7-97)	

Standard Form LLL Rev. 06-04-90
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PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART I

The proposer shall list all subconsultants (both DBE and non-DBE) in accordance with Title 49, Section 26.11 of the Code of Federal Regulations. The listing is required in addition to listing DBE subconsultants elsewhere in the proposal. **Photocopy this form for additional firms.**

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
Cogstone | *Paleontology-Archaeology-History*	Sherrie Gust, RPA, Principal	☐ < $1million	Cultural Resources in support of the Environmental Compliance	☐ YES
		☑ < $5 million		☐ NO
1518 West Taft Avenue	Ph: 714/974-8300	☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
Orange, CA 92865	Fax: 714/974-8303	☐ > $15 million		Age of Firm (Yrs.) 10

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1million		☐ YES
		☐ < $5 million		☐ NO
		☐ < $10 million		*If YES list DBE #*
		☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Distribute: 1) Original – Local Agency File

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART II

The proposer shall list all subconsultants who provided a quote or bid but were not selected by the proposer to participate as a subconsultant on this project. This is required for compliance with Title 49, Section 26 of the Code of Federal Regulations. Photocopy this form for additional firms.

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
Not applicable.		☐ < $1 million ☐ < $5 million		☐ YES ☐ NO *If YES list DBE #*
		☐ < $10 million ☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1 million ☐ < $5 million		☐ YES ☐ NO *If YES list DBE #*
		☐ < $10 million ☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1 million ☐ < $5 million		☐ YES ☐ NO *If YES list DBE #*
		☐ < $10 million ☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Firm Name / Address,/ City, State, ZIP	Contact / Phone/ FAX	Gross Annual Receipts	Description of Portion of Work to be Performed	SCAG Use Only (Certified DBE)
		☐ < $1 million ☐ < $5 million		☐ YES ☐ NO *If YES list DBE #*
		☐ < $10 million ☐ < $15 million		
		☐ > $15 million		Age of Firm (Yrs.)

Distribute: 1) Original – Local Agency File

RBF CONSULTING
A Baker Company

14725 Alton Parkway
Irvine, CA 92618
949.472.3505

4010 County Center Drive, Suite 100
Temecula, CA 92591
951.676.8042

www.rbf.com
www.mbakercorp.com

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $137,027.00.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City upon completion of the defined milestones for progress payments along with documentation evidencing services completed to date. There will be no monthly invoice payments unless specifically identified otherwise below. These Milestones are:

    1. Report of Project Issues complete.
    2. Environmental Clearance obtained.
    3. "Phase 1, 35% Level Completion" is complete.
    4. "Phase 2, 65% Level Completion" is complete.
    5. "Phase 2, 95% Level Completion" is complete.
    6. "Phase 2, 100% Level Completion" is complete.
    7. Project Bidding on a monthly basis.
    8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's

EXHIBIT "D"

determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zarat@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees,

   late charges, or other penalties. The ACH Authorization Form is located at:

   http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

MORENO VALLEY
Alessandro Boulevard Median Improvemnts
from Indian Street to Perris Boulevard
Proposed Project Schedule
RBF CONSULTING

	Task Name	Duration	Start	Finish
1	PROJECT DESIGN SCHEDULE	437 days	Tue 4/24/12	Wed 12/25/13
2	PHASE: PLANNING, ENVIRONMENTAL, AND CONCEPT	114.5 days	Tue 4/24/12	Mon 10/1/12
3	Notice to Proceed	1 day	Tue 4/24/12	Tue 4/24/12
4	Project Kickoff Meeting	1 day	Wed 5/2/12	Wed 5/2/12
5	Research & Data Collection	3 wks	Thu 5/3/12	Wed 5/23/12
6	Site Visit & Review	1.5 wks	Thu 5/3/12	Mon 5/14/12
7	Topographic Survey	2 wks	Thu 5/24/12	Wed 6/6/12
8	Utility Notifications	10 wks	Thu 5/7/12	Wed 8/15/12
9	Utility Potholing	2 wks	Thu 8/16/12	Wed 8/29/12
10	Base Map Preparation	3 wks	Thu 6/7/12	Wed 6/27/12
11	Permit Engineering Evaluation Report (PEER) & Fact Sheet (Caltrans Approvals)	100 days	Mon 5/14/12	Mon 10/1/12
12	Environmental Review	4 wks	Mon 5/14/12	Mon 8/11/12
13	Caltrans Review, Revisions and Approvals	15 wks	Mon 8/11/12	Mon 10/1/12
14	Geometric Approval Drawings & Constraints Analysis	60 days	Thu 6/28/12	Wed 9/19/12
15	Develop Alignment & Reviews	4 wks	Thu 6/28/12	Wed 7/25/12
16	Final Precise Alignment & Reviews	4 wks	Thu 8/23/12	Wed 9/19/12
17	PHASE: DESIGN (PS&E)	50 days	Thu 9/20/12	Wed 11/28/12
18	Plans, Specifications and Estimates	50 days	Thu 9/20/12	Wed 11/28/12
19	Plan Set Preparation	4 wks	Thu 9/20/12	Wed 10/17/12
20	Cost Estimate	2 wks	Thu 11/1/12	Wed 11/14/12
21	Specifications	3 wks	Thu 10/25/12	Wed 11/14/12
22	Plan City Review & Revisions Processing	4 wks	Thu 10/18/12	Wed 11/14/12
23	Final Plans, Specifications and Estimates Complete	2 wks	Thu 11/15/12	Wed 11/28/12
24	PHASE: CONSTRUCTION	100 days	Thu 8/8/13	Wed 12/25/13
25	Construction Support	5 mons	Thu 8/8/13	Wed 12/25/13

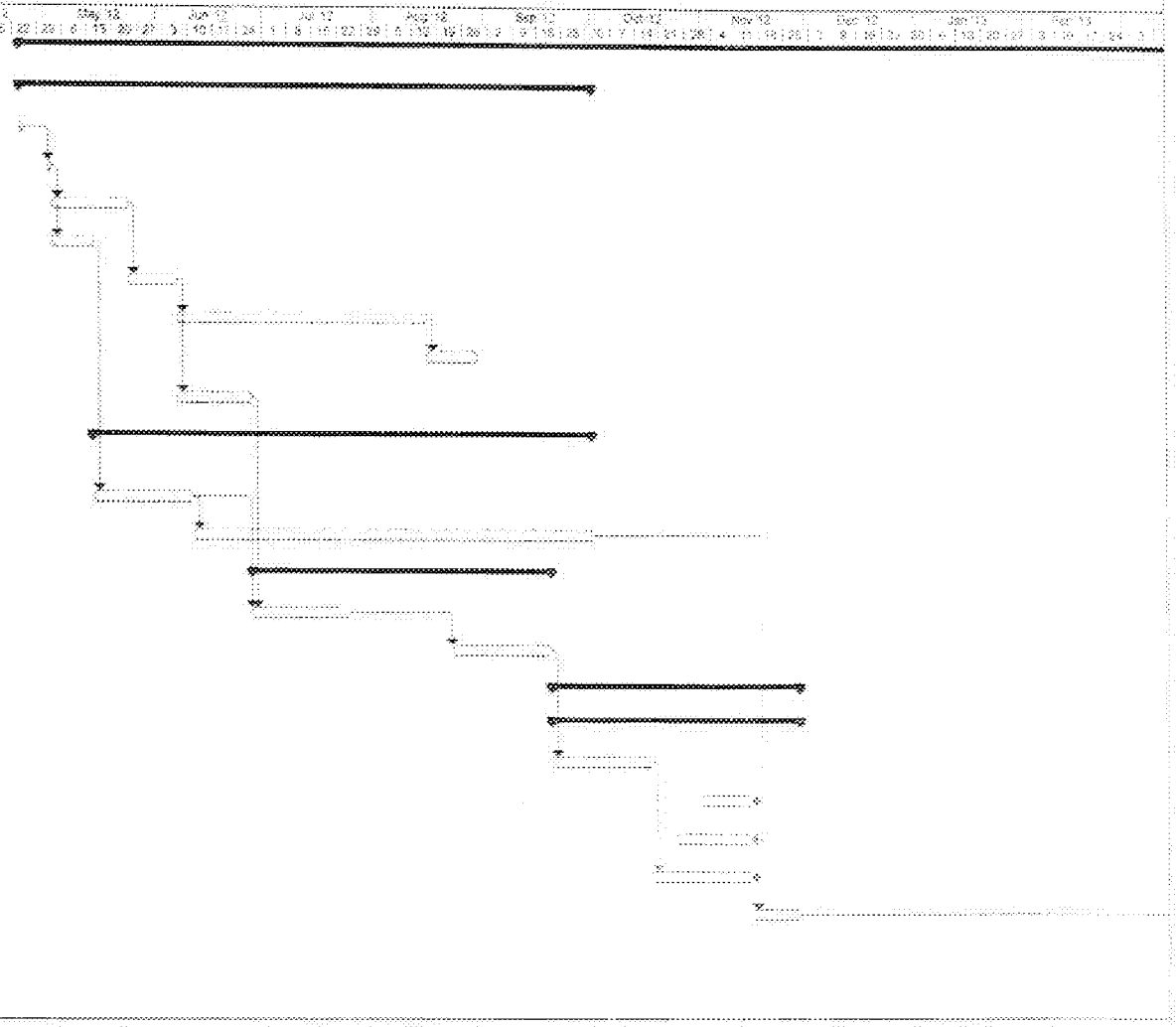

Project: Project Schedule.mpp
Date: Thu 8/30/12
Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Split

C:\Documents and Settings\DANGERS\Desktop\Project Schedule.mpp

Exhibit "E"

Item No. A.5

Exhibit 10-F Certification of Consultant, Commissions & Fees

CERTIFICATION OF CONSULTANT

I HEREBY CERTIFY that I am the _____, and duly authorized representative of the firm of _____, whose address is _____, and that, except as hereby expressly stated, neither I nor the above firm that I represent have:

(a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit or secure this agreement; nor

(b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the agreement; nor

(c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind, foror in connection with, procuring or carrying out this agreement.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this agreement involving participation of Federal-aid Highway funds, and is subject to applicable state and federal laws, both criminal and civil.

_____ (Date)

_____ (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

Exhibit "F"

Item No. A.5

MV00160635

Exhibit 10-G Certification of Local Agency

CERTIFICATION OF LOCAL AGENCY

I HEREBY CERTIFY that I am the _____ of the _____ (local agency) _____, and that the consulting firm of _____, or its representative has not been required (except as herein expressly stated), directly or indirectly, as an express or implied condition in connection with obtaining or carrying out this Agreement to:

(a) employ, retain, agree to employ or retain, any firm or person, or

(b) pay or agree to pay, to any firm, person or organization, any fee, contribution, donation, or consideration of any kind.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this Agreement involving participation of federal-aid highway funds, and is subject to applicable state and federal laws, both criminal and civil.

_____ (Date)

_____ (Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (copy)

Exhibit "G"

Item No. A.5

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MV00160637

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director / City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO RASMUSSEN BROTHERS CONSTRUCTION, INC. FOR THE MORENO VALLEY POLICE DEPARTMENT TRAFFIC DIVISION OFFICE RENOVATION PROJECT NO. 11-50182328

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation.

2. Authorize the City Manager to execute a contract with RBC in the form attached hereto.

3. Authorize the issuance of a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780.

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project.

BACKGROUND

On June 14, 2011, the City Council adopted the Fiscal Year 2011/2012 Capital Improvement Plan. Under this plan, $600,000 was allocated for the reconfiguration of the old Emergency Operations Center for the design and construction of relocation and expansion of the City's Police Traffic Division.

On October 19, 2011, the Financial and Administrative Service's Director executed an agreement with TR Design Group Architecture for Professional Consultant Design Services for Moreno Valley Police Department Traffic Division Office Renovation. The design phase was completed in February 2012 and advertised for construction bids on February 16, 2012.

DISCUSSION

In November 2010, the City completed the construction of a new Emergency Operations Center (EOC) building adjacent to the Public Safety Building (PSB). The previous EOC space in the PSB was left vacant. The Moreno Valley Police Department Traffic Division needed more space and therefore it was decided that the area left vacant by the EOC would be renovated to accommodate the Traffic Division's needs.

The project includes the demolition of the existing interior partitions, construction of new partitions, removal and modification to the existing acoustical tile ceilings and installation of new tile ceilings, demolition of the existing split system HVAC unit, removal and replacement of a fan-coil unit above the existing ceiling and a condenser unit on the roof, new ductwork and piping, and retrofit of existing supply and return ductwork in the space. Renovations to be completed also include removal and relocation of existing base and wall cabinetry, removal of kitchen cabinets and fabrication of new cabinets, and electrical demolition and rough and finish electrical construction. The renovated space will be re-carpeted and re-painted as well.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m. on March 19, 2012, for the subject project. The eight (8) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**Rasmussen Brothers Construction, Inc.**	**$138,892**
2.	Avi-Con, Inc. dba CA Construction	$177,000
3.	Blair Rasmussen Construction, Inc.	$179,000
4.	De La Riva Construction, Inc.	$188,090
5.	DLE Construction, Inc.	$190,000
6.	Dalke & Sons Construction, Inc.	$195,480
7.	Dennis Patrick Contracting	$230,000
8.	MDE Group, Inc.	$249,900

Staff has reviewed the bid by Rasmussen Brothers Construction, Inc. (RBC) and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by RBC.

ALTERNATIVES

1. Award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation, authorize the City Manager to execute a contract with RBC in the form attached hereto, authorize the issuance a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780, and authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project. *This alternative will allow for much needed improvements.*

2. Do not award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation. authorize the City Manager to execute a contract with RBC in the form attached hereto, authorize the issuance a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to exceed the Purchase Order contingency of $27,780, and authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project.*This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The design and construction of the Moreno Valley Police Department Traffic Division Office Renovation project is included in the adopted Fiscal Year 2011/2012 Capital Improvement Project as part of the Public Safety Building Phase II. The project is funded by Fund 501 (2005 Lease Revenue Bonds). These funds have been allocated for the Moreno Valley Police Department Traffic Division Office Renovation project and cannot be utilized for operational activities. There is no impact on the General Fund.

BUDGETED PROJECT FUNDS:
Public Safety Building Conversion
FY 2011/2012 Budget (Account No. 501.82328) $600,000

ESTIMATED PROJECT RELATED COSTS:

Architectural Design & Construction Support Services	$60,000
Construction Costs*	$167,000
Partitions and Furniture	$150,000
Riverside County IT Installation	$40,000
Construction Management & Inspection	$80,000
Moving and Logistics Cost	$20,000
Project Administration**	$20,000
Total Estimated Project Related Costs	**$537,000**

* Includes 20% contingency
** Includes project management, advertising, printing, and other miscellaneous costs.

ANTICIPATED PROJECT SCHEDULE:

Notice of Award	April 2012
Start Construction	May 2012
Complete Construction	July 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

This project will renovate the existing unused space in the Public Safety Building to allow for better functionality of the City's Police Department Traffic Division. Staff recommends awarding the contract to Rasmussen Brothers Construction, Inc. and authorizing the issuance of a purchase order in the amount of $166,672, inclusive of a 20% contingency when the agreement has been signed by all parties.

ATTACHMENTS

Attachment "A" – Contract Agreement

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director / Assistant City Engineer

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director / City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00160643

Agreement No._____

AGREEMENT

PROJECT NO. 11-50182328

**MORENO VALLEY POLICE DEPARTMENT
TRAFFIC DIVISION OFFICE RENOVATION**

THIS Agreement, effective as of the date signed by the City of Moreno by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Rasmussen Brothers Construction, Inc.**, hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. CONTRACT DOCUMENTS. The Contract Documents consist of the following, which are incorporated herein by this reference:

A. Governmental approvals, including, but not limited to, permits required for the Work
B. Any and all Contract Change Orders issued after execution of this Agreement
C. This Agreement
D. Addenda Nos. __1_____ inclusive, issued prior to the opening of the Bids
E. City Special Provisions, including the General Provisions and Technical Provisions
F. Standard Specifications for Public Works Construction ("Greenbook") – latest edition in effect at the Bid Deadline, as modified by the City Special Provisions
G. Reference Specifications/Reference Documents
H. Project Plans
I. City Standard Plans
J. The bound Bidding Documents
K. Contractor's Certificates of Insurance and Additional Insured Endorsements
L. Contractor's Bidder's Proposal and Subcontractor Listing

In the event of conflict between any of the Contract Documents, the provisions placing a more stringent requirement on the Contractor shall prevail. The Contractor shall provide the better quality or greater quantity of Work and/or materials unless otherwise directed by City in writing. In the event none of the Contract Documents place a more stringent requirement or greater burden on the Contractor, the controlling provision shall be that which is found in the document with higher precedence in accordance with the above order of precedence.

2. REFERENCE DOCUMENTS. The following Reference Documents are not considered Contract Documents and were provided to the Contractor for informational purposes:

A. None

3. SCOPE OF WORK. The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract Documents, except as otherwise provided in the Plans, Standard Specifications, or City Special Provisions to be the responsibility of others.

ATTACHMENT "A"

4. PAYMENT.

4.1. **Contract Price and Basis for Payment**. In consideration for the Contractor's full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items and Alternate Bid Items, if any, set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items and Alternate Bid Items, if any, awarded by the City is One Hundred Thirty Eight Thousand Eight Hundred and Ninety-Two Dollars ($138,892) ("Contract Price"). It is understood and agreed that the quantities set forth in the Bidder's Proposal for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of work, the unit prices set forth in the Bidder's Proposal multiplied by the actual number of units performed, constructed, or completed as directed by the City Engineer.

4.2. **Payment Procedures**. Based upon applications for payment submitted by the Contractor to the City, the City shall make payments to the Contractor in accordance with Article 9 of the Standard Specifications, as modified by Article 9 of the City Special Provisions.

5. CONTRACT TIME.

A. Initial Notice to Proceed. After the Agreement has been fully executed by the Contractor and the City, the City shall issue the "Notice to Proceed to Fulfill Preconstruction Requirements." The date specified in the Notice to Proceed to Fulfill Preconstruction Requirements constitutes the date of commencement of the Contract Time of Seventy **(70) Working Days**. The Contract Time includes the time necessary to fulfill preconstruction requirements, and to complete construction of the Project (except as adjusted by subsequent Change Orders).

The Notice to Proceed to Fulfill Preconstruction shall further specify that Contractor must complete the preconstruction requirements within twenty **(20) Working Days** after the date of commencement of the Contract Time; this duration is part of the Contract Time.

Critical preconstruction requirements include, but are not limited to, the following:

- Submitting and obtaining approval of critical required submittals/ deferred submittals
- Installation of the approved Project Identification Signs
- Obtaining Building Permit and other Deferred Permits
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Bidding Documents
- Completion of all pre-construction activities.

If the City's issuance of a Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials is delayed due to Contractor's failure to return the fully executed Agreement and insurance and bond documents within ten (10) Working Days after Contract award, then Contractor agrees to the deduction of one (1) Working Day from the number of days to complete the Project for every Working Day of delay in the City's receipt of said documents. This right is in addition to and does not affect the City's right to demand forfeiture of Contractor's Bid Security of Contractor persistently delays in providing the required documentation.

B. Notice to Proceed with Construction. After all preconstruction requirements are met in accordance with the Notice to Proceed to Fulfill Preconstruction Requirements, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor shall diligently

prosecute the Work, including corrective items of Work, day to day thereafter, within the remaining Contract Time.

6. LIQUIDATED DAMAGES

6.1. **Liquidated Damages.** The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to fulfill the preconstruction requirements, and/or failure to complete the Work within the Contract Time. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadline for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to fulfill the preconstruction requirements and/or fails to complete the Work within the Contract Time, Contractor agrees to pay the City **$500.00 per Calendar day** that completion of the Work is delayed beyond the Contract Time, as adjusted by Contract Change Orders. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

The Contractor and City acknowledge and agree that the foregoing liquidated damages have been set based on an evaluation of damages that the City will incur in the event of late completion of the Work. The Contractor and City acknowledge and agree that the amount of such damages are impossible to ascertain as of the date of execution hereof and have agreed to such liquidated damages to fix the City's damages and to avoid later disputes. It is understood and agreed by Contractor that liquidated damages payable pursuant to this Agreement are not a penalty and that such amounts are not manifestly unreasonable under the circumstances existing as of the date of execution of this Agreement.

It is further mutually agreed that the City will have the right to deduct liquidated damages against progress payments or retainage and that the City will issue a Change Order or Construction Change Directive and reduce the Contract Price accordingly. In the event the remaining unpaid Contract Price is insufficient to cover the full amount of liquidated damages, Contractor shall pay the difference to the City.

6.2. **Owner is Exempt from Liability for Early Completion Delay Damages**. While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-6 of the Standard Specifications and City Special Provisions regarding compensation for delays.

7. INSURANCE.

7.1. **General**. The Contractor shall procure and maintain at its sole expense and throughout the term of this Agreement, any extension thereof, Commercial General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described herein.

7.2. **Additional Insured Endorsements**. The Contractor shall cause the insurance required by the Contract Document to include the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives as an additional insureds. For the Commercial General Liability coverage, said parties shall be named as additional insureds utilizing either:

1. Insurance Services Office ("ISO") Additional Insured endorsement CG 20 10 (11/85); or

2. ISO Additional Insured endorsement CG 20 10 (10/01) and Additional Insured Completed Operations endorsement CG 20 37 (10/01); or

3. substitute endorsements providing equivalent coverage, approved by the City.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The coverage shall contain no special limitations on the scope of protection afforded to such additional insureds. Coverage for such additional insureds does not extend to liability to the extent prohibited by Insurance Code Section 11580.4.

7.3. **Waivers of Subrogation**. All policies of insurance required by the Contract Documents shall include or be endorsed to provide a waiver by the insurers of any rights of recovery or subrogation that the insurers may have at any time against the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives.

7.4. **Primary Coverage**. All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

7.5. **Coverage Applies Separately to Each Insured and Additional Insured**. Coverage shall state that the Contractor's (and its Subcontractors') insurance shall apply separately to each insured or additional insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Coverage shall apply to any claim or suit brought by an additional insured against a named insured or other insured.

7.6. **Self-Insurance**. Any self-insurance (including deductibles or self-insured retention in excess of $50,000) in lieu of liability insurance must be declared by Contractor and approved by the City in writing prior to execution of the Agreement. The City's approval of self-insurance, if any, is within the City's sole discretion and is subject to the following conditions:

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions, maintain and upon Owner's reasonable request provide evidence of:

   (a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property and equipment and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;

   (b) financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill; and

   (c) a claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.

2. If at any time after such self-insurance has been approved Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:

   (a) the Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or

   (b) the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or

   (c) the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

7.7. **Insurer Financial Rating**. Insurance companies providing insurance hereunder shall be rated A-:VII or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

7.8. **Notices to City of Cancellation or Changes**. Each insurance policy described in this Paragraph 7 shall contain a provision or be endorsed to state that coverage will not be cancelled without **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be

provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

7.9. **Commercial General Liability**. Coverage shall be written on an ISO Commercial General Liability "occurrence" form CG 00 01 (10/01 or later edition) or equivalent form approved by the City for coverage on an occurrence basis. The insurance shall cover liability, including, but not limited to, that arising from premises operations, stop gap liability, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The policy shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 (11/85). Coverage shall contain no contractors' limitation or other endorsement limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground (x, c, u) property damage. Contractor shall provide Products/Completed Operations coverage to be maintained continuously for a minimum of **one (1) year** after Final Acceptance of the Work, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: $1,000,000 per occurrence / $2,000,000 aggregate / $2,000,000 products-completed operations.

7.10. **Business Automobile Liability**. Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with $1,000,000 combined single limit per accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.11. **Workers' Compensation**. Contractor shall comply with the applicable sections of the California Labor Code concerning workers' compensation for injuries on the job. Compliance is accomplished in one of the following manners:

1. Provide copy of permissive self-insurance certificate approved by the State of California; or
2. Secure and maintain in force a policy of workers' compensation insurance with statutory limits and Employer's Liability Insurance with a minimal limit of **$1,000,000** per accident; or
3. Provide a "waiver" form certifying that no employees subject to the Labor Code's Workers' Compensation provision will be used in performance of this Contract.

7.12. **Subcontractors' Insurance**. The Contractor shall include all Subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to all of the requirements stated herein.

8. BONDS. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be

furnished as a guarantee of the faithful performance of the requirements of the Contact Documents as may be amended from time to time, including, but not limited to, liability for delays and damages (both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the Satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments hall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

Contractor agrees that the Labor and Materials Payment Bond and the Performance Bond attached to this Agreement are for reference purposes only, and shall not be considered part of this Agreement. Contractor further agrees that said bonds are separate obligations of the Contractor and its surety, and that any attorneys' fee provision contained in any payment bond or performance bond shall not apply to this Agreement. In the event there is any litigation between the parties arising from the breach of this Agreement, each party will bear its own attorneys' fees in the litigation.

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records

shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for at least three (3) years after Final Acceptance.

10. INDEMNIFICATION.

10.1. **General**. To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold harmless and defend (even if the allegations are false, fraudulent, or groundless), the City of Moreno Valley, its City Council, and the Moreno Valley Community Services District (CSD), and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

A. Any activity on or use of the City's premises or facilities;
B. Any liability incurred due to Contractor acting outside the scope of its authority pursuant to the Contract, whether or not caused in part by an Indemnified Party;
C. The failure of Contractor or the Work to comply with any Applicable Law, permit or orders;
D. Any misrepresentation, misstatement or omission with respect to any statement made in the Contract Documents or any document furnished by the Contractor in connection therewith;
E. Any breach of any duty, obligation or requirement under the Contract Documents, including, but not limited to any breach of Contractor's warranties, representations or agreements set forth in the Contract Documents;
F. Any failure to coordinate the Work with City's Separate Contractors;
G. Any failure to provide notice to any party as required under the Contract Documents;
H. Any failure to act in such a manner as to protect the Project from loss, cost, expense or liability;
I. Bodily or personal injury, emotional injury, sickness or disease, or death at any time to any persons including without limitation employees of Contractor;
J. Damage or injury to real property or personal property, equipment and materials (including, but without limitation, property under the care and custody of the Contractor or the City) sustained by any person or persons (including, but not limited to, companies, corporations, utility company or property owner, Contractor and its employees or agents, and members of the general public);
K. Any liability imposed by Applicable Law including, but not limited to criminal or civil fines or penalties;

L. Any dangerous, hazardous, unsafe or defective condition of, in or on the Site, of any nature whatsoever, which may exist by reason of any act, omission, neglect, or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors;

M. Any operation conducted upon or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors under or pursuant to the provisions of the Contract or otherwise;

N. Any acts, errors, omission or negligence of Contractor, its officers, agents, employees, or Subcontractors;

O. Infringement of any patent rights, licenses, copyrights or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and

P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence**. Contractor's obligations to indemnify and hold the Indemnitees harmless **exclude** only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph 11. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

10.3. **Independent Defense Obligation.** The duty of the Contractor to indemnify and hold harmless the Indemnitees includes the separate and independent duty to defend the Indemnitees, which duty arises immediately upon receipt by Contractor of the tender of any Indemnity Claim from an Indemnitee. The Contractor's obligation to defend the Indemnitee(s) shall be at Contractor's sole expense, and not be excused because of the Contractor's inability to evaluate liability or because the Contractor evaluates liability and determines that the Contractor is not liable. This duty to defend shall apply whether or not an Indemnity Claim has merit or is meritless, or which involves claims or allegations that any or all of the Indemnitees were actively, passively, or concurrently negligent, or which otherwise asserts that the Indemnitees are responsible, in whole or in part, for any Indemnity Claim. The Contractor shall respond within thirty (30) Calendar Days to the tender of any Indemnity Claim for defense and/or indemnity by an Indemnitee, unless the Indemnitee agrees in writing to an extension of this time. The defense provided to the Indemnitees by Contractor shall be by well qualified, adequately insured and experienced legal counsel acceptable to the City.

10.4. **Intent of Parties Regarding Scope of Indemnity.** It is the intent of the parties that the Contractor and its Subcontractors of all tiers shall provide the Indemnitees with the broadest defense and indemnity permitted by Applicable Law. In the event that any of the defense, indemnity or hold harmless provisions in the Contract Documents are found to be ambiguous, or in conflict with one another, it is the parties' intent that the broadest and most expansive interpretation in favor of providing defense and/or indemnity to the Indemnitees be given effect.

10.5. **Waiver of Indemnity Rights Against Indemnitees.** With respect to third party claims against the Contractor, to the fullest extent permitted by law, the Contractor waives any and all rights to any type of express or implied indemnity against the Indemnitees.

10.6. **Subcontractor Requirements.** In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Paragraph 11.

10.7. **No Limitation or Waiver of Rights.** Contractor's obligations under this Paragraph 11 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Paragraph 11 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Paragraph 11 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

10.8. **Withholding to Secure Obligations.** In the event an Indemnity Claim arises prior to final payment to Contractor, the City may, in its sole discretion, reserve, retain or apply any monies due Contractor for the purpose of resolving such Indemnity Claims; provided, however, the City may release such funds if the Contractor provides the City with reasonable assurances of protection of the Indemnitees' interests. The City shall, in its sole discretion, determine whether such assurances are reasonable.

10.9. **Survival of Indemnity Obligations.** Contractor's obligations under this Paragraph 11 are binding on Contractor's and its Subcontractors' successors, heirs and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

11. SUCCESSORS AND ASSIGNS. The Parties bind themselves, their heirs, executors, administrators, successors and assigns the covenants, agreements and obligations contained in the Contract Documents. The Contractor shall not, either voluntarily or by action of law, assign any right or obligation of the Contractor under the Contract Documents without prior written consent of the City.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY:_____
City Manager

DATE:_____

Rasmussen Brothers Construction, Inc.

License No./
Classification:_____

Expiration Date:_____

Federal I.D. No.:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer
(if contract exceeds $15,000)

_____
Date

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

Signature(s) must be accompanied by a completed notary certificate of acknowledgement attached hereto. A general partner must sign on behalf of a partnership. **Two (2)** corporate officers must sign on behalf of a corporation unless the corporation has a corporate resolution that allows one person to sign on behalf of the corporation; if applicable, said resolution must be attached hereto. The corporate seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Price)

PROJECT NO. 11-50182328

MORENO VALLEY POLICE DEPARTRMENT
TRAFFIC DIVISION OFFICE RENOVATION

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Rasmussen Brothers Construction, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Project No. 11-50182328**, and all Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Documents and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents or to the Work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California
County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

Item No. A.6

MV00160658

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 11-50182328

MORENO VALLEY POLICE DEPARTMENT
TRAFFIC DIVISION OFFICE RENOVATION

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Rasmussen Brothers Construction, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Project No. 11-50182328**, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director / City Engineer

AGENDA DATE: April 10, 2012

TITLE: AGREEMENT FOR THE REIMBURSEMENT OF TRANSPORTATION UNIFORM MITIGATION FEE FUNDS BETWEEN RIVERSIDE COUNTY TRANSPORTATION COMMISSION AND THE CITY OF MORENO VALLEY FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE PROJECT NO. 11-41570125

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project.

2. Authorize the City Manager to execute the Agreement between RCTC and the City of Moreno Valley in the form attached hereto.

3. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the TUMF Agreement between RCTC and the City of Moreno Valley for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, subject to the approval of the City Attorney.

4. Reappropriate $262,000 from Account No. 415.70225 (Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue) to Account No. 415.70125 (Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue).

5. Authorize the revenue and expense budgets in the TUMF Capital Projects Fund (Fund 415) for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral

"B" to Cactus Avenue project in the amounts of $5,110,000, respectively, upon approval of the agreement for the reimbursement of TUMF funds between RCTC and the City of Moreno Valley.

BACKGROUND

At the August 22, 2006 City Council meeting, the City and RCTC entered into the Agreement for the Funding of TUMF Regional Arterial Improvements with the City of Moreno Valley for the Project Approvals & Environmental Document (PA&ED) and Plans, Specifications, & Estimate (PS&E) phases of the Perris Boulevard Widening from Ramona Expressway to Cactus Avenue, Project 5106 (TUMF Agreement).

The project, as set forth in the TUMF Agreement, originally encompassed Perris Boulevard from Ramona Expressway to Cactus Avenue. On March 11, 2008, City Council approved The First Amendment to the TUMF Agreement that changed the project limits and reduced the funding amount, resulting in project limits located fully within City of Moreno Valley City boundaries. Pursuant to the First Amendment, the project boundaries and description changed to "Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue, Project 5106".

The Second Amendment to the TUMF Agreement for the inclusion of reimbursement for the Right of Way phase was approved by City Council at its meeting on November 10, 2009. The existing TUMF Agreement and two subsequent amendments did not include funds for the Construction phase.

DISCUSSION

Perris Boulevard is an existing partially improved north/south arterial street between the limits of Perris Valley Storm Drain Lateral "B" (Southerly City Limits) and Cactus Avenue in the City of Moreno Valley. The existing improvements, which vary in width, consist of a two-lane road with shoulders in some areas to other areas that are fully built out. This project is to widen and improve Perris Boulevard within the project limits to an arterial street standard with a curb-to-curb width of 86 feet (86') within a 110 feet (110') right of way. The proposed improvements will include curb, gutter, sidewalk, pavement, traffic signal modifications, streetlight relocations, utility relocations, signing and striping, and related road improvements. Additionally, right of way acquisition was acquired in areas where the ultimate street right of way had not been previously obtained.

The City has two TUMF Regional Arterial Improvement projects ready for construction that both realized substantial savings during the pre-construction phases: Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue ($1.25 million in savings) and Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue ($415,000 in savings). City staff met with RCTC staff to discuss constructing both projects using TUMF funds. It was determined, however, that there were not sufficient TUMF funds available to construct both projects. After further discussion between City staff and RCTC, RCTC agreed to support programming an additional $4

million to supplement the above savings for a total of $5,665,000 of funding for the Construction phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project. The construction of the Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue project would be placed on hold until funding is available and approximately $262,000 in TUMF funds of its remaining FY 2011/2012 budget are proposed to be reappropriated to the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project.

On March 14, 2012, the RCTC Board of Commissioners voted to carry over approximately $1.25 million in savings from the Design and Right of Way phases of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, plus $415,000 in savings from the Design and Right of Way phases of the Perris Boulevard from Ironwood Avenue to Manzanita Avenue project, plus $4 million in new obligations. RCTC has prepared a new Agreement for the Construction Phase (Agreement No. 12-72-059-00) and designated a maximum amount of $5,665,000 of TUMF funds for this phase. There is no requirement for local agency match for this Agreement and all project expenditures are anticipated to be reimbursable; however, existing DIF funds in the project budget may be used to cover minor administrative and ancillary expenses that may not be eligible for reimbursement by TUMF funds.

ALTERNATIVES

1. Accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project; authorize the City Manager to execute the Agreement between RCTC and the City of Moreno Valley in the form attached hereto; authorize the Public Works Director/City Engineer to execute any subsequent amendments to the TUMF Agreement between RCTC and the City of Moreno Valley for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, subject to the approval of the City Attorney; reappropriate $262,000 from Account No. 415.70225 (Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue) to Account No. 415.70125 (Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue); and authorize the revenue and expense budgets in the TUMF Capital Projects Fund (Fund 415) for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project in the amounts of $5,110,000, respectively, upon approval of the agreement for the reimbursement of TUMF funds between RCTC and the City of Moreno Valley. *This alternative will allow for the construction of needed improvements.*

2. Do not accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus

Avenue project. *This alternative will result in not accepting $5,665,000 in TUMF funds from RCTC and delay the construction of needed improvements.*

FISCAL IMPACT

The City's current FY 2011/2012 budget includes approximately $293,000 available in TUMF Account No. 415.70125 and approximately $80,000 available in Developer Impact Fee Arterial Streets Capital Projects (DIF) Account No. 416.78526 for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project. The City's current FY 2011/2012 budget also includes approximately $262,000 available for reappropriation from the Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue project (Account No. 415.70225) to the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project (Account No. 415.70125). Staff requests a new appropriation of $5,110,000 in TUMF funds to Account No. 415.70125. Altogether, total TUMF funding for this project is $5,665,000. TUMF funding will pay for the Construction phase of this project, although there are some minor administrative and ancillary expenses that may be paid by DIF funds. Approving this Agreement has no impact on the City's General Fund.

AVAILABLE AND PROPOSED REVENUE FUNDS

Available Budgeted TUMF Revenue (RCTC Reimb-415.4150.4660) $555,000
Additional Appropriation of TUMF Revenue (RCTC Reimb-415.4150.4660) .. $5,110.000
Available Budgeted DIF Revenue (416.4160.4701) $80,000
Available and Proposed Revenue Funds $5,745,000

AVAILABLE AND PROPOSED EXPENDITURE FUNDS:

Available Budgeted TUMF Funds Perris Boulevard Widening / Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Acct. No. 415.70125) $293,000
Appropriation of TUMF Funds Perris Boulevard Widening / Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Acct. No. 415.70125) $5,110,000
Reappropriation of Budgeted TUMF Funds Perris Boulevard / Ironwood Avenue to Manzanita Avenue (Acct. No. 415.70225) $262,000
Available Budgeted DIF Funds Perris Boulevard Widening / Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Acct. No. 416.78526) $80,000
Available and Proposed Expenditure Funds $5,745,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction..... $60,000
Contractor Construction Costs (includes 20% contingency)..... $5,130,000
Construction Geotechnical Services..... $105,000
Construction Survey Services $110,000
Project Management and City Inspection..... $240,000
Administrative and Miscellaneous $100,000
Total Estimated Construction Related Costs $5,745,000

ANTICIPATED SCHEDULE:
Advertise / Bid / Award ..... April 2012 to June 2012
Construction ..... July 2012 to April 2013

CITY COUNCIL GOALS

ADVOCACY:
Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Approval of the TUMF Agreement will allow RCTC to obligate funds in the amount of $5,665,000 for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project. The City will then proceed with the advertisement, bid, award, and construction process and subsequently submit statements to RCTC for reimbursement.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement for the Funding of TUMF Regional Arterial Improvements with the City of Moreno Valley

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

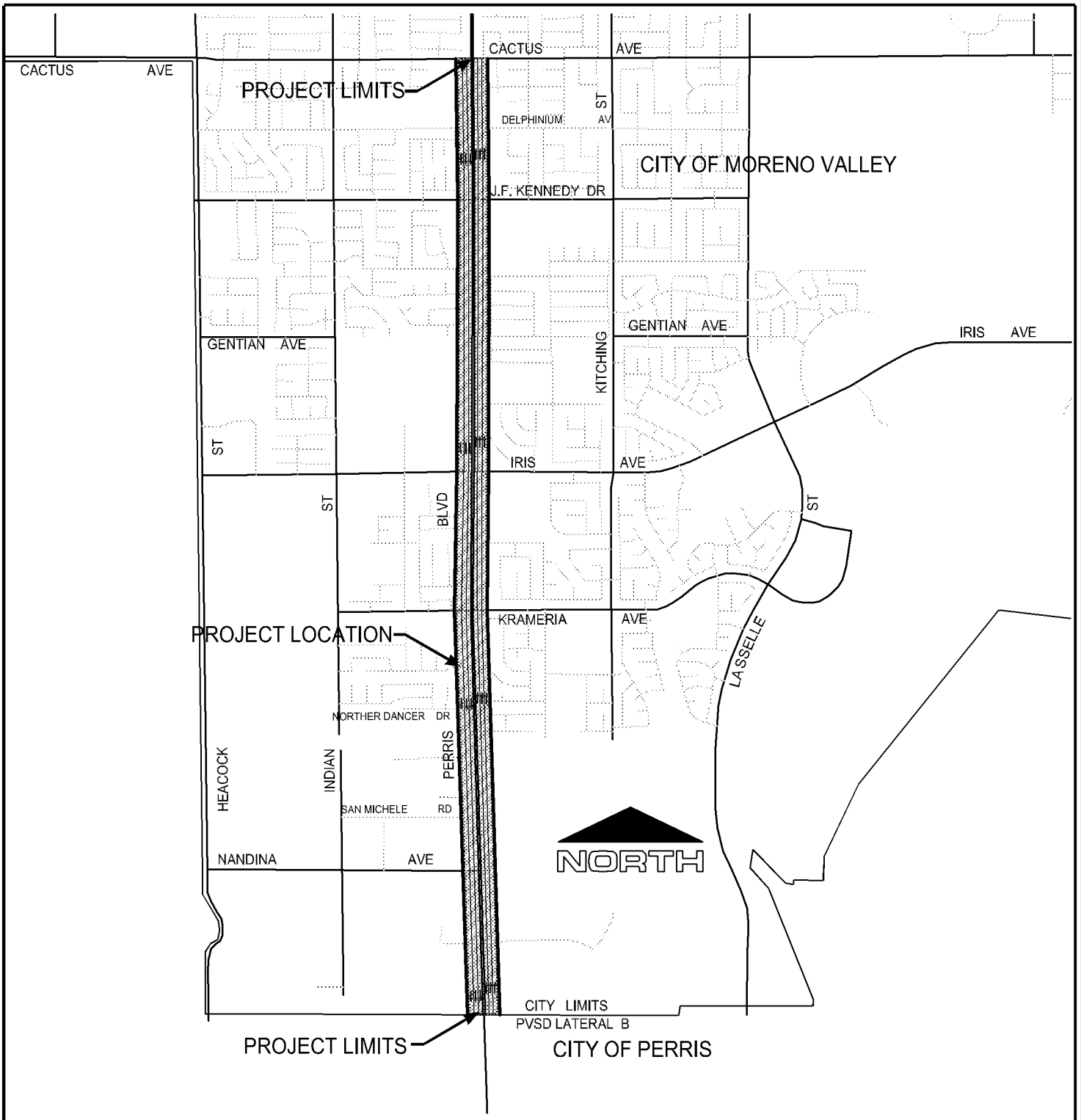

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: Not to scale

ATTACHMENT "A"

PERRIS BOULEVARD WIDENING
FROM
PVSD LATERAL "B" TO CACTUS AVE.

Date: 26 Oct 09 – 10:22 am
File: W:\CapProj\CapProj\PROJECTS\Larry – 11-41570125 Perris Blvd. from PVSD Lateral B to Cactus Ave\Design Phase\Auto CAD\Perris Widening from Cactus to PVSD Lat B Location Map for RCTC.dwg
User: deepaks

Item No. A.7

MV00160668

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MV00160669

AGREEMENT FOR THE FUNDING OF TUMF REGIONAL ARTERIAL IMPROVEMENTS WITH THE CITY OF MOREVO VALLEY FOR THE PERRIS BOULEVARD WIDENING FROM CACTUS AVE TO PVSD LATERAL "B" PROJECT 5106

1. Parties and Date.

1.1 This Agreement is executed and entered into this ___ day of _____, 2012, by and between the RIVERSIDE COUNTY TRANSPORTATION COMMISSION ("RCTC") and the **CITY OF MORENO VALLEY** ("City"). RCTC and City are sometimes collectively referred to herein as the "Parties".

2. Recitals.

2.1 RCTC is a county transportation commission created and existing pursuant to California Public Utilities Code Sections 130053 and 130053.5.

2.2 On November 5, 2002 the voters of Riverside County approved Measure A authorizing the collection of a one-half percent (1/2%) retail transactions and use tax to fund transportation programs and improvements within the County of Riverside, and adopting the Riverside County Transportation Improvement Plan (the "Plan").

2.3 The Plan requires cities and the County in western Riverside County to participate in a Transportation Uniform Mitigation Fee ("TUMF") Program to be eligible to receive Local Streets and Roads funds generated by Measure A.

2.4 The Plan further requires that the first $400 million in revenues from TUMF be made available to RCTC to fund equally the Regional Arterial System and development of New Transportation Corridors identified through the Community and Environmental Transportation Acceptability Process ("CETAP"). To receive TUMF funding, CETAP corridors must also be designated on the Regional System of Highways and Arterials as established in the TUMF Nexus Study, as last amended in October 2009, and as may be amended in the future.

2.5 The Western Riverside Council of Governments ("WRCOG") has been selected to administer the overall TUMF Program pursuant to applicable state laws including Government Code Sections 66000 *et seq.* and has entered into a Memorandum of Understanding ("MOU") with RCTC dated July 10, 2003 regarding the allocation of the $400 million in TUMF Regional Funds to be made available to RCTC for programming.

ATTACHMENT "B"

2.6 RCTC issued to the cities and the County a "Call for Projects" to be funded with TUMF Regional funds, and in response to the Project Nomination Forms, took action on September 8, 2004 to adopt a five year TUMF Regional Arterial Program which identifies the projects and the maximum funding commitments awarded for specific phases of work. RCTC's TUMF Regional Arterial Program may be updated from time to time.

2.7 RCTC intends, by this Agreement, to distribute TUMF Regional Funds, subject to the conditions provided herein, and to participate in the joint development of the Project, as defined herein.

3. Terms.

3.1 Description of Work. This Agreement is intended to distribute TUMF Regional Funds to the City for the construction of the Perris Boulevard Widening from Cactus Avenue to the Perris Valley Storm Drain Lateral "B" (the "Work"). The Work, including a timetable and a detailed scope of work, is more fully described in Exhibit "A" attached hereto and, pursuant to Section 3.15 below, is subject to modification as requested by the City and approved by RCTC. The Work shall be consistent with one or more of the defined RCTC Call for Projects phases detailed herein as follows:

1) PA&ED – Project Approvals & Environmental Document
2) PS&E – Plans, Specifications and Estimates
3) R/W – Right of Way Acquisition and Utility Relocation
4) CONS – Construction

The Work phase(s) funded pursuant to this Agreement shall be consistent with the City's Call for Projects Nomination Form submitted to the RCTC ("the Project") and as approved by the RCTC on September 8, 2004. The Project is more fully described in Exhibit "B" attached hereto. It is understood and agreed that the City shall expend TUMF Regional Funds only as set forth in this Agreement and only for the Work. To this end, any use of funds provided pursuant to this Agreement shall be subject to the review and approval of RCTC.

3.2 RCTC Funding Amount. RCTC hereby agrees to distribute to the City, on the terms and conditions set forth herein, a sum not to exceed **Five Million Six Hundred and Sixty Five Thousand dollars and no cents ($ 5,665,000.00)**, to be used exclusively for reimbursing the City for eligible Work expenses as described herein ("Funding Amount"). The City acknowledges and agrees that the Funding Amount may be less than the actual cost of the Work, and that RCTC shall not contribute TUMF Regional Funds in excess of the maximum TUMF share for the phase/project identified in Appendix F of the TUMF Nexus Study.

3.2.1 Eligible Work Costs. The total Work costs ("Total Work Cost") may include the following items, provided that such items are included in the scope of work attached as Exhibit "A": (1) City and/or consultant costs associated with direct Work coordination and support; (2) funds expended in preparation of preliminary engineering studies; (3) funds expended for preparation of environmental review documentation for the Work; (4) all costs associated with right-of-way

acquisition, including right-of-way engineering, appraisal, acquisition, legal costs for condemnation procedures if authorized by the City, and costs of reviewing appraisals and offers for property acquisition; (5) costs reasonably incurred if condemnation proceeds; (6) costs incurred in the preparation of plans, specifications, and estimates by City or consultants; (7) City costs associated with bidding, advertising and awarding of the Work contracts; (8) construction costs, including change orders to construction contract approved by the City; and (9) construction management, field inspection and material testing costs.

3.2.1.1 Right-of-Way Acquisition. The Parties acknowledge that in order to protect the City's ability to deliver the Project in a timely cost effective manner, the City may purchase parcels of property in advance of the completion of the Project's final design (PS&E). The Parties acknowledge that acquired parcels or remnants purchased in advance of final design may not ultimately be required for the Project. Upon completion of the Project's final design, the City shall provide RCTC with a detailed list of all parcels purchased by the City for which it received TUMF Regional Funds pursuant to this Agreement. The City shall identify any parcels or remnants thereof which were acquired using TUMF Regional Funds and are not required for construction of the Project. A preliminary list shall be submitted to the RCTC 30 days before the issuance of bid documents for construction of the Project and a final list shall be submitted to the RCTC no later than 30 days following the recording of the Certificated of Completion for the Project.

3.2.1.2 Valuation and Repayment of Any Property Remnants. Upon receipt of the City's final list, RCTC shall meet with the City for the purpose of identifying any parcel or reasonably usable remnant of a parcel for which TUMF Regional Funds were expended that may reasonably be developed for other use by the City and/or sold. The Parties shall confer in good faith to agree upon the disposition of such parcels and remnant parcels and their fair market value as of a date agreed to by the parties, but in no event later than the date of completion of the Project. "Fair Market Value" shall have the definition set forth in Code of Civil Procedure Section 1263.320 and "remnant" shall have the definition set forth in Code of Civil Procedure Section 1240.410. Nothing herein shall preclude the City and RCTC from beginning the meetings earlier in the event both parties agree that the parcel or remnant will not be used for the Project.

3.2.1.3 Reimbursement for Unused Parcels. Following recordation of the Certificate of Completion for the Project, the City shall be responsible for promptly reimbursing RCTC for any TUMF Regional Funds which were used to acquire parcels which are completely unused in the Project. If City funds other than TUMF were used to purchase the Parcel, those local funds shall be considered in determining the reimbursement amount.

3.2.1.4 Appeal to Commission. In the event of a disagreement between the Parties regarding the reimbursement of TUMF Regional Funds under this section 3.2.1, either party may appeal, in writing, to the RCTC Board. The RCTC Board's determination regarding excess right-of-way and value pursuant to this section shall be final.

3.2.2 Ineligible Work Costs. The Total Work Cost shall not include the following items which shall be borne solely by the City without reimbursement: (1) City administrative costs; (2) City costs attributed to the preparation of invoices, billings and payments; (3) any City fees

attributed to the processing of the Work; and (4) expenses for items of work not included within the scope of work in Exhibit "A".

3.2.3 Increases in Work Funding. The Funding Amount may, in RCTC's sole discretion, be augmented with additional TUMF Regional Funds if the TUMF Nexus Study is amended to increase the maximum eligible TUMF share for the Work. Any such increase in the Funding Amount must be approved in writing by RCTC's Executive Director. In no case shall the amount of TUMF Regional Funds allocated to the City exceed the then-current maximum eligible TUMF share for the Work. No such increased funding shall be expended to pay for any Work already completed. For purposes of this Agreement, the Work or any portion thereof shall be deemed complete upon its acceptance by RCTC's Executive Director.

3.2.4 No Funding for Temporary Improvements. Only segments or components of the Work that are intended to form part of or be integrated into the Work may be funded by TUMF Regional Funds. No improvement which is temporary in nature, including but not limited to temporary roads, curbs, or drainage facilities, shall be funded with TUMF Regional Funds except as needed for staged construction of the Work.

3.3 City's Funding Obligation to Complete the Work. In the event that the TUMF Regional Funds allocated to the Work represent less than the total cost of the Work, the City shall provide such additional funds as may be required to complete the Work as described in Exhibit "A".

3.3.1 City's Obligation to Repay TUMF Regional Funds to RCTC. In the event that: (i) the City, for any reason, determines not to proceed with or complete the Work; or (ii) the Work is not timely completed, subject to any extension of time granted by RCTC pursuant to Section 3.15; the City agrees that any TUMF Regional Funds that were distributed to the City for the Work shall be repaid in full to RCTC. The Parties shall enter into good faith negotiations to establish a reasonable repayment schedule and repayment mechanism which may include, but is not limited to, withholding of Measure A Local Streets and Roads revenues. The City acknowledges and agrees that RCTC shall have the right to withhold any Measure A Local Streets and Roads revenues due the City, in an amount not to exceed the total of the funds distributed to the City, and/or initiate legal action to compel repayment, if the City fails to repay RCTC within a reasonable time period not to exceed 180 days from receipt of written notification from RCTC that repayment is required.

3.4 Work Responsibilities of the City. The City shall be responsible for the following aspects of the Work, in compliance with state and federal law provided that such items are included in the Project scope of work attached as Exhibit "A": (i) development and approval of plans, specifications and engineer's estimate (PS&E), environmental clearance, right of way acquisition, and obtaining all permits required by impacted agencies prior to commencement of the Work ; (ii) all aspects of bidding, awarding, and administration of the contracts for the Work; (iii) all construction management of any construction activities undertaken in connection with the Work, including survey and material testing; and (iv) development of a budget for the Work prior to award of any contract for the Work, taking into consideration available funding, including TUMF Regional Funds.

3.5 Term/Notice of Completion. The term of this Agreement shall be from the date first herein above written until: (i) the date RCTC formally accepts the Work as complete, pursuant to Section 3.2.3; (ii) termination of this Agreement pursuant to Section 3.9; or (iii) the City has fully satisfied its obligations under this Agreement, (Note: If this Agreement is for Phase I work do not include the following text) "including full repayment of TUMF Regional Funds to RCTC as provided herein". All applicable indemnification provisions of this Agreement shall remain in effect following the termination of this Agreement.

3.6 Representatives of the Parties. RCTC's Executive Director, or his or her designee, shall serve as RCTC's representative and shall have the authority to act on behalf of RCTC for all purposes under this Agreement. The City hereby designates **Ahmad R. Ansari, P.E., Public Works Director/City Engineer**, or his or her designee, as the City's representative to RCTC. The City's representative shall have the authority to act on behalf of the City for all purposes under this Agreement and shall coordinate all activities of the Work under the City's responsibility. The City shall work closely and cooperate fully with RCTC's representative and any other agencies which may have jurisdiction over or an interest in the Work.

3.7 Expenditure of Funds by City Prior to Execution of Agreement. Nothing in this Agreement shall be construed to prevent or preclude the City from expending funds on the Work prior to the execution of the Agreement, or from being reimbursed by RCTC for such expenditures. However, the City understands and acknowledges that any expenditure of funds on the Work prior to the execution of the Agreement is made at the City's sole risk, and that some expenditures by the City may not be eligible for reimbursement under this Agreement.

3.8 Review of Services. The City shall allow RCTC's Representative to inspect or review the progress of the Work at any reasonable time in order to determine whether the terms of this Agreement are being met.

3.9 Termination. This Agreement may be terminated for cause or convenience as further specified below.

3.9.1 Termination for Convenience.

3.9.1.1 Notice. Either RCTC or the City may, by written notice to the other party, terminate this Agreement, in whole or in part, for convenience by giving thirty (30) days' written notice to the other party of such termination and specifying the effective date thereof.

3.9.1.2 Effect of Termination for Convenience. In the event that the City terminates this Agreement for convenience, the City shall, within 180 days, repay to RCTC in full all TUMF Regional Funds provided to the City under this Agreement. In the event that RCTC terminates this Agreement for convenience, RCTC shall, within 90 days, distribute to the City TUMF Regional Funds in an amount equal to the aggregate total of all unpaid invoices which have been received from the City regarding the Work at the time of the notice of termination; provided, however, that RCTC shall be entitled to exercise its rights under Section 3.14.2, including but not limited to conducting a review of the invoices and requesting additional information. This

Agreement shall terminate upon receipt by the non-terminating party of the amounts due it under this Section 3.9.1.2.

3.9.2 Termination for Cause.

3.9.2.1 Notice. Either RCTC or the City may, by written notice to the other party, terminate this Agreement, in whole or in part, in response to a material breach hereof by the other party, by giving written notice to the other party of such termination and specifying the effective date thereof. The written notice shall provide a 30 day period to cure any alleged breach. During the 30 day cure period, the Parties shall discuss, in good faith, the manner in which the breach can be cured.

3.9.2.2 Effect of Termination for Cause. In the event that the City terminates this Agreement in response to RCTC's uncured material breach hereof, RCTC shall, within 90 days, distribute to the City TUMF Regional Funds in an amount equal to the aggregate total of all unpaid invoices which have been received from the City regarding the Work at the time of the notice of termination. In the event that RCTC terminates this Agreement in response to the City's uncured material breach hereof, the City shall, within 180 days, repay to RCTC in full all TUMF Regional Funds provided to the City under this Agreement. Notwithstanding termination of this Agreement by RCTC pursuant to this Section 3.9.2.2, RCTC shall be entitled to exercise its rights under Section 3.14.2, including but not limited to conducting a review of the invoices and requesting additional information. This Agreement shall terminate upon receipt by the non-terminating party of the amounts due it under this Section 3.9.2.2.

3.9.3 Cumulative Remedies. The rights and remedies of the Parties provided in this Section are in addition to any other rights and remedies provided by law or under this Agreement.

3.10 Prevailing Wages. The City and any other person or entity hired to perform services on the Work are alerted to the requirements of California Labor Code Sections 1770 et seq., which would require the payment of prevailing wages were the services or any portion thereof determined to be a public work, as defined therein. The City shall ensure compliance with these prevailing wage requirements by any person or entity hired to perform the Work. The City shall defend, indemnify, and hold harmless RCTC, its officers, employees, consultants, and agents from any claim or liability, including without limitation attorneys, fees, arising from its failure or alleged failure to comply with California Labor Code Sections 1770 et seq.

3.11 Progress Reports. RCTC may request the City to provide RCTC with progress reports concerning the status of the Work.

3.12 Indemnification.

3.12.1 City Responsibilities. In addition to the indemnification required under Section 3.10, the City agrees to indemnify and hold harmless RCTC, its officers, agents, consultants, and employees from any and all claims, demands, costs or liability arising from or connected with all activities governed by this Agreement including all design and construction activities, due to

negligent acts, errors or omissions or willful misconduct of the City or its subcontractors. The City will reimburse RCTC for any expenditures, including reasonable attorneys' fees, incurred by RCTC, in defending against claims ultimately determined to be due to negligent acts, errors or omissions or willful misconduct of the City.

3.12.2 RCTC Responsibilities. RCTC agrees to indemnify and hold harmless the City, its officers, agents, consultants, and employees from any and all claims, demands, costs or liability arising from or connected with all activities governed by this Agreement including all design and construction activities, due to negligent acts, errors or omissions or willful misconduct of RCTC or its sub-consultants. RCTC will reimburse the City for any expenditures, including reasonable attorneys' fees, incurred by the City, in defending against claims ultimately determined to be due to negligent acts, errors or omissions or willful misconduct of RCTC.

3.12.3 Effect of Acceptance. The City shall be responsible for the professional quality, technical accuracy and the coordination of any services provided to complete the Work. RCTC's review, acceptance or funding of any services performed by the City or any other person or entity under this agreement shall not be construed to operate as a waiver of any rights RCTC may hold under this Agreement or of any cause of action arising out of this Agreement. Further, the City shall be and remain liable to RCTC, in accordance with applicable law, for all damages to RCTC caused by the City's negligent performance of this Agreement or supervision of any services provided to complete the Work.

3.13 Insurance. The City shall require, at a minimum, all persons or entities hired to perform the Work to obtain, and require their subcontractors to obtain, insurance of the types and in the amounts described below and satisfactory to the City and RCTC. Such insurance shall be maintained throughout the term of this Agreement, or until completion of the Work, whichever occurs last.

3.13.1 Commercial General Liability Insurance. Occurrence version commercial general liability insurance or equivalent form with a combined single limit of not less than $1,000,000.00 per occurrence. If such insurance contains a general aggregate limit, it shall apply separately to the Work or be no less than two times the occurrence limit. Such insurance shall:

3.13.1.1 Name RCTC and City, and their respective officials, officers, employees, agents, and consultants as insured with respect to performance of the services on the Work and shall contain no special limitations on the scope of coverage or the protection afforded to these insured;

3.13.1.2 Be primary with respect to any insurance or self insurance programs covering RCTC and City, and/or their respective officials, officers, employees, agents, and consultants; and

3.13.1.3 Contain standard separation of insured provisions.

3.13.2 Business Automobile Liability Insurance. Business automobile liability insurance or equivalent form with a combined single limit of not less than $1,000,000.00 per occurrence. Such insurance shall include coverage for owned, hired and non-owned automobiles.

3.13.3 Professional Liability Insurance. Errors and omissions liability insurance with a limit of not less than $1,000,000.00 Professional liability insurance shall only be required of design or engineering professionals.

3.13.4 Workers' Compensation Insurance. Workers' compensation insurance with statutory limits and employers' liability insurance with limits of not less than $1,000,000.00 each accident.

3.14 Procedures for Distribution of TUMF Regional Funds to City.

3.14.1 Initial Payment by the City. The City shall be responsible for initial payment of all the Work costs as they are incurred. Following payment of such Work costs, the City shall submit invoices to RCTC requesting reimbursement of eligible Work costs. Each invoice shall be accompanied by detailed contractor invoices, or other demands for payment addressed to the City, and documents evidencing the City's payment of the invoices or demands for payment. The City shall submit invoices not more often than monthly and not less often than quarterly.

3.14.2 Review and Reimbursement by RCTC. Upon receipt of an invoice from the City, RCTC may request additional documentation or explanation of the Work costs for which reimbursement is sought. Undisputed amounts shall be paid by RCTC to the City within thirty (30) days. In the event that RCTC disputes the eligibility of the City for reimbursement of all or a portion of an invoiced amount, the Parties shall meet and confer in an attempt to resolve the dispute. If the meet and confer process is unsuccessful in resolving the dispute, the City may appeal RCTC's decision as to the eligibility of one or more invoices to RCTC's Executive Director. The City may appeal the decision of the Executive Director to the full RCTC Board, the decision of which shall be final. Additional details concerning the procedure for the City's submittal of invoices to RCTC and RCTC's consideration and payment of submitted invoices are set forth in Exhibit "C", attached hereto.

3.14.3 Funding Amount/Adjustment. If a post Work audit or review indicates that RCTC has provided reimbursement to the City in an amount in excess of the maximum eligible TUMF share of the Work, as determined by the TUMF Nexus Study, or has provided reimbursement of ineligible Work costs, the City shall reimburse RCTC for the excess or ineligible payments within 30 days of notification by RCTC.

3.15 Work Amendments. Changes to the characteristics of the Work, including the deadline for Work completion, and any responsibilities of the City or RCTC may be requested in writing by the City and are subject to the approval of RCTC's Representative, which approval will not be unreasonably withheld, provided that extensions of time for completion of the Work shall be approved in the sole discretion of RCTC's Representative. Nothing in this Agreement shall be construed to require or allow completion of the Work without full compliance with the California

Environmental Quality Act (Public Resources Code Section 21000 *et seq.;* "CEQA") and the National Environmental Policy Act of 1969 (42 USC 4231 *et seq.*), but the necessity of compliance with CEQA and NEPA shall not justify, excuse, or permit a delay in completion of the Work.

3.16 Conflict of Interest. For the term of this Agreement, no member, officer or employee of the City or RCTC, during the term of his or her service with the City or RCTC, as the case may be, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.17 Limited Scope of Duties. RCTC's and the City's duties and obligations under this Agreement are limited to those described herein. RCTC has no obligation with respect to the safety of any Work performed at a job site. In addition, RCTC shall not be liable for any action of City or its contractors relating to the condemnation of property undertaken by City or construction related to the Work.

3.18 Books and Records. Each party shall maintain complete, accurate, and clearly identifiable records with respect to costs incurred for the Work under this Agreement. They shall make available for examination by the other party, its authorized agents, officers or employees any and all ledgers and books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or related to the expenditures and disbursements charged to the other party pursuant to this disbursements charged to the other party pursuant to this Agreement. Further, each party shall furnish to the other party, its agents or employees such other evidence or information as they may require with respect to any such expense or disbursement charged by them. All such information shall be retained by the Parties for at least three (3) years following termination of this Agreement, and they shall have access to such information during the three-year period for the purposes of examination or audit.

3.19 Equal Opportunity Employment. The Parties represent that they are equal opportunity employers and they shall not discriminate against any employee or applicant of reemployment because of race, religion, color, national origin, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

3.20 Governing Law. This Agreement shall be governed by and construed with the laws of the State of California.

3.21 Attorneys' Fees. If either party commences an action against the other party arising out of or in connection with this Agreement, the prevailing party in such litigation shall be entitled to have and recover from the losing party reasonable attorneys' fees and costs of suit.

3.22 Time of Essence. Time is of the essence for each and every provision of this Agreement.

3.23 Headings. Article and Section Headings, paragraph captions or marginal headings contained in this Agreement are for convenience only and shall have no effect in the construction or interpretation of any provision herein.

3.24 Notification. All notices hereunder and communications regarding interpretation of the terms of the Agreement or changes thereto shall be provided by the mailing thereof by registered or certified mail, return receipt requested, postage prepaid and addressed as follows:

City of Moreno Valley
Capital Projects Division
P.O. Box 88005
Moreno Valley, CA 92552-0805

ATTN: Ahmad R Ansari, P.E.
Public Works Director/ City Engineer

RCTC
Riverside County Transportation Commission
4080 Lemon, 3rd Floor
Mailing address: P.O. Box 12008
Riverside, CA 92501

ATTN: Executive Director

Any notice so given shall be considered served on the other party three (3) days after deposit in the U.S. mail, first class postage prepaid, return receipt requested, and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred regardless of the method of service.

3.25 Conflicting Provisions. In the event that provisions of any attached appendices or exhibits conflict in any way with the provisions set forth in this Agreement, the language, terms and conditions contained in this Agreement shall control the actions and obligations of the Parties and the interpretation of the Parties' understanding concerning the performance of the Services.

3.26 Contract Amendment. In the event that the Parties determine that the provisions of this Agreement should be altered, the Parties may execute a contract amendment to add any provision to this Agreement, or delete or amend any provision of this Agreement. All such contract amendments must be in the form of a written instrument signed by the original signatories to this Agreement, or their successors or designees.

3.27 Entire Agreement. This Agreement constitutes the entire agreement between the Parties relating to the subject matter hereof and supersedes any previous agreements or understandings.

3.28 Validity of Agreement. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

3.29 Independent Contractors. Any person or entities retained by the City or any contractor shall be retained on an independent contractor basis and shall not be employees of RCTC. Any personnel performing services on the Work shall at all times be under the exclusive direction and control of the City or contractor, whichever is applicable. The City or contractor shall pay all wages,

salaries and other amounts due such personnel in connection with their performance of services on the Work and as required by law. The City or consultant shall be responsible for all reports and obligations respecting such personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance and workers' compensation insurance.

[Signatures on following page]

SIGNATURE PAGE
TO
AGREEMENT FOR THE FUNDING OF
TUMF REGIONAL ARTERIAL IMPROVEMENTS

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first herein above written.

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

By: _____
John J. Benoit
Chair

APPROVED AS TO FORM:

By: _____
Best, Best & Krieger
Counsel to the Riverside County Transportation Commission

CITY OF MORENO VALLEY

By: _____
Henry Garcia
City Manager

APPROVED AS TO FORM:

By: _____
Robert L. Hansen
City Attorney

EXHIBIT "A"

SCOPE OF WORK,
FUNDING AND TIMETABLE

SCOPE OF WORK: The Phase of Work to be performed under this Agreement is construction.

FUNDING:

PHASE	TUMF	LOCAL	TOTAL
CONSTRUCTION	$5,665,000	$ 0	$5,665,000
TOTAL	$5,665,000	$ 0	$5,665,000

TIMETABLE:

Expected start date: July 2012

Estimated Completion date: April 2013

Funding expenditures shall be consistent with the attached Exhibit "A-1" unless otherwise approved by RCTC.

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EXHIBIT "A-1"

The following list of items generally identified as eligible or ineligible for TUMF Regional Funding reimbursement are consistent with those used to develop the costs for improvements in the first NEXUS Study prepared by WRCOG.

In general, all improvements, with the exception of sidewalks, must be within the curbs of the roadway and extend no further than the curb returns at intersections. In addition, all improvements on or connecting to interstate and state route facilities shall be consistent with Caltrans Highway Design Manual standards.

Items which are typically considered eligible include:

- Asphalt concrete pavement, up to 16' per lane, to accomplish a 12' travel lane and ancillary treatment and appropriate base materials
- Concrete curb and gutter and associated drainage – paved roadway shoulders and swale may be used as a substitute
- Class II Bike Lanes
- Paved and painted 14' median, may be used as a dual left turn lanes
- Traffic signals at intersections with state highways and major arterials which are also on the TUMF Network
- Pavement striping and roadway signing as required.

Items which are not typically considered eligible include:

- Portland Cement pavement or other aesthetic pavement types (except at intersections)
- Major rehabilitation or overlay of existing pavement in adjacent roadway lanes
- Raised Medians
- Parking Lanes
- Landscaping
- Lighting
- Class I Bike Lanes

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EXHIBIT "B"

PROJECT DESCRIPTION, FUNDING AND MILESTONES

PROJECT DESCRIPTION: PA&ED, PS&E and R/W have been completed. This Agreement is for the only for construction phase to widen Perris Boulevard from Cactus Avenue to Perris Valley Storm Drain Lateral "B".

FUNDING: Identify TUMF, local, state and/or federal funding for each Phase of Work.

PHASE	TUMF	LOCAL	TOTAL
CONSTRUCTION	$5,665,000	$ 0	$5,665,000
TOTAL	$5,665,000	$5,665,000	$5,665,000

MILESTONES – provide a list of phases and milestones for completion of the improvements and estimated dates when each is expected to be accomplished.

Construction Start Date: July 2012

Estimated Completion date: April 2013

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EXHIBIT "C"

PROCEDURES FOR SUBMITTAL, CONSIDERATION AND PAYMENT OF INVOICES

1. RCTC recommends that the City incorporate Exhibit "C-1" into its contracts with any subcontractors to establish a standard method for preparation of invoices by contractors to the City and ultimately to RCTC for reimbursement of City contractor costs.

2. Each month the City shall submit an invoice for eligible Work costs incurred during the preceding month. The original invoice shall be submitted to RCTC's Executive Director with a copy to RCTC's Project Coordinator. Each invoice shall be accompanied by a cover letter in a format substantially similar to that of Exhibit "C-2".

3. Each invoice shall include documentation from each contractor used by the City for the Work, listing labor costs, subcontractor costs, and other expenses. Each invoice shall also include a monthly progress report and spreadsheets showing the hours or amounts expended by each contractor or consultant for the month and for the entire Work to date. A sample of an acceptable progress report is attached as Exhibit "C-4". All documentation from the City's contractors should be accompanied by a cover letter in a format substantially similar to that of Exhibit "C-3".

4. If the City is seeking reimbursement for direct expenses incurred by City staff for eligible Work costs, the City shall detail the same level of information for its labor and any expenses in the same level of detail as required of contractors pursuant to Exhibit "C" and its attachments.

5. Charges for each task and milestone listed in Exhibit "A" shall be listed separately in the invoice.

6. Each invoice shall include a certification signed by the City Representative or his or her designee which reads as follows:

   "I hereby certify that the hours and salary rates submitted for reimbursement in this invoice are the actual hours and rates worked and paid to the consultants or contractors listed.

   Signed _____

   Title _____

   Date _____

   Invoice No. _____

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7. RCTC will pay the City within 30 days after receipt by the Commission of an invoice. If RCTC disputes any portion of an invoice, payment for that portion will be withheld, without interest, pending resolution of the dispute, but the uncontested balance will be paid.

8. The final payment under this Agreement will be made only after: (i) the City has obtained a Release and Certificate of Final Payment from each contractor or consultant used on theWork; (ii) the City has executed a Release and Certificate of Final Payment; and (iii) the City has provided copies of each such Release to RCTC.

EXHIBIT "C-1"
[Sample for Contracts with Subcontractors]

For the satisfactory performance and completion of the Services under this Agreement, the City will pay the Contractor compensation as set forth herein. The total compensation for this service shall not exceed (_____INSERT WRITTEN DOLLAR AMOUNT___) ($___INSERT NUMERICAL DOLLAR AMOUNT___) without written approval of the City Manager [or applicable position] ("Total Compensation").

1. ELEMENTS OF COMPENSATION.

Compensation for the Services will be comprised of the following elements: 1.1 Direct Labor Costs; 1.2 Fixed Fee; and 1.3 Additional Direct Costs.

1.1 DIRECT LABOR COSTS.

Direct Labor costs shall be paid in an amount equal to the product of the Direct Salary Costs and the Multiplier which are defined as follows:

1.1.1 DIRECT SALARY COSTS

Direct Salary Costs are the base salaries and wages actually paid to the Contractor's personnel directly engaged in performance of the Services under the Agreement. (The range of hourly rates paid to the Contractor's personnel appears in Section 2 below.)

1.1.2 MULTIPLIER

The Multiplier to be applied to the Direct Salary Costs to determine the Direct Labor Costs is _____, and is the sum of the following components:

1.1.2.1 Direct Salary Costs _____

1.1.2.2 Payroll Additives _____

The Decimal Ratio of Payroll Additives to Direct Salary Costs. Payroll Additives include all employee benefits, allowances for vacation, sick leave, and holidays, and company portion of employee insurance and social and retirement benefits, all federal and state payroll taxes, premiums for insurance which are measured by payroll costs, and other contributions and benefits imposed by applicable laws and regulations.

1.1.2.3 Overhead Costs _____

The Decimal Ratio of Allowable Overhead Costs to the Contractor Firm's Total Direct Salary Costs. Allowable Overhead Costs include general, administrative and overhead costs of maintaining and operating established offices, and consistent with established firm policies, and as defined in the Federal Acquisitions Regulations, Part 31.2.

Total Multiplier _____
(sum of 1.1.2.1, 1.1.2.2, and 1.1.2.3)

1.2 FIXED FEE.

1.2.1 The fixed fee is $_____.

1.2.2 A pro-rata share of the Fixed Fee shall be applied to the total Direct Labor Costs expended for services each month, and shall be included on each monthly invoice.

1.3 ADDITIONAL DIRECT COSTS.

Additional Direct Costs directly identifiable to the performance of the services of this Agreement shall be reimbursed at the rates below, or at actual invoiced cost.

Rates for identified Additional Direct Costs are as follows:

ITEM	REIMBURSEMENT RATE
	[___insert charges___]
Per Diem	$ /day
Car mileage	$ /mile
Travel	$ /trip
Computer Charges	$ /hour
Photocopies	$ /copy
Blueline	$ /sheet
LD Telephone	$ /call
Fax	$ /sheet
Photographs	$ /sheet

Travel by air and travel in excess of 100 miles from the Contractor's office nearest to the City's office must have the City's prior written approval to be reimbursed under this Agreement.

2. DIRECT SALARY RATES

Direct Salary Rates, which are the range of hourly rates to be used in determining Direct Salary Costs in Section 1.1.1 above, are given below and are subject to the following:

2.1 Direct Salary Rates shall be applicable to both straight time and overtime work, unless payment of a premium for overtime work is required by law, regulation or craft agreement, or is otherwise specified in this Agreement. In such event, the premium portion of Direct Salary Costs will not be subject to the Multiplier defined in Paragraph 1.1.2 above.

2.2 Direct Salary Rates shown herein are in effect for one year following the effective date of the Agreement. Thereafter, they may be adjusted annually to reflect the Contractor's adjustments to individual compensation. The Contractor shall notify the City in writing prior to a change in the range of rates included herein, and prior to each subsequent change.

POSITION OR CLASSIFICATION	RANGE OF HOURLY RATES
[___sample___]	
Principal	$ .00 - $ .00/hour
Project Manager	$ .00 - $ .00/hour
Sr. Engineer/Planner	$ .00 - $ .00/hour
Project Engineer/Planner	$ .00 - $ .00/hour
Assoc. Engineer/Planner	$ .00 - $ .00/hour
Technician	$ .00 - $ .00/hour
Drafter/CADD Operator	$ .00 - $ .00/hour
Word Processor	$ .00 - $ .00/hour

2.3 The above rates are for the Contractor only. All rates for subcontractors to the Contractor will be in accordance with the Contractor's cost proposal.

3. INVOICING.

3.1 Each month the Contractor shall submit an invoice for Services performed during the preceding month. The original invoice shall be submitted to the City Manager with two (2) copies to the Project Coordinator.

3.2 Charges shall be billed in accordance with the terms and rates included herein, unless otherwise agreed in writing by the City's Representative.

3.3 Base Work and Extra Work shall be charged separately, and the charges for each task and Milestone listed in the Scope of Services, shall be listed separately. The charges

for each individual assigned by the Contractor under this Agreement shall be listed separately on an attachment to the invoice.

3.4 A charge of $500 or more for any one item of Additional Direct Costs shall be accompanied by substantiating documentation satisfactory to the City such as invoices, telephone logs, etc.

3.5 Each copy of each invoice shall be accompanied by a Monthly Progress Report and spreadsheets showing hours expended by task for each month and total project to date.

3.6 If applicable, each invoice shall indicate payments to DBE subcontractors or supplies by dollar amount and as a percentage of the total invoice.

3.7 Each invoice shall include a certification signed by the Contractor's Representative or an officer of the firm which reads as follows:

I hereby certify that the hours and salary rates charged in this invoice are the actual hours and rates worked and paid to the employees listed.

Signed _____

Title _____

Date _____

Invoice No. _____

4. PAYMENT

4.1 City shall pay the Contractor within four to six weeks after receipt by City of an original invoice. Should City contest any portion of an invoice, that portion shall be held for resolution, without interest, but the uncontested balance shall be paid.

4.2 The final payment for Services under this Agreement will be made only after the Contractor has executed a Release and Certificate of Final Payment.

EXHIBIT C-2
Sample Cover Letter to RCTC

Date

Ms. Anne Mayer
Executive Director
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, CA 92501
ATTN: Accounts Payable

Re: Project Title - Invoice #__

Enclosed for your review and payment approval is the City's invoice for professional and technical services that was rendered by our contractors in connection with the TUMF Regional Arterial Improvements per Agreement No. _____ effective __(Month/Day/Year)__. The required support documentation received from each contractor is included as backup to the invoice.

Invoice period covered is from __Month/Date/Year__ to __Month/Date/Year__.

Total Authorized Agreement Amount:	$0,000,000.00
Total Invoiced to Date:	$0,000,000.00
Total Previously Invoiced:	$0,000,000.00
Balance Remaining:	$0,000,000.00
Amount due this Invoice:	**$0,000,000.00**

I certify that the hours and salary rates charged in this invoice are the actual hours and rates worked and paid to the contractors listed.

By: _____
Name
Title

cc:

EXHIBIT C-3
Sample Letter from Contractor to City

Month/Date/Year

[INSERT CITY ADDRESS]

Invoice #_____

For **[type of services]** rendered by **[contractor name]** in connection with **[name of project]** This is per agreement No. XX-XX-XXX effective Month/Date/Year .

Invoice period covered is from Month/Date/Year to Month/Date/Year .

Total Base Contract Amount:	$000,000.00
Authorized Extra Work (if Applicable)	$000,000.00

TOTAL AUTHORIZED CONTRACT AMOUNT:	$000,000.00
Total Invoice to Date:	$000,000.00
Total Previously Billed:	$000,000.00
Balance Remaining:	$000,000.00
Amount Due this Invoice:	$000,000.00

I certify that the hours and salary rates charged in this invoice are the actual hours and rates worked and paid to the employees listed,

By: _____
Name
Title

EXHIBIT C-4
Sample Progress Report

REPORTING PERIOD: Month/Date/Year to Month/Date/Year
PROGRESS REPORT: #1

A. Activities and Work Completed during Current Work Periods

TASK 01 – 100% PS&E SUBMITTAL

1. Responded to Segment 1 comments from Department of Transportation
2. Completed and submitted Segment 1 final PS&E

B. Current/Potential Problems Encountered & Corrective Action

Problems	Corrective Action
None	None

C. Work Planned Next Period

TASK 01 – 100% PS&E SUBMITTAL

1. Completing and to submit Traffic Signal and Electrical Design plans
2. Responding to review comments

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting as the Successor Agency

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: AUTHORIZE THE FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH PARSONS TRANSPORTATION GROUP FOR SR-60/MORENO BEACH DRIVE PHASE 1 AND NASON STREET OVERCROSSING IMPROVEMENTS -- PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701 to finalize all design and right-of-way documentation for Caltrans approval for the SR-60/Moreno Beach Drive Interchange Phase 1 and SR-60/Nason Overcrossing projects.

2. Authorize the City Manager to execute the Fifth Amendment to Agreement for Professional Consultant Services with Parsons in the form attached hereto.

3. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval.

4. Authorize Change Orders to increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group totaling $680,000 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000) when the Fifth Amendment has been signed by all parties.

BACKGROUND

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons for design, right-of-way engineering, and construction support services for the SR-60/Nason Overcrossing and the SR-60/Moreno Beach Interchange. The agreement covered the design of both interchanges as one construction project.

On January 13, 2009, the City Council reprioritized capital projects funded by Redevelopment Agency (RDA) bonds and allocated sufficient funds to the SR-60/Nason Overcrossing project, which required that the City request Caltrans approve splitting and re-validating both projects, which was completed in 2010.

On March 8, 2011, the City Council entered into a Cooperative Agreement with the Redevelopment Agency and again reprioritized projects. Funding was allocated to SR-60/Moreno Beach project phase (Phase 1) to build the freeway ramp alignments at the south side of the SR-60/Moreno Beach Drive Interchange and connect Eucalyptus Avenue to Moreno Beach Drive.

On June 14, 2011, the City Council approved the Fourth Amendment to Agreement for Parsons to provide for engineering and environmental services to split the SR-60/Moreno Beach Interchange into two stand-alone construction phases as well as to update the SR-60/Nason Overcrossing plans. Contract Amendments 1, 2, and 3 revised the scope of work within the approved contingency to address appraisal/excess land services, storm water grant application services, environmental re-validations and new Supplemental Project Reports to split Nason and Moreno Beach into two projects, new Caltrans pavement analysis requirements, and extended survey services.

DISCUSSION

The SR-60/Moreno Beach Phase 1 improvements include reconstruction of the eastbound on- and off-ramps to SR-60, connection of the west leg of Eucalyptus Avenue to Moreno Beach Drive, and the addition of an eastbound auxiliary lane. The SR-60/Nason Overcrossing project replaces the bridge, constructs a new sound wall, and completes the ultimate improvements at this location. The City's Economic Development Plan identifies both projects as priority projects.

The scope of engineering and survey services outlined in Parsons' Fifth Amendment is needed to keep pace with and address recent significant constructability measures savings, reduced design and construction time, reduction in construction costs to meet budgets, elimination of “throw-away” improvements, address Caltrans comments, facilitate Caltrans approval, expedite utility agreements, and facilitate right-of-way negotiations, all in order to meet project milestones and objectives.

For the SR-60/Moreno Beach Phase 1 project, Parsons successfully assisted with the following tasks:

- Negotiation for acquisition of property east of Fire Station 58 at a reduced cost to the City, avoiding project delays.
- Negotiation for an expedited Caltrans project review in exchange for substantial compliance with recent mandatory Caltrans requirements for a longer pavement life cycle and other cost-saving measures.
- As a result of Parsons' efforts, the City anticipates right-of-way and construction cost savings of over $800,000 as well as a reduction of construction duration from thirteen months to nine months.

For the SR-60/Nason Overcrossing project, Parsons successfully assisted with the following tasks:

- Project review for constructability issues and suggested recommendations that would result in significant savings in time and cost for the construction phase.
- Reduction in project duration, providing a substantial benefit to residents and businesses in the Nason area as well as saving at least $700,000 in construction and support costs.
- Recommendation of several measures for the SR-60/Nason ramp project to eliminate "throw-away" work, eliminating the need for some future ramp and freeway closures.
- Adjustments to proposed structures based on underground soil conditions uncovered during the current construction project that will reduce potential future change orders.

Parsons' services for both projects covered by the Fifth Amendment consist of incorporating the work into the plans, specifications, estimates, and related reports, and ensuring Caltrans approval. The amendment provides for completed construction documents that expedite construction, reduce potential change orders, and meet budgets. The majority of the work for this amendment has already been done in order to address Caltrans' comments and submit final plans in a timely manner. In response to the City's strong desire to get these projects delivered to the community, the City and the consultant have agreed to a not-to-exceed amount of $680,000. Staff is continuing to negotiate with Caltrans and the consultant as Caltrans review comments arise, to focus on only mandatory tasks to get the plans approved. The consultant has also agreed to payment upon the performance goal of Caltrans-approved plans.

Final plans for the SR-60/Nason Overcrossing project were submitted to Caltrans on February 6, 2012, and are in the approval process. Final plans and right-of-way acquisition for the SR-60/Moreno Beach Phase 1 project are on schedule for late March 2012 submittal to Caltrans.

The recommended contract award is an action of the City Council acting as the Successor Agency of the former City of Moreno Valley Redevelopment Authority. The recommended actions are included on the Recognized Obligations Payment Schedule (ROPS) approved by the City Council acting as the Successor Agency on February 14,

2011. However, the Successor Agency Oversight Board has not yet approved the ROPS and there is a risk that the Oversight Board may not approve the expenditure of Tax Allocation Bond proceeds as an enforceable obligation of the Successor Agency. In addition, the State Department of Finance (DOF) has the authority to challenge actions approved by the Oversight Board within 10 days of the approved action. In light of the current status of the ROPS, the tax increment to pay the contracts being recommended has not been authorized to pay these contract obligations. The City Council by approving the recommended contract is assuming the risk that in the event tax increment is not approved to pay the contracts by the Oversight Board or through successful challenge by the State DOF, the City would be obligated to pay the contract commitments from alternative funding sources, most likely the City's General Fund.

ALTERNATIVES

1. Approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701 to finalize all design and right-of-way documentation for Caltrans approval for the SR-60/Moreno Beach Drive Interchange Phase 1 and SR-60/Nason Overcrossing projects, authorize the City Manager to execute the Fifth Amendment to Agreement for Professional Consultant Services with Parsons in the form attached hereto, acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval, and authorize Change Orders to increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group totaling $680,000 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000) and when the Fifth Amendment has been signed by all parties. *This alternative will facilitate the timely construction of needed improvements.*

2. Do not approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The projects are currently funded using 2007 Redevelopment Agency Tax Allocation Bond proceeds (Series A) (Fund 897), Successor Agency TABS (Fund 797), Transportation Uniform Mitigation Fees (Design Phase - Fund 415) and Developer In-lieu Street Improvement Funds (Fund 414). These funds have been allocated for the SR-60/Moreno Beach Interchange and SR-60/Nason Overcrossing improvement projects and cannot be utilized for operational activities. There is no impact to the General Fund.

The contract total is $5,506,047.86 ($3,387,611.00 for the original Agreement plus $49,667.00 for the First Amendment, $89,771.86 for the Second Amendment,

$114,021.59 for the Third Amendment, $1,184,976.41 for the Fourth Amendment and $680,000.00 for the Fifth Amendment). The First, Second and Third Amendments were funded from the contingency included in the original contract approved by the City Council on March 13, 2008. Change Orders totaling $680,000.00 will increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group and will be funded from Account Numbers 797.91718 ($430,000.00) and 797.79731 ($250,000.00).

SR-60/Moreno Beach – Phase 1

AVAILABLE FUNDS - FY 2011/2012

FY 2011/2012 RDA Funds (Account 897.91731)	$ 472,000
FY 2011/2012 Successor Agency to RDA Funds (Account 797.79731)**	$ 1,869,000
Total FY 2011/2012 Project Budget*	$ 2,341,000

**As approved in the FY2011/2012 Capital Improvement Plan.*
***Incurred prior to February 1, 2012.*

FY 2011/2012 ESTIMATED COSTS (DESIGN & R/W PHASE)

Right-of-Way, Utility, and Support Costs	$ 500,000
Design*	$ 462,000
Design – Fifth Amendment	$ 250,000
Estimated Cost	$1,212,000

**Balance of previous funding authorizations*

ANTICIPATED PROJECT SCHEDULE

Complete Design and Right-of-Way	March 2012
Caltrans Approval and Authorization to Bid	July 2012
Advertise Project	August 2012
Begin Construction	November 2012
Complete Construction	August 2013

SR-60/Nason Overcrossing

AVAILABLE FUNDS - FY 2011/2012

FY 2011/2012 Developer In-lieu Street Improvement Funds (Account 414.80429)	$ 30,000
FY 2011/2012 RDA Funds (Account 897.91728)**	$ 570,000
FY 2011/2012 Successor Agency to RDA Funds (Account 797.79718)	$15,578,000
Total FY 2011/2012 Project Budget*	$16,178,000

**As approved in the FY2011/2012 Capital Improvement Plan.*
***Incurred prior to February 1, 2012.*

FY 2011/2012 ESTIMATED COSTS

Construction and Related Support Costs	$ 900,000
Design*	$ 415,000
Design – Fifth Amendment	$ 430,000
Estimated Cost	$ 1,745,000

**Balance of previous funding authorizations*

ANTICIPATED PROJECT SCHEDULE

Complete Design	February 2012
Caltrans Approval and Authorization to Bid	March 2012 – May 2012
Advertise Project*	June 2012
Begin Construction*	November 2012
Complete Construction*	January 2014

** Contingent upon reprogramming of funds by Caltrans prior to advertisement*

CITY COUNCIL GOALS

ADVOCACY:
Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Additional design, right-of-way work, utility coordination, and Caltrans documentation is needed for the SR-60/Nason Overcrossing and SR-60/Moreno Beach Phase 1 projects. The consultant has submitted a proposal for $680,000 to perform this additional work. A significant amount of this work has occurred in order to finalize and send plans and right of way documents to Caltrans in March 2012. Staff recommends approval of the Fifth Amendment to Agreement for Professional Consultant Services with Parsons Transportation Group as well as an $680,000 increase to Purchase Order Numbers 42265 and 42275 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000).

ATTACHMENTS

Attachment "A" – Fifth Amendment to Agreement for Professional Consultant Services

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/ City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00160701

FIFTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 07-41570024

This Fifth Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and Parsons Transportation Group, Inc., an Illinois corporation, hereinafter referred to as "Consultant." This Fifth Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services," hereinafter referred to as "Agreement," dated May 22, 2008.

Whereas, the Consultant is providing consultant design services for State Route 60/Moreno Beach Drive Interchange and Nason Street Overcrossing improvements.

Whereas, the Agreement was amended on May 4, 2009 to extend the professional consultant services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on September 10, 2009 to extend the professional consultant services in the Second Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was further amended on June 20, 2010, to extend the professional consultant services in the Third Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was again amended on June 21, 2011, to extend the professional consultant services in the Fourth Amendment to Agreement for Professional Consultant Services.

Attachment "A"

Whereas, it is desirable to further amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Fifth Amendment.

Whereas, the Consultant has submitted a Proposal dated February 18, 2012, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A -- Fifth Amendment" and is incorporated herein by reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **December 31, 2014,** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A -- Fifth Amendment," entitled "SR60/Moreno Beach Drive Phase 1 and SR60/Nason Overcrossing Improvement Projects -- Amendment #5 Scope of Work."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in "Exhibit A -- Fifth Amendment," entitled " SR60/Moreno Beach Drive Phase 1 and SR60/Nason Overcrossing Improvement Projects -- Amendment #5 Scope of Work."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $680,000.00 in consideration of the Consultant's performance of the work set forth in "Exhibit A -- Fifth Amendment."

1.5 The total "Not to Exceed" fee for this contract is $5,506,047.86 ($3,387,611.00 for the original Agreement plus $49,667.00 for the First Amendment, $89,771.86 for the Second Amendment, $114,021.59 for the Third Amendment, $1,184,976.41 for the Fourth Amendment, and $680,000 for the Fifth Amendment).

FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 07-41570024

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 07-41570024

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

Parsons Transportation Group Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

Attachment: "Exhibit A – Fifth Amendment"

W:\CapProj\CapProj\PROJECTS\Marge - 07-41570024 Rte 60 Nason-Moreno Beach Bridge Intrchng\Design Phase\Consultant - Parsons\Agreement\Design Phase\Fifth Amendment\Fifth Amendment - Parsons.doc

SR-60/MORENO BEACH DRIVE PHASE 1
AND SR60/NASON OVERCROSSING IMPROVEMENT PROJECT(S)
AMENDMENT #5 – SCOPE OF WORK
DATE: 2-18-2012

BACKGROUND

Pursuant to construction-phase changes for the Nason Ramp Project and related coordination and design support provided by Parsons to Caltrans and the Nason Ramp project team – Parsons identified opportunities to reduce construction costs for both the Nason Ramp Project and for the Nason Bridge Project. The design changes identified include eliminating some overlapping work between the two projects, and design revisions to the Nason Ramp drainage and layout plans in order to minimize "throwaway costs." As a result of the coordination during the last 12 months, Parsons Team has been able to identify and implement design changes that will help reduce both the construction schedule for the Bridge project by 6 months and to minimize rework – resulting in construction cost savings estimated at $550,000.

In addition, pursuant to changes to the conceptual design at the Moreno Beach Drive Phase 1 project, Parsons has proposed reducing the duration of Phase 1 construction schedule by 4 months, by reducing the limits of re-paving on Moreno Beach drive north of Eucalyptus Avenue (Phase 1 design would be "widening only" on Moreno Beach Drive). In addition, Parsons has proposed design changes to the EB on-ramp to reduce the grading quantity, and reduce the limits of reconstruction of the existing 84" Line G storm Drain and related drainage facilities. In addition, Parsons has identified proposed changes to the 12" EMWD water line relocation alignment to reduce impacts to existing Automall block wall, reducing both the construction duration and construction costs.

Regarding the right-of-way acquisition process: Parsons Team successfully negotiated with Prologis (Owner of the parcel just east of City Fire Station No. 58) and EMWD to resolve drainage and access easement issues for the 12" water line relocation across the Prologis parcel at a significant cost savings. After effective coordination with both EMWD and Prologis, Parsons was able to get both parties to move forward with the acquisition process subject to a letter outlining specific conditions required by Prologis. Parsons drafted the letter outlining the conditions acceptable to Prologis and EMWD and then had EMWD issue this letter to Prologis regarding the future disposition of the relocated 12" water line. As a result, Prologis agreed to the City's offer of compensation for the proposed easements at a price of $80,000. This figure is $160,000 below the price ceiling that City staff had been authorized to expend for this acquisition. Parsons effective work with this landowner avoided project delays and achieved the right-of-way acquisitions needed for the project.

In addition to the changes noted above, Parsons has coordinated with the City and Caltrans to resolve several design changes that have been required by Caltrans to the pavement design life and related paving requirements. In exchange for Caltrans agreeing to expedite reviews to finalize the Nason Bridge project PS&E approvals, the city has agreed to comply with Caltrans latest design guidelines for pavement life cycle cost designs for this project. The changes to the project plans, specifications and estimates include revisions to reflect a thicker pavement design for a Traffic Index T.I.=15.0 which is consistent with a 20+ year design life for the eastbound and westbound auxiliary lanes on this project. In addition, Caltrans new policy requires grind-and-overlay of the adjacent lane for any locations that the project is widening (adding an Auxiliary lane) to the existing freeway. Parsons was successful in negotiating this compromise with Caltrans. (Caltrans original position required a 40-year long-life pavement – at a cost of over $400,000 more than the approved 20+ year pavement).

Exhibit "A"

As a result of the four issues described above Parsons has estimated the additional design tasks including hours and budgets that would be required to implement the design changes and achieve the related construction cost savings and schedule reductions. Additional design changes to specific disciplines are described below. A summary of the Construction phase and R/W phase cost savings is provided below.

Project Cost Savings due to Parsons Planned Design Phase Tasks:

1. Design revisions to Moreno Phase 1 to protect in place 96' of existing 84" storm drain: Savings = $150,000 and related reduction in Construction schedule of 15 working days reduction.

2. Grading revision to Moreno Phase 1, to save 500 lineal feet of existing concrete ditch along north side of existing Automall block wall = Cost savings $50,000 in reduced grading, and $40,000 in reduced removal of concrete channel and related schedule savings and would reduce working days by 20 days.

3. Drainage crossing revisions at Eucalyptus Avenue based upon 2nd round of Potholing - will minimize or eliminate impacts to five existing Utilities within Eucalyptus Avenue including (5) SCE conduits, (4) MVU conduits, 1-12" water, and (1) 24" water and existing underground Verizon conduits. Cost savings to avoid these Utility impacts: = Estimated savings of 40 working days, and $150,000 on Utility relocations.

4. Design revisions at EMWD water relocation. The preliminary design per the Project Report/Environmental Document phase proposed 3200 lineal feet of new parallel water system. Revised final design developed by Parsons (and agreed to by EMWD) resulted in a revised waterline alignment at east end of Automall within an existing EMWD easement, and then along the north-end of the parking lot at City Fire station Number 58, and through the adjacent Citrus Grove. Proposed revised design solution resulted in a reduction of 1800 lineal feet of water line relocation compared to the original concept and construction cost savings of $200,000.

5. Caltrans originally mandated a 40-year pavement design life for the WB and EB Auxiliary lanes along SR60 between Nason Street and Moreno beach Drive per Caltrans policy for State Routes with Average Annual Daily Traffic (AADT) greater than 150,000. However, as a result of Parsons Coordination and design efforts, we were able to get Caltrans to drop the 40-year TI =16.5 design requirement and agree to a compromise "20 year +" (long life) TI = 15.0. The extra effort by Parsons resulted in a compromise design structural section of 20+ year design that will be approximately $500,000 less expensive than Caltrans originally proposed 40-year PCC pavement design.

6. Reduction in time-related-overhead cost during construction of Nason Bridge project – due to schedule savings.

1.	150,000	Drainage changes at Moreno Beach Drive 84" pipe
2.	90,000	Reduced grading and drainage impacts (Moreno Phase 1)
3.	150,000	Reduced Utility Relocations at Eucalyptus/Moreno Beach Drive
4.	200,000	Reduced Water Line Relocation Costs
5.	500,000	Reduced Pavement Construction Cost
6.	300,000	Time Related OH savings (Nason)

Total Estimated Construction Cost savings: $1,390,000 -- directly resulting from Parsons Design & coordination efforts.

Schedule Acceleration:

Note that all of the proposed construction phase savings will be achieved without any impact to the current design phase schedule. The project is on schedule to have the designs for Nason Street Overcrossing and for Moreno Beach Drive (Phase 1) completed, approved by Caltrans, and under construction by or before August 2012.

In addition, since the Moreno Beach Drive project is locally funded, and since all of the right-of-way has been acquired for this project (final parcel is in escrow as of 1/2012), the Moreno Phase 1 project could be accelerated to begin construction before the Nason Bridge project and it would accelerate the date when the Eucalyptus Avenue connection to Moreno Beach Drive is opened.

The City recently hired a Construction management firm to complete an early action task of a constructability review for both the Nason Bridge project and the Moreno Beach Drive phase 1 project. Parsons met with City/Caltrans/and CM firm on 1-10-2012 and 1-26-2012 to discuss implementation of the CM firm's constructability comments. The benefits to the City of this process will include reduced probability for construction phase change orders or claims and improved Bid package– resulting in better bids and streamlined construction contract administration.

Changes in Scope:

As Parsons proposes to provide design services beyond the contract scope of work to finalize the project Plans Specifications and Estimates for the Nason Bridge Project, and the Moreno Beach Drive-Phase 1 project including: changes due to the revised "existing conditions" pursuant to the Nason Ramp Project the changes to pavement design, and other project updates described above. The impacts to the affected project plans, reports and coordination activities required to achieve the proposed construction schedule and construction cost savings described below.

1. Nason and Moreno: Extra work related to Pavement Design, Grind and overlay adjacent lane next to widening, and ongoing updates to Life Cycle Cost Analysis report.
2. Moreno: Extra work required to prepare a separate Moreno Beach Drive Phase 1 – PS&E package. Amendment #4 was based upon a limited effort to "reformat" the existing design. It was also assumed that the packages would go directly to a "100 percent" PS&E packages, when in fact there were a number of conceptual design issues raised by City and Caltrans "typical 30% and 60% design issues" including: interim profiles, interim striping, interim grading, interim drainage concepts, interim landscaping-water-supply, which involved design development tasks (typical of 30/60 percent PS&E). The required design effort was not recognized in the amount budgeted for the "Phase 1" PS&E

3. Nason: Extra work will be required to address project changes due to construction phase changes in the "Nason-Ramp-Project." These changes will include revisions to rock blanket, revisions to drainage plans, profiles, quantities and reports, changes to Traffic signal plans, and changes to Utility plans to accommodate an SCE Temporary Pole line and Moreno Valley Utility (MVU).
4. Striping and Signing changes will be required to SR-60 mainline to address the continuous HOV access restriping project that was implemented by Caltrans as part of a separate project in August 2011.
5. Additional design survey of the as-built pavement elevations and new embankments after completion of the Nason Ramp Project – as discussed at the January 10, 2012 Constructability Review Meeting – additional design surveys are recommended to be done in March or April 2012 so that the bridge project can be updated if necessary to exactly match the newly constructed "existing condition" and this minimal design phase cost could help reduce or eliminate potential claims during the Construction phase for the Bridge project.

PART 1 - SR60/Nason PS&E

The additional design and coordination effort required to finalize the project plans, specifications and estimates will include updates including the following tasks and work products:

1. Meetings, Coordination and Comment Resolution: Parsons will conduct project coordination with Caltrans, City and the Nason ramp project team to resolve project issues and develop consensus regarding proposed design changes described above, and in the more detailed sections below.
2. Layout plans and Typical Sections and Design updates: Parsons reviewed the 2009 layout plans and typical cross sections in light of the pavement structural section types proposed by the Nason Ramp project plans and made recommendations to City to extend the limits of the WB auxiliary lane at the WB off ramp in order to reduce reconstruction limits within the gore area and minimize the related ramp closure as part of the Nason Bridge project. This extra design coordination and plan updates will result in significant construction cost savings for the Bridge project. In addition, Parsons conducted a detailed review of the limits of pavement overlay and pavement reconstruction along Nason Street and made revisions to the Nason Bridge Project PS&E paving limits-resulting in reduced pavement quantities and construction cost savings for the bridge project.

   SB left turn storage design at Nason/Fir intersection: The City indicated that the existing SB left turn pocket at Nason/Fir intersection has experienced long queues that back up into the through lanes – observed since completion of the recently opened EB ramps at Nason Street/SR-60. Parsons redesigned and revised the project geometry for median curb and striping on Nason Street – both NB and SB in order to provide

increase SB left turn storage length. This re-design effort was not anticipated in the hours allocated for the PS&E updates.

Review and update ADA requirements at Curb Returns – Fir Avenue: The City has requested that Parsons review the existing curb-ramps at the NW corner of Nason/Fir intersection and provide updates in the project plans to bring them in compliance with current ADA standards.

3. Construction Details: In October 2010, Caltrans conducted a grind-and-overlay project along the mainline of SR-60 which resulted in higher elevations (approximately ¾") along the join locations for the project. In addition, the Nason Ramp Project will reconstruct the gore areas for the WB off- and on-ramps. In order to finalize the design and construction details for the WB auxiliary lane, "as-constructed" design surveys will be required at these locations and then the related construction details will be need to be updated. Pursuant to these change of existing conditions, Parsons will expend additional design effort to update the construction detail plans

4. Utility Plans and Coordination: The City of Moreno Valley Electrical Utility (MVU) decided to add underground electrical facilities along the East side of Nason Street within the project limits. This decision was made in August 2011, after the 100% PS&E had been submitted. This addition required additional coordinating by Parsons, review of preliminary MVU plans, and revisions to the Utility base plans to reflect the additional facilities.

5. Pavement Delineation Plans: In approximately July 2011, Caltrans completed a restriping project along the mainline of SR-60 to make the existing carpool lane striping "continuous access". This resulted in changes to the project striping plans and quantities for the Nason Bridge project to reflect the changes to striping and signing along the existing EB and WB carpool lanes.

6. Traffic Electrical plans: Parsons reviewed the 2009 traffic electrical plans and identified updates necessary to make the plans consistent with the February 2010-approved Nason Ramp project. In addition, the temporary traffic signal plans required extensive revisions due to changes in the Construction Staging concepts noted above.

7. Construction staging and Detour plans: Pursuant to comments from the City regarding proposed ramp closures for the EB off-ramp and "lessons learned" regarding the detours on the Nason ramp project, the staging plans will be revised to minimize the EB off ramp closure to a single 54-hour weekend closure. In addition, the staging plans will be updated to include a ramp closure for the WB off ramp to allow for construction of the PCC (concrete) ramp terminal pavement.

8. Sound wall Plans: Pursuant to constructability and aesthetic plans updates, there will be some updates to the Sound wall plans, and proposed grading along both sides of the proposed sound wall along Elder Avenue.

9. Bridge Plan Updates: Additional design updates will be required to finalize updates to the bridge plans including incorporating the "decorative lighting" and changes to address constructability review comments.

10. Pavement Section Updates: Pursuant to updated requirements in Caltrans Highway Design Manual – the project plans will need to include "grind and overlay" the freeway lane adjacent to the proposed widening on the project plans. Per ongoing discussions with Caltrans Materials group, the City has agreed to provide a 0.20' grind and overlay of the adjacent lane for proposed Auxiliary lane locations in exchange for Caltrans agreement to expedite the approval process for the PS&E and to thereby ensure that $1-million in "State and Local Program" (SLPP) funds are not lost by missing the funding deadline. In addition, Caltrans now requires a "20+ year design life" pavement section that will require additional changes/updates to the plans, specifications, quantities and estimates.

11. Constructability Review and Coordination: The City recently selected a Construction Management (CM) firm to oversee the Construction phase for the Nason Bridge Project. Pursuant to the schedule and cost savings ideas identified by this firm in their CM proposal and interview, the city requested that Parsons review and assess the viability of incorporating the recommendations into the project PS&E.

12. Caltrans Special Provisions Updates: Pursuant to ongoing changes in Caltrans special provisions, additional iterations of updates to SSP's will be required to finalize the SSP package.

13. Quantity and Engineer's Estimate Updates: Pursuant to design changes and updates to the "existing condition" per the Nason Ramp project – additional quantity summary updates will be required to finalize the project estimate.

14. Landscaping plan Updates and Coordination: Parsons Team has coordinated with EMWD regarding the available water pressure and point of connection locations for the proposed project irrigation plans. Pursuant to the water pressure tests by EMWD, there is insufficient water pressure to run the proposed project irrigation systems and "booster pumps" will need to be added to the project plans, specifications and estimates.

15. Drainage Design Revisions: Change Orders related to the Nason ramp project have resulted in changes and updates to proposed drainage systems. This will require updates to drainage plans, profiles and quantity sheets. The most significant changes pertain to the drainage system in the SW quadrant of the interchange at the existing hook-ramps – Drainage system 10 – items (a, b,c,d,e,f). As a result of Parsons coordination with City/Caltrans & the Nason Ramp Design team, over 300 feet of concrete trapezoidal channel has been replaced by CCO with RSP channel that will eliminate the need to remove and reconstruct this channel as part of the bridge project. The resolution of this issue will require additional drainage design calculations, changes to the project drainage plans, details, quantities and Storm Water Data Report, and related conference calls and project coordination. The result of the changes will be significant construction cost savings to the

City by eliminating some re-work that would have been required for the Nason Bridge Project.

16. Stockpile – Environmental Testing (EMI): Caltrans reviewed the proposed scope of work for environmental testing that Parsons developed for the Allesandro "stockpile", and the proposed testing has been completed and documented in a report that has been submitted for Caltrans review and approval. Upon approval by Caltrans, this existing stockpile will be added to the project Bid package as an "optional borrow site". If the borrow material is not used by the Nason Bridge project, the City will have the option to make it a "mandatory borrow site" as part of the Moreno Beach Drive Phase 1 project.

17. "As-Built" Surveys: Parsons proposed that upon completion of the construction phase grading and improvements by the "Nason Ramp Project", the embankments, pavement and selected features be surveyed such that the "new" existing condition can be used to update the design quantities for earthwork, the limits of grading, and to confirm the revised existing ground for the bridge project. This new data will be used to verify the quantities calculated for the Nason Bridge Project and thereby reduce the potential for change orders and claims during construction of the Nason Bridge Project.

PART 2 - SR60/Moreno Beach Drive-Phase 1 PS&E

The work completed by Parsons to prepare updated "Final" Plans, Specifications and Estimates:

1. Meetings, Coordination and Comment Resolution: Parsons will conduct project coordination with Caltrans and the City to resolve project issues and develop consensus regarding proposed design changes described above, and in the more detailed sections below.

2. Layouts and Typical Sections and Design updates: As a result of creating a new set of plans to construct only the EB ramps (per Amendment #4), Parsons reviewed the opportunities to minimize the "throw-away costs" related to construction in Phase 1 which will need to be "reconstructed" during Phase 2. It was noted that a portion (300' +/-) of EB off- and on-ramps need to be constructed with an interim profile to join the existing Moreno Beach Drive profile since the existing bridge over SR60 will remain in place during Phase 1. As a result of this condition, Parsons assessed the opportunity to reduce project costs by minimizing the amount of paving on Moreno Beach Drive during Phase 1. Based upon this approach, we developed a design with "ultimate pavement/profile" within the Eucalyptus/Moreno Beach Drive intersection – and any pavement north of the north cross-walk at this intersection – would be "widening only" in the same plane as the existing pavement. This concept will help simplify the construction staging and expedite the construction schedule for the Phase 1 project, and would minimize the limits of pavement to be removed and

reconstructed in Phase 2. The City agreed to this concept and it has been implemented in the plans. However, the interim condition resulted in a corner sight distance design exception at the corner of EB off-ramp/Moreno Beach Drive intersection. In addition there was a new "horizontal clearance to obstruction" issue between the NB traffic on MBD and the west-side end of existing bridge railing. In order to address both of these design issues, Parsons has developed a revised configuration for the EB off ramp, tapering and narrowing the EB left shoulder, additional construction details between the proposed MBGR and the concrete barriers and related changes to the signing, striping, paving, layout, and construction detail plans.

Review and update ADA requirements at Curb Returns – Eucalyptus Avenue: City has requested that Parsons review the existing curb-ramps at all four corners of Eucalyptus/Moreno Beach Drive intersection and provide updates in the project plans to bring them in compliance with current ADA standards. This task was not anticipated in the original contract scope. In addition, there are conflicts between City's ADA curb-ramp preferences (single ramp per corner) and Caltrans preferences (2- ramps per corner). Additional coordination is required to resolve the pending ADA issues and satisfy Caltrans comments.

Grading Plans: On sheets EC-2 and D-2, City has requested that the grading be revised to "create maximum flat area for future city development". Grading changes can be made to this area, but if we use steeper slopes that 4:1 shown, the changes trigger changes to the drainage pattern, drainage system #10 etc. If city and Caltrans concur with the proposed re-design concept, it will require additional design work and an updated "slope design exception letter" will be required.

Traffic Operational Analysis Updates: Per comment #72 from Caltrans review of the September 2011 submittal, Caltrans requested updated traffic analysis of the "interim" intersection level of service and queuing for the EB off ramp/Moreno Beach Drive intersection. Per the approved Environmental Revalidation, analysis of "interim year traffic condition" was not required by Caltrans at that time, however in order to address this comment, Parsons has conducted additional traffic analysis of the Off-ramp intersection and the intersection at Eucalyptus Avenue/MBD and prepared Supplemental Traffic memoranda summarizing the results for each location.

3. Construction Details and Irrigation Plans: The previous scope of work for Phase 1, did not identify the need for revisions to the existing water supply line to protect and maintain the existing water supply from corner of Eucalyptus Avenue/Moreno Beach Drive – northerly to SR60, across under the freeway to provide water supply for the existing irrigation on the north side of SR-60.

4. Utility Plan Updates: Based upon coordination with EMWD, SCE, MVU and recent potholing of the existing utilities in Eucalyptus Avenue, the utility base plans to reflect the additional facilities. In order to ensure that the Pettit Street/SR60 SCE electrical transmission/distribution/communications relocation design and related utility agreement and easement issues are moving forward on schedule and that issues are fully resolved within the project schedule, we have been holding weekly telephone conference calls with SCE design/planners/right-of-way staff. The level of

coordination required to complete this extensive hands-on process has been more extensive than was identified in the contract scope.

EMWD Water Relocation Plans: Pursuant to the discussion above, some additional design changes will be needed to the plans to potentially revise the alignment and profile at the gate behind the Automall in order to reduce the impacts to the existing block wall yet remain within the planned water line easement.

5. Pavement Delineation and Signing Plans: During 2011 Caltrans completed a restriping project on SR-60 to provide continuous access to the Carpool lane. This change resulted in changes to the Project staging and striping plans, quantities and specifications to update them to match the new "existing condition." Also the City is currently preparing and implementing striping changes on Eucalyptus Avenue west of MBD pursuant to the Automall improvement project. These changes to the existing striping on Moreno Beach Drive required additional edits/changes to the project topographic and striping files.

6. Traffic Electrical plans: Additional changes have been required to the electrical plans to address Caltrans and City comments and to resolve issues including the City's preference that to provide LED internally illuminated Street Name Signs on the at the on/off ramp traffic signals. There has also been extra comments/coordination/analysis to resolve Caltrans comments regarding the "lighting levels" at the EB off ramp intersection.

7. Construction Staging and Detour Plans: Updates have been required to the staging plans to address changes to the project design at the EB off ramp intersection pursuant to the corner sight distance design changes.

8. Retaining Wall Plan Revisions: Pursuant to proposed cost savings to revise slopes and reduce impacts to the existing concrete lined channel along north side of AutoMall block-wall, and to accommodate the planed "bio-swale", updates will be required to the limits of the proposed retaining wall in SE quadrant of the Moreno Beach Drive/SR-60 interchange.

9. Pavement structural Section Changes: Per ongoing discussions with Caltrans Materials group, they are requiring the City provide a 0.20' grind and overlay of the adjacent lane for proposed Auxiliary lane locations. In addition, Caltrans now requires a "20+ year design life" pavement section that will require additional changes/updates to the plans, specifications, quantities and estimates.

10. Constructability Review and Coordination: The city has hired a Construction Management firm to oversee the Construction phase for the Moreno Beach Drive Phase 1 Project. The City plans to have their CM firm conduct a "constructability review" and would like Parsons review and assess the viability of incorporating the CM firm's recommendations into the project PS&E.

11. Special Provisions Revisions: Pursuant the propose design revisions described herein, updates will be required to the project special provisions.

12. Quantity and Cost Estimate Updates: Pursuant to the proposed design revisions described herein, updates will be required to the project cost estimates.

13. Drainage Design Revisions to existing 84" Pipe –pursuant to changes noted above, Parsons proposes to revise the drainage details and limits of replacement for the 84" storm drain in order to protect-in-place 96-feet of the existing 84" pipe and to protect-in-place the existing headwall reducing the cost of this proposed drainage system by $150,000 and reducing the duration of the construction schedule.
14. Design Survey along Existing Block Wall - Pursuant to field reviews by Parsons staff, it was determined that additional design surveys along the existing block wall at the north west corner of the Automall Dealer properties is required in order to ensure that the proposed retaining wall design and pile foundations can be constructed within the existing R/W and the proposed 4:1 embankments slopes can be designed to avoid the existing block wall and any potential Right-of-way impacts to the Automall property. The outlet of the existing drainage channel located 350' east of the NW corner of the Automall will also be surveyed to ensure the proposed grading and drainage details will not extend beyond the existing city-owned right-of-way.

ASSUMPTIONS/EXCLUSIONS:

1. Additional Management and Engineering for design phase services due to any additional schedule extensions beyond August 2012 are not included in this amendment.
2. Any additional utility coordination to address new utilities or additional changes by Utility companies beyond the items addressed herein is not included in this amendment.
3. Potential schedule delays due to R/W condemnation for Phase 2 tasks and potential updates to out-dated appraisals for the Phase 2 acquistions are not included in this amendment.
4. Separate R/W requirements maps and R/W appraisal maps for Moreno Beach (Phase 1 and Phase 2) will not be required.
5. The Line K-1 plans are part of the Moreno Phase 2 budget. Some additional design and coordination efforts have been identified for the Line K-1 plans, but that effort is not addressed in this amendment.
6. The completion of the Phase 2 – Moreno Beach Drive PS&E package is subject to a separate scope and budget. There are proposed design changes for the Phase 2 project will need to be addressed as part of a separate amendment.

AMENDMENT #5 NASON DATE: 2-17-2012

DESIGN UPDATES TO REDUCE CONSTRUCTION PHASE COSTS

PARSONS STAFF - LABOR HOURS AND COSTS

	STAFF & PROJECT TITLE	SPEIRS	Gonzalez & Malasic Bottcher	Kolmodorogo	D. Ten Moiset M.	LEES	SANDIRA - UTNAYA	MULLANGI	PEARMAN	Serafica	STRASSNER	TOTAL	DIRECT	
	TASK NO. - Description	Project Manager	Roadwky Design Lead Engineer	senior Engineer	Roadway Associate	SR Utility Engineer	Structures Lead	Structural Engineer	CADD Sr.	or Traffic Engineer	ADMIN	LABOR	LABOR	WBS
	NASON STREET/SR60 PS&E													
1	Meetings, Coordination and comment resolution	10	16	10							20	56	$3,348	11601
2	Layout Plans and Typical Sections and Design Updates	16		160	120				75			371	$18,441	11601
3	Construction Details			120	120							240	$11,640	11601
4	Utility Plans and Coordination	16		40	40	60			20			176	$9,293	11601
5	Pavement Delineation Plans	4			20				40	44		108	$5,814	11604
6	Traffic Electrical Plans	4							64	158		226	$13,537	11601
7	Construction Staging and Detour plans	8	24	130	110				22	40		334	$17,722	11603
8	Soundwall plans	2					35	35	40			112	$5,457	11601
9	Bridge Plan Updates	4	24				32	40				100	$5,607	11950
10	Pavement Structural Section updates	8		40	24							72	$3,885	11601
11	Constructability Review and Coordination	8	40	60			24					132	$8,219	11601
12	Caltrans Special Provisions Updates		120	120								240	$15,014	11606
13	Quantity & Eng Estimate updates	6	24	80	80							190	$9,951	11605
14	Landscape plan updates & Coordination	2	4	6	4				2			20	$1,144	11601
15	Drainage design revisions			40	120				80			240	$10,702	11602
	Totals	88	252	808	638	60	91	75	343	242	20	2617	$139,775	
	PARSONS TOTAL FOR DESIGN PHASE	88	252	808	638	60	91	75	343	242	20	2617		
	TOTAL DIRECT LABOR COSTS	$7,450	$17,670	$44,440	$26,796	$3,193	$5,449	$3,130	$14,845	$15,972	$830		$139,775	

Overhead	153.40%	$214,415
Profit	10%	$35,419
Escalation	0%	$0
TOTAL LABOR COSTS		$389,609

	SUBCONSULTANTS AND DIRECT COSTS		
	PARSONS DIRECT COSTS		$3,390.64
Task 14	Landscaping Updates (Tatsumi)		$5,000.00
Task 16	EMI Stockpile Environmental Testing		$22,000.00
Task 17	PB- As-Constructed Design Surveys		$10,000.00
			$40,390.64
		total	$430,000.00

Item No. A.8

AMENDMENT #5 PHASE 1 -- MORENO DATE: 2-17-2012

DESIGN UPDATES TO REDUCE CONSTRUCTION PHASE COSTS

PARSONS STAFF - LABOR HOURS AND COSTS

STAFF & PROJECT TITLE		SPEIRS	Gonzalez Moteale	COOPER	Yan	LEES GALVAN	SANDIRA - UTHAYA	MULLANGI	PEARMAN	SeroRco	STRASSNER	TOTAL	DIRECT	WBS
TASK NO. - Description		Project Manager	Roadway Design Lxed Engineer	senior Engineer	Roadway Associate	SR Engineer	Structures Lxed	Structural Engineer	CADD Sr.	sr Traffic Engineer	ADMIN	LABOR	LABOR	
MORENO BEACH DR PS&E														
1	Meetings Coordination and comment resolution	18	22	22								62	$4,431	66601
2	Layouts and Typical Sections, Design Updates	8	6	146	170	20			97			447	$22,553	66601
3	Construction Details & Irrigation Plans	2	2	220	20							244	$14,790	66601
4	Utility Plan Updates	40			40	24						104	$6,344	66601
5	Pavement Delineation and Signing Plans									24		24	$1,584	66601
6	Traffic Electrical Plans	2							20	38		60	$3,543	66601
7	Construction Staging and Detour plans	2		24	24				24			74	$3,704	66601
8	Retaining wall Plan revisions			30	24		40	60				154	$7,767	66601
9	Pavement Structural Section updates	4		24	24							52	$2,835	66601
10	Constructability Review and Coordination	12	12	24			12		12			72	$4,583	66601
11	Special Provision Updates	16	65									81	$5,912	66601
12	Quantity & Cost Estimate updates	1	2	22	20							45	$2,429	66601
13	Drainage design revisions to existing 84" pipe	4	2	42	32	36			24			140	$7,362	
	totals	109	111	554	354	80	52	60	177	62	0	1559	$87,855	
PARSONS TOTAL FOR DESIGN PHASE		109	111	554	354	80	52	60	177	62	0	1559		
TOTAL DIRECT LABOR COSTS		$9,228	$7,783	$34,348	$14,868	$4,258	$3,114	$2,504	$7,661	$4,092	$0		$87,855	

Overhead	153.40%	$134,770
Profit	10%	$22,262
Escalation	0%	$0
TOTAL LABOR COSTS		$244,887

	SUBCONSULTANTS AND DIRECT COSTS	PHASE 1
	PARSONS DIRECT COSTS	$2,213.03
Task 14	Design Survey along Exist Block Wall (PB)	$2,900.00
	Subs + ODC	$5,113.03
	LABOR	$244,886.97
	TOTAL -PHASE 1 - MORENO	$250,000.00

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief
Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR PARTIAL ACQUISITION OF APN 297-170-077 FOR THE FIRE STATION NO. 65 PROJECT – PROJECT NO. 11-43472526

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project.

2. Authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526).

3. Authorize the City Manager to execute said Agreement in the form attached hereto and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.

BACKGROUND

Fire Station No. 65 is currently located at Kennedy Park. The Fire Department has strategically identified the need for relocation of Fire Station No. 65 to a new site in the City's Center Point area to provide service to the surrounding neighborhood.

Land acquisition was funded in the Fiscal Year 2010-2011 Capital Improvement Plan to take advantage of depressed real estate values. The City Council authorized staff to negotiate and acquire the property at its July 2011 Closed Session.

DISCUSSION

The site, located on the northeast corner of Rebecca Street and Brodiaea Avenue (Assessor's Parcel Number 297-170-077), meets the Fire Department's needs. The site is in Business Park zoning with an area of approximately 1.50 acres.

After negotiation, the owner has agreed to a cash purchase price of $412,650. The partial acquisition of APN 297-170-077 exceeds the $100,000 threshold of the City Manager's signature authority and, therefore, requires the Agreement for Conveyance of Property to be approved by the City Council.

ALTERNATIVES

1. Approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project, authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526), and authorize the City Manager to execute said Agreement in the form attached hereto and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney. *This alternative allows the City to acquire the land needed for the construction of Fire Station No. 65.*

2. Do not approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project, do not authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526), and do not authorize the City Manager to execute said Agreement in the form attached hereto and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney. *This alternative will result in delaying acquisition of land required for City Fire Station projects.*

FISCAL IMPACT

Funding for the proposed land acquisition is included in the Fiscal Year 2011/2012 Capital Improvement Plan budget and is funded by the Fire Services Capital Projects Fund (Fund 434), which was originally funded by transfers from the General Fund.

AVAILABLE PROJECT FUNDS – FIRE STATION NO. 65 (FORMERLY FIRE STATION #65 REPLACEMENT)

FY 2011/2012 Fire Services Capital Projects Fund (Account No. 434.72526)	$ 497,000

ESTIMATED LAND ACQUISITION EXPENDITURES

Land Acquisition	$ 412,700
Escrow Costs	$ 6,300
Project Administration and Miscellaneous Costs	$ 20,000
Total Land Acquisition-related Expenditures	**$ 439,000**

ANTICIPATED PROJECT SCHEDULE:

Open Escrow	April 2012
Complete Land Acquisition	June 2012

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Fire Department has been planning the relocation of Fire Station No. 65 from Kennedy Park to the Center Point area at the southwest portion of the City. The selected site (portion of APN 297-170-077) is approximately 1.50 acres in size, is located at the northeast corner of Rebecca Street and Brodiaea Avenue, and meets the Fire Department's needs. The City Council is requested to authorize issuance of a purchase order for $419,000 for acquisition of this property ($412,650 acquisition cost plus escrow closing fees).

ATTACHMENTS/EXHIBITS

Attachment "A" – Location Map
Attachment "B" – Agreement for Conveyance of Real Property

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Concurrence:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.,
Deputy Public Works Director / Acting City Engineer

Department Head Approval:
Abdul Ahmad
Fire Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

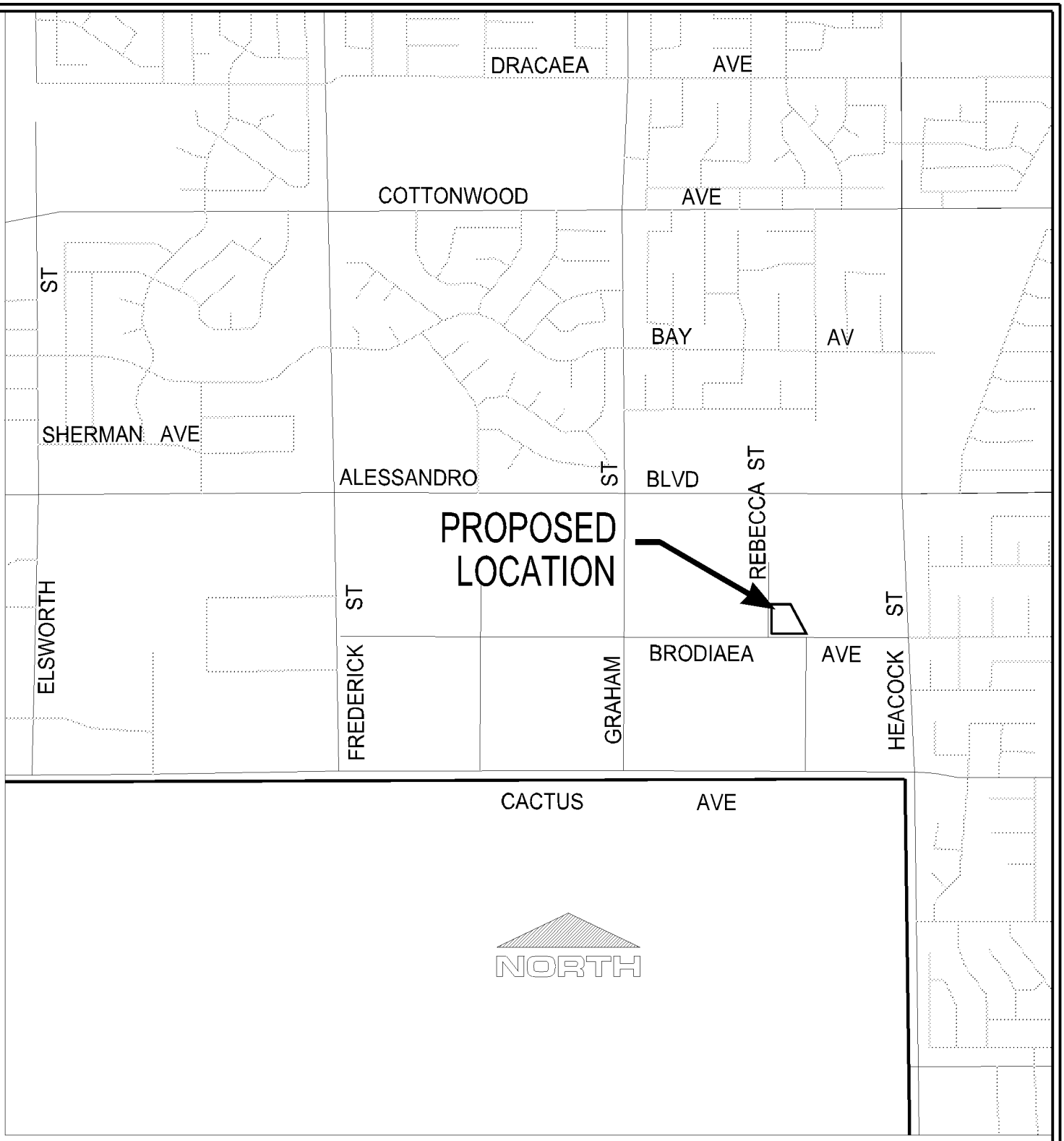

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

Attachment "A"

FIRE STATION 65 RELOCATION

PROJECT No. 11-43472526

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MV00160723

AGREEMENT FOR CONVEYANCE OF REAL PROPERTY

THIS AGREEMENT is entered into by and between Group V San Bernardino, LP, a California limited Partnership ("Grantor") and CITY OF MORENO VALLEY, a municipal corporation ("Grantee").

RECITALS

A. Grantor owns certain real property located at the northeast corner of Rebecca Street and Brodiaea Avenue, Moreno Valley, bearing Assessor Parcel No. 297-170-077 (the "Property").

B. Grantee desires to purchase a portion of the Property and Grantor desires to sell and convey a portion of the Property as described in Exhibit A which is attached hereto (the "Parcel").

C. The parties desire by this Agreement to provide the terms and conditions for the purchase and sale of the Parcel.

AGREEMENT

The parties therefore agree as follows:

1. PURCHASE.

Grantee agrees to buy and Grantor agrees to sell and convey the Parcel for the purchase price and upon the terms and conditions hereinafter set forth. The Purchase Price, defined below, is acknowledged by both parties to be a negotiated value for the Parcel.

2. ESCROW.

Upon execution of this Agreement by all parties, Grantee shall open an escrow (the "Escrow") with Lawyers Title (the "Escrow Holder") for the purpose of consummating the purchase and sale of the Parcel. The parties hereto shall execute and deliver to Escrow Holder such escrow instructions prepared by Escrow Holder as may be required to consummate this transaction. Any such instructions shall not conflict with, amend, or supersede any provision of this Agreement. If there is any inconsistency between such instructions and this Agreement, this Agreement shall control unless the parties agree in writing otherwise. The Escrow Instructions shall include the following terms and conditions of sale:

2.1 Purchase Price.

The total purchase price for the Parcel shall be $412,650.00, which shall be paid by Grantee to Grantor through Escrow Holder in cash at the close of escrow.

Attachment "B"

2.2 Close of Escrow.

Escrow shall close on or before sixty (60) days following the execution of this Agreement (the "Close of Escrow"). If the Escrow is not in a condition to close within 60 days from the opening date of "Escrow", any party who is not then in default may, in writing, demand the return of its/his/her money and/or documents. Thereupon, subject to the provisions in paragraph 3, all obligations and liabilities of the parties under this Agreement shall cease and terminate.

Close of escrow is contingent upon First Citizens Bank approving the pay down of the existing note, subject to the lot split and remainder parcel, and also subject to approval by the FDIC, who retains a residual interest in regards to the failure of First Regional Bank, the loan originator. First Citizens Bank is processing the approval and may need additional time in escrow, Buyer will agree to a reasonable extension of time if necessary.

2.3 Condition of Title to the Parcel.

Grantor shall convey title to the Parcel to Grantee as evidenced by a CLTA Standard Form Policy or Binder of Title Insurance ("Title Policy") issued by a title insurance company to be selected by Grantee in an amount equal to the purchase price. The Title Policy shall show as exceptions with respect to the Parcel only matters approved in writing by Grantee. Any exceptions to title representing monetary liens or encumbrances are hereby disapproved by Grantee, and Escrow Holder is hereby authorized and instructed to cause the reconveyance, partial reconveyance, or subordination, as the case may be, of any such monetary exceptions to Grantee's title to the Parcel at or prior to the Close of Escrow.

2.4 Escrow and Closing Costs.

Grantee shall pay the cost of the Title Policy, all Escrow fees (including reconveyance fees, trustee's fees or forwarding fees for any partial reconveyance or subordination of a deed of trust or mortgage), and all recording costs incurred herein. All parties acknowledge that Grantee is exempt from payment of documentary transfer taxes.

2.5 Investigations.

Prior to the Close of Escrow, Grantee may, at its option, conduct, at Grantee's expense, any and all investigations, inspections, surveys, and tests of the Property including, without limitation, soils, groundwater, wells, percolation, geology, environmental, drainage, engineering and utilities investigations, inspections, surveys, and tests, which determines, in its sole discretion, are required to determine the suitability of the Parcel for Grantee's intended use thereof. If Grantee determines that the Parcel is not suitable for its intended use, Grantee may disapprove this item and terminate this Agreement as provided at Section 2.2 above. Grantor hereby grants to

Grantee, and Grantee's employees, representatives, agents and independent contractors, a license to enter the Property for purposes of conducting such investigations, inspections, surveys, and tests. Grantee shall repair any damage to the Property resulting from such investigations, inspections, surveys, and tests conducted by Grantee or Grantee's employees, representatives, agents or independent contractors. Grantee's approval of any of such investigations, inspections, surveys, or tests shall not alter or diminish Grantor's representations or warranties under this Agreement, and Grantor acknowledges and agrees that Grantee is relying upon Grantor's representations and warranties made herein, unless such representation or warranty is specifically waived in whole or in part by Grantor. Grantee to indemnify Grantor and provide a policy of general liability insurance of $1,000,000 for Grantee's employees and agents during the investigative period and name Grantor as additional insured.

2.6 Deposit of Funds and Documents.

(a) Prior to Close of Escrow, Grantee shall deposit into Escrow (i) all Escrow and Closing Costs as described above; (ii) the cash portion of the purchase price to be paid to Grantor through Escrow; and (iii) such other documentation as is necessary to close Escrow in conformance herewith.

(b) Prior to the Close of Escrow, Grantor shall deposit into Escrow (I) the properly executed Grant Deed conveying the Parcel; and (ii) such other documents and sums, if any, as are necessary to close Escrow in conformance herewith.

2.7 Grantee's Conditions Precedent to Close of Escrow.

The Close of Escrow is subject to the following conditions:

(a) All representations and warranties of Grantor set forth in this Agreement shall be true and correct as of the Close of Escrow; and

(b) Grantor shall timely perform all obligations required by the terms of this Agreement to be performed by them.

2.8 Grantor's Conditions Precedent to Close of Escrow.

For the benefit of Grantor, the Close of Escrow shall be conditioned upon the timely performance by Grantee of all obligations required of Grantee by the terms of this Agreement.

3. REPRESENTATIONS AND WARRANTIES OF GRANTOR.

Grantor makes the following representations and warranties, each of which shall survive the Close of Escrow:

(a) Grantor holds title to an indefeasible estate in fee simple in the Property. Grantor is the sole owner of the Property and has good, absolute and marketable title to

the Property and has full power and authority to own and sell and convey the Parcel over, under and/or through the Property to Grantee and to enter into and perform his/her/its obligations pursuant to this Agreement;

(b) The execution and delivery of this Agreement by Grantor, Grantor's performance hereunder, and the consummation of this transaction will not constitute a violation of any order or decree or result in the breach of any contract or agreement to which Grantor are at present parties, or by which Grantor are bound;

(c) Grantor will not enter into any agreements or undertake any new obligations prior to Close of Escrow which will in any way burden, encumber or otherwise affect the Property without the prior written consent of Grantee;

(d) To Grantor's knowledge, no litigation and no governmental, administrative or regulatory act or proceeding regarding the environmental, health and safety aspects of the Property is pending, proposed or threatened;

(e) According to Grantor's knowledge, the Property is not in violation of any federal, state or local statute, regulation or ordinance relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions underlying the Property which could affect the Parcel or its use, and Grantor has not used, generated, manufactured, stored or disposed of on, under or about the Property, or transported to or from the Property, any flammable materials, explosives, radioactive materials, hazardous or contaminated materials or substances, toxic or noxious materials, substances or related materials or substances ("Hazardous Materials"). For the purpose of this Section, Hazardous Materials shall include, without limitation, substances defined as "hazardous substances," "hazardous materials," "toxic substances," "hazardous wastes," "extremely hazardous wastes," or "restricted hazardous wastes," or stated to be known to cause cancer or reproductive toxicity, under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. sections 9601 et seq; the Hazardous Materials Transportation Act, 49 U.S.C. sections 1801 et seq; the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901et seq; the Federal Water Pollution Control Act, 33 U.S.C. sections 1317 et seq; sections 25115, 25117, 25122.7, 25140, 25249.5, 25249.8, 25281, 25316 or 25501 of the California Health & Safety Code; or any substances so defined or stated in any of the regulations adopted and publications promulgated pursuant to said laws as they may be amended from time to time.

4. REPRESENTATIONS AND WARRANTIES OF GRANTEE.

A. Grantee shall save harmless and indemnify Grantor against any and all claims, demands, suits, judgments, expenses, and costs on account of injury to, or death of, persons, or loss of, or damage to, property of others, incurred during or proximately caused by acts or omissions of Grantee or Grantee's contractor in the performance of any work by Grantee or Grantee's contractor to construct the works of improvement for which the Parcel is conveyed.

5. ACKNOWLEDGMENT OF FULL BENEFITS AND RELEASE.

A. By execution of this Agreement, Grantor, on behalf of themselves and their respective heirs, executors, administrators, successors and assigns, hereby acknowledge that this Agreement provides full payment for the acquisition of the Parcel by Grantee, and Grantor hereby expressly and unconditionally waives any and all claims for damages, relocation assistance benefits, severance damages, interest, loss of goodwill, claims for inverse condemnation or unreasonable pre-condemnation conduct, or any other compensation or benefits, other than as already expressly provided for in this Agreement, it being understood that this is a complete and full settlement of all acquisition claims, liabilities, or benefits of any type or nature whatsoever relating to or in connection with the acquisition of the Parcel.

B. This Agreement arose out of Grantee's efforts to acquire the Parcel through its municipal authority. The parties agree that this Agreement is a settlement of claims in order to avoid litigation and shall not in any manner be construed as an admission of the fair market value of the Parcel or of the Property or of liability by any party to this Agreement. Grantor, on behalf of themselves and their respective heirs, executors, administrators, successors and assigns, hereby fully release Grantee, its successors, agents, representatives, and assigns, and all other persons and associations, known or unknown, from all claims and causes of action by reason of any damage which has been sustained, or may be sustained, as a result of Grantee's efforts to acquire the Parcel or to construct works of improvement thereon, or any preliminary steps thereto, except as set forth in Section 5 above. Grantor further release and agree to hold Grantee harmless from any and all claims by reason of any leasehold interest in the Property.

C. Grantor does hereby acknowledge that they are familiar with the provisions of California Civil Code section 1542, which provides as follows:

These representations and warranties shall survive the Close of Escrow. "A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor." Grantor acknowledges that they may have sustained damage, loss, costs or expenses which are presently unknown and unsuspected, and such damage, loss, costs or expenses which may have been sustained, may give rise to additional damage, loss, costs or expenses in the future. Nevertheless, Grantor does hereby acknowledge that this Agreement has been negotiated and agreed upon in light of that situation, and hereby expressly waive any and all rights which they may have under California Civil Code section 1542, or under any statute or common law or equitable principal of similar effect, except as set forth in Section 5 above.

This acknowledgment and release shall survive the Close of Escrow.

6. REMEDIES

If Grantor defaults under this Agreement, then Grantee may, at Grantee's option, terminate the Escrow or initiate an action for specific performance of this Agreement, or pursue any other rights or remedies that Grantee may have at law or in equity. If Grantee defaults under this Agreement, then Grantor may, at Grantor' option, terminate the Escrow or pursue any rights or remedies that Grantor may have at law or in equity.

7. MISCELLANEOUS.

A. Notice. Any notice to be given or other document or documents to be delivered to either party by the other hereunder may be delivered in person or may be deposited in the United States Mail in the State of California, duly registered or certified, with postage prepaid, and addressed as follows:

Grantor:

Group V San Bernardino, LP
C/O Everet Miller
Pama Management Company
4900 Santa Anita, Suite2C
El Monte, CA 91731

Grantee:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
Attention: Henry Ngo, Senior Engineer, P.E.

Any party hereto may, from time to time, by written notice to the other parties, designate a different address, which shall be substituted for the one specified above. Any notice or other documents sent by registered or certified mail as aforesaid shall be deemed to have been effectively served or delivered at the expiration of twenty-four (24) hours following the deposit of said notice or other documents in the United States mail.

B. Time of Essence. Time is of the essence with respect to each and every provision hereof.

C. Assignment. Neither this Agreement, nor any interest herein, shall be assignable by any party without prior written consent of the other party.

D. Governing Law. All questions with respect to this Agreement, and the rights and liabilities of the parties hereto, shall be governed by the laws of the State of California.

E. Inurement. This Agreement shall inure to the benefit of, and shall be binding upon, the assigns, successors in interest, personal representatives, estates, heirs and legatees of each of the parties hereto.

F. Attorneys Fees. If any legal action, arbitration or other proceeding is brought for the interpretation or enforcement of this Agreement, or because of any alleged dispute, breach, default or misrepresentation in connection with the Agreement, the successful or prevailing party shall be entitled to recover reasonable attorneys fees (including fees for in-house counsel, paraprofessionals and similar personnel and disbursements) and other costs it incurs in that action or proceeding, in addition to any other relief to which it may be entitled. The venue of any such action, arbitration, lawsuit or other proceeding or litigation may, at the option of the City, be in Riverside County, California, and the parties waive any right to change of venue.

G. Entire Agreement. This Agreement contains the entire Agreement of the parties hereto, and supersedes any prior written or oral agreements between them concerning the subject matter contained herein. There are no representations, agreements, arrangements, or understandings, oral or written, between the parties hereto, relating to the subject matter contained in this Agreement which are not fully expressed herein.

H. Additional Documents. The parties hereto agree to execute any and all additional documents and instruments necessary to carry out the terms of this Agreement.

I. Confidentiality. Grantor will keep confidential the terms of this Agreement and refrain from disclosing or causing same to be disclosed to any person or entity not specifically released herein. In no event, however, shall Grantor be required to refrain from disclosing the terms of this Agreement where: (I) they are legally required to do so, whether by statute, court order, process or otherwise; or (ii) disclosure is required or necessary to enforce any right, duty, obligation or release arising under the terms of this Agreement; or (iii) disclosure is required or necessary in order for Grantor, or any of their agents or employees, to maintain or compile their personal or business books or records; or (iv) disclosure is necessary or required in order for Grantor, or any of their agents or employees, to prepare and file income tax returns or any other forms required by any governmental, administrative or regulatory entities, boards or authorities.

J. No Admissions. This Agreement is a compromise and settlement of outstanding claims between the parties relating to Grantee's acquisition of the Parcel and shall never be treated as an admission by either party to the Agreement for any purpose in any judicial, arbitration or administrative proceeding between the parties. This paragraph shall not apply to any claim that one may have against the other for breach of any provision or covenant of this Agreement.

K. No Merger. All representations, warranties, acknowledgments, releases, covenants and obligations contained in this Agreement shall survive delivery and recordation of the Grant Deed for the Parcel.

L. Ratification. This Agreement is subject to approval and ratification by the City Council of the City of Moreno Valley.

M. Broker. Grantor and Grantee each represent and warrant to the other that no broker, agent or finder has been engaged by it in connection with the transaction contemplated by this Agreement and that all negotiations relative to these instructions and this transaction have been carried out by such party directly with the other party without the intervention of any person in such a manner as to give rise to any valid claim against either of the parties for a broker's commission, finder's fee or other like payment. Each of the parties shall indemnify and defend the other party and hold it harmless from any and all loss, damage, liability or expense, including costs and reasonable attorneys' fees, which the other party may incur or sustain by reason of or in connection with any misrepresentation or breach of warranty by the indemnifying party with respect to the foregoing.

N. Counterparts. This Agreement may be signed in counterpart or duplicate copies, and any signed counterpart or duplicate copy shall be equivalent to a signed original for all purposes.

EXECUTED on the date or dates set forth below. This Agreement shall be effective as of the date signed by all parties.

DATED:_____

Grantor:

Group V San Bernardino, LP, a California Limited Partnership

By: _____

Its: _____

DATED:_____

Grantee:

CITY OF MORENO VALLEY

By:_____

Its: City Manager

APPROVED AS TO FORM:

_____

City Attorney

Y:\Henry - 11-43472526 - Fire Station #65\Design Phase\Real Property\Acquisition Folder\Agreement for Conveyance of Real Property.doc

PROPERTY INFORMATION:

APN 297-170-077

NORTHEAST CORNER OF BRODIAEA AVE. / REBECCA ST.

PARTIAL LAND ACQUISITION

FIRE STATION 65

RELOCATION

LAND ACQUISITION MAP

PROJECT No. 11-43472628

Exhibit "A"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: April 10, 2012

TITLE: CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "SOBRIETY CHECKPOINT GRANT PROGRAM"

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Grant Program" in the amount of $150,400 for the period beginning October 1, 2012 and ending September 30, 2013.

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the Sobriety Checkpoint Grant Program in the amounts of $150,400, respectively, upon approval and acceptance of the grant from OTS.

ADVISORY COMMITTEE RECOMENDATION

On March 19, 2012, the Public Safety Sub-Committee granted the Chief of Police permission to apply for this grant and recommended the acceptance of this OTS grant opportunity.

BACKGROUND

The City of Moreno Valley is committed to providing a safe environment for the citizens of Moreno Valley. The City Council has made it a priority to provide financial support to the Traffic Team and Patrol units to deal with quality of life issues in the community.

This statewide program is administered by the UC Berkeley, Safe Transportation Research and Education Center (TREC) and targets the following enforcement periods:

December 14, 2012 through January 1, 2013
August 16, 2013 through September 2, 2013

DISCUSSION

The California Office of Traffic Safety recently announced they were accepting grant applications for the 2012-2013, "Sobriety Checkpoint Grant Program." The Moreno Valley Police Department (MVPD) currently operates Driving Under the Influence (DUI) Sobriety Checkpoint Operations on a regular basis. These operations require a great number of resources. The specific resources required vary based on the time of day, day of week and location of the sobriety checkpoint. On average however, a single operation will last 6 hours and consist of 2 sergeants, 17 officers, 5 community service officers, 1 dispatcher, 4 reserve officers, 10 volunteers and 10 explorers. A majority of these personnel are paid for with overtime funding.

This grant will provide specific funding for MVPD personnel to deploy in an overtime capacity during these DUI Sobriety Checkpoint Operations. The grant specifies that some of the deployment must take place during specific time frames throughout the year. These designated enforcement periods are designed to coincide with major holiday enforcement periods. The grant also specifies personnel assigned to work these operations must be dedicated to DUI Sobriety Checkpoints.

The amount we requested from the "Sobriety Checkpoint Grant Program" will cover all overtime costs associated with 18 DUI Sobriety Checkpoint Operations conducted during the year-long campaign. This includes overtime funding for sergeants, officers, community service officers, and dispatchers. As a requirement of the grant, the MVPD will be required to conduct detailed statistical analysis regarding the enforcement campaign and claim forms will be completed and submitted to the UC Berkeley, Safe TREC.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application for the OTS Grant titled "Sobriety Checkpoint Grant Program", in the amount of $150,400 and subsequently accept the grant award from OTS. **Staff recommends this alternative.**

2) Decline the application for the OTS Grant titled "Sobriety Checkpoint Grant Program" in the amount of $150,400. **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund. Budget appropriations are as follows upon approval and acceptance of the grant:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OTS - POLICE FUND (136)	1360.4611.1 (State Grant Oper. Rev.)	REV	$150,400
OTS - POLICE FUND (136)	136XX (Sobriety Checkpoint Grant)	EXP	$150,400

CITY COUNCIL GOALS

To provide a safe and secure environment for people and property in the community, and provide protection for citizens who live, work and visit the City of Moreno Valley. The City-wide camera surveillance system will aid in this goal by helping to reduce crime, identify criminals who do commit crimes, and make a safer and more secure environment for the citizens in our community.

SUMMARY

The City Council is requested to approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Grant Program" in the amount of $150,400 for the period beginning October 1, 2012 and ending September 30, 2013 and authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the Sobriety Checkpoint Grant Program in the amounts of $150,400, respectively, upon approval and acceptance of the grant from OTS.

Prepared by:
Launa Jimenez
Management Analyst

Department Head Approval:
John Anderson
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00160737

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: April 10, 2012

TITLE: CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "GME STEP PROGRAM"

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if awarded) of the California Office of Traffic Safety (OTS) grant in the amount of $129,870, entitled "GME STEP Program (Selective Traffic Enforcement Program)."

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the GME STEP Program (Selective Traffic Enforcement Program in the amounts of $129,870, respectively, upon approval and acceptance of the grant from OTS.

ADVISORY COMMITTEE RECOMMENDATION

On March 19, 2012, the Public Safety Sub-Committee granted the Chief of Police permission to apply for this grant and recommended the acceptance of this OTS grant opportunity.

BACKGROUND

The Moreno Valley Police Department receives grants from the Office of Traffic Safety (OTS) on a routine basis. Most grants offered through OTS are for a one year period and they run concurrently with the federal fiscal year.

DISCUSSION

In March 2012, staff received notice of a competitive grant program offered by OTS called the "GME STEP Program." This grant can be used to fund law enforcement operations involving DUI saturation patrols, DUI warrant sweeps, stakeout operations for known DUI offenders, distracted driving enforcement (cellphone and texting) and primary collision factor (PCF) violation enforcement (red light, speed, stop sign, etc).

The Police Department is proposing to apply for this grant and if awarded, conduct approximately 22 DUI saturation patrols, 3 DUI warrant sweep operations, 4 known DUI offender stakeout operations, 44 distracted driving and 44 PCF violation enforcement operations.

In addition, we are asking for grant funds to pay for training and travel for two training courses. The grant would fund the training for three officers to attend a five day "Cavenaugh and Associates" DUI Seminar class. The grant would fund the registration, lodging, and per diem for the three officers to attend this training. This class has proven to be a great resource in building the skills necessary to handle DUI cases. The grant would fund the training for four officers to attend the Vehicular Homicide Seminar. The grant would fund the registration, lodging, and per diem for this seminar. This seminar is designed for prosecutors and law enforcement officers who handle misdemeanor and felony vehicular homicides. The course will assist prosecutors and law enforcement officers in developing the knowledge and skills necessary to investigate, evaluate, prepare, and handle cases involving vehicular fatalities. Subjects will include California substantive law, collision investigation and reconstruction, post-collision determination of speed, how kinematics can assist in driver identification, understanding expert testimony, cross-examining a defense expert, and basic toxicology.

The amount we are requesting is $129,870 for FY 12/13, which we believe will assist the Police Department in enhancing traffic safety within the City of Moreno Valley.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application and acceptance (if awarded) of the OTS Grant titled "GME STEP Program" for $129,870. **Staff recommends this alternative.**

2) Not approve the application for the OTS Grant titled "GME STEP Program." **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund.

Budget appropriations are as follows upon approval and acceptance of the grant:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OTS - POLICE FUND (136)	1360.4611.1 (State Grant Oper. Rev.)	REV	$129,870
OTS - POLICE FUND (136)	136XX (GME STEP Grant)	EXP	$129,870

CITY COUNCIL GOALS

To provide a safe and secure environment for people and property in the community, and provide protection for citizens who live, work and visit the City of Moreno Valley. The City-wide camera surveillance system will aid in this goal by helping to reduce crime, identify criminals who do commit crimes, and make a safer and more secure environment for the citizens in our community.

SUMMARY

The City Council is requested to approve the grant application and authorize acceptance (if awarded) of the California Office of Traffic Safety (OTS) grant in the amount of $129,870, entitled "GME STEP Program (Selective Traffic Enforcement Program) and authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the GME STEP Program (Selective Traffic Enforcement Program in the amounts of $129,870, respectively, upon approval and acceptance of the grant from OTS.

Prepared by:
Launa Jimenez
Management Analyst

Department Head Approval:
John Anderson
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00160741

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: April 10, 2012

TITLE: APPROVAL OF THREE-YEAR ENTERPRISE LICENSING AGREEMENT OF MICROSOFT LICENSES THROUGH COMPUCOM SYSTEMS, INC., UTILIZING THE COUNTY OF RIVERSIDE'S MICROSOFT ENTERPRISE MASTER AGREEMENT

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Waive formal bidding per Municipal Code Section 3.12.260 (Cooperative Purchasing); and

2. Approve a three-year enterprise licensing agreement of Microsoft licenses through CompuCom Systems, Inc., utilizing the County of Riverside's Microsoft Enterprise Licensing Master Agreement; and

3. Authorize the City Manager to execute the Microsoft Enterprise Master Agreement and any related documents required to effectuate participation in the Microsoft Enterprise Master Agreement; and

4. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to CompuCom systems to maintain the current licensing level at an annual cost not-to-exceed $115,000.

The agreement provides for the maintenance and support of Microsoft server operating system and client access software licenses to provide continued corrective, security, and enhancement updates to the City's existing network in an annual amount not-to-exceed $115,000 for each of the next three years (May 1, 2012 through April 30, 2015.) The agreement utilizes the County of Riverside's Microsoft Enterprise Agreement (a

cooperative purchasing agreement that approximately 500 California cities utilize) and identifies CompuCom Systems, Inc., a Microsoft Large Account Reseller, as the administrator of the agreement. Since this expenditure is over $100,000, City Council approval is required per the City's procurement policy.

BACKGROUND

The City has participated in the California County Information Services Directors Association (CCISDA) Enterprise Agreement for Microsoft licensing for the past eight years. This agreement was negotiated for the California state and local governments by the County of Riverside as the lead agency and is available to all California state, county, and local agencies. The purpose of the agreement is to pool the buying power of these public entities to accomplish discounted pricing not available through traditional channels. The City's current agreement term expires April 30, 2012.

Prior to 2004, the City of Moreno Valley purchased software licenses from retailers at predetermined "Select Level" pricing for each new PC and for any upgrades. Under the Select Licensing program, designed for corporate, government, and academic customers with 250 or more desktops and mixed product and purchasing requirements, the City realized discounts over standard retail pricing; however, new versions required additional purchases with no pricing guarantee. The program also provided no privileged access to Microsoft technical support and services.

Beginning in 2004, the City joined CCISDA Enterprise Agreement for Microsoft licensing. The former Chief Information Officer (CIO) of the County of Riverside was one of the leaders in the negotiations for CCISDA and offered to facilitate the County's hosting of the Request for Proposals (RFP) to allow cooperative participation in the Enterprise Agreement by California cities and counties. Following this competitive selection process, the cooperative agreement became open for participation by all eligible California local government entities (counties, cities, special districts, etc.). Starting that year, the City of Moreno Valley began utilizing this contract to obtain Microsoft licenses through CompuCom Systems, Inc., a Microsoft Large Account Reseller (LAR). CompuCom Systems was one of the five vendors who responded to the County's original RFP and presented the lowest price per desktop. CompuCom currently administers the Enterprise Agreements for 283 California agencies and was selected by Riverside County again this past year to service the County's current agreement through 2016.

DISCUSSION

The City's core software infrastructure is based on Microsoft desktop, server, and development products. The Enterprise Agreement positions the City to benefit from the next generation of Microsoft platform products seamlessly through ownership of Software Assurance. Specifically, this maintenance agreement ensures that the City has access to the latest version of the software and that technical support is available. This reduces the required level of staff support and also enables software upgrade decisions to be made based on technical considerations, deployment plans and staffing

availability, rather than primarily cost considerations. Also, more products and services become automatically available within the Enterprise Agreement. The City utilizes many Microsoft products and services as shown in the table on the following page. Examples of such software products are SharePoint Portal Services (SPS), a collaboration-based web portal product, and Systems Center, a product which automates inventory of software and hardware, automates deployments, and allows for remote desktop support. Most importantly, the cost-per-desktop savings is substantial under the Enterprise Agreement. CompuCom has offered the City the lowest Microsoft licensing cost on the County's Agreement.

The following table lists the Microsoft software and services utilized by the City:

Operating Systems, Server and Client Software
Windows Server and Desktop Operating Systems
Office Professional
Exchange Server (including Outlook)
Lync Server
SharePoint Server
Microsoft SQL Server
Microsoft Project
Microsoft Desktop Optimization
Microsoft Dynamics CRM
Microsoft Visio
Microsoft Systems Center
Windows Rights Management Service
Software Updates
New Version Rights for Applications
New Version Rights for Windows Client
New Version Rights for Servers
New Version Rights for Server CALs
Services and Programs
Training Vouchers
Professional Services
Online E-Learning: Applications
Online E-Learning: Systems
Online E-Learning: Servers
Employee Purchase Program (EPP)
Home Use Program (HUP)
Maintenance and Support
24 x 7 Phone Support Incidents
Web Incidents
User ID's for Web Support
TechNet Plus Direct
TechNet SA Subscription Services
Cold Backup for Disaster Recovery
Transition Tools
Extended Hot-Fix Support for Office
Extended Hot-Fix Support for Windows Client
Extended Hot-Fix Support for Servers

Windows Fundamentals for Legacy PCs

Microsoft does not license its software directly, but instead requires licensing of its products through a reseller. Should the City decide not to obtain its software licenses through the Enterprise Agreement, staff would need to undertake a separate RFP process to determine the best pricing from another reseller. It is highly unlikely that lower pricing could be obtained than what is provided under the Enterprise Agreement.

ALTERNATIVES

1. Approve three-year Enterprise Agreement of Microsoft licenses through CompuCom Systems, Inc. by taking the following actions:
    a. Waive formal bidding per Municipal Code Section 3.12.260 (Cooperative Purchasing);
    b. Approve a three-year enterprise licensing agreement of Microsoft licenses through Compucom Systems, Inc., utilizing the County of Riverside's Microsoft Enterprise Licensing Master Agreement;
    c. Authorize the City Manager to execute the Microsoft Enterprise Master Agreement and any related documents required to effectuate participation in the Microsoft Enterprise Master Agreement; and
    d. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to CompuCom systems to maintain the current licensing level at an annual cost not-to-exceed $115,000.

    This alternative is recommended by staff.

2. Elect not to renew the Microsoft software licenses utilizing the County of Riverside's Microsoft Enterprise Agreement with CompuCom Systems, and direct staff to undertake a separate RFP process to select a reseller of Microsoft licenses. ***This alternative is not recommended by staff, as it is highly unlikely that lower pricing could be obtained and it would require a substantial expenditure of staff time.***

3. Provide staff with further direction.

FISCAL IMPACT

Approval of staff's recommendation will obligate the City to a FY 2011-12 expenditure of $115,000. Funds for this purchase are available in the Technology Services software maintenance/support budget, account 750.32010.6258. Although the Enterprise Agreement is for a three-year term, it has cancellation provisions that allow early termination if funds are not appropriated in subsequent fiscal years.

CITY COUNCIL GOALS

Utilizing a cooperative purchasing agreement through the County of Riverside to obtain the best pricing for software licenses promotes the City Council goals of sound **fiscal policies to support essential services** and the **development of cooperative intergovernmental relationships**.

SUMMARY

To maintain Microsoft licensing compliance and support, the City has enrolled with the County of Riverside's Microsoft Enterprise Licensing Agreement. CompuCom, a Microsoft Large Account Reseller, offered the City the lowest Microsoft licensing cost under the umbrella of the County's cooperative agreement. The City's current agreement term expires April 30, 2012. City Council approval is requested to authorize the City Manager to execute the new three-year agreement before the due date at an annual cost not to exceed $115,000. Funds for this expenditure are available in the Technology Services budget for FY 2011-12. The City may cancel this agreement in subsequent years if funding is not approved through the budget process.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Not applicable

Prepared By:
Dori Lienhard
Enterprise Systems Administrator

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Steve Hargis
Technology Services Division Manager

Concurred By:
Rix Skonberg
Purchasing & Facilities Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Anderson, Chief of Police

AGENDA DATE: April 10, 2012

TITLE: "IT'S UP TO US": A PEDESTRIAN SAFETY PUBLIC EDUCATION CAMPAIGN MINI GRANT

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if awarded) of the Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) grant in the amount not to exceed $4,999.99, entitled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant; and

2. Authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH.

ADVISORY COMMITTEE RECOMMENDATION

On March 19, 2012, the Public Safety Sub-Committee granted the Chief of Police permission to apply for this grant and recommended the acceptance of this CDPH grant opportunity.

BACKGROUND

The California Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) is pleased to offer mini-grants for local implementation of the newly

released "It's Up to Us" pedestrian safety education campaign. This campaign is funded by a grant from the California Office of Traffic Safety (OTS) through California's Kids' Plates funding. It is California's first effort to create and disseminate educational templates that provide consistent statewide messaging regarding pedestrian safety. Some of the designs have a norm change focus, since the most effective form of pedestrian safety education is that which influences cultural shifts. The target audiences include pedestrians, drivers and communities, with particular emphasis on youth.

DISCUSSION

In March 2012, staff received notice of a competitive grant program offered by the California Department of Public Health. All service activities awarded through this application will be for promotion and implementation of a local educational campaign using "It's Up to Us" materials. The materials for the "It's Up to Us" campaign consist of several high resolution educational templates that can be promoted through the internet, community outreach and educational forums.

Awardees will have roughly three months to complete the campaign, from March 26, 2012 – June 15, 2012. This is a reimbursement program. Selected applicants must use their own funds first and at the conclusion of the campaign period, submit a final invoice on their agency letterhead to CDPH/SACB. The invoice must be submitted by June 22, 2012, for reimbursement along with a one-page summary of the project activities that took place during the award period.

We are planning to kick off our campaign with a press release informing the citizens of Moreno Valley that we are serious about pedestrian safety. Pedestrian safety is a collaborative effort between pedestrians, drivers and our community. We would like to produce "It's Up to Us" campaign posters and flyers to display and disseminate on our school campuses, community centers and parks. Additionally, we would also like to produce stickers, pencils and bookmarks so that we can reach our younger population as well.

The Traffic Division plans to coordinate assemblies with some of our local schools. The assemblies will be conducted by law enforcement personnel and the purpose will be to educate the students on the dangers of crossing the street while distracted and inattentive. We will also instruct students on how to properly cross the street. Furthermore, we would also like to assemble a community/ media event at one of our local schools. We plan on inviting the Chief of Police and City Officials to prove to our community that pedestrian safety is a high priority. Law enforcement officers will be present at our community/ media event showing the children the proper way to cross the street.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application and acceptance (if awarded) of the CDPH Grant titled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99 and authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH. **Staff recommends this alternative.**

2) Not approve the application for the CDPH Grant titled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant not authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH. **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund.

Budget appropriations are as follows upon approval and acceptance of the grant:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OTS - POLICE FUND (136)	1360.4611.1 (State Grant Oper. Rev.)	REV	$4,999.99
OTS - POLICE FUND (136)	136XX (CDPH - SACB Grant)	EXP	$4,999.99

CITY COUNCIL GOALS

To provide a safe and secure environment for people and property in the community, and provide protection for citizens who live, work and visit the City of Moreno Valley. The City-wide camera surveillance system will aid in this goal by helping to reduce crime, identify criminals who do commit crimes, and make a safer and more secure environment for the citizens in our community.

SUMMARY

Approve the grant application and authorize acceptance (if awarded) of the Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) grant in the

amount not to exceed $4,999.99, entitled “It’s Up to Us”: A Pedestrian Safety Public Education Campaign Mini Grant and authorize the revenue and expense budgets in the California Department of Public Health – Police Fund (Fund 136) for the “It’s Up to Us”: A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH.

Prepared by:
Launa Jimenez
Management Analyst

Department Head Approval:
John Anderson
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 10, 2012

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 21 – April 3, 2012.

Reports on Reimbursable Activities March 21 – April 3, 2012		
Council Member	Date	Meeting
William H. Batey II		None
Marcelo Co	3/28/12	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	4/3/12	Moreno Valley Hispanic Chamber of Commerce Adelante
Robin N. Hastings		None
Jesse L. Molina	3/28/12	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00160753

MINUTES - REGULAR MEETING OF MARCH 27, 2012
(Report of: City Clerk Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00160755

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: April 10, 2012

TITLE: **EXTENSION OF CONTRACT** - APPROVE THIRD AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period.

2. Authorize the President to execute the Third Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc. in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY DOLLARS AND NO CENTS ($122,760.00) for CSD Zone A for twelve months; and
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY DOLLARS AND NO CENTS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the third of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. will expire on June 30, 2012. On February 14, 2012, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the fourth term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the third of four, twelve-month extensions. The contract amount for the third extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the Third Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2012-2013. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the Third Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this Third Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2012-2013 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this Third Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period.
2. Authorize the President to execute the Third Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto; and
3. Authorize the Purchase and Facilities Division Manager to issue purchase orders in the amounts of:
   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY DOLLARS AND NO CENTS ($122,760.00) for CSD Zone A for twelve months; and
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY DOLLARS AND NO CENTS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: Third Amendment to Agreement
Attachment 2: Second Amendment to Agreement
Attachment 3: First Amendment to Agreement
Attachment 4: Agreement
Attachment 5: Insurance

Prepared By:
Dean Ristow
Parks Maintenance Supervisor

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

THIRD AMENDMENT TO AGREEMENT

This Third Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as “CSD”), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the third twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2012 and finish on June 30, 2013.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Michael McCarty, Director
Parks and Community Services

Date: _____

SECOND AMENDMENT TO AGREEMENT

This Second Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the second twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2011 and finish on June 30, 2012.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 2

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 9/8/11

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 6/7/2011

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 6-20-11

RECOMMENDED FOR APPROVAL:

_____
for Department Head

Date: 6/22/11

Item No. B.3

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 3

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 7/13/10

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 5/24/2010

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: July 1, 2010

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-24-10

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 4

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. **OWNERSHIP OF DOCUMENTS.** All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. **PUBLICATION OF DOCUMENTS.** Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. **INDEMNIFICATION.** Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. **PUBLIC RECORDS ACT.** The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. **ASSIGNABILITY.** This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. **INDEPENDENT CONTRACTOR.** The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. **AUDIT OF RECORDS.** Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

44. **ENTIRE AGREEMENT.** This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

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communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.
   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

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2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

MV00160789

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

MV00160791

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

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MV00160793

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/16/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
131 EAST MAIN ST
SUITE 203
EL CAJON CA 92020
Agency Lic#: 0F82058

CONTACT NAME: Joshua K Schwartz
PHONE (A/C, No, Ext): FAX (A/C, No):
E-MAIL ADDRESS: josh@bcisinc.net
PRODUCER CUSTOMER ID: 2278

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Navigators Specialty Ins. Co. A(X)SLW	36056
INSURER B :	
INSURER C :	
INSURER D:	
INSURER E :	
INSURER F :	

COVERAGES CERTIFICATE NUMBER: 12716 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	Y		04N0025934	09/12/11	09/12/12	EACH OCCURRENCE	$ 1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurence)	$ 100,000
	CLAIMS-MADE X OCCUR						MED. EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS						BODILY INJURY (Per accident)	$
	SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	$
	HIRED AUTOS							$
	NON-OWNED AUTOS							$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DEDUCTIBLE							$
	RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATU-TORY LIMITS / OTH ER	$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					E.L. EACH ACCIDENT	$
							E.L. DISEASE-EA EMPLOYEE	$
							E.L. DISEASE-POLICY LIMIT	$

RISK MANAGEMENT Approved
M. Alonzo 9-22-11
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevlopment Agency of Moreno Valley are named Additional Insured per written contract. RE: Various Locations * Endorsement is attached.

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Joshua K Schwartz

Attachment 5

ACORD 25 (2009/09)

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Item No. B.3

MV00160794

BLANKET ADDITIONAL INSUREDS– OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Policy Number: 04-N0025934	Endorsement Effective: 9/12/2011 12:01 a.m.
Named Insured D L S LANDSCAPE INC, DBA: D L S LANDSCAPE INC	Countersigned By: Lisa Erickson

SCHEDULE

Name of Person or Organization: **Any person or organization that the named insured is obligated by virtue of a written contract or agreement to provide insurance such as is afforded by this policy.**
Location:

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

A. **Section II – Who Is An Insured** is amended to include as an insured the person or organization shown in the Schedule, but only to the extent that the person or organization shown in the Schedule is held liable for your acts or omissions arising out of your ongoing operations performed for that insured.

B. With respect to the insurance afforded to these additional insureds, the following exclusion is added:

2. Exclusions

This insurance does not apply to "bodily injury" or "property damage" occurring after:

(1) All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the site of the covered operations has been completed; or

(2) That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. The words "you" and "your" refer to the Named Insured shown in the Declarations.

D. "Your work" means work or operations performed by you or on your behalf; and materials, parts or equipment furnished in connection with such work or operations.

Primary Wording

If required by written contract or agreement: Such insurance as is afforded by this policy shall be primary insurance, and any insurance or self-insurance maintained by the above additional insured(s) shall be excess of the insurance afforded to the named insured and shall not contribute to it.

Waiver of Subrogation

If required by written contract or agreement: We waive any right of recovery we may have against an entity that is an additional insured per the terms of this endorsement because of payments we make for injury or damage arising out of "your work" done under a contract with that person or organization.

ANF- ES 043 (5/2006)

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/15/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER
Amorelli, Rosemann & Associates
3333 E Concours St
Building 9-200
Ontario CA 91764

CONTACT NAME: Danette Miller
PHONE (A/C, No, Ext): (909) 987-7600 FAX (A/C, No): (909) 987-7656
E-MAIL ADDRESS: danettem@arainsurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: State Compensation Insurance	NF35076 (CA)
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
D L S Landscape, Inc
PO BOX 67
Redlands CA 92373

COVERAGES CERTIFICATE NUMBER: 11-12 wc master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY						EACH OCCURRENCE	$
	COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
	CLAIMS-MADE OCCUR						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
							GENERAL AGGREGATE	$
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$
								$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO			RISK MANAGEMENT Approved			BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR			By: M. Alonzo	Date: 11-17-11		EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						X WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		9000380-11	11/1/2011	11/1/2012	E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
PROOF OF INSURANCE FOR CERTIFICATE HOLDER

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
MOreno Valley, CA 92552

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Danette Miller/DANETT

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A+(ist) CA

CERTIFICATE OF INSURANCE

☒ ALLSTATE INSURANCE COMPANY ☐ ALLSTATE INDEMNITY COMPANY ☐ ALLSTATE TEXAS LLOYD'S

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY Policy Number: Effective Date: Expiration Date:

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	
PHYSICAL DAMAGE LIMIT	ANY ONE LOSS
MEDICAL EXPENSE LIMIT	ANY ONE PERSON

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY Policy Number: Effective Date: Expiration Date:

Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		
	BODILY INJURY BY ACCIDENT		EACH ACCIDENT
EMPLOYERS'	BODILY INJURY BE DISEASE		EACH EMPLOYEE
LIABILITY	BODILY INJURY BY DISEASE		POLICY LIMIT

AUTOMOBILE LIABILITY Policy Number: 048319593 Effective Date: 11/08/2011 Expiration Date: 11/08/2012

Coverage Basis	Limits		
☒ ANY AUTO ☐ OWNED AUTOS ☐ HIRED AUTOS	Combined Single Limit of Liability		
	BODILY INJURY & PROPERTY DAMAGE	$1,000,000	EACH ACCIDENT
☐ SPECIFIED AUTO ☐ NON-OWNED AUTOS	Split Liability Limits		
	Bodily Injury	Property Damage	Each
☐ OWNED PRIVATE PASSENGER AUTOS			PERSON
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			ACCIDENT

UMBRELLA LIABILITY Policy Number: Effective Date: Expiration Date:

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy) Policy Number: 050001000 Effective Date: 1/17/2011 Expiration Date: 1/17/2012

RISK MANAGEMENT
Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By: [signature] Date: 12-1-11

CANCELLATION

Number of days notice 30

DOUG MOORE (909) 463-6716 — Authorized Representative

November 30, 2011 — Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives

Item No. B.3

MV00160797

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/15/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER
Amorelli, Rosemann & Associates
3333 E Concours St
Building 9-200
Ontario CA 91764

CONTACT NAME: Danette Miller
PHONE (A/C, No, Ext): (909) 987-7600 FAX (A/C, No): (909) 987-7656
E-MAIL ADDRESS: danettem@arainsurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: State Compensation Insurance	35076
INSURER B: NR(5) CA	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
D L S Landscape, Inc
PO BOX 67
Redlands CA 92373

COVERAGES CERTIFICATE NUMBER: 11-12 wc master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY						EACH OCCURRENCE	$
	COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
	CLAIMS-MADE / OCCUR						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
							GENERAL AGGREGATE	$
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / PRO-JECT / LOC						PRODUCTS - COMP/OP AGG	$
								$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						X WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH)	N/A		9000380-11	11/1/2011	11/1/2012	E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

RISK MANAGEMENT Approved
By: M. Elloy Date: 12-5-11

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
PROOF OF INSURANCE FOR CERTIFICATE HOLDER

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
MOreno Valley, CA 92552

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Danette Miller/DANETT

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MV00160799

MINUTES - REGULAR MEETING OF MARCH 27, 2012
(Report of: City Clerk Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00160801

MINUTES - REGULAR MEETING OF MARCH 27, 2012
(Report of: City Clerk Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00160803

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in its Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES

PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the Public Hearing and accepting public testimony:

1. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;
3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APN 296-280-018.

Staff recommends that the Mayor and City Council, acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

1. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 296-280-018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Conditions of Approval for APN 296-280-018 require that a funding source be provided to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owner of APN 296-280-018 ("Property Owner") the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. The Property Owner is given two opportunities to address the legislative body. These two opportunities are the Public Meeting on March 27, 2012 and the Public Hearing on April 10, 2012, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance

records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballot is approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charge was estimated based on the parcel's front linear footage to the existing Alessandro Blvd. median. Upon approval of the charge, APN 296-280-018 will be subject to the annual charge. If the APN is subdivided in the future the CSD Zone M charge shall be proportionally adjusted.

ALTERNATIVES

1. **Conduct the Public Hearing,** tabulate the ballots, verify, and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet, receive and file with the City Clerk's office the accepted Official Tally Sheet, and if approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate and the annual charge for CSD Zone M to APN 296-280-018 (and any division thereof). *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing,** tabulate the ballots, verify, or accept the results of the mail ballot proceeding for APN 296-280-018. *This alternative would be contrary to Proposition 218 mandates.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charge is as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
APN 296-280-018 (and any division thereof)	$212	$1,770.14

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-

Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The Property Owner is being balloted to provide a funding source for the maintenance costs of an existing median. The CSD Zone M charge will offset a portion of the contribution from the General Fund for this median. **Collections of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public testimony, tabulate the returned ballots, verify, and accept the results of the mail ballot proceeding for APN 296-280-018.

NOTIFICATION

The Property Owner was given the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots, instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the March 27, 2012, Public Meeting and April 10, 2012, Public Hearing was published in The Press-Enterprise on March 8, 2012. Additionally, the Public Hearing notification was published on March 22 and again on March 29, 2012.

ATTACHMENTS

Attachment 1: Mail Ballot Packet for APN 296-280-018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00160809

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Yoon Ku Byun
19826 Hidden Trail Pl
Walnut, CA 91789

February 23, 2012

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 296-280-018

******* OFFICIAL BALLOTS ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Number (APN) 296-280-018 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 296-280-018 is subdivided in the future. The charge levied shall not exceed the charge previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2011/12 for the program as a whole is $396,356.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $1,770.14. The total amount of the CSD Zone M charges levied for FY 2011/12 for the program as a whole is $156,303.84.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 296-280-018 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD

Zone M charge shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, March 27, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, April 10, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if the ballot is marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if the ballot is marked in favor of the annual charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If the returned valid ballot is marked opposing the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If the returned valid ballot is marked opposing the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the two enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, April 10, 2012**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

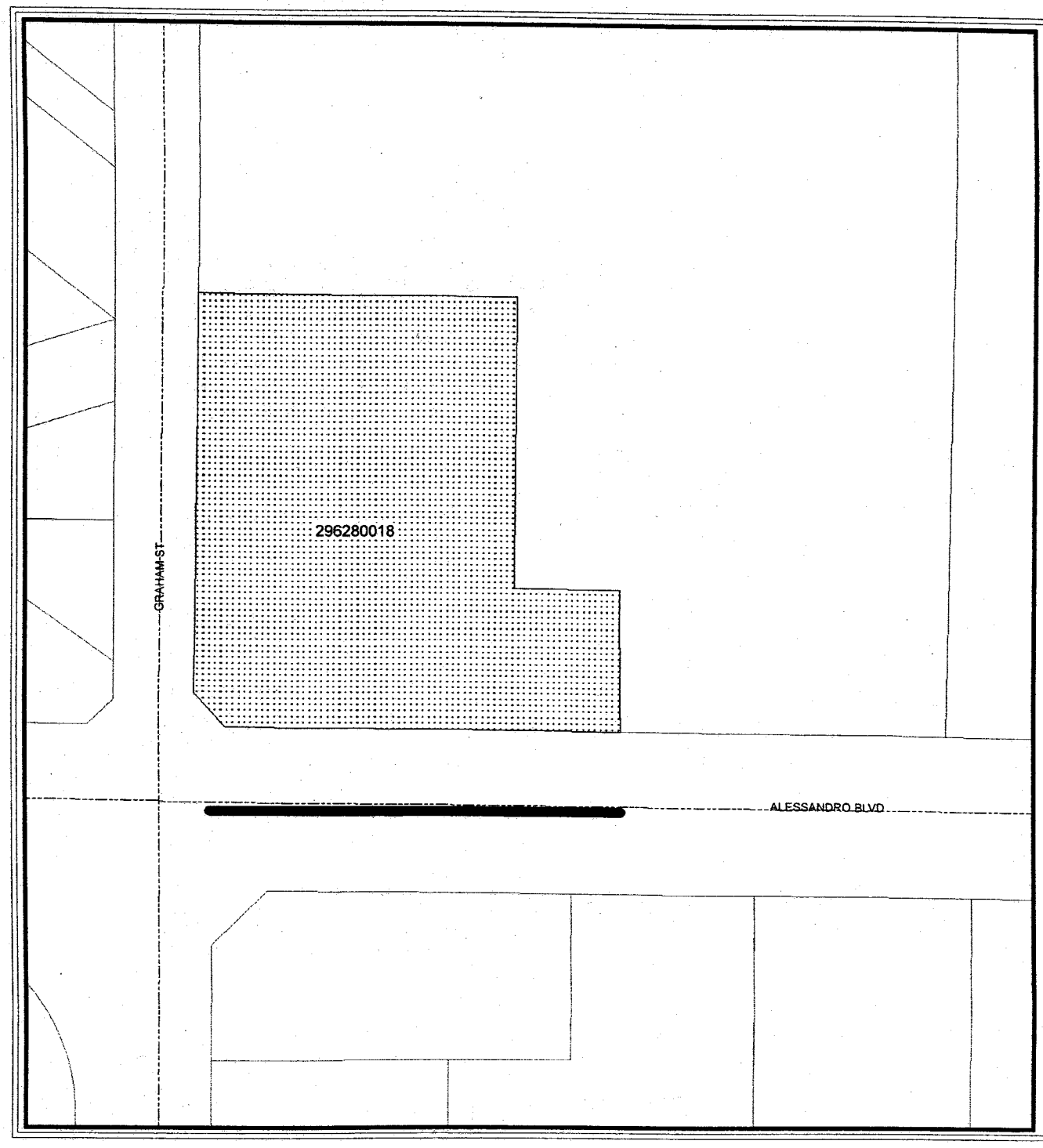

Assessor Parcel Number 296-280-018

- Median
- Landscaped Areas
- 296-280-018
- Roads
- Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2012.

N

0 65 130 195 260 Feet

G:\AVP\SDA\PA09-0031 Conv Store and Carwash.

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00160815

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 296-280-018, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 296-280-018, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-280-018 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 296-280-018, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $1,770.14. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 296-280-018, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
296-280-018 (and any division thereof)	☐	☐	$1,770.14

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

MV00160817

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in its Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES

PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the Public Hearing and accepting public testimony:

1. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;
3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APN 296-280-018.

Staff recommends that the Mayor and City Council, acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

1. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 296-280-018;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 296-280-018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Conditions of Approval for APN 296-280-018 require that a funding source be provided to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owner of APN 296-280-018 ("Property Owner") the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. The Property Owner is given two opportunities to address the legislative body. These two opportunities are the Public Meeting on March 27, 2012 and the Public Hearing on April 10, 2012, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance

records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballot is approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charge was estimated based on the parcel's front linear footage to the existing Alessandro Blvd. median. Upon approval of the charge, APN 296-280-018 will be subject to the annual charge. If the APN is subdivided in the future the CSD Zone M charge shall be proportionally adjusted.

ALTERNATIVES

1. **Conduct the Public Hearing,** tabulate the ballots, verify, and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet, receive and file with the City Clerk's office the accepted Official Tally Sheet, and if approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate and the annual charge for CSD Zone M to APN 296-280-018 (and any division thereof). *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing,** tabulate the ballots, verify, or accept the results of the mail ballot proceeding for APN 296-280-018. *This alternative would be contrary to Proposition 218 mandates.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charge is as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
APN 296-280-018 (and any division thereof)	$212	$1,770.14

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-

Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The Property Owner is being balloted to provide a funding source for the maintenance costs of an existing median. The CSD Zone M charge will offset a portion of the contribution from the General Fund for this median. **Collections of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public testimony, tabulate the returned ballots, verify, and accept the results of the mail ballot proceeding for APN 296-280-018.

NOTIFICATION

The Property Owner was given the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots, instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the March 27, 2012, Public Meeting and April 10, 2012, Public Hearing was published in The Press-Enterprise on March 8, 2012. Additionally, the Public Hearing notification was published on March 22 and again on March 29, 2012.

ATTACHMENTS

Attachment 1: Mail Ballot Packet for APN 296-280-018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00160823

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Yoon Ku Byun
19826 Hidden Trail Pl
Walnut, CA 91789

February 23, 2012

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 296-280-018

******* OFFICIAL BALLOTS ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Number (APN) 296-280-018 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 296-280-018 is subdivided in the future. The charge levied shall not exceed the charge previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2011/12 for the program as a whole is $396,356.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $1,770.14. The total amount of the CSD Zone M charges levied for FY 2011/12 for the program as a whole is $156,303.84.

Annual Adjustment

Beginning in FY 2012/13, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 296-280-018 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD

Zone M charge shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, March 27, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, April 10, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if the ballot is marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if the ballot is marked in favor of the annual charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If the returned valid ballot is marked opposing the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If the returned valid ballot is marked opposing the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the two enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, April 10, 2012**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

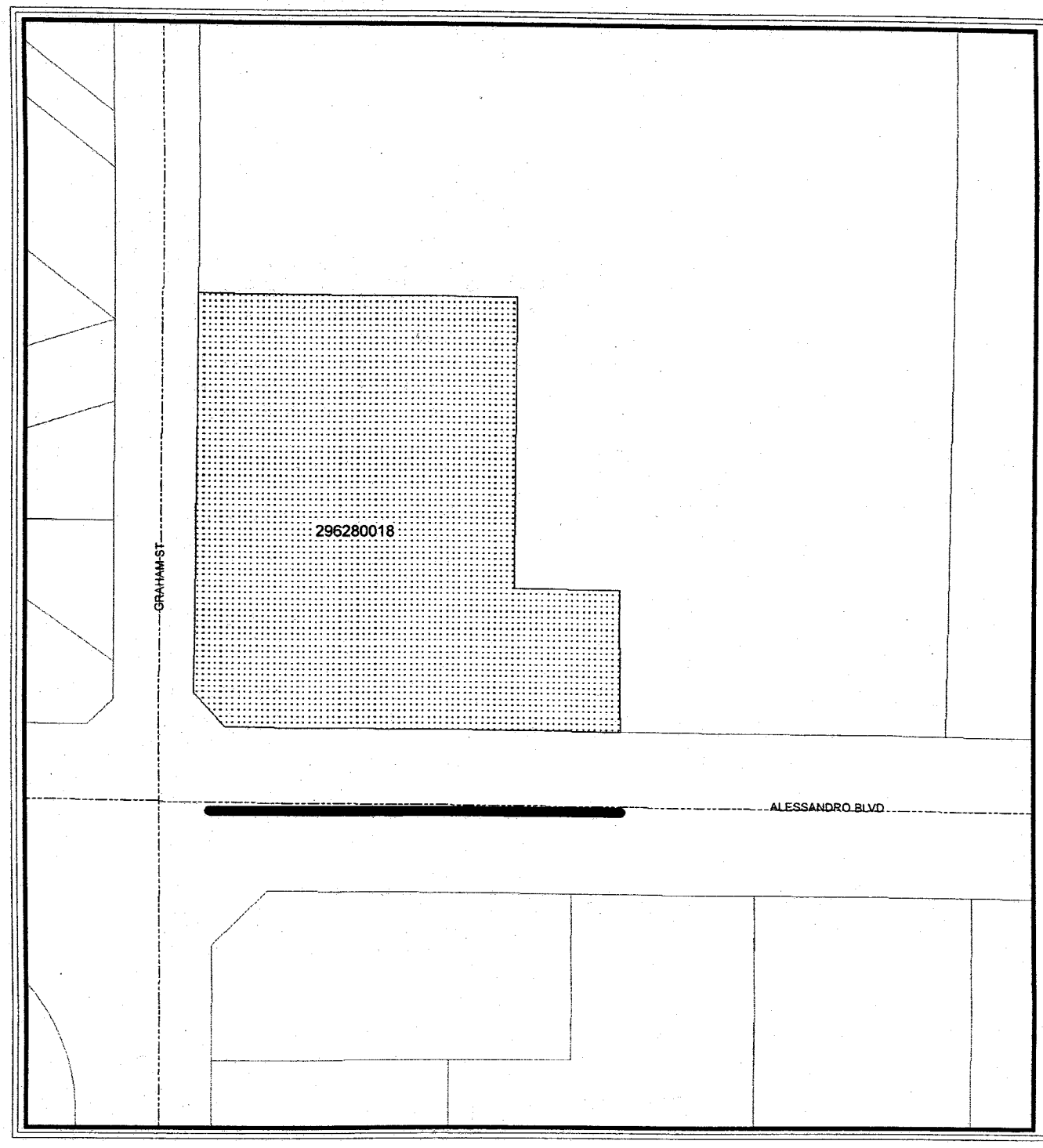

Assessor Parcel Number 296-280-018

- Median
- Landscaped Areas
- 296-280-018
- Roads
- Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2012.

N

0 65 130 195 260 Feet

G:\AVP\SDA\PA09-0031 Conv Store and Carwash.

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

MV00160829

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 296-280-018, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 296-280-018, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-280-018 (and any division thereof)	☐	☐	$212

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 296-280-018

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 296-280-018, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $1,770.14. Beginning FY 2012/13, the annual CSD Zone M charges shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 296-280-018, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
296-280-018 (and any division thereof)	☐	☐	$1,770.14

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on April 10, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT #3, THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed FY 2011-12 Annual Action Plan Substantial Amendment #3, the Community Development Block Grant - Recovery Program (CDBG-R).

2. Review and adopt the proposed FY 2011-12 Annual Action Plan Substantial Amendment #3, the Community Development Block Grant - Recovery Program.

3. Authorize the budget re-appropriation of $107,841 from account 199.19910.6849.002 (CDBG-R Eco Green Incentive) and $840 from account 199.19910.6849.003 (CDBG-R Employment Creation Manufacturing) to (new) ADA Park Improvements Project # 199.19910.6849.xxx.

BACKGROUND

The U.S. Department of Housing and Urban Development (HUD) requires that Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) recipient cities such as Moreno Valley prepare a strategic planning document called the Annual Action Plan. The Annual Action Plan details the activities and projects the City will undertake over the course of the upcoming program year using all grant monies received from HUD (including CDBG, HOME, CDBG-R, and HPRP).

When there is a change to the Annual Action Plan, such as the reallocation of funding from one project/activity to another, it is considered by HUD to be a 'substantial amendment' and therefore requires the opportunity for citizen participation/comment through a public hearing. This report proposes one substantial amendment under the Community Development Block Grant – Recovery (CDBG-R) program for City Council consideration.

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act of 2009 (ARRA), which included $1 billion for supplemental Community Development Block Grant - Recovery (CDBG-R) funding to help stimulate the economy through projects that create employment opportunities, modernize infrastructure, promote energy efficiency, expand educational programs, or improve access to health care.

The Department of Housing and Urban Development (HUD) is responsible for administering the CDBG-R program. In 2009, HUD allocated $479,292 to the City of Moreno Valley for CDBG-R in establishing a program that addresses the following overall goals:

- Preserves or creates jobs and promotes economic recovery,
- Assists those most impacted by the recession,
- Provides investment to increase economic efficiency,
- Invests in transportation, environmental protection / independence, or other infrastructure needs that will provide long term benefits,

The Community Development Block Grant - Recovery (CDBG-R) Program requires eligible cities to formulate a proactive plan that addresses community needs and meets the criteria spelled out in HUD's program requirements. On May 29, 2009, City Council approved the following plan for use of CDBG-R funding.

PROGRAM OVERVIEW

The CDBG-R program is designed to stimulate the economy through job creation, infrastructure projects, energy efficiency projects, expanding educational opportunities, and improving access to health care. With Moreno Valley's CDBG-R allocation, four activities were proposed that benefit the low and moderate-income population and meet the Recovery Act objectives while providing for responsible spending.

The table below describes the activities that were selected for funding under the CDBG-R plan.

Approved Grant Activities	Funding Allocation	Selected Projects	Project Description
Grant Administration	$47,929	City Administration	Consistent with CDBG-R guidelines, a maximum of ten percent of the grant ($47,929) is reserved for grant planning and management. Administration of the grant is conducted by current staff.
Utility – Infrastructure Improvement Project	$107,841	MV Utilities Infrastructure – Elsworth Street Utility Improvements	Installation of new, environmentally conscious/energy effective utilities by installing electrical conduit and vaults on Elsworth St. from Goldencrest Dr. to Corporate Center.
Economic Incentive for Green and Technology Businesses	$107,845	MVP – EV (electric vehicle manufacturing company) Relocation	Relocation of company's national manufacturing plant to the City of Moreno Valley. The goal of this activity was to incentivize an environmentally conscious business to relocate or expand an existing facility in exchange for creation or retention of employment of low-to-moderate income persons.
Employment Creation Incentive for Distribution & Manufacturing Businesses	$107,841	Frazee Paint Relocation	Relocation of company's west coast distribution center to Moreno Valley's Centerpointe Business Park. This business opened July 2010 and created approximately 70 jobs. This activity focused on creating or retaining employment opportunities in the City's CDBG Target Area by assisting in producing new jobs for distribution and manufacturing uses.
Employment Creation Incentive for Vacant Restaurant Reuse	$107,840	Buffalo Wild Wings Expansion	Expansion of restaurant chain to Moreno Valley's Town Gate Crossing. This business opened March 2011 and created approximately 100 jobs. The program incentivized job creation for low-to-moderate income persons at vacant restaurants located in both the Redevelopment (RDA) Project Area and the CDBG Target Area by providing funds for new restaurateurs in exchange for creation of employment opportunities.
Total Grant Allocation	**$479,292**		

DISCUSSION

Under the Economic Incentive for Green Technology Business component of the CDBG-R plan, a project entitled MVP EV, Inc. was selected to receive $107,841. This project would have provided funding for an electrical vehicle manufacturing plant located on Elsworth Street in Moreno Valley. The City entered into a Participation Agreement with MVP EV, Inc in November 2009. However since this time, the company decided to locate its operations to another jurisdiction. As a result, the $107,841 originally allocated to MVP-EV is now available to be used for another activity. In addition, there is approximately $840.00 in unspent CDBG-R funds from other activities.

Per CDBG-R regulations, the City must expend all CDBG-R funding by September 30, 2012 or risk having funds recaptured. In order to prevent recapture of CDBG-R funding, staff is proposing that $108,681 be reallocated to the Parks ADA Improvement Project under the Utility/Infrastructure Improvement Project CDBG-R plan. This project will upgrade existing non-ADA compliant facilities (restrooms), park/parking lot ramps, and sidewalks throughout the two parks. Both projects include design and construction. Moreno Valley Community Park is located at the corner of Cottonwood Avenue and Frederick Street. JFK Park is located at the corner of John F. Kennedy Drive and Indian Street. Making these park improvements will increase access to and use of park facilities for all Moreno Valley residents.

ALTERNATIVES

1. **Alternative 1**. Conduct a Public Hearing and adopt the FY 2011-12 Annual Action Plan Substantial Amendment #3. ***Staff recommends this alternative as it will ensure the City will meet the CDBG-R expenditure deadline in compliance with ARRA regulations.***

2. **Alternative 2.** Do not conduct a public hearing and decline to adopt FY 2011-12 Annual Action Plan Substantial Amendment #3. ***Staff does not recommend this alternative because it may lead to the recapture of CDBG-R funding.***

FISCAL IMPACT

Fund 199	Budget FY 2011-12	Budget Appropriation	Revised Budget FY 2011-12
199.19910.6849.002	$107,841	$-107,841	$0
199.19910.003	$840	-$840	$0
199.19910.6849.xxx	$0	$108,681	$108,681

The CDBG-R funds are a HUD grant and do not require matching funds. Therefore, FY 2011-12 Annual Action Plan Amendment #3 will have no fiscal impact on the General Fund.

CITY COUNCIL GOALS

1. **REVENUE DIVERSIFICATION & PRESERVATION**
   CDBG-R funds will directly or indirectly enhance the City's ability to stabilize residents' housing and preserve City neighborhoods.

2. **PUBLIC SAFETY**
   CDBG-R activity will directly or indirectly help to provide a secure environment for individuals in the community.

3. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS
The CDBG-R will help to preserve and enhance the City's existing neighborhoods.

NOTIFICATION

In order to reallocate this funding, the proposed Substantial Amendment must adhere to the citizen participation requirements prior to being adopted by the City Council. In conforming with the federal requirements, the proposed amendment was made available for public review from March 8, 2012 to April 9, 2012. Notice of this meeting was published in the Press-Enterprise newspaper March 26, 2012.

ATTACHMENTS

ATTACHMENT A Proposed FY 2011-12 Annual Action Plan Substantial Amendment #3

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred by:
Dante G. Hall
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00160837

CITY OF MORENO VALLEY
FY 2011/12 ACTION PLAN
AMENDMENT NO. 3

The Action Plan addresses the City's plan for use of CDBG and HOME funds during FY 2011-12. The plan is based upon the Consolidated Plan prepared for both programs. The Action Plan facilitates the strategy outlined in the Consolidated Plan by addressing community needs through various mechanisms.

This amendment to the FY 2011-12 Annual Action Plan requires citizen participation (including public hearing, public notice and 30-day review period) because the issue is considered a "substantial amendment." This substantial amendment will be available for public review from March 8, 2012 through April 9, 2012. A public hearing will be conducted at the April 10, 2012 Moreno Valley City Council Meeting at 6:30 p.m. Amendment No. 3 to the City of Moreno Valley's FY 2011-12 Annual Action Plan includes the following changes:

Reallocation of $107,841 in funding for the MVP EV, Inc. project to the ADA Park Improvements Project. Reallocation of $840 in remaining CDBG-R funds to the ADA Park Improvements Project. The new project (total cost of $108,681) will provide for the upgrade of existing non-ADA compliant facilities (restrooms), park/parking lot ramps, and sidewalks throughout the two parks. Both projects include design and construction.

Approved by: _____
Henry Garcia, City Manager

ATTACHMENT A

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MV00160839

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 10, 2012

TITLE: PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN SUBSTANTIAL AMENDMENT No. 2 – HOMELESSNESS PREVENTION AND RAPID REHOUSING PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council:

1) Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2011-12 Annual Action Plan Substantial Amendment No. 2;

2) Adopt the proposed Substantial Amendment No. 2; and

3) Authorize revenue and expense budget appropriations of $36,228 to accounts 198.1980.4610.1 and 198.19810.6847.003 (HPRP-Rental Assistance) respectively.

BACKGROUND

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act of 2009 (ARRA), which includes $1.5 billion for homelessness prevention and recovery activities. Funding for this program is called the Homelessness Prevention and Rapid Re-Housing Program (HPRP).

In 2009 the City of Moreno Valley received an HPRP allocation of $732,872 to assist households that could otherwise become homeless – many due to the economic crisis – or rapidly re-house those who are homeless or at risk of homelessness. The City conducted an RFQ process to procure qualified subrecipient organizations to administer

the program. The chart below details the activities and organizations awarded contracts to carryout the activities under HPRP.

TOTAL HPRP GRANT:	Subrecipient Organization	Funding Amount
City Administration (5%)	City of Moreno Valley	$ 36,644
Case Management	Family Services Association	$ 35,000
Rent Assistance	Volunteer Center ($127,500) Family Service Association ($127,500) Catholic Charities ($127,500)	$ 382,500
Rent Arrears	Volunteer Center ($34,166) Family Service Assoc. ($34,166) Catholic Charities ($34,166)	$ 102,500
Utility Assistance / Arrears	Lutheran Social Services	$ 27,500
Security Deposits	PW Enhancement Center ($28,330) Lutheran Social Services ($38,438)	$ 76,875
Motel Vouchers	PW Enhancement Center	$ 25,625
Legal Assistance	Inland Counties Legal Services	$ 40,000
Outreach	$ to market programs (fliers, website, MVTV3, Soaring, 211 / svc provider cross-sell)	$ 6,228
	TOTAL:	$ 732,872

The U.S. Department of Housing and Urban Development (HUD) requires that Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) recipient cities such as Moreno Valley prepare a strategic planning document called the Annual Action Plan. The Annual Action Plan details the activities and projects the City will undertake over the course of the upcoming program year using all grant monies received from HUD (including CDBG, HOME, CDBG-R, and HPRP).

When there is a change to the Annual Action Plan, such as the reallocation of funding from one project/activity to another, it is considered by HUD to be a 'substantial amendment' and therefore requires the opportunity for citizen participation/comment through a public hearing. This report proposes one substantial amendment under the HPRP program for City Council consideration.

DISCUSSION

As a condition of the HPRP grant agreement, grantees must expend all funding within three years of the grant agreement. The expenditure deadline for Moreno Valley's HPRP is August 18, 2012. As of the date of this report $694,436 (95%) of the $732,872 allocation has been spent. The majority of subrecipients have sufficiently spent down their allocations of HPRP funding with the exception of Inland Counties Legal Services which still has a balance of $30,000 to be spent for legal services. In addition, the City did not incur any outreach costs under the program which leaves a balance of $6,228.

In order to meet the August 18, 2012 expenditure deadline, staff is proposing to reallocate the $30,000 in unspent legal services funding and the $6,228 in outreach funding to provide $36,228 of additional rental assistance to eligible HPRP households. This reallocation is being suggested as funding for rental assistance has been the highest demanded activity from the public under the HPRP. Staff is confident that this extra funding can be expended in a timely manner which will allow the City to meet the HUD expenditure timelines while also serving the demands of the community.

ALTERNATIVES

1. **Alternative 1** - Conduct a Public Hearing for the proposed Substantial Amendments, adopt the proposed Substantial Amendments and authorize the transfer of requested funds between the stipulated business units. **Staff recommends this alternative as it will ensure compliance with HUD's HPRP expenditure deadline.**
2. **Alternative 2** – Decline to conduct a Public Hearing for the proposed Substantial Amendments, adopt the proposed Substantial Amendments, and authorize the transfer of requested funds between the stipulated business units. **Staff does not recommend this alternative as it may hinder the City from meeting the HUD mandated HPRP expenditure deadline.**

FISCAL IMPACT

There is no requirement to match funds associated with this grant. All expenses are reimbursed by the grant. Therefore, this is cost neutral to the City and there is no impact to the General Fund.

Budget appropriations are as follows upon approval of the recommended actions.

Fund	Account	Type	
Homelessness Prevention and Rapid Re-Housing Program (198)	198.1980.4610.1 Federal Grant Revenue	Rev	$36,228
Homelessness Prevention and Rapid Re-Housing Program (198)	198.19810.6847.003 HPRP Rental Assistance	Exp	$36,228

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION & PRESERVATION
CDBG funds enhance the City's ability to create a stable revenue base and fiscal policies that support essential City improvements and services.

PUBLIC SAFETY
CDBG projects and programs directly or indirectly help to provide a secure environment for people and property in the community.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS
The Foreclosure Prevention Workshops may preserve Moreno Valley's existing neighborhoods and the overall attractiveness of the City.

POSITIVE ENVIRONMENT
Create a positive environment for the development of Moreno Valley's future.

NOTIFICATION

In order to reallocate this funding, the proposed Substantial Amendments must adhere to the citizen participation requirements prior to being adopted by the City Council. In conforming with the federal requirements, the proposed amendments were made available for public review from March 8, 2012 to April 9, 2012. Notice of this meeting was published in the Press-Enterprise newspaper on March 26, 2012.

ATTACHMENTS/EXHIBITS

ATTACHMENT A Proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 2

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
Dante G. Hall
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00160845

CITY OF MORENO VALLEY
FY 2011-12 ACTION PLAN
AMENDMENT NO. 2

The Action Plan addresses the City's plan for use of CDBG and HOME funds during FY 2011-12. The plan is based upon the Consolidated Plan prepared for both programs. The Action Plan facilitates the strategy outlined in the Consolidated Plan by addressing community needs through various mechanisms.

This amendment to the FY 2011-12 Annual Action Plan requires citizen participation (including public hearing, public notice and 30-day review period) because the issue is considered a "substantial amendment." This substantial amendment will be available for public review from March 8, 2012 through April 9, 2012. A public hearing will be conducted at the April 10, 2012 Moreno Valley City Council Meeting at 6:30 p.m. Amendment No. 2 to the City of Moreno Valley's FY 2011-12 Annual Action Plan includes the following changes:

The proposed FY 2011-12 Amendment 2 includes reallocation of $30,000 from the legal services activity to the rental assistance activity, and $6,228 in outreach funding to rental assistance activities. The original allocations were as follows:

Rental Assistance - $382,500
Legal Assistance - $40,000
Outreach - $6,228

The revised allocations are as follows:

Rental Assistance - $418,728
Legal Assistance - $10,000
Outreach - $0

Approved by: _____
Henry Garcia, City Manager

ATTACHMENT A

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MV00160847

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)

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MV00160849

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: City Council and Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: April 10, 2012

TITLE: INSTALLATION OF SYNTHETIC TURF AT MARCH FIELD PARK

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Award to Field Turf USA, Inc. 8088 Mountview Road, Montreal, Quebec, CN for material and labor to install synthetic turf at March Field Park.

2. Authorize the issuance of a Purchase Order to Field Turf USA, Inc., in the amount of $196,667.00 ($178,788.50 for the bid amount plus 10% contingency) when the contract has been signed by all parties.

3. Authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Field Turf USA, Inc., up to but not to exceed the Purchase Order contingency of $17,878.50 subject to the approval of the City Attorney.

4. Authorize the Parks and Community Services Director to accept the improvements into the CSD's maintained system upon acceptance of the improvements as complete.

BACKGROUND

The City applied for and received approval in 1995 from the National Park Service for federal surplus property when March Air Force Base was downsized to March Air

Reserve Base. This 90-acre property, currently known as March Field Park, was obtained at no cost to the City.

Subsequently, Parks and Community Services updated the existing softball fields for public use and cleaned up the site. In 2008, the final deeded transfer of the park was made. The deed came with requirements that the site be used for public recreation activities, which included softball/baseball, soccer, and other activities associated with public parks.

March Field Park skate facility was constructed in 2004. The facility includes a concession building, restroom facility, skate park, and hockey rink.

DISCUSSION

Over the years the demand for in-line hockey has greatly diminished, and staff has researched ideas to revitalize this amenity. The City is in need of soccer facilities, and enclosed soccer arenas have exploded in popularity. Although this site is not covered, the area is enclosed and lighted. By enhancing this area to accommodate the sport of "enclosed" soccer, staff believes the usage will improve and consequently we will see a definite increase in revenue. Currently, the skate park averages 600 participants a month. It should also be noted that an additional 100 people a month are already utilizing the concrete surface of the roller hockey rink for open play. By adding the synthetic turf, which is a safer surface than the concrete, and making an indoor soccer arena to provide open and league play, staff projects usage of the facility should increase by a minimum of 1,200 participants a month.

Soccer arenas utilizing synthetic turf are the upcoming soccer sport, since it raises the level of skills needed, due to the ball being consistently in-play. The sport can be played all year, day and evening. The synthetic turf, which is permeable, would be installed over the current hockey rink, which is an excellent surface for this application. Water drainage would be similar to the way the concrete drains now (to the sides and under the dasher board).

Project materials and labor costs for this project have all been publically negotiated utilizing the U.S. General Services Administration (GSA). Public Contract Code (PCC) 12101.5 established the California Multiple Award Schedule (CMAS) program in 1994, utilizing pre-bid products and services awarded on a Federal GSA schedule. PCC sections 10298 and 10299 authorize local government agencies to use CMAS agreements without further competitive bidding. The products and prices specified in the attached Contractor Agreement conform to the products and prices authorized by CMAS. Additionally, City of Moreno Valley Municipal Code 3.12.260 authorizes corporative purchases and piggybacking of materials, supplies, equipment or contractual services with CMAS. It should be noted that the materials for this project are made in the USA.

ALTERNATIVES

1. Award to Field Turf USA, Inc. 8088 Mountview Road, Montreal, Quebec, CN for material and labor to install synthetic turf at March Field Park; Authorize the issuance of a Purchase Order to Field Turf USA, Inc., in the amount of $196,667.00 ($178,788.50 for the bid amount plus 10% contingency) when the contract has been signed by all parties; authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Field Turf USA, Inc., up to but not to exceed the Purchase Order contingency of $17,878.50 subject to the approval of the City Attorney; authorize the Parks and Community Services Director to accept the improvements into the CSD's maintained system upon acceptance of the improvements as complete.

2. Elect not to award a purchase order to Field Turf USA, Inc. at this time and provide further direction to staff.

FISCAL IMPACT

Funding for the new synthetic turf is $196,667.00, utilizing Parkland Development Impact Fees (205) and Quimby (206). This item is an approved budget item for FY 11/12 in Business Unit 461.65331.7200.

This recommended action imposes NO fiscal impact to the General Fund.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE, AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Posting of the agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A': Independent Contractor Agreement with Field Turf USA, Inc.
Exhibit 'B': Field Turf USA, Inc. CMAS Contract, Details & Quote

Prepared By:
Tony Hetherman
Parks Projects Coordinator

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

INDEPENDENT CONTRACTOR AGREEMENT

PROJECT 11/12-461.65331

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Field Turf USA, Inc.
8088 Montview
Montreal, Quebec, Canada
H4P 2L7
Business Phone: 800-724-2969, Fax No. 514-340-9311
Email: tara.clarini@fieldturf.com
Social Security Number: N/A
Business License Number:
Federal Tax I.D. Number: 27-2502420

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Attachment 'A' attached hereto and incorporated herein by this reference.

B. The City's responsibility and project locations, other than payment, is described in Attachment 'B' attached hereto and incorporated herein by this reference.

C. Payment terms are provided in Attachment 'C' attached hereto and incorporated herein by this reference.

D. This Agreement is made and entered into effective the date the City signs this Agreement. The termination date of the Agreement shall be June 30, 2012.

E. The Contractor Starting Date is the date listed on the issued Purchase Order, which will be utilized as the "Notice to Proceed". The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **ninety (90) working days** after said date in the "Notice to Proceed". The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

F. The work performed in this contract shall be performed Monday through Friday, 7 a.m. to 4 p.m. City observed holidays shall be observed by the Contractor and no work shall be performed on these dates.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and the (CSD), its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA) and the Moreno Valley Community Services District (CSD)and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Moreno Valley Unified School District are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. Document Ownership. Any system or documents developed, produced or provided under this Agreement, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

(a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through

the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

J. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement. Partial Payments.

No partial payments shall be made on this project.

K. Stop Notice Withholds. The City may withhold payments to cover claims filed under Civil Code § 3179 et seq.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Legal Action. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgement proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgement.

O. Warranty. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and/or Specifications.

P. Prevailing Wage. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations and Prevailing Wage Rates. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents. The Contractor shall submit a list of all trades utilized in the project

and corresponding DIR wage determinations. Certified payroll reports, Certificates of Compliance and Fringe Benefit Statements shall be submitted weekly. A copy of DIR prevailing wage rates can be obtained from the DIR at www.dir.ca.gov (Statistics and Research) or type into web browser: http://www.dir.ca.gov/dlsr/PWD/index.htm. Additionally, prevailing wage rates are on file in the City's Capital Projects Division, available upon request.

Q. Records. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

R. Performance. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

S. Workers' Compensation. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

T. Contract Commencement. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

U. Licensing. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826.Mailing address: P.O.Box 26000,Sacramento, CA 95826.

V. Surety Bonds. The Contractor shall post Surety Bonds for 'Faithful Performance' and 'Labor and Materials'. Surety Bonds shall be sufficient to cover the project and approved by the City. Bonds shall be in the amount equal to one-hundred percent (100%) of the contract price.

W. Business License. The Contractor shall obtain a City of Moreno Valley Business License prior to the issuance of a purchase order.

4. **SPECIAL TERMS AND CONDITIONS**:

A. California Multiple Award Services (CMAS). The Contractor shall adhere to all terms and conditions set forth by CMAS for Contract number 4-06-78-0031A.

B. CMAS Reports. The Contractor shall provide the City a copy of all required reports filed with CMAS.

C. Warranty. The Contractor shall provide the City a written warranty for the synthetic turf. The warranty period shall be eight (8) years, covering material defects. Commencement of the warranty shall be the date of completion of installation.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Mayor

_____
Date

Field Turf USA, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

ATTACHMENT 'A'

SCOPE OF WORK

Site: March Field Park Hockey Rink

Per CMAS contract #4-06-78-0031A, provide and install:

15,700 square feet of Easy Turf Easy Play synthetic turf and Infill to consisting of silica sand and crumb rubber (made from California recycled tires)

15,700 square feet of Easy Turf Drainage Tiles over existing concrete surface

Permanent white inlays for the sport of soccer

ATTACHMENT 'B'

CITY'S RESPONSIBILITY AND PROJECT LOCATION

→ Provide access to the site.

→ Provide contractor access to electrical panels.

→ Ensure irrigation water is off as necessary for the Contractor to perform their duties. The contractor shall notify the Park Maintenance Division two working days in advance to have irrigation turned off.

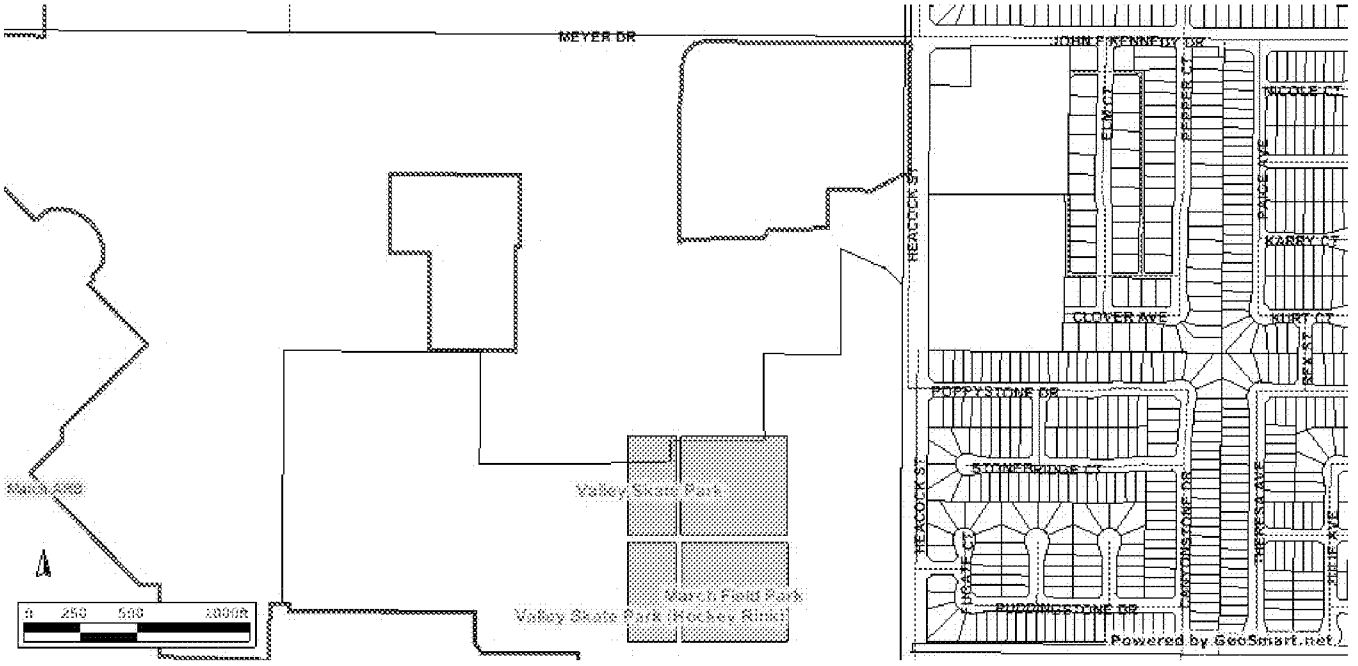

ATTACHMENT 'C'

TERMS OF PAYMENT

1. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the CMAS Contract as full compensation for the work required under the Scope of Work awarded by the City, to wit, the sum total amount of **$ 178,788.50,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract Documents.

2. The Contractor will submit one invoice to the City along with documentation evidencing services completed. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due shall be final.

3. The City shall pay the Contractor for all invoiced, materials and labor as identified in the contract within thirty (30) days of acceptance of the project.

EXHIBIT B

DGS CALIFORNIA DEPARTMENT OF GENERAL SERVICES

Procurement Division
707 Third Street, 2nd Floor, MS #2-202
West Sacramento, CA 95605-2811

State of California

MULTIPLE AWARD SCHEDULE

FieldTurf USA, Inc.

CONTRACT NUMBER:	**4-06-78-0031A**
SUPPLEMENT NO.:	2
CMAS CONTRACT TERM:	11/08/2011 through 11/30/2016
CONTRACT CATEGORY:	Non Information Technology Goods
APPLICABLE TERMS & CONDITIONS:	August 2010
MAXIMUM ORDER LIMIT:	$100,000
FOR USE BY:	State & Local Government Agencies
BASE GSA SCHEDULE NO.:	GS-07F-9631S
BASE SCHEDULE HOLDER:	FieldTurf USA, Inc.

This contract provides for the purchase, warranty and installation of synthetic turf, surface and flooring. Installation charges are included in the price of the product. (See page 2 for the specific brands and restrictions applicable to this contract.)

NOTICE: Products and/or services on this CMAS contract may be available on a Mandatory Statewide Contract (formerly Strategically Sourced Contract). If this is the case, the use of this CMAS contract is restricted unless the State agency has an approved exemption pursuant to MM 05-11, and as further explained in the Statewide Contract User Instructions. Information regarding Statewide Contracts can be obtained at the website: http://www.documents.dgs.ca.gov/pd/contracts/contractindexlisting.htm. This requirement is not applicable to local government entities.

The purpose of this supplement is to renew this contract through 11-30-16. In addition, this supplement replaces in its entirety FieldTurf USA, Inc.'s existing California Multiple Award Schedule (CMAS) that expires on 11-30-11. The most current Ordering Instructions and Special Provisions and CMAS Terms and Conditions dated August 2010, products and/or services and pricing are included herein. Please review these provisions carefully because they may have changed since issuance of your last contract.

The services provided under this CMAS contract are only in support of the products sold under this CMAS contract.

Agency non-compliance with the requirements of this contract may result in the loss of delegated authority to use the CMAS program.

Contractor non-compliance with the requirements of this contract may result in contract termination.

Marisa Truax Effective Date: **11/08/2011**

MARISA TRUAX, Program Analyst, California Multiple Award Schedu

Item No. G.3

MV00160864

CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS)
FIELDTURF USA, INC.
CMAS NO. 4-06-78-0031A, SUPPLEMENT NO. 2

CMAS PRODUCT & SERVICE CODES

The CMAS Product & Service Codes listed below are for marketing purposes only. Review this CMAS contract and the base contract identified below for the products and/or services available on this contract.

Brand-Fieldturf
Floor Cov-Hardwood
Floor Cov-Rubber Sheeting/Tile
Floor Cov-Sport Flooring
Floor Cov-Synthetic Turf
Playground-Surface Rubberized
Sport Surface-Synthetic Track

AVAILABLE PRODUCTS AND/OR SERVICES

Only products from the manufacturer(s) listed below are available within the scope of this contract:

FieldTurf

The ordering agency must verify all products and/or services are currently available on the base GSA schedule at the GSA eLibrary. Access the GSA eLibrary at www.gsaelibrary.gsa.gov.

CMAS BASE CONTRACT

This CMAS contract is based on some or all of the products and/or services and prices from GSA #GS-07F-9631S (FIELDTURF USA, INC.) with a GSA term of 8/07/2011 through 8/06/2016. The term of this CMAS contract incorporates an extension of three months beyond the expiration of the base GSA contract, and is shown in the "CMAS Term Dates" on page 1.

ISSUE PURCHASE ORDER TO

Agency purchase orders must be mailed to the following address, or faxed to **(514) 340-9374:**

FieldTurf USA, Inc.
8088 Montview Rd
Montreal, QC H4P 2L7
CANADA
Attn: Tara Clarini

Agencies with questions regarding products and/or services may contact the contractor as follows:

Phone: (514) 340-9311, Ext 158
E-mail: tara.clarini@fieldturf.com

CALIFORNIA SELLER'S PERMIT

FieldTurf USA, Inc.'s California Seller's Permit No. is 97731798. Prior to placing an order with this company, agencies should verify that this permit is still valid at the following website: www.boe.ca.gov.

CONTRACT PRICES

The maximum prices allowed for the products and/or services available in this CMAS contract are those set forth in the base contract identified on page 2 of this contract.

The ordering agency is encouraged to seek prices lower than those on this CMAS contract. When responding to an agency's Request for Offer (RFO), the contractor can offer lower prices to be competitive.

DARFUR CONTRACTING ACT

This contractor has certified compliance to the Darfur Contracting Act per PCC section 10475, et seq. See the attached certification from this contractor regarding this act.

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)

Ordering departments executing purchases using ARRA funding must attach the ARRA Supplemental Terms and Conditions document to their individual RFOs and purchase documents. Departments are reminded that these terms and conditions supplement, but do not replace, standard State terms and conditions associated with this CMAS contract. The ARRA Supplemental Terms and Conditions can be accessed at www.documents.dgs.ca.gov/pd/poliproc/ARRATand%20C081009final.pdf.

WARRANTY

For warranties, see the federal GSA schedule and the CMAS Terms and Conditions, General Provisions, CMAS Warranty.

DELIVERY

60 days after receipt of order, or as negotiated between agency and contractor and included in the purchase order, or as otherwise stipulated in the contract.

PURCHASING AUTHORITY DOLLAR THRESHOLD

No CMAS order may be executed by a State agency that exceeds that agency's CMAS purchasing authority threshold or the CMAS maximum order limit, whichever is less.

HOW TO USE CMAS CONTRACTS

Agencies must adhere to the detailed requirements in the State Contracting Manual (SCM) when using CMAS contracts. The requirements for the following bullets are in the SCM, Volume 2, Chapter 6 (for non-IT) and the SCM, Volume 3, Chapter 6 (for IT):

- Develop a Request for Offer, which includes a Scope of Work (SOW), and Bidder Declaration form. For information on the Bidder Declaration requirements, see the SCM, Volume 2, Section 3.5.7 and Volume 3, Section 3.4.7.
- Search for potential CMAS contractors at www.dgs.ca.gov/pd/Programs/Leveraged/CMAS.aspx, select "Find a CMAS Contract".
- Solicit offers from a minimum of 3 CMAS contractors including one small business and/or DVBE, if available, who are authorized to sell the products and/or services needed
- If soliciting offers from a certified DVBE, include the Disabled Veteran Business Enterprise Declarations form (Std. 843) in the Request for Offer. This declaration must be completed and returned by the DVBE prime contractor and/or any DVBE subcontractors. (See the SCM Volumes 2 and 3, Chapter 3)
- This is not a bid transaction, so the small business preference, DVBE participation goals, protest language, intents to award, evaluation criteria, advertising, etc., are not applicable.
- If less than 3 offers are received, State agencies must document their file with the reasons why the other suppliers solicited did not respond with an offer.
- Assess the offers received using best value methodology, with cost as one of the criteria.
- Issue a Purchase Order to the selected contractor.
- For CMAS transactions under $5,000 only one offer is required if the State agency can establish and document that the price is fair and reasonable.
- Orders for Information Technology goods and services exceeding $250,000 require approval by Agency Secretary and Department Director or immediate next ranking official.

Local governments set their own order limits, and are not bound by the order limits on the cover page of this contract.

SPLITTING ORDERS

Splitting orders to avoid any monetary limitations is prohibited.

Do not circumvent normal procurement methods by splitting purchases into a series of delegated purchase orders (SAM 3572).

Splitting a project into small projects to avoid either fiscal or procedural controls is prohibited (SAM 4819.34).

MINIMUM ORDER LIMITATION

The minimum dollar value of an order to be issued under this contract is $2,000.

ORDERING PROCEDURES

1. Order Form

State agencies shall use a Contract/Delegation Purchase Order (Std. 65) for purchases and services.

Local governments shall, in lieu of the State's Purchase Order (Std. 65), use their own purchase order document.

Electronic copies of the State Standard Forms can be found at the Office of State Publishing website. The site provides information on the various forms and use with the Adobe Acrobat Reader. Beyond the Reader capabilities, Adobe Acrobat advanced features may be utilized if you have Adobe Business Tools or Adobe Acrobat 4.0 installed on your computer. Direct link to the Standard Form 65: www.dgs.ca.gov/osp/Programs/FormsManagementCenter/FillPrintList.aspx

2. Purchase Orders

State and Local Government agencies are required to send a copy of each CMAS purchase order to:

Department of General Services
Procurement Division, Data Management Unit
PO Box 989052, MS #2-203
West Sacramento, CA 95798-9052
(or via Interagency Mail Service #Z-1)

The agency is required to complete and distribute the order form. For services, the agency shall modify the information contained on the order to include the service period (start and end date), and the monthly cost (or other intermittent cost), and any [illegible] pertinent to the services being [illegible]st for each line item should be included in the order, not just system totals.

The contractor must immediately reject orders that are not accurate. Discrepancies are to be negotiated and incorporated into the order prior to the products and services being delivered.

3. Service and Delivery after Contract Expiration

The purchase order must be issued before the CMAS contract end term expires. However, delivery of the products or completion of the services may be after the contract end term expires (unless otherwise specifically stated in the contract), but must be as provided for in the contract and as specified in the purchase order.

4. **Multiple Contracts on STD. 65 Order Form**

   Agencies may include multiple CMAS contracts from the same contractor on a single Std. 65 Contract/Delegation Purchase Order. For guidelines, see the SCM, Volumes 2 & 3, Chapter 6.B4.1.

5. **Amendments to Agency's Purchase Orders**

   Agency purchase orders cannot be amended if the CMAS contract has expired.

   The SCM, Volumes 2 & 3, Chapter 6.A5.0 provides the following direction regarding amendments to all types of CMAS purchase orders:

   > Original orders, which include options for changes (e.g., quantity or time), that were evaluated and considered in the selection for award during the RFO process, may be amended consistent with the terms of the original order, provided that the original order allowed for amendments. If the original order did not evaluate options, then amendments are not allowed unless an NCB is approved for those amendments.

   Amendments unique to non-IT services are covered in the SCM, Volume 2, Chapter 6.B2.9 as follows:

   > If the original contract permitted amendments, but did not specify the changes (e.g., quantity or time), it may be amended. This only applies to the first amendment. The time shall not exceed one year, or add not more than 30% of the original order value and may not exceed $250,000. If the original contract did not have language permitting amendments, the NCB process must be followed.

   Also, see the SCM, Volumes 2 & 3, Chapter 8, Topic 6, for more information on amending purchase orders.

CONTRACTOR OWNERSHIP INFORMATION

FieldTurf USA, Inc. is a large business enterprise.

SMALL BUSINESS MUST BE CONSIDERED

Prior to placing orders under the CMAS program, State agencies shall whenever practicable first consider offers from small businesses that have established CMAS contracts [GC Section 14846(b)]. NOTE: The Department of General Services auditors will request substantiation of compliance with this requirement when agency files are reviewed.

The following website lists CMAS Small Business and Disabled Veteran Partners:
www.dgs.ca.gov/pd/Programs/Leveraged/CMAS.aspx
then select "Find a CMAS Contractor."

In response to our commitment to increase participation by small businesses, the Department of General Services **waives the administrative fee (a fee currently charged to customer agencies to support the CMAS program) for orders to certified small business enterprises.**

See the current fees in the DGS Price Book at:
www.dgs.ca.gov/ofs/Resources/Pricebook.aspx

SMALL BUSINESS/DVBE - TRACKING

State agencies are able to claim subcontracting dollars towards their small business or DVBE goals whenever the Contractor subcontracts a commercially useful function to a certified small business or DVBE. The Contractor will provide the ordering agency with the name of the small business or DVBE used and the dollar amount the ordering agency can apply towards its small business or DVBE goal.

SMALL BUSINESS/DVBE - SUBCONTRACTING

1. The amount an ordering agency can claim towards achieving its small business or DVBE goals is the dollar amount of the subcontract award made by the Contractor to each small business or DVBE.

2. The Contractor will provide an ordering agency with the following information at the time the order is quoted:

   a. The Contractor will state that, as the prime Contractor, it shall be responsible for the overall execution of the fulfillment of the order.

   b. The Contractor will indicate to the ordering agency how the order meets the small business or DVBE goal, as follows:

      - List the name of each company that is certified by the Office of Small Business and DVBE Certification that it intends to subcontract a commercially useful function to; and
      - Include the small business or DVBE certification number of each company listed, and attach a copy of each certification; and
      - Indicate the dollar amount of each subcontract with a small business or DVBE that may be claimed by the ordering agency towards the small business or DVBE goal; and
      - Indicate what commercially useful function the small business or DVBE subcontractor will be providing towards fulfillment of the order.

3. The ordering agency's purchase order must be addressed to the prime Contractor, and the purchase order must reference the information provided by the prime Contractor as outlined above.

NEW EQUIPMENT REQUIRED

The State will procure new equipment. All equipment must be new (or warranted as newly manufactured) and the latest model in current production. Used, shopworn, demonstrator, prototype, or discontinued models are not acceptable.

Where Federal Energy Management Program (FEMP) standards are available, all State agencies shall purchase only those products that meet the recommended standards. All products displaying the Energy Star label meet the FEMP standards.

SPECIAL MANUFACTURED GOODS

Any contract for goods to be manufactured by the contractor specifically for the State and not suitable for sale to others may require progress payments.

For Non-IT goods contracts, see the CMAS contract Non-IT Commodities Terms & Conditions, Provision #69, Progress Payments.

PRODUCT INSTALLATION

The contractor is fully responsible for all installation services performed under the CMAS contract. Product installations must be performed by manufacturer authorized personnel and meet manufacturer documented specifications.

The prime contractor, as well as any subcontractors, must hold any certifications and/or licenses required for the project.

PUBLIC WORKS (INSTALLATION SERVICES ONLY)

A public works contract is defined as an agreement for "the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind" in accordance with the Public Contract Code (PCC) Section 1101. State agencies planning these types of projects need to review the SCM, Volume 1, Chapters 10 and 11 for applicable guidelines and regulations. Also, the Department of General Services (DGS), Real Estate Services Division (RESD) can be contacted at (916) 376-1748, if you have questions about these types of transactions.

Agency CMAS purchase orders may allow for public works installation only when it is incidental to the total purchase order amount. **The total dollar value of all public works services included in the purchase order must not exceed the dollar value of the products.**

Agencies are to ensure that the applicable laws and codes pertaining to the contractor and sub-contractor licensing, prevailing wage rates, bonding, labor code requirements, etc., are adhered to by the prime contractor as well as any sub-contractor during performance under the CMAS purchase order.

The bond amount for public works has increased to a sum not less than one hundred percent (100%) of the purchase order price.

NOTE: In accordance with Labor Code Section 1773.2, the ordering agency is responsible for determining the appropriate craft, classification or type of worker needed for any contract for public works. Also, the agency is to specify the applicable prevailing wage rates as determined by the Director of the Department of Industrial Relations (DIR). In lieu of specifying the prevailing wage rates, the agency may include a statement on the order that the prevailing wage rates are on file at the agency's office, and will be made available upon request. The prevailing wage rates are available from the DIR at www.dir.ca.gov (select Statistics & Research) or (415) 703-4774.

Bonds: For guidelines, see CMAS contract, General Terms and Conditions, Public Works Requirements.

State Contractor's License: Public works services can be obtained through CMAS only if incidental to the overall purchase order. If incidental public works services are included in the purchase order, prior to issuing the order agencies should contact the State Contractor's License Board at 1-800-321-2752 or at www.cslb.ca.gov to verify that the Contractor's License shown below is still active and in good standing.

FieldTurf USA, Inc.'s California Contractor's License number is 849044. This is a Class D12 Synthetic Products license that is valid through 10/31/2012.

NOT SPECIFICALLY PRICED (NSP) ITEMS

This provision is not applicable to this CMAS contract.

STATE AND LOCAL GOVERNMENTS CAN USE CMAS

State and local government agency use of CMAS contracts is optional. A local government is any city, county, city and county, district, or other local governmental body or corporation, including UC, CSU, K-12 schools and community colleges empowered to expend public funds. While the State makes this contract available, each local government agency should make its own determination whether the CMAS program is consistent with their procurement policies and regulations.

UPDATES AND/OR CHANGES

A CMAS amendment is not required for updates and/or changes once the update and/or change becomes effective for the federal GSA schedule, except as follows:

- A CMAS amendment is required when the contract is based on products and/or services from another contractor's multiple award contract and the contractor wants to add a new manufacturer's products and/or services.

- A CMAS amendment is required for new federal contract terms and conditions that constitute a material difference from existing contract terms and conditions. A material change has a potentially significant effect on the delivery, quantity or quality of items provided, the amount paid to the contractor or on the cost to the State.
- A CMAS amendment is required for changes to contracts that require California Prison Industry Authority (CALPIA) approval.

A CMAS amendment is required to update and/or change terms and conditions and/or products and services based on a non-federal GSA multiple award contract.

SELF-DELETING FEDERAL GSA TERMS AND CONDITIONS

Instructions, or terms and conditions that appear in the Special Items or other provisions of the federal GSA and apply to the purchase, license, or rental (as applicable) of products or services by the U.S. Government in the United States, and/or to any overseas location shall be self-deleting. (Example: "Examinations of Records" provision).

Federal regulations and standards, such as Federal Acquisition Regulation (FAR), Federal Information Resources Management Regulation (FIRMR), Federal Information Processing Standards (FIPS), General Services Administration Regulation (GSAR), or Federal Installment Payment Agreement (FIPA) shall be self-deleting. Federal blanket orders and small order procedures are not applicable.

ORDER OF PRECEDENCE

The CMAS Terms and Conditions shall prevail if there is a conflict between the terms and conditions of the contractor's federal GSA (or other multiple award contract), packaging, invoices, catalogs, brochures, technical data sheets or other documents (see CMAS Terms and Conditions, CONFLICT OF TERMS).

APPLICABLE CODES, POLICIES AND GUIDELINES

All California codes, policies, and guidelines are applicable. THE USE OF CMAS DOES NOT REDUCE OR RELIEVE STATE AGENCIES OF THEIR RESPONSIBILITY TO MEET STATEWIDE REQUIREMENTS REGARDING CONTRACTING OR THE PROCUREMENT OF GOODS OR SERVICES. Most procurement and contract codes, policies, and guidelines are incorporated into CMAS contracts. Notwithstanding this, there is no guarantee that "every" possible requirement that pertains to all the different and unique State processes has been included.

STATEWIDE PROCUREMENT REQUIREMENTS

Agencies must carefully review and adhere to all statewide procurement requirements in the SCM, Volumes 2 and 3, such as:

- Automated Accounting System requirements of State Administrative Manual (SAM) Section 7260-62
- Productive Use Requirements, per the SCM, Volume 3, Chapter 2, Section 2.B6.2.
- SAM Sections 4819.41 and 4832 certifications for information technology procurements and compliance with policies.
- Services may not be paid for in advance.
- Agencies are required to file with the Department of Fair Employment and Housing (DFEH) a Contract Award Report Std. 16 for each order over $5,000 within 10 days of award, including supplements that exceed $5,000.
- Pursuant to Public Contract Code Section 10359 State agencies are to report all Consulting Services Contract activity for the preceding fiscal year to DGS and the six legislative committees and individuals that are listed on the annual memorandum from DGS.
- Pursuant to Unemployment Insurance Code Section 1088.8, State and local government agencies must report to the Employment Development Department (EDD) all payments for services that equal $600 or more to independent sole proprietor contractors. See the contractor's Std. Form 204, Payee Data Record, in the CMAS contract to determine sole proprietorship. For inquiries regarding this subject, contact EDD at (916) 651-6945 for technical questions or (888) 745-3886 for information and forms.
- Annual small business and disabled veteran reports.
- Post evaluation reports. Public Contract Code 10369 requires State agencies to prepare post evaluations on form Std. 4 for all completed non-IT consulting services contracts of more than $5,000. Copies of negative evaluations for non-IT consulting services only must be sent to the DGS, Office of Legal Services. The Bureau of State Audits requires State agencies annually to certify compliance with these requirements.

ETHNICITY/RACE/GENDER REPORTING REQUIREMENT

Effective January 1, 2007, in accordance with Public Contract Code 10111, State agencies are to capture information on ethnicity, race, and gender of business owners (not subcontractors) for all awarded contracts, including CAL-Card transactions. Each department is required to independently report this information to the Governor and the Legislature on an annual basis.

Agencies are responsible for developing their own guidelines and forms for collecting and reporting this information.

Contractor participation is voluntary.

Item No. G.3

PAYMENTS AND INVOICES

1. Payment Terms

Prompt Payment Terms: Prompt payment discount of 1% when full payment is received with days or less of installation completion. Net 45 days.

Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 927 et. seq. Unless expressly exempted by statute, the Act requires State agencies to pay properly submitted, undisputed invoices not more than 45 days after (i) the date of acceptance of goods or performance of services; or (ii) receipt of an undisputed invoice, whichever is later.

2. Payee Data Record (Std. 204)

Each State accounting office must have a copy of the attached Payee Data Record (Std. 204) in order to process payment of invoices. Agencies should forward a copy of the Std. 204 to their accounting office(s). Without the Std. 204, payment may be unnecessarily delayed.

3. DGS Administrative and Incentive Fees

Orders from State Agencies:
The Department of General Services (DGS) will bill each State agency directly an administrative fee for use of CMAS contracts. The administrative fee should NOT be included in the order total, nor remitted before an invoice is received from DGS. This administrative fee is waived for CMAS purchase orders issued to California certified small businesses.

See the current administrative fees in the DGS Price Book at:
www.dgs.ca.gov/ofs/Resources/Pricebook.aspx.

Orders from Local Government Agencies:
Effective for CMAS orders dated 1/1/2010 or later, CMAS contractors, who are not California certified small businesses, are required to remit to the DGS an incentive fee equal to 1% of the total of all local government agency orders (excluding sales tax and freight) placed against their CMAS contract(s). This incentive fee is in lieu of local government agencies being billed the above referenced DGS administrative fee.

This incentive fee is waived for CMAS purchase orders issued to California certified small businesses.

The check covering this fee shall be made payable to the Department of General Services, CMAS Unit, and mailed to the CMAS Unit along with the applicable Quarterly Report. See the provision in this contract entitled "Contractor Quarterly Report Process" for information on when and where to send these checks and reports.

4. Contractor Invoices

Unless otherwise stipulated, the contractor must send their invoices to the agency address set forth in the purchase order. Invoices shall be submitted in triplicate and shall include the following:

- Contract number
- Agency purchase order number
- Agency Bill Code
- Line item number
- Unit price
- Extended line item price
- Invoice total

State sales tax and/or use tax shall be itemized separately and added to each invoice as applicable.

The company name on the CMAS contract, purchase order and invoice must match or the State Controller's Office will not approve payment.

5. Advance Payments

Advance payment is allowed for services only under limited, narrowly defined circumstances, e.g., between specific departments and certain types of non-profit organizations, or when paying another government agency (GC 11256 – 11263 and 11019).

It is NOT acceptable to pay in advance, except software maintenance and license fees, which are considered a subscription, may be paid in advance if a provision addressing payment in advance is included in the purchase order.

Warranty upgrades and extensions may also be paid for in advance, one time.

6. Credit Card

FieldTurf USA, Inc. does not accept the State of California credit card (CAL-Card).

7. Lease/Purchase Analysis

State agencies must complete a Lease/Purchase Analysis (LPA) to determine best value when contemplating a lease/rental, and retain a copy for future audit purposes (SAM 3700). Approval by the Department of General Services is not required.

8. Leasing

Except for Federal Lease to Own Purchase (LTOP) and hardware rental provisions with no residual value owed at end term ($1 residual value is acceptable), Federal GSA Lease provisions are NOT available through CMAS because the rates and contract terms and conditions are not acceptable or applicable to the State.

SEAT Management financing options are NOT available through this contract.

As an alternative, agencies may consider financing through the State's financial marketplace GS $Mart™. All terms and conditions and lenders are pre-approved for easy financing. The GS $Mart™ Internet address is www.dgs.ca.gov/pd/programs/statefinancialmarketplace.aspx. Buyers may contact the GS $Mart™ Administrator, Pat Mullen by phone at (916) 375-4617 or via e-mail at pat.mullen@dgs.ca.gov for further information.

CONTRACTOR QUARTERLY REPORT PROCESS

Contractors are required to submit a detailed CMAS Business Activity Report on a quarterly basis to the CMAS Unit. See Attachment B for a copy of this form and instructions. This report shall be mailed to:

Department of General Services
Procurement Division – CMAS Unit
Attention: Quarterly Report Processing
PO Box 989052, MS #2-202
West Sacramento, CA 95798-9052

Reports that include checks for incentive fees or that exceed a total of **5** pages must be mailed and shall not be faxed or e-mailed. All other reports may be faxed or e-mailed to the attention of Quarterly Report Processing as follows:

CMAS Unit Fax Number: (916) 375-4663
CMAS Unit E-Mail: cmas@dgs.ca.gov

For the full instructions on completing and submitting CMAS Quarterly Business Activity Reports, and a soft copy of a blank quarterly report form, go to www.dgs.ca.gov/pd/Programs/Leveraged/CMAS.aspx, then select "For Suppliers/Contractors".

Important things to remember regarding CMAS Quarterly Business Activity Reports (referred to as "reports" below):

- A report is required for each CMAS contract each quarter, even when no new purchase orders are received in the quarter.
- A separate report is required for each CMAS contract.
- Each purchase order must be reported only once in the quarter identified by the purchase order date, regardless of when the services were performed, the products were delivered, the invoice was sent, or the payment was received.
- Purchase orders from State and local government agencies must be separated on the report, as shown in the instructions.
- Contractors must report the sales activity for all resellers listed on their CMAS contract.
- Any report that does not follow the required format or that excludes required information will be deemed incomplete and returned to the contractor for corrections.
- Taxes and freight must not be included in the report.
- For CMAS orders dated 1/1/2010 or later, contractors are no longer required to attach copies of purchase orders to their reports. This changed requirement will start on Q1-2010 reports, which are due 4/15/2010.
- For CMAS orders dated 1/1/2010 or later, contractors who are not California certified small businesses must attach to their quarterly report a check covering the required incentive fee for all CMAS sales to local government agencies (see more information below). This new requirement will start on Q1-2010 reports, which are due 4/15/2010.
- New contracts, contract renewals or extensions, and contract modifications will be approved only if the contractor has submitted all required quarterly reports and incentive fees.

CMAS Quarterly Business Activity Reports are due in the CMAS Unit within two weeks after the end of each quarter as shown below:

Quarter 1	Jan 1 to Mar 31	Due Apr 15
Quarter 2	Apr 1 to Jun 30	Due Jul 15
Quarter 3	Jul 1 to Sep 30	Due Oct 15
Quarter 4	Oct 1 to Dec 31	Due Jan 15

CONTRACTOR QUARTERLY INCENTIVE FEES

CMAS contractors who are not California certified small businesses must remit to the DGS an incentive fee equal to 1% of the total of all local government agency orders (excluding sales tax and freight) placed against their CMAS contract(s). This incentive fee is in lieu of local government agencies being billed the above referenced DGS administrative fee.

CMAS contractors cannot charge local government agencies an additional 1% charge on a separate line item to cover the incentive fee. The contractor must include the 1% incentive fee in the price of the products or services offered, and the line item prices must not exceed the applicable GSA prices.

A local government agency is any city, county, district, or other local governmental body, including the California State University (CSU) and University of California (UC) systems, K-12 public schools and community colleges empowered to expend public funds.

This incentive fee is waived for CMAS purchase orders issued to California certified small businesses.

Item No. G.3

The check covering this fee shall be made payable to the Department of General Services, CMAS Unit, and mailed to the CMAS Unit along with the applicable Quarterly Report. See the provision in this contract entitled "Contractor Quarterly Report Process" for information on when and where to send these checks and reports.

CONTRACTOR PROVIDES COPY OF THE CONTRACT AND SUPPLEMENTS

CMAS contractors are required to provide the entire contract that consists of the following:

- Cover pages with DGS logo and CMAS analyst's signature, and Ordering Instructions and Special Provisions.
- Payee Data Record (Std. 204).
- California CMAS Terms and Conditions.
- Federal GSA Terms and Conditions.
- Federal GSA products, services, and price list.
- Supplements, if applicable.

It is important for the agency to confirm that the required products, services, and prices are included in the contract and are at or below contract rates. To streamline substantiation that the needed items are in the contract, the agencies should ask the contractor to identify the specific pages from the contract that include the required products, services, and prices. Agencies should save these pages for their file documentation.

CONTRACTORS ACTING AS FISCAL AGENTS ARE PROHIBITED

When a subcontractor ultimately provides all of the products or performs all of the services that a contractor has agreed to provide, and the prime contractor only handles the invoicing of expenditures, then the prime contractor's role becomes that of a fiscal agent because it is merely administrative in nature, and does not provide a Commercially Useful Function (CUF). It is unacceptable to use fiscal agents in this manner because the agency is paying unnecessary administrative costs.

AGENCY RESPONSIBILITY

Agencies must contact contractors to obtain copies of the contracts and compare them for a best value purchasing decision.

Each agency is responsible for its own contracting program and purchasing decisions, including use of the CMAS program and associated outcomes.

This responsibility includes, but is not necessarily limited to, ensuring the necessity of the services, securing appropriate funding, complying with laws and policies, preparing the purchase order in a manner that safeguards the State's interests, obtaining required approvals, and documenting compliance with Government Code 19130.b (3) for outsourcing services.

It is the responsibility of each agency to consult as applicable with their legal staff and contracting offices for advice depending upon the scope or complexity of the purchase order.

If you do not have legal services available to you within your agency, the DGS Office of Legal Services is available to provide services on a contractual basis.

CONFLICT OF INTEREST

Agencies must evaluate the proposed purchase order to determine if there are any potential conflict of interest issues. See the attached CMAS Terms and Conditions, Conflict of Interest, for more information.

FEDERAL DEBARMENT

When federal funds are being expended, the agency is required to obtain (retain in file) a signed "Federal Debarment" certification from the contractor before the purchase order is issued.

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants; responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

LIQUIDATED DAMAGES FOR LATE DELIVERY

The value of the liquidated damages must be included in the purchase order to be applicable, mutually agreed upon by agency and contractor, and cannot be a penalty.

ACCEPTANCE TESTING CRITERIA

If the agency wants to include acceptance testing for all newly installed technology systems, and individual equipment, and machines which are added or field modified (modification of a machine from one model to another) after a successful performance period, the test criteria must be included in the purchase order to be applicable.

SHIPPING INSTRUCTIONS

F.O.B. (Free On Board) Destination. Seller pays the freight charges.

AMERICANS WITH DISABILITY ACT (ADA)

Section 504 of the Rehabilitation Act of 1973 as amended; Title VI and VII of the Civil Rights Act of 1964 as amended; Americans with Disabilities Act, 42 USC 12101; California Code of Regulations, Title 2, Title 22; California Government Code, Sections 11135, et seq.; and other federal and State laws, and Executive Orders prohibit discrimination. All programs, activities, employment opportunities, and services must be made available to all persons, including persons with disabilities. See Attachment A for Procurement Division's ADA Compliance Policy of Nondiscrimination on the Basis of Disability.

Individual government agencies are responsible for self-compliance with ADA regulations.

Contractor sponsored events must provide reasonable accommodations for persons with disabilities.

DGS PROCUREMENT DIVISION CONTACT AND PHONE NUMBER

Department of General Services
Procurement Division, CMAS Unit
707 Third Street, 2nd Floor, MS 202
West Sacramento, CA 95605-2811

Phone # (916) 375-4363
Fax # (916) 375-4663

ATTACHMENT A

ADA NOTICE

Procurement Division (State Department of General Services) AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE
POLICY OF NONDISCRIMINATION ON THE BASIS OF DISABILITY

To meet and carry out compliance with the nondiscrimination requirements of the Americans With Disabilities Act (ADA), it is the policy of the Procurement Division (within the State Department of General Services) to make every effort to ensure that its programs, activities, and services are available to all persons, including persons with disabilities.

For persons with a disability needing a reasonable accommodation to participate in the Procurement process, or for persons having questions regarding reasonable accommodations for the Procurement process, please contact the Procurement Division at (916) 375-4400 (main office); the Procurement Division TTY/TDD (telephone device for the deaf) or California Relay Service numbers which are listed below. You may also contact directly the Procurement Division contact person who is handling this procurement.

IMPORTANT: TO ENSURE THAT WE CAN MEET YOUR NEED, IT IS BEST THAT WE RECEIVE YOUR REQUEST AT LEAST 10 WORKING DAYS BEFORE THE SCHEDULED EVENT (i.e., MEETING, CONFERENCE, WORKSHOP, etc.) OR DEADLINE DUE-DATE FOR PROCUREMENT DOCUMENTS.

The Procurement Division TTY telephone numbers are:

Sacramento Office:	(916) 376-1891
Fullerton Office:	(714) 773-2093

The California Relay Service Telephone Numbers are:

Voice	1-800-735-2922 or 1-888-877-5379
TTY:	1-800-735-2929 or 1-888-877-5378
Speech-to-Speech:	1-800-854-7784

Item No. G.3

ATTACHMENT B

CMAS QUARTERLY BUSINESS ACTIVITY REPORT

ntractor Name: _____

Contract Number: _____

For Questions Regarding This Report Contact:

Name: _____

Phone Number: _____

E-mail: _____

Reporting Calendar Year: _____ Revision ☐

Reporting Quarter: Q1 (Jan-Mar) ☐

Q2 (Apr-Jun) ☐

Q3 (Jul-Sep) ☐

Q4 (Oct-Dec) ☐

Check Here if No New Orders for This Quarter ☐

STATE AGENCY PURCHASES

State Agency Name	Purchase Order Number	Purchase Order Date	Agency Billing Code	Total Dollars Per Purchase Order	Agency Contact	Agency Address	Phone Number

Total State Agency Dollars Reported for Quarter: $ _____

LOCAL GOVERNMENT AGENCY PURCHASES

Local Government Agency Name	Purchase Order Number	Purchase Order Date	Total Dollars Per Purchase Order	Agency Contact	Agency Address	Phone Number

Total Local Government Agency Dollars for Quarter: $ _____ 1% Remitted to DGS (does not apply to CA certified S/Bs): $ _____

Total of State and Local Government Agency Dollars Reported for this Quarter: $ _____

Updated 1/1/2010

MV00160875

ATTACHMENT B

CMAS QUARTERLY BUSINESS ACTIVITY REPORT

Instructions for completing the CMAS Quarterly Business Activity Report.

1. Complete the top of the form with the appropriate information for your company.
2. **Agency Name** - Identify the State agency or Local Government agency that issued the order.
3. **Purchase Order Number** - Identify the purchase order number (and amendment number if applicable) on the order form. This is not your invoice number. This is the number the State agency or Local Government agency assigns to the order.
4. **Purchase Order Date** - Identify the date the purchase order was issued, as shown on the order. This is not the date you received, accepted, or invoiced the order.
5. **Agency Billing Code** - Identify the State agency billing code. This is a five-digit number identified on the upper right hand corner of the Std. 65 purchase order form. You must identify this number on all purchases made by State of California agencies. Billing codes are not applicable to Local Government agencies.
6. **Total Dollars Per PO** - Identify the total dollars of the order excluding tax and freight. Tax must NOT be included in the quarterly report, even if the agency includes tax on the purchase order. The total dollars per order should indicate the entire purchase order amount (less tax and freight) regardless of when you invoice order, perform services, deliver product, or receive payment.
7. **Agency Contact** - Identify the ordering agency's contact person on the purchase order.
8. **Agency Address** - Identify the ordering agency's address on the purchase order.
9. **Phone Number** - Identify the phone number for the ordering agency's contact person.
10. **Total State Sales & Total Local Sales** - Separately identify the total State dollars and/or Local Government agency dollars (pre-tax) for all orders placed in quarter.
11. **1% Remitted to DGS** - Identify 1% of the total Local Government agency dollars reported for the quarter. This is the amount to be remitted to DGS by contractors who are not California certified small businesses.
12. **Grand Total** - Identify the total of all State and Local Government agency dollars reported for the quarter.

Notes:

- A report is required for each CMAS contract, each quarter, even when there are no new orders for the quarter.
- Quarterly reports are due two weeks after the end of the quarter.

STATE OF CALIFORNIA-DEPARTMENT OF FINANCE

PAYEE DATA RECORD

(Required when receiving payment from the State of California in lieu of IRS W-9)

STD. 204 (Rev. 6-2003)

1

INSTRUCTIONS: Complete all information on this form. Sign, date, and return to the State agency (department/office) address shown at the bottom of this page. Prompt return of this **fully completed** form will prevent delays when processing payments. Information provided in this form will be used by State agencies to prepare Information Returns (1099). See reverse side for more information and Privacy Statement.

NOTE: Governmental entities, federal, State, and local (including school districts), are not required to submit this form.

2

PAYEE'S LEGAL BUSINESS NAME (Type or Print) FieldTurf USA, Inc	
SOLE PROPRIETOR – ENTER NAME AS SHOWN ON SSN (Last, First, M.I.)	E-MAIL ADDRESS info@fieldturf.com
MAILING ADDRESS 8088 Montview	BUSINESS ADDRESS 175 North Industrial Blvd. NE
CITY, STATE, ZIP CODE Montreal, QC, H4P 2L7	CITY, STATE, ZIP CODE Calhoun, GA, 30701

3

PAYEE ENTITY TYPE

CHECK ONE BOX ONLY

ENTER FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN): 5 8 - 2 3 3 0 4 1 0

☐ PARTNERSHIP

☐ ESTATE OR TRUST

CORPORATION:

- ☐ MEDICAL (e.g., dentistry, psychotherapy, chiropractic, etc.)
- ☐ LEGAL (e.g., attorney services)
- ☐ EXEMPT (nonprofit)
- ☑ ALL OTHERS

☐ INDIVIDUAL OR SOLE PROPRIETOR ENTER SOCIAL SECURITY NUMBER: ___ - __ - ____

(SSN required by authority of California Revenue and Tax Code Section 18646)

NOTE: Payment will not be processed without an accompanying taxpayer I.D. number.

4

PAYEE RESIDENCY STATUS

☑ California resident - Qualified to do business in California or maintains a permanent place of business in California.

☐ California nonresident (see reverse side) - Payments to nonresidents for services may be subject to State income tax withholding.

- ☐ No services performed in California.
- ☐ Copy of Franchise Tax Board waiver of State withholding attached.

5

I hereby certify under penalty of perjury that the information provided on this document is true and correct. Should my residency status change, I will promptly notify the State agency below.

AUTHORIZED PAYEE REPRESENTATIVE'S NAME (Type or Print) ALAIN TANGUAY		TITLE CFO
SIGNATURE	DATE OCT 19, 2011	TELEPHONE (800) 724-2969

6

Please return completed form to:

Department/Office: Department of General Services

Unit/Section: Procurement Division, CMAS Section

Mailing Address: 707 3rd Street, 2nd floor

City/State/Zip: West Sacramento, CA 95605

Telephone: (916) 375-4365 **Fax:** (916) 375-4663

E-mail Address: cmas@dgs.ca.gov

Item No. G.3

MV00160877

Darfur Contracting Act Certification Form

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a "scrutinized" company as defined in Public Contract Code section 10476. (See back for instructions.)

Therefore, to be eligible to submit a bid, proposal, or CMAS application, please insert your company name and Federal ID Number and complete only one of the following three paragraphs (via initials for Paragraph #1 or Paragraph #2, or via initials and certification for Paragraph #3):

FieldTurf USA, Inc. — *Company/Vendor Name (Printed)*

58 2330410 — *Federal ID Number*

Printed Name and Title of Person Initialing (for Options 1 or 2)

1. _____ Initials — We do not currently have, or we have not had within the previous three years, business activities or other operations outside of the United States.

OR

2. _____ Initials — We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services (DGS) to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.

OR

3. ED Initials & Certification Below — We currently have, or we have had within the previous three years, business activities or other operations outside of the United States, but we certify below that we are not a scrutinized company as defined in Public Contract Code section 10476.

CERTIFICATION FOR #3

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder/applicant to the clause listed above in #3. This certification is made under the laws of the State of California.

By (Authorized Signature)

ERIC DALIERE, PRESIDENT

Printed Name and Title of Person Signing

OCTOBER 20, 2011 — *Date Executed*

MONTREAL, QUEBEC — *Executed in the County and State of*

Note Regarding Change of Status – If your company has a change of status, with regard to this certification, during the term of your contract(s) then it is incumbent on your company to submit an updated Certification. For questions regarding a change of status, please contact the contract's designated State Contract Administrator.

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

1. **DEFINITIONS:** The following terms shall be given the meaning shown, unless context requires otherwise or a unique meaning is otherwise specified.
   a) **"Business entity"** means any individual, business, partnership, joint venture, corporation, S-corporation, limited liability corporation, limited liability partnership, sole proprietorship, joint stock company, consortium, or other private legal entity recognized by statute.
   b) **"Buyer"** means the State's authorized Contracting official.
   c) **"Contract"** means this Contract or agreement (including any purchase order), by whatever name known or in whatever format used.
   d) **"Contractor"** means the Business Entity with whom the State enters into this Contract. Contractor shall be synonymous with "supplier", "vendor" or other similar term.
   e) **"Goods"** (commodities) means all types of tangible personal property, including but not limited to materials, supplies, and equipment (including computer equipment and telecommunications).
   f) **"State"** means the government of the State of California, its employees and authorized representatives, including without limitation any department, agency, or other unit of the government of the State of California.

2. **CONTRACT FORMATION:** If this Contract results from a Contract Offer, then Contractor's offer is deemed a firm offer and this Contract document is the State's acceptance of that offer.

3. **COMPLETE INTEGRATION:** This Contract, including any documents incorporated herein by express reference, is intended to be a complete integration and there are no prior or contemporaneous different or additional agreements pertaining to the subject matter of the Contract.

4. **SEVERABILITY:** The Contractor and the State agree that if any provision of this Contract is found to be illegal or unenforceable, such term or provision shall be deemed stricken and the remainder of the Contract shall remain in full force and effect. Either party having knowledge of such term or provision shall promptly inform the other of the presumed non-applicability of such provision.

5. **INDEPENDENT CONTRACTOR:** Contractor and the agents and employees of Contractor, in the performance of this Contract, shall act in an independent capacity and not as officers or employees or agents of the State.

6. **APPLICABLE LAW:** This Contract shall be governed by and shall be interpreted in accordance with the laws of the State of California; venue of any action brought with regard to this Contract shall be in Sacramento County, Sacramento, California. The United Nations Convention on Contracts for the International Sale of Goods shall not apply to this Contract.

7. **COMPLIANCE WITH STATUTES AND REGULATIONS:**
   a) Contractor warrants and certifies that in the performance of this Contract, it will comply with all applicable statutes, rules, regulations and orders of the United States and the State of California and agrees to indemnify the State against any loss, cost, damage or liability by reason of Contractor's violation of this provision.
   b) If this Contract is in excess of $554,000, it is subject to the requirements of the World Trade Organization (WTO) Government Procurement Agreement (GPA).

8. **CONTRACTOR'S POWER AND AUTHORITY:** The Contractor warrants that it has full power and authority to grant the rights herein granted and will hold the State harmless from and against any loss, cost, liability, and expense (including reasonable attorney fees) arising out of any breach of this warranty. Further, Contractor avers that it will not enter into any arrangement with any third party which might abridge any rights of the State under this Contract.
   a) The State will notify Contractor of any such claim in writing and tender the defense thereof within a reasonable time; and
   b) Contractor will have sole control of the defense of any action on such claim and all negotiations for its settlement or compromise; provided that (i) when substantial principles of government or public law are involved, when litigation might create precedent affecting future State operations or liability, or when involvement of the State is othewise mandated by law, the State may participate in such action at its own expense with respect to attorneys' fees and costs (but not liability); (ii) the State will have the right to approve or disapprove any settlement or compromise, which approval will not unreasonably be withheld or delayed; and (iii) the State will reasonably cooperate in the defense and in any related settlement negotiations.

9. **CMAS -- ASSIGNMENT:** This Contract shall not be assignable by the Contractor in whole or in part without the written consent of the State. For the purpose of this paragraph, State will not unreasonably prohibit Contractor from freely assigning its right to payment, provided that Contractor remains responsible for its obligations hereunder.

   Should the State desire financing of the assets provided hereunder through GS $Mart, the State's financial marketplace, the Contractor agrees to assign to a State-designated lender its right to receive payment from the State for the assets in exchange for payment by the lender of the cash purchase price for the assets. Upon notice to do so from the State-designated lender at any time prior to payment by the State for the assets, the Contractor will execute and deliver to the State-designated lender an assignment agreement and any additional documents necessary for the State selected financing plan. The State-designated lender will pay the Contractor according to the terms of the Contractor's invoice upon acceptance of the assets by the State.

10. **WAIVER OF RIGHTS:** Any action or inaction by the State or the failure of the State on any occasion, to enforce any right or provision of the Contract, shall not be construed to be a waiver by the State of its rights hereunder and shall not prevent the State from enforcing such provision or right on any future occasion. The rights and remedies of the State herein are cumulative and are in addition to any other rights or remedies that the State may have at law or in equity.

11. **CMAS -- ORDER OF PRECEDENCE.** In the event of any inconsistency between the articles, attachments, specifications or provisions which constitute this Contract, the following order of precedence shall apply:

    a) these General Provisions -- Non-IT Commodities;
    b) Contract form, i.e., Purchase Order STD 65, etc., and any amendments thereto;
    c) federal GSA (or other multiple award) terms and conditions;

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

d) Statement of Work, including any specifications incorporated by reference herein;
e) special terms and conditions; and
f) all other attachments incorporated in the Contract by reference.

12. **PACKING AND SHIPMENT:**
a) All Goods are to be packed in suitable containers for protection in shipment and storage, and in accordance with applicable specifications. Each container of a multiple container shipment shall be identified to:
i) show the number of the container and the total number of containers in the shipment; and
ii) the number of the container in which the packing sheet has been enclosed.
b) All shipments by Contractor or its subContractors must include packing sheets identifying: the State's Contract number; item number; quantity and unit of measure; part number and description of the Goods shipped; and appropriate evidence of inspection, if required. Goods for different Contracts shall be listed on separate packing sheets.
c) Shipments must be made as specified in this Contract, as it may be amended, or otherwise directed in writing by the State's Transportation Management Unit within the Department of General Services, Procurement Division.

13. **TRANSPORTATION COSTS AND OTHER FEES OR EXPENSES:** No charge for delivery, drayage, express, parcel post, packing, cartage, insurance, license fees, permits, cost of bonds, or for any other purpose will be paid by the State unless expressly included and itemized in the Contract.
a) Contractor must strictly follow Contract requirements regarding Free on Board (F.O.B.), freight terms and routing instructions. The State may permit use of an alternate carrier at no additional cost to the State with advance written authorization of the Buyer.
b) If "prepay and add" is selected, supporting freight bills are required when over $50, unless an exact freight charge is approved by the Transportation Management Unit within the Department of General Services Procurement Division and a waiver is granted.
c) On "F.O.B. Shipping Point" transactions, should any shipments under the Contract be received by the State in a damaged condition and any related freight loss and damage claims filed against the carrier or carriers be wholly or partially declined by the carrier or carriers with the inference that damage was the result of the act of the shipper such as inadequate packaging or loading or some inherent defect in the equipment and/or material, Contractor, on request of the State, shall at Contractor's own expense assist the State in establishing carrier liability by supplying evidence that the equipment and/or material was properly constructed, manufactured, packaged, and secured to withstand normal transportation conditions.

14. **TIME IS OF THE ESSENCE:** Time is of the essence in this Contract

15. **DELIVERY:** Contractor shall strictly adhere to the delivery and completion schedules specified in this Contract. Time, if stated as a number of days, shall mean calendar days unless otherwise specified. The quantities specified herein are the only quantities required. If Contractor delivers in excess of the quantities specified herein, the State shall not be required to make any payment for the excess Goods, and may return them to Contractor at Contractor's expense or utilize any other rights available to the State at law or in equity.

16. **SUBSTITUTIONS:** Substitution of Goods may not be tendered without advance written consent of the Buyer. Contractor shall not use any specification in lieu of those contained in the Contract without written consent of the Buyer.

17. **INSPECTION, ACCEPTANCE AND REJECTION:**
a) Contractor and its subContractors will provide and maintain a quality assurance system acceptable to the State covering Goods and services under this Contract and will tender to the State only those Goods that have been inspected and found to conform to this Contract's requirements. Contractor will keep records evidencing inspections and their result, and will make these records available to the State during Contract performance and for three years after final payment. Contractor shall permit the State to review procedures, practices, processes and related documents to determine the acceptability of Contractor's quality assurance system or other business practices related to performance of the Contract.
b) All Goods may be subject to inspection and test by the State or its authorized representatives.
c) Contractor and its subContractors shall provide all reasonable facilities for the safety and convenience of inspectors at no additional cost to the State. Contractor shall furnish to inspectors all information and data as may be reasonably required to perform their inspection.
d) All Goods to be delivered hereunder may be subject to final inspection, test and acceptance by the State at destination, notwithstanding any payment or inspection at source.
e) The State shall give written notice of rejection of Goods delivered or services performed hereunder within a reasonable time after receipt of such Goods or performance of such services. Such notice of rejection will state the respects in which the Goods do not substantially conform to their specifications. If the State does not provide such notice of rejection within thirty (30) days, unless otherwise specified in the Statement of Work, of delivery, such Goods and services will be deemed to have been accepted. Acceptance by the State will be final and irreversible, except as it relates to latent defects, fraud, and gross mistakes amounting to fraud. Acceptance shall not be construed to waive any warranty rights that the State might have at law or by express reservation in this Contract with respect to any nonconformity.

18. **SAMPLES:**
a) Samples of items may be required by the State for inspection and specification testing and must be furnished free of expense to the State. The samples furnished must be identical in all respects to the products offered and/or specified in the Contract.
b) Samples, if not destroyed by tests, may, upon request made at the time the sample is furnished, be returned at Contractor's expense.

19. **CMAS -- WARRANTY:** The following warranty language is in addition to the warranty language provided in the federal GSA Multiple Award Schedule or other base Contract used to establish this CMAS Contract. When there is a conflict between the language, the following warranty language overrides.

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

Unless otherwise specified, the warranties contained in this Contract begin after acceptance has occurred.

a) Contractor warrants that Goods and services furnished hereunder will conform to the requirements of this Contract (including all descriptions, specifications and drawings made a part hereof), and such Goods will be merchantable, fit for their intended purposes, free from all defects in materials and workmanship and to the extent not manufactured pursuant to detailed designs furnished by the State, free from defects in design. The State's approval of designs or specifications furnished by Contractor shall not relieve the Contractor of its obligations under this warranty.

b) All warranties, including special warranties specified elsewhere herein, shall inure to the State, its successors, assigns, customer agencies and users of the Goods or services.

20. **SAFETY AND ACCIDENT PREVENTION:** In performing work under this Contract on State premises, Contractor shall conform to any specific safety requirements contained in the Contract or as required by law or regulation. Contractor shall take any additional precautions as the State may reasonably require for safety and accident prevention purposes. Any violation of such rules and requirements, unless promptly corrected, shall be grounds for termination of this Contract in accordance with the default provisions hereof.

21. **INSURANCE:** When performing work on property in the care, custody or control of the State, Contractor shall maintain all commercial general liability insurance, workers' compensation insurance and any other insurance the State deems appropriate under the Contract. Contractor shall furnish an insurance certificate evidencing required insurance coverage acceptable to the State. Upon request by the Buyer, the Contractor may be required to have the State shown as an "additional insured" on selected policies.

22. **TERMINATION FOR NON-APPROPRIATION OF FUNDS:**

a) If the term of this Contract extends into fiscal years subsequent to that in which it is approved, such continuation of the Contract is contingent on the appropriation of funds for such purpose by the Legislature. If funds to effect such continued payment are not appropriated, Contractor agrees to take back any affected Goods furnished under this Contract, terminate any services supplied to the State under this Contract, and relieve the State of any further obligation therefor.

b) STATE AGREES THAT IF PARAGRAPH (a) ABOVE IS INVOKED, GOODS SHALL BE RETURNED TO THE CONTRACTOR IN SUBSTANTIALLY THE SAME CONDITION IN WHICH DELIVERED TO THE STATE, SUBJECT TO NORMAL WEAR AND TEAR. STATE FURTHER AGREES TO PAY FOR PACKING, CRATING, TRANSPORTATION TO CONTRACTOR'S NEAREST FACILITY AND FOR REIMBURSEMENT TO THE CONTRACTOR FOR EXPENSES INCURRED FOR THEIR ASSISTANCE IN SUCH PACKING AND CRATING.

23. **TERMINATION FOR THE CONVENIENCE OF THE STATE:**

a) The State may terminate performance of work under this Contract for its convenience in whole or, from time to time, in part, if the Department of General Services, Deputy Director, Procurement Division, or designee, determines that a termination is in the State's interest. The Department of General Services, Deputy Director, Procurement Division, or designee, shall terminate by delivering to the Contractor a Notice of Termination specifying the extent of termination and the effective date thereof. The parties agree that, as to the terminated portion of the Contract, the Contract shall be deemed to remain in effect until such time as the termination settlement, if any, is concluded and the Contract shall not be void.

b) After receipt of a Notice of Termination, and except as directed by the State, the Contractor shall immediately proceed with the following obligations, as applicable, regardless of any delay in determining or adjusting any amounts due under this clause. The Contractor shall:

i) Stop work as specified in the Notice of Termination.

ii) Place no further subContracts for materials, services, or facilities, except as necessary to complete the continued portion of the Contract.

iii) Terminate all subContracts to the extent they relate to the work terminated.

iv) Settle all outstanding liabilities and termination settlement proposals arising from the termination of subContracts; the approval or ratification of which will be final for purposes of this clause.

24. **TERMINATION FOR DEFAULT:**

a) The State may, subject to the Force Majeure paragraph contained herein, by written notice of default to the Contractor, terminate this Contract in whole or in part if the Contractor fails to:

i) Deliver the Goods or to perform the services within the time specified in the Contract or any amendment thereto;

ii) Make progress, so as to endanger performance of this Contract (but see subparagraph (b) below); or

iii) Perform any of the other provisions of this Contract (but see subparagraph (b), below).

b) The State's right to terminate this Contract under subparagraphs (a)(ii) and (a)(iii) above, may be exercised if the Contractor does not cure such failure within the time frame stated in the cure notice issued by the Buyer.

c) If the State terminates this Contract in whole or in part, it may acquire, under the terms and in the manner the Buyer considers appropriate, Goods or services similar to those terminated, and the Contractor will be liable to the State for any excess costs for those Goods or services. However, the Contractor shall continue the work not terminated.

d) If the Contract is terminated for default, the State may require the Contractor to transfer title and deliver to the State, as directed by the Buyer, any:

i) Completed Goods, and

ii) Partially completed Goods and materials, parts, tools, dies, jigs, fixtures, plans, drawings, information, and Contract rights (collectively referred to as "manufacturing materials" in this clause) that the Contractor has specifically produced or acquired for the terminated portion of this Contract. Upon direction of the Buyer, the Contractor shall also protect and preserve property in its possession in which the State has an interest.

e) The State shall pay Contract price for completed Goods delivered and accepted. The Contractor and Buyer shall agree on the amount of payment for manufacturing materials delivered and accepted for the protection and preservation of the property. Failure to agree will be a dispute under the Disputes clause. The State may withhold from these amounts any sum the Buyer determines to be

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)
GENERAL PROVISIONS - NON-IT COMMODITIES

necessary to protect the State against loss because of outstanding liens or claims of former lien holders.

f) If, after termination, it is determined that the Contractor was not in default, or that the default was excusable, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of the State.

g) The rights and remedies of the State in this clause are in addition to any other rights and remedies provided by law or under this Contract.

25. **FORCE MAJEURE:**
Except for defaults of subContractors at any tier, the Contractor shall not be liable for any excess costs if the failure to perform the Contract arises from causes beyond the control and without the fault or negligence of the Contractor. Examples of such causes include, but are not limited to:
a) Acts of God or of the public enemy, and
b) Acts of the federal or state government in either its sovereign or Contractual capacity.
If the failure to perform is caused by the default of a subContractor at any tier, and if the cause of the default is beyond the control of both the Contractor and subContractor, and without the fault or negligence of either, the Contractor shall not be liable for any excess costs for failure to perform.

26. **RIGHTS AND REMEDIES OF STATE FOR DEFAULT:**
a) In the event any Goods furnished or services provided by the Contractor in the performance of the Contract should fail to conform to the requirements herein, or to the sample submitted by the Contractor, the State may reject the same, and it shall become the duty of the Contractor to reclaim and remove the item promptly or to correct the performance of services, without expense to the State, and immediately replace all such rejected items with others conforming to the Contract.
b) In addition to any other rights and remedies the State may have, the State may require Contractor, at Contractor's expense, to ship Goods via air freight or expedited routing to avoid or minimize actual or potential delay if the delay is the fault of the Contractor.
c) In the event of the termination of the Contract, either in whole or in part, by reason of default or breach by the Contractor, any loss or damage sustained by the State in procuring any items which the Contractor agreed to supply shall be borne and paid for by the Contractor.
d) The State reserves the right to offset the reasonable cost of all damages caused to the State against any outstanding invoices or amounts owed to Contractor or to make a claim against the Contractor therefore.

27. **CONTRACTOR'S LIABILITY FOR INJURY TO PERSONS OR DAMAGE TO PROPERTY:**
a) The Contractor shall be liable for damages arising out of injury to the person and/or damage to the property of the State, employees of the State, persons designated by the State for training, or any other person(s) other than agents or employees of the Contractor, designated by the State for any purpose, prior to, during, or subsequent to delivery, installation, acceptance, and use of the Goods either at the Contractor's site or at the State's place of business, provided that the injury or damage was caused by the fault or neligence of the Contractor.
b) Contractor shall not be liable for damages arising out of or caused by an alteration or an attachment not made or installed by the Contractor, or for damage to alterations or attachments that may result from the normal operation and maintenance of the Goods provided by the Contractor during the Contract.

28. **INDEMNIFICATION:** Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all Contractors, subContractors, suppliers, laborers and any other person, firm, or corporation furnishing or supplying work, services, materials or supplies in connection with the performance of this Contract, and from any and all claims and losses accruing or resulting to any person, firm or corporation which may be injured or damaged by Contractor in the performance of this Contract.

29. **INVOICES:** Unless otherwise specified, invoices shall be sent to the address set forth herein. Invoices shall be submitted in triplicate and shall include the Contract number; release order number (if applicable); item number; unit price, extended item price and invoice total amount. State sales tax and/or use tax shall be itemized separately and added to each invoice as applicable.

30. **REQUIRED PAYMENT DATE:** Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 927 et. seq. Unless expressly exempted by statute, the Act requires state agencies to pay properly submitted, undisputed invoices not more than 45 days after (i) the date of acceptance of Goods or performance of services; or (ii) receipt of an undisputed invoice, whichever is later.

31. **TAXES:** Unless otherwise required by law, the State of California is exempt from Federal excise taxes. The State will only pay for any State or local sales or use taxes on the services rendered or Goods supplied to the State pursuant to this Contract.

32. **NEWLY MANUFACTURED GOODS:** All Goods furnished under this Contract shall be newly manufactured Goods; used or reconditioned Goods are prohibited, unless otherwise specified.

33. **CONTRACT MODIFICATION:** No amendment or variation of the terms of this Contract shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or agreement not incorporated in the Contract is binding on any of the parties.

34. **CONFIDENTIALITY OF DATA:** All financial, statistical, personal, technical and other data and information relating to the State's operation which are designated confidential by the State and made available to the Contractor in order to carry out this Contract, or which become available to the Contractor in carrying out this Contract, shall be protected by the Contractor from unauthorized use and disclosure through the observance of the same or more effective procedural requirements as are applicable to the State. The identification of all such confidential data and information as well as the State's procedural requirements for protection of such data and information from unauthorized use and disclosure shall be provided by the State in writing to the Contractor. If the methods and procedures employed by the Contractor for the protection of the Contractor's data and information are deemed by the State to be adequate for the protection of the State's confidential information, such methods and procedures may be used, with the written consent

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of the State, to carry out the intent of this paragraph. The Contractor shall not be required under the provisions of this paragraph to keep confidential any data or information which is or becomes publicly available, is already rightfully in the Contractor's possession, is independently developed by the Contractor outside the scope of this Contract, or is rightfully obtained from third parties.

35. **NEWS RELEASES:** Unless otherwise exempted, news releases pertaining to this Contract shall not be made without prior written approval of the Department of General Services.

36. **PATENT, COPYRIGHT AND TRADE SECRET INDEMNITY:**
   a) Contractor shall hold the State of California, its officers, agents and employees, harmless from liability of any nature or kind, including costs and expenses, for infringement or use of any copyrighted or uncopyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in connection with the Contract.
   b) Contractor may be required to furnish a bond to the State against any and all loss, damage, costs, expenses, claims and liability for patent, copyright and trade secret infringement.
   c) Contractor, at its own expense, shall defend any action brought against the State to the extent that such action is based upon a claim that the Goods or software supplied by the Contractor or the operation of such Goods pursuant to a current version of Contractor supplied operating software infringes a United States patent or copyright or violates a trade secret. The Contractor shall pay those costs and damages finally awarded against the State in any such action. Such defense and payment shall be conditioned on the following:
      i) That the Contractor shall be notified within a reasonable time in writing by the State of any notice of such claim; and,
      ii) That the Contractor shall have the sole control of the defense of any action on such claim and all negotiations for its settlement or compromise, provided, however, that when principles of government or public law are involved, the State shall have the option to participate in such action at its own expense.
   d) Should the Goods or software, or the operation thereof, become, or in the Contractor's opinion are likely to become, the subject of a claim of infringement of a United States patent or copyright or a trade secret, the State shall permit the Contractor at its option and expense either to procure for the State the right to continue using the Goods or software, or to replace or modify the same so that they become non-infringing. If none of these options can reasonably be taken, or if the use of such Goods or software by the State shall be prevented by injunction, the Contractor agrees to take back such Goods or software and make every reasonable effort to assist the State in procuring substitute Goods or software. If, in the sole opinion of the State, the return of such infringing Goods or software makes the retention of other Goods or software acquired from the Contractor under this Contract impractical, the State shall then have the option of terminating such Contracts, or applicable portions thereof, without penalty or termination charge. The Contractor agrees to take back such Goods or software and refund any sums the State has paid Contractor less any reasonable amount for use or damage.
   e) The Contractor shall have no liability to the State under any provision of this clause with respect to any claim of patent, copyright or trade secret infringement which is based upon:
      i) The combination or utilization of Goods furnished hereunder with equipment or devices not made or furnished by the Contractor; or,
      ii) The operation of equipment furnished by the Contractor under the control of any operating software other than, or in addition to, the current version of Contractor-supplied operating software; or
      iii) The modification by the State of the equipment furnished hereunder or of the software; or
      iv) The combination or utilization of software furnished hereunder with non-Contractor supplied software.
   f) Contractor certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this Contract for the acquisition, operation or maintenance of computer software in violation of copyright laws.
   g) The foregoing states the entire liability of the Contractor to the State with respect to infringement of patents, copyrights or trade secrets.

37. **EXAMINATION AND AUDIT:** Contractor agrees that the State, or its designated representative shall have the right to review and copy any records and supporting documentation pertaining to performance of this Contract. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees or others who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subContract related to performance of this Contract.

38. **DISPUTES:**
   a) The parties shall deal in good faith and attempt to resolve potential disputes informally. If the dispute persists, *Contractor* shall submit to the Department Director or designee a written demand for a final decision regarding the disposition of any dispute between the parties arising under, related to or involving this Contract, unless the State, on its own initiative, has already rendered such a final decision. Contractor's written demand shall be fully supported by factual information, and if such demand involves a cost adjustment to the Contract, Contractor shall include with the demand a written statement signed by an authorized person indicating that the demand is made in good faith, that the supporting data are accurate and complete and that the amount requested accurately reflects the Contract adjustment for which Contractor believes the State is liable. If the Contractor is not satisfied with the decision of the Department Director or designee, the Contractor may appeal the decision to the Department of General Services, Deputy Director, Procurement Division. In the event that this Contract is for information technology Goods and/or services, the decision may be appealed to an Executive Committee of State and Contractor personnel.
   b) Pending the final resolution of any dispute arising under, related to or involving this Contract, Contractor agrees to diligently proceed with the performance of this Contract, including the delivery of Goods or providing of services in accordance with the State's instructions. Contractor's failure

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to diligently proceed in accordance with the State's instructions shall be considered a material breach of this Contract.

c) Any final decision of the State shall be expressly identified as such, shall be in writing, and shall be signed by the Department Director or designee or Deputy Director, Procurement Division if an appeal was made. If the State fails to render a final decision within 90 days after receipt of Contractor's demand, it shall be deemed a final decision adverse to Contractor's contentions. The State's final decision shall be conclusive and binding regarding the dispute unless Contractor commences an action in a court of competent jurisdiction to contest such decision within 90 days following the date of the final decision or one (1) year following the accrual of the cause of action, whichever is later.

39. **STOP WORK:**

a) The State may, at any time, by written Stop Work Order to the Contractor, require the Contractor to stop all, or any part, of the work called for by this Contract for a period up to 90 days after the Stop Work Order is delivered to the Contractor, and for any further period to which the parties may agree. The Stop Work Order shall be specifically identified as such and shall indicate it is issued under this clause. Upon receipt of the Stop Work Order, the Contractor shall immediately comply with its terms and take all reasonable steps to minimize the incurrence of costs allocable to the work covered by the Stop Work Order during the period of work stoppage. Within a period of 90 days after a Stop Work Order is delivered to the Contractor, or within any extension of that period to which the parties shall have agreed, the State shall either:

i) Cancel the Stop Work Order; or

ii) Terminate the work covered by the Stop Work Order as provided for in the termination for default or the termination for convenience clause of this Contract.

b) If a Stop Work Order issued under this clause is canceled or the period of the Stop Work Order or any extension thereof expires, the Contractor shall resume work. The State shall make an equitable adjustment in the delivery schedule, the Contract price, or both, and the Contract shall be modified, in writing, accordingly, if:

i) The Stop Work Order results in an increase in the time required for, or in the Contractor's cost properly allocable to the performance of any part of this Contract; and

ii) The Contractor asserts its right to an equitable adjustment within 30 days after the end of the period of work stoppage; provided, that if the State decides the facts justify the action, the State may receive and act upon a proposal submitted at any time before final payment under this Contract.

c) If a Stop Work Order is not canceled and the work covered by the Stop Work Order is terminated in accordance with the provision entitled Termination for the Convenience of the State, the State shall allow reasonable costs resulting from the Stop Work Order in arriving at the termination settlement.

d) The State shall not be liable to the Contractor for loss of profits because of a Stop Work Order issued under this clause.

40. **PRIORITY HIRING CONSIDERATIONS:** If this Contract includes services in excess of $200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with PCC Section 10353.

41. **COVENANT AGAINST GRATUITIES:** The Contractor warrants that no gratuities (in the form of entertainment, gifts, or otherwise) were offered or given by the Contractor, or any agent or representative of the Contractor, to any officer or employee of the State with a view toward securing the Contract or securing favorable treatment with respect to any determinations concerning the performance of the Contract. For breach or violation of this warranty, the State shall have the right to terminate the Contract, either in whole or in part, and any loss or damage sustained by the State in procuring on the open market any items which Contractor agreed to supply shall be borne and paid for by the Contractor. The rights and remedies of the State provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or in equity.

42. **NONDISCRIMINATION CLAUSE:**

a) During the performance of this Contract, Contractor and its subContractors shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment because of sex, sexual orientation, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (cancer), age, marital status, and denial of family care leave. Contractor and subContractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subContractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12990 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this Contract by reference and made a part hereof as if set forth in full. Contractor and its subContractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

b) The Contractor shall include the nondiscrimination and compliance provisions of this clause in all subContracts to perform work under the Contract.

43. **NATIONAL LABOR RELATIONS BOARD CERTIFICATION:** Contractor swears under penalty of perjury that no more than one final, unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two-year period because of the Contractor's failure to comply with an order of the National Labor Relations Board. This provision is required by, and shall be construed in accordance with, PCC Section 10296.

44. **ASSIGNMENT OF ANTITRUST ACTIONS:** Pursuant to Government Code Sections 4552, 4553, and 4554, the following provisions are incorporated herein:

a) In submitting an offer to the State, the supplier offers and agrees that if the offer is accepted, it will assign to the State all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. 15)

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or under the Cartwright Act (Chapter 2, commencing with Section 16700, of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of Goods, material, or services by the supplier for sale to the State pursuant to the solicitation. Such assignment shall be made and become effective at the time the State tenders final payment to the supplier.

b) If the State receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the State any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the State as part of the offer price, less the expenses incurred in obtaining that portion of the recovery.

c) Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and

   i) the assignee has not been injured thereby, or

   ii) the assignee declines to file a court action for the cause of action.

45. **DRUG-FREE WORKPLACE CERTIFICATION:** The Contractor certifies under penalty of perjury under the laws of the State of California that the Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) and will provide a drug-free workplace by taking the following actions:

   a) Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).

   b) Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b) to inform employees about all of the following:

      i) the dangers of drug abuse in the workplace;

      ii) the person's or organization's policy of maintaining a drug-free workplace;

      iii) any available counseling, rehabilitation and employee assistance programs; and,

      iv) penalties that may be imposed upon employees for drug abuse violations.

   c) Provide, as required by Government Code Section 8355(c), that every employee who works on the proposed or resulting Contract:

      i) will receive a copy of the company's drug-free policy statement; and,

      ii) will agree to abide by the terms of the company's statement as a condition of employment on the Contract.

46. **FOUR-DIGIT DATE COMPLIANCE:** Contractor warrants that it will provide only Four-Digit Date Compliant (as defined below) Deliverables and/or services to the State. "Four Digit Date Compliant" Deliverables and services can accurately process, calculate, compare, and sequence date data, including without limitation date data arising out of or relating to leap years and changes in centuries. This warranty and representation is subject to the warranty terms and conditions of this Contract and does not limit the generality of warranty obligations set forth elsewhere herein.

47. **SWEATFREE CODE OF CONDUCT:**

   a) Contractor declares under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the State pursuant to the Contract have been produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. Contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

   b) Contractor agrees to cooperate fully in providing reasonable access to its records, documents, agents or employees, or premises if reasonably required by authorized officials of the State, the Department of Industrial Relations, or the Department of Justice to determine Contractor's compliance with the requirements under paragraph (a).

48. **RECYCLING:** The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post consumer material as defined in the Public Contract Code Section 12200, in products, materials, Goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (PCC 12205).

49. **CHILD SUPPORT COMPLIANCE ACT:** For any Contract in excess of $100,000, the Contractor acknowledges in accordance with PCC Section 7110, that:

   a) The Contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with Section 5200) of Part 5 of Division 9 of the Family Code; and

   b) The Contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

50. **AMERICANS WITH DISABILITIES ACT:** Contractor assures the State that Contractor complies with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq).

51. **ELECTRONIC WASTE RECYCLING ACT OF 2003:** The Contractor certifies that it complies with the requirements of the Electronic Waste Recycling Act of 2003, Chapter 8.5, Part 3 of Division 30, commencing with Section 42460 of the Public Resources Code, relating to hazardous and solid waste. Contractor shall maintain documentation and provide reasonable access to its records and documents that evidence compliance.

52. **USE TAX COLLECTION:** In accordance with PCC Section 10295.1, Contractor certifies that it complies with the requirements of Section 7101 of the Revenue and Taxation Code. Contractor further certifies that it will immediately advise State of

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any change in its retailer's seller's permit or certification of registration or applicable affiliate's seller's permit or certificate of registration as described in subdivision (a) of PCC Section 10295.1.

53. **EXPATRIATE CORPORATIONS:** Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of PCC Section 10286 and 10286.1, and is eligible to Contract with the State.

54. **DOMESTIC PARTNERS:** For Contracts over $100,000 executed or amended after January 1, 2007, the Contractor certifies that the Contractor is in compliance with Public Contract Code section 10295.3.

55. **SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:**
    a) If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)
    b) If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract;
    (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and
    (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

56. **LOSS LEADER:** It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10302(b).).

ADDITIONAL CMAS TERMS AND CONDITIONS

57. **CMAS -- CONTRACTOR'S LICENSE REQUIREMENTS:**
    Contracts that include installation or the wording "Furnish and Install" require at the time of Contract award that Contractors possess a valid California State Contractor's License. If sub-Contractors are used, they must also possess a valid California State Contractor's License. All businesses which construct or alter any building, highway, road, parking facility, railroad, excavation, or other structure in California must be licensed by the California State License Board (CSLB) if the total cost (labor and materials) of the project is $500.00 or more. Failure to be licensed or to keep the license current and in good standing shall be grounds for Contract revocation.

58. **CMAS -- PUBLIC WORKS REQUIREMENTS (LABOR/INSTALLATION):**
    a) Prior to the commencement of performance, the Contractor must obtain and provide to the State, a payment bond, on Standard Form 807, when the Contract involves a public works expenditure (labor/installation costs) in excess of $5,000. Such bond shall be in a sum not less than one hundred percent (100%) of the Contract price. Forms shall be provided to the Contractor.
    b) In accordance with the provisions of Section 1773 of the California Labor Code, the Contractor shall, conform and stipulates to the general prevailing rate of wages, including employer benefits as defined in Section 1773.1 of the California Labor Code, applicable to the classes of labor to be used for public works such as at the delivery site for the assembly and installation of the equipment or materials under the purchase order. Pursuant to Section 1770 of the California Labor Code, the Department of Industrial Relations has ascertained the general prevailing rate of wages in the county in which the work is to be done, to be as listed in the Department of Transportation booklet entitled General Prevailing Wage Rates. The booklet is compiled monthly and copies of the same are available from the Department of Industrial Relations, Prevailing Wage Unit at www.dir.ca.gov (select Statistics & Research) or (415) 703-4774. The booklet is required to be posted at the job site.
    c) The Contractor hereby certifies by signing this Contract that:
        i) Contractor has met or will comply with the standards of affirmative compliance with the Non-Discrimination Clause Requirements included herein.
        ii) Contractor is aware of the provisions of Section 3700 of the Labor Code that require every employer to be insured against liability for workmen's compensation or to undertake self-insurance in accordance with the provisions of that Code, and Contractor will comply with such provisions before commencing the performance of the work of the purchase order.
    d) Laws to be Observed
        i) Labor
        Pursuant to Section 1775 of the California Labor Code the Contractor shall, as a penalty to the State or Political subdivision on whose behalf the purchase order is made or awarded, forfeit not more than fifty ($50.00) for each calendar day, or portions thereof, for each worker paid by him or subContractor under him, less than the prevailing wage so stipulated; and in addition, the Contractor further agrees to pay to each workman the difference between the actual amount paid for each calendar day, or portions thereof, and the stipulated prevailing wage rate for the same. This provision shall not apply to properly indentured apprentices.

        Pursuant to Sections 1810-1815 of the California Labor Code, inclusive, it is further agreed that the maximum hours a worker is to be employed is limited to eight hours a day and forty hours a week and the Contractor shall forfeit, as a penalty to the State, twenty-five ($25) for each worker employed in the execution of the purchase order for each calendar day during which a workman is required or permitted to labor more than eight hours in any calendar day or more than forty hours in any calendar week, in violation of California Labor Code Sections 1810-1815, inclusive.
        ii) Worker's Compensation Insurance

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The Contractor will be required to secure the payment of compensation to its employees in accordance with the provisions of Labor Code Section 3700.

iii) Travel and Subsistence Payments
Travel and subsistence payments shall be paid to each worker needed to execute the work, as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with Labor Code Section 1773.8.

iv) Apprentices
Special attention is directed to Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code and Title 8, California Administrative Code Section 200 et seq. Each Contractor and/or subContractor must, prior to commencement of the public works Contract/purchase order, contact the Division of Apprenticeship Standards, 525 Golden Gate Avenue, San Francisco, CA, or one of its branch offices to insure compliance and complete understanding of the law regarding apprentices and specifically the required ratio thereunder. Responsibility for compliance with this section lies with the prime Contractor.

v) Payroll
The Contractor shall keep an accurate payroll record /showing the name, social security account, and work classification specific and straight time and overtime hours worked by each employee. A certified copy of the employee's payroll record shall be available for inspection as specified in section 1776 of the California Labor Code.

59. **CMAS -- TERMINATION OF CMAS CONTRACT:**
   a) The State may terminate this CMAS Contract at any time upon 30 days prior written notice.
   b) If the Contractor's GSA Multiple Award Schedule is terminated within the term of the California Multiple Award Schedule, the California schedule shall also be considered terminated on the same date.
   c) Upon termination or other expiration of this Contract, each party will assist the other party in orderly termination of the Contract and the transfer of all assets, tangible and intangible, as may facilitate the orderly, nondisrupted business continuation of each party.
   d) Prior to the expiration of this Contract, this Contract may be terminated for the convenience of both parties by mutual consent.
   e) This provision shall not relieve the Contractor of the obligation to perform under any purchase order or other similar ordering document executed prior to the termination becoming effective.

60. **CMAS -- CONTRACT AMOUNT**: There is no guarantee of minimum purchase of Contractor's products or services by the State.

61. **CMAS -- DEBARMENT CERTIFICATION (FEDERALLY FUNDED CONTRACTS)**: When Federal funds are being expended, the prospective recipient of Federal assistance funds is required to certify to the Buyer, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

62. **CMAS -- PURCHASE ORDERS FUNDED IN WHOLE OR PART BY THE FEDERAL GOVERNMENT**: All Contracts (including individual orders), except for State construction projects, which are funded in whole or in part by the federal government may be canceled with 30 days notice, and are subject to the following:
   a) It is mutually understood between the parties that this Contract (order) may have been written before ascertaining the availability of congressional appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays which would occur if the Contract (order) were executed after that determination was made.
   b) This Contract (order) is valid and enforceable only if sufficient funds are made available to the State by the United States Government for the fiscal year during which the order was generated for the purposes of this program. In addition, this Contract (order) is subject to any additional restrictions, limitations, or conditions enacted by the Congress or any statute enacted by the Congress that may affect the provisions, terms or funding of this Contract (order) in any manner.
   c) It is mutually agreed that if the Congress does not appropriate sufficient funds for the program, this Contract (order) shall be amended to reflect any reduction in funds. The department has the option to void the Contract (order) under the 30-day cancellation clause or to amend the Contract to reflect any reduction of funds.

63. **CMAS -- CONFLICT OF INTEREST:**
   a) Current State Employees (Public Contract Code Section 10410):
      i) No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any State agency, unless the employment, activity or enterprise is required as a condition of regular State employment.
      ii) No officer or employee shall Contract on his or her own behalf as an independent Contractor with any State agency to provide Goods or services.
   b) Former State Employees (Public Contract Code Section 10411):
      i) For the two-year period from the date he or she left State employment, no former State officer or employee may enter into a Contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the Contract while employed in any capacity by any State agency.
      ii) For the twelve-month period from the date he or she left State employment, no former State officer or employee may enter into a Contract with any State agency if he or she was employed by that State agency in a policy-making position in the same general subject area as the proposed Contract within the twelve-month period prior to his or her leaving State service.

64. **CMAS -- SUBCONTRACTING REQUIREMENTS:**
Any subContractor that the CMAS supplier chooses to use in fulfilling the requirements of this Contract/purchase order, and which is expected to receive more than ten (10) percent of value of the Contract/purchase order, must also meet all Contractual, administrative, and technical requirements of the Contract/purchase order, as applicable.

65. **CMAS -- RENTAL AGREEMENTS:**

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The State does not agree to:

- Indemnify a Contractor;
- Assume responsibility for matters beyond its control;
- Agree to make payments in advance;
- Accept any other provision creating a contingent liability against the State; or
- Agree to obtain insurance to protect the Contractor.

The State's responsibility for repairs and liability for damage or loss is restricted to that made necessary by or resulting from the negligent act or omission of the State or its officers, employees, or agents.

If the Contractor maintains the equipment, the Contractor must keep the equipment in good working order and make all necessary repairs and adjustments without qualification. The State may terminate for default or cease paying rent should the Contractor fail to maintain the equipment properly.

Personal property taxes are not generally reimbursed when leasing equipment (SAM 8736).

66. **CMAS -- LEASE (Lease $Mart ™):** If an agency desires to lease through Lease $Mart ™, the Contractor agrees to sell to lessor the assets at the same price as they agree to sell to the State.

67. **CMAS -- QUARTERLY REPORTS:** Contractors are required to submit quarterly business activity reports, as specified in this Contract, even when there is no activity. A separate report is required for each Contract, as differentiated by alpha suffix.

68. **CMAS -- LIQUIDATED DAMAGES:**
In the event that the Contractor fails to deliver in accordance with the Contract requirements, the parties agree that the delay will interfere with the proper implementation of the State's programs, to the loss and damage of the State. From the nature of the case, it would be impracticable and extremely difficult to fix the actual damages sustained in the event of any such delay. The State and Contractor, therefore, presume that in the event of any such delay the amount of damage which will be sustained from a delay will be the amounts set forth in the Statement of Work, and the State and the Contractor agree that in the event of any such delay, the Contractor shall pay such amounts as liquidated damages and not as a penalty. Amounts due the State as liquidated damages may be deducted by the State from any money payable to the Contractor. The State shall notify the Contractor in writing of any claim for liquidated damages pursuant to this paragraph on or before the date State deducts such sums from money payable to the Contractor.

69. **CMAS -- PROGRESS PAYMENTS/PERFORMANCE BONDS:**
In accordance with PCC 10314: Any Contract for Goods to be manufactured by the Contractor specially for the State and not suitable for sale to others in the ordinary course of the Contractor's business may provide, on such terms and conditions as the department deems necessary to protect the State's interests, for progress payments for work performed and costs incurred at the Contractor's shop or plant, provided that not less than 10 percent of the Contract price is required to be withheld until final delivery and acceptance of the Goods, and provided further, that the Contractor is required to submit a faithful performance bond, acceptable to the department, in a sum not less than one-half of the total amount payable under the Contract securing the faithful performance of the Contract by the Contractor.

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EASYTURF EASYPLAY (MIN 500 SQ.FT)

Mfr Part No.:	EASYTURF EASYPLAY (MIN 500 SQ.FT)
Manufacturer:	FIELDTURF
Contract No.:	GS-07F-9631S (ends: Aug 6, 2016)
MAS Schedule/SIN:	078/192 09
Warranty:	8 YR
Made In:	UNITED STATES OF AMERICA

- Desc

1L (SF), EasyTurf EasyPlay is comprised of single-color premium UV-resistant polyethylene fibrillated silt-film blades. It is made using 100% polyethylene fiber construction containing no nylon. Each fiber is cut into a unique interior honeycomb pattern, making EasyPlay one of the strongest and most resilient synthetic grass options for high-use areas. Designed specifically for commercial applications, this quality synthetic grass is ideal for large common areas, parade grounds, parks and high-trafficindoor sports applications. EasyPlay significantly reduces water consumption, eliminates the need for harmful fertilizers and pesticides, and improves drainage and erosion control.

Compare Available Sources

Quantity: Add to Cart

Instructions: Select price below, enter qty at left, then Add to Cart. To view another contractor description, simply select the Contractor in the list below. ◈Indicates when volume discounts are offered.

	Price/Unit	Contractor	Socio	Deliv Days	Min	FOB/Shipping
◈	**$9.49** EA	FIELDTURF USA INC.	o	60 days delivered ARO	$2,000.00	D-CONUS,AK,PR,HI

Item No. G.3

GSA Advantage!

No image available at this time

EASYTURF DRAINAGE TILES (MIN 500 SQ.FT)

Mfr Part No.:	EASYTURF DRAINAGE TILES (MIN 500 SQ.FT)
Manufacturer:	FIELDTURF
Contract No.:	GS-07F-9631S (ends: Aug 6, 2016)
MAS Schedule/SIN:	078/192 09
Warranty:	8 YR
Made In:	UNITED STATES OF AMERICA

- Desc

1L (SF), EasyTurf Drainage Tiles are recommended for use with a non-permeable liner or hard non-permeable surfaces such as concrete or asphalt. EasyTurf Drainage Tiles maximize drainage over these surfaces, allowing FieldTurf synthetic grass systems to drainas designed. Installation of EasyTurf Drainage Tiles reduces base installation time by approximately 30%, while also reducing the amount of ground prep necessary during a synthetic grass installation.

$1.47 EA

sold and shipped by FIELDTURF USA INC.

visit contractor's website

Compare Available Sources

Quantity:

Instructions: Select price below, enter qty at left, then Add to Cart. To view another contractor description, simply select the Contractor in the list below. Indicates when volume discounts are offered.

Price/Unit	Contractor	Socio	Deliv Days	Min	FOB/Shipping
$1.47 EA	FIELDTURF USA INC.	o	60 days delivered ARO	$2,000.00	D-CONUS,AK,PR,HI

GSA Advantage!

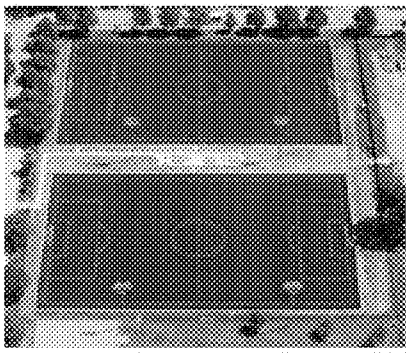

Enlarge/More Views >>

$6,716.50 EA

sold and shipped by
FIELDTURF USA INC.

visit contractor's website

SOCCER MARKINGS

Mfr Part No.:	SOCCER MARKINGS
Contractor Part No.:	SOCCER MARKINGS
Manufacturer:	FIELDTURF
Contract No.:	GS-07F-9631S (ends: Aug 6, 2016)
MAS Schedule/SIN:	078/192 09
Warranty:	8 YR
Made In:	UNITED STATES OF AMERICA

- Desc

1L (ST), Permanent soccer markings

Compare Available Sources

Quantity: 1 Add to Cart

Instructions: Select price below, enter qty at left, then Add to Cart. To view another contractor description, simply select the Contractor in the list below. Indicates when volume discounts are offered.

	Price/Unit	Contractor	Socio	Photo	Deliv Days	Min	FOB/Shipping
	$6,716.50 EA	FIELDTURF USA INC.	o		60 days delivered ARO	$2,000.00	D-CONUS,AK,PR,HI

Item No. G.3

FieldTurf A Tarkett Sports Company | EASYTURF A FieldTurf Company

Bid Proposal for City of Moreno Valley Outdoor Soccer Arena

PRODUCTS & INSTALLATION

1. EasyTurf to install 15,700 square feet of the following products:

   EasyTurf EasyPlay - MAS Schedule/SIN: 078/192 09
   EasyTurf EasyPlay is comprised of a single-color of premium UV-Resistant Polyethylene Parallel Fibrillated Slit-Film blades. It is made using 100% polyethylene fiber construction containing no nylon. EasyTurf to supply and install Patented Infill System with silica sand and crumb rubber and this high quality synthetic grass is ideal for main gate areas; headquarter lawns, housing areas, public walkways, obstacle courses, parks and common areas. It significantly reduces water consumption, eliminates the need for harmful fertilizers and pesticides, and improves drainage and erosion control.

   EasyTurf Drainage Tiles- MAS Schedule/SIN: 078/192 09
   EasyTurf Drainage Tiles deliver the Precision Performance and Maximized Drainage that the player and the facility demand. Consistent response throughout the field ensures that elite levels of play can always be reached. Maximizing the drainage ensures the on-field performance when the weather gets tough. Wet or dry your level of play remains the same. The installation of the EDT system is user friendly and reduces base installation time by approximately 30% while reducing base costs by up to 50%. Your players and facility demand the best.

   Soccer Markings - MAS Schedule/SIN: 078/192 09
   Permanent Soccer Markings for a Soccer Field

2. FieldTurf to supply and install Patented Infill System with silica sand and crumb rubber to simulate the look and feel of natural grass.

3. FieldTurf to provide an eight (8) year, third-party pre paid insured warranty for all products.

Pricing (GSA/CMAS Contract Number): GS-07F-9631 (ends: Aug 6, 2016)	**GSA Unit Price**	**Total**
Installation of 15,700 Square Feet of EasyTurf EasyPlay	$9.49 x 15,700 Sq Ft	$148,993.00
Installation of 15,700 Square Feet of EASYTURF DRAINAGE TILES	$1.47 x 15,700 Sq Ft	$ 23,079.00
Installation of Permanent Soccer Markings	$6,716.50	$ 6,716.50
Total		**$178,788.50**

Name: _____ **Organization:** _____

Signature: _____ **Title:** _____ **Date:** _____

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MV00160893

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Rick Teichert, Financial & Administrative Services Director

AGENDA DATE: April 10, 2012

TITLE: INTRODUCTION OF ORDINANCE AMENDING CHAPTER 3.12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE CITY'S PURCHASING REGULATIONS

RECOMMENDED ACTION

The Finance Sub-Committee recommends that the City Council approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations.

BACKGROUND

The City's Purchasing Ordinance was last updated in 2009. City Council has expressed interest in updating the Local Vendor Preference portion of the purchasing regulations to support and grow the local economy and to provide jobs within the community.

Changes in State law regarding public projects require an amendment to Section 3.12.300 of the City's ordinance to comply with the requirement to maintain a list of qualified contractors for the selection of contractors to perform informal procurements for public projects.

DISCUSSION

Two changes to the Purchasing Ordinance are detailed as follows:

Local Small Business Preference:

The Purchasing Ordinance, as currently written in section 3.12.150, provides for a 1% "local vendor preference", but only when the quality and pricing of contracted materials and services are equal. Therefore, if all factors in a bid are equal, the award would go to a bidder located within the City based on a 1% preference. Staff has researched the ability to provide a preference to local businesses greater than the current 1% allowed by the City's Purchasing Ordinance. Staff discovered that a number of cities were providing greater local preferences. Upon consultation with the City Attorney, staff was advised that some of the cities providing greater local preference in their purchasing ordinances were charter cities. The City Attorney advised that Moreno Valley, as a General Law city, could utilize the provisions of Public Contract Code Section 2002 to provide a small business preference; this code section reads:

> **2002.** (a) Notwithstanding any other provision of law requiring a local agency to award contracts to the lowest responsible bidder, any local agency may do any of the following in facilitating **contract** awards to small businesses:
>
> (1) Provide for a small business preference in construction, the procurement of goods, or the delivery of services where responsibility and quality are equal. The preference to a small business shall be up to 5 percent of the lowest responsible bidder meeting specifications.
>
> (2) Establish a subcontracting participation goal for small businesses on contracts and grant a preference, up to a maximum of 5 percent, to those bidders who meet the goal.
>
> (3) Require bidders to make good faith efforts to meet a subcontracting participation goal for small business contracts. Bidders that fail to meet the goal shall demonstrate that they made good faith efforts to utilize small business contractors.
>
> (b) The term "small business," as used in this section, shall be defined by each local agency.

In an effort to promote local small businesses and stimulate the local economy, the local vendor preference will be deleted and replaced with a "local small business preference" afforded to local small businesses (as allowed by California Public Contracts Code, Section 2002) to provide a five-percent (5%) advantage to local small business vendors, regardless of ranking to the lowest responder, who are responding to provide the City non-professional services, supplies, materials and equipment (see pages #7-8 of the Purchasing Ordinance 3.12).

Where the local small business vendor's price is not the lowest price, their response would be evaluated to verify if it is within 5% of the low responder. If within 5% of the lowest responder, the lowest responding local small business vendor is selected to negotiate a satisfactory contract with the City. If the local small business vendor successfully negotiates a satisfactory contract with the City, they are awarded the contract. This provides an opportunity to keep the contract award local, benefiting a local small business vendor, but potentially at no additional cost to the City. If the local vendor does not meet the City's requirements for satisfactory terms, the next lowest local small business vendor may be afforded the opportunity to negotiate a satisfactory contract with the City, or the City will negotiate with the lowest responding vendor. This option potentially allows the local small business vendor to make the sale and to receive

business from the city. The city receives the item at the best terms it is able to negotiate, while the community benefits from keeping business local.

Public Projects Update:
Per California Public Contract Code (PCC), pursuant to Article 2 (commencing with Section 22010),

> *"The agency shall enact an informal bidding ordinance to govern the selection of contractors to perform public projects pursuant to subdivision (b) of Section 22032.*
>
> *And;*
>
> Pursuant to subdivision (b) of Section 22032, *"a public agency shall maintain a list of qualified contractors for the selection of contractors to perform informal public projects".*

The Purchasing Ordinance has been silent to this requirement and simply required following the PCC. This update will fulfill the state PCC requirement. See page #12 of the Purchasing Ordinance.

All proposed revisions to the Purchasing Ordinance are shown in the attached redline version of the Ordinance to facilitate Council's review.

ALTERNATIVES

1. Approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations. The revisions proposed by staff and the Finance Sub-Committee to:
    a. Adopt the 5% Local Vendor Preference. (***This alternative is recommended by staff and the Finance Sub-Committee***); and
    b. Adopt the Public Project Update according to PCC 22010 (***This alternative is recommended by staff and the Finance Sub-Committee)***.

2. Approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, regarding purchasing regulations, with additional revisions as directed by the City Council.

3. Do not approve the introduction of Ordinance No.844; maintain the current Purchasing Ordinance without revision.

4. Provide staff with further direction.

FISCAL IMPACT

There is no fiscal impact to the City.

CITY COUNCIL GOALS

Positive Environment. Create a positive environment for the development of Moreno Valley's future. By offering an additional five percent (5%) bid advantage to local vendors, the City is supporting local businesses which will enhance local business relationships, thus creating a positive business environment.

SUMMARY

The City's current Purchasing Ordinance provides for a 1% "local merchant preference" but only when quality and pricing of contracted services are equal. The ordinance is updated to comply with State Public Contracting Code related to requirements for informal bidding procedures. In an effort to promote local businesses and stimulate the local economy, the Purchasing Ordinance has been revised to provide a five-percent (5%) consideration to local vendors who are bidding on City materials and services. This preference will promote local businesses.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Attachment "A" - Revised Purchasing Ordinance

Prepared By:
Rix Skonberg
Purchasing & Facilities Division Manager

Department Head Approval:
Rick Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT "A"

REVISED PURCHASING ORDINANCE NO. 844

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 3 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTER 3.12, PURCHASING.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 3.12 of Title 3 of the City of Moreno Valley Municipal Code is hereby repealed, the repeal to be effective only upon the effective date of the reenactment of said Chapter 3.12, as set forth in Section 2 of this Ordinance.

SECTION 2. REENACTMENT OF CHAPTER 3.12:

2.1 Chapter 3.12 of Title 3 of the City of Moreno Valley Municipal Code is hereby reenacted in its entirety to read as follows:

Chapter 3.12

PURCHASING

Sections:

3.12.010 Definitions.
3.12.020 General—Purpose.
3.12.025 Requisites for contract enforceability.
3.12.030 General—Establishment of centralized purchasing system.
3.12.040 General—Delegation of purchasing authority.
3.12.050 General—Procurement methods.
3.12.060 General—Award criteria.
3.12.070 General—Protest procedures.
3.12.080 General—Single source and sole source.
3.12.090 General—State and federal funds.
3.12.100 General—Conflict of interest and unlawful activity.
3.12.110 General—Collusion with bidder.
3.12.120 General—Collusion by bidder.
3.12.130 General—Monetary limits.
3.12.140 General—Emergency purchases.
3.12.150 Materials, supplies and equipment—Local vendor preference.
3.12.160 Materials, supplies and equipment—Record keeping of informal quotes.

3.12.170 Materials, supplies and equipment—Bid limits.
3.12.180 Materials, supplies and equipment—Publication of notice inviting formal bids.
3.12.190 Materials, supplies and equipment—Bidder's security.
3.12.200 Materials, supplies and equipment—Authorization and execution of contract.
3.12.210 Materials, supplies and equipment—Rejection of bids.
3.12.220 Materials, supplies and equipment—Tie formal bids.
3.12.230 Materials, supplies and equipment—No formal bids received.
3.12.240 Materials, supplies and equipment—Withdrawal or correction of formal bid.
3.12.250 Materials, supplies and equipment—Waiver of formal bid procedures.
3.12.260 Materials, supplies and equipment—Cooperative purchasing or "piggybacking."
3.12.270 Contracted services—General.
3.12.280 Contracted services—Paid for by others.
3.12.290 Contracted services—Legal services.
3.12.300 Public projects—General.
3.12.310 Public projects—Professional services.
3.12.320 Severability
3.12.330 Debarment or Suspension (federally funded contractors)

3.12.010 Definitions.

"Cooperative purchasing" means a form of intergovernmental cooperative purchasing in which one government agency or jurisdiction performs the solicitation and award process for several agencies or jurisdictions, but separate contracts or purchase orders are executed between each participating agency and the vendor; the agency contracting for the prices bears no contractual responsibility to the vendor. (See "piggyback")

"Direct pay form" means a method of payment submitted to the Financial & Administrative Services Department for payment of a commodity or service, typically after it has been procured. Administrative policies and regulations shall apply.

"Emergency" means the existence or threatened existence of conditions of extreme peril to the safety of persons and property within the City that may vitally affect the life, health or convenience of citizens. Events of: (1) disaster such as caused by fire, flood, storm, epidemic, riot, earthquake, drought, energy shortage, the existence or threatened existence of which has been proclaimed by the City Council or the City Manager in his/her capacity as Director of Emergency Services; or (2) the existence of a breakdown in machinery, equipment or essential governmental services which requires the immediate purchase of materials, supplies, equipment or services to protect the public health, safety or general welfare of the residents of the City; or (3) where an essential governmental operation affecting the public health, safety or general welfare could be greatly hampered or disrupted by following the standard procurement procedures.

"Force account" means any work that is performed by current City staff (force).

"Formal bid" means a bid that must be submitted in a sealed envelope and in conformance with a prescribed format to be opened in public at a specified time.

"General prevailing rate of per diem wages" means the payment of prevailing wages upon public works as defined in Section 16000 of the California Code of Regulations Title 8, Group 3.

"Informal bid" means a competitive bid or price quotation for supplies or services that is conveyed by letter, telephone, or other means and does not require a sealed bid, public opening, or reading of bids.

"Local small business vendor" means a business entity that has for at least the last twelve (12) months prior to submittal of its RFP response or quote (i) held a current business license issued by the City, and (ii) maintained fixed offices or distribution points located within the City's geographic boundaries, and (iii) that either employs fewer than one hundred (100) employees or has average annual gross receipts of ten million dollars ($10,000,000) or less over the previous three years. .

"Lowest responsible bidder" means the bidder or offeror that submitted a responsive bid or quote at the lowest price of all the responsive bids or quotes submitted, and whose past performance, reputation and financial capability is deemed acceptable. (See "responsible bidder")

"Piggyback" means the form of intergovernmental cooperative purchasing in which a public agency requests competitive sealed bids, enters into a contract and arranges, as part of the contract, for other public agencies to purchase from the selected vendor under the same terms and conditions as itself. This process eliminates the need to competitively bid the particular item again. (See "cooperative purchasing")

"Professional services" means the services rendered by members of a recognized profession or possessing a special skill. Such services are generally acquired to obtain information, advice, training or direct assistance; includes any type of professional service that may be lawfully rendered but does not include "public projects".

"Public project" is defined in Sections 22002 and 22003 of the Public Contract Code as follows:

(1) Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.

(2) Painting or repainting of any publicly owned, leased, or operated facility.

(3) In the case of a publicly owned utility system, "public project" shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.

"Public project" does not include maintenance work. For purposes of this section, "maintenance work" includes all of the following:

(1) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.

(2) Minor repainting.

(3) Resurfacing of streets and highways at less than one inch.

(4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

(5) Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.

For purposes of this chapter, "facility" means any plant, building, structure, ground facility, utility system, subject to the limitation found in paragraph (3) of subdivision (c), real property, streets and highways, or other public work improvement.

A public agency which has, by resolution, elected to become subject to the uniform construction cost accounting procedures set forth in Article 2 (commencing with Section 22010), may utilize the bidding procedures set forth in Article 3 (commencing with Section 22030) when contracting for "maintenance work," as defined in Section 22002, or when contracting for any other work which does not fall within the definition of "public project," as defined in Section 22002.

"Public works contract" means an agreement or contract, awarded through competitive bids, for a public project that is for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind.

"Purchase order" means a purchaser's written document to a vendor formalizing all the terms and conditions of a proposed transaction and including or referring to all required elements of a contract. A purchase order is requested from the Purchasing Division by use of ~~city~~ a City purchase requisition form. It is to be utilized when a vendor requests a purchase order or when products cannot be procured through the use of the procurement card or other approved purchasing method.

"Responsible bidder" means a bidder or offeror who has the capability in all respects to perform fully the contract requirements and the experience, integrity, perseverance, reliability, capacity, facilities, equipment, and credit which will assure good faith performance.

"Request for proposal (RFP)" means all documents, whether attached or incorporated by reference, utilized for soliciting competitive proposals. Procedures for the RFP process are incorporated in administrative policy and may be changed as required from time to time.

"Request for quote (RFQ)" means an informal solicitation or request for information, where oral or written quotes are obtained from vendors, without formal advertising or receipt of sealed bids, such as small or emergency purchases, but price competition is desired. Procedures for the RFQ process are incorporated in administrative policy and may be changed as required from time to time.

"Single source" means a contract for the purchase of goods or services entered into after soliciting and negotiating only with one source, usually because of the technology required or uniqueness of the product or service provided. (Compare to "sole source")

"Sole source" means that only one vendor possesses the unique and singularly available capability to meet the requirement of the solicitation, such as technical qualifications, matching to currently owned equipment or supplies, the ability to deliver at a particular time, or services from a public utility. (Compare to "single source") (Ord. 587 § 2.1 (part), 2001)

3.12.020 General—Purpose.

The purpose of this chapter is to ensure that:

1. A purchasing system is efficient to the end user;
2. Goods and services are procured at a fair and competitive price;
3. All contracting, including public works contracts, follow all applicable state and federal laws and regulations;
4. This chapter shall be interpreted and construed to be consistent with state law. (Ord. 587 § 2.1 (part), 2001)

3.12.025 Requisites for contract enforceability.

Except as specifically provided by the City of Moreno Valley Municipal Code, now or in the future, the City is not bound by any contract unless the same shall be in writing and signed by the Mayor, after City Council approval, or by such other officer of the City as authorized by ordinance, resolution, or action of the City Council. (Ord. 624 § 1.8, 2003)

3.12.030 General—Establishment of centralized purchasing system.

A centralized purchasing system is established in order to:

1. Create efficient procedures for the acquisition of supplies, materials, equipment and services for the various departments of the City;
2. Exercise positive financial control over purchases;
3. Clearly define the authority for the purchasing function;
4. Assure the quality of purchases;
5. Purchase without favor or prejudice. (Ord. 587 § 2.1 (part), 2001)

3.12.040 General—Delegation of purchasing authority.

The City Manager may authorize any department to purchase supplies, materials, equipment and contractual services, provided that such purchases or contracts shall be made in conformity with this chapter and all applicable administrative policies and procedures. Such purchases or contracts shall be subject to review by the Purchasing Manager (or equivalent position). (Ord. 587 § 2.1 (part), 2001)

3.12.050 General—Procurement methods.

All procurement methods shall be in accordance with adopted policies and procedures. All purchase orders shall be signed by the Purchasing Manager or designated representative. The City Manager may adopt administrative policies that further implement the intent of this ordinance. Specifications for procurement may include references to brand name, for illustrative purposes only, provided each brand name used is followed by the words "or equal." (Ord. 587 § 2.1 (part), 2001)

3.12.060 General—Award criteria.

To the extent not inconsistent with state law the following guidelines are to be followed for awards made under this chapter. Awards shall be based on the best value to the City. The determination of best value shall be pursuant to the findings and recommendations presented by the Purchasing Manager at the time of award. Award criteria of contracts, agreements, instruments and conveyances not otherwise covered by this chapter may be prescribed by City Council resolution. (Ord. 587 § 2.1 (part), 2001)

3.12.070 General—Protest procedures.

To the extent not inconsistent with state law the following guidelines are to be followed for protests of awards made under this chapter. Any bidder, offeror or contractor who is allegedly

aggrieved in connection with the solicitation of a contract or purchase order may protest. Protests of the contents of the specifications shall not be considered. Protests must be received by the City Clerk no later than the close of business on the second City business day after the date of award. Protest documents will be date and time stamped by City personnel. Failure to submit a timely protest to the City Clerk shall bar consideration of such protest. It is the responsibility of the protestor to verify the date of award and that the City Clerk received their protest.

The City Manager or designee shall respond in writing to the protestor within five City business days. If the protestor wishes to appeal the decision rendered by the City Manager or designee, such appeal must be made in accordance with the provisions for appeal set forth in Chapter 2.04 of this code. All protests shall be in writing and must include the following information:

1. The name, address and telephone number of the protestor;
2. The signature of the protestor or protestor's representative;
3. The solicitation, bid or contract number;
4. A detailed statement of all legal and factual grounds for the protest;
5. All documentation supporting the protestor's grounds for the protest;
6. The form of relief requested and the legal basis for such relief. (Ord. 587 § 2.1 (part), 2001)

3.12.080 General—Single source and sole source.

Where applicable and not otherwise provided by state or federal law, purchasing from a single source or sole source may be permitted after written justification from the requesting department explaining why a single or sole source has been specified, and a factual finding by the person or body authorizing the purchase that it is in the best interest of the City to purchase without competitive purchasing. Single and sole source procedures are not applicable to public works projects except as permitted by state law. (Ord. 587 § 2.1 (part), 2001)

3.12.090 General—State and federal funds.

All applicable statutes, regulations, rules and guidelines are to be followed when using state or federal funds. (Ord. 587 § 2.1 (part), 2001)

3.12.100 General—Conflict of interest and unlawful activity.

Any evaluation or selection practice under this chapter that would result in unlawful activity including, but not limited to, any rebate, kickback or unlawful consideration is expressly prohibited. Any award of a contract where a public official has used his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest in any person or entity who seeks such a contract or in the outcome of the selection process in any way, is expressly prohibited. Employees of the City, who are related to persons or have interests in business entities seeking to contract under this chapter, shall not participate in any aspect of the contract review or selection process. (Ord. 587 § 2.1 (part), 2001)

3.12.110 General—Collusion with bidder.

Any employee of the City or any department thereof shall be deemed guilty of malfeasance and shall be disciplined in accordance with City personnel rules and regulations for engaging in any of the following activities:

1. Aiding or assisting a bidder in securing a contract to furnish supplies, materials, equipment or contractual services at a higher price than that proposed by any other bidder;
2. Favoring one bidder over another by giving or withholding information;
3. Willfully misleading any bidder in regard to any matter relevant to the competitive bidding process or the character of the materials or supplies called for by the contract;
4. Knowingly accepting commodities of a quality inferior to those called for by the contract contrary to best interest of the City;
5. Knowingly certifying to a greater amount of service or work performed than has actually been performed;
6. Knowingly certifying to the receipt of an amount or different kind of materials, supplies or equipment than have actually been received. (Ord. 587 § 2.1 (part), 2001)

3.12.120 General—Collusion by bidder.

If at any time it shall be found that the person, firm or corporation to whom a contract has been awarded has colluded with any other party or parties for the purpose of preventing any other bid being made or being made at a lower amount, then the contract so awarded shall be null and void. (Ord. 587 § 2.1 (part), 2001)

3.12.130 General—Monetary limits.

All monetary limits for signature and award authority shall be as set forth in a resolution of the City Council as adopted from time to time. (Ord. 587 § 2.1 (part), 2001)

3.12.140 General—Emergency purchases.

If an emergency occurs at a time other than during regular business hours, the City Manager may authorize City department heads to purchase directly, any supplies, materials, equipment or contractual services where immediate procurement is essential to prevent delays, in the work of the using department, which may vitally affect the life, health or convenience of citizens. The head of such using department shall submit, as soon as possible, to the Purchasing Manager, a record of the emergency purchase together with a report of the circumstances of the emergency. All emergency purchases, which would otherwise require City Council approval, shall be submitted to the City Council by the City Manager at the next regular City Council meeting for ratification. (Ord. 587 § 2.1 (part), 2001)

3.12.150 Materials, supplies and equipment—Local vendor preference.

A 5% preference shall be given to local small business vendors for the purchase of non-professional services, supplies, materials and equipment, quality and price being equal, provided the local small business vendor meets the requirements of this chapter. (Ord. 587 § 2.1 (part), 2001).

The following requirements apply:

1. The City may, but is not required to, consider a local small business vendor preference in awarding qualifying contracts.
2. To be considered for a local small business vendor preference, the business must qualify as a "local small business vendor" as defined in Section 3.12.010.
3. In determining whether to offer a qualified local small business vendor the preference, the City may consider its needs, the contract requirements, the qualifications of all vendors, and all other relevant factors.
4. The 5% local small business preference shall apply to all contracts awarded by the City except for the following contracts:
    a. A contract for a public project or any other contract required to be awarded to the lowest responsible bidder;
    b. A contract for professional services pursuant to Section 3.12.270.
    c. A contract, which if awarded based upon application of the local small business vendor preference, would be prohibited by state or federal law or regulation;
    d. Contracts required as a result of an emergency where a delay in the performance of the contract would jeopardize the public health, safety or welfare of the residents of the City;
    e. Contracts where a significant function of City government would be seriously threatened if the contract were not entered into expeditiously as determined by the City;
    f. A contract which if awarded based upon application of the local vendor preference would result in the loss of state or federal funding.

    .

5. Where competitive quotes or proposals are utilized and the lowest responder is not a local small business vendor, the purchasing officer shall provide the lowest local small business vendor, should one exist and its response is within 5% of the lowest responsible responder, with notice that the local small business vendor is the selected vendor.
6. Upon providing notice to the local small business vendor, the local small business vendor shall have two business days to negotiate a satisfactory contract with the City. In the event a satisfactory contract is negotiated, the contract will be awarded to the local small business vendor. In the event a satisfactory contract is not negotiated, the City may, but is not required to, negotiate and award the contract to:
    a. The next lowest local small business vendor responding with a cost within 5% of the actual lowest responder, in order of the lowest to highest value; or
    b. The actual lowest qualifying responder.

3.12.160 Materials, supplies and equipment—Record keeping of informal quotes.

The respective department responsible for an open market purchase using a procurement method other than a purchase order shall keep a record of quotations submitted for the purchase. The Purchasing Division shall maintain records of purchases made through the issuance of purchase orders. The Financial & Administrative Services Department shall maintain all other procurement method records. Such records shall be open to public inspection during business hours and shall

be subject to any fees or charges as may be established by City Council. (Ord. 587 § 2.1 (part), 2001)

3.12.170 Materials, supplies and equipment—Bid limits.

Except as otherwise provided by this chapter, as restricted by law or when directed by the City Manager, all purchases of materials, supplies and equipment shall be governed by City administrative policy.

3.12.180 Materials, supplies and equipment—Publication of notice inviting formal bids.

Notice inviting bids shall be published in a newspaper of general circulation and/or by any other method of advertising that is recognized and accepted for public agency purchasing and is consistent with applicable state law. Advertisements shall be at least fourteen (14) calendar days before the time of the bid opening. It shall be the responsibility of the Purchasing Manager to encourage as wide a response as possible from prospective vendors. Notice inviting bids shall state the time and place for the receiving and opening of sealed bids, a general description of the materials, supplies or equipment to be purchased, the location where bid documents and specifications may be secured and the cost, if any, of the documents and specifications. (Ord. 587 § 2.1 (part), 2001)

3.12.190 Materials, supplies and equipment—Bidder's security.

A. When not so required but deemed necessary or desirable by the Purchasing Manager, bids shall be accompanied by a bidder's security. Such security shall be in an amount not less than the amount specified by the notice inviting bids or in the specifications referred to therein, or if no amount is specified by the notice inviting bids, then in an amount not less than ten (10) percent of the aggregate amount of the bid.

B. If the successful bidder neglects or refuses to enter into the contract, or to provide the supplies, materials or equipment according to specifications within the required time, then the amount of the bidder's security shall be declared forfeited to the City. Amounts collected shall be paid into the appropriate fund. All bonds forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

C. All bids not submitted with the requested bidder's security shall be rejected. Unsuccessful bidders shall be entitled to the return of security when such has been requested.

D. When required bidder's security shall be made payable to the city and in one of the following forms:

1. Certified or cashier's check;
2. Bidders bond made payable to the City. Bond to be executed by a corporate surety authorized to engage in such business in California, and listed in the U.S. Department of Treasury's listing of approved sureties;
3. Cash (U.S. funds only). (Ord. 587 § 2.1 (part), 2001)

3.12.200 Materials, supplies and equipment—Authorization and execution of contract.

A. Award of contracts for which there are appropriated funds in the City Council approved budget, may be authorized by the City Manager based on levels prescribed by City Council reso-

lution. The Purchasing Manager will execute the contract based on the criteria of this chapter, pertinent resolution(s) and policies. Staff authorized to award contracts may defer to the City Manager or City Council for approval where deemed necessary or otherwise appropriate.

B. Award of bids for items over the prescribed amount authorized by City Council resolution, for which there are appropriated funds in the City Council approved budget, shall be made by the City Council. Once awarded by the City Council, the Mayor or the City Manager, or designee, shall sign such contracts.

3.12.210 Materials, supplies and equipment—Rejection of bids.

The City reserves the right to reject any or all bids and to waive any informality or technical defect in a bid. The City, after rejecting bids or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the City Manager, or designee, the purchase in question may be made without a formal bid procedure and may proceed to have said purchase made in the manner stated without further observation of the provisions of this section. (Ord. 587 § 2.1 (part), 2001)

3.12.220 Materials, supplies and equipment—Tie formal bids.

Except as otherwise provided in this chapter, if two or more formal bids received for the purchase of materials, supplies or equipment are for the same aggregate amount or unit price, quality and service being equal, and if the public interest will not permit the delay of re-advertising for bids, at its discretion and at the prescribed authority levels in this chapter, the Purchasing Manager or the City Council may accept either bid or the lowest bid made by and after negotiation with the tie bidders. (Ord. 587 § 2.1 (part), 2001)

3.12.230 Materials, supplies and equipment—No formal bids received.

When no bids or no responsive bids are received, the Purchasing Manager is authorized to negotiate for written proposals. Award of contract may be made in accordance with applicable provisions prescribed herein. (Ord. 587 § 2.1 (part), 2001)

3.12.240 Materials, supplies and equipment—Withdrawal or correction of formal bid.

A. Prior to bid opening date and time, bids submitted may be withdrawn by written or telegraphic request received by the City before the hour set for opening. After such hour it may not be withdrawn.

B. After bid opening date and time, any bidder who seeks to withdraw or modify a bid because of inadvertent computational error shall notify the Purchasing Manager no later than three City working days following the bid opening. The bidder shall provide worksheets and other such information as may be appropriate or required by the Purchasing Manager to substantiate the claim of inadvertent error. Failure to do so may bar such relief and allow recourse from the bid surety if applicable. The burden shall be upon the bidder to prove such error. (Ord. 587 § 2.1 (part), 2001)

3.12.250 Materials, supplies and equipment—Waiver of formal bid procedures.

In any of the following instances and not withstanding any provision of this chapter to the contrary, the formal bid procedures shall be dispensed with provided there exists an unencumbered appropriation in the program against which the expense is to be charged (approved budgeted item):

1. The commodity can be obtained from only one vendor (a sole source or single source), as prescribed in Section 3.12.080;
2. Acquisition of materials, supplies and equipment utilizing the "piggyback" process following all laws, rules and regulations;
3. The purchase of used material or equipment;
4. The purchase of materials, supplies and equipment from another government entity;
5. During an emergency;
6. California Multiple Award Schedule (CMAS) is utilized when competitively awarded by the State of California. (Ord. 624 § 1.6, 2003: Ord. 587 § 2.1 (part), 2001)

3.12.260 Materials, supplies and equipment—Cooperative purchasing or "piggybacking."

Where advantageous for the City and to the extent consistent with state law, the City Manager may authorize the Financial & Administrative Services Director or the Purchasing Manager to purchase supplies, materials, equipment or contractual services through legal, competitively awarded contracts with or of other governmental jurisdictions or public agencies, including California Multiple Award Schedules (CMAS) commonly referred to as "piggybacking," without further contracting, solicitation or formal bidding as described in this chapter. (Ord. 624 § 1.7, 2003: Ord. 587 § 2.1 (part), 2001)

3.12.270 Contracted services—General.

Due to the nature of contracts for service, formal bids shall not be required. Contracts for service, negotiated by the City, shall be based on the vendor's demonstrated competence and professional qualifications for the service required. Whenever possible, quotes should be obtained from at least three sources using the request for quote or the request for proposal process. Vendor selection, without obtaining three quotes, shall require justification to the City Manager or designee. Upon approval by the City Manager, or designee, each contract will be accompanied by a purchase order. Authority to contract for service is based on signature authority set forth by City Council resolution from time to time. (Ord. 587 § 2.1 (part), 2001)

3.12.280 Contracted services—Paid for by others.

The provisions of this chapter shall not apply to contracted services that are not paid for out of public funds. (Ord. 587 § 2.1 (part), 2001)

3.12.290 Contracted services—Legal services.

The provisions of this chapter shall not apply to attorney or consultant services contracted for under the direction of the City Attorney or other individual per the City Manager.
(Ord. 587 § 2.1 (part), 2001)

3.12.300 Public projects—General.

A. The process for obtaining contractors for work on a public project shall be in accordance with applicable provisions of California Public Contract Code Division 2, General Provisions. The City has adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act (the "Act") commencing with California Public Contract Code 22000-22045 (see Resolution No. 86-40). All public works contracts shall be advertised, bid, awarded in conformity with the Act and any other applicable state or federal law or regulation.

B. All public works contracts shall include all required clauses, as prescribed by federal and state laws and codes.

C. The City Council shall award contracts greater than the prescribed limit based on the most current public contract code. The City Manager may award and execute contracts, including all contracts for work performed under assessment district, community facilities district proceedings and for public works construction, improvement, repair, or maintenance up to the prescribed limit, except as restricted by law.

D. The payment of general prevailing rate of wages shall be required of all public works contracts, as required by the applicable state and/or federal law and regulations.

E. The alternative contracting procedures dollar amount limitations shall be in conformance with the Act, as amended from time to time, and any applicable regulations.

F. Informal bidding for the selection of contractors to perform public projects pursuant to subdivision (b) of Section 22032 of the Public Contract Code. This ordinance shall include all of the following:

(a) The public agency shall maintain a list of qualified contractors, identified according to categories of work. Minimum criteria for development and maintenance of the contractors list shall be determined by the Public Agency, consistent with the requirements of the commission.

(b) All contractors on the list for the category of work being bid or all construction trade journals specified in Section 22036, or both all contractors on the list for the category of work being bid and all construction trade journals specified in Section 22036, shall be mailed a notice inviting informal bids unless the product or service is proprietary.

(c) All mailing of notices to contractors and construction trade journals pursuant to subdivision (b) shall be completed not less than the prescribed limit, based on the most recent public contract code, before bids are due.

(d) The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.

(e) The governing body of the public agency may delegate the authority to award informal contracts to the public works director, general manager, purchasing agent, or other appropriate person.

(f) If all bids received are in excess of the prescribed limit based on the most current public contract code, the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at the higher prescribed limit based on the most current public contract code, or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

G. Public projects for emergency repair or replacement of public facilities may be let to contract by emergency contracting procedures shall be in conformance with the Public Contract Code, Section 22050, Emergency Contracting Procedures.

H. It shall be unlawful to split or separate a public project into smaller work orders or projects for the purpose of evading the provisions of Article 4, Division 2, Section 20163 of the Public Contract Code, requiring public work to be done by contract after competitive bidding. Every person who willfully violates this provision of this section is guilty of a misdemeanor, per Penal Code Section 19. (Ord. 587 § 2.1 (part), 2001)

I. The design-build method of construction may be utilized when following all local, state and federal laws.

3.12.310 Public projects—Professional services.

A. The process for obtaining professional and incidental services work shall be in accordance with the California Government Code Title 1, Division 5, Chapter 10, Section 4525 through Section 4529.8.

B. The process for obtaining professional and incidental services for federally financed projects shall be in accordance with the California Government Code Title 1, Division 5, Chapter 10, Section 4525 through Section 4529.5, Federal Property and Administrative Services Act of 1949 Title 40, USCA Section 541 through Section 544.

C. All public works professional service contracts shall include all required clauses, as prescribed by federal and state laws and codes.

D. Selection of professional services firms shall be based on demonstrated competence and qualifications for the types of services to be performed at fair and reasonable prices per Section 4526 of the Government Code. Furthermore, these procedures shall assure maximum participation of small business firms, as defined by the state's Director of General Services pursuant to Section 14837 of the Government Code.

E. The City Manager, or designee, shall negotiate a contract with the most qualified firm, except as provided for emergency purchases. (Ord. 587 § 2.1 (part), 2001)

3.12.320 Severability

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it

would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

3.12.330 Debarment or Suspension (federally funded contractors)
Where federal funding is utilized, in whole or part, the City of Moreno Valley shall solicit offers from, award contracts to, and consent to subcontracts with responsible contractors and ensure that they do not solicit offers from, award contracts to, or consent to subcontracts with contractors whose names are in the Excluded Parties List System (EPLS), as outlined in the Federal Acquisition Regulation (FAR) FAR 9.4, pursuant to the provisions of 31 U.S.C. 6101, note, E.O. 12549, E.O. 12689, 48 CFR 9.404

SECTION 3. EFFECT OF ENACTMENT:

3.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the City.

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this _____ day of _____, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

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MV00160913

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 10, 2012

TITLE: RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2012 TO DECEMBER 31, 2012

RECOMMENDED ACTION

Staff recommends that the City Council of the City of Moreno Valley serving as the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

1. Adopt Resolution No. 2012-22 approving a Second Recognized Obligation Payment Schedule, for the period of July 1, 2012 to December 31, 2012;

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the ROPS (Exhibit A to Resolution No. 2012-22) to the the Oversight Board for review and approval.

BACKGROUND

The City of Moreno Valley is the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley (RDA) pursuant to Part 1.85 of Division 24 of the Health and Safety Code. As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations due for Enforceable Obligations of the

former RDA. On February 28, 2012, the City Council adopted Resolution No. 2012-13 approving a Recognized Obligation Payment Schedule (ROPS) for the period of January 1, 2012 through June 30, 2012 to facilitate that process.

DISCUSSION

Enforceable Obligation Payment Schedule

In accordance with ABX1 26, the Successor Agency is required to adopt an Enforceable Obligation Payment Schedule ("EOPS"). The EOPS lists all of the Agency's legally binding and enforceable agreement obligations and anticipated payments. Enforceable obligations include bonds, loans, judgments, settlements, any legally binding and enforceable agreements or contracts, and contracts and agreements for agency administration or operation costs.

Section 34177(a)(1) of ABX1 26 provides that upon the dissolution of the Agency, the Successor Agency may only make those payments required pursuant to the most recent Enforceable Obligation Payment Schedule adopted by the Agency and the Successor Agency, and until such time the Recognized Obligation Payment Schedule becomes operative.

Recognized Obligation Payment Schedule

ABX1 26 requires the Successor Agency to approve a Recognized Obligation Payment Schedule ("ROPS"). The ROPS supersedes the EOPS, and is required for each six-month period.

Similar to the EOPS, the required content of the ROPS, set forth in Health and Safety Code Section 34177(l)(1), details all of the Agency's legally binding and enforceable obligations, anticipated payments, and sources of payments. Recognized obligations include bonds, loans, judgments, settlements, any legally binding and enforceable agreements or contracts, and contracts and agreements for agency administration or operation costs. The attached ROPS sets forth the enforceable obligations for the period between July 1, 2012 and December 31, 2012 ("Second ROPS").

The Second ROPS will be reviewed and certified as to its accuracy by an external auditor designated by the County Auditor-Controller. The Second ROPS will be submitted to the Oversight Board for review and approval. Once the ROPS is approved by the Oversight Board, a copy of the approved ROPS will be transmitted to the County-Auditor Controller, the State Controller's Office, and the Department of Finance, and posted to the Successor Agency's website.

ALTERNATIVES

1. Adopt the attached resolution, which approves the Second Recognized Obligation Payment Schedule for the period of July 1, 2012 to December 31, 2012, authorizing the Executive Director or his designee to make modifications

thereto, and authorizing the transmittal of the certified Schedule to the Oversight Board for review and approval. *Staff recommends this alternative because it allows the City serving as the Successor Agency to make required debt service payments in accordance with the State legislation.*

2. Decline to adopt the attached resolution which would not allow the City, acting as the Successor Agency, to maintain the operations, and fulfill debt obligations of the former RDA as required by law. *Staff does not recommend this alternative.*

FISCAL IMPACT

The Recognized Obligation Payment Schedule provides the details necessary for the City serving as the Successor Agency to fulfill the former RDA's legally binding and enforceable agreements. The ROPS will serve as authorization to pay obligations listed in lieu of a budget appropriation by the City Council. Staff is working to create a recommended budget for the Successor Agency and the Moreno Valley Housing Authority that will be presented to City Council with the FY 2012-13 Budget review later this month. There will be some impact to the General Fund to absorb costs that are no longer paid by the former Redevelopment Agency for either RDA administration or operations and for Low and Moderate Income Housing Fund work. Staff estimates that this cost will be between $200,000 - $400,000 for the next fiscal year. This impact will be discussed with the presentation of the recommended budgets for the Successor Agency and Housing Authority for FY 2012-13.

SUMMARY

As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations due for Enforceable Obligations of the former RDA. The Recognized Obligation Payment Schedule for the period of July 1, 2012 to December 31, 2012 provides the details necessary for the City serving as the Successor Agency to fulfill the former RDA's legally binding and enforceable agreements as required by law.

NOTIFICATION

No public notice is required prior to the City Council taking action on this item. However, the agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council agendas.

ATTACHMENTS/EXHIBITS

Attachment A: Resolution No. 2012-22

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Concurred by:
Rick Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY SERVING AS SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO MAKE MODIFICATIONS THERETO

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011 (which dated has been deemed to be February 1, 2012 pursuant to a decision by the California Supreme Court), and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain

"enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, in connection with the implementation of those provisions of ABX1 26 which require the adoption of an enforceable obligation schedule, the City serving as the Successor Agency has previously adopted an amended enforceable obligation schedule in the form previously submitted (the "Amended Enforceable Obligation Schedule") and has authorized the City Manager or his designee to augment, modify or revise such Amended Enforceable Obligation Schedule; and

WHEREAS, ABX1 26 further requires the adoption of an Initial Recognized Obligation Payment Schedule; such initial Recognized Obligation Payment Schedule was approved by Resolution No. 2012-13 of the City of Moreno Valley serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley ("Successor Agency") on February 28, 2012.

WHEREAS, an oversight board, as provided under ABX1 26 ("Oversight Board") has been established for the former Agency;

WHEREAS, pursuant to ABX1 26 and the implementation thereof, the Sucessor Agency desires to adopt a Recognized Obligation Payment Scheudule ("ROPS") for the period covering July 1, 2012 throught December 31, 2012 (the "Second ROPS"), in the form submitted herewith. The Second ROPS is attached hereto, marked as Exhibit "A", and is incorporated herein by reference. By this resolution, the City Council, on behalf of the Successor Agency, approves and authorizes the transmittal of the Second ROPS to the to the Oversight Board;

WHEREAS, given the adoption of ABX1 26, the City Council, on behalf of the City acting in its capacity as Successor Agency to the Agency, has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, in its capacity as Successor Agency to the Agency, and the health, safety, and welfare of the residents of the City, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, SERVING AS THE SUCCESSOR AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That Second ROPS (Exhibit "A") is approved as the Recognized Obligation Payment Schedule as to the Agency for the above-referenced period,

together with such augmentation, modification, additions or revisions as the Executive Director of the Sucessor Agency or his designee may make thereto.

Section 3. The City Clerk shall cause the Second ROPS to be transmitted to the Oversight Board.

Section 4. This Resolution shall be effective immediately upon adoption.

Section 5. The City Clerk shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of the Successor Agency

ATTEST:

_____
City Clerk

APPROVE AS TO FORM:

_____
City Attorney

Resolution No. 2012-22
Date Adopted: April 10, 2012

Resolution Jurat

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-22 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

City Clerk

Resolution No. 2012-22
Date Adopted: April 10, 2012

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

Funding Source	
RPTTF	Redevelopment Property Tax Trust Fund
LMIHF	Low and Moderate Income Housing Fund
Bonds	Bond Proceeds
Admin	Successor Agency Administrative Allowance
Other	Reserve, Rents, Interest Earnings, etc.

SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Payable from the Redevelopment Property Tax Increment Fund (RPTIF) Payments by month July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
1)	2007 Tax Allocation Bonds*	Wells Fargo Bank	Debt service payments for bonds issued to finance various capital projects*	Original Area	80,651,663.75	3,271,125.63	RPTTF						1,016,741.88	$ 1,016,741.88
2)	2007 Special Tax Refunding Bonds - Towngate 87-1	Wells Fargo Bank	Debt service payments for bonds issued to finance the acquisition of public facilities*	Original Area	10,721,899.84	1,175,566.36	RPTTF						587,783.18	$ 587,783.18
3)	Improvement Area No. 1 Special Tax Refunding Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities*	Original Area	3,080,142.63	276,026.76	RPTTF						138,013.38	$ 138,013.38
4)	CFD No. 3 - Auto Mall Refinance	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities*	Original Area	2,109,335.61	35,137.64	RPTTF						17,568.82	$ 17,568.82
5)	2005 Lease Revenue Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance Sunnymead Blvd project*	Original Area	13,535,660.41	192,573.75	RPTTF						192,573.75	$ 192,573.75
6)	2011 Refunding of 97 LRB Bonds	Bank of America	Debt service payments for bonds issued to finance the construction of a public facility*	Original Area	1,500,000.00	150,000.00	RPTTF	12,500.00	12,500.00	12,500.00	12,500.00	12,500.00	12,500.00	$ 75,000.00
7)	On-going Housing Monitoring Requirements	City of Moreno Valley/Successor Agency	Costs to perform the recertification and monitoring of housing units	Original Area	40,000.00	40,000.00	RPTTF						20,000.00	$ 20,000.00
8)	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth	Legal services - General	Original Area	72,000.00	72,000.00	RPTTF	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	$ 36,000.00
9)	Contract for Abatement of Properties	Fire Prevention/Inland Empire Property Service, Inc.	Nuisance/weed abatement of Agency owned properties	Original Area	5,000.00	5,000.00	RPTTF	2,500.00					2,500.00	$ 5,000.00
	tract for Special Tax Reporting	Willdan/Staff Administration	Preparation of Continuing Disclosure Report	Original Area	2,500.00	2,500.00	RPTTF						2,500.00	$ 2,500.00
	ERS Retirement Liability	The California Public Employees' Retirement System (CalPERS)	Unfunded PERS Retirement Liability Acct	Original Area	599,992.00	13,855.14	RPTTF	13,855.14						$ 13,855.14
12)	Retiree Medical Trust (CERBT)	California Employers' Retiree Medical Trust(CERBT)/CalPERS	Unfunded Retiree Medical Trust Acct	Original Area	193,221.00	4,461.90	RPTTF	4,461.90						$ 4,461.90
13)	Agency Loans #1 &# 2	City of Moreno Valley	City/Agency Loan Agreement	Original Area	2,217,643.00		RPTTF							$ -
14)	Conference & Recreation Cntr Agreement	City of Moreno Valley	Purchase and Sale Agreement	Original Area	35,664,339.00	316,693.00	RPTTF	26,391.08	26,391.08	26,391.08	26,391.08	26,391.08	26,391.10	$ 158,346.50
15)	Price Club Acquisition Note	The Price Family Charitable Fund	Participation Agreement	Original Area	1,410,529.68	480,000.00	RPTTF	120,000.00				120,000.00		$ 240,000.00
16)	Towngate Acquisition Note	City of Moreno Valley	Participation Agreement	Original Area	15,655,083.42	480,000.00	RPTTF	120,000.00				120,000.00		$ 240,000.00
17)	Cactus/Day/Old 215 Land	City of Moreno Valley	Land purchased - Loan	Original Area	2,360,500.00		RPTTF							$ -
18)	Moss Bros. Autogroup Participation Agreement	Moss Bros. Autogroup	Participation Agreement	Original Area	500,000.00	267,959.00	RPTTF					267,959.00		$ 267,959.00
	son's Ready Mix, Inc. OPA	Robertson's Ready Mix, Inc.	Owner Participation Agreement	Original Area	4,000,000.00		RPTTF							$ -
	ck Family Apartments	Rancho Belago, Inc.	Affordable Housing Agreement	Original Area	6,300,000.00		RPTTF							$ -
	o Dorado Apts - South	MV Rancho Dorado Limited Partnership	Affordable Housing Agreement	Original Area	6,950,000.00		RPTTF							$ -
	ct for Legal Services	Stradling, Yocca, Carlson & Rauth	Legal services - Specific to AHA	Original Area	25,000.00	12,500.00	RPTTF	2,083.33	2,083.33	2,083.33	2,083.33	2,083.33	2,083.35	$ 12,500.00
	ct for Professional Service	Strickler Association	Title & Closing Costs	Original Area	5,000.00	2,500.00	RPTTF	416.67	416.67	416.67	416.67	416.67	416.65	$ 2,500.00
	- This Page (RPTIF Funding)				$ 187,599,510.34	$ 6,797,899.18		$ 308,208.12	$ 47,391.08	$ 47,391.08	$ 47,391.08	$ 555,350.08	$ 2,025,072.11	$ 3,030,803.55
	- Page 2 (RPTIF Funding)				$ 314,160.12	$ 314,160.12		$ 14,692.72	$ 14,692.68	$ 14,693.68	$ 14,693.68	$ 14,693.68	$ 240,693.68	$ 314,160.12
	- Page 2 (Other Funding)				$ 486,038.45	$ 456,038.45		$ 181,475.14	$ 131,386.14	$ 30,281.27	$ 30,281.27	$ 25,281.27	$ 25,281.27	$ 423,986.36
	- Page 3 (Other Funding)				$ 18,301,719.05	$ 4,524,932.25		$ 594,380.50	$ 554,979.78	$ 613,865.00	$ 715,730.36	$ 713,865.02	$ 1,332,111.59	$ 4,524,932.25
	- Page 4 (Administrative Cost Allowance)				$ 39,928.34	$ 39,928.34		$ 39,928.34	$ 39,928.34	$ 39,928.34	$ 39,928.34	$ 39,928.34	$ 39,928.30	$ 239,570.00
	- Page 5 (Pass Thru Payments)				$ -	$ -		$ -	$ -	$ -	$ -	$ -	$ -	$ -
	d total - All Pages				$ 206,741,356.30	$ 12,132,958.34		$ 1,138,684.82	$ 788,378.02	$ 746,159.37	$ 848,024.73	$ 1,349,118.39	$ 3,663,086.95	$ 8,533,452.28

ncludes payments to be made between July 2012 through February 2013

** All totals due during fiscal year and payment amounts are projected.

EXHIBIT "A"

Date: 04/04/12

Item No. G.5

MV00160922

N edevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

F a(s) RDA Project Area All

SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34169 (*)

	F ne / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Payable from Other Revenue Sources Payments by month July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
1)	S l Blvd.	Excel*	Capital Project Contract, CIP 79221	Original Area	50,000.00	50,000.00	RPTTF						50,000.00	$ 50,000.00
2)	C	Harris & Assoc.*	Capital Project Contract, CIP 79221	Original Area	176,000.00	176,000.00	RPTTF						176,000.00	$ 176,000.00
3)		City of Moreno Valley	Project Management CIP 79221	Original Area	12,300.00	12,300.00	RPTTF	2,050.00	2,050.00	2,050.00	2,050.00	2,050.00	2,050.00	$ 12,300.00
4)		City Consultants	Project Management CIP 79221	Original Area	1,960.00	1,960.00	RPTTF	326.00	326.00	327.00	327.00	327.00	327.00	$ 1,960.00
5)		Gibbs, Giden, Locher, Turner & Senet LLP*	Additional Legal Fees - CIP 79221	Original Area	66,000.00	66,000.00	RPTTF	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	$ 66,000.00
6)	Storm Drain/Day Street to Cottonwood CIP 79222	Gibbs, Giden, Locher, Turner & Senet*	Contractual Services PO# 42123 CIP 79222	Original Area	6,204.96	6,204.96	RPTTF	1,034.16	1,034.16	1,034.16	1,034.16	1,034.16	1,034.16	$ 6,204.96
7)		City of Moreno Valley	Project Management CIP 79222	Original Area	1,695.16	1,695.16	RPTTF	282.56	282.52	282.52	282.52	282.52	282.52	$ 1,695.16
8)	Day Street/Alessandro Blvd to Cottonwood CIP 79724	DMC Design	Contractual Services PO#40920 CIP 79724	Original Area	5,880.84	5,880.84	Bonds	980.14	980.14	980.14	980.14	980.14	980.14	$ 5,880.84
9)		AEI-CASC	Contractual Services PO#35423 CIP 79724	Original Area	8,775.83	8,775.83	Bonds	1,462.58	1,462.63	1,462.63	1,462.63	1,462.63	1,462.63	$ 8,775.73
10)		Group Delta	Contractual Services PO#39328 CIP 79724	Original Area	7,359.00	7,359.00	Bonds	1,226.50	1,226.50	1,226.50	1,226.50	1,226.50	1,226.50	$ 7,359.00
11)		KDM Meridian	Contractual Services PO#41865 CIP 79724	Original Area	3,992.50	3,992.50	Bonds	665.45	665.41	665.41	665.41	665.41	665.41	$ 3,992.50
12)		STI Inc.	Contractual Services PO#41859 CIP 79724	Original Area	73,322.22	73,322.22	Bonds	12,220.37	12,220.37	12,220.37	12,220.37	12,220.37	12,220.37	$ 73,322.22
13)		City of Moreno Valley	Project Management CIP 79724	Original Area	20,395.33	20,395.33	Bonds	3,399.23	3,399.22	3,399.22	3,399.22	3,399.22	3,399.22	$ 20,395.33
14)	Auto Mall Street Upgrades CIP 79725	VA Consulting	Capital Project Contract, CIP 79725	Original Area	2,333.32	2,333.32	Bonds	1,166.66	1,166.66					$ 2,333.32
15)		City of Moreno Valley	Project Management CIP 79725	Original Area	6,451.00	6,451.00	Bonds	3,225.00	3,226.00					$ 6,451.00
16)		United Inspection (Geotech)	Capital Project Contract, CIP 79725	Original Area	1,575.00	1,575.00	Bonds	787.50	787.50					$ 1,575.00
17)		VA Consulting Inc. (Survey)	Capital Project Contract, CIP 79725	Original Area	1,650.00	1,650.00	Bonds	825.00	825.00					$ 1,650.00
18)		SME&C (Contractor)	Capital Project Contract, CIP 79725	Original Area	190,379.41	190,379.41	Bonds	95,189.71	95,189.71					$ 190,379.42
19)	Indian Basin, Appurtenant CIP 79726	Lim & Nascimento Engineering	Contractual Services PO#35828 CIP 79726	Original Area	50,000.00	50,000.00	Bonds	50,000.00						$ 50,000.00
20)		City of Moreno Valley	Project Management CIP 79726	Original Area	38,000.00	20,000.00	Bonds	5,000.00	5,000.00	5,000.00	5,000.00			$ 20,000.00
21)	Ironwood Ave-Day St/Barclay Dr CIP 79727	AEI-CASC Engineering	Capital Project Contract, CIP 79727	Original Area	51,924.00	51,924.00	Bonds	4,327.00	4,237.00	4,327.00	4,327.00	4,327.00	4,327.00	$ 25,872.00
22)		City of Moreno Valley	Project Management CIP 79727	Original Area	24,000.00	12,000.00	Bonds	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	$ 6,000.00
					$ 314,160.12	$ 314,160.12		$ 14,692.72	$ 14,692.68	$ 14,693.68	$ 14,693.68	$ 14,693.68	$ 240,693.68	$ 314,160.12
					$ 486,038.45	$ 456,038.45		$ 181,475.14	$ 131,386.14	$ 30,281.27	$ 30,281.27	$ 25,281.27	$ 25,281.27	$ 423,986.36
	Grand total - This Page				$ 800,198.57	$ 770,198.57		$ 196,167.86	$ 146,078.82	$ 44,974.95	$ 44,974.95	$ 39,974.95	$ 265,974.95	$ 738,146.48

*Pending Litigation
**All total due during fiscal year and payment amounts are projected.

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Payable from Other Revenue Sources Payments by month July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
23)	Nason/SR-60 Bridge CIP 91728	Singer & Coffin, APC	Legal Services CIP 91728	Original Area	2,310.00	2,310.00	Bonds	385.00	385.00	385.00	385.00	385.00	385.00	$ 2,310.00
24)		Parsons Transportation	Contractual Services CIP 91728	Original Area	13,818.00	13,818.00	Bonds	13,818.00						$ 13,818.00
25)		City Consultants	Project Management CIP 91728	Original Area	4,800.00	4,800.00	Bonds	800.00	800.00	800.00	800.00	800.00	800.00	$ 4,800.00
26)		City of Moreno Valley	Project Management CIP 91728	Original Area	73,000.00	48,000.00	Bonds	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	$ 48,000.00
27)		Survey Consultant	Capital Project Contract, CIP 91728	Original Area	145,000.00	30,000.00	Bonds				10,000.00	10,000.00	10,000.00	$ 30,000.00
28)		Contractor	Capital Project Contract, CIP 91728	Original Area	12,146,233.75	1,070,000.00	Bonds				20,000.00	50,000.00	1,000,000.00	$ 1,070,000.00
29)		CM/Inspection	Capital Project Contract, CIP 91728	Original Area	1,930,000.00	180,000.00	Bonds			10,000.00	20,000.00	50,000.00	100,000.00	$ 180,000.00
30)		Geotechnical Consultant	Capital Project Contract, CIP 91728	Original Area	170,000.00	30,000.00	Bonds				10,000.00	10,000.00	10,000.00	$ 30,000.00
31)		City of Moreno Valley	Project Management CIP 91728	Original Area	120,700.00	90,000.00	Bonds	10,000.00	10,000.00	15,000.00	15,000.00	20,000.00	20,000.00	$ 90,000.00
32)		Parsons Transportation	Contractual Services CIP 91728	Original Area	100,000.00	100,000.00	Bonds	15,000.00	15,000.00	10,000.00	10,000.00	20,000.00	30,000.00	$ 100,000.00
33)	Morrison Park Fire Station CIP 79729	City of Moreno Valley	Project Management CIP 79729	Original Area	159,144.64	159,144.64	Bonds	26,524.11	26,524.11	26,524.11	26,524.11	26,524.11	26,524.09	$ 159,144.64
34)		STK Architecture	Capital Project Contract, CIP 79729	Original Area	93,811.37	93,811.37	Bonds	18,762.27	18,762.27	18,762.27	18,762.27	18,762.29		$ 93,811.37
35)		Silver Creek Industries	Capital Project Contract, CIP 79729	Original Area	1,814,955.60	1,814,955.60	Bonds	362,991.12	362,991.12	362,991.12	362,991.12	362,991.12		$ 1,814,955.60
36)		Enco Utility	Capital Project Contract, CIP 79729	Original Area	417.28	417.28	Bonds		417.28					$ 417.28
37)		Riverside County IT	Capital Project Contract, CIP 79729	Original Area	13,210.00	13,210.00	Bonds			3,302.50	3,302.50	3,302.50	3,302.50	$ 13,210.00
38)		Construction Contract	Construction Costs CIP 79729	Original Area	351,865.36	351,865.36	Bonds	90,000.00	90,000.00	90,000.00	81,865.36			$ 351,865.36
39)	Moreno Beach Ramps - Phase 1 CIP 91731	City of Moreno Valley	Proj. Mgmt. & Expenses CIP 91731	Original Area	132,567.62	93,200.00	Bonds	12,200.00	12,200.00	17,200.00	17,200.00	22,200.00	12,200.00	$ 93,200.00
40)		Staff Consultants	Capital Project Contract CIP 91731	Original Area	5,473.88	5,400.00	Bonds	900.00	900.00	900.00	900.00	900.00	900.00	$ 5,400.00
41)		Survey Consultant	Capital Project Contract CIP 91731	Original Area	98,000.00	37,000.00	Bonds		2,000.00	5,000.00	10,000.00	10,000.00	10,000.00	$ 37,000.00
42)		Falcon Engineering - CM	Capital Project Contract CIP 91731	Original Area	733,411.55	270,000.00	Bonds			30,000.00	80,000.00	80,000.00	80,000.00	$ 270,000.00
43)		Geotechnical Consultant	Capital Project Contract CIP 91731	Original Area	88,000.00	37,000.00	Bonds		2,000.00	5,000.00	10,000.00	10,000.00	10,000.00	$ 37,000.00
44)		CHP	Const. zone enforcement CIP 91731	Original Area	30,000.00	30,000.00	Bonds	30,000.00						$ 30,000.00
45)		Parsons Transportation	Capital Project Contract CIP 91731	Original Area	75,000.00	50,000.00	Bonds	5,000.00	5,000.00	10,000.00	10,000.00	10,000.00	10,000.00	$ 50,000.00
	Totals - Bonds				$ 18,301,719.05	$ 4,524,932.25		$ 594,380.50	$ 554,979.78	$ 613,865.00	$ 715,730.36	$ 713,865.02	$ 1,332,111.59	$ 4,524,932.25
	Grand total - This Page				$ 18,301,719.05	$ 4,524,932.25		$ 594,380.50	$ 554,979.78	$ 613,865.00	$ 715,730.36	$ 713,865.02	$ 1,332,111.59	$ 4,524,932.25

** All total due during fiscal year and payment amounts are projected.

MV00160924

of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

t Area(s) RDA Project Area All

SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34169 (*)

	t Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Payable from the Administrative Allowance Allocation — Payments by month: July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
	gency Employee Payroll	City of Moreno Valley/Employees	Payroll Costs	Original Area	353,715.00	353,715.00	Admin	31,116.67	31,116.67	31,116.67	31,116.67	31,116.67	31,116.65	$ 186,700.00
	gency - Operating Costs	City of Moreno Valley	Operating Costs	Original Area	85,800.00	85,800.00	Admin	8,811.67	8,811.67	8,811.67	8,811.67	8,811.67	8,811.65	$ 52,870.00
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	Totals - Administrative Allowance Allocation				**$ 439,515.00**	**$ 439,515.00**		**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.34**	**$ 39,928.30**	**$ 239,570.00**

**All total due during fiscal year and payment amounts are projected.

MV00160925

Name of Redevelopment Agency The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34169 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Pass Through and Other Payments — Payments by month: July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
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Totals - Pass Through and Other Obligations				$ -	$ -		$ -	$ -	$ -	$ -	$ -	$ -	$ -

* ue during fiscal year and payment amounts are projected.

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MV00160927

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.6

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MV00160929

ORDINANCE NO. 841

AN ORDINANCE OF THE CITY OF MORENO VALLEY ESTABLISHING AN UNDERGROUND UTILITY DISTRICT ALONG NASON STREET FROM CACTUS AVENUE TO FIR AVENUE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS

1.1 WHEREAS, the California Public Utilities Commission rule for the replacement of overhead electric utilities with underground facilities, Tariff Rule 20, Section A (hereinafter referred to as "Rule 20A") require that the City Council make a determination, after consultation with the Utility and after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:

a. The proposed "undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities";
b. The street "is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic";
c. The street "adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public"; or
d. The street "is considered an arterial street or major collector" in the City's General Plan.

1.2 WHEREAS, with regard to facilities owned by Verizon, the California Public Utilities Commission rule for the replacement of overhead utilities with underground facilities, Tariff Rule 40, Section A, (hereinafter referred to as "Rule 40A") requires that the City Council make a determination, after consultation with the Utility and after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:

a. The proposed "undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities";
b. The street "is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic";
c. The street "adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public."

1.3 WHEREAS, on October 12, 1999, the City Council adopted General Policy # 2.33, Overhead Utility Equipment Conversion Policy, specifying procedures for administering and prioritizing Rule 20A funded projects.

1.4 WHEREAS, on August 23, 2011, the City Council approved an amendment to General Policy # 2.33 and reprioritized Rule 20A funded projects. Said amendment ranked two segments of Nason Street as second (State Highway 60 to Alessandro Boulevard) and third (Alessandro Boulevard to Cactus Avenue) on the priority list.

1.5 WHEREAS, utilities along the segments of Nason Street from Cactus Avenue to Delphinium Avenue and from Eucalyptus Avenue to Cottonwood Avenue are already undergrounded.

1.6 WHEREAS, the segment of Nason Street from SR-60 to Fir Avenue is scheduled to be undergrounded as part of the planned Nason Street / SR-60 Overcrossing project.

1.7 WHEREAS, the City Council also authorized the addition of the Nason Street Project from Cactus Avenue to Fir Avenue to the FY 2011-12 Capital Improvement Plan (CIP) on July 26, 2011. The project requires widening of Nason Street to its ultimate width specified in the City General Plan and per the City Standard Plans.

1.8 WHEREAS, preliminary engineering analysis has revealed that the existing overhead utility facilities conflict with the construction of the proposed widened roadway and related ultimate improvements for Nason Street.

1.9 WHEREAS, with regard to facilities owned by Southern California Edison (SCE), City staff and SCE representatives agree that under Rule 20A, said undergrounding is in the general public interest for the following reason, as listed under Section 1.1:

> The street "is considered an arterial street or major collector" in the City's General Plan.

1.10 WHEREAS, with regard to facilities owned by Verizon, City staff's opinion is that under Rule 40A, said undergrounding is in the general public interest, at least for the following reason, and possibly others, as listed under Section .1.2:

> The street "is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic".

1.11 WHEREAS, representatives of the Public Works Department have requested and received input from all impacted utility firms on the feasibility of converting the existing overhead utilities along Nason Street from Cactus Avenue to Fir Avenue. These firms include Southern California Edison Company, Verizon Communications Inc., LLC, Time Warner Cable, and Sunesys.

1.12 WHEREAS, analyses of documents and written and verbal feedback received from the four utilities indicate that, subject to proper design and other

processes of each of the utilities, the conversion of the existing overhead utilities to underground facilities is physically and technically feasible.

1.13 WHEREAS, the City Council of Moreno Valley set and held a public hearing on March 27, 2012, in the Council Chambers of the City of Moreno Valley, City Hall, 14177 Frederick Street, Moreno Valley, to ascertain whether an underground utility district should be established along Nason Street from Cactus Avenue to Fir Avenue.

1.14 WHEREAS, written notice of the Public Hearing has been given to all affected property owners, as shown on the last equalized assessment roll, and to all utilities of concern.

1.15 WHEREAS, written notice of the Public Hearing has been published in a local newspaper of wide circulation.

1.16 WHEREAS, the Public Hearing has been duly and regularly held, and all persons interested have been given a reasonable opportunity to be heard.

SECTION 2 FORMATION OF UNDERGROUND UTILITY DISTRICT NO. ---

2.1 The City Council hereby finds and determines, based on the Public Hearing, including the staff report, that the conditions set out above exist within the proposed district, and that public necessity, health, safety, and welfare require, and that it is in the general public interest, that existing poles and overhead wires along Nason Street from Cactus Avenue to Fir Avenue be removed therefrom and thereafter be prohibited, and that the wires and associated facilities for transmitting, conducting, conveying, distributing, supplying, or providing electricity, light, power, telephone, communication, television, or other similar or associated service, be installed underground.

2.2 The City Council hereby declares that a certain area of the City of Moreno Valley shown on EXHIBIT “A-1,” attached hereto, made a part hereof, and incorporated herein by reference is established as an underground utility district to be designated "UNDERGROUND UTILITY DISTRICT NO. ---" and hereby orders and requires that existing poles and overhead wires within said district be removed therefrom by the operators of the utilities and thereafter prohibited and that wires and associated facilities within said district for transmitting, conducting, conveying, distributing, supplying, or providing electricity, light, heat, power, telephone, telegraph, communication, television, or other similar or associated service, be installed underground.

2.3 Existing poles and overhead wires and associated facilities within said district for transmitting, conducting, conveying, distributing, supplying, or providing electricity, power, telephone, communication, television or other similar or associated service shall be removed by the operators of the utilities no later than December 31, 2013.

2.4 Wires and associated facilities within said district for transmitting, conducting, conveying, distributing, supplying, or providing electricity, power, telephone, communication, television or other similar or associated service shall be installed underground no later than December 31, 2013.

2.5 The Public Works Director / City Engineer is hereby empowered to extend the time for any act required under this ordinance and to authorize the phasing of utility relocation construction, including the temporary relocation of overhead facilities, as necessary.

2.6 That the Director of Public Works, within ten (10) days after the adoption of the ordinance, shall communicate this City Council action and deliver a City Clerk certified copy of the ordinance, to each of the affected utilities.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the City.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 841
Date Adopted: April 10, 2012

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 841 had its first reading on March 27, 2012 and had its second reading on April 10, 2012 and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem, and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 841
Date Adopted: April 10, 2012

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MV00160935

ORDINANCE NO. 842

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION P10-050 FOR A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP214).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2. FINDINGS:

2.1 With respect to the proposed Specific Plan Amendment, and based upon substantial evidence presented to the City Council during the public hearing on March 27, 2012, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) applies to approximately 280 acres located generally between Moreno Beach Drive and Theodore Street and Brodiaea Avenue and Cactus Avenue.

2. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) and all related approvals including the text of the specific plan, the specific plan design manual and specific plan zoning. The repeal will not result in any internal inconsistencies within the City's existing General Plan. This amendment does not conflict with the Land Use Policies of the General Plan in terms of land use types and intensity of development and will provide for development consistent with and compatible with the existing General Plan. The repeal will not adversely affect public health, safety and welfare.

SECTION 3. SPECIFIC PLAN AMENDMENT:

3.1 The Cactus Corridor Specific Plan (SP 214) is repealed in its entirety including but not limited to the text of the specific plan, the specific plan design manual and specific plan zoning.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect upon the date of its adoption.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on March 27, 2012 and had its second reading on April 10, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00160939

ORDINANCE NO. 842

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION P10-050 FOR A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP214).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2. FINDINGS:

2.1 With respect to the proposed Specific Plan Amendment, and based upon substantial evidence presented to the City Council during the public hearing on March 27, 2012, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) applies to approximately 280 acres located generally between Moreno Beach Drive and Theodore Street and Brodiaea Avenue and Cactus Avenue.

2. FACT: The repeal of the Cactus Corridor Specific Plan (SP 214) and all related approvals including the text of the specific plan, the specific plan design manual and specific plan zoning. The repeal will not result in any internal inconsistencies within the City's existing General Plan. This amendment does not conflict with the Land Use Policies of the General Plan in terms of land use types and intensity of development and will provide for development consistent with and compatible with the existing General Plan. The repeal will not adversely affect public health, safety and welfare.

SECTION 3. SPECIFIC PLAN AMENDMENT:

3.1 The Cactus Corridor Specific Plan (SP 214) is repealed in its entirety including but not limited to the text of the specific plan, the specific plan design manual and specific plan zoning.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

ATTACHMENT 2

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect upon the date of its adoption.

APPROVED AND ADOPTED this 10th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on March 27, 2012 and had its second reading on April 10, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00160943

Zone Change

Repeal of Cactus Corridor Specific Plan

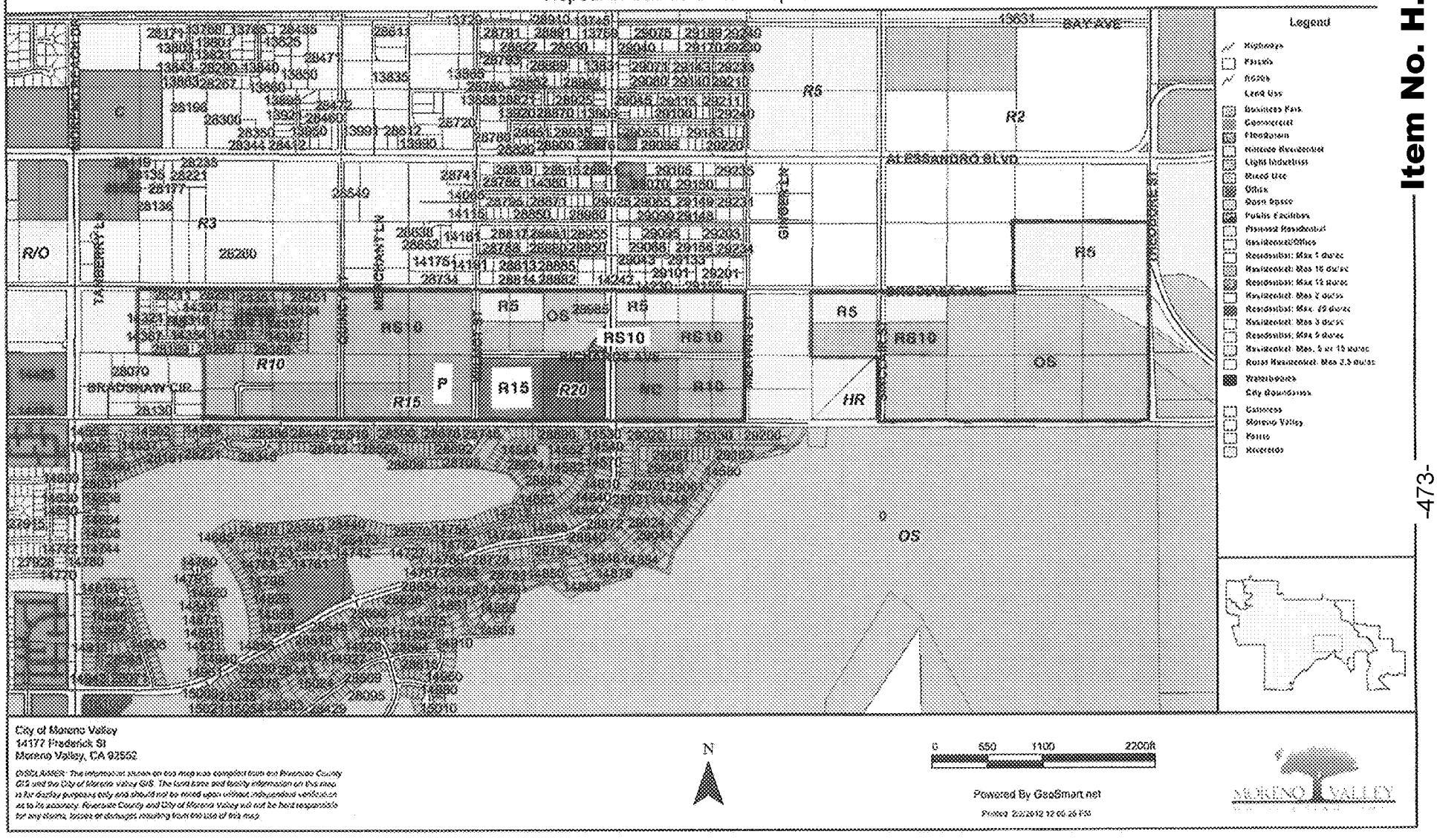

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92552

DISCLAIMER: The information shown on this map was compiled from our Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

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MORENO VALLEY

EXHIBIT A

Item No. H.2 .3

MV00160944

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MV00160945

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

June 26, 2012

REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

William H. Batey II, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
Marcelo Co, Council Member

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES

THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

REGULAR MEETING - 6:30 PM
JUNE 26, 2012

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority and the Board of Library Trustees- actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

INVOCATION - Father Frederick Costales - St. Christopher Catholic Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is

MV00166827

a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, City as Successor Agency for the Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 6-19, 2012.

A.4 APPROVAL OF THE CHECK REGISTER FOR APRIL, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2012-53, Approving the Check Register for the Month of April, 2012 in the Amount of $13,408,420.85.

Resolution No. 2012-53

A Resolution of the City Council of the City Of Moreno Valley, California, Approving the Check Register for the Month of April, 2012

A.5 ACCEPT $3,500,000 OF TRANSPORTATION UNIFORM MITIGATION

FEE (TUMF) FUNDING FOR THE SR-60/MORENO BEACH INTERCHANGE PHASE 1 - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:
Accept $3,500,000 in Transportation Uniform Mitigation Fee (TUMF) funding for the SR-60/Moreno Beach Interchange Phase 1 project.

A.6 THE OFFICE OF JUVENILE JUSTICE DELINQUENCY PREVENTION (OJJDP) FY2012 COMMUNITY BASED VIOLENCE PREVENTION DEMONSTRATION PROGRAM (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if granted) of the "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program" in the amount of $713,286, for a 36-month period beginning October 1, 2012 and ending September 30, 2015; and

2. Authorize the revenue and expense budgets in the OJJDP - Police Grant Fund (New Fund - 2XXX) for the FY2012 Community Based Violence Prevention Demonstration Program in the amount of $713,286, respectively, upon approval and acceptance of the grant from the Office of Juvenile Justice Delinquency Prevention (OJJDP).

A.7 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2012 (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2012.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;

   b. Frederick Street between Centerpointe Drive and Cactus Avenue;

   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;

   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;

   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;

   f. Atlantic Circle east of Frederick Street;

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g. Brabham Street between Frederick Street and Andretti Street;

h. TownGate Boulevard between Frederick Street and Heritage Way;

i. Bay Avenue between Kristina Court and Courage Street;

j. Alessandro Boulevard between Chagall Court and Elsworth Street;

k. Alessandro Boulevard between Joy Street and Cactus Avenue;

l. Resource Way between Frederick Street and Corporate Way;

m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Eastridge Street between Frederick Street and Heritage Way;

o. Calle San Juan De Los Lagos between Frederick Street and Veterans Way;

p. Veterans Way between Business Center Drive and Alessandro Boulevard;

q. New Hope between Veterans Way and Elsworth;

r. Veterans Way between Cactus Avenue and Alessandro Boulevard, and

s. Heritage Way between TownGate Boulevard and Town Circle;

2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Tuesday, July 3, 2012 through 5:00 p.m. on Thursday, July 5, 2012 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2012; and

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.8 NOTICE OF COMPLETION AND ACCEPTANCE OF SUNNYMEAD BOULEVARD REVITALIZATION IMPROVEMENTS COMPLETED BY ENVIRONMENTAL CONSTRUCTION, INC. - PROJECT NO. 04-89280221-1 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Sunnymead Boulevard Revitalization from Frederick Street to Perris Boulevard constructed by Environmental Construction, Inc., 21550 Oxnard Street, Suite

1050, Woodland Hills, CA 91367;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Accept the improvements into the City's maintained system;

4. Authorize the Financial & Administrative Services Director to release the retention to Environmental Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project;

5. Authorize the Purchasing & Facilities Division Manager to execute a Change Order to increase the Purchase Order (No. 35442) with Environmental Construction, Inc., in the amount of $272,468.10 for the Sunnymead Boulevard Revitalization project (Account No. 501.82125); and

6. Authorize the Public Works Director/City Engineer to execute Contract Change Order No. 7 (Final) for Environmental Construction, Inc.

A.9 FACILITY LEASE EXTENSION WITH MORENO VALLEY GATEWAY, LLC (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve the three lease extensions with Moreno Valley Gateway, LLC for the building located at 14325 Frederick St., Moreno Valley;

2. Authorize the City Manager to sign the lease extensions and any subsequent extensions for office space located at 14325 Frederick St., Moreno Valley; and

3. Authorize the Purchasing & Facilities Manager to execute a purchase order for said leases for Fiscal Year 2012-13 as follows:

   a. Suites 1-3 $54,029
   b. Suite 4 $24,048
   c. Suites 5-9 $90,000

A.10 PARCEL MAP 32631 - COMMERCIAL - REDUCE THE IRREVOCABLE LETTER OF CREDIT AS FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF DAY STREET, GATEWAY DRIVE, MEMORIAL WAY, CAMPUS

PARKWAY, AND TOWNGATE CIRCLE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: GATEWAY COMPANY, L.C., A NEVADA LIMITED LIABILITY COMPANY BY: FRITZ DUDA COMPANY, A TEXAS CORPORATION, ITS MANAGER, NEWPORT BEACH, CA 92663 (Report of: Community & Economic Development Department)

Recommendation:

1. Adopt the proposed Resolution No. 2012- 54 authorizing the acceptance of the public improvements within Parcel Map 32631 – Commercial as complete and accepting the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system; and

   Resolution No. 2012-54

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Parcel Map 32631 and Accepting the Portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle Associated with the Project into the City's Maintained Street System

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

A.11 COOPERATIVE AGREEMENT FOR THE COST SHARE OF AERIAL LADDER TRUCK PERSONNEL BETWEEN THE CITY OF MORENO VALLEY, THE CITY OF PERRIS, AND THE COUNTY OF RIVERSIDE (Report of: Fire Department)

Recommendation:

1. Approve a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside; and

2. Authorize the Fire Chief to implement the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks.

A.12 AUTHORIZATION TO AWARD PROFESSIONAL CONSULTANT

SERVICES AGREEMENTS FOR BUILDING & SAFETY PLAN CHECK AND INSPECTION SERVICES TO MULTIPLE VENDORS (Report of Community & Economic Development Department)

Recommendation:

1. Approve a five year Independent Contractor Agreement with Willdan Engineering for Building & Safety Plan Check and Inspection Services;

2. Approve a five year Independent Contractor Agreement with Scott Fazekas & Associates for Building & Safety Plan Check and Inspection Services;

3. Approve a five year Independent Contractor Agreement with Esgil Corporation for Building & Safety Plan Check Services;

4. Authorize the City Manager to approve the annual purchase orders through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and

5. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to each vendor to cover the estimated costs for providing services for the Building & Safety Division for FY2012/2013 and future years under the Agreement.

A.13 PA11-0009 – COMMERCIAL DEVELOPMENT – ACCEPT THE AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH SIDE OF IRIS AVENUE, WEST OF OLIVER STREET, DEVELOPER: KAISER FOUNDATION HEALTH PLAN, INC., & KAISER FOUNDATION HOSPITALS, MORENO VALLEY, CA 92555 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Agreement and Bonds for Public Improvements;

2. Authorize the Mayor to execute the Agreement;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.14 SECOND AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT WITH DENNIS GRUBB & ASSOCIATES (Report of: Fire Department)

Recommendation:

1. Approve the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC;

2. Authorize the City Manager to execute the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC; and

3. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 41249 with Dennis Grubb & Associates, LLC in the amount of $25,000 for fire plan check services for a total not to exceed amount of $115,000 for Fiscal Year 2011/2012.

A.15 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2012/2013 RATE ADJUSTMENT (Report of: Public Works Department/M&O)

Recommendation:

Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2012/2013 Rate Adjustment.

A.16 AUTHORIZE ESTABLISHMENT OF THE KEEP MORENO VALLEY BEAUTIFUL PROGRAM (Report of: Public Works Department/M&O)

Recommendation:

1. Authorize the establishment of a Keep Moreno Valley Beautiful Program which will include becoming a Keep America Beautiful affiliate;

2. Approve the submission of a Keep America Beautiful affiliate application with Mayor's Letter of Endorsement; and

3. Authorize the use of Maintenance and Operations Division operational funds for start-up costs.

A.17 NOTICE OF COMPLETION AND ACCEPTANCE OF THE INDIAN STREET BICYCLE LANES FROM IRIS AVENUE TO KATRINA AVENUE CONSTRUCTED BY ELITE COMPANIES US, INC.
PROJECT NO. 11-12556331 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Indian Street Bicycle Lanes from

Iris Avenue to Katrina Avenue, constructed by Elite Companies US, Inc., 15321 La Salle Lane, Huntington Beach, CA 92647;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to Elite Companies US, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained system.

A.18 NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL IMPROVEMENTS FOR THE LASSELLE STREET AT MARGARET AVENUE INTERSECTION CONSTRUCTED BY J.F.L. ELECTRIC, INC. - PROJECT NO. 10-12566630 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection constructed by J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to J.F.L. Electric, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained system.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2012 (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2012.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;

   b. Frederick Street between Centerpointe Drive and Cactus Avenue;

   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;

   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;

   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;

   f. Atlantic Circle east of Frederick Street;

   g. Brabham Street between Frederick Street and Andretti Street;

   h. TownGate Boulevard between Frederick Street and Heritage Way;

   i. Bay Avenue between Kristina Court and Courage Street;

   j. Alessandro Boulevard between Chagall Court and Elsworth Street;

   k. Alessandro Boulevard between Joy Street and Cactus Avenue;

   l. Resource Way between Frederick Street and Corporate Way;

   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

   n. Eastridge Street between Frederick Street and Heritage Way;

   o. Calle San Juan De Los Lagos between Frederick Street and Veterans Way;

   p. Veterans Way between Business Center Drive and Alessandro Boulevard;

   q. New Hope between Veterans Way and Elsworth;

   r. Veterans Way between Cactus Avenue and Alessandro Boulevard; and

MV00166836

s. Heritage Way between TownGate Boulevard and Town Circle;

2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Tuesday, July 3, 2012 through 5:00 p.m. on Thursday, July 5, 2012 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2012; and

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

B.4 AMEND THE CONTRACT WITH THINK TOGETHER, INC. TO OPERATE DAY-TO-DAY ACTIVITIES AND FUNCTIONS INVOLVING THE CITY'S AFTER SCHOOL EDUCATION AND SAFETY (ASES) GRANT PROGRAM FOR FISCAL YEAR 2012-13 (Report of Parks and Community Services Department)

Recommendation:

1. Authorize the City Manager to amend the contract entered into with THINK TOGETHER Inc. on April 26, 2011, to operate day-to-day activities and functions of the City's Prop 49 state-funded ASES after school grant program; and

2. Authorize the additional revenue and expense budgets in the STARS Program Grant Fund (Fund 162) for the ASES Grant Program in the amount of $262,941, respectively, upon approval of the contract amendment with Think Together, Inc.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

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D.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING REGARDING PA10-0030, AN AMENDMENT TO TITLE 9 OF THE MUNICIPAL CODE REGULATIONS TO: (1) ADOPT WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) GOOD NEIGHBOR GUIDELINES; (2) REVISE PARKING STANDARDS FOR RESTAURANTS; (3) REDUCE COMMUNITY COMMERCIAL (CC) FRONT AND STREET SIDE BUILDING SETBACKS, AND OTHER REVISIONS TO PARKING AND LANDSCAPE SETBACKS; (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS; AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD TO REVISE SAFETY FEATURES AND DRIVE AISLES WIDTHS (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that PA10-0030 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 849, thereby approving PA10-0030, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 849

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Adopting WRCOG Good Neighbor Guidelines; (2) Revised Parking Standards for Restaurants; (3) Reduction of (CC) Community Commercial Front and Street side Building Setbacks, and Revisions to Parking and Landscape Setbacks; (4) Provide for Parking Lot Maintenance Standards, Banning "Topping" of Trees; and (5) Amend the General Parking Design Standard with Revised Safety Features and 24 Foot Wide Drive Aisles

E.2 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department/M&O)

Recommendation: That the City Council:

1. Approve placing the submitted list of delinquent solid waste accounts that are attached to this report on the Fiscal Year (FY) 2012/2013 Riverside County property tax roll for collection;

2. Adopt Resolution No. 2012-55 repealing, revising and reenacting the provisions of Resolution 2007-72 of the City Council of the City of Moreno Valley, California, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll; and

   Resolution No. 2012-55

   A Resolution repealing, revising and reenacting the provisions of Resolution 2007-72 of the City Council of the City of Moreno Valley, California, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll

3. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2012-55 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)

G.2 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate;

2. Appoint those applicants who received majority vote by the City Council;

3. If vacancies are not filled by a majority vote of the City Council, authorize the City Clerk to re-advertise the positions as vacant and carry over the current applications for reconsideration of appointment at a future date.

G.3 JOB TRAINING LINKAGE INITIATIVE (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the continued development of the Job Training Linkage Initiative in Moreno Valley.

G.4 JULY 4TH UPDATE (ORAL PRESENTATION) (Report of: Parks and Community Services Department)

G.5 CITY MANAGER'S REPORT (Informational - not for Council action)

a) Police Department - Oral Presentation by Police Chief Joel Ontiveros

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

H.1.1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUB-SECTION 9.12.050(F) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADDING SUB-SECTION 9.12.060(O) TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Introduce the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way.

Ordinance No. 850

An Ordinance of the City Council of the City of Moreno Valley, California, amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding Sub-Section 9.12.060(O) to Title 9 of the City of

Moreno Valley Municipal Code Relating to Signs in the Public Right-Of-Way

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2.1 ORDINANCE NO.847 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA12-0008 AMENDING THE MUNICIPAL CODE TO INCREASE THE MAXIMUM HEIGHT AND SIGN AREA FOR MENU BOARDS IN THE CITY'S SIGN CODE IN SECTION 9.12.060.D. (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 12, 2012 ON A 5-0 VOTE) (Report of: Community and Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 847 thereby APPROVING Municipal Code Amendment PA12-0008, based on the findings in the City Council Ordinance.

Ordinance No. 847

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA12-0008 Amending the Municipal Code to Increase the Maximum Height and Sign Area for Menu Boards in the City's Sign Code in Section 9.12.060.D.

H.2.2 ORDINANCE NO. 848 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.22.030 OF CHAPTER 12.22 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF THROUGH STREETS. (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 12, 2012 ON A 5-0 VOTE) (REPORT OF: PUBLIC WORKS DEPARTMENT)

Recommendation: That the City Council:

Adopt Ordinance No.848, amending Title 12 Section 12.22.030 of the City of Moreno Valley Municipal Code relating to the designation of through streets (as listed within the ordinance).

Ordinance No. 848

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.22.030 of Chapter 12.22 of the City of Moreno Valley Municipal Code Relating to the Designation of Through Streets

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT,CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
June 12, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Robert Mills
2. Proclamation Recognizing Police Chief John Anderson
3. "Spotlight on Moreno Valley Business"
   a) Moreno Valley Mall
   b) Berrybean Café

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 12, 2012

CALL TO ORDER - The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Housing Authority and the Board of Library Trustees was called to order at 6:35 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

Mayor Richard A. Stewart announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem William H. Batey II

INVOCATION - Pastor Lupe Gonzalez - Templo de Milagros International

ROLL CALL

Council:

Richard A. Stewart	Mayor
William H. Batey II	Mayor Pro Tem
Jesse L. Molina	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Joel Ontiveros	Police Chief
Abdul Ahmad	Fire Chief

Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Interim Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A.14), Kenny Bell (Item A.14), and Marcia Amino (Item A.14).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 22, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO HILLCREST CONTRACTING, INC. FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE - PROJECT NO. 11-41570125 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract to Hillcrest Contracting, Inc. (Hillcrest), 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder, for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project;

2. Authorize the City Manager to execute the construction contract with Hillcrest;

3. Authorize the issuance of a Purchase Order to Hillcrest in the amount of $3,939,216.13 ($3,282,680.11 for the Base Bid and awarded Alternates, plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any

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subsequent change orders to the contract with Hillcrest, up to but not to exceed the Purchase Order contingency of $656,536.02, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to Hillcrest, if no claims are filed against the project.

A.4 ACCEPTANCE AND APPROPRIATION OF $1,000,000 STATE-LOCAL PARTNERSHIP PROGRAM (SLPP) FUNDS FOR SR-60/NASON STREET OVERCROSSING IMPROVEMENT PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:
Accept and appropriate the $1,000,000 State-Local Partnership Program (SLPP) grant for the SR-60/Nason Street Overcrossing Improvement Project from the California Transportation Commission (CTC).

A.5 NOTICE OF COMPLETION AND ACCEPTANCE OF STREET IMPROVEMENTS FOR LOCAL STREET PAVEMENT RESURFACING, PROJECT NO. 12-22679728 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Local Street Pavement Resurfacing constructed by All American Asphalt, PO Box 2229, Corona, CA 92878;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to All American Asphalt thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.6 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4-MAINTENANCE MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2012/13
(Report of: Public Works Department)

Recommendation:

Acting in its capacity as the legislative body of Moreno Valley Community Facilities District No. 4-Maintenance ("CFD No. 4-M" or "District") approve and adopt Resolution No. 2012-39, approving the calculation of the Community Facilities District No. 4-M maximum special tax rate for Fiscal Year 2012/13.

Resolution No. 2012-39

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 4-Maintenance Maximum Special Tax Rate for Fiscal Year 2012/13

A.7 APPROVING THE CALCULATION OF THE MAXIMUM SPECIAL TAX FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation:

Acting in its capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt Resolution No. 2012-40, approving the calculation of the maximum special tax for Moreno Valley Community Facilities District No. 5 for fiscal year 2012/13.

Resolution No. 2012-40

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Maximum Special Tax for Moreno Valley Community Facilities District No. 5 for Fiscal Year 2012/13

A.8 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITES DISTRICT NO. 3 (AUTO MALL REFINANCING) MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation:

Acting in its capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3" or "District"), approve and adopt Resolution No. 2012-41 to approve the calculation of the Community Facilities District No. 3 maximum special tax rate for fiscal year (FY) 2012/13.

Resolution No. 2012-41

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 3 (Auto Mall Refinancing) Maximum Special Tax Rate for Fiscal Year 2012/13

A.9 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITES DISTRICT NO. 87-1 (TOWNGATE) MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation:

Acting in its capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1" or "District") approve and adopt Resolution No. 2012-42 to approve the calculation of the Community Facilities District No. 87-1 Special Tax rate for fiscal year (FY) 2012/13.

Resolution No. 2012-42

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 87-1 (Towngate) Maximum Special Tax Rate for Fiscal Year 2012/13

A.10 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation:

Acting in its capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate), Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1" or "District") approve and adopt Resolution No. 2012-43 to approve the calculation of the CFD No. 87-1, Improvement Area No. 1, Special Tax rate for fiscal year (FY) 2012/13.

Resolution No. 2012-43

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 Maximum Special Tax Rate for Fiscal Year (FY) 2012/13

A.11 APPROVE UPDATES TO MORENO VALLEY ELECTRIC UTILITY SOLAR PROGRAM (Report of: Public Works Department)

Recommendation:
Approve the updated Moreno Valley Electric Utility (MVU) Solar Program.

A.12 AUTHORIZATION TO AWARD AN INDEPENDENT CONTRACTOR AGREEMENT FOR FIRE PLAN CHECK SERVICES TO DENNIS GRUBB

& ASSOCIATES (Report of: Fire Department)

Recommendation:

1. Approve a five year Independent Contractor Agreement with Dennis Grubb & Associates for Fire Plan Check Services not to exceed $600,000;

2. Authorize the City Manager to execute the Agreement with Dennis Grubb & Associates; and

3. Authorize the City Manager to approve the annual purchase orders issued to Dennis Grubb & Associates.

A.13 APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH PUBLIC ENTITY RISK MANAGEMENT AUTHORITY (PERMA) FOR PROPERTY AND CASUALTY INSURANCE PRODUCT LINES (Report of: Human Resources Department/Risk Management)

Recommendation:

1. Approve a Memorandum of Understanding with Public Entity Risk Management Authority (PERMA) for Property and Casualty Insurance Product Lines; and

2. Authorize the City Manager to extend the annual contract for up to four consecutive years, if deemed to meet the City's best interests.

A.14 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES TO INCLUDE RATE SCHEDULES AND ASSOCIATED AGREEMENTS FOR ECONOMIC DEVELOPMENT RATE – NEW BUSINESS OR EXPANDED LOAD CUSTOMERS AND ECONOMIC DEVELOPMENT RATE – BUSINESS RETENTION FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:

1. Approve Resolution No. 2012-44 amending the Electric Rates to include rate schedules for the Economic Development Rate ED – New Business or Expanded Load Customers and Economic Development Rate BR – Business Retention for Moreno Valley Utility

Resolution No. 2012-44

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates to Include Rate Schedules and Associated Agreements for the Economic Development Rate – New Business or Expanded Load Customers and Economic

Development Rate – Business Retention for Moreno Valley Utility

2. Authorize the City Manager to execute, on behalf of the City Council, the required Economic Development Rate Agreement for Business Retention pursuant to Schedule ED-BR - Economic Development – Business Retention Rate; and

3. Authorize the City Manager to execute, on behalf of the City Council, the required Economic Development Rate Agreement for New or Expanded Load Electric Service Customer pursuant to Schedule ED - Economic Development Rate.

A.15 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY CITY EMPLOYEES ASSOCIATION, MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2015 (Report of: Human Resources Department)

Recommendation:

1. Approve the successor Memoranda of Understanding (MOUs) between the City of Moreno Valley and the Moreno Valley City Employees Association, Moreno Valley Management Association and Moreno Valley Confidential Management Employees for the period of July 1, 2012 through June 30, 2015;

2. Extend the economic provisions of these Agreements to unrepresented classifications as specified in this report;

3. Approve updates to the Salary Schedule and Personnel Rules & Regulations to incorporate revisions as specified in the MOUs; and

4. Authorize the Financial and Administrative Services Director to adjust operating budgets to reflect the Council's approval of the recommended actions.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 3-2, Council Member Jesse L. Molina, and Council Member Marcelo Co opposed.

A.16 CONFLICT OF INTEREST CODE – AGENCY REVIEW (Report of: City Clerk Department)

Recommendation:

As the Code reviewing body of the City of Moreno Valley, direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2012.

A.17 APPROVE BUDGETS AND BUDGET AMENDMENTS TO THE REVISED OPERATING BUDGET FOR FISCAL YEAR 2012/13 (Report of: Financial & Administrative Services Department)

Recommendation:

1. The Finance Subcommittee recommends that the City Council: Adopt Resolution No. 2012-49, approving Amendments to the Revised Operating Budget for the City of Moreno Valley for FY 2012/13, pursuant to the appropriations and Position Control Roster presented in Exhibits A through C to the Resolution;

   Resolution No. 2012-49

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Amendments to the Operating Budget for Fiscal Year 2012/13

2. Acting in its capacity as the Successor Agency to the Community Redevelopment Agency of Moreno Valley, adopt Resolution No. 2012-50, establishing a budget for the Successor Agency for FY 2012/13; pursuant to the appropriations presented in Exhibit A to the Resolution; and

   Resolution No. 2012-50

   A Resolution of the City of Moreno Valley as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2012/13

A.18 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 16 – June 5, 2012.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 22, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-2/12-13 (MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION) AND ZONE D BUDGET ADJUSTMENT TO PROVIDE FOR ZONE D LANDSCAPE PROGRAM SERVICES (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for CSD Project No. DSG-2/12-13 (the "Agreement") with Mariposa Landscapes, Inc.;

2. Authorize the President of the CSD Board to execute said Agreement with Mariposa Landscapes, Inc.;

3. Authorize the appropriation of an additional $45,424 from Zone D Fund Balance to Account No. 181.78110.6261 (Standard Landscape Maintenance Administration) to fund the increased cost of Zone D landscape maintenance services; and

4. Authorize the Purchasing Division Manager, to issue purchase orders on July 1, 2012 to Mariposa Landscapes, Inc., in the amounts of:

   a) One hundred fifty-five thousand seven hundred eighty-four and 00/100 dollars ($155,784.00) for twelve (12) months of base maintenance services; and

   b) Ten thousand one hundred and 00/100 dollars ($10,100.00) for anticipated Additional Work, per Exhibit C, Section 2, paragraph E, of the Agreement.

B.4 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation:

Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community

Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2012-07 approving the calculation of the Community Facilities District No. 1 maximum special tax rate for fiscal year 2012/13.

Resolution No. CSD 2012-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 1 Maximum Special Tax Rate for Fiscal Year 2012/13

B.5 APPROVE THE FIRST EXTENSION AGREEMENT FOR PROJECT NO. E-81415/11 (MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION) FOR PROMONTORY PARK/MAHOGANY FIELDS/CELEBRATIONS AND INCLUSION OF MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION FOR ZONE E-12 STONERIDGE RANCH (Report of: Public Works Department)

Recommendation:

1. Approve the First Extension to the Agreement for CSD Project No. E-81415/11 (the "Agreement") with Merchants Landscape Services, Inc., which includes the added parkway landscape maintenance area for Zone E-12 Stoneridge Ranch;

2. Authorize the President of the CSD Board to execute said Extension Agreement with Merchants Landscape Services, Inc.; and

3. Authorize the Purchasing Division Manager to issue purchase orders for fiscal year (FY) 2012/13 to Merchants Landscape Services, Inc., in the cumulative amounts of:

   a) Eighty-one thousand one hundred and ninety-four and 64/100 dollars ($81,194.64) for twelve (12) months of base maintenance services; and,

   b) Seventeen thousand three hundred and 00/100 dollars ($17,300.00) for anticipated Additional Work, per Exhibit C, Section 2, paragraph E, of the Agreement.

B.6 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE M (MEDIANS) PROJECT NO. M/12-13 (MAINTENANCE OF MEDIAN-MONUMENT-PARKWAY LANDSCAPING AND IRRIGATION) AND INCLUSION OF MAINTENANCE OF THE PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION FOR ZONE S (SUNNYMEAD BOULEVARD) (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for CSD Project No. M/12-13 Maintenance of Median-Monument-Parkway Landscaping and Irrigation (the "Agreement") with TruGreen Landcare, which will include the added maintenance of the median and parkway landscape areas for Zone S (Sunnymead Boulevard);

2. Authorize the CSD Board President to execute the Agreement with TruGreen Landcare; and

3. Authorize the Purchasing Division Manager, to issue purchase orders for fiscal year (FY) 2012/13 to TruGreen Landcare, in the cumulative amounts of:

   a) Seventy thousand four hundred thirty-five and 91/100 dollars ($70,435.91) for twelve (12) months of base maintenance services and;

   b) Five thousand eight hundred and 00/100 dollars ($5,800.00) for anticipated Additional Work, per Exhibit C, Section 2, paragraph E. of the Agreement.

B.7 APPROVE BUDGETS AND BUDGET AMENDMENTS TO THE REVISED OPERATING BUDGET FOR FISCAL YEAR 2012/13 (Report of: Financial & Administrative Services Department)

Recommendation:
Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2012-19, approving Amendments to the Revised Operating Budget for the Moreno Valley Community Services District for FY 2012/13, pursuant to the appropriations and Position Control Roster presented in Exhibits A through C to the Resolution;

Resolution No. CSD 2012-19

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Adopting the Amendments to the Operating Budget for Fiscal Year 2012/13

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 22, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 APPROVE BUDGETS AND BUDGET AMENDMENTS TO THE REVISED OPERATING BUDGET FOR FISCAL YEAR 2012/13 (Report of: Financial & Administrative Services Department)

Recommendation:

Acting in its capacity as the Moreno Valley Housing Authority, adopt Resolution No. HA 2012-06, establishing a budget for the Housing Authority for FY 2012/13; pursuant to the appropriations presented in Exhibit A to the Resolution.

Resolution No. HA 2012-06

A Resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2012/13

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 22, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A.1 through D.2, except Item A.15, which was pulled for separate action. by m/Mayor Pro Tem William H. Batey II, s/Council Member Marcelo Co

Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2012/2013 ANNUAL RATES (Report of: Community & Economic Development Department)

MV00166856

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2012-52, a Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2012-52

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for new Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Rolls

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

Motion to Approve by m//Council Member Robin N. Hastings, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2012-13 (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2012-13; and

2. Adopt Resolution No. 2012-45 establishing the appropriations limit at $93,811,748 for the City of Moreno Valley for Fiscal Year 2012-13.

Resolution No. 2012-45

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2012-13

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

E.3 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2012-13 (Report of: Financial & Administrative Services Department)

Recommendation: That the CSD:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2012-13; and

2. Adopt Resolution No. CSD 2012-08, establishing the appropriations limit at $15,117,121 for the Moreno Valley Community Services District for Fiscal Year 2012-13.

Resolution No. CSD 2012-08

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2012-13

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

Motion to Approve by m/Vice President William H. Batey II, s/Board Member Robin N. Hastings

Approved by a vote of 5-0.

E.4 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA12-0008) TO REVISE PORTIONS OF THE CITY'S SIGN CODE IN SECTION 9.12.060.D TO ALLOW FOR INCREASED SIGN COPY AREA AND HEIGHT FOR DRIVE-THROUGH RESTAURANT MENU BOARDS (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that application PA12-0008 (Municipal Code Amendment) will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section

15305, Minor Alterations to Land Use Limitations, as a Class 5 Categorical Exemption; and

2. INTRODUCE Ordinance No. 847 thereby APPROVING Municipal Code Amendment PA12-0008, based on the findings in the City Council Ordinance.

Ordinance No. 847

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA12-0008 Amending the Municipal Code to Increase the Maximum Height and Sign Area for Menu Boards in the City's Sign Code in Section 9.12.060.D.

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

Motion to Approve Recommendation No. 1 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

E.5 PUBLIC HEARING TO CONSIDER THE STAFF RECOMMENDED RESOLUTIONS APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation: That the CSD:

1. Conduct a Public Hearing to consider the continuance of current Moreno Valley Community Services District annual parcel charges proposed for FY 2012-13 and to approve and adopt the following proposed resolutions:

Resolution No. CSD 2012-09 to approve the calculation of the Zone A charges;

Resolution No. CSD 2012-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community

Services) Services During Fiscal Year 2012/2013

2. Resolution No. CSD 2012-10 to approve the calculation of the Zone B charges;

Resolution No. CSD 2012-10

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2012/2013

3. Resolution No. CSD 2012-11 to approve the calculation of the Zone C charges;

Resolution No. CSD 2012-11

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2012/2013

4. Resolution No. CSD 2012-12 to approve the calculation of the Zone D charges;

Resolution No. CSD 2012-12

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2012/2013

5. Resolution No. CSD 2012-13 to approve the calculation of the Zone E charge;

Resolution No. CSD 2012-13

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (Extensive Landscape Maintenance) Services During Fiscal Year 2012/2013

6. Resolution No. CSD 2012-14 to approve the calculation of the Zone E-1A charges;

Resolution No. CSD 2012-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2012/2013

7. Resolution No. CSD 2012-15 to approve the calculation of the Zone E-3A charges;

Resolution No. CSD 2012-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway Internal Parkway Landscape Maintenance) Services During Fiscal Year 2012/2013

8. Resolution No. CSD 2012-16 to approve the calculation of the Zone E-4A charges;

Resolution No. CSD 2012-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2012/2013

9. Resolution No. CSD 2012-17 to approve the calculation of the Zone M charges; and

Resolution No. CSD 2012-17

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/ Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2012/2013

10. Resolution No. CSD 2012-18 to approve the calculation of the Zone S charges.

Resolution No. CSD 2012-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2012/2013

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

Motion to Approve Recommendation No. 1 by m/Vice President William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 3 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 4 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5--0.

Motion to Approve Recommendation No. 5 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 6 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 7 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 8 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 9 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 10 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

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

Item A.15 was pulled from the Consent Calendar for separate action.

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

G. REPORTS

G.1 WRCOG PRESENTATION ON AB 811 HERO PROGRAM (ORAL PRESENTATION) (Report of: City Manager's Office)

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

No action required.

G.2 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

Mayor Richard A. Stewart reported:
1. The lawsuit has been filed and served
2. March Health Care - close to signing a deal for health-related use facility on east March
3. FAA requires a general aviation use at March; therefore, a small building for general aviation and possible a hanger or two are going to be built; March Joint Powers held a public forum meeting at Orange Crest area, which is most affected by overflight

b) Report by Council Member Council Member Robin N. Hastings on the

MV00166863

Western Riverside Council of Governments (WRCOG)

Council Member Robin N. Hastings reported:
1. WRCOG has been contacted by counties across the state regarding information on how to assemble HERO program; looking for expanding the program and to provide a model for other jurisdictions
2. WRCOG General Assembly will be held June 21, with VIP reception starting at 5:30 p.m., and General Assembly event at 6:30 p.m. General Powell will be the speaker; encouraged everyone to attend

c) Report by Council Member Council Member Jesse L. Molina on the Riverside Transit Agency (RTA)

Council Member Jesse L. Molina reported:
1. RTA used grants to replace buses
2. Concerned about eliminating school buses; City Traffic Engineer Eric Lewis and Larry Rubio are working diligently to ensure safety for the kids; thanked Eric Lewis and Larry Rubio for working together and for partnering with Safe Routes to School
3. More people are using public transit

G.3 GENERAL MUNICIPAL ELECTION – NOVEMBER 6, 2012 - RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Adopt: Resolution No. 2012-46, calling and giving notice of the holding of a general municipal election on Tuesday, November 6, 2012 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

Resolution No. 2012-46

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 6, 2012, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

2. Adopt Resolution No. 2012-47, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 6, 2012 pursuant to §10403 of the California Elections

Code;

Resolution No. 2012-47

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election with the Statewide General Election to be Held on Tuesday, November 6, 2012, Pursuant to Section 10403 of the California Elections Code

3. Adopt Resolution No. 2012-48, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 6, 2012; and

Resolution No. 2012-48

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 6, 2012

4. Approve the Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

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

The City Clerk announced a correction to the staff report under Fiscal Impact: 61,000 dollars was budgeted, and there is a gap, which will be addressed and evaluated during the midyear budget adjustment. Typically, the invoice from the Riverside County Registrar of Voters is not received until February.

Motion to Approve Recommendation No. 1 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 3 by m/Mayor Pro Tem

William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 4 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

G.4 SAFE ROUTES TO SCHOOL PROGRAM (POWERPOINT PRESENTATION) (Report of: Public Works Department/TED)

Recommendation: That the City Council:

1. Receive and file information presented; and

2. Endorse the Safe Routes to School Program.

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

Motion to Approve by m/Council Member Jesse L. Molina, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

Recess;

Reconvened

G.5 ADOPTION OF FY 2012-2013 CAPITAL IMPROVEMENT PLAN (Report of: Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2012-51, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2012-2013, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan;

Resolution No. 2012-51

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for FY 2012-2013

2. Acting in its capacity as the President and Board of Directors of the

Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2012-20, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2012-2013, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan.

Resolution No. CSD 2012-20

A Resolution of the Community Services District, Adopting the Capital Improvement Plan for FY 2012-2013

3. Acting in its capacity as the Chairman and Board of Directors of the Moreno Valley Housing Authority, adopt Resolution No. MVHA 2012-05, approving the Capital Improvement Plan as the capital budget for the Moreno Valley Housing Authority for FY 2012-2013, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan.

Resolution HA No. 2012-05

A Resolution of the Moreno Valley Housing Authority, Adopting the Capital Improvement Plan for FY 2012-2013

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

Motion to Approve Recommendation No. 1 by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Vice President William H. Batey II, s/Board Member Robin N. Hastings

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 3 by m/Vice Chairperson William H. Batey II, s/Commissioner Robin N. Hastings

Approved by a vote of 5-0.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action) - none

Mayor Richard A. Stewart opened the agenda item for public comments;

there being none, public comments were closed.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

H.1.1 INTRODUCTION OF ORDINANCE NO. 848 AMENDING SECTION 12.22.030 OF THE MORENO VALLEY MUNICIPAL CODE, RELATING TO DESIGNATION OF THROUGH STREETS (Report of: Public Works Department)

Recommendation: That the City Council:

Introduce Ordinance No.848, amending Title 12 Section 12.22.030 of the City of Moreno Valley Municipal Code relating to the designation of though streets (as listed within the ordinance).

Ordinance No. 848

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.22.030 of Chapter 12.22 of the City of Moreno Valley Municipal Code Relating to the Designation of Through Streets

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

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2.1 ORDINANCE NO. 845 - AN ORDINANCE APPROVING AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE FOR THE EXCLUSION OF CROSSING GUARDS AND RECREATION AIDES HIRED ON OR AFTER THE EFFECTIVE DATE OF THIS CONTRACT AMENDMENT, AND ADOPT THE RELATED ORDINANCE AS REQUIRED BY CALPERS (RECEIVED FIRST READING AND INTRODUCTION ON MAY 22, 2012 BY A 5-0 VOTE) (Report of: Human Resources Department)

Recommendation: That the City Council:

Adopt Ordinance No. 845 to amend the City of Moreno Valley's contract with CalPERS to provide the Exclusion of Crossing Guards and Recreation

Aides hired on or after the effective date of this contract amendment.

Ordinance No. 845

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

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

H.2.2 ORDINANCE NO. 846 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DISSOLVING IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY AND ORDERING THE RECORDATION OF AN AMENDMENT TO THE NOTICE OF SPECIAL TAX LIEN RELATED TO SUCH DISTRICT (RECEIVED FIRST READING AND INTRODUCTION ON MAY 22, 2012 BY A 5-0 VOTE) (Report of: Public Works Department)

Recommendation: That the City Council:

Acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley adopt Ordinance No. 846 ordering the dissolution of CFD No. 7, Improvement Area No. 2 and the recordation of an amendment to the Notice of Special Tax Lien.

Ordinance No. 846

An Ordinance of the City Council of the City of Moreno Valley, California, Dissolving Improvement Area No. 2 of Community Facilities District No. 7 of the City of Moreno Valley and Ordering the Recordation of an Amendment to the Notice of Special Tax Lien Related to Such District

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

Motion to Approve by m/ Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pam Patterson, co-owner of A-Postal Express

1. Thanked Council Members Molina and Co for their support and help in robbery case

2. Financial help/loan

Jose D. Chavez

1. Sidewalk repair on New Haven

2. Towing trucks

Gilbert Gonzales

1. Incentive program to streamline and reduce costs for the City

Tom Jerele Sr.

1. Commercial signage

2. Memorial Day service – an excellent service

3. Taste of the Valley is coming up on June 23 - a great event

Kenny Bell

1. Jobs in Moreno Valley

Marcia Amino

1. Jobs in the City

2. Property rights of residents

3. Warehouse/logistics center

MV00166870

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT,CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Mayor Pro Tem William H. Batey II

1. Thanked staff, PD Chief and Fire Chief for helping with City Hall tour for kids from TownGate Elementary School

2. Edgemont water system issue has always been a tough issue; trying to work with the company to make improvements to the water system; there are some challenges; hope we will get some positive results; might bring the issue to the council for further action

3. Next week will be out of state; requested to delay DIF item

4. Thanked residents of Moreno Valley for all the support

5. Regarding developing jobs - we will need to prioritize what kinds of jobs to bring to the city and how to do that; has ideas that can be brought forward to broaden the job base and streamline the process; a lot of work left to be done

Council Member Robin N. Hastings

1. Voted for the economic development Moreno Valley Utility incentives to bring in additional business - it is an important tool to keep us competitive; it is a pilot program, which will be evaluated

2. Regarding transfer of funds to do Nason Street improvements - improvements are necessary to mitigate the traffic flow; the City was able to take advantage of TUMF funds to do the improvements because the project was shuffle ready; asked to contact her with any questions and concerns

3. Attended a groundbreaking at the Moreno Valley College with Mayor Stewart - terrific to see that we are getting bond money for improvements at college

4. Attended the Sunnymead Ranch Veterans Memorial Garden groundbreaking with Mayor Stewart, which was done specifically to honor Sunnymead Ranch veterans; a phenomenal event; was very honored to be invited to attend it

5. Yesterday, attended the Soroptimist International Award Banquet - this group of women contributed this year over 20,000 dollars to local organizations and charities, a tremendous amount of money to benefit the residents; they are doing a terrific job

5. A-Postal Express - is terrible sorry about the situation; use of City funds is restricted, as money may only be used for specific purposes; a loan or a gift to a business is considered a misuse of public funds

Council Member Jesse L. Molina

1. Is sorry about A-Postal Express situation; if there is anything he can do, he will

2. Will take a look at the sidewalk Mr. Chavez talked about

3. Thanked all the citizens who come to the council meetings with comments; asked to email or call him with any concerns; thanked for being patient

Mayor Richard A. Stewart

1. Stated that his Mom is in the hospital

2. Stated that Best Buy has no financial assistance from the City. The City can help only businesses that are served by the Moreno Valley Utility; we are trying to find ways to assist businesses we have right now; asked to please contact him with any ideas how to retain a business in the City; the City needs to charge the impact fees, as the fee pays for infrastructure;

3. Met with Parks & Community Services Director Mike McCarthy and a member of sports group concerned about high cost of the electricity for lights in the ball fields. The fees are charged by Edison

4. Improvements on Sunnymead Blvd. were paid by business owners on Sunnymead Blvd.

5. Regarding property rights - zoning is not considered to be one of the constitutionally protected property rights

6. The City needs to take action to attract businesses and jobs; welcomes any suggestions

7. Commended Eagle Scouts for working very hard on public projects

8. Stated that he is endorsing Mayor Pro Tem Batey, who is running for a higher office

9. Regarding jobs – the biggest success story is Meridian - many jobs were already created and more will be

10. Edgemont water issue - working on it; not an easy answer to that

11. Stated that we need to keep the effort going to give incentives to businesses to hire local residents

CLOSED SESSION - canceled

ADJOURNMENT

The meeting was adjourned in memory of Cpl. Anthony R. Servin who was killed in combat in Afghanistan.

There being no further business to conduct, the meeting was adjourned at 9:13 p.m. by unanimous informal consent.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Secretary, Housing Authority
Secretary, Board of Library Trustees

Approved by:

_____

Mayor Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, City as Successor to the Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Housing Authority
Chairperson, Board of Library Trustees

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MV00166873

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 26, 2012

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 6 – 19, 2012.

Reports on Reimbursable Activities June 6 – 19, 2012		
Council Member	Date	Meeting
William H. Batey II	6/14/12	Rally 'Round the Flag
Marcelo Co		None
Robin N. Hastings		None
Jesse L. Molina	6/14/12	Rally 'Round the Flag
Richard A. Stewart	6/14/12	Rally 'Round the Flag

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: June 26, 2012

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2012

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2012-53, approving the Check Register for the month of April, 2012 in the amount of $13,408,420.85.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the FY 2011-12 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2012-53
Check Register for Month of April, 2012

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2012

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2012 through April 30, 2012, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2012 through April 30, 2012, in the total amount of $13,408,420.85 is approved.

APPROVED AND ADOPTED this 26th day of June, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00166877

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

CITY CLERK

Resolution No. 2012-53
Date Adopted: June 26, 2012

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
4/9/2012	212184	462,643.81		
			SR-60/NASON ST INTRCHNG PROJ	409,578.56
			SR-60/NASON ST INTRCHNG PROJ	53,065.25
4/12/2012	1204041	51,404.87		
			RETENTN PMT PER ESCRW AGREEMNT	51,404.87
	Vendor Total	**514,048.68**		
FYTD for ALL AMERICAN ASPHALT, INC.		**5,838,329.28**		
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
4/16/2012	884984	25,683.58		
			LANDSCAPE MAINT-MVU SUBSTN	567.00
			LANDSCAPE MAINT-MVU	432.00
			LANDSCAPE MAINT-LIBRARY	468.00
			LANDSCAPE MAINT-ANIMAL SVCS	468.00
			LANDSCAPE MAINT-PSB	1,077.83
			LANDSCAPE MAINT-CRC	1,710.00
			LANDSCAPE MAINT-PATRIOT PK	360.00
			LANDSCAPE MAINT-BAY/JFK AQDCT	1,710.00
			LANDSCAPE MAINT-BIKE AQDCT	360.00
			LANDSCAPE MAINT-TOWNGATE CNTR	180.00
			LANDSCAPE MAINT-TOWNGATE AQDCT	635.00
			LANDSCAPE MAINT-S AQDCT "B"	662.00
			LANDSCAPE MAINT-SENIOR CNTR	236.00
			LANDSCAPE MAINT-N AQDCT	473.00
			LANDSCAPE MAINT-S AQDCT "A"	765.50
			LANDSCAPE MAINT-SCE/OLD LAKE	1,575.00
			LANDSCAPE MAINT-PAN AM/AQDCT	540.00
			LANDSCAPE MAINT-FORMER STARS	260.00
			LANDSCAPE MAINT-CITY YARD	225.00
			LANDSCAPE MAINT-ZONE E-3	10,625.00
			LANDSCAPE MAINT-ZONE E-3A	781.02
			APPLY PREEMERGENT HERBICIDE-E3	1,573.23
	Vendor Total	**25,683.58**		
FYTD for BEMUS LANDSCAPE, INC.		**315,932.94**		
BRAUN BLAISING MCLAUGHLIN			Remit to: **SACRAMENTO**	**CA**
4/16/2012	212292	46,921.24		
			LEGAL SVCS	46,921.24
	Vendor Total	**46,921.24**		
FYTD for BRAUN BLAISING MCLAUGHLIN		**97,616.02**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BURKE, WILLIAMS & SORENSEN, LLP.				Remit to: **LOS ANGELES** **CA**	
	4/23/2012	885022	27,555.75		
				LEGAL SVCS	27,555.75
	Vendor Total		**27,555.75**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**247,608.99**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	4/30/2012	212472	36,336.66		
				STORM DRAIN/ST. IMPRV-TOWNSITE	28,574.41
				CONSULTANT ADMIN SVCS-CAP PROJ	7,762.25
	Vendor Total		**36,336.66**		
FYTD for DMC DESIGN GROUP, INC			**280,163.30**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
4/2/2012	212066	32,236.52		
			COST-SHARING ARRNGMNT RECONCIL	32,236.52
4/9/2012	212214	25,879.30		
			WATER CHARGES	360.04
			WATER CHARGES	264.24
			WATER CHARGES	395.67
			WATER CHARGES	7,926.57
			WATER CHARGES	675.06
			WATER CHARGES	750.18
			WATER CHARGES	7,873.38
			WATER CHARGES	3,356.45
			WATER CHARGES	2,154.01
			WATER CHARGES	29.16
			WATER CHARGES	190.57
			WATER CHARGES	222.06
			WATER CHARGES	73.13
			WATER CHARGES	211.36
			WATER CHARGES	218.51
			WATER CHARGES	116.82
			WATER CHARGES	382.71
			WATER CHARGES	340.54
			WATER CHARGES	165.96
			WATER CHARGES	123.38
			WATER CHARGES	49.50
4/23/2012	212389	38,773.79		
			WATER CHARGES	910.51
			WATER CHARGES	763.06
			WATER CHARGES	407.84
			WATER CHARGES	731.00
			WATER CHARGES	1,183.13
			WATER CHARGES	10,556.92
			WATER CHARGES	1,211.86
			WATER CHARGES	3,864.65
			WATER CHARGES	3,546.88
			WATER CHARGES	2,098.34
			WATER CHARGES	1,762.54
			WATER CHARGES	4,505.59
			WATER CHARGES	48.95
			WATER CHARGES	856.17
			WATER CHARGES	2,048.86
			WATER CHARGES	462.59
			WATER CHARGES	1,035.92
			WATER CHARGES	817.53
			WATER CHARGES	327.23
			WATER CHARGES	63.14
			WATER CHARGES	204.67
			WATER CHARGES	213.07
			WATER CHARGES	627.93
			WATER CHARGES	525.41
	Vendor Total	**96,889.61**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,223,153.99**		
ELITE COMPANIES US, INC.			Remit to: **HUNTINGTON BEACH CA**	
4/9/2012	212216	77,803.24		
			INDIAN ST. BICYCLE LANES PROJ.	77,803.24
Vendor Total		**77,803.24**		
FYTD for ELITE COMPANIES US, INC.		**77,803.24**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
4/6/2012	3059	31,191.34		
			STATE INCOME TAX W/H 4/6/12	31,191.34
4/20/2012	3067	29,980.05		
			STATE INCOME TAX W/H 4/20/12	29,980.05
Vendor Total		**61,171.39**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,030,342.80**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM CA**	
4/30/2012	885064	184,065.23		
			DISTRIBUTION CHRGS-MVU	171,850.67
			SPECIAL CHRGS/TEMP POWER POLES	8,380.00
			BAD DEBT-DEDUCTION	-2,354.89
			ONLINE UTILITY SVCS	219.45
			ELECTRIC METER CHRGS-MVU	5,970.00
Vendor Total		**184,065.23**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,267,437.93**		
FALCON ENGINEERING SERVICES, INC.			Remit to: **CORONA CA**	
4/2/2012	212070	27,716.30		
			SR-60/NASON ST OVERCRSSNG PROJ	27,716.30
Vendor Total		**27,716.30**		
FYTD for FALCON ENGINEERING SERVICES, INC.		**27,716.30**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY CA**	
4/9/2012	212219	29,224.08		
			AFTERSCHOOL SNACKS-CACFP	29,224.08
4/16/2012	212307	47,784.24		
			AFTERSCHOOL SNACKS-CACFP	47,784.24
Vendor Total		**77,008.32**		
FYTD for FAMILY SERVICE ASSOCIATION		**301,722.90**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
4/23/2012	885031	34,117.83		
			RETENTION PMT-PROJ#08-41678827	25,560.97
			RETENTION PMT-PROJ#08-41678827	7,048.96
			RETENTION PMT-PROJ#08-41678827	1,507.90
	Vendor Total	**34,117.83**		
FYTD for HILLCREST CONTRACTING, INC		**865,960.19**		
IBERDROLA RENEWABLES, INC			Remit to: **PORTLAND** **OR**	
4/2/2012	212090	54,232.75		
			RENEWABLE ENERGY CREDITS-MVU	54,232.75
	Vendor Total	**54,232.75**		
FYTD for IBERDROLA RENEWABLES, INC		**54,232.75**		
INTERNAL REVENUE SERVICE			Remit to:	
4/6/2012	3058	121,766.64		
			FED INCOME TAX W/H 4/6/12	121,766.64
4/20/2012	3066	117,672.48		
			FED INCOME TAX W/H 4/20/12	117,672.48
	Vendor Total	**239,439.12**		
FYTD for INTERNAL REVENUE SERVICE		**2,807,284.66**		
JFL ELECTRIC, INC.			Remit to: **LOS ANGELES** **CA**	
4/16/2012	212316	48,006.30		
			LASSELLE/MARGARET AVE TRAF SIG	48,006.30
	Vendor Total	**48,006.30**		
FYTD for JFL ELECTRIC, INC.		**143,325.48**		
LUCRECIA JAUREGUI & KENNETH G. MARKS			Remit to: **IRVINE** **CA**	
4/2/2012	212094	36,000.00		
			CASE SETTLEMENT	36,000.00
	Vendor Total	**36,000.00**		
FYTD for LUCRECIA JAUREGUI & KENNETH G. MARKS		**36,000.00**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY			Remit to: **HEMET**	**CA**
4/23/2012	212413	49,753.57		
			ELECTRICITY	147.18
			ELECTRICITY	1,027.42
			ELECTRICITY	354.70
			ELECTRICITY	1,734.71
			ELECTRICITY	7,985.39
			ELECTRICITY	9,659.38
			ELECTRICITY	2,519.84
			ELECTRICITY	4,589.86
			ELECTRICITY	678.02
			ELECTRICITY	134.17
			ELECTRICITY	11,665.79
			ELECTRICITY	7,054.37
			ELECTRICITY	204.54
			ELECTRICITY	141.56
			ELECTRICITY	90.88
			ELECTRICITY	68.36
			ELECTRICITY	68.29
			ELECTRICITY	139.85
			ELECTRICITY	86.37
			ELECTRICITY	1,402.89
	Vendor Total	**49,753.57**		
FYTD for MORENO VALLEY UTILITY		**636,724.75**		
MSA SYSTEMS, INC.			Remit to: **SAN JOSE**	**CA**
4/2/2012	884899	43,276.79		
			MC75A MOTOROLA TICKET WRITER	29,235.00
			MSR (FOR MC70)	2,418.75
			1 SLOT USB CRADLE KIT	2,391.05
			USB CABLE	165.00
			3-YR BRONZE W/ COMPREHENSIVE	5,070.00
			BATTERY (LITHIUM ION) 4800	1,064.25
			SHIPPING CHARGE	199.00
			CALIF SALES TAX @ 7.75%	2,733.74
	Vendor Total	**43,276.79**		
FYTD for MSA SYSTEMS, INC.		**45,608.68**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS**	**OH**
4/6/2012	3055	25,681.85		
			DEF COMP - 457 & 401(A) 4/6/1	25,681.85
4/20/2012	3063	25,630.85		
			DEF COMP 457 & 401(A) 4/20/12	25,630.85
	Vendor Total	**51,312.70**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**629,482.44**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
4/16/2012	885002	139,099.01		
			PURCHASE ELECTRIC ENERGY	139,099.01
Vendor Total		**139,099.01**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**1,704,920.96**		
PARSONS TRANSPORTATION GROUP, INC.			Remit to: **IRVINE** **CA**	
4/2/2012	884904	43,551.83		
			SR-60/NASON ST OVERCRSSNG PROJ	43,551.83
Vendor Total		**43,551.83**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**994,027.13**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
4/9/2012	1204011	199,134.75		
			EMPLOYEE HEALTH INS 4/9/12	199,134.75
Vendor Total		**199,134.75**		
FYTD for PERS HEALTH INSURANCE		**2,001,608.29**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
4/13/2012	3060	213,173.79		
			PERS RETIREMENT 4/13/12	213,173.79
4/27/2012	3068	212,866.98		
			PERS RETIREMENT 4/27/12	212,866.98
Vendor Total		**426,040.77**		
FYTD for PERS RETIREMENT		**4,732,839.70**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
4/2/2012	212135	25,000.00		
			INITIAL PLAN CHK FEE DEPOSIT	25,000.00
Vendor Total		**25,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**132,574.41**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
4/2/2012	884910	2,691,381.62		
			CONTRACT LAW ENF BILL #6	44,611.36
			CONTRACT LAW ENF BILL #6	534.48
			CONTRACT LAW ENF BILL #6	1,508,267.20
			CONTRACT LAW ENF BILL #6	57,382.14
			CONTRACT LAW ENF BILL #6	376,270.06
			CONTRACT LAW ENF BILL #6	5,372.85
			CONTRACT LAW ENF BILL #6	75,569.93
			CONTRACT LAW ENF BILL #6	5,956.80
			CONTRACT LAW ENF BILL #6	80,936.44
			CONTRACT LAW ENF BILL #6	1,586.95
			CONTRACT LAW ENF BILL #6	164,496.37
			CONTRACT LAW ENF BILL #6	2,198.95
			CONTRACT LAW ENF BILL #6	280,648.19
			CONTRACT LAW ENF BILL #6	7,547.49
			CONTRACT LAW ENF BILL #6	34,856.41
			CONTRACT LAW ENF BILL #6	296.65
			CONTRACT LAW ENF BILL #6	44,849.35
4/23/2012	885041	2,473,652.45		
			CONTRACT LAW ENF BILL #7	44,627.10
			CONTRACT LAW ENF BILL #7	579.87
			CONTRACT LAW ENF BILL #7	1,353,144.67
			CONTRACT LAW ENF BILL #7	52,917.94
			CONTRACT LAW ENF BILL #7	347,635.87
			CONTRACT LAW ENF BILL #7	3,939.75
			CONTRACT LAW ENF BILL #7	74,023.38
			CONTRACT LAW ENF BILL #7	6,208.74
			CONTRACT LAW ENF BILL #7	78,031.89
			CONTRACT LAW ENF BILL #7	1,161.10
			CONTRACT LAW ENF BILL #7	165,519.17
			CONTRACT LAW ENF BILL #7	3,473.10
			CONTRACT LAW ENF BILL #7	263,628.01
			CONTRACT LAW ENF BILL #7	12,356.96
			CONTRACT LAW ENF BILL #7	35,153.75
			CONTRACT LAW ENF BILL #7	327.25
			CONTRACT LAW ENF BILL #7	30,923.90
	Vendor Total	**5,165,034.07**		
FYTD for RIVERSIDE COUNTY SHERIFF		**30,334,377.13**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY**	**CA**
4/2/2012	212137	33,785.21		
			SPEC BILLING-LAW ENF. OVRTIME	3,963.36
			SPEC BILLING-LAW ENF. OVRTIME	11,370.00
			SPEC BILLING-LAW ENF. OVRTIME	521.90
			CONTRACT SVCS-OTS GRANT #20163	16,217.36
			PD EXTRA DUTY-RANCHO VERDE BB	1,665.84
			PD EXTRA DUTY-RANCHO VERDE BB	46.75
4/16/2012	212336	39,300.32		
			SPEC BILLING-LAW ENF. OVRTIME	344.64
			CONTRACT SVCS-OTS GRANT #20163	2,175.73
			CONTRACT SVCS-OTS GRANT #20163	1,274.88
			CONTRACT SVCS-OTS GRANT #20163	10,929.12
			CONTRACT SVCS-OTS GRANT #20163	11,042.68
			CONTRACT SVCS-OTS GRANT #20163	1,180.50
			SPECL BILLING-LAW ENF OVERTIME	11,943.92
			SPECL BILLING-LAW ENF OVERTIME	408.85
	Vendor Total	**73,085.53**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**304,310.32**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA**	**PA**
4/23/2012	885043	451,052.00		
			ENERGY PURCHASE FOR MV UTIL.	451,052.00
	Vendor Total	**451,052.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**5,223,232.00**		
SILVER CREEK INDUSTRIES, INC			Remit to: **PERRIS**	**CA**
4/16/2012	212339	117,871.52		
			MORRISON PARK FIRE STN PROJ.	117,871.52
4/30/2012	212520	259,063.77		
			MORRISON PARK FIRE STN PROJ.	259,063.77
	Vendor Total	**376,935.29**		
FYTD for SILVER CREEK INDUSTRIES, INC		**1,042,476.76**		
SOUTHCOAST HEATING & AIR CONDITIONING			Remit to: **VISTA**	**CA**
4/9/2012	212265	52,034.38		
			RETENT. RLS-CITY HALL HVAC SYS	48,673.50
			RETENT. RLS-CITY HALL HVAC SYS	3,360.88
	Vendor Total	**52,034.38**		
FYTD for SOUTHCOAST HEATING & AIR CONDITIONING		**516,102.11**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
4/2/2012	212156	32,023.47		
			ELECTRICITY-FERC CHARGES	701.48
			ELECTRIC CHARGES	393.54
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	5,523.17
			WDAT CHARGES-GLOBE	7,719.21
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	1,966.23
			WDAT CHARGES-SUBSTATION 115KV	10,447.31
4/16/2012	212341	103,659.17		
			ELECTRICITY	579.76
			ELECTRICITY	66.88
			ELECTRICITY	1,605.29
			ELECTRICITY	44.82
			ELECTRICITY	66.98
			ELECTRICITY	824.99
			ELECTRICITY	118.74
			ELECTRICITY	709.41
			ELECTRICITY	522.15
			ELECTRICITY	66.96
			ELECTRICITY	840.20
			ELECTRICITY	1,955.47
			ELECTRICITY	1,101.22
			ELECTRICITY	1,106.71
			ELECTRICITY	93,298.77
			ELECTRICITY	407.33
			ELECTRICITY	88.67
			ELECTRICITY	22.16
			ELECTRICITY	46.85
			ELECTRICITY	23.84
			ELECTRICITY	72.29
			ELECTRICITY	89.68
4/23/2012	212436	60,282.40		
			ELECTRICITY	185.69
			ELECTRICITY	26.15
			ELECTRICITY	5,228.48
			ELECTRICITY	777.77
			ELECTRICITY	2,301.65
			ELECTRICITY	18.56
			ELECTRICITY	1,867.84
			ELECTRICITY	514.11
			ELECTRICITY	1,461.06
			ELECTRICITY	783.03
			ELECTRICITY	53.40
			ELECTRICITY	3,686.59
			ELECTRICITY	21.91
			ELECTRICITY	41.48
			ELECTRICITY	4,378.99
			ELECTRICITY	35,794.40
			ELECTRICITY	1,752.70
			ELECTRICITY	181.96
			ELECTRICITY	484.39

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	389.10
			ELECTRICITY	167.13
			ELECTRICITY	166.01
	Vendor Total	195,965.04		
FYTD for SOUTHERN CALIFORNIA EDISON		2,910,721.09		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
4/2/2012	212158	27,415.49		
			LIFE & DISABILITY INSURANCE	10,796.73
			LIFE & DISABILITY INSURANCE	16,883.11
			LIFE & DISABILITY INSURANCE	-264.35
	Vendor Total	27,415.49		
FYTD for STANDARD INSURANCE CO		299,493.77		
STI, INC., TRUCKING & MATERIALS			Remit to: **RIVERSIDE**	**CA**
4/2/2012	212161	73,605.33		
			IRONWOOD AVE IMPRVMNTS PROJ	73,605.33
4/16/2012	212346	35,266.51		
			RETENTION PMT-PROJ#02-89266920	15,000.00
			RETENTION PMT-PROJ#02-89266920	17,925.78
			DAY ST. IMPRVMNTS PROJ-PHASE 2	2,340.73
	Vendor Total	108,871.84		
FYTD for STI, INC., TRUCKING & MATERIALS		528,205.72		
STK ARCHITECTURE, INC.			Remit to: **TEMECULA**	**CA**
4/9/2012	884974	36,299.78		
			ANNEX #1 RE-DESIGN/RENOV. PROJ	11,676.56
			MORRISON PARK FIRE STN PROJ	24,623.22
4/23/2012	885047	27,653.82		
			ANNEX #1 RE-DESIGN/RENOV. PROJ	27,523.32
			ANNEX #1 RE-DESIGN/RENOV. PROJ	130.50
	Vendor Total	63,953.60		
FYTD for STK ARCHITECTURE, INC.		287,237.21		
TCM GROUP			Remit to: **FONTANA**	**CA**
4/16/2012	885009	115,694.66		
			SR-60/NASON ST INTRCHNG PROJ	115,694.66
4/23/2012	885049	130,217.46		
			SR-60/NASON ST INTRCHNG PROJ	130,217.46
	Vendor Total	245,912.12		
FYTD for TCM GROUP		1,278,334.80		

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THINK TOGETHER, INC				Remit to: **SANTA ANA** **CA**	
	4/9/2012	212274	419,690.90		
				ASES GRANT PRGM SVCS	419,690.90
	4/30/2012	212532	419,690.90		
				ASES GRANT PRGM SVCS	419,690.90
	Vendor Total		**839,381.80**		
FYTD for THINK TOGETHER, INC			**3,364,912.15**		
U.S. BANK/CALCARDS				Remit to: **ST. LOUIS** **MO**	
	4/5/2012	1204021	75,912.63		
				CALCARD PMT CYCLE END 3/27/12	75,912.63
	4/5/2012	1204031	63,511.75		
				CALCARD PMT CYCLE END 3/27/12	63,511.75
	Vendor Total		**139,424.38**		
FYTD for U.S. BANK/CALCARDS			**1,398,477.12**		
WELLS FARGO CORPORATE TRUST				Remit to: **LOS ANGELES** **CA**	
	4/30/2012	1204051	973,279.22		
				2005 LRB SEMI-ANNL DEBT SVC	973,279.22
	4/30/2012	1204061	762,586.25		
				2007 LRB SEMI-ANNL DEBT SVC	762,586.25
	Vendor Total		**1,735,865.47**		
FYTD for WELLS FARGO CORPORATE TRUST			**7,651,725.06**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212360	31,113.34		
				TUMF REPORT FOR MARCH 2012	31,113.34
	Vendor Total		**31,113.34**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**262,109.35**		
	Subtotal		**12,070,209.77**		

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CHECKS LESS THAN $25,000

GONZALEZ, XAVIER				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212366	35.00		
				REFUND-PARK RENTAL FEE	35.00
	Vendor Total		**35.00**		
FYTD for GONZALEZ, XAVIER			**35.00**		
$1 DOLLAR PLUS STORE #2				Remit to: **SAN BERNARDINO** **CA**	
	4/30/2012	212458	67.43		
				REFUND-BUS LICENSE OVRPYMNT	67.43
	Vendor Total		**67.43**		
FYTD for $1 DOLLAR PLUS STORE #2			**67.43**		
A & I REPROGRAPHICS	**2406362**			Remit to: **ONTARIO** **CA**	
	4/23/2012	212367	2,566.60		
				DRACAEA AVE IMP PLANS & SPECS	1,126.74
				PERRIS BLVD IMPR PLANS & SPECS	1,439.86
	Vendor Total		**2,566.60**		
FYTD for A & I REPROGRAPHICS	**2406362**		**10,628.70**		
ACCESS SECURITY CONTROLS INT., INC.				Remit to: **TEMECULA** **CA**	
	4/9/2012	212180	75.00		
				SECURITY MONITORING SVCS-EOC	75.00
	4/23/2012	212368	75.00		
				MONITOR BURGLAR ALARM-SNYMD MS	75.00
	Vendor Total		**150.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**720.00**		
ACE FOOTWARE				Remit to: **VAN NUYS** **CA**	
	4/2/2012	212027	24.02		
				REFUND-BUS. LIC OVRPMT	24.02
	Vendor Total		**24.02**		
FYTD for ACE FOOTWARE			**24.02**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	4/2/2012	884839	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,187.30**		

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ADLERHORST INTERNATIONAL INC.			Remit to: **RIVERSIDE** **CA**	
4/2/2012	884840	412.64		
			K-9 TRAINING-POLICE PATROL	283.34
			MISC K-9 SUPPLIES-POLICE	129.30
4/30/2012	885056	283.34		
			K-9 TRAINING-POLICE PATROL	283.34
	Vendor Total	**695.98**		
FYTD for ADLERHORST INTERNATIONAL INC.		**3,613.45**		
ADT SECURITY SERVICES			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212181	60.00		
			REFUND-PLAN CHECK OVERPAYMENT	60.00
	Vendor Total	**60.00**		
FYTD for ADT SECURITY SERVICES		**60.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE** **CA**	
4/16/2012	212288	624.00		
			ELECTRICAL WRK-ANML SVCS TS RM	500.00
			ELECTRICAL REPAIRS-CRC	62.00
			ELECTRICAL REPAIRS-ELPOTERO PK	62.00
4/23/2012	212369	7,151.90		
			INSTALL TWO 120V/20A CIRCUITS	3,992.00
			INSTALL TWO 120V/20A CIRCUITS	369.00
			INSTALL TV RECEPT & BOX OUTLET	142.00
			INSTALL TV RECEPT & BOX OUTLET	94.00
			DEMO INGROUND LIGHTS	638.00
			REWIRED WALKWAY LIGHTS	561.64
			ELECTRICAL REPAIRS @ANIMAL SVC	62.00
			ELECTRICAL REPAIRS @ANIMAL SVC	124.00
			REPAIRS TO EXTERIOR LIGHTING	458.11
			ELECTRICAL REPAIRS @CRC	660.00
			ELECTRICAL REPAIRS @CRC	51.15
	Vendor Total	**7,775.90**		
FYTD for ADVANCED ELECTRIC		**54,790.83**		
AEI - CASC, INC			Remit to: **COLTON** **CA**	
4/9/2012	212182	63.35		
			REFUND-BUS. LIC OVRPMT	63.35
	Vendor Total	**63.35**		
FYTD for AEI - CASC, INC		**63.35**		
AEI-CASC ENGINEERING			Remit to: **COLTON** **CA**	
4/23/2012	885018	378.00		
			CONSULTANT SVCS-PWQMP	378.00
	Vendor Total	**378.00**		
FYTD for AEI-CASC ENGINEERING		**31,038.77**		

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AIR CLEANING SYSTEMS INC.			Remit to: **POMONA** **CA**	
4/9/2012	884942	152.50		
			PLYMOVENT MAINT/REPAIRS-STN 91	127.50
			PLYMOVENT PARTS	25.00
4/16/2012	884982	693.41		
			PLYMOVENT MAINT/REPAIRS-STN 48	127.50
			PLYMOVENT PARTS	565.91
	Vendor Total	**845.91**		
FYTD for AIR CLEANING SYSTEMS INC.		**4,054.31**		
ALESSANDRO TIRES & AUTOMOTIVE			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212183	27.14		
			REFUND-BUS. LIC OVRPMT	27.14
	Vendor Total	**27.14**		
FYTD for ALESSANDRO TIRES & AUTOMOTIVE		**27.14**		
ALLIANZ LIFE INSURANCE CO			Remit to: **PITTSBURGH** **PA**	
4/9/2012	212185	75.00		
			NON-EXEMPT ANNUITY	75.00
	Vendor Total	**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**750.00**		
ALVAREZ, NIDEA			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212028	252.00		
			INSTRUCTOR SVCS-DRAWING	252.00
	Vendor Total	**252.00**		
FYTD for ALVAREZ, NIDEA		**903.00**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS** **CA**	
4/2/2012	884841	2,042.92		
			BLOOD DRAWS-POLICE	41.08
			BLOOD DRAWS-POLICE	41.08
			BLOOD DRAWS-POLICE	1,960.76
4/9/2012	884943	2,290.08		
			BLOOD DRAWS-POLICE	2,207.92
			BLOOD DRAWS-POLICE	82.16
	Vendor Total	**4,333.00**		
FYTD for AMERICAN FORENSIC NURSES		**41,151.56**		
AMERICAN PUBLIC POWER ASSOCIATION			Remit to: **BOSTON** **MA**	
4/2/2012	212029	4,810.00		
			MEMBERSHIP DUES-#59815	4,810.00
	Vendor Total	**4,810.00**		
FYTD for AMERICAN PUBLIC POWER ASSOCIATION		**9,182.73**		

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AMERICAN TOWERS				Remit to: **CHARLOTTE** **NC**	
	4/9/2012	212186	2,676.42		
				TOWER SPACE LEASE-TECH SVCS	2,676.42
	Vendor Total		**2,676.42**		
FYTD for AMERICAN TOWERS			**26,455.38**		
AMTECH ELEVATOR SERVICES				Remit to: **ANAHEIM** **CA**	
	4/16/2012	212289	221.92		
				ELEVATOR MAINT/REPAIRS-C HALL	121.92
				ELEVATOR MAINT/REPAIRS-EOC	100.00
	Vendor Total		**221.92**		
FYTD for AMTECH ELEVATOR SERVICES			**4,282.38**		
ANDRADE, MIGUEL				Remit to: **BUENA PARK** **CA**	
	4/30/2012	212459	115.00		
				REFUND-CITATION OVRPYMNT	115.00
	Vendor Total		**115.00**		
FYTD for ANDRADE, MIGUEL			**115.00**		
ANDRE LANDSCAPING SERVICE, INC.				Remit to: **AZUSA** **CA**	
	4/9/2012	212187	56.37		
				REFUND-BUS. LIC OVRPMT	56.37
	Vendor Total		**56.37**		
FYTD for ANDRE LANDSCAPING SERVICE, INC.			**56.37**		
ANIMAL EMERGENCY CLINIC, INC.				Remit to: **GRAND TERRACE** **CA**	
	4/30/2012	885057	55.00		
				EMERGENCY/AFTER HR VET SVCS	55.00
	Vendor Total		**55.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.			**1,940.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				Remit to: **CHINO** **CA**	
	4/9/2012	212188	200.00		
				BEE RMVL-MARCH BALLFIELD	200.00
	4/30/2012	212460	1,525.50		
				PEST CONTROL-CITY PARKS	600.00
				PEST CONTROL-CONTRACT AREAS	229.50
				PEST CONTROL-GOLF COURSE	162.00
				PEST CONTROL-CFD #1	144.00
				PEST CONTROL-MARCH FIELD CNTR	90.00
				PEST CONTROL-MARCH BALLFIELD	300.00
	Vendor Total		**1,725.50**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.			**16,462.00**		

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ARCHIPELAGO LIGHTING				Remit to: **MONTCLAIR CA**	
	4/23/2012	885019	6,961.48		
				8-FOOT LED LIGHT ENGINE KITS	4,833.60
				CA SALES TAX	374.60
				SHIPPING CHARGE	80.00
				HIGH FREQUENCY LED DRIVERS	1,520.00
				CA SALES TAX	117.80
				SHIPPING CHARGE	35.48
	Vendor Total		**6,961.48**		
FYTD for ARCHIPELAGO LIGHTING			**163,418.10**		
ARCON STRUCTURAL ENGINEERS, INC				Remit to: **RANCHO SANTA MARG CA**	
	4/2/2012	212030	1,439.02		
				CACTUS AVE/NASON ST. IMPRVMNTS	1,439.02
	Vendor Total		**1,439.02**		
FYTD for ARCON STRUCTURAL ENGINEERS, INC			**1,439.02**		
ARELLANO, LUIS				Remit to: **MORENO VALLEY CA**	
	4/16/2012	212290	9,318.40		
				SOLAR INCENTIVE REBATE	9,318.40
	Vendor Total		**9,318.40**		
FYTD for ARELLANO, LUIS			**9,318.40**		

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ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	4/9/2012	884944	362.41		
				WATER PURIFY UNIT-EOC	24.77
				WATER PURIFY UNIT-STN 2	24.77
				WATER PURIFY UNIT-CITY YARD	24.77
				WATER PURIFY UNIT-CITY YARD	24.77
				WATER PURIFY UNIT-LIBRARY	24.77
				WATER PURIFY UNITS-CITY HALL	123.86
				WATER PURIFY UNIT-STN 6	24.77
				WATER PURIFY UNIT-STN 48	24.77
				WATER PURIFY UNIT-STN 58	15.62
				WATER PURIFY UNIT-STN 91	24.77
				WATER PURIFY UNIT-STN 65	24.77
	4/23/2012	885020	173.40		
				WATER PURIF UNIT-ANIMAL SVCS	49.55
				WATER PURIF UNIT-SENIOR CTR	24.77
				WATER PURIF UNIT-SP DIST ANNEX	24.77
				WATER PURIF UNIT-TS ANNEX	24.77
				WATER PURIF UNIT-FACIL. ANNEX	24.77
				WATER PURIF UNIT-CRC	24.77
	4/30/2012	885058	337.64		
				WATER PURIFY RNTL-STN 6	24.77
				WATER PURIFY RNTL-STN 48	24.77
				WATER PURIFY RNTL-STN 2	24.77
				WATER PURIFY RNTL-STN 58	15.62
				WATER PURIFY RNTL-STN 91	24.77
				WATER PURIFY RNTL-STN 65	24.77
				WATER PURIFY RNTL-LIBRARY	24.77
				WATER PURIFY RNTL-CITY YARD	24.77
				WATER PURIFY RNTL-CITY YARD	24.77
				WATER PURIFY RNTL-CITY HALL	123.86
	Vendor Total		**873.45**		
FYTD for ARROWHEAD WATER			**5,730.95**		
ARTISTIC MAINTENACE, INC				Remit to: **LAKE FOREST** **CA**	
	4/2/2012	212031	56.25		
				REFUND-BUS. LIC OVRPMT	56.25
	Vendor Total		**56.25**		
FYTD for ARTISTIC MAINTENACE, INC			**56.25**		
ASSOCIATED REPRODUCTION SERVICES				Remit to: **WHITTIER** **CA**	
	4/23/2012	212370	428.53		
				LEGAL REPRODUCTION SERVICES	319.65
				LEGAL REPRODUCTION SERVICES	108.88
	Vendor Total		**428.53**		
FYTD for ASSOCIATED REPRODUCTION SERVICES			**428.53**		

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ASSOCIATED REPRODUCTION SVC			Remit to: **WHITTIER** **CA**	
4/2/2012	212032	108.88		
			REPRODUCTION SVCS-C ATTRNY	108.88
	Vendor Total	**108.88**		
FYTD for ASSOCIATED REPRODUCTION SVC		**349.58**		
AT&T MOBILITY			Remit to: **CAROL STREAM** **IL**	
4/2/2012	212033	91.66		
			CELL SVCS-POLICE CMND CNTR	91.66
4/30/2012	212461	91.50		
			CELL SVCS-POLICE CMND CNTR	91.50
	Vendor Total	**183.16**		
FYTD for AT&T MOBILITY		**1,004.23**		
AT&T/MCI			Remit to: **WEST SACRAMENTO** **CA**	
4/9/2012	212189	183.34		
			COMMUNICATION SVCS-POLICE	183.34
	Vendor Total	**183.34**		
FYTD for AT&T/MCI		**1,832.20**		
AUNTIE ANNE'S PRETZELS			Remit to: **GLENDALE** **CA**	
4/2/2012	212034	77.73		
			REFUND-BUS. LIC OVRPMT	77.73
	Vendor Total	**77.73**		
FYTD for AUNTIE ANNE'S PRETZELS		**77.73**		
BACHER, GRACE			Remit to: **HEMET** **CA**	
4/2/2012	212035	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for BACHER, GRACE		**3,187.30**		
BARNETT, BOBBIE			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212190	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for BARNETT, BOBBIE		**200.00**		
BARTEL ASSOCIATES, LLC			Remit to: **SAN MATEO** **CA**	
4/2/2012	212036	6,000.00		
			CONSULTING SVCS-GASB 45 OPEB	6,000.00
	Vendor Total	**6,000.00**		
FYTD for BARTEL ASSOCIATES, LLC		**12,150.00**		

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BATES LEATHERS				Remit to: **LAKEWOOD** **CA**	
	4/2/2012	212037	946.65		
				UNIFORMS-POLICE	946.65
	Vendor Total		**946.65**		
FYTD for BATES LEATHERS			**2,349.53**		
BAUTISTA, JOSEPH C.				Remit to: **FONTANA** **CA**	
	4/2/2012	884842	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for BAUTISTA, JOSEPH C.			**3,158.14**		
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	4/2/2012	884843	4,223.30		
				LANDSCAPE MAINT-VETERANS MMRL	225.00
				LANDSCAPE MAINT-ANNEX	270.00
				LANDSCAPE MAINT-CITY HALL	893.30
				LANDSCAPE MAINT-FIRE STNS	2,835.00
	4/23/2012	885021	5,097.80		
				LANDSCAPE MAINT-VETERANS MEMRL	225.00
				LANDSCAPE MAINT-FIRE STNS	2,835.00
				LANDSCAPE MAINT-CITY HALL	893.30
				LANDSCAPE MAINT-ANNEX	221.00
				LANDSCAPE MAINT-ZONE E-3	923.50
	Vendor Total		**9,321.10**		
FYTD for BEMUS LANDSCAPE, INC.			**315,932.94**		
BESAM U S, INC				Remit to: **MONROE** **NC**	
	4/2/2012	212038	72.07		
				REFUND-BUS. LIC OVRPMT	72.07
	Vendor Total		**72.07**		
FYTD for BESAM U S, INC			**72.07**		
BIBBS, LASANDRA				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212371	37.00		
				REFUND-CANCELLED CONTRCT CLASS	37.00
	Vendor Total		**37.00**		
FYTD for BIBBS, LASANDRA			**37.00**		
BIMBO BAKERIES U S A, INC.				Remit to: **CAMBRIDGE** **ON**	
	4/9/2012	212191	37.44		
				REFUND-BUS. LIC OVRPMT	37.44
	Vendor Total		**37.44**		
FYTD for BIMBO BAKERIES U S A, INC.			**37.44**		

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BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	212039	10,009.40		
				TOXICOLOGY TESTS-POLICE	1,210.90
				TOXICOLOGY TESTS-POLICE	8,798.50
	Vendor Total		**10,009.40**		
FYTD for BIO-TOX LABORATORIES			**88,755.24**		
BLAIR, CHERYL				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	212192	108.00		
				INSTRUCTOR SVCS-BELLY DANCING	108.00
	Vendor Total		**108.00**		
FYTD for BLAIR, CHERYL			**816.00**		
BLAKE, VALLON				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212462	91.00		
				REFUND-ANIMAL SVCS FEES	30.00
				REFUND-ANIMAL SVCS FEES	5.00
				REFUND-ANIMAL SVCS FEES	20.00
				REFUND-ANIMAL SVCS FEES	16.00
				REFUND-ANIMAL SVCS FEES	15.00
				REFUND-ANIMAL SVCS FEES	5.00
	Vendor Total		**91.00**		
FYTD for BLAKE, VALLON			**91.00**		
BLANCO, HILDA				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212291	30.00		
				REFUND-FALSE ALRM GRNTD APPL	30.00
	Vendor Total		**30.00**		
FYTD for BLANCO, HILDA			**30.00**		
BOEHM, BRIDGET				Remit to: **WILDOMAR** **CA**	
	4/9/2012	212193	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for BOEHM, BRIDGET			**95.00**		
BOOKLETTERS				Remit to: **COLUMBUS** **OH**	
	4/2/2012	212040	3,450.00		
				ANNUAL SUBSCRIPTION	3,450.00
	Vendor Total		**3,450.00**		
FYTD for BOOKLETTERS			**3,450.00**		

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BRAUN BLAISING MCLAUGHLIN				Remit to: **SACRAMENTO** **CA**	
	4/23/2012	212372	2,363.40		
				LEGAL SERVICES	2,363.40
	Vendor Total		**2,363.40**		
FYTD for BRAUN BLAISING MCLAUGHLIN			**97,616.02**		
BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	4/2/2012	884844	267.82		
				MISC BOOKS-LIBRARY	38.36
				MISC BOOKS-LIBRARY	21.81
				MISC BOOKS-LIBRARY	42.75
				MISC BOOKS-LIBRARY	74.64
				MISC BOOKS-LIBRARY	49.85
				MISC BOOKS-LIBRARY	40.41
	4/16/2012	884985	631.04		
				MISC BOOKS-LIBRARY	21.80
				MISC BOOKS-LIBRARY	57.15
				MISC BOOKS-LIBRARY	42.78
				MISC BOOKS-LIBRARY	21.81
				MISC BOOKS-LIBRARY	22.99
				MISC BOOKS-LIBRARY	23.00
				MISC BOOKS-LIBRARY	254.31
				MISC BOOKS-LIBRARY	187.20
	Vendor Total		**898.86**		
FYTD for BRODART CO.			**29,101.31**		
BROUWER, STEPHANIE				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212463	47.50		
				REFUND-CITATION OVRPYMNT	47.50
	Vendor Total		**47.50**		
FYTD for BROUWER, STEPHANIE			**47.50**		
BUCKINGHAM PROPERTY MANAGEMENT				Remit to: **FRESNO** **CA**	
	4/9/2012	212194	34.97		
				REFUND-BUS. LIC OVRPMT	34.97
	Vendor Total		**34.97**		
FYTD for BUCKINGHAM PROPERTY MANAGEMENT			**34.97**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	4/2/2012	212041	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**3,187.30**		

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BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES** **CA**	
4/30/2012	885059	23,132.78		
			LEGAL SVCS	23,132.78
Vendor Total		**23,132.78**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**247,608.99**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
4/2/2012	212042	64.60		
			MISC BOOKS/MATERIALS-LIBRARY	29.32
			MISC BOOKS/MATERIALS-LIBRARY	35.28
Vendor Total		**64.60**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**11,062.13**		
CA CONSTRUCTION AND FLOOR TECH AMERICA,			Remit to: **RIVERSIDE** **CA**	
4/23/2012	212373	1,883.00		
			RETENT/STOP NOTICE PYMT-PSB PR	1,883.00
Vendor Total		**1,883.00**		
FYTD for CA CONSTRUCTION AND FLOOR TECH AMERICA,		**1,883.00**		
CABALCE, KAREN			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212464	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CABALCE, KAREN		**95.00**		
CADIZ, MANNY			Remit to: **RIVERSIDE** **CA**	
4/23/2012	212374	56.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	5.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	5.00
Vendor Total		**56.00**		
FYTD for CADIZ, MANNY		**56.00**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
4/2/2012	884845	318.73		
			RETIREE MED APR '12	318.73
Vendor Total		**318.73**		
FYTD for CAIN, GREGORY		**3,187.30**		

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CALIFORNIA BUILDING STANDARDS COMMISSION			Remit to: **SACRAMENTO** **CA**	
4/9/2012	212195	131.40		
			SB1473 FEES COLLECTD 1/1-3/31	131.40
Vendor Total		**131.40**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		**2,025.00**		
CALIFORNIA CONSTRUCTION & FIRE RESTORATI			Remit to: **CLAREMONT** **CA**	
4/16/2012	212293	61.96		
			REFUND-BUS LIC OVERPAYMENT	61.96
Vendor Total		**61.96**		
FYTD for CALIFORNIA CONSTRUCTION & FIRE RESTORATI		**61.96**		
CALIFORNIA TRANSCRIPTION, LLC			Remit to: **RIVERSIDE** **CA**	
4/2/2012	884846	181.37		
			TRANSCRIPTION SVCS-PLANNING	181.37
Vendor Total		**181.37**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,147.58**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
4/2/2012	884847	1,457.00		
			PLAN CHECK SVCS-WQMP	1,457.00
Vendor Total		**1,457.00**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**37,166.50**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
4/23/2012	212375	100.00		
			REFUND-MSU RENTAL DEPOSIT	100.00
Vendor Total		**100.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**175.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
4/2/2012	884848	318.73		
			RETIREE MED APR '12	318.73
Vendor Total		**318.73**		
FYTD for CANNON, ANA M.		**3,187.30**		
CARE STREAM HEALTH, INC			Remit to: **ROCHESTER** **NY**	
4/2/2012	212043	52.16		
			REFUND-BUS. LIC OVRPMT	52.16
Vendor Total		**52.16**		
FYTD for CARE STREAM HEALTH, INC		**52.16**		

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CAREER CARE INSTITUTE				Remit to: **LANCASTER** **CA**	
	4/23/2012	212376	500.00		
				REFUND-RENTAL DEPOSIT-CRC	500.00
	Vendor Total		**500.00**		
FYTD for CAREER CARE INSTITUTE			**500.00**		
CARRILLO, MONICA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212044	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for CARRILLO, MONICA			**20.00**		
CARTER, ROSALYN				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884849	318.73		
				RETIREE MED FEB 12, PD APR 12	318.73
	Vendor Total		**318.73**		
FYTD for CARTER, ROSALYN			**2,868.57**		
CASA FOR RIVERSIDE COUNTY, INC.				Remit to: **INDIO** **CA**	
	4/9/2012	884945	5,881.87		
				COURT APPOINTED ADVOCATE PRGRM	976.94
				COURT APPOINTED ADVOCATE PRGRM	953.83
				COURT APPOINTED ADVOCATE PRGRM	1,051.76
				COURT APPOINTED ADVOCATE PRGRM	1,052.69
				COURT APPOINTED ADVOCATE PRGRM	684.06
				COURT APPOINTED ADVOCATE PRGRM	1,162.59
	Vendor Total		**5,881.87**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.			**11,762.14**		
CASSEL, CANDACE				Remit to: **YUCAIPA** **CA**	
	4/2/2012	212045	275.20		
				AIRFARE-PUC TESTIMONY	137.60
				AIRFARE-PUC TESTIMONY	137.60
	Vendor Total		**275.20**		
FYTD for CASSEL, CANDACE			**275.20**		
CASTILLO, LUCERO				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212465	8,461.35		
				RELOCATION ASSISTANCE PYMT	8,461.35
	Vendor Total		**8,461.35**		
FYTD for CASTILLO, LUCERO			**12,328.68**		

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CATHOLIC CHARITIES			Remit to: **SAN BERNARDINO** **CA**	
4/9/2012	212196	591.26		
			RNTL ASSISTANCE-HPR PRGRM	591.26
Vendor Total		**591.26**		
FYTD for CATHOLIC CHARITIES		**12,246.23**		
CENTRAL FIRE EXTINGUISHER COMPANY			Remit to: **FONTANA** **CA**	
4/2/2012	212046	67.00		
			REPAIR/RECHARGE FIRE EXTNGHRS	67.00
Vendor Total		**67.00**		
FYTD for CENTRAL FIRE EXTINGUISHER COMPANY		**2,137.78**		
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			Remit to: **RIVERSIDE** **CA**	
4/2/2012	884850	70.00		
			PRE-EMPLOYMENT PHYSICALS	25.00
			PRE-EMPLOYMENT PHYSICALS	45.00
Vendor Total		**70.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS		**3,599.00**		
CHANDLER ASSET MANAGEMENT, INC			Remit to: **SAN DIEGO** **CA**	
4/30/2012	885060	8,608.00		
			FIXED INCOME INVESTMENT MGMT	8,608.00
Vendor Total		**8,608.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC		**88,388.00**		
CHAPMAN, MARICELA/WILLIE			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212466	30.00		
			REFUND-ANIMAL SVCS FEES	15.00
			REFUND-ANIMAL SVCS FEES	15.00
Vendor Total		**30.00**		
FYTD for CHAPMAN, MARICELA/WILLIE		**30.00**		
CHAPMAN, STEVE			Remit to: **REDLANDS** **CA**	
4/2/2012	212047	318.73		
			RETIREE MED APR '12	318.73
Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE		**3,187.30**		
CHAPPELL, ISAAC			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	884851	318.73		
			RETIREE MED APR '12	318.73
Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC		**3,187.30**		

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CHRISTIAN, OWEN				Remit to: **MORENO VALLEY CA**	
	4/2/2012	884852	225.99		
				RETIREE MED APR '12	225.99
	Vendor Total		**225.99**		
FYTD for CHRISTIAN, OWEN			**2,283.24**		
CINDY FARRAR FAMILY DAYCARE				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212048	21.50		
				REFUND-BUS. LIC OVRPMT	21.50
	Vendor Total		**21.50**		
FYTD for CINDY FARRAR FAMILY DAYCARE			**21.50**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
4/2/2012	884853	326.44		
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-ST MAINT	96.16
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
4/9/2012	884946	95.36		
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
4/16/2012	884986	538.64		
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-ST MAINT	96.16
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-ST MAINT	96.16
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-PURCHASING	3.92
4/23/2012	885023	112.64		
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-CFD #1	13.36

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-PARK MAINT	2.79
4/30/2012	885061	66.35		
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
	Vendor Total	1,139.43		
FYTD for CINTAS CORPORATION		13,029.45		
CINTAS FIRE PROTECTION			Remit to: **ANAHEIM**	**CA**
4/2/2012	212049	21.98		
			REFUND-BUS. LIC OVRPMT	21.98
	Vendor Total	21.98		
FYTD for CINTAS FIRE PROTECTION		21.98		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY**	**CA**
4/9/2012	884947	6,105.00		
			EXEMPT VEBA	6,105.00
4/23/2012	885024	2,030.00		
			EXEMPT VEBA	2,030.00
	Vendor Total	8,135.00		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		75,353.82		
CITY OF PALO ALTO			Remit to: **PALO ALTO**	**CA**
4/16/2012	212294	160.00		
			CA MUNI RATE GRP 2012 CONF.	160.00
	Vendor Total	160.00		
FYTD for CITY OF PALO ALTO		160.00		
CITY OF RIVERSIDE			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212197	2,114.80		
			MAINT/ELECTRICAL-DAY/RT60 W/B	1,330.46
			MAINT/ELECTRICAL-DAY/RT60 E/B	784.34
	Vendor Total	2,114.80		
FYTD for CITY OF RIVERSIDE		14,815.02		
CLARK, ANNIE A.			Remit to: **MURRIETA**	**CA**
4/9/2012	212198	115.87		
			TRAVEL REIMB-CRA WORKSHOP	106.87
			TRAVEL REIMB-CRA WORKSHOP	9.00
	Vendor Total	115.87		
FYTD for CLARK, ANNIE A.		115.87		

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CLARK, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212199	150.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	150.00
	Vendor Total		**150.00**		
FYTD for CLARK, ASHLEY			**150.00**		
CLEAN ENERGY				Remit to: **SEAL BEACH** **CA**	
	4/2/2012	212050	86.00		
				REFUND-BUS. LIC OVRPMT	86.00
	Vendor Total		**86.00**		
FYTD for CLEAN ENERGY			**86.00**		
COAST TO COAST LASER				Remit to: **MURRIETA** **CA**	
	4/2/2012	212051	96.58		
				ENGRAVING/PLAQUES-POLICE	96.58
	Vendor Total		**96.58**		
FYTD for COAST TO COAST LASER			**1,822.69**		
COLEMAN'S PROFESSIONAL PIANO MOVING				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212200	41.00		
				REFUND-BUS. LIC OVRPMT	41.00
	Vendor Total		**41.00**		
FYTD for COLEMAN'S PROFESSIONAL PIANO MOVING			**41.00**		
COLETTA, LEANN M.				Remit to: **MENIFEE** **CA**	
	4/23/2012	212377	297.00		
				PER DIEM-WebEOC CONFERENCE	297.00
	Vendor Total		**297.00**		
FYTD for COLETTA, LEANN M.			**951.68**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	4/30/2012	212467	7,241.55		
				SUPPLEMENTAL INSURANCE	7,241.55
	Vendor Total		**7,241.55**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**73,977.30**		
COMFORT PALAZE				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212295	20.35		
				REFUND-BUS. LIC OVRPMT	20.35
	Vendor Total		**20.35**		
FYTD for COMFORT PALAZE			**20.35**		

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COMMUNITY ASSISTANCE PROGRAM - CAP			Remit to: **MORENO VALLEY**	**CA**
4/9/2012	884948	5,002.57		
			CAP FOOD DISTRIBUTION PRGRM	2,661.18
			CAP FOOD DISTRIBUTION PRGRM	2,341.39
	Vendor Total	**5,002.57**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP		**31,502.90**		
COMMUNITY CONNECT			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212201	2,232.33		
			CDBG "211" CALL CENTER INFO	563.68
			CDBG "211" CALL CENTER INFO	523.83
			CDBG "211" CALL CENTER INFO	585.01
			CDBG "211" CALL CENTER INFO	559.81
	Vendor Total	**2,232.33**		
FYTD for COMMUNITY CONNECT		**4,442.94**		
COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM**	**CA**
4/9/2012	212202	142.00		
			CHC CONTRIBUTIONS	142.00
4/23/2012	212378	142.00		
			CHC CONTRIBUTIONS	142.00
	Vendor Total	**284.00**		
FYTD for COMMUNITY HEALTH CHARITIES		**5,066.34**		
COMPETITIVE STRIDE			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212203	1,160.20		
			YOUTH/ADULT AWARDS	1,095.55
			YOUTH/ADULT AWARDS	64.65
4/16/2012	212296	514.78		
			YOUTH/ADULT AWARDS	514.78
4/23/2012	212379	10.78		
			YOUTH/ADULT AWARDS	10.78
	Vendor Total	**1,685.76**		
FYTD for COMPETITIVE STRIDE		**3,227.46**		
CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND**	**CA**
4/2/2012	212052	379.93		
			LEGAL SVCS	199.12
			LEGAL SVCS	180.81
4/16/2012	212297	184.04		
			LEGAL SVCS	184.04
	Vendor Total	**563.97**		
FYTD for CONTINUING EDUCATION OF THE BAR		**1,337.85**		

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CONTRACT CARPET CORPORATION			Remit to: **ANAHEIM** **CA**	
4/2/2012	212053	94.92		
			REFUND-BUS. LIC OVRPMT	94.92
	Vendor Total	**94.92**		
FYTD for CONTRACT CARPET CORPORATION		**94.92**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212204	70.00		
			SPORTS OFFICIATING SVCS	70.00
4/16/2012	212298	175.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	35.00
			SPORTS OFFICIATING SVCS	70.00
4/23/2012	212380	89.00		
			SPORTS OFFICIATING FEE	35.00
			SPORTS OFFICIATING FEE	54.00
	Vendor Total	**334.00**		
FYTD for CONTRERAS, JOSE		**2,579.00**		
CORNERSTONE RECORDS MANAGEMENT, LLC			Remit to: **RIVERSIDE** **CA**	
4/16/2012	884983	1,212.17		
			RECORDS OFFSITE STORAGE	1,212.17
	Vendor Total	**1,212.17**		
FYTD for CORNERSTONE RECORDS MANAGEMENT, LLC		**12,951.90**		
COSCO FIRE PROTECTION			Remit to: **BREA** **CA**	
4/9/2012	212205	55.11		
			REFUND-BUS. LIC OVRPMT	55.11
	Vendor Total	**55.11**		
FYTD for COSCO FIRE PROTECTION		**55.11**		
COSEY JR., JAMES			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212054	165.00		
			INSTRUCTOR SVCS-KEMPO KARATE	330.00
			50% WITHHOLDING FOR CSS ORDER	-165.00
4/30/2012	212468	132.00		
			INSTRUCTOR SVCS-KEMPO KARATE	264.00
			50% WITHHOLDING FOR CSS ORDER	-132.00
	Vendor Total	**297.00**		
FYTD for COSEY JR., JAMES		**1,483.50**		

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COSTCO				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212206	60.38		
				EVENT MISC SUPPLIES	60.38
	4/16/2012	212299	941.65		
				MISC SUPPLIES-A CHILDS PLACE	508.61
				MISC SUPPLIES-SKATE PARK	433.04
	4/23/2012	212381	624.61		
				MISC SUPPLIES-A CHILDS PLACE	380.14
				MISC SUPPLIES-SKATE PARK	244.47
	Vendor Total		**1,626.64**		
FYTD for COSTCO			**15,005.81**		
COTA III, GEORGE				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212382	82.00		
				REFUND-CANCELLED CONTRCT CLASS	82.00
	Vendor Total		**82.00**		
FYTD for COTA III, GEORGE			**82.00**		
COUNTY OF RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	212055	753.13		
				JANITORIAL SUPPLIES FOR PD	753.13
	Vendor Total		**753.13**		
FYTD for COUNTY OF RIVERSIDE			**19,368.05**		
COUNTY OF RIVERSIDE - RMAP				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	212056	59.56		
				RECORDATION SVCS-LAND DVLPMNT	59.56
	Vendor Total		**59.56**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**483.22**		
COUNTY OF RIVERSIDE DPSS				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	212207	1,440.00		
				HMIS USER LICENSE FEES	1,440.00
	Vendor Total		**1,440.00**		
FYTD for COUNTY OF RIVERSIDE DPSS			**1,440.00**		
COVENTRY PET RESORT				Remit to: **REDLANDS** **CA**	
	4/9/2012	884949	133.92		
				K-9 MISC SUPPLIES-POLICE	133.92
	Vendor Total		**133.92**		
FYTD for COVENTRY PET RESORT			**572.10**		

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CREATIVE LAWNS AND CARE			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212208	80.76		
			REFUND-BUS. LIC OVRPMT	80.76
Vendor Total		**80.76**		
FYTD for CREATIVE LAWNS AND CARE		**80.76**		
CRIME SCENE STERI-CLEAN, LLC			Remit to: **RANCHO CUCAMONGA** **CA**	
4/2/2012	212057	750.00		
			BIO-HAZARD CLEAN-UP FOR PD	750.00
Vendor Total		**750.00**		
FYTD for CRIME SCENE STERI-CLEAN, LLC		**1,890.00**		
CRITICOM MONITORING SERVICES			Remit to: **LAWRENCE** **KS**	
4/2/2012	212058	23.26		
			REFUND-BUS. LIC OVRPMT	23.26
Vendor Total		**23.26**		
FYTD for CRITICOM MONITORING SERVICES		**23.26**		
CROSSROADS SOFTWARE			Remit to: **BREA** **CA**	
4/23/2012	212383	1,350.00		
			MAINT/SUPPORT-TICKET WRITERS	1,800.00
			25% FTB ORDER TO WITHHOLD	-450.00
Vendor Total		**1,350.00**		
FYTD for CROSSROADS SOFTWARE		**1,350.00**		
CROWN PRINTERS			Remit to: **SAN BERNARDINO** **CA**	
4/9/2012	212209	3,160.57		
			PRINT/COLLATE-CAFR 2011/12	2,933.24
			SALES TAX	227.33
Vendor Total		**3,160.57**		
FYTD for CROWN PRINTERS		**7,252.84**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
4/30/2012	212469	6,214.03		
			VECTOR CONTROL SVCS	6,214.03
Vendor Total		**6,214.03**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**24,084.83**		
CYCLERY USA, INC.			Remit to: **REDLANDS** **CA**	
4/16/2012	212300	1,249.86		
			TREK 16" MOUNTAIN BIKE-POLICE	1,249.86
Vendor Total		**1,249.86**		
FYTD for CYCLERY USA, INC.		**1,249.86**		

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D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA**	**CA**
4/30/2012	212470	745.00		
			DECEASED ANIMAL RMVL	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**7,450.00**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY**	**CA**
4/2/2012	884854	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for DALE, KATHLEEN		**3,187.30**		
DALIA'S PIZZA			Remit to: **ALTA LOMA**	**CA**
4/9/2012	212210	68.75		
			REFUND-BUS. LIC OVRPMT	68.75
	Vendor Total	**68.75**		
FYTD for DALIA'S PIZZA		**68.75**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
4/2/2012	884855	2,567.12		
			CITATION PROCESSING-BUILDING	694.80
			CITATION PROCESSING-POLICE	1,872.32
4/9/2012	884950	5,359.27		
			CITATION PROCESSING-CODE	4,042.85
			THIRD PARTY COLLECTION FEES	1,316.42
4/30/2012	885062	18,650.35		
			CITATION PROCESSING-BLDG	201.72
			CITATION PROCESSING-BLDG	478.14
			THIRD PARTY COLLECTION FEES	478.50
			CITATION PROCESSING-CODE	17,491.99
	Vendor Total	**26,576.74**		
FYTD for DATA TICKET, INC.		**237,243.75**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO**	**CA**
4/2/2012	212059	130.50		
			SOFTWARE/ONLINE SUBSCRIPTION	130.50
4/23/2012	212384	130.50		
			SOFTWARE/ONLINE SUBSCRIPTION	130.50
	Vendor Total	**261.00**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**1,305.00**		

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DAUM COMMERICAL REAL ESTATE SERVICES			Remit to: **LOS ANGELES**	**CA**
4/16/2012	212301	62.48		
			REFUND-BUS LIC OVERPAYMENT	62.48
	Vendor Total	**62.48**		
FYTD for DAUM COMMERICAL REAL ESTATE SERVICES		**62.48**		
DDL TRAFFIC			Remit to: **CHINO HILLS**	**CA**
4/23/2012	212385	11,113.38		
			772 OPTICOM DETECTORS-60/NASON	2,700.00
			GLOBAL 764 MMPS	5,500.00
			AB-0155 PELCO CLAMPS	180.00
			M-138 OPTICOM CABLE 1000' ROLL	300.00
			COUNT DOWN PED MODULES	1,170.00
			TECHNICAL SUPPORT	500.00
			CA SALES TAX	763.38
	Vendor Total	**11,113.38**		
FYTD for DDL TRAFFIC		**43,388.21**		
DE LA CRUZ, CYNTHIA			Remit to: **MORENO VALLEY**	**CA**
4/2/2012	212060	29.60		
			REFUND-DEPOSIT WESTBLUFF PRK	29.60
	Vendor Total	**29.60**		
FYTD for DE LA CRUZ, CYNTHIA		**29.60**		
DEBINAIRE COMPANY			Remit to: **CORONA**	**CA**
4/9/2012	212211	610.00		
			BOILER MAINT-EOC	140.00
			BOILER MAINT-CITY HALL	140.00
			BOILER MAINT-PSB	141.09
			BOILER MAINT-PSB	25.97
			BOILER MAINT-PSB	67.94
			BOILER MAINT-CRC	95.00
4/16/2012	212302	425.00		
			RELOCATE TEMPRTURE SENSOR-EOC	425.00
4/23/2012	212386	140.08		
			BOILER MAINT-CITY HALL	140.08
	Vendor Total	**1,175.08**		
FYTD for DEBINAIRE COMPANY		**2,957.28**		
DELTA DENTAL			Remit to: **SAN FRANCISCO**	**CA**
4/2/2012	884856	10,203.24		
			EMPLOYEE DENTAL INSURANCE	10,203.24
	Vendor Total	**10,203.24**		
FYTD for DELTA DENTAL		**104,923.54**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	4/23/2012	212387	5,768.86		
				EMPLOYEE DENTAL INSURANCE	5,768.86
	Vendor Total		**5,768.86**		
FYTD for DELTACARE USA			**62,542.05**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	4/2/2012	884857	9,785.00		
				PLAN REVIEW SVCS-FIRE PREVENTN	2,745.00
				FIRE INSPECTION SVCS	7,040.00
	4/16/2012	884987	12,410.00		
				PLAN REVIEW SVCS-FIRE PREVENTN	5,370.00
				FIRE INSPECTION SVCS	7,040.00
	Vendor Total		**22,195.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**134,550.00**		
DEPARTMENT OF CONSERVATION				Remit to: **SACRAMENTO** **CA**	
	4/16/2012	212303	1,831.35		
				SMI FEES FOR 1/1/12 TO 3/31/12	1,927.74
				SMI FEES FOR 1/1/12 TO 3/31/12	-96.39
	Vendor Total		**1,831.35**		
FYTD for DEPARTMENT OF CONSERVATION			**20,641.61**		
DHA CONSULTING				Remit to: **LONG BEACH** **CA**	
	4/9/2012	212212	440.00		
				CONSULTING SVCS-AB26 COMPLIANC	440.00
	Vendor Total		**440.00**		
FYTD for DHA CONSULTING			**2,640.00**		
DIAMOND WIRELESS, LLC				Remit to: **SALT LAKE CITY** **UT**	
	4/2/2012	212061	59.96		
				REFUND-BUS. LIC OVRPMT	37.90
				REFUND-BUS. LIC OVRPMT	22.06
	Vendor Total		**59.96**		
FYTD for DIAMOND WIRELESS, LLC			**59.96**		
DISPATCH TRANS LLC				Remit to: **FONTANA** **CA**	
	4/30/2012	212471	86.00		
				REFUND-CITATION OVRPYMNT	86.00
	Vendor Total		**86.00**		
FYTD for DISPATCH TRANS LLC			**86.00**		

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DLS LANDSCAPE, INC				Remit to: **REDLANDS** **CA**	
	4/30/2012	885063	11,475.00		
				LANDSCAPE MAINT-CFD #1	2,052.00
				LANDSCAPE MAINT-ZONE A	9,423.00
	Vendor Total		**11,475.00**		
FYTD for DLS LANDSCAPE, INC			**118,296.00**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	4/9/2012	212213	2,500.00		
				DAY ST DRAINAGE IMPRVMNTS PROJ	2,500.00
	Vendor Total		**2,500.00**		
FYTD for DMC DESIGN GROUP, INC			**280,163.30**		
DMS CRANE SERVICE				Remit to: **REDLANDS** **CA**	
	4/2/2012	212062	260.00		
				CRANE SVC-ANIMAL SHELTER	260.00
	Vendor Total		**260.00**		
FYTD for DMS CRANE SERVICE			**260.00**		
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	4/2/2012	212063	225.99		
				RETIREE MED APR '12	225.99
	Vendor Total		**225.99**		
FYTD for DORY, ALLEEN F.			**3,349.44**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212064	168.00		
				INSTRUCTOR SVCS-FOLK DANCE	168.00
	Vendor Total		**168.00**		
FYTD for DURAN, BLANCA			**2,142.00**		
DUVAL, ROBERTA				Remit to: **SUN CITY** **CA**	
	4/30/2012	212473	875.00		
				INSTRUCTOR SVCS-CERT	875.00
	Vendor Total		**875.00**		
FYTD for DUVAL, ROBERTA			**2,985.00**		

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E.R. BLOCK PLUMBING & HEATING, INC.				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884858	681.63		
				BACKFLOW DEVICE TESTS-ZONE D	360.00
				BACKFLOW DEVICE TESTS-ZONE D	60.00
				BACKFLOW DEVICE TESTS-ZONE E-1	40.00
				BACKFLOW DEVICE TEST-ZONE E-1A	20.00
				BACKFLOW DEVICE TESTS-ZONE M	40.00
				BACKFLOW DEVICE KIT-ZONE E-1	53.88
				BACKFLOW DEVICE KIT-ZONE D	107.75
	4/16/2012	884988	280.00		
				BACKFLOW DEVICE TESTS-ZONE D	80.00
				BACKFLOW DEVICE TESTS-ZONE M	60.00
				BACKFLOW DEVICE TEST-ZONE S	20.00
				BACKFLOW DEVICE TESTS-STN 91	40.00
				BACKFLOW DEVICE TEST-CFD #1	20.00
				BACKFLOW DEVICE TESTS-CONTRACT	40.00
				BACKFLOW DEVICE TEST-PARKS	20.00
	4/23/2012	885025	240.00		
				BACKFLOW TESTING IN E-1	40.00
				BACKFLOW TESTING IN E-2	180.00
				BACKFLOW TESTING IN E-15	20.00
	Vendor Total		**1,201.63**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**37,360.87**		
EARLY, PAUL				Remit to: **SUN CITY** **CA**	
	4/23/2012	212388	177.50		
				PER DIEM-LCC CITY ATTY CONF.	177.50
	Vendor Total		**177.50**		
FYTD for EARLY, PAUL			**177.50**		
EASTER, LATRINA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212065	66.00		
				REFUND-DEPOSITS ANIMAL SVCS	30.00
				REFUND-DEPOSITS ANIMAL SVCS	5.00
				REFUND-DEPOSITS ANIMAL SVCS	16.00
				REFUND-DEPOSITS ANIMAL SVCS	15.00
	Vendor Total		**66.00**		
FYTD for EASTER, LATRINA			**66.00**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS** **CA**	
4/2/2012	212067	7,630.48		
			COST-SHARING ARRNGMNT RECONCIL	7,630.48
4/16/2012	212304	8,725.53		
			WATER CHARGES	37.93
			WATER CHARGES	224.04
			WATER CHARGES	1,541.35
			WATER CHARGES	34.80
			WATER CHARGES	705.07
			WATER CHARGES	102.48
			WATER CHARGES	718.30
			WATER CHARGES	284.92
			WATER CHARGES	350.56
			WATER CHARGES	1,132.15
			WATER CHARGES	1,895.85
			WATER CHARGES	326.60
			WATER CHARGES	128.38
			WATER CHARGES	182.12
			WATER CHARGES	125.55
			WATER CHARGES	187.64
			WATER CHARGES	397.17
			WATER CHARGES	350.62
4/30/2012	212474	18,252.24		
			WATER CHARGES	405.37
			WATER CHARGES	271.52
			WATER CHARGES	347.81
			WATER CHARGES	6,380.89
			WATER CHARGES	637.63
			WATER CHARGES	239.28
			WATER CHARGES	8,002.22
			WATER CHARGES	815.41
			WATER CHARGES	203.06
			WATER CHARGES	80.41
			WATER CHARGES	404.55
			WATER CHARGES	80.22
			WATER CHARGES	188.55
			WATER CHARGES	98.46
			WATER CHARGES	96.86
Vendor Total		**34,608.25**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,223,153.99**		
EASY MONEY EMG			Remit to: **VIRGINIA BEACH** **VA**	
4/2/2012	212068	82.50		
			REFUND-BUS. LIC OVRPMT	82.50
Vendor Total		**82.50**		
FYTD for EASY MONEY EMG		**82.50**		

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ECOLAB INC.				Remit to: **ST. PAUL** **MN**	
	4/16/2012	212305	75.93		
				REFUND-BUS LIC OVERPAYMENT	75.93
	Vendor Total		**75.93**		
FYTD for ECOLAB INC.			**75.93**		
EDGELANE MOBILE PARK				Remit to: **LOS ANGELES** **CA**	
	4/16/2012	212363	41.48		
				REFUND-UUT EXEMPT RESIDENTS	41.48
	Vendor Total		**41.48**		
FYTD for EDGELANE MOBILE PARK			**395.14**		
EES CONSULTING, INC.				Remit to: **KIRKLAND** **WA**	
	4/30/2012	212475	10,035.00		
				CONSULTING SVCS-MVU COSA	8,033.00
				CONSULTING SVCS-MVU COSA	1,177.00
				CONSULTING SVCS-MVU LINE EXT	825.00
	Vendor Total		**10,035.00**		
FYTD for EES CONSULTING, INC.			**41,752.00**		
EGGERSTEN, ANNE				Remit to: **RANCHO MIRAGE** **CA**	
	4/2/2012	212069	320.43		
				RETIREE MED APR '12	320.43
	Vendor Total		**320.43**		
FYTD for EGGERSTEN, ANNE			**3,235.68**		
ELECTRIC SERVICES				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212215	30.00		
				REFUND-BUS. LIC OVRPMT	30.00
	Vendor Total		**30.00**		
FYTD for ELECTRIC SERVICES			**30.00**		
EMPIRE MOWER				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212476	198.15		
				EQUIPMENT REPAIRS-PARK MAINT	198.15
	Vendor Total		**198.15**		
FYTD for EMPIRE MOWER			**1,419.73**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	4/2/2012	3052	500.00		
				DEPOSIT TO STATE ACCT 4/2/12	500.00
	Vendor Total		**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**1,030,342.80**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
4/2/2012	884859	261.53		
			CACTUS AVE LIGHTS PROJ WORK	212.25
			NASON TO IRIS NEW SL SYSTEM	49.28
4/9/2012	884951	345.00		
			METER CHARGES-MVU	345.00
4/16/2012	884990	11,425.51		
			MVU WORK AUTHORIZATION 40251B	1,448.27
			MVU WORK AUTHORIZATION 40243A	136.94
			MVU WORK AUTHORIZATION 40250B	1,401.84
			MVU WORK AUTHORIZATION 40249B	6,297.09
			MVU WORK AUTHORIZATN 40237B01	249.72
			MOR BEACH BRIDGE TO EUCALYP BB	258.66
			ENG. REVIEW-SCE PROJ ON CACTUS	561.20
			REVIEW RULE 20A UG PROJ-NASON	1,071.79
Vendor Total		**12,032.04**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,267,437.93**		
ESI ACQUISITION, INC.			Remit to: **AUGUSTA** **GA**	
4/16/2012	884991	8,800.00		
			SS-CIMS7-PRB WEBEOC PROF V7	4,900.00
			SS-CIMS7-MPR-TXI WEBEOC MAPPER	3,900.00
Vendor Total		**8,800.00**		
FYTD for ESI ACQUISITION, INC.		**8,800.00**		
EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	884860	16.17		
			ENGRAVING/PLAQUE-POLICE	16.17
4/23/2012	885026	32.33		
			NAMEPLATES & BADGES	32.33
Vendor Total		**48.50**		
FYTD for EVANS ENGRAVING & AWARDS		**1,243.01**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX** **AZ**	
4/9/2012	212217	5.19		
			IRRIGATION PARTS/SUPPLY-PARKS	5.19
Vendor Total		**5.19**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**10,886.97**		

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EXCEL LANDSCAPE, INC			Remit to: **CORONA** **CA**	
4/16/2012	212306	5,396.99		
			LANDSCAPE MAINT-WQB'S	5,396.99
4/30/2012	212477	4,449.17		
			LANDSCAPE MAINT-ZONE E-7	1,672.00
			LANDSCAPE MAINT-ZONE E-7	2,777.17
	Vendor Total	**9,846.16**		
FYTD for EXCEL LANDSCAPE, INC		**85,306.61**		
FAIR HOUSING COUNCIL OF RIV CO, INC.			Remit to: **RIVERSIDE** **CA**	
4/9/2012	884952	5,186.29		
			FORECLOSURE PREVENTN PRGRM	1,646.99
			LANDLORD/TENANT MEDIATN PRGRM	1,157.58
			FAIR HOUSING DISCRIMINATN	2,381.72
	Vendor Total	**5,186.29**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**57,761.88**		
FAIR PRICE CARPETS			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212218	60.11		
			REFUND-BUS. LIC OVRPMT	60.11
	Vendor Total	**60.11**		
FYTD for FAIR PRICE CARPETS		**60.11**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212071	12,912.71		
			CASE MGMNT SVCS	12,842.04
			RNTL ARREARS SVCS	70.67
	Vendor Total	**12,912.71**		
FYTD for FAMILY SERVICE ASSOCIATION		**301,722.90**		
FASHION BLINDS USA			Remit to: **RIVERSIDE** **CA**	
4/23/2012	212390	74.62		
			REFUND-BUS LIC OVERPAYMENT	74.62
	Vendor Total	**74.62**		
FYTD for FASHION BLINDS USA		**74.62**		
FEENSTRA, JOHN			Remit to: **REDLANDS** **CA**	
4/2/2012	884861	361.25		
			RETIREE MED APR '12	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**3,612.50**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FENCING BY ACREY, INC			Remit to: **RIVERSIDE** **CA**	
4/2/2012	212072	26.16		
			REFUND-BUS. LIC OVRPMT	26.16
Vendor Total		**26.16**		
FYTD for FENCING BY ACREY, INC		**26.16**		
FERGUSON, JENNIFER			Remit to: **INDIAN WELLS** **CA**	
4/23/2012	212391	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
Vendor Total		**95.00**		
FYTD for FERGUSON, JENNIFER		**95.00**		
FIRE ENGINEERING			Remit to: **CHICAGO** **IL**	
4/30/2012	212478	139.65		
			SUBSCRIPTION R/N-FIRE SVCS	139.65
Vendor Total		**139.65**		
FYTD for FIRE ENGINEERING		**139.65**		
FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
4/2/2012	212073	598.00		
			ONLINE PROPERTY INFO-CODE	247.00
			ONLINE PROPERTY INFO-CEDD ADMN	181.00
			ONLINE PROPERTY INFO-N PRESVTN	170.00
4/30/2012	212479	664.00		
			REALQUEST ONLINE ACCESS-CODE	307.00
			REALQUEST ONLINE ACCESS-CEDD	187.00
			REALQUEST ONLINE ACCESS-N PRES	170.00
Vendor Total		**1,262.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**6,608.00**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
4/16/2012	884992	46.68		
			COFFEE SVC-EMPLOYEE PAID	46.68
4/30/2012	885065	627.71		
			COFFEE SVC-EMPLOYEE PAID	214.46
			COFFEE SVC-EMPLOYEE PAID	57.97
			COFFEE SVC-EMPLOYEE PAID	176.17
			COFFEE SVC-EMPLOYEE PAID	120.73
			COFFEE SVC-EMPLOYEE PAID	58.38
Vendor Total		**674.39**		
FYTD for FIRST CHOICE SERVICES		**7,439.08**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FITNESS 19 CA 155 11C				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212392	224.00		
				GYM MEMBERSHIP DEDUCTIONS	224.00
	Vendor Total		**224.00**		
FYTD for FITNESS 19 CA 155 11C			**2,256.00**		
FOCUS ESTATES, INC				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212393	593.20		
				HOME IMPRVMNT LN CONTRACT SVCS	2,435.40
				HOME IMPRVMNT LN CONTRACT SVCS	1,259.55
				INVOICE CREDITS	-3,101.75
	Vendor Total		**593.20**		
FYTD for FOCUS ESTATES, INC			**35,488.50**		
FOSTER, NANCY A.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884862	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for FOSTER, NANCY A.			**3,187.30**		
FRANCE, JEANETTE				Remit to: **REDLANDS** **CA**	
	4/30/2012	212480	82.50		
				REFUND-CITATION DISMISSED	57.50
				REFUND-CITATION DISMISSED	25.00
	Vendor Total		**82.50**		
FYTD for FRANCE, JEANETTE			**82.50**		
FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	4/9/2012	212220	1,537.55		
				GARNISHMENT	641.89
				GARNISHMENT	153.12
				GARNISHMENT	25.00
				GARNISHMENT	567.54
				GARNISHMENT	150.00
	4/23/2012	212394	937.91		
				GARNISHMENT	937.91
	4/30/2012	212481	450.00		
				WITHHOLDING PAYMENT	450.00
	Vendor Total		**2,925.46**		
FYTD for FRANCHISE TAX BOARD			**9,379.09**		

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FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	4/23/2012	212395	193.14		
				MILEAGE REIMBURSEMENT	193.14
	Vendor Total		**193.14**		
FYTD for FRANKLIN, L. C.			**1,708.46**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212074	1,154.47		
				PAINT/SUPPLY-GRAFFITI RMVL	1,154.47
	Vendor Total		**1,154.47**		
FYTD for FRAZEE INDUSTRIES, INC			**43,093.52**		
FREEMAN ELECTRIC SERVICE				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212075	37.50		
				REFUND-BUS. LIC OVRPMT	37.50
	Vendor Total		**37.50**		
FYTD for FREEMAN ELECTRIC SERVICE			**37.50**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212221	60.00		
				SPORTS OFFICIATING SVCS	60.00
	4/23/2012	212396	140.00		
				SPORTS OFFICIATING FEE	60.00
				SPORTS OFFICIATING FEE	80.00
	Vendor Total		**200.00**		
FYTD for FRESQUEZ, JOHN			**1,480.00**		
FUELING AND SERVICES TECHNOLOGY, INC				Remit to: **BUENA PARK** **CA**	
	4/2/2012	212076	78.57		
				REFUND-BUS. LIC OVRPMT	78.57
	Vendor Total		**78.57**		
FYTD for FUELING AND SERVICES TECHNOLOGY, INC			**78.57**		
FULBRIGHT & JAWORSKI, L.L.P.				Remit to: **LOS ANGELES** **CA**	
	4/2/2012	212077	639.00		
				LEGAL SVCS	639.00
	Vendor Total		**639.00**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.			**1,891.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FUNCHESS, CELESTE				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212397	52.00		
				REFUND-CANCELLED CONTRCT CLASS	52.00
	Vendor Total		**52.00**		
FYTD for FUNCHESS, CELESTE			**52.00**		
G/M BUSINESS INTERIORS, INC.				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212308	409.87		
				REPLACEMENT WORK SURFACE-EOC	308.00
				DELIVERY/INSTALL (NON-TAXABLE)	78.00
				SALES TAX	23.87
	Vendor Total		**409.87**		
FYTD for G/M BUSINESS INTERIORS, INC.			**588.20**		
GAINES SR., GLENN E.				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212309	102.00		
				REFUND-CITATION FEES	102.00
	Vendor Total		**102.00**		
FYTD for GAINES SR., GLENN E.			**212.00**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	4/23/2012	212398	225.25		
				UNIFORMS-POP TEAM	225.25
	Vendor Total		**225.25**		
FYTD for GALLS INC., INLAND UNIFORM			**7,862.53**		
GARCIA, JOE				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212482	75.50		
				REFUND-CITATION OVRPYMNT	75.50
	Vendor Total		**75.50**		
FYTD for GARCIA, JOE			**75.50**		
GARCIA, MARIVEL				Remit to: **POMONA** **CA**	
	4/30/2012	212483	15,126.00		
				RELOCATION ASSISTANCE PYMT	15,126.00
	Vendor Total		**15,126.00**		
FYTD for GARCIA, MARIVEL			**18,850.00**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
4/2/2012	212078	306.80		
			SECURITY SVCS-CRC	306.80
4/9/2012	212222	214.76		
			SECURITY SVCS-TOWNGATE CTR	153.40
			SECURITY SVCS-TOWNGATE CTR	61.36
4/16/2012	212310	1,135.16		
			SECURITY SVCS-CRC RENTALS	92.04
			SECURITY SVCS-TOWNGTE RENTALS	76.70
			SECURITY SVCS-TOWNGTE RENTALS	76.70
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-MVU	276.12
4/23/2012	212399	836.03		
			SECURITY SVCS-SENIOR CTR RNTLS	222.43
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
4/30/2012	212484	207.09		
			SECURITY SVCS-TOWNGATE CNTR	76.70
			SECURITY SVCS-TOWNGATE CNTR	53.69
			SECURITY SVCS-TOWNGATE CNTR	76.70
	Vendor Total	**2,699.84**		
FYTD for GENERAL SECURITY SERVICES, INC.		**41,425.74**		
GHANTIWALA, PRAVIN			Remit to: **WALNUT**	**CA**
4/9/2012	884953	3,420.00		
			ENGINEERING/DESIGN SVCS-MVU	3,420.00
4/23/2012	885027	2,565.00		
			ENGINEERING/DESIGN SVCS-MVU	2,565.00
4/30/2012	885066	3,420.00		
			ENGINEERING/DESIGN SVCS-MVU	3,420.00
	Vendor Total	**9,405.00**		
FYTD for GHANTIWALA, PRAVIN		**35,910.00**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
4/2/2012	884863	8,461.09		
			LEGAL SVCS	3,964.90
			LEGAL SVCS	4,496.19
4/9/2012	884954	9,966.25		
			LEGAL SVCS	4,983.13
			LEGAL SVCS	4,983.12
4/16/2012	884993	88.00		
			LEGAL SVCS	88.00
4/23/2012	885028	401.15		
			LEGAL SVCS	200.57
			LEGAL SVCS	200.58
4/30/2012	885067	12,401.90		
			LEGAL SVCS	2,658.95
			LEGAL SVCS	106.00
			LEGAL SVCS	2,053.70
			LEGAL SVCS	7,583.25
	Vendor Total	**31,318.39**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**254,326.41**		
GLACIER WATER			Remit to: **VISTA**	**CA**
4/2/2012	212079	31.29		
			REFUND-BUS. LIC OVRPMT	31.29
	Vendor Total	**31.29**		
FYTD for GLACIER WATER		**31.29**		
GOD'S HELPING HAND			Remit to: **MENIFEE**	**CA**
4/9/2012	884955	712.50		
			RENT/UTILITIES-CDBG GRANT	712.50
	Vendor Total	**712.50**		
FYTD for GOD'S HELPING HAND		**8,737.50**		
GOMEZ, MARIA			Remit to: **BEAUMONT**	**CA**
4/30/2012	212485	507.00		
			REFUND-CITATION OVRPYMNT	109.00
			REFUND-CITATION OVRPYMNT	109.00
			REFUND-CITATION OVRPYMNT	109.00
			REFUND-CITATION OVRPYMNT	180.00
	Vendor Total	**507.00**		
FYTD for GOMEZ, MARIA		**507.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GONG ENTERPRISES, INC.				Remit to: **HUNTINGTON BEACH CA**	
	4/9/2012	212223	1,660.00		
				CONSULTANT PLAN CHECK SVCS	830.00
				CONSULTANT PLAN CHECK SVCS	830.00
	4/16/2012	212311	1,152.00		
				PLAN CHECK SVCS-TM32505 FINAL	576.00
				PLAN CHECK SVCS-TM32505 FINAL	576.00
	Vendor Total		**2,812.00**		
FYTD for GONG ENTERPRISES, INC.			**33,500.00**		
GONZALEZ, CLEMENTINA				Remit to: **MORENO VALLEY CA**	
	4/30/2012	212486	2,166.00		
				RELOCATION ASSISTANCE PYMT	2,166.00
	Vendor Total		**2,166.00**		
FYTD for GONZALEZ, CLEMENTINA			**6,425.00**		
GOODWIN, VERNITA				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212080	390.00		
				CLAIM SETTLEMENT	390.00
	Vendor Total		**390.00**		
FYTD for GOODWIN, VERNITA			**390.00**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY CA**	
	4/2/2012	884864	702.00		
				INSTRUCTOR SVCS-KUNG FU/YOUTH	594.00
				INSTRUCTOR SVCS-KUNG FU/ADULT	108.00
	Vendor Total		**702.00**		
FYTD for GOZDECKI, DAN			**6,040.13**		
GREENE, MATTHEW				Remit to: **MORENO VALLEY CA**	
	4/9/2012	212224	90.00		
				SPORTS OFFICIATING SVCS	54.00
				50% CSS WITHHOLDING	-27.00
				SPORTS OFFICIATING SVCS	54.00
				50% CSS WITHHOLDING	-27.00
				SPORTS OFFICIATING SVCS	72.00
				50% CSS WITHHOLDING	-36.00
	4/23/2012	212400	54.00		
				SPORTS OFFICIATING FEE	54.00
				50% WITHHOLDING FOR CSS ORDER	-27.00
				SPORTS OFFICIATING FEE	54.00
				50% WITHHOLDING FOR CSS ORDER	-27.00
	Vendor Total		**144.00**		
FYTD for GREENE, MATTHEW			**1,053.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	4/2/2012	884865	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,187.30**		
GROUP DELTA CONSULTANTS, INC				Remit to: **IRVINE** **CA**	
	4/2/2012	884866	500.00		
				DAY ST IMPRVMNTS PROJECT SVCS	500.00
	4/9/2012	884956	3,321.48		
				INDIAN ST. BICYCLE LANE PROJ.	207.20
				INDIAN ST. BICYCLE LANE PROJ.	3,114.28
	Vendor Total		**3,821.48**		
FYTD for GROUP DELTA CONSULTANTS, INC			**5,086.48**		
GRUYTCH, MICHAEL				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212487	119.00		
				REFUND-CITATION OVRPYMNT	119.00
	Vendor Total		**119.00**		
FYTD for GRUYTCH, MICHAEL			**119.00**		
GUIDA SURVEYING, INC.				Remit to: **IRVINE** **CA**	
	4/16/2012	884994	12,926.00		
				IRONWOOD AVE/STORM DRAIN IMPRV	12,926.00
	Vendor Total		**12,926.00**		
FYTD for GUIDA SURVEYING, INC.			**39,633.00**		
GUILD, ALLISON				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212401	40.00		
				REFUND-CANCELLED CONTRCT CLASS	40.00
	Vendor Total		**40.00**		
FYTD for GUILD, ALLISON			**40.00**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	4/2/2012	212081	60.00		
				INSTRUCTOR SVCS-ZUMBA	60.00
	4/30/2012	212488	96.00		
				INSTRUCTOR SVCS-ZUMBA	96.00
	Vendor Total		**156.00**		
FYTD for GUILIANO, MARIA			**1,292.40**		

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GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	4/2/2012	884867	264.53		
				RETIREE MED APR 12, PD APR 12	264.53
	Vendor Total		**264.53**		
FYTD for GUILLAN, REBECCA S.			**3,008.48**		
GUILLEN, RUTH				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884868	61.75		
				RETIREE MED MAR 12, PD APR 12	61.75
	Vendor Total		**61.75**		
FYTD for GUILLEN, RUTH			**607.65**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	4/2/2012	884869	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,187.30**		
GUTIERREZ, SALVADOR				Remit to: **PERRIS** **CA**	
	4/23/2012	212402	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for GUTIERREZ, SALVADOR			**75.00**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	884995	4,049.00		
				SHOPPING CART RETRIVAL SVC	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**40,490.00**		
H & P NAIL				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	212082	90.00		
				REFUND-BUS. LIC OVRPMT	90.00
	Vendor Total		**90.00**		
FYTD for H & P NAIL			**90.00**		
HAAS, MINA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212083	192.00		
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
				INSTRUCTOR SVCS-BODY SCULPTING	132.00
	Vendor Total		**192.00**		
FYTD for HAAS, MINA			**2,554.20**		

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HAMBURG, IRENE				Remit to: **OTIS** **OR**	
	4/2/2012	884870	637.46		
				RETIREE MED JAN-FEB12,PD APR12	637.46
	Vendor Total		**637.46**		
FYTD for HAMBURG, IRENE			**3,159.76**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	4/2/2012	884871	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,187.30**		
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884872	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,187.30**		
HANSEN, ROBERT L.				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212403	177.50		
				PER DIEM-LCC CITY ATTY CONF.	177.50
	Vendor Total		**177.50**		
FYTD for HANSEN, ROBERT L.			**1,079.06**		
HAPPY TIME BOOK STORE				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212312	70.24		
				REFUND-BUS LIC OVERPAYMENT	70.24
	Vendor Total		**70.24**		
FYTD for HAPPY TIME BOOK STORE			**70.24**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	4/2/2012	212084	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,187.30**		

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HARRIS & ASSOCIATES, INC.				Remit to: **IRVINE** **CA**	
	4/2/2012	884873	7,582.41		
				PLAN CHECK SVCS-PA110009	2,408.73
				PLAN CHECK SVCS-PA070168	3,792.85
				PLAN CHECK SVCS-PA070168	1,380.83
	4/23/2012	885029	424.77		
				PLAN CHECK SVCS-PA070168	424.77
	Vendor Total		**8,007.18**		
FYTD for HARRIS & ASSOCIATES, INC.			**22,369.45**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	4/2/2012	212085	318.73		
				RETIREE MED APR '12	318.73
	4/2/2012	884874	3,287.02		
				DEVELOPMENT IMPACT FEE PRGRM	3,287.02
	4/23/2012	885030	201.25		
				DEVELOPMENT IMPACT FEE PRGRM	201.25
	Vendor Total		**3,807.00**		
FYTD for HARTMANN, RICK			**35,300.57**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	4/2/2012	884875	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,506.03**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	4/2/2012	884876	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,187.30**		
HERNANDEZ, MARIA DELROCIO				Remit to: **LOS ANGELES** **CA**	
	4/30/2012	212489	236.00		
				REIMB. FTB INTERCEPT-CITATION	236.00
	Vendor Total		**236.00**		
FYTD for HERNANDEZ, MARIA DELROCIO			**236.00**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212086	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,187.30**		

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HOCKLESS, CYNTHIA				Remit to: **FONTANA** **CA**	
	4/9/2012	212225	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for HOCKLESS, CYNTHIA			**200.00**		
HODGE, MARK				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212313	125.00		
				REFUND-RENTL FEES-PICNIC SHLTR	125.00
	Vendor Total		**125.00**		
FYTD for HODGE, MARK			**125.00**		
HOLMAN AUBRY/JOSH				Remit to: **BEAUMONT** **CA**	
	4/2/2012	212087	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for HOLMAN AUBRY/JOSH			**20.00**		
HONDA YAMAHA OF REDLANDS				Remit to: **REDLANDS** **CA**	
	4/2/2012	884877	1,966.41		
				MOTORCYCLE MAINT/REPAIR-POLICE	420.00
				MOTORCYCLE PARTS	1,093.51
				MOTORCYCLE MAINT/REPAIR-POLICE	28.00
				MOTORCYCLE PARTS	52.31
				MOTORCYCLE MAINT/REPAIR-POLICE	84.00
				MOTORCYCLE PARTS	208.28
				MOTORCYCLE MAINT/REPAIR-POLICE	28.00
				MOTORCYCLE PARTS-POLICE	52.31
	4/16/2012	884996	1,667.46		
				MOTORCYCLE MAINT/REPAIR-POLICE	175.00
				MOTORCYCLE PARTS	472.48
				MOTORCYCLE MAINT/REPAIR-POLICE	525.00
				MOTORCYCLE PARTS	423.48
				MOTORCYCLE MAINT/REPAIR-POLICE	70.00
				MOTORCYCLE PARTS	1.50
	4/23/2012	885032	131.57		
				MOTORCYCLE PARTS	131.57
	4/30/2012	885068	98.91		
				MOTORCYCLE MAINT/REPAIR-POLICE	28.00
				MOTORCYCLE PARTS	52.31
				MOTORCYCLE MAINT/REPAIR-POLICE	14.00
				MOTORCYCLE PARTS	4.60
	Vendor Total		**3,864.35**		
FYTD for HONDA YAMAHA OF REDLANDS			**36,590.35**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HOT LINE CONSTRUCTION, INC				Remit to: **BRENTWOOD** **CA**	
	4/9/2012	212226	11,212.50		
				HOLD POLE FOR CONSTRUCT. CREW	11,212.50
	Vendor Total		**11,212.50**		
FYTD for HOT LINE CONSTRUCTION, INC			**11,212.50**		
HOUSE OF BEAUTY				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212314	71.55		
				REFUND-BUS LIC OVERPAYMENT	71.55
	Vendor Total		**71.55**		
FYTD for HOUSE OF BEAUTY			**71.55**		
HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212088	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,187.30**		
HUNTINGTON BEACH HONDA				Remit to: **HUNTINGTON BEACH** **CA**	
	4/2/2012	212089	3,986.75		
				HONDA EU6500 GENERATOR-POLICE	3,700.00
				SALES TAX	286.75
	Vendor Total		**3,986.75**		
FYTD for HUNTINGTON BEACH HONDA			**9,594.64**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	4/6/2012	3057	9,025.01		
				DEF COMP 457 4/6/12	9,025.01
	4/20/2012	3065	8,575.01		
				DEF COMP 457 4/20/12	8,575.01
	Vendor Total		**17,600.02**		
FYTD for ICMA RETIREMENT CORP 457			**237,130.81**		

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ICR DOORS				Remit to: **SAN BERNARDINO** **CA**	
	4/9/2012	884957	797.00		
				AUTOMATIC GATE MAINT-STN 6	150.00
				AUTOMATIC GATE MAINT-STN 58	150.00
				AUTOMATIC GATE MAINT-STN 65	90.00
				AUTOMATIC GATE MAINT-STN 91	150.00
				AUTOMATIC GATE MAINT-PSB	101.25
				AUTOMATIC GATE MAINT-PSB	155.75
	4/23/2012	885033	524.10		
				AUTOMATIC GATE MAINT-PSB	44.25
				AUTOMATIC GATE MAINT-PSB	80.75
				INSTALL NEW LOOP DETECTOR-PSB	163.75
				INSTALL NEW LOOP DETECTOR	71.60
				INSTALL NEW LOOP DETECTOR	163.75
	Vendor Total		**1,321.10**		
FYTD for ICR DOORS			**3,386.60**		
ING USA ANNUITY & LIFE INSURANCE CO.				Remit to: **DES MOINES** **IA**	
	4/9/2012	212227	400.00		
				NON-EXEMPT ANNUITY	400.00
	Vendor Total		**400.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**4,225.00**		
INLAND CONTRACTORS, INC.				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	884958	1,143.00		
				NUISANCE ABATEMENT SVCS-CODE	1,143.00
	Vendor Total		**1,143.00**		
FYTD for INLAND CONTRACTORS, INC.			**32,206.40**		
INLAND COUNTIES LEGAL SERVICES INC.				Remit to: **RIVERSIDE** **CA**	
	4/30/2012	212490	7,246.49		
				LEGAL SVCS-HPRR GRANT	7,246.49
	Vendor Total		**7,246.49**		
FYTD for INLAND COUNTIES LEGAL SERVICES INC.			**7,246.49**		
INSIDE PLANTS, INC.				Remit to: **CORONA** **CA**	
	4/9/2012	884959	320.00		
				INDOOR PLANT MAINT-CRC	320.00
	Vendor Total		**320.00**		
FYTD for INSIDE PLANTS, INC.			**3,200.00**		

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INTERFACE SYSTEMS				Remit to: **EARTH CITY** **MO**	
	4/2/2012	212091	77.69		
				REFUND-BUS. LIC OVRPMT	77.69
	Vendor Total		**77.69**		
FYTD for INTERFACE SYSTEMS			**77.69**		
INTERNAL REVENUE SERVICE				Remit to:	
	4/2/2012	3051	2,000.00		
				DEPOSIT TO FEDERAL ACCT 4/2/12	2,000.00
	Vendor Total		**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE			**2,807,284.66**		
IVG ENERGY				Remit to: **HOUSTON** **TX**	
	4/2/2012	212092	1,898.15		
				RENEWABLE ENERGY CREDITS	1,898.15
	Vendor Total		**1,898.15**		
FYTD for IVG ENERGY			**1,898.15**		
J & J EQUIPMENT RENTALS				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212093	20.00		
				REFUND-BUS. LIC OVRPMT	20.00
	Vendor Total		**20.00**		
FYTD for J & J EQUIPMENT RENTALS			**20.00**		
J D H CONTRACTING				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	884960	530.00		
				WOMENS SHOWER WALL RMVL-STN 65	530.00
	Vendor Total		**530.00**		
FYTD for J D H CONTRACTING			**47,124.50**		
JACK JR HAMBURGER				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212228	41.15		
				REFUND-BUS. LIC OVRPMT	41.15
	Vendor Total		**41.15**		
FYTD for JACK JR HAMBURGER			**41.15**		
JAM FIRE PROTECTION, INC				Remit to: **MONROVIA** **CA**	
	4/30/2012	212491	575.00		
				INSPECT FIRE SUPPRESSION SYSTM	575.00
	Vendor Total		**575.00**		
FYTD for JAM FIRE PROTECTION, INC			**1,170.00**		

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JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
4/16/2012	212315	75.00		
			COURIER SVCS	75.00
Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,314.00**		
JDEDGE SOFTWARE, LLC			Remit to: **KRUGERVILLE** **TX**	
4/2/2012	884878	3,510.00		
			CONSULTANT SVCS-BANK ACH FILE	1,755.00
			CONSULTANT SVCS-BANK ACH FILE	1,755.00
4/9/2012	884961	19,655.08		
			ERP CONVERSION SVCS	2,892.52
			ERP CONVERSION SVCS	16,762.56
4/23/2012	885034	12,963.08		
			ERP CONVERSION SVCS	6,612.44
			ERP CONVERSION SVCS	4,052.56
			ERP CONVERSION SVCS	2,298.08
Vendor Total		**36,128.16**		
FYTD for JDEDGE SOFTWARE, LLC		**152,790.06**		
JONES, SUSAN			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	884879	318.73		
			RETIREE MED APR '12	318.73
Vendor Total		**318.73**		
FYTD for JONES, SUSAN		**3,187.30**		
KARL SCANLAN CO, INC			Remit to: **MENIFEE** **CA**	
4/2/2012	212095	23.17		
			REFUND-BUS. LIC OVRPMT	23.17
Vendor Total		**23.17**		
FYTD for KARL SCANLAN CO, INC		**23.17**		
KDM MERIDIAN, INC.			Remit to: **LAKE FOREST** **CA**	
4/23/2012	885035	680.00		
			ADA COMPLIANT CURB/RAMPS PROJ	680.00
Vendor Total		**680.00**		
FYTD for KDM MERIDIAN, INC.		**80,550.00**		
KELL, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212229	30.00		
			REFUND-FALSE ALARM/APPEALED	30.00
Vendor Total		**30.00**		
FYTD for KELL, MICHAEL		**30.00**		

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KIMLEY-HORN AND ASSOCIATES, INC				Remit to: **PHOENIX** **AZ**	
	4/2/2012	212096	9,686.06		
				TRANSP. MGMT CENTER PROJ SVCS	9,686.06
	4/9/2012	212230	7,784.66		
				TRANSP. MGMT CENTER PROJ SVCS	7,784.66
	Vendor Total		**17,470.72**		
FYTD for KIMLEY-HORN AND ASSOCIATES, INC			**23,662.46**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	4/2/2012	212097	271.44		
				RETIREE MED APR '12	271.44
	Vendor Total		**271.44**		
FYTD for KING, PATRICIA A.			**2,693.04**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884880	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,187.30**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884881	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,187.30**		
KONE, INC				Remit to: **MOLINE** **IL**	
	4/2/2012	212098	29.31		
				REFUND-BUS. LIC OVRPMT	29.31
	Vendor Total		**29.31**		
FYTD for KONE, INC			**29.31**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	4/2/2012	884882	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**3,187.30**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884883	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**3,187.30**		

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LANCE, SOLL & LUNGHARD, LLP			Remit to: **BREA** **CA**	
4/2/2012	212099	360.00		
			SINGLE AUDIT/REPORTS-FINAL	360.00
Vendor Total		**360.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP		**57,650.00**		
LANDMARK FENCE CO, INC			Remit to: **MONTCLAIR** **CA**	
4/9/2012	212231	79.35		
			REFUND-BUS. LIC OVRPMT	79.35
Vendor Total		**79.35**		
FYTD for LANDMARK FENCE CO, INC		**79.35**		
LANDSCAPE MANAGEMENT			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212100	34.40		
			REFUND-BUS. LIC OVRPMT	34.40
Vendor Total		**34.40**		
FYTD for LANDSCAPE MANAGEMENT		**34.40**		
LANGENDORF, BENJAMIN			Remit to: **PERRIS** **CA**	
4/2/2012	884884	254.59		
			RETIREE MED FEB 12, PD APR 12	254.59
Vendor Total		**254.59**		
FYTD for LANGENDORF, BENJAMIN		**2,258.12**		
LANGSTON MOTORSPORTS			Remit to: **PERRIS** **CA**	
4/16/2012	212317	448.92		
			MOTORCYCLE MAINT/REPAIR-POLICE	340.00
			MOTORCYCLE PARTS	108.92
4/23/2012	212404	786.53		
			MOTORCYCLE MAINT/REPAIR-POLICE	432.00
			MOTORCYCLE PARTS	354.53
4/30/2012	212492	695.40		
			MOTORCYCLE MAINT/REPAIR-POLICE	221.00
			MOTORCYCLE PARTS	474.40
Vendor Total		**1,930.85**		
FYTD for LANGSTON MOTORSPORTS		**6,963.42**		

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LAW ENFORCEMENT APPRECIATION COMMITTEE				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212318	250.00		
				34TH LAW ENF APPRECIATN DINNR	50.00
				34TH LAW ENF APPRECIATN DINNR	50.00
				34TH LAW ENF APPRECIATN DINNR	50.00
				34TH LAW ENF APPRECIATN DINNR	50.00
				34TH LAW ENF APPRECIATN DINNR	50.00
	4/30/2012	212493	50.00		
				34TH LAW ENF APPRECIATN DINNER	50.00
	Vendor Total		**300.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE			**300.00**		
LAWYERS TITLE COMPANY				Remit to: **NEWPORT BEACH** **CA**	
	4/9/2012	212232	550.00		
				PRELIM. REPORT/DOCS-09304960	550.00
	4/23/2012	212405	500.00		
				PRELIM TITLE REPORT (BOWERS)	500.00
	Vendor Total		**1,050.00**		
FYTD for LAWYERS TITLE COMPANY			**531,574.12**		
LENNY'S AUTO REPAIR				Remit to: **PERRIS** **CA**	
	4/30/2012	212494	76.34		
				REFUND-BUS LICENSE OVRPYMNT	76.34
	Vendor Total		**76.34**		
FYTD for LENNY'S AUTO REPAIR			**76.34**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	4/2/2012	884885	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**3,187.30**		
LEXISNEXIS				Remit to: **LOS ANGELES** **CA**	
	4/23/2012	885036	1,480.00		
				LEGAL RESEARCH SVC	740.00
				LEGAL RESEARCH SVC	370.00
				LEGAL RESEARCH SVC	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**14,800.00**		

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LINDO, HERMINA G.				Remit to: **TITUSVILLE** **FL**	
	4/2/2012	884886	199.80		
				RETIREE MED FEB 12, PD APR 12	199.80
	Vendor Total		**199.80**		
FYTD for LINDO, HERMINA G.			**2,511.78**		
LITTLE BEIJING				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212233	80.87		
				REFUND-BUS. LIC OVRPMT	80.87
	Vendor Total		**80.87**		
FYTD for LITTLE BEIJING			**80.87**		
LIZARRAGA, PATRICIA				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212495	7.00		
				REFUND-ANIMAL LIC. OVRPYMNT	7.00
	Vendor Total		**7.00**		
FYTD for LIZARRAGA, PATRICIA			**7.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	4/2/2012	884887	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**3,187.30**		
LONGDYKE, DENNIS				Remit to: **BEAUMONT** **CA**	
	4/2/2012	212101	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for LONGDYKE, DENNIS			**2,549.84**		
LOPEZ FLORES, NESTOR				Remit to: **MURRIETA** **CA**	
	4/30/2012	212496	163.50		
				REFUND-CITATION OVRPYMNT	163.50
	Vendor Total		**163.50**		
FYTD for LOPEZ FLORES, NESTOR			**163.50**		

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LOPEZ, JASMINE				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212234	70.00		
				SPORTS OFFICIATING SVCS	70.00
	4/16/2012	212319	0.00		
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	70.00
				VOIDED CHECK #212319 - 4/18/12	-70.00
				VOIDED CHECK #212319 - 4/18/12	-70.00
				VOIDED CHECK #212319 - 4/18/12	-70.00
	4/23/2012	212406	210.00		
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING FEE	35.00
				SPORTS OFFICIATING FEE	35.00
	Vendor Total		**280.00**		
FYTD for LOPEZ, JASMINE			**910.00**		
LOR GEOTECHNICAL GROUP, INC				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	212235	50.00		
				REFUND-BUS. LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC			**50.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	4/30/2012	885069	8,500.00		
				ENVIR. SITE ASSESSMENT SVCS	2,500.00
				ENVIR. SITE ASSESSMENT SVCS	3,000.00
				ENVIR. SITE ASSESSMENT SVCS	3,000.00
	Vendor Total		**8,500.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**59,935.80**		
LOS OLIVOS JEHOVAH'S WITNESS				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212407	475.00		
				REFUND-RENTAL DEPOSIT-CRC	475.00
	Vendor Total		**475.00**		
FYTD for LOS OLIVOS JEHOVAH'S WITNESS			**475.00**		
LUIS RIOS AND EDUARDO GAMAS				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212497	1,547.60		
				RELOCATION ASSISTANCE PYMT.	1,547.60
	Vendor Total		**1,547.60**		
FYTD for LUIS RIOS AND EDUARDO GAMAS			**5,152.85**		

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LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884888	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,187.30**		
MACADEE ELECTRICAL CONSTRUCTION				Remit to: **CHINO** **CA**	
	4/9/2012	212236	38.50		
				REFUND-BUS. LIC OVRPMT	38.50
	Vendor Total		**38.50**		
FYTD for MACADEE ELECTRICAL CONSTRUCTION			**38.50**		
MAGNUM BREEZE II, INC/WOODCREST VEH CTR				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884889	986.06		
				MDC EQUPMNT UPGRD-PD EXCURSION	520.00
				PARTS-MDC EQUIPMENT UPGRADE	317.39
				CA SALES TAX	24.60
				MISC PARTS FOR EXCURSION UPGRD	124.07
	Vendor Total		**986.06**		
FYTD for MAGNUM BREEZE II, INC/WOODCREST VEH CTR			**1,960.01**		
MALDONADO JR., LUIS				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212102	71.00		
				REFUND-DEPOSITS ANIMAL SVCS	30.00
				REFUND-DEPOSITS ANIMAL SVCS	5.00
				REFUND-DEPOSITS ANIMAL SVCS	16.00
				REFUND-DEPOSITS ANIMAL SVCS	15.00
				REFUND-DEPOSITS ANIMAL SVCS	5.00
	Vendor Total		**71.00**		
FYTD for MALDONADO JR., LUIS			**71.00**		
MALDONADO, JULISSA				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212237	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for MALDONADO, JULISSA			**300.00**		
MARCH JOINT POWERS AUTHORITY				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212320	9.70		
				GAS METER CHARGES	7.92
				GAS METER CHARGES	1.78
	Vendor Total		**9.70**		
FYTD for MARCH JOINT POWERS AUTHORITY			**65.45**		

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MARINA LANDSCAPE, INC				Remit to: **ANAHEIM** **CA**	
	4/2/2012	884890	14,991.82		
				LANDSCAPE MAINT-ZONE DSG2-N	4,777.65
				LANDSCAPE MAINT-ZONE DSG2-S	4,480.83
				LANDSCAPE MAINT-ZONE E-1	4,943.58
				LANDSCAPE MAINT-ZONE E-1A	789.76
	4/9/2012	884962	1,495.50		
				LANDSCAPE MAINT-ZONE DSG2-S	1,045.50
				LANDSCAPE MAINT-ZONE E-1	450.00
	Vendor Total		**16,487.32**		
FYTD for MARINA LANDSCAPE, INC			**142,690.36**		
MARTINEZ, GLORIA				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212498	47.50		
				REFUND-CITATION OVRPYMNT	47.50
	Vendor Total		**47.50**		
FYTD for MARTINEZ, GLORIA			**47.50**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	4/2/2012	884891	359.80		
				RETIREE MED FEB 12, PD APR 12	359.80
	Vendor Total		**359.80**		
FYTD for MATHIS, NOLAN			**2,879.60**		
MAX MUSCLE				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212238	35.89		
				REFUND-BUS. LIC OVRPMT	35.89
	Vendor Total		**35.89**		
FYTD for MAX MUSCLE			**35.89**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	4/2/2012	884892	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,187.30**		
MC GRATH RENTCORP (MOBILE MODULAR)				Remit to: **LIVERMORE** **CA**	
	4/9/2012	212239	42.86		
				REFUND-BUS. LIC OVRPMT	42.86
	Vendor Total		**42.86**		
FYTD for MC GRATH RENTCORP (MOBILE MODULAR)			**42.86**		

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MCAFEE, WAYNE PH.D.				Remit to: **YUCAIPA** **CA**	
	4/23/2012	212408	475.00		
				JOB MATCHING SVCS	475.00
	Vendor Total		**475.00**		
FYTD for MCAFEE, WAYNE PH.D.			**2,370.00**		
MCCAIN TRAFFIC SUPPLY				Remit to: **VISTA** **CA**	
	4/2/2012	212103	10,507.78		
				CONTROLLER-LASSELLE/MARGARET	10,507.78
	4/23/2012	212409	7,158.91		
				TRAFFIC SUPPLIES	7,158.91
	Vendor Total		**17,666.69**		
FYTD for MCCAIN TRAFFIC SUPPLY			**85,683.91**		
MCCARTY, MICHAEL				Remit to: **BEAUMONT** **CA**	
	4/23/2012	212410	495.96		
				REIMB-2012 CPRS CONFERENCE	495.96
	Vendor Total		**495.96**		
FYTD for MCCARTY, MICHAEL			**702.32**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	4/9/2012	884963	60.00		
				SPORTS OFFICIATING SVCS	60.00
	4/16/2012	884997	140.00		
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	80.00
	4/23/2012	885037	280.00		
				SPORTS OFFICIATING FEE	60.00
				SPORTS OFFICIATING FEE	80.00
				SPORTS OFFICIATING FEE	80.00
				SPORTS OFFICIATING FEE	60.00
	Vendor Total		**480.00**		
FYTD for MEEKS, DANIEL			**3,240.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	4/2/2012	212104	659.99		
				PLAN CHECK SVCS-BLDG/SAFETY	659.99
	4/30/2012	212499	747.27		
				PLAN CHECK SVCS-BLDG/SAFETY	747.27
	Vendor Total		**1,407.26**		
FYTD for MELAD & ASSOCIATES, INC			**10,638.06**		

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MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212411	149.30		
				MILEAGE REIMBURSEMENT	149.30
	Vendor Total		**149.30**		
FYTD for MENGISTU, YESHIALEM			**1,294.52**		
MENOS CUSTOMS				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212500	71.34		
				REFUND-BUS LICENSE OVRPYMNT	71.34
	Vendor Total		**71.34**		
FYTD for MENOS CUSTOMS			**71.34**		
MERCHANTS LANDSCAPE SERVICES INC				Remit to: **CORONA** **CA**	
	4/16/2012	884998	5,367.97		
				LANDSCAPE MAINT-ZONE E-8	1,225.87
				LANDSCAPE MAINT-ZONE E-14	3,045.56
				LANDSCAPE MAINT-ZONE E-15	1,096.54
	Vendor Total		**5,367.97**		
FYTD for MERCHANTS LANDSCAPE SERVICES INC			**42,943.76**		
MESA FENCE CO, INC				Remit to: **PERRIS** **CA**	
	4/30/2012	212501	62.68		
				REFUND-BUS LICENSE OVRPYMNT	62.68
	Vendor Total		**62.68**		
FYTD for MESA FENCE CO, INC			**62.68**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	4/2/2012	884893	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,187.30**		
METROCOM MV, INC				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212105	24.58		
				REFUND-BUS. LIC OVRPMT	24.58
	Vendor Total		**24.58**		
FYTD for METROCOM MV, INC			**24.58**		
METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	4/16/2012	212321	100.00		
				CELLULAR TEXT MSG RETRIEVAL	50.00
				CELLULAR TEXT MSG RETRIEVAL	50.00
	Vendor Total		**100.00**		
FYTD for METROPCS WIRELESS, INC.			**400.00**		

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MICHAEL BRANDMAND ASSOCIATES			Remit to: **IRVINE** **CA**	
4/16/2012	212322	10,260.00		
			3RD PRTY REVIEW-VOGEL WRHS EIR	10,260.00
	Vendor Total	**10,260.00**		
FYTD for MICHAEL BRANDMAND ASSOCIATES		**28,349.20**		
MID-EAST PANTRY INTERNATIONAL			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212106	24.63		
			REFUND-BUS. LIC OVRPMT	24.63
	Vendor Total	**24.63**		
FYTD for MID-EAST PANTRY INTERNATIONAL		**24.63**		
MILES, ROBERT			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	884894	225.99		
			RETIREE MED APR '12	225.99
	Vendor Total	**225.99**		
FYTD for MILES, ROBERT		**2,283.24**		
MILLINE, WILLIAM			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212107	11.00		
			REFUND-HARNESS EXCHANGE	10.21
			REFUND-HARNESS EXCHANGE	0.79
	Vendor Total	**11.00**		
FYTD for MILLINE, WILLIAM		**11.00**		
MINARD, MARK E.			Remit to: **REDLANDS** **CA**	
4/2/2012	884895	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for MINARD, MARK E.		**3,187.30**		
MNSD, LLC			Remit to: **MORENO VALLEY** **CA**	
4/16/2012	212323	64.62		
			REFUND-BUS LIC OVERPAYMENT	64.62
	Vendor Total	**64.62**		
FYTD for MNSD, LLC		**64.62**		
MOLLICA, MIKE			Remit to: **DUNNELLON** **FL**	
4/2/2012	884896	401.42		
			RETIREE MED APR '12	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**4,014.20**		

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MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212108	1,755.00		
				PLUMBING REPAIRS-CRC	480.00
				PLUMBING REPAIRS-CRC	1,275.00
	4/23/2012	212412	2,650.00		
				FURNISH & INSTALL WATER HEATER	2,650.00
	Vendor Total		**4,405.00**		
FYTD for MONTGOMERY PLUMBING INC			**19,414.90**		
MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	4/2/2012	884897	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,187.30**		
MORALES, KAREN				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212109	19.43		
				MILEAGE REIMBURSEMENT	19.43
	Vendor Total		**19.43**		
FYTD for MORALES, KAREN			**19.43**		
MORENO VALLEY BOWL				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212110	139.20		
				INSTRUCTOR SVCS-BOWLING	139.20
	Vendor Total		**139.20**		
FYTD for MORENO VALLEY BOWL			**739.20**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	4/9/2012	212240	4,642.50		
				SVCS PER CONTRACT AGREEMENT	4,522.50
				WAKE-UP MEETING-3/28/12	15.00
				WAKE-UP MEETING-3/28/12	15.00
				WAKE-UP MEETING-3/28/12	15.00
				WAKE-UP MEETING-3/28/12	15.00
				WAKE-UP MEETING-3/28/12	15.00
				WAKE-UP MEETING-3/28/12	15.00
				WAKE-UP MEETING-3/28/12	15.00
				WAKE-UP MEETING-3/28/12	15.00
	Vendor Total		**4,642.50**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**23,005.00**		

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MORENO VALLEY CITY EMPLOYEES ASSOC.			Remit to: **MORENO VALLEY CA**	
4/6/2012	3056	1,393.00		
			MVCEA DUES 4/6/12	1,393.00
4/20/2012	3064	1,393.00		
			MVCEA DUES 4/20/12	1,393.00
	Vendor Total	**2,786.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**31,097.50**		
MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRAN(CA**	
4/16/2012	884999	17,142.59		
			LEASE-FACILITIES ANNEX	2,458.97
			LEASE-TS ANNEX	5,475.90
			LEASE-SDA ANNEX	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**171,425.90**		
MORENO VALLEY HISPANIC CHAMBER OF COMMER			Remit to: **MORENO VALLEY CA**	
4/16/2012	212324	170.00		
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
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			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
	Vendor Total	**170.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER OF COMMER		**3,960.00**		
MORENO VALLEY HISTORICAL SOCIETY			Remit to: **MORENO VALLEY CA**	
4/2/2012	212111	60.00		
			DINNER DANCE/SILENT AUCTION	30.00
			DINNER DANCE/SILENT AUCTION	30.00
	Vendor Total	**60.00**		
FYTD for MORENO VALLEY HISTORICAL SOCIETY		**60.00**		

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MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	4/2/2012	212112	86.88		
				ELECTRICITY-UTILITY FLD OFFICE	86.88
	Vendor Total		**86.88**		
FYTD for MORENO VALLEY UTILITY			**636,724.75**		
MORENO VALLEY WASH HOUSE				Remit to: **ONTARIO** **CA**	
	4/2/2012	212113	26.88		
				REFUND-BUS. LIC OVRPMT	26.88
	Vendor Total		**26.88**		
FYTD for MORENO VALLEY WASH HOUSE			**26.88**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	4/2/2012	884898	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,187.30**		
MORNEO, TERESA				Remit to: **PERRIS** **CA**	
	4/2/2012	212114	71.00		
				REFUND-DEPOSITS ANIMAL SVCS	30.00
				REFUND-DEPOSITS ANIMAL SVCS	5.00
				REFUND-DEPOSITS ANIMAL SVCS	20.00
				REFUND-DEPOSITS ANIMAL SVCS	16.00
	Vendor Total		**71.00**		
FYTD for MORNEO, TERESA			**71.00**		
MOSS BROS CHRYSLER, JEEP, DODGE MV				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212502	1,874.90		
				VEHICLE MAINT/REPAIR-POLICE	1,079.53
				VEHICLE PARTS	795.37
	Vendor Total		**1,874.90**		
FYTD for MOSS BROS CHRYSLER, JEEP, DODGE MV			**9,619.83**		
MOTHERHOOD MATERNITY #1889				Remit to: **PHILADELPHIA** **PA**	
	4/2/2012	212115	73.28		
				REFUND-BUS. LIC OVRPMT	73.28
	Vendor Total		**73.28**		
FYTD for MOTHERHOOD MATERNITY #1889			**73.28**		

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MOTOROLA SOLUTIONS			Remit to: **RIVERSIDE** **CA**	
4/30/2012	212503	2,278.91		
			TICKET WRITER SETUP FEE-POLICE	2,115.00
			SALES TAX	163.91
	Vendor Total	**2,278.91**		
FYTD for MOTOROLA SOLUTIONS		**2,278.91**		
MOUSSA'S QUALITY AUTO SERVICE			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212504	76.34		
			REFUND-BUS LICENSE OVRPYMNT	76.34
	Vendor Total	**76.34**		
FYTD for MOUSSA'S QUALITY AUTO SERVICE		**76.34**		
MULTI - FAMILY BUILDERS, INC			Remit to: **PALM DESERT** **CA**	
4/2/2012	212116	23.74		
			REFUND-BUS. LIC OVRPMT	23.74
	Vendor Total	**23.74**		
FYTD for MULTI - FAMILY BUILDERS, INC		**23.74**		
MUNDY, DANYELLE			Remit to: **COLTON** **CA**	
4/30/2012	212505	32.50		
			REFUND-CITATION DISMISSED	32.50
	Vendor Total	**32.50**		
FYTD for MUNDY, DANYELLE		**32.50**		
MUNOZ, ARIEL			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212241	43.29		
			MILEAGE REIMBURSEMENT	43.29
4/9/2012	212242	0.00		
			MILEAGE REIMBURSEMENT	95.46
			VOIDED CHECK #212242 - 4/10/12	-95.46
4/10/2012	212287	95.46		
			MILEAGE REIMBURSEMENT	95.46
	Vendor Total	**138.75**		
FYTD for MUNOZ, ARIEL		**476.59**		
MUZAK, LLC			Remit to: **FORT MILLS** **SC**	
4/9/2012	212243	68.07		
			REFUND-BUS. LIC OVRPMT	68.07
	Vendor Total	**68.07**		
FYTD for MUZAK, LLC		**68.07**		

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NAILS BY CHRISTONE DUONG			Remit to: **MORENO VALLEY**	**CA**
4/9/2012	212244	22.00		
			REFUND-BUS. LIC OVRPMT	22.00
Vendor Total		**22.00**		
FYTD for NAILS BY CHRISTONE DUONG		**22.00**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.			Remit to: **ALBANY**	**NY**
4/2/2012	212117	896.88		
			MISC. FORENSIC SUPPLIES FOR PD	65.84
			CA USE TAX @ 7.75%	4.19
			USE TAX ACCRUAL	-4.19
			MISC. FORENSIC SUPPLIES FOR PD	184.21
			USE TAX ACCRUAL	-13.25
			MISC. FORENSIC SUPPLIES FOR PD	711.24
			USE TAX ACCRUAL	-51.16
Vendor Total		**896.88**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.		**896.88**		
NATIONAL REALTY GROUP - MORENO VALLEY			Remit to: **MORENO VALLEY**	**CA**
4/16/2012	212325	109.36		
			REFUND-BUS LIC OVERPAYMENT	109.36
Vendor Total		**109.36**		
FYTD for NATIONAL REALTY GROUP - MORENO VALLEY		**109.36**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS**	**OH**
4/6/2012	3054	1,975.06		
			PST DEF COMP FOR FICA 4/6/12	1,975.06
4/20/2012	3062	2,003.57		
			PST DEF COMP FOR FICA 4/20/12	2,003.57
Vendor Total		**3,978.63**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**629,482.44**		
NATURE'S IMAGE, INC.			Remit to: **LAKE FOREST**	**CA**
4/23/2012	212414	10,877.50		
			DETENTION BASIN MAINTENANCE	10,877.50
Vendor Total		**10,877.50**		
FYTD for NATURE'S IMAGE, INC.		**13,010.50**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA**	**CA**
4/2/2012	884900	225.99		
			RETIREE MED APR '12	225.99
Vendor Total		**225.99**		
FYTD for NAVARRETTE, RALPH		**2,460.94**		

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NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	4/2/2012	884901	320.43		
				RETIREE MED APR '12	320.43
	Vendor Total		**320.43**		
FYTD for NELSON, ROBERT			**3,235.68**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	4/2/2012	884902	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,187.30**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	4/2/2012	212118	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,187.30**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	4/16/2012	212364	16.43		
				REFUND-UUT EXEMPT RESIDENTS	16.43
	Vendor Total		**16.43**		
FYTD for NEW HORIZON MOBILE HOME PARK			**108.54**		
NEW WORLD SYSTEMS, CORP				Remit to: **TROY** **MI**	
	4/9/2012	884964	600.00		
				FM, HR/PY EST TRAVEL EXPENSES	600.00
	4/16/2012	885001	1,710.37		
				FM, HR/PY EST TRAVEL EXPENSES	1,710.37
	Vendor Total		**2,310.37**		
FYTD for NEW WORLD SYSTEMS, CORP			**476,082.92**		
NGUYEN, QUANG				Remit to: **AZUSA** **CA**	
	4/30/2012	885070	151.52		
				MILEAGE REIMBURSEMENT	151.52
	Vendor Total		**151.52**		
FYTD for NGUYEN, QUANG			**584.79**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212119	401.42		
				RETIREE MED APR '12	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,014.20**		

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NINYO & MOORE GEOTECHNICAL			Remit to: **SAN DIEGO** **CA**	
4/2/2012	212120	939.50		
			TRAF SIG-LASSELLE/MARGARET AVE	939.50
4/23/2012	212415	18,132.60		
			IRIS AVE PAVEMENT RESURF. PROJ	18,132.60
	Vendor Total	**19,072.10**		
FYTD for NINYO & MOORE GEOTECHNICAL		**68,813.60**		
O T O DEVELOPMENT			Remit to: **SPARTANBURG** **SC**	
4/9/2012	212245	61.00		
			REFUND-BUS. LIC OVRPMT	61.00
	Vendor Total	**61.00**		
FYTD for O T O DEVELOPMENT		**61.00**		
O'CONNELL, KATHLEEN			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212506	407.50		
			REFUND-CITATION DISMISSED	407.50
	Vendor Total	**407.50**		
FYTD for O'CONNELL, KATHLEEN		**407.50**		
ORMSBY, CHRISTOPHER B.			Remit to: **RIVERSIDE** **CA**	
4/23/2012	212416	106.56		
			MILEAGE REIMBURSEMENT	106.56
	Vendor Total	**106.56**		
FYTD for ORMSBY, CHRISTOPHER B.		**106.56**		
ORTEGA/RAMIREZ, FLOR/HECTOR			Remit to: **PERRIS** **CA**	
4/23/2012	212417	40.00		
			REFUND-RABIES DEPOSIT	40.00
	Vendor Total	**40.00**		
FYTD for ORTEGA/RAMIREZ, FLOR/HECTOR		**40.00**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH** **CA**	
4/9/2012	884965	3,695.00		
			MYERS AVE RELOCATION PROJECT	3,695.00
4/23/2012	885038	4,200.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	4,200.00
4/30/2012	885071	9,000.00		
			APPRAISAL SVCS-STORM DRAIN PRJ	9,000.00
	Vendor Total	**16,895.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**136,732.50**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND** **CA**	
4/9/2012	884966	203.82		
			TURF FERTILIZATION-ZONE E-7	84.46
			TURF FERTILIZATION-ZONE E-14	17.45
			TURF FERTILIZATION-ZONE E-7	84.46
			TURF FERTILIZATION-ZONE E-14	17.45
	Vendor Total	**203.82**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**5,062.80**		
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
4/30/2012	885072	375.84		
			PAYPHONE SVCS-TECH SVCS	62.64
			PAYPHONE SVCS-TECH SVCS	313.20
	Vendor Total	**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**3,795.98**		
PAILATE, MALIA MATALENA			Remit to: **SAN BRUNO** **CA**	
4/16/2012	212326	2,000.00		
			REFUND-A/C CITATION FEES	2,000.00
4/30/2012	212507	119.00		
			REFUND-CITATION OVRPYMNT	119.00
	Vendor Total	**2,119.00**		
FYTD for PAILATE, MALIA MATALENA		**2,119.00**		
PAINTING BY ZEB BODE			Remit to: **NORCO** **CA**	
4/2/2012	884903	5,950.00		
			PAINTING-PARK CONCRETE AREAS	3,950.00
			PAINT PATIO COVER-GOLF COURSE	2,000.00
4/9/2012	884967	4,400.00		
			EXTERIOR PAINTING-STN 58	4,400.00
	Vendor Total	**10,350.00**		
FYTD for PAINTING BY ZEB BODE		**14,250.00**		
PARRA, JAVIER			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212508	132.00		
			REFUND-CLASSES	112.00
			REFUND-CLASSES	20.00
	Vendor Total	**132.00**		
FYTD for PARRA, JAVIER		**132.00**		

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PATAN, LEONOR				Remit to: **PERRIS** **CA**	
	4/23/2012	212418	95.00		
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	75.00
	Vendor Total		**95.00**		
FYTD for PATAN, LEONOR			**95.00**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212121	225.99		
				RETIREE MED APR '12	225.99
	Vendor Total		**225.99**		
FYTD for PATTERSON, ALFREY			**2,283.24**		
PAUL S DHALIWAH & SAT P DEWAN				Remit to: **ALISO VIEJO** **CA**	
	4/9/2012	212246	58.00		
				REFUND-BUS. LIC DUPL. PYMT	58.00
	Vendor Total		**58.00**		
FYTD for PAUL S DHALIWAH & SAT P DEWAN			**58.00**		
PB AMERICAS, INC.				Remit to: **SAN BERNARDINO** **CA**	
	4/2/2012	212122	2,342.44		
				SR-60/NASON ST INTRCHNG PROJ	2,342.44
	4/23/2012	212419	9,702.25		
				SR-60/NASON ST INTRCHNG PROJ	9,702.25
	Vendor Total		**12,044.69**		
FYTD for PB AMERICAS, INC.			**132,294.05**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	884968	4,927.00		
				VETERINARY SVCS-ANIMAL SVCS	4,927.00
	4/30/2012	885073	6,055.75		
				VETERINARY SVCS-ANIMAL SVCS	6,055.75
	Vendor Total		**10,982.75**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**57,011.25**		
PENIGAR TAX SERVICE				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212247	77.73		
				REFUND-BUS. LIC OVRPMT	77.73
	Vendor Total		**77.73**		
FYTD for PENIGAR TAX SERVICE			**77.73**		

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PERRY, NORMA				Remit to: **PIONEER** **CA**	
	4/2/2012	212123	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,187.30**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	4/9/2012	212248	458.63		
				LONG TERM CARE INSURANCE	458.63
	4/23/2012	212420	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**10,089.86**		
PHO HA VIETNAMES RESTAURANT				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212421	83.07		
				REFUND-BUS LIC OVERPAYMENT	83.07
	Vendor Total		**83.07**		
FYTD for PHO HA VIETNAMES RESTAURANT			**83.07**		
PICTUREME PORTRAIT STUDIO #15193				Remit to: **ST. LOUIS** **MO**	
	4/2/2012	212124	52.60		
				REFUND-BUS. LIC OVRPMT	52.60
	Vendor Total		**52.60**		
FYTD for PICTUREME PORTRAIT STUDIO #15193			**124.36**		
POIEMA LANDSCAPE, INC.				Remit to: **COLTON** **CA**	
	4/30/2012	885074	3,296.01		
				LANDSCAPE MAINT-ZONE S	1,165.01
				LANDSCAPE MAINT-ZONE E-12	2,131.00
	Vendor Total		**3,296.01**		
FYTD for POIEMA LANDSCAPE, INC.			**35,638.24**		
POLLEY, LUANA				Remit to: **MENIFEE** **CA**	
	4/2/2012	212125	95.00		
				REFUND-DEPOSITS ANIMAL SVCS	20.00
				REFUND-DEPOSITS ANIMAL SVCS	75.00
	Vendor Total		**95.00**		
FYTD for POLLEY, LUANA			**95.00**		

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POSTMASTER				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212126	380.00		
				ANNUAL RENEWAL 3/28/12-3/28/13	190.00
				ANNUAL RENEWAL 3/28/12-3/28/13	190.00
	4/9/2012	212249	9,456.04		
				POSTAGE-FY 12/13 CSD POSTCARDS	1,891.20
				POSTAGE-FY 12/13 CSD POSTCARDS	1,891.21
				POSTAGE-FY 12/13 CSD POSTCARDS	1,891.21
				POSTAGE-FY 12/13 CSD POSTCARDS	1,891.21
				POSTAGE-FY 12/13 CSD POSTCARDS	1,891.21
	Vendor Total		**9,836.04**		
FYTD for POSTMASTER			**9,836.04**		
PRECINCT REPORTER				Remit to: **SAN BERNARDINO** **CA**	
	4/23/2012	212422	59.50		
				NOTICE INVITING PROPOSALS	59.50
	Vendor Total		**59.50**		
FYTD for PRECINCT REPORTER			**507.86**		
PREMIER PROPERTY SOLUTIONS, INC				Remit to: **CORONA** **CA**	
	4/16/2012	212327	163.94		
				REFUND-BUS LIC OVERPAYMENT	163.94
	Vendor Total		**163.94**		
FYTD for PREMIER PROPERTY SOLUTIONS, INC			**163.94**		
PRICE, GEORGE E.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884905	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,187.30**		
PRO NAILS & HAIR				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212127	55.74		
				REFUND-BUS. LIC OVRPMT	55.74
	Vendor Total		**55.74**		
FYTD for PRO NAILS & HAIR			**55.74**		
PROFESSIONAL COMMUNICATIONS NETWORK PCN				Remit to: **RIVERSIDE** **CA**	
	4/30/2012	212509	478.05		
				LIVE ANSWERING SVC	478.05
	Vendor Total		**478.05**		
FYTD for PROFESSIONAL COMMUNICATIONS NETWORK PCN			**4,366.50**		

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PSOMAS				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	212250	1,270.00		
				IRONWOOD AVE IMPRVMNTS PROJ	1,270.00
	Vendor Total		**1,270.00**		
FYTD for PSOMAS			**150,812.50**		
PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	4/2/2012	884906	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,187.30**		
QUALITY SEAMLESS RAINGUTTERS				Remit to: **CORONA** **CA**	
	4/23/2012	212423	121.00		
				REFUND-PERMIT FEE-CANCELD PROJ	120.00
				REFUND-PERMIT FEE-CANCELD PROJ	0.90
				REFUND-PERMIT FEE-CANCELD PROJ	0.10
	Vendor Total		**121.00**		
FYTD for QUALITY SEAMLESS RAINGUTTERS			**121.00**		
QUINN, JOAN				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212128	64.00		
				REFUND-DEPOSIT PRK USE	64.00
	Vendor Total		**64.00**		
FYTD for QUINN, JOAN			**64.00**		
QWEST COMMUNICATIONS COMPANY, LLC				Remit to: **DENVER** **CO**	
	4/16/2012	212328	95.11		
				REFUND-BUS LIC OVERPAYMENT	95.11
	Vendor Total		**95.11**		
FYTD for QWEST COMMUNICATIONS COMPANY, LLC			**95.11**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	4/2/2012	884907	556.71		
				AUTO GATE SVC/REPAIR-CITY YARD	156.50
				AUTO GATE SVC/REPAIR-CITY YARD	200.00
				AUTO GATE SVC/REPAIR-CITY YARD	200.21
	Vendor Total		**556.71**		
FYTD for R & S OVERHEAD DOORS, INC.			**11,052.82**		

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R N AUTO ELECTRIC				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212129	35.13		
				REFUND-BUS. LIC OVRPMT	35.13
	Vendor Total		**35.13**		
FYTD for R N AUTO ELECTRIC			**35.13**		
RALLY MANAGEMENT SERVICES, LLC				Remit to: **RANCHO CUCAMONGA CA**	
	4/2/2012	884908	719.28		
				TEMP STAFFING SVCS-R HENDERSON	719.28
	4/9/2012	884969	719.28		
				TEMP STAFFING SVCS-R HENDERSON	719.28
	4/16/2012	885003	719.28		
				TEMP STAFFING SVCS-R HENDERSON	719.28
	4/23/2012	885039	2,157.84		
				TEMP STAFFING SVCS-R HENDERSON	719.28
				TEMP STAFFING SVCS-R HENDERSON	719.28
				TEMP STAFFING SVCS-R HENDERSON	719.28
	4/30/2012	885075	719.28		
				TEMP STAFFING SVCS-R HENDERSON	719.28
	Vendor Total		**5,034.96**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**11,953.71**		
RAMON SMITH & JONNATHON AUSTIN				Remit to: **MORENO VALLEY CA**	
	4/30/2012	212510	15,542.96		
				RELOCATION ASSIST.-MYERS PROJ	15,542.96
	Vendor Total		**15,542.96**		
FYTD for RAMON SMITH & JONNATHON AUSTIN			**19,801.96**		
RAMOS, ROBERTO				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212130	524.40		
				INSTRUCTOR SVCS-SPANISH CLASS	42.00
				INSTRUCTOR SVCS-KINDER KARATE	111.60
				INSTRUCTOR SVCS-KINDER KARATE	63.00
				INSTRUCTOR SVCS-SING/THEATER	21.00
				INSTRUCTOR SVCS-TAE KWON DO	286.80
	Vendor Total		**524.40**		
FYTD for RAMOS, ROBERTO			**3,497.40**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE CA**	
	4/2/2012	212131	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**3,187.30**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RBF CONSULTING, INC.				Remit to: **IRVINE** **CA**	
	4/2/2012	212132	1,601.50		
				CACTUS AVE/NASON ST. IMPRVMNTS	1,601.50
	4/16/2012	212329	10,247.59		
				CACTUS AVE/NASON ST. IMPRVMNTS	10,247.59
	Vendor Total		**11,849.09**		
FYTD for RBF CONSULTING, INC.			**11,849.09**		
RED ALERT SPECIAL COURIERS				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212330	52.50		
				RUSH COURIER SVCS	52.50
	Vendor Total		**52.50**		
FYTD for RED ALERT SPECIAL COURIERS			**52.50**		
REDBOX AUTOMATED RETAIL, LLC				Remit to: **OAKBROOK TERRACE** **IL**	
	4/9/2012	212251	287.12		
				REFUND-BUS. LIC OVRPMT	287.12
	Vendor Total		**287.12**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**287.12**		
REGAL POLY & PAPER CO				Remit to: **COMMERCE** **CA**	
	4/2/2012	212133	60.18		
				REFUND-BUS. LIC OVRPMT	60.18
	Vendor Total		**60.18**		
FYTD for REGAL POLY & PAPER CO			**60.18**		
REYES, DIANA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212134	50.56		
				REFUND-CONTRACT CLASS	50.56
	Vendor Total		**50.56**		
FYTD for REYES, DIANA			**50.56**		
RICHLAND NURSERY				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212252	31.84		
				REFUND-BUS. LIC OVRPMT	31.84
	Vendor Total		**31.84**		
FYTD for RICHLAND NURSERY			**31.84**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RICK ENGINEERING COMPANY				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884909	650.00		
				STREET IMPRVMNT PRGM SVCS	650.00
	4/9/2012	884970	2,562.50		
				INDIAN ST. BICYCLE LANES PROJ.	712.50
				INDIAN ST. BICYCLE LANES PROJ.	1,850.00
	4/23/2012	885040	920.00		
				RIGHT OF WAY SVC-JFK@LA BRISIS	920.00
	Vendor Total		**4,132.50**		
FYTD for RICK ENGINEERING COMPANY			**61,214.60**		
RIDGE MORENO VALLEY, LLC				Remit to: **LONG BEACH** **CA**	
	4/23/2012	212424	58.00		
				REFUND-BUS LIC OVERPAYMENT	58.00
	Vendor Total		**58.00**		
FYTD for RIDGE MORENO VALLEY, LLC			**29,340.40**		
RIGHTWAY SITE SERVICES, INC.				Remit to: **LAKE ELSINORE** **CA**	
	4/16/2012	212331	398.43		
				PORTABLE RESTROOMS-EQUEST. CTR	308.88
				PORTABLE TOILET/SVC-CITY YARD	89.55
	4/23/2012	212425	72.28		
				PORTABLE RESTROOM-GOLF COURSE	72.28
	Vendor Total		**470.71**		
FYTD for RIGHTWAY SITE SERVICES, INC.			**6,268.00**		
RIV CO FLOOD CONTROL & WATER CONSERVATN				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212332	290.87		
				PLAN CHECK CHGS-NASON/CACTUS	290.87
	4/16/2012	212333	4,860.24		
				PLAN CHECK CHGS-NASON/CACTUS	4,860.24
	Vendor Total		**5,151.11**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**132,574.41**		

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RIVERSIDE AREA RAPE CRISIS CENTER			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212253	3,369.04		
			CDBG SVCS-ABUSE PREV PRGM	697.47
			CDBG SVCS-ABUSE PREV PRGM	738.30
			CDBG SVCS-ABUSE PREV PRGM	678.08
			CDBG SVCS-ABUSE PREV PRGM	652.71
			CDBG SVCS-ABUSE PREV PRGM	602.48
4/23/2012	212426	629.39		
			CDBG SVCS-ABUSE PREV PRGM	629.39
	Vendor Total	**3,998.43**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER		**8,652.78**		
RIVERSIDE COUNTY HABITAT CONSERVATION			Remit to: **RIVERSIDE** **CA**	
4/16/2012	212334	12,980.00		
			KRAT FEES COLLECTED	12,980.00
	Vendor Total	**12,980.00**		
FYTD for RIVERSIDE COUNTY HABITAT CONSERVATION		**34,155.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE** **CA**	
4/2/2012	212136	1,300.65		
			RADIO SVCS FOR PD MOTORCYCLES	1,300.65
4/23/2012	212427	248.55		
			RADIO LEASE/MAINT-TECH SVCS	174.78
			RADIO LEASE/MAINT-TECH SVCS	9.71
			RADIO LEASE/MAINT-TECH SVCS	34.05
			VPN CONNECTION SVCS-TECH SVCS	30.01
4/30/2012	212511	1,300.65		
			RADIO SVCS FOR PD MOTORCYCLES	1,300.65
	Vendor Total	**2,849.85**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**17,724.63**		

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RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212254	1,891.00		
			REG.-VEHICLE THEFT INV. TRNG	179.00
			REG.-INTERMD TRAF COLL. INV.	196.00
			REG.-INTERMD TRAF COLL. INV.	196.00
			REG.-ADV. TRAFFIC COLL. INV.	440.00
			REG.-ADV. TRAFFIC COLL. INV.	440.00
			REG.-ADV. TRAFFIC COLL. INV.	440.00
4/16/2012	212335	0.00		
			EXPLORER ACADEMY-11 PARTICIPNT	2,225.00
			VOIDED CHECK #212335 - 4/30/12	-2,225.00
4/30/2012	212512	2,225.00		
			EXPLORER ACADEMY-11 PARTICIPNT	2,225.00
	Vendor Total	**4,116.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**10,219.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212255	517.61		
			GARNISHMENT	517.61
4/23/2012	212428	518.13		
			GARNISHMENT	518.13
	Vendor Total	**1,035.74**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**15,971.52**		
RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY**	**CA**
4/23/2012	212429	2,500.05		
			CONTRACT SVCS-OTS GRANT #20163	2,500.05
	Vendor Total	**2,500.05**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**304,310.32**		
RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE**	**CA**
4/9/2012	884971	67.61		
			TRODAT 5430 SELF-INKING STAMP	29.93
			REPLACEMENT INK PADS, 2-COLOR	5.96
			CA SALES TAX	2.78
			SHIPPING CHARGE	6.00
			SELF-INKING GREEN STAMP	15.72
			SHIPPING CHARGE	6.00
			CA SALES TAX	1.22
	Vendor Total	**67.61**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**213.31**		

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ROBLEDO, ESTEBAN				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212337	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for ROBLEDO, ESTEBAN			**200.00**		
ROCHA, SARA L.				Remit to: **QUEEN CREEK** **AZ**	
	4/2/2012	884911	779.70		
				RETIREE MED JAN-MAR12 ($160X3)	779.70
	Vendor Total		**779.70**		
FYTD for ROCHA, SARA L.			**3,227.31**		
RODRIGUEZ, CARLOS				Remit to: **SUN CITY** **CA**	
	4/16/2012	212338	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for RODRIGUEZ, CARLOS			**1,764.00**		
RODRIGUEZ, ROCIO				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212430	48.00		
				REFUND-CONTRACT CLASS REGIS	48.00
	Vendor Total		**48.00**		
FYTD for RODRIGUEZ, ROCIO			**48.00**		
ROGERS, EUGENE				Remit to: **PEBBLE BEACH** **CA**	
	4/2/2012	884912	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**3,187.30**		
ROSENOW SPEVACEK GROUP (RSG, INC.)				Remit to: **SANTA ANA** **CA**	
	4/30/2012	212513	2,485.00		
				NSP ELIGIBILITY REVIEW SVCS	535.00
				NSP ELIGIBILITY REVIEW SVCS	975.00
				NSP ELIGIBILITY REVIEW SVCS	325.00
				NSP ELIGIBILITY REVIEW SVCS	325.00
				NSP ELIGIBILITY REVIEW SVCS	325.00
	Vendor Total		**2,485.00**		
FYTD for ROSENOW SPEVACEK GROUP (RSG, INC.)			**5,085.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ROSETTE, JAVIER				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212138	300.00		
				REFUND-RENTAL DEPOSIT-SR CTR.	300.00
	Vendor Total		**300.00**		
FYTD for ROSETTE, JAVIER			**300.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY CA**	
	4/2/2012	884913	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,187.30**		
ROSSO, ROSA				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212139	95.00		
				REFUND-RABIES & SN DEPOSITS	20.00
				REFUND-RABIES & SN DEPOSITS	75.00
	Vendor Total		**95.00**		
FYTD for ROSSO, ROSA			**95.00**		
ROSSON, LOUIS A.				Remit to: **PERRIS CA**	
	4/2/2012	884914	262.31		
				RETIREE MED APR '12	165.81
				RETIREE MED APR '12	96.50
	Vendor Total		**262.31**		
FYTD for ROSSON, LOUIS A.			**2,674.04**		
ROSSTON SCHOOL OF HAIR DESIGN				Remit to: **MORENO VALLEY CA**	
	4/9/2012	212256	67.45		
				REFUND-BUS. LIC OVRPMT	67.45
	Vendor Total		**67.45**		
FYTD for ROSSTON SCHOOL OF HAIR DESIGN			**67.45**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA CA**	
	4/23/2012	212457	679.00		
				PLUMBING REPAIRS-MORRISON PARK	679.00
	Vendor Total		**679.00**		
FYTD for ROTO-ROOTER PLUMBERS			**1,036.50**		
RUSSO, JERILYNN				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212140	95.00		
				REFUND-RABIES & SN DEPOSITS	20.00
				REFUND-RABIES & SN DEPOSITS	75.00
	Vendor Total		**95.00**		
FYTD for RUSSO, JERILYNN			**95.00**		

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RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	4/2/2012	884915	225.99		
				RETIREE MED APR '12	225.99
	Vendor Total		**225.99**		
FYTD for RUSSO, JOHN			**2,283.24**		
S & R BEAUTY SALON				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212257	37.00		
				REFUND-BUS. LIC OVRPMT	37.00
	Vendor Total		**37.00**		
FYTD for S & R BEAUTY SALON			**37.00**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	4/16/2012	885004	9,000.00		
				PROF CONSULTANT STAFFING SVCS	9,000.00
	Vendor Total		**9,000.00**		
FYTD for SA ASSOCIATES			**83,100.00**		
SABRE LIGHTING AND SIGNS				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212258	2,136.25		
				"POLICE" LETTER SIGN FOR PSB	1,500.00
				LABOR TO INSTALL SIGN	520.00
				CA SALES TAX	116.25
	Vendor Total		**2,136.25**		
FYTD for SABRE LIGHTING AND SIGNS			**3,493.19**		
SADDLEBACK PROPERTIES, INC				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212259	43.21		
				REFUND-BUS. LIC OVRPMT	43.21
	Vendor Total		**43.21**		
FYTD for SADDLEBACK PROPERTIES, INC			**43.21**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212141	36.00		
				INSTRUCTOR SVCS-LATIN ZUMBA	36.00
	Vendor Total		**36.00**		
FYTD for SALMAN, CLAUDIA			**588.00**		
SANCHEZ, SANDY				Remit to: **HEMET** **CA**	
	4/23/2012	212431	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SANCHEZ, SANDY			**20.00**		

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SCHIEFELBEIN, LORI C.				Remit to: **BULLHEAD CITY** **AZ**	
	4/2/2012	212142	318.73		
				RETIREE MED MAR 12, PD APR 12	318.73
	4/9/2012	212260	1,045.00		
				CONSULTANT SVCS-ROT. TOW PRGM	1,045.00
	Vendor Total		**1,363.73**		
FYTD for SCHIEFELBEIN, LORI C.			**11,278.56**		
SCHINDLER ELEVATOR CORP				Remit to: **MORRISTOWN** **NJ**	
	4/9/2012	212261	34.44		
				REFUND-BUS. LIC OVRPMT	34.44
	Vendor Total		**34.44**		
FYTD for SCHINDLER ELEVATOR CORP			**34.44**		
SCHUMAN, MICHAEL				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884916	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for SCHUMAN, MICHAEL			**1,274.92**		
SCMAF S. CA MUNI. ATHLETIC FEDERATION				Remit to: **SOUTH EL MONTE** **CA**	
	4/2/2012	212143	140.00		
				2012 MEMBERSHIP DUES	140.00
	Vendor Total		**140.00**		
FYTD for SCMAF S. CA MUNI. ATHLETIC FEDERATION			**712.00**		
SCOTCH MIST CAR WASH				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212514	71.34		
				REFUND-BUS. LIC OVRPMT	71.34
	Vendor Total		**71.34**		
FYTD for SCOTCH MIST CAR WASH			**71.34**		
SEARS OPTICAL #1821				Remit to: **MASON** **OH**	
	4/30/2012	212515	445.41		
				REFUND-BUS. LIC OVRPMT	58.00
				REFUND-BUS. LIC OVRPMT	352.19
				REFUND-BUS. LIC OVRPMT	35.22
	Vendor Total		**445.41**		
FYTD for SEARS OPTICAL #1821			**445.41**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SEARS PORTRAIT STUDIO #41868			Remit to: **ST LOUIS** **MO**	
4/2/2012	212144	75.77		
			REFUND-BUS. LIC OVRPMT	75.77
Vendor Total		**75.77**		
FYTD for SEARS PORTRAIT STUDIO #41868		**75.77**		
SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
4/23/2012	212432	477.00		
			ARMORED TRANSPORT SVCS-UTILITY	159.00
			ARMORED TRANSPORT SVCS-PARKS	159.00
			ARMORED TRANSPORT SVCS-CASHIER	159.00
Vendor Total		**477.00**		
FYTD for SECTRAN SECURITY, INC		**5,247.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
4/2/2012	884917	638.02		
			INSTALL STOREROOM LEVER-FS #6	327.77
			INSTALL DEADBOLTS-PSB	102.50
			INSTALL DEADBOLTS-PSB	207.75
4/16/2012	885005	88.40		
			LOCK REPAIR/DUPL KEYS-GOLF CTR	88.40
4/30/2012	885076	69.27		
			LOCK REPAIR/DUPL. KEYS-CRC	9.27
			LOCK REPAIR/DUPL. KEYS-CRC	60.00
Vendor Total		**795.69**		
FYTD for SECURITY LOCK & KEY		**6,222.74**		
SERANO, HECTOR			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212516	115.00		
			REFUND-CITATION OVRPMT	57.50
			REFUND-CITATION OVRPMT	57.50
Vendor Total		**115.00**		
FYTD for SERANO, HECTOR		**115.00**		
SEWELL'S RIVERSIDE DAIRY INC			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212262	63.98		
			REFUND-BUS. LIC OVRPMT	63.98
Vendor Total		**63.98**		
FYTD for SEWELL'S RIVERSIDE DAIRY INC		**63.98**		

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SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	4/2/2012	212145	165.81		
				RETIREE MED APR '12	165.81
	Vendor Total		**165.81**		
FYTD for SHARRETT, SHARON K.			**1,709.04**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	4/2/2012	212146	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,187.30**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	4/2/2012	212147	459.26		
				FUEL PURCHASES-PD SET	459.26
	4/2/2012	212148	2,194.83		
				FUEL PURCHASES-PD MTRCYCLES	2,194.83
	4/2/2012	212149	66.55		
				FUEL PURCHASE-MAINT & OPS	66.55
	4/23/2012	212433	379.17		
				FUEL PURCHASES	53.41
				FUEL PURCHASES	50.00
				FUEL PURCHASES	67.12
				FUEL PURCHASES-PARKS MAINT DIV	110.90
				FUEL PURCHASE-ANIMAL SVCS	97.74
	4/30/2012	212517	1,926.33		
				FUEL PURCHASES-PD MTRCYCLES	1,926.33
	4/30/2012	212518	221.89		
				FUEL PURCHASES-PD SET	221.89
	Vendor Total		**5,248.03**		
FYTD for SHELL OIL CO.			**20,921.62**		
SHPIGLER GROUP, THE				Remit to: **MONTEBELLO** **NY**	
	4/2/2012	212150	5,000.00		
				SMART GRID OPER CONSULTING-MVU	2,647.70
				SMART GRID OPER CONSULTING-MVU	2,352.30
	Vendor Total		**5,000.00**		
FYTD for SHPIGLER GROUP, THE			**32,352.30**		
SIERRA, PHYLLIS				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212519	45.00		
				REFUND-CITATION OVRPMT	45.00
	Vendor Total		**45.00**		
FYTD for SIERRA, PHYLLIS			**45.00**		

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SINGER & COFFIN, APC				Remit to: **IRVINE** **CA**	
	4/23/2012	885044	414.00		
				LEGAL SVCS	414.00
	4/30/2012	885077	4,725.00		
				LEGAL SVCS	4,725.00
	Vendor Total		**5,139.00**		
FYTD for SINGER & COFFIN, APC			**20,926.70**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212151	3,820.00		
				FULL PG AD-EARTH DAY CLEAN UP	1,485.00
				1/2 PG AD-BOTTLE/CAN RECYCLING	850.00
				FULL PG AD-HH HAZ. WASTE EVENT	1,485.00
	Vendor Total		**3,820.00**		
FYTD for SKY PUBLISHING			**52,416.50**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	4/16/2012	885006	46.64		
				REFUND-EXEMPT UTIL. USER TAXES	46.64
	Vendor Total		**46.64**		
FYTD for SKY TRAILS MOBILE VILLAGE			**625.42**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884918	637.46		
				RETIREE MED FEB-MAR12,PD APR12	637.46
	Vendor Total		**637.46**		
FYTD for SLAGERMAN, SUSAN A.			**2,549.84**		
SLP COMMUNICATIONS				Remit to: **RANCHO CUCAMONGA** **CA**	
	4/30/2012	212521	120.00		
				2012 WOMEN OF DISCTNCTN LUNCHN	40.00
				2012 WOMEN OF DISCTNCTN LUNCHN	40.00
				2012 WOMEN OF DISCTNCTN LUNCHN	40.00
	Vendor Total		**120.00**		
FYTD for SLP COMMUNICATIONS			**155.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884919	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,187.30**		

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SMITH/DEWEY, MICHELLE/DON			Remit to: **MORENO VALLEY** **CA**	
4/23/2012	212434	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for SMITH/DEWEY, MICHELLE/DON		**95.00**		
SO - CAL STRUCTURAL STEEL FABRICATION, I			Remit to: **RIALTO** **CA**	
4/2/2012	212152	99.19		
			REFUND-BUS. LIC OVRPMT	99.19
Vendor Total		**99.19**		
FYTD for SO - CAL STRUCTURAL STEEL FABRICATION, I		**99.19**		
SOCO GROUP, INC			Remit to: **PERRIS** **CA**	
4/2/2012	884920	7,784.72		
			FUEL PURCH-CITY VEHICLES/EQUIP	7,784.72
4/16/2012	885007	17,737.60		
			FUEL PURCH-CITY VEHICLES/EQUIP	8,281.54
			FUEL PURCH-CITY VEHICLES/EQUIP	9,456.06
Vendor Total		**25,522.32**		
FYTD for SOCO GROUP, INC		**307,954.27**		
SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR** **CA**	
4/2/2012	212153	303.56		
			ANNL OPERATING FEE-FIRE ST #6	303.56
4/2/2012	212154	112.85		
			EMISSIONS FEE-FIRE ST #6	112.85
4/9/2012	212263	303.56		
			ANNL OPERATING FEE-FIRE ST #58	303.56
4/9/2012	212264	112.85		
			EMISSIONS FEE-FIRE ST #58	112.85
Vendor Total		**832.82**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**11,190.54**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
4/2/2012	212155	3,807.08		
			ELECTRICITY	44.03
			ELECTRICITY	22.28
			ELECTRICITY	94.61
			ELECTRICITY	1,106.24
			ELECTRICITY	753.13
			ELECTRICITY	122.22
			ELECTRICITY	174.76
			ELECTRICITY	679.59
			ELECTRICITY	150.19
			ELECTRICITY	466.06
			ELECTRICITY	117.07
			ELECTRICITY	76.90
4/9/2012	212266	6,435.80		
			ELECTRICITY	753.48
			ELECTRICITY	23.15
			ELECTRICITY	109.64
			ELECTRICITY	153.39
			ELECTRICITY	1,587.38
			ELECTRICITY	454.81
			ELECTRICITY	852.03
			ELECTRICITY	392.94
			ELECTRICITY	347.98
			ELECTRICITY	238.96
			ELECTRICITY	22.42
			ELECTRICITY	1,159.37
			ELECTRICITY	166.17
			ELECTRICITY	110.30
			ELECTRICITY	63.78
4/16/2012	212340	4,134.73		
			RELOCATE POLE-IRONWOOD AVE PRJ	4,134.73
4/23/2012	212435	250.00		
			REFUND-CANCELED RESERVATION	250.00
4/23/2012	212437	15,842.40		
			RELIABILITY SVCS	401.95
			RELIABILITY SVCS	370.11
			FERC-115KV PROJ-13571 MOR. BCH	14,146.73
			FERC CHRGS-ADDED FACILITIES	701.48
			ELECTRIC CHARGES	222.13
4/30/2012	212522	3,284.61		
			ELECTRICITY-TRAFFIC SIGNALS	56.06
			ELECTRICITY	21.98
			ELECTRICITY	23.95
			ELECTRICITY	88.13
			ELECTRICITY	906.75
			ELECTRICITY	588.07
			ELECTRICITY	111.35
			ELECTRICITY	168.53
			ELECTRICITY	645.56
			ELECTRICITY	149.26
			ELECTRICITY	382.37

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	90.64
			ELECTRICITY	51.96
Vendor Total		33,754.62		
FYTD for SOUTHERN CALIFORNIA EDISON		**2,910,721.09**		
SOUTHERN CALIFORNIA GAS CO.			Remit to: **MONTEREY PARK**	**CA**
4/30/2012	212523	6,586.06		
			GAS CHARGES	787.13
			GAS CHARGES	2,541.45
			GAS CHARGES	90.13
			GAS CHARGES	78.06
			GAS CHARGES	83.46
			GAS CHARGES	579.51
			GAS CHARGES	270.54
			GAS CHARGES	77.20
			GAS CHARGES	537.40
			GAS CHARGES	229.83
			GAS CHARGES	202.98
			GAS CHARGES	146.11
			GAS CHARGES	140.29
			GAS CHARGES	289.86
			GAS CHARGES	283.44
			GAS CHARGES	30.18
			GAS CHARGES	218.49
Vendor Total		6,586.06		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**69,948.55**		
SOUTHERN PET SUPPLIES			Remit to: **SAN DIEGO**	**CA**
4/23/2012	885045	791.20		
			PET SUPPLIES FOR ANIMAL SHLTR	537.55
			PET SUPPLIES FOR ANIMAL SHLTR	253.65
Vendor Total		791.20		
FYTD for SOUTHERN PET SUPPLIES		**2,253.65**		
SOZA, ERMALINDA			Remit to: **ORANGE**	**CA**
4/30/2012	212524	100.00		
			REFUND-CITATION OVRPMT	100.00
Vendor Total		100.00		
FYTD for SOZA, ERMALINDA		**100.00**		

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SPARKLETTS				Remit to: **DALLAS** **TX**	
	4/9/2012	212267	45.39		
				WATER SERVICE-SUNNYMD ELEM.	15.42
				WATER SERVICE-ARMADA ELEM.	11.15
				WATER SERVICE-CREEKSIDE ELEM.	13.82
				WATER SERVICE-GOLF COURSE	5.00
	4/23/2012	212438	12.55		
				WATER SERVICE-SUNNYMD ELEM.	12.55
	4/30/2012	212525	4.50		
				WATER SERVICE-EMERG MGMT SVCS	4.50
	Vendor Total		**62.44**		
FYTD for SPARKLETTS			**579.13**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884921	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,187.30**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884922	225.99		
				RETIREE MED APR '12	225.99
	Vendor Total		**225.99**		
FYTD for SPENCER, MARTHA			**2,283.24**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	4/2/2012	212157	30.00		
				SUBPOENA COMPLNCE-MV120570282	30.00
	4/16/2012	212342	30.00		
				SUBPOENA COMPLNCE SVCS FOR PD	30.00
	Vendor Total		**60.00**		
FYTD for SPRINT			**570.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	4/9/2012	884972	652.06		
				CELL PHONE SVCS-PD/SET	652.06
	4/16/2012	885008	67.41		
				CELL PHONE SVCS-GANG TASK FRC	67.41
	Vendor Total		**719.47**		
FYTD for SPRINT/NEXTEL			**6,328.75**		

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STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
4/2/2012	212159	1,856.07		
			SUPPLEMENTAL INSURANCE	1,856.07
4/30/2012	212526	1,775.12		
			SUPPLEMENTAL INSURANCE	1,775.12
	Vendor Total	**3,631.19**		
FYTD for STANDARD INSURANCE CO		**299,493.77**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE**	**CA**
4/2/2012	884923	1,227.83		
			MONITORING SVCS-MARCH FLD PARK	105.00
			MONITORING SVCS-EOC	110.00
			MONITORING SVCS-ANNEX BLDG 1	105.00
			MONITORING SVCS-TOWNGATE C.C.	220.98
			MONITORING SVCS-PUB SFTY BLDG	194.85
			MONITORING SVCS-CONF & REC CTR	492.00
4/9/2012	884973	252.00		
			MONITORING SVCS-T.S. ANNEX	105.00
			MONITORING SVCS-SP DIST ANNEX	147.00
4/23/2012	885046	2,231.60		
			SECURITY SYS SVC CALL-CTY YARD	219.10
			MONITORING SVCS-PARK SNCK BARS	227.16
			MONITORING SVCS-T.S. ANNEX	234.00
			MONITORING SVCS-PARK SNCK BARS	179.35
			MONITORING SVCS-ANNEX BLDG 1	207.00
			MONITORING SVCS-RED MAPLE	354.00
			MONITORING SVCS-GANG TSK FORCE	104.94
			MONITORING SVCS-CITY HALL	376.50
			MONITORING SVCS-LIBRARY	329.55
	Vendor Total	**3,711.43**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**25,093.58**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO**	**CA**
4/30/2012	212527	7,480.16		
			ELECTRICAL ENERGY SURCHARGE	7,480.16
4/27/2012	33112	1,868.00		
			SALES & USE TAX-1ST QTR 2012	1,868.00
	Vendor Total	**9,348.16**		
FYTD for STATE BOARD OF EQUALIZATION		**56,287.79**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
4/9/2012	212268	165.00		
			CASE 200000000199597-J. COSEY	165.00
4/16/2012	212343	90.00		
			CS#0650464971-01/0650613537-01	90.00
4/5/2012	3053	2,298.63		
			CHILD SUPPORT W/H 4/5/12	2,298.63
4/19/2012	3061	2,219.09		
			CHILD SUPPORT W/H 4/19/12	2,219.09
4/30/2012	212528	54.00		
			CS#0650464971-01/0650613537-01	54.00
	Vendor Total	**4,826.72**		
FYTD for STATE DISBURSEMENT UNIT		**45,825.92**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
4/2/2012	212160	2,676.00		
			FINGERPRINTING SVCS-PD	2,676.00
4/9/2012	212269	595.00		
			BLOOD ALCOHOL ANALYSIS FOR PD	595.00
4/16/2012	212344	64.00		
			FINGERPRINTING SVCS-PD	64.00
4/23/2012	212439	3,166.00		
			FINGERPRINTING SVCS-PD	2,886.00
			BLOOD ALCOHOL ANALYSIS FOR PD	280.00
	Vendor Total	**6,501.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**50,485.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
4/16/2012	212345	1,616.96		
			DICTATION & TRANSCRIPTION SVCS	1,616.96
	Vendor Total	**1,616.96**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**17,689.12**		
STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
4/2/2012	884924	271.44		
			RETIREE MED APR '12	271.44
	Vendor Total	**271.44**		
FYTD for STEWART, CLIFFORD		**2,693.04**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STK ARCHITECTURE, INC.			Remit to: **TEMECULA** **CA**	
4/30/2012	885078	19,791.76		
			MORRISON PARK FIRE STN PROJ	19,791.76
Vendor Total		**19,791.76**		
FYTD for STK ARCHITECTURE, INC.		**287,237.21**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH** **CA**	
4/16/2012	212347	8,464.81		
			LEGAL SVCS	3,500.00
			LEGAL SVCS	1,305.81
			LEGAL SVCS	550.00
			LEGAL SVCS	75.00
			LEGAL SVCS	2,784.00
			LEGAL SVCS	250.00
4/23/2012	212440	320.00		
			LEGAL SVCS	320.00
4/30/2012	212529	75.00		
			LEGAL SVCS	75.00
Vendor Total		**8,859.81**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**63,761.84**		
STRICKLER ASSOCIATION, THE			Remit to: **SAN BERNARDINO** **CA**	
4/23/2012	885048	4,192.50		
			CONSULTING SVCS-EDD	4,192.50
Vendor Total		**4,192.50**		
FYTD for STRICKLER ASSOCIATION, THE		**34,758.75**		
STRICKLER II, JOHN W.			Remit to: **SAN BERNARDINO** **CA**	
4/2/2012	884925	318.73		
			RETIREE MED APR '12	318.73
Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.		**3,187.30**		
SUNGLASS HUT STORE #4536			Remit to: **MASON** **OH**	
4/16/2012	212348	60.13		
			REFUND-BUS. LIC OVRPMT	60.13
Vendor Total		**60.13**		
FYTD for SUNGLASS HUT STORE #4536		**60.13**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212162	82.58		
				MISC SUPPLIES-PD	50.52
				MISC SUPPLIES-FIRE DEPT	32.06
	4/23/2012	212441	9.15		
				SUPPLIES FOR PD COMPUTER	4.30
				KEY DUPLICATION FOR PD DESK	4.85
	4/30/2012	212530	33.89		
				MISC SUPPLIES-PD	33.89
	Vendor Total		**125.62**		
FYTD for SUNNYMEAD ACE HARDWARE			**1,386.16**		
SUNNYMEAD MONTESSORI SCHOOL				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212270	50.20		
				REFUND-BUS. LIC OVRPMT	50.20
	Vendor Total		**50.20**		
FYTD for SUNNYMEAD MONTESSORI SCHOOL			**50.20**		
TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	4/23/2012	212443	5,000.00		
				UUT COMPLIANCE & AUDIT SVCS	5,000.00
	Vendor Total		**5,000.00**		
FYTD for TAX COMPLIANCE SERVICES			**57,500.00**		
THAI DINETTE RESTAURANT				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212271	107.08		
				REFUND-BUS. LIC OVRPMT	107.08
	Vendor Total		**107.08**		
FYTD for THAI DINETTE RESTAURANT			**107.08**		
THE GRANITE CONNECTION				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212531	71.28		
				REFUND-BUS. LIC OVRPMT	71.28
	Vendor Total		**71.28**		
FYTD for THE GRANITE CONNECTION			**71.28**		
THE SMOG SHOP				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212163	83.29		
				REFUND-BUS. LIC OVRPMT	50.22
				REFUND-BUS. LIC OVRPMT	33.07
	Vendor Total		**83.29**		
FYTD for THE SMOG SHOP			**83.29**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
THE STANDARD REGISTER			Remit to: **DAYTON** **OH**	
4/9/2012	212272	77.26		
			REFUND-BUS. LIC OVRPMT	77.26
	Vendor Total	**77.26**		
FYTD for THE STANDARD REGISTER		**77.26**		
THERMAL-COOL INC.			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212273	85.00		
			SVC OF AC UNIT-SUNNYMD SNK BAR	85.00
	Vendor Total	**85.00**		
FYTD for THERMAL-COOL INC.		**4,581.14**		
THOMPSON COBURN LLP			Remit to: **WASHINGTON** **DC**	
4/2/2012	884926	336.68		
			LEGAL SVCS FOR MVU	336.68
	Vendor Total	**336.68**		
FYTD for THOMPSON COBURN LLP		**19,931.77**		
THOMSON REUTERS INC			Remit to: **ENCINO** **CA**	
4/30/2012	212533	602.04		
			LEGAL PUBLICATIONS ANNL SVC	602.04
	Vendor Total	**602.04**		
FYTD for THOMSON REUTERS INC		**5,814.33**		
TIMBERLAKE, CRYSTAL			Remit to: **LONG BEACH** **CA**	
4/9/2012	212275	18.60		
			REFUND-CHILD'S PLACE PRGM	18.60
	Vendor Total	**18.60**		
FYTD for TIMBERLAKE, CRYSTAL		**18.60**		
TKE ENGINEERING INC			Remit to: **RIVERSIDE** **CA**	
4/2/2012	212164	9,215.00		
			DRACAEA AVE SIDEWALK IMPRVMNTS	7,835.00
			DRACAEA AVE SIDEWALK IMPRVMNTS	1,380.00
4/30/2012	212534	3,405.00		
			DRACAEA AVE SIDEWALK IMPRVMNTS	3,405.00
	Vendor Total	**12,620.00**		
FYTD for TKE ENGINEERING INC		**25,099.61**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
T-MOBILE USA				Remit to: **SEATTLE** **WA**	
	4/23/2012	212442	800.00		
				E911 LOCATOR TOOL SVCS FOR PD	400.00
				E911 LOCATOR TOOL SVCS FOR PD	400.00
	Vendor Total		**800.00**		
FYTD for T-MOBILE USA			**1,000.00**		
TR DESIGN GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212349	8,000.00		
				TRANSP MGMT CTR PROJ SVCS	8,000.00
	Vendor Total		**8,000.00**		
FYTD for TR DESIGN GROUP, INC.			**43,357.29**		
TRAILERSPLUS REDLANDS				Remit to: **REDLANDS** **CA**	
	4/16/2012	212350	6,411.59		
				CAR CARRIER TRAILER FOR PD	5,832.10
				CA SALES TAX	451.99
				LABOR FOR CAR CARRIER	127.50
	Vendor Total		**6,411.59**		
FYTD for TRAILERSPLUS REDLANDS			**6,411.59**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212535	2,197.80		
				INSTRUCTOR SVCS-BALLET INTERMD	155.40
				INSTRUCTOR SVCS-BALLET	399.60
				INSTRUCTOR SVCS-BALLET/ACRO	244.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	177.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	399.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	66.60
				INSTRUCTOR SVCS-HIP HOP DANCE	222.00
	Vendor Total		**2,197.80**		
FYTD for TRICHE, TARA			**21,867.00**		

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TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884927	30.00		
				LINEN RNTL FOR EVENT-CTR#20944	30.00
	4/9/2012	884975	25.00		
				LINEN RENTAL FOR CRC	25.00
	4/16/2012	885010	25.00		
				LINEN RENTAL FOR CRC	25.00
	4/23/2012	885050	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	Vendor Total		**130.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,689.73**		
TROPICAL PLAZA NURSERY, INC.				Remit to: **VILLA PARK** **CA**	
	4/9/2012	212276	6,086.12		
				LANDSCAPE MAINT-ZONE E-2	6,086.12
	4/23/2012	212444	245.93		
				IRRIGATION REPAIRS-ZONE E-2	245.93
	Vendor Total		**6,332.05**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**104,237.86**		
TRUGREEN LANDCARE				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884928	3,245.00		
				LANDSCAPE MAINT-ZONE E-16	2,485.00
				TREE REPLACED-ZONE E-1A	80.00
				EMERG TREE TRIMMING-CITY HALL	680.00
	4/9/2012	884976	11,233.23		
				LANDSCAPE MAINT-ZONE E-4	7,980.86
				LANDSCAPE MAINT-ZONE E-4A	465.00
				TREE TRIMMING AT CRC	2,070.00
				IRRIGATION REPAIRS-ZONE E-4	717.37
	4/16/2012	212365	110.00		
				TURF REMOVAL-TRACT 21616	110.00
	4/30/2012	885079	700.42		
				IRRIGATION REPAIRS-ZONE E-4	700.42
	Vendor Total		**15,288.65**		
FYTD for TRUGREEN LANDCARE			**235,746.01**		
TUNTLAND, JAMES				Remit to: **PRESCOTT** **AZ**	
	4/2/2012	884929	271.44		
				RETIREE MED APR '12	271.44
	Vendor Total		**271.44**		
FYTD for TUNTLAND, JAMES			**2,693.04**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TURBOSCAPE, INC.				Remit to: **SANTA CLARA** **UT**	
	4/9/2012	884977	11,243.40		
				MULCHING IN ZONE D	5,969.71
				MULCHING IN ZONE E-12	803.10
				MULCHING IN ZONE E-14	1,338.50
				MULCHING IN ZONE E-15	990.49
				MULCHING IN ZONE E-16	1,070.80
				MULCHING IN WATER QUAL. BASINS	1,070.80
	Vendor Total		**11,243.40**		
FYTD for TURBOSCAPE, INC.			**34,343.40**		
TW TELECOM				Remit to: **DENVER** **CO**	
	4/2/2012	212165	477.21		
				TELECOM SVCS-LOCAL/LONG DIST.	477.21
	Vendor Total		**477.21**		
FYTD for TW TELECOM			**5,792.44**		
U.S. POSTAL SERVICE				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212277	795.00		
				BRM FEE RENEWAL-APRIL 2012-13	95.00
				BRM FEE RENEWAL-APRIL 2012-13	95.00
				BRM ANNUAL MAINT. RENEWAL	302.50
				BRM ANNUAL MAINT. RENEWAL	302.50
	Vendor Total		**795.00**		
FYTD for U.S. POSTAL SERVICE			**27,795.00**		
UGLY'S MOBILE TRUCK & TRAILER REPAIR				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212351	58.00		
				REFUND-BUS. LIC OVRPMT	58.00
	Vendor Total		**58.00**		
FYTD for UGLY'S MOBILE TRUCK & TRAILER REPAIR			**58.00**		
ULTIMATE POOL REMODELING, INC				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	212278	22.70		
				REFUND-BUS. LIC OVRPMT	22.70
	Vendor Total		**22.70**		
FYTD for ULTIMATE POOL REMODELING, INC			**22.70**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNDERGROUND SERVICE ALERT			Remit to: **CORONA** **CA**	
4/2/2012	884930	618.00		
			DIGALERT TICKETS SUBSCRPTN SVC	154.50
			DIGALERT TICKETS SUBSCRPTN SVC	154.50
			DIGALERT TICKETS SUBSCRPTN SVC	154.50
			DIGALERT TICKETS SUBSCRPTN SVC	154.50
4/30/2012	885080	660.00		
			DIGALERT TICKETS SUBSCRPTN SVC	165.00
			DIGALERT TICKETS SUBSCRPTN SVC	165.00
			DIGALERT TICKETS SUBSCRPTN SVC	165.00
			DIGALERT TICKETS SUBSCRPTN SVC	165.00
	Vendor Total	**1,278.00**		
FYTD for UNDERGROUND SERVICE ALERT		**5,512.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO** **CA**	
4/16/2012	212352	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
	Vendor Total	**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**2,916.70**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	884978	1,644.00		
			IRONWOOD AVE IMPRVMNTS PROJ	1,509.00
			LOCAL STREET PAVEMENT RESURF.	135.00
4/16/2012	885012	2,495.00		
			IRONWOOD AVE IMPRVMNTS PROJ	2,495.00
	Vendor Total	**4,139.00**		
FYTD for UNITED INSPECTION & TESTING INC		**7,291.00**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
4/2/2012	884931	633.08		
			BROOM KITS FOR ST. SWEEPERS	633.08
4/16/2012	885013	972.85		
			BROOM KITS FOR ST. SWEEPERS	633.08
			BROOM KITS FOR ST. SWEEPERS	226.51
			BROOM KITS FOR ST. SWEEPERS	113.26
4/30/2012	885081	972.85		
			BROOM KITS FOR ST. SWEEPERS	972.85
	Vendor Total	**2,578.78**		
FYTD for UNITED ROTARY BRUSH CORP		**34,596.58**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
4/23/2012	885051	106.40		
			FENCE RENTAL-ANIMAL SHELTER	106.40
	Vendor Total	**106.40**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**1,321.39**		
UNITED STATES TREASURY			Remit to: **CINCINNATI** **OH**	
4/9/2012	212279	137.41		
			PAYROLL DEDUCTION AGREEMENT	137.41
	Vendor Total	**137.41**		
FYTD for UNITED STATES TREASURY		**1,976.92**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212280	335.00		
			UNITED WAY CONTRIBUTIONS	335.00
4/23/2012	212445	335.00		
			UNITED WAY CONTRIBUTIONS	335.00
	Vendor Total	**670.00**		
FYTD for UNITED WAY OF INLAND VALLEYS		**9,517.66**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
4/16/2012	212353	1,356.60		
			HERBICIDE/AG CHEMICALS	678.30
			HERBICIDE/AG CHEMICALS	678.30
	Vendor Total	**1,356.60**		
FYTD for UNIVAR USA, INC		**6,209.14**		
UNIVERSAL SOCCER			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212536	111.22		
			REFUND-BUS. LIC OVRPMT	111.22
	Vendor Total	**111.22**		
FYTD for UNIVERSAL SOCCER		**111.22**		
USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
4/16/2012	885014	35.69		
			PAGER SVC FOR PARK RANGERS	1.69
			PAGER SVC FOR TRANSP. DIV	4.59
			PAGER SVC FOR ANIMAL SVCS	29.41
	Vendor Total	**35.69**		
FYTD for USA MOBILITY/ARCH WIRELESS		**359.49**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE TERMITE & PEST ELIMINATION CO.			Remit to: **MORENO VALLEY CA**	
4/2/2012	884932	1,350.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-TOWNGATE COMM. CTR	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-UTILITY FIELD OFF.	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-MARB ASES BLDG	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
4/9/2012	884979	1,170.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-TOWNGATE COMM. CTR	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-UTILITY FIELD OFF.	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-MARB ASES BLDG	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ANIMAL SHELTER	115.00
4/23/2012	885052	300.00		
			BEE REMOVAL@11650 STEEPLE CHAS	150.00
			TREATED FOR BEES @ CITY HALL	150.00
4/30/2012	885082	150.00		
			BEES/HIVE RMVL-11237 FERNVIEW	150.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	2,970.00		
FYTD for VACATE TERMITE & PEST ELIMINATION CO.		17,000.00		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND CA**	
4/2/2012	212179	8,400.00		
			PROF CONSULTANT STAFFING SVCS	8,400.00
	Vendor Total	8,400.00		
FYTD for VALI COOPER & ASSOCIATES, INC.		86,992.50		
VALI COOPER ASSOCIATES, INC			Remit to: **RICHMOND CA**	
4/2/2012	212166	53.14		
			REFUND-BUS. LIC OVRPMT	53.14
	Vendor Total	53.14		
FYTD for VALI COOPER ASSOCIATES, INC		53.14		
VALLEY MEDICAL			Remit to: **MORENO VALLEY CA**	
4/16/2012	212354	83.62		
			REFUND-BUS. LIC OVRPMT	83.62
	Vendor Total	83.62		
FYTD for VALLEY MEDICAL		83.62		
VAS ASSOCIATES, INC.			Remit to: **CORONA CA**	
4/23/2012	885053	20,400.00		
			PROF CONSULTANT STAFFING SVCS	20,400.00
	Vendor Total	20,400.00		
FYTD for VAS ASSOCIATES, INC.		184,800.00		
VASQUEZ, ROBERT			Remit to: **MORENO VALLEY CA**	
4/30/2012	212537	109.00		
			REFUND-CITATION OVRPMT	109.00
	Vendor Total	109.00		
FYTD for VASQUEZ, ROBERT		129.00		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO CA**	
4/30/2012	212538	5,740.00		
			CONSULTANT ACCOUNTING SVCS	5,740.00
	Vendor Total	5,740.00		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		56,650.00		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VERIZON				Remit to: **TRENTON** **NJ**	
	4/23/2012	212446	1,782.92		
				BACKBONE COMMUN. CHARGES	1,782.92
	Vendor Total		**1,782.92**		
FYTD for VERIZON			**17,487.93**		
VERIZON CALIFORNIA				Remit to: **DALLAS** **TX**	
	4/30/2012	212539	618.34		
				PHONE CHARGES-ERC	618.34
	Vendor Total		**618.34**		
FYTD for VERIZON CALIFORNIA			**6,757.68**		
VICTOR MEDICAL CO				Remit to: **LAKE FOREST** **CA**	
	4/9/2012	212281	802.74		
				ANIMAL MEDICAL SUPPLIES	802.74
	4/23/2012	212447	4,140.84		
				ANIMAL MEDICAL SUPPLIES	252.87
				ANIMAL MEDICAL SUPPLIES	1,342.37
				ANIMAL MEDICAL SUPPLIES	2,036.48
				ANIMAL MEDICAL SUPPLIES	509.12
	Vendor Total		**4,943.58**		
FYTD for VICTOR MEDICAL CO			**18,536.12**		
VIEVU				Remit to: **SEATTLE** **WA**	
	4/2/2012	212167	5,269.00		
				WEARABLE VIDEO CAMERAS FOR PD	5,250.00
				SHIPPING	19.00
				CA USE TAX @ 7.75%	406.88
				USE TAX ACCRUAL	-406.88
	Vendor Total		**5,269.00**		
FYTD for VIEVU			**33,491.40**		
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884934	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,187.30**		
VILLASANA, ALBERT				Remit to: **SANTA ANA** **CA**	
	4/30/2012	212540	218.00		
				REFUND-CITATION OVRPMT	109.00
				REFUND-CITATION OVRPMT	109.00
	Vendor Total		**218.00**		
FYTD for VILLASANA, ALBERT			**218.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
4/2/2012	884935	3,909.82		
			EMPLOYEE VISION INSURANCE	3,909.82
4/30/2012	885083	3,934.74		
			EMPLOYEE VISION INSURANCE	3,934.74
	Vendor Total	**7,844.56**		
FYTD for VISION SERVICE PLAN		**43,269.89**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
4/16/2012	212355	159.57		
			PAINT FOR PARKS	159.57
4/23/2012	212448	79.48		
			PAINT FOR CFD #1 GRAFFITI	79.48
	Vendor Total	**239.05**		
FYTD for VISTA PAINT CORPORATION		**8,517.93**		
VOYAGER FLEET SYSTEM, INC.			Remit to: **HOUSTON** **TX**	
4/16/2012	885015	2,654.34		
			CNG FUEL PURCHASES	2,248.19
			CNG FUEL PURCHASES	382.98
			CNG FUEL PURCHASES	23.17
	Vendor Total	**2,654.34**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**22,684.24**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
4/2/2012	212168	291.64		
			ASPHALTIC MATERIALS	144.76
			ASPHALTIC MATERIALS	146.88
4/16/2012	212356	3,341.98		
			ASPHALTIC MATERIALS	145.47
			ASPHALTIC MATERIALS	154.70
			ASPHALTIC MATERIALS	109.19
			ASPHALTIC MATERIALS	897.05
			ASPHALTIC MATERIALS	109.19
			ASPHALTIC MATERIALS	145.47
			ASPHALTIC MATERIALS	1,780.91
4/30/2012	212541	2,345.75		
			ASPHALTIC MATERIALS	145.47
			ASPHALTIC MATERIALS	1,172.01
			ASPHALTIC MATERIALS	447.54
			ASPHALTIC MATERIALS	217.28
			ASPHALTIC MATERIALS	146.17
			ASPHALTIC MATERIALS	217.28
	Vendor Total	**5,979.37**		
FYTD for VULCAN MATERIALS CO, INC.		**24,044.37**		

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WAGGONER JR., GLENN C.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884936	276.58		
				RETIREE MED MAR 12, PD APR 12	276.58
	Vendor Total		**276.58**		
FYTD for WAGGONER JR., GLENN C.			**2,616.36**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884937	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,187.30**		
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212169	318.73		
				RETIREE MED MAR 12, PD APR 12	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WAHLQUIST, DAVE				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212357	1,920.00		
				CONSULTANT SVCS-LABOR MOUs	1,920.00
	Vendor Total		**1,920.00**		
FYTD for WAHLQUIST, DAVE			**1,920.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	4/9/2012	212283	1,780.20		
				ROLL-OFF STORAGE BIN RENTALS	1,214.51
				ROLL-OFF STORAGE BIN RENTALS	565.69
	4/23/2012	212449	583.91		
				ROLL-OFF STORAGE BIN RENTALS	583.91
	Vendor Total		**2,364.11**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**10,048.92**		
WELS, BRIAN				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212450	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for WELS, BRIAN			**95.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WEST				Remit to: **SAINT PAUL** **MN**	
	4/2/2012	212170	677.10		
				AUTO TRACK SVCS-PD	677.10
	4/23/2012	212451	677.10		
				AUTO TRACK SVCS-PD	677.10
	Vendor Total		**1,354.20**		
FYTD for WEST			**5,788.19**		
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	4/9/2012	884980	15,120.00		
				TREE TRIMMING/REMOVALS-ZN E-3	11,970.00
				TREE TRIMMING/REMOVALS-ZN E-3	3,150.00
	4/16/2012	885016	9,030.00		
				TREE TRIMMING SVCS-ZONE E-4	2,870.00
				TREE REMOVAL SVCS-ZONE E-4	3,325.00
				TREE TRIMMING/REMOVALS-DSG-2S	2,310.00
				TREE TRIMMING/REMOVALS-DSG-2S	525.00
	4/23/2012	885054	13,150.00		
				TREE TRIMMING SVCS-ZONE E-14	2,925.00
				TREE TRIMMING SVCS-ZONE M	1,125.00
				TREE REMOVAL SVCS-ZONE M	175.00
				TREE TRIMMING SVCS-ZONE E-4	4,270.00
				TREE TRIMMING/REMOVALS-ZONE E4	420.00
				TREE TRIMMING SVCS-ZONE E-3	1,050.00
				TREE TRIMMING SVCS-ZONE E-8	1,260.00
				TREE TRIMMING SVCS-ZONE E-15	1,750.00
				TREE REMOVAL SVCS-ZONE E-3	175.00
	Vendor Total		**37,300.00**		
FYTD for WEST COAST ARBORISTS, INC.			**74,885.00**		
WESTERMAN, KEVIN				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212542	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for WESTERMAN, KEVIN			**20.00**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	4/23/2012	212452	2,100.33		
				WATER CHARGES	704.79
				WATER CHARGES	26.74
				WATER CHARGES	1,294.98
				WATER CHARGES	73.82
	Vendor Total		**2,100.33**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**23,326.42**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WESTOVER, MARK				Remit to: **SAN DIEGO** **CA**	
	4/2/2012	884938	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for WESTOVER, MARK			**2,958.12**		
WHITE, JENNIFER CHESTNUT				Remit to: **SAN DIEGO** **CA**	
	4/2/2012	212171	126.00		
				REFUND-ANIMAL ADOPTION FEES	30.00
				REFUND-ANIMAL ADOPTION FEES	5.00
				REFUND-ANIMAL ADOPTION FEES	75.00
				REFUND-ANIMAL ADOPTION FEES	16.00
	Vendor Total		**126.00**		
FYTD for WHITE, JENNIFER CHESTNUT			**126.00**		
WIBERG, CHRISTOPHER				Remit to: **ANAHEIM** **CA**	
	4/2/2012	212172	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for WIBERG, CHRISTOPHER			**3,397.74**		
WIDJAYA, EISE				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212284	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for WIDJAYA, EISE			**20.00**		
WIELIN, RONALD A.				Remit to: **BANNING** **CA**	
	4/2/2012	884939	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**3,187.30**		
WILLDAN AND ASSOCIATES				Remit to: **SAN BERNARDINO** **CA**	
	4/2/2012	212173	10,903.26		
				BLDG & SAFETY PLAN CHECK SVCS	10,903.26
	4/16/2012	212358	12,213.99		
				PROLOGIS PARK EIR REVIEW SVCS	3,525.00
				PROLOGIS PARK EIR REVIEW SVCS	8,688.99
	Vendor Total		**23,117.25**		
FYTD for WILLDAN AND ASSOCIATES			**283,729.22**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLDAN FINANCIAL SERVICES			Remit to: **TEMECULA**	**CA**
4/23/2012	212453	4,250.00		
			ANNL CONTIN. DISCLOSURE INFO	2,500.00
			REV BONDS ANNL DISCLOSURE SVCS	875.00
			REV BONDS ANNL DISCLOSURE SVCS	875.00
	Vendor Total	**4,250.00**		
FYTD for WILLDAN FINANCIAL SERVICES		**6,750.00**		
WILLIAM VILLAGRANA & LAW OFFICES			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212282	0.00		
			CASE SETTLEMENT	18,000.00
			VOIDED CHECK #212282 - 4/30/12	-18,000.00
4/30/2012	212543	18,000.00		
			CASE SETTLEMENT	18,000.00
	Vendor Total	**18,000.00**		
FYTD for WILLIAM VILLAGRANA & LAW OFFICES		**18,000.00**		
WILLIAMS, JANE L.			Remit to: **GRAND FORKS**	**ND**
4/2/2012	884940	192.40		
			RETIREE MED MAR 12, PD APR 12	192.40
	Vendor Total	**192.40**		
FYTD for WILLIAMS, JANE L.		**1,924.00**		
WILLIS, ROBERT H			Remit to: **PERRIS**	**CA**
4/16/2012	212359	60.00		
			SPORTS OFFICIATING SVCS	60.00
4/23/2012	212454	60.00		
			SPORTS OFFICIATING SVCS	60.00
4/30/2012	212544	40.00		
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**160.00**		
FYTD for WILLIS, ROBERT H		**1,980.00**		
WINE WAREHOUSE			Remit to: **COMMERCE**	**CA**
4/2/2012	212174	21.43		
			REFUND-BUS. LIC OVRPMT	21.43
	Vendor Total	**21.43**		
FYTD for WINE WAREHOUSE		**21.43**		
WISNIEWSKI, PAT A.			Remit to: **MORENO VALLEY**	**CA**
4/30/2012	212545	15.00		
			REFUND-DOG LICENSE FEE DUP PMT	15.00
	Vendor Total	**15.00**		
FYTD for WISNIEWSKI, PAT A.		**15.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WITT, BRENT				Remit to: **RIVERSIDE** **CA**	
	4/30/2012	212546	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WITT, BRENT			**75.00**		
WLC ARCHITECTS, INC				Remit to: **RANCHO CUCAMONGA** **CA**	
	4/2/2012	212175	47.20		
				REFUND-BUS. LIC OVRPMT	47.20
	Vendor Total		**47.20**		
FYTD for WLC ARCHITECTS, INC			**47.20**		
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	4/16/2012	885017	1,318.81		
				JANITORIAL SVCS-RED MAPLE ELEM	186.00
				JANITORIAL SVCS-TOWNGT RENTALS	600.00
				JANITORIAL SVCS-EMP RES CTR	532.81
	4/23/2012	885055	22,288.55		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRAILER	98.40
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-SP DIST ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MRCH FLD PK CC	955.70
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-SUNNYMD ELEM	184.10
				JANITORIAL SVCS-THINK TG BLDG	298.87
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
	Vendor Total		**23,607.36**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**251,360.73**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	4/2/2012	212176	231.18		
				COPIER RNTL/MAINT-PD	76.51
				COPIER RNTL/MAINT-PD	84.38
				COPIER RNTL/MAINT-PD	70.29
	4/9/2012	212285	1,208.63		
				LEASE OF XEROX XC550-PARKS	566.25
				COPIER BILLABLE PRINTS-PARKS	151.62
				LEASE OF XEROX EX560-PARKS	490.76
	4/16/2012	212361	1,895.84		
				LEASE OF XEROX XC550-PARKS	566.25
				COPIER BILLABLE PRINTS-PARKS	838.83
				LEASE OF XEROX EX560-PARKS	490.76
	4/23/2012	212455	190.68		
				REPLACEMNT STAPLES-PD COPIER	130.68
				COPIER RNTL/MAINT-PD	60.00
	4/30/2012	212547	1,603.15		
				LEASE OF XEROX EX560-GRAPHICS	393.44
				LEASE OF XEROX XC550V-GRAPHICS	424.11
				COPIER BILLABLE PRINTS-GRPHCS	785.60
	Vendor Total		**5,129.48**		
FYTD for XEROX			**40,655.48**		
YAHOO!				Remit to: **SUNNYVALE** **CA**	
	4/2/2012	212177	39.50		
				SUBSCRIBER INFO SEARCH FOR PD	39.50
	Vendor Total		**39.50**		
FYTD for YAHOO!			**39.50**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	4/2/2012	884941	139.90		
				RETIREE MED FEB 12, PD APR 12	139.90
	Vendor Total		**139.90**		
FYTD for YAMASHITA, JULIA J.			**1,571.80**		
YANCEY, KENDRA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212178	37.00		
				REFUND-PHOTOGRAPHY CLASS	37.00
	Vendor Total		**37.00**		
FYTD for YANCEY, KENDRA			**37.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
YANEZ, SILVIA				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212456	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for YANEZ, SILVIA			**50.00**		
YANG, KAOLEE				Remit to: **HEMET** **CA**	
	4/9/2012	212286	200.00		
				REFUND-3/10/12 RENTAL DEPOSIT	200.00
	Vendor Total		**200.00**		
FYTD for YANG, KAOLEE			**200.00**		
ZARATE, THERESA				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212362	35.00		
				REFUND-RENTL FEES-PICNIC SHLTR	35.00
	Vendor Total		**35.00**		
FYTD for ZARATE, THERESA			**35.00**		
ZUMAR INDUSTRIES, INC.				Remit to: **SANTA FE SPRINGS** **CA**	
	4/9/2012	884981	170.76		
				SIGN PURCHASES FOR PARKS	170.76
	Vendor Total		**170.76**		
FYTD for ZUMAR INDUSTRIES, INC.			**475.96**		

Subtotal **1,338,211.08**

GRAND TOTAL **13,408,420.85**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: ACCEPT $3,500,000 OF TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) FUNDING FOR THE SR-60/MORENO BEACH INTERCHANGE PHASE 1 – PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept $3,500,000 in Transportation Uniform Mitigation Fee (TUMF) funding for the SR-60/Moreno Beach Interchange Phase 1 project.

BACKGROUND

The SR-60/Moreno Beach interchange has experienced increased traffic as the result of commercial, residential, and recreational growth. The existing SR-60/Moreno Beach infrastructure is insufficient to handle projected growth. Phase 1 improvements include reconstruction of the two eastbound on- and off-ramps to SR-60, the addition of an eastbound auxiliary lane, connection of the west leg of Eucalyptus Avenue to Moreno Beach Drive, the addition of a traffic signal at the eastbound ramps/Moreno Beach Drive intersection, and related improvements.

On March 14, 2006, the City and WRCOG entered into a TUMF Agreement, entitling the City to receive reimbursement for the Project Approval/Environmental Document (PA&ED) phase of the project. Reimbursement for the design and right-of-way phases were addressed in Amendment Nos. 1 and 2 to the agreement.

DISCUSSION

On February 6, 2012, WRCOG adopted the TUMF Central Zone 5-Year Transportation Improvement Program (TIP) for 2012, allocating $3,500,000 for the construction phase of the SR-60/Moreno Beach Phase 1 project. Staff recommends the City Council accept the $3,500,000 of TUMF funding for the SR-60/Moreno Beach Interchange Phase 1 Project.

The Public Works Director/City Engineer was authorized by the City Council on June 24, 2008, to execute amendments to the TUMF agreement. Consequently, the TUMF agreement will be amended to reflect the $3,500,000 construction phase funding. Plans were submitted to Caltrans in March 2012 and are undergoing final review and approval.

ALTERNATIVES

1. Accept $3,500,000 in funding from the Western Riverside Council of Governments (WRCOG) for Moreno Beach/SR-60 Phase 1 Interchange project. *This alternative will allow the completion of needed improvements.*

2. Do not accept $3,500,000 in funding from the Western Riverside Council of Governments (WRCOG) for Moreno Beach/SR-60 Phase 1 Interchange project. *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

Phase 1 is currently funded using Successor Agency 2007 Tax Allocation Bonds (Fund 797) and Transportation Uniform Mitigation Fees (Fund 415). $3,500,000 has been allocated by WRCOG for Phase 1 project construction. The TUMF funds do not have a local match requirement. The appropriation of these TUMF funds as well as an appropriation of $3,500,000 in Successor Agency funds will be allocated as part of the FY 2012/2013 CIP and is included below in order to show all construction funding sources.

AVAILABLE FUNDS

FY 2011/2012 Successor Agency 2007 Tax Allocation Bonds (Account 797.79731)	$ 2,341,000
*FY 2012/2013 Requested Appropriation from Transportation Uniform Mitigation Fees (TUMF) (Account 415.70024)**	*$ 3,500,000*
*FY 2012/2013 Requested Appropriation from Successor Agency (Account 797.79731)**	*$ 3,500,000*
Total Project Budget	**$ 9,341,000**

** To be appropriated with adoption of the FY 2012/2013 Capital Improvement Program Budget*

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval and Authorization to Bid ..... July 2012
Advertise Project ..... August 2012
Begin Construction ..... November 2012
Complete Construction ..... August 2013

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff requests the City Council accept $3,500,000 of TUMF funding for construction phase of the SR-60/Moreno Beach Drive Interchange Phase 1 project.

Prepared By:
Margery A. Lazarus, P.E.
Senior Engineer

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Joel Ontiveros, Chief of Police

AGENDA DATE: June 26, 2012

TITLE: THE OFFICE OF JUVENILE JUSTICE DELINQUENCY PREVENTION (OJJDP) FY2012 COMMUNITY BASED VIOLENCE PREVENTION DEMONSTRATION PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if granted) of the "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program" in the amount of $713,286, for a 36-month period beginning October 1, 2012 and ending September 30, 2015; and

2. Authorize the revenue and expense budgets in the OJJDP - Police Grant Fund (New Fund - 2XXX) for the FY2012 Community Based Violence Prevention Demonstration Program in the amount of $713,286, respectively, upon approval and acceptance of the grant from the Office of Juvenile Justice Delinquency Prevention (OJJDP).

ADVISORY COMMITTEE RECOMENDATION

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) announced this grant opportunity on March 14, 2012. The complete grant application was subsequently presented to and reviewed by the Moreno Valley Public Safety Subcommittee on May 21, 2012 and was fully supported and approved.

BACKGROUND

The City of Moreno Valley is committed to providing a safe environment for the citizens of Moreno Valley. The City Council has made it a priority to provide financial support to the Moreno Valley Police Department to deal with quality of life issues in the community related to juvenile delinquency and gang activity and crime.

DISCUSSION

The Office of Juvenile Justice and Delinquency Prevention (OJJDP), under the auspices of the U.S. Department of Justice, announced a grant funding opportunity, commencing FY 2012-2013. This grant provides up to $1.5 million in funding to law enforcement agencies and other organizations that create and implement anti-gun violence and anti-gang programs, which include a comprehensive and strategic approach to reduce gang related gun violence and crime that affect our youth.

This grant will provide specific funding for the Moreno Valley Police Department to create an Administrative Position for a full time Deputy Sheriff (Officer), who shall act as the Director/Coordinator for this project. This Director/Coordinator shall ensure the goals and objectives of this grant project are fulfilled throughout the 36 month project period. The Director/Coordinator shall collaborate with local education, law enforcement, business and community agencies in the planning and implementation of this anti-gun violence project.

The grant also provides funding to create and implement anti-violence programs designed as primary prevention; gang violence intervention for identifiable at-risk youth; the training of officers assigned to the Moreno Valley Police Department; and targeted gang enforcement and career criminal apprehension programs.

The population to be served by this project includes youths who are at risk of becoming involved in gang related gun violence and crime; as well as the citizens of Moreno Valley who are affected by the criminal street gang problem in Moreno Valley.

The Moreno Valley Police Department will achieve these goals and objectives by implementing specific programs designed to combat the spread of street gang activity and to reduce the level of violent crime committed by gang members within Moreno Valley. Some of these programs focus on the short-term, immediate reduction of violent criminal activity, while others are designed as intermediate intervention programs aimed at educating the families of at-risk youth.

Progress of the goals and objectives of this project will be measured through the documentation of specific program statistics maintained by the Moreno Valley Police Department.

The Moreno Valley Police Department has prepared the proposed grant application, which details a six-part approach to reducing gang related violent crime and youth gang membership. These programs, many of which are already in place and operated by the MVPD, have demonstrated dramatic progress toward the goals and objectives outlined in the grant proposal. These programs include:

- The City of Moreno Valley's Gang Intervention for Teens (GIFT) program.
- Night Time Curfew Ordinance Enforcement Program.
- Law Enforcement and Public Gang Education Programs.
- Targeted Enforcement Patrol Programs.
- Continued Officer Training in the field of Criminal Street Gangs and Violence.
- Project Safe Neighborhoods (PSN) Program

This grant provides up to $1.5 million in funding that may be utilized to support the continued operation of these programs and to create an Administrative position for a full time Officer, who shall be designated as the Director/Coordinator for this project for a 36-month period.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application for the "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program"", in the amount of $713,286 and subsequently accept the grant award from OJJDP. Staff recommends this alternative.

2) Decline the application for the "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program", in the amount of $713,286. Staff does not recommend this alternative.

FISCAL IMPACT

There is no required match funding from the City of Moreno Valley as a condition of "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program." Therefore, there is no fiscal impact to the City.

Budget Appropriations:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OJJDP - POLICE GRANT FUND (2XXX)	485000 (Federal Grant Operating Revenue)	REV	$713,286
OJJDP - POLICE GRANT FUND (2XXX)	60697XXXX (OJJDP - Community Based Violence Prevention Demonstration Program)	EXP	$713,286

CITY COUNCIL GOALS

The application of the "OJJDP FY2012 Community Based Violence Prevention Demonstration Program", will meet the City Council Public Safety Goal of reducing youth gang membership and violent activity, lowering the rate of gang related violent crime, and improving the quality of life for the citizens of Moreno Valley who are affected by the criminal street gang problem in the City Moreno Valley.

ATTACHMENTS/ EXHIBITS

1. "OJJDP FY2012 Community Based Violence Prevention Demonstration Program", Application.

Prepared By:
Lance Colmer
Investigator

Department Head Approval:
Joel Ontiveros
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

GRANTS.GOV

Grant Application Package

Opportunity Title: OJJDP FY 2012 Community-Based Violence Prevention Demon

Offering Agency: Office of Juvenile Justice Delinquency Prevention

CFDA Number: 16.123

CFDA Description: Community-Based Violence Prevention Program

Opportunity Number: OJJDP-2012-3228

Competition ID:

Opportunity Open Date: 03/14/2012

Opportunity Close Date: 05/01/2012

Agency Contact: For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, or via e-mail to support@grants.gov.
Note: Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

This electronic grants application is intended to be used to apply for the specific Federal funding opportunity referenced here.

If the Federal funding opportunity listed is not the opportunity for which you want to apply, close this application package by clicking on the "Cancel" button at the top of this screen. You will then need to locate the correct Federal funding opportunity, download its application and then apply.

This opportunity is only open to organizations, applicants who are submitting grant applications on behalf of a company, state, local or tribal government, academia, or other type of organization.

*** Application Filing Name:** City of Moreno Valley Police Department

Mandatory Documents

Move Form to Complete

Move Form to Delete

Mandatory Documents for Submission

- Application for Federal Assistance (SF-424)
- Other Attachments Form
- Project Narrative Attachment Form
- Disclosure of Lobbying Activities (SF-LLL)
- Budget Narrative Attachment Form
- Assurances for Non-Construction Programs (SF-42

Optional Documents

- Faith Based EEO Survey

Move Form to Submission List

Move Form to Delete

Optional Documents for Submission

Instructions

1 **Enter a name for the application in the Application Filing Name field.**

- This application can be completed in its entirety offline; however, you will need to login to the Grants.gov website during the submission process.
- You can save your application at any time by clicking the "Save" button at the top of your screen.
- The "Save & Submit" button will not be functional until all required data fields in the application are completed and you clicked on the "Check Package for Errors" button and confirmed all data required data fields are completed.

2 **Open and complete all of the documents listed in the "Mandatory Documents" box. Complete the SF-424 form first.**

- It is recommended that the SF-424 form be the first form completed for the application package. Data entered on the SF-424 will populate data fields in other mandatory and optional forms and the user cannot enter data in these fields.

- The forms listed in the "Mandatory Documents" box and "Optional Documents" may be predefined forms, such as SF-424, forms where a document needs to be attached, such as the Project Narrative or a combination of both. "Mandatory Documents" are required for this application. "Optional Documents" can be used to provide additional support for this application or may be required for specific types of grant activity. Reference the application package instructions for more information regarding "Optional Documents".

- To open and complete a form, simply click on the form's name to select the item and then click on the => button. This will move the document to the appropriate "Documents for Submission" box and the form will be automatically added to your application package. To view the form, scroll down the screen or select the form name and click on the "Open Form" button to begin completing the required data fields. To remove a form/document from the "Documents for Submission" box, click the document name to select it, and then click the <= button. This will return the form/document to the "Mandatory Documents" or "Optional Documents" box.

- All documents listed in the "Mandatory Documents" box must be moved to the "Mandatory Documents for Submission" box. When you open a required form, the fields which must be completed are highlighted in yellow with a red border. Optional fields and completed fields are displayed in white. If you enter invalid or incomplete information in a field, you will receive an error message.

3 **Click the "Save & Submit" button to submit your application to Grants.gov.**

- Once you have properly completed all required documents and attached any required or optional documentation, save the completed application by clicking on the "Save" button.
- Click on the "Check Package for Errors" button to ensure that you have completed all required data fields. Correct any errors or if none are found, save the application package.
- The "Save & Submit" button will become active; click on the "Save & Submit" button to begin the application submission process.
- You will be taken to the applicant login page to enter your Grants.gov username and password. Follow all onscreen instructions for submission.

OMB Number: 4040-0004
Expiration Date: 03/31/2012

Application for Federal Assistance SF-424

* 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

* 2. Type of Application:
- [x] New
- [ ] Continuation
- [ ] Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received: 04/27/2012

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Moreno Valley Police Department

* b. Employer/Taxpayer Identification Number (EIN/TIN): 330076484

* c. Organizational DUNS: 1771341860000

d. Address:

* Street1: 22850 Calle San Juan De Los Lagos
Street2:
* City: Moreno Valley
County/Parish:
* State: CA: California
Province:
* Country: USA: UNITED STATES
* Zip / Postal Code: 92552-0805

e. Organizational Unit:

Department Name: City of Moreno Valley

Division Name: Police Department

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mrs.
* First Name: Felicia
Middle Name: S
* Last Name: Brown
Suffix:

Title: Management Analyst

Organizational Affiliation:

* Telephone Number: 9514266840
Fax Number: 9514866705

* Email: fbrown@riversidesheriff.org

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Office of Juvenile Justice Delinquency Prevention

11. Catalog of Federal Domestic Assistance Number:

16.123

CFDA Title:

Community-Based Violence Prevention Program

*** 12. Funding Opportunity Number:**

OJJDP-2012-3228

* Title:

OJJDP FY 2012 Community-Based Violence Prevention Demonstration Program

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Moreno Valley Police Department Community Based Violence Reduction Program will focus on intervention and suppression of gun violence and homicides through youth intervention and community involvement

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant CA-45 b. Program/Project CA-45

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2012 * b. End Date: 09/30/2015

18. Estimated Funding ($):

* a. Federal	713,286.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	713,286.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr. * First Name: Joel

Middle Name:

* Last Name: Ontiveros

Suffix:

* Title: Chief of Police

* Telephone Number: 9514866708 Fax Number: 9514866705

* Email: jontiver@riversidesheriff.org

* Signature of Authorized Representative: Felicia Brown * Date Signed: 04/27/2012

Other Attachment File(s)

*** Mandatory Other Attachment Filename:** MVPD Gang Unit Logic Model.doc

Add Mandatory Other Attachment | Delete Mandatory Other Attachment | View Mandatory Other Attachment

To add more "Other Attachment" attachments, please use the attachment buttons below.

Add Optional Other Attachment | Delete Optional Other Attachment | View Optional Other Attachment

Project Narrative File(s)

*** Mandatory Project Narrative File Filename:** Project Narrative.docx

Add Mandatory Project Narrative File | Delete Mandatory Project Narrative File | View Mandatory Project Narrative File

To add more Project Narrative File attachments, please use the attachment buttons below.

Add Optional Project Narrative File | Delete Optional Project Narrative File | View Optional Project Narrative File

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB
0348-0046

1. * Type of Federal Action:
- [ ] a. contract
- [x] b. grant
- [ ] c. cooperative agreement
- [ ] d. loan
- [ ] e. loan guarantee
- [ ] f. loan insurance

2. * Status of Federal Action:
- [ ] a. bid/offer/application
- [x] b. initial award
- [ ] c. post-award

3. * Report Type:
- [x] a. initial filing
- [ ] b. material change

4. Name and Address of Reporting Entity:

[x] Prime [ ] SubAwardee

** Name* City of Moreno Valley Police Department

** Street 1* 22850 Calle San Juan De Los Lagos *Street 2*

** City* Moreno Valley *State* CA: California *Zip* 92552

Congressional District, if known: CA-45

5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:

6. * Federal Department/Agency:
OJJDP

7. * Federal Program Name/Description:
Community-Based Violence Prevention Program

CFDA Number, *if applicable:* 16.123

8. Federal Action Number, *if known:*

9. Award Amount, *if known:*
$

10. a. Name and Address of Lobbying Registrant:

Prefix ** First Name* N/A *Middle Name*

** Last Name* N/A *Suffix*

** Street 1* *Street 2*

** City* *State* *Zip*

b. Individual Performing Services (including address if different from No. 10a)

Prefix ** First Name* N/A *Middle Name*

** Last Name* N/A *Suffix*

** Street 1* *Street 2*

** City* *State* *Zip*

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

*** Signature:** Felicia Brown

***Name:** *Prefix* Mr. ** First Name* Joel *Middle Name*

** Last Name* Ontiveros *Suffix*

Title: Chief of Police **Telephone No.:** 9514866708 **Date:** 04/27/2012

Federal Use Only:

Authorized for Local Reproduction
Standard Form - LLL (Rev. 7-97)

Budget Narrative File(s)

*** Mandatory Budget Narrative Filename:** BUDGET DETAIL WORKSHEET AND BUDGET NARRATIVE.docx

Add Mandatory Budget Narrative | Delete Mandatory Budget Narrative | View Mandatory Budget Narrative

To add more Budget Narrative attachments, please use the attachment buttons below.

Add Optional Budget Narrative | Delete Optional Budget Narrative | View Optional Budget Narrative

OMB Number: 4040-0007
Expiration Date: 06/30/2014

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C.§§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U. S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

* SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	* TITLE
Felicia Brown	Chief of Police
* APPLICANT ORGANIZATION	* DATE SUBMITTED
Moreno Valley Police Department	04/27/2012

Standard Form 424B (Rev. 7-97) Back

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 26, 2012

TITLE: AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2012

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2012.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
    n. Eastridge Street between Frederick Street and Heritage Way;

o. Calle San Juan De Los Lagos between Frederick Street and Veterans Way;
p. Veterans Way between Business Center Drive and Alessandro Boulevard;
q. New Hope between Veterans Way and Elsworth;
r. Veterans Way between Cactus Avenue and Alessandro Boulevard, and
s. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Tuesday, July 3, 2012 through 5:00 p.m. on Thursday, July 5, 2012 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2012.

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 25 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. The parade in 2010 was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. Approximately 7,000 spectators attended the 2010 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

Street closures for both the parade and the festival site are the same as those closures for the 2010 event.

DISCUSSION

Detailed below is the discussion of the events planned and the street closures for the Independence Day 2012 Program activities:

1. Parade Discussion

   The parade this year will take place on July 4, 2012. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle

San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Burlington Coat Factory store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

Festivities will continue on July 4, 2012 from 2:00 p.m. to 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to the previous year's 2010 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. Gates open at 1:00 p.m. with the festival beginning at 2:00 p.m. There will be food, arts and crafts, game booths, clowns and entertainment. New this year will be a wine and beer garden. An entry may be charged to get into the festival, and there may be a minimal fee for the various activities, such as the bouncers and game booths.

A main stage and a youth stage will guarantee enjoyment for the entire family. There will be several entertainers this year. At 3:00 p.m., Moreno Valley IDOL takes the stage when finalists compete for Moreno Valley Idol. At 4:00 p.m., a performance by "Michael John's Tribute to Billy Joel," followed by "BELLA DONNA - A Tribute to Stevie Nicks and Fleetwood Mac," and then "The Joshua Tree – A Tribute to U2." As a grand finale, the event will conclude with a fireworks extravaganza at 9:00 p.m., which will be simulcast with patriotic music by KOLA (99.9 FM).

Presale tickets for the event are available at the Moreno Valley Conference and Recreation Center from June 11 to July 3. Cost is $2 per person or $10 for a family (up to 6 people). On July 4, entry is free between 1:00 p.m. and 4:00 pm.

After 4:00 p.m., entry fee is $3 per person. Military service members with valid identification and children under 5 are free.

We thank the following sponsors who have contributed to our celebration: KOLA 99.9, Moreno Valley Unified School District, Supervisor Marion Ashley, Budweiser, Pepsi, Accurate Accessories, and Waste Management.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. Barricades placed at intersections designated for one-way traffic will be removed no later than 11:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordination of this event began prior to FY 2012/13. Funds proposed for the Independence Day Celebration are allocated in the approved budget for the Moreno Valley Community Services District Zone A Fund (161.77310) for Fiscal Years 2011/12 and 2012/13. In an effort to offset expenditures, staff has been soliciting sponsors, an entry fee will be charged after 4 pm and there will be a beer garden.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2012 Independence Day festivities this year will take place on July 4, 2012. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2010 parade route. The parade will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will be held at Mountain View Middle School and Morrison Park; street closures affected are adjacent to the festival site.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2012 Proposed Parade Route Map
2. 2012 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment 1

Moreno Valley
Parks & Community Services
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951 413-3280
FAX: (951 413-3719

For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Wednesday, July 4, 2012

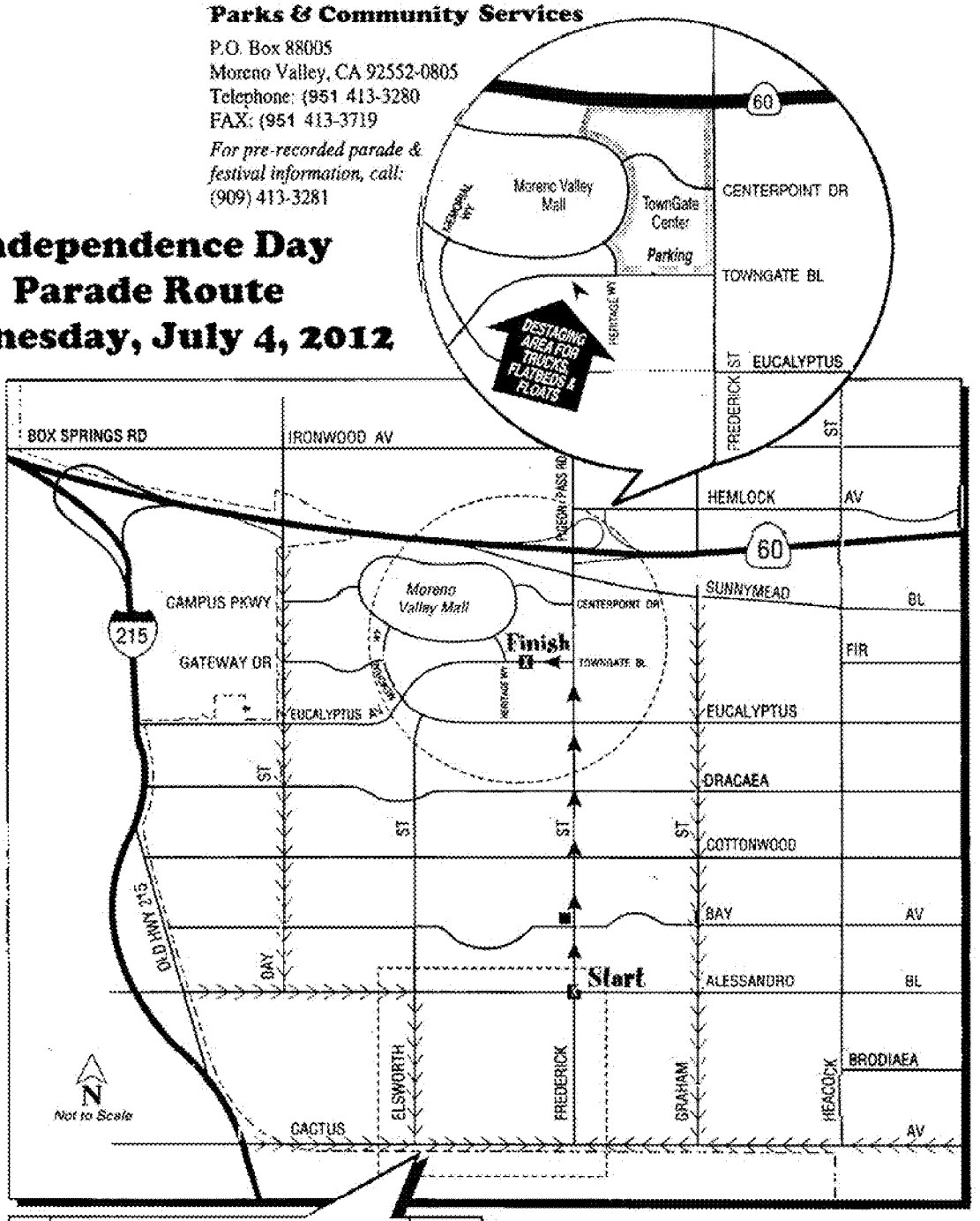

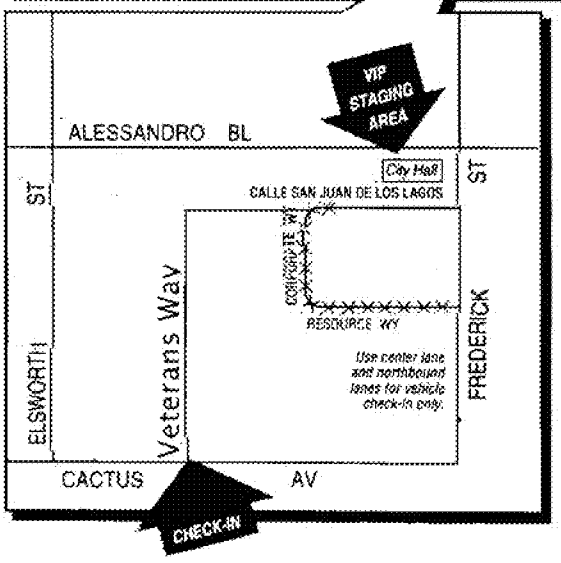

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Wednesday, July 4, 2012

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

Attachment 2

July 4th Festival
Street Closures

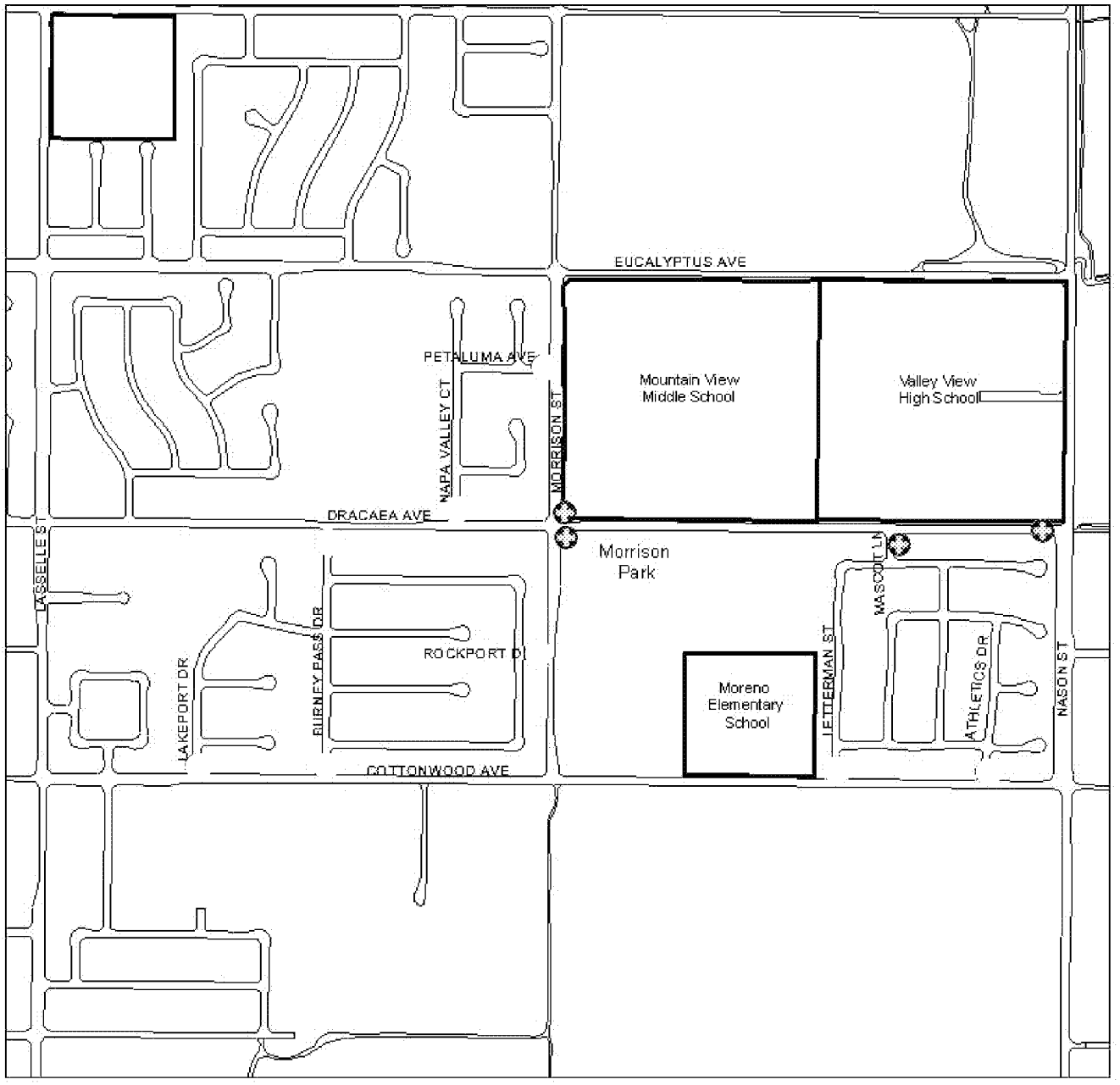

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF SUNNYMEAD BOULEVARD REVITALIZATION IMPROVEMENTS COMPLETED BY ENVIRONMENTAL CONSTRUCTION, INC. PROJECT NO. 04-89280221-1

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Sunnymead Boulevard Revitalization from Frederick Street to Perris Boulevard constructed by Environmental Construction, Inc., 21550 Oxnard Street, Suite 1050, Woodland Hills, CA 91367.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Accept the improvements into the City's maintained system.

4. Authorize the Financial & Administrative Services Director to release the retention to Environmental Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

5. Authorize the Purchasing & Facilities Division Manager to execute a Change Order to increase the Purchase Order (No. 35442) with Environmental Construction, Inc., in the amount of $272,468.10 for the Sunnymead Boulevard Revitalization project (Account No. 501.82125).

6. Authorize the Public Works Director/City Engineer to execute Contract Change Order No. 7 (Final) for Environmental Construction, Inc.

BACKGROUND

On February 26, 2008, the City Council approved a construction contract with Environmental Construction, Inc. (ECI), Stage 1 of the Sunnymead Boulevard Revitalization project that provided improvements for the infrastructure and aesthetic enhancements, which included a gateway entry arch, bus shelters, sign monuments, parkway landscaping, curbs, gutters, and color sidewalks.

DISCUSSION

ECI completed the project construction on May 25, 2012 at a total construction cost of $5,753,702.90 inclusive of Contract Change Order (CCO) No. 7 (Final). There were several disputed items of work during the course of construction to be negotiated once those items were complete. After negotiations, the City and ECI agreed to a final construction cost of $5,753,702.90 inclusive of CCO 7 (Final). The Purchase Order amount was $5,481,234.80, and staff is requesting an approval of a Change Order to increase the Purchase Order by $272,468.10.

ALTERNATIVES

1. Accept the work as complete for the Sunnymead Boulevard Revitalization from Frederick Street to Perris Boulevard constructed by Environmental Construction, Inc., 21550 Oxnard Street, Suite 1050, Woodland Hills, CA 91367, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, accept the improvements into the City's maintained system, authorize the Financial & Administrative Services Director to release the retention to Environmental Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, authorize the Purchasing & Facilities Division Manager to execute a Change Order to increase the Purchase Order (No. 35442) with Environmental Construction, Inc., in the amount of $272,468.10 for the Sunnymead Boulevard Revitalization project (Account No. 501.82125), and Authorize the Public Works Director/City Engineer to execute Contract Change Order No. 7 (Final) for Environmental Construction, Inc. *This alternative will result in acceptance of the improvements into the City's maintained system.*

2. Do not accept the work as complete for the Sunnymead Boulevard Revitalization from Frederick Street to Perris Boulevard constructed by Environmental Construction, Inc. 21550 Oxnard Street, Suite 1050, Woodland Hills, CA 91367. *This alternative will result in delaying acceptance of the improvements into the City's maintained system, and incur extra cost to the City.*

FISCAL IMPACT

The Sunnymead Boulevard Revitalization project (Stage 1) constructed by ECI was funded with Lease Revenue Bond funds (Fund 501), as budgeted in Fiscal Year 2011/2012. The total Purchase Order amount available for ECI is $5,481,234.80. Contract Change Order 7 (Final) requires a Change Order to the Purchase Order for Environmental Construction Inc., to increase PO No. 35442 in the amount of $272,468.10 in Account No. 501.82125. There is no impact to the General Fund.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

ECI has completed the Stage 1 construction for the Sunnymead Boulevard Revitalization project from Frederick Street to Perris Boulevard. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, accept the improvements into the City's maintained system, and release the retention to Environmental Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, authorize the Purchasing & Facilities Division Manager to execute a Change Order to increase the Purchase Order (No. 35442) with Environmental Construction, Inc., in the amount of $272,468.10 for the Sunnymead Boulevard Revitalization project (Account No. 501.82125), and Authorize the Public Works Director/City Engineer to execute Contract Change Order No. 7 (Final) for Environmental Construction, Inc.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Viren Shah, P.E.
Consultant Project Manager

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

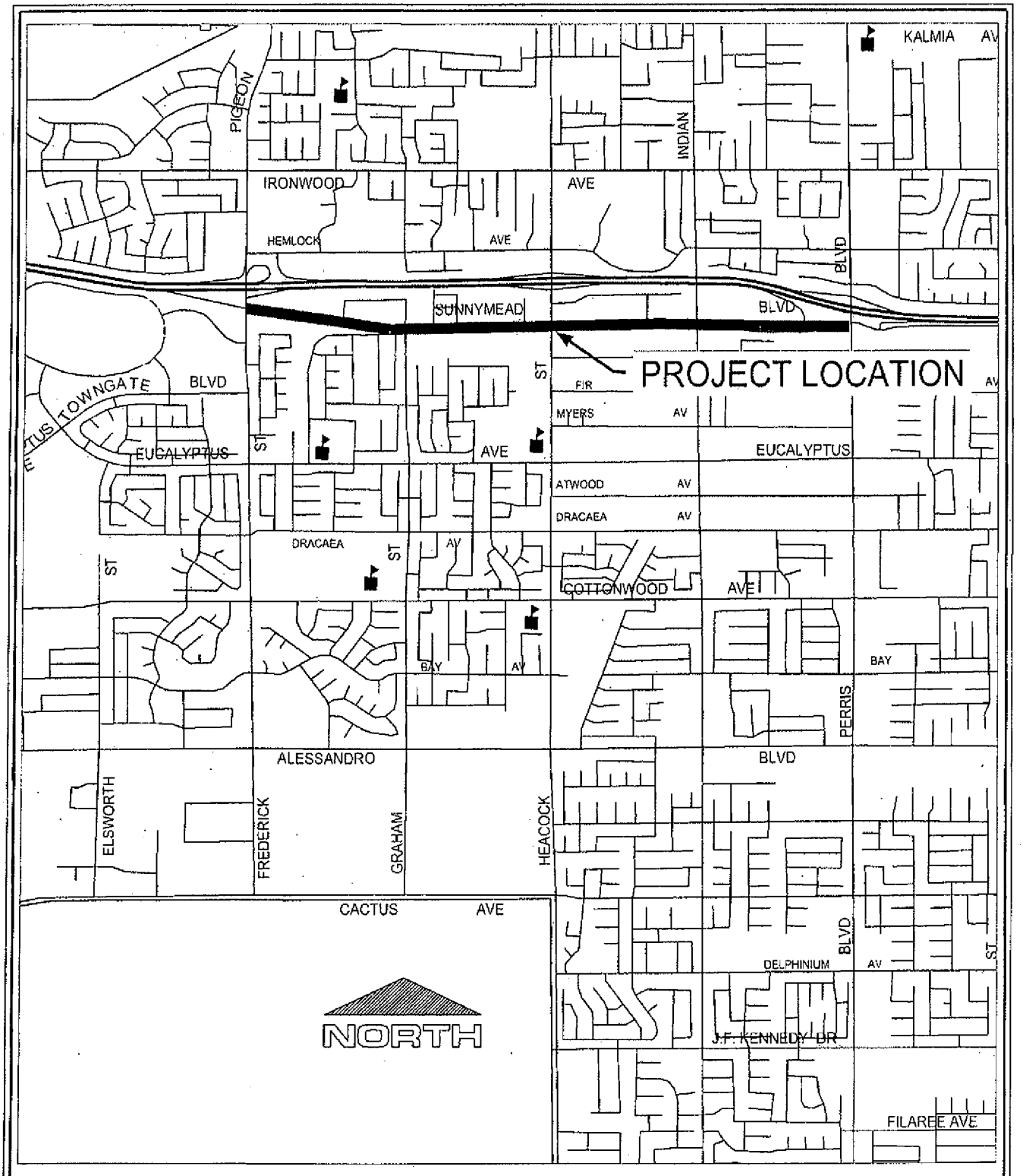

MORENO VALLEY

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. REVITALIZATION
FREDERICK ST. TO PERRIS BLVD.
PROJECT NO. 04-89280221

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: June 26, 2012

TITLE: FACILITY LEASE EXTENSION WITH MORENO VALLEY GATEWAY, LLC

RECOMMENDED ACTION

Staff recommends City Council:

1. Approve the three lease extensions with Moreno Valley Gateway, LLC for the building located at 14325 Frederick St., Moreno Valley.

2. Authorize the City Manager to sign the lease extensions and any subsequent extensions for office space located at 14325 Frederick St., Moreno Valley.

3. Authorize the Purchasing & Facilities Manager to execute a purchase order for said leases for Fiscal Year 2012-13 as follows:

   a. Suites 1-3 $54,029
   b. Suite 4 $24,048
   c. Suites 5-9 $90,000

BACKGROUND

In 2005 the City leased office space with Moreno Valley Gateway, Inc. at 14325 Frederick Street. This space is utilized for Technology Services, Facilities, Special Districts and Moreno Valley Utility office needs.

DISCUSSION

The current lease extension will end on June 30, 2012. The city intends to exercise a one-year lease extension through June 30th, 2013 with the option to extend the lease at the same rate for three months subsequent to the end of the lease term.

The lease is needed for two purposes:

1. House current staff until the Annex #1 project is complete; and
2. House a portion of City Hall staff during the 2nd story sub-floor and re-carpet project.

Staff currently located in 14325 Frederick will move into Annex #1 in early 2013. A portion of the 2nd floor City Hall staff will move into the 14325 building during the sub-floor and re-carpet construction project. This project is scheduled to occur during the first six months of 2013.

The individual lease costs are as follows:

Division	Unit(s)	Square Footage	$ Per Square Foot	Annual Total
Technology Services	1-3	4288	$1.05	$54,029
Facilities	4	2004	$1.00	$24,048
Special Districts & MVU	5-9	7500	$1.00	$90,000

ALTERNATIVES

Staff recommends City Council:

1. Approve the three lease extensions with Moreno Valley Gateway, LLC for the building located at 14325 Frederick St., Moreno Valley.

2. Authorize the City Manager to sign the lease extensions and any subsequent extensions for office space located at 14325 Frederick St., Moreno Valley.

3. Authorize the Purchasing & Facilities Manager to execute a purchase order for said leases for Fiscal Year 2012-13 as follows:

    a. Suites 1-3 $54,029
    b. Suite 4 $24,048
    c. Suites 5-9 $90,000

4. Do not authorize the lease extension renewal and provide staff with alternative direction.

FISCAL IMPACT

The lease extension will encumber $168,077 as follows:

Suites 1-3 $54,029 in 754.75423.6901
Suite 4 $24,048 in 754.75410.6901
Suites 5-9 $90,000 in 149.51710.6901

These lease costs are included in the FY 2012-13 approved budget.

SUMMARY

The City utilizes space located at 14325 Frederick St, Moreno Valley to house staff from Technology Services, Purchasing & Facilities, Special Districts and the MVU Divisions. Staff will require this space until Annex #1 is complete. This lease extension will also be utilized to house a portion of City Hall 2nd floor staff during the sub-floor and re-carpet project.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Attachment "A" – Moreno Valley Gateway, LLC Lease Extension, Units 1-3
Attachment "B" – Moreno Valley Gateway, LLC Lease Extension, Unit 4
Attachment "C" – Moreno Valley Gateway, LLC Lease Extension, Units 5-9

Prepared By:
Rix Skonberg
Purchasing & Facilities Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

2nd **AMENDMENT TO LEASE**

STANDARD LEASE ADDENDUM

THIS AMENDMENT TO LEASE is made and entered into as of the June 26, 2012, by and between Moreno Valley Gateway, LLC ("Lessor") and City of Moreno Valley ("Lessee").

WHEREAS, on or about March 1, 2006 a Lease was entered into by and between Lessor and Lessee relating to certain real property commonly known as: 14325 Frederick Street, Units 1-3, Moreno Valley, CA 92553 (the "Premises"), and

WHEREAS, Lessor and Lessee ☑ have ☐ have not previously amended said Lease, and

WHEREAS, the Lessor and Lessee now desire to amend said Lease,

NOW, THEREFORE, for payment of TEN DOLLARS and other good and valuable consideration to Lessor, the receipt and sufficiency of which is hereby acknowledged, the parties mutually agree to make the following additions and modifications to the Lease:

☑ TERM: The Expiration Date is hereby ☐ advanced ☑ extended to June 30, 2013.

☐ AGREED USE: The Agreed Use is hereby modified to: _____.

☐ BASE RENT ADJUSTMENT: Monthly Base Rent shall be as follows: Base Rent shall remain the same at $1.05 per square foot.

☑ OTHER: After the lease period ends, Lessee has the right to retain premises on a month to month basis at Base Rent of $1.05 per square foot for three (3) months, or until September 30, 2013. After September 30, 2013, the lease becomes month to month and Lessor or Lessee can terminate lease with thirty (30) days notice. During this period rent will increase to $1.20 per square foot.

This Agreement shall not be construed against the party preparing it, but shall be construed as if all parties jointly prepared this Agreement and any uncertainty and ambiguity shall not be interpreted against any one party.

All other terms and conditions of this Lease shall remain unchanged and shall continue in full force and effect except as specifically amended herein.

EXECUTED as of the day and year first above written.

By Lessor:	**By Lessee:**
Moreno Valley Gateway, LLC	City of Moreno Valley
By: _____	**By:** _____
Name Printed: Garfield Logan	Name Printed: _____
Title: President	Title: _____
By: _____	**By:** _____
Name Printed: _____	Name Printed: _____
Title: _____	Title: _____

NOTICE: These forms are often modified to meet changing requirements of law and industry needs. Always write or call to make sure you are utilizing the most current form: AIR Commercial Real Estate Association, 800 W 6th Street, Suite 800, Los Angeles, CA 90017. Telephone No.: (213) 687-8777. Fax No.: (213) 687-8616.

_____ **INITIALS** _____ **INITIALS**

©2006 - AIR COMMERCIAL REAL ESTATE ASSOCIATION **FORM ATL-0-7/06E**

MV00167029

2nd AMENDMENT TO LEASE
STANDARD LEASE ADDENDUM

THIS AMENDMENT TO LEASE is made and entered into as of the June 26, 2012, by and between Moreno Valley Gateway, LLC ("Lessor") and City of Moreno Valley ("Lessee").

WHEREAS, on or about February 1, 2005 a Lease was entered into by and between Lessor and Lessee relating to certain real property commonly known as: 14325 Frederick Street, Unit 4, Moreno Valley, CA 92553 (the "Premises"), and

WHEREAS, Lessor and Lessee ☑ have ☐ have not previously amended said Lease, and

WHEREAS, the Lessor and Lessee now desire to amend said Lease,

NOW, THEREFORE, for payment of TEN DOLLARS and other good and valuable consideration to Lessor, the receipt and sufficiency of which is hereby acknowledged, the parties mutually agree to make the following additions and modifications to the Lease:

☑ TERM: The Expiration Date is hereby ☐ advanced ☑ extended to June 30, 2013.

☐ AGREED USE: The Agreed Use is hereby modified to: _____.

☐ BASE RENT ADJUSTMENT: Monthly Base Rent shall be as follows: Base Rent shall remain the same at $1.00 per square foot.

☑ OTHER: After the lease period ends, Lessee has the right to retain premises on a month to month basis at Base Rent of $1.00 per square foot for three (3) months, or until September 30, 2013. After September 30, 2013, the lease becomes month to month and Lessor or Lessee can terminate lease with thirty (30) days notice. During this period rent will increase to $1.15 per square foot.

This Agreement shall not be construed against the party preparing it, but shall be construed as if all parties jointly prepared this Agreement and any uncertainty and ambiguity shall not be interpreted against any one party.

All other terms and conditions of this Lease shall remain unchanged and shall continue in full force and effect except as specifically amended herein.

EXECUTED as of the day and year first above written.

By Lessor:	**By Lessee:**
Moreno Valley Gateway, LLC	City of Moreno Valley
By: _____	**By:** _____
Name Printed: Garfield Logan	Name Printed: _____
Title: President	Title: _____
By: _____	**By:** _____
Name Printed: _____	Name Printed: _____
Title: _____	Title: _____

NOTICE: These forms are often modified to meet changing requirements of law and industry needs. Always write or call to make sure you are utilizing the most current form: AIR Commercial Real Estate Association, 800 W 6th Street, Suite 800, Los Angeles, CA 90017. Telephone No.: (213) 687-8777. Fax No.: (213) 687-8616.

INITIALS _____ INITIALS _____

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2nd AMENDMENT TO LEASE
STANDARD LEASE ADDENDUM

THIS AMENDMENT TO LEASE is made and entered into as of the June 26, 2012, by and between Moreno Valley Gateway, LLC ("Lessor") and City of Moreno Valley (ESA) ("Lessee").

WHEREAS, on or about May 1, 2005 a Lease was entered into by and between Lessor and Lessee relating to certain real property commonly known as: 14325 Frederick Street, Units 5-9, Moreno Valley, CA 92553 (the "Premises"), and

WHEREAS, Lessor and Lessee ☑ have ☐ have not previously amended said Lease, and

WHEREAS, the Lessor and Lessee now desire to amend said Lease,

NOW, THEREFORE, for payment of TEN DOLLARS and other good and valuable consideration to Lessor, the receipt and sufficiency of which is hereby acknowledged, the parties mutually agree to make the following additions and modifications to the Lease:

☑ TERM: The Expiration Date is hereby ☐ advanced ☑ extended to June 30, 2013.

☐ AGREED USE: The Agreed Use is hereby modified to: _____.

☐ BASE RENT ADJUSTMENT: Monthly Base Rent shall be as follows: Base Rent shall remain the same at $1.00 per square foot.

☑ OTHER: After the lease period ends, Lessee has the right to retain premises on a month to month basis at Base Rent of $1.00 per square foot for three (3) months, or until September 30, 2013. After September 30, 2013, the lease becomes month to month and Lessor or Lessee can terminate lease with thirty (30) days notice. During this period rent will increase to $1.15 per square foot.

This Agreement shall not be construed against the party preparing it, but shall be construed as if all parties jointly prepared this Agreement and any uncertainty and ambiguity shall not be interpreted against any one party.

All other terms and conditions of this Lease shall remain unchanged and shall continue in full force and effect except as specifically amended herein.

EXECUTED as of the day and year first above written.

By Lessor:	**By Lessee:**
Moreno Valley Gateway, LLC	City of Moreno Valley
By: _____	**By:** _____
Name Printed: Garfield Logan	Name Printed: _____
Title: President	Title: _____
By: _____	**By:** _____
Name Printed: _____	Name Printed: _____
Title: _____	Title: _____

NOTICE: These forms are often modified to meet changing requirements of law and industry needs. Always write or call to make sure you are utilizing the most current form: AIR Commercial Real Estate Association, 800 W 6th Street, Suite 800, Los Angeles, CA 90017. Telephone No.: (213) 687-8777. Fax No.: (213) 687-8616.

INITIALS _____ INITIALS _____

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad Ansari, Public Works Director/City Engineer
Barry Foster, Community & Economic Development Director

AGENDA DATE: June 26, 2012

TITLE: PARCEL MAP 32631 – COMMERCIAL - REDUCE THE IRREVOCABLE LETTER OF CREDIT AS FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF DAY STREET, GATEWAY DRIVE, MEMORIAL WAY, CAMPUS PARKWAY, AND TOWNGATE CIRCLE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – GATEWAY COMPANY, L.C., A NEVADA LIMITED LIABILITY COMPANY, BY: FRITZ DUDA COMPANY, A TEXAS CORPORTION, ITS MANAGER
NEWPORT BEACH, CA 92663

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the proposed Resolution No. 2012-54 authorizing the acceptance of the public improvements within Parcel Map 32631 – Commercial as complete and accepting the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system; and

2. Authorize the City Engineer to execute the 90% reduction to the Irrevocable Letter of Credit as Faithful Performance Bond, exonerate the Irrevocable Letter of Credit as Material and Labor Bond in 90 days if there are no stop notices or liens

on file with the City Clerk, and exonerate the final 10% of the Irrevocable Letter of Credit as Faithful Performance Bond in one year when all clearances are received.

BACKGROUND

Parcel Map 32631 is a commercial development to subdivide a 20.51 acre parcel of land into 14 individual lots for the purpose of providing a 199,500 square foot mixed use complex, including five major buildings and additional pad buildings that include a mixture of retail, restaurant, and potential office use. The project was conditionally approved requiring construction of certain public improvements. The public improvements included asphalt concrete, curb, gutter, sidewalk, driveway approaches, and a traffic signal. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Community & Economic Development Department/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Irrevocable Letter of Credit as Faithful Performance Bond of $532,000 issued by City National Bank. Ninety days after City Council approves the Irrevocable Letter of Credit as Faithful Performance Bond reduction, the Irrevocable Letter of Credit as Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the Irrevocable Letter of Credit as Faithful Performance Bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the remaining 10% of the Irrevocable Letter of Credit as Faithful Performance Bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 32631 as complete and accepting the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Irrevocable Letter of Credit as Faithful Performance Bond, exonerate the Irrevocable Letter of Credit as Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Irrevocable Letter of

Credit as Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 32631 as complete and accepting the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Irrevocable Letter of Credit as Faithful Performance Bond, exonerate the Irrevocable Letter of Credit as Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Irrevocable Letter of Credit as Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Ahmad Ansari
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

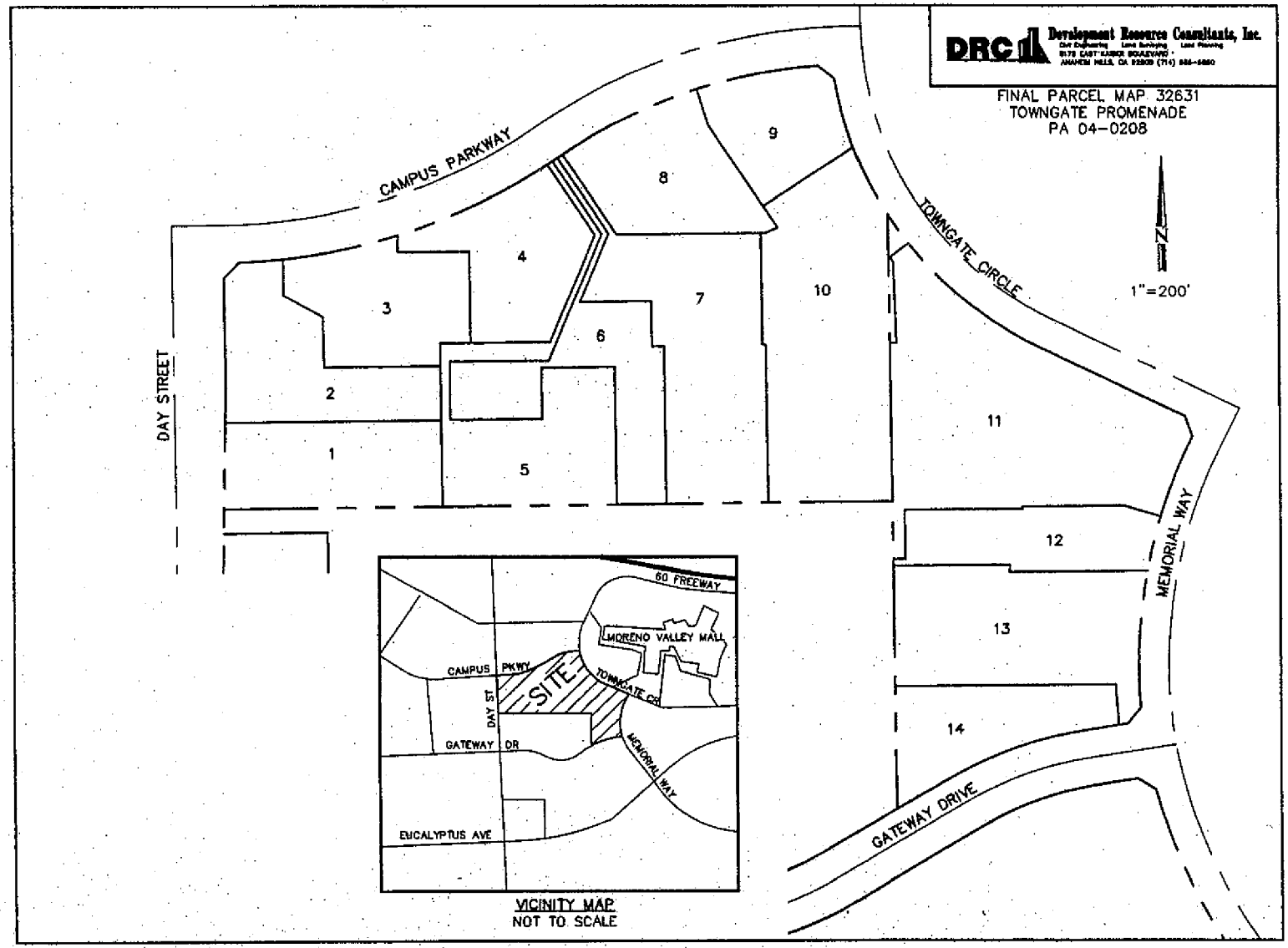

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

EXHIBIT "A"

PARCEL MAP 32631
VICINITY MAP

MV00167036

RESOLUTION NO. 2012-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PARCEL MAP 32631 AND ACCEPTING THE PORTIONS OF DAY STREET, GATEWAY DRIVE, MEMORIAL WAY, CAMPUS PARKWAY, AND TOWNGATE CIRCLE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Gateway Company, L.C., A Nevada Limited Liability Company By: Fritz Duda Company, a Texas Corporation, Its Manager on the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project were constructed according to the approved plans on file with the City of Moreno Valley; and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner; and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Parcel Map 32631 and accept the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system; and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the public improvements within Parcel Map 32631 are complete, and the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project are accepted into the City's maintained street system.

Resolution No. 2012-54
Date Adopted: June 26, 2012

APPROVED AND ADOPTED this 26th day of June, 2012.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-54
Date Adopted: June 26, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-54 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Resolution No. 2012-54
Date Adopted: June 26, 2012

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief

AGENDA DATE: June 26, 2012

TITLE: COOPERATIVE AGREEMENT FOR THE COST SHARE OF AERIAL LADDER TRUCK PERSONNEL BETWEEN THE CITY OF MOERNO VALLEY, THE CITY OF PERRIS, AND THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside; and

2. Authorize the Fire Chief to implement the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks.

ADVISORY BOARD/COMMISSION RECOMMENDATION

On May 21, the Public Safety Subcommittee recommended that the City enter into a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside (Attachment A). The Subcommittee also supported the idea of utilizing the savings from this agreement for the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks.

BACKGROUND

On January 17, 2003, the City of Moreno Valley, the City of Perris, and the County of Riverside entered into a cost share agreement for three Fire Captains at Fire Station 91

due to the proximity of that Fire Station to the City of Perris and the unincorporated areas of Riverside County. The City of Perris terminated their participation in that agreement on January 20, 2005 as they were purchasing an aerial ladder truck and would provide their own aerial ladder truck services to the citizens of Perris. In February 2006 the County of Riverside agreed to pay the full cost of these three Fire Captains in order to continue to receive the benefit of having an aerial ladder truck available to respond to emergency calls for service in the unincorporated areas of the County of Riverside that are adjacent to Moreno Valley.

DISCUSSION

In April 2012, the City of Perris contacted the City of Moreno Valley to re-enter into a cooperative cost share agreement for aerial ladder truck services as the City of Perris was unable to staff their aerial ladder truck due to current economic conditions. Staff from the Moreno Valley Fire Department researched the calls for service for both Truck 2 and Truck 91 as well as examined the cost associated with having an aerial ladder truck available to respond to emergency calls for service in all three jurisdictions. This information was then utilized to determine an appropriate cost to share amongst the jurisdictions.

After a thorough review of the available information, staff determined that the total personnel cost of one aerial ladder truck, consisting of three Fire Captains, three Fire Apparatus Engineers, and six Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside should be cost shared amongst all three jurisdictions, with the City of Moreno Valley funding 60% of the total personnel costs, the City of Perris funding 20% of the total personnel costs, and the County of Riverside funding 20% of the total personnel costs.

Personnel costs are identified annually in an Exhibit A that is provided to the City as part of the Fire Protection Services Agreement the City has with the County of Riverside. This Exhibit A is a projection of personnel costs from the State of California. Actual personnel costs are invoiced to the City on a quarterly basis. It is these actual costs that will be shared amongst all three jurisdictions on a quarterly basis.

The proposed cooperative agreement states that the City of Moreno Valley is in the process of converting both aerial ladder truck companies from providing basic life support medical care to providing advance life support medical care. This is due primarily to the heavy call volume for medical aids experienced at Fire Stations 2, 6, and 65 with an ever increasing call volume at Fire Station 91. As both Truck 2 and 91 provide only basic life support care, they are unable to provide advance life support care if they are the first arriving unit to an emergency call for service. Currently, advance life support care is delayed until either a paramedic assessment fire engine or AMR arrives on scene.

The Fire Department is proposing to convert both basic life support (BLS) aerial ladder trucks to advance life support (ALS) aerial ladder trucks utilizing a portion of the $234,785 in increased annual savings that this new agreement will provide to the City's

general fund. A BLS truck is typically staffed 7 days a week, 24 hours a day, by one Fire Captain, one Fire Apparatus Engineer, and two Firefighter II's, which requires a standard staffing level of three Fire Captains, three Fire Apparatus Engineers, and six Firefighter II's. An ALS truck would be staffed daily by one Fire Captain, one Fire Apparatus Engineer, one Firefighter II Paramedic, and one Firefighter II, and would require a standard staffing level of three Fire Captains, three Fire Apparatus Engineers, three Firefighter II Paramedics, and three Firefighter II's. The cost difference per aerial ladder truck to upgrade to advance life support personnel is $64,639 for a total of $129,278. However, with this new agreement, the actual cost to the City would be $81,166 as three of the Firefighter II Paramedics would be cost shared with the City of Perris and County of Riverside. Utilizing the savings mentioned above, the City's general fund would still realize a $153,619 savings with this conversion.

ALTERNATIVES

1. Approve a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside; and authorize the Fire Chief to implement the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks. ***Staff recommends this alternative.***

2. Do not approve a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside; and do not authorize the Fire Chief to implement the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks. ***Staff does not recommend this alternative.***

FISCAL IMPACT

Currently, the cost of personnel to staff one aerial ladder truck on Exhibit A provided to the City by the County of Riverside is $1,838,291. The County of Riverside funds $500,531 of this cost for the availability of both City owned aerial ladder truck companies to respond to the unincorporated areas of Riverside County with the City funding the remaining $1,337,760.

Jurisdiction	*Exhibit A Estimated Cost*
City of Moreno Valley	$1,337,760
County of Riverside	$500,531
Total	**$1,838,291**

Table 1: Current Cost Share Agreement with County of Riverside

This new Agreement will result in the City of Moreno Valley funding 60% of the total personnel costs associated with the aerial ladder truck which will be $1,102,975. The City of Perris will then fund 20% of the personnel costs ($367,658) and the County of Riverside will fund 20% of the personnel costs ($367,658) for a total savings to the City of $735,316. This is an increase of $234,785 over the current savings to the City.

Jurisdiction	Percentage	Exhibit A Estimated Cost
City of Moreno Valley	60%	$1,102,975
City of Perris	20%	$367,658
County of Riverside	20%	$367,658
	Total	**$1,838,291**

Table 2: Cost allocation of a basic life support aerial ladder truck

The cost of one Paramedic aerial ladder truck according to the Exhibit A provided to the City by the County of Riverside is $1,905,930, an increase in cost of $67,639 per aerial ladder truck. This increase would be allocated to all three jurisdictions for one aerial ladder truck. The following table shows the cost estimate for the cost share agreement when the conversion to an advance life support aerial ladder trucks occurs.

Jurisdiction	Percentage	Exhibit A Estimated Cost
City of Moreno Valley	60%	$1,143,558
City of Perris	20%	$381,186
County of Riverside	20%	$381,186
	Total	**$1,905,930**

Table 3: Cost allocation of an advance life support aerial ladder truck

The City's cost for the one ALS ladder truck that is part of the cost share agreement will increase by $40,583; however, the City will also see an increase in payment from the City of Perris and the County of Riverside totaling $27,056, for a net increase to the City of $13,527. The City would be solely responsible for the costs associated with the ALS conversion of the second aerial truck which is $67,639. The total cost to the City for converting both aerial ladder truck companies to paramedic staffing is $81,166. As the City will already be receiving an additional savings of $234,785 to the general fund, this cost could be deducted from that savings, resulting in a net savings to the general fund of $153,619 for this new cooperative agreement and the cost to upgrade to two paramedic aerial ladder trucks.

Description	Amount
Current Contract Savings to the City	$500,531
Cooperative Agreement Savings to the City	$735,316
Increase in savings to General Fund	**$234,785**
Actual Staffing Cost to City for converting both Aerial Ladder Truck to Paramedic Staffing	$81,166
Net Savings to General Fund	**$153,619**

Table 4: Summary of Savings to the City's General Fund

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

SUMMARY

A cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside will be beneficial to the City as it will result in an increase of savings to the City's general fund of $234,785. This savings can then be utilized to cover the $81,166 staffing cost that the City will incur when converting two basic life support aerial ladder trucks to advance life support aerial ladder trucks. The City will still realize a savings of $153,619 to its general fund and receive an upgrade to the level of emergency medical services provided to its citizens.

ATTACHMENTS/EXHIBITS

Attachment A: Cooperative Agreement for the Cost Share of Aerial Ladder Truck Personnel Between the City of Moreno Valley, The City of Perris, and the County of Riverside

Prepared By:
Cynthia Owens
Management Assistant

Department Head Approval:
Abdul Ahmad
Fire Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

COOPERATIVE AGREEMENT FOR THE COST SHARE OF AERIAL LADDER TRUCK PERSONNEL BETWEEN THE CITY OF MORENO VALLEY, THE CITY OF PERRIS, AND THE COUNTY OF RIVERSIDE

This Agreement is made and entered into by and between the City of Moreno Valley, the City of Perris, and the County of Riverside, California on this _____ day of _____, 2012. The purpose of the Agreement is to set forth the parties' understanding of and responsibilities for the cost sharing of aerial ladder truck personnel, consisting of three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside. The total cost of these twelve (12) positions, including the associated administrative charges, will be apportioned amongst all three (3) jurisdictions with the City of Moreno Valley funding 60% of the total personnel costs, the City of Perris funding 20% of the total personnel costs, and the County of Riverside funding 20% of the total personnel costs.

All parties acknowledge that the City of Moreno Valley is in the process of converting both aerial ladder truck companies to Paramedic staffing, which will consist of (3) Fire Captains, three (3) Fire Apparatus Engineers, three (3) Firefighter II Paramedics, and three (3) Firefighter II's per truck company. The City of Perris and the County of Riverside will receive written notice sixty (60) days prior to the date of this implementation. When this occurs, the twelve (12) positions associated with this Agreement will be adjusted to (3) Fire Captains, three (3) Fire Apparatus Engineers, three (3) Firefighter II Paramedics, and three (3) Firefighter II's and will include the allocation of the associated administrative/operational per staff charge by the County of Riverside and the medic program per medic charge by the County of Riverside. The City of Moreno Valley will fund 60% of the total personnel costs, the City of Perris will fund 20% of the total personnel costs, and the County of Riverside will fund 20% of the total personnel costs of those twelve (12) positions.

SECTION I: PURPOSE

A. The County of Riverside has contracted with the City of Moreno Valley, individually pursuant to that certain Cooperative Agreement to provide fire protection, disaster preparedness and response, fire prevention, rescue, hazardous materials mitigation, technical rescue response, medical emergency services, and public service assists for the City of Moreno Valley, dated November 23, 2009, by and between the City of Moreno Valley and the County of Riverside (the "Moreno Valley Cooperative Agreement").

B. The County of Riverside has contracted with the City of Perris, individually pursuant to that certain Cooperative Agreement to provide fire protection, disaster preparedness and response, fire prevention, rescue, hazardous materials mitigation, technical rescue response, medical emergency services, and public service assists for

the City of Perris, dated November 20, 2007, by and between the City of Perris and the County of Riverside (the "Perris Cooperative Agreement").

C. The City of Moreno Valley, City of Perris, and the County of Riverside desire to enter into a cost sharing agreement for the aerial ladder truck personnel which will be of mutual benefit for all involved agencies. The City of Moreno Valley, City of Perris, and the County of Riverside agree that the aerial ladder truck provides service to the City of Moreno Valley as well as to the City of Perris and unincorporated territory of the County of Riverside.

SECTION II: BACKGROUND

On January 17, 2003, the City of Moreno Valley, the City of Perris, and the County of Riverside entered into a cost share agreement for three (3) Fire Captains at Fire Station 91 due to the proximity of that Fire Station to the City of Perris and the unincorporated areas of Riverside County. The City of Perris terminated their participation in that agreement on January 20, 2005 as they were purchasing an aerial ladder truck and would provide their own aerial ladder truck services to citizens of Perris. In February 2006 the County of Riverside agreed to pay the full cost of three (3) Fire Captains in order to continue to receive the benefit of an aerial ladder truck for responses into the unincorporated areas of the County of Riverside that are adjacent to Moreno Valley.

In April 2012, the City of Perris contacted the City of Moreno Valley to re-enter into a cooperative, cost share agreement for aerial ladder truck services as the City of Perris was not able to staff their aerial ladder truck due to current economic conditions. Staff from the Moreno Valley Fire Department researched the calls for service for both Moreno Valley Fire Department aerial ladder trucks as well as examined the cost of associated with having an aerial ladder truck available to respond to calls in all three (3) jurisdictions to determine the actual cost of providing this service and to establish the appropriate share that each jurisdiction should be fiscally responsible for. After a thorough review of the available information, staff determined that the total personnel cost of one (1) aerial ladder truck, consisting of three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside should be cost shared amongst all three (3) jurisdictions, with the City of Moreno Valley funding 60% of the total personnel costs, the City of Perris funding 20% of the total personnel costs, and the County of Riverside funding 20% of the total personnel costs.

SECTION III: ROLES AND RESPONSIBILITIES

Upon adoption of this Agreement, the City of Perris and the County of Riverside each agree to pay the City of Moreno Valley 20% of the total personnel costs associated with one (1) aerial ladder truck, consisting three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside, for a total of 40% of the costs. The roles of each party are defined as follows:

A. As the lead agency, the City of Moreno Valley agrees to maintain a minimum daily staffing level of one (1) Fire Captain, (1) Fire Apparatus Engineer, and two (2) Firefighter II's, seven (7) days a week, twenty four (24) hours a day on the aerial ladder truck which requires a standard staffing level of three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's to provide this daily coverage. Currently, the City of Moreno Valley contracts with the County of Riverside for fire protection services and the County has the day-to-day operational responsibilities for fire services within the City which includes the administrative and operational function of the aerial ladder truck personnel.

B. The City of Perris agrees to fund 20% of the total personnel costs for one (1) aerial ladder truck, consisting of three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside. Personnel costs are identified annually in Exhibit A of the Fire Protection Services Agreement between the City of Moreno Valley and the County of Riverside. Actual costs for these positions will be invoiced by the County of Riverside to the City of Perris on a quarterly basis. The County of Riverside will then credit this amount in the quarterly invoice issued to the City of Moreno Valley.

C. The County of Riverside agrees to fund 20% of the total personnel costs for one (1) aerial ladder truck, consisting of three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside. Personnel costs are identified annually in Exhibit A of the Fire Protections Services Agreement between the City of Moreno Valley and the County of Riverside. The County of Riverside will invoice the City of Perris on a quarterly basis for 20% of the actual personnel costs associated with one (1) aerial ladder truck and credit that amount to the quarterly invoice issued to the City of Moreno Valley. The County of Riverside will credit their 20% of the actual personnel costs associated with one (1) aerial ladder truck to the quarterly invoice issued to the City of Moreno Valley.

SECTION IV: OWNERSHIP OF THE FIRE ENGINE

The City of Moreno Valley owns the aerial ladder truck and will pay the engine maintenance costs through the cost allocation plan.

SECTION V: INDEMNIFICATION

The indemnification provisions as provided in the respective Cooperative Agreements referenced above, as they are currently in effect or hereafter entered into, shall apply to this Agreement.

SECTION VI: INITIAL TERM AND RENEWAL

This Agreement shall be from July 1, 2012 through June 30, 2017. One (1) year prior to the end of this Agreement, the City of Moreno Valley will contact the City of Perris and the County of Riverside to determine whether the City of Perris and the County of Riverside intend to enter into a new agreement. Terms and conditions of the new agreement can be renegotiated at that time.

SECTION VII: GENERAL PROVISIONS

A. ALTERATION OF TERMS. No addition to, or alteration of, the terms of this Agreement, whether by written or verbal understanding of the City of Moreno Valley, City of Perris, the County of Riverside, their officers, agents, or employees, shall be valid unless made in the form of a written amendment to this Agreement, which is formally approved and executed by the City of Moreno Valley, City of Perris, and the County of Riverside.

B. JURISDICTION AND VENUE. This Agreement is to be construed under the laws of the State of California. The City of Moreno Valley, City of Perris, and the County of Riverside agree to the jurisdiction of the appropriate courts in the County of Riverside, State of California.

C. WAIVER. Any waiver by the City of Moreno Valley, City of Perris, or the County of Riverside, separately or collectively, of any breach of any one or more of the terms of this Agreement shall not be construed to be a waiver of any subsequent or other breach of the same or of any other term thereof. Failure on the part of the City of Moreno Valley, City of Perris, or the County of Riverside to require exact, full and complete compliance with any terms of this Agreement shall not be construed as in any manner changing the terms hereof, or estopping the City of Moreno Valley, City of Perris, or the County of Riverside from enforcement hereof.

D. SEVERABILITY. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

E. ADMINISTRATION

1. The COUNTY Fire Chief shall administer this Agreement on behalf of the County of Riverside.

2. The City of Moreno Valley and City of Perris respective City Managers shall administer this Agreement on behalf of its own City.

F. ENTIRE AGREEMENT.

This Agreement is intended by the City of Moreno Valley, City of Perris, and the County of Riverside hereto as a final expression of their understanding, with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith.

SECTION VIII: TERMINATION

Any party of this Agreement may terminate this Agreement by providing a written notice of termination to the other two parties of this Agreement no less than 365 days prior to July 1 each fiscal year. The termination of this Agreement by either the City of Perris or the County of Riverside only nullifies that jurisdiction's commitment to paying for their 20% allocation of the total personnel costs associated with one (1) aerial ladder truck. The City of Moreno Valley will then be responsible for that jurisdiction's cost. Termination notices will be mailed to all parties at the following addresses:

City of Moreno Valley	City of Perris	County of Riverside
P.O. Box 88005	101 N. D Street	4080 Lemon Street
Moreno Valley, CA 92552	Perris, CA 92570	Riverside, CA 92501
Attn: City Manager	Attn: City Manager	Attn: Chief Executive Officer

This Agreement does not affect any other agreements entered into by or among any or all parties for equipment or facilities.

IN WITNESS WHEREOF, the duly authorized officials of the parties hereto have, in their respective capacities, set their hands as of the date first hereinabove written.

///

///

///

[Signature Provisions on the following page]

Attachment "A"

CITY OF MORENO VALLEY

Dated_____

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

CITY OF PERRIS

Dated_____

By: _____

Title:_____

ATTEST:

By: _____

Title:_____

APPROVED AS TO FORM:

By: _____

Title:_____

Attachment "A"

COUNTY OF RIVERSIDE

Dated_____

By: _____

Title:_____

ATTEST:

By: _____

Title:_____

APPROVED AS TO FORM:

By: _____

Title:_____

Attachment “A”

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: June 26, 2012

TITLE: AUTHORIZATION TO AWARD PROFESSIONAL CONSULTANT SERVICES AGREEMENTS FOR BUILDING & SAFETY PLAN CHECK AND INSPECTION SERVICES TO MULTIPLE VENDORS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve a five year Independent Contractor Agreement with Willdan Engineering for Building & Safety Plan Check and Inspection Services;

2. Approve a five year Independent Contractor Agreement with Scott Fazekas & Associates for Building & Safety Plan Check and Inspection Services;

3. Approve a five year Independent Contractor Agreement with EsGil Corporation for Building & Safety Plan Check Services;

4. Authorize the City Manager to approve the annual purchase orders through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and

5. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to each vendor to cover the estimated costs for providing services for the Building & Safety Division for FY 2012/2013 and future years under the Agreement.

BACKGROUND

The Building & Safety Division has used contract services from private firms for over 14 years. Willdan and Melad Associates have been awarded independent contractor agreements to perform plan check and/or inspection services for the City's Building & Safety Division most recently from July 1, 2007 through June 30, 2012. The Building & Safety Division issued a Request for Proposal (RFP) for plan check and inspection services in April 2012 due to the upcoming expiration of the current contract. The RFP was posted on the City's website, advertised in the Press Enterprise and the current contractors were notified of the RFP. The RFP allowed companies to submit for both service areas or only a single service, either plan check or inspection services. All proposals were required to be submitted to the City by May 2.

DISCUSSION

In response to the City's RFP, proposals were received from the following eleven companies:

- Bureau Veritas
- California Code Check
- Esgil Corp (Plan Check only)
- Haier Consulting
- Interwest Consulting Group
- Krazan & Associates
- Melad & Associates
- Onward Engineering
- Scott Fazekas & Associates
- TYR Inc. (Inspection only)
- Willdan Engineering

Between May 7 and May 15, a team of evaluators consisting of the City's Fire Marshal, Land Development Division Manager, Building Inspector II and Building Official reviewed the proposals. Proposals were evaluated on multiple criteria utilizing a point system. The criteria included:

- The company's general experience and qualifications, including depth of staffing.
- The company's length of experience providing services to other local jurisdictions for similar types of projects.
- References from other Building Officials.
- Specialized staffing, such as Professional Civil and Structural Engineers, CasP Accessibility Specialists, Architects and other specialized experts.
- Ability to perform electronic plan review.
- The company's business model and project approach.

Each proposal was evaluated on its individual merit. At the end of the process, the top six companies were awarded points based on their ranking by each evaluator and the ranking from all four evaluators were averaged. Three firms were unanimously awarded the highest scores based on the criteria above.

The proposed contract shall be in effect through June 30, 2015 and then renewed per agreement by both parties in one year increments at the end of each fiscal year for a total period of five (5) years from the date of the agreement. The final year of the contract would be concurrent with the fiscal year ending June 30, 2017. Costs for all services conducted by the vendors will be recovered from the applicant per the City's fee schedule.

ALTERNATIVES

1. Approve a five year Independent Contractor Agreement with three companies for Plan Check and/or Inspection Services; authorize the City Manager to execute an Agreement with each company; authorize the City Manager to approve the annual purchase orders issued to each company and authorize the Purchasing & Facilities Division Manager to issue the purchase order to each company***. Due to the competitive selection process conducted by an inter-departmental evaluation team, the proposed action is believed to represent the highest level of service along with the best value for the City and therefore staff recommends this alternative.***

2. Do not approve a five year Independent Contractor Agreement with three companies for Plan Check and/or Inspection Services; do not authorize the City Manager to execute an Agreement with each company; do not authorize the City Manager to approve the annual purchase orders issued to each company and do not authorize the Purchasing & Facilities Division Manager to issue the purchase order to each company***. Staff does not recommend this alternative. There currently are no staffing positions authorized to provide plan check services for the Division and therefore a new budget appropriation and staffing authorization would be required. In addition, the City Council would need to provide funding to hire additional Building Inspectors to meet occasional workload within the Building & Safety Division to conduct inspections; or provide further direction to staff to obtain services by another means.***

FISCAL IMPACT

The approved budget for the Building & Safety Division (011.45130.6291) for contractual services for Fiscal Year 2012/13 is $ 320,000. Costs for plan check services conducted by outside companies are recovered from the applicant per the City's fee schedule. Costs associated with additional inspection services will be recovered from the issuance of Building Permits and/or payments for overtime or same day inspection services and Time and Material projects.

CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

SUMMARY

The Building & Safety Division issued a Request for Proposal for plan check and inspection services in April 2012 due to the upcoming expiration of the current contracts with two companies. An evaluation team consisting of the City's Fire Marshal, Building Official, Land Development Division Manager, and a Building Inspector II reviewed the eleven proposals submitted to the City and awarded the highest evaluation scores to three top firms. As such, staff is recommending that City Council award a five year Independent Contractor Agreement to each of three firms (Willdan Engineering, Scott Fazekas & Associates and EsGil Corp.) for plan check and/or building inspection services.

NOTIFICATION

Not Applicable

ATTACHMENTS/EXHIBITS

Attachment A: WILLDAN ENGINEERING - Independent Contractor Services Agreement and Proposal

Attachment B: SCOTT FAZEKAS & ASSOCIATES - Independent Contractor Services Agreement and Proposal

Attachment C: ESGIL CORPORATION - Independent Contractor Services Agreement and Proposal

Prepared By:
Anne Schneider, PE
Building Official

Department Head Approval:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Willdan Engineering
Address: 650 E. Hospitality Lane #400
City: San Bernardino State: CA Zip: 92408
Business Phone: (909) 386-0200 Fax No: (909) 888-5107
Other Contact Number: N/A
Business License Number: 19168
Federal Tax I.D. Number: 95-2295858

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. Payment terms are provided in Exhibit "B" attached hereto and incorporated herein by this reference.
C. The Contractor Starting Date is July 1, 2012 and the Contractor Ending Date is June 30, 2015. If mutually agreeable, the City and Contractor may extend this agreement in increments of one year, not to exceed a total contract period of five years. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

ATTACHMENT A

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's negligence, recklessness or willful misconduct in its performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all claims which arise from the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

☒ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by first class mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by first class mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Mayor

_____
Date

WILLDAN ENGINEERING

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

Exhibit A

MORENO VALLEY

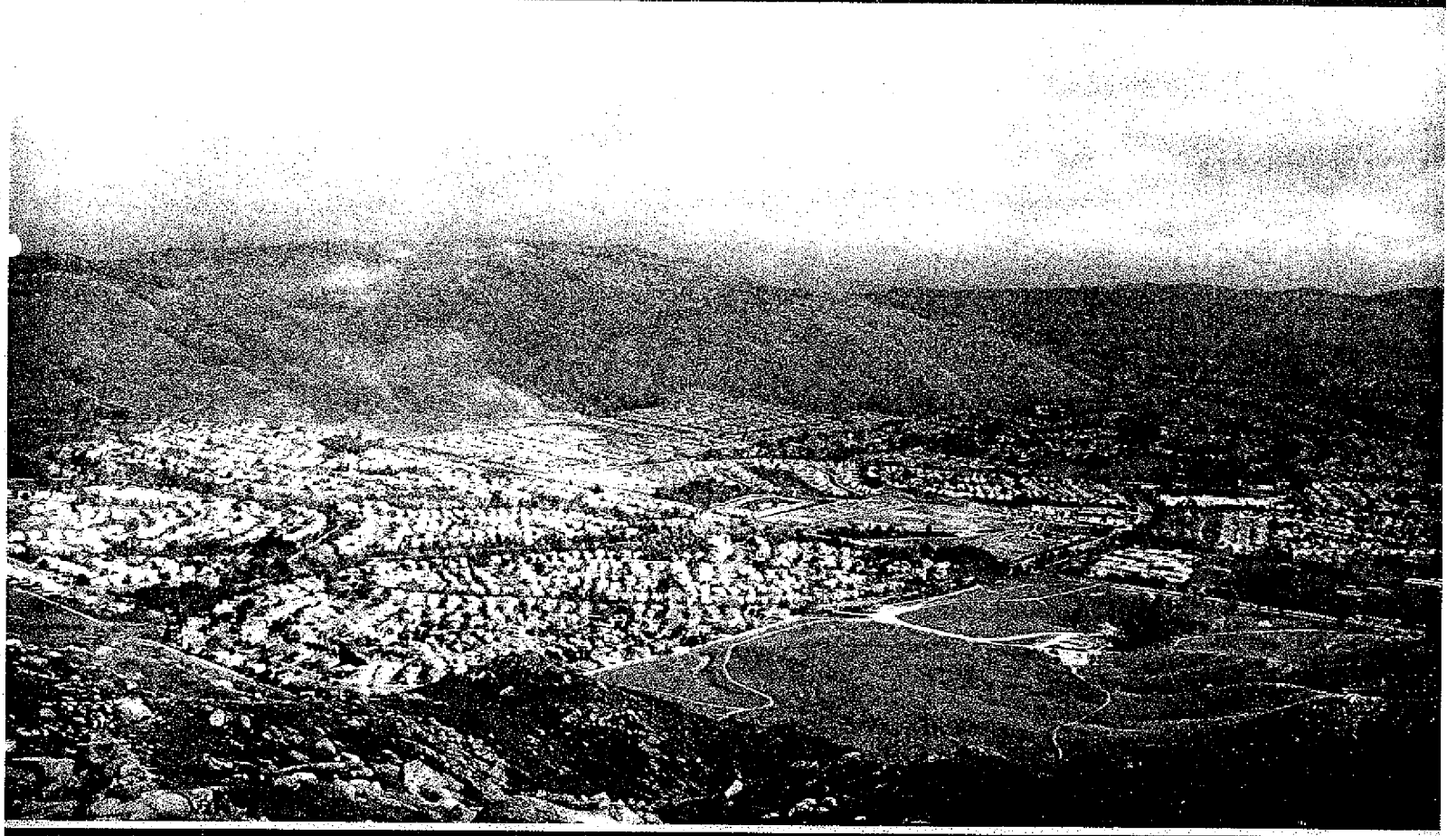

Proposal for

Building & Safety Plan Check and Inspection Consultant Services

RFP #VAG-11/12-09

May 2, 2012

Submitted by:

WILLDAN

WILLDAN Engineering

May 2, 2012

City of Moreno Valley
Attn: City Clerk
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

Subject: **Proposal to Provide Building and Safety Plan Check and Inspection Consultant Services - R.F.P.# VAG - 11/12-09**

Dear City Clerk:

Willdan Engineering is pleased to present this proposal to the **City of Moreno Valley** to continue to provide Building and Safety plan check and inspection services. Willdan has been a consistent industry leader for more than 47 years providing all aspects of municipal and infrastructure engineering, including building and safety, public works, public financing, planning, and construction management services.

While our exceptional services are presented in the proposal, listed below are reasons why Willdan is uniquely qualified to provide these services to the **City of Moreno Valley**.

- **Willdan Engineering** has been providing Building and Safety services to the City of Moreno Valley since 1998. Our staff has extensive experience working with the City's procedures and expectations.

- **Willdan Engineering** offers **electronic plan checking** which significantly expedites review and reduces shipping and printing costs for the applicant, and promotes a paperless environment.

- **Willdan Engineering** specializes in providing professional building, engineering, and planning services to municipalities. The firm has been providing building and safety services to cities and counties on a contract basis since 1979.

- **Willdan Engineering** presently provides building and safety services to a vast number of jurisdictions throughout Southern California. In this capacity, we provide a full range of services including building and safety plan review, permit issuance, inspection and code enforcement. We service client needs from an occasional overload plan review to staffing an entire Department.

- **Willdan Engineering** can provide CASp certified inspectors to the City as required by **Senate Bill No. 1608,** specifically **CHAPTER 549.**

- **Willdan Engineering** can provide **OSHPD 3** plan review and inspection services.

- **Willdan Engineering** offers all disciplines the City may require with on-staff personnel. No subconsultants will be needed for any required services.

- **Willdan Engineering** provides no private sector engineering services; therefore there is no conflict of interest.

- **Willdan Engineering** staff will be prepared to attend all required meetings at City Hall either the same day, or within 24 hours notice.

Our approach to each assignment is to furnish the client with technical assistance and strong project management in a professional, efficient and economical manner. We are looking forward to continuing to provide Building and Safety services to the **City of Moreno Valley.** This proposal shall remain valid for a period of ninety (90) days from date of submittal.

Respectfully submitted,
WILLDAN ENGINEERING

Ronald L. Espalin, PE
Director of Building and Safety

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Affidavit of Non-Conviction
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References
Letters of Recommendation
Signature Block
Addenda Acknowledgement

FIRM OVERVIEW/QUALIFICATIONS

WILLDAN ENGINEERING has dedicated itself to providing public agencies with reliable engineering and consulting services for more than 47 years. Combining depth of staffing, state-of-the-art technical resources, and local offices rooted in their communities, Willdan Engineering has earned its reputation as a problem solver across a wide range of client interests. We understand the concerns of government agencies – especially those of local government. Our company offers a broad scope of expertise that uniquely qualifies us to serve the needs of cities, counties, and special districts, as well as state and federal agencies.

Since 1964, **Willdan Engineering** has helped revolutionize the way consulting services are provided by local offices. Our regional and satellite offices are strategically located to offer local, focused service to the varied demographics of our public agency customers. Willdan Engineering's lean organization enables staff to efficiently communicate individual project challenges and goals company-wide, thereby utilizing all of Willdan Engineering's resources to deliver the highest quality and most cost-effective product.

WILLDAN ENGINEERING SERVICES

- Building and Safety
- City Engineering
- Capital Program Management
- Construction Management/Inspection
- Development Services/Plan Review
- Environmental/Planning
- Flood Control Design
- Landscape Architecture
- Pavement Management
- Structural Engineering
- Survey/Mapping
- Traffic Engineering
- Transportation Engineering
- Water/Wastewater

Willdan Engineering understands the unique nature of public agency needs and issues. In addition to many of our staff having served in management positions at public agencies prior to joining **Willdan Engineering**, we have numerous assignments with over 60% of the cities and counties in California for building officials, city engineers, planning directors, traffic engineers, and other public agency staff members.

Building and Safety Services

Willdan's experience and strength in building and safety encompasses the complete range of technical disciplines, including, building inspection, grading inspection, accessibility inspection, CASp services, building plan check, and fire-life safety. The inspection and plan check staff maintain current certifications and attends training on a regular basis, to stay current with industry technologies and standards. Specific certifications and education are delineated in staff resumes herein.

This, with our depth of experience, expertise, knowledge and resources, Willdan is able to offer practical solutions that are timely and cost effective, and that will meet the needs of the City of Moreno Valley. The diversity of Willdan's staffs' experience is an added value of our professional services to our clients.

Below is a chart detailing Willdan's Engineering staff by discipline:

California Registered Engineers		California Certified Plans Examiners/Inspectors/Planners	
DISCIPLINE	NUMBER	DISCIPLINE	NUMBER
Civil	56	Building	64
Structural	4	Plumbing	39
Fire Protection	1	Electrical	40
Architect	1	Mechanical	39
Electrical	1	Fire	4
Mechanical	2	Accessibility	58
Landscape Architect	3	Civil	55
Traffic	8	Planner	5

Willdan's corporate-wide capabilities include:

Engineering

- **Building and Safety**
- Disaster Recovery
- Landscape Architecture
- Planning
- Program/Construction Management
- Structural Design
- Survey/Mapping/GIS
- Traffic Design
- Transportation Design
- Water/Wastewater Design

Geotechnical

- Forensic Investigation
- Geotechnical/Foundation Testing/Inspection
- Materials Testing
- Seismic Hazard

Financial Services

- Arbitrage/Rebate
- Cost Allocation/ Study
- Development Fee Study
- Fiscal Impact Analysis
- Utility Rate Analysis

Homeland Solutions

- Infrastructure Protection
- Needs Assessment
- Large Event Security

Resource Solutions

- Environmental Assessment/Audit
- Munitions Investigation
- Soil/Groundwater Investigation

Energy Solutions

- Demand Side Energy Management
- Energy Efficiency
- Renewable Resources/Sustainability

SCOPE OF WORK

PLAN REVIEW SERVICES

Willdan Engineering presently provides Building and Safety services to a number of municipalities and jurisdictions throughout Northern and Southern California. In this capacity, we provide a full range of services including plan review, permit issuance, inspection, code enforcement, counter technician and Building Official services. We service client needs from an occasional overload plan review to staffing an entire Building Division. Willdan has gained a great deal of municipal insight and expertise in serving our extensive clientele over the years. We have performed plan review and inspection on projects ranging from single family residential additions to complex high rise towers (including hotels and casinos), medical facilities and industrial centers. Willdan's plans examiners are ICC certified plans examiners, licensed architects, and registered engineers.

Willdan's experience and strength in building and safety encompasses the complete range of technical disciplines, that is, structural engineering plan check, fire-life safety, electrical, plumbing and mechanical codes, the Title 24 codes, as well as local amendments to the adopted codes. We have extensive experience with the **California Green Building Standards Code.** Willdan staff attends classes and seminars on a regular basis to maintain an up-to-date comprehension of all code requirements.

All building plans will be examined for compliance with the adopted version of the California Building Code, California Residential Code, Green Building Standards Code, California Mechanical Code, California Plumbing Code, California Electrical Code, and the Accessibility, Noise and Energy Conservation requirements as mandated by State Title 24 and all applicable City Ordinances. Plan review for Disabled Access Compliance will include a review of precise grading plans.

All plan check will include compliance with code requirements as well as an overview of the application package for other applicable requirements such as approvals from other local agencies and districts. All plan review will comply with the City's directives, codes and policies. Plan check will include a review of any or all of the following design elements as determined by the City:

Architectural	**Residential**
Fire/Life-safety	**Electrical**
Plumbing	**Energy Conservation Regulations (Title 24)**
Mechanical	**Disabled Access Regulations (CBC)**
Structural	**Green Building Standards**

Willdan staff will either pick up the plans from the City, or have them overnighted to our office at no cost to the City. All plans will be returned to the City either by messenger or overnight delivery at no cost to the City.

Willdan will notify each applicant with two complete typewritten plan check letters which outline the documents reviewed, instructions to the applicant regarding the processing of documents, and a listing of plan check comments. The plan check comments will refer to appropriate sheets, details or calculation pages and the code section of concern. Comments shall specify the apparent code violation. At the City's discretion, plan check comments, plans and documents will be returned directly to the designers until such time as plans are approved.

Our plan checkers will schedule meetings during work hours to discuss and clarify plan check issues with designers, owners and contractors. Resolutions of code issues may also be accomplished by telephone, or meetings prior to resubmitting corrected plans and documents.

Turn-Around Schedule

Typical turn-around time for the initial plan check is eight to ten working days, three to five days for rechecks. This schedule is applicable for all types of construction and can be adjusted to serve the City in the most efficient manner. **Expedited plan check will be provided at the request of the City.**

TYPE OF PROJECT	INITIAL PLAN CHECK	SUBSEQUENT PLAN CHECKS
All residential and non-residential	Eight - ten working days	Three - five working days

ELECTRONIC PLAN REVIEW

Willdan has the ability to provide plan review services electronically, **at no additional cost to the City or applicants**. No additional computer software or hardware is required, only an Internet connection is necessary. Services are provided at the request of the applicant or the agency we serve. Submittals are accepted in PDF format. Willdan will review plans and can transmit the electronic redlined plans back to the applicant or designer as directed, electronically along with the plan review comment sheet.

This service allows for collaboration between the City, designer and plans examiner to facilitate a complete understanding of plan review comments and can reduce shipping, printing and time for plan review processing for the applicant. Below is an example of a redlined plan as reviewed in electronic format.

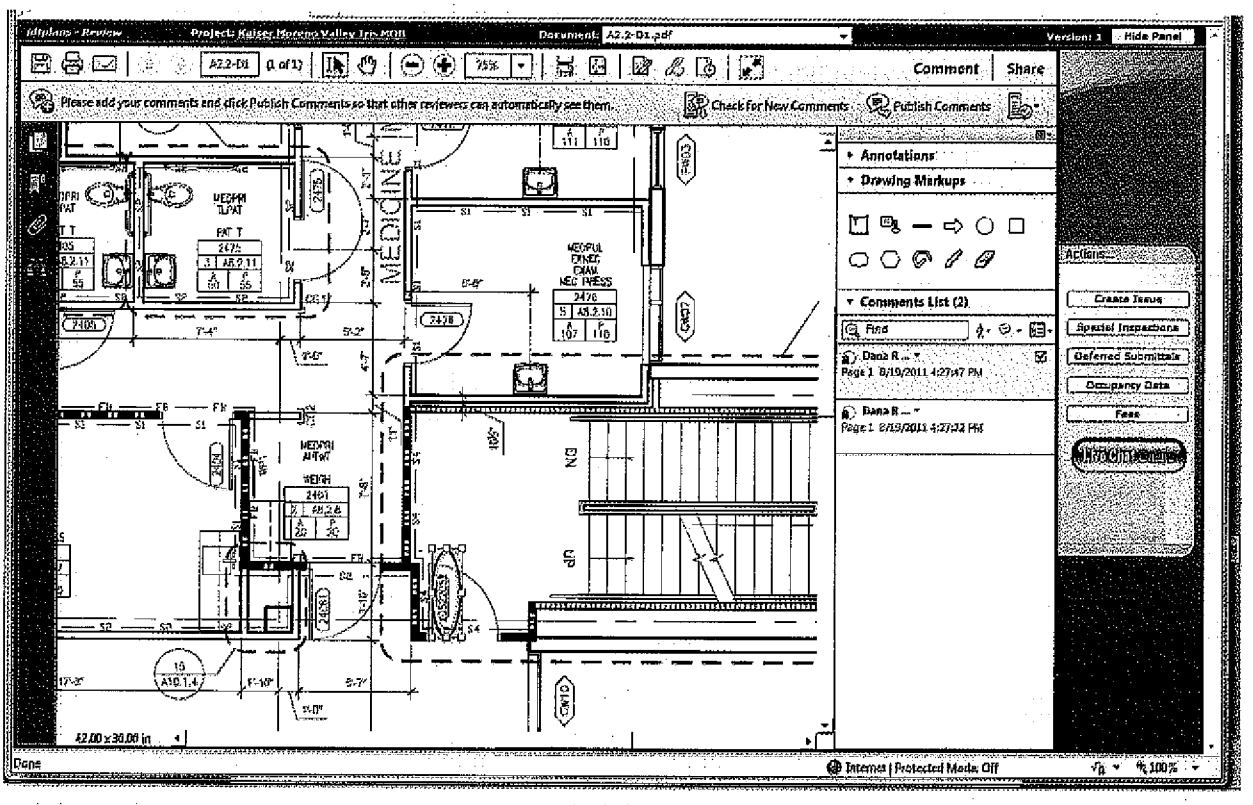

INSPECTION SERVICES

To supplement the current City building inspector on an as needed basis, Willdan can provide certified inspectors to perform building and safety inspections. Our inspectors are fully experienced to perform residential, commercial and industrial inspections for compliance to the approved plans and related documents. The inspections will be performed in accordance with the City's adopted version of the California Building Code, California Residential Code, Green Building Standards Code, California Mechanical Code, California Plumbing Code, California Electrical Code, and the State and Federal regulations for Accessibility, Noise and Energy Conservation.

Inspection staff will be available on a same-day or next-day basis, and will also be available to meet with City staff, builders, developers, and citizens to provide assistance and resolve any inspection issues that may arise.

Inspectors will review the permit package to verify that the on-site condition is consistent with the appropriate records for square footage, setbacks, heights, and other requirements that may be applicable. Inspectors will comply with the City's procedures for reporting inspection results, use City inspection correction forms, make appropriate entries onto the permit documents, and follow City procedures prior to finalizing a building permit.

Willdan will ensure all inspection records, including daily records of what was inspected which will be recorded on the job card, and permit copy entered into the City's Building and Safety Division computer system. We will employ such techniques as necessary to minimize delays to builders and provide helpful advice and counsel to builders, owners, engineers and architects as to enhance the orderly flow of the construction process, yet maintaining an effective level of enforcement.

CASp SERVICES

If required, Willdan can provide CASp certified inspectors to the City as required by **Senate Bill No. 1608,** specifically **CHAPTER 549** which reads as follows:

> *(d) (1) Commencing July 1, 2010, a local agency shall employ or retain at least one building inspector who is a certified access specialist. The certified access specialist shall provide consultation to the local agency, permit applicants, and members of the public on compliance with state construction-related accessibility standards with respect to inspections of a place of public accommodation that relate to permitting, plan checks, or new construction, including, but not limited to, inspections relating to tenant improvements that may impact access. If a local agency employs or retains two or more certified access specialists to comply with this subdivision, at least one-half of the certified access specialists shall be building inspectors who are certified access specialists.*

COUNTER SERVICES

On an as-needed basis, our designated permit technician or inspector will provide counter assistance, permitting and development activities, plan processing, public inquires and other services as needed which can include but is not limited to:

- ✓ Building permit processing and issuance
- ✓ Resolution of resident inquires, complaints
- ✓ Front counter support
- ✓ Plan review monitoring to ensure turnaround times and standards
- ✓ Process Public Records request
- ✓ Maintain records, prepare documents for storage and or imaging;

PERSONNEL

Mr. Patrick Johnson, PE, shall serve as ***Project Manager*** for plan review services. **Mr. James Barrett, CBO**, shall serve as **Project Manager** for inspection and counter services.

TEAM MEMBER	CERTIFICATIONS	TYPE OF WORK
PLAN REVIEW		
Patrick Johnson, PE **Plan Review** ***17 years experience***	California Professional Engineer, CE#6796 ICC Plans Examiner ICC Building Inspector	**Building plan review:** Structural, architectural, green building, plumbing, mechanical, electrical, energy, green building, accessibility.
Arne Lovnaseth, Architect **Plan Review** ***27 years experience***	California Licensed Architect, #C18833 ICC Plans Examiner	**Building plan review:** Architectural, plumbing, green building, mechanical, electrical, energy, green building, accessibility.
Dana Reed **Plan Review and CASp Inspection** ***30 years experience***	CASP Certified ICC Plans Examiner ICC Building Inspector ICC Combination Inspector ICC Electrical Inspector ICC Plumbing Inspector ICC Mechanical Inspector	**Building plan review:** Architectural, plumbing, green building, mechanical, electrical, energy, accessibility, green building, fire life-safety.
INSPECTION		
James Barrett **Inspection** ***28 years experience***	ICC Building Official ICC Building Inspector ICC Citrus Belt Chapter - President	**Building inspection:** Multi-story office buildings, educational facilities, medical research facilities, retail outlets, single-family and multi-family residential developments.
Leonard Patzer **Inspection** ***27 years experience***	OSHPD Class A ICC Commercial Electrical Inspector ICC Building Inspector ICBO Special Inspector (Structural Steel and Welding and Reinforced Concrete) American Welding Society Certified Welding Inspector American Concrete Institute Concrete Field Testing Technician	**Building inspection:** Multi-story office buildings, educational facilities, medical research facilities, medical dialysis facilities (OSHPD III), retail outlets, single-family and multi-family residential developments.

Resumes are located in the appendix.

ORGANIZATION CHART

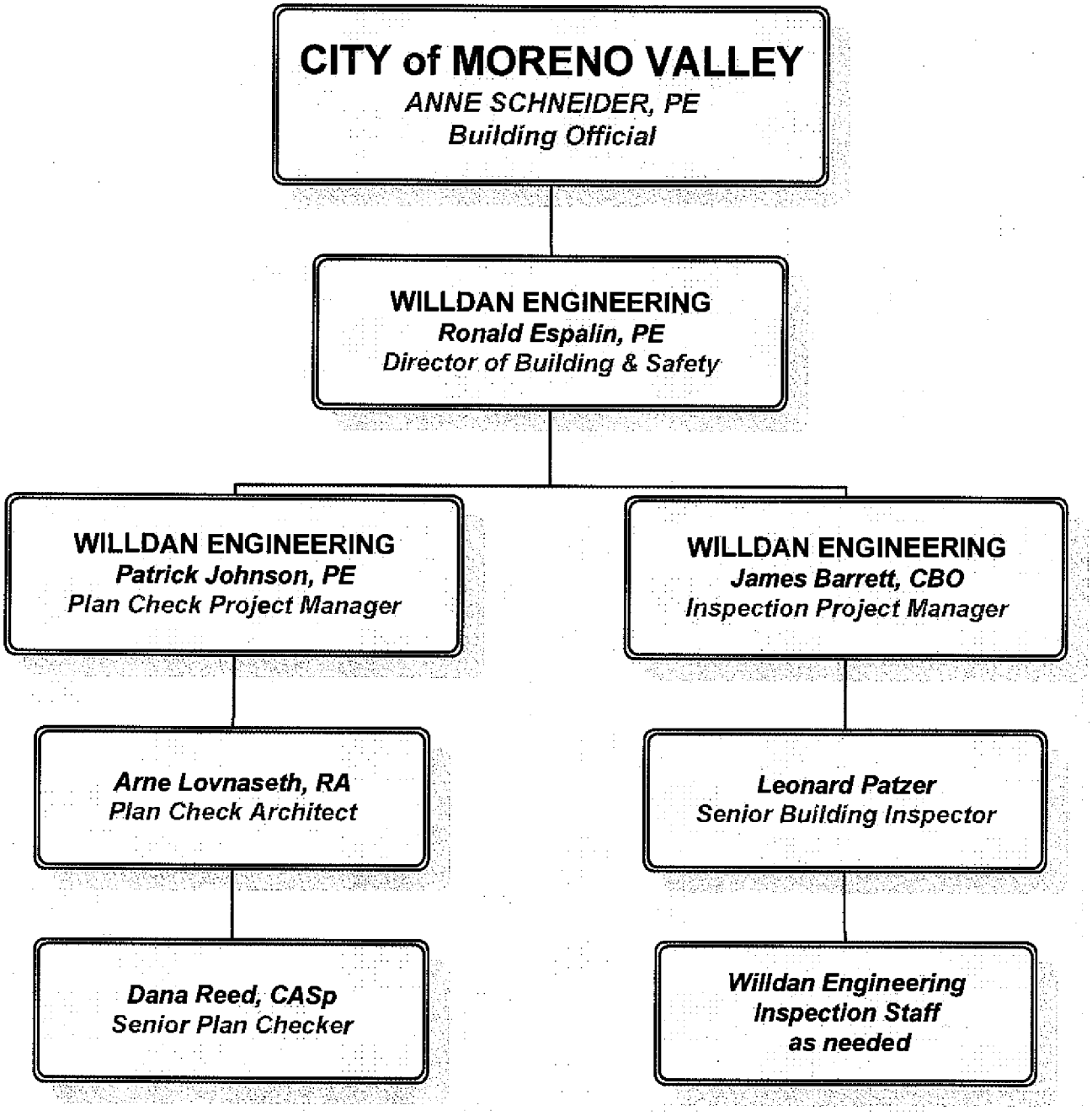

REFERENCES

Client: **City of Highland** **Service Dates:** 1987 - Present
Mr. John Jaquess, Community Development Director
27215 Baseline
Highland, CA 92346
909.864.2136

Services: Building and Safety plan check and inspection services. Grading and engineering improvement plan check and public works inspection services.

Client: **City of Grand Terrace** **Service Dates:** 2000 - Present
Mr. Richard Shields, Director of Building and Safety
22795 Barton Road
Grand Terrace, CA 92313
909.825.3825

Services: Building and Safety plan check and inspection services. Grading and engineering improvement plan check and public works inspection services.

Client: **City of Loma Linda** **Service Dates:** 1980 - Present
Mr. Konrad Bolowich, Community Development Director
25541 Barton Road
Loma Linda, CA 92354
909.799.2810

Services: Building and Safety plan check and inspection services. Building counter services. Grading and engineering improvement plan check and public works inspection services. Building official services.

Client: **City of Colton** **Service Dates:** 1995 - Present
Mr. Mark Tomich, Development Services Director
650 N. La Cadena Drive
Colton, CA 92324
909.370.5099

Services: Building and Safety plan check and inspection services. Building Official services.

Client: **March Joint Powers Authority** **Service Dates:** 1999 - Present
Mr. Dan Fairbanks, Director of Planning
23555 Meyer Drive
Riverside, CA 92518
951.656.7000

Services: Building and Safety plan check and inspection services. Building official services.

FEE SCHEDULE

Willdan proposes to provide plan review services for seventy-five percent (75%) of the fees collected by the City. **These fees exclude:**

- plan review for large projects with a valuation over $25 million
- revisions to previously approved plans
- single family dwellings
- miscellaneous plans
- room additions
- tenant improvements
- remodels

We propose plan review for these projects to be provided for an hourly rate of $125.

Hourly rates are as follows:

SERVICE PROVIDED	HOURLY RATE
Plan Review (non percent of fee)	$ 125
Project Meetings	$ 125
Inspection	$ 105
Counter Services	$ 60

APPENDIX

The following section contains:

- Resumes
- Non-Collusion Affidavit
- Affidavit of Non-Conviction
- Vendor Information
- References
- Letters of Recommendation
- Signature Block
- Addenda Acknowledgement

WILLDAN Engineering

PATRICK JOHNSON, PE

Plan Check Engineer

Education
University of Iowa, Iowa City, IA Bachelor and Science, Structural Engineering
California State Polytechnic University-Pomona Master of Engineering

Affiliations
ASCE (American Society of Civil Engineers)

Registrations
California Professional Engineer, CE#67960
Arizona Professional Engineer, CE#50435
Colorado Professional Engineer, CE#43704
ICC Plans Examiner, 5280450-60
ICC Building Inspector, 5280450-10

18 Years Experience

Mr. Johnson, a registered Civil Engineer in California, Arizona, Nevada, and Colorado is a Plan Check Engineer for the San Bernardino Office. Patrick has more than 18 years experience in the construction and engineering field. He has more than six years plan check experience with Willdan, and is responsible for structural plan review.

Mr. Johnson's primary focus has been on structural engineering of lightweight commercial, industrial, and residential structures. Since employed with Willdan, he has attended a number of code enforcement and seismic application seminars and has received his Master of Engineering degree, specializing in Structures, from California State Polytechnic University. His extensive experience includes plan checking numerous projects that vary in size and complexity.

Mr. Johnson's previous engineering experience includes the position of a Design Engineer with KLP Consulting Engineers of Centennial, Colorado. In this capacity, he specialized in the design of lightweight commercial, multi and single-family housing. At times he would be called out to the field as a forensic engineer to justify the probable cause of structural damages caused by expansive soils. Mr. Johnson also has engineering experience in the design of variety of transportation projects including single and multi-span bridges, pedestrian tunnels, retaining walls, and concrete box culverts.

Other than residential and commercial timber framed structures, Mr. Johnson has plan checked several tilt up warehouse buildings that range in size up to 2.3 million square feet. He has also plan checked numerous structures consisting of braced and moment frames for lateral resistance, prestressed concrete structures, and multi-story buildings up to 6 stories in height.

Relevant Project Experience

PLAN CHECK

- Morongo Band of Mission Indians - Administration Building
- March Joint Powers Authority - Fresh and Easy Food Processing Facility
- California State University, San Bernardino - Education Building
- City of Moreno Valley - Skechers Warehouse
- City of Fontana - Kaiser Administration Building

WILLDAN Engineering

ARNE LOVNASETH, RA

Plan Check Architect

Education

Cal Poly Pomona, Bachelor of Science, Bachelor of Architecture

Professional Registrations

California Licensed Architect, #C18833

I.C.C. Plans Examiner #0877794-B3

26 Years Experience

Mr. Arne Lovnaseth, a registered Architect in California, is a Plan Check Architect for the San Bernardino Office. He has 26 years experience in the construction field specializing in design work and plans examining. As a 1983 and 2001 graduate of Cal Poly Pomona his primary focus has been on architectural design of lightweight commercial and residential structures. He has attended a number of code enforcement seminars and currently is compiling a NCARB record for certification nationwide. He has extensive experience in ADA compliance.

During his tenure with Willdan, Mr. Lovnaseth has provided Counter Plan Review services to the City of Redlands, City of Colton, and the March Joint Powers Authority, a redevelopment agency located at March Air Force Base.

Recent plan review projects include:

- **March JPA** - Sysco, 500,000 sq.ft. food processing facility.
- **March JPA** - Fresh & Easy Processing facilities 800,000 sq. ft. complex.
- **City of Loma Linda** - Church addition, 30,000 sq.ft.
- **Moreno Valley** - Chili's Restaurant, 10,000 sq.ft.

Other projects include single and multi-family homes, industrial buildings, commercial warehouses, restaurants, fitness centers, motels, medical facilities and numerous tenant improvements.

Mr. Lovnaseth's previous architectural and plan checking experience includes the position of Senior Plans Examiner for a large Inland Empire City for more than five years. In this capacity, he specialized in the plan checking of lightweight commercial, multi and single-family housing. He supervised a staff of 5 plans examiners and permit technicians, issuing over 3,000 building permits a year.

Prior experience includes project manager at John McInnes Architect in Laguna Beach for five years and job captain at Sumich Design in San Juan Capistrano for eight years.

WILLDAN Engineering

DANA REED

Senior Plans Examiner/Deputy Building Official

Education
Riverside Community College
Construction Technology

Affiliations
International Conference of Building Officials
International Association of Electrical Inspectors
International Association of Plumbing and Mechanical Officials

Registration
Certified Access Specialist CASp-#287
FFPA Plan Check Certificate
DSA – Fire Life Safety Plans Examiner Certificate
ICC Certified Building Inspector, #37018
ICC Certified Plans Examiner, #75985
ICC Certified Combination Inspector, #99561
ICC Certified Electrical Inspector, #87340
ICC Certified Plumbing Inspector, #97093
ICC Certified Mechanical Inspector, #90760

30 Years Experience

Mr. Reed is a Senior Plans Examiner/Deputy Building Official for Willdan's San Bernardino Regional Office. He has more than 30 years of plan review, inspection and construction experience. His extensive experience includes plan review of numerous projects in compliance with the California Building, Plumbing, Mechanical, Electrical, and Fire Codes. Also review of projects under ADA, OSHPD, and Titles 19 & 25.

Examples of recent projects include:

PLAN CHECK

- Barona Casino, valuation $63,000,000
- San Manuel Casino, valuation $45,106,000
- Morongo Casino, valuation $250,000,000
- California State University Student Housing, valuation $7,000,000
- Walgreens Distribution Center, valuation $18,500,000

PLAN CHECK - OSPD III

- Kaiser Support Building, 49,650 SF
- Surgical Center, 6500 SF
- Medical Clinic, 12,000 SF

PLAN CHECK (Fire Review)

- Morongo Casino (alarm system)
- Buena Vista Casino
- Lowes
- Hampton Inn
- Wal-Mart
- San Manuel Village

INSPECTION

- New 100,000 square foot Mercedes-Benz dealership
- New 115,000 square foot K-Mart store
- New 5,000 square foot California Pizza Kitchen

Prior to joining Willdan, Mr. Reed's extensive experience includes plan checking and inspecting industrial and commercial buildings and reviewing plans for compliance with the applicable codes, state and local requirements.

Mr. Reed served the County of Riverside as a plans examiner for the Building Department and as a building inspector for the Cities of Mission Viejo and Laguna Niguel. In this capacity, he reviewed plans for compliance with County and City ordinances, State requirements and codes; he assisted with permit issuance at the public counter, answered technical questions from design professionals and the general public.

WILLDAN Engineering

JAMES BARRETT, CBO

Project Manager II

Education

Riverside Community College, Riverside, CA
Construction Technology Certificate

National Education Corporation, Glendale, AZ
Architectural Drafting Certificate

Mt. San Jacinto Community College, San Jacinto, CA
Courses in engineering and architecture

Registrations

International Code Council (ICC)
Certified Building Official
Certified Building Inspector

Affiliations

California Building Officials, Green Building Committee 08-09
California Building Officials
Certified Disaster Response Team Member
Past President ICC Citrus Belt Chapter
Hazardous Materials HAZWOPR Certificate
Asbestos Supervisor Certificate
State of California

25 years Experience

Mr. Barrett serves as building inspection manager for the San Bernardino Office. In this capacity, he supervises the Building and Safety Inspection Group and oversees in-house counter technicians. Mr. Barrett has extensive experience in building and safety inspection, code enforcement and plan checking responsibilities. His vast experience includes plan check and inspection of medical research facilities, multi-story office buildings, educational facilities, parking structures, retail outlets, single-family and multi-family residential developments.

Mr. Barrett, a Certified Building Official, has been responsible for complete building and safety operations, that is, front counter operations, permit issuance, plan check, field inspection, and permit coordination with other municipal departments and agencies. His plans examining expertise includes complete fire-life safety building code enforcement, model codes in plumbing, mechanical and electrical as well as the California Building Standard, Title 24 Energy Standards and Accessibility, and ADA requirements. Currently he performs these responsibilities for the City of Loma Linda and the City of Colton.

Relevant Project Experience

City of Colton – Interim Building Official – Oversee city staff, review policy's, provide customer assistance at the counter, prepare monthly reports and perform inspections

City of Loma Linda, Deputy Building Official – Responsible for the day to day building and safety operations, oversee inspection and counter staff provide customer service at the public counter and perform inspections. Also provided inspection management and supervision for various projects including the following:

- Loma Linda University, Centennial Complex, a 150,000 square foot 4 story state of the art medical training facility.
- Loma Linda Academy, gymnasium and education complex.
- Loma Linda University Church Expansion and Renovation

City of Calimesa, Deputy Building Official – over see counter and inspection staff.

City of Canyon Lake, Deputy Building Official - over see counter and inspection staff.

March Joint Powers Authority, Deputy Building Official – Provide inspection management and supervision for various large projects including the following:

- DHL Distribution Center
- Fresh and Easy Food Processing and Distribution Center
- Two Sisters Food Group, Food Processing and Distribution Center
- March Global Port Jet "A" Fuel Farm

Morongo Band of Mission Indians, Project/Inspection Manager – Provided inspection management for the following projects

- 28 story hotel tower and Casino Resort
- Arrowhead Bottling Plant, Morongo Band of Mission Indians
- Administration and Cultural Center

California Energy Commission, Project/Inspection Manager

- Indigo Energy Facility/Wild Flower Energy 135 mega watt peaker power plant, North Palm Springs
- Alliance Colton, Two 40 mega watt peaker plants

Prior to joining Willdan, Mr. Barrett served as Building Official/Code Enforcement Manager for the City of Banning. In this capacity, he was responsible for the daily operations and supervision of the Building and Code Enforcement Division. He also served as the Chief Plan Checker and Building Abatement Officer and contract administrator for Animal Control services.

MV00167083

LEONARD PATZER

Sr. Building Inspector

Education

East Los Angeles College
A.S., Real Estate
Orange Coast College
Weld Technology Units
Wilrick Institute of Technology
Special Inspector

Registrations

OSHPD Class A # A-20182
ICC Commercial Electrical Inspector
ICC Certified Building Inspector
ICBO Certified Special Inspector (Structural Steel and Welding and Reinforced Concrete)
American Welding Society Certified Welding Inspector
American Concrete Institute Concrete Field Testing Technician

26 years Experience

Mr. Patzer, OSHPD and Building Inspector in our San Bernardino Office, has over twenty years of Building and Safety inspection experience. Extensive building inspections include public buildings, commercial and retail construction, medical and educational facilities, single-family dwellings, and multi-family developments. He coordinates with plan check staff, other municipal departments and agencies at the permit issuance stage and when finalizing permits. Most recently he served as an I.O.R for the Casino Morongo Co-Gen Plant, multi level parking structure, high rise hotel tower and casino and the San Manuel Casino, central plant, and multi level parking structure.

Prior to joining Willdan, Mr. Patzer served as Lead Inspector for an engineering firm located in Spring Valley, California. In this capacity, he supervised three inspectors and performed welding and high strength bolt inspection in the field and in the shop. Special projects included the Rancho Los Amigos Hospital in Downey, Riverside County Regional Medical Center, White Memorial Medical Center Market Creek Plaza and Courtyard by Marriot Hotel located in San Diego.

Specific Project Experience

Morongo Band of Mission Indians- Mr. Patzer as Sr. Building Inspector served as an I.O.R. on this project. It consisted of a 29 story hotel tower, 5 level parking structure, 500,000 square foot casino and a 16 delta mega watt co-gen plant.

San Manuel Band of Mission Indians- Mr. Patzer as a Sr. Building Inspector served as an I.O.R. on this project. It consisted of a Casino, a 7 level parking structure and a central plant.

City of Indian Wells- As a Sr. Inspector Mr. Patzer provided all of the California Building Codes inspections for this project. The project was a 6 story addition to the Hilton Grand Champions Resort and Conference Center. He was responsible for ensuring all construction including but not limited to structural, electrical, mechanical and plumbing met the California Codes and approved plans.

City of Fontana- As a Sr. Inspector Mr. Patzer provided supervision of 3 contract inspectors in the City of Fontana. Inspections were performed under the provisions of the California Building Codes. Specifically, Mr. Patzer performed all of the inspections for 3, one million square foot warehouses. Each with a electric service of 1200 AMPS.

Various Special Inspector Assignments- Mr. Patzer performed the Welding and High Strength Bolt Inspections for the following projects: Rancho Los Amigos Hospital in Downey, Riverside County Regional Medical Center, White Memorial Medical Center.

NON-COLLUSION AFFIDAVIT

STATE OF CALIFORNIA)
) SS
COUNTY OF)

(NAME) Ronald L. Espalin, affiant being first duly sworn, deposes and says:

That he or she is Director of Building and Safety of
(sole owner, partner or other proper title)
Willdan Engineering the party making the foregoing Proposal
(Contractor)
that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the Contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company associations, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid (Public Contract Code Section 7106).

Proposer's Name: Ronald L. Espalin
(print)
Proposer's Address: 650 Hospitality Lane, Suite 400, San Bernardino, CA 92408
(print)

Telephone No.: 909-386-0200

Ronald L. Espalin
(Signature of Proposer) 4/30/2012

Director of Building and Safety
(Title)

All signatures must be notarized.

Attach Notary here.

JURAT

State of California

County of San Bernardino

Subscribed and sworn to (or affirmed) before me on this 30th day of April,

20 12 by Ronald L. Espalin,

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Noelia Barajas

(Notary seal)

NOELIA BARAJAS
Commission # 1839289
Notary Public - California
San Bernardino County
My Comm. Expires Mar 2, 2013

OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Non-Collusion Affidavit

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 04/30/12

(Additional information)

INSTRUCTIONS FOR COMPLETING THIS FORM

The wording of all Jurats completed in California after January 1, 2008 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one which does contain proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
  - Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document

AFFIDAVIT OF NON-CONVICTION

I hereby affirm that:

I am the Director of Building and Safety and the duly authorized
(Title)

Representative of the firm of: **Willdan Engineering**
(Name of Corporation)

Whose address is: 650 Hospitality Lane, Suite 400, San Bernardino, California 92408

And that

I possess the legal authority to make this affidavit on behalf of myself and the firm for which I am acting.

Except as described in paragraph 3 below, neither I nor the above firm, nor to the best of my knowledge, and of its officers, directors, or partners, or any of its employees directory involved in obtaining Contracts with the City have been convicted of, or have plead ***nolo contendere*** to a charge of, or having during the course of an official investigation or other proceeding admitted in writing or under oath acts or omissions which constitute bribery, attempted bribery, or conspiracy to bride under the laws of any State of the Federal government (conduct prior to July 1, 1977 is not required to be reported).

State "none" or, as appropriate, list any convection, plea or admission described in paragraph two above, with the data, court, official, or administrative body; the individuals involved and their position with the firm, and sentence or disposition, if any.

I acknowledge that this affidavit is required to allow the City to make a determination. I acknowledge that, if the representations set forth in the affidavit are not true and correct, the City may terminate ant Contract awarded and may take any other action.

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.

Signature: Ronald L. Espalin Date: May 1, 2012

Printed Name Ronald L. Espalin, PE Title: Director of Building and Safety

Name of firm: Willdan Engineering

VENDOR INFORMATION

A. PROPOSERS COMPANY INFORMATION **(print or type)**

Company Name: **Willdan Engineering**

Owner / Manager Name: Ronald L. Espalin

PO Mailing Address: 650 Hospitality Lane, Suite 400

City: San Bernardino State CA Zip 92408

Remit to Address (if different from PO mailing address)

City: _____ State _____ Zip _____

Web Site: www.willdan.com

Phone Number: 909-386-0200

Fax Number: 909-888-5107

E-mail Address: respalin@willdan.com

Incorporated? (mark one) Yes X or No ___

Fed. Tax I.D. # or Social # 95-2295858

If not a Corporation, are you a Partnership, LLC, Individual or Joint Venture? _____

How many years of relevant experience within the scope of this RFP? 34

I certify that the information given above is accurate and complete; that the Terms and Conditions as issued by the City of Moreno Valley with this Request for Proposal # VAG-11/12-04 have been fully read, understood, and accepted in total; and that I am a duly authorized agent for quoting purposes for the company named above.

Ronald L. Espalin, PE	Director of Building and Safety
(Print Quoting Persons Name)	(Title)
Ronald L. Espalin	May 1, 2012
(Quoting Persons Signature)	(Date)

REFERENCES

List three (3) references that most closely reflect similar projects and work that your company has worked on within the past five (5) years for a Public or Governmental Agency. **(Type or Print)**

1. Name of Public Agency: **City of Highland**

   Address: 27215 Baseline

   City: Highland State: CA Zip: 92346

   Contact: Mr. John Jaquess Title: Community Development Director

   Telephone: (909) 864-2136 Email: jjaquess@cityofhighland.org

   Service Dates: 1987 - Present

   Brief Summary of Project/Work provided:

   Building and Safety plan check and inspection services. Grading and engineering improvement plan check and public works inspection services.

2. Name of Public Agency: **City of Grand Terrace**

   Address: 22795 Barton Road

   City: Grand Terrace State: CA Zip: 92313

   Contact: Mr. Rich Shields Title: Director of Building & Safety

   Telephone: (909) 825-3825 Email: rshields@cityofgrandterrace.org

   Service Dates: 2000 - Present

   Brief Summary of Project/Work provided:

   Building and Safety plan check and inspection services. Grading and engineering improvement plan check and public works inspection services.

3. Name of Public Agency: **City of Loma Linda**

Address: 25541 Barton Road

City: Loma Linda State: CA Zip: 92354

Contact: Mr. Konrad Bolowich Title: Community Development Dir.

Telephone: (909) 799-2810 Email: kbolowich@lomalinda-ca.gov

Service Dates: 1980 - Present

Brief Summary of Project/Work provided:

Building and Safety plan check and inspection services. Building counter services. Building Official services. Grading and engineering improvement plan check and public works inspection services.

DEPARTMENT OF
BUILDING & SAFETY,
PUBLIC WORKS
AND HOUSING

22795 Barton Road
Suite B
Grand Terrace
California 92313-5295
Civic Center
(909) 825-3825
Fax (909) 825-7506

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

To Whom It May Concern:

Willdan has been providing plan check and inspection services for Building and Safety and Public Works in the City of Grand Terrace for over 12 years. In addition to these services, Willdan is the City Engineer. Their highly qualified staff, attention to detail for all projects, and their unfailing customer service has been a great asset to the City. We consider Willdan as our extended staff and not our consultant.

Personally, I have had the pleasure of working with Willdan not only in the City of Grand Terrace, but also during my tenure as Building Official for the City of Highland.

I highly recommend Willdan to provide Building and Safety services to the City of Moreno Valley. Please feel free to contact me if you would like to discuss their qualifications further.

Sincerely,

Richard Shields, CBO
Director of Building and Safety/Public Works

City of HIGHLAND Inc. 1987

27215 Base Line
Highland, CA 92346
(909) 864-6861
(909) 862-3180 FAX
www.cityofhighland.org

City Council

Mayor
Larry McCallon

Mayor Pro Tem
Penny Lilburn

Sam J. Racadio
Jody Scott
John P. Timmer

City Manager
Joseph A. Hughes

April 25, 2012

Willdan Engineers
650 Hospitality Land Ste 400
San Bernardino, CA 92408

Re: Letter of Recommendation

To Whom It May Concern:

I would like to take this opportunity to offer a formal recommendation for Willdan Engineering. As the Building Official of the City of Highland I have worked with the Willdan staff on various projects.

Willdan has been the City of Highland's contract Building Division plans reviewer/ inspector services provider since the City incorporated in 1987. Besides providing additional staff, as needed, to assist the Planning and Engineering Department staff on various projects over the years, Willdan developed and implemented the plan review service for the City of Highland Fire Prevention Division in approximately 2004 and has provided Deputy Fire Marshall/Fire inspection services for the last six years.

I have found the Willdan Staff to be well very knowledgeable on the recent code developments and always helpful when problems arise. Construction plans have been reviewed in a consistent timely manner and their staff is dedicated to work with the City's needs.

I believe that Willdan Engineering exhibits many of the qualities that are essential to assisting the city with its continued development, and would highly recommend them for assisting in your city's needs.

Respectfully,

Dale Everman, CBO
Building Official
City of Highland

City of Loma Linda

25541 Barton Road, Loma Linda, CA 92354 ☎ (909) 799-2830 🖷 (909) 799-2894

Community Development Department

April 25, 2012

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Reference: Building Services – Reference Letter

It is with great pleasure that I recommend Willdan for consideration in providing Building and Safety Services. Willdan has provided the City of Loma Linda building related services since 1980. Detailed below are the services that Willdan provides to the City of Loma Linda:

- Building Plan Check Services both non-structural and structural services.
- Building Inspection Services
- On-Call Building Services including weekends and holidays
- Building Official and Special/Safety Inspection Services
- Public Works Inspection
- Grading and Engineering Improvements Plan Check Services

We have found that contracting these services to be advantageous and that Willdan is competitive and fare in the pricing of those services.

I have also found the Willdan team to be very flexible and accommodating in meeting the need of the client/city and provide efficient and professional services. Willdan, as a company, has the history and staffing to provide governmental contract services. Should you have any questions, please feel free to contact me at (909) 799-2895.

Sincerely,

Konrad Bolowich
Assistant City Manager
City of Loma Linda

Cc:
Willdan
Ron Espalin, Vice President
650 Hospitality Lane, Suite 400
San Bernardino, CA 92408

Insert fee proposal here and include signature page of similar information

Company Name: **Willdan Engineering**
(print)

Authorized Signer: Ronald L. Espalin, PE
(print)

Signature: Date: May 1, 2012

ADDENDA ACKNOWLEDGMENT

The undersigned acknowledges receipt of the following ADDENDA and the cost, if any, or such revision has been included in the TOTAL BID of the Bidding Schedule(s). If NONE, WRITE "NONE" ON THE FIRST LINE.

Addendum No.: 1 Dated April 24, 2012

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Company Name: **Willdan Engineering**

Address: 650 Hospitality Lane, Suite 400, San Bernardino, CA 92408

Telephone No.: 909-386-0200

Email Address: respalin@willdan.com

By: Ronald L. Espalin, PE
(print)

Signature: Ronald L. Espalin Date: May 1, 2012

MV00167095

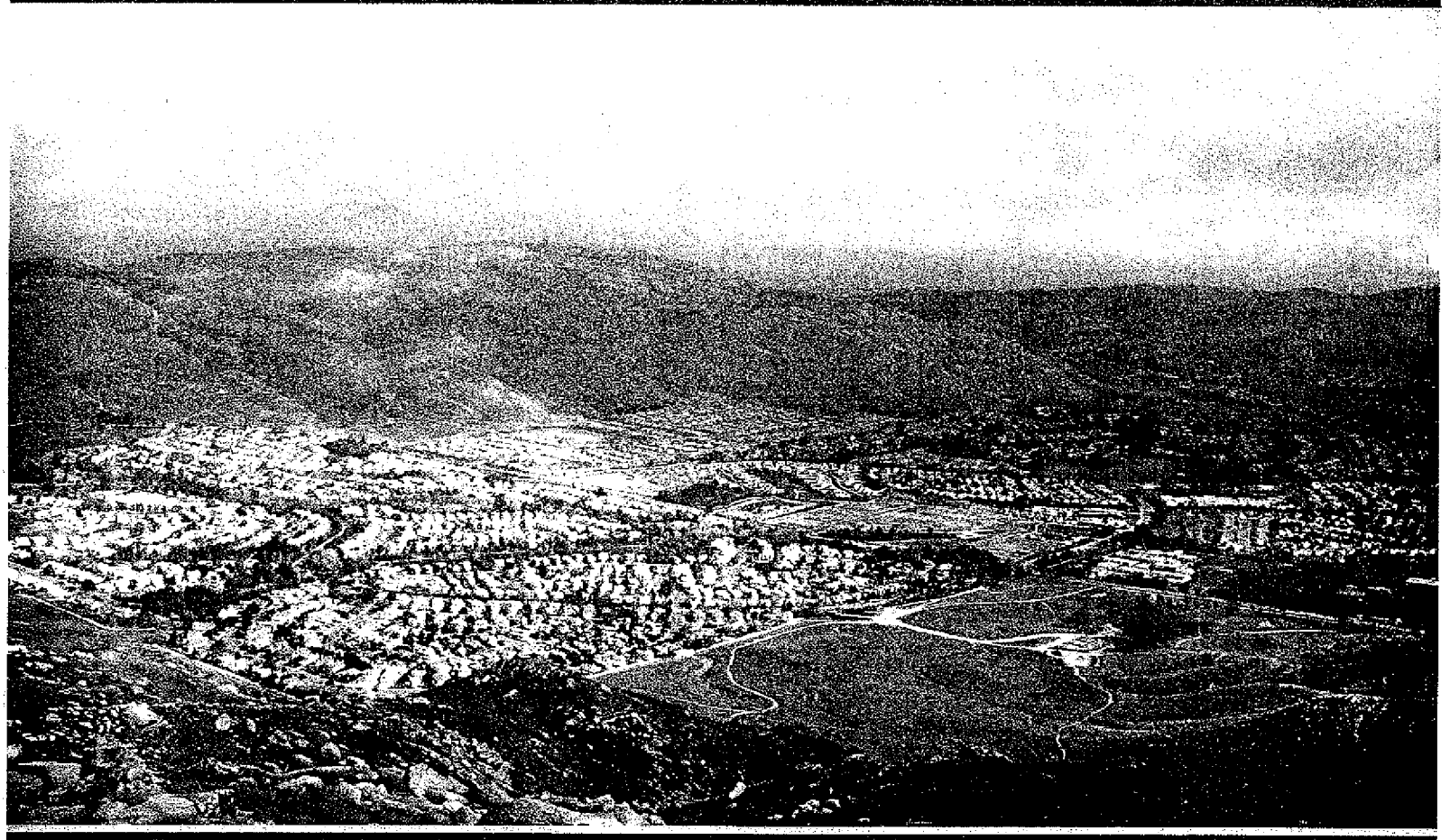

WILLDAN

650 E. Hospitality Lane, Suite 400
San Bernardino, California 92408-3317
T 909.386.0200 | F 909.888.5107
www.willdan.com

EXHIBIT B

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $800,000 per fiscal year.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the City as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Community & Economic Development Department at susanc@moval.org or calls directed to (951) 413-3350.

3. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

4. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)

E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Scott Fazekas & Associates, Inc.
Address: 9 Corporate Park, Suite #200
City: Irvine State: CA Zip: 92606-5173
Business Phone: (949) 475-2901 Fax No: (949) 475-2560
Other Contact Number: _____
Business License Number: TBD
Federal Tax I.D. Number: 33-0711166

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. Payment terms are provided in Exhibit "B" attached hereto and incorporated herein by this reference.
C. The Contractor Starting Date is July 1, 2012 and the Contractor Ending Date is June 30, 2015. If mutually agreeable, the City and Contractor may extend this agreement in increments of one year, not to exceed a total contract period of five years. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's negligence, recklessness or willful misconduct in its performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all claims which arise from the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

☒ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, em ployees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Mo reno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, em ployees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be am ended to reduce the required insurance lim its and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the even t the insurance is canceled, the Contractor shall, prior to the cancellation date, subm it to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the cour se of perform ing or otherwise as a result of its work, shall becom e the sole property of the City unless exp licitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, docum ents, and specifications, produced by the Contractor in perform ance of this Agreement. The City and the Contractor agree that to the ex tent permitted by law, until f inal approval by the City, all data shall be trea ted as confidential and will not be rele ased to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreem ent constitutes the entire ag reement between the parties. There are no understandings, agreem ents, or representations of warranties, expressed o r implied, not specif ied in this Agreem ent. This Agreement applies only to the current proposal as attached. This Agreem ent may be modified or amended only by a subsequent written Agreement signed by both parties. Assignm ent of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of term ination. Upon receip t of such notice, the Contractor m ay continue work through the date of termination, provided that no w ork or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to serv ices performed by t he Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Mayor

_____
Date

Scott Fazekas & Associates, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

Exhibit A

PROPOSAL
for
Building & Safety Plan Check & Inspection Consultant Services R.F.P. VAG 11/12-09

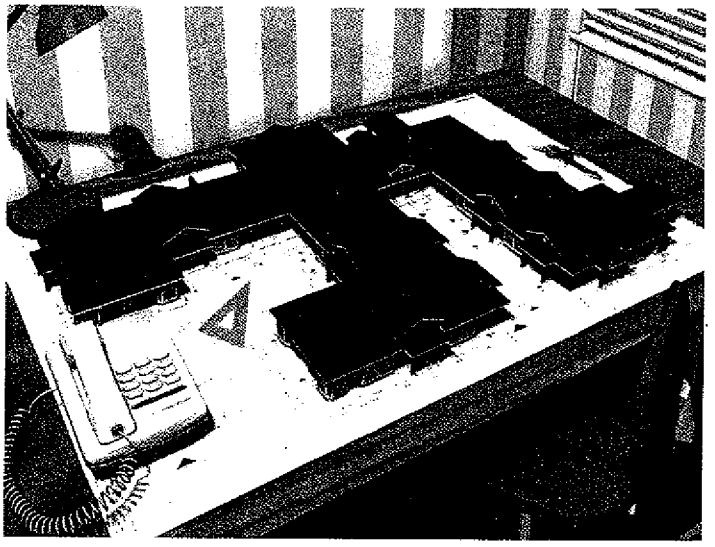

Submitted by

Scott Fazekas & Associates, Inc.

May 2, 2012

SFA

Scott Fazekas & Associates, Inc.

SFA Scott Fazekas & Associates, Inc.
Building Safety for Government

May 2, 2012

City of Moreno Valley
Attn: City Clerk
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE: Proposal for Building & Safety Plan Check & Inspection Consultant Services R.F.P. VAG 11/12-09

Dear City Clerk:

SCOTT FAZEKAS & ASSOCIATES, INC. (SFA) appreciates being considered to provide Plan Review and Inspection Services, as needed, to the City of Moreno Valley. We understand the specific needs of the City and will be able to offer services which are tailored to those needs.

Some of the key features of SFA are as follows:

- Exclusively serving governmental agencies and provides no building design to avoid conflict of interest.
- Excellent staff with municipal experience and public relations skills.
- Strong internal organizational systems and policies to facilitate timely and professional services.
- Excellent references from clients and applicants.
- Questionnaires sent to every applicant to determine satisfaction level enabling refinement of services.
- Timely turnaround.
- Principal of SFA participation in hands-on plan review.
- Internal forms, policies and procedures to achieve tailored services to meet the exact needs of the City.

Credentials include: Structural Engineers, Civil Engineers, Architects, Certified Plans Examiners, Certified Building Inspectors, Certified Building Officials, Fire Protection Engineers, LEED Accredited Professionals and CASp Certification.

I hope the enclosed information is found to be concise and informative. Should additional information be desired in a given area, I would be pleased to provide it. I will look forward to hearing from you to further discuss how Scott Fazekas & Associates, Inc. can serve the City of Moreno Valley.

Sincerely,
SCOTT FAZEKAS & ASSOCIATES, INC.

Scott R. Fazekas, President, AIA, NCARB, CBO, LEED AP, CASp
9 Corporate Park, Suite 200, Irvine, CA 92606
(949) 475-2901, FAX (949) 475-2560
sfairvine@aol.com

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Section - 1 - Introduction

KEY AGENCY NEEDS

The entire Proposal addresses all the components that as a whole make SFA a high quality solution to the City's needs. Some of the following are highlights which we feel are specifically germane to the RFP.

- **Exclusively serving municipalities** for zero conflict of interest.
- **Fast turnaround times:** Ten (10) working days for initial review; Five (5) working days for rechecks. Seven (7) working days for accelerated reviews.
- **Competitive fees.**
- **Experience of individual plan check staff** in this field.
- **Municipal experience** in building departments and familiarity with all internal & external agency and division needs.
- **Excellent references** by numerous municipalities.
- **E-mail of correction lists** to City for timely communication.
- **Electronic Plan Review** option for plan submittals.
- **Quality Control** measures practiced to insure a quality work product.
-

SFA incorporates several internal procedures which will: **1)** insure better communication with our client agencies and the applicants; **2)** achieve plan reviews which are more consistent with the specific policies and needs of our clients; and **3)** enhance internal organization and processing.

ABOUT THE COMPANY

Scott Fazekas & Associates, Inc. (SFA) is a California Corporation founded by Scott Fazekas in June 1996. It was formed to offer building safety services and as-needed staffing exclusively to governmental agencies. Mr. Fazekas started and managed identical services for a consulting firm over the 11 years prior to forming SFA, with 12 years of prior municipal building safety experience as a City employee.

All of SFA's plan check staff are licensed Structural or Civil Engineers which allows SFA the ability to assign the challenging structural projects to any one of our engineering staff. This expertise allows SFA the ability to balance out workloads and meet obligations without overloading any one engineer.

SFA does not perform any work for the private sector so no conflict of interest can result during our tenure, allowing SFA staff to maintain objectivity in the enforcement of regulations.

SFA's office location is: 9 Corporate Park, Suite 200
Irvine, CA 92606
(949) 475-2901, FAX (949) 475-2560
sfairvine@aol.com

Section 2 - Scope of Services

The following is the itemized Scope of Services which SFA's staff is prepared to provide for the City of Moreno Valley. All are expected to be performed as part of this Proposal. The Scope of Services and the manner in which they are performed will be in accordance with the specific requirements of the City's program.

- Review of plans for compliance with the applicable model codes, local ordinances amending those codes and consistent with local policies and interpretations.
- Prepare written corrections and copy the City on all corrections, if requested.
- Recheck and approval of the final plans after all corrections have been incorporated in the plans and forward to the City with all necessary documents.

SFA has met and frequently exceeds the deadlines of our client agencies. The best reference of SFA's ability to provide the required services in a timely manner is illustrated in our track record which can be supported by our client reference list.

PROJECT MANAGER-LIAISON

SFA recognizes the need to assure an adequate level of commitment by key personnel. SFA will commit the President, Scott Fazekas, as the Project Manager who will see to the proper function of the building plan review process and will also be personally involved in performing services. He will serve as an extension of the City staff, fully capable of providing the necessary services as determined by the City. SFA's availability to the City staff is an essential ingredient. Prompt information on job status will be provided whenever requested.

SFA will also maintain continual documentation and updated information on the status of all plans being processed. Any inquiries regarding the status of plans which have been forwarded to SFA for review can be directed to us to avoid unnecessary research and phone time by City staff. If desired by the City, SFA will copy the City on all correction notices.

BUILDING PLAN REVIEW

Plan Reviews will incorporate the following scope of regulations: Building, Residential, Plumbing, Mechanical, Electrical, Accessibility, Energy and CalGreen Codes.

SFA has LEED accredidation, CBIG Certification and CASp Certifications which may have value to the City.

INSPECTION SERVICES

SFA proposes to suggest a unique method of staffing inspection services. It is more likely aligned with the current economic times and the needs of the City, offering cost savings over traditional consulting services.

Section 2 - Scope of Services

SFA proposes to utilize a sub-consultant staffing agency which will payroll the employees. There are two options which are available to the City.

Option 1

SFA would work with the City to select employees that would meet the qualifications, full or part-time hours and salary range based on the City's needs. We would direct the sub-consultant Apple One Staffing Services to employ them for the City. SFA would invoice the City under SFA's Agreement.

Option 2

Similar to Option 1, however, SFA would not use the staffing company as a sub-consultant. Instead, the staffing service organization would employ the individual selected directly to the City. This saves the City a sub-consultant mark-up by SFA.

Selection of the employee would be by the City. SFA could assist the City in locating candidates or the staffing service organization can provide staff for a cost.

The rates based on multipliers times payroll rate for both of these options are shown in the Fee Proposal Section.

INTERNAL POLICIES AND PROCEDURES OF SFA

Office Hours

SFA's office hours are between 8:00 a.m. and 5:00 p.m. Monday through Friday during which time SFA staff will be available for communication directly with the applicants.

Agency Information Sheet

This form is designed as a starting point for the plan checker to review prior to commencing each project. It serves as a summary of items which may be unique or exclusive to each client such as ordinance amendments, special policies or interpretations, plan routing preferences, contact person(s) in agency, etc. . . This form is often backed up with other documents such as general notes, ordinances, agency checklists or guidelines. This form can easily be updated at any time by simply calling SFA.

Plan Transmittal

SFA will use our U.P.S. or OnTrack account which is paid for and made available for use by City staff for plan delivery purposes. Pre-labeled mail bags are also provided so dispatching plans to SFA is simple and convenient..

When plans are completed they are stamped on every page, signed and forwarded by U.P.S. or courier with a transmittal form directly to the City. The plan transmittal procedure used by SFA eliminates the possibility of the plans being tampered with when being forwarded for permit issuance.

Computer Plan Check Log

Internal tracking is accomplished by a sophisticated computer software that allows for daily tracking of status of each and every plan check and also gives SFA the workload of each engineer. Incoming and outgoing plans are logged into the computer daily which allows us to know the status of a project immediately. This program allows SFA to quickly answer applicants who call wanting to know plan check status of projects. Many other reports are also available and utilized by many of our clients. Reports that show the client all active plans for their City and the status of each can be printed on a weekly basis to show the client the activity of their projects. Weekly status reports are also printed for internal tracking of performance on turnaround times.

Additionally, SFA has a Daily Scheduling Report which monitors each plan checker's workload and plan review due dates. This is an essential ingredient in meeting our turnaround times.

Section 3 - Methodology/Approach

Correction Lists

The plan review staff have a variety of correction lists, supplemental lists and guidelines for use as deemed appropriate on each individual project. Should the City require use of their standard correction lists, SFA can easily accommodate this by maintaining copies in our Agency Correction List File and referencing their use on our Agency Information Sheet which all plan check staff reference at the beginning of each review. Two copies of the correction lists are developed and attached to the plans along with a transmittal form.

When plans are completed, they are stamped on every page, signed and forwarded by U.P.S., OnTrack or courier with a transmittal form directly to the City. The plan transmittal procedure used by SFA eliminates the possibility of the plans being tampered with when being forwarded for permit issuance.

A list of all required plan corrections will be typed on SFA's Correction Lists and will be submitted to the City.

Transmittal Form

SFA's Transmittal Form is tailored for use specifically with building plan checks. Besides serving to document enclosures, it serves as a good communication tool to alert the permit technician of a number of things which are critical at the permit issuance stage. Some examples are: **1)** when special inspection is required; **2)** when another agency approval is necessary; **3)** if the building official was involved in an interpretation and should be given a chance to review the project; and **4)** if additional review fees are due as well as a number of other topics.

Questionnaire

SFA sends a Questionnaire to each applicant with the initial plan check comments for optional use after the plans are approved. This insures that the designer who worked with SFA is given the opportunity to comment. This helps by soliciting feedback on the services provided by SFA customers of the building departments which are entrusted to SFA. The comments received are forwarded to the client agency. This process makes the plan checker aware that the company values a professional attitude, sends a message to applicants that we care about providing professional services, and lastly, it informs the client agency about the service level SFA is providing.

SFA's goal is to provide consistent, timely and professional services geared to the needs of each client agency. We want to be considered an extension of your agency's staff; not providing generic services but services which are an integral component with our client's departmental operations. A copy follows in the Appendix.

Section 3 - Methodology/Approach

Timely Performance

SFA will strive to maintain efficient turnaround times on all reviews since this is largely a measurement of our performance. It is one of the categories on our questionnaire which is given to our applicants. **The maximum turnaround time for initial reviews will be ten (10)) working days.** Extremely large or complex structures would be as agreed upon with the City's Building Official in advance. **Rechecks will be done within five (5)working days. Accelerated plans will be reviewed in seven (7) working days.**

Every effort will be made to accommodate any fast track plan check schedules that might come about in the City. Special scheduling needs or provides of unique scope would be as agreed upon with the City. SFA prides ourselves on meeting the needs of our client agencies.

SFA will accommodate preliminary reviews to facilitate more on-track projects at the time of the formal submittal for plan check when requested by the City staff. This will aid in timely turnaround times as well as good public relations.

Quality Control

Quality control is achieved through implementation of internal policies and a philosophy which produces a work product that is recognized as professional, consistent, service-oriented, technically accurate, and tailored to each client agency's needs. In addition to our listed policies and procedures, SFA has instituted four internal practices: **1)** Regular staff meetings with all plan check staff; **2)** Applicant Questionnaires on all projects to monitor service level, **3)** Tracking of turnaround time reports, **4)** Employ a philosophy of retaining experienced staff and 5) Attendance at seminars as needed.

Conflict of Interest

Reputation of the City's consultant reflects upon the City. In addition to technical and administrative quality, the perception that the consultant is objective and free from any conflict of interest is critical. Not only does SFA decline doing any private work within the jurisdiction of the City of Moreno Valley, but we decline private, non-municipal work anywhere. Additionally, even our plan check staff are prohibited from doing any work outside of their employment with SFA that could cause a conflict of interest.

Interaction with Applicants

To summarize, SFA's approach involves courtesy, responsiveness, communication, technical thoroughness, convenience and follow-up on service level.

Section 4 - Qualifications/Experience

PERSONNEL QUALIFICATIONS

Principal
Scott R. Fazekas, President, SFA
Registered Architect, CA, C-019013, NCARB, Colorado, Nevada
28 years managing municipal building safety consulting services
40years working in building safety divisions
Certified Building Official, I.C.C.
Certified Plans Examiner, I.C.C./Calbo
Certified Building Inspector, I.C.C./Calbo
LEED AP
Certified Access Specialist, CASp

Mr. Fazekas as President of SFA is authorized to bind the company to the terms and conditions contained in this Proposal and states that the terms are valid for 90 days from the date submitted.

Associates
Ganesh Rao, Plan Check Engineer
Registered Structural Engineer, CA, S-4471
10 Years Design Experience
16 Years Plan Review Experience

Vic Penera, Plan Check Engineer
Registered Structural Engineer, CA, S-2083
Certified Plans Examiner, I.C.B.O.
24 Years Municipal Safety Departments
15 Years Private Municipal Consulting

Brett Archibald, Plan Check Engineer
Registered Civil Engineer, CA
Certified Plans Examiner, I.C.C.
Bachelor of Science in Civil Engineering, SDSU
Build It Green Certification, CA
Certified Access Specialist, CASp

Peter Tang, Plan Check Engineer
Registered Professional Engineer, CA

Russ Helmick, Electrical Plans Examiner
He worked as Chief Electrical Inspector with the City of Irvine and now works for SFA. Russ also serves on NFPA code development and has taught electrical classes nationally for both NFPA and local ICC chapters.

CITY OF MORENO VALLEY
PLAN CHECK & INSPECTION SERVICES RFP #VAG=11/12-09
ORGANIZATION CHART

SCOTT FAZEKAS, AIA, CBO
LEED AP, CASP
PRESIDENT

VICTOR PENERA, Licensed Structural Engineer

GANESH RAO, Licensed Structural Engineer
Certified Plans Examiner

PETER TANG
Licensed Civil Engineer

BRETT ARCHIBALD, Licensed Civil Engineer
Certified Plans Examiner

RUSSELL HELMICH, Electrical

Section 4 - Qualifications/Experience

SFA'S EXPERIENCE

SFA currently provides building safety services for the following jurisdictions:

Anaheim	Indian Wells	Santa Rosa	San Dimas
Arcadia	Garden Grove	Norwalk	San Fernando
Beaumont	Huntington Beach	Ontario	Santa Ana
Cathedral City	Irvine	Palm Desert	
Corona	Laguna Woods	Pasadena	
Costa Mesa	Lake Elsinore	Perris	
Pico Rivera	La Habra Heights	Rancho Palos Verdes	

SFA has performed tens of thousands of plan reviews which have included every type of construction and occupancy group in the building spectrum. We have also encountered many unique administrative policies and processes in working with the building officials in our client jurisdictions which may have arisen due to tight project scheduling, application of alternate design methods or simply due to unique project characteristics. If additional information on plan check references is desired, SFA will be glad to accommodate such a request

Section 5 - Proposed Fee

SFA proposes to charge for plan check at a rate based on the percentage of the plan check fee collected by the City and on an hourly basis for services not subject to the Fee Schedule.

1. Fees for plan check are proposed at 50% of the City's plan check fees. For tracts, a rate of 80% of the City's plan check fee is proposed.

2. An hourly rate of $110 is proposed for projects which are selected for the City's large projects program, currently defined as those exceeding 25 million and offered only to select clients.

3. Hourly plan check fees not otherwise covered by the City's Fee Schedule are proposed at $110.00.

4. Expedited reviews, when requested by the City are proposed at 125% of the regular rate.

SFA proposes to charge for inspectors as follows:

Option 1

Full-time employee with benefits billed through SFA's Agreement would be payroll times 1.81.

Option 2

Full-time employee with benefits billed directly from the staffing service payroll times 1.45.

For example, a $25.00/hour employee would be charged at $45.25 and $36.25 for Options 1 and 2, respectively.

These rates are based on the Staffing Service not being required to find and select the employee and would be contingent upon the City finding and selecting the employee.

If the Staffing Service is requested to find the employees, rates of 1.94 and 1.55 would be charged, respectively.

NON-COLLUSION AFFIDAVIT

STATE OF CALIFORNIA)
) SS
COUNTY OF Orange)

(NAME) Scott Fazekas, President, affiant being first duly sworn, deposes and says:

That he or she is sole owner of
(sole owner, partner or other proper title)
Scott Fazekas & Associates, Inc. the party making the foregoing Proposal
(Contractor)
that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the Contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company associations, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid (Public Contract Code Section 7106).

Proposer's Name: Scott Fazekas & Associates, Inc.
(print)
Proposer's Address: 9 Corporate Park, S-200
(print)
Irvine, CA 92606

Telephone No.: (949) 475-2901

(Signature of Proposer) President
(Title)

All signatures must be notarized.

Attach Notary here.

YOUNG SUK KIM
COMM. # 1941607
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
MY COMM. EXP. JUNE 16, 2015

State of California County of Orange
Subscribed and sworn to (or affirmed) before me on this 30th day of April, 2012, by Scott Fazekas
~~personally known~~ or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.
Notary's Signature Young Suk Kim

AFFIDAVIT OF NON-CONVICTION

I hereby affirm that:

I am the President (Title) and the duly authorized

Representative of the firm of: Scott Fazekas & Associates, Inc. (Name of Corporation)

Whose address is: 9 Corporate Park, S-200
Irvine, CA 92606 And that

I possess the legal authority to make this affidavit on behalf of myself and the firm for which I am acting.

Except as described in paragraph 3 below, neither I nor the above firm, nor to the best of my knowledge, and of its officers, directors, or partners, or any of its employees directory involved in obtaining Contracts with the City have been convicted of, or have plead ***nolo contendere*** to a charge of, or having during the course of an official investigation or other proceeding admitted in writing or under oath acts or omissions which constitute bribery, attempted bribery, or conspiracy to bride under the laws of any State of the Federal government (conduct prior to July 1, 1977 is not required to be reported).

State "none" or, as appropriate, list any convection, plea or admission described in paragraph two above, with the data, court, official, or administrative body; the individuals involved and their position with the firm, and sentence or disposition, if any.

I acknowledge that this affidavit is required to allow the City to make a determination. I acknowledge that, if the representations set forth in the affidavit are not true and correct, the City may terminate ant Contract awarded and may take any other action.

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.

Signature: [signature] Date: 4/30/12

Printed Name Scott R. Fazekas Title: President

Name of firm: Scott Fazekas & Associates, Inc.

VENDOR INFORMATION

A. PROPOSERS COMPANY INFORMATION (print or type)

Company Name: Scott Fazekas & Associates, Inc.

Owner / Manager Name: Scott R. Fazekas

PO Mailing Address: 9 Corporate Park, S-200

City: Irvine State CA Zip 92606

Remit to Address (if different from PO mailing address)

City: _____ State _____ Zip _____

Web Site: ScottFazekasandAssociates.com

Phone Number: (949) 475-2901

Fax Number: (949) 475-2560

E-mail Address: sfairvine@aol.com

Incorporated? (mark one) Yes X or No ___

Fed. Tax I.D. # or Social # 33-0711166

If not a Corporation, are you a Partnership, LLC, Individual or Joint Venture? _____

How many years of relevant experience within the scope of this RFP? 18 years

I certify that the information given above is accurate and complete; that the Terms and Conditions as issued by the City of Moreno Valley with this Request for Proposal # VAG-11/12-~~04~~ 09 have been fully read, understood, and accepted in total; and that I am a duly authorized agent for quoting purposes for the company named above.

Scott R. Fazekas — President
(Print Quoting Persons Name) (Title)

[signature] — 4/30/12
(Quoting Persons Signature) (Date)

REFERENCES

List three (3) references that most closely reflect similar projects and work that your company has worked on within the past five (5) years for a Public or Governmental Agency. **(Type or Print)**

1. Name of Public Agency: City of Ontario

   Address: 303 E. "B" Street

   City: Ontario State: CA Zip: 91764

   Contact: Kevin Shear Title: Building Official

   Telephone: (909) 395-2172 Email: kshear@ci.ontario.ca.us

   Service Dates: 1999 - present

   Brief Summary of Project/Work provided: Plan review of residential and commercial buildings

2. Name of Public Agency: City of Costa Mesa

   Address: 77 Fair Dr., P.O. Box 1200

   City: Costa Mesa State: CA Zip: 92628-1200

   Contact: Keith Clarke Title: Building Official

   Telephone: (714) 754-5277 Email: kclarke@ci.costamesa.ca.us

   Service Dates: 1996 - present

   Brief Summary of Project/Work provided: Plan review of residential and commercial buildings

MV00167121

3. Name of Public Agency: 1 City of Perris

Address: 101 N. "D" St.

City: Perris State: CA Zip: 92570

Contact: Rene Avila Title: Building Official

Telephone: (951) 443-1029 ext. # 228 Email: Ravila@cityofperris.org

Service Dates: 2005-present

Brief Summary of Project/Work provided: Plan review of residential and commercial buildings.

Additional references are provided in the Appendix

MV00167122

3. Name of Public Agency: City of Norwalk

Address: 12700 Norwalk Blvd.

City: Norwalk State: CA Zip: 90650

Contact: Tony Weimholt Title: Building Official

Telephone: (562) 929-5739 Email: tweimholt@ci.norwalk.ca.us

Service Dates: 1997 to present

Brief Summary of Project/Work provided: Plan review of residential and commercial buildings.

Additional references are provided in the Appendix

MV00167123

2011-12 Adopted Fee Schedule
Building & Safety Excerpt

Section 3 - Community & Economic Development

Building and Safety	Unit	Fee
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 459.00
> 1,400 sq ft	per 50 sq ft	$ 7.19
1 Story Plan Check		
<= 1,400 sq ft		$ 649.00
> 1,400 sq ft	per 50 sq ft	$ 6.60
1.5 Story Permit		
<= 1,400 sq ft		$ 531.00
> 1,400 sq ft	per 50 sq ft	$ 8.10
1.5 Story Plan Check		
<= 1,400 sq ft		$ 802.00
> 1,400 sq ft	per 50 sq ft	$ 8.70
2 Story Permit		
<= 1,400 sq ft		$ 645.00
> 1,400 sq ft	per 50 sq ft	$ 9.00

MV00167124

2 Story Plan Check		
<= 1,400 sq ft		$ 802.00
> 1,400 sq ft	per 50 sq ft	$ 8.70
Identical Unit Plan Check	per Unit	$ 89.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 376.00
> 1,400 sq ft	per 50 sq ft	$ 3.02
1.5 Story		
<= 1,400 sq ft		$ 396.00
> 1,400 sq ft	per 50 sq ft	$ 4.50
2 Story		
<= 1,400 sq ft		$ 396.00
> 1,400 sq ft	per 50 sq ft	$ 4.50
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 158.00
> 1,400 sq ft	per 50 sq ft	$ 1.50
1.5 Story		
<= 1,400 sq ft		$ 196.00
> 1,400 sq ft	per 50 sq ft	$ 2.09
2 Story		
<= 1,400 sq ft		$ 196.00
> 1,400 sq ft	per 50 sq ft	$ 2.09

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

MV00167125

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Electrical Permit Fees

1997 Uniform Administrative
Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative
Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative
Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.
(100%) and shall be paid at the time of
submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative
Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 123.00
Permit Issuance	Fee	$ 32.00

Investigation Fees

For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.

Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 150.00
Inspections for which no fee is specifically identified	per Hour	$ 150.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$150.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 150.00 * *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)	per Hour	$ 150.00

MV00167127

Certificate of Occupancy Inspection	Each	$ 180.00

Table 3A Building Permit Fees from 1997 UAC
Adjusted by CPI

FY 11/12 Fees					
TABLE_ID	LOW_RANGE	HIGH_RANGE	NUM_RESULT	EXTRA_AMT	INCREMENT_AMT
BLDVAL11	1	500	32.07	0	0
BLDVAL11	501	2000	32.07	4.15	100
BLDVAL11	2001	25000	94.49	19.1	1000
BLDVAL11	25001	50000	534.65	13.78	1000
BLDVAL11	50001	100000	878.58	9.55	1000
BLDVAL11	100001	500000	1355.56	7.64	1000
BLDVAL11	500001	1000000	4413.43	6.49	1000
BLDVAL11	1000001	1000000000	7654.83	4.97	1000

MV00167128

Insert fee proposal here and include signature page of similar information

Company Name: Scott Fazekas & Associates, Inc.

Authorized Signer: Scott R. Fazekas

Signature 4/30/12 Date

PLAN REVIEW SERVICES

SFA proposes to charge a rate based on a percentage of the plan check fee collected by the City and on an hourly basis for services not subject to the Fee Schedule.

1. Fees for plan check are proposed at 45% of the City's plan check fees. For tracts, a rate of 80% of the City's plan check fee is proposed.

2. An hourly rate of $110 is proposed for projects which are selected for the City's large projects program, currently defined as those exceeding 25 million and offered only to select clients.

3. Hourly plan check fees not otherwise covered by the City's Fee Schedule are proposed at $110.00.

4. Expedited reviews, when requested by the City are proposed at 125% of the regular rate.

INSPECTIONS SERVICES

SFA proposes to charge for inspectors as follows:

Option 1

Payroll rate x 1.81 for F.T.E. with benefits. See Proposal for elaboration.

Option 2

Payroll rate x 1.45 for F.T.E. with benefits. See Proposal for elaboration.

MV00167129

ADDENDA ACKNOWLEDGMENT

The undersigned acknowledges receipt of the following ADDENDA and the cost, if any, or such revision has been included in the TOTAL BID of the Bidding Schedule(s). If NONE, WRITE "NONE" ON THE FIRST LINE.

Addendum No.: 1 Dated 4/24/12

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Company Name: Scott Fazekas & Associates, Inc.

Address: 9 Corporate Park, S-200
Irvine, CA 92606

Telephone No.: (949) 475-2901

Email Address: sfairvine@aol.com

By: Scott R. Fazekas
(print)

Signature: [signature] Date: 4/30/12

CITY OF ONTARIO

303 EAST "B" STREET, CIVIC CENTER ONTARIO CALIFORNIA 91764-4105

(909) 395-2000
FAX (909) 395-2070

PAUL S. LEON
MAYOR

SHEILA MAUTZ
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
DEBRA DORST-PORADA
COUNCIL MEMBERS

CHRIS HUGHES
CITY MANAGER

MARY E. WIRTES, MMC
CITY CLERK

JAMES R. MILHISER
TREASURER

April 18, 2012

Ms. Virginia Garcia
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Subject: Letter of Recommendation for Scott Fazekas & Associates

Dear Ms. Garcia:

It is a pleasure to write this letter of recommendation for Scott Fazekas & Associates, Inc. (SFA) as you requested in you RFP for Building & Safety Services. I, Kevin Shear, am the Building Official for the City of Ontario and have served in this capacity for 13 years. I have worked in a number of Building and Safety Departments for over 30 years, and have used SFA to provide plan check services for approximately 17 years.

I have found their services to be exemplary and the staff to be both knowledgeable in their profession and cordial with both the public and City staff. I have always been able to depend on SFA to provide consistent, quality services with speed, accuracy, and professionalism.

Sincerely,

Kevin Shear
Building Official
City of Ontario

CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT
BUILDING & PLANNING DIVISION
135 N. 'D' STREET, PERRIS, CA 92570-2200
TEL.: (951) 943-5003 FAX: (951) 943-8379

Ms. Virginia Garcia
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92552-0805

Subject: Letter of Recommendation for Scott Fazekas & Associates, Inc

Dear Ms. Garcia:

I have worked with Mr. Scott Fazekas for a number of years and I'm pleased to write this letter of recommendation for Scott Fazekas & Associates, Inc. (SFA) for Building & Safety Services.

I am currently the Assistant Director of Development Services for the City of Perris and have worked in various capacities within the Building and Safety field for over 24 years. Through the years SFA has been on contract with many of the Cities I have been with, to include securing his services in my capacity of Building Official in order to expedite and streamline the plan check process within the City. I have found his services to be dependable, efficient and knowledgeable in building code review. It is because of this established track record that that we are able to recommend this firm as an asset to any Building Department.

I would be more than happy to discuss SFA in more detail should you desire.

Sincerely,

Rene Avila
Assistant Director of Development Services
Phone 951-840-8548 / Fax 951-943-8379
ravila@cityofperris.org

MV00167132

CITY OF COSTA MESA
Building Division
77 Fair Drive
Costa Mesa, California 92626

Ms. Virginia Garcia
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92552-0805

Subject: Letter of Recommendation for Scott Fazekas & Associates, Inc

Dear Ms. Garcia:

I'm pleased to write this letter of recommendation for Scott Fazekas & Associates, Inc (SFA) as requested in your RFP for Building & Safety Services. I am the Building Official for the City of Costa Mesa. I have worked in building safety departments for over 31 years and have used SFA's services for approximately 17 years.

The services provided by SFA have always been accurate and on time. The staff of SFA has worked well with the public and has become a valuable resource for the City of Costa Mesa.

If you would like to discuss this matter further, please e-mail me at: keith.Clarke@costamesaca.gov or call me on my cell phone at: 951.963.6000.

Keith Clarke – Building Official, City of Costa Mesa

/sfa recommendation

References

Agency:	**CITY OF ANAHEIM**
Reference:	Sheri Vanderdussen, Planning Director (714) 765-5153
Service:	Plan Review and Building Official

Agency:	**CITY OF ARCADIA**
Reference:	Don Stockham, Building Official (626) 574-5420
Service:	Plan Review

Agency:	**CITY OF BEAUMONT**
Reference:	Keith Hightower, Building Official (951) 769-8529
Service:	Plan Review

Agency:	**CITY OF CATHEDRAL CITY**
Reference:	Gil Estrada, CBO, Building Official (760) 601-6569
Service:	Plan Review

Agency:	**CITY OF CORONA**
Reference:	Rebecca Wisniewski, Plan Check Supervisor (951) 279-3568
Services:	Plan Review

Agency:	**CITY OF COSTA MESA**
Reference:	Khanh Nguyen, P.E., CBO,Community D (714) 754-5604 Keith Clarke, C.B.O., Building Official (714) 754-5277
Services:	Plan Review

Agency:	**CITY OF DOWNEY**
Reference:	Mike Larnard, Building Official Linda Haines, Community Development Director (562) 904-7140
Service:	Plan Review

Agency:	**CITY OF GARDEN GROVE**
Reference:	Ding Victorio, P.E., Building Official (714) 741-5427
Service:	Plan Review

References

Agency:	**CITY OF HUNTINGTON BEACH**
Reference:	Mark Carnahan, C.B.O., Building Official (714) 374-1792
Services:	Plan Review

Agency:	**CITY OF IRVINE**
Reference:	Joe Kirkpatrick, S.E., Building Official (949) 724-6453
Services:	Plan Review

Agency:	**CITY OF LA HABRA HEIGHTS**
Reference:	Shauna Clark, City Manager (562) 694-6302, #227
Services:	Plan Review, Building Official

Agency:	**CITY OF LAKE ELSINORE**
Reference:	Bill Delvin, C.B.O., Building Official (951) 674-3124, #286
Service:	Plan Review

Agency:	**CITY OF NORWALK**
	Tony Weimholt, CBO, Building Official (562) 929-5739 Plan Review

Agency:	**CITY OF ONTARIO**
Reference:	Kevin Shear, CBO, Building Official (909) 391-2546 ext. 4330
Service:	Plan Review

Agency:	**CITY OF PALM DESERT**
Reference:	Mr. Russell Grance, Building Official Ms. Sam Szymanski, Sr. Plans Examiner (760) 776-6420
Service:	Plan Review

Agency:	**CITY OF PASADENA**
Reference:	Sarkis Nazerian, CBO, Building Official (626) 744-7571
Service:	Plan Review

References

Agency:	**CITY OF PERRIS**
Reference:	Rene Avila, C.B.O., Building Official/Fire Marshall (951) 433-1029 ext. 228
Service:	Plan Review

Agency:	**CITY OF PICO RIVERA**
Reference:	Eric Dennis, C.B.O., Building Official (562) 801-4331, cell (760) 670-0371
Service:	Plan Review

Agency:	**CITY OF SAN DIMAS**
Reference:	Eric Beilstein, Building Official (909) 394-6264
Service:	Plan Review

Agency:	**CITY OF SAN FERNANDO**
Reference:	Francisco Villalva, Building Official (818) 898-1231
Service:	Plan Review

Agency:	**CITY OF SANTA ANA**
Reference:	Gerald Caraig, P.E., C.B.O., Building Official (714) 647-5896
Service:	Plan Review

Agency:	**CITY OF SANTA ROSA**
Reference:	Mike Whitacker, P.E., Chief Plan Check Engineer (707) 543-3264
Service:	Plan Review

EDUCATION

Bachelor of Science in Architecture, California State Polytechnic University, 1980
Supplementary Structural Course Work, California State University, Fullerton, 1984

PROFESSIONAL REGISTRATION

Licensed Architect, California, Colorado, NCARB, Nevada

CERTIFICATION

LEED Accredited Professional, LEED
Certified Access Specialist, DSA
Certified Building Official, I.C.C.
Certified Plans Examiner, I.C.C., C.B.C.
Certified Building Inspector, I.C.C., C.B.C.

EXPERIENCE

Mr. Fazekas is President of Scott Fazekas & Associates, Inc. (SFA) which provides building official, building plan check and building inspection services to governmental agencies. He has interfaced with architects, engineers, designers, contractors, plan checkers, inspectors, developers and building owners to achieve code compliant building construction through the application of local, state, and federal codes and regulations.

Mr. Fazekas has plan checked buildings which encompass the full spectrum of building types and occupancy groups and has served as building official for fourteen jurisdictions through long term and interim contract arrangements. He has also contributed to both the design and code enforcement professions by regularly lecturing at code-related seminars and classes. He served six years on the American Institute of Architects Building Performance and Regulations Committee where he monitored the ANSI A117.1 Disabled Access Standards. He also served four years on I.C.B.O.'s General Design/Structural Review Committee and on the Orange Empire Chapter of I.C.B.O.'s Code Change Committee.

Mr. Fazekas has 40 years of progressive experience working in and for building departments. Prior to starting SFA, he was employed by BSI Consultants, Inc. as a Senior Vice President and Division Manager of the Building Safety Division. He was responsible for starting, developing and managing the Building Safety Division for 11 years. During that time he served as building official in California and Washington jurisdictions and oversaw plan review services for more than one hundred client agencies. He also founded and served as President of Employment Systems Inc., which was a corporation dedicated to municipal staffing needs. Before his term with BSI, he spent 13 years working for the building divisions in the Cities of Newport Beach and Costa Mesa where he worked his way through all levels in the departments from clerk to permit technician, inspector and plan check engineer.

PROFESSIONAL AFFILIATIONS

A.I.A., I.C.B.O./ I.C.C., CALBO

EDUCATION

Bachelor of Science in Mechanical Engineering
California State University, San Diego 1968
Master of Science in Mechanical Engineering
University of Southern California, 1970
Supplementary Structural Course Work
California State University, Los Angeles, 1973-76

PROFESSIONAL REGISTRATION

Registered Structural Engineer, California 1976
Registered Professional Engineer, California 1971

EXPERIENCE

After completing 30 years of service with the City of Los Angeles, Mr. Penera retired in April , 2000 and immediately joined SFA as a member of its plan check engineering staff.

Having worked four years in the Department of Public Works and 26 years in Building and Safety with the City of Los Angeles, Mr. Penera has substantial experience in both design and plan checking of structural systems. In the 26 years he spent with LA Department of Building and Safety, he plan checked a wide spectrum of structural systems, occupancies and uses; from simple, wood-frame, single family room additions to complex, high-rise, steel office buildings.

During the last three years of his career with Los Angeles Department of Building and Safety, Mr. Penera served as the Deputy Superintendent of Building in charge of the Engineering Bureau. As Chief of the Engineering Bureau, Mr. Penera oversaw a staff of 175 engineers, technicians and clerical staff responsible for the checking for compliance of state and local regulations related to building, electrical, plumbing, mechanical and zoning issues.

Mr. Penera was active in the development of the first International Building Code (IBC). For one year he served on the Steering Committee for the development of the first draft of the IBC and for two years served as Chairman of the Structural Subcommittee to draft the structural engineering chapters (Chapters 16-26) of the proposed IBC.

PROFESSIONAL AFFILIATIONS

Structural Engineers Association of Southern California
American Society of Civil Engineers
International Conference of Building Officials

GANESH M. RAO

EDUCATION

Masters of Science in Civil Engineering
Brigham Young University, Provo, Utah
Bachelor of Science in Civil Engineering, Bangalore University, India

PROFESSIONAL REGISTRATION

Registered Structural Engineer in California
Registered Professional Engineer in California
Certified Plans Examiner, I.C.C.

EXPERIENCE

Mr. Rao has been a building plan check engineer in SFA's Irvine office since 1998. He reviews both commercial and residential plans for compliance with model codes and local ordinances. He has a total of 23 years of progressively involved engineering experience.

Prior to his employment with SFA, Mr. Rao has spent eight years in the design field with experience in California, Nevada and Hawaii designing wood, steel concrete and post-tensioned low, mid and high-rise structures. Occupancies which he has performed design work for have included retail, medical, office resort, bridge, industrial, schools, parking structure and hanger facilities.

Mr. Rao has experience in a variety of geographic regions. His design experience includes projects in California, Nevada, Washington, Oregon, Hawaii and the Territory of Guam. His plan review experience has been in California, Nevada and Colorado. Mr. Rao has reviewed plans for code compliance, residential, tenant improvement, low to mid-rise, tilt-up warehouses, etc. Projects included a three-dimensional finite element analysis of space frame for a mall in the Territory of Guam, Disney Building in Burbank utilizing "Waurch" moment connections, seismic retrofit of Mattel Distribution Center, an aircraft hanger and Sony Technology Center in San Diego. Projects also included design and detailing of antenna structure ranging from 30 feet monopole to 400 foot latticed tower.

PETER K. TANG

EDUCATION

Bachelor of Science in Engineering, California State Polytechnic University, 1994

PROFESSIONAL REGISTRATION

Licensed Civil Engineer, California, C-59691

EXPERIENCE

Mr. Tang has been a plan check engineer in SFA's Irvine office for seven years. He reviews both residential and commercial plans for compliance with model codes and ordinances. With a background in forensic investigations on wood-framed structures, he is particularly well versed in wood structures.

Over a sixteen year period, Mr. Tang has been exposed to a variety of engineering design assignments with three different structural design firms. He was employed by Seismic, Inc. in Pomona, Ficcadenti & Waggoner Structural Engineers in Irvine, and John A. Martin Structural Engineers in Los Angeles prior to his employment with SFA.

Mr. Tang has been an excellent supervisor to junior plan checkers in the area of wood framing. His expertise in rack design has also made him a valuable resource in the review of increasingly large rack systems.

Mr. Tang was a project designer on Fresno State's Savemart Center, a steel and concrete sports area; the Pacific Grand Resort, a steel conference center in Huntington Beach; the Westpart Tiempo Community in Irvine, a seismic retrofit of homes; and the Casa Gateway Condos in Pacific Palisades, a seismic evaluation of 3-story homes.

BRETT ARCHIBALD

EDUCATION

Bachelor of Science in Civil Engineering, California State San Diego, 2002
Structural Emphasis in Course Work

CERTIFICATIONS

Registered Civil Engineer, California
Certified Plans Examiner, I.C.C.
Certified Mechanical Inspector, I.C.C.
Build It Green Certification, CA
Certified Access Specialist, DSA

EXPERIENCE

Mr. Archibald is one of SFA's professional staff in our Irvine office. He has ten years of experience with SFA reviewing both residential and commercial projects. He is assigned as liaison to the City of La Habra Heights where he has set times to coordinate with City staff.

Mr. Archibald has experience in plan checking a variety of projects including single and multi-family housing, tenant improvements, seismic retrofits, tilt-up warehouses, etc. These projects involved structural systems such as wood framing, light gauge steel, moment frames, cantilever columns, concrete and masonry.

Mr. Archibald has also been instrumental in helping to establish tailored documentation for some of SFA's newer clients or clients which are modifying procedures or policies. His computer skills have assisted in the coordination of SFA processing with the needs of our clients.

PROFESSIONAL AFFILIATIONS

International Code Council
American Society of Civil Engineers

EDUCATION

Associates Degree in Math, Santa Ana College, CA, 1962
K-14 Teaching Credential, UCLA, Los Angeles, CA

CERTIFICATION

Certified Building Official, I.C.C.

EXPERIENCE

Mr. Helmick currently provides specialized consulting electrical plan reivew for all types of commercial and industrial buildings for SFA. He is responsible for reviewing electrical plans for various municipalities and consults with staff on electrical code.

Prior to joining SFA, Mr. Helmick was an Inspection Supervisor and Chief Electrical Inspector with the City of Irvine. In his thirty years with the City, he supervised and trained a team of electrical inspectors; performed difficult, special and complex inspections; and resolved complaints and disputes. He was available to interpret code to laymen, contractors, architects and others as necessary.

During his tenure with the City of Irvine, Mr. Helmick was an instructor at Saddleback Community College for twenty years teaching electrical code and inspection; building code and law; Contractor's License Law, Construction Inspection and Energy Management. He has taught electrical seminars for IAEI and ICBO since 1991. He also serves on NFPA's Electrical Code Development Committee.

PROFESSIONAL AFFILIATIONS

National Fire Protection Agency (NFPA)
International Association of Electrical Inspectors (IAEI)
International Council of Building Officials (ICC)
Underwriter's Laboratory (U/L)
American Public Works Association (APWA)

INSURANCE

Insurance is provided in the following amounts:

a.	General Liability	$1,000,000
b.	Workers Compensation	$1,000,000
c.	Automobile	$1,000,000
d.	Professional Liability	$1,000,000

CORPORATE SEAL

This page is inserted to state the names of the officers of Scott Fazekas & Associates, Inc. and to attest by the corporate seal that the corporation was formed under California State laws and that Scott R. Fazekas is the President and that Joy Fazekas is the Corporate Secretary.

4/30/12

SCOTT R. FAZEKAS Date

4/30/12

JOY FAZEKAS Date

EXHIBIT B

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $800,000 per fiscal year.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the City as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Community & Economic Development Department at susanc@moval.org or calls directed to (951) 413-3350.

4. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)

E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services perfor med and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the C ontractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: EsGil Corporation
Address: 9320 Chesapeake Dr., Suite 208
City: San Diego State: CA Zip: 92123
Business Phone: (858) 560-1468 Fax No.: (858) 560-1576
Other Contact Number: (800) 983-7445
Business License Number: TBD
Federal Tax I.D. Number: 95-3444018

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. Payment terms are provided in Exhibit "B" attached hereto and incorporated herein by this reference.
C. The Contractor Starting Date is July 1, 2012 and the Contractor Ending Date is June 30, 2015. If mutually agreeable, the City and Contractor may extend this agreement in increments of one year, not to exceed a total contract period of five years. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all claims which arise from the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be

rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

☐ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☐ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community

Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Mayor

_____
Date

EsGil Corporation

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

Exhibit A

ESGIL CORPORATION

Statement of Qualifications

BUILDING & SAFETY PLAN CHECK CONSULTANT SERVICES

for the City of:

MORENO VALLEY

April 30, 2012

Proposal submitted by:

Kurt Culver, President, S.E., C.B.O.

9320 Chesapeake Drive, Suite 208 • San Diego, California 92123
(858) 560-1468 • (800) 983-7445 • www.esgil.com

ESGIL CORPORATION

Proposal for Plan Check Services

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ESGIL ATTACHMENTS

A. Sample Log Screen
B. Sample Correction List
C. Sample Invoice
D. Principal Resumes
E. Staff Qualifications
F. Sample Insurance Certificate
G. Client References
H. Letters of Recommendation

CITY FORMS

1) Non-Collusion Affidavit
2) Affidavit of Non-Conviction
3) Vendor Information page
4) References pages
5) Proposal Schedule
6) Addenda Acknowledgement

MV00167154

ESGIL CORPORATION

Plan Review Services

A. INTRODUCTION

1) Methodology/Approach

Plan Control Logs

When plans are received at EsGil, they are reviewed for completeness of submittal, and then logged into our network tracking system. **Attachment "A"** is a sample report from our log system. Our staff enters project information into our database within 24 hours of arrival. Target times and maximum completion times are assigned for each plan review discipline. This information is transferred to a plan check assignment list with completion deadlines as listed in the contract.

The assigned Plan Review Engineer coordinates his/her review with the other plan check disciplines (electrical, mechanical, energy, fire, disabled access) to ensure good communication and coordination of listed deficiencies. EsGil Corporation assures that corrections are communicated as quickly and as clearly as possible. Our goal is to help the applicant through the plan review process. All corrections are identified based on compliance with specified codes and regulations.

Checklists

We have an extensive plan check library that covers all aspects of engineering, code interpretation and legal aspects of plan review. We have all plan review lists on a computer network that allows us to be very user friendly and responsive to the designers, as well as our client building officials. Our checklists have been tailored for each client. **Attachment "B"** is sample building correction list.

Plan review engineers follow the checklists for their reviews. They add to or modify any item on the checklist at their work station and then print out a list showing only those items where deficiencies were found to exist on the plans. All documents shall be provided in a format desired by the City. Copies of the checklists are then sent to the City and/or the applicant and design team via mail, fax or e-mail.

Quality Control / Supervision

Quality control and supervision of plan review staff are accomplished by having all staff in a single location, a clearly defined organization and having management and supervisory decision-makers immediately available to oversee reviews and answer questions. Oversight reviews are made by supervisors as needed to ensure quality control.

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Billing Process

Each month, a detailed billing is sent to the City which shows each project reviewed. This billing will also show the turnaround times and other pertinent information. Please see **Attachment "C"** for a sample copy of our invoice.

Applicant Appeals

In cases where an applicant wishes to appeal a decision made by our staff, it will first be reviewed by a supervisor. If the issue still cannot be resolved, the City Building Official will be contacted and a summary of the issue presented. Our staff will then take guidance from the Building Official's decision.

Customer service is a priority for EsGil. Our staff is committed to working with the public to ensure the health and safety of each jurisdiction's community while making the regulatory process understandable, user friendly and reasonable.

2) Proposing Firm

Name:	EsGil Corporation
Mailing Address:	9320 Chesapeake Drive #208 San Diego, CA 92123
E-mail:	mail@esgil.com
Telephone:	(858) 560-1468
Fax #:	(858) 560-1576

3) Project Manager and Staff

Plan reviews for the City will be managed by Chuck Mendenhall, Vice-President of EsGil Corporation. Mr. Mendenhall is a California licensed Civil and Structural Engineer, and has over thirty-five years of building inspection department experience. Chuck will provide all liaisons with City staff and will be available to respond to any designer challenges of plan review items. Kurt Culver, P.E., S.E. will assist and provide back-up for Chuck. Please see **Attachment "D"** for resumes of the principals and **Attachment "E"** for a list of all professional staff that will be assigned to Moreno Valley plan reviews.

4) Team Members

EsGil has the depth of staff available to commit to the workload identified in your RFP. Our staff includes licensed structural engineers, licensed civil engineers, mechanical engineers, electrical engineers, I.C.C. certified building and fire plans examiners and I.C.C. building and fire certified inspectors. We also have CASp and LEED Certified Plans Examiners. All EsGil plan review engineers are I.C.C. Certified. **Attachment "E"** lists our key personnel with their license numbers, certifications, credentials and areas of responsibility.

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B. QUALIFICATIONS

EsGil Corporation is a specialized firm that has provided full-service building and fire plan review, inspection and permit processing services to city, county, tribal and state agencies for over 30 years. We have provided building and fire reviews for projects having a valuation in excess of 60 billion dollars. Projects include high-rise buildings, residential projects, tenant improvements, remodels, regional shopping centers, hotels, resorts, hospitals, sports arenas, detention facilities, police stations, fire stations, city halls, libraries, schools, industrial facilities, hazardous occupancies, trash recycling, essential facilities, unreinforced masonry seismic upgrades and casinos.

We understand the Building Official's role. The two corporate founders of EsGil formerly served as Director and Deputy Director of the San Diego County Building Inspection Department. The corporation presently operates the full building inspection departments and also serves as the Building Official for the cities of Del Mar, Encinitas, Lemon Grove, Poway, Santee and Solana Beach. Responsibilities include providing on-site staff for the public counter, inspection, supervision, in addition to plan check in both the City offices and at our local office. The National City and Coronado Building and Fire Departments also utilize our full-service plan check, inspection and permit processing services. Please see **Attachment "G"** for our Client Reference Sheet.

Through EsGil Corporation, client cities share with other jurisdictions a full-depth of highly trained professionals. Our highly-credentialed plan check engineers assist with reviewing state-mandated structural, plumbing, mechanical, electrical, disabled access, fire, energy conservation, green code regulations and also any local building regulations. Highly qualified EsGil managers are always available for policy decisions, problem resolution, applicant appeals of staff decisions, quality control, and supervision. This level of expertise and experience would typically not be affordable by an individual city. **Attachments "D"** and **"E"** lists the credentials, licenses and certifications of our top-level management and plans examiners assigned to Moreno Valley projects.

During the plan review process, our staff is prepared to meet with the applicant or architect/engineer, City employees or consultants. Telephone discussions or meetings at project sites are welcomed to ensure that any plan review issues are handled efficiently. Our goal is to issue approved plans as quickly as possible but in full compliance with laws, codes, ordinances and regulations. Phone calls, teleconferences and meetings at our office are included in our plan check fees. Conferences and meetings outside of our office may be charged hourly, based on our hourly labor rates listed on **"City Form 5"**.

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Training

We believe that continuous training for our staff is absolutely imperative for the accuracy and reliability of our inspections and plan reviews. Our plan review and inspection staff attends training classes presented by building organizations such as SEA, ICC and CALBO, with many of our staff members highly sought-after to lecture, teach, and be mentors. We also provide in-house training and cross-training for our staff on a regular basis.

Memberships

Our involvement and support for our local building organizations is a priority for our company and our staff. Kurt Culver, President of EsGil Corporation, currently serves as a member of CALBO's Structural Safety Committee and two other staff members have formerly served as President of the Structural Engineers Association of San Diego.

We are also active members of the following organizations:

- International Code Council (ICC)
- California Building Officials (CALBO)
- International Association of Electrical Inspectors (IAEI)
- International Association of Plumbing and Mechanical Officials (IAPMO)
- Structural Engineers Association (SEAOSD)
- American Concrete Institute (ACI)
- County Building Officials (CBOAC)
- National Fire Sprinkler Association (NFSA)
- CALBO Structural Safety Committee

In addition to serving on numerous committees for these organizations, our staff is also involved with the California Seismic Safety Commission, Strong Motion Instrumentation Advisory Committee and the Leadership in Energy and Environmental Design (L.E.E.D) Green Building Council.

Conflict of Interest

Since 1979, our only product has been providing services to building inspection departments and state agencies. By limiting our clients to only government agencies *and performing no design*, any conflict of interest is completely avoided. All employees have signed agreements that restrict any outside activities or employment that would create a conflict of interest. We have no direct or indirect financial interest in any projects in Moreno Valley.

EsGil Corporation declares that no potential conflict of interest exists or will exist which might impair or undermine our ability or credibility when providing plan checking services to the City of Moreno Valley.

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Insurance

To protect our clients and the Corporation, we carry one million dollars of general and professional liability (E&O) insurance with a two million dollar aggregate. Our policies are written exclusively for plan review and building/fire department services. EsGil currently carries all of the insurance requested and can meet or exceed the insurance requirements listed in the RFP. Please see **Attachment "F"** for a copy of our insurance certificate created for the City of Moreno Valley.

C. PERSONNEL

Attachments "D" and **"E"** lists our personnel experience and background. The following is a copy of our organization chart listing our professional staff:

ESGIL CORPORATION ORGANIZATION CHART

TECHNICAL SERVICES

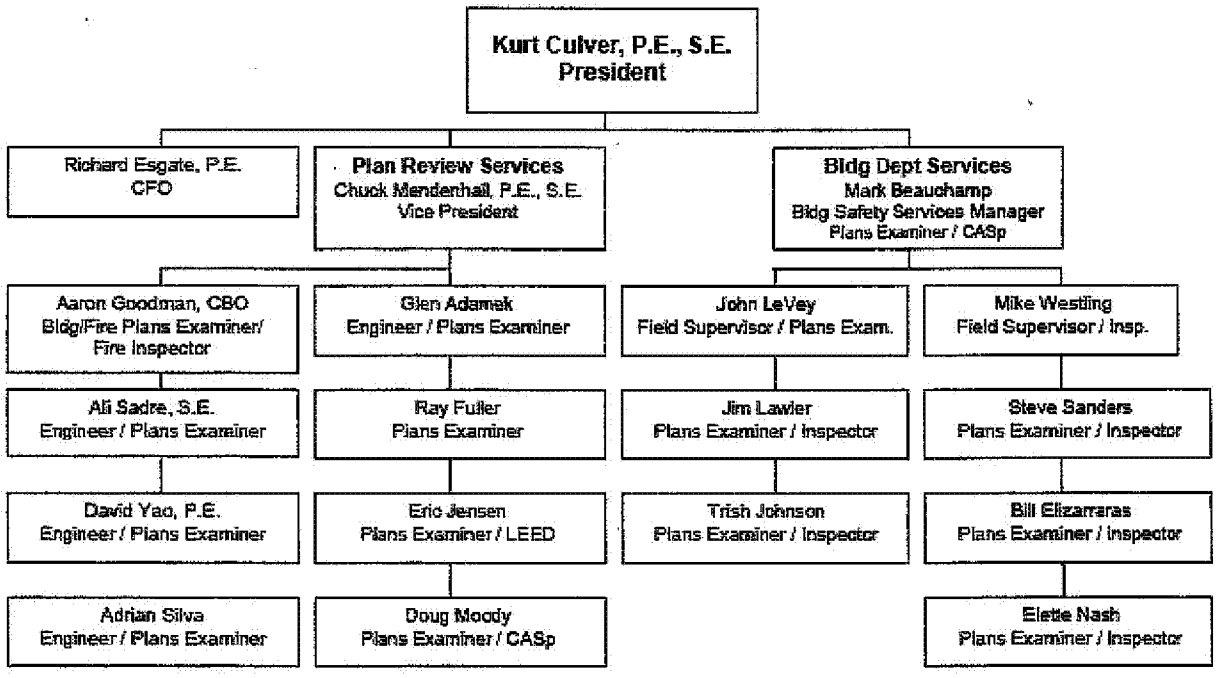

D. REFERENCE

We have also provided the same scope of work for other jurisdictions in this area and are very familiar with the designers working in the region. Please see **"City Form 4" (References pages)** for a list of three (3) jurisdictional references who have used our plan review services within the last five years.

Attachment "G" is a list of other long-term client references where we have provided a similar scope of services; **Attachment "H"** are letters of recommendation from several of our clients. We encourage you to contact any of our clients to evaluate our professional quality and public relations.

E. AUTHORIZATION

The terms and conditions contained in this proposal shall remain valid for a period of no less than ninety (90) days from the date of submittal. I am the person that is officially authorized to bind EsGil Corporation to the terms of the contract and is capable of acceptance from the City:

Kurt Culver, President

F. FEE SCHEDULE

Please see **"City Form 5" (Proposal Schedule)** for a copy of our proposed fees, which will be *valid for at least one (1) year from the effective date of the contract if awarded.*

G. TIME SCHEDULES

Our diverse staff provides flexibility when managing workloads. During peak workloads, we do not accept projects from cities and counties where we do not have an ongoing contractual relationship, thereby maintaining all current contractual service agreements. When necessary, we also assign overtime to allow our plan review staff to meet those timeframes, at no cost to the City. During our thirty-three years in business, we have always been able to meet all of our agreed-upon review times.

The following is a list of our proposed turnaround time for each possible type of job assigned:

Project Type	*Initial Check*	*Rechecks*	*Plan Change*
Single Family Dwellings	5	5	5
Apartments	5	5	5
Tenant Improvements	5	5	5
Commercial/Industrial	10	5	5

**** Turnaround times not to exceed the workdays listed.***

Accelerated / expedited plan reviews can be performed on overtime in half the normal turn-around times or as requested by the Building Official.

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H. TRANSPORTATION OF PLANS

To assist in the security of plans, EsGil currently provides Federal Express and Golden State Overnight services for pick-up and delivery of plans when requested by the City staff, at *no cost to the City*.

Resubmitted plans may be delivered to the City office or shipped directly to our office, based on the City's procedures and requirements. EsGil has the ability to receive plans by mail or via electronic transmission, which decreases the time delays and costs associated with shipping plans. At completion, perforated or signed sets of the final plans are delivered to the City.

I. LIST OF SUBMITTALS / CITY SUBMITTAL DOCUMENTS

RFP forms have been included as the following Attachments:

"City Form 1"	Non-Collusion Affidavit
"City Form 2"	Affidavit of Non-Conviction
"City Form 3"	Vendor Information page
"City Form 4"	Reference pages
"City Form 5"	Proposed Schedule
"City Form 6"	Addenda Acknowledgement

MV00167161

City Report

Jurisdiction	Project Street Address	Date Esgil Receive	Date Complete	Location of Plans	Plan Check Numbe	Set#	Project Description
MENIFEE	28155 Encanto Rd	2/1/2012	2/3/2012	JURISDICTION	11-1520	II	Encanto Apartments
MENIFEE	28125 Bradley Rd #300	2/6/2012	2/7/2012	ESGIL	11-1116	I	His Light Church
MENIFEE	25125 Bradley Rd	2/6/2012	2/7/2012	JURISDICTION	11-1062	I	His Light Church
MENIFEE	31143 Geary Rd	2/6/2012	2/13/2012	ESGIL	12-0100	I	Dick Residence
MENIFEE	27256 Hwy 74	2/7/2012	2/16/2012	ESGIL	12-0101	I	Jack In The Box
MENIFEE	30208 Haun Rd	2/9/2012	2/17/2012	ESGIL	12-0113	I	Bj'S Restaurant
MENIFEE	27701 Scott Rd Bldg D Ste 107	2/13/2012	2/13/2012	ESGIL	11-1496	II	Fred Power Dental Office
MENIFEE	33200 Warm Springs Way	2/16/2012	2/21/2012	ESGIL	12-0138	I	Chavez Residence
MENIFEE	28125 Bradley Rd #300	2/16/2012	2/16/2012	JURISDICTION	11-1116	II	His Light Church
MENIFEE	28155 Encanto Dr	2/17/2012	2/23/2012	ESGIL	11-1308/1313	IV	Encanto Apartment Homes
MENIFEE	Tr 34180-3, 34120-4	2/17/2012	2/24/2012	ESGIL	11-1443	I	Southport @ Heritage Lakes
MENIFEE	31143 Geary Rd	2/21/2012	2/27/2012	JURISDICTION	12-0100	II	Dick Residence
MENIFEE	30318 Haun Rd	2/21/2012	2/29/2012	JURISDICTION	11-1526	III	Panera
MENIFEE	26770 Murrieta Road	2/22/2012	2/28/2012	JURISDICTION	12-0051	II	Menifee Valley Memorial Park
MENIFEE	25770 Bundy Canyon Rd	2/23/2012	2/28/2012	ESGIL	11-1484	III	Metro Pcs
MENIFEE	28155 Encanto Dr	2/24/2012	3/2/2012	ESGIL	11-1339	II	Encanto Apartment Homes
MENIFEE	27701 Scott Rd Bldg D Ste 107	2/24/2012	3/1/2012	JURISDICTION	11-1496	III	Fred Power Dental Office
MENIFEE	33200 Warm Springs Way	3/1/2012	3/5/2012	JURISDICTION	12-0138	II	Chavez Residence
MENIFEE	25770 Bundy Canyon Rd	3/5/2012	3/5/2012	JURISDICTION	11-1484	IV	Metro Pcs
MENIFEE	31786 Victoria Place	3/7/2012	3/13/2012	JURISDICTION	12-0183	I	Sycamore @ Hidden Hills
MENIFEE	31798 Victoria Place	3/7/2012	3/13/2012	JURISDICTION	12-0184	I	Sycamore @ Hidden Hills
MENIFEE	31762 Victoria Place	3/7/2012	3/13/2012	JURISDICTION	12-0185	I	Sycamore @ Hidden Hills
MENIFEE	Tr 31724	3/14/2012	3/16/2012	JURISDICTION	12-0086	II	Oaks At Marsden
MENIFEE	26973 Newport Rd	3/15/2012	3/22/2012	JURISDICTION	11-1486	III	Cvs Pharmacy
MENIFEE	28155 Encanto Dr	3/19/2012	3/27/2012	JURISDICTION	11-1308/1313	V	Encanto Apartment Homes
MENIFEE	28155 Encanto Dr	3/19/2012	3/26/2012	JURISDICTION	11-1339	III	Encanto Apartment Homes
MENIFEE	27256 Hwy 74	3/21/2012	3/28/2012	ESGIL	12-0101	II	Jack In The Box
MENIFEE	30208 Haun Rd	3/21/2012	3/29/2012	JURISDICTION	12-0113	II	Bj'S Restaurant
MENIFEE	28155 Encanto Dr	4/3/2012	4/4/2012	JURISDICTION	11-1339	IV	Encanto Apartment Homes
MENIFEE	25200 Trumble Rd	4/6/2012	4/12/2012	JURISDICTION	12-1221	I	Southern California Gas Co
MENIFEE	28356 Eller Way	4/9/2012	4/13/2012	ESGIL	12-1225	I	Stephens Residence
MENIFEE	27587 La Piedra Rd	4/11/2012	4/20/2012	ESGIL	12-0731/741, 076	I	Santa Rosa Academy
MENIFEE	33351 Little Reb Pl	4/11/2012	4/17/2012	ESGIL	PT12-1232	I	Lauritson Residence
MENIFEE	33221 Nancy Ln	4/16/2012	4/20/2012	JURISDICTION	12-0072	II	Gorham Residence

Attachment "A"

MV00167162

EsGil Corporation

In Partnership with Government for Building Safety

DATE: **April 20, 2012**

- ☐ APPLICANT
- ☐ JURIS.
- ☐ PLAN REVIEWER
- ☐ FILE

JURISDICTION: **Menifee**

PLAN CHECK NO.: **12-0731 thru 737, 740/1, 768** SET: **I**

PROJECT ADDRESS: **27587 La Piedra Road**

PROJECT NAME: **Santa Rosa Academy**

☐ The plans transmitted herewith have been corrected where necessary and substantially comply with the jurisdiction's codes.

☐ The plans transmitted herewith will substantially comply with the jurisdiction's codes when minor deficiencies identified below are resolved and checked by building department staff.

☐ The plans transmitted herewith have significant deficiencies identified on the enclosed check list and should be corrected and resubmitted for a complete recheck.

☒ The check list transmitted herewith is for your information. The plans are being held at Esgil Corporation until corrected plans are submitted for recheck.

☒ The applicant's copy of the check list is enclosed for the jurisdiction to forward to the applicant contact person.

☐ The applicant's copy of the check list has been sent to:

☒ EsGil Corporation staff **did not** advise the applicant that the plan check has been completed.

☐ EsGil Corporation staff **did** advise the applicant that the plan check has been completed.

Person contacted: Telephone #:

Date contacted: (by:) Email: Fax #:

Mail Telephone Fax In Person

☐ REMARKS:

By: **Kurt Culver**
EsGil Corporation
☒ GA ☒ EJ ☐ PC 4/11/12

Enclosures:

9320 Chesapeake Drive, Suite 208 ◆ San Diego, California 92123 ◆ (858) 560-1468 ◆ Fax (858) 560-1576

Attachment "B"

Menifee 12-0731 thru 737, 740/1, 768
April 20, 2012

PLAN REVIEW CORRECTION LIST
COMMERCIAL

PLAN CHECK NO.: **12-0731 thru 737, 740/1, 768**	JURISDICTION: **Menifee**
OCCUPANCY: E	USE: School
TYPE OF CONSTRUCTION: V-B	ACTUAL AREA: varies
ALLOWABLE FLOOR AREA: To be determined	STORIES: 1 and 2
	HEIGHT: varies
SPRINKLERS?: Yes	OCCUPANT LOAD: varies
REMARKS:	
DATE PLANS RECEIVED BY JURISDICTION: 4/10/12	DATE PLANS RECEIVED BY ESGIL CORPORATION: 4/11/12
DATE INITIAL PLAN REVIEW COMPLETED: **April 20, 2012**	PLAN REVIEWER: **Kurt Culver**

FOREWORD (PLEASE READ):

This plan review is limited to the technical requirements contained in the International Building Code, Uniform Plumbing Code, Uniform Mechanical Code, National Electrical Code and state laws regulating energy conservation, noise attenuation and access for the disabled. This plan review is based on regulations enforced by the Building Department. You may have other corrections based on laws and ordinances enforced by the Planning Department, Engineering Department, Fire Department or other departments. Clearance from those departments may be required prior to the issuance of a building permit.

Code sections cited are based on the 2010 CBC, which adopts the 2009 IBC.

The following items listed need clarification, modification or change. All items must be satisfied before the plans will be in conformance with the cited codes and regulations. Per Sec. 105.4 of the 2009 International Building Code, the approval of the plans does not permit the violation of any state, county or city law.

To speed up the recheck process, please note on this list (or a copy) where each correction item has been addressed, i.e., plan sheet number, specification section, etc. Be sure to enclose the marked up list when you submit the revised plans.

Menifee 12-0731 thru 737, 740/1, 768
April 20, 2012

- **GENERAL**

1. Please make all corrections and submit THREE new *complete* sets of prints, to: The Menifee building department.

- **PLANS**

2. The architectural plans are incomplete. Please fill in all empty reference bubbles, complete all notes, complete all details, provide necessary dimensions, etc. A complete plan review cannot be performed until then.

3. All sheets of the plans and the first sheet of the calculations are required to be signed by the licensed architect or engineer responsible for the plan preparation. California State Law.

4. Architectural plans were provided for the Storage Building, but no structural information. Also, the "Project Summary" doesn't list it. Please clarify.

5. The reported floor areas on sheet T1 don't seem to include the areas of the various balconies (at each floor). Please recheck the reported floor areas.

6. Provide a note on the plans indicating if any hazardous materials will be stored and/or used within the building which exceed the quantities listed in IBC Tables 307.1(1) and 307.1(2). Room E123?

- **SITE PLAN**

7. Provide a fully dimensioned site plan drawn to scale. Sec. 107.2. Include the following:

   a) Clearly dimension building setbacks from property lines, street centerlines, <u>and from *all* adjacent buildings</u> on the site plan.

   b) Existing and proposed buildings and structures. <u>What is shown southwest of Building E?</u>

8. When two or more buildings are on the same property, the buildings shall have an assumed property line between them for the purpose of determining the required wall and opening protection and roof cover requirements, per Section 705.3. Section 503.1.2.

   a) Please show the assumed property line on the plans (with dimensions), and then show appropriate wall/opening protection. Buildings D/E appear to be quite close, but check all buildings for this requirement.

   b) Additionally, some of the separated "buildings" are connected by exit balconies at the second floor. Please provide a narrative to justify this (pedestrian walkways?).

9. Exterior exit balconies, stairways and ramps shall be located at least 10' from adjacent lot lines and from other buildings on the same lot unless the adjacent building exterior walls and openings are protected in accordance with Section 707 based on fire separation distance. Section 1027.3.

- **BUILDING HEIGHT/STORIES**

10. For the 2-story buildings, please document on the plans that the fire sprinklers are being used to allow increase the allowable number of stories from Table 503.

- **FIRE BARRIERS**

11. Incidental use areas may need to be separated from the main occupancy. See Table 508.2.5 below. Please address the following specific concerns:
    a) Storage rooms.
    b) Even if sprinklers are used to eliminate the need for 1-hour wall construction, Section 508.2.5.2 still requires the partitions to extend to the underside of the floor/roof above and for any doors in the partitions to be self-closing.
    c) In California, the State Fire Marshall has modified the table to prohibit sprinklers as an alternate to the 1-hour protection for laboratories in Group E occupancies. Will there be any laboratories? Room E120?

ROOM OR AREA	SEPARATION AND/OR PROTECTION
Storage rooms over 100 square feet	1 hour or provide automatic fire-extinguishing system

- **EXITS**

12. All doors *and gates*, within the exit path to a public way from an occupancy of Group A or E having an occupant load of 50 or more shall not be provided with latches or locks unless they are equipped with panic hardware. Sections 1008.1.10 and 1002.

- **CORRIDORS**

13. Corridors shall have fire partition walls of one-hour construction when required by Table 1018.1. Show the locations of the rated corridors on the plans or clearly show compliance with an applicable exception from Section 1018.1.

    a) In California, E occupancies must be fire-rated, even if the building is sprinklered.

        i) "Waiting A203" must be constructed as a one-hour corridor. This will also affect A102, etc.

        ii) Also, the second exit for Room B201 is into a stairwell. That stairwell (and its extension at the lower level) must be constructed as a rated corridor.

14. Fire-resistance rated exit corridors shall not be interrupted by intervening rooms. Foyers, lobbies or reception rooms constructed as for corridors shall not be construed as intervening rooms. Section 1018.6.

    a) Corridor A203 must be separated from A202.

    b) See also A103.

15. Corridors shall have interior door openings protected by tight-fitting smoke and draft control assemblies rated 20 minutes. Doors shall be maintained self-closing or be automatic closing by action of a smoke detector per Section 715.4.8. Doors shall be gasketed to provide a smoke and draft seal where the door meets the stop on sides and top. Section 715.

16. Windows in the walls of fire-rated interior corridor walls (Section 715.5):

    a) Such openings shall be protected by glazing listed and labeled for a fire-protection rating of at least 3/4-hour (or ¼-inch thick wired glass in steel frames).

    b) The maximum width or height of such windows shall not exceed 54 inches, and the maximum area may not exceed 1,296 square inches.

    c) The total area of such windows shall not exceed 25% of the area of a common wall with any room. Section 715.5.8.2.

17. Duct penetrations (or air transfer openings) of fire-rated corridor construction shall have fire and smoke dampers per Sections 716.

- **EXIT SIGNS**

18. Exit signs are required whenever two exits are required. Show all required exit sign locations. Section 1011.1.

• GLASS AND GLAZING

19. Glazing in the following locations should be of safety glazing material in accordance with Section 2406.4:

    a) Fixed or operable panels adjacent to a door where the nearest exposed edge of the glazing is within a 24-inch arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60 inches above the walking surface.

    b) Individual fixed or operable panels, other than those locations described above, that meet all of the following conditions:

        i) Exposed area of an individual pane is greater than 9 square feet, and:

        ii) Exposed bottom edge is less than 18 inches above the floor, and:

        iii) Exposed top edge is greater than 36 inches above the floor, and:

        iv) One or more walking surfaces are within 36 inches horizontally of the plane of the glazing.

    c) Glazing adjacent to stairways or ramps under certain conditions.

• ROOFS

20. Specify on the plans the following information for the roof materials, per Section 1506.3:

    a) Manufacturer's name.

    b) Product name/number.

    c) ICC approval number, or equal.

21. Show the required attic ventilation on the plans. Show "area required" and "area provided." The net free ventilating area shall not be less that 1/300th of the area of the space ventilated. Further, 50% of the opening area must be provided with ventilators in the upper portion (at least 3' above eave or cornice) with the balance of ventilators provided by eave or cornice vents. Section 1203.2.

22. Show location of attic access with a minimum size of 20"x30", unless the maximum vertical headroom height in the attic is less than 30 inches. Access must be provided to each separated attic area. Section 1209.2.

• MISCELLANEOUS LIFE/SAFETY

23. Specify the guard height at Key Note 13 on A2.1, etc.

24. Pedestrian walkways must be shown to comply with Section 3104.

25. Specify on the plans that the **Emergency Responder Safety Features** of Section 914 will be installed.

26. Specify on the plans that **portable fire extinguishers** will be installed in the building in accordance with Section 906.

27. A **Fire Alarm System** shall be installed under the following conditions, per Section 907 (see exceptions):

    a) Group **E** occupancies with an occupant load of 50 or more persons or containing more than one classroom or one or more rooms used for day care purposes.

- **ACCESSIBILITY**

28. Provide notes and details on the plans to show compliance with the enclosed "Disabled Access" Review List.

- **GREEN BUILDING STANDARDS**

The California Building Standards Commission (BSC) has adopted the Green Building Standards Code which became effective January 1, 2011 and must be enforced by the local building official. The following mandatory requirements for commercial construction must be included on your plans. The Green Building Standards apply only to **newly constructed** buildings throughout California. CGC 101.3

29. Note on the site plan that for projects of one acre or less the site shall be planned and developed to keep surface water away from buildings. A "SWPP" shall be provided and approved by the City Engineer, showing site grading and provide for storm water retention and drainage during construction. BMP's that are currently enforced by the city engineer must be implemented prior to initial inspection by the building department. CGC 5.106.3.

30. Note on the plans that bicycle parking for projects with over 10 tenant occupants (10 employee occupants) shall comply with CGC Section 5.106.4. The specific details must be submitted and approved by the Planning Department.

31. Note on the plans that fuel-efficient vehicle parking will be provided in accordance with CGC Section 5.106.5.1. The specific details for the parking must be submitted and approved by City Planning Department.

32. Note on the plans that exterior light pollution must comply with CGC section 5.106.8.

33. Submit to the Engineering Department or other Agency that regulates construction waste management a Waste Management Plan that outlines the items listed in CGC Section 5.408.2.

34. Note on the plans that a minimum of 50% of construction waste is to be recycled. CGC 5.408.3

35. Note on the plans that 100% of trees, stumps, rocks, vegetation and associated soils primarily from the construction will be reused or recycled. CGC 5.408.4

36. For new buildings that are 10,000 sq. ft. and over, the architect or responsible design professional shall submit, prior to plan approval, a "**Commissioning Plan**". The Commissioning Plan must be submitted with the plan documents during plan check. The Plan must be reviewed and approved by the plan checker for compliance with 5 required features listed in CGC 5.410.2.3 as follows: (a) General project information (b) Commissioning goals (c) List the systems to be commissioned with information on design intent, equipment and systems to be tested, functions to be tested and acceptable performance based on tests (d) Commissioning Team member information (e) commissioning process activities, schedules and responsibilities

37. Note on the plans that a building " Systems Manual" as listed in CGC Section 5.410.2.5 shall be delivered to the building owner or representative and the facilities operator. Further, note on the plans that the "Systems Manual" shall contain the required features listed in CGC Section 5.410.2.5.1.

38. Note on the plans that during construction, ends of duct openings are to be sealed, and mechanical equipment is to be covered. CGC 5.504.3.

39. Note on the plans that VOC's must comply with the limitations listed in Section 5.504.4 and Tables 4.504.1, 5.504.4.1 5.504.4.2, 5.504.4.3 and 5.504.4.5 for: Adhesives, Sealants, Paints and Coatings, Carpet and Composition Wood Products. CGC 5.504.4

40. Note on the plans that installations of HVAC, refrigeration and fire suppression systems will not contain CFC's or Halons, per CGC 5.508.1

41. Note on the plans that prior to final approval of the building the licensed contractor, architect or engineer in responsible charge of the overall construction must complete and sign the Green Building Standards Certification form and given to the building department official to be filed with the approved plans.

42. Provide calculations prepared by a licensed engineer that will show water consumption reduction of 20% below the baseline water consumption listed in 5.303.2.2. In lieu of providing the calculations, imprint on the plans Table 5.303.2.3, which lists fixtures that meet the 20% reduction. CGC 5.303.2

TABLE 5.303.2.3 FIXTURE FLOW RATES

FIXTURE TYPE	MAXIMUM FLOW RATE AT 20 % REDUCTION
Showerheads	2 gpm @ 80 psi
Lavatory faucets-nonresidential	0.4 gpm @ 60 psi
Kitchen faucets	1.8 gpm @ 60 psi
Wash fountains	1.8 [rim space (in.)/20 gpm @ 60 psi]
Metering faucets	0.2 gallons/cycle
Metering faucets for wash fountains	.20 [rim space (in.)/20 gpm @ 60 psi]
Gravity tank type water closets	1.28 gallons/flush[1]
Flushometer tank water closets	1.28 gallons/flush[1]
Flushometer valve water closets	1.28 gallons/flush[1]
Electromechanical hydraulic water closets	1.28 gallons/flush[1]
Urinals	.5 gallons/flush

1. Includes single and dual flush water closets with an effective flush of 1.28 gallons or less:

Single flush toilets-The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is the average flush volume when tested in accordance with ASME A 112.19.233.2.

Dual flush toilets-The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is defined as the composite, average flush volume of two reduced flushes and one full flush. Flush volumes will be tested in accordance with ASME A 112.19.2 and ASME A 112.19.14.

43. Imprint on the plumbing plans Table 5.303.6 in the CGC. Note on the plans that waste water fixtures shall comply with the standards listed in CGC Table 5.303.6.

44. Note on the plans that landscape irrigation water use shall have weather based controllers. CGC 5.304.3.1.

- **FOUNDATION**

45. Provide a copy of the project soil report prepared by a licensed civil engineer. The report shall include foundation design recommendations based on the engineer's findings.

46. Provide a letter from the soils engineer confirming that the foundation plan, grading plan and specifications have been reviewed and that it has been determined that the recommendations in the soil report are properly incorporated into the plans (when required by the soil report).

47. Note on plans that surface water will drain away from building and show drainage pattern. The grade shall fall a minimum of 5% within the first 10 feet (2% for impervious surfaces). Section 1804.3.

- **STRUCTURAL**

48. Revise the lateral designs to use a rho factor of 1.3, or provide calculations to justify using 1.0. ASCE 7-05, Section 12.3.4.2 and equation 12.4-3.

49. **Importance Factors.** A load importance factor of **1.25** should be used in accordance with ASCE 7-05, Section 11.5.1 (seismic) or Section 6.5.5 (wind) or Section 7.3.3 (snow), based on the Occupancy Category given in Table 1-1. *This includes buildings with elementary school, secondary school or day-care facilities (capacity > 250 people), etc. See Table 1604.5 of the IBC for a complete listing.*

50. On sheet S210, please provide information for the elevator area.

51. Some roof/floor members are spaced 48" and 32" on center: Please specify on the plans the Panel Span rating for the plywood at these locations.

52. On sheet S221, please investigate the need for a pad footing below the reaction of the beam on Line C (21k).

53. On sheet S221, please see the bearing wall in-line with the 6x12 on Line 1 (where the 4x8's are): That bearing wall has no footing shown below it on the foundation plan.

54. Also, what is the size of the header opposite that 6x12?

55. On sheet S230, it appears that a portion of the perimeter continuous footing is missing at Line G/F (at 4).

56. On sheet S241, please clarify the support for the 6x12 beam on Line 3 (between F and G).

57. On sheet S252, please specify the roof framing over the elevator.

58. Regarding the structural calculations:

    a) Please revise page 9 to specify Wind Exposure C (instead of B).

    b) The floor plan sketches on the plans (AK1, etc.) don't match the plans. They appear to be rotated, mirror-images of the actual building layouts. Please revise the sketches.

    c) Also, the shear wall lengths on those various sketches don't match the foundation/framing plans. In some cases, the difference is only a few inches, but in other cases it's a few feet. Please clarify.

    d) Sheet AB5 calls for a beam that is 11.875" deep; the sketch on AK3 shows a different depth and the plans themselves show a much smaller depth. Please investigate.

- **ADDITIONAL**

59. For the Director's deck on sheet A2.1, please specify the surfacing material, show the slope and provide drains/overflows.

60. On sheet A2.5 (etc.), "FB" and "FC" floor designations are shown: How do the floor plans make it clear which one goes where?

61. Please provide complete information on the plans for the proposed fireplace.

62. Please see the following sheets for PME corrections.

63. To speed up the review process, note on this list (or a copy) where each correction item has been addressed, i.e., plan sheet, note or detail number, calculation page, etc.

64. Please indicate here if any changes have been made to the plans that are not a result of corrections from this list. If there are other changes, please briefly describe them and where they are located in the plans.

    Have changes been made to the plans not resulting from this correction list? Please indicate: ❑ Yes ❑ No

65. The jurisdiction has contracted with Esgil Corporation located at 9320 Chesapeake Drive, Suite 208, San Diego, California 92123; telephone number of 858/560-1468, to perform the plan review for your project. If you have any questions regarding these plan review items, please contact **Kurt Culver** at Esgil Corporation. Thank you.

PLUMBING AND MECHANICAL CORRECTIONS

PLAN REVIEWER: Glen Adamek

GENERAL AND ARCHITECTURAL PME ITEMS

66. Each sheet of the plans must be signed by the person responsible for their preparation, even though there are no structural changes, before the permits are issued. Business and Professions Code. The final set of corrected drawings to be reviewed for signing and sealing just before the permits are to be issued.

67. Provide data on the proposed hazardous materials to be stored and used within each separate building. CBC 414. Present the description of the hazardous materials in a format that coincides with the material classifications found in CBC Tables 307.1(1) and 307.1(2).

    a) Clearly show the *types* of hazardous materials being stored or used. Provide a list of the proposed hazardous materials; include the material safety data sheets (MSDS), if applicable.

    b) Clearly show the *amounts* for each type of hazardous material to be stored and in use.

    c) Clearly show the *locations* in the building where each type of hazardous material is being stored or used.

    d) Note: If hazardous materials are present in any amount, forward this information to the mechanical designer for design compliance with CMC Chapter 5.

68. Include, on the mechanical plans, the locations of all required smoke, fire, combination smoke and fire, or ceiling radiation dampers. Be sure to include a symbol on the symbol schedule for each damper type. CBC 716

69. Show compliance with CBC, Section 1204.1: "Interior spaces intended for human occupancy shall be provided with active or passive space-heating systems capable of maintaining a minimum indoor temperature of 68°F. at a point 3 feet above the floor on the design heating day. Show compliance with CBC, Section 1204.1: "Interior spaces intended for human occupancy shall be provided with active or passive space-heating systems capable of maintaining a minimum indoor temperature of 68°F. at a point 3 feet above the floor on the design heating day. As per the International Building Code, Code and Commentary book: "Heating facilities are required for comfort in all new construction. The systems may be either active (such as forced-air furnace) or passive (such as solar systems), as long as the specified performance is achieved. ... The exception recognizes that not all interior spaces are associated with human comfort by the nature of their uses, such as commercial cooler or freezer. These and similar spaces would not require heating systems."

70. Corridors shall not serve as supply, return, exhaust, relief or ventilation air ducts, as per CBC, Section 1017.4.

71. Please provide complete construction drawings for plan review and to issue permits. Notes on the drawings state: "Not For Construction"

72. Sheet P0.1 is missing from the plan package.

73. The mechanical sheets in the plan package do not match the list of mechanical sheets in the Sheet Index on sheet T1. The some sheet numbers or different, some sheets are missing from the plans and some of the sheets provided are not listed in the Sheet Index. Please correct to agree.

74. Please provide complete plans and details for the proposed Fireplace shown in building B.

75. Clearly show the locations of the elevator equipment (elevator equipment room) in building A and building E.

76. Provide the required independent ventilation for the elevator equipment room to prevent the overheating of the electrical equipment. CBC Section 3006.2

77. Please correct the drawings to show the required 42 inch tall "Guards" (guard rails) as per IBC, Section 1013.5: "Where appliances, equipment, fans, roof hatch openings or other components that require service are located within 10 feet of a roof edge or open side of a walking surface..."

PLUMBING (2010 CALIFORNIA PLUMBING CODE)

78. Provide a plumbing material schedule on the plans describing the following systems: Potable water piping, the drain, waste, and vent piping, gas piping, and the roof drains.

79. Sheet P1.0 does not include construction details and drawings for the site plumbing systems. Provide the site plumbing plans showing the sizes and locations of the gas meters and water meter; and the sizes, routes, and slopes of the building sewer, storm drainage system, site gas lines, and site water lines.

80. Identify the extent of the <u>private</u> sewer, water, and gas systems on the plumbing site plan. Clearly specify, on the plans, which City Department is responsible for the permitting, plan check, and inspections for the <u>private</u> utility systems. If private, the responsibility of the City Building Department, and under the Uniform Plumbing Code, provide complete civil site utility plans for plan check, or obtain a separate permit from the City for the civil site plans.

81. Please show the upstream sewer manhole rim and finished floor elevations. Provide backwater valves for all fixtures installed on floor levels below the next upstream manhole rim elevation. (Only fixtures installed on floor levels below the next upstream manhole rim elevation may flow through a backwater valve.) UPC 710.1

82. Please provide plumbing fixture and plumbing equipment schedules for all proposed plumbing fixture and plumbing equipment.

83. Please provide complete water line sizing calculations and plans that agree. : Include the water pressure, pressure loss calculations, water demands, and the developed pipe lengths. UPC 610.0 or Appendix 'A'. Please address the following:

    a) Show the sizes and locations of the separate water meter for each separate building as per the water line sizing calculations on sheet P0.2. Also, developed pipe lengths and elevation pressure losses will be reviewed when water meter locations are provided.

    b) Show the minimum and maximum water pressure supplied to each of the separate public water meters. Pressure regulators may be required and pressure losses were not included in the water line sizing calculations for pressure regulators.

    c) Please provide cut-sheet and callout data on the drawing for the proposed flush valve water closets. Many flush valve water closets require more than the 25 psi used in the water line sizing calculations to operate.

    d) Note, the allowed GPM and velocity values do not seem to match the values in CPC, Chart A-4 for copper tubing. The allowed GPM and velocity values for each separate pipe size for each separate building water system will be reviewed when the water piping material is clearly shown.

    e) A complete review of the water sizing calculations and plans will be done when the complete corrected water sizing calculations and plans are provided.

84. Describe the method of compliance for temperature limitations for the public use lavatories (limited to 110 degrees). Note: The water heater thermostat may not be used for compliance with this Code section. CPC 413. Energy Standards 113(C)3.

85. Hot water recirculating loop systems requirements (Not single family homes): Detail the following:

    a) The installation of an air release valve on the inlet side of the recirculation pump, within 4' of the pump.

    b) A check valve is required between the recirculating pump and the water heating equipment to prevent the hot water from flowing backwards through the recirculation loop.

    c) A check valve is required on the cold water supply line between the hot water system and the next closest tee on the cold water supply line. (See CPC 608.3 for expansion tank requirements.)

86. All water closet seats, except those within dwelling units, shall be of the open front type or have an automatic seat cover dispenser, as per UPC, Section 408.2.2.

87. Floors shall slope to the floor drain(s) location(s). Please detail on the architectural floor plans. UPC 411.4

88. Show 1/4 inch per 12 inch slope on drain and waste lines. UPC Section 708.0

89. Provide gas line plans and calculations, showing gas pressures, piping types, pipe lengths, gas demands and pipe sizing method used. UPC Section 1217.0.

90. Please correct the sizing of the horizontal rainwater piping for the 4 inches per hour rainfall rate as per the City of Menfee.

MECHANICAL (2010 CALIFORNIA MECHANICAL CODE)

91. Review with the architect the locations that require (fire/ceiling radiation/or fire/smoke) damper and/or shaft protection and identify installations on the mechanical plans themselves.

92. Building B is shown to have a Fireplace. If a Pre Fab Fireplace is to be used please provide cut-sheets, listing data and installation instructions for the proposed unit.

93. Correct the MECH-3C forms for the study rooms and classrooms, including the occupant load calculations for the required ventilation rates for outside air.

94. Please provide outside air amounts for each of the HVAC units as per the requirements on the MECH-3C forms.

95. Provide smoke detection in the supply air duct of an *"air-moving system"* for required shut-off of equipment for smoke control. UMC Section 609.0 An *"air-moving system"* is a system designed to provide heating, cooling, or ventilation in which one or more air-handling units are used to supply air to a common space or to draw air from a common plenum or space. UMC Section 203.0

96. Buildings of more than 15' in height shall have an inside means of access that meets the design requirements of UMC 904.10.3.3. Please provide. City approval for use of an outside ladder is required.

Note: If you have any questions regarding this Plumbing and Mechanical plan review list please contact Glen Adamek at (858) 560-1468. To speed the review process, note on this list (or a copy) where the corrected items have been addressed on the plans.

Menifee 12-0731 thru 737, 740/1, 768
April 20, 2012

ELECTRICAL and ENERGY COMMENTS

PLAN REVIEWER: Eric Jensen

ELECTRICAL (2010 CALIFORNIA ELECTRICAL CODE)

97. The licensed designer must stamp and sign the approved set of the plans.

98. The City of Menifee has adopted an ordinance (2009-24) that restricts the types, style, and amount of outdoor lighting that may be installed for commercial and multiresidential projects. As part of your plan submittal, include all outdoor lighting fixture locations and a description of each fixture type, including manufacturers' catalog cut sheets. This design is unique in that the ordinance was drafted prior to the widespread availability of LED site lighting which is shown to be used for this project. The lumen level, however, of the fixtures exceed the allowable amounts in the ordinance for non-LED lighting. (4050 lumens versus 5562 lumens (lamp). Due to the new style of lamp, you may want to review with the City if their ordinance remains in place or is being modified. I

99. Include a structural pole base detail for the site lighting.

100. I see the Notes as to what buildings parts are what buildings (sheet E1.1) however they do not have common structural footing design. Include the bonding design of the various building sections that results in a common (to the building) ground plane.

101. The main electric Room "D":

    a) Clearances to comply with CEC 110.26(A)(1) and 110.26(C)(2). Review the one door versus two door requirements.

    b) Door swing out from the room and equipped with panic hardware. (Include the proper design on the architectural sheets, as well).

102. GFCI protection is required for all receptacle outlets installed within 6' of the edge of a sink. Please add in the classroom locations, where required.

103. How is the electrical room in building "E" (E112) ventilated such as to dissipate the heat generated by the 300 KVA transformer? (Review all electrical rooms containing transformers for adequate ventilation).

104. Explain the feeder conduit/conductor sizing and the lack of voltage drop considerations on the single line diagram. For example, the ball field feeder is approximately 1,000 feet long (to the jump off point, not including the branch circuits to the pole lights) yet the 150 ampere circuit will require 1/0 conductors which will barely fit interior of a 1 ½" specified conduit?

105. Include voltage drop calculations for the site branch circuit lighting circuits (No. 12 branch circuit conductor sizing?). Be sure to provide a site lighting schedule, there are unnamed fixture types shown on the site layouts.

106. Include a duct bank description for the various feeders from the 3,000 ampere distribution board. Duct bank to include sections with conduit sizing, number, placement, and depth. Review relative location to buildings, footings, etc.

107. Missing exit sign, building "B", second level, The exit sign and egress lighting design for building DE, second floor.

ENERGY CONSERVATION

108. Include the window energy specifications onto the architectural sheet "A10.2". (Window schedule).

109. Provide an LTG design for each (building) permit number.

Note: If you have any questions regarding this Electrical and Energy plan review list please contact Eric Jensen at (858) 560-1468. To speed the review process, note on this list (or a copy) where the corrected items have been addressed on the plans.

SAMPLE

Menifee 12-0731 thru 737, 740/1, 768
April 20, 2012

DISABLED ACCESS REVIEW LIST
DEPARTMENT OF STATE ARCHITECT
TITLE 24

The following disabled access items are taken from the 2010 edition of California Building Code, Title 24. Per Section 1.9.1, all publicly and privately funded public accommodations and commercial facilities shall be accessible to persons with disabilities.

NOTE: All Figures and Tables referenced in this checklist are printed in the California Building Code, Title 24.

• WALKS AND SIDEWALKS

1. Walks along an accessible route of travel are required to be ≥48" minimum in width and have slip resistant surfaces, per Section 1133B.7.

   a) The "Legend" on sheet A1.0 calls for 42" wide walks. Please revise.

2. Show that a 36" wide detectable warning material is provided at boundaries between walkways and vehicular ways. Section 1133B.8.5.

• STAIRWAYS AND HANDRAILS

3. At stairs, the handrail on at least one side must be straight (no 90-degree or 180-degree bends). Please check the plans. Section 1133B.4. See 1/A3.6 (Bldg. B), etc.

• DOORS

4. Show on the plans the required 18" strike-side clearance at Door B102, etc.

• SIGNAGE

5. Per Section 1011.3, tactile exit signs shall be required at the following locations:

   a) Wherever basic CBC provisions require exit signs from a room or area to a corridor or hallway. The tactile exit sign shall have the words, "EXIT ROUTE."

   b) Each grade-level exit door. The tactile exit sign shall have the word, "EXIT."

   c) Each exit door that leads directly to a grade-level exterior exit by means of a stairway or ramp. The tactile exit sign shall have the following words as appropriate:

      i) "EXIT STAIR DOWN."

6. Where permanent identification is provided for rooms and spaces, raised letters shall also be provided and shall be accompanied by Braille. Section 1117B.5.

7. Provide a note on the plans stating that the signage requirements of Section 1117B.5 will be satisfied.

- **ALARMS**

8. Per Sections 907.9.1, 1114B.2.2 and 1007.9, when emergency warning systems or fire alarms are provided, there shall also be approved notification appliances for the hearing impaired, installed in accordance with national standards in the following areas:
   - i) Classrooms.
   - ii) Restrooms
   - iii) Corridors
   - iv) Multipurpose rooms.
   - v) Occupied rooms where ambient noise impairs hearing of the fire alarm
   - vi) Lobbies
   - vii) Meeting rooms

9. Provide a note on the plans stating that the audible <u>and visual</u> alarms will comply with the provisions of Title 24 Section 907.

End

SAMPLE

ESGIL CORPORATION

P.O. BOX 420667
SAN DIEGO, CA 92142
(858) 560-1468

INVOICE FOR SERVICES

DATE _____

TO: City of Moreno Valley
Building & Safety Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

Our Invoice No.: _____

P.O. No.: _____

INVOICE PERIOD: From thru

This invoice is for the following
Described work:

(see attached list)

Amount of Invoice

Submitted by: _____
ESGIL CORPORATION

Approved by: _____

Invoice payment is 25 calendar days net. Thank you for your business.

SAMPLE

Attachment "C"

SERVICES FOR: CITY OF: Moreno Valley COUNTY OF:	ESGIL CORPORATION 9320 CHESAPEAKE DR. #208 SAN DIEGO, CA 92123 (858) 560-1468	INVOICE No: 03122891 P.O. No.: FROM: 3-1-12 THRU: 3-31-12

PLAN CHECK NO.	USE	TYPE	VALUE	PLAN CHECK FEE/ HOURS CHARGED	ESGIL SERVICE FEE	DATE PLANS REC'D	DATE 1ST CHECK COMPLETED	WORK DAYS
#####					-	TU 3/20	TU 3/27	#
Job Address								
			TOTAL AMOUNT INVOICED:					

MV00167183

KURT CULVER, S.E.
PRESIDENT, ESGIL CORPORATION

Kurt Culver was formerly the Research Engineer with the City of San Diego Building Inspection Department. His responsibilities included supervision and training of plan check engineers, along with researching complex code issues to develop department policies.

As President of Esgil Corporation, Kurt has the responsibility of overseeing the day-to-day management of the office operation. This duty includes previewing all plans received, assignment of plans based on complexity and workload, consulting with the plan check engineers and reviewing their finished product. He serves as a liaison with clients from government agencies to handle requests. He is also responsible for the continuing program of providing technical training to staff.

Kurt has a Bachelor of Science degree (Civil Engineering) from San Diego State University and is both a licensed Civil Engineer and licensed Structural Engineer in Nevada and California. He has twenty-nine years experience in the interpretation and application of regulatory requirements contained in the building code.

Kurt is active in the Structural Engineers Association of California having served as the Treasurer and Secretary for the Board of Director in San Diego, as the Chairman of the Membership Committee. He is currently serving on the Code Committee.

Kurt also has I.C.C. Certification as a Plans Examiner. He has his teaching credentials in the Community College system where he taught building code classes for many years.

Kurt is completing his twenty-fifth year with Esgil Corporation, during which time he has successfully demonstrated his ability to apply his technical leadership and management skills to the benefit of the public and the clients served by Esgil Corporation.

Attachment "D"

CHUCK MENDENHALL, S.E.
VICE-PRESIDENT, ESGIL CORPORATION

Chuck Mendenhall was formerly a Senior Structural Engineer with the County of San Diego Department of Planning and Land Use. He has over 30 years of continuous regulatory experience in the building inspection and plan check areas. His responsibilities include supervision and training of plan check engineers, field inspectors and advising field inspectors and plan check staff on complex or unusual design or construction problems. He also served as Chief of the El Cajon branch of Planning and Land Use Department, wherein he managed a staff of 30 planning and inspection personnel responsible for serving East San Diego County.

He has served in progressively more responsible positions starting with the San Diego County Building Department in 1971 as a Junior Civil Engineer and progressing through Assistant Structural Engineer, Associate Structural Engineer and ultimately Senior Structural Engineer. During this progression period he served one year as an Associate Civil Engineer with the San Diego County Department of Sanitation and Flood Control in charge of contract administering and inspection of capital improvement projects. He is thoroughly experienced in all aspects of plan review including residential, commercial and industrial structures.

Chuck matriculated at San Diego State University and has a Bachelor of Science Degree and Master of Science Degree in Civil Engineering. He is a licensed Professional Engineer (Civil and Structural) in Nevada and California, a licensed I.C.C. Building Inspector, Plans Examiner and Electrical Inspector and has his Teaching Credential in the Community College system where he has taught structural design review courses for engineers.

He has demonstrated his ability to effectively and efficiently perform both high level technical and management duties in a large regulatory department.

RICHARD ESGATE
CFO / BOARD CHAIRMAN

Richard Esgate is the CFO and Board Chairman for Esgil Corporation, which provides Building Department Services to 135 cities and counties. Richard is the Building Official for the Cities of Poway and Santee.

Richard has a Bachelor of Science degree from Cal Poly and is a Professional Engineer (Civil).

Richard Esgate has served as the Deputy Director of the County of San Diego Department of Planning and Land Use. He was responsible for the day-to-day management of the 120 staff division composed of the County building inspection function and portions of the County regulatory planning process. Land development operations were conducted in three high capability service delivery centers. Work elements included counter operations, building plan checking operations, field inspection operations, zoning enforcement, minor subdivision processing and receiving all land development applications.

Richard also served in the former County Engineer Department, the former Building Inspection Department and the Department of Sanitation and Flood Control. He has high level management experience in surveying, materials testing, contract management and road construction; in the field, office and plan checking functions of the building department and regulatory planning processes; and in the planning, budgeting and facility maintenance of the San Diego County Flood Control District.

Richard has served on numerous high level task forces where his knowledge and regulatory management skills contributed to improving the government function. He is a highly experienced regulatory services manager.

ESGIL CORPORATION

9320 Chesapeake Drive #208 San Diego, CA 92123
PH: (858) 560-1468 / (800) 983-7445 FAX: (858) 560-1576
web: www.esgil.com / e-mail: mail@esgil.com

STAFF QUALIFICATIONS

RICHARD ESGATE, P.E.
Civil Engineer

41 years building inspection department experience.
Former Deputy Director of the 120 staff San Diego County Building Inspection Division.
California CE# C19792

KURT CULVER, P.E., S.E.
Civil & Structural Engineer

31 years building inspection department experience.
Former Plan Review Civil and Structural Engineer Engineer for San Diego City Building Inspection Department.
I.C.C. Certified Building Official.
I.C.C. Certified Plans Examiner.
Nevada PE/SE# 9272
California SE# S3242
California CE# C34525

CHUCK MENDENHALL, P.E., S.E.
Civil & Structural Engineer, BSCE, MSCE

37 years building inspection department experience
Former Senior Structural Engineer in the San Diego County Building Inspection Plan Review Division
I.C.C. Certified Building Inspector
I.C.C. Certified Electrical Inspector
I.C.C. Certified Plans Examiner
Nevada PE/SE# 019283
California SE# S3828
California CE# S24904

GLEN ADAMEK
Mechanical Engineer, BSME

34 years building inspection department experience
Former Building Inspector and Plan Review Engineer, San Diego County Building Inspection Department
U.P.C. Certified Plumbing Inspector
I.C.C. Certified Building Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Plans Examiner
CBCI Certified Energy Plans Examiner; Residential and Non-residential

MARK BEAUCHAMP
Bldg Safety Services Manager
Plans Examiner

35 years building department experience
Former Building Official for the City of Vista and City of Pico Rivera
State Certified California Access Specialist (CASp-047)
C.A.B.O. Certified Building Official
I.C.C. Certified Building Official
I.C.C. Certified Plans Examiner
I.C.C. Certified Combination Inspector
I.C.C. Certified Building Inspector
I.C.C. Certified Electrical Inspector
I.C.C. Certified Plumbing Inspector
I.C.C. Certified Mechanical Inspector

Attachment "E"

ESGIL CORPORATION

9320 Chesapeake Drive #208 San Diego, CA 92123
PH: (858) 560-1468 / (800) 983-7445 FAX: (858) 560-1576
web: www.esgil.com / e-mail: mail@esgil.com

STAFF QUALIFICATIONS

WILLIAM ELIZARRARAS
Plans Examiner / Building Inspector

22 years building department experience
Former Plans Examiner for San Diego County Building Department
10 years private sector construction experience
I.C.C. Certified Building Inspector
I.C.C. Certified Plumbing Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Plans Examiner

RAY FULLER
Plans Examiner / Building Inspector

22 years building department experience
Former Plans Examiner for San Diego County Building Department
I.C.C. Certified Plans Examiner
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Fire Code Inspector

AARON GOODMAN, C.B.O.
Plans Examiner / Building Inspector

36 years building department experience
I.C.C. / C.A.B.O. Certified Building Official
I.C.C. Certified Building Plans Examiner
I.C.C. Certified Mechanical Plans Examiner
I.C.C. Certified Electrical Plans Examiner
I.C.C. Certified Fire Plans Examiner
I.C.C. Certified Plumbing Plans Examiner
I.C.C. Combination Plans Examiner
I.C.C. Certified Fire Inspector I & II
I.C.C. Certified Building Inspector

ERIC JENSEN
Plans Examiner / Building Inspector

22 years building department experience
Former Chief Electrical Inspector, County of San Diego
10 years Foreman Electrician
B.S. Degree San Diego State University
16 years Palomar College, Electrical Code Instructor
I.C.C. Certified Plans Examiner
I.C.C. Certified Plumbing Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Electrical Inspector
L.E.E.D., Green Associate Certified
C.A.B.E.C. Certified Energy Plans Examiner

TRISH JOHNSON
Plans Examiner / Building Inspector

20 years building department experience
I.C.C. Certified Plumbing Inspector
I.C.C. Accessibility Inspector / Plans Examiner
I.C.C. Certified Plans Examiner
I.C.C. Permit Technician
I.C.C. Building Inspector
I.C.C. Mechanical Inspector

ESGIL CORPORATION

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PH: (858) 560-1468 / (800) 983-7445 FAX: (858) 560-1576
web: www.esgil.com / e-mail: mail@esgil.com

STAFF QUALIFICATIONS

JIM LAWLER
Plans Examiner / Building Inspector

28 years building department experience
I.C.C. Certified Building Official
I.C.C. Certified Building Plans Examiner UBC
I.C.C. Certified Building Inspector UBC
I.C.C. Certified Plans Examiner
I.C.C. Certified Combination Inspector – Uniform Codes
I.C.C. Certified Electrical Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Plumbing Inspector

JOHN LE VEY
Field Supervisor
Building Inspector

14 years building department experience
20 years private sector construction experience
10 years (certified) mechanical experience
16 years state licensed plumbing contractor, HER's Certified
I.C.C. Certified Combination Inspector
I.C.C. Certified Building Inspector
I.C.C. Certified Electrical Inspector
I.C.C. Certified Plumbing Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Plans Examiner

DOUG MOODY
Plans Examiner / Building Inspector

10 years plan review experience
19 years private sector construction experience
State Certified California Access Specialist (CASp-042)
I.C.C. Certified Building Inspector
I.C.C. Certified Electrical Inspector
I.C.C. Certified Plumbing Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Combination Inspector
I.C.C. Certified Plans Examiner
I.C.C. Certified Building Official

ELETTE NASH
Plans Examiner / Building Inspector

25 years building department experience
15 years building inspection experience
I.C.C. Certified Plans Examiner
I.C.C. Certified Building Inspector
I.C.C. Certified Residential Combination Inspector
I.C.C. Certified Fire Inspector I & II

ESGIL CORPORATION

9320 Chesapeake Drive #208 San Diego, CA 92123
PH: (858) 560-1468 / (800) 983-7445 FAX: (858) 560-1576
web: www.esgil.com / e-mail: mail@esgil.com

STAFF QUALIFICATIONS

ALI SADRE, P.E., S.E.
Civil & Structural Engineer

25 years plan review experience, former Plan Review Engineer for San Diego City Building Inspection Department.
Masters Degree in Structures, Georgia Tech
I.C.C. Certified Building Inspector
I.C.C. Certified Plans Examiner
I.C.C. Certified Residential Combination Inspector
California SE# S3715
California PE# C42877

Former Chair of the Structural Engineers Assoc. of Ca (SEAOC) Seismology Committee; President of Structural Engineers Assoc. of San Diego (SEAOSD) 2009-2010; Ca Seismic Safety Commission Member 2007-2011; SEAOC Board Member 2007-2011; Ca Hospital Seismic Safety Board (HSSB); Strong Motion Instrumentation Program (SMIP); City of San Diego Board of Appeals Chairman 2007-2011

STEVE SANDERS
Plans Examiner / Building Inspector

25 years building inspector experience
I.C.C. Certified Plans Examiner
I.C.C. Certified Building Inspector

ADRIAN SILVA
Electrical Engineer / Plans Examiner

5 years plan review experience, former Plan Review Engineer for the City of San Diego Development Services Department
I.C.C. Certified Plans Examiner

DAVID YAO, P.E.
Civil Engineer

28 years building inspection plan review experience, former Plan Review Engineer for the County of Salt Lake, Utah.
I.C.C. Certified Building Inspector
I.C.C. Plumbing Inspector
I.C.C. Fire Code
I.C.C. Special Inspector Masonry
I.C.C. Certified Plans Examiner
7 years of private sector design experience
California PE# C35702

Esgil Corporation does not perform work for the private sector. Limiting our clients to government entities completely avoids any conflict of interest situation.

The above listed staff are Esgil employees. Esgil Corporation does not use "moonlight employees", nor does Esgil Corporation permit its employees to hold outside employment that could result in a conflict of interest.

It should be noted that many of Esgil Corporation's plan review staff have served at the highest levels in building inspection departments and have the needed expertise and knowledge to properly interpret the complex regulations contained in the mandated

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 4/23/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Cavignac & Associates
450 B Street, Suite 1800
San Diego, CA 92101-8005
License No. OA99520

CONTACT NAME: Certificate Department
PHONE (A/C, No, Ext): 619-234-6848 FAX (A/C, No): 619-234-8601
E-MAIL ADDRESS: certificates@cavignac.com
PRODUCER CUSTOMER ID #: ESGIL-1

INSURED

EsGil Corporation
9320 Chesapeake Drive, #208
San Diego, CA 92123 United States

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: TRAVELERS PROP CAS CO OF AMER	25674
INSURER B: BEAZLEY INS CO INC	37540
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES CERTIFICATE NUMBER: 182175 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			6801052T972	9/1/2011	9/1/2012	EACH OCCURRENCE	$ 1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 1,000,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$ 10,000
	X Separation of Insureds	X					PERSONAL & ADV INJURY	$ 1,000,000
	X Contractual Liability						GENERAL AGGREGATE	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$ 2,000,000
	POLICY X PROJECT LOC						Deductible	$ 0
A	AUTOMOBILE LIABILITY			BA6663M034	9/1/2011	9/1/2012	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS						BODILY INJURY (Per accident)	$
	SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	$
	HIRED AUTOS							$
	NON-OWNED AUTOS							$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DEDUCTIBLE							$
	RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			UB0675T169	9/1/2011	9/1/2012	X WC STATUTORY LIMITS / OTHER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH)	N/A					E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
B	Professional Liability			V15W0K110601	9/1/2011	9/1/2012	Each Claim	$1,000,000
							Aggregate	$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured coverage applies to General Liability for City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents per policy form. Prof. Liab. - Claims made, defense costs included within limit.

CERTIFICATE HOLDER

City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805
United States

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Jeffrey W. Cavignac

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The ACORD name and logo are registered marks of ACORD

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

BLANKET ADDITIONAL INSURED (ARCHITECTS, ENGINEERS AND SURVEYORS)

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE PART

A. The following is added to **WHO IS AN INSURED (Section II)**:

Any person or organization that you agree in a "contract or agreement requiring insurance" to include as an additional insured on this Coverage Part, but only with respect to liability for "bodily injury", "property damage" or "personal injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

a. In the performance of your ongoing operations;

b. In connection with premises owned by or rented to you; or

c. In connection with "your work" and included within the "products-completed operations hazard".

Such person or organization does not qualify as an additional insured for "bodily injury", "property damage" or "personal injury" for which that person or organization has assumed liability in a contract or agreement.

The insurance provided to the additional insured is limited as follows:

d. This insurance does not apply on any basis to any person or organization for which coverage as an additional insured specifically is added by another endorsement to this Coverage Part.

e. This insurance does not apply to the rendering of or failure to render any "professional services".

f. The limits of insurance afforded to the additional insured shall be the limits which you agreed in that "contract or agreement requiring insurance" to provide for that additional insured, or the limits shown in the Declarations for this Coverage Part, whichever are less. This endorsement does not increase the limits of insurance stated in the **LIMITS OF INSURANCE (Section III)** for this Coverage Part.

B. The following is added to Paragraph **a.** of **4. Other Insurance** in **COMMERCIAL GENERAL LIABILITY CONDITIONS (Section IV)**:

However, if you specifically agree in a "contract or agreement requiring insurance" that the insurance provided to an additional insured under this Coverage Part must apply on a primary basis, or a primary and non-contributory basis, this insurance is primary to other insurance that is available to such additional insured which covers such additional insured as a named insured, and we will not share with the other insurance, provided that:

(1) The "bodily injury" or "property damage" for which coverage is sought occurs; and

(2) The "personal injury" for which coverage is sought arises out of an offense committed;

after you have entered into that "contract or agreement requiring insurance". But this insurance still is excess over valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the insured when the insured is an additional insured under any other insurance.

C. The following is added to Paragraph **8. Transfer Of Rights Of Recovery Against Others To Us** in **COMMERCIAL GENERAL LIABILITY CONDITIONS (Section IV)**:

We waive any rights of recovery we may have against any person or organization because of payments we make for "bodily injury", "property damage" or "personal injury" arising out of "your work" performed by you, or on your behalf, under a "contract or agreement requiring insurance" with that person or organization. We waive these rights only where you have agreed to do so as part of the "contract or agreement requiring insurance" with such person or organization entered into by you before, and in effect when, the "bodily injury" or "property damage" occurs, or the "personal injury" offense is committed.

D. The following definition is added to **DEFINITIONS (Section V)**:

"Contract or agreement requiring insurance" means that part of any contract or agreement under which you are required to include a person or organization as an additional insured on this Coverage Part, provided that the "bodily injury" and "property damage" occurs, and the "personal injury" is caused by an offense committed:

a. After you have entered into that contract or agreement;

b. While that part of the contract or agreement is in effect; and

c. Before the end of the policy period.

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EsGil Corporation

In Partnership with Government for Building Safety

CLIENT REFERENCE SHEET

THE FOLLOWING IS A LIST OF SOME OF OUR CLIENTS. THESE INDIVIDUALS COULD HELP YOU EVALUATE THE ADVANTAGES OF OUR SERVICES.

CITY OF CARLSBAD (760) 602-2700
MR. WILL FOSS
BUILDING OFFICIAL
1635 FARADAY AVE.
CARLSBAD, CA 92008

CALIFORNIA STATE UNIV. (562) 951-4590
OFFICE OF THE CHANCELLOR
MR. THOMAS KENNEDY, CHIEF
401 GOLDEN SHORE, 5TH FLOOR
LONG BEACH, CA 90802

CITY OF CORONADO (619) 522-7331
MR. DAVE CALVANI
BUILDING OFFICIAL
1825 STRAND WAY
CORONADO, CA 92118

CITY OF COVINA (626) 858-7236
MR. KYLE RANDALL
BUILDING OFFICIAL
125 E. COLLEGE STREET
COVINA, CA 91723

CITY OF DEL MAR (858) 755-9313
MS. KATHLEEN A. GARCIA
COMMUNITY DEV. DIRECTOR
1050 CAMINO DEL MAR
DEL MAR, CA 92014

CITY OF ENCINITAS (760) 633-2730
MR. PATRICK MURPHY
PLANNING DIRECTOR
505 S. VULCAN AVE.
ENCINITAS, CA 92024-3633

CITY OF HEMET (951) 765-2475
MR. COLIN McNIE
BUILDING OFFICIAL
445 E. FLORIDA AVE.
HEMET, CA 92543-4209

IMPERIAL COUNTY (760) 482-4236
MR. ARMANDO VILLA
DEV. SERVICES DIRECTOR
801 MAIN STREET
EL CENTRO, CA 92243

CITY OF LEMON GROVE (619) 825-3800
MS. CAROL DICK
DIRECTOR, COMMUNITY DEV.
3232 MAIN STREET
LEMON GROVE, CA 91945

NATIONAL CITY (619) 336-4210
MR. LUIS SAINZ
BUILDING OFFICIAL
1243 NATIONAL CITY BLVD.
NATIONAL CITY, CA 91950

CITY OF PALM SPRINGS (760) 323-8242
MR. TERRY TATUM
BUILDING OFFICIAL
3200 E. TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

CITY OF POWAY (858) 695-4289
MR. ROBERT MANIS
DIRECTOR OF DEVELOPMENT SVCS
13325 CIVIC CENTER DRIVE
POWAY, CA 92064

CITY OF SAN CLEMENTE (949) 361-6170
MR. MIKE JORGENSON
BUILDING OFFICIAL
910 CALLE NEGOCIO, STE. 100
SAN CLEMENTE, CA 92673

SAN DIEGO COUNTY (858) 694-8834
MR. JEFF REDLITZ
ARCHITECT, GENERAL SERVICES
5555 OVERLAND AVE. #2208
SAN DIEGO, CA 92123-1294

CITY OF SANTEE (619) 258-4100
MR. PEDRO ORSO-DEL GADO
DEV. SERVICES DIRECTOR
10601 MAGNOLIA AVE.
SANTEE, CA 92071-1266

CITY OF SOLANA BEACH (858) 720-2440
MOHAMMAD SAMMAK, P.E.
DIRECTOR OF ENGINEERING
635 SOUTH HIGHWAY101
SOLANA BEACH, CA 92075

Attachment "G"

City of Avalon

Santa Catalina Island

April 27, 2012

Re: EsGil Corporation Services

To Whom It May Concern:

As the Building Official, Building Inspector and Code Enforcement Officer for the City of Avalon, I wear many hats to manage, regulate and ensure the safety and well-being of the community. Esgil Corporation has allowed me to maintain efficient plan reviews and meet required deadlines with limited resources. Their staff of highly-qualified and experienced professionals offer a broad range of disciplines, providing thorough and comprehensive plan reviews.

Since 2008, the Avalon Building Department has used EsGil Corporation for on-call building plan review and inspection services; we look forward to continuing this relationship.

If you have any questions or would like additional information regarding our experience with EsGil and their staff, please feel fee to contact me at the phone number or e-mail listed below.

Regards,

Bryan P Zuppiger, CBO
Building Official
bzuppiger@cityofavalon.com
Ph: (310) 510-0220

Attachment "H"

CITY OF
CARLSBAD
Community & Economic Development
www.carlsbadca.gov

April 25, 2012

Re: Reference Letter for EsGil Corporation

To Whom It May Concern:

For over thirty years, EsGil has provided building plan review services for the Carlsbad Building Department. Their company and staff have a respected working history with Carlsbad, assuring that the goals of our department are achieved and the needs of the City are met.

As a coastal city, urban development and environmental regulations in Carlsbad have changed significantly during that time, creating unique challenges for myself and the City staff. As our relationship with EsGil has evolved, so has our ability to meet those challenges. We've built a long-term partnership, providing our community with a service standard of quality, efficiency and integrity.

Please feel free to contact me at 760-602-2716 if you require any additional information regarding our experience with their services.

Sincerely,

Will Foss

Will Foss
Building Official
Will.Foss@carlsbadca.gov

WF:jh

Building Division
1635 Faraday Avenue, Carlsbad, CA 92008-7314 T 760-602-2700 F 760-602-8560

CITY OF CORONADO

COMMUNITY DEVELOPMENT

1825 STRAND WAY
CORONADO, CALIFORNIA 92118
WWW.CORONADO.CA.US

April 25, 2012

CITY HALL
PHONE: (619) 522-7326
FAX: (619) 522-2418

Re: EsGil Corporation – Letter of Recommendation

To Whom It May Concern:

I am writing to provide a reference for EsGil Corporation and to describe the quality of services received by their company and their staff.

EsGil has provided building plan review services to the City of Coronado since 1981, with inspection and counter services beginning in 2009. They've been a valuable resource in meeting our Building Department needs.

The City of Coronado staff strives to provide our community with a complete package of quality, accountable and excellent customer service, while meeting required deadlines and turn-around times. Our long lasting relationship with the EsGil team is due to their proven track record of efficiency, consistency and flexibility.

I would highly recommend using EsGil and their staff as a Building and Safety resource for your community.

Thank you,

Dave Calvani,
Senior Building Inspector,
City of Coronado

dcalvani@coronado.ca.us
Ph: (619) 522-2411

City of Encinitas
Planning and Building Department
Current Planning Division
505 S. Vulcan Avenue, Encinitas, California 92024-3633

August 2, 2010

Richard Esgate
EsGil Corporation
9320 Chesapeake Drive, Suite 208
San Diego, CA 92123

Subject: Letter of Reference

Dear Mr. Esgate:

EsGil Corporation has continually provided full building services for the City of Encinitas since incorporation, 1987. The services you provide are seamless; the customer typically considers EsGil employees as City employees. EsGil staff work well with the various development services departments. They are very responsive to issues, and services are provided in a very expedient manner.

The comments we receive from our customers (via customer comment cards) regarding building services consistently rate the Building Division services as exceptional in all of our categories – availability, courtesy, helpfulness and knowledge. We have been monitoring customer comments for multiple years, and the City's Building Division is one of the top rated divisions for receiving exceptional service scores. You often make the City look good.

The timeliness of plan checks and inspections is greatly appreciated by our customers. You consistently meet your contractual performance measures, which is an example for all City departments to follow.

The overall management of the EsGil employees and the Building Division is also worth noting. Any change of staffing has been efficient and without impact to services. Staffing levels are typically adjusted to keep pace with either an increase or decrease in workload. I have personally worked with EsGil through two periods where development activity dropped significantly (early 1990's and 2009/10), and EsGil's performance through these periods has been well received by the Council, management and the public. You continued to provide the City with needed services.

I have also received commendation from the building industry regarding EsGil's performance. Over the past several years with Encinitas, I have had the pleasure of meeting multiple times with building industry representatives over a variety of issues. When discussing the City's

Tel: (760) 633-2710; Fax: (760) 633-2818

building services and EsGil's performance, the development community has always been pleased … even saying "we don't want to lose EsGil." In a more formal process, the City reached out to the development community in 2003/04 to ask them "*how are we doing.*" The consultant's report made the following comment: "Esgil and the Building [Division] received the most positive comments of all departments. Participants indicate that they provide good service – fast, predictable, precise, timely, etc."

It has been a personal pleasure working with EsGil all of these years. You have made my job easier. The City has been pleased with EsGil's services, and we hope to continue that relationship in the future. If you have any questions or need additional information, please call me (760/633-2696) or e-mail pmurphy@cityofencinitas.org.

Sincerely,

Patrick Murphy
Director of Planning and Building

MV00167198

CITY OF POWAY

DON HIGGINSON, Mayor
CARL KRUSE, Deputy Mayor
MERRILEE BOYACK, Councilmember
JIM CUNNINGHAM, Councilmember
JOHN MULLIN, Councilmember

August 9, 2010

Kirk Culver
Chief Executive Officer
EsGil Corporation
9320 Chesapeake Drive, Suite 208
San Diego, CA 92123-1355

Dear Mr. Culver:

EsGil has provided building services to the City of Poway since the City incorporated 30 years ago. Your company has provided excellent consultant services without the cost to the City of an in-house building staff.

EsGil building staff members are a very much a part of the City of Poway's Development Services team. They are knowledgeable regarding California Building Codes and regulations, and they have the same local knowledge that our in-house staff members have. We truly appreciate their problem-solving attitude and the overall customer service they provide.

We are fortunate to have EsGil staff working with us. Your staff's work is professional and thorough, and I would recommend EsGil to anyone considering hiring them.

Sincerely,

DEVELOPMENT SERVICES DEPARTMENT

Robert J. Manis
Director of Development Services

City Hall Located at 13325 Civic Center Drive
Mailing Address: P.O. Box 789, Poway, California 92074-0789
www.poway.org

NON-COLLUSION AFFIDAVIT

STATE OF CALIFORNIA)
) SS
COUNTY OF San Diego)

(NAME) Kurt Culver, affiant being first duly sworn, deposes and says:

That he or she is President of
(sole owner, partner or other proper title)
EsGil Corporation the party making the foregoing Proposal
(Contractor)
that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the Contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company associations, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid (Public Contract Code Section 7106).

Proposer's Name: EsGil Corporation
(print)
Proposer's Address: 9320 Chesapeake Dr Ste. 208
(print)
San Diego, CA 92123

Telephone No.: 858-560-1468

(Signature of Proposer) President
(Title)

All signatures must be notarized.

Attach Notary here.

City Form "1"

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (If any)

State of California

County of San Diego

Subscribed and sworn to (or affirmed) before me on this

27 day of April, 20 12, by
Date Month Year

(1) _____,
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and)

(2) _____,
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

SALLY BYRD
Commission # 1950736
Notary Public - California
San Diego County
My Comm. Expires Sep 30, 2015

Signature Sally Byrd
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Non-Collusion Affidavit

Document Date: 4/27/2012 Number of Pages: 2

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5910 Reorder: Call Toll-Free 1-800-876-6827

AFFIDAVIT OF NON-CONVICTION

I hereby affirm that:

I am the PRESIDENT (Title) and the duly authorized

Representative of the firm of: ESGIL CORPORATION (Name of Corporation)

Whose address is: 9320 CHESAPEAKE DRIVE #208

SAN DIEGO, CA 92123 And that

I possess the legal authority to make this affidavit on behalf of myself and the firm for which I am acting.

Except as described in paragraph 3 below, neither I nor the above firm, nor to the best of my knowledge, and of its officers, directors, or partners, or any of its employees directory involved in obtaining Contracts with the City have been convicted of, or have plead ***nolo contendere*** to a charge of, or having during the course of an official investigation or other proceeding admitted in writing or under oath acts or omissions which constitute bribery, attempted bribery, or conspiracy to bride under the laws of any State of the Federal government (conduct prior to July 1, 1977 is not required to be reported).

State "none" or, as appropriate, list any convection, plea or admission described in paragraph two above, with the data, court, official, or administrative body; the individuals involved and their position with the firm, and sentence or disposition, if any.

I acknowledge that this affidavit is required to allow the City to make a determination. I acknowledge that, if the representations set forth in the affidavit are not true and correct, the City may terminate ant Contract awarded and may take any other action.

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.

Signature: _____ Date: 4/27/12

Printed Name KURT CULVER Title: PRESIDENT

Name of firm: ESGIL CORPORATION

City Form "2"

VENDOR INFORMATION

A. PROPOSERS COMPANY INFORMATION **(print or type)**

Company Name: ESGIL CORPORATION

Owner / Manager Name: KURT CULVER

PO Mailing Address: 9320 CHESAPEAKE DRIVE #208

City: SAN DIEGO State CA Zip 92123

Remit to Address (if different from PO mailing address) SAME AS ABOVE

City: _____ State _____ Zip _____

Web Site: www.esgil.com

Phone Number: (858) 560-1468

Fax Number: (858) 560-1576

E-mail Address: kculver@esgil.com

Incorporated? (mark one) Yes X or No ___

Fed. Tax I.D. # or Social # 95-3444018

If not a Corporation, are you a Partnership, LLC, Individual or Joint Venture? N/A

How many years of relevant experience within the scope of this RFP? 32 YEARS

I certify that the information given above is accurate and complete; that the Terms and Conditions as issued by the City of Moreno Valley with this Request for Proposal # VAG-11/12-04 have been fully read, understood, and accepted in total; and that I am a duly authorized agent for quoting purposes for the company named above.

KURT CULVER	PRESIDENT
(Print Quoting Persons Name)	(Title)
[signature]	4/30/12
(Quoting Persons Signature)	(Date)

City Form "3"

REFERENCES

List three (3) references that most closely reflect similar projects and work that your company has worked on within the past five (5) years for a Public or Governmental Agency. **(Type or Print)**

1. Name of Public Agency: CITY OF TEMECULA

   Address: 41000 MAIN STREET

   City: TEMECULA State: CA Zip: 92590

   Contact: MR. RICH JOHNSTON Title: BUILDING OFFICIAL

   Telephone: (951) 694-6444 Email: rich.johnston@cityoftemecula.org

   Service Dates: 1993 - PRESENT

   Brief Summary of Project/Work provided:

   CONTRACT BUILDING DEPARTMENT PLAN REVIEW SERVICES

2. Name of Public Agency: CITY OF SAN JACINTO

   Address: 595 S. SAN JACINTO AVE., BLDG A

   City: SAN JACINTO State: CA Zip: 92583

   Contact: MR. TIM HULTS Title: ACTING BUILDING OFFICIAL

   Telephone: (951) 487-7330 Email: thults@sanjacintoca.us

   Service Dates: 1994 - PRESENT

   Brief Summary of Project/Work provided:

   CONTRACT BUILDING DEPARTMENT PLAN REVIEW SERVICES

3. Name of Public Agency: CITY OF MENIFEE

Address: 29714 HAUN ROAD

City: MENIFEE State: CA Zip: 92586

Contact: MR. TONY ELMO Title: BUILDING OFFICIAL

Telephone: (951) 672-6777 Email: telmo@cityofmenifee.us

Service Dates: 2009 - PRESENT

Brief Summary of Project/Work provided:

CONTRACT BUILDING DEPARTMENT PLAN REVIEW SERVICES

Insert fee proposal here and include signature page of similar information

Company Name: ESGIL CORPORATION
(print)

Authorized Signer: KURT CULVER
(print)

Signature: Date: 4/30/12

Proposal Requirements:

F. (a)	Initial Plan Reviews*: *(* no charge for rechecks)*	80% of City-Collected Plan Check Fee
F. (b)	Hourly Rates:	See Attached
F. (c)	Expedited/Accellerated Reviews:	1.5 Times the Plan Check / Hourly Fee
F. (d)	Inspection – Normal Hours:	Not Applicable
F. (e)	Inspection – Outside Regular Hours:	Not Applicable
F. (f)	*(missing)*	
F. (g)	Counter – Normal Hours:	Not Applicable
F. (h)	Counter – Outside Regular Hours:	Not Applicable
F. (i)	Other Services:	
	- Revisions	Based on Hourly Rates (attached)
	- Project Meetings (*Outside Esgil Office*)	Based on Hourly Rates (attached)
	- Postage Fees	Included in our Fees
	- Transportation of Plans	Included in our fees

ESGIL CORPORATION
HOURLY RATES

Supervising Structural Engineer	$135.00
CASp Certified Access Examiner	$120.00
LEED Certified Plans Examiner	$120.00
Structural Engineer	$120.00
Civil Engineer	$105.00
Electrical Engineer	$105.00
Mechanical Engineer	$105.00
I.C.C. Plans Examiner	$90.00

Note
Rates are increased by a factor of 1.5 for overtime, and for holiday and weekend assignments.

(Rates are subject to change yearly)

ADDENDA ACKNOWLEDGMENT

The undersigned acknowledges receipt of the following ADDENDA and the cost, if any, or such revision has been included in the TOTAL BID of the Bidding Schedule(s). If NONE, WRITE "NONE" ON THE FIRST LINE.

Addendum No.: 1 Dated April 24, 2012 (received)

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Company Name: ESGIL CORPORATION

Address: 9320 CHESAPEAKE DRIVE #208

SAN DIEGO, CA 92123

Telephone No.: (858) 560-1468

Email Address: kculver@esgil.com

By: KURT CULVER
(print)

Signature: _____ Date: 4/30/12

City Form "6"

EXHIBIT B

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $800,000 per fiscal year.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the City as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be Copies of invoices may be submitted to the Community & Economic Development Department at susanc@moval.org or calls directed to (951) 413-3350.

4. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)

E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services perfor med and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the C ontractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster, Community & Economic Development Director

AGENDA DATE: June 26, 2012

TITLE: PA11-0009 – COMMERCIAL DEVELOPMENT – ACCEPT THE AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

NORTH SIDE OF IRIS AVENUE, WEST OF OLIVER STREET

Developer: Kaiser Foundation Health Plan, Inc. &
Kaiser Foundation Hospitals
27300 Iris Avenue
Moreno Valley, CA 92555

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Bonds for Public Improvements.

2. Authorize the Mayor to execute the Agreement.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

BACKGROUND

On July 14, 2011, the Planning Commission of the City of Moreno Valley approved project number PA11-0009. The proposed project is for a 74,425 square foot 3 story medical office building located adjacent to the existing Kaiser Hospital.

DISCUSSION

The developer has completed and submitted an Agreement for Public Improvements. The developer agrees to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include but are not limited to asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, and landscaping. Accompanying the agreement are a Faithful Performance Bond in the amount of $522,000 and a Material and Labor Bond in the amount of $261,000 issued by Travelers Casualty and Surety Company of America.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Ahmad Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

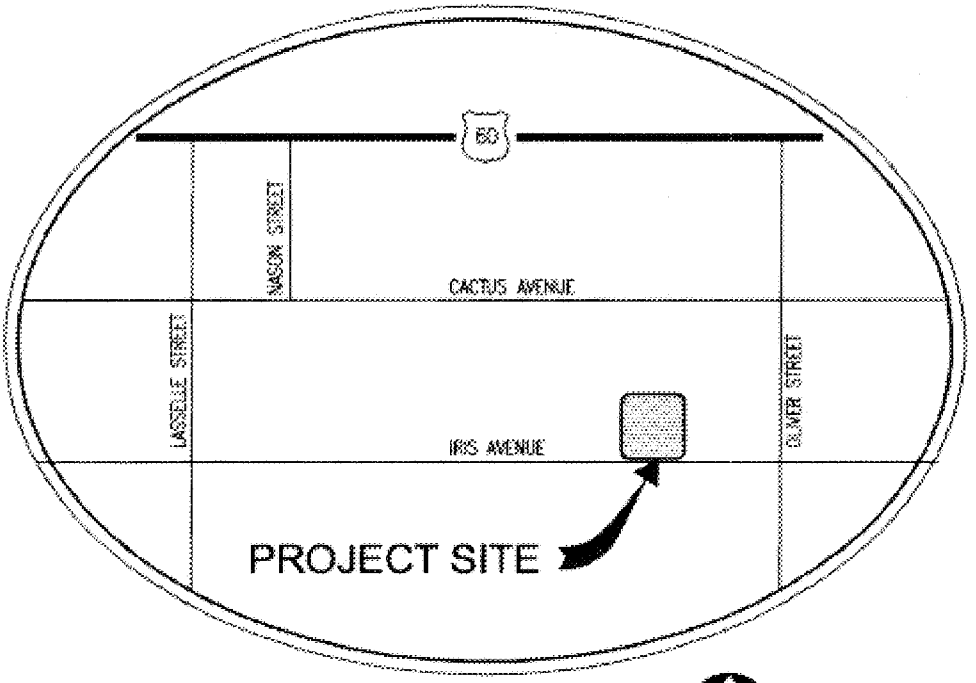

VICINITY MAP

NTS

CITY OF MORENO VALLEY **COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT - LAND DEVELOPMENT** **EXHIBIT "A"**	**PA11-0009**

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS FOR PROJECT NO. PA11-0009

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals**, herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA11-0009** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **FIVE HUNDRED TWENTY-TWO THOUSAND AND NO/100** Dollars (*****$522,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **TWO HUNDRED SIXTY-ONE THOUSAND AND NO/100** Dollars (*****$261,000.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

Exhibit "B"

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security in accordance with the City's Municipal Code at anytime during the term of this agreement, subject to approval by the City Engineer and City Attorney.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Developer further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
Kaiser Foundation Health Plan, Inc. &
Kaiser Foundation Hospitals
27300 Iris Avenue
Moreno Valley, CA 92555

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

Kaiser Foundation Health Plan & Kaiser Foundation Hospitals:
Developer

BY: _____
Signature
STEVEN DOSHAY
Print/Type Name
ASSISTANT SECRETARY
Title

BY: _____
Signature
Carlos Zaragoza
Print/Type Name
Assistant Secretary
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 4, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Steven Doshay,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

GRACE S. LEE
COMM. #1874691
Notary Public - California
Los Angeles County
My Comm. Expires Dec. 25, 2013

Signature

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of

containing _____ pages, and dated

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____
  Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other:

representing:
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact:

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

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State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 13, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Carlos Zaragoza,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NRO1 GRACE S. LEE COMM. #1874691 Notary Public · California Los Angeles County My Comm. Expires Dec. 25, 2013 NRO1

Signature

(Seal)

OPTIONAL INFORMATION

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Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of _____,

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____ Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____ Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

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Page # _____ Entry # _____

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Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

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1/25/12
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EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PA11-0009
0
Kaiser Permanente

DATE: 08/01/11
PREPARED BY: Vince Giron

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	1	Thickness (ft.)				
	100	S.F.	7	Ton	33.00	231
A.C. - Street 1	0.5	Thickness (ft.)				
	100	S.F.	3	Ton	80.00	240
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0.67	Thickness (ft.)				
	1200	S.F.	58	Ton	33.00	1,914
A.C. - Street 2	0.25	Thickness (ft.)				
	1200	S.F.	21	Ton	80.00	1,680
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	4,065

1/25/12
VBG

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/01/11
PREPARED BY: Vince Giron

PROJECT: PA11-0009
0 **PUBLIC STREET WORK**
Kaiser Permanente

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	80.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.20	0
Sawcut	60	L.F.	3.00	180
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	2580	SF	3.00	7,740
Remove Existing Curb & Gutter	0	L.F.	12.00	0
Concrete				
P.C.C. Paving - 6"	0	S.F.	6.50	0
P.C.C. Paving - 8"	0	S.F.	10.50	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	120	L.F.	30.00	3,600
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	30.00	0
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	225	L.F.	25.00	5,625
Curb Only - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	1400	S.F.	10.25	14,350
Sidewalk	4650	S.F.	4.25	19,763
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 6"	0	S.F.	6.50	0
Driveway Approach - 8"	5410	S.F.	10.50	56,805
Wheelchair Ramp	3	EA.	2,600.00	7,800
Alley Approach - 8"	0	S.F.	10.25	0
1/2 Alley Apron	0	S.F.	10.25	0
Barricade	0	L.F.	100.00	0
Bus Bay	0	EA.	15,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Reinforced P.C.C. Retaining Walls	0	C.Y.	780.00	0
				0
			SUBTOTAL	115,863
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	0	L.S.	–	0
Traffic Striping (DIF Street)	1	L.S.	16656	16,656
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street -Perris Blvd)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	10000	0
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	0	EA.	800.00	0
Metal Guard Rail	0	L.F.	90.00	0
			SUBTOTAL:	16,656
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	198.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments	0	EA.	300.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	0

1/25/12
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EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PA11-0009
0
Kaiser Permanente

DATE: 08/01/11
PREPARED BY: Vince Giron

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	4350	S.F.	6.00	26,100
Street Lights (9500 lumen)	0	EA.	5,000.00	0
Street Lights (22000 lumen)	0	EA.	6,000.00	0
			SPECIAL DISTRICTS SUBTOTAL:	26,100
Moreno Valley Utilities				
Electrical Utility Infrastructure	0	L.S.	0.00	0
			MVU SUBTOTAL:	0
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination	1	EA.	272,000.00	272,000
Traffic Signal Modification	0	L.S.	0	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
			TRANSPORTATION SUBTOTAL:	272,000

1/25/12
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EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PA11-0009
0
Kaiser Permanente

DATE: 08/01/11
PREPARED BY: Vince Giron

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	7200.00	0
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6000.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (10') DIF Street Name)	0	EA.	6000.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

1/25/12
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EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/01/11
PREPARED BY: Vince Giron

PROJECT: PA11-0009
0
Kaiser Permanente

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6500.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	4000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	0

1/25/12
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EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/01/11
PREPARED BY: Vince Giron

PROJECT: PA11-0009
0
Kaiser Permanente

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	60.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
	0		0.00	0
Services Connections				
1" Service	0	EA.	800.00	0
1" Service w/ 5/8" Service	0	EA.	2,000.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
	0		0.00	0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	235.00	0
	0		0.00	0
			SUBTOTAL:	0

1/25/12
VBG

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/01/11
PREPARED BY: Vince Giron

PROJECT: PA11-0009
0
Kaiser Permanente

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	0	L.F.	55.00	0
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	0	L.F.	80.00	0
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,140.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	630.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pavement around MH	0	S.F.	14.00	0
	0		0.00	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	0

1/25/12
VBG

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **PA11-0009**
0
Kaiser Permanente

DATE: **08/01/11**
PREPARED BY: **Vince Giron**

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$4,065
OFFSITE STREET WORK	:	$115,863
SPECIAL DISTRICTS	:	$26,100
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$272,000
STORM DRAIN SYSTEM	:	$0
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$0
TRAFFIC IMPROVEMENTS	:	$16,656
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$434,684
+20% CONTINGENCY:		$86,937
GRAND TOTAL:		$521,620

BOND AMOUNT: **$522,000**

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements	$522,000	Project No.	PA11-0009
Bond No.	105700018	Premium	$2,088.00
Surety	Travelers Casualty and Surety Company of America A+(XV) CA	Principal	Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals.
Address	205 Lennon Lane, Suite 201	Address	27300 Iris Avenue
City/Zip	Walnut Creek, CA 94598	City/Zip	Moreno Valley, CA 92555

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals**, (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA11-0009**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty and Surety Company of Americaas Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **FIVE HUNDRED TWENTY-TWO THOUSAND AND NO/100** Dollars (*****$522,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "C"

RISK MANAGEMENT
Approved

M. Alonzo 5-30-12
By Date

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA11-0009

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on April 23rd, 2012.

NAME OF PRINCIPAL: **Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals**
Company Name

AUTHORIZED SIGNATURE(S): By _____ Assistant Secretary
Name CARLOS ZUNIGA Title

_____
Name STEVEN DOCHAY, ASSISTANT SECRETARY Title

NAME OF SURETY: Travelers Casualty and Surety Company of America A+(XV) CA
Company Name

AUTHORIZED SIGNATURE: _____
Edward C. Spector, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA11-0009 - Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On APR 23 2012 before me, Daravy Mady Notary Public, personally appeared Edward C. Spector who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(seal)

Signature _____
Daravy Mady, Notary Public

NRO1 DARAVY MADY
COMM. #1839912
Notary Public - California
Los Angeles County
My Comm. Expires Mar. 9, 2013 NRO1

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

A+(XV)CA

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 222266 **Certificate No.** 003861500

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

E. S. Albrecht Jr., Lisa L. Thornton, C. K. Nakamura, Maria Pena, Tracy Aston, Marina Tapia, Brenda Wong, Michael R. Mayberry, KD Conrad, Simone Gerhard, Noemi Quiroz, and Edward C. Spector

of the City of Los Angeles, State of California, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 25th day of August, 2010.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 25th day of August, 2010, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-4-09 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 25, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Carlos Zaragoza,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NRO1 GRACE S. LEE COMM. #1874691 Notary Public - California Los Angeles County My Comm. Expires Dec. 25, 2013 NRO1

Signature

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of _____,

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____ Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____ Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

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State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 25, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Steven Doshay,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NRO1 GRACE S. LEE COMM. #1874691 Notary Public - California Los Angeles County My Comm. Expires Dec. 25, 2013 NRO1

Signature

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of

,

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____ Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____ Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

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MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $261,000

Project No. PA11-0009

Bond No. 105700018

Premium Included in the performance bond

Surety Travelers Casualty and Surety Company of America A+(XV) CA

Principal Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals.

Address 205 Lennon Lane, Suite 201

Address 27300 Iris Avenue

City/Zip Walnut Creek, CA 94598

City/Zip Moreno Valley, CA 92555

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA11-0009**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **TWO HUNDRED SIXTY-ONE THOUSAND AND NO/100** Dollars **(***$261,000.00***)**, lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Exhibit "D"

RISK MANAGEMENT
Approved

By Date 5-30-12

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA11-0009

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on April 23rd, 2012.

NAME OF PRINCIPAL: **Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals**
Company Name

AUTHORIZED SIGNATURE(S): By:

Name Carlos Zuniga Title Assistant Secretary

Name STEVEN DOSHAY, ASSISTANT SECRETARY Title

A+(XV) CA

NAME OF SURETY: Travelers Casualty and Surety Company of America
Company Name

AUTHORIZED SIGNATURE: _____
Edward C. Spector, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA11-0009 - Material Labor Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On APR 23 2012 before me, Daravy Mady Notary Public, personally appeared Edward C. Spector who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(seal)

Signature _____
Daravy Mady, Notary Public

NRO1 DARAVY MADY
COMM. #1839912
Notary Public - California
Los Angeles County
My Comm. Expires Mar. 9, 2013 NRO1

State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 25, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Steven Doshay

,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

NRO1 GRACE S. LEE COMM. #1874691 Notary Public - California Los Angeles County My Comm. Expires Dec. 25, 2013 NRO1

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of _____

_____,

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____
  Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

_____.

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

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State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 25, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Carlos Zaragoza,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

NRO1 GRACE S. LEE COMM. #1874691 Notary Public - California Los Angeles County My Comm. Expires Dec. 25, 2013 NRO1

(Seal)

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containing _____ pages, and dated _____.

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  Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

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WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

A+(XV)CA

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 222266

Certificate No. 003861501

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

E. S. Albrecht Jr., Lisa L. Thornton, C. K. Nakamura, Maria Pena, Tracy Aston, Marina Tapia, Brenda Wong, Michael R. Mayberry, KD Conrad, Simone Gerhard, Noemi Quiroz, and Edward C. Spector

of the City of Los Angeles, State of California, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 25th day of August, 2010.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 25th day of August, 2010, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-4-09 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	RH

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief

AGENDA DATE: June 26, 2012

TITLE: SECOND AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT WITH DENNIS GRUBB & ASSOCIATES

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC;

2. Authorize the City Manager to execute the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC; and

3. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 41249 with Dennis Grubb & Associates, LLC in the amount of $25,000 for fire plan check services for a total not to exceed amount of $115,000 for Fiscal Year 2011/2012.

BACKGROUND

The City of Moreno Valley entered into an Independent Contractor Agreement with Dennis Grubb & Associates, LLC. on July 8, 2009. The initial agreement contained an annual not to exceed amount of $50,000 (Attachment A).

On January 18, 2011, Dennis Grubb & Associates, LLC. and the City amended the initial agreement to increase the annual not to exceed amount to $90,000 for fire plan check services. (Attachment B).

DISCUSSION

The number of plans submitted to the Fire Prevention Bureau for review and approval has increased 33% when comparing plan checks submitted from July 1, 2011 through May 15, 2012 to the same time period from the year before. This increase in the demand for fire plan check review has caused the City to reach the $90,000 limit of its Independent Contractor Agreement with Dennis Grubb & Associates, LLC. In order to continue to process plans in a timely manner, and to ensure that complex plan checks are accurately reviewed, the Fire Prevention Bureau is requesting a second amendment to the Independent Contractor Agreement (Attachment C) be approved by City Council, increasing the not to exceed amount to $115,000.

ALTERNATIVES

1. Approve the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC; authorize the City Manager to execute the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC in the form attached hereto; and Authorize the City Manager to execute a Change Order to increase Purchase Order No. 41249 with Dennis Grubb & Associates, LLC in the amount of $25,000 for fire plan check services for a total not to exceed amount of $115,000 for Fiscal Year 2011/2012. ***Staff recommends this alternative as it will ensure timely fire plan check services.***

2. Do not approve the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC; do not authorize the City Manager to execute the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC in the form attached hereto; and do not authorize the City Manager to execute a Change Order to increase Purchase Order No. 41249 with Dennis Grubb & Associates, LLC in the amount of $25,000 for fire plan check services for a total not to exceed amount of $115,000 for Fiscal Year 2011/2012.***Staff does not recommend this alternative as it could potentially delay plan checks.***

FISCAL IMPACT

The additional increase of $25,000 for the second amendment to Dennis Grubb & Associates, LLC. is already included in the existing approved budget for Fire Prevention Inspections - 011.45810.6255. There is no direct impact to the City's General Fund as costs for fire plan check services conducted by Dennis Grubb & Associates, LLC. are recovered from the applicant per the City's fee schedule. This fee, which is adopted annually by City Council, is the actual consultant cost plus a 20% administrative fee.

Original Contract $50,000
First Amendment..... $40,000
Second Amendment..... $25,000
Total..... $115,000

CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Attachment A: Independent Contractor Agreement
Attachment B: First Amendment to the Independent Contractor Agreement
Attachment C: Second Amendment to the Independent Contractor Agreement

Prepared By:
Cynthia Owens
Management Assistant

Department Head Approval:
Abdul Ahmad
Fire Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. CONTRACTOR INFORMATION:

Dennis Grubb and Associates LLC
12523 Limonite Ave., Ste. 440-102
Mira Loma, CA 91752
951-218-5482 (business) 951-681-6860 (fax)
Business License Number:
Federal Tax I.D. Number: 20-8680376

2. CONTRACTOR SERVICES, FEES, AND RELEVANT DATES:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The City's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. Consultant fee schedule is provided in Exhibit "D " attached hereto and incorporated herein by this reference.
E. The Contractor Starting Date is July 1, 2009 and the Contractor Ending Date is June 30, 2012. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

Attachment A

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by

the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. Where determined applicable by the City, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury $1,000,000 per occurrence/ $2,000,000 aggregate
Property Damage $500,000 per occurrence/ $500,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Worker's Compensation Insurance—in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/RDA premises. Such coverage limits shall not be less than $500,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "D" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or

representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Termination. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

   (b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement

City of Moreno Valley

By: _____
City Manager

Date: 7-13-09

Attest:

_____
City Clerk (not needed if City Manager signs)

Approved as to Legal Form:

_____
City Attorney

Date: 7-8-09

Contractor

By: _____

Title: President

Date: 7-8-09

By: _____

Title: _____

Date: _____

Attachments: Exhibit A
Exhibit B
Exhibit C
Exhibit D

EXHIBIT A

SCOPE OF WORK

A. The review of plans for any and all types of structures including, but not limited to, single family dwellings, multi-family dwellings, industrial and commercial buildings for compliance with all local ordinances and State and Federal laws pertaining to Fire and Building Safety, and for compliance with the adopted Fire, Building, Electrical and Mechanical Codes and adopted NFPA standards as mandated by State Title 24 and applicable ordinances.

B. The selected Consultant shall have on staff at all times, individuals who are experienced in building and fire requirements and related California Fire and Building Codes for commercial and residential design and plan review procedures. It is highly desirable that plan reviews be conducted by a Certified Plans Examiner or registered engineer.

C. Transportation of plans for the first check and for all subsequent re-checks between the City of Moreno Valley Fire Prevention Division and the Consultant's office where the plan check services will be completed.

D. The completion of plan review within the expected time frame. Standard first review is expected to be completed in a maximum of ten (10) working days from the date the Consultant receives the plans for review. Subsequent reviews are expected within ten (10) working days. Upon written request from the City, Consultants will also provide expedited building plan review. Expedited plans shall be reviewed in a maximum of seven (7) working days from the date the Consultant receives the plans.

E. The submittal of two complete, typed listings of all required plan corrections.

F. The arrangement and/or attendance at any required meetings connected with the plan review of a project.

G. The calculation and invoicing of all Fire plan check related fees.

H. This contract if for plan check services on an "as needed" basis. The City of Moreno Valley will use discretion regarding which plans will be reviewed by the consultant.

EXHIBIT B

CITY'S RESPONSIBILIES

A. Provide a copy of the Moreno Valley Fire and Building Code Ammendments.

B. Prepare all plans for shipping using consultant paid shipping account and process plans on behalf of the consultant when returned to City Hall.

C. Provide timely review, processing, and reasonably expeditious approval of all submittals by the consultant.

EXHIBIT C

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $50,000.00 annually.

2. The Contractor's compensation shall be in accordance with the attached Fee Schedule labeled as Exhibit D

3. The Contractor shall submit to the City an original invoice identifying the name of the plans/project and any associated project numbers and the services performed. Each invoice must reference the appropriate Purchase Order number.

4. The City will review each invoice submitted by the Contractor, along with any accompanying required documentation in order to determine that the Contractor has properly invoiced, documented and executed the required services. Payment is made by the City within 30 days of approval of completed work.

5. Failure to comply with all requirements of this Agreement may result in non-payment for work performed.

EXHIBIT D

MORENO VALLEY FIRE CONTRACT PLAN CHECK FEES

(Effective July 1, 2009)

Plan Type	Fee Amount
Fire Department Access	$265.00
New NFPA 13 <100 heads	$350.00
New NFPA 13 >100 heads w/ 1 Riser	$450.00
Each Additional Riser	$150.00
Pre-Action System w/ Alarm	$425.00
TI NFPA 13 or 13R < 100 heads	$225.00
TI NFPA 13 or 13R > 100 heads	$325.00
In-Rack Sprinklers	$330.00
NFPA 13D Single Plan Type	$240.00
New NFPA 13R 3-16 units per building	$350.00
Underground - w/ up to 4 hydrant/riser	$360.00
Underground - w/ 5 or more hydrant/riser	$400.00
Fire Pump	$540.00
Special Extinguishing System	$340.00
Hood & Duct Extinguishing System	$180.00
Special Equipment (Ovens, Dust, Battery)	$300.00
Refrigeration Systems < 500 lbs	$350.00
Refrigeration Systems > 500 lbs	$575.00
Spray Booths	$360.00
Gas Systems (Med Gas, Industrial Gas)	$350.00
New Alarm System	$350.00
TI Fire Alarm System	$250.00
Sprinler Monitoring	$200.00
Hazardous Materials Storage - Non H Occ.	$350.00
Chem Class <10 Chemicals	$285.00
Chem Class >10- 25 Chemicals	$500.00
Chem Class 26 - 100 Chemicals	$1,100.00
Chem Class >100 Chemicals	$1,460.00
High Piled Storage	$330.00
Underground Storage Tanks (per tank)	$250.00
Aboveground Storage Tanks (per tank)	$250.00
Smoke Control - Rationale Analysis & Plan Review	$750.00
A-1 Occupancies - New	$775.00
A-1 Occupancies - TI	$525.00
A-2 & A-3 Occupancies - New	$675.00
A-2 & A-3 Occupancies - TI	$525.00
A-4 & A-5 Occupancies - New	$475.00
A-4 & A-5 Occupancies - TI	$525.00
E Occupancies New	$425.00
E Occupancies TI	$250.00
E Occupancies (DayCare only)	$250.00
B Occupancies New	$350.00
B Occupancies TI	$350.00
H Occupancies (not including Chem Class) New	$360.00

H Occupancies (not including Chem Class) TI	$270.00
F Occupancies New	$350.00
F Occupancies TI	$240.00
I Occupancies New	$625.00
I Occupancies TI	$425.00
L Occupancies New	$380.00
L Occupancies TI	$270.00
M Occupancies New	$350.00
M Occupancies TI	$240.00
R-1 & R-2 Occupancies <50 units New	$350.00
R-1 & R-2 Occupancies >50 units New	$450.00
R-3 Townhomes New	$250.00
R Occupancies All TI's	$250.00
S Occupancies > 50,000sq. ft. New	$285.00
S Occupancies > 50,000sq. ft. TI	$280.00
S Occupancies < 50,000sq. ft. New	$460.00
S Occupancies < 50,000sq. ft. TI	$350.00
High Rise Structure greater than 55 feet	$1,440.00
Additional Reviews	$200.00 per submittal
Project Meetings	$100.00 per hr
Expedited Plan Check	Additional $150.00 per submittal

1. Architectural reviews are based on a single structure/model.

2. Fees for multi-occupancy buildings shall be based on the most hazardous occupancy: Example, F-1 & H-2, fees to be based on H-2.

3. All Fees based on a single system basis.

4. City requested expedited plan review will be conducted with no additional fees.

CERTIFICATE OF INSURANCE

This certifies that

- ☒ STATE FARM FIRE AND CASUALTY COMPANY, Bloomington, Illinois AK(X)CA
- ☐ STATE FARM GENERAL INSURANCE COMPANY, Bloomington, Illinois
- ☐ STATE FARM FIRE AND CASUALTY COMPANY, Scarborough, Ontario
- ☐ STATE FARM FLORIDA INSURANCE COMPANY, Winter Haven, Florida
- ☐ STATE FARM LLOYDS, Dallas, Texas

insures the following policyholder for the coverages indicated below:

Policyholder: DENNIS GRUBB & ASSOCIATES LLC

Address of policyholder: 12523 LIMONITE AVE STE 400-102, MIRA LOMA, CA 91752

Location of operations: 4680 MILLBROOK AVE, RIVERSIDE, CA 92509

Description of operations: PLAN CHECKER

The policies listed below have been issued to the policyholder for the policy periods shown. The insurance described in these policies is subject to all the terms exclusions, and conditions of those policies. The limits of liability shown may have been reduced by any paid claims.

POLICY NUMBER	TYPE OF INSURANCE	POLICY PERIOD Effective Date	POLICY PERIOD Expiration Date	LIMITS OF LIABILITY (at beginning of policy period)
92-LE-2493-9	Comprehensive Business Liability	06-04-2009	06-04-2010	BODILY INJURY AND PROPERTY DAMAGE
This insurance includes:	☐ Products - Completed Operations ☐ Contractual Liability ☐ Underground Hazard Coverage ☐ Personal Injury ☐ Advertising Injury ☐ Explosion Hazard Coverage ☐ Collapse Hazard Coverage ☐ ☐			Each Occurrence $ 1,000,000 General Aggregate $ 2,000,000 Products – Completed Operations Aggregate $ 2,000,000
	EXCESS LIABILITY ☐ Umbrella ☐ Other	POLICY PERIOD Effective Date	POLICY PERIOD Expiration Date	BODILY INJURY AND PROPERTY DAMAGE (Combined Single Limit) Each Occurrence $ Aggregate $
	Workers' Compensation and Employers Liability			Part 1 STATUTORY Part 2 BODILY INJURY Each Accident $ Disease - Each Employee $ Disease - Policy Limit $

POLICY NUMBER	TYPE OF INSURANCE	POLICY PERIOD Effective Date	POLICY PERIOD Expiration Date	LIMITS OF LIABILITY (at beginning of policy period)

THE CERTIFICATE OF INSURANCE IS NOT A CONTRACT OF INSURANCE AND NEITHER AFFIRMATIVELY NOR NEGATIVELY AMENDS, EXTENDS OR ALTERS THE COVERAGE APPROVED BY ANY POLICY DESCRIBED HEREIN.

If any of the described policies are canceled before its expiration date, State Farm will try to mail a written notice to the certificate holder 10 days before cancellation. If however, we fail to mail such notice, no obligation or liability will be imposed on State Farm or its agents or representatives.

Name and Address of Certificate Holder

CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 FREDRICK STREET
PO BOX 88005
MORENO VALLEY, CA 92552

Lou Grande
Signature of Authorized Representative

AGENT 06-24-2009
Title Date

Agent's Code Stamp

AFO Code

STATE FARM INSURANCE

LOU GRANDE INS.
License# OC10814
PO Box 147
Norco, CA 92860-0147
(951) 737-2682

RISK MANAGEMENT
Approved

By 6-25-09
Date

558-994 a.4 11-12-2002 Printed in U.S.A.

DL Policy No. 92-LE-2493-9 ✓

FE-6609

SECTION II ADDITIONAL INSURED ENDORSEMENT

Policy No.: 92-LE-2493-9

Named Insured: DENNIS GRUBB & ASSOCIATES LLC

Additional Insured (include address):

CITY OF MORENO VALLEY ✓
MORENO VALLEY COMMUNITY SERVICES DISTRICT ✓
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY ✓
14177 FREDRICK STREET
MORENO VALLEY, CA 92552

WHO IS AN INSURED, under SECTION II DESIGNATION OF INSURED, is amended to include as an insured the Additional Insured shown above, but only to the extent that liability is imposed on that Additional Insured solely because of your work performed for that Additional Insured shown above.

Any insurance provided to the Additional Insured shall only apply with respect to a claim made or a suit brought for damages for which you are provided coverage.

The Primary Insurance coverage below applies only when there is an "X" in the box.

☐ **Primary Insurance.** The insurance provided to the Additional Insured shown above shall be primary insurance. Any insurance carried by the Additional Insured shall be noncontributory with respect to coverage provided to you.

All other policy provisions apply.

Printed in U.S.A.

FE-6609

MV00167255

AMENDMENT TO PROFESSIONAL
SERVICES AGREEMENT
PROJECT NO. _____

This first Amendment to Agreement is made and entered into as of the date the City signs this Amendment by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and Dennis Grubb & Associates, LLC, an independent contractor, hereinafter referred to as the "Contractor,"

RECITALS:

Whereas, the City and Contractor entered into an Agreement entitled "Independent Contractor Agreement," hereinafter referred to as "Agreement," dated July 8, 2009.

Whereas, the Contractor is providing Plan Check Services in the City of Moreno Valley, Riverside County, California.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Contractor, as is more particularly described in Section 1 of this Amendment.

SECTION 1 AMENDMENT to ORIGINAL AGREEMENT:

1.1 Terms of Payment C-1 to the Agreement is hereby amended by changing the compensation amount to "Not-to-Exceed $90,000".

1.2 The City agrees to pay the Contractor and the Contractor agrees to receive a "Not-to-Exceed" fee of $90,000.00, in consideration of the Contractor's performance of the work set forth in Exhibit D to this Amendment and a City issued Change Order to the original Purchase Order.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

Attachment B

Amendment to Professional Services Agreement
Dennis Grubb & Associates, LLC.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY

By: _____
Richard Teichert
Financial & Administrative
Services Director

Date: 1/18/11

CONTRACTOR

By: _____

Title: Pres. Dent.

Date: 1-24-11

RECOMMENDED FOR APPROVAL

By: _____
Steve Curley
Fire Chief

Date: 1/12/11

APPROVED AS TO LEGAL FORM:

By: _____
for Robert Hansen
City Attorney

Date: 1-26-11

Attachments: Exhibit "A" – Scope of Work
Exhibit "B" – City's Responsibility
Exhibit "C" - Terms of Payment
Exhibit "D" - Moreno Valley Fire Contract Plan Check Fees

MV00167257

SECOND AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND DENNIS GRUBB & ASSOCIATES, LLC.

This Second Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City", and **Dennis Grubb & Associates, LLC (a California Sole Proprietorship, Corporation, Partnership)**, hereinafter referred to as the "Contractor",

RECITALS

Whereas, the City and Contractor entered into an Agreement entitled "Independent Contractor Agreement", hereinafter referred to as "Agreement," dated July 8, 2009.

Whereas, the Contractor is providing Plan Check Services in the City of Moreno Valley, Riverside County, California.

Whereas, it is desirable to amend the Agreement to expand the scope of work to be performed by the Contractor, as is more particularly described in Section 1 of this Amendment.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT

1.1 Terms of Agreement, Exhibit C – 1 is hereby amended to "The Contractor's compensation shall not exceed $115,000 annually" ($50,000 for the original agreement plus $40,000 for the First Amendment to Agreement plus $25,000 for the Second Amendment to Agreement).

1.2 The City agree to pay the Contractor and the Contractor agrees to receive a "Not to exceed" fee of $115,000, in consideration of the Contractor's performance of the work set forth in Exhibit D to this Amendment and a City issued Change Order to the Original Purchase Order.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

ATTACHMENT C

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley	Contractor Name
BY: _____	BY: _____
Michelle Dawson Assistant City Manager	TITLE: _____ (President)
_____ Date	_____ Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

EXHIBIT C

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $115,000.00 annually.

2. The Contractor's compensation shall be in accordance with the attached Fee Schedule labeled as Exhibit D.

3. The Contractor shall submit to the City an original invoice identifying the name of the plans/project and any associated project numbers and the services performed. Each invoice must reference the appropriate Purchase Order number.

4. The City will review each invoice submitted by the Contractor, along with any accompanying required documentation in order to determine that the Contractor has properly invoiced, documented and executed the required services. Payment is made by the City within 30 days of approval of completed work.

5. Failure to comply with all requirements of this Agreement may result in non-payment for work performed.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2012/2013 RATE ADJUSTMENT

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2012/2013 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that an annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The combination of a CPI adjustment for FY 2012/2013 of 2.02%, a 2.15% increase in Riverside County tipping fees, and the decrease in household disposal, results in a residential service component rate increase of $0.11 per month, per home.

This is inclusive of a $0.03 discount that has been applied to the disposal component to account for the 2012 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste service programs that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of $0.20 per month, per home.

Accordingly, with a decrease in the disposal component of $0.20 and an increase in the residential service component of $0.31 per month, the new monthly residential rate reflects a total change of an increase of $0.11 and the new rate is $21.32.

Relative to commercial rates, the 2.15% increase in Riverside County tipping fees and the decrease in commercial disposal tonnage results in a commercial disposal component rate decrease of 5.6%. The service component has been revised to reflect bundled commercial trash/recycling service as directed by the City Council at the study session of March 20, 2012. The new combined rate provides a significant savings to customers maintaining the same overall capacity as compared to the cost of adding commercial recycling service to existing commercial trash service under the previous rate structure.

The new bundled rates were developed to comply with Assembly Bill 341 (AB341). AB341 requires businesses, public entities, and multi-family housing complexes to implement a recycling program. The recycling programs must be implemented by July 1, 2012. The goal of this legislation is to reduce commercial solid waste from landfills and reduce green house gas emissions.

The attached exhibit shows details of the proposed new fees for FY 2012/2013 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2012/2013 Rate Adjustment. *This would ensure compliance with the existing Waste Management Franchise Agreement.*

2. Do not approve the Waste Management of the Inland Empire proposed FY 2012/2013 Rate Adjustment. *This would result in non-compliance with the existing Waste Management Franchise Agreement and could result in Waste Management's inability to continue to perform their service as per the contract specifications.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse and Recycling Rates Effective July 1, 2012.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

City of Moreno Valley
Summary of Refuse and Recycling Rates
Effective July 1, 2012

Index Calculation	Old	New	Change	% of Change
Consumer Price Index	232.241	236.941	4.70	2.02%
Riverside County Disposal Fee	$ 34.37	$ 35.12	$ 0.75	2.18%
Total				

Service Type		Current Rate	Proposed Rate
Commercial and Multi-family		No Recycling	Includes Recycling
Size	Freq		
1.5	1	$ 80.77	$ 98.89
1.5	2	$ 145.44	$ 178.06
1.5	3	$ 206.15	$ 252.39
1.5	4	$ 264.95	$ 324.37
1.5	5	$ 327.60	$ 401.08
1.5	6	$ 388.30	$ 475.39
2	1	$ 93.84	$ 114.89
2	2	$ 169.05	$ 206.97
2	3	$ 239.55	$ 293.28
2	4	$ 307.93	$ 376.99
2	5	$ 380.72	$ 466.11
2	6	$ 451.25	$ 552.46
3	1	$ 119.96	$ 146.87
3	2	$ 216.06	$ 264.52
3	3	$ 306.33	$ 375.04
3	4	$ 393.93	$ 482.28
3	5	$ 486.90	$ 596.10
3	6	$ 577.15	$ 706.60
4	1	$ 152.86	$ 187.14
4	2	$ 275.44	$ 337.22
4	3	$ 390.51	$ 478.10
4	4	$ 502.24	$ 614.88
4	5	$ 620.67	$ 759.88
4	6	$ 735.77	$ 900.79
6	1	$ 193.17	$ 236.50
6	2	$ 349.76	$ 428.21
6	3	$ 497.47	$ 609.05
6	4	$ 641.11	$ 784.90
6	5	$ 792.92	$ 970.76
6	6	$ 940.59	$ 1,151.55
Commercial Compactor			
Size	Freq		
1.5	1	$ 102.47	$ 125.45
1.5	2	$ 188.84	$ 231.19
1.5	3	$ 271.27	$ 332.11
1.5	4	$ 351.79	$ 430.69
1.5	5	$ 436.16	$ 533.98
1.5	6	$ 518.54	$ 634.84
2	1	$ 122.78	$ 150.32
2	2	$ 226.95	$ 277.85
2	3	$ 326.39	$ 399.59
2	4	$ 423.73	$ 518.77
2	5	$ 525.46	$ 643.31
2	6	$ 624.93	$ 765.09
3	1	$ 163.36	$ 200.00
3	2	$ 302.89	$ 370.82
3	3	$ 436.57	$ 534.49
3	4	$ 567.61	$ 694.92
3	5	$ 704.00	$ 861.90
3	6	$ 837.69	$ 1,025.57
4	1	$ 210.78	$ 258.05
4	2	$ 391.24	$ 478.99
4	3	$ 564.19	$ 690.73
4	4	$ 733.80	$ 898.38
4	5	$ 910.13	$ 1,114.26
4	6	$ 1,083.15	$ 1,326.08

Service Type		Current Rate	Proposed Rate	
Recycling Bins - 1 Recycle Bin included with Bundled Rate				
Size	Freq			
All Sizes	1	$ 62.62	$ 63.89	Over 1 bin
All Sizes	2	$ 125.24	$ 127.77	Over 1 bin
All Sizes	3	$ 187.86	$ 191.66	Over 1 bin
All Sizes	4	$ 250.48	$ 255.55	Over 1 bin
All Sizes	5	$ 313.10	$ 319.44	Over 1 bin
All Sizes	6	$ 375.72	$ 383.32	Over 1 bin
Commercial Misc Services				
Temp bin service (up to 7 days		$ 128.19	$ 130.78	
Temp bin service (30 days)		$ 282.95	$ 288.68	
Extra empty - first bin		$ 51.58	$ 52.62	
Extra empty - addl bins		$ 22.11	$ 22.56	
Pull-out service per bin				
0-15 feet		N/C	N/C	
16-35 feet		$ 14.86	$ 15.16	
36-50 feet		$ 22.30	$ 22.75	
Over 51 feet		$ 29.74	$ 30.34	
Locking container		$ 37.17	$ 37.92	
Restart fee		$ 44.60	$ 45.50	
Special bin/container lid		$ 14.67	$ 14.97	
Overage fees		$ 51.60	$ 52.64	
Bin exchange - over 1 per yea		$ -	$ 45.00	
Bin exchange - service level c		$ -	$ 45.00	
Bulky item collection		$ 16.54	$ 16.87	
Set up fee		$ 25.85	$ 26.37	
Redelivery fee		$ 51.69	$ 52.74	
Commercial Recycle Contamination			$ 52.62	Per P/U
Rolloff				
Hauling fee		$ 210.91	$ 215.18	+ landfill
Compactor hauling fee		$ 304.87	$ 311.04	+ landfill
Monthly minimum pull fee		$ 210.91	$ 215.18	
Monthly minimum pull fee		$ 304.87	$ 311.04	
Temporary flat fee (incl 4 tons)		$ 375.04	$ 382.63	+ landfill >4
C&D flat fee (incl 4 tons)		$ 396.02	$ 404.03	+ landfill >4
Co-mingle C&D haul fee		$ 408.89	$ 417.16	+ landfill
Delivery		$ 73.50	$ 74.99	
Extra trip		$ 73.50	$ 74.99	
Relocation		$ 73.50	$ 74.99	
Set up fee		$ 25.84	$ 26.36	
Residential Service				
Single family rate		$ 21.21	$ 21.32	
Senior citizen discount rate		$ 19.09	$ 19.19	
Addl 35 gal refuse container		$ 3.67	$ 3.74	
Addl 64 gal refuse container		$ 4.77	$ 4.87	
Addl 64 gal G/W container		N/C	N/C	Max one
Addl 96 gal refuse container		$ 6.35	$ 6.48	
Addl 96 gal G/W container		$ 5.86	$ 5.98	
Addl 96 gal recycle container		$ 2.38	$ 2.43	
Per bag charge		$ 2.56	$ 2.61	
Container changes over 1 per		$ 10.26	$ 10.47	
Addl bulky item pick-up (in		$ 16.54	$ 16.87	minimum
Curbside E-waste (over 3		$ 16.54	$ 16.87	
Temporary bin service		$ 128.20	$ 130.79	
Temporary bin service		$ 282.95	$ 288.68	
Set up fee		$ 12.41	$ 12.66	

EXHIBIT "A"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: AUTHORIZE ESTABLISHMENT OF THE KEEP MORENO VALLEY BEAUTIFUL PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the establishment of a Keep Moreno Valley Beautiful Program which will include becoming a Keep America Beautiful affiliate;
2. Approve the submission of a Keep America Beautiful affiliate application with Mayor's Letter of Endorsement; and
3. Authorize the use of Maintenance and Operations Division operational funds for the $4,000 start-up cost.

BACKGROUND

In 2010, the City of Moreno Valley was approached by Keep America Beautiful (KAB) staff regarding the opportunity to become an affiliate. City staff reviewed the program and its requirements and found that it aligned with current City programs, goals, and future direction.

KAB was founded in 1953. It is the largest volunteer based community action and education organization in the country with more than 1,000 affiliates (cities, counties, and non-profits) nationwide. Their areas of focus include: litter prevention, waste reduction and recycling, and beautification and improvement of public spaces. The mission of KAB is to inspire and engage individuals to take a greater responsibility for improving their community environments.

The establishment of a KAB affiliate program offers several key benefits. The national credibility of the KAB program will help improve the overall City image by readily identifying the City as a leader in environmental stewardship. Additionally, its goals are

consistent with maintaining a high quality of life for Moreno Valley residents and businesses. As an affiliate, the City would also be eligible to receive specialized grant funds and would receive national and state support from a network of established affiliates.

During the study session meeting of May 15, 2012, City Council directed Staff to proceed with the development of a Keep Moreno Valley Beautiful Program and establish an affiliation with the Keep America Beautiful organization.

DISCUSSION

The creation of a KMVB program will provide an umbrella for certain existing City of Moreno Valley environmental programs, such as: Adopt-A-Park, Adopt-A-Trail, Waste Management Litter Abatement Partnership, Weekend Weed and Litter Abatement Program, Earth Day Clean-up Event, Neighborhood Clean-up Program, Graffiti Removal Program, and the Illegal Dumping Program. It also allows for the opportunity to expand and include programs, such as Adopt-A-Street, Adopt-A-Landscape Maintained District (LMD) Area and other new grant funded programs. Multiple programs administered by various divisions now would be consolidated under one entity.

The cost for the program will be $4,000 for the start-up year and $350 each year to maintain the affiliation. The start-up costs include pre-certification training and support from the KAB national program staff.

The City has selected a Pre-Certification Team made up of City staff that will represent the various programs involved. The team is made up of City staff from the following divisions:

- Maintenance & Operations Division
- Special Districts Division
- Parks and Community Services Department
- Code and Neighborhood Services Division
- Land Development Division (NPDES Section)

This team will undergo training by KAB staff. The team will develop a community plan with the assistance of KAB national program staff. KAB's staff will also train the Pre-Certification Team on resources, leadership, and networking development. Each year this Team will be responsible to produce an annual report to help measure successes and assess the program.

The initial step to become a KAB affiliate is the submission of an application, including a Letter of Endorsement from the Mayor. The next step will be the initiation of the Pre-Certification process. Staff will bring a resolution and the community plan for Council review and approval once the Pre-Certification process has been completed.

ALTERNATIVES

Staff recommends that the City Council:

1. Authorize the establishment of a Keep Moreno Valley Beautiful Program which will include becoming a Keep America Beautiful affiliate; approve the submission of a KAB affiliate application with Mayor's Letter of Endorsement; and authorize the use of Maintenance and Operations Division operational funds for use of the $4,000 start-up cost. *This option would bring the existing City of Moreno Valley environmental programs together under a single overarching entity. This will allow for the City's programs to receive grant funds that are designated for affiliates of Keep America Beautiful and unify the theme/messaging of the City's various environmental programs.*

2. Do not authorize the establishment of a Keep Moreno Valley Beautiful Program which will include becoming a Keep America Beautiful affiliate. *This option would maintain the existing City of Moreno Valley environmental programs as separately administered and independent programs. This will limit the ability to receive grant funds that are designated for affiliates of Keep America Beautiful and the ability to create a unified theme/message for the City's various environmental programs.*

FISCAL IMPACT

The establishment of the Keep Moreno Valley Beautiful program would be $4,000 for start-up costs ($2,000 will be charged to 010.51510 and $2,000 will be charged to 121.55130) and $350 to maintain on a yearly basis. The cost would be paid for from Public Works Maintenance and Operations Division operational funds within current fiscal year appropriations.

CITY COUNCIL GOALS

Advocacy – Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Positive Environment – Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

EXHIBITS

Exhibit "A" – Application
Exhibit "B" – Letter of Endorsement

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Application for Certification

Keep America Beautiful, Inc. is a non-profit organization whose network of local, statewide and international affiliate programs educates individuals about litter prevention, beautification and community improvement, and waste reduction. Through partnerships and strategic alliances with citizens, businesses and government, Keep America Beautiful's affiliates motivate millions of volunteers annually to clean up, beautify and improve their neighborhoods, thereby creating healthier, safer and more livable community environments.

1. City of Moreno Valley — 193,365
   Community/City/Town/County/Parish — Total Population

2. Ariana Ayala, Management Analyst
   Person requesting certification (Name, Title)

   15670 Perris Blvd.
   Mailing address

   Moreno Valley, Ca 92551
   City, State, Zip

   (951) 413-3109 — (951) 413-3185
   Telephone # — Fax #

   arianaa@moval.org
   Email Address

3. Mayor Richard A. Stewart

   Chief elected officer (Mayor, Council President, etc.)
   ATTACH LETTER OF ENDORSEMENT FROM CHIEF ELECTED OFFICAL

4. Are there any existing citizens' community improvement organizations (i.e. beautification committee, solid waste planning board, community appearance commission, non-profit litter organization, recycling committee, conservation organization, etc.)? Have they been informed of the plan to become a KAB affiliate? _____Yes X_____No

Organization	Date contacted	By whom

EXHIBIT "A"

Revision 1.11

5. Pre-Certification Team: (please fill in completely)

Team Leader Information:

Name: Ariana Ayala

Mailing address: P.O. Box 88005, Moreno Valley, Ca 92552

Shipping address for workshop materials: P.O. Box 88005, Moreno Valley, Ca 92552

Email Address (required): arianaa@moval.org

Phone Number: (951) 413-3109 Cell Phone: _____

List Team members:

Team Member	Mailing Address	Phone Email
1. Robert Lemon Maintenance & Operations	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3160 robertle@moval.org
2. Brian Durfee Maintenance & Operations	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3160 briand@moval.org
3. Ariana Ayala Waste & Recycling	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3109 arianaa@moval.org
4. Candace Cassel Special Districts	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3480 candacec@moval.org
5. Jennifer Terry Special Districts	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3480 jennifert@moval.org
6. Anna Chacon Code & Community Services	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3340 annac@moval.org
7. Liz Sickles Parks Maintenance	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3702 lizs@moval.org
8. Dean Ristow (Alternate) Parks Maintenance	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3702 deanr@moval.org
9. Kent Wegelin Stormwater Management	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3109 kentw@moval.org

6. The Pre-Certification Team will need assistance from local authorities responsible for litter, solid waste, and beautification. The Team will need to obtain map(s) and compile statistical information. Please list contacts (such as Public Works/Sanitation, Park, Planning, Engineering, or Community Services) who have been contacted about the intent to establish a KAB affiliate.

Name	Title	Who Contacted
Henry Garcia	City Manager	*N/A
Ahmad Ansari	Public Works Director	*N/A
*Development of a City of Moreno Valley Keep America Beautiful affiliate program with a government entity structure was presented to and received support from the City Council on May 15, 2012.		

7. Estimated operating budgets vary from $1,000 to $750,000. Expenditures cover meeting expenses, brochures, salaries, postage, office supplies, etc. Communities are urged to meet many of these needs through donations of goods and services. In the table provide potential source(s), which may provide cash or in-kind contributions.

NEED	POTENTIAL SOURCE
Executive Director: Salary and Benefits	Existing City of Moreno
Office space and furniture	Valley Operational
Telephone/DSL/Internet Access	Budget – Public Works
Office equipment i.e. computer, fax, copier	Department
Printing	
Postage	
Expenses for Pre-certification Training Workshop, Certification Training Workshop, and Certification Ceremony	
Travel expenses: 6 hours of training required annually to maintain affiliation after certification provided by KAB, state affiliate, or other source.	

We understand the responsibility to assist the Pre-Certification Team in obtaining the cooperation of government, business and civic sectors to complete the Certification process including monthly reporting for a period of Pre-Certification typically 4 to 6 months. We understand we must complete certification within one year of the Pre-Certification Training Workshop or potentially be de-certified*. We understand we must use the name Keep "Community" Beautiful as the name of our organization.

Adriana Ayala 6/12/12

Signature (person requesting certification) Date

The one-time certification fee based on population **must** accompany the application. **Make check payable to Keep America Beautiful.** Certification fee is non-refundable once a pre-certification workshop is conducted. Cancellation of the training workshop requires notification at least 5 business days in advance. Cancellation without notification will require a $500 fee to re-schedule. If de-certified*, re-training may be done within 3 years for a fee of $500 plus travel costs for KAB Trainer.

Keep America Beautiful, Inc.
Training & Affiliate Services Dept.
1010 Washington Blvd.
Stamford, CT 06901

For further information:
Grace Keegan Massinello
Director, Affiliate Communications
Telephone: 203.659.3032
Email: gmassinello@kab.org

Revision 1.11

TEL: 951.413.3160
FAX: 951.413.3185
WWW.MOVAL.ORG

MORENO VALLEY
WHERE DREAMS SOAR

15670 PERRIS BOULEVARD
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

June 26, 2012

To: Keep America Beautiful Executive Director

The City of Moreno Valley seeks to establish an affiliate program of the Keep America Beautiful national program. This undertaking was formally considered by the City Council at its Study Session meeting of May 15, 2012 and its Regular City Council meeting of June 26, 2012.

A cleaner community supports the quality of living goals of the City and supports the establishment and retention of businesses. To this end, I, Mayor Richard A. Stewart, endorse the establishment of the Keep Moreno Valley Beautiful program.

Sincerely,

Richard A. Stewart
Mayor of the City of Moreno Valley

EXHIBIT "B"

MAINTENANCE & OPERATIONS DIVISION

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RW
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE INDIAN STREET BICYCLE LANES FROM IRIS AVENUE TO KATRINA AVENUE CONSTRUCTED BY ELITE COMPANIES US, INC. PROJECT NO. 11-12556331

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue, constructed by Elite Companies US, Inc., 15321 La Salle Lane, Huntington Beach, CA 92647.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

3. Authorize the Financial & Administrative Services Director to release the retention to Elite Companies US, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

4. Accept the improvements into the City's maintained system.

BACKGROUND

The City received a Fiscal Year 2010/2011 Bicycle Transportation Account (BTA) grant from Caltrans to design and construct this project. On February 8, 2011, City Council accepted the BTA grant and appropriated funds for design and construction. On March 20, 2011, the City received a fully executed agreement with Caltrans to move the

project forward. Per the agreement, the City must complete the project prior to April 1, 2016 otherwise the project would not be eligible for reimbursement. The design and construction documents were prepared by in-house staff as a cost saving solution for the City. In October 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

On December 13, 2011, the City Council awarded the construction contract and authorized the issuance of a Purchase Order in the amount of $115,280.10 (the bid amount plus 20% contingency) to Elite Companies US, Inc. for construction of the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue. The construction work for this project began on January 4, 2012.

DISCUSSION

This project constructed Class II Bikeway Improvements on Indian Street between Iris Avenue and Katrina Avenue per the BTA grant. As a point of reference, a Class II Bikeway provides a striped lane for one-way bike travel on a street or highway. Specific work for this project consisted of the installation of new bike lane signs, pavement striping, bicycle detection at traffic signals, and additional pavement in areas to accommodate the bicycle lanes.

The Contractor completed the project at a total construction cost of $94,066.75 inclusive of Contract Change Order No. 1. The final contract total cost did not exceed the approved purchase order amount of $115,280.10. The project was completed on schedule, within budget, and in accordance with the project's contract documents.

ALTERNATIVES

1. Accept the work as complete for the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue, constructed by Elite Companies US, Inc., 15321 La Salle Lane, Huntington Beach, CA 92647, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, authorize the Financial & Administrative Services Director to release the retention to Elite Companies US, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and accept the improvements into the City's maintained system. *This alternative will allow payment to the Contractor and acceptance of the improvements into the City's maintained system.*

2. Do not accept the work as complete for the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue, constructed by Elite Companies US, Inc., 15321 La Salle Lane, Huntington Beach, CA 92647. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained system, and incurring extra costs to the City.*

FISCAL IMPACT

The construction phase of this project is included in the Fiscal Year 2011/2012 Capital Improvements Plan Budget and is funded by Measure "A" (Fund 125). Caltrans will reimburse 90% of the eligible costs up to $152,458 per the BTA grant accepted by the City. The funding for this project is restricted to bicycle related improvements and cannot be used for operational activities. There is no impact to the General Fund.

FISCAL YEAR 2011/2012 BUDGETED FUNDS:

Indian Street Bicycle Lanes / Iris to Katrina (Account No. 125.56331)	$165,077
Total Funds Available	**$165,077**

FINAL DESIGN AND CONSTRUCTION RELATED COSTS:

Design Costs	$25,000
Contractor Construction Costs	$94,000
Construction Surveying Costs	$8,000
Construction Geotechnical Costs	$8,000
Project Administration and Inspection Services	$30,000
Total Project Costs	**$165,000**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Elite Companies US, Inc. completed construction of the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue on May 17, 2012. The City Council is requested to accept the work as complete, direct the recordation of the Notice of Completion, and accept the improvements into the City's maintained system.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

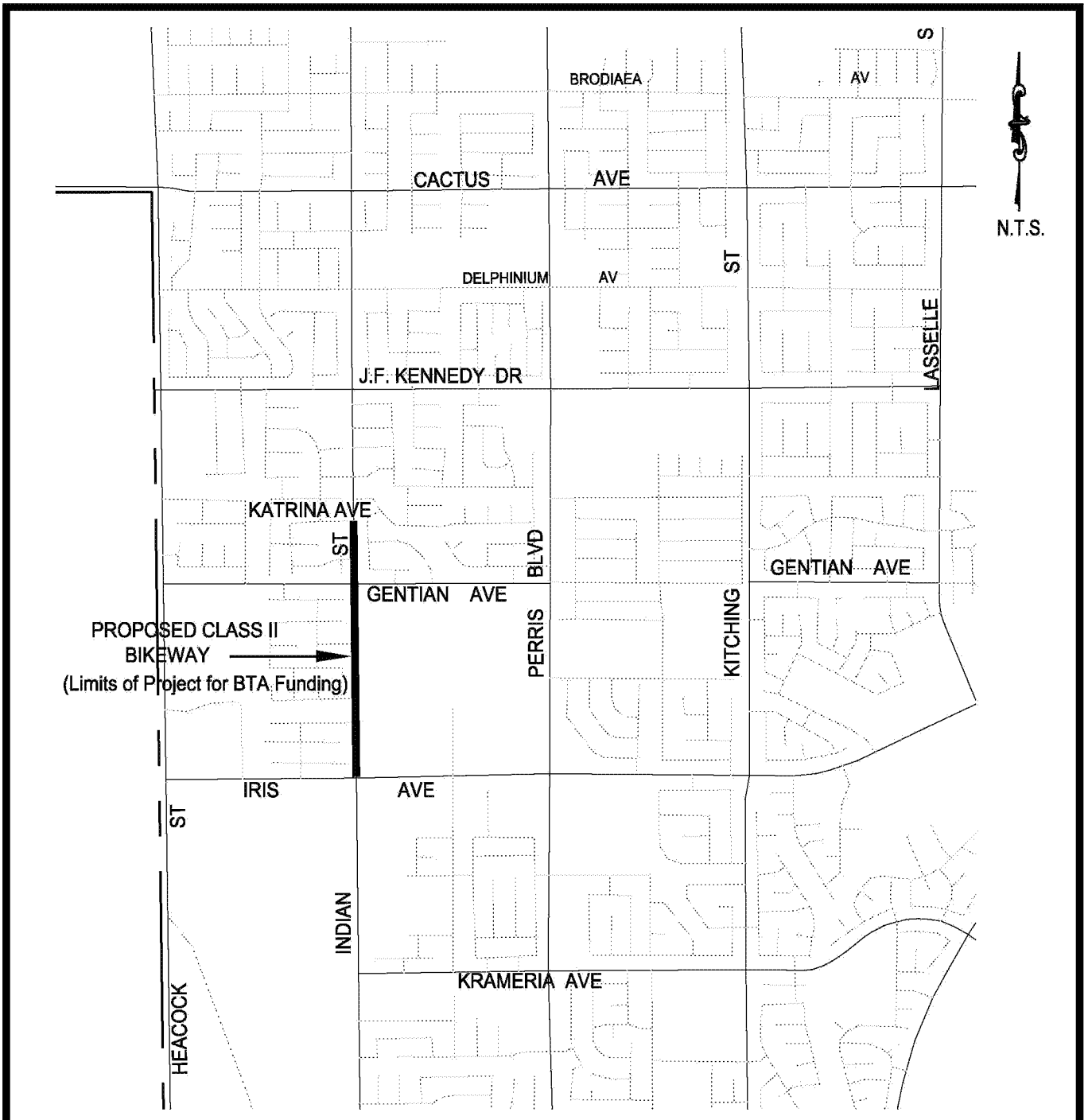

LOCATION MAP

INDIAN STREET - FROM IRIS AVENUE TO KATRINA AVENUE

PROPOSED CLASS II BIKEWAY

Attachment "A"

CITY OF MORENO VALLEY
DECEMBER 3, 1984

MV00167277

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL IMPROVEMENTS FOR THE LASSELLE STREET AT MARGARET AVENUE INTERSECTION CONSTRUCTED BY J.F.L. ELECTRIC, INC. PROJECT NO. 10-12566630

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection constructed by J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

3. Authorize the Financial & Administrative Services Director to release the retention to J.F.L. Electric, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

4. Accept the improvements into the City's maintained system.

BACKGROUND

The design and construction documents were prepared by in-house staff as a cost saving solution for the City. In July 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

On September 13, 2011, the City Council awarded the construction contract and authorized the issuance of a Purchase Order in the amount of $211,660.00 (the bid amount plus 20% contingency) to J.F.L. Electric, Inc. for construction of the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection. The construction work for this project began on December 19, 2011.

DISCUSSION

This project installed a new traffic signal at the intersection of Lasselle Street at Margaret Avenue, adjacent to Vista Del Lago High School. The traffic signal accommodates pedestrians crossing Lasselle Street adjacent to the southerly driveway and pedestrian access gate to Vista Del Lago High School. The work also included the removal and construction of new asphalt concrete pavement, curb and gutter, sidewalk, and access ramps, as well as restriping of the intersection, and the installation of signage.

The project work by J.F.L. Electric, Inc. was completed on time in February of 2012. Due to a manufacturing defect in one of the traffic signal mast arms, a new mast arm had to be manufactured and was shipped in May of 2012. All project work was completed on May 8, 2012.

The Contractor completed the project at a total construction cost of $190,059.29 inclusive of Contract Change Order Nos. 1 and 2 (Final). The final contract total cost did not exceed the approved purchase order amount of $211,660.00. The project was completed on schedule, within budget, and in accordance with the project's contract documents.

ALTERNATIVES

1. Accept the work as complete for the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection constructed by J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, authorize the Financial & Administrative Services Director to release the retention to J.F.L. Electric, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and accept the improvements into the City's maintained system. *This alternative will allow payment to the Contractor and acceptance of the improvements into the City's maintained system.*

2. Do not accept the work as complete for the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection constructed by J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained system, and incurring extra costs to the City.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2011/2012 Capital Improvements Project Budget and was financed by DIF Traffic Signal Capital Projects (Fund 417). The funding for this project is restricted to traffic signal capital and street improvements and cannot be used for operational activities. There is no impact to the General Fund.

FISCAL YEAR 2011/2012 BUDGETED FUNDS:

Lasselle Street/Margaret Avenue Traffic Signal (Account No. 417.79027)	$272,000
Total Funds Available	$272,000

FINAL DESIGN AND CONSTRUCTION RELATED COSTS:

Design Completion and Utility Coordination	$6,000
Contractor Construction Costs	$190,000
Construction Surveying Costs	$8,000
Construction Geotechnical Costs	$4,000
City Furnished Equipment	$20,000
Project Administration and Inspection Services	$30,000
Total Project Costs	**$258,000**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

J.F.L. Electric, Inc. completed construction of the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection on May 8, 2012. The City Council is requested to accept the work as complete, direct the recordation of the Notice of Completion, and accept the improvements into the City's maintained system.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

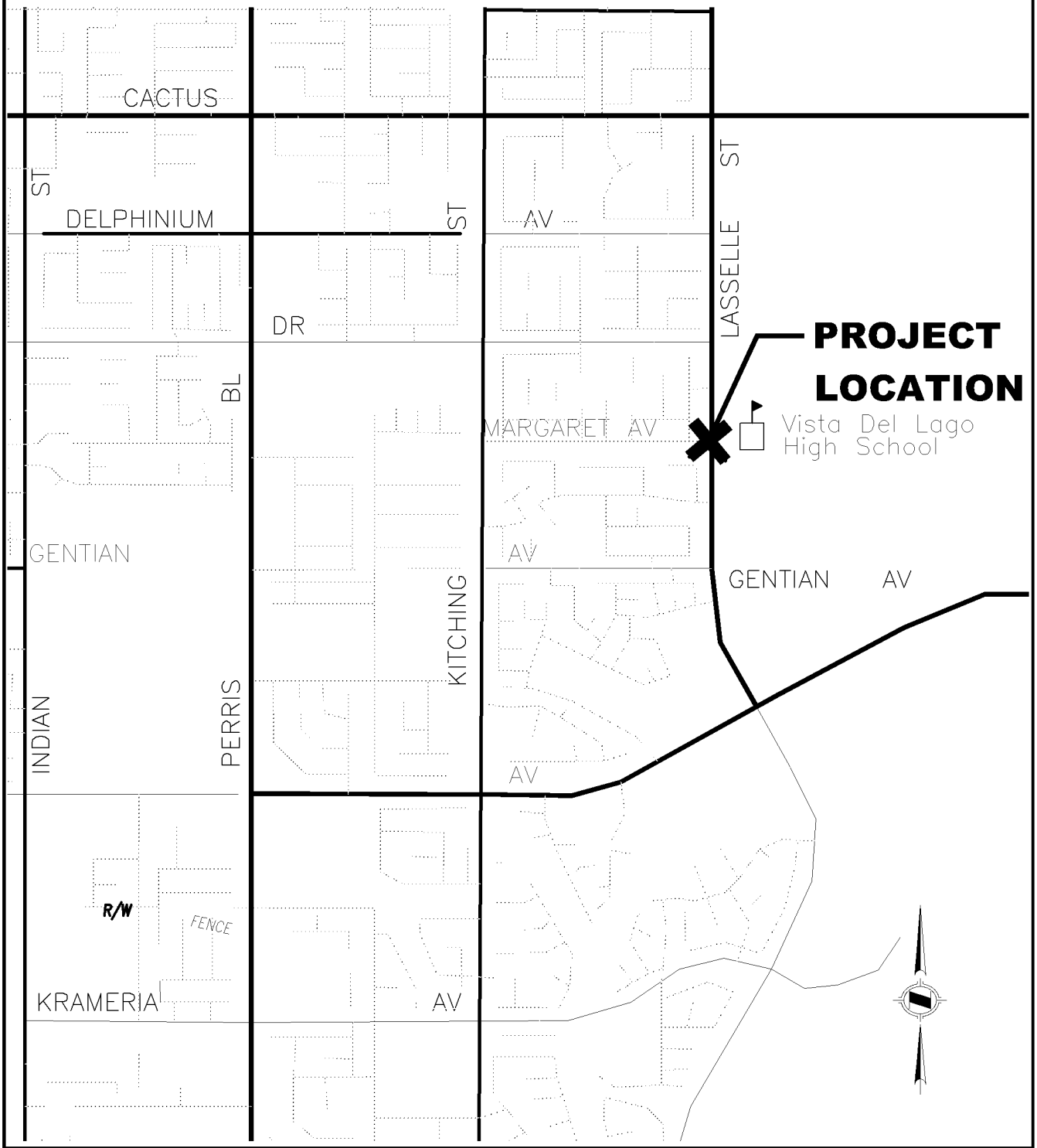

MORENO VALLEY

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 10-12566630 TRAFFIC SIGNAL
LASSELLE STREET
AT
MARGARET AVENUE(WEST LEG) AND VISTA DE LAGO HIGH SCHOOL(EAST LEG)

MV00167282

MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 26, 2012

TITLE: AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2012

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2012.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
    n. Eastridge Street between Frederick Street and Heritage Way;

o. Calle San Juan De Los Lagos between Frederick Street and Veterans Way;
p. Veterans Way between Business Center Drive and Alessandro Boulevard;
q. New Hope between Veterans Way and Elsworth;
r. Veterans Way between Cactus Avenue and Alessandro Boulevard, and
s. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Tuesday, July 3, 2012 through 5:00 p.m. on Thursday, July 5, 2012 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2012.

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 25 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. The parade in 2010 was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. Approximately 7,000 spectators attended the 2010 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

Street closures for both the parade and the festival site are the same as those closures for the 2010 event.

DISCUSSION

Detailed below is the discussion of the events planned and the street closures for the Independence Day 2012 Program activities:

1. Parade Discussion

   The parade this year will take place on July 4, 2012. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle

San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Burlington Coat Factory store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

Festivities will continue on July 4, 2012 from 2:00 p.m. to 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to the previous year's 2010 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. Gates open at 1:00 p.m. with the festival beginning at 2:00 p.m. There will be food, arts and crafts, game booths, clowns and entertainment. New this year will be a wine and beer garden. An entry may be charged to get into the festival, and there may be a minimal fee for the various activities, such as the bouncers and game booths.

A main stage and a youth stage will guarantee enjoyment for the entire family. There will be several entertainers this year. At 3:00 p.m., Moreno Valley IDOL takes the stage when finalists compete for Moreno Valley Idol. At 4:00 p.m., a performance by "Michael John's Tribute to Billy Joel," followed by "BELLA DONNA - A Tribute to Stevie Nicks and Fleetwood Mac," and then "The Joshua Tree – A Tribute to U2." As a grand finale, the event will conclude with a fireworks extravaganza at 9:00 p.m., which will be simulcast with patriotic music by KOLA (99.9 FM).

Presale tickets for the event are available at the Moreno Valley Conference and Recreation Center from June 11 to July 3. Cost is $2 per person or $10 for a family (up to 6 people). On July 4, entry is free between 1:00 p.m. and 4:00 pm.

After 4:00 p.m., entry fee is $3 per person. Military service members with valid identification and children under 5 are free.

We thank the following sponsors who have contributed to our celebration: KOLA 99.9, Moreno Valley Unified School District, Supervisor Marion Ashley, Budweiser, Pepsi, Accurate Accessories, and Waste Management.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. Barricades placed at intersections designated for one-way traffic will be removed no later than 11:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordination of this event began prior to FY 2012/13. Funds proposed for the Independence Day Celebration are allocated in the approved budget for the Moreno Valley Community Services District Zone A Fund (161.77310) for Fiscal Years 2011/12 and 2012/13. In an effort to offset expenditures, staff has been soliciting sponsors, an entry fee will be charged after 4 pm and there will be a beer garden.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2012 Independence Day festivities this year will take place on July 4, 2012. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2010 parade route. The parade will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will be held at Mountain View Middle School and Morrison Park; street closures affected are adjacent to the festival site.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2012 Proposed Parade Route Map
2. 2012 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment 1

Moreno Valley
Parks & Community Services
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951 413-3280
FAX: (951 413-3719

For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Wednesday, July 4, 2012

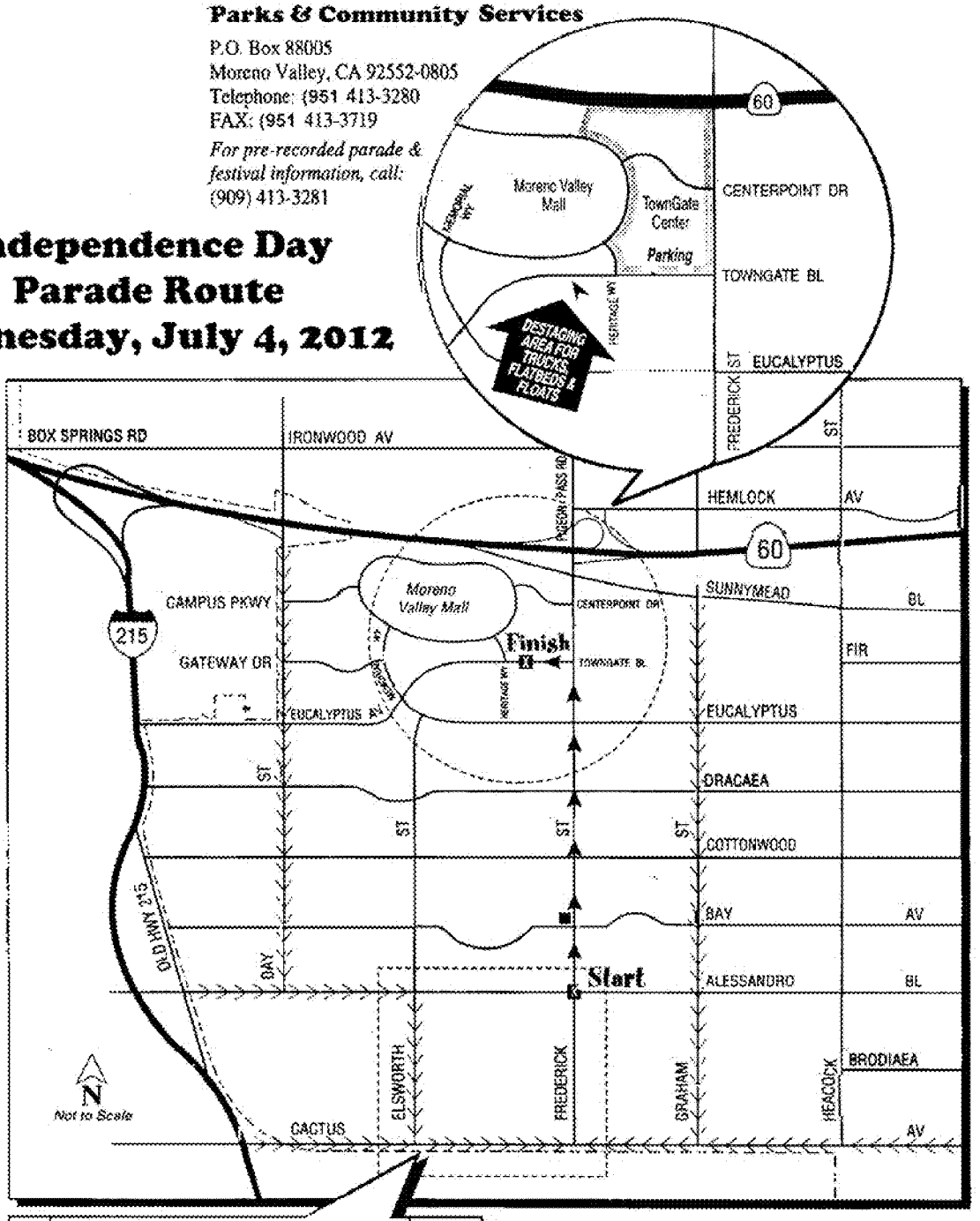

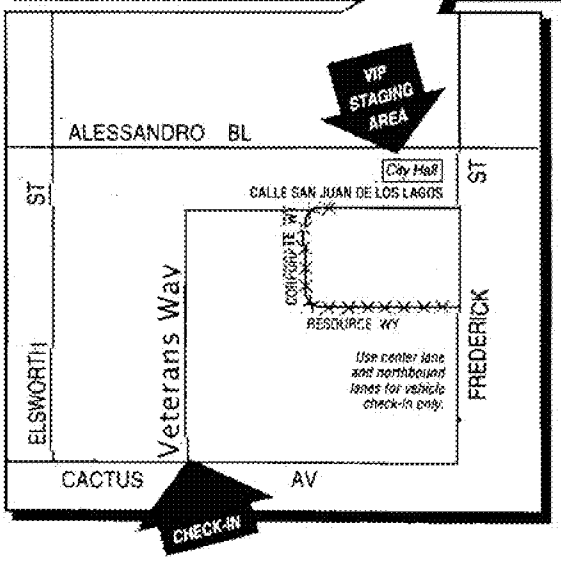

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Wednesday, July 4, 2012

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

Attachment 2

July 4th Festival
Street Closures

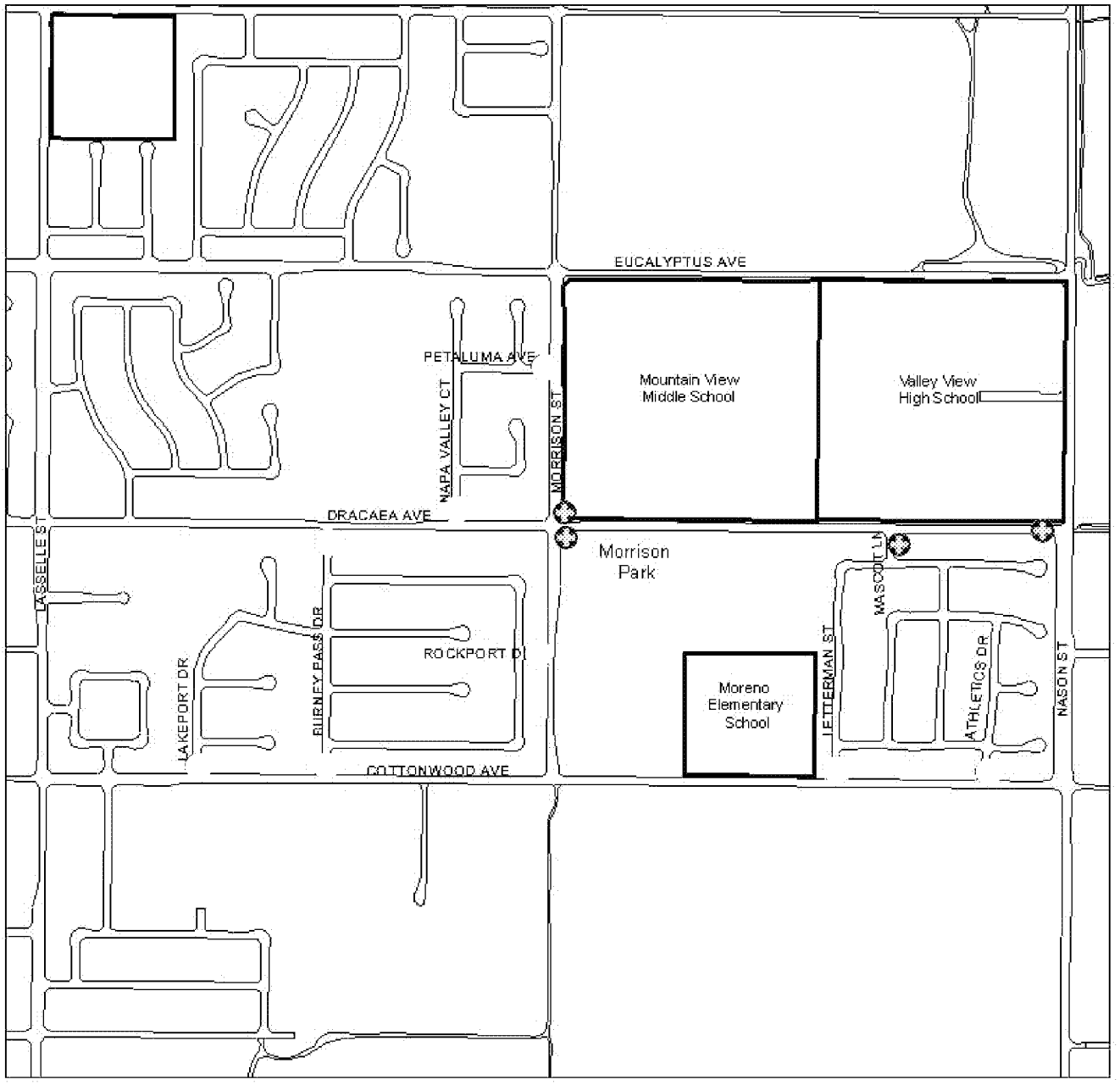

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District

FROM: Michael J. McCarty, Director of Parks and Community Services

AGENDA DATE: June 26, 2012

TITLE: AMEND THE CONTRACT WITH THINK TOGETHER, INC., TO OPERATE DAY-TO-DAY ACTIVITIES AND FUNCTIONS INVOLVING THE CITY'S AFTER SCHOOL EDUCATION AND SAFETY (ASES) GRANT PROGRAM FOR FISCAL YEAR 2012-13

RECOMMENDED ACTION

Staff recommends that:

1. The City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, authorize the City Manager to amend the contract entered into with THINK TOGETHER Inc. on April 26, 2011, to operate day-to-day activities and functions of the City's Prop 49 state-funded ASES after school grant program, as reflected in Attachment A.

2. The City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, authorize the additional revenue and expense budgets in the STARS Program Grant Fund (Fund 162) for the ASES Grant Program in the amount of $262,941, respectively, upon approval of the contract amendment with Think Together, Inc.

BACKGROUND

The After School Learning and Safe Neighborhoods Partnership Program began in 1998. Proposition 49 was passed by California voters in 2002, changing the name to After School Education and Safety (ASES), which staff refers to as the STARS (Students, Teachers, Achieving, Real, Success) program, and effective July 1, 2006

increasing annual funding from $121 million up to $550 million. Applicants awarded an ASES grant receive a three-year renewable direct grant awarded in one-year increments.

As a result of staff's efforts to provide an increased level of service for Moreno Valley youth through diverse funding, staff submitted competitive grant applications in partnership with Moreno Valley Unified School District (MVUSD) and Val Verde Unified School District (VVUSD) to the After School Partnerships Office, CDE. The City of Moreno Valley is the fiscal agent for the grant. The City of Moreno Valley Parks and Community Services Department received a three-year direct grant that was awarded in three one-year increments of $4,950,000 from the State Department of Education. Grant funding has been reduced since 2006 directly relating to participation numbers and as a result, $4,296,909 is available for the period FY2011-12. The program is currently funded through June 2013.

A two year contract with THINK Together was approved on April 26, 2011 in the amount of $4,296,909 per year to operate the City's ASES grant program for 2011 through 2013.

DISCUSSION

THINK Together has successfully provided comprehensive After School Programming, serving the City's After School Education and Safety Grant (ASES) at 43 sites in MVUSD and VVUSD for the 2011-2012 school year. Attendance increased and there were waiting lists at several of the school sites.

Due to the increased attendance, Parks and Community Services requested permission to apply for additional ASES funding in order to serve more students. On January 10, 2012 Council approved the request to apply for additional funding.

The California Department of Education posted the funding results on May 10, 2012. Funding was available to award grants to one fifth of the applicants. The City of Moreno Valley will receive $262,941 to increase the number of students served at eleven school sites for fiscal year 2012-13.

Attachment A is the amended payment schedule for the THINK Together contract. Also, due to staffing changes with THINK Together, an additional $15,175 will revert back to the City per the benefit allowance agreement on page 3 of the contract.

ALTERNATIVES

1. Authorize the City Manager to amend the contract with THINK Together Inc., to operate day-to-day activities and functions of the City's Prop 49 state-funded ASES after school grant program, as outlined within this document.

2. Do not authorize amendment to the contract and provide direction to staff.

FISCAL IMPACT

This amendment will increase the amount for administration of the contract by $15,175 (16215); $247,766 will be added to Other Contractual - Other (16215.6291.293). All grant funds must be used for ASES Grant Expenditures.

Additional Appropriations:

FUND	BUSINESS UNIT	TYPE	AMOUNT
STARS GRANT FUND (162)	1280.4611 (ASES Grant Revenue)	REV	$262,941.00
STARS GRANT FUND (162)	16215 (ASES Program Grant)	EXP	$262,941.00

SUMMARY

Parks and Community Services Department staff believe that increasing the contract amount with THINK Together is in the best interest of the City. This will allow the City to serve approximately 195 more students. Not only do after school programs offer constructive alternatives to gangs, drugs, and crime, but can also help improve school day attendance, increase academic achievement, and boost graduation rates.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Amended Contract as to form

Prepared By:
Patty Grube
Management Analyst

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT A

AMENDMENT TO
THINK TOGETHER, INC. CONTRACT

This First Amendment to the THINK Together, Inc., Contract is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and THINK Together, Inc. (hereinafter referred to as "Contractor") and is effective the date the CSD Signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated July 13, 2011.

Whereas, the Contractor is providing operation of the After School Education and Safety Grant Program (ASES).

Whereas, the CSD received additional ASES Grant funding to serve additional students.

Whereas, the Contractor desires to serve additional students.

Section 1 – Amendment to THINK Together, Inc., Contract.

1.1 Contractor will service additional students for 2012-13 school year according to the ASES Grant requirements.

1.2 Pursuant to Page 3 of the Agreement, the Contractor will not pay the monthly benefit allowance of $1,264.58 to the Program Supervisor position and the annual amount of $15,175 will revert back to the CSD. Schedule B has been revised to reflect this change, attached hereto.

1.3 Pursuant to Page 4 of the Agreement, the Contractor's compensation shall be changed to 100% of the grant award from California Department of Education (CDE), less $115,175 for administrative costs, according to Schedule A, attached hereto.

Section 2 – Other Terms to Remain

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Contract.

SIGNATURE PAGE TO FOLLOW:

Community Services District of the
City of Moreno Valley

BY: _____
City Manager

_____
Date

THINK Together, Inc.

BY: _____
Randy Barth

TITLE: _____
Founder and CEO

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Schedule A
Payment Schedule

Ten monthly payments, due on the 1st of each month from September 1 through June 1, according to the following:

School Name	Components	Amount Awarded	Total Payment to THINK Together (after $100k carve-out)	Monthly Payment Amount (x10) 10%
Armada Elementary	ASES After School Base	$ 112,500.00	$ 109,658.42	$ 10,965.84
Badger Springs Middle	ASES After School Base	95,850.00	93,428.97	9,342.90
Bear Valley Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Box Springs Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Butterfield Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Chaparral Hills Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Cloverdale Elementary	ASES After School Base	99,900.00	97,376.68	9,737.67
Creekside Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Edgemont Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Hendrick Ranch Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Hidden Springs Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Honey Hollow Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
La Jolla Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Landmark Middle	ASES After School Base	87,750.00	85,533.57	8,553.36
Midland Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Moreno Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Mountain View Middle	ASES After School Base	67,500.00	65,795.05	6,579.51
Palm Middle	ASES After School Base	58,050.00	56,583.74	5,658.37
Ramona Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Ridge Crest Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Seneca Elementary	ASES After School Base	98,550.00	96,060.77	9,606.08
Serrano Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Sugar Hill Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Sunnymead Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Sunnymead Middle	ASES After School Base	95,850.00	93,428.97	9,342.90
Sunnymeadows Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
TownGate Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Avalon Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Columbia Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Lakeside Middle	ASES After School Base	95,850.00	93,428.97	9,342.90
Lasselle Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Manuel L. Real Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
March Middle	ASES After School Base	95,850.00	93,428.97	9,342.90
Mary McLeod Bethune Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
May Ranch Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Mead Valley Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Rainbow Ridge Elementary	ASES After School Base	112,500.00	109,658.41	10,965.84
Sierra Vista Elementary	ASES After School Base	112,500.00	109,658.41	10,965.84
Tomas Rivera Middle	ASES After School Base	95,850.00	93,428.97	9,342.90
Triple Crown Elementary	ASES After School Base	112,500.00	109,658.41	10,.965.85
Val Verde Elementary	ASES After School Base	112,500.00	109,658.41	10,965.85
Victoriano Elementary	ASES After School Base	112,500.00	109,658.41	10,965.85
Vista Verde Middle	ASES After School Base	68,850.00	67,110.95	6,711.10
		$4,559,850.00	**$ 4,444,675.00**	**$ 444,467.50**

Schedule B
Employee Benefit Allowance

Monthly benefit allowance to be paid semi-monthly as part of employees' regular pay:

Employee	Monthly Allowance
Program Coordinator	$1,264.58
Sr. Admin Analyst	$1,264.58

Annual base pay ranges by position:

Current Title	THINK Title	Base Pay Range
Program Coordinator	Quality Assurance Coach	$45,000-$49,000
Sr. Admin Analyst	Regional Ops Analyst	$33,280-$45,000

MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: June 26, 2012

TITLE: A PUBLIC HEARING REGARDING PA10-0030, AN AMENDMENT TO TITLE 9 OF THE MUNICIPAL CODE REGULATIONS TO: (1) ADOPT WRCOG GOOD NEIGHBOR GUIDELINES; (2) REVISE PARKING STANDARDS FOR RESTAURANTS; (3) REDUCE COMMUNITY COMMERCIAL (CC) FRONT AND STREET SIDE BUILDING SETBACKS, AND OTHER REVISIONS TO PARKING AND LANDSCAPE SETBACKS; (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS; AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD TO REVISE SAFETY FEATURES AND DRIVE AISLES WIDTHS.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **RECOGNIZE** that PA10-0030 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

2. **INTRODUCE** Ordinance No. 849, thereby approving PA10-0030, amending various sections of Title 9 of the City of Moreno Valley Municipal Code. (Attachment 2)

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, at its March 8, 2012, meeting approved Planning Commission Resolution 2012-04, recommending by a 6-0 (1 absent) vote that the City Council recognize that PA10-0030 (Municipal Code Amendment) qualifies as an exemption in accordance with CEQA Guidelines, Section15061 (Minor Alterations in

Land Use Limitation) as defined by Section 15378, and approve PA10-0030 (Municipal Code Amendment).

BACKGROUND

The proposed changes were the result of issues and concerns that have arisen over the past few years. Some of the proposed changes are due to Planning Commission requests, and others are staff generated to address changes in development practices, and to provide greater clarity of city regulations and to encourage reduced air emissions and greater land use efficiency and therefore reduced energy use City-wide. This effort has been funded by the City's Federal Energy Efficiency Grant.

DISCUSSION

During the Planning Commission Hearing, the Commission voted to approve the item with some discussion on a couple of the code amendments. There was discussion of issue 4 on the possibility of rewording the language of Topping of Trees in the Tree Preservation and Maintenance section. It was suggested that the word "destructive" be added in front of "topping of trees is prohibited", after discussion and clarification amongst the commissioners and staff, no rewording of issue 4 was motioned. In addition to the proposed code amendments one Commissioner noticed that the diagonal parking measurement was not accurate in Figure 9.11.080-5. Staff agreed that the figure is not accurate, and staff has deleted the "16 feet" from the diagonal parking dimension in Figure 9.11.080-5. Overall the Planning commission was in support of the proposed municipal code amendments.

This proposed amendment would modify various provisions of the Municipal Code and entire amendment is located on Attachment 3. Below is a summary of the items, with more detail provided in the attached Planning Commission report. If adopted, it would create or change the regulations concerning:

1. Adopting WRCOG Good Neighbor Guidelines.

   The addition of the Good Neighbor Guidelines has been suggested to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors within the City of Moreno Valley. The following are the standards from WRCOG that staff suggests be adopted:

   A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center.

   B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods.

   C. Eliminate trucks from using residential areas and repairing vehicles on the streets.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center.

2. Parking Standards for Restaurants.

Revisions to Section 9.11.040 have been made to better address the standard parking requirement for eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. The proposed standard would reduce the required parking for restaurant space equaling up to 15% of the shopping center building square footage, which has been shown to be accommodated with adequate parking at the lower retail parking standard. The proposed standard would permit greater building area and/or less impervious paved areas.

3. Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks.

Several years ago, the Planning Commission asked staff to review other cities setback requirements in the Community Commercial (CC) and Neighborhood Commercial (NC) zones. Staff recommends that the CC front building setback be amended from 20 feet to 10 feet, and that the side street building setback be amended from 20 feet to10 feet. In the NC zone staff recommends that the setback not change and keep the existing 20 foot front and street side setback. Additionally we have added * in regards to a setback based on building height. Based on staff research we recommend that the building play more of a prominent roll in the development of the site layout. Therefore we have revised the parking area to have the same minimum setback as the building setback, or in the case of the CC zone have the parking be set back further than the building setback. In keeping with the building playing more of a prominent role in site layout staff has eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback.

4. Provide for parking lot maintenance standards, banning “topping” of trees.

Revisions to Section 9.17.030 have been made in order to address the practice of topping of trees, which prevents the development of adequate tree canopy to provide the shading required by the Municipal Code. The practice of topping prohibits trees from growing naturally or reaching maturity and fulfilling the code requirement. In association with the new Tree Preservation and Maintenance portion of the code we have added a Heritage Trees section to help preserve mature and historical trees in our City. Staff has researched other cities that have adopted similar tree preservation ordnances.

5. Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Revisions to Section 9.11.080 have been made in order to make parking design safer and consistent with current traffic engineering standards. The standard improvements safety features of parking lot design have been revised and Table 9.11.080-13 has revised driveway and aisle dimensions.

ALTERNATIVES

1. Approve the proposal as submitted.

2. Approve the proposal with modifications to address City Council concerns.

3. Refer the proposal back to the Planning Commission.

4. Deny the proposal.

NOTIFICATION

A 1/8 page public notice was published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance No. 849 with proposed revisions
3. Suggested Code Amendments.
4. Setbacks of other Cities.
5. Planning Commission Staff Report dated March 8, 2012
6. Planning Commission Minutes for March 8, 2012

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER A MUNICIPAL CODE AMENDMENT (PA10-0030) FOR THE AMENDMENT OF THE MUNICIPAL CODE REGULATIONS REGARDING: (1) WRCOG GOOD NEIGHBOR GUIDELINES. (2) PARKING STANDARDS FOR RESTAURANTS IN SHOPPING CENTERS. (3) COMMUNITY COMMERCIAL LAND USE ZONE (CC) FRONT AND STREET SIDE BUILDING SETBACKS, AND PARKING AND LANDSCAPE SETBACKS. (4) PARKING LOT MAINTENANCE STANDARD TO BAN "TOPPING" OF TREES; AND (5) GENERAL PARKING DESIGN STANDARDS FOR SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES.

The proposed Municipal Code Amendment (PA10-0030) modifies various provisions listed above. The modifications eliminate conflicts and clarify the meaning of the above mentioned sections.

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

The City Council may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Gabriel Diaz, Associate Planner at (951) 413-3206 or at the Community & Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday,
June 26, 2012
6:30 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805

ATTACHMENT 1

ORDINANCE NO. 849

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) ADOPTING WRCOG GOOD NEIGHBOR GUIDELINES; (2) REVISED PARKING STANDARDS FOR RESTAURANTS; (3) REDUCTION OF (CC) COMMUNITY COMMERCIAL FRONT AND STREET SIDE BUILDING SETBACKS, AND REVISIONS TO PARKING AND LANDSCAPE SETBACKS; (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS, BANNING "TOPPING" OF TREES; AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD WITH REVISED SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on June 26, 2012, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The amendments modify various provisions of the Municipal Code regarding: (1) Adopting WRCOG Good Neighbor Guidelines with amendments to address air quality; (2) Reducing the minimum restaurant parking space requirement within shopping centers greater than 25,000 square feet of building area where restaurant space is less than 15% of the shopping center square footage; (3) Recommending that the (CC) Community Commercial front and street side building setbacks be reduced, while maintaining a greater setback for parking than for buildings and eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback; (4) Providing for a parking lot maintenance standard including the banning of "topping" of trees; and (5) Amending the General Parking Design Standard with revised safety features and 24 foot maximum wide drive aisles. The modifications are aimed at reducing the environmental impact of new and existing development by increased attention on post-construction operational issues, increased efficiency in site development and decreased energy usage.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment. Amendments like the Good Neighbor Guidelines and amendments that make development more efficient only improve the Health, Safety and Welfare.

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Section 9.05.050 of Chapter 9.05 of the City of Moreno Valley Municipal Code is hereby added as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

Sections:
9.05.010 Purpose and intent.
9.05.020 Industrial districts.
9.05.030 Permitted uses for industrial districts.
9.05.040 Industrial site development standards.
9.05.050 Good Neighbor Guidelines

9.05.050 Good Neighbor Guidelines for Warehouse Distribution Facilities.

In September, 2005, the Western Riverside Council of Governments (WRCOG) and the Regional Air Quality Task Force (RAQTF) approved the *Good Neighbor Guidelines For Siting New and/or Modified Warehouse/Distribution Facilities*. The Good Neighbor Guidelines used in this section are a modified version of the WRCOG's RAQTF Guidelines. The modified version includes goals and strategies that fit the specific needs of the City of Moreno Valley.

These "Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities," (referred to as "Good Neighbor Guidelines") assist planning departments, developers, property owners, elected officials, community organizations, and the general public as a tool to potentially help address some of the complicated choices associated with permitting warehouse/distribution facilities and understanding the options available when addressing environmental issues. These Good Neighbor Guidelines are designed to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the City of Moreno Valley. Sensitive receptors include residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time.

For the purpose of these Guidelines, warehouse/distribution center means a building used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities that is greater than 650,000 square feet. This shall be cumulative to include multiple warehouse buildings deemed as part of a project or a phased project exceeding a combined total building area of 650,000 square feet. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include "big box" discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public.

A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center by using the following strategies:

1. To the extent possible, locate driveways, loading docks and internal circulation routes away from residential uses or any other sensitive receptors.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.2 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any vacant lot or unimproved nonresidential property in the City.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.5 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds within any commercially zoned property for the purpose other than doing business at the site, and or remaining parked or standing for longer than reasonably appropriate to do such business acts related to such business operations.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.8 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street or road which is adjacent to a parcel upon which there exists a public facility.

5. Enforce compliance with Moreno Valley Municipal Code Section 9.10.150 – "Odors" no operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise

objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.

B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.36.030 – "Designation of Truck Routes" the city traffic engineer shall erect appropriate signs designating the affected street or portion thereof.
2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.1 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street, road, alley or private property within any residential district within the city.
3. Required warehouse/distribution centers to establish a specific truck route and post signage between the warehouse/distribution center and the freeway and/or primary access arterial that achieves the objective.
4. Require warehouse/distribution centers to provide signage or flyers identifying where food, lodging and entertainment can be found, when it is not available on site.

C. Eliminate trucks from using residential areas and repairing vehicles on the streets by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.A.4. – "Parking Prohibitions or Restrictions" It is unlawful to park or leave standing any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.
2. Allow warehouse/distribution facilities to establish an area within the facility for repairs.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.C – "Parking Prohibitions or Restrictions" while adjacent to a developed residential area, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.
2. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.A.1 – "Idling Limitation" a driver of a vehicle must turn off the engine upon stopping at a destination.
3. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.C – "Idling Limitation" an equipment operator of a TRU (Transportation Refrigeration Unit) must not cause or allow a TRU to operate while stationary unless the vehicle is lawfully parked at a location approved for truck parking by this code and not within five hundred (500) feet of a school unless the operator is actively engaged in the process of loading or unloading cargo or is waiting in a queue to load or unload cargo for a period not to exceed two hours.
4. Enforce compliance with Moreno Valley Municipal Code Section 12.50.060.D – "Relationship to other laws" nothing in this chapter allows idling in excess

of other applicable laws, including, but not limited to any other local, state or federal law or regulation as stringent as, or more stringent than this chapter.

5. Future tenant improvements involving conversion of a warehouse for refrigeration storage shall include electrical hookups for refrigeration units.

6. Promote the installation of on-site electric hook-ups to eliminate the idling of main and auxiliary engines during loading and unloading of cargo and when trucks are not in use.

2.2 Table 9.11.040B-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended as follows:

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater.	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage. 1/100 sq. ft. of gross floor area over the 15%.	Example a 25,000s.f. Shopping Center. 15% of Shopping Center = 3,750s.f. is calculated at 1/225. 3,750/225 = 17. Any restaurant space over 3,750s.f. is calculated at 1/100. 2000/100 =20

2.3 Table 9.04.040-7 of Section 9.04.040 of Chapter 9.04 of the City of Moreno Valley Municipal Code is hereby amended as follows:

9.04.040 Commercial site development standards.

A. General Requirements. The following table sets forth minimum site development standards for all commercial and office zones. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of

many parcels totaling at least the required site size, but its design must be integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.04.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.04.040-7

Commercial Site Development Minimum Standards

	Requirement	O	OC	VC	NC	CC
1	Minimum site area	10K[1]	10K	10K	10K	1ac[2]
2	Minimum site width, in feet	100	100	100	100	200
3	Minimum site depth, in feet	100	100	100	100	175
4	Front building setback, in feet[3]	20*	20*	20*	20*	10*
5	Side street building setback area, street sides, in feet[3]	20*	20*	20*	20*	10*
6	Lot coverage, maximum	60%	60%	—	—	—
7	Building height, in feet, maximum	See Special Requirements				
8	Parking front street setback, in feet[3]	20	20	20	20	20
9	Parking side street setback, in feet[3]	15	15	15	15	15

	Requirement	O	OC	VC	NC	CC
10	Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas

[1] The term "K" means one thousand (1,000).

[2] The term "ac" means acre or acres.

[3] Measured from property line after dedications for public rights-of-way.

* Building areas above 30 feet shall be setback an additional 5 feet for every 10 feet of additional structure height unless otherwise approved by the Planning Commission.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any of such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated commercial center containing shared parking and access, in which case no minimums are established. Parcels created within integrated commercial centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and if appropriate easements for reciprocal access parking and maintenance are provided.

B. Special Requirements.

1. Wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the building height, but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles in commercial districts are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all commercial districts, required front building setback areas shall be landscaped. Such landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Required rear and interior side building setback areas in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

5. In the office commercial district, all nonoffice uses permitted shall be supportive of office-based development. (See Table 9.02.020-1)

6. In the office commercial district, all commercial and retail activities, other than offices, shall be limited to no more than twenty-five (25) percent of the square footage of any building. In the case of a mixed use development, no more than twenty-five (25) percent of the total square footage of all buildings shall be devoted to commercial/retail uses, with the remaining seventy-five (75) percent to be utilized for office.

7. Parking for each use shall comply with the requirements of Chapter 9.11.

8. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line. (Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992).

2.4 Section 9.17.030 of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended as follows:

9.17.030 Landscape and irrigation design standards.

A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside's Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Eastern Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once

calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

Projects shall be designed to capture and retain storm water onsite to improve water use efficiency and water quality. The use of reclaimed water is encouraged. Contact Eastern Municipal Water District for availability.

B. Plan Design Standards. The following design standards are required on all landscape plan submittals:

1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.

2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) SF of landscaped area, except custom homes or projects designed in-house by the public works department or parks and community services department, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All non-residential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.

3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the city. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.

4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the city.

5. Landscape shall include drought-tolerant plants and water conservation principles.

6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).

7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.

8. Trash enclosures are screened with at least three feet of landscaping on three sides.

9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.

10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the city.

11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org). No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.

12. Water budgets that meet Eastern Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Eastern Municipal Water District.

13. Water budgets are subject to approval by Eastern Municipal Water District. The city of Moreno Valley will cooperate with Eastern Municipal Water District in monitoring to the extent practicable.

14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations and Eastern Municipal Water District. Landscape plans submitted shall meet this standard.

15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.

2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.

3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.

4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.

5. High quality artificial turf is allowed as an element of a project landscape.

6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.

3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.

4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the city.

5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.

6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.

7. The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.

E. Trees.

1. Trees shall be planted in a manner, which maximizes the shading of paved areas, outdoor seating, and both south- and west-facing windows.

2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.

3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.

4. All landscape plans shall indicate mature tree canopy diameters.

5. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.

6. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.

7. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.

8. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.

9. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.

F. Tree Preservation and Maintenance.

1. Trees are required to be pruned, fertilized, and irrigated as needed to maintain an appropriate healthy condition, maximize shading, and maintain an aesthetically pleasing appearance.

2. Topping of trees is prohibited. Topping of trees means cutting back of the crown creating large stubs and preventing trees from growing to maximum maturity resulting in a loss of shading.

3. Pest diseased trees and dead trees shall be replaced with the same species and in the appropriate size. The appropriate size shall be a minimum twenty-four (24) inch box tree.

4. Guidelines are subject to modifications as determined by an arborist, or landscape architect, and approved by the Community & Economic Development Director.

G. Heritage Trees.

1. Heritage trees are defined as meeting one of the following:

a. Any tree that defines the historical and cultural character of the City including older Palm and Olive trees, and or any tree designated as such by official action.

b. Trees with a fifteen (15) inch diameter measured twenty-four (24) inches above ground level.

c. Trees that have reached a height of fifteen (15) feet or greater.

2. No person shall remove, destroy, top, or disfigure a Heritage tree within the City Limits.

3. Removal of a Heritage tree is permitted if the tree poses a dangerous or hazardous condition to people, structures, property, or another Heritage tree.

4. Removal of a Heritage tree is permitted if tree is diseased, drying, or dead, and if a reasonable undertaking to preserve the tree had occurred.

5. Removal of a Heritage tree in the public or future right of way is permitted with the approval of the Community and Economic Development Director and if a reasonable undertaking to preserve the tree had occurred.

6. Removal of a Heritage tree designated historic and or culturally significant by official action shall require the review of the Ecological Historical Preservation Board.

7. Trees grown by nurseries and tree farms for sale purposes are exempt from being a Heritage tree.

H. Irrigation.

1. All planted landscape areas shall be provided with an approved "smart" automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and soil moisture sensing devices. Watering during the rain shall be avoided.

2. Drip and bubbler-type and MP rotator sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type).

3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.

4. Reduced pressure backflow preventers are required on all irrigation systems.

5. No fixed risers are permitted, unless otherwise approved by the community development director.

6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.

7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.

8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9. Eastern Municipal Water District will calculate the annual maximum allowable water budget (AMAWB) for customers requesting a new account. The proposed landscape must meet the AMAWB requirements prior to meter release. (Ord. 786 § 2, 2009)

2.5 Table 9.11.080-13 of Section 9.11.080 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended as follows:

9.11.080 Design standards.

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul-de-sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the city of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

25. Parking lot design shall include openings in curbs to convey water run off into landscape areas for water quality, retention and absorption. Pervious surfaces are recommended where feasible and required for parking areas provided in excess of city requirements.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be nine feet in width and sixteen (16) feet in depth of paved area and two feet of landscaped depth in excess of the adjacent landscape requirement. Spaces may be eighteen (18) feet of paved depth with no additional landscape depth subject to approval by the planning official. (The two feet of additional landscape may not be included in the required landscape setback.) (See Figure 9.11.080-5.)

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

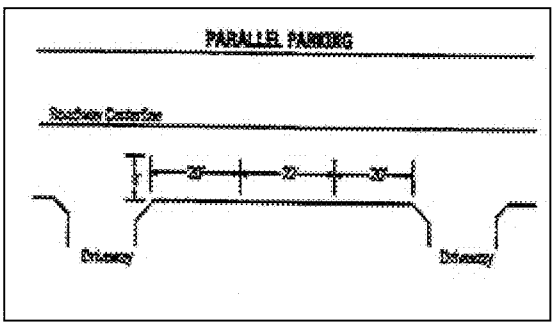

Figure 9.11.080-4

Dimensions of Parallel Parking Spaces

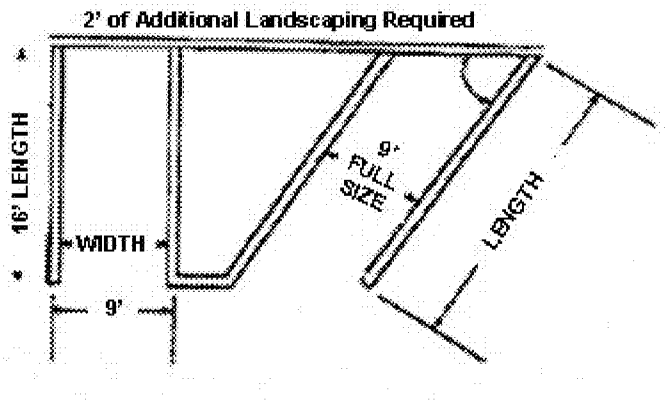

Figure 9.11.080-5

Nonparallel Parking Spaces

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. Parking lots shall be designed to drain into landscape planters using openings in curbs and site grading. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of six hundred (600) feet.

h. Deceleration right turn lanes should be a minimum of two hundred thirty five (235) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (60) foot transition and one hundred twenty five (125) foot turn lane. As approved by the City Traffic Engineer.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (three-inch line – six-inch space – three-inch line for a total of twelve (12) inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the city of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

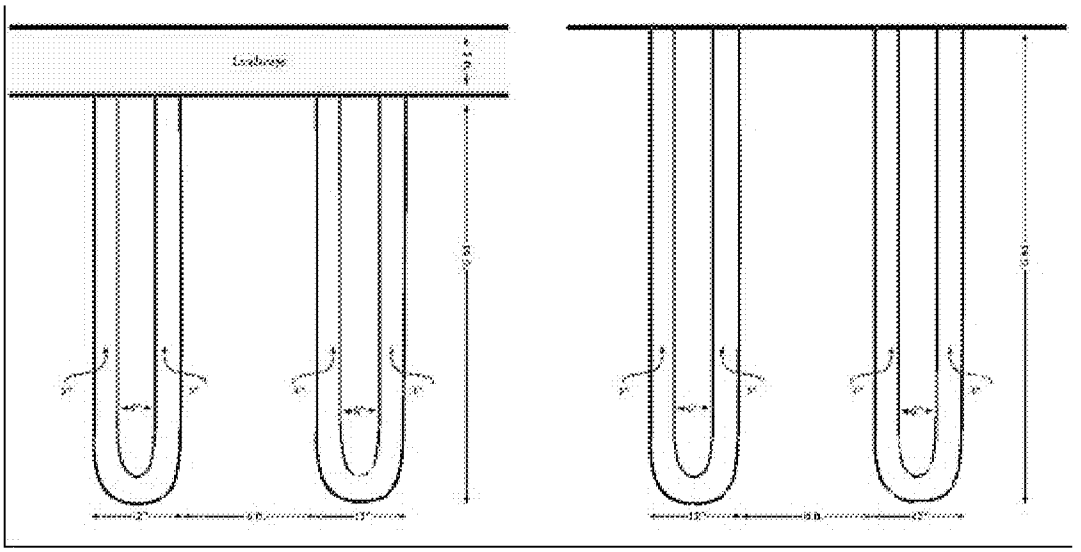

Figure 9.11.080-6A **Figure 9.11.080-6B**

Parking Space Striping Requirements

* Ends of parking stall striping shall be curved or squared off.

D. Accessible Parking Design Standards. The following design standards for accessible parking are intended to be consistent with the state or federal requirements. Any conflicting provisions or future changes in state or federal requirements shall pre-empt the standards for provision of accessible parking spaces contained in this title:

1. All accessible parking spaces shall be striped and marked according to applicable state regulations.

2. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign, of a construction and material approved by the building official, displaying the international symbol of accessibility. The sign shall have a minimum size of seventy (70) square inches, and shall be centered at the interior end of the parking space at a maximum height of eighty (80) inches from the bottom of the sign to the finished grade of the parking space.

3. At each entrance to a parking facility containing one or more parking spaces for the handicapped, a sign with a minimum size of seventeen (17) inches by twenty-two (22) inches shall be posted, stating clearly and conspicuously in letters with a minimum height of one inch the following:

Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for physically handicapped persons may

be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____.

4. Parking spaces reserved for persons with disabilities shall have, in addition to the requirements of subsections (D)(1), (2) and (3) of this section, a surface identification in blue paint of at least three square feet in size, duplicating the international symbol of accessibility.

5. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

6. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Said space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

7. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

8. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this paragraph would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

9. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083 percent gradient) in any direction.

10. Notwithstanding the off-street parking requirements of Subsection 9.11.040(A) of this chapter, the number of parking spaces that are not accessible may

be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

11. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone as described herein.

12. All disabled spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve and oriented so that the user of the disabled parking space need not go past the rear of automotive parking spaces in order to reach the building's main entrance.

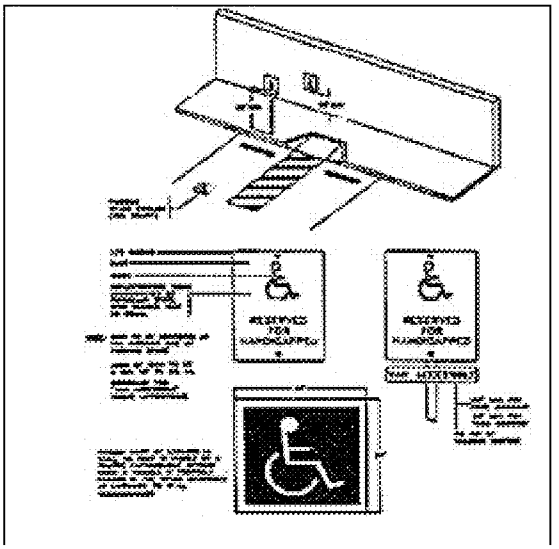

Figure 9.11.080-7

Accessible Parking Stall Requirement

* Ramps shall include a curb-cut type design

* Loading area width: van accessible = 8 feet; all other accessible spaces = 5 feet

E. Surfacing.

1. All permanent automobile and disabled parking spaces, loading and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or other all-weather surfacing, as approved by the city engineer. Every effort should be made to use pervious surfaces to reduce water run off. All parking areas in excess of the requirements of the Municipal Code shall use pervious pavement and/or increased landscape water retention and absorption areas.

2. Temporary parking facilities shall be provided with surfaces which prevent dust, as approved by the city engineer.

F. Location of Parking.

1. All parking spaces required by this chapter shall be provided on the same site as the use requiring the parking spaces, except as authorized in Section 9.11.070, Adjustments to off-street parking requirements of this chapter.

2. All automobile spaces required for residential uses shall be located a maximum of two hundred fifty (250) feet from the units they are serving. Distances shall be measured from the nearest point of the building to the parking space(s) serving that building.

3. All car pool parking spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve.

G. Landscape and Screening Requirements. Parking lot screening and landscaping shall conform to the requirements of Chapter 9.17 of this title.

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13
Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Required (one-way)*	20 feet
Required (two-way)*	24 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1] On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.
[2] Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.
[3] Minimum acute angle measured from the edge of pavement.
* Wider driveway aisles may be approved with the approval of the Community and Economic Development Director.

3. The following criteria and dimensions may be modified by the city engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/Modified Major	Limited access* **	Limited access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector/66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic.
** Access may be restricted by medians.
*** For residential development.

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.3, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 643 § 2.6, 2003; Ord. 616 § 2.2.22, 2003; Ord. 604 §§ 2.15—2.18, 2002; Ord. 557 § 2.6, 2000: Ord. 475 § 1.4 (part), 1995; Ord. 406 § 1.4, 1993; Ord. 405 §§ 1.14, 1.15, 1993; Ord. 402 §§ 1.3, 1.4, 1993; Ord. 359 (part), 1992)

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 849
Date Adopted: July 10, 2012

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on June 26, 2012 and had its second reading on July 10, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of July, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 849
Date Adopted: July 10, 2012

Issue 1. Adopting WRCOG Good Neighbor Guidelines.

Staff recommends amending Chapter 9.05 by adding Section 9.05.050 as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

Sections:
9.05.010 Purpose and intent.
9.05.020 Industrial districts.
9.05.030 Permitted uses for industrial districts.
9.05.040 Industrial site development standards.
9.05.050 Good Neighbor Guidelines

9.05.050 Good Neighbor Guidelines for Warehouse Distribution Facilities.

In September, 2005, the Western Riverside Council of Governments (WRCOG) and the Regional Air Quality Task Force (RAQTF) approved the *Good Neighbor Guidelines For Siting New and/or Modified Warehouse/Distribution Facilities*. The Good Neighbor Guidelines used in this section are a modified version of the WRCOG's RAQTF Guidelines. The modified version includes goals and strategies that fit the specific needs of the City of Moreno Valley.

These "Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities," (referred to as "Good Neighbor Guidelines") assist planning departments, developers, property owners, elected officials, community organizations, and the general public as a tool to potentially help address some of the complicated choices associated with permitting warehouse/distribution facilities and understanding the options available when addressing environmental issues. These Good Neighbor Guidelines are designed to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the City of Moreno Valley. Sensitive receptors include residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time.

For the purpose of these Guidelines, warehouse/distribution center means a building used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities that is greater than 650,000 square feet. This shall be cumulative to include multiple warehouse buildings deemed as part of a project or a phased project exceeding a combined total building area of 650,000 square feet. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include "big box" discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public.

A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center by using the following strategies:

1. To the extent possible, locate driveways, loading docks and internal circulation routes away from residential uses or any other sensitive receptors.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.2 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any vacant lot or unimproved nonresidential property in the City.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.5 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds within any commercially zoned property for the purpose other than doing business at the site, and or remaining parked or standing for longer than reasonably appropriate to do such business acts related to such business operations.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.8 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street or road which is adjacent to a parcel upon which there exists a public facility.

5. Enforce compliance with Moreno Valley Municipal Code Section 9.10.150 – "Odors" no operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.

B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.36.030 – "Designation of Truck Routes" the city traffic engineer shall erect appropriate signs designating the affected street or portion thereof.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.1 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street, road, alley or private property within any residential district within the city.

3. Required warehouse/distribution centers to establish a specific truck route and post signage between the warehouse/distribution center and the freeway and/or primary access arterial that achieves the objective.

4. Require warehouse/distribution centers to provide signage or flyers identifying where food, lodging and entertainment can be found, when it is not available on site.

C. Eliminate trucks from using residential areas and repairing vehicles on the streets by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.A.4. – "Parking Prohibitions or Restrictions" It is unlawful to park or leave standing any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.

2. Allow warehouse/distribution facilities to establish an area within the facility for repairs.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.C – "Parking Prohibitions or Restrictions" while adjacent to a developed residential area, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.A.1 – "Idling Limitation" a driver of a vehicle must turn off the engine upon stopping at a destination.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.C – "Idling Limitation" an equipment operator of a TRU (Transportation Refrigeration Unit) must not cause or allow a TRU to operate while stationary unless the vehicle is lawfully parked at a location approved for truck parking by this code and not within five hundred (500) feet of a school unless the operator is actively engaged in the process of loading or unloading cargo or is waiting in a queue to load or unload cargo for a period not to exceed two hours.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.50.060.D – "Relationship to other laws" nothing in this chapter allows idling in excess of other applicable laws, including, but not limited to any other local, state or federal law or regulation as stringent as, or more stringent than this chapter.

5. Future tenant improvements involving conversion of a warehouse for refrigeration storage shall include electrical hookups for refrigeration units.

6. Promote the installation of on-site electric hook-ups to eliminate the idling of main and auxiliary engines during loading and unloading of cargo and when trucks are not in use.

Issue 2. Parking Standards for Restaurants.

Staff recommends amending Table 9.11.040B-12 of Section 9.11.040 by changing the subscript for restaurant parking and adding subscript for as follows:

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater.	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage. 1/100 sq. ft. of gross floor area over the 15%.	Example a 25,000s.f. Shopping Center. 15% of Shopping Center = 3,750s.f. is calculated at 1/225. 3,750/225 = 17. Any restaurant space over 3,750s.f. is calculated at 1/100. 2000/100 =20

Issue 3. Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks.

Staff recommends amending Table 9.04.040-7 of Section 9.04.040 by changing the subscript for front building and side street building setback, and adding subscript B4 as follows:

9.04.040 Commercial site development standards.

A. General Requirements. The following table sets forth minimum site development standards for all commercial and office zones. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.04.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.04.040-7

Commercial Site Development Minimum Standards

	Requirement	O	OC	VC	NC	CC
1	Minimum site area	10K[1]	10K	10K	10K	1ac[2]
2	Minimum site width, in feet	100	100	100	100	200
3	Minimum site depth, in feet	100	100	100	100	175
4	Front building setback, in feet[3]	20*	20*	20*	20*	~~20~~ 10*
5	Side street building setback area, street sides, in feet[3]	20*	20*	20*	20*	~~20~~ 10*
6	Lot coverage, maximum	60%	60%	—	—	—
7	Building height, in feet, maximum	See Special Requirements				
8	Parking front street setback, in feet[3]	20	20	20	20	20

	Requirement	O	OC	VC	NC	CC
9	Parking side street setback, in feet[3]	15	15	15	15	15
10 ~~8~~	Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas

[1] The term "K" means one thousand (1,000).

[2] The term "ac" means acre or acres.

[3] Measured from property line after dedications for public rights-of-way.

* Building areas above 30 feet shall be setback an additional 5 feet for every 10 feet of additional structure height unless otherwise approved by the Planning Commission.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any of such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated commercial center containing shared parking and access, in which case no minimums are established. Parcels created within integrated commercial centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and if appropriate easements for reciprocal access parking and maintenance are provided.

B. Special Requirements.

1. Wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the building height, but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles in commercial districts are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all commercial districts, required front building setback areas shall be landscaped. Such landscaping shall consist predominantly of plant materials except for necessary walks and drives.

~~4. The street side building setback area in any commercial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. When off-street parking is located within building setback areas, a minimum landscaped area of ten (10) feet in depth shall be provided between the property line and the parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.~~

~~5~~ 4. Required rear and interior side building setback areas in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

~~6~~ 5. In the office commercial district, all nonoffice uses permitted shall be supportive of office-based development. (See Table 9.02.020-1)

~~7~~ 6. In the office commercial district, all commercial and retail activities, other than offices, shall be limited to no more than twenty-five (25) percent of the square footage of any building. In the case of a mixed use development, no more than twenty-five (25) percent of the total square footage of all buildings shall be devoted to commercial/retail uses, with the remaining seventy-five (75) percent to be utilized for office.

~~8~~ 7. Parking for each use shall comply with the requirements of Chapter 9.11.

~~9~~ 8. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line. (Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992).

Issue 4. Provide for parking lot maintenance standards, banning "topping" of trees.

Staff recommends amending by changing subscript E, F, G, and H by adding, deleting, and, renumbering, subscript as follows:

9.17.030 Landscape and irrigation design standards.

A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside's Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically

pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Eastern Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

Projects shall be designed to capture and retain storm water onsite to improve water use efficiency and water quality. The use of reclaimed water is encouraged. Contact Eastern Municipal Water District for availability.

B. Plan Design Standards. The following design standards are required on all landscape plan submittals:

1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.

2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) SF of landscaped area, except custom homes or projects designed in-house by the public works department or parks and community services department, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All non-residential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.

3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the city. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.

4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the city.

5. Landscape shall include drought-tolerant plants and water conservation principles.

6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).

7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.

8. Trash enclosures are screened with at least three feet of landscaping on three sides.

9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.

10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the city.

11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org). No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.

12. Water budgets that meet Eastern Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Eastern Municipal Water District.

13. Water budgets are subject to approval by Eastern Municipal Water District. The city of Moreno Valley will cooperate with Eastern Municipal Water District in monitoring to the extent practicable.

14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations and Eastern Municipal Water District. Landscape plans submitted shall meet this standard.

15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.

2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.

3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.

4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.

5. High quality artificial turf is allowed as an element of a project landscape.

6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.

3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.

4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the city.

5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.

6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.

7. The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.

E. Trees.

1. Trees shall be planted in a manner, which maximizes the shading of paved areas, outdoor seating, and both south- and west-facing windows.

2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.

3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.

4. All landscape plans shall indicate mature tree canopy diameters.

~~5. All mature tree canopies in parking lots shall be pruned and maintained to maximize shade potential and ensure healthy, maximum growth. Topping of trees shall be avoided.~~

~~6~~ 5. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.

~~7~~ 6. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.

~~8~~ 7. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.

~~9~~ 8. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.

~~10~~ 9. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.

F. Tree Preservation and Maintenance.

1. Trees are required to be pruned, fertilized, and irrigated as needed to maintain an appropriate healthy condition, maximize shading, and maintain an aesthetically pleasing appearance.

2. Topping of trees is prohibited. Topping of trees means cutting back of the crown creating large stubs and preventing trees from growing to maximum maturity resulting in a loss of shading.

3. Pest diseased trees and dead trees shall be replaced with the same species and in the appropriate size. The appropriate size shall be a minimum twenty-four (24) inch box tree.

4. Guidelines are subject to modifications as determined by an arborist, or landscape architect, and approved by the Community & Economic Development Director.

G. Heritage Trees.

1. Heritage trees are defined as meeting one of the following:

a. Any tree that defines the historical and cultural character of the City including older Palm and Olive trees, and or any tree designated as such by official action.

b. Trees with a fifteen (15) inch diameter measured twenty-four (24) inches above ground level.

c. Trees that have reached a height of fifteen (15) feet or greater.

2. No person shall remove, destroy, top, or disfigure a Heritage tree within the City Limits.

3. Removal of a Heritage tree is permitted if the tree poses a dangerous or hazardous condition to people, structures, property, or another Heritage tree.

4. Removal of a Heritage tree is permitted if tree is diseased, drying, or dead, and if a reasonable undertaking to preserve the tree had occurred.

5. Removal of a Heritage tree in the public or future right of way is permitted with the approval of the Community and Economic Development Director and if a reasonable undertaking to preserve the tree had occurred.

6. Removal of a Heritage tree designated historic and or culturally significant by official action shall require the review of the Ecological Historical Preservation Board.

7. Trees grown by nurseries and tree farms for sale purposes are exempt from being a Heritage tree.

~~F~~ H. Irrigation.

1. All planted landscape areas shall be provided with an approved “smart” automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and soil moisture sensing devices. Watering during the rain shall be avoided.

2. Drip and bubbler-type and MP rotator sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type).

3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.

4. Reduced pressure backflow preventers are required on all irrigation systems.

5. No fixed risers are permitted, unless otherwise approved by the community development director.

6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.

7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.

8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9. Eastern Municipal Water District will calculate the annual maximum allowable water budget (AMAWB) for customers requesting a new account. The proposed landscape must meet the AMAWB requirements prior to meter release. (Ord. 786 § 2, 2009)

Issue 5. Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Staff recommends amending by changing subscript C and Table 9.11.080-13 by adding and deleting subscript as follows:

9.11.080 Design standards.

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul-de-sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the city of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

25. Parking lot design shall include openings in curbs to convey water run off into landscape areas for water quality, retention and absorption. Pervious surfaces are recommended where feasible and required for parking areas provided in excess of city requirements.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be nine feet in width and sixteen (16) feet in depth of paved area and two feet of landscaped depth in excess of the adjacent landscape requirement. Spaces may be eighteen (18) feet of paved depth with no additional landscape depth subject to approval by the planning official. (The two feet of additional landscape may not be included in the required landscape setback.) (See Figure 9.11.080-5.)

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

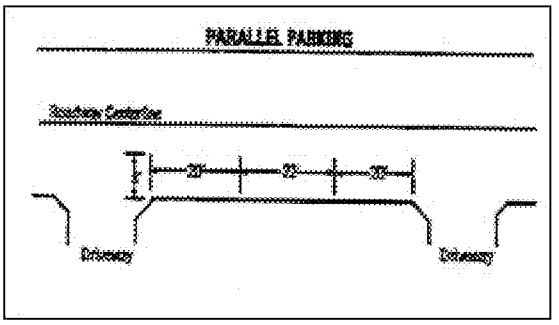

Figure 9.11.080-4

Dimensions of Parallel Parking Spaces

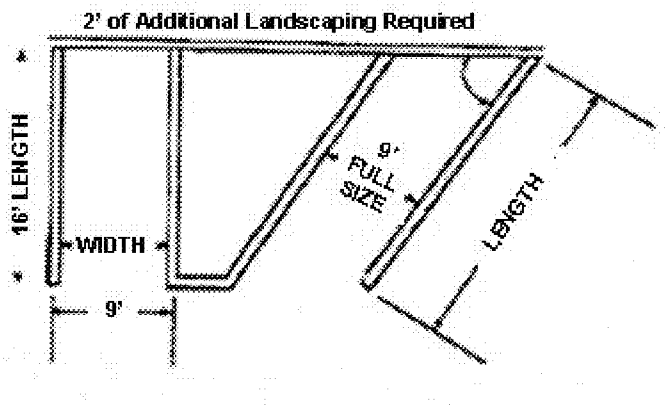

Figure 9.11.080-5

Nonparallel Parking Spaces

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. Parking lots shall be designed to drain into landscape planters using openings in curbs and site grading. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to

provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of ~~one hundred fifty (150)~~ <u>six hundred (600)</u> feet.

h. Deceleration <u>right turn</u> lanes should be a minimum of two hundred ~~ten (210)~~ <u>thirty five (235)</u> feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (60) foot transition and one hundred ~~fifty (150)~~ <u>twenty five (125)</u> foot turn lane. <u>As approved by the City Traffic Engineer.</u>

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (three-inch line – six-inch space – three-inch line for a total of twelve (12) inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the city of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

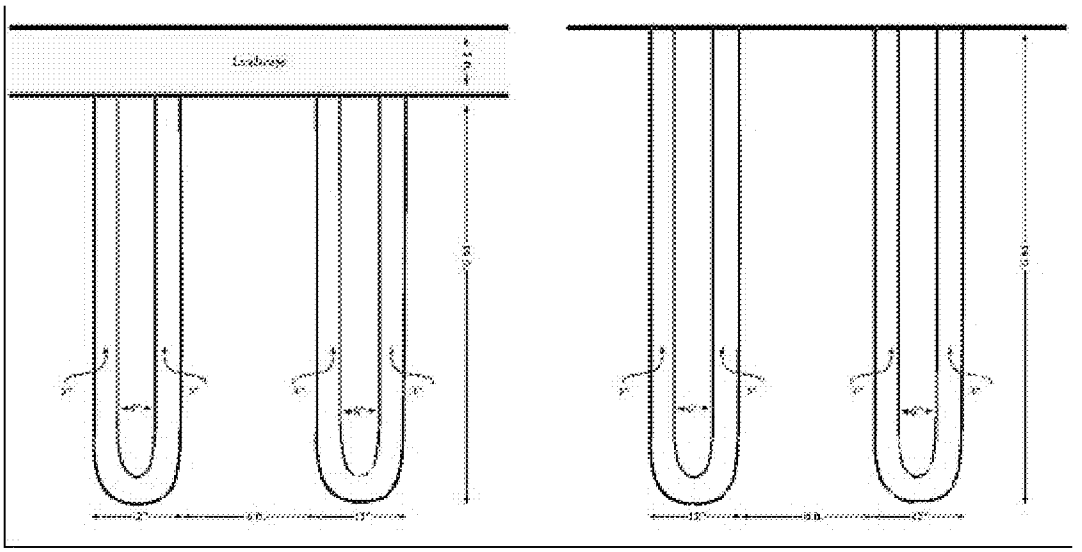

Figure 9.11.080-6A Figure 9.11.080-6B

Parking Space Striping Requirements

* Ends of parking stall striping shall be curved or squared off.

D. Accessible Parking Design Standards. The following design standards for accessible parking are intended to be consistent with the state or federal requirements. Any conflicting provisions or future changes in state or federal requirements shall pre-empt the standards for provision of accessible parking spaces contained in this title:

1. All accessible parking spaces shall be striped and marked according to applicable state regulations.

2. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign, of a construction and material approved by the building official, displaying the international symbol of accessibility. The sign shall have a minimum size of seventy (70) square inches, and shall be centered at the interior end of the parking space at a maximum height of eighty (80) inches from the bottom of the sign to the finished grade of the parking space.

3. At each entrance to a parking facility containing one or more parking spaces for the handicapped, a sign with a minimum size of seventeen (17) inches by twenty-two (22) inches shall be posted, stating clearly and conspicuously in letters with a minimum height of one inch the following:

Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____.

4. Parking spaces reserved for persons with disabilities shall have, in addition to the requirements of subsections (D)(1), (2) and (3) of this section, a surface identification in blue paint of at least three square feet in size, duplicating the international symbol of accessibility.

5. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

6. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Said space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

7. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

8. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars

other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this paragraph would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

9. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083 percent gradient) in any direction.

10. Notwithstanding the off-street parking requirements of Subsection 9.11.040(A) of this chapter, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

11. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone as described herein.

12. All disabled spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve and oriented so that the user of the disabled parking space need not go past the rear of automotive parking spaces in order to reach the building's main entrance.

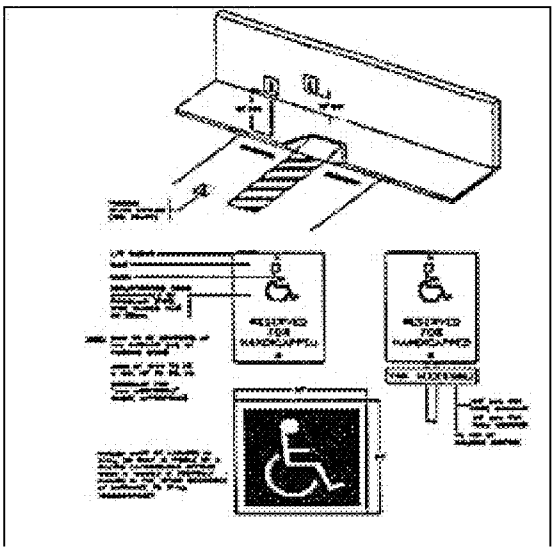

Figure 9.11.080-7

Accessible Parking Stall Requirement

* Ramps shall include a curb-cut type design

* Loading area width: van accessible = 8 feet; all other accessible spaces = 5 feet

E. Surfacing.

1. All permanent automobile and disabled parking spaces, loading and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or other all-weather surfacing, as approved by the city engineer. Every effort should be made to use pervious surfaces to reduce water run off. All parking areas in excess of the requirements of the Municipal Code shall use pervious pavement and/or increased landscape water retention and absorption areas.

2. Temporary parking facilities shall be provided with surfaces which prevent dust, as approved by the city engineer.

F. Location of Parking.

1. All parking spaces required by this chapter shall be provided on the same site as the use requiring the parking spaces, except as authorized in Section 9.11.070, Adjustments to off-street parking requirements of this chapter.

2. All automobile spaces required for residential uses shall be located a maximum of two hundred fifty (250) feet from the units they are serving. Distances shall be measured from the nearest point of the building to the parking space(s) serving that building.

3. All car pool parking spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve.

G. Landscape and Screening Requirements. Parking lot screening and landscaping shall conform to the requirements of Chapter 9.17 of this title.

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13
Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
~~Minimum~~ Required (one-way)*	20 feet
~~Minimum~~ Required (two-way)*	24 feet
~~Maximum~~	~~36 feet~~
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1] On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.
[2] Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.
[3] Minimum acute angle measured from the edge of pavement.
* Wider driveway aisles may be approved with the approval of the Community and Economic Development Director.

3. The following criteria and dimensions may be modified by the city engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/Modified Major	Limited access* **	Limited access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector/66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic.
** Access may be restricted by medians.
*** For residential development.

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.3, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 643 § 2.6, 2003; Ord. 616 § 2.2.22, 2003; Ord. 604 §§ 2.15—2.18, 2002; Ord. 557 § 2.6, 2000: Ord. 475 § 1.4 (part), 1995; Ord. 406 § 1.4, 1993; Ord. 405 §§ 1.14, 1.15, 1993; Ord. 402 §§ 1.3, 1.4, 1993; Ord. 359 (part), 1992)

	A	B	C	D	E	F	G
1	Commercial Setbacks						
2	#	City	CC	CC	NC	NC	Notes
3			Front Setback	Side-Front Setback	Front Setback	Side Street Setback	
4	1	Moreno Valley	20 ft.	20 ft.	20 ft.	20 ft.	
5	2	Perris	10 ft.	10 ft.	10 ft.	10 ft.	On Arterial Streets. Structures greater than 25 feet in height shall be setback an additional 5 feet for each 10 feet of additional structure height.
6	3	Temecula	20 ft.	20 ft.	25 ft.	25 ft.	On Arterial Streets
7	4	Redlands	0 ft.	10 ft.	40 ft.	40 ft.	CC=C-3
8	5	Riverside	0 ft.	0 ft.	0 ft.	0 ft.	Front and side yard setback shall be increased by 2 1/2 feet per story over the second story.
9	6	Ontario	15 ft.	15 ft.	20 ft.	0 ft.	CC=C2
10	7	San Bernardino	10 ft.	10 ft.	15 ft.	10 ft.	CC=CG-1
11							
12							
13	*	Other Jurisditions use other names for commercial zones					
14	CC	Community Commercial					
15	NC	Neighborhood Commercial					
16	C-3	General Commercial					
17	C2	Central Business					
18	CG-1	Commercial General					
19					ATTACHMENT 4		

PLANNING COMMISSION
STAFF REPORT

Case:	PA10-0030 (Municipal Code Amendment)
Date:	March 8, 2012
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	City-wide
Proposal:	To amend the municipal code regulations regarding: (1) Adopting WRCOG Good Neighbor Guidelines. (2) Parking Standards for Restaurants. (3) Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks. (4) Provide for parking lot maintenance standards, banning "topping" of trees. (5) Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.
Recommendation:	Approval

SUMMARY

This is a proposal to amend a range of zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code as identified in the report title above. Some of the proposed changes are due to Planning Commission requests, and others are staff generated to address changes in development practices, and to provide greater clarity of city regulations.

ATTACHMENT 5

PROJECT DESCRIPTION

This proposed amendment would modify various provisions of the Municipal Code. If adopted, it would create or change the regulations concerning: (1) Adopting WRCOG Good Neighbor Guidelines with amendments to address air quality: (2) Reducing the minimum restaurant parking space requirement within shopping centers greater than 25,000 square feet of building area where restaurant space is less than 15% of the shopping center square footage: (3) Recommending that the (CC) Community Commercial front and street side building setbacks be reduced, while maintaining a greater setback for parking than for buildings and eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback: (4) Providing for a parking lot maintenance standard including the banning of "topping" of trees: and (5) Amending the General Parking Design Standard with revised safety features and 24 foot maximum wide drive aisles. The modifications are aimed at reducing the environmental impact of new and existing development by increased attention on post-construction operational issues, increased efficiency in site development and decreased energy usage.

ANALYSIS

Issue 1. Adopting WRCOG Good Neighbor Guidelines.

Chapter 9.05 Industrial Districts of the Municipal Code addresses requirements for industrial development.

The addition of Section 9.05.050 to Chapter 9.05 has been suggested to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the City of Moreno Valley. The Good Neighbor Guidelines used in this code amendment is a modified version of the WRCOG model guidelines. The guidelines would apply to warehouses of 650,000 square feet or more, the State threshold for "projects of regional significance" that require enhanced environmental scrutiny. The following are the standards from WRCOG that staff suggests be adopted:

A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center.

B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods.

C. Eliminate trucks from using residential areas and repairing vehicles on the streets.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center.

There are current municipal code sections that help with the implementation of the WRCOG standards A - D. The municipal code sections that are called out are located in Title 12 *Vehicles and Traffic* of the Municipal Code. By citing the exiting Title 12 codes in the new Good Neighbor Guidelines Section 9.05.050 of Title 9 *Planning and Zoning* it will assist in minimizing the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers. The entire code amendment is located on Attachment 3.

Issue 2. Parking Standards for Restaurants.

Section 9.11.040 of the Municipal Code, addresses Off-street parking requirements.

Revisions to Section 9.11.040 have been made to better address the standard parking requirement for eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. The proposed standard would reduce the required parking for restaurant space equaling up to 15% of the shopping center building square footage, which has been shown to be accommodated with adequate parking at the lower retail parking standard. The size threshold provides for sufficient parking lot size and variety in retail and service uses to preclude a single popular restaurant from overwhelming parking provided on site.

Currently the parking standard for eating and drinking establishments is 1/100 sq. ft. of gross floor area up to 6,000 sq. ft. and 1/75 sq. ft. of gross floor area over 6,000 sq. ft. The proposed parking standard will make eating and drinking establishments within shopping centers of 25,000 sq. ft. of building area or grater be calculated at the general retail standard of 1/225 sq. ft. of gross floor area for up to 15% of building gross floor area for the shopping center. For eating and drinking establishments in excess of the 15% building gross floor area of the shopping center the parking calculation will be 1/100 sq. ft. of gross floor area.

Staff has researched a number of local jurisdictions and found that many have similar parking requirements for restaurants within shopping centers of 25,000 square feet of building area or greater. In addition staff has completed a number of parking studies to prove that the proposed parking standard will not result in a lack of available parking. Lakeside Plaza (Stater Bro's Market Center) located at the northwest corner of Lasselle and Iris, and Lakeside Terrace (CVS Center) at the north east corner of Lasselle and Iris were studied – both centers had sufficient excess parking at peak hours to allow for the proposed lower parking standard. The proposed parking changes will result in shopping centers being more adequately parked, and provide for more efficient development. The proposed standard would permit greater building area and/or less impervious paved areas.

Staff recommends amending Table 9.11.040B-12 of Section 9.11.040 by changing the subscript for restaurant parking and adding subscript for as follows: See Attachment 3.

Issue 3. Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks.

Section 9.04.040 of the Municipal Code, addresses Commercial site development standards.

Several years ago, the Planning Commission asked staff to review other cities setback requirements in the Community Commercial (CC) and Neighborhood Commercial (NC) zones. The City of Moreno Valley has the same setback requirements for both Community Commercial and Neighborhood Commercial zones. Other local cities that have been researched differentiate setback requirements between the CC and NC zones.

On January 28, 2010 staff brought forth the following research. From the research typically the NC zone has a greater setback requirement than the CC zone. Typically what would be developed in the NC zone is smaller scale commercial buildings that cater to the local neighborhoods, and the greater setbacks help create a more residential character by providing more landscaping. The CC zone is typically a community or regional commercial zone where retailers draw people from throughout the community and from other communities. The CC zone tends to be more of a destination for shoppers and typically has your big box retailers;

therefore the shopping center is typically bigger than the NC shopping center in most cases, and the lesser setbacks help create a more urban character with buildings closer to the street.

For either zone, parking could be permitted closer or further away from the front property line. The Village Commercial Residential zone along Sunnymead Boulevard currently allows for buildings to be placed closer to the front property line while keeping parking at the twenty foot setback to allow for the creation of a more pedestrian downtown feel to that area long term. This information was provided to allow for elicit Planning Commission discussion of the issue. Staff did not have a specific recommendation.

At the January 28, 2010 meeting Planning Commission recommended that staff do further research on the building and parking setbacks in the NC and CC zones and that staff provide a recommendation.

Revisions to Section 9.04.040 have been made in order to address the past concerns of the Planning Commission. Planning staff has done additional review of building and parking setbacks in other jurisdiction's commercial zones. Attachment 4 is an informational table that provides the setbacks of other cities that were studied. Staff recommends that the CC front building setback be amended from 20 feet to 10 feet, and that the side street building setback be amended from 20 feet to10 feet. In the NC zone staff recommends that the setback not change and keep the existing 20 foot front and street side setback. Additionally we have added * in regards to building height, this is something we did not bring forth at the previously Planning Commission meeting. Through our research we came across this in other cities and thought it made sense to include a setback based on height to help reduce the potential of having too much building massing at the setback line. In addition to the building setback we changed the parking setback. Based on staff research we recommend that the building play more of a prominent roll in the development of the site layout. Therefore we have revised the parking area to have the same minimum setback as the building setback, or in the case of the CC zone have the parking be set back further than the building setback. In keeping with the building playing more of a prominent role in site layout staff has eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback.

Staff recommends amending Table 9.04.040-7 of Section 9.04.040 by changing the subscript for front building and side street building setback, and adding subscript B4 as follows: See Attachment 3.

Issue 4. Provide for parking lot maintenance standards, banning "topping" of trees.

Section 9.17.030 of the Municipal Code, addresses Landscape and Irrigation Design Standards.

Revisions to Section 9.17.030 have been made in order to address the practice of topping of trees, which prevents the development of adequate tree canopy to provide the shading required by the Municipal Code. Parking lot shading reduces the "heat island effect" created by hot pavement and results in lower micro-climate temperatures that can provide greater comfort and lower energy use in adjacent structures. There are current commercial centers in Moreno Valley that practice and have practiced the topping of trees. The Municipal Code requires that parking areas provide 50 percent shading. The majority of the parking areas meet this code requirement by planting trees, the code defines the 50 percent tree shading requirement at maturity. The practice of topping prohibits trees from growing naturally or

reaching maturity and fulfilling the code requirement. In association with the new Tree Preservation and Maintenance portion of the code we have added a Heritage Trees section to help preserve mature and historical trees in our City. Staff has researched other cities that have adopted similar tree preservation ordnances.

Staff recommends amending by changing subscript E, F, G, and H by adding, deleting, and, renumbering, subscript as follows: See Attachment 3.

Issue 5. Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Section 9.11.080 of the Municipal Code, addresses General Parking Design Standards.

Revisions to Section 9.11.080 have been made in order to make parking design safer and consistent with current traffic engineering standards. The standard improvements safety features of parking lot design have been revised and Table 9.11.080-13 has revised driveway and aisle dimensions.

Staff recommends amending by changing subscript C and Table 9.11.080-13 by adding and deleting subscript as follows: See Attachment 3.

ENVIRONMENTAL

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 as defined by Section 15378 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

NOTIFICATION

A 1/8 page public notice was published in the local newspaper.

STAFF RECOMMENDATION

APPROVE Resolution No. 2012-04 and thereby, **RECOMMEND** that the City Council:

1. **APPROVE** PA10-0030 (Municipal Code Amendment); and,

2. **RECOGNIZE** that PA10-0030 (Municipal Code Amendment) qualify as an exemption in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.

Prepared by:

Gabriel Diaz
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice.
2. Planning Commission Resolution No. 2012-04.
3. Suggested code amendments.
4. Setbacks of other cities.

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NOTICE
OF
PLANNING COMMISSION
PUBLIC HEARING

THE PLANNING COMMISSION WILL CONSIDER A MUNICIPAL CODE AMENDMENT (PA10-0030) COVERING REGULATIONS REGARDING: (1) WRCOG GOOD NEIGHBOR GUIDELINES. (2) PARKING STANDARDS FOR RESTAURANTS IN SHOPPING CENTERS. (3) COMMUNITY COMMERCIAL LAND USE ZONE (CC) FRONT AND STREET SIDE BUILDING SETBACKS, AND PARKING AND LANDSCAPE SETBACKS. (4) PARKING LOT MAINTENANCE STANDARD TO BAN "TOPPING" OF TREES; AND (5) GENERAL PARKING DESIGN STANDARDS FOR SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES.

The proposed Municipal Code Amendment (PA10-0030) modifies various provisions listed above. The modifications update, eliminate conflicts and/or clarify the meaning of the above mentioned sections.

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

The Planning Commission may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Gabriel Diaz, Associate Planner at (951) 413-3206 or at the Community & Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the following meeting date:

Thursday, March 8, 2012
7:00 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805

ATTA[illegible]IENT 1

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PLANNING COMMISSION RESOLUTION NO. 2012-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF PA10-0030 (MUNICIPAL CODE AMENDMENT) TO THE CITY COUNCIL, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) ADOPTING WRCOG GOOD NEIGHBOR GUIDELINES. (2) PARKING STANDARDS FOR RESTAURANTS: (3) REDUCTION OF (CC) COMMUNITY COMMERCIAL FRONT AND STREET SIDE BUILDING SETBACKS, AND REVISIONS TO PARKING AND LANDSCAPE SETBACKS: (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS, BANNING "TOPPING" OF TREES: AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD WITH REVISED SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES.

Section 1:

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA10-0030 (Municipal Code Amendment), as described in the title of this Resolution.

WHEREAS, on March 8, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

   FACT: All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The amendments modify various provisions of the Municipal Code regarding: (1) Adopting WRCOG Good Neighbor Guidelines with amendments to address air quality: (2) Reducing the minimum restaurant parking space requirement within shopping centers greater than 25,000 square feet of building area where restaurant space is less than 15% of the shopping center square footage: (3) Recommending that the (CC) Community Commercial front and street side building setbacks be reduced, while maintaining a greater setback for parking than for

ATTACHMENT 2

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buildings and eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback: (4) Providing for a parking lot maintenance standard including the banning of "topping" of trees: and (5) Amending the General Parking Design Standard with revised safety features and 24 foot maximum wide drive aisles. The modifications are aimed at reducing the environmental impact of new and existing development by increased attention on post-construction operational issues, increased efficiency in site development and decreased energy usage.

2. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

   FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment. Amendments like the Good Neighbor Guidelines and amendments that make development more efficient only improve the Health, Safety and Welfare.

3. **Conformance with Zoning Regulations** – The proposed amendment is consistent with the purpose and intent of Title 9.

   FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2012-04, recommending that the City Council approve PA10-0030 (Municipal Code Amendment), thereby amending the Municipal Code as described in the title of this resolution.

APPROVED this 8th day of March, 2012.

_____
Ray L. Baker
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

MV00167364

Issue 1. Adopting WRCOG Good Neighbor Guidelines.

Staff recommends amending Chapter 9.05 by adding Section 9.05.050 as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

Sections:
9.05.010 Purpose and intent.
9.05.020 Industrial districts.
9.05.030 Permitted uses for industrial districts.
9.05.040 Industrial site development standards.
9.05.050 Good Neighbor Guidelines

9.05.050 Good Neighbor Guidelines for Warehouse Distribution Facilities.

In September, 2005, the Western Riverside Council of Governments (WRCOG) and the Regional Air Quality Task Force (RAQTF) approved the *Good Neighbor Guidelines For Siting New and/or Modified Warehouse/Distribution Facilities*. The Good Neighbor Guidelines used in this section are a modified version of the WRCOG's RAQTF Guidelines. The modified version includes goals and strategies that fit the specific needs of the City of Moreno Valley.

These "Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities," (referred to as "Good Neighbor Guidelines") assist planning departments, developers, property owners, elected officials, community organizations, and the general public as a tool to potentially help address some of the complicated choices associated with permitting warehouse/distribution facilities and understanding the options available when addressing environmental issues. These Good Neighbor Guidelines are designed to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the City of Moreno Valley. Sensitive receptors include residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time.

For the purpose of these Guidelines, warehouse/distribution center means a building used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities that is greater than 650,000 square feet. This shall be cumulative to include multiple warehouse buildings deemed as part of a project or a phased project exceeding a combined total building area of 650,000 square feet. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include "big box" discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public.

A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center by using the following strategies:

1. To the extent possible, locate driveways, loading docks and internal circulation routes away from residential uses or any other sensitive receptors.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.2 – "Parking Prohibitions or Restrictions" is unlawful to park or leave

standing any commercial vehicle weighing 10,000 pounds or more on any vacant lot or unimproved nonresidential property in the City.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.5 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds within any commercially zoned property for the purpose other than doing business at the site, and or remaining parked or standing for longer than reasonably appropriate to do such business acts related to such business operations.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.8 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street or road which is adjacent to a parcel upon which there exists a public facility.

5. Enforce compliance with Moreno Valley Municipal Code Section 9.10.150 – "Odors" no operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.

B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.36.030 – "Designation of Truck Routes" the city traffic engineer shall erect appropriate signs designating the affected street or portion thereof.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.1 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street, road, alley or private property within any residential district within the city.

3. Required warehouse/distribution centers to establish a specific truck route and post signage between the warehouse/distribution center and the freeway and/or primary access arterial that achieves the objective.

4. Require warehouse/distribution centers to provide signage or flyers identifying where food, lodging and entertainment can be found, when it is not available on site.

C. Eliminate trucks from using residential areas and repairing vehicles on the streets by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.A.4. – "Parking Prohibitions or Restrictions" It is unlawful to park or leave standing any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.

2. Allow warehouse/distribution facilities to establish an area within the facility for repairs.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.C – "Parking Prohibitions or Restrictions" while adjacent to a developed residential area, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.A.1 – "Idling Limitation" a driver of a vehicle must turn off the engine upon stopping at a destination.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.C – "Idling Limitation" an equipment operator of a TRU (Transportation Refrigeration Unit) must not cause or allow a TRU to operate while stationary unless the vehicle is lawfully parked at a location approved for truck parking by this code and not within five hundred (500) feet of a school unless the operator is actively engaged in the process of loading or unloading cargo or is waiting in a queue to load or unload cargo for a period not to exceed two hours.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.50.060.D – "Relationship to other laws" nothing in this chapter allows idling in excess of other applicable laws, including, but not limited to any other local, state or federal law or regulation as stringent as, or more stringent than this chapter.

5. Future tenant improvements involving conversion of a warehouse for refrigeration storage shall include electrical hookups for refrigeration units.

6. Promote the installation of on-site electric hook-ups to eliminate the idling of main and auxiliary engines during loading and unloading of cargo and when trucks are not in use.

Issue 2. Parking Standards for Restaurants.

Staff recommends amending Table 9.11.040B-12 of Section 9.11.040 by changing the subscript for restaurant parking and adding subscript for as follows:

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater.	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage. 1/100 sq. ft. of gross floor area over the 15%.	Example a 25,000s.f. Shopping Center. 15% of Shopping Center = 3,750s.f. is calculated at 1/225. 3,750/225 = 17. Any restaurant space over 3,750s.f. is calculated at 1/100. 2000/100 =20

Issue 3. Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks.

Staff recommends amending Table 9.04.040-7 of Section 9.04.040 by changing the subscript for front building and side street building setback, and adding subscript B4 as follows:

9.04.040 Commercial site development standards.

A. General Requirements. The following table sets forth minimum site development standards for all commercial and office zones. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.04.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.04.040-7

Commercial Site Development Minimum Standards

	Requirement	O	OC	VC	NC	CC
1	Minimum site area	10K[1]	10K	10K	10K	1ac[2]
2	Minimum site width, in feet	100	100	100	100	200
3	Minimum site depth, in feet	100	100	100	100	175
4	Front building setback, in feet[3]	20*	20*	20*	20*	~~20~~ 10*
5	Side street building setback area, street sides, in feet[3]	20*	20*	20*	20*	~~20~~ 10*
6	Lot coverage, maximum	60%	60%	—	—	—
7	Building height, in feet, maximum	See Special Requirements				
8	Parking front street setback, in feet[3]	20	20	20	20	20

	Requirement	O	OC	VC	NC	CC
9	Parking side street setback, in feet[3]	15	15	15	15	15
10 ~~8~~	Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas

[1] The term "K" means one thousand (1,000).

[2] The term "ac" means acre or acres.

[3] Measured from property line after dedications for public rights-of-way.

* Building areas above 30 feet shall be setback an additional 5 feet for every 10 feet of additional structure height unless otherwise approved by the Planning Commission.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any of such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated commercial center containing shared parking and access, in which case no minimums are established. Parcels created within integrated commercial centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and if appropriate easements for reciprocal access parking and maintenance are provided.

B. Special Requirements.

1. Wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the building height, but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles in commercial districts are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all commercial districts, required front building setback areas shall be landscaped. Such landscaping shall consist predominantly of plant materials except for necessary walks and drives.

~~4. The street side building setback area in any commercial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. When off-street parking is located within building setback areas, a minimum landscaped area of ten (10) feet in depth shall be provided between the property line and the parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.~~

~~5~~ 4. Required rear and interior side building setback areas in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

~~6~~ 5. In the office commercial district, all nonoffice uses permitted shall be supportive of office-based development. (See Table 9.02.020-1)

~~7~~ 6. In the office commercial district, all commercial and retail activities, other than offices, shall be limited to no more than twenty-five (25) percent of the square footage of any building. In the case of a mixed use development, no more than twenty-five (25) percent of the total square footage of all buildings shall be devoted to commercial/retail uses, with the remaining seventy-five (75) percent to be utilized for office.

~~8~~ 7. Parking for each use shall comply with the requirements of Chapter 9.11.

~~9~~ 8. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line. (Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992).

Issue 4. Provide for parking lot maintenance standards, banning "topping" of trees.

Staff recommends amending by changing subscript E, F, G, and H by adding, deleting, and, renumbering, subscript as follows:

9.17.030 Landscape and irrigation design standards.

A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside's Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically

pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Eastern Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

Projects shall be designed to capture and retain storm water onsite to improve water use efficiency and water quality. The use of reclaimed water is encouraged. Contact Eastern Municipal Water District for availability.

B. Plan Design Standards. The following design standards are required on all landscape plan submittals:

1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.

2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) SF of landscaped area, except custom homes or projects designed in-house by the public works department or parks and community services department, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All non-residential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.

3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the city. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.

4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the city.

5. Landscape shall include drought-tolerant plants and water conservation principles.

6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).

7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.

8. Trash enclosures are screened with at least three feet of landscaping on three sides.

9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.

10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the city.

11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org). No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.

12. Water budgets that meet Eastern Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Eastern Municipal Water District.

13. Water budgets are subject to approval by Eastern Municipal Water District. The city of Moreno Valley will cooperate with Eastern Municipal Water District in monitoring to the extent practicable.

14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations and Eastern Municipal Water District. Landscape plans submitted shall meet this standard.

15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.

2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.

3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.

4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.

5. High quality artificial turf is allowed as an element of a project landscape.

6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.

3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.

4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the city.

5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.

6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.

7. The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.

E. Trees.

1. Trees shall be planted in a manner, which maximizes the shading of paved areas, outdoor seating, and both south- and west-facing windows.

2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.

3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.

4. All landscape plans shall indicate mature tree canopy diameters.

~~5. All mature tree canopies in parking lots shall be pruned and maintained to maximize shade potential and ensure healthy, maximum growth. Topping of trees shall be avoided.~~

~~6~~ 5. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.

~~7~~ 6. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.

~~8~~ 7. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.

~~9~~ 8. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.

~~10~~ 9. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.

F. Tree Preservation and Maintenance.

1. Trees are required to be pruned, fertilized, and irrigated as needed to maintain an appropriate healthy condition, maximize shading, and maintain an aesthetically pleasing appearance.

2. Topping of trees is prohibited. Topping of trees means cutting back of the crown creating large stubs and preventing trees from growing to maximum maturity resulting in a loss of shading.

3. Pest diseased trees and dead trees shall be replaced with the same species and in the appropriate size. The appropriate size shall be a minimum twenty-four (24) inch box tree.

4. Guidelines are subject to modifications as determined by an arborist, or landscape architect, and approved by the Community & Economic Development Director.

G. Heritage Trees.

1. Heritage trees are defined as meeting one of the following:

a. Any tree that defines the historical and cultural character of the City including older Palm and Olive trees, and or any tree designated as such by official action.

b. Trees with a fifteen (15) inch diameter measured twenty-four (24) inches above ground level.

c. Trees that have reached a height of fifteen (15) feet or greater.

2. No person shall remove, destroy, top, or disfigure a Heritage tree within the City Limits.

3. Removal of a Heritage tree is permitted if the tree poses a dangerous or hazardous condition to people, structures, property, or another Heritage tree.

4. Removal of a Heritage tree is permitted if tree is diseased, drying, or dead, and if a reasonable undertaking to preserve the tree had occurred.

5. Removal of a Heritage tree in the public or future right of way is permitted with the approval of the Community and Economic Development Director and if a reasonable undertaking to preserve the tree had occurred.

6. Removal of a Heritage tree designated historic and or culturally significant by official action shall require the review of the Ecological Historical Preservation Board.

7. Trees grown by nurseries and tree farms for sale purposes are exempt from being a Heritage tree.

~~F~~ H. Irrigation.

1. All planted landscape areas shall be provided with an approved “smart” automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and soil moisture sensing devices. Watering during the rain shall be avoided.

2. Drip and bubbler-type and MP rotator sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type).

3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.

4. Reduced pressure backflow preventers are required on all irrigation systems.

5. No fixed risers are permitted, unless otherwise approved by the community development director.

6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.

7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.

8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9. Eastern Municipal Water District will calculate the annual maximum allowable water budget (AMAWB) for customers requesting a new account. The proposed landscape must meet the AMAWB requirements prior to meter release. (Ord. 786 § 2, 2009)

Issue 5. Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Staff recommends amending by changing subscript C and Table 9.11.080-13 by adding and deleting subscript as follows:

9.11.080 Design standards.

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul-de-sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the city of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

25. Parking lot design shall include openings in curbs to convey water run off into landscape areas for water quality, retention and absorption. Pervious surfaces are recommended where feasible and required for parking areas provided in excess of city requirements.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be nine feet in width and sixteen (16) feet in depth of paved area and two feet of landscaped depth in excess of the adjacent landscape requirement. Spaces may be eighteen (18) feet of paved depth with no additional landscape depth subject to approval by the planning official. (The two feet of additional landscape may not be included in the required landscape setback.) (See Figure 9.11.080-5.)

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

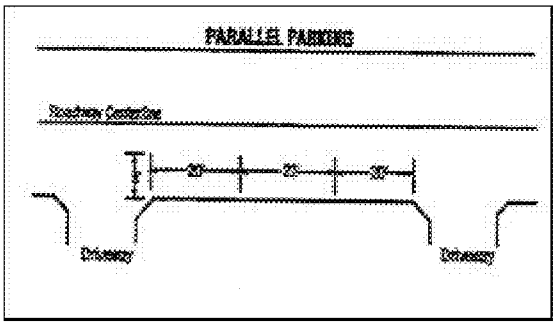

Figure 9.11.080-4

Dimensions of Parallel Parking Spaces

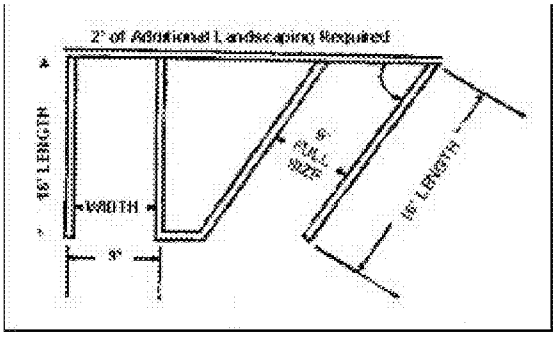

Figure 9.11.080-5

Nonparallel Parking Spaces

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. Parking lots shall be designed to drain into landscape planters using openings in curbs and site grading. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of ~~one hundred fifty (150)~~ <u>six hundred (600)</u> feet.

h. Deceleration <u>right turn</u> lanes should be a minimum of two hundred ~~ten (210)~~ <u>thirty five (235)</u> feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (60) foot transition and one hundred ~~fifty (150)~~ <u>twenty five (125)</u> foot turn lane. <u>As approved by the City Traffic Engineer.</u>

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (three-inch line – six-inch space – three-inch line for a total of twelve (12) inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the city of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

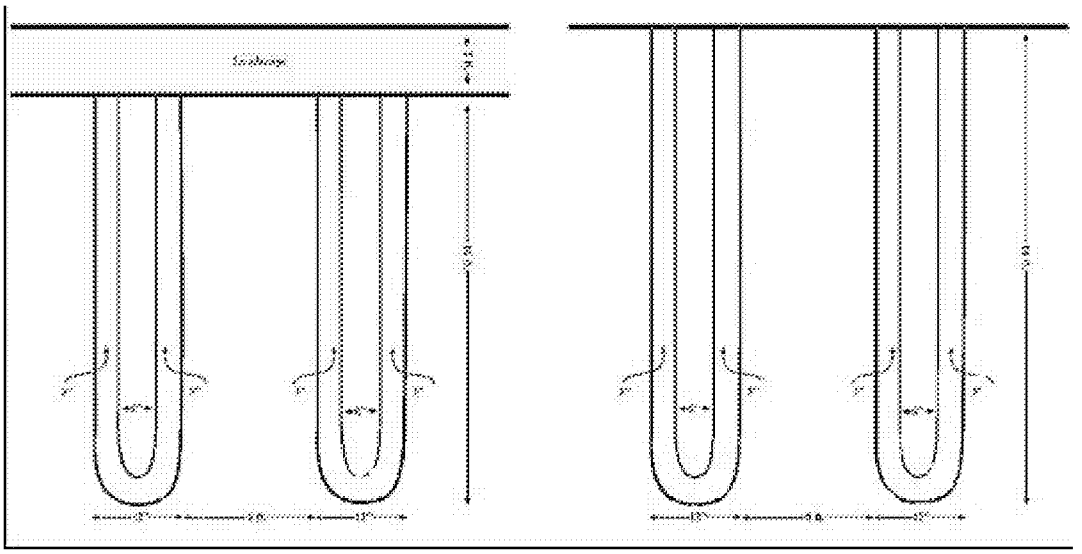

Figure 9.11.080-6A Figure 9.11.080-6B

Parking Space Striping Requirements

* Ends of parking stall striping shall be curved or squared off.

D. Accessible Parking Design Standards. The following design standards for accessible parking are intended to be consistent with the state or federal requirements. Any conflicting provisions or future changes in state or federal requirements shall pre-empt the standards for provision of accessible parking spaces contained in this title:

1. All accessible parking spaces shall be striped and marked according to applicable state regulations.

2. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign, of a construction and material approved by the building official, displaying the international symbol of accessibility. The sign shall have a minimum size of seventy (70) square inches, and shall be centered at

the interior end of the parking space at a maximum height of eighty (80) inches from the bottom of the sign to the finished grade of the parking space.

3. At each entrance to a parking facility containing one or more parking spaces for the handicapped, a sign with a minimum size of seventeen (17) inches by twenty-two (22) inches shall be posted, stating clearly and conspicuously in letters with a minimum height of one inch the following:

Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____.

4. Parking spaces reserved for persons with disabilities shall have, in addition to the requirements of subsections (D)(1), (2) and (3) of this section, a surface identification in blue paint of at least three square feet in size, duplicating the international symbol of accessibility.

5. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

6. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Said space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

7. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

8. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this

paragraph would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

9. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083 percent gradient) in any direction.

10. Notwithstanding the off-street parking requirements of Subsection 9.11.040(A) of this chapter, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

11. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone as described herein.

12. All disabled spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve and oriented so that the user of the disabled parking space need not go past the rear of automotive parking spaces in order to reach the building's main entrance.

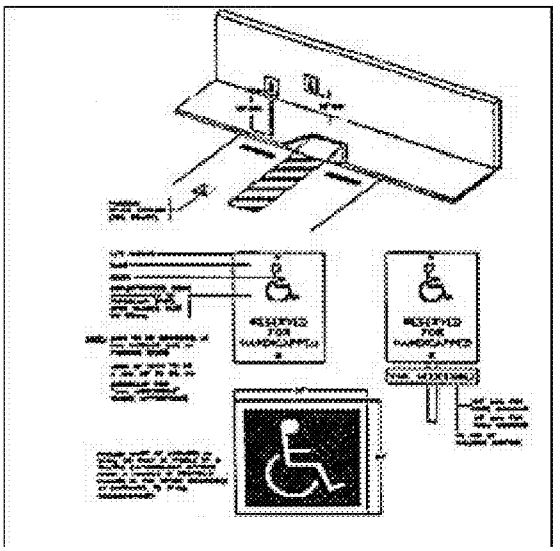

Figure 9.11.080-7

Accessible Parking Stall Requirement

* Ramps shall include a curb-cut type design

* Loading area width: van accessible = 8 feet; all other accessible spaces = 5 feet

E. Surfacing.

1. All permanent automobile and disabled parking spaces, loading and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or other all-weather surfacing, as approved by the city engineer. Every effort should be made to use pervious surfaces to reduce water run off. All parking areas in excess of the requirements of the Municipal Code shall use pervious pavement and/or increased landscape water retention and absorption areas.

2. Temporary parking facilities shall be provided with surfaces which prevent dust, as approved by the city engineer.

F. Location of Parking.

1. All parking spaces required by this chapter shall be provided on the same site as the use requiring the parking spaces, except as authorized in Section 9.11.070, Adjustments to off-street parking requirements of this chapter.

2. All automobile spaces required for residential uses shall be located a maximum of two hundred fifty (250) feet from the units they are serving. Distances shall be measured from the nearest point of the building to the parking space(s) serving that building.

3. All car pool parking spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve.

G. Landscape and Screening Requirements. Parking lot screening and landscaping shall conform to the requirements of Chapter 9.17 of this title.

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13
Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
~~Minimum~~ Required (one-way)*	20 feet
~~Minimum~~ Required (two-way)*	24 feet
~~Maximum~~	~~36 feet~~
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1] On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.
[2] Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.
[3] Minimum acute angle measured from the edge of pavement.
* Wider driveway aisles may be approved with the approval of the Community and Economic Development Director.

3. The following criteria and dimensions may be modified by the city engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/Modified Major	Limited access* **	Limited access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector/66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic.
** Access may be restricted by medians.
*** For residential development.

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.3, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 643 § 2.6, 2003; Ord. 616 § 2.2.22, 2003; Ord. 604 §§ 2.15—2.18, 2002; Ord. 557 § 2.6, 2000: Ord. 475 § 1.4 (part), 1995; Ord. 406 § 1.4, 1993; Ord. 405 §§ 1.14, 1.15, 1993; Ord. 402 §§ 1.3, 1.4, 1993; Ord. 359 (part), 1992)

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Commercial Setbacks

#	City	CC Front Setback	CC Side-Front Setback	NC Front Setback	NC Side Street Setback	Notes
1	Moreno Valley	20 ft.	20 ft.	20 ft.	20 ft.	
2	Perris	10 ft.	10 ft.	10 ft.	10 ft.	On Arterial Streets. Structures greater than 25 feet in height shall be setback an additional 5 feet for each 10 feet of additional structure height.
3	Temecula	20 ft.	20 ft.	25 ft.	25 ft.	On Arterial Streets
4	Redlands	0 ft.	10 ft.	40 ft.	40 ft.	CC=C-3
5	Riverside	0 ft.	0 ft.	0 ft.	0 ft.	Front and side yard setback shall be increased by 2 1/2 feet per story over the second story.
6	Ontario	15 ft.	15 ft.	20 ft.	0 ft.	CC=C2
7	San Bernardino	10 ft.	10 ft.	15 ft.	10 ft.	CC=CG-1

* Other Jurisditions use other names for commercial zones
CC Community Commercial
NC Neighborhood Commercial
C-3 General Commercial
C2 Central Business
CG-1 Commercial General

ATTACHMENT 4

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Opposed – 0

Motion carries 6 – 0, with one absent (Vice Chair Salas)

CHAIR BAKER – Thank you very much and good luck to you. I am looking forward to it and then Staff wrap up on this project John. Thank you

PLANNING OFFICIAL TERELL – Yes this action shall become final unless appealed to the City Council within 15 days.

CHAIR BAKER – Thank you. Okay moving onto to Item No. 2

2. Case Number: PA10-0030 Municipal Code Amendment

Case Planner: Gabriel Diaz

CHAIR BAKER – This is an amendment to the various code regulations to encourage site plan and energy efficiency. Our Case Planner on this is Gabriel Diaz.

PLANNING OFFICIAL TERELL – Yeah, by way of introduction this is a project… Gabriel has been working on a grant which includes many different items. One of them is looking at our code and identifying areas where we can increase the efficiency of the development really to enhance energy, which is the original reason for the grant. There is a bunch of other things, but that's the reason that this being brought forward. It has a series of environmentally related; energy related issues that are here for your consideration.

CHAIR BAKER – Thank you

ASSOCIATE PLANNER DIAZ – Thank you Chairman and Commissioners. My name is Gabriel Diaz, Associate Planner here for the City. The Municipal Code Amendment Case No. PA10-0030 is the case number and the Applicant is the City of Moreno Valley. The proposed amendment would modify various

ATTACHMENT 6

provisions of the Municipal Code. If adopted, it would create or change the regulations concerning. We have five issues and some of them are kind of lengthy and some detail in there. The first one would be the Adoption of WRCOG Neighborhood Guidelines. We have four of them. The addition of Section 9.05.0502, Chapter 9.05 has been suggested to minimize the impact of diesel particulate matter from trucks associated from warehouse and distribution centers on sensitive receptor areas. The good neighbor guidelines are used in this Code Amendment is a modified version of the WRCOG Model Guidelines. The Guidelines would apply to warehouses of 650,000 square feet or more. The State threshold of projects of regional significance that require enhanced environmental scrutiny. Staff has adjusted the adopting the four standards from the WRCOG Guidelines. The first one would be minimize exposure to diesel emissions to neighbors that are situated in a close proximity to the warehouse distribution center. The second one is eliminate diesel trucks from unnecessary transversing through residential neighborhoods. The third one is eliminate trucks from using residential areas and repairing vehicles on the streets and the fourth one is reduce and/or eliminate diesel idling within the warehouse distribution center. These are all current Municipal Codes that help with the implementation of these WRCOG standards.

PLANNING OFFICIAL TERELL – Yeah, maybe what we'll do is we'll stop after each one of these items to see if you have any questions. It is not time for deliberation, but if you have any questions… all the items that Gabriel mentioned are already covered in our Code. What we wanted to do is bring them all together in one place so it was very clear to industrial firms and I think it is really clear already, but make it clear to the world as well as the development community, this City's commitment to those protections; primarily residential neighborhoods from the impacts of diesel emissions from trucks, so it is not a new standard it is really a refashioning. So are there any questions on this particular item.

COMMISSIONER OWINGS – Mr. Chairman if you would. John I was just wondering to reiterate that we are not imposing any more stringent standard that what already exists.

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS – The purpose of this is just to put it all into one area as opposed to…

PLANNING OFFICIAL TERELL – It is to make it clear to the development community as well as the general community that the City is committed to protecting folks from diesel emissions, so it is really what I would call… this is not really… it is not public relations; it is really just bringing you altogether so it is really clear so you don't have one item in this section and one item in that section and it just doesn't; it doesn't come together very well. WRCOG had asked all the

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cities to look at these guidelines and encouraged us to adopt them. Several other cities have done so in a similar fashion and they kind of brought together their existing regulations and say hey we're in compliance.

COMMISSIONER OWINGS – That's where I am kind of confused when you say they have asked us to adopt these guidelines and the guidelines are what are the guidelines they wish us to adopt?

PLANNING OFFICIAL TERELL – They are those items right there. It is basically things that we already do, but it is not necessarily things that everybody does, so I think we are trying to provide a consistent way of dealing with this across Western Riverside County.

COMMISSIONER VAN NATTA – Okay and the purpose of putting them in all one place is so that when we start to develop an area of town where we are going to have more warehouses and distribution centers that people can more clearly see that we already have the things in place to prevent us from becoming another Mira Loma.

PLANNING OFFICIAL TERELL – I think that's a fair statement; yes

COMMISSIONER VAN NATTA - Okay

COMMISSIONER GIBA – Could I ask a couple just at a point of education Gabriel? I like to learn while I go along and I'm the new guy in town so, for the WRCOG that they have; they have a regional significance at 650,000 square feet or more for the warehousing they set and established. How is that determined and why is not less. I mean warehouses of less size might still be used, so why is that the regional significance standard set for minimum.

PLANNING OFFICIAL TERELL – There is a regional level of significance that is actually set as State law, so we wanted to use an existing standard that is widely accepted across the State rather than a new standard. The standard for office or retail or residential units is all different square footages, but for warehousing and industrial specifically it is 650,000 square feet, so we wanted to use that existing standard that rather than a new standard and really, you don't have significant truck traffic until you get into the…and it is only significant because the buildings are so big, until you get into those big buildings.

COMMISSIONER GIBA – I just wanted to understand why that was the cut-off number and in neighborhoods where there might be smaller ones. Do we have smaller warehouses in the area other than that that might have that same kind of traffic that could come into them? I know part of this has to do with restricting on neighborhood areas and…

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PLANNING OFFICIAL TERELL – Yes we do. The restrictions on trucks will apply to smaller facilities as well but we wanted to identify the area of concern is really the larger warehouses where you get to a scale where there is a potential for… what we do when all industrial buildings over the 650,000 square feet is do a health risk assessment and that is really to identify where those high levels of contaminants exist and we don't allow them to occur in residential neighborhoods and even on those larger buildings we can readily do that. We've designed buildings to access from different streets and other things to really make sure that this standard is met, but those larger buildings is where we look at that because the smaller buildings don't rise to that level of significance. They don't provide; they don't create enough emissions to really kick over any standards, so focusing on those doesn't really get us very far. Other regulations the City has regarding truck routes and those sorts of things take care of the smaller warehouses.

COMMISSIONER GIBA – It is kind of what I thought. I just wanted to clarify that mainly for me; this one is for me. And I had just one other one. I went to the… is this the right place to be discussing this? On page 71, I was just curious, as I was reading the adoptions in here that you had and I understand you put them all together. It is a good idea. Actually I saw it and so you took all those and put them into one package so to speak so that we; you know somebody looking for a good neighbor standard; aha here it is; here are all the ones that cover it, but there was a line item here that just caught my eye and just wanted some clarity. Down toward the bottom just above the letter A; that paragraph it says, big box discounter warehouse stores that sell retail goods, merchandise or equipment or storage and mini storage facilities… how does Sketchers fit into that? They sell retail out of their facility, I mean so kind of by definition you almost want to include them.

PLANNING OFFICIAL TERELL – Well they are not a big box or warehouse store. That is Costco, Super Walmart; those are what we would consider big box.

COMMISSIONER GIBA – Okay, so that warehouse with the store attached is not considered a warehouse store; retail store?

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER GIBA – I'm just kind of curious

PLANNING OFFICIAL TERELL – We have others here in town and I believe Frazee Paint has a retail sales outlet also and that is just an accessory use; it is not the main use.

COMMISSIONER GIBA – Okay, that's all, thank you

MV00167393

CHAIR BAKER – Go ahead Gabriel

ASSOCIATE PLANNER DIAZ – Alright… issue 2; Parking Standards for Restaurants. Revisions to Section 9.11.040 have been made to better address the standard parking requirements for eating and drinking establishments within shopping centers of 20,000 square feet of building area or greater. The proposed standard would reduce the required parking for restaurant parking, for restaurant space equaling up to 15 percent of the shopping center building square footage, which has been shown to accommodate the adequate parking at the lower retail parking standard. Currently the parking standard for eating and drinking establishments is one for every 100 square feet of gross floor area up to 6,000 square feet and from there it is one for every 75 square feet of gross floor area. The proposed parking standard will make eating and drinking establishments within the shopping centers of 20,00 square feet of building area or greater be calculated at a general retail standard of one parking space for every 225 square feet of gross floor area for up to 15 percent of the building gross floor area for the shopping center. There is a lot of math with this new amendment. For eating and drinking establishments in excess of the 15 percent of the building gross floor area for the shopping center, the parking will be calculated at one parking space for every 100 square feet of gross floor area. Staff has researched a number of local jurisdictions and found that many have similar parking requirements for restaurants within shopping centers of 25,000 square feet of building area or greater. In addition, Staff has completed a number of parking studies to prove that the proposed parking standard will not result in a lack of available parking. Lakeside Plaza; the Stater Bros. Market Center located at the northwest corner of LaSalle and Iris and Lakeside Terrace; the CVS Center at the northeast corner of LaSalle and Iris were studied. Both centers had sufficient access parking at peak hours to allow for the proposed parking standard. The proposed parking changes will result in centers being more adequately parked and provide more efficient development.

PLANNING OFFICIAL TERELL – Yeah, to add onto that, what we do now if a restaurant wants to go into a shopping center and there hasn't been a restaurant there before, they have to do a parking study and I've been doing this for a while and we haven't come across one yet where they weren't able to demonstrate that there was sufficient parking even using the retail standard, because the bigger the projects, the only place where I think we might have a parking problem in a shopping center because of a lot of restaurants is in the Town Gate Center, where you have BJ's and Olive Garden and all those restaurants that are next to each other. That particular center doesn't have the citywide standard, it has its own standards and this is a long time ago where there is no limit on the number of restaurants you can have in a center and you still park at roughly the retail rate, so that is an anomaly, so part of it was to kind of get small in line restaurants that want to go into shopping centers out of this requirement to do a parking study just to justify there is enough parking in the center which is the only vehicle we have right now and no pun intended by the code to do that. This

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particular standard Gabriel mentioned; we looked at other communities. It is almost the same standard as the City of Rancho Cucamonga and the City of Temecula and so it is more of an industry standard. We've tended to require in my opinion too much parking and too much parking means it is empty; you have to maintain it; it creates environmental impacts such as increased heat and glare and reduces the amount of building you can build on a particular site and so we wanted to bring all those things together and create a more efficient thing that makes projects more viable and makes it easier for tenants to get into buildings.

COMMISSIONER VAN NATTA – I just had a comment. BJ's and Outback and all of those; there is plenty of parking for them as long as you don't mind walking a half a mile from the other side of the parking lot. There are plenty of spaces there, you just hike a little.

PLANNING OFFICIAL TERELL – It is our own little wellness program I guess

COMMISSIONER VAN NATTA – Yeah

COMMISSIONER OWINGS – You can stop off at Carl Jr.'s on the way for a snack on your way to the Olive Garden.

CHAIR BAKER – Okay

ASSOCIATE PLANNER DIAZ – Okay, issue three is reduction of Community Commercial front and street side buildings setbacks and revisions to parking and landscape setbacks. Back in January 28th, 2010 the Planning Commission recommended that Staff defer the research on building and parking setbacks and that Staff provide a recommendation for the NC and CC zones. NC zone (Neighborhood Commercial) is typically a smaller scale commercial building center used for local neighborhoods and the CC zone (Community Commercial) is typically a community regional where retailers draw from throughout the community and from other communities to attend these centers. Revisions to Section 9.04.040 have been made in order to address the past concerns of the past Planning Commission. Planning Staff have done additional review of building and parking setbacks in other jurisdiction commercial center zones. Cities like Temecula, Perris, Riverside, Redlands, Ontario and San Bernardino were studied. Staff recommends that the Community Commercial front building setbacks be amended from 20 feet to 10 feet and that the side street building setbacks be amended from 20 feet to 10 feet and for the Neighborhood Commercial zone, Staff recommends that the setbacks not be changed and keep the existing 20 foot setbacks. In addition, through our research we found that a building height was brought up in other jurisdictions. This was not brought up at the previous Planning Commission meeting. Through our research we came across this in other cities and thought it made sense to include a setback based on height to help reduce the potential for having too much building massing at the setback line. In addition to the building setback, we changed the parking

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setback. Based on Staff research, we recommended that the building play more of a prominent role in the development of the site layout, therefore we have revised the parking area to have the same minimum setback as the building setback or in the case of the Community Commercial zone, have the parking be setback further than the building. In keeping with the building playing more of a prominent role in the side layout, Staff has eliminated the 10 foot landscape option and replaced it with a 15 foot landscape depth requirement between the property line and the parking area on the parking side street setback and 20 feet on the parking front street setback. We did have a Commissioner ask a question about what the appearance of this may be and we have provided City Hall here which has a closer setback than the 20 feet requirement in the CC zone. I know this is not a Community Commercial zone, but it is just a building and you see the landscaping and the street and the sidewalk and we've also provide some sketches of what a 10 foot setback is and a 20 foot setback is and setbacks are measured from property line; between the property line and the right-of-way. I believe there is a sidewalk and curb which is 6 feet and in this case I believe it is 11 feet and back from the sidewalk is where the property line starts, so you know the 10 foot setback that we are proposing is not right at the street, you know there is an additional 11 feet there, so in reality from the street you have at least 20 feet.

PLANNING OFFICIAL TERELL – Yeah, again when this came up the last time, we presented this information and there wasn't a strong... the Planning Commission asked us to look into it and then we came back with the information and they said do a little more research and make a recommendation because the first time we just said we'll here are the different standards people have and as Gabriel said, most cities in Riverside County and I won't go out of Riverside County because when you get into LA, the setbacks are much less. We have a similar differential between their major commercial areas which have a smaller setback and their neighborhood center which have a bigger one, because let's think; Sunnymead Ranch there is Lakeshore Plaza up there. The 20 foot setback is actually the same as the 20 foot setback on a single family home and it may blend in and give it a more residential character to those centers, where if you are on Alessandro Boulevard, the buildings could be much closer and have a more urban feel to them without being incompatible and if you go into a lot other cities nearby, you'll see that where the buildings...the MacDonald's you brought up in Riverside is a great example. That is even closer to the street. That is much more urban than we are proposing here and this is the Community Commercial and the Neighborhood Commercial. We have another zone in the code; the Mixed Use zones and they actually do allow buildings to be even closer, but that is your Mixed Use really super urban for Riverside County zone, so when you'd be driving through town in these different zones, you'd notice that they were different and in the Community Commercial this would allow a more efficient use of the site and allow a little bit more building; allow a little more connection to the street, because of those areas you are more likely to have a bus line, which again is trying to get into not forcing people to ride the bus, but to

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make it easier or more convenient or to ride a bike or something. It is really to create a more; a better connection between shopping centers and those major streets so that we have both more efficient use of land as well as a better connection to alternatives for transportation. So that's kind of how it got included in this Code Amendment; so we brought that forward with this specific recommendation for your consideration.

COMMISSIONER CROTHERS – I would much rather see a nice beautiful building or see landscaping in the Neighborhood Commercial, rather than seeing a parking lot, so I think this is a good idea. I have always kind of cringed every time you drive by and just see this big giant parking lot and then the building is set in the back and you know there is not much to it, just a big empty or full parking lot either way. You know I'd rather see the nice building or the landscaping so I think this is a good idea.

COMMISSIONER VAN NATTA – Whenever we see something like this, I kind of try to figure out okay how does it apply to what I see going on in the City or is going to go on, so would this apply to something like say for example on Ironwood Boulevard, where it is being widened and people's setbacks are being taken away and cut down, then along Ironwood, would that then apply to where new construction that goes up in that area; may be schools or businesses that are going along Ironwood would have then the smaller setback and fit in with what is being done there to the street?

PLANNING OFFICIAL TERELL – Probably not… Ironwood is a residential street, so most of that along there is actually the Neighborhood Commercial. You've got a few very small shopping centers along that, so probably a 20 foot setback would still apply there. Where it would be is the project you just looked at MacDonald's. MacDonald's is going to be set back further any of the other buildings in that shopping center because the current standard is actually more stringent than the standard that was in place when the shopping center was built. So that is Sunnymead Boulevard, Alessandro, Perris and Frederick; you know those are the streets that were most of the Community Commercial zoning is. The smaller streets like LaSalle or Ironwood are primarily residential streets and they would have the Neighborhood Commercial unless we changed the zone. We can always change the zone, but currently that is most of the Neighborhood Commercial is, is on those mostly residential streets and the Community Commercial is on those mostly commercial streets.

CHAIR BAKER – Yeah, is there anyone else?

COMMISSIONER GIBA – Attachment 4 has to do with this. Am I correct, that is your research?

ASSOCIATE PLANNER DIAZ – Yes

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COMMISSIONER GIBA – I was just looking it. They are all over the map and you can explain the all over the map to me. It looks like it depends on the feelings or emotions of what that particular city is doing at that point, but the one that caught my eye is Riverside. Is that a mistake or is that in fact that everything is a zero setback in Riverside or did you not get the data?

PLANNING OFFICIAL TERELL – No, that is correct. They do have a zero setback but then they have no…

COMMISSIONER GIBA - … height requirement…

PLANNING OFFICIAL TERELL – They have a zero but they have notes that push things back based on the height.

COMMISSIONER GIBA – So what we are doing is just what is basically good for Moreno Valley even though we are looking at everybody else because you know some are 15; some are 20; some are 10; some are zero and so we're going to a different setback because it is our City and we think that is what is best for us.

PLANNING OFFICIAL TERELL – Correct and really we're recommending having a differential between Neighborhood and Community Commercial.

COMMISSIONER GIBA – It is ours… I got it

ASSOCIATE PLANNER DIAZ – It does match up with other cities like the City of Perris and some cities like the City of Rancho has very many different types of Community Commercial something or other, so it is pretty hard to compare the two, but the ones that we have are the ones that are in the table here, are the ones that are the closest to our City and are similar.

COMMISSIONER GIBA – And I see that and I agree. There is nothing wrong with changing that. Thank you Gabriel

ASSOCIATE PLANNER DIAZ – Issue four is and I've got one more after that…provide parking lot maintenance standards banning topping of trees; revisions to Section 9.17.030 have been made in order to the address the practice topping of trees, which prevents the development of adequate tree canopy to provide the shading requirements by the Municipal Code. Parking lot shading reduces the heat island effect created by hot pavement and results in lower microclimate temperatures that can provide greater comfort and lower energy use in adjacent structures. There are current commercial centers in Moreno Valley that practice and have practiced the topping of trees. The Municipal Code requires that parking areas provide 50 percent shading. The majority of the parking areas meet this Code requirement by planting trees. The Code defines 50 percent tree shading requirement at maturity. The practice of topping prohibits trees from growing naturally or reaching maturity and fulfilling

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the Code requirement. In association with the new trees preservation and maintenance portion of the Code, we have added a heritage tree section to help preserve mature and historical trees in our City, Staff has researched other cities and have adopted similar tree preservation ordinances.

PLANNING OFFICIAL TERELL – Yeah and there are a couple of items here. One of the topping of trees and there are certain trees where it is appropriate. I'm trying to think of the kind and you pollard and you have to trim them back every year. The Mulberry is an example. We don't have any Mulberry Trees in parking lots though, but that is an example of a tree where you need to clip it back every year for it to grow back, because it grows a full canopy within a season once it gets mature. This is to look at trees such as California Sycamore's, which we have in several parking lots. That is not a tree you are supposed to pollard every year because all you do is get stumps that little growees coming out of them and it doesn't recover in a season and Commissioner Riechers who was on the Commission for many years had asked us to look at this and so we did. The other source of looking at this was our Environmental and Historical Preservation Board which has been concerned about the removal of older trees and not that they can't be removed, but that there are environmental benefits in keeping mature trees and providing a policy statement that that is what we want to occur; won't always occur; but what we want to occur for a variety of benefits based on water quality and air quality and some other things. So again this is presented for your consideration and to get your input.

CHAIR BAKER – Are there any questions?

COMMISSIONER GIBA - I always have questions. Thank you. I saw what you did here, is you actually added a whole section that you called Tree Preservation and Maintenance and the Heritage Tree Section. Originally all you had what was called Trees.

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER GIBA – I see that. You might want to appropriately title that section now Tree Planting because that whole section talks about planting the trees, so if you are going to specify it make it where you can at least say what it is. What I wanted to say is that I don't want you to shoot yourself in the foot on this one. It is interesting because Commissioner Riechers and I are neighbors and friends and I did sit on the Ecological Preservation Committee for a while with his wife and so this is kind of one of these things that always pops up with all of us all the time. Sometimes it is appropriate to top trees for safety issues if nothing else and in some cases by topping trees appropriately or properly you can increase the tree canopy and since a lot of this has to do with shading in parking lots, it might be wise not to use the language and I think your language in here was to say, topping trees is prohibited. You might want to look at the

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language on that and say something to the extent of chopping trees will be evaluated based on the need at the time or whatever so you don't shoot yourself on the foot on that one. I am an advocate. If anybody took an aerial picture of my house, you can't see my house because of the trees and I have trees and most of my trees are not topped, but there a couple that are because the wood is softer; it breaks easier; some of them get bug infested more and keeping the lower profiles can be a safety issue, so I was just going to recommend you didn't shoot yourself in the foot on it. Change the language on it and make it a little more permissive and not so much definitive because and I forget where it was, but I think it said it is prohibitive. Am I correct?

PLANNING OFFICIAL TERELL – Yeah, F2 says topping of trees is prohibited and then it gives a definition of topping which was intended but it may not have been clear enough you know that largely preventing the tree from growing to maximum,but I see your point where we could have some language that says generally prohibited except where the species of tree would benefit from...

COMMISSIONER GIBA – We'll talk to George… something like that and then I was just kind of curious on page 81 over here that says trees that have reached a height of 15 feet or greater for your heritage trees. Are there trees that are less than 15 feet that are heritage trees? I mean you've got a limit of 15 feet. I mean are there any trees around that are less than 15 feet that you could consider a heritage tree that you are leaving out of this or is there a reason really to have a height requirement for heritage trees.

PLANNING OFFICIAL TERELL – I think it was just to put some boundaries around it so that you know an Oleander Bush wasn't considered a heritage tree. I'll defer to Gabriel. I think he found this standard in another pretty well respected code and we kind of relied on that. You know they've already tested this for many years.

ASSOCIATE PLANNER DIAZ – I believe in response to this question it was the City of Rancho Cucamonga which had… I think their code was more stringent. We've kind of made the diameter and maybe the height a little higher, but there is always a possibility to add it. If you take it through the process of the Historical Preservation Board to possibility make any tree for whatever reason a heritage tree.

COMMISSIONER GIBA – Don't shoot yourself in the foot that's all and make it a little broader. Just because other cities have theirs doesn't mean that we can't look at it for our City. I was just a suggestion.

PLANNING OFFICIAL TERELL – Yeah, I can't conceive of a tree that would be less than 15 feet that would be a heritage tree. I mean a Crate Myrtle is probably the classic one in most communities because it was a popular tree a hundred years ago and they are over 15 feet pretty quickly. They don't get much

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over 15 feet till they get really old, but it is just a standard so we can change it, but I think there is a condition that allows others to be included. You know if we went out and found this famous tree and wanted to designate it, the Board could do that.

COMMISSIONER VAN NATTA – Well it just says on there that that's one of the criteria is that size, so it wouldn't be the exclusive one or if something is under 15 it wouldn't be considered a heritage tree under any circumstances or whatever, it says that meeting one of the following, and that is one of three things that are on there. I think under the topping of trees, because topping as he was mentioning is sometimes a very healthy thing to do a tree, you might have instead of saying, topping of trees is prohibited except… give a definition to a descriptive word to topping like excessive topping or something there that then your definition would make sense because topping is a very common thing that is done.

COMMISSIONER OWINGS – You know I defer to Jeff because he is a teacher I suspect, but I think that is what this says. It says that if the topping is done for the sole purpose of not allowing the tree to reach its maximum maturity that would be prohibited. If it is done for the health of the tree or it is done for some other reason, it is totally allowable. It is only when you are doing it just to keep it from reaching its maturity, so I think the wording is clearly what you intended it to be.

ASSOCIATE PLANNER DIAZ – Yeah, I think back to Mr. Giba; prohibited is a strong word, but it is something that happens throughout the City that when you go… these are all guidelines, but when you get to number 4 which is Section F, Tree Preservation Maintenance, there is only four under them and it is pretty short, so you read all four and it kind of all makes sense. If you stop at prohibited, it is pretty tough, but when it goes to number 4, it says the guidelines are subject to modification as determined by an arborist or a landscape architect and approved by the Community and Economic Development, so there is leeway to do the correct thing. We want the tree to grow the way it is supposed to and yes there are different ways of taking care of landscaping and topping maybe one of them, but we want to prevent the topping that destroys the tree.

PLANNING OFFICIAL TERELL – Yeah, I think we have differentiated topping from pruning or other things that you do to trees.

COMMISSIONER VAN NATTA – Can you just use the word destructive topping?

PLANNING OFFICIAL TERELL – Hum… unnecessary, no, but destructive or counterproductive; yeah… destructive is probably the best one

COMMISSIONER VAN NATTA – Put a word in there that differentiates it from just normal topping.

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COMMISSIONER OWINGS – You know my concern is I think and not to belabor all these points, either we are for preservation of trees or we're not and if we are, it has to be somewhat strong in the language otherwise everything will become an exception, so you know I don't have any difficulty with the wording as it is because it does allow an arborist to make that determination. So I think the real point here; the real question that we should be asking ourselves is you know do we really want to protect heritage trees or not and if you allow these wiggle room words that is what is going to happen. It is going to make it harder for Code Enforcement to do their job. That's my personal opinion of that and so I would suggest that we leave language. I think the wiggle room here is that if an expert in trees says this tree needs to be topped, then fine.

COMMISSIONER CROTHERS – I agree and I was having the same thoughts you know. When it says prohibited it is not the end all of these requirements you know to top it. It does provide for an arborist or a landscape artist to come out and say yes this tree does need to be topped for the tree's own good and not just because we like the way it looks or because that's what we want to do today you know for the trees.

COMMISSIONER OWINGS – Yeah and to answer Meli's concern and Jeff's concern is the modifier should probably if there were going to be a modifier, the modifier should probably be down in the area where it talks about the sole purpose of being to keep the tree from growing, so if there were to be some wording entered in here to soften this in some way, it should be in that sentence as opposed to the sentence that says prohibit. In other words, a clarifier as to what is as Meli was saying destructive. I don't think that is the proper word, but a word like that could be added there as opposed to the shall be prohibited.

PLANNING OFFICIAL TERELL – Yeah something along the lines of topping of trees means the destructive cutting back in that sentence. Is that what you were referring to?

COMMISSIONER OWINGS – I'm not saying destructive is the right word, but that's where it would be; where I think the modifier needs to be if there is one, otherwise it just gets to be a meaningless… it becomes a symbolic gesture as opposed to one that really means something and I think your intentions of making this a meaningful ordinance is very applaudible and we should support your effort in that and by keeping the stronger language.

PLANNING OFFICIAL TERELL – I would agree, thank you. Are we ready for our last item?

CHAIR BAKER – Issue five, let's move ahead

ASSOCIATE PLANNER DIAZ – Alright, issue 5 is to amend the General Parking Design Standard with revised safety features and 20 foot wide driveway aisles.

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Revision to Section to 9.11.080 have been made in order to make parking designs safer and consistent with current traffic engineering standards. The standards improvement safety features of parking lot design have been revised and table 9.11.080-13 has revised driveways and aisle dimensions.

PLANNING OFFICIAL TERELL – Yeah this one was really to discourage overly wide driveways that are really very bad for internal circulation; the 20 and 24 foot and in some cases there is 30, that is why there is an exception at the bottom, relate to fire code standards where they have a minimum for fire code access. A 30 foot wide driveway is actually pretty wide, but on taller buildings it is necessary for fire access so they can get enough distance away from the building to fight a fire and to avoid people saying I've got an extra 20 or 30 feet on my site, I'll just make this driveway wider and pave over on it, so it is really to discourage excessive paving, which has a myriad of environmental issues mainly again related to heat and dirty runoff and other things. So that was the intent of this, this is really limit pavement as much as possible.

COMMISSIONER OWINGS – It wasn't too long ago Planners were saying that driveways should be wider, so all things like the double-breasted suit, they all come back. Is that what you are saying?

PLANNING OFFICIAL TERELL – I don't know that Planners were saying that roads had to be wider but the development standards were saying let's create more and more excess and I think Transportation Planners and Michael is one of them, have seen that wider driveways are not always the best solution. I'm not saying that Michael ever believed they were but they're not always the best and obviously we have the flexibility to hear what the footnote if a good case could be made that gee the driveway has to be 32 feet and we have that option to do that. We're just creating a standard that says do this unless you provide evidence that it really needs to be wider.

COMMISSIONER OWINGS – So someone who has a little experience in this area, I've found that fire department personnel do not understand that they have a reverse in their fire truck, they want all the streets to be wide enough to turn around in and so we need to point out to them that "R" is for reverse, but I guess it is a concern that they would become too narrow. As I get older, I like those wider driveways.

PLANNING OFFICIAL TERELL – Right and that's why we set… really the standard is 24 feet. It has always been the minimum standard and really as a maximum is works pretty well. Sometimes on a main drive aisle we'll make them a little bit wider because there is more traffic and more conflict and it is just like streets you know. Alessandro is wide for a reason you know. The street you live on is narrower for a reason and it's really hopefully starting to create also hierarchy within parking lots; you know every parking aisle is not 30 feet wide because they have the space to do it.

COMMISSIONER GIBA – I had a question. Just clarity if I may… page 85. You have a diagram, figure 9.11.080-5 non-parallel parking. I was looking around for the description of that and I'm probably missing it somewhere so maybe you can point it to me, but besides that you're measurements are on the side of the parallel parking which says 16 feet, but the reality is that the car can't park in that little corner, so that length is not the 16 feet, so do you really mean the car can hang over into the other side of the… because that's not really… this isn't a 9 by 16 like the other picture of your square dimension would be a 9 by 16.

PLANNING OFFICIAL TERELL – No good point, I think we'll do the math and correct that number. It's like x plus y equals 2xy or something like that. We'll get the number because the intent was a standard space is 16 feet deep with 2 foot overhang; that's more than enough for most cars; certainly the standard car would easily fit in that area.

COMMISSIONER GIBA – It's not like we find standard cars anymore, they are all those big ones.

ASSOCIATE PLANNER DIAZ – I don't believe that section has been changed.

COMMISSIONER GIBA – Do you see what I'm talking about?

PLANNING OFFICIAL TERELL – Yeah, that's what happens when we bring something forward, we find something that has always been broken and we have the opportunity to fix it because somebody notices it.

COMMISSIONER GIBA – Thanks Gabriel. Thanks John

CHAIR BAKER – Does anyone else have any comments on the parking amendment? Okay, so do we open this up to Public Hearing? I guess we do.

PLANNING OFFICIAL TERELL – Yes

CHAIR BAKER – Okay, let's open this item up for Public Hearing. I don't have any Speaker Slips on this. Does anyone want to speak on this? If not, I'll close Public Testimony and we'll go forward with Commissioners Debate on the overall project I guess. Does anyone have any comments?

COMMISSIONER VAN NATTA – Sounds good to me.

COMMISSIONER GIBA – I like it pretty good. I just had one other question if I may. Page 88; you left it blank. Is it supposed to be blank for a reason or they just the lines where you are going to fill it in with something or is there some standard I'm supposed to go to get the information; the phone number; the…?

PLANNING OFFICIAL TERELL – Yeah, it's meant… it's a standard language for a sign so each property will have a different location or…

COMMISSIONER GIBA – Okay, so maybe just a reclaimed add. That's kind of what I figured. I thought maybe you hadn't finished filling it in

PLANNING OFFICIAL TERELL – No it is standard language so it would be different for each site.

CHAIR BAKER – I think it's a smart idea

COMMISSIONER OWINGS – Chairman, are we into Commissioners Debate?

CHAIR BAKER - We are

COMMISSIONER OWINGS – I think I speak for everyone that any attempt to make our City more livable is a worthy cause and it seems like you folks have put a lot of work into doing this and I think you've done a good job here and we just need to take from this and extend it into the neighborhoods and start to work to help you know; all this work starts helping property values; livability and making Moreno Valley a more attractive City, so for my standpoint thank you.

CHAIR BAKER – Very good, thank you, anyone else have any comments about this item? I think it's a great move. A lot of work went into putting this together, so if there is no further discussion; if I could get a motion for this PA10-0030, we'll move forward.

COMMISSIONER CROTHERS – I'll motion

CHAIR BAKER – Okay, do you want to read… let's see here; I'll give you this here. I think this will work. Just read the approval; okay.

COMMISSIONER CROTHERS – I motion to **APPROVE** Resolution No. 2012-04 and thereby **RECOMMEND** that the City Council;

1. **APPROVE** PA10-0030 Municipal Code Amendment; and,

2. **RECOGNIZE** that PA10-0030 Municipal Code Amendment qualify as an Exemption in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.

CHAIR BAKER – Thank you. Do I have a second to that motion?

COMMISSIONER GIBA – Second to that

CHAIR BAKER – Okay, we have a motion and a second. All in favor?

Opposed – 0

Motion carries 6 - 0, with one absent (Vice Chair Salas)

CHAIR BAKER – Okay the next thing we want to move onto is…

PLANNING OFFICIAL TERELL – Before you do that…

CHAIR BAKER – Oh yeah, Staff wrap up; I'm sorry

PLANNING OFFICIAL TERELL – That's okay. This item shall be forwarded to the City Council for final review and action.

CHAIR BAKER – Thank you very much.

COMMISSIONER OWINGS – Mr. Chairman, Gabriel should get a commendation for reading that whole thing.

CHAIR BAKER – I'm telling you Gabriel, we'll get you plaque or something for that one I'll tell you. Okay, now the next thing we have is Other Business.

OTHER BUSINESS

CHAIR BAKER – It has to do with the 2011 Annual Report of the Planning Commission. John do you want to give that or…

PLANNING OFFICIAL TERELL – Yeah, real quickly, this is a report. It is required by State Law that we file in April and it is just a recitation of what you guys did last year and you had 34 items and some of those were combined; but 34 items, which is a little bit light. This year we anticipate that you'll have more than that. I think last year hopefully was the low year and it is all uphill from here now that you are all trained and ready to go. In addition to that though there is a chart here and we did have 598 administrative approvals and also 432 plan checks, so that is what we kind of keep. You know based on your direction, we read the codes and all these other projects are able to comply with those codes

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts that are attached to this report on the Fiscal Year (FY) 2012/2013 Riverside County property tax roll for collection.

2. Adopt Resolution No. 2012-55 repealing, revising and reenacting the provisions of Resolution 2007-72 of the City Council of the City of Moreno Valley, California, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

3. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution No. 2012-55 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal

Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,573 delinquent accounts. This delinquent list is to be placed on the FY 2012/2013 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is $2,123,212.06. Although Waste Management accepted payment on delinquent accounts until June 19, 2012, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of the proposed resolution along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts attached to this report on the Fiscal Year (FY) 2012/2013 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.

2. Do not approve placing the submitted list of delinquent solid waste accounts attached to this report on the Fiscal Year (FY) 2012/2013 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately $257,545 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this source which would be approximately $257,545. This amount is deposited into the general fund.

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

A "Notice of Public Hearing" was published on June 12, 2012 and June 19, 2012, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2012/2013.

ATTACHMENTS

Exhibit "A": Proposed Resolution No. 2012-55 repealing, revising, and reenacting the provisions of Resolution 2007-72, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Exhibit "B": List of Delinquent Accounts for FY 2012/2013.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTIONNO. 2012-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2007-72, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1 ½ % per month for nonpayment of those fees, charges and the basic penalty: and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll: and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

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

1. Resolution No. 2007-72 as adopted by the City Council on June 26, 2007, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2007-72 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2017, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26thday of June, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-55
Date Adopted: June 26, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-55 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

MORENO VALLEY Starting List 2012 0											1,603,115.07	160,304.66	317,435.07	2,080,854.99
Report run as of: 5/31/2012 3:26:00									Customer Count		7,358			
Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
97123465007	134070001	CARROLL, VALERIE K	27397	DELPHINIUM AVE	MORENO VALLEY	CA	92555-4741	CARROLL, VALERIE K	150 ADAMS DR	HUNTINGTON BEACH, CA	92648-2726	484.44	48.44	95.92	628.8
98269875011	135240027	SANTOSCOY, WILLIAM (RENT)	11935	INDIAN ST	MORENO VALLEY	CA	92557-6306	SANTOSCOY, WILLIAM (RENT)	11935 INDIAN ST	MORENO VALLEY, CA	92557-6306	125.93	12.59	24.93	163.44
90970943008	227221004	SALAZAR, JAVIER (RENT)	24259	DORNER DR	MORENO VALLEY	CA	92553-6207	SALAZAR, JAVIER	24259 DORNER DR	MORENO VALLEY, CA	92553-6207	22.35	2.24	4.43	29
94950685000	256150030	AVERY, DONALD (OWNR)	21089	JENNINGS CT	MORENO VALLEY	CA	92557-8330	AVERY, DONALD	21089 JENNINGS CT	MORENO VALLEY, CA	92557-8330	254.12	25.41	50.32	329.84
93793545005	256150038	MENDOZA, BEATRIZ (OWNR)	21060	JENNINGS CT	MORENO VALLEY	CA	92557-8331	MENDOZA, BEATRIZ	21060 JENNINGS CT	MORENO VALLEY, CA	92557-8331	31.19	3.12	6.18	40.48
31461075002	256181005	DELACOBAS, MARIA	21060	PALA FOXIA PL	MORENO VALLEY	CA	92557-8603	DELACOBAS, MARIA	21060 PALA FOXIA PL	MORENO VALLEY, CA	92557-8603	229.02	22.9	45.35	297.26
31159725006	256181017	JENKINS, KATHY	21192	PALA FOXIA PL	MORENO VALLEY	CA	92557-8614	JENKINS, KATHY	21192 PALA FOXIA PL	MORENO VALLEY, CA	92557-8614	329.32	32.93	65.21	427.44
31563665001	256182022	MEYERS, JEFFREY	21117	MARTYNIA CT	MORENO VALLEY	CA	92557-8602	MEYERS, JEFFREY	21117 MARTYNIA CT	MORENO VALLEY, CA	92557-8602	254.02	25.4	50.3	329.7
97197805000	256182024	LARA CARRANZA, LORENA (OWNR)	21131	MARTYNIA CT	MORENO VALLEY	CA	92557-8602	LARA CARRANZA, LORENA	4792 KINGSLEY ST	MONTCLAIR, CA	91763-3710	254.12	25.41	50.32	329.84
94429915007	256182032	BLUETEL, TERRY (OWNR)	21168	MARTYNIA CT	MORENO VALLEY	CA	92557-8602	BLUETEL, TERRY	21168 MARTYNIA CT	MORENO VALLEY, CA	92557-8602	92.45	9.25	18.31	120
73485385000	256182034	LIZARDI, THESALEE	21150	MARTYNIA CT	MORENO VALLEY	CA	92557-8602	LIZARDI, THESALEE	21150 MARTYNIA CT	MORENO VALLEY, CA	92557-8602	254.02	25.4	50.3	329.7
88547805007	256182038	LUTHER, HEIDI (RENT)	21106	MARTYNIA CT	MORENO VALLEY	CA	92557-8602	LUTHER, HEIDI	PO BOX 5661	SALTON CITY, CA	92275-5661	163.22	16.32	32.32	211.84
91284935001	256182039	HERNANDEZ, JOSEPH (RENT)	21082	MARTYNIA CT	MORENO VALLEY	CA	92557-8639	HERNANDEZ, JOSEPH	21082 MARTYNIA CT	MORENO VALLEY, CA	92557-8639	78.92	7.89	15.63	102.42
97122965004	256191001	GILL, MYISHA (RENT)	21240	PALA FOXIA PL	MORENO VALLEY	CA	92557-8606	GILL, MYISHA	21240 PALA FOXIA PL	MORENO VALLEY, CA	92557-8606	190.79	19.08	37.78	247.64
95312825003	256191004	TOMEI, MARSHALL AND (OWNR)	21252	PALA FOXIA PL	MORENO VALLEY	CA	92557-8606	TOMEI, MARSHALL AND COURTNEY	21252 PALA FOXIA PL	MORENO VALLEY, CA	92557-8606	254.12	25.41	50.32	329.84
31577745005	256191018	CARRANZA, JUAN	21269	PALA FOXIA PL	MORENO VALLEY	CA	92557-8607	CARRANZA, JUAN	21269 PALA FOXIA PL	MORENO VALLEY, CA	92557-8607	54.02	5.4	10.7	70.1
31168065005	256191037	JOHNSON, THOMAS	21396	LILIUM CT	MORENO VALLEY	CA	92557-8620	JOHNSON, THOMAS	21396 LILIUM CT	MORENO VALLEY, CA	92557-8620	329.32	32.93	65.21	427.44
91487853000	256191052	RODRIGUEZ, JOSEPH (RENT)	21295	LILIUM CT	MORENO VALLEY	CA	92557-8617	RODRIGUEZ, JOSEPH (RENT)	21295 LILIUM CT	MORENO VALLEY, CA	92557-8617	63.63	6.36	12.6	82.58
93611715003	256191054	GARCIA, JUANA (RENT)	21275	LILIUM CT	MORENO VALLEY	CA	92557-8617	GARCIA, JUANA	21275 LILIUM CT	MORENO VALLEY, CA	92557-8617	254.12	25.41	50.32	329.84
98340695018	256192004	KING, WILLIE MAE	21475	TOWNSENDIA AVE	MORENO VALLEY	CA	92557-8636	KING, WILLIE MAE	21475 TOWNSENDIA AVE	MORENO VALLEY, CA	92557-8636	190.79	19.08	37.78	247.64
31294855003	256192017	KENNEDY, LINDA	21480	DOUGLASIS CT	MORENO VALLEY	CA	92557-8613	KENNEDY, LINDA	21480 DOUGLASIS CT	MORENO VALLEY, CA	92557-8613	254.12	25.41	50.32	329.84
31159865006	256192022	CAMERON, RONALD	21489	DOUGLASIS CT	MORENO VALLEY	CA	92557-8613	CAMERON, RONALD	21489 DOUGLASIS CT	MORENO VALLEY, CA	92557-8613	254.02	25.4	50.3	329.7
31047005004	256193001	JOHNSON, WILBERT AND DANNIELLE	21389	TOWNSENDIA AVE	MORENO VALLEY	CA	92557-8633	JOHNSON, WILBERT	21389 TOWNSENDIA AVE	MORENO VALLEY, CA	92557-8633	63.63	6.36	12.6	82.58
88031885005	256212001	BARAHONA, VILGILIO	21354	TOWNSENDIA AVE	MORENO VALLEY	CA	92557-8632	BARAHONA, VILGILIO	21354 TOWNSENDIA AVE	MORENO VALLEY, CA	92557-8632	90.79	9.08	17.98	117.84
94430515009	256212003	FAY, TESSA (RENT)	21330	TOWNSENDIA AVE	MORENO VALLEY	CA	92557-8632	FAY, TESSA 951-201-5113	21330 TOWNSENDIA AVE	MORENO VALLEY, CA	92557-8632	114.12	11.41	22.6	148.12
51818855004	256212004	ALSHISH, RUDIMA	21318	TOWNSENDIA AVE	MORENO VALLEY	CA	92557-8632	ALSHISH, RUDIMA	21318 TOWNSENDIA AVE	MORENO VALLEY, CA	92557-8632	329.32	32.93	65.21	427.44
97834425008	256213013	CHAPMAN, LATANYA (RENT)	21370	DOUGLASIS CT	MORENO VALLEY	CA	92557-8630	CHAPMAN, LATANYA	21370 DOUGLASIS CT	MORENO VALLEY, CA	92557-8630	254.12	25.41	50.32	329.84
90836325001	256214003	JIMENEZ, APRIL (RENT)	21438	DOUGLASIS CT	MORENO VALLEY	CA	92557-8611	JIMENEZ, APRIL	21438 DOUGLASIS CT	MORENO VALLEY, CA	92557-8611	253.92	25.39	50.28	329.58
96831125008	256215011	PEJI, OFELIA (OWNR)	11894	RUBBECKIA CIR	MORENO VALLEY	CA	92557-8623	PEJI, OFELIA	14353 PINTAIL LOOP	CORONA, CA	92880-0932	240.29	24.03	47.58	311.88
31171325005	256216006	SCHUMPF, BENSON	21368	BLOSSOMHILL LN	MORENO VALLEY	CA	92557-8625	SCHUMPF, BENSON	21368 BLOSSOMHILL LN	MORENO VALLEY, CA	92557-8625	254.02	25.4	50.3	329.7
86703973008	256216012	GLOYNE, MICHAEL (RENT)	21438	BLOSSOMHILL LN	MORENO VALLEY	CA	92557-8628	GLOYNE, MICHAEL	21438 BLOSSOMHILL LN	MORENO VALLEY, CA	92557-8628	350.38	35.04	69.38	454.78
80963985006	256221001	VELASCO, ALEX	11742	BLACK HAWK LN	MORENO VALLEY	CA	92557-8573	VELASCO, ALEX	11742 BLACK HAWK LN	MORENO VALLEY, CA	92557-8573	254.02	25.4	50.3	329.7
31093795002	256221021	PAVLOVICH, MARK	11696	BALD EAGLE LN	MORENO VALLEY	CA	92557-8500	WILSON, MARLENE	11697 NIAGARA DR	MIRA LOMA, CA	91752-3045	90.69	9.07	17.96	117.7
87976485006	256221027	SUDDS, KEVIN	11651	BALD EAGLE LN	MORENO VALLEY	CA	92557-8500	SUDDS, KEVIN	11651 BALD EAGLE LN	MORENO VALLEY, CA	92557-8500	254.12	25.41	50.32	329.84
31420935008	256222014	WILSON, HAROLD	21761	WINDING RD	MORENO VALLEY	CA	92557-8531	WILSON, HAROLD	21761 WINDING RD	MORENO VALLEY, CA	92557-8531	254.02	25.4	50.3	329.7
93592495001	256231004	HOLMES, BERNARD (RENT)	21805	OSPREY LN	MORENO VALLEY	CA	92557-8502	HOLMES, BERNARD	21550 BOX SPRINGS RD APT 1066	MORENO VALLEY, CA	92557-6729	141.54	14.15	28.02	183.7
31290745005	256231006	WALTER, GEORGE	21835	OSPREY LN	MORENO VALLEY	CA	92557-8502	WALTER, GEORGE	21835 OSPREY LN	MORENO VALLEY, CA	92557-8502	254.12	25.41	50.32	329.84
31195315006	256231009	JOHNSON, STERLING	21822	OSPREY LN	MORENO VALLEY	CA	92557-8502	JOHNSON, STERLING	21822 OSPREY LN	MORENO VALLEY, CA	92557-8502	254.02	25.4	50.3	329.7
94795575002	256241001	GRAY, ANITA (RENT)	21757	GLEN VIEW DR	MORENO VALLEY	CA	92557-8514	GRAY, ANITA	21757 GLEN VIEW DR	MORENO VALLEY, CA	92557-8514	86.37	8.64	17.1	112.1
57084735003	256241004	NICOMEDE, DEBBI	21799	GLEN VIEW DR	MORENO VALLEY	CA	92557-8514	NICOMEDE, DEBBI	21799 GLEN VIEW DR	MORENO VALLEY, CA	92557-8514	254.02	25.4	50.3	329.7
96815335007	256242005	RODRIGUEZ, RAMON (OWNR)	21821	GLEN VIEW DR	MORENO VALLEY	CA	92557-8515	RODRIGUEZ, RAMON (OWNR)	21821 GLEN VIEW DR	MORENO VALLEY, CA	92557-8515	254.12	25.41	50.32	329.84
101558243005	256242008	HERRERA, MARIBEL (RENT)	21863	GLEN VIEW DR	MORENO VALLEY	CA	92557-8515	HERRERA, MARIBEL	21863 GLEN VIEW DR	MORENO VALLEY, CA	92557-8515	93.52	9.35	18.52	121.38
31149835004	256242016	REYNOLDS, EUGENIA	11991	DAY ST	MORENO VALLEY	CA	92557-8519	REYNOLDS, EUGENIA	11991 DAY ST	MORENO VALLEY, CA	92557-8519	254.02	25.4	50.3	329.7
67820255008	256242027	MACALPINE, EILEEN	21862	GLEN VIEW DR	MORENO VALLEY	CA	92557-8513	MACALPINE, EILEEN	21862 GLEN VIEW DR	MORENO VALLEY, CA	92557-8513	254.12	25.41	50.32	329.84
31321855004	256242035	WILWANT, DANNY	21960	WINDING RD	MORENO VALLEY	CA	92557-8512	WILWANT, DANNY	21960 WINDING RD	MORENO VALLEY, CA	92557-8512	254.02	25.4	50.3	329.7
31144285000	256242042	SANCHEZ, IGNACIO	21861	SPRINGCREST RD	MORENO VALLEY	CA	92557-8504	SANCHEZ, IGNACIO	21861 SPRINGCREST RD	MORENO VALLEY, CA	92557-8504	329.32	32.93	65.21	427.44
31471615008	256242044	AYERS, NICOLE	21889	SPRINGCREST RD	MORENO VALLEY	CA	92557-8504	AYERS, NICOLE	21889 SPRINGCREST RD	MORENO VALLEY, CA	92557-8504	254.02	25.4	50.3	329.7
97046595003	256242051	VEGA, ALFRED	21987	SPRINGCREST RD	MORENO VALLEY	CA	92557-8504	VEGA, ALFRED	9337 GOLDEN LATERN RD	RIVERSIDE, CA	92508-9336	420.76	42.08	83.31	546.14
31595855003	256243007	RODRIGUEZ, YOLANDA	21886	SPRINGCREST RD	MORENO VALLEY	CA	92557-8563	RODRIGUEZ, YOLANDA	21886 SPRINGCREST RD	MORENO VALLEY, CA	92557-8563	254.02	25.4	50.3	329.7
31510405007	256243012	FOPPE, KEDRICK	21890	WINDING RD	MORENO VALLEY	CA	92557-8510	FOPPE, KEDRICK	21890 WINDING RD	MORENO VALLEY, CA	92557-8510	254.12	25.41	50.32	329.84
31258835003	256244009	WELCH, STEVEN	21931	WINDING RD	MORENO VALLEY	CA	92557-8552	WELCH, STEVEN	21931 WINDING RD	MORENO VALLEY, CA	92557-8552	253.92	25.39	50.28	329.58
31266195000	256252008	MUHAMMMAD, DENZIL AND CYNTHIA	21672	WINDING RD	MORENO VALLEY	CA	92557-8508	MUHAMMMAD, DENZIL	21672 WINDING RD	MORENO VALLEY, CA	92557-8508	254.12	25.41	50.32	329.84
94809785007	256253008	HERRIN, JOSEPH	11780	COLUMBO ST	MORENO VALLEY	CA	92557-8522	HERRIN, JOSEPH	11780 COLUMBO ST	MORENO VALLEY, CA	92557-8522	43.45	4.35	8.6	56.38
88406873001	256253014	TRISTAO, ROBIN (OWNR)	11840	COLUMBO ST	MORENO VALLEY	CA	92557-8523	TRISTAO, ROBIN	12773 FREDERICK ST APT 306	MORENO VALLEY, CA	92553-4532	127.46	12.75	25.24	165.44
90852325008	256253016	TORRES, OSCAR	11860	COLUMBO ST	MORENO VALLEY	CA	92557-8523	TORRES, OSCAR	11860 COLUMBO ST	MORENO VALLEY, CA	92557-8523	44	4.4	8.71	57.1
63842185001	256254006	GIBSON, MARILYN	21627	WINDING RD	MORENO VALLEY	CA	92557-8526	GIBSON, MARILYN	21627 WINDING RD	MORENO VALLEY, CA	92557-8526	254.12	25.41	50.32	329.84
31209525001	256262009	COBB, ROWENA	21170	TENNYSON RD	MORENO VALLEY	CA	92557-8406	COBB, ROWENA	21170 TENNYSON RD	MORENO VALLEY, CA	92557-8406	190.39	19.04	37.7	247.12
52725505004	256263001	WASHINGTON, ESTELLE (RENT)	21140	LANDS END	MORENO VALLEY	CA	92557-8425	WASHINGTON, ESTELLE	21140 LANDS END	MORENO VALLEY, CA	92557-8425	329.32	32.93	65.21	427.44
31236685000	256272014	NUSBAUM, ENNETTE Y	21244	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8442	NUSBAUM, ENNETTE Y	21244 SHAKESPEARE CT	MORENO VALLEY, CA	92557-8442	253.92	25.39	50.28	329.58
31211015004	256272033	KNOX, RICK	21212	DICKINSON RD	MORENO VALLEY	CA	92557-8433	KNOX, RICK	21212 DICKINSON RD	MORENO VALLEY, CA	92557-8433	254.02	25.4	50.3	329.7
97835045005	256273004	CAMPBELL, JOHN (OWNR)	21229	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8443	CAMPBELL, JOHN	21229 SHAKESPEARE CT	MORENO VALLEY, CA	92557-8443	254.12	25.41	50.32	329.84
96144845005	256291016	ROMERO, ENRIQUE	21085	GALLANT FOX DR	MORENO VALLEY	CA	92557-8303	ROMERO, ENRIQUE	21085 GALLANT FOX DR	MORENO VALLEY, CA	92557-8303	64.1	6.41	12.69	83.2
31595285003	256292002	MARTIN, DANIEL	11430	COUNT FLEET CT	MORENO VALLEY	CA	92557-8301	MARTIN, DANIEL	11430 COUNT FLEET CT	MORENO VALLEY, CA	92557-8301	254.02	25.4	50.3	329.7
31346155008	256292019	LYONS, BRAD (OWNR)	11445	CHAUCER ST	MORENO VALLEY	CA	92557-8316	LYONS, BRAD	11445 CHAUCER ST	MORENO VALLEY, CA	92557-8316	254.02	25.4	50.3	329.7
31481965003	256292020	TURNER, SHAWNA	11455	CHAUCER ST	MORENO VALLEY	CA	92557-8316	TURNER, SHAWNA	11455 CHAUCER ST	MORENO VALLEY, CA	92557-8316	127.36	12.74	25.22	165.3
95467165003	256292025	FLORES, AURORA (RENT)	11435	SUMMER GREEN CT	MORENO VALLEY	CA	92557-8314	FLORES, AURORA	11435 SUMMER GREEN CT	MORENO VALLEY, CA	92557-8314	128.76	12.88	25.49	167.12
31567825009	256301002	FONSECA, ROBERT	21715	ROWENA DR	MORENO VALLEY	CA	92557-8535	FONSECA, ROBERT	21715 ROWENA DR	MORENO VALLEY, CA	92557-8535	329.32	32.93	65.21	427.44
31313185002	256301006	KOSIGIN, JULIE	21675	ROWENA DR	MORENO VALLEY	CA	92557-8576	KOSIGIN, JULIE	21675 ROWENA DR	MORENO VALLEY, CA	92557-8576	254.02	25.4	50.3	329.7
31315325008	256301008	PESKO JR, DAVID	21643	CALLE PRIMA	MORENO VALLEY	CA	92557-8544	PESKO JR, DAVID	21643 CALLE PRIMA	MORENO VALLEY, CA	92557-8544	357.53	35.75	70.79	464.06
31294685009	256303003	FRENCH, WILLIAM	21540	CALLE PRIMA	MORENO VALLEY	CA	92557-8542	FRENCH, WILLIAM	21540 CALLE PRIMA	MORENO VALLEY, CA	92557-8542	63.63	6.36	12.6	82.58
31377035009	256303017	LEON, SUSAN	21635	CALLE MONACO	MORENO VALLEY	CA	92557-8541	LEON, SUSAN	21635 CALLE MONACO	MORENO VALLEY, CA	92557-8541	254.02	25.4	50.3	329.7
31480105006	256304001	HARDY, WILLIAM AND LORLIN	21500	CALLE MONACO	MORENO VALLEY	CA	92557-8538	HARDY, WILLIAM AND LORLIN	21500 CALLE MONACO	MORENO VALLEY, CA	92557-8538	254.02	25.4	50.3	329.7
31336925008	256306002	NAPOLES, JACKIE (OWNR)	21680	DEL AMO ST	MORENO VALLEY	CA	92557-8559	NAPOLES, JACKIE	21680 DEL AMO ST	MORENO VALLEY, CA	92557-8559	254.02	25.4	50.3	329.7
31251145003	256306007	LOZANO, ANDY	21645	DEL AMO ST	MORENO VALLEY	CA	92557-8559	LOZANO, ANDY	21645 DEL AMO ST	MORENO VALLEY, CA	92557-8559	329.04	32.9	65.15	427.08
94978893007	256306009	CALDERON, MONICA (RENT)	21685	DEL AMO ST	MORENO VALLEY	CA	92557-8559	CALDERON, MONICA	21685 DEL AMO ST	MORENO VALLEY, CA	92557-8559	200.09	20.01	39.62	259.7
88496625005	256306012	BONNIER, MICHELLE	21701	CALLE PRIMA	MORENO VALLEY	CA	92557-8578	BONNIER, MICHELLE	21701 CALLE PRIMA	MORENO VALLEY, CA	92557-8578	254.12	25.41	50.32	329.84
31321885008	256306016	ZAVALA, HECTOR AND KATHLYN	21690	ROWENA DR	MORENO VALLEY	CA	92557-8505	ZAVALA, HECTOR AND KATHLYN	21690 ROWENA DR	MORENO VALLEY, CA	92557-8505	254.02	25.4	50.3	329.7
31171295001	256306020	LOBATO, ALONSO	11650	PIMLICO WAY	MORENO VALLEY	CA	92557-8553	LOBATO, ALONSO	11650 PIMLICO WAY	MORENO VALLEY, CA	92557-8553	104.02	10.4	20.6	135
31346625000	256306024	SALERA, SANDRA	11690	PIMLICO WAY	MORENO VALLEY	CA	92557-8553	SALERA, SANDRA	11690 PIMLICO WAY	MORENO VALLEY, CA	92557-8553	329.32	32.93	65.21	427.44
31268585004	256311004	LEANDRO JR, PAUL	21270	TENNYSON RD	MORENO VALLEY	CA	92557-8400	LEANDRO JR, PAUL	21270 TENNYSON RD	MORENO VALLEY, CA	92557-8400	329.32	32.93	65.21	427.44
96518215002	256311010	WHITTINGTON, TRACY (RENT)	11510	CHAUCER ST	MORENO VALLEY	CA	92557-8317	WHITTINGTON, TRACY W	11510 CHAUCER ST	MORENO VALLEY, CA	92557-8317	146.12	14.61	28.93	189.66
91167525008	256312002	SANCHEZ, GEORGINA	21247	TENNYSON RD	MORENO VALLEY	CA	92557-8401	SANCHEZ, GEORGINA	21247 TENNYSON RD	MORENO VALLEY, CA	92557-8401	253.92	25.39	50.28	329.58
31218835007	256312003	RIVERA, RICHARD	21257	TENNYSON RD	MORENO VALLEY	CA	92557-8401	RIVERA, RICHARD	21257 TENNYSON RD	MORENO VALLEY, CA	92557-8401	254.02	25.4	50.3	329.7
73312795005	256312012	MARTIN, WENDY AND SERGIO	21329	TENNYSON RD	MORENO VALLEY	CA	92557-8408	MARTIN, WENDY AND SERGIO	21329 TENNYSON RD	MORENO VALLEY, CA	92557-8408	127.36	12.74	25.22	165.3
31385005008	256312027	JOHNSON, LARRY	21282	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8444	JOHNSON, LARRY	21282 SHAKESPEARE CT	MORENO VALLEY, CA	92557-8444	254.02	25.4	50.3	329.7
31242605005	256312030	SPEER, GREG J	21258	SHAKESPEARE CT	MORENO VALLEY	CA	92557	SPEER, GREG J	21258 SHAKESPEARE CT	MORENO VALLEY, CA	92557	27.36	2.74	5.42	35.5
95664305006	256313007	PARKER, LATONYA (OWNR)	21329	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8447	PARKER, LATONYA	3604 PYRAMID TRL	PERRIS, CA	92570-5500	518.59	51.86	102.68	673.12
31592765009	256313008	VARGAS, LIDIA	21341	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8447	VARGAS, LIDIA	21341 SHAKESPEARE CT	MORENO VALLEY, CA	92557-8447	254.02	25.4	50.3	329.7
95467705000	256320002	JONES, CHARLES (RENT)	21425	WOOLF CT	MORENO VALLEY	CA	92557-8449	JONES, CHARLES	21425 WOOLF CT	MORENO VALLEY, CA	92557-8449	63.63	6.36	12.6	82.58
31576855003	256320015	HAAS, AMY	21435	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8448	HAAS, AMY	21435 SHAKESPEARE CT	MORENO VALLEY, CA	92557-8448	254.02	25.4	50.3	329.7
31266165006	256320032	IRVING, BEATRICE	11515	CLARK ST	MORENO VALLEY	CA	92557-8536	IRVING, BEATRICE	11515 CLARK ST	MORENO VALLEY, CA	92557-8536	312.09	31.21	61.79	405.08
75280055007	256320033	DELOID, CECELIA	11529	CLARK ST	MORENO VALLEY	CA	92557-8536	DELOID, CECELIA	11529 CLARK ST	MORENO VALLEY, CA	92557-8536	254.02	25.4	50.3	329.7
87482945009	256331003	NGUYEN, TUYETINGA	21366	DICKINSON RD	MORENO VALLEY	CA	92557-8416	NGUYEN, TUYETINGA	21366 DICKINSON RD	MORENO VALLEY, CA	92557-8416	254.12	25.41	50.32	329.84
92920915007	256331007	VEGA, RAQUEL (OWNR)	21318	DICKINSON RD	MORENO VALLEY	CA	92557-8436	VEGA, RAQUEL	21318 DICKINSON RD	MORENO VALLEY, CA	92557-8436	254.02	25.4	50.3	329.7
31216725004	256331029	ROJAS, NORMA	21256	OCASEY CT	MORENO VALLEY	CA	92557-8422	ROJAS, JAVIER AND NORMA	21256 O'CASEY	MORENO VALLEY, CA	92557-8422	254.02	25.4	50.3	329.7
31346265005	256332003	ROBINETTE, FRED & DUSTIE	21474	DICKINSON RD	MORENO VALLEY	CA	92557-8420	ROBINETTE, FRED & DUSTIE	21474 DICKINSON RD	MORENO VALLEY, CA	92557-8420	200	20	39.6	259.6
31273465009	256332005	JOHNSON, MARK	21454	DICKINSON RD	MORENO VALLEY	CA	92557-8420	JOHNSON, MARK	21454 DICKINSON RD	MORENO VALLEY, CA	92557-8420	254.02	25.4	50.3	329.7
95796225003	256333012	MARIN, CINDY (RENT)	21375	MARSTON CT	MORENO VALLEY	CA	92557-8438	MARIN, CINDY	22352 SUMMER HOLLY AVE	MORENO VALLEY, CA	92553-6912	43.3	4.33	8.57	56.2

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
89744305004	256333025	HARRISON, KIM	21430	MARSTON CT	MORENO VALLEY	CA	92557-8441	HARRISON, KIM	21430 MARSTON CT	MORENO VALLEY, CA	92557-8441	253.92	25.39	50.28	329.58
92022285004	256333031	HERNANDEZ, GLENN	21377	DICKINSON RD	MORENO VALLEY	CA	92557-8417	HERNANDEZ, GLENN	21377 DICKINSON RD	MORENO VALLEY, CA	92557-8417	253.92	25.39	50.28	329.58
31274765004	256333032	BURNETT, PHILIP	21389	DICKINSON RD	MORENO VALLEY	CA	92557-8417	BURNETT, PHILIP	21389 DICKINSON RD	MORENO VALLEY, CA	92557-8417	254.12	25.41	50.32	329.84
31251985006	256333038	LINTON, DIANE (OWNR)	21465	DICKINSON RD	MORENO VALLEY	CA	92557-8421	LINTON, DIANE	21465 DICKINSON RD	MORENO VALLEY, CA	92557-8421	229.32	22.93	45.41	297.64
77678955001	256333043	JUDGE, KATHY	11693	CLARK ST	MORENO VALLEY	CA	92557-8537	JUDGE, KATHY	11693 CLARK ST	MORENO VALLEY, CA	92557-8537	254.02	25.4	50.3	329.7
95576585003	256333045	ALARCON, LEOBARDO AND REFUGIO	11717	CLARK ST	MORENO VALLEY	CA	92557-8556	ALARCON, LEOBARDO AND REFUGIO	24685 DUNLAVY CT	MORENO VALLEY, CA	92557-6375	21.74	2.17	4.3	28.2
97129895004	256341017	JACKSON, LARNELE AND VICTORI	21830	CALLE MONACO	MORENO VALLEY	CA	92557-8587	JACKSON, LARNELE AND VICTORI	PO BOX 55447	RIVERSIDE, CA	92517-0447	170.76	17.08	33.81	221.64
31643515003	256342004	ALLEN, ROBERTO	11525	MINDORA DR	MORENO VALLEY	CA	92557-8560	ALLEN, ROBERTO	11525 MINDORA DR	MORENO VALLEY, CA	92557-8560	127.36	12.74	25.22	165.3
66737985002	256342005	THOMAS, IRA	11513	MINDORA DR	MORENO VALLEY	CA	92557-8560	THOMAS, IRA	11513 MINDORA DR	MORENO VALLEY, CA	92557-8560	329.6	32.96	65.26	427.82
95052155005	256342011	MARQUEZ, ALEJANDRO (RENT)	11510	MINDORA DR	MORENO VALLEY	CA	92557-8560	MARQUEZ, ALEJANDRO	11510 MINDORA DR	MORENO VALLEY, CA	92557-8560	321.76	32.18	63.71	417.64
71471065004	256451003	HUME, PETER	11462	CHAUCER ST	MORENO VALLEY	CA	92557-8315	HUME, PETER	11462 CHAUCER ST	MORENO VALLEY, CA	92557-8315	254.02	25.4	50.3	329.7
71576015001	256452010	BARAJAS, ERIC	11488	TYLER RD	MORENO VALLEY	CA	92557-8334	BARAJAS, ERIC	11488 TYLER RD	MORENO VALLEY, CA	92557-8334	95.82	9.58	18.97	124.36
93757175007	256452021	STONE, BARBARA (RENT)	11513	GREYSON RD	MORENO VALLEY	CA	92557-8333	STONE, BARBARA	11513 GREYSON RD	MORENO VALLEY, CA	92557-8333	254.12	25.41	50.32	329.84
61369755007	259260081	ROY, RANDY	23340	LAWLESS RD	MORENO VALLEY	CA	92557-3558	ROY, RANDY	23340 LAWLESS RD	MORENO VALLEY, CA	92557-3558	254.12	25.41	50.32	329.84
31165475005	259361003	PRESTON, WARREN	9755	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1801	PRESTON, WARREN	9755 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1801	63.63	6.36	12.6	82.58
31528815005	259361006	CORDOVA, GINA	9779	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1801	CORDOVA, GINA	9779 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1801	329.32	32.93	65.21	427.44
31476875002	259361015	SMITH, CHARLES	9855	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1802	SMITH, CHARLES	9855 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1802	254.02	25.4	50.3	329.7
31336055000	259361021	MOYA, JESUS	9895	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1802	MOYA, JESUS	9895 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1802	254.02	25.4	50.3	329.7
91735375003	259361022	MAXWELL, WILLIAM	9901	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1803	MAXWELL, WILLIAM	PO BOX 390487	ANZA, CA	92539-0487	253.92	25.39	50.28	329.58
31200595005	259362004	CORTEZ, JERRY	9850	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1800	CORTEZ, JERRY	9850 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1800	254.02	25.4	50.3	329.7
31574645003	259362016	SMITH, ELAINE	9799	DEER CREEK RD	MORENO VALLEY	CA	92557-1832	SMITH, ELAINE	9799 DEER CREEK RD	MORENO VALLEY, CA	92557-1832	254.12	25.41	50.32	329.84
31165025000	259362019	MONTENEGRO, ROSA	9829	DEER CREEK RD	MORENO VALLEY	CA	92557-1805	MONTENEGRO, ROSA	9829 DEER CREEK RD	MORENO VALLEY, CA	92557-1805	42.76	4.28	8.47	55.5
94737743009	259362021	TORRES, EDGAR AND ANGIE(OWNR)	9847	DEER CREEK RD	MORENO VALLEY	CA	92557-1805	TORRES, EDGAR AND ANGIE	9847 DEER CREEK RD	MORENO VALLEY, CA	92557-1805	76.37	7.64	15.12	99.12
81768975000	259362022	THOMAS, R C (OWNR)	9857	DEER CREEK RD	MORENO VALLEY	CA	92557-1805	THOMAS, R C	9857 DEER CREEK	MORENO VALLEY, CA	92557-1805	254.12	25.41	50.32	329.84
65364325005	259362024	MURPHY, SHAUN AND TAMMY	9877	DEER CREEK RD	MORENO VALLEY	CA	92557-1805	MURPHY, SHAUN AND TAMMY	9877 DEER CREEK RD	MORENO VALLEY, CA	92557-1805	63.63	6.36	12.6	82.58
31164455002	259363004	RUIZ, RICHARD AND NANCY	9880	DEER CREEK RD	MORENO VALLEY	CA	92557-1804	RUIZ, RICHARD AND NANCY	9880 DEER CREEK RD	MORENO VALLEY, CA	92557-1804	254.12	25.41	50.32	329.84
31363025001	259363015	LEWIS, ARTHUR (OWNR)	9780	DEER CREEK RD	MORENO VALLEY	CA	92557-1831	LEWIS, ARTHUR	12625 FREDERICK ST #L5	MORENO VALLEY, CA	92553-5216	240.98	24.1	47.71	312.78
93809525003	259363018	THURSTON, OMYIA	22800	COUNTRYSIDE WAY	MORENO VALLEY	CA	92557-1830	THURSTON, OMYIA	PO BOX 1201	MORENO VALLEY, CA	92556-1201	80.36	8.04	15.91	104.3
93961535000	259363022	RODRIGUEZ, ALFREDO (OWNR)	22760	COUNTRYSIDE WAY	MORENO VALLEY	CA	92557-1806	RODRIGUEZ, ALFREDO AND MARIA	22760 COUNTRYSIDE WAY	MORENO VALLEY, CA	92557-1806	63.63	6.36	12.6	82.58
31476885000	259371008	AGUIRRE, DANNY AND DIANE	22760	FEATHERBROOK CT	MORENO VALLEY	CA	92557-1808	AGUIRRE, DANNY AND DIANE	22760 FEATHERBROOK CT	MORENO VALLEY, CA	92557-1808	329.32	32.93	65.21	427.44
31447445004	259371017	LOPEZ, CHARLES (RENT)	22724	TURTLECREEK CT	MORENO VALLEY	CA	92557-1809	LOPEZ, CHARLES	22928 SCOTIA LN	MORENO VALLEY, CA	92557-6908	104.93	10.49	20.78	136.18
62284195005	259371018	PATTERSON, WILMA	22734	TURTLECREEK CT	MORENO VALLEY	CA	92557-1809	PATTERSON, WILMA	22734 TURTLECREEK CT	MORENO VALLEY, CA	92557-1809	254.12	25.41	50.32	329.84
73948965006	259371024	HULITT, VERONICA	9680	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1813	HULITT, VERONICA	2045 WEST 108TH ST	LOS ANGELES, CA	90047-4312	190.69	19.07	37.76	247.5
31292945009	259371025	OVERTON JR, STEPHEN E	9688	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1813	OVERTON JR, STEPHEN E	9688 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1813	253.92	25.39	50.28	329.58
91804465008	259371031	BROWN, PATSY	22779	BEAVERCREEK CT	MORENO VALLEY	CA	92557-1810	BROWN, PATSY	22779 BEAVERCREEK CT	MORENO VALLEY, CA	92557-1810	253.92	25.39	50.28	329.58
94067785002	259372010	MESSINA, KRISTIN (OWNR)	9659	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1812	MESSINA, KRISTIN	9659 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1812	254.12	25.41	50.32	329.84
31440125006	259372013	BERGEN, ALLEN J	9635	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1812	BERGEN, ALLEN J	21220 CHIRPING SPARROW RD	DIAMOND BAR, CA	91765-3703	190.69	19.07	37.76	247.5
48350305000	259381001	FITZ, JOSE LUIS AND BEATRICE	22826	MAYBROOK WAY	MORENO VALLEY	CA	92557-1819	FITZ, JOSE LUIS AND BEATRICE	22826 MAYBROOK WAY	MORENO VALLEY, CA	92557-1819	27.06	2.71	5.36	35.12
31184975001	259381008	BROOM, MICHAEL	22896	MAYBROOK WAY	MORENO VALLEY	CA	92557-1819	BROOM, MICHAEL	22896 MAYBROOK WY	MORENO VALLEY, CA	92557-1819	31.86	3.19	6.31	41.34
31187305005	259381011	GARCIA, VERONICA	9530	SHADOW SPRINGS DR	MORENO VALLEY	CA	92557-1822	GARCIA, VERONICA	9530 SHADOW SPRINGS DR	MORENO VALLEY, CA	92557-1822	254.12	25.41	50.32	329.84
84957365004	259381014	RAMIREZ, GRACIELA	9572	SHADOW SPRINGS DR	MORENO VALLEY	CA	92557-1822	RAMIREZ, GRACIELA	9572 SHADOW SPRINGS DR	MORENO VALLEY, CA	92557-1822	254.12	25.41	50.32	329.84
92761563008	259381023	ROGER, LATRICIA	22906	BROOKHOLLOW WAY	MORENO VALLEY	CA	92557-1842	ROGER, LATRICIA	22906 BROOKHOLLOW WAY	MORENO VALLEY, CA	92557-1842	63.63	6.36	12.6	82.58
31528475004	259382003	BROWN, ANNA	9601	SHADOW SPRINGS DR	MORENO VALLEY	CA	92557-1826	BROWN, ANNA	12340 PASEO DEL SOL WAY	MORENO VALLEY, CA	92557-7515	254.12	25.41	50.32	329.84
31306725003	259384001	BEEBE, MIKE	9601	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1815	BEEBE, MIKE	9601 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1815	254.02	25.4	50.3	329.7
31175965001	259384005	ESTRELLA, ALICIA AND ROBERTO	9545	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1818	ESTRELLA, ALICIA AND ROBERTO	9545 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1818	254.02	25.4	50.3	329.7
31300325000	259391002	POATS, EUGENE (OWNR)	22937	BROOKHOLLOW WAY	MORENO VALLEY	CA	92557-1842	POATS, EUGENE	22937 BROOKHOLLOW WAY	MORENO VALLEY, CA	92557-1842	329.32	32.93	65.21	427.44
31483135004	259391003	BELL, AUGUST AND BEVERLY (OWN)	22927	BROOKHOLLOW WAY	MORENO VALLEY	CA	92557-1842	BELL, AUGUST AND BEVERLY (OWN)	22927 BROOKHOLLOW WAY	MORENO VALLEY, CA	92557	134.02	13.4	26.54	173.94
31613585008	259391012	MELDRUM, NANCY	9768	SHADOW SPRINGS DR	MORENO VALLEY	CA	92557-1827	MELDRUM, NANCY	9768 SHADOW SPRINGS DR	MORENO VALLEY, CA	92557-1827	70.79	7.08	14.02	91.88
31591915000	259392007	RUELAS, THERESA	9712	RIPPLECREEK DR	MORENO VALLEY	CA	92557-1838	RUELAS, THERESA	9712 RIPPLECREEK DR	MORENO VALLEY, CA	92557-1838	254.02	25.4	50.3	329.7
31483695006	259399001	SMITH, ANTHONY	9727	RIPPLECREEK DR	MORENO VALLEY	CA	92557-1840	SMITH, ANTHONY	9727 RIPPLECREEK DR	MORENO VALLEY, CA	92557-1840	254.02	25.4	50.3	329.7
97026785005	259399006	ABACHERLI, FRANK (OWNR)	9657	RIPPLECREEK DR	MORENO VALLEY	CA	92557-1821	ABACHERLI, FRANK	PO BOX 327	MIRA LOMA, CA	91752-0327	513.88	51.39	101.75	667
93749995002	259399010	REEVES, DONALD (RENT)	9656	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1814	REEVES, DONALD	9656 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1814	140.79	14.08	27.88	182.74
31254225000	259399015	ALATORRE, SALVADOR	9726	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1836	ALATORRE, SALVADOR	9726 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1836	63.63	6.36	12.6	82.58
31639915007	259402001	WILLIAMS, GITTA	9839	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1848	WILLIAMS, GITTA	9839 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1848	199.02	19.9	39.41	258.32
93877615001	259402003	LEVINSON, STEPHANIE (RENT)	9811	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1848	LEVINSON, STEPHANIE	13436 GLORY BOWERS ST	MORENO VALLEY, CA	92553-6982	254.12	25.41	50.32	329.84
55350325006	259402006	GUZMAN, GUILLERMO (OWNR)	9769	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1816	GUZMAN, GUILLERMO	9769 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1816	154.02	15.4	30.5	199.9
74569525006	259411008	BABATUNDE, FEMI	9783	WHITEWATER RD	MORENO VALLEY	CA	92557-1852	BABATUNDE, FEMI	9783 WHITEWATER RD	MORENO VALLEY, CA	92557-1852	27.36	2.74	5.42	35.5
69580565001	259411016	SANCHEZ, JAVIER	9822	WHITEWATER RD	MORENO VALLEY	CA	92557-1854	SANCHEZ, JAVIER	9822 WHITEWATER RD	MORENO VALLEY, CA	92557-1854	254.02	25.4	50.3	329.7
89924245005	259413003	JIMENEZ, DOLORES (OWNR)	10005	WHITEWATER RD	MORENO VALLEY	CA	92557-1857	JIMENEZ, DOLORES	10005 WHITEWATER RD	MORENO VALLEY, CA	92557-1857	290.44	29.04	57.51	376.98
90463905002	259414003	HESCH, DONALD	9915	WATERFALL CIR	MORENO VALLEY	CA	92557-1845	HESCH, DONALD	9915 WATERFALL CIR	MORENO VALLEY, CA	92557-1845	253.92	25.39	50.28	329.58
31250435004	259414005	BUCHANAN, RODNEY	9895	WATERFALL CIR	MORENO VALLEY	CA	92557-1843	BUCHANAN, RODNEY	9895 WATERFALL CIR	MORENO VALLEY, CA	92557-1843	253.92	25.39	50.28	329.58
87561385007	259414006	CALHOUN, ANYELA	9885	WATERFALL CIR	MORENO VALLEY	CA	92557-1843	CALHOUN, ANYELA	9885 WATERFALL CIR	MORENO VALLEY, CA	92557-1843	62.46	6.25	12.37	81.06
67209455001	259414022	GERREN, JAMAL	9909	WHITEWATER RD	MORENO VALLEY	CA	92557-1856	GERREN, JAMAL	9909 WHITEWATER RD	MORENO VALLEY, CA	92557-1856	254.12	25.41	50.32	329.84
92047805002	259414032	ROMERO, CELESTE	9867	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1848	ROMERO, CELESTE	9867 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1848	253.92	25.39	50.28	329.58
31418155005	259421004	THOMAS, HAROLD AND DONNA	22530	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1712	THOMAS, HAROLD AND DONNA	22530 COUNTRY CREST DR	MORENO VALLEY, CA	92557-1712	272.53	27.25	53.36	353.14
92140763003	259421005	BARNETT, LINDA (OWNR)	22520	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1712	BARNETT, LINDA	22520 COUNTRY CREST DR	MORENO VALLEY, CA	92557-1712	561.01	56.1	111.08	728.18
58545145006	259422013	NEWBURN, KEVIN	22638	MORALIA DR	MORENO VALLEY	CA	92557-2675	NEWBURN, KEVIN	22638 MORALIA DR	MORENO VALLEY, CA	92557-2675	41.12	4.11	8.14	53.36
73551495001	259422015	OGUNDOWONE, GBENGA	22660	MORALIA DR	MORENO VALLEY	CA	92557-2675	OGUNDOWONE, GBENGA	22660 MORALIA DR	MORENO VALLEY, CA	92557-2675	254.12	25.41	50.32	329.84
31429485003	259423002	BARRERA, LOUIE AND MARY	22575	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1721	BARRERA, LOUIE AND MARY	22575 COUNTRY CREST DR	MORENO VALLEY, CA	92557-1721	190.69	19.07	37.76	247.5
31243655002	259441003	QUON, RICHARD	22460	RIDGEWATER WAY	MORENO VALLEY	CA	92557-1716	QUON, RICHARD	22460 RIDGEWATER WAY	MORENO VALLEY, CA	92557-1716	190.69	19.07	37.76	247.5
93813325007	259442007	WILSON, JOHN	9721	SUNNYBROOK DR	MORENO VALLEY	CA	92557-1704	WILSON, JOHN	38289 PLACER CREEK ST	MURRIETA, CA	92562-9333	63.83	6.38	12.64	82.84
31407245000	259442014	FAGEL, VIOLET	22375	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1709	SORIANO, VIOLET	22375 COUNTRY CREST DR	MORENO VALLEY, CA	92557-1709	174.02	17.4	34.46	225.86
31595495009	259443001	MUNSAYAC, BONIFACIO (OWNR)	9690	SUNNYBROOK DR	MORENO VALLEY	CA	92557-1702	MUNSAYAC, BONIFACIO	9690 SUNNYBROOK DR	MORENO VALLEY, CA	92557-1702	329.32	32.93	65.21	427.44
58437525006	259443002	VILLA, JOE	9702	SUNNYBROOK DR	MORENO VALLEY	CA	92557-1703	VILLA, JOE	9702 SUNNYBROOK DR	MORENO VALLEY, CA	92557-1703	329.6	32.96	65.26	427.82
97048645009	259443003	SANDOVAL, NICHOLAS	9714	SUNNYBROOK DR	MORENO VALLEY	CA	92557-1703	SANDOVAL, NICHOLAS	421 N ELENA AVE	REDONDO BEACH, CA	90277-2823	335.76	33.58	66.48	435.8
72990335006	259443009	HERNANDEZ, TONY	22404	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1710	HERNANDEZ, TONY	22404 COUNTRY CREST DR	MORENO VALLEY, CA	92557-1710	329.32	32.93	65.21	427.44
31419935000	259443016	PRUDE, CARL AND NINA	9761	CROSS CREEK CIR	MORENO VALLEY	CA	92557-1722	PRUDE, CARL AND NINA	9761 CROSS CREEK CIR	MORENO VALLEY, CA	92557-1722	329.32	32.93	65.21	427.44
31220625007	259443019	WHITE, WILLIAM	9696	BIG CREEK CIR	MORENO VALLEY	CA	92557-1705	WHITE, WILLIAM	PO BOX 905	WINCHESTER, CA	92596-0905	254.01	25.4	50.29	329.7
35934635004	259443023	ESCAMILLA, LEANNE M (OWNR)	9736	BIG CREEK CIR	MORENO VALLEY	CA	92557-1707	ESCAMILLA, LEANNE M	9736 BIG CREEK CIR	MORENO VALLEY, CA	92557-1707	254.12	25.41	50.32	329.84
31208355008	259443025	JOHNSON, BETTY	9745	BIG CREEK CIR	MORENO VALLEY	CA	92557-1707	JOHNSON, BETTY	9745 BIG CREEK CIR	MORENO VALLEY, CA	92557-1707	254.02	25.4	50.3	329.7
92449965002	259443026	STRAWBERRY, GENEVA (RENT)	9706	BIG CREEK CIR	MORENO VALLEY	CA	92557-1707	STRAWBERRY, GENEVA	13221 ARVILA DR	VICTORVILLE, CA	92392-8305	190.59	19.06	37.74	247.38
31360425003	259443028	GAINES, MORRIS	9711	BIG CREEK CIR	MORENO VALLEY	CA	92557-1707	GAINES, MORRIS	9711 BIG CREEK CIR	MORENO VALLEY, CA	92557-1707	254.02	25.4	50.3	329.7
88644275003	259444004	(MARTINEZ, MIGUEL AND LAURA (OW	22435	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1711	MARTINEZ, MIGUEL	10146 BEACHCOMBER ST	MORENO VALLEY, CA	92557-2869	241.53	24.15	47.82	313.5
31629505004	259451002	DOMINGUEZ, LARRY AND BRIDGET	23187	MONTALVO RD	MORENO VALLEY	CA	92557-3513	DOMINGUEZ, LARRY AND BRIDGET	23187 MONTALVO RD	MORENO VALLEY, CA	92557-3513	329.32	32.93	65.21	427.44
31620415002	259451012	JONES, GLENN	23039	MONTALVO RD	MORENO VALLEY	CA	92557-3511	JONES, GLENN	23039 MONTALVO RD	MORENO VALLEY, CA	92557-3511	190.69	19.07	37.76	247.5
66434755004	259451024	FOURNIER, LESLIE	23021	COTATI CT	MORENO VALLEY	CA	92557-3501	FOURNIER, LESLIE	23021 COTATI CT	MORENO VALLEY, CA	92557-3501	254.12	25.41	50.32	329.84
62979735007	259470007	HARRIS, YVETTE	9813	TAMALPAIS PL	MORENO VALLEY	CA	92557-3516	HARRIS, YVETTE	9813 TAMALPAIS PL	MORENO VALLEY, CA	92557-3516	110.23	11.02	21.83	143.06
31652285002	259470015	GROOM, RHONDA	9796	TAMALPAIS PL	MORENO VALLEY	CA	92557-3516	GROOM, RON	9796 TAMALPAIS PL	MORENO VALLEY, CA	92557-3516	95.02	9.5	18.81	123.32
91169533007	259470024	STOREY, MERRELL (RENT)	9752	VIA MONTARA	MORENO VALLEY	CA	92557-3502	STOREY, MERRELL (RENT)	9752 VIA MONTARA	MORENO VALLEY, CA	92557-3502	267.58	26.76	52.98	347.3
31642145003	259470030	COFFEEN, DEBRA	9840	VIA MONTARA	MORENO VALLEY	CA	92557-3504	COFFEEN, DEBRA	9840 VIA MONTARA	MORENO VALLEY, CA	92557-3504	48.83	4.88	9.67	63.38
95932085003	259470041	SALUDARES, BENEDICTO (OWNR)	9772	CASMALIA CT	MORENO VALLEY	CA	92557-3515	SALUDARES, BENEDICTO	9772 CASMALIA CT	MORENO VALLEY, CA	92557-3515	254.12	25.41	50.32	329.84
31639935003	259470044	GAINES, LEROY	9814	CASMALIA CT	MORENO VALLEY	CA	92557-3515	GAINES, LEROY	9814 CASMALIA CT	MORENO VALLEY, CA	92557-3515	254.02	25.4	50.3	329.7
50499335001	259482006	BROOKS, SHIRLEY	9966	VIA DEL NORTE	MORENO VALLEY	CA	92557-3522	BROOKS, SHIRLEY	9966 VIA DEL NORTE	MORENO VALLEY, CA	92557-3522	254.02	25.4	50.3	329.7
58637005000	259490003	HELME, CHRIS	9950	SOFIA CT	MORENO VALLEY	CA	92557-3523	HELME, CHRIS	9950 SOFIA CT	MORENO VALLEY, CA	92557-3523	254.12	25.41	50.32	329.84
96505855004	259491015	RADHAWA, FUKHDEEP (OWNR)	23404	MONTALVO RD	MORENO VALLEY	CA	92557-3525	RADHAWA, FUKHDEEP	23404 MONTALVO RD	MORENO VALLEY, CA	92557-3525	136.47	13.65	27.02	177.12
59947975008	259491019	GARCIA, RUDY	23449	PRESIDIO HILLS DR	MORENO VALLEY	CA	92555-	GARCIA, RUDY	23449 PRESIDIO HILLS DR	MORENO VALLEY, CA	92557-3559	254.12	25.41	50.32	329.84
60098495008	259491026	EDWARDS, CANDY	23547	PRESIDIO HILLS DR	MORENO VALLEY	CA	92557-3536	EDWARDS, CANDY	23547 PRESIDIO HILLS DR	MORENO VALLEY, CA	92557-3536	254.12	25.41	50.32	329.84
75659685008	259491027	GALL, RONALD	23561	PRESIDIO HILLS DR	MORENO VALLEY	CA	92559-	GALL, RONALD	23561 PRESIDIO HILLS DR	MORENO VALLEY, CA	92557-3536	254.02	25.4	50.3	329.7
101923993003	259491042	HERNANDEZ, MANUEL (OWNR)	23532	DESCANSO DR	MORENO VALLEY	CA	92557-3544	HERNANDEZ, MANUEL (OWNR)	23532 DESCANSO DR	MORENO VALLEY, CA	92557-3544	63.63	6.36	12.6	82.58
65034775009	259491045	WILLIAMS, TAMIKO	23574	DESCANSO DR	MORENO VALLEY	CA	92557-3544	WILLIAMS, TAMIKO	23574 DESCANSO DR	MORENO VALLEY, CA	92557-3544	254.12	25.41	50.32	329.84
75660155009	259492006	ROBEA, SHIRLEY	9893	PASEO CAYUCO	MORENO VALLEY	CA	92557-3537	ROBEA, SHIRLEY	9893 PASEO CAYUCO	MORENO VALLEY, CA	92557-3537	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
62946025005	259510007	JOHNSON, BRUCE	29610	DESCANSO DR	MORENO VALLEY	CA	92557-3547	JOHNSON, BRUCE	29610 DESCANSO DR	MORENO VALLEY, CA	92557-3547	254.12	25.41	50.32	329.84
98361965017	259510008	HARKINS, JESSICA (RENT)	29622	DESCANSO DR	MORENO VALLEY	CA	92557-3547	HARKINS, JESSICA (RENT)	29622 DESCANSO DR	MORENO VALLEY, CA	92557-3547	179.6	17.96	35.56	233.12
99975463008	259510013	HANNAH, MARIE (RENT)	23682	DESCANSO DR	MORENO VALLEY	CA	92557-3547	HANNAH, MARIE	23682 DESCANSO DR	MORENO VALLEY, CA	92557-3547	153.88	15.39	30.47	199.72
66374035004	259520011	RODRIGUEZ, LIDA	23409	LAWLESS RD	MORENO VALLEY	CA	92557-3527	RODRIGUEZ, LIDA	23409 LAWLESS RD	MORENO VALLEY, CA	92557-3527	329.6	32.96	65.26	427.82
65907675007	259520018	WALKER, WINIFRED	23494	VIA SOLANA	MORENO VALLEY	CA	92557-3554	WALKER, WINIFRED	28610 STRAUSS LN	MORENO VALLEY, CA	92555-6742	254.12	25.41	50.32	329.84
65550575006	259521011	NELSON, LEE	23437	VIA SOLANA	MORENO VALLEY	CA	92557-3553	NELSON, LEE	23437 VIA SOLANA	MORENO VALLEY, CA	92557-3553	63.63	6.36	12.6	82.58
86351205002	260061002	FARHA, ALEES	23355	VIA MONTEGO	MORENO VALLEY	CA	92557-2724	FARHA, ALEES	23355 VIA MONTEGO	MORENO VALLEY, CA	92557-2724	329.32	32.93	65.21	427.44
31150635004	260061011	MADSEN, CHARLES	10417	VIA APOLINA	MORENO VALLEY	CA	92557-2728	MADSEN, CHARLES	2242 CAPER TREE DR	TUSTIN, CA	92780-7113	188.98	18.9	37.42	245.28
64502025004	260061016	MARCE, EVIE	10377	VIA APOLINA	MORENO VALLEY	CA	92557-2712	CAMARCE, EVIE	PO BOX 1253	MORENO VALLEY, CA	92556-1253	182.76	18.28	36.19	237.22
66735575002	260061019	CASTANEDA, MARIA	10353	VIA APOLINA	MORENO VALLEY	CA	92557-2712	CASTANEDA, MARIA	10353 VIA APOLINA	MORENO VALLEY, CA	92557-2712	254.12	25.41	50.32	329.84
83643975003	260061022	BAUTISTA, PATRICIA	10317	VIA APOLINA	MORENO VALLEY	CA	92557-2712	BAUTISTA, PATRICIA	10317 VIA APOLINA	MORENO VALLEY, CA	92557-2712	183.47	18.35	36.33	238.14
74672675006	260061025	HARTFIELD, TERRENCE	10293	VIA APOLINA	MORENO VALLEY	CA	92557-2708	HARTFIELD, TERRENCE	11739 BELLFLOWER BLVD	DOWNEY, CA	90241-5410	254.02	25.4	50.3	329.7
94836703007	260061026	MEJIA, JAVIER AND JESSICA (REN	10285	VIA APOLINA	MORENO VALLEY	CA	92557-2708	MEJIA, JAVIER AND JESSICA	10285 VIA APOLINA	MORENO VALLEY, CA	92557-2708	82.68	8.27	16.37	107.3
86551643005	260061029	HERNANDEZ, RAUL (RENT)	10261	VIA APOLINA	MORENO VALLEY	CA	92557-2708	HERNANDEZ, RAUL	10261 VIA APOLINA	MORENO VALLEY, CA	92557-2708	254.12	25.41	50.32	329.84
31037823000	260062003	WALKER, TIMEA (RENT)	10247	VIA PAVON	MORENO VALLEY	CA	92557-2707	WALKER, TIMEA (RENT)	10247 VIA PAVON	MORENO VALLEY, CA	92557-2707	190.79	19.08	37.78	247.64
31175185005	260062008	ZAPATA, MARIA	10297	VIA PAVON	MORENO VALLEY	CA	92557-2718	ZAPATA, MARIA	10297 VIA PAVON	MORENO VALLEY, CA	92557-2718	254.02	25.4	50.3	329.7
95253603005	260062013	VILLANUEVA, JUAN	10294	VIA PASTORAL	MORENO VALLEY	CA	92557-2713	VILLANUEVA, JUAN	10294 VIA PASTORAL	MORENO VALLEY, CA	92557-2713	63.63	6.36	12.6	82.58
71445795005	260063009	INIQUEZ, MARTIN	23347	VIA AMADOR	MORENO VALLEY	CA	92557-2719	INIQUEZ, MARTIN	23347 VIA AMADOR	MORENO VALLEY, CA	92557-2719	69.11	6.91	13.68	89.7
97155505001	260063020	BAILON, DANIEL (RENT)	10308	VIA APOLINA	MORENO VALLEY	CA	92557-2705	BAILON, DANIEL (RENT)	21064 BOX SPRINGS RD APT 120	MORENO VALLEY, CA	92557-8731	233.14	23.31	46.16	302.6
72713135004	260063021	LEA, DEVI (RENT)	10316	VIA APOLINA	MORENO VALLEY	CA	92557-2705	LEA, DEVI (RENT)	10316 VIA APOLINA	MORENO VALLEY, CA	92557-2705	87.42	8.74	17.31	113.46
96080505002	260063024	ROMERO, RAUL (RENT)	10360	VIA APOLINA	MORENO VALLEY	CA	92557-2711	ROMERO, RAUL	3993 HOWARD HUGHES PARKWAY	LAS VEGAS, NV	89169-0961	138.75	13.88	27.47	180.08
63846985004	260063036	BROWN, MARC AND MARY L	23380	VIA SAUSALITO	MORENO VALLEY	CA	92557-2720	BROWN, MARC AND MARY L	8230 MAGNOLIA AVE APT 301	RIVERSIDE, CA	92504-6407	63.63	6.36	12.6	82.58
96791885004	260063037	BRANCH, ROSANNA (OWNR)	23388	VIA SAUSALITO	MORENO VALLEY	CA	92557-2720	BRANCH, ROSANNA	23388 VIA SAUSALITO	MORENO VALLEY, CA	92557-2720	254.12	25.41	50.32	329.84
99682905004	260063046	TORRES, TANYA (OWNR)	23411	VIA MONTEGO	MORENO VALLEY	CA	92557-2731	TORRES, TANYA	16196 STARVIEW ST	MORENO VALLEY, CA	92551-7272	187.69	18.77	37.16	243.62
31533705006	260063050	KIRBY-WHITE, DIANE	23379	VIA MONTEGO	MORENO VALLEY	CA	92557-2716	KIRBY-WHITE, DIANE	23571 SUNNYMEAD RANCH PRKY #110-121	MORENO VALLEY, CA	92557-2867	254.02	25.4	50.3	329.7
94448655001	260064004	DAVIS, LUCY	23388	VIA MONTEGO	MORENO VALLEY	CA	92557-2715	DAVIS, LUCY	PO POX 8343	MORENO VALLEY, CA	92552	327.13	32.71	64.77	424.6
95815445005	260071004	JOSEPH, MAGDALENA (RENT)	23951	CREEKWOOD DR	MORENO VALLEY	CA	92557-2922	JOSEPH, MAGDALENA	24115 COTTONWOOD AVE #85	MORENO VALLEY, CA	92553-6274	32.35	3.24	6.41	41.98
96684605000	260072002	RIBER, TREMANIE (RENT)	23944	BRITTLEBUSH CIR	MORENO VALLEY	CA	92557-2933	RIBER, TREMANIE	23944 BRITTLEBUSH CIR	MORENO VALLEY, CA	92557-2933	30.39	3.04	6.02	39.44
51888355002	260073009	GIBSON, JAMES & JACKLYN	10322	DESERT STAR ST	MORENO VALLEY	CA	92557-2928	GIBSON, JAMES	10322 DESERT STAR ST	MORENO VALLEY, CA	92557-2928	167.44	16.74	33.15	217.32
53384795003	260073012	WILSON, ARTHUR	10352	DESERT STAR ST	MORENO VALLEY	CA	92557-2929	WILSON, ARTHUR	10352 DESERT STAR	MORENO VALLEY, CA	92557-2929	254.02	25.4	50.3	329.7
31485335002	260073014	POLANCO, SONIA	23948	CREEKWOOD DR	MORENO VALLEY	CA	92557-2921	POLANCO, SONIA	23948 CREEKWOOD DR	MORENO VALLEY, CA	92557-2921	37.36	3.74	7.4	48.48
31110435000	260074001	WELLS, JAMES	10242	LAKE SUMMIT DR	MORENO VALLEY	CA	92557-2900	WELLS, JAMES	10242 LAKE SUMMIT DR	MORENO VALLEY, CA	92557-2900	63.63	6.36	12.6	82.58
31464815006	260074006	IEZZI, MARTA	10302	LAKE SUMMIT DR	MORENO VALLEY	CA	92557-2908	IEZZI, MARTA	10302 LAKE SUMMIT DR	MORENO VALLEY, CA	92557-2908	179.39	18	35.64	232.62
31575615006	260081013	TOLBER, LINDA	10329	SHORE CREST TER	MORENO VALLEY	CA	92557-2938	TOLBER, LINDA	10329 SHORE CREST TER	MORENO VALLEY, CA	92557-2938	254.02	25.4	50.3	329.7
31401675002	260081015	LOWELL, PAM (OWNER)	10309	SHORE CREST TER	MORENO VALLEY	CA	92557-2938	LOWELL, PAM	PO BOX 567	MORENO VALLEY, CA	92556-0567	127.36	12.74	25.22	165.3
74673225009	260081023	GREENE, DARYL	23887	CREEKWOOD DR	MORENO VALLEY	CA	92557-2920	GREENE, DARYL	23887 CREEKWOOD DR	MORENO VALLEY, CA	92557-2920	63.63	6.36	12.6	82.58
31157725000	260082003	GOODWIN, EVELYN	23916	RIDGE POINT CT	MORENO VALLEY	CA	92557-2937	GOODWIN, EVELYN	23916 RIDGE POINTE	MORENO VALLEY, CA	92557-2937	254.02	25.4	50.3	329.7
98139035013	260082019	JORDAN, MICHAEL (RENT)	23887	RIDGE POINT CT	MORENO VALLEY	CA	92557-2936	JORDAN, MICHAEL	25614 VESPUCCI AVE	MORENO VALLEY, CA	92557-7631	212.52	21.25	42.08	275.84
97020725001	260082023	GRANADOS, NORMA	23919	RIDGE POINT CT	MORENO VALLEY	CA	92557-2936	GRANADOS, NORMA	23919 RIDGE POINT CT	MORENO VALLEY, CA	92557-2936	128.01	12.8	25.35	166.14
89702823003	260082028	BROWN, DAWN (RENT)	10319	DESERT STAR ST	MORENO VALLEY	CA	92557-2930	BROWN, DAWN	10319 DESERT STAR ST	MORENO VALLEY, CA	92557-2930	127.46	12.75	25.24	165.44
57857405001	260082032	SCHADE, RICHARD AND DOLORES	10359	DESERT STAR ST	MORENO VALLEY	CA	92557-2931	SCHADE, RICHARD AND DOLORES	10359 DESERT STAR ST	MORENO VALLEY, CA	92557-2931	90.69	9.07	17.96	117.7
59948105009	260082033	BRYSON, DONALD	10369	DESERT STAR ST	MORENO VALLEY	CA	92557-2931	BRYSON, DONALD	10369 DESERT STAR ST	MORENO VALLEY, CA	92557-2931	228.72	22.87	45.29	296.86
31584785002	260091008	GOULATTE, MIMIELLE	23758	CEDAR CREEK TER	MORENO VALLEY	CA	92557-2902	GOULATTE, MIMIELLE	23758 CEDAR CREEK TER	MORENO VALLEY, CA	92557-2902	254.02	25.4	50.3	329.7
96847505004	260091012	BETANCOURT, JOSE R (OWNR)	23726	CEDAR CREEK TER	MORENO VALLEY	CA	92557-2902	BETANCOURT, JOSE R	23726 CEDAR CREEK TER	MORENO VALLEY, CA	92557-2902	25.37	2.54	5.02	32.92
52288565005	260092002	NOVAL, VICTORINO	23714	WATERLEAF CIR	MORENO VALLEY	CA	92557-2912	NOVAL, VICTORINO	PO BOX 1239	SAN JUAN CAPO, CA	92693-1239	63.63	6.36	12.6	82.58
94393045008	260092005	WARE, LYDIA (RENT)	23738	WATERLEAF CIR	MORENO VALLEY	CA	92557-2912	WARE, LYDIA	23738 WATERLEAF CIR	MORENO VALLEY, CA	92557-2912	194.12	19.41	38.44	251.96
64097195009	260092009	JUAREZ, TAMMY	23778	WATERLEAF CIR	MORENO VALLEY	CA	92557-2914	JUAREZ, TAMMY	23880 BLUE BILL CT	MORENO VALLEY, CA	92557-2812	254.12	25.41	50.32	329.84
95589085003	260092011	FABROS, KRISTINE (OWNR)	23820	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2923	FABROS, KRISTINE	23820 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2923	254.12	25.41	50.32	329.84
31290495007	260092012	WILLIAMS, MARGARET	23828	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2923	WILLIAMS, MARGARET	23828 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2923	231.99	23.2	45.93	301.12
85609895009	260092018	BOISCLAIR, PIXIE	23863	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2925	BOISCLAIR, PIXIE	23863 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2925	254.02	25.4	50.3	329.7
65820405009	260092022	LUCERO, BETTY	23831	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2923	LUCERO, BETTY	23831 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2923	190.49	19.05	37.72	247.24
82712345000	260092023	LEMUS, BYRON	23823	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2923	LEMUS, BYRON	23823 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2923	174.02	17.4	34.46	225.86
31440785007	260101006	MERRILL, GERALD	23956	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2941	MERRILL, GERALD	23956 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2941	254.02	25.4	50.3	329.7
94154675001	260101013	WEST, CYNTHIA	24020	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2943	WEST, CYNTHIA	24020 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2943	254.12	25.41	50.32	329.84
70570685004	260101015	SPAAN, DANIEL AND MICHELLE	23950	CEDAR CREEK TER	MORENO VALLEY	CA	92557-2905	SPAAN, DANIEL AND MICHELLE	23950 CEDAR CREEK TER	MORENO VALLEY, CA	92557-2905	254.02	25.4	50.3	329.7
74673165001	260101026	EVANS, DONALD P	23854	CEDAR CREEK TER	MORENO VALLEY	CA	92557-2904	EVANS, DONALD P	23854 CEDAR CREEK TER	MORENO VALLEY, CA	92557-2904	254.02	25.4	50.3	329.7
72095015001	260103014	TABRON, DON	23927	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2926	TABRON, DON	23927 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2926	90.39	9.04	17.9	117.32
86598643006	260103019	BEVERLY, BRENDA (RENT)	23879	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2925	BEVERLY, BRENDA	23879 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2925	254.12	25.41	50.32	329.84
31167035004	260111002	WALLACE, SHARON AND THOMAS	10571	MENDOZA RD	MORENO VALLEY	CA	92557-3974	WALLACE, SHARON	10571 MENDOZA RD	MORENO VALLEY, CA	92557-3974	254.02	25.4	50.3	329.7
31648825007	260111007	HAWTHORNE, LES	10621	MENDOZA RD	MORENO VALLEY	CA	92557-3974	HAWTHORNE, LES	24935 SEAGATE DR	DANA POINT, CA	92629-1920	29.67	2.97	5.87	38.5
84060515006	260111033	PEXTON, KELLY	10610	VILLAGE RD	MORENO VALLEY	CA	92557-3959	PEXTON, KELLY	10610 VILLAGE RD	MORENO VALLEY, CA	92557-3959	154.02	15.4	30.5	199.9
31616335007	260111036	NAVIA, LORENZO AND SANCHEZ, MA	10580	VILLAGE RD	MORENO VALLEY	CA	92557-3959	NAVIA, LORENZO AND MARIA	10580 VILLAGE RD	MORENO VALLEY, CA	92557-3959	253.92	25.39	50.28	329.58
93917783009	260112003	FISHER, WAKIAA (RENT)	23579	TARARA DR	MORENO VALLEY	CA	92557-3956	FISHER, WAKIAA	23579 TARARA DR	MORENO VALLEY, CA	92557-3956	57.27	5.73	11.34	74.32
92854945002	260112006	LEE, KRYSTAL	23591	TARARA DR	MORENO VALLEY	CA	92557-3956	LEE, KRYSTAL	23591 TARARA DR	MORENO VALLEY, CA	92557-3956	254.02	25.4	50.3	329.7
71107555001	260112010	FLENTES, JEAN	10672	MENDOZA RD	MORENO VALLEY	CA	92557-3944	FLENTES, JEAN	10672 MENDOZA RD	MORENO VALLEY, CA	92557-3944	254.02	25.4	50.3	329.7
93175995000	260113001	CLARKSTON, JOSEPH (RENT)	23578	TARARA DR	MORENO VALLEY	CA	92557-3954	CLARKSTON, JOSEPH	23578 TARARA DR	MORENO VALLEY, CA	92557-3954	77.13	7.71	15.27	100.1
65909095005	260113010	BONILLA, JOSE	23625	TONADA LN	MORENO VALLEY	CA	92557-3966	BONILLA, JOSE	23625 TONADA LN	MORENO VALLEY, CA	92557-3966	254.12	25.41	50.32	329.84
31595635000	260114014	BOYD, SHARIA	10530	VILLAGE RD	MORENO VALLEY	CA	92557-3938	BOYD, SHARIA	10530 VILLAGE RD	MORENO VALLEY, CA	92557-3938	254.02	25.4	50.3	329.7
62578315005	260121005	QUEZADA, SARAH	10811	MENDOZA RD	MORENO VALLEY	CA	92557-3946	QUEZADA, SARAH	10811 MENDOZA RD	MORENO VALLEY, CA	92557-3946	329.6	32.96	65.26	427.82
31413135001	260121023	LUCKEY, CLARENCE *** SEE NOTES	10790	VILLAGE RD	MORENO VALLEY	CA	92557-3980	LUCKEY, CLARENCE	19943 GRIDLEY RD	CERRITOS, CA	90703-6722	209.54	20.95	41.49	271.98
31315165001	260122003	CAMPBELL, ARCHIE	10770	VILLAGE RD	MORENO VALLEY	CA	92557-3940	CAMPBELL, ARCHIE	10770 VILLAGE RD	MORENO VALLEY, CA	92557-3940	379.23	37.92	75.09	492.24
94514925004	260122004	HERNANDEZ, JOSE (RENT)	10760	VILLAGE RD	MORENO VALLEY	CA	92557-3940	HERNANDEZ, JOSE	10760 VILLAGE RD	MORENO VALLEY, CA	92557-3940	127.46	12.75	25.24	165.44
94558715005	260123002	JONES, CHARLES (OWNR)	23599	TARARA DR	MORENO VALLEY	CA	92557-3956	JONES, CHARLES	23599 TARARA DR	MORENO VALLEY, CA	92557-3956	254.02	25.4	50.3	329.7
31149155006	260123004	LACSON, HELEN	23607	TARARA DR	MORENO VALLEY	CA	92557-3956	LACSON, HELEN	23607 TARARA DR	MORENO VALLEY, CA	92557-3956	254.02	25.4	50.3	329.7
31509335004	260124007	EDGERSON, CARMELLA	23651	AIROSA PL	MORENO VALLEY	CA	92557-3964	EDGERSON, CARMELLA	23651 AIROSA PL	MORENO VALLEY, CA	92557-3964	254.12	25.41	50.32	329.84
31152405008	260124009	HOLLIER, GREGORY	10924	MENDOZA RD	MORENO VALLEY	CA	92557-3957	HOLLIER, GREGORY	PO BOX 8825	MORENO VALLEY, CA	92552-8825	254.32	25.43	50.36	330.1
31563655003	260124017	FAULKNER, BRENDA	23608	TARARA DR	MORENO VALLEY	CA	92557-3955	FAULKNER, BRENDA	15531 WOODRUFF AVE UNIT 3	BELLFLOWER, CA	90706-4080	416.61	41.66	82.49	540.74
90998865005	260124019	WILLIAMS, KIMBERLY	23600	TARARA DR	MORENO VALLEY	CA	92557-3955	WILLIAMS, KIMBERLY	23600 TARARA DR	MORENO VALLEY, CA	92557-3955	70.59	7.06	13.98	91.62
31276635007	260124021	WATSON, KENNETH	23609	AIROSA PL	MORENO VALLEY	CA	92557-3964	WATSON, KENNETH	23609 AIROSA PL	MORENO VALLEY, CA	92557-3964	254.12	25.41	50.32	329.84
31263425009	260125004	GARRETT, JAMES	23641	TONADA LN	MORENO VALLEY	CA	92557-3966	GARRETT, BONNIE	23641 TONADA LN	MORENO VALLEY, CA	92557-3966	136.37	13.64	27	177
99068893002	260125006	FARHA, LUNNA	23633	TONADA LN	MORENO VALLEY	CA	92557-3966	FARHA, LUNNA	23633 TONADA LN	MORENO VALLEY, CA	92557-3966	84.38	8.44	16.71	109.52
64506155007	260125008	HALLSTROM, DON	23634	AIROSA PL	MORENO VALLEY	CA	92557-3963	HALLSTROM, DON	23634 AIROSA PL	MORENO VALLEY, CA	92557-3963	254.12	25.41	50.32	329.84
81911925007	260126001	FINA, ANNA	10990	VILLAGE RD	MORENO VALLEY	CA	92557-3962	FINA, ANNA	10990 VILLAGE RD	MORENO VALLEY, CA	92557-3962	127.36	12.74	25.22	165.3
81973445008	260126007	GARCIA, LUIS	10930	VILLAGE RD	MORENO VALLEY	CA	92557-3962	GARCIA, LUIS	10930 VILLAGE RD	MORENO VALLEY, CA	92557-3962	254.02	25.4	50.3	329.7
84926435005	260126010	POLLAND, CHRISTINE	10911	MENDOZA RD	MORENO VALLEY	CA	92557-3958	POLLAND, CHRISTINE	23346 STONY CREEK WAY	MORENO VALLEY, CA	92557-3812	292.3	29.23	57.88	379.4
31168105007	260131004	SANDERS, SANDRA	23781	REDBARK DR	MORENO VALLEY	CA	92557-3984	SANDERS, SANDRA	23781 REDBARK DR	MORENO VALLEY, CA	92557-3984	329.32	32.93	65.21	427.44
31452285007	260132001	VEYNA, JOSE	23886	PINE FIELD DR	MORENO VALLEY	CA	92557-3916	VEYNA, JOSE	23886 PINE FIELD DR	MORENO VALLEY, CA	92557-3916	254.02	25.4	50.3	329.7
73248435007	260132002	FOX, MARYLIN	23860	PINE FIELD DR	MORENO VALLEY	CA	92557-3916	FOX, MARYLIN	126 N THISTLE RD	BREA, CA	92821-4727	254.02	25.4	50.3	329.7
93180453003	260133004	CASTRO, VINCENT (RENT)	10833	CEDAR TREE DR	MORENO VALLEY	CA	92557-3920	CASTRO, VINCENT	24657 FREEPORT DR	MORENO VALLEY, CA	92551-7417	183.71	18.37	36.37	238.44
97191905002	260134005	JOHNSON, RICHARD (RENT)	23801	HAZELWOOD DR	MORENO VALLEY	CA	92557-3933	JOHNSON, RICHARD	12622 MEMORIAL WAY APT 3144	MORENO VALLEY, CA	92553-7578	41.5	4.15	8.22	53.86
51254195001	260135014	DAY, TIMOTHY	10820	TEAKWOOD CIR	MORENO VALLEY	CA	92557-3932	DAY, TIMOTHY	10820 TEAKWOOD CIR	MORENO VALLEY, CA	92557-3932	254.02	25.4	50.3	329.7
31569755009	260136001	JACKSON, KELLEY	23889	PINE FIELD DR	MORENO VALLEY	CA	92557-3917	JACKSON, KELLEY	23889 PINE FIELD DR	MORENO VALLEY, CA	92557-3917	254.02	25.4	50.3	329.7
31587845003	260136004	COOK, BLANCHE	23837	PINE FIELD DR	MORENO VALLEY	CA	92557-3917	COOK, BLANCHE	23837 PINE FIELD DR	MORENO VALLEY, CA	92557-3917	254.02	25.4	50.3	329.7
31337245009	260141001	DE GROOT, RUDY	23821	REDBARK DR	MORENO VALLEY	CA	92557-3968	DE GROOT, RUDY	23821 REDBARK DR	MORENO VALLEY, CA	92557-3968	254.02	25.4	50.3	329.7
31324035001	260141006	LOPEZ, LUIS (RENT)	23871	REDBARK DR	MORENO VALLEY	CA	92557-3968	LOPEZ, LUIS	23871 REDBARK DR	MORENO VALLEY, CA	92557-3968	254.12	25.41	50.32	329.84
53922845005	260141008	ALVARADO, ENRIQUE	23891	REDBARK DR	MORENO VALLEY	CA	92557-3968	ALVARADO, ENRIQUE	23891 REDBARK DR	MORENO VALLEY, CA	92557-3968	329.32	32.93	65.21	427.44
31386105005	260141014	CRAIG, LINDA	23951	REDBARK DR	MORENO VALLEY	CA	92557-3969	CRAIG, LINDA	23951 REDBARK DR	MORENO VALLEY, CA	92557-3969	329.32	32.93	65.21	427.44
62822025008	260141022	STEVENS, BRENDA	23960	PINE HILLO DR	MORENO VALLEY	CA	92557-3900	STEVENS, BRENDA	23960 PINE FIELD DR	MORENO VALLEY, CA	92557-3900	254.12	25.41	50.32	329.84
31144875006	260141027	EDMONDS, MORTON AND ADRENA	23910	PINE FIELD DR	MORENO VALLEY	CA	92557-3900	EDMONDS, MORTON AND ADRENA	19069 VAN BUREN BLVD	RIVERSIDE, CA	92508-9171	329.32	32.93	65.21	427.44
95156885001	260142017	ARGOTE, DORA (RENT)	23939	HAZELWOOD DR	MORENO VALLEY	CA	92557-3937	ARGOTE, DORA	23939 HAZELWOOD DR	MORENO VALLEY, CA	92557-3937	190.79	19.08	37.78	247.64
91683985007	260142024	FLORES, GUADALUPE	23869	HAZELWOOD DR	MORENO VALLEY	CA	92557-3933	FLORES, GUADALUPE	23869 HAZELWOOD DR	MORENO VALLEY, CA	92557-3933	153.92	15.39	30.48	199.78

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
91115783002	260143003	WILLIAMS, SHAQUON (RENT)	23890	HAZELWOOD DR	MORENO VALLEY	CA	92557-3935	WILLIAMS, SHAQUON	PO BOX 8645	MORENO VALLEY, CA	92552-8645	114.57	11.46	22.68	148.7
31108965008	260144006	LEONARD, HERBERT	23939	PINE FIELD DR	MORENO VALLEY	CA	92557-3971	GAINES, ORVILLE	23939 PINE FIELD DR	MORENO VALLEY, CA	92557-3971	208.12	20.31	40.22	263.64
31337165005	260151009	ORTEGA, RAUL	10930	SHADY GLADE RD	MORENO VALLEY	CA	92557-3910	ORTEGA, RAUL	5602 ANINANDALE PL	CORONA, CA	92880-7263	237.65	23.77	47.05	308.46
90843873001	260151014	ZOMALT, GREG (RENT)	23699	BREEZY MEADOW CT	MORENO VALLEY	CA	92557-3909	ZOMALT, GREG	12416 CAPE CT	MORENO VALLEY, CA	92557-7503	84.31	8.43	16.69	109.42
88092465005	260151015	BARTLETT, KYLE	23687	BREEZY MEADOW CT	MORENO VALLEY	CA	92557-3909	BARTLETT, KYLE	23687 BREEZY MEADOW CT	MORENO VALLEY, CA	92557-3909	127.46	12.75	25.24	165.44
64372305003	260152005	ECHEVERRIA, GEYDI	23616	LAKE VALLEY DR	MORENO VALLEY	CA	92557-3950	ECHEVERRIA, GEYDI	23616 LAKE VALLEY DR	MORENO VALLEY, CA	92557-3950	254.12	25.41	50.32	329.84
97307035007	260153006	CHAMBERS, KELLY (RENT)	23720	REDBARK DR	MORENO VALLEY	CA	92557-3901	CHAMBERS, KELLY	9937 PASATIEMPO PL	MORENO VALLEY, CA	92557-3520	177.9	17.79	35.22	230.9
31272765008	260154002	CASTRO, ROBERT	23609	LAKE VALLEY DR	MORENO VALLEY	CA	92557-3953	CASTRO, ROBERT	23609 LAKE VALLEY DR	MORENO VALLEY, CA	92557-3953	329.04	32.9	65.15	427.08
31053905003	260154003	BARTON, HERBERT	23615	LAKE VALLEY DR	MORENO VALLEY	CA	92557-3953	BARTON, HERBERT	23615 LAKE VALLEY DR	MORENO VALLEY, CA	92557-3953	254.02	25.4	50.3	329.7
96197415003	260154011	NORRIS, REGINA (RENT)	10963	SHADY GLADE RD	MORENO VALLEY	CA	92557-3911	NORRIS, REGINA	10963 SHADY GLADE RD	MORENO VALLEY, CA	92557-3911	104.12	10.41	20.62	135.14
53669195008	260154012	MCDEVITT, MICHELLE	10973	SHADY GLADE RD	MORENO VALLEY	CA	92557-3911	MCDEVITT, MICHELLE	10973 SHADY GLADE RD	MORENO VALLEY, CA	92557-3911	254.02	25.4	50.3	329.7
97052935000	260154014	GREY, CHARLES (RENT)	10960	POPPY FIELD CIR	MORENO VALLEY	CA	92557-3912	GREY, CHARLES	10960 POPPY FIELD CIR	MORENO VALLEY, CA	92557-3912	254.12	25.41	50.32	329.84
94059945006	260154016	CANO, ERIK (OWNR)	10949	POPPY FIELD CIR	MORENO VALLEY	CA	92557-3912	CANO, ERIK	825 DOYLE AVE	REDLANDS, CA	92374-2530	254.12	25.41	50.32	329.84
92910545006	260154023	SHELTON, PERCY	10947	GRASS VALLEY CIR	MORENO VALLEY	CA	92557-3913	SHELTON, PERCY	10947 GRASS VALLEY CIR	MORENO VALLEY, CA	92557-3913	254.02	25.4	50.3	329.7
73441485007	260154024	HAWTHORNE, GARRET	10957	GRASS VALLEY CIR	MORENO VALLEY	CA	92557-3913	HAWTHORNE, GARRET	10957 GRASS VALLEY CIR	MORENO VALLEY, CA	92557-3913	254.02	25.4	50.3	329.7
81004165000	260161011	SINGH, ALLEN	10929	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3930	SINGH, ALLEN	10929 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3930	254.02	25.4	50.3	329.7
96070105007	260161017	SAULET, AZIZ (OWNR)	10857	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3985	SAULET, AZIZ	10857 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3985	37.5	3.75	7.43	48.66
31052295003	260161018	RAMIREZ, VICTOR	10845	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3985	RAMIREZ, VICTOR	10845 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3985	254.02	25.4	50.3	329.7
31483125006	260162002	SHERMAN, ROCHELLE	10785	VILLAGE RD	MORENO VALLEY	CA	92557-3943	SHERMAN, ROCHELLE	10785 VILLAGE RD	MORENO VALLEY, CA	92557-3943	555.22	55.52	109.93	720.66
60281915002	260162009	MANUS, TED	23580	LAKE VALLEY DR	MORENO VALLEY	CA	92557-3950	MANUS, TED	23580 LAKE VALLEY DR	MORENO VALLEY, CA	92557-3950	36.62	3.66	7.25	47.52
90832265002	260163005	MATHIS, MARY	10878	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3986	MATHIS, MARY	13728 OCHRE LN	VICTORVILLE, CA	92394-7516	253.92	25.39	50.28	329.58
96070225002	260163006	SAULET, CONSTANT (OWNR)	10890	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3986	SAULET, CONSTANT	10857 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3985	190.49	19.05	37.72	247.24
91713565000	260163012	LUGO, NORMA	10962	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3929	LUGO, NORMA	10962 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3929	40.59	4.06	8.04	52.68
31371025004	260163015	WILSON, LILLIE (RENT)	23584	BREEZY MEADOW CT	MORENO VALLEY	CA	92557-3927	WILSON, LILLIE	23584 BREEZY MEADOW CT	MORENO VALLEY, CA	92557-3927	329.32	32.93	65.21	427.44
64603365008	260163017	EVANS, SHEENA	23589	ROSEMEADOW CT	MORENO VALLEY	CA	92557-3931	EVANS, SHEENA	23589 ROSEMEADOW CT	MORENO VALLEY, CA	92557-3931	254.12	25.41	50.32	329.84
97025005001	260171017	BOYKIN, LUCKITA	10576	RIDGEFIELD TER	MORENO VALLEY	CA	92557-3803	BOYKIN, LUCKITA	10576 RIDGEFIELD TER	MORENO VALLEY, CA	92557-3803	127.46	12.75	25.24	165.44
31563605004	260171018	WOODAL, MICHELLE	23370	STONY CREEK WAY	MORENO VALLEY	CA	92557-3812	WOODAL, MICHELLE	23370 STONY CREEK WAY	MORENO VALLEY, CA	92557-3812	154.02	15.4	30.5	199.9
31476035009	260172001	BOBO, FELIX	10601	RIDGEFIELD TER	MORENO VALLEY	CA	92557-3804	BOBO, FELIX	10601 RIDGEFIELD TER	MORENO VALLEY, CA	92557-3804	254.02	25.4	50.3	329.7
74842645002	260173004	MORRIS, LISA	10701	VILLAGE RD	MORENO VALLEY	CA	92557-3961	MORRIS, LISA	10701 VILLAGE RD	MORENO VALLEY, CA	92557-3961	190.69	19.07	37.76	247.5
56453145005	260173005	AMAYA, STEVE	10709	VILLAGE RD	MORENO VALLEY	CA	92557-3961	AMAYA, STEVE	10709 VILLAGE RD	MORENO VALLEY, CA	92557-3961	254.02	25.4	50.3	329.7
66660285003	260173012	TELITMEZ, DORA	10759	VILLAGE RD	MORENO VALLEY	CA	92557-3942	TELITMEZ, DORA	10759 VILLAGE RD	MORENO VALLEY, CA	92557-3942	229.6	22.96	45.46	298.02
95489195001	260173013	PORTER, LATOSHA (OWNR)	10765	VILLAGE RD	MORENO VALLEY	CA	92557-3942	PORTER, LATOSHA	10765 VILLAGE RD	MORENO VALLEY, CA	92557-3942	81.53	8.15	16.14	105.82
69249275003	260173028	YARBROUGH, TYRONE	10700	RIDGEFIELD TER	MORENO VALLEY	CA	92557-3807	YARBROUGH, TYRONE	10700 RIDGEFIELD TER	MORENO VALLEY, CA	92557-3807	254.02	25.4	50.3	329.7
71310245007	260173029	WILLIAMS, ANITA	10690	RIDGEFIELD TER	MORENO VALLEY	CA	92557-3807	WILLIAMS, ANITA	27705 EAST TRAIL RIDGE WAY# 2031	MORENO VALLEY, CA	92555-3139	254.02	25.4	50.3	329.7
97047985009	260181001	REYES, FRANCISCO G AND PAZE	23346	STONY CREEK WAY	MORENO VALLEY	CA	92557-3812	REYES, FRANCISCO G AND PAZE	23330 STONY CREEK WAY	MORENO VALLEY, CA	92557-3812	420.76	42.08	83.31	546.14
94738235004	260181007	LINAREZ, SYLVIA (RENT)	23298	STONY CREEK WAY	MORENO VALLEY	CA	92557-3809	LINAREZ, SYLVIA	26636 SAFFRON CIR	MORENO VALLEY, CA	92555-3834	99.69	9.97	19.74	129.38
98636703007	260181009	NORWOOD, TRINA (OWNR)	23282	STONY CREEK WAY	MORENO VALLEY	CA	92557-3809	NORWOOD, TRINA	23282 STONY CREEK WAY	MORENO VALLEY, CA	92557-3809	152.12	15.21	30.12	197.44
93676035009	260181010	HUETA, VERONICA (RENT)	23274	STONY CREEK WAY	MORENO VALLEY	CA	92557-3809	HUETA, VERONICA	23274 STONY CREEK WAY	MORENO VALLEY, CA	92557-3809	174.12	17.41	34.48	226
72630135000	260182007	NOBLE, NATHAN	10670	MOHAVE CT	MORENO VALLEY	CA	92557-3813	NOBLE, NATHAN	10670 MOHAVE CT	MORENO VALLEY, CA	92557-3813	329.32	32.93	65.21	427.44
88754125002	260182009	VEGA, SERGIO	10650	MOHAVE CT	MORENO VALLEY	CA	92557-3813	VEGA, SERGIO	14716 S GIBSON AVE	E RNCHO DMNGZ, CA	90221-3124	254.12	25.41	50.32	329.84
31635905007	260182011	LEIGHTON, MALCOM	10651	MOHAVE CT	MORENO VALLEY	CA	92557-3813	LEIGHTON, MALCOM	10651 MOHAVE CT	MORENO VALLEY, CA	92557-3813	254.02	25.4	50.3	329.7
31171855003	260182015	MARINEZ, RICHARD (OWNR)	10689	MOHAVE CT	MORENO VALLEY	CA	92557-3813	MARINEZ, RICHARD	10689 MOHAVE CT	MORENO VALLEY, CA	92557-3813	254.02	25.4	50.3	329.7
57247165005	260182017	WEBSTER, DERRICK	10700	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3820	WEBSTER, DERRICK	10700 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3820	254.02	25.4	50.3	329.7
91360943001	260191008	COLLINS, WONDELL	22972	SPRINGDALE DR	MORENO VALLEY	CA	92557-2604	COLLINS, WONDELL	389 MESA VERDE PARK	BEAUMONT, CA	92223-3401	219.23	21.92	43.41	284.56
31204245001	260191010	DIEGO, CONSUELO	22942	SPRINGDALE DR	MORENO VALLEY	CA	92557-2604	DIEGO, CONSUELO	22942 SPRINGDALE DR	MORENO VALLEY, CA	92557-2604	329.32	32.93	65.21	427.44
65282735003	260191015	TEMPLE, LORNA (RENT)	22892	SPRINGDALE DR	MORENO VALLEY	CA	92557-2677	TEMPLE, LORNA	22892 SPRINGDALE DR	MORENO VALLEY, CA	92557-2677	190.49	19.05	37.72	247.24
31052525005	260191018	AMINO, TED	10363	CREST BROOK DR	MORENO VALLEY	CA	92557-2611	AMINO, TED	10363 CREST BROOK DR	MORENO VALLEY, CA	92557-2611	200	20	39.6	259.6
90831725008	260191027	HERRICK, MARY AND STEVEN	10338	CREST BROOK DR	MORENO VALLEY	CA	92557-2609	HERRICK, MARY	10338 CREST BROOK DR	MORENO VALLEY, CA	92557-2609	303.81	30.38	60.15	394.34
31263145008	260192001	SLAJER, ANDREW	22871	SPRINGDALE DR	MORENO VALLEY	CA	92557-2681	SLAJER, ANDREW	22871 SPRINGDALE DR	MORENO VALLEY, CA	92557-2681	253.92	25.39	50.28	329.58
99094285002	260193004	CARMONA, RENE (RENT)	10426	STREAMWOOD CIR	MORENO VALLEY	CA	92557-2606	CARMONA, RENE	10426 STREAMWOOD CIR	MORENO VALLEY, CA	92557-2606	96.02	9.6	19.01	124.62
31051095007	260193012	CARRERA, JOE F	22949	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2608	CARRERA, JOE F	PO BOX 9902	MORENO VALLEY, CA	92552-1902	348.16	34.82	68.94	451.9
73085055002	260202001	HAYNES, NATALIE	10432	BROOKMEAD DR	MORENO VALLEY	CA	92557-2683	HAINES, NATALIE	10432 BROOKMEAD DR	MORENO VALLEY, CA	92557-2683	254.02	25.4	50.3	329.7
31456265002	260202004	ORNELAS, LORI	10408	BROOKMEAD DR	MORENO VALLEY	CA	92557-2683	ORNELAS, LORI	10408 BROOKMEAD DR	MORENO VALLEY, CA	92557-2683	254.02	25.4	50.3	329.7
31621495003	260202007	JONES, FRED	10384	BROOKMEAD DR	MORENO VALLEY	CA	92557-2613	JONES, FRED	10384 BROOKMEAD DR	MORENO VALLEY, CA	92557-2613	317.65	31.77	62.89	412.3
96402815003	260204002	MATRIN, JAMEL (RENT)	22503	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2617	MATRIN, JAMEL	29410 HEMLOCK AVE APT 102	MORENO VALLEY, CA	92557-8855	134.92	13.49	26.71	175.12
99809355008	260204005	PINO, MARIA (OWNR)	22539	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2617	PINO, MARIA	6141 ORANGE AVE APT 31	CYPRESS, CA	90630-3368	254.12	25.41	50.32	329.84
96796995000	260204006	CHERRY, TONY	22551	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2617	CHERRY, TONY	25660 VISTA FAMOSO DR	MORENO VALLEY, CA	92551-7091	420.76	42.08	83.31	546.14
99961745006	260204015	FARAH, YOUSSEF (OWNR)	22560	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2661	FARAH, YOUSSEF	22560 COUNTRY GATE RD	MORENO VALLEY, CA	92557-2661	254.12	25.41	50.32	329.84
31409595002	260204017	JOHNSON, RENE	22540	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2661	JOHNSON, RENE	22540 COUNTRY GATE RD	MORENO VALLEY, CA	92557-2661	254.02	25.4	50.3	329.7
73555855006	260204020	MALONE, YAZHID	22510	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2661	CAMPOS, YAZHID	321 SAN FRANCISCO	POMONA, CA	91767-4731	105.84	10.58	20.96	137.38
93111165009	260205001	HAWKINS, DERWIN	22491	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2662	HAWKINS, DERWIN	22491 COUNTRY GATE RD	MORENO VALLEY, CA	92557-2662	254.12	25.41	50.32	329.84
87574405006	260205016	GEORGE, JOHN	10479	BROOKMEAD DR	MORENO VALLEY	CA	92557-2615	GEORGE, JOHN	10479 BROOKMEAD DR	MORENO VALLEY, CA	92557-2615	329.6	32.96	65.26	427.82
69497835002	260205017	CASTELAN, ANTHONY	10487	BROOKMEAD DR	MORENO VALLEY	CA	92557-2615	CASTELAN, ANTHONY	10487 BROOKMEAD DR	MORENO VALLEY, CA	92557-2615	254.02	25.4	50.3	329.7
66545285006	260211006	SAMANO, NANCY (OWNR)	10659	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2953	SAMANO, NANCY	10659 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2953	126.96	12.7	25.14	164.78
94420965005	260211009	CHAVEZ, LATISHA (RENT)	10609	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2953	CHAVEZ, LATISHA	10609 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2953	204.12	20.41	40.42	264.94
55158255007	260211010	MCINTURF, RON	10599	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2953	MCINTURF, RON	10599 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2953	254.02	25.4	50.3	329.7
31591815001	260211026	MACIAS, ELIZABETH	23870	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2956	MACIAS, ELIZABETH	23870 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2956	254.02	25.4	50.3	329.7
84504535009	260211031	MARTINEZ, JOSE	23865	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2956	MARTINEZ, JOSE	23865 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2956	254.02	25.4	50.3	329.7
56773245005	260211039	BALDERRAMA, RAMENA	23815	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2955	BALDERRAMA, RAMENA	23815 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2955	284.09	28.41	56.25	368.74
91556055000	260211040	QUINTA, TERESA AND ANDY	23807	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2955	QUINTA, TERESA AND ANDY	23807 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2955	329.04	32.9	65.15	427.08
31578755000	260211042	WILSON, ROSE	23791	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2952	WILSON, ROSE	23791 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2952	254.02	25.4	50.3	329.7
87586485003	260211043	MILLER, SHEILA	23785	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2952	MILLER, SHEILA	23785 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2952	329.6	32.96	65.26	427.82
31491035008	260211045	KENNEYBREW, KIMBERLY	23771	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2952	KENNEYBREW, KIMBERLY	23771 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2952	91.12	9.11	18.04	118.26
97108865004	260212006	VANNOY, DWAYNE (OWNR)	23723	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2969	VANNOY, DWAYNE	23723 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2969	190.79	19.08	37.78	247.64
98581153000	260212010	MOORE, RHONDA (RENT)	23699	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2949	MOORE, RHONDA	7900 LIMONITE AVE G - 154	RIVERSIDE, CA	92509-2949	85.69	8.57	16.97	111.22
31439295002	260212016	WASHINGTON, VERONICA D	23710	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2970	WASHINGTON, VERONICA D	23710 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2970	254.02	25.4	50.3	329.7
97701835003	260212022	PAGE, CYNTHIA (RENT)	23758	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2950	PAGE, CYNTHIA	23758 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2950	254.12	25.41	50.32	329.84
96231735003	260212024	MENDEZ, CESAR (RENT)	23774	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2950	MENDEZ, CESAR	23774 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2950	189.12	18.91	37.45	245.46
92581145009	260212033	WAYSZ, JENNIFER	23776	TIMBER BLUFF CT	MORENO VALLEY	CA	92557-2940	WAYSZ, JENNIFER	23776 TIMBER BLUFF CT	MORENO VALLEY, CA	92557-2940	190.69	19.07	37.76	247.5
90394605002	260212043	XIAO, SIZHANG	23868	LONE PINE DR	MORENO VALLEY	CA	92557-2947	XIAO, SIZHANG	23868 LONE PINE DR	MORENO VALLEY, CA	92557-2947	157.45	15.75	31.18	204.36
97394805003	260212001	CAMACHO, BERNARDO (RENT)	23878	LONE PINE DR	MORENO VALLEY	CA	92557-2960	CAMACHO, BERNARDO	23878 LONE PINE DR	MORENO VALLEY, CA	92557-2960	190.12	19.01	37.64	246.76
71710595004	260221010	ARCEA, NORMA	23968	LONE PINE DR	MORENO VALLEY	CA	92557-2964	ARCEA, NORMA	23968 LONE PINE DR	MORENO VALLEY, CA	92557-2964	63.63	6.36	12.6	82.58
31240185007	260221014	SIMMS, WILLETTA	24010	LONE PINE DR	MORENO VALLEY	CA	92557-2964	SIMMS, WILLETTA	24010 LONE PINE DR	MORENO VALLEY, CA	92557-2964	113.92	11.39	22.56	147.86
31551705008	260221017	LOGAN, ANTHONY	23991	LONE PINE DR	MORENO VALLEY	CA	92557-2964	LOGAN, ANTHONY	23991 LONE PINE DR	MORENO VALLEY, CA	92557-2964	329.32	32.93	65.21	427.44
75914545009	260221018	ROCIO, CHARLES AND CHERYL	23981	LONE PINE DR	MORENO VALLEY	CA	92557-2964	ROCIO, CHARLES AND CHERYL	23981 LONE PINE DR	MORENO VALLEY, CA	92557-2964	254.02	25.4	50.3	329.7
31265305009	260221021	RUBENSTEIN, ROCHELLE	23945	LONE PINE DR	MORENO VALLEY	CA	92557-2963	RUBENSTEIN, ROCHELLE	23945 LONE PINE DR	MORENO VALLEY, CA	92557-2963	254.12	25.41	50.32	329.84
93796145002	260221022	MCMILLAN, VALERIE (RENT)	23915	LONE PINE DR	MORENO VALLEY	CA	92557-2961	MCMILLAN, VALERIE	23915 LONE PINE DR	MORENO VALLEY, CA	92557-2961	254.12	25.41	50.32	329.84
64947965003	260221032	DIAZ, CLARETTA	10660	PEPPER RIDGE LN	MORENO VALLEY	CA	92557-2957	DIAZ, CLARETTA	11619 CIMARRON AVE	HAWTHORNE, CA	90250-1917	254.12	25.41	50.32	329.84
92516555008	260221033	GUZMAN, CLAUDIA	10659	SILVER LEAF CIR	MORENO VALLEY	CA	92557-2967	GUZMAN, CLAUDIA	10659 SILVER LEAF CIR	MORENO VALLEY, CA	92557-2967	191.35	19.14	37.89	248.38
31389345009	260221046	ASHFORD, DONNIE L (OWNR)	10600	SILVER LEAF CIR	MORENO VALLEY	CA	92557-2965	ASHFORD, DONNIE L	10600 SILVER LEAF CIR	MORENO VALLEY, CA	92557-2965	190.69	19.07	37.76	247.5
57158035002	260221055	BELL, LATOYA	23959	PINE SMOKE PL	MORENO VALLEY	CA	92557-2959	BELL, LATOYA	23959 PINE SMOKE PL	MORENO VALLEY, CA	92557-2959	254.02	25.4	50.3	329.7
91560833009	260221056	TOVAR, ANICA (RENT)	23951	PINE SMOKE PL	MORENO VALLEY	CA	92557-2959	TOVAR, ANICA	2804 VINE ST	RIALTO, CA	92376-5322	127.42	12.74	25.23	165.38
86946785007	260221062	LAMBERT, ERIC	23893	PINE SMOKE PL	MORENO VALLEY	CA	92557-2959	LAMBERT, ERIC	23893 PINE SMOKE PL	MORENO VALLEY, CA	92557-2959	55.28	5.53	10.95	71.74
31497925008	260222001	AMADOR, DAVID	10666	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2906	AMADOR, DAVID	10666 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2906	329.32	32.93	65.21	427.44
57452545002	260222006	CHAPMAN, KATHY	10616	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2906	CHAPMAN, KATHY	10616 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2906	190.69	19.07	37.76	247.5
97055995000	260222007	KEMP, DAMON (OWNER)	10608	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2906	KEMP, DAMON	10608 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2906	254.02	25.4	50.3	329.7
96620405006	260222008	GANT, LATONYA (OWNR)	10600	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2906	GANT, LATONYA	10600 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2906	254.12	25.41	50.32	329.84
91718455002	260222017	DOWD, FRED	10613	PEPPER RIDGE LN	MORENO VALLEY	CA	92557-2958	DOWD, FRED	10613 PEPPER RIDGE LN	MORENO VALLEY, CA	92557-2958	219.66	21.97	43.49	285.1
53244175004	260231003	MCCLINE, CAROL AND STEVE	23385	EVENING SNOW	MORENO VALLEY	CA	92557-2807	MCCLINE, CAROL	23385 EVENING SNOW	MORENO VALLEY, CA	92557-2807	96.97	9.7	19.2	125.86
94083535002	260231009	MORELAND, LAJUIER (RENT)	10075	ARROW LEAF	MORENO VALLEY	CA	92557-2804	MORELAND, LAJUIER	10075 ARROW LEAF	MORENO VALLEY, CA	92557-2804	158.33	15.83	31.35	205.5
31385985002	260231011	RICE, JAMIE	10055	ARROW LEAF	MORENO VALLEY	CA	92557-2800	RICE, JAMIE	10055 ARROW LEAF	MORENO VALLEY, CA	92557-2800	211.46	21.15	41.87	274.46

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31555825004	260231014	TOWNSEND, TERESA	10025	ARROW LEAF	MORENO VALLEY	CA	92557-2800	TOWNSEND, TERESA	10025 ARROW LEAF	MORENO VALLEY, CA	92557-2800	254.02	25.4	50.3	329.7
31518175008	260231017	DELGADO, CATIUSCA	10030	ARROW LEAF	MORENO VALLEY	CA	92557-2800	DELGADO, CATIUSCA	29198 RANGER ST	MORENO VALLEY, CA	92557-4805	253.92	25.39	50.28	329.58
52079315006	260231022	ANDERSON, ROBERT (OWNR)	23375	PRESCOTT	MORENO VALLEY	CA	92557-2805	ANDERSON, ROBERT	23375 PRESCOTT	MORENO VALLEY, CA	92557-2805	254.02	25.4	50.3	329.7
97031425001	260231036	ISAAC, TONA	10044	SAND CREST	MORENO VALLEY	CA	92557-2818	ISAAC, TONA	PO BOX 7225	MORENO VALLEY, CA	92552-7225	232.98	23.3	46.13	302.4
62592585009	260232002	LEPORE, RICHARD (RENT)	23425	EVENING SNOW	MORENO VALLEY	CA	92557-2808	LEPORE, RICHARD	23425 EVENING SNOW	MORENO VALLEY, CA	92557-2808	254.12	25.41	50.32	329.84
31219835005	260241020	KELLAR, MICHAEL	10000	ROCK HILL	MORENO VALLEY	CA	92557-2826	KELLAR, MICHAEL	10000 ROCK HILL	MORENO VALLEY, CA	92557-2826	254.02	25.4	50.3	329.7
31219485008	260241022	RANDHAWA, NASIB	10044	ROCK HILL	MORENO VALLEY	CA	92557-2826	RANDHAWA, NASIB	10044 ROCK HILL	MORENO VALLEY, CA	92557-2826	254.02	25.4	50.3	329.7
75315885007	260241045	MORRIS, CLARICE	23545	EVENING SNOW	MORENO VALLEY	CA	92557-2810	MORRIS, CLARICE	23545 EVENING SNOW	MORENO VALLEY, CA	92557-2810	254.02	25.4	50.3	329.7
80793895006	260251002	MARTINEZ, LOMBARDO (OWNR)	22538	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2619	MARTINEZ, LOMBARDO	22538 COBBLE CREEK DR	MORENO VALLEY, CA	92557-2619	180.72	18.07	35.78	234.56
62182445009	260251006	CALIMESE, SHERRI	10364	RIVER RUN CIR	MORENO VALLEY	CA	92557-2622	CALIMESE, SHERRI	10364 RIVER RUN CIR	MORENO VALLEY, CA	92557-2622	254.12	25.41	50.32	329.84
31309455003	260251011	BROWN, SHEILAH	10361	RIVER RUN CIR	MORENO VALLEY	CA	92557-2622	BROWN, SHEILAH	10361 RIVER RUN CIR	MORENO VALLEY, CA	92557-2622	254.12	25.41	50.32	329.84
31128965000	260251012	STEIN, GREG AND AMY	10367	RIVER RUN CIR	MORENO VALLEY	CA	92557-2622	STEIN, GREG AND AMY	10367 RIVER RUN CIR	MORENO VALLEY, CA	92557-2622	254.02	25.4	50.3	329.7
31525975005	260251013	COOPER, FRANK	22502	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2684	COOPER, FRANK	22502 COBBLE CREEK DR	MORENO VALLEY, CA	92557-2684	254.12	25.41	50.32	329.84
96636145007	260251015	SCOTT, JAIMIE (RENT)	22478	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2618	SCOTT, JAIMIE	22478 COBBLE CREEK DR	MORENO VALLEY, CA	92557-2618	104.53	10.45	20.7	135.66
93920405005	260251019	OBASEKI, OGIE (OWNR)	10426	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2694	OBASEKI, OGIE	10426 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2694	254.12	25.41	50.32	329.84
31354965002	260251022	DAVISON, KEVIN	10402	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2694	DAVISON, KEVIN	10402 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2694	254.02	25.4	50.3	329.7
31461465000	260252004	SALOMON, DEBBIE	10344	BROOKMEAD DR	MORENO VALLEY	CA	92557-2613	SALOMON, DEBBIE	10344 BROOKMEAD DR	MORENO VALLEY, CA	92557-2613	329.32	32.93	65.21	427.44
95700503006	260252008	ROYAL, DAVID (OWNR)	10312	BROOKMEAD DR	MORENO VALLEY	CA	92557-2613	ROYAL, DAVID	2535 N ORANGEWOOD AVE	RIALTO, CA	92377	195.22	19.52	38.65	253.39
31162175005	260253004	THOMAS, BERTRAM	10357	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2624	THOMAS, BERTRAM	10357 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2624	254.02	25.4	50.3	329.7
71723755003	260253008	MERRITT, CHARLIE	10389	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2624	MERRITT, CHARLIE	10389 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2624	270.14	27.01	53.49	350.64
73446335008	260253010	ALNABER, SALIM (OWNR)	10405	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2695	ALNABER, SALIM	10405 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2695	254.02	25.4	50.3	329.7
90982143001	260253012	SALAZAR, OLIVER (OWNR)	10421	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2695	SALAZAR, OLIVER	10421 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2695	287.28	28.73	56.88	372.88
83355675007	260261009	BRIDGES, PATRICK AND SHANDRA	22728	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2627	BRIDGES, PATRICK AND SHANDRA	9825 SHADOW MOUNTAIN DR	MORENO VALLEY, CA	92557-3531	254.02	25.4	50.3	329.7
92517735009	260262003	BLACK, CARLOS	22690	SPRINGMIST DR	MORENO VALLEY	CA	92557-2698	BLACK, CARLOS	22690 SPRINGMIST DR	MORENO VALLEY, CA	92557-2698	253.92	25.39	50.28	329.58
91635413007	260262016	RODRIQUEZ, EDWARDO (RENT)	22739	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2628	RODRIQUEZ, EDWARDO	11946 ASLAN CT	MORENO VALLEY, CA	92557-6116	90.4	9.04	17.9	117.32
94524875003	260262017	PAIZ, LESLIE (RENT)	22731	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2628	PAIZ, LESLIE	25624 SHALU AVE	MORENO VALLEY, CA	92557-6611	56.45	5.65	11.18	73.26
93041645008	260262018	CARTER, JENNIFER	22721	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2628	CARTER, JENNIFER	13881 WALNUT CT	MORENO VALLEY, CA	92555-6128	63.63	6.36	12.6	82.58
92398605001	260271009	MOSLEY, EVELYN	22750	SPRINGMIST DR	MORENO VALLEY	CA	92557-2638	MOSLEY, EVELYN	22750 SPRINGMIST DR	MORENO VALLEY, CA	92557-2638	253.92	25.39	50.28	329.58
58843295003	260272001	MCMULLEN, CAROL	22658	SPRINGMIST DR	MORENO VALLEY	CA	92557-2698	MCMULLEN, CAROL	22658 SPRINGMIST DR	MORENO VALLEY, CA	92557-2698	254.12	25.41	50.32	329.84
31163155007	260272006	TRAMEL, LEROY	22760	SPRINGMIST DR	MORENO VALLEY	CA	92557-2638	TRAMEL, LEROY	22760 SPRINGMIST DR	MORENO VALLEY, CA	92557-2638	254.02	25.4	50.3	329.7
72606645003	260272007	ALVA, GILIV	22770	SPRINGMIST DR	MORENO VALLEY	CA	92557-2638	ALVA, GILIV	22770 SPRINGMIST DR	MORENO VALLEY, CA	92557-2638	254.02	25.4	50.3	329.7
96993795005	260282014	TUCKER, DERRICK	22843	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2631	TUCKER, DERRICK	22843 MESA SPRINGS WAY	MORENO VALLEY, CA	92557-2631	420.76	42.08	83.31	546.14
31179185007	260282016	RUSSELL, STEPHEN	22827	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2631	RUSSELL, STEPHEN	22827 MESA SPRINGS WAY	MORENO VALLEY, CA	92557-2631	254.02	25.4	50.3	329.7
96993735008	260282018	HEAD, JOHNIE (OWNR)	22811	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2631	HEAD, JOHNIE	22811 MESA SPRINGS WAY	MORENO VALLEY, CA	92557-2631	165.92	16.59	32.85	215.36
91867655005	260283005	PEYREFITTE, INGRIDE	22848	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2630	PEYREFITTE, INGRIDE	22848 MESA SPRINGS WAY	MORENO VALLEY, CA	92557-2630	253.92	25.39	50.28	329.58
31643735007	260283009	WATKINS, VAN	22880	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2630	WATKINS, VAN	22880 MESA SPRINGS WAY	MORENO VALLEY, CA	92557-2630	254.02	25.4	50.3	329.7
61359165002	260283018	HEALTON, STEVE AND ALEXIS	22791	SHADOWRIDGE LN	MORENO VALLEY	CA	92557-2633	HEALTON, STEVE AND ALEXIS	22791 SHADOWRIDGE LN	MORENO VALLEY, CA	92557-2633	329.6	32.96	65.26	427.82
31306665005	260283020	ROCHA, MARIA	22771	SHADOWRIDGE LN	MORENO VALLEY	CA	92557-2633	ROCHA, MARIA	22771 SHADOWRIDGE LN	MORENO VALLEY, CA	92557-2633	154.02	15.4	30.5	199.9
57964295008	260291001	GUILLIN, FERNANDO	23967	STAGHORN CIR	MORENO VALLEY	CA	92557-2822	GUILLIN, FERNANDO	23967 STAGHORN CIR	MORENO VALLEY, CA	92557-2822	254.02	25.4	50.3	329.7
95101765002	260291006	BOLANOS, PRISCILA (RENT)	23962	STAGHORN CIR	MORENO VALLEY	CA	92557-2822	BOLANOS, PRISCILA	11836 IVY LN	MORENO VALLEY, CA	92557-6532	190.79	19.08	37.78	247.64
31177195009	260291014	JORDAN, JERRY	10180	CARIBOU CIR	MORENO VALLEY	CA	92557-2820	JORDAN, JERRY	10180 CARIBOU CIR	MORENO VALLEY, CA	92557-2820	236.52	23.65	46.83	307
31253915007	260291017	LINARES, MANUEL	10199	CARIBOU CIR	MORENO VALLEY	CA	92557-2820	LINARES, MR AND MRS	10199 CARIBOU CIR	MORENO VALLEY, CA	92557-2820	254.12	25.41	50.32	329.84
96384885008	260292007	LIPKIN, ELLEN	23902	SOLITARE CIR	MORENO VALLEY	CA	92557-2821	LIPKIN, ELLEN	23902 SOLITARE CIR	MORENO VALLEY, CA	92557-2821	190.79	19.08	37.78	247.64
31197335008	260292010	BOYCE, BOBBY L	23920	SOLITARE CIR	MORENO VALLEY	CA	92557-2821	BOYCE, BOBBY L	23920 SOLITARE CIR	MORENO VALLEY, CA	92557-2821	254.02	25.4	50.3	329.7
93728505009	260292011	WOOD, RODNEY	23921	SOLITARE CIR	MORENO VALLEY	CA	92557-2821	WOOD, RODNEY	23921 SOLITARE CIR	MORENO VALLEY, CA	92557-2821	250.9	25.09	49.68	325.66
31210855009	260292014	MEDRANO, DAVID	10132	LAKE SUMMIT DR	MORENO VALLEY	CA	92557-2823	MEDRANO, DAVID	10132 LAKE SUMMIT DR	MORENO VALLEY, CA	92557-2823	254.02	25.4	50.3	329.7
31558125005	260292020	PROVENCIO, MICHAEL	10192	LAKE SUMMIT DR	MORENO VALLEY	CA	92557-2823	PROVENCIO, MICHAEL	10192 LAKE SUMMIT DR	MORENO VALLEY, CA	92557-2823	254.02	25.4	50.3	329.7
31416115008	260301007	WRIGHT, GREGORY AND EVELYN (OW	23835	LAKE VISTA RD	MORENO VALLEY	CA	92557-2815	WRIGHT, GREGORY AND EVELYN	23835 LAKE VISTA RD	MORENO VALLEY, CA	92557-2815	27.36	2.74	5.42	35.5
31179955002	260302007	HAJDUK, JOSEF	10068	THRASHER CIR	MORENO VALLEY	CA	92557-2817	HAJDUK, JOSEF	10068 THRASHER CIR	MORENO VALLEY, CA	92557-2817	329.32	32.93	65.21	427.44
65152125006	260302015	CHENG, DALTON	10109	MALLOW DR	MORENO VALLEY	CA	92557-2830	CHENG, DALTON	10109 MALLOW DR	MORENO VALLEY, CA	92557-2830	254.12	25.41	50.32	329.84
85096155004	260303013	HERNANDEZ, ANGELINA	10062	MALLOW DR	MORENO VALLEY	CA	92557-2827	HERNANDEZ, ANGELINA	10062 MALLOW DR	MORENO VALLEY, CA	92557-2827	254.02	25.4	50.3	329.7
31416895004	260303020	AMEZQUITA, FERMAN	10126	MALLOW DR	MORENO VALLEY	CA	92557-2829	AMEZQUITA, FERMAN	10126 MALLOW DR	MORENO VALLEY, CA	92557-2829	254.02	25.4	50.3	329.7
31224895002	260311001	ARIDA, WALLIE	10024	SNIPE CIR	MORENO VALLEY	CA	92557-2836	ARIDA, WALLIE	10024 SNIPE CIR	MORENO VALLEY, CA	92557-2836	254.12	25.41	50.32	329.84
31264455000	260311018	LOGEL, CHRIS AND TAMARA	10094	DEEP CANYON RD	MORENO VALLEY	CA	92557-2859	LOGEL, CHRIS AND TAMARA	10094 DEEP CANYON RD	MORENO VALLEY, CA	92557-2859	254.02	25.4	50.3	329.7
85509275001	260312011	CARTER, CELESTINE (OWNR)	10025	THORNBIRD CT	MORENO VALLEY	CA	92557-2854	CARTER, CELESTINE (OWNR)	10025 THORNBIRD CT	MORENO VALLEY, CA	92557-2854	127.46	12.75	25.24	165.44
31249035000	260312022	MAGANA, MARIE	10049	DEEP CANYON RD	MORENO VALLEY	CA	92557-2860	MAGANA, MARIE	PO BOX 512	MORENO VALLEY, CA	92556-0512	329.6	32.96	65.26	427.82
90338075000	260312026	JORDON, RONI	10001	DEEP CANYON RD	MORENO VALLEY	CA	92557-2860	JORDON, RONI	10001 DEEP CANYON RD	MORENO VALLEY, CA	92557-2860	329.04	32.9	65.15	427.08
50884435006	260312032	FLORES, JAMES	23772	YELLOWBILL TER	MORENO VALLEY	CA	92557-2833	FLORES, JAMES	23772 YELLOWBILL TER	MORENO VALLEY, CA	92557-2833	254.02	25.4	50.3	329.7
31429605008	260321001	BENSON, JUNE	22802	SPRINGDALE DR	MORENO VALLEY	CA	92557-2601	BENSON, JUNE	22802 SPRINGDALE DR	MORENO VALLEY, CA	92557-2601	127.36	12.74	25.22	165.3
98102495014	260321022	STUART, CHARLENE (RENT)	10393	CROSSING GREEN CIR	MORENO VALLEY	CA	92557-2690	STUART, CHARLENE	15670 LASSELLE ST #2V	MORENO VALLEY, CA	92551-6310	197.41	19.74	39.09	256.22
97299815002	260321026	LEARY, ALVIN (RENT)	10392	CROSSING GREEN CIR	MORENO VALLEY	CA	92557-2626	LEARY, ALVIN	10392 CROSSING GREEN CIR	MORENO VALLEY, CA	92557-2626	254.12	25.41	50.32	329.84
31283095006	260321027	WHITSETT, DAVID	10386	CROSSING GREEN CIR	MORENO VALLEY	CA	92557-2626	WHITSETT, DAVID	10386 CROSSING GREEN CIR	MORENO VALLEY, CA	92557-2626	190.69	19.07	37.76	247.5
31588555001	260321031	SAN AGUSTINE, JAIME	10362	CROSSING GREEN CIR	MORENO VALLEY	CA	92557-2626	SAN AGUSTINE, JAIME	13520 BEARBERRY DR	MORENO VALLEY, CA	92553-4808	329.32	32.93	65.21	427.44
60465255009	260322006	SCOTT, ALVADA	10320	CROSSING GREEN CIR	MORENO VALLEY	CA	92557-2623	SCOTT, ALVADA	12620 MEMORIAL WAY APT 3153	MORENO VALLEY, CA	92553-7576	254.12	25.41	50.32	329.84
92084205001	260331007	GARCIA, VALERIO AND SARITA	28643	MARGUERITE CIR	MORENO VALLEY	CA	92557-2853	GARCIA, VALERIO AND SARITA	28643 MARGUERITE CIR	MORENO VALLEY, CA	92557-2853	253.92	25.39	50.28	329.58
101916373007	260331013	PRATHER, JEFFREY (OWNR)	28638	NARCISSUS CIR	MORENO VALLEY	CA	92557-2816	PRATHER, JEFFREY	28638 NARCISSUS CIR	MORENO VALLEY, CA	92557-2816	308.64	30.86	61.11	400.6
71014525006	260331023	DARDEN, DENISE	10225	FERNLEAF DR	MORENO VALLEY	CA	92557-2848	DARDEN, DENISE	10620 CANYON VISTA RD	MORENO VALLEY, CA	92557-3033	254.02	25.4	50.3	329.7
31178585005	260332003	DURAN, RAY (OWNR)	23716	BLACKBIRD CIR	MORENO VALLEY	CA	92557-2811	DURAN, RAY	23716 BLACKBIRD CIR	MORENO VALLEY, CA	92557-2811	323.49	32.35	64.05	419.88
31280255008	260332004	BOSTIC, MARSHALL	23706	BLACKBIRD CIR	MORENO VALLEY	CA	92557-2811	BOSTIC, MARSHALL	P O BOX 7222	MORENO VALLEY, CA	92552-7222	254.02	25.4	50.3	329.7
31306295003	260332006	WHITE, CHARLES AND EDITH	23709	BLACKBIRD CIR	MORENO VALLEY	CA	92557-2844	WHITE, CHARLES AND EDITH	23709 BLACKBIRD CIR	MORENO VALLEY, CA	92557-2844	254.02	25.4	50.3	329.7
60084235003	260340004	COOPER, FRANK	23765	COLDWATER CT	MORENO VALLEY	CA	92557-2864	COOPER, FRANK	23765 COLDWATER CT	MORENO VALLEY, CA	92557-2864	254.12	25.41	50.32	329.84
31349635002	260340016	JOHNSON, ROBERT	23749	HELIOTROPE WAY	MORENO VALLEY	CA	92557-2858	JOHNSON, ROBERT	23749 HELIOTROPE WAY	MORENO VALLEY, CA	92557-2858	329.32	32.93	65.21	427.44
31552425005	260340018	JACKSON, DAVID	23769	HELIOTROPE WAY	MORENO VALLEY	CA	92557-2858	JACKSON, DAVID	23769 HELIOTROPE WAY	MORENO VALLEY, CA	92557-2858	404.62	40.46	80.11	525.18
31242585009	260340020	WEISE, RICHARD R	23809	BLUE BILL CT	MORENO VALLEY	CA	92557-2813	WEISE, RICHARD R	23809 BLUE BILL CT	MORENO VALLEY, CA	92557-2813	254.12	25.41	50.32	329.84
66285115005	260340024	CHARLES, CARLYN	23869	BLUE BILL CT	MORENO VALLEY	CA	92557-2813	CHARLES, CARLYN	23869 BLUE BILL CT	MORENO VALLEY, CA	92557-2813	254.12	25.41	50.32	329.84
92958785004	260340026	CARTER, MICHAEL (RENT)	23880	BLUE BILL CT	MORENO VALLEY	CA	92557-2812	CARTER, MICHAEL	10874 ANEMONE CIR	MORENO VALLEY, CA	92557-4115	25.14	2.51	4.98	32.62
31256995003	260340027	HARRIS, MICHAEL	23870	BLUE BILL CT	MORENO VALLEY	CA	92557-2812	HARRIS, MICHAEL	23870 BLUE BILL CT	MORENO VALLEY, CA	92557-2812	329.04	32.9	65.15	427.08
31458405009	260340031	BALLARD, ARMEL	23830	BLUE BILL CT	MORENO VALLEY	CA	92557-2812	BALLARD, ARMEL	23830 BLUE BILL CT	MORENO VALLEY, CA	92557-2812	254.02	25.4	50.3	329.7
31366615000	260340032	KRONCKE, RACHEL	23820	BLUE BILL CT	MORENO VALLEY	CA	92557-2812	KRONCKE, RACHEL	2308 SLATER MILL RD	DOUGLASVILLE, GA	30135-1334	329.32	32.93	65.21	427.44
84832175009	260340037	CHATMAN, GREGORY	23770	BLUE BILL CT	MORENO VALLEY	CA	92557-2837	CHATMAN, GREGORY	23770 BLUE BILL CT	MORENO VALLEY, CA	92557-2837	190.69	19.07	37.76	247.5
31215365001	260340038	FRANKS, MARION	23760	BLUE BILL CT	MORENO VALLEY	CA	92557-2837	FRANKS, MARION	23760 BLUE BILL CT	MORENO VALLEY, CA	92557-2837	161.16	16.12	31.91	209.18
95524335006	260351001	IMANA, EDURNE	22810	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2629	IMANA, EDURNE	22810 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2629	63.63	6.36	12.6	82.58
97708455007	260351009	SUAREZ, VERONICA	22730	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2649	SUAREZ, VERONICA	22730 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2649	254.02	25.4	50.3	329.7
31283455000	260351015	GOIK, PETE L	22660	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2645	GOIK, PETE L	22660 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2645	254.12	25.41	50.32	329.84
31415275006	260351022	KIM, SU YOUNG	22590	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2653	KIM, SU YOUNG	22590 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2653	169.02	16.9	33.47	219.38
81400535003	260352002	CASTELLANOS, PERLA	10319	TRIBUTARY DR	MORENO VALLEY	CA	92557-2651	CASTELLANOS, PERLA	10319 TRIBUTARY DR	MORENO VALLEY, CA	92557-2651	335.76	33.58	66.48	435.8
31195215007	260352006	ORTIZ, ROLAND	10351	TRIBUTARY DR	MORENO VALLEY	CA	92557-2651	ORTIZ, ROLAND	10351 TRIBUTARY DR	MORENO VALLEY, CA	92557-2651	126.37	12.64	25.02	164.02
85608205006	260352010	WILSON, MARGARET	10381	TRIBUTARY DR	MORENO VALLEY	CA	92557-2651	WILSON, MARGARET	10381 TRIBUTARY DR	MORENO VALLEY, CA	92557-2651	254.02	25.4	50.3	329.7
50883085001	260353001	ROSS, DENISE	22760	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2635	ROSS, DENISE	22760 COUNTRY GATE RD	MORENO VALLEY, CA	92557-2635	254.02	25.4	50.3	329.7
92815395008	260361014	FOREBES, PAULA	22552	SPRINGDALE DR	MORENO VALLEY	CA	92557-2644	FOREBES, PAULA	22552 SPRINGDALE DR	MORENO VALLEY, CA	92557-2644	190.69	19.07	37.76	247.5
85273445009	260361032	CLARK, PATRICIA	22671	SPRINGDALE DR	MORENO VALLEY	CA	92557-2602	CLARK, PATRICIA	22671 SPRINGDALE DR	MORENO VALLEY, CA	92557-2602	254.02	25.4	50.3	329.7
31407035004	260362001	GAMEZ, ANDREW AND VALERIE	22702	SPRINGDALE DR	MORENO VALLEY	CA	92557-2678	GAMEZ, ANDREW AND VALERIE	22702 SPRINGDALE DR	MORENO VALLEY, CA	92557-2678	271.6	27.16	53.78	352.52
31591825009	260362009	RENWRICK, RONALD AND TRACY	22622	SPRINGDALE DR	MORENO VALLEY	CA	92557-2600	RENWRICK, RONALD	22622 SPRINGDALE DR	MORENO VALLEY, CA	92557-2600	254.02	25.4	50.3	329.7
96779115001	260362013	JACKSON, TONY AND CELIUA	22689	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2647	JACKSON, TONY	22689 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2647	254.12	25.41	50.32	329.84
85245865008	260371001	SALGADO, JOSE	10038	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1859	SALGADO, JOSE	10038 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1859	41.04	4.1	8.13	53.26
31623845006	260372014	GUZMAN, GEORGE	10259	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1864	GUZMAN, GEORGE	10259 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1864	254.02	25.4	50.3	329.7
74672535006	260372022	LOOMIS, ROGER AND SHELLY	10147	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1861	LOOMIS, ROGER AND SHELLY	10147 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1861	329.32	32.93	65.21	427.44
62568485000	260372025	GARCIA, ROMAN	10105	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1861	GARCIA, ROMAN	10105 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1861	63.63	6.36	12.6	82.58
31637525003	260372026	BARKER, CURTIS	10085	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1860	BARKER, CURTIS	10085 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1860	254.02	25.4	50.3	329.7
31196355005	260381006	SAMSTAG, DAVID	10070	CARTAGENA DR	MORENO VALLEY	CA	92557-2665	SAMSTAG, DAVID	7 CARTIER AISLE	IRVINE, CA	92620-5708	329.32	32.93	65.21	427.44
31365875007	260381011	GREEN WOMACK, MADOLYN	10120	CARTAGENA DR	MORENO VALLEY	CA	92557-2667	GREEN-WOMACK, MADOLYN	10120 CARTAGENA DR	MORENO VALLEY, CA	92557-2667	190.29	19.03	37.68	246.98

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
75987615004	260381012	ROSS, GAYLE	10130	CARTAGENA DR	MORENO VALLEY	CA	92557-2667	ROSS, GAYLE	10130 CARTAGENA DR	MORENO VALLEY, CA	92557-2667	254.02	25.4	50.3	329.7
31593615009	260382002	AMAYA, SYLVIA (OWNR)	10125	CARTAGENA DR	MORENO VALLEY	CA	92557-2668	AMAYA, SYLVIA	11555 LASSELLE ST	MORENO VALLEY, CA	92557-5821	63.61	6.36	12.59	82.56
31277135000	260391001	GRIFFIN, LEONARD	22446	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2655	GRIFFIN, LEONARD	22446 MOUNTAIN VIEW RD	HACKETTS TOWN, CA	92557	90.59	9.06	17.94	117.58
31223805003	260391003	HARDIN, GREGORY	22434	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2655	HARDIN, GREGORY	22434 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2655	254.02	25.4	50.3	329.7
31227105001	260391008	MERRELL, STEVE	22404	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2655	MERRELL, STEVE	22404 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2655	354.04	35.4	70.1	459.54
93123605002	260391018	SAMPS, JANELL (RENT)	10458	VALLEY CREST CIR	MORENO VALLEY	CA	92557-9010	SAMPS, JANELL	22439 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2657	207.27	20.73	41.04	269.02
77602055000	260392001	HIDALGO, ESTELA	22447	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2657	HIDALGO, ESTELA	22447 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2657	158.87	15.89	31.46	206.2
70632285006	260392017	GARCIA, ELIZABETH	22490	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2660	GARCIA, ELIZABETH	22490 COUNTRY GATE RD	MORENO VALLEY, CA	92557-2660	254.02	25.4	50.3	329.7
31636995006	260401007	FORREST, HARRIET	22508	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2652	FORREST, HARRIET	22508 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2652	63.63	6.36	12.6	82.58
94951675000	260401013	SA, AMILO (OWNR)	22464	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2655	SA, AMILO	22464 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2655	254.12	25.41	50.32	329.84
94731155005	260401066	HEFNER, PAULA (RENT)	22514	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2652	HEFNER, PAULA	22514 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2652	90.79	9.08	17.98	117.84
87730955008	260402003	MCCHRISTIAN, LEON	22511	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2658	MCCHRISTIAN, LEON	22511 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2658	254.12	25.41	50.32	329.84
97107065004	260402007	GALLARDO, MARY (OWNR)	22483	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2657	GALLARDO, MARY	22483 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2657	254.12	25.41	50.32	329.84
31291045000	260402010	ASHE, JAQUELINE	22455	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2657	ASHE, JAQUELINE	PO BOX 7717	MORENO VALLEY, CA	92552-7717	161.93	16.19	32.06	210.18
31376425009	260412002	PATTERSON, TROY D	10010	MIRACANTO WAY	MORENO VALLEY	CA	92557-9002	PATTERSON, TROY D	10010 MIRACANTO WAY	MORENO VALLEY, CA	92557-9002	329.32	32.93	65.21	427.44
31442725006	260412016	JUSTICE, ZYRIC AND SONYA	22511	BELCANTO DR	MORENO VALLEY	CA	92557-9028	JUSTICE, ZYRIC AND SONYA	22511 BELCANTO DR	MORENO VALLEY, CA	92557-9028	133.02	13.3	26.34	172.66
31425795006	260413010	BRADSHAW, VICKI	22565	BELCANTO DR	MORENO VALLEY	CA	92557-9029	BRADSHAW, VICKI	22565 BELCANTO DR	MORENO VALLEY, CA	92557-9029	254.02	25.4	50.3	329.7
94701725009	260413014	LAGANDOAN, ADONIS (RENT)	22599	MORALIA DR	MORENO VALLEY	CA	92557-2674	LAGANDOAN, ADONIS	22599 MORALIA DR	MORENO VALLEY, CA	92557-2674	254.12	25.41	50.32	329.84
31487335003	260422015	ESPARZA, JAMES	22440	BELCANTO DR	MORENO VALLEY	CA	92557-9026	ESPARZA, JAMES	22440 BELCANTO DR	MORENO VALLEY, CA	92557-9026	254.12	25.41	50.32	329.84
31402175005	260431007	SAUCIER, LUCY	10159	ALTABRISA WAY	MORENO VALLEY	CA	92557-9019	SAUCIER, LUCY	10159 ALTABRISA	MORENO VALLEY, CA	92557-9019	329.32	32.93	65.21	427.44
91443833008	260431016	HOSKINS, RAYMOND (RENT)	10200	CARTAGENA DR	MORENO VALLEY	CA	92557-9021	HOSKINS, RAYMOND	10200 CARTAGENA DR	MORENO VALLEY, CA	92557-9021	206.11	20.61	40.81	267.52
92661403004	260440001	FOSTER, YOLANDA (RENT)	10100	VIA PESCADERO	MORENO VALLEY	CA	92557-2741	FOSTER, YOLANDA	10100 VIA PESCADERO	MORENO VALLEY, CA	92557-2741	127.46	12.75	25.24	165.44
59201345003	260440022	TEAGUE, MARTIN AND FAITH	10199	VIA PESCADERO	MORENO VALLEY	CA	92557-2742	TEAGUE, MARTIN AND FAITH	10199 VIA PESCADERO	MORENO VALLEY, CA	92557-2742	63.63	6.36	12.6	82.58
61294805007	260450004	SAKATA, SHELBY	10050	VIA PESCADERO	MORENO VALLEY	CA	92557	SAKATA, SHELBY	10050 VIA PESCADERO	MORENO VALLEY, CA	92557	45.44	4.54	9	58.98
96380345000	260450006	TAYLOR, DARYL (OWNR)	10030	VIA PESCADERO	MORENO VALLEY	CA	92557-2746	TAYLOR, DARYL	10030 VIA PESCADERO	MORENO VALLEY, CA	92557-2746	254.02	25.4	50.3	329.7
93886413004	260450009	RUIZ, DALIA (RENT)	10025	VIA PESCADERO	MORENO VALLEY	CA	92557-2746	RUIZ, DALIA	1041 N LYRA WAY	BEAUMONT, CA	92223-2080	56.46	5.65	11.18	73.28
60663935007	260450015	HERNANDEZ, NORMA	10190	VIA INDIGO	MORENO VALLEY	CA	92557-2745	HERNANDEZ, NORMA	12220 PIGEON PASS RD SUITE O	MORENO VALLEY, CA	92557	254.12	25.41	50.32	329.84
53737805005	260470015	QUI, LOUIS	23446	MARINER WAY	MORENO VALLEY	CA	92557-2879	QUI, LOUIS	23446 MARINER WAY	MORENO VALLEY, CA	92557-2879	63.63	6.36	12.6	82.58
60464715006	260470017	DIAZ, GABRIEL	23466	MARINER WAY	MORENO VALLEY	CA	92557-2879	DIAZ, GABRIEL	23466 MARINER WAY	MORENO VALLEY, CA	92557-2879	52.11	5.21	10.32	67.62
81188595001	260471005	CORT, SHERRI	10156	BEACHCOMBER ST	MORENO VALLEY	CA	92557-2869	CORT, SHERRI	10156 BEACHCOMBER ST	MORENO VALLEY, CA	92557-2869	254.02	25.4	50.3	329.7
91120205004	260471009	SHEA, MICHAEL	10196	BEACHCOMBER ST	MORENO VALLEY	CA	92557-2878	SHEA, MICHAEL	10196 BEACHCOMBER ST	MORENO VALLEY, CA	92557-2878	117.25	11.73	23.22	152.18
52687805003	260471015	ESPINOZA, SANDRA	10256	BEACHCOMBER ST	MORENO VALLEY	CA	92557-2871	ESPINOZA, SANDRA	10256 BEACHCOMBER ST	MORENO VALLEY, CA	92557-2871	329.32	32.93	65.21	427.44
31985205008	260471022	BROWN, LASHANDA	10269	CORAL LN	MORENO VALLEY	CA	92557-2877	BROWN, LASHANDA	10269 CORAL LN	MORENO VALLEY, CA	92557-2877	246.64	24.66	48.83	320.12
92079215009	260472006	VELASCOS, JESUS	10210	CORAL LN	MORENO VALLEY	CA	92557-2875	VELASCOS, JESUS	10210 CORAL LN	MORENO VALLEY, CA	92557-2875	253.92	25.39	50.28	329.58
97909585004	260510010	STORY, MICHAEL (OWNR)	23065	IMPERIAL RD	MORENO VALLEY	CA	92557	STORY, MICHAEL	23065 IMPERIAL RD	MORENO VALLEY, CA	92557	190.79	19.08	37.78	247.64
97996515016	260510030	GHERARDI, TIFFANY (OWNR)	10077	DEVILLE DR	MORENO VALLEY	CA	92557-2756	GHERARDI, TIFFANY	8548 CATALPA PL	RIVERSIDE, CA	92504-2830	254.12	25.41	50.32	329.84
31227615004	263112001	LIZARRAGA, ELPIDIO	13116	LANCASTER LN	MORENO VALLEY	CA	92553-8000	LIZARRAGA, ELPIDIO	PO BOX 166	WILDOMAR, CA	92595-0166	253.92	25.39	50.28	329.58
70828045001	263112002	KRAUSE, LARRY	13090	LANCASTER LN	MORENO VALLEY	CA	92553-8069	KRAUSE, LARRY	13090 LANCASTER LN	MORENO VALLEY, CA	92553-8069	254.02	25.4	50.3	329.7
97463005004	263120022	PLATA, ARTHUR (RENT)	21825	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-8145	PLATA, ARTHUR	12783 KIOWA RD APT 2	APPLE VALLEY, CA	92308-4271	147.14	14.71	29.13	190.98
98335795017	263131001	GIL, THELMA AND FIDEL (RENT)	13129	GINA AVE	MORENO VALLEY	CA	92553-8065	GIL, THELMA AND FIDEL	13129 GINA AVE	MORENO VALLEY, CA	92553-8065	90.69	9.07	17.96	117.7
31442575007	263131003	DOMINGUEZ, MARIA	13153	GINA AVE	MORENO VALLEY	CA	92553-8065	DOMINGUEZ, MARIA	13091 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5620	329.32	32.93	65.21	427.44
91433773001	263131006	AHOIA, HUAVAI (RENT)	13189	GINA AVE	MORENO VALLEY	CA	92553-8065	AHOIA, HUAVAI (RENT)	13450 EDGEMONT ST APT 2	MORENO VALLEY, CA	92553-8044	113.18	11.32	22.41	146.9
31305085009	263131007	RIVERA, MARGARET	13201	GINA AVE	MORENO VALLEY	CA	92553-8033	RIVERA, MARGARET	13201 GINA AVE	MORENO VALLEY, CA	92553-8033	254.02	25.4	50.3	329.7
31505775009	263132006	ADAMS, DAN	13188	GINA AVE	MORENO VALLEY	CA	92553-8065	ADAMS, DAN	13188 GINA AVE	MORENO VALLEY, CA	92553-8065	253.92	25.39	50.28	329.58
96565105006	263132026	LIMON, BRIAN (RENT)	13199	EDGEMONT ST	MORENO VALLEY	CA	92553-8042	LIMON, BRIAN	5191 PHILADELPHIA ST APT 2	CHINO, CA	91710-2433	119.25	11.93	23.61	154.78
94170215004	263132032	ZHANG, YANTING	13129	EDGEMONT ST	MORENO VALLEY	CA	92553-8042	ZHANG, YANTING	13129 EDGEMONT ST	MORENO VALLEY, CA	92553-8042	254.12	25.41	50.32	329.84
92759455005	263132034	ESQUIVEL, JOSEPH (RENT)	21574	DRACAEA AVE	MORENO VALLEY	CA	92553-8015	ESQUIVEL, JOSEPH	21574 DRACAEA AVE	MORENO VALLEY, CA	92553-8015	306.68	30.67	60.72	398.06
93047425001	263140001	LOPEZ, ESPERANZA (RENT)	13128	EDGEMONT ST	MORENO VALLEY	CA	92553-8041	LOPEZ, ESPERANZA	13128 EDGEMONT ST	MORENO VALLEY, CA	92553-8041	254.02	25.4	50.3	329.7
31443585003	263140003	REYES, ROBERTO	13152	EDGEMONT ST	MORENO VALLEY	CA	92553-8041	REYES, ROBERTO	13152 EDGEMONT ST	MORENO VALLEY, CA	92553-8041	64.53	6.45	12.78	83.74
31480905004	263140004	VARGAS, GUILLERMO	13160	EDGEMONT ST	MORENO VALLEY	CA	92553-8041	VARGAS, GUILLERMO	13160 EDGEMONT ST	MORENO VALLEY, CA	92553-8041	254.02	25.4	50.3	329.7
95508933003	263160040	VENEGAS, JULISSA AND ADOLFO	13363	EDGEMONT ST	MORENO VALLEY	CA	92553-8030	VENEGAS, JULISSA AND ADOLFO	13363 EDGEMONT ST	MORENO VALLEY, CA	92553-8030	327.45	32.75	64.84	425.02
96627065002	263170001	MACIAS, JACINTO (OWNR)	21830	DRACAEA AVE	MORENO VALLEY	CA	92553-8023	MACIAS, JACINTO	21830 DRACAEA AVE	MORENO VALLEY, CA	92553-8023	104.12	10.41	20.62	135.14
55785395008	263170007	HUANG, TILA CHOPRA AND KETTY	21800	COTTONWOOD AVE UNIT E	MORENO VALLEY	CA	92553-7344	HUANG, TILA CHOPRA AND KETTY	1518 W FLIPPEN CT	ANAHEIM, CA	92802-3909	254.02	25.4	50.3	329.7
94697755002	263170012	VAZQUEZ, MARGARITA (RENT)	13440	EDGEMONT ST	MORENO VALLEY	CA	92553-8045	VAZQUEZ, MARGARITA	13440 EDGEMONT ST	MORENO VALLEY, CA	92553-8045	659.2	65.92	130.52	855.64
31633135004	263180001	CAPERON, JOSE (RENT)	21867	DRACAEA AVE	MORENO VALLEY	CA	92553-8038	CAPERON, JOSE	21867 DRACAEA AVE	MORENO VALLEY, CA	92553-8038	279.32	27.93	55.31	362.54
94921243004	263180004	DEL CAMPO, REFUGIO M(RENT)	21947	DRACAEA AVE	MORENO VALLEY	CA	92553-8087	DEL CAMPO, REFUGIO M	21947 DRACAEA AVE	MORENO VALLEY, CA	92553-8087	266.17	26.62	52.7	345.48
57035525009	263180005	NAVARRO, MARIA LUISA	21955	DRACAEA AVE	MORENO VALLEY	CA	92553-8087	NAVARRO, MARIA LUISA	PO BOX 9846	MORENO VALLEY, CA	92552-1846	496.55	49.66	98.32	644.52
89610653003	263180024	ARREGUIN JR, FLORENTINO	13420	HILDEGARDE ST	MORENO VALLEY	CA	92553-8167	ARREGUIN JR, FLORENTINO	13388 HILDEGARDE ST	MORENO VALLEY, CA	92553-8168	420.76	42.08	83.31	546.14
31597385008	263180025	CAILLET, RONALD	13410	HILDEGARDE ST	MORENO VALLEY	CA	92553-8167	CAILLET, RONALD	13410 HILDEGARDE ST	MORENO VALLEY, CA	92553-8167	63.63	6.36	12.6	82.58
31556215000	263180030	JAIN, RAVI ETUX	13346	HILDEGARDE ST	MORENO VALLEY	CA	92553-8168	JAIN, RAVI ETUX	13346 HILDEGARDE ST	MORENO VALLEY, CA	92553-8168	254.02	25.4	50.3	329.7
31286635001	263180036	DONOVAN, MONICA	13389	HILDEGARDE ST	MORENO VALLEY	CA	92553-8168	DONOVAN, MONICA	13389 HILDEGARDE ST	MORENO VALLEY, CA	92553-8168	253.92	25.39	50.28	329.58
31572245001	263180040	MACEDO, ENEDINA	13431	HILDEGARDE ST	MORENO VALLEY	CA	92553-8166	MACEDO, ENEDINA	13431 HILDEGARDE ST	MORENO VALLEY, CA	92553-8166	254.02	25.4	50.3	329.7
70951545006	263180044	HUERTA, CYNTHIA	13477	HILDEGARDE ST	MORENO VALLEY	CA	92553-8166	HUERTA, CYNTHIA	13477 HILDEGARDE ST	MORENO VALLEY, CA	92553-8166	254.02	25.4	50.3	329.7
31086005002	263180045	CABALLERO, MANUEL	13491	HILDEGARDE ST	MORENO VALLEY	CA	92553-8166	CABALLERO, MANUEL	13491 HILDEGARDE ST	MORENO VALLEY, CA	92553-8166	254.02	25.4	50.3	329.7
92797298008	263180069	TAST, JENNIFER (RENT)	13455	BARBARA ST	MORENO VALLEY	CA	92553-8112	TAST, JENNIFER	13455 BARBARA ST	MORENO VALLEY, CA	92553-8112	206.08	20.61	40.8	267.48
31345445000	263180076	RAMIREZ, SANTIAGO	13454	BARBARA ST	MORENO VALLEY	CA	92553-8111	RAMIREZ, SANTIAGO	13400 ELSWORTH ST APT 105	MORENO VALLEY, CA	92553-8437	254.02	25.4	50.3	329.7
96795675009	263180077	CABANAS, ROSALBA (OWNR)	13361	DAY ST	MORENO VALLEY	CA	92553-8124	CABANAS, ROSALBA	13361 DAY ST	MORENO VALLEY, CA	92553-8124	254.12	25.41	50.32	329.84
88718063009	263190010	POGUES, EVONIA (RENT)	13561	EDGEMONT ST	MORENO VALLEY	CA	92553-8054	POGUES,EVONIA	13561 EDGEMONT ST	MORENO VALLEY, CA	92553-8054	47.22	4.72	9.35	61.28
54212545003	263190033	GEORGE, MARJORIE	13760	HWY 215	MORENO VALLEY	CA	92553-7908	GEORGE, MARJORIE	13760 HIGHWAY 215	MORENO VALLEY, CA	92553-7908	289.25	28.93	57.27	375.44
96085865005	263200002	SERNA, LETICIA (RENT)	21775	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8176	SERNA, LETICIA	21775 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8176	229.6	22.96	45.46	298.02
101690063003	263200008	MARTINES, ALEJANDRO	21883	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8179	MARTINES, ALEJANDRO	21883 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8179	151.43	15.14	29.98	196.54
93145083004	263200019	NAVARRO, MARGARITA (RENT)	21907	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8185	NAVARRO, MARGARITA	21907 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8185	147.28	14.73	29.16	191.16
31069515001	263200020	ALMAGUER, ARGIL	21921	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8185	ALMAGUER, ARGIL	13612 PERSIMMON RD	MORENO VALLEY, CA	92553-3858	254.02	25.4	50.3	329.7
31411155000	263210006	GOTTSCHALK FAMILY TRUST	21824	BRILL RD	MORENO VALLEY	CA	92553-8119	GOTTSCHALK FAMILY TRUST	13660 DAY ST	MORENO VALLEY, CA	92553-8136	329.32	32.93	65.21	427.44
31250575004	263210007	GOTTSCHALK, ETHAN AND SYLVIA (	21834	BRILL RD	MORENO VALLEY	CA	92553-8119	GOTTSCHALK, ETHAN	13660 DAY ST	MORENO VALLEY, CA	92553-8136	253.92	25.39	50.28	329.58
53911205002	263210013	SCHILLING, CHERI	21835	BRILL RD	MORENO VALLEY	CA	92553-8120	SCHILLING, CHERI	24400 ELECTRA CT	MORENO VALLEY, CA	92551-6914	329.32	32.93	65.21	427.44
31399825007	263210014	DIAZ, JORGE	21825	BRILL RD	MORENO VALLEY	CA	92553-8120	DIAZ, JORGE	21825 BRILL RD	MORENO VALLEY, CA	92553-8120	329.32	32.93	65.21	427.44
71032955007	263210022	OROZCO, DEBORA AND JOHNNY	21784	BAY AVE	MORENO VALLEY	CA	92553-8104	OROZCO, DEBORA	21784 BAY AVE	MORENO VALLEY, CA	92553-8104	254.02	25.4	50.3	329.7
31637575002	263210040	FRANCO, CARMEN	21918	BAY AVE	MORENO VALLEY	CA	92553-8128	FRANCO, CARMEN	21918 BAY AVE	MORENO VALLEY, CA	92553-8128	254.02	25.4	50.3	329.7
77443675009	263210041	LAM, JIMMY	21949	BRILL RD	MORENO VALLEY	CA	92553-8132	LAM, LAUREN	1119 SCHOOL ST	CORONA, CA	92882-1950	329.32	32.93	65.21	427.44
31474835008	263220019	ALONSO, CARLOS	21827	BAY AVE	MORENO VALLEY	CA	92553-8106	ALONSO, CARLOS	21827 BAY AVE	MORENO VALLEY, CA	92553-8106	329.32	32.93	65.21	427.44
31550765007	263230018	SIMENTAL, TONY	21894	ALESSANDRO BLVD	MORENO VALLEY	CA	92553-8266	SIMENTAL, TONY	21894 ALESSANDRO BLVD	MORENO VALLEY, CA	92553-8266	254.02	25.4	50.3	329.7
92150005002	264052002	RODRIGUEZ, RUBEN	11028	LONE STAR RD	MORENO VALLEY	CA	92557-4801	RODRIGUEZ, RUBEN	11028 LONE STAR RD	MORENO VALLEY, CA	92557-4801	253.92	25.39	50.28	329.58
31071675003	264052004	WILLIAMS, VIVIAN	11111	SADDLE RIDGE RD	MORENO VALLEY	CA	92557-4811	WILLIAMS, VIVIAN	11111 SADDLE RIDGE RD	MORENO VALLEY, CA	92557-4811	72.44	7.24	14.34	94.02
96846725000	264052005	LOVE, ROSIE (RENT)	11097	SADDLE RIDGE RD	MORENO VALLEY	CA	92557-4810	LOVE, ROSIE	11097 SADDLE RIDGE RD	MORENO VALLEY, CA	92557-4810	127.46	12.75	25.24	165.44
95271185005	264052009	CURRY, TIM AND DANIELLE (RENT)	11041	SADDLE RIDGE RD	MORENO VALLEY	CA	92557-4810	RRED., MARGARET	5066 BARNDINGIRON PL	RANCHO CUCAMONGA, CA	91739-2194	109.37	10.94	21.66	141.96
62092685009	264052013	BAILEY, JAMES	11070	PIONEER RIDGE RD	MORENO VALLEY	CA	92557-4800	BAILEY, JAMES	11070 PIONEER RIDGE RD	MORENO VALLEY, CA	92557-4800	63.63	6.36	12.6	82.58
58948545008	264053009	WUENCE, JULISSA	11140	SADDLE RIDGE RD	MORENO VALLEY	CA	92557-4809	WUENCE, JULISSA	11140 SADDLE RIDGE RD	MORENO VALLEY, CA	92557-4809	254.12	25.41	50.32	329.84
31200505004	264071019	RAI, JASWANT	23541	ASHWOOD AVE	MORENO VALLEY	CA	92557-4962	RAI, JASWANT	23541 ASHWOOD AVE	MORENO VALLEY, CA	92557-4962	60	6	11.88	77.88
31592195009	264071023	ORG, JOEL AND JENNIE	23565	ASHWOOD AVE	MORENO VALLEY	CA	92557-4962	ORG, JOEL	23565 ASHWOOD AVE	MORENO VALLEY, CA	92557-4962	254.02	25.4	50.3	329.7
74568925004	264071025	CANTRELL, BRANDON AND KARLYN	23577	ASHWOOD AVE	MORENO VALLEY	CA	92557-4963	CANTRELL, BRANDON AND KARLYN	15604 HITCHING POST ST	MORENO VALLEY, CA	92555-2940	254.02	25.4	50.3	329.7
31643705003	264071026	ARIZAGA, JOSE R	23583	ASHWOOD AVE	MORENO VALLEY	CA	92557-4963	ARIZAGA, JOSE R	23583 ASHWOOD AVE	MORENO VALLEY, CA	92557-4963	329.32	32.93	65.21	427.44
96620175004	264071030	HENDERSON, DENISE (RENT)	23607	ASHWOOD AVE	MORENO VALLEY	CA	92557-4966	HENDERSON, DENISE	23607 ASHWOOD AVE	MORENO VALLEY, CA	92557-4966	254.12	25.41	50.32	329.84
31540505003	264071031	FAYE, JESSE	23613	ASHWOOD AVE	MORENO VALLEY	CA	92557-4966	FAYE, JESSE	250 WILKERSON AVE APT 30	PERRIS, CA	92570-2208	182.8	18.28	36.19	237.26
94457435009	264071033	CARLOS, TRISHA (RENT)	23540	PARKLAND AVE	MORENO VALLEY	CA	92557-4971	CARLOS, TRISHA	23540 PARKLAND AVE	MORENO VALLEY, CA	92557-4971	105.88	10.59	20.96	137.42
31399835000	264071034	MULLINAX, SABINA	23530	PARKLAND AVE	MORENO VALLEY	CA	92557-4971	MULLINAX, SABINA	PO BOX 9924	MORENO VALLEY, CA	92552-1924	254.02	25.4	50.3	329.7
96365345019	264071040	SALUDARES, JOANNA P (OWNR)	23470	PARKLAND AVE	MORENO VALLEY	CA	92557-4974	SALUDARES, JOANNA P	23470 PARKLAND AVE	MORENO VALLEY, CA	92557-4974	254.12	25.41	50.32	329.84
55228255008	264071046	SOTO, ELADIO	11055	BETH CT	MORENO VALLEY	CA	92557-4973	SOTO, ELADIO	1424 EPURGE ON ST APT 1 N	SANTA ANA, CA	92701-4973	51.97	5.2	10.29	67.44
53859005005	264071052	CORONADO, GLORIA	11030	BETH CT	MORENO VALLEY	CA	92557-4973	CORONADO, GLORIA	11030 BETH CT	MORENO VALLEY, CA	92557-4973	127.36	12.74	25.22	165.3
92839975009	264072007	GONZALEZ, MATHEW	23587	PARKLAND AVE	MORENO VALLEY	CA	92557-4934	GONZALEZ, MATHEW	PO BOX 8591	MORENO VALLEY, CA	92552-8591	63.63	6.36	12.6	82.58
100472233002	264072008	HARRIS, LEISHA (OWNR)	23581	PARKLAND AVE	MORENO VALLEY	CA	92557-4934	HARRIS, LEISHA	23581 PARKLAND AVE	MORENO VALLEY, CA	92557-4934	113.1	11.31	22.39	146.8

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
57511405004	264072016	PROBUS, CYNTHIA	11041	ROCKY RIDGE RD	MORENO VALLEY	CA	92557-4929	PROBUS, CYNTHIA	11041 ROCKY RIDGE RD	MORENO VALLEY, CA	92557-4929	63.63	6.36	12.6	82.58
97031715000	264072018	DAVIS, NYELA (RENT)	23556	ASHWOOD AVE	MORENO VALLEY	CA	92557-4961	DAVIS, NYELA	1914 LITTLE ZION MANOR DR APT D	SN BERNRDINO, CA	92411-0932	262.79	26.27	52.02	341.02
31336515004	264072024	SEWELL, DONNA	11054	AVIS CT	MORENO VALLEY	CA	92557-4957	SEWELL, DONNA	11054 AVIS CT	MORENO VALLEY, CA	92557-4957	276.15	27.62	54.68	358.44
91285615009	264072031	THOMPSON, YVONNE	23576	ASHWOOD AVE	MORENO VALLEY	CA	92557-4964	THOMPSON, YVONNE	23576 ASHWOOD AVE	MORENO VALLEY, CA	92557-4964	253.92	25.39	50.28	329.58
88611965007	264072032	LAWTON, RAQUEL (RENT)	23582	ASHWOOD AVE	MORENO VALLEY	CA	92557-4964	LAWTON, RAQUEL	23582 ASHWOOD AVE	MORENO VALLEY, CA	92557-4964	254.12	25.41	50.32	329.84
68625565005	264072037	JUAREZ, MARTHA	11109	DEBRA WAY	MORENO VALLEY	CA	92557-4956	JUAREZ, MARTHA	11109 DEBRA WAY	MORENO VALLEY, CA	92557-4956	63.63	6.36	12.6	82.58
31587875006	264072038	JUAREZ, WILLI	11103	DEBRA WAY	MORENO VALLEY	CA	92557-4956	JUAREZ, WILLI	13168 TONIKAN DR	MORENO VALLEY, CA	92553-7817	264.09	26.41	52.29	342.78
53378105005	264081001	CORRAL, ROSALINA	23636	PARKLAND AVE	MORENO VALLEY	CA	92557-4935	CORRAL, ROSALINA	23636 PARKLAND AVE	MORENO VALLEY, CA	92557-4935	254.02	25.4	50.3	329.7
87343595006	264081003	JOHNSON, LINDA	23648	PARKLAND AVE	MORENO VALLEY	CA	92557-4935	JOHNSON, LINDA	23648 PARKLAND AVE	MORENO VALLEY, CA	92557-4935	96.37	9.64	19.08	125.08
64599665005	264081008	WILLIAMS, CLARK	23678	PARKLAND AVE	MORENO VALLEY	CA	92557-4935	WILLIAMS, CLARK	23678 PARKLAND AVE	MORENO VALLEY, CA	92557-4935	254.12	25.41	50.32	329.84
93306555003	264082002	GONZALEZ, PRISCILLA (RENT)	23641	PARKLAND AVE	MORENO VALLEY	CA	92557-4936	GONZALEZ, PRISCILLA	22257 SHERMAN AVE	MORENO VALLEY, CA	92553-8248	254.12	25.41	50.32	329.84
31535705001	264082008	WILLIAMS, ANITA	23677	PARKLAND AVE	MORENO VALLEY	CA	92557-4936	WILLIAMS, ANITA	23677 PARKLAND AVE	MORENO VALLEY, CA	92557-4936	254.02	25.4	50.3	329.7
95192835007	264082009	CASA, PATRICIA	23689	PARKLAND AVE	MORENO VALLEY	CA	92557-4937	CASA, PATRICIA	23689 PARKLAND AVE	MORENO VALLEY, CA	92557-4937	190.79	19.08	37.78	247.64
72630775005	264082019	IRVING, LASONYA	23654	MISTY GLADE CT	MORENO VALLEY	CA	92557-4954	IRVING, LASONYA	12310 VISTA HEMOSA DR	MORENO VALLEY, CA	92557-7517	254.02	25.4	50.3	329.7
31228015008	264082028	RIEM, DAVE	23659	MISTY GLADE CT	MORENO VALLEY	CA	92557-4954	RIEM, DAVE	23659 MISTY GLADE CT	MORENO VALLEY, CA	92557-4954	254.02	25.4	50.3	329.7
69409045004	264082033	ENRIQUEZ, JOE AND LUCY	23644	BIRDSONG CT	MORENO VALLEY	CA	92557-4953	ENRIQUEZ, JOE AND LUCY	23644 BIRDSONG CT	MORENO VALLEY, CA	92557-4953	254.12	25.41	50.32	329.84
86275385005	264082037	DUNCAN, OSCAR (RENT)	23649	BIRDSONG CT	MORENO VALLEY	CA	92557-4953	DUNCAN, OSCAR	23649 BIRDSONG CT	MORENO VALLEY, CA	92557-4953	54.12	5.41	10.72	70.24
65795835003	264082040	GARCIA, PAULA	23662	ASHWOOD AVE	MORENO VALLEY	CA	92557-4968	GARCIA, PAULA	12450 MARSHALL AVE APT 155	CHINO, CA	91710-5815	254.12	25.41	50.32	329.84
31070305003	264082042	BURNETT, VERONICA	23650	ASHWOOD AVE	MORENO VALLEY	CA	92557-4968	BURNETT, VERONICA	23650 ASHWOOD AVE	MORENO VALLEY, CA	92557-4968	254.02	25.4	50.3	329.7
90954505004	264082052	FLORES, ALEJANDRA (OWNR)	11086	DEBRA WAY	MORENO VALLEY	CA	92557-4955	FLORES, ALEJANDRA	11086 DEBRA WAY	MORENO VALLEY, CA	92557-4955	190.59	19.06	37.74	247.38
96676205000	264082055	RODRIGUEZ, MALLELY (OWNR)	11068	DEBRA WAY	MORENO VALLEY	CA	92557-4955	RODRIGUEZ, MALLELY	11068 DEBRA WAY	MORENO VALLEY, CA	92557-4955	254.12	25.41	50.32	329.84
91970125009	264083019	DEGARMO, NEAL AND ALAYNE	23713	COLD SPRING	MORENO VALLEY	CA	92557-4949	DEGARMO, NEAL AND ALAYNE	23713 COLD SPRING	MORENO VALLEY, CA	92557-4949	190.59	19.06	37.74	247.38
96797655009	264083020	NOLEN, TIMOTHY (OWNR)	23717	COLD SPRING	MORENO VALLEY	CA	92557-4949	NOLEN, TIMOTHY	1051 ABBOTTSWOOD RD	PERRIS, CA	92571-9413	420.76	42.08	83.31	546.14
31327925007	264091001	GROVER, JOYCE	11001	LE GRAND LN	MORENO VALLEY	CA	92557-4959	GROVER, JOYCE	11001 LE GRAND LN	MORENO VALLEY, CA	92557-4959	228.63	22.86	45.27	296.76
48613035008	264091004	YZUETA, NADINE	11019	LE GRAND LN	MORENO VALLEY	CA	92557-4959	YZUETA, NADINE	11019 LE GRAND LN	MORENO VALLEY, CA	92557-4959	36.37	3.64	7.2	47.2
31406855003	264091012	MEJIA, ANGELA (OWNR)	11024	LE GRAND LN	MORENO VALLEY	CA	92557-4959	MEJIA, ANGELA	11024 LE GRAND LN	MORENO VALLEY, CA	92557-4959	254.02	25.4	50.3	329.7
93901325000	264091014	MARTIN, MYRA (RENT)	23792	COLD SPRING	MORENO VALLEY	CA	92557-4948	MARTIN, MYRA	23792 COLD SPRING	MORENO VALLEY, CA	92557-4948	254.12	25.41	50.32	329.84
31427725007	264091024	WALLS, KAREN	23852	COLD SPRING	MORENO VALLEY	CA	92557-4951	WALLS, KAREN	23852 COLD SPRING	MORENO VALLEY, CA	92557-4951	254.02	25.4	50.3	329.7
97334245007	264091034	LOUIS, HERNS (RENT)	23912	COLD SPRING	MORENO VALLEY	CA	92557-4952	LOUIS, HERNS	23912 COLD SPRING	MORENO VALLEY, CA	92557-4952	84.12	8.41	16.66	109.18
89335633002	264091040	DEASE JONES, TONYISA (RENT)	11058	MINERS TRL	MORENO VALLEY	CA	92557-4922	DEASE JONES, TONYISA	11058 MINERS TRL	MORENO VALLEY, CA	92557-4922	336.46	33.65	66.62	436.72
90102935000	264091043	MARQUEZ, MARITZA	11076	MINERS TRL	MORENO VALLEY	CA	92557-4922	MARQUEZ, MARITZA	11076 MINERS TRL	MORENO VALLEY, CA	92557-4922	253.92	25.39	50.28	329.58
91033915009	264092001	LILI (OWNR)	23826	PARKLAND AVE	MORENO VALLEY	CA	92557-4941	MONIE, ALMA	23826 PARKLAND AVE	MORENO VALLEY, CA	92557-4941	73.8	7.38	14.61	95.78
62915815000	264092007	RAMIREZ, MARIN	23790	PARKLAND AVE	MORENO VALLEY	CA	92557-4939	RAMIREZ, MARIN	23790 PARKLAND AVE	MORENO VALLEY, CA	92557-4939	63.63	6.36	12.6	82.58
91464643004	264092009	THOMAS, CHRIS (RENT)	23778	PARKLAND AVE	MORENO VALLEY	CA	92557-4939	THOMAS, CHRIS	23778 PARKLAND AVE	MORENO VALLEY, CA	92557-4939	219.96	21.94	43.43	284.72
31561195004	264092011	ZARAGOZA, NAN	23766	PARKLAND AVE	MORENO VALLEY	CA	92557-4939	ZARAGOZA, NAN	23766 PARKLAND AVE	MORENO VALLEY, CA	92557-4939	254.02	25.4	50.3	329.7
96798225008	264092017	GONZALEZ, JORGE N	23799	COLD SPRING	MORENO VALLEY	CA	92557-4950	GONZALEZ, JORGE	23799 COLD SPG	MORENO VALLEY, CA	92557-4950	420.76	42.08	83.31	546.14
31217545000	264092021	GARCIA, ROLANDO J	11055	SULTAN ST	MORENO VALLEY	CA	92557-4916	GARCIA, ROLANDO J	11055 SULTAN ST	MORENO VALLEY, CA	92557-4916	254.02	25.4	50.3	329.7
97517705000	264092022	LEE, JOI (RENT)	11061	SULTAN ST	MORENO VALLEY	CA	92557-4916	LEE, JOI	11061 SULTAN ST	MORENO VALLEY, CA	92557-4916	211.24	21.12	41.83	274.18
92901185000	264092024	SOTO RAMOS, FABIOLA	23800	WINTERGLEN CIR	MORENO VALLEY	CA	92557-4914	SOTO RAMOS, FABIOLA	23800 WINTERGLEN CIR	MORENO VALLEY, CA	92557-4914	254.02	25.4	50.3	329.7
31509255000	264092026	FLORES, ALEXANDRA	23788	WINTERGLEN CIR	MORENO VALLEY	CA	92557-4914	FLORES, ALEXANDRA	23788 WINTERGLEN CIR	MORENO VALLEY, CA	92557-4914	254.12	25.41	50.32	329.84
89859205001	264092027	ROMERO, SARAH (OWNR)	23787	WINTERGLEN CIR	MORENO VALLEY	CA	92557-4914	ROMERO, SARAH	23787 WINTERGLEN CIR	MORENO VALLEY, CA	92557-4914	254.12	25.41	50.32	329.84
91073075002	264092028	WALKER, BEVERLY	11081	SULTAN ST	MORENO VALLEY	CA	92557-4917	WALKER, BEVERLY	11081 SULTAN ST	MORENO VALLEY, CA	92557-4917	113.92	11.39	22.56	147.86
31580695009	264092029	DAVIS, RICKEY	11091	SULTAN ST	MORENO VALLEY	CA	92557-4917	DAVIS, RICKEY	11091 SULTAN ST	MORENO VALLEY, CA	92557-4917	254.02	25.4	50.3	329.7
31377875002	264092030	TILLMANNS, DAN	11103	SULTAN ST	MORENO VALLEY	CA	92557-4917	TILLMANNS, DAN	11103 SULTAN ST	MORENO VALLEY, CA	92557-4917	254.02	25.4	50.3	329.7
97048305000	264093005	MYERS, TIFFINI (RENT)	11062	SULTAN ST	MORENO VALLEY	CA	92557-4915	MYERS, TIFFINI	11062 SULTAN ST	MORENO VALLEY, CA	92557-4915	41.3	4.13	8.18	53.6
31449935007	264093011	HERNANDEZ, JOSE AND LUPE (OWNR	11098	SULTAN ST	MORENO VALLEY	CA	92557-4918	HERNANDEZ, JOSE AND GUADALUPE	11098 SULTAN ST	MORENO VALLEY, CA	92557-4918	26.65	2.67	5.28	34.58
93385205000	264094005	WESTERNMAN, KEVIN	11064	SILVER RUN	MORENO VALLEY	CA	92557-4919	WESTERNMAN, KEVIN	11064 SILVER RUN	MORENO VALLEY, CA	92557-4919	254.12	25.41	50.32	329.84
31262315004	264094012	SVADER, FRED (RENT)	11106	SILVER RUN	MORENO VALLEY	CA	92557-4926	SVADER, FRED	11106 SILVER RUN	MORENO VALLEY, CA	92557-4926	112.58	11.26	22.29	146.12
89777295002	264110019	WILLETS, JODY	11480	TIFFANY LN	MORENO VALLEY	CA	92557-4706	WILLETS, JODY	5524 CARRIBBEAN PL	JONESBORO, AR	72404-8473	63.98	6.39	12.66	82.98
31619755002	264121009	MAWVINITT, FRED	11520	KIWI CT	MORENO VALLEY	CA	92557-5425	MAWVINITT, FRED	11520 KIWI CT	MORENO VALLEY, CA	92557-5425	127.36	12.74	25.22	165.3
31330865003	264121014	TAITANO, RAYMOND P	11570	KIWI CT	MORENO VALLEY	CA	92557-5425	TAITANO, RAYMOND P	14555 LYNNLEE LN	MORENO VALLEY, CA	92555-4720	254.02	25.4	50.3	329.7
31386685003	264121019	CUEVA, JUAN JOSE	11599	PARAKEET CT	MORENO VALLEY	CA	92557-5424	CUEVA, JUAN JOSE	11599 PARAKEET CT	MORENO VALLEY, CA	92557-5424	254.02	25.4	50.3	329.7
92121355009	264121025	ACEVES, KIMBERLY	11527	PARAKEET CT	MORENO VALLEY	CA	92557-5424	ACEVES, KIMBERLY	1255 E CITRUS AVE APT 115	REDLANDS, CA	92374-5369	253.92	25.39	50.28	329.58
64714205007	264121026	BAGDANOV, LETITIA	11522	PARAKEET CT	MORENO VALLEY	CA	92557-5424	BAGDANOV, LETITIA	11522 PARAKEET CT	MORENO VALLEY, CA	92557-5424	63.63	6.36	12.6	82.58
86707573007	264121033	PEREZ, TERESA	11598	PARAKEET CT	MORENO VALLEY	CA	92557-5424	PEREZ, TERESA	11598 PARAKEET CT	MORENO VALLEY, CA	92557-5424	254.12	25.41	50.32	329.84
51422055003	264121037	BALL, MICHELE	11587	BOBOLINK LN	MORENO VALLEY	CA	92557-5423	BALL, MICHELE	11587 BOBOLINK LN	MORENO VALLEY, CA	92557-5423	254.02	25.4	50.3	329.7
55869035006	264121041	MENJIVAR, RICK	11527	BOBOLINK LN	MORENO VALLEY	CA	92557-5423	MENJIVAR, RICK	11527 BOBOLINK LN	MORENO VALLEY, CA	92557-5423	323.49	32.35	64.05	419.88
52287715009	264121042	BARBEE, MARCUS	11515	BOBOLINK LN	MORENO VALLEY	CA	92557-5423	BARBEE, MARCUS	11515 BOBOLINK LN	MORENO VALLEY, CA	92557-5423	194.02	19.4	38.42	251.82
71160105005	264121051	GOMEZ, FRANCES	23284	WOODPECKER PATH	MORENO VALLEY	CA	92557-5420	GOMEZ, FRANCES	13397 HICKORY WAY	MORENO VALLEY, CA	92553-6935	254.02	25.4	50.3	329.7
93805075005	264122005	BOYD, LANESHA (RENT)	23315	WOODPECKER PATH	MORENO VALLEY	CA	92557-5421	BOYD, LANESHA	23315 WOODPECKER PATH	MORENO VALLEY, CA	92557-5421	300.57	30.06	59.51	390.12
97837945002	264131006	GLOUER, PEDDIE (RENT)	11846	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6229	GLOUER, PEDDIE (RENT)	14150 GRANT ST # 104	MORENO VALLEY, CA	92553-9114	266.17	26.62	52.7	345.48
62534785009	264131009	VILLICANA, EMILIO	11868	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6232	VILLICANA, EMILIO	11868 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6232	254.12	25.41	50.32	329.84
35023030002	264131010	BARRERA, EDWARDO (RENT)	11878	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6232	BARRERA, EDWARDO	11878 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6232	27.46	2.75	5.44	35.64
49534985005	264131011	SELL, SANDRA	11886	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6232	SELL, SANDRA	11886 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6232	229.32	22.93	45.41	297.64
96764425008	264131013	STARK, BREANNA (OWNR)	11900	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6241	STARK, BREANNA	11900 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6241	254.12	25.41	50.32	329.84
92994385003	264131014	VARLA, DIANNA	11908	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6241	VARLA, DIANNA	11908 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6241	254.02	25.4	50.3	329.7
95182515005	264131039	OLIVE, RHONDA (RENT)	11832	GRAHAM ST	MORENO VALLEY	CA	92557-6157	OLIVE, RHONDA	11832 GRAHAM ST	MORENO VALLEY, CA	92557-6157	246.36	24.64	48.78	319.76
31481345004	264131053	FOGGO, DREW	23583	WOODLANDER WAY	MORENO VALLEY	CA	92557-6215	FOGGO, DREW	23583 WOODLANDER WAY	MORENO VALLEY, CA	92557-6215	254.02	25.4	50.3	329.7
31283665006	264131055	KELLEY, JOHN	23576	WOODLANDER WAY	MORENO VALLEY	CA	92557-6214	KELLEY, JOHN	23576 WOODLANDER WAY	MORENO VALLEY, CA	92557-6214	329.32	32.93	65.21	427.44
96738655003	264131061	MCCANTS, PATRICIA (RENT)	23516	WOODLANDER WAY	MORENO VALLEY	CA	92557-6214	MCCANTS, PATRICIA	23516 WOODLANDER WAY	MORENO VALLEY, CA	92557-6214	329.6	32.96	65.26	427.82
92646595005	264132010	GUITERREZ, RICARDO	23580	CANDLE SHOE CT	MORENO VALLEY	CA	92557-6217	GUITERREZ, RICARDO	11669 ANDERSON ST	LOMA LINDA, CA	92354-3412	254.02	25.4	50.3	329.7
77524125002	264132014	MILLER, DUANE	11842	WILD FLAX LN	MORENO VALLEY	CA	92557-6226	MILLER, DUANE	11842 WILD FLAX LN	MORENO VALLEY, CA	92557-6226	63.33	6.33	12.54	82.2
96274845000	264132019	HERNANDEZ, JESSICA (OWNR)	23545	BLOOMING MEADOW RD	MORENO VALLEY	CA	92557-6237	HERNANDEZ, JESSICA	23545 BLOOMING MEADOW RD	MORENO VALLEY, CA	92557-6237	254.12	25.41	50.32	329.84
58050425008	264132022	GRANT, GREG	23571	BLOOMING MEADOW RD	MORENO VALLEY	CA	92557-6237	GRANT, GREG	23571 BLOOMING MEADOW RD	MORENO VALLEY, CA	92557-6237	254.02	25.4	50.3	329.7
96620035004	264132032	GUEST, LATONNIA (RENT)	23649	BLOOMING MEADOW RD	MORENO VALLEY	CA	92557-6210	GUEST, LATONNIA	23410 HEMLOCK AVE # 2 0 5	MORENO VALLEY, CA	92557-8854	68.29	6.83	13.52	88.64
31348485005	264133007	BROWN, JOSEPH	11820	BAYLESS ST	MORENO VALLEY	CA	92557-6219	BROWN, JOSEPH	11820 BAYLESS ST	MORENO VALLEY, CA	92557-6219	254.02	25.4	50.3	329.7
88854455000	264133022	DUVAL, CARLOS	11889	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6231	DUVAL, CARLOS	25099 MIDDLEBROOK WAY	MORENO VALLEY, CA	92551-9203	282.06	28.21	55.85	366.1
92077603001	264133024	GUZMAN, EILEEN (RENT)	11873	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6231	GUZMAN, EILEEN (RENT)	11873 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6231	190.79	19.08	37.78	247.64
31511385009	264133035	MC WHORTER, GREG	11785	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6239	MC WHORTER, GREG	11785 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6239	254.02	25.4	50.3	329.7
31401545000	264133037	PACHECO, MARIA ISABEL	11769	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6239	PACHECO, MARIA ISABEL	11769 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6239	254.02	25.4	50.3	329.7
96764415000	264133039	JESKO, JOANNE (OWNR)	11753	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6239	JESKO, JOANNE	11753 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6239	254.12	25.41	50.32	329.84
31414605000	264141002	DARNELL, HOUSTON AND SANDRA	11986	BAYLESS ST	MORENO VALLEY	CA	92557-6233	DARNELL, HOUSTON AND SANDRA	11986 BAYLESS ST	MORENO VALLEY, CA	92557-6233	254.02	25.4	50.3	329.7
31090855005	264141014	MATHEWS, LUANA	11900	BAYLESS ST	MORENO VALLEY	CA	92557-6233	MATHEWS, LUANA	11900 BAYLESS ST	MORENO VALLEY, CA	92557-6233	254.02	25.4	50.3	329.7
95222745001	264141016	BLANKENSHIP, MARCUS (RENT)	11880	BAYLESS ST	MORENO VALLEY	CA	92557-6219	BLANKENSHIP, MARCUS	11880 BAYLESS ST	MORENO VALLEY, CA	92557-6219	123.4	12.34	24.43	160.16
31266515003	264142006	GRAVES, ANTHONY	11924	MEADOW WOOD WAY	MORENO VALLEY	CA	92557-6216	GRAVES, ANTHONY	11924 MEADOW WOOD WY	MORENO VALLEY, CA	92557-6216	63.63	6.36	12.6	82.58
31496185005	264142008	PARKES, QUINCY	11912	MEADOW WOOD WAY	MORENO VALLEY	CA	92557-6216	PARKES, QUINCY	11912 MEADOW WOOD WAY	MORENO VALLEY, CA	92557-6216	254.02	25.4	50.3	329.7
31362845001	264142019	HARTS, KIMBERLY	11905	BAYLESS ST	MORENO VALLEY	CA	92557-6234	HARTS, KIMBERLY	11905 BAYLESS ST	MORENO VALLEY, CA	92557-6234	254.02	25.4	50.3	329.7
93163173008	264142025	LOPEZ, ELIZABETH (RENT)	11947	BAYLESS ST	MORENO VALLEY	CA	92557-6234	LOPEZ, ELIZABETH	11947 BAYLESS ST	MORENO VALLEY, CA	92557-6234	238.64	23.86	47.25	309.74
95137335007	264143011	WEERNINK, RAYMON (RENT)	23622	CINNAMON CREEK CT	MORENO VALLEY	CA	92557-6218	WEERNINK, RAYMON	1332 E 68TH ST	LONG BEACH, CA	90805-1607	254.12	25.41	50.32	329.84
93544455000	264143016	JURADO, ERIKA (OWNR)	23589	CINNAMON CREEK CT	MORENO VALLEY	CA	92557-6218	JURADO, ERIKA	23589 CINNAMON CREEK CT	MORENO VALLEY, CA	92557-6218	127.46	12.75	25.24	165.44
96794935008	264143017	RIQUELME, HODTONIELK CT	23599	CINNAMON CREEK CT	MORENO VALLEY	CA	92557-6218	RIQUELME, HODTONIEL	13901 COURAGE ST APT A	MORENO VALLEY, CA	92553-8756	420.76	42.08	83.31	546.14
31588845001	264143019	FLINT, JERRY	23617	CINNAMON CREEK CT	MORENO VALLEY	CA	92557-6218	FLINT, JERRY	23617 CINNAMON CREEK CT	MORENO VALLEY, CA	92557-6218	329.32	32.93	65.21	427.44
31343455002	264143025	SANTOS, MAX AND DIANE (OWNR)	23622	WHISPERING WINDS WAY	MORENO VALLEY	CA	92557-6223	SANTOS, MAX AND DIANE	23622 WHISPERING WINDS WAY	MORENO VALLEY, CA	92557-6223	73.62	7.36	14.58	95.54
61335125001	264143027	AVILA, GLORIA	23606	WHISPERING WINDS WAY	MORENO VALLEY	CA	92557-6223	AVILA, GLORIA	23606 WHISPERING WINDS WAY	MORENO VALLEY, CA	92557-6223	254.12	25.41	50.32	329.84
64241765003	264143030	PEARSON, TANYA	23584	WHISPERING WINDS WAY	MORENO VALLEY	CA	92557-6223	PEARSON, TANYA	4663 ORANGE VISTA WAY	RIVERSIDE, CA	92506-2343	202.25	20.23	40.05	262.52
95135245000	264143034	TAPUPU, JAKOB (RENT)	11922	WILD FLAX LN	MORENO VALLEY	CA	92557-6226	TAPUPU, JAKOB	11922 WILD FLAX LN	MORENO VALLEY, CA	92557-6226	254.12	25.41	50.32	329.84
31559105007	264143035	BRYANT, DONNA	11914	WILD FLAX LN	MORENO VALLEY	CA	92557-6226	BRYANT, DONNA	11914 WILD FLAX LN	MORENO VALLEY, CA	92557-6226	254.02	25.4	50.3	329.7
90088115003	264143041	HORN, TIMOTHY	11866	WILD FLAX LN	MORENO VALLEY	CA	92557-6226	HORN, TIMOTHY	11866 WILD FLAX LN	MORENO VALLEY, CA	92557-6226	253.92	25.39	50.28	329.58
94634265008	264143042	HOLLAND, ELVINA (RENT)	11858	WILD FLAX LN	MORENO VALLEY	CA	92557-6226	HOLLAND, ELVINA	11858 WILD FLAX LN	MORENO VALLEY, CA	92557-6226	254.12	25.41	50.32	329.84
31144375001	264144007	GREEN, JOAN	11946	GRAHAM ST	MORENO VALLEY	CA	92557-6159	GREEN, JOAN	11946 GRAHAM ST	MORENO VALLEY, CA	92557-6159	282.23	28.22	55.88	366.32
31483245001	264144008	ALFIER, LUANNE	11938	GRAHAM ST	MORENO VALLEY	CA	92557-6159	ALFIER, LUANNE	626 DEARBORN #40	REDLANDS, CA	92374-3947	190.69	19.07	37.76	247.5

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
92920775006	264144016	HORN, LATOYA	11883	WILD FLAX LN	MORENO VALLEY	CA	92557-6228	HORN, LATOYA	11883 WILD FLAX LN	MORENO VALLEY, CA	92557-6228	254.02	25.4	50.3	329.7
91714685003	264144022	ESCLOVON, MARY	11921	WILD FLAX LN	MORENO VALLEY	CA	92557-6228	ESCLOVON, MARY	11921 WILD FLAX LN	MORENO VALLEY, CA	92557-6228	253.92	25.39	50.28	329.58
31559235000	264144023	KELLY, BRIAN	11927	WILD FLAX LN	MORENO VALLEY	CA	92557-6228	KELLY, BRIAN	11927 WILD FLAX LN	MORENO VALLEY, CA	92557-6228	329.32	32.93	65.21	427.44
31111645004	264144026	CODY, LEE	11959	WILD FLAX LN	MORENO VALLEY	CA	92557-6228	CODY, LEE	11959 WILDFLAX LN	MORENO VALLEY, CA	92557-6228	136.37	13.64	27	177
77600815005	264144033	BROWN, KEIANYA	23591	WHISPERING WINDS WAY	MORENO VALLEY	CA	92557-6224	BROWN, KEIANYA	23591 WHISPERING WINDS WAY	MORENO VALLEY, CA	92557-6224	254.02	25.4	50.3	329.7
31114065009	264144038	PROVENZANO, JOANNA	23631	WHISPERING WINDS WAY	MORENO VALLEY	CA	92557-6225	PROVENZANO, JOANNA	23631 WHISPERING WINDS WAY	MORENO VALLEY, CA	92557-6225	254.02	25.4	50.3	329.7
96979745005	264151002	HAGGARD, JOEL (RENT)	11938	ASLAN CT	MORENO VALLEY	CA	92557-6116	HAGGARD, JOEL (RENT)	11938 ASLAN CT	MORENO VALLEY, CA	92557-6116	286.58	28.66	56.74	371.98
94603765008	264151006	BARLOW, LAKEISHA (RENT)	11906	ASLAN CT	MORENO VALLEY	CA	92557-6116	BARLOW, LAKEISHA	11906 ASLAN CT	MORENO VALLEY, CA	92557-6116	254.12	25.41	50.32	329.84
95098685007	264151008	BAKER, TAMU (RENT)	11890	ASLAN CT	MORENO VALLEY	CA	92557-6173	BAKER, TAMU	11890 ASLAN CT	MORENO VALLEY, CA	92557-6173	254.12	25.41	50.32	329.84
65361525009	264151019	LEONGUERRERO, DOLEEN	11929	GRAHAM ST	MORENO VALLEY	CA	92557-6158	LEONGUERRERO, DOLEEN	11929 GRAHAM ST	MORENO VALLEY, CA	92557-6158	254.12	25.41	50.32	329.84
31290775008	264151020	FORD, JAMES E	11939	GRAHAM ST	MORENO VALLEY	CA	92557-6158	FORD, JAMES E	11939 GRAHAM ST	MORENO VALLEY, CA	92557-6158	40.79	4.08	8.08	52.94
90791923002	264151021	THOMPSON, LEADRIAN (RENT)	11945	GRAHAM ST	MORENO VALLEY	CA	92557-6158	THOMPSON, LEADRIAN	821 W TRENTON ST	SN BERNRDNO, CA	92405-4231	371.07	37.11	73.47	481.64
83660495008	264151025	GARCIA, LIDIA AND JOSE	23492	SEAFARER WAY	MORENO VALLEY	CA	92557-6119	GARCIA, LIDIA AND JOSE	23492 SEAFARER WAY	MORENO VALLEY, CA	92557-6119	190.39	19.04	37.7	247.12
31352395006	264152004	GALINDO, CARI	11883	ASLAN CT	MORENO VALLEY	CA	92557-6173	GALINDO, CARI	11883 ASLAN CT	MORENO VALLEY, CA	92557-6173	254.02	25.4	50.3	329.7
94349655001	264152013	JONAS, CAMERON	11948	HONEY HOLLOW	MORENO VALLEY	CA	92557-6108	JONAS, CAMERON	11948 HONEY HOLLOW	MORENO VALLEY, CA	92557-6108	254.12	25.41	50.32	329.84
31377655008	264152015	JOHNSTON, TINA	11938	HONEY HOLLOW	MORENO VALLEY	CA	92557-6108	JOHNSTON, TINA	11938 HONEY HOLLOW	MORENO VALLEY, CA	92557-6108	254.02	25.4	50.3	329.7
95880785007	264152016	ESTES, EDDIE (RENT)	11930	HONEY HOLLOW	MORENO VALLEY	CA	92557-6108	ESTES, EDDIE	1671 RIDLEY AVE	HACIENDA HEIGHTS, CA	91745-3248	189.79	18.98	37.58	246.34
96867945000	264152017	METOYER, TYSHEONA (RENT)	11922	HONEY HOLLOW	MORENO VALLEY	CA	92557-6108	METOYER, TYSHEONA	11922 HONEY HOLLOW	MORENO VALLEY, CA	92557-6108	154.12	15.41	30.52	200.04
53324235002	264152018	ZAZUETA, MARIA	11920	HONEY HOLLOW	MORENO VALLEY	CA	92557-6108	ZAZUETA, MARIA	11865 YELLOW IRIS WAY	MORENO VALLEY, CA	92557-6022	254.02	25.4	50.3	329.7
49914875002	264153002	BRADLEY, MYKELLE	11988	DREAM ST	MORENO VALLEY	CA	92557-6124	BRADLEY, MYKELLE	27408 SHIMMER CT	MORENO VALLEY, CA	92555-4732	254.02	25.4	50.3	329.7
96438475008	264153005	CHAVEZ, NORMA (OWNR)	11964	DREAM ST	MORENO VALLEY	CA	92557-6124	CHAVEZ, NORMA	11964 DREAM ST	MORENO VALLEY, CA	92557-6124	63.63	6.36	12.6	82.58
96804495007	264153011	ZAMORA, PEDRO	11916	DREAM ST	MORENO VALLEY	CA	92557-6121	ZAMORA, PEDRO (OWNR)	15055 EXCELSIOR DR	LA MIRADA, CA	90638-4510	335.76	33.58	66.48	435.8
89852325001	264153012	FIGUEROA, JULIO	11908	DREAM ST	MORENO VALLEY	CA	92557-6121	BARRERA, JUAN	11908 DREAM ST	MORENO VALLEY, CA	92557-6121	253.92	25.39	50.28	329.58
31352925005	264153016	PINEDA, ROSA MARIA	11876	DREAM ST	MORENO VALLEY	CA	92557-6121	PINEDA, ROSA MARIA	11876 DREAM ST	MORENO VALLEY, CA	92557-6121	254.02	25.4	50.3	329.7
96867915006	264153023	EARLS, VICTORIA (RENT)	11921	HONEY HOLLOW	MORENO VALLEY	CA	92557-6107	EARLS, VICTORIA	6266 N ROSEMEAD BLVD #A258	TEMPLE CITY, CA	91780-1560	303.78	30.38	60.15	394.3
31342225003	264153026	LOREDO, TITO R	11941	HONEY HOLLOW	MORENO VALLEY	CA	92557-6107	LOREDO, TITO R	11941 HONEY HOLLOW	MORENO VALLEY, CA	92557-6107	64.36	6.44	12.74	83.52
58543745005	264153028	CONDON, PERRY	11972	SUGAR CREEK CT	MORENO VALLEY	CA	92557-6120	CONDON, PERRY	10902 TEA BARK RD	MORENO VALLEY, CA	92557-4000	254.12	25.41	50.32	329.84
92689963007	264153029	GOUDEAU, ANGELIQUE (RENT)	11964	SUGAR CREEK CT	MORENO VALLEY	CA	92557-6120	GOUDEAU, ANGELIQUE	11964 SUGAR CREEK CT	MORENO VALLEY, CA	92557-6120	127.46	12.75	25.24	165.44
93329383001	264153036	WILLIAMS, TERRENCE (RENT)	11906	SUGAR CREEK CT	MORENO VALLEY	CA	92557-6120	WILLIAM, TERRENCE	1737 DOBELL ST	PERRIS, CA	92571-6502	181.23	18.12	35.88	235.22
95625985004	264153046	JENKINS, LISA (RENT)	11959	SUGAR CREEK CT	MORENO VALLEY	CA	92557-6168	JENKINS, LISA	11959 SUGAR CREEK CT	MORENO VALLEY, CA	92557-6168	178.37	17.84	35.32	231.52
92565915000	264153047	VILLEGAS, TERESA	11967	SUGAR CREEK CT	MORENO VALLEY	CA	92557-6168	VILLEGAS, TERESA	11967 SUGAR CREEK CT	MORENO VALLEY, CA	92557-6168	254.02	25.4	50.3	329.7
94503645006	264153054	MC GEE, JAMEE (RENT)	23343	SEAFARER WAY	MORENO VALLEY	CA	92557-6117	MC GEE, JAMEE	23343 SEAFARER WAY	MORENO VALLEY, CA	92557-6117	254.12	25.41	50.32	329.84
31614285002	264153058	CALDERON, JOSE	23385	SEAFARER WAY	MORENO VALLEY	CA	92557-6117	CALDERON, JOSE	23385 SEAFARER WAY	MORENO VALLEY, CA	92557-6117	54.02	5.4	10.7	70.1
97033865004	264153066	VARGAS, TATIANA (RENT)	23449	SEAFARER WAY	MORENO VALLEY	CA	92557-6118	VARGAS, TATIANA	23449 SEAFARER WAY	MORENO VALLEY, CA	92557-6118	63.63	6.36	12.6	82.58
96543915003	264154001	ROSS, TAHEISHA (RENT)	11881	DREAM ST	MORENO VALLEY	CA	92557-6122	ROSS, TAHEISHA	11881 DREAM ST	MORENO VALLEY, CA	92557-6122	254.12	25.41	50.32	329.84
31299585009	264154003	GARCIA, LETICIA	11897	DREAM ST	MORENO VALLEY	CA	92557-6122	GARCIA, LETICIA	11897 DREAM ST	MORENO VALLEY, CA	92557-6122	254.02	25.4	50.3	329.7
97130945002	264154007	GRIFFIN, ROSALYN (RENT)	11929	DREAM ST	MORENO VALLEY	CA	92557-6123	GRIFFIN, ROSALYN	11929 DREAM ST	MORENO VALLEY, CA	92557-6123	133.85	13.39	26.5	173.72
93983465008	264154008	FUJIMA, TAD (OWNR)	11937	DREAM ST	MORENO VALLEY	CA	92557-6123	FUJIMA, TAD (OWNR)	11937 DREAM ST	MORENO VALLEY, CA	92557-6123	211.24	21.12	41.83	274.18
90882613004	264161003	SESENA, MANUEL (RENT)	23492	WOODLANDER WAY	MORENO VALLEY	CA	92557-6212	SESENA, MANUEL	12156 ZINNIA ST	MORENO VALLEY, CA	92557-8201	26.83	2.68	5.31	34.82
87999283000	264161005	SAVEDER, ABRHAM (RENT)	23476	WOODLANDER WAY	MORENO VALLEY	CA	92557-6212	SAVEDER, ABRHAM	23476 WOODLANDER WAY	MORENO VALLEY, CA	92557-6212	190.79	19.08	37.78	247.64
31274825002	264161008	SCHOONOVER, JUDY L	23450	WOODLANDER WAY	MORENO VALLEY	CA	92557-6113	SCHOONOVER, J	23450 WOODLANDER WAY	MORENO VALLEY, CA	92557-6113	254.12	25.41	50.32	329.84
31592445007	264162009	EASTERLING, ANTHONY	23270	ELFIN PL	MORENO VALLEY	CA	92557-6127	EASTERLING, ANTHONY	12989 WESTBURY DR	MORENO VALLEY, CA	92553-4183	254.02	25.4	50.3	329.7
31420655006	264162011	RODDA, SARA	23254	ELFIN PL	MORENO VALLEY	CA	92557-6127	RODDA, SARA	29991 CANYON HILLS RD#1709-427	LAKE ELSINORE, CA	92532-2579	254.02	25.4	50.3	329.7
98295795013	264162016	APARACIO, MARIA (RENT)	23285	ELFIN PL	MORENO VALLEY	CA	92557-6129	APARACIO, MARIA	25258 TURQUOISE LN	MORENO VALLEY, CA	92557-7438	189.79	18.98	37.58	246.34
62567995005	264162019	GRIFFIN, ODETTE	23305	ELFIN PL	MORENO VALLEY	CA	92557-6129	GRIFFIN, ODETTE	23305 ELFIN PL	MORENO VALLEY, CA	92557-6129	254.12	25.41	50.32	329.84
31622555008	264162024	PALOMAREZ, LOUISE	23340	BREEZY WAY	MORENO VALLEY	CA	92557-6125	PALOMAREZ, LOUISE	23340 BREEZY WAY	MORENO VALLEY, CA	92557-6125	254.02	25.4	50.3	329.7
95485575009	264162025	CHISHOLM, KEITH (OWNR)	23324	BREEZY WAY	MORENO VALLEY	CA	92557-6125	CHISHOLM, KEITH	23324 BREEZY WAY	MORENO VALLEY, CA	92557-6125	254.12	25.41	50.32	329.84
57130135000	264162030	LOPEZ, STEVE	23276	BREEZY WAY	MORENO VALLEY	CA	92557-6174	LOPEZ, STEVE	23276 BREEZY WAY	MORENO VALLEY, CA	92557-6174	254.02	25.4	50.3	329.7
96553155001	264162031	TAYLOR, LATOYA (RENT)	23268	BREEZY WAY	MORENO VALLEY	CA	92557-6174	TAYLOR, LATOYA	23268 BREEZY WAY	MORENO VALLEY, CA	92557-6174	233.14	23.31	46.16	302.6
96235723008	264162034	LUNA, GLORIA	11865	DREAM ST	MORENO VALLEY	CA	92557-6122	LUNA, GLORIA	11865 DREAM ST	MORENO VALLEY, CA	92557-6122	88.63	8.86	17.55	115.04
98173035012	264163001	LUNA, MICHAEL (RENT)	11868	DREAM ST	MORENO VALLEY	CA	92557-6121	LUNA, MICHAEL	11865 DREAM ST	MORENO VALLEY, CA	92557-6122	169.51	16.95	33.56	220.02
53779655008	264163010	PONCE, ISMAEL AND MARIA ELENA	11861	HONEY HOLLOW	MORENO VALLEY	CA	92557-6107	PONCE, ISMAEL AND MARIA ELENA	11861 HONEY HOLLOW	MORENO VALLEY, CA	92557-6107	34.02	3.4	6.74	44.14
31593965005	264164008	BIRCHESS, MARCELA	11808	HONEY HOLLOW	MORENO VALLEY	CA	92557-6106	BIRCHESS, MARCELA	11808 HONEY HOLLOW	MORENO VALLEY, CA	92557-6106	190.69	19.07	37.76	247.5
31549645005	264164009	CARRERA, SAUL AND MARIA(OWNR)	11800	HONEY HOLLOW	MORENO VALLEY	CA	92557-6106	CARRERA, SAUL AND MARIA	11800 HONEY HOLLOW	MORENO VALLEY, CA	92557-6106	254.02	25.4	50.3	329.7
93560795005	264164020	GUERRO, JESUS AND ROSARIO	23409	WOODLANDER WAY	MORENO VALLEY	CA	92557-6112	GUERRO, JESUS AND ROSARIO	26545 BONITA HEIGHTS AVE	MORENO VALLEY, CA	92555-4225	233.14	23.31	46.16	302.6
95489575001	264164025	MEZA, KRYSTAN (OWNR)	23451	WOODLANDER WAY	MORENO VALLEY	CA	92557-6112	MEZA, KRYSTAN	23451 WOODLANDER WAY	MORENO VALLEY, CA	92557-6112	254.12	25.41	50.32	329.84
96859585002	264164028	JENNINGS, GWENDOLYN	23473	WOODLANDER WAY	MORENO VALLEY	CA	92557-6213	JENNINGS, GWENDOLYN	23473 WOODLANDER WAY	MORENO VALLEY, CA	92557-6213	254.12	25.41	50.32	329.84
31113445002	264164030	GRONNING, CANDICE	23496	SHADY GLEN CT	MORENO VALLEY	CA	92557-6114	GRONNING, CANDICE	23496 SHADY GLEN CT	MORENO VALLEY, CA	92557-6114	254.02	25.4	50.3	329.7
96364285006	264164033	BAGLER, DEANA (RENT)	23474	SHADY GLEN CT	MORENO VALLEY	CA	92557-6114	BAGLER, DEANA	2545 RED PINE ST	SAN JACINTO, CA	92582-4783	237.34	23.73	46.99	308.06
31435565003	264164037	RODRIGUEZ, DANIEL	23442	SHADY GLEN CT	MORENO VALLEY	CA	92557-6114	RODRIGUEZ, DANIEL	23442 SHADY GLEN CT	MORENO VALLEY, CA	92557-6114	254.02	25.4	50.3	329.7
31599535003	264164046	SANCHEZ, VIRGINIA	23431	SHADY GLEN CT	MORENO VALLEY	CA	92557-6115	SANCHEZ, VIRGINIA	23431 SHADY GLEN CT	MORENO VALLEY, CA	92557-6115	254.02	25.4	50.3	329.7
52771705006	264164048	WATSON, LETICIA	23451	SHADY GLEN CT	MORENO VALLEY	CA	92557-6115	WATSON, LETICIA	23451 SHADY GLEN CT	MORENO VALLEY, CA	92557-6115	254.02	25.4	50.3	329.7
96762105009	264164050	CASTELO, JULIO (RENT)	23465	SHADY GLEN CT	MORENO VALLEY	CA	92557-6115	CASTELO, JULIO	23465 SHADY GLEN CT	MORENO VALLEY, CA	92557-6115	254.12	25.41	50.32	329.84
50496535008	264164054	MADRIGAL, PABLO	23495	SHADY GLEN CT	MORENO VALLEY	CA	92557-6115	MADRIGAL, PABLO	23495 SHADY GLEN CT	MORENO VALLEY, CA	92557-6115	254.02	25.4	50.3	329.7
60728795007	264164056	HOLGUIN, ESPERANZA	11849	GRAHAM ST	MORENO VALLEY	CA	92557-6158	HOLGUIN, ESPERANZA	10832 VALLEY DR	RIVERSIDE, CA	92505-2002	254.12	25.41	50.32	329.84
31299695006	264164058	LOZANO, MARIBEL	11861	GRAHAM ST	MORENO VALLEY	CA	92557-6158	LOZANO, MARIBEL	11861 GRAHAM ST	MORENO VALLEY, CA	92557-6158	254.02	25.4	50.3	329.7
31537915003	264164059	GUERRERO, LETICIA AND LEONARDO	11867	GRAHAM ST	MORENO VALLEY	CA	92557-6158	GUERRERO, LETICIA AND LEONARDO	14025 S ZAMORA AVE	COMPTON, CA	90222-3629	254.12	25.41	50.32	329.84
88991613007	264164060	GOINS, MIKECOL	11850	ASLAN CT	MORENO VALLEY	CA	92557-6173	GOINS, MIKECOL	11850 ASLAN CT	MORENO VALLEY, CA	92557-6173	238.64	23.86	47.25	309.74
31386775004	264164063	SILVA, ALEX AND CLAUDIA	11826	ASLAN CT	MORENO VALLEY	CA	92557-6173	SILVA, ALEX	11826 ASLAN CT	MORENO VALLEY, CA	92557-6173	254.02	25.4	50.3	329.7
31591595007	264164065	BANKS, DION	11835	ASLAN CT	MORENO VALLEY	CA	92557-6173	BANKS, DION	11835 ASLAN CT	MORENO VALLEY, CA	92557-6173	254.02	25.4	50.3	329.7
31129475003	264172003	WALTERS, ROBERT (OWNR)	23097	SONINET DR	MORENO VALLEY	CA	92557-5437	WALTERS, ROBERT	23097 SONINET DR	MORENO VALLEY, CA	92557-5437	254.02	25.4	50.3	329.7
64380925006	264172004	LOPEZ, ERNESTO AND VERONICA	23111	SONINET DR	MORENO VALLEY	CA	92557-5402	LOPEZ, ERNESTO AND VERONICA	5681 IRONWOOD CT	SAN BERNARDINO, CA	92404-2818	171.61	17.16	33.98	222.74
91470755007	264172022	JACKSON, CHANTEA	23178	HARLAND DR	MORENO VALLEY	CA	92557-5410	JACKSON, CHANTEA	23178 HARLAND DR	MORENO VALLEY, CA	92557-5410	103.92	10.39	20.58	134.88
85019285009	264174008	SIERRA, PHYLLIS	23153	HARLAND DR	MORENO VALLEY	CA	92557-5407	SIERRA, PHYLLIS	23153 HARLAND DR	MORENO VALLEY, CA	92557-5407	190.39	19.04	37.7	247.12
31276715000	264174011	LOPEZ, ANTONIO AND MARIA	23189	HARLAND DR	MORENO VALLEY	CA	92557-5407	LOPEZ, ANTONIO	23189 HARLAND DR	MORENO VALLEY, CA	92557-5407	253.92	25.39	50.28	329.58
31616325009	264182001	HERNANDEZ, CINDA	23019	WESTERN RIDGE RD	MORENO VALLEY	CA	92557	HERNANDEZ, CINDA	23019 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4827	254.02	25.4	50.3	329.7
55650015004	264182004	SANDERS, DUANE D	23085	WESTERN RIDGE RD	MORENO VALLEY	CA	92557-4827	SANDERS, DUANE D	23085 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4827	329.32	32.93	65.21	427.44
31595555006	264182013	CAMPOS, LISA	23291	WESTERN RIDGE RD	MORENO VALLEY	CA	92557-4818	CAMPOS, LISA	23291 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4818	254.02	25.4	50.3	329.7
33778285000	264191003	LEGUNAS, ROBIN (OWNR)	23410	SWAN ST	MORENO VALLEY	CA	92557-7909	LEGUNAS, ROBIN	23410 SWAN ST	MORENO VALLEY, CA	92557-7909	127.46	12.75	25.24	165.44
86149563004	264191018	GULLEY, DORRIS (RENT)	23626	SWAN ST	MORENO VALLEY	CA	92557-7936	GULLEY, DORRIS	23626 SWAN ST	MORENO VALLEY, CA	92557-7936	63.63	6.36	12.6	82.58
31363485004	264192005	DEJOHNETTE, ARNISE	23441	SWAN ST	MORENO VALLEY	CA	92557-7903	DEJOHNETTE, ARNISE	23441 SWAN ST	MORENO VALLEY, CA	92557-7903	254.02	25.4	50.3	329.7
96029223008	264192010	DAVILA, ELVIRA	11664	HUMMINGBIRD PL	MORENO VALLEY	CA	92557-6160	DAVILA, ELVIRA	11664 HUMMINGBIRD PL	MORENO VALLEY, CA	92557-6160	54.24	5.42	10.74	70.4
97180125009	264192013	AYALA, GABRIELA (OWNR)	11702	HUMMINGBIRD PL	MORENO VALLEY	CA	92557-6160	AYALA, GABRIELA	11702 HUMMINGBIRD PL	MORENO VALLEY, CA	92557-6160	254.12	25.41	50.32	329.84
86321483006	264192032	ANSARI, SHEHZAD	11673	WARBLER WAY	MORENO VALLEY	CA	92557-6202	ANSARI, SHEHZAD	11673 WARBLER WAY	MORENO VALLEY, CA	92557-6202	254.12	25.41	50.32	329.84
60280445003	264192035	GARCIA, OFELIA AND SAID	11637	WARBLER WAY	MORENO VALLEY	CA	92557-6202	GARCIA, OFELIA AND SAID	11637 WARBLER WAY	MORENO VALLEY, CA	92557-6202	254.12	25.41	50.32	329.84
31637905003	264193006	FLORES, ALEJANDRA (RENT)	11678	HONEY HOLLOW	MORENO VALLEY	CA	92557-6103	FLORES, ALEJANDRA	11678 HONEY HOLLOW	MORENO VALLEY, CA	92557-6103	329.32	32.93	65.21	427.44
31431445008	264193011	BUTLER, SHARON AND TAJI	11738	HONEY HOLLOW	MORENO VALLEY	CA	92557-6166	BUTLER, SHARON	11738 HONEY HOLLOW	MORENO VALLEY, CA	92557-6166	63.63	6.36	12.6	82.58
93427725002	264193018	BUSH, ODAS JR (RENT)	11735	HUMMINGBIRD PL	MORENO VALLEY	CA	92557-6161	BUSH, ODAS JR	11659 VALLE LINDO	MORENO VALLEY, CA	92555-5311	236.64	23.66	46.85	307.14
31444705006	264193024	PALOMARES, ANDY	23455	RHEA DR	MORENO VALLEY	CA	92557-6109	PALOMARES, ANDY	23455 RHEA DR	MORENO VALLEY, CA	92557-6109	254.02	25.4	50.3	329.7
31585935008	264193030	CROCKETT, TIMOTHY	23525	RHEA DR	MORENO VALLEY	CA	92557-6208	CROCKETT, TIMOTHY	23525 RHEA DR	MORENO VALLEY, CA	92557-6208	254.02	25.4	50.3	329.7
31592465002	264194012	RAMIREZ, ERIC	11689	CRANE CT	MORENO VALLEY	CA	92557-6203	RAMIREZ, ERIC	11689 CRANE CT	MORENO VALLEY, CA	92557-6203	79.7	7.97	15.78	103.44
31207325007	264194014	HOPKINS, MARY	11669	CRANE CT	MORENO VALLEY	CA	92557-6203	HOPKINS, MARY	11669 CRANE CT	MORENO VALLEY, CA	92557-6203	254.02	25.4	50.3	329.7
88986083008	264194018	SOLLANO, MARIO (OWNR)	11680	CRANE CT	MORENO VALLEY	CA	92557-6203	SOLLANO, MARIO	11680 CRANE CT	MORENO VALLEY, CA	92557-6203	228.7	22.87	45.28	296.84
67018315007	264194020	JORDAN, RODNEY	11700	CRANE CT	MORENO VALLEY	CA	92557-6203	JORDAN, RODNEY	11700 CRANE CT	MORENO VALLEY, CA	92557-6203	329.6	32.96	65.26	427.82
82146685009	264194021	BRECINO, MARIA AND JOSE LOUIS	11710	CRANE CT	MORENO VALLEY	CA	92557-6203	BRECINO, MARIA AND JOSE LOUIS	11710 CRANE CT	MORENO VALLEY, CA	92557-6203	254.02	25.4	50.3	329.7
50385945007	264194022	FLOREZ, DANI	23565	SWAN ST	MORENO VALLEY	CA	92557-7902	FLOREZ, DANI	23565 SWAN ST	MORENO VALLEY, CA	92557-7902	198.17	19.82	39.24	257.22
94298515000	264202004	BUTLER, KENYA (RENT)	11565	HONEY HOLLOW	MORENO VALLEY	CA	92557-5417	BUTLER, KENYA	11565 HONEY HOLLOW	MORENO VALLEY, CA	92557-5417	253.92	25.39	50.28	329.58
93795675002	264203001	SANTIAGO, JESUS (OWNR)	23332	TOUCAN PL	MORENO VALLEY	CA	92557-5413	SANTIAGO, JESUS	3103 BRISTOL ST APT 267	SANTA ANA, CA	92704-6749	254.12	25.41	50.32	329.84
93539415009	264203003	WILLIAMS, JUANITA (RENT)	23346	TOUCAN PL	MORENO VALLEY	CA	92557-5413	WILLIAMS, JUANITA	23346 TOUCAN PL	MORENO VALLEY, CA	92557-5413	217.45	21.75	43.06	282.24
31469535009	264203005	SANCHEZ, LORA	23374	TOUCAN PL	MORENO VALLEY	CA	92557-5413	SANCHEZ, LORA	23374 TOUCAN PL	MORENO VALLEY, CA	92557-5413	329.32	32.93	65.21	427.44
75912195006	264204013	WILSON, MIRIAM	11592	HONEY HOLLOW	MORENO VALLEY	CA	92557-5416	WILSON, MIRIAM	11592 HONEY HOLLOW	MORENO VALLEY, CA	92557-5416	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
99665555005	264212001	TURJILLO, IVAN	23431	WESTERN RIDGE RD	MORENO VALLEY	CA	92557-4823	TURJILLO, IVAN	23431 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4823	38.81	3.88	7.68	50.36
31623975008	264213013	MALLORY, VERLINE	11240	PIONEER RIDGE RD	MORENO VALLEY	CA	92557-4825	MALLORY, VERLINE	11240 PIONEER RIDGE RD	MORENO VALLEY, CA	92557-4825	254.02	25.4	50.3	329.7
31144845003	264214001	DICKERSON, B JEWELL AND B	11221	PIONEER RIDGE RD	MORENO VALLEY	CA	92557-4808	DICKERSON, B JEWELL AND B	11221 PIONEER RIDGE RD	MORENO VALLEY, CA	92557-4808	254.02	25.4	50.3	329.7
31126095007	264214003	ALLEN, CALVIN	11261	PIONEER RIDGE RD	MORENO VALLEY	CA	92557-4808	ALLEN, CALVIN	11261 PIONEER RIDGE RD	MORENO VALLEY, CA	92557-4808	254.02	25.4	50.3	329.7
91520233009	264221001	WEBB, CANILLE (RENT)	23761	PARKLAND AVE	MORENO VALLEY	CA	92557-4940	WEBB, CANILLE	23761 PARKLAND AVE	MORENO VALLEY, CA	92557-4940	63.63	6.36	12.6	82.58
97009325008	264221010	WILLIAMS, RICHARD (OWNR)	23815	PARKLAND AVE	MORENO VALLEY	CA	92557-4942	WILLIAMS, RICHARD	11858 ALANA WAY	VICTORVILLE, CA	92392-4419	272.76	27.28	54.01	354.04
31544715001	264221025	NEZART, DORIS	23716	MARK TWAIN	MORENO VALLEY	CA	92557-4901	NEZART, DORIS	23716 MARK TWAIN	MORENO VALLEY, CA	92557-4901	127.26	12.73	25.2	165.18
94339013007	264221027	NEWMAN, SHUNITA (RENT)	23704	MARK TWAIN	MORENO VALLEY	CA	92557-4901	NEWMAN, SHUNITA	23704 MARK TWAIN	MORENO VALLEY, CA	92557-4901	71	7.1	14.06	92.14
92357115000	264221029	HEKKEKA, WILLIAM	23692	MARK TWAIN	MORENO VALLEY	CA	92557-4901	HEKKEKA, WILLIAM	8895 BURLINGTON CIR	RIVERSIDE, CA	92508-2530	253.92	25.39	50.28	329.58
93868453003	264221030	JOHNSON, RACHAEL (RENT)	23686	MARK TWAIN	MORENO VALLEY	CA	92557-4901	JOHNSON, RACHAEL	23686 MARK TWAIN	MORENO VALLEY, CA	92557-4901	224.18	22.42	44.39	290.98
85548305003	264221035	MEJIA, ANA	23669	MARK TWAIN	MORENO VALLEY	CA	92557-4902	MEJIA, ANA	23669 MARK TWAIN	MORENO VALLEY, CA	92557-4902	254.02	25.4	50.3	329.7
97976865004	264221046	SANTIAGO, FELIPE	23737	MARK TWAIN	MORENO VALLEY	CA	92557-4903	SANTIAGO, FELIPE	25081 ABBEY LN	MORENO VALLEY, CA	92557-6552	79.81	7.98	15.8	103.58
96992885008	264221062	GOINS, CLAUDIA (RENT)	23823	MARK TWAIN	MORENO VALLEY	CA	92557-4904	GOINS, CLAUDIA	23823 MARK TWAIN	MORENO VALLEY, CA	92557-4904	234.12	23.41	46.36	303.88
31300245007	264221063	ALLEN, GREGORY L	23829	MARK TWAIN	MORENO VALLEY	CA	92557-4904	ALLEN, GREGORY L	23829 MARK TWAIN	MORENO VALLEY, CA	92557-4904	254.02	25.4	50.3	329.7
94169385000	264221066	YBARRA, ARTURO (RENT)	23847	MARK TWAIN	MORENO VALLEY	CA	92557-4904	YBARRA, ARTURO	23847 MARK TWAIN	MORENO VALLEY, CA	92557-4904	254.12	25.41	50.32	329.84
95006635003	264222001	GUTIERREZ, RICARDO	11344	REDHILL RD	MORENO VALLEY	CA	92557-4912	GUTIERREZ, RICARDO	11344 REDHILL RD	MORENO VALLEY, CA	92557-4912	250.69	25.07	49.64	325.38
92787925008	264222006	LANDRY, GLADYS	11374	REDHILL RD	MORENO VALLEY	CA	92557-4912	LANDRY, GLADYS	11374 REDHILL RD	MORENO VALLEY, CA	92557-4912	105.32	10.53	20.85	136.7
52679125003	264222008	WILLIAMS, LINDA	11386	REDHILL RD	MORENO VALLEY	CA	92557-4912	WILLIAMS, LINDA	11386 REDHILL RD	MORENO VALLEY, CA	92557-4912	279.02	27.9	55.25	362.16
92755965006	264222011	DIAZ, ROY	11375	WEINHART CT	MORENO VALLEY	CA	92557-4908	DIAZ, ROY	11375 WEINHART CT	MORENO VALLEY, CA	92557-4908	254.02	25.4	50.3	329.7
96676275005	264222014	SCOTT, DAVID (OWNR)	11363	WEINHART CT	MORENO VALLEY	CA	92557-4908	SCOTT, DAVID	11363 WEINHART CT	MORENO VALLEY, CA	92557-4908	254.12	25.41	50.32	329.84
52079495008	264222017	PALAFOX, ARTEMISA	11376	WEINHART CT	MORENO VALLEY	CA	92557-4908	PALAFOX, ARTEMISA	11376 WEINHART CT	MORENO VALLEY, CA	92557-4908	254.02	25.4	50.3	329.7
88355465006	264222018	JOHNSON, GARY (RENT)	11382	WEINHART CT	MORENO VALLEY	CA	92557-4908	JOHNSON, GARY	11382 WEINHART CT	MORENO VALLEY, CA	92557-4908	119.12	11.91	23.59	154.6
98292585014	264222019	BROWN, EDNA (RENT)	11388	WEINHART CT	MORENO VALLEY	CA	92557-4908	BROWN, EDNA	11388 WEINHART CT	MORENO VALLEY, CA	92557-4908	254.12	25.41	50.32	329.84
31419455000	264222020	VOSS, GARLAND	23832	MARK TWAIN	MORENO VALLEY	CA	92557-4905	VOSS, GARLAND	23832 MARK TWAIN	MORENO VALLEY, CA	92557-4905	179.32	17.93	35.51	232.74
31636305001	264222023	ELLIS-SLAUGHTER, GEORGIA	23850	MARK TWAIN	MORENO VALLEY	CA	92557-4905	ELLIS-SLAUGHTER, GEORGIA	23850 MARK TWAIN	MORENO VALLEY, CA	92557-4905	254.02	25.4	50.3	329.7
96156185007	264222024	FARROW, SHEILA (RENT)	23856	MARK TWAIN	MORENO VALLEY	CA	92557-4905	FARROW, SHEILA	708 E 47TH ST	LOS ANGELES, CA	90011-5404	134.92	13.49	26.71	175.12
86245453003	264222026	WARNER, TRECEL (RENT)	23868	MARK TWAIN	MORENO VALLEY	CA	92557-4907	WARNER, TRECEL	23868 MARK TWAIN	MORENO VALLEY, CA	92557-4907	299.68	29.97	59.34	388.98
93960295002	264222028	BRANDEN, MONEZEL (RENT)	23919	PARKLAND AVE	MORENO VALLEY	CA	92557-4946	BRANDEN, MONEZEL	24318 HEMLOCK AVE SUITE A5	MORENO VALLEY, CA	92557-7223	41.79	4.18	8.27	54.24
73447075000	264222032	BONNER, MARQUITA	23895	PARKLAND AVE	MORENO VALLEY	CA	92557-4946	BONNER, MARQUITA	526 N HANOVER ST	ANAHEIM, CA	92801-5007	254.08	25.41	50.31	329.78
94974255000	264222033	LIST, SCOTT (RENT)	23889	PARKLAND AVE	MORENO VALLEY	CA	92557-4946	LIST, SCOTT (RENT)	23889 PARKLAND AVE	MORENO VALLEY, CA	92557-4946	368.47	36.85	72.96	478.26
88897555008	264222038	URQUIZU, CESAR AND KAREN	23859	PARKLAND AVE	MORENO VALLEY	CA	92557-4943	URQUIZU, CESAR AND KAREN	21780 MARIE RD	PERRIS, CA	92570-6883	277.17	27.72	54.88	359.76
93821985001	264222041	GARCIA, MARISOL (RENT)	23841	PARKLAND AVE	MORENO VALLEY	CA	92557-4943	GARCIA, MARISOL	12131 SOMBRA APT 217	MORENO VALLEY, CA	92557-4943	25.97	2.6	5.14	33.7
31300145008	264231006	STREETER, RICK AND MARY	23846	PARKLAND AVE	MORENO VALLEY	CA	92557-4944	STREETER, RICK AND MARY	23846 PARKLAND AVE	MORENO VALLEY, CA	92557-4944	154.02	15.4	30.5	199.9
99821295006	264231013	PALACIOS, MARTIN (RENT)	11132	SILVER RUN	MORENO VALLEY	CA	92557-4926	PALACIOS, MARTIN	5360 VAN BUREN BLVD APT 228	RIVERSIDE, CA	92503-2621	254.12	25.41	50.32	329.84
99424115007	264231015	TROYA, WALTER	11111	SILVER RUN	MORENO VALLEY	CA	92557-4921	TROYA, WALTER	11111 SILVER RUN	MORENO VALLEY, CA	92557-4921	254.12	25.41	50.32	329.84
55869275005	264232008	ACEVEDO, FELIPE	11133	MINERS TRL	MORENO VALLEY	CA	92557-4925	ACEVEDO, FELIPE	11133 MINERS TR	MORENO VALLEY, CA	92557-4925	254.02	25.4	50.3	329.7
31369115009	264233006	MARKHAM, DAVID	11142	MINERS TRL	MORENO VALLEY	CA	92557-4924	MARKHAM, DAVID	11142 MINERS TRL	MORENO VALLEY, CA	92557-4924	229.19	22.92	45.38	297.48
88489295009	264234001	NOFRI, DAVID	23960	PARKLAND AVE	MORENO VALLEY	CA	92557-4945	NOFRI, DAVID	23960 PARKLAND AVE	MORENO VALLEY, CA	92557-4945	254.12	25.41	50.32	329.84
94635525001	264234003	REYES-TATE, JESSENIA (RENT)	23948	PARKLAND AVE	MORENO VALLEY	CA	92557-4945	REYES-TATE, JESSENIA	23948 PARKLAND AVE	MORENO VALLEY, CA	92557-4945	254.12	25.41	50.32	329.84
74458755003	264234004	CLARK, GOLDIE	23942	PARKLAND AVE	MORENO VALLEY	CA	92557-4945	CLARK, GOLDIE	23942 PARKLAND AVE	MORENO VALLEY, CA	92557-4945	254.02	25.4	50.3	329.7
92511153003	264234013	JACOBS, YOLANDA (RENT)	23888	PARKLAND AVE	MORENO VALLEY	CA	92557-4945	JACOBS, YOLANDA	23888 PARKLAND AVE	MORENO VALLEY, CA	92557-4945	270.39	27.04	53.54	350.96
101058863005	264234022	CASERTANO, COLIN (RENT)	23935	COPPER HILL PL	MORENO VALLEY	CA	92557-4932	CASERTANO, COLIN	23935 COPPER HILL PL	MORENO VALLEY, CA	92557-4932	52.02	5.2	10.3	67.52
93563215001	264234023	BOUDREAUX, MEGAN (OWNR)	23956	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-4960	BOUDREAUX, MEGAN AND ZACHARY	23956 BADGER SPRINGS TRL	MORENO VALLEY, CA	92557-4960	84.12	8.41	16.66	109.18
31249755008	264234029	MC CULLEY, MICHAELA	23929	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-4960	MC CULLEY, MICHAELA	23929 BADGER SPRINGS TR	MORENO VALLEY, CA	92557-4960	254.12	25.41	50.32	329.84
55095365008	264234033	VELASQUEZ, RAMIRO	11257	MINERS TRL	MORENO VALLEY	CA	92557-4928	VELASQUEZ, RAMIRO	11257 MINERS TR	MORENO VALLEY, CA	92557-4928	89.63	8.96	17.75	116.32
91765765008	264234035	LOPEZ, MARIA	11230	MINERS TRL	MORENO VALLEY	CA	92557-4928	LOPEZ, MARIA	11230 MINERS TR	MORENO VALLEY, CA	92557-4928	253.92	25.39	50.28	329.58
97517955007	264234038	MCZEAL, JANICE (RENT)	11256	MINERS TRL	MORENO VALLEY	CA	92557-4928	MCZEAL, JANICE	11256 MINERS TRL	MORENO VALLEY, CA	92557-4928	254.12	25.41	50.32	329.84
95518185001	264234039	EDOGIAWERIE, HANOFI (OWNR)	11266	MINERS TRL	MORENO VALLEY	CA	92557-4928	EDOGIAWERIE, HANOFI	11266 MINERS TR	MORENO VALLEY, CA	92557-4928	253.92	25.39	50.28	329.58
93388313008	264235006	NELSON, HEATHER (OWNR)	23880	MARK TWAIN	MORENO VALLEY	CA	92557-4907	NELSON, HEATHER	23880 MARK TWAIN	MORENO VALLEY, CA	92557-4907	161.13	16.11	31.9	209.12
95880845005	264235007	CARLSON, FRANK (RENT)	23874	MARK TWAIN	MORENO VALLEY	CA	92557-4907	CARLSON, FRANK	PO BOX 541	VICTORVILLE, CA	92393-0541	189.7	18.97	37.56	246.22
31555925003	264236002	LLOYD, GAYLORD (OWN)	23919	MARK TWAIN	MORENO VALLEY	CA	92557-4906	LLOYD, GAYLORD	23919 MARK TWAIN	MORENO VALLEY, CA	92557-4906	254.02	25.4	50.3	329.7
92512185005	264236008	RAMIREZ, MAURICIO (RENT)	23883	MARK TWAIN	MORENO VALLEY	CA	92557-4906	RAMIREZ, MAURICIO	23883 MARK TWAIN	MORENO VALLEY, CA	92557-4906	84.57	8.46	16.74	109.76
31155815005	264241005	LEE, BERNESTINE	11103	OUTLAW WAY	MORENO VALLEY	CA	92557-4803	LEE, BERNESTINE	11103 OUTLAW WAY	MORENO VALLEY, CA	92557-4803	254.02	25.4	50.3	329.7
31561425006	264241013	MC LENDON, CINDY	23246	RANGER ST	MORENO VALLEY	CA	92557-4805	MC LENDON, CINDY	23246 RANGER ST	MORENO VALLEY, CA	92557-4805	82.68	8.27	16.37	107.3
31321205001	264243014	JACOBSEN, HARRY	11185	PIONEER RIDGE RD	MORENO VALLEY	CA	92557-4808	JACOBSEN, HARRY	29076 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4817	329.32	32.93	65.21	427.44
31598955006	264251011	TAYLOR, SUSAN	23356	SONNET DR	MORENO VALLEY	CA	92557-5438	TAYLOR, SUSAN	23356 SONNET DR	MORENO VALLEY, CA	92557-5438	254.02	25.4	50.3	329.7
87929725005	264252001	MEJIA, SOTERO	23440	SONNET DR	MORENO VALLEY	CA	92557-5405	MEJIA, SOTERO	23440 SONNET DR	MORENO VALLEY, CA	92557-5405	254.12	25.41	50.32	329.84
31610245009	264252004	REINHARDT, BILLIE	23476	SONNET DR	MORENO VALLEY	CA	92557-5405	REINHARDT, BILLIE	23476 SONNET DR	MORENO VALLEY, CA	92557-5405	124.02	12.4	24.56	160.96
31532825003	264253005	PEARSON, SEAN P	23273	HARLAND DR	MORENO VALLEY	CA	92557-5408	PEARSON, SEAN P	9407 TURNBRIDGE LN	RIVERSIDE, CA	92508-9310	254.02	25.4	50.3	329.7
58090775000	264254002	HENSHAW, JOHN	23248	HARLAND DR	MORENO VALLEY	CA	92557-5411	HENSHAW, JOHN	23248 HARLAND DR	MORENO VALLEY, CA	92557-5411	27.06	2.71	5.36	35.12
31215615009	264254005	ROSAS, JOHN (RENT)	23284	HARLAND DR	MORENO VALLEY	CA	92557-5411	ROSAS, JOHN	23284 HARLAND DR	MORENO VALLEY, CA	92557-5411	254.02	25.4	50.3	329.7
31084585005	264254031	MC PHERSON, MR	23341	SONNET DR	MORENO VALLEY	CA	92557-5404	MC PHERSON, MR	23341 SONNET DR	MORENO VALLEY, CA	92557-5404	254.02	25.4	50.3	329.7
88019415001	264254034	BARNETT, LISA	23305	SONNET DR	MORENO VALLEY	CA	92557-5404	BARNETT, LISA	23305 SONNET DR	MORENO VALLEY, CA	92557-5404	221.61	22.16	43.88	287.64
58167665009	264254038	SILGUERO, JOSEPH	23259	SONNET DR	MORENO VALLEY	CA	92557-5404	SILGUERO, JOSEPH	23259 SONNET DR	MORENO VALLEY, CA	92557-5404	254.02	25.4	50.3	329.7
31502015006	264261004	REYNOLDS, GREGORY	22817	SWEETPEA CIR	MORENO VALLEY	CA	92557-6026	REYNOLDS, GREGORY	22817 SWEETPEA CIR	MORENO VALLEY, CA	92557-6026	253.92	25.39	50.28	329.58
31128145003	264261006	SHELTON, GERRY	22789	SWEETPEA CIR	MORENO VALLEY	CA	92557-6026	SHELTON, GERRY	22789 SWEETPEA CIR	MORENO VALLEY, CA	92557-6026	254.02	25.4	50.3	329.7
31269575004	264261007	ORTIZ, BEATRICE	22775	SWEETPEA CIR	MORENO VALLEY	CA	92557-6026	ORTIZ, BEATRICE	22775 SWEETPEA CIR	MORENO VALLEY, CA	92557-6026	254.02	25.4	50.3	329.7
58639065003	264261009	HUDSON, BERNICE E	22802	SWEETPEA CIR	MORENO VALLEY	CA	92557-6026	HUDSON, BERNICE E	22802 SWEETPEA CIR	MORENO VALLEY, CA	92557-6026	254.12	25.41	50.32	329.84
31554715000	264261011	BOZARTH, MARTHA	22830	SWEETPEA CIR	MORENO VALLEY	CA	92557-6026	BOZARTH, MARTHA	22830 SWEETPEA CIR	MORENO VALLEY, CA	92557-6026	104.02	10.4	20.6	135
31061995007	264261018	MARSHALL, CRAIG B	22799	CATMINT CIR	MORENO VALLEY	CA	92557-6025	MARSHALL, CRAIG B	22799 CATMINT CIR	MORENO VALLEY, CA	92557-6025	254.02	25.4	50.3	329.7
93313143006	264261020	MORROW, JESSIKA (OWNR)	22776	CATMINT CIR	MORENO VALLEY	CA	92557-6025	MORROW, JESSIKA (OWNR)	22776 CATMINT CIR	MORENO VALLEY, CA	92557-6025	103.31	10.33	20.46	134.08
52511355009	264261027	FITHIAN, ALINA	22865	WILD GERANIUM LN	MORENO VALLEY	CA	92557-6019	FITHIAN, ALINA	22865 WILD GERANIUM LN	MORENO VALLEY, CA	92557-6019	254.02	25.4	50.3	329.7
31476475006	264261038	ESTRADA, VICTOR	11908	YELLOW IRIS WAY	MORENO VALLEY	CA	92557-6023	ESTRADA, VICTOR	11908 YELLOW IRIS WAY	MORENO VALLEY, CA	92557-6023	254.02	25.4	50.3	329.7
97931095001	264263003	FERNANDEZ, ISAURA (RENT)	11893	YELLOW IRIS WAY	MORENO VALLEY	CA	92557-6024	FERNANDEZ, ISAURA	11893 YELLOW IRIS WAY	MORENO VALLEY, CA	92557-6024	63.63	6.36	12.6	82.58
91401875007	264263004	JIMENEZ, JAVIER	11865	YELLOW IRIS WAY	MORENO VALLEY	CA	92557-6022	JIMENEZ, JAVIER	11865 YELLOW IRIS WAY	MORENO VALLEY, CA	92557-6022	253.92	25.39	50.28	329.58
97053735000	264264002	RAMIREZ, RICHARD (RENT)	22706	WILD GERANIUM LN	MORENO VALLEY	CA	92557-6018	RAMIREZ, RICHARD (RENT)	22706 WILD GERANIUM LN	MORENO VALLEY, CA	92557-6018	194.57	19.46	38.52	252.54
81189375005	264264004	ORTEGA, JOSUE	22738	WILD GERANIUM LN	MORENO VALLEY	CA	92557-6018	ORTEGA, JOSUE	15413 GEMSTONE CT	MORENO VALLEY, CA	92551-3603	63.63	6.36	12.6	82.58
31099035009	264271002	BISHOP, RICHARD	22786	WILD GERANIUM LN	MORENO VALLEY	CA	92557-6018	BISHOP, RICHARD	22786 WILD GERANIUM LN	MORENO VALLEY, CA	92557-6018	254.02	25.4	50.3	329.7
62073785008	264271010	BENITES, ARMANDO	22845	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6042	BENITES, ARMANDO	22845 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-6042	227.15	22.72	44.98	294.84
31069655000	264271012	BELL, JOHNNY AND YVONNE	22817	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6042	BELL, JOHNNY	2700 GRAFTON CT	LAS VEGAS, NV	89117-0648	254.02	25.4	50.3	329.7
31625405003	264273004	ALEX, EDMOND	22766	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6008	ALEX, EDMOND	22766 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-6008	254.02	25.4	50.3	329.7
31553025007	264273008	GONZALES, HECTOR	22818	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6008	GONZALES, HECTOR	22818 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-6008	254.02	25.4	50.3	329.7
57202705007	264275004	FLORES JR, WILLIAM	11748	COUNTRY FLOWER LN	MORENO VALLEY	CA	92557-6002	FLORES JR, WILLIAM	11748 COUNTRY FLOWER LN	MORENO VALLEY, CA	92557-6002	127.36	12.74	25.22	165.3
52206765000	264282001	CUELLAR, RITA	11831	LIVERPOOL LN	MORENO VALLEY	CA	92557-6131	CUELLAR, RITA	11831 LIVERPOOL LN	MORENO VALLEY, CA	92557-6131	254.02	25.4	50.3	329.7
31633015009	264282003	BROOKS, WALTER	11813	LIVERPOOL LN	MORENO VALLEY	CA	92557-6131	BROOKS, WALTER	11813 LIVERPOOL LN	MORENO VALLEY, CA	92557-6131	254.02	25.4	50.3	329.7
31623495009	264282004	ANDRADE, IVAN	11805	LIVERPOOL LN	MORENO VALLEY	CA	92557-6131	ANDRADE, IVAN	11805 LIVERPOOL LN	MORENO VALLEY, CA	92557-6131	54.02	5.4	10.7	70.1
31545035001	264282011	HERNANDEZ, SARAH	11768	LIVERPOOL LN	MORENO VALLEY	CA	92557-6130	HERNANDEZ, SARAH	11768 LIVERPOOL LN	MORENO VALLEY, CA	92557-6130	253.92	25.39	50.28	329.58
91846185008	264282012	BETHEL, APRIL	11776	LIVERPOOL LN	MORENO VALLEY	CA	92557-6130	BETHEL, APRIL	11776 LIVERPOOL LN	MORENO VALLEY, CA	92557-6130	253.92	25.39	50.28	329.58
96207775004	264282014	TRUMBO, JENNIE (OWNR)	11794	LIVERPOOL LN	MORENO VALLEY	CA	92557-6132	TRUMBO, JENNIE	11794 LIVERPOOL LN	MORENO VALLEY, CA	92557-6132	47.46	4.75	9.4	61.6
90089363008	264282015	GAFFORD, STEPHANIE (RENT)	11804	LIVERPOOL LN	MORENO VALLEY	CA	92557-6132	GAFFORD, STEPHANIE	11804 LIVERPOOL LN	MORENO VALLEY, CA	92557-6132	94.83	9.48	18.78	123.08
31549905000	264282018	FLORES, RICHARD	11830	LIVERPOOL LN	MORENO VALLEY	CA	92557-6132	FLORES, RICHARD	11830 LIVERPOOL LN	MORENO VALLEY, CA	92557-6132	254.02	25.4	50.3	329.7
31621515009	264282019	BANKS, NICOLE	11840	LIVERPOOL LN	MORENO VALLEY	CA	92557-6132	BANKS, NICOLE	11840 LIVERPOOL LN	MORENO VALLEY, CA	92557-6132	254.02	25.4	50.3	329.7
31065735003	264282024	RAMIREZ, CARLOS	11884	LIVERPOOL LN	MORENO VALLEY	CA	92557-6170	RAMIREZ, C	11884 LIVERPOOL LN	MORENO VALLEY, CA	92557-6170	254.02	25.4	50.3	329.7
70506175005	264282030	GARCIA, MONICA	11938	LIVERPOOL LN	MORENO VALLEY	CA	92557-6134	GARCIA, MONICA	25234 BRANDING IRON WAY	MORENO VALLEY, CA	92557-6134	254.02	25.4	50.3	329.7
95880795005	264282032	GARCIA, FLOR (OWNR)	11956	LIVERPOOL LN	MORENO VALLEY	CA	92557-6134	GARCIA, FLOR	11956 LIVERPOOL LN	MORENO VALLEY, CA	92557-6134	254.12	25.41	50.32	329.84
31587395007	264291002	ALEXANDER, LUANN	23650	SWAN ST	MORENO VALLEY	CA	92557-7936	ALEXANDER, LUANN	23650 SWAN ST	MORENO VALLEY, CA	92557-7936	254.02	25.4	50.3	329.7
31545029000	264291011	AUSTIN, NINA	23758	SWAN ST	MORENO VALLEY	CA	92557-7928	AUSTIN, NINA	12135 FRANKLIN ST	MORENO VALLEY, CA	92557-7424	199.1	19.91	39.42	258.42
94775465007	264292002	MERCADO, JOHN (OWNR)	23721	SWAN ST	MORENO VALLEY	CA	92557-7900	MERCADO, JOHN	23721 SWAN ST	MORENO VALLEY, CA	92557-7900	254.12	25.41	50.32	329.84
62206475009	264292013	SALAZAR, GISSEL	23745	SWAN ST	MORENO VALLEY	CA	92557-7900	SALAZAR, GISSEL	23745 SWAN ST	MORENO VALLEY, CA	92557-7900	220.92	22.09	43.74	286.74
31496155001	264292014	BOKELMAN, SHAVONA	23757	SWAN ST	MORENO VALLEY	CA	92557-7900	BOKELMAN, SHAVONA	23757 SWAN ST	MORENO VALLEY, CA	92557-7900	254.02	25.4	50.3	329.7
86571065004	264293003	DIAZ, SANDRA	23733	COCKATIEL DR	MORENO VALLEY	CA	92557-6200	DIAZ, SANDRA	23733 COCKATIEL DR	MORENO VALLEY, CA	92557-6200	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
96797515009	264290005	GONZALEZ, ANGELINA (RENT)	23709	COCKATIEL DR	MORENO VALLEY	CA	92557-6200	GONZALEZ, ANGELINA	11883 BAYLESS ST	MORENO VALLEY, CA	92557-6220	107.09	10.71	21.2	139
97169273000	264290011	COLE, JESSICA (RENT)	23637	COCKATIEL DR	MORENO VALLEY	CA	92557-6200	COLE, JESSICA	23637 COCKATIEL DR	MORENO VALLEY, CA	92557-6200	94.9	9.49	18.79	123.18
97609875009	264290012	LEWIS, THELMA (RENT)	23625	COCKATIEL DR	MORENO VALLEY	CA	92557-6200	LEWIS, THELMA (RENT)	23625 COCKATIEL DR	MORENO VALLEY, CA	92557-6200	188.09	18.81	37.24	244.14
31171045004	264290013	KAMINE, SHARON	23690	RHEA DR	MORENO VALLEY	CA	92557-6205	KAMINE, SHARON	23690 RHEA DR	MORENO VALLEY, CA	92557-6205	254.02	25.4	50.3	329.7
62733195001	264290014	FLORES, BLANCA	23680	RHEA DR	MORENO VALLEY	CA	92557-6205	FLORES, BLANCA	23680 RHEA DR	MORENO VALLEY, CA	92557-6205	254.12	25.41	50.32	329.84
90151533001	264290016	SAAVEDRA, MICHELLE (RENT)	23646	RHEA DR	MORENO VALLEY	CA	92557-6205	SAAVEDRA, MICHELLE	23646 RHEA DR	MORENO VALLEY, CA	92557-6205	152.48	15.25	30.19	197.9
31376015005	264290018	CHARPENTIER, JOHN AND RENEE	23620	RHEA DR	MORENO VALLEY	CA	92557-6205	CHARPENTIER, JOHN AND RENEE	6601 N KEETON CIR	BETHANY, OK	73008-5951	39.53	3.95	7.83	51.3
93183373004	264290021	SMITH, IRMA (RENT)	11711	CRANE CT	MORENO VALLEY	CA	92557-6203	SMITH, IRMA	11711 CRANE CT	MORENO VALLEY, CA	92557-6203	226.59	22.66	44.85	294.1
93114103006	264294007	WALKER, ROSLYN	23619	RHEA DR	MORENO VALLEY	CA	92557-6206	WALKER, ROSLYN	23619 RHEA DR	MORENO VALLEY, CA	92557-6206	122.84	12.28	24.32	159.44
94511365007	264294010	TAYLOR, NATASHA (RENT)	23655	RHEA DR	MORENO VALLEY	CA	92557-6206	TAYLOR, NATASHA	23655 RHEA DR	MORENO VALLEY, CA	92557-6206	254.12	25.41	50.32	329.84
87289535004	264301005	PACHECO, CONNIE	11920	ALBION WAY	MORENO VALLEY	CA	92557-6139	PACHECO, CONNIE	11920 ALBION WAY	MORENO VALLEY, CA	92557-6139	240.98	24.1	47.71	312.78
52242625005	264301007	BELL, KEITH	11902	ALBION WAY	MORENO VALLEY	CA	92557-6139	BELL, KEITH	11902 ALBION WAY	MORENO VALLEY, CA	92557-6139	169.71	16.97	33.6	220.28
49425715003	264301014	PARK, HAN	11903	ALBION WAY	MORENO VALLEY	CA	92557-6140	PARK, HAN	14025 QUAILRIDGE DR	RIVERSIDE, CA	92503-7201	204.12	20.41	40.42	264.94
99518685006	264301018	CRUZ, TERESA (RENT)	11939	ALBION WAY	MORENO VALLEY	CA	92557-6140	CRUZ, TERESA	1920 E CYPRESS ST #21	ANAHEIM, CA	92805-3479	109.37	10.94	21.66	141.96
31584325009	264301019	DONIS, BLANCA	11947	ALBION WAY	MORENO VALLEY	CA	92557-6140	DONIS, BLANCA	11947 ALBION WAY	MORENO VALLEY, CA	92557-6140	254.12	25.41	50.32	329.84
31491075009	264301032	LOPEZ, RONNY	11885	HARTLAND PL	MORENO VALLEY	CA	92557-6102	LOPEZ, RONNY	11885 HARTLAND PL	MORENO VALLEY, CA	92557-6102	100	10	19.8	129.8
99122345008	264301034	ROLDAN, KATRINA (RENT)	11905	HARTLAND PL	MORENO VALLEY	CA	92557-6102	ROLDAN, KATRINA	11905 HARTLAND PL	MORENO VALLEY, CA	92557-6102	329.32	32.93	65.21	427.44
31320075000	264301037	CUBA, WILFREDO AND OFELIA	11931	HARTLAND PL	MORENO VALLEY	CA	92557-6102	CUBA, WILFREDO AND OFELIA	11931 HARTLAND PL	MORENO VALLEY, CA	92557-6102	57.42	5.74	11.37	74.52
96798825002	264301045	FANOUS, ILHAM (RENT)	11930	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6146	FANOUS, ILHAM	11930 COLLINGSWOOD DR	MORENO VALLEY, CA	92557-6146	371.95	37.2	73.65	482.78
96794695008	264301047	HERNANDEZ, GEORGINA (RENT)	11910	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6146	HERNANDEZ, GEORGINA	11910 COLLINGSWOOD DR	MORENO VALLEY, CA	92557-6146	254.12	25.41	50.32	329.84
31537785000	264302001	HARVEY, SUSANA	23081	FALL RIVER RD	MORENO VALLEY	CA	92557-6152	HARVEY, SUSANA	23081 FALL RIVER RD	MORENO VALLEY, CA	92557-6152	329.6	32.96	65.26	427.82
89040103009	264302002	ACOSTA, XAVIER (RENT)	23089	FALL RIVER RD	MORENO VALLEY	CA	92557-6152	ACOSTA, XAVIER	23089 FALL RIVER RD	MORENO VALLEY, CA	92557-6152	254.12	25.41	50.32	329.84
31183115004	264302010	FRAGOSO, ELIASIN	23161	FALL RIVER RD	MORENO VALLEY	CA	92557-6153	FRAGOSO, ELIASIN	23161 FALL RIVER RD	MORENO VALLEY, CA	92557-6153	254.02	25.4	50.3	329.7
56766935004	264302017	VILLAGRANA, CELILIO	23071	FALL RIVER RD	MORENO VALLEY	CA	92557-6151	VILLAGRANA, CELILIO	23071 FALL RIVER RD	MORENO VALLEY, CA	92557-6151	254.02	25.4	50.3	329.7
31141565007	264302018	DIAZ, DOMINGO	23061	FALL RIVER RD	MORENO VALLEY	CA	92557-6151	DIAZ, DOMINGO	23061 FALL RIVER RD	MORENO VALLEY, CA	92557-6151	190.69	19.07	37.76	247.5
31057605007	264302019	DAVIS, KIM	23051	FALL RIVER RD	MORENO VALLEY	CA	92557-6151	DAVIS, KIM	23051 FALL RIVER RD	MORENO VALLEY, CA	92557-6151	254.02	25.4	50.3	329.7
86153003004	264302023	CHAVEZ, MARIA (OWNR)	23011	FALL RIVER RD	MORENO VALLEY	CA	92557-6150	CHAVEZ, MARIA	23011 FALL RIVER RD	MORENO VALLEY, CA	92557-6150	254.12	25.41	50.32	329.84
31108585002	264302034	VELOS AVILES SR, LUIS	23015	SEABROOK LN	MORENO VALLEY	CA	92557-6165	VELOS AVILES SR, LUIS	23015 SEABROOK LN	MORENO VALLEY, CA	92557-6165	104.02	10.4	20.6	135
31539435000	264321010	CARDENAS-HUERTA, AURORA	23037	MANSFIELD LN	MORENO VALLEY	CA	92557-6163	CARDENAS-HUERTA, AURORA	23037 MANSFIELD LN	MORENO VALLEY, CA	92557-6163	254.12	25.41	50.32	329.84
92619413000	264321011	VASQUEZ, RICO (RENT)	23027	MANSFIELD LN	MORENO VALLEY	CA	92557-6163	VASQUEZ, RICO	PO BOX 2305	LONGMONT, CO	80502-2305	170.49	17.05	33.76	221.28
94057313002	264321013	ARAGEL, FELICIANA (RENT)	23003	MANSFIELD LN	MORENO VALLEY	CA	92557-6163	ARAGEL, FELICIANA (RENT)	23003 MANSFIELD LN	MORENO VALLEY, CA	92557-6163	155.73	15.57	30.83	202.13
31609295000	264321026	VENEGAS, LYNN	23006	LAMBOURNE CT	MORENO VALLEY	CA	92557-6100	VENEGAS, LYNN	23006 LAMBOURNE CT	MORENO VALLEY, CA	92557-6100	254.02	25.4	50.3	329.7
31626595001	264321031	MCCAFFERY, TANA	23072	LAMBOURNE CT	MORENO VALLEY	CA	92557-6100	MCCAFFERY, TANA	23072 LAMBOURNE CT	MORENO VALLEY, CA	92557-6100	214.44	21.44	42.46	278.34
99135243002	264322003	ROGERS, DEREK L (RENT)	11814	KETTERING CT	MORENO VALLEY	CA	92557-6135	ROGERS, DEREK L	13774 KAREN LYNN CT	MORENO VALLEY, CA	92553-1724	33.86	3.39	6.7	43.94
31106185000	264322009	HOLLOWAY, WILLIAM J	11766	KETTERING CT	MORENO VALLEY	CA	92557-6135	HOLLOWAY, WILLIAM J	11766 KETTERING CT	MORENO VALLEY, CA	92557-6135	254.02	25.4	50.3	329.7
60960525003	264322010	VIELMAN, ANA	11765	KETTERING CT	MORENO VALLEY	CA	92557-6136	VIELMAN, ANA	11765 KETTERING CT	MORENO VALLEY, CA	92557-6136	254.12	25.41	50.32	329.84
31381385007	264322013	SAMUELS, LOLA H	11789	KETTERING CT	MORENO VALLEY	CA	92557-6136	SAMUELS, LOLA H	11789 KETTERING CT	MORENO VALLEY, CA	92557-6136	36.37	3.64	7.2	47.2
98229815018	264322014	ACOSTA, CHRISTMAS (RENT)	11797	KETTERING CT	MORENO VALLEY	CA	92557-6136	ACOSTA, CHRISTMAS	11797 KETTERING CT	MORENO VALLEY, CA	92557-6136	190.79	19.08	37.78	247.64
31415935008	264322021	BUI, TRUNG	11814	CARLISLE CT	MORENO VALLEY	CA	92557-6137	BUI, TRUNG	11814 CARLISLE CT	MORENO VALLEY, CA	92557-6137	254.02	25.4	50.3	329.7
31215385007	264322028	COTTRELL, CALVIN G AND MARY	11765	CARLISLE CT	MORENO VALLEY	CA	92557-6138	COTTRELL, CALVIN G AND MARY	11765 CARLISLE CT	MORENO VALLEY, CA	92557-6138	254.02	25.4	50.3	329.7
91187125000	264322029	ENG, CARLY	11773	CARLISLE CT	MORENO VALLEY	CA	92557-6138	ENG, CARLY	11773 CARLISLE CT	MORENO VALLEY, CA	92557-6138	253.92	25.39	50.28	329.58
31697675001	264322033	CERVERA, DELORES	11805	CARLISLE CT	MORENO VALLEY	CA	92557-6138	CERVERA, DELORES	11805 CARLISLE CT	MORENO VALLEY, CA	92557-6138	254.02	25.4	50.3	329.7
93427885008	264322035	TOPETE, EMILIA (OWNR)	11821	CARLISLE CT	MORENO VALLEY	CA	92557-6138	TOPETE, EMILIA	11821 CARLISLE CT	MORENO VALLEY, CA	92557-6138	154.12	15.41	30.52	200.04
97121055007	264322040	WASHINGTON, STEPHANIE	11806	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6143	WASHINGTON, STEPHANIE	15706 JALANJE LN	MORENO VALLEY, CA	92551-6928	283.43	28.34	56.12	367.88
31645375007	264322041	OREHEL, FRANCISCO	11798	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6143	OREHEL, FRANCISCO	11798 COLLINGSWOOD DR	MORENO VALLEY, CA	92557-6143	254.02	25.4	50.3	329.7
89893875009	264322042	ELIZARRARAS, MARTHA	11790	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6143	ELIZARRARAS, MARTHA	11790 COLLINGSWOOD DR	MORENO VALLEY, CA	92557-6143	67.26	6.73	13.32	87.3
81767875002	264322043	JOHNSON, ANNEKE	11782	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6143	JOHNSON, ANNEKE	11782 COLLINGSWOOD DR	MORENO VALLEY, CA	92557-6143	83.4	8.34	16.51	108.24
51991045000	264322002	JOHNSON, STAN AND SANDRA	23087	MANSFIELD LN	MORENO VALLEY	CA	92557-6148	JOHNSON, STAN AND SANDRA	23087 MANSFIELD LN	MORENO VALLEY, CA	92557-6148	41.89	4.19	8.29	54.36
31645925002	264322004	VELIS, JENNIFER	23107	MANSFIELD LN	MORENO VALLEY	CA	92557-6148	VELIS, JENNIFER	23107 MANSFIELD LN	MORENO VALLEY, CA	92557-6148	254.02	25.4	50.3	329.7
31079135000	264331006	MCDONALD, GEORGE	22775	TEA ROSE LN	MORENO VALLEY	CA	92557-6016	MCDONALD, GEORGE	22775 TEA ROSE LN	MORENO VALLEY, CA	92557-6016	229.02	22.9	45.35	297.26
31303665002	264331007	JOHNSON, LEONARD	22787	TEA ROSE LN	MORENO VALLEY	CA	92557-6014	JOHNSON, LEONARD	22787 TEA ROSE LN	MORENO VALLEY, CA	92557-6014	127.26	12.73	25.2	165.18
97093873009	264332003	MOLETTE, DAMION (RENT)	22815	CATTAIL LN	MORENO VALLEY	CA	92557-6013	MOLETTE, DAMION	PO BOX 348	MORENO VALLEY, CA	92556-0348	264.18	26.42	52.31	342.9
87887485005	264342004	CASTILLO, GILBERT	22846	TEA ROSE LN	MORENO VALLEY	CA	92557-6015	CASTILLO, GILBERT	22846 TEA ROSE LN	MORENO VALLEY, CA	92557-6015	254.12	25.41	50.32	329.84
31656855003	264342005	JAHN, PAM	22836	TEA ROSE LN	MORENO VALLEY	CA	92557-6015	JAHN, PAM	22836 TEA ROSE LN	MORENO VALLEY, CA	92557-6015	254.02	25.4	50.3	329.7
31400165001	264342013	BANKS, KEVIN	11711	BLUE LUPIN LN	MORENO VALLEY	CA	92557-6005	BANKS, KEVIN	11711 BLUE LUPIN LN	MORENO VALLEY, CA	92557-6005	127.36	12.74	25.22	165.3
31144625009	264344011	FOSTER, PATRICK	11649	BLUE LUPIN LN	MORENO VALLEY	CA	92557-6003	FOSTER, PATRICK	11649 BLUE LUPIN LN	MORENO VALLEY, CA	92557-6003	254.02	25.4	50.3	329.7
31429235006	264352009	CAMPBELL, TERRA	22589	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6033	CAMPBELL, TERRA	22589 CLIMBING ROSE	MORENO VALLEY, CA	92557-6033	254.02	25.4	50.3	329.7
31472505009	264352016	DIXON, RICHARD	22659	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6034	DIXON, RICHARD	22659 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-6034	254.02	25.4	50.3	329.7
89146013003	264361005	PICKARD, CHARISSE (RENT)	11683	BOBOLINK LN	MORENO VALLEY	CA	92557-5427	PICKARD, CHARISSE (RENT)	11683 BOBOLINK LN	MORENO VALLEY, CA	92557-5427	154.12	15.41	30.52	200.04
51059065001	264361011	CHAMORRO, PABLO	11692	CANVASBACK CIR	MORENO VALLEY	CA	92557-5400	CHAMORRO, PABLO	11692 CANVASBACK CIR	MORENO VALLEY, CA	92557-5400	214.02	21.4	42.38	277.78
92451915003	264361015	VELASQUEZ, MARICELA	11654	CANVASBACK CIR	MORENO VALLEY	CA	92557-5400	VELASQUEZ, MARICELA	11654 CANVASBACK CIR	MORENO VALLEY, CA	92557-5400	254.02	25.4	50.3	329.7
90320525004	264361019	SUAREZ, SIMONA	11663	CANVASBACK CIR	MORENO VALLEY	CA	92557-5414	SUAREZ, SIMONA	11663 CANVASBACK CIR	MORENO VALLEY, CA	92557-5414	253.92	25.39	50.28	329.58
64589925003	264361023	GONZALEZ, ANABELLE (OWNR)	11703	CANVASBACK CIR	MORENO VALLEY	CA	92557-5414	GONZALEZ, ANABELLE	11703 CANVASBACK CIR	MORENO VALLEY, CA	92557-5414	54.12	5.41	10.72	70.24
66068135001	264361029	VASQUEZ, ISRAEL	11672	PINTAIL CT	MORENO VALLEY	CA	92557-5434	VASQUEZ, ISRAEL	11672 PINTAIL CT	MORENO VALLEY, CA	92557-5434	191.12	19.11	37.84	248.06
60187925009	264361031	MOONEY, TIMOTHY	11664	PINTAIL CT	MORENO VALLEY	CA	92557-5435	MOONEY, TIMOTHY	11664 PINTAIL CT	MORENO VALLEY, CA	92557-5435	63.63	6.36	12.6	82.58
31150675005	264361036	DUBON, GUS	11643	PINTAIL CT	MORENO VALLEY	CA	92557-5435	DUBON, GUS	11643 PINTAIL CT	MORENO VALLEY, CA	92557-5435	254.02	25.4	50.3	329.7
86772873008	264361042	STEWART, SHANNON (RENT)	11703	PINTAIL CT	MORENO VALLEY	CA	92557-5436	STEWART, SHANNON	12031 NITA DR	MORENO VALLEY, CA	92557-7211	170.74	17.07	33.81	221.62
80351195000	264361048	SAMUELS, LOLO (OWNR)	23061	GOLDEN EYE LN	MORENO VALLEY	CA	92557-5430	SAMUELS, LOLO	23061 GOLDEN EYE LN	MORENO VALLEY, CA	92557-5430	219.84	21.98	43.53	285.34
93975033005	264362021	LEE, STELLA	11662	BOBOLINK LN	MORENO VALLEY	CA	92557-5415	LEE, STELLA	PO BOX 358	MORENO VALLEY, CA	92556-0358	193.82	19.38	38.38	251.56
89069573009	264371001	HERNANDEZ, MARTHA (OWNR)	22013	MONICO DR	MORENO VALLEY	CA	92557-5926	HERNANDEZ, MARTHA	22013 MONICO DR	MORENO VALLEY, CA	92557-5926	127.46	12.75	25.24	165.44
91012825003	264371023	JOHNSON, PATRICIA (RENT)	22073	SPRINGCREST RD	MORENO VALLEY	CA	92557-5902	JOHNSON, PATRICIA	22073 SPRING CREST RD	MORENO VALLEY, CA	92557-5902	253.92	25.39	50.28	329.58
86157295004	264372006	GARCIA, JESSIE	22074	SPRINGCREST RD	MORENO VALLEY	CA	92557-5901	GARCIA, JESSIE	22074 SPRING CREST RD	MORENO VALLEY, CA	92557-5901	100.02	10	19.8	129.82
31153245000	264372007	BAGGETT, SHEILA	22062	SPRINGCREST RD	MORENO VALLEY	CA	92557-5901	BAGGETT, SHEILA	22062 SPRINGCREST RD	MORENO VALLEY, CA	92557-5901	254.02	25.4	50.3	329.7
53966265003	264373004	VALDEZ, JOSE	22098	NAPLES DR	MORENO VALLEY	CA	92557-5903	VALDEZ, JOSE	22098 NAPLES DR	MORENO VALLEY, CA	92557-5903	254.02	25.4	50.3	329.7
88018545004	264373009	BOYD, TAMI	11780	CONSTANTINE CIR	MORENO VALLEY	CA	92557-5940	BOYD, TAMI	11780 CONSTANTINE CIR	MORENO VALLEY, CA	92557-5940	63.63	6.36	12.6	82.58
31643185002	264373014	AHMED, RAGIQ	11835	CONSTANTINE CIR	MORENO VALLEY	CA	92557-5913	AHMED, RAGIQ	4957 SILVERADO DR	FAIRFIELD, CA	94534-6824	254.02	25.4	50.3	329.7
31599365008	264373016	ABDELRHMAN, NAJIB AND AMEL	11875	CONSTANTINE CIR	MORENO VALLEY	CA	92557-5913	ABDELRHMAN, NAJIB	11875 CONSTANTINE CIR	MORENO VALLEY, CA	92557-5913	126.49	12.65	25.05	164.18
86804653005	264373017	NAVA, ALBERTO (RENT)	11895	CONSTANTINE CIR	MORENO VALLEY	CA	92557-5913	NAVA, ALBERTO (RENT)	PO BOX 9836	MORENO VALLEY, CA	92552-1836	126.47	12.65	25.04	164.14
75179745007	264381014	SOLCHAGA, JOSE	22182	NAPLES DR	MORENO VALLEY	CA	92557-5908	SOLCHAGA, JOSE	22182 NAPLES DR	MORENO VALLEY, CA	92557-5908	254.02	25.4	50.3	329.7
88096105002	264381017	RUGLEY, DOROTHY	22146	NAPLES DR	MORENO VALLEY	CA	92557-5905	RUGLEY, DOROTHY	22146 NAPLES DR	MORENO VALLEY, CA	92557-5905	329.6	32.96	65.26	427.82
95822725002	264381023	HALDERMAN, TODD (RENT)	22289	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5916	HALDERMAN, TODD	22289 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5916	254.02	25.4	50.3	329.7
31383575003	264382003	COOK, DAN	22181	NAPLES DR	MORENO VALLEY	CA	92557-5907	COOK, DAN	22181 NAPLES DR	MORENO VALLEY, CA	92557-5907	79.02	7.9	15.65	102.56
31621165002	264382004	ABUFARHA, JIHADS	22191	NAPLES DR	MORENO VALLEY	CA	92557-5907	ABUFARHA, JIHADS	22191 NAPLES DR	MORENO VALLEY, CA	92557-5907	254.02	25.4	50.3	329.7
31605015007	264382006	DAVIS, DONTE	22217	NAPLES DR	MORENO VALLEY	CA	92557-5907	DAVIS, DONTE	22217 NAPLES DR	MORENO VALLEY, CA	92557-5907	154.02	15.4	30.5	199.9
83028045003	264382007	DEL RIO, VERONICA	22229	NAPLES DR	MORENO VALLEY	CA	92557-5909	DEL RIO, VERONICA	22229 NAPLES DR	MORENO VALLEY, CA	92557-5909	254.02	25.4	50.3	329.7
94176045007	264382012	VALDEZ, MARY (RENT)	22289	NAPLES DR	MORENO VALLEY	CA	92557-5912	VALDEZ, MARY	13376 ATHLETIC DR	MORENO VALLEY, CA	92555-3718	133.85	13.39	26.5	173.72
58943515005	264382014	ROCHA, LETICIA	22309	NAPLES DR	MORENO VALLEY	CA	92557-5912	ROCHA, LETICIA	22309 NAPLES DR	MORENO VALLEY, CA	92557-5912	190.79	19.08	37.78	247.64
31152085005	264382016	DAVIS, RICARDO	22339	NAPLES DR	MORENO VALLEY	CA	92557-5912	DAVIS, RICARDO	22339 NAPLES DR	MORENO VALLEY, CA	92557-5912	127.36	12.74	25.22	165.3
89557533002	264390001	TOVAR, HILDA	11925	BARCLAY DR	MORENO VALLEY	CA	92557-5915	TOVAR, HILDA	11925 BARCLAY DR	MORENO VALLEY, CA	92557-5915	63.63	6.36	12.6	82.58
88897553008	264402001	GALLARDO, VIVENCIO (RENT)	22400	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-5935	GALLARDO, VIVENCIO	22400 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-5935	90.79	9.08	17.98	117.84
31173275001	264402007	MARQUEZ, GOEL	22460	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-5939	MARQUEZ, GOEL	22460 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-5939	190.69	19.07	37.76	247.5
70985725001	264403003	JOHNSON, GREGORY	22430	NARANJA ST	MORENO VALLEY	CA	92557-5928	JOHNSON, GREGORY	22430 NARANJA ST	MORENO VALLEY, CA	92557-5928	254.02	25.4	50.3	329.7
31363475006	264403013	FAUSTO, FRANCISCO	22419	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5918	FAUSTO, FRANCISCO	22419 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5918	329.32	32.93	65.21	427.44
59865925003	264404011	VAUGHN, ARLENE	11920	BARCLAY DR	MORENO VALLEY	CA	92557-5915	VAUGHN, ARLENE	11920 BARCLAY DR	MORENO VALLEY, CA	92557-5915	254.12	25.41	50.32	329.84
96979895002	264404014	WOODS, WANDA	11890	BARCLAY DR	MORENO VALLEY	CA	92557-5914	WOODS, WANDA	11890 BARCLAY DR	MORENO VALLEY, CA	92557-5914	137.12	13.71	27.15	177.98
97979265004	264404015	TILLET, JERMAINE (RENT)	11880	BARCLAY DR	MORENO VALLEY	CA	92557-5914	TILLET, JERMAINE (RENT)	11880 BARCLAY DR	MORENO VALLEY, CA	92557-5914	254.12	25.41	50.32	329.84
31313055009	264405002	NEWELL, RUBEN	22378	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5917	NEWELL, RUBEN	22378 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5917	254.12	25.41	50.32	329.84
88773065004	264405003	RICHARDSON, ROSEMARY	22390	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5917	RICHARDSON, ROSEMARY	22390 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5917	254.12	25.41	50.32	329.84
97981695000	264405005	JIMENEZ, MIRNA (RENT)	22414	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5917	JIMENEZ, MIRNA	22414 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5917	63.63	6.36	12.6	82.58
98045015016	264405006	KIM, HA (RENT)	22426	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5917	KIM, HA	22426 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5917	84.58	8.46	16.75	109.78
65619325002	264411008	TOSCANO, LETICIA	22519	NARANJA ST	MORENO VALLEY	CA	92557-5931	TOSCANO, LETICIA	22519 NARANJA ST	MORENO VALLEY, CA	92557-5931	127.46	12.75	25.24	165.44

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
96979705003	264412005	WILLIAMS, JEFFREY (OWNR)	22532	NARANJA ST	MORENO VALLEY	CA	92557-5933	WILLIAMS, JEFFREY	22532 NARANJA ST	MORENO VALLEY, CA	92557-5933	254.12	25.41	50.32	329.84
31472975006	264412009	STEPHENSON, LEROY	22580	NARANJA ST	MORENO VALLEY	CA	92557-5933	STEPHENSON, LEROY	22580 NARANJA ST	MORENO VALLEY, CA	92557-5933	254.02	25.4	50.3	329.7
50911595003	264412010	AGUILAR, GEORGE	22600	NARANJA ST	MORENO VALLEY	CA	92557-5933	AGUILAR, GEORGE	12091 RIPARIAN WAY	MORENO VALLEY, CA	92557-6939	301.42	30.14	59.68	391.24
31418005007	264412017	YOUNG, CAROL AND THEODORE	22533	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5921	YOUNG, CAROL	22533 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5921	254.02	25.4	50.3	329.7
53275205002	264412019	CALDWELL, MARY	22509	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5921	CALDWELL, MARY	22509 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5921	190.69	19.07	37.76	247.5
87063053003	264413007	WIENS, DANNY (RENT)	22546	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5922	WIENS, DANNY	22546 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5922	154.12	15.41	30.52	200.04
31183005007	264421006	DE LA ROSA, JOANNA (OWNR)	11686	SANDPIPER CT	MORENO VALLEY	CA	92557-7918	DE LA ROSA, JOANNA	11686 SANDPIPER	MORENO VALLEY, CA	92557-7918	104.02	10.4	20.6	135
31349335005	264421008	SUAREZ, PABLO AND GRACIELA	11710	SANDPIPER CT	MORENO VALLEY	CA	92557-7918	SUAREZ, PABLO AND GRACIELA	11710 SANDPIPER CT	MORENO VALLEY, CA	92557-7918	329.32	32.93	65.21	427.44
68527445009	264421009	ESQUIVEL, HERMAN (OWNR)	11722	SANDPIPER CT	MORENO VALLEY	CA	92557-7918	ESQUIVEL, HERMAN	11722 SANDPIPER CT	MORENO VALLEY, CA	92557-7918	232.76	23.28	46.09	302.12
87617385007	264422006	MC GEE, RENZA	11639	SANDPIPER CT	MORENO VALLEY	CA	92557-7917	MC GEE, RENZA	19340 MISSION RANCH RD	RIVERSIDE, CA	92508-6831	254.12	25.41	50.32	329.84
91371303002	264422008	BULACAN, CYNTHIA (RENT)	11626	MCCULLY CT	MORENO VALLEY	CA	92557-7911	BULACAN, CYNTHIA	11626 MCCULLY CT	MORENO VALLEY, CA	92557-7911	113.39	11.34	22.45	147.18
94953985001	264423005	CURRY, LATSHA (RENT)	11585	MCCULLY CT	MORENO VALLEY	CA	92557-7910	CURRY, LATSHA	11585 MCCULLY CT	MORENO VALLEY, CA	92557-7910	163.34	16.33	32.34	212
31364675002	264423008	BROWN, HARVEY	11584	MCCULLY CT	MORENO VALLEY	CA	92557-7910	BROWN, HARVEY	11584 MC CULLY CT	MORENO VALLEY, CA	92557-7910	329.32	32.93	65.21	427.44
31312915007	264423009	NAIR, MAHENDRA K	11596	MCCULLY CT	MORENO VALLEY	CA	92557-7910	NAIR, MAHENDRA K	11596 MC CULLY CT	MORENO VALLEY, CA	92557-7910	253.92	25.39	50.28	329.58
86564543009	264423012	MITCHEL, JOE (RENT)	11593	SANDPIPER CT	MORENO VALLEY	CA	92557-7915	MITCHEL, JOE (RENT)	11593 SANDPIPER CT	MORENO VALLEY, CA	92557-7915	82.68	8.27	16.37	107.3
91925045000	264423022	TENORIO, VELIA (OWNR)	11558	SANDPIPER CT	MORENO VALLEY	CA	92557-7913	TENORIO, VELIA	11558 SANDPIPER CT	MORENO VALLEY, CA	92557-7913	252.76	25.28	50.05	328.08
31264855006	264423023	KING, LARRY G	11570	SANDPIPER CT	MORENO VALLEY	CA	92557-7914	KING, ROSALIND	11570 SANDPIPER	MORENO VALLEY, CA	92557-7914	254.02	25.4	50.3	329.7
31537875001	264423025	TORRES, MAURICE	11594	SANDPIPER CT	MORENO VALLEY	CA	92557-7914	TORRES, MAURICE	11594 SANDPIPER	MORENO VALLEY, CA	92557-7914	329.6	32.96	65.26	427.82
31171405008	264431006	WARD, DONALD	23854	SWAN ST	MORENO VALLEY	CA	92557-7927	WARD, DONALD	23854 SWAN ST	MORENO VALLEY, CA	92557-7927	228.63	22.86	45.27	296.76
31172935005	264431007	VEGIGA, MICHELE	23866	SWAN ST	MORENO VALLEY	CA	92557-7927	VEGIGA, MICHELE	23866 SWAN ST	MORENO VALLEY, CA	92557-7927	190.69	19.07	37.76	247.5
93838415005	264431011	PEREZ, ANDREW (RENT)	23902	SWAN ST	MORENO VALLEY	CA	92557-7927	PEREZ, ANDREW	971 LONG BEACH DR	COLTON, CA	92324-6807	254.12	25.41	50.32	329.84
31467485003	264431013	FAZANDE, GREGORY C	11647	MCCULLY CT	MORENO VALLEY	CA	92557-7912	FAZANDE, GREGORY C	11647 MC CULLY CT	MORENO VALLEY, CA	92557-7912	329.6	32.96	65.26	427.82
90985093004	264431016	BULACAN, CYNTHIA	11680	MCCULLY CT	MORENO VALLEY	CA	92557-7911	BULACAN, CYNTHIA	4526 CANDELARIA WAY	PERRIS, CA	92571-5138	143.94	14.39	28.5	186.82
31169825004	264431018	MC LEOD, ROSEMARY	23931	COCKATIEL DR	MORENO VALLEY	CA	92557-7924	MC LEOD, ROSEMARY	23931 COCKATIEL DR	MORENO VALLEY, CA	92557-7924	254.02	25.4	50.3	329.7
52400565001	264431024	WOMACK, JC	23835	COCKATIEL DR	MORENO VALLEY	CA	92557-7923	WOMACK, JC	23835 COCKATIEL DR	MORENO VALLEY, CA	92557-7923	70.77	7.08	14.01	91.84
57964615001	264431028	GARCIA, MARIA L	23824	ROWE DR	MORENO VALLEY	CA	92557-7929	GARCIA, MARIA L	23824 ROWE DR	MORENO VALLEY, CA	92557-7929	226.79	22.68	44.9	294.36
93942795005	264431040	BLANCO, MYRA (OWNR)	23945	ROWE DR	MORENO VALLEY	CA	92557-7935	BLANCO, MYRA	23945 ROWE DR	MORENO VALLEY, CA	92557-7935	254.12	25.41	50.32	329.84
31177415003	264431044	AMEZCUA, MARIA	23875	ROWE DR	MORENO VALLEY	CA	92557-7932	AMEZCUA, MARIA	23875 ROWE DR	MORENO VALLEY, CA	92557-7932	190.69	19.07	37.76	247.5
57963335002	264431057	ALVARADO, SYLVIA	23781	ROWE DR	MORENO VALLEY	CA	92557-7930	ALVARADO, SYLVIA	23781 ROWE DR	MORENO VALLEY, CA	92557-7930	63.63	6.36	12.6	82.58
94428735007	264432002	PERSON, FRANCESCA (OWNR)	23793	SWAN ST	MORENO VALLEY	CA	92557-7925	PERSON, FRANCESCA (OWNR)	23793 SWAN ST	MORENO VALLEY, CA	92557-7925	50.52	5.05	10	65.56
92573935000	264432003	CARTER, MICHAEL	23805	SWAN ST	MORENO VALLEY	CA	92557-7925	CARTER, MICHAEL	23805 SWAN ST	MORENO VALLEY, CA	92557-7925	254.02	25.4	50.3	329.7
59201825002	264432011	BERRY, DOYLE AND LINDA (OWNR)	23790	COCKATIEL DR	MORENO VALLEY	CA	92557-7922	BERRY, DOYLE	23790 COCKATIEL DR	MORENO VALLEY, CA	92557-7922	63.63	6.36	12.6	82.58
83697565005	264440006	URIBE, ALEJANDRO AND OFELIA	11575	BLUE JAY CT	MORENO VALLEY	CA	92557-5447	URIBE, ALEJANDRO	11575 BLUE JAY CT	MORENO VALLEY, CA	92557-5447	254.02	25.4	50.3	329.7
80650975001	264440010	MENDOZA, JUAN	11532	BLUE JAY CT	MORENO VALLEY	CA	92557-5446	MENDOZA, JUAN	11532 BLUE JAY CT	MORENO VALLEY, CA	92557-5446	137.44	13.74	27.21	178.38
94494225006	264440011	GREENBANK, JASON (RENT)	11546	BLUE JAY CT	MORENO VALLEY	CA	92557-5446	GREENBANK, JASON	29477 PINELEAF ST	MENIFEE, CA	92584-7489	191.87	19.19	37.99	249.04
91020243008	279690005	JACKSON, TENIEL (RENT)	25062	ROADRUNNER LN	MORENO VALLEY	CA	92557-6549	JACKSON, TENIEL	25062 ROADRUNNER LN	MORENO VALLEY, CA	92557-6549	98.97	9.9	19.6	128.46
31058295000	291090010	FRANKLIN, CHERYL	21634	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-8062	FRANKLIN, CHERYL	21634 EUCALYPTUS AV	MORENO VALLEY, CA	92553-8062	254.02	25.4	50.3	329.7
90405493009	291120027	CANDELARIA, FELICIA (RENT)	13122	YELLOWWOOD ST	MORENO VALLEY	CA	92553-6943	CANDELARIA, FELICIA	14150 GRANT ST	MORENO VALLEY, CA	92553-9114	256.98	25.7	50.88	333.56
84637625008	291130003	OROZCO, CELIA	13550	DAY ST	MORENO VALLEY	CA	92553-8135	OROZCO, CELIA	13550 DAY ST	MORENO VALLEY, CA	92553-8135	177.44	17.74	35.13	230.3
100839103009	291130018	GARCIA, MARTHA	22209	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8325	GARCIA, MARTHA	22209 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8325	117.83	11.78	23.33	152.94
31385685005	291140013	HERNANDEZ, ARMANDO AND MARIA	13549	ELSWORTH ST	MORENO VALLEY	CA	92553-8463	HERNANDEZ, ARMANDO AND MARIA	13549 ELSWORTH ST	MORENO VALLEY, CA	92553-8463	76.3	7.63	15.11	99.02
80470175002	291161011	DIXON, KENT	13649	PHYLLIS AVE	MORENO VALLEY	CA	92553-8344	DIXON, KENT	13649 PHYLLIS AVE	MORENO VALLEY, CA	92553-8344	254.02	25.4	50.3	329.7
31101865008	291161013	PEREZ, JOAQUIN	22362	ELLA AVE	MORENO VALLEY	CA	92553-8338	PEREZ, JOAQUIN	22362 ELLA AVE	MORENO VALLEY, CA	92553-8338	129.32	12.93	25.61	167.84
31048105001	291161014	WILSON, MATTHEW	22376	ELLA AVE	MORENO VALLEY	CA	92553-8338	WILSON, MATTHEW	22376 ELLA AVE	MORENO VALLEY, CA	92553-8338	254.02	25.4	50.3	329.7
31356795003	291162001	PARTIDA, HENRY	22487	ELLA AVE	MORENO VALLEY	CA	92553-8347	PARTIDA, HENRY	22487 ELLA AVE	MORENO VALLEY, CA	92553-8347	54.02	5.4	10.7	70.1
83252575007	291162003	SALGADO, EVELIO (OWNER)	22461	ELLA AVE	MORENO VALLEY	CA	92553-8347	SALGADO, EVELIO	22461 ELLA AVE	MORENO VALLEY, CA	92553-8347	254.02	25.4	50.3	329.7
31735143000	291162010	VEGA, ANA (RENT)	22375	ELLA AVE	MORENO VALLEY	CA	92553-8339	VEGA, ANA (RENT)	22375 ELLA AVE	MORENO VALLEY, CA	92553-8339	127.46	12.75	25.24	165.44
52683775008	291162016	TOVAR, YADIRA	22414	BERTIE AVE	MORENO VALLEY	CA	92553-8333	TOVAR, YADIRA	22414 BERTIE AVE	MORENO VALLEY, CA	92553-8333	254.02	25.4	50.3	329.7
97109425004	291162018	RODRIGUEZ, ARTURO (RENT)	22487	BERTIE AVE	MORENO VALLEY	CA	92553-8334	RODRIGUEZ, ARTURO	13887 DAY ST	MORENO VALLEY, CA	92553-8255	254.12	25.41	50.32	329.84
96287375000	291162021	CHAVEZ, GUALBERTO	22474	BERTIE AVE	MORENO VALLEY	CA	92553-8333	CHAVEZ, GUALBERTO	22474 BERTIE AVE	MORENO VALLEY, CA	92553-8333	519.25	51.93	102.81	673.98
31606415001	291163001	URZUA, ANGEL AND ELIZABETH	22487	BERTIE AVE	MORENO VALLEY	CA	92553-8334	URZUA, ANGEL	23690 MARSHALL ST	PERRIS, CA	92570-7972	254.02	25.4	50.3	329.7
97234405005	291163002	BEAN, BRUCE (RENT)	22473	BERTIE AVE	MORENO VALLEY	CA	92553-8334	BEAN, BRUCE	28897 CYPRESS POINT DR	MENIFEE, CA	92584-8834	248.27	24.83	49.16	322.24
75319965002	291163006	PAYAN, MARIA L	22423	BERTIE AVE	MORENO VALLEY	CA	92553-8334	PAYAN, MARIA L	22423 BERTIE AVE	MORENO VALLEY, CA	92553-8334	254.02	25.4	50.3	329.7
81933265009	291163010	CHAVEZ, CARLOS	22375	BERTIE AVE	MORENO VALLEY	CA	92553-8320	CHAVEZ, CARLOS	22375 BERTIE AVE	MORENO VALLEY, CA	92553-8320	90.69	9.07	17.96	117.7
52694585005	291163013	VARRIGA, CARMEN	22376	BAY AVE	MORENO VALLEY	CA	92553-8351	VARRIGA, CARMEN	22376 BAY AVE	MORENO VALLEY, CA	92553-8351	254.02	25.4	50.3	329.7
31603005004	291163019	HERNANDEZ, ARACELI (RENT)	22450	BAY AVE	MORENO VALLEY	CA	92553-8309	HERNANDEZ, ARACELI	22450 BAY AVE	MORENO VALLEY, CA	92553-8309	190.69	19.07	37.76	247.5
91690555002	291171003	SUING, T DOAN	22045	BAY AVE	MORENO VALLEY	CA	92553-8221	SUING, T DOAN	22045 BAY AVE	MORENO VALLEY, CA	92553-8221	253.92	25.39	50.28	329.58
86090573008	291171004	MARINO, STEPHANIE (RENT)	13792	DAY ST	MORENO VALLEY	CA	92553-8252	MARINO, STEPHANIE	13792 DAY ST	MORENO VALLEY, CA	92553-8252	357.88	35.79	70.86	464.52
53560505004	291172001	PESQUEDA, MARIBEL	22063	BAY AVE	MORENO VALLEY	CA	92553-8212	PESQUEDA, MARIBEL	22063 BAY AVE	MORENO VALLEY, CA	92553-8212	254.02	25.4	50.3	329.7
31453445002	291172004	NORIEGA, OLGA	13838	NOLZE PL	MORENO VALLEY	CA	92553-8235	NORIEGA, OLGA	13838 NOLZE PL	MORENO VALLEY, CA	92553-8235	54.02	5.4	10.7	70.1
75402185000	291172006	MARTIN, WALTER AND ELIZABETH	22094	SHERMAN AVE	MORENO VALLEY	CA	92553-8238	MARTIN, WALTER AND ELIZABETH	41905 CHAPARRAL DR	TEMECULA, CA	92592-8897	1017.08	101.71	201.38	1320.16
72626245005	291172015	HERRERA, LILIANA	22133	BAY AVE	MORENO VALLEY	CA	92553-8222	HERRERA, LILIANA	12548 CARMEL KNOLLS DR	RANCHO CUCAMONGA, CA	91739-9005	254.02	25.4	50.3	329.7
31473935007	291172019	MOORE, FELITA	22208	SHERMAN AVE	MORENO VALLEY	CA	92553-8242	MOORE, FELITA	PO BOX 5781	RIVERSIDE, CA	92517-5781	254.02	25.4	50.3	329.7
70561925003	291172032	GONZALES, MARTIN (APTS)	22125	BAY AVE	MORENO VALLEY	CA	92553-8222	GONZALES, MARTIN	12548 CARMEL KNOLLS DR	RANCHO CUCAMONGA, CA	91739-9005	254.02	25.4	50.3	329.7
31135645003	291172083	TELLES, LINDA	22138	SHERMAN AVE	MORENO VALLEY	CA	92553-8268	TELLES, LINDA	22138 SHERMAN AVE	MORENO VALLEY, CA	92553-8268	254.02	25.4	50.3	329.7
97007835005	291181001	LIZARRAGA, DAVID (RENT)	22265	BAY AVE	MORENO VALLEY	CA	92553-8228	LIZARRAGA, DAVID	22265 BAY AVE	MORENO VALLEY, CA	92553-8228	108.59	10.85	20.5	139.38
98763273009	291181002	SAYCHAREUN, AMNOY (OWNR)	22277	BAY AVE	MORENO VALLEY	CA	92553-8228	SAYCHAREUN, AMNOY	5443 WILDSAGE PL	CHINO HILLS, CA	91709-8723	265.92	26.59	52.65	345.16
31607695000	291181004	PHILLIPS, ROBYN	22307	BAY AVE	MORENO VALLEY	CA	92553-8308	PHILLIPS, ROBYN	22307 BAY AVE	MORENO VALLEY, CA	92553-8308	189.05	18.91	37.43	245.38
31581235004	291181010	FERNANDEZ, JORGE	22383	BAY AVE	MORENO VALLEY	CA	92553-8308	FERNANDEZ, JORGE	22383 BAY AVE	MORENO VALLEY, CA	92553-8308	190.69	19.07	37.76	247.5
94674295008	291181012	FERNANDEZ, RUBELINA (RENT)	22401	BAY AVE	MORENO VALLEY	CA	92553-8308	FERNANDEZ, RUBELINA	PO BOX 7076	MORENO VALLEY, CA	92552-7076	189.79	18.98	37.58	246.34
90353985008	291181018	ALVAREZ, LILIANA	22487	BAY AVE	MORENO VALLEY	CA	92553-8308	ALVAREZ, LILIANA	13747 PECAN PL	MORENO VALLEY, CA	92553-5302	253.92	25.39	50.28	329.58
86282985005	291181030	TELLE, EDUARDO	22308	FARRAGUT AVE	MORENO VALLEY	CA	92553-8312	TELLE, EDUARDO	22308 FARRAGUT AVE	MORENO VALLEY, CA	92553-8312	42.88	4.29	8.49	55.64
31296105006	291182001	SALAZAR, FERNANDO	22329	FARRAGUT AVE	MORENO VALLEY	CA	92553-8313	SALAZAR, FERNANDO	25683 ALPARAS CIR	MORENO VALLEY, CA	92551-2025	254.12	25.41	50.32	329.84
31106765008	291182004	MELENDREZ, THERESA	22367	FARRAGUT AVE	MORENO VALLEY	CA	92553-8313	MELENDREZ, THERESA	22367 FARRAGUT AVE	MORENO VALLEY, CA	92553-8313	254.02	25.4	50.3	329.7
31525905000	291182012	SANDOVAL, MONICA	22471	FARRAGUT AVE	MORENO VALLEY	CA	92553-8315	SANDOVAL, MONICA	14147 APPLEBLOSSOM LN	MORENO VALLEY, CA	92553-4481	329.6	32.96	65.26	427.82
55097745005	291182016	ALAMILLA, JACINTO	22354	SHERMAN AVE	MORENO VALLEY	CA	92553-8323	ALAMILLA, JACINTO	PO BOX 7014	MORENO VALLEY, CA	92552-7014	404.62	40.46	80.11	525.18
31578975004	291182019	REYNOSO, DIANNE	22390	SHERMAN AVE	MORENO VALLEY	CA	92553-8323	REYNOSO, DIANNE	12847 INDIAN ST	MORENO VALLEY, CA	92553-9324	254.02	25.4	50.3	329.7
31220075002	291182025	GARCIA, ANDRES	22470	SHERMAN AVE	MORENO VALLEY	CA	92553-8328	GARCIA, ANDRES	22470 SHERMAN AVE	MORENO VALLEY, CA	92553-8328	254.02	25.4	50.3	329.7
58077535008	291191016	MUNGUIA, MARIA	13899	PEPPER ST	MORENO VALLEY	CA	92553-8237	MUNGUIA, MARIA	13899 PEPPER ST	MORENO VALLEY, CA	92553-8237	254.02	25.4	50.3	329.7
31510625001	291191017	HERNANDEZ, OLGA	13903	PEPPER ST	MORENO VALLEY	CA	92553-8240	HERNANDEZ, OLGA	13903 PEPPER ST	MORENO VALLEY, CA	92553-8240	254.02	25.4	50.3	329.7
89011253008	291191018	FOX, DEXTER (OWNR)	13923	PEPPER ST	MORENO VALLEY	CA	92553-8240	FOX, DEXTER	13923 PEPPER ST	MORENO VALLEY, CA	92553-8240	329.6	32.96	65.26	427.82
83440745003	291191019	CHAVEZ, CATALINA	13931	PEPPER ST	MORENO VALLEY	CA	92553-8240	CHAVEZ, CATALINA	13931 PEPPER ST	MORENO VALLEY, CA	92553-8240	254.02	25.4	50.3	329.7
96194935001	291192001	SANDOVAL, CHRIS	22257	SHERMAN AVE	MORENO VALLEY	CA	92553-8248	SANDOVAL, CHRIS	22257 SHERMAN AVE	MORENO VALLEY, CA	92553-8248	439.06	43.91	86.93	569.88
31612415009	291192020	LOPEZ, OMAR	13929	GRANT ST	MORENO VALLEY	CA	92553-8322	LOPEZ, OMAR	13929 GRANT ST	MORENO VALLEY, CA	92553-8322	254.02	25.4	50.3	329.7
97082425004	291192024	WALLS, RANDY (RENT)	22240	ALESSANDRO BLVD	MORENO VALLEY	CA	92553-8207	WALLS, RANDY	22240 ALESSANDRO BLVD	MORENO VALLEY, CA	92553-8207	282.4	28.24	55.92	366.54
94004953009	291200008	AMBRIZ, PEDRO (RENT)	13944	GRANT ST	MORENO VALLEY	CA	92553-8321	AMBRIZ, PEDRO	13944 GRANT ST	MORENO VALLEY, CA	92553-8321	41.15	4.12	8.15	53.4
31523275007	291211003	TRUJILLO, VICENTE	22561	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8431	TRUJILLO, VICENTE	22561 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8431	254.02	25.4	50.3	329.7
31421825009	291211019	ZAMORA, JOSE	13660	ELSWORTH ST	MORENO VALLEY	CA	92553-8464	ZAMORA, JOSE	13660 ELSWORTH ST	MORENO VALLEY, CA	92553-8464	329.32	32.93	65.21	427.44
83776075000	291211020	BLANCO, MANUEL	13672	ELSWORTH ST	MORENO VALLEY	CA	92553-8464	BLANCO, MANUEL	13672 ELSWORTH ST	MORENO VALLEY, CA	92553-8464	254.02	25.4	50.3	329.7
31082385001	291211029	HARVEY, EDWARD	13701	BOEING ST	MORENO VALLEY	CA	92553-8424	HARVEY, EDWARD	PO BOX 20	TALLMADGE, OH	44278-0020	254.02	25.4	50.3	329.7
63067765003	291211030	GONZALEZ, MARCO SR	13687	BOEING ST	MORENO VALLEY	CA	92553-8427	GONZALEZ, MARCO SR	13687 BOEING ST	MORENO VALLEY, CA	92553-8427	254.12	25.41	50.32	329.84
31266885005	291211035	YEPEZ, DAVID	13617	BOEING ST	MORENO VALLEY	CA	92553-8427	YEPEZ, DAVID	13617 BOEING ST	MORENO VALLEY, CA	92553-8427	63.63	6.36	12.6	82.58
31117825003	291211045	GAZAWAY, HOWARD	22568	TEMCO ST	MORENO VALLEY	CA	92553-8414	GAZAWAY, HOWARD	22568 TEMCO ST	MORENO VALLEY, CA	92553-8414	310.27	31.03	61.43	402.72
62207915005	291212002	ZAMARRIPA, JOSE	22571	TEMCO ST	MORENO VALLEY	CA	92553-8415	ZAMARRIPA, JOSE	22571 TEMCO ST	MORENO VALLEY, CA	92553-8415	329.6	32.96	65.26	427.82
31489585006	291213010	MENDEZ, MELVIN	22565	VOUGHT ST	MORENO VALLEY	CA	92553-8401	MENDEZ, MELVIN	22565 VOUGHT ST	MORENO VALLEY, CA	92553-8401	254.12	25.41	50.32	329.84
31575535003	291213015	MAY, DIANA	13668	BOEING ST	MORENO VALLEY	CA	92553-8426	MAY, DIANA	11420 TROPIC CT	MORENO VALLEY, CA	92557-5746	254.02	25.4	50.3	329.7
75258955006	291213017	ARDA, VALERIANO	13700	BOEING ST	MORENO VALLEY	CA	92553-8423	ARDA, VALERIANO	13700 BOEING ST	MORENO VALLEY, CA	92553-8423	254.02	25.4	50.3	329.7
97102435008	291214001	RODRIQUEZ, JUAN (OWNR)	13610	MCDONNELL ST	MORENO VALLEY	CA	92553-8469	RODRIQUEZ, JUAN (OWNR)	13610 MCDONNELL ST	MORENO VALLEY, CA	92553-8469	254.12	25.41	50.32	329.84
31374145003	291214002	FERNANDEZ, MIRNA	13622	MCDONNELL ST	MORENO VALLEY	CA	92553-8469	FERNANDEZ, MIRNA	13622 MCDONNELL ST	MORENO VALLEY, CA	92553-8469	104.02	10.4	20.6	135
31638595006	291221008	GORDILLO, EDGAR	22705	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8420	GORDILLO, EDGAR	22705 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8420	63.69	6.37	12.61	82.66
62831335004	291222002	MORRIS, ROSA	22611	TEMCO ST	MORENO VALLEY	CA	92553-8433	MORRIS, ROSA	22611 TEMCO ST	MORENO VALLEY, CA	92553-8433	329.6	32.96	65.26	427.82

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
86050445000	291222004	MC CRADY, WILLIAM	22651	TEMCO ST	MORENO VALLEY	CA	92553-8433	MC CRADY, WILLIAM	22651 TEMCO ST	MORENO VALLEY, CA	92553-8433	329.32	32.93	65.21	427.44
31061455000	291222005	GONZALES, RICHARD	22663	TEMCO ST	MORENO VALLEY	CA	92553-8433	GONZALES, RICHARD	22663 TEMCO ST	MORENO VALLEY, CA	92553-8433	82.68	8.27	16.37	107.3
94341275008	291222009	JACKSON, MICHELLE (OWNR)	22610	VOUGHT ST	MORENO VALLEY	CA	92553-8435	JACKSON, MICHELLE	22610 VOUGHT ST	MORENO VALLEY, CA	92553-8435	127.46	12.75	25.24	165.44
31645815005	291222011	SIMS, SONIA	22650	VOUGHT ST	MORENO VALLEY	CA	92553-8435	SIMS, SONIA	22650 VOUGHT ST	MORENO VALLEY, CA	92553-8435	254.02	25.4	50.3	329.7
95306353003	291222012	BENITEZ, FRANCISCA (OWNR)	22660	VOUGHT ST	MORENO VALLEY	CA	92553-8435	BENITEZ, FRANCISCA	22660 VOUGHT ST	MORENO VALLEY, CA	92553-8435	54.91	5.49	10.87	71.26
95524785001	291223001	VARGAS, CLAUDIA (RENT)	22601	VOUGHT ST	MORENO VALLEY	CA	92553-8421	VARGAS, CLAUDIA	22601 VOUGHT ST	MORENO VALLEY, CA	92553-8421	254.12	25.41	50.32	329.84
31306125009	291223002	YANEZ, DANIEL	22621	VOUGHT ST	MORENO VALLEY	CA	92553-8421	YANEZ, DANIEL	22621 VOUGHT ST	MORENO VALLEY, CA	92553-8421	254.02	25.4	50.3	329.7
92072535007	291224006	ARELLANO, NOEL (OWNR)	13695	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8653	ARELLANO, NOEL	13695 THUNDERBIRD DR	MORENO VALLEY, CA	92553-8653	72.74	7.27	14.4	94.4
31518355000	291225002	MARTINEZ, SALVADOR O	22727	VOUGHT ST	MORENO VALLEY	CA	92553-8616	MARTINEZ, SALVADOR	22727 VOUGHT ST	MORENO VALLEY, CA	92553-8616	125.44	12.54	24.84	162.82
31405345003	291232012	BECKHAM, CHERYL	13541	CASPER CT	MORENO VALLEY	CA	92553-8670	BECKHAM, CHERYL	13541 CASPER CT	MORENO VALLEY, CA	92553-8670	254.02	25.4	50.3	329.7
91267173009	291233008	ELY, RUBY (RENT)	22898	VOUGHT ST	MORENO VALLEY	CA	92553-8617	ELY, RUBY	22898 VOUGHT ST	MORENO VALLEY, CA	92553-8617	79.13	7.91	15.67	102.7
91304723005	291233017	GUERRERO, SONIA (RENT)	13676	PLAYER CT	MORENO VALLEY	CA	92553-8648	GUERRERO, SONIA (RENT)	13676 PLAYER CT	MORENO VALLEY, CA	92553-8648	257.91	25.79	51.07	334.76
92078215001	291233018	SAHAGUN, EDGAR	13662	PLAYER CT	MORENO VALLEY	CA	92553-8648	SAHAGUN, EDGAR	13662 PLAYER CT	MORENO VALLEY, CA	92553-8648	253.92	25.39	50.28	329.58
31451435008	291233019	VILLALTA, RONALD	13650	PLAYER CT	MORENO VALLEY	CA	92553-8648	VILLALTA, RONALD	13650 PLAYER CT	MORENO VALLEY, CA	92553-8648	50	5	9.9	64.9
97605045002	291233022	VILLSENOR, MARIO (RENT)	13612	PLAYER CT	MORENO VALLEY	CA	92553-8648	VILLSENOR, MARIO	13612 PLAYER CT	MORENO VALLEY, CA	92553-8648	190.49	19.05	37.72	247.24
31479145000	291233031	CATELLANOS, LUIS	13696	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8652	CATELLANOS, LUIS	13696 THUNDERBIRD DR	MORENO VALLEY, CA	92553-8652	247.48	24.75	49	321.22
54925655008	291233032	GUERRA, SILVIA	13674	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8652	GUERRA, SILVIA	11122 LIVERPOOL LN	RIVERSIDE, CA	92503-5881	254.02	25.4	50.3	329.7
93409605005	291233034	CORTEZ, JOSE ANTONIO (OWNR)	13648	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8652	CORTEZ, JOSE ANTONIO	13648 THUNDERBIRD DR	MORENO VALLEY, CA	92553-8652	63.63	6.36	12.6	82.58
93769655001	291233035	MCMURRAY, MARINE (OWNR)	13636	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8652	MCMURRAY, MARINE	13636 THUNDERBIRD DR	MORENO VALLEY, CA	92553-8652	127.46	12.75	25.24	165.44
31263735004	291233037	JACKSON, ZETA	13610	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8652	JACKSON, ZETA	13610 THUNDERBIRD DR	MORENO VALLEY, CA	92553-8652	175.73	17.57	34.79	228.08
31265395000	291234003	MYERS, BETTY	22777	VOUGHT ST	MORENO VALLEY	CA	92553-8616	MYERS, BETTY	22777 VOUGHT ST	MORENO VALLEY, CA	92553-8616	254.12	25.41	50.32	329.84
31327045002	291234011	GONZALES, VICTOR	22873	VOUGHT ST	MORENO VALLEY	CA	92553-8655	GONZALES, VICTOR	22873 VOUGHT ST	MORENO VALLEY, CA	92553-8655	254.02	25.4	50.3	329.7
96637615006	291241001	BLACKWELL, WAYNE (RENT)	22881	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8660	BLACKWELL, WAYNE	22881 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8660	254.12	25.41	50.32	329.84
85944955007	291241003	GOMEZ, LUIS	13540	CASPER CT	MORENO VALLEY	CA	92553-8670	GOMEZ, LUIS	13540 CASPER CT	MORENO VALLEY, CA	92553-8670	254.02	25.4	50.3	329.7
31606885002	291241006	TORRES, MIGUEL	23094	VOUGHT ST	MORENO VALLEY	CA	92553-8600	TORRES, MIGUEL	23094 VOUGHT ST	MORENO VALLEY, CA	92553-8600	254.02	25.4	50.3	329.7
90409895007	291242002	GALEANA, MARIO	23079	VOUGHT ST	MORENO VALLEY	CA	92553-8601	GALEANA, MARIO	23079 VOUGHT ST	MORENO VALLEY, CA	92553-8601	253.92	25.39	50.28	329.58
97313555005	291242006	WATLEY, JACQUILINE (RENT)	23081	VOUGHT ST	MORENO VALLEY	CA	92553-8601	WATLEY, JACQUILINE (RENT)	22790 ALLIES PL APT D	MORENO VALLEY, CA	92553-8755	262.37	26.24	51.95	340.54
31651345002	291242017	GARCIA, GILBERT	22885	VOUGHT ST	MORENO VALLEY	CA	92553-8655	GARCIA, GILBERT	22885 VOUGHT ST	MORENO VALLEY, CA	92553-8655	254.02	25.4	50.3	329.7
92909285002	291261006	LOPEZ, MARIA	13821	BOEING ST	MORENO VALLEY	CA	92553-8518	LOPEZ, MARIA	13821 BOEING ST	MORENO VALLEY, CA	92553-8518	254.02	25.4	50.3	329.7
91191073002	291261012	OCAMPO, RAUL (OWNR)	13778	ELSWORTH ST	MORENO VALLEY	CA	92553-8468	OCAMPO, RAUL	13778 ELSWORTH ST	MORENO VALLEY, CA	92553-8468	50.79	5.08	10.06	65.92
31082885006	291261015	NYCEK, JACKLYN	13820	ELSWORTH ST	MORENO VALLEY	CA	92553-8520	NYCEK, JACKLYN	13820 ELSWORTH ST	MORENO VALLEY, CA	92553-8520	254.02	25.4	50.3	329.7
62646695000	291261017	STRICK, LAWRENCE	13844	ELSWORTH ST	MORENO VALLEY	CA	92553-8520	STRICK, LAWRENCE	13844 ELSWORTH ST	MORENO VALLEY, CA	92553-8520	254.12	25.41	50.32	329.84
31186735007	291262010	LE FRIDGE, DOLORES	13779	MCDONNELL ST	MORENO VALLEY	CA	92553-8513	LE FRIDGE, DOLORES	13779 MCDONNELL ST	MORENO VALLEY, CA	92553-8513	63.63	6.36	12.6	82.58
31413875005	291262012	SOLOMAN, GERTUDE	22541	BAY AVE	MORENO VALLEY	CA	92553-8404	SOLOMAN, GERTUDE	22541 BAY AVE	MORENO VALLEY, CA	92553-8404	254.02	25.4	50.3	329.7
55886125001	291262015	TRIPP, EVELYN	13806	BOEING ST	MORENO VALLEY	CA	92553-8517	TRIPP, EVELYN	13806 BOEING ST	MORENO VALLEY, CA	92553-8517	189.02	18.9	37.43	245.34
31604645008	291262020	RAMOS, PABLO (OWNR)	13874	BOEING ST	MORENO VALLEY	CA	92553-8517	RAMOS, PABLO	22320 FARRAGUT AVE	MORENO VALLEY, CA	92553-8312	54.02	5.4	10.7	70.1
93358703003	291263003	TALIA, LASAALIA	13876	MCDONNELL ST	MORENO VALLEY	CA	92553-8530	TALIA, LASAALIA	13876 MCDONNELL ST	MORENO VALLEY, CA	92553-8530	75.49	7.55	14.95	97.98
31306135007	291263006	FRAUSTO, JOSE D	13832	MCDONNELL ST	MORENO VALLEY	CA	92553-8530	FRAUSTO, JOSE D	13832 MCDONNELL ST	MORENO VALLEY, CA	92553-8530	254.02	25.4	50.3	329.7
31510695006	291263010	SIMMS, CARNELL	13778	MCDONNELL ST	MORENO VALLEY	CA	92553-8512	SIMMS, CARNELL	13778 MCDONNELL ST	MORENO VALLEY, CA	92553-8512	254.02	25.4	50.3	329.7
94872165005	291264001	CHRISTIAN, JATIN (RENT)	13918	ELSWORTH ST	MORENO VALLEY	CA	92553-8554	CHRISTIAN, JATIN	3618 WEST KINGSWAY AVE	ANAHEIM, CA	92804-4618	192.08	19.21	38.03	249.3
96389805004	291300004	SAADIQ, DONOVAN (OWNR)	22620	BERKSHIRE LN	MORENO VALLEY	CA	92553-8407	SAADIQ, DONOVAN (OWNR)	22620 BERKSHIRE LN	MORENO VALLEY, CA	92553-8407	200	20	39.6	259.6
31520455005	291300010	MAYNEZ, RUPERTA	22670	ABINGTON PL	MORENO VALLEY	CA	92553-8476	MAYNEZ, RUPERTA	22670 ABINGTON PL	MORENO VALLEY, CA	92553-8476	254.12	25.41	50.32	329.84
31653765009	291300012	JACKSON, TRIVIAN	22622	ABINGTON PL	MORENO VALLEY	CA	92553-8476	JACKSON, TRIVIAN	22622 ABINGTON PL	MORENO VALLEY, CA	92553-8476	254.12	25.41	50.32	329.84
31355145002	291300013	AVILA, MARIA	22645	ABINGTON PL	MORENO VALLEY	CA	92553-8476	AVILA, MARIA	22645 ABINGTON PL	MORENO VALLEY, CA	92553-8476	91.88	9.19	18.19	119.26
31054855001	291300014	SMITH, DANNELLE AND AUDREY	22677	ABINGTON PL	MORENO VALLEY	CA	92553-8476	SMITH, AUDREY	22677 ABINGTON PL	MORENO VALLEY, CA	92553-8476	254.12	25.41	50.32	329.84
94853455004	291300021	RODRIGUEZ, SALVADOR (OWNR)	22610	BAY AVE	MORENO VALLEY	CA	92553-8405	RODRIGUEZ, SALVADOR	22610 BAY AVE	MORENO VALLEY, CA	92553-8405	507.52	50.75	100.49	658.76
60678765000	291301006	LUARCA, MARTHA	13712	PAN AM BLVD	MORENO VALLEY	CA	92553-8410	LUARCA, MARTHA	13712 PAN AM BLVD	MORENO VALLEY, CA	92553-8410	329.6	32.96	65.26	427.82
96521335001	291311005	RAMIREZ, ESPARANZA (RENT)	22919	DRACAEA AVE	MORENO VALLEY	CA	92553-7815	RAMIREZ, ESPARANZA	22919 DRACAEA AVE	MORENO VALLEY, CA	92553-7815	254.12	25.41	50.32	329.84
101874252008	291311007	FRANCIS, DAVID JAMES	22891	DRACAEA AVE	MORENO VALLEY	CA	92553-6410	FRANCIS, DAVID JAMES	22891 DRACAEA AVE	MORENO VALLEY, CA	92553-6410	36.04	3.6	7.14	46.76
88420815000	291311016	ARELLANO, CRYSTAL	13311	APPLEBY CT	MORENO VALLEY	CA	92553-7801	ARELLANO, CRYSTAL	13311 APPLEBY CT	MORENO VALLEY, CA	92553-7801	48.52	4.85	9.61	62.96
31595515005	291311022	ANDRADE, SERGIO	22892	SCHRIBNER DR	MORENO VALLEY	CA	92553-6434	ANDRADE, SERGIO	22892 SCHRIBNER DR	MORENO VALLEY, CA	92553-6434	254.02	25.4	50.3	329.7
31448915003	291311023	GRUBBS, DONALD	22904	SCRIBNER DR	MORENO VALLEY	CA	92553-7825	GRUBBS, DONALD	22904 SCRIBNER DR	MORENO VALLEY, CA	92553-7825	190.69	19.07	37.76	247.5
75109525000	291311025	INIGUEZ, EFREN JV	22940	SCRIBNER DR	MORENO VALLEY	CA	92553-7825	INIGUEZ, EFREN JV	22940 SCRIBNER DR	MORENO VALLEY, CA	92553-7825	254.02	25.4	50.3	329.7
31206975002	291312008	VALENCIA, LORANA	13356	OAK DELL ST	MORENO VALLEY	CA	92553-6424	VALENCIA, LORANA	13356 OAK DELL ST	MORENO VALLEY, CA	92553-6424	254.02	25.4	50.3	329.7
31128105001	291313008	SANCHEZ, OCTAVIO	22828	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7800	SANCHEZ, OCTAVIO	22828 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7800	254.02	25.4	50.3	329.7
49454315007	291314010	RIOS, JOAQUIN AND VERONICA	22779	DRACAEA AVE	MORENO VALLEY	CA	92553-7861	RIOS, JOAQUIN AND VERONICA	22779 DRACAEA AVE	MORENO VALLEY, CA	92553-7861	127.38	12.74	25.22	165.32
31357025003	291314013	CUNNINGHAM, LEAH	22763	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7802	CUNNINGHAM, LEAH	22763 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7802	196.37	19.64	38.88	254.88
91609303005	291314015	IMMANUEL HOUSE	22764	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7802	IMMANUEL HOUSE	P O BOX 10271	MORENO VALLEY, CA	92552-0271	315.04	31.5	62.38	408.92
75099545009	291314017	BELTRAN, JACQUELINE JV	22790	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7802	BELTRAN, JACQUELINE JV	22790 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7802	154.02	15.4	30.5	199.9
31480755009	291321009	BARAJAS, MARIA	22927	BAYWOOD DR	MORENO VALLEY	CA	92553-6408	BARAJAS, MARIA	22927 BAYWOOD DR	MORENO VALLEY, CA	92553-6408	329.32	32.93	65.21	427.44
31208165008	291322012	TORO, ALEJANDRO	22932	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7803	TORO, ALEJANDRO	22932 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7803	254.02	25.4	50.3	329.7
96195075008	291322013	EVANS, AUDRE (RENT)	22946	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7803	EVANS, AUDRE	22946 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7803	51.28	5.13	10.15	66.56
50514955009	291322015	MARTINEZ, ANNA ISABEL (OWNR)	22970	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7803	MARTINEZ, ANNA ISABEL	22970 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7803	329.32	32.93	65.21	427.44
31061345004	291323001	GARCIA, DAVID	22878	BAYWOOD DR	MORENO VALLEY	CA	92553-7808	GARCIA, DAVID	22878 BAYWOOD DR	MORENO VALLEY, CA	92553-7808	479.92	47.99	95.02	622.92
31342595005	291324002	PATTERSON, THERESA	22767	BREMEN ST	MORENO VALLEY	CA	92553-7811	PATTERSON, THERESA	22767 BREMEN ST	MORENO VALLEY, CA	92553-7811	140.29	14.03	27.78	182.08
31097675008	291325001	CABICO, GEORGE	22783	BAYWOOD DR	MORENO VALLEY	CA	92553-7807	CABICO, GEORGE	22783 BAYWOOD DR	MORENO VALLEY, CA	92553-7807	329.32	32.93	65.21	427.44
96772305006	291331006	RILEY, JOHN (OWNR)	12056	COACHMAN LN	MORENO VALLEY	CA	92557-6912	RILEY, JOHN	12056 COACHMAN LN	MORENO VALLEY, CA	92557-6912	254.12	25.41	50.32	329.84
72145615008	291331007	MONREAL, DANIEL	12044	COACHMAN LN	MORENO VALLEY	CA	92557-6912	MONREAL, DANIEL	12044 COACHMAN LN	MORENO VALLEY, CA	92557-6912	254.02	25.4	50.3	329.7
95770595000	291331011	HALLE, WILLIAM (RENT)	22940	SCOTIA LN	MORENO VALLEY	CA	92557-6908	HALLE, WILLIAM	22940 SCOTIA LN	MORENO VALLEY, CA	92557-6908	254.12	25.41	50.32	329.84
76182475006	291331016	ZAKHAROV, MICHAEL	22862	SCOTIA LN	MORENO VALLEY	CA	92557-6990	ZAKHAROV, MICHAEL	22862 SCOTIA LN	MORENO VALLEY, CA	92557-6990	254.02	25.4	50.3	329.7
31637985006	291332022	VAN WYE, NORMAN	22864	GLENDON DR	MORENO VALLEY	CA	92557-6911	VAN-WYE, NORMAN	22864 GLENDON DR	MORENO VALLEY, CA	92557-6911	254.02	25.4	50.3	329.7
85576785003	291332027	SAVEDRA, JOSE	22940	CHAMBRAY DR	MORENO VALLEY	CA	92557-6920	SAVEDRA, JOSE	22940 CHAMBRAY DR	MORENO VALLEY, CA	92557-6920	254.02	25.4	50.3	329.7
92819215008	291333001	BROOKS, KYM	22871	GLENDON DR	MORENO VALLEY	CA	92557-6910	BROOKS, KYM	22871 GLENDON DR	MORENO VALLEY, CA	92557-6910	64.03	6.4	12.68	83.1
93758795005	291334010	GARCIA, SILVIA (RENT)	22973	CHAMBRAY DR	MORENO VALLEY	CA	92557-6919	GARCIA, SILVIA	22973 CHAMBRAY DR	MORENO VALLEY, CA	92557-6919	254.12	25.41	50.32	329.84
60289515009	291334011	DIAZ, MIKE	22967	CHAMBRAY DR	MORENO VALLEY	CA	92557-6919	DIAZ, MIKE	22967 CHAMBRAY DR	MORENO VALLEY, CA	92557-6919	64.13	6.41	12.7	83.24
95983465001	291341007	SMITH, RACHEL (OWNR)	12091	RIPARIAN WAY	MORENO VALLEY	CA	92557-6939	SMITH, RACHEL	12091 RIPARIAN WAY	MORENO VALLEY, CA	92557-6939	254.12	25.41	50.32	329.84
86526065008	291341008	JOHNSON, DIANA	12105	RIPARIAN WAY	MORENO VALLEY	CA	92557-6943	JOHNSON, DIANA	9888 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1847	148.34	14.83	29.37	192.54
31656955002	291342008	VASQUEZ, TRINIDAD	22756	SCOTIA LN	MORENO VALLEY	CA	92557-6905	VASQUEZ, TRINIDAD	22756 SCOTIA LN	MORENO VALLEY, CA	92557-6905	254.02	25.4	50.3	329.7
69479635002	291342013	MARTINEZ, JIMMY (OWNR)	22814	SCOTIA LN	MORENO VALLEY	CA	92557-6990	MARTINEZ, JIMMY	22814 SCOTIA LN	MORENO VALLEY, CA	92557-6990	329.32	32.93	65.21	427.44
64979355004	291344001	GARCIA, BLANCA	22857	GLENDON DR	MORENO VALLEY	CA	92557-6910	GARCIA, BLANCA	22857 GLENDON DR	MORENO VALLEY, CA	92557-6910	252.45	25.25	49.99	327.68
62530775009	291344008	BURNSIDE, ROBERT	22767	GLENDON DR	MORENO VALLEY	CA	92557-6981	BURNSIDE, ROBERT	22767 GLENDON DR	MORENO VALLEY, CA	92557-6981	254.12	25.41	50.32	329.84
31360445009	291344012	REYES, GREGIA	22711	GLENDON DR	MORENO VALLEY	CA	92557-6909	REYES, GREGIA	22711 GLENDON DR	MORENO VALLEY, CA	92557-6909	329.32	32.93	65.21	427.44
31378555007	291344016	GRAY, HARDY	22752	GLENDON DR	MORENO VALLEY	CA	92557-6909	GRAY, HARDY	22752 GLENDON DR	MORENO VALLEY, CA	92557-6909	329.32	32.93	65.21	427.44
91246305006	291344017	WATKINS, WILLIAM	22764	GLENDON DR	MORENO VALLEY	CA	92557-6909	WATKINS, WILLIAM	7130 LINCOLN AVE	RIVERSIDE, CA	92504-4610	253.92	25.39	50.28	329.58
31145825004	291344026	SHEA, KEVIN JV	12074	RIPARIAN WAY	MORENO VALLEY	CA	92557-6938	SHEA, KEVIN JV	12074 RIPARIAN WAY	MORENO VALLEY, CA	92557-6938	254.02	25.4	50.3	329.7
89984613001	291344031	FOSTER, THAD (RENT)	12136	RIPARIAN WAY	MORENO VALLEY	CA	92557-6940	FOSTER, THAD (RENT)	12136 RIPARIAN WAY	MORENO VALLEY, CA	92557-6940	150.17	15.02	29.73	194.92
73446715008	291344032	CERECERES, MARIBEL	12148	RIPARIAN WAY	MORENO VALLEY	CA	92557-6940	CERECERES, MARIBEL	12148 RIPARIAN WAY	MORENO VALLEY, CA	92557-6940	254.02	25.4	50.3	329.7
96287485007	291345006	CHOUINARD, MICHAEL R	22739	CHAMBRAY DR	MORENO VALLEY	CA	92557-6917	DELMAE PROPERTY LLC	12831 MORENO BEACH DR STE 107	MORENO VALLEY, CA	92555-4419	63.93	6.39	12.66	82.98
31593555001	291361004	ROMO, LETICIA	12168	HYTHE ST	MORENO VALLEY	CA	92557-6924	ROMO, LETICIA	22591 TEMCO ST	MORENO VALLEY, CA	92553-8415	254.12	25.41	50.32	329.84
94885915000	291361019	RAYA, MACARIO	12274	HYTHE ST	MORENO VALLEY	CA	92557-6983	RAYA, MACARIO	12274 HYTHE ST	MORENO VALLEY, CA	92557-6983	190.49	19.05	37.72	247.24
90668513008	291361024	AGUILAR, PAUL (RENT)	22422	HAWTHORN AVE	MORENO VALLEY	CA	92553-6986	AGUILAR, PAUL (RENT)	22422 HAWTHORN AVE	MORENO VALLEY, CA	92553-6986	259.87	25.99	51.45	337.3
83318665007	291361028	ODDIRI, CLARE	12332	HYTHE ST	MORENO VALLEY	CA	92557-6900	ODDIRI, CLARE	12332 HYTHE ST	MORENO VALLEY, CA	92557-6900	254.02	25.4	50.3	329.7
95343993002	291361032	PATAKY, ROBERT (RENT)	22851	KINROSS LN	MORENO VALLEY	CA	92557-6937	PATAKY, ROBERT	22851 KINROSS LN	MORENO VALLEY, CA	92557-6937	127.46	12.75	25.24	165.44
91416635006	291362004	INGRAM, BARNEY	12315	HYTHE ST	MORENO VALLEY	CA	92557-6926	INGRAM, BARNEY	12315 HYTHE ST	MORENO VALLEY, CA	92557-6926	46.12	4.61	9.13	59.86
31552135008	291362019	DAQUIGAN, BENJAMIN	12215	HYTHE ST	MORENO VALLEY	CA	92557-6984	DAQUIGAN, BENJAMIN	12215 HYTHE ST	MORENO VALLEY, CA	92557-6984	254.12	25.41	50.32	329.84
89536973003	291362022	MONTANEZ, DENNISSE (RENT)	12195	HYTHE ST	MORENO VALLEY	CA	92557-6925	MONTANEZ, DENNISSE (RENT)	12195 HYTHE ST	MORENO VALLEY, CA	92557-6925	219.36	21.94	43.43	284.72
58450105007	291362026	ACOSTA, IVAN	12161	HYTHE ST	MORENO VALLEY	CA	92557-6925	ACOSTA, IVAN	12161 HYTHE ST	MORENO VALLEY, CA	92557-6925	164.12	16.41	32.5	213.02
31326985002	291371001	OLSON, THOMAS	13240	OAK DELL ST	MORENO VALLEY	CA	92553-6421	OLSON, THOMAS	13240 OAK DELL ST	MORENO VALLEY, CA	92553-6421	254.02	25.4	50.3	329.7
31527695000	291371009	FLORES, JOSEPH	13176	OAK DELL ST	MORENO VALLEY	CA	92553-7838	FLORES, JOSEPH	13176 OAK DELL ST	MORENO VALLEY, CA	92553-7838	97.46	9.75	19.3	126.5
96248235010	291371022	RODRIGUEZ, CHRISTIAN	13064	OAK DELL ST	MORENO VALLEY	CA	92553-7899	RODRIGUEZ, CHRISTIAN	13064 OAK DELL ST	MORENO VALLEY, CA	92553-7899	414.17	41.42	82.01	537.58
94106335003	291371024	SMITH, ANNETTE (RENT)	13050	OAK DELL ST	MORENO VALLEY	CA	92553-7834	SMITH, ANNETTE	13050 OAK DELL ST	MORENO VALLEY, CA	92553-7834	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
56003715008	291371033	EATMON, CARY AND WENDY	22918	PAHUTE DR	MORENO VALLEY	CA	92553-7850	EATMON, CARY AND WENDY	22918 PAHUTE DR	MORENO VALLEY, CA	92553-7850	254.02	25.4	50.3	329.7
86318783009	291371034	PASSI, JESSICA	22910	PAHUTE DR	MORENO VALLEY	CA	92553-7850	PASSI, JESSICA	22910 PAHUTE DR	MORENO VALLEY, CA	92553-7850	254.12	25.41	50.32	329.84
97417665001	291371038	ALVARADO, MARISELA (OWN)	22874	PAHUTE DR	MORENO VALLEY	CA	92553-7848	ALVARADO, MARISELA (OWN)	3745 MEARS AVE	RIVERSIDE, CA	92509-1346	63.63	6.36	12.6	82.58
94050355008	291372006	FRYE, PATRICE (RENT)	13209	LAKOTA ST	MORENO VALLEY	CA	92553-7831	FRYE, PATRICE	13209 LAKOTA ST	MORENO VALLEY, CA	92553-7831	254.12	25.41	50.32	329.84
93163023000	291372010	GEORGE, KASHIMA (RENT)	13239	LAKOTA ST	MORENO VALLEY	CA	92553-7831	GEORGE, KASHIMA	13239 LAKOTA ST	MORENO VALLEY, CA	92553-7831	244.83	24.48	48.48	317.78
94593305008	291372013	BEASLEY, ASHLEY (RENT)	13213	OAK DELL ST	MORENO VALLEY	CA	92553-7839	BEASLEY, ASHLEY	13213 OAK DELL ST	MORENO VALLEY, CA	92553-7839	254.12	25.41	50.32	329.84
94273695005	291372017	CUEVA, EVELYN	22954	DRACAEA AVE	MORENO VALLEY	CA	92553-7816	CUEVA, EVELYN	22954 DRACAEA AVE	MORENO VALLEY, CA	92553-7816	254.12	25.41	50.32	329.84
89386453002	291373002	EVANS, SONJA (RENT)	13172	LAKOTA ST	MORENO VALLEY	CA	92553-7832	EVANS, SONJA	PO BOX 8086	MORENO VALLEY, CA	92551-7832	130.62	13.06	25.86	169.54
98861343007	291373007	ROSSI, CLINTON AND ALEASE	13146	PAN AM BLVD	MORENO VALLEY	CA	92553-7854	ROSSI, CLINTON AND ALEASE	13146 PAN AM BLVD	MORENO VALLEY, CA	92553-7854	63.63	6.36	12.6	82.58
51151865008	291373012	RUBLE, MICHAEL	13110	PAN AM BLVD	MORENO VALLEY	CA	92553-6429	RUBLE, MICHAEL	13110 PAN AM BLVD	MORENO VALLEY, CA	92553-6429	254.02	25.4	50.3	329.7
55109865002	291373021	DEL ROSARIO, RESHMAN	13044	PAN AM BLVD	MORENO VALLEY	CA	92553-7851	DEL ROSARIO, RESHMAN	13044 PAN AM BLVD	MORENO VALLEY, CA	92553-7851	76.37	7.64	15.12	99.12
31654975003	291373025	YOUNG, DEANDRA (RENT)	13049	TONIKAN DR	MORENO VALLEY	CA	92553-7812	YOUNG, DEANDRA	13049 TONIKAN DR	MORENO VALLEY, CA	92553-7812	127.36	12.74	25.22	165.3
31410485003	291373026	EREDIA, ISAAC	13055	TONIKAN DR	MORENO VALLEY	CA	92553-7812	EREDIA, ISAAC	13055 TONIKAN DR	MORENO VALLEY, CA	92553-7812	254.02	25.4	50.3	329.7
88475083002	291374002	EDWARDS, KIMBERLY	13168	TONIKAN DR	MORENO VALLEY	CA	92553-7817	EDWARDS, KIMBERLY	13168 TONIKAN DR	MORENO VALLEY, CA	92553-7817	226.59	22.66	44.86	294.1
93793535007	291374004	RUIZ, MARIA (OWNR)	13154	TONIKAN DR	MORENO VALLEY	CA	92553-7817	RUIZ, MARIA	14209 PORT ROYAL PLACE	MORENO VALLEY, CA	92553-2916	254.12	25.41	50.32	329.84
91006073002	291374008	HAMMA, TERRY (RENT)	13126	TONIKAN DR	MORENO VALLEY	CA	92553-7817	HAMMA, TERRY	13126 TONIKAN DR	MORENO VALLEY, CA	92553-7817	175.07	17.51	34.66	227.24
75187495002	291374010	PEREZ, MARGARET	13110	TONIKAN DR	MORENO VALLEY	CA	92553-7817	PEREZ, MARGARET	1492 W 6TH ST STE K	CORONA, CA	92882-6529	91.92	9.19	18.2	119.3
96212575006	291374013	GONZELEZ, JOSE	13088	TONIKAN DR	MORENO VALLEY	CA	92553-7805	GONZELEZ, JOSE	10452 IMPERIAL HWY	GARDEN GROVE, CA	92843-1126	304.2	30.42	60.23	394.84
92689225003	291374014	BROOKS, LORETTA (RENT)	13082	TONIKAN DR	MORENO VALLEY	CA	92553-7805	BROOKS, LORETTA	13082 TONIKAN DR	MORENO VALLEY, CA	92553-7805	254.02	25.4	50.3	329.7
31069015006	291374015	NAPER, HYCANITH	13076	TONIKAN DR	MORENO VALLEY	CA	92553-7805	NAPER, HYCANITH	13076 TONIKAN DR	MORENO VALLEY, CA	92553-7805	254.02	25.4	50.3	329.7
31594895008	291374020	RICHARDSON, KELLY	22909	PAHUTE DR	MORENO VALLEY	CA	92553-7849	RICHARDSON, KELLY	22909 PAHUTE DR	MORENO VALLEY, CA	92553-7849	254.02	25.4	50.3	329.7
94788205005	291374039	HAMMONS, SIDNEY (RENT)	13169	OAK DELL ST	MORENO VALLEY	CA	92553-7837	HAMMONS, SIDNEY	13169 OAK DELL ST	MORENO VALLEY, CA	92553-7837	254.12	25.41	50.32	329.84
94964255001	291381005	BRAZIL, FELICIA (RENT)	22804	PAHUTE DR	MORENO VALLEY	CA	92553-7846	BRAZIL, PERY MERCER AND FELICI	555 W 14TH ST	SN BERNRDNO, CA	92405-4502	254.12	25.41	50.32	329.84
96088765000	291381010	BUENROSTRO, URIEL (OWNR)	22772	PAHUTE DR	MORENO VALLEY	CA	92553-7844	BUENROSTRO, URIEL	15521 EUCALYPTUS AVE	BELLFLOWER, CA	90706-3801	254.12	25.41	50.32	329.84
55123845008	291381013	JIMENEZ, ANTONIO (OWNR)	22758	PAHUTE DR	MORENO VALLEY	CA	92553-7844	JIMENEZ, ANTONIO	22758 PAHUTE DR	MORENO VALLEY, CA	92553-7844	254.02	25.4	50.3	329.7
91425575009	291381021	HICKS, TRISHA	13079	KIOWA DR	MORENO VALLEY	CA	92553-7821	HICKS, TRISHA	23313 ZITEO CT	MORENO VALLEY, CA	92553-1728	253.92	25.39	50.28	329.58
70592155009	291381028	LOPEZ, ROLANDO	13131	KIOWA DR	MORENO VALLEY	CA	92553-7822	LOPEZ, ROLANDO	13131 KIOWA DR	MORENO VALLEY, CA	92553-7822	254.02	25.4	50.3	329.7
52903735009	291381034	GILBERT, GORDON	13177	KIOWA DR	MORENO VALLEY	CA	92553-7822	GILBERT, GORDON	13177 KIOWA DR	MORENO VALLEY, CA	92553-7822	254.02	25.4	50.3	329.7
50305665003	291382007	FLORES, IVONNE	22819	KIOWA DR	MORENO VALLEY	CA	92553-7819	FLORES, IVONNE	22819 KIOWA CT	MORENO VALLEY, CA	92553-7819	36.37	3.64	7.2	47.2
31127915003	291382008	PLAMONDON, GREGG	22818	KIOWA DR	MORENO VALLEY	CA	92553-7819	PLAMONDON, GREGG	22818 KIOWA CT	MORENO VALLEY, CA	92553-7819	190.66	19.07	37.75	247.46
48279675003	291382010	ALBOR, SONJA	22794	KIOWA DR	MORENO VALLEY	CA	92553-6413	ALBOR, SONJA AND OMAR	15645 PASADENA AVE APT F	TUSTIN, CA	92780-5062	351.61	35.16	69.62	456.38
98403633007	291382016	DELOZA, GABRIELA	13134	KIOWA DR	MORENO VALLEY	CA	92553-7823	NO, SERVICE	13134 KIOWA DR	MORENO VALLEY, CA	92553-7823	139.67	13.97	27.65	181.28
98321539002	291382019	SNYDER, VALEN (RENT)	13112	KIOWA DR	MORENO VALLEY	CA	92553-6413	SNYDER, VALEN	13112 KIOWA DR	MORENO VALLEY, CA	92553-6413	137.57	13.76	27.24	178.56
31426975002	291382021	MENCHACA, DOREEN	13096	KIOWA DR	MORENO VALLEY	CA	92553-7820	MENCHACHA, DOREEN	13096 KIOWA DR	MORENO VALLEY, CA	92553-7820	254.02	25.4	50.3	329.7
93633065003	291382031	HOWITT, MELANIE (OWNR)	13019	LAKOTA ST	MORENO VALLEY	CA	92553-7828	HOWITT, MELANIE	825 N 14TH ST	BISMARCK, ND	58501-4330	254.12	25.41	50.32	329.84
90107413008	291382032	ROBINSON, RHONDA (RENT)	13025	LAKOTA ST	MORENO VALLEY	CA	92553-7828	ROBINSON, RHONDA	13019 LAKOTA ST	MORENO VALLEY, CA	92553-7828	254.13	25.41	50.32	329.86
75108815001	291382034	RINCON, WILLIAM	13039	LAKOTA ST	MORENO VALLEY	CA	92553-7828	RINCON, WILLIAM	13039 LAKOTA ST	MORENO VALLEY, CA	92553-7828	131.11	13.11	25.96	170.18
31596925007	291382036	VASQUEZ, RICHARD	13055	LAKOTA ST	MORENO VALLEY	CA	92553-7828	VASQUEZ, RICHARD	13055 LAKOTA ST	MORENO VALLEY, CA	92553-7828	254.02	25.4	50.3	329.7
97729683005	291382043	GUZMAN, EDNITA (RENT)	13101	LAKOTA ST	MORENO VALLEY	CA	92553-6419	GUZMAN, EDNITA (RENT)	13101 LAKOTA ST	MORENO VALLEY, CA	92553-6419	81.96	8.2	16.23	106.38
87486295006	291382045	SOTO, CHRISTINE	13113	LAKOTA ST	MORENO VALLEY	CA	92553-6419	SOTO, CHRISTINE	13113 LAKOTA ST	MORENO VALLEY, CA	92553-6419	254.12	25.41	50.32	329.84
88719755002	291382047	GUZMAN, VIVIAN	13125	LAKOTA ST	MORENO VALLEY	CA	92553-6419	GUZMAN, VIVIAN	294 BIG HORN MOUNTAIN RD	SAN BERNARDINO, CA	92410-2168	254.12	25.41	50.32	329.84
92645243001	291382048	HUYNH, MINHTAM AND BUI, THUTIE	13131	LAKOTA ST	MORENO VALLEY	CA	92553-6419	HARRISON, BRUCE	13131 LAKOTA ST	MORENO VALLEY, CA	92553-6419	227.71	22.77	45.09	295.56
91773565004	291382050	TERRELL, ZARA (RENT)	13189	PAN AM BLVD	MORENO VALLEY	CA	92553-6430	TERRELL, ZARA	13189 PAN AM BLVD	MORENO VALLEY, CA	92553-6430	126.36	12.64	25.02	164
89589893009	291383004	GARCIA, FRANCINE (RENT)	13208	PAN AM BLVD	MORENO VALLEY	CA	92553-7856	GARCIA, FRANCINE (RENT)	13208 PAN AM BLVD	MORENO VALLEY, CA	92553-7856	176.43	17.64	34.93	229
95696935006	291383005	COLEGIO, FRANCISCO (OWNR)	13151	LAKOTA ST	MORENO VALLEY	CA	92553-6420	COLEGIO, FRANCISCO	13151 LAKOTA ST	MORENO VALLEY, CA	92553-6420	127.46	12.75	25.24	165.44
31507015005	291384008	GOMEZ, MARIA	13054	LAKOTA ST	MORENO VALLEY	CA	92553-7827	GOMEZ, MARIA	13054 LAKOTA ST	MORENO VALLEY, CA	92553-7827	253.92	25.39	50.28	329.58
80965295004	291384015	DIAZ, GUADALUPE	22809	PAHUTE DR	MORENO VALLEY	CA	92553-7847	DIAZ, GUADALUPE	22809 PAHUTE DR	MORENO VALLEY, CA	92553-7847	107.35	10.74	21.25	139.34
31464645007	291384019	VERA JR, DANIEL A	13055	PAN AM BLVD	MORENO VALLEY	CA	92553-7852	VERA JR, DANIEL A	13055 PAN AM BLVD	MORENO VALLEY, CA	92553-7852	291.98	29.2	57.81	378.98
31357285008	291384026	UHRICH, JEREMY J	13117	PAN AM BLVD	MORENO VALLEY	CA	92553-7853	UHRICH, JEREMY J	13117 PAN AM BLVD	MORENO VALLEY, CA	92553-7853	329.32	32.93	65.21	427.44
99294595009	291384034	MEDINA, ROSA (RENT)	13169	PAN AM BLVD	MORENO VALLEY	CA	92553-7853	MEDINA, ROSA	13169 PAN AM BLVD	MORENO VALLEY, CA	92553-7853	254.12	25.41	50.32	329.84
94281725002	291391008	BURGUENO, YADIRA (RENT)	12236	FORMBY DR	MORENO VALLEY	CA	92557-6922	BURGUENO, YADIRA	14156 SAN CRISTOBAL BAY DR	MORENO VALLEY, CA	92553-2907	63.63	6.36	12.6	82.58
94342775001	291392004	ALVARADO, MICHAEL (RENT)	22665	ASHFORD CIR	MORENO VALLEY	CA	92557-6802	ALVARADO, MICHAEL	22665 ASHFORD CIR	MORENO VALLEY, CA	92557-6802	254.12	25.41	50.32	329.84
59040205004	291392006	NORDMARK, PAUL	22651	ASHFORD CIR	MORENO VALLEY	CA	92557-6802	NORDMARK, PAUL	22651 ASHFORD CIR	MORENO VALLEY, CA	92557-6802	254.12	25.41	50.32	329.84
97129095002	291392010	SUTTON, STEPHEN (RENT)	22511	RADNOR LN	MORENO VALLEY	CA	92557-6804	SUTTON, STEPHEN	PO BOX 112	NORCO, CA	92860-0112	104.53	10.45	20.7	135.66
70815735003	291392016	RODRIGUEZ, ANNA AND MICHAEL	12157	RIPARIAN WAY	MORENO VALLEY	CA	92557-6943	RODRIGUEZ, ANNA AND MICHAEL	12157 RIPARIAN WAY	MORENO VALLEY, CA	92557-6943	104.02	10.4	20.6	135
88853393005	291393006	MALDONADO, VERONICA (OWNR)	12240	RIPARIAN WAY	MORENO VALLEY	CA	92557-6941	MALDONADO, VERONICA	12240 RIPARIAN WAY	MORENO VALLEY, CA	92557-6941	90.79	9.08	17.98	117.84
31447665007	291393024	RANDLE, JANICE	12220	TURTON LN	MORENO VALLEY	CA	92557-6921	RANDLE, JANICE	12220 TURTON LN	MORENO VALLEY, CA	92557-6921	254.02	25.4	50.3	329.7
95101715003	291393039	VORGEACK, PATRICK G (OWNR)	12189	FORMBY DR	MORENO VALLEY	CA	92557-6915	VORGEACK, PATRICK G (OWNR)	4481 COMMONWEALTH AVE	CULVER CITY, CA	90230-4216	253.92	25.39	50.28	329.58
97196815000	291393040	LUNA, RICARDO (RENT)	12177	FORMBY DR	MORENO VALLEY	CA	92557-6915	LUNA, RICARDO	24935 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3707	254.12	25.41	50.32	329.84
68687485002	291402013	ANYAWOKE, PATRICK (OWNR)	22699	KINROSS LN	MORENO VALLEY	CA	92557-6800	ANYAWOKE, PATRICK	4452 W 137TH ST APT 4	HAWTHORNE, CA	90250-6988	208.53	20.85	40.3	264.18
31104955003	291402015	PEREZ, HELEN	22675	KINROSS LN	MORENO VALLEY	CA	92557-6800	PEREZ, HELEN	22675 KINROSS LN	MORENO VALLEY, CA	92557-6800	179.02	17.9	35.45	232.36
31454915001	291402019	EDEY, CALVIN	22625	KINROSS LN	MORENO VALLEY	CA	92557-6800	EDEY, CALVIN	22625 KINROSS LN	MORENO VALLEY, CA	92557-6800	254.02	25.4	50.3	329.7
31507915006	291403004	SULLIVAN, GAEL	22653	RADNOR LN	MORENO VALLEY	CA	92557-6856	SULLIVAN, GAEL	PO BOX 7982	MORENO VALLEY, CA	92552-7982	253.92	25.39	50.28	329.58
94917105001	291404006	DELGADO, TIFFANY AND RICHARD (	22752	KINROSS LN	MORENO VALLEY	CA	92557-6936	DELGADO, TIFFANY	22752 KINROSS LN	MORENO VALLEY, CA	92557-6936	254.12	25.41	50.32	329.84
96156225009	291404009	GARCIA, MIGUEL (RENT)	22788	KINROSS LN	MORENO VALLEY	CA	92557-6936	GARCIA, MIGUEL	22788 KINROSS LN	MORENO VALLEY, CA	92557-6936	254.12	25.41	50.32	329.84
31573225003	291404010	HAINE, RHONDA	22800	KINROSS LN	MORENO VALLEY	CA	92557-6986	HAINE, RHONDA	22800 KINROSS LN	MORENO VALLEY, CA	92557-6986	247.48	24.75	49	321.22
93555465004	291404018	MORA, MYRA (RENT)	22705	RADNOR LN	MORENO VALLEY	CA	92557-6930	MORA, MYRA	2742 ADRIAN ST	SAN DIEGO, CA	92110-5710	27.53	2.75	5.45	35.72
74733945000	291411008	CHANEY, JAMES	12101	HERITAGE DR	MORENO VALLEY	CA	92557-6850	CHANEY, JAMES	12101 HERITAGE DR	MORENO VALLEY, CA	92557-6850	254.02	25.4	50.3	329.7
91360025004	291412005	DOWNEY, ELIZABETH	22501	SHEFFIELD DR	MORENO VALLEY	CA	92557-6858	DOWNEY, ELIZABETH	22501 SHEFFIELD DR	MORENO VALLEY, CA	92557-6858	127.26	12.73	25.2	165.18
94023023005	291412006	JAIMEZ, J. GREGORY (RENT)	22611	HANOVER CT	MORENO VALLEY	CA	92557-6817	JAIMEZ, J. GREGORY	22611 HANOVER CT	MORENO VALLEY, CA	92557-6817	273.82	27.38	54.22	355.4
84841185008	291412012	ROBERTSON, GLORIA	22533	SHEFFIELD DR	MORENO VALLEY	CA	92557-6822	ROBERTSON, GLORIA	22533 SHEFFIELD DR	MORENO VALLEY, CA	92557-6822	118.81	11.88	23.52	154.2
94333635000	291412014	ROMAWAC, REMELIN (RENT)	22545	SHEFFIELD DR	MORENO VALLEY	CA	92557-6822	ROMAWAC, REMELIN	22545 SHEFFIELD DR	MORENO VALLEY, CA	92557-6822	54.12	5.41	10.72	70.24
68441985009	291412015	SAIDAHMAD, ISMAIL	22551	SHEFFIELD DR	MORENO VALLEY	CA	92557-6822	SAIDAHMAD, ISMAIL	22551 SHEFFIELD DR	MORENO VALLEY, CA	92557-6822	32.46	3.25	6.43	42.12
31062835009	291413018	STANLEY, DONALD	22510	SHEFFIELD DR	MORENO VALLEY	CA	92557-6841	STANLEY, DONALD	22510 SHEFFIELD DR	MORENO VALLEY, CA	92557-6841	254.02	25.4	50.3	329.7
31579025002	291413019	URIAS, KAREN AND HECTOR	22522	SHEFFIELD DR	MORENO VALLEY	CA	92557-6841	URIAS, KAREN AND HECTOR	22522 SHEFFIELD DR	MORENO VALLEY, CA	92557-6841	189.32	18.93	37.49	245.72
31496305000	291431004	MEDINA, MIGUEL ANGEL	12239	HERITAGE DR	MORENO VALLEY	CA	92557-6813	MEDINA, MIGUEL ANGEL	12239 HERITAGE DR	MORENO VALLEY, CA	92557-6813	254.02	25.4	50.3	329.7
31547615005	291431017	ALVARADO, BARBARA	22565	KINROSS LN	MORENO VALLEY	CA	92557-6809	ALVARADO, BARBARA	22565 KINROSS LN	MORENO VALLEY, CA	92557-6809	254.02	25.4	50.3	329.7
31422155007	291431026	ACOSTA, CARLOS	22555	KINROSS LN	MORENO VALLEY	CA	92557-6809	ACOSTA, CARLOS	22555 KINROSS LN	MORENO VALLEY, CA	92557-6809	165.64	16.56	32.8	215
31341665002	291432005	HERNANDEZ, JAVIER	22564	KINROSS LN	MORENO VALLEY	CA	92557-6808	HERNANDEZ, JAVIER	22564 KINROSS LN	MORENO VALLEY, CA	92557-6808	229.32	22.93	45.41	297.64
31568255006	291432008	PEREZ, ADALBERTO AND ELSA	12306	HERITAGE DR	MORENO VALLEY	CA	92557-6852	PEREZ, ADALBERTO	12306 HERITAGE DR	MORENO VALLEY, CA	92557-6852	329.32	32.93	65.21	427.44
31279865002	291432013	BLACK, EUGENE	12246	HERITAGE DR	MORENO VALLEY	CA	92557-6814	BLACK, EUGENE	12246 HERITAGE DR	MORENO VALLEY, CA	92557-6814	254.02	25.4	50.3	329.7
31381435007	291432021	IRVING, GAIL	22575	RADNOR LN	MORENO VALLEY	CA	92557-6804	IRVING, GAIL	PO BOX 1206	BELLFLOWER, CA	90707-1206	306.28	30.63	60.64	397.54
87988403008	291432023	WILKSON, LINDA	22591	RADNOR LN	MORENO VALLEY	CA	92557-6804	WILKSON, LINDA	5300 BEACH BLVD	BUENA PARK, CA	90621-1292	45.65	4.57	9.04	59.24
97868025000	291432024	HARROD, KEONDRA (RENT)	22603	RADNOR LN	MORENO VALLEY	CA	92557-6855	HARROD, KEONDRA (RENT)	22603 RADNOR LN	MORENO VALLEY, CA	92557-6855	202.84	20.28	40.16	263.28
97582735008	291432025	FINE, CLAIRE (RENT)	22615	RADNOR LN	MORENO VALLEY	CA	92557-6855	FINE, CLAIRE (RENT)	22615 RADNOR LN	MORENO VALLEY, CA	92557-6855	253.92	25.39	50.28	329.58
31316305000	291433003	ANDERSON, ANDRE	22550	RADNOR LN	MORENO VALLEY	CA	92557-6803	ANDERSON, ANDRE	22550 RADNOR LN	MORENO VALLEY, CA	92557-6803	254.12	25.41	50.32	329.84
31279665004	291433007	ELLIOTT, JAMES	22611	STRATFORD CT	MORENO VALLEY	CA	92557-6816	ELLIOTT, JAMES	5839 VIA LAS NUBES	RIVERSIDE, CA	92506-3667	254.02	25.4	50.3	329.7
31581625002	291433009	BRUCE, MOLLY	22618	STRATFORD CT	MORENO VALLEY	CA	92557-6816	BRUCE, MOLLY	22618 STRATFORD CT	MORENO VALLEY, CA	92557-6816	404.62	40.46	80.11	525.18
31355605005	291433012	CLEMENT, CHERRY	22596	STRATFORD CT	MORENO VALLEY	CA	92557-6861	CLEMENT, CHERRY	22596 STRATFORD CT	MORENO VALLEY, CA	92557-6861	254.02	25.4	50.3	329.7
48358975002	291433013	WALKER, DAMON	22586	STRATFORD CT	MORENO VALLEY	CA	92557-6861	WALKER, DAMON	22586 STRATFORD CT	MORENO VALLEY, CA	92557-6861	254.02	25.4	50.3	329.7
31510665002	291492021	RIVERA, JOAQUIN	12102	DRURY LN	MORENO VALLEY	CA	92557-6826	RIVERA, JOAQUIN	12102 DRURY LN	MORENO VALLEY, CA	92557-6826	53.88	5.39	10.67	69.92
31569795001	291493012	LOPEZ, GLORIA	12043	DRURY LN	MORENO VALLEY	CA	92557-6827	LOPEZ, GLORIA	19237 NUTHATCH ST	PERRIS, CA	92570-6520	111.49	11.15	22.08	144.7
97309863008	291493014	MARTE, ANNABELL (OWNR)	12063	DRURY LN	MORENO VALLEY	CA	92557-6827	MARTE, ANNABELL	12063 DRURY LN	MORENO VALLEY, CA	92557-6827	171.48	17.15	33.95	222.58
31473445000	291493018	WASSON, WENDI	12105	DRURY LN	MORENO VALLEY	CA	92557-6827	WASSON, WENDI	12105 DRURY LN	MORENO VALLEY, CA	92557-6827	254.02	25.4	50.3	329.7
31969343008	291493019	WOODS, MELODY (RENT)	12121	DRURY LN	MORENO VALLEY	CA	92557-6827	WOODS, MELODY	12121 DRURY LN	MORENO VALLEY, CA	92557-6827	267.58	26.76	52.98	347.3
31579005006	291493020	ERNZEN, KENNETH	12131	DRURY LN	MORENO VALLEY	CA	92557-6827	ERNZEN, KENNETH	12131 DRURY LN	MORENO VALLEY, CA	92557-6827	190.69	19.07	37.76	247.5
94082065009	291493044	GREGORY, ADAMAND (OWNR)	22303	WEMBLEY DR	MORENO VALLEY	CA	92557-6829	GREGORY, ADAMAND	22303 WEMBLEY DR	MORENO VALLEY, CA	92557-6829	254.12	25.41	50.32	329.84
92374565000	291494002	LOPEZ, JALYSSA (RENT)	22355	SHEFFIELD DR	MORENO VALLEY	CA	92557-6819	LOPEZ, JALYSSA	12625 FREDERICK ST STE I-5	MORENO VALLEY, CA	92553-5235	67.46	6.75	13.36	87.56
31481025001	291494006	PINEDA, MARIA	22395	SHEFFIELD DR	MORENO VALLEY	CA	92557-6819	PINEDA, MARIA	22395 SHEFFIELD DR	MORENO VALLEY, CA	92557-6819	329.32	32.93	65.21	427.44
31441235001	291494010	CARNES, DEBBIE	22435	SHEFFIELD DR	MORENO VALLEY	CA	92557-6857	CARNES, DEBBIE	22435 SHEFFIELD DR	MORENO VALLEY, CA	92557-6857	190.69	19.07	37.76	247.5
31332535009	291501006	JEFFERSON, CLARENCE J	12084	BRIXTON CT	MORENO VALLEY	CA	92557-6833	JEFFERSON, CLARENCE J	12084 BRIXTON CT	MORENO VALLEY, CA	92557-6833	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
75087345006	291501008	URMENETA, CARLOS	12056	BRIXTON CT	MORENO VALLEY	CA	92557-6833	URMENETA, CARLOS	12056 BRIXTON CT	MORENO VALLEY, CA	92557-6833	291.04	29.1	57.63	377.76
31633515004	291501009	EVANS, TYWON	12042	BRIXTON CT	MORENO VALLEY	CA	92557-6833	EVANS, TYWON	12042 BRIXTON CT	MORENO VALLEY, CA	92557-6833	254.02	25.4	50.3	329.7
94514835003	291501025	RODRIGUEZ, PATRICIA (RENT)	12251	BRIXTON CT	MORENO VALLEY	CA	92557-6836	RODRIGUEZ, PATRICIA	21550 BOX SPRINGS RD APT 2022	MORENO VALLEY, CA	92557-6717	78.45	7.85	15.53	101.82
31502505003	291502003	MARTINEZ, RAFAEL	22395	KINROSS LN	MORENO VALLEY	CA	92557-6806	MARTINEZ, RAFAEL	22395 KINROSS LN	MORENO VALLEY, CA	92557-6806	254.12	25.41	50.32	329.84
95187135004	291503001	YORK, ORA (RENT)	12314	TIMLICO CT	MORENO VALLEY	CA	92557-6862	YORK, ORA	12314 TIMLICO CT	MORENO VALLEY, CA	92557-6862	169.6	16.96	33.58	220.14
67050295004	291503016	JOHNSON, SHARONA AND MICHAEL	12299	TIMLICO CT	MORENO VALLEY	CA	92557-6839	JOHNSON, SHARONA AND MICHAEL	12299 TIMLICO CT	MORENO VALLEY, CA	92557-6839	241.53	24.15	47.82	313.5
98195505016	291503035	SOWELL, LATASHA (RENT)	12198	BRIXTON CT	MORENO VALLEY	CA	92557-6844	SOWELL, LATASHA	12198 BRIXTON CT	MORENO VALLEY, CA	92557-6844	329.6	32.96	65.26	427.82
31235545002	291511016	CORONEL, ANTHONY	13066	BRENTWOOD LN	MORENO VALLEY	CA	92553-7886	CORONEL, ANTHONY	13066 BRENTWOOD LN	MORENO VALLEY, CA	92553-7886	329.04	32.9	65.15	427.08
31447455001	291512011	SMITH, GEORGE	22644	LAGUNA DR	MORENO VALLEY	CA	92553-7881	SMITH, GEORGE	22721 SHADOWRIDGE LN	MORENO VALLEY, CA	92557-2633	254.02	25.4	50.3	329.7
65475195006	291512015	MASQURO, LETICIA	22692	LAGUNA DR	MORENO VALLEY	CA	92553-7881	MASQURO, LETICIA	22692 LAGUNA DR	MORENO VALLEY, CA	92553-7881	254.12	25.41	50.32	329.84
31325095005	291513003	GARCIA, MIKE	13095	BALBOA LN	MORENO VALLEY	CA	92553-6401	GARCIA, MIKE	13095 BALBOA LN	MORENO VALLEY, CA	92553-6401	210.88	21.08	41.74	273.64
31262525000	291513009	JURADO, EILEEN (OWNR)	13011	BALBOA LN	MORENO VALLEY	CA	92553-7859	JURADO, EILEEN	13011 BALBOA LN	MORENO VALLEY, CA	92553-7859	254.12	25.41	50.32	329.84
31632335004	291513013	GARCIA, ENRIQUE	22574	BELAIRE DR	MORENO VALLEY	CA	92553-7867	GARCIA, ENRIQUE	14665 PERHAM DR	MORENO VALLEY, CA	92553-3562	254.02	25.4	50.3	329.7
94513475000	291521012	TRINIDAD, CLARA (OWNR)	13222	BRENTWOOD LN	MORENO VALLEY	CA	92553-7893	TRINIDAD, CLARA	13222 BRENTWOOD LN	MORENO VALLEY, CA	92553-7893	254.12	25.41	50.32	329.84
98367733003	291522015	MARRNEZ, FIDEL (OWNR)	22611	LAGUNA DR	MORENO VALLEY	CA	92553-7879	MARRNEZ, FIDEL	22611 LAGUNA DR	MORENO VALLEY, CA	92553-7879	257.45	25.75	50.98	334.16
31340205001	291522022	GABUYA, SARAH	22612	WESTLAKE DR	MORENO VALLEY	CA	92553-7873	GABUYA, SARAH	22612 WESTLAKE DR	MORENO VALLEY, CA	92553-7873	129.49	12.95	25.64	168.06
89636613007	291522024	GREEN, JANELLA (RENT)	13171	MALIBU CT	MORENO VALLEY	CA	92553-7885	GREEN, JANELLA	13171 MALIBU CT	MORENO VALLEY, CA	92553-7885	190.79	19.08	37.78	247.64
97392945008	291522033	FAWEHIN, MARY	13170	MALIBU CT	MORENO VALLEY	CA	92553-7885	FAWEHIN, MARY	13170 MALIBU CT	MORENO VALLEY, CA	92553-7885	254.12	25.41	50.32	329.84
31600265005	291522036	FLEMING, DENISE	22662	WESTLAKE DR	MORENO VALLEY	CA	92553-7876	FLEMING, DENISE	22662 WESTLAKE DR	MORENO VALLEY, CA	92553-7876	254.02	25.4	50.3	329.7
66079355001	291522039	EPENESA, IETI	22698	WESTLAKE DR	MORENO VALLEY	CA	92553-7876	EPENESA, IETI	22698 WESTLAKE DR	MORENO VALLEY, CA	92553-7876	63.63	6.36	12.6	82.58
86106883007	291523008	EASON, MARCUS (RENT)	22627	WESTLAKE DR	MORENO VALLEY	CA	92553-7875	EASON, MARCUS	22627 WESTLAKE DR	MORENO VALLEY, CA	92553-7875	397.06	39.71	78.62	515.38
92214845000	291523009	MONTZ, DONALD	22617	WESTLAKE DR	MORENO VALLEY	CA	92553-7875	MONTZ, DONALD	22617 WESTLAKE DR	MORENO VALLEY, CA	92553-7875	22.64	2.26	4.48	29.38
31447935001	291523012	MATTHEWS, LYNNETTE	22587	WESTLAKE DR	MORENO VALLEY	CA	92553-6439	MATTHEWS, LYNNETTE	15790 LASSELLE ST APT L	MORENO VALLEY, CA	92551-6327	329.32	32.93	65.21	427.44
99930785002	291523019	JONES, DESHONE (RENT)	22552	LA JOLLA CIR	MORENO VALLEY	CA	92553-7866	MOLAND, CATHY	22552 LA JOLLA CIR	MORENO VALLEY, CA	92553-7866	254.12	25.41	50.32	329.84
93497033000	291523021	ABUCEJO, SERGIO E AND VICTORIA	22591	LA JOLLA CIR	MORENO VALLEY	CA	92553-7866	ABUCEJO, SERGIO E AND VICTORIA	445 GREEN ORCHARD PL	RIVERSIDE, CA	92506-7590	193.82	19.38	38.38	251.56
31178945000	291523024	MOY, FRED	22555	LA JOLLA CIR	MORENO VALLEY	CA	92553-7866	MOY, FRED	22555 LA JOLLA CIR	MORENO VALLEY, CA	92553-7866	351.61	35.16	69.62	456.38
93159335003	291523030	PEREZ, ALVARO	13195	BALBOA LN	MORENO VALLEY	CA	92553-6402	PEREZ, ALVARO	13195 BALBOA LN	MORENO VALLEY, CA	92553-6402	254.12	25.41	50.32	329.84
52783885003	291531006	SHAH, KHALID	22800	DOWNING ST	MORENO VALLEY	CA	92553-1874	SHAH, KHALID	9200 MILLIKEN AVE APT 2208	RANCHO CUCAMONGA, CA	91730-5490	237.05	23.71	46.94	307.68
67334025009	291531011	ABUDA, ETHEL	12800	LAMBETH ST	MORENO VALLEY	CA	92553-1863	ABUDA, ETHEL	438 W ELM ST	ONTARIO, CA	91762-5709	127.46	12.75	25.24	165.44
92834505006	291532002	MONTES, CARLOS	22819	PARKHAM ST	MORENO VALLEY	CA	92553-1868	MONTES, CARLOS	22819 PARKHAM ST	MORENO VALLEY, CA	92553-1868	254.02	25.4	50.3	329.7
31243755001	291532005	NUNEZ, JOE	22789	PARKHAM ST	MORENO VALLEY	CA	92553-1867	NUNEZ, JOE	22789 PARKHAM ST	MORENO VALLEY, CA	92553-1867	254.12	25.41	50.32	329.84
31254685003	291533015	MALLAPPA, BASAVAPPATTN C	22710	BROMPTON ST	MORENO VALLEY	CA	92553-1805	MALLAPPA, BASAVAPPATTN C	22710 BROMPTON ST	MORENO VALLEY, CA	92553-1805	63.63	6.36	12.6	82.58
96829185009	291533019	KUMAR, ARUN (RENT)	22750	BROMPTON ST	MORENO VALLEY	CA	92553-1807	KUMAR, ARUN	22750 BROMPTON ST	MORENO VALLEY, CA	92553-1807	97.46	9.75	19.3	126.5
90397075006	291533024	BAKER, LANEAL AND TIFFANY	22800	BROMPTON ST	MORENO VALLEY	CA	92553-1837	BAKER, LANEAL AND TIFFANY	878 ROXANNE	HEMET, CA	92543-4376	254.12	25.41	50.32	329.84
31386275009	291535002	CURRIE, GORDON	22721	BROMPTON ST	MORENO VALLEY	CA	92553-1806	CURRIE, GORDON	22721 BROMPTON ST	MORENO VALLEY, CA	92553-1806	163.98	16.4	32.47	212.84
31621185008	291535005	FERNANDEZ, NATALIE	22691	BROMPTON ST	MORENO VALLEY	CA	92553-1836	FERNANDEZ, NATALIE	22691 BROMPTON ST	MORENO VALLEY, CA	92553-1836	254.02	25.4	50.3	329.7
83375795000	291536004	FORDHAM, LAQUITTA	12809	GERRARD ST	MORENO VALLEY	CA	92553-1844	FORDHAM, LAQUITTA	12809 GERRARD ST	MORENO VALLEY, CA	92553-1844	329.32	32.93	65.21	427.44
31641495001	291536006	BALL, ULYIOUS	12789	GERRARD ST	MORENO VALLEY	CA	92553-1842	BALL, ULYIOUS	12789 GERRARD ST	MORENO VALLEY, CA	92553-1842	77.44	7.74	15.33	100.5
31273295005	291537002	WEATHERSPOON, SARA	22690	DOWNING ST	MORENO VALLEY	CA	92553-1879	WEATHERSPOON, SARA	22690 DOWNING ST	MORENO VALLEY, CA	92553-1879	254.02	25.4	50.3	329.7
83747095007	291538007	WILLIAMS, ELISE ANN	22789	DOWNING ST	MORENO VALLEY	CA	92553-1873	WILLIAMS, ELISE ANN	22789 DOWNING ST	MORENO VALLEY, CA	92553-1873	351.61	35.16	69.62	456.38
96863445004	291538010	DENNINGHAM, WILLIAM (RENT)	12819	LAMBETH ST	MORENO VALLEY	CA	92553-1864	DENNINGHAM, WILLIAM	12819 LAMBETH ST	MORENO VALLEY, CA	92553-1864	155.09	15.51	30.71	201.3
96443495004	291538014	TREJO, JUAN (RENT)	12830	TIVERTON CT	MORENO VALLEY	CA	92553-1877	TREJO, JUAN	12830 TIVERTON CT	MORENO VALLEY, CA	92553-1877	91.58	9.16	18.13	118.86
97936365003	291538019	MAYA, MARTHA (RENT)	12829	TIVERTON CT	MORENO VALLEY	CA	92553-1878	MAYA, MARTHA	12829 TIVERTON CT	MORENO VALLEY, CA	92553-1878	254.12	25.41	50.32	329.84
31621965004	291538020	TATE, KEVIN	12839	TIVERTON CT	MORENO VALLEY	CA	92553-1878	TATE, KEVIN	12839 TIVERTON CT	MORENO VALLEY, CA	92553-1878	254.02	25.4	50.3	329.7
75081465003	291541014	ALVAREZ, RICHARD	12790	PAN AM BLVD	MORENO VALLEY	CA	92553-1800	ALVAREZ, RICHARD	12790 PAN AM BLVD	MORENO VALLEY, CA	92553-1800	134.02	13.4	26.54	173.94
91897233001	291541020	ROBINSON, KAREN AND ROY (RENT)	12850	PAN AM BLVD	MORENO VALLEY	CA	92553-1801	ROBINSON, KAREN AND ROY	22849 PARKHAM ST	MORENO VALLEY, CA	92553-1868	318.07	31.81	62.98	412.84
88356323004	291541022	JACUINDE, CELSO (OWNR)	12870	PAN AM BLVD	MORENO VALLEY	CA	92553-1801	JACUINDE, CELSO	12870 PAN AM BLVD	MORENO VALLEY, CA	92553-1801	125.79	12.58	24.91	163.26
31331255009	291541026	BUSTOS, MARIA	12910	PAN AM BLVD	MORENO VALLEY	CA	92553-1803	BUSTOS, MARIA	12910 PAN AM BLVD	MORENO VALLEY, CA	92553-1803	190.29	19.03	37.68	246.98
31311475005	291541032	BLUCHE, LUIS	22900	BROMPTON ST	MORENO VALLEY	CA	92553-1840	BLUCHE, LUIS	22900 BROMPTON ST	MORENO VALLEY, CA	92553-1840	104.12	10.41	20.62	135.14
64721135007	291541037	ROMERO, ARGENTINA	22950	BROMPTON ST	MORENO VALLEY	CA	92553-1840	ROMERO, ARGENTINA CLAUDIA	22950 BROMPTON ST	MORENO VALLEY, CA	92553-1840	31.71	3.17	6.28	41.14
31511865008	291541040	ALLEN, MARY (OWN)	22980	BROMPTON ST	MORENO VALLEY	CA	92553-1840	ALLEN, MARY	22980 BROMPTON ST	MORENO VALLEY, CA	92553-1840	254.02	25.4	50.3	329.7
91254005003	291541050	HAMILTON, KEN (RENT)	22881	BROMPTON ST	MORENO VALLEY	CA	92553-1839	HAMILTON, KEN	13724 CHARA ST	MORENO VALLEY, CA	92553-4879	37.17	3.72	7.36	48.24
31479775007	291551004	YOUNG, MARIA	22620	DOWNING ST	MORENO VALLEY	CA	92553-1819	YOUNG, MARIA	22620 DOWNING ST	MORENO VALLEY, CA	92553-1819	254.02	25.4	50.3	329.7
31320775003	291551006	GODOY, MARIA	22640	DOWNING ST	MORENO VALLEY	CA	92553-1819	GODOY, MARIA	22640 DOWNING ST	MORENO VALLEY, CA	92553-1819	31.34	3.13	6.21	40.66
31296665004	291552002	TARTAGLIA, LOUIS A	22659	DOWNING ST	MORENO VALLEY	CA	92553-1818	TARTAGLIA, LOUIS A	22659 DOWNING ST	MORENO VALLEY, CA	92553-1818	127.26	12.73	25.2	165.18
31275815001	291552006	CENTENO, JAVIER	12780	PEMBRIDGE DR	MORENO VALLEY	CA	92553-1812	CENTENO, JAVIER	12780 PEMBRIDGE DR	MORENO VALLEY, CA	92553-1812	127.26	12.73	25.2	165.18
81804135000	291552007	HARRIS, RODNEY	12790	PEMBRIDGE DR	MORENO VALLEY	CA	92553-1812	HARRIS, RODNEY	11740 JAFFA WAY	MORENO VALLEY, CA	92557-6665	254.02	25.4	50.3	329.7
92771215001	291552008	SALMAN, CLAUDIA (RENT)	12800	PEMBRIDGE DR	MORENO VALLEY	CA	92553-1858	SALMAN, CLAUDIA	12800 PEMBRIDGE DR	MORENO VALLEY, CA	92553-1858	54.12	5.41	10.72	70.24
31245245004	291552013	PRICE, MIKE R	12799	NORWICH CT	MORENO VALLEY	CA	92553-1869	PRICE, MIKE R	12799 NORWICH CT	MORENO VALLEY, CA	92553-1869	323.49	32.35	64.05	419.88
93122895003	291552015	AZZU, ANNE (OWNR)	12800	NORWICH CT	MORENO VALLEY	CA	92553-1870	AZZU, ANNE	12800 NORWICH CT	MORENO VALLEY, CA	92553-1870	124.12	12.41	24.58	161.1
31242935006	291552016	MERCHANT, HOWARD	12810	NORWICH CT	MORENO VALLEY	CA	92553-1870	MERCHANT, HOWARD	12810 NORWICH CT	MORENO VALLEY, CA	92553-1870	254.02	25.4	50.3	329.7
96231755008	291552017	SIMON, CHERIE (RENT)	12820	NORWICH CT	MORENO VALLEY	CA	92553-1870	SIMON, CHERIE (RENT)	12820 NORWICH CT	MORENO VALLEY, CA	92553-1870	254.12	25.41	50.32	329.84
31246435005	291553006	KUNARD, NANCY	22629	PARKHAM ST	MORENO VALLEY	CA	92553-1865	KUNARD, NANCY	PO BOX 8125	MORENO VALLEY, CA	92552-8125	254.12	25.41	50.32	329.84
92278505006	291553011	BIRTS, LARRY (RENT)	22670	CHELSEA ST	MORENO VALLEY	CA	92553-1875	BIRTS, LARRY	22670 CHELSEA ST	MORENO VALLEY, CA	92553-1875	253.92	25.39	50.28	329.58
91609563000	291553020	VILAN, MARK (RENT)	22620	SOUTHWALK ST	MORENO VALLEY	CA	92553-1828	VILAN, MARK	22620 SOUTHWALK ST	MORENO VALLEY, CA	92553-1828	36.32	3.64	7.2	47.2
31376665008	291555018	HODGES, RICHARD AND MINDY	22570	BARONS CT	MORENO VALLEY	CA	92553-1856	HODGES, RICHARD	22570 BARONS CT	MORENO VALLEY, CA	92553-1856	63.63	6.36	12.6	82.58
88419373009	291562002	ROBERTS, RUTH (OWNR)	22561	BARONS CT	MORENO VALLEY	CA	92553-1856	ROBERTS, RUTH	23911 EUCALYPTUS AVE #70	MORENO VALLEY, CA	92553-5506	127.16	12.72	25.18	165.04
87635745004	291562008	DO, DUC	22500	GREENWICH CT	MORENO VALLEY	CA	92553-1820	DO, DUC	16051 BANANA ST	FOUNTAIN VALLEY, CA	92708-1501	329.6	32.96	65.26	427.82
92365905007	291562015	ALLEN, JOSEPH	22470	SOUTHWALK ST	MORENO VALLEY	CA	92553-1821	ALLEN, JOSEPH	22470 SOUTHWALK ST	MORENO VALLEY, CA	92553-1821	254.02	25.4	50.3	329.7
31201115004	291562017	NELSON, MAUREEN	22490	SOUTHWALK ST	MORENO VALLEY	CA	92553-1821	NELSON, MAUREEN	22490 SOUTHWALK ST	MORENO VALLEY, CA	92553-1821	254.02	25.4	50.3	329.7
98463263008	291562023	PETRO, JULIE (RENT)	12865	BRITTANIA CT	MORENO VALLEY	CA	92553-1847	PETRO, JULIE	11343 SATICOY ST	SUN VALLEY, CA	91352-4731	105.33	10.53	20.86	136.7
31220845001	291562027	VIALPANDO, PHIL	12840	BRITTANIA CT	MORENO VALLEY	CA	92553-1847	VIALPANDO, PHIL	12840 BRITTANIA CT	MORENO VALLEY, CA	92553-1847	254.12	25.41	50.32	329.84
92122123006	291581002	MARLZONAZO, CRISEL (RENT)	13011	ACACIA AVE	MORENO VALLEY	CA	92553-6901	MARLZONAZO, CRISEL (RENT)	13011 ACACIA AVE	MORENO VALLEY, CA	92553-6901	262.73	26.27	52.02	341.02
95271735000	291581007	WEST, LASHUNDA (RENT)	13051	ACACIA AVE	MORENO VALLEY	CA	92553-6901	WEST, LASHUNDA	13051 ACACIA AVE	MORENO VALLEY, CA	92553-6901	164.6	16.46	32.59	213.64
98319045019	291581011	THIGPEN, BETTY (RENT)	13083	ACACIA AVE	MORENO VALLEY	CA	92553-6903	THIGPEN, BETTY (RENT)	3395 IRONWOOD CT	PERRIS, CA	92571-7553	254.12	25.41	50.32	329.84
93844495006	291582007	ALVA, RALPH (RENT)	13002	ACACIA AVE	MORENO VALLEY	CA	92553-6900	ALVA, RALPH	933 VISTA WAY	COLTON, CA	92324-2654	109.38	10.94	21.66	141.96
92049233008	291582014	CAMPBELL, RAMONA (RENT)	13105	ARBOR PARK LN	MORENO VALLEY	CA	92553-6907	CAMPBELL, RAMONA	PO BOX 9879	MORENO VALLEY, CA	92552-1879	262.73	26.27	52.02	341.02
91860483005	291582017	BRUNO, FRANLYN AND TERRI (RENT	22228	SILVERBELL LN	MORENO VALLEY	CA	92553-6926	BRUNO, FRANLYN AND TERRI	22228 SILVERBELL LN	MORENO VALLEY, CA	92553-6926	28.99	2.9	5.74	37.62
96203905009	291582026	DOUGLAS, SYLVIA (RENT)	13096	HONEYLOCUST AVE	MORENO VALLEY	CA	92553-6920	DOUGLAS, SYLVIA	13096 HONEYLOCUST AVE	MORENO VALLEY, CA	92553-6920	329.6	32.96	65.26	427.82
80474945003	291583007	NANGPI, MARVIN	22359	SUMMER HOLLY AVE	MORENO VALLEY	CA	92553-6913	NANGPI, MARVIN	22359 SUMMER HOLLY AVE	MORENO VALLEY, CA	92553-6913	62.39	6.24	12.35	80.98
97864455008	291583009	BURNS, ENID (RENT)	22359	SUMMER HOLLY AVE	MORENO VALLEY	CA	92553-6913	BURNS, ENID	22359 SUMMER HOLLY AVE	MORENO VALLEY, CA	92553-6913	74.8	7.48	14.81	97.08
59038885005	291583030	VILLALOBOS, SHERYL	22253	SUMMER HOLLY AVE	MORENO VALLEY	CA	92553-6910	VILLALOBOS, SHERYL	22253 SUMMER HOLLY AVE	MORENO VALLEY, CA	92553-6910	254.12	25.41	50.32	329.84
60590905008	291583034	AKINBAYODE, SUNDAY AND VICTOR	22262	REDWOOD LN	MORENO VALLEY	CA	92553-6904	AKINBAYODE, SUNDAY AND VICTOR	22262 REDWOOD LN	MORENO VALLEY, CA	92553-6904	254.12	25.41	50.32	329.84
99609805008	291610017	TURNER, AIDEE	13119	YELLOWWOOD ST	MORENO VALLEY	CA	92553-6942	TURNER, AIDEE	13119 YELLOWWOOD ST	MORENO VALLEY, CA	92553-6942	230.8	23.08	45.7	299.56
84483575007	291610020	MCADORY, LETARDY	13122	YELLOWWOOD ST	MORENO VALLEY	CA	92553-6943	MCADORY, LETARDY	2902 ROCKFALLS LN	HENDERSON, NV	89074-5758	254.02	25.4	50.3	329.7
91366133008	291611001	CASTILLO, LAURA	13155	ACACIA AVE	MORENO VALLEY	CA	92553-6914	CASTILLO, LAURA	13155 ACACIA AVE	MORENO VALLEY, CA	92553-6914	262.73	26.27	52.02	341.02
86993935008	291611002	VARGAS, MARIA	13163	ACACIA AVE	MORENO VALLEY	CA	92553-6914	VARGAS, MARIA	1086 AUTUMNWOOD LN	PERRIS, CA	92571-9260	254.12	25.41	50.32	329.84
52002985007	291611004	REED, ANTHONY	13177	ACACIA AVE	MORENO VALLEY	CA	92553-6914	REED, ANTHONY	13177 ACACIA AVE	MORENO VALLEY, CA	92553-6914	254.12	25.41	50.32	329.84
84000125004	291612002	PATINO, ANGELICA	13230	ACACIA AVE	MORENO VALLEY	CA	92553-6928	PATINO, ANGELICA	24446 DRACAEA AVE APT B	MORENO VALLEY, CA	92553-2892	254.12	25.41	50.32	329.84
74861065003	291612005	SANCHEZ, JUAN (OWNR)	22199	EMPRESS ST	MORENO VALLEY	CA	92553-6931	SANCHEZ, JUAN	22199 EMPRESS ST	MORENO VALLEY, CA	92553-6931	254.02	25.4	50.3	329.7
70386255005	291613001	EVERETT, MARLENE	22165	EMPRESS ST	MORENO VALLEY	CA	92553-6931	EVERETT, MARLENE	22165 EMPRESS ST	MORENO VALLEY, CA	92553-6931	153.94	15.39	30.48	199.8
96287725007	291613005	CASTRO, SIGFREDO	22205	EMPRESS ST	MORENO VALLEY	CA	92553-6931	CASTRO, SIGFREDO	22205 EMPRESS ST	MORENO VALLEY, CA	92553-6931	519.25	51.93	102.81	673.98
80484935004	291613008	CAGUIM BAGA, RACHEL	13250	EMPRESS ST	MORENO VALLEY	CA	92553-6930	CAGUIM BAGA, RACHEL	13250 EMPRESS ST	MORENO VALLEY, CA	92553-6930	254.02	25.4	50.3	329.7
53078005002	291613012	VALDIVIA, ELVIA	13218	EMPRESS ST	MORENO VALLEY	CA	92553-6930	VALDIVIA, ELVIA	13218 EMPRESS ST	MORENO VALLEY, CA	92553-6930	179.49	17.95	35.54	232.96
67258605008	291613017	PINEDA, LUPE	22200	EMPRESS ST	MORENO VALLEY	CA	92553-6932	PINEDA, LUPE	22200 EMPRESS ST	MORENO VALLEY, CA	92553-6932	254.12	25.41	50.32	329.84
89523563004	291613026	LARA, TERESA AND HERRERA, ALEX	22203	SWEETGUM AVE	MORENO VALLEY	CA	92553-6924	LARA, TERESA AND HERRERA, ALEX	22203 SWEETGUM AVE	MORENO VALLEY, CA	92553-6924	90.79	9.08	17.98	117.84
52097735000	291614007	GUERRERO DE CASILLAS, ANA	22184	SWEETGUM AVE	MORENO VALLEY	CA	92553-6922	GUERRERO DE CASILLAS, ANA	22184 SWEETGUM AVE	MORENO VALLEY, CA	92553-6922	254.02	25.4	50.3	329.7
91686753008	291615013	HEGEMAN, TRACY (RENT)	22314	LILAC CT	MORENO VALLEY	CA	92553-6944	HEGEMAN, TRACY	22314 LILAC CT	MORENO VALLEY, CA	92553-6944	35.38	3.54	7.01	45.92
73377965002	291615015	ESCOBAR, IRENE	22330	LILAC CT	MORENO VALLEY	CA	92553-6944	ESCOBAR, IRENE	22330 LILAC CT	MORENO VALLEY, CA	92553-6944	232.1	23.21	45.96	301.26
99883555001	291616008	SANDOVAL, FERNANDO (RENT)	13340	PEASHRUB AVE	MORENO VALLEY	CA	92553-6946	SANDOVAL, FERNANDO	13340 PEASHRUB AVE	MORENO VALLEY, CA	92553-6946	192.56	19.26	38.13	249.94
89106033003	291620006	KILPATRICK, JENNIFER	22491	DRACAEA AVE	MORENO VALLEY	CA	92553-6919	JACKSON RIVERO REALTY	9219 TRAILHEAD PT	RIVERSIDE, CA	92509-4964	224.22	22.42	44.4	291.02

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
85542715000	291620013	CONDEZ, CANDELARIA	22298	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6939	CONDEZ, CANDELARIA	22298 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6939	254.12	25.41	50.32	329.84
92655275003	291620014	PEREZ, LISA (RENT)	22288	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6939	PEREZ, LISA	22288 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6939	149.5	14.95	29.6	194.04
90638675007	291620017	HEINMANN, WALTER J	13372	HICKORY WAY	MORENO VALLEY	CA	92553-6936	HEINMANN, WALTER J	13372 HICKORY WAY	MORENO VALLEY, CA	92553-6936	253.92	25.39	50.28	329.58
87689935001	291620023	LOPEZ, EUDIA	13332	HICKORY WAY	MORENO VALLEY	CA	92553-6936	LOPEZ, EUDIA	13332 HICKORY WAY	MORENO VALLEY, CA	92553-6936	254.12	25.41	50.32	329.84
93792575000	291622002	CHADWICK, TAMI (RENT)	13315	CHERRYLAUREL AVE	MORENO VALLEY	CA	92553-6918	CHADWICK, TAMI (RENT)	13315 CHERRYLAUREL AVE	MORENO VALLEY, CA	92553-6918	254.12	25.41	50.32	329.84
52979675001	291622005	HARRIS, KENNETH	13345	CHERRYLAUREL AVE	MORENO VALLEY	CA	92553-6918	HARRIS, KENNETH	13345 CHERRY LAUREL AVE	MORENO VALLEY, CA	92553-6918	90.05	9.01	17.83	116.88
95521935006	291622012	PELGONE, LORI (RENT)	22182	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6937	PELGONE, LORI	22182 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6937	254.12	25.41	50.32	329.84
96288655009	291622013	MALDONADO, LUIS (RENT)	22174	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6937	MALDONADO, LUIS	22174 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6937	319.25	31.93	63.21	414.38
97001415006	291623028	SALAZAR, CESAR (RENT)	13356	SOURWOOD AVE	MORENO VALLEY	CA	92553-6958	SALAZAR, CESAR	22422 HAWTHORN AVE	MORENO VALLEY, CA	92553-6986	39.31	3.93	7.78	51.02
95433855000	291623034	GONZALEZ, BEATRIZ (RENT)	22071	GOLDENCHAIN ST	MORENO VALLEY	CA	92553-6956	GONZALEZ, BEATRIZ	330 MUSCATEL AVE	ONTARIO, CA	91764-3829	147.14	14.71	29.13	190.98
89590503009	291623038	NGUYEN, LANLE	22039	GOLDENCHAIN ST	MORENO VALLEY	CA	92553-6956	NGUYEN, LANLE	22039 GOLDENCHAIN ST	MORENO VALLEY, CA	92553-6956	204.54	20.45	40.5	265.48
96289335005	291623039	DANG, KEITH	22031	GOLDENCHAIN ST	MORENO VALLEY	CA	92553-6956	DANG, KEITH	13022 YUMA PL	WESTMINSTER, CA	92683-2060	519.25	51.93	102.81	673.98
56125495005	291623058	BOWEN, DEBORAH	22016	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6947	BOWEN, DEBORAH	22016 WITCH HAZEL AVE	MORENO VALLEY, CA	92553-6947	123.39	12.34	24.43	160.16
56020985005	291624002	TRIGO, ROMAN AND SUSANA	22019	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6948	TRIGO, ROMAN AND SUSANA	22019 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6948	193.79	19.38	38.37	251.52
96287965006	291624004	MACIAS, JENNIFER (RENT)	22035	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6948	MACIAS, JENNIFER	22035 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6948	190.79	19.08	37.78	247.64
95577725002	291624008	EALY, KILA (RENT)	22067	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6948	EALY, KILA	22067 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6948	133.09	13.31	26.35	172.74
96210045002	291624018	QUIROGA, ADOLFO AND CARMEN (RE	22058	GOLDENCHAIN ST	MORENO VALLEY	CA	92553-6955	QUIROGA, ADOLFO	15449 GAMINO GRANDE	MORENO VALLEY, CA	92551-7063	28.72	2.87	5.69	37.26
57370215005	291624024	VILLANUEVA, JESUS	22017	MIMOSA LN	MORENO VALLEY	CA	92553-6953	VILLANUEVA, JESUS	22017 MIMOSA LN	MORENO VALLEY, CA	92553-6953	254.02	25.4	50.3	329.7
94377035003	291624034	TORRES, EDDIE (OWNR)	22046	MIMOSA LN	MORENO VALLEY	CA	92553-6954	TORRES, EDDIE (OWNR)	22046 MIMOSA LN	MORENO VALLEY, CA	92553-6954	95.25	9.53	18.86	123.62
92984465007	291625003	DESANTO, ANTHONY	13321	MIMOSA LN	MORENO VALLEY	CA	92553-6951	DESANTO, ANTHONY	13321 MIMOSA LN	MORENO VALLEY, CA	92553-6951	254.02	25.4	50.3	329.7
94039515008	291631008	DEWITT, ARNOLD (RENT)	22473	MAIDENHAIR ST	MORENO VALLEY	CA	92553-6971	DEWITT, ARNOLD	883 W 34TH ST APT E	LONG BEACH, CA	90806-1276	27.53	2.75	5.45	35.72
56120895002	291632001	MERRILL, DONALD AND CRYSTAL	13449	ARBOR PARK LN	MORENO VALLEY	CA	92553-6960	MERRILL, DONALD AND CRYSTAL	13449 ARBOR PARK LN	MORENO VALLEY, CA	92553-6960	329.32	32.93	65.21	427.44
56357635005	291632015	RIVERA, SYLVIA	22347	BLACK GUM ST	MORENO VALLEY	CA	92553-6962	RIVERA, SYLVIA	22347 BLACK GUM ST	MORENO VALLEY, CA	92553-6962	254.02	25.4	50.3	329.7
96287315003	291633015	POUNCY, FRANK	13456	ARBOR PARK LN	MORENO VALLEY	CA	92553-6961	POUNCY, FRANK	13456 ARBOR PARK LN	MORENO VALLEY, CA	92553-6961	319.25	31.93	63.21	414.38
56563075005	291633016	MARTIN, TAMMERA	13444	ARBOR PARK LN	MORENO VALLEY	CA	92553-6961	MARTIN, TAMMERA	13444 ARBOR PARK LN	MORENO VALLEY, CA	92553-6961	254.02	25.4	50.3	329.7
59219035000	291633021	WASHINGTON, KIZZIE	13447	GLORYBOWER ST	MORENO VALLEY	CA	92553-6983	WASHINGTON, KIZZIE	13447 GLORYBOWER ST	MORENO VALLEY, CA	92553-6983	254.12	25.41	50.32	329.84
92728865004	291634001	THA, APRIL	13476	GLORYBOWER ST	MORENO VALLEY	CA	92553-6982	THA, APRIL	13476 GLORYBOWER ST	MORENO VALLEY, CA	92553-6982	190.79	19.08	37.78	247.64
59142545007	291634003	RODRIGUEZ, ESTHER	13456	GLORYBOWER ST	MORENO VALLEY	CA	92553-6982	RODRIGUEZ, ESTHER	13456 GLORYBOWER ST	MORENO VALLEY, CA	92553-6982	44.12	4.41	8.74	57.26
91133013007	291634005	LEVESTON, STEPHANIE (RENT)	13436	GLORYBOWER ST	MORENO VALLEY	CA	92553-6982	LEVESTON, STEPHANIE	13436 GLORYBOWER ST	MORENO VALLEY, CA	92553-6982	96.87	9.69	19.18	125.72
57127345002	291634012	FARROW, MARILYN	22436	BLACK GUM ST	MORENO VALLEY	CA	92553-6964	FARROW, MARILYN	22436 BLACK GUM ST	MORENO VALLEY, CA	92553-6964	329.04	32.9	65.15	427.08
96678325001	291635022	BRIGGS, CONNIE (RENT)	22377	BLACK GUM ST	MORENO VALLEY	CA	92553-6962	BRIGGS, CONNIE	22377 BLACK GUM ST	MORENO VALLEY, CA	92553-6962	160.74	16.07	31.83	208.64
93980145002	291635023	HALL, LAQUIDA (RENT)	22387	BLACK GUM ST	MORENO VALLEY	CA	92553-6962	HALL, LAQUIDA	22387 BLACK GUM ST	MORENO VALLEY, CA	92553-6962	329.6	32.96	65.26	427.82
87169653002	291635027	TRAVIS, BLAKE (RENT)	22427	BLACK GUM ST	MORENO VALLEY	CA	92553-6965	TRAVIS, BLAKE	22427 BLACK GUM ST	MORENO VALLEY, CA	92553-6965	99.79	9.98	19.76	129.52
96300765009	291635040	CORREA, LESLIE (RENT)	13430	HAWTHORN AVE	MORENO VALLEY	CA	92553-6984	CORREA, LESLIE	13430 HAWTHORN AVE	MORENO VALLEY, CA	92553-6984	27.36	2.74	5.42	35.5
62102615001	291636002	KHAN, NAEEM	22321	HAWTHORN AVE	MORENO VALLEY	CA	92553-6989	KHAN, NAEEM	22321 HAWTHORN AVE	MORENO VALLEY, CA	92553-6989	254.12	25.41	50.32	329.84
59826095009	291636020	GORDILLO, YESENIA	13429	HAWTHORN AVE	MORENO VALLEY	CA	92553-6985	GORDILLO, YESENIA	13429 HAWTHORN AVE	MORENO VALLEY, CA	92553-6985	254.12	25.41	50.32	329.84
72366605002	291636027	SANCHEZ, ZOILA	22434	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6973	SANCHEZ, ZOILA	22434 WITCH HAZEL AVE	MORENO VALLEY, CA	92553-6973	254.12	25.41	50.32	329.84
59809095005	291636033	KENYON, EAN	22386	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6980	KENYON, EAN	22386 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6980	64.13	6.41	12.7	83.24
94622225002	291636034	WILLIAMS, DARRYLLYNN (RENT)	22378	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6980	WILLIAMS, DARRYLLYNN	22378 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6980	254.12	25.41	50.32	329.84
75307975005	291636042	VALDEZ, RAFAEL	22314	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6980	VALDEZ, RAFAEL	12652 MEMORIAL WAY #73	MORENO VALLEY, CA	92553-7555	254.12	25.41	50.32	329.84
57878255008	291641003	COXSEY, JAMES	13296	SNOWBELL LN	MORENO VALLEY	CA	92553-6966	COXSEY, JAMES	13296 SNOWBELL LN	MORENO VALLEY, CA	92553-6966	254.02	25.4	50.3	329.7
57750655005	291641004	TITOV, ALEXANDER	13308	SNOWBELL LN	MORENO VALLEY	CA	92553-6969	TITOV, ALEXANDER	7467 W 67TH AVE	ARVADA, CO	80003-3956	254.02	25.4	50.3	329.7
92301395009	291641010	GONZALEZ, FRANCISCO (RENT)	13329	SASSAFRAS ST	MORENO VALLEY	CA	92553-6976	GONZALEZ, FRANCISCO	13329 SASSAFRAS ST	MORENO VALLEY, CA	92553-6976	189.92	18.99	37.6	246.5
90281643003	291641011	VALENZUELA, CONSUELO (RENT)	13317	SASSAFRAS ST	MORENO VALLEY	CA	92553-6976	VALENZUELA, CONSUELO (RENT)	13317 SASSAFRAS ST	MORENO VALLEY, CA	92553-6976	167.46	16.75	33.16	217.36
93491525000	291670002	NEAL, LYNNE (OWNR)	13050	ZENITH WAY	MORENO VALLEY	CA	92553-2042	NEAL, LYNNE	13050 ZENITH WAY	MORENO VALLEY, CA	92553-2042	254.12	25.41	50.32	329.84
90329245004	291671032	FUENTES, YVAN	22321	ECHO PARK WAY	MORENO VALLEY	CA	92553-2045	FUENTES, YVAN	22321 ECHO PARK WAY	MORENO VALLEY, CA	92553-2045	26.24	2.62	5.2	34.04
90331245000	291671038	OSUNA, BILLY	22322	ECHO PARK WAY	MORENO VALLEY	CA	92553-2045	OSUNA, BILLY	22322 ECHO PARK WAY	MORENO VALLEY, CA	92553-2045	253.92	25.39	50.28	329.58
90329725003	291671039	TAPIA, MARK	22314	ECHO PARK WAY	MORENO VALLEY	CA	92553-2045	TAPIA, MARK	22314 ECHO PARK WAY	MORENO VALLEY, CA	92553-2045	253.92	25.39	50.28	329.58
91365975003	291671044	HENRY-CORNILIUS, ROMULDA	22369	ECHO PARK WAY	MORENO VALLEY	CA	92553-2045	HENRY-CORNILIUS, ROMULDA	22369 ECHO PARK WAY	MORENO VALLEY, CA	92553-2045	162.7	16.27	32.21	211.18
91623245009	291671050	BUTLER, REGENALD	22370	ECHO PARK WAY	MORENO VALLEY	CA	92553-2045	BUTLER, REGENALD	22370 ECHO PARK WAY	MORENO VALLEY, CA	92553-2045	173.53	17.35	34.36	225.24
93695715006	291671059	CLEGG, JOHN (OWNR)	22357	YATES ST	MORENO VALLEY	CA	92553-2046	CLEGG, JOHN	22357 YATES ST	MORENO VALLEY, CA	92553-2046	254.02	25.4	50.3	329.7
92674355007	291671061	ENEA, LISA	22369	YATES ST	MORENO VALLEY	CA	92553-2046	ENEA, LISA	22369 YATES ST	MORENO VALLEY, CA	92553-2046	127.36	12.74	25.22	165.3
93900005009	291671068	BELL, KELVIN AND BRENDA (OWNR)	22390	REGENTS PARK LN	MORENO VALLEY	CA	92553-2039	BELL, KELVIN AND BRENDA	22390 REGENTS PARK LN	MORENO VALLEY, CA	92553-2039	126.96	12.7	25.14	164.78
31444215009	292021003	SPENCER, LAVON	12774	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5951	SPENCER, LAVON	12774 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5951	165.64	16.56	32.8	215
31628595007	292021004	BAPTISTE, KANDACE	12780	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5951	BAPTISTE, KANDACE	12780 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5951	254.02	25.4	50.3	329.7
31634375001	292022003	GOMEZ, GILARDO	12757	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5952	GOMEZ, GILARDO	12757 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5952	254.02	25.4	50.3	329.7
31461615009	292022010	DILLARD, BRIDGETTE	12799	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5952	DILLARD, BRIDGETTE	12799 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5952	329.32	32.93	65.21	427.44
31593435007	292022016	VASQUEZ, MARTHA	12548	PENSKE ST	MORENO VALLEY	CA	92553-5207	VASQUEZ, MARTHA	12578 ANDRETTI ST	MORENO VALLEY, CA	92553-5200	190.39	19.04	37.7	247.12
75089915002	292022023	ZARI, JAN	12510	PENSKE ST	MORENO VALLEY	CA	92553-5207	ZARI, JAN	10344 BROOKMEAD DR	MORENO VALLEY, CA	92557-2613	254.02	25.4	50.3	329.7
31407805002	292022024	FIERRO, AUDREY	12504	PENSKE ST	MORENO VALLEY	CA	92553-5207	FIERRO, AUDREY	12504 PENSKE ST	MORENO VALLEY, CA	92553-5207	254.02	25.4	50.3	329.7
31378565005	292022025	RENTERIA, ROMAN	12501	ANDRETTI ST	MORENO VALLEY	CA	92553-5201	RENTERIA, ROMAN	12501 ANDRETTI ST	MORENO VALLEY, CA	92553-5201	329.32	32.93	65.21	427.44
31099885000	292022026	GREEN, STANLEY AND JOYCE	12507	ANDRETTI ST	MORENO VALLEY	CA	92553-5201	GREEN, STANLEY AND JOYCE	12507 ANDRETTI ST	MORENO VALLEY, CA	92553-5201	233.1	23.31	46.15	302.56
90039455003	292022034	ALVAREZ, ANDREA	12567	ANDRETTI ST	MORENO VALLEY	CA	92553-5201	ALVAREZ, ANDREA	12567 ANDRETTI ST	MORENO VALLEY, CA	92553-5201	253.92	25.39	50.28	329.58
31455585007	292022037	DIAZ, MIKE	12585	ANDRETTI ST	MORENO VALLEY	CA	92553-5201	DIAZ, MIKE	12585 ANDRETTI ST	MORENO VALLEY, CA	92553-5201	27.36	2.74	5.42	35.5
31472435004	292023012	GONZALES, MIGUEL	12516	ANDRETTI ST	MORENO VALLEY	CA	92553-5200	GONZALES, MIGUEL	12516 ANDRETTI ST	MORENO VALLEY, CA	92553-5200	254.02	25.4	50.3	329.7
31122305002	292023018	PEA, MOON	12557	PENSKE ST	MORENO VALLEY	CA	92553-5208	PEA, MOON	12557 PENSKE ST	MORENO VALLEY, CA	92553-5208	329.32	32.93	65.21	427.44
96015113000	292023019	MENDOZA, MARIA (RENT)	12565	PENSKE ST	MORENO VALLEY	CA	92553-5208	MENDOZA, MARIA (RENT)	12565 PENSKE ST	MORENO VALLEY, CA	92553-5208	127.06	12.71	25.16	164.92
91802995001	292023020	MORENO, LEONARDO	12579	PENSKE ST	MORENO VALLEY	CA	92553-5208	MORENO, LEONARDO	12579 PENSKE ST	MORENO VALLEY, CA	92553-5208	253.92	25.39	50.28	329.58
94303865004	292031002	MOE, WENDELL (RENT)	12729	MEADBURY DR	MORENO VALLEY	CA	92553-5901	MOE, WENDELL	12729 MEADBURY DR	MORENO VALLEY, CA	92553-5901	254.12	25.41	50.32	329.84
94036765001	292031010	RAMIREZ, JOSE (RENT)	23239	PARK VALLEY DR	MORENO VALLEY	CA	92553-5924	RAMIREZ, JOSE	23239 PARK VALLEY DR	MORENO VALLEY, CA	92553-5924	63.63	6.36	12.6	82.58
91579075000	292031015	OCHOA, MARIO	12824	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5961	OCHOA, MARIO	12824 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5961	253.92	25.39	50.28	329.58
31049315005	292031016	KELLETT, BRUCE	12830	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5961	KELLETT, BRUCE	12830 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5961	63.63	6.36	12.6	82.58
82991715002	292031017	PULIDO, LAURA	12836	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5961	PULIDO, LAURA	12836 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5961	329.32	32.93	65.21	427.44
97141055005	292032005	REYNOLDS, GLORIA (RENT)	12827	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5964	REYNOLDS, GLORIA	12827 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5964	254.12	25.41	50.32	329.84
31406635000	292032009	MAMA, FUAPAINA	12851	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5964	MAMA, FUAPAUNA	14028 BELLFLOWER BLVD APT E	BELLFLOWER, CA	90706-2460	479.92	47.99	95.02	622.92
96562555008	292032013	MASCORRO, OLGA (OWNR)	23128	GURNEY PL	MORENO VALLEY	CA	92553-5205	MASCORRO, OLGA	23128 GURNEY PL	MORENO VALLEY, CA	92553-5205	90.79	9.08	17.98	117.84
93771315009	292032022	MACK, ANTHONY (RENT)	23119	DONAHUE CT	MORENO VALLEY	CA	92553-5204	MACK, ANTHONY	23119 DONAHUE CT	MORENO VALLEY, CA	92553-5204	329.6	32.96	65.26	427.82
31310585004	292041001	GUTIERREZ, ROGACIANO	12727	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5952	GUTIERREZ, ROGACIANO	12727 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5952	254.12	25.41	50.32	329.84
31382775003	292041005	SEGURA, ROBIN (RENT)	12681	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5980	GRANADOS, FAVIOLA	12681 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5980	254.02	25.4	50.3	329.7
31332425002	292041009	SALES, MELBA	12641	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5980	SALES, MELBA	12641 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5980	57.27	5.73	11.34	74.32
32684855008	292042004	WATKINS, BARBARA	12579	MEADOWGATE CIR	MORENO VALLEY	CA	92553-5902	WATKINS, BARBARA	12579 MEADOWGATE CIR	MORENO VALLEY, CA	92553-5902	36.15	3.62	7.16	46.92
31607565007	292042016	PINCKNEY, ROSE	12680	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5979	PINCKNEY, ROSE	12680 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5979	254.02	25.4	50.3	329.7
31083765009	292042017	THOMAS, RANDALL	12692	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5979	THOMAS, RANDALL	12692 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5979	329.32	32.93	65.21	427.44
31229005001	292043008	CUTLER, RICHARD	12541	SOFTWIND DR	MORENO VALLEY	CA	92553-5994	CUTLER, RICHARD	12541 SOFTWIND DR	MORENO VALLEY, CA	92553-5994	253.92	25.39	50.28	329.58
94337903004	292043010	DOMINGUEZ, DEEDEE (RENT)	12554	SHADYBEND DR	MORENO VALLEY	CA	92553-5993	DOMINGUEZ, DEEDEE	12554 SHADYBEND DR	MORENO VALLEY, CA	92553-5993	82.68	8.27	16.37	107.3
93485253008	292043012	RAMIREZ, MANUEL	12574	SHADYBEND DR	MORENO VALLEY	CA	92553-5993	RAMIREZ, MANUEL	232 E 49TH ST	SN BERNRDNO, CA	92404-1104	212.13	21.21	42	275.34
54244385009	292043016	MARQUEZ, JUAN VICTOR	12614	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	MARQUEZ, JUAN VICTOR	12614 SHADYBEND DR	MORENO VALLEY, CA	92553-5905	257.44	25.74	50.97	334.14
66857205002	292044003	RAMIREZ, ELADIO	12595	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5995	RAMIREZ, ELADIO	12595 VALLEY MEADOWS DR	MORENO VALLEY, CA	92553-5995	204.12	20.41	40.42	264.94
73165265008	292045001	PITCHERS, DIANE	12544	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5995	PITCHERS, DIANE	12544 VALLEY MEADOWS DR	MORENO VALLEY, CA	92553-5995	254.02	25.4	50.3	329.7
31356555003	292045004	VELASQUEZ, MARCELINO	12570	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5995	VELASQUEZ, MARCELINO	12570 VALLEY MEADOWS DR	MORENO VALLEY, CA	92553-5995	254.02	25.4	50.3	329.7
93118445006	292051001	DYER, MARTY (RENT)	12745	SHADYBEND DR	MORENO VALLEY	CA	92553-5992	DYER, MARTY	12745 SHADYBEND DR	MORENO VALLEY, CA	92553-5992	276.03	27.6	54.65	358.28
93929353004	292051003	SHEA, SHELLY	12713	SHADYBEND DR	MORENO VALLEY	CA	92553-5992	SHEA, SHELLY	12713 SHADYBEND DR	MORENO VALLEY, CA	92553-5992	172.18	17.22	34.09	223.48
95995385007	292051004	WELDON, ANGELA (RENT)	12701	SHADYBEND DR	MORENO VALLEY	CA	92553-5992	WELDON, ANGELA	12701 SHADYBEND DR	MORENO VALLEY, CA	92553-5992	329.32	32.93	65.21	427.44
31580505009	292051009	MALDONADO, FIDEL	12643	SHADYBEND DR	MORENO VALLEY	CA	92553-5908	MALDONADO, FIDEL	12643 SHADYBEND DR	MORENO VALLEY, CA	92553-5908	140.29	14.03	27.78	182.08
31533935008	292051010	HORNYAK, ALICIA	12627	SHADYBEND DR	MORENO VALLEY	CA	92553-5908	HORNYAK, ALICIA	27570 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5709	254.02	25.4	50.3	329.7
31340495000	292051017	ARLINE, MICHELLE	23260	MERRYGROVE CIR	MORENO VALLEY	CA	92553-5910	ARLINE, MICHELLE	23260 MERRYGROVE CIR	MORENO VALLEY, CA	92553-5910	329.32	32.93	65.21	427.44
69622835005	292051019	JACKSON, AVA	23290	MERRYGROVE CIR	MORENO VALLEY	CA	92553-5910	JACKSON, AVA	23290 MERRYGROVE CIR	MORENO VALLEY, CA	92553-5910	329.32	32.93	65.21	427.44
97960885002	292051020	HARRIS, BRENDA (RENT)	23304	MERRYGROVE CIR	MORENO VALLEY	CA	92553-5989	HARRIS, BRENDA	12646 MEMORIAL WAY, APT# 2087	MORENO VALLEY, CA	92553-7595	214.96	21.5	42.56	279
31087285001	292051025	DUNCAN, RICK	23260	DEWDROP CIR	MORENO VALLEY	CA	92553-5984	DUNCAN, RICK	PO BOX 10287	MORENO VALLEY, CA	92552-0287	254.02	25.4	50.3	329.7
31489325001	292052007	DOMINGUEZ, MICHAEL	12673	SOFTWIND DR	MORENO VALLEY	CA	92553-5938	DOMINGUEZ, MICHAEL	12673 SOFTWIND DR	MORENO VALLEY, CA	92553-5938	63.63	6.36	12.6	82.58
31326035006	292052008	MARTINEZ, JOAQUIN	12661	SOFTWIND DR	MORENO VALLEY	CA	92553-5938	MARTINEZ, JOAQUIN	12661 SOFTWIND DR	MORENO VALLEY, CA	92553-5938	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
61003505005	292052012	JONES, GREGORY	12626	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	JONES, GREGORY	12626 SHADYBEND DR	MORENO VALLEY, CA	92553-5905	63.63	6.36	12.6	82.58
82865295006	292052014	ANGULO, TONY	12662	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	IBARRA, JUANA	PO BOX 8081	MORENO VALLEY, CA	92552-8081	254.02	25.4	50.3	329.7
66672225001	292052015	ADAMS, HELEN (OWNR)	12650	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	ADAMS, HELEN	12650 SHADYBEND DR	MORENO VALLEY, CA	92553-5905	329.6	32.96	65.26	427.82
56186575000	292052016	DIZAYE, HABIBA	12674	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	DIZAYE, HABIBA	12674 SHADYBEND DR	MORENO VALLEY, CA	92553-5905	34.1	3.41	6.75	44.26
31594385005	292052017	HERNANDEZ, ERNESTO	12686	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	HERNANDEZ, ERNESTO	337 E 1ST ST	CALEXICO, CA	92231-2731	254.02	25.4	50.3	329.7
94020553009	292053005	VACA, SUSANA	12674	SOFTWIND DR	MORENO VALLEY	CA	92553-5936	VACA, SUSANA	12674 SOFTWIND DR	MORENO VALLEY, CA	92553-5936	224.18	22.42	44.39	290.98
31249095007	292053014	MC KINLEY, MICHAEL	12653	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5969	MC KINLEY, MICHAEL	12653 VALLEY MEADOWS DR	MORENO VALLEY, CA	92553-5969	228.72	22.87	45.29	296.86
31118715004	292054013	REDWINE, KAREN	12650	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5996	REDWINE, KAREN	12650 VALLEY MEADOWS DR	MORENO VALLEY, CA	92553-5996	254.02	25.4	50.3	329.7
96144165007	292061016	FREDERICO, JOSEPH (RENT)	23148	SURTEES CT	MORENO VALLEY	CA	92553-5214	FREDERICO, JOSEPH	23148 SURTEES CT	MORENO VALLEY, CA	92553-5214	134.48	13.45	26.63	174.54
90027483003	292061017	MEREDITH, JULIANA (RENT)	23145	SURTEES CT	MORENO VALLEY	CA	92553-5214	MEREDITH, JULIANA	23145 SURTEES CT	MORENO VALLEY, CA	92553-5214	221.76	22.18	43.91	287.84
31523375006	292061018	CASTILLO, ANA (OWNR)	23127	SURTEES CT	MORENO VALLEY	CA	92553-5214	CASTILLO, ANA	23127 SURTEES CT	MORENO VALLEY, CA	92553-5214	82.68	8.27	16.37	107.3
31588395005	292061024	SOUSA, MICHAEL	12850	PENSKE ST	MORENO VALLEY	CA	92553-5212	SOUSA, MICHAEL	12850 PENSKE ST	MORENO VALLEY, CA	92553-5212	154.02	15.4	30.5	199.9
85420245008	292061025	SOUSA, LEONA	12858	PENSKE ST	MORENO VALLEY	CA	92553-5212	SOUSA II, MICHAEL	12858 PENSKE ST	MORENO VALLEY, CA	92553-5212	254.02	25.4	50.3	329.7
94526165007	292062011	RAMOS, LISA (RENT)	12775	PENSKE ST	MORENO VALLEY	CA	92553-5211	RAMOS, LISA	12775 PENSKE ST	MORENO VALLEY, CA	92553-5211	254.12	25.41	50.32	329.84
58555185006	292072004	MENDES, RITA	12937	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5982	MENDES, RITA	12937 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5982	228.72	22.87	45.29	296.86
31305595002	292072005	DAVILA, RICK A	12943	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5982	DAVILA, RICK A	12943 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5982	254.02	25.4	50.3	329.7
31619725009	292072008	INMAN, SHERRI	12967	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5982	INMAN, SHERRI	12967 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5982	54.02	5.4	10.7	70.1
56684235006	292072010	DOMINGUEZ, BRENDA	12981	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5982	DOMINGUEZ, BRENDA	12981 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5982	190.69	19.07	37.76	247.5
95813065009	292072018	GILLIS, MICHAEL (OWNR)	12922	ADELINE AVE	MORENO VALLEY	CA	92553-5942	GILLIS, MICHAEL	12922 ADELINE AVE	MORENO VALLEY, CA	92553-5942	254.12	25.41	50.32	329.84
31061845009	292072019	LARA, ERNEST	12910	ADELINE AVE	MORENO VALLEY	CA	92553-5942	LARA, ERNEST	12910 ADELINE AVE	MORENO VALLEY, CA	92553-5942	115.49	11.55	22.87	149.9
95648925009	292072021	CABRERA, ENRIQUE (RENT)	12887	ADELINE AVE	MORENO VALLEY	CA	92553-5934	CABRERA, ENRIQUE	12887 ADELINE AVE	MORENO VALLEY, CA	92553-5934	41.89	4.19	8.29	54.36
96253205008	292072023	CASILLAS, SUMMER (RENT)	12911	ADELINE AVE	MORENO VALLEY	CA	92553-5943	CASILLAS, SUMMER	15300 AVENIDA ANILLO	MORENO VALLEY, CA	92555-4109	79.63	7.96	15.77	103.34
88014853007	292072030	RAZO, ANTONIO	12995	ADELINE AVE	MORENO VALLEY	CA	92553-5943	RAZO, ANTONIO	12995 ADELINE AVE	MORENO VALLEY, CA	92553-5943	369.64	36.96	73.19	479.78
31145865005	292081007	SPENCER, MILDRED	12765	SHADYBEND DR	MORENO VALLEY	CA	92553-5992	SPENCER, MILDRED	12765 SHADYBEND DR	MORENO VALLEY, CA	92553-5992	555.22	55.52	109.93	720.66
31591795005	292082001	OLIVARES, DANNY	12860	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5961	OLIVARES, DANNY	12860 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5961	254.02	25.4	50.3	329.7
85056905001	292082007	OROSCO, LILIAN	12898	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5961	OROSCO, LILIAN AND LUCIO	12898 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5961	254.02	25.4	50.3	329.7
55680215009	292082014	TUNSTALL, EBENY AND CRAIG	12769	MEADBURY DR	MORENO VALLEY	CA	92553-5901	TUNSTALL, EBENY AND CRAIG	12769 MEADBURY DR	MORENO VALLEY, CA	92553-5901	254.02	25.4	50.3	329.7
31324335008	292083012	BURKS, ROBERT	23313	OLD VALLEY DR	MORENO VALLEY	CA	92553-5654	BURKS, ROBERT	23313 OLD VALLEY DR	MORENO VALLEY, CA	92553-5654	329.32	32.93	65.21	427.44
92952825009	292084002	MCBRIDE, ANGELIQUE (RENT)	12977	VALLEY SPRINGS DR	MORENO VALLEY	CA	92553-5918	MCBRIDE, ANGELIQUE	5925 SYCAMORE CANYON BLVD APT 116	RIVERSIDE, CA	92507-8467	50.58	5.06	10.01	65.64
31285825008	292084013	RENDON, JAIME	23301	BROOKHAVEN DR	MORENO VALLEY	CA	92553-5922	RENDON, JAIME	23301 BROOKHAVEN DR	MORENO VALLEY, CA	92553-5922	216	21.6	42.77	280.36
31573995001	292084017	SWEENEY, PATRICK	23249	BROOKHAVEN DR	MORENO VALLEY	CA	92553-5916	SWEENEY, PATRICK	23249 BROOKHAVEN DR	MORENO VALLEY, CA	92553-5916	30.69	3.07	6.08	39.82
92600805008	292091001	TORRES, VANESSA	12794	SUNNYGLEN DR	MORENO VALLEY	CA	92553-5623	TORRES, VANESSA	12794 SUNNYGLEN DR	MORENO VALLEY, CA	92553-5623	254.02	25.4	50.3	329.7
31464475002	292091011	GUZMAN, DAVID	12926	SUNNYGLEN DR	MORENO VALLEY	CA	92553-5634	GUZMAN, DAVID	12926 SUNNYGLEN DR	MORENO VALLEY, CA	92553-5634	190.69	19.07	37.76	247.5
31441285000	292092013	BELTRAN, INDALFER	12921	GLENMERE DR	MORENO VALLEY	CA	92553-5925	BELTRAN, INDALFER	12921 GLENMERE DR	MORENO VALLEY, CA	92553-5925	254.02	25.4	50.3	329.7
57367185007	292092020	MERCHANT LEE, VICTOR	12829	GLENMERE DR	MORENO VALLEY	CA	92553-5985	MERCHANT LEE, VICTOR	12829 GLENMERE DR	MORENO VALLEY, CA	92553-5985	94.02	9.4	18.62	122.02
31341865000	292092022	POLLARD, MARK	12816	GLENMERE DR	MORENO VALLEY	CA	92553-5985	POLLARD, MARK	12816 GLENMERE DR	MORENO VALLEY, CA	92553-5985	190.69	19.07	37.76	247.5
31242195001	292092026	NGUYEN, GUY	12870	GLENMERE DR	MORENO VALLEY	CA	92553-5985	NGUYEN, GUY	12870 GLENMERE DR	MORENO VALLEY, CA	92553-5985	254.02	25.4	50.3	329.7
94462625009	292092030	MURILLO, DELIA (RENT)	12922	GLENMERE DR	MORENO VALLEY	CA	92553-5926	MURILLO, DELIA	12922 GLENMERE DR	MORENO VALLEY, CA	92553-5926	216.77	21.68	42.92	281.36
75076465003	292092038	BECERRA, AVELINO AND HELENA	12879	SUNNYGLEN DR	MORENO VALLEY	CA	92553-5622	BECERRA, AVELINO AND HELENA	12879 SUNNYGLEN DR	MORENO VALLEY, CA	92553-5622	254.02	25.4	50.3	329.7
31264005005	292092045	JOHNSON, JEFFREY	23421	OLD VALLEY DR	MORENO VALLEY	CA	92553-5656	JOHNSON, JEFFREY	23421 OLD VALLEY DR	MORENO VALLEY, CA	92553-5656	254.02	25.4	50.3	329.7
93824595007	292092046	AFEMATA, VERA (RENT)	23401	OLD VALLEY DR	MORENO VALLEY	CA	92553-5656	AFEMATA, VERA	23401 OLD VALLEY DR	MORENO VALLEY, CA	92553-5656	334.6	33.46	66.25	434.3
91122083005	292092049	WHITSON, RAMONA (RENT)	23361	OLD VALLEY DR	MORENO VALLEY	CA	92553-5654	WHITSON, RAMONA	23361 OLD VALLEY DR	MORENO VALLEY, CA	92553-5654	70.33	7.03	13.93	91.28
65882145004	292092051	SANTOS, MARGIE	23343	OLD VALLEY DR	MORENO VALLEY	CA	92553-5654	SANTOS, MARGIE	23343 OLD VALLEY DR	MORENO VALLEY, CA	92553-5654	254.12	25.41	50.32	329.84
95592015000	292093003	GALLEGOS, JAVIER (RENT)	23440	OLD VALLEY DR	MORENO VALLEY	CA	92553-5655	GALLEGOS, JAVIER	23440 OLD VALLEY DR	MORENO VALLEY, CA	92553-5655	254.12	25.41	50.32	329.84
31123095004	292093004	ROCHA, ALBERT	23454	OLD VALLEY DR	MORENO VALLEY	CA	92553-5655	ROCHA, ALBERT	23454 OLD VALLEY DR	MORENO VALLEY, CA	92553-5655	329.32	32.93	65.21	427.44
96059415005	292093007	WILLIAMS, JENNIFER	23494	OLD VALLEY DR	MORENO VALLEY	CA	92553-5655	WILLIAMS, JENNIFER	23494 OLD VALLEY DR	MORENO VALLEY, CA	92553-5655	267.96	26.8	53.06	347.8
75986115007	292111005	HENRY, SUE	12718	FOXDALE DR	MORENO VALLEY	CA	92553-5608	HENRY, SUE	12718 FOXDALE DR	MORENO VALLEY, CA	92553-5608	329.32	32.93	65.21	427.44
91423673003	292111027	GODEA, GEORGINA (RENT)	23683	GAMMA ST	MORENO VALLEY	CA	92553-5636	GODEA, GEORGINA	23683 GAMMA ST	MORENO VALLEY, CA	92553-5636	282.35	28.24	55.91	366.48
46716565007	292112017	PENA, ANGELITA	23700	GAMMA ST	MORENO VALLEY	CA	92553-5635	PENA, ANGELITA	23700 GAMMA ST	MORENO VALLEY, CA	92553-5635	254.02	25.4	50.3	329.7
58648215003	292113002	MARTIN, ERICA	12729	GORHAM ST	MORENO VALLEY	CA	92553-5625	MARTIN, ERICA	12729 GORHAM ST	MORENO VALLEY, CA	92553-5625	254.12	25.41	50.32	329.84
92644015002	292113007	WALEAN, ELLEN	12669	GORHAM ST	MORENO VALLEY	CA	92553-5604	WALEAN, ELLEN	12669 GORHAM ST	MORENO VALLEY, CA	92553-5604	35.63	3.56	7.05	46.24
96854925008	292113016	VASQUEZ, MARIA (RENT)	12718	GORHAM ST	MORENO VALLEY	CA	92553-5676	VASQUEZ, MARIA	12718 GORHAM ST	MORENO VALLEY, CA	92553-5676	260.53	26.05	51.58	338.16
31441475000	292113018	MAYA, DANIEL - OWNR	12744	GORHAM ST	MORENO VALLEY	CA	92553-5676	MAYA, DANIEL - OWNR	12744 GORHAM ST	MORENO VALLEY, CA	92553-5676	190.02	19	37.62	246.64
31279175007	292113024	FREES, LARRY	12683	DREW CT	MORENO VALLEY	CA	92553-5619	FREES, LARRY	12683 DREW CT	MORENO VALLEY, CA	92553-5619	254.02	25.4	50.3	329.7
31185915001	292113028	ARMAS, JOSE	12644	DREW CT	MORENO VALLEY	CA	92553-5619	ARMAS, JOSE	12644 DREW CT	MORENO VALLEY, CA	92553-5619	254.02	25.4	50.3	329.7
60002245003	292113032	SANTOS, MARGIE	12694	DREW CT	MORENO VALLEY	CA	92553-5619	SANTOS, MARGIE	23663 MYSTIC CT	MORENO VALLEY, CA	92553-5616	268.49	26.85	53.16	348.5
95761925000	292113035	BURCIAGA, CHARLES (RENT)	12730	DREW CT	MORENO VALLEY	CA	92553-5611	BURCIAGA, CHARLES	24870 HIGHWOOD ST	MORENO VALLEY, CA	92551-7223	342.26	34.23	67.77	444.24
90282085008	292113040	DANNER, RICHARD	12707	FOXDALE DR	MORENO VALLEY	CA	92553-5671	DANNER, RICHARD	12707 FOXDALE DR	MORENO VALLEY, CA	92553-5671	253.92	25.39	50.28	329.58
95577845007	292113043	BRIGGS, TERINA (RENT)	12669	FOXDALE DR	MORENO VALLEY	CA	92553-5607	BRIGGS, TERINA	12669 FOXDALE DR	MORENO VALLEY, CA	92553-5607	254.12	25.41	50.32	329.84
31486675003	292113044	ANDREWS, MICHAEL	12655	FOXDALE DR	MORENO VALLEY	CA	92553-5607	ANDREWS, MICHAEL	12655 FOXDALE DR	MORENO VALLEY, CA	92553-5607	254.12	25.41	50.32	329.84
31619805002	292121002	SEROGGINS, STEVEN	12865	GORHAM ST	MORENO VALLEY	CA	92553-5602	SEROGGINS, STEVEN	12865 GORHAM ST	MORENO VALLEY, CA	92553-5602	254.02	25.4	50.3	329.7
31253755000	292122003	CONTRERRAS, PEDRO AND PATTY	12854	CROSSMONT PL	MORENO VALLEY	CA	92553-5615	CONTRERRAS, PEDRO AND PATTY	12854 CROSSMONT PL	MORENO VALLEY, CA	92553-5615	254.12	25.41	50.32	329.84
75072525000	292122010	STOKES, CLINTON V	12829	FOXDALE DR	MORENO VALLEY	CA	92553-5674	STOKES, CLINTON V	23820 IRONWOOD AVE SPC 110	MORENO VALLEY, CA	92557-8124	254.02	25.4	50.3	329.7
31515035004	292123006	AREDONDO, LILIA	12791	ALONA ST	MORENO VALLEY	CA	92553-5650	AREDONDO, LILIA	12791 ALONA ST	MORENO VALLEY, CA	92553-5650	254.12	25.41	50.32	329.84
31353625006	292124008	ROTHSCHILD, ALTHERESA	12850	ALONA ST	MORENO VALLEY	CA	92553-5662	ROTHSCHILD, ALTHERESA	12850 ALONA ST	MORENO VALLEY, CA	92553-5662	254.12	25.41	50.32	329.84
31398725000	292124009	BECERRA, VICTOR AND SANDRA	12854	ALONA ST	MORENO VALLEY	CA	92553-5662	BECERRA, VICTOR AND SANDRA	12854 ALONA ST	MORENO VALLEY, CA	92553-5662	63.63	6.36	12.6	82.58
84889955005	292126003	HAMMITTON, KENNETH	12823	LATEEN DR	MORENO VALLEY	CA	92553-5627	HAMMITTON, KENNETH	12779 NINEBARK ST	MORENO VALLEY, CA	92553-1210	254.02	25.4	50.3	329.7
62595505009	292126004	MARTINEZ, FRANK (OWNR)	12813	LATEEN DR	MORENO VALLEY	CA	92553-5627	MARTINEZ, FRANK	12813 LATEEN DR	MORENO VALLEY, CA	92553-5627	127.5	12.75	25.25	165.48
66913205003	292127002	MORALES, HEROLINDA	12675	CROSSMONT PL	MORENO VALLEY	CA	92553-5613	MORALES, HEROLINDA	12675 CROSSMONT PL	MORENO VALLEY, CA	92553-5613	282.4	28.24	55.92	366.54
87104295005	292127011	WHITE, SHAYLIA	12810	GORHAM ST	MORENO VALLEY	CA	92553-5605	WHITE, SHAYLIA	24446 ELECTRA CT	MORENO VALLEY, CA	92551-6904	254.02	25.4	50.3	329.7
31610975005	292127012	CROMER, BEATRIZ	12820	GORHAM ST	MORENO VALLEY	CA	92553-5605	CROMER, BEATRIZ	12820 GORHAM ST	MORENO VALLEY, CA	92553-5605	254.02	25.4	50.3	329.7
95436945005	292127014	HAINES, WANDA (RENT)	12844	GORHAM ST	MORENO VALLEY	CA	92553-5605	HAINES, WANDA	12844 GORHAM ST	MORENO VALLEY, CA	92553-5605	190.52	19.05	37.72	247.28
92644065001	292127016	LOZANO, NORBERTO	12870	GORHAM ST	MORENO VALLEY	CA	92553-5605	LOZANO, NORBERTO	12870 GORHAM ST	MORENO VALLEY, CA	92553-5605	292.12	29.21	57.84	379.16
60226905009	292131009	SANCHEZ, ALMA (OWNR)	12980	ALONA ST	MORENO VALLEY	CA	92553-5657	SANCHEZ, ALMA	12980 ALONA ST	MORENO VALLEY, CA	92553-5657	329.6	32.96	65.26	427.82
96272485009	292131010	CELAYA, RENEE (OWNR)	12994	ALONA ST	MORENO VALLEY	CA	92553-5657	CELAYA, RENEE	12994 ALONA ST	MORENO VALLEY, CA	92553-5657	75.23	7.52	14.9	97.64
80573695004	292132011	CASTILLO, VIVIAN	23663	MYSTIC CT	MORENO VALLEY	CA	92553-5616	CASTILLO, VIVIAN	225 HANNAH WAY	PLACENTIA, CA	92870-4636	254.02	25.4	50.3	329.7
94461655004	292132012	DERRATT, MARLENA (RENT)	23653	MYSTIC CT	MORENO VALLEY	CA	92553-5616	ELLIOTT, SANDRA(OWNER)	318 RAINTREE DR	HENDERSONVILLE, TN	37075-5211	254.12	25.41	50.32	329.84
64275685008	292132015	VERGARA, CESAR	13156	GORHAM ST	MORENO VALLEY	CA	92553-5626	VERGARA, CESAR	13156 GORHAM ST	MORENO VALLEY, CA	92553-5626	127.52	12.75	25.25	165.52
90080045005	292133006	WONG, BRIAN	12956	CROSSMONT PL	MORENO VALLEY	CA	92553-5664	WONG, BRIAN	12956 CROSSMONT PL	MORENO VALLEY, CA	92553-5664	253.92	25.39	50.28	329.58
31192525009	292133009	CHAGOLLA, REBECCA	12935	FOXDALE DR	MORENO VALLEY	CA	92553-5609	CHAGOLLA, REBECCA	12935 FOXDALE DR	MORENO VALLEY, CA	92553-5609	254.02	25.4	50.3	329.7
31051785002	292134005	O'DELL, PATRICIA	12940	GORHAM ST	MORENO VALLEY	CA	92553-5679	O'DELL, PATRICIA	3048 PACKARD AVE	KINGMAN, AZ	86409-1507	127.36	12.74	25.22	165.3
31296715004	292134010	ROBERSON, AUBREY	12935	CROSSMONT PL	MORENO VALLEY	CA	92553-5665	ROBERSON, AUBREY	12935 CROSSMONT PL	MORENO VALLEY, CA	92553-5665	253.92	25.39	50.28	329.58
96289955004	292135002	AGUILAR, JESUS	13175	GORHAM ST	MORENO VALLEY	CA	92553-5606	AGUILAR, JESUS	13175 GORHAM ST	MORENO VALLEY, CA	92553-5606	519.25	51.93	102.81	673.98
91516773003	292135007	JOHNSON, JOYCE (RENT)	13111	GORHAM ST	MORENO VALLEY	CA	92553-5606	JOHNSON, JOYCE	3211 MILLRIDGE DR	HEMET, CA	92454	36.56	3.66	7.24	47.44
91492675008	292135008	CEGUERO, MARIA	13095	GORHAM ST	MORENO VALLEY	CA	92553-5600	CEGUERO, MARIA	13095 GORHAM ST	MORENO VALLEY, CA	92553-5600	253.92	25.39	50.28	329.58
96094115005	292135010	CASTELLON, HECTOR RAYMOND	13071	GORHAM ST	MORENO VALLEY	CA	92553-5600	CASTELLON, HECTOR RAYMOND	13071 GORHAM ST	MORENO VALLEY, CA	92553-5600	254.12	25.41	50.32	329.84
62196765001	292135015	SALAZAR, JUANA	13001	GORHAM ST	MORENO VALLEY	CA	92553-5600	SALAZAR, JUANA	13001 GORHAM ST	MORENO VALLEY, CA	92553-5600	214.12	21.41	42.4	277.92
97505685009	292135016	GOTTIEB, LAWRENCE (OWNR)	12991	GORHAM ST	MORENO VALLEY	CA	92553-5679	GOTTIEB, LAWRENCE	12991 GORHAM ST	MORENO VALLEY, CA	92553-5679	254.12	25.41	50.32	329.84
31568875006	292151009	CERVANTES, ALFONSO	12695	SHAFFER CT	MORENO VALLEY	CA	92553-5680	CERVANTES, ALFONSO	12695 SHAFFER CT	MORENO VALLEY, CA	92553-5680	254.02	25.4	50.3	329.7
31220705000	292151014	KIM, CHUENG S	12748	SHAFFER CT	MORENO VALLEY	CA	92553-5632	KIM, CHUENG S	12748 SHAFFER RD	MORENO VALLEY, CA	92553-5632	127.46	12.75	25.24	165.44
87161303003	292151020	DELARIVA, IRMA (RENT)	23939	GAMMA ST	MORENO VALLEY	CA	92553-5638	DELARIVA, IRMA	23939 GAMMA ST	MORENO VALLEY, CA	92553-5638	40	4	7.92	51.92
66454035004	292151021	BENITO, SAL	23927	GAMMA ST	MORENO VALLEY	CA	92553-5638	BENITO, SAL	23927 GAMMA ST	MORENO VALLEY, CA	92553-5638	254.12	25.41	50.32	329.84
88212705009	292151033	MICKELSON, JEFF	12678	ARGO PL	MORENO VALLEY	CA	92553-5659	NICKELSON, JEFF	12678 ARGO PL	MORENO VALLEY, CA	92553-5659	70.79	7.08	14.02	91.88
53058345003	292151041	DOZIER, GUY	12786	ARGO PL	MORENO VALLEY	CA	92553-5631	DOZIER, GUY	12786 ARGO PL	MORENO VALLEY, CA	92553-5631	127.36	12.74	25.22	165.3
96401885000	292152004	GAIZZAK, BOZENA (RENT)	23734	GAMMA ST	MORENO VALLEY	CA	92553-5635	GAIZZAK, BOZENA	16885 VIA LUNADO	MORENO VALLEY, CA	92551-2190	226.85	22.69	44.92	294.44
31223755005	292152005	SHUKLA, PRAVIN	23750	GAMMA ST	MORENO VALLEY	CA	92553-5635	SHUKLA, PRAVIN	23750 GAMMA ST	MORENO VALLEY, CA	92553-5635	254.02	25.4	50.3	329.7
31599265009	292152015	ADESE, DONNA	23884	GAMMA ST	MORENO VALLEY	CA	92553-5639	ADESE, DONNA	PO BOX 8957	MORENO VALLEY, CA	92552-8957	254.02	25.4	50.3	329.7
31307855003	292152017	LUL, KAY	23908	GAMMA ST	MORENO VALLEY	CA	92553-5683	LUL, KAY	657 ANTHIRIUM AVE	PERRIS, CA	92571-3611	329.6	32.96	65.26	427.82
31342295008	292152022	KNIGHTEN, CASSANDRA	23970	GAMMA ST	MORENO VALLEY	CA	92553-5640	KNIGHTEN, CASSANDRA	23970 GAMMA ST	MORENO VALLEY, CA	92553-5640	123.32	12.33	24.42	160.06
31090775002	292152023	MARQUIS, JANE	23841	DONCASTER DR	MORENO VALLEY	CA	92553-5668	MARQUIS, JANE	23841 DONCASTER DR	MORENO VALLEY, CA	92553-5668	63.63	6.36	12.6	82.58
31502315003	292152028	PEARSON, FONTAINE	23755	DONCASTER DR	MORENO VALLEY	CA	92553-5633	PEARSON, FONTAINE	23755 DONCASTER DR	MORENO VALLEY, CA	92553-5633	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31082005001	292160012	MARSHALL, DAVID	12449	LORAINE TER	MORENO VALLEY	CA	92553-3012	MARSHALL, DAVID	12449 LORAINE TERRACE	MORENO VALLEY, CA	92553-3012	254.02	25.4	50.3	329.7
72001095002	292181002	LIONGSON, RIGOBERTO A	23798	HEMLOCK AVE	MORENO VALLEY	CA	92557-7138	LIONGSON, RIGOBERTO A	593 PECKAM DR	LA PUENTE, CA	91746-1827	63.63	6.36	12.6	82.58
101837893006	292181003	WEATHERMAN, ERIC	23838	HEMLOCK AVE	MORENO VALLEY	CA	92557-7138	WEATHERMAN, ERIC	23838 HEMLOCK AVE	MORENO VALLEY, CA	92557-7138	88.63	8.86	17.55	115.04
52002155001	292181008	MAYIA, SOTELO	23848	HEMLOCK AVE	MORENO VALLEY	CA	92557-7143	MAYIA, SOTELO	23848 HEMLOCK AVE	MORENO VALLEY, CA	92557-7143	297.48	29.75	58.9	386.12
31197125002	292181013	RODRIGUEZ, GILBERT (OWNR)	12199	KRISTEN CT	MORENO VALLEY	CA	92557-7149	RODRIGUEZ, GILBERT	13585 ALTIVO ST	MORENO VALLEY, CA	92555-8245	190.69	19.07	37.76	247.5
75355005008	292181018	TORRES, TRANSITO	23890	HEMLOCK AVE	MORENO VALLEY	CA	92557-7143	TORRES, TRANSITO	23890 HEMLOCK AVE	MORENO VALLEY, CA	92557-7143	254.02	25.4	50.3	329.7
62228425004	292181019	MARSHALL, DANIEL	23908	HEMLOCK AVE	MORENO VALLEY	CA	92557-7143	MARSHALL, DANIEL	14305 CORPORATE WAY	MORENO VALLEY, CA	92553-9048	558.75	55.88	110.63	725.24
31196035003	292181029	RIOS, JENNIE	12177	DEERWOOD LN	MORENO VALLEY	CA	92557-7100	RIOS, JENNIE	12177 DEERWOOD LN	MORENO VALLEY, CA	92557-7100	254.02	25.4	50.3	329.7
97618205001	292181032	LEON, CRISTINE	12205	DEERWOOD LN	MORENO VALLEY	CA	92557-7100	LEON, CRISTINE	23167 IRONWOOD AVE APT 47	MORENO VALLEY, CA	92557-8041	376.66	37.67	74.58	488.9
31266285001	292181033	BRUNSTON, DELORES	12225	DEERWOOD LN	MORENO VALLEY	CA	92557-7100	BRUNSTON, DELORES	12225 DEERWOOD LN	MORENO VALLEY, CA	92557-7100	254.12	25.41	50.32	329.84
88275395001	292182007	QUINTERO, GUADALUPE	12206	DEERWOOD LN	MORENO VALLEY	CA	92557-7146	QUINTERO, GUADALUPE	12206 DEERWOOD LN	MORENO VALLEY, CA	92557-7146	254.12	25.41	50.32	329.84
70943535005	292191013	CARILLO, ELENA	12005	POUTOUS CT	MORENO VALLEY	CA	92557-8147	CARILLO, ELENA	12005 POUTOUS CT	MORENO VALLEY, CA	92557-8147	254.02	25.4	50.3	329.7
89914005006	292191016	MACIAS, HECTOR	12091	WEBB ST	MORENO VALLEY	CA	92557-8163	MACIAS, HECTOR	12091 WEBB ST	MORENO VALLEY, CA	92557-8163	253.92	25.39	50.28	329.58
31604995004	292191017	CORDOVA, ALFREDO	12079	WEBB ST	MORENO VALLEY	CA	92557-8163	CORDOVA, ALFREDO	12079 WEBB ST	MORENO VALLEY, CA	92557-8163	254.02	25.4	50.3	329.7
91440533007	292192002	HALEY, ARNITA (RENT)	23895	IRONWOOD AVE	MORENO VALLEY	CA	92557-8146	HALEY , ARNITA	23895 IRONWOOD AVE	MORENO VALLEY, CA	92557-8146	282.35	28.24	55.91	366.48
46715085000	292192016	PUGA, EDWARD	12118	WEBB ST	MORENO VALLEY	CA	92557-8148	PUGA, EDWARD	12118 WEBB	MORENO VALLEY, CA	92557-8148	254.02	25.4	50.3	329.7
66489055005	292192018	RIVERA, AURORA	12088	WEBB ST	MORENO VALLEY	CA	92557-8162	RIVERA, AURORA	4750 SOMERSET DR	RIVERSIDE, CA	92507-5770	254.12	25.41	50.32	329.84
97097155008	292192020	LOPEZ, MONICA (RENT)	12068	WEBB ST	MORENO VALLEY	CA	92557-8162	LOPEZ, MONICA	12068 WEBB ST	MORENO VALLEY, CA	92557-8162	158.57	15.86	31.4	205.82
95400435008	292192023	DELGADO, JUAN (RENT)	12028	WEBB ST	MORENO VALLEY	CA	92557-8162	DELGADO, JUAN	12028 WEBB ST	MORENO VALLEY, CA	92557-8162	254.12	25.41	50.32	329.84
31321795007	292193009	BROWN, RICHARD E AND MARY H-	12124	KRISTEN CT	MORENO VALLEY	CA	92557-7148	BROWN, RICHARD E AND MARY H	12124 KRISTEN CT	MORENO VALLEY, CA	92557-7148	254.02	25.4	50.3	329.7
54290005002	292193015	CONTRERAS, LORENA	12065	DEERWOOD LN	MORENO VALLEY	CA	92557-7100	CONTRERAS, LORENA	PO BOX 15242	ANAHEIM, CA	92803-5242	254.02	25.4	50.3	329.7
31290005000	292193020	CERDA, MARTHA	12094	DEERWOOD LN	MORENO VALLEY	CA	92557-7141	CERDA, MARTHA	12094 DEERWOOD LN	MORENO VALLEY, CA	92557-7141	254.12	25.41	50.32	329.84
31440915000	292201004	JONES, CHARLOTTE	23570	GARY CT	MORENO VALLEY	CA	92557-8164	JONES, CHARLOTTE	23570 GARY CT	MORENO VALLEY, CA	92557-8164	282.23	28.22	55.88	366.32
95684045009	292201008	GUZMAN, VICTOR (OWNR)	12029	BAYLESS ST	MORENO VALLEY	CA	92557-8160	GUZMAN, VICTOR	12029 BAYLESS ST	MORENO VALLEY, CA	92557-8160	189.79	18.98	37.58	246.34
31229615000	292202001	DE ROUEN, BARBARA	12121	ZINNIA ST	MORENO VALLEY	CA	92557-8203	DE ROUEN, BARBARA	12121 ZINNIA ST	MORENO VALLEY, CA	92557-8203	254.12	25.41	50.32	329.84
31162735008	292202003	SMITH, TERRY	12101	ZINNIA ST	MORENO VALLEY	CA	92557-8203	SMITH, TERRY	12101 ZINNIA ST	MORENO VALLEY, CA	92557-8203	127.36	12.74	25.22	165.3
73119775008	292202015	LEON, CESAR	12050	GRAHAM ST	MORENO VALLEY	CA	92557-7014	LEON, CESAR	12050 GRAHAM ST	MORENO VALLEY, CA	92557-7014	254.02	25.4	50.3	329.7
31638955000	292202020	HAMBLETON, BRIAN	23553	IRONWOOD AVE	MORENO VALLEY	CA	92557-8101	HAMBLETON, BRIAN	23553 IRONWOOD AVE	MORENO VALLEY, CA	92557-8101	242.44	24.24	48	314.68
31341585009	292202031	PENA, PATRICIA	12081	ZINNIA ST	MORENO VALLEY	CA	92557-8202	PENA, PATRICIA	PO BOX 152	MORENO VALLEY, CA	92556-0152	254.02	25.4	50.3	329.7
73665475003	292202032	RUIZ, ROLANDO	23596	JUDGE WARD CT	MORENO VALLEY	CA	92557-8216	RUIZ, ROLANDO	23596 JUDGE WARD CT	MORENO VALLEY, CA	92557-8216	254.02	25.4	50.3	329.7
66695225002	292202035	URIBE, JOSE	23556	JUDGE WARD CT	MORENO VALLEY	CA	92557-8216	URIBE, JOSE	23556 JUDGE WARD CT	MORENO VALLEY, CA	92557-8216	329.6	32.96	65.26	427.82
74746485008	292202042	HENDRIX, ALONDA	12110	GRAHAM ST	MORENO VALLEY	CA	92557-7044	HENDRIX, ALONDA	12110 GRAHAM ST	MORENO VALLEY, CA	92557-7044	479.92	47.99	95.02	622.92
81317295008	292202046	SAVIS, SUSANNE	12134	GRAHAM ST	MORENO VALLEY	CA	92557-7044	SAVIS, SUSANNE	12134 GRAHAM ST	MORENO VALLEY, CA	92557-7044	120.42	12.04	23.84	156.3
31392585002	292204002	MOORHOUSE, ROSE	12028	BAYLESS ST	MORENO VALLEY	CA	92557-8159	MOORHOUSE, ROSE	12028 BAYLESS ST	MORENO VALLEY, CA	92557-8159	29.32	2.93	5.81	38.04
52333675001	292205001	CHAVEZ, JUAN	12124	BAYLESS ST	MORENO VALLEY	CA	92557-8161	CHAVEZ, JUAN	12124 BAYLESS ST	MORENO VALLEY, CA	92557-8161	254.02	25.4	50.3	329.7
59422155004	292205005	ESPARZA, JUAN	12062	BAYLESS ST	MORENO VALLEY	CA	92557-8154	ESPARZA, JUAN	12062 BAYLESS ST	MORENO VALLEY, CA	92557-8154	54.12	5.41	10.72	70.24
31593225001	292206007	BABARACO, MARJORIE	12067	POUTOUS CT	MORENO VALLEY	CA	92557-8147	BADARACO, MARJORIE	12067 POUTOUS CT	MORENO VALLEY, CA	92557-8147	86.37	8.64	17.1	112.1
54984645006	292206009	RODRIGUEZ, JESUS AND LETICIA	12078	SWEGLES LN	MORENO VALLEY	CA	92557-8149	RODRIGUEZ, JESUS	12078 SWEGLES LN	MORENO VALLEY, CA	92557-8149	254.02	25.4	50.3	329.7
96246355000	292206016	TAIFAU, CARMELITA (RENT)	12016	SWEGLES LN	MORENO VALLEY	CA	92557-8149	TAIFAU, CARMELITA	12016 SWEGLES LN	MORENO VALLEY, CA	92557-8149	104.12	10.41	20.62	135.14
31424245005	292207001	WILLIAMS, OZIE	12124	POUTOUS CT	MORENO VALLEY	CA	92557-8157	WILLIAMS, OZIE	12124 POUTOUS CT	MORENO VALLEY, CA	92557-8157	254.02	25.4	50.3	329.7
87689705009	292212001	CEBALLOS, PAUL E	12130	ZINNIA ST	MORENO VALLEY	CA	92557-8201	CEBALLOS, PAUL E	12130 ZINNIA ST	MORENO VALLEY, CA	92557-8201	190.49	19.05	37.72	247.24
91463893003	292212002	FERNANDEZ, MIGUEL (RENT)	12142	ZINNIA ST	MORENO VALLEY	CA	92557-8201	FERNANDEZ, MIGUEL	12142 ZINNIA ST	MORENO VALLEY, CA	92557-8201	190.79	19.08	37.78	247.64
98319505012	292212003	SESENA, MANUEL (RENT)	12156	ZINNIA ST	MORENO VALLEY	CA	92557-8201	SESENA, MANUEL (RENT)	12156 ZINNIA ST	MORENO VALLEY, CA	92557-8201	292.21	29.22	57.86	379.28
97952985000	292212007	ANDRADE, MONICA (RENT)	12198	ZINNIA ST	MORENO VALLEY	CA	92557-8201	ANDRADE, MONICA	12198 ZINNIA ST	MORENO VALLEY, CA	92557-8201	254.12	25.41	50.32	329.84
31286725007	292212011	RAMJATTAN, DOREEN	23634	HEMLOCK AVE	MORENO VALLEY	CA	92557-7135	RAMJATTAN, DOREEN	23634 HEMLOCK AVE	MORENO VALLEY, CA	92557-7135	254.02	25.4	50.3	329.7
31166705005	292213004	GIL, ALFONSO	12152	GRAHAM ST	MORENO VALLEY	CA	92557-7044	GIL, ALFONSO	12152 GRAHAM ST	MORENO VALLEY, CA	92557-7044	254.02	25.4	50.3	329.7
53626255005	292213009	ANDERSON, SHERRY L	12182	GRAHAM ST	MORENO VALLEY	CA	92557-7016	ANDERSON, SHERRY L	12182 GRAHAM ST	MORENO VALLEY, CA	92557-7016	190.69	19.07	37.76	247.5
97461225002	292213016	HARDY, JOHNNY (RENT)	12225	ZINNIA ST	MORENO VALLEY	CA	92557-8204	HARDY, JOHNNY	12225 ZINNIA ST	MORENO VALLEY, CA	92557-8204	254.12	25.41	50.32	329.84
48279895002	292213020	GUTIERREZ, JOSE	12130	ZINNIA ST	MORENO VALLEY	CA	92557-8204	GUTIERREZ, JOSE	21550 BOX SPRINGS RD APT 1040	MORENO VALLEY, CA	92557-6714	329.6	32.96	65.26	427.82
31200515002	292213023	SMITH, MILES	23595	NORRIS DR	MORENO VALLEY	CA	92557-8215	SMITH, MILES	PO BOX 1597	BULLHEAD CITY, AZ	86430-1597	254.02	25.4	50.3	329.7
31567355007	292213027	BARRETT, CHARLAVONNA	12131	ZINNIA ST	MORENO VALLEY	CA	92557-8203	BARRETT, CHARLAVONNA	12131 ZINNIA ST	MORENO VALLEY, CA	92557-8203	254.02	25.4	50.3	329.7
31215635005	292221006	TUTTLE, MICHAEL	23621	HEMLOCK AVE	MORENO VALLEY	CA	92557-8206	TUTTLE, MICHAEL	312 S MAIN ST APT A	BRUNDIDGE, AL	36010-1833	254.02	25.4	50.3	329.7
31198265000	292222010	PAZEJ, CHRISTINE	23648	DAVID LN	MORENO VALLEY	CA	92557-8213	PAZEJ, CHRISTINE	23648 DAVID LN	MORENO VALLEY, CA	92557-8213	254.02	25.4	50.3	329.7
66379115006	292222014	WILLIAMS, KEITH AND ANITA	23705	HEMLOCK AVE	MORENO VALLEY	CA	92557-7112	WILLIAMS, KEITH AND ANITA	13301 LARKHAVEN DR	MORENO VALLEY, CA	92553-3256	155.73	15.57	30.83	202.12
92745775007	292222028	AGUIRRE, MONICA	23551	DAVID LN	MORENO VALLEY	CA	92557-8207	AGUIRRE, MONICA	23551 DAVID LN	MORENO VALLEY, CA	92557-8207	254.02	25.4	50.3	329.7
97780063008	292222031	LIEHR, LINDA (RENT)	23521	DAVID LN	MORENO VALLEY	CA	92557-8207	LIEHR, LINDA (RENT)	23521 DAVID LN	MORENO VALLEY, CA	92557-8207	62.64	6.26	12.4	81.3
31377645001	292222032	VIVANCO, MARIA	23511	DAVID LN	MORENO VALLEY	CA	92557-8207	VIVANCO, MARIA	23511 DAVID LN	MORENO VALLEY, CA	92557-8207	329.32	32.93	65.21	427.44
31578925005	292230014	FREIBURGHOUSE, NORIV	23620	TOWER ST	MORENO VALLEY	CA	92553-3034	FREIBURGHOUSE, NORIV	23620 TOWER ST	MORENO VALLEY, CA	92553-3034	244.71	24.47	48.45	317.62
97323948003	292230030	WILLIAMS, ODETTE	23770	SUNNYMEAD BLVD STE B	MORENO VALLEY	CA	92553-3022	WILLIAMS, ODETTE	23770 SUNNYMEAD BLVD	MORENO VALLEY, CA	92553-3022	481.8	48.18	95.4	625.36
97684355001	292271001	EMORY, LLOYD (OWNR)	12017	BUCKTHORN DR	MORENO VALLEY	CA	92557-7013	EMORY, LLOYD	12017 BUCKTHORN DR	MORENO VALLEY, CA	92557-7013	127.46	12.75	25.24	165.44
97850735009	292272001	SANTACRUZ, LORENA (RENT)	12076	RACKET CT	MORENO VALLEY	CA	92557-7011	SANTACRUZ, LORENA	12076 RACKET CT	MORENO VALLEY, CA	92557-7011	254.12	25.41	50.32	329.84
31529875008	292272008	LAROCHE, JAMES	12029	RACKET CT	MORENO VALLEY	CA	92557-7011	LAROCHE, JAMES	12029 RACKET CT	MORENO VALLEY, CA	92557-7011	253.92	25.39	50.28	329.58
31090655007	292272014	MAGDALENO, ESTER	12078	BUCKTHORN DR	MORENO VALLEY	CA	92557-7012	MAGDALENO, ESTER	PO BOX 383	ASHLAND, KS	67831-0383	254.02	25.4	50.3	329.7
96945548003	292272016	CABRERA, CHRISTIAN (RENT)	12056	BUCKTHORN DR	MORENO VALLEY	CA	92557-7012	CABRERA, CHRISTIAN	12056 BUCKTHORN DR	MORENO VALLEY, CA	92557-7012	100	10	19.8	129.8
55592405006	292272019	PACANINS, GUSTAVO	12024	BUCKTHORN DR	MORENO VALLEY	CA	92557-7012	PACANINS, GUSTAVO	158 S PARK ST	ORANGE, CA	92869-4034	212.31	21.23	42.04	275.58
80909185007	296021010	KIMBLE, JUANITA	13111	BAGATELLE ST	MORENO VALLEY	CA	92553-5954	KIMBLE, JUANITA	13111 BAGATELLE ST	MORENO VALLEY, CA	92553-5954	329.32	32.93	65.21	427.44
31649165003	296022004	HARRIEL, ANDREA	13065	KOCHI DR	MORENO VALLEY	CA	92553-5971	HARRIEL, ANDREA	13065 KOCHI DR	MORENO VALLEY, CA	92553-5971	207.44	20.74	41.07	269.24
91097863005	296023007	AGUIRRE, RUBEN (RENT)	13112	KOCHI DR	MORENO VALLEY	CA	92553-5955	AGUIRRE, RUBEN	13112 KOCHI DR	MORENO VALLEY, CA	92553-5955	127.46	12.75	25.24	165.44
31114305009	296024004	RHODES, SERENE	23190	LENA ST	MORENO VALLEY	CA	92553-5972	RHODES, SERENE	23190 LENA ST	MORENO VALLEY, CA	92553-5972	254.02	25.4	50.3	329.7
31203125008	296025005	LEDESMA, MANUEL	23191	LENA ST	MORENO VALLEY	CA	92553-5974	LEDESMA, MANUEL	23191 LENA ST	MORENO VALLEY, CA	92553-5974	254.02	25.4	50.3	329.7
31615425000	296025011	SINGLETON, CHRISTINE	23174	MELINDA CT	MORENO VALLEY	CA	92553-5950	SINGLETON, CHRISTINE	23174 MELINDA CT	MORENO VALLEY, CA	92553-5950	329.32	32.93	65.21	427.44
31370575000	296025019	ORTEGA, CARLOS	23215	MELINDA CT	MORENO VALLEY	CA	92553-5976	ORTEGA, CARLOS	23215 MELINDA CT	MORENO VALLEY, CA	92553-5976	26.69	2.67	5.28	34.64
31126125001	296025020	ALLISON, CHRIS	23201	MELINDA CT	MORENO VALLEY	CA	92553-5976	ALLISON, CHRIS	23201 MELINDA CT	MORENO VALLEY, CA	92553-5976	254.02	25.4	50.3	329.7
31359265008	296025024	OWENS, ERNESTINE	23151	MELINDA CT	MORENO VALLEY	CA	92553-5949	OWENS, ERNESTINE	23151 MELINDA CT	MORENO VALLEY, CA	92553-5949	254.02	25.4	50.3	329.7
31571375005	296031003	AMEZCUA, JUAN BENJAMIN	13143	BAGATELLE ST	MORENO VALLEY	CA	92553-5954	AMEZCUA, JUAN BENJAMIN	13143 BAGATELLE ST	MORENO VALLEY, CA	92553-5954	329.32	32.93	65.21	427.44
83505535007	296031013	ESTER, IV	23048	DRACAEA AVE	MORENO VALLEY	CA	92553-3274	ESTER, IV	23048 DRACAEA AVE	MORENO VALLEY, CA	92553-3274	329.32	32.93	65.21	427.44
31060295006	296032007	SEARS, ROBERT	13177	KOCHI DR	MORENO VALLEY	CA	92553-5956	SEARS, ROBERT	23453 N MUSTANG WAY	FLORENCE, AZ	85132-7101	254.02	25.4	50.3	329.7
31166645008	296033012	GUILLEN, JOSIE	13211	ADELINE AVE	MORENO VALLEY	CA	92553-5941	GUILLEN, JOSIE	13211 ADELINE AVE	MORENO VALLEY, CA	92553-5941	254.12	25.41	50.32	329.84
31123885005	296033015	PHILLIPS, ROBERT AND PATRICIA	13165	ADELINE AVE	MORENO VALLEY	CA	92553-5930	PHILLIPS, ROBERT	13165 ADELINE AVE	MORENO VALLEY, CA	92553-5930	285.4	28.54	56.51	370.44
97814885003	296034001	CROOK, LAKEIA (RENT)	23244	DRACAEA AVE	MORENO VALLEY	CA	92553-3281	CROOK, LAKEIA	44448 MEADOW GROVE ST	HEMET, CA	92544-2630	36.36	3.64	7.2	47.18
61344765008	296034006	LOPEZ, ROGELIO	23188	DRACAEA AVE	MORENO VALLEY	CA	92553-3212	LOPEZ, ROGELIO	23188 DRACAEA AVE	MORENO VALLEY, CA	92553-3212	30.79	3.08	6.1	39.96
63175235006	296034009	LEWIS, JAYLENA	23152	DRACAEA AVE	MORENO VALLEY	CA	92553-3212	LEWIS, JAYLENA	23152 DRACAEA AVE	MORENO VALLEY, CA	92553-3212	204.12	20.41	40.42	264.94
31068725009	296034011	GORDON, GENEVA	23161	SHIDAY CT	MORENO VALLEY	CA	92553-5959	GORDON, G	23161 SHIDAY CT	MORENO VALLEY, CA	92553-5959	254.02	25.4	50.3	329.7
31478205009	296034014	LOPEZ, MARIA	23201	SHIDAY CT	MORENO VALLEY	CA	92553-5978	LOPEZ, MARIA	23201 SHIDAY CT	MORENO VALLEY, CA	92553-5978	125.69	12.57	24.89	163.14
31134985004	296034021	HALL, JOHN AND DARLENE	23202	SHIDAY CT	MORENO VALLEY	CA	92553-5977	HALL, JOHN	23202 SHIDAY CT	MORENO VALLEY, CA	92553-5977	254.02	25.4	50.3	329.7
87779745000	296034024	PHILLIPS, LENA	23160	SHIDAY CT	MORENO VALLEY	CA	92553-5958	PHILLIPS, LENA	23160 SHIDAY CT	MORENO VALLEY, CA	92553-5958	254.12	25.41	50.32	329.84
95490443007	296034029	MERRIWEATHER, EVA (OWNR)	23191	DENVER CT	MORENO VALLEY	CA	92553-5929	MERRIWEATHER, EVA	23191 DENVER CT	MORENO VALLEY, CA	92553-5929	103.09	10.31	20.41	133.8
97833315003	296034033	TOSAEONO, SAANU	23231	DENVER CT	MORENO VALLEY	CA	92553-5965	TOSAEONO, SAANU	23231 DENVER CT	MORENO VALLEY, CA	92553-5965	254.12	25.41	50.32	329.84
74687505000	296034040	MCADORY, MARY	23160	DENVER CT	MORENO VALLEY	CA	92553-5928	MCADORY, MARY	23160 DENVER CT	MORENO VALLEY, CA	92553-5928	254.02	25.4	50.3	329.7
31503015004	296034041	SWANSON, DIANE	23152	DENVER CT	MORENO VALLEY	CA	92553-5928	SWANSON, DIANE	23152 DENVER CT	MORENO VALLEY, CA	92553-5928	231.3	23.13	45.8	300.22
91227195009	296041017	CRUZ, JOSE	23311	LENA ST	MORENO VALLEY	CA	92553-5904	CRUZ, JOSE	23311 LENA ST	MORENO VALLEY, CA	92553-5904	190.58	19.06	37.73	247.36
31109835008	296041021	JIMENEZ, RICARDO	13062	VALLEY SPRINGS DR	MORENO VALLEY	CA	92553-5903	JIMENEZ, RICARDO	13062 VALLEY SPRINGS RD	MORENO VALLEY, CA	92553-5903	254.02	25.4	50.3	329.7
91840165005	296042002	ORDONAS, TELESFORO	13106	PAVILLION CT	MORENO VALLEY	CA	92553-5601	ORDONAS, TELESFORO	13106 PAVILLION CT	MORENO VALLEY, CA	92553-5601	190.29	19.03	37.68	246.98
94757395000	296042009	ALCANTARA, ELEI	13016	PAVILLION CT	MORENO VALLEY	CA	92553-5696	ALCANTARA, ELEI	13016 PAVILLION CT	MORENO VALLEY, CA	92553-5696	253.92	25.39	50.28	329.58
31212395002	296042025	THOMA, DEBRA	13064	TIERRA CANYON DR	MORENO VALLEY	CA	92553-5641	THOMA, DEBRA	13064 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5641	63.63	6.36	12.6	82.58
31174005006	296042029	DOTY, BRIANI	13010	TIERRA CANYON DR	MORENO VALLEY	CA	92553-5641	DOTY, BRIANI	13010 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5641	254.02	25.4	50.3	329.7
31356655002	296043005	JACKSON, MARVA (RENT)	23339	LA MESA LN	MORENO VALLEY	CA	92553-3206	JACKSON, MARVA	23339 LA MESA LN	MORENO VALLEY, CA	92553-3206	134.02	13.4	26.54	173.94
66659465007	296043006	GAMEZ, JOSE AND OLGA	23353	LA MESA LN	MORENO VALLEY	CA	92553-3206	GAMEZ, JOSE AND OLGA	23353 LA MESA LN	MORENO VALLEY, CA	92553-3206	127.52	12.75	25.25	165.52
31390135001	296045001	LUA, ELISEO	23262	LENA ST	MORENO VALLEY	CA	92553-5946	LUA, ELISEO	15756 MESA VERDE DR	MORENO VALLEY, CA	92555-4221	194.95	19.5	38.6	253.04
31572255008	296045003	SODIKOMKUM, TERESA	23288	LENA ST	MORENO VALLEY	CA	92553-5946	SODIKOMKUM, TERESA	23288 LENA ST	MORENO VALLEY, CA	92553-5946	254.02	25.4	50.3	329.7
31464375003	296052005	STEPHENS, JODI	23338	VIDA CT	MORENO VALLEY	CA	92553-3216	STEPHENS, JODI	23338 VIDA CT	MORENO VALLEY, CA	92553-3216	329.32	32.93	65.21	427.44

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
52554085006	296052007	DURON, CARLOS	23364	VIDA CT	MORENO VALLEY	CA	92553-3216	DURON, CARLOS	23364 VIDA CT	MORENO VALLEY, CA	92553-3216	254.02	25.4	50.3	329.7
31297525006	296052022	DEANDA, LORRIE	23365	PARK LANE CT	MORENO VALLEY	CA	92553-3249	DEANDA, LORRIE	23365 PARK LANE CT	MORENO VALLEY, CA	92553-3249	253.92	25.39	50.28	329.58
31260825001	296052024	GONZALEZ, MARGARITA (OWNR)	23339	PARK LANE CT	MORENO VALLEY	CA	92553-3249	GONZALEZ, MARGARITA	13605 STOCKBROOK RD	MORENO VALLEY, CA	92553-4835	254.12	25.41	50.32	329.84
98303525012	296052027	HERNANDEZ, EMILIO (RENT)	23303	PARK LANE CT	MORENO VALLEY	CA	92553-3249	HERNANDEZ, EMILIO	23303 PARK LANE CT	MORENO VALLEY, CA	92553-3249	254.12	25.41	50.32	329.84
65151075008	296052032	DIMAS, ELENA	23326	DRACAEA AVE	MORENO VALLEY	CA	92553-3271	DIMAS, ELENA	23326 DRACAEA AVE	MORENO VALLEY, CA	92553-3271	190.79	19.08	37.78	247.64
31179025001	296052033	THURMAN, ROBERT	23338	DRACAEA AVE	MORENO VALLEY	CA	92553-3271	THURMAN, ROBERT	23338 DRACAEA AVE	MORENO VALLEY, CA	92553-3271	254.02	25.4	50.3	329.7
57887095003	296052034	FUENTES, NICOLAS	23352	DRACAEA AVE	MORENO VALLEY	CA	92553-3271	FUENTES, NICOLAS	23352 DRACAEA AVE	MORENO VALLEY, CA	92553-3271	254.02	25.4	50.3	329.7
91579423005	296052042	SCHANKS, DAWNIESHA (RENT)	23456	DRACAEA AVE	MORENO VALLEY	CA	92553-3223	SCHANKS, DAWNIESHA (RENT)	23456 DRACAEA AVE	MORENO VALLEY, CA	92553-3223	63.63	6.36	12.6	82.58
91399653009	296052048	ORTEGA, TEMO(OWNR)	13189	TIERRA CANYON DR	MORENO VALLEY	CA	92553-5644	ORTEGA, TEMO(OWNR)	13189 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5644	127.78	12.78	25.3	165.84
96150995000	296052049	BROWN, ELEANOR (RENT)	13179	TIERRA CANYON DR	MORENO VALLEY	CA	92553-5644	BROWN, ELEANOR	126 PEROU ST APT 1	PERRIS, CA	92570-2600	254.12	25.41	50.32	329.84
63906885007	296053003	MARTINEZ, FRANCISCO	13163	PAVILLION CT	MORENO VALLEY	CA	92553-5603	MARTINEZ, FRANCISCO	13163 PAVILLION CT	MORENO VALLEY, CA	92553-5603	254.12	25.41	50.32	329.84
95051965007	296053008	MORALES, JOSE A (RENT)	13150	TIERRA CANYON DR	MORENO VALLEY	CA	92553-5618	MORALES, JOSE A	13150 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5618	254.12	25.41	50.32	329.84
96524345003	296054002	CLINES, TAMMY (OWNR)	13236	PAVILLION CT	MORENO VALLEY	CA	92553-5610	CLINES, TAMMY	1132 TOMAN AVE	CLARTON, PA	15025-1158	254.12	25.41	50.32	329.84
31582905001	296054009	JONES, HELEN	13138	PAVILLION CT	MORENO VALLEY	CA	92553-5672	JONES, HELEN	13138 PAVILLION CT	MORENO VALLEY, CA	92553-5672	154.02	15.4	30.5	199.9
31539635008	296071005	SOTELO, CATALINA	13071	SUNLIT CT	MORENO VALLEY	CA	92553-5688	SOTELO, CATALINA	13071 SUNLIT CT	MORENO VALLEY, CA	92553-5688	63.63	6.36	12.6	82.58
31452295005	296071014	YOUNG, BOBBY J	13064	SUNLIT CT	MORENO VALLEY	CA	92553-5687	YOUNG, BOBBY J	13064 SUNLIT CT	MORENO VALLEY, CA	92553-5687	254.02	25.4	50.3	329.7
73669435004	296071019	MACIAS, MIGUEL	13116	SUNLIT CT	MORENO VALLEY	CA	92553-5645	MACIAS, MIGUEL	13116 SUNLIT CT	MORENO VALLEY, CA	92553-5645	254.02	25.4	50.3	329.7
31646055002	296071024	LUDWIG, SYLVIA	13077	SUNBIRD DR	MORENO VALLEY	CA	92553-5698	LUDWIG, SYLVIA	13077 SUNBIRD DR	MORENO VALLEY, CA	92553-5698	100	10	19.8	129.8
96563075007	296071027	BOWIE, CYNTHIA	13087	SUNBIRD DR	MORENO VALLEY	CA	92553-5698	BOWIE, CYNTHIA	1526 WESTERN VILLAGE DR	SAN JACINTO, CA	92583-6342	254.12	25.41	50.32	329.84
94571815007	296072001	PALOMINOS, LORENA (OWNR)	13012	SUNBIRD DR	MORENO VALLEY	CA	92553-5698	PALOMINOS, LORENA	13012 SUNBIRD DR	MORENO VALLEY, CA	92553-5698	120.79	12.08	23.92	156.78
70312295003	296072006	IGNACIO, GLORIA	13076	SUNBIRD DR	MORENO VALLEY	CA	92553-5698	IGNACIO, GLORIA	13076 SUNBIRD DR	MORENO VALLEY, CA	92553-5698	254.02	25.4	50.3	329.7
56472775002	296072013	GRAHAM, TANIA	13093	GOLDFINCH ST	MORENO VALLEY	CA	92553-5694	GRAHAM, TANIA	13093 GOLDFINCH ST	MORENO VALLEY, CA	92553-5694	254.02	25.4	50.3	329.7
66910955001	296072014	PADILLA, RENEE	13083	GOLDFINCH ST	MORENO VALLEY	CA	92553-5694	PADILLA, RENEE	13083 GOLDFINCH ST	MORENO VALLEY, CA	92553-5694	190.79	19.08	37.78	247.64
31509585001	296072015	JUAREZ, WALTER	13067	GOLDFINCH ST	MORENO VALLEY	CA	92553-5694	JUAREZ, WALTER	13067 GOLDFINCH ST	MORENO VALLEY, CA	92553-5694	329.6	32.96	65.26	427.82
53692275003	296073002	MORALES, WALTER	13015	LARKHAVEN DR	MORENO VALLEY	CA	92553-5689	MORALES, WALTER	13015 LARKHAVEN DR	MORENO VALLEY, CA	92553-5689	190.69	19.07	37.76	247.5
88358243007	296073007	GRAYSON, VICENTE (RENT)	13115	LARKHAVEN DR	MORENO VALLEY	CA	92553-5691	GRAYSON, VICENTE (RENT)	13115 LARKHAVEN DR	MORENO VALLEY, CA	92553-5691	129.12	12.91	25.57	167.58
31642855003	296073008	KING, JAMIE	13125	LARKHAVEN DR	MORENO VALLEY	CA	92553-5691	KING, JAMIE	13125 LARKHAVEN DR	MORENO VALLEY, CA	92553-5691	254.02	25.4	50.3	329.7
68419665002	296073010	EDMOND, DWAYNE	13182	GOLDFINCH ST	MORENO VALLEY	CA	92553-5693	EDMOND, DWAYNE	13182 GOLDFINCH ST	MORENO VALLEY, CA	92553-5693	254.12	25.41	50.32	329.84
48612305003	296073016	HERNANDEZ, ANITA	13062	GOLDFINCH ST	MORENO VALLEY	CA	92553-5694	HERNANDEZ, ANITA	13062 GOLDFINCH ST	MORENO VALLEY, CA	92553-5694	63.63	6.36	12.6	82.58
93699625007	296074001	SANDES, CYNTHIA (RENT)	13144	LARKHAVEN DR	MORENO VALLEY	CA	92553-5684	SANDES, CYNTHIA	12800 NORWICH CT	MORENO VALLEY, CA	92553-1870	254.12	25.41	50.32	329.84
31541755008	296074005	JOHNSON, DEIDRA	13104	LARKHAVEN DR	MORENO VALLEY	CA	92553-5684	JOHNSON, DEIDRA	13104 LARKHAVEN DR	MORENO VALLEY, CA	92553-5684	257.42	25.74	50.97	334.12
59143125003	296074006	CASTILLO, CLAUDIA	13094	LARKHAVEN DR	MORENO VALLEY	CA	92553-5689	CASTILLO, CLAUDIA	4591 BEVERLY CT	RIVERSIDE, CA	92506-1904	254.12	25.41	50.32	329.84
95348875001	296074015	PALUMBA, DORA	13004	LARKHAVEN DR	MORENO VALLEY	CA	92553-5689	PALUMBA, DORA	24063 BRODIAEA AVE	MORENO VALLEY, CA	92553-6708	253.92	25.39	50.28	329.58
74877125007	296081007	ALSTON, LATOSHA	13161	SUNLIT CT	MORENO VALLEY	CA	92553-5646	ALSTON, LATOSHA	13161 SUNLIT CT	MORENO VALLEY, CA	92553-5646	190.69	19.07	37.76	247.5
31591365005	296082004	GAFFORD, WILLIAM	13247	SUNBIRD DR	MORENO VALLEY	CA	92553-5649	GAFFORD, WILLIAM	13247 SUNBIRD DR	MORENO VALLEY, CA	92553-5649	190.39	19.04	37.7	247.12
52610115000	296082007	NGUNJIRI, MUMBI	13215	SUNBIRD DR	MORENO VALLEY	CA	92553-5649	NGUNJIRI, MUMBI	13215 SUNBIRD DR	MORENO VALLEY, CA	92553-5649	254.02	25.4	50.3	329.7
31120415003	296083002	LOPEZ, RUBEN	13138	SUNBIRD DR	MORENO VALLEY	CA	92553-5685	LOPEZ, RUBEN	13138 SUNBIRD DR	MORENO VALLEY, CA	92553-5685	254.02	25.4	50.3	329.7
95467395005	296083029	REEVE, MELISSA (OWNR)	23707	WHITEOWL CT	MORENO VALLEY	CA	92553-2202	REEVE, MELISSA	23707 WHITEOWL CT	MORENO VALLEY, CA	92553-2202	254.12	25.41	50.32	329.84
31547635001	296083036	KLOSINSKI, MARY AND JOHN	23648	WHITEOWL CT	MORENO VALLEY	CA	92553-5686	KLOSINSKI, MARY AND JOHN	23648 WHITEOWL CT	MORENO VALLEY, CA	92553-5686	254.02	25.4	50.3	329.7
91948675009	296083042	LEON, AMERICA (RENT)	800	TEMESCAL	CORONA	CA	92879-2058	LEON, AMERICA	4137 TYLER AVE	EL MONTE, CA	91731-1965	224.87	22.49	44.52	291.88
97073023007	296084001	RIVERA, ANGELICA (RENT)	13244	LARKHAVEN DR	MORENO VALLEY	CA	92553-5690	RIVERA, ANGELICA (RENT)	12029 BAYLESS ST	MORENO VALLEY, CA	92557-8160	106.96	10.7	21.18	138.82
31394485009	296084007	MARCIAL, CAROLINA	13184	LARKHAVEN DR	MORENO VALLEY	CA	92553-5684	MARCIAL, CAROLINA	13184 LARKHAVEN DR	MORENO VALLEY, CA	92553-5684	190.69	19.07	37.76	247.5
31165275007	296092001	GORE, ELIZABETH-	23794	ELYCE CT	MORENO VALLEY	CA	92553-3299	GORE, ELIZABETH	23794 ELYCE CT	MORENO VALLEY, CA	92553-3299	190.79	19.08	37.78	247.64
69852035006	296092004	AMOS, RICKY	23834	ELYCE CT	MORENO VALLEY	CA	92553-3242	O.COM RICKY	23834 ELYCE CT	MORENO VALLEY, CA	92553-3242	129.6	12.96	25.66	168.22
90986015009	296092010	GRAVES, ASHLEY (RENT)	23845	ELYCE CT	MORENO VALLEY	CA	92553-3242	GRAVES, ASHLEY	P O BOX 9591	MORENO VALLEY, CA	92552-9591	99.69	9.97	19.74	129.38
31413845002	296092016	HOWARD, JIMMY	23806	HUTTON CT	MORENO VALLEY	CA	92553-3243	HOWARD, JIMMY	23806 HUTTON CT	MORENO VALLEY, CA	92553-3243	86.37	8.64	17.1	112.1
98366073003	296092019	CASTANEDEA, MARTIN (OWNR)	23848	HUTTON CT	MORENO VALLEY	CA	92553-3243	CASTANEDEA, MARTIN AND IRMA	23848 HUTTON CT	MORENO VALLEY, CA	92553-3243	257.45	25.75	50.98	334.16
31615745003	296092020	MARTINEZ, CHRIS	23862	HUTTON CT	MORENO VALLEY	CA	92553-3243	MARTINEZ, CHRIS	23862 HUTTON CT	MORENO VALLEY, CA	92553-3243	254.02	25.4	50.3	329.7
65886067500	296092026	HERNANDEZ, ARTURO (OWNR)	23819	HUTTON CT	MORENO VALLEY	CA	92553-3243	HERNANDEZ, ARTURO	23819 HUTTON CT	MORENO VALLEY, CA	92553-3243	190.79	19.08	37.78	247.64
95896485008	296092028	FUENTES, JOHN	23791	HUTTON CT	MORENO VALLEY	CA	92553-2703	FUENTES, JOHN	23791 HUTTON CT	MORENO VALLEY, CA	92553-2703	154.02	15.4	30.5	199.9
95565348007	296101006	LEWIS, VANESSA (RENT)	13193	RUNNING DEER RD	MORENO VALLEY	CA	92553-3257	LEWIS, VANESSA	13193 RUNNING DEER RD	MORENO VALLEY, CA	92553-3257	195.27	19.53	38.66	253.46
31646855004	296102001	HATTEN, DAVID	23826	WOLCOTT DR	MORENO VALLEY	CA	92553-3240	HATTEN, DAVID	344 W 4TH ST	PERRIS, CA	92570-2013	254.02	25.4	50.3	329.7
31543605006	296103001	POZOS, MARIA	23874	DRACAEA AVE	MORENO VALLEY	CA	92553-3276	POZOS, MARIA	23874 DRACAEA AVE	MORENO VALLEY, CA	92553-3276	253.92	25.39	50.28	329.58
90466075009	296103015	ASENDORF, CHARMAN	23865	WOLCOTT DR	MORENO VALLEY	CA	92553-3241	ASENDORF, CHARMAN	23865 WOLCOTT DR	MORENO VALLEY, CA	92553-3241	253.92	25.39	50.28	329.58
31090575004	296103018	LYONS, BEVERLY	23840	CUSHENBURY RD	MORENO VALLEY	CA	92553-3231	LYONS, BEVERLY	23840 CUSHENBURY RD	MORENO VALLEY, CA	92553-3231	247.48	24.75	49	321.22
91627503005	296103020	RODRIGUES, DANIEL (RENT)	23820	CUSHENBURY RD	MORENO VALLEY	CA	92553-3231	RODRIGUES, DANIEL	23820 CUSHENBURY RD	MORENO VALLEY, CA	92553-3231	63.63	6.36	12.6	82.58
31533985007	296103021	MCCOY, ANN	23810	CUSHENBURY RD	MORENO VALLEY	CA	92553-3231	MCCOY, ANN	23810 CUSHENBURY RD	MORENO VALLEY, CA	92553-3231	254.02	25.4	50.3	329.7
31352575008	296111007	OTOOLE, VIRGINIA	23583	DRACAEA AVE	MORENO VALLEY	CA	92553-3273	OTOOLE, VIRGINIA	23583 DRACAEA AVE	MORENO VALLEY, CA	92553-3273	254.02	25.4	50.3	329.7
64254345005	296111009	DIXON, TIFFANY	13269	SUNFIELD DR	MORENO VALLEY	CA	92553-3260	DIXON, TIFFANY	13269 SUNFIELD DR	MORENO VALLEY, CA	92553-3260	253.84	25.38	50.26	329.48
31123485002	296111015	SCAGNETTI, WAYNE	13296	SUNFLOWER CT	MORENO VALLEY	CA	92553-3225	SCAGNETTI, WAYNE	13296 SUNFLOWER CT	MORENO VALLEY, CA	92553-3225	63.63	6.36	12.6	82.58
58075905004	296111016	GARCIA, EDDIE	13286	SUNFLOWER CT	MORENO VALLEY	CA	92553-3225	GARCIA, EDDIE	13286 SUNFLOWER CT	MORENO VALLEY, CA	92553-3225	329.32	32.93	65.21	427.44
31286695003	296111017	COOLIDGE, BRUCE	13284	SUNFLOWER CT	MORENO VALLEY	CA	92553-3225	COOLIDGE, BRUCE	13284 SUNFLOWER CT	MORENO VALLEY, CA	92553-3225	357.53	35.75	70.79	464.06
87982145006	296111020	GONZALES, VALERIE	13305	SUNFLOWER CT	MORENO VALLEY	CA	92553-3224	GONZALES, VALERIE	13305 SUNFLOWER CT	MORENO VALLEY, CA	92553-3224	254.12	25.41	50.32	329.84
99393935008	296112014	WARREN, EMPRISS (RENT)	23607	DRACAEA AVE	MORENO VALLEY	CA	92553-3275	WARREN, EMPRISS	207 DEPOT ST	MANNING, SC	29102-3612	254.12	25.41	50.32	329.84
31298095005	296112019	EVANS, PHILIP	23681	DRACAEA AVE	MORENO VALLEY	CA	92553-3275	EVANS, PHILIP	23681 DRACAEA AVE	MORENO VALLEY, CA	92553-3275	329.32	32.93	65.21	427.44
96287675007	296112021	RODRIGUEZ, CARLOS	23705	DRACAEA AVE	MORENO VALLEY	CA	92553-3295	RODRIGUEZ, CARLOS	23705 DRACAEA AVE	MORENO VALLEY, CA	92553-3295	414.25	41.43	82.02	537.68
96456255006	296112024	CORDOVA, EDUARDO	13301	LARKHAVEN DR	MORENO VALLEY	CA	92553-3256	CORDOVA, EDUARDO	13301 LARKHAVEN DR	MORENO VALLEY, CA	92553-3256	288.73	28.87	57.17	374.76
31519465005	296112025	GUTIERREZ, MIGUEL	13311	LARKHAVEN DR	MORENO VALLEY	CA	92553-3256	GUTIERREZ, MIGUEL	13311 LARKHAVEN DR	MORENO VALLEY, CA	92553-3256	153.92	15.39	30.48	199.78
88513515000	296112031	CALZADA, FRANCISCO	13372	FIELDCREST CT	MORENO VALLEY	CA	92553-3215	CALZADA, FRANCISCO	24810 AGUSTA DR	MORENO VALLEY, CA	92551-4031	63.63	6.36	12.6	82.58
94041385001	296113010	VALENCIA, RAQUEL (RENT)	13360	LARKHAVEN DR	MORENO VALLEY	CA	92553-3205	VALENCIA, RAQUEL	10677 RIDGEFIELD TER	MORENO VALLEY, CA	92557-3808	56.45	5.65	11.18	73.26
57753985000	296122004	BURTON, LATESHA	13455	SUNFLOWER CT	MORENO VALLEY	CA	92553-3226	BURTON, LATESHA	13455 SUNFLOWER CT	MORENO VALLEY, CA	92553-3226	254.02	25.4	50.3	329.7
31615555002	296123014	CERDA, ROBERTO	13383	SUNSWEPT CT	MORENO VALLEY	CA	92553-3229	CERDA, ROBERTO	13383 SUNSWEPT CT	MORENO VALLEY, CA	92553-3229	254.02	25.4	50.3	329.7
31311265009	296123018	CROTHER, MONIQUE	13416	SUNSWEPT CT	MORENO VALLEY	CA	92553-2710	CROTHER, MONIQUE	13416 SUNSWEPT CT	MORENO VALLEY, CA	92553-2710	253.92	25.39	50.28	329.58
65248865006	296123019	ANAYA, NANCY	13428	SUNSWEPT CT	MORENO VALLEY	CA	92553-2710	ANAYA, NANCY	13428 SUNSWEPT CT	MORENO VALLEY, CA	92553-2710	329.6	32.96	65.26	427.82
31645055004	296123023	JOHNSON, SHANE	13435	FIELDCREST CT	MORENO VALLEY	CA	92553-3217	JOHNSON, SHANE	13435 FIELDCREST CT	MORENO VALLEY, CA	92553-3217	254.02	25.4	50.3	329.7
31478145002	296124002	BUTLER, MARY	23549	SUNCREST AVE	MORENO VALLEY	CA	92553-3264	BUTLER, MARY	23549 SUNCREST AVE	MORENO VALLEY, CA	92553-3264	254.02	25.4	50.3	329.7
92073913005	296124006	LOPEZ, ERNEST (RENT)	23607	SUNCREST AVE	MORENO VALLEY	CA	92553-3221	LOPEZ, ERNEST	23607 SUNCREST AVE	MORENO VALLEY, CA	92553-3221	63.63	6.36	12.6	82.58
89024215000	296124010	ARELLANO, SERENA	23655	SUNCREST AVE	MORENO VALLEY	CA	92553-3221	ARELLANO, SERENA	23655 SUNCREST AVE	MORENO VALLEY, CA	92553-3221	186.7	18.67	36.97	242.32
95809455007	296126002	COVARRUBIAS, FELIPE (OWNR)	13380	LARKHAVEN DR	MORENO VALLEY	CA	92553-3205	COVARRUBIAS, FELIPE	13380 LARKHAVEN DR	MORENO VALLEY, CA	92553-3205	254.02	25.4	50.3	329.7
31467195004	296126004	MANZO, ISABELLE	13400	LARKHAVEN DR	MORENO VALLEY	CA	92553-3220	MANZO, ISABELLE	13400 LARKHAVEN DR	MORENO VALLEY, CA	92553-3220	267.35	26.74	52.94	347.02
97695335002	296126005	SANCHEZ, THALIA	13410	LARKHAVEN DR	MORENO VALLEY	CA	92553-3220	SANCHEZ, THALIA	13410 LARKHAVEN DR	MORENO VALLEY, CA	92553-3220	238.64	23.86	47.25	309.74
31188025002	296126008	GONZALES, ANTHONY	13448	LARKHAVEN DR	MORENO VALLEY	CA	92553-3220	GONZALES, ANTHONY AND MARIA	13448 LARKHAVEN DR	MORENO VALLEY, CA	92553-3220	254.02	25.4	50.3	329.7
31604675001	296126009	OHEARN, JOHN	13460	LARKHAVEN DR	MORENO VALLEY	CA	92553-3220	OHEARN, JOHN	13460 LARKHAVEN DR	MORENO VALLEY, CA	92553-3220	254.02	25.4	50.3	329.7
31210315003	296126010	BUENDIA, SANDRA	13474	LARKHAVEN DR	MORENO VALLEY	CA	92553-3220	BUENDIA, SANDRA	13474 LARKHAVEN DR	MORENO VALLEY, CA	92553-3220	104.02	10.4	20.6	135
31513025001	296126017	REILLY, JOHN	23736	SUNCREST AVE	MORENO VALLEY	CA	92553-3282	REILLY, JOHN	23736 SUNCREST AVE	MORENO VALLEY, CA	92553-3282	254.12	25.41	50.32	329.84
31115735006	296131002	BURKETT, TOM	13275	RUNNING DEER RD	MORENO VALLEY	CA	92553-3245	BURKETT, TOM	13275 RUNNING DEER RD	MORENO VALLEY, CA	92553-3245	254.02	25.4	50.3	329.7
54636435006	296131003	TITH, PHALLA	13289	RUNNING DEER RD	MORENO VALLEY	CA	92553-3245	TITH, PHALLA	13289 RUNNING DEER RD	MORENO VALLEY, CA	92553-3245	254.02	25.4	50.3	329.7
60385315007	296132001	LUNA, PETRA	13339	RUNNING DEER RD	MORENO VALLEY	CA	92553-3263	LUNA, PETRA	13339 RUNNING DEER RD	MORENO VALLEY, CA	92553-3263	63.63	6.36	12.6	82.58
31516315003	296132006	RAMIREZ, SERGIO	13416	REINDEER ST	MORENO VALLEY	CA	92553-3291	RAMIREZ, SERGIO	12954 VALLEY SPRINGS DR	MORENO VALLEY, CA	92553-5999	303.6	30.36	60.11	394.06
92009343009	296133015	OROZCO, MITZI (RENT)	23807	DRACAEA AVE	MORENO VALLEY	CA	92553-3213	OROZCO, MITZI (RENT)	4230 13TH ST	RIVERSIDE, CA	92501-3475	63.53	6.35	12.58	82.46
98465293007	296133016	TEGGERS, ERICA (RENT)	23821	DRACAEA AVE	MORENO VALLEY	CA	92553-3213	TEGGERS, ERICA	23821 DRACAEA AVE	MORENO VALLEY, CA	92553-3213	153.52	15.35	30.4	199.26
31608065000	296133025	CARRION, JESUS	13335	DEERPARK DR	MORENO VALLEY	CA	92553-3235	CARRION, JOSE	13335 DEERPARK DR	MORENO VALLEY, CA	92553-3235	127.36	12.74	25.22	165.3
98079295016	296133027	OCHOA , EDWIN (OWNR)	13365	DEERPARK DR	MORENO VALLEY	CA	92553-3235	OCHOA , EDWIN	13365 DEERPARK DR	MORENO VALLEY, CA	92553-3235	408.36	40.84	80.86	530.04
52728705006	296134001	ALVARADO, MICHAELA	23987	DRACAEA AVE	MORENO VALLEY	CA	92553-3279	ALVARADO, MICHAELA	23987 DRACAEA AVE	MORENO VALLEY, CA	92553-3279	126.69	12.67	25.08	164.44
92955933004	296134004	AVELAR, CONNIE (RENT)	23939	DRACAEA AVE	MORENO VALLEY	CA	92553-3279	AVELAR, CONNIE	23939 DRACAEA AVE	MORENO VALLEY, CA	92553-3279	190.79	19.08	37.78	247.64
31279145004	296134005	SANCHEZ, LETICIA (OWNR)	23923	DRACAEA AVE	MORENO VALLEY	CA	92553-3279	SANCHEZ, LETICIA	23923 DRACAEA AVE	MORENO VALLEY, CA	92553-3279	254.02	25.4	50.3	329.7
91390965003	296134008	HALEY, CHARLES AND DELORES	23890	DEERFERN AVE	MORENO VALLEY	CA	92553-3280	HALEY, CHARLES AND DELORES	23890 DEERFERN AVE	MORENO VALLEY, CA	92553-3280	252.92	25.39	50.28	329.58
31505145002	296134010	NUNNEZ, ANDREW	23938	DEERFERN AVE	MORENO VALLEY	CA	92553-3233	NUNNEZ, ANDREW	23938 DEER FERN	MORENO VALLEY, CA	92553-3233	321.04	32.1	63.57	416.7
31268695001	296134011	CARPIO, YOLANDA	23922	DEERFERN AVE	MORENO VALLEY	CA	92553-3233	CARPIO, YOLANDA	23922 DEER FERN	MORENO VALLEY, CA	92553-3233	204.02	20.4	40.4	264.8
96144673000	296134012	HERNANDEZ, NORMA (RENT)	23954	DEERFERN AVE	MORENO VALLEY	CA	92553-3233	HERNANDEZ, NORMA	23954 DEERFERN AVE	MORENO VALLEY, CA	92553-3233	190.69	19.07	37.76	247.5
97688165002	296134014	LOPEZ, ELSA (RENT)	13326	RUNNING HORSE DR	MORENO VALLEY	CA	92553-3202	LOPEZ, ELSA	13326 RUNNING HORSE DR	MORENO VALLEY, CA	92553-3202	97.85	9.79	19.37	127

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95889025006	296134015	QUEZADA, GILBERTO (RENT)	13338	RUNNING HORSE DR	MORENO VALLEY	CA	92553-3202	QUEZADA, GILBERTO	13338 RUNNING HORSE DR	MORENO VALLEY, CA	92553-3202	254.02	25.4	50.3	329.7
55525685007	296135014	PALOMINO, LUIS	23909	DOE CT	MORENO VALLEY	CA	92553-3238	PALOMINO, LUIS	23909 DOE CT	MORENO VALLEY, CA	92553-3238	254.02	25.4	50.3	329.7
31442585005	296141001	PAYAN, NORMA	23869	SUNCREST AVE	MORENO VALLEY	CA	92553-3269	PAYAN, NORMA	240 COUNT TURF CT	PERRIS, CA	92571-4669	182.8	18.28	36.19	237.26
97097235002	296141005	CLAYTON, LACHELLE	23829	SUNCREST AVE	MORENO VALLEY	CA	92553-3269	CLAYTON, LACHELLE	23829 SUNCREST AVE	MORENO VALLEY, CA	92553-3269	233.8	23.38	46.29	303.46
31624305007	296141011	OCHOA, MARCO	23759	SUNCREST AVE	MORENO VALLEY	CA	92553-3209	OCHOA, MARCO	23759 SUNCREST AVE	MORENO VALLEY, CA	92553-3209	254.02	25.4	50.3	329.7
88207265001	296142006	ORTEGA, MILTON	23810	SUNCREST AVE	MORENO VALLEY	CA	92553-3267	ORTEGA, MILTON	23810 SUNCREST AVE	MORENO VALLEY, CA	92553-3267	254.12	25.41	50.32	329.84
31483415005	296142009	CARTER, ROBIN	23781	ANTLER CT	MORENO VALLEY	CA	92553-3290	CARTER, ROBIN	23781 ANTLER CT	MORENO VALLEY, CA	92553-3290	50.69	5.07	10.04	65.78
31443665006	296142013	JONES, JEANNEANE	23790	ANTLER CT	MORENO VALLEY	CA	92553-3290	JONES, JEANNEANE	23790 ANTLER CT	MORENO VALLEY, CA	92553-3290	254.02	25.4	50.3	329.7
62773985001	296142014	MANZO, PATTY	13401	REINDEER ST	MORENO VALLEY	CA	92553-3292	MANZO, PATTY	5229 ODELL ST	RIVERSIDE, CA	92509-4614	80.79	8.08	16	104.86
31249605000	296143001	WILLS, JOE	13420	REINDEER ST	MORENO VALLEY	CA	92553-3291	WILLS, JOE	24426 DRACAEA AVE APT 3	MORENO VALLEY, CA	92553-6290	306.66	30.67	60.72	398.04
96183285000	296143005	ZAVALA, FABIOLA (RENT)	13448	REINDEER ST	MORENO VALLEY	CA	92553-3291	ZAVALA, FABIOLA	13448 REINDEER ST	MORENO VALLEY, CA	92553-3291	90.39	9.04	17.9	117.32
95986495008	296143007	PERAZZA, JAZMIN (RENT)	23830	SUNCREST AVE	MORENO VALLEY	CA	92553-3286	PERAZZA, JAZMIN	23830 SUNCREST AVE	MORENO VALLEY, CA	92553-3286	254.12	25.41	50.32	329.84
31528555007	296143009	MOORE, DELMA	23850	SUNCREST AVE	MORENO VALLEY	CA	92553-3286	MOORE, DELMA	23850 SUNCREST AVE	MORENO VALLEY, CA	92553-3286	254.12	25.41	50.32	329.84
96781365004	296143010	JOHNSON, LEE (RENT)	23860	SUNCREST AVE	MORENO VALLEY	CA	92553-3286	JOHNSON, LEE	23860 SUNCREST AVE	MORENO VALLEY, CA	92553-3286	254.12	25.41	50.32	329.84
31392445002	296145010	MORALES, AILIA	23956	SUNCREST AVE	MORENO VALLEY	CA	92553-3288	MORALES, AILIA	23956 SUNCREST AVE	MORENO VALLEY, CA	92553-3288	254.02	25.4	50.3	329.7
95099245008	296151004	MORENO, JUANA (RENT)	23133	DUNHILL DR	MORENO VALLEY	CA	92553-9651	MORENO, JUANA	23133 DUNHILL DR	MORENO VALLEY, CA	92553-9651	254.12	25.41	50.32	329.84
99308639007	296151017	AREAS, LUIS	13584	PLATO DR	MORENO VALLEY	CA	92553-9656	AREAS, LUIS	13584 PLATO DR	MORENO VALLEY, CA	92553-9656	88.63	8.86	17.55	115.04
96299205001	296151021	HARISTON, REGINALD (RENT)	13601	PLATO DR	MORENO VALLEY	CA	92553-9685	HARISTON, REGINALD	4012 W 129TH ST APT 23	HAWTHORNE, CA	90250-9421	254.12	25.41	50.32	329.84
31549535008	296151024	BROWN, TINA	13615	COPE CT	MORENO VALLEY	CA	92553-9649	BROWN, TINA	13615 COPE CT	MORENO VALLEY, CA	92553-9649	357.53	35.75	70.79	464.06
97956623007	296152002	ESPITO, LORENA	23134	DUNHILL DR	MORENO VALLEY	CA	92553-9650	EMILIANO VALDEZ	23134 DUNHILL DR	MORENO VALLEY, CA	92553-9650	219.84	21.98	43.53	285.34
57265255008	296152013	LOPEZ, JESUS	23174	SWEENEY DR	MORENO VALLEY	CA	92553-1708	LOPEZ, JESUS	23174 SWEENEY DR	MORENO VALLEY, CA	92553-1708	254.02	25.4	50.3	329.7
31529185003	296153001	YOUNG, FELTON	23153	SWEENEY DR	MORENO VALLEY	CA	92553-3424	YOUNG, FELTON	23153 SWEENEY DR	MORENO VALLEY, CA	92553-3424	404.16	40.42	80.02	524.58
31128295001	296161004	SUBIA, MARGIE	13673	PLATO DR	MORENO VALLEY	CA	92553-9658	SUBIA, MARGIE	13673 PLATO DR	MORENO VALLEY, CA	92553-9658	54.02	5.4	10.7	70.1
97441555004	296161006	FLORES, BRANDY (OWNR)	13697	PLATO DR	MORENO VALLEY	CA	92553-9658	FLORES, BRANDY	13697 PLATO DR	MORENO VALLEY, CA	92553-9658	70.79	7.08	14.02	91.88
64983715001	296161024	OLEA, MARIANA	23140	BAY AVE	MORENO VALLEY	CA	92553-9619	OLEA, MARIANA	13970 KALAHARI CT	MORENO VALLEY, CA	92553-9603	254.12	25.41	50.32	329.84
31137315008	296161038	MURGUIA, ROSA (OWNR)	13736	KRISTINA CT	MORENO VALLEY	CA	92553-9683	MURGUIA, ROSA	13736 KRISTINA CT	MORENO VALLEY, CA	92553-9683	115.69	11.57	22.91	150.16
31454865001	296161043	ROSENBROOK, LAURA (OWNR)	13690	KRISTINA CT	MORENO VALLEY	CA	92553-9654	ROSENBROOK, LAURA	20701 BEACH BLVD SPC 189	HUNTINGTON BEACH, CA	92648-4961	38.57	3.86	7.64	50.06
31107085009	296161045	RICHARDSON, ROBERT	13699	KRISTINA CT	MORENO VALLEY	CA	92553-9654	RICHARDSON, ROBERT	13699 KRISTINA CT	MORENO VALLEY, CA	92553-9654	329.32	32.93	65.21	427.44
65576925008	296161046	CARDENAS, JESUS	13707	KRISTINA CT	MORENO VALLEY	CA	92553-9684	CARDENAS, JESUS	13707 KRISTINA CT	MORENO VALLEY, CA	92553-9684	154.12	15.41	30.52	200.04
31139955009	296161048	MEDRANO, MIKAELA	13727	KRISTINA CT	MORENO VALLEY	CA	92553-9684	MEDRANO, MIKAELA	13727 KRISTINA CT	MORENO VALLEY, CA	92553-9684	127.36	12.74	25.22	165.3
73368515006	296161055	ATKINS, SYDNEY	13645	COPE CT	MORENO VALLEY	CA	92553-9649	ATKINS, SYDNEY	13645 COPE CT	MORENO VALLEY, CA	92553-9649	254.02	25.4	50.3	329.7
98290235018	296161056	ANGLE, JANET (RENT)	13651	COPE CT	MORENO VALLEY	CA	92553-9649	ANGLE, JANET	28201 DENVER CT	MORENO VALLEY, CA	92553-5965	32.35	3.24	6.41	41.98
97518055004	296161060	PLUIDO, ROSA (RENT)	13660	COPE CT	MORENO VALLEY	CA	92553-9648	PLUIDO, ROSA	13660 COPE CT	MORENO VALLEY, CA	92553-9648	254.12	25.41	50.32	329.84
31553035005	296161062	AKERLUNDH, ISABEL CHRISTINA	13652	COPE CT	MORENO VALLEY	CA	92553-9648	AKERLUNDH, ISABEL CHRISTINA	13652 COPE CT	MORENO VALLEY, CA	92553-9648	254.02	25.4	50.3	329.7
88121205007	296161063	MANNING, CHERYL	13648	COPE CT	MORENO VALLEY	CA	92553-9648	MANNING, CHERYL	13648 COPE CT	MORENO VALLEY, CA	92553-9648	254.12	25.41	50.32	329.84
99306383006	296161067	MORA, BELEN (RENT)	13633	PLATO DR	MORENO VALLEY	CA	92553-9657	MORA, BELEN	13633 PLATO DR	MORENO VALLEY, CA	92553-9657	224.18	22.42	44.39	290.98
81487095002	296161068	LANGSTON, BILL	13637	PLATO DR	MORENO VALLEY	CA	92553-9657	LANGSTON, BILL	13637 PLATO DR	MORENO VALLEY, CA	92553-9657	254.02	25.4	50.3	329.7
31251885007	296163006	HERNANDEZ, VANESSA	23133	BAY AVE	MORENO VALLEY	CA	92553-9621	PONCE, ESTANISLAO	23133 BAY AVE	MORENO VALLEY, CA	92553-9621	254.32	25.43	50.36	330.1
95050795005	296172001	HARRIS, SHARON (RENT)	23255	SWEENEY DR	MORENO VALLEY	CA	92553-1709	HARRIS, SHARON	PO BOX 8311	MORENO VALLEY, CA	92552-8311	177.9	17.79	35.22	230.9
94013845004	296172002	ROBLES-MARTINEZ, ALMA (OWNR)	23269	SWEENEY DR	MORENO VALLEY	CA	92553-1709	ROBLES-MARTINEZ, ALMA	23269 SWEENEY DR	MORENO VALLEY, CA	92553-1709	100	10	19.8	129.8
91686963004	296173003	ALVAREZ, ALEJANDRO (OWNR)	23313	ZITEO CT	MORENO VALLEY	CA	92553-1728	ALVAREZ, ALEJANDRO	23313 ZITEO CT	MORENO VALLEY, CA	92553-1728	528.15	52.82	104.57	685.52
31057105002	296174007	MACK, GEORGIE	13606	NAGAI DR	MORENO VALLEY	CA	92553-1715	MACK, GEORGIE	13606 NAGAI DR	MORENO VALLEY, CA	92553-1715	63.63	6.36	12.6	82.58
31518395002	296174015	EMPIRE WEST MANAGEMENT	13521	PATTILYNN DR	MORENO VALLEY	CA	92553-3470	EMPIRE WEST MANAGEMENT	PO BOX 567	MORENO VALLEY, CA	92556	253.92	25.39	50.28	329.58
31483645007	296174017	DIAZ, ARMANDO	13537	PATTILYNN DR	MORENO VALLEY	CA	92553-3470	DIAZ, ARMANDO	13537 PATTILYNN DR	MORENO VALLEY, CA	92553-3470	134.02	13.4	26.54	173.94
94313585002	296174018	TREJO, CRISTINA (RENT)	13545	PATTILYNN DR	MORENO VALLEY	CA	92553-3470	TREJO, CRISTINA	13545 PATTILYNN DR	MORENO VALLEY, CA	92553-3470	202.39	20.24	40.07	262.7
72627165009	296174019	DIAZ, MAURICIO	13553	PATTILYNN DR	MORENO VALLEY	CA	92553-3470	DIAZ, MAURICIO	13553 PATTILYNN DR	MORENO VALLEY, CA	92553-3470	71.03	7.1	14.06	92.18
94916053003	296174022	QUEZADA, REFUGIO	13577	PATTILYNN DR	MORENO VALLEY	CA	92553-3470	QUEZADA, REFUGIO	13577 PATTILYNN DR	MORENO VALLEY, CA	92553-3470	43.37	4.34	8.59	56.28
89011613003	296174035	SANCHEZ, FRANSICO (OWNR)	13681	PATTILYNN DR	MORENO VALLEY	CA	92553-3471	SANCHEZ, FRANSICO	13681 PATTILYNN DR	MORENO VALLEY, CA	92553-3471	254.12	25.41	50.32	329.84
31146605008	296175001	DELHOYO, DOMINGO RAY	23388	CHALLIS CT	MORENO VALLEY	CA	92553-3432	DELHOYO, DOMINGO RAY	23388 CHALLIS CT	MORENO VALLEY, CA	92553-3432	329.32	32.93	65.21	427.44
74139765007	296175008	VARGAS, GUADALUPE	23428	CHALLIS CT	MORENO VALLEY	CA	92553-3497	VARGAS, GUADALUPE	23428 CHALLIS CT	MORENO VALLEY, CA	92553-3497	357.53	35.75	70.79	464.06
57887285003	296175012	ALFARO, THEODORO	23460	CHALLIS CT	MORENO VALLEY	CA	92553-3466	ALFARO, THEODORO	23460 CHALLIS CT	MORENO VALLEY, CA	92553-3466	254.02	25.4	50.3	329.7
31420465006	296175027	MCNAIR, JEWEL	23405	CHALLIS CT	MORENO VALLEY	CA	92553-3469	MCNAIR, JEWEL	23405 CHALLIS CT	MORENO VALLEY, CA	92553-3469	228.63	22.86	45.27	296.76
81849865001	296175032	MARTINEZ, LUIS ROBERTO	23370	ROLANDA DR	MORENO VALLEY	CA	92553-3444	MARTINEZ, LUIS ROBERTO	23370 ROLANDA DR	MORENO VALLEY, CA	92553-3444	329.32	32.93	65.21	427.44
97117175000	296175041	ANDERSON, PERRIN (OWNR)	23448	ROLANDA DR	MORENO VALLEY	CA	92553-3493	ANDERSON, PERRIN	23448 ROLANDA DR	MORENO VALLEY, CA	92553-3493	132.46	13.25	26.23	171.92
95592435002	296175050	NELSON, TERRY AND REBECCA	23471	ROLANDA DR	MORENO VALLEY	CA	92553-3495	NELSON, TERRY AND REBECCA	28230 LOCUST AVE	MORENO VALLEY, CA	92555-5264	211.9	21.19	41.96	275.04
31600395008	296175054	SANCHEZ, GILBERTO	23439	ROLANDA DR	MORENO VALLEY	CA	92553-3495	SANCHEZ, GILBERTO	23439 ROLANDA DR	MORENO VALLEY, CA	92553-3495	254.02	25.4	50.3	329.7
101690933001	296175060	DEDEN, RITA	23391	ROLANDA DR	MORENO VALLEY	CA	92553-3446	DEDEN, RITA	23391 ROLANDA DR	MORENO VALLEY, CA	92553-3446	239.26	23.93	47.37	310.54
31267475009	296175069	ZAMBRANO, JAVIER	13370	CHIANTE CT	MORENO VALLEY	CA	92553-3492	ZAMBRANO, JAVIER	13370 CHIANTE CT	MORENO VALLEY, CA	92553-3492	329.04	32.9	65.15	427.08
53947185000	296175082	SALDANA, ARTHUR	23482	YEE ST	MORENO VALLEY	CA	92553	SALDANA, ARTHUR	P O BOX 7871	MORENO VALLEY, CA	92552	51.44	5.14	10.19	66.76
31653705002	296181004	CERVANTES, MARINA	23220	BAY AVE	MORENO VALLEY	CA	92553-3476	CERVANTES, MARINA	23220 BAY AVE	MORENO VALLEY, CA	92553-3476	254.02	25.4	50.3	329.7
53105525004	296181006	RAMOS, DEBORAH	23230	BAY AVE	MORENO VALLEY	CA	92553-3476	RAMOS, DEBORAH	23230 BAY AVE	MORENO VALLEY, CA	92553-3476	36.37	3.64	7.2	47.2
66963385000	296181010	DEROUEN, MARC	13715	PATTILYNN DR	MORENO VALLEY	CA	92553-3442	DEROUEN, MARC	13715 PATTILYNN DR	MORENO VALLEY, CA	92553-3442	254.12	25.41	50.32	329.84
58447915003	296181011	CABULOY, CARMEN	13705	PATTILYNN DR	MORENO VALLEY	CA	92553-3440	CABULOY, CARMEN	13705 PATTILYNN DR	MORENO VALLEY, CA	92553-3440	254.12	25.41	50.32	329.84
94491175002	296182004	HARRINGTON, GEORGE (RENT)	13682	PATTILYNN DR	MORENO VALLEY	CA	92553-3441	HARRINGTON, GEORGE	620 TYSON AVE FL 1ST	PHILADELPHIA, PA	19111-4331	233.14	23.31	46.16	302.6
72398825009	296182005	PEREZ, GRISEL	13690	PATTILYNN DR	MORENO VALLEY	CA	92553-3441	PEREZ, GRISEL	13690 PATTILYNN DR	MORENO VALLEY, CA	92553-3441	254.02	25.4	50.3	329.7
95871325003	296182009	MUNOZ, MARCELLO (RENT)	13729	PATTILYNN DR	MORENO VALLEY	CA	92553-3472	MUNOZ, MARCELLO	13729 PATTILYNN DR	MORENO VALLEY, CA	92553-3472	211.99	21.19	41.96	275.08
31617325007	296182014	ZORALES, PATRICIA	23260	YEE ST	MORENO VALLEY	CA	92553-3447	MORALES, PATRICIA	23260 YEE ST	MORENO VALLEY, CA	92553-3447	184.05	18.41	36.44	238.88
74584305001	296182022	BONILLA, SIGFRIDO	23328	YEE ST	MORENO VALLEY	CA	92553-3489	BONILLA, SIGFRIDO	3575 FLETCHER DR # 9	LOS ANGELES, CA	90065-2975	254.02	25.4	50.3	329.7
31576195002	296182025	AGUIRRE, TAMMY	23352	YEE ST	MORENO VALLEY	CA	92553-3489	AGUIRRE, TAMMY	23352 YEE ST	MORENO VALLEY, CA	92553-3489	329.32	32.93	65.21	427.44
96156125000	296183008	RODRIGUEZ, PAOLA (OWNR)	23379	YEE ST	MORENO VALLEY	CA	92553-3491	RODRIGUEZ, PAOLA	23379 YEE ST	MORENO VALLEY, CA	92553-3491	254.12	25.41	50.32	329.84
95277545007	296183009	NAVA, HECTOR (RENT)	23369	YEE ST	MORENO VALLEY	CA	92553-3491	NAVA, HECTOR	23369 YEE ST	MORENO VALLEY, CA	92553-3491	63.63	6.36	12.6	82.58
31556075009	296183013	RHODES, MAYBETH	23329	YEE ST	MORENO VALLEY	CA	92553-3491	RHODES, MAYBETH	15800 LASSELLE ST APT 115	MORENO VALLEY, CA	92551-1688	228.63	22.86	45.27	296.76
92373865009	296183016	CASTILLO, DANIEL	23436	DOME ST	MORENO VALLEY	CA	92553-3483	CASTILLO, DANIEL	23436 DOME ST	MORENO VALLEY, CA	92553-3483	253.92	25.39	50.28	329.58
97110445009	296184006	PEREZ, DAVID (RENT)	23255	BAY AVE	MORENO VALLEY	CA	92553-3477	PEREZ, DAVID	28761 FOX TAIL WAY	HIGHLAND, CA	92346-5709	226.15	22.62	44.78	293.54
93078335005	296184007	OSUNA, CYNTHIA E (RENT)	23261	BAY AVE	MORENO VALLEY	CA	92553-3477	OSUNA, CYNTHIA E	23261 BAY AVE	MORENO VALLEY, CA	92553-3477	254.02	25.4	50.3	329.7
91406303006	296184010	GARCIA, ARACELIE	23285	BAY AVE	MORENO VALLEY	CA	92553-3477	GARCIA, ARACELIE	23285 BAY AVE	MORENO VALLEY, CA	92553-3477	262.73	26.27	52.02	341.02
88312603008	296185004	MADRID, JOSEPH	23373	DOME ST	MORENO VALLEY	CA	92553-3485	MADRID, JOSEPH	23373 DOME ST	MORENO VALLEY, CA	92553-3485	63.43	6.34	12.56	82.32
31571285004	296185010	LEMLE, CHARLES	23425	DOME ST	MORENO VALLEY	CA	92553-3436	LEMLE, CHARLES	23425 DOME ST	MORENO VALLEY, CA	92553-3436	254.02	25.4	50.3	329.7
89536683004	296185011	JACKSON, DEDRA (RENT)	23433	DOME ST	MORENO VALLEY	CA	92553-3436	JACKSON, DEDRA	PO BOX 7056	MORENO VALLEY, CA	92552-7056	127.84	12.78	25.31	165.92
96751113000	296185018	KELLEY, RONALD	23489	DOME ST	MORENO VALLEY	CA	92553-3486	KELLEY, RONALD	23489 DOME ST	MORENO VALLEY, CA	92553-3486	128.94	12.89	25.53	167.36
92894129005	296185022	NONAIR, EVELYN (OWNR)	13690	CASPIAN WAY	MORENO VALLEY	CA	92553-3487	NONAIR, EVELYN	13690 CASPIAN WAY	MORENO VALLEY, CA	92553-3487	335.76	33.58	66.48	435.8
31297045007	296185026	ROBLES, JOEL	13650	CASPIAN WAY	MORENO VALLEY	CA	92553-3487	ROBLES, JOEL	13650 CASPIAN WAY	MORENO VALLEY, CA	92553-3487	253.92	25.39	50.28	329.58
92310445000	296185028	AMMONS, ARCHE (OWNR)	13630	CASPIAN WAY	MORENO VALLEY	CA	92553-3487	AMMONS, ARCHE	13630 CASPIAN WAY	MORENO VALLEY, CA	92553-3487	253.92	25.39	50.28	329.58
95506765002	296185032	URIBE, ALMA (OWNR)	23456	BAY AVE	MORENO VALLEY	CA	92553-3480	URIBE, ALMA (OWNR)	23456 BAY AVE	MORENO VALLEY, CA	92553-3480	36.44	3.64	7.22	47.28
31630255004	296185033	TERRELL, ANITA	23430	BAY AVE	MORENO VALLEY	CA	92553-3480	TERRELL, ANITA	23430 BAY AVE	MORENO VALLEY, CA	92553-3480	254.02	25.4	50.3	329.7
95325135000	296185036	NUNEZ, GILLIBERTO (OWNR)	23380	BAY AVE	MORENO VALLEY	CA	92553-3479	NUNEZ, GILLIBERTO	23380 BAY AVE	MORENO VALLEY, CA	92553-3479	254.12	25.41	50.32	329.84
91183043006	296185040	DUNCAN, JOHNNY (RENT)	23336	BAY AVE	MORENO VALLEY	CA	92553-3478	DUNCAN, JOHNNY (RENT)	23336 BAY AVE	MORENO VALLEY, CA	92553-3478	121.52	12.15	24.06	157.72
88448915005	296185041	SCOTT, CAROLYN	23324	BAY AVE	MORENO VALLEY	CA	92553-3478	SCOTT, CAROLYN	23324 BAY AVE	MORENO VALLEY, CA	92553-3478	63.63	6.36	12.6	82.58
31449085005	296191004	FIMBRES, FRANCISCA	13785	CHAGALL CT	MORENO VALLEY	CA	92553-9628	FIMBRES, FRANCISCA	13785 CHAGALL CT	MORENO VALLEY, CA	92553-9628	254.02	25.4	50.3	329.7
31393265007	296191005	RUIZ, AMELIA	13773	CHAGALL CT	MORENO VALLEY	CA	92553-9628	RUIZ, AMELIA	13773 CHAGALL CT	MORENO VALLEY, CA	92553-9628	207.44	20.74	41.07	269.24
31291325001	296192005	SIMMONS, IRIS	23222	DYNASTY CT	MORENO VALLEY	CA	92553-9652	SIMMONS, IRIS	23222 DYNASTY CT	MORENO VALLEY, CA	92553-9652	253.92	25.39	50.28	329.58
31146825002	296212009	MYERS, ANA	13811	KAREN LYNN DR	MORENO VALLEY	CA	92553-3465	MYERS, ANA	13811 KARENLYNN DR	MORENO VALLEY, CA	92553-3465	254.02	25.4	50.3	329.7
94581005006	296212012	ESTEVEZ, YADIRA	13834	KAREN LYNN DR	MORENO VALLEY	CA	92553-3465	ESTEVEZ, YADIRA	13834 KAREN LYNN DR	MORENO VALLEY, CA	92553-3465	219.36	21.94	43.43	284.72
97116635006	296212013	FELIX, JOSE JUAN	13824	KAREN LYNN DR	MORENO VALLEY	CA	92553-3465	FELIX, JOSE JUAN	9714 LUNDAHL DR	RICO RIVERA, CA	90660-4212	335.76	33.58	66.48	435.8
91208345008	296212020	MARTINEZ, REGINNA	13771	CASPIAN WAY	MORENO VALLEY	CA	92553-3462	MARTINEZ, REGINNA	13771 CASPIAN WAY	MORENO VALLEY, CA	92553-3462	253.92	25.39	50.28	329.58
95080975004	296212032	HULSEY, JO ANNE (RENT)	13867	CASPIAN WAY	MORENO VALLEY	CA	92553-3463	HULSEY, JO ANNE	3648 NAVRA RD	GOLDEN VALLEY, AZ	86413-8137	168.81	16.88	33.42	219.1
57886265009	296212035	TORRES, GLORIA	23280	DYNASTY CT	MORENO VALLEY	CA	92553-9652	TORRES, GLORIA	23280 DYNASTY CT	MORENO VALLEY, CA	92553-9652	254.02	25.4	50.3	329.7
31378725002	296212036	PADILLA, VICTOR	23283	DYNASTY CT	MORENO VALLEY	CA	92553-9653	PADILLA, VICTOR	23283 DYNASTY CT	MORENO VALLEY, CA	92553-9653	103.37	10.34	20.47	134.16
31434315009	296212040	SALAS, CHRISTOPHER	23235	DYNASTY CT	MORENO VALLEY	CA	92553-9653	SALAS, CHRISTOPHER	23235 DYNASTY CT	MORENO VALLEY, CA	92553-9653	254.02	25.4	50.3	329.7
96655593002	296212046	GARCIA, JUAN (RENT)	13805	GUCCI DR	MORENO VALLEY	CA	92553-3430	GARCIA, JUAN	PO BOX 9104	MORENO VALLEY, CA	92552-9104	185.85	18.59	36.8	241.22
91946175008	296212050	JAIME, JORGE	23330	PROTEA CT	MORENO VALLEY	CA	92553-3438	JAIME, JORGE	23330 PROTEA CT	MORENO VALLEY, CA	92553-3438	124.92	12.49	24.73	162.14

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31127235006	296212056	HUFFER, DONALD	28370	DIZA ST	MORENO VALLEY	CA	92553-3429	HUFFER, DONALD	28370 DIZA ST	MORENO VALLEY, CA	92553-3429	182.44	18.24	36.12	236.8
95808645008	296212060	NICHOLS, BRANDON (RENT)	13939	CASPIAN WAY	MORENO VALLEY	CA	92553-3464	NICHOLS, BRANDON	878 S STATE COLLEGE BLVD	ANAHEIM, CA	92806-4614	90.6	9.06	17.94	117.58
97052335006	296213001	LOPEZ, MANUEL (RENT)	13754	CASPIAN WAY	MORENO VALLEY	CA	92553-3498	LOPEZ, MANUEL	13754 CASPIAN WAY	MORENO VALLEY, CA	92553-3498	154.12	15.41	30.52	200.04
58882475003	296213006	SANTOS, JAVIER	13794	CASPIAN WAY	MORENO VALLEY	CA	92553-3498	SANTOS, JAVIER	13794 CASPIAN WAY	MORENO VALLEY, CA	92553-3498	329.6	32.96	65.26	427.82
31510635009	296213018	ESPERANZA, MARILYN	13890	CASPIAN WAY	MORENO VALLEY	CA	92553-3459	ESPERANZA, MARILYN	13890 CASPIAN WAY	MORENO VALLEY, CA	92553-3459	127.36	12.74	25.22	165.3
96094225002	296222014	UPSHAW, LAURA (RENT)	23300	GERBERA ST	MORENO VALLEY	CA	92553-9600	UPSHAW, LAURA	23415 GERBERA ST	MORENO VALLEY, CA	92553-9602	150.91	15.09	29.88	195.88
31645765005	296222022	LIZARRAGA, DORA	23364	GERBERA ST	MORENO VALLEY	CA	92553-9600	LIZARRAGA, DORA	23364 GERBERA ST	MORENO VALLEY, CA	92553-9600	254.02	25.4	50.3	329.7
31063815001	296223003	QUINONEZ, RICHARD	23475	GERBERA ST	MORENO VALLEY	CA	92553-9602	QUINONEZ, RICHARD	23475 GERBERA ST	MORENO VALLEY, CA	92553-9602	254.02	25.4	50.3	329.7
31055245007	296223007	DIAZ, JAVIER	23435	GERBERA ST	MORENO VALLEY	CA	92553-9602	DIAZ, JAVIER	23435 GERBERA ST	MORENO VALLEY, CA	92553-9602	204.02	20.4	40.4	264.8
97102805000	296223009	UPSHAW, LAURA (RENT)	23415	GERBERA ST	MORENO VALLEY	CA	92553-9602	UPSHAW, LAURA (RENT)	23415 GERBERA ST	MORENO VALLEY, CA	92553-9602	136.3	13.63	26.99	176.9
31246475003	296223026	CUEVAS, JOSE	13963	KALAHARI CT	MORENO VALLEY	CA	92553-9603	CUEVAS, JOSE	13963 KALAHARI CT	MORENO VALLEY, CA	92553-9603	39.2	3.92	7.76	50.88
31595355008	296223031	SOSA, MARICELA	23261	GERBERA ST	MORENO VALLEY	CA	92553-9601	SOSA, MARICELA	23261 GERBERA ST	MORENO VALLEY, CA	92553-9601	254.02	25.4	50.3	329.7
95406755007	296223032	VALDEZ, JACQUELINE	13934	CHAGALL CT	MORENO VALLEY	CA	92553-9646	VALDEZ, JACQUELINE	13934 CHAGALL CT ST	MORENO VALLEY, CA	92553-9646	335.07	33.51	66.34	434.92
67910595006	296231007	VERRUM, YESENIA	13551	NEW HAVEN DR	MORENO VALLEY	CA	92553-3408	VERRUM, YESENIA	13551 NEW HAVEN DR	MORENO VALLEY, CA	92553-3408	254.12	25.41	50.32	329.84
87370285004	296231008	REEVES, LENITA	13549	NEW HAVEN DR	MORENO VALLEY	CA	92553-3408	REEVES, LENITA	13549 NEW HAVEN DR	MORENO VALLEY, CA	92553-3408	254.12	25.41	50.32	329.84
91310835006	296231012	YOUNG, SONYA (RENT)	13541	NEW HAVEN DR	MORENO VALLEY	CA	92553-3408	YOUNG, SONYA (RENTR)	13541 NEW HAVEN DR	MORENO VALLEY, CA	92553-3408	206.17	20.62	40.82	267.6
72002225003	296232015	HAMMONDS, VANESSA	13609	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3456	HAMMONDS, VANESSA	13609 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3456	104.02	10.4	20.6	135
80913275000	296232020	RAMIREZ, ALEYDA	13588	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3454	RAMIREZ, ALEYDA	13588 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3454	254.02	25.4	50.3	329.7
92952605005	296232026	PILGRIM, JULIE ANN (RENT)	13553	RUNDELL DR	MORENO VALLEY	CA	92553-3412	PILGRIM, JULIE ANN	13553 RUNDELL DR	MORENO VALLEY, CA	92553-3412	254.02	25.4	50.3	329.7
31365325003	296233007	CERVANTES, ESTER	13542	SYLVAR DR	MORENO VALLEY	CA	92553-3421	CERVANTES, ESTER	13542 SYLVAR DR	MORENO VALLEY, CA	92553-3421	254.02	25.4	50.3	329.7
31267245008	296233010	HURTADO, REFUGIO	13511	SYLVAR DR	MORENO VALLEY	CA	92553-3415	HURTADO, REFUGIO	13511 SYLVAR DR	MORENO VALLEY, CA	92553-3415	190.59	19.06	37.74	247.38
95635995001	296233012	LOFTON, STEVEN (OWNR)	13537	SYLVAR DR	MORENO VALLEY	CA	92553-3415	LOFTON, STEVEN	1405 SATINWOOD CT	RIVERSIDE, CA	92501-1864	254.12	25.41	50.32	329.84
61003865009	296233021	POWELL, STEVEN AND PAMELA	13643	RUNDELL DR	MORENO VALLEY	CA	92553-1700	POWELL, STEVEN AND PAMELA	13643 RUNDELL DR	MORENO VALLEY, CA	92553-1700	154.12	15.41	30.52	200.04
31587965003	296233023	JOHNSON, ROBERT	13624	RUNDELL DR	MORENO VALLEY	CA	92553-3484	JOHNSON, ROBERT	P O BOX 7356	MORENO VALLEY, CA	92552-7356	254.02	25.4	50.3	329.7
95195875001	296233025	ZELEDON, ERIC (OWNR)	13598	RUNDELL DR	MORENO VALLEY	CA	92553-3413	ZELEDON, ERIC	15536 GRANADA DR	MORENO VALLEY, CA	92551-1934	190.79	19.08	37.78	247.64
96328495007	296233026	BULLOCK, ELMIRA (RENT)	13584	RUNDELL DR	MORENO VALLEY	CA	92553-3413	BULLOCK, ELMIRA	13584 RUNDELL DR	MORENO VALLEY, CA	92553-3413	254.12	25.41	50.32	329.84
98037875012	296233027	MESA, ANTOINETTE	13572	RUNDELL DR	MORENO VALLEY	CA	92553-3413	MESA, ANTOINETTE	13572 RUNDELL DR	MORENO VALLEY, CA	92553-3413	371.95	37.2	73.65	482.78
31082015009	296233029	MESA, JOSE	13546	RUNDELL DR	MORENO VALLEY	CA	92553-3413	MESA, JOSE	13546 RUNDELL DR	MORENO VALLEY, CA	92553-3413	254.02	25.4	50.3	329.7
31213745007	296233031	BULLOCK, BERTHA	13520	RUNDELL DR	MORENO VALLEY	CA	92553-3413	BULLOCK, BERTHA	13520 RUNDELL DR	MORENO VALLEY, CA	92553-3413	254.02	25.4	50.3	329.7
31240475006	296241001	TRAPP, EDWARD	23516	BAY AVE	MORENO VALLEY	CA	92553-3402	TRAPP, EDWARD	23516 BAY AVE	MORENO VALLEY, CA	92553-3402	253.92	25.39	50.28	329.58
31605815009	296241002	DREW, CHIRE	23530	BAY AVE	MORENO VALLEY	CA	92553-3402	DREW, CHIRE	23530 BAY AVE	MORENO VALLEY, CA	92553-3402	254.02	25.4	50.3	329.7
97370205009	296241003	WASHINGTON, TAWONIA (RENT)	23542	BAY AVE	MORENO VALLEY	CA	92553-3402	WASHINGTON, TAWONIA	23542 BAY AVE	MORENO VALLEY, CA	92553-3402	267.58	26.76	52.98	347.3
92268945005	296241008	DENSITT, ROSHAWNA	13731	NEW HAVEN DR	MORENO VALLEY	CA	92553-3481	DENSITT, ROSHAWNA	13731 NEW HAVEN DR	MORENO VALLEY, CA	92553-3481	233.92	23.39	46.32	303.62
95820143008	296241014	GUTIERREZ, ERICKA (RENT)	13675	NEW HAVEN DR	MORENO VALLEY	CA	92553-3410	GUTIERREZ, ERICKA (RENT)	13675 NEW HAVEN DR	MORENO VALLEY, CA	92553-3410	121.48	12.15	24.05	157.68
31408695003	296241018	PULIDO, AURORA	13631	NEW HAVEN DR	MORENO VALLEY	CA	92553-3410	PULIDO, AURORA	13631 NEW HAVEN DR	MORENO VALLEY, CA	92553-3410	254.02	25.4	50.3	329.7
91138413002	296242010	MATA, JOANNE (RENT)	13655	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3456	MATA, JOANNE	13655 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3456	230.64	23.06	45.67	299.36
50878975004	296243005	MARTINEZ, LUIS	13670	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3406	MARTINEZ, LUIS	13670 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3406	254.02	25.4	50.3	329.7
91730585000	296243006	GUILLEN, TERESA	13680	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3406	GUILLEN, TERESA	13680 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3406	127.26	12.73	25.2	165.18
31342565001	296243010	ECHEVERRIA, ANA	13726	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3457	ECHEVERRIA, ANA	13726 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3457	254.02	25.4	50.3	329.7
31096735008	296243011	POWELL, MAURICE	13738	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3457	POWELL, MAURICE	13738 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3457	254.02	25.4	50.3	329.7
31273285007	296243022	BELTON, RICK	13714	RUNDELL DR	MORENO VALLEY	CA	92553-1702	BELTON, RICK	73373 COUNTRY CLUB DR APT 3210	PALM DESERT, CA	92260-8650	254.02	25.4	50.3	329.7
31162455006	296243025	RODRIGUEZ, TRINIDAD	13678	RUNDELL DR	MORENO VALLEY	CA	92553-3414	RODRIGUEZ, TRINIDAD	29165 WILLIAMS AVE	MORENO VALLEY, CA	92555-8316	254.12	25.41	50.32	329.84
97116245008	296243027	SALOME, LAKETA (RENT)	13663	SYLVAR DR	MORENO VALLEY	CA	92553-3417	SALOME, LAKETA	13663 SYLVAR DR	MORENO VALLEY, CA	92553-3417	309.86	30.99	61.35	402.18
91840153007	296243035	LOAISIGA, AURELINA (RENT)	23686	BAY AVE	MORENO VALLEY	CA	92553-3404	LOAISIGA, AURELINA	23686 BAY AVE	MORENO VALLEY, CA	92553-3404	262.73	26.27	52.02	341.02
31398865000	296243037	KIRKPATRICK, PATRICIA	23656	BAY AVE	MORENO VALLEY	CA	92553	KIRKPATRICK, PATRICIA	23656 BAY AVE	MORENO VALLEY, CA	92553	254.02	25.4	50.3	329.7
92522025008	296244009	SMITH, DARRYL (RENT)	13644	SYLVAR DR	MORENO VALLEY	CA	92553-1703	SMITH, DARRYL	13644 SYLVAR DR	MORENO VALLEY, CA	92553-1703	254.02	25.4	50.3	329.7
31500455007	296251003	MENDEZ, SILVIA	23767	BETTS PL	MORENO VALLEY	CA	92553-3467	MENDEZ, SILVIA	23767 BETTS PL	MORENO VALLEY, CA	92553-3467	254.12	25.41	50.32	329.84
94377535008	296251004	HERNANDEZ, SUGEY (RENT)	23773	BETTS PL	MORENO VALLEY	CA	92553-3467	HERNANDEZ, SUGEY	23773 BETTS PL	MORENO VALLEY, CA	92553-3467	190.79	19.08	37.78	247.64
68094835008	296251009	JOHNSON, LEKEITH	23801	BETTS PL	MORENO VALLEY	CA	92553-3420	JOHNSON, LEKEITH	23801 BETTS PL	MORENO VALLEY, CA	92553-3420	254.12	25.41	50.32	329.84
94579545007	296251010	HERNANDEZ, MARIA (OWNR)	23807	BETTS PL	MORENO VALLEY	CA	92553-3420	HERNANDEZ, MARIA	23807 BETTS PL	MORENO VALLEY, CA	92553-3420	187.69	18.77	37.16	243.62
31256245001	296251015	PEIDRA, MARIA	23839	BETTS PL	MORENO VALLEY	CA	92553-3420	PEIDRA, MARIA	23839 BETTS PL	MORENO VALLEY, CA	92553-3420	117.45	11.75	23.26	152.44
73137315007	296252007	FLORES, JESUS	13578	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	FLORES, JESUS	13637 ROCKCREST DR	MORENO VALLEY, CA	92553-3423	63.63	6.36	12.6	82.58
62943645002	296252010	TORRES, SR RUBEN	13560	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	TORRES, SR RUBEN	13560 RUCKCREST DR	MORENO VALLEY, CA	92553-1714	254.12	25.41	50.32	329.84
89191633009	296252014	GARCIA, HEIDI (RENT)	13536	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	GARCIA, HEIDI	13536 ROCKCREST DR	MORENO VALLEY, CA	92553-1714	204.12	20.41	40.42	264.94
31357045009	296252015	VALENZUELA, RAYMUNDO	13532	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	VALENZUELA, RAYMUNDO	13532 ROCKCREST DR	MORENO VALLEY, CA	92553-1714	254.02	25.4	50.3	329.7
101473543004	296252016	MARSHALL RESIDENTIAL PROPERTIE	13526	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	MARSHALL RESIDENTIAL PROPERTIE	24490 SUNNYMEAD BLVD STE 213	MORENO VALLEY, CA	92553-7763	286.73	28.67	56.77	372.16
91518763001	296252017	DIEBERITZ, BOBBI	13522	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	DIEBERITZ, BOBBI	13522 ROCKCREST DR	MORENO VALLEY, CA	92553-1714	133.38	13.34	26.41	173.12
50510735004	296253021	FELIX, ROSALIO	23795	NANWOOD DR	MORENO VALLEY	CA	92553-1717	FELIX, ROSALIO	23795 NANWOOD DR	MORENO VALLEY, CA	92553-1717	127.36	12.74	25.22	165.3
83622695006	296253028	ORCOYNE-YORIO, MARIA	23841	NANWOOD DR	MORENO VALLEY	CA	92553-3449	ORCOYNE-YORIO, MARIA	6862 SAN PACO CIR	BUENA PARK, CA	90620-2923	254.02	25.4	50.3	329.7
94945825001	296253030	HASHIM, COLEY (RENT)	23857	NANWOOD DR	MORENO VALLEY	CA	92553-3449	HASHIM, COLEY	23857 NANWOOD DR	MORENO VALLEY, CA	92553-3449	40.79	4.08	8.08	52.94
31653805001	296253037	JOHNSON, DOLORES	23818	BETTS PL	MORENO VALLEY	CA	92553-3407	JOHNSON, DOLORES	23818 BETTS PL	MORENO VALLEY, CA	92553-3407	254.12	25.41	50.32	329.84
55677215005	296253041	GARCIA, FRANCISCO	23794	BETTS PL	MORENO VALLEY	CA	92553-3460	GARCIA, FRANCISCO	23794 BETTS PL	MORENO VALLEY, CA	92553-3460	254.12	25.41	50.32	329.84
85819055000	296253042	RAMOS, MARIA	23788	BETTS PL	MORENO VALLEY	CA	92553-3460	RAMOS, MARIA	23788 BETTS PL	MORENO VALLEY, CA	92553-3460	254.12	25.41	50.32	329.84
31584425008	296253044	MCGEE, ARTHUR	23778	BETTS PL	MORENO VALLEY	CA	92553-3460	MCGEE, ARTHUR	23778 BETTS PL	MORENO VALLEY, CA	92553-3460	54.12	5.41	10.72	70.24
92212315007	296261004	MARTE, ALVIN	13673	SUNBRIGHT DR	MORENO VALLEY	CA	92553-6057	MARTE, ALVIN	PO BOX D	MORENO VALLEY, CA	92556-4004	254.02	25.4	50.3	329.7
91965203002	296261017	BERNAL, SAMUEL (RENT)	13686	ROCKCREST DR	MORENO VALLEY	CA	92553-1711	BERNAL, SAMUEL	13686 ROCKCREST DR	MORENO VALLEY, CA	92553-1711	218.64	21.86	43.29	283.78
93951645008	296261019	CUEVAS, MONICA (OWNR)	24442	MARILYN ST	MORENO VALLEY	CA	92553-3360	CUEVAS, MONICA	2876 N I ST	SAN BERNARDINO, CA	92405-2954	63.63	6.36	12.6	82.58
31464605005	296262008	HERNANDEZ, JOSE J	13666	SUNRAY CT	MORENO VALLEY	CA	92553-6011	HERNANDEZ, JOSE J	13666 SUNRAY CT	MORENO VALLEY, CA	92553-6011	254.02	25.4	50.3	329.7
31059585007	296262016	ZETINA, DIANA	13711	SUNRAY CT	MORENO VALLEY	CA	92553-6059	ZETINA, DIANA	13711 SUNRAY CT	MORENO VALLEY, CA	92553-6059	254.12	25.41	50.32	329.84
97873975000	296262018	LOZANO, ANTHONY (RENT)	13735	SUNRAY CT	MORENO VALLEY	CA	92553-6059	LOZANO, ANTHONY	8819 WATSON AVE	WHITTIER, CA	90605-2033	197.48	19.75	39.1	256.32
31477725002	296262021	REYNA, LUZ	13734	SUNBRIGHT DR	MORENO VALLEY	CA	92553-6009	REYNA, LUZ	13734 SUNBRIGHT DR	MORENO VALLEY, CA	92553-6009	254.02	25.4	50.3	329.7
95552403002	296263002	GORDON, ASHLY (RENT)	13649	ROCKCREST DR	MORENO VALLEY	CA	92553-3423	GORDON, ASHLY	13649 ROCKCREST DR	MORENO VALLEY, CA	92553-3423	63.63	6.36	12.6	82.58
88283495004	296263006	HOOPER, LESLIE	13697	ROCKCREST DR	MORENO VALLEY	CA	92553-3423	HOOPER, LESLIE	13697 ROCKCREST DR	MORENO VALLEY, CA	92553-3423	40.49	4.05	8.02	52.54
101490473002	296263008	GREEN, DOROTHY (RENT)	13721	ROCKCREST DR	MORENO VALLEY	CA	92553-1712	GREEN, DOROTHY	13721 ROCKCREST DR	MORENO VALLEY, CA	92553-1712	93.52	9.35	18.52	121.38
56808275002	296263011	WOLLENWEBER, SHERI	13748	SCHAYLEEN CT	MORENO VALLEY	CA	92553-3419	WOLLENWEBER, SHERI	13748 SCHAYLEEN CT	MORENO VALLEY, CA	92553-3419	254.02	25.4	50.3	329.7
31389425002	296263022	ARMENTA, SERGIO - OWNR	13651	SCHAYLEEN CT	MORENO VALLEY	CA	92553-3418	ARMENTA, SERGIO - OWNR	13651 SCHAYLEEN CT	MORENO VALLEY, CA	92553-3418	329.32	32.93	65.21	427.44
31587245009	296263026	IVORY, CARLA	13699	SCHAYLEEN CT	MORENO VALLEY	CA	92553-3418	IVORY, CARLA	13699 SCHAYLEEN CT	MORENO VALLEY, CA	92553-3418	254.02	25.4	50.3	329.7
91325973007	296263029	MARTIN, DORWONDA (OWNR)	13735	SCHAYLEEN CT	MORENO VALLEY	CA	92553-1706	MARTIN, DORWONDA (OWNR)	13735 SCHAYLEEN CT	MORENO VALLEY, CA	92553-1706	127.46	12.75	25.24	165.44
31573845000	296263030	BROWN, PEGGY L	13747	SCHAYLEEN CT	MORENO VALLEY	CA	92553-1706	BROWN, PEGGY L	13747 SCHAYLEEN CT	MORENO VALLEY, CA	92553-1706	254.02	25.4	50.3	329.7
95187565005	296271007	OLIVER, CHARLES	13775	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-6062	OLIVER, CHARLES	13775 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-6062	254.12	25.41	50.32	329.84
31057065000	296272016	BERNESTINE, KAREN AND ARTHUR	23719	NEW ENGLAND DR	MORENO VALLEY	CA	92553-6065	BERNESTINE, KAREN AND ARTHUR	23719 NEW ENGLAND DR	MORENO VALLEY, CA	92553-6065	329.32	32.93	65.21	427.44
94619635002	296273001	ALCANTARA, SERGIO (OWNR)	13848	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-6000	ALCANTARA, SERGIO	13848 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-6000	254.12	25.41	50.32	329.84
92814053002	296273002	CARBALLO, MARIA	13838	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-6000	CARBALLO, MARIA	13838 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-6000	238.64	23.86	47.25	309.74
96395855000	296273003	HOWARD, LASHONDA (RENT)	13826	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-6000	HOWARD, LASHONDA	13826 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-6000	254.12	25.41	50.32	329.84
91840473000	296273007	MARTINEZ, ROY (RENT)	23615	BAY AVE	MORENO VALLEY	CA	92553-3403	MARTINEZ, ROY (RENT)	23615 BAY AVE	MORENO VALLEY, CA	92553-3403	233.53	23.35	46.24	303.12
92905575009	296273008	EDWARDS, PAMELA	23631	BAY AVE	MORENO VALLEY	CA	92553-3403	EDWARDS, PAMELA	23631 BAY AVE	MORENO VALLEY, CA	92553-3403	254.02	25.4	50.3	329.7
68203845003	296273012	MONROI, SHARON	23697	BAY AVE	MORENO VALLEY	CA	92553-3403	MONROI, SHARON	23697 BAY AVE	MORENO VALLEY, CA	92553-3403	63.63	6.36	12.6	82.58
31583935003	296274011	RODRIGUEZ, DAVID	13826	SYLVAR DR	MORENO VALLEY	CA	92553-6003	RODRIGUEZ, DAVID	13826 SYLVAR DR	MORENO VALLEY, CA	92553-6003	99.02	9.9	19.61	128.52
31361715000	296291003	PEARSON, CATHY	23781	BAY AVE	MORENO VALLEY	CA	92553-3400	PEARSON, CATHY	23781 BAY AVE	MORENO VALLEY, CA	92553-3400	254.02	25.4	50.3	329.7
31247775008	296291010	HARRINGTON, WILHELMENIA	13805	ROCKCREST DR	MORENO VALLEY	CA	92553-1710	HARRINGTON, WILHELMENIA	2875 WESTRIDGE RD	RIVERSIDE, CA	92506-4444	165.63	16.56	32.79	214.98
31300195007	296291016	THOMPSON, LAVERNE	13822	ROCKPORT CT	MORENO VALLEY	CA	92553-6006	THOMPSON, LAVERNE	PO BOX 10336	MORENO VALLEY, CA	92552-0336	329.32	32.93	65.21	427.44
91858243001	296291022	IBARRA, GONSALO (RENT)	13811	ROCKPORT CT	MORENO VALLEY	CA	92553-6005	IBARRA, GONSALO	13811 ROCKPORT CT	MORENO VALLEY, CA	92553-6005	249.3	24.93	49.36	323.58
93070705004	296292005	ELIZARRARAZ, STACEY	23799	NEW ENGLAND DR	MORENO VALLEY	CA	92553-6067	ELIZARRARAZ, STACEY	23799 NEW ENGLAND DR	MORENO VALLEY, CA	92553-6067	254.02	25.4	50.3	329.7
95427775009	296293003	WARNELL, WARNELL (RENT)	13864	ROCKCREST DR	MORENO VALLEY	CA	92553-3435	WARNELL, WARNELL	13864 ROCKCREST DR	MORENO VALLEY, CA	92553-3435	329.6	32.96	65.26	427.82
89749333007	300070007	VALLEY MEDI RAN	24601	IRIS AVE	MORENO VALLEY	CA	92551-7222	VALLEY MEDI RAN	24601 IRIS AVE	MORENO VALLEY, CA	92551-7222	81.75	8.18	16.19	106.1
60177065000	304041004	SIQUEIROS, MARCO	14625	MUIRFIELD ST	MORENO VALLEY	CA	92555-6214	SIQUEIROS, MARCO	14625 MUIRFIELD ST	MORENO VALLEY, CA	92555-6214	127.75	12.78	25.29	165.8
93974225008	304041013	ZALAYA, EDWARD (OWNR)	14517	MUIRFIELD ST	MORENO VALLEY	CA	92555-6217	ZALAYA, EDWARD	14517 MUIRFIELD ST	MORENO VALLEY, CA	92555-6217	63.38	6.39	12.66	82.98
99802573001	304041015	COLTON, JAMIE (RENT)	14504	MUIRFIELD ST	MORENO VALLEY	CA	92555-6217	COLTON, JAMIE	14504 MUIRFIELD ST	MORENO VALLEY, CA	92555-6217	132.68	13.27	26.27	172.2
31617825002	304041016	ADJIVON, CELSUS	14510	MUIRFIELD ST	MORENO VALLEY	CA	92555-6217	ADJIVON, CELSUS	14510 MUIRFIELD ST	MORENO VALLEY, CA	92555-6217	125.47	12.55	24.84	162.86
31618195002	304041018	LAIGO, ROZELLE	14534	MUIRFIELD ST	MORENO VALLEY	CA	92555-6217	LAIGO, ROZELLE	14534 MUIRFIELD ST	MORENO VALLEY, CA	92555-6217	126.96	12.7	25.14	164.78
31628365005	304041028	MOORE, JAMES	14515	STARFALL PL	MORENO VALLEY	CA	92555-6221	MOORE, JAMES	14515 STARFALL PL	MORENO VALLEY, CA	92555-6221	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95900385009	304041032	RUELAS, BRENDA (OWNR)	14524	STARFALL PL	MORENO VALLEY	CA	92555-6221	RUELAS, BRENDA	14524 STARFALL PL	MORENO VALLEY, CA	92555-6221	190.69	19.07	37.76	247.5
31590425005	304042011	MOTON, DEBORAH (OWNR)	14650	MURFIELD ST	MORENO VALLEY	CA	92555-6213	MOTON, DEBORAH	14650 MURFIELD ST	MORENO VALLEY, CA	92555-6213	136.37	13.64	27	177
77659355007	304042023	SCOTT, KENNETH	14733	MURFIELD ST	MORENO VALLEY	CA	92555-6205	SCOTT, KENNETH	14733 MURFIELD ST	MORENO VALLEY, CA	92555-6205	254.02	25.4	50.3	329.7
89784653006	304042027	KENDRICK, TIFFANY (OWNR)	14685	MURFIELD ST	MORENO VALLEY	CA	92555-6204	KENDRICK, TIFFANY	14685 MURFIELD ST	MORENO VALLEY, CA	92555-6204	321.76	32.18	63.71	417.64
60859385006	304052008	RIVERA, CASSIE	28305	HILLSDALE AVE	MORENO VALLEY	CA	92555-6209	RIVERA, CASSIE	27525 E TRAILRIDGE WAY UNIT 1097	MORENO VALLEY, CA	92555-4486	253.42	25.34	50.18	328.92
94622445006	304053008	GARCIA, WENDY (OWNR)	14516	CRESTVIEW CIR	MORENO VALLEY	CA	92555-6230	GARCIA, WENDY	3668 WHIELDON DR	PERRIS, CA	92571-7342	254.12	25.41	50.32	329.84
31644325001	304053013	GUERRERO, FRANK	28290	BELLETERRE AVE	MORENO VALLEY	CA	92555-6231	GUERRERO, FRANK	28290 BELLETERRE AVE	MORENO VALLEY, CA	92555-6231	254.02	25.4	50.3	329.7
97404225002	304053021	WARD, ERIKA (RENT)	28386	BELLETERRE AVE	MORENO VALLEY	CA	92555-6215	WARD, ERIKA	28386 BELLETERRE AVE	MORENO VALLEY, CA	92555-6215	327.31	32.73	64.81	424.84
61206095000	304060004	DEVEKA, ALAND HAKLI	28434	BELLETERRE AVE	MORENO VALLEY	CA	92555-6211	DEVEKA, ALAND HAKLI	28434 BELLETERRE AVE	MORENO VALLEY, CA	92555-6211	254.12	25.41	50.32	329.84
96002875008	304070007	ROCHA, EFRAIN (OWNR)	28620	HIGHPOINT AVE	MORENO VALLEY	CA	92555-7004	ROCHA, EFRAIN (OWNR)	28620 HIGHPOINT AVE	MORENO VALLEY, CA	92555-7004	170.79	17.08	33.82	221.68
82182915006	304070010	BROOKS, AUDREY	28652	HIGHPOINT AVE	MORENO VALLEY	CA	92555-7004	BROOKS, AUDREY	28652 HIGHPOINT AVE	MORENO VALLEY, CA	92555-7004	130.44	13.04	25.83	169.3
31206885001	304070022	BRANDON, THOMAS	28631	HIGHPOINT AVE	MORENO VALLEY	CA	92555-7002	BRANDON, THOMAS	28631 HIGHPOINT AVE	MORENO VALLEY, CA	92555-7002	254.02	25.4	50.3	329.7
90872163009	304070030	ACOSTA, BUSHRA (RENT)	28715	CARNOUSTIE AVE	MORENO VALLEY	CA	92555-7010	ACOSTA, BUSHRA (RENT)	28715 CARNOUSTIE AVE	MORENO VALLEY, CA	92555-7010	127.46	12.75	25.24	165.44
74030655001	304070044	OTT, MICHAEL	28579	CARNOUSTIE AVE	MORENO VALLEY	CA	92555-7008	OTT, MICHAEL	28579 CARNOUSTIE AVE	MORENO VALLEY, CA	92555-7008	104.02	10.4	20.6	135
97107803009	304070051	GJELHAUG, CARL (RENT)	28509	HIGHPOINT AVE	MORENO VALLEY	CA	92555-7000	GJELHAUG, CARL	28509 HIGHPOINT AVE	MORENO VALLEY, CA	92555-7000	109.85	10.99	21.75	142.58
97557475004	304080001	HOWARD, BRIDGET (RENT)	14964	STEPHENSON ST	MORENO VALLEY	CA	92555-6328	HOWARD, BRIDGET	14964 STEPHENSON ST	MORENO VALLEY, CA	92555-6328	104.53	10.45	20.7	135.66
84226785006	304080004	ELTAIBY, HOYA	14940	STEPHENSON ST	MORENO VALLEY	CA	92555-6328	ELTAIBY, HOYA	14940 STEPHENSON ST	MORENO VALLEY, CA	92555-6328	254.02	25.4	50.3	329.7
31565455000	304080009	WILKINSON, RICHARD	14900	STEPHENSON ST	MORENO VALLEY	CA	92555-6328	WILKINSON, RICHARD	14900 STEPHENSON ST	MORENO VALLEY, CA	92555-6328	317.35	31.74	62.84	411.92
92973165003	304080010	TAYLOR, KIT (RENT)	14892	STEPHENSON ST	MORENO VALLEY	CA	92555-6323	TAYLOR, KIT	14892 STEPHENSON ST	MORENO VALLEY, CA	92555-6323	254.02	25.4	50.3	329.7
59336515001	304080012	DOZIER, WILLITTE	14876	STEPHENSON ST	MORENO VALLEY	CA	92555-6327	DOZIER, WILLITTE	14876 STEPHENSON ST	MORENO VALLEY, CA	92555-6327	126.9	12.69	25.13	164.7
87309165007	304090007	MORLEY, RONALD	14901	PETE DYE ST	MORENO VALLEY	CA	92555-6334	MORLEY, RONALD	14901 PETE DYE ST	MORENO VALLEY, CA	92555-6334	184.12	18.41	36.46	238.98
73924885008	304090014	SCOTT, LA RHONDA	14831	PETE DYE ST	MORENO VALLEY	CA	92555-6330	SCOTT, LA RHONDA	14831 PETE DYE ST	MORENO VALLEY, CA	92555-6330	254.02	25.4	50.3	329.7
97676075006	304090029	BROWN, JADA (OWRN)	14830	PETE DYE ST	MORENO VALLEY	CA	92555-6330	BROWN, JADA (OWRN)	14830 PETE DYE ST	MORENO VALLEY, CA	92555-6330	254.12	25.41	50.32	329.84
48396115003	304090031	PLACCHI, JENNIFER	14850	PETE DYE ST	MORENO VALLEY	CA	92555-6331	PLACCHI, JENNIFER	14850 PETE DYE ST	MORENO VALLEY, CA	92555-6331	147.44	14.74	29.19	191.36
31655455009	304090038	SANDERWALKER, ROBERT	14920	PETE DYE ST	MORENO VALLEY	CA	92555-6333	SANDERWALKER, ROBERT	14920 PETE DYE ST	MORENO VALLEY, CA	92555-6333	124.02	12.4	24.56	160.96
96521325003	304090039	ADAMSON, CANDICE (RENT)	14930	PETE DYE ST	MORENO VALLEY	CA	92555-6333	ADAMSON, CANDICE	14930 PETE DYE ST	MORENO VALLEY, CA	92555-6333	190.79	19.08	37.78	247.64
90633623009	304110017	WOODS,NIOKI (RENT)	14871	NORFOLK CIR	MORENO VALLEY	CA	92555-7064	WOODS,NIOKI (RENT)	23920 REDBARK DR	MORENO VALLEY, CA	92557-3970	103.1	10.31	20.41	133.82
63785745005	304110023	ESTRADA, CHERLY	14888	NORFOLK CIR	MORENO VALLEY	CA	92555	ESTRADA, CHERLY	14888 NORFOLK CIR	MORENO VALLEY, CA	92555	129.12	12.91	25.57	167.58
64179665006	304110028	GARCIA, MARCO	14847	PROVINCE CIR	MORENO VALLEY	CA	92555-7310	GARCIA, MARCO	14847 PROVINCE CIR	MORENO VALLEY, CA	92555-7310	254.12	25.41	50.32	329.84
96656635002	304110031	HUMPHREY, TAMMY (RENT)	14871	PROVINCE CIR	MORENO VALLEY	CA	92555-7310	HUMPHREY, TAMMY	14871 PROVINCE CIR	MORENO VALLEY, CA	92555-7310	72.91	7.29	14.44	94.62
94308255001	304110033	VELASQUES, DIANA (RENT)	14887	PROVINCE CIR	MORENO VALLEY	CA	92555-7310	VELASQUES, DIANA	14887 PROVINCE CIR	MORENO VALLEY, CA	92555-7310	254.12	25.41	50.32	329.84
75126755005	304110038	PEREZ, NOEL	14872	PROVINCE CIR	MORENO VALLEY	CA	92555-7310	PEREZ, NOEL	14872 PROVINCE CIR	MORENO VALLEY, CA	92555-7310	254.02	25.4	50.3	329.7
95796895004	304110046	GUERRERO, JANELLE LEON (RENT)	14885	DURHAM CIR	MORENO VALLEY	CA	92555-7308	GUERRERO, JANELLE LEON	14885 DURHAM CIR	MORENO VALLEY, CA	92555-7308	254.12	25.41	50.32	329.84
59166845003	304111004	GOCHEZ, PATRICE	28692	AVALON AVE	MORENO VALLEY	CA	92555-7061	GOCHEZ, PATRICE	28692 AVALON AVE	MORENO VALLEY, CA	92555-7061	254.12	25.41	50.32	329.84
66594815003	304111005	HARTS, TERRY	28698	AVALON AVE	MORENO VALLEY	CA	92555-7061	HARTS, TERRY	P O BOX 70363	RIVERSIDE, CA	92513-0363	254.12	25.41	50.32	329.84
88689575005	304111015	PERALTA, GINA	28764	AVALON AVE	MORENO VALLEY	CA	92555-7062	PERALTA, GINA	28764 AVALON AVE	MORENO VALLEY, CA	92555-7062	304.6	30.46	60.31	395.36
90237193009	304121008	ALLEN, AMEER	28480	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6319	ALLEN, AMEER	2889 PINTA CT	PERRIS, CA	92571-4849	201.24	20.12	39.85	261.2
54897645000	304121009	ALLEN, JOSEPH	28470	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6319	ALLEN, JOSEPH	3380 LA SIERRA AVE STE 104	RIVERSIDE, CA	92503-5225	338.77	33.88	67.08	439.72
58118345000	304121014	KING, THOMAS AND SIMS, DESIREE	28420	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6317	KING, THOMAS	1765 N 200 E APT 11C	LOGAN, UT	84341-1967	329.32	32.93	65.21	427.44
93100115003	304122006	TURNER, BEVERLY (RENT)	28319	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6312	TURNER, BEVERLY	22985 CLIMBING ROSE DR APT 119	MORENO VALLEY, CA	92557-6030	282.59	28.26	55.95	366.8
31280425003	304122008	TOSTADO, PAT	28339	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6314	TOSTADO, PAT	28339 FOREST OAKS WAY	MORENO VALLEY, CA	92555-6314	254.02	25.4	50.3	329.7
50454565000	304122016	SANDOVAL, JENNY	28419	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6318	SANDOVAL, JENNY	28419 FOREST OAKS WAY	MORENO VALLEY, CA	92555-6318	254.02	25.4	50.3	329.7
31574005007	304122018	HEALY, THOMAS (OWNR)	28439	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6320	HEALY, THOMAS	28439 FOREST OAKS	MORENO VALLEY, CA	92555-6320	331.58	33.16	65.65	430.38
95787655001	304122031	BROWN, MELODY AND DWIGHT (RENT	15079	BAY HILL DR	MORENO VALLEY	CA	92555-6326	BROWN, MELODY	15079 BAY HILL DR	MORENO VALLEY, CA	92555-6326	63.63	6.36	12.6	82.58
100867863000	304131011	LOVATO, SIMONETTE (OWNR)	28385	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6303	LOVATO, SIMONETTE	28385 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6303	95.79	9.58	18.97	124.32
31633765001	304131013	BALDWIN, GRAHAM	28401	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6305	BALDWIN, GRAHAM	28401 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6305	177.26	17.73	35.1	230.08
96442275002	304131025	AVILA, REGINA (OWNR)	28497	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6305	AVILA, REGINA	28497 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6305	27.46	2.75	5.44	35.64
100362923000	304132019	KNIGHTON, JASON AND MICHELLE (	28386	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6302	KNIGHTON, JASON AND MICHELLE	28386 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6302	55.06	5.51	10.9	71.46
52196785009	304132021	POLANCO, ANNA (OWNR)	28370	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6302	POLANCO, ANNA	28370 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6302	54.03	5.4	10.7	70.13
31267825006	304151001	GREEN, JOYCE	28020	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6411	GREEN, JOYCE	28020 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6411	26.93	2.69	5.33	34.94
94337285004	304152005	LAWSON, DAVID (RENT)	15288	ZAHARIAS ST	MORENO VALLEY	CA	92555-6408	LAWSON, DAVID	15288 ZAHARIAS ST	MORENO VALLEY, CA	92555-6408	254.12	25.41	50.32	329.84
63892875001	304152020	LOGUEZ, GLORIA	15408	ZAHARIAS ST	MORENO VALLEY	CA	92555-6404	LOGUEZ, GLORIA	15408 ZAHARIAS ST	MORENO VALLEY, CA	92555-6404	254.12	25.41	50.32	329.84
86883065003	304152021	MCKEE, STEPHEN	15416	ZAHARIAS ST	MORENO VALLEY	CA	92555-6404	MCKEE, STEPHEN	2405 E CITRUS AVE	REDLANDS, CA	92374-8209	174.13	17.41	34.46	226.02
95333315006	304152022	ESCALANTE, DAVID R (OWNR)	15424	ZAHARIAS ST	MORENO VALLEY	CA	92555-6404	ESCALANTE, DAVID R	15424 ZAHARIAS ST	MORENO VALLEY, CA	92555-6404	62.16	6.22	12.31	80.68
31287775004	304152026	WILSON, PATRICIA	15391	ZAHARIAS ST	MORENO VALLEY	CA	92555-6403	WILSON, PATRICIA	15391 ZAHARIAS ST	MORENO VALLEY, CA	92555-6403	254.02	25.4	50.3	329.7
61436945005	304152032	SAPP, ROBYN AND BRIAN	15345	DUNES WAY	MORENO VALLEY	CA	92555-6401	SAPP, ROBYN AND BRIAN	15345 DUNES WAY	MORENO VALLEY, CA	92555-6401	190.79	19.08	37.78	247.64
56194135007	304152042	FINLEY, GENISE	15265	DUNES WAY	MORENO VALLEY	CA	92555-6416	FINLEY, GENISE	15265 DUNES WAY	MORENO VALLEY, CA	92555-6416	254.02	25.4	50.3	329.7
94146595004	304153020	MARTIN, JESSICA (RENT)	15318	DUNES WAY	MORENO VALLEY	CA	92555-6400	MARTIN, JESSICA	15318 DUNES WAY	MORENO VALLEY, CA	92555-6400	438.31	43.83	86.79	568.92
93187765003	304161002	BAILEY, RHONDA	15759	TURNBERRY ST	MORENO VALLEY	CA	92555-4904	BAILEY, RHONDA	15759 TURNBERRY ST	MORENO VALLEY, CA	92555-4904	254.12	25.41	50.32	329.84
31468715003	304161016	LILLY, BARBARA A	15615	TURNBERRY ST	MORENO VALLEY	CA	92555-4901	LILLY, BARBARA A	15615 TURNBERRY ST	MORENO VALLEY, CA	92555-4901	254.02	25.4	50.3	329.7
89737093002	304162001	FAEDER, SETH NATHANIEL	15610	TURNBERRY ST	MORENO VALLEY	CA	92555-4900	FAEDER, SETH NATHANIEL	15610 TURNBERRY ST	MORENO VALLEY, CA	92555-4900	371.5	37.15	73.56	482.2
53517055008	304163002	CARTER, FELIX	15660	TURNBERRY ST	MORENO VALLEY	CA	92555-4902	CARTER, FELIX	15660 TURNBERRY ST	MORENO VALLEY, CA	92555-4902	254.02	25.4	50.3	329.7
31206775004	304163003	VIZCAINO, SILVERIO	15670	TURNBERRY ST	MORENO VALLEY	CA	92555-4902	VIZCAINO, SILVERIO	15670 TURNBERRY ST	MORENO VALLEY, CA	92555-4902	329.32	32.93	65.21	427.44
95515455000	304163004	LOWE, RALPH	15680	TURNBERRY ST	MORENO VALLEY	CA	92555-4902	LOWE, RALPH	15680 TURNBERRY ST	MORENO VALLEY, CA	92555-4902	254.12	25.41	50.32	329.84
31429505009	304163007	SINCLAIR, CARRIE	27190	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4913	SINCLAIR, CARRIE	27190 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4913	254.02	25.4	50.3	329.7
31265525003	304163010	KINGSTON, DAVID M	27220	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4915	KINGSTON, DAVID M	27220 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4915	63.63	6.36	12.6	82.58
31264945008	304164005	WALLACE, PAULA	27185	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4914	WALLACE, PAULA	27185 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4914	254.12	25.41	50.32	329.84
93881705004	304164007	TENERELLI, NATHAN (OWNR)	15710	TURNBERRY ST	MORENO VALLEY	CA	92555-4903	TENERELLI, NATHAN	5225 CANYON CREST DR 71-188	RIVERSIDE, CA	92507-6321	126.61	12.66	25.07	164.32
93958125002	304171006	SAGRERO, JESSICA (RENT)	27238	ENGLEWOOD ST	MORENO VALLEY	CA	92555-4931	SAGRERO, JESSICA	25824 BRODIAEA ST	MORENO VALLEY, CA	92553-4940	202.35	20.24	40.07	262.64
31453675003	304172007	OLIVER, BOBBY	15675	TOURAINE CT	MORENO VALLEY	CA	92555-4930	OLIVER, BOBBY	15675 TOURAINE CT	MORENO VALLEY, CA	92555-4930	254.02	25.4	50.3	329.7
62141635005	304172008	HALL, CHARMAYNE	15665	TOURAINE CT	MORENO VALLEY	CA	92555-4930	HALL, CHARMAYNE	15665 TOURAINE CT	MORENO VALLEY, CA	92555-4930	254.12	25.41	50.32	329.84
31313525001	304172012	JAMES, YOHANTUS	15674	BIARRITZ CT	MORENO VALLEY	CA	92555-4927	JAMES, YOHANTUS	15674 BIARRITZ CT	MORENO VALLEY, CA	92555-4927	254.02	25.4	50.3	329.7
31326495009	304172014	GIBSON, LEWIS AND SANDRA	15694	BIARRITZ CT	MORENO VALLEY	CA	92555-4927	GIBSON, LEWIS AND SANDRA	15694 BIARRITZ CT	MORENO VALLEY, CA	92555-4927	190.21	19.02	37.66	246.88
31465995000	304172016	GRAVES, ADRIAN	15714	BIARRITZ CT	MORENO VALLEY	CA	92555-4929	GRAVES, ADRIAN	15714 BIARRITZ CT	MORENO VALLEY, CA	92555-4929	254.02	25.4	50.3	329.7
31339105004	304172024	TAYLOR, SILVIA	15695	BIARRITZ CT	MORENO VALLEY	CA	92555-4928	TAYLOR, SILVIA	15695 BIARRITZ CT	MORENO VALLEY, CA	92555-4928	63.58	6.36	12.59	82.52
97639395007	304172025	SMITH, SCHERRIE (RENT)	15685	BIARRITZ CT	MORENO VALLEY	CA	92555-4928	SMITH, SCHERRIE	15685 BIARRITZ CT	MORENO VALLEY, CA	92555-4928	227.66	22.77	45.08	295.5
95901175009	304172037	SKEEN, SRYEEA (RENT)	15707	VERSAILLES CT	MORENO VALLEY	CA	92555-4933	SKEEN, SRYEEA	15707 VERSAILLES CT	MORENO VALLEY, CA	92555-4933	254.02	25.4	50.3	329.7
55974565002	304172039	MORALES, STACY	15691	VERSAILLES CT	MORENO VALLEY	CA	92555-4932	MORALES, STACY	15691 VERSAILLES CT	MORENO VALLEY, CA	92555-4932	254.02	25.4	50.3	329.7
96612505002	304172042	MCPHEETERS, KOREN (RENT)	15665	VERSAILLES CT	MORENO VALLEY	CA	92555-4932	MCPHEETERS, KOREN	15665 VERSAILLES CT	MORENO VALLEY, CA	92555-4932	65.12	6.51	12.89	84.52
31533315008	304172049	FLETES, ISRAEL	15695	CONNEMARA CT	MORENO VALLEY	CA	92555-4935	FLETES, ISRAEL	15695 CONNEMARA CT	MORENO VALLEY, CA	92555-4935	329.32	32.93	65.21	427.44
31424565007	304172055	MCDANIEL, BENNIE O	15660	PININA CT	MORENO VALLEY	CA	92555-4938	MCDANIEL, BENNIE O	15660 PININA CT	MORENO VALLEY, CA	92555-4938	329.32	32.93	65.21	427.44
91526145005	304172059	GONZALEZ, EMILY	15669	PININA CT	MORENO VALLEY	CA	92555-4938	GONZALEZ, EMILY	26359 BODEGA CT	MORENO VALLEY, CA	92555-2460	329.04	32.9	65.15	427.08
31458665004	304181005	WILLIAMS, CLARENCE	15605	OLIVER ST	MORENO VALLEY	CA	92555-4906	WILLIAMS, CLARENCE	15605 OLIVER ST	MORENO VALLEY, CA	92555-4906	254.02	25.4	50.3	329.7
91411025005	304181012	GARCIA, MICHAEL	27490	ENGLEWOOD ST	MORENO VALLEY	CA	92555-4924	GARCIA, MICHAEL	27490 ENGLEWOOD ST	MORENO VALLEY, CA	92555-4924	253.92	25.39	50.28	329.58
91126975009	304182005	TAMAYO, ALEXANDRA	15640	OLIVER ST	MORENO VALLEY	CA	92555-4905	TAMAYO, ALEXANDRA	15640 OLIVER ST	MORENO VALLEY, CA	92555-4905	62.8	6.28	12.43	81.5
91903855006	304182013	BEAM, PHILIP	15720	OLIVER ST	MORENO VALLEY	CA	92555-4908	BEAM, PHILIP	15720 OLIVER ST	MORENO VALLEY, CA	92555-4908	253.92	25.39	50.28	329.58
95743985005	304183005	SMITH, LA DASHA (RENT)	15765	OLIVER ST	MORENO VALLEY	CA	92555-4909	SMITH, LA DASHA	15765 OLIVER ST	MORENO VALLEY, CA	92555-4909	254.14	25.41	50.32	329.86
31544175004	304183030	ROBERTS JR, STANLEY	15705	PRESTANCIA CT	MORENO VALLEY	CA	92555-4925	ROBERTS JR, STANLEY	15705 PRESTANCIA CT	MORENO VALLEY, CA	92555-4925	256.33	25.63	50.75	332.7
31598175000	304190004	TAYLOR, JOSEPH	27704	CALLANDER ST	MORENO VALLEY	CA	92555-5900	TAYLOR, JOSEPH	27704 CALLANDER ST	MORENO VALLEY, CA	92555-5900	254.02	25.4	50.3	329.7
98752993001	304190008	MCCARTHY, RICHARD (OWNR)	15739	CAMINO REAL	MORENO VALLEY	CA	92555-5942	MCCARTHY, RICHARD	PO BOX 286	RUNNING SPRINGS, CA	92382-0286	44.24	4.42	8.76	57.42
60723245004	304190016	VALDEZ, SALVADOR	15835	CAMINO REAL	MORENO VALLEY	CA	92555-5927	VALDEZ, SALVADOR	15835 CAMINO REAL	MORENO VALLEY, CA	92555-5927	254.12	25.41	50.32	329.84
92955923001	304190017	WILBORN, ANNETTE (OWNR)	15847	CAMINO REAL	MORENO VALLEY	CA	92555-5927	WILBORN, ANNETTE	PO BOX 9214	MORENO VALLEY, CA	92552-9214	335.76	33.58	66.48	435.8
86200923000	304190029	ELLIOT, DWAYNE (OWNR)	27680	EL CABRILLO CT	MORENO VALLEY	CA	92555-5944	ELLIOT, DWAYNE	27680 EL CABRILLO CT	MORENO VALLEY, CA	92555-5944	254.12	25.41	50.32	329.84
97104035008	304190032	HILTON, PRETTI (OWNR)	27705	CALLANDER ST	MORENO VALLEY	CA	92555-5901	HILTON, PRETTI	27705 CALLANDER ST	MORENO VALLEY, CA	92555-5901	421.06	42.11	83.37	546.52
31561985008	304190035	PATTON, BARBARA	27797	DE LA VALLE DR	MORENO VALLEY	CA	92555-5916	PATTON, BARBARA	27797 DE LA VALLE DR	MORENO VALLEY, CA	92555-5916	254.02	25.4	50.3	329.7
60528695002	304190037	SIPIN, MARILOU	15809	ALISA VIEJO CT	MORENO VALLEY	CA	92555-5914	SIPIN, MARILOU	15809 ALISA VIEJO CT	MORENO VALLEY, CA	92555-5914	254.12	25.41	50.32	329.84
95431813005	304190054	DENNIS, CHRISTOPHER (OWNR)	15860	BONITA VERDE CT	MORENO VALLEY	CA	92555-5904	DENNIS, CHRISTOPHER	15860 BONITA VERDE CT	MORENO VALLEY, CA	92555-5904	238.64	23.86	47.25	309.74
90448135005	304190076	BARTON, KELLY	15824	CAMINO REAL	MORENO VALLEY	CA	92555-5928	BARTON, KELLY	29615 LAKE VALLEY DR	MORENO VALLEY, CA	92557-3953	233.64	23.36	46.26	303.26
89515443009	304201020	ROWLAND, SHAKIMA (RENT)	27420	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4919	ROWLAND, SHAKIMA	27420 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4919	190.79	19.08	37.78	247.64
97109275006	304201024	SALCIDO, YVONNE	27460	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4919	SALCIDO, YVONNE	27460 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4919	220.76	22.08	43.71	286.54
97845145003	304202004	MAY, THAIS (OWNR)	27435	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4920	MAY, THAIS	27435 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4920	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31305395004	304202012	RODRIGUEZ, ROSARIO	27355	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4918	RODRIGUEZ, ROSARIO	27355 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4918	254.02	25.4	50.3	329.7
31615175002	304202018	PEREZ, MR AND MRS CARLOS	27295	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4916	PEREZ, MR AND MRS CARLOS	27295 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4916	35.39	3.54	7.01	45.92
31284285004	304202019	LEWIS, JOEL	27285	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4916	LEWIS, JOEL	27285 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4916	253.92	25.39	50.28	329.58
94527485008	304213003	WHITE, ANH (OWNR)	15863	OLIVER ST	MORENO VALLEY	CA	92555-4912	WHITE, ANH-	15863 OLIVER ST	MORENO VALLEY, CA	92555-4912	279.12	27.91	55.27	362.28
75954265003	304213007	KORZEC, PATRICIA	27439	LAUREL CT	MORENO VALLEY	CA	92555-4940	KORZEC, PATRICIA	27439 LAUREL CT	MORENO VALLEY, CA	92555-4940	134.02	13.4	26.54	173.94
74809365009	304213008	KNOX, SARAH	27429	LAUREL CT	MORENO VALLEY	CA	92555-4940	KNOX, SARAH-	27429 LAUREL CT	MORENO VALLEY, CA	92555-4940	254.02	25.4	50.3	329.7
31579525007	304213010	TORRESCLEMENTE, LUIS	27409	LAUREL CT	MORENO VALLEY	CA	92555-4940	TORRESCLEMENTE, LUIS	27409 LAUREL CT	MORENO VALLEY, CA	92555-4940	254.02	25.4	50.3	329.7
75018285003	304220002	PATTERSON, WILLIE J	15883	CAMINO REAL	MORENO VALLEY	CA	92555-5927	PATTERSON, WILLIE J	15883 CAMINO REAL	MORENO VALLEY, CA	92555-5927	272.53	27.25	53.96	353.74
94706345008	304220003	FRANKLIN, CAROL (RENT)	15895	CAMINO REAL	MORENO VALLEY	CA	92555-5927	FRANKLIN, CAROL	15895 CAMINO REAL	MORENO VALLEY, CA	92555-5927	254.12	25.41	50.32	329.84
31625015005	304220004	GONZALES, RAMON	15907	CAMINO REAL	MORENO VALLEY	CA	92555-5927	GONZALES, RAMON	44489 TOWN CENTER WAY UNIT D	PALM DESERT, CA	92260-2789	254.02	25.4	50.3	329.7
62865655004	304220015	SOJOBI, ANGELA	15979	BUENA MESA CT	MORENO VALLEY	CA	92555-5926	SOJOBI, ANGELA	15979 BUENA MESA CT	MORENO VALLEY, CA	92555-5926	254.12	25.41	50.32	329.84
97363535005	304220017	BERUMEN, ARTHUR (OWNR)	15990	BUENA MESA CT	MORENO VALLEY	CA	92555-5926	BERUMEN, ARTHUR	15990 BUENA MESA CT	MORENO VALLEY, CA	92555-5926	254.12	25.41	50.32	329.84
31641485004	304220030	PITTMAN, AMADEUS	27742	CORTE DEL SOL	MORENO VALLEY	CA	92555-5933	PITTMAN, AMADEUS	27742 CORTE DE SOL	MORENO VALLEY, CA	92555-5933	90.69	9.07	17.96	117.7
99789515009	304220034	JENKINS, SHEENA (RENT)	27694	CORTE DEL SOL	MORENO VALLEY	CA	92555-5930	JENKINS, SHEENA	27694 CORTE DEL SOL	MORENO VALLEY, CA	92555-5930	329.6	32.96	65.26	427.82
94844075002	304220041	(MARTIN, BECKIE(RENT)	27610	CORTE DEL SOL	MORENO VALLEY	CA	92555-5924	(MARTIN, BECKIE	5925 SYCAMORE CANYON BLVD	RIVERSIDE, CA	92507-8468	143.9	14.39	28.49	186.78
92322275000	304220043	BLACK, SONYA	27621	PALA LOMA CT	MORENO VALLEY	CA	92555-5929	BLACK, SONYA	27621 PALA LOMA CT	MORENO VALLEY, CA	92555-5929	253.92	25.39	50.28	329.58
95925825002	304220044	RANDHAWA, AMOOPJIT AND KANWALB	27622	PALA LOMA CT	MORENO VALLEY	CA	92555-5929	RANDHAWA, AMOOPJIT AND KANWALB	27622 PALA LOMA CT	MORENO VALLEY, CA	92555-5929	420.76	42.08	83.31	546.14
60179295008	304220058	SIMMONS, UNITA AND BARIN	15909	BONITA VERDE CT	MORENO VALLEY	CA	92555-5908	SIMMONS, UNITA AND BARIN.	15909 BONITA VERDE CT	MORENO VALLEY, CA	92555-5908	254.12	25.41	50.32	329.84
31568975005	304220063	BROWN, TERRANCE	15920	BONITA VERDE CT	MORENO VALLEY	CA	92555-5908	BROWN, TERRANCE	13135 HEACOCK ST APT 210	MORENO VALLEY, CA	92553-2805	254.02	25.4	50.3	329.7
31563115007	304220065	FORD, TERI	15900	BONITA VERDE CT	MORENO VALLEY	CA	92555-5908	FORD, TERI	15900 BONITA VERDE CT	MORENO VALLEY, CA	92555-5908	254.02	25.4	50.3	329.7
89968223006	304220078	AGUILAR, ESTEBAN (OWNR)	27706	CORTE DEL SOL	MORENO VALLEY	CA	92555-5930	AGUILAR, ESTEBAN	27706 CORTE DEL SOL	MORENO VALLEY, CA	92555-5930	63	6.3	12.47	81.76
91924975007	304231004	GILCREASE, CLEVELAND (OWNR)	28615	DORAL WAY	MORENO VALLEY	CA	92555-7021	GILCREASE, CLEVELAND	28615 DORAL WAY	MORENO VALLEY, CA	92555-7021	253.92	25.39	50.28	329.58
91786253001	304231006	KARMANN, AMANDA (RENT)	15015	RYDER WAY	MORENO VALLEY	CA	92555-7025	KARMANN, AMANDA	15015 RYDER WAY	MORENO VALLEY, CA	92555-7025	63.63	6.36	12.6	82.58
49297895008	304231007	HUNT, BILL AND JENNIFIER	15025	RYDER WAY	MORENO VALLEY	CA	92555-7025	HUNT, BILL AND JENNIFIER	15025 RYDER WAY	MORENO VALLEY, CA	92555-7025	273.49	27.35	54.15	354.98
31365975006	304231009	NODD, JOHN F (OWNR)	15010	RYDER WAY	MORENO VALLEY	CA	92555-7025	NODD, JOHN F	15010 RYDER WAY	MORENO VALLEY, CA	92555-7025	254.02	25.4	50.3	329.7
93006115002	304232011	CARPIO, RONETTE (RENT)	28600	DORAL WAY	MORENO VALLEY	CA	92555-7020	CARPIO, RONETTE	28600 DORAL WAY	MORENO VALLEY, CA	92555-7020	121.74	12.17	24.1	158
84858465003	304290022	VINCENT, CLARENCE (OWNR)	28885	BIG PINE WAY	MORENO VALLEY	CA	92555-7033	VINCENT, CLARENCE	28885 BIG PINE WAY	MORENO VALLEY, CA	92555-7033	104.02	10.4	20.6	135
48555235009	304290045	LORENZANA, JOSEPH	28834	BIG PINE WAY	MORENO VALLEY	CA	92555-7032	LORENZANA, JOSEPH-	28834 BIG PINE WAY	MORENO VALLEY, CA	92555-7032	91.65	9.17	18.15	118.96
64713665002	304290049	DARO, CAROL	14599	MOUNTAIN VISTA	MORENO VALLEY	CA	92555-7031	DARO, CAROL	14599 MOUNTAIN VISTA	MORENO VALLEY, CA	92555-7031	228.72	22.87	45.29	296.86
59759735008	304300010	MILLER, SUDIE	14805	SAN JACINTO DR	MORENO VALLEY	CA	92555-6368	MILLER, SUDIE	14805 SAN JACINTO DR	MORENO VALLEY, CA	92555-6368	254.12	25.41	50.32	329.84
57949745007	304300029	ROY, PATRICIA	28270	GRANDVIEW DR	MORENO VALLEY	CA	92555	ROY, PATRICIA	28270 GRANDVIEW DR	MORENO VALLEY, CA	92555	254.02	25.4	50.3	329.7
57085565005	304300042	BENJAMIN, GARY A	14753	ROCKY MOUNTAIN WAY	MORENO VALLEY	CA	92555-6361	BENJAMIN, GARY A	14753 ROCKY MOUNTAIN WAY	MORENO VALLEY, CA	92555-6361	254.02	25.4	50.3	329.7
96692055008	304300048	DOZIER, RICHARD (RENT)	28263	GRANDVIEW DR	MORENO VALLEY	CA	92555-6350	DOZIER, RICHARD AND MARSHA	28263 GRANDVIEW DR	MORENO VALLEY, CA	92555-6350	254.12	25.41	50.32	329.84
88047355002	304310011	JOHNSON, CHERYL (RENT)	28440	GRANDVIEW DR	MORENO VALLEY	CA	92555-6357	JOHNSON, CHERYL	25681 STONEYBROOK DR	MORENO VALLEY, CA	92553-5029	98.28	9.83	19.46	127.56
96183205007	304310061	CLARK, PERLITA (OWNR)	28353	GRANDVIEW DR	MORENO VALLEY	CA	92555-6351	CLARK, PERLITA	28230 LOCUST AVE	MORENO VALLEY, CA	92555-5264	316.83	31.68	62.73	411.24
58922895009	304320007	LA FOE, EVELYN	14735	GRANDVIEW DR	MORENO VALLEY	CA	92555-7043	LA FOE, EVELYN	14735 GRANDVIEW DR	MORENO VALLEY, CA	92555	57.27	5.73	11.34	74.32
96214265007	304320012	JONES, CARLETTA	14715	GRANDVIEW DR	MORENO VALLEY	CA	92555-7041	JONES, CARLETTA	14715 GRANDVIEW DR	MORENO VALLEY, CA	92555-7041	57.27	5.73	11.34	74.32
51500415001	304320033	SALCIDO, ALFONSO AND VICTORIA	14696	GRANDVIEW DR	MORENO VALLEY	CA	92555-7040	SALCIDO, ALFONSO	14696 GRANDVIEW DR	MORENO VALLEY, CA	92555-7040	254.02	25.4	50.3	329.7
93343655005	304330001	CABIN, JOSHUA	27938	DE LA VALLE DR	MORENO VALLEY	CA	92555-5921	CABIN, JOSHUA	27938 DE LA VALLE DR	MORENO VALLEY, CA	92555-5921	227.52	22.75	45.05	295.32
51807165002	304330010	MORRIS-IVY, CHARLENE	15924	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5936	MORRIS-IVY, CHARLENE	15924 LA COSTA ALTA DR	MORENO VALLEY, CA	92555-5936	329.32	32.93	65.21	427.44
51270285008	304330023	DOMINGUEZ, REYNA AND RUBEN (OW	15891	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5935	DOMINGUEZ, REYNA	15891 LA COSTA ALTA DR	MORENO VALLEY, CA	92555-5935	254.02	25.4	50.3	329.7
31655405000	304340002	BEASLEY, SONYA	16004	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5938	BEASLEY, SONYA	16004 LA COSTA ALTA DR	MORENO VALLEY, CA	92555-5938	329.32	32.93	65.21	427.44
51643035009	304340009	WALLACE, LAMARR	16071	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5939	WALLACE, LAMARR	8350 GARDENDALE ST APT 104	PARAMOUNT, CA	90723-2463	227.86	22.79	45.12	295.76
31656305009	304340010	CAREY, TERESA	16061	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5937	CAREY, TERESA	16061 LA COSTA ALTA DR	MORENO VALLEY, CA	92555-5937	329.32	32.93	65.21	427.44
91101513009	304340013	NUNEZ, ALEXANDRA (OWNR)	16031	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5937	NUNEZ, ALEXANDRA	16031 LA COSTA ALTA DR	MORENO VALLEY, CA	92555-5937	182.15	18.22	36.07	236.42
55514175008	304350001	BANDUR, LISA	15484	ADOBE WAY	MORENO VALLEY	CA	92555-5812	BANDUR, LISA	15484 ADOBE WAY	MORENO VALLEY, CA	92555-5812	127.46	12.75	25.24	165.44
101226943002	304350006	JOHNSON, SHEILA	15469	ADOBE WAY	MORENO VALLEY	CA	92555-5813	JOHNSON, SHEILA	15469 ADOBE WAY	MORENO VALLEY, CA	92555-5813	90.9	9.09	18	117.98
75233455002	304350047	LETT, GLADYS	15424	LA CASA DR	MORENO VALLEY	CA	92555-5843	LETT, GLADYS	15424 LA CASA DR	MORENO VALLEY, CA	92555-5843	329.6	32.96	65.26	427.82
94919035002	304360007	KWAK, DONG YOONG (OWNR)	15309	LA PALMA WAY	MORENO VALLEY	CA	92555-5821	KWAK, DONG YOONG	15309 LA PALMA WAY	MORENO VALLEY, CA	92555-5821	63.63	6.36	12.6	82.58
75295965004	304360009	PADILLA, RAFAELA	15289	LA PALMA WAY	MORENO VALLEY	CA	92555-5821	PADILLA, RAFAELA	15289 LA PALMA WAY	MORENO VALLEY, CA	92555-5821	64.03	6.4	12.68	83.1
52335105006	304360010	JOHNSON, SANDRA	15279	LA PALMA WAY	MORENO VALLEY	CA	92555-5821	JOHNSON, SANDRA	15279 LA PALMA WAY	MORENO VALLEY, CA	92555-5821	116.93	11.69	23.15	151.76
99352085006	304360015	KINCABE, KIETH	27756	DE LA VEGA CT	MORENO VALLEY	CA	92555-5822	KINCABE, KIETH-	27756 DE LA VEGA CT	MORENO VALLEY, CA	92555-5822	329.6	32.96	65.26	427.82
91969133009	304360017	STACY, IVA (RENT)	27776	DE LA VEGA CT	MORENO VALLEY	CA	92555-5822	STACY, IVA	27776 DE LA VEGA CT	MORENO VALLEY, CA	92555-5822	40.62	4.06	8.04	52.72
88371265005	304360028	HICKS, VERNAE	15291	ADOBE WAY	MORENO VALLEY	CA	92555-5819	HICKS, VERNAE	15291 ADOBE WAY	MORENO VALLEY, CA	92555-5819	254.12	25.41	50.32	329.84
97009975001	304360032	VANVOOREN, ERNESTINE (RENT)	15244	ADOBE WAY	MORENO VALLEY	CA	92555-5810	VANVOOREN, ERNESTINE	15244 ADOBE WAY	MORENO VALLEY, CA	92555-5810	127.46	12.75	25.24	165.44
54695995004	304360048	WALKER, BOBBY	15372	ADOBE WAY	MORENO VALLEY	CA	92555-5816	WALKER, BOBBY	15372 ADOBE WAY	MORENO VALLEY, CA	92555-5816	254.12	25.41	50.32	329.84
52305755002	304370004	TAYLOR, ELIZABETH-	15199	LA PALMA WAY	MORENO VALLEY	CA	92555-5806	TAYLOR, ELIZABETH	15199 LA PALMA WAY	MORENO VALLEY, CA	92555-5806	229.32	22.93	45.41	297.64
55199745009	304370008	SPEARS, BELINDA	27727	VIA DE LA REAL	MORENO VALLEY	CA	92555-5803	SPEARS, BELINDA	27727 VIA DE LA REAL	MORENO VALLEY, CA	92555-5803	254.02	25.4	50.3	329.7
62541565000	304370012	AUBRY, SHERRYL	27740	VIA DE LA REAL	MORENO VALLEY	CA	92555-5802	AUBRY, SHERRYL	27740 VIA DE LA REAL	MORENO VALLEY, CA	92555-5802	254.12	25.41	50.32	329.84
49286905009	304370031	HANSEN, TYLER	27917	VIA DE LA REAL	MORENO VALLEY	CA	92555-5808	HANSEN, TYLER	27917 VIA DE LA REAL	MORENO VALLEY, CA	92555-5808	20.68	2.07	4.09	26.84
95907445000	304370043	PEREZ, TIM	27769	RANCHO BAJA	MORENO VALLEY	CA	92555-5807	PEREZ, TIM	27769 RANCHO BAJA	MORENO VALLEY, CA	92555-5807	216.95	21.7	42.96	281.6
31650445003	304370054	BIEDERMANN, STACEY	27817	VIA DE LA REAL	MORENO VALLEY	CA	92555-5805	BIEDERMANN, STACEY	11214 HERMINIA CT	MORENO VALLEY, CA	92555-6503	254.02	25.4	50.3	329.7
84429945003	304370056	CABRERA, DAVID	27797	VIA DE LA REAL	MORENO VALLEY	CA	92555-5805	CABRERA, DAVID	27797 VIA DE LA REAL	MORENO VALLEY, CA	92555-5805	139.02	13.9	27.53	180.44
92214535005	304370057	SHALAYA, MARVLEY	27787	VIA DE LA REAL	MORENO VALLEY	CA	92555-5805	SHALAYA, MARVLEY	1005 ATHENA CT	RIVERSIDE, CA	92507-2801	253.92	25.39	50.28	329.58
51538695002	304370061	ADAM, SANDRA	27772	RANCHO BAJA	MORENO VALLEY	CA	92555-5807	ADAM, SANDRA	25920 IRIS AVE STE 13A	MORENO VALLEY, CA	92551-1658	254.02	25.4	50.3	329.7
83205915004	304381002	POWELL, KYLE	15015	BAY HILL DR	MORENO VALLEY	CA	92555-6335	POWELL, KYLE	15015 BAY HILL DR	MORENO VALLEY, CA	92555-6335	46.52	4.65	9.21	60.38
101988233006	304381005	GIBBS, MICHELLE (RENT)	15033	BAY HILL DR	MORENO VALLEY	CA	92555-6335	GIBBS, MICHELLE	15033 BAY HILL DR	MORENO VALLEY, CA	92555-6335	88.63	8.86	17.55	115.04
92322595003	304382008	ENCISO, JANIETTE	28383	BIRDIE ST	MORENO VALLEY	CA	92555-6359	ENCISO, JANIETTE	28383 BIRDIE ST	MORENO VALLEY, CA	92555-6359	254.02	25.4	50.3	329.7
94418855002	304382009	HERNANDEZ, NORMA (RENT)	28393	BIRDIE ST	MORENO VALLEY	CA	92555-6359	HERNANDEZ, NORMA	28393 BIRDIE ST	MORENO VALLEY, CA	92555-6359	181.69	18.17	35.97	235.82
100631543008	304383005	WELCH L	15054	BAY HILL DR	MORENO VALLEY	CA	92555-6325	WELCH A	15054 BAY HILL DR	MORENO VALLEY, CA	92555-6325	170.14	17.01	33.69	220.84
96279855006	304383008	YOUNG, HELENA (RENT)	15036	BAY HILL DR	MORENO VALLEY	CA	92555-6325	YOUNG, HELENA (RENT)	15036 BAY HILL DR	MORENO VALLEY, CA	92555-6325	41.34	4.13	8.19	53.64
76223975003	304384004	ASIEAU, JUSTIN	28380	EAGLE ST	MORENO VALLEY	CA	92555-6336	ASIEAU, JUSTIN	28380 EAGLE ST	MORENO VALLEY, CA	92555-6336	114.02	11.4	22.58	147.98
95213885000	304391023	GOODRICH, TODD (RENT)	28551	EAGLE ST	MORENO VALLEY	CA	92555-6344	GOODRICH, TODD	28551 EAGLE ST	MORENO VALLEY, CA	92555-6344	254.12	25.41	50.32	329.84
92144645001	304391025	ELAM, INDIA	14927	FAIRWAY CIR	MORENO VALLEY	CA	92555-6346	ELAM, INDIA	14927 FAIRWAY CIR	MORENO VALLEY, CA	92555-6346	253.92	25.39	50.28	329.58
93094105000	304391027	HASKELL, CASSIDI	14910	FAIRWAY CIR	MORENO VALLEY	CA	92555-6346	HASKELL, CASSIDI	14910 FAIRWAY CIR	MORENO VALLEY, CA	92555-6346	242.06	24.21	47.93	314.18
69397025004	304392005	PAYAN, RICARDO (OWNR)	28548	EAGLE ST	MORENO VALLEY	CA	92555-6342	PAYAN, RICARDO (OWNR)	28548 EAGLE ST	MORENO VALLEY, CA	92555-6342	254.02	25.4	50.3	329.7
53260265001	304392006	PINA, HELEN	28538	EAGLE ST	MORENO VALLEY	CA	92555-6342	PINA, HELEN	28538 EAGLE ST	MORENO VALLEY, CA	92555-6342	197.85	19.79	39.17	256.8
53245245007	304392007	MORAN, HECTOR	28528	EAGLE ST	MORENO VALLEY	CA	92555-6341	MORAN, HECTOR	28528 EAGLE ST	MORENO VALLEY, CA	92555-6341	254.02	25.4	50.3	329.7
60259985005	304400003	PADILLA, MICHAEL	15581	HAMMETT CT	MORENO VALLEY	CA	92555	PADILLA, MICHAEL	15581 HAMMETT CT	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
95078895004	304400007	TUPOU, MISELE	15541	HAMMETT CT	MORENO VALLEY	CA	92555-4956	BAC FIELD SERVICES	30870 RUSSELL RANCH RD 3RD FLOOR	WESTLAKE VILLAGE, CA	91362-7366	329.32	32.93	65.21	427.44
53964265002	304400008	GHALWEN, MAHMUD	15531	HAMMETT CT	MORENO VALLEY	CA	92555-4956	GHALWEN, MAHMUD	15531 HAMMETT CT	MORENO VALLEY, CA	92555-4956	254.12	25.41	50.32	329.84
97109435003	304401008	ALLEN, ANDREW	15583	TURNBERRY ST	MORENO VALLEY	CA	92555-4952	ALLEN, ANDREW	26636 9TH ST APT 241	HIGHLAND, CA	92346-5552	170.05	17.01	33.67	220.72
64943715005	304401010	EKHAGUERE, COURAGE	15603	TURNBERRY ST	MORENO VALLEY	CA	92555-4901	EKHAGUERE, COURAGE	15603 TURNBERRY ST	MORENO VALLEY, CA	92555-4901	254.12	25.41	50.32	329.84
60020695000	304401018	ALFARO, MIGUEL	15546	HAMMETT CT	MORENO VALLEY	CA	92555	ALFARO, MIGUEL	15546 HAMMETT CT	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
64119665002	304401022	GRAY, CREASY	27074	FINA CT	MORENO VALLEY	CA	92555-4957	GRAY, CREASY	24445 KATRINA AVE	MORENO VALLEY, CA	92551-3664	254.12	25.41	50.32	329.84
58808235009	304402006	GABOUREL, RITA	27212	ARLA ST	MORENO VALLEY	CA	92555-4942	GABOUREL, RITA	6060 4TH AVE	LOS ANGELES, CA	90043-4208	254.02	25.4	50.3	329.7
90224615009	304410005	ODEY, LUCY	27308	ARLA ST	MORENO VALLEY	CA	92555-4944	ODEY, LUCY	27308 ARLA ST	MORENO VALLEY, CA	92555-4944	234.34	23.43	46.4	304.16
97054855002	304410006	GUZMAN, MARTHA (RENT)	27320	ARLA ST	MORENO VALLEY	CA	92555-4944	GUZMAN, MARTHA	27320 ARLA ST	MORENO VALLEY, CA	92555-4944	254.12	25.41	50.32	329.84
81279945005	304410008	BLUITT, PEARL	27344	ARLA ST	MORENO VALLEY	CA	92555-4944	BLUITT, PEARL	27344 ARLA ST	MORENO VALLEY, CA	92555-4944	254.02	25.4	50.3	329.7
56415405009	304410010	LEE, PAULA	27368	ARLA ST	MORENO VALLEY	CA	92555-4944	LEE, PAULA	26949 NUCLA DR	MORENO VALLEY, CA	92555-4984	268.25	26.83	53.11	348.18
56412685007	304410012	ROBINSON, CHARLES	27392	ARLA ST	MORENO VALLEY	CA	92555-4944	ROBINSON, CHARLES	27392 ARLA ST	MORENO VALLEY, CA	92555-4944	190.29	19.03	37.68	246.98
91073005007	304410015	DAVIS, DESHAUN (TENAT)	27428	ARLA ST	MORENO VALLEY	CA	92555-4946	DAVIS, DESHAUN	27428 ARLA ST	MORENO VALLEY, CA	92555-4946	253.92	25.39	50.28	329.58
55281025006	304410016	ESPINOZA, SANDRA	27440	ARLA ST	MORENO VALLEY	CA	92555-4946	ESPINOZA, SANDRA	27440 ARLA ST	MORENO VALLEY, CA	92555-4946	329.32	32.93	65.21	427.44
61150075004	304411002	STUBBS, LISA	27481	ARLA ST	MORENO VALLEY	CA	92555-4947	STUBBS, LISA	27481 ARLA ST	MORENO VALLEY, CA	92555-4947	254.12	25.41	50.32	329.84
90241765001	304411010	JONES, SANDRA	27385	ARLA ST	MORENO VALLEY	CA	92555-4945	JONES, SANDRA	27385 ARLA ST	MORENO VALLEY, CA	92555-4945	193.92	19.39	38.4	251.7
68360625007	304411011	SINGH, SUKHWINDER	27373	ARLA ST	MORENO VALLEY	CA	92555-4945	SINGH, SUKHWINDER	27373 ARLA ST	MORENO VALLEY, CA	92555-4945	254.12	25.41	50.32	329.84
92371955004	304420007	HOWE, JEREMY (RENT)	29100	ALICANTE AVE	MORENO VALLEY	CA	92555-7302	HOWE, JEREMY	29100 ALICANTE AVE	MORENO VALLEY, CA	92555-7302	63.63	6.36	12.6	82.58
59674195002	304421008	JENKINS, JAMES	29190	ALICANTE AVE	MORENO VALLEY	CA	92555-7302	JENKINS, JAMES	29190 ALICANTE AVE	MORENO VALLEY, CA	92555-7302	54.12	5.41	10.72	70.24
93049305002	304421019	NEVELS, THOMAS	14550	VASCO WAY	MORENO VALLEY	CA	92555-7305	NEVELS, THOMAS	14550 VASCO WAY	MORENO VALLEY, CA	92555-7305	254.02	25.4	50.3	329.7
61177165008	304421038	COLE, NORMA	14620	VASCO WAY	MORENO VALLEY	CA	92555-7306	COLE, NORMA	14620 VASCO WAY	MORENO VALLEY, CA	92555-7306	254.12	25.41	50.32	329.84
62391135001	304422011	LACANIENTA, MARK	29107	ALICANTE AVE	MORENO VALLEY	CA	92555-7303	LACANIENTA, MARK	29107 ALICANTE AVE	MORENO VALLEY, CA	92555-7303	226.45	22.65	44.84	293.92

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
89992705001	304422014	CORONA, LUPE	29077	ALICANTE AVE	MORENO VALLEY	CA	92555-7301	CORONA, LUPE	29077 ALICANTE AVE	MORENO VALLEY, CA	92555-7301	190.79	19.08	37.78	247.64
91902655000	304422015	JACKSON, RAMONA	29067	ALICANTE AVE	MORENO VALLEY	CA	92555-7301	JACKSON, RAMONA	29067 ALICANTE AVE	MORENO VALLEY, CA	92555-7301	136.37	13.64	27	177
67003965002	304422025	TENZA, CORAZON	29051	BARCELONA CT	MORENO VALLEY	CA	92555	TENZA, CORAZON	29051 BARCELONA CT	MORENO VALLEY, CA	92555	126.66	12.67	25.08	164.4
71254625007	304430005	CAMMON, DANA	28912	AVALON AVE	MORENO VALLEY	CA	92555-7055	CAMMON, DANA	28912 AVALON AVE	MORENO VALLEY, CA	92555-7055	254.02	25.4	50.3	329.7
94689885002	304433023	STEPHENSON, BRENT (OWNR)	29044	CANTABRIA CT	MORENO VALLEY	CA	92555-7309	STEPHENSON, BRENT	29044 CANTABRIA CT	MORENO VALLEY, CA	92555-7309	190.79	19.08	37.78	247.64
96593845003	304434015	RIVERA, NATALIE (RENT)	29025	CANTABRIA CT	MORENO VALLEY	CA	92555-7309	RIVERA, NATALIE	205 BRIDGEWATER CT	SUFFOLK, VA	23434-2186	148.06	14.81	29.32	192.18
94079275004	304434023	PINTO, NORMA (OWNR)	14660	VASCO WAY	MORENO VALLEY	CA	92555-7306	PINTO, NORMA	14660 VASCO WAY	MORENO VALLEY, CA	92555-7306	254.12	25.41	50.32	329.84
74995355008	304441015	WILLIAMS III, ALFRED T	14866	TOLEDO CT	MORENO VALLEY	CA	92555-7312	WILLIAMS III, ALFRED T	14866 TOLEDO CT	MORENO VALLEY, CA	92555-7312	254.02	25.4	50.3	329.7
73200465001	304441024	JINNA, TARA	14858	CATALINA CT	MORENO VALLEY	CA	92555-7067	JINNA, TARA	14858 CATALINA CT	MORENO VALLEY, CA	92555-7067	254.02	25.4	50.3	329.7
64924895007	304441035	HOWARD, DEBORAH	14884	CADIZ CT	MORENO VALLEY	CA	92555-7311	HOWARD, DEBORAH	14884 CADIZ CT	MORENO VALLEY, CA	92555-7311	254.12	25.41	50.32	329.84
65702165009	304441038	STAFFORD, TERRY	14877	TOLEDO CT	MORENO VALLEY	CA	92555-7312	STAFFORD, TERRY	14877 TOLEDO CT	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
96993025007	304441048	NUNEZ JR, RODOLFO (RENT)	14850	SEVILLA CT	MORENO VALLEY	CA	92555-7066	NUNEZ JR, RODOLFO	14850 SEVILLA CT	MORENO VALLEY, CA	92555-7066	254.12	25.41	50.32	329.84
58598025000	304450008	DANIELS, JAQUELINE	14915	RYDER WAY	MORENO VALLEY	CA	92555-7058	DANIELS, JAQUELINE	PO BOX 7431	MORENO VALLEY, CA	92552-7431	254.12	25.41	50.32	329.84
68050335005	304450015	DILLION, KATHERINE	14864	HAMPSHIRE CIR	MORENO VALLEY	CA	92555-7059	DILLION, KATHERINE	PO BOX 7133	MORENO VALLEY, CA	92552-7133	357.88	35.79	70.86	464.52
58972285002	304450021	JIMENEZ, RICARDO	28615	AVALON AVE	MORENO VALLEY	CA	92555-7060	JIMENEZ, RICARDO	28615 AVALON AVE	MORENO VALLEY, CA	92555-7060	194.12	19.41	38.44	251.96
101592943007	304450022	WALKER, ALICIA (RENT)	28609	AVALON AVE	MORENO VALLEY	CA	92555-7060	WALKER, ALICIA	28609 AVALON AVE	MORENO VALLEY, CA	92555-7060	97.02	9.7	19.21	125.92
96223535002	304450034	PIMENTEL, FRANCISCO	28660	AVALON AVE	MORENO VALLEY	CA	92555-7061	PIMENTEL, FRANCISCO	28660 AVALON AVE	MORENO VALLEY, CA	92555-7061	171.72	17.17	34	222.88
93858373001	304470011	HERNANDEZ, ITZEL (RENT)	27558	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5709	HERNANDEZ, ITZEL	27558 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5709	63.63	6.36	12.6	82.58
66610065004	304470012	BAILEY, EARNEST	27570	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5709	BAILEY, EARNEST	15759 TURNBERRY ST	MORENO VALLEY, CA	92555-4904	254.12	25.41	50.32	329.84
62905355001	304470014	NORTON, GARLAND	27596	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5709	NORTON, GARLAND	27596 LAFAYETTE CR	MORENO VALLEY, CA	92555-5709	254.12	25.41	50.32	329.84
96591025009	304470017	CERVANTES, JAVIER (RENT)	27636	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5709	CERVANTES, JAVIER	25670 STUYVESANT ST	MORENO VALLEY, CA	92557-7625	190.79	19.08	37.78	247.64
93782535000	304471008	SANDERS, JAMES (RENT)	27693	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5713	SANDERS, JAMES AND KATHY	PO BOX 8273	ALTA LOMA, CA	91701-0273	63.63	6.36	12.6	82.58
93770255003	304471012	TERRAZAS, ALBERT (OWNR)	27645	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5713	TERRAZAS, ALBERT	27645 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5713	254.12	25.41	50.32	329.84
97361055009	304471015	DISCHNER, SEAN (OWNR)	27609	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5713	DISCHNER, SEAN	27609 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5713	254.12	25.41	50.32	329.84
97643035005	304471020	MCDUFFEY, CHRIS (RENT)	27563	ROSEMONT CT	MORENO VALLEY	CA	92555-5717	MCDUFFEY, CHRIS	27563 ROSEMONT CT	MORENO VALLEY, CA	92555-5717	329.6	32.96	65.26	427.82
91784753001	304471022	BRANCH, SIDNEY (RENT)	27588	ROSEMONT CT	MORENO VALLEY	CA	92555-5718	BRANCH, SIDNEY	25920 IRIS AVE STE 13A	MORENO VALLEY, CA	92551-1658	99.37	9.94	19.68	128.98
75339045004	304471032	MILLER, TIFFANY	27671	ROSEMONT CT	MORENO VALLEY	CA	92555-5716	MILLER, TIFFANY	27671 ROSEMONT CT	MORENO VALLEY, CA	92555-5716	63.63	6.36	12.6	82.58
95601965009	304471037	MOORE, CAROL (RENT)	27611	ROSEMONT CT	MORENO VALLEY	CA	92555-5716	MOORE, CAROL	PO BOX 10306	MORENO VALLEY, CA	92552-0306	329.6	32.96	65.26	427.82
75515515000	304471046	GONZALEZ, ANGELA	27614	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5732	GONZALEZ, ANGELA	27614 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5732	254.02	25.4	50.3	329.7
62717375006	304471051	CUSTODIO, JOSE	27684	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5732	CUSTODIO, JOSE	27684 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5732	63.63	6.36	12.6	82.58
89855435001	304472003	LIN, RAY	27718	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5710	LIN, RAY	27718 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5710	253.92	25.39	50.28	329.58
60803025000	304481001	TIDDLE, CLIFTON AND MELODY	27778	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5712	TIDDLE, CLIFTON AND MELODY	27778 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5712	254.12	25.41	50.32	329.84
96182555006	304481003	PUNSALAN, JOEL (RENT)	27802	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5712	PUNSALAN, JOEL (RENT)	27802 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5712	259.12	25.91	51.31	336.32
61050845005	304481008	GOUDEAU, LAURENCE	14544	PIEDMONT DR	MORENO VALLEY	CA	92553	GOUDEAU, LAURENCE	14544 PIEDMONT DR	MORENO VALLEY, CA	92555-5739	129.12	12.91	25.57	167.58
94589825007	304481010	FELTENBERGER, MARK (RENT)	14570	PIEDMONT DR	MORENO VALLEY	CA	92555-5739	FELTENBERGER, MARK	25497 FAY AVE	MORENO VALLEY, CA	92551-4509	357.88	35.79	70.86	464.52
88813055000	304481017	BETHEL, NATALIE	14620	SHADY VALLEY WAY	MORENO VALLEY	CA	92555-5735	BETHEL, NATALIE	14620 SHADY VALLEY WAY	MORENO VALLEY, CA	92555-5735	253.92	25.39	50.28	329.58
62158135004	304481023	IDDRISSU, BESSIE	27940	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5729	IDDRISSU, BESSIE	27940 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5729	254.12	25.41	50.32	329.84
86624213000	304481025	SIMPSON, LISA (RENT)	27912	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5729	SIMPSON, LISA	27912 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5729	254.12	25.41	50.32	329.84
86369705009	304482013	BROOKS, SANDRA	14578	NEWBURGH RD	MORENO VALLEY	CA	92555-5742	BROOKS, SANDRA	13179 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5644	282.23	28.22	55.88	366.32
94998625002	304482014	GONZALEZ, KATHY & SALVADOR	14590	NEWBURGH RD	MORENO VALLEY	CA	92555-5742	GONZALEZ, KATHY	14590 NEWBURGH RD	MORENO VALLEY, CA	92555-5742	329.6	32.96	65.26	427.82
92462243001	304482017	RICHEE, FRANCES	14628	NEWBURGH RD	MORENO VALLEY	CA	92555-5742	RICHEE, FRANCES	14628 NEWBURGH RD	MORENO VALLEY, CA	92555-5742	277.1	27.71	54.87	359.66
62175045007	304483016	NEAL, PATRICIA	27925	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5730	NEAL, PATRICIA	27925 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5730	254.12	25.41	50.32	329.84
80815695009	304490004	VALDEZ, MANUEL	27661	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5731	VALDEZ, MANUEL	27661 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5731	254.02	25.4	50.3	329.7
62817305009	304490006	FORD, NEFERITARA	27685	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5731	FORD, NEFERITARA	15729 TURNBERRY ST	MORENO VALLEY, CA	92555-4904	254.12	25.41	50.32	329.84
98038265018	304490012	LOPEZ, KARINA (RENTR)	27738	FAIRMOUNT DR	MORENO VALLEY	CA	92555-5721	LOPEZ, KARINA	27738 FAIRMOUNT DR	MORENO VALLEY, CA	92555-5721	254.12	25.41	50.32	329.84
97757383009	304490015	STOKES, SHERENE (OWNR)	27706	FAIRMOUNT DR	MORENO VALLEY	CA	92555-5721	STOKES, SHERENE	27706 FAIRMOUNT DR	MORENO VALLEY, CA	92555-5721	166.64	16.66	32.99	216.28
101103193000	304491004	KIAMA, EPHRAIM (OWNR)	27735	FAIRMOUNT DR	MORENO VALLEY	CA	92555-5723	KIAMA, EPHRAIM	27735 FAIRMOUNT DR	MORENO VALLEY, CA	92555-5723	108.2	10.82	21.42	140.44
83701415007	304491007	SMITH, MICHELLE	27699	FAIRMOUNT DR	MORENO VALLEY	CA	92555-5722	SMITH, MICHELLE	25884 IRIS AVE UNIT C	MORENO VALLEY, CA	92551-2925	232.81	23.28	46.1	302.18
64092995008	304491009	SCOTT, STACEY	27675	FAIRMOUNT DR	MORENO VALLEY	CA	92555-5722	SCOTT, STACEY	27675 FAIRMOUNT DR	MORENO VALLEY, CA	92555-5722	254.12	25.41	50.32	329.84
96364475006	304491017	LIPATA, CHONA	14784	WILLOWGROVE PL	MORENO VALLEY	CA	92555-5746	LIPATA, CHONA	14784 WILLOWGROVE PL	MORENO VALLEY, CA	92555-5746	420.76	42.08	83.31	546.14
65298755004	304491019	MOSS, DWAYNE	14808	WILLOWGROVE PL	MORENO VALLEY	CA	92555-5746	MOSS, DWAYNE	14808 WILLOWGROVE PL	MORENO VALLEY, CA	92555-5746	254.12	25.41	50.32	329.84
64478295000	304491022	CLARK, MARION	14807	GREEN LAWN AVE	MORENO VALLEY	CA	92555-5744	CLARK, MARION	14807 GREEN LAWN AVE	MORENO VALLEY, CA	92555-5744	329.6	32.96	65.26	427.82
97097015008	304491025	MASON, BILLIE (RENT)	14771	GREEN LAWN AVE	MORENO VALLEY	CA	92555-5744	MASON, BILLIE	14771 GREEN LAWN AVE	MORENO VALLEY, CA	92555-5744	253.09	25.31	50.11	328.5
92374313003	304492012	STANLEY, RICHARD (RENT)	27688	HASTINGS DR	MORENO VALLEY	CA	92555-5724	STANLEY, RICHARD	27688 HASTINGS DR	MORENO VALLEY, CA	92555-5724	48.77	4.88	9.66	63.3
71665095005	304500010	FRATER, MARCIA	27896	AUBURN LN	MORENO VALLEY	CA	92555-5726	FRATER, MARCIA	27896 AUBURN LN	MORENO VALLEY, CA	92555-5726	254.02	25.4	50.3	329.7
92665445007	304500012	PEARSON, CHERIE	27872	AUBURN LN	MORENO VALLEY	CA	92555-5726	PEARSON, CHERIE	27872 AUBURN LN	MORENO VALLEY, CA	92555-5726	217.32	21.73	43.03	282.08
95341795008	304500018	CABRAL, JOSE (RENT)	27903	CRESCENT CT	MORENO VALLEY	CA	92555-5738	CABRAL, JOSE	27903 CRESCENT CT	MORENO VALLEY, CA	92555-5738	105.88	10.59	20.96	137.42
96778945009	304500023	VALEDEVIA, MARCELA (RENT)	27898	CRESCENT CT	MORENO VALLEY	CA	92555-5738	VALEDEVIA, MARCELA	27898 CRESCENT CT	MORENO VALLEY, CA	92555-5738	254.12	25.41	50.32	329.84
65049795003	304500029	ODOM, DWIGHT AND VICKI	14637	ASTORIA DR	MORENO VALLEY	CA	92555-5737	ODOM, DWIGHT AND VICKI	14637 ASTORIA DR	MORENO VALLEY, CA	92555-5737	254.12	25.41	50.32	329.84
65985545001	304500037	MOSLEY, JOYCE	14684	TILDEN LN	MORENO VALLEY	CA	92555-5715	MOSLEY, JOYCE	14684 TILDEN LN	MORENO VALLEY, CA	92555-5715	254.12	25.41	50.32	329.84
81751765000	304500039	PEREZ, BRENDA	14660	TILDEN LN	MORENO VALLEY	CA	92555-5715	PEREZ, BRENDA	PO BOX 1229	MORENO VALLEY, CA	92556-1229	222.91	22.29	44.14	289.32
95098195000	304501004	DURAN, JESSE AND MELANIE (RENT	27917	AUBURN LN	MORENO VALLEY	CA	92555-5728	DURAN, JESSE AND MELANIE	27917 AUBURN LN	MORENO VALLEY, CA	92555-5728	63.63	6.36	12.6	82.58
87942045003	304501011	HUDSON, VERNA AND SHAWN	27833	AUBURN LN	MORENO VALLEY	CA	92555-5728	HUDSON, VERNA AND SHAWN	27833 AUBURN LN	MORENO VALLEY, CA	92555-5728	254.12	25.41	50.32	329.84
95307925004	304501020	SERRANO, RAMIRO AND ROSA (OWN)	27856	HASTINGS DR	MORENO VALLEY	CA	92555-5745	SERRANO, RAMIRO AND ROSA	27856 HASTINGS DR	MORENO VALLEY, CA	92555-5745	190.79	19.08	37.78	247.64
68603585008	304502005	NIERO, ERIKA	14722	SHADY VALLEY WAY	MORENO VALLEY	CA	92555-5734	NIERO, ERIKA	14722 SHADY VALLEY WAY	MORENO VALLEY, CA	92555-5734	254.02	25.4	50.3	329.7
66356155005	304510007	KITE, REGINA	27822	GLADSTONE DR	MORENO VALLEY	CA	92555-5829	KITE, REGINA	27822 GLADSTONE DR	MORENO VALLEY, CA	92555-5829	329.6	32.96	65.26	427.82
65117795008	304510025	RUIS, ROBERT	27837	SPRING GROVE ST	MORENO VALLEY	CA	92555-5834	RUIS, ROBERT	26077 KALMIA AVE	MORENO VALLEY, CA	92555-1743	217.06	21.71	42.98	281.74
65118035006	304510030	TAYLOR, SONYA	27777	SPRING GROVE ST	MORENO VALLEY	CA	92555-5834	TAYLOR, SONYA	27777 SPRING GROVE ST	MORENO VALLEY, CA	92555-5834	254.12	25.41	50.32	329.84
65925595006	304510033	SEARS, MAURICE	27630	GLADSTONE DR	MORENO VALLEY	CA	92555-5831	SEARS, MAURICE	27630 GLADSTONE DR	MORENO VALLEY, CA	92555-5831	480.56	48.06	95.15	623.76
96235785003	304510038	LESURE, HENRY (RENT)	27690	GLADSTONE DR	MORENO VALLEY	CA	92555-5831	LESURE, HENRY	27690 GLADSTONE DR	MORENO VALLEY, CA	92555-5831	254.12	25.41	50.32	329.84
95817055002	304510040	MARTIN, ROBERT (RENT)	27714	GLADSTONE DR	MORENO VALLEY	CA	92555-5830	MARTIN, ROBERT	27714 GLADSTONE DR	MORENO VALLEY, CA	92555-5830	254.12	25.41	50.32	329.84
65359685009	304511012	WHITSON, LATAUN	14921	MERIDIAN PL	MORENO VALLEY	CA	92555-5835	WHITSON, LATAUN	14921 MERIDIAN PL	MORENO VALLEY, CA	92555-5835	87.45	8.75	17.32	113.5
65051615007	304511036	VALENCIA, SILVIA	27824	SPRING GROVE ST	MORENO VALLEY	CA	92555-5833	VALENCIA, SILVIA	27824 SPRING GROVE ST	MORENO VALLEY, CA	92555-5833	254.12	25.41	50.32	329.84
65626745009	304511041	NASH, BARBARA	14922	ANSLEY CT	MORENO VALLEY	CA	92555-5827	NASH, BARBARA	14922 ANSLEY CT	MORENO VALLEY, CA	92555-5827	254.12	25.41	50.32	329.84
92732845001	304511045	HERNANDEZ, OCTAVIO	14929	ANSLEY CT	MORENO VALLEY	CA	92555-5827	HERNANDEZ, OCTAVIO	14929 ANSLEY CT	MORENO VALLEY, CA	92555-5827	67.36	6.74	13.34	87.42
93014595005	304511046	JARA, LUCILLA (RENT)	14917	ANSLEY CT	MORENO VALLEY	CA	92555-5827	JARA, LUCILLA	24581 EUCALYPTUS AVE APT 13	MORENO VALLEY, CA	92553-9318	169.64	16.96	33.59	220.18
84359715000	304512015	TAVAREZ, ROBERTO	27631	GLADSTONE DR	MORENO VALLEY	CA	92555-5828	TAVAREZ, ROBERTO	9656 BRIARWOOD AVE	FONTANA, CA	92335-5675	254.02	25.4	50.3	329.7
66123225005	304512016	MORSE, JENNIFER	27632	LONGMEADOW CT	MORENO VALLEY	CA	92555-5832	MORSE, JENNIFER	27632 LONGMEADOW CT	MORENO VALLEY, CA	92555-5832	254.12	25.41	50.32	329.84
65902785005	304512018	DURAZO, JULIE	27656	LONGMEADOW CT	MORENO VALLEY	CA	92555-5832	DURAZO, JULIE	27656 LONGMEADOW CT	MORENO VALLEY, CA	92555-5832	254.12	25.41	50.32	329.84
74277025001	304512021	LAMBAREN, JESUS	27692	LONGMEADOW CT	MORENO VALLEY	CA	92555-5832	LAMBAREN, JESUS	25297 S POINTE DR STE 150	LAGUNA HILLS, CA	92653-1493	404.62	40.46	80.11	525.18
66378515005	304512024	LEE, SUKSAN	27681	LONGMEADOW CT	MORENO VALLEY	CA	92555-5832	LEE, SUKSAN	27681 LONGMEADOW CT	MORENO VALLEY, CA	92555-5832	221.61	22.16	43.88	287.64
66557715001	304512025	MEDINA, JORGE	27669	LONGMEADOW CT	MORENO VALLEY	CA	92555-5832	MEDINA, JORGE	27669 LONGMEADOW CT	MORENO VALLEY, CA	92555-5832	254.12	25.41	50.32	329.84
92567495004	304520002	PHILLIPS, PATRICIA	15455	LEGENDARY DR	MORENO VALLEY	CA	92555-5852	PHILLIPS, PATRICIA	15455 LEGENDARY DR	MORENO VALLEY, CA	92555-5852	254.02	25.4	50.3	329.7
99941405009	304520007	RAMOS, ERICKA (RENT)	27527	SHELLIE WAY	MORENO VALLEY	CA	92555-5850	RAMOS, ERICKA	27527 SHELLIE WAY	MORENO VALLEY, CA	92555-5850	254.12	25.41	50.32	329.84
97431825009	304520008	RIOS, GERADO (OWNR)	27517	SHELLIE WAY	MORENO VALLEY	CA	92555-5850	RIOS, GERADO	27517 SHELLIE WAY	MORENO VALLEY, CA	92555-5850	329.6	32.96	65.26	427.82
70330335007	304520009	SLOWINSKI, MICHAEL	15470	LEGENDARY DR	MORENO VALLEY	CA	92555-5851	SLOWINSKI, MICHAEL	15470 LEGENDARY DR	MORENO VALLEY, CA	92555-5851	329.32	32.93	65.21	427.44
70349535005	304520017	MILLON, VICKI	15390	LEGENDARY DR	MORENO VALLEY	CA	92555-5845	MILLON, VICKI	15390 LEGENDARY DR	MORENO VALLEY, CA	92555-5845	125.65	12.57	24.88	163.08
88305103007	304520027	COOK, DORITHA AND MARQUIS	15290	LEGENDARY DR	MORENO VALLEY	CA	92555-5800	COOK, DORITHA	15290 LEGENDARY DR	MORENO VALLEY, CA	92555-5800	254.12	25.41	50.32	329.84
69857495008	304520032	DEVICENTE, AMPARO	15240	LEGENDARY DR	MORENO VALLEY	CA	92555-5800	DEVICENTE, AMPARO	15240 LEGENDARY DR	MORENO VALLEY, CA	92555-5800	63.63	6.36	12.6	82.58
69677295002	304530011	GRECO, MICHAEL AND PRICILLA	27707	VIA DE LA REAL	MORENO VALLEY	CA	92555-5803	GRECO, MICHAEL	27707 VIA DE LA REAL	MORENO VALLEY, CA	92555-5803	190.29	19.03	37.68	246.98
90415415005	304531005	SANDOVAL, MARIO (OWN)	27725	VIA SONATA	MORENO VALLEY	CA	92555-5853	SANDOVAL, MARIO (OWN)	27725 VIA SONATA	MORENO VALLEY, CA	92555-5853	461.37	46.14	91.35	598.84
65887865001	304540016	BANKS, ADRIAN	27895	VIA SONATA	MORENO VALLEY	CA	92555-5854	BANKS, ADRIAN	27895 VIA SONATA	MORENO VALLEY, CA	92555-5854	254.12	25.41	50.32	329.84
65009735000	304540019	LARSON, JAMES AND JOSIE	27925	VIA SONATA	MORENO VALLEY	CA	92555-5855	LARSON, JAMES AND JOSIE	27925 VIA SONATA	MORENO VALLEY, CA	92555-5855	254.12	25.41	50.32	329.84
96707365009	304541001	GOMEZ, JOSE (RENT)	15104	LA CASA DR	MORENO VALLEY	CA	92555-5837	GOMEZ, JOSE	15104 LA CASA DR	MORENO VALLEY, CA	92555-5837	138.75	13.88	27.47	180.08
96413905004	304541010	LAUREL, CATRINA (OWNR)	15214	LA CASA DR	MORENO VALLEY	CA	92555-5839	LAUREL, CATRINA	15214 LA CASA DR	MORENO VALLEY, CA	92555-5839	254.12	25.41	50.32	329.84
66429755004	304550001	SANCHEZ, VIVIANA	15371	LA CASA DR	MORENO VALLEY	CA	92555-5842	SANCHEZ, VIVIANA	15371 LA CASA DR	MORENO VALLEY, CA	92555-5842	61.46	6.15	12.17	79.76
64678575006	304550003	BROWN, DERRICK	15355	LA CASA DR	MORENO VALLEY	CA	92555-5842	BROWN, DERRICK	15355 LA CASA DR	MORENO VALLEY, CA	92555-5842	63.63	6.36	12.6	82.58
88986715006	304550007	MARTINEZ, ELENILSON	15325	LA CASA DR	MORENO VALLEY	CA	92555-5842	MARTINEZ, ELENILSON	15325 LA CASA DR	MORENO VALLEY, CA	92555-5842	123.03	12.3	24.36	159.68
92445563008	304550010	PARMLEY, SILVA	15299	LA CASA DR	MORENO VALLEY	CA	92555-5840	PARMLEY, SILVA	15299 LA CASA DR	MORENO VALLEY, CA	92555-5840	257.91	25.79	51.07	334.76
83782995005	304550011	MILEY, JUANA (RENT)	15289	LA CASA DR	MORENO VALLEY	CA	92555-5840	MILLY, JUANA	15289 LA CASA DR	MORENO VALLEY, CA	92555-5840	254.02	25.4	50.3	329.7
66319475006	304550012	YOUNG, MARY	15279	LA CASA DR	MORENO VALLEY	CA	92555-5840	YOUNG, MARY	15279 LA CASA DR	MORENO VALLEY, CA	92555-5840	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
91668755006	304551016	GUZMAN, JOSE AND YEMIN	15364	LA CASA DR	MORENO VALLEY	CA	92555-5841	GUZMAN, JOSE	15364 LA CASA DR	MORENO VALLEY, CA	92555-5841	63.93	6.39	12.66	82.98
91271065004	304560004	SHELLS, JHALYN (RENT)	14871	ARTISAN ST	MORENO VALLEY	CA	92555-6370	SHELLS, JHALYN	14871 ARTISAN ST	MORENO VALLEY, CA	92555-6370	253.92	25.39	50.28	329.58
85939025003	304560009	PORRAS, EDGER	14911	ARTISAN ST	MORENO VALLEY	CA	92555-6374	PORRAS, EDGER	14911 ARTISAN ST	MORENO VALLEY, CA	92555-6374	254.02	25.4	50.3	329.7
93929575008	304560016	SIMS, JAMES (OWNR)	28047	STONEGATE CT	MORENO VALLEY	CA	92555-6372	SIMS, JAMES	28047 STONEGATE CT	MORENO VALLEY, CA	92555-6372	63.63	6.36	12.6	82.58
97144375002	304560018	WRIGHT, KEITH M	28063	STONEGATE CT	MORENO VALLEY	CA	92555-6372	WRIGHT, KEITH M	28063 STONEGATE CT	MORENO VALLEY, CA	92555-6372	63.63	6.36	12.6	82.58
97058815002	304560028	HIBBLE, WESLEY (RENT)	14957	STEPHENSON ST	MORENO VALLEY	CA	92555-6329	HIBBLE, WESLEY	14957 STEPHENSON ST	MORENO VALLEY, CA	92555-6329	190.29	19.03	37.68	246.98
66788875008	304560033	KAMIREZ, JENNIFER	14917	STEPHENSON ST	MORENO VALLEY	CA	92555-6329	OMMIREZ, JENNIFER	14917 STEPHENSON ST	MORENO VALLEY, CA	92555-6329	254.12	25.41	50.32	329.84
94738345001	304560034	JOHNSON, TAMARA (OWNR)	14905	STEPHENSON ST	MORENO VALLEY	CA	92555-6329	JOHNSON, TAMARA	14905 STEPHENSON ST	MORENO VALLEY, CA	92555-6329	254.12	25.41	50.32	329.84
92823025000	304561009	GROSS, SHADONIALA (RENT)	14850	ARTISAN ST	MORENO VALLEY	CA	92555-6369	GROSS, SHADONIALA	14850 ARTISAN ST	MORENO VALLEY, CA	92555-6369	224.02	22.4	44.36	290.76
94305225004	304561010	HURT, DENISHA (OWNER)	14818	ARTISAN ST	MORENO VALLEY	CA	92555-6369	HURT, DENISHA	14818 ARTISAN ST	MORENO VALLEY, CA	92555-6369	254.12	25.41	50.32	329.84
94795765002	304561016	ALLEN, TROY (OWNR)	14860	STEPHENSON ST	MORENO VALLEY	CA	92555-6327	ALLEN, TROY	14860 STEPHENSON ST	MORENO VALLEY, CA	92555-6327	254.12	25.41	50.32	329.84
91823565007	304580012	COTTINGHAM, JAMES (RENT)	15651	HAMMETT CT	MORENO VALLEY	CA	92555-4993	COTTINGHAM, JAMES	15651 HAMMETT CT	MORENO VALLEY, CA	92555-4993	151.95	15.2	30.09	197.22
97605175004	308020001	SANDOVAL, THELMA (RENT)	26794	VISTA ALLEGRE	MORENO VALLEY	CA	92555-4116	SANDOVAL, THELMA	26794 VISTA ALLEGRE	MORENO VALLEY, CA	92555-4116	254.12	25.41	50.32	329.84
66991485000	308251010	GREER, LORI	15738	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4210	GREER, LORI	2414 WAXWING AVE	VENTURA, CA	93003-7170	254.12	25.41	50.32	329.84
58017965002	308251011	FRUGE, KATHERINE	15730	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4210	FRUGE, KATHERINE	15730 VISTA DEL MAR ST	MORENO VALLEY, CA	92555-4210	254.02	25.4	50.3	329.7
57926805000	308251012	MAYES, MICHAEL	15722	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4210	MAYES, MICHAEL	15722 VISTA DEL MAR ST	MORENO VALLEY, CA	92555-4210	329.32	32.93	65.21	427.44
58908125000	308252005	ATKINSON, PATRICIA	15786	MESA VERDE DR	MORENO VALLEY	CA	92555-4221	ATKINSON, PATRICIA	15786 MESA VERDE DR	MORENO VALLEY, CA	92555-4221	184.12	18.41	36.46	238.98
91911415002	308252008	SANDOVAL, ELIZABETH	15756	MESA VERDE DR	MORENO VALLEY	CA	92555-4221	SANDOVAL, ELIZABETH	15756 MESA VERDE DR	MORENO VALLEY, CA	92555-4221	136.64	13.66	27.05	177.34
93789765006	308252010	GAULDEN, PAUL (RENT)	15734	MESA VERDE DR	MORENO VALLEY	CA	92555-4221	GAULDEN, PAUL	25061 WAGNER WAY	HEMET, CA	92544-1728	253.92	25.39	50.28	329.58
87341435004	308252011	CLARK, DARILYN	15724	MESA VERDE DR	MORENO VALLEY	CA	92555-4221	CLARK, DARILYN	15724 MESA VERDE DR	MORENO VALLEY, CA	92555-4221	254.12	25.41	50.32	329.84
59760065006	308252022	LEE-MCDUFFIE, PRECIOUS	26657	PUEBLO VISTA WAY	MORENO VALLEY	CA	92555-4201	LEE-MCDUFFIE, PRECIOUS	26657 PUEBLO VISTA WAY	MORENO VALLEY, CA	92555-4201	329.6	32.96	65.26	427.82
91077215004	308252025	VISTA FINANCIAL INVESTMENTS IN	26715	PUEBLO VISTA WAY	MORENO VALLEY	CA	92555-4208	VISTA FINANCIAL INVESTMENTS IN	26715 PUEBLO VISTA WAY	MORENO VALLEY, CA	92555-4208	329.04	32.9	65.15	427.08
93894265009	308252026	HATERMAN, RACHEL (OWNR)	26729	PUEBLO VISTA WAY	MORENO VALLEY	CA	92555-4208	HATERMAN, RACHEL	26729 PUEBLO VISTA WAY	MORENO VALLEY, CA	92555-4208	173.89	17.39	34.43	225.7
96744855009	308252031	REYES, JESSICA (OWNR)	15683	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4206	REYES, JESSICA	15683 VISTA DEL MAR ST	MORENO VALLEY, CA	92555-4206	229.9	22.99	45.52	298.4
56625985001	308261003	DOMINGUEZ, VALERIE	15678	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4207	DOMINGUEZ, VALERIE	15678 VISTA DEL MAR ST	MORENO VALLEY, CA	92555-4207	63.63	6.36	12.6	82.58
80494855009	308261008	WILLIAMS, DOROTHY	15628	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4207	WILLIAMS, DOROTHY	15628 VISTA DEL MAR ST	MORENO VALLEY, CA	92555-4207	79.32	7.93	15.71	102.94
97033215001	308261012	CAMITADASO, PETE (OWNR)	26798	SANTA ROSA DR	MORENO VALLEY	CA	92555-4205	CAMITADASO, PETE	26798 SANTA ROSA DR	MORENO VALLEY, CA	92555-4205	154.12	15.41	30.52	200.04
53326025001	308261026	BOND, CAROLINE	26600	SANTA ROSA DR	MORENO VALLEY	CA	92555-4203	BOND, CAROLINE	26600 SANTA ROSA DR	MORENO VALLEY, CA	92555-4203	254.02	25.4	50.3	329.7
53028955007	308262004	AVILA, MARK	26655	SANTA ROSA DR	MORENO VALLEY	CA	92555-4202	AVILA, MARK	26655 SANTA ROSA DR	MORENO VALLEY, CA	92555-4202	63.63	6.36	12.6	82.58
59008555007	308262020	BROWN, DERRICK	26640	PUEBLO VISTA WAY	MORENO VALLEY	CA	92555-4200	BROWN, DERRICK	26640 PUEBLO VISTA WAY	MORENO VALLEY, CA	92555-4200	254.12	25.41	50.32	329.84
96059505006	308271007	RODRIGUEZ, DANIEL	15730	AVENIDA DE CIRCO	MORENO VALLEY	CA	92555-4230	RODRIGUEZ, DANIEL	15730 AVENIDA DE CIRCO	MORENO VALLEY, CA	92555-4230	312.29	31.23	61.83	405.34
58707215007	308271013	ROBINSON, LISA	15715	AVENIDA DE CALMA	MORENO VALLEY	CA	92555-4246	ROBINSON, LISA	15715 AVENIDA DE CALMA	MORENO VALLEY, CA	92555-4246	254.12	25.41	50.32	329.84
97154605003	308271016	UMAU, CHARLENE (RENT)	15745	AVENIDA DE CALMA	MORENO VALLEY	CA	92555-4233	UMAU, CHARLENE	15745 AVENIDA DE CALMA	MORENO VALLEY, CA	92555-4233	186.81	18.68	36.99	242.48
95050475002	308272011	FREELAND, RAMONA (RENT)	26475	SANTA ROSA DR	MORENO VALLEY	CA	92555-4216	FREELAND, RAMONA	26475 SANTA ROSA DR	MORENO VALLEY, CA	92555-4216	64.29	6.43	12.73	83.44
56292675005	308272014	ZACHERY, CHERI (RENT)	26505	SANTA ROSA DR	MORENO VALLEY	CA	92555-4217	ZACHERY, CHERI	26505 SANTA ROSA DR	MORENO VALLEY, CA	92555-4217	254.02	25.4	50.3	329.7
56299855002	308272017	ANDREAS, STEVE	26535	SANTA ROSA DR	MORENO VALLEY	CA	92552-	ANDREAS, STEVE	3207 VIA PESCADO	CARLSBAD, CA	92010	329.32	32.93	65.21	427.44
76201185005	308272019	VILLAVICENCIO, JUAN	26555	SANTA ROSA DR	MORENO VALLEY	CA	92555-4217	VILLAVICENCIO, JUAN	26555 SANTA ROSA DR	MORENO VALLEY, CA	92555-4217	329.32	32.93	65.21	427.44
62367075003	308272022	ODIMEGWU, ETHEL	15625	MESA VERDE DR	MORENO VALLEY	CA	92555-4220	ODIMEGWU, ETHEL	15625 MESA VERDE DR	MORENO VALLEY, CA	92555-4220	329.6	32.96	65.26	427.82
89166313008	308272026	PARKER, KAREN (RENT)	15665	MESA VERDE DR	MORENO VALLEY	CA	92555-4220	PARKER, KAREN (RENT)	15665 MESA VERDE DR	MORENO VALLEY, CA	92555-4220	190.79	19.08	37.78	247.64
95679645003	308272039	GOSLEE, PATRICE (OWNR)	15758	BELLEZA CIR	MORENO VALLEY	CA	92555-4239	GOSLEE, PATRICE	15758 BELLEZA CIR	MORENO VALLEY, CA	92555-4239	254.12	25.41	50.32	329.84
64330845008	308272049	MILLINER, TANYA	26482	AVENIDA DE LA PAZ	MORENO VALLEY	CA	92555-4240	MILLINER, TANYA	11817 ARLEE AVE	NORWALK, CA	90650-1949	269.11	26.91	53.28	349.3
93487973003	308272052	SMITH, TOSSIE	26452	AVENIDA DE LA PAZ	MORENO VALLEY	CA	92555-4240	SMITH, TOSSIE	12682 ARLETTA CIR	GARDEN GROVE, CA	92840-6012	229	22.9	45.34	297.24
95813545009	308273004	GONZALEZ, CINDY (RENT)	26520	SANTA ROSA DR	MORENO VALLEY	CA	92555-4214	GONZALEZ, CINDY	26520 SANTA ROSA DR	MORENO VALLEY, CA	92555-4214	254.12	25.41	50.32	329.84
96212985000	308273006	MILES III, BILLIE C	26500	SANTA ROSA DR	MORENO VALLEY	CA	92555-4214	MILES III, BILLIE C	19613 FARIMAN DR	CARSON, CA	90746-2451	254.12	25.41	50.32	329.84
98883363006	308273013	PURTUE, JAMES (RENT)	26430	SANTA ROSA DR	MORENO VALLEY	CA	92555-4213	PURTUE, JAMES (RENT)	26430 SANTA ROSA DR	MORENO VALLEY, CA	92555-4213	127.78	12.78	25.3	165.84
64574255004	308274002	AGUAYO, ROBERT AND CYNTHIA	15733	AVENIDA DEL CORAZON	MORENO VALLEY	CA	92555-4238	AGUAYO, ROBERT	15733 AVENIDA DEL CORAZON	MORENO VALLEY, CA	92555-4238	329.6	32.96	65.26	427.82
88231305003	308274004	COLEMAN, DANIELETTE	15753	AVENIDA DEL CORAZON	MORENO VALLEY	CA	92555-4238	COLEMAN, DANIELETTE	9808 BELFAST DR	GARDEN GROVE, CA	92844-1650	254.12	25.41	50.32	329.84
58817945001	308281005	HARRELL, DEBORAH	26505	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4225	HARRELL, DEBORAH	26505 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4225	254.12	25.41	50.32	329.84
59257805008	308281010	DELGADO, KATHY (OWNR)	26555	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4225	DELGADO, KATHY	26555 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4225	254.12	25.41	50.32	329.84
96407355008	308281025	PEREZ, BLANCA (RENT)	26725	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4236	PEREZ, BLANCA	26725 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4236	62.08	6.21	12.29	80.56
86534013003	308281026	PACE, NYGELLE (RENT)	26735	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4236	PACE, NYGELLE	26735 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4236	190.79	19.08	37.78	247.64
92967855000	308282004	GANTT, LOUIS (RENT)	26640	CALLE LINDA	MORENO VALLEY	CA	92555-4229	GANTT, LOUIS (RENT)	26640 CALLE LINDA	MORENO VALLEY, CA	92555-4229	54.02	5.4	10.7	70.1
93929195008	308282005	MCCRAY, JAMES (RENT)	26630	CALLE LINDA	MORENO VALLEY	CA	92555-4229	MCCRAY, JAMES (RENT)	19510 VAN BUREN BLVD STE F3	RIVERSIDE, CA	92508-9458	254.12	25.41	50.32	329.84
60143185007	308282008	ALMANZA, PAULA	26600	CALLE LINDA	MORENO VALLEY	CA	92555-4229	ALMANZA, PAULA	26600 CALLE LINDA	MORENO VALLEY, CA	92555-4229	254.12	25.41	50.32	329.84
98883693007	308283006	GOMEZ, STEPHANIE (RENT)	26595	CALLE LINDA	MORENO VALLEY	CA	92555-4228	GOMEZ, STEPHANIE (RENT)	16556 SIR BARTON WAY	MORENO VALLEY, CA	92551-2533	175.04	17.5	34.66	227.2
59694385000	308283008	LEE, AVIA	26615	CALLE LINDA	MORENO VALLEY	CA	92552	LEE, AVIA	26615 CALLE LINDA	MORENO VALLEY, CA	92555-4228	254.12	25.41	50.32	329.84
92909575001	308283021	CARREON, RICK	26540	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4224	CARREON, RICK	5440 IRONWOOD ST	SAN BERNARDINO, CA	92404-2843	254.02	25.4	50.3	329.7
58810815003	308283022	VERNON, NICOLE	26530	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4224	VERNON, NICOLE	26530 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4224	254.02	25.4	50.3	329.7
96384485002	308283023	EVANS, STACEY (OWNR)	26520	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4224	EVANS, STACEY	26520 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4224	254.12	25.41	50.32	329.84
58817055007	308283026	RYAN, MELINDA	15770	AVENIDA DE CALMA	MORENO VALLEY	CA	92555-4232	RYAN, MELINDA	13640 KITCHING ST	MORENO VALLEY, CA	92553-4815	177.9	17.79	35.22	230.9
94195545002	308361004	CASTANEDA, ERIC (RENT)	26445	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2929	CASTANEDA, ERIC	26445 THOROUGHBRED LN	MORENO VALLEY, CA	92555-2929	60.78	6.08	12.03	78.88
58817605002	308361005	BARNES, GARY	26457	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2929	BARNES, GARY	26457 THOROUGHBRED LN	MORENO VALLEY, CA	92555-2929	329.6	32.96	65.26	427.82
64457605009	308362007	TORRES, KRISTIN	26428	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2928	TORRES, KRISTIN	26428 THOROUGHBRED LN	MORENO VALLEY, CA	92555-2928	104.12	10.41	20.62	135.14
89522135000	308362010	SMITH, MELINDA RENELL	26400	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2926	SMITH, MELINDA RENELL	16785 ARROYO PARK DR	MORENO VALLEY, CA	92551-2105	371.5	37.15	73.56	482.2
51303895009	308362026	JONES, DIANA	26353	OLD ANVIL LN	MORENO VALLEY	CA	92555-2935	JONES, DIANA	26353 OLD ANVIL LN	MORENO VALLEY, CA	92555-2935	254.02	25.4	50.3	329.7
95312585003	308362031	SANDOVAL, NASARIO (OWNR)	26405	OLD ANVIL LN	MORENO VALLEY	CA	92555-2939	SANDOVAL, NASARIO	24337 WILD WOOD ST	MORENO VALLEY, CA	92551-6923	48	4.8	9.5	62.3
95312685002	308362032	WILLIAMS, KERYUS (RENT)	26417	OLD ANVIL LN	MORENO VALLEY	CA	92555-2939	WILLIAMS, KERYUS	26417 OLD ANVIL LN	MORENO VALLEY, CA	92555-2939	62.64	6.26	12.4	81.3
51649495009	308362045	BRISCOE, CYNTHIA	26384	OLD ANVIL LN	MORENO VALLEY	CA	92555-2938	BRISCOE, CYNTHIA	26384 OLD ANVIL LN	MORENO VALLEY, CA	92555-2938	254.02	25.4	50.3	329.7
93290665006	308362048	CANTRELL, KARLYN	15604	HITCHING POST ST	MORENO VALLEY	CA	92555-2940	CANTRELL, KARLYN	15604 HITCHING POST ST	MORENO VALLEY, CA	92555-2940	254.12	25.41	50.32	329.84
96384845007	308364002	RICHARDS, MARCIE (OWNR)	15605	SAGE CT	MORENO VALLEY	CA	92555-2931	RICHARDS, MARCIE	15605 SAGE CT	MORENO VALLEY, CA	92555-2931	254.12	25.41	50.32	329.84
94486325001	308364003	HILOBSKY, JACKIE (RENT)	15615	SAGE CT	MORENO VALLEY	CA	92555-2931	HILOBSKY, JACKIE	15615 SAGE CT	MORENO VALLEY, CA	92555-2931	190.79	19.08	37.78	247.64
50348165008	308364004	DUFF, MARIE	15625	SAGE CT	MORENO VALLEY	CA	92555-2933	DUFF, MARIE	15625 SAGE CT	MORENO VALLEY, CA	92555-2933	254.02	25.4	50.3	329.7
91972883005	308364021	PERRY, BRITTANY (RENT)	26381	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2927	PERRY, BRITTANY	15625 LASSELLE ST APT 43	MORENO VALLEY, CA	92551-4703	252.54	25.25	50	327.78
97465325002	308370014	WILKES, DONALD AND MICHELLE	15508	SAGE CT	MORENO VALLEY	CA	92555-2930	WILKES, DONALD AND MICHELLE	19416 KEMP AVE	CARSON, CA	90746-2849	420.76	42.08	83.31	546.14
94262055002	308370016	OLMOS, SANTIAGO	15501	SAGE CT	MORENO VALLEY	CA	92555-2930	OLMOS, SANTIAGO	15501 SAGE CT	MORENO VALLEY, CA	92555-2930	193.82	19.38	38.38	251.56
90314435006	308370021	JOHNSON, HENRY	15545	SAGE CT	MORENO VALLEY	CA	92555-2930	JOHNSON, HENRY	15545 SAGE CT	MORENO VALLEY, CA	92555-2930	253.92	25.39	50.28	329.58
50348545009	308370022	DORSEY, VERNON	15555	SAGE CT	MORENO VALLEY	CA	92555-2930	DORSEY, VERNON	15555 SAGE CT	MORENO VALLEY, CA	92555-2930	105.32	10.53	20.85	136.7
88741873001	308370025	ROBINSON, BENIDA (OWNR)	15585	SAGE CT	MORENO VALLEY	CA	92555-2931	ROBINSON, BENIDA (OWNR)	15585 SAGE CT	MORENO VALLEY, CA	92555-2931	62.79	6.28	12.43	81.5
80627525004	308370029	GARCIA, SANDRA	26462	SILVERADO CT	MORENO VALLEY	CA	92555-2953	GARCIA, SANDRA	26895 ALISO CREEK RD STE B	ALISO VIEJO, CA	92656-5302	254.02	25.4	50.3	329.7
96864405001	308370032	ROBERTS, MELISSA (OWNR)	26444	SILVERADO CT	MORENO VALLEY	CA	92555-2953	ROBERTS, MELISSA	26444 SILVERADO CT	MORENO VALLEY, CA	92555-2953	254.12	25.41	50.32	329.84
84349765000	308371009	GAMEZ, PATRICIA	26472	PRAIRIE LN	MORENO VALLEY	CA	92555-2944	GAMEZ, PATRICIA	26472 PRAIRIE LN	MORENO VALLEY, CA	92555-2944	254.02	25.4	50.3	329.7
98268905017	308371012	CONTRERAS, OCTAVIO (RENT)	15617	LARIAT LN	MORENO VALLEY	CA	92555-2949	CONTRERAS, OCTAVIO	15617 LARIAT LN	MORENO VALLEY, CA	92555-2949	254.12	25.41	50.32	329.84
52693485008	308372009	BRADLEY, GEOFFREY	26402	PRAIRIE LN	MORENO VALLEY	CA	92555-2944	BRADLEY, GEOFFREY	26402 PRAIRIE LN	MORENO VALLEY, CA	92555-2944	254.02	25.4	50.3	329.7
94199585005	308372020	GOMEZ, STEPHANIE (RENT)	26481	SILVERADO CT	MORENO VALLEY	CA	92555-2956	GOMEZ, STEPHANIE	26481 SILVERADO CT	MORENO VALLEY, CA	92555-2956	254.12	25.41	50.32	329.84
97105395009	308380002	FUQUA JR, REGINALD (RENT)	15578	FIREROCK LN	MORENO VALLEY	CA	92555-2969	FUQUA JR, REGINALD	15578 FIREROCK LN	MORENO VALLEY, CA	92555-2969	254.12	25.41	50.32	329.84
75006235009	308381007	GARCIA, OFELIA	26590	SILVERADO CT	MORENO VALLEY	CA	92555-2957	GARCIA, OFELIA	26590 SILVERADO CT	MORENO VALLEY, CA	92555-2957	54.02	5.4	10.7	70.1
96384915002	308381008	SANDERS-HALE, LINDA	26580	SILVERADO CT	MORENO VALLEY	CA	92555-2957	SANDERS-HALE, LINDA	27410 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4919	233.01	23.3	46.14	302.44
53514735003	308382003	ARZAGA, GINA	15612	LARIAT LN	MORENO VALLEY	CA	92555-2950	ARZAGA, GINA	15612 LARIAT LN	MORENO VALLEY, CA	92555-2950	254.12	25.41	50.32	329.84
95040105001	308382014	ZORNES, PHILIP (RENT)	15531	BUCKBOARD LN	MORENO VALLEY	CA	92555-2967	ZORNES, PHILIP	15531 BUCKBOARD LN	MORENO VALLEY, CA	92555-2967	254.12	25.41	50.32	329.84
57511575008	308383007	SMITH, HEATHER	26561	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2965	SMITH, HEATHER	26561 THOROUGHBRED LN	MORENO VALLEY, CA	92555-2965	254.02	25.4	50.3	329.7
97105265006	308383013	ALEXANDER, CHARMAINE	15556	BUCKBOARD LN	MORENO VALLEY	CA	92555-2966	ALEXANDER, CHARMAINE	15556 BUCKBOARD LN	MORENO VALLEY, CA	92555-2966	127.46	12.75	25.24	165.44
96384725002	308383017	KAYOMI, RICHARD (RENT)	15539	FIREROCK LN	MORENO VALLEY	CA	92555-2970	KAYOMI, RICHARD	15539 FIREROCK LN	MORENO VALLEY, CA	92555-2970	100	10	19.8	129.8
96635925005	308390002	PHILLIPS, PATRICIA (RENT)	26168	CLYDESDALE LN	MORENO VALLEY	CA	92555-3308	PHILLIPS, PATRICIA	26168 CLYDESDALE LN	MORENO VALLEY, CA	92555-3308	253.96	25.4	50.28	329.64
88603605000	308390006	CRAWFORD, SEQUOIA	26120	CLYDESDALE LN	MORENO VALLEY	CA	92555-3308	CRAWFORD, SEQUOIA	26120 CLYDESDALE LN	MORENO VALLEY, CA	92555-3308	217.06	21.71	42.98	281.74
94828725000	308390011	GREER, BILLY JR (RENT)	26173	CLYDESDALE LN	MORENO VALLEY	CA	92555-3308	GREER, BILLY JR	26173 CLYDESDALE LN	MORENO VALLEY, CA	92555-3308	254.12	25.41	50.32	329.84
58398865008	308390014	ULLOA, EDUARDO	16473	COLT WAY	MORENO VALLEY	CA	92555-3301	ULLOA, EDUARDO	16473 COLT WAY	MORENO VALLEY, CA	92555-3301	254.12	25.41	50.32	329.84
95503205007	308390016	FULLER, JOE (RENT)	16493	COLT WAY	MORENO VALLEY	CA	92555-3301	FULLER, JOE	16493 COLT WAY	MORENO VALLEY, CA	92555-3301	190.79	19.08	37.78	247.64
81669905001	308390023	ORTIZ, RALPH	16512	DARTMOOR CIR	MORENO VALLEY	CA	92555-3311	ORTIZ, RALPH	16512 DARTMOOR CIR	MORENO VALLEY, CA	92555-3311	127.36	12.74	25.22	165.3
58400305000	308392001	HUGHES, LISA	26204	CLYDESDALE LN	MORENO VALLEY	CA	92555-3307	HUGHES, LISA	26204 CLYDESDALE LN	MORENO VALLEY, CA	92555-3307	224.12	22.41	44.38	290.9
58397315006	308393011	CHAVEZ, VERONICA AND HUGO	16520	COLT WAY	MORENO VALLEY	CA	92555-3303	CHAVEZ, VERONICA AND HUGO	16520 COLT WAY	MORENO VALLEY, CA	92555-3303	90.29	9.03	17.88	117.18
86723645000	308400007	MARENCO, LUZ	16532	SPIRIT RD	MORENO VALLEY	CA	92555-3324	MARENCO, LUZ	16532 SPIRIT RD	MORENO VALLEY, CA	92555-3324	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
60626445007	308400008	GREEN, MARK	16520	SPIRIT RD	MORENO VALLEY	CA	92555-3324	GREEN, MARK	16520 SPIRIT RD	MORENO VALLEY, CA	92555	52.46	5.25	10.39	68.08
64341265006	308400010	KLEMAN, ESTRELLA	16502	SPIRIT RD	MORENO VALLEY	CA	92555-3324	KLEMAN, ESTRELLA	16502 SPIRIT RD	MORENO VALLEY, CA	92555-3324	254.12	25.41	50.32	329.84
88787355003	308400011	GURODE, PATRICIA	16494	SPIRIT RD	MORENO VALLEY	CA	92555-3322	GURODE, PATRICIA	16494 SPIRIT RD	MORENO VALLEY, CA	92555-3322	190.12	19.01	37.64	246.76
97241385004	308401002	UMALI, ERICSON (RENT)	16419	SPIRIT RD	MORENO VALLEY	CA	92555-3323	UMALI, ERICSON	16419 SPIRIT RD	MORENO VALLEY, CA	92555-3323	154.12	15.41	30.52	200.04
94920525007	308401019	BARNES, CAROLYN (RENT)	26225	MUSTANG CT	MORENO VALLEY	CA	92555-3319	BARNES, CAROLYN	26225 MUSTANG CT	MORENO VALLEY, CA	92555-3319	302	30.2	59.8	391.98
69302415002	308401032	LOPEZ, JOSE	16439	WELSH CT	MORENO VALLEY	CA	92555-3333	LOPEZ, JOSE	16439 WELSH CT	MORENO VALLEY, CA	92555-3333	254.02	25.4	50.3	329.7
91621605007	308411002	HASS, YVONNE	26392	CLYDESDALE LN	MORENO VALLEY	CA	92555-3328	HASS, YVONNE	26392 CLYDESDALE LN	MORENO VALLEY, CA	92555-3328	63.92	6.39	12.66	82.96
95346585001	308412012	HERNANDEZ, HENRY (OWNR)	26537	CLYDESDALE LN	MORENO VALLEY	CA	92555-3334	HERNANDEZ, HENRY	26537 CLYDESDALE LN	MORENO VALLEY, CA	92555-3334	254.12	25.41	50.32	329.84
59837875002	308413003	MITCHELL, ONA	16425	QUARTER HORSE RD	MORENO VALLEY	CA	92555-3330	MITCHELL, ONA	16425 QUARTER HORSE RD	MORENO VALLEY, CA	92555-3330	254.12	25.41	50.32	329.84
89808673009	308414002	BROWN, CLARENCE (RENT)	16430	QUARTER HORSE RD	MORENO VALLEY	CA	92555-3329	BROWN, CLARENCE	PO BOX 9163	MORENO VALLEY, CA	92552-9163	84.87	8.49	16.8	110.16
80463325006	308414003	CLOWNEY, MICKIE	16440	QUARTER HORSE RD	MORENO VALLEY	CA	92555-3329	CLOWNEY, MICKIE	25700 VESPUCCI AVE	MORENO VALLEY, CA	92557-7752	254.02	25.4	50.3	329.7
96059545008	308414006	GILLIARD, EMMETT (RENT)	26425	CLYDESDALE LN	MORENO VALLEY	CA	92555-3332	GILLIARD, EMMETT	PO BOX 10437	MORENO VALLEY, CA	92552-0437	26.67	2.67	5.28	34.6
61242495001	308420024	BROWN, CARMELLA (TNT)	26436	MARE LN	MORENO VALLEY	CA	92555-3315	BROWN, CARMELLA	26436 MARE LN	MORENO VALLEY, CA	92555-3315	254.12	25.41	50.32	329.84
90979915005	308420030	MOORE, SPENCER	16485	QUARTER HORSE RD	MORENO VALLEY	CA	92555-3330	MOORE, SPENCER	16485 QUARTER HORSE RD	MORENO VALLEY, CA	92555-3330	50.32	5.03	9.96	65.3
95291643007	308421007	NEUMAN, ANDREA (RENT)	26445	MARE LN	MORENO VALLEY	CA	92555-3315	NEUMAN, ANDREA	12712 ADMIRALTY WAY APT F102	EVERETT, WA	98204-8023	61.03	6.1	12.08	79.2
65992595002	308430003	SIMMONS, ANNIE	26292	CLYDESDALE LN	MORENO VALLEY	CA	92555-3306	SIMMONS, ANNIE	PO BOX 1135	LAKE ELSINORE, CA	92531-1135	127.46	12.75	25.24	165.44
75851965004	308430005	FREDERICKSON, CLAUDIA	26312	CLYDESDALE LN	MORENO VALLEY	CA	92555-3328	FREDERICKSON, CLAUDIA	26312 CLYDESDALE LN	MORENO VALLEY, CA	92555-3328	254.02	25.4	50.3	329.7
75161645006	308431003	MERELES, DOLORES S	26307	CLYDESDALE LN	MORENO VALLEY	CA	92555-3327	MERELES, DOLORES S	26307 CLYDESDALE LN	MORENO VALLEY, CA	92555-3327	254.02	25.4	50.3	329.7
95880665002	308431006	LUGO, MANUELA (RENT)	16437	HACKNEY CT	MORENO VALLEY	CA	92555-3326	LUGO, MANUELA	16437 HACKNEY CT	MORENO VALLEY, CA	92555-3326	182.8	18.28	36.19	237.26
97497715003	308431007	NORRIS, LATAICHA	16427	HACKNEY CT	MORENO VALLEY	CA	92555-3326	NORRIS, LATAICHA	16427 HACKNEY CT	MORENO VALLEY, CA	92555-3326	254.12	25.41	50.32	329.84
92991575009	308431021	SKIPPER, LORNE G	26323	CLYDESDALE LN	MORENO VALLEY	CA	92555-3327	SKIPPER, LORNE G	26323 CLYDESDALE LN	MORENO VALLEY, CA	92555-3327	254.02	25.4	50.3	329.7
69668395000	308451007	WASHINGTON, MELVIN	26575	CALLE LUNA	MORENO VALLEY	CA	92555-4111	WASHINGTON, MELVIN	26575 CALLE LUNA	MORENO VALLEY, CA	92555-4111	254.02	25.4	50.3	329.7
93638915004	308452005	HAMILTON, CHRISTOPHER (OWNR)	15344	AVENIDA DE PORTUGAL	MORENO VALLEY	CA	92555-4100	HAMILTON, CHRISTOPHER	15344 AVENIDA DE PORTUGAL	MORENO VALLEY, CA	92555-4100	254.12	25.41	50.32	329.84
97394593007	308452008	FLORES, ISAAC	15320	AVENIDA DE PORTUGAL	MORENO VALLEY	CA	92555-4100	FLORES, ISAAC	15320 AVENIDA DE PORTUGAL	MORENO VALLEY, CA	92555-4100	240.16	24.02	47.55	311.72
70736085007	308452011	MCNEAL, RASHAWN	15333	VIA RIO	MORENO VALLEY	CA	92555-4104	MCNEAL, RASHAWN	15333 VIA RIO	MORENO VALLEY, CA	92555-4104	254.02	25.4	50.3	329.7
71017795002	308453004	ALMANZOR, ROSE	26586	CALLE BELDING	MORENO VALLEY	CA	92555-4106	ALMANZOR, ROSE	9468 MAGNOLIA AVE UNIT 88	RIVERSIDE, CA	92503-3746	254.02	25.4	50.3	329.7
90133023006	308453008	LUNA, VALERIE (RENT)	26514	CALLE BELDING	MORENO VALLEY	CA	92555-4106	LUNA, VALERIE (RENT)	26514 CALLE BELDING	MORENO VALLEY, CA	92555-4106	31.98	3.2	6.33	41.5
92814023009	308454012	VRIJHOEF, MISTY (RENT)	15341	VIA RIO	MORENO VALLEY	CA	92555-4104	VRIJHOEF, MISTY	15341 VIA RIO	MORENO VALLEY, CA	92555-4104	248.27	24.83	49.16	322.24
70905395003	308454021	MORALES, PAMELA	15342	VIA RIO	MORENO VALLEY	CA	92555-4104	MORALES, PAMELA	15342 VIA RIO	MORENO VALLEY, CA	92555-4104	254.02	25.4	50.3	329.7
95301315003	308460001	MCMORRIS, RHEAN (RENT)	26683	CALLE LUNA	MORENO VALLEY	CA	92555-4112	MCMORRIS, RHEAN	26683 CALLE LUNA	MORENO VALLEY, CA	92555-4112	254.12	25.41	50.32	329.84
95355965002	308460002	ARTERBERRY, RICARDO (RENT)	26701	CALLE LUNA	MORENO VALLEY	CA	92555-4112	ARTERBERRY, RICARDO	1101 CHAGAL AVE	LANCASTER, CA	93535-4388	62.54	6.25	12.38	81.16
91347045007	308460006	TAYLOR THOMAS, CRYSTAL	26773	CALLE LUNA	MORENO VALLEY	CA	92555-4113	TAYLOR THOMAS, CRYSTAL	26773 CALLE LUNA	MORENO VALLEY, CA	92555-4113	204.92	20.49	40.57	265.98
97689725003	308460007	GEDDES, RICHARD AND CINDY (OWN	26791	CALLE LUNA	MORENO VALLEY	CA	92555-4113	GEDDES, RICHARD AND CINDY	26791 CALLE LUNA	MORENO VALLEY, CA	92555-4113	189.79	18.98	37.58	246.34
89405483004	308460010	TAYLOR, CHRIS AND KATHY	26845	CALLE LUNA	MORENO VALLEY	CA	92555-4114	TAYLOR, CHRIS AND KATHY	21 RENATA	NEWPORT BEACH, CA	92657-1207	320.76	32.08	63.51	416.34
97354305002	308460018	LAMAS, PAUL AND SHANNON (RENT)	15400	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4120	LAMAS, PAUL	15427 N 172ND LN	SURPRISE, AZ	85388-0237	187.69	18.77	37.16	243.62
65293215009	308461001	ANAYA, JOSE AND APRIL	15368	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4120	ANAYA, JOSE AND APRIL	15368 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4120	162.52	16.25	32.18	210.94
73146675002	308462001	MADDOX, ANA	15355	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4120	MADDOX, ANA	15355 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4120	254.02	25.4	50.3	329.7
96384385003	308462006	MARUTINO, SANDRA (RENT)	15395	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4120	MARUTINO, SANDRA	15395 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4120	54.12	5.41	10.72	70.24
95301105007	308462013	CREWSE, JASON	15366	VIA LIDO	MORENO VALLEY	CA	92555-4118	CREWSE, JASON	15366 VIA LIDO	MORENO VALLEY, CA	92555-4118	126.16	12.62	24.98	163.74
94882585006	308463010	GRAY, YVONNE (OWNR)	15395	VIA LIDO	MORENO VALLEY	CA	92555-4118	GRAY, YVONNE	15395 VIA LIDO	MORENO VALLEY, CA	92555-4118	63.33	6.33	12.54	82.2
67725035006	308463013	CHISM, LATOYA	26818	CALLE LUNA	MORENO VALLEY	CA	92555-4113	CHISM, LATOYA	26818 CALLE LUNA	MORENO VALLEY, CA	92555-4113	190.79	19.08	37.78	247.64
66888755001	308463017	GLASSFORD, JAMIE	15370	BARONA CT	MORENO VALLEY	CA	92555-4121	GLASSFORD, JAMIE	15370 BARONA CT	MORENO VALLEY, CA	92555-4121	179.12	17.91	35.47	232.48
93047325002	308463018	FLORES, LUIS	15375	BARONA CT	MORENO VALLEY	CA	92555-4121	FLORES, LUIS	15375 BARONA CT	MORENO VALLEY, CA	92555-4121	254.02	25.4	50.3	329.7
63004755008	308463028	VIGILL, MIKE	15364	AVENIDA ANILLO	MORENO VALLEY	CA	92555-4108	VIGILL, MIKE	414 2ND ST APT 201	HERMOSA BEACH, CA	90254	120.79	12.08	23.92	156.78
69550695007	308470010	ROMERO, ROSA	15299	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4119	ROMERO, ROSA	15299 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4119	254.02	25.4	50.3	329.7
101025823003	308470014	WARD, DION	15323	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4119	WARD, DION	15323 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4119	103.31	10.33	20.46	134.08
81246345000	308470015	JONES, MARILYN (RENT)	15331	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4119	JONES, MARILYN	28870 RAINIER WAY	MORENO VALLEY, CA	92555-7027	254.02	25.4	50.3	329.7
97081575004	308470018	KEMP, SHANIKA (OWNR)	26854	CALLE VEJAR	MORENO VALLEY	CA	92555-4117	KEMP, SHANIKA	6221 25TH ST	SACRAMENTO, CA	95822-3706	187.69	18.77	37.16	243.62
96642485001	308470021	RACHEYA, RAY (RENT)	15338	VIA MARAVILLA	MORENO VALLEY	CA	92555-4115	RACHEYA, RAY	15338 VIA MARAVILLA	MORENO VALLEY, CA	92555-4115	63.23	6.32	12.52	82.06
65962565005	308470026	IRIBE, MARIA	26839	VISTA ALLEGRE	MORENO VALLEY	CA	92555	IRIBE, MARIA	26839 VISTA ALLEGRE	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
93871525003	308470031	HAMPTON, MARLENA (RENT)	12643	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5969	HAMPTON, MARLENA	25646 BUENA FORTUNA LN	MORENO VALLEY, CA	92551-2042	153.43	15.34	30.38	199.14
86679523009	308470040	AMADOR, JOSE	15327	VIA MARAVILLA	MORENO VALLEY	CA	92555-4115	AMADOR, JOSE	15327 VIA MARAVILLA	MORENO VALLEY, CA	92555-4115	190.79	19.08	37.78	247.64
62249515001	308470046	BROOM, NEISTA	15308	AVENIDA ANILLO	MORENO VALLEY	CA	92555-4109	BROOM, NEISTA	15308 AVENIDA ANILLO	MORENO VALLEY, CA	92555-4109	25	2.5	4.95	32.44
96277275002	308480001	CASTRO, ADAM (OWNR)	17234	CLEVELAND BAY WAY	MORENO VALLEY	CA	92555-3359	CASTRO, ADAM	17234 CLEVELAND BAY WAY	MORENO VALLEY, CA	92555-3359	254.12	25.41	50.32	329.84
94602735007	308480004	RIVERS, ROBIN (RENT)	17192	CLEVELAND BAY WAY	MORENO VALLEY	CA	92555-3359	RIVERS, ROBIN	17192 CLEVELAND BAY WAY	MORENO VALLEY, CA	92555-3359	190.79	19.08	37.78	247.64
71680845007	308481004	VILLALOBOS, RUBEN	17087	CLEVELAND BAY WAY	MORENO VALLEY	CA	92555-3357	VILLALOBOS, RUBEN	17087 CLEVELAND BAY WAY	MORENO VALLEY, CA	92555-3357	254.02	25.4	50.3	329.7
90361695002	308481005	BURNETT, CONSTANCE	17110	VIA XAVIER LN	MORENO VALLEY	CA	92555-3338	BURNETT, CONSTANCE	17110 VIA XAVIER LN	MORENO VALLEY, CA	92555-3338	78.37	7.84	15.52	101.72
86134695009	308481009	VASQUEZ, ARTURO	17195	CLEVELAND BAY WAY	MORENO VALLEY	CA	92555-3359	VASQUEZ, ARTURO	17195 CLEVELAND BAY WAY	MORENO VALLEY, CA	92555-3359	168.95	16.9	33.45	219.28
94206255007	308481012	JOSHUEA, VANESSA (RENT)	17141	CLEVELAND BAY WAY	MORENO VALLEY	CA	92555-3359	JOSHUEA, VANESSA	17141 CLEVELAND BAY WAY	MORENO VALLEY, CA	92555-3359	254.12	25.41	50.32	329.84
93820165005	308490010	BEED, LAKEISHA (RENT)	26207	FILLY LN	MORENO VALLEY	CA	92555-3355	BEED, LAKEISHA	15469 VIA LORCA DR	MORENO VALLEY, CA	92551-7070	215.36	21.54	42.64	279.52
71082155000	308490011	ROMERO, SALVADOR	26223	FILLY LN	MORENO VALLEY	CA	92555-3355	ROMERO, SALVADOR	26223 FILLY LN	MORENO VALLEY, CA	92555-3355	329.32	32.93	65.21	427.44
70890105008	308490014	DE LAO, GERSON	16912	FOXTROT LN	MORENO VALLEY	CA	92555-3354	DE LAO, GERSON	16912 FOXTROT LN	MORENO VALLEY, CA	92555-3354	254.02	25.4	50.3	329.7
65865175000	308491009	JOHNSON, BRIAN	17056	VIA XAVIER LN	MORENO VALLEY	CA	92555-3338	JOHNSON, BRIAN	17056 VIA XAVIER LN	MORENO VALLEY, CA	92555-3338	254.12	25.41	50.32	329.84
97604945006	308502007	SOCO, APOLONIO	16876	VIA XAVIER LN	MORENO VALLEY	CA	92555-3337	SOCO, APOLONIO	15646 RIO BLANCO TRL	MORENO VALLEY, CA	92555-4964	342.84	34.28	67.88	445
89013465004	308502012	HOWARD, STEPHANIE	16799	FOXTROT LN	MORENO VALLEY	CA	92555-3352	HOWARD, STEPHANIE	16799 FOXTROT LN	MORENO VALLEY, CA	92555-3352	254.02	25.4	50.3	329.7
90923155002	308502016	RAGEL, BENJAMIN	16735	FOXTROT LN	MORENO VALLEY	CA	92555-3352	RAGEL, BENJAMIN	4750 LINCOLN BLVD, APT# 461	MARINA DEL REY, CA	90292-9306	189.59	18.96	37.54	246.08
68484175009	308502017	MONAHAN, DAWN	16748	COLT WAY	MORENO VALLEY	CA	92555-3347	MONAHAN, DAWN	16748 COLT WAY	MORENO VALLEY, CA	92555-3347	190.79	19.08	37.78	247.64
97144105009	308502019	GUERRERO, MAXIMO	16780	COLT WAY	MORENO VALLEY	CA	92555-3349	GUERRERO, MAXIMO	893 CANTABRIA CT	PERRIS, CA	92571-5105	393.97	39.4	78.01	511.36
66526325008	308502027	URIBE, RAMIE	16799	COLT WAY	MORENO VALLEY	CA	92555-3349	URIBE, RAMIE	26279 IRIS AVE	MORENO VALLEY, CA	92555-3044	217.06	21.71	42.98	281.74
90871085008	308510001	YOUNGBLOOD, CHANTAY	16720	FOXTROT LN	MORENO VALLEY	CA	92555-3352	YOUNGBLOOD, CHANTAY	16720 FOXTROT LN	MORENO VALLEY, CA	92555-3352	253.92	25.39	50.28	329.58
95515205001	308510010	MARSHAL, WILLIE (RENT)	16620	COLT WAY	MORENO VALLEY	CA	92555-3345	MARSHAL, WILLIE (RENT)	16620 COLT WAY	MORENO VALLEY, CA	92555-3345	254.02	25.4	50.3	329.7
84985355007	308511014	CALDERA, LIZ	16696	WITHERS WAY	MORENO VALLEY	CA	92555-3342	CALDERA, LIZ	12614 ROSS AVE	CHINO, CA	91710-3653	66.45	6.65	13.16	86.24
75165155009	308511018	GEARHART, JEFFREY	16640	WITHERS WAY	MORENO VALLEY	CA	92555-3343	GEARHART, JEFFREY	16640 WITHERS WAY	MORENO VALLEY, CA	92555-3343	254.02	25.4	50.3	329.7
99919995001	308511023	SMITH, DERICK (OWNR)	16570	WITHERS WAY	MORENO VALLEY	CA	92555-3343	SMITH, DERICK AND ANGELA	16570 WITHERS WAY	MORENO VALLEY, CA	92555-3343	254.12	25.41	50.32	329.84
94213685003	308512002	LORENZANA, LINDA (OWNR)	26011	GALT WAY	MORENO VALLEY	CA	92555-3340	LORENZANA, LINDA	26011 GALT WAY	MORENO VALLEY, CA	92555-3340	254.12	25.41	50.32	329.84
92012403000	308513002	PANIKI, CONIDA (RENT)	16711	FOXTROT LN	MORENO VALLEY	CA	92555-3351	PANIKI, CONIDA	16711 FOXTROT LN	MORENO VALLEY, CA	92555-3351	266.17	26.62	52.7	345.48
70573835007	308520001	PALACIO, ARTEMIO	26054	ROJO TIERRA	MORENO VALLEY	CA	92555-3368	PALACIO, ARTEMIO	26054 ROJO TIERRA	MORENO VALLEY, CA	92555-3368	254.02	25.4	50.3	329.7
70904445006	308520004	TOWNES, NICOLE	26090	ROJO TIERRA	MORENO VALLEY	CA	92555-3368	TOWNES, NICOLE	26090 ROJO TIERRA	MORENO VALLEY, CA	92555-3368	254.02	25.4	50.3	329.7
70996485003	308520005	EDWARDS, KAREN	26102	ROJO TIERRA	MORENO VALLEY	CA	92555-3368	EDWARDS, KAREN	26102 ROJO TIERRA	MORENO VALLEY, CA	92555-3368	254.02	25.4	50.3	329.7
96352675009	308520013	PUGA, ISELA	26045	SADDLEBRED LN	MORENO VALLEY	CA	92555-3377	PUGA, ISELA	26045 SADDLEBRED LN	MORENO VALLEY, CA	92555-3377	254.12	25.41	50.32	329.84
69686465007	308520017	ELIZONDO, RODOLFO	17106	CHAPPARRAL WAY	MORENO VALLEY	CA	92555-3376	ELIZONDO, RODOLFO	1342 HIGHLAND AV N #6	LOS ANGELES, CA	90028-9301	254.02	25.4	50.3	329.7
88696015008	308520033	TOMLIN, KARA	16921	TACK LN	MORENO VALLEY	CA	92555-3382	TOMLIN, KARA	16921 TACK LN	MORENO VALLEY, CA	92555-3382	124.12	12.41	24.58	161.1
66449165006	308520036	BURGOS, ADAM	16879	TACK LN	MORENO VALLEY	CA	92555	BURGOS, ADAM	26808 LAPOUDRE PASS CT	SUN CITY, CA	92586-4853	190.59	19.06	37.74	247.38
91599005001	308520043	BAIITY, MONIQUE	16781	TACK LN	MORENO VALLEY	CA	92555-3378	BAIITY, MONIQUE	16781 TACK LN	MORENO VALLEY, CA	92555-3378	253.92	25.39	50.28	329.58
94284155005	308522009	JOHNSON, CASSANDRA (OWNR)	26103	BLAZER CT	MORENO VALLEY	CA	92555-3387	JOHNSON, CASSANDRA	26103 BLAZER CT	MORENO VALLEY, CA	92555-3387	82.68	8.27	16.37	107.3
66148815008	308522012	HERNANDEZ, CARLOS	26067	BLAZER CT	MORENO VALLEY	CA	92555-3387	HERNANDEZ, CARLOS	26067 BLAZER CT	MORENO VALLEY, CA	92555-3387	254.12	25.41	50.32	329.84
97865125005	308522029	OCHOA, CATHY (RENT)	26118	HOLSTEIN DR	MORENO VALLEY	CA	92555-3375	OCHOA, CATHY	26118 HOLSTEIN DR	MORENO VALLEY, CA	92555-3375	254.12	25.41	50.32	329.84
97582275004	308530006	HEBERT, ROBYN	17199	BRONCO LN	MORENO VALLEY	CA	92555-3370	HEBERT, ROBYN	17199 BRONCO LN	MORENO VALLEY, CA	92555-3370	190.79	19.08	37.78	247.64
91481765002	308530009	TORREZ, EMMA	17217	BRONCO LN	MORENO VALLEY	CA	92555-3371	TORREZ, EMMA	17217 BRONCO LN	MORENO VALLEY, CA	92555-3371	127.26	12.73	25.2	165.18
86397783003	308530010	HORTON, JOMO (RENT)	17223	BRONCO LN	MORENO VALLEY	CA	92555-3371	HORTON, JOMO (RENT)	17223 BRONCO LN	MORENO VALLEY, CA	92555-3371	248.27	24.83	49.16	322.24
90154293005	308530011	HOWARD, TRACY (RENT)	17229	BRONCO LN	MORENO VALLEY	CA	92555-3371	HOWARD, TRACY	17229 BRONCO LN	MORENO VALLEY, CA	92555-3371	88.27	8.83	17.48	114.56
94427865001	308530015	MORENO, JULIETTE (RENT)	17253	BRONCO LN	MORENO VALLEY	CA	92555-3371	MORENO, JULIETTE	17253 BRONCO LN	MORENO VALLEY, CA	92555-3371	254.12	25.41	50.32	329.84
96759375008	308531002	MOLINA, JENNY	17317	CREMELLO WAY	MORENO VALLEY	CA	92555-3369	MOLINA, JENNY	17317 CREMELLO WAY	MORENO VALLEY, CA	92555-3369	74.45	7.45	14.74	96.62
93727375008	308531008	COVARUBIAS, MARIA (OWNR)	17298	BRONCO LN	MORENO VALLEY	CA	92555-3373	COVARUBIAS, MARIA	17298 BRONCO LN	MORENO VALLEY, CA	92555-3373	254.12	25.41	50.32	329.84
93964415009	308531010	AVILA, MARGARITA (RENT)	26047	ARABIAN CT	MORENO VALLEY	CA	92555-3358	AVILA, MARGARITA	20775 EL NIDO AVE	PERRIS, CA	92571-7434	254.12	25.41	50.32	329.84
95817335004	308531012	PRADO, ALEJANDRO (RENT)	26071	ARABIAN CT	MORENO VALLEY	CA	92555-3358	PRADO, ALEJANDRO	16811 MAJESTIC PL	MORENO VALLEY, CA	92555-3358	104.64	10.46	20.72	135.82
89490553000	308531020	TOMPKINS, STEVEN	26060	ARABIAN CT	MORENO VALLEY	CA	92555-3358	TOMPKINS, STEVEN	14520 VILLAGE DR APT 1906	FONTANA, CA	92337-2709	329.86	32.99	65.31	428.14
91286395003	308531021	LARA, ROSEMARY AND CYNTHIA	26048	ARABIAN CT	MORENO VALLEY	CA	92555-3358	LARA, ROSEMARY AND CYNTHIA	26048 ARABIAN CT	MORENO VALLEY, CA	92555-3358	253.92	25.39	50.28	329.58
97307635001	308531038	EL-AMIN, NADIYAH (OWNR)	26034	YEARLING CT	MORENO VALLEY	CA	92555-3364	EL-AMIN, NADIYAH	26034 YEARLING CT	MORENO VALLEY, CA	92555-3364	23.83	2.38	4.72	30.92
88605763001	308531040	MURILLO, OMAR (RENT)	26043	PINTO CT	MORENO VALLEY	CA	92555-3366	MURILLO, OMAR (RENT)	26119 HAFLINGER CT	MORENO VALLEY, CA	92555-3386	254.12	25.41	50.32	329.84
95452125004	308540001	NYECHE, KIM (OWNR)	26130	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3390	NYECHE, KIM	26130 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3390	253.92	25.39	50.28	329.58

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
70891335008	308540002	HOLT, ANITRA	26144	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3390	HOLT, ANITRA	26144 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3390	254.02	25.4	50.3	329.7
92451695009	308540003	HERNANDEZ, ADAN	26158	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3390	HERNANDEZ, ADAN	26158 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3390	254.02	25.4	50.3	329.7
94192135005	308540005	ORDUNEZ, KAREN (OWNR)	26189	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3391	ORDUNEZ, KAREN AND CARLOS	26189 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3391	194.12	19.41	38.44	251.96
70908235001	308540006	SCHELLER, SUSAN	26200	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3391	SCHELLER, SUSAN	748 MOCKINGBIRD CIR	BEAUMONT, CA	92223-7116	254.02	25.4	50.3	329.7
71386895000	308540007	GRISSOM, CALVIN	26214	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3391	GRISSOM, CALVIN	26214 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3391	254.02	25.4	50.3	329.7
93889285005	308540008	GARCIA, RICHARD (OWNR)	26217	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3391	GARCIA, RICHARD	26217 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3391	63.63	6.36	12.6	82.58
90039005009	308540013	MANSKER, MITTIE	26203	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3391	MANSKER, MITTIE	26203 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3391	63.93	6.39	12.66	82.98
71652545009	308540020	FLANNIGAN, KAROLYN	26146	CHARISMATIC CT	MORENO VALLEY	CA	92555-3388	FLANNIGAN, KAROLYN	26146 CHARISMATIC CT	MORENO VALLEY, CA	92555-3388	254.02	25.4	50.3	329.7
96612365001	308540029	WEEKS, ZACHARY AND CHARLES	26219	CHARISMATIC CT	MORENO VALLEY	CA	92555-3389	WEEKS, ZACHARY AND CHARLES	26219 CHARISMATIC CT	MORENO VALLEY, CA	92555-3389	155.4	15.54	30.77	201.7
98332283001	308540033	WARNER, TANEAL MARIE (OWNR)	26163	CHARISMATIC CT	MORENO VALLEY	CA	92555-3388	WARNER, TANEAL MARIE	26163 CHARISMATIC CT	MORENO VALLEY, CA	92555-3388	257.45	25.75	50.98	334.16
73979745002	308541005	MCCALL, KIM	17309	RIVA RIDGE DR	MORENO VALLEY	CA	92555-3395	MCCALL, KIM	17309 RIVA RIDGE DR	MORENO VALLEY, CA	92555-3395	181.34	18.13	35.91	235.36
95925535003	308541009	SALMANCA, VIOSELINA (RENT)	17285	RIVA RIDGE DR	MORENO VALLEY	CA	92555-3395	SALMANCA, VIOSELINA	17285 RIVA RIDGE DR	MORENO VALLEY, CA	92555-3395	254.12	25.41	50.32	329.84
74888585007	308541011	HINRICHS, ROB	17302	CREMELLO WAY	MORENO VALLEY	CA	92555-3392	HINRICHS, ROB	13843 HUMMINGBIRD WAY	RCH CUCAMONGA, CA	91739-5991	254.02	25.4	50.3	329.7
96764445004	308541015	KONILOW, JUSTIN (OWNR)	17326	CREMELLO WAY	MORENO VALLEY	CA	92555-3392	KONILOW, JUSTIN (OWNR)	17326 CREMELLO WAY	MORENO VALLEY, CA	92555-3392	63.63	6.36	12.6	82.58
96769175009	308551006	TVETIO, DANE (OWNR)	17339	RIVA RIDGE DR	MORENO VALLEY	CA	92555-3396	TVETIO, DANE	17339 RIVA RIDGE DR	MORENO VALLEY, CA	92555-3396	190.79	19.08	37.78	247.64
73456335007	308552004	ROMO, MARIO J	17334	CREMELLO WAY	MORENO VALLEY	CA	92555-3392	ROMO, MARIO J	7950 ETIWANDA AVE APT 40106	RCH CUCAMONGA, CA	91739-8741	217.96	21.8	43.16	282.9
90441809009	308552010	JONES, CORRINE	17365	KENTUCKY DERBY DR	MORENO VALLEY	CA	92555-7907	JONES, CORRINE	17365 KENTUCKY DERBY DR	MORENO VALLEY, CA	92555-7907	306.38	30.7	60.78	398.46
69519565009	308552014	RODGERS, ALANA	17389	KENTUCKY DERBY DR	MORENO VALLEY	CA	92555-7907	RODGERS, ALANA	19947 CANTARA ST	WINNETKA, CA	91306-1904	254.02	25.4	50.3	329.7
95327225007	308560002	MURGA, FRANCISCO AND VERONICA	17378	RIVA RIDGE DR	MORENO VALLEY	CA	92555-7901	MURGA, FRANCISCO AND VERONICA	17378 RIVA RIDGE DR	MORENO VALLEY, CA	92555-7901	54.12	5.41	10.72	70.24
99029825005	308560006	LANDRY, APRIL (RENT)	17435	RIVA RIDGE DR	MORENO VALLEY	CA	92555-3400	LANDRY, APRIL	17435 RIVA RIDGE DR	MORENO VALLEY, CA	92555-3400	90.69	9.07	17.96	117.7
85479795008	308560016	JACKSON, LATONYA	17476	KENTUCKY DERBY DR	MORENO VALLEY	CA	92555-7912	JACKSON, LATONYA	17476 KENTUCKY DERBY DR	MORENO VALLEY, CA	92555-7912	254.02	25.4	50.3	329.7
95710575000	308561006	LAMAR, BENJAMIN (OWNR)	17455	KENTUCKY DERBY DR	MORENO VALLEY	CA	92555-7910	LAMAR, BENJAMIN	17455 KENTUCKY DERBY DR	MORENO VALLEY, CA	92555-7910	190.79	19.08	37.78	247.64
80597805000	308561009	EILEFSON, JOHN	17491	KENTUCKY DERBY DR	MORENO VALLEY	CA	92555-7910	EILEFSON, JOHN	17491 KENTUCKY DERBY DR	MORENO VALLEY, CA	92555-7910	254.02	25.4	50.3	329.7
88926455006	308570001	SAPPINGTON, MILO	26960	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4958	SAPPINGTON, MILO	26960 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4958	309.05	30.91	61.19	401.14
81497015008	308570010	JUAREZ, DANIEL JOJO	15574	RIO BLANCO TRL	MORENO VALLEY	CA	92555-4962	JUAREZ, DANIEL JOJO	15574 RIO BLANCO TR	MORENO VALLEY, CA	92555-4962	254.02	25.4	50.3	329.7
100380193005	308571001	HARDSON, KENNETH (RENT)	27023	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4961	HARDSON, KENNETH	27023 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4961	113.1	11.31	22.39	146.8
93822135008	308571003	BOTELLO, CHERYL (OWNR)	27003	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4961	BOTELLO, CHERYL	27003 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4961	63.63	6.36	12.6	82.58
74862285005	308571007	YUEN, CHOONG-WAI	26963	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4959	YUEN, CHOONG-WAI	26963 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4959	254.02	25.4	50.3	329.7
84774845003	308571011	LEMON, KENYON	26923	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4959	LEMON, KENYON	26923 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4959	27.36	2.74	5.42	35.5
96180943008	308571015	MANGURE, LUCAS (RENT)	26892	WINTER PARK PL	MORENO VALLEY	CA	92555-4977	MANGURE, LUCAS	26892 WINTER PARK PL	MORENO VALLEY, CA	92555-4977	35.59	3.56	7.05	46.18
86681393002	308571021	COOPER, AKAYME	26952	WINTER PARK PL	MORENO VALLEY	CA	92555-4966	COOPER, AKAYME	26952 WINTER PARK PL	MORENO VALLEY, CA	92555-4966	254.12	25.41	50.32	329.84
90773875005	308571027	OLIVER, HUGO	27012	WINTER PARK PL	MORENO VALLEY	CA	92555-4978	OLIVER, HUGO	26396 MARE LN	MORENO VALLEY, CA	92555-3312	253.92	25.39	50.28	329.58
92392589008	308571028	ROMERO, ROXANNE	27022	WINTER PARK PL	MORENO VALLEY	CA	92555-4978	ROMERO, ROXANNE	27022 WINTER PARK PL	MORENO VALLEY, CA	92555-4978	148.27	14.83	29.38	192.44
96279505000	308572001	CANNON, EDWARD (OWNR)	27015	WINTER PARK PL	MORENO VALLEY	CA	92555-4979	CANNON, EDWARD	27015 WINTER PARK PL	MORENO VALLEY, CA	92555-4979	254.12	25.41	50.32	329.84
80690145002	308572016	LLANES, JEFF MARCO AND EDNA	15633	COPPER MOUNTAIN RD	MORENO VALLEY	CA	92555-4968	LLANES, JEFF MARCO AND EDNA	15633 COPPER MOUNTAIN RD	MORENO VALLEY, CA	92555-4968	254.02	25.4	50.3	329.7
97132155003	308573001	SPEARMAN, CHARZETTA (RENT)	15611	PONCHA SPRINGS WAY	MORENO VALLEY	CA	92555-4975	SPEARMAN, CHARZETTA	15611 PONCHA SPRINGS WAY	MORENO VALLEY, CA	92555-4975	254.12	25.41	50.32	329.84
77475845006	308573013	MATTHEWS, MYESHA	26910	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4971	MATTHEWS, MYESHA	12858 AZALEA ST	MORENO VALLEY, CA	92555-3524	329.32	32.93	65.21	427.44
82889155005	308580006	CRAWFORD, MILDRED	15742	RIO BLANCO TRL	MORENO VALLEY	CA	92555-4982	CRAWFORD, MILDRED	15742 RIO BLANCO TR	MORENO VALLEY, CA	92555-4982	254.02	25.4	50.3	329.7
95812965002	308580007	SATURNINO, PAULETTE (RENT)	15754	RIO BLANCO TRL	MORENO VALLEY	CA	92555-4982	SATURNINO, PAULETTE	15754 RIO BLANCO TR	MORENO VALLEY, CA	92555-4982	99.89	9.99	19.79	129.64
96419165003	308581012	CHERRYE, CHERRY (RENT)	26849	NUCIA DR	MORENO VALLEY	CA	92555-4985	CHERRYE, CHERRY	26849 NUCIA DR	MORENO VALLEY, CA	92555-4985	254.12	25.41	50.32	329.84
92939455003	308581018	HOWARD, DIANE (RENT)	15707	PONCHA SPRINGS WAY	MORENO VALLEY	CA	92555-4988	HOWARD, DIANE	15707 PONCHA SPRINGS WAY	MORENO VALLEY, CA	92555-4988	254.02	25.4	50.3	329.7
94062035001	308582039	SMALLWOOD, FELICITAS (RENT)	26856	NUCIA DR	MORENO VALLEY	CA	92555-4985	SMALLWOOD, FELICITAS	26856 NUCIA DR	MORENO VALLEY, CA	92555-4985	129.12	12.91	25.57	167.58
90891445001	308582041	BUSH, KEN (OWNR)	26876	NUCIA DR	MORENO VALLEY	CA	92555-4983	BUSH, KEN	26876 NUCIA DR	MORENO VALLEY, CA	92555-4983	63.45	6.35	12.56	82.34
91953735007	308582048	CABRERA, PATRICIA	26946	NUCIA DR	MORENO VALLEY	CA	92555-4984	CABRERA, PATRICIA	26946 NUCIA DR	MORENO VALLEY, CA	92555-4984	83.92	8.39	16.62	108.92
85214365009	308582052	CRISOLOGO, NARCISO	26986	NUCIA DR	MORENO VALLEY	CA	92555-4984	CRISOLOGO, NARCISO	26986 NUCIA DR	MORENO VALLEY, CA	92555-4984	254.02	25.4	50.3	329.7
96158745006	308590009	WIDJAJA, JOSEPH (OWNR)	26890	SUGARITE CANYON DR	MORENO VALLEY	CA	92555-9102	WIDJAJA, JOSEPH	26890 SUGARITE CANYON DR	MORENO VALLEY, CA	92555-9102	244.15	24.42	48.34	316.9
95447795003	308590010	TOLEDO, JANINE (OWNR)	26900	SUGARITE CANYON DR	MORENO VALLEY	CA	92555-9102	TOLEDO, JANINE	26900 SUGARITE CANYON DR	MORENO VALLEY, CA	92555-9102	190.49	19.05	37.72	247.24
92960543001	308591002	BROWN, CAROLYN D (OWNR)	26980	SUGARITE CANYON DR	MORENO VALLEY	CA	92555-9103	BROWN, CAROLYN D	26980 SUGARITE CANYON DR	MORENO VALLEY, CA	92555-9103	209.1	20.91	41.4	271.4
88596325008	308592008	HARRIS, PATRICE	26953	SUGARITE CANYON DR	MORENO VALLEY	CA	92555-9103	HARRIS, PATRICE	26953 SUGARITE CANYON DR	RANCHO BELASCO, CA	92555-9103	54.12	5.41	10.72	70.24
91471443001	308592014	RUIZ, MARLENE (RENT)	26893	SUGARITE CANYON DR	MORENO VALLEY	CA	92555-9102	RUIZ, MARLENE	26893 SUGARITE CANYON DR	MORENO VALLEY, CA	92555-9102	63.63	6.36	12.6	82.58
85664695006	308601009	GUZMAN, MIRIAM	26955	ROCKVALE TER	MORENO VALLEY	CA	92555-9100	GUZMAN, MIRIAM	26955 ROCKVALE TER	MORENO VALLEY, CA	92555-9100	63.63	6.36	12.6	82.58
88275535002	308601017	HOLMES, MICHELLE	26971	CIMARRON CANYON DR	MORENO VALLEY	CA	92555-4992	HOLMES, MICHELLE	26971 CIMARRON CANYON DR	MORENO VALLEY, CA	92555-4992	254.12	25.41	50.32	329.84
87151445005	308601020	VARGAS, JOHANNA	26941	CIMARRON CANYON DR	MORENO VALLEY	CA	92555-4992	VARGAS, JOHANNA	26941 CIMARRON CANYON DR	MORENO VALLEY, CA	92555-4992	254.12	25.41	50.32	329.84
86134783000	308620045	BREWSTER JR, HAMILTON (OWNR)	26921	CIMARRON CANYON DR	MORENO VALLEY	CA	92555-4991	BREWSTER JR, HAMILTON	26921 CIMARRON CANYON DR	MORENO VALLEY, CA	92555-4991	109.71	10.97	21.72	142.4
31580725003	312031001	PADILLA, JUAN	25379	IVORY AVE	MORENO VALLEY	CA	92551-9230	PADILLA, JUAN	25379 IVORY AVE	MORENO VALLEY, CA	92551-9230	254.02	25.4	50.3	329.7
31148715001	312031021	WOODAND, MARGO	16061	EBONY AVE	MORENO VALLEY	CA	92551-9227	WOODAND, MARGO	16061 EBONY AVE	MORENO VALLEY, CA	92551-9227	254.02	25.4	50.3	329.7
91704885002	312031023	CURIEL, SANDRA	16037	EBONY AVE	MORENO VALLEY	CA	92551-9227	CURIEL, SANDRA	16037 EBONY AVE	MORENO VALLEY, CA	92551-9227	253.92	25.39	50.28	329.58
31487975008	312031028	MALDONADO, IRENE	25300	CEREMONY AVE	MORENO VALLEY	CA	92551-9223	MALDONADO, IRENE	25300 CEREMONY AVE	MORENO VALLEY, CA	92551-9223	190.29	19.03	37.68	246.98
53270355001	312031030	SELLERS, WOODIE	25330	CEREMONY AVE	MORENO VALLEY	CA	92551-9223	SELLERS, WOODIE	25330 CEREMONY AVE	MORENO VALLEY, CA	92551-9223	254.02	25.4	50.3	329.7
31326145003	312033003	MOORE, PATRICIA	16146	EBONY AVE	MORENO VALLEY	CA	92551-9228	MOORE, PATRICIA	16146 EBONY AVE	MORENO VALLEY, CA	92551-9228	254.02	25.4	50.3	329.7
57851825006	312033005	WILBANKS, DONALD	16176	EBONY AVE	MORENO VALLEY	CA	92551	WILBANKS, DONALD	16176 EBONY AVE	MORENO VALLEY, CA	92551	254.03	25.4	50.3	329.72
58180295000	312033010	MOSSTERNY, GENESSE	25344	IVORY AVE	MORENO VALLEY	CA	92551-9229	MOSSTERNY, GENESSE	25344 IVORY AVE	MORENO VALLEY, CA	92551-9229	329.32	32.93	65.21	427.44
31392615006	312033016	RUIZ, ROSA	25331	ORBIT CT	MORENO VALLEY	CA	92551-9247	RUIZ, ROSA	25331 ORBIT CT	MORENO VALLEY, CA	92551-9247	254.02	25.4	50.3	329.7
81927995008	312033017	BAKER, JAMES	25319	ORBIT CT	MORENO VALLEY	CA	92551-9247	BAKER, JAMES	25319 ORBIT CT	MORENO VALLEY, CA	92551-9247	254.02	25.4	50.3	329.7
31151675003	312033019	ADAMS, EUGENE	25332	ORBIT CT	MORENO VALLEY	CA	92551-9247	ADAMS, EUGENE	25332 ORBIT CT	MORENO VALLEY, CA	92551-9247	254.02	25.4	50.3	329.7
31624245000	312033024	VALDIVIA, JOSE AND LISA	25355	MAXY DR	MORENO VALLEY	CA	92551-9256	VALDIVIA, JOSE AND LISA	25355 MAXY DR	MORENO VALLEY, CA	92551-9256	47.48	4.75	9.4	61.62
31301015003	312033025	HERNANDEZ, MARIA	25343	MAXY DR	MORENO VALLEY	CA	92551-9255	HERNANDEZ, MARIA	25343 MAXY DR	MORENO VALLEY, CA	92551-9255	129.6	12.96	25.66	168.22
92024913008	312033026	GARCIA, GASTON (OWNR)	25331	MAXY DR	MORENO VALLEY	CA	92551-9255	GARCIA, GASTON	25331 MAXY DR	MORENO VALLEY, CA	92551-9255	89.03	8.9	17.63	115.56
94038025003	312041001	RIOS, ANGELINA (RENT)	24632	ORMISTA DR	MORENO VALLEY	CA	92553-3802	RIOS, ANGELINA	25396 ORCHID CT	MORENO VALLEY, CA	92553-6515	177.9	17.79	35.22	230.9
31311725003	312041009	PITTMAN, EVANS	25474	CEREMONY AVE	MORENO VALLEY	CA	92551-9265	PITTMAN, EVANS	25474 CEREMONY AVE	MORENO VALLEY, CA	92551-9265	253.92	25.39	50.28	329.58
95546663009	312041015	YAZLOFF, LENORAD (RENT)	16058	NIPPET LN	MORENO VALLEY	CA	92551-9259	YAZLOFF, LENORAD	16205 GRAINDE ISLA CIR	MORENO VALLEY, CA	92551-1623	46.15	4.62	9.14	59.9
31292065003	312041026	ESCOBAR, SAUL	16202	NIPPET LN	MORENO VALLEY	CA	92551-1114	ESCOBAR, SAUL	16202 NIPPET LN	MORENO VALLEY, CA	92551-1114	253.92	25.39	50.28	329.58
31242075006	312042007	HASKINS, WILLIE	16086	SPACE DR	MORENO VALLEY	CA	92551-1130	HASKINS, WILLIE	16086 SPACE DR	MORENO VALLEY, CA	92551-1130	254.02	25.4	50.3	329.7
49589275008	312042009	LOZA, NORMA	16114	SPACE DR	MORENO VALLEY	CA	92551-9244	LOZA, NORMA	12625 FREDERICK ST #175	MORENO VALLEY, CA	92553-5216	254.02	25.4	50.3	329.7
73114805003	312042014	LEELO, JUNE (RENT)	16184	SPACE DR	MORENO VALLEY	CA	92551-9246	LEELO, JUNE	16184 SPACE AVE	MORENO VALLEY, CA	92551-9246	254.02	25.4	50.3	329.7
95794875001	312042015	CONTRERAS, FLORENCE (RENT)	16198	SPACE DR	MORENO VALLEY	CA	92551-9246	CONTRERAS, FLORENCE	16198 SPACE DR	MORENO VALLEY, CA	92551-9246	254.02	25.4	50.3	329.7
94577435004	312042022	GUTIERREZ, CYNTHIA (RENT)	16165	NIPPET LN	MORENO VALLEY	CA	92551-9264	GUTIERREZ, CYNTHIA	16165 NIPPET LN	MORENO VALLEY, CA	92551-9264	254.12	25.41	50.32	329.84
97441235002	312042032	ROBLES, DANNY AND EUNICE	16025	NIPPET LN	MORENO VALLEY	CA	92551-9260	ROBLES, DANNY AND EUNICE	16025 NIPPET LN	MORENO VALLEY, CA	92551-9260	254.12	25.41	50.32	329.84
83533255007	312042033	GRIJARLVA, JUAN	25439	CEREMONY AVE	MORENO VALLEY	CA	92551-9266	GRIJARLVA, JUAN	25439 CEREMONY AVE	MORENO VALLEY, CA	92551-9266	254.02	25.4	50.3	329.7
31547315008	312042036	SAUCER, TYRONE	25402	CEREMONY AVE	MORENO VALLEY	CA	92551-9286	SAUCER, TYRONE	PO BOX 9842	MORENO VALLEY, CA	92552-1842	253.92	25.39	50.28	329.58
95294889002	312043002	HENRY, JASMINE (RENT)	25392	ORBIT CT	MORENO VALLEY	CA	92551-9247	HENRY, JASMINE	25392 ORBIT CT	MORENO VALLEY, CA	92551-9247	63.63	6.36	12.6	82.58
86093945001	312044003	WARREN, KENNETHA	16207	SPACE DR	MORENO VALLEY	CA	92551-1129	WARREN, KENNETHA	25510 CAMINO CASTILLO	MORENO VALLEY, CA	92551-2117	254.02	25.4	50.3	329.7
92321885004	312044004	SUTTON, ANITA	16193	SPACE DR	MORENO VALLEY	CA	92551-9245	SUTTON, ANITA	16193 SPACE AVE	MORENO VALLEY, CA	92551-9245	253.92	25.39	50.28	329.58
91342305003	312050005	LINTON, DEBORAH	16155	ABEDUL ST	MORENO VALLEY	CA	92551-2033	LINTON, DEBORAH	16155 ABEDUL ST	MORENO VALLEY, CA	92551-2033	254.12	25.41	50.32	329.84
54019935000	312050007	MCGEE, TRACY	16131	ABEDUL ST	MORENO VALLEY	CA	92551-2033	MCGEE, TRACY	16131 ABEDUL CT	MORENO VALLEY, CA	92551-2033	254.12	25.41	50.32	329.84
75122565004	312050011	BANKS, CHESTER AND ELAINE	16083	ABEDUL ST	MORENO VALLEY	CA	92551-2031	BANKS, CHESTER AND ELAINE	16083 ABEDUL ST	MORENO VALLEY, CA	92551-2031	254.12	25.41	50.32	329.84
31371525009	312050012	SILVESTRE, AGNES	16071	ABEDUL ST	MORENO VALLEY	CA	92551-2031	SILVESTRE, AGNES	16071 ABEDUL ST	MORENO VALLEY, CA	92551-2031	154.12	15.41	30.52	200.04
96253055009	312050019	GARCIA, JESSICA (RENT)	25538	FRENTE CALIENTE	MORENO VALLEY	CA	92551-2041	GARCIA, JESSICA (RENT)	25538 FRENTE CALIENTE	MORENO VALLEY, CA	92551-2041	127.46	12.75	25.24	165.44
81606525008	312061003	GIBBS, YATHET	16020	LA FORTUNA LN	MORENO VALLEY	CA	92551-2023	GIBBS, YATHET	16020 LA FORTUNA LN	MORENO VALLEY, CA	92551-2023	329.32	32.93	65.21	427.44
96216385007	312061011	SWEARINGEN, PETER	25642	TONADILLA CIR	MORENO VALLEY	CA	92551-1608	SWEARINGEN, PETER	25642 TONADILLA CIR	MORENO VALLEY, CA	92551-1608	228.72	22.87	45.29	296.86
96604515007	312061019	MOJICA, JENNIE (OWNR)	25647	TONADILLA CIR	MORENO VALLEY	CA	92551-1608	MOJICA, JENNIE	25647 TONADILLA CIR	MORENO VALLEY, CA	92551-1608	64.05	6.41	12.68	83.12
99045473008	312061022	WASHINGTON, SHELIA (RENT)	25611	TONADILLA CIR	MORENO VALLEY	CA	92551-1608	WASHINGTON, SHELIA	25611 TONADILLA CIR	MORENO VALLEY, CA	92551-1608	273.52	27.35	54.16	355.02
31285715001	312061025	VIDRO, OLGA	16135	RANCHO DEL LAGO	MORENO VALLEY	CA	92551-2019	VIDRO, OLGA	16135 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-2019	247.41	24.74	48.99	321.12
31397215009	312061027	GOINT, FRANCISCO A	16095	RANCHO DEL LAGO	MORENO VALLEY	CA	92551-1604	GOINT, FRANCISCO A	16095 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-1604	63.63	6.36	12.6	82.58
31267015004	312062006	URIBE, OSCAR	25756	LA SALINA PL	MORENO VALLEY	CA	92551-2022	URIBE, OSCAR	25756 LA SALINA PL	MORENO VALLEY, CA	92551-2022	254.02	25.4	50.3	329.7
31496815003	312062011	PAZ, LISETH	25731	LA SALINA PL	MORENO VALLEY	CA	92551-2022	PAZ, LISETH	25731 LA SALINA PL	MORENO VALLEY, CA	92551-2022	191.44	19.14	37.91	248.48
31635425008	312063003	THOMAS, BETTY	16105	LA FORTUNA LN	MORENO VALLEY	CA	92551-2024	THOMAS, BETTY	16105 LA FORTUNA LN	MORENO VALLEY, CA	92551-2024	254.02	25.4	50.3	329.7
31367975002	312063004	ELIAS, MARY	16095	LA FORTUNA LN	MORENO VALLEY	CA	92551-1606	ELIAS, MARY	16095 LA FORTUNA LN	MORENO VALLEY, CA	92551-1606	254.02	25.4	50.3	329.7
31623515005	312063013	LEARY, ANN	25587	HONDO BARRANCA	MORENO VALLEY	CA	92551-1611	LEARY, ANN	25587 HONDO BARRANCA	MORENO VALLEY, CA	92551-1611	217.96	21.8	43.16	282.9
70209125007	312071004	ESQUIZIAS, CLAUDIA	25654	MORENA CIR	MORENO VALLEY	CA	92551-1605	ESQUIZIAS, CLAUDIA	25654 MORENA CIR	MORENO VALLEY, CA	92551-1605	329.32	32.93	65.21	427.44
57052925000	312071013	ASHLEY, TERRY	16180	LA FORTUNA LN	MORENO VALLEY	CA	92551-2026	ASHLEY, TERRY	16180 LA FORTUNA LN	MORENO VALLEY, CA	92551-2026	254.02	25.4	50.3	329.7

MV00167439

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
74965015003	312071015	THOMPSON, DOROTHY	16200	LA FORTUNA LN	MORENO VALLEY	CA	92551-2028	THOMPSON, DOROTHY	10855 RIVER RUN CIR	MORENO VALLEY, CA	92557-2622	329.32	32.93	65.21	427.44
97184015004	312071016	DULING, TAMARA (RENT)	16210	LA FORTUNA LN	MORENO VALLEY	CA	92551-2028	DULING, TAMARA	16210 LA FORTUNA LN	MORENO VALLEY, CA	92551-2028	63.63	6.36	12.6	82.58
91308263002	312071017	CARR, CYNTHIA (RENT)	16220	LA FORTUNA LN	MORENO VALLEY	CA	92551-2028	CARR, CYNTHIA	16220 LA FORTUNA LN	MORENO VALLEY, CA	92551-2028	341.4	34.14	67.6	443.12
51572215002	312071022	OROZCO, PERLA AND ALBERT	16195	RANCHO DEL LAGO	MORENO VALLEY	CA	92551-2021	OROZCO, PERLA AND ALBERT	12150 PIGEON PASS RD APT C120	MORENO VALLEY, CA	92557-6969	208.06	20.81	41.2	270.06
31413635006	312071023	BUTLER, SHIRLEY A BURRIS	16185	RANCHO DEL LAGO	MORENO VALLEY	CA	92553-2021	BUTLER, SHIRLEY A BURRIS	16185 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-2021	254.02	25.4	50.3	329.7
31302495000	312071028	PEREYDA, JOSE	16155	RANCHO DEL LAGO	MORENO VALLEY	CA	92555	PEREYDA, JOSE	16155 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-2019	253.92	25.39	50.28	329.58
31467345003	312071029	BROOKS, MARY	16145	RANCHO DEL LAGO	MORENO VALLEY	CA	92551-2019	BROOKS, MARY	16145 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-2019	329.32	32.93	65.21	427.44
31616215002	312072007	BRIM, ANDREW	16190	RANCHO DEL LAGO	MORENO VALLEY	CA	92551-2020	BRIM, ANDREW	16190 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-2020	267.44	26.74	52.95	347.12
87171423007	312072022	GALLOWAY, VERA (RENT)	16235	LA FORTUNA LN	MORENO VALLEY	CA	92551-2029	GALLOWAY, VERA	16235 LA FORTUNA LN	MORENO VALLEY, CA	92551-2029	186.96	18.7	37.02	242.66
31527525006	312072023	JOHNSON, DONOVAN	16225	LA FORTUNA LN	MORENO VALLEY	CA	92551-2029	JOHNSON, DONOVAN	16225 LA FORTUNA LN	MORENO VALLEY, CA	92551-2029	329.6	32.96	65.26	427.82
31426125005	312081002	LOPEZ, MARIA	25061	RED MAPLE LN	MORENO VALLEY	CA	92551-9211	LOPEZ, MARIA	25061 RED MAPLE LN	MORENO VALLEY, CA	92551-9211	254.02	25.4	50.3	329.7
96194885001	312081007	SANTILLAN, JUANITA (OWNR)	25089	RED MAPLE LN	MORENO VALLEY	CA	92551-9211	SANTILLAN, JUANITA	1415 S HESPERIAN ST	SANTA ANA, CA	92704-3410	254.12	25.41	50.32	329.84
91319645000	312081016	PEREZ, CARLOS	16329	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9205	PEREZ, CARLOS	16329 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9205	190.59	19.06	37.74	247.38
31354625004	312081018	WILSON, SHIRLEY	16349	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9205	WILSON, SHIRLEY	16349 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9205	254.02	25.4	50.3	329.7
94201135004	312081020	VINCENTE, SONIA (RENT)	16369	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9205	VINCENTE, SONIA	16369 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9205	124.12	12.41	24.58	161.1
31078525000	312081027	BLACKBURN, MARK	16439	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9210	BLACKBURN, MARK	16439 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9210	254.12	25.41	50.32	329.84
31217415007	312081028	KELSON, DOROTHY	16449	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9210	KELSON, DOROTHY	16449 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9210	254.02	25.4	50.3	329.7
90695713009	312081031	COOK, CANDACE (RENT)	16479	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9210	COOK, CANDACE	16479 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9210	306.98	30.7	60.78	398.46
31603165000	312081032	HENDERSON, CHRIS	16489	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9210	HENDERSON, CHRIS	16489 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9210	254.02	25.4	50.3	329.7
89943603009	312081035	MORALES, ANTHONY AND GUADALUPE	15675	NADIA ST	MORENO VALLEY	CA	92551-6919	MORALES, ANTHONY AND GUADALUPE	25275 ALESSANDRO BLVD APT 933	MORENO VALLEY, CA	92553-6542	271.1	27.11	53.68	351.88
31334545003	312082003	SINGLETON, CHERYL	16459	HAVENWOOD RD	MORENO VALLEY	CA	92551-9220	SINGLETON, CHERYL	16459 HAVENWOOD RD	MORENO VALLEY, CA	92551-9220	329.32	32.93	65.21	427.44
86340225001	312082007	SULLIVAN, ROBERT	16417	HAVENWOOD RD	MORENO VALLEY	CA	92551-9220	SULLIVAN, ROBERT	16417 HAVENWOOD RD	MORENO VALLEY, CA	92551-9220	329.32	32.93	65.21	427.44
31453295003	312082008	MADDEN, DEMITRIUS	16407	HAVENWOOD RD	MORENO VALLEY	CA	92551-9289	MADDEN, DEMITRIUS	16407 HAVENWOOD RD	MORENO VALLEY, CA	92551-9289	254.02	25.4	50.3	329.7
89664833003	312082011	GAIR, ANTHONY	16371	HAVENWOOD RD	MORENO VALLEY	CA	92551-9219	GAIR, ANTHONY	7429 S JEFFERY BLVD	CHICAGO, IL	60649-3621	420.76	42.08	83.31	546.14
94018125004	312082017	HOOKS, DAVID (OWNR)	25111	MIDDLEBROOK WAY	MORENO VALLEY	CA	92551-9204	HOOKS, DAVID	25111 MIDDLEBROOK WAY	MORENO VALLEY, CA	92551-9204	254.12	25.41	50.32	329.84
96726955005	312082026	GUNN, WILAMENA (RENT)	16370	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9206	GUNN, WILAMENA	550 WELLESLEY DR UNIT 105	CORONA, CA	92879-8815	189.79	18.98	37.58	246.34
97106755001	312082042	TRAN, HA AND TUAN	16427	HAZELWOOD CT	MORENO VALLEY	CA	92551-9218	TRAN, HA AND TUAN	16427 HAZELWOOD CT	MORENO VALLEY, CA	92551-9218	420.76	42.08	83.31	546.14
97364575004	312082044	TOLVIER, NASAUN (RENT)	16407	HAZELWOOD CT	MORENO VALLEY	CA	92551-9292	TOLVIER, NASAUN	14402 JANE CT	MORENO VALLEY, CA	92553-4992	119.25	11.93	23.61	154.78
93825235000	312082045	PEREZ, DIANA (RENT)	16395	HAZELWOOD CT	MORENO VALLEY	CA	92551-9216	PEREZ, DIANA	16395 HAZELWOOD CT	MORENO VALLEY, CA	92551-9216	262.12	26.21	51.9	340.22
92915655001	312082050	JIMENEZ, KARINA	16350	HAZELWOOD CT	MORENO VALLEY	CA	92551-9216	JIMENEZ, KARINA	16350 HAZELWOOD CT	MORENO VALLEY, CA	92551-9216	86.37	8.64	17.1	112.1
31465155006	312083006	GALLEGOS, MARIA (RENT)	25132	MIDDLEBROOK WAY	MORENO VALLEY	CA	92551-9202	GALLEGOS, MARIA	25132 MIDDLEBROOK WAY	MORENO VALLEY, CA	92551-9202	254.02	25.4	50.3	329.7
31622825002	312083009	REYES, DENISE	25119	RED MAPLE LN	MORENO VALLEY	CA	92551-9212	REYES, DENISE	25119 RED MAPLE LN	MORENO VALLEY, CA	92551-9212	63.69	6.37	12.61	82.66
92016835001	312083010	JONES, GENISE	25113	RED MAPLE LN	MORENO VALLEY	CA	92551-9212	JONES, GENISE	25113 RED MAPLE LN	MORENO VALLEY, CA	92551-9212	253.92	25.39	50.28	329.58
98011975001	312083011	ARREDONDO, PATRICIA (RENT)	25107	RED MAPLE LN	MORENO VALLEY	CA	92551-9212	ARREDONDO, PATRICIA	25107 RED MAPLE LN	MORENO VALLEY, CA	92551-9212	254.02	25.4	50.3	329.7
96421075008	312091002	MARTINEZ, HUMBERTO (OWNR)	25143	RED MAPLE LN	MORENO VALLEY	CA	92551-9212	MARTINEZ, HUMBERTO	25143 RED MAPLE LN	MORENO VALLEY, CA	92551-9212	54.12	5.41	10.72	70.24
95400535007	312091010	WILLIAMS, PATTY (RENT)	16339	SADDLEBROOK LN	MORENO VALLEY	CA	92551-9232	WILLIAMS, PATTY	16339 SADDLEBROOK LN	MORENO VALLEY, CA	92551-9232	254.12	25.41	50.32	329.84
31321775001	312091013	GONZALES, ALMA	16369	SADDLEBROOK LN	MORENO VALLEY	CA	92551-9233	GONZALES, ALMA	16369 SADDLEBROOK LN	MORENO VALLEY, CA	92551-9233	254.02	25.4	50.3	329.7
31535415002	312091019	GARCIA, JAMES (OWNR)	16439	SADDLEBROOK LN	MORENO VALLEY	CA	92551-9235	GARCIA, JAMES	16439 SADDLEBROOK LN	MORENO VALLEY, CA	92551-9235	177.53	17.75	35.15	230.42
75003725003	312091030	ANGUIANO, ERIC A	16408	HAVENWOOD RD	MORENO VALLEY	CA	92551-9290	ANGUIANO, ERIC A	16408 HAVENWOOD RD	MORENO VALLEY, CA	92551-9290	323.49	32.35	64.05	419.88
92036183005	312091031	GARCIA, ANNETTE	16394	HAVENWOOD RD	MORENO VALLEY	CA	92551-9200	GARCIA, ANNETTE	16394 HAVENWOOD RD	MORENO VALLEY, CA	92551-9200	188.09	18.81	37.24	244.14
59977595005	312091032	MANZO, ANITA	16380	HAVENWOOD RD	MORENO VALLEY	CA	92551-9200	MANZO, ANITA	1752 FAIRDALE AVE	ESCONDIDO, CA	92027-3119	254.12	25.41	50.32	329.84
61073185005	312092003	WHITMER, MELISSA	25155	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9215	WHITMER, MELISSA	25155 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9215	254.12	25.41	50.32	329.84
94259335000	312094002	HANDEL, MEGAN (RENT)	25184	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9238	HANDEL, MEGAN	25184 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9238	57	5.7	11.29	73.98
31412765000	312094006	CASTANEDA, JOSE T	25208	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9240	CASTANEDA, JOSE T	25208 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9240	254.02	25.4	50.3	329.7
94833363005	312094009	MARROQUIN, RICHARD (OWNR)	25226	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9240	MARROQUIN, RICHARD	25226 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9240	209.72	20.97	41.52	272.2
96482855006	312094012	HOLLY, JONES (RENT)	16475	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9253	HOLLY, JONES	16475 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9253	127.46	12.75	25.24	165.44
31330305001	312094019	AMIGO, OSVALDO	16405	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9251	AMIGO, OSVALDO	16405 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9251	254.02	25.4	50.3	329.7
97001413006	312094035	MONTANEZ, JAZMIN (RENT)	25201	LOGAN BERRY CT	MORENO VALLEY	CA	92551-9299	MONTANEZ, JAZMIN	25201 LOGAN BERRY CT	MORENO VALLEY, CA	92551-9299	58.92	5.89	11.67	76.46
31352675007	312094036	JOHNSON, LINDA AND GREGORY	25195	LOGAN BERRY CT	MORENO VALLEY	CA	92551-1100	JOHNSON, LINDA AND GREGORY	25195 LOGAN BERRY CT	MORENO VALLEY, CA	92551-1100	254.02	25.4	50.3	329.7
31342775007	312094038	DOWNER, ROBERT	25183	LOGAN BERRY CT	MORENO VALLEY	CA	92551-1100	DOWNER, ROBERT	4335 N PECK RD	EL MONTE, CA	91732-1905	254.02	25.4	50.3	329.7
31497325004	312095003	BULLEY, JOSEPH	16308	SADDLEBROOK LN	MORENO VALLEY	CA	92551-1122	BULLEY, JOSEPH	16308 SADDLEBROOK LN	MORENO VALLEY, CA	92551-1122	254.02	25.4	50.3	329.7
96604005004	312095006	CALDERON, ALFREDO (RENT)	16334	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9248	CALDERON, ALFREDO	16334 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9248	254.12	25.41	50.32	329.84
75005335000	312095014	BREWSTER, CICELY	16398	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9250	BREWSTER, CICELY	16398 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9250	190.29	19.03	37.68	246.98
101895613003	312095016	GOMEZ, TERESA (RENT)	16414	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9250	GOMEZ, TERESA	16414 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9250	87.93	8.79	17.41	114.12
31457975001	312095017	GATHRIGHT, REGINALD	16422	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9250	GATHRIGHT, REGINALD	16422 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9250	254.02	25.4	50.3	329.7
73211535004	312095021	COOTH, JAIME	16279	PARKSIDE LN	MORENO VALLEY	CA	92551-9273	COOTH, JAIME	16279 PARKSIDE LN	MORENO VALLEY, CA	92551-9273	254.02	25.4	50.3	329.7
31313275003	312095022	HUDSPET, MILDRED	16259	PARKSIDE LN	MORENO VALLEY	CA	92551-9273	HUDSPET, MILDRED	16259 PARKSIDE LN	MORENO VALLEY, CA	92551-9273	254.02	25.4	50.3	329.7
97107495004	312101005	RODRIGUEZ,GILBERT,PEREZ,KRIS	25342	MOORLAND RD	MORENO VALLEY	CA	92551-9279	RODRIGUEZ,GILBERT,PEREZ,KRIS	25342 MOORLAND RD	MORENO VALLEY, CA	92551-9279	190.79	19.08	37.78	247.64
60271085007	312101007	REYES, DORCAS	25370	MOORLAND RD	MORENO VALLEY	CA	92551-9279	REYES, DORCAS	25370 MOORLAND RD	MORENO VALLEY, CA	92551-9279	254.12	25.41	50.32	329.84
31597995000	312101009	LOPEZ, GUADALUPE	25398	MOORLAND RD	MORENO VALLEY	CA	92551-9279	LOPEZ, GUADALUPE	25398 MOORLAND RD	MORENO VALLEY, CA	92551-9279	254.02	25.4	50.3	329.7
94081435007	312101016	HAWKINS, CASANDRA (RENT)	25496	MOORLAND RD	MORENO VALLEY	CA	92551-9281	HAWKINS, CASANDRA	PO BOX 8812	MORENO VALLEY, CA	92552-8812	189.79	18.98	37.58	246.34
60267395000	312102001	GICKING, PAUL	25497	MOORLAND RD	MORENO VALLEY	CA	92551-9280	GICKING, PAUL	25497 MOORLAND RD	MORENO VALLEY, CA	92551-9280	254.12	25.41	50.32	329.84
95444153004	312102020	VEGA, MARIA (RENT)	16338	PARKSIDE LN	MORENO VALLEY	CA	92551-9272	VEGA, MARIA (RENT)	16338 PARKSIDE LN	MORENO VALLEY, CA	92551-9272	52.84	5.28	10.46	68.58
31328365002	312102037	COLEMAN, RENAEE	16290	KENSINGTON PL	MORENO VALLEY	CA	92551-9267	COLEMAN, RENAEE	23949 BAY AVE APT 48	MORENO VALLEY, CA	92553-6047	254.02	25.4	50.3	329.7
59047295001	312102041	JACKSON, LOIS	16314	KENSINGTON PL	MORENO VALLEY	CA	92551-9297	JACKSON, LOIS	28181 WINGED FOOT DR	SUN CITY, CA	92586-2587	254.12	25.41	50.32	329.84
31553075006	312102047	SMITH, LETITIA	16368	KENSINGTON PL	MORENO VALLEY	CA	92551-9268	SMITH, LETITIA	16368 KENSINGTON PL	MORENO VALLEY, CA	92551-9268	254.02	25.4	50.3	329.7
88689675004	312103001	VERGARA, RICARDO	16461	KENSINGTON PL	MORENO VALLEY	CA	92551-9269	VERGARA, RICARDO	16461 KENSINGTON PL	MORENO VALLEY, CA	92551-9269	254.12	25.41	50.32	329.84
31608615005	312103006	PADILLA, ADRIANA (OWNR)	16413	PARKSIDE LN	MORENO VALLEY	CA	92551-9275	PADILLA, ADRIANA	16413 PARKSIDE LN	MORENO VALLEY, CA	92551-9275	186.37	18.64	36.9	241.9
81520495006	312103007	GRIJALVA, MONICA AND ZETH	16407	PARKSIDE LN	MORENO VALLEY	CA	92551-9275	GRIJALVA, MONICA AND ZETH	16407 PARKSIDE LN	MORENO VALLEY, CA	92551-9275	254.02	25.4	50.3	329.7
91335783006	312103018	BROWN, AUDREY (RENT)	16490	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9252	BROWN, AUDREY	16490 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9252	216.17	21.62	42.8	280.58
31623435002	312103021	FLANAN, ROSEMARIE	25266	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9242	FLANAN, ROSEMARIE	25266 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9242	254.02	25.4	50.3	329.7
92063865006	312104012	TORRES, JOSE	25281	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9243	TORRES, JOSE	25281 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9243	253.92	25.39	50.28	329.58
95126465002	312104019	LAMETTE, MICHAEL (RENT)	25239	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9241	LAMETTE, MICHAEL	25239 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9241	253.92	25.39	50.28	329.58
96222455000	312111001	MELGAR, FERNANDO A	16347	ABEDUL ST	MORENO VALLEY	CA	92551-2038	MELGAR, FERNANDO A	16347 ABEDUL ST	MORENO VALLEY, CA	92551-2038	228.72	22.87	45.29	296.86
90629748002	312112001	BELOTE, BALOUSE AND SONDRA	16263	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2073	BELOTE, BALOUSE AND SONDRA	16263 AVENIDA DE LORING	MORENO VALLEY, CA	92551-2073	444.11	44.41	87.93	576.44
31223115008	312112007	HARRIS, JACQUELINE	16266	ABEDUL ST	MORENO VALLEY	CA	92551-2035	HARRIS, JACQUELINE	16266 ABEDUL ST	MORENO VALLEY, CA	92551-2035	127.46	12.75	25.24	165.44
31224015007	312112008	AVANT, FULTON	16278	ABEDUL ST	MORENO VALLEY	CA	92551-2035	AVANT, FULTON	16278 ABEDUL ST	MORENO VALLEY, CA	92551-2035	254.12	25.41	50.32	329.84
31219085002	312112012	BEVIEN, ARTHUR	16326	ABEDUL ST	MORENO VALLEY	CA	92551-2037	BEVIEN, ARTHUR	16326 ABEDUL ST	MORENO VALLEY, CA	92551-2037	254.12	25.41	50.32	329.84
31576405008	312112013	EGANS, SHAWNA	25550	CALABRIA DR	MORENO VALLEY	CA	92551-2063	EGANS, SHAWNA	25550 CALABRIA DR	MORENO VALLEY, CA	92551-2063	254.02	25.4	50.3	329.7
96764475007	312112015	DELEON, EMERITA (RENT)	25574	CALABRIA DR	MORENO VALLEY	CA	92551-2063	DELEON, EMERITA	25574 CALABRIA DR	MORENO VALLEY, CA	92551-2063	254.12	25.41	50.32	329.84
31357545004	312112016	PEDROZA, PRIMITIVO	25586	CALABRIA DR	MORENO VALLEY	CA	92551-2063	PEDROZA, PRIMITIVO	25586 CALABRIA DR	MORENO VALLEY, CA	92551-2063	254.02	25.4	50.3	329.7
31315475006	312112019	BERNAL, ERNESTO (OWNR)	25622	CALABRIA DR	MORENO VALLEY	CA	92551-2065	BERNAL, ERNESTO	25622 CALABRIA DR	MORENO VALLEY, CA	92551-2065	254.12	25.41	50.32	329.84
93288275002	312112023	RAMIREZ, LAURA	16299	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2071	RAMIREZ, LAURA	16299 AVENIDA DE LORING	MORENO VALLEY, CA	92551-2071	127.46	12.75	25.24	165.44
61167475004	312112024	PLASCENCIA, JUAN JOSE	25613	CASCADA CIR	MORENO VALLEY	CA	92551-2096	PLASCENCIA, JUAN JOSE	7600 AMBERGATE PL APT H205	RIVERSIDE, CA	92504-2681	254.12	25.41	50.32	329.84
62131465001	312113008	ZIMMERMAN, DENESHA	16278	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2070	ZIMMERMAN, DENESHA	16278 AVENIDA DE LORING	MORENO VALLEY, CA	92551-2070	254.12	25.41	50.32	329.84
31471535005	312121002	TREVINO, ROSE	25601	BUENA FORTUNA LN	MORENO VALLEY	CA	92551-2089	TREVINO, ROSE	25601 BUENA FORTUNA LN	MORENO VALLEY, CA	92551-2089	120.66	12.07	23.89	156.6
96696435000	312123003	LEON, LAURA (OWNR)	25637	CALABRIA DR	MORENO VALLEY	CA	92551-2066	LEON, LAURA	25637 CALABRIA DR	MORENO VALLEY, CA	92551-2066	254.12	25.41	50.32	329.84
31549015007	312123022	GRIZZARD, SARA	16455	ANCLADERO CT	MORENO VALLEY	CA	92551-2092	GRIZZARD, SARA	1251 AUTUMNWOOD LN	PERRIS, CA	92571-9203	254.02	25.4	50.3	329.7
31448435004	312123030	DIAZ, MONIQUE	16398	ANCLADERO CT	MORENO VALLEY	CA	92551-2090	DIAZ, MONIQUE	2034 ALBANY CT	SAN JACINTO, CA	92582-6924	63.63	6.36	12.6	82.58
31426165006	312123033	BERG, DANA	16434	ANCLADERO CT	MORENO VALLEY	CA	92551-2091	BERG, DANA	16434 ANCLADERO CT	MORENO VALLEY, CA	92551-2091	75	7.5	14.85	97.34
92539305003	312123040	THOMAS, IVORY	25634	BUENA FORTUNA LN	MORENO VALLEY	CA	92551-2042	THOMAS, IVORY	25634 BUENA FORTUNA LN	MORENO VALLEY, CA	92551-2042	254.02	25.4	50.3	329.7
99398133003	312123041	MOORER, HARRY (RENT)	25646	BUENA FORTUNA LN	MORENO VALLEY	CA	92551-2042	MOORER, HARRY	25646 BUENA FORTUNA LN	MORENO VALLEY, CA	92551-2042	137.57	13.76	27.24	178.56
92385133007	312123050	COVARRUBIAS, MONICA	25634	BUENA VILLAGE CT	MORENO VALLEY	CA	92551-2098	COVARRUBIAS, MONICA	25634 BUENA VILLAGE CT	MORENO VALLEY, CA	92551-2098	194.17	19.42	38.45	252.02
87029755007	312123051	GARCIA, ALONSO	16407	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2080	GARCIA, ALONSO	16407 AVENIDA DE LORING	MORENO VALLEY, CA	92551-2080	254.02	25.4	50.3	329.7
75324525005	312124004	FITCH, LORI	16362	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2075	FITCH, LORI	2414 WAXWING AVE	VENTURA, CA	93003-7170	190.69	19.07	37.76	247.5
92382545008	312124011	BROWN, TONIA	16446	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2078	BROWN, TONIA	16446 AVENIDA DE LORING	MORENO VALLEY, CA	92551-2078	127.36	12.74	25.22	165.3
31313555004	312141002	BLACKMAN, SANDRA	16571	WAR CLOUD DR	MORENO VALLEY	CA	92551-2527	BLACKMAN, SANDRA	16571 WAR CLOUD DR	MORENO VALLEY, CA	92551-2527	190.39	19.04	37.7	247.12
31392295003	312141006	WILLIAMS, LATISIA	16539	WAR CLOUD DR	MORENO VALLEY	CA	92551-2526	WILLIAMS, LATISIA	24040 POSTAL AVE UNIT 71	MORENO VALLEY, CA	92556-5004	254.02	25.4	50.3	329.7
96363695002	312141007	RAMIREZ, DAISY (OWNR)	16531	WAR CLOUD DR	MORENO VALLEY	CA	92551-2526	RAMIREZ, DAISY	16531 WAR CLOUD DR	MORENO VALLEY, CA	92551-2526	254.12	25.41	50.32	329.84
99712455003	312141012	BARAJAS, MARCOS (OWNR)	25026	GRANVILLE ST	MORENO VALLEY	CA	92551-2546	BARAJAS, MARCOS	162 E FROMER ST	RIALTO, CA	92376-7010	254.12	25.41	50.32	329.84
31198965003	312142003	THAXTON, MARY	16563	SIR BARTON WAY	MORENO VALLEY	CA	92551-2535	THAXTON, MARY	16563 SIR BARTON	MORENO VALLEY, CA	92551-2535	104.02	10.4	20.6	135

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31181345000	312142007	SHELBY, NORMA	16531	SIR BARTON WAY	MORENO VALLEY	CA	92551-2534	SHELBY, NORMA	16531 SIR BARTON	MORENO VALLEY, CA	92551-2534	254.02	25.4	50.3	329.7
97268865006	312142014	SOROZA, ROSA (RENT)	16564	WAR CLOUD DR	MORENO VALLEY	CA	92551-2525	SOROZA, ROSA	16564 WAR CLOUD DR	MORENO VALLEY, CA	92551-2525	254.12	25.41	50.32	329.84
31372575006	312142015	WILLIAMS, LAVERNE	16572	WAR CLOUD DR	MORENO VALLEY	CA	92551-2528	WILLIAMS, LAVERNE	16572 WAR CLOUD DR	MORENO VALLEY, CA	92551-2528	329.32	32.93	65.21	427.44
31541885001	312143009	BRANDON, CORRAINE	25121	GRANVILLE ST	MORENO VALLEY	CA	92551-2547	BRANDON, CORRAINE	25121 GRANVILLE ST	MORENO VALLEY, CA	92551-2547	329.04	32.9	65.15	427.08
90766143008	312143013	CLARK JARVELLA	25161	GRANVILLE ST	MORENO VALLEY	CA	92551-2547	CLARK JARVELLA	25161 GRANVILLE ST	MORENO VALLEY, CA	92551-2547	302.06	30.21	59.81	392.06
51816195007	312143014	DELGADO, IRMA	25171	GRANVILLE ST	MORENO VALLEY	CA	92551-2547	DELGADO, IRMA	25171 GRANVILLE ST	MORENO VALLEY, CA	92551-2547	63.63	6.36	12.6	82.58
95680855006	312143016	SANDOVAL, JUANA (RENT)	25180	GRAYLAG CIR	MORENO VALLEY	CA	92551-2591	SANDOVAL, JUANA AND PEDRO	25180 GRAYLAG CIR	MORENO VALLEY, CA	92551-2591	190.79	19.08	37.78	247.64
95415665007	312143019	ALVAREZ, JENNIE (RENT)	25150	GRAYLAG CIR	MORENO VALLEY	CA	92551-2591	ALVAREZ, JENNIE	25150 GRAYLAG CIR	MORENO VALLEY, CA	92551-2591	254.12	25.41	50.32	329.84
31244085000	312143020	TATUNAY, RICARDO	25140	GRAYLAG CIR	MORENO VALLEY	CA	92551-2591	TATUNAY, RICARDO	25140 GREYLAG CIR	MORENO VALLEY, CA	92551-2591	254.16	25.42	50.32	329.88
91364815000	312143021	WHITE, SHAUN	25130	GRAYLAG CIR	MORENO VALLEY	CA	92551-2591	WHITE, SHAUN	25130 GRAYLAG CIR	MORENO VALLEY, CA	92551-2591	102.25	10.23	20.25	132.72
31439595009	312143027	BUSTAMANTE, MIKE	25171	GRAYLAG CIR	MORENO VALLEY	CA	92551-2591	BUSTAMANTE, MIKE	25171 GREYLAG CIR	MORENO VALLEY, CA	92551-2591	329.32	32.93	65.21	427.44
97097885005	312144012	PEREZ, JOSE A AND JAQUELINE	16580	SEATTLE SLEW DR	MORENO VALLEY	CA	92551-2569	PEREZ, JOSE A AND JAQUELINE	16580 SEATTLE SLEW DR	MORENO VALLEY, CA	92551-2569	420.76	42.08	83.31	546.14
95615315006	312144013	RICO, ADRIAN (RENT)	16572	SEATTLE SLEW DR	MORENO VALLEY	CA	92551-2569	RICO, ADRIAN	16572 SEATTLE SLEW DR	MORENO VALLEY, CA	92551-2569	254.12	25.41	50.32	329.84
31447105005	312144019	SOPELO, LETICIA	16528	SEATTLE SLEW DR	MORENO VALLEY	CA	92551-2569	SOPELO, LETICIA	16528 SEATTLE SLEW DR	MORENO VALLEY, CA	92551-2569	254.02	25.4	50.3	329.7
31303975007	312144020	RAMIREZ, MARTHA	16522	SEATTLE SLEW DR	MORENO VALLEY	CA	92551-2569	RAMIREZ, MARTHA	16522 SEATTLE SLEW DR	MORENO VALLEY, CA	92551-2569	36.92	3.69	7.31	47.92
60654405007	312144022	ZOCARIAS, JUDY	16510	SEATTLE SLEW DR	MORENO VALLEY	CA	92551-2569	ZOCARIAS, JUDY	16510 SEATTLE SLEW DR	MORENO VALLEY, CA	92551-2569	329.6	32.96	65.26	427.82
31580005004	312151001	WARD, ARNETA	16634	SIR BARTON WAY	MORENO VALLEY	CA	92551-2537	WARD, ARNETA	16634 SIR BARTON	MORENO VALLEY, CA	92551-2537	64.09	6.41	12.69	83.18
31221915004	312151002	COMBS, CASSANDRA	16642	SIR BARTON WAY	MORENO VALLEY	CA	92551-2537	COMBS, CASSANDRA	16642 SIR BARTON WAY	MORENO VALLEY, CA	92551-2537	254.12	25.41	50.32	329.84
95050605005	312151003	LOPEZ, JESUS (OWNR)	16628	WHIRLAWAY CIR	MORENO VALLEY	CA	92551-2404	LOPEZ, JESUS	16628 WHIRLAWAY CIR	MORENO VALLEY, CA	92551-2404	40	4	7.92	51.92
31427335009	312151006	BURKE, THOMAS	16652	WHIRLAWAY CIR	MORENO VALLEY	CA	92551-2404	BURKE, THOMAS	16652 WHIRLAWAY CIR	MORENO VALLEY, CA	92551-2404	64.36	6.44	12.74	83.52
84844395008	312151007	JARAMILLO, RENE	16653	WHIRLAWAY CIR	MORENO VALLEY	CA	92551-2404	JARAMILLO, RENE	16653 WHIRLAWAY CIR	MORENO VALLEY, CA	92551-2404	90	9	17.82	116.82
96979685007	312151014	BELCHER, TOWAN (RENT)	25211	OMAHA DR	MORENO VALLEY	CA	92551-2403	BELCHER, TOWAN	25211 OMAHA DR	MORENO VALLEY, CA	92551-2403	481.45	48.15	95.33	624.92
65262685005	312151015	AMBRIZ, MARTIN	25221	OMAHA DR	MORENO VALLEY	CA	92551-2403	AMBRIZ, MARTIN	100 SUMMIT DR	KYLE, TX	78640-9555	254.12	25.41	50.32	329.84
99017205000	312151020	MEJIA, MARIA	16677	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2557	MEJIA, MARIA	16677 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2557	254.02	25.4	50.3	329.7
31310455001	312151021	SPRINGER, ERNESTINA	16687	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2557	SPRINGER, ERNESTINA	PO BOX 8083	MORENO VALLEY, CA	92552-8083	253.92	25.39	50.28	329.58
96310705001	312151024	GARIBITO, LEO (OWNR)	16658	SIR BARTON WAY	MORENO VALLEY	CA	92551-2537	GARIBITO, LEO	16658 SIR BARTON WAY	MORENO VALLEY, CA	92551-2537	254.12	25.41	50.32	329.84
95493935008	312151027	DRINKARD, MICHAEL	16680	SIR BARTON WAY	MORENO VALLEY	CA	92551-2539	DRINKARD, MICHAEL	16680 SIR BARTON WAY	MORENO VALLEY, CA	92551-2539	248.27	24.83	49.16	322.24
31500555006	312151033	SPENCE, GARY	16661	SECRETARIAT DR	MORENO VALLEY	CA	92551-2541	SPENCE, GARY	16661 SECRETARIAT DR	MORENO VALLEY, CA	92551-2541	329.6	32.96	65.26	427.82
93721715000	312152006	BLACKMAN, ROBERT (OWNR)	25206	OMAHA DR	MORENO VALLEY	CA	92551-2402	BLACKMAN, ROBERT	25206 OMAHA DR	MORENO VALLEY, CA	92551-2402	253.45	25.35	50.18	328.96
31436365003	312153001	CAMACHO, LUIS	25182	OMAHA DR	MORENO VALLEY	CA	92551-2400	CAMACHO, LUIS	25182 OMAHA DR	MORENO VALLEY, CA	92551-2400	117.44	11.74	23.25	152.42
97626265001	312153002	VILLICANA, MICHAEL AND ANA	25172	OMAHA DR	MORENO VALLEY	CA	92551-2400	VILLICANA, MICHAEL AND ANA	9332 PAPAYA PL	FONTANA, CA	92335-2598	420.76	42.08	83.31	546.14
31609315006	312153003	SANDOVAL, NATIVIDA	25162	OMAHA DR	MORENO VALLEY	CA	92551-2400	SANDOVAL, NATIVIDA	25162 OMAHA DR	MORENO VALLEY, CA	92551-2400	254.02	25.4	50.3	329.7
31217445001	312153010	DEMESA, CATALINA	16604	SIR BARTON WAY	MORENO VALLEY	CA	92551-2572	DEMESA, CATALINA	16604 SIR BARTON	MORENO VALLEY, CA	92551-2572	329.32	32.93	65.21	427.44
56192815008	312153011	PATTERSON, BRIGITTE	16612	SIR BARTON WAY	MORENO VALLEY	CA	92551-2572	PATTERSON, BRIGITTE	16612 SIR BARTON	MORENO VALLEY, CA	92551-2572	254.02	25.4	50.3	329.7
94025025000	312154004	MACIEL, TONITA (OWNR)	16645	SIR BARTON WAY	MORENO VALLEY	CA	92551-2538	FUENTES, JOSEPH	4620 VAN BUREN BLVD APT 169	RIVERSIDE, CA	92503-2697	254.12	25.41	50.32	329.84
58294975006	312154005	MCGEE, DAVID	16641	SIR BARTON WAY	MORENO VALLEY	CA	92557-	MCGEE, DAVID	16641 SIR BARTON WAY	MORENO VALLEY, CA	92551-2538	254.02	25.4	50.3	329.7
68059755007	312154018	BRITO, MARIA	16628	WAR CLOUD DR	MORENO VALLEY	CA	92551-2529	BRITO, MARIA	16628 WAR CLOUD DR	MORENO VALLEY, CA	92551-2529	254.12	25.41	50.32	329.84
31509695008	312156003	GARCIA, ROSA	16649	WAR CLOUD DR	MORENO VALLEY	CA	92551-2530	GARCIA, ROSA	2560 PERRIS BLVD G-3 PMB 39	PERRIS, CA	92571-3253	254.12	25.41	50.32	329.84
31470815008	312156004	MC CULLOUGH, STEVE	16641	WAR CLOUD DR	MORENO VALLEY	CA	92551-2530	MC CULLOUGH, STEVE	16641 WAR CLOUD DR	MORENO VALLEY, CA	92551-2530	254.02	25.4	50.3	329.7
31189735001	312161001	HOFFMAN, ROY	16707	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2558	HOFFMAN, ROY	16707 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2558	190.69	19.07	37.76	247.5
88814945002	312161014	NGUYEN, KIM (OWN)	16776	SECRETARIAT DR	MORENO VALLEY	CA	92551-2545	THOMPSON, MELONECE	16776 SECRETARIAT DR	MORENO VALLEY, CA	92551-2545	253.92	25.39	50.28	329.58
31440845005	312161023	GRIFFIN, VERONICA	16704	SECRETARIAT DR	MORENO VALLEY	CA	92551-2574	GRIFFIN, VERONICA	16704 SECRETARIAT DR	MORENO VALLEY, CA	92551-2574	254.02	25.4	50.3	329.7
31519745007	312162006	ARREDONDO, DIANA	16741	MAJESTIC PRINCE WAY	MORENO VALLEY	CA	92551-2514	ARREDONDO, DIANA	16741 MAJESTIC PRINCE WAY	MORENO VALLEY, CA	92551-2514	253.92	25.39	50.28	329.58
93876773009	312162011	LEE, JOYCE(RENT)	16691	MAJESTIC PRINCE WAY	MORENO VALLEY	CA	92551-2597	LEE, JOYCE(RENT)	44741 STEWART WAY	HEMET, CA	92544-5550	50.49	5.05	10	65.52
95320445006	312163005	CARO, LISETTE (RENT)	16710	WAR CLOUD DR	MORENO VALLEY	CA	92551-2531	CARO, LISETTE (RENT)	16710 WAR CLOUD DR	MORENO VALLEY, CA	92551-2531	248.27	24.83	49.16	322.24
66031515009	312163008	TELLIS, THELMA	16728	WAR CLOUD DR	MORENO VALLEY	CA	92551-2531	TELLIS, THELMA	16728 WAR CLOUD DR	MORENO VALLEY, CA	92551-2531	189.12	18.91	37.45	245.46
31415135006	312163009	JONES, SHEILA	16734	WAR CLOUD DR	MORENO VALLEY	CA	92551-2531	JONES, SHEILA	16734 WAR CLOUD DR	MORENO VALLEY, CA	92551-2531	254.02	25.4	50.3	329.7
91521405001	312163010	MARQUEZ, KIMBERLY	16740	WAR CLOUD DR	MORENO VALLEY	CA	92551-2531	MARQUEZ, KIMBERLY	16740 WAR CLOUD DR	MORENO VALLEY, CA	92551-2531	253.92	25.39	50.28	329.58
31202435005	312163012	MCKEE, PEGGY (OWNR)	16752	WAR CLOUD DR	MORENO VALLEY	CA	92551-2531	MCKEE, PEGGY	16752 WAR CLOUD DR	MORENO VALLEY, CA	92551-2531	254.02	25.4	50.3	329.7
96002805003	312163014	BRACKINS, SANDRA (RENT)	16737	SECRETARIAT DR	MORENO VALLEY	CA	92551-2543	BRACKINS, SANDRA	16737 SECRETARIAT DR	MORENO VALLEY, CA	92551-2543	254.12	25.41	50.32	329.84
31621315001	312163015	WILLIAMS, JAMES E	16729	SECRETARIAT DR	MORENO VALLEY	CA	92551-2543	WILLIAMS, JAMES E	16729 SECRETARIAT DR	MORENO VALLEY, CA	92551-2543	254.02	25.4	50.3	329.7
94011745009	312163016	TEMORES, ROGELIO (RENT)	16721	SECRETARIAT DR	MORENO VALLEY	CA	92551-2543	TEMORES,ROGELIO (RENT)	16721 SECRETARIAT DR	MORENO VALLEY, CA	92551-2543	254.12	25.41	50.32	329.84
53819875006	312163024	VINCENT, LONNIE AND SHIRLEY	16669	SIR BARTON WAY	MORENO VALLEY	CA	92551-2538	VINCENT, LONNIE AND SHIRLEY	16669 SIR BARTON WAY	MORENO VALLEY, CA	92551-2538	229.62	22.96	45.46	298.04
51571275001	312164002	SADLER, EUGENE	16789	SECRETARIAT DR	MORENO VALLEY	CA	92551-2544	SADLER, EUGENE	16789 SECRETARIAT DR	MORENO VALLEY, CA	92551-2544	229.32	22.93	45.41	297.64
72296275000	312164016	VARGAS, ALBERT	16685	WAR CLOUD DR	MORENO VALLEY	CA	92551-2512	VARGAS, ALBERT	16685 WAR CLOUD DR	MORENO VALLEY, CA	92551-2512	134.02	13.4	26.54	173.94
31150465009	312164017	TALBOT, DWAYNE	16677	WAR CLOUD DR	MORENO VALLEY	CA	92551-2512	TALBOT, DWAYNE	16677 WAR CLOUD DR	MORENO VALLEY, CA	92551-2512	254.02	25.4	50.3	329.7
95547685003	312164021	HERNANDEZ, JAIME (RENT)	16772	MAJESTIC PRINCE WAY	MORENO VALLEY	CA	92551-2516	HERNANDEZ, JAIME	16772 MAJESTIC PRINCE WAY	MORENO VALLEY, CA	92551-2516	229.6	22.96	45.46	298.02
84406605002	312164024	ZUNIGA, ERICA	16797	HARKER CIR	MORENO VALLEY	CA	92551-2521	ZUNIGA, ERICA	16797 HARKER CIR	MORENO VALLEY, CA	92551-2521	329.32	32.93	65.21	427.44
52892845007	312164026	MENDEZ, IMELDA	16781	HARKER CIR	MORENO VALLEY	CA	92551-2521	MENDEZ, IMELDA	16781 HARKER CIR	MORENO VALLEY, CA	92551-2521	254.02	25.4	50.3	329.7
87904185001	312164031	MURFITT, ALAN	25128	HARKER LN	MORENO VALLEY	CA	92551-2522	MURFITT, ALAN	PO BOX 7091	MORENO VALLEY, CA	92552-7091	329.6	32.96	65.26	427.82
92689045001	312164032	JACKSON, NICHOLAS	25138	HARKER LN	MORENO VALLEY	CA	92551-2522	JACKSON, NICHOLAS	15740 LASSELLE ST APT H	MORENO VALLEY, CA	92551-6334	127.36	12.74	25.22	165.3
31447795000	312171006	SAUCEDO,HORACIO (RENT)	25072	SLATE CREEK DR	MORENO VALLEY	CA	92551-2500	SAUCEDO, HORACIO	25072 SLATE CREEK DR	MORENO VALLEY, CA	92551-2500	63.73	6.37	12.62	82.72
95223045006	312171008	AVALOS, SERGIO (RENT)	25051	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2506	AVALOS, SERGIO	6358 ARCHER ST	RIVERSIDE, CA	92509-5056	148.54	14.85	29.41	192.8
97309645005	312171010	BAKER, KATE (RENT)	25031	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2506	BAKER, KATE	12831 MORENO BEACH DR #107	MORENO VALLEY, CA	92555-4419	89.31	8.93	17.68	115.92
86439963007	312171012	MUNOZ, JOSE (RENT)	25011	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2506	MUNOZ, JOSE	25011 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2506	254.12	25.41	50.32	329.84
94680845002	312171013	SALAS, SIMON	25107	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2588	SALAS, SIMON	25107 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2588	254.02	25.4	50.3	329.7
76133495005	312171026	SALINAS, NORMA	25164	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2509	SALINAS, NORMA	25164 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2509	254.02	25.4	50.3	329.7
31148685007	312171030	MC CASLIN, GREG	25212	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2589	MC CASLIN, GREG	25212 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2589	254.02	25.4	50.3	329.7
94854215003	312171033	MURILLO, ALFREDO (OWNR)	25227	HARKER LN	MORENO VALLEY	CA	92551-2595	MURILLO, ALFREDO AND NOEMI	25227 HARKER LN	MORENO VALLEY, CA	92551-2595	190.79	19.08	37.78	247.64
87990705001	312171034	JORDAN, SAPHINE	25217	HARKER LN	MORENO VALLEY	CA	92551-2595	JORDAN, SAPHINE	25217 HARKER LN	MORENO VALLEY, CA	92551-2595	148.6	14.86	29.42	192.88
97097385000	312171041	RIVAS, DIANA (RENT)	25147	HARKER LN	MORENO VALLEY	CA	92551-2523	RIVAS, DIANA	25147 HARKER LN	MORENO VALLEY, CA	92551-2523	254.12	25.41	50.32	329.84
94391315005	312171042	BURNETT, KEVIN (OWNR)	25137	HARKER LN	MORENO VALLEY	CA	92551-2523	BURNETT, KEVIN	25137 HARKER LN	MORENO VALLEY, CA	92551-2523	150.6	15.06	29.82	195.46
31159035001	312171043	AGUILAR, RICHARD	25127	HARKER LN	MORENO VALLEY	CA	92551-2523	AGUILAR, RICHARD	25127 HARKER LN	MORENO VALLEY, CA	92551-2523	329.32	32.93	65.21	427.44
92440105006	312171044	COCIO, ROSAMARIA	25117	HARKER LN	MORENO VALLEY	CA	92551-2523	COCIO, ROSAMARIA	25117 HARKER LN	MORENO VALLEY, CA	92551-2523	190.59	19.06	37.74	247.38
52057905008	312171045	JACKSON, THOMAS	25107	HARKER LN	MORENO VALLEY	CA	92551-2523	JACKSON, THOMAS	25107 HARKER LN	MORENO VALLEY, CA	92551-2523	329.32	32.93	65.21	427.44
31557735009	312171048	WOODS, EDWARD	25077	HARKER LN	MORENO VALLEY	CA	92551-2518	WOODS, EDWARD	25077 HARKER LN	MORENO VALLEY, CA	92551-2518	254.02	25.4	50.3	329.7
31316805007	312171051	BROWN, VALENCIA	25047	HARKER LN	MORENO VALLEY	CA	92551-2517	BROWN, VALENCIA	25047 HARKER LN	MORENO VALLEY, CA	92551-2517	251.6	25.16	49.82	326.56
92078385005	312171054	FUTCH, SHARON	25017	HARKER LN	MORENO VALLEY	CA	92551-2517	FUTCH, SHARON	PO BOX 1575	MORENO VALLEY, CA	92556-1575	329.04	32.9	65.15	427.08
83940985002	312172003	WHITE, ANTHONY	25189	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2510	WHITE, ANTHONY	25189 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2510	254.02	25.4	50.3	329.7
89974035004	312172004	WILKES,DONALD,MCELROY,MICHELLE	25177	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2510	WILKES,DONALD,MCELROY,MICHELLE	25177 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2510	442.39	44.24	87.59	574.22
31560695001	312172013	ROBINSON, CHERISE	25106	SLATE CREEK DR	MORENO VALLEY	CA	92551-2502	ROBINSON, CHERISE	25106 SLATE CREEK DR	MORENO VALLEY, CA	92551-2502	329.32	32.93	65.21	427.44
66907185009	312172018	RAHMAN, POLASH	25164	SLATE CREEK DR	MORENO VALLEY	CA	92551-2504	RAHMAN, POLASH	25164 SLATE CREEK DR	MORENO VALLEY, CA	92551-2504	127.46	12.75	25.24	165.44
92078575005	312172021	DESOUZA, JASON	25200	SLATE CREEK DR	MORENO VALLEY	CA	92551-1002	DESOUZA, JASON	25200 SLATE CREEK DR	MORENO VALLEY, CA	92551-1002	404.16	40.42	80.02	524.58
86822195004	312172024	AVALOS, VICTORIA	25201	SLATE CREEK DR	MORENO VALLEY	CA	92551-1002	AVALOS, VICTORIA	25201 SLATE CREEK DR	MORENO VALLEY, CA	92551-1002	254.02	25.4	50.3	329.7
68600175000	312172033	JENKINS, AARON	25095	SLATE CREEK DR	MORENO VALLEY	CA	92551-1001	JENKINS, AARON	25095 SLATE CREEK DR	MORENO VALLEY, CA	92551-1001	329.32	32.93	65.21	427.44
98548323004	312172038	NEW SEASON PROPERTIES	25031	SLATE CREEK DR	MORENO VALLEY	CA	92551-2501	NEW SEASON PROPERTIES	25031 SLATE CREEK DR	MORENO VALLEY, CA	92551-2501	63.63	6.36	12.6	82.58
101120133007	312172039	CARILLO, JANET (OWN)	25021	SLATE CREEK DR	MORENO VALLEY	CA	92551-2501	CARILLO, JANET (OWN)	25021 SLATE CREEK DR	MORENO VALLEY, CA	92551-2501	103.31	10.33	20.46	134.08
96745405001	312181002	TRAN, TONY (OWNR)	16768	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2552	TRAN, TONY	16768 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2552	254.12	25.41	50.32	329.84
94862745005	312181006	RUFF, MICHELLE	16816	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2578	RUFF, MICHELLE	16816 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2578	36.37	3.64	7.2	47.2
92631295000	312181014	ESTON, LINDLEY	16777	LIATRIS LN	MORENO VALLEY	CA	92551-2582	ESTON, LINDLEY	PO BOX 7611	MORENO VALLEY, CA	92552-7611	254.02	25.4	50.3	329.7
97452315002	312181017	DIAZ, ANA (RENT)	24116	POPPYSTONE DR	MORENO VALLEY	CA	92551-7643	DIAZ, ANA	25834 RIGWOOD WAY	MORENO VALLEY, CA	92553-4941	63.75	6.38	12.62	82.74
92760095009	312181020	PINON, JERRY	16778	LIATRIS LN	MORENO VALLEY	CA	92551-2582	PINON, JERRY	16778 LIATRIS LN	MORENO VALLEY, CA	92551-2582	404.62	40.46	80.11	525.18
97461415002	312181021	SHELBY, VERONICA (RENT)	16792	LIATRIS LN	MORENO VALLEY	CA	92551-2582	SHELBY, VERONICA	23941 EUCALYPTUS AVE APT 55	MORENO VALLEY, CA	92553-5538	139.37	13.94	27.6	180.9
70029855005	312181024	SEVILLA, SANDRA (OWNR)	16828	LIATRIS LN	MORENO VALLEY	CA	92551-2583	SEVILLA, SANDRA	16828 LIATRIS LN	MORENO VALLEY, CA	92551-2583	329.32	32.93	65.21	427.44
71164195008	312182004	SOUTHERLAND, BEATRIZ	16900	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2554	SOUTHERLAND, BEATRIZ	16900 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2554	351.75	35.18	69.65	456.56
31431925007	312182010	HUNTER, LORI (RENT)	16935	MAILE LN	MORENO VALLEY	CA	92551-2580	HUNTER, LORI	16935 MAILE LN	MORENO VALLEY, CA	92551-2580	111.98	11.2	22.17	145.34
91475713005	312182011	MURPHY, CLAUDIA (RENT)	16923	MAILE LN	MORENO VALLEY	CA	92551-2580	MURPHY, CLAUDIA	16923 MAILE LN	MORENO VALLEY, CA	92551-2580	39.31	3.93	7.78	51.02
31368525005	312182013	ANDRES, DEAN AND MICHELE	16899	MAILE LN	MORENO VALLEY	CA	92551-2581	ANDRES, MICHELLE	16899 MAILE LN	MORENO VALLEY, CA	92551-2581	254.02	25.4	50.3	329.7
92217455004	312182020	VINES, NAKIYA AND KEVIN	16888	MAILE LN	MORENO VALLEY	CA	92551-2581	VINES, NAKIYA AND KEVIN	16888 MAILE LN	MORENO VALLEY, CA	92551-2581	247.15	24.72	48.94	320.8
68157285008	312183007	GONZALEZ, MARIA	25417	PLUMERIA LN	MORENO VALLEY	CA	92551-2562	GONZALEZ, MARIA	25117 HARKER LN	MORENO VALLEY, CA	92551-2523	129.12	12.91	25.57	167.58
100079763003	312184004	FLAKES, ALISA (OWNR)	16911	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2576	FLAKES, ALISA	16433 GELDING WAY	MORENO VALLEY, CA	92555-3313	324.83	32.48	64.32	421.62

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
58258125006	312184005	PRICE, KEISHA	16899	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2555	PRICE, KEISHA	16899 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2555	179.32	17.93	35.51	232.74
61286035005	312184010	THOMAS, AGNES	16839	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2553	THOMAS, AGNES	16839 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2553	190.79	19.08	37.78	247.64
65035385008	312184011	BROWN, STEFANEY	16827	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2553	BROWN, STEFANEY	16827 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2553	254.12	25.41	50.32	329.84
89538493000	312184012	RODRIQUEZ, SANDRA (RENT)	16815	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2553	RODRIQUEZ, SANDRA	16815 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2553	146.64	14.66	29.03	190.32
97428275000	312191011	DURAN, GILBERT (RENT)	25521	SIERRA LEONE CT	MORENO VALLEY	CA	92551-2168	DURAN, GILBERT	25521 SIERRA LEONE CT	MORENO VALLEY, CA	92551-2168	86.93	8.69	17.21	112.82
81579455001	312191026	JONES, BENNIE	25510	CAMINO CASTILLO	MORENO VALLEY	CA	92551-2117	JONES, BENNIE	25510 CAMINO CASTILLO	MORENO VALLEY, CA	92551-2117	329.32	32.93	65.21	427.44
54669255004	312192006	FUGGINS,TRENTON AND LISA	25641	SIERRA LEONE CT	MORENO VALLEY	CA	92551-2100	FUGGINS,TRENTON AND LISA	25641 SIERRA LEONE CT	MORENO VALLEY, CA	92551-2100	272.53	27.25	53.96	353.74
81480955007	312192009	JONES, MICHELLE (OWNR)	25630	CAMINO CASTILLO	MORENO VALLEY	CA	92551-2121	JONES, MICHELLE	25630 CAMINO CASTILLO	MORENO VALLEY, CA	92551-2121	154.02	15.4	30.5	199.9
81214535009	312193007	STONE, SANDRA AND CORY	25603	CAMINO CASTILLO	MORENO VALLEY	CA	92551-2122	STONE, SANDRA AND CORY	25603 CAMINO CASTILLO	MORENO VALLEY, CA	92551-2122	254.02	25.4	50.3	329.7
91307573009	312193010	COLIER,JEAN	25626	SIERRA BRAVO CT	MORENO VALLEY	CA	92551-2128	COLIER,JEAN	25626 SIERRA BRAVO CT	MORENO VALLEY, CA	92551-2128	168.27	16.83	33.32	218.4
81547885008	312193013	SHANKS, CHANDRA	25590	SIERRA BRAVO CT	MORENO VALLEY	CA	92551-2161	SHANKS, CHANDRA	25590 SIERRA BRAVO CT	MORENO VALLEY, CA	92551-2161	254.02	25.4	50.3	329.7
81396705008	312193015	MC DONALD, JAMES	25566	SIERRA BRAVO CT	MORENO VALLEY	CA	92551-2125	MC DONALD, JAMES	25566 SIERRA BRAVO CT	MORENO VALLEY, CA	92551-2125	190.67	19.07	37.75	247.48
93224415008	312201004	OCHOA, RUBEN AND JOSEPHINA	16675	VIA PAMPLONA	MORENO VALLEY	CA	92551-2178	OCHOA, RUBEN AND JOSEPHINA	16675 VIA PAMPLONA	MORENO VALLEY, CA	92551-2178	254.12	25.41	50.32	329.84
51162985000	312202004	MARIN, DONNA	25591	SIERRA BRAVO CT	MORENO VALLEY	CA	92553-	ANDRADE, VICTOR	3601 CORNISH ST	PERRIS, CA	92571-9460	479.92	47.99	95.02	622.92
93163035008	312202006	MCCLENDON, SHARMON (RENT)	25615	SIERRA BRAVO CT	MORENO VALLEY	CA	92551-2127	MCCLENDON, SHARMON	25615 SIERRA BRAVO CT	MORENO VALLEY, CA	92551-2127	254.12	25.41	50.32	329.84
53327315008	312202014	MUNIZ, ANA	25589	SIERRA CALMO CT	MORENO VALLEY	CA	92551-2140	MUNIZ, ANA	25589 SIERRA CALMO CT	MORENO VALLEY, CA	92551-2140	330.22	33.02	65.38	428.62
95636145008	312202016	GARDNER, MIKEL (RENT)	25613	SIERRA CALMO CT	MORENO VALLEY	CA	92551-2163	GARDNER, MIKEL	25613 SIERRA CALMO CT	MORENO VALLEY, CA	92551-2163	63.46	6.35	12.57	82.36
62249865007	312202027	MARTIN, DAMALL	25661	SIERRA BELLO CT	MORENO VALLEY	CA	92551-2141	MARTIN, DAMALL	21064 BOX SPRINGS RD APT 116	MORENO VALLEY, CA	92557-8731	59.55	5.96	11.79	77.28
66385645002	312202029	OSORNIA, RAUL	25650	CAMINO BELLAGIO	MORENO VALLEY	CA	92551-2143	OSORNIA, RAUL	25650 CAMINO BELLAGIO	MORENO VALLEY, CA	92551-2143	190.79	19.08	37.78	247.64
81459865000	312203006	PHANNIX, MICHELLE	16722	VIA ALEGRIA	MORENO VALLEY	CA	92551-2144	PHANNIX, MICHELLE	16722 VIA ALGERIA	MORENO VALLEY, CA	92551-2144	329.6	32.96	65.26	427.82
81313905001	312211001	PEREZ, ANGELA	16801	VIA LUNADO	MORENO VALLEY	CA	92551-2189	PEREZ, ANGELA	16801 VIA LUNADO	MORENO VALLEY, CA	92551-2189	63.63	6.36	12.6	82.58
81262355005	312211003	FONTENOT JR, HERBERT	16825	VIA LUNADO	MORENO VALLEY	CA	92551-2189	FONTENOT JR, HERBERT	22491 DE BERRY ST #0197	GRAND TERRACE, CA	92313-5482	88.1	8.81	17.44	114.34
81526075002	312211005	BROWN, DARRYL	16849	VIA LUNADO	MORENO VALLEY	CA	92551-2189	BROWN, DARRYL	16849 VIA LUNADO	MORENO VALLEY, CA	92551-2189	254.12	25.41	50.32	329.84
81575695009	312211009	ROSBUROUGH, ERNEST	16897	VIA LUNADO	MORENO VALLEY	CA	92551-2190	ROSBUROUGH, ERNEST	16897 VIA LUNADO	MORENO VALLEY, CA	92551-2190	64.03	6.4	12.68	83.1
63889475001	312212011	JUAREZ, JUAN AND JUANA	16910	VIA LUNADO	MORENO VALLEY	CA	92551-2188	JUAREZ, JUAN AND JUANA	16910 VIA LUNADO	MORENO VALLEY, CA	92551-2188	93.46	9.35	18.51	121.3
81306865003	312212013	HERRING, BEVERLY	25548	CAMINO MARILENA	MORENO VALLEY	CA	92551-2198	HERRING, BEVERLY	25548 CAMINO MARILENA	MORENO VALLEY, CA	92551-2198	254.02	25.4	50.3	329.7
85478115003	312212016	SMOOT, JOANA	25584	CAMINO MARILENA	MORENO VALLEY	CA	92551-2198	SMOOT, JOANA	25584 CAMINO MARILENA	MORENO VALLEY, CA	92551-2198	329.32	32.93	65.21	427.44
81639775006	312212021	MAURICIO, ELIZABETH	25607	SIERRA CADIZ CT	MORENO VALLEY	CA	92551-2199	MAURICIO, ELIZABETH-	25607 SIERRA CADIZ CT	MORENO VALLEY, CA	92551-2199	63.63	6.36	12.6	82.58
95156155004	312212025	JAMES, LASONIA (RENT)	25572	SIERRA CADIZ CT	MORENO VALLEY	CA	92551-4100	JAMES, LASONIA	25572 SIERRA CADIZ CT	MORENO VALLEY, CA	92551-4100	254.12	25.41	50.32	329.84
81942205003	312212032	DAVIS, DIANNA	25575	CAMINO BELLAGIO	MORENO VALLEY	CA	92551-2167	DAVIS, DIANNA	PO BOX 862121	LOS ANGELES, CA	90086-2121	247.6	24.76	49.02	321.38
76398855005	312212034	MCGEE, TONI	25570	CAMINO BELLAGIO	MORENO VALLEY	CA	92551-2167	MCGEE, TONI	1307 W SCHOOL ST	COMPTON, CA	90220-1717	254.02	25.4	50.3	329.7
92607775009	312221002	MARTINEZ, ARACELI (RENT)	16405	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2108	MARTINEZ, ARACELI	1083 ABBOTTSWOOD	PERRIS, CA	92571-9413	41.2	4.12	8.16	53.46
81923982002	312221004	HERNANDEZ, KARLA (RENT)	16425	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2108	HERNANDEZ, KARLA	16425 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2108	272.5	27.25	53.96	353.7
61365585001	312221005	GOMEZ, HILDA	16435	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2108	GOMEZ, HILDA	16435 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2108	204.12	20.41	40.42	264.94
86654273004	312221010	ROBINSON, LEWIS	16485	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2109	ROBINSON, LEWIS	16485 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2109	209.72	20.97	41.52	272.2
62414315003	312221014	BROWN, GERALD	16525	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2148	BROWN, GERALD	29121 ALICANTE AVE	MORENO VALLEY, CA	92555-7303	126.84	12.68	25.11	164.62
97096905003	312222002	AVALOS, ROXANNE AND SAL (OWNR)	16444	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2107	AVALOS, ROXANNE AND SAL	16444 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2107	254.12	25.41	50.32	329.84
54669815007	312222003	CLARIN, RICARDO	16454	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2107	CLARIN, RICARDO	16454 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2107	254.02	25.4	50.3	329.7
72035475000	312222007	TACHIN, ABIGAIL	16494	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2107	TACHIN, ABIGAIL	16494 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2107	154.02	15.4	30.5	199.9
81205255005	312222008	BASHEER, LATI (OWNR)	16495	ZARCO LUNA PL	MORENO VALLEY	CA	92551-2133	BASHEER, LATI	16495 ZARCO LUNA PL	MORENO VALLEY, CA	92551-2133	104.62	10.46	20.71	135.78
92413645000	312222009	THOMAS, ROBERT	16485	ZARCO LUNA PL	MORENO VALLEY	CA	92551-2133	THOMAS, ROBERT	15712 PATRICIA ST	MORENO VALLEY, CA	92551-4656	253.92	25.39	50.28	329.58
53254155007	312222014	BOLANOS, MYRNA	16435	ZARCO LUNA PL	MORENO VALLEY	CA	92551-2133	BOLANOS, MYRNA	16435 ZARCO LUNA PL	MORENO VALLEY, CA	92551-2133	254.02	25.4	50.3	329.7
61160425000	312222016	DUNN, ROBERT	16440	ZARCO LUNA PL	MORENO VALLEY	CA	92551-2133	DUNN, ROBERT	16440 ZARCO LUNA PL	MORENO VALLEY, CA	92551-2133	254.12	25.41	50.32	329.84
81277735004	312222018	BOYD, KAREN	16460	ZARCO LUNA PL	MORENO VALLEY	CA	92551-2133	BOYD, KAREN	16460 ZARCO LUNA PL	MORENO VALLEY, CA	92551-2133	329.04	32.9	65.15	427.08
81593125002	312222021	LONDON, CONSUELO	25946	ZAMORA AVE	MORENO VALLEY	CA	92551-2134	LONDON, CONSUELO	25946 ZAMORA AVE	MORENO VALLEY, CA	92551-2134	28.19	2.82	5.58	36.58
72658655001	312222027	LAYTON, OQUESA	16445	ZOCALO PL	MORENO VALLEY	CA	92551-2137	LAYTON, OQUESA	16445 ZOCALO PL	MORENO VALLEY, CA	92551-2137	329.32	32.93	65.21	427.44
97682253006	312222034	WINANIF,ZEVULUNA (OWNR)	25943	ZORRA LN	MORENO VALLEY	CA	92551-4105	WINANIF,ZEVULUUV	26871 SUGARCANE DR	MORENO VALLEY, CA	92555-3535	68.73	6.87	13.61	89.2
96385055009	312223009	HONG, SUNG JA (RENT)	25990	ZORRA LN	MORENO VALLEY	CA	92551-4112	HONG, SUNG JA	25990 ZORRA LN	MORENO VALLEY, CA	92551-4112	72.91	7.29	14.44	94.62
91921885002	312223015	O'NEAL, FRANTZ	16410	ZOCALO PL	MORENO VALLEY	CA	92551-2136	O'NEAL, FRANTZ	24160 POWELL PL	MORENO VALLEY, CA	92553-3568	253.92	25.39	50.28	329.58
81388745007	312223019	ROJAS, LINA AND RUDY	16450	ZOCALO PL	MORENO VALLEY	CA	92551-2136	ROJAS, LINA	16450 ZOCALO PL	MORENO VALLEY, CA	92551-2136	63.63	6.36	12.6	82.58
66581485009	312223021	WILLIAMS, ANGELA	16470	ZOCALO PL	MORENO VALLEY	CA	92551-2138	WILLIAMS, ANGELA	16470 ZOCALO PL	MORENO VALLEY, CA	92551-2138	204.12	20.41	40.42	264.94
88024305002	312223025	MURGUIA, ALBERT	25980	YANEZ TRAIL RD	MORENO VALLEY	CA	92551-2101	MURGUIA, ALBERT	25980 YANEZ TRAIL RD	MORENO VALLEY, CA	92551-2101	197.41	19.74	39.09	256.22
97781785005	312223027	PENLAND, TANI	16510	ZOCALO PL	MORENO VALLEY	CA	92551-2149	PENLAND, TANI	16510 ZOCALO PL	MORENO VALLEY, CA	92551-2149	200.09	20.01	39.62	259.7
94353535009	312223030	GUTIRREZ, FELIPE (OWNR)	25945	ZAMORA AVE	MORENO VALLEY	CA	92551-2135	GUTIRREZ, FELIPE	25945 ZAMORA AVE	MORENO VALLEY, CA	92551-2135	65.92	6.59	13.05	85.56
88681833008	312223037	GOOSBY, LEONARD	25930	YANEZ TRAIL RD	MORENO VALLEY	CA	92551-2101	GOOSBY, LEONARD	PO BOX 9083	MORENO VALLEY, CA	92552-9083	41.07	4.11	8.13	53.3
81531235009	312224003	EVANS, BRANDON	25943	YANEZ TRAIL RD	MORENO VALLEY	CA	92551-2102	EVANS, BRANDON	25943 YANEZ TRAIL RD	MORENO VALLEY, CA	92551-2102	404.16	40.42	80.02	524.58
99457313009	312224005	ARGUETA, MARINA (OWNR)	25921	YANEZ TRAIL RD	MORENO VALLEY	CA	92551-2102	ARGUETA, MARINA	25921 YANEZ TRAIL RD	MORENO VALLEY, CA	92551-2102	175.04	17.5	34.66	227.2
90470205004	312224007	RICHARDS, AGNES	25910	XANA WAY	MORENO VALLEY	CA	92551-4121	RICHARDS, AGNES	PO BOX 8262	MORENO VALLEY, CA	92552-8262	253.92	25.39	50.28	329.58
81426885005	312224010	FARFAN, ALEX	25960	XANA WAY	MORENO VALLEY	CA	92551-4121	FARFAN, ALEX	10133 MOSBY WOOD DR	FAIRFAX, VA	22030-1719	254.02	25.4	50.3	329.7
81289425004	312232009	MARSHALL, WILLIE J	16759	CALLE PINATA	MORENO VALLEY	CA	92551-2112	MARSHALL, WILLIE J	16620 COLT WAY	MORENO VALLEY, CA	92555-3345	254.12	25.41	50.32	329.84
81527775003	312232010	BROWN, KELLI	16749	CALLE PINATA	MORENO VALLEY	CA	92551-2112	BROWN, KELLI	16749 CALLE PINATA	MORENO VALLEY, CA	92551-2112	254.12	25.41	50.32	329.84
61240685005	312232012	BECKUM, AMY AND DANIEL	25855	VIA TEJON AVE	MORENO VALLEY	CA	92551-4119	BECKUM, AMY	25855 VIA TEJON AVE	MORENO VALLEY, CA	92551-4119	392.87	39.29	77.79	509.94
81403725008	312232014	GONZALEZ, ANDRES	25835	VIA TEJON AVE	MORENO VALLEY	CA	92551-4116	GONZALEZ, ANDRES	25835 VIA TEJON	MORENO VALLEY, CA	92551-4116	254.02	25.4	50.3	329.7
96227145005	312232028	MCGILL, SHEENA (RENT)	25810	VIA SALERNO CT	MORENO VALLEY	CA	92551-2132	MCGILL, SHEENA	25810 VIA SALERNO CT	MORENO VALLEY, CA	92551-2132	357.88	35.79	70.86	464.52
81426565002	312232029	ANCHETA, GABRIELA	25820	VIA SALERNO CT	MORENO VALLEY	CA	92551-2132	ANCHETA, GABRIELA	25820 VIA SALERNO	MORENO VALLEY, CA	92551-2132	63.08	6.3	12.48	81.82
65006425001	312232030	GANT, STANLEY	25830	VIA SALERNO CT	MORENO VALLEY	CA	92551-2132	GANT, STANLEY	25830 VIA SALERNO CT	MORENO VALLEY, CA	92551-2132	63.74	6.37	12.62	82.72
75491535000	312232033	WOODS-HAYDEN, JENEAN (OWNR)	25805	VIA SALERNO CT	MORENO VALLEY	CA	92551-2132	WOODS-HAYDEN, JENEAN	25805 VIA SALERNO CT	MORENO VALLEY, CA	92551-2132	329.32	32.93	65.21	427.44
91452055002	312232034	FAGARANG, HANALEA	25795	VIA SALERNO CT	MORENO VALLEY	CA	92551-2157	FAGARANG, HANALEA	25795 VIA SALERNO CT	MORENO VALLEY, CA	92551-2157	253.92	25.39	50.28	329.58
96463255002	312233002	MINIMO, ANNABELLE C (OWNR)	16755	ARROYO PARK DR	MORENO VALLEY	CA	92551-2105	MINIMO, ANNABELLE C	16755 ARROYO PARK DR	MORENO VALLEY, CA	92551-2105	60	6	11.88	77.88
90665095002	312233005	JIMENEZ, JOSE ALFREDO	16725	ARROYO PARK DR	MORENO VALLEY	CA	92551-2105	JIMENEZ, JOSE ALFREDO	16725 ARROYO PARK DR	MORENO VALLEY, CA	92551-2105	228.75	22.88	45.29	296.9
81470585006	312233010	GUEVARA, MARILU	25764	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2175	GUEVARA, MARILU	25764 VIA HAMACA AVE	MORENO VALLEY, CA	92551-2175	329.32	32.93	65.21	427.44
81516155006	312233021	MASON, CHARLIE	25790	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2174	MASON, CHARLIE	25790 VIA HAMACA AVE	MORENO VALLEY, CA	92551-2174	253.92	25.39	50.28	329.58
96216875004	312233029	MONTANO, GABE (OWNR)	25870	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2193	MONTANO, GABE	25870 VIA HAMACA AVE	MORENO VALLEY, CA	92551-2193	190.69	19.07	37.76	247.5
90725675002	312233031	LEWIS, MR AND MRS	25760	VIA WANDA PL	MORENO VALLEY	CA	92551-2173	LEWIS, MR AND MRS	25760 VIA WANDA PL	MORENO VALLEY, CA	92551-2173	131.41	13.14	26.02	170.56
94278395007	312234009	JENKINS, JAEL (RENT)	25875	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2196	JENKINS, JAEL	26980 SUGARITE CANYON DR	MORENO VALLEY, CA	92555-9103	254.12	25.41	50.32	329.84
66096865008	312234013	VEGA, CECILIA	25835	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2196	VEGA, CECILIA	25835 VIA HAMACA AVE	MORENO VALLEY, CA	92551-2196	254.12	25.41	50.32	329.84
96155985001	312234016	SANCHEZ, JOSE (OWNR)	25805	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2195	SANCHEZ, JOSE	25805 VIA HAMACA AVE	MORENO VALLEY, CA	92551-2195	27.46	2.75	5.44	35.64
90922463009	312234024	HATTON, JUSTIN	25812	VIA TEJON AVE	MORENO VALLEY	CA	92551-4124	HATTON, JUSTIN	25812 VIA TEJON AVE	MORENO VALLEY, CA	92551-4124	63.63	6.36	12.6	82.58
88814335000	312234026	BOONE, TANYA	25826	VIA TEJON AVE	MORENO VALLEY	CA	92551-4124	BOONE, TANYA	25826 VIA TEJON AVE	MORENO VALLEY, CA	92551-4124	253.92	25.39	50.28	329.58
31371675007	312234032	LEE, CLIFTON	25909	VIA ZURITA CT	MORENO VALLEY	CA	92551-4115	LEE, CLIFTON	25909 VIA ZURITA CT	MORENO VALLEY, CA	92551-4115	254.02	25.4	50.3	329.7
31362995009	312234037	KENT, EVE	25870	VIA XAVIER LN	MORENO VALLEY	CA	92551-4120	KENT, EVE	25870 VIA XAVIER LN	MORENO VALLEY, CA	92551-4120	254.02	25.4	50.3	329.7
97700875006	312241008	ROMERO, ELIZABETH	16859	CALLE PINATA	MORENO VALLEY	CA	92551-2116	ROMERO, ELIZABETH-	16859 CALLE PINATA	MORENO VALLEY, CA	92551-2116	355.17	35.52	70.32	461
97181833008	312241009	VENSON, LOUIS (RENT)	16870	CALLE PINATA	MORENO VALLEY	CA	92551-2115	VENSON, LOUIS (RENT)	16870 CALLE PINATA	MORENO VALLEY, CA	92551-2115	166.64	16.66	32.99	216.28
97354585003	312241010	LOPEZ, RENEE (OWNR)	16880	CALLE PINATA	MORENO VALLEY	CA	92551-2115	LOPEZ, RENEE	16880 CALLE PINATA	MORENO VALLEY, CA	92551-2115	254.12	25.41	50.32	329.84
75119075003	312242007	BELMAN, HERIBERTO	16819	CALLE PINATA	MORENO VALLEY	CA	92551-2114	BELMAN, HERIBERTO AND SYLVIA	16819 CALLE PINATA	MORENO VALLEY, CA	92551-2114	254.02	25.4	50.3	329.7
88636205004	312242009	LEBRON, ANGEL	16799	CALLE PINATA	MORENO VALLEY	CA	92551-2151	LEBRON, ANGEL	16799 CALLE PINATA	MORENO VALLEY, CA	92551-2151	357.88	35.79	70.86	464.52
90638585006	312242021	PETERS, ELECIA	25820	VIA JACARA CT	MORENO VALLEY	CA	92551-2103	PETERS, ELECIA	25820 VIA JACARA CT	MORENO VALLEY, CA	92551-2103	63.93	6.39	12.66	82.98
99969835000	312243001	GONZALEZ, ALBERTO (OWNR)	16855	ARROYO PARK DR	MORENO VALLEY	CA	92551-2106	GONZALEZ, ALBERTO	16855 ARROYO PARK DR	MORENO VALLEY, CA	92551-2106	120.29	12.03	23.82	156.12
93886525001	312243005	MORGAN, CAROL (RENT)	16815	ARROYO PARK DR	MORENO VALLEY	CA	92551-2106	MORGAN, CAROL	16815 ARROYO PARK DR	MORENO VALLEY, CA	92551-2106	77.06	7.71	15.26	100.02
31510925008	312243008	SMITH, GREG	16785	ARROYO PARK DR	MORENO VALLEY	CA	92551-2105	SMITH, GREG	16785 ARROYO PARK DR	MORENO VALLEY, CA	92551-2105	329.32	32.93	65.21	427.44
73543805003	312250017	MACIEL, CHARLES	25430	EDWIN RD	MORENO VALLEY	CA	92551-9524	MACIEL, CHARLES	25430 EDWIN ST	MORENO VALLEY, CA	92551-9524	254.02	25.4	50.3	329.7
97394315006	312260004	NOGALES, RUBEN AND PRISCILA	17825	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6373	NOGALES, RUBEN AND PRISCILA	17825 CALLE CAPISTRANO	MORENO VALLEY, CA	92551-6373	187.45	18.75	37.12	243.3
92938085003	312280013	GARIBAY, ESTHER	17299	CALLE RIO VISTA	MORENO VALLEY	CA	92551-6324	GARIBAY, ESTHER	17299 CALLE RIO VISTA	MORENO VALLEY, CA	92551-6324	329.32	32.93	65.21	427.44
95773045000	312280016	CANCHOLA, OMAR (OWNR)	17323	CALLE RIO VISTA	MORENO VALLEY	CA	92551-6325	CANCHOLA, OMAR	17323 CALLE RIO VISTA	MORENO VALLEY, CA	92551-6325	78.12	7.81	15.47	101.38
66132225006	312281003	GUERRA, ALFONSO	25978	FUENTE CT	MORENO VALLEY	CA	92551-6320	GUERRA, ALFONSO	25978 FUENTE CT	MORENO VALLEY, CA	92551-6320	154.12	15.41	30.52	200.04
92263748008	312281011	KELLY, GLADYS (RENT)	25967	HACIENDA CT	MORENO VALLEY	CA	92551-6321	KELLY, GLADYS	25967 HACIENDA CT	MORENO VALLEY, CA	92551-6321	157.91	15.79	31.27	204.96
92065785008	312281013	SOUS, JOSEFINA (RENT)	25983	HACIENDA CT	MORENO VALLEY	CA	92551-6321	SOUS, JOSEFINA (RENT)	25983 HACIENDA CT	MORENO VALLEY, CA	92551-6321	253.92	25.39	50.28	329.58
86475085004	312281014	COMO, CAROL	25991	HACIENDA CT	MORENO VALLEY	CA	92551-6321	COMO, CAROL	15148 MORENO BEACH DR APT 1724	MORENO VALLEY, CA	92555-5502	254.02	25.4	50.3	329.7
86161375009	312281017	TAYLOR, JERRY	25976	HACIENDA CT	MORENO VALLEY	CA	92551-6321	TAYLOR, JERRY	25976 HACIENDA CT	MORENO VALLEY, CA	92551-6321	254.02	25.4	50.3	329.7
96104625005	312281021	ROMERO, HIRAN (OWNR)	25957	AVENIDA DE PLATA	MORENO VALLEY	CA	92551-6322	ROMERO, HIRAN	25957 AVENIDA DE PLATA	MORENO VALLEY, CA	92551-6322	254.12	25.41	50.32	329.84
87451695006	312290005	SOWELL, SHENAN	17403	CALLE RIO VISTA	MORENO VALLEY	CA	92551-6326	SOWELL, SHENAN	15447 LA CASA DR	MORENO VALLEY, CA	92555-5844	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
88752773009	312290007	ALCARAZ, MARGARITA (RENT)	17419	CALLE RIO VISTA	MORENO VALLEY	CA	92551-6326	ALCARAZ, MARGARITA	17419 CALLE RIO VISTA	MORENO VALLEY, CA	92551-6326	206.17	20.62	40.82	267.6
92727815007	312290011	TUEROS, LADY	17451	CALLE RIO VISTA	MORENO VALLEY	CA	92551-6326	TUEROS, LADY	17451 CALLE RIO VISTA	MORENO VALLEY, CA	92551-6326	254.12	25.41	50.32	329.84
73994635004	312290015	COX, CHANDRA	25945	MAGNIFICA CT	MORENO VALLEY	CA	92551-6319	COX, CHANDRA	25945 MAGNIFICA CT	MORENO VALLEY, CA	92551-6319	254.02	25.4	50.3	329.7
97100505007	312290016	TRAN, MY ANH THI	25953	MAGNIFICA CT	MORENO VALLEY	CA	92551-6319	TRAN, MY ANH THI	11215 ACONITE AVE	FOUNTAIN VALLEY, CA	92708-2106	420.76	42.08	83.31	546.14
85177445002	312290023	COLEMAN, FIENNICE	25950	MAGNIFICA CT	MORENO VALLEY	CA	92551-6319	COLEMAN, FIENNICE	25950 MAGNIFICA CT	MORENO VALLEY, CA	92551-6319	254.02	25.4	50.3	329.7
96846345000	312290026	THOMAS, MICHELLE AND GREGORY	25933	AVENIDA ESPALDAR	MORENO VALLEY	CA	92551-6304	THOMAS, MICHELLE AND GREGORY	25933 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6304	329.6	32.96	65.26	427.82
97997525012	312290030	JACKSON, WILENA	25965	AVENIDA ESPALDAR	MORENO VALLEY	CA	92551-6304	JACKSON, WILENA	25965 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6304	254.12	25.41	50.32	329.84
90116065002	312290031	JACKSON, EBONY	17415	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6302	JACKSON, EBONY	3891 ALBILLO LOOP	PERRIS, CA	92571-7526	253.92	25.39	50.28	329.58
95887975002	312291007	BLANKENSHIP, KAYKEYSHA (RENT)	17440	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6303	BLANKENSHIP, KAYKEYSHA	17440 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6303	254.12	25.41	50.32	329.84
97360655005	312291010	SESSIONS, GINA (RENT)	17416	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6303	SESSIONS, GINA	17416 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6303	302	30.2	59.8	391.98
92289045000	312292005	BELL, LOWELL (RENT)	25964	AVENIDA ESPALDAR	MORENO VALLEY	CA	92551-6305	BELL, LOWELL	25964 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6305	153.92	15.39	30.48	199.78
71624365005	312292008	VEJAR, ANSELMO	25940	AVENIDA ESPALDAR	MORENO VALLEY	CA	92551-6305	VEJAR, ANSELMO	25940 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6305	203.12	20.31	40.22	263.64
94174755002	312292013	WOODS, VERNON (OWNR)	25955	FUENTE CT	MORENO VALLEY	CA	92551-6320	WOODS, VERNON	25955 FUENTE CT	MORENO VALLEY, CA	92551-6320	137.52	13.75	27.23	178.5
97076765004	312300010	LUCERO, KAREN (OWNR)	25313	AMY CT	MORENO VALLEY	CA	92551-2413	LUCERO, KAREN	25313 AMY CT	MORENO VALLEY, CA	92551-2413	190.79	19.08	37.78	247.64
97097225004	312300017	CHAVEZ, MARIA (RENT)	16512	CENTURY ST	MORENO VALLEY	CA	92551-2414	CHAVEZ, MARIA	16512 CENTURY ST	MORENO VALLEY, CA	92551-2414	127.17	12.72	25.18	165.06
96994785005	312301007	HILL, JEVETTA (RENT)	16654	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2556	HILL, JEVETTA	16654 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2556	254.12	25.41	50.32	329.84
91302785006	312301008	TAYLOR, SHAKIRA	16664	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2556	TAYLOR, SHAKIRA	16664 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2556	329.04	32.9	65.15	427.08
63096195008	312301009	JOHNSON, VICTOR AND CHRISTA	16676	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2556	JOHNSON, VICTOR AND CHRISTA	16676 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2556	329.6	32.96	65.26	427.82
92505165003	312301014	CORTEZ, MARCIA (RENT)	25310	LURIN AVE	MORENO VALLEY	CA	92551-2405	CORTEZ, MARCIA	835 ANIRA CT	PERRIS, CA	92571-5113	116.39	11.64	23.05	151.06
64487115009	312301023	PEER, RUBEN	25308	RUNSEY CT	MORENO VALLEY	CA	92551-2411	PEER, RUBEN	25308 RUNSEY CT	MORENO VALLEY, CA	92551-2411	63.79	6.38	12.63	82.78
70032215004	312301026	ROGERS, OFELIA	25327	BRONSON CT	MORENO VALLEY	CA	92551-2412	ROGERS, OFELIA	25327 BRONSON CT	MORENO VALLEY, CA	92551-2412	254.02	25.4	50.3	329.7
64712295002	312301029	MILLER, AROL	25297	BRONSON CT	MORENO VALLEY	CA	92551-2412	MILLER, AROL	25297 BRONSON CT	MORENO VALLEY, CA	92551-2412	95.24	9.52	18.86	123.62
65042985008	312301033	HERNANDEZ, PEDRO	25316	BRONSON CT	MORENO VALLEY	CA	92551-2412	HERNANDEZ, PEDRO	25316 BRONSON CT	MORENO VALLEY, CA	92551-2412	254.12	25.41	50.32	329.84
70926545008	312310001	THAI, TOM	25267	PLUMERIA LN	MORENO VALLEY	CA	92551-2427	THAI, TOM	25267 PLUMERIA LN	MORENO VALLEY, CA	92551-2427	115.75	11.58	22.92	150.24
68156685006	312311001	POTESTA, LORENZO AND CECILIA	16932	CENTURY ST	MORENO VALLEY	CA	92551-2420	POTESTA, LORENZO AND CECILIA	16932 CENTURY ST	MORENO VALLEY, CA	92551-2420	254.12	25.41	50.32	329.84
69544495002	312312001	PALOMARES, ELVA	25331	LURIN AVE	MORENO VALLEY	CA	92551-2406	PALOMARES, ELVA	25331 LURIN AVE	MORENO VALLEY, CA	92551-2406	404.62	40.46	80.11	525.18
67003645000	312312003	TRAN, ROSAVILNA	25311	LURIN AVE	MORENO VALLEY	CA	92551-2406	TRAN, ROSAVILNA	25311 LURIN AVE	MORENO VALLEY, CA	92551-2406	126.96	12.7	25.14	164.78
86653363007	312312009	HENRY, BENNIE (RENT)	25300	ASPEN GLEN AVE	MORENO VALLEY	CA	92551-2410	HENRY, BENNIE	25300 ASPEN GLEN AVE	MORENO VALLEY, CA	92551-2410	231.74	23.17	45.88	300.78
73942735002	312313011	HO, ANH	16872	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2421	HO, ANH	16872 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2421	254.02	25.4	50.3	329.7
69871795006	312313022	RAMIREZ, CANDACE	25335	MACKENZIE CT	MORENO VALLEY	CA	92551-2428	RAMIREZ, CANDACE	25335 MACKENZIE CT	MORENO VALLEY, CA	92551-2428	70.77	7.08	14.01	91.84
94794195005	312313025	CARTER, JAMES AND DEANA CURTIS	25299	MACKENZIE CT	MORENO VALLEY	CA	92551-2428	CARTER, JAMES AND DEANA CURTIS	26410 SANTA ROSA DR	MORENO VALLEY, CA	92555-4213	254.02	25.4	50.3	329.7
95844875009	312313028	WOODS, ROMNEY (OWNR)	25322	MACKENZIE CT	MORENO VALLEY	CA	92551-2428	WOODS, ROMNEY (OWNR)	2250 CEDAR AVE APT 10	LONG BEACH, CA	90806-4262	266.17	26.62	52.7	345.48
69566135001	312313029	THOMPSON, LINDA	25334	MACKENZIE CT	MORENO VALLEY	CA	92551-2428	THOMPSON, LINDA	25334 MACKENZIE CT	MORENO VALLEY, CA	92551-2428	254.02	25.4	50.3	329.7
98394003000	312313031	HARGES, TROY AND ERIKA (OWNR)	26345	MAROON CREEK CT	MORENO VALLEY	CA	92551-2429	HARGES, TROY AND ERIKAY	25345 MAROON CREEK CT	MORENO VALLEY, CA	92551-2429	536.65	53.67	106.26	696.56
88230495005	312313034	MCCRAY, JAMES	25309	MAROON CREEK CT	MORENO VALLEY	CA	92551-2429	MCCRAY, JAMES	19510 VAN BUREN BLVD STE F3	RIVERSIDE, CA	92508-9458	405.08	40.51	80.21	525.78
67004035006	312313035	RAMIREZ, YURGEN	25297	MAROON CREEK CT	MORENO VALLEY	CA	92551	RAMIREZ, YURGEN	25297 MAROON CREEK CT	MORENO VALLEY, CA	92551	104.12	10.41	20.62	135.14
89521763009	312320002	VARGAS, JERRY (OWNR)	17512	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6349	VARGAS, JERRY	17512 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6349	254.12	25.41	50.32	329.84
77451085006	312320003	CHASE, KEITH	17522	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6349	CHASE, KEITH	17522 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6349	254.02	25.4	50.3	329.7
75944045001	312320009	ARIAS, MELISSA	17582	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6349	ARIAS, MELISSA	17582 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6349	127.36	12.74	25.22	165.3
98251375014	312320010	GARCIA, MARIA (RENT)	17592	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6349	GARCIA, MARIA	PO BOX 9836	MORENO VALLEY, CA	92552-1836	335.76	33.58	66.48	435.8
100461443001	312322008	ORTIZ, MELISSA	17577	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6348	ORTIZ, MELISSA	17577 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6348	63.52	6.35	12.58	82.44
76199595005	312322015	ZENO, ZANAE	17507	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6348	ZENO, ZANAE	17507 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6348	127.36	12.74	25.22	165.3
73682145008	312322022	MENDOZA, LENA AND ANTHONY	25966	CORTE ANTIGUA	MORENO VALLEY	CA	92551-6345	MENDOZA, LENA	2201 HERITAGE CIR	CORONA, CA	92882-5700	254.02	25.4	50.3	329.7
84658225008	312324002	BENNET, ROBERT	25962	AVENIDA CLASSICA	MORENO VALLEY	CA	92551-6346	BENNET, ROBERT	25962 AVENIDA CLASSICA	MORENO VALLEY, CA	92551-6346	254.02	25.4	50.3	329.7
94820595004	312330010	KNOTTS, DOLORES (RENT)	25948	CORTE ANTIGUA	MORENO VALLEY	CA	92551-6345	KNOTTS, DOLORES	25948 CORTE ANTIGUA	MORENO VALLEY, CA	92551-6345	125.48	12.55	24.85	162.86
90755783006	312331003	STRANGE, DIANE(OWNR)	25937	CORTE ANTIGUA	MORENO VALLEY	CA	92551-6345	STRANGE, DIANE	25937 CORTE ANTIGUA	MORENO VALLEY, CA	92551-6345	116.37	11.64	23.04	151.04
72543455007	312332001	MORALES, MONICA	25947	CALLE ENSENADA	MORENO VALLEY	CA	92551-6344	MORALES, MONICA	25947 CALLE ENSENADA	MORENO VALLEY, CA	92551-6344	254.02	25.4	50.3	329.7
72641225008	312332002	SEGURA, FRANCISCO	25941	CALLE ENSENADA	MORENO VALLEY	CA	92551-6344	SEGURA, FRANCISCO	25941 CALLE ENSENADA	MORENO VALLEY, CA	92551-6344	254.02	25.4	50.3	329.7
92021495002	312332004	LAQUIRE, TONYA	25929	CALLE ENSENADA	MORENO VALLEY	CA	92551-6344	LAQUIRE, TONYA	25929 CALLE ENSENADA	MORENO VALLEY, CA	92551-6344	253.92	25.39	50.28	329.58
90628775007	312332005	WHITMAN, EVELYN AND JASON	25923	CALLE ENSENADA	MORENO VALLEY	CA	92551-6344	WHITMAN, EVELYN AND JASON	26472 PRAIRIE LN	MORENO VALLEY, CA	92555-2944	180.5	18.05	35.74	234.28
93770345005	312332006	PALAFOX, VERONICA (OWNR)	25920	CAMINO ROSADA	MORENO VALLEY	CA	92551-6342	PALAFOX, VERONICA	25920 CAMINO ROSADA	MORENO VALLEY, CA	92551-6342	63.63	6.36	12.6	82.58
95718825001	312333003	HUERTA, DEBORAH (RENT)	25933	CAMINO ROSADA	MORENO VALLEY	CA	92551-6343	HUERTA, DEBORAH	25933 CAMINO ROSADA	MORENO VALLEY, CA	92551-6343	104.53	10.45	20.7	135.66
95960665002	312333007	ALVAREZ, CLAUDIA (OWNR)	17690	CAMINO SONRISA	MORENO VALLEY	CA	92551-6339	ALVAREZ, CLAUDIA	17690 CAMINO SONRISA	MORENO VALLEY, CA	92551-6339	63.63	6.36	12.6	82.58
71909145007	312334002	BENNET, SHARON	17705	CAMINO SONRISA	MORENO VALLEY	CA	92551-6341	BENNET, SHARON	17705 CAMINO SONRISA	MORENO VALLEY, CA	92551-6341	404.62	40.46	80.11	525.18
87672605006	312334007	ROBINSON, ALTHEA	17655	CAMINO SONRISA	MORENO VALLEY	CA	92551-6340	ROBINSON, ALTHEA	25595 HORADO LN	MORENO VALLEY, CA	92551-1979	254.12	25.41	50.32	329.84
71894885005	312334009	WILLIAMS, JESSE	17635	CAMINO SONRISA	MORENO VALLEY	CA	92551-6340	WILLIAMS, JESSE	17635 CAMINO SONRISA	MORENO VALLEY, CA	92551-6340	62.39	6.24	12.35	80.98
73470245007	312334014	BARGANIER, BEVERLY	17585	CAMINO SONRISA	MORENO VALLEY	CA	92551-6374	BARGANIER, BEVERLY	17585 CAMINO SONRISA	MORENO VALLEY, CA	92551-6374	254.02	25.4	50.3	329.7
91524335000	312334016	FLORES, JESUS (OWNR)	17565	CAMINO SONRISA	MORENO VALLEY	CA	92551-6374	FLORES, JESUS	17565 CAMINO SONRISA	MORENO VALLEY, CA	92551-6374	253.92	25.39	50.28	329.58
88274913005	312334023	HERNANDEZ, JANET AND JOSE	17495	CAMINO SONRISA	MORENO VALLEY	CA	92551-6338	HERNANDEZ, JANET AND JOSE	3827 WITT AVE	RIVERSIDE, CA	92501-1551	254.12	25.41	50.32	329.84
74082855000	312334027	LEVI, ANTHONY AND LAKEISHA	25932	AVENIDA CLASSICA	MORENO VALLEY	CA	92551-6346	LEVI, ANTHONY AND LAKEISHA	25932 AVENIDA CLASSICA	MORENO VALLEY, CA	92551-6346	254.02	25.4	50.3	329.7
75215495001	312334029	ANDERSON, AUDREY	25944	AVENIDA CLASSICA	MORENO VALLEY	CA	92551-6346	ANDERSON, AUDREY	25944 AVENIDA CLASSICA	MORENO VALLEY, CA	92551-6346	254.02	25.4	50.3	329.7
86243373005	312334030	TERAN, DEBRA (OWNR)	25950	AVENIDA CLASSICA	MORENO VALLEY	CA	92551-6346	TERAN, DEBRA	25950 AVENIDA CLASSICA	MORENO VALLEY, CA	92551-6346	254.12	25.41	50.32	329.84
92234895007	312340008	PARKER, STEVE	17802	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6371	PARKER, STEVE	17802 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6371	253.92	25.39	50.28	329.58
81730525005	312340009	BLIGEN, CHERON	17794	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6369	BLIGEN, CHERON	4742 BRIDGEWATER CLUB LOOP	SPRING HILL, FL	34607-2552	127.4	12.74	25.23	165.36
81947225001	312340019	PAGE, JOSEPH	17797	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6370	PAGE, JOSEPH	17797 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6370	254.02	25.4	50.3	329.7
96291175004	312340022	BRAZIL, FELICIA	17773	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6370	BRAZIL, FELICIA	17773 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6370	93.52	9.35	18.52	121.38
74424485002	312340026	OCHOA, WENDY	17741	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6370	OCHOA, WENDY	17741 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6370	104.02	10.4	20.6	135
93871365006	312340027	RUFFIN, BOBBIE (RENT)	17733	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6370	RUFFIN, BOBBIE	17733 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6370	232.68	23.27	46.07	302
70128495001	312340035	JONES, TABATHA	17830	CAMINO DEL REY	MORENO VALLEY	CA	92551-6355	JONES, TABATHA	17830 CAMINO DEL REY	MORENO VALLEY, CA	92551-6355	254.02	25.4	50.3	329.7
75685475009	312340054	ARROYO, VANESSA	17687	CAMINO DEL REY	MORENO VALLEY	CA	92551-6352	ARROYO, VANESSA	17687 CAMINO DEL REY	MORENO VALLEY, CA	92551-6352	178.37	17.84	35.32	231.52
88262465004	312340066	VAXTER, ROSE	17779	CAMINO DEL REY	MORENO VALLEY	CA	92551-6354	VAXTER, ROSE	17779 CAMINO DEL REY	MORENO VALLEY, CA	92551-6354	250.45	25.05	49.59	325.08
73684815003	312340071	BECKFORD, JANIS	17819	CAMINO DEL REY	MORENO VALLEY	CA	92551-6356	BECKFORD, JANIS	17819 CAMINO DEL REY	MORENO VALLEY, CA	92551-6356	254.02	25.4	50.3	329.7
94481233001	312341003	NUNNERY, ELLENA (OWNR)	17740	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6369	NUNNERY, ELLENA	17740 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6369	63.63	6.36	12.6	82.58
74508595009	312341005	NGATI, EMMANUEL	17724	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6369	NGATI, EMMANUEL	17724 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6369	63.63	6.36	12.6	82.58
94698585006	312341009	JUAREZ, RUDY (RENT)	17692	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6367	JUAREZ, RUDY	23803 PARKLAND AVE	MORENO VALLEY, CA	92557-4942	221.61	22.16	43.88	287.64
92809295002	312341012	SMITH, JESSIE (OWNR)	17668	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6367	SMITH, JESSIE	17668 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6367	90.69	9.07	17.96	117.7
95606425002	312342001	GOODEN, DERWIN (OWNR)	17835	CAMINO DEL REY	MORENO VALLEY	CA	92551-6356	GOODEN, DERWIN	17835 CAMINO DEL REY	MORENO VALLEY, CA	92551-6356	63.63	6.36	12.6	82.58
70573555005	312350001	BRIANO, DANIEL	17824	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6373	BRIANO, DANIEL	372 LA CLARITA AVE	SAN JACINTO, CA	92582-3094	254.02	25.4	50.3	329.7
86364213003	312350007	PERKINS, KESHANNA	17776	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6359	PERKINS, KESHANNA	3136 LOWER CREEK DR	DOUGLASVILLE, GA	30135-8207	216.77	21.68	42.92	281.36
93477085001	312350014	ADORADOR, GEMMA (OWNR)	17761	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6359	ADORADOR, GEMMA	17761 CALLE CAPISTRANO	MORENO VALLEY, CA	92551-6359	40.79	4.08	8.08	52.94
91262405002	312350015	THOMAS, SHAVONNE	17769	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6359	THOMAS, SHAVONNE	17769 CALLE CAPISTRANO	MORENO VALLEY, CA	92551-6359	253.92	25.39	50.28	329.58
71377345005	312350018	BARRON, JAIME	17793	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6359	BARRON, JAIME	17793 CALLE CAPISTRANO	MORENO VALLEY, CA	92551-6359	127.36	12.74	25.22	165.3
96587785007	312350033	WOOD, JOSHUA (RENT)	17740	CORTE SOLEDAD	MORENO VALLEY	CA	92551-6363	WOOD, JOSHUA	17740 CORTE SOLEDAD	MORENO VALLEY, CA	92551-6363	101.54	10.15	20.1	131.78
94697615002	312350034	SINCLAIR, ROLAND	17734	CORTE SOLEDAD	MORENO VALLEY	CA	92551-6363	SINCLAIR, ROLAND	17734 CORTE SOLEDAD	MORENO VALLEY, CA	92551-6363	254.12	25.41	50.32	329.84
97578385009	312350035	KELLY, JEFFREY (OWNR)	17728	CORTE SOLEDAD	MORENO VALLEY	CA	92551-6363	KELLY, JEFFREY	17728 CORTE SOLEDAD	MORENO VALLEY, CA	92551-6363	63.63	6.36	12.6	82.58
95337975008	312350040	HARVEY, TANYA (RENT)	17701	CORTE SOLEDAD	MORENO VALLEY	CA	92551-6362	HARVEY, TANYA	23382 HEMLOCK AVE APT 205	MORENO VALLEY, CA	92557-8833	254.12	25.41	50.32	329.84
91476973008	312351001	PERKINS, MARNISHA (RENT)	17725	CORTE SOLEDAD	MORENO VALLEY	CA	92551-6362	PERKINS, MARNISHA	17725 CORTE SOLEDAD	MORENO VALLEY, CA	92551-6362	157.35	15.74	31.16	204.24
97922615001	312351028	HERNANDEZ, IRMA (OWNR)	25957	VIA ELEGANTE	MORENO VALLEY	CA	92551-6366	HERNANDEZ, IRMA (OWNR)	25957 VIA ELEGANTE	MORENO VALLEY, CA	92551-6366	190.79	19.08	37.78	247.64
88112345007	312351033	MITCHELL, VIOLA	25962	VIA ELEGANTE	MORENO VALLEY	CA	92551-6366	MITCHELL, VIOLA	25962 VIA ELEGANTE	MORENO VALLEY, CA	92551-6366	63.63	6.36	12.6	82.58
93150305008	312351034	RIVERA, SALVADOR	25954	VIA ELEGANTE	MORENO VALLEY	CA	92551-6366	RIVERA, SALVADOR	25954 VIA ELEGANTE	MORENO VALLEY, CA	92551-6366	254.02	25.4	50.3	329.7
91424985006	312351035	ACEIELUNO, SONIA	25946	VIA ELEGANTE	MORENO VALLEY	CA	92551-6366	ACEIELUNO, SONIA	25946 VIA ELEGANTE	MORENO VALLEY, CA	92551-6366	253.92	25.39	50.28	329.58
95481065005	312351044	THOMAS, WILLIE(OWNR)	25945	CORTE SAN LEANDRO	MORENO VALLEY	CA	92551-6360	THOMAS, WILLIE	25945 CORTE SAN LEANDRO	MORENO VALLEY, CA	92551-6360	63.29	6.33	12.53	82.14
95842995003	312351045	BIBIANO, MARIO	25953	CORTE SAN LEANDRO	MORENO VALLEY	CA	92551-6360	BIBIANO, MARIO	25953 CORTE SAN LEANDRO	MORENO VALLEY, CA	92551-6360	335.76	33.58	66.48	435.8
31473635000	316030006	NEWLIGHT MISSIONARY BAPTIST	16100	NEW LIGHT WAY	MORENO VALLEY	CA	92551-7211	NEWLIGHT MISSIONARY BAPTIST	16100 NEW LIGHT WAY	MORENO VALLEY, CA	92551-7211	254.02	25.4	50.3	329.7
88378135008	316040013	VIERA, JASON	16040	GERANIUM CT	MORENO VALLEY	CA	92551-7278	VIERA, JASON	16040 GERANIUM CT	MORENO VALLEY, CA	92551-7278	190.49	19.05	37.72	247.24
90576293009	316051001	WINGFIELD, MICHAEL	16161	SMOKETREE PL	MORENO VALLEY	CA	92551-7246	WINGFIELD, MICHAEL	16161 SMOKETREE PL	MORENO VALLEY, CA	92551-7246	228.15	22.82	45.17	296.12
89836983005	316052001	IDOINE, TIN	24657	GLENBROOK CT	MORENO VALLEY	CA	92551-7294	IDOINE, TIN	24657 GLENBROOK CT	MORENO VALLEY, CA	92551-7294	295.24	29.52	58.46	383.22
92246455003	316052019	DUENAS, ESTER	16231	EMMA LN	MORENO VALLEY	CA	92551-7253	DUENAS, ESTER	16231 EMMA LN	MORENO VALLEY, CA	92551-7253	329.04	32.9	65.15	427.08
31317685008	316052021	WINSOR, DANIEL L	24722	GOYA AVE	MORENO VALLEY	CA	92551-7269	WINSOR, DANIEL L	12150 PIGEON PASS RD #EE145	MORENO VALLEY, CA	92557-6967	254.12	25.41	50.32	329.84
56446025004	316052022	SCAFFER, PETE	24704	GOYA AVE	MORENO VALLEY	CA	92551-7269	SCAFFER, PETE	24704 GOYA AVE	MORENO VALLEY, CA	92551-7269	254.02	25.4	50.3	329.7
31516125003	316052024	PEREZ, SANDRA	24668	GOYA AVE	MORENO VALLEY	CA	92551-7270	PEREZ, SANDRA	3047 KALEI CT	PERRIS, CA	92571-3773	253.92	25.39	50.28	329.58

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31645335006	316061004	PAZMINO, ANNA M	16234	SKYWOOD CT	MORENO VALLEY	CA	92551-7234	PAZMINO, ANNA M	16234 SKYWOOD CT	MORENO VALLEY, CA	92551-7234	254.02	25.4	50.3	329.7
31396745000	316061005	QUINTERO, MIGUEL AND GLORIA	16224	SKYWOOD CT	MORENO VALLEY	CA	92551-7234	QUINTERO, MIGUEL AND GLORIA	16224 SKYWOOD CT	MORENO VALLEY, CA	92551-7234	254.02	25.4	50.3	329.7
75362065001	316061010	REYNA, CHRISTEL	16224	BREEZEWOOD ST	MORENO VALLEY	CA	92551-7230	REYNA, CHRISTEL	15263 HOOK BLVD APT B30	VICTORVILLE, CA	92394-2122	254.02	25.4	50.3	329.7
98269345013	316061012	GARCIA, JOEL (RENT)	16221	BREEZEWOOD CT	MORENO VALLEY	CA	92551-7231	GARCIA, JOEL	16221 BREEZEWOOD CT	MORENO VALLEY, CA	92551-7231	190.29	19.03	37.68	246.98
97513015004	316062003	ZUNIGA, KYLE (RENT)	16196	STARVIEW ST	MORENO VALLEY	CA	92551-7272	ZUNIGA, KYLE (RENT)	16196 STARVIEW ST	MORENO VALLEY, CA	92551-7272	190.79	19.08	37.78	247.64
96723815002	316062005	GREENE, DWON (OWNR)	16172	STARVIEW ST	MORENO VALLEY	CA	92551-7205	GREENE, DWON	16172 STARVIEW ST	MORENO VALLEY, CA	92551-7205	100	10	19.8	129.8
82284975007	316062008	YOUNG, DOLORES	16136	STARVIEW ST	MORENO VALLEY	CA	92551-7205	YOUNG, DOLORES	1622 W. 113TH ST	LOS ANGELES, CA	90047-4852	254.02	25.4	50.3	329.7
31457545002	316062010	WILSON, SAMUEL L AND MARY	24942	GATEWOOD ST	MORENO VALLEY	CA	92551-7276	WILSON, SAMUEL L	24942 GATEWOOD ST	MORENO VALLEY, CA	92551-7276	254.02	25.4	50.3	329.7
31408145009	316062013	PEREZ, GERRE	24900	GATEWOOD ST	MORENO VALLEY	CA	92551-7276	PEREZ, GERRE	24900 GATEWOOD ST	MORENO VALLEY, CA	92551-7276	154.02	15.4	30.5	199.9
31458515006	316062017	SMITH, BOBBIE	24844	GATEWOOD ST	MORENO VALLEY	CA	92551-7288	SMITH, BOBBIE	24844 GATEWOOD ST	MORENO VALLEY, CA	92551-7288	254.02	25.4	50.3	329.7
31652395009	316062019	ELAZAROV, GUY	16112	GERANIUM CT	MORENO VALLEY	CA	92551-7292	ELAZAROV, GUY	16112 GERANIUM CT	MORENO VALLEY, CA	92551-7292	254.02	25.4	50.3	329.7
31465435008	316063003	ROGERS, DION L	24897	GATEWOOD ST	MORENO VALLEY	CA	92551-7291	ROGERS, DION L	24897 GATEWOOD ST	MORENO VALLEY, CA	92551-7291	254.02	25.4	50.3	329.7
31458795007	316063006	ESPINOZA, RAY AND MELODY	24855	GATEWOOD ST	MORENO VALLEY	CA	92551-7290	ESPINOZA, RAY	24855 GATEWOOD ST	MORENO VALLEY, CA	92551-7290	188.44	18.84	37.31	244.58
31645115002	316063007	HAYWOOD, FAYE	24843	GATEWOOD ST	MORENO VALLEY	CA	92551-7290	HAYWOOD, FAYE	24843 GATEWOOD ST	MORENO VALLEY, CA	92551-7290	179.02	17.9	35.45	232.36
31442225001	316063008	BERRY, ROBBIE	24831	GATEWOOD ST	MORENO VALLEY	CA	92551-7290	BERRY, ROBBIE	25920 IRIS AVE STE 13A	MORENO VALLEY, CA	92551-1658	329.32	32.93	65.21	427.44
88982563006	316063010	GARICA,SANDRA	24807	GATEWOOD ST	MORENO VALLEY	CA	92551-7290	GARICA,SANDRA	24807 GATEWOOD ST	MORENO VALLEY, CA	92551-7290	380.75	38.08	75.39	494.2
31200475000	316063016	CATLEDGE, PAUL	24844	NEWGARDEN ST	MORENO VALLEY	CA	92551-7421	CATLEDGE, PAUL	24844 NEWGARDEN ST	MORENO VALLEY, CA	92551-7421	254.02	25.4	50.3	329.7
87802235007	316064001	FUTCH, DANITA	16188	EMMA LN	MORENO VALLEY	CA	92551-7251	FUTCH, DANITA	P O BOX 1575	MORENO VALLEY, CA	92556-1575	217.06	21.71	42.98	281.74
83317795002	316064004	OLVERA, TINA	16152	EMMA LN	MORENO VALLEY	CA	92551-7251	OLVERA, TINA	3322 VANCE ST	RIVERSIDE, CA	92504-4022	254.02	25.4	50.3	329.7
92271535005	316064008	PENA, MARISOL (RENT)	16183	GREENFIELD ST	MORENO VALLEY	CA	92551-7257	PENA, MARISOL	16183 GREENFIELD ST	MORENO VALLEY, CA	92551-7257	253.92	25.39	50.28	329.58
52968505000	316064009	VILLAPANDO, GINA	16171	GREENFIELD ST	MORENO VALLEY	CA	92551-7238	VILLAPANDO, GINA	16171 GREENFIELD ST	MORENO VALLEY, CA	92551-7238	254.02	25.4	50.3	329.7
31451705001	316064012	WILLIAMS, CYNTHIA (RENT)	16135	GREENFIELD ST	MORENO VALLEY	CA	92551-7238	WILLIAMS, CYNTHIA	7307 BELPINE PL APT 19	RCH CUCAMONGA, CA	91730-6772	254.02	25.4	50.3	329.7
92319095004	316064013	YOUNG, PAULA	24780	GATEWOOD ST	MORENO VALLEY	CA	92551-7286	YOUNG, PAULA	24780 GATEWOOD ST	MORENO VALLEY, CA	92551-7286	41.92	4.19	8.3	54.4
48432465002	316064018	MCCART, RODNEY	16224	EMMA LN	MORENO VALLEY	CA	92551-7252	MCCART, RODNEY	16224 EMMA LN	MORENO VALLEY, CA	92551-7252	254.02	25.4	50.3	329.7
91974605000	316071005	TAYLOR, BELINDA	24545	MOONLIGHT DR	MORENO VALLEY	CA	92551-7298	TAYLOR, BELINDA	24545 MOONLIGHT DR	MORENO VALLEY, CA	92551-7298	253.92	25.39	50.28	329.58
74041575005	316071006	BROWN, VANESSA	24535	MOONLIGHT DR	MORENO VALLEY	CA	92551-7298	BROWN, VANESSA	P O BOX 8652	MORENO VALLEY, CA	92552-8652	254.02	25.4	50.3	329.7
91365715008	316072005	OBUGE, MICHAEL	24648	CONSTELLATION WAY	MORENO VALLEY	CA	92551-7295	OBUGE, MICHAEL	24648 CONSTELLATION WAY	MORENO VALLEY, CA	92551-7295	253.64	25.36	50.22	329.22
71832195000	316073002	JOHNSON, JEROME F	24615	MOONLIGHT DR	MORENO VALLEY	CA	92551-7299	JOHNSON, JEROME F	24615 MOONLIGHT DR	MORENO VALLEY, CA	92551-7299	254.02	25.4	50.3	329.7
74829375005	316073008	MARTINEZ, ARTURO (OWNR)	24675	MOONLIGHT DR	MORENO VALLEY	CA	92551-7299	MARTINEZ, ARTURO	24675 MOONLIGHT DR	MORENO VALLEY, CA	92551-7299	30.69	3.07	6.08	39.82
74438215009	316073009	GARCIA, JUAN AND GRACIELA	24685	MOONLIGHT DR	MORENO VALLEY	CA	92551-7299	GARCIA, JUAN AND GRACIELA	24685 MOONLIGHT DR	MORENO VALLEY, CA	92551-7299	254.02	25.4	50.3	329.7
71833045000	316073013	DE LA CRUZ, MARIA	24650	MOONLIGHT DR	MORENO VALLEY	CA	92551-7299	DE LA CRUZ, MARIA	25598 PACATO RD	MORENO VALLEY, CA	92551-1941	254.02	25.4	50.3	329.7
64055675006	316073021	WILLIAMS, WADZELL	16409	EMMA LN	MORENO VALLEY	CA	92551-7285	WILLIAMS, WADZELL	16409 EMMA LN	MORENO VALLEY, CA	92551-7285	329.6	32.96	65.26	427.82
89901715004	316073024	MACIEL, SANDRA	16445	EMMA LN	MORENO VALLEY	CA	92551-7285	MACIEL, SANDRA	16445 EMMA LN	MORENO VALLEY, CA	92551-7285	190.42	19.04	37.7	247.16
96997985006	316073025	VELA, JUANITA (OWNR)	16457	EMMA LN	MORENO VALLEY	CA	92551-7285	VELA, JUANITA	16457 EMMA LN	MORENO VALLEY, CA	92551-7285	127.46	12.75	25.24	165.44
91337953006	316081007	RUDOLPH, ANTHONY (RENT)	16316	BREEZEWOOD ST	MORENO VALLEY	CA	92551-7232	RUDOLPH, ANTHONY (RENT)	16316 BREEZEWOOD ST	MORENO VALLEY, CA	92551-7232	262.73	26.27	52.02	341.02
92022395001	316081009	RODRIGUEZ, NOE	16340	BREEZEWOOD ST	MORENO VALLEY	CA	92551-7232	RODRIGUEZ, NOE	16340 BREEZEWOOD ST	MORENO VALLEY, CA	92551-7232	126.95	12.7	25.14	164.78
86171833002	316082002	WEICK, ANITA (RENT)	16256	GREENFIELD ST	MORENO VALLEY	CA	92551-7241	WEICK, ANITA	16256 GREENFIELD ST	MORENO VALLEY, CA	92551-7241	329.6	32.96	65.26	427.82
31408975004	316082003	CHAMBERS, BRIAN	16268	GREENFIELD ST	MORENO VALLEY	CA	92551-7241	CHAMBERS, BRIAN	16268 GREENFIELD ST	MORENO VALLEY, CA	92551-7241	254.02	25.4	50.3	329.7
31410875001	316082005	LEE, RODGENA	16292	GREENFIELD ST	MORENO VALLEY	CA	92551-7241	LEE, RODGENA	16292 GREENFIELD ST	MORENO VALLEY, CA	92551-7241	254.02	25.4	50.3	329.7
94683553004	316082008	MENDOZA, JULIANA (RENT)	16326	GREENFIELD ST	MORENO VALLEY	CA	92551-7279	MENDOZA, JULIANA	16326 GREENFIELD ST	MORENO VALLEY, CA	92551-7279	214.54	21.45	42.48	278.46
31408135001	316083011	POLICARPIO, ELIZABETH (OWNR)	16255	GREENFIELD ST	MORENO VALLEY	CA	92551-7240	POLICARPIO, ELIZABETH	12691 MAGNOLIA DR	MORENO VALLEY, CA	92555-3514	189.7	18.97	37.56	246.22
31412395008	316083012	WILKERSON, SANDRA	16267	GREENFIELD ST	MORENO VALLEY	CA	92551-7240	WILKERSON, SANDRA	16267 GREENFIELD ST	MORENO VALLEY, CA	92551-7240	254.02	25.4	50.3	329.7
31410495001	316083016	GAMMAGE, VINCENT	16315	GREENFIELD ST	MORENO VALLEY	CA	92551-7227	GAMMAGE, VINCENT	16315 GREENFIELD ST	MORENO VALLEY, CA	92551-7227	63.63	6.36	12.6	82.58
75992105007	316083023	LUMBA, ANGELITO I	16399	GREENFIELD ST	MORENO VALLEY	CA	92551-7259	LUMBA, ANGELITO I	16399 GREENFIELD ST	MORENO VALLEY, CA	92551-7259	254.02	25.4	50.3	329.7
48327875008	316083027	BUTLER, DANIEL	24781	HIGHWOOD ST	MORENO VALLEY	CA	92551-7224	BUTLER, DANIEL	24781 HIGHWOOD ST	MORENO VALLEY, CA	92551-7224	329.32	32.93	65.21	427.44
31482885003	316083034	GRAY, TERRIAN	16428	EMMA LN	MORENO VALLEY	CA	92551-7283	GRAY, TERRIAN	16428 EMMA LN	MORENO VALLEY, CA	92551-7283	254.02	25.4	50.3	329.7
85278673008	316083035	BALEANU, GABRIEL (OWNR)	16416	EMMA LN	MORENO VALLEY	CA	92551-7283	BALEANU, GABRIEL	16416 EMMA LN	MORENO VALLEY, CA	92551-7283	254.12	25.41	50.32	329.84
66393165004	316091002	LEVERETTE, NESHAJ	24929	HIGHWOOD ST	MORENO VALLEY	CA	92551-7202	LEVERETTE, NESHAJ	24929 HIGHWOOD ST	MORENO VALLEY, CA	92551-7202	60.47	6.05	11.97	78.48
31387815004	316091008	LYONS, MARK	16400	STARVIEW ST	MORENO VALLEY	CA	92551-7218	LYONS, MARK	16400 STARVIEW ST	MORENO VALLEY, CA	92551-7218	282.23	28.22	55.88	366.32
69423125007	316091014	PARTIDA, DANIA	16328	STARVIEW ST	MORENO VALLEY	CA	92551-7216	PARTIDA, DANIA	16328 STARVIEW ST	MORENO VALLEY, CA	92551-7216	254.02	25.4	50.3	329.7
91938065008	316091015	SOMBRITO, KATHRINE	16316	STARVIEW ST	MORENO VALLEY	CA	92551-7273	SOMBRITO, KATHRINE	16316 STARVIEW ST	MORENO VALLEY, CA	92551-7273	127.26	12.73	25.2	165.18
31166285003	316091020	SCHUCHMAN, FLORENCE EBERSOLE	16256	STARVIEW ST	MORENO VALLEY	CA	92551-7213	SCHUCHMAN, FLORENCE EBERSOLE	16256 STARVIEW ST	MORENO VALLEY, CA	92551-7213	136.37	13.64	27	177
31454395000	316092001	MARTINEZ, WILLIAM J	24913	CITADEL ST	MORENO VALLEY	CA	92551-7200	MARTINEZ, WILLIAM J	24913 CITADEL ST	MORENO VALLEY, CA	92551-7200	90.69	9.07	17.96	117.7
31537305001	316092010	BAEZ, JOE	24869	CITADEL ST	MORENO VALLEY	CA	92551-7229	BAEZ, JOE	24869 CITADEL ST	MORENO VALLEY, CA	92551-7229	254.12	25.41	50.32	329.84
68302695004	316093001	DAVIS, PHILLIP	16235	STARVIEW ST	MORENO VALLEY	CA	92551-7209	DAVIS, PHILLIP	5369 IMAGES CT	LAS VEGAS, NV	89107-2730	254.12	25.41	50.32	329.84
86339775007	316093004	MUNOZ, JOSE	16271	STARVIEW ST	MORENO VALLEY	CA	92551-7215	MUNOZ, JOSE	16271 STARVIEW ST	MORENO VALLEY, CA	92551-7215	254.12	25.41	50.32	329.84
31368645000	316093007	BALL, MARY	16307	STARVIEW ST	MORENO VALLEY	CA	92551-7274	BALL, MARY	16307 STARVIEW ST	MORENO VALLEY, CA	92551-7274	254.02	25.4	50.3	329.7
96661565006	316093010	MINGO, MICHAEL (RENT)	16343	STARVIEW ST	MORENO VALLEY	CA	92551-7217	MINGO, MICHAEL	16343 STARVIEW ST	MORENO VALLEY, CA	92551-7217	170.21	17.02	33.7	220.92
31180805005	316093021	JACKSON, CHESSIE	16294	SKYWOOD CT	MORENO VALLEY	CA	92551-7234	JACKSON, CHESSIE	16294 SKYWOOD CT	MORENO VALLEY, CA	92551-7234	204.02	20.4	40.4	264.8
97306895008	316093022	PAZ, FRANCIS (RENT)	16282	SKYWOOD CT	MORENO VALLEY	CA	92551-7234	PAZ, FRANCIS	16282 SKYWOOD CT	MORENO VALLEY, CA	92551-7234	204.12	20.41	40.42	264.94
93862135004	316094007	LEMUS, VERONICA AND (OWNR)	16315	SKYWOOD CT	MORENO VALLEY	CA	92551-7236	LEMUS, VERONICA AND RICARDO	16315 SKYWOOD CT	MORENO VALLEY, CA	92551-7236	254.12	25.41	50.32	329.84
31263675006	316121007	BRADFORD, BEVERLY	24564	FREEPORT DR	MORENO VALLEY	CA	92551-7415	BRADFORD, BEVERLY	PO BOX 9751	MORENO VALLEY, CA	92552-9751	254.02	25.4	50.3	329.7
95173645007	316121015	SIGALA, FROYLAN (RENT)	24660	FREEPORT DR	MORENO VALLEY	CA	92551-7418	SIGALA, FROYLAN	24660 FREEPORT DR	MORENO VALLEY, CA	92551-7418	254.12	25.41	50.32	329.84
96485745002	316121016	GARCIA, CHRISTINA AND ANGEL	24672	FREEPORT DR	MORENO VALLEY	CA	92551-7418	GARCIA, CHRISTINA	24672 FREEPORT DR	MORENO VALLEY, CA	92551-7418	156.31	15.63	30.95	202.88
94704285005	316121021	ARROYO, MYNOR (OWNR)	24726	FREEPORT DR	MORENO VALLEY	CA	92551-7454	ARROYO, MYNOR	24726 FREEPORT DR	MORENO VALLEY, CA	92551-7454	149.12	14.91	29.53	193.54
31562935007	316121023	ROSS, CHRISTOPHER	24746	FREEPORT DR	MORENO VALLEY	CA	92551-7454	ROSS, CHRISTOPHER	24746 FREEPORT DR	MORENO VALLEY, CA	92551-7454	254.02	25.4	50.3	329.7
92417553009	316121024	ARGUENTIN, BRENDA	16757	TARANO LN	MORENO VALLEY	CA	92551-7411	ARGUENTIN, BRENDA	16757 TARANO LN	MORENO VALLEY, CA	92551-7411	335.76	33.58	66.48	435.8
72186395008	316121025	COMAGON, GRACE	16749	TARANO LN	MORENO VALLEY	CA	92551-7411	COMAGON, GRACE	16749 TARANO LN	MORENO VALLEY, CA	92551-7411	129.94	12.99	25.73	168.66
93784765007	316121026	HECKARD, LASHONE (RENT)	16741	TARANO LN	MORENO VALLEY	CA	92551-7411	HECKARD, LASHONE	16741 TARANO LN	MORENO VALLEY, CA	92551-7411	254.02	25.4	50.3	329.7
96129525003	316121032	VALADEZ, RICKY (RENT)	24545	ANGELLA WAY	MORENO VALLEY	CA	92551-7407	VALADEZ, RICKY	24545 ANGELLA WAY	MORENO VALLEY, CA	92551-7407	254.12	25.41	50.32	329.84
95000455001	316121034	SUFLE, WENDY (OWNR)	24589	ANGELLA WAY	MORENO VALLEY	CA	92551-7407	SUFLE, WENDY	24589 ANGELLA WAY	MORENO VALLEY, CA	92551-7407	127.46	12.75	25.24	165.44
31322585009	316121035	SALMERON, MARIA	24611	ANGELLA WAY	MORENO VALLEY	CA	92551-7448	SALMERON, MARIA	24611 ANGELLA WAY	MORENO VALLEY, CA	92551-7448	254.02	25.4	50.3	329.7
31162785007	316121039	HAYNES, JOSEPH H	24699	ANGELLA WAY	MORENO VALLEY	CA	92551-7414	HAYNES, JOSEPH H	24699 ANGELLA WAY	MORENO VALLEY, CA	92551-7414	329.32	32.93	65.21	427.44
67224885001	316122011	WILLIAMS, SHAWNDRA AND JASON	24627	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7412	WILLIAMS, SHAWNDRA AND JASON	24627 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7412	329.6	32.96	65.26	427.82
31543985006	316122016	GRANADOS, EVANGELINA	24598	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7461	GRANADOS, EVANGELINA	24598 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7461	329.04	32.9	65.15	427.08
97106265004	316122025	GOVEA, JESSE CHAVEZ	24669	FREEPORT DR	MORENO VALLEY	CA	92551-7417	GOVEA, JESSE CHAVEZ	24669 FREEPORT DR	MORENO VALLEY, CA	92551-7417	420.76	42.08	83.31	546.14
31160735002	316122026	CASTRO, ALFRED	24657	FREEPORT DR	MORENO VALLEY	CA	92551-7417	CASTRO, ALFRED	24657 FREEPORT DR	MORENO VALLEY, CA	92551-7417	329.32	32.93	65.21	427.44
31166695007	316122036	LERMA, MARIANNE (RENT)	24525	FREEPORT DR	MORENO VALLEY	CA	92551-7416	LERMA, MARIANNE	25310 OAKSTONE CT	MORENO VALLEY, CA	92553-4419	254.02	25.4	50.3	329.7
97623825001	316131002	CASTRO, ELIS (OWNR)	16710	TARANO LN	MORENO VALLEY	CA	92551-7410	CASTRO, ELIS	16710 TARANO LN	MORENO VALLEY, CA	92551-7410	63.63	6.36	12.6	82.58
31450375002	316132003	CARDENAS, JESUS AND MONICA	24975	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7402	CARDENAS, JESUS	24975 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7402	254.02	25.4	50.3	329.7
31308155008	316132010	WASHINGTON, THOMAS	24891	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7401	WASHINGTON, THOMAS	24891 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7401	329.6	32.96	65.26	427.82
92417363009	316132011	CORTEZ, JOSE AND PATRICIA	24879	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7401	CORTEZ, JOSE AND PATRICIA	24879 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7401	335.76	33.58	66.48	435.8
53535105000	316132012	JAUREGUI, MONICA	24867	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7401	JAUREGUI, MONICA	24867 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7401	259.51	25.95	51.38	336.84
96854375007	316133002	LEYVA, JOSE (RENTER)	16708	KETTENBURG LN	MORENO VALLEY	CA	92551-7408	RAYFORD, TERRY	16708 KETTENBURG LN	MORENO VALLEY, CA	92551-7408	254.02	25.4	50.3	329.7
91626155000	316133004	HERCULES, GERMAN AND CARMEN	16724	KETTENBURG LN	MORENO VALLEY	CA	92551-7408	HERCULES, GERMAN AND CARMEN	726 W SLAUSON AVE #5	LOS ANGELES, CA	90044-6327	329.04	32.9	65.15	427.08
31146085007	316133005	BACHMAN, TODD AND DENISE	16732	KETTENBURG LN	MORENO VALLEY	CA	92551-7408	BACHMAN, TODD AND DENISE	16732 KETTENBURG LN	MORENO VALLEY, CA	92551-7408	254.02	25.4	50.3	329.7
31454125007	316133011	MC GINTY, DEBORAH	16740	CANOE COVE	MORENO VALLEY	CA	92551-7404	MC GINTY, DEBORAH	16740 CANOE COVE	MORENO VALLEY, CA	92551-7404	127.36	12.74	25.22	165.3
31470225002	316133017	HOWARD, SANDRA	16709	CANOE COVE	MORENO VALLEY	CA	92551-7404	HOWARD, SANDRA	16709 CANOE COVE	MORENO VALLEY, CA	92551-7404	329.32	32.93	65.21	427.44
97443955006	316141002	VASQUEZ, JANET (RENT)	16845	BALTIC CT	MORENO VALLEY	CA	92551-7482	VASQUEZ, JANET (RENT)	16845 BALTIC CT	MORENO VALLEY, CA	92551-7482	254.02	25.4	50.3	329.7
99786973002	316141004	SANCHEZ, DANIELLE (RENT)	16825	BALTIC CT	MORENO VALLEY	CA	92551-7482	SANCHEZ, DANIELLE	16825 BALTIC CT	MORENO VALLEY, CA	92551-7482	123.78	12.38	24.51	160.66
90896763002	316141006	MARSTEN, PATRICIA (OWNR)	16805	BALTIC CT	MORENO VALLEY	CA	92551-7482	MARSTEN, PATRICIA	16805 BALTIC CT	MORENO VALLEY, CA	92551-7482	63.63	6.36	12.6	82.58
94428815000	316141008	IRISH, KEVIN (OWNR)	16785	BALTIC CT	MORENO VALLEY	CA	92551-7481	IRISH, KEVIN	16785 BALTIC CT	MORENO VALLEY, CA	92551-7481	254.12	25.41	50.32	329.84
31548875008	316141009	LOPEZ, MARIA	16780	BALTIC CT	MORENO VALLEY	CA	92551-7481	LOPEZ, MARIA	16780 BALTIC CT	MORENO VALLEY, CA	92551-7481	254.02	25.4	50.3	329.7
31270105001	316141014	REYES, KIMBERLY	16830	BALTIC CT	MORENO VALLEY	CA	92551-7482	REYES, KIMBERLY	16830 BALTIC CT	MORENO VALLEY, CA	92551-7482	254.12	25.41	50.32	329.84
31566595009	316141016	CARRUITERO, GINO A	16855	TRINITY BAY CT	MORENO VALLEY	CA	92551-7480	CARRUITERO, GINO A	16855 TRINITY BAY CT	MORENO VALLEY, CA	92551-7480	204.02	20.4	40.4	264.8
31643795004	316141017	PHILLIPS, DEBBIE	16845	TRINITY BAY CT	MORENO VALLEY	CA	92551-7480	PHILLIPS, DEBBIE	16845 TRINITY BAY CT	MORENO VALLEY, CA	92551-7480	329.32	32.93	65.21	427.44
31257365002	316141019	STEWART, PRESTON J	16825	TRINITY BAY CT	MORENO VALLEY	CA	92551-7480	STEWART, PRESTON J	16825 TRINITY BAY CT	MORENO VALLEY, CA	92551-7480	254.02	25.4	50.3	329.7
97123905001	316141023	CERRILLOS, OMAR AND ELVIA (OWN	16795	TRINITY BAY CT	MORENO VALLEY	CA	92551-7478	CERRILLOS, OMAR AND ELVIA	16795 TRINITY BAY CT	MORENO VALLEY, CA	92551-7478	63.63	6.36	12.6	82.58
31416305008	316141032	FUENTES, ROBERTA	24648	SUPERIOR AVE	MORENO VALLEY	CA	92551-7476	FUENTES, ROBERTA	24648 SUPERIOR AVE	MORENO VALLEY, CA	92551-7476	254.02	25.4	50.3	329.7
99695855006	316141035	DODSON, RYAN (RENT)	16825	HUDSON BAY DR	MORENO VALLEY	CA	92551-7473	DODSON, RYAN	7153 MARGUERITA AVE	RIVERSIDE, CA	92504-4542	281.09	28.11	55.66	364.84
31289975008	316141046	PENUNURI, CHARLES	24756	FORTUNE BAY LN	MORENO VALLEY	CA	92551-7435	PENUNURI, CHARLES	24756 FORTUNE BAY	MORENO VALLEY, CA	92551-7435	189.12	18.91	37.45	245.46

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95794185006	316140004	LOPEZ, THANIA (RENT)	24557	SUPERIOR AVE	MORENO VALLEY	CA	92551-7475	LOPEZ, THANIA	24557 SUPERIOR AVE	MORENO VALLEY, CA	92551-7475	254.12	25.41	50.32	329.84
64074415002	316140009	BROCK, RENEE	24617	SUPERIOR AVE	MORENO VALLEY	CA	92551-7477	BROCK, RENEE	24617 SUPERIOR AVE	MORENO VALLEY, CA	92551-7477	254.12	25.41	50.32	329.84
31631805007	316140023	CHAMPAGNE, ISSAC	24780	SUBURBAN LN	MORENO VALLEY	CA	92551-7468	CHAMPAGNE, ISSAC	24780 SUBURBAN LN	MORENO VALLEY, CA	92551-7468	125.49	12.55	24.85	162.88
31194405000	316140024	PLUMMER, TED	24768	SUBURBAN LN	MORENO VALLEY	CA	92551-7468	PLUMMER, TED	24768 SUBURBAN LN	MORENO VALLEY, CA	92551-7468	204.12	20.41	40.42	264.94
97519035007	316151011	LEE, DENISE	24833	SUPERIOR AVE	MORENO VALLEY	CA	92551-7446	LEE, DENISE	24833 SUPERIOR AVE	MORENO VALLEY, CA	92551-7446	190.59	19.06	37.74	247.38
91706015000	316152002	NAJERA, BLANCA (RENT)	24840	SUPERIOR AVE	MORENO VALLEY	CA	92551-7445	NAJERA, BLANCA	24840 SUPERIOR AVE	MORENO VALLEY, CA	92551-7445	217.42	21.74	43.05	282.2
94521455007	316152003	VILLA, PAULA (RENT)	24828	SUPERIOR AVE	MORENO VALLEY	CA	92551-7445	VILLA, PAULA	24828 SUPERIOR AVE	MORENO VALLEY, CA	92551-7445	254.12	25.41	50.32	329.84
31187325001	316153009	MEDINA, DIANE	16795	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7457	MEDINA, DIANE	16795 MEDITERRANEAN DR	MORENO VALLEY, CA	92551-7457	254.02	25.4	50.3	329.7
97615855000	316153012	BUTLER, NISHE (RENT)	16790	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7456	BUTLER, NISHE	3741 BROCKTON AVE	RIVERSIDE, CA	92501-3208	107.9	10.79	21.36	140.04
96427475001	316153016	FLORES, PAULA (RENT)	16830	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7419	FLORES, PAULA (RENT)	16830 MEDITERRANEAN DR	MORENO VALLEY, CA	92551-7419	254.12	25.41	50.32	329.84
31284725002	316153017	RUIZ, OLIVIA	16840	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7419	RUIZ, OLIVIA	16840 MEDITERRANEAN DR	MORENO VALLEY, CA	92551-7419	253.92	25.39	50.28	329.58
31444415007	316153018	ROBERTSON, CHARLES	16850	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7419	ROBERTSON, CHARLES	16850 MEDITERRANEAN DR	MORENO VALLEY, CA	92551-7419	254.02	25.4	50.3	329.7
31652195001	316153019	STEVENS, TOMMY	16860	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7419	STEVENS, TOMMY	16860 MEDITERRANEAN DR	MORENO VALLEY, CA	92551-7419	254.02	25.4	50.3	329.7
89667033004	316153023	GUIGNARD, RENE	24816	FORTUNE BAY LN	MORENO VALLEY	CA	92551-7439	GUIGNARD, RENE	24816 FORTUNE BAY LN	MORENO VALLEY, CA	92551-7439	420.76	42.08	83.31	546.14
31204155009	316153035	ZAPIEN, FRANCISCO AND MARIA	16840	LAKE VICTORIA DR	MORENO VALLEY	CA	92551-7433	ZAPIEN, FRANCISCO AND MARIA	16840 LAKE VICTORIA DR	MORENO VALLEY, CA	92551-7433	254.02	25.4	50.3	329.7
84331455003	316153036	LIGON, RALPH	16850	LAKE VICTORIA DR	MORENO VALLEY	CA	92551-7433	LIGON, RALPH	16850 LAKE VICTORIA DR	MORENO VALLEY, CA	92551-7433	254.02	25.4	50.3	329.7
92725335001	316153038	PAUL, DEBRA (RENT)	16845	ST GEORGE WAY	MORENO VALLEY	CA	92551-7427	PAUL, DEBRA	PO BOX 51642	RIVERSIDE, CA	92517-2642	159.36	16	31.67	207.62
31400445003	316153051	IBARRA, MANUEL	16840	ST GEORGE WAY	MORENO VALLEY	CA	92551-7426	IBARRA, MANUEL	16840 ST GEORGE WAY	MORENO VALLEY, CA	92551-7426	127.36	12.74	25.22	165.3
61539205001	316153057	MALDONADO, PASCUAL AND KATHY	24876	SUBURBAN LN	MORENO VALLEY	CA	92551-7430	MALDONADO, PASCUAL AND KATHY	24876 SUBURBAN LN	MORENO VALLEY, CA	92551-7430	254.12	25.41	50.32	329.84
31294045004	316190035	BOWERS, WILLIAM (OWNR)	24870	SAN MICHELE RD	MORENO VALLEY	CA	92551-9522	BOWERS, WILLIAM	36274 PROVINCE DR	MURRIETA, CA	92562-8438	190.69	19.07	37.76	247.5
31071335005	316200003	MALCOM, MIKE	24710	NANDINA AVE	MORENO VALLEY	CA	92551-9503	MALCOM, MIKE	24080 TRAILWOOD RD	HEMET, CA	92545-2114	329.32	32.93	65.21	427.44
77299455001	316220007	CALDERA, ERICKA	16508	TAURUS LN	MORENO VALLEY	CA	92551-7488	CALDERA, ERICKA	16508 TAURUS LN	MORENO VALLEY, CA	92551-7488	254.02	25.4	50.3	329.7
87853585006	316220008	BUTLER, TERRI	16520	TAURUS LN	MORENO VALLEY	CA	92551-7488	BUTLER, TERRI	16520 TAURUS LN	MORENO VALLEY, CA	92551-7488	173.16	17.32	34.29	224.76
81689925009	316220010	OGWO, EDWARD	16505	TARANO LN	MORENO VALLEY	CA	92551-7489	OGWO, EDWARD	16505 TARANO LN	MORENO VALLEY, CA	92551-7489	254.02	25.4	50.3	329.7
91089283004	316220013	AVALOS, RUBEN	16541	TARANO LN	MORENO VALLEY	CA	92551-7489	AVALOS, RUBEN	16541 TARANO LN	MORENO VALLEY, CA	92551-7489	257.45	25.75	50.98	334.16
87185665006	316220018	CHACON, MARIA	16623	TARANO LN	MORENO VALLEY	CA	92551	CHACON, MARIA	16623 TARANO LN	MORENO VALLEY, CA	92551	254.02	25.4	50.3	329.7
97968365006	316221009	COOPER, DONTAE (RENT)	24575	POLARIS DR	MORENO VALLEY	CA	92551-7486	COOPER, DONTAE	24575 POLARIS DR	MORENO VALLEY, CA	92551-7486	211.98	21.19	41.96	275.08
97106455004	316221011	DRAKE, CHERI (RENT)	24555	POLARIS DR	MORENO VALLEY	CA	92551-7486	DRAKE, CHERI	23398 HEMLOCK AVE	MORENO VALLEY, CA	92557-7097	85.13	8.51	16.86	110.48
86494085005	316221018	AGUILAR, THERESA	16654	SHUNING CT	MORENO VALLEY	CA	92551-7491	AGUILAR, THERESA	16654 SHUNING CT	MORENO VALLEY, CA	92551-7491	63.61	6.36	12.59	82.56
90781803008	316221021	MORRIS, YOLANDA	16641	TAURUS LN	MORENO VALLEY	CA	92551-7492	MORRIS, YOLANDA	16641 TAURUS LN	MORENO VALLEY, CA	92551-7492	94.26	9.43	18.66	122.34
88684155004	316222005	FLORES, CARMEN	24550	POLARIS DR	MORENO VALLEY	CA	92551-7486	FLORES, CARMEN	12660 MEMORIAL WAY APT 1001	MORENO VALLEY, CA	92553-7559	254.12	25.41	50.32	329.84
98265185014	318141043	QUINTANILLA, OLGA (RENT)	24720	FORTUNE BAY LN	MORENO VALLEY	CA	92551-7435	QUINTANILLA, OLGA (RENT)	13322 LASSELLE ST APT 1097	MORENO VALLEY, CA	92553-0851	53.73	5.37	10.64	69.74
94432075007	321241010	PRICE, ANGELA (RENT)	17684	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6367	PRICE, ANGELA	17684 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6367	163.22	16.32	32.32	211.84
69792515003	422070085	LOPEZ, HEIDI MICHELLE AND BRAD	30220	DRACAEA AVE	MORENO VALLEY	CA	92555-6706	LOPEZ, HEIDI MICHELLE AND BRAD	30220 DRACAEA AVE	MORENO VALLEY, CA	92555-6706	404.62	40.46	80.11	525.18
97980005007	425343009	BLACK, YURINE (RENT)	24231	ROYALE ST	MORENO VALLEY	CA	92557-5013	BLACK, YURINE	14185 BRANDT DR	MORENO VALLEY, CA	92553-6705	197.41	19.74	39.09	256.22
96421923000	434030019	SHORE, PRECIOUS	23469	CHALLIS CT	MORENO VALLEY	CA	92553-3469	SHORE, PRECIOUS	23469 CHALLIS CT	MORENO VALLEY, CA	92553-3469	62.26	6.23	12.33	80.8
63990815006	471290001	TAYLOR, CHARLES	9530	RECHE VISTA DR	MORENO VALLEY	CA	92557-1411	TAYLOR, CHARLES	9530 RECHE VISTA DR	MORENO VALLEY, CA	92557-1411	405.08	40.51	80.21	525.78
31529585009	471300016	KELLEY, ALVIN	9900	MICHAEL WAY	MORENO VALLEY	CA	92557	KELLEY, ALVIN	9900 MICHAEL	MORENO VALLEY, CA	92557	63.63	6.36	12.6	82.58
31141425007	473150068	AAB, DEBRA	11388	TRUST WAY	MORENO VALLEY	CA	92555-5259	AAB, DEBRA	PO BOX 88	MORENO VALLEY, CA	92556-0088	254.02	25.4	50.3	329.7
50427205002	473180001	MCKEE, JASON	28191	LOCUST AVE	MORENO VALLEY	CA	92555-5251	MCKEE, JASON	28191 LOCUST AVE	MORENO VALLEY, CA	92555-5251	190.69	19.07	37.76	247.5
31647425003	473180002	SMITH, JULIE	11277	WEBER AVE	MORENO VALLEY	CA	92555-5297	SMITH, JULIE	11277 WEBER	MORENO VALLEY, CA	92555-5297	63.63	6.36	12.6	82.58
94524895009	473180016	MILLER, MEKEVA (RENT)	11437	WEBER AVE	MORENO VALLEY	CA	92555-8600	MILLER, MEKEVA	11437 WEBER AVE	MORENO VALLEY, CA	92555-8600	42.02	4.2	8.32	54.54
31377495002	473180026	MATA, ROBERT AND YOLANDA	11412	WEBER AVE	MORENO VALLEY	CA	92555-5299	MATA, ROBERT	11412 WEBER AVE	MORENO VALLEY, CA	92555-5299	254.02	25.4	50.3	329.7
97609035006	473180027	ROMERO, BEVERLY (RENT)	11400	WEBER AVE	MORENO VALLEY	CA	92555-5299	ROMERO, BEVERLY	11400 WEBER AVE	MORENO VALLEY, CA	92555-5299	254.12	25.41	50.32	329.84
92917193004	473180031	BLAIR, CHARLES (OWNR)	11350	WEBER AVE	MORENO VALLEY	CA	92555-5246	BLAIR, CHARLES	11350 WEBER AVE	MORENO VALLEY, CA	92555-5246	335.76	33.58	66.48	435.8
31538395000	473180033	CUMMINGS, CHRISTOPHER	11326	WEBER AVE	MORENO VALLEY	CA	92555-5246	CUMMINGS, CHRISTOPHER	11326 WEBER AVE	MORENO VALLEY, CA	92555-5246	254.12	25.41	50.32	329.84
70702535005	473180036	PENALOZA, RICARDO	11288	WEBER AVE	MORENO VALLEY	CA	92555-5298	PENALOZA, RICARDO	11288 WEBER AVE	MORENO VALLEY, CA	92555-5298	117.49	11.75	23.26	152.5
31062065000	473180041	MCKEE, TOM	28155	LOCUST AVE	MORENO VALLEY	CA	92555-5263	MCKEE, TOM	28155 LOCUST AVE	MORENO VALLEY, CA	92555-5263	317.35	31.74	62.84	411.92
94964695009	473180042	LAUREGUI, HUMBERTO (OWNR)	11330	CARRIE LN	MORENO VALLEY	CA	92555-5205	LAUREGUI, HUMBERTO	11330 CARRIE LN	MORENO VALLEY, CA	92555-5205	329.6	32.96	65.26	427.82
31095245003	473180043	CONNERS, CARL	11360	CARRIE LN	MORENO VALLEY	CA	92555-5205	CONNERS, CARL	11360 CARRIE LN	MORENO VALLEY, CA	92555-5205	254.02	25.4	50.3	329.7
31657045002	473180044	TRUJILLO, HECTOR	11390	CARRIE LN	MORENO VALLEY	CA	92555-5205	TRUJILLO, HECTOR	11390 CARRIE LN	MORENO VALLEY, CA	92555-5205	63.63	6.36	12.6	82.58
92058645003	473180046	RICHARDSON, WILLIAM	11430	CARRIE LN	MORENO VALLEY	CA	92555-5208	RICHARDSON, WILLIAM	11430 CARRIE LN	MORENO VALLEY, CA	92555-5208	190.29	19.03	37.68	246.98
31377325008	473210007	JOHNSON, JOHN AND JANE	29100	HIGHLAND BLVD	MORENO VALLEY	CA	92555-6507	JOHNSON, JOHN	29100 HIGHLAND BLVD	MORENO VALLEY, CA	92555-6507	329.32	32.93	65.21	427.44
31497975007	473210012	MARES, SUSAN	29122	HIGHLAND BLVD	MORENO VALLEY	CA	92555-6507	MARES, SUSAN	29122 HIGHLAND BLVD	MORENO VALLEY, CA	92555-6507	108.79	10.88	21.54	141.2
57265215007	473210018	DAVIS, TROY	11420	REDLANDS BLVD	MORENO VALLEY	CA	92555-6536	DAVIS, TROY	P O BOX 8795	MORENO VALLEY, CA	92552-8795	398.79	39.88	78.96	517.62
31118905004	473220036	KORBUSZEWSKI, LINDA	29068	IRONWOOD AVE	MORENO VALLEY	CA	92555-6607	KORBUSZEWSKI, LINDA	29068 IRONWOOD AVE	MORENO VALLEY, CA	92555-6607	254.02	25.4	50.3	329.7
68370155004	473220038	ALVAREZ, JESUS AND MAGIEL	11790	REDLANDS BLVD	MORENO VALLEY	CA	92555-6592	ALVAREZ, JESUS AND MAGIEL	11790 REDLANDS BLVD	MORENO VALLEY, CA	92555-6592	204.12	20.41	40.42	264.94
31617695009	473220067	ORTIZ, EDUARDO	29060	JUNIPER AVE	MORENO VALLEY	CA	92555-6573	ORTIZ, EDUARDO	29060 JUNIPER AVE	MORENO VALLEY, CA	92555-6573	329.32	32.93	65.21	427.44
66454775008	473220079	GOMEZ, TONY	11828	ORANGE GROVE CIR	MORENO VALLEY	CA	92555-6564	GOMEZ, TONY	11828 ORANGE GROVE CIR	MORENO VALLEY, CA	92555-6564	100.26	10.03	19.85	130.12
64515265005	473220080	WALKER, PAUL	11841	ORANGE GROVE CIR	MORENO VALLEY	CA	92555-6564	WALKER, PAUL	11841 ORANGE GROVE CIR	MORENO VALLEY, CA	92555-6564	323.76	32.38	64.1	420.24
55571545001	473230004	QUINTANAR, SANTOS	11165	HERMINIA CT	MORENO VALLEY	CA	92555-6569	QUINTANAR, SANTOS H	11165 HERMINIA CT	MORENO VALLEY, CA	92555-6569	40.69	4.07	8.06	52.8
31373985008	473230007	GONZALES, MARTIN	11214	HERMINIA CT	MORENO VALLEY	CA	92555-6503	GONZALES, MARTIN	11214 HERMINIA CT	MORENO VALLEY, CA	92555-6503	329.32	32.93	65.21	427.44
91786793008	473241006	BARRAGAN, JESSICA (RENT)	28115	LOCUST AVE	MORENO VALLEY	CA	92555-5228	BARRAGAN, JESSICA (RENT)	28115 LOCUST AVE	MORENO VALLEY, CA	92555-5228	165.92	16.59	32.85	215.36
80379445009	473241009	SMITH, CASSANDRA	28050	MORREY LN	MORENO VALLEY	CA	92555-5242	SMITH, CASSANDRA	28050 MORREY LN	MORENO VALLEY, CA	92555-5242	398.79	39.88	78.96	517.62
31208775000	473241011	KOONTZ, STACY AND STEVE	28094	MORREY LN	MORENO VALLEY	CA	92555-5242	KOONTZ, STACY AND STEVE	28094 MORREY LN	MORENO VALLEY, CA	92555-5242	329.32	32.93	65.21	427.44
72926365003	473241016	CALLOWAY, DON	28099	MORREY LN	MORENO VALLEY	CA	92555-5243	CALLOWAY, DON	9287 STONE CANYON RD	CORONA, CA	92883-5099	329.32	32.93	65.21	427.44
31330395002	473241018	MUIR, DEBBIE	28050	GERALD LN	MORENO VALLEY	CA	92555-5210	MUIR, DEBBIE	28050 GERALD LN	MORENO VALLEY, CA	92555-5210	90.39	9.04	17.9	117.32
95346375005	473241031	MOELLER, DONNA (RENT)	28094	KALMIA AVE	MORENO VALLEY	CA	92555-5215	MOELLER, DONNA	28094 KALMIA AVE	MORENO VALLEY, CA	92555-5215	63.63	6.36	12.6	82.58
59413185007	473250020	HARRINGTON, FRANK	28400	LOCUST AVE	MORENO VALLEY	CA	92555-5229	HARRINGTON, FRANK	28400 LOCUST AVE	MORENO VALLEY, CA	92555-5229	329.6	32.96	65.26	427.82
54992115000	473250032	VIERNES, JOSE	28301	MANZANITA AVE	MORENO VALLEY	CA	92555-5239	VIERNES, JOSE	28301 MANZANITA AVE	MORENO VALLEY, CA	92555-5239	254.02	25.4	50.3	329.7
31059025005	473250036	NELSON, TERRY AND REBECCA	28230	LOCUST AVE	MORENO VALLEY	CA	92555-5264	NELSON, TERRY AND REBECCA	28230 LOCUST AVE	MORENO VALLEY, CA	92555-5264	190.69	19.07	37.76	247.5
75503295002	473250049	ROMERO, MIGUEL	28389	BLACK OAK AVE	MORENO VALLEY	CA	92555-5203	ROMERO, MIGUEL	28389 BLACK OAK AVE	MORENO VALLEY, CA	92555-5203	329.32	32.93	65.21	427.44
58350165006	473250057	PENTONEY, KRISTIN	11177	QUINCY ST	MORENO VALLEY	CA	92555-6583	PENTONEY, KRISTIN	11177 QUINCY ST	MORENO VALLEY, CA	92555-6583	254.12	25.41	50.32	329.84
31305495003	473260002	FLEMING, CARL	11165	RAYMOND RD	MORENO VALLEY	CA	92555-6529	FLEMING, CARL	11165 RAYMOND RD	MORENO VALLEY, CA	92555-6529	73.64	7.36	14.58	95.58
31188215002	473260005	LOGAN, RONALD (OWNR)	11093	RAYMOND RD	MORENO VALLEY	CA	92555-6588	LOGAN, RONALD	11093 RAYMOND RD	MORENO VALLEY, CA	92555-6588	104.02	10.4	20.6	135
31511885004	473260009	NUNEZ, RUBEN	11088	RAYMOND RD	MORENO VALLEY	CA	92555-6588	NUNEZ, RUBEN	11088 RAYMOND RD	MORENO VALLEY, CA	92555-6588	127.36	12.74	25.22	165.3
98059705012	473280024	FANNING, MARTHA (OWNR)	28040	KALMIA AVE	MORENO VALLEY	CA	92555-5215	FANNING, MARTHA	28040 KALMIA AVE	MORENO VALLEY, CA	92555-5215	120.49	12.05	23.86	156.38
31483565008	473310020	HUHS, JEFFREY	28889	JUNIPER AVE	MORENO VALLEY	CA	92555-6572	HUHS, JEFFREY	PO BOX 9191	SPRING, TX	77387-9191	404.62	40.46	80.11	525.18
80559305005	473340004	SADLER, DOUG AND DEANNA	11197	BONNIE VIEW AVE	MORENO VALLEY	CA	92555-5254	SADLER, DOUG AND DEANNA	11197 BONNIE VIEW AVE	MORENO VALLEY, CA	92555-5254	329.32	32.93	65.21	427.44
84770365001	473351022	WHEELER, BRADFORD	11108	ALDREN CT	MORENO VALLEY	CA	92555-6547	WHEELER, BRADFORD	11108 ALDREN CT	MORENO VALLEY, CA	92555-6547	254.12	25.41	50.32	329.84
84027765002	473361007	VASQUEZ, ALAND DIANE	11134	ALDREN CT	MORENO VALLEY	CA	92555-6547	VASQUEZ, ALAND DIANE	11134 ALDREN CT	MORENO VALLEY, CA	92555-6547	190.79	19.08	37.78	247.64
31651435003	473362005	ESPINOZA, MARISELA C	11160	TWILIGHT WAY	MORENO VALLEY	CA	92555-6546	ESPINOZA, MARISELA C	11160 TWILIGHT WAY	MORENO VALLEY, CA	92555-6546	82.68	8.27	16.37	107.3
31288445002	473364006	BECK, BONNIE	28689	MARK RD	MORENO VALLEY	CA	92555-6578	BECK, BONNIE	28689 MARK RD	MORENO VALLEY, CA	92555-6578	162.96	16.3	32.27	211.52
31318905000	473371004	WILLIAMS, RUTH	27831	KALMIA AVE	MORENO VALLEY	CA	92555-5262	WILLIAMS, RUTH	27831 KALMIA AVE	MORENO VALLEY, CA	92555-5262	323.22	32.32	64	419.52
31153645006	473371012	BUSH, ODAS	11659	VALLE LINDO	MORENO VALLEY	CA	92555-5311	BUSH, ODAS	11659 VALLE LINDO	MORENO VALLEY, CA	92555-5311	329.6	32.96	65.26	427.82
71899975005	473373003	DELONE, RAYMOND	27927	KALMIA AVE	MORENO VALLEY	CA	92555-5213	DELONE, RAYMOND	27927 KALMIA AVE	MORENO VALLEY, CA	92555-5213	254.02	25.4	50.3	329.7
31055045009	473373006	FRANKLIN, CHESTER A	27999	KALMIA AVE	MORENO VALLEY	CA	92555-5213	FRANKLIN, CHESTER A	27999 KALMIA AVE	MORENO VALLEY, CA	92555-5213	153.59	15.36	30.41	199.34
31181545008	473382004	GORDON, JOYCE LINN	11748	VALLE LINDO	MORENO VALLEY	CA	92555-5324	GORDON, JOYCE LINN	11748 VALLE LINDO	MORENO VALLEY, CA	92555-5324	303.93	30.39	60.18	394.5
31149205006	473388002	EVANS, VIRGINIA	11722	VIA COLINA	MORENO VALLEY	CA	92555-5326	EVANS, VIRGINIA	11722 VIA COLINA	MORENO VALLEY, CA	92555-5326	254.02	25.4	50.3	329.7
31154225002	473384005	GOOCH, RON	11748	KNOLL VISTA ST	MORENO VALLEY	CA	92555-5317	GOOCH, RON	11748 KNOLL VISTA ST	MORENO VALLEY, CA	92555-5317	329.32	32.93	65.21	427.44
31197205005	473391001	TRAX, LINDA	11285	QUINCY ST	MORENO VALLEY	CA	92555-6585	TRAX, LINDA	1554 BARTON RD	REDLANDS, CA	92373-5457	254.02	25.4	50.3	329.7
91976193001	473391019	SERRANO, ROSA	26462	CLYDESDALE LN	MORENO VALLEY	CA	92555-3331	SERRANO, ROSA	26462 CLYDESDALE LN	MORENO VALLEY, CA	92555-3331	190.79	19.08	37.78	247.64
82637675009	473392005	CABAN, APRIL	11443	LADD AVE	MORENO VALLEY	CA	92555-5234	CABAN, APRIL	11443 LADD AVE	MORENO VALLEY, CA	92555-5234	323.49	32.35	64.05	419.88
31166085005	473401003	ROSS, DAVID	11335	EDMONSON AVE	MORENO VALLEY	CA	92555-5275	ROSS, DAVID	11335 EDMONSON AVE	MORENO VALLEY, CA	92555-5275	229.32	22.93	45.41	297.66
31300825005	473411002	WHITESIDE, HUESTON (OWNR)	11302	CROCKER CIR	MORENO VALLEY	CA	92555-5236	WHITESIDE, HUESTON	11302 CROCKER CIR	MORENO VALLEY, CA	92555-5236	329.32	32.93	65.21	427.44
31591685008	474073003	ORDORICA, HALDO	11341	COLEMAN ST	MORENO VALLEY	CA	92557-5751	ORDORICA, HALDO	11341 COLEMAN ST	MORENO VALLEY, CA	92557-5751	254.02	25.4	50.3	329.7
97082505007	474074013	BYRD, ANGELA (OWNR)	25124	LAMAYO AVE	MORENO VALLEY	CA	92557-5710	BYRD, ANGELA	25124 LAMAYO AVE	MORENO VALLEY, CA	92557-5710	254.12	25.41	50.32	329.84
97082295001	474081012	DELTORO, RUBEN (OWNR)	25388	JACLYN AVE	MORENO VALLEY	CA	92557-5741	DEL TORO, RUBEN	25388 JACLYN AVE	MORENO VALLEY, CA	92557-5741	204.12	20.41	40.42	264.94
31291425000	474082007	CHAVEZ, JOSE	25236	LAMAYO AVE	MORENO VALLEY	CA	92557-5761	CHAVEZ, JOSE	25236 LAMAYO AVE	MORENO VALLEY, CA	92557-5761	398.34	39.83	78.87	517.04
31541395004	474083001	GREEN, ROSALIND	25205	LAMAYO AVE	MORENO VALLEY	CA	92557-5771	GREEN, ROSALIND	25205 LAMAYO AVE	MORENO VALLEY, CA	92557-5771	254.12	25.41	50.32	329.84
31177775007	474084024	NEVELS, THOMAS	11400	SPLENDOR WAY	MORENO VALLEY	CA	92557-5767	NEVELS, THOMAS	11400 SPLENDOR WAY	MORENO VALLEY, CA	92557-5767	257.1	25.71	50.91	333.7

MV00167445

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
58928075007	474110034	ACOSTA, GERALDINE	11395	LASSELLE ST	MORENO VALLEY	CA	92557-5819	ACOSTA, GERALDINE	11395 LASSELLE ST	MORENO VALLEY, CA	92557-5819	254.02	25.4	50.3	329.7
31562975004	474110038	AGUILAR, JANEL	25890	KALMIA AVE	MORENO VALLEY	CA	92557-5838	AGUILAR, JANEL	25890 KALMIA AVE	MORENO VALLEY, CA	92557-5838	247.76	24.78	49.06	321.58
101649593008	474110047	CAPARELLO, LIVIO	11303	LASSELLE ST	MORENO VALLEY	CA	92557-5819	CAPARELLO, LIVIO	11303 LASSELLE ST	MORENO VALLEY, CA	92557-5819	296.23	29.62	58.65	384.5
62763975004	474120009	SANAME, MILFORD	11730	PERRIS BLVD	MORENO VALLEY	CA	92557-6538	SANAME, MILFORD	11730 PERRIS BLV	MORENO VALLEY, CA	92557-6538	254.12	25.41	50.32	329.84
64554965007	474130009	GIBSON, MELISSA	11592	MATHEWS RD	MORENO VALLEY	CA	92557-6521	GIBSON, MELISSA	11592 MATHEWS RD	MORENO VALLEY, CA	92557-6521	254.12	25.41	50.32	329.84
31086965000	474130012	DE LA CRUZ, ED & DONNA	25325	MOUNTAIN CLIFF DR	MORENO VALLEY	CA	92557-6503	DE LA CRUZ, ED & DONNA	25325 MOUNTAIN CLIFF DR	MORENO VALLEY, CA	92557-6503	90.02	9	17.82	116.84
65177925005	474130021	MAKIINEN, KAHALA	25448	VALLEY VIEW LN	MORENO VALLEY	CA	92557-6506	MAKIINEN, KAHALA	25448 VALLEY VIEW LN	MORENO VALLEY, CA	92557-6506	127.46	12.75	25.24	165.44
92471045004	474130023	GUTIERREZ, ARTURO	25446	MOUNTAIN CLIFF DR	MORENO VALLEY	CA	92557-6504	GUTIERREZ, ARTURO	25446 MOUNTAIN CLIFF DR	MORENO VALLEY, CA	92557-6504	254.02	25.4	50.3	329.7
31106375000	474130033	GABLE, THOMAS	11560	MATHEWS RD	MORENO VALLEY	CA	92557-6521	GABLE, THOMAS	11560 MATHEWS RD	MORENO VALLEY, CA	92557-6521	329.32	32.93	65.21	427.44
31635225000	474141010	MOORHOUSE, AMANDA	11705	IVY LN	MORENO VALLEY	CA	92557-6523	MOORHOUSE, AMANDA	11705 IVY LN	MORENO VALLEY, CA	92557-6523	24.34	2.43	4.82	31.58
31078595005	474141018	RICHARDSON, DALE	11683	IVY LN	MORENO VALLEY	CA	92557-6531	RICHARDSON, DALE	11683 IVY LN	MORENO VALLEY, CA	92557-6531	254.02	25.4	50.3	329.7
31142355009	474142001	KATCHADOORIAN, ROSE	25405	VALLEY VIEW LN	MORENO VALLEY	CA	92557-6507	KATCHADORRIAN, ROSE	25405 VALLEY VIEW LN	MORENO VALLEY, CA	92557-6507	228.63	22.86	45.27	296.76
31309115005	474142005	BANSLEY, KAREN A	11740	IVY LN	MORENO VALLEY	CA	92557-6500	BANSLEY, KAREN A	11740 IVY LN	MORENO VALLEY, CA	92557-6500	329.6	32.96	65.26	427.82
62226475007	474142010	LIEN, BRANDI	11696	IVY LN	MORENO VALLEY	CA	92557-6530	LIEN, BRANDI	11696 IVY LN	MORENO VALLEY, CA	92557-6530	329.6	32.96	65.26	427.82
31246735009	474151011	GAUSS, MARTIN	11821	IVY LN	MORENO VALLEY	CA	92557-6524	GAUSS, MARTIN	11821 IVY LN	MORENO VALLEY, CA	92557-6524	323.22	32.32	64	419.52
70318925008	474151029	SANCHEZ, JOE	11776	FRANKLIN ST	MORENO VALLEY	CA	92557-6526	SANCHEZ, JOE	11776 FRANKLIN ST	MORENO VALLEY, CA	92557-6526	323.48	32.35	64.05	419.88
31216515008	474152004	FLORES, FRANK	11765	KITCHING ST	MORENO VALLEY	CA	92557-6608	FLORES, FRANK	11765 KITCHING ST	MORENO VALLEY, CA	92557-6608	762.06	76.21	150.89	989.14
31324215003	474152005	FERNANDEZ, FRANK	11791	KITCHING ST	MORENO VALLEY	CA	92557-6608	FERNANDEZ, FRANK	11791 KITCHING ST	MORENO VALLEY, CA	92557-6608	329.32	32.93	65.21	427.44
92805123006	474153008	MERCER, KEVIN (RENT)	11835	FRANKLIN ST	MORENO VALLEY	CA	92557-6527	MERCER, KEVIN	11835 FRANKLIN ST	MORENO VALLEY, CA	92557-6527	219.36	21.94	43.43	284.72
31115745004	474162002	BURNETT, ARTHUR	11890	IVY LN	MORENO VALLEY	CA	92557-6532	BURNETT, ARTHUR	500 S MARSHALL AVE APT 41	MCLEANSBORO, IL	62859-1905	329.32	32.93	65.21	427.44
56275785007	474162015	BLANCO, MANUEL	11945	KITCHING ST	MORENO VALLEY	CA	92557-6640	BLANCO, MANUEL	11945 KITCHING ST	MORENO VALLEY, CA	92557-6640	254.02	25.4	50.3	329.7
31326525003	474163003	GONZALEZ, KATHY	11969	IVY LN	MORENO VALLEY	CA	92557-6525	GONZALEZ, KATHY	28485 GONZAGA RD	SANTA NELLA, CA	95322-9740	254.02	25.4	50.3	329.7
94037495006	474170003	GARCIA, ORFELINA AND SANTIAGO	11530	KITCHING ST	MORENO VALLEY	CA	92557-5827	GARCIA, ORFELINA AND SANTIAGO	11530 KITCHING ST	MORENO VALLEY, CA	92557-5827	258.52	25.85	51.19	335.54
58787495000	474170004	HEISF, KAREN	11560	KITCHING ST	MORENO VALLEY	CA	92557-5827	HEISF, KAREN	11560 KITCHING ST	MORENO VALLEY, CA	92557-5827	405.08	40.51	80.21	525.78
31123835009	474170007	SLEETER, DAVID	11620	KITCHING ST	MORENO VALLEY	CA	92557-6609	SLEETER, DAVID	11620 KITCHING ST	MORENO VALLEY, CA	92557-6609	164.8	16.48	32.63	213.9
99206513008	474170018	VURENTE , BRODERICK (RENT)	11549	KAYAL AVE	MORENO VALLEY	CA	92557-5810	VURENTE , BRODERICK	11549 KAYAL AVE	MORENO VALLEY, CA	92557-5810	396.56	39.66	78.52	514.72
31384585009	474170019	LEE, DELMA (OWNR)	11575	KAYAL AVE	MORENO VALLEY	CA	92557-5810	LEE, DELMA	11575 KAYAL AVE	MORENO VALLEY, CA	92557-5810	254.02	25.4	50.3	329.7
31183675006	474171006	BYLER, LUCINDA	25647	LILY CT	MORENO VALLEY	CA	92557-5831	BYLER, LUCINDA	25647 LILY CT	MORENO VALLEY, CA	92557-5831	190.69	19.07	37.76	247.5
84119765007	474171012	ORTEGA, PATRICIA	11545	SLAWSON AVE	MORENO VALLEY	CA	92557-5832	ORTEGA, PATRICIA	11545 SLAWSON AVE	MORENO VALLEY, CA	92557-5832	254.02	25.4	50.3	329.7
93034225001	474180013	COLEMAN, STEVEN	25580	OVERLOOK CIR	MORENO VALLEY	CA	92557-6647	COLEMAN, STEVEN	25580 OVERLOOK CIR	MORENO VALLEY, CA	92557-6647	127.36	12.74	25.22	165.3
97420715005	474180021	WHEELER, DIANE (RENT)	11643	KAYAL AVE	MORENO VALLEY	CA	92557-6618	WHEELER, DIANE	11643 KAYAL AVE	MORENO VALLEY, CA	92557-6618	228.72	22.87	45.29	296.86
31631745000	474180024	RICHARDSON, LARRY	11685	KAYAL AVE	MORENO VALLEY	CA	92557-6619	RICHARDSON, LARRY	22972 SPRINGDALE AVE	MORENO VALLEY, CA	92557-2604	254.02	25.4	50.3	329.7
67276535005	474180025	JAMES, DELIA	11699	KAYAL AVE	MORENO VALLEY	CA	92557-6619	JAMES, DELIA	11699 KAYAL AVE	MORENO VALLEY, CA	92557-6619	329.6	32.96	65.26	427.82
92470695009	474200010	VELSQUEZ, ANGEL	11545	LASSELLE ST	MORENO VALLEY	CA	92557-5821	VELSQUEZ, ANGEL	11545 LASSELLE ST	MORENO VALLEY, CA	92557-5821	254.02	25.4	50.3	329.7
31360005001	474200021	JONES, OLA	11565	LASSELLE ST	MORENO VALLEY	CA	92557-5821	JONES, OLA	11565 LASSELLE ST	MORENO VALLEY, CA	92557-5821	254.02	25.4	50.3	329.7
99315023000	474220011	HARRIS, GLORIA	26191	KALMIA AVE	MORENO VALLEY	CA	92555-1744	HARRIS, GLORIA	26191 KALMIA AVE	MORENO VALLEY, CA	92555-1744	175.04	17.5	34.66	227.2
88165845000	474220012	STOKES, ROBERT	26203	KALMIA AVE	MORENO VALLEY	CA	92555-1724	STOKES, ROBERT	26203 KALMIA AVE	MORENO VALLEY, CA	92555-1724	329.6	32.96	65.26	427.82
97416553006	474220013	DE JONG, JENNIFER (RENT)	26215	KALMIA AVE	MORENO VALLEY	CA	92555-1724	DE JONG, JENNIFER	26215 KALMIA AVE	MORENO VALLEY, CA	92555-1724	51.07	5.11	10.11	66.28
31416675000	474220025	RHODES, MR AND MRS KEITH D	26340	KALMIA AVE	MORENO VALLEY	CA	92555-1720	RHODES, MR AND MRS KEITH D	26340 KALMIA AVE	MORENO VALLEY, CA	92555-1720	329.32	32.93	65.21	427.44
31416015009	474220030	TAYLOR, WILLIE (OWNR)	26300	KALMIA AVE	MORENO VALLEY	CA	92555-1720	TAYLOR, WILLIE	26300 KALMIA AVE	MORENO VALLEY, CA	92555-1720	237.33	23.73	46.99	308.04
31104445001	474220032	STOKES, LORRAINE	26246	KALMIA AVE	MORENO VALLEY	CA	92555-1723	STOKES, LORRAINE	26246 KALMIA AVE	MORENO VALLEY, CA	92555-1723	329.32	32.93	65.21	427.44
31640285007	474230008	MACON, DITRA	26611	KALMIA AVE	MORENO VALLEY	CA	92555-1761	MACON, DITRA	26611 KALMIA AVE	MORENO VALLEY, CA	92555-1761	392.96	39.3	77.81	510.06
31366725007	474260005	WORTMAN, CRYSTAL	11621	DALEHURST RD	MORENO VALLEY	CA	92555-1909	WORTMAN, CRYSTAL	11621 DALEHURST RD	MORENO VALLEY, CA	92555-1909	254.02	25.4	50.3	329.7
96170395004	474271003	ALCOCER, ANGELES (RENT)	26548	IRONWOOD AVE	MORENO VALLEY	CA	92555-1714	ALCOCER, ANGELES	26548 IRONWOOD AVE	MORENO VALLEY, CA	92555-1714	254.12	25.41	50.32	329.84
72807525002	474272005	REY, WELLY	26900	SANDI LN	MORENO VALLEY	CA	92555-1915	REY, WELLY	13439 KIRKWOOD DR	VICTORVILLE, CA	92392-7504	398.79	39.88	78.96	517.62
96316005005	474272007	PAWLUK, GEORGE (RENT)	26920	SANDI LN	MORENO VALLEY	CA	92555-1915	PAWLUK, GEORGE	26920 SANDI LN	MORENO VALLEY, CA	92555-1915	70.79	7.08	14.02	91.88
60618105005	474272009	GAPCZYNSKI, WILLIAM	26960	SANDI LN	MORENO VALLEY	CA	92555-1915	GAPCZYNSKI, WILLIAM	26960 SANDI LN	MORENO VALLEY, CA	92555-1915	254.12	25.41	50.32	329.84
48508455001	474272011	ROBLES, ISABEL	26995	SANDI LN	MORENO VALLEY	CA	92555-1915	ROBLES, ISABEL	26995 SANDI	MORENO VALLEY, CA	92555-1915	254.02	25.4	50.3	329.7
31616475007	474272018	VOSS, VICTOR	26860	IRONWOOD AVE	MORENO VALLEY	CA	92555-1907	VOSS, VICTOR	4890 AGATE	LAGUNA BEACH, CA	92651-3324	254.02	25.4	50.3	329.7
58792055002	474272023	HAMPEN, LORRIE	26850	IRONWOOD AVE	MORENO VALLEY	CA	92555-1907	HAMPEN, LORRIE	12553 SHADYBEND DR	MORENO VALLEY, CA	92553-5906	405.08	40.51	80.21	525.78
97271685008	474272026	HOWARD, PATRICK (OWNR)	26785	IRONWOOD AVE	MORENO VALLEY	CA	92555-1906	HOWARD, PATRICK	26785 IRONWOOD AVE	MORENO VALLEY, CA	92555-1906	254.12	25.41	50.32	329.84
31521545005	474272031	APOLDO, HENRY	26965	KAFTAN WAY	MORENO VALLEY	CA	92555-1911	APOLDO, HENRY	11502 BRECKENRIDGE DR	WHITTIER, CA	90604-2511	208.06	20.81	41.2	270.06
31639055007	474273002	VALADEZ, CHANTEL (OWN)	26563	IRONWOOD AVE	MORENO VALLEY	CA	92555-1715	VALADEZ, CHANTEL	26563 IRONWOOD AVE	MORENO VALLEY, CA	92555-1715	272.89	27.29	54.03	354.2
31413915007	474273003	BAUER, DARRYLL AND SUSAN	26603	IRONWOOD AVE	MORENO VALLEY	CA	92555-1770	BAUER, DARRYLL AND SUSAN	26603 IRONWOOD AVE	MORENO VALLEY, CA	92555-1770	462.43	46.24	91.56	600.22
70863365000	474273009	DIAZ, FRANCISCO	26765	IRONWOOD AVE	MORENO VALLEY	CA	92555-1906	DIAZ, FRANCISCO	26765 IRONWOOD AVE	MORENO VALLEY, CA	92555-1906	254.02	25.4	50.3	329.7
31457125000	474283004	SERNA, RUDY AND MOLLIE	25425	JACLYN AVE	MORENO VALLEY	CA	92557-5709	SERNA, RUDY AND MOLLIE	25425 JACLYN AVE	MORENO VALLEY, CA	92557-5709	62.74	6.27	12.42	81.42
93214145006	474284001	MUNIZ, ISABEL	25486	JACLYN AVE	MORENO VALLEY	CA	92557-5708	MUNIZ, ISABEL	27421 WALFRED WAY	MORENO VALLEY, CA	92555-2111	70.21	7.02	13.9	91.12
31301395003	474291005	CLAYTON, AMY	11430	COLEMAN ST	MORENO VALLEY	CA	92557-5752	CLAYTON, AMY	11430 COLEMAN ST	MORENO VALLEY, CA	92557-5752	165.92	16.59	32.85	215.36
31531705000	474291021	CLARK, PAUL	11415	TROPIC CT	MORENO VALLEY	CA	92557-5747	CLARK, PAUL	11415 TROPIC CT	MORENO VALLEY, CA	92557-5747	246.36	24.64	48.78	319.76
57613585000	474291033	UBALLEZ, GLORIA	11410	RIVIERA CT	MORENO VALLEY	CA	92557-5748	UBALLEZ, GLORIA	11410 RIVIERA CT	MORENO VALLEY, CA	92557-5748	32.36	3.24	6.41	42
64441835005	474292001	FLAMENCO, PATRICIA	11411	COLEMAN ST	MORENO VALLEY	CA	92557-5753	FLAMENCO, PATRICIA	11411 COLEMAN ST	MORENO VALLEY, CA	92557-5753	254.12	25.41	50.32	329.84
31216385005	474292027	PHONG, KHA MICHAEL	25036	KALMIA AVE	MORENO VALLEY	CA	92557-5757	PHONG, KHA MICHAEL	25036 KALMIA AVE	MORENO VALLEY, CA	92557-5757	254.02	25.4	50.3	329.7
31367285007	474320009	YOUNG, KIM	25900	FRAN LOU DR	MORENO VALLEY	CA	92557-5301	YOUNG, KIM	25900 FRAN LOU DR	MORENO VALLEY, CA	92557-5301	254.02	25.4	50.3	329.7
31293695009	474333016	SCHROEDER, KAREN	25271	ALPHA ST	MORENO VALLEY	CA	92557-5728	SCHROEDER, KAREN	25271 ALPHA ST	MORENO VALLEY, CA	92557-5728	306.42	30.64	60.67	397.72
92924855000	474330019	GASYAR, KRISTINA (RENT)	25228	KALMIA AVE	MORENO VALLEY	CA	92557-5732	GASYAR, KRISTINA	14150 GRANT ST	MORENO VALLEY, CA	92553-9114	254.12	25.41	50.32	329.84
31520705003	474333021	LANDRY, RUBY	25272	KALMIA AVE	MORENO VALLEY	CA	92557-5732	LANDRY, RUBY	25272 KALMIA AVE	MORENO VALLEY, CA	92557-5732	190.79	19.08	37.78	247.64
31059775007	474351006	BARTELL, MRS AND MR	11525	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1746	BARTELL, MRS AND MR	11525 STEEPLE CHASE DR	MORENO VALLEY, CA	92555-1746	26	2.6	5.15	33.74
31087995002	474351010	GERBITZ, JESS	26075	BERCAW CT	MORENO VALLEY	CA	92555-1702	GERBITZ, JESS	26075 BERCAW CT	MORENO VALLEY, CA	92555-1702	254.02	25.4	50.3	329.7
99972453003	474352001	MCGEE, CHARRISSE (RENT)	26188	MOUNTAIN RANCH RD	MORENO VALLEY	CA	92555-1762	MCGEE, CHARRISSE	26188 MOUNTAIN RANCH RD	MORENO VALLEY, CA	92555-1762	185.85	18.59	36.8	241.22
31574435007	474352005	PETERS, MICHEAL	11540	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1745	PETERS, MICHEAL	11540 STEEPLE CHASE DR	MORENO VALLEY, CA	92555-1745	329.32	32.93	65.21	427.44
70049205000	474353004	ACOSTA, VANESSA	26240	NORTHSHORE DR	MORENO VALLEY	CA	92555-1736	ACOSTA, VANESSA	26240 NORTHSHORE DR	MORENO VALLEY, CA	92555-1736	323.49	32.35	64.05	419.88
89783995007	474361003	HILL, KARINA	26014	CHATEAU CT	MORENO VALLEY	CA	92555-1772	HILL, KARINA	26014 CHATEAU CT	MORENO VALLEY, CA	92555-1772	63.03	6.3	12.48	81.8
31593505002	474361022	KELLEY, KEN	26015	CHATEAU CT	MORENO VALLEY	CA	92555-1772	KELLEY, KEN	26015 CHATEAU CT	MORENO VALLEY, CA	92555-1772	254.02	25.4	50.3	329.7
31248755000	474361026	KHATTAB, MAHMOUD	11665	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1706	KHATTAB, MAHMOUD	11665 STEEPLE CHASE DR	MORENO VALLEY, CA	92555-1706	254.12	25.41	50.32	329.84
88795485009	474361027	BARNETT, ALICIA	11685	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1706	BARNETT, ALICIA	15356 AGUILA PASS	MORENO VALLEY, CA	92555-2900	254.12	25.41	50.32	329.84
31260795007	474363005	JOHNSON, JONITH	11726	VISTA DE CERROS DR	MORENO VALLEY	CA	92555-1752	JOHNSON, JONITH	11726 VISTA DE CERROS DR	MORENO VALLEY, CA	92555-1752	329.6	32.96	65.26	427.82
31452375008	474371012	CASON, VIDELL	11820	LASSELLE ST	MORENO VALLEY	CA	92557-6601	CASON, VIDELL	11858 ASLAN CT	MORENO VALLEY, CA	92557-6173	329.32	32.93	65.21	427.44
31138095002	474381011	MUIA, RICHARD P	11990	LASSELLE ST	MORENO VALLEY	CA	92557-6603	MUIA, RICHARD P	11457 E 178TH ST	ARTESIA, CA	90701-3827	325.13	32.51	64.38	422
31304015002	474381012	LARA, ALAN	11991	ELAHIL CT	MORENO VALLEY	CA	92555-1757	LARA, ALAN	11991 ELAHIL CT	MORENO VALLEY, CA	92555-1757	329.32	32.93	65.21	427.44
94980555004	474381013	RODRIGUEZ, JOSE	11970	ELAHIL CT	MORENO VALLEY	CA	92555-1757	RODRIGUEZ, JOSE	11970 ELAHIL CT	MORENO VALLEY, CA	92555-1757	152.12	15.21	30.12	197.44
96697185000	474381027	MUNOZ, ERIC	11921	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1751	MUNOZ, ERIC	71-1683 PUUKAMANU LOOP #52	KAILUA KONA, HI	96740-9328	420.76	42.08	83.31	546.14
31112615008	474382001	TORRES, TONY	11910	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1750	TORRES, TONY	11910 STEEPLE CHASE DR	MORENO VALLEY, CA	92555-1750	254.02	25.4	50.3	329.7
96541865007	474384001	CHESTER, DORTHY	11938	VISTA DE CERROS DR	MORENO VALLEY	CA	92555-1754	CHESTER, DORTHY	11457 178TH ST	ARTESIA, CA	90701-3827	420.76	42.08	83.31	546.14
31266375002	474391001	CONSTON, DONALD	25112	QUEBRADA CT	MORENO VALLEY	CA	92557-6529	CONSTON, DONALD	25112 QUEBRADA CT	MORENO VALLEY, CA	92557-6529	254.12	25.41	50.32	329.84
88217085008	474391010	SALINAS, REGINA	25045	QUEBRADA CT	MORENO VALLEY	CA	92557-6509	SALINAS, REGINA	25045 QUEBRADA CT	MORENO VALLEY, CA	92557-6509	127.46	12.75	25.24	165.44
31237505006	474391022	RIOS, MARIA	25053	GRADUAR CT	MORENO VALLEY	CA	92557-6511	RIOS, MARIA	25053 GRADUAR CT	MORENO VALLEY, CA	92557-6511	254.02	25.4	50.3	329.7
99987285007	474392009	STRIETER, DAVID (RENT)	11981	VENETIAN DR	MORENO VALLEY	CA	92557-6520	STRIETER, DAVID	11981 VENETIAN DR	MORENO VALLEY, CA	92557-6520	154.12	15.41	30.52	200.04
31161045005	474393007	MUCINO, ALEX	11965	VILLA HERMOSA	MORENO VALLEY	CA	92557-6515	MUCINO, ALEX	11965 VILLA HERMOSA	MORENO VALLEY, CA	92557-6515	329.32	32.93	65.21	427.44
89006555005	474394001	JONES, NATALIE	11996	VILLA HERMOSA	MORENO VALLEY	CA	92557-6516	JONES, NATALIE	11996 VILLA HERMOSA	MORENO VALLEY, CA	92557-6516	253.83	25.38	50.26	329.46
88582165008	474394008	CONTRERAS, IVONNE	11954	VILLA HERMOSA	MORENO VALLEY	CA	92557-6516	CONTRERAS, IVONNE	11954 VILLA HERMOSA	MORENO VALLEY, CA	92557-6516	127.46	12.75	25.24	165.44
31272545005	474401002	PIERS, STEPHEN	11465	SAN FERNANDO ST	MORENO VALLEY	CA	92557-5720	PIERS, STEPHEN	11465 SAN FERNANDO ST	MORENO VALLEY, CA	92557-5720	253.92	25.39	50.28	329.58
68711195001	474402001	GARCIA, BENNY AND JOAN	25476	KALMIA AVE	MORENO VALLEY	CA	92557-5736	GARCIA, BENNY	25476 KALMIA AVE	MORENO VALLEY, CA	92557-5736	258.35	25.84	51.15	335.32
31553715002	474402005	FERGUSON, ARTHUR AND ELLEN	11401	KITCHING ST	MORENO VALLEY	CA	92557-5826	FERGUSON, ARTHUR AND ELLEN	11401 KITCHING ST	MORENO VALLEY, CA	92557-5826	250.32	25.03	49.56	324.9
67108715002	474402022	LOUGH, CATHI	25462	KALMIA AVE	MORENO VALLEY	CA	92557-5736	LOUGH, CATHI	25462 KALMIA AVE	MORENO VALLEY, CA	92557-5736	399.24	39.92	79.05	518.2
31362775005	474403002	NICHOLLS, MARCI J	11345	SAN FERNANDO ST	MORENO VALLEY	CA	92557-5718	NICHOLLS, MARCI J	11345 SAN FERNANDO ST	MORENO VALLEY, CA	92557-5718	329.32	32.93	65.21	427.44
31070725005	474403006	FIELDS, CLAUDE W	25446	SANTA BARBARA ST	MORENO VALLEY	CA	92557-5701	FIELDS, CLAUDE W	25446 SANTA BARBARA ST	MORENO VALLEY, CA	92557-5701	254.02	25.4	50.3	329.7
89613473005	474404007	GARCIA, MARIA (RENT)	11440	KITCHING ST	MORENO VALLEY	CA	92557-5840	GARCIA, MARIA	11440 KITCHING ST	MORENO VALLEY, CA	92557-5840	190.79	19.08	37.78	247.64
91415285001	474410002	GIBSON, LINDA	26280	HORIZON WAY	MORENO VALLEY	CA	92555-1731	GIBSON, LINDA	26280 HORIZON WAY	MORENO VALLEY, CA	92555-1731	47.22	4.72	9.35	61.28
60693595005	474410010	AGUAYO, LUIS	26340	MOUNTAIN RANCH RD	MORENO VALLEY	CA	92555-1734	AGUAYO, LUIS	26340 MOUNTAIN RANCH RD	MORENO VALLEY, CA	92555-1734	254.12	25.41	50.32	329.84
74569985009	474420005	VILLICANA, JESUS	24463	BARLEY RD	MORENO VALLEY	CA	92557-4054	VILLICANA, JESUS	24463 BARLEY RD	MORENO VALLEY, CA	92557-4054	329.32	32.93	65.21	427.44
83247035001	474431003	HUTCHINSON, TERRI	24260	HARVEST RD	MORENO VALLEY	CA	92557-4021	HUTCHINSON, TERRI	24260 HARVEST RD	MORENO VALLEY, CA	92557-4021	202.5	20.25	40.1	262.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31619205008	474431009	JACKSON, KINSEY	24271	HARVEST RD	MORENO VALLEY	CA	92557-4047	JACKSON, KINSEY	24271 HARVEST RD	MORENO VALLEY, CA	92557-4047	329.32	32.93	65.21	427.44
31064205007	474431030	MOSLEY, APRIL	24322	BARLEY RD	MORENO VALLEY	CA	92557-4050	MOSLEY, APRIL	24322 BARLEY RD	MORENO VALLEY, CA	92557-4050	76.32	7.63	15.11	99.06
31338215003	474432006	HERRERA, SERGIO	24380	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4010	HERRERA, MILDRED	24380 OLD COUNTRY RD	MORENO VALLEY, CA	92557-4010	254.02	25.4	50.3	329.7
72235775003	474432008	WILLIAMS, MICHEALA	24406	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4010	WILLIAMS, MICHEALA	24406 OLD COUNTRY RD	MORENO VALLEY, CA	92557-4010	26.96	2.7	5.34	34.98
75285135000	474433011	DAHLQUIST, RICHARD	24461	WILLOW RUN RD	MORENO VALLEY	CA	92557-4024	DAHLQUIST, RICHARD	23927 RIDGE POINT CT	MORENO VALLEY, CA	92557-2936	254.02	25.4	50.3	329.7
31370975006	474433015	EPPERSON, GREGORY	24489	BROWN DOVE CIR	MORENO VALLEY	CA	92557-4044	EPPERSON, GREGORY	24489 BROWN DOVE CIR	MORENO VALLEY, CA	92557-4044	57.36	5.74	11.36	74.44
94243305000	474433019	GUERRERO, KELLY (RENT)	24472	QUAIL NEST RD	MORENO VALLEY	CA	92557-4043	GUERRERO, KELLY	24472 QUAIL NEST RD	MORENO VALLEY, CA	92557-4043	469.13	46.91	92.89	608.92
68526035007	474434002	THOMAS, KATHLEEN	24383	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4008	THOMAS, KATHLEEN	24383 OLD COUNTRY RD UNIT B	MORENO VALLEY, CA	92557-4008	254.02	25.4	50.3	329.7
31538105001	474434012	REYES, FRANK	10837	TEA BARK RD	MORENO VALLEY	CA	92557-4045	REYES, FRANK	10837 TEA BARK RD	MORENO VALLEY, CA	92557-4045	63.83	6.38	12.64	82.84
92853965009	474441005	RYAN, CRAIG (RENT)	24207	BARLEY RD	MORENO VALLEY	CA	92557-4051	RYAN, CRAIG	24207 BARLEY RD	MORENO VALLEY, CA	92557-4051	254.02	25.4	50.3	329.7
31312025008	474441014	MOSHER, MOE	24288	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4007	MOSHER, MOE	24288 OLD COUNTRY RD	MORENO VALLEY, CA	92557-4007	56.66	5.67	11.22	73.54
96025255009	474442007	JACOBS, ALVIN (OWNR)	10959	TEA BARK RD	MORENO VALLEY	CA	92557-4046	JACOBS, ALVIN	10959 TEA BARK RD	MORENO VALLEY, CA	92557-4046	376.05	37.61	74.46	488.1
31142095004	474442009	BARGSTEN, BARBARA	10933	TEA BARK RD	MORENO VALLEY	CA	92557-4046	BARGSTEN, BARBARA	10933 TEA BARK RD	MORENO VALLEY, CA	92557-4046	246.36	24.64	48.78	319.76
91204595004	474443018	ASHLOCK, TRACY (OWNR)	24442	ROBINWOOD DR	MORENO VALLEY	CA	92557-4017	ASHLOCK, TRACY	24442 ROBINWOOD DR	MORENO VALLEY, CA	92557-4017	127.26	12.73	25.2	165.18
87175535005	474443023	CONDON, PERRY	10902	TEA BARK RD	MORENO VALLEY	CA	92557-4000	CONDON, PERRY	10902 TEA BARK RD	MORENO VALLEY, CA	92557-4000	254.02	25.4	50.3	329.7
88189625006	474451004	MORRIS, KEVIN	10953	FENTON RD	MORENO VALLEY	CA	92557-4039	MORRIS, KEVIN	10953 FENTON RD	MORENO VALLEY, CA	92557-4039	254.12	25.41	50.32	329.84
92574355009	474451016	CLARK, DAVID	24137	PLEASANT RUN RD	MORENO VALLEY	CA	92557-4031	CLARK, DAVID	24137 PLEASANT RUN RD NO 1	MORENO VALLEY, CA	92557-4031	254.02	25.4	50.3	329.7
87307155003	474451017	DOUGLAS, JOSEPH AND LISA	24151	PLEASANT RUN RD	MORENO VALLEY	CA	92557-4031	DOUGLAS, JOSEPH AND LISA	24151 PLEASANT RUN RD	MORENO VALLEY, CA	92557-4031	254.12	25.41	50.32	329.84
31061285006	474451020	FLORES, ARMANDO	24191	PLEASANT RUN RD	MORENO VALLEY	CA	92557-4031	FLORES, ARMANDO	24191 PLEASANT RUN RD	MORENO VALLEY, CA	92557-4031	127.36	12.74	25.22	165.3
76154675003	474451021	BREAU, JERRENE	24205	PLEASANT RUN RD	MORENO VALLEY	CA	92557-4031	BREAU, JERRENE	24205 PLEASANT RUN RD	MORENO VALLEY, CA	92557-4031	254.02	25.4	50.3	329.7
31166255009	474452002	EVANS, TRACY	10920	FENTON RD	MORENO VALLEY	CA	92557-4038	EVANS, TRACY	10920 FENTON	MORENO VALLEY, CA	92557-4038	404.62	40.46	80.11	525.18
31344495002	474452007	ALMARAZ, MELODY	10943	NOBLEWOOD RD	MORENO VALLEY	CA	92557-4034	ALMARAZ, MELODY	23961 STAGHORN CIR	MORENO VALLEY, CA	92557-2822	404.62	40.46	80.11	525.18
31625855008	474453001	SMITH, ELNORA	10864	NOBLEWOOD RD	MORENO VALLEY	CA	92557-4033	SMITH, ELNORA	10864 NOBLEWOOD RD	MORENO VALLEY, CA	92557-4033	254.02	25.4	50.3	329.7
90164353001	474453007	JAQUES, JOSEPHINE (RENT)	10947	OAK RUN CIR	MORENO VALLEY	CA	92553-4032	JAQUES, JOSEPHINE	10947 OAK RUN CIR	MORENO VALLEY, CA	92557-4032	140.79	14.08	27.88	182.74
31317935006	474453019	SEJA, SALLY	24105	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4003	SEJA, SALLY	24105 OLD COUNTRY RD	MORENO VALLEY, CA	92557-4003	279.6	27.96	55.36	362.92
89247463004	474453020	MABON, DANIEL (OWNR)	24097	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4003	MABON, DANIEL	27510 SHELLIE WAY	MORENO VALLEY, CA	92555-5849	254.12	25.41	50.32	329.84
61207825005	474454005	VANCE, LASH	24182	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4004	VANCE, LASH	22654 CANYON LAKE DR S	SUN CITY, CA	92587-7561	64.13	6.41	12.7	83.24
31372015004	474461010	LEVESTON, STEVEN	10827	FENTON RD	MORENO VALLEY	CA	92557-4037	LEVESTON, STEVEN	11105 PIONEER RIDGE RD	MORENO VALLEY, CA	92557-4807	254.02	25.4	50.3	329.7
54525115008	474462005	HOCKETT, DENISE	10807	FOXLOVE LN	MORENO VALLEY	CA	92557-4023	HOCKETT, DENISE	2605 FLINT WAY APT 4	SN BERNRDNO, CA	92408-3822	232.2	23.22	45.98	301.38
31102145008	474462012	WOODS, GEORGE	24102	BARLEY RD	MORENO VALLEY	CA	92557-4012	WOODS, GEORGE	24102 BARLEY RD	MORENO VALLEY, CA	92557-4012	329.6	32.96	65.26	427.82
92518155008	474462013	JAMES, PAT	24074	BARLEY RD	MORENO VALLEY	CA	92557-4048	JAMES, PAT	24074 BARLEY RD	MORENO VALLEY, CA	92557-4048	147.64	14.76	29.23	191.62
95068325006	474462021	CHAVEZ, JAVIER (OWNR)	24077	BARLEY RD	MORENO VALLEY	CA	92557-4049	CHAVEZ, JAVIER	24077 BARLEY RD	MORENO VALLEY, CA	92557-4049	254.12	25.41	50.32	329.84
31591765001	474463009	GOWER, DAVID	24080	ORANGECREEK CIR	MORENO VALLEY	CA	92557-4042	GOWER, DAVID	24080 ORANGECREEK CIR	MORENO VALLEY, CA	92557-4042	254.02	25.4	50.3	329.7
81185965009	474463013	KIMSEY, TAMARA	24063	ORANGECREEK CIR	MORENO VALLEY	CA	92557-4042	KIMSEY, TAMARA	24063 ORANGECREEK CIR	MORENO VALLEY, CA	92557-4042	228.63	22.86	45.27	296.76
91835265004	474471007	ALEXANDER, KENNETH	24398	RIMMEW RD	MORENO VALLEY	CA	92557-3056	ALEXANDER, KENNETH	23579 TARARA DR	MORENO VALLEY, CA	92557-3956	253.92	25.39	50.28	329.58
96206775006	474471014	HARMON, CARRIE (OWNR)	24433	RIMMEW RD	MORENO VALLEY	CA	92557-3019	HARMON, CARRIE	24433 RIMMEW RD	MORENO VALLEY, CA	92557-3019	254.12	25.41	50.32	329.84
86537233000	474471015	ORTIZ, SARAH (OWNR)	24421	RIMMEW RD	MORENO VALLEY	CA	92557-3019	ORTIZ, SARAH	24421 RIMMEW RD	MORENO VALLEY, CA	92557-3019	80	8	15.84	103.84
68524195008	474471023	PEREZ, ALFREDO	24414	PEPPERMILL DR	MORENO VALLEY	CA	92557-3024	PEREZ, ALFREDO	24414 PEPPERMILL DR	MORENO VALLEY, CA	92557-3024	282.23	28.22	55.88	366.32
86082753007	474471024	MCGHEE, LAURA	24426	PEPPERMILL DR	MORENO VALLEY	CA	92557-3024	MCGHEE, LAURA	24426 PEPPERMILL DR	MORENO VALLEY, CA	92557-3024	335.76	33.58	66.49	435.8
31503035000	474471033	WILSON, BRUCE	10452	SAGECREST DR	MORENO VALLEY	CA	92557-3036	WILSON, BRUCE	10452 SAGECREST DR	MORENO VALLEY, CA	92557-3036	61.74	6.17	12.22	80.12
31656825000	474471037	JENDERKO, LAURA	10437	SAGECREST DR	MORENO VALLEY	CA	92557-3036	JENDERKO, LAURA	10437 SAGECREST DR	MORENO VALLEY, CA	92557-3036	254.02	25.4	50.3	329.7
31108355000	474471039	HOLLIS, FRED	10457	SAGECREST DR	MORENO VALLEY	CA	92557-3036	HOLLIS, FRED	10457 SAGECREST DR	MORENO VALLEY, CA	92557-3036	254.02	25.4	50.3	329.7
66151785008	474472011	OGBOGU, JONATHAN	24475	PEPPERMILL DR	MORENO VALLEY	CA	92557-3027	OGBOGU, JONATHAN	24475 PEPPERMILL DR	MORENO VALLEY, CA	92557-3027	254.12	25.41	50.32	329.84
31300065004	474481010	GORDON, TAJUANA	24198	RIMMEW RD	MORENO VALLEY	CA	92557-3012	GORDON, TAJUANA	24198 RIMMEW RD	MORENO VALLEY, CA	92557-3012	329.32	32.93	65.21	427.44
51645745005	474482004	MACK, DARRYL	10634	ASTER LEAF LN	MORENO VALLEY	CA	92557-3023	MACK, DARRYL	10634 ASTER LEAF LN	MORENO VALLEY, CA	92557-3023	329.32	32.93	65.21	427.44
31207205002	474482009	VALDEPENA, NORMA	24265	RIMMEW RD	MORENO VALLEY	CA	92557-3016	VALDEPENA, NORMA	24265 RIMMEW RD	MORENO VALLEY, CA	92557-3016	254.02	25.4	50.3	329.7
31265605006	474482013	WINDEN, CARY E	10676	DAISY FIELD LN	MORENO VALLEY	CA	92557-3022	WINDEN, CARY E	10676 DAISY FIELD LN	MORENO VALLEY, CA	92557-3022	99.91	9.99	19.78	129.68
57965165002	474482014	HERRERA, ERICA	10684	DAISY FIELD LN	MORENO VALLEY	CA	92557-3022	HERRERA, ERICA	10684 DAISY FIELD LN	MORENO VALLEY, CA	92557-3022	254.02	25.4	50.3	329.7
31384175005	474482017	FIELDER, PHILLIP	10671	DAISY FIELD LN	MORENO VALLEY	CA	92557-3022	FIELDER, PHILLIP	10671 DAISY FIELD LN	MORENO VALLEY, CA	92557-3022	254.02	25.4	50.3	329.7
31372265001	474511001	BALLARD, CAROL	24516	PEPPERMILL DR	MORENO VALLEY	CA	92557-3053	BALLARD, CAROL	24516 PEPPERMILL DR	MORENO VALLEY, CA	92557-3053	254.02	25.4	50.3	329.7
97871315003	474511014	MARTIN, NINA (RENT)	10476	WATERCRESS CIR	MORENO VALLEY	CA	92557-3054	MARTIN, NINA	13353 CAVANDISH LN	MORENO VALLEY, CA	92553-6202	254.12	25.41	50.32	329.84
31341245001	474511019	SNELL, LEA	10449	SALTBUSH CIR	MORENO VALLEY	CA	92557-3055	SNELL, LEA	10449 SALTBUSH CIR	MORENO VALLEY, CA	92557-3055	254.02	25.4	50.3	329.7
97030585009	474511028	WENDELL, CARR (RENT)	10460	SALTBUSH CIR	MORENO VALLEY	CA	92557-3055	WENDELL, CARR	10460 SALTBUSH CIR	MORENO VALLEY, CA	92557-3055	254.12	25.41	50.32	329.84
31145065003	474511030	SINGH, CAROL	10486	SALTBUSH CIR	MORENO VALLEY	CA	92557-3055	SINGH, CAROL	PO BOX 1351	MORENO VALLEY, CA	92556-1351	254.02	25.4	50.3	329.7
88380223005	474511031	GARCIA, JOSE (OWNR)	10494	SALTBUSH CIR	MORENO VALLEY	CA	92557-3055	GARCIA, JOSE	10494 SALTBUSH CIR	MORENO VALLEY, CA	92557-3055	539.19	53.92	106.76	699.86
69566575008	474512002	PATEL, DANNY	24554	MEADOW GRASS WAY	MORENO VALLEY	CA	92557-4128	PATEL, DANNY	24554 MEADOW GRASS WAY	MORENO VALLEY, CA	92557-4128	254.02	25.4	50.3	329.7
89173173003	474512009	NGUYEN, KAITLYN	10556	HILL GRASS DR	MORENO VALLEY	CA	92557-4100	NGUYEN, KAITLYN	25184 BRONZE DR	MORENO VALLEY, CA	92557-7444	63.63	6.36	12.6	82.58
94933765009	474512011	BARNES, FRED (RENT)	10582	HILL GRASS DR	MORENO VALLEY	CA	92557-4100	BARNES, FRED	10582 HILL GRASS DR	MORENO VALLEY, CA	92557-4100	41.78	4.18	8.27	54.22
31281625009	474512013	GODOY, PATRICIA	10610	HILL GRASS DR	MORENO VALLEY	CA	92557-4100	GODOY, PATRICIA	10610 HILLGRASS DR	MORENO VALLEY, CA	92557-4100	254.02	25.4	50.3	329.7
31160195005	474513003	EVANS, JAMES SCOTT	24560	CANDLEBUSH CT	MORENO VALLEY	CA	92557-4130	EVANS, JAMES SCOTT	24560 CANDLE BUSH CT	MORENO VALLEY, CA	92557-4130	254.02	25.4	50.3	329.7
31523235006	474513012	JOHNSON, TIFFANY	10557	HILL GRASS DR	MORENO VALLEY	CA	92557-4123	JOHNSON, TIFFANY	10557 HILL GRASS DR	MORENO VALLEY, CA	92557-4123	254.02	25.4	50.3	329.7
58749545000	474521001	CARLOS, LORENA	10809	ANEMONE CIR	MORENO VALLEY	CA	92557-4114	CARLOS, LORENA	24360 MYERS AVE	MORENO VALLEY, CA	92553-2845	114.12	11.41	22.6	148.12
96760195004	474521005	FRASCA, LEONARD AND MARY	10749	ANEMONE CIR	MORENO VALLEY	CA	92557-4144	FRASCA, LEONARD AND MARY	224 E KENDALL ST	CORONA, CA	92879-4144	665.95	66.6	131.85	864.4
31073855001	474521007	HANCOCK, THOMAS	10752	ANEMONE CIR	MORENO VALLEY	CA	92557-4144	HANCOCK, THOMAS	10752 ANEMONE CIR	MORENO VALLEY, CA	92557-4144	54.02	5.4	10.7	70.1
86972228001	474521025	DELGADO, JUAN (OWNR)	10733	HYACINTH LN	MORENO VALLEY	CA	92557-4143	DELGADO, JUAN (OWNR)	10733 HYACINTH LN	MORENO VALLEY, CA	92557-4143	190.79	19.08	37.78	247.64
54793735002	474522010	VALDEPEMA, JUAN	24598	WIND FLOWER DR	MORENO VALLEY	CA	92557-4125	VALDEPEMA, JUAN	24322 RIMMEW RD	MORENO VALLEY, CA	92557-3056	184.03	18.4	36.44	238.86
96042935002	474522011	ELBERSON, MICHA (RENT)	24614	WIND FLOWER DR	MORENO VALLEY	CA	92557-4125	ELBERSON, MICHA	22985 CLIMBING ROSE DR APT 222	MORENO VALLEY, CA	92557-6036	70.9	7.09	14.04	92.02
31049655003	474523017	HUNTER, RAE C (OWNR)	10732	ROCK ROSE PL	MORENO VALLEY	CA	92557-4118	HUNTER, RAE C	10732 ROCK ROSE PL	MORENO VALLEY, CA	92557-4118	104.12	10.41	20.62	135.14
31566235005	474523019	WILLIAMS, MONICA	24600	JASMINE CT	MORENO VALLEY	CA	92557-4120	WILLIAMS, MONICA	24600 JASMINE CT	MORENO VALLEY, CA	92557-4120	254.02	25.4	50.3	329.7
31208215008	474523021	ADORNO, IVETTE	24620	JASMINE CT	MORENO VALLEY	CA	92557-4120	ADORNO, IVETTE	29024 CANTABRIA CT	MORENO VALLEY, CA	92555-7309	27.37	2.74	5.42	35.52
81693335005	474523025	GARZON, MIGUEL	24639	JASMINE CT	MORENO VALLEY	CA	92557-4120	GARZON, MIGUEL	24639 JASMINE CT	MORENO VALLEY, CA	92557-4120	254.02	25.4	50.3	329.7
66734985009	474523027	MILLER, DONNA	24625	JASMINE CT	MORENO VALLEY	CA	92557-4120	MILLER, DONNA	24625 JASMINE CT	MORENO VALLEY, CA	92557-4120	254.12	25.41	50.32	329.84
94557965004	474523029	IDEH, CHINYERE (RENT)	24607	JASMINE CT	MORENO VALLEY	CA	92557-4120	IDEH, CHINYERE	24607 JASMINE CT	MORENO VALLEY, CA	92557-4120	204.12	20.41	40.42	264.94
98302765013	474524011	STATEWIDE PROPERTY MGMT (RENT)	10766	HILL GRASS DR	MORENO VALLEY	CA	92557-4102	STATEWIDE PROPERTY MGMT	10766 HILL GRASS DR	MORENO VALLEY, CA	92557-4102	99.69	9.97	19.74	129.38
94395535000	474525004	HONT, ANDRE (RENT)	24699	WISTERIA LN	MORENO VALLEY	CA	92557-4106	MONJIOZI, JOHN	P O BOX 4220	OCEANSIDE, CA	92052-4220	151.58	15.16	30.01	196.74
31422255006	474525007	AINSWORTH, LATASHA	24665	WISTERIA LN	MORENO VALLEY	CA	92557-4106	AINSWORTH, LATASHA	24665 WISTERIA LN	MORENO VALLEY, CA	92557-4106	329.32	32.93	65.21	427.44
90403805009	474531005	BENITEZ, GABRIELA	24570	WISTERIA LN	MORENO VALLEY	CA	92557-4104	BENITEZ, GABRIELA	24570 WISTERIA LN	MORENO VALLEY, CA	92557-4104	329.04	32.9	65.15	427.08
91665053009	474531012	MILLER, JENNIFER (RENT)	24571	JASMINE CT	MORENO VALLEY	CA	92557-4122	MILLER, JENNIFER	24571 JASMINE CT	MORENO VALLEY, CA	92557-4122	63.63	6.36	12.6	82.58
48451055008	474532010	BARNETT, MARK	24557	WISTERIA LN	MORENO VALLEY	CA	92557-4105	BARNETT, MARK	24557 WISTERIA LN	MORENO VALLEY, CA	92557-4105	254.02	25.4	50.3	329.7
31471525007	474532013	SMITH, LISA	24550	WILD CALLA DR	MORENO VALLEY	CA	92557-4108	SMITH, LISA	24550 WILD CALLA DR	MORENO VALLEY, CA	92557-4108	32.69	3.27	6.47	42.42
31075795009	474532015	BANDURA, NANCY	24574	WILD CALLA DR	MORENO VALLEY	CA	92557-4108	BANDURA, NANCY	24574 WILD CALLA DR	MORENO VALLEY, CA	92557-4108	154.02	15.4	30.5	199.9
97072275006	474532020	SANCHEZ, ERIC (RENT)	24628	WILD CALLA DR	MORENO VALLEY	CA	92557-4111	SANCHEZ, ERIC	24628 WILD CALLA DR	MORENO VALLEY, CA	92557-4111	254.12	25.41	50.32	329.84
88859035008	474532024	HALL, PAMELA	24670	WILD CALLA DR	MORENO VALLEY	CA	92557-4111	HALL, PAMELA	24670 WILD CALLA DR	MORENO VALLEY, CA	92557-4111	253.92	25.39	50.28	329.58
90885033009	474532026	HERNANDEZ, HECTOR AND NILIDA	24690	WILD CALLA DR	MORENO VALLEY	CA	92557-4111	HERNANDEZ, HECTOR AND NILIDA	24690 WILD CALLA DR	MORENO VALLEY, CA	92557-4111	241.71	24.17	47.86	313.72
31270095003	474532027	PASKEL, PATRICIA A	24700	WILD CALLA DR	MORENO VALLEY	CA	92557-4111	PASKEL, PATRICIA A	24700 WILD CALLA DR	MORENO VALLEY, CA	92557-4111	254.12	25.41	50.32	329.84
74844825000	474533011	JIMMEZ, JUAN	10911	ANEMONE CIR	MORENO VALLEY	CA	92557-4145	JIMMEZ, JUAN	10911 ANEMONE CIR	MORENO VALLEY, CA	92557-4145	323.49	32.35	64.05	419.88
31245495001	474533016	BUSTAMANTE, LUCHO	10837	ANEMONE CIR	MORENO VALLEY	CA	92557-4114	BUSTAMANTE, LUCHO	10837 ANEMONE CIR	MORENO VALLEY, CA	92557-4114	253.92	25.39	50.28	329.58
31160565007	474534002	FANSEGA, BECKY	24719	WILD CALLA DR	MORENO VALLEY	CA	92557-4112	FANSEGA, BECKY	24719 WILD CALLA DR	MORENO VALLEY, CA	92557-4112	254.02	25.4	50.3	329.7
97001515005	474541002	CLICK, DOUGLAS (RENT)	24631	SHAGBARK RD	MORENO VALLEY	CA	92557-4138	CLICK, DOUGLAS	24631 SHAGBARK RD	MORENO VALLEY, CA	92557-4138	254.12	25.41	50.32	329.84
86542923005	474541021	IGLESIAS, ANDREA (RENT)	24798	CANDLENUT CT	MORENO VALLEY	CA	92557-4141	IGLESIAS, ANDREA (RENT)	24123 FORSYTE ST	MORENO VALLEY, CA	92557-5009	135.81	13.58	26.89	176.28
74727915008	474541022	JENKINS, RYAN	24784	CANDLENUT CT	MORENO VALLEY	CA	92557-4141	JENKINS, RYAN	24784 CANDLENUT CT	MORENO VALLEY, CA	92557-4141	329.32	32.93	65.21	427.44
62677765000	474541027	SILVA, LISA	24712	CANDLENUT CT	MORENO VALLEY	CA	92557	SILVA, LISA	24712 CANDLENUT CT	MORENO VALLEY, CA	92557-4139	240.98	24.1	47.71	312.78
67853195002	474541030	MELENDREZ, ALEX	24741	PLUMTREE CT	MORENO VALLEY	CA	92557-4132	MELENDREZ, ALEX	24741 PLUMTREE CT	MORENO VALLEY, CA	92557-4132	329.6	32.96	65.26	427.82
95933285009	474541034	AVILA, ALICIA BERTHA (OWNR)	24783	PLUMTREE CT	MORENO VALLEY	CA	92557-4132	AVILA, ALICIA BERTHA	24783 PLUMTREE CT	MORENO VALLEY, CA	92557-4132	254.12	25.41	50.32	329.84
97997055010	474541039	ARAIS, JOHNNY (RENT)	24780	PLUMTREE CT	MORENO VALLEY	CA	92557-4132	ARAIS, JOHNNY	24780 PLUMTREE CT	MORENO VALLEY, CA	92557-4132	190.79	19.08	37.78	247.64
31153195000	474541048	PALOMAREZ, LOUISE (OWNR)	24766	THORNBERRY CIR	MORENO VALLEY	CA	92557-4137	PALOMAREZ, LOUISE	24766 THORNBERRY CIR	MORENO VALLEY, CA	92557-4137	254.12	25.41	50.32	329.84
31154815008	474541050	SCHUBOTHE, DON	24746	THORNBERRY CIR	MORENO VALLEY	CA	92557-4137	SCHUBOTHE, DON	24746 THORNBERRY CIR	MORENO VALLEY, CA	92557-4137	254.12	25.41	50.32	329.84
31457855006	474542004	MOORE, LINDA	24700	THORNBERRY CIR	MORENO VALLEY	CA	92557-4135	MOORE, LINDA	24700 THORNBERRY CIR	MORENO VALLEY, CA	92557-4135	254.12	25.41	50.32	329.84
31347565000	474551001	DIZADARE, ROY AND DEBRA	10791	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4222	DIZADARE, ROY	29049 WAYFARER RD	MENIFEE, CA	92585-3328	179.38	17.94	35.52	232.82
61487245005	474551002	ASHLEY, WENDY	10809	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4201	ASHLEY, WENDY	10809 MORNING RIDGE DR	MORENO VALLEY, CA	92557-4201	254.12	25.41	50.32	329.84
75491675000	474551005	JOHNSON, TRACIE	10861	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4201	JOHNSON, TRACIE	10861 MORNING RIDGE DR	MORENO VALLEY, CA	92557-4201	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31511265004	474551007	CURLEY, STEVE	10895	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4201	CURLEY, STEVE	10895 MORNING RIDGE DR	MORENO VALLEY, CA	92557-4201	347.48	34.75	68.8	451.02
97324825006	474551009	SHAW, PATRICK AND MARIA (RENT)	10927	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4221	SHAW, PATRICK	10927 MORNING RIDGE DR	MORENO VALLEY, CA	92557-4221	62.63	6.26	12.4	81.28
67079195004	474552004	GORDON, MONIQUE	10860	CLOUD HAVEN DR	MORENO VALLEY	CA	92557-4210	GORDON, MONIQUE	10860 CLOUD HAVEN DR	MORENO VALLEY, CA	92557-4210	100	10	19.8	129.8
31388135005	474553007	COOKE, STEPHEN	10876	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4202	COOKE, STEPHEN	10876 MORNING RIDGE DR	MORENO VALLEY, CA	92557-4202	253.82	25.38	50.26	329.44
31258445005	474553012	ROBERSON, DAVID	24886	SUN STREAM CIR	MORENO VALLEY	CA	92557-4206	ROBERSON, DAVID	24886 SUN STREAM CIR	MORENO VALLEY, CA	92557-4206	253.92	25.39	50.28	329.58
88034675003	474553014	ARNOLD, ANGELA (RENT)	24870	SUN STREAM CIR	MORENO VALLEY	CA	92557-4206	ARNOLD, ANGELA	17642 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6350	205.13	20.51	40.62	266.24
31556895007	474553015	GALLUCCI, NANCY	24857	MANZANITA AVE	MORENO VALLEY	CA	92557-4209	GALLUCCI, NANCY	24857 MANZANITA AVE	MORENO VALLEY, CA	92557-4209	127.36	12.74	25.22	165.3
92752235007	474562001	MORENO, PAT	24886	MANZANITA AVE	MORENO VALLEY	CA	92557-4208	MORENO, PAT	24886 MANZANITA AVE	MORENO VALLEY, CA	92557-4208	104.02	10.4	20.6	135
89055663009	474563011	FARUQ, ALLITHA	24793	EARLY MORN LN	MORENO VALLEY	CA	92557-4215	FARUQ, ALLITHA	24793 EARLY MORN LN	MORENO VALLEY, CA	92557-4215	253	25.3	50.09	328.38
31305675005	474563012	STEININGER, MICHAEL	24792	EARLY MORN LN	MORENO VALLEY	CA	92557-4215	STEININGER, MICHAEL	24792 EARLY MORN LN	MORENO VALLEY, CA	92557-4215	254.12	25.41	50.32	329.84
31205585006	474571001	GONZALES, ROBERT	10485	MORNING RIDGE DR	MORENO VALLEY	CA	92557-3211	GONZALES, ROBERT	10485 MORNING RIDGE DR	MORENO VALLEY, CA	92557-3211	254.02	25.4	50.3	329.7
31655085007	474571003	SCRUGGS, CHARLES	10451	MORNING RIDGE DR	MORENO VALLEY	CA	92557-3211	SCRUGGS, CHARLES	10451 MORNING RIDGE DR	MORENO VALLEY, CA	92557-3211	247.32	24.73	48.97	321.02
67755365003	474572006	BASTIO, LISA	24714	MORNING MIST DR	MORENO VALLEY	CA	92557-3202	BASTIO, LISA	1292 E 3RD ST	POMONA, CA	91766-2209	104.81	10.48	20.75	136.04
99826845000	474574005	SPENCER, JAN (RENT)	24805	MORNING MIST DR	MORENO VALLEY	CA	92557-3204	SPENCER, JAN	12150 PIGEON PASS RD APT F151	MORENO VALLEY, CA	92557-6971	114.97	11.5	22.76	149.22
31297615007	474574007	PLEDGER, DENISE	24874	COVEY RD	MORENO VALLEY	CA	92557-4220	PLEDGER, DENISE	24874 COVEY RD	MORENO VALLEY, CA	92557-4220	253.92	25.39	50.28	329.58
31145215002	474576006	RAYO, TIRSO AND SOCORRO	24701	COVEY RD	MORENO VALLEY	CA	92557-4218	RAYO, TIRSO AND SOCORRO	24701 COVEY RD	MORENO VALLEY, CA	92557-4218	254.02	25.4	50.3	329.7
99357435007	474576012	FUENTES, CECILIA (OWNR)	24814	FAIR DAWN LN	MORENO VALLEY	CA	92557-4216	FUENTES, CECILIA	24814 FAIR DAWN LN	MORENO VALLEY, CA	92557-4216	127.46	12.75	25.24	165.44
31159845001	474581002	ROMAN, GINGER	10399	MORNING RIDGE DR	MORENO VALLEY	CA	92557-3211	ROMAN, GINGER	10399 MORNING RIDGE DR	MORENO VALLEY, CA	92557-3211	254.02	25.4	50.3	329.7
73601055006	474581019	WHITE, JOE AND MARY	10311	STARSHINE DR	MORENO VALLEY	CA	92557-3201	WHITE, MARY AND JOE	10311 STARSHINE DR	MORENO VALLEY, CA	92557-3201	37.69	3.77	7.46	48.92
31151565006	474581021	CLOUD, CONSTANCE H	10265	STARSHINE DR	MORENO VALLEY	CA	92557-3201	CLOUD, CONSTANCE H	10265 STARSHINE DR	MORENO VALLEY, CA	92557-3201	329.32	32.93	65.21	427.44
87016803004	474582008	SCARBROUGH, SARA (RENT)	10394	STARSHINE DR	MORENO VALLEY	CA	92557-3200	SCARBROUGH, SARA (RENT)	23155 IRONWOOD AVE APT 18	MORENO VALLEY, CA	92557-8028	211.47	21.15	41.87	274.48
80689445001	474583002	WILSON, GREGORY AND FESHIA	24699	MOONSHADOW DR	MORENO VALLEY	CA	92557-3212	WILSON, GREGORY AND FESHIA	24699 MOONSHADOW DR	MORENO VALLEY, CA	92557-3212	111.32	11.13	22.04	144.48
74290015006	474583004	MOTTE, FRANKLIN	24725	MOONSHADOW DR	MORENO VALLEY	CA	92557-3206	MOTTE, FRANKLIN	23800 SUNNYMEAD BLVD STE D	MORENO VALLEY, CA	92553-7731	254.02	25.4	50.3	329.7
97020603006	474583005	CLARK, DESSIE (OWNR)	24743	MOONSHADOW DR	MORENO VALLEY	CA	92557-3206	CLARK, DESSIE	24743 MOONSHADOW DR	MORENO VALLEY, CA	92557-3206	65.09	6.51	12.89	84.48
31439285004	474583006	ALDRICH, FRED	24769	MOONSHADOW DR	MORENO VALLEY	CA	92557-3206	ALDRICH, FRED	24769 MOONSHADOW DR	MORENO VALLEY, CA	92557-3206	190.03	19	37.63	246.64
31198985009	474583007	JONES, CHRISTOPHER	24781	MOONSHADOW DR	MORENO VALLEY	CA	92557-3206	JONES, CHRISTOPHER	24781 MOONSHADOW DR	MORENO VALLEY, CA	92557-3206	254.02	25.4	50.3	329.7
66365725007	474601002	DARDEN, DENISE	10620	CANYON VISTA RD	MORENO VALLEY	CA	92557-3033	DARDEN, DENISE	10620 CANYON VISTA RD	MORENO VALLEY, CA	92557-3033	254.12	25.41	50.32	329.84
31305315001	474601003	GALLEGOS, MIKE	10610	CANYON VISTA RD	MORENO VALLEY	CA	92557-3033	GALLEGOS, MIKE	10610 CANYON VISTA RD	MORENO VALLEY, CA	92557-3033	253.92	25.39	50.28	329.58
31644605002	474601007	KEIZER, DOUGLAS	10570	CANYON VISTA RD	MORENO VALLEY	CA	92557-3033	KEIZER, DOUGLAS	10570 CANYON VISTA RD	MORENO VALLEY, CA	92557-3033	254.02	25.4	50.3	329.7
71573195000	474602006	SILVAS, DAVID AND MARIE	10691	PARK RIM CIR	MORENO VALLEY	CA	92557-3009	SILVAS, DAVID AND MARIE	10691 PARK RIM CIR	MORENO VALLEY, CA	92557-3009	254.02	25.4	50.3	329.7
31508935000	474602007	HOLNESS, GERARDA	10707	PARK RIM CIR	MORENO VALLEY	CA	92557-3009	HOLNESS, GERARDA	10707 PARK RIM CIR	MORENO VALLEY, CA	92557-3009	254.02	25.4	50.3	329.7
31049165006	474602008	MALONE, TOOTSIE	10721	PARK RIM CIR	MORENO VALLEY	CA	92557-3009	MALONE, TOOTSIE	10721 PARK RIM CIR	MORENO VALLEY, CA	92557-3009	254.02	25.4	50.3	329.7
99228815005	474602009	WEST, KIM	10731	PARK RIM CIR	MORENO VALLEY	CA	92557-3009	WEST, KIM	10731 PARK RIM CIR	MORENO VALLEY, CA	92557-3009	254.12	25.41	50.32	329.84
72714455004	474602017	DURON, CHRISTINE	10711	CANYON VISTA RD	MORENO VALLEY	CA	92557-3000	DURON, CHRISTINE	10711 CANYON VISTA RD	MORENO VALLEY, CA	92557-3000	254.02	25.4	50.3	329.7
31604465005	474602024	NUGENT, LEFFORD	10589	CANYON VISTA RD	MORENO VALLEY	CA	92557-3031	NUGENT, LEFFORD	10589 CANYON VISTA RD	MORENO VALLEY, CA	92557-3031	254.02	25.4	50.3	329.7
71056635004	474602026	PINTOR, ALICIA	24090	CANYON WOODS CIR	MORENO VALLEY	CA	92557-3007	PINTOR, ALICIA	24090 CANYON WOODS CIR	MORENO VALLEY, CA	92557-3007	254.02	25.4	50.3	329.7
97047335006	474602034	KEYHEA, SAMMY (RENT)	24060	STONE CREEK CIR	MORENO VALLEY	CA	92557-3008	KEYHEA, SAMMY	24060 STONE CREEK CIR	MORENO VALLEY, CA	92557-3008	288.49	28.85	57.12	374.46
69867895003	474611008	WELLS, LILIANA	10480	CANYON VISTA RD	MORENO VALLEY	CA	92557-3030	WELLS, LILIANA	2392 HERTIAGE DR	CORONA, CA	92882-5776	99.68	9.97	19.74	129.38
95709235004	474611011	ALVIN, THORNTON (RENT)	10450	CANYON VISTA RD	MORENO VALLEY	CA	92557-3030	ALVIN, THORNTON	10450 CANYON VISTA RD	MORENO VALLEY, CA	92557-3030	254.12	25.41	50.32	329.84
31144675008	474611013	DONERSON-STONE, LAURA	10430	CANYON VISTA RD	MORENO VALLEY	CA	92557-3028	DONERSON-STONE, LAURA	10430 CANYON VISTA RD	MORENO VALLEY, CA	92557-3028	254.02	25.4	50.3	329.7
49686735006	474612015	WILSON, KEITH	10479	CANYON VISTA RD	MORENO VALLEY	CA	92557-3029	WILSON, KEITH	10479 CANYON VISTA RD	MORENO VALLEY, CA	92557-3029	254.02	25.4	50.3	329.7
86382615001	474612018	NEMBACK, DARCY	24185	SHADY RIDGE CIR	MORENO VALLEY	CA	92557-3005	NEMBACK, DARCY	24185 SHADY RIDGE CIR	MORENO VALLEY, CA	92557-3005	63.63	6.36	12.6	82.58
31144665000	474621010	ZAMBRANO, SUSAN	10280	CANYON VISTA RD	MORENO VALLEY	CA	92557-3041	ZAMBRANO, SUSAN	10280 CANYON VISTA RD	MORENO VALLEY, CA	92557-3041	254.02	25.4	50.3	329.7
31144045001	474622006	EVANS, DONALD	24360	RIMCREST LN	MORENO VALLEY	CA	92557-3046	EVANS, DONALD	24360 RIMCREST LN	MORENO VALLEY, CA	92557-3046	254.02	25.4	50.3	329.7
97024995006	474622012	ESTRADA, LORI AND EDDIE (OWNR)	24333	RIMCREST LN	MORENO VALLEY	CA	92557-3046	ESTRADA, LORI AND EDDIE	6073 BANNOCK DR	RIVERSIDE, CA	92507-8477	31.12	3.11	6.16	40.38
31429205002	474622015	DUNN, HENRY	24330	HIGHLAND MESA LN	MORENO VALLEY	CA	92557-3039	DUNN, HENRY	24330 HIGHLAND MESA LN	MORENO VALLEY, CA	92557-3039	90.69	9.07	17.96	117.7
66065545001	474632001	KEHNIT, DANIELLE	10161	CANYON VISTA RD	MORENO VALLEY	CA	92557-3048	KEHNIT, DANIELLE	10161 CANYON VISTA RD	MORENO VALLEY, CA	92557-3048	254.12	25.41	50.32	329.84
31617315009	474632014	BRASSEUR, JOHN	10255	CANYON VISTA RD	MORENO VALLEY	CA	92557-3043	BRASSEUR, JOHN	10255 CANYON VISTA RD	MORENO VALLEY, CA	92557-3043	42.19	4.22	8.35	54.76
31452035000	474641001	LAFALBRIE, DELIA	11813	VENETIAN DR	MORENO VALLEY	CA	92557-6518	LAFALBRIE, DELIA	11813 VENETIAN DR	MORENO VALLEY, CA	92557-6518	329.6	32.96	65.26	427.82
97094675006	474641022	CABRERA, ELMA (RENT)	11939	VENETIAN DR	MORENO VALLEY	CA	92557-6518	CABRERA, ELMA	1524 POEMA DR	COLTON, CA	92324-1980	126.17	12.62	24.98	163.76
96279915004	474642004	SILBERA, LEONOR (OWNR)	25237	BRISTOL AVE	MORENO VALLEY	CA	92557-6501	SILBERA, LEONOR	25237 BRISTOL AVE	MORENO VALLEY, CA	92557-6501	254.02	25.4	50.3	329.7
31136255002	474642009	WILLIAMS, LINDA	11822	VILLA HERMOSA	MORENO VALLEY	CA	92557-6512	WILLIAMS, LINDA	11822 VILLA HERMOSA	MORENO VALLEY, CA	92557-6512	149.02	14.9	29.51	193.42
89864325006	474643001	HERNANDEZ, JAVIER AND LILIA	11815	VILLA HERMOSA	MORENO VALLEY	CA	92557-6513	HERNANDEZ, JAVIER AND LILIA	11815 VILLA HERMOSA	MORENO VALLEY, CA	92557-6513	127.26	12.73	25.2	165.18
86681323007	474643004	CRUZ, MARIA ELENA (OWNR)	11826	VENETIAN DR	MORENO VALLEY	CA	92557-6517	CRUZ, MARIA ELENA (OWNR)	11826 VENETIAN DR	MORENO VALLEY, CA	92557-6517	254.12	25.41	50.32	329.84
31076155001	474643008	RANKINS, TROY	11850	VENETIAN DR	MORENO VALLEY	CA	92557-6517	RANKINS, TROY	11850 VENETIAN DR	MORENO VALLEY, CA	92557-6517	329.32	32.93	65.21	427.44
31506235001	474643011	COATES-JARMAN, STEVEN	11868	VENETIAN DR	MORENO VALLEY	CA	92557-6517	COATES-JARMAN, STEVEN	11868 VENETIAN DR	MORENO VALLEY, CA	92557-6517	253.92	25.39	50.28	329.58
31636315009	474643012	DELONE, RAYMOND	11874	VENETIAN DR	MORENO VALLEY	CA	92557-6517	DELONE, RAYMOND	27927 KALMIA AVE	MORENO VALLEY, CA	92555-5213	329.32	32.93	65.21	427.44
66950105006	474643024	BACON, RYAN	11821	VILLA HERMOSA	MORENO VALLEY	CA	92557-6513	BACON, RYAN	11821 VILLA HERMOSA	MORENO VALLEY, CA	92557-6513	329.6	32.96	65.26	427.82
60852315006	474644005	DIAZ, PATRICIA AND ENRIQUE	11932	VENETIAN DR	MORENO VALLEY	CA	92557-6519	DIAZ, PATRICIA AND ENRIQUE	11932 VENETIAN DR	MORENO VALLEY, CA	92557-6519	254.12	25.41	50.32	329.84
91006633005	474644010	CALVILLO, KERRI (RENT)	11917	VILLA HERMOSA	MORENO VALLEY	CA	92557-6515	CALVILLO, KERRI	11917 VILLA HERMOSA	MORENO VALLEY, CA	92557-6515	93.64	9.36	18.54	121.54
31371625008	474645008	LEWIS, GERALDINE	11876	VILLA HERMOSA	MORENO VALLEY	CA	92557-6514	LEWIS, GERALDINE	11876 VILLA HERMOSA	MORENO VALLEY, CA	92557-6514	254.02	25.4	50.3	329.7
68246145009	474651002	ALFARO, MARIBEL	25677	JAVIER PL	MORENO VALLEY	CA	92557-6615	ALFARO, MARIBEL	25677 JAVIER PL	MORENO VALLEY, CA	92557-6615	254.12	25.41	50.32	329.84
31199835009	474651006	MOORE, PATRICIA	25645	JAVIER PL	MORENO VALLEY	CA	92557-6615	MOORE, PATRICIA	25645 JAVIER PL	MORENO VALLEY, CA	92557-6615	329.32	32.93	65.21	427.44
99809485001	474651009	MELBOR, SHELLY (RENT)	25646	JAVIER PL	MORENO VALLEY	CA	92557-6615	MELBOR, SHELLY	25646 JAVIER PL	MORENO VALLEY, CA	92557-6615	254.12	25.41	50.32	329.84
31632115007	474651021	ALVAREZ, RAYMOND	25637	JASON PL	MORENO VALLEY	CA	92557-6600	ALVAREZ, RAYMOND	25637 JASON PL	MORENO VALLEY, CA	92557-6600	253.92	25.39	50.28	329.58
95952015006	474651028	RAYMER, RODNEY (OWNR)	25686	JASON PL	MORENO VALLEY	CA	92557-6600	RAYMER, RODNEY (OWNR)	25686 JASON PL	MORENO VALLEY, CA	92557-6600	165.92	16.59	32.85	215.36
59874405004	474651031	ELSAHRKAWI, GAMAL	25681	SHALU AVE	MORENO VALLEY	CA	92557-6614	ELSAHRKAWI, GAMAL	25681 SHALU AVE	MORENO VALLEY, CA	92557-6614	254.12	25.41	50.32	329.84
97865115007	474651042	KING, CRAIG (RENT)	11940	TUSCOLA ST	MORENO VALLEY	CA	92557-6635	KING, CRAIG (RENT)	7680 WINSHIP WAY	COLTON, CA	92324-9400	129.85	12.99	25.71	168.54
90601523007	474652002	IBARRA, ANTONIO	25694	SHALU AVE	MORENO VALLEY	CA	92557-6612	IBARRA, ANTONIO	25694 SHALU AVE	MORENO VALLEY, CA	92557-6612	262.73	26.27	52.02	341.02
94698675007	474652003	GRIFFITH, ARENITA (RENT)	25684	SHALU AVE	MORENO VALLEY	CA	92557-6612	GRIFFITH, ARENITA	25684 SHALU AVE	MORENO VALLEY, CA	92557-6612	329.6	32.96	65.26	427.82
31380875006	474660012	DAVIS, MICHAEL	25707	ASPENWOOD CT	MORENO VALLEY	CA	92557-6631	DAVIS, MICHAEL	25707 ASPENWOOD CT	MORENO VALLEY, CA	92557-6631	254.02	25.4	50.3	329.7
31301195005	474671005	COSTON, ARNOLD	11420	RIDGEMONT DR	MORENO VALLEY	CA	92557-5811	COSTON, ARNOLD	11420 RIDGEMONT DR	MORENO VALLEY, CA	92557-5811	190.69	19.07	37.76	247.5
31595305009	474672006	ROSS, BEVERLY	25578	SAN THOMAS ST	MORENO VALLEY	CA	92557-5800	ROSS, BEVERLY	25578 SAN THOMAS ST	MORENO VALLEY, CA	92557-5800	179.02	17.9	35.45	232.36
97169875004	474673002	ALVARADO, JENNIFER	11379	SAN RICARDO AVE	MORENO VALLEY	CA	92557-5809	ALVARADO, JENNIFER	11379 SAN RICARDO AVE	MORENO VALLEY, CA	92557-5809	254.12	25.41	50.32	329.84
31637065009	474674003	WAGNER, MICHAEL	25577	SAN THOMAS ST	MORENO VALLEY	CA	92557-5829	WAGNER, MICHAEL	25577 SAN THOMAS ST	MORENO VALLEY, CA	92557-5829	254.02	25.4	50.3	329.7
52510385005	474674014	CARDIFF, MATT (OWN)	25576	SAN ANTONIO ST	MORENO VALLEY	CA	92557-5805	CARDIFF, MATT	25576 SAN ANTONIO ST	MORENO VALLEY, CA	92557-5805	277.18	27.72	54.88	359.76
94029775004	474675002	GRAJEDA, CHRISTOPHER (RENT)	25631	SAN ANTONIO ST	MORENO VALLEY	CA	92557-5843	GRAJEDA, CHRISTOPHER	7068 HIGHLAND SPRING LN	HIGHLAND, CA	92346-5465	41.2	4.12	8.16	53.48
58098945008	474675007	FRANKO, RAUL	25561	SAN ANTONIO ST	MORENO VALLEY	CA	92557-5806	FRANKO, RAUL	26176 PRIMROSE WAY	MORENO VALLEY, CA	92555-2229	254.02	25.4	50.3	329.7
31381585005	474675016	CAMPBELL, FANNY	25590	KALMIA AVE	MORENO VALLEY	CA	92557-5803	CAMPBELL, FANNY	25590 KALMIA AVE	MORENO VALLEY, CA	92557-5803	254.12	25.41	50.32	329.84
95135385002	474675017	MACIAS, SYLVIA (RENT)	11485	RIDGEMONT DR	MORENO VALLEY	CA	92557-5813	MACIAS, SYLVIA	26686 SAFFRON CIR	MORENO VALLEY, CA	92555-3834	254.02	25.4	50.3	329.7
31404275000	474701012	SOLOMON, CRESTA (OWNR)	25208	ALTA VISTA DR	MORENO VALLEY	CA	92557-5233	SOLOMON, CRESTA	25208 ALTA VISTA	MORENO VALLEY, CA	92557-5233	254.02	25.4	50.3	329.7
57291835003	474710003	CRUZ, MIGUEL	25300	PICO VISTA WAY	MORENO VALLEY	CA	92557-5221	CRUZ, MIGUEL	25300 PICO VISTA WAY	MORENO VALLEY, CA	92557-5221	254.02	25.4	50.3	329.7
31276675008	474720007	FLOURNOY, JAMES L	25426	FRAN LOU DR	MORENO VALLEY	CA	92557-5213	FLOURNOY, JAMES L	25426 FRAN LOU DR	MORENO VALLEY, CA	92557-5213	253.92	25.39	50.28	329.58
98231405010	474720016	LOUIS, LILIA (RENT)	25453	BIANCA CT	MORENO VALLEY	CA	92557-5243	LOUIS, LILIA	25453 BIANCA CT	MORENO VALLEY, CA	92557-5243	136.37	13.64	27	177
91715225007	474730005	DOSS, GWEN	11877	CITRUS CT	MORENO VALLEY	CA	92557-6644	DOSS, GWEN	PO BOX 429	MORENO VALLEY, CA	92556-0429	253.92	25.39	50.28	329.58
86787525000	474731001	GARIBALDI, CARLO AND JAMIE	11818	NAVEL AVE	MORENO VALLEY	CA	92557-6643	GARIBALDI, CARLO AND JAMIE	11818 NAVEL AVE	MORENO VALLEY, CA	92557-6643	165.64	16.56	32.8	215
84547075004	474731011	KNUTZEN, SHELLY	11770	JAFFA WAY	MORENO VALLEY	CA	92557-6665	KNUTZEN, SHELLY	11770 JAFFA WAY	MORENO VALLEY, CA	92557-6665	329.32	32.93	65.21	427.44
83000295009	474731012	COOK, TIFFANY	11762	JAFFA WAY	MORENO VALLEY	CA	92557-6665	COOK, TIFFANY	11762 JAFFA WAY	MORENO VALLEY, CA	92557-6665	104.02	10.4	20.6	135
84214565008	474731013	BENTON, WESLEY	11754	JAFFA WAY	MORENO VALLEY	CA	92557-6665	BENTON, WESLEY	11754 JAFFA WAY	MORENO VALLEY, CA	92557-6665	254.02	25.4	50.3	329.7
83001145009	474733001	JOHNSON, CHARLENE	25511	TANGERINE RD	MORENO VALLEY	CA	92557-6646	JOHNSON, CHARLENE	25511 TANGERINE RD	MORENO VALLEY, CA	92557-6646	329.32	32.93	65.21	427.44
96408213006	474733008	DEAN, JENNIFER (OWNR)	25566	SHALU AVE	MORENO VALLEY	CA	92557-6645	DEAN, JENNIFER	25566 SHALU AVE	MORENO VALLEY, CA	92557-6645	63.63	6.36	12.6	82.58
72565175009	475030017	CAZARES, ERMELINDA	11080	DAVIS ST	MORENO VALLEY	CA	92557-5036	CAZARES, ERMELINDA	11080 DAVIS ST	MORENO VALLEY, CA	92557-5036	254.02	25.4	50.3	329.7
86681043006	475030024	AKBAR, MASHIYAT (RENT)	23992	QUAPAW TRL	MORENO VALLEY	CA	92557-5027	AKBAR, MASHIYAT	441 EDGEWOOD ST APT 6	INGLEWOOD, CA	90302-4479	329.6	32.96	65.26	427.82
99828955002	475031001	FINCH, AQURANIST (OWNR)	24330	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5021	FINCH, AQURANIST	24330 CHIPPEWA TR	MORENO VALLEY, CA	92557-5021	254.12	25.41	50.32	329.84
97294035007	475031002	MHOON, ANGELINETTE (RENT)	24344	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5021	MHOON, ANGELINETTE	908 BRETT DR, APT A	HINESVILLE, GA	31313-4247	254.12	25.41	50.32	329.84
94619755006	475032002	BELL, LUCAS (OWNR)	24519	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5024	BELL, LUCAS	24519 CHIPPEWA TRL	MORENO VALLEY, CA	92557-5024	63.63	6.36	12.6	82.58
66740525002	475032008	MOORE, ANGELA	24435	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5022	MOORE, ANGELA	24435 CHIPPEWA TR	MORENO VALLEY, CA	92557-5022	254.12	25.41	50.32	329.84
31291095009	475032021	VITELA, SAMUEL	24263	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5026	VITELA, SAMUEL	24263 CHIPPEWA TR	MORENO VALLEY, CA	92557-5026	254.12	25.41	50.32	329.84
91885485003	475032026	RODRIGUEZ, FAUSTINO	24280	ANGIE LN	MORENO VALLEY	CA	92557-5049	RODRIGUEZ, FAUSTINO	24280 ANGIE LN	MORENO VALLEY, CA	92557-5049	329.04	32.9	65.15	427.08
97015995004	475032032	BELL, CHARLES (RENT)	11135	INDIAN ST	MORENO VALLEY	CA	92557-5048	BELL, CHARLES	11135 INDIAN ST	MORENO VALLEY, CA	92557-5048	36.32	3.63	7.19	47.14
31408085001	475050018	VELOZ, CHARLENE	24847	SUNDAY DR	MORENO VALLEY	CA	92557-5104	VELOZ, CHARLENE	1640 E HIGHLAND AVE	REDLANDS, CA	92374-5571	154.02	15.4	30.5	199.9

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31102235009	475050019	REED, CECELIA	24841	SUNDAY DR	MORENO VALLEY	CA	92557-5104	REED, CECELIA	24841 SUNDAY DR	MORENO VALLEY, CA	92557-5104	74.02	/ .4	14.66	96.06
95723165009	475050026	SHEPERD, DEISHAT	24780	FREEDOM CT	MORENO VALLEY	CA	92557-5108	SHEPERD, DEISHAT	24780 FREEDOM CT	MORENO VALLEY, CA	92557-5108	539.19	53.92	106.76	699.86
31133745007	475050034	HELMS, GREG	24841	FREEDOM CT	MORENO VALLEY	CA	92557-5108	HELMS, GREG	24841 FREEDOM CT	MORENO VALLEY, CA	92557-5108	329.32	32.93	65.21	427.44
96642665005	475070028	ZAFRA, MARIU (RENT)	24810	EL DORADO ST	MORENO VALLEY	CA	92557-5116	ZAFRA, MARIU	24810 EL DORADO ST	MORENO VALLEY, CA	92557-5116	254.12	25.41	50.32	329.84
31255155001	475070029	MALAKOUTI, STEPHANIE	24798	EL DORADO ST	MORENO VALLEY	CA	92557-5116	MALAKOUTI, STEPHANIE	24798 EL DORADO ST	MORENO VALLEY, CA	92557-5116	254.12	25.41	50.32	329.84
31092685007	475070031	RIX, PEGGY	24792	EL DORADO ST	MORENO VALLEY	CA	92557-5116	RIX, PEGGY	24792 EL DORADO ST	MORENO VALLEY, CA	92557-5116	204.02	20.4	40.4	264.8
97633595008	475070045	MCFADDEN, KEUNDRA (OWNR)	24856	SKYLAND DR	MORENO VALLEY	CA	92557-5138	MCFADDEN, KEUNDRA	24856 SKYLAND DR	MORENO VALLEY, CA	92557-5138	127.46	12.75	25.24	165.44
72023605009	475070047	WIMSATT, ALBERT AND KATHY	24867	SKYLAND DR	MORENO VALLEY	CA	92557-5139	WIMSATT, ALBERT AND KATHY	24867 SKYLAND DR	MORENO VALLEY, CA	92557-5139	254.02	25.4	50.3	329.7
92289175002	475070050	BONILLA, ERINN	24831	SKYLAND DR	MORENO VALLEY	CA	92557-5139	BONILLA, ERINN	24831 SKYLAND DR	MORENO VALLEY, CA	92557-5139	34.64	3.46	6.86	44.96
73187785003	475070055	PHALEN, ALISHA	24771	SKYLAND DR	MORENO VALLEY	CA	92557-5139	PHALEN, ALISHA	14216 UXBRIDGE ST	WESTMINSTER, CA	92683-4138	254.02	25.4	50.3	329.7
60689855008	475081002	GRANADOS, ROGELIO	24588	SKYLAND DR	MORENO VALLEY	CA	92557-5144	GRANADOS, ROGELIO	24588 SKYLAND DR	MORENO VALLEY, CA	92557-5144	63.63	6.36	12.6	82.58
95338375002	475081009	HUBERT, CASSANDRA (RENT)	24700	SKYLAND DR	MORENO VALLEY	CA	92557-5145	HUBERT, CASSANDRA	24700 SKYLAND DR	MORENO VALLEY, CA	92557-5145	254.12	25.41	50.32	329.84
31062515006	475081014	POLITTO, JOSEPH	24638	SKYLAND DR	MORENO VALLEY	CA	92557-5114	POLITTO, JOSEPH	24638 SKYLAND DR	MORENO VALLEY, CA	92557-5114	254.02	25.4	50.3	329.7
87383545003	475081017	BOLDEN, RAY	24542	SKYLAND DR	MORENO VALLEY	CA	92557-5144	BOLDEN, RAY	24542 SKYLAND DR	MORENO VALLEY, CA	92557-5144	254.12	25.41	50.32	329.84
31196315004	475082006	THOMPSON, ROSAVELT	24571	SKYLAND DR	MORENO VALLEY	CA	92557-5115	THOMPSON, ROSAVELT	24571 SKYLAND DR	MORENO VALLEY, CA	92557-5115	282.23	28.22	55.88	366.32
66792995005	475082016	RIVERA, PATRICIA AND FREDY	24560	SKYROCK DR	MORENO VALLEY	CA	92557-5601	RIVERA, PATRICIA AND FREDY	24560 SKYROCK DR	MORENO VALLEY, CA	92557-5601	47.37	4.74	9.38	61.48
86134815006	475082018	ROSS, FATIMAH	24536	SKYROCK DR	MORENO VALLEY	CA	92557-5601	ROSS, FATIMAH	24536 SKYROCK DR	MORENO VALLEY, CA	92557-5601	211.44	21.14	41.87	274.44
58099505008	475082019	MC CULLOUGH, SONJIA	24524	SKYROCK DR	MORENO VALLEY	CA	92557-5601	MC CULLOUGH, SONJIA	24524 SKYROCK DR	MORENO VALLEY, CA	92557-5601	254.12	25.41	50.32	329.84
31128175006	475082027	SMITH, ANNETTE	24711	SKYLAND DR	MORENO VALLEY	CA	92557-5100	SMITH, ANNETTE	PO BOX 705	MORENO VALLEY, CA	92556-0705	254.02	25.4	50.3	329.7
31626275008	475082030	FIERRO, ELIZABETH	24747	SKYLAND DR	MORENO VALLEY	CA	92557-5100	FIERRO, ELIZABETH	24747 SKYLAND DR	MORENO VALLEY, CA	92557-5100	329.32	32.93	65.21	427.44
31092295009	475100008	PLAXICO, DON P	11275	DAVIS ST	MORENO VALLEY	CA	92557-5040	PLAXICO, DON P	11279A DAVIS ST	MORENO VALLEY, CA	92557-5040	253.92	25.39	50.28	329.58
31341545008	475100009	PLAXICO, DON P (OWNR) APTS	11281	DAVIS ST	MORENO VALLEY	CA	92557-5040	PLAXICO, DON P	11279A DAVIS ST	MORENO VALLEY, CA	92557-5040	762.06	76.21	150.89	989.14
31595255009	475100021	RIVAS, ANGELINA	24010	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5528	RIVAS, ANGELINA	24010 SANDY GLADE AVE	MORENO VALLEY, CA	92557-5528	404.62	40.46	80.11	525.18
94829445007	475100024	ALVAREZ, ERNIE (OWNR)	24050	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5528	ALVAREZ, ERNIE	24050 SANDY GLADE AVE	MORENO VALLEY, CA	92557-5528	247.13	24.71	48.93	320.76
53309005001	475100026	MITCHELL, SUE	24080	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5528	MITCHELL, SUE	24080 SANDY GLADE	MORENO VALLEY, CA	92557-5528	254.02	25.4	50.3	329.7
59154165001	475100029	CABRAL, RAMON	24083	ROSELEAF PL	MORENO VALLEY	CA	92557-5536	CABRAL, RAMON	24083 ROSELEAF PL	MORENO VALLEY, CA	92557-5536	127.46	12.75	25.24	165.44
56705015005	475100032	NEWBERRY, LOUISE	24065	ROSELEAF PL	MORENO VALLEY	CA	92557-5536	NEWBERRY, LOUISE	24065 ROSELEAF PL	MORENO VALLEY, CA	92557-5536	104.02	10.4	20.6	135
31074465001	475100034	MORETTI, TRACY	24051	ROSELEAF PL	MORENO VALLEY	CA	92557-5536	MORETTI, TRACY	24051 ROSELEAF PL	MORENO VALLEY, CA	92557-5536	329.32	32.93	65.21	427.44
31557075007	475100051	NETTLES, DAVID	11328	GREEN GLEN ST	MORENO VALLEY	CA	92557-5535	NETTLES, DAVID	11328 GREEN GLEN ST	MORENO VALLEY, CA	92557-5535	46.02	4.6	9.11	59.72
96212965000	475100055	MALTA, ALBERT	11360	GREEN GLEN ST	MORENO VALLEY	CA	92557-5535	MALTA, ALBERT	11475 DAVIS ST	MORENO VALLEY, CA	92557-5537	257.82	25.78	51.05	334.64
31591553002	475100056	REINA, DORA (OWNR)	11312	BLUEWOOD PL	MORENO VALLEY	CA	92557-5532	REINA, DORA	11312 BLUEWOOD PL	MORENO VALLEY, CA	92557-5532	62.5	6.25	12.38	81.12
90213345009	475100061	SAMS, ROCHELLE	11347	SAGEWOOD PL	MORENO VALLEY	CA	92557-5531	SAMS, ROCHELLE	11347 SAGEWOOD PL	MORENO VALLEY, CA	92557-5531	253.92	25.39	50.28	329.58
86694275000	475100068	HERNANDEZ, CRYSTAL (RENT)	11343	DAVIS ST	MORENO VALLEY	CA	92557-5002	HERNANDEZ, CRYSTAL	11343 DAVIS ST	MORENO VALLEY, CA	92557-5002	254.12	25.41	50.32	329.84
31344565007	475100070	MARTINEZ, RAUL	11321	DAVIS ST	MORENO VALLEY	CA	92557-5002	MARTINEZ, RAUL	11321 DAVIS ST	MORENO VALLEY, CA	92557-5002	154.02	15.4	30.5	199.9
96803185004	475100071	ADAMS, WAYNE (OWNR)	11273	DAVIS ST	MORENO VALLEY	CA	92557-5040	ADAMAS, WAYNE	11273 DAVIS ST	MORENO VALLEY, CA	92557-5040	254.12	25.41	50.32	329.84
31383065000	475111001	TUCKER, DARRELL	24011	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5529	TUCKER, DARRELL	24011 SANDY GLADE	MORENO VALLEY, CA	92557-5529	254.02	25.4	50.3	329.7
97031725008	475111003	BLACKBURN, SUSAN (RENT)	24039	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5529	BLACKBURN, SUSAN	24039 SANDY GLADE AVE	MORENO VALLEY, CA	92557-5529	254.12	25.41	50.32	329.84
31394545007	475111006	MORTON, OBELL	24081	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5529	MORTON, OBELL	24081 SANDY GLADE	MORENO VALLEY, CA	92557-5529	379.23	37.92	75.09	492.24
96156235007	475111014	ESPINOZA, KIMBERLY (RENT)	11456	TRIUMPH LN	MORENO VALLEY	CA	92557-5543	ESPINOZA, KIMBERLY	11456 TRIUMPH LN	MORENO VALLEY, CA	92557-5543	229.12	22.91	45.37	297.38
94775895007	475111015	SANTOS, MR (RENT)	11440	TRIUMPH LN	MORENO VALLEY	CA	92557-5543	SANTOS, MR	11440 TRIUMPH LN	MORENO VALLEY, CA	92557-5543	155.2	15.52	30.73	201.44
96481065004	475111016	GLOVER, ARCHIE (OWNR)	11426	TRIUMPH LN	MORENO VALLEY	CA	92557-5543	GLOVER, ARCHIE	11426 TRIUMPH LN	MORENO VALLEY, CA	92557-5543	329.6	32.96	65.26	427.82
61164905001	475111020	ACOSTA, DAVID AND ANABERTHA	11399	TRIUMPH LN	MORENO VALLEY	CA	92557-5543	ACOSTA, DAVID AND ANABERTHA	11399 TRIUMPH LN	MORENO VALLEY, CA	92557-5543	63.63	6.36	12.6	82.58
49831615003	475111030	WALKER, MELVIN	11380	SANDSTONE PL	MORENO VALLEY	CA	92557-5527	WALKER, MELVIN	11380 SANDSTONE	MORENO VALLEY, CA	92557-5527	198.69	19.87	39.34	257.88
94252425006	475111035	TREANOR, BRITTANY (OWNR)	11453	SANDSTONE PL	MORENO VALLEY	CA	92557-5527	TREANOR, BRITTANY	11453 SANDSTONE PL	MORENO VALLEY, CA	92557-5527	254.12	25.41	50.32	329.84
31134805002	475111053	MALTA, ALBERT	11475	DAVIS ST	MORENO VALLEY	CA	92557-5537	MALTA, ALBERT	11475 DAVIS ST	MORENO VALLEY, CA	92557-5537	329.32	32.93	65.21	427.44
87153023009	475112002	CALDERON, ADRIENNA (RENT)	24027	SANDBOW ST	MORENO VALLEY	CA	92557-5526	CALDERON, ADRIENNA	24027 SANDBOW ST	MORENO VALLEY, CA	92557-5526	254.12	25.41	50.32	329.84
57065055004	475112003	RAMOS, BELISARIO	24043	SANDBOW ST	MORENO VALLEY	CA	92557-5526	RAMOS, BELISARIO	24043 SANDBOW	MORENO VALLEY, CA	92557-5526	190.69	19.07	37.76	247.5
97672239002	475112006	BECERRA, LORENA (OWNR)	24087	SANDBOW ST	MORENO VALLEY	CA	92557-5526	BECERRA, LORENA	24087 SANDBOW ST	MORENO VALLEY, CA	92557-5526	182.75	18.28	36.18	237.2
31144545006	475120001	GILMORE, JERI	11455	DAYBREAK TRL	MORENO VALLEY	CA	92557-5504	GILMORE, JERI	11455 DAYBREAK TR	MORENO VALLEY, CA	92557-5504	254.02	25.4	50.3	329.7
31082675000	475120010	DHALIWAL, MANOHAR	11395	DAYBREAK TRL	MORENO VALLEY	CA	92557-5504	DHALIWAL, MANOHAR	11395 DAYBREAK TR	MORENO VALLEY, CA	92557-5504	254.02	25.4	50.3	329.7
31304385009	475120011	SLAUGHTER, RONALD	11383	DAYBREAK TRL	MORENO VALLEY	CA	92557-5504	SLAUGHTER, RONALD	11383 DAYBREAK TR	MORENO VALLEY, CA	92557-5504	204.32	20.43	40.46	265.2
94772725000	475121007	MORANTE, ERNESTO (OWNR)	11464	DAYBREAK TRL	MORENO VALLEY	CA	92557-5503	MORANTE, ERNESTO	11464 DAYBREAK TRL	MORENO VALLEY, CA	92557-5503	254.12	25.41	50.32	329.84
31591675000	475121009	NORBY, CHRISTINA	11449	MORNING STAR LN	MORENO VALLEY	CA	92557-5502	NORBY, CHRISTINA	11449 MORNING STAR LN	MORENO VALLEY, CA	92557-5502	254.02	25.4	50.3	329.7
69973975002	475121011	GONZALEZ, CARLOS	11425	MORNING STAR LN	MORENO VALLEY	CA	92557-5502	GONZALEZ, CARLOS	11425 MORNING STAR LN	MORENO VALLEY, CA	92557-5502	254.02	25.4	50.3	329.7
31633335002	475121016	SHONO, SHEILA AND DAVID	11412	MORNING STAR LN	MORENO VALLEY	CA	92557-5502	SHONO, SHEILA AND DAVID	11412 MORNING STAR LN	MORENO VALLEY, CA	92557-5502	254.02	25.4	50.3	329.7
31355915005	475131001	DELAWYER, PATTY	11381	BRIGHT STAR TRL	MORENO VALLEY	CA	92557-5617	DELAWYER, PATTY	11381 BRIGHT STAR TR	MORENO VALLEY, CA	92557-5617	329.32	32.93	65.21	427.44
31529565003	475131004	BRADLEY, ANITA	11417	BRIGHT STAR TRL	MORENO VALLEY	CA	92557-5617	BRADLEY, ANITA	11417 BRIGHT STAR TR	MORENO VALLEY, CA	92557-5617	63.28	6.33	12.53	82.12
87747585000	475131005	NUNEZ, GLORIA	11433	BRIGHT STAR TRL	MORENO VALLEY	CA	92557-5617	NUNEZ, GLORIA	11433 BRIGHT STAR TR	MORENO VALLEY, CA	92557-5617	254.12	25.41	50.32	329.84
55251495000	475131006	SANCHEZ, HERMAN	11445	BRIGHT STAR TRL	MORENO VALLEY	CA	92557-5617	SANCHEZ, HERMAN	11445 BRIGHT STAR TR	MORENO VALLEY, CA	92557-5617	254.02	25.4	50.3	329.7
31510335002	475132003	MENDOZA, CLEMA	24591	SUNDIAL WAY	MORENO VALLEY	CA	92557-5609	MENDOZA, CLEMA	24591 SUNDIAL WAY	MORENO VALLEY, CA	92557-5609	254.12	25.41	50.32	329.84
31624725009	475132004	VENEGAS, CARLOS	24611	SUNDIAL WAY	MORENO VALLEY	CA	92557-5609	VENEGAS, CARLOS	24611 SUNDIAL WAY	MORENO VALLEY, CA	92557-5609	193.85	19.39	38.38	251.6
97533125009	475132010	RAINER, LESLIE (RENT)	24769	SUNDIAL WAY	MORENO VALLEY	CA	92557-5612	RAINER, LESLIE	24769 SUNDIAL WAY	MORENO VALLEY, CA	92557-5612	254.12	25.41	50.32	329.84
97997065018	475132013	DE LA ROCHA, MARIO	24831	SUNDIAL WAY	MORENO VALLEY	CA	92557-5614	DE LA ROCHA, MARIO	24831 SUNDIAL WAY	MORENO VALLEY, CA	92557-5614	449.96	45	89.09	584.04
54548005002	475132015	DE LA PAZ, CARLOS	24871	SUNDIAL WAY	MORENO VALLEY	CA	92557-5614	DE LA PAZ, CARLOS	24871 SUNDIAL WAY	MORENO VALLEY, CA	92557-5614	254.02	25.4	50.3	329.7
92902955006	475132018	CLAIRE, RENE AND TERESA (RENT)	24927	SUNDIAL WAY	MORENO VALLEY	CA	92557-5614	CLAIRE, RENE AND TERESA	14882 DOVEHURST ST	MORENO VALLEY, CA	92553-3960	184.03	18.4	36.44	238.86
99640565003	475132024	FORBES, SHOLAN (RENT)	11379	HUBBARD ST	MORENO VALLEY	CA	92557-5648	NELSON, REBECCA - OWNR	28290LOCUST AVE	MORENO VALLEY, CA	92555-5648	291.14	29.11	57.65	377.88
55801815005	475132025	TRAUTH, PAUL	11393	HUBBARD ST	MORENO VALLEY	CA	92557-5648	TRAUTH, PAUL	11393 HUBBARD ST	MORENO VALLEY, CA	92557-5648	254.02	25.4	50.3	329.7
31061375007	475133003	GIBSON, STEVE	24646	SUNDIAL WAY	MORENO VALLEY	CA	92557-5611	GIBSON, STEVE	24646 SUNDIAL WAY	MORENO VALLEY, CA	92557-5611	190.69	19.07	37.76	247.5
55642315008	475133007	LOPEZ, GABRIELA	24758	SUNDIAL WAY	MORENO VALLEY	CA	92557-5611	LOPEZ, GABRIELA	24758 SUNDIAL WY	MORENO VALLEY, CA	92557-5611	254.02	25.4	50.3	329.7
83565015000	475133008	FLORES, REBECCA	24784	SUNDIAL WAY	MORENO VALLEY	CA	92557-5611	FLORES, REBECCA	24784 SUNDIAL WAY	MORENO VALLEY, CA	92557-5611	254.02	25.4	50.3	329.7
31414425008	475133009	ALONSO, RAMONE	24808	SUNDIAL WAY	MORENO VALLEY	CA	92557-5613	ALONSO, RAMONE	24808 SUNDIAL WAY	MORENO VALLEY, CA	92557-5613	254.02	25.4	50.3	329.7
96209525003	475133015	SALAZAR, OLIVER (OWNR)	24825	MOONTIDE LN	MORENO VALLEY	CA	92557-5607	SALAZAR, OLIVER	24825 MOONTIDE LN	MORENO VALLEY, CA	92557-5607	254.12	25.41	50.32	329.84
56594835001	475133017	LOPEZ, LETICIA	24781	MOONTIDE LN	MORENO VALLEY	CA	92557-5618	LOPEZ, LETICIA	24781 MOONTIDE LN	MORENO VALLEY, CA	92557-5618	329.32	32.93	65.21	427.44
91510585006	475134003	BLACK, FRANCINA	24650	MOONTIDE LN	MORENO VALLEY	CA	92557-5605	BLACK, FRANCINA	24650 MOONTIDE LN	MORENO VALLEY, CA	92557-5605	253.92	25.39	50.28	329.58
31297645007	475134007	YATES, LA SHONDA	24756	MOONTIDE LN	MORENO VALLEY	CA	92557-5608	YATES, LA SHONDA	24756 MOONTIDE LN	MORENO VALLEY, CA	92557-5608	329.32	32.93	65.21	427.44
57503665006	475134008	NERI, ROBERT	24782	MOONTIDE LN	MORENO VALLEY	CA	92557-5608	NERI, ROBERT	24782 MOONTIDE LN	MORENO VALLEY, CA	92557-5608	282.23	28.22	55.88	366.32
31642495009	475134011	HANANIA, GEORGE	24852	MOONTIDE LN	MORENO VALLEY	CA	92557-5606	HANANIA, GEORGE	24852 MOONTIDE LN	MORENO VALLEY, CA	92557-5606	254.02	25.4	50.3	329.7
53069895004	475141007	CARPENTER, TROY	24816	RED RIVER RD	MORENO VALLEY	CA	92557-5620	CARPENTER, TROY	24816 RED RIVER RD	MORENO VALLEY, CA	92557-5620	247.48	24.75	49	321.22
31522465009	475141010	KITAYAMA, KIM	24860	RED RIVER RD	MORENO VALLEY	CA	92557-5620	KITAYAMA, KIM	24860 RED RIVER RD	MORENO VALLEY, CA	92557-5620	329.32	32.93	65.21	427.44
56884615000	475141013	MARTIN, FRANCIS	24861	RED RIVER RD	MORENO VALLEY	CA	92557-5621	MARTIN, FRANCIS	24861 RED RIVER RD	MORENO VALLEY, CA	92557-5621	254.12	25.41	50.32	329.84
31594685002	475141020	CRAIG, MARY	24858	ROCK SPRING TRL	MORENO VALLEY	CA	92557-5623	CRAIG, MARY	24858 ROCK SPRING TR	MORENO VALLEY, CA	92557-5623	254.02	25.4	50.3	329.7
90313875005	475141031	HARRIS, ROBERT	11473	PERRIS BLVD	MORENO VALLEY	CA	92557-5660	HARRIS, ROBERT	11473 PERRIS BLV	MORENO VALLEY, CA	92557-5660	121.32	12.13	24.02	157.46
53548985008	475141035	LAZANO, GLORIA	24950	GEM CT	MORENO VALLEY	CA	92557-5627	LAZANO, GLORIAN	24950 GEM CT	MORENO VALLEY, CA	92557-5627	141.18	14.12	27.95	183.24
69737535004	475141036	WITTER, LUCLEN	24980	GEM CT	MORENO VALLEY	CA	92557-5627	WITTER, LUCLEN	24980 GEM CT	MORENO VALLEY, CA	92557-5627	254.02	25.4	50.3	329.7
95306985001	475142010	LONGORIA, DARLENE (RENT)	11440	GOLD BLUFF RD	MORENO VALLEY	CA	92557-5625	LONGORIA, DARLENE	11440 GOLD BLUFF RD	MORENO VALLEY, CA	92557-5625	46.81	4.68	9.27	60.74
95931545009	475150005	HERNANDEZ, MIGUEL (OWNR)	11531	PERRIS BLVD	MORENO VALLEY	CA	92557-5662	HERNANDEZ, MIGUEL	11531 PERRIS BLVD	MORENO VALLEY, CA	92557-5662	254.12	25.41	50.32	329.84
73258125001	475150011	CISNEROS, GUADALUPE	11550	HUBBARD ST	MORENO VALLEY	CA	92557-5652	CISNEROS, GUADALUPE	1429 E 8TH ST T	BEAUMONT, CA	92223-2464	168.95	16.9	33.45	219.28
59329945009	475150012	GOODIN III, CHARLES (OWNR)	11520	HUBBARD ST	MORENO VALLEY	CA	92557-5652	GOODIN III, CHARLES	11520 HUBBARD ST	MORENO VALLEY, CA	92557-5652	168.36	16.84	33.34	218.52
92726423001	475150023	GRIMES, KRYSTLE (RENT)	24808	METRIC DR	MORENO VALLEY	CA	92557-5634	GRIMES, KRYSTLE	24808 METRIC DR	MORENO VALLEY, CA	92557-5634	189.76	18.98	37.57	246.3
31134065007	475150024	WASHINGTON, KENNETH	24820	METRIC DR	MORENO VALLEY	CA	92557-5634	WASHINGTON, KENNETH	24820 METRIC DR	MORENO VALLEY, CA	92557-5634	254.02	25.4	50.3	329.7
94185255003	475150026	SOTO, JESUS AND TAMMY (RENT)	24844	METRIC DR	MORENO VALLEY	CA	92557-5634	SOTO, JESUS AND TAMMY	24844 METRIC DR	MORENO VALLEY, CA	92557-5634	63.63	6.36	12.6	82.58
31586705004	475150036	FINLEY, RON	24785	METRIC DR	MORENO VALLEY	CA	92557-5635	FINLEY, RON	24785 METRIC DR	MORENO VALLEY, CA	92557-5635	254.02	25.4	50.3	329.7
31373235006	475150043	SANDOVAL, ASUNCION	24865	KALMIA AVE	MORENO VALLEY	CA	92557-5630	SANDOVAL, ASUNCION	24865 KALMIA AVE	MORENO VALLEY, CA	92557-5630	23.49	2.35	4.65	30.48
95934355002	475160005	MALDONADO, JOSE SOCORRO (OWNR)	11503	HUBBARD ST	MORENO VALLEY	CA	92557-5653	MALDONADO, JOSE SOCORRO	11503 HUBBARD ST	MORENO VALLEY, CA	92557-5653	323.76	32.38	64.1	420.24
66026365000	475160009	PARADA, MARIA	24696	HILTON DR	MORENO VALLEY	CA	92557-5636	PARADA, MARIA	24696 HILTON DR	MORENO VALLEY, CA	92557-5636	254.12	25.41	50.32	329.84
31065555000	475160014	SINGLETARY, JOHN	11567	HUBBARD ST	MORENO VALLEY	CA	92557-5653	SINGLETARY, JOHN	11567 HUBBARD ST	MORENO VALLEY, CA	92557-5653	254.02	25.4	50.3	329.7
31095035007	475160043	BARRETT, CLARA	11519	PROSPERITY LN	MORENO VALLEY	CA	92557-5640	BARRETT, CLARA	11519 PROSPERITY LN	MORENO VALLEY, CA	92557-5640	254.02	25.4	50.3	329.7
31514465006	475160044	SIMS, DUANE	11523	PROSPERITY LN	MORENO VALLEY	CA	92557-5640	SIMS, DUANE	11523 PROSPERITY LN	MORENO VALLEY, CA	92557-5640	190.79	19.08	37.78	247.64
31276585007	475160051	RICE, CHARLES	11603	PROSPERITY LN	MORENO VALLEY	CA	92557-5622	RICE, CHARLES	11603 PROSPERITY LN	MORENO VALLEY, CA	92557-5622	153.92	15.39	30.48	199.78
97059505005	475160064	MONTERO, LAURA (RENT)	11520	INDIAN ST	MORENO VALLEY	CA	92557-6315	MONTERO, LAURA	11520 INDIAN ST	MORENO VALLEY, CA	92557-6315	127.46	12.75	25.24	165.44
97120545007	475170008	MALTA, ALBERT	11558	DAVIS ST	MORENO VALLEY	CA	92557-5525	MALTA, ALBERT	11475 DAVIS ST	MORENO VALLEY, CA	92557-5537	420.76	42.08	83.31	546.14

MV00167449

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
60089465002	475170010	PORRAS, WARNER	11588	DAVIS ST	MORENO VALLEY	CA	92557-5525	PORRAS, WARNER	11588 DAVIS ST	MORENO VALLEY, CA	92557-5525	63.83	6.38	12.64	82.84
92112703005	475170011	WILLIAMS, CHRIS (RENT)	11517	DAYBREAK TRL	MORENO VALLEY	CA	92557-5506	WILLIAMS, CHRIS	29226 MELINDA CT	MORENO VALLEY, CA	92553-5976	80.31	8.03	15.9	104.24
71023535005	475170014	PARSON, REGINA	11559	DAYBREAK TRL	MORENO VALLEY	CA	92557-5506	PARSON, REGINA	11559 DAYBREAK TR	MORENO VALLEY, CA	92557-5506	104.02	10.4	20.6	135
97109725002	475170016	JONES, BOBBY (OWNR)	11585	DAYBREAK TRL	MORENO VALLEY	CA	92557-5506	JONES, BOBBY	11585 DAYBREAK TRL	MORENO VALLEY, CA	92557-5506	127.46	12.75	25.24	165.44
63015265007	475170018	LAKA, HUMMIN	11598	SPYGLASS CIR	MORENO VALLEY	CA	92557-5512	LAKA, HUMMIN	11598 SPYGLASS CIR	MORENO VALLEY, CA	92557-5512	190.79	19.08	37.78	247.64
88403455006	475170020	COLLIER, JOHN	11572	SPYGLASS CIR	MORENO VALLEY	CA	92557-5512	COLLIER, JOHN	11572 SPYGLASS CIR	MORENO VALLEY, CA	92557-5512	254.12	25.41	50.32	329.84
61347875008	475170028	THOMAS, MARK (OWNR)	11543	SPYGLASS CIR	MORENO VALLEY	CA	92557-5513	THOMAS, MARK	9318 139TH CT NE	REDMOND, WA	98052-6428	254.12	25.41	50.32	329.84
97046615009	475170032	PRITCHETT, DEBORAH (RENT)	11597	SPYGLASS CIR	MORENO VALLEY	CA	92557-5513	PRITCHETT, DEBORAH	11597 SPYGLASS CIR	MORENO VALLEY, CA	92557-5513	254.12	25.41	50.32	329.84
31114855003	475170035	ARAGON, ALBERT	11568	SEAPORT CIR	MORENO VALLEY	CA	92557-5514	ARAGON, ALBERT	11568 SEAPORT CIR	MORENO VALLEY, CA	92557-5514	254.02	25.4	50.3	329.7
95578315006	475170042	SHELTON, YVONNE	11525	SEAPORT CIR	MORENO VALLEY	CA	92557-5515	SHELTON, YVONNE	11525 SEAPORT CIR	MORENO VALLEY, CA	92557-5515	254.12	25.41	50.32	329.84
59335065007	475170043	GONZALEZ, RUTH	11539	SEAPORT CIR	MORENO VALLEY	CA	92557-5515	GONZALEZ, RUTH	11539 SEAPORT CIR	MORENO VALLEY, CA	92557-5515	254.12	25.41	50.32	329.84
31478835007	475171003	MILNE, EDWARD	24267	MOONRAKER LN	MORENO VALLEY	CA	92557-5510	MILNE, EDWARD	24267 MOONRAKER LN	MORENO VALLEY, CA	92557-5510	254.02	25.4	50.3	329.7
93772585000	475171006	COMBS, JOSHUA (RENT)	24299	MOONRAKER LN	MORENO VALLEY	CA	92557-5510	COMBS, JOSHUA	24299 MOONRAKER LN	MORENO VALLEY, CA	92557-5510	266.17	26.62	52.7	345.48
49604965000	475171010	VARGAS, JUDITH (OWNR)	24345	MOONRAKER LN	MORENO VALLEY	CA	92557-5510	VARGAS, JUDITH	24345 MOONRAKER LN	MORENO VALLEY, CA	92557-5510	254.02	25.4	50.3	329.7
66579085007	475171011	ROCHA, FRANCISCO AND ROSARIO	24357	MOONRAKER LN	MORENO VALLEY	CA	92557-5510	ROCHA, FRANCISCO AND ROSARIO	24357 MOONRAKER LN	MORENO VALLEY, CA	92557-5510	254.12	25.41	50.32	329.84
87872265003	475171017	GOMEZ, ERICK	24429	MOONRAKER LN	MORENO VALLEY	CA	92557-5510	GOMEZ, ERICK	24429 MOONRAKER LN	MORENO VALLEY, CA	92557-5510	126.86	12.69	25.12	164.66
31627735000	475171022	FINEGEN, ANNA	11578	RIDGECREST LN	MORENO VALLEY	CA	92557-5509	FINEGEN, ANNA	11578 RIDGECREST LN	MORENO VALLEY, CA	92557-5509	154.02	15.4	30.5	199.9
100239313008	475172003	BADEMCI, MULIGAN (RENT)	11538	RIDGECREST LN	MORENO VALLEY	CA	92557-5507	BADEMCI, MULIGAN	11538 RIDGECREST LN	MORENO VALLEY, CA	92557-5507	103.31	10.33	20.46	134.08
31119745006	475172010	KING, JON	11569	RIDGECREST LN	MORENO VALLEY	CA	92557-5508	KING, JON	11569 RIDGECREST LN	MORENO VALLEY, CA	92557-5508	254.02	25.4	50.3	329.7
60692725000	475172011	SHAFF, ALZORA	11579	RIDGECREST LN	MORENO VALLEY	CA	92557-5508	SHAFF, ALZORA	11579 RIDGECREST LN	MORENO VALLEY, CA	92557-5508	254.12	25.41	50.32	329.84
72529955001	475172012	ARROYO, PATRICIA	11599	RIDGECREST LN	MORENO VALLEY	CA	92557-5508	ARROYO, PATRICIA	11599 RIDGECREST LN	MORENO VALLEY, CA	92557-5508	115.37	11.54	22.84	149.74
31082695006	475172019	ANTONUCCI, ALBERT	11516	DAYBREAK TRL	MORENO VALLEY	CA	92557-5505	ANTONUCCI, ALBERT	11690 IVY LN	MORENO VALLEY, CA	92557-6530	190.69	19.07	37.76	247.5
31560425008	475181017	PETORELLA, JOSEPH E (RENT)	11598	LEISURE WAY	MORENO VALLEY	CA	92557-5522	PETORELLA, JOSEPH E	11598 LEISURE WAY	MORENO VALLEY, CA	92557-5522	127.36	12.74	25.22	165.3
60615045004	475181032	LEYVA, YOLANDA	11573	LEISURE WAY	MORENO VALLEY	CA	92557-5523	LEYVA, YOLANDA	11573 LEISURE WAY	MORENO VALLEY, CA	92557-5523	254.12	25.41	50.32	329.84
31094585004	475181033	WHITSETT, MICHAEL AND PATRICIA	11561	LEISURE WAY	MORENO VALLEY	CA	92557-5523	WHITSETT, MICHAEL AND PATRICIA	11561 LEISURE WAY	MORENO VALLEY, CA	92557-5523	254.02	25.4	50.3	329.7
64887315008	475182001	CHAVEZ, GRACE	11508	TRIUMPH LN	MORENO VALLEY	CA	92557-5520	CHAVEZ, GRACE	11508 TRIUMPH LN	MORENO VALLEY, CA	92557-5520	247.52	24.75	49.01	321.28
80500445000	475182002	GUZMAN, JASON	11518	TRIUMPH LN	MORENO VALLEY	CA	92557-5520	GUZMAN, JASON	11518 TRIUMPH LN	MORENO VALLEY, CA	92557-5520	254.02	25.4	50.3	329.7
98191085013	475182008	WEST, JAMES AND MELISSA	11588	TRIUMPH LN	MORENO VALLEY	CA	92557-5520	WEST, JAMES AND MELISSA	1 PLAZA SOUTH ST	TAHLEQUAH, OK	74464-4750	387.84	38.78	76.79	503.4
31158885004	475182030	SANDERS, PAULA	11621	KASBA CIR	MORENO VALLEY	CA	92557-5516	SANDERS, PAULA	11621 KASBA CIR	MORENO VALLEY, CA	92557-5516	190.69	19.07	37.76	247.5
31638785006	475182037	MEDINA, TIMOTHY	11618	KASBA CIR	MORENO VALLEY	CA	92557-5516	MEDINA, TIMOTHY	11618 KASBA CIR	MORENO VALLEY, CA	92557-5516	254.12	25.41	50.32	329.84
94941193002	475182042	JONES, BRYAN	11533	DAVIS ST	MORENO VALLEY	CA	92557-5538	NO, SERVICE	11533 DAVIS ST	MORENO VALLEY, CA	92557-5538	171.48	17.15	33.95	222.58
88412925009	475182045	VACA, CARLOS	11561	DAVIS ST	MORENO VALLEY	CA	92557-5538	VACA, CARLOS	11561 DAVIS ST	MORENO VALLEY, CA	92557-5538	329.6	32.96	65.26	427.82
54256545000	475190017	WILLIAMS, MILDRED	24175	GREGORY LN	MORENO VALLEY	CA	92557-5519	WILLIAMS, MILDRED	PO BOX 902	MORENO VALLEY, CA	92556-0902	104.48	10.45	20.69	135.6
92893815007	475190021	BOLAJEH, ABIN (RENT)	11667	DAVIS ST	MORENO VALLEY	CA	92557-6336	BOLAJEH, ABIN	11667 DAVIS ST	MORENO VALLEY, CA	92557-6336	254.02	25.4	50.3	329.7
31462225009	475200003	PLAXCO, DON AND IDA	11672	DAVIS ST	MORENO VALLEY	CA	92557-6301	PLAXCO, DON AND IDA	11279A DAVIS ST	MORENO VALLEY, CA	92557-5040	254.02	25.4	50.3	329.7
98314545015	475200009	WALLS, E SHARRON	24266	VIRGINIA LN	MORENO VALLEY	CA	92557-6309	WALLS, E SHARRON	24266 VIRGINIA LN	MORENO VALLEY, CA	92557-6309	304.57	30.46	60.3	395.32
31577675009	475200014	AMEZCUA, ROSALBA	24304	VIRGINIA LN	MORENO VALLEY	CA	92557-6311	AMEZCUA, ROSALBA	24304 VIRGINIA LN	MORENO VALLEY, CA	92557-6311	34.05	3.41	6.74	44.18
31500765002	475200019	THORPE, THEODORE	24301	VIRGINIA LN	MORENO VALLEY	CA	92557-6312	THORPE, THEODORE	24301 VIRGINA LN	MORENO VALLEY, CA	92557-6312	190.79	19.08	37.78	247.64
31279415007	475200042	REUSKAUFF, JOE AND BERYL	11640	DAVIS ST	MORENO VALLEY	CA	92557-6301	REUSKAUFF, JOE AND BERYL	11640 DAVIS ST	MORENO VALLEY, CA	92557-6301	254.02	25.4	50.3	329.7
31247825008	475200046	MC FARLAND, DEANNA K	24379	WILLIS LN	MORENO VALLEY	CA	92557-6308	MC FARLAND, DEANNA K	24379 WILLIS LN	MORENO VALLEY, CA	92557-6308	329.32	32.93	65.21	427.44
31150115003	475210036	DELANDRO, FRANK	11666	PROSPERITY LN	MORENO VALLEY	CA	92557-5641	DELANDRO, FRANK	11666 PROSPERITY LN	MORENO VALLEY, CA	92557-5641	254.02	25.4	50.3	329.7
86627503002	475210038	MITCHELL, KENNETH AND STACY	11640	PROSPERITY LN	MORENO VALLEY	CA	92557-5641	MITCHELL, KENNETH	11640 PROSPERITY LN	MORENO VALLEY, CA	92557-5641	64.13	6.41	12.7	83.24
59843325006	475211001	MORALES, MONICA	11631	DEFIANCE WAY	MORENO VALLEY	CA	92557-5643	MORALES, MONICA	11631 DEFIANCE WAY	MORENO VALLEY, CA	92557-5643	329.6	32.96	65.26	427.82
31633645007	475211004	RAMOS, ALANA	11671	DEFIANCE WAY	MORENO VALLEY	CA	92557-5643	RAMOS, ALANA	11671 DEFIANCE WAY	MORENO VALLEY, CA	92557-5643	254.02	25.4	50.3	329.7
94576025002	475212013	ALLEN, BRYAN (OWNR)	11672	DEFIANCE WAY	MORENO VALLEY	CA	92557-5642	ALLEN, BRYAN	11672 DEFIANCE WAY	MORENO VALLEY, CA	92557-5642	254.12	25.41	50.32	329.84
31374755004	475220007	VARELA, LINDA	24810	VALECREST DR	MORENO VALLEY	CA	92557-6403	VARELA, LINDA	24810 VALECREST DR	MORENO VALLEY, CA	92557-6403	254.02	25.4	50.3	329.7
92421015005	475220039	GONZALEZ, ELIZABETH	11673	PERRIS BLVD	MORENO VALLEY	CA	92557-6537	GONZALEZ, ELIZABETH	11673 PERRIS BLV	MORENO VALLEY, CA	92557-6537	174.37	17.44	34.53	226.32
31362475008	475220069	SANCHEZ, SARA	11730	CAMINO DE LA VISTA DR	MORENO VALLEY	CA	92557-6414	SANCHEZ, SARA	11730 CAMINO DE LA VISTA	MORENO VALLEY, CA	92557-6414	254.02	25.4	50.3	329.7
87927845006	475221004	HOGUE, MARGART	24845	VALECREST DR	MORENO VALLEY	CA	92557-6404	HOGUE, MARGART	24845 VALECREST DR	MORENO VALLEY, CA	92557-6404	154.12	15.41	30.52	200.04
89945415004	475231001	ARCINIEGA, ROSA	24760	REDCLIFF CT	MORENO VALLEY	CA	92557-6405	ARCINIEGA, ROSA	24760 REDCLIFF CT	MORENO VALLEY, CA	92557-6405	323.22	32.32	64	419.52
70404125004	475231002	MORALES, LUZ AND EDGAR	24770	REDCLIFF CT	MORENO VALLEY	CA	92557-6405	MORALES, LUZ AND EDGAR	24770 REDCLIFF CT	MORENO VALLEY, CA	92557-6405	63.73	6.37	12.62	82.72
31331345001	475231008	TOLBERT SR, MICHAEL	24830	REDCLIFF CT	MORENO VALLEY	CA	92557-6405	TOLBERT SR, MICHAEL	24830 REDCLIFF CT	MORENO VALLEY, CA	92557-6405	329.32	32.93	65.21	427.44
93123525009	475231020	NAPUTI, SHANE	24761	REDCLIFF CT	MORENO VALLEY	CA	92557-6400	NAPUTI, SHANE	24761 REDCLIFF CT	MORENO VALLEY, CA	92557-6400	254.12	25.41	50.32	329.84
93002775002	475231022	LARGE, MARILYN (RENT)	24772	ENCHANTED WAY	MORENO VALLEY	CA	92557-6429	LARGE, MARILYN	24772 ENCHANTED WAY	MORENO VALLEY, CA	92557-6429	168.26	16.83	33.32	218.4
60863725007	475231025	NICKELL, JIM	24802	ENCHANTED WAY	MORENO VALLEY	CA	92557-6408	NICKELL, JIM	24802 ENCHANTED WAY	MORENO VALLEY, CA	92557-6408	204.12	20.41	40.42	264.94
31500875009	475231026	FERNANDEZ, JAVIER	24812	ENCHANTED WAY	MORENO VALLEY	CA	92557-6408	FERNANDEZ, JAVIER	24812 ENCHANTED WY	MORENO VALLEY, CA	92557-6408	254.12	25.41	50.32	329.84
91662045009	475231035	NGUYEN, ROSEMARY	11803	CAMINO DE LA VISTA DR	MORENO VALLEY	CA	92557-6415	NGUYEN, ROSEMARY	11803 CAMINO DE LA VISTA DR	MORENO VALLEY, CA	92557-6415	253.92	25.39	50.28	329.58
94351625004	475232002	CARAVANTES, JASON (OWNR)	24843	ENCHANTED WAY	MORENO VALLEY	CA	92557-6409	CARAVANTES, JASON	1386 W 8TH ST	UPLAND, CA	91786-7028	192.56	19.26	38.13	249.94
98319315012	475233005	JONES, JANET (RENT)	24975	ENCHANTED WAY	MORENO VALLEY	CA	92557-6411	JONES, JANET	24975 ENCHANTED WAY	MORENO VALLEY, CA	92557-6411	63.23	6.32	12.52	82.06
66883375002	475233010	COLEMAN, TERRENCE	24960	ENCHANTED WAY	MORENO VALLEY	CA	92557-6410	COLEMAN, TERRENCE	24960 ENCHANTED WAY	MORENO VALLEY, CA	92557-6410	254.12	25.41	50.32	329.84
31656065009	475233016	BARRAGAN, ERNESTO	24945	CAMINO DE ORO WAY	MORENO VALLEY	CA	92557-6407	BARRAGAN, ERNESTO	24945 CAMINO DE ORO WAY	MORENO VALLEY, CA	92557-6407	254.02	25.4	50.3	329.7
96480515002	475233021	MENDEZ, LAURA (OWNR)	24986	CAMINO DE ORO WAY	MORENO VALLEY	CA	92557-6406	MENDEZ, LAURA (OWNR)	24986 CAMINO DE ORO WAY	MORENO VALLEY, CA	92557-6406	54.12	5.41	10.72	70.24
31231065008	475233023	PASCUAL, ADRIENNE	24964	CAMINO DE ORO WAY	MORENO VALLEY	CA	92557-6406	PASCUAL, ADRIENNE	24964 CAMINO DE ORO WAY	MORENO VALLEY, CA	92557-6406	53.92	5.39	10.68	69.98
95207835005	475240004	ARCHUNDIA, HEIDY	11864	INDIAN ST	MORENO VALLEY	CA	92557-6304	ARCHUNDIA, HEIDY	11864 INDIAN ST	MORENO VALLEY, CA	92557-6304	323.76	32.38	64.1	420.24
95288145000	475240019	MONTOYA, MARTINA AND MARTIN	24536	COVINGTON WAY	MORENO VALLEY	CA	92557-6427	MONTOYA, MARTINA AND MARTIN	24536 COVINGTON WAY	MORENO VALLEY, CA	92557-6427	63.54	6.35	12.58	82.46
31243085002	475240028	MARINEZ, ROSA	24596	COVINGTON WAY	MORENO VALLEY	CA	92557-6427	MARINEZ, ROSA	24596 COVINGTON WAY	MORENO VALLEY, CA	92557-6427	254.02	25.4	50.3	329.7
31549545006	475240033	MOGHADDAM, NOSART	11841	KILGORE ST	MORENO VALLEY	CA	92557-6446	MOGHADDAM, NOSART	11841 KILGORE ST	MORENO VALLEY, CA	92557-6446	329.32	32.93	65.21	427.44
31426265005	475240044	BOARTFIELD, BOB	11821	HUBBARD ST	MORENO VALLEY	CA	92557-6440	BOARTFIELD, BOB	11821 HUBBARD ST	MORENO VALLEY, CA	92557-6440	190.69	19.07	37.76	247.5
58482355007	475250029	GUTIERREZ, MARIA BELEN (RENT)	11861	INDIAN ST	MORENO VALLEY	CA	92557-6306	GUTIERREZ, MARIA BELEN	11861 INDIAN ST	MORENO VALLEY, CA	92557-6306	254.12	25.41	50.32	329.84
31504955004	475250039	MARSHALL, CLAUDIA	24347	GROVEN LN	MORENO VALLEY	CA	92557-6334	MARSHALL, CLAUDIA	24347 GROVEN LN	MORENO VALLEY, CA	92557-6334	128.92	12.89	25.53	167.32
31085115001	475250045	BALDARAY, PETE	24396	GROVEN LN	MORENO VALLEY	CA	92557-6345	BALDARAY, PETE	24396 GROVEN LN	MORENO VALLEY, CA	92557-6345	254.02	25.4	50.3	329.7
31375915008	475250054	REVELES, DIEGO	24417	GROVEN LN	MORENO VALLEY	CA	92557-6346	REVELES, DIEGO	24417 GROVEN LN	MORENO VALLEY, CA	92557-6346	254.02	25.4	50.3	329.7
93385395001	475250063	PATRICK, LISA (OWNR)	24463	DUNLAVY CT	MORENO VALLEY	CA	92557-6314	PATRICK, LISA	24463 DUNLAVY CT	MORENO VALLEY, CA	92557-6314	254.12	25.41	50.32	329.84
31094145007	475250065	UEDA, MICHAEL	24487	DUNLAVY CT	MORENO VALLEY	CA	92557-6314	UEDA, MICHAEL	24487 DUNLAVY CT	MORENO VALLEY, CA	92557-6314	157.32	15.73	31.15	204.2
96231285007	475251005	NICHOLL, CHRISTIAN (RENT)	24452	DUNLAVY CT	MORENO VALLEY	CA	92557-6317	NICHOLL, CHRISTIAN (RENT)	14395 SUSANA CT	MORENO VALLEY, CA	92553-3567	157.75	15.78	31.23	204.74
31301245005	475251011	KHAN, ILYAS	24372	DUNLAVY CT	MORENO VALLEY	CA	92557-6313	KHAN, ILYAS	24372 DUNLAVY CT	MORENO VALLEY, CA	92557-6313	154.12	15.41	30.52	200.04
69295295003	475261010	VIVEROS, HECTOR (OWNR)	24072	GROVEN LN	MORENO VALLEY	CA	92557-6331	VIVEROS, HECTOR	24072 GROVEN LN	MORENO VALLEY, CA	92557-6331	254.02	25.4	50.3	329.7
91126605007	475261033	MORENO, MAGALY	24057	MADOLE DR	MORENO VALLEY	CA	92557-6341	MORENO, MAGALY	24057 MADOLE DR	MORENO VALLEY, CA	92557-6341	153.92	15.39	30.48	199.78
35577375005	475262003	POWERS, LAURA (RENT)	24071	GROVEN LN	MORENO VALLEY	CA	92557-6332	POWERS, LAURA	24071 GROVEN LN	MORENO VALLEY, CA	92557-6332	32.35	3.24	6.41	41.98
91601945008	475262007	CASTILLO-PARAMO, CARMEN (RENT)	24139	GROVEN LN	MORENO VALLEY	CA	92557-6325	CASTILLO-PARAMO, CARMEN (RENT)	827 MEYLER ST	SAN PEDRO, CA	90731-1430	41.2	4.12	8.16	53.46
95048565007	475263015	SINGLETON, KAREN (OWNR)	11774	NOTNIL CT	MORENO VALLEY	CA	92557-6347	SINGLETON, KAREN	11774 NOTNIL CT	MORENO VALLEY, CA	92557-6347	254.12	25.41	50.32	329.84
90473093001	475263023	HARRIS, JAYN	11802	GLADWAY CT	MORENO VALLEY	CA	92557-6329	HARRIS, JAYN	11802 GLADWAY CT	MORENO VALLEY, CA	92557-6329	164.54	16.45	32.58	213.56
68582255003	475263028	GARCIA, LIZETTE	24210	MADOLE DR	MORENO VALLEY	CA	92557-6363	GARCIA, LIZETTE	24210 MADOLE DR	MORENO VALLEY, CA	92557-6363	254.02	25.4	50.3	329.7
31065045008	475263030	ANDREWS, JOHN (OWNR)	11761	DAVIS ST	MORENO VALLEY	CA	92557-6316	ANDREWS, JOHN	PO BOX 69	MORENO VALLEY, CA	92556-0069	519.41	51.94	102.84	674.18
31294715003	475264006	RAMOS, ERNEST	11759	LANCEWOOD DR	MORENO VALLEY	CA	92557-6362	RAMOS, ERNEST	11759 LANCEWOOD DR	MORENO VALLEY, CA	92557-6362	254.02	25.4	50.3	329.7
93039195006	475264008	ALEMAN, KRIS (RENT)	11851	LANCEWOOD DR	MORENO VALLEY	CA	92557-6354	ALEMAN, KRIS	11861 LANCEWOOD DR	MORENO VALLEY, CA	92557-6354	202.41	20.24	40.08	262.72
31048005002	475271001	ROWE JR, RAYMOND	24011	KERNWOOD DR	MORENO VALLEY	CA	92557-6358	ROWE JR, RAYMOND	24011 KERNWOOD DR	MORENO VALLEY, CA	92557-6358	254.02	25.4	50.3	329.7
60005645002	475271003	VALENZUELA, JESUS	24037	KERNWOOD DR	MORENO VALLEY	CA	92557-6358	VALENZUELA, JESUS	24037 KERNWOOD DR	MORENO VALLEY, CA	92557-6358	285.61	28.56	56.55	370.72
92648425007	475272005	TAYLOR, SHARON	24070	KERNWOOD DR	MORENO VALLEY	CA	92557-6351	TAYLOR, SHARON	24070 KERNWOOD DR	MORENO VALLEY, CA	92557-6351	254.12	25.41	50.32	329.84
84827125000	475272010	BELTRAN, SARAH	24123	KERNWOOD DR	MORENO VALLEY	CA	92557-6359	BELTRAN, SARAH	2270 NELSON ST APT D	POMONA, CA	91766-5956	254.02	25.4	50.3	329.7
93071183001	475272012	BALDWIN, CYNTHIA	24095	KERNWOOD DR	MORENO VALLEY	CA	92557-6352	BALDWIN, CYNTHIA	24095 KERNWOOD DR	MORENO VALLEY, CA	92557-6352	133.82	13.38	26.5	173.68
31203675002	475272019	MC GUIRE, EDWARD	11881	ZANTAR LN	MORENO VALLEY	CA	92557-6350	MC GUIRE, EDWARD	11881 ZANTAR LN	MORENO VALLEY, CA	92557-6350	329.32	32.93	65.21	427.44
95371075006	475272042	VONCILE, HALL (RENT)	24130	IRONWOOD AVE	MORENO VALLEY	CA	92557-7202	VONCILE, HALL	24130 IRONWOOD AVE	MORENO VALLEY, CA	92557-7202	54.12	5.41	10.72	70.24
31355695006	475272058	VICKERS, MICHAEL	24192	IRONWOOD AVE	MORENO VALLEY	CA	92557-7200	VICKERS, MICHAEL	24192 IRONWOOD AVE	MORENO VALLEY, CA	92557-7200	229.02	22.9	45.35	297.26
31617035005	475280007	VARGAS, MARIA (RENT)	11948	DAVIS ST	MORENO VALLEY	CA	92557-6326	VARGAS, MARIA	11948 DAVIS ST	MORENO VALLEY, CA	92557-6326	33.86	3.39	6.7	43.94
31287075001	475280021	SHEDLOCK, LUZ	24438	IRONWOOD AVE	MORENO VALLEY	CA	92557-7207	SHEDLOCK, LUZ	24438 IRONWOOD AVE	MORENO VALLEY, CA	92557-7207	254.02	25.4	50.3	329.7
92989528009	475280030	MUNOZ, GUILLERMINA (RENT)	11939	INDIAN ST	MORENO VALLEY	CA	92557-6306	MUNOZ, GUILLERMINA (RENT)	11939 INDIAN ST	MORENO VALLEY, CA	92557-6306	245.06	24.51	48.52	318.08
90621245004	475280047	FIGUEROA, IRMA	11960	KEVIN ST	MORENO VALLEY	CA	92557-6322	FIGUEROA, IRMA	11960 KEVIN ST	MORENO VALLEY, CA	92557-6322	253.92	25.39	50.28	329.58
31269245004	475280068	BERTRAND, ANTHONY	11890	DAVIS ST	MORENO VALLEY	CA	92557-6338	BERTRAND, ANTHONY	1407 E GAYLORD ST	MT PLEASANT, MI	48858-3626	254.02	25.4	50.3	329.7
31092715001	475280072	ROBERTS, JAMES	11950	DAVIS ST	MORENO VALLEY	CA	92557-6326	ROBERTS, JAMES	11950 DAVIS ST	MORENO VALLEY, CA	92557-6326	254.02	25.4	50.3	329.7
31399415003	475280089	VILLEGAS, TANISHA	24464	IRONWOOD AVE	MORENO VALLEY	CA	92557-7207	VILLEGAS, TANISHA	24464 IRONWOOD AVE	MORENO VALLEY, CA	92557-7207	63.7	6.37	12.61	82.68

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31471255003	475280091	DELBRUEGGE, DON	24446	IRONWOOD AVE	MORENO VALLEY	CA	92557-7207	DELBRUEGGE, DON	PO BOX 8781	MORENO VALLEY, CA	92552-8781	179.08	17.91	35.46	232.44
31348165002	475292004	NEWMAN, JERRY	11921	HUBBARD ST	MORENO VALLEY	CA	92557-6422	NEWMAN, JERRY	11921 HUBBARD ST	MORENO VALLEY, CA	92557-6422	223.49	22.35	44.25	290.08
70406615006	475292005	VASQUEZ, MARIA	11933	HUBBARD ST	MORENO VALLEY	CA	92557-6422	VASQUEZ, MARIA	11933 HUBBARD ST	MORENO VALLEY, CA	92557-6422	254.02	25.4	50.3	329.7
82042495000	475292008	LANDIN, MIGUEL	11977	HUBBARD ST	MORENO VALLEY	CA	92557-6422	LANDIN, MIGUEL	1097 N STATE ST SPC 116	HEMET, CA	92543-1530	254.02	25.4	50.3	329.7
31144435009	475292017	GORDON, HARRIET	11898	KILGORE ST	MORENO VALLEY	CA	92557-6445	GORDON, HARRIET	11898 KILGORE ST	MORENO VALLEY, CA	92557-6445	57.27	5.73	11.34	74.32
94138695000	475293003	ROSA, LUIS (RENT)	11966	INDIAN ST	MORENO VALLEY	CA	92557-6305	ROSA, LUIS	11966 INDIAN ST	MORENO VALLEY, CA	92557-6305	254.12	25.41	50.32	329.84
97216153004	475293006	RODRIGUEZ, EDNA (RENT)	11936	INDIAN ST	MORENO VALLEY	CA	92557-6305	RODRIGUEZ, EDNA	11936 INDIAN ST	MORENO VALLEY, CA	92557-6305	128.34	12.83	25.41	166.58
67349255008	475293012	SILVA, JOHN	11901	OHIO ST	MORENO VALLEY	CA	92557-6432	SILVA, JOHN	11901 OHIO ST	MORENO VALLEY, CA	92557-6432	254.12	25.41	50.32	329.84
31271405006	475293015	CARDENAS, RAMON	11927	OHIO ST	MORENO VALLEY	CA	92557-6432	CARDENAS, RAMON	11927 OHIO	MORENO VALLEY, CA	92557-6432	254.12	25.41	50.32	329.84
52704465007	475293017	PURTHER, DELORES	24550	IRONWOOD AVE	MORENO VALLEY	CA	92557-7801	PURTHER, LAWRENCE	24550 IRONWOOD AVE	MORENO VALLEY, CA	92557-7801	130	13	25.74	168.74
31517835002	475293018	MUNOZ, AFRICA	24546	IRONWOOD AVE	MORENO VALLEY	CA	92557-7801	MUNOZ, AFRICA	24546 IRONWOOD AVE	MORENO VALLEY, CA	92557-7801	190.59	19.06	37.74	247.38
31350785008	475293027	BARNES, FRANK	11899	WELLER PL	MORENO VALLEY	CA	92557-6434	BARNES, FRANK	11899 WELLER PL	MORENO VALLEY, CA	92557-6434	254.02	25.4	50.3	329.7
93073955005	475293044	MILLER, DAVID	11911	WELBY PL	MORENO VALLEY	CA	92557-6436	MILLER, DAVID	11911 WELBY PL	MORENO VALLEY, CA	92557-6436	254.02	25.4	50.3	329.7
31066715005	475293045	BULLOCK, GORDON	11897	WELBY PL	MORENO VALLEY	CA	92557-6436	BULLOCK, GORDON	11897 WELBY PL	MORENO VALLEY, CA	92557-6436	329.32	32.93	65.21	427.44
38032345015	475293049	WILLIAMS, SAMANTHA (RENT)	11910	WELBY PL	MORENO VALLEY	CA	92557-6435	WILLIAMS, SAMANTHA	11910 WELBY PL	MORENO VALLEY, CA	92557-6435	181.2	18.12	35.88	235.18
96546835001	475293055	WINSTON, LAKEISHA (RENT)	11984	WELBY PL	MORENO VALLEY	CA	92557-6435	WINSTON, LAKEISHA	11984 WELBY PL	MORENO VALLEY, CA	92557-6435	42	4.2	8.32	54.5
65458785008	475293058	GUTIERREZ, JOSE (RENT)	11907	KILGORE ST	MORENO VALLEY	CA	92557-6438	GUTIERREZ, JOSE	25420 TODD DR	MORENO VALLEY, CA	92553-4163	103.15	10.32	20.42	133.88
31372705009	475293062	DAUSTER, FRANKLIN	11961	KILGORE ST	MORENO VALLEY	CA	92557-6438	DAUSTER, FRANKLIN	11961 KILGORE ST	MORENO VALLEY, CA	92557-6438	254.02	25.4	50.3	329.7
86420873004	475293064	RIVERA, NANETTE (OWNR)	11989	KILGORE ST	MORENO VALLEY	CA	92557-6438	RIVERA, NANETTE	11989 KILGORE ST	MORENO VALLEY, CA	92557-6438	129.6	12.96	25.66	168.22
31446515001	475300021	WASHINGTON, BILLY	24946	IRONWOOD AVE	MORENO VALLEY	CA	92557-7808	WASHINGTON, BILLY	161 ARBETH E	RIALTO, CA	92377-4701	329.32	32.93	65.21	427.44
31390295007	475300025	WALL, CHARLES	11987	PERRIS BLVD	MORENO VALLEY	CA	92557-6543	WALL, CHARLES	11987 PERRIS BLVD	MORENO VALLEY, CA	92557-6543	254.02	25.4	50.3	329.7
65941905008	475300038	GOMEZ, TERESA (OWNR)	11877	CAMINO DE LA VISTA DR	MORENO VALLEY	CA	92557-6416	GOMEZ, TERESA	15762 CAYMAN CIR	MORENO VALLEY, CA	92551-4629	53.42	5.34	10.58	69.32
59969745001	475300040	MONTOYA, SILVIA (RENT)	11897	CAMINO DE LA VISTA DR	MORENO VALLEY	CA	92557-6416	MONTOYA, SILVIA	11897 CAMINO DE LA VISTA DR	MORENO VALLEY, CA	92557-6416	329.6	32.96	65.26	427.82
31512105006	475300043	PAEZ, JAVIER	24911	ESCONDIDO CT	MORENO VALLEY	CA	92557-6413	PAEZ, GLORIA	24911 ESCONDIDO CT	MORENO VALLEY, CA	92557-6413	154.02	15.4	30.5	199.9
31541635004	475300054	MCKINLEY, CHAROLETTE	24920	ESCONDIDO CT	MORENO VALLEY	CA	92557-6413	MCKINLEY, CHAROLETTE	24920 ESCONDIDO CT	MORENO VALLEY, CA	92557-6413	254.12	25.41	50.32	329.84
31361765009	475300057	SALSEDO, SILVIA	11965	FOUCH LN	MORENO VALLEY	CA	92557-6417	SALSEDO, SILVIA	11965 FOUCH LN	MORENO VALLEY, CA	92557-6417	169.18	16.92	33.5	219.58
31062735000	475311003	SELNICK, PENIPIT	24530	SUMMERFIELD DR	MORENO VALLEY	CA	92557-5129	SELNICK, PENIPIT	224 CONDESSA CT	OCEANSIDE, CA	92057-6149	131.88	13.18	26.1	171.1
31438415009	475311012	PENA, NORBERTO	24510	ZUPPARDO WAY	MORENO VALLEY	CA	92557-5135	PENA, NORBERTO	24510 ZUPPARDO WAY	MORENO VALLEY, CA	92557-5135	63.63	6.36	12.6	82.58
61034485004	475311025	HARRIS, DARWIN	24575	ZUPPARDO WAY	MORENO VALLEY	CA	92557-5122	HARRIS, DARWIN	24575 ZUPPARDO WAY	MORENO VALLEY, CA	92557-5122	254.12	25.41	50.32	329.84
31471345005	475312010	LADESMA, OSCAR	11141	FERNVIEW PL	MORENO VALLEY	CA	92557-5112	LADESMA, OSCAR	11141 FERNVIEW PL	MORENO VALLEY, CA	92557-5112	64.05	6.41	12.68	83.12
31566125008	475312017	SOLARES, LUZ	24515	SUMMERFIELD DR	MORENO VALLEY	CA	92557-5130	SOLARES, LUZ	24515 SUMMERFIELD DR	MORENO VALLEY, CA	92557-5130	268.97	26.9	53.26	349.12
31162855002	475313005	LICERIO, DAVID	24553	SUNNY RIDGE DR	MORENO VALLEY	CA	92557-5137	LICERIO, DAVID	24553 SUNNY RIDGE DR	MORENO VALLEY, CA	92557-5137	63.63	6.36	12.6	82.58
64176395009	475313006	JONES, SHELLEY	24563	SUNNY RIDGE DR	MORENO VALLEY	CA	92557-5137	JONES, SHELLEY	24563 SUNNY RIDGE DR	MORENO VALLEY, CA	92557-5137	63.63	6.36	12.6	82.58
31422675008	475313008	REID, KELLY	24583	SUNNY RIDGE DR	MORENO VALLEY	CA	92557-5137	REID, KELLY	24583 SUNNY RIDGE DR	MORENO VALLEY, CA	92557-5137	254.02	25.4	50.3	329.7
31150825004	475314002	ZARETKI, STEVEN	11212	SUNGLOW DR	MORENO VALLEY	CA	92557-5143	ZARETKI, STEVEN	11212 SUNGLOW DR	MORENO VALLEY, CA	92557-5143	254.02	25.4	50.3	329.7
31193815006	475314005	BURROWES, JAMES AND GLORIA	11170	SUNGLOW DR	MORENO VALLEY	CA	92557-5109	BURROWES, JAMES AND GLORIA	11170 SUNGLOW DR	MORENO VALLEY, CA	92557-5109	190.69	19.07	37.76	247.5
31520805002	475321004	MENDOZA, FRANCISCO	24360	QUAPAW TRL	MORENO VALLEY	CA	92557-5030	MENDOZA, FRANCISCO	24360 QUAPAW TR	MORENO VALLEY, CA	92557-5030	63.63	6.36	12.6	82.58
54236935000	475321006	DUARTE, ROBERT	24388	QUAPAW TRL	MORENO VALLEY	CA	92557-5030	DUARTE, ROBERT	24388 QUAPAW TR	MORENO VALLEY, CA	92557-5030	329.32	32.93	65.21	427.44
96231245006	475321012	MARQUEZ, CINDY D (OWNR)	24462	QUAPAW TRL	MORENO VALLEY	CA	92557-5030	MARQUEZ, CINDY D	24462 QUAPAW TRL	MORENO VALLEY, CA	92557-5030	254.12	25.41	50.32	329.84
95947413002	475321019	LEDFORD, PATRICK (RENT)	24547	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5024	LEDFORD, PATRICK	24547 CHIPPEWA TRL	MORENO VALLEY, CA	92557-5024	105.72	10.57	20.93	137.22
92927045005	475321023	ORCOYNE-YORIO, MARIA (OWNR)	24062	QUAPAW TRL	MORENO VALLEY	CA	92557-5027	ORCOYNE-YORIO, MARIA (OWNR)	6862 SAN PACO CIR	BUENA PARK, CA	90620-2923	254.02	25.4	50.3	329.7
69650895003	475321029	ALMADA, KARIA	11060	DAVIS ST	MORENO VALLEY	CA	92557-5036	ALMADA, KARIA	11060 DAVIS ST	MORENO VALLEY, CA	92557-5036	254.02	25.4	50.3	329.7
63106495006	475322003	GORDON, EUGENE	24415	QUAPAW TRL	MORENO VALLEY	CA	92557-5031	GORDON, EUGENE	24415 QUAPAW TR	MORENO VALLEY, CA	92557-5031	329.6	32.96	65.26	427.82
93385085006	475322006	RUZZAMENTI, SUSAN (OWNR)	24365	QUAPAW TRL	MORENO VALLEY	CA	92557-5031	RUZZAMENTI, SUSAN	25534 KALMIA AVE	MORENO VALLEY, CA	92557-5803	254.12	25.41	50.32	329.84
97764003005	475322013	GUERRERO, MELISSA (RENT)	24366	PAWNEE TRL	MORENO VALLEY	CA	92557-5032	GUERRERO, MELISSA (RENT)	24366 PAWNEE TRL	MORENO VALLEY, CA	92557-5032	147.28	14.73	29.16	191.16
31319125002	475322017	MATA, YOLANDA (OWN)	24418	PAWNEE TRL	MORENO VALLEY	CA	92557-5034	MATA, YOLANDA	24418 PAWNEE TRL	MORENO VALLEY, CA	92557-5034	309.6	30.96	61.3	401.86
31285205008	475322024	SIPPLE, PAUL	24357	PAWNEE TRL	MORENO VALLEY	CA	92557-5033	SIPPLE, PAUL	24357 PAWNEE TRL	MORENO VALLEY, CA	92557-5033	253.92	25.39	50.28	329.58
93171695002	475322027	SOTO, MONIQUE (RENT)	24546	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5023	SOTO, MONIQUE	24546 CHIPPEWA TR	MORENO VALLEY, CA	92557-5023	39.02	3.9	7.73	50.64
87984675005	475322030	JONES, LAUREN	24580	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5023	JONES, LAUREN	22481 BAY AVE	MORENO VALLEY, CA	92553-8308	178.6	17.86	35.36	231.82
31279605009	475331002	RUVALCABA, FRANCISCO	24102	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5014	RUVALCABA, FRANCISCO	24102 CHIPPEWA TR	MORENO VALLEY, CA	92557-5014	54.02	5.4	10.7	70.1
31549635007	475331003	CLIVE, LUANA	24118	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5014	CLIVE, LUANA	24118 CHIPPEWA TR	MORENO VALLEY, CA	92557-5014	229.32	22.93	45.41	297.64
48291725008	475331004	BERDEJO, MARINO AND MARIA	24134	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5014	BERDEJO, MARINO AND MARIA	24134 CHIPPEWA TR	MORENO VALLEY, CA	92557-5014	254.02	25.4	50.3	329.7
58355795003	475331012	MONTGOMERY, JESSICA	24212	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5014	MONTGOMERY, JESSICA	24212 CHIPPEWA TR	MORENO VALLEY, CA	92557-5014	254.12	25.41	50.32	329.84
97126575007	475331013	CHRISTIAN, ANDREW (OWNR)	24224	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5014	CHRISTIAN, ANDREW	24224 CHIPPEWA TRL	MORENO VALLEY, CA	92557-5014	138.61	13.86	27.44	179.9
92224525006	475332004	GONZALEZ, CLARA (RENT)	24203	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5016	GONZALEZ, CLARA	24203 CHIPPEWA TR	MORENO VALLEY, CA	92557-5016	253.92	25.39	50.28	329.58
97617375007	475332006	FERRIS, STEVE (RENT)	24223	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5016	FERRIS, STEVE	11520 PROSPERITY LN	MORENO VALLEY, CA	92557-5639	145.08	14.51	28.73	188.3
53231425009	475333008	SANCHEZ, LETICIA	24211	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-5029	SANCHEZ, LETICIA	24211 BADGER SPRINGS TR	MORENO VALLEY, CA	92557-5029	144.69	14.47	28.65	187.8
92472915009	475333011	DOUGLAS, VINCENT	24011	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-5001	DOUGLAS, VINCENT	24011 BADGER SPRINGS TR	MORENO VALLEY, CA	92557-5001	254.02	25.4	50.3	329.7
31097425001	475333012	LARA, PAUL J	24023	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-5001	LARA, PAUL J	24023 BADGER SPRINGS TR	MORENO VALLEY, CA	92557-5001	329.32	32.93	65.21	427.44
31061815005	475333015	LANG, RAYMOND	24059	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-5001	LANG, RAYMOND	24059 BADGER SPRINGS TR	MORENO VALLEY, CA	92557-5001	254.02	25.4	50.3	329.7
66504755004	475334002	JONES, PAUL AND MYIESHA (OWN)	24052	ROYALE ST	MORENO VALLEY	CA	92557-5010	JONES, PAUL	24052 ROYALE ST	MORENO VALLEY, CA	92557-5010	127.46	12.75	25.24	165.44
99686963002	475334014	CROSS, ROBERT (RENT)	24025	FORSYTE ST	MORENO VALLEY	CA	92557-5007	CROSS, ROBERT (RENT)	8115 EUCLID AVE	WHITTIER, CA	90605-1021	63.63	6.36	12.6	82.58
35217815006	475335003	HIGGINS, DAVID (RENT)	24026	FORSYTE ST	MORENO VALLEY	CA	92557-5006	HIGGINS, DAVID	24026 FORSYTE ST	MORENO VALLEY, CA	92557-5006	254.12	25.41	50.32	329.84
31287785002	475335007	CRANDALL, ROBERT AND LUANNE	24008	FORSYTE ST	MORENO VALLEY	CA	92557-5006	CRANDALL, ROBERT AND LUANNE	24008 FORSYTE ST	MORENO VALLEY, CA	92557-5006	254.02	25.4	50.3	329.7
65095885007	475341003	PENA, ERICA	24216	FORSYTE ST	MORENO VALLEY	CA	92557-5004	PENA, ERICA	24216 FORSYTE ST	MORENO VALLEY, CA	92557-5004	259.12	25.91	51.31	336.32
31639215004	475341013	MONDRAGON, JESSE A	24114	FORSYTE ST	MORENO VALLEY	CA	92557-5008	MONDRAGON, JESSE A	24114 FORSYTE ST	MORENO VALLEY, CA	92557-5008	254.02	25.4	50.3	329.7
31060625007	475341014	BLYTH, DOROTHY	24108	FORSYTE ST	MORENO VALLEY	CA	92557-5008	BLYTH, D	24108 FORSYTE ST	MORENO VALLEY, CA	92557-5008	90.69	9.07	17.96	117.7
31572915000	475341015	GARIBAY, GRACIANO	24104	FORSYTE ST	MORENO VALLEY	CA	92557-5008	GARIBAY, GRACIANO	24104 FORSYTE ST	MORENO VALLEY, CA	92557-5008	282.23	28.22	55.88	366.32
49200725008	475341021	SCHMIDT, RYAN	24070	FORSYTE ST	MORENO VALLEY	CA	92557-5006	SCHMIDT, RYAN	24070 FORSYTE ST	MORENO VALLEY, CA	92557-5006	254.02	25.4	50.3	329.7
91808763006	475341027	CANNON, KATRINA (RENT)	24040	FORSYTE ST	MORENO VALLEY	CA	92557-5006	CANNON, KATRINA	7801 BOLERO DR	RIVERSIDE, CA	92509-5219	54.66	5.47	10.82	70.94
92473095009	475342034	CROSS, NANCY	24097	FORSYTE ST	MORENO VALLEY	CA	92557-5007	CROSS, NANCY	11485 QUINCY ST	MORENO VALLEY, CA	92555-6558	329.32	32.93	65.21	427.44
77332585003	475342035	GONZALES, CYNTHIA	24103	FORSYTE ST	MORENO VALLEY	CA	92557-5009	GONZALES, CYNTHIA	24103 FORSYTE ST	MORENO VALLEY, CA	92557-5009	329.32	32.93	65.21	427.44
94537515001	475342036	PENA, LARRY (RENT)	24107	FORSYTE ST	MORENO VALLEY	CA	92557-5009	PENA, LARRY	4176 GOLDEN GLEN DR	CHINO HILLS, CA	91709-4645	43.38	4.34	8.59	56.3
31309745003	475343003	WARREN, DAVID	24153	ROYALE ST	MORENO VALLEY	CA	92557-5020	WARREN, DAVID	24153 ROYALE ST	MORENO VALLEY, CA	92557-5020	129.6	12.96	25.66	168.22
31251655005	475343004	MARIANARO, JOSEPH	24165	ROYALE ST	MORENO VALLEY	CA	92557-5020	MARIANARO, JOSEPH	24165 ROYALE ST	MORENO VALLEY, CA	92557-5020	254.02	25.4	50.3	329.7
89938755007	475351002	MOLINA, CRISSY	24649	SUNNY RIDGE DR	MORENO VALLEY	CA	92557-5146	MOLINA, CRISSY	24649 SUNNY RIDGE DR	MORENO VALLEY, CA	92557-5146	253.92	25.39	50.28	329.58
31132135007	475351003	MOSQUEDA, JOSEPH	24661	SUNNY RIDGE DR	MORENO VALLEY	CA	92557-5146	MOSQUEDA, JOSEPH	24661 SUNNY RIDGE DR	MORENO VALLEY, CA	92557-5146	329.32	32.93	65.21	427.44
73605625008	475351013	CANTE, FELIPE	24691	HUNTLEY DR	MORENO VALLEY	CA	92557-5142	CANTE, FELIPE	24691 HUNTLEY DR	MORENO VALLEY, CA	92557-5142	254.02	25.4	50.3	329.7
31131155004	475352002	COGAN, CHRIS T	24651	SUMMERFIELD DR	MORENO VALLEY	CA	92557-5132	COGAN, CHRIS T	42863 19TH ST W	LANCASTER, CA	93534-6222	254.02	25.4	50.3	329.7
92834205009	475352008	LAIRD, LESLIE (OWNR)	24698	SUMMERFIELD DR	MORENO VALLEY	CA	92557-5131	LAIRD, LESLIE	24698 SUMMERFIELD DR	MORENO VALLEY, CA	92557-5131	141.41	14.14	28	183.54
31372415000	475352019	TOLOSA, MARIA	24698	HUNTLEY DR	MORENO VALLEY	CA	92557-5105	TOLOSA, MARIA	24698 HUNTLEY DR	MORENO VALLEY, CA	92557-5105	129.32	12.93	25.61	167.84
95992045002	475352024	VIVEROS, ARTURO (OWNR)	24652	HUNTLEY DR	MORENO VALLEY	CA	92557-5105	VIVEROS, ARTURO	24652 HUNTLEY DR	MORENO VALLEY, CA	92557-5105	254.12	25.41	50.32	329.84
90262103006	475352025	JONES, JOHN AND ETHEL (RENT)	24642	HUNTLEY DR	MORENO VALLEY	CA	92557-5105	JONES, JOHN AND ETHEL	24642 HUNTLEY DR	MORENO VALLEY, CA	92557-5105	316.83	31.68	62.73	411.24
76147015006	475352026	ROSS, CYNTHIA	24634	HUNTLEY DR	MORENO VALLEY	CA	92557-5105	ROSS, CYNTHIA	24634 HUNTLEY DR	MORENO VALLEY, CA	92557-5105	329.32	32.93	65.21	427.44
31649315002	475353008	HARRISON, CHRIS	24712	SUNDAY DR	MORENO VALLEY	CA	92557-5103	HARRISON, CHRIS	24712 SUNDAY DR	MORENO VALLEY, CA	92557-5103	254.02	25.4	50.3	329.7
31102245007	475353009	MITCHELL, CLYDE	24724	SUNDAY DR	MORENO VALLEY	CA	92557-5103	MITCHELL, CLYDE	5829 ADDY LN	N LAS VEGAS, NV	89081-6418	254.02	25.4	50.3	329.7
87583805003	475353011	BARRAGAN, LUPE	24746	SUNDAY DR	MORENO VALLEY	CA	92557-5103	BARRAGAN, LUPE	24746 SUNDAY DR	MORENO VALLEY, CA	92557-5103	254.12	25.41	50.32	329.84
83913675003	475360013	ALARCON, REFUGIO AND LEOBARDO	24685	DUNLAVY CT	MORENO VALLEY	CA	92557-6375	ALARCON, REFUGIO AND LEOBARDO	24685 DUNLAVY CT	MORENO VALLEY, CA	92557-6375	104.02	10.4	20.6	135
95650913007	477220006	SEVILLANO, ELVIS (RENT)	26360	HOBART CIR	MORENO VALLEY	CA	92555-2553	SEVILLANO, ELVIS (RENT)	26360 HOBART CIR	MORENO VALLEY, CA	92555-2553	53.56	5.36	10.6	69.52
89857523008	477324007	JONES, JENNIFER	12320	FALCON LN	MORENO VALLEY	CA	92555-2040	JONES, JENNIFER	12320 FALCON LN	MORENO VALLEY, CA	92555-2040	325.98	32.6	64.54	423.12
95052195007	477413006	ROBLES, JUAN AND ALMA (RENT)	12358	BALTIMORE AVE	MORENO VALLEY	CA	92557-7730	ROBLES, JUAN AND ALMA	12358 BALTIMORE AVE	MORENO VALLEY, CA	92557-7730	127.35	12.74	25.22	165.3
91715003003	477431012	CALHOUN, MARK (RENT)	12320	MARQUETTE CT	MORENO VALLEY	CA	92557-7742	CALHOUN, MARK	12320 MARQUETTE CT	MORENO VALLEY, CA	92557-7742	80.03	8	15.85	103.86
96848305004	477431015	WILSON, LARRY AND CYNTHIA	12350	MARQUETTE CT	MORENO VALLEY	CA	92557-7747	WILSON, LARRY AND CYNTHIA	12350 MARQUETTE CT	MORENO VALLEY, CA	92557-7747	420.76	42.08	83.31	546.14
97103545003	477453007	SANDOVAL, ALBERTO JENNIFER	13090	MOHICAN DR	MORENO VALLEY	CA	92555-2403	SANDOVAL, ALBERTO JENNIFER	15425 CABALLO RD	MORENO VALLEY, CA	92555-2919	90.4	9.04	17.9	117.32
90884993000	477482003	LOCKE, NASHAUNDA (RENT)	13333	YUBA PASS RD	MORENO VALLEY	CA	92555-2443	LOCKE, NASHAUNDA	13333 YUBA PASS RD	MORENO VALLEY, CA	92555-2443	357.89	35.79	70.86	464.54
89285985005	477492010	RAMOS, CRYSTAL (RENT)	26378	WALKER PASS DR	MORENO VALLEY	CA	92555-2424	RAMOS, CRYSTAL	800 E WASHINGTON ST APT 850	COLTON, CA	92324-7104	80.43	8.04	15.93	104.38
97110635009	477492031	SHAMABUKURO, ARIANE	26267	CAPAY BAY CT	MORENO VALLEY	CA	92555-2477	SHAMABUKURO, ARIANE	26267 CAPAY BAY CT	MORENO VALLEY, CA	92555-2477	127.46	12.75	25.24	165.44
72746535000	477503015	CHOUINARD, MARK (OWNR)	13400	JAMES ST	MORENO VALLEY	CA	92555-2800	CHOUINARD, MARK	4753 RADNOR AVE	LAKEWOOD, CA	90713-2338	63.63	6.36	12.6	82.58
90868393009	477682030	GARLAND, MARA (RENT)	26435	HELENE DR	MORENO VALLEY	CA	92555-1877	GARLAND, MARA (RENT)	26435 HELENE DR	MORENO VALLEY, CA	92555-1877	197.13	19.71	39.03	255.86
97093905000	477693013	HARRIS, ANGELA	12381	MORRISON ST	MORENO VALLEY	CA	92555-1806	HARRIS, ANGELA	12381 MORRISON ST	MORENO VALLEY, CA	92555-1806	211.9	21.19	41.96	275.04
90832413001	477773004	DOMINGUEZ, MANUEL	26302	PRIMROSE WAY	MORENO VALLEY	CA	92555-2245	DOMINGUEZ, MANUEL	26302 PRIMROSE WAY	MORENO VALLEY, CA	92555-2245	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
96586983003	477840018	BALDERAS, SHANTEL (RENT)	12620	MORRISON ST	MORENO VALLEY	CA	92555-3518	BALDERAS, SHANTEL (RENT)	12620 MORRISON ST	MORENO VALLEY, CA	92555-3518	63.63	6.36	12.6	82.58
88911523004	478030005	NEAL, DIMEETRIQUE (RENT)	13780	RODERICK DR	MORENO VALLEY	CA	92555-6109	NEAL, DIMEETRIQUE	13780 RODERICK DR	MORENO VALLEY, CA	92555-6109	171.21	17.12	33.9	222.22
97106295008	478040019	NORMAN, LETICIA (RENT)	13991	JERANELLA CT	MORENO VALLEY	CA	92555-8208	NORMAN, LETICIA	13991 JERANELLA CT	MORENO VALLEY, CA	92555-8208	247.13	24.71	48.93	320.76
31379475002	478050002	GOULD, AMBER	28344	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6102	GOULD, AMBER	28344 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-6102	247.76	24.78	49.06	321.58
31075775003	478050006	MAKLIN, PAUL	13961	WALNUT CT	MORENO VALLEY	CA	92555-6110	MAKLIN, PAUL	13961 WALNUT CT	MORENO VALLEY, CA	92555-6110	254.02	25.4	50.3	329.7
31227575002	478050014	KOTERWAS, ED	13894	WALNUT CT	MORENO VALLEY	CA	92555-6127	KOTERWAS, ED	13894 WALNUT CT	MORENO VALLEY, CA	92555-6127	254.02	25.4	50.3	329.7
91453695006	478050015	POWERS, JOSHUA	13908	WALNUT CT	MORENO VALLEY	CA	92555-6126	POWERS, JOSHUA	13908 WALNUT CT	MORENO VALLEY, CA	92555-6126	329.04	32.9	65.15	427.08
31220835003	478050019	LOUX, ROXANNE	13960	WALNUT CT	MORENO VALLEY	CA	92555-6126	LOUX, ROXANNE	13960 WALNUT CT	MORENO VALLEY, CA	92555-6126	126.66	12.67	25.08	164.4
53737445001	478080012	HAND, HELD W	28260	BRODIAEA AVE	MORENO VALLEY	CA	92555-6108	HAND, HELD W	PO BOX 933	MORENO VALLEY, CA	92556-0933	179.99	18	35.64	233.62
64924965002	478090021	WELLS, LAURIE	28130	CACTUS AVE	MORENO VALLEY	CA	92555-6208	WELLS, LAURIE	28130 CACTUS AVE	MORENO VALLEY, CA	92555-6208	254.12	25.41	50.32	329.84
61182415006	478100003	OROZCO, DEBORAH	14191	WILMOT ST	MORENO VALLEY	CA	92555-6927	OROZCO, DEBORAH	21784 BAY AVE	MORENO VALLEY, CA	92553-8104	254.12	25.41	50.32	329.84
98042793009	478131014	JOHNSON, FRETTA (RENT)	28894	CAMPBELL AVE	MORENO VALLEY	CA	92555-6912	JOHNSON, FRETTA (RENT)	28894 CAMPBELL AVE	MORENO VALLEY, CA	92555-6912	152.12	15.21	30.12	197.44
31139455004	478131029	NEESE, DWAYNE	28947	MALTBY AVE	MORENO VALLEY	CA	92555-6905	NEESE, DWAYNE	28947 MALTBY AVE	MORENO VALLEY, CA	92555-6905	254.02	25.4	50.3	329.7
99372313000	478131060	SALAZAR, EMMA	28830	CAMPBELL AVE	MORENO VALLEY	CA	92555-6912	SALAZAR, EMMA	28830 CAMPBELL AVE	MORENO VALLEY, CA	92555-6912	137.57	13.76	27.24	178.56
31381255004	478132017	MAYNE, RICK	28882	BRODIAEA AVE	MORENO VALLEY	CA	92555-6903	MAYNE, RICK	28882 BRODIAEA AVE	MORENO VALLEY, CA	92555-6903	254.02	25.4	50.3	329.7
97763065004	478152018	WALTERS, COLTEN (RENT)	28910	BRODIAEA AVE	MORENO VALLEY	CA	92555-6906	WALTERS, COLTEN	28910 BRODIAEA AVE	MORENO VALLEY, CA	92555-6906	248.27	24.83	49.16	322.24
31246955002	478132034	PULSAKOWSKI, GEORGE	28847	CAMPBELL AVE	MORENO VALLEY	CA	92555-6910	PULSAKOWSKI, GEORGE	28847 CAMPBELL AVE	MORENO VALLEY, CA	92555-6910	253.32	25.33	50.28	329.93
88434973002	478152050	CAMPBELL, ROBERT (OWNR)	29025	KIMBERLY AVE	MORENO VALLEY	CA	92555-7208	CAMPBELL, ROBERT (OWNR)	29025 KIMBERLY AVE	MORENO VALLEY, CA	92555-7208	190.79	19.08	37.78	247.64
97574143009	478165002	FHC INVESTMENTS, LLC (OWNR)	28961	KIMBERLY AVE	MORENO VALLEY	CA	92555-6900	FHC INVESTMENTS, LLC (OWNR)	28961 KIMBERLY AVE	MORENO VALLEY, CA	92555-6900	74.99	7.5	14.85	97.32
61483215000	478165011	SANCHEZ, ORLANDO	28841	KIMBERLY AVE	MORENO VALLEY	CA	92555-6915	SANCHEZ, ORLANDO	28841 KIMBERLY AVE	MORENO VALLEY, CA	92555-6915	254.12	25.41	50.32	329.84
99933753002	478166001	COPAS, ANETTE (RENT)	28765	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6943	COPAS, ANETTE (RENT)	28765 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-6943	223.95	22.4	44.34	290.68
95482395004	478166003	KUEBLER, ROBIN (RENT)	28819	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6939	KUEBLER, ROBIN AND CANDACE J	15389 ALOSTA LN	MORENO VALLEY, CA	92555-2909	62.54	6.25	12.38	81.16
58292995006	478166007	JORDAN, CATHERINE	28857	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6939	JORDAN, CATHERINE	PO BOX 6056	MORENO VALLEY, CA	92554-6056	190.79	19.08	37.78	247.64
92980545009	478166009	MACIEL, SERENA (RENT)	28873	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6939	MACIEL, SERENA	18950 NEWMAN AVE	RIVERSIDE, CA	92508-9681	254.12	25.41	50.32	329.84
75176865007	478166013	WILSON, PAUL R	28929	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6932	WILSON, PAUL R	26119 ELDER AVE	MORENO VALLEY, CA	92555-1800	329.6	32.96	65.26	427.82
31376525008	478166014	ROWAN, TERRY AND LAVERNE	28949	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6932	ROWAN, TERRY AND LAVERNE	28949 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-6932	329.6	32.96	65.26	427.82
86430623006	478166020	PELAYO, MAYRA (OWNR)	28766	KIMBERLY AVE	MORENO VALLEY	CA	92555-6914	PELAYO, MAYRA	28766 KIMBERLY AVE	MORENO VALLEY, CA	92555-6914	254.12	25.41	50.32	329.84
94831665006	478166026	MARTINEZ, VICTOR (OWNR)	14360	STODDARD ST	MORENO VALLEY	CA	92555-6921	MARTINEZ, VICTOR	15136 PEPPER CT	MORENO VALLEY, CA	92551-3624	254.12	25.41	50.32	329.84
95780835009	478171013	MORENO, SARAH (RENT)	28787	GIFFORD AVE	MORENO VALLEY	CA	92555-8240	MORENO, SARAH	28787 GIFFORD AVE	MORENO VALLEY, CA	92555-8240	254.12	25.41	50.32	329.84
53949995006	478172012	SOU, LINDA	28851	GIFFORD AVE	MORENO VALLEY	CA	92555-8241	SOU, LINDA	22635 TANAGER ST	GRAND TERRACE, CA	92313-6121	254.02	25.4	50.3	329.7
75734515007	478173029	ARILLANO, SEGEFREDO	13909	REDLANDS BLVD	MORENO VALLEY	CA	92555-8312	ARILLANO, SEGEFREDO	1358 OAK ST	SN BERNRDNO, CA	92410-2253	254.02	25.4	50.3	329.7
60370805006	478173035	REES, BRENDA	28945	GIFFORD AVE	MORENO VALLEY	CA	92555-8242	HUMANISTIC FOSTER FAMILY AGENC	PO BOX 1167	MORENO VALLEY, CA	92556-1167	262.2	26.22	51.92	340.32
92816378000	478173038	CHEAH, JESSICA (OWNR)	28895	GIFFORD AVE	MORENO VALLEY	CA	92555-8266	CHEAH, JESSICA	25259 MENDMINEE CT	MORENO VALLEY, CA	92553-7167	190.79	19.08	37.78	247.64
94277215007	478174016	LARA, ERIC (RENT)	13935	REDLANDS BLVD	MORENO VALLEY	CA	92555-8312	LARA, ERIC	13935 REDLANDS BLVD	MORENO VALLEY, CA	92555-8312	190.79	19.08	37.78	247.64
96060705002	478175003	CAMBEROS, YESENIA (RENT)	28889	WILLIAMS AVE	MORENO VALLEY	CA	92555-8231	CAMBEROS, YESENIA	31875 FLOSSIE WAY	WINCHESTER, CA	92596-8403	163.12	16.31	32.3	211.72
31445835006	478175012	TAVERNA, LESLIE	28900	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6933	TAVERNA, LESLIE	25994 GEORGIA AVE	HEMET, CA	92544-5628	231.74	23.17	45.88	300.78
92436785001	478175014	KNIGHT, HEATHER	28930	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6933	KNIGHT, HEATHER	28930 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-6933	329.6	32.96	65.26	427.82
31066765004	478176003	HARKINS, JEFF	28835	WILLIAMS AVE	MORENO VALLEY	CA	92555-8231	HARKINS, JEFF	28835 WILLIAMS AVE	MORENO VALLEY, CA	92555-8231	63.63	6.36	12.6	82.58
97197845002	478176004	MENDOZA, HUGO (RENT)	13946	STERLING ST	MORENO VALLEY	CA	92555-8219	MENDOZA, HUGO	13946 STERLING ST	MORENO VALLEY, CA	92555-8219	126.92	12.69	25.13	164.74
31173235000	478181059	ANDRES, MARIA AND MARCELINO	29233	GIFFORD AVE	MORENO VALLEY	CA	92555-8327	ANDRES, MARIA AND MARCELINO	29233 GIFFORD AVE	MORENO VALLEY, CA	92555-8327	228.63	22.86	45.27	296.76
31503605000	478182035	WOODS, JOHN	29087	WILLIAMS AVE	MORENO VALLEY	CA	92555-8323	WOODS, JOHN	29087 WILLIAMS AVE	MORENO VALLEY, CA	92555-8323	254.12	25.41	50.32	329.84
31368495001	478182036	CLARK, GEORGE	29111	WILLIAMS AVE	MORENO VALLEY	CA	92555-8316	CLARK, GEORGE	29111 WILLIAMS AVE	MORENO VALLEY, CA	92555-8316	104.02	10.4	20.6	135
31475555001	478182041	HARRIS, HIROMI JOHN	29215	WILLIAMS AVE	MORENO VALLEY	CA	92555-8322	HARRIS, HIROMI JOHN	29215 WILLIAMS AVE	MORENO VALLEY, CA	92555-8322	36.37	3.64	7.2	47.2
48611605002	478182048	DYKASTRA, EDDIE	29144	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-7221	DYKASTRA, EDDIE	10436 SANDSTONE CT	MENTONE, CA	92359-1219	329.6	32.96	65.26	427.82
31573965007	478182050	VICTORIA, ZULIMA	29147	WILLIAMS AVE	MORENO VALLEY	CA	92555-8316	VICTORIA, ZULIMA	29147 WILLIAMS AVE	MORENO VALLEY, CA	92555-8316	172.74	17.27	34.2	224.2
31507005007	478182056	GESS, SHERI	29125	WILLIAMS AVE	MORENO VALLEY	CA	92555-8316	GESS, SHERI	29125 WILLIAMS AVE	MORENO VALLEY, CA	92555-8316	253.92	25.39	50.28	329.58
62409175002	478191025	MARTINEZ, TERESA T	29106	STEVENS AVE	MORENO VALLEY	CA	92555-8313	MARTINEZ, TERESA T	24351 KURT CT	MORENO VALLEY, CA	92551-7654	329.6	32.96	65.26	427.82
97078115007	478191031	REYES, BRYANT (RENT)	29075	BAY AVE	MORENO VALLEY	CA	92555-8302	REYES, BRYANT	25907 RATTON ST	MORENO VALLEY, CA	92553-8302	143.64	14.36	28.44	186.44
52778985002	478191035	GROSS, JOE	29249	BAY AVE	MORENO VALLEY	CA	92555-8302	GROSS, JOE	29249 BAY AVE	MORENO VALLEY, CA	92555-8302	254.02	25.4	50.3	329.7
94457455004	478191037	BERNHARD, TODD (RENT)	29219	BAY AVE	MORENO VALLEY	CA	92555-8302	BERNHARD, TODD	29219 BAY AVE	MORENO VALLEY, CA	92555-8302	329.6	32.96	65.26	427.82
96010763004	478192032	SAMPSON, NIKI (RENT)	29103	STEVENS AVE	MORENO VALLEY	CA	92555-8314	SAMPSON, NIKI (RENT)	29103 STEVENS AVE	MORENO VALLEY, CA	92555-8314	152.12	15.21	30.12	197.44
95453055006	478192038	HAYES, JAMES (OWNR)	29120	GIFFORD AVE	MORENO VALLEY	CA	92555-8317	HAYES, JAMES	29120 GIFFORD AVE	MORENO VALLEY, CA	92555-8317	254.12	25.41	50.32	329.84
98363315010	478192057	GARCIA, SOPHIA (RENT)	29046	GIFFORD AVE	MORENO VALLEY	CA	92555-8325	GARCIA, SOPHIA	29046 GIFFORD AVE	MORENO VALLEY, CA	92555-8325	259.29	25.93	51.34	336.54
90473213006	478201021	MOSLEY, ANN (RENT)	28790	STEVENS AVE	MORENO VALLEY	CA	92555-8222	MOSLEY, ANN	7380 S EASTERN AVE STE 124	LAS VEGAS, NV	89123-1502	145.48	14.55	28.81	188.82
31134165006	478201043	VIGILIO, VIRGINIA	28925	BAY AVE	MORENO VALLEY	CA	92555-8204	VIGILIO, VIRGINIA	28925 BAY AVE	MORENO VALLEY, CA	92555-8204	329.32	32.93	65.21	427.44
31131535005	478201059	ESQUIVEL, JOHN	28822	STEVENS AVE	MORENO VALLEY	CA	92555-8255	ESQUIVEL, JOHN	28822 STEVENS AVE	MORENO VALLEY, CA	92555-8255	254.02	25.4	50.3	329.7
31642525003	478201060	CARBAJAL, JUAN	28890	STEVENS AVE	MORENO VALLEY	CA	92555-8255	CARBAJAL, JUAN	28890 STEVENS AVE	MORENO VALLEY, CA	92555-8255	537.73	53.77	106.47	697.96
86798883001	478202035	ANDERSON, MATTHEW (RENT)	28838	GIFFORD AVE	MORENO VALLEY	CA	92555-8262	ANDERSON, MATTHEW	21329 PALA FOXIA PL	MORENO VALLEY, CA	92557-8607	92.54	9.25	18.32	120.1
85359635006	478202041	BROWN, KRISTY	28971	STEVENS AVE	MORENO VALLEY	CA	92555-8223	BROWN, KRISTY	28971 STEVENS AVE	MORENO VALLEY, CA	92555-8223	254.02	25.4	50.3	329.7
31285545007	478202042	ARIAS, YOLANDA	28959	STEVENS AVE	MORENO VALLEY	CA	92555-8223	RESIDENT, CURRENT	28959 STEVENS AVE	MORENO VALLEY, CA	92555-8223	253.92	25.39	50.28	329.58
31303245001	478202052	JACKSON, DAVID	13851	REDLANDS BLVD	MORENO VALLEY	CA	92555-8308	JACKSON, DAVID	13851 REDLANDS BLV	MORENO VALLEY, CA	92555-8308	253.92	25.39	50.28	329.58
31142015001	478202055	BROWN, RALPH	28916	GIFFORD AVE	MORENO VALLEY	CA	92555-8263	BRAUN, RALPH	6690 LA JOLLA DR	RIVERSIDE, CA	92504-2016	50.61	5.06	10.02	65.68
31161655006	478202060	FLORES, LYDIA	28910	GIFFORD AVE	MORENO VALLEY	CA	92555-8263	FLORES, LYDIA	28910 GIFFORD AVE	MORENO VALLEY, CA	92555-8263	254.02	25.4	50.3	329.7
31246205000	478202083	RESINGER, BILLIE	28845	STEVENS AVE	MORENO VALLEY	CA	92555-8258	RESINGER, BILLIE	28845 STEVENS AVE	MORENO VALLEY, CA	92555-8258	253.92	25.39	50.28	329.58
31601865007	478210057	FINLEY, SAM	28820	BAY AVE	MORENO VALLEY	CA	92555-8202	FINLEY, SAM	28820 BAY AVE	MORENO VALLEY, CA	92555-8202	254.02	25.4	50.3	329.7
94753913000	478210058	GALVEZ, RENE(RENT)	28840	BAY AVE	MORENO VALLEY	CA	92555-8202	GALVEZ, RENE(RENT)	28840 BAY AVE	MORENO VALLEY, CA	92555-8202	210.41	21.04	41.66	273.1
89022065005	478210068	POUTOUS, STEVEN	13680	STODDARD ST	MORENO VALLEY	CA	92555-8224	POUTOUS, STEVEN	13680 STODDARD ST	MORENO VALLEY, CA	92555-8224	405.08	40.51	80.21	525.78
31224275002	478261004	STEELE, MARLENE	28184	BAY AVE	MORENO VALLEY	CA	92555-6121	STEELE, MARLENE	28184 BAY AVE	MORENO VALLEY, CA	92555-6121	254.02	25.4	50.3	329.7
31224005009	478261013	LINTON, LAURENCE	28225	SEA BISCUIT ST	MORENO VALLEY	CA	92555-6002	LINTON, LAURENCE	28225 SEA BISCUIT ST	MORENO VALLEY, CA	92555-6002	329.32	32.93	65.21	427.44
31391905007	478271009	LESAN, JAQUELYN	28082	SEA BISCUIT ST	MORENO VALLEY	CA	92555-6000	LESAN, JAQUELYN	28082 SEA BISCUIT ST	MORENO VALLEY, CA	92555-6000	329.6	32.96	65.26	427.82
31402485000	478273004	VILLANUEVA, JERRY AND VICTORIA	28040	WAR ADMIRAL ST	MORENO VALLEY	CA	92555-6007	VILLANUEVA, JERRY AND VICTORIA	28040 WAR ADMIRAL ST	MORENO VALLEY, CA	92555-6007	329.32	32.93	65.21	427.44
31165375006	478280003	BENNETT, ROCELIUS	13550	WILMOT ST	MORENO VALLEY	CA	92555-8233	BENNETT, ROCELIUS	2302 N TUCKER AVE #T1	FARMINGTON, NM	87401-8983	190.69	19.07	37.76	247.5
86902895007	478280027	BRYANT, FREDERICK	13529	ALTIVO ST	MORENO VALLEY	CA	92555-8245	BRYANT, FREDERICK	13529 ALTIVO ST	MORENO VALLEY, CA	92555-8245	189.68	18.97	37.56	246.2
86351345003	478280034	FRYE, BARBARA	28953	KENDA CT	MORENO VALLEY	CA	92555-8264	FRYE, BARBARA	28953 KENDA CT	MORENO VALLEY, CA	92555-8264	254.02	25.4	50.3	329.7
96080165003	478280039	LOZANO, KATHRINA	28994	MOLSON CT	MORENO VALLEY	CA	92555-8246	LOZANO, KATHRINA	28994 MOLSON CT	MORENO VALLEY, CA	92555-8246	320.76	32.08	63.51	416.34
31476705008	478290015	MENDOZA, MARISA	13689	WILMOT ST	MORENO VALLEY	CA	92555-8236	MENDOZA, MARISA	13689 WILMOT ST	MORENO VALLEY, CA	92555-8236	329.32	32.93	65.21	427.44
31111205006	478290016	NELSON, LINDA K	13669	WILMOT ST	MORENO VALLEY	CA	92555-8236	KIEFFER, RALPH J	PO BOX 2260	JASPER, OR	97438-0298	307.75	30.78	60.93	399.44
91180675009	478290021	SHOWALTER, STEPHEN	28665	BELMONT PARK WAY	MORENO VALLEY	CA	92555-8418	SHOWALTER, STEPHEN	28665 BELMONT PARK WAY	MORENO VALLEY, CA	92555-8418	154.12	15.41	30.52	200.04
85385335004	478291001	EARL, JILL (RENT)	13515	WILMOT ST	MORENO VALLEY	CA	92555-8234	EARL, JILL	2161 SADDLEBACK DR	CORONA, CA	92879-1187	95.53	9.55	18.91	123.98
75899555001	478291008	CARRASCO, OSCAR	28656	BELMONT PARK WAY	MORENO VALLEY	CA	92555-8418	CARRASCO, OSCAR	28656 BELMONT PARK WAY	MORENO VALLEY, CA	92555-8418	276.71	27.67	54.79	359.16
74898585003	478291017	CHACON, CAESAR AND MIRELLA	13579	MEADOWLANDS CT	MORENO VALLEY	CA	92555-8417	CHACON, CAESAR AND MIRELLA	13579 MEADOWLANDS CT	MORENO VALLEY, CA	92555-8417	254.12	25.41	50.32	329.84
94154215008	478301003	GARCIA, VICTOR (OWNR)	13071	MOZART WAY	MORENO VALLEY	CA	92555-6700	GARCIA, VICTOR (OWNR)	13071 MOZART WAY	MORENO VALLEY, CA	92555-6700	329.6	32.96	65.26	427.82
31291765008	478301012	GERARD, ROBERT	13077	GERSHWIN WAY	MORENO VALLEY	CA	92555-6730	GERARD, ROBERT	13077 GERSHWIN WAY	MORENO VALLEY, CA	92555-6730	247.2	24.72	48.95	320.86
31291695003	478302003	ZALDIVAR, FRANK	28743	STRAUSS LN	MORENO VALLEY	CA	92555-6748	ZALDIVAR, FRANK	28743 STRAUSS LN	MORENO VALLEY, CA	92555-6748	253.92	25.39	50.28	329.58
31292385006	478303006	ZALDIVAR, SYLVIA	13156	MOZART WAY	MORENO VALLEY	CA	92555-6726	ZALDIVAR, SYLVIA	13156 MOZART WAY	MORENO VALLEY, CA	92555-6726	329.04	32.9	65.15	427.08
31515525001	478303012	LANDAVERDE, ROSEMARY	28794	STRAUSS LN	MORENO VALLEY	CA	92555-6747	LANDAVERDE, ROSEMARY	PO BOX 8034	SURPRISE, AZ	85374-0117	262.2	26.22	51.92	340.32
31502945001	478311003	MORENO, RICHARD	13217	GERSHWIN WAY	MORENO VALLEY	CA	92555-6734	MORENO, RICHARD	13217 GERSHWIN WAY	MORENO VALLEY, CA	92555-6734	82.68	8.27	16.37	107.3
31633035005	478312006	HODGES, ERNESTINA	28722	HANDEL CT	MORENO VALLEY	CA	92555-6736	HODGES, ERNESTINA	28722 HANDEL CT	MORENO VALLEY, CA	92555-6736	254.02	25.4	50.3	329.7
97181475003	478312008	YBARRA, TONY (OWNR)	28690	HANDEL CT	MORENO VALLEY	CA	92555-6735	YBARRA, TONY	28690 HANDEL CT	MORENO VALLEY, CA	92555-6735	189.62	18.96	37.54	246.12
95566335007	478312014	QUILO, JUANA (OWNR)	28754	DRACAEA AVE	MORENO VALLEY	CA	92555-6739	QUILO, JUANA	28754 DRACAEA AVE	MORENO VALLEY, CA	92555-6739	63.84	6.38	12.64	82.86
31313955000	478312017	SILVA, CAROLYN	28690	DRACAEA AVE	MORENO VALLEY	CA	92555-6737	SILVA, CAROLYN	28690 DRACAEA AVE	MORENO VALLEY, CA	92555-6737	184.02	18.4	36.44	238.84
82762805008	478320002	MARTE, MELVIN	14289	ANNADALE DR	MORENO VALLEY	CA	92555-6238	MARTE, MELVIN	14289 ANNADALE DR	MORENO VALLEY, CA	92555-6238	254.02	25.4	50.3	329.7
74896685009	478320008	MARROQUIN, ALEX	14367	ANNADALE DR	MORENO VALLEY	CA	92555-6238	MARROQUIN, ALEX	2091 STAR THISTLE LN	PERRIS, CA	92571-3449	254.02	25.4	50.3	329.7
87335655009	478321005	WILEY, CRYSTAL	14298	MORNINGSIDE DR	MORENO VALLEY	CA	92555-6240	WILEY, CRYSTAL	14298 MORNINGSIDE DR	MORENO VALLEY, CA	92555-6240	329.6	32.96	65.26	427.82
97907075002	478322001	BARRIENTOS, BRENDA	14267	MORNINGSIDE DR	MORENO VALLEY	CA	92555-6240	BARRIENTOS, BRENDA	6185 MAGNOLIA AVE	RIVERSIDE, CA	92506-2524	67.46	6.75	13.35	87.56
71416225006	478322009	PARIKH, RAMESH	14304	ANNADALE DR	MORENO VALLEY	CA	92555-6238	PARIKH, RAMESH	2501 REDROCK DR	CORONA, CA	92882-8607	106.27	10.63	21.04	137.92
96223975009	478322030	HANNAH, TONY	14285	MARYKNOLL CT	MORENO VALLEY	CA	92555-6235	HANNAH, TONY	28229 ARBORGLENN DR	MORENO VALLEY, CA	92555-6237	228.72	22.87	45.29	296.86
72589175009	478322038	MARTINEZ, YOLANDA	14331	MORNINGSIDE DR	MORENO VALLEY	CA	92555-6241	MARTINEZ, YOLANDA	14331 MORNINGSIDE DR	MORENO VALLEY, CA	92555-6241	254.02	25.4	50.3	329.7
94304205001	478330002	RENDEROS, JOSE (OWNR)	28431	BRODIAEA AVE	MORENO VALLEY	CA	92555-6234	RENDEROS, JOSE	28431 BRODIAEA AVE	MORENO VALLEY, CA	92555-6234	157.88	15.79	31.26	204.92
94830055006	478331005	GUZMAN, JOSH (OWNR)	14337	ARBORGLENN DR	MORENO VALLEY	CA	92555-6250	GUZMAN, JOSH	14337 ARBORGLENN DR	MORENO VALLEY, CA	92555-6250	127.46	12.75	25.24	165.44
80623145003	478340001	REEDER, DIANNA	13760	RODERICK DR	MORENO VALLEY	CA	92555-6109	REEDER, DIANNA	13760 RODERICK DR	MORENO VALLEY, CA	92555-6109	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
77263785008	478341005	ADAMS, FELICIA	13823	PEYTON DR	MORENO VALLEY	CA	92555-6138	ADAMS, FELICIA	13823 PEYTON DR	MORENO VALLEY, CA	92555-6138	168.95	16.9	33.45	219.28
77384625006	478341007	PALOMAREZ, MARYJANE	13783	PEYTON DR	MORENO VALLEY	CA	92555-6137	PALOMAREZ, MARYJANE	24766 THORNBERRY CIR	MORENO VALLEY, CA	92557-4137	254.02	25.4	50.3	329.7
89708795006	478342014	BRIGGS, BENJAMIN	13845	RODERICK DR	MORENO VALLEY	CA	92555-6117	BRIGGS, BENJAMIN	13845 RODERICK DR	MORENO VALLEY, CA	92555-6117	48.92	4.89	9.69	63.48
95458325009	478342018	SANCHEZ, JOSEPH (OWNR)	13765	RODERICK DR	MORENO VALLEY	CA	92555-6109	SANCHEZ, JOSEPH	13765 RODERICK DR	MORENO VALLEY, CA	92555-6109	136.37	13.64	27	177
80837235000	478342020	HUNTER, JO ALICE	28281	BAY AVE	MORENO VALLEY	CA	92555-6122	HUNTER, JO ALICE	28281 BAY AVE	MORENO VALLEY, CA	92555-6122	254.02	25.4	50.3	329.7
96080065004	478351017	STEPHENS, CHRISTINA	28323	KEATON DR	MORENO VALLEY	CA	92555-6023	STEPHENS, CHRISTINA	28323 KEATON DR	MORENO VALLEY, CA	92555-6023	84.32	8.43	16.7	109.44
80796705009	478351021	STREET, PATRICIA	28304	BAY AVE	MORENO VALLEY	CA	92555-6132	STREET, PATRICIA	28304 BAY AVE	MORENO VALLEY, CA	92555-6132	329.32	32.93	65.21	427.44
81364385002	478351030	STIEDE, LAURA	28443	KEATON DR	MORENO VALLEY	CA	92555-6025	STIEDE, LAURA	29229 HEMLOCK AVE APT 12	MORENO VALLEY, CA	92557-8009	329.32	32.93	65.21	427.44
81507505001	478351032	RICHARDS, NORBERT	28403	KEATON DR	MORENO VALLEY	CA	92555-6025	RICHARDS, NORBERT	28403 KEATON DR	MORENO VALLEY, CA	92555-6025	254.02	25.4	50.3	329.7
83895965001	478352003	O'SHEA, ROY	13690	OAKLEY DR	MORENO VALLEY	CA	92555-6020	O'SHEA, ROY	195 W ELMWOOD AVE UNIT 103	BURBANK, CA	91502-2227	254.02	25.4	50.3	329.7
82998575006	478352011	PETTYJOHN, CONNIE	28465	CRISPIN DR	MORENO VALLEY	CA	92555-6031	PETTYJOHN, CONNIE	12831 MORENO BEACH DR STE 107	MORENO VALLEY, CA	92555-4419	198.69	19.87	39.34	257.88
92766025001	478352013	WILLIAMS, MICHAEL	28385	CRISPIN DR	MORENO VALLEY	CA	92555-6029	WILLIAMS, MICHAEL	28385 CRISPIN DR	MORENO VALLEY, CA	92555-6029	190.69	19.07	37.76	247.5
95213175009	478360010	MOHSIN, AZIZA (OWNR)	13570	KELTON CT	MORENO VALLEY	CA	92555-6019	MOHSIN, AZIZA	13570 KELTON CT	MORENO VALLEY, CA	92555-6019	64.13	6.41	12.7	83.24
74897595006	478360012	ODLAND, DORENE	13610	KELTON CT	MORENO VALLEY	CA	92555-6018	ODLAND, DORENE	13610 KELTON CT	MORENO VALLEY, CA	92555-6018	329.32	32.93	65.21	427.44
73883155009	478360017	LOPEZ, PAUL	13573	BAXTER CT	MORENO VALLEY	CA	92555-6027	LOPEZ, PAUL	13573 BAXTER CT	MORENO VALLEY, CA	92555-6027	254.02	25.4	50.3	329.7
74012025002	478360018	GALLEGOS, GERARDO	13553	BAXTER CT	MORENO VALLEY	CA	92555-6027	GALLEGOS, GERARDO	13553 BAXTER CT	MORENO VALLEY, CA	92555-6027	254.02	25.4	50.3	329.7
82208615003	478361004	VALERIANO, ARDA	13546	SOMERGATE DR	MORENO VALLEY	CA	92555-6036	VALERIANO, ARDA	13546 SOMERGATE DR	MORENO VALLEY, CA	92555-6036	254.02	25.4	50.3	329.7
91563205005	478361017	GAMBOA-RIVAS, ANGELA (OWNR)	13532	DUNCAN DR	MORENO VALLEY	CA	92555-6033	GAMBOA-RIVAS, ANGELA	13532 DUNCAN DR	MORENO VALLEY, CA	92555-6033	253.92	25.39	50.28	329.58
87602735006	478370012	ESPELETA, MARCELINA	13278	CANTERBURY DOWNS WAY	MORENO VALLEY	CA	92555-8400	ESPELETA, MARCELINA	13278 CANTERBURY DOWNS WAY	MORENO VALLEY, CA	92555-8400	254.12	25.41	50.32	329.84
88815435006	478371001	KYLES, LEOTA	13255	CANTERBURY DOWNS WAY	MORENO VALLEY	CA	92555-8400	KYLES, LEOTA	13255 CANTERBURY DOWNS WAY	MORENO VALLEY, CA	92555-8400	253.92	25.39	50.28	329.58
87787045000	478371003	ELLIOT, RUBY	13295	CANTERBURY DOWNS WAY	MORENO VALLEY	CA	92555-8400	ELLIOT, RUBY	13295 CANTERBURY DOWNS WAY	MORENO VALLEY, CA	92555-8400	254.12	25.41	50.32	329.84
84398725006	478380005	WASHINGTON, CAROLYN	28845	LEXINGTON WAY	MORENO VALLEY	CA	92555-8403	WASHINGTON, CAROLYN	28845 LEXINGTON WAY	MORENO VALLEY, CA	92555-8403	254.02	25.4	50.3	329.7
90651175005	478381002	BRANNON, ROBERT	13305	LOS ALAMITOS CT	MORENO VALLEY	CA	92555-8406	BRANNON, ROBERT	13305 LOS ALAMITOS CT	MORENO VALLEY, CA	92555-8406	333.22	33.32	65.98	432.5
84523895003	478381003	MCGEE, ANTHONY	13325	LOS ALAMITOS CT	MORENO VALLEY	CA	92555-8406	MCGEE, ANTHONY	13325 LOS ALAMITOS CT	MORENO VALLEY, CA	92555-8406	254.02	25.4	50.3	329.7
93301985004	478381011	JUAREZ, MIRIAM	13388	TRIPLE CROWN CT	MORENO VALLEY	CA	92555-8409	JUAREZ, MIRIAM	13388 TRIPLE CROWN CT	MORENO VALLEY, CA	92555-8409	254.12	25.41	50.32	329.84
82997165000	478381014	GARCIA, SAMUEL	13328	TRIPLE CROWN CT	MORENO VALLEY	CA	92555-8409	GARCIA, SAMUEL	13328 TRIPLE CROWN CT	MORENO VALLEY, CA	92555-8409	190.69	19.07	37.76	247.5
81958375003	478381015	MEDINA, JOSE	13308	TRIPLE CROWN CT	MORENO VALLEY	CA	92555-8409	MEDINA, JOSE	13308 TRIPLE CROWN CT	MORENO VALLEY, CA	92555-8409	63.63	6.36	12.6	82.58
90607535002	478381020	ROSS, LASHONDA	13343	TRIPLE CROWN CT	MORENO VALLEY	CA	92555-8409	ROSS, LASHONDA	13343 TRIPLE CROWN CT	MORENO VALLEY, CA	92555-8409	253.92	25.39	50.28	329.58
93135065009	478381021	ARRINGTON, ANTHONY	28775	DRACAEA AVE	MORENO VALLEY	CA	92555-8421	ARRINGTON, ANTHONY	28775 DRACAEA AVE	MORENO VALLEY, CA	92555-8421	254.02	25.4	50.3	329.7
91839655004	478381022	VARGAS, GILDARDO	28793	DRACAEA AVE	MORENO VALLEY	CA	92555-8421	VARGAS, GILDARDO	28793 DRACAEA AVE	MORENO VALLEY, CA	92555-8421	253.92	25.39	50.28	329.58
82034875007	478390002	BROUSSARD, DEREK AND SHERREE	13340	SANTA ANITA AVE	MORENO VALLEY	CA	92555-8416	BROUSSARD, DEREK AND SHERREE	13340 SANTA ANITA AVE	MORENO VALLEY, CA	92555-8416	63.63	6.36	12.6	82.58
96246985008	478391001	OLMEDO, MERCEDES	28743	LAUREL PARK WAY	MORENO VALLEY	CA	92555-8411	OLMEDO, MERCEDES	28743 LAUREL PARK WAY	MORENO VALLEY, CA	92555-8411	63.63	6.36	12.6	82.58
84610195005	478391003	GUTIERREZ, ERICKA	13373	SANTA ANITA AVE	MORENO VALLEY	CA	92555-8416	GUTIERREZ, ERICKA	13373 SANTA ANITA AVE	MORENO VALLEY, CA	92555-8416	254.02	25.4	50.3	329.7
80527505000	478391008	BROWN, MILTON AND ANGELA	13376	NOTTINGHAM AVE	MORENO VALLEY	CA	92555-8412	BROWN, MILTON AND ANGELA	13376 NOTTINGHAM AVE	MORENO VALLEY, CA	92555-8412	254.02	25.4	50.3	329.7
80396605009	478393002	GASPARD, AUDREY P	13351	NOTTINGHAM AVE	MORENO VALLEY	CA	92555-8412	GASPARD, AUDREY P	13351 NOTTINGHAM AVE	MORENO VALLEY, CA	92555-8412	247.48	24.75	49	321.22
85098075007	478400010	WALKER, DEBRA	28610	STRAUSS LN	MORENO VALLEY	CA	92555-6742	WALKER, DEBRA	28610 STRAUSS LN	MORENO VALLEY, CA	92555-6742	311.48	31.15	61.67	404.3
96059105000	478400012	CHAVEZ, LUIS (OWNR)	13061	ESSEN LN	MORENO VALLEY	CA	92555-6757	CHAVEZ, LUIS	13061 ESSEN LN	MORENO VALLEY, CA	92555-6757	190.79	19.08	37.78	247.64
93866605006	478400027	SPEARS, ERICA (OWNR)	13189	WEXFORD AVE	MORENO VALLEY	CA	92555-6710	SPEARS, ERICA	13189 WEXFORD AV	MORENO VALLEY, CA	92555-6710	40.79	4.08	8.08	52.94
93813595000	478400033	DARBY, KEITH (OWNR)	13135	WEXFORD AVE	MORENO VALLEY	CA	92555-6710	DARBY, KEITH	13135 WEXFORD AV	MORENO VALLEY, CA	92555-6710	165.91	16.59	32.85	215.34
85517175005	478401005	HENDERSON, RANDY	13100	ESSEN LN	MORENO VALLEY	CA	92555-6757	HENDERSON, RANDY	13100 ESSEN LN	MORENO VALLEY, CA	92555-6757	254.02	25.4	50.3	329.7
84530135008	478402002	HARDISON, LAWANDA (OWNR)	28619	STRAUSS LN	MORENO VALLEY	CA	92555-6742	HARDISON, LAWANDA	28619 STRAUSS LN	MORENO VALLEY, CA	92555-6742	279.32	27.93	55.31	362.54
84763755004	478402013	HARDY, SARAH	28614	DRACAEA AVE	MORENO VALLEY	CA	92555-6740	HARDY, SARAH	28614 DRACAEA AVE	MORENO VALLEY, CA	92555-6740	127.36	12.74	25.22	165.3
86534355001	478410007	PEREZ, ALICIA	28624	MARANDA CT	MORENO VALLEY	CA	92555-8424	PEREZ, ALICIA	28624 MARANDA CT	MORENO VALLEY, CA	92555-8424	36.37	3.64	7.2	47.2
86758535009	478410016	YOUNG, GLORIA	28634	BAY MEADOWS AVE	MORENO VALLEY	CA	92555-8427	YOUNG, GLORIA	28634 BAY MEADOWS AVE	MORENO VALLEY, CA	92555-8427	254.02	25.4	50.3	329.7
90782735001	478412006	WRIGHT JR, EUGENE (OWNR)	13423	PRANCER LN	MORENO VALLEY	CA	92555-8420	WRIGHT JR, EUGENE	13423 PRANCER LN	MORENO VALLEY, CA	92555-8420	297.13	29.71	58.83	385.66
62291835006	478420016	CERDA, SUZANNA	29177	MALTBY AVE	MORENO VALLEY	CA	92555-7226	CERDA, SUZANNA	29177 MALTBY AVE	MORENO VALLEY, CA	92555-7226	254.12	25.41	50.32	329.84
31117235007	478420018	ENSIGN, ALBERT	29155	MALTBY AVE	MORENO VALLEY	CA	92555-7226	ENSIGN, ALBERT	P O BOX 6152	MORENO VALLEY, CA	92554-6152	254.02	25.4	50.3	329.7
31261775009	478421008	HOLT, THOMAS	29235	CAMPBELL AVE	MORENO VALLEY	CA	92555-7200	HOLT, THOMAS	29235 CAMPBELL AVE	MORENO VALLEY, CA	92555-7200	253.92	25.39	50.28	329.58
94457865001	478430007	ACOSTA, LESLIE (OWNR)	29070	KIMBERLY AVE	MORENO VALLEY	CA	92555-7215	ACOSTA, LESLIE	29070 KIMBERLY AVE	MORENO VALLEY, CA	92555-7215	254.12	25.41	50.32	329.84
62762335001	478430016	IRVINE, RICK	29075	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-7211	IRVINE, RICK	29075 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-7211	254.12	25.41	50.32	329.84
92231505005	478430017	STOREY, DONALD	29155	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-7212	STOREY, DONALD	29155 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-7212	254.12	25.41	50.32	329.84
60853955009	478430019	DRAKE, MICHAEL	29095	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-7211	DRAKE, MICHAEL	241.5 C ST APT A	SELMA, CA	93662-3176	254.12	25.41	50.32	329.84
31618055001	478431012	WALL, VELMA	29054	MALTBY AVE	MORENO VALLEY	CA	92555-7219	WALL, VELMA	29054 MALTBY AVE	MORENO VALLEY, CA	92555-7219	254.02	25.4	50.3	329.7
31446145009	478431014	KILO, NOEL R	29148	MALTBY AVE	MORENO VALLEY	CA	92555-7224	KILO, NOEL R	29148 MALTBY AVE	MORENO VALLEY, CA	92555-7224	189.02	18.9	37.43	245.34
90797303009	478483029	DIAZ, EDITH (RENT)	13682	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	DIAZ, EDITH	13682 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6506	174.11	17.41	34.47	225.98
66684045004	479060001	SPARGO, TINA	12631	KITCHING ST	MORENO VALLEY	CA	92553-4723	SPARGO, TINA	10930 W MONTECITO AVE	PHOENIX, AZ	85037-5409	153.43	15.34	30.38	199.14
94901225000	479060003	CORREA, ERICA (OWNR)	12655	KITCHING ST	MORENO VALLEY	CA	92553-4723	CORREA, ERICA	12655 KITCHING ST	MORENO VALLEY, CA	92553-4723	329.6	32.96	65.26	427.82
31255405009	479060004	VALADEZ, RAYMOND AND AGNES	12671	KITCHING ST	MORENO VALLEY	CA	92553-4723	VALADEZ, RAYMOND	12671 KITCHING ST	MORENO VALLEY, CA	92553-4723	254.12	25.41	50.32	329.84
96003115006	479060014	BELLOC, ERICA (RENT)	12686	LAURY LN	MORENO VALLEY	CA	92553-2325	BELLOC, ERICA	16698 WASHINGTON ST	RIVERSIDE, CA	92504-6120	158.12	15.81	31.31	205.22
91041583002	479060016	MORENO, EDGAR (RENT)	12656	LAURY LN	MORENO VALLEY	CA	92553-2325	MORENO, EDGAR	700 DEL MAR AVE	CHULA VISTA, CA	91910-5913	115.65	11.57	22.9	150.1
31639025004	479060017	MALDONADO, ANGEL	25450	TODD DR	MORENO VALLEY	CA	92553-4163	MALDONADO, ANGEL	25450 TODD DR	MORENO VALLEY, CA	92553-4163	254.02	25.4	50.3	329.7
57518405009	479060033	MILLER, PAMELA	25378	TODD DR	MORENO VALLEY	CA	92553-2335	MILLER, PAMELA	PO BOX 497	MORENO VALLEY, CA	92556-0497	254.02	25.4	50.3	329.7
93172035009	479060037	SILVA, ROSA (RENT)	25322	TODD DR	MORENO VALLEY	CA	92553-2335	SILVA, ROSA	25322 TODD DR	MORENO VALLEY, CA	92553-2335	190.4	19.04	37.7	247.12
60966985002	479062005	PEREZ, ELEAZAR	25353	TODD DR	MORENO VALLEY	CA	92553-4161	PEREZ, ELEAZAR	25353 TODD DR	MORENO VALLEY, CA	92553-4161	254.12	25.41	50.32	329.84
96418975005	479062013	LOPEZ, ARACELI (RENT)	12701	LAURY LN	MORENO VALLEY	CA	92553-4137	LOPEZ, ARACELI	21550 BOX SPRINGS RD	MORENO VALLEY, CA	92557-6712	51.63	5.16	10.22	67
31112205004	479062015	ARCHIBEQUE, MARTHA	12727	LAURY LN	MORENO VALLEY	CA	92553-4137	ARCHIBEQUE, RICHARD	12727 LAURY LN	MORENO VALLEY, CA	92553-4137	254.02	25.4	50.3	329.7
90452105003	479062018	MORA, OSCAR	25388	FIR AVE	MORENO VALLEY	CA	92553-4192	MORA, OSCAR	25388 FIR AVE	MORENO VALLEY, CA	92553-4192	253.92	25.39	50.28	329.58
61452425001	479062023	HERNANDEZ, ELIZABETH	25318	FIR AVE	MORENO VALLEY	CA	92553-4192	HERNANDEZ, ELIZABETH	25318 FIR AVE	MORENO VALLEY, CA	92553-4192	254.12	25.41	50.32	329.84
97570615008	479062035	PICAZO, STEPHANIE (RENT)	25408	JUDITH PL	MORENO VALLEY	CA	92553-2324	PICAZO, STEPHANIE	212 NORTH PALM AVE	ONTARIO, CA	91762-3525	70.21	7.02	13.9	91.12
31177345008	479062037	GUNNER, JANICE	25376	JUDITH PL	MORENO VALLEY	CA	92553-4130	GUNNER, JANICE	25376 JUDITH PL	MORENO VALLEY, CA	92553-4130	190.29	19.03	37.68	246.98
61457165004	479062039	BLAIR, DAWN	25348	JUDITH PL	MORENO VALLEY	CA	92553-4130	BLAIR, DAWN	26151 CALLE AGUA	MORENO VALLEY, CA	92551-1643	45.84	4.58	9.08	59.5
89938895008	479090018	HANKINS, PATRICIA (RENT)	13075	BIRCHWOOD DR UNIT B	MORENO VALLEY	CA	92553-5433	HANKINS, PATRICIA	13075 BIRCHWOOD DR B	MORENO VALLEY, CA	92553-5433	153.15	15.32	30.32	198.78
97124425004	479090025	COBOS, FIDEL (RENT)	25038	ATWOOD AVE	MORENO VALLEY	CA	92553-4219	COBOS, FIDEL (RENT)	25038 ATWOOD AVE	MORENO VALLEY, CA	92553-4219	54.31	5.43	10.75	70.48
31076505008	479090038	GALARZA, DAN	25119	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-4122	GALARZA, DAN	25119 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-4122	254.02	25.4	50.3	329.7
87158305009	479100009	PALAPE, MALIA	13026	SHIREBOURN RD	MORENO VALLEY	CA	92553-4249	PALAPE, MALIA	13026 SHIREBOURN RD	MORENO VALLEY, CA	92553-4249	54.02	5.4	10.7	70.1
91010645005	479100017	GUERRA, YESENIA	13010	THISTLE BROOK DR	MORENO VALLEY	CA	92553-4259	GUERRA, YESENIA	13010 THISTLE BROOK DR	MORENO VALLEY, CA	92553-4259	253.92	25.39	50.28	329.58
97846715001	479100018	VIDANA, RACHEL	13022	THISTLE BROOK DR	MORENO VALLEY	CA	92553-4259	VIDANA, RACHEL	23734 VALLE DEL ORO UNIT 201	NEWHALL, CA	91321-3192	362.12	36.21	71.7	470.02
97033375007	479100024	REYES, GABRIELA (RENT)	13096	THISTLE BROOK DR	MORENO VALLEY	CA	92553-4259	REYES, GABRIELA	13096 THISTLE BROOK DR	MORENO VALLEY, CA	92553-4259	254.12	25.41	50.32	329.84
56058065008	479101004	LOPEZ, MARCIANO	13097	SHIREBOURN RD	MORENO VALLEY	CA	92553-4248	LOPEZ, MARCIANO	13097 SHIREBOURN RD	MORENO VALLEY, CA	92553-4248	40.69	4.07	8.06	52.8
31363495002	479101005	HOLIDAY, PAN	13107	SHIREBOURN RD	MORENO VALLEY	CA	92553-4250	HOLIDAY, PAN	13107 SHIREBOURN RD	MORENO VALLEY, CA	92553-4250	254.02	25.4	50.3	329.7
97279075009	479102001	GARBAJAL, GALDINO (RENT)	13102	SHIREBOURN RD	MORENO VALLEY	CA	92553-4267	GARBAJAL, GALDINO	13102 SHIREBOURN RD	MORENO VALLEY, CA	92553-4267	190.79	19.08	37.78	247.64
59952975008	479102008	MARQUEZ, MARISA	25319	RIVENDELL TER	MORENO VALLEY	CA	92553	MARQUEZ, MARISA	25319 RIVENDELL TER	MORENO VALLEY, CA	92553	254.12	25.41	50.32	329.84
31287465009	479111004	BOSTIC, MARSHALL B	13167	SHIREBOURN RD	MORENO VALLEY	CA	92553-4250	BOSTIC, MARSHALL B	PO BOX 7222	MORENO VALLEY, CA	92552-7222	329.32	32.93	65.21	427.44
31266005000	479111005	MACIAS, MARTIN	13181	SHIREBOURN RD	MORENO VALLEY	CA	92553-4250	MACIAS, MARTIN	13181 SHIREBOURN RD	MORENO VALLEY, CA	92553-4250	127.46	12.75	25.24	165.44
31080385005	479111008	HERBERT, LOUIS AND SANDRA	13219	SHIREBOURN RD	MORENO VALLEY	CA	92553-4287	HERBERT, LOUIS AND SANDRA	PO BOX 8553	MORENO VALLEY, CA	92552-8553	357.53	35.75	70.79	464.06
31376655000	479112007	HOLLINS, HENRY (OWNR)	13211	THISTLE BROOK DR	MORENO VALLEY	CA	92553-5407	HOLLINS, HENRY	13211 THISTLE BROOK DR	MORENO VALLEY, CA	92553-5407	96.02	9.6	19.01	124.62
90864373002	479113003	VELASQUEZ, NELLIE (RENT)	25350	DRACAEA AVE	MORENO VALLEY	CA	92553-4240	VELASQUEZ, NELLIE (RENT)	25350 DRACAEA AVE	MORENO VALLEY, CA	92553-4240	312.68	31.27	61.91	405.84
31248995000	479113005	FIGUEROA, MADELYN	25330	DRACAEA AVE	MORENO VALLEY	CA	92553-4240	FIGUEROA, MADELYN	25330 DRACAEA AVE	MORENO VALLEY, CA	92553-4240	254.12	25.41	50.32	329.84
74012995008	479113015	DAVALOS, JUAN	13178	THISTLE BROOK DR	MORENO VALLEY	CA	92553-4298	DAVALOS, JUAN	13178 THISTLE BROOK DR	MORENO VALLEY, CA	92553-4298	254.02	25.4	50.3	329.7
49515425002	479113034	CORONA, MARIA G	25447	STEFFY CIR	MORENO VALLEY	CA	92553-4252	CORONA, MARIA G	25447 STEFFY CR	MORENO VALLEY, CA	92553-4252	254.02	25.4	50.3	329.7
55556715006	479113037	CASTELLON, FRANCISCO JAVIER	25485	STEFFY CIR	MORENO VALLEY	CA	92553-4252	CASTELLON, FRANCISCO JAVIER	25485 STEFFY CIR	MORENO VALLEY, CA	92553-4252	329.32	32.93	65.21	427.44
31123605007	479113046	SEEGER, SHERRY	25418	STEFFY CIR	MORENO VALLEY	CA	92553-4232	SEEGER, SHERRY	25418 STEFFY CIR	MORENO VALLEY, CA	92553-4232	254.02	25.4	50.3	329.7
95622435007	479113048	CARRILLO, MANUELA (RENT)	13162	TERRY CT	MORENO VALLEY	CA	92553-4231	CARRILLO, MANUELA	13162 TERRY CT	MORENO VALLEY, CA	92553-4231	254.12	25.41	50.32	329.84
31355935001	479113051	MARINAS, FELICITAS	13134	TERRY CT	MORENO VALLEY	CA	92553-4231	MARINAS, FELICITAS	13134 TERRY CT	MORENO VALLEY, CA	92553-4231	254.02	25.4	50.3	329.7
95600695008	479120005	ALVAREZ, JOSE (RENT)	13182	SUNSET LN	MORENO VALLEY	CA	92553-4253	ALVAREZ, JOSE	13182 SUNSET LN	MORENO VALLEY, CA	92553-4253	190.79	19.08	37.78	247.64
31120135002	479120008	LAWRENCE, BARNEY	25111	ATWOOD AVE	MORENO VALLEY	CA	92553-4222	LAWRENCE, BARNEY	PO BOX 703	MORENO VALLEY, CA	92556-0703	163.63	16.36	32.4	212.38
31320825002	479120028	RIVERA, ARTEMIO	25074	DRACAEA AVE	MORENO VALLEY	CA	92553-4234	RIVERA, ARTEMIO	25074 DRACAEA AVE	MORENO VALLEY, CA	92553-4234	143.92	14.39	28.5	186.8
95968553008	479120085	BUTLER, VANESSA (RENT) APTS	13185	BENCLIFF AVE UNIT A	MORENO VALLEY	CA	92553-5425	BUTLER, VANESSA	13185 BENCLIFF AVE UNIT A	MORENO VALLEY, CA	92553-5425	195.27	19.53	38.66	253.46
93229143004	479120087	LOVE, WAYNE (RENT)	13213	BENCLIFF AVE	MORENO VALLEY	CA	92553-5438	LOVE, WAYNE	13213 BENCLIFF AVE	MORENO VALLEY, CA	92553-5438	243.45	24.35	48.2	315.98
31434825002	479121002	OROZCO, VERONICA (APTS)	13142	BENCLIFF AVE UNIT A	MORENO VALLEY	CA	92553-5431	OROZCO, VERONICA	13142 BENCLIFF AVE A	MORENO VALLEY, CA	92553-5431	254.02	25.4	50.3	329.7
83345345008	479121009	CORTEZ, OSCAR (APTS)	13240	BENCLIFF AVE UNIT A	MORENO VALLEY	CA	92553-5434	CORTEZ, OSCAR	13240 BENCLIFF AVE A	MORENO VALLEY, CA	92553-5434	254.02	25.4	50.3	329.7

MV00167453

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
90442483004	479121018	XAYAVONG, AENOI (RENT) APTS	13221	TACOMA DR UNIT A	MORENO VALLEY	CA	92553-5436	XAYAVONG, AENOI	1815 ENTERPRISE AVE	RIVERSIDE, CA	92507-5410	230.79	23.08	45.7	299.56
31605805001	479121020	SALAS, ISAIAS (RENT)	25230	DRACAEA AVE	MORENO VALLEY	CA	92553-4238	SALAS, ISAIAS	25230 DRACAEA AVE	MORENO VALLEY, CA	92553-4238	134.02	13.4	26.54	173.94
99695375007	479121023	WILLIAMS, BENITA (RENT)	13210	TACOMA DR	MORENO VALLEY	CA	92553-4255	WILLIAMS, BENITA	13210 TACOMA DR	MORENO VALLEY, CA	92553-4255	247.86	24.79	49.08	321.72
61515445001	479131004	SOLORIO, JUAN	13287	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4273	SOLORIO, JUAN	13287 BIRCHWOOD DR	MORENO VALLEY, CA	92553-4273	254.12	25.41	50.32	329.84
31268265001	479131005	UNDERWOOD, MARIA	13301	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4229	UNDERWOOD, MARIA	13301 BIRCHWOOD DR	MORENO VALLEY, CA	92553-4229	253.92	25.39	50.28	329.58
31302635001	479131006	OLIVER, TONY (OWNR)	13313	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4229	OLIVER, TONY	8636 MILL POND PL	RIVERSIDE, CA	92508-6619	162.45	16.25	32.17	210.86
31635815006	479131011	BAKER, CLIFTON	13371	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4229	BAKER, CLIFTON	13371 BIRCHWOOD DR	MORENO VALLEY, CA	92553-4229	254.02	25.4	50.3	329.7
83653695001	479132047	RAMIREZ, CARLOS	13337	PATRICIA LN	MORENO VALLEY	CA	92553-4241	RAMIREZ, CARLOS	11884 LIVERPOOL ST	MORENO VALLEY, CA	92557-6170	127.18	12.72	25.18	165.06
96184715008	479132048	GUTIEREZ, FREDDIE (RENT)	13363	PATRICIA LN	MORENO VALLEY	CA	92553-4241	GUTIEREZ, FREDDIE	13363 PATRICIA LN	MORENO VALLEY, CA	92553-4241	254.12	25.41	50.32	329.84
31364145004	479132061	ARREOLA, MARTHA	13337	BENCLIFF AVE	MORENO VALLEY	CA	92553-4226	ARREOLA, MARTHA	13337 BENCLIFF DR	MORENO VALLEY, CA	92553-4226	115.02	11.5	22.77	149.28
90660705005	479132073	NAVARRETTE, RAMON	13288	BENCLIFF AVE	MORENO VALLEY	CA	92553-4262	NAVARRETTE, RAMON	13288 BEN CLIFF DR	MORENO VALLEY, CA	92553-4262	253.92	25.39	50.28	329.58
31113675003	479132076	PEREZ, JESSE	13265	TACOMA DR	MORENO VALLEY	CA	92553-4295	PEREZ, JESSE	13265 TACOMA DR	MORENO VALLEY, CA	92553-4295	264.17	26.42	52.31	342.88
95934415000	479132078	BLACK, JESSICA (RENT)	13336	BENCLIFF AVE	MORENO VALLEY	CA	92553-4227	BLACK, JESSICA	13336 BENCLIFF AVE	MORENO VALLEY, CA	92553-4227	254.12	25.41	50.32	329.84
97701755009	479140004	ARCHULETA, ANINA (RENT)	13385	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4229	ARCHULETA, ANINA	13385 BIRCHWOOD DR	MORENO VALLEY, CA	92553-4229	136.37	13.64	27	177
31263445005	479140009	AKBARI, MOHAMMAD (RENT)	13453	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4274	AKBARI, MOHAMMAD	13453 BIRCHWOOD DR	MORENO VALLEY, CA	92553-4274	125.66	12.57	24.88	163.1
31531605001	479150031	LA RUE, CATHERINE	13395	LASSELLE ST	MORENO VALLEY	CA	92553-0800	LA RUE, CATHERINE	13395 LASSELLE ST	MORENO VALLEY, CA	92553-0800	398.34	39.83	78.87	517.04
31315775003	479150033	HAND, FRED (OWNR)	13465	LASSELLE ST	MORENO VALLEY	CA	92553-6828	HAND, FRED	PO BOX 959	MORENO VALLEY, CA	92556-0933	165.64	16.56	32.8	215
31386525007	479160006	ALEMAN, CONSUELO	25752	COTTONWOOD AVE	MORENO VALLEY	CA	92553-4874	ALEMAN, CONSUELO	25752 COTTONWOOD AVE	MORENO VALLEY, CA	92553-4874	329.92	32.93	65.21	427.44
31297425007	479160014	BROWN, HANK/DEWAIN	25754	COTTONWOOD AVE	MORENO VALLEY	CA	92553-4874	BROWN, HANK	25754 COTTONWOOD AVE	MORENO VALLEY, CA	92553-4874	179.72	17.97	35.58	233.26
31554595005	479170004	CARRION, JOHN	25961	COTTONWOOD AVE	MORENO VALLEY	CA	92553-4805	CARRION, JOHN	25961 COTTONWOOD AVE	MORENO VALLEY, CA	92553-4805	134.02	13.4	26.54	173.94
92231865009	479170028	GREEN, TONY	13588	TERRA BELLA AVE	MORENO VALLEY	CA	92553-4824	GREEN, TONY	13588 TERRA BELLA AVE	MORENO VALLEY, CA	92553-4824	253.92	25.39	50.28	329.58
62497705006	479170031	GURROLA, CLIFFORD	13556	TERRA BELLA AVE	MORENO VALLEY	CA	92553-4824	GURROLA, CLIFFORD	13556 TERRA BELLA AVE	MORENO VALLEY, CA	92553-4824	254.12	25.41	50.32	329.84
92397103008	479170032	SERVIN, HUMBERTO	13546	TERRA BELLA AVE	MORENO VALLEY	CA	92553-4824	SERVIN, HUMBERTO	13546 TERRA BELLA AVE	MORENO VALLEY, CA	92553-4824	76.37	7.64	15.12	99.12
31220775005	479200015	L B C SERVICE	25085	ST CHRISTOPHER LN	MORENO VALLEY	CA	92553-4310	L B C SERVICE	25085 ST CHRISTOPHER LN	MORENO VALLEY, CA	92553-4310	254.12	25.41	50.32	329.84
90756813008	479200022	THAIN, JOHNATHAN (RENT)	13608	PERRIS BLVD	MORENO VALLEY	CA	92553-4307	THAIN, JOHNATHAN (RENT)	13608 PERRIS BLVD	MORENO VALLEY, CA	92553-4307	105.81	10.58	20.95	137.34
90405873009	479220024	CARDINEL, DANIEL (RENT)	13950	MORENO ROSE PL	MORENO VALLEY	CA	92553-4325	CARDINEL, DANIEL (RENT)	13950 MORENO ROSE PL	MORENO VALLEY, CA	92553-4325	434.47	43.45	86.03	563.94
31470895001	479251004	ARIAS, JOSE	25425	DRACAEA AVE	MORENO VALLEY	CA	92553-4239	ARIAS, JOSE	25425 DRACAEA AVE	MORENO VALLEY, CA	92553-4239	146.85	14.69	29.08	190.6
96866545006	479251008	MARKS, MARY AND HERMAN (RENT)	13281	SILVER LN	MORENO VALLEY	CA	92553-4289	MARKS, MARY AND HERMAN	13281 SILVER LN	MORENO VALLEY, CA	92553-4289	190.79	19.08	37.78	247.64
87951223004	479251013	PUENTE, SYLVIA (RENT)	13333	SILVER LN	MORENO VALLEY	CA	92553-4270	PUENTE, SYLVIA	13333 SILVER LN	MORENO VALLEY, CA	92553-4270	47.79	4.78	9.46	62.02
31371005008	479251014	WISEMAN, SUSAN	13343	SILVER LN	MORENO VALLEY	CA	92553-4270	WISEMAN, SUSAN	13343 SILVER LN	MORENO VALLEY, CA	92553-4270	34.64	3.46	6.86	44.96
89340243004	479251015	PEREZ, YARI (RENT)	15159	CALLE RENFRO	MORENO VALLEY	CA	92551-7018	PEREZ, YARI (RENT)	15159 CALLE RENFRO	MORENO VALLEY, CA	92551-7018	286.69	28.67	56.76	372.12
69926195004	479251021	BURCIAGA, ANTONIO	13413	SILVER LN	MORENO VALLEY	CA	92553-4212	BURCIAGA, ANTONIO	13413 SILVER LN	MORENO VALLEY, CA	92553-4212	44.05	4.41	8.72	57.18
31068765000	479251024	HICKMAN, MICHELE	13443	SILVER LN	MORENO VALLEY	CA	92553-4212	HICKMAN, MICHELE	13443 SILVER LN	MORENO VALLEY, CA	92553-4212	254.02	25.4	50.3	329.7
95301145009	479252008	MENDOZA, JUAN (RENT)	13430	GOLD PL	MORENO VALLEY	CA	92553-4280	MENDOZA, JUAN	13430 GOLD PL	MORENO VALLEY, CA	92553-4280	214.54	21.45	42.48	278.46
91967325003	479252009	JAIMES, MARIA	13420	GOLD PL	MORENO VALLEY	CA	92553-4280	JAIMES, MARIA	13420 GOLD PL	MORENO VALLEY, CA	92553-4280	253.92	25.39	50.28	329.58
31129905001	479252012	WILLIAMS, RICKIE	13390	GOLD PL	MORENO VALLEY	CA	92553-4278	WILLIAMS, RICKIE	13390 GOLD PL	MORENO VALLEY, CA	92553-4278	254.02	25.4	50.3	329.7
31249225000	479252014	KEMMERER, CHRISTINE (OWNR)	13370	GOLD PL	MORENO VALLEY	CA	92553-4278	KEMMERER, CHRISTINE	13370 GOLD PL	MORENO VALLEY, CA	92553-4278	228.72	22.87	45.29	296.86
86908343000	479252018	WILSON, TONY (RENT)	13358	SILVER LN	MORENO VALLEY	CA	92553-4288	WILSON, TONY	13358 SILVER LN	MORENO VALLEY, CA	92553-4288	127.46	12.75	25.24	165.44
31639155006	479253006	GONZALEZ, CARLOS	13451	GOLD PL	MORENO VALLEY	CA	92553-4281	GONZALEZ, CARLOS	13451 GOLD PL	MORENO VALLEY, CA	92553-4281	254.02	25.4	50.3	329.7
91124863007	479253020	JONES, LISA (RENT)	13398	SILVER LN	MORENO VALLEY	CA	92553-4290	JONES, LISA	13398 SILVER LN	MORENO VALLEY, CA	92553-4290	147.28	14.73	29.16	191.16
62366485009	479261001	ORTEGA, TR	25243	FIR AVE	MORENO VALLEY	CA	92553-4120	ORTEGA, TR	25243 FIR AVE	MORENO VALLEY, CA	92553-4120	254.12	25.41	50.32	329.84
54991485004	479261003	MARIN, CARLOS	25219	FIR AVE	MORENO VALLEY	CA	92553-4120	MARIN, CARLOS	25219 FIR AVE	MORENO VALLEY, CA	92553-4120	254.02	25.4	50.3	329.7
95722665006	479261006	CARILLO, DAISY (RENT)	25175	FIR AVE	MORENO VALLEY	CA	92553-2312	CARILLO, DAISY	25175 FIR AVE	MORENO VALLEY, CA	92553-2312	130.49	13.05	25.84	169.36
75836545004	479261014	PRICE, TRACEY	25248	BRANDING IRON WAY	MORENO VALLEY	CA	92553-2316	PRICE, TRACEY	25248 BRANDING IRON WAY	MORENO VALLEY, CA	92553-2316	329.32	32.93	65.21	427.44
31088915007	479261015	HERNANDEZ, MARIA	25235	BRANDING IRON WAY	MORENO VALLEY	CA	92553-2316	HERNANDEZ, MARIA	25235 BRANDING IRON WAY	MORENO VALLEY, CA	92553-2316	40.39	4.04	8	52.42
62116005009	479261017	MORAN, ENEYDA	25207	BRANDING IRON WAY	MORENO VALLEY	CA	92553-2316	MORAN, ENEYDA	25207 BRANDING IRON WAY	MORENO VALLEY, CA	92553-2316	254.12	25.41	50.32	329.84
96365393000	479261020	MARTINEZ, JONATHAN (RENT)	25163	BRANDING IRON WAY	MORENO VALLEY	CA	92553-4104	MARTINEZ, JONATHAN	25163 BRANDING IRON WAY	MORENO VALLEY, CA	92553-4104	381.98	38.2	75.63	495.8
64428845000	479261036	LOZANO, ESMERALDA	25184	MARSEL RANCH RD	MORENO VALLEY	CA	92553-4176	LOZANO, ESMERALDA	25184 MARSEL RANCH RD	MORENO VALLEY, CA	92553-4176	154.12	15.41	30.52	200.04
31123065000	479261043	ROBISON, LAWRENCE	25201	MARSEL RANCH RD	MORENO VALLEY	CA	92553-2329	ROBISON, LAWRENCE	25201 MARSEL RANCH RD	MORENO VALLEY, CA	92553-2329	254.02	25.4	50.3	329.7
96251745017	479261044	PERIGOMO, ANGELA (RENT)	25185	MARSEL RANCH RD	MORENO VALLEY	CA	92553-4177	PERIGOMO, ANGELA	13142 KIOWA DR	MORENO VALLEY, CA	92553-7823	254.12	25.41	50.32	329.84
89791093009	479261054	GUERRERO, ANGELICA (RENT)	25244	BRIDLE TRAIL RD	MORENO VALLEY	CA	92553-4175	GUERRERO, ANGELICA	25244 BRIDLE TRAIL RD	MORENO VALLEY, CA	92553-4175	107.91	10.79	21.37	140.06
31102545004	479262007	NAVARETE, JUANITA	12805	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4147	NAVARETE, JUANITA	12805 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4147	254.02	25.4	50.3	329.7
57085405009	479262009	MONTERROSA, BLANCA	12777	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-2331	MONTERROSA, BLANCA	PO BOX 9845	MORENO VALLEY, CA	92552-1845	70.29	7.03	13.92	91.22
62239265004	479262012	VALADEZ, EVA	12949	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4179	VALADEZ, EVA	12949 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4179	254.12	25.41	50.32	329.84
57372065002	479262014	GARCIA, ANINA (OWNR)	12921	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4179	GARCIA, ANINA	12921 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4179	214.02	21.4	42.38	277.78
62671215009	479262016	RUBIO, GIOVANNI	12893	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4147	RUBIO, GIOVANNI	12893 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4147	254.12	25.41	50.32	329.84
31414835002	479263004	RIOS, ELIVORIO (OWNR)	25165	BRIDLE TRAIL RD	MORENO VALLEY	CA	92553-4174	RIOS, ELIVORIO	25165 BRIDLE TRAIL RD	MORENO VALLEY, CA	92553-4174	47.03	4.7	9.31	61.04
81138555004	479263005	GARCIA, ARIANA (OWNR)	25153	BRIDLE TRAIL RD	MORENO VALLEY	CA	92553-4174	GARCIA, ARIANNA	25153 BRIDLE TRAIL RD	MORENO VALLEY, CA	92553-4174	254.02	25.4	50.3	329.7
31124325004	479270001	SUAZO, JESSE	12761	TAMARA DR	MORENO VALLEY	CA	92553-2333	SUAZO, JESSE	12761 TAMARA DR	MORENO VALLEY, CA	92553-2333	254.02	25.4	50.3	329.7
94185855007	479270003	SOLIS, GABRIELA AND ANGEL	12785	TAMARA DR	MORENO VALLEY	CA	92553-2333	SOLIS, GABRIELA AND ANGEL	12785 TAMARA DR	MORENO VALLEY, CA	92553-2333	254.12	25.41	50.32	329.84
31634175003	479270014	JEFFERSON, JUNE	12927	TAMARA DR	MORENO VALLEY	CA	92553-4157	JEFFERSON, JUNE	12927 TAMARA DR	MORENO VALLEY, CA	92553-4157	254.02	25.4	50.3	329.7
94950495000	479270020	BUFORD, CARL AND MELISSA	12997	TAMARA DR	MORENO VALLEY	CA	92553-4157	BUFORD, CARL AND MELISSA	12997 TAMARA DR	MORENO VALLEY, CA	92553-4157	49.6	4.96	9.82	64.38
31350145008	479270022	FREILING, CHAD	12996	FOREMAN AVE	MORENO VALLEY	CA	92553-4128	FREILING, CHAD	12996 FOREMAN AVE	MORENO VALLEY, CA	92553-4128	254.02	25.4	50.3	329.7
31589035009	479270025	CARDENAS, LORRAINE	12964	FOREMAN AVE	MORENO VALLEY	CA	92553-4128	CARDENAS, LORRAINE	12964 FOREMAN AVE	MORENO VALLEY, CA	92553-4128	254.02	25.4	50.3	329.7
92986095002	479271001	PRESLEY, NORA	12946	TAMARA DR	MORENO VALLEY	CA	92553-4158	PRESLEY, NORA	P O BOX 8005	MORENO VALLEY, CA	92552-8005	254.02	25.4	50.3	329.7
31201285008	479271010	POWER, MATT	12890	TAMARA DR	MORENO VALLEY	CA	92553-4156	POWER, MATT	12890 TAMARA DR	MORENO VALLEY, CA	92553-4156	329.92	32.93	65.21	427.44
93228313000	479271013	PADILLA, MARIA (RENT)	12856	TAMARA DR	MORENO VALLEY	CA	92553-4156	PADILLA, MARIA	12856 TAMARA DR	MORENO VALLEY, CA	92553-4156	238.64	23.86	47.25	309.74
31159535006	479272002	GILANI, PIERCE Z (OWNR)	12759	FOREMAN AVE	MORENO VALLEY	CA	92553-2318	GILANI, PIERCE	PO BOX 9704	MORENO VALLEY, CA	92552-9704	127.36	12.74	25.22	165.3
98329585014	479280001	WANDER, GEORGIA AND CAMPBELL,H	13986	FLAMING ARROW DR	MORENO VALLEY	CA	92553-4331	WANDER, GEORGIA AND CAMPBELL,H	PO BOX 7691	MORENO VALLEY, CA	92552-7691	420.76	42.08	83.31	546.14
98535173002	479281006	DORSEY, MELYSSA (RENT)	25152	SILENT CREEK RD	MORENO VALLEY	CA	92553-4337	DORSEY, MELYSSA	14839 EDELWEISS PL	MORENO VALLEY, CA	92553-5031	127.78	12.78	25.3	165.84
31117905006	479281008	GIELHAUG, CARL T	25128	SILENT CREEK RD	MORENO VALLEY	CA	92553-4337	GIELHAUG, CARL T	25128 SILENT CREEK RD	MORENO VALLEY, CA	92553-4337	254.02	25.4	50.3	329.7
31118265008	479281012	GULLETT, SHIRLEY	25177	SILENT CREEK RD	MORENO VALLEY	CA	92553-4337	GULLETT, SHIRLEY	25177 SILENT CREEK RD	MORENO VALLEY, CA	92553-4337	254.02	25.4	50.3	329.7
98165615016	479290003	GONSALEZ, DEOSELINA (RENT)	25251	OLD FARM ST	MORENO VALLEY	CA	92553-4343	GONSALEZ, DEOSELINA	25251 OLD FARM ST	MORENO VALLEY, CA	92553-4343	210.55	21.06	41.69	273.28
90609443007	479290004	WILLIAMS, KIM (RENT)	25265	OLD FARM ST	MORENO VALLEY	CA	92553-4343	WILLIAMS, KIM (RENT)	15162 PERRIS BLVD, APT 106	MORENO VALLEY, CA	92551-7150	241.98	24.2	47.91	314.08
31049455005	479290006	DOMINGUEZ, MARGARITO	25289	OLD FARM ST	MORENO VALLEY	CA	92553-4343	DOMINGUEZ, MARGARITO	25289 OLD FARM ST	MORENO VALLEY, CA	92553-4343	254.02	25.4	50.3	329.7
31487005002	479290011	MILNER, JEANNIE	25365	OLD FARM ST	MORENO VALLEY	CA	92553-4326	MILNER, JEANNIE	25365 OLD FARM ST	MORENO VALLEY, CA	92553-4326	54.12	5.41	10.72	70.24
50349655003	479291002	NUNGARY, JESSE (OWNR)	25342	OLD FARM ST	MORENO VALLEY	CA	92553-4328	NUNGARY, JESSE	25342 OLD FARM ST	MORENO VALLEY, CA	92553-4328	254.02	25.4	50.3	329.7
82975655007	479291006	ALEXANDER, DONZELL	25286	OLD FARM ST	MORENO VALLEY	CA	92553-4329	ALEXANDER, DONZELL	25286 OLD FARM ST	MORENO VALLEY, CA	92553-4329	254.02	25.4	50.3	329.7
31307305009	479291009	MIRAMONTES-DE LUNA, ARMANDO	25244	OLD FARM ST	MORENO VALLEY	CA	92553-4329	MIRAMONTES-DE LUNA, ARMANDO	25244 OLD FARM ST	MORENO VALLEY, CA	92553-4329	254.02	25.4	50.3	329.7
31166795006	479291023	BERUMEN, ARTHUR AND SANDRA	25338	SUGAR HILL RD	MORENO VALLEY	CA	92553-4347	BERUMEN, ARTHUR AND SANDRA	15990 BUENA MESA CT	MORENO VALLEY, CA	92555-5926	228.63	22.86	45.27	296.76
89820287007	479291029	GONZALEZ, BRENDA (RENT)	25266	SUGAR HILL RD	MORENO VALLEY	CA	92553-6522	GONZALEZ, BRENDA	25266 SUGAR HILL RD	MORENO VALLEY, CA	92553-6522	321.76	32.18	63.71	417.64
90626905004	479292008	HICKS, GLORIA	25214	SUGAR HILL RD	MORENO VALLEY	CA	92553-6522	HICKS, GLORIA	25214 SUGAR HILL RD	MORENO VALLEY, CA	92553-6522	127.26	12.73	25.2	165.18
57295485007	479300001	SANCHEZ, JUAN AND ANINA	25243	HEMLOCK AVE	MORENO VALLEY	CA	92557-7520	SANCHEZ, JUAN AND ANINA	25243 HEMLOCK AVE	MORENO VALLEY, CA	92557-7520	254.02	25.4	50.3	329.7
89927255005	479300008	SERRANO, EVANGELINA	12302	LOREZ DR	MORENO VALLEY	CA	92557-7407	SERRANO, EVANGELINA	12302 LOREZ DR	MORENO VALLEY, CA	92557-7407	214.76	21.48	42.52	278.74
50320985005	479300031	MCGEE, SHER	12364	MARMONT PL	MORENO VALLEY	CA	92557-7415	MCGEE, SHER	12364 MARMONT PL	MORENO VALLEY, CA	92557-7415	254.02	25.4	50.3	329.7
31196395007	479301005	JONES, EILEEN	25181	ELDER AVE	MORENO VALLEY	CA	92557-7402	JONES, EILEEN	25181 ELDER AVE	MORENO VALLEY, CA	92557-7402	254.02	25.4	50.3	329.7
70073065009	479302003	RAMIREZ, JAIME	12371	LOREZ DR	MORENO VALLEY	CA	92557-7409	RAMIREZ, JAIME	12371 LOREZ DR	MORENO VALLEY, CA	92557-7409	254.02	25.4	50.3	329.7
93383285009	479302010	RIVERA, LESSER (RENT)	12271	LOREZ DR	MORENO VALLEY	CA	92557-7428	RIVERA, LESSER	12271 LOREZ DR	MORENO VALLEY, CA	92557-7428	254.12	25.41	50.32	329.84
31440185003	479311007	ZAMUDIO, FRANCISCO	12317	VISTA HERMOSA DR	MORENO VALLEY	CA	92557-7518	ZAMUDIO, FRANCISCO	26980 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4958	254.02	25.4	50.3	329.7
53633925001	479311018	THOMAS, ALVINA	25323	LAS PALOMAS DR	MORENO VALLEY	CA	92557-7510	THOMAS, ALVINA	25323 LAS PALOMAS DR	MORENO VALLEY, CA	92557-7510	254.02	25.4	50.3	329.7
31054495007	479311034	ARGUIJO, GLORIA	25483	LAS PALOMAS DR	MORENO VALLEY	CA	92557-7512	ARGUIJO, GLORIA	25483 LAS PALOMAS DR	MORENO VALLEY, CA	92557-7512	254.02	25.4	50.3	329.7
56139235001	479311037	ARTEAGA, JUAN	25273	LAS PALOMAS DR	MORENO VALLEY	CA	92557-7508	ARTEAGA, JUAN	25273 LAS PALOMAS DR	MORENO VALLEY, CA	92557-7508	254.02	25.4	50.3	329.7
73687275009	479312009	BOWEN, MYESHA	25481	HEMLOCK AVE	MORENO VALLEY	CA	92557-7523	BOWEN, MYESHA	25481 HEMLOCK AVE	MORENO VALLEY, CA	92557-7523	254.02	25.4	50.3	329.7
57888335001	479312011	TUCKER, LEE	25459	HEMLOCK AVE	MORENO VALLEY	CA	92557-7523	TUCKER, LEE	25459 HEMLOCK AVE	MORENO VALLEY, CA	92557-7523	154.02	15.4	30.5	199.9
55931295009	479312014	OLAGUIEZ, GLORIA	25429	HEMLOCK AVE	MORENO VALLEY	CA	92557-7523	OLAGUIEZ, GLORIA	25429 HEMLOCK AVE	MORENO VALLEY, CA	92557-7523	254.02	25.4	50.3	329.7
80730505000	479312035	CORTES, MARIA	12330	VISTA HERMOSA DR	MORENO VALLEY	CA	92557-7517	CORTES, MARIA	24195 FAWN ST	MORENO VALLEY, CA	92553-3392	254.02	25.4	50.3	329.7
50901505003	479312037	WHITE, ERIKA	12341	PASEO DEL SOL WAY	MORENO VALLEY	CA	92557-7516	WHITE, ERIKA	12341 PASEO DEL SOL WAY	MORENO VALLEY, CA	92557-7516	254.02	25.4	50.3	329.7
94697455005	479312048	BROWN, ANA (RENT)	12340	PASEO DEL SOL WAY	MORENO VALLEY	CA	92557-7515	BROWN, ANA	12340 PASEO DEL SOL WAY	MORENO VALLEY, CA	92557-7515	254.12	25.41	50.32	329.84
31174775004	479312055	KEANE, ANNE	25416	LAS PALOMAS DR	MORENO VALLEY	CA	92557-7511	KEANE, ANNE	25416 LAS PALOMAS DR	MORENO VALLEY, CA	92557-7511	254.02	25.4	50.3	329.7
31132605008	479312057	LEVENSAILOR, RICHARD	12331	ARENISCA VERDE DR	MORENO VALLEY	CA	92557-7514	LEVENSAILOR, RICHARD	12331 ARENISCA VERDE DR	MORENO VALLEY, CA	92557-7514	329.32	32.93	65.21	427.44
98191535019	479312066	MATUS, ROCELIA	12332	ARENISCA VERDE DR	MORENO VALLEY	CA	92557-7513	MATUS, ROCELIA	12332 ARENISCA VERDE DR	MORENO VALLEY, CA	92557-7513	169.35	16.94	33.53	219.8

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
98228505015	479312067	HUYNH, HOA VAN	12340	ARENISCA VERDE DR	MORENO VALLEY	CA	92557-7513	HUYNH, HOA VAN	24921 NANDINA AVE	MORENO VALLEY, CA	92551-9542	335.76	33.58	66.48	435.8
63815795009	479321001	CONTRERAS, LETICIA	13747	STOCKBROOK RD	MORENO VALLEY	CA	92553-4873	CONTRERAS, LETICIA	13747 STOCKBROOK RD	MORENO VALLEY, CA	92553-4873	165.92	16.59	32.85	215.36
97504725004	479321004	REYES, JOSE	13701	STOCKBROOK RD	MORENO VALLEY	CA	92553-4873	REYES, JOSE	13701 STOCKBROOK RD	MORENO VALLEY, CA	92553-4873	254.12	25.41	50.32	329.84
60149355008	479321005	GALVEZ, RUBEN	13689	STOCKBROOK RD	MORENO VALLEY	CA	92553-4835	GALVEZ, RUBEN	13689 STOCKBROOK RD	MORENO VALLEY, CA	92553-4835	25.08	2.51	4.97	32.54
31607985009	479321009	FISHER, ROBERT AND LISA	13641	STOCKBROOK RD	MORENO VALLEY	CA	92553-4835	FISHER, ROBERT AND LISA	13641 STOCKBROOK RD	MORENO VALLEY, CA	92553-4835	254.02	25.4	50.3	329.7
74524345009	479321012	SLANEY, DAVID	13605	STOCKBROOK RD	MORENO VALLEY	CA	92553-4835	SLANEY, DAVID	14500 MCNAB AVE APT 1406	BELLFLOWER, CA	90706	254.02	25.4	50.3	329.7
31298305000	479321025	PULIDO, EZEQUIEL	25585	LOREN WAY	MORENO VALLEY	CA	92553-4833	PULIDO, EZEQUIEL	16745 ARROYO PARK DR	MORENO VALLEY, CA	92551-2105	253.92	25.39	50.28	329.58
31570085008	479321026	PACHECO, PEDRO	25571	LOREN WAY	MORENO VALLEY	CA	92553-4833	PACHECO, PEDRO	25571 LOREN WAY	MORENO VALLEY, CA	92553-4833	254.02	25.4	50.3	329.7
31414635004	479321030	MONGE, KATHY	25513	LOREN WAY	MORENO VALLEY	CA	92553-4833	MONGE, KATHY	25513 LOREN WAY	MORENO VALLEY, CA	92553-4833	329.32	32.93	65.21	427.44
31095555007	479321036	GIBBS JR, JOHN	25546	LOREN WAY	MORENO VALLEY	CA	92553-4833	GIBBS JR, JOHN	25546 LORIEN WY	MORENO VALLEY, CA	92553-4833	254.02	25.4	50.3	329.7
92319035007	479322004	MURRILO, MARTHA	13546	STOCKBROOK RD	MORENO VALLEY	CA	92553-4834	MURRILO, MARTHA	13546 STOCKBROOK RD	MORENO VALLEY, CA	92553-4834	253.92	25.39	50.28	329.58
57559425009	479322009	SIC, IRIS	13606	STOCKBROOK RD	MORENO VALLEY	CA	92553-4806	SIC, IRIS	13606 STOCKBROOK RD	MORENO VALLEY, CA	92553-4806	254.02	25.4	50.3	329.7
70338305006	479322015	PINEDA, ELSA AND BERNARDO	13678	STOCKBROOK RD	MORENO VALLEY	CA	92553-4806	PINEDA, ELSA	13678 STOCKBROOK RD	MORENO VALLEY, CA	92553-4806	27.06	2.71	5.36	35.12
94361475004	479333006	AVALOS, IGNACIA (RENT)	25189	SWEET GRASS DR	MORENO VALLEY	CA	92553-4362	AVALOS, IGNACIA	25189 SWEET GRASS DR	MORENO VALLEY, CA	92553-4362	61.3	6.13	12.14	79.56
57921655004	479333019	CASTRO, JOE AND CAROL	13681	DEER HILL PL	MORENO VALLEY	CA	92553-4360	CASTRO, JOE AND CAROL	13681 DEER HILL PL	MORENO VALLEY, CA	92553-4360	150.8	15.08	29.86	195.72
60053945009	479333020	WILLIAMS, SHAWN	13695	DEER HILL PL	MORENO VALLEY	CA	92553-4360	WILLIAMS, SHAWN	13695 DEER HILL PL	MORENO VALLEY, CA	92553-4360	254.12	25.41	50.32	329.84
31222185005	479341009	CHANDLER, EDWARD	25167	LEANN CT	MORENO VALLEY	CA	92553-2328	CHANDLER, EDWARD	25167 LEANN CT	MORENO VALLEY, CA	92553-2328	253.92	25.39	50.28	329.58
86652773003	479341010	CHAVEZ, SUMMERLOVE (RENT)	25183	LEANN CT	MORENO VALLEY	CA	92553-2328	CHAVEZ, SUMMERLOVE	25183 LEANN CT	MORENO VALLEY, CA	92553-2328	154.12	15.41	30.52	200.04
31113125009	479341011	SAAVEDRA, ALBERT	25197	LEANN CT	MORENO VALLEY	CA	92553-2328	SAAVEDRA, ALBERT	25197 LEANN CT	MORENO VALLEY, CA	92553-2328	254.02	25.4	50.3	329.7
95659315004	479341012	NICOLA, ANTHONY (RENT)	25209	LEANN CT	MORENO VALLEY	CA	92553-4172	NICOLA, ANTHONY	25209 LEANN CT	MORENO VALLEY, CA	92553-4172	254.12	25.41	50.32	329.84
92066945003	479341014	NAVARRO, TOMASA R	25235	LEANN CT	MORENO VALLEY	CA	92553-4172	NAVARRO, TOMASA R	25235 LEANN CT	MORENO VALLEY, CA	92553-4172	153.74	15.37	30.44	199.54
31601445006	479341017	MORENO, GILBERT	25250	LEANN CT	MORENO VALLEY	CA	92553-4172	MORENO, GILBERT	220 JOHNSTON ST	COLTON, CA	92324-1316	50	5	9.9	64.9
31425595008	479341021	GREGG, CHARLES	25210	LEANN CT	MORENO VALLEY	CA	92553-4172	GREGG, CHARLES	25210 LEANN CT	MORENO VALLEY, CA	92553-4172	254.02	25.4	50.3	329.7
90614373001	479341022	JOHNSON, LAQUITA	25198	LEANN CT	MORENO VALLEY	CA	92553-2327	JOHNSON, LAQUITA	25198 LEANN CT	MORENO VALLEY, CA	92553-2327	233.82	23.38	46.3	303.48
92507963001	479341029	MERCADO, JAIME (OWNR)	25213	TODD DR	MORENO VALLEY	CA	92553-4159	MERCADO, JAIME	25213 TODD DR	MORENO VALLEY, CA	92553-4159	130.45	13.05	25.83	169.32
93607373002	479342002	MARROQUIN, EDGAR (RENT)	25240	TODD DR	MORENO VALLEY	CA	92553-4160	MARROQUIN, EDGAR	25240 TODD DR	MORENO VALLEY, CA	92553-4160	233.82	23.38	46.3	303.48
94757465005	479342005	DIAZ, DON	25200	TODD DR	MORENO VALLEY	CA	92553-4160	DIAZ, DON	8229 GUAVA AVE	BUENA PARK, CA	90620-2219	149.39	14.94	29.58	193.9
31055025003	479342013	GODFREY, JANET	12679	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4178	GODFREY, JANET	12679 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4178	254.02	25.4	50.3	329.7
95301275001	479342016	SYKEF, ROSALIND (RENT)	12717	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4145	SYKEF, ROSALIND (RENT)	12717 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4145	247.58	24.76	49.02	321.34
71127285006	479351002	ORDAZ, ADRIANNA	25525	FIR AVE	MORENO VALLEY	CA	92553-4750	ORDAZ, ADRIANNA	25525 FIR AVE	MORENO VALLEY, CA	92553-4750	254.02	25.4	50.3	329.7
97072855004	479351004	NUNEZ,JOSE	25553	FIR AVE	MORENO VALLEY	CA	92553-4750	NUNEZ,JOSE	25553 FIR AVE	MORENO VALLEY, CA	92553-4750	420.76	42.08	83.31	546.14
31581935007	479351008	RAMSDEN, ELIZABETH	12785	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4748	RAMSDEN, ELIZABETH	12785 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4748	184.02	18.4	36.44	238.84
64883065009	479351009	ZUNIGA, MARIA	12795	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4748	ZUNIGA, MARIA	12795 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4748	242.13	24.21	47.94	314.28
92554853006	479351015	CASTILLO, LOURDES (RENT)	12814	PINEBROOK CT	MORENO VALLEY	CA	92553-1214	CASTILLO, LOURDES	12814 PINEBROOK CT	MORENO VALLEY, CA	92553-1214	294.76	29.48	58.36	382.58
97106175003	479351018	JIMENEZ, JOEL	12781	PINEBROOK CT	MORENO VALLEY	CA	92553-4744	JIMENEZ, JOEL	9850 19TH ST APT 89	RANCHO CUCAMONGA, CA	91737-4220	420.76	42.08	83.31	546.14
91889395004	479352004	ESQUIVEL, ERIKA	25555	CEDARBROOK AVE	MORENO VALLEY	CA	92553-4746	ESQUIVEL, ERIKA	25555 CEDARBROOK AVE	MORENO VALLEY, CA	92553-4746	162.56	16.26	32.19	211
96760113001	479352006	GARCIA, YESENIA (RENT)	25579	CEDARBROOK AVE	MORENO VALLEY	CA	92553-4746	GARCIA, YESENIA	25579 CEDARBROOK AVE	MORENO VALLEY, CA	92553-4746	95.85	9.59	18.98	124.4
96341365007	479352015	DE LA ROSA, FELIPE (RENT)	12786	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4739	DE LA ROSA, FELIPE	12786 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4739	254.12	25.41	50.32	329.84
95535935006	479352036	TOLEDO, JESSICA	12797	RAENETTE WAY	MORENO VALLEY	CA	92553-4709	TOLEDO, JESSICA	12797 RAENETTE WAY	MORENO VALLEY, CA	92553-4709	254.12	25.41	50.32	329.84
87635935004	479352037	DO, DUC (OWNER)	12789	RAENETTE WAY	MORENO VALLEY	CA	92553-4709	VO, DUKE	16051 BANANA ST	FOUNTAIN VALLEY, CA	92708-1501	254.12	25.41	50.32	329.84
31316675002	479352040	SHEPHERD, ARTIMAE	12765	RAENETTE WAY	MORENO VALLEY	CA	92553-4709	SHEPHERD, ARTIMAE	12765 RAENETTE WAY	MORENO VALLEY, CA	92553-4709	254.12	25.41	50.32	329.84
96588135002	479352042	TURNAGE, LARRY (RENT)	12766	RAENETTE WAY	MORENO VALLEY	CA	92553-4709	TURNAGE, LARRY	12766 RAENETTE WAY	MORENO VALLEY, CA	92553-4709	254.12	25.41	50.32	329.84
71343515001	479353003	MALOY, KRISTOFFER	12782	ARDOS ST	MORENO VALLEY	CA	92553-4741	MALOY, KRISTOFFER	12782 ARDOS ST	MORENO VALLEY, CA	92553-4741	254.02	25.4	50.3	329.7
97105405007	479353004	RUIZ, JUAN EDUARDO	12788	ARDOS ST	MORENO VALLEY	CA	92553-4741	RUIZ, JUAN EDUARDO	12788 ARDOS ST	MORENO VALLEY, CA	92553-4741	254.12	25.41	50.32	329.84
31250965002	479353006	WILSON, REGGIE	12798	ARDOS ST	MORENO VALLEY	CA	92553-4798	WILSON, REGGIE	12798 ARDOS ST	MORENO VALLEY, CA	92553-4798	253.92	25.39	50.28	329.58
81919765003	479353008	KEY, KAREN	12810	ARDOS ST	MORENO VALLEY	CA	92553-4753	KEY, KAREN	12810 ARDOS ST	MORENO VALLEY, CA	92553-4753	207.44	20.74	41.07	269.24
61035175001	479353015	GRACIANO, MARIA	25739	FIR AVE	MORENO VALLEY	CA	92553-4737	GRACIANO, MARIA	25739 FIR AVE	MORENO VALLEY, CA	92553-4737	127.46	12.75	25.24	165.44
101880703006	479361002	TYLER, BOBBY (OWNR)	25532	FIR AVE	MORENO VALLEY	CA	92553-4749	TYLER, BOBBY (OWNR)	25532 FIR AVE	MORENO VALLEY, CA	92553-4749	286.73	28.67	56.77	372.16
97072845007	479361005	FLINT, MARY	25592	FIR AVE	MORENO VALLEY	CA	92553-4749	FLINT, MARY	25592 FIR AVE	MORENO VALLEY, CA	92553-4749	194.93	19.48	38.58	252.98
31437695002	479361012	SMITH, RONDA	12701	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4755	SMITH, RONDA	12701 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4755	254.02	25.4	50.3	329.7
31090985008	479362001	MCMILLAN, MICHAEL	12617	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4716	MCMILLAN, MICHAEL	12617 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4716	254.02	25.4	50.3	329.7
99971065007	479362007	EVANS, SHAMEKA (RENT)	12531	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4754	EVANS, SHAMEKA (RENT)	12531 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4754	190.69	19.07	37.76	247.5
92302335000	479362011	ARGUETA, EMILDA	12546	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4754	ARGUETA, EMILDA	12546 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4754	254.02	25.4	50.3	329.7
56143355007	479362014	JOHNSON, LEWIS	12590	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4754	JOHNSON, LEWIS	12590 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4754	329.32	32.93	65.21	427.44
53042635006	479362021	SOKO, CARL	12660	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4770	SOKO, CARL	12660 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4770	254.02	25.4	50.3	329.7
31319335008	479362025	FISHER, HELEN	12673	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4760	FISHER, HELEN	1027 SYMERON CT	PERRIS, CA	92570-3420	329.04	32.9	65.15	427.08
94124245005	479362026	PINEDA, MICHELLA (OWNR)	12511	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	PINEDA, MICHELLA	12511 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4758	254.12	25.41	50.32	329.84
31508965009	479362027	COATES, PAULETTE	12527	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	COATES, PAULETTE	12527 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4758	36.35	3.64	7.2	47.18
31120715000	479362032	MANRIQUEZ, RAUL IV	12589	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	MANRIQUEZ, RAUL IV	12589 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4758	254.02	25.4	50.3	329.7
31542735001	479362034	FELTY, IRMA AND CHARLES (OWNR)	12613	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4760	FELTY, IRMA AND CHARLES	12613 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4760	253.92	25.39	50.28	329.58
91980503008	479362037	MURRAY, JAMES (RENT)	12653	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4760	MURRAY, JAMES	12653 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4760	190.79	19.08	37.78	247.64
31458435003	479363001	HARPER, HENRY	12674	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4759	HARPER, HENRY	12674 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4759	329.32	32.93	65.21	427.44
31631925002	479363006	COLUNGA, RACHELLE	12738	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4784	COLUNGA, RACHELLE	12738 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4784	36.37	3.64	7.2	47.2
31398305008	479363007	JOHNSON, LEZETTE	12668	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4759	JOHNSON, LEZETTE	12668 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4759	254.02	25.4	50.3	329.7
31387615003	479363008	LOPEZ, MARCIAL	12658	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4759	LOPEZ, MARCIAL	12658 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4759	253.92	25.39	50.28	329.58
94810945002	479363011	MENDOZA, JACKIE (OWNR)	12600	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4759	MENDOZA, JACKIE	12600 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4759	254.12	25.41	50.32	329.84
62641585004	479363015	SILVA, MARITZA	12550	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	SILVA, MARITZA	12550 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4758	60.79	6.08	12.04	78.9
31487165008	479363017	BUCKLEY, LASHAUNDA	12526	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	BUCKLEY, LASHAUNDA	12215 GRAHAM ST APT 5	MORENO VALLEY, CA	92557-7018	284.17	28.42	56.27	368.84
65087895002	479363018	GONZALEZ, LINDA	12510	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	GONZALEZ, LINDA	12510 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4758	254.12	25.41	50.32	329.84
50440985001	479371004	NEWELL, ANNIE	12415	KITCHING ST	MORENO VALLEY	CA	92557-7619	NEWELL, ANNIE	12415 KITCHING ST	MORENO VALLEY, CA	92557-7619	254.02	25.4	50.3	329.7
95824075004	479371012	REVELES, LORRAINE (RENT)	12416	COOL CT	MORENO VALLEY	CA	92557-7504	REVELES, LORRAINE	12416 COOL CT	MORENO VALLEY, CA	92557-7504	63.63	6.36	12.6	82.58
98204665012	479371018	LOPEZ, MIRIAM (RENT)	12415	COOL CT	MORENO VALLEY	CA	92557-7504	LOPEZ, MIRIAM	25350 SANTIAGO DR SPC 143	MORENO VALLEY, CA	92551-4680	27.53	2.75	5.45	35.72
57254085008	479371027	FLORES, GABRIEL (OWNR)	12406	FELT CT	MORENO VALLEY	CA	92557-7506	FLORES, GABRIEL	12406 FELT CT	MORENO VALLEY, CA	92557-7506	27.36	2.74	5.42	35.5
31604015000	479371029	VILLALOBOS, MARIA	12394	FELT CT	MORENO VALLEY	CA	92557-7506	VILLALOBOS, MARIA	12394 FELT CT	MORENO VALLEY, CA	92557-7506	80.94	8.09	16.03	105.06
31366005008	479371030	ESPINOZA, LISA	12395	FELT CT	MORENO VALLEY	CA	92557-7506	ESPINOZA, LISA	1040 S MOUNT VERNON DRIVE SP	COLTON, CA	92324-4228	24.93	2.49	4.94	32.34
87996405001	479371032	BRONAUGH, BONNIE AND GARY	12415	FELT CT	MORENO VALLEY	CA	92557-7506	BRONAUGH, BONNIE AND GARY	12415 FELT CT	MORENO VALLEY, CA	92557-7506	190.79	19.08	37.78	247.64
94891605003	479372010	HARRY, GERALDINE (RENT)	25369	ELDER AVE	MORENO VALLEY	CA	92557-7502	HARRY, GERALDINE	25369 ELDER AVE	MORENO VALLEY, CA	92557-7502	63.63	6.36	12.6	82.58
97061245006	479372014	JUAREZ, RAFAEL (RENT)	25417	ELDER AVE	MORENO VALLEY	CA	92557-7501	JUAREZ, RAFAEL	25417 ELDER AVE	MORENO VALLEY, CA	92557-7501	156.64	15.66	31.01	203.3
59154605009	479372019	RAMOS, SANDRA	25477	ELDER AVE	MORENO VALLEY	CA	92557-7501	RAMOS, SANDRA	25477 ELDER AVE	MORENO VALLEY, CA	92557-7501	63.83	6.38	12.64	82.84
85953115005	479381008	PLAZOLA, FRANCISCO JAVIER	12721	HEARTLEAF ST	MORENO VALLEY	CA	92553-1207	PLAZOLA, FRANCISCO JAVIER	12721 HEARTLEAF ST	MORENO VALLEY, CA	92553-1207	28.63	2.86	5.67	37.16
31434245004	479382001	RAMIREZ, LURDES	12666	JUNEBERRY CT	MORENO VALLEY	CA	92553-4762	RAMIREZ, LURDES	12666 JUNEBERRY CT	MORENO VALLEY, CA	92553-4762	269.32	26.93	53.33	349.56
31509315008	479382018	COX, SHERRY	12602	PEACHLEAF ST	MORENO VALLEY	CA	92553-1213	COX, SHERRY	12602 PEACHLEAF ST	MORENO VALLEY, CA	92553-1213	329.6	32.96	65.26	427.82
31503565008	479382019	ELLOWP, STEVE	12594	PEACHLEAF ST	MORENO VALLEY	CA	92553-4783	ELLOWP, STEVE	12594 PEACHLEAF ST	MORENO VALLEY, CA	92553-4783	329.6	32.96	65.26	427.82
31313615002	479382020	CARNERO, RAMIRO	12584	PEACHLEAF ST	MORENO VALLEY	CA	92553-4783	CARNERO, RAMIRO	12584 PEACHLEAF ST	MORENO VALLEY, CA	92553-4783	254.02	25.4	50.3	329.7
85843665002	479382021	HERNANDEZ, GEORGINA	12576	PEACHLEAF ST	MORENO VALLEY	CA	92553-4783	ERNANDEZ, GEORGINA	13121 RUNNING DEER RD	MORENO VALLEY, CA	92553-3257	112.54	11.25	22.28	146.06
87926193002	479382023	MORALES, ARMANDO (OWNR)	12560	PEACHLEAF ST	MORENO VALLEY	CA	92553-4783	MORALES, ARMANDO	12560 PEACHLEAF ST	MORENO VALLEY, CA	92553-4783	63.63	6.36	12.6	82.58
90742005008	479383002	RENDON, EUGENIA (OWNR)	25736	FIR AVE	MORENO VALLEY	CA	92553-4740	RENDON, EUGENIA	25736 FIR AVE	MORENO VALLEY, CA	92553-4740	127.26	12.73	25.2	165.18
92637253005	479383013	SJEM, DARLEEN	25711	SWEETLEAF ST	MORENO VALLEY	CA	92553-1223	SJEM, DARLEEN	25711 SWEETLEAF ST	MORENO VALLEY, CA	92553-1223	191.79	19.18	37.97	248.94
31327225004	479383015	YOUNG, TOUZALIN	25735	SWEETLEAF ST	MORENO VALLEY	CA	92553-1223	YOUNG, TOUZALIN	25735 SWEETLEAF ST	MORENO VALLEY, CA	92553-1223	54.02	5.4	10.7	70.1
31325135007	479384002	GUZMAN, LEA AND JOSE	12525	PEACHLEAF ST	MORENO VALLEY	CA	92553-4765	GUZMAN, LEA AND JOSE	12525 PEACHLEAF ST	MORENO VALLEY, CA	92553-4765	254.02	25.4	50.3	329.7
86102075006	479384006	MEDRANO, DELFINA	12597	PEACHLEAF ST	MORENO VALLEY	CA	92553-1212	MEDRANO, DELFINA	12008 186 ST	ARTESIA, CA	90701-5712	329.32	32.93	65.21	427.44
74098935000	479384008	IBARRA, MARIO	12615	PEACHLEAF ST	MORENO VALLEY	CA	92553-4782	IBARRA, MARIO	12615 PEACHLEAF ST	MORENO VALLEY, CA	92553-4782	254.02	25.4	50.3	329.7
97093995001	479384009	YBARRA, ERICA AND HERIBERTO	12623	PEACHLEAF ST	MORENO VALLEY	CA	92553-4782	YBARRA, ERICA AND HERIBERTO	12623 PEACHLEAF ST	MORENO VALLEY, CA	92553-4782	254.12	25.41	50.32	329.84
31534935006	479384013	WHITFORD, DEBRA	12509	HEARTLEAF ST	MORENO VALLEY	CA	92553-4761	WHITFORD, DEBRA	12509 HEARTLEAF ST	MORENO VALLEY, CA	92553-4761	329.32	32.93	65.21	427.44
31573705002	479384015	ALVAREZ, VIANEY	12529	HEARTLEAF ST	MORENO VALLEY	CA	92553-4761	ALVAREZ, VIANEY	12529 HEARTLEAF ST	MORENO VALLEY, CA	92553-4761	329.32	32.93	65.21	427.44
94539925001	479384021	HENRY, NATASHA (RENT)	12591	HEARTLEAF ST	MORENO VALLEY	CA	92553-4761	HENRY, NATASHA	12591 HEARTLEAF ST	MORENO VALLEY, CA	92553-4761	136.37	13.64	27	177
97097415004	479391006	WALKER, JOHNNY (RENT)	12917	WESTBURY DR	MORENO VALLEY	CA	92553-4180	WALKER, JOHNNY	12917 WESTBURY DR	MORENO VALLEY, CA	92553-4180	224.65	22.47	44.48	291.58
96786455004	479391007	CARRO, LILA (RENT)	12925	WESTBURY DR	MORENO VALLEY	CA	92553-4180	CARRO, LILA	12925 WESTBURY DR	MORENO VALLEY, CA	92553-4180	41.3	4.13	8.18	53.6
31115775007	479391012	BUTLER JR, ABRAHAV	25474	WEDMORE DR	MORENO VALLEY	CA	92553-4184	BUTLER JR, ABRAHAV	25474 WEDMORE DR	MORENO VALLEY, CA	92553-4184	254.02	25.4	50.3	329.7
31247005000	479391015	RAMOS, JUAN	25438	WEDMORE DR	MORENO VALLEY	CA	92553-4184	RAMOS, JUAN	25438 WEDMORE DR	MORENO VALLEY, CA	92553-4184	253.92	25.39	50.28	329.58
97743705002	479391022	QURESHI, NAEEM AND ANIS (OWNR)	25451	FIR AVE	MORENO VALLEY	CA	92553-4123	QURESHI, NAEEM	25451 FIR AVE	MORENO VALLEY, CA	92553-4123	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
92601773002	479391027	CIENEGA, CYNTHIA (OWNR)	12837	WESTBURY DR	MORENO VALLEY	CA	92553-2336	CIENEGA, CYNTHIA	12837 WESTBURY DR	MORENO VALLEY, CA	92553-2336	241.04	24.1	47.73	312.86
83292405009	479391044	DONALD, REESE	12820	WESTBURY DR	MORENO VALLEY	CA	92553-4151	DONALD, REESE	12820 WESTBURY DR	MORENO VALLEY, CA	92553-4151	254.02	25.4	50.3	329.7
87646745001	479392003	ARRIETA, SONIA	12989	WESTBURY DR	MORENO VALLEY	CA	92553-4183	ARRIETA, SONIA	24716 DUNLAVY CT	MORENO VALLEY, CA	92557-6376	254.12	25.41	50.32	329.84
31097595005	479392006	LOPEZ, ANTONIO J	12992	WESTBURY DR	MORENO VALLEY	CA	92553-4126	LOPEZ, ANTONIO J	12992 WESTBURY DR	MORENO VALLEY, CA	92553-4126	329.32	32.93	65.21	427.44
31129285003	479392011	STURGIS, MICHELLE	12948	WESTBURY DR	MORENO VALLEY	CA	92553-4126	STURGIS, MICHELLE	12948 WESTBURY DR	MORENO VALLEY, CA	92553-4126	254.02	25.4	50.3	329.7
31169335007	479392013	SEGALA, RICHARD	25419	WEDMORE DR	MORENO VALLEY	CA	92553-4185	SEGALA, RICHARD	25419 WEDMORE DR	MORENO VALLEY, CA	92553-4185	254.02	25.4	50.3	329.7
87884495000	479392014	PEREZ, JOE	25429	WEDMORE DR	MORENO VALLEY	CA	92553-4185	PEREZ, JOE	25429 WEDMORE DR	MORENO VALLEY, CA	92553-4185	254.12	25.41	50.32	329.84
54989145000	479392018	HUERTA, ART	25475	WEDMORE DR	MORENO VALLEY	CA	92553-4185	HUERTA, ART	25475 WEDMORE DR	MORENO VALLEY, CA	92553-4185	329.32	32.93	65.21	427.44
31359835009	479401003	BESSENT, PATRICIA	12533	BROADLEAF LN	MORENO VALLEY	CA	92553-4721	BESSENT, PATRICIA	12533 BROADLEAF LN	MORENO VALLEY, CA	92553-4721	329.32	32.93	65.21	427.44
88287185000	479401004	HAMMONDS, RONALD	12545	BROADLEAF LN	MORENO VALLEY	CA	92553-4721	HAMMONDS, RONALD	12545 BROADLEAF LN	MORENO VALLEY, CA	92553-4721	329.6	32.96	65.26	427.82
31571865002	479401007	FERNANDEZ, ANTONIO AND ROSALVA	12577	BROADLEAF LN	MORENO VALLEY	CA	92553-4721	FERNANDEZ, ANTONIO	12577 BROADLEAF LN	MORENO VALLEY, CA	92553-4721	56.02	5.6	11.09	72.7
93723145006	479401010	GOGLIA, APRIL (OWNR)	12667	BROADLEAF LN	MORENO VALLEY	CA	92553-4722	GOGLIA, APRIL	12667 BROADLEAF LN	MORENO VALLEY, CA	92553-4722	329.6	32.96	65.26	427.82
31551795009	479401020	GONZALEZ, JOSE	12502	BLUNTLEAF CT	MORENO VALLEY	CA	92553-4757	GONZALEZ, JOSE	12502 BLUNTLEAF CT	MORENO VALLEY, CA	92553-4757	190.69	19.07	37.76	247.5
97578205007	479401023	COASTLINE PROPTERY MANAGEMENT	12545	BLUNTLEAF CT	MORENO VALLEY	CA	92553-4757	COASTLINE PROPTERY MANAGEMENT	12545 BLUNTLEAF CT	MORENO VALLEY, CA	92553	254.02	25.4	50.3	329.7
90150953004	479401029	STREETS, RODNEY (OWNER)	12635	BLUNTLEAF CT	MORENO VALLEY	CA	92553-4751	STREETS, RODNEY	12635 BLUNTLEAF CT	MORENO VALLEY, CA	92553-4751	407.12	40.71	80.61	528.44
86114543003	479401031	PELCHER, NORA (RENT)	12665	BLUNTLEAF CT	MORENO VALLEY	CA	92553-4751	PELCHER, NORA	14150 GRANT ST UNIT 44	MORENO VALLEY, CA	92553-9114	70.9	7.09	14.04	92.02
55072925008	479401033	WILLIAMS, LEONARD	12695	BLUNTLEAF CT	MORENO VALLEY	CA	92553-4751	WILLIAMS, LEONARD	12695 BLUNTLEAF CT	MORENO VALLEY, CA	92553-4751	254.02	25.4	50.3	329.7
65794585008	479402001	THOMPSON, CHRISTINA	25834	FIR AVE	MORENO VALLEY	CA	92553-4708	THOMPSON, CHRISTINA	14413 S KEENE ST	COMPTON, CA	90220-1241	405.08	40.51	80.21	525.78
74862925001	479402011	SJODEN, JUSTIN	25797	SWEETLEAF ST	MORENO VALLEY	CA	92553-4773	SJODEN, JUSTIN	25797 SWEETLEAF ST	MORENO VALLEY, CA	92553-4773	254.02	25.4	50.3	329.7
53778005007	479402018	NWUFO, GLADYS AND CHARLES	25808	SWEETLEAF ST	MORENO VALLEY	CA	92553-4727	NWUFO, GLADYS AND CHARLES	25808 SWEETLEAF ST	MORENO VALLEY, CA	92553-4727	254.02	25.4	50.3	329.7
91266845001	479402020	BLANCHE, JOANNE	12692	BROADLEAF LN	MORENO VALLEY	CA	92553-4772	BLANCHE, JOANNE	2552 WALNUT AV STE 210	TUSTIN, CA	92780-6983	253.92	25.39	50.28	329.58
31338815007	479402024	JONES, GWENDOLYN	12644	BROADLEAF LN	MORENO VALLEY	CA	92553-4772	JONES, GWENDOLYN	12644 BROADLEAF LN	MORENO VALLEY, CA	92553-4772	134.02	13.4	26.54	173.94
90855505005	479402025	PAEA, SANGUNA	12632	BROADLEAF LN	MORENO VALLEY	CA	92553-4772	PAEA, SANGUNA	12632 BROADLEAF LN	MORENO VALLEY, CA	92553-4772	253.92	25.39	50.28	329.58
31279225007	479402030	BOOKER, IRA	12572	BROADLEAF LN	MORENO VALLEY	CA	92553-4771	BOOKER, IRA	12572 BROADLEAF LN	MORENO VALLEY, CA	92553-4771	329.32	32.93	65.21	427.44
72902355006	479402033	BARRERA, MOISES	12536	BROADLEAF LN	MORENO VALLEY	CA	92553-4771	BARRERA, MOISES	738 LAKE ST	LAKE ELSINORE, CA	92530-4346	254.02	25.4	50.3	329.7
31437525008	479402034	COLEMAN, STEPHANIE	12524	BROADLEAF LN	MORENO VALLEY	CA	92553-4771	COLEMAN, STEPHANIE	12524 BROADLEAF LN	MORENO VALLEY, CA	92553-4771	254.02	25.4	50.3	329.7
92535855005	479411001	FLORES, ARMANDO	12549	LASSELLE ST	MORENO VALLEY	CA	92553-4742	FLORES, ARMANDO	12549 LASSELLE ST	MORENO VALLEY, CA	92553-4742	357.18	35.72	70.72	463.6
93771075009	479411013	MILLANES, JECILIA (OWNR)	25998	FIR AVE	MORENO VALLEY	CA	92553-4702	MILLANES, JECILIA	25998 FIR AVE	MORENO VALLEY, CA	92553-4702	420.76	42.08	83.31	546.14
94766825001	479411017	BURRELL, GERALDINE (RENT)	25944	FIR AVE	MORENO VALLEY	CA	92553-4702	BURRELL, GERALDINE	25944 FIR AVE	MORENO VALLEY, CA	92553-4702	84.51	8.45	16.73	109.68
94713375007	479411021	ABARCA, CHRISTOPHER (OWNR)	25888	FIR AVE	MORENO VALLEY	CA	92553-4736	ABARCA, CHRISTOPHER	25888 FIR AVE	MORENO VALLEY, CA	92553-4736	63.83	6.38	12.64	82.84
94126355002	479411025	MARSHALL, DANIEL (OWNR)	12710	HACKBERRY LN	MORENO VALLEY	CA	92553-4777	MARSHALL, DANIEL	12710 HACKBERRY LN	MORENO VALLEY, CA	92553-4777	254.12	25.41	50.32	329.84
31302005003	479411031	TRICE, JAMES	12638	HACKBERRY LN	MORENO VALLEY	CA	92553-4796	TRICE, JAMES	12638 HACKBERRY LN	MORENO VALLEY, CA	92553-4796	228.72	22.87	45.29	296.88
31328765008	479412001	WILSON, RUTH	12537	HACKBERRY LN	MORENO VALLEY	CA	92553-4776	WILSON, RUTH	12537 HACKBERRY LN	MORENO VALLEY, CA	92553-4776	254.12	25.41	50.32	329.84
89928025002	479412005	JIT, SUMAN	12587	HACKBERRY LN	MORENO VALLEY	CA	92553-4776	JIT, SUMAN	1191 DUTCH MILL RD	HEMET, CA	92545-8709	195.18	19.52	38.65	253.34
96104215001	479412006	RIOS, JOSE AND HERMILA (RENT)	12599	HACKBERRY LN	MORENO VALLEY	CA	92553-4776	RIOS, JOSE AND HERMILA	12599 HACKBERRY LN	MORENO VALLEY, CA	92553-4776	254.12	25.41	50.32	329.84
96272405006	479412014	BASSMADJIAN, KHOURIEN (OWNR)	12666	NINEBARK ST	MORENO VALLEY	CA	92553-4781	BASSMADJIAN, KHOURIEN	12666 NINEBARK ST	MORENO VALLEY, CA	92553-4781	254.12	25.41	50.32	329.84
96715935003	479412018	CATOLIATO, CATHERINE (RENT)	12632	NINEBARK ST	MORENO VALLEY	CA	92553-4781	CATOLIATO, CATHERINE	12632 NINEBARK ST	MORENO VALLEY, CA	92553-4781	100.12	10.01	19.82	129.94
96001395001	479412020	MENDOZA, PHI (RENT)	12610	NINEBARK ST	MORENO VALLEY	CA	92553-4781	MENDOZA, PHI	12610 NINEBARK ST	MORENO VALLEY, CA	92553-4781	190.79	19.08	37.78	247.64
31499035001	479413002	FERGINS, SHERRY	12519	NINEBARK ST	MORENO VALLEY	CA	92553-4778	FERGINS, SHERRY	12519 NINEBARK ST	MORENO VALLEY, CA	92553-4778	182.68	18.27	36.17	237.1
57061285005	479413006	STINSON, RUBY	12555	NINEBARK ST	MORENO VALLEY	CA	92553-4778	STINSON, RUBY	12555 NINEBARK ST	MORENO VALLEY, CA	92553-4778	152.36	15.24	30.17	197.76
31197755009	479413007	DELT, DAVID	12565	NINEBARK ST	MORENO VALLEY	CA	92553-4778	DELT, DAVID	12565 NINEBARK ST	MORENO VALLEY, CA	92553-4778	329.32	32.93	65.21	427.44
31298355009	479413009	ARVIZU, JOSE F	12583	NINEBARK ST	MORENO VALLEY	CA	92553-4778	ARVIZU, JOSE F	12583 NINEBARK ST	MORENO VALLEY, CA	92553-4778	329.04	32.9	65.15	427.08
97093925006	479413015	CORBIN, DEBORAH	12639	NINEBARK ST	MORENO VALLEY	CA	92553-4779	CORBIN, DEBORAH	32643 VIA DESTELLO	TEMECULA, CA	92592-3965	420.76	42.08	83.31	546.14
92985985005	479413017	ORTON BURGESS	12657	NINEBARK ST	MORENO VALLEY	CA	92553-4779	ORTON BURGESS	12657 NINEBARK ST	MORENO VALLEY, CA	92553-4779	468.26	46.83	92.72	607.8
31470205006	479413018	JOHNSON, SAMUEL AND BERNICE	12665	NINEBARK ST	MORENO VALLEY	CA	92553-4779	JOHNSON, SAMUEL AND BERNICE	12665 NINEBARK ST	MORENO VALLEY, CA	92553-4779	329.32	32.93	65.21	427.44
95301185000	479413020	PATTERSON, KELLEE AND GLEN (OW	12683	NINEBARK ST	MORENO VALLEY	CA	92553-1209	PATTERSON, KELLEE AND GLEN	12683 NINEBARK ST	MORENO VALLEY, CA	92553-1209	259.12	25.91	51.31	336.32
31494935002	479413026	CLARK, DEANNA	12739	NINEBARK ST	MORENO VALLEY	CA	92553-4780	CLARK, DEANNA	15916 LASSELLE ST UNIT A	MORENO VALLEY, CA	92551-4778	224.55	22.46	44.46	291.46
31243715000	479413027	ORTIZ, SYLVIA A	12747	NINEBARK ST	MORENO VALLEY	CA	92553-4780	ORTIZ, SYLVIA A	12747 NINEBARK ST	MORENO VALLEY, CA	92553-4780	254.02	25.4	50.3	329.7
31127865002	479421004	PARSON, GLENN	12360	KITCHING ST	MORENO VALLEY	CA	92557-7617	PARSON, GLENN	12360 KITCHING ST	MORENO VALLEY, CA	92557-7617	127.36	12.74	25.22	165.3
73261165006	479421008	GOBEA, ESPERANZA	12400	KITCHING ST	MORENO VALLEY	CA	92557-7620	GOBEA, ESPERANZA	24669 FREEPORT DR	MORENO VALLEY, CA	92551-7417	254.02	25.4	50.3	329.7
90871313000	479421010	LUNA, LORENZO (RENT)	12419	KASOTA CT	MORENO VALLEY	CA	92557-7641	LUNA, LORENZO (RENT)	12419 KASOTA CT	MORENO VALLEY, CA	92557-7641	182.53	18.25	36.14	236.92
31127145005	479421011	HEWITT, DARRYL	12407	KASOTA CT	MORENO VALLEY	CA	92557-7641	HEWITT, DARRYL	12407 KASOTA CT	MORENO VALLEY, CA	92557-7641	480.56	48.06	95.15	623.76
52989755003	479421012	MCVEY, RICK	12395	KASOTA CT	MORENO VALLEY	CA	92557-7608	MCVEY, RICK	12395 KASOTA CT	MORENO VALLEY, CA	92557-7608	254.12	25.41	50.32	329.84
31595655005	479421013	ANDERSON ADULT HOME	12383	KASOTA CT	MORENO VALLEY	CA	92557-7608	ANDERSON ADULT HOME	12383 KASOTA CT	MORENO VALLEY, CA	92557-7608	329.6	32.96	65.26	427.82
92386013000	479421018	SANCHEZ, VIOLETA (RENT)	12320	KASOTA CT	MORENO VALLEY	CA	92557-7608	SANCHEZ, VIOLETA	12320 KASOTA CT	MORENO VALLEY, CA	92557-7608	266.17	26.62	52.7	345.48
31245445002	479421027	RAMIREZ, YOLANDA	12419	TUSCOLA ST	MORENO VALLEY	CA	92557-7607	RAMIREZ, YOLANDA	12419 TUSCOLA ST	MORENO VALLEY, CA	92557-7607	253.92	25.39	50.28	329.58
31552575003	479421031	HYDE, MARIA	12375	TUSCOLA ST	MORENO VALLEY	CA	92557-7606	HYDE, MARIA	12375 TUSCOLA ST	MORENO VALLEY, CA	92557-7606	329.32	32.93	65.21	427.44
95722795009	479422008	ESPINOZA, CHRISTINA C	12346	YUMA CT	MORENO VALLEY	CA	92557-7600	ESPINOZA, CHRISTINA C	12346 YUMA CT	MORENO VALLEY, CA	92557-7600	420.76	42.08	83.31	546.14
77491465002	479422009	ESCOBEDO, CONCEPCION (OWNR)	12336	YUMA CT	MORENO VALLEY	CA	92557-7600	ESCOBEDO, CONCEPCION	12336 YUMA CT	MORENO VALLEY, CA	92557-7600	104.02	10.4	20.6	135
60235875006	479422016	VELAZQUEZ, TORIBIO	12395	YUMA CT	MORENO VALLEY	CA	92557-7600	VELAZQUEZ, TORIBIO	12395 YUMA CT	MORENO VALLEY, CA	92557-7600	254.12	25.41	50.32	329.84
31594265000	479422025	CORTEZ, FRANK AND DONNA	12348	SHASTA PL	MORENO VALLEY	CA	92557-7603	CORTEZ, FRANK	12348 SHASTA PL	MORENO VALLEY, CA	92557-7603	124.02	12.4	24.56	160.96
93349785005	479422035	TURNER, TRESA (RENT)	12417	SHASTA PL	MORENO VALLEY	CA	92557-7604	TURNER, TRESA	12417 SHASTA PL	MORENO VALLEY, CA	92557-7604	206.52	20.65	40.89	268.06
31504985008	479422038	GARCIA, SANTIAGO	12348	TUSCOLA ST	MORENO VALLEY	CA	92557-7605	GARCIA, SANTIAGO	12348 TUSCOLA ST	MORENO VALLEY, CA	92557-7605	329.04	32.9	65.15	427.08
31095345002	479423002	DAUGHENBAUGH, BOBBI	25521	ELDER AVE	MORENO VALLEY	CA	92557-7601	DAUGHENBAUGH, BOBBI	25521 ELDER AVE	MORENO VALLEY, CA	92557-7601	329.32	32.93	65.21	427.44
95592085005	479423005	ARANDA, ARTURO (OWNR)	25541	ELDER AVE	MORENO VALLEY	CA	92557-7601	ARANDA, ARTURO	25541 ELDER AVE	MORENO VALLEY, CA	92557-7601	282.24	28.24	55.92	366.54
31311875001	479423031	ESPINOSA, DIANE	25601	ELDER AVE	MORENO VALLEY	CA	92557-7638	ESPINOSA, DIANE	25601 ELDER AVE	MORENO VALLEY, CA	92557-7638	253.92	25.39	50.28	329.58
84449085003	479423033	DAVIS, PETER	25621	ELDER AVE	MORENO VALLEY	CA	92557-7638	DAVIS, PETER	25621 ELDER AVE	MORENO VALLEY, CA	92557-7638	240.7	24.07	47.66	312.42
99202635008	479431007	GALLEGO, ROBERT AND JULIE	12013	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7720	GALLEGO, ROBERT AND JULIE	12013 LEIF ERICSON DR	MORENO VALLEY, CA	92557-7720	254.12	25.41	50.32	329.84
80289045006	479431019	ROBERSON, MAURICE	25775	PIZZARO CT	MORENO VALLEY	CA	92557-7744	ROBERSON, MAURICE	25775 PIZZARO CT	MORENO VALLEY, CA	92557-7744	65.3	6.53	12.93	84.74
98042755017	479432004	MOORE, TYNEA (RENT)	12044	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7713	MOORE, TYNEA	12044 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7713	127.46	12.75	25.24	165.44
71525785006	479432008	ALLEN, JUSTIN	12096	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7713	ALLEN, JUSTIN	12096 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7713	228.63	22.86	45.27	296.76
31055265002	479432028	MC KINNON, WILBERT	12115	LASSELLE ST	MORENO VALLEY	CA	92557-7708	MC KINNON, WILBERT	12115 LASSELLE ST	MORENO VALLEY, CA	92557-7708	254.02	25.4	50.3	329.7
31472415008	479432031	CAYON, BARBARA	12073	LASSELLE ST	MORENO VALLEY	CA	92557-7708	CAYON, BARBARA	12073 LASSELLE ST	MORENO VALLEY, CA	92557-7708	127.06	12.71	25.16	164.92
95051185001	479433004	JENKINS, LAJO (RENT)	12149	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7714	JENKINS, LAJO	12149 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7714	254.12	25.41	50.32	329.84
82334445002	479435002	CORTES, ERNESTO	12028	LASSELLE ST	MORENO VALLEY	CA	92557-7701	CORTES, ERNESTO	12028 LASSELLE ST	MORENO VALLEY, CA	92557-7701	574.59	57.46	113.77	745.8
84842935009	479435003	GONZALEZ, LILIANA	12042	LASSELLE ST	MORENO VALLEY	CA	92557-7701	GONZALEZ, LILIANA	12042 LASSELLE ST	MORENO VALLEY, CA	92557-7701	268.52	26.85	53.17	348.52
31507165003	479441012	RODGERS, KIM	13724	CHARA AVE	MORENO VALLEY	CA	92553-4879	RODGERS, KIM	13724 CHARA AVE	MORENO VALLEY, CA	92553-4879	253.92	25.39	50.28	329.58
31052805006	479441013	DEANE, EDITH	13712	CHARA AVE	MORENO VALLEY	CA	92553-4879	DEANE, EDITH	13712 CHARA AVE	MORENO VALLEY, CA	92553-4879	254.02	25.4	50.3	329.7
55985255003	479441018	CARBALLERO, SANTOS	13650	CHARA AVE	MORENO VALLEY	CA	92553-4838	CARBALLERO, SANTOS	13650 CHARA AVE	MORENO VALLEY, CA	92553-4838	254.02	25.4	50.3	329.7
31421885006	479441021	SMITH, MIKE (OWNR)	13651	CHARA AVE	MORENO VALLEY	CA	92553-4838	SMITH, MIKE	PO BOX 8	CALIMESA, CA	92320-0008	254.02	25.4	50.3	329.7
31547145004	479441023	CASAS, NORMA	13675	CHARA AVE	MORENO VALLEY	CA	92553-4838	CASAS, NORMA	13675 CHARA AVE	MORENO VALLEY, CA	92553-4838	357.18	35.72	70.72	463.6
31150925003	479441026	PEREZ, ALBERTO AND LAURA	13713	CHARA AVE	MORENO VALLEY	CA	92553-4839	PEREZ, ALBERTO AND LAURA	13713 CHARA AVE	MORENO VALLEY, CA	92553-4839	54.02	5.4	10.7	70.1
58599235004	479442002	MCCARNS, STEPHANIE (RENT)	25954	LANCIA ST	MORENO VALLEY	CA	92553-4842	MCCARNS, STEPHANIE	26395 SANTA ROSA	MORENO VALLEY, CA	92555-4215	329.6	32.96	65.26	427.82
31320195005	479442003	ASHLEY, RHODESTIA	25942	LANCIA ST	MORENO VALLEY	CA	92553-4842	ASHLEY, RHODESTIA	25942 LANCIA ST	MORENO VALLEY, CA	92553-4842	253.92	25.39	50.28	329.58
31571695008	479443013	EICHMAN, KELLY	25904	RAILTON ST	MORENO VALLEY	CA	92553-4844	EICHMAN, KELLY	25904 RAILTON ST	MORENO VALLEY, CA	92553-4844	208.54	20.85	41.29	270.68
93007505008	479444009	JAIME, ROMAN	25907	RAILTON ST	MORENO VALLEY	CA	92553-4845	JAIME, ROMAN	25907 RAILTON ST	MORENO VALLEY, CA	92553-4845	204.02	20.4	40.4	264.8
53379665005	479444010	MENDEZ, ESTELLA (OWNR)	25897	RAILTON ST	MORENO VALLEY	CA	92553-0705	MENDEZ, ESTELLA	25897 RAILTON ST	MORENO VALLEY, CA	92553-0705	254.18	25.42	50.33	329.92
93818235005	479444012	QUINNIE, COLENTCHIA (RENT)	25875	RAILTON ST	MORENO VALLEY	CA	92553-0705	QUINNIE, COLENTCHIA	25875 RAILTON ST	MORENO VALLEY, CA	92553-0705	329.6	32.96	65.26	427.82
56696555002	479444014	CALVILLO, JULIAN AND ALEJANDRA	25845	RAILTON ST	MORENO VALLEY	CA	92553-0705	CALVILLO, JULIAN AND ALEJANDRA	25845 RAILTON ST	MORENO VALLEY, CA	92553-0705	254.02	25.4	50.3	329.7
31649685004	479444015	THOMPSON, CARRIE	25846	BAY AVE	MORENO VALLEY	CA	92553-4836	THOMPSON, CARRIE	25846 BAY AVE	MORENO VALLEY, CA	92553-4836	329.32	32.93	65.21	427.44
96653035005	479451012	VASQUEZ, LUCY (RENT)	13225	SWEETFERN ST	MORENO VALLEY	CA	92553-6815	VASQUEZ, LUCY	29688 HEMLOCK AVE APT 71	MORENO VALLEY, CA	92557-7127	163.22	16.32	32.32	211.84
95050033005	479451014	GONZALEZ, MARTHA (RENT)	13199	SWEETFERN ST	MORENO VALLEY	CA	92553-6818	GONZALEZ, MARTHA	13199 SWEETFERN ST	MORENO VALLEY, CA	92553-6818	477.5	47.75	94.55	619.78
95272505006	479452009	FREEMAN, DANIELLE (RENT)	13141	SWEETSPICE ST	MORENO VALLEY	CA	92553-6820	FREEMAN, DANIELLE	13141 SWEETSPICE ST	MORENO VALLEY, CA	92553-6820	229	22.9	45.34	297.24
31307975008	479453006	MARTIN, PAUL	13198	SWEETSPICE ST	MORENO VALLEY	CA	92553-6819	MARTIN, PAUL	13198 SWEETSPICE ST	MORENO VALLEY, CA	92553-6819	253.92	25.39	50.28	329.58
91947285003	479453012	MARKS, DEBRA	25529	FERNBUSH ST	MORENO VALLEY	CA	92553-6830	MARKS, DEBRA	25529 FERNBUSH ST	MORENO VALLEY, CA	92553-6830	329.04	32.9	65.15	427.08
68114055007	479453018	WILLIAMS, JOHN	25598	DRACAEA AVE	MORENO VALLEY	CA	92553-6808	WILLIAMS, JOHN	25598 DRACAEA AVE	MORENO VALLEY, CA	92553-6808	254.12	25.41	50.32	329.84
31224865003	479453026	KOZAKOVSKY, LINDA	13199	RAENETTE WAY	MORENO VALLEY	CA	92553-6874	KOZAKOVSKY, LINDA	PO BOX 8561	MORENO VALLEY, CA	92552-8561	124.02	12.4	24.56	160.96
87773225002	479454001	SAUCEDO, LUIS	13135	PEPPERBUSH DR	MORENO VALLEY	CA	92553-0811	SAUCEDO, LUIS	13135 PEPPERBUSH DR	MORENO VALLEY, CA	92553-0811	126.96	12.7	25.14	164.78
59678775001	479454006	TRUJILLO, GRETEL	25724	MOONSEED ST	MORENO VALLEY	CA	92553-6868	TRUJILLO,TARRABE GRETEL	25724 MOONSEED ST	MORENO VALLEY, CA	92553-6868	254.12	25.41	50.32	329.84
95156545003	479454009	GUILBAULT, ERICK (RENT)	13160	OILNUT CT	MORENO VALLEY	CA	92553-6869	GUILBAULT, ERICK	13160 OILNUT CT	MORENO VALLEY, CA	92553-6869	254.12	25.41	50.32	329.84
31387125009	479454010	BROWN, CORLIS	13150	OILNUT CT	MORENO VALLEY	CA	92553-6869	BROWN, CORLIS	13150 OILNUT CT	MORENO VALLEY, CA	92553-6869	190.69	19.07	37.76	247.5

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31107575006	479454019	CHAPPELL, ISSAC	13144	RAENELLE WAY	MORENO VALLEY	CA	92553-6803	CHAPPELL, ISSAC	13144 RAENETTE WAY	MORENO VALLEY, CA	92553-6803	329.32	32.93	65.21	427.44
31269215000	479455006	HARRIS, PERDA (OWNR)	25731	MOONSEED ST	MORENO VALLEY	CA	92553-6873	HARRIS, PERDA	25731 MOONSEED ST	MORENO VALLEY, CA	92553-6873	254.02	25.4	50.3	329.7
31096995003	479461006	ALONGI, PAUL	25442	OLD FARM ST	MORENO VALLEY	CA	92553-4376	ALONGI, PAUL	25442 OLD FARM ST	MORENO VALLEY, CA	92553-4376	329.32	32.93	65.21	427.44
31624965008	479461012	MOYA, ALBERTO (OWNR)	25449	ORCHID CT	MORENO VALLEY	CA	92553-4379	MOYA, ALBERTO	25449 ORCHID CT	MORENO VALLEY, CA	92553-4379	70.69	7.07	14	91.74
88492165000	479461016	NOFRI, DAVID	25405	ORCHID CT	MORENO VALLEY	CA	92553-4379	NOFRI, DAVID	489 DENSLOW AVE	LOS ANGELES, CA	90049-3506	254.12	25.41	50.32	329.84
31376435007	479461019	REYNOLDS, APRELLA	25384	ORCHID CT	MORENO VALLEY	CA	92553-6515	REYNOLDS, APRELLA	18415 BLUESKY ST	RIVERSIDE, CA	92508-9333	254.02	25.4	50.3	329.7
31415015001	479461023	YORKE, CAROL	25428	ORCHID CT	MORENO VALLEY	CA	92553-4380	YORKE, CAROL	25428 ORCHID CT	MORENO VALLEY, CA	92553-4380	254.02	25.4	50.3	329.7
31251005002	479461034	HOLLINS, BRIDGET	25403	BAY AVE	MORENO VALLEY	CA	92553-4387	HOLLINS, BRIDGET	25403 BAY AVE	MORENO VALLEY, CA	92553-4387	154.02	15.4	30.5	199.9
95599425009	479462004	RUIZ, ALMA (OWNR)	13822	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4382	RUIZ, ALMA	13822 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4382	154.12	15.41	30.52	200.04
92560465005	479462020	FRAGOZA, JOSE LUIS AND URSULA	13924	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4354	FRAGOZA, JOSE LUIS	13924 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4354	357.13	35.71	70.71	463.54
88347415004	479462027	DIAZ, RENE	13919	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4355	DIAZ, RENE	13919 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4355	254.12	25.41	50.32	329.84
85453415003	479462028	MUHAMMAD, KIN	13917	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4355	MUHAMMAD, KIN	13917 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4355	254.02	25.4	50.3	329.7
31216785001	479462032	SOZA, ROLAND	13893	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6518	SOZA, ROLAND	13893 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6518	253.92	25.39	50.28	329.58
99384285004	479462034	OSBORNE, WILLIAM AND SANDRA	11285	INDIAN ST	MORENO VALLEY	CA	92557-5048	OSBORNE, WILLIAM AND	11285 INDIAN ST	MORENO VALLEY, CA	92557-5048	240.82	24.08	47.68	312.58
67375815006	479462038	LEWIS, NADINE	13890	ELMWOOD CT	MORENO VALLEY	CA	92553-4356	LEWIS, NADINE	13890 ELMWOOD CT	MORENO VALLEY, CA	92553-4356	254.12	25.41	50.32	329.84
31381405002	479462041	LA ROSA, ALBERT	13920	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	LA ROSA, ALBERT	6328 RANCHITO AV	VAN NUYS, CA	91401-2216	254.02	25.4	50.3	329.7
55786795004	479462044	MURRILLO, ROSARA	13950	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	MURRILLO, ROSARA	13950 ELMWOOD CT	MORENO VALLEY, CA	92553-4357	254.02	25.4	50.3	329.7
31454645008	479462047	BUSH, WILLIAM	13981	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	BUSH, WILLIAM	13981 ELMWOOD CT	MORENO VALLEY, CA	92553-4357	227.86	22.79	45.12	295.76
31350065009	479462048	FIERRO, MARIA	13971	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	FIERRO, MARIA	14579 NEWBURGH RD	MORENO VALLEY, CA	92555-5743	329.32	32.93	65.21	427.44
97101795004	479462053	RAMAN, NOEMI (OWNR)	13921	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	RAMAN, NOEMI	13921 ELMWOOD CT	MORENO VALLEY, CA	92553-4357	127.46	12.75	25.24	165.44
87254555003	479462054	RAMOS, JOSE	13911	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	RAMOS, JOSE	6852 37TH ST	RIVERSIDE, CA	92509-1315	254.12	25.41	50.32	329.84
48317415006	479462057	MAYER, STEVIE	13881	ELMWOOD CT	MORENO VALLEY	CA	92553-4356	MAYER, STEVIE	6955 US HIGHWAY 411 S	GREENBACK, TN	37742-2167	254.02	25.4	50.3	329.7
31525475000	479462058	DOTY, ALBERT	13871	ELMWOOD CT	MORENO VALLEY	CA	92553-4356	DOTY, ALBERT	13871 ELMWOOD CT	MORENO VALLEY, CA	92553-4356	329.6	32.96	65.26	427.82
83798185001	479471001	BARELA, MARIA	13625	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	BARELA, MARIA	15384 ELEANOR LN	MORENO VALLEY, CA	92551-4528	254.02	25.4	50.3	329.7
98318233001	479471006	CHRISTMAS, BRECHELLE (RENT)	25256	SWEET GRASS DR	MORENO VALLEY	CA	92553-4364	CHRISTMAS, BRECHELLE (RENT)	25256 SWEET GRASS DR	MORENO VALLEY, CA	92553-4364	224.94	22.49	44.54	291.96
96278065004	479472002	THOMPSON, CASSANDRA (RENT)	25265	SWEET GRASS DR	MORENO VALLEY	CA	92553-4363	THOMPSON, CASSANDRA	25265 SWEET GRASS DR	MORENO VALLEY, CA	92553-4363	254.12	25.41	50.32	329.84
31535665009	479472010	HAEGER, CHERYL	25252	WHITE BIRCH LN	MORENO VALLEY	CA	92553-4398	HAEGER, CHERYL	25252 WHITE BIRCH LN	MORENO VALLEY, CA	92553-4398	254.02	25.4	50.3	329.7
55363685003	479473003	FUENTES, GLADIS	25322	BAY AVE	MORENO VALLEY	CA	92553-4385	FUENTES, GLADIS	25322 BAY AVE	MORENO VALLEY, CA	92553-4385	27.37	2.74	5.42	35.52
97110475002	479473005	PEREZ, JOSE (OWNR)	25346	BAY AVE	MORENO VALLEY	CA	92553-4385	PEREZ, JOSE	25346 BAY AVE	MORENO VALLEY, CA	92553-4385	54.12	5.41	10.72	70.24
89067673002	479473012	LABATO, ANTONIO (RENT)	25426	BAY AVE	MORENO VALLEY	CA	92553-4386	LABATO, ANTONIO	25426 BAY AVE	MORENO VALLEY, CA	92553-4386	214.07	21.41	42.39	277.86
31447725005	479473021	MORALES, ALFREDO	25437	WHITE BIRCH LN	MORENO VALLEY	CA	92553-6503	MORALES, ALFREDO	25437 WHITE BIRCH LN	MORENO VALLEY, CA	92553-6503	49.02	4.9	9.71	63.62
81523945006	479473030	ZAVALA, DIEGO AND ADRIANA	25345	WHITE BIRCH LN	MORENO VALLEY	CA	92553-6501	ZAVALA, DIEGO AND ADRIANA	25345 WHITE BIRCH LN	MORENO VALLEY, CA	92553-6501	189.02	18.9	37.48	245.34
92923135005	479473032	ROSALES, CESAR	25321	WHITE BIRCH LN	MORENO VALLEY	CA	92553-6501	ROSALES, CESAR	25321 WHITE BIRCH LN	MORENO VALLEY, CA	92553-6501	254.02	25.4	50.3	329.7
95834495005	479473033	QUEVEDO, MARTHA (RENT)	25315	WHITE BIRCH LN	MORENO VALLEY	CA	92553-6501	QUEVEDO, MARTHA	24941 STONEGATE LN	LAGUNA MIGUEL, CA	92677	124.96	12.44	24.62	161.4
31222915002	479474003	ARRUDA, JEFF	13654	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	ARRUDA, JEFF	13654 CRAPE MYRTLE DR	MORENO VALLEY, CA	92553-4395	253.92	25.39	50.28	329.58
31304985003	479474005	ARTEAGA, MARTIN	13674	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	ARTEAGA, MARTIN	13674 CRAPE MYRTLE DR	MORENO VALLEY, CA	92553-4395	118.02	11.8	23.37	153.18
89275363006	479474008	SANDERS, NICOLE AND RONN (RENT	13704	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4370	SANDERS, NICOLE AND RONNIE	13704 CRAPE MYRTLE DR	MORENO VALLEY, CA	92553-4370	63.63	6.36	12.6	82.58
89338133001	479475001	MCFAIL, TANYA (RENT)	13646	BLACK ELM CT	MORENO VALLEY	CA	92553-4391	MCFAIL, TANYA	13646 BLACK ELM CT	MORENO VALLEY, CA	92553-4391	63.46	6.35	12.57	82.36
95907065009	479475011	VILLAREAL, EVA (RENT)	13691	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-4377	VILLAREAL, EVA	13691 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-4377	224.13	22.41	44.38	290.92
88417735008	479475012	MONTENCAHUAY, ANA	13681	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-4377	MONTENCAHUAY, ANA	13681 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-4377	254.12	25.41	50.32	329.84
96721965004	479475014	WILLIAMS, SONYA (RENT)	13661	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-4377	WILLIAMS, SONYA	13661 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-4377	254.12	25.41	50.32	329.84
31530425001	479476008	TEYO, RAUL	13712	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-6510	TEYO, RAUL	862 FINNEGAN WAY	PERRIS, CA	92571-7634	253.92	25.39	50.28	329.58
31102345006	479476009	JIMENEZ, MARIO	13747	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6507	JIMENEZ, MARIO	13747 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6507	254.02	25.4	50.3	329.7
98206525017	479476015	PEREZ, SANDRA (RENT)	13709	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6507	PEREZ, SANDRA	13709 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6507	168.95	16.9	33.45	219.28
96352035004	479477002	TAYLOR, EMIMA (RENT)	13708	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6505	TAYLOR, EMIMA (RENT)	7631 SOARING BIRD CT	CORONA, CA	92880-3619	177.9	17.79	35.22	230.9
31321365007	479477003	HARRIS, JOY	13714	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6505	HARRIS, JOY	13714 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6505	136.39	13.64	27.01	177.02
84524555002	479477009	CONNER, MALSPISA	13752	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6505	CONNER, MALSPISA	13752 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6505	168.95	16.9	33.45	219.28
31358775003	479477011	HERNANDEZ, FABIAN	13766	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6505	HERNANDEZ, FABIAN	13766 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6505	63.63	6.36	12.6	82.58
95199835002	479477013	CASTILLO, JUAN (RENT)	13778	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6505	SUND, DAVID	1056 TITUS CT	SAN JACINTO, CA	92583-4417	207.09	20.71	41	268.8
31269725003	479481013	MONTIEL, RAMON	13617	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	MONTIEL, RAMON	13617 CRAPE MYRTLE DR	MORENO VALLEY, CA	92553-4395	254.02	25.4	50.3	329.7
31469725009	479482003	CORONA, MARIA	13519	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4314	CORONA, MARIA	13519 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4314	90.69	9.07	17.96	117.7
97082845006	479482006	JIMENEZ, TRINIDAD	13539	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4314	JIMENEZ, TRINIDAD	13539 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4314	185.43	18.54	36.72	240.68
31352675002	479482011	FLORES, JOSE	13571	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4315	FLORES, JOSE	13571 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4315	310.27	31.03	61.43	402.72
63020755004	479482014	WHITE, VERONICA	13589	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4315	WHITE, VERONICA	3656 GINGER ST	PERRIS, CA	92571-7825	254.12	25.41	50.32	329.84
95622545004	479482021	ARNWINE, ROBERT (RENT)	13671	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6517	ARNWINE, ROBERT	13671 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6517	254.12	25.41	50.32	329.84
94417365007	479482024	JOSETH, DESIREE	13689	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6517	JOSETH, DESIREE	13689 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6517	248.27	24.83	49.16	322.24
31136245005	479482025	SALLEY, CURTIS AND DEBBIE	13697	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6517	SALLEY, CURTIS AND DEBBIE	13697 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6517	254.02	25.4	50.3	329.7
31072895005	479482031	GEIGER, GEORGE	13582	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-6502	GEIGER, GEORGE	13582 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-6502	254.02	25.4	50.3	329.7
31359935008	479482038	RAMIREZ, YOLANDA	13611	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-4377	RAMIREZ, YOLANDA	13611 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-4377	114.02	11.4	22.58	147.98
88721925003	479482040	RAMIREZ, MARIBEL (RENT)	13631	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-4377	RAMIREZ, MARIBEL	13631 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-4377	104.12	10.41	20.62	135.14
97161505009	479482053	BERNAL, JHOAN (RENT)	13615	BLACK ELM CT	MORENO VALLEY	CA	92553-6500	BERNAL, JHOAN	13240 BEN CLIFF DR APT A	MORENO VALLEY, CA	92553-5434	27.53	2.75	5.45	35.72
31073055009	479482054	SEARCY, GREGORY	13625	BLACK ELM CT	MORENO VALLEY	CA	92553-4390	SEARCY, GREGORY	13625 BLACK ELM CT	MORENO VALLEY, CA	92553-4390	254.02	25.4	50.3	329.7
66630005005	479482057	MUNOZ, FIDEL	13616	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	MUNOZ, FIDEL	1041 FLOREY ST	PERRIS, CA	92571-0814	254.12	25.41	50.32	329.84
31395125002	479482058	WILLIAMS, MELINDA	13608	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	WILLIAMS, MELINDA	3669 MORNING GLORY DR	RIALTO, CA	92377-4831	254.02	25.4	50.3	329.7
97451295008	479483002	CADELLO, GLADIS	13512	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4309	CADELLO, GLADIS	13512 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4309	127.46	12.75	25.24	165.44
31076205001	479483009	ALSUP, TERRY	13556	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4309	ALSUP, TERRY	13556 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4309	329.32	32.93	65.21	427.44
88277388009	479483012	MAGANA, CESEAR (RENT)	13576	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4309	MAGANA, CESEAR	13576 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4309	189.79	18.98	37.58	246.34
95339455003	479483016	GAINES, THERESA (RENT)	13600	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	GAINES, THERESA	13600 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6506	154.12	15.41	30.52	200.04
31081145004	479483022	GONZALES, VICTOR AND ESTHER	13638	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	GONZALES, VICTOR AND ESTHER	26046 PINZON CT	MORENO VALLEY, CA	92555-1804	254.02	25.4	50.3	329.7
31110315005	479483024	MC AULEY, MICHAEL	13650	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	MC AULEY, MICHAEL	13650 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6506	254.02	25.4	50.3	329.7
68477865008	479483026	SHEPHERD, CHARLES	13664	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	SHEPHERD, CHARLES	13664 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6506	190.79	19.08	37.78	247.64
98264305012	479483028	LETTMAN, LEONORA (OWNR)	13676	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	LETTMAN, LEONORA	23155 IRONWOOD AVE APT 8	MORENO VALLEY, CA	92557-8027	211.93	21.19	41.96	275.08
89613373006	479483030	MANNING, BRADLEY	13688	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	MANNING, BRADLEY	8043 MONTARA AVE	RANCHO CUCAMONGA, CA	91730-2531	283.06	28.31	56.05	367.4
31467575004	479491007	JONES, SARAH	25638	PALMWOOD DR	MORENO VALLEY	CA	92557-7609	JONES, SARAH	25638 PALMWOOD DR	MORENO VALLEY, CA	92557-7609	54.02	5.4	10.7	70.1
31469855001	479491008	MORRISSEY, GREG	25635	PALM MEADOWS CT	MORENO VALLEY	CA	92557-7611	MORRISSEY, GREG	25635 PALM MEADOWS CT	MORENO VALLEY, CA	92557-7611	329.32	32.93	65.21	427.44
57795685004	479491012	BARAJAS, CHRISTINE	25688	PALM MEADOWS CT	MORENO VALLEY	CA	92557-7611	BARAJAS, CHRISTINE	25688 PALM MEADOWS CT	MORENO VALLEY, CA	92557-7611	154.02	15.4	30.5	199.9
31112773001	479491018	BERNAL, RENE (RENT)	25653	PALM SHADOWS DR	MORENO VALLEY	CA	92557-7613	BERNAL, RENE (RENT)	25653 PALM SHADOWS DR	MORENO VALLEY, CA	92557-7613	165.92	16.59	32.85	215.36
31416755003	479491020	MILLER, DENEL	25685	PALM SHADOWS DR	MORENO VALLEY	CA	92557-7613	MILLER, DENEL	25685 PALM SHADOWS DR	MORENO VALLEY, CA	92557-7613	254.02	25.4	50.3	329.7
31614105000	479491026	PERKINS, GREGORY (RENT)	12083	PALM VISTA ST	MORENO VALLEY	CA	92557-7615	PERKINS, GREGORY	12083 PALM VISTA ST	MORENO VALLEY, CA	92557-7615	404.62	40.46	80.11	525.18
31076755005	479492001	NICKERSON, PAMELA	25640	PALM SHADOWS DR	MORENO VALLEY	CA	92557-7612	NICKERSON, PAMELA	25640 PALM SHADOWS DR	MORENO VALLEY, CA	92557-7612	63.73	6.37	12.62	82.72
94969965001	479492002	MCKINNEY, MICHAEL (RENT)	25654	PALM SHADOWS DR	MORENO VALLEY	CA	92557-7612	MCKINNEY, MICHAEL	PO BOX 1419	MORENO VALLEY, CA	92556-1419	254.12	25.41	50.32	329.84
88267833006	479492008	POLLARD, RICHARD (RENT)	25744	PALM SHADOWS DR	MORENO VALLEY	CA	92557-7612	POLLARD, RICHARD	25744 PALM SHADOWS DR	MORENO VALLEY, CA	92557-7612	99.69	9.97	19.74	129.38
55930175006	479492010	COLINDRES, ANNA	12024	PALM VISTA ST	MORENO VALLEY	CA	92557-7614	COLINDRES, ANNA	12024 PALM VISTA ST	MORENO VALLEY, CA	92557-7614	54.02	5.4	10.7	70.1
87637785001	479492017	RESENDEZ, MARLENE	12108	PALM VISTA ST	MORENO VALLEY	CA	92557-7614	RESENDEZ, MARLENE	3303 S ARCHIBALD AVE APT 119	ONTARIO, CA	91761-7901	211.24	21.12	41.83	274.18
95589023004	479501019	MIELES, MARTHA (RENT)	25442	HAWKWOOD TRL	MORENO VALLEY	CA	92557-7544	MIELES, MARTHA	25442 HAWKWOOD TRL	MORENO VALLEY, CA	92557-7544	176.33	17.63	34.91	228.86
31388675001	479501023	MONGE, MAGDALENA	12034	FLINTLOCK TRL	MORENO VALLEY	CA	92557-7550	MONGE, MAGDALENA	12034 FLINTLOCK TR	MORENO VALLEY, CA	92557-7550	329.32	32.93	65.21	427.44
31446265003	479501029	SCOTT, NORMA	12094	FLINTLOCK TRL	MORENO VALLEY	CA	92557-7550	SCOTT, NORMA	12094 FLINTLOCK TR	MORENO VALLEY, CA	92557-7550	329.32	32.93	65.21	427.44
99079125007	479501034	CHAVIS, DONALD (RENT)	25431	LONE MESA TRL	MORENO VALLEY	CA	92557-7538	CHAVIS, DONALD	25431 LONE MESA TR	MORENO VALLEY, CA	92557-7538	97.06	9.71	19.22	125.98
31400845009	479501035	MC CRUTER, GARY AND BELINDA	25419	LONE MESA TRL	MORENO VALLEY	CA	92557-7538	MC CRUTER, GARY AND BELINDA	25419 LONE MESA TR	MORENO VALLEY, CA	92557-7538	77.44	7.74	15.33	100.5
97822265006	479501036	WARD, DION (RENT)	12101	AMBER HILL TRL	MORENO VALLEY	CA	92557-7555	WARD, DION (RENT)	15323 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4119	104.78	10.48	20.75	136
87239805002	479501039	RODRIGUEZ, JOSIE	12071	AMBER HILL TRL	MORENO VALLEY	CA	92557-7527	RODRIGUEZ, JOSIE	25654 PALM SHADOWS DR	MORENO VALLEY, CA	92557-7612	254.02	25.4	50.3	329.7
95606215006	479502013	STONE, BEVERLY (OWNR)	12092	AMBER HILL TRL	MORENO VALLEY	CA	92557-7533	STONE, BEVERLY	12092 AMBER HILL TRL	MORENO VALLEY, CA	92557-7533	73.69	7.37	14.59	95.64
98225685013	479502015	HUANTE, NICOLE (OWNR)	12115	WESTERLY TRL	MORENO VALLEY	CA	92557-7525	HUANTE, NICOLE (OWNR)	12115 WESTERLY TRL	MORENO VALLEY, CA	92557-7525	190.79	19.08	37.78	247.64
31397185005	479502023	SUTTON, ELENORE	12063	FLINTLOCK TRL	MORENO VALLEY	CA	92557-7551	SUTTON, ELENORE	12063 FLINTLOCK TR	MORENO VALLEY, CA	92557-7551	254.02	25.4	50.3	329.7
101294613009	479512005	GONZALEZ, REYNA	12211	AMBER HILL TRL	MORENO VALLEY	CA	92557-7557	GONZALEZ, REYNA	12211 AMBER HILL TRL	MORENO VALLEY, CA	92557-7557	23.31	2.33	4.62	30.24
31465605002	479512012	COTA, CHARLIE P	12141	AMBER HILL TRL	MORENO VALLEY	CA	92557-7546	COTA, CHARLIE P	12141 AMBER HILL TR	MORENO VALLEY, CA	92557-7546	329.32	32.93	65.21	427.44
31321745008	479513007	BOWDEN, BETTY	12162	AMBER HILL TRL	MORENO VALLEY	CA	92557-7547	BOWDEN, BETTY	12162 AMBER HILL TR	MORENO VALLEY, CA	92557-7547	254.02	25.4	50.3	329.7
31348245006	479513008	STEWART, GLENDA	12182	AMBER HILL TRL	MORENO VALLEY	CA	92557-7549	STEWART, GLENDA	12182 AMBER HILL TR	MORENO VALLEY, CA	92557-7549	254.02	25.4	50.3	329.7
31219145000	479513014	KING, CAROL (OWNR)	12235	WESTERLY TRL	MORENO VALLEY	CA	92557-7526	KING, CAROL	12235 WESTERLY TR	MORENO VALLEY, CA	92557-7526	329.32	32.93	65.21	427.44
57388765001	479513016	HALEMAN, MAKWAN	12215	WESTERLY TRL	MORENO VALLEY	CA	92557-7526	HALEMAN, MAKWAN	12215 WESTERLY TR	MORENO VALLEY, CA	92557-7526	253.96	25.4	50.28	329.64
31107055005	479513017	LEWIS, BENNY	12205	WESTERLY TRL	MORENO VALLEY	CA	92557-7526	LEWIS, BENNY	12205 WESTERLY TR	MORENO VALLEY, CA	92557-7526	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31323415003	479513022	PETERSON, STELLA	12155	WESTERLY TRL	MORENO VALLEY	CA	92557-7525	PETERSON, STELLA	12155 WESTERLY TR	MORENO VALLEY, CA	92557-7525	63.02	6.3	12.48	81.8
95481655001	479513026	WEST, CHRIS (RENT)	12212	AMBER HILL TRL	MORENO VALLEY	CA	92557-7557	WEST, CHRIS	12212 AMBER HILL TRL	MORENO VALLEY, CA	92557-7557	235.45	23.55	46.62	305.6
99697053000	479513027	DECATUR WYATT, TAMARA (RENT)	12220	AMBER HILL TRL	MORENO VALLEY	CA	92557-7557	DECATUR WYATT, TAMARA	12220 AMBER HILL TRL	MORENO VALLEY, CA	92557-7557	265.48	26.55	52.57	344.58
91269823009	479514002	HERALDEZ, RALPH AND ALICIA	25412	SAND CREEK TRL	MORENO VALLEY	CA	92557-7536	HERALDEZ, RALPH AND ALICIA	14208 HIGH NOON CT	MORENO VALLEY, CA	92553-4486	285.87	28.59	56.6	371.04
97398875009	479514004	CAMPBELL, CYNTHIA (RENT)	25436	SAND CREEK TRL	MORENO VALLEY	CA	92557-7536	CAMPBELL, CYNTHIA	25436 SAND CREEK TRL	MORENO VALLEY, CA	92557-7536	254.12	25.41	50.32	329.84
31284105002	479514005	CALDWAY, LLOYD	25448	SAND CREEK TRL	MORENO VALLEY	CA	92555-7536	CALDWAY, LLOYD	903 W STOCKWELL ST	COMPTON, CA	90222-3418	254.12	25.41	50.32	329.84
92227555002	479514008	GUTIERREZ, JOSE	25484	SAND CREEK TRL	MORENO VALLEY	CA	92557-7536	GUTIERREZ, JOSE	5009 GENEVIEVE ST	SN BERNRDNO, CA	92407-3258	245.45	24.55	48.6	318.58
99535623007	479517003	ROSSI, RONALD (OWNR)	12217	LANGTRY CIR	MORENO VALLEY	CA	92557-7531	LINDSEAY REGINA RENTAL	12217 LANGTRY CIR	MORENO VALLEY, CA	92557-7531	108.2	10.82	21.42	140.44
31249205004	479521008	CAMACHO, ENRIQUE BERTHA	13095	RAENETTE WAY	MORENO VALLEY	CA	92553-6801	CAMACHO, ENRIQUE BERTHA	13095 RAENETTE WAY	MORENO VALLEY, CA	92553-6801	254.12	25.41	50.32	329.84
31390705001	479521012	JOHNSON, DIANE	13098	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	JOHNSON, DIANE	13098 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	254.02	25.4	50.3	329.7
87467235009	479521014	FERRARA, MARGARET	13074	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	FERRARA, MARGARET	13074 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	254.12	25.41	50.32	329.84
94421005005	479521015	ORDAZ, VICTOR M (OWNR)	13062	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	ORDAZ, VICTOR M	13062 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	254.12	25.41	50.32	329.84
31314955008	479521017	MAYS, GEORGE T AND CAROL	13038	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	MAYS, GEORGE T AND CAROL	13038 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	254.02	25.4	50.3	329.7
31289755004	479521018	SANCHEZ, NEPTALIE	13026	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	SANCHEZ, NEPTALIE	13026 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	254.12	25.41	50.32	329.84
31545335008	479521020	CARINGTON, DIJON	13002	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	CARINGTON, DIJON	13002 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	253.92	25.39	50.28	329.58
91154395003	479522003	PEREZ, SOPHIA	13023	BENDER DR	MORENO VALLEY	CA	92553-6806	PEREZ, SOPHIA	13023 BENDER DR	MORENO VALLEY, CA	92553-6805	253.92	25.39	50.28	329.58
31286415007	479522010	VILLA, GLENDA	13119	BENDER DR	MORENO VALLEY	CA	92553-6871	VILLA, GLENDA	13119 BENDER DR	MORENO VALLEY, CA	92553-6871	329.04	32.9	65.15	427.08
31591215002	479522011	GOGUE, MARIE	13060	RAENETTE WAY	MORENO VALLEY	CA	92553-6802	GOGUE, MARIE	PO BOX 7996	MORENO VALLEY, CA	92552-7996	254.02	25.4	50.3	329.7
86614353001	479522013	JACKSON, DIANE (RENT)	13036	RAENETTE WAY	MORENO VALLEY	CA	92553-6802	JACKSON, DIANE	13036 RAENETTE WAY	MORENO VALLEY, CA	92553-6802	254.12	25.41	50.32	329.84
73191815009	479523001	ALLEN, VINCENT	13120	BENDER DR	MORENO VALLEY	CA	92553-6871	ALLEN, VINCENT	13120 BENDER DR	MORENO VALLEY, CA	92553-6871	254.02	25.4	50.3	329.7
31599695009	479523014	SPRATT, WINSTON (RENT)	13016	BENDER DR	MORENO VALLEY	CA	92553-6804	SPRATT, WINSTON	13016 BENDER DR	MORENO VALLEY, CA	92553-6804	254.02	25.4	50.3	329.7
59058925005	479524011	MARTIN, JERMAINE	13014	SWEETFERN ST	MORENO VALLEY	CA	92553-6821	MARTIN, JERMAINE	13014 SWEETFERN ST	MORENO VALLEY, CA	92553-6821	254.12	25.41	50.32	329.84
83701785009	479524020	NGUYEN, LOI	13113	SWEETSPICE ST	MORENO VALLEY	CA	92553-6820	NGUYEN, LOI	13113 SWEETSPICE ST	MORENO VALLEY, CA	92553-6820	254.02	25.4	50.3	329.7
31194125009	479524022	DIAZ, GEORGE	13089	SWEETSPICE ST	MORENO VALLEY	CA	92553-6823	DIAZ, GEORGE	13089 SWEETSPICE ST	MORENO VALLEY, CA	92553-6823	329.32	32.93	65.21	427.44
88734485008	479531009	GLENNS, KRYSTAL	25572	WEDMORE DR	MORENO VALLEY	CA	92553-4718	GLENNS, KRYSTAL	25572 WEDMORE DR	MORENO VALLEY, CA	92553-4718	254.12	25.41	50.32	329.84
66486555006	479531013	HERNANDEZ, VALERIE AND VICTOR	25604	WEDMORE DR	MORENO VALLEY	CA	92553-4715	HERNANDEZ, VALERIE AND VICTOR	25604 WEDMORE DR	MORENO VALLEY, CA	92553-4715	254.12	25.41	50.32	329.84
95904155007	479531026	MCEACHERN, SHELLY (OWNR)	25620	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-4712	MCEACHERN, SHELLY	25620 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-4712	68.74	6.87	13.61	89.22
31385935003	479531027	ROBERSON, VICTORIA	12887	RAENETTE WAY	MORENO VALLEY	CA	92553-1218	ROBERSON, VICTORIA	12887 RAENETTE WAY	MORENO VALLEY, CA	92553-1218	254.02	25.4	50.3	329.7
73595255008	479531029	FLORES, CATALINA (OWNR)	12913	RAENETTE WAY	MORENO VALLEY	CA	92553-4708	FLORES, CATALINA	12913 RAENETTE WAY	MORENO VALLEY, CA	92553-4708	254.02	25.4	50.3	329.7
98191795014	479531031	PENA, VERONICA (OWNR)	12937	RAENETTE WAY	MORENO VALLEY	CA	92553-4708	PENA, VERONICA	2021 W 96TH ST	LOS ANGELES, CA	90047-3729	54.12	5.41	10.72	70.24
88220303006	479532004	SIMPSON, ORLANDO (RENT)	13017	SWEETFERN ST	MORENO VALLEY	CA	92553-6821	SIMPSON, ORLANDO	13017 SWEETFERN ST	MORENO VALLEY, CA	92553-6821	254.12	25.41	50.32	329.84
31461315002	479533010	THOMAS, BILL	25719	ROSEBAY CT	MORENO VALLEY	CA	92553-1220	THOMAS, BILL	25719 ROSEBAY CT	MORENO VALLEY, CA	92553-1220	329.32	32.93	65.21	427.44
81357725005	479533011	HERRERA, ADRIANA	25709	ROSEBAY CT	MORENO VALLEY	CA	92553-1220	HERRERA, ADRIANA	25709 ROSEBAY CT	MORENO VALLEY, CA	92553-1220	127.36	12.74	25.22	165.3
100671923004	479533015	WILSON, CRISTOPHER (RENT)	25669	ROSEBAY CT	MORENO VALLEY	CA	92553-4707	WILSON, CRISTOPHER	25669 ROSEBAY CT	MORENO VALLEY, CA	92553-4707	142.34	14.23	28.18	184.74
31076745008	479533023	DREW, RODNEY	12941	VELVETLEAF ST	MORENO VALLEY	CA	92553-4787	DREW, RODNEY	12941 VELVETLEAF ST	MORENO VALLEY, CA	92553-4787	282.23	28.22	55.88	366.32
82830375003	479534003	GREEN, THERESA	12982	VELVETLEAF ST	MORENO VALLEY	CA	92553-4705	GREEN, THERESA	12982 VELVETLEAF ST	MORENO VALLEY, CA	92553-4705	97.48	9.75	19.3	126.52
93414023007	479534008	PERRY, TAMIKO (RENT)	12942	VELVETLEAF ST	MORENO VALLEY	CA	92553-4788	PERRY, TAMIKO (RENT)	12942 VELVETLEAF ST	MORENO VALLEY, CA	92553-4788	160.55	16.06	31.79	208.38
48509945007	479541005	COREA, BENJAMIN	25771	DAPHNE CT	MORENO VALLEY	CA	92553-4790	COREA, BENJAMIN	25771 DAPHNE CT	MORENO VALLEY, CA	92553-4790	254.02	25.4	50.3	329.7
31075105004	479541008	IPPOLITO, SHARON	25770	DAPHNE CT	MORENO VALLEY	CA	92553-4790	IPPOLITO, SHARON	25770 DAPHNE CT	MORENO VALLEY, CA	92553-4790	63.39	6.34	12.55	82.28
51247855006	479541010	MASTERS, TIFFANY	25780	DAPHNE CT	MORENO VALLEY	CA	92553-4790	MASTERS, TIFFANY	25780 DAPHNE CT	MORENO VALLEY, CA	92553-4790	84.02	8.4	16.64	109.04
90626725002	479541011	VASQUEZ, BLANCA	25791	FIR AVE	MORENO VALLEY	CA	92553-4737	VASQUEZ, BLANCA	27213 QUAIL CREEK DR	MORENO VALLEY, CA	92555-4523	233.64	23.36	46.26	303.26
99691513007	479541014	ARREDONDO, CRISTINA (RENT)	25775	FIR AVE	MORENO VALLEY	CA	92553-4737	ARREDONDO, CRISTINA	25775 FIR AVE	MORENO VALLEY, CA	92553-4737	202.84	20.28	40.16	263.28
85827645000	479542010	SMITH, MAURITA	12822	VELVETLEAF ST	MORENO VALLEY	CA	92553-4786	SMITH, MAURITA	2545 RED PINE ST	SAN JACINTO, CA	92582-4783	254.02	25.4	50.3	329.7
31444325006	479542013	JOHNSON, AYA	12863	NINEBARK ST	MORENO VALLEY	CA	92553-4704	JOHNSON, AYA	12863 NINEBARK ST	MORENO VALLEY, CA	92553-4704	254.02	25.4	50.3	329.7
93861425005	479542020	MUTH, SOKHA (RENT)	12779	NINEBARK ST	MORENO VALLEY	CA	92553-1210	MUTH, SOKHA (RENT)	12779 NINEBARK ST	MORENO VALLEY, CA	92553-1210	54.24	5.42	10.74	70.4
31575295003	479543006	FLORES, LAURA	12833	WINTERBERRY DR	MORENO VALLEY	CA	92553-4730	FLORES, LAURA	12833 WINTERBERRY DR	MORENO VALLEY, CA	92553-4730	54.02	5.4	10.7	70.1
49859495009	479543016	ERICSON, ALEXANDRIA	25889	BARTRAM CT	MORENO VALLEY	CA	92553-1200	ERICSON, ALEXANDRIA	25889 BARTRAM CT	MORENO VALLEY, CA	92553-1200	329.32	32.93	65.21	427.44
31595415006	479544005	MOORE, GAIL	25949	FIR AVE	MORENO VALLEY	CA	92553-4795	MOORE, GAIL	PO BOX 81	RIVERSIDE, CA	92502-0081	254.02	25.4	50.3	329.7
83666245004	479544008	GALLEGOS, AUGUSTINA (RENT)	25913	FIR AVE	MORENO VALLEY	CA	92553-4795	GALLEGOS, AUGUSTINA	25913 FIR AVE	MORENO VALLEY, CA	92553-4795	228.63	22.86	45.27	296.76
71516575009	479544009	JOHNSON, RAQUEL	25901	FIR AVE	MORENO VALLEY	CA	92553-4795	JOHNSON, RAQUEL	25901 FIR AVE	MORENO VALLEY, CA	92553-4795	36.37	3.64	7.2	47.2
99837005003	479544016	MANRIQUEZ, STEVEN (OWNR)	25950	DEERBERRY DR	MORENO VALLEY	CA	92553-4724	MANRIQUEZ, STEVEN	25950 DEERBERRY DR	MORENO VALLEY, CA	92553-4724	253.45	25.35	50.18	328.96
92772913002	479544024	MITCHELL, WILLIE	12875	LASSELLE ST	MORENO VALLEY	CA	92553-4728	MITCHELL, WILLIE	12875 LASSELLE ST	MORENO VALLEY, CA	92553-4728	185.85	18.59	36.8	241.22
95599235009	479551007	CHAVEZ, JORGE (RENT)	25751	BRUMELIA CT	MORENO VALLEY	CA	92553-4789	CHAVEZ, JORGE	25751 BRUMELIA CT	MORENO VALLEY, CA	92553-4789	254.12	25.41	50.32	329.84
31307755004	479552001	ROOTS-FAUK, LIZZIE	12838	VELVETLEAF ST	MORENO VALLEY	CA	92553-4786	ROOTS-FAUK, LIZZIE	12838 VELVETLEAF ST	MORENO VALLEY, CA	92553-4786	254.02	25.4	50.3	329.7
31656355008	479552005	AMOS, BRENDA (OWN)	12870	VELVETLEAF ST	MORENO VALLEY	CA	92553-4786	AMOS, BRENDA	12870 VELVETLEAF ST	MORENO VALLEY, CA	92553-4786	254.02	25.4	50.3	329.7
31537835000	479552006	RILEY, LAWANA	12878	VELVETLEAF ST	MORENO VALLEY	CA	92553-4786	RILEY, LAWANA	PO BOX 177	LAKEWOOD, CA	90714-0177	203.12	20.31	40.22	263.64
62767855000	479552010	HUIZAR, MIGUEL AND ANGEL	12910	VELVETLEAF ST	MORENO VALLEY	CA	92553-4788	HUIZAR, MIGUEL AND ANGEL	12910 VELVETLEAF ST	MORENO VALLEY, CA	92553-4788	254.12	25.41	50.32	329.84
31641715005	479552017	MOTLEY, SHARI	12971	NINEBARK ST	MORENO VALLEY	CA	92553-1211	MOTLEY, SHARI	12971 NINEBARK ST	MORENO VALLEY, CA	92553-1211	254.02	25.4	50.3	329.7
31053735009	479552021	ZAMORA, JOHN	12923	NINEBARK ST	MORENO VALLEY	CA	92553-1211	ZAMORA, JOHN	12923 NINEBARK ST	MORENO VALLEY, CA	92553-1211	254.02	25.4	50.3	329.7
92296665004	479553009	PACE-SMITH, NYGELLE	12899	LASSELLE ST	MORENO VALLEY	CA	92553-4728	PACE-SMITH, NYGELLE	12899 LASSELLE ST	MORENO VALLEY, CA	92553-4728	253.92	25.39	50.28	329.58
31598185008	479553013	REYES, RUBEN	12918	WINTERBERRY DR	MORENO VALLEY	CA	92553-1228	REYES, RUBEN	12918 WINTERBERRY WY	MORENO VALLEY, CA	92553-1228	71.79	7.18	14.21	93.18
96418035003	479553019	FERGUSON, LINDA (RENT)	12990	WINTERBERRY DR	MORENO VALLEY	CA	92553-1228	FERGUSON, LINDA	25445 SUNNYMEAD BLVD APT 159	MORENO VALLEY, CA	92553-4199	254.12	25.41	50.32	329.84
31387385009	479553027	PRUDHOMME, GERALD (OWNR)	25861	WOLFBERRY DR	MORENO VALLEY	CA	92553-4735	PRUDHOMME, GERALD	25861 WOLFBERRY DR	MORENO VALLEY, CA	92553-4735	254.02	25.4	50.3	329.7
91399385006	479554002	MOJICA, JORGE	25862	WOLFBERRY DR	MORENO VALLEY	CA	92553-4734	MOJICA, JORGE	25862 WOLFBERRY DR	MORENO VALLEY, CA	92553-4734	253.92	25.39	50.28	329.58
31303075006	479554007	SMITH, ROBERT A	25922	WOLFBERRY DR	MORENO VALLEY	CA	92553-1230	SMITH, ROBERT A	25922 WOLFBERRY DR	MORENO VALLEY, CA	92553-1230	253.92	25.39	50.28	329.58
31383525004	479554008	CRAIG JR, WILLIAM D	25919	HOLLYBERRY LN	MORENO VALLEY	CA	92553-1208	CRAIG JR, WILLIAM D	20230 CAMINO DEL SOL	RIVERSIDE, CA	92508-2455	254.02	25.4	50.3	329.7
31054405006	479554010	WELCH JR, AFRED	25895	HOLLYBERRY LN	MORENO VALLEY	CA	92553-4733	WELCH JR, AFRED	25895 HOLLYBERRY LN	MORENO VALLEY, CA	92553-4733	254.02	25.4	50.3	329.7
85120545001	479554011	MUNDT, GEORGE	25883	HOLLYBERRY LN	MORENO VALLEY	CA	92553-4733	MUNDT, GEORGE	25883 HOLLYBERRY LN	MORENO VALLEY, CA	92553-4733	254.02	25.4	50.3	329.7
31053185004	479554013	NIETO, JOE	25859	HOLLYBERRY LN	MORENO VALLEY	CA	92553-4733	NIETO, JOE	25859 HOLLYBERRY LN	MORENO VALLEY, CA	92553-4733	204.02	20.4	40.4	264.8
31389875007	479555001	HEAD, JEROME	25858	HOLLYBERRY LN	MORENO VALLEY	CA	92553-4732	HEAD, JEROME	25858 HOLLYBERRY LN	MORENO VALLEY, CA	92553-4732	329.32	32.93	65.21	427.44
84791295002	479555005	REZA, DARLENE	25908	HOLLYBERRY LN	MORENO VALLEY	CA	92553-1208	REZA, DARLENE	25908 HOLLYBERRY LN	MORENO VALLEY, CA	92553-1208	254.02	25.4	50.3	329.7
31288335005	479561002	WOODS, MARY	13011	PEPPERBUSH DR	MORENO VALLEY	CA	92553-6800	WOODS, MARY	13011 PEPPERBUSH DR	MORENO VALLEY, CA	92553-6800	329.32	32.93	65.21	427.44
31109655005	479561003	ACEVEDO, RAFAEL	13023	PEPPERBUSH DR	MORENO VALLEY	CA	92553-6800	ACEVEDO, RAFAEL	13023 PEPPERBUSH DR	MORENO VALLEY, CA	92553-6800	254.02	25.4	50.3	329.7
56703385002	479561005	HARRIS, TRAVETTE	13047	PEPPERBUSH DR	MORENO VALLEY	CA	92553-6800	HARRIS, TRAVETTE	13047 PEPPERBUSH DR	MORENO VALLEY, CA	92553-6800	189.12	18.91	37.45	245.46
31050065005	479562005	RANDLE JR, WILLIE	13060	PEPPERBUSH DR	MORENO VALLEY	CA	92553-6848	RANDLE JR, WILLIE	13060 PEPPERBUSH DR	MORENO VALLEY, CA	92553-6848	329.32	32.93	65.21	427.44
31257945002	479562006	LAPLANTE, ALPHONSE	13048	PEPPERBUSH DR	MORENO VALLEY	CA	92553-6848	LAPLANTE, ALPHONSE	13048 PEPPERBUSH DR	MORENO VALLEY, CA	92553-6848	329.04	32.9	65.15	427.08
72181825009	479563005	GOMEZ, LOUIS	13048	NINEBARK ST	MORENO VALLEY	CA	92553-6831	GOMEZ, LOUIS	1928 VAQUERO ST	WEST COVINA, CA	91791-4094	254.02	25.4	50.3	329.7
52724905003	479563011	LINGLE-VELASQUEZ, BRENDA	13077	FELISA ST	MORENO VALLEY	CA	92553-6870	LINGLE-VELASQUEZ, BRENDA	13077 FELISA ST	MORENO VALLEY, CA	92553-6870	329.32	32.93	65.21	427.44
31572715002	479564003	WALKER, PAMELA	25944	ANDRE CT	MORENO VALLEY	CA	92553-6824	WALKER, PAMELA	25944 ANDRE CT	MORENO VALLEY, CA	92553-6824	254.02	25.4	50.3	329.7
92098475004	479564009	UTRERA, JENNIFER	25981	ANDRE CT	MORENO VALLEY	CA	92553-6824	UTRERA, JENNIFER	25981 ANDRE CT	MORENO VALLEY, CA	92553-6824	190.59	19.06	37.74	247.38
50354055009	479564017	CERVANTES, DEBRA	25944	BLUELEAF ST	MORENO VALLEY	CA	92553-6851	CERVANTES, DEBRA	25944 BLUELEAF ST	MORENO VALLEY, CA	92553-6851	258.7	25.87	51.22	335.78
73032645001	479564020	PARKER, LAVENA (RENT)	25980	BLUELEAF ST	MORENO VALLEY	CA	92553-6880	PARKER, LAVENA	25980 BLUELEAF ST	MORENO VALLEY, CA	92553-6880	254.02	25.4	50.3	329.7
31438615007	479571004	CARILLO, ANA	13198	PEPPERBUSH DR	MORENO VALLEY	CA	92553-0810	CARILLO, ANA	13198 PEPPERBUSH DR	MORENO VALLEY, CA	92553-0810	254.02	25.4	50.3	329.7
31236705006	479571011	JOHNSON, RANDY	13121	NINEBARK ST	MORENO VALLEY	CA	92553-6837	JOHNSON, RANDY	13121 NINEBARK ST	MORENO VALLEY, CA	92553-6837	247.2	24.72	48.95	320.86
31341895004	479571012	RELIFORD, GREGORY	13133	NINEBARK ST	MORENO VALLEY	CA	92553-6837	RELIFORD, GREGORY	13133 NINEBARK ST	MORENO VALLEY, CA	92553-6837	329.32	32.93	65.21	427.44
51364065005	479571015	TUDUGALLA, ANO	13169	NINEBARK ST	MORENO VALLEY	CA	92553-6838	TUDUGALLA, ANO	13169 NINEBARK ST	MORENO VALLEY, CA	92553-6838	329.32	32.93	65.21	427.44
31414555000	479571018	MEDINA, ROBERT IV	13217	NINEBARK ST	MORENO VALLEY	CA	92553-0801	MEDINA, ROBERT IV	13217 NINEBARK ST	MORENO VALLEY, CA	92553-0801	329.32	32.93	65.21	427.44
95823873008	479572004	LEW, SHIRLEY	25944	DRACAEA AVE	MORENO VALLEY	CA	92557-6864	LEW, SHIRLEY	1849 FREE STONE GATE LN	MORENO VALLEY, CA	91745	23.31	2.33	4.62	30.24
52164085004	479572005	FERREIRA, JOSE GUADALUPE	25932	DRACAEA AVE	MORENO VALLEY	CA	92553-6864	FERREIRA, JOSE GUADALUPE	25932 DRACAEA AVE	MORENO VALLEY, CA	92553-6864	189.32	18.93	37.49	245.74
49298505008	479572014	ECHENIQUE, SILVANA	13186	NINEBARK ST	MORENO VALLEY	CA	92553-6833	ECHENIQUE, SILVANA	13186 NINEBARK ST	MORENO VALLEY, CA	92553-6833	154.02	15.4	30.5	199.9
98339105014	479572022	TURNER, JUSTIN (RENT)	25955	REDBAY LN	MORENO VALLEY	CA	92553-6843	TURNER, JUSTIN	25955 REDBAY LN	MORENO VALLEY, CA	92553-6843	45.2	4.52	8.95	58.66
60261255002	479573008	SUAREZ, MELENA	13144	TWINFLOWER CT	MORENO VALLEY	CA	92553-0820	SUAREZ, MELENA	13144 TWINFLOWER CT	MORENO VALLEY, CA	92553-0820	279.6	27.96	55.36	362.92
73212235005	479573009	MONTGOMERY, EMOGENE	13130	TWINFLOWER CT	MORENO VALLEY	CA	92553-0820	MONTGOMERY, EMOGENE	13130 TWINFLOWER CT	MORENO VALLEY, CA	92553-0820	54.02	5.4	10.7	70.1
92038165005	479573011	SIMS, DARREN	13127	TWINFLOWER CT	MORENO VALLEY	CA	92553-0821	SIMS, DARREN	13127 TWINFLOWER CT	MORENO VALLEY, CA	92553-0821	253.92	25.39	50.28	329.58
31623915001	479573013	CONCEPCION, ARLENE	13149	TWINFLOWER CT	MORENO VALLEY	CA	92553-0821	CONCEPCION, ARLENE	13149 TWINFLOWER CT	MORENO VALLEY, CA	92553-0821	254.02	25.4	50.3	329.7
86847435001	479573015	MEZA, MIGUEL (OWNR)	13169	TWINFLOWER CT	MORENO VALLEY	CA	92553-0821	MEZA, MIGUEL	13169 TWINFLOWER CT	MORENO VALLEY, CA	92553-0821	63.63	6.36	12.6	82.58
51594535009	479573020	ELDER, CELESTINE	13122	ZENOBIA CT	MORENO VALLEY	CA	92553-6816	ELDER, CELESTINE	13122 ZENOBIA CT	MORENO VALLEY, CA	92553-6816	136.37	13.64	27	177
98126985005	479573030	OCEJO, IVAN	13140	NINEBARK ST	MORENO VALLEY	CA	92553-6832	OCEJO, IVAN	13140 NINEBARK ST	MORENO VALLEY, CA	92553-6832	253.44	25.34	50.18	328.96
31618065009	479573031	GONZALEZ, MARIO AND BLANCA	13130	NINEBARK ST	MORENO VALLEY	CA	92553-6832	GONZALEZ, MARIO AND BLANCA	PO BOX 8898	MORENO VALLEY, CA	92552-8898	329.32	32.93	65.21	427.44
31361805001	479581001	PAREDES, ANA	13747	BEARBERRY DR	MORENO VALLEY	CA	92553-0710	PAREDES, ANA	13747 BEARBERRY DR	MORENO VALLEY, CA	92553-0710	254.02	25.4	50.3	329.7
90071055001	479581009	VANDERSLICE, LAURA	13647	BEARBERRY DR	MORENO VALLEY	CA	92553-4875	VANDERSLICE, LAURA	13647 BEARBERRY DR	MORENO VALLEY, CA	92553-4875	253.92	25.39	50.28	329.58

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
94484825001	479581010	BLACKWELL, TONICA (RENT)	13635	BEARBERRY DR	MORENO VALLEY	CA	92553-4875	BLACKWELL, TONICA	12089 KILGORE ST	MORENO VALLEY, CA	92557-7909	182.8	18.28	36.19	237.26
66595775008	479581013	SILVA, JAVIER	13593	BEARBERRY DR	MORENO VALLEY	CA	92553-4809	SILVA, JAVIER	13593 BEARBERRY DR	MORENO VALLEY, CA	92553-4809	254.12	25.41	50.32	329.84
60629695008	479581015	ROSS, MICHAEL	13569	BEARBERRY DR	MORENO VALLEY	CA	92553-4808	ROSS, MICHAEL	10130 CARTAGENA DR	MORENO VALLEY, CA	92557-2667	254.12	25.41	50.32	329.84
31565755007	479582001	TAYLOR, RUSSELL	13500	BANEBERRY ST	MORENO VALLEY	CA	92553-4822	TAYLOR, RUSSELL	13500 BANEBERRY ST	MORENO VALLEY, CA	92553-4822	254.02	25.4	50.3	329.7
31410555008	479582002	HERRERA, ROBERT	13512	BANEBERRY ST	MORENO VALLEY	CA	92553-4822	HERRERA, ROBERT	13512 BANEBERRY ST	MORENO VALLEY, CA	92553-4822	204.02	20.4	40.4	264.8
96717995006	479582010	ORTEGA, CELINA (RENT)	25703	DITTANY ST	MORENO VALLEY	CA	92553-4896	ORTEGA, CELINA	12605 BRIDGEWATER DR	CORONA, CA	92880-8846	254.12	25.41	50.32	329.84
31314295007	479582016	CARREON, JESUS	25692	DANDELION CT	MORENO VALLEY	CA	92553-4894	CARREON, JESUS	25692 DANDELION CT	MORENO VALLEY, CA	92553-4894	254.02	25.4	50.3	329.7
31583545005	479582023	GONZALEZ, RUBEN	25703	DANDELION CT	MORENO VALLEY	CA	92553-4892	GONZALEZ, RUBEN	25703 DANDELION CT	MORENO VALLEY, CA	92553-4892	254.02	25.4	50.3	329.7
31102115004	479582027	STAFFORD, LISA	25668	TALLANDSIA CT	MORENO VALLEY	CA	92553-0706	STAFFORD, LISA	25668 TALLANDSIA CT	MORENO VALLEY, CA	92553-0706	254.02	25.4	50.3	329.7
80714825007	479582033	PETERSON, WAYNE	25729	TALLANDSIA CT	MORENO VALLEY	CA	92553-4804	PETERSON, WAYNE	25729 TALLANDSIA CT	MORENO VALLEY, CA	92553-4804	254.02	25.4	50.3	329.7
84430135001	479582034	LOPEZ, FERMIN AND BECKY	25719	TALLANDSIA CT	MORENO VALLEY	CA	92553-4804	LOPEZ, FERMIN AND BECKY	25719 TALLANDSIA CT	MORENO VALLEY, CA	92553-4804	329.32	32.93	65.21	427.44
95906955004	479582036	CARROLL, EDWIN (OWNR)	25705	TALLANDSIA CT	MORENO VALLEY	CA	92553-4804	CARROLL, EDWIN	25705 TALLANDSIA CT	MORENO VALLEY, CA	92553-4804	254.12	25.41	50.32	329.84
31052835000	479582037	KOLAND, GARY (OWNR)	25693	TALLANDSIA CT	MORENO VALLEY	CA	92553-0707	KOLAND, GARY	25693 TALLANDSIA CT	MORENO VALLEY, CA	92553-0707	254.02	25.4	50.3	329.7
96593765009	479582045	THOMAS, ALICE (RENT)	25710	BAY AVE	MORENO VALLEY	CA	92553-4877	THOMAS, ALICE	1335 W BELLEVIEW ST	SN BERNRDNO, CA	92410-2256	254.12	25.41	50.32	329.84
70183755001	479591003	TORREZ, ALICIA	13405	NINEBARK ST	MORENO VALLEY	CA	92553-6855	TORREZ, ALICIA	13405 NINEBARK ST	MORENO VALLEY, CA	92553-6855	357.53	35.75	70.79	464.06
94692195001	479591006	VALENZUELA, ERNESTO (OWNR)	13447	NINEBARK ST	MORENO VALLEY	CA	92553-6855	VALENZUELA, ERNESTO	13447 NINEBARK ST	MORENO VALLEY, CA	92553-6855	95.25	9.53	18.86	123.62
31413555002	479592009	RANGEL, ESPERANZA	13419	NUTMEG ST	MORENO VALLEY	CA	92553-6861	RANGEL, ESPERANZA	13419 NUTMEG ST	MORENO VALLEY, CA	92553-6861	190.69	19.07	37.76	247.5
31516535007	479594005	CHENAULT, BEVERLY (OWNR)	25799	ANISE ST	MORENO VALLEY	CA	92553-6857	CHENAULT, BEVERLY	25799 ANISE ST	MORENO VALLEY, CA	92553-6857	323.22	32.32	64	419.52
31106345007	479594006	LARSON, RUSSELL	25811	ANISE ST	MORENO VALLEY	CA	92553-6890	LARSON, RUSSELL	25811 ANISE ST	MORENO VALLEY, CA	92553-6890	254.02	25.4	50.3	329.7
31349725003	479595006	OJEDA, TERESA	25812	CAYENNE CT	MORENO VALLEY	CA	92553-4853	OJEDA, TERESA	25812 CAYENNE CT	MORENO VALLEY, CA	92553-4853	247.44	24.74	48.99	321.16
97110655004	479595013	PICENO, OFELIA (OWNR)	25763	CAYENNE CT	MORENO VALLEY	CA	92553-4885	PICENO, OFELIA	25763 CAYENNE CT	MORENO VALLEY, CA	92553-4885	40.29	4.03	7.98	52.28
53812765004	479595014	SPIGNER, LESLEAY	25751	CAYENNE CT	MORENO VALLEY	CA	92553-4885	SPIGNER, LESLEAY	25751 CAYENNE CT	MORENO VALLEY, CA	92553-4885	254.02	25.4	50.3	329.7
92396823009	479595017	INZUNZA, JAIRO (RENT)	25776	MARGARITA ST	MORENO VALLEY	CA	92553-4854	INZUNZA, JAIRO	201 GILBERT WAY	PLACENTIA, CA	92870-4659	127.46	12.75	25.24	165.44
31483865000	479595019	BENNETT, STEVE	25800	MARGARITA ST	MORENO VALLEY	CA	92553-4899	BENNETT, STEVE	25800 MARGARITA ST	MORENO VALLEY, CA	92553-4899	329.32	32.93	65.21	427.44
31351195000	479597002	NEWTON, CAROLYN	13513	NINEBARK ST	MORENO VALLEY	CA	92553-4852	NEWTON, CAROLYN	13513 NINEBARK ST	MORENO VALLEY, CA	92553-4852	329.32	32.93	65.21	427.44
31176575001	479597007	MAYFIELD, SUSAN	13573	NINEBARK ST	MORENO VALLEY	CA	92553-4852	MAYFIELD, SUSAN	13573 NINEBARK ST	MORENO VALLEY, CA	92553-4852	154.02	15.4	30.5	199.9
31414545003	479597008	ROSENBROOK, ANN (OWNR)	13585	NINEBARK ST	MORENO VALLEY	CA	92553-4852	ROSENBROOK, ANN	13585 NINEBARK ST	MORENO VALLEY, CA	92553-4852	254.02	25.4	50.3	329.7
49468035006	479601009	GIBSON, WILLIE (OWNR)	12200	KITCHING ST	MORENO VALLEY	CA	92557-7622	GIBSON, WILLIE	28347 TRISTAN DR	MORENO VALLEY, CA	92555-6135	254.02	25.4	50.3	329.7
91036455009	479601012	CHANEY, MONTAQUE	25511	SAND CREEK TRL	MORENO VALLEY	CA	92557-7634	CHANEY, MONTAQUE	25511 SAND CREEK TR	MORENO VALLEY, CA	92557-7634	253.92	25.39	50.28	329.58
49707095004	479601018	HUDSON, LURLINE	25540	SAND CREEK TRL	MORENO VALLEY	CA	92557-7634	HUDSON, LURLINE	25540 SAND CREEK TR	MORENO VALLEY, CA	92557-7634	254.02	25.4	50.3	329.7
31375775007	479601022	STARN, CRISTY	25500	SAND CREEK TRL	MORENO VALLEY	CA	92557-7634	STARN, CRISTY	25500 SAND CREEK TR	MORENO VALLEY, CA	92557-7634	254.02	25.4	50.3	329.7
96216245007	479602008	WYATT-MEJIA, LUCY (RENT)	25695	VESPUCCI AVE	MORENO VALLEY	CA	92557-7632	WYATT-MEJIA, LUCY	10445 ARTESIA BLVD	BELLFLOWER, CA	90706-7925	199.74	19.97	39.55	259.26
94981025004	479603001	POOLE, MELITA (RENT)	25700	VESPUCCI AVE	MORENO VALLEY	CA	92557-7752	POOLE, MELITA	25700 VESPUCCI AVE	MORENO VALLEY, CA	92557-7752	254.12	25.41	50.32	329.84
96775205000	479603010	DIAZ, KASY (RENT)	25626	VESPUCCI AVE	MORENO VALLEY	CA	92557-7631	DIAZ, KASY	25626 VESPUCCI AVE	MORENO VALLEY, CA	92557-7631	50	5	9.9	64.9
31357635005	479612001	VELASQUEZ, OSCAR	25509	STUYVESANT ST	MORENO VALLEY	CA	92557-7626	VELASQUEZ, OSCAR	25509 STUYVESANT ST	MORENO VALLEY, CA	92557-7626	63.63	6.36	12.6	82.58
31594465008	479612006	RUBIO, JOSE	25569	STUYVESANT ST	MORENO VALLEY	CA	92557-7626	RUBIO, JOSE	25569 STUYVESANT ST	MORENO VALLEY, CA	92557-7626	329.32	32.93	65.21	427.44
31380355005	479613001	WRIGHT, DARRYL	12276	COCOPAH CT	MORENO VALLEY	CA	92557-7624	WRIGHT, DARRYL	12276 COCOPAH CT	MORENO VALLEY, CA	92557-7624	254.02	25.4	50.3	329.7
95050315006	479613002	EVENSON, BONNIE (OWNR)	12266	COCOPAH CT	MORENO VALLEY	CA	92557-7624	EVENSON, BONNIE	12266 COCOPAH CT	MORENO VALLEY, CA	92557-7624	254.12	25.41	50.32	329.84
90692273008	479613005	LEMUSZ, MANUEL (RENT)	12234	COCOPAH CT	MORENO VALLEY	CA	92557-7624	LEMUZ, MANUEL	12234 COCOPAH CT	MORENO VALLEY, CA	92557-7624	136.37	13.64	27	177
31183825005	479614004	STORMS, RUTH	25641	STUYVESANT ST	MORENO VALLEY	CA	92557-7627	STORMS, RUTH	25641 STUYVESANT ST	MORENO VALLEY, CA	92557-7627	63.73	6.37	12.62	82.72
31524615004	479614006	GAMBLE, SANDRA	25665	STUYVESANT ST	MORENO VALLEY	CA	92557-7627	GAMBLE, SANDRA	25665 STUYVESANT ST	MORENO VALLEY, CA	92557-7627	39.76	3.98	7.87	51.6
101251023003	479615007	CERVANTES, JAVIER (RENT)	25670	STUYVESANT ST	MORENO VALLEY	CA	92557-7625	CERVANTES, JAVIER	25670 STUYVESANT ST	MORENO VALLEY, CA	92557-7625	103.31	10.33	20.46	134.08
57905725001	479616004	HERNANDEZ, BLANCA	25690	ONATE DR	MORENO VALLEY	CA	92557-7629	HERNANDEZ, BLANCA	1337 E ROMINEYA DR	ANAHEIM, CA	92805-1116	254.02	25.4	50.3	329.7
86286533001	479616011	MORALES, HECTOR (RENT)	25614	ONATE DR	MORENO VALLEY	CA	92557-7629	MORALES, HECTOR	25614 ONATE DR	MORENO VALLEY, CA	92557-7629	84.98	8.5	16.83	110.3
88669285008	479621003	JONES, LUISA	13838	PAPRIKA CT	MORENO VALLEY	CA	92553-4861	JONES, LUISA	13838 PAPRIKA CT	MORENO VALLEY, CA	92553-4861	254.12	25.41	50.32	329.84
94443085002	479621004	TOBIAS, JOSH AND MARIA (RENT)	13826	PAPRIKA CT	MORENO VALLEY	CA	92553-4861	TOBIAS, JOSH AND MARIA	13826 PAPRIKA CT	MORENO VALLEY, CA	92553-4861	254.12	25.41	50.32	329.84
31282285008	479621009	LOGAN, CYNTHIA (OWNR)	13801	PAPRIKA CT	MORENO VALLEY	CA	92553-4862	LOGAN, CYNTHIA	941 GRANT ST	CALIMESA, CA	92320-1407	276.03	27.6	54.65	358.28
91855533006	479621013	KEY, TRINA (RENT)	13849	PAPRIKA CT	MORENO VALLEY	CA	92553-4862	KEY, TRINA	13849 PAPRIKA CT	MORENO VALLEY, CA	92553-4862	30	3	5.94	38.94
94257245002	479621015	GATHRIGAC, PERLENE (RENT)	13862	CUMIN ST	MORENO VALLEY	CA	92553-4859	GATHRIGAC, PERLENE	13862 CUMIN ST	MORENO VALLEY, CA	92553-4859	63.29	6.32	12.52	82.06
48562265008	479621016	HALLOWAY, DIONNE	13850	CUMIN ST	MORENO VALLEY	CA	92553-4859	HALLOWAY, DIONNE	13850 CUMIN ST	MORENO VALLEY, CA	92553-4859	254.02	25.4	50.3	329.7
31333935003	479621022	FUENTES, MERCEDES	25911	BAY AVE	MORENO VALLEY	CA	92553-4837	FUENTES, MERCEDES	PO BOX 8258	MORENO VALLEY, CA	92552-8258	207.44	20.74	41.07	269.24
90117975009	479621023	HALE, ROSLYN	25923	BAY AVE	MORENO VALLEY	CA	92553-4837	HALE, ROSLYN	25923 BAY AVE	MORENO VALLEY, CA	92553-4837	253.92	25.39	50.28	329.58
97648543007	479621025	GILBERT, LILY	25947	BAY AVE	MORENO VALLEY	CA	92553-4837	GILBERT, LILY	25947 BAY AVE	MORENO VALLEY, CA	92553-4837	266.33	26.63	52.73	345.68
93422345003	479622001	CHAVEZ, AUGUSTINE (OWNR)	13861	CHERVIL CT	MORENO VALLEY	CA	92553-4811	CHAVEZ, AUGUSTINE	13861 CHERVIL CT	MORENO VALLEY, CA	92553-4811	60.49	6.05	11.98	78.5
31565835001	479622018	RODRIGUEZ, SAMANTHA	13825	CUMIN ST	MORENO VALLEY	CA	92553-4858	RODRIGUEZ, SAMANTHA	13825 CUMIN ST	MORENO VALLEY, CA	92553-4858	254.02	25.4	50.3	329.7
31470115005	479622021	ELIZARRARAS, YVONNE	13791	CUMIN ST	MORENO VALLEY	CA	92553-4891	ELIZARRARAS, YVONNE	13791 CUMIN ST	MORENO VALLEY, CA	92553-4891	34.52	3.45	6.84	44.8
31049955000	479622023	ZIMMERMAN, KATHY	25875	BAY AVE	MORENO VALLEY	CA	92553-4860	ZIMMERMAN, KATHY	26647 CALLE LUNA	MORENO VALLEY, CA	92555-4112	254.02	25.4	50.3	329.7
31399185001	479622025	MACEDA, NENITA	25851	BAY AVE	MORENO VALLEY	CA	92553-4860	MACEDA, NENITA	25851 BAY AVE	MORENO VALLEY, CA	92553-4860	254.02	25.4	50.3	329.7
31484045001	479622031	MORGAN, EFREM F	13786	CHARA AVE	MORENO VALLEY	CA	92553-4879	MORGAN, EFREM F	13786 CHARA ST	MORENO VALLEY, CA	92553-4879	179.02	17.9	35.45	232.36
100705873000	479622034	QUIROZ, GLORIA (RENT)	13828	CHARA AVE	MORENO VALLEY	CA	92553-4827	QUIROZ, GLORIA	600 CENTRAL AVE #363	RIVERSIDE, CA	92507-6528	49.47	4.95	9.8	64.2
96774615007	479622035	MARQUEZ, SUSANA AND BERNARDO	13842	CHARA AVE	MORENO VALLEY	CA	92553-4827	MARQUEZ, SUSANA AND BERNARDO	13842 CHARA AVE	MORENO VALLEY, CA	92553-4827	190.79	19.08	37.78	247.64
90470005006	479622037	EATON, TYRAIN (RENT)	25792	TIMO ST	MORENO VALLEY	CA	92553-0708	EATON, TYRAIN	25792 TIMO ST	MORENO VALLEY, CA	92553-0708	127.26	12.73	25.2	165.18
101917553007	479623002	VELIM, CRYSTAL (OWNR)	13771	CHARA AVE	MORENO VALLEY	CA	92553-4881	VELIM, CRYSTAL	13771 CHARA AVE	MORENO VALLEY, CA	92553-4881	308.64	30.86	61.11	400.6
31160555009	479623004	BONSEIGNEUR, BARBARA	13799	CHARA AVE	MORENO VALLEY	CA	92553-4881	BONSEIGNEUR, BARBARA	13799 CHARA ST	MORENO VALLEY, CA	92553-4881	254.02	25.4	50.3	329.7
87520075008	479631002	LOUQUE, ANGELA	13812	CHERVIL CT	MORENO VALLEY	CA	92553-4814	LOUQUE, ANGELA	13812 CHERVIL CT	MORENO VALLEY, CA	92553-4814	254.12	25.41	50.32	329.84
54514115002	479631004	ONUKOGU, SONIJA	13926	CHERVIL CT	MORENO VALLEY	CA	92553-4814	CHUBBS, SONIJA	13926 CHERVIL CT	MORENO VALLEY, CA	92553-4814	254.02	25.4	50.3	329.7
31573565001	479632015	ROBINSON, BETTY	13926	CHARA AVE	MORENO VALLEY	CA	92553-4880	ROBINSON, BETTY	13926 CHARA ST	MORENO VALLEY, CA	92553-4880	254.02	25.4	50.3	329.7
96453675005	479632016	BRASSFIELD, PENNY (OWNR)	13940	CHARA AVE	MORENO VALLEY	CA	92553-4880	BRASSFIELD, PENNY	13940 CHARA ST	MORENO VALLEY, CA	92553-4880	63.83	6.38	12.64	82.84
95422335003	479632018	CASTANEDA, AMADO (OWNR)	13968	CHARA AVE	MORENO VALLEY	CA	92553-4880	CASTANEDA, AMADO	13968 CHARA AVE	MORENO VALLEY, CA	92553-4880	254.12	25.41	50.32	329.84
31487755004	479632020	PINKNEY, DARRELL	13996	CHARA AVE	MORENO VALLEY	CA	92553-4880	PINKNEY, DARRELL	13996 CHARA ST	MORENO VALLEY, CA	92553-4880	254.12	25.41	50.32	329.84
62885895002	479641005	JONES, ANDRE L AND LUISA	25699	DRACAEA AVE	MORENO VALLEY	CA	92553-6809	JONES, ANDRE L AND LUISA	25699 DRACAEA AVE	MORENO VALLEY, CA	92553-6809	254.12	25.41	50.32	329.84
31441075004	479641012	SMITH, DEBRA	25685	BEEJA CT	MORENO VALLEY	CA	92553-6846	SMITH, DEBRA	25685 BEEJA CT	MORENO VALLEY, CA	92553-6846	254.02	25.4	50.3	329.7
31419215001	479641020	HERRERA, LEONEL	13290	RAENETTE WAY	MORENO VALLEY	CA	92553-6877	HERRERA, LEONEL	13290 RAENETTE WAY	MORENO VALLEY, CA	92553-6877	111.16	11.12	22.01	144.28
31105855001	479642001	KELLY, GENE	13251	RAENETTE WAY	MORENO VALLEY	CA	92553-6878	KELLY, GENE	13251 RAENETTE WAY	MORENO VALLEY, CA	92553-6878	254.02	25.4	50.3	329.7
89796173001	479642005	RAMIREZ, CESAR	13315	RAENETTE WAY	MORENO VALLEY	CA	92553-6853	RAMIREZ, CESAR	13315 RAENETTE WAY	MORENO VALLEY, CA	92553-6853	63.63	6.36	12.6	82.58
91726183002	479642014	HUERTA, MATEO (RENT)	25717	TURMERIC WAY	MORENO VALLEY	CA	92553-0819	HUERTA, MATEO	25717 TURMERIC WAY	MORENO VALLEY, CA	92553-0819	272.5	27.25	53.96	353.7
96413685007	479642015	BRYANT, JEALIN (RENT)	25733	TURMERIC WAY	MORENO VALLEY	CA	92553-0819	BRYANT, JEALIN	25941 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6304	99.69	9.97	19.74	129.38
31251895005	479642024	BOLDEN, DENISE	13251	NINEBARK ST	MORENO VALLEY	CA	92553-0805	BOLDEN, DENISE	13251 NINEBARK ST	MORENO VALLEY, CA	92553-0805	39.05	3.91	7.73	50.68
87920485007	479643002	GARCIA, MOISES	13346	NINEBARK ST	MORENO VALLEY	CA	92553-6835	GARCIA, MOISES	13346 NINEBARK ST	MORENO VALLEY, CA	92553-6835	254.12	25.41	50.32	329.84
95481355004	479643003	ALVERDI, JUAN C;ZHOU, LI JUN	13330	NINEBARK ST	MORENO VALLEY	CA	92553-6835	ALVERDI, JUAN C;ZHOU, LI JUN	13330 NINEBARK ST	MORENO VALLEY, CA	92553-6835	420.76	42.08	83.31	546.14
90419553007	479644004	GRIFFIN, GLORY (RENT)	25833	DRACAEA AVE	MORENO VALLEY	CA	92553-6865	GRIFFIN, GLORY	25833 DRACAEA AVE	MORENO VALLEY, CA	92553-6865	190.79	19.08	37.78	247.64
31347625008	479644005	WILLIAMS, ANN IV	25821	DRACAEA AVE	MORENO VALLEY	CA	92553-6865	WILLIAMS, ANN IV	25821 DRACAEA AVE	MORENO VALLEY, CA	92553-6865	254.02	25.4	50.3	329.7
67767595000	479644013	RIOS, RAEANNE	13310	NUTMEG ST	MORENO VALLEY	CA	92553-0808	RIOS, RAEANNE	13310 NUTMEG ST	MORENO VALLEY, CA	92553-0808	254.12	25.41	50.32	329.84
94843405006	479651002	MESA, ELENA (OWNR)	25551	BAY AVE	MORENO VALLEY	CA	92553-4800	MESA, ELENA	25551 BAY AVE	MORENO VALLEY, CA	92553-4800	127.46	12.75	25.24	165.44
69835345006	479651007	JOHNSON, ROBERT	25590	FRUIT TREE ST	MORENO VALLEY	CA	92553-4807	JOHNSON, ROBERT	25590 FRUIT TREE ST	MORENO VALLEY, CA	92553-4807	254.02	25.4	50.3	329.7
96643585000	479651008	GRAZIANO, JONATHAN (OWNR)	25580	FRUIT TREE ST	MORENO VALLEY	CA	92553-4807	GRAZIANO, JONATHAN	25580 FRUIT TREE ST	MORENO VALLEY, CA	92553-4807	254.12	25.41	50.32	329.84
31621015004	479651013	RICHERDSON, BESSIE	25528	FRUIT TREE ST	MORENO VALLEY	CA	92553-4807	RICHERDSON, BESSIE	25528 FRUIT TREE ST	MORENO VALLEY, CA	92553-4807	63.63	6.36	12.6	82.58
31365685007	479651015	RODRIGUEZ, REBECCA	13770	RED BERRY ST	MORENO VALLEY	CA	92553-4865	RODRIGUEZ, REBECCA	13770 RED BERRY ST	MORENO VALLEY, CA	92553-4865	76.23	7.62	15.09	98.94
54239975005	479651017	ESCOBEDO, JOSE AND YANIRA	13810	RED BERRY ST	MORENO VALLEY	CA	92553-4865	ESCOBEDO, JOSE AND YANIRA	13810 RED BERRY ST	MORENO VALLEY, CA	92553-4865	63.63	6.36	12.6	82.58
31177085002	479651019	MARINELLI, RITA	13850	RED BERRY ST	MORENO VALLEY	CA	92553-4865	MARINELLI, RITA	13850 RED BERRY ST	MORENO VALLEY, CA	92553-4865	190.69	19.07	37.76	247.5
56699225006	479651026	HARRIS, TREENA	25621	BAY AVE	MORENO VALLEY	CA	92553-4866	HARRIS, TREENA	25621 BAY AVE	MORENO VALLEY, CA	92553-4866	190.69	19.07	37.76	247.5
71795955009	479651028	DIXON, KRISTOPHER	25641	BAY AVE	MORENO VALLEY	CA	92553-4866	DIXON, KRISTOPHER	25641 BAY AVE	MORENO VALLEY, CA	92553-4866	55.72	5.57	11.03	72.32
94754523000	479651031	OCAMPO, ADRIAN (OWNR)	13795	MANGOWOOD DR	MORENO VALLEY	CA	92553-4850	OCAMPO, ADRIAN	13795 MANGOWOOD DR	MORENO VALLEY, CA	92553-4850	176.78	17.68	35	229.46
31463195003	479652002	MORAN, JOSE	25540	BLACK WALNUT ST	MORENO VALLEY	CA	92553-4863	MORAN, JOSE	25540 BLACK WALNUT ST	MORENO VALLEY, CA	92553-4863	254.02	25.4	50.3	329.7
56977785008	479652006	GONZALEZ, IDALIS	25580	BLACK WALNUT ST	MORENO VALLEY	CA	92553-4863	GONZALEZ, IDALIS	25580 BLACK WALNUT ST	MORENO VALLEY, CA	92553-4863	254.02	25.4	50.3	329.7
31291755000	479652008	JOHNSON, SAMUEL E	25589	FRUIT TREE ST	MORENO VALLEY	CA	92553-4820	JOHNSON, SAMUEL E	PO BOX 7522	LOS ANGELES, CA	90007-0522	253.92	25.39	50.28	329.58
31413605002	479652014	ESTRADA, ALBERTO	25529	FRUIT TREE ST	MORENO VALLEY	CA	92553-4820	ESTRADA, ALBERTO	25529 FRUIT TREE ST	MORENO VALLEY, CA	92553-4820	62.69	6.27	12.41	81.36
94677565004	479653002	LOGAN, RYAN (RENT)	13760	MANGOWOOD DR	MORENO VALLEY	CA	92553-4828	LOGAN, RYAN	13760 MANGOWOOD DR	MORENO VALLEY, CA	92553-4828	254.12	25.41	50.32	329.84
84953275002	479661002	MARTINEZ, ROLANDO	12221	LOREZ DR	MORENO VALLEY	CA	92557-7408	MARTINEZ, ROLANDO	12221 LOREZ DR	MORENO VALLEY, CA	92557-7408	254.02	25.4	50.3	329.7
58580725001	479661003	NUNEZ, SALVADOR	12209	LOREZ DR	MORENO VALLEY	CA	92557-7408	NUNEZ, SALVADOR	12209 LOREZ DR	MORENO VALLEY, CA	92557-7408	254.12	25.41	50.32	329.84
53133535004	479661011	HORSLEY, DOROTHY	12113	LOREZ DR	MORENO VALLEY	CA	92557-7436	HORSLEY, DOROTHY	3205 DOVE PL	NASHVILLE, TN	37218-2011	165.64	16.56	32.8	215

MV00167459

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
90512105002	479661014	JONES, ELAINE AND ERICK	12077	LOREZ DR	MORENO VALLEY	CA	92557-7440	JONES, ELAINE AND ERICK	12077 LOREZ DR	MORENO VALLEY, CA	92557-7440	254.02	25.4	50.3	329.7
51831985000	479661019	RAX, JONATHAN DR	25160	BRONZE DR	MORENO VALLEY	CA	92557-7444	RAX, JONATHAN	25160 BRONZE DR	MORENO VALLEY, CA	92557-7444	254.02	25.4	50.3	329.7
31649265002	479661020	GLOVER, RICKY AND REGINA	25172	BRONZE DR	MORENO VALLEY	CA	92557-7444	GLOVER, RICKY	25172 BRONZE DR	MORENO VALLEY, CA	92557-7444	254.02	25.4	50.3	329.7
81872525005	479661021	NGUYEN, KATLYN	25184	BRONZE DR	MORENO VALLEY	CA	92557-7444	NGUYEN, KATLYN	25184 BRONZE DR	MORENO VALLEY, CA	92557-7444	63.63	6.36	12.6	82.58
31628845005	479662004	TERRY JR, CECIL	25252	BRONZE DR	MORENO VALLEY	CA	92557-7445	TERRY JR, CECIL	25252 BRONZE DR	MORENO VALLEY, CA	92557-7445	254.02	25.4	50.3	329.7
31633585009	479662007	PLAYER, TATANISHA	25267	BRONZE DR	MORENO VALLEY	CA	92557-7443	PLAYER, TATANISHA	25267 BRONZE DR	MORENO VALLEY, CA	92557-7443	254.02	25.4	50.3	329.7
49466305003	479662009	SWANIKER, GEORGE	25243	BRONZE DR	MORENO VALLEY	CA	92557-7443	SWANIKER, GEORGE	25243 BRONZE DR	MORENO VALLEY, CA	92557-7443	254.02	25.4	50.3	329.7
31573685006	479662017	NINETE, JOSEPH	25206	MARBLE DR	MORENO VALLEY	CA	92557-7441	NINETE, JOSEPH	25206 MARBLE DR	MORENO VALLEY, CA	92557-7441	254.02	25.4	50.3	329.7
31567795005	479662019	NINETE, BERNADITA (RENT)	25234	MARBLE DR	MORENO VALLEY	CA	92557-7441	NINETE, BERNADITA	25234 MARBLE DR	MORENO VALLEY, CA	92557-7441	63.63	6.36	12.6	82.58
97402975008	479662044	MANCINAS, RAMON (OWNR)	12051	FRANKLIN ST	MORENO VALLEY	CA	92557-7560	MANCINAS, RAMON	12051 FRANKLIN ST	MORENO VALLEY, CA	92557-7560	254.12	25.41	50.32	329.84
31544475001	479662046	BENJAMIN, JOHN AND VIRGINIA	12035	FRANKLIN ST	MORENO VALLEY	CA	92557-7560	BENJAMIN, JOHN	12035 FRANKLIN ST	MORENO VALLEY, CA	92557-7560	253.92	25.39	50.28	329.58
94524605000	479663002	CARILLO, FRANCISCO AND BETTY	12098	FRANKLIN ST	MORENO VALLEY	CA	92557-7559	CARILLO, FRANCISCO AND BETTY	12098 FRANKLIN ST	MORENO VALLEY, CA	92557-7559	254.12	25.41	50.32	329.84
97094165003	479663014	JACKSON, MICHELLE (RENT)	25210	TURQUOISE LN	MORENO VALLEY	CA	92557-7438	JACKSON, MICHELLE	25210 TURQUOISE LN	MORENO VALLEY, CA	92557-7438	254.12	25.41	50.32	329.84
97094175001	479663017	VELASCO JR, ALBERTO	25246	TURQUOISE LN	MORENO VALLEY	CA	92557-7438	VELASCO JR, ALBERTO	12971 MORENO BEACH DR APT 10106	MORENO VALLEY, CA	92555-4424	420.76	42.08	83.31	546.14
52390355008	479663021	PEREZ, SUSAN	25271	TURQUOISE LN	MORENO VALLEY	CA	92557-7439	PEREZ, SUSAN	23181 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4828	254.02	25.4	50.3	329.7
92994175007	479663024	ESPINOZA, MAYRA	25239	TURQUOISE LN	MORENO VALLEY	CA	92557-7439	ESPINOZA, MAYRA	25239 TURQUOISE LN	MORENO VALLEY, CA	92557-7439	329.32	32.93	65.21	427.44
92530613007	479663025	NORMAN, SHANICKA (RENT)	25227	TURQUOISE LN	MORENO VALLEY	CA	92557-7439	NORMAN, SHANICKA (RENT)	25227 TURQUOISE LN	MORENO VALLEY, CA	92557-7439	206.16	20.62	40.82	267.58
99098615004	479663029	DO, MERCEDES	12224	LOREZ DR	MORENO VALLEY	CA	92557-7442	DO, MERCEDES	1343 W LATHAM AVE	HEMET, CA	92543-3839	63.63	6.36	12.6	82.58
31575255001	479663034	TAPIAS, YOLANDA (OWNR)	25236	HEMLOCK AVE	MORENO VALLEY	CA	92557-7519	TAPIAS, YOLANDA	25236 HEMLOCK AVE	MORENO VALLEY, CA	92557-7519	129.02	12.9	25.55	167.46
87376105009	479670003	GALVAN, EMA	25293	DRACAEA AVE	MORENO VALLEY	CA	92553-4268	GALVAN, EMA	25293 DRACAEA AVE	MORENO VALLEY, CA	92553-4268	254.12	25.41	50.32	329.84
91177485005	479670005	GONZALEZ, JOSE	25261	DRACAEA AVE	MORENO VALLEY	CA	92553-4268	GONZALEZ, JOSE	25261 DRACAEA AVE	MORENO VALLEY, CA	92553-4268	253.92	25.39	50.28	329.58
81593025002	479670017	WEATHERSPOON, NYOAO	25288	DRAKE DR	MORENO VALLEY	CA	92553-5419	WEATHERSPOON, NYOAO	27648 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5709	254.02	25.4	50.3	329.7
82205665007	479670026	MONROY, JULIO	25280	HENRY CT	MORENO VALLEY	CA	92553-5415	MONROY, JULIO	25280 HENRY CT	MORENO VALLEY, CA	92553-5415	254.02	25.4	50.3	329.7
87094485008	479670032	GALVAN, DEANNA	25309	CHARITY CT	MORENO VALLEY	CA	92553-5416	GALVAN, DEANNA	25309 CHARITY CT	MORENO VALLEY, CA	92553-5416	210.19	21.02	41.62	272.82
86861745007	479670036	SALLEY, TERESA	25278	CHARITY CT	MORENO VALLEY	CA	92553-5416	SALLEY, TERESA	25278 CHARITY CT	MORENO VALLEY, CA	92553-5416	254.02	25.4	50.3	329.7
87512995002	479670038	ALVAREZ, FRANCINE	25302	CHARITY CT	MORENO VALLEY	CA	92553-5416	ALVAREZ, FRANCINE	25302 CHARITY CT	MORENO VALLEY, CA	92553-5416	179.12	17.91	35.47	232.48
87578135004	479671006	BRISTNO, LOURDES	13318	KYLE DR	MORENO VALLEY	CA	92553-5413	BRISTNO, LOURDES	13318 KYLE DR	MORENO VALLEY, CA	92553-5413	254.12	25.41	50.32	329.84
86944185008	479671020	VALENCIA, CHRISTINA	25303	MICHELE LN	MORENO VALLEY	CA	92553-5420	VALENCIA, CHRISTINA	25303 MICHELE LN	MORENO VALLEY, CA	92553-5420	254.02	25.4	50.3	329.7
80934605007	479672014	VARGAS, ROSEMARY	25287	DRAKE DR	MORENO VALLEY	CA	92553-5419	VARGAS, ROSEMARY	25287 DRAKE DR	MORENO VALLEY, CA	92553-5419	254.02	25.4	50.3	329.7
92262035009	479680006	WILLIAMS, ALFRED	13449	ALPINE ST	MORENO VALLEY	CA	92553-0863	WILLIAMS, ALFRED	13449 ALPINE ST	MORENO VALLEY, CA	92553-0863	253.92	25.39	50.28	329.58
86126385006	479681005	LEON, CECILIA	13464	ALPINE ST	MORENO VALLEY	CA	92553-0864	LEON, CECILIA	13464 ALPINE ST	MORENO VALLEY, CA	92553-0864	254.02	25.4	50.3	329.7
31062145004	481031002	MILLS, EDWARD M	12025	MARIGOLD AVE	MORENO VALLEY	CA	92557-7209	MILLS, EDWARD M	12025 MARIGOLD AVE	MORENO VALLEY, CA	92557-7209	329.32	32.93	65.21	427.44
92579655005	481031004	MADRID, LINDA (RENT)	12105	MARIGOLD AVE	MORENO VALLEY	CA	92557-7218	MADRID, LINDA	12105 MARIGOLD AVE	MORENO VALLEY, CA	92557-7218	179.02	17.9	35.45	232.36
31509675002	481031011	VIDAL, MARIO	12131	MARIGOLD AVE	MORENO VALLEY	CA	92557-7218	VIDAL, MARIO	12131 MARIGOLD AVE	MORENO VALLEY, CA	92557-7218	63.63	6.36	12.6	82.58
88248175004	481031020	LINCOLN, EDWARD AND LORETTA	12072	NITA DR	MORENO VALLEY	CA	92557-7210	LINCOLN, EDWARD AND LORETTA	60 PRIVATE DR 356	IRONTON, OH	45638-8555	254.12	25.41	50.32	329.84
72001835007	481032007	AMBRIS, JAVIER	12081	INDIAN ST	MORENO VALLEY	CA	92557-7215	AMBRIS, JAVIER	12081 INDIAN ST	MORENO VALLEY, CA	92557-7215	254.02	25.4	50.3	329.7
81565955004	481032008	GOMEZ, ANA ROSA	12093	INDIAN ST	MORENO VALLEY	CA	92557-7215	GOMEZ, ANA ROSA	12093 INDIAN ST	MORENO VALLEY, CA	92557-7215	35.69	3.57	7.07	46.32
94878003006	481032020	JOHNSON, ELIZABETH (RENT)	12034	MARIGOLD AVE	MORENO VALLEY	CA	92557-7203	JOHNSON, ELIZABETH	12034 MARIGOLD AVE	MORENO VALLEY, CA	92557-7203	109.72	10.97	21.72	142.4
31124105000	481032022	STAHLEY, PATSY	12012	MARIGOLD AVE	MORENO VALLEY	CA	92557-7203	STAHLEY, PATSY	12012 MARIGOLD AVE	MORENO VALLEY, CA	92557-7203	254.02	25.4	50.3	329.7
31606125002	481033006	CASTANEDA, EDITH	12083	NITA DR	MORENO VALLEY	CA	92557-7211	CASTANEDA, EDITH	12083 NITA DR	MORENO VALLEY, CA	92557-7211	254.02	25.4	50.3	329.7
96292145009	481033010	ROBLES, JOHNATHAN	12041	NITA DR	MORENO VALLEY	CA	92557-7211	ROBLES, JOHNATHAN	12041 NITA DR	MORENO VALLEY, CA	92557-7211	253.92	25.39	50.28	329.58
97251025009	481041005	GUERRERO, CLAUDIA AND LUIS (RE	12217	MARIGOLD AVE	MORENO VALLEY	CA	92557-7231	GUERRERO, CLAUDIA AND LUIS	12217 MARIGOLD AVE	MORENO VALLEY, CA	92557-7231	146.9	14.69	29.09	190.66
94331365000	481041006	PETERSON, JESSIE (RENT)	12203	MARIGOLD AVE	MORENO VALLEY	CA	92557-7231	PETERSON, JESSIE	211 CHATEAU LA SALLE DR	SAN JOSE, CA	95111-3015	187.69	18.77	37.16	243.62
75328985009	481041008	PEREZ, FRANCISCO	12177	MARIGOLD AVE	MORENO VALLEY	CA	92557-7218	PEREZ, FRANCISCO	12177 MARIGOLD AVE	MORENO VALLEY, CA	92557-7218	254.02	25.4	50.3	329.7
94953425009	481041022	VAN VLIMMEREN, JOHNTHAN (RENT)	12208	NITA DR	MORENO VALLEY	CA	92557-7212	VAN VLIMMEREN, JOHNTHAN	12208 NITA DR	MORENO VALLEY, CA	92557-7212	190.79	19.08	37.78	247.64
31451955008	481041026	LEYVA, BRENDA	12248	NITA DR	MORENO VALLEY	CA	92557-7212	LEVA, BRENDA	12248 NITA DR	MORENO VALLEY, CA	92557-7212	254.02	25.4	50.3	329.7
91294913008	481042006	JOHNSON, ROSIE	12203	INDIAN ST	MORENO VALLEY	CA	92557-7230	JOHNSON, ROSIE	12203 INDIAN ST	MORENO VALLEY, CA	92557-7230	70.79	7.08	14.02	91.88
31403055004	481042010	SAMUEL, MR AND MRS	12202	MARIGOLD AVE	MORENO VALLEY	CA	92557-7208	SAMUEL, MR AND MRS	12202 MARIGOLD AVE	MORENO VALLEY, CA	92557-7208	254.02	25.4	50.3	329.7
31261725000	481043005	MARTIN, CHARLES	12197	NITA DR	MORENO VALLEY	CA	92557-7213	MARTIN, CHARLES	12197 NITA DR	MORENO VALLEY, CA	92557-7213	252.45	25.25	49.99	327.68
31372655009	481043010	CASTANEDA, SOLEDAD	12149	NITA DR	MORENO VALLEY	CA	92557-7213	CASTANEDA, SOLEDAD	12149 NITA DR	MORENO VALLEY, CA	92557-7213	254.02	25.4	50.3	329.7
31495185007	481061002	CRAIG, DEBRA	24526	SINALOA ST	MORENO VALLEY	CA	92557-7816	CRAIG, DEBRA	24526 SINALOA ST	MORENO VALLEY, CA	92557-7816	67.64	6.76	13.39	87.78
31290275003	481062006	CORTEZ, ALEJANDRO A	24628	SINALOA ST	MORENO VALLEY	CA	92557-7818	CORTEZ, ALEJANDRO A	24628 SINALOA ST	MORENO VALLEY, CA	92557-7818	254.12	25.41	50.32	329.84
31582525001	481062014	PEREZ, SANDRA	12150	LEAHY DR	MORENO VALLEY	CA	92557-7316	PEREZ, SANDRA	12150 LEAHY DR	MORENO VALLEY, CA	92557-7316	254.02	25.4	50.3	329.7
96385065007	481062017	HUDSON, MONIQUE	12180	LEAHY DR	MORENO VALLEY	CA	92557-7316	HUDSON, MONIQUE	12180 LEAHY DR	MORENO VALLEY, CA	92557-7316	253.09	25.31	50.11	328.5
95330425009	481063019	TORRES, MARIELA (OWNR)	24640	SINGER ST	MORENO VALLEY	CA	92557-7810	TORRES, MARIELA	24640 SINGER ST	MORENO VALLEY, CA	92557-7810	254.12	25.41	50.32	329.84
92964783002	481064008	HERNANDEZ, CAROLINA	24528	HEMLOCK AVE	MORENO VALLEY	CA	92557-7301	HERNANDEZ, CAROLINA	24528 HEMLOCK AVE	MORENO VALLEY, CA	92557-7301	243.45	24.35	48.2	315.98
31093835004	481064009	THOMAS, LOLA	24548	HEMLOCK AVE	MORENO VALLEY	CA	92557-7301	THOMAS, LOLA	24548 HEMLOCK AVE	MORENO VALLEY, CA	92557-7301	254.02	25.4	50.3	329.7
94397635005	481064011	STEWART, REBECCA (RENT)	24572	HEMLOCK AVE	MORENO VALLEY	CA	92557-7301	STEWART, REBECCA	24572 HEMLOCK AVE	MORENO VALLEY, CA	92557-7301	127.46	12.75	25.24	165.44
95051825007	481064020	VODEGAL, CHRISTAL (RENT)	24710	HEMLOCK AVE	MORENO VALLEY	CA	92557-7308	VODEGAL, CHRISTAL	24710 HEMLOCK AVE	MORENO VALLEY, CA	92557-7308	254.12	25.41	50.32	329.84
88187865009	481064029	SERNA, OLGA	24621	SINGER ST	MORENO VALLEY	CA	92557-7811	SERNA, OLGA	24621 SINGER ST	MORENO VALLEY, CA	92557-7811	254.12	25.41	50.32	329.84
59843335004	481064031	MADRID, BRANDY (OWNR)	24589	SINGER ST	MORENO VALLEY	CA	92557-7815	MADRID, BRANDY	24589 SINGER ST	MORENO VALLEY, CA	92557-7815	252.52	25.25	50	327.76
31589275008	481064038	PALOMINO, MELISSA	12165	HANOVER AVE	MORENO VALLEY	CA	92557-7823	PALOMINO, MELISSA	12165 HANOVER AVE	MORENO VALLEY, CA	92557-7823	254.02	25.4	50.3	329.7
31409915005	481090031	PATCHEN, LONNIE	24513	HEMLOCK AVE	MORENO VALLEY	CA	92557-7302	PATCHEN, LONNIE	24513 HEMLOCK AVE	MORENO VALLEY, CA	92557-7302	254.02	25.4	50.3	329.7
95728895007	481130007	RANGEL, SUZANNE (RENT)	24081	WEBSTER AVE	MORENO VALLEY	CA	92553-3078	RANGEL, SUZANNE	24081 WEBSTER AVE	MORENO VALLEY, CA	92553-3078	254.02	25.4	50.3	329.7
91369215005	481130020	MANZANO, GABRIAEL	24162	FIR AVE	MORENO VALLEY	CA	92553-2842	MANZANO, GABRIAEL	5357 HOWARD ST #E-1	ONTARIO, CA	91762-4600	201.6	20.16	59.73	281.49
95910275009	481130083	AVILA, ISIDRO AND HILDA	24134	FIR AVE	MORENO VALLEY	CA	92553-2842	AVILA, ISIDRO AND HILDA	24134 FIR AVE	MORENO VALLEY, CA	92553-2842	254.12	25.41	50.32	329.84
99760243001	481140006	GUTIERREZ, JOSE (RENT)	24285	SUNNYMEAD BLVD	MORENO VALLEY	CA	92553-3029	GUTIERREZ, JOSE	24285 SUNNYMEAD BLVD	MORENO VALLEY, CA	92553-3029	101.73	10.17	20.14	132.04
96271135005	481140020	MENDOZA, CARMEN (RENT)	24422	WEBSTER AVE	MORENO VALLEY	CA	92553-7791	MENDOZA, CARMEN	24422 WEBSTER AVE	MORENO VALLEY, CA	92553-7791	254.12	25.41	50.32	329.84
95499265005	481140021	GRAHAM, YOLANDA (RENT) APTS	24392	WEBSTER AVE UNIT 02	MORENO VALLEY	CA	92553-7782	GRAHAM, YOLANDA	24392 WEBSTER AVE UNIT 2	MORENO VALLEY, CA	92553-7782	253.92	25.39	50.28	329.58
95816025001	481140027	HARDY, ZURI (RENT)	24264	WEBSTER AVE	MORENO VALLEY	CA	92553-7721	HARDY, ZURI	24245 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3105	168.81	16.88	33.42	219.1
99232623001	481140028	TAYLOR, DENISE (OWNR)	24442	WEBSTER AVE	MORENO VALLEY	CA	92553-7723	TAYLOR, DENISE	24442 WEBSTER AVE	MORENO VALLEY, CA	92553-7723	296.23	29.62	58.65	384.5
92548603001	481150009	ALLIPLAY, FELICIDAD (RENT)	24421	WEBSTER AVE	MORENO VALLEY	CA	92553-7724	ALLIPLAY, FELICIDAD	24421 WEBSTER AVE	MORENO VALLEY, CA	92553-7724	614.94	61.49	121.76	798.18
86471913009	481150023	SALAZAR, THOMAS (OWNR)	24400	FIR AVE	MORENO VALLEY	CA	92553-3110	SALAZAR, THOMAS	24400 FIR AVE	MORENO VALLEY, CA	92553-3110	126.96	12.7	25.14	164.78
31215885002	481150031	MONTES, RUBEN	24276	FIR AVE	MORENO VALLEY	CA	92553-2843	MONTES, RUBEN	24276 FIR AVE	MORENO VALLEY, CA	92553-2843	254.02	25.4	50.3	329.7
93205045005	481150033	ALVAREZ, CLAUDIA (RENT)	24264	FIR AVE	MORENO VALLEY	CA	92553-2843	ALVAREZ, CLAUDIA	24264 FIR AVE	MORENO VALLEY, CA	92553-2843	295.04	29.5	58.42	382.96
89528533003	481150036	MONTES, RUBEN AND MELIDA	24262	FIR AVE	MORENO VALLEY	CA	92553-2843	MONTES, RUBEN AND MELIDA	24276 FIR AVE	MORENO VALLEY, CA	92553-2843	420.76	42.08	83.31	546.14
75350165005	481161012	ARRENDONDO, CHRISTOPHER	24526	WEBSTER AVE	MORENO VALLEY	CA	92553-3738	ARRENDONDO, CHRISTOPHER	24526 WEBSTER AVE	MORENO VALLEY, CA	92553-3738	329.32	32.93	65.21	427.44
93556133002	481161019	CHEN, TANPING (RENT)	24616	WEBSTER AVE	MORENO VALLEY	CA	92553-3766	CHEN, TANPING	24616 WEBSTER AVE	MORENO VALLEY, CA	92553-3766	143.12	14.31	28.34	185.76
31257175002	481161020	GUTIERREZ, YOLANDA	24614	WEBSTER AVE	MORENO VALLEY	CA	92553-3766	GUTIERREZ, YOLANDA	24614 WEBSTER AVE	MORENO VALLEY, CA	92553-3766	253.92	25.39	50.28	329.58
75036155004	481161025	RICHARDSON, JEFF	24634	WEBSTER AVE	MORENO VALLEY	CA	92553-3766	RICHARDSON, JEFF	28765 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-6943	203.12	20.31	40.22	263.64
31069085001	481161026	BROWN, DIANE	12609	VAL VIEW ST	MORENO VALLEY	CA	92553-3801	BROWN, DIANE	12609 VAL VIEW ST	MORENO VALLEY, CA	92553-3801	254.02	25.4	50.3	329.7
95389465006	481161036	STANSBERRY, DAVION (RENT)	28849	NANWOOD DR	MORENO VALLEY	CA	92553-3449	STANSBERRY, DAVION	28849 NANWOOD DR	MORENO VALLEY, CA	92553-3449	94.91	9.49	18.79	123.18
75348555007	481162004	PARRA, PATRICIA R	24701	STARCREST DR	MORENO VALLEY	CA	92553-3734	PARRA, PATRICIA R	24064 POSTAL AVE	MORENO VALLEY, CA	92553-3020	254.02	25.4	50.3	329.7
31627025009	481162005	PINEDA, VLADIMIR	24713	STARCREST DR	MORENO VALLEY	CA	92553-3734	PINEDA, VLADIMIR	24713 STARCREST DR	MORENO VALLEY, CA	92553-3734	190.69	19.07	37.76	247.5
96209605006	481162012	HALL, MARK AND DENISE (RENT)	24712	WEBSTER AVE	MORENO VALLEY	CA	92553-3764	HALL, MARK	24712 WEBSTER AVE	MORENO VALLEY, CA	92553-3764	269.05	26.91	53.27	349.22
90474085001	481171005	KACARAB, JULIE	24531	WEBSTER AVE	MORENO VALLEY	CA	92553-3755	KACARAB, JULIE	7651 FRAZER DR	RIVERSIDE, CA	92509-5318	399.24	39.92	79.05	518.2
94141713000	481171014	HALL, LEAH (RENT)	12612	VAL VIEW ST	MORENO VALLEY	CA	92553-9310	HALL, LEAH (RENT)	12612 VAL VIEW ST	MORENO VALLEY, CA	92553-9310	281.16	28.12	55.67	364.94
90337265002	481171023	RAY, DENISE (RENT) APTS	24747	WEBSTER AVE UNIT C	MORENO VALLEY	CA	92553-9341	RAY, DENISE	22985 CLIMBING ROSE DR APT 128	MORENO VALLEY, CA	92557-6045	109.18	10.92	21.62	141.7
31092045002	481171026	PEIKERT, JOHN	24730	FIR AVE	MORENO VALLEY	CA	92553-9308	PEIKERT, JOHN	24730 FIR AVE	MORENO VALLEY, CA	92553-9308	254.02	25.4	50.3	329.7
77465435003	481171034	HAND, FRED (OWNR) APTS	24608	FIR AVE	MORENO VALLEY	CA	92553-3710	HAND, FRED	PO BOX 933	MORENO VALLEY, CA	92556-0933	232.62	23.26	46.06	301.94
31246155000	481171035	MARTINEZ, FLORENCIO (OWNR)	24602	FIR AVE	MORENO VALLEY	CA	92553-3710	MARTINEZ, FLORENCIO	24602 FIR AVE	MORENO VALLEY, CA	92553-3710	253.92	25.39	50.28	329.58
75118495007	481171036	REYES, SABINO AND MINERVA	24594	FIR AVE	MORENO VALLEY	CA	92553-3742	REYES, SABINO AND MINERVA	24594 FIR AVE	MORENO VALLEY, CA	92553-3742	154.02	15.4	30.5	199.9
74855825006	481171042	PEREZ-SOLORIO, SALVADOR	12680	INDIAN ST	MORENO VALLEY	CA	92553-3717	PEREZ-SOLORIO, SALVADOR	12680 INDIAN ST	MORENO VALLEY, CA	92553-3717	104.02	10.4	20.6	135
55249485006	481200010	VALENCIA, ROSALIA	24893	FIR AVE	MORENO VALLEY	CA	92553-3712	VALENCIA, ROSALIA	146 S WILLOW AVE	RIALTO, CA	92376-6302	254.02	25.4	50.3	329.7
96210465003	481200011	ARREEOLA, ROSELIA	24903	FIR AVE	MORENO VALLEY	CA	92553-9317	ARREEOLA, ROSELIA	24903 FIR AVE	MORENO VALLEY, CA	92553-9317	237.16	23.72	46.96	307.82
89566713001	481200043	RIVERA, CORTNEY (RENT)	24921	FIR AVE	MORENO VALLEY	CA	92553-9317	RIVERA, CORTNEY	24921 FIR AVE	MORENO VALLEY, CA	92553-9317	63.63	6.36	12.6	82.58
86088785003	481200003	OROZCO, KARLA	24797	MYERS AVE	MORENO VALLEY	CA	92553-9328	OROZCO, KARLA	24797 MYERS AVE	MORENO VALLEY, CA	92553-9328	254.02	25.4	50.3	329.7
97348703000	481210007	HALL, CHRISTINA (RENT)	24875	MYERS AVE	MORENO VALLEY	CA	92553-9330	HALL, CHRISTINA	24875 MYERS AVE	MORENO VALLEY, CA	92553-9330	108.31	10.33	20.46	134.08
97102565000	481210011	KHAN, SHAFIQUL (OWNR)	24935	MYERS AVE	MORENO VALLEY	CA	92553-9332	KHAN, SHAFIQUL	5276 VICTORIA AVE	RIVERSIDE, CA	92506-1565	231.74	23.17	45.88	300.78
31345905003	481210014	GARCIA, ROBERTO	24975	MYERS AVE	MORENO VALLEY	CA	92553-9332	GARCIA, ROBERTO	24975 MYERS AVE	MORENO VALLEY, CA	92553-9332	329.32	32.93	65.21	427.44
31326255009	481210034	COLE, CLARENCE	24804	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3770	COLE, CLARENCE	24804 EUCALYPTUS AV	MORENO VALLEY, CA	92553-3770	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
92980503007	481210039	MEDINA, YVONNE (RENT)	24788	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3706	MEDINA, YVONNE	24788 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3706	272.41	27.24	53.94	353.58
97062925007	481210045	THEPHAVONG, EVITA (RENT)	24796	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3706	THEPHAVONG, EVITA	24796 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3706	106.35	10.64	21.06	138.04
74495645009	481221004	MAJORS, GLORIA	12808	INDIAN ST	MORENO VALLEY	CA	92553-9323	MAJORS, GLORIA	PO BOX 931	MORENO VALLEY, CA	92556-7422	329.32	32.93	65.21	427.44
58860175002	481221016	LOPEZ, JORGE A (OWNR)	12765	ROSS ST	MORENO VALLEY	CA	92553-9334	LOPEZ, JORGE A (OWNR)	12765 ROSS ST	MORENO VALLEY, CA	92553-9334	104.12	10.41	20.62	135.14
91874505003	481222002	VALDERAS, PEARLITA	12780	ROSS ST	MORENO VALLEY	CA	92553-9334	VALDERAS, PEARLITA	12780 ROSS ST	MORENO VALLEY, CA	92553-9334	253.92	25.39	50.28	329.58
31289725001	481222004	RUBIO, SALVADOR (OWNR)	12808	ROSS ST	MORENO VALLEY	CA	92553-3733	RUBIO, SALVADOR	12808 ROSS ST	MORENO VALLEY, CA	92553-3733	254.12	25.41	50.32	329.84
31086795006	481222005	RODRIGUEZ, MARILYN	12820	ROSS ST	MORENO VALLEY	CA	92553-3733	RODRIGUEZ, MARILYN	12820 ROSS ST	MORENO VALLEY, CA	92553-3733	90.69	9.07	17.96	117.72
31195865000	481222012	RIOS, BETO	12823	LEE ST	MORENO VALLEY	CA	92553-3722	RIOS, BETO	12823 LEE ST	MORENO VALLEY, CA	92553-3722	357.53	35.75	70.79	464.06
86386513003	481223008	RODRIGUEZ, DENICE (RENT)	12860	LEE ST	MORENO VALLEY	CA	92553-3723	RODRIGUEZ, DENICE	12860 LEE ST	MORENO VALLEY, CA	92553-3723	62.05	6.21	12.29	80.54
91373765001	481223014	SMITHSON, PATRICIA	24657	FIR AVE	MORENO VALLEY	CA	92553-9305	SMITHSON, PATRICIA	24657 FIR AVE	MORENO VALLEY, CA	92553-9305	50.53	5.05	10	65.58
91558483006	481223019	VAZQUEZ, IRMA (RENT)	24719	FIR AVE	MORENO VALLEY	CA	92553-9309	VAZQUEZ, IRMA	24719 FIR AVE	MORENO VALLEY, CA	92553-9309	513.97	51.4	101.77	667.12
65139745003	481223022	GRACIAN, MARCO	24662	MYERS AVE	MORENO VALLEY	CA	92553-9327	GRACIAN, MARCO	24662 MYERS AVE	MORENO VALLEY, CA	92553-9327	254.12	25.41	50.32	329.84
31613615005	481223027	MASCHMEYER, CHRIS	24748	MYERS AVE	MORENO VALLEY	CA	92553-3728	MASCHMEYER, CHRIS	24748 MYERS AVE	MORENO VALLEY, CA	92553-3728	404.62	40.46	80.11	525.18
94266745009	481223033	DAVIS FAMILY TRUST (OWNR) APTS	24667	FIR AVE UNIT 04	MORENO VALLEY	CA	92553-9351	DAVIS FAMILY TRUST	24667 FIR AVE UNIT 4	MORENO VALLEY, CA	92553-9351	1014.18	101.42	200.81	1316.4
38326235014	481230006	LEANOS, LISETTE (OWNR)	24537	MYERS AVE	MORENO VALLEY	CA	92553-3724	LEANOS, LISETTE	24537 MYERS AVE	MORENO VALLEY, CA	92553-3724	343.17	34.32	67.95	445.42
50894535004	481230012	REYES, MICHAEL	24637	MYERS AVE	MORENO VALLEY	CA	92553-3731	REYES, MICHAEL	24637 MYERS AVE	MORENO VALLEY, CA	92553-3731	254.02	25.4	50.3	329.7
98857295000	481230014	ARDON, SALVADOR (RENT)	24677	MYERS AVE	MORENO VALLEY	CA	92553-3731	ARDON, SALVADOR	24677 MYERS AVE	MORENO VALLEY, CA	92553-3731	127.16	12.72	25.18	165.04
75114395007	481230022	AGUAYO, ALBERTO AND MARIA	24680	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3704	AGUAYO, ALBERTO AND MARIA	24678 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3704	308.04	30.8	60.99	399.82
95809185002	481230030	CARRILLO, CHRIS (RENT)	24582	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3778	CARRILLO, CHRIS	24582 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3778	64.49	6.45	12.77	83.7
31215825005	481230033	HENRICKSON, EUGENE AND YOSKIE	24510	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3778	HENRICKSON, EUGENE	12047 DUNLAP PL	CHINO, CA	91710-1944	62.1	6.21	12.3	80.6
31550945000	481230036	APARICIO, ROBERTA (OWNR)	12926	INDIAN ST	MORENO VALLEY	CA	92553-9325	APARICIO, ROBERTA	14796 VAN GOGH AVE	MORENO VALLEY, CA	92553-1520	232.81	23.28	46.1	302.18
94349625008	481240007	VALENZUELA, JESUS (RENT)	24367	FIR AVE UNIT A	MORENO VALLEY	CA	92553-2883	VALENZUELA, JESUS	24367 FIR AVE UNIT A	MORENO VALLEY, CA	92553-2883	104.53	10.45	20.7	135.66
31490605000	481240010	AGUIRRE, ANNAMARIA	24417	FIR AVE	MORENO VALLEY	CA	92553-2840	AGUIRRE, ANNAMARIA	24417 FIR AVE	MORENO VALLEY, CA	92553-2840	154.12	15.41	30.52	200.04
86533063004	481240013	CHAVEZ, HECTOR (OWNR)	24465	FIR AVE	MORENO VALLEY	CA	92553-2840	CHAVEZ, HECTOR	24465 FIR AVE	MORENO VALLEY, CA	92553-2840	254.12	25.41	50.32	329.84
91742483006	481240018	MONTEJANO, LUIS (RENT)	12735	INDIAN ST	MORENO VALLEY	CA	92553-9322	MONTEJANO, LUIS	12735 INDIAN ST	MORENO VALLEY, CA	92553-9322	147.26	14.73	29.16	191.14
67241605004	481240027	GUTIERREZ, RICARDO	24446	MYERS AVE	MORENO VALLEY	CA	92553-3128	GUTIERREZ, RICARDO	24446 MYERS AVE	MORENO VALLEY, CA	92553-3128	120.79	12.08	23.92	156.78
56582685007	481240030	CARLOS, ISMAEL AND LORENA	24360	MYERS AVE	MORENO VALLEY	CA	92553-2845	CARLOS, ISMAEL AND LORENA	24360 MYERS AVE	MORENO VALLEY, CA	92553-2845	1149.4	114.94	227.58	1491.92
95705585008	481240034	DASILVA, DAVID (OWNR)	24320	MYERS AVE	MORENO VALLEY	CA	92553-2845	DESILVA, DAVID	7646 PARK PATH DR	HUNTINGTN BCH, CA	92648-6803	329.6	32.96	65.26	427.82
75354895004	481240040	CARDENAS, MARIA S AND LEON	12833	INDIAN ST	MORENO VALLEY	CA	92553-9324	CARDENAS, MARIA S	26346 PRAIRE LN	MORENO VALLEY, CA	92555-2942	254.02	25.4	50.3	329.7
53300575000	481250012	DINEFF, MARK	24421	MYERS AVE	MORENO VALLEY	CA	92553-3191	DINEFF, MARK	24421 MYERS AVE	MORENO VALLEY, CA	92553-3191	254.02	25.4	50.3	329.7
74993655000	481250016	BENNETT WARNEST APTS	24487	MYERS AVE	MORENO VALLEY	CA	92553-3191	BENNETT, WARNEST	23368 BAY AVE	MORENO VALLEY, CA	92553-3479	508.04	50.8	100.59	659.42
66599105001	481250018	BELTRAN, VERONICA	12917	INDIAN ST	MORENO VALLEY	CA	92553-9326	BELTRAN, VERONICA	24205 ATWOOD AVE	MORENO VALLEY, CA	92553-3135	405.08	40.51	80.21	525.78
88909948000	481250021	SANCHEZ, JOSE (OWNR)	12945	INDIAN ST	MORENO VALLEY	CA	92553-9326	SANCHEZ, JOSE	12945 INDIAN ST	MORENO VALLEY, CA	92553-9326	251.15	25.12	49.73	325.98
86461163007	481250022	GARCIA, ALAN (RENT)	12975	INDIAN ST	MORENO VALLEY	CA	92553-9326	GARCIA, ALAN	20528 COOPERHAWK CT	WILDOMAR, CA	92595-6907	36.68	3.67	7.26	47.6
97045905000	481250039	KING-STONE RECOVERY	24419	MYERS AVE	MORENO VALLEY	CA	92553-3191	KING-STONE RECOVERY	417 CANOE COVE	DIAMOND BAR, CA	91765-1754	165.92	16.59	32.85	215.36
67755065006	481260015	HACHE, PEDRO (RENT) APTS	24138	MYERS AVE	MORENO VALLEY	CA	92553-2846	HACHE, PEDRO	24138 MYERS AVE	MORENO VALLEY, CA	92553-2846	544.03	54.4	107.72	706.14
87321625006	481260026	DIAZ, SYLVIA	12834	MEAD CT	MORENO VALLEY	CA	92553-3123	DIAZ, SYLVIA	12834 MEAD CT	MORENO VALLEY, CA	92553-3123	329.6	32.96	65.26	427.82
75414465006	481260029	NAVARETTE, SERGIO	12835	MEAD CT	MORENO VALLEY	CA	92553-3123	NAVARETTE, SERGIO	12835 MEAD CT	MORENO VALLEY, CA	92553-3123	144.02	14.4	28.52	186.92
31627745008	481270004	BAILEY, JOSEPH (OWNR)	24061	MYERS AVE	MORENO VALLEY	CA	92553-2848	BAILEY, JOSEPH	11206 SCHUYLER AV	RIVERSIDE, CA	92505-2714	329.32	32.93	65.21	427.44
85045635001	481270012	GORROCINO, GRACIELA	24137	MYERS AVE	MORENO VALLEY	CA	92553-3124	GORROCINO, GRACIELA	24137 MYERS AVE	MORENO VALLEY, CA	92553-3124	254.02	25.4	50.3	329.7
97113875002	481270013	RAND, VALARIE	24159	MYERS AVE	MORENO VALLEY	CA	92553-3124	RAND, VALARIE	24159 MYERS AVE	MORENO VALLEY, CA	92553-3124	117.99	11.8	23.36	153.14
83035445004	481270021	PALAGANAS, BLONDIE	24246	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3177	PALAGANAS, BLONDIE	24246 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3177	254.02	25.4	50.3	329.7
31553995003	481291001	AGUAYO, MARIA AND LUCIO	12011	HARCLARE DR	MORENO VALLEY	CA	92557-7826	AGUAYO, MARIA AND LUCIO	12011 HARCLARE DR	MORENO VALLEY, CA	92557-7826	254.02	25.4	50.3	329.7
91392505006	481291003	PICKETT, ROLANDA	12033	HARCLARE DR	MORENO VALLEY	CA	92557-7826	PICKETT, ROLANDA	12033 HARCLARE DR	MORENO VALLEY, CA	92557-7826	53.92	5.39	10.68	69.98
93807745001	481291006	NISCHWITZ, JULIE (OWNR)	12063	HARCLARE DR	MORENO VALLEY	CA	92557-7826	NISCHWITZ, JULIE	21182 TENNYSON RD	MORENO VALLEY, CA	92557-8406	254.12	25.41	50.32	329.84
69271135008	481291010	SITNER, MICHAEL P	12101	HARCLARE DR	MORENO VALLEY	CA	92557-7828	SITNER, MICHAEL P	12101 HARCLARE DR	MORENO VALLEY, CA	92557-7828	95.2	9.52	18.85	123.56
31185545001	481291018	JIMINEZ, YOLANDA	12175	HARCLARE DR	MORENO VALLEY	CA	92557-7828	JIMINEZ, YOLANDA	12175 HARCLARE DR	MORENO VALLEY, CA	92557-7828	329.32	32.93	65.21	427.44
31382295004	481291022	KING, WILLIE	12219	HARCLARE DR	MORENO VALLEY	CA	92557-7830	KING, WILLIE	12219 HARCLARE DR	MORENO VALLEY, CA	92557-7830	254.02	25.4	50.3	329.7
94820865002	481291024	WILLIAMS-HARDY, SARAH (OWNR)	12235	HARCLARE DR	MORENO VALLEY	CA	92557-7830	WILLIAMS-HARDY, SARAH	28614 DRACIEA AVE	MORENO VALLEY, CA	92555-6740	165.92	16.59	32.85	215.36
31301415009	481292009	HAWTHORNE, CHRYSTALYNN	12081	AARON DR	MORENO VALLEY	CA	92557-7834	HAWTHORNE, CHRYSTALYNN	12081 AARON DR	MORENO VALLEY, CA	92557-7834	347.76	34.78	68.86	451.38
62753215005	481292010	LOPEZ, NORMAN	12093	AARON DR	MORENO VALLEY	CA	92557-7834	LOPEZ, NORMAN	12093 AARON DR	MORENO VALLEY, CA	92557-7834	254.12	25.41	50.32	329.84
31331755009	481292012	GONZALEZ, DIANA	12117	AARON DR	MORENO VALLEY	CA	92557-7829	GONZALEZ, DIANA	12117 AARON DR	MORENO VALLEY, CA	92557-7829	254.12	25.41	50.32	329.84
31609415005	481292015	SALAZAR, LAURIE	12153	AARON DR	MORENO VALLEY	CA	92557-7829	SALAZAR, LAURIE	12153 AARON DR	MORENO VALLEY, CA	92557-7829	254.12	25.41	50.32	329.84
90696043008	481292028	JACKSON, ARLENA (RENT)	24779	ALCOVE PL	MORENO VALLEY	CA	92557-7840	JACKSON, ARLENA	11380 HUBBARD ST	MORENO VALLEY, CA	92557-5649	255.12	25.51	50.51	331.14
31511615001	481293001	RUDASILL, BOB	12070	AARON DR	MORENO VALLEY	CA	92557-7834	RUDASILL, BOB	27029 QUAIL CREEK DR	RANCHO BELASCO, CA	92555-4519	329.6	32.96	65.26	427.82
31566415007	481293009	KALOGONIS, KATHLEEN	12166	AARON DR	MORENO VALLEY	CA	92557-7833	KALOGONIS, KATHLEEN	12166 AARON DR	MORENO VALLEY, CA	92557-7833	63.63	6.36	12.6	82.58
55646825002	481301007	LAX, ROBERT	12091	BARNES CT	MORENO VALLEY	CA	92557-7837	LAX, ROBERT	12091 BARNES CT	MORENO VALLEY, CA	92557-7837	254.02	25.4	50.3	329.7
54005635002	481301009	HARRISON, RYAN	12102	BARNES CT	MORENO VALLEY	CA	92557-7835	HARRISON, RYAN	12102 BARNES CT	MORENO VALLEY, CA	92557-7835	329.32	32.93	65.21	427.44
62409155006	481301016	ESPELETA, DWIGHT	12169	ODESSA DR	MORENO VALLEY	CA	92557-7839	ESPELETA, DWIGHT	13278 CANTERBURY DOWNS WAY	MORENO VALLEY, CA	92555-8400	230.56	23.06	45.65	299.26
65398675009	481301018	OLEA, CHRISTINA	12151	ODESSA DR	MORENO VALLEY	CA	92557-7839	OLEA, CHRISTINA	12151 ODESSA DR	MORENO VALLEY, CA	92557-7839	254.12	25.41	50.32	329.84
71996095004	481301024	MITCHEL, TONIA	12031	ODESSA DR	MORENO VALLEY	CA	92557-7839	MITCHEL, TONIA	12031 ODESSA DR	MORENO VALLEY, CA	92557-7839	104.13	10.41	20.62	135.16
99053435007	481301026	MONIEL, CHRIS	12007	ODESSA DR	MORENO VALLEY	CA	92557-7839	MONIEL, CHRIS	12007 ODESSA DR	MORENO VALLEY, CA	92557-7839	254.02	25.4	50.3	329.7
31552885008	481301027	CAMACHO, JASMINE	12010	AARON DR	MORENO VALLEY	CA	92557-7834	CAMACHO, JASMINE	12010 AARON DR	MORENO VALLEY, CA	92557-7834	204.12	20.41	40.42	264.94
60678155008	481302001	MABRA, LONDA	12009	AARON DR	MORENO VALLEY	CA	92557-7834	MABRA, LONDA	12009 AARON DR	MORENO VALLEY, CA	92557-7834	329.6	32.96	65.26	427.82
55167335002	481302003	DODSON, MITCHELL	12080	ODESSA DR	MORENO VALLEY	CA	92557-7825	DODSON, MITCHELL	12080 ODESSA DR	MORENO VALLEY, CA	92557-7825	254.02	25.4	50.3	329.7
96292505003	481302005	ROMO-LOPEZ, SANDRA	12050	ODESSA DR	MORENO VALLEY	CA	92557-7825	ROMO-LOPEZ, SANDRA	12050 ODESSA DR	MORENO VALLEY, CA	92557-7825	259.25	25.93	51.33	386.5
97629695005	481302008	UDEOGARNYA, DOBONAVENTURE	12088	ODESSA DR	MORENO VALLEY	CA	92557-7825	UDEOGARNYA, DOBONAVENTURE	12088 ODESSA DR	MORENO VALLEY, CA	92557-7825	104.12	10.41	20.62	135.14
55579495004	481302009	OSBORNE, MARTIN AND MEURELENE	12098	ODESSA DR	MORENO VALLEY	CA	92557-7825	OSBORNE, MARTIN AND MEURELENE	12098 ODESSA DR	MORENO VALLEY, CA	92557-7825	254.02	25.4	50.3	329.7
31577075005	481302014	KENNERSON, RHONDA	12152	ODESSA DR	MORENO VALLEY	CA	92557-7838	KENNERSON, RHONDA	12152 ODESSA DR	MORENO VALLEY, CA	92557-7838	329.32	32.93	65.21	427.44
92157065004	481302024	GALVAN, MIGUEL	12273	HARCLARE DR	MORENO VALLEY	CA	92557-7830	GALVAN, MIGUEL	12273 HARCLARE DR	MORENO VALLEY, CA	92557-7830	260.64	26.06	51.61	338.3
76162785003	481302025	CORONADO, JULIETA	12261	HARCLARE DR	MORENO VALLEY	CA	92557-7830	CORONADO, JULIETA	12261 HARCLARE DR	MORENO VALLEY, CA	92557-7830	154.02	15.4	30.5	199.9
91611445002	481310005	MATZ, LYNDA AND PETER	12324	LEAHY DR	MORENO VALLEY	CA	92557-7319	MATZ, LYNDA AND PETER	12324 LEAHY DR	MORENO VALLEY, CA	92557-7319	36.37	3.64	7.2	47.2
97778125000	481311008	VALDEZ, LAURA (RENT)	24657	HEMLOCK AVE	MORENO VALLEY	CA	92557-7304	VALDEZ, LAURA	275 COCHISE RD	PERRIS, CA	92570-1757	158.9	15.89	31.46	206.24
31628795005	481312020	GARCIA, GABRIEL	24511	PACE DR	MORENO VALLEY	CA	92557-7327	GARCIA, GABRIEL	24511 PACE DR	MORENO VALLEY, CA	92557-7327	329.32	32.93	65.21	427.44
31059955009	481312026	HALL, CINDY	24576	PACE DR	MORENO VALLEY	CA	92557-7327	HALL, CINDY	24576 PACE DR	MORENO VALLEY, CA	92557-7327	254.02	25.4	50.3	329.7
97082235004	481312030	MEJIA, TONY (OWNR)	24565	HEMLOCK AVE	MORENO VALLEY	CA	92557-7362	MEJIA, TONY	24565 HEMLOCK AVE	MORENO VALLEY, CA	92557-7362	214.54	21.45	42.48	278.46
74461075000	481312034	PEREZ, ELVIA	24525	HEMLOCK AVE	MORENO VALLEY	CA	92557-7362	PEREZ, ELVIA	1387 HOOLI CIR	PEARL CITY, HI	96782-1911	63.63	6.36	12.6	82.58
83649345003	481312038	PINEDA, MARIO A	24719	PACE DR	MORENO VALLEY	CA	92557-7329	PINEDA, MARIO A	24719 PACE DR	MORENO VALLEY, CA	92557-7329	254.02	25.4	50.3	329.7
70814485008	481312049	MORALES, JULIAN	24575	PACE DR	MORENO VALLEY	CA	92557-7327	MORALES, JULIAN	24575 PACE DR	MORENO VALLEY, CA	92557-7327	254.02	25.4	50.3	329.7
74312185002	481312052	HYDE, MICHELLE	24539	PACE DR	MORENO VALLEY	CA	92557-7327	HYDE, MICHELLE	24539 PACE DR	MORENO VALLEY, CA	92557-7327	329.32	32.93	65.21	427.44
97082055001	481322008	HOLBROOK, DANICA (RENT) APTS	24791	HEMLOCK AVE UNIT A	MORENO VALLEY	CA	92557-7306	HOLBROOK, DANICA (RENT)	24791 HEMLOCK AVE UNIT A	MORENO VALLEY, CA	92557-7306	104.12	10.41	20.62	135.14
31546645001	481322009	OSBORN, DOUGLAS AND CHRISTINA	24777	HEMLOCK AVE	MORENO VALLEY	CA	92557-7376	OSBORN, DOUGLAS	24777 HEMLOCK AVE UNIT A	MORENO VALLEY, CA	92557-7376	316.48	31.65	62.66	410.78
31139905000	481341005	ATKINS, EUGENE	12053	WELLER PL	MORENO VALLEY	CA	92557-7846	ATKINS, EUGENE	1531 W LOUGHLIN DR	CHANDLER, AZ	85224-8814	208.06	20.81	41.2	270.06
31208005002	481341026	NAKAAHIKI, NALU	12130	KILGORE ST	MORENO VALLEY	CA	92557-7806	NAKAAHIKI, NALU	12130 KILGORE ST	MORENO VALLEY, CA	92557-7806	190.69	19.07	37.76	247.5
31190595008	481341027	ALLEN, JAMES AND LORI	12118	KILGORE ST	MORENO VALLEY	CA	92557-7806	ALLEN, JAMES AND LORI	12118 KILGORE ST	MORENO VALLEY, CA	92557-7806	329.32	32.93	65.21	427.44
31216465008	481341028	NAVARRETE, ALEJANDRINA	12106	KILGORE ST	MORENO VALLEY	CA	92557-7806	NAVARRETE, ALEJANDRINA	12106 KILGORE ST	MORENO VALLEY, CA	92557-7806	254.02	25.4	50.3	329.7
99677353003	481342015	DUPREE, MYESHIA (RENT)	24664	BAYBERRY CIR	MORENO VALLEY	CA	92557-7844	DUPREE, MYESHIA	24664 BAYBERRY CIR	MORENO VALLEY, CA	92557-7844	88.56	8.86	17.53	114.94
96210675009	481342034	SAMPSON, WILLIAM	12075	HONEYSUCKLE CT	MORENO VALLEY	CA	92557-7847	SAMPSON, WILLIAM	598 MARIGOLD DR	FAIRFIELD, CA	94533-1365	171.72	17.17	34	222.88
97343555002	482020012	CASTRO, AUGUSTINE (RENT)	24128	ATWOOD AVE	MORENO VALLEY	CA	92553-3134	CASTRO, AUGUSTINE	24128 ATWOOD AVE	MORENO VALLEY, CA	92553-3134	173.31	17.33	34.32	224.94
31483795005	482020021	TENORIO, JUANITA (RENT)	13120	HEACOCK ST	MORENO VALLEY	CA	92553-2834	TENORIO, JUANITA	13120 HEACOCK ST	MORENO VALLEY, CA	92553-2834	63.63	6.36	12.6	82.58
55646655007	482020026	RIOS, JOSE (RENT)	24055	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-2832	RIOS, JOSE	13625 SYLMAR DR	MORENO VALLEY, CA	92553-1704	61.67	6.17	12.21	80.04
94575943001	482020029	MOSEBY, RAY ANTHONY (RENT)APTS	24087	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-2832	MOSEBY, RAY ANTHONY	24087 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-2832	405.72	40.57	80.33	526.62
31130465001	482020046	STEWART, LORI	24245	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3105	STEWART, LORI	24245 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3105	163.88	16.39	32.45	212.7
94352753004	482020055	LEWIS, NITHELDIA (RENT)	24247	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3105	LEWIS, NITHELDIA (RENT)	24247 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3105	63.63	6.36	12.6	82.58
31644365002	482020061	MEDINA, MARIA	24230	ATWOOD AVE	MORENO VALLEY	CA	92553-3136	MEDINA, MARIA	24230 ATWOOD AVE	MORENO VALLEY, CA	92553-3136	254.02	25.4	50.3	329.7
31643895003	482030001	GREEN, DELIA	24273	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3105	GREEN, DELIA	24273 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3105	329.32	32.93	65.21	427.44
60381335002	482030002	HAGGERTY, THOMAS	24279	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3105	HAGGERTY, THOMAS	24279 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3105	1181.3	118.13	233.9	1533.32
91006123002	482030008	ORTIZ, LUCAS (RENT)	24355	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-2801	ORTIZ, LUCAS	24355 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-2801	126.96	12.7	25.14	164.78
93700585001	482030009	MARINES, OSCAR (RENT)	24369	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-2801	MARINES, OSCAR	24369 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-2801	254.12	25.41	50.32	329.84
87085613009	482030010	MATZ, DIANE (RENT)	24395	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-2801	MATZ, DIANE	24395 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-2801	335.76	33.58	66.48	435.8
96552483004	482030011	MORA, ANA	24411	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3107	MORA, ANACE	24411 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3107	194.72	19.47	38.55	252.74

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
91259185004	482030028	ZAMBRANO, MARIA	24336	ATWOOD AVE	MORENO VALLEY	CA	92553-2829	ZAMBRANO, MARIA	15635 NADIA ST	MORENO VALLEY, CA	92551-6919	913.37	91.34	180.85	1185.54
97109265008	482030040	CARILLO, MAGDALENA (RENT) APTS	24390	ATWOOD AVE	MORENO VALLEY	CA	92553-2829	CARILLO, MAGDALENA	24390 ATWOOD AVE	MORENO VALLEY, CA	92553-2829	102.31	10.23	20.26	132.78
94530955003	482040012	ALCALA, ROSALINA (RENT)	24563	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3703	ALCALA, ROSALINA	24563 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3703	134.12	13.41	26.56	174.08
97687733005	482040015	REYES, WENDY (RENT)	24621	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3773	REYES, WENDY	P O BOX 7358	MORENO VALLEY, CA	92552-7358	81.8	8.18	16.2	106.16
95591985008	482040031	TARULA, LETICIA	24540	ATWOOD AVE	MORENO VALLEY	CA	92553-3740	TARULA, LETICIA	24540 ATWOOD AVE	MORENO VALLEY, CA	92553-3740	329.6	32.96	65.26	427.82
93706295009	482040042	AGUIRRE, MARTHA (RENT)	24676	ATWOOD AVE	MORENO VALLEY	CA	92553-3775	AGUIRRE, MARTHA	11975 SUGAR CREEK CT	MORENO VALLEY, CA	92557-6168	62.64	6.26	12.4	81.3
95291845005	482040043	WEST, KAREN (OWNR)	24680	ATWOOD AVE	MORENO VALLEY	CA	92553-3775	WEST, KAREN	24680 ATWOOD AVE	MORENO VALLEY, CA	92553-3775	63.63	6.36	12.6	82.58
31346755002	482050003	GONZALEZ, FRANCISCO	24815	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3769	GONZALEZ, FRANCISCO	24815 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3769	508.14	50.81	100.61	659.56
55906975008	482050022	VEGA, JAIME	24810	ATWOOD AVE	MORENO VALLEY	CA	92553-3783	VEGA, JAIME	24810 ATWOOD AVE	MORENO VALLEY, CA	92553-3783	329.32	32.93	65.21	427.44
96401235007	482050023	MARTINEZ, AMBER (OWNR)	24802	ATWOOD AVE	MORENO VALLEY	CA	92553-3783	MARTINEZ, AMBER	24802 ATWOOD AVE	MORENO VALLEY, CA	92553-3783	483.12	48.31	95.66	627.08
97062265009	482050026	NUNGARAY, MARIA G	24791	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3705	NUNGARAY, MARIA G	24791 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3705	335.76	33.58	66.48	435.8
95831555008	482050031	CRUZ, ALFREDO (OWNR) APTS	24874	ATWOOD AVE	MORENO VALLEY	CA	92553-3783	CRUZ, ALFREDO	24874 ATWOOD AVE	MORENO VALLEY, CA	92553-3783	329.04	32.9	65.15	427.08
59705345003	482050032	GUTIERREZ, FRANK (RENT)	24872	ATWOOD AVE	MORENO VALLEY	CA	92553-3783	GUTIERREZ, FRANK	24872 ATWOOD AVE	MORENO VALLEY, CA	92553-3783	131.96	13.2	26.13	171.28
92532175005	482060008	LORENZO, OSORIO (RENT)	24861	ATWOOD AVE	MORENO VALLEY	CA	92553-3907	LORENZO, OSORIO	24861 ATWOOD AVE	MORENO VALLEY, CA	92553-3907	100.59	10.06	19.92	130.56
75411785005	482060009	MARTINEZ, AURORA	24876	DRACAEA AVE	MORENO VALLEY	CA	92553-3746	MARTINEZ, AURORA	24876 DRACAEA AVE	MORENO VALLEY, CA	92553-3746	444.51	44.45	88.01	576.96
99181663007	482060016	NEVILL, ROBERT AND LORI	24985	ATWOOD AVE	MORENO VALLEY	CA	92553-3748	NEVILL, ROBERT AND LORI	11099 AFRICAN SUNSET	HENDERSON, NV	89052-8616	169.75	16.98	33.61	220.32
97812295001	482060018	MORALES, CYNTHIA	13157	PERRIS BLVD	MORENO VALLEY	CA	92553-5402	MORALES, CYNTHIA	13157 PERRIS BLVD	MORENO VALLEY, CA	92553-5402	130.09	13.01	25.76	168.84
31298285004	482060030	GOLDWINE, JOE	24888	DRACAEA AVE	MORENO VALLEY	CA	92553-3750	GOLDWINE, JOE	24523 VANDENBERG DR	MORENO VALLEY, CA	92551-4023	195.18	19.52	38.65	253.34
89588953008	482060041	MANSELL, CLARENCE AND HARNETHI	24804	DRACAEA AVE	MORENO VALLEY	CA	92553-3746	MANSELL, CLARENCE AND HARNETHI	14280 PALMEA DR	MORENO VALLEY, CA	92553-4413	420.76	42.08	83.31	546.14
90627815001	482070004	GARCIA, THERESA	24547	ATWOOD AVE	MORENO VALLEY	CA	92553-3739	GARCIA, THERESA	24547 ATWOOD AVE	MORENO VALLEY, CA	92553-3739	392.52	39.25	77.72	509.48
88347853001	482070006	KELIIPULEOLE, MARIBEL (RENT)	24607	ATWOOD AVE	MORENO VALLEY	CA	92553-3904	KELIIPULEOLE, MARIBEL	24941 BASSWOOD ST	MORENO VALLEY, CA	92553-3806	26.28	2.63	5.2	34.1
91573205004	482070007	RUIZ, BETZAIDA	24621	ATWOOD AVE	MORENO VALLEY	CA	92553-9304	RUIZ, BETZAIDA	24621 ATWOOD AVE	MORENO VALLEY, CA	92553-9304	70.59	7.06	13.98	91.62
92427483003	482070009	ALCAZAR, EVERARDO (RENT)	24651	ATWOOD AVE	MORENO VALLEY	CA	92553-9304	ALCAZAR, EVERARDO (RENT)	24651 ATWOOD AVE	MORENO VALLEY, CA	92553-9304	90.11	9.01	17.84	116.96
52623445004	482070012	BARAJAS, ABRAHAN/	24713	ATWOOD AVE	MORENO VALLEY	CA	92553-3782	BARAJAS, ABRAHAN/	24713 ATWOOD AVE	MORENO VALLEY, CA	92553-3782	254.14	25.41	50.32	329.86
31158275002	482070031	TABARES, MARIA	24579	ATWOOD AVE	MORENO VALLEY	CA	92553-3739	TABARES, MARIA	24579 ATWOOD AVE	MORENO VALLEY, CA	92553-3739	254.02	25.4	50.3	329.7
86682925009	482070039	QUINONIE, ENE	13154	INDIAN ST	MORENO VALLEY	CA	92553-3754	QUINONIE, ENE	13154 INDIAN ST	MORENO VALLEY, CA	92553-3754	254.02	25.4	50.3	329.7
93562183009	482080042	MORALES, RAUDEL AND ANA	24329	ATWOOD AVE	MORENO VALLEY	CA	92553-2830	MORALES, RAUDEL AND ANA	24329 ATWOOD AVE	MORENO VALLEY, CA	92553-2830	29	2.9	5.74	37.64
92083485009	482080054	DANDRIDGE, NATHAN	13225	SCOTTY LN	MORENO VALLEY	CA	92553-3148	DANDRIDGE, NATHAN	13225 SCOTTY LN	MORENO VALLEY, CA	92553-3148	189.99	19	37.62	246.6
31487435002	482090006	BORGES, JEFFREY	24176	DRACAEA AVE	MORENO VALLEY	CA	92553-2898	BORGES, JEFFREY	24176 DRACAEA AVE	MORENO VALLEY, CA	92553-2893	136.37	13.64	27	177
31526095008	482090018	BERUMEN, JOSEPHINE	24157	ATWOOD AVE	MORENO VALLEY	CA	92553-2828	BERUMEN, JOSEPHINE	24157 ATWOOD AVE	MORENO VALLEY, CA	92553-2828	329.6	32.96	65.26	427.82
95467415001	482090024	GUINTO, SANDRA (OWNR)	24215	ATWOOD AVE	MORENO VALLEY	CA	92553-3135	GUINTO, SANDRA	24215 ATWOOD AVE	MORENO VALLEY, CA	92553-3135	63.63	6.36	12.6	82.58
31555135009	482111010	TELLES, JOSE	13357	DILBECK DR	MORENO VALLEY	CA	92553-3355	TELLES, JOSE	13357 DILBECK DR	MORENO VALLEY, CA	92553-3355	254.02	25.4	50.3	329.7
87960415005	482111018	FLEVOTOMOS, GARYFALIA (RENT)	13425	DILBECK DR	MORENO VALLEY	CA	92553-6238	FLEVOTOMOS, GARYFALIA	13425 DILBECK DR	MORENO VALLEY, CA	92553-6238	63.63	6.36	12.6	82.58
95503275002	482111020	RUIZ, ALFREDO AND LUCIA (OWNR)	13455	DILBECK DR	MORENO VALLEY	CA	92553-6238	RUIZ, ALFREDO AND LUCIA	14681 CHERRYWOOD LN	TUSTIN, CA	92780-6746	190.79	19.08	37.78	247.64
31529005001	482112001	MARTIN, LESTER	24374	SYKES DR	MORENO VALLEY	CA	92553-3361	MARTIN, LESTER	24374 SYKES DR	MORENO VALLEY, CA	92553-3361	253.92	25.39	50.28	329.58
86500743001	482112016	ADAMS, DIANNE (RENT)	24373	MARILYN ST	MORENO VALLEY	CA	92553-6241	ADAMS, DIANNE	24373 MARILYN ST	MORENO VALLEY, CA	92553-6241	154.12	15.41	30.52	200.04
67348155001	482113007	CHUNG, MARIA	24306	COTTONWOOD AVE	MORENO VALLEY	CA	92553-3310	CHUNG, MARIA	24306 COTTONWOOD AVE	MORENO VALLEY, CA	92553-3310	254.12	25.41	50.32	329.84
90863695007	482121004	VASQUEZ, MARIA	24468	MARILYN ST	MORENO VALLEY	CA	92553-3360	VASQUEZ, MARIA	24468 MARILYN ST	MORENO VALLEY, CA	92553-3360	253.92	25.39	50.28	329.58
31595985006	482122001	ESTRADA, EDUARDO	24377	MARILYN ST	MORENO VALLEY	CA	92553-6241	MORENO, JOSE E	24377 MARILYN ST	MORENO VALLEY, CA	92553-6241	254.02	25.4	50.3	329.7
94108755000	482122006	ESTRADA, ELIZABETH (RENT)	24443	MARILYN ST	MORENO VALLEY	CA	92553-3359	ESTRADA, ELIZABETH	13400 ELSWORTH ST APT 204	MORENO VALLEY, CA	92553-8472	231.74	23.17	45.88	300.78
31124145002	482122010	STEBNITZ, JOAN	13365	INDIAN ST	MORENO VALLEY	CA	92553-3828	STEBNITZ, JOAN	PO BOX 1382	MORENO VALLEY, CA	92556-1382	254.02	25.4	50.3	329.7
55258955008	482122014	BARRIGA, MARVIN	24568	ONEIDA ST	MORENO VALLEY	CA	92553-3370	BARRIGA, MARVIN	24568 ONEIDA ST	MORENO VALLEY, CA	92553-3370	63.63	6.36	12.6	82.58
95798525006	482122015	GARCIA, JULISA (RENT)	24554	ONEIDA ST	MORENO VALLEY	CA	92553-3370	GARCIA, JULISA	24554 ONEIDA ST	MORENO VALLEY, CA	92553-3370	254.12	25.41	50.32	329.84
92326893001	482122016	SAGREDO, MARIA (RENT)	24538	ONEIDA ST	MORENO VALLEY	CA	92553-3370	SAGREDO, MARIA	24538 ONEIDA ST	MORENO VALLEY, CA	92553-3370	50.6	5.06	10.02	65.66
63767355004	482122018	BADILLO, OLIVIA	24508	ONEIDA ST	MORENO VALLEY	CA	92553-3370	BADILLO, OLIVIA	24508 ONEIDA ST	MORENO VALLEY, CA	92553-3370	254.12	25.41	50.32	329.84
95414965007	482122021	FAHNESTOCK, MARTIN (RENT)	24464	ONEIDA ST	MORENO VALLEY	CA	92553-6256	FAHNESTOCK, MARTIN	20843 WAALEW RD SPC C43	APPLE VALLEY, CA	92307-6329	62.62	6.26	12.4	81.28
65859415007	482122029	BROCK, LYNAE (RENT)	24387	ONEIDA ST	MORENO VALLEY	CA	92553-6259	BROCK, LYNAE	24387 ONEIDA ST	MORENO VALLEY, CA	92553-6259	164.52	16.45	32.58	213.54
61242655007	482122030	REBOLLAR, JUAN CARLOS	24401	ONEIDA ST	MORENO VALLEY	CA	92553-3371	REBOLLAR, JUAN CARLOS	24401 ONEIDA ST	MORENO VALLEY, CA	92553-3371	63.63	6.36	12.6	82.58
31058905002	482123004	CARDONA, AMADOR	24465	ONEIDA ST	MORENO VALLEY	CA	92553-6258	CARDONA, AMADOR	24465 ONEIDA ST	MORENO VALLEY, CA	92553-6258	254.02	25.4	50.3	329.7
31269685009	482123006	PACHECO, DIANA	24489	ONEIDA ST	MORENO VALLEY	CA	92553-6258	PACHECO, DIANA	24489 ONEIDA ST	MORENO VALLEY, CA	92553-6258	90.29	9.03	17.88	117.18
80668695002	482123009	VENEGAS-CRUZ, AMELIA	24525	ONEIDA ST	MORENO VALLEY	CA	92553-3372	VENEGAS-CRUZ, AMELIA	24525 ONEIDA ST	MORENO VALLEY, CA	92553-3372	254.02	25.4	50.3	329.7
31125845002	482123010	WYNN, LARRY	24537	ONEIDA ST	MORENO VALLEY	CA	92553-3372	WYNN, LARRY	24537 ONEIDA ST	MORENO VALLEY, CA	92553-3372	323.49	32.35	64.05	419.88
67221505007	482123012	CISNEROS, ARTHUR (OWN)	24561	ONEIDA ST	MORENO VALLEY	CA	92553-3372	CISNEROS, ARTHUR	24561 ONEIDA ST	MORENO VALLEY, CA	92553-3372	120.28	12.03	23.82	156.12
99757348006	482123015	MORRISON, AMY (RENT)	24387	SYKES DR	MORENO VALLEY	CA	92553-3312	MORRISON, AMY	24387 SYKES DR	MORENO VALLEY, CA	92553-3312	63.69	6.37	12.61	82.66
31090795008	482141005	MARTIN, VICTOR AND DEBORAH SUE	13284	HIAWATHA LN	MORENO VALLEY	CA	92553-3890	MARTIN, VICTOR AND DEBORAH SUE	11875 PIGEON PASS RD STE D1	MORENO VALLEY, CA	92557-6043	357.53	35.75	70.79	464.06
88044735000	482141010	DIDION, PAMELA (OWNR)	24856	LUKEWOOD PL	MORENO VALLEY	CA	92553-3842	DIDION, PAMELA	147 GOLDEN ROD AVE	PERRIS, CA	92570-7240	147.91	14.79	29.29	191.98
31440015009	482141013	JIMENEZ, ADAN	24814	LUKEWOOD PL	MORENO VALLEY	CA	92553-3842	JIMENEZ, ADAN	24814 LUKEWOOD PL	MORENO VALLEY, CA	92553-3842	254.02	25.4	50.3	329.7
31475125002	482141014	MEDINA, GUADALUPE	24800	LUKEWOOD PL	MORENO VALLEY	CA	92553-3842	MEDINA, GUADALUPE	24800 LUKEWOOD PL	MORENO VALLEY, CA	92553-3842	254.02	25.4	50.3	329.7
95001585002	482141015	ALANIZ, BEATRICE (OWNR)	13290	MORENO WAY	MORENO VALLEY	CA	92553-3844	ALANIZ, BEATRICE	13290 MORENO WAY	MORENO VALLEY, CA	92553-3844	63.63	6.36	12.6	82.58
95993815002	482141016	MARTINEZ, PATRICIA (OWNR)	13260	MORENO WAY	MORENO VALLEY	CA	92553-3844	MARTINEZ, PATRICIA	13260 MORENO WAY	MORENO VALLEY, CA	92553-3844	59.36	5.94	11.75	77.04
58648075002	482142006	SANTOS, ISAAC	24855	LUKEWOOD PL	MORENO VALLEY	CA	92553-3842	SANTOS, ISAAC	24855 LUKEWOOD PL	MORENO VALLEY, CA	92553-3842	254.12	25.41	50.32	329.84
51028285000	482144002	SALAZAR, SOCCORO	24803	RAMONA LN	MORENO VALLEY	CA	92553-3862	SALAZAR, SOCCORO	24803 RAMONA LN	MORENO VALLEY, CA	92553-3862	254.02	25.4	50.3	329.7
95833075005	482144004	ORTIZ, RITA (RENT)	24835	RAMONA LN	MORENO VALLEY	CA	92553-3862	ORTIZ, RITA	24411 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3107	253.82	25.38	50.26	329.44
75347455000	482144007	MUNOZ, RODRIGO AND VERONICA	24867	RAMONA LN	MORENO VALLEY	CA	92553-3862	MUNOZ, RODRIGO	24867 RAMONA LN	MORENO VALLEY, CA	92553-3862	254.02	25.4	50.3	329.7
31113335005	482144008	STIEDE, DEL	24883	RAMONA LN	MORENO VALLEY	CA	92553-3862	STIEDE, DEL	24883 RAMONA LN	MORENO VALLEY, CA	92553-3862	254.02	25.4	50.3	329.7
31065925003	482151002	BROWN, MARY	13409	MORENO WAY	MORENO VALLEY	CA	92553-3846	BROWN, MARY	13409 MORENO WAY	MORENO VALLEY, CA	92553-3846	329.32	32.93	65.21	427.44
93279665009	482152003	ZUNIGA, JENNIFER	13417	HIAWATHA LN	MORENO VALLEY	CA	92553-3891	ZUNIGA, JENNIFER	13417 HIAWATHA LN	MORENO VALLEY, CA	92553-3891	254.12	25.41	50.32	329.84
96840265009	482152004	PORTILLO, MARIO (OWNR)	13431	HIAWATHA LN	MORENO VALLEY	CA	92553-3891	PORTILLO, MARIO	13431 HIAWATHA LN	MORENO VALLEY, CA	92553-3891	127.46	12.75	25.24	165.44
31408365002	482152008	MUNOZ, MIDEY AND LESLIE	13458	HIAWATHA LN	MORENO VALLEY	CA	92553-3826	MUNOZ, MIDEY AND LESLIE	13458 HIAWATHA LN	MORENO VALLEY, CA	92553-3826	254.02	25.4	50.3	329.7
31253315003	482152009	GREY, KATHLENE	13448	HIAWATHA LN	MORENO VALLEY	CA	92553-3826	GREY, KATHLENE AND JOHN	13448 HIAWATHA LN	MORENO VALLEY, CA	92553-3826	254.12	25.41	50.32	329.84
31573925006	482152012	RUIZ, JOSE	13420	HIAWATHA LN	MORENO VALLEY	CA	92553-3826	RUIZ, JOSE	13420 HIAWATHA LN	MORENO VALLEY, CA	92553-3826	254.02	25.4	50.3	329.7
31279875000	482152013	SINGLETON, MARCELA SEE NOTES	13404	HIAWATHA LN	MORENO VALLEY	CA	92553-3826	SINGLETON, JESSE	13404 HIAWATHA	MORENO VALLEY, CA	92553-3826	479.92	47.99	95.02	622.92
31631905006	482152015	HIXCHBAUGH, JOANN	13366	HIAWATHA LN	MORENO VALLEY	CA	92553-3879	HIXCHBAUGH, JOANN	13366 HIAWATHA LN	MORENO VALLEY, CA	92553-3879	329.32	32.93	65.21	427.44
84616945005	482152025	MORRIS, PETER	13456	MORENO WAY	MORENO VALLEY	CA	92553-3847	MORRIS, PETER	13456 MORENO WAY	MORENO VALLEY, CA	92553-3847	254.02	25.4	50.3	329.7
31146275007	482152026	MC COY, SARAH	13436	MORENO WAY	MORENO VALLEY	CA	92553-3847	MC COY, SARAH	13436 MORENO WY	MORENO VALLEY, CA	92553-3847	254.02	25.4	50.3	329.7
62198365001	482152031	O'QUIN, MALIWALEKA	24851	CORLEY CT	MORENO VALLEY	CA	92553-3821	O'QUIN, MALIWALEKA	P O BOX 51844	RIVERSIDE, CA	92517-2844	329.6	32.96	65.26	427.82
31105965008	482152038	MANRIQUEZ, DIANA	13396	MORENO WAY	MORENO VALLEY	CA	92553-3845	MANRIQUEZ, DIANA	13396 MORENO WAY	MORENO VALLEY, CA	92553-3845	329.32	32.93	65.21	427.44
92835263003	482152044	COAKLEY, VICTORIA	24916	COTTONWOOD AVE	MORENO VALLEY	CA	92553-3824	BROWN,DAMOIN	24916 COTTONWOOD AVE	MORENO VALLEY, CA	92553-3824	219.36	21.94	43.43	284.72
31633165007	482152051	SANCHEZ, MARIA	24894	COTTONWOOD AVE	MORENO VALLEY	CA	92553-3816	SANCHEZ, MARIA	1753 TOPAZ DR	PERRIS, CA	92571-3456	190.69	19.07	37.76	247.5
31123735000	482161004	SHEEKS, MARGARET	13471	JO ANN ST	MORENO VALLEY	CA	92553-3838	SHEEKS, MARGARET	13471 JO ANN ST	MORENO VALLEY, CA	92553-3838	129.52	12.93	25.61	167.84
49696925005	482161017	MELVIN, FELICIA	24730	MYRNA ST	MORENO VALLEY	CA	92553-3852	MELVIN, FELICIA	24730 MYRNA ST	MORENO VALLEY, CA	92553-3852	82.68	8.27	16.37	107.3
89522733004	482162010	CASTANON, IRMA (OWNR)	13441	CORA PL	MORENO VALLEY	CA	92553-3820	CASTANON, IRMA (OWN)	13441 CORA PL	MORENO VALLEY, CA	92553-3820	266.17	26.62	52.7	345.48
50428765002	482162020	LEE, WILLIE	13471	LEOTA CT	MORENO VALLEY	CA	92553-3840	LEE, WILLIE	418 E 84TH PL	LOS ANGELES, CA	90003-3106	329.32	32.93	65.21	427.44
31129845004	482162030	WARD, J	13484	JO ANN ST	MORENO VALLEY	CA	92553-3839	WARD, J	27954 JOHNF KENNEDY DR APT C	MORENO VALLEY, CA	92555-5898	254.02	25.4	50.3	329.7
92776653007	482170015	MCCOWN, CANDICE (RENT)	24421	COTTONWOOD AVE	MORENO VALLEY	CA	92553-3315	MCCOWN, CANDICE	25011 DELPHINIUM AVE APT 203	MORENO VALLEY, CA	92553-1524	176.87	17.69	35.02	229.56
31406435002	482170020	ALTAMIRANO, MARTINIANO	24396	DORNER DR	MORENO VALLEY	CA	92553-3324	ALTAMIRANO, MARTINIANO	24396 DORNER DR	MORENO VALLEY, CA	92553-3324	254.02	25.4	50.3	329.7
31284265008	482170030	CICERO'S HOPE YOUTH CENTER	24487	DORNER DR	MORENO VALLEY	CA	92553-3325	CICERO'S HOPE YOUTH CENTER	12625 FREDERICK ST BLDG 1-5 344	MORENO VALLEY, CA	92553-5216	247.2	24.72	48.95	320.86
31562275005	482170041	KHALID, SHAHIDAH	13533	INDIAN ST	MORENO VALLEY	CA	92553-3831	KHALID, SHAHIDAH	13533 INDIAN ST	MORENO VALLEY, CA	92553-3831	264.08	26.41	52.29	342.76
90107703007	482170047	MCINTYRE, LOVEY (RENT)	24395	COTTONWOOD AVE	MORENO VALLEY	CA	92553-6253	MCINTYRE, LOVEY	24395 COTTONWOOD AVE	MORENO VALLEY, CA	92553-6253	434.82	43.48	86.09	564.38
31093285009	482201001	SINGLETON, JOSEFA IV	24762	EUGENA AVE	MORENO VALLEY	CA	92553-3835	SINGLETON, JOSEFA IV	24762 EUGENA AVE	MORENO VALLEY, CA	92553-3835	254.02	25.4	50.3	329.7
81678555009	482201003	TAPIA, SYLVIA	24786	EUGENA AVE	MORENO VALLEY	CA	92553-3835	TAPIA, SYLVIA	24786 EUGENA AVE	MORENO VALLEY, CA	92553-3835	168.67	16.87	33.4	218.92
95319785006	482201010	RUSSAW, JOYCE (RENT)	24870	EUGENA AVE	MORENO VALLEY	CA	92553-3867	RUSSAW, JOYCE	24870 EUGENA AVE	MORENO VALLEY, CA	92553-3867	242.58	24.26	48.03	314.86
61286375003	482201021	GIRON, LEONARDO (OWNR)	24910	ALESSANDRO BLVD	MORENO VALLEY	CA	92553-5707	GIRON, LEONARDO	24910 ALESSANDRO BLVD	MORENO VALLEY, CA	92553-5707	124.12	12.41	24.58	161.1
31441365003	482201029	ALVAREZ, ELVIA	13900	GAYE ST	MORENO VALLEY	CA	92553-3869	ALVAREZ, ELVIA	13900 GAYE ST	MORENO VALLEY, CA	92553-3869	254.02	25.4	50.3	329.7
38021055018	482202002	DOTSON, CHEYLA (RENT)	24775	EUGENA AVE	MORENO VALLEY	CA	92553-3836	DOTSON, CHEYLA (RENT)	21360 DOUGLASS CT	MORENO VALLEY, CA	92557-8630	90.65	9.07	17.95	117.66
88911493000	482202006	CRAWFORD, MARY (RENT)	24823	EUGENA AVE	MORENO VALLEY	CA	92553-3866	CRAWFORD, MARY	24823 EUGENA AVE	MORENO VALLEY, CA	92553-3866	226.31	22.63	44.81	293.74
91939413006	482202008	LOBATOS, CARLOS (RENT)	24846	EUGENA AVE	MORENO VALLEY	CA	92553-3867	LOBATOS, CARLOS	24846 EUGENA AVE	MORENO VALLEY, CA	92553-3867	139.05	13.91	27.53	180.48
55138855003	482202012	CHAIDEZ, APOLONIA	13941	GAYE ST	MORENO VALLEY	CA	92553-3868	CHAIDEZ, APOLONIA	13941 GAYE ST	MORENO VALLEY, CA	92553-3868	254.02	25.4	50.3	329.7
31316715004	482202015	SHEGOG, DEBORAH	24848	CAROLYN AVE	MORENO VALLEY	CA	92553-3865	SHEGOG, DEBORAH	24848 CAROLYN AVE	MORENO VALLEY, CA	92553-3865	254.12	25.41	50.32	329.84
31545205005	482203003	BLANCO, JESUS (OWNR)	24785	CAROLYN AVE	MORENO VALLEY	CA	92553-3832	BLANCO, JESUS	24785 CAROLYN AVE	MORENO VALLEY, CA	92553-3832	253.92	25.39	50.28	329.58
96606555003	482203016	SOTO, ISABELLA (RENT)	24834	ALESSANDRO BLVD	MORENO VALLEY	CA	92553-5899	SOTO, ISABELLA	24834 ALESSANDRO BLVD	MORENO VALLEY, CA	92553-5899	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31117115002	482230015	EDWARDS, WALTER	14739	PERRIS BLVD	MORENO VALLEY	CA	92553-7115	EDWARDS, WALTER	14739 PERRIS BLV	MORENO VALLEY, CA	92553-7115	254.02	25.4	50.3	329.7
31555325009	482241016	MCCOY, JAMAL	13591	RAMSDELL DR	MORENO VALLEY	CA	92553-6212	MCCOY, JAMAL	24407 WILDWOOD ST	MORENO VALLEY, CA	92551-6925	329.32	32.93	65.21	427.44
55158765000	482241017	VALORA, ANGEL S AND MARIBEL	13603	RAMSDELL DR	MORENO VALLEY	CA	92553-3333	VALORA, ANGEL S AND MARIBEL	22800 ADRIENNE AVE APT B	MORENO VALLEY, CA	92553-8766	254.02	25.4	50.3	329.7
93200315009	482242005	DAVIDSON, STEFANIE	24322	DORNER DR	MORENO VALLEY	CA	92553-3324	DAVIDSON, STEFANIE	24322 DORNER DR	MORENO VALLEY, CA	92553-3324	254.12	25.41	50.32	329.84
31477665004	482242014	TAPIA, VERONICA	24269	DOLAN DR	MORENO VALLEY	CA	92553-3399	TAPIA, VERONICA	24269 DOLAN DR	MORENO VALLEY, CA	92553-3399	254.02	25.4	50.3	329.7
69701685008	482242019	KOEPP, EDWINA	24325	DOLAN DR	MORENO VALLEY	CA	92553-3321	KOEPP, EDWINA	24325 DOLAN DR	MORENO VALLEY, CA	92553-3321	254.02	25.4	50.3	329.7
75027915002	482242024	SALDANA, MANUEL AND MARGARITA	24371	BION DR	MORENO VALLEY	CA	92553-3307	SALDANA, MANUEL AND MARGARITA	24371 BION DR	MORENO VALLEY, CA	92553-3307	254.02	25.4	50.3	329.7
95933695003	482243002	PURAY, HERLINA (OWNR)	13620	RAMSDELL DR	MORENO VALLEY	CA	92553-3336	PURAY, HERLINA	13620 RAMSDELL DR	MORENO VALLEY, CA	92553-3336	329.6	32.96	65.26	427.82
31410385004	482243007	BEAN, MARILYN (OWNR)	24303	DORNER DR	MORENO VALLEY	CA	92553-3323	BEAN, MARILYN	24303 DORNER DR	MORENO VALLEY, CA	92553-3323	254.02	25.4	50.3	329.7
31432585006	482243008	TOFA, TOLUA	24313	DORNER DR	MORENO VALLEY	CA	92553-3323	TOFA, TOLUA	24313 DORNER DR	MORENO VALLEY, CA	92553-3323	329.32	32.93	65.21	427.44
31373025000	482243009	VILLEGAS, GRISELDA (OWNR)	24323	DORNER DR	MORENO VALLEY	CA	92553-3323	VILLEGAS, GRISELDA	24323 DORNER DR	MORENO VALLEY, CA	92553-3323	254.02	25.4	50.3	329.7
75029495006	482243010	REYNA, VICTOR AND VICKY	24333	DORNER DR	MORENO VALLEY	CA	92553-3323	REYNA, VICTOR AND VICKY	24333 DORNER DR	MORENO VALLEY, CA	92553-3323	254.02	25.4	50.3	329.7
92383173003	482243011	DAVIS, TAKEYSHA (RENT)	24343	DORNER DR	MORENO VALLEY	CA	92553-3323	DAVIS, TAKEYSHA	11533 DAVIS ST	MORENO VALLEY, CA	92557-5538	79.45	7.95	15.73	103.12
88742215008	482251021	LOVE, DAVID	24786	SHOREHAM AVE	MORENO VALLEY	CA	92553-3934	LOVE, DAVID	24786 SHOREHAM AVE	MORENO VALLEY, CA	92553-3934	254.12	25.41	50.32	329.84
88612935002	482252013	FULLER, CHERIE (RENT)	14820	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3902	FULLER, CHERIE	14820 BLUEBRIAR ST	MORENO VALLEY, CA	92553-3902	127.46	12.75	25.24	165.44
31321535002	482253003	SHELTON, NEVA	14813	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3903	SHELTON, NEVA	14813 BLUEBRIAR ST	MORENO VALLEY, CA	92553-3903	254.02	25.4	50.3	329.7
91498223008	482253023	OWENS, SHANITE (RENT)	14836	BRENTSTONE ST	MORENO VALLEY	CA	92553-3906	OWENS, SHANITE	14836 BRENTSTONE ST	MORENO VALLEY, CA	92553-3906	190.79	19.08	37.78	247.64
31164035001	482253036	FRYE, PEARL I AND STEVEN	14877	BRENTSTONE ST	MORENO VALLEY	CA	92553-3905	FRYE, PEARL I AND STEVEN	28953 KENDA CT	MORENO VALLEY, CA	92555-8264	254.02	25.4	50.3	329.7
86280023001	482253038	GOMEZ, ORLANDO (RENT)	14868	VINEHILL ST	MORENO VALLEY	CA	92553-3940	GOMEZ, ORLANDO (RENT)	14868 VINEHILL ST	MORENO VALLEY, CA	92553-3940	63.63	6.36	12.6	82.58
31266185002	482253041	CALHOON, LORIE	14838	VINEHILL ST	MORENO VALLEY	CA	92553-3940	CALHOON, LORIE	14838 VINEHILL ST	MORENO VALLEY, CA	92553-3940	254.12	25.41	50.32	329.84
97612125001	482254002	RUBIO, MARTHA (RENT)	14809	VINEHILL ST	MORENO VALLEY	CA	92553-3939	RUBIO, MARTHA (RENT)	14809 VINEHILL ST	MORENO VALLEY, CA	92553-3939	63.63	6.36	12.6	82.58
90241605005	482254004	TRIPLETT, ROBERT	14829	VINEHILL ST	MORENO VALLEY	CA	92553-3939	TRIPLETT, ROBERT	1296 LABRADOR DR	LAS VEGAS, NV	89142-1145	247.25	24.73	48.96	320.92
91616943006	482254018	MAYVILLE, RICHARD AND COREEN	14854	STARMONT ST	MORENO VALLEY	CA	92553-3922	MAYVILLE, RICHARD AND COREEN	14854 STARMONT ST	MORENO VALLEY, CA	92553-3922	531.55	53.16	105.25	689.94
95682225005	482254021	SANDOVAL, LEILA (OWNR)	14824	STARMONT ST	MORENO VALLEY	CA	92553-3922	SANDOVAL, LEILA	15458 ALOSTA LN	MORENO VALLEY, CA	92555-2910	72.31	7.23	14.32	93.84
95493865002	482261001	MAURER, DANNETTE (RENT)	14999	VINEHILL ST	MORENO VALLEY	CA	92553-3965	MAURER, DANNETTE	14999 VINEHILL ST	MORENO VALLEY, CA	92553-3965	190.79	19.08	37.78	247.64
74134925005	482261014	PADILLA, RUPERTO	14954	STARMONT ST	MORENO VALLEY	CA	92553-3924	PADILLA, RUPERTO	14954 STARMONT ST	MORENO VALLEY, CA	92553-3924	254.02	25.4	50.3	329.7
31505525002	482262002	GRAHAM, JEFFERY	14938	VINEHILL ST	MORENO VALLEY	CA	92553-3958	GRAHAM, JEFFERY	14938 VINEHILL ST	MORENO VALLEY, CA	92553-3958	228.54	22.85	45.25	296.64
31511325002	482264001	AREVALO, JOSE M	14882	DOVEHURST ST	MORENO VALLEY	CA	92553-3960	AREVALO, JOSE M	14882 DOVEHURST ST	MORENO VALLEY, CA	92553-3960	228.63	22.86	45.27	296.76
31079035001	482264002	SANDOVAL, CAESAR	14892	DOVEHURST ST	MORENO VALLEY	CA	92553-3960	SANDOVAL, CAESAR	14892 DOVEHURST ST	MORENO VALLEY, CA	92553-3960	78.63	7.86	15.57	102.06
55711835002	482264015	GARCIA, HECTOR MARIN	14933	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3954	HECTOR GARCIA, JOSE RAMIREZ	14933 BLUEBRIAR ST	MORENO VALLEY, CA	92553-3954	254.02	25.4	50.3	329.7
31630625007	482265006	KNOWLES, RICHARD T	14910	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3904	KNOWLES, RICHARD T	22446 GILMORE ST	WEST HILLS, CA	91307-3706	234.99	23.5	46.53	305
97913875005	482265007	HUPP, VERONICA (RENT)	14920	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3904	QURESHI, NADEEM	25451 FIR AVE	MORENO VALLEY, CA	92553-4123	163.22	16.32	32.32	211.84
92488873008	482266004	SANCHEZ, JENNIFER (RENT)	24859	CASTLEBROOK AVE	MORENO VALLEY	CA	92553-3968	SANCHEZ, JENNIFER	5650 S PARK AVE APT 1152	TUCSON, AZ	85706-3357	307.42	30.74	60.87	399.02
31625035001	482271001	RUVAL, GRISELDA	14623	PERHAM DR	MORENO VALLEY	CA	92553-3562	RUVAL, GRISELDA	14623 PERHAM DR	MORENO VALLEY, CA	92553-3562	63.63	6.36	12.6	82.58
83728855007	482271006	STEVENS, STEPHANIE	14579	PERHAM DR	MORENO VALLEY	CA	92553-3560	STEVENS, STEPHANIE	P.O. BOX 661	DESERT CENTER, CA	92239-0661	254.02	25.4	50.3	329.7
31473405008	482272009	WHITE, BETTY	14615	CORDON PL	MORENO VALLEY	CA	92553-3537	WHITE, BETTY	14615 CORDON PL	MORENO VALLEY, CA	92553-3537	254.02	25.4	50.3	329.7
31466145007	482272019	PEREZ, ROBERTO	14556	CORDON PL	MORENO VALLEY	CA	92553-3534	PEREZ, ROBERTO	14556 CORDON PL	MORENO VALLEY, CA	92553-3534	254.02	25.4	50.3	329.7
31538635000	482272024	HANGER, ROSAMARIA	24366	GLENCREST DR	MORENO VALLEY	CA	92553-3539	HANGER, ROSAMARIA	24366 GLENCREST DR	MORENO VALLEY, CA	92553-3539	329.6	32.96	65.26	427.82
69360745001	482272026	BILES, CHERIE (RENT)	14611	JUSTIN PL	MORENO VALLEY	CA	92553-2423	BILES, CHERIE (RENT)	14611 JUSTIN PL	MORENO VALLEY, CA	92553-2423	190.69	19.07	37.76	247.5
71295365004	482272034	VEGA, MIGUEL	14524	JUSTIN PL	MORENO VALLEY	CA	92553-3552	VEGA, MIGUEL	14524 JUSTIN PL	MORENO VALLEY, CA	92553-3552	254.02	25.4	50.3	329.7
98217775011	482272035	GUERRERO, JHONY MADERA,MUNOZ J	14538	JUSTIN PL	MORENO VALLEY	CA	92553-3552	GUERRERO, JHONY MADERA,MUNOZ J	14538 JUSTIN PL	MORENO VALLEY, CA	92553-3552	170.76	17.08	33.81	221.64
98217785019	482272037	VALDOVINOS, LUPITA AND JUAN G	14564	JUSTIN PL	MORENO VALLEY	CA	92553-3552	VALDOVINOS, LUPITA AND JUAN G	28271 BRODIAEA AVE	MORENO VALLEY, CA	92555-6232	420.76	42.08	83.31	546.14
97737795005	482272039	RIOS, MARIA (RENT)	14594	JUSTIN PL	MORENO VALLEY	CA	92553-3552	RIOS, MARIA	14594 JUSTIN PL	MORENO VALLEY, CA	92553-3552	40	4	7.92	51.92
57064465001	482272040	JACKSON, LATONIA	14608	JUSTIN PL	MORENO VALLEY	CA	92553-2422	JACKSON, LATONIA	14608 JUSTIN PL	MORENO VALLEY, CA	92553-2422	254.02	25.4	50.3	329.7
95290075008	482272045	RANGEL, VICKIE (RENT)	24472	GLENCREST DR	MORENO VALLEY	CA	92553-3540	RANGEL, VICKIE (RENT)	24472 GLENCREST DR	MORENO VALLEY, CA	92553-3540	148.3	14.83	29.36	192.48
94764145009	482273006	ROCHA, JOSE (RENT)	24337	GLENCREST DR	MORENO VALLEY	CA	92553-3538	ROCHA, JOSE	14610 CORDON PL	MORENO VALLEY, CA	92553-3535	114.21	11.42	22.61	148.24
31484335000	482274004	WALIGH, GLEN AND FRANCIS	24411	GLENCREST DR	MORENO VALLEY	CA	92553-3528	WALIGH, GLEN AND FRANCIS	24411 GLENCREST DR	MORENO VALLEY, CA	92553-3528	187.05	18.71	37.04	242.78
31377315000	482281002	GARRETT, BOBBIE AND ANA	14395	PERHAM DR	MORENO VALLEY	CA	92553-3581	GARRETT, BOBBIE	14395 PERHAM DR	MORENO VALLEY, CA	92553-3581	254.02	25.4	50.3	329.7
54231995008	482281006	NUNEZ, MARCIANO	14445	PERHAM DR	MORENO VALLEY	CA	92553-3518	NUNEZ, MARCIANO	14445 PERHAM DR	MORENO VALLEY, CA	92553-3518	254.02	25.4	50.3	329.7
97052985005	482282005	LOZANO, HEBER (RENT)	24330	ST JAMES DR	MORENO VALLEY	CA	92553-3587	LOZANO, HEBER (RENT)	17326 CREMELLO WAY	MORENO VALLEY, CA	92555-3392	152.57	15.26	30.21	198.02
31377045007	482282008	VASQUEZ, ANEDENA	24372	ST JAMES DR	MORENO VALLEY	CA	92553-3587	VASQUEZ, ANEDENA	24372 ST JAMES DR	MORENO VALLEY, CA	92553-3587	404.62	40.46	80.11	525.18
31648555003	482282009	LOGAN, ALTHANIEL	24386	ST JAMES DR	MORENO VALLEY	CA	92553-3587	LOGAN, ALTHANIEL	24386 ST JAMES DR	MORENO VALLEY, CA	92553-3587	254.02	25.4	50.3	329.7
80932785003	482282015	DE ONATIZ, EDITH-	24476	ST JAMES DR	MORENO VALLEY	CA	92553-3572	DE ONATIZ, EDITH-	24476 ST JAMES DR	MORENO VALLEY, CA	92553-3572	254.02	25.4	50.3	329.7
90869735006	482283006	FLORES, MARICELA	24329	ST JAMES DR	MORENO VALLEY	CA	92553-3592	FLORES, MARICELA	24329 ST JAMES DR	MORENO VALLEY, CA	92553-3592	63.93	6.39	12.66	82.98
56087565002	482283012	WILLIAMS, GAIL	24435	ST JAMES DR	MORENO VALLEY	CA	92553-3571	WILLIAMS, GAILE	24435 ST JAMES DR	MORENO VALLEY, CA	92553-3571	254.02	25.4	50.3	329.7
99089973009	482283015	ARELLANO, ANA (RENT)	24475	ST JAMES DR	MORENO VALLEY	CA	92553-3571	ARELLANO, ANA	24475 ST JAMES DR	MORENO VALLEY, CA	92553-3571	122.89	12.29	24.33	159.5
72847015005	482283022	AMBA, CHRISTINE	24384	BOSTWICK DR	MORENO VALLEY	CA	92553-3504	AMBA, CHRISTINE	24384 BOSTWICK DR	MORENO VALLEY, CA	92553-3504	254.02	25.4	50.3	329.7
92248295003	482283026	ROJAS, ABRAHAM	24328	BOSTWICK DR	MORENO VALLEY	CA	92553-3504	ROJAS, ABRAHAM	24328 BOSTWICK DR	MORENO VALLEY, CA	92553-3504	253.92	25.39	50.28	329.58
31605245009	482284005	ARMENTA, MARIA	24475	BOSTWICK DR	MORENO VALLEY	CA	92553-3503	ARMENTA, MARIA	11437 WEBER AVE	MORENO VALLEY, CA	92555-8600	174.13	17.41	34.48	226.02
88970303006	482284010	QUIRARTE, LETICIA (RENT)	24442	BOSTWICK DR	MORENO VALLEY	CA	92553-3527	QUIRARTE, LETICIA (RENT)	24442 BOSTWICK DR	MORENO VALLEY, CA	92553-3527	46.53	4.65	9.21	60.38
98084165013	482284011	GARCIA, MARIA (RENT)	24433	BOSTWICK DR	MORENO VALLEY	CA	92553-3503	GARCIA, MARIA	150 SAN FELIPE DR	PERRIS, CA	92571-4619	41.99	4.2	8.31	54.5
56055485006	482284012	PLASOLA, JESUS	24421	BOSTWICK DR	MORENO VALLEY	CA	92553-3503	PLASOLA, JESUS	24421 BOSTWICK DR	MORENO VALLEY, CA	92553-3503	254.02	25.4	50.3	329.7
91837175009	482284016	LUNA, ARTHUR	24355	BOSTWICK DR	MORENO VALLEY	CA	92553-3522	LUNA, ARTHUR	24355 BOSTWICK DR	MORENO VALLEY, CA	92553-3522	253.92	25.39	50.28	329.58
99015729009	482284020	LEON, EDDIE (RENT)	24303	BOSTWICK DR	MORENO VALLEY	CA	92553-3522	LEON, EDDIE	12526 PEACHLEAF ST	MORENO VALLEY, CA	92553-4764	78.14	7.81	15.47	101.42
31200835006	482291001	MONREAL, FRANK	13631	RAMSDELL DR	MORENO VALLEY	CA	92553-3333	MONREAL, FRANK	13631 RAMSDELL DR	MORENO VALLEY, CA	92553-3333	254.02	25.4	50.3	329.7
31320425007	482291006	MICHEL, MARIA	13693	RAMSDELL DR	MORENO VALLEY	CA	92553-3333	MICHEL, MARIA	13693 RAMSDELL DR	MORENO VALLEY, CA	92553-3333	254.02	25.4	50.3	329.7
31298805005	482292006	GARCIA, RAMON C (RENT)	24263	TIERRA DE ORO	MORENO VALLEY	CA	92553-6223	GARCIA, RAMON C	13804 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4382	63.63	6.36	12.6	82.58
31066495001	482292009	INMAN, LA DONNA	24333	TIERRA DE ORO	MORENO VALLEY	CA	92553-3343	CASCARELLI, TRACI	24333 TIERRA DE ORO	MORENO VALLEY, CA	92553-3343	254.02	25.4	50.3	329.7
97420535003	482292010	LOPEZ, RAMON (RENT)	24317	TIERRA DE ORO	MORENO VALLEY	CA	92553-3343	LOPEZ, RAMON	24317 TIERRA DE ORO	MORENO VALLEY, CA	92553-3343	254.12	25.41	50.32	329.84
99679045001	482292019	GUIPOU, FETONGI (OWNR)	24389	TIERRA DE ORO	MORENO VALLEY	CA	92553-3343	GUIPOU, FETONGI	24389 TIERRA DE ORO	MORENO VALLEY, CA	92553-3343	254.12	25.41	50.32	329.84
31454275005	482292020	CONTRERAS, LYDIA	24377	TIERRA DE ORO	MORENO VALLEY	CA	92553-3343	CONTRERAS, LYDIA	24377 TIERRA DE ORO	MORENO VALLEY, CA	92553-3343	254.02	25.4	50.3	329.7
60176775003	482293013	ROBINSON, PATRICIA	24324	TIERRA DE ORO	MORENO VALLEY	CA	92553-3344	ROBINSON, PATRICIA	24324 TIERRA DE ORO	MORENO VALLEY, CA	92553-3344	58.37	5.84	11.56	75.76
95931745007	482293014	GARIBAY, HECTOR (OWNR)	24338	TIERRA DE ORO	MORENO VALLEY	CA	92553-3344	GARIBAY, HECTOR	24338 TIERRA DE ORO	MORENO VALLEY, CA	92553-3344	254.12	25.41	50.32	329.84
99625715003	482293016	MENDOZA, BLANCA (OWNR)	24385	VIA DEL SOL	MORENO VALLEY	CA	92553-3347	MENDOZA, BLANCA	24385 VIA DEL SOL	MORENO VALLEY, CA	92553-3347	190.79	19.08	37.78	247.64
75155785008	482294002	VELEZ, VERONICA	24250	VIA DEL SOL	MORENO VALLEY	CA	92553-6224	VELEZ, VERONICA	24250 VIA DEL SOL	MORENO VALLEY, CA	92553-6224	254.02	25.4	50.3	329.7
92778895003	482301004	MORENO, MARGARITA	24316	JANET KAY DR	MORENO VALLEY	CA	92553-3542	MORENO, MARGARITA	24316 JANET KAY DR	MORENO VALLEY, CA	92553-3542	47.48	4.75	9.4	61.62
51122775008	482301007	BURNS, SARAH-	24282	JANET KAY DR	MORENO VALLEY	CA	92553-2414	BURNS, SARAH-	24282 JANET KAY DR	MORENO VALLEY, CA	92553-2414	254.02	25.4	50.3	329.7
85206315006	482302001	ABEYTA, BETTY	14745	PERHAM DR	MORENO VALLEY	CA	92553-3556	DOFFING, LISA	14745 PERHAM DR	MORENO VALLEY, CA	92553-3556	254.02	25.4	50.3	329.7
98217815013	482302003	ARMSTRONG, DASHAWN (RENT)	14725	PERHAM DR	MORENO VALLEY	CA	92553-3556	ARMSTRONG, DASHAWN	14725 PERHAM DR	MORENO VALLEY, CA	92553-3556	308.79	30.88	61.14	400.8
70975735005	482302011	PINTOR, ARACELI	14645	PERHAM DR	MORENO VALLEY	CA	92553-3562	PINTOR, ARACELI	14645 PERHAM DR	MORENO VALLEY, CA	92553-3562	254.02	25.4	50.3	329.7
92643145007	482303006	RAMIREZ, MELODY	14690	PERHAM DR	MORENO VALLEY	CA	92553-3564	RAMIREZ, MELODY	14690 PERHAM DR	MORENO VALLEY, CA	92553-3564	254.02	25.4	50.3	329.7
95903615003	482303009	MANOLLA, FELIX (RENT)	14671	WILMA SUE ST	MORENO VALLEY	CA	92553-2433	MANOLLA, FELIX	14671 WILMA SUE ST	MORENO VALLEY, CA	92553-2433	253.63	25.36	50.22	329.2
64710625007	482304007	PEREZ, LAURA	14692	WILMA SUE ST	MORENO VALLEY	CA	92553-2432	PEREZ, LAURA	14692 WILMA SUE ST	MORENO VALLEY, CA	92553-2432	254.12	25.41	50.32	329.84
99769715009	482304013	GONZALEZ, DIANA (RENT)	24352	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3525	GONZALEZ, DIANA	14891 STARMONT ST	MORENO VALLEY, CA	92553-3921	334.12	33.41	66.16	433.68
31647515004	482304018	BIRTS, CYNTHIA	24402	DELPHINIUM AVE	MORENO VALLEY	CA	92553-2412	BIRTS, CYNTHIA	24402 DELPHINIUM AVE	MORENO VALLEY, CA	92553-2412	254.02	25.4	50.3	329.7
31598295005	482304030	GOMEZ, MARISOL	14683	CLAUDINE ST	MORENO VALLEY	CA	92553-2408	GOMEZ, MARISOL	14683 CLAUDINE ST	MORENO VALLEY, CA	92553-2408	254.02	25.4	50.3	329.7
89534763002	482304034	VALENCIA, JAMES (RENT)	24381	JANET KAY DR	MORENO VALLEY	CA	92553-3543	VALENCIA, JAMES	24381 JANET KAY DR	MORENO VALLEY, CA	92553-3543	83.36	8.34	16.51	108.2
97680635001	482305011	ROSS, FELIPE AND ALMA (RENT)	14704	CLAUDINE ST	MORENO VALLEY	CA	92553-3517	ROSS, FELIPE AND ALMA	14704 CLAUDINE ST	MORENO VALLEY, CA	92553-3517	189.12	18.91	37.45	245.46
90992863008	482305014	SEPULVEDA, PATRICIA (RENT)	14734	CLAUDINE ST	MORENO VALLEY	CA	92553-3517	SEPULVEDA, PATRICIA	14734 CLAUDINE ST	MORENO VALLEY, CA	92553-3517	190.79	19.08	37.78	247.64
92396743006	482306005	NIETO, ROBERTO	24418	JANET KAY DR	MORENO VALLEY	CA	92553-3545	NIETO, ROBERTO	24418 JANET KAY DR	MORENO VALLEY, CA	92553-3545	47.28	4.73	9.36	61.36
96287905009	482306009	HINOJOSA, MARTINA (OWNR)	24466	JANET KAY DR	MORENO VALLEY	CA	92553-3545	HINOJOSA, MARTINA	24466 JANET KAY DR	MORENO VALLEY, CA	92553-3545	65.79	6.58	13.03	85.38
97667805002	482306014	SANCHEZ, ESMERALDA (OWNR)	14686	CARLA JEAN DR	MORENO VALLEY	CA	92553-2406	SANCHEZ, ESMERALDA	14686 CARLA JEAN DR	MORENO VALLEY, CA	92553-2406	254.12	25.41	50.32	329.84
31426075005	482306020	ESPINOZA, MATILDA	14746	CARLA JEAN DR	MORENO VALLEY	CA	92553-3515	ESPINOZA, EMELDA	14746 CARLA JEAN DR	MORENO VALLEY, CA	92553-3515	134.02	13.4	26.54	173.94
31700785009	482311012	PENA, MANUEL AND ALEJANDRINA	24476	MURAL CT	MORENO VALLEY	CA	92553-3507	PENA, MANUEL AND ALEJANDRINA	24476 MURAL CT	MORENO VALLEY, CA	92553-3507	183.63	18.36	36.36	238.34
31382895008	482311014	GARCIA, GUILLERMO	24461	MURAL CT	MORENO VALLEY	CA	92553-3507	GARCIA, GUILLERMO	24461 MURAL CT	MORENO VALLEY, CA	92553-3507	90.69	9.07	17.96	117.7
96289285005	482311021	WYATT, DAWN (RENT)	24486	LAMONT DR	MORENO VALLEY	CA	92553-3555	WYATT, DAWN	24486 LAMONT DR	MORENO VALLEY, CA	92553-3555	231.99	23.2	45.93	301.12
31280195001	482311022	MORALES, SHIRLEY	24446	LAMONT DR	MORENO VALLEY	CA	92553-3555	MORALES, SHIRLEY	24446 LAMONT DR	MORENO VALLEY, CA	92553-3555	282.23	28.22	55.88	366.32
31370035004	482311025	MORENO, MIGUEL AND ROSA	24473	LAMONT DR	MORENO VALLEY	CA	92553-3553	MORENO, MIGUEL AND ROSA	24473 LAMONT DR	MORENO VALLEY, CA	92553-3553	254.02	25.4	50.3	329.7
31259075000	482311029	EUSTAQUIO, J	24421	LAMONT DR	MORENO VALLEY	CA	92553-3553	EUSTAQUIO, J	24421 LAMONT DR	MORENO VALLEY, CA	92553-3553	254.02	25.4	50.3	329.7
95220315005	482311030	TOLENTINO, DANIELA (RENT)	15631	PATRICIA ST	MORENO VALLEY	CA	92551-4655	TOLENTINO, DANIELA	16007 MERRILL AV	FONTANA, CA	92335-4463	75.42	7.54	14.93	97.88
31368635002	482311031	LY, HAI	24395	LAMONT DR	MORENO VALLEY	CA	92553-3580	LY, HAI	24395 LAMONT DR	MORENO VALLEY, CA	92553-3580	232.81	23.28	46.1	302.18

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31516205006	482311033	RAMOS, JUAN	24369	LAMONT DR	MORENO VALLEY	CA	92553-3580	RAMOS, JUAN	24369 LAMONT DR	MORENO VALLEY, CA	92553-3580	253.92	25.39	50.28	329.58
98217865012	482312002	SMITH, DONNA (RENT)	14359	PERHAM DR	MORENO VALLEY	CA	92553-3581	SMITH, DONNA	14359 PERHAM DR	MORENO VALLEY, CA	92553-3581	44.12	4.41	8.74	57.26
90367075009	482312004	HERNANDEZ, JORGE	14335	PERHAM DR	MORENO VALLEY	CA	92553-3581	HERNANDEZ, JORGE	24749 ATWOOD AVE	MORENO VALLEY, CA	92553-3782	253.92	25.39	50.28	329.58
75648235008	482313004	GEORGE, KATINA	24330	LAMONT DR	MORENO VALLEY	CA	92553-3554	GEORGE, KATINA	24330 LAMONT DR	MORENO VALLEY, CA	92553-3554	254.02	25.4	50.3	329.7
86617913007	482313005	EVANS, MICHELLE	24344	LAMONT DR	MORENO VALLEY	CA	92553-3554	EVANS, MICHELLE	24344 LAMONT DR	MORENO VALLEY, CA	92553-3554	254.12	25.41	50.32	329.84
31582685007	482313008	PEREZ, LAURA	14343	STONEHURST DR	MORENO VALLEY	CA	92553-3579	PEREZ, LAURA	14343 STONEHURST DR	MORENO VALLEY, CA	92553-3579	329.32	32.93	65.21	427.44
93814605006	482313010	JATUINDE, ALESIA (RENT)	14311	STONEHURST DR	MORENO VALLEY	CA	92553-3579	JATUINDE, ALESIA	24341 BRODIAEA AVE	MORENO VALLEY, CA	92553-6747	119.25	11.93	23.61	154.78
87426555007	482313013	JURLS, KATHLEEN	14265	STONEHURST DR	MORENO VALLEY	CA	92553-2434	JURLS, KATHLEEN	14265 STONEHURST DR	MORENO VALLEY, CA	92553-2434	254.12	25.41	50.32	329.84
95914615000	482314002	PINTO, LUIZ (RENT)	24308	HINLEY DR	MORENO VALLEY	CA	92553-3533	PINTO, LUIZ	24308 FINLEY DR	MORENO VALLEY, CA	92553-3533	254.12	25.41	50.32	329.84
31221615007	482320001	LEWIS, ART	24418	VIA DEL SOL	MORENO VALLEY	CA	92553-3350	LEWIS, ART	24418 VIA DEL SOL	MORENO VALLEY, CA	92553-3350	254.12	25.41	50.32	329.84
95290465006	482320002	VALENTINE, CYNDI (RENT)	24434	VIA DEL SOL	MORENO VALLEY	CA	92553-3350	VALENTINE, CYNDI	2900 MILLWHEEL	PFAFF TOWN, NC	27040-7425	107.48	10.75	21.28	139.5
49323335000	482320008	KING, CRAIG	24500	VIA DEL SOL	MORENO VALLEY	CA	92553-6226	KING, CRAIG	24500 VIA DEL SOL	MORENO VALLEY, CA	92553-6226	357.53	35.75	70.79	464.06
31227115009	482320013	SHARMA, VIKAS	13705	DAHL DR	MORENO VALLEY	CA	92553-3375	SHARMA, VIKAS	13705 DAHL DR	MORENO VALLEY, CA	92553-3375	253.92	25.39	50.28	329.58
49746505006	482320015	AVERY, ERIC	13731	DAHL DR	MORENO VALLEY	CA	92553-3375	AVERY, ERIC	13731 DAHL DR	MORENO VALLEY, CA	92553-3375	36.37	3.64	7.2	47.2
31508835001	482321001	ORTEGA, ANA	24408	TIERRA DE ORO	MORENO VALLEY	CA	92553-3346	ORTEGA, ANA	24408 TIERRA DE ORO	MORENO VALLEY, CA	92553-3346	254.02	25.4	50.3	329.7
31645045007	482321007	SHARMA, VIKAS	24486	TIERRA DE ORO	MORENO VALLEY	CA	92553-3346	SHARMA, VIKAS	24486 TIERRA DE ORO	MORENO VALLEY, CA	92553-3346	254.02	25.4	50.3	329.7
31121385007	482321009	MOORE, ALICE AESTEL	24475	VIA DEL SOL	MORENO VALLEY	CA	92553-3349	MOORE, ALICE AESTEL	3431 CHANTILLY CIR	RIVERSIDE, CA	92506-2122	254.02	25.4	50.3	329.7
92128575000	482321011	MAILANGI, ANTONIO	24457	VIA DEL SOL	MORENO VALLEY	CA	92553-3349	MAILANGI, ANTONIO	24457 VIA DEL SOL	MORENO VALLEY, CA	92553-3349	254.02	25.4	50.3	329.7
93671325009	482321012	MARQUES, ANGEL AND SANDRA (REN	24445	VIA DEL SOL	MORENO VALLEY	CA	92553-3349	MARQUES, ANGEL AND SANDRA	24445 VIA DEL SOL	MORENO VALLEY, CA	92553-3349	254.12	25.41	50.32	329.84
31430205000	482322001	VAZQUEZ, AMADO	24415	TIERRA DE ORO	MORENO VALLEY	CA	92553-3345	VAZQUEZ, AMADO	24415 TIERRA DE ORO	MORENO VALLEY, CA	92553-3345	187.44	18.74	37.11	243.28
31365345009	482322003	TRAKAS, JERI	24443	TIERRA DE ORO	MORENO VALLEY	CA	92553-3345	TRAKAS, JERI	24443 TIERRA DE ORO	MORENO VALLEY, CA	92553-3345	254.02	25.4	50.3	329.7
88488955002	482322013	NORFI, DAVID	24418	BAY AVE	MORENO VALLEY	CA	92553-3314	NORFI, DAVID	489 DENSLOW AVE	LOS ANGELES, CA	90049-3506	254.12	25.41	50.32	329.84
97952415000	482323002	BERRY, SATRINA (RENT)	24868	BOWER ST	MORENO VALLEY	CA	92553-5317	BERRY, SATRINA	24868 BOWER ST	MORENO VALLEY, CA	92553-5317	254.12	25.41	50.32	329.84
31218545008	482331011	CHACON, MELINDA	24157	SILVERWOOD LN	MORENO VALLEY	CA	92553-3576	CHACON, MELINDA	24157 SILVERWOOD LN	MORENO VALLEY, CA	92553-3576	254.02	25.4	50.3	329.7
98217855014	482331024	BENJAMIN, PRECIOUS (RENT)	24132	JIMSON PL	MORENO VALLEY	CA	92553-3547	BENJAMIN, PRECIOUS	24132 JIMSON PL	MORENO VALLEY, CA	92553-3547	137.57	13.76	27.24	178.56
90573283008	482331028	MCMILLAM, JANIEL (OWNR)	24169	JIMSON PL	MORENO VALLEY	CA	92553-3547	MCMILLAM, JANIEL	24169 JIMSON PL	MORENO VALLEY, CA	92553-3547	190.79	19.08	37.78	247.64
31292145007	482331029	GUEVARA, SERGIO	24181	JIMSON PL	MORENO VALLEY	CA	92553-3547	GUEVARA, SERGIO	24181 JIMSON PL	MORENO VALLEY, CA	92553-3547	253.92	25.39	50.28	329.58
90742703001	482331037	GIBSON, LATANYA	14600	UNITY CT	MORENO VALLEY	CA	92553-9439	GIBSON, LATANYA	14600 UNITY CT	MORENO VALLEY, CA	92553-9439	423.46	42.35	83.85	549.64
92437155001	482332002	FIELDS, MISHAWN (RENT)	14528	JOSHUA TREE AVE	MORENO VALLEY	CA	92553-3549	FIELDS, MISHAWN	14528 JOSHUA TREE AVE	MORENO VALLEY, CA	92553-3549	254.02	25.4	50.3	329.7
74672685004	482333001	WEATHERSBY, DENNIS (OWNR)	14517	UNITY CT	MORENO VALLEY	CA	92553-9401	WEATHERSBY, DENNIS	14517 UNITY CT	MORENO VALLEY, CA	92553-9401	104.02	10.4	20.6	135
63066825003	482333003	SANCHEZ, MIRIAM	14557	UNITY CT	MORENO VALLEY	CA	92553-9401	SANCHEZ, MIRIAM	14557 UNITY CT	MORENO VALLEY, CA	92553-9401	190.79	19.08	37.78	247.64
95348835004	482341004	MONTEROSA, KARLA (RENT)	24063	BRODIAEA AVE	MORENO VALLEY	CA	92553-6708	MONTEROSA, KARLA	24063 BRODIAEA AVE	MORENO VALLEY, CA	92553-6708	254.12	25.41	50.32	329.84
31116555001	482341012	DAVIS, EDGAR	14346	TRAVERS CT	MORENO VALLEY	CA	92553-2401	DAVIS, EDGAR	14346 TRAVERS CT	MORENO VALLEY, CA	92553-2401	54.02	5.4	10.7	70.1
95134995005	482341014	ROSALES, ALAN (RENT)	14312	TRAVERS CT	MORENO VALLEY	CA	92553-2401	ROSALES, ALAN	14312 TRAVERS CT	MORENO VALLEY, CA	92553-2401	134.12	13.41	26.56	174.08
85941195003	482342012	ARRELANO, MONICA (OWNR)	14280	VINCENTE DR	MORENO VALLEY	CA	92553-3584	ARRELANO, MONICA	14280 VINCENTE DR	MORENO VALLEY, CA	92553-3584	254.02	25.4	50.3	329.7
96156165001	482342019	COTTO, MICHAEL (RENT)	24132	FINLEY DR	MORENO VALLEY	CA	92553-3529	COTTO, MICHAEL	24132 FINLEY DR	MORENO VALLEY, CA	92553-3529	190.79	19.08	37.78	247.64
31217895006	482342022	MAYO,RHONDA	24180	FINLEY DR	MORENO VALLEY	CA	92553-3529	MAYO, RHONDA	24180 FINLEY DR	MORENO VALLEY, CA	92553-3529	154.02	15.4	30.5	199.9
98661583000	482342026	ROSALES, ROBERT (RENT)	24244	FINLEY DR	MORENO VALLEY	CA	92553-3546	ROSALES, ROBERT	24244 FINLEY DR	MORENO VALLEY, CA	92553-3546	152.12	15.21	30.12	197.44
53880245001	482342028	ARMSTRONG, CAMERON	24276	FINLEY DR	MORENO VALLEY	CA	92553-3546	ARMSTRONG, CAMERON	200 W MERRILL AVE APT 118	RIALTO, CA	92376-6483	254.02	25.4	50.3	329.7
31247085003	482343006	COLLINS, DEBRA	24211	FINLEY DR	MORENO VALLEY	CA	92553-3551	COLLINS, DEBRA	24211 FINLEY DR	MORENO VALLEY, CA	92553-3551	329.04	32.9	65.15	427.08
99316103001	482343010	SMITH, RUTH (RENT)	24184	POWELL PL	MORENO VALLEY	CA	92553-3568	SMITH, RUTH	24184 POWELL PL	MORENO VALLEY, CA	92553-3568	142.44	14.24	28.2	184.88
92429243000	482343012	ABU-SHABAKEH, ANTOINE AND KATH	24220	POWELL PL	MORENO VALLEY	CA	92553-3559	ABU-SHABAKEH, ANTOINE AND KATH	11800 LASSELLE ST	MORENO VALLEY, CA	92557-6601	335.76	33.58	66.48	435.8
31124365005	482343025	SUSS JR, DON	24101	POWELL PL	MORENO VALLEY	CA	92553-3565	SUSS JR, DON	24101 POWELL PL	MORENO VALLEY, CA	92553-3565	62.76	6.28	12.43	81.46
31105525001	482343031	BURROWS, STEVE	24017	POWELL PL	MORENO VALLEY	CA	92553-3573	BURROWS, STEVE	24017 POWELL PL	MORENO VALLEY, CA	92553-3573	82.68	8.27	16.37	107.3
31616135009	482351005	DOMKE, REBECCA	14921	BLUEBERRY RD	MORENO VALLEY	CA	92553-3602	DOMKE, REBECCA	14921 BLUEBERRY RD	MORENO VALLEY, CA	92553-3602	265.77	26.58	52.62	344.96
31054725009	482351008	SIMS, DONNA L AND FORREST F	14959	BLUEBERRY RD	MORENO VALLEY	CA	92553-3602	SIMS, DONNA L AND FORREST F	14443 ANTHONY PL	MORENO VALLEY, CA	92555-4713	254.02	25.4	50.3	329.7
88253973002	482352005	MARTINEZ, ROSARIO (RENT)	14922	BLUEBERRY RD	MORENO VALLEY	CA	92553-5101	MARTINEZ, ROSARIO	24591 FERNDELL ST	MORENO VALLEY, CA	92553-5714	63.01	6.3	12.48	81.78
31067145003	482352006	SUMMERS, EDWARD	14934	BLUEBERRY RD	MORENO VALLEY	CA	92553-5101	SUMMERS, EDWARD	14934 BLUEBERRY RD	MORENO VALLEY, CA	92553-5101	254.02	25.4	50.3	329.7
92209035002	482353001	JOHNSON, MARSHA	14996	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	JOHNSON, MARSHA	14996 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	144.02	14.4	28.53	186.92
31356665000	482353002	SANCHEZ, BRENDA	14988	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	SANCHEZ, BRENDA	14988 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	329.32	32.93	65.21	427.44
91800163009	482353007	BETANCOURTH,JUANA (OWNR)	14954	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	BETANCOURTH,JUANA	14954 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	202.84	20.28	40.16	263.28
31627465006	482353008	IBARRA, SERGIO AND MARIA	14948	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	IBARRA, SERGIO AND MARIA	14948 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	254.02	25.4	50.3	329.7
31528955003	482353009	SMITH, DEBRA	14940	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	SMITH, DEBRA	14940 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	329.04	32.9	65.15	427.08
31382135008	482353010	HERNANDEZ, ALMA	14928	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	HERNANDEZ, ALMA	PO BOX 9702	MORENO VALLEY, CA	92552-9702	254.02	25.4	50.3	329.7
91566083003	482353011	JONES, JOSEPH (RENT)	14916	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	JONES, JOSEPH (RENT)	14916 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	277.43	27.74	54.93	360.1
31067255009	482353015	ROMINE, KATHY	14868	CLIFFROSE CT	MORENO VALLEY	CA	92553-3607	ROMINE, KATHY	14868 CLIFFROSE CT	MORENO VALLEY, CA	92553-3607	316.98	31.7	62.76	411.44
59698925008	482361007	RILEY, ERIKA	13666	PERSIMMON RD	MORENO VALLEY	CA	92553-3858	RILEY, ERIKA	13666 PERSIMMON RD	MORENO VALLEY, CA	92553-3858	254.12	25.41	50.32	329.84
85217335009	482362002	MITCHELL, CAROL	24942	BASSWOOD ST	MORENO VALLEY	CA	92553-3807	MITCHELL, CAROL	24942 BASSWOOD ST	MORENO VALLEY, CA	92553-3807	254.02	25.4	50.3	329.7
86743473003	482363006	FOWLER, NATASHA (RENT)	24913	BASSWOOD ST	MORENO VALLEY	CA	92553-3806	FOWLER, NATASHA	24913 BASSWOOD ST	MORENO VALLEY, CA	92553-3806	254.12	25.41	50.32	329.84
91823635003	482363015	BUTTS, ANGELA (RENT)	24890	BAY AVE	MORENO VALLEY	CA	92553-3854	BUTTS, ANGELA	24890 BAY AVE	MORENO VALLEY, CA	92553-3854	329.04	32.9	65.15	427.08
31273715007	482364001	RAMIREZ, JUANITA AND MARCELO	13749	MORENO WAY	MORENO VALLEY	CA	92553-3849	RAMIREZ, JUANITA AND MARCELO	13749 MORENO WAY	MORENO VALLEY, CA	92553-3849	127.36	12.74	25.22	165.3
81175295001	482364012	JIMENEZ, LETICIA	13676	PECAN PL	MORENO VALLEY	CA	92553-3856	JIMENEZ, LETICIA	13676 PECAN PL	MORENO VALLEY, CA	92553-3856	404.62	40.46	80.11	525.18
64480015005	482364014	OGWO, EDWARD AND ABIGAEL	13700	PECAN PL	MORENO VALLEY	CA	92553-5300	OGWO, EDWARD AND ABIGAEL	13700 PECAN PL	MORENO VALLEY, CA	92553-5300	246.01	24.6	48.71	319.32
98802423004	482364016	RIVAS, LAURA (RENT)	13724	PECAN PL	MORENO VALLEY	CA	92553-5300	RIVAS, LAURA	13724 PECAN PL	MORENO VALLEY, CA	92553-5300	82.12	8.21	16.26	106.58
75039515004	482365001	ALVAREZ, CRUZ	13747	PECAN PL	MORENO VALLEY	CA	92553-5302	ALVAREZ, CRUZ	13747 PECAN PL	MORENO VALLEY, CA	92553-5302	254.02	25.4	50.3	329.7
31186275003	482365007	GILLESPIE, RICHARD	13675	PECAN PL	MORENO VALLEY	CA	92553-3855	GILLESPIE, RICHARD	29086 BARCELONA CT	MORENO VALLEY, CA	92555-7314	236.62	23.66	46.85	307.12
95383305003	482370004	RUSSELL, MICHELLE (RENT)	13893	RAMSDELL DR	MORENO VALLEY	CA	92553-6213	RUSSELL, MICHELLE AND BRUCE	13893 RAMSDELL DR	MORENO VALLEY, CA	92553-6213	254.12	25.41	50.32	329.84
52897015004	482370010	ALMAZAN, RONALD	13821	RAMSDELL DR	MORENO VALLEY	CA	92553-6213	ALMAZAN, RONALD	13821 RAMSDELL DR	MORENO VALLEY, CA	92553-6213	254.02	25.4	50.3	329.7
98055985011	482370013	NAVARRO, ADRIANA & ADAM (RENT)	13791	RAMSDELL DR	MORENO VALLEY	CA	92553-3337	NAVARRO, ADRIANA & ADAM	13791 RAMSDELL DR	MORENO VALLEY, CA	92553-3337	40.79	4.08	8.08	52.94
99320163000	482370015	MOSLEY, ALICIA (RENT)	13771	RAMSDELL DR	MORENO VALLEY	CA	92553-3337	MOSLEY, ALICIA (RENT)	13771 RAMSDELL DR	MORENO VALLEY, CA	92553-3337	132.68	13.27	26.27	172.2
31544055009	482371006	PURAY, HERLINA	24138	MILLSAP DR	MORENO VALLEY	CA	92553-6210	PURAY, HERLINA	24138 MILLSAP DR	MORENO VALLEY, CA	92553-6210	253.92	25.39	50.28	329.58
98200483008	482371016	ARIAS, MONICA	24210	MILLSAP DR	MORENO VALLEY	CA	92553-3330	ARIAS, MONICA	24210 MILLSAP DR	MORENO VALLEY, CA	92553-3330	253.86	25.39	50.26	329.5
31530105008	482371018	WILLIAMS, JOYCE	24244	MILLSAP DR	MORENO VALLEY	CA	92553-3330	WILLIAMS, JOYCE	24244 MILLSAP DR	MORENO VALLEY, CA	92553-3330	281.97	28.2	55.83	365.98
31642615004	482372002	MCCONICO, GENE A	24233	MILLSAP DR	MORENO VALLEY	CA	92553-3329	MCCONICO, GENE A	24233 MILLSAP DR	MORENO VALLEY, CA	92553-3329	254.02	25.4	50.3	329.7
31277375009	482372004	BUTLER, WILLIE	24201	MILLSAP DR	MORENO VALLEY	CA	92553-3329	BUTLER, WILLIE	24201 MILLSAP DR	MORENO VALLEY, CA	92553-3329	253.92	25.39	50.28	329.58
31049345009	482372022	VAUGHAN SR, DELAS L	24129	HORTON CT	MORENO VALLEY	CA	92553-3327	VAUGHAN SR, DELAS L	24129 HORTON CT	MORENO VALLEY, CA	92553-3327	100	10	19.8	129.8
89804015007	482372024	VALENCIA, ALANA	24121	DELGADO CT	MORENO VALLEY	CA	92553-3319	VALENCIA, ALANA	24121 DELGADO CT	MORENO VALLEY, CA	92553-3319	63.93	6.39	12.66	82.98
31065095007	482372028	JOHNSON, ELVEE	24178	DELGADO CT	MORENO VALLEY	CA	92553-3378	JOHNSON, ELVEE	24178 DELGADO CT	MORENO VALLEY, CA	92553-3378	329.32	32.93	65.21	427.44
91663623005	482372032	SOTO, JESSE AND REBECCA (RENT)	24238	DELGADO CT	MORENO VALLEY	CA	92553-3320	SOTO, JESSE AND REBECCA	24238 DELGADO CT	MORENO VALLEY, CA	92553-3320	153.09	15.31	30.31	198.7
80521635001	482372035	DEANS, CHRISTINA	24237	DELGADO CT	MORENO VALLEY	CA	92553-3385	DEANS, CHRISTINA	24237 DELGADO CT	MORENO VALLEY, CA	92553-3385	254.02	25.4	50.3	329.7
94242625005	482372040	HERNANDEZ, XAVIER (OWNR)	24161	DELGADO CT	MORENO VALLEY	CA	92553-3319	HERNANDEZ, XAVIER	24161 DELGADO CT	MORENO VALLEY, CA	92553-3319	254.12	25.41	50.32	329.84
31412885005	482372044	MEJORADO, JUAN	24146	VIA VARGAS DR	MORENO VALLEY	CA	92553-3352	MEJORADO, JUAN	24146 VIA VARGAS DR	MORENO VALLEY, CA	92553-3352	190.69	19.07	37.76	247.5
96556175000	482372046	JORDAN, GARY (OWNR)	24172	VIA VARGAS DR	MORENO VALLEY	CA	92553-3352	JORDAN, GARY	1971 CAMDEN ST	RIVERSIDE, CA	92506-3528	63.63	6.36	12.6	82.58
31146185006	482372047	SANTOS, SEVILLA	24184	VIA VARGAS DR	MORENO VALLEY	CA	92553-3352	SANTOS, SEVILLA	24184 VIA VARGAS DR	MORENO VALLEY, CA	92553-3352	282.23	28.22	55.88	366.32
91032543000	482372051	GOMEZ, SALINDA (OWNR)	24236	VIA VARGAS DR	MORENO VALLEY	CA	92553-6230	GOMEZ, SALINDA (OWNR)	24236 VIA VARGAS DR	MORENO VALLEY, CA	92553-6230	266.08	26.61	52.68	345.36
31606085000	482372052	BOSIO, JUAN	24240	VIA VARGAS DR	MORENO VALLEY	CA	92553-6230	BOSIO, JUAN	24240 VIA VARGAS DR	MORENO VALLEY, CA	92553-6230	254.02	25.4	50.3	329.7
31194065001	482373001	ABARCA, ANTONIO	24119	VIA VARGAS DR	MORENO VALLEY	CA	92553-3351	ABARCA, ANTONIO	24119 VIA VARGAS DR	MORENO VALLEY, CA	92553-3351	254.02	25.4	50.3	329.7
62710625009	482373007	TAFOYA, MARIA GUADALUPE	24191	VIA VARGAS DR	MORENO VALLEY	CA	92553-3351	TAFOYA, MARIA GUADALUPE	24191 VIA VARGAS DR	MORENO VALLEY, CA	92553-3351	254.12	25.41	50.32	329.84
55741095004	482373008	HANSEN, GLORIA LEON	24203	VIA VARGAS DR	MORENO VALLEY	CA	92553-6205	HANSEN, GLORIA LEON	24203 VIA VARGAS DR	MORENO VALLEY, CA	92553-6205	254.02	25.4	50.3	329.7
92817275009	482381005	BAILEY, BLANCHE (RENT)	14815	CLIFFROSE CT	MORENO VALLEY	CA	92553-3607	BAILEY, BLANCHE	204 N MAYFLOWER ST	HEMET, CA	92544-4761	236.73	23.67	46.87	307.26
31455285000	482381006	SOUZ, KIM	14812	BLUEBERRY RD	MORENO VALLEY	CA	92553-5100	SOUZ, KIM	14812 BLUEBERRY RD	MORENO VALLEY, CA	92553-5100	254.02	25.4	50.3	329.7
31544815000	482381008	MORENO, JUDITH	14836	BLUEBERRY RD	MORENO VALLEY	CA	92553-5100	MORENO, JUDITH	14836 BLUEBERRY RD	MORENO VALLEY, CA	92553-5100	329.04	32.9	65.15	427.08
93753475003	482382007	LANDRY, DENNIS AND MARY (RENT)	24353	BLUEGRASS CT	MORENO VALLEY	CA	92553-3604	LANDRY, DENNIS AND MARY	15928 PERRIS BLVD #306	MORENO VALLEY, CA	92551-4693	323.76	32.38	64.1	420.24
93387655002	482382009	MITCHELL, JENNIFER (RENT)	24331	BLUEGRASS CT	MORENO VALLEY	CA	92553-3604	MITCHELL, JENNIFER	12471 CLEARWATER CT	VICTORVILLE, CA	92392-6778	254.12	25.41	50.32	329.84
89513193006	482382014	MCCLAIN-YANCEY, TORI (RENT)	24322	COMFORT CT	MORENO VALLEY	CA	92553-3680	MCCLAIN-YANCEY, TORI	24322 COMFORT CT	MORENO VALLEY, CA	92553-3680	254.12	25.41	50.32	329.84
31304825007	482382015	RODRIGUEZ, REBECCA	24334	COMFORT CT	MORENO VALLEY	CA	92553-3680	RODRIGUEZ, REBECCA	24334 COMFORT CT	MORENO VALLEY, CA	92553-3680	273.62	27.36	54.18	355.14
96616915007	482382019	RUIZ, ALMA (RENT)	24363	COMFORT CT	MORENO VALLEY	CA	92553-3680	RUIZ, ALMA	24363 COMFORT CT	MORENO VALLEY, CA	92553-3680	251.2	25.12	49.74	326.04
88970183001	482382020	MOHR, SARAH (RENT)	24341	COMFORT CT	MORENO VALLEY	CA	92553-3680	MOHR, SARAH	24341 COMFORT CT	MORENO VALLEY, CA	92553-3680	171.8	17.18	34.02	222.98
31058955001	482383003	BUCHANAN, KEN	14767	PERHAM DR	MORENO VALLEY	CA	92553-3651	BUCHANAN, KEN	14767 PERHAM DR	MORENO VALLEY, CA	92553-3651	190.39	19.04	37.7	247.12
95275475005	482384002	LUJAN, SANDRA (RENT)	14848	CLIFFROSE CT	MORENO VALLEY	CA	92553-3607	LUJAN, SANDRA	25717 TURMERIC WAY	MORENO VALLEY, CA	92553-0819	254.12	25.41	50.32	329.84
90393443008	482384006	PASILLAS, JOHN (RENT)	14800	CLIFFROSE CT	MORENO VALLEY	CA	92553-3607	PASILLAS, JOHN	14800 CLIFFROSE CT	MORENO VALLEY, CA	92553-3607	392.83	39.28	77.78	509.88

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
88969883006	482384012	KYAW, THEIN AND MYA, WIN WIN	24396	BLUEGRASS CT	MORENO VALLEY	CA	92553-7698	KYAW, THEIN AND MYA, WIN WIN	441 W FOOTHILL BLVD	ARCADIA, CA	91006-2213	329.5	32.95	65.24	427.68
54305695003	482384013	LESTER, PHILIPS	24382	BLUEGRASS CT	MORENO VALLEY	CA	92553-7698	LESTER, PHILIPS	24382 BLUEGRASS CT	MORENO VALLEY, CA	92553-7698	87.69	8.77	17.36	113.82
96430585002	482384014	MORALES, FELIPE (RENT)	24364	BLUEGRASS CT	MORENO VALLEY	CA	92553-3605	MORALES, FELIPE	24364 BLUEGRASS CT	MORENO VALLEY, CA	92553-3605	99.69	9.97	19.74	129.38
65033895006	482384017	ORTEGA, MONICA	24326	BLUEGRASS CT	MORENO VALLEY	CA	92553-3605	ORTEGA, MONICA	2006 FAIR CREST TRL	FORNEY, TX	75126-6300	254.12	25.41	50.32	329.84
31623425004	482384018	CARRILLO, MADELYN	24314	BLUEGRASS CT	MORENO VALLEY	CA	92553-3605	CARRILLO, MADELYN	24314 BLUEGRASS CT	MORENO VALLEY, CA	92553-3605	184.03	18.4	36.44	238.86
31518585002	482384019	MARLAK, NAOMI	24302	BLUEGRASS CT	MORENO VALLEY	CA	92553-3605	MARLAK, NAOMI	24302 BLUEGRASS CT	MORENO VALLEY, CA	92553-3605	253.92	25.39	50.28	329.58
51592525005	482384020	GIBSON, MARTHA	14802	PERHAM CT	MORENO VALLEY	CA	92553-7699	GIBSON, MARTHA	14802 PERHAM CT	MORENO VALLEY, CA	92553-7699	254.02	25.4	50.3	329.7
81970575006	482384024	BUENO, PATRICIA	24307	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3524	BUENO, PATRICIA	24307 DELPHINIUM AVE	MORENO VALLEY, CA	92553-3524	254.02	25.4	50.3	329.7
31519635000	482384027	MONTES, DELIA	24343	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3524	MONTES, DELIA	24343 DELPHINIUM AVE	MORENO VALLEY, CA	92553-3524	53.92	5.39	10.68	69.98
93324275005	482384033	PACHECO, EVELIA (RENT)	24421	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3508	PACHECO, EVELIA	24421 DELPHINIUM AVE	MORENO VALLEY, CA	92553-3508	254.12	25.41	50.32	329.84
31269235006	482384034	NUNEZ, NIMIA	24431	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3508	NUNEZ, NIMIA	24431 DELPHINIUM AVE	MORENO VALLEY, CA	92553-3508	254.12	25.41	50.32	329.84
92624965004	482384037	AFFORDABLE SERVICES	24475	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3508	AFFORDABLE SERVICES	24475 DELPHINIUM AVE	MORENO VALLEY, CA	92553-3508	254.02	25.4	50.3	329.7
31358715006	482391001	WINGATE, RANDY	13641	PECAN PL	MORENO VALLEY	CA	92553-3855	WINGATE, RANDY	13641 PECAN PL	MORENO VALLEY, CA	92553-3855	329.32	32.93	65.21	427.44
31596945003	482391002	TORRES, JUAN	13631	PECAN PL	MORENO VALLEY	CA	92553-3855	TORRES, JUAN	13631 PECAN PL	MORENO VALLEY, CA	92553-3855	254.02	25.4	50.3	329.7
31490175000	482392001	GARCIA, SEBASTIANA	13637	MORENO WAY	MORENO VALLEY	CA	92553-3848	GARCIA, SEBASTIANA	13637 MORENO WAY	MORENO VALLEY, CA	92553-3848	329.6	32.96	65.26	427.82
75032025009	482392003	CASTILLO SR, JOSE M	13611	MORENO WAY	MORENO VALLEY	CA	92553-3848	CASTILLO SR, JOSE M	12243 TIMILICO CT	MORENO VALLEY, CA	92557-6839	329.32	32.93	65.21	427.44
31610635007	482392005	ADAMS, CASSANDRA AND NATHALIEL	13589	MORENO WAY	MORENO VALLEY	CA	92553-3893	ADAMS, CASSANDRA AND NATHALIEL	13589 MORENO WAY	MORENO VALLEY, CA	92553-3893	137.69	13.77	27.26	178.72
31476185007	482392006	CAMACHO, LAURA	13577	MORENO WAY	MORENO VALLEY	CA	92553-3893	CAMACHO, LAURA	13577 MORENO WAY	MORENO VALLEY, CA	92553-3893	282.29	28.22	55.88	366.32
31161825001	482392008	MARQUEZ, MANUEL	13549	MORENO WAY	MORENO VALLEY	CA	92553-3893	MARQUEZ, MANUEL	13549 MORENO WAY	MORENO VALLEY, CA	92553-3893	71.05	7.11	14.07	92.22
31536595002	482393001	CENICEROS, FRANK	24854	BOWER ST	MORENO VALLEY	CA	92553-5317	CENICEROS, FRANK	24854 BOWER ST	MORENO VALLEY, CA	92553-5317	333.5	33.35	66.03	432.88
56839265009	482393004	RAMIREZ, LEONARD	24900	BOWER ST	MORENO VALLEY	CA	92553-5318	RAMIREZ, LEONARD	24900 BOWER ST	MORENO VALLEY, CA	92553-5318	254.02	25.4	50.3	329.7
97109545000	482393005	ORENEAIN, ISMAEL (RENT)	24910	BOWER ST	MORENO VALLEY	CA	92553-5318	ORENEAIN, ISMAEL	24910 BOWER ST	MORENO VALLEY, CA	92553-5318	254.12	25.41	50.32	329.84
31641305001	482394001	DUARTE, CAMERINA	24855	BOWER ST	MORENO VALLEY	CA	92553-3830	DUARTE, CAMERINA	24855 BOWER ST	MORENO VALLEY, CA	92553-3830	254.02	25.4	50.3	329.7
95931885007	482394005	TORRES, MANUEL (OWNR)	24913	BOWER ST	MORENO VALLEY	CA	92553-3805	TORRES, MANUEL	24913 BOWER ST	MORENO VALLEY, CA	92553-3805	254.12	25.41	50.32	329.84
96131565000	482394007	CHAVEZ, NALLELY (OWNR)	24941	BOWER ST	MORENO VALLEY	CA	92553-3805	CHAVEZ, NALLELY	24941 BOWER ST	MORENO VALLEY, CA	92553-3805	254.12	25.41	50.32	329.84
31406525003	482395007	RAMIREZ, JENNIFER	24935	BAYLEAF ST	MORENO VALLEY	CA	92553-3814	RAMIREZ, JENNIFER	24935 BAYLEAF ST	MORENO VALLEY, CA	92553-3814	329.32	32.93	65.21	427.44
31653305006	482395014	MORAN, JOSE	24908	BRANCH ST	MORENO VALLEY	CA	92553-5319	MORAN, JOSE	24908 BRANCH ST	MORENO VALLEY, CA	92553-5319	222.97	22.3	44.15	289.4
98021065016	482396003	BELLAMY, TRACIE (RENT)	13612	PERSIMMON RD	MORENO VALLEY	CA	92553-3858	BELLAMY, TRACIE	13612 PERSIMMON RD	MORENO VALLEY, CA	92553-3858	253.09	25.31	50.11	328.5
31355455006	482396007	ZULUETA, LOUISE	13570	PERSIMMON RD	MORENO VALLEY	CA	92553-5306	ZULUETA, LOUISE	13570 PERSIMMON RD	MORENO VALLEY, CA	92553-5306	254.02	25.4	50.3	329.7
31448095005	482396011	ALEXANDER, GREGORY	13516	PERSIMMON RD	MORENO VALLEY	CA	92553-5306	ALEXANDER, GREGORY	13516 PERSIMMON RD	MORENO VALLEY, CA	92553-5306	254.02	25.4	50.3	329.7
31306245004	482411001	GUZMAN, CRYSTOBAL	14914	CLOVERFIELD RD	MORENO VALLEY	CA	92553-5711	GUZMAN, CRYSTOBAL	14914 CLOVERFIELD RD	MORENO VALLEY, CA	92553-5711	329.32	32.93	65.21	427.44
31287935001	482412003	BARRAGAN, SERGIO AND LAURA	24560	MORNING GLORY ST	MORENO VALLEY	CA	92553-3972	BARRAGAN, SERGIO AND LAURA	24560 MORNING GLORY ST	MORENO VALLEY, CA	92553-3972	63.63	6.36	12.6	82.58
31574825004	482412007	MORENO, JESSICA	24626	MORNING GLORY ST	MORENO VALLEY	CA	92553-3974	MORENO, JESSICA	24626 MORNING GLORY ST	MORENO VALLEY, CA	92553-3974	254.02	25.4	50.3	329.7
92766473006	482412013	DIAZ, BARBARA (RENT)	14923	CLOVERFIELD RD	MORENO VALLEY	CA	92553-5712	DIAZ, BARBARA	14923 CLOVERFIELD RD	MORENO VALLEY, CA	92553-5712	253.09	25.31	50.11	328.5
31326115009	482412015	MARTINEZ, JESUS	14920	SILVERTREE RD	MORENO VALLEY	CA	92553-5705	MARTINEZ, JESUS	14920 SILVERTREE RD	MORENO VALLEY, CA	92553-5705	254.02	25.4	50.3	329.7
31365045002	482413003	MAYNEZ, JOSE	24676	FERNDELL ST	MORENO VALLEY	CA	92553-3989	MAYNEZ, JOSE	24676 FERNDELL ST	MORENO VALLEY, CA	92553-3989	254.02	25.4	50.3	329.7
63183805000	482413006	CHAVEZ, GABRIEL	24724	FERNDELL ST	MORENO VALLEY	CA	92553-3991	CHAVEZ, GABRIEL	1013 LORNA ST	CORONA, CA	92882-4067	254.12	25.41	50.32	329.84
31351655003	482413008	VALENCIA, GEORGE	24744	FERNDELL ST	MORENO VALLEY	CA	92553-3991	VALENCIA, GEORGE	24744 FERNDELL ST	MORENO VALLEY, CA	92553-3991	254.02	25.4	50.3	329.7
31550995009	482413011	WADE, VIVIAN	24711	FERNDELL ST	MORENO VALLEY	CA	92553-3991	WADE, VIVIAN	24711 FERNDELL ST	MORENO VALLEY, CA	92553-3991	90.37	9.04	17.89	117.3
31614135004	482413014	SACARIAS, RUTH	24653	FERNDELL ST	MORENO VALLEY	CA	92553-3992	SACARIAS, RUTH	24653 FERNDELL ST	MORENO VALLEY, CA	92553-3992	254.02	25.4	50.3	329.7
75062685007	482413019	DELAROSA, JOEL V	24690	MORNING GLORY ST	MORENO VALLEY	CA	92553-3974	DELAROSA, JOEL V	24690 MORNING GLORY ST	MORENO VALLEY, CA	92553-3974	254.02	25.4	50.3	329.7
31464445009	482413027	CARDENAS, ALFREDO AND ANA	24675	MORNING GLORY ST	MORENO VALLEY	CA	92553-3956	CARDENAS, ALFREDO	24675 MORNING GLORY ST	MORENO VALLEY, CA	92553-3956	126.29	12.63	25.01	163.92
56078165005	482414005	WILLIAMS, ELIZABETH	24561	MORNING GLORY ST	MORENO VALLEY	CA	92553-3973	WILLIAMS, ELIZABETH	24561 MORNING GLORY ST	MORENO VALLEY, CA	92553-3973	254.02	25.4	50.3	329.7
31547715004	482414010	CIUBAL, ROGER	14977	SILVERTREE RD	MORENO VALLEY	CA	92553-3984	CIUBAL, ROGER	14977 SILVERTREE RD	MORENO VALLEY, CA	92553-3984	72.69	7.27	14.39	94.34
95793265001	482414012	LOPEZ, JULIO CESAR (OWNR)	14949	SILVERTREE RD	MORENO VALLEY	CA	92553-5704	LOPEZ, JULIO CESAR	14949 SILVERTREE RD	MORENO VALLEY, CA	92553-5704	194.12	19.41	38.44	251.96
94155565001	482414014	LOPEZ, ISRAEL (RENT)	14925	SILVERTREE RD	MORENO VALLEY	CA	92553-5704	LOPEZ, ISRAEL	3190 SHERRY DR	HEMET, CA	92545-1105	46.81	4.68	9.27	60.74
95411985009	482421005	BAHEMA, AMALIA (RENT)	24575	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5813	BAHEMA, AMALIA	24575 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5813	254.12	25.41	50.32	329.84
49409175000	482421007	ALBA SANCHEZ, JUAN FRANCISCO	14755	SILVERTREE RD	MORENO VALLEY	CA	92553-5703	ALBA SANCHEZ, JUAN FRANCISCO	14755 SILVERTREE RD	MORENO VALLEY, CA	92553-5703	127.36	12.74	25.22	165.3
74539505007	482421008	SOLIN, WENDY	14767	SILVERTREE RD	MORENO VALLEY	CA	92553-5703	SOLIN, WENDY	14767 SILVERTREE RD	MORENO VALLEY, CA	92553-5703	254.02	25.4	50.3	329.7
31637195002	482421015	NOLASCO, MIGUEL	14849	SILVERTREE RD	MORENO VALLEY	CA	92553-5820	NOLASCO, MIGUEL	14849 SILVERTREE RD	MORENO VALLEY, CA	92553-5820	254.02	25.4	50.3	329.7
94258195001	482421016	MCGINNIS, GREGORY (OWNR)	14861	SILVERTREE RD	MORENO VALLEY	CA	92553-5820	MCGINNIS, GREGORY	P O BOX 7036	MORENO VALLEY, CA	92552-7036	254.02	25.4	50.3	329.7
91499343003	482423005	TRAN, TUAN (OWNR)	14834	CLOVERFIELD RD	MORENO VALLEY	CA	92553-3999	TRAN, TUAN	23331 RIDGELINE RD	DIAMOND BAR, CA	91765-3004	262.73	26.27	52.02	341.02
96317433003	482423007	MONTENEGRO, MARISELA	14802	CLOVERFIELD RD	MORENO VALLEY	CA	92553-3999	MONTENEGRO, MARISELA	14802 CLOVERFIELD RD	MORENO VALLEY, CA	92553-3999	156.96	15.7	31.08	203.72
85915275000	482423009	HERNANDEZ, HUGO	14770	CLOVERFIELD RD	MORENO VALLEY	CA	92553-5710	HERNANDEZ, HUGO	14770 CLOVERFIELD RD	MORENO VALLEY, CA	92553-5710	254.02	25.4	50.3	329.7
31397205001	482423013	REYES, HERLINDA	24655	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5815	REYES, HERLINDA	23134 DUNHILL DR	MORENO VALLEY, CA	92553-9650	254.02	25.4	50.3	329.7
91420135003	482423020	WEISSENBACH, KURT	14821	WINTERGREEN ST	MORENO VALLEY	CA	92553-3985	WEISSENBACH, KURT	14821 WINTERGREEN ST	MORENO VALLEY, CA	92553-3985	127.26	12.73	25.2	165.18
62278145008	482423025	KROT, CHRISTINA	14871	WINTERGREEN ST	MORENO VALLEY	CA	92553-3985	KROT, CHRISTINA	14871 WINTERGREEN ST	MORENO VALLEY, CA	92553-3985	254.12	25.41	50.32	329.84
86350635004	482424002	MENDOZA, MARIA	14762	WINTERGREEN ST	MORENO VALLEY	CA	92553-5809	MENDOZA, MARIA	14762 WINTERGREEN ST	MORENO VALLEY, CA	92553-5809	254.02	25.4	50.3	329.7
98344355011	482424004	MATTISON, KENYA (RENT)	14784	WINTERGREEN ST	MORENO VALLEY	CA	92553-5809	MATTISON, KENYA	13024 DAY ST APT B 205	MORENO VALLEY, CA	92553-8108	36.48	3.65	7.22	47.34
66751285000	482424012	THOMPSON, SHANNEE	24654	BAMBOO CT	MORENO VALLEY	CA	92553-3979	THOMPSON, SHANNEE	24654 BAMBOO CT	MORENO VALLEY, CA	92553-3979	254.12	25.41	50.32	329.84
88655305003	482424014	LOPEZ, MARIA (RENT)	24680	BAMBOO CT	MORENO VALLEY	CA	92553-3979	LOPEZ, MARIA	24425 FILAREE AVE	MORENO VALLEY, CA	92551-3636	94.85	9.49	18.78	123.1
31598835002	482424018	CORTEZ, MARLENE	24730	BAMBOO CT	MORENO VALLEY	CA	92553-5709	CORTEZ, MARLENE	PO BOX 6240	MORENO VALLEY, CA	92554-6240	254.02	25.4	50.3	329.7
31414155004	482424020	VAZQUEZ, RUBY	24731	BAMBOO CT	MORENO VALLEY	CA	92553-5709	VAZQUEZ, RUBY	24731 BAMBOO CT	MORENO VALLEY, CA	92553-5709	254.02	25.4	50.3	329.7
96295225005	482424023	ORTIZ, LONNIE MARIE (RENT)	24693	BAMBOO CT	MORENO VALLEY	CA	92553-3980	ORTIZ, LONNIE MARIE	24693 BAMBOO CT	MORENO VALLEY, CA	92553-3980	84.51	8.45	16.73	109.68
53294035009	482424026	SPILLERS, DANIEL	24653	BAMBOO CT	MORENO VALLEY	CA	92553-3980	SPILLERS, DANIEL	24653 BAMBOO CT	MORENO VALLEY, CA	92553-3980	254.02	25.4	50.3	329.7
99169635009	482441004	RAYGOSA, FABIAN	24319	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6725	RAYGOSA, FABIAN	24319 MOUNT RUSSELL DR	MORENO VALLEY, CA	92553-6725	254.02	25.4	50.3	329.7
31259485004	482441014	SIERRA, JOSE	14074	HAUSTEEN CT	MORENO VALLEY	CA	92553-6720	SIERRA, JOSE	14074 HAUSTEEN CT	MORENO VALLEY, CA	92553-6720	215.69	21.57	42.71	279.96
87349255004	482441015	TEJEDA, SAMUEL	14075	HAUSTEEN CT	MORENO VALLEY	CA	92553-6720	TEJEDA, SAMUEL	2130 S DOREEN WAY	SANTA ANA, CA	92704-4718	254.12	25.41	50.32	329.84
83407135000	482441016	MONTOYA, TARYN (RENT)	14089	HAUSTEEN CT	MORENO VALLEY	CA	92553-6720	COLE, DOLORES	5267 WINTERVIEW DR	ALEXANDRIA, VA	22312-3912	253.82	25.38	50.26	329.44
74713135002	482441023	ACCORD, JESSICA	14076	FENNER CT	MORENO VALLEY	CA	92553-6719	JOHNSON, JANET	14076 FENNER CT	MORENO VALLEY, CA	92553-6719	254.02	25.4	50.3	329.7
31465775006	482441025	NAU, LANI	14106	FENNER CT	MORENO VALLEY	CA	92553-6753	NAU, LANI	14106 FENNER CT	MORENO VALLEY, CA	92553-6753	120.69	12.07	23.9	156.64
31386065003	482442005	GOLYER, WILLIAM	14062	BRANDT DR	MORENO VALLEY	CA	92553-6701	GOLYER, WILLIAM	11840 GRAHAM ST	MORENO VALLEY, CA	92557-6157	237.76	23.78	47.08	308.6
94684265003	482442007	PENA, MARIA (OWNR)	14088	BRANDT DR	MORENO VALLEY	CA	92553-6701	PENA, MARIA	14088 BRANDT DR	MORENO VALLEY, CA	92553-6701	254.12	25.41	50.32	329.84
69231415003	482442014	SOTO, MARIA	14184	BRANDT DR	MORENO VALLEY	CA	92553-6706	SOTO, MARIA	14184 BRANDT DR	MORENO VALLEY, CA	92553-6706	29.32	2.93	5.81	38.04
91001273001	482442016	ZURITA, SUSAN (RENT)	14212	BRANDT DR	MORENO VALLEY	CA	92553-6745	ZURITA, SUSAN (RENT)	14212 BRANDT DR	MORENO VALLEY, CA	92553-6745	70.87	7.09	14.03	91.98
93321115005	482443001	MARISCAL, MARLENE (RENT)	24275	DIMITRA DR	MORENO VALLEY	CA	92553-6770	MARISCAL, MARLENE	24275 DIMITRA DR	MORENO VALLEY, CA	92553-6770	138.75	13.88	27.47	180.08
31458105002	482443002	GARCIA, MANUEL	24289	DIMITRA DR	MORENO VALLEY	CA	92553-6770	GARCIA, MANUEL	24289 DIMITRA DR	MORENO VALLEY, CA	92553-6770	254.02	25.4	50.3	329.7
31359305000	482443006	IVERSON, EDIE	24345	DIMITRA DR	MORENO VALLEY	CA	92553-6718	IVERSON, EDIE	24345 DIMITRA DR	MORENO VALLEY, CA	92553-6718	51.72	5.17	10.24	67.12
70566915004	482443007	GUTIERREZ, JOSE AND ALEJANDRA	14157	BRANDT DR	MORENO VALLEY	CA	92553-6705	GUTIERREZ, JOSE AND ALEJANDRA	14157 BRANDT DR	MORENO VALLEY, CA	92553-6705	543.56	54.36	107.62	705.54
31457145003	482443008	LEON, JUANITA	14171	BRANDT DR	MORENO VALLEY	CA	92553-6705	LEON, JUANITA	14171 BRANDT DR	MORENO VALLEY, CA	92553-6705	61.37	6.14	12.15	79.64
95380585005	482443009	SYLVESTER, STEPHANIE (RENT)	14185	BRANDT DR	MORENO VALLEY	CA	92553-6705	SYLVESTER, STEPHANIE	24330 SAINT JAMES DR	MORENO VALLEY, CA	92553-3587	71.43	7.14	14.14	92.7
56736625002	482443015	GOMEZ, NORMA L	14228	PERHAM CT	MORENO VALLEY	CA	92553-6768	GOMEZ, NORMA L	201 GALILEO LN	PERRIS, CA	92571-4828	252.09	25.21	49.91	327.2
93149993005	482443027	RIVERA, MYRA (RENT)	14229	PERHAM CT	MORENO VALLEY	CA	92553-6769	RIVERA, MYRA (RENT)	14229 PERHAM CT	MORENO VALLEY, CA	92553-6769	84.58	8.46	16.75	109.78
92268095003	482443028	DUBOSE, EUGENE	14243	PERHAM CT	MORENO VALLEY	CA	92553-6769	DUBOSE, EUGENE	14657 ONTARIO CIR	FONTANA, CA	92336-0682	253.92	25.39	50.28	329.58
31081915002	482444001	HANSEN, RHONDA	24344	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6726	HANSEN, RHONDA	24344 MT RUSSEL DR	MORENO VALLEY, CA	92553-6726	254.02	25.4	50.3	329.7
94684645004	482444002	HERNANDEZ, HILIRIO (RENT)	24330	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6726	HERNANDEZ, HILIRIO	14170 BRANDT DR	MORENO VALLEY, CA	92553-6706	254.12	25.41	50.32	329.84
31286425000	482444005	GARNER, CARL AND JACKIE	24284	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6759	GARNER, CARL AND JACKIE	24284 MT RUSSELL DR	MORENO VALLEY, CA	92553-6759	163.4	16.34	32.35	212.08
84493625006	482451001	CARMONA, GABRIEL AND HILDA (OW	24631	BRODIAEA AVE	MORENO VALLEY	CA	92553-5801	CARMONA, GABRIEL	24631 BRODIAEA AVE	MORENO VALLEY, CA	92553-5801	49.36	4.94	9.77	64.06
31546005005	482451004	PRADO, ROBERT	24677	BRODIAEA AVE	MORENO VALLEY	CA	92553-5801	PRADO, ROBERT	150 S MAIN ST	BLYTHE, CA	92225-2509	253.92	25.39	50.28	329.58
31081895006	482451007	WHITE, GRANT	24721	BRODIAEA AVE	MORENO VALLEY	CA	92553-5801	WHITE, GRANT	PO BOX 8148	MORENO VALLEY, CA	92552-8148	254.02	25.4	50.3	329.7
31492755004	482451012	LOPEZ, JOSE (OWNR)	14333	VICTOR DR	MORENO VALLEY	CA	92553-5806	LOPEZ, JOSE	14333 VICTOR DR	MORENO VALLEY, CA	92553-5806	204.16	20.42	40.42	264.98
31066595000	482451017	SMITH, DEBBIE L	14377	VICTOR DR	MORENO VALLEY	CA	92553-5807	SMITH, D L	14377 VICTOR DR	MORENO VALLEY, CA	92553-5807	254.02	25.4	50.3	329.7
97035865009	482451035	VAZQUEZ, JUAN (RENT)	14318	SAYAN PL	MORENO VALLEY	CA	92553-3961	VAZQUEZ, JUAN (RENT)	14318 SAYAN PL	MORENO VALLEY, CA	92553-3961	20.18	2.02	4	26.18
31075645001	482451039	RODRIGUEZ, SERGIO (OWNR)	14275	SAYAN PL	MORENO VALLEY	CA	92553-3959	RODRIGUEZ, SERGIO	14275 SAYAN PL	MORENO VALLEY, CA	92553-3959	254.02	25.4	50.3	329.7
90426813008	482451045	GARCIA, VIOLETA (RENT)	14300	HOMESTEAD DR	MORENO VALLEY	CA	92553-3977	GARCIA, VIOLETA AND MOISES	4019 46TH ST #8	SAN DIEGO, CA	92105-1831	26.77	2.68	5.3	34.74
88947563009	482451050	MARSH, DIANNE (OWNR)	24547	BRODIAEA AVE	MORENO VALLEY	CA	92553-3978	MARSH, DIANNE	24547 BRODIAEA AVE	MORENO VALLEY, CA	92553-3978	254.12	25.41	50.32	329.84
87358205006	482452027	LORENZO, MARCO (RENT)	24663	SLOAN CT	MORENO VALLEY	CA	92553-5896	LORENZO, MARCO	15149 NORTON LANE	MORENO VALLEY, CA	92551-4065	82.8	8.28	16.39	107.46
94692735008	482452037	MEZA, MICHAEL	24692	SLOAN CT	MORENO VALLEY	CA	92553-5895	MEZA, MICHAEL	24692 SLOAN CT	MORENO VALLEY, CA	92553-5895	202.25	20.23	40.05	262.52
91193995005	482452041	LOPEZ, DAISY (RENT)	14322	VICTOR DR	MORENO VALLEY	CA	92553-5897	LOPEZ, DAISY	15070 ELM CT APT C	MORENO VALLEY, CA	92551-3697	253.92	25.39	50.28	329.58
31618175006	482453001	ROBLES, MARIA	14255	HOMESTEAD DR	MORENO VALLEY	CA	92553-3966	ROBLES, MARIA	14255 HOMESTEAD DR	MORENO VALLEY, CA	92553-3966	254.02	25.4	50.3	329.7
92204975003	482461005	PANTOJA, GRACE	24521	JENKINS DR	MORENO VALLEY	CA	92553-3964	PANTOJA, GRACE	24521 JENKINS DR	MORENO VALLEY, CA	92553-3964	323.22	32.32	64	419.52

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31281185001	482461010	ANSLEY,ROSIA	14195	HOMESTEAD DR	MORENO VALLEY	CA	92553-3967	ANSLEY,ROSIA	14195 HOMESTEAD DR	MORENO VALLEY, CA	92553-3967	329.32	32.93	65.21	427.44
96798165000	482461011	SPARKS, ELAINE (RENT)	14179	HOMESTEAD DR	MORENO VALLEY	CA	92553-3967	SPARKS, ELAINE	14179 HOMESTEAD DR	MORENO VALLEY, CA	92553-3967	190.49	19.05	37.72	247.24
86964465007	482461015	RINCON, JOSE (OWNR)	14146	HOMESTEAD DR	MORENO VALLEY	CA	92553-3967	RINCON, JOSE	14146 HOMESTEAD DR	MORENO VALLEY, CA	92553-3967	254.02	25.4	50.3	329.7
97530265005	482461020	TYSON, TASHEENA (OWNR)	14228	HOMESTEAD DR	MORENO VALLEY	CA	92553-3966	TYSON, TASHEENA	14228 HOMESTEAD DR	MORENO VALLEY, CA	92553-3966	420.76	42.08	83.31	546.14
31553255008	482461028	ROGERS, EDITH (RENT)	14149	LINNETT DR	MORENO VALLEY	CA	92553-5701	ROGERS, EDITH	14149 LINNETT DR	MORENO VALLEY, CA	92553-5701	329.32	32.93	65.21	427.44
91184095003	482462003	CADENA, SONIA (RENT)	14216	LINNETT DR	MORENO VALLEY	CA	92553-3963	CADENA, SONIA	14245 HIGH NOON CT	MORENO VALLEY, CA	92553-4485	211.73	21.17	41.92	274.82
96286465003	482462005	JIMENEZ, IVAN (RENT)	14188	LINNETT DR	MORENO VALLEY	CA	92553-3962	JIMENEZ, IVAN	14188 LINNETT DR	MORENO VALLEY, CA	92553-3962	312.38	31.24	61.85	405.46
93843685008	482462006	CONTRERAS, ARCELIA (OWNR)	14174	LINNETT DR	MORENO VALLEY	CA	92553-3962	CONTRERAS, ARCELIA	14174 LINNETT DR	MORENO VALLEY, CA	92553-3962	90.79	9.08	17.98	117.84
31068185002	482462007	GUARDADO, RAY	14158	LINNETT DR	MORENO VALLEY	CA	92553-3962	GUARDADO,RAY	PO BOX 7883 MORE	MORENO VALLEY, CA	92552-7883	126.76	12.68	25.1	164.52
31444085006	482462013	GUTIERREZ, ANGEL	14191	GALVIN CT	MORENO VALLEY	CA	92553-3997	GUTIERREZ, ANGEL	25328 BROBIAEA AVE	MORENO VALLEY, CA	92553-4402	329.32	32.93	65.21	427.44
97182575000	482462018	PAYAN, ANNETTE	14150	GALVIN CT	MORENO VALLEY	CA	92553-3997	PAYAN, ANNETTE	14150 GALVIN CT	MORENO VALLEY, CA	92553-3997	254.12	25.41	50.32	329.84
94025653007	482462022	GOMEZ, FERNANDO (OWNR)	14222	GALVIN CT	MORENO VALLEY	CA	92553-3997	GOMEZ, FERNANDO	14222 GALVIN CT	MORENO VALLEY, CA	92553-3997	223.95	22.4	44.34	290.68
31586435006	482462023	MAYES, ROBERT	14240	GALVIN CT	MORENO VALLEY	CA	92553-3997	MAYES, ROBERT	14240 GALVIN CT	MORENO VALLEY, CA	92553-3997	254.02	25.4	50.3	329.7
95050448009	482462028	HOLGUIN LEONOR	14177	KINGSWAY CT	MORENO VALLEY	CA	92553-3998	HOLGUIN LEONOR	14177 KINGSWAY CT	MORENO VALLEY, CA	92553-3998	236.37	23.64	46.8	306.8
31571905004	482462031	BAILON, JOSE	14138	KINGSWAY CT	MORENO VALLEY	CA	92553-3998	BAILON, JOSE	14138 KINGSWAY CT	MORENO VALLEY, CA	92553-3998	254.02	25.4	50.3	329.7
31534485000	482462034	EDINGSTON, RENETTA	14194	KINGSWAY CT	MORENO VALLEY	CA	92553-3998	EDINGSTON, RENETTA	14194 KINGSWAY CT	MORENO VALLEY, CA	92553-3998	20.36	2.04	4.03	26.42
97386715008	482462037	CADENAS, SALVADOR (OWNR)	14244	KINGSWAY CT	MORENO VALLEY	CA	92553-3998	CADENAS, SALVADOR	14244 KINGSWAY CT	MORENO VALLEY, CA	92553-3998	54.12	5.41	10.72	70.24
66376845009	482462038	GOMEZ, SALVADOR	24747	JENKINS DR	MORENO VALLEY	CA	92553-3996	GOMEZ, SALVADOR	24747 JENKINS DR	MORENO VALLEY, CA	92553-3996	63.63	6.36	12.6	82.58
88073715003	482462039	FRIAS, HERLINDA	24733	JENKINS DR	MORENO VALLEY	CA	92553-3996	FRIAS, HERLINDA	20900 SOUDER ST	PERRIS, CA	92570-6313	254.12	25.41	50.32	329.84
31119575001	482462042	KALLAL, LORI V	24697	JENKINS DR	MORENO VALLEY	CA	92553-3994	KALLAL, LORI V	24697 JENKINS DR	MORENO VALLEY, CA	92553-3994	254.02	25.4	50.3	329.7
94976115005	482471003	CANES, MARIO (OWNR)	24558	SENECA CIR	MORENO VALLEY	CA	92553-5824	CANES, MARIO	24558 SENECA CIR	MORENO VALLEY, CA	92553-5824	92.79	9.28	18.37	120.44
97993905011	482471008	SIMENTAL, CHRISTIAN (RENT)	24511	SENECA CIR	MORENO VALLEY	CA	92553-5824	SIMENTAL, CHRISTIAN (RENT)	24511 SENECA CIR	MORENO VALLEY, CA	92553-5824	63.63	6.36	12.6	82.58
97224025006	482471019	ROBINSON, CARLA (RENT)	24532	TUSCARORA CIR	MORENO VALLEY	CA	92553-5818	FLORES, IRIS	3250 MARKET ST APT 230	RIVERSIDE, CA	92501-2465	190.29	19.03	37.68	246.98
31291915007	482471020	DELGADO, LOUIS	24518	TUSCARORA CIR	MORENO VALLEY	CA	92553-5818	DELGADO, LOUIS	24518 TUSCARORA CIR	MORENO VALLEY, CA	92553-5818	222.25	22.23	44.01	288.48
31127835000	482471021	PAGE, ROBERT	24512	TUSCARORA CIR	MORENO VALLEY	CA	92553-5818	PAGE, ROBERT	24512 TUSCARORA CIR	MORENO VALLEY, CA	92553-5818	254.02	25.4	50.3	329.7
31294995004	482471022	MORALES, JUAN	24513	TUSCARORA CIR	MORENO VALLEY	CA	92553-5818	MORALES, JUAN	24513 TUSCARORA CIR	MORENO VALLEY, CA	92553-5818	34.12	3.41	6.76	44.28
64696305005	482471023	TELLEZ, PAULA	24519	TUSCARORA CIR	MORENO VALLEY	CA	92553-5818	TELLEZ, PAULA	24519 TUSCARORA CIR	MORENO VALLEY, CA	92553-5818	127.26	12.73	25.2	165.18
31578555002	482472019	BUSTILLOS, LIZ	14417	VICTOR DR	MORENO VALLEY	CA	92553-5808	BUSTILLOS, LIZ	14417 VICTOR DR	MORENO VALLEY, CA	92553-5808	63.63	6.36	12.6	82.58
31064765009	482473001	SMITH, ARVENSON	24666	CONLEY CT	MORENO VALLEY	CA	92553-5872	SMITH, ARVENSON	24666 CONLEY CT	MORENO VALLEY, CA	92553-5872	329.32	32.93	65.21	427.44
93641355005	482473002	CUELLAR, ANDREA (RENT)	24680	CONLEY CT	MORENO VALLEY	CA	92553-5872	CUELLAR, ANDREA	24680 CONLEY CT	MORENO VALLEY, CA	92553-5872	45.93	4.59	9.09	59.6
86450195004	482473005	LARIOS, MELVIN	24720	CONLEY CT	MORENO VALLEY	CA	92553-5811	LARIOS, MELVIN	25307 CEREMONY AVE	MORENO VALLEY, CA	92551-9224	54.02	5.4	10.7	70.1
95770925003	482473011	PARKER, LASHAWN (RENT)	24693	CONLEY CT	MORENO VALLEY	CA	92553-5873	PARKER, LASHAWN	24693 CONLEY CT	MORENO VALLEY, CA	92553-5873	405.08	40.51	80.21	525.78
49634435009	482481004	ERWIN, DENNIS	14083	TRAVERS DR	MORENO VALLEY	CA	92553-6764	ERWIN, DENNIS	14083 TRAVERS DR	MORENO VALLEY, CA	92553-6764	357.53	35.75	70.79	464.06
31631075000	482481010	MEJIA, MILTON	14117	ANN MARIE CT	MORENO VALLEY	CA	92553-6731	MEJIA, MILTON	14117 ANN MARIE CT	MORENO VALLEY, CA	92553-6731	254.02	25.4	50.3	329.7
55078835006	482481016	AGUILAR, DEIDRA	14106	ANN MARIE CT	MORENO VALLEY	CA	92553-6730	AGUILAR, DEIDRA	14106 ANN MARIE CT	MORENO VALLEY, CA	92553-6730	432.83	43.28	85.7	561.8
31398855002	482481025	RILEY, DEBRA	24096	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6722	RILEY, DEBRA	24096 MT RUSSELL DR	MORENO VALLEY, CA	92553-6722	329.32	32.93	65.21	427.44
97284905005	482481031	LIZAHOLA, STEPHENIE (OWNR)	24198	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6724	LIZAHOLA, STEPHENIE	24198 MOUNT RUSSELL DR	MORENO VALLEY, CA	92553-6724	180.74	18.07	35.79	234.6
83675795003	482482009	ALVARADO, MARISELA	24181	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6723	ALVARADO, MARISELA	24181 MT RUSSELL DR	MORENO VALLEY, CA	92553-6723	122.02	12.2	24.16	158.38
31391125001	482482010	QUINTERO, CONNIE	24199	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6723	QUINTERO, CONNIE	24199 MT RUSSELL DR	MORENO VALLEY, CA	92553-6723	190.39	19.04	37.7	247.12
93885193002	482482015	IBARRA, ELIZABETH (RENT)	14121	FENNER CT	MORENO VALLEY	CA	92553-6754	IBARRA, ELIZABETH (RENT)	14121 FENNER CT	MORENO VALLEY, CA	92553-6754	82.68	8.27	16.37	107.3
31172205008	482482017	CHERRY, HAYES AND GWEN (OWNR)	14018	MAXINE CT	MORENO VALLEY	CA	92553-6721	CHERRY, HAYES AND GWEN	14018 MAXINE CT	MORENO VALLEY, CA	92553-6721	254.02	25.4	50.3	329.7
31069055007	482491007	MC DOWELL, WILLIAM	14161	TRAVERS DR	MORENO VALLEY	CA	92553-6735	MC DOWELL, WILLIAM	14161 TRAVERS DR	MORENO VALLEY, CA	92553-6735	254.02	25.4	50.3	329.7
98260503008	482491008	VITHAYAVONG, DAVINA (OWN)	14147	TRAVERS DR	MORENO VALLEY	CA	92553-6735	VITHAYAVONG, DAVINA (OWN)	14147 TRAVERS DR	MORENO VALLEY, CA	92553-6735	63.63	6.36	12.6	82.58
31522695001	482492001	JOHNSON, MARSHA	14244	TRAVERS DR	MORENO VALLEY	CA	92553-6766	JOHNSON, MARSHA	25981 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5011	254.02	25.4	50.3	329.7
97612165002	482492003	PATRICK, CHANEL (RENT)	14216	TRAVERS DR	MORENO VALLEY	CA	92553-6766	PATRICK, CHANEL	14216 TRAVERS DR	MORENO VALLEY, CA	92553-6766	254.12	25.41	50.32	329.84
74832705000	482492005	SOSA, RAMIRO	14188	TRAVERS DR	MORENO VALLEY	CA	92553-6736	SOSA, RAMIRO	14188 TRAVERS DR	MORENO VALLEY, CA	92553-6736	329.32	32.93	65.21	427.44
31314775006	482492013	BEASLEY, MARVIN J	24121	DIMITRA DR	MORENO VALLEY	CA	92553-6750	BEASLEY, MARVIN J	24121 DIMITRA DR	MORENO VALLEY, CA	92553-6750	254.02	25.4	50.3	329.7
31533555004	482492014	HERNANDEZ, TERREL	24127	DIMITRA DR	MORENO VALLEY	CA	92553-6716	HERNANDEZ, TERREL	24127 DIMITRA DR	MORENO VALLEY, CA	92553-6716	254.02	25.4	50.3	329.7
31087765000	482492021	FREEMAN III, WILLIAM H	24215	DIMITRA DR	MORENO VALLEY	CA	92553-6751	FREEMAN III, WILLIAM H	24215 DIMITRA DR	MORENO VALLEY, CA	92553-6751	254.02	25.4	50.3	329.7
91662435007	482492027	MATTOX, JOE AND CHELSEA	14187	VINCENTE DR	MORENO VALLEY	CA	92553-3505	MATTOX, JOE AND CHELSEA	14187 VINCENTE DR	MORENO VALLEY, CA	92553-3505	127.26	12.73	25.2	165.18
91714033000	482492035	JAUREGUI, NASARIO	14230	VINCENTE DR	MORENO VALLEY	CA	92553-2402	JAUREGUI, NASARIO	14230 VINCENTE DR	MORENO VALLEY, CA	92553-2402	548.96	54.9	108.69	712.54
96311095007	482492046	GALVIZ, PEDRO (OWNR)	14176	TOBY CT	MORENO VALLEY	CA	92553-6733	GALVIZ, PEDRO	14176 TOBY CT	MORENO VALLEY, CA	92553-6733	254.12	25.41	50.32	329.84
96475025005	482492053	BAILEY, KENNETH (OWNR)	14233	CASCO CT	MORENO VALLEY	CA	92553-6748	BAILEY, KENNETH	14233 CASCO CT	MORENO VALLEY, CA	92553-6748	43.69	4.37	8.65	56.7
89092213007	482492054	VARGAS, LAURA (RENT)	14221	CASCO CT	MORENO VALLEY	CA	92553-6748	VARGAS, LAURA	14221 CASCO CT	MORENO VALLEY, CA	92553-6748	224.18	22.42	44.39	290.98
91422745001	482500001	ANDRADE, JOHN (RENT)	24494	BRODIAEA AVE	MORENO VALLEY	CA	92553-3512	ANDRADE, JOHN	24494 BRODIAEA AVE	MORENO VALLEY, CA	92553-3512	77.35	7.74	15.32	100.4
95517525000	482500002	CEJA, ROLANDO (ONWR)	24480	BRODIAEA AVE	MORENO VALLEY	CA	92553-3512	CEJA, ROLANDO	24480 BRODIAEA AVE	MORENO VALLEY, CA	92553-3512	254.02	25.4	50.3	329.7
31584635004	482500003	WILLIAMS, MARCUS AND CELINA	24466	BRODIAEA AVE	MORENO VALLEY	CA	92553-3512	WILLIAMS, MARCUS AND CELINA	24466 BRODIAEA AVE	MORENO VALLEY, CA	92553-3512	27.94	2.79	5.53	36.26
94977113003	482500005	PEREZ, JORGE (OWNR)	24422	BRODIAEA AVE	MORENO VALLEY	CA	92553-3512	PEREZ, JORGE	24422 BRODIAEA AVE	MORENO VALLEY, CA	92553-3512	103.63	10.36	20.52	134.5
98696163004	482500007	MYERS, A SALLY (RENT)	24401	JONNA LN	MORENO VALLEY	CA	92553-3591	MYERS, A SALLY	24401 JONNA LN	MORENO VALLEY, CA	92553-3591	63.63	6.36	12.6	82.58
93645333001	482501010	GARCIA, PATRICIA (RENT)	14147	AUSTENE CIR	MORENO VALLEY	CA	92553-3590	GARCIA, PATRICIA (RENT)	24538 BAY AVE	MORENO VALLEY, CA	92553-3837	38.03	3.8	7.53	49.36
99777733002	482501013	ZIMMERMAN, CLARIMESHA (RENT)	14185	AUSTENE CIR	MORENO VALLEY	CA	92553-3590	ZIMMERMAN, CLARIMESHA	14185 AUSTENE CIR	MORENO VALLEY, CA	92553-3590	72.89	7.29	14.43	94.6
92623195008	482501016	GOMEZ, MANUEL (OWN)	14158	STONEHURST DR	MORENO VALLEY	CA	92553-6729	GOMEZ, MANUEL	14158 STONEHURST DR	MORENO VALLEY, CA	92553-6729	310.56	31.06	61.49	403.1
61053915004	482501021	MADDOX, LORA	14141	STONEHURST DR	MORENO VALLEY	CA	92553-6732	MADDOX, LORA	14141 STONEHURST DR	MORENO VALLEY, CA	92553-6732	329.6	32.96	65.26	427.82
31208485001	482501026	BIRR, MELVIN	14213	STONEHURST DR	MORENO VALLEY	CA	92553-6761	BIRR, MELVIN	14213 STONEHURST DR	MORENO VALLEY, CA	92553-6761	329.32	32.93	65.21	427.44
96603505001	482511006	CHEN, FEN AND QUAN, JENNIE	14696	JOSHUA TREE AVE	MORENO VALLEY	CA	92553-3548	CHEN, FEN AND QUAN, JENNIE	14696 JOSHUA TREE AVE	MORENO VALLEY, CA	92553-3548	63.63	6.36	12.6	82.58
97162115009	482511007	MANZANAREZ, IRENE (OWNR)	14708	JOSHUA TREE AVE	MORENO VALLEY	CA	92553-2421	MANZANAREZ, IRENE	14708 JOSHUA TREE AVE	MORENO VALLEY, CA	92553-2421	254.12	25.41	50.32	329.84
31368215000	482511010	GONZALES, GERONIMO	14744	JOSHUA TREE AVE	MORENO VALLEY	CA	92553-2421	GONZALES, GERONIMO	14744 JOSHUA TREE AVE	MORENO VALLEY, CA	92553-2421	254.02	25.4	50.3	329.7
31329685003	482512006	ROQUE, IRENE	24165	LOVE CT	MORENO VALLEY	CA	92553-3509	ROQUE, IRENE	24165 LOVE CT	MORENO VALLEY, CA	92553-3509	50.39	5.04	9.98	65.4
31241665004	482531002	SPARROW, INEZ	24269	BAY AVE	MORENO VALLEY	CA	92553-3301	SPARROW, INEZ	24269 BAY AVE	MORENO VALLEY, CA	92553-3301	329.04	32.9	65.15	427.08
31526185009	482531009	KOSS, DORIS (OWNR)	24298	MILLSAP DR	MORENO VALLEY	CA	92553-3330	KOSS, DORIS	24298 MILLSAP DR	MORENO VALLEY, CA	92553-3330	82.68	8.27	16.37	107.3
93848973006	482532004	TROOP, TERESA (RENT)	24354	MILLSAP DR	MORENO VALLEY	CA	92553-3376	TROOP, TERESA	24354 MILLSAP DR	MORENO VALLEY, CA	92553-3376	227.96	22.8	45.14	295.88
31072905009	482533012	MC COLLUM, JACQUELINE (OWNR)	13860	CALADA DR	MORENO VALLEY	CA	92553-3394	CUMMINGS, MATILDA	13860 CALADA DR	MORENO VALLEY, CA	92553-3394	190.79	19.08	37.78	247.64
91923705006	482533013	VALENZUELA, ERNIE	13870	CALADA DR	MORENO VALLEY	CA	92553-3394	VALENZUELA, ERNIE	13870 CALADA DR	MORENO VALLEY, CA	92553-3394	215.92	21.59	42.75	280.26
31092875007	482533014	ROSA, PAUL AND MARIA	13890	CALADA DR	MORENO VALLEY	CA	92553-3394	ROSA, PAUL AND MARIA	13890 CALADA DR	MORENO VALLEY, CA	92553-3394	254.02	25.4	50.3	329.7
64483775009	482533020	LEON, RAUL AND BERTHA	24333	MILLSAP DR	MORENO VALLEY	CA	92553-3331	LEON, RAUL	24333 MILLSAP DR	MORENO VALLEY, CA	92553-3331	254.12	25.41	50.32	329.84
31255495000	482533021	WAHL, MIKE	24353	MILLSAP DR	MORENO VALLEY	CA	92553-3331	WAHL, MIKE	24353 MILLSAP DR	MORENO VALLEY, CA	92553-3331	127.46	12.75	25.24	165.44
31581355008	482533022	WILKERSON, CAROL	24371	MILLSAP DR	MORENO VALLEY	CA	92553-3331	WILKERSON, CAROL	24371 MILLSAP DR	MORENO VALLEY, CA	92553-3331	254.12	25.41	50.32	329.84
31451585006	482533026	SAID, MARCIA E	24290	DABNEY DR	MORENO VALLEY	CA	92553-6229	SAID, MARCIA E	24290 DABNEY DR	MORENO VALLEY, CA	92553-6229	179.08	17.91	35.46	232.44
31285135003	482534006	MABON, CRYSTAL	13881	CALADA DR	MORENO VALLEY	CA	92553-3395	MABON, CRYSTAL	13881 CALADA DR	MORENO VALLEY, CA	92553-3395	329.04	32.9	65.15	427.08
31253765008	482534007	GARCIA, VICTOR	13867	CALADA DR	MORENO VALLEY	CA	92553-3395	GARCIA, VICTOR	13867 CALADA DR	MORENO VALLEY, CA	92553-3395	254.12	25.41	50.32	329.84
31255425005	482534010	AVADOR, VERONICA	13885	CALADA DR	MORENO VALLEY	CA	92553-3395	AVADOR, VERONICA	13885 CALADA DR	MORENO VALLEY, CA	92553-3395	90	9	17.82	116.82
32868565009	482535001	HORSTKOTTE, CARL	24331	VIA VARGAS DR	MORENO VALLEY	CA	92553-3353	HORSTKOTTE, CARL	24331 VIA VARGAS DR	MORENO VALLEY, CA	92553-3353	329.32	32.93	65.21	427.44
31125625008	482535002	WILLIAMS, JOYCE	24321	VIA VARGAS DR	MORENO VALLEY	CA	92553-3353	WILLIAMS, JOYCE	24321 VIA VARGAS DR	MORENO VALLEY, CA	92553-3353	190.69	19.07	37.76	247.5
95816325008	482536006	SALCEDO, SALVADOR AND SONIA	24326	VIA VARGAS DR	MORENO VALLEY	CA	92553-3354	SALCEDO, SALVADOR AND SONIA	38025 SEVILLA AVE	MURRIETA, CA	92563	335.76	33.58	66.48	435.8
31183035001	482536008	GARCIA, ANTONIO	24298	VIA VARGAS DR	MORENO VALLEY	CA	92553-6231	GARCIA, ANTONIO	24298 VIA VARGAS DR	MORENO VALLEY, CA	92553-6231	254.02	25.4	50.3	329.7
96741635002	482536009	FUERTE, CONSUELO (RENT)	24290	VIA VARGAS DR	MORENO VALLEY	CA	92553-6231	FUERTE, CONSUELO	24290 VIA VARGAS DR	MORENO VALLEY, CA	92553-6231	297.13	29.71	58.83	385.66
31379655004	482536013	CLEVELAND, MARTHA J	24335	BAIRNDALE DR	MORENO VALLEY	CA	92553-3374	CLEVELAND, MARTHA J	24335 BAIRNDALE DR	MORENO VALLEY, CA	92553-3374	254.02	25.4	50.3	329.7
95931965000	482536015	AGUILA, JOSE ANTONIO (OWNR)	24361	BAIRNDALE DR	MORENO VALLEY	CA	92553-3374	AGUILA, JOSE ANTONIO	24361 BAIRNDALE DR	MORENO VALLEY, CA	92553-3374	254.12	25.41	50.32	329.84
98232705015	482551006	ESCALANTE, JESSIE	13431	HAREWOOD DR	MORENO VALLEY	CA	92553-3302	ESCALANTE, JESSIE	2005 LINDEN ST APT 11	RIVERSIDE, CA	92507-3516	182.8	18.28	36.19	237.26
88725693002	482551013	ECHEVERRIA, GERSON (RENT)	24015	AMBERLEY DR	MORENO VALLEY	CA	92553-3377	ECHEVERRIA, GERSON	24015 AMBERLEY DR	MORENO VALLEY, CA	92553-3377	254.12	25.41	50.32	329.84
95486515000	482551014	HERNANDEZ, JOSEFINA (RENT)	24029	AMBERLEY DR	MORENO VALLEY	CA	92553-3377	HERNANDEZ, JOSEFINA	24029 AMBERLEY DR	MORENO VALLEY, CA	92553-3377	29.12	2.91	5.77	37.78
94337465006	482552008	WELCH, STAPGEN (RENT)	24041	ROTHBURY DR	MORENO VALLEY	CA	92553-6236	WELCH, STAPGEN	24041 ROTHBURY DR	MORENO VALLEY, CA	92553-6236	84	8.4	16.63	109.02
67753455009	482552009	THOMAS, FELIX	24065	ROTHBURY DR	MORENO VALLEY	CA	92553-6236	THOMAS, FELIX	24065 ROTHBURY DR	MORENO VALLEY, CA	92553-6236	107.63	10.76	21.31	139.7
31620535007	482552014	GRIJALVA, ERNESTO	24116	AMBERLEY DR	MORENO VALLEY	CA	92553-3381	GRIJALVA, ERNESTO	24116 AMBERLEY DR	MORENO VALLEY, CA	92553-3381	254.02	25.4	50.3	329.7
94221615001	482552017	DELMAE PROPERTIES	24134	AMBERLEY DR	MORENO VALLEY	CA	92553-3381	DELMAE PROPERTIES	12831 MORENO BEACH DR STE 107 BOX 22	MORENO VALLEY, CA	92555-4419	118.69	11.87	23.5	154.04
91391463006	482552018	TREJO, VICTOR (RENT)	24142	AMBERLEY DR	MORENO VALLEY	CA	92553-3381	TREJO, VICTOR	4015 N LANG AVE	COVINA, CA	91722-3817	88.17	8.82	17.46	114.44
91649163000	482552019	ZANDATE, CRYSTAL (RENT)	24150	AMBERLEY DR	MORENO VALLEY	CA	92553-3381	ZANDATE, CRYSTAL (RENT)	14197 HIGH NOON CT	MORENO VALLEY, CA	92553-4485	42.19	4.22	8.35	54.76
31485195006	482552022	MARTINEZ, VALERIE (TNT)	24174	AMBERLEY DR	MORENO VALLEY	CA	92553-3383	MARTINEZ, VALERIE	24174 AMBERLEY DR	MORENO VALLEY, CA	92553-3383	25.39	2.54	5.03	32.94
31158755001	482552029	HATTER, DON	24193	ROTHBURY DR	MORENO VALLEY	CA	92553-3317	HATTER, DON	24193 ROTHBURY DR	MORENO VALLEY, CA	92553-3317	157.44	15.74	31.17	204.34
96270275007	482552030	LEWIS, KIMMEIKA (RENT)	24185	ROTHBURY DR	MORENO VALLEY	CA	92553-3317	LEWIS, KIMMEIKA	24185 ROTHBURY DR	MORENO VALLEY, CA	92553-3317	142.44	14.24	28.2	184.88
94820555002	482552031	IGNACIO, CUBIAS (RENT)	24177	ROTHBURY DR	MORENO VALLEY	CA	92553-3317	IGNACIO, CUBIAS	14150 GRAND ST APT#41	MORENO VALLEY, CA	92553-9114	55.12	5.51	10.91	71.54

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
88508045009	482553002	DE LA ROSA, ALICIA	24094	ROTHBURY DR	MORENO VALLEY	CA	92553-6235	DE LA ROSA, ALICIA	24094 ROTHBURY DR	MORENO VALLEY, CA	92553-6235	190.79	19.08	37.78	247.64
62100185005	482553015	JENNINGS, RUSSELL	24124	ROTHBURY DR	MORENO VALLEY	CA	92553-3384	JENNINGS, RUSSELL	482 W SAN YSIDRO BLVD #1671	SAN YSIDRO, CA	92173-2444	254.12	25.41	50.32	329.84
88255623005	482553017	MIRANDA, ARTHUR (OWNR)	24136	ROTHBURY DR	MORENO VALLEY	CA	92553-3384	MIRANDA, AKI HUK	24136 ROTHBURY DR	MORENO VALLEY, CA	92553-3384	254.12	25.41	50.32	329.84
96774145006	482553021	MACARIA, EMSIZA (RENT)	24164	ROTHBURY DR	MORENO VALLEY	CA	92553-3384	MACARIA, EMSIZA	24164 ROTHBURY DR	MORENO VALLEY, CA	92553-3384	90.5	9.05	17.92	117.46
10094093009	482553024	HILEY, LATREECE (RENT)	24188	ROTHBURY DR	MORENO VALLEY	CA	92553-3318	HILEY, LATREECE	24188 ROTHBURY DR	MORENO VALLEY, CA	92553-3318	67.99	6.8	13.46	88.24
88166955004	482553025	GREGORY, AMY	24192	ROTHBURY DR	MORENO VALLEY	CA	92553-3318	GREGORY, AMY	24192 ROTHBURY DR	MORENO VALLEY, CA	92553-3318	254.12	25.41	50.32	329.84
86790425005	482553027	GARCIA, MARIE	24202	ROTHBURY DR	MORENO VALLEY	CA	92553-6237	GARCIA, MARIE	25927 PASEO PACIFICO	MORENO VALLEY, CA	92551-1434	189.7	18.97	37.56	246.22
31430155000	482553040	CONTRERAS, JOSE	24189	FAWN ST	MORENO VALLEY	CA	92553-3392	CONTRERAS, JOSE	24189 FAWN ST	MORENO VALLEY, CA	92553-3392	254.02	25.4	50.3	329.7
55233985005	482553041	MOYSES, ALBA	24195	FAWN ST	MORENO VALLEY	CA	92553-3392	MOYSES, ALBA	24195 FAWN ST	MORENO VALLEY, CA	92553-3392	254.02	25.4	50.3	329.7
96615733007	482553044	WHITE, GLENN (OWNR)	24213	FAWN ST	MORENO VALLEY	CA	92553-6250	WHITE, GLENN	24213 FAWN ST	MORENO VALLEY, CA	92553-6250	97.02	9.7	19.21	125.92
97720525008	482553045	LOYD, DONNIE (RENT)	24221	FAWN ST	MORENO VALLEY	CA	92553-6250	LOYD, DONNIE	24221 FAWN ST	MORENO VALLEY, CA	92553-6250	254.12	25.41	50.32	329.84
91542375003	482554006	MARQUEZ, CHRISTINE	24135	AMBERLEY DR	MORENO VALLEY	CA	92553-3382	MARQUEZ, CHRISTINE	24135 AMBERLEY DR	MORENO VALLEY, CA	92553-3382	173.92	17.39	34.44	225.74
97068455006	482554008	GODINEZ, MARIA (RENT)	24151	AMBERLEY DR	MORENO VALLEY	CA	92553-3382	GODINEZ, MARIA	24151 AMBERLEY DR	MORENO VALLEY, CA	92553-3382	95	9.5	18.81	123.3
31376125002	482554009	BEDOLLA, SYLVIA	24157	AMBERLEY DR	MORENO VALLEY	CA	92553-3382	BEDOLLA, SYLVIA	24157 AMBERLEY DR	MORENO VALLEY, CA	92553-3382	254.02	25.4	50.3	329.7
31328885003	482554012	MARTINEZ, MIRNA	24179	AMBERLEY DR	MORENO VALLEY	CA	92553-3387	MARTINEZ, MIRNA	24179 AMBERLEY DR	MORENO VALLEY, CA	92553-3387	254.02	25.4	50.3	329.7
96232695017	482554028	LLAMAS, DALIA (RENT)	13390	CAVANDISH LN	MORENO VALLEY	CA	92553-6247	LLAMAS, DALIA	13390 CAVANDISH LN	MORENO VALLEY, CA	92553-6247	36.56	3.66	7.24	47.44
97331505008	482561001	MARROQUIN, JUAN (OWNR)	24165	LINNEA CT	MORENO VALLEY	CA	92553-2425	MARROQUIN, JUAN (OWNR)	24165 LINNEA CT	MORENO VALLEY, CA	92553-2425	63.63	6.36	12.6	82.58
94838065007	482561003	EDWARDS, DALANDA (RENT)	24187	LINNEA CT	MORENO VALLEY	CA	92553-2425	EDWARDS, DELANDA	24187 LINNEA CT	MORENO VALLEY, CA	92553-2425	207.67	20.77	41.12	269.54
94256365009	482561004	CANO, JIMMY AND LUZ B	24201	LINNEA CT	MORENO VALLEY	CA	92553-3595	CANO, JIMMY AND LUZ B	24201 LINNEA CT	MORENO VALLEY, CA	92553-3595	420.76	42.08	83.31	546.14
31556395002	482561006	MOSLEY, AYESHA (OWNR)	24225	LINNEA CT	MORENO VALLEY	CA	92553-3595	MOSLEY, AYESHA	24225 LINNEA CT	MORENO VALLEY, CA	92553-3595	329.32	32.93	65.21	427.44
31090945007	482561018	MC GREGOR, WILLIAM R	24203	CRAIG DR	MORENO VALLEY	CA	92553-3570	MC GREGOR, WILLIAM R	24203 CRAIG DR	MORENO VALLEY, CA	92553-3570	63.63	6.36	12.6	82.58
75085895004	482561022	GRANADOS, MIRIAM	24244	CRAIG DR	MORENO VALLEY	CA	92553-3569	GRANADOS, MIRIAM	24244 CRAIG DR	MORENO VALLEY, CA	92553-3569	254.02	25.4	50.3	329.7
86543693001	482561029	BARRERA, MIGUEL (RENT)	24156	CRAIG DR	MORENO VALLEY	CA	92553-3596	BARRERA, MIGUEL	24156 CRAIG DR	MORENO VALLEY, CA	92553-3596	254.12	25.41	50.32	329.84
91424075007	482561031	MARIN, GRASIANO (OWNR)	24130	CRAIG DR	MORENO VALLEY	CA	92553-3596	MARIN, GRASIANO	24130 CRAIG DR	MORENO VALLEY, CA	92553-3596	162.42	16.24	32.16	210.82
31078185001	482561033	WILLIAMS, STEPHEN S	24110	CRAIG DR	MORENO VALLEY	CA	92553-3596	WILLIAMS, STEPHEN S	24110 CRAIG DR	MORENO VALLEY, CA	92553-3596	254.02	25.4	50.3	329.7
97580555009	482561047	TORREZ, JOY (RENT)	14395	SUSANA CT	MORENO VALLEY	CA	92553-3567	TORREZ, JOY	14395 SUSANA CT	MORENO VALLEY, CA	92553-3567	254.12	25.41	50.32	329.84
91571843004	482561052	CERVANTES, GUILLERMO (RENT)	14445	SUSANA CT	MORENO VALLEY	CA	92553-3577	CERVANTES, GUILLERMO	14445 SUSANA CT	MORENO VALLEY, CA	92553-3577	226.73	22.67	44.89	294.28
96662355008	482561057	BLAZE, ELIANE (RENT)	14485	SUSANA CT	MORENO VALLEY	CA	92553-3577	BLAZE, ELIANE	14485 SUSANA CT	MORENO VALLEY, CA	92553-3577	254.12	25.41	50.32	329.84
31521115005	482562003	VALENTINE, YOLANDA	14435	ETERNAL DR	MORENO VALLEY	CA	92553-3597	VALENTINE, YOLANDA	14435 ETERNAL DR	MORENO VALLEY, CA	92553-3597	310.27	31.03	61.48	402.72
52058575005	482562005	ZAVALA, MARISELA	14459	ETERNAL DR	MORENO VALLEY	CA	92553-3597	ZAVALA, MARISELA	14459 ETERNAL DR	MORENO VALLEY, CA	92553-3597	254.02	25.4	50.3	329.7
91487803001	482562006	SEDURA, SANDRA (RENT)	14471	ETERNAL DR	MORENO VALLEY	CA	92553-3597	SEDURA, SANDRA	14471 ETERNAL DR	MORENO VALLEY, CA	92553-3597	282.35	28.24	55.91	366.48
91975325006	482562010	SIORDIA, MARIA AND ERNESTO (RE	14430	UNITY CT	MORENO VALLEY	CA	92553-3578	SIORDIA, MARIA	14430 UNITY CT	MORENO VALLEY, CA	92553-3578	100.59	10.06	19.92	130.56
31409775004	482562012	ALDAPA, JOHNNY	14458	UNITY CT	MORENO VALLEY	CA	92553-3578	ALDAPA, JOHNNY	14458 UNITY CT	MORENO VALLEY, CA	92553-3578	127.36	12.74	25.22	165.3
66787555007	482571007	ACENCIO, DAVID	24269	DRACAEA AVE	MORENO VALLEY	CA	92553-3167	ACENCIO, DAVID	24269 DRACAEA AVE	MORENO VALLEY, CA	92553-3167	254.12	25.41	50.32	329.84
92762933009	482571013	CORONA, ANABEL (RENT)	24207	DRACAEA AVE	MORENO VALLEY	CA	92553-3167	CORONA, ANABEL	24207 DRACAEA AVE	MORENO VALLEY, CA	92553-3167	244.83	24.48	48.48	317.78
66872455008	482571017	ABAD, LUIS AND VANESSA	24173	DRACAEA AVE	MORENO VALLEY	CA	92553-3166	ABAD, LUIS AND VANESSA	24173 DRACAEA AVE	MORENO VALLEY, CA	92553-3166	254.12	25.41	50.32	329.84
49589215001	482571020	IGLESEAS, ALEJANDRO	24154	RADWELL DR	MORENO VALLEY	CA	92553-3393	IGLESEAS, ALEJANDRO	24154 RADWELL DR	MORENO VALLEY, CA	92553-3393	140.44	14.04	27.81	182.28
96094295007	482571023	TANON, CHRISTINA (RENT)	24176	RADWELL DR	MORENO VALLEY	CA	92553-3393	TANON, CHRISTINA	21342 DICKINSON RD	MORENO VALLEY, CA	92557-8416	61.26	6.13	12.13	79.5
96299235005	482571025	CORONA, MONICA	24190	RADWELL DR	MORENO VALLEY	CA	92553-3393	CORONA, MONICA	24190 RADWELL DR	MORENO VALLEY, CA	92553-3393	485.98	48.6	96.22	630.8
93557433007	482571026	VASQUEZ, LORENA (RENT)	24198	RADWELL DR	MORENO VALLEY	CA	92553-3393	VASQUEZ, LORENA	24198 RADWELL DR	MORENO VALLEY, CA	92553-3393	229	22.9	45.34	297.24
62593545006	482571037	COLCHADO, ALEJANDRO	13278	CAVANDISH LN	MORENO VALLEY	CA	92553-6245	COLCHADO, ALEJANDRO	13278 CAVANDISH LN	MORENO VALLEY, CA	92553-6245	254.12	25.41	50.32	329.84
31590995001	482571040	INGRAM, CYNTHIA	13296	CAVANDISH LN	MORENO VALLEY	CA	92553-6245	INGRAM, CYNTHIA	13296 CAVANDISH LN	MORENO VALLEY, CA	92553-6245	63.63	6.36	12.6	82.58
31622895007	482571041	JUAREZ, SAMUEL	13302	CAVANDISH LN	MORENO VALLEY	CA	92553-6203	JUAREZ, SAMUEL	13302 CAVANDISH LN	MORENO VALLEY, CA	92553-6203	254.02	25.4	50.3	329.7
88605013009	482571050	CRETTY, BONNIE (RENT)	13356	CAVANDISH LN	MORENO VALLEY	CA	92553-6204	CRETTY, BONNIE	13356 CAVANDISH LN	MORENO VALLEY, CA	92553-6204	23.63	2.36	4.68	30.66
92896303007	482571051	ACERO, JOSE M AND ANA M L	13362	CAVANDISH LN	MORENO VALLEY	CA	92553-6204	ACERO, JOSE M AND ANA M L	1511 CANTANIA DR	PERRIS, CA	92571-3769	335.76	33.58	66.48	435.8
91601183007	482572003	RHYNE, DOHNYCIA (RENT)	13369	CAVANDISH LN	MORENO VALLEY	CA	92553-6202	RHYNE, DOHNYCIA	13369 CAVANDISH LN	MORENO VALLEY, CA	92553-6202	201.27	20.13	39.85	261.24
82891345002	482572010	FLOREZ, OCTAVIO	24261	RADWELL DR	MORENO VALLEY	CA	92553-3313	FLOREZ, OCTAVIO	24261 RADWELL DR	MORENO VALLEY, CA	92553-3313	254.02	25.4	50.3	329.7
89563153009	482572016	CHAURE, CLAUDIA (RENT)	24213	RADWELL DR	MORENO VALLEY	CA	92553-3313	CHAURE, CLAUDIA	24213 RADWELL DR	MORENO VALLEY, CA	92553-3313	242.13	24.21	47.94	314.28
91339698007	482572017	BILINSKI, KELLY (RENT)	24203	RADWELL DR	MORENO VALLEY	CA	92553-3313	BILINSKI, KELLY	12253 KEENLAND DR	RANCHO CUCAMONGA, CA	91739-9062	240.16	24.02	47.55	311.72
97608835000	482572021	JHAWAR, BALBIR AND HARINDERJIT	24177	RADWELL DR	MORENO VALLEY	CA	92553-3398	JHAWAR, BALBIR AND HARINDERJIT	16196 JACOBS CIR	RIVERSIDE, CA	92504-6214	383.49	38.35	75.93	497.76
50508765001	482572026	CARREON, MARIA	13328	HELMSDALE ST	MORENO VALLEY	CA	92553-3311	CARREON, MARIA	13328 HELMSDALE ST	MORENO VALLEY, CA	92553-3311	254.02	25.4	50.3	329.7
31656155000	482572029	CERVANTES, MIGUEL	13350	HELMSDALE ST	MORENO VALLEY	CA	92553-3311	CERVANTES, MIGUEL	13350 HELMSDALE ST	MORENO VALLEY, CA	92553-3311	65.65	6.57	13	85.2
95524495002	482572032	DAO, DAN (OWNR)	13365	HOLBECK CT	MORENO VALLEY	CA	92553-6215	DAO, DAN	13365 HOLBECK CT	MORENO VALLEY, CA	92553-6215	63.63	6.36	12.6	82.58
31605075004	482572035	LOPEZ, JULISSA	13347	HOLBECK CT	MORENO VALLEY	CA	92553-6215	LOPEZ, JULISSA	13347 HOLBECK CT	MORENO VALLEY, CA	92553-6215	190.69	19.07	37.76	247.5
31389685007	482572036	CANTOR, VERONICA	13341	HOLBECK CT	MORENO VALLEY	CA	92553-6215	CANTOR, VERONICA	3735 KANSAS AVE APT IV	RIVERSIDE, CA	92507-4322	254.02	25.4	50.3	329.7
58195315004	482572042	SANDOVAL, LORENZA	13352	HOLBECK CT	MORENO VALLEY	CA	92553-6215	SANDOVAL, LORENZA	13352 HOLBECK CT	MORENO VALLEY, CA	92553-6215	44.02	4.4	8.72	57.12
88947745002	482572043	RANGEL, TESIBEL	13358	HOLBECK CT	MORENO VALLEY	CA	92553-6215	RANGEL, TESIBEL	13358 HOLBECK CT	MORENO VALLEY, CA	92553-6215	153.92	15.39	30.48	199.78
92132005000	482582001	HADDOW, ERIN	24770	CHIPPENDALE ST	MORENO VALLEY	CA	92553-5862	HADDOW, ERIN	24770 CHIPPENDALE ST	MORENO VALLEY, CA	92553-5862	253.92	25.39	50.28	329.58
97112185009	482582006	CHANG, MICHAEL K	24840	CHIPPENDALE ST	MORENO VALLEY	CA	92553-5817	CHANG, MICHAEL K	2020 E LOCUST CT	ONTARIO, CA	91761-7617	420.76	42.08	83.31	546.14
31205825006	482582007	ARELLANO, JESSE	24850	CHIPPENDALE ST	MORENO VALLEY	CA	92553-5817	ARELLANO, JESSE	24850 CHIPPENDALE ST	MORENO VALLEY, CA	92553-5817	254.02	25.4	50.3	329.7
93595465000	482582008	NUNEZ, MARTY (RENT)	24868	CHIPPENDALE ST	MORENO VALLEY	CA	92553-5817	NUNEZ, MARTY	24868 CHIPPENDALE ST	MORENO VALLEY, CA	92553-5817	174.12	17.41	34.48	226
94751915004	482582013	OLIVEROS, MIRIAM (RENT)	24813	CHIPPENDALE ST	MORENO VALLEY	CA	92553-5817	OLIVEROS, MIRIAM	24813 CHIPPENDALE ST	MORENO VALLEY, CA	92553-5817	190.49	19.05	37.72	247.24
97379205000	482582020	FUTCH, MARCUS (RENT)	24804	CAPE COD ST	MORENO VALLEY	CA	92553-5822	FUTCH, MARCUS	24804 CAPE COD ST	MORENO VALLEY, CA	92553-5822	144.12	14.41	28.54	187.06
62927945002	482582021	RODRIGUEZ, CHRISTINE	24816	CAPE COD ST	MORENO VALLEY	CA	92553-5822	RODRIGUEZ, CHRISTINE	24816 CAPE COD ST	MORENO VALLEY, CA	92553-5822	254.12	25.41	50.32	329.84
31345175006	482582024	BENEGAS, JUAN MANUEL	24866	CAPE COD ST	MORENO VALLEY	CA	92553-5822	BENEGAS, JUAN MANUEL	24866 CAPE COD ST	MORENO VALLEY, CA	92553-5822	254.02	25.4	50.3	329.7
88278785008	482582030	REYES, LORENZA	24791	CAPE COD ST	MORENO VALLEY	CA	92553-5861	REYES, LORENZA	24791 CAPE COD ST	MORENO VALLEY, CA	92553-5861	254.02	25.4	50.3	329.7
31571665004	482591002	RIVERS, GINGER	24930	LORNA DR	MORENO VALLEY	CA	92553-5883	RIVERS, GINGER	24930 LORNA DR	MORENO VALLEY, CA	92553-5883	254.02	25.4	50.3	329.7
31058835007	482591005	MADISON, WILLIAM	24884	LORNA DR	MORENO VALLEY	CA	92553-5825	MADISON, WILLIAM	24884 LORNA DR	MORENO VALLEY, CA	92553-5825	254.02	25.4	50.3	329.7
51986545005	482591013	KITTOK, MARY JO	24794	LORNA DR	MORENO VALLEY	CA	92553-5881	KITTOK, MARY JO	24794 LORNA DR	MORENO VALLEY, CA	92553-5881	190.69	19.07	37.76	247.5
31338485006	482592002	FLORES, ESTHER	24893	NOGAL ST	MORENO VALLEY	CA	92553-5889	FLORES, ESTHER	24893 NOGAL ST	MORENO VALLEY, CA	92553-5889	329.32	32.93	65.21	427.44
55729445008	482592017	BEVERLY, VANESSA	24883	LORNA DR	MORENO VALLEY	CA	92553-5884	BEVERLY, VANESSA	24883 LORNA DR	MORENO VALLEY, CA	92553-5884	214.02	21.4	42.38	277.78
94141675008	482592019	LARRY, LA SHAWN (RENT)	24911	LORNA DR	MORENO VALLEY	CA	92553-3953	LARRY, LA SHAWN	PO BOX 56297	RIVERSIDE, CA	92517-1197	86.37	8.64	17.1	112.1
31083885004	482592024	NEVARES, ERIC	14406	IBEX ST	MORENO VALLEY	CA	92553-5827	NEVARES, ERIC	14406 IBEX ST	MORENO VALLEY, CA	92553-5827	254.02	25.4	50.3	329.7
73524795005	482593009	LLAMAS, JUAN PEDRO	24806	NOGAL ST	MORENO VALLEY	CA	92553-5844	LLAMAS, ROSA	650 S OLIVE AVE	RIALTO, CA	92376-7087	254.02	25.4	50.3	329.7
94259525000	482593011	ARTIGA, YADIRA (RENT)	24795	LORNA DR	MORENO VALLEY	CA	92553-5882	ARTIGA, YADIRA	24795 LORNA DR	MORENO VALLEY, CA	92553-5882	114.21	11.42	22.61	148.24
31331205000	482593013	MARTINEZ, MARTA	24821	LORNA DR	MORENO VALLEY	CA	92553-5871	MARTINEZ, MARTA	24821 LORNA DR	MORENO VALLEY, CA	92553-5871	104.02	10.4	20.6	135
66122965001	482593015	SANCHEZ, LUCY	24845	LORNA DR	MORENO VALLEY	CA	92553-5871	SANCHEZ, LUCY	24845 LORNA DR	MORENO VALLEY, CA	92553-5871	184.12	18.41	36.46	238.98
94319655004	482593016	SIFUENTES, SANDRA (RENT)	24849	LORNA DR	MORENO VALLEY	CA	92553-5871	SIFUENTES, SANDRA	24401 JONNA LN	MORENO VALLEY, CA	92553-3591	61.16	6.12	12.11	79.38
96706825005	482594005	JACKSON, SHANILTON (RENT)	24833	NOGAL ST	MORENO VALLEY	CA	92553-5845	JACKSON, SHANILTON	24833 NOGAL ST	MORENO VALLEY, CA	92553-5845	253.09	25.31	50.11	328.5
97112865006	482596005	MALONE, NATALIAH (RENT)	14453	PHILO ST	MORENO VALLEY	CA	92553-5843	MALONE, NATALIAH-	14453 PHILO ST	MORENO VALLEY, CA	92553-5843	231.3	23.13	45.8	300.22
31310905007	482596009	THOMAS, TIMOTHY	14409	PHILO ST	MORENO VALLEY	CA	92553-5894	THOMAS, TIMOTHY	14409 PHILO ST	MORENO VALLEY, CA	92553-5894	329.04	32.9	65.15	427.08
31331425004	482600007	ESTRADA, MARTHA	24111	AYLESBURY DR	MORENO VALLEY	CA	92553-6219	ESTRADA, MARTHA	24111 AYLESBURY DR	MORENO VALLEY, CA	92553-6219	40.69	4.07	8.06	52.8
98208645018	482600016	RIVERA, LISA (RENT)	24138	FAWN ST	MORENO VALLEY	CA	92553-3390	RIVERA, LISA (RENT)	24138 FAWN ST	MORENO VALLEY, CA	92553-3390	93.52	9.35	18.52	121.38
95832235004	482600022	PEREZ, ROMEL E	24098	FAWN ST	MORENO VALLEY	CA	92553-6248	PEREZ, ROMEL E	459 13TH ST W	PERRIS, CA	92570-4535	455.62	45.56	90.21	591.38
31143905002	482600033	MARTINEZ, JUAN AND PATRICIA	24036	AYLESBURY DR	MORENO VALLEY	CA	92553-6218	MARTINEZ, JUAN	24036 AYLESBURY DR	MORENO VALLEY, CA	92553-6218	254.02	25.4	50.3	329.7
98198093006	482600034	KENNEDY, REKEIA (RENT)	24046	AYLESBURY DR	MORENO VALLEY	CA	92553-6218	KENNEDY, REKEIA	24046 AYLESBURY DR	MORENO VALLEY, CA	92553-6218	156.96	15.7	31.08	203.72
31299035005	482600041	WOODS, KEVIN	13303	LUTON CT	MORENO VALLEY	CA	92553-6233	WOODS, KEVIN	13303 LUTON CT	MORENO VALLEY, CA	92553-6233	254.02	25.4	50.3	329.7
94847935006	482600050	RAMOS, JUAN (OWNR)	13291	HELMSDALE ST	MORENO VALLEY	CA	92553-6217	RAMOS, JUAN	13291 HELMSDALE ST	MORENO VALLEY, CA	92553-6217	190.79	19.08	37.78	247.64
31494135001	482600055	RODRIGUEZ, RALPH	24141	DRACAEA AVE	MORENO VALLEY	CA	92553-3139	RODRIGUEZ, RALPH	24141 DRACAEA AVE	MORENO VALLEY, CA	92553-3139	93.92	9.39	18.6	121.9
81118675001	482600057	GALLEGOS, MARCOS	24115	DRACAEA AVE	MORENO VALLEY	CA	92553-3139	GALLEGOS, MARCOS	14191 CASCO CT	MORENO VALLEY, CA	92553-6712	63.63	6.36	12.6	82.58
31561115001	482611006	FLORES, VERONICA AND NORMA	24815	BRODIAEA AVE	MORENO VALLEY	CA	92553-5857	FLORES, VERONICA AND NORMA	24815 BRODIAEA AVE	MORENO VALLEY, CA	92553-5857	190.69	19.07	37.76	247.5
31414215002	482611010	AVILA, ALBERT	24871	BRODIAEA AVE	MORENO VALLEY	CA	92553-5857	AVILA, ALBERT	24871 BRODIAEA AVE	MORENO VALLEY, CA	92553-5857	254.02	25.4	50.3	329.7
31283365009	482611019	HOPKINS, MARIA	24770	HEIL DR	MORENO VALLEY	CA	92553-5877	HOPKINS, MARIA	24770 HEIL DR	MORENO VALLEY, CA	92553-5877	254.12	25.41	50.32	329.84
31287275009	482612003	REBOLLEDO, FRANK	24823	HEIL DR	MORENO VALLEY	CA	92553-5847	REBOLLEDO, FRANK	24823 HEIL DR	MORENO VALLEY, CA	92553-5847	254.02	25.4	50.3	329.7
31188115003	482612015	GUERRERO, SALVADOR	24912	OTIS DR	MORENO VALLEY	CA	92553-5866	GUERRERO, SALVADOR	24912 OTIS DR	MORENO VALLEY, CA	92553-5866	254.02	25.4	50.3	329.7
31555345005	482612016	ROSAS, ROSA L	24932	OTIS DR	MORENO VALLEY	CA	92553-5866	ROSAS, ROSA L	24932 OTIS DR	MORENO VALLEY, CA	92553-5866	126.96	12.7	25.14	164.78
31346515003	482612017	FRANCO, JOSE	24946	OTIS DR	MORENO VALLEY	CA	92553-5866	FRANCO, JOSE	24946 OTIS DR	MORENO VALLEY, CA	92553-5866	190.69	19.07	37.76	247.5
90261745004	482613001	BOLTON, KEITH	24811	OTIS DR	MORENO VALLEY	CA	92553-5837	BOLTON, KEITH	24811 OTIS DR	MORENO VALLEY, CA	92553-5837	253.92	25.39	50.28	329.58
73228025005	482613008	BARAJAS, JOSE ALEJANDRO	24915	OTIS DR	MORENO VALLEY	CA	92553-5865	BARAJAS, JOSE ALEJANDRO	24915 OTIS DR	MORENO VALLEY, CA	92553-5865	254.12	25.41	50.32	329.84
96299725002	482613009	THOMAS AGNES 2002 TRUST	24933	OTIS DR	MORENO VALLEY	CA	92553-5865	THOMAS AGNES 2002 TRUST	24933 OTIS DR	MORENO VALLEY, CA	92553-5865	177.35	17.74	35.12	230.2
31321235005	482614001	REID, ELIZABETH	24999	BRODIAEA AVE	MORENO VALLEY	CA	92553-5849	REID, ELIZABETH	PO BOX 10271	MORENO VALLEY, CA	92552-0271	121.84	12.18	24.12	158.14

MV00167467

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31641285005	482614004	MILLER, THOMAS	24957	BRODIAEA AVE	MORENO VALLEY	CA	92553-5849	MILLER, THOMAS	24957 BRODIAEA AVE	MORENO VALLEY, CA	92553-5949	254.02	25.4	50.3	329.7
31599985001	482614012	ALPIVAR, GEORGE A	24916	HEIL DR	MORENO VALLEY	CA	92553-5868	ALPIVAR, GEORGE A	24916 HEIL DR	MORENO VALLEY, CA	92553-5868	254.02	25.4	50.3	329.7
31369225006	482614014	DOUTHIT, CINDY	24944	HEIL DR	MORENO VALLEY	CA	92553-5868	DOUTHIT, CINDY	24944 HEIL DR	MORENO VALLEY, CA	92553-5868	329.32	32.93	65.21	427.44
95431173007	482614018	AKINTIMOYE, ELIZABETH-	14316	IBEX ST	MORENO VALLEY	CA	92553-5828	AKINTIMOYE, ELIZABETH	14316 IBEX ST	MORENO VALLEY, CA	92553-5828	36.26	3.63	7.18	47.06
31390445006	482622019	CAPERON, MICHELLE	24694	MARS CT	MORENO VALLEY	CA	92553-5826	CAPERON, MICHELLE	24694 MARS CT	MORENO VALLEY, CA	92553-5826	109.02	10.9	21.59	141.5
101703973003	482622021	ADAMS, PAMELA (RENT)	24718	MARS CT	MORENO VALLEY	CA	92553-5834	ADAMS, PAMELA	24718 MARS CT	MORENO VALLEY, CA	92553-5834	81.11	8.11	16.06	105.28
31565705008	482622030	MANZANO, KARLA	24695	MARS CT	MORENO VALLEY	CA	92553-5838	MANZANO, KARLA	24695 MARS CT	MORENO VALLEY, CA	92553-5838	254.12	25.41	50.32	329.84
90193003004	482622032	DENSON, TEALOMIA (RENT)	24673	MARS CT	MORENO VALLEY	CA	92553-5838	DENSON, TEALOMIA	24673 MARS CT	MORENO VALLEY, CA	92553-5838	201.17	20.12	39.83	261.1
87945295001	482623027	LEFLORE, FREDERICK (RENT)	14549	VICTOR DR	MORENO VALLEY	CA	92553-5842	LEFLORE, FREDERICK	14549 VICTOR DR	MORENO VALLEY, CA	92553-5842	45.91	4.59	9.09	59.58
90124633007	482623029	PERALTA, MARIA (OWNR)	14573	VICTOR DR	MORENO VALLEY	CA	92553-5842	PERALTA, MARIA	14573 VICTOR DR	MORENO VALLEY, CA	92553-5842	126.96	12.7	25.14	164.78
90654773003	482631005	CARDOZO, SALVADOR (RENT)	13815	PHEASANT KNOLL LN	MORENO VALLEY	CA	92553-3877	CARDOZO, SALVADOR	13815 PHEASANT KNOLL LN	MORENO VALLEY, CA	92553-3877	277.43	27.74	54.93	360.1
31304895002	482631009	RENTERIA, JULIO	13867	PHEASANT KNOLL LN	MORENO VALLEY	CA	92553-3877	RENTERIA, JULIO	13867 PHEASANT KNOLL LN	MORENO VALLEY, CA	92553-3877	254.02	25.4	50.3	329.7
31268605000	482631013	SAMPSON,DANIEL	13921	PHEASANT KNOLL LN	MORENO VALLEY	CA	92553-3880	SAMPSON, DANIEL	13921 PHEASANT KNOLL LN	MORENO VALLEY, CA	92553-3880	154.02	15.4	30.5	199.9
31129105009	482631025	CARSON, ERIC	24657	CAROLYN AVE	MORENO VALLEY	CA	92553-3889	CARSON, ERIC	24657 CAROLYN AVE	MORENO VALLEY, CA	92553-3889	254.02	25.4	50.3	329.7
31060765007	482631030	CALLENDER, MRS MAGDRIE R	24703	CAROLYN AVE	MORENO VALLEY	CA	92553-3834	CALLENDER, MRS MAGDRIE R	24703 CAROLYN AVE	MORENO VALLEY, CA	92553-3834	57.27	5.73	11.34	74.32
95473335006	482632026	CABRERA, ISIDRO (RENT)	24616	WILLET LN	MORENO VALLEY	CA	92553-3817	CABRERA, ISIDRO	24616 WILLET LN	MORENO VALLEY, CA	92553-3817	254.02	25.4	50.3	329.7
98311535013	482632029	REYES, MAYKELIN (RENT)	24646	WILLET LN	MORENO VALLEY	CA	92553-3817	REYES, MAYKELIN	24646 WILLET LN	MORENO VALLEY, CA	92553-3817	254.12	25.41	50.32	329.84
97711555000	482632032	CHACON, MIKE AND ROSE (RENT)	24676	WILLET LN	MORENO VALLEY	CA	92553-3817	CHACON, MIKE AND ROSE	24676 WILLET LN	MORENO VALLEY, CA	92553-3817	254.12	25.41	50.32	329.84
31296325000	482632034	YANEZ, JOSE R	24696	WILLET LN	MORENO VALLEY	CA	92553-3817	YANEZ, JOSE R	24696 WILLET LN	MORENO VALLEY, CA	92553-3817	247.76	24.78	49.06	321.58
31540805000	482633004	GRANT, CHARLENE	24667	WILLET LN	MORENO VALLEY	CA	92553-3827	GRANT, CHARLENE	24667 WILLET LN	MORENO VALLEY, CA	92553-3827	329.6	32.96	65.26	427.82
92193235004	482633005	WALCHES, ELIZABETH	24655	WILLET LN	MORENO VALLEY	CA	92553-3827	WALCHES, ELIZABETH-	24655 WILLET LN	MORENO VALLEY, CA	92553-3827	253.92	25.39	50.28	329.58
97067915002	482633006	NICHOLS, JESSICA (RENT)	24645	WILLET LN	MORENO VALLEY	CA	92553-3827	NICHOLS, JESSICA	24645 WILLET LN	MORENO VALLEY, CA	92553-3827	294.63	29.46	58.34	382.42
56205895001	482633016	FIELDS, LEANDRE	13914	PHEASANT KNOLL LN	MORENO VALLEY	CA	92553-5330	FIELDS, LEANDRE	12625 FREDERICK ST #15-316	MORENO VALLEY, CA	92553-5216	254.02	25.4	50.3	329.7
83603045003	482633019	SOTO, VITELIO	13952	PHEASANT KNOLL LN	MORENO VALLEY	CA	92553-5330	SOTO, VITELIO	746 N 900 W APT 310	SALT LAKE CITY, UT	84116-4029	254.02	25.4	50.3	329.7
55078045002	482633026	MACIAS, LILIA	13905	ROBIN NEST CT	MORENO VALLEY	CA	92553-5336	MACIAS, LILIA	13905 ROBIN NEST CT	MORENO VALLEY, CA	92553-5336	254.02	25.4	50.3	329.7
97800625007	482633031	EDLER, JAIME (OWNR)	13849	ROBIN NEST CT	MORENO VALLEY	CA	92553-3882	EDLER, JAIME	13849 ROBIN NEST CT	MORENO VALLEY, CA	92553-3882	254.02	25.4	50.3	329.7
56316575003	482633034	CALDERON, GUADALUPE	13850	ROBIN NEST CT	MORENO VALLEY	CA	92553-3874	CALDERON, GUADALUPE	13850 ROBIN NEST CT	MORENO VALLEY, CA	92553-3874	104.02	10.4	20.6	135
55215835004	482633042	MCLEOD, SAMUEL	13946	ROBIN NEST CT	MORENO VALLEY	CA	92553-5335	MCLEOD, SAMUEL	13946 ROBIN NEST CT	MORENO VALLEY, CA	92553-5335	254.02	25.4	50.3	329.7
60530775001	482633044	COLEMAN, LONNIE	24702	CAROLYN AVE	MORENO VALLEY	CA	92553-3881	COLEMAN, LONNIE	24702 CAROLYN AVE	MORENO VALLEY, CA	92553-3881	254.12	25.41	50.32	329.84
31514065000	482641005	RODRIGUEZ, EMILY	13533	VELLANTO WAY	MORENO VALLEY	CA	92553-3857	RODRIGUEZ, EMILY	13533 VELLANTO WAY	MORENO VALLEY, CA	92553-3857	254.12	25.41	50.32	329.84
94597645008	482641014	FIDIS, DENISE (RENT)	13587	VELLANTO WAY	MORENO VALLEY	CA	92553-3883	FIDIS, DENISE	13587 VELLANTO WAY	MORENO VALLEY, CA	92553-3883	211.93	21.19	41.95	275.08
31449615004	482641015	MENA, ESMIRNA	13593	VELLANTO WAY	MORENO VALLEY	CA	92553-3883	MENA, ESMIRNA	13593 VELLANTO WAY	MORENO VALLEY, CA	92553-3883	72.74	7.27	14.4	94.4
63116085001	482641016	MUIR, FRAN	13599	VELLANTO WAY	MORENO VALLEY	CA	92553-3883	MUIR, FRAN	13599 VELLANTO WAY	MORENO VALLEY, CA	92553-3883	254.12	25.41	50.32	329.84
31654575007	482641017	MARTINEZ, RENE	13607	VELLANTO WAY	MORENO VALLEY	CA	92553-5301	MARTINEZ, RENE	13607 VELLANTO WAY	MORENO VALLEY, CA	92553-5301	63.63	6.36	12.6	82.58
92252615008	482641018	TATE, RETONYA	13613	VELLANTO WAY	MORENO VALLEY	CA	92553-5301	TATE, RETONYA	12625 FREDERICK ST STE 15	MORENO VALLEY, CA	92553-5216	253.92	25.39	50.28	329.58
94037195009	482641021	KILLEBREW, NATASHA (RENT)	13633	VELLANTO WAY	MORENO VALLEY	CA	92553-5301	KILLEBREW, NATASHA	13633 VELLANTO WAY	MORENO VALLEY, CA	92553-5301	329.6	32.96	65.26	427.82
94040075008	482642002	ALVAREZ, SOPHIA (RENT)	24703	MANTEE PL	MORENO VALLEY	CA	92553-5323	ALVAREZ, SOPHIA	21687 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-8064	254.12	25.41	50.32	329.84
31390195008	482642004	MEDINA, YOLANDA	24675	MANTEE PL	MORENO VALLEY	CA	92553-3887	MEDINA, YOLANDA	24675 MANTEE PL	MORENO VALLEY, CA	92553-3887	254.02	25.4	50.3	329.7
76101065002	482642008	BARRERA, ANA (OWNR)	24619	MANTEE PL	MORENO VALLEY	CA	92553-5322	BARRERA, ANA	24619 MANTEE PL	MORENO VALLEY, CA	92553-5322	63.36	6.34	12.55	82.24
55155365000	482642009	PAZ, FRANCISCO	24607	MANTEE PL	MORENO VALLEY	CA	92553-5322	PAZ, FRANCISCO	24607 MANTEE PL	MORENO VALLEY, CA	92553-5322	254.02	25.4	50.3	329.7
96616365002	482642015	KINSLEY, AUSTIN (OWNR)	24574	MANTEE PL	MORENO VALLEY	CA	92553-3884	KINSLEY, AUSTIN	24574 MANTEE PL	MORENO VALLEY, CA	92553-3884	254.12	25.41	50.32	329.84
31225515009	482642038	SANTOYO, JAIME G	13586	VELLANTO WAY	MORENO VALLEY	CA	92553-3860	SANTOYO, JAIME G	13586 VELLANTO WAY	MORENO VALLEY, CA	92553-3860	254.12	25.41	50.32	329.84
65034995003	482642041	CASTILLO, RICHARD	13642	VELLANTO WAY	MORENO VALLEY	CA	92553-5304	CASTILLO, RICHARD	13642 VELLANTO WAY	MORENO VALLEY, CA	92553-5304	254.12	25.41	50.32	329.84
31099965003	482642042	KNOX, DAVID	13650	VELLANTO WAY	MORENO VALLEY	CA	92553-5304	KNOX, DAVID	13650 VELLANTO WAY	MORENO VALLEY, CA	92553-5304	254.02	25.4	50.3	329.7
31071465007	482643008	GUZMAN, ROBIN	13524	SEARSON DR	MORENO VALLEY	CA	92553-3822	GUZMAN, ROBIN	13524 SEARSON DR	MORENO VALLEY, CA	92553-3822	254.02	25.4	50.3	329.7
70380215007	482643009	TORRES, AURORA	13512	SEARSON DR	MORENO VALLEY	CA	92553-3822	TORRES, AURORA	13512 SEARSON DR	MORENO VALLEY, CA	92553-3822	152.44	15.24	30.18	197.86
31557565004	482651003	MIDDLEBROOKS, DEBRATH-	13687	VELLANTO WAY	MORENO VALLEY	CA	92553-5339	HOLMES, EARL C AND KAREN	13687 VELLANTO WAY	MORENO VALLEY, CA	92553-5339	254.02	25.4	50.3	329.7
75756125004	482651004	BELTRAN, JUAN (OWNR)	13695	VELLANTO WAY	MORENO VALLEY	CA	92553-5339	BELTRAN, JUAN	13695 VELLANTO WAY	MORENO VALLEY, CA	92553-5339	178.63	17.86	35.37	231.86
92969455000	482651005	WILLIAMS, BARBARA (RENT)	13703	VELLANTO WAY	MORENO VALLEY	CA	92553-3897	WILLIAMS, BARBARA	13703 VELLANTO WAY	MORENO VALLEY, CA	92553-3897	190.69	19.07	37.76	247.5
31557603003	482651007	RIVERA, YOLANDA	22917	PAHUTE DR	MORENO VALLEY	CA	92553-7849	RIVERA, YOLANDA	22917 PAHUTE DR	MORENO VALLEY, CA	92553-7849	190.79	19.08	37.78	247.64
66610185009	482651008	TO, ROBERTA	13725	VELLANTO WAY	MORENO VALLEY	CA	92553-3897	TO, ROBERTA	13725 VELLANTO WAY	MORENO VALLEY, CA	92553-3897	179.6	17.96	35.56	233.12
31402075006	482651009	FIELDS, SIMON K	13733	VELLANTO WAY	MORENO VALLEY	CA	92553-3897	FIELDS, SIMON K	13733 VELLANTO WAY	MORENO VALLEY, CA	92553-3897	190.69	19.07	37.76	247.5
93638325008	482652005	SANCHEZ, VICTOR (OWNR)	24612	BAY AVE	MORENO VALLEY	CA	92553-3809	SANCHEZ, VICTOR	24612 BAY AVE	MORENO VALLEY, CA	92553-3809	254.12	25.41	50.32	329.84
31080585003	482652011	COOMER, LARRY	24668	BAY AVE	MORENO VALLEY	CA	92553-3809	COOMER, LARRY	24668 BAY AVE	MORENO VALLEY, CA	92553-3809	254.02	25.4	50.3	329.7
31565495002	482652015	GUTIERREZ, ROSA	24715	ORMISTA DR	MORENO VALLEY	CA	92553-5327	GUTIERREZ, ROSA	24715 ORMISTA DR	MORENO VALLEY, CA	92553-5327	329.32	32.93	65.21	427.44
52270985000	482652022	ALLEN, RICHARD	24617	ORMISTA DR	MORENO VALLEY	CA	92553-3804	ALLEN, RICHARD	24617 ORMISTA DR	MORENO VALLEY, CA	92553-3804	254.02	25.4	50.3	329.7
31402325004	482652025	HURTADO, HENRY	24575	ORMISTA DR	MORENO VALLEY	CA	92553-5326	HURTADO, HENRY	24575 ORMISTA DR	MORENO VALLEY, CA	92553-5326	254.02	25.4	50.3	329.7
95850475005	482653005	CONTRERAS, SERGIO (OWNR)	24590	ORMISTA DR	MORENO VALLEY	CA	92553-5325	CONTRERAS, SERGIO	24590 ORMISTA DR	MORENO VALLEY, CA	92553-5325	190.29	19.03	37.68	246.98
95933075003	482653006	BAGHERDAI, MAHINAZ (OWNR)	24604	ORMISTA DR	MORENO VALLEY	CA	92553-3802	BAGHERDAI, MAHINAZ	24604 ORMISTA DR	MORENO VALLEY, CA	92553-3802	211.98	21.19	41.96	275.08
31100905002	482653018	MC FARLAND, JAMES	24673	QUALTON CT	MORENO VALLEY	CA	92553-3895	MC FARLAND, JAMES	24673 QUALTON CT	MORENO VALLEY, CA	92553-3895	254.02	25.4	50.3	329.7
31371455003	482653022	WILSON, SHEENA	24617	QUALTON CT	MORENO VALLEY	CA	92553-3895	WILSON, SHEENA	24617 QUALTON CT	MORENO VALLEY, CA	92553-3895	254.02	25.4	50.3	329.7
31546795009	482653023	CARR, DARLENE	24605	QUALTON CT	MORENO VALLEY	CA	92553-3895	CARR, DARLENE	24605 QUALTON CT	MORENO VALLEY, CA	92553-3895	199.04	19.9	39.41	258.34
92934995001	482653026	CARROLL, RAMSEY	24565	QUALTON CT	MORENO VALLEY	CA	92553-5334	CARROLL, RAMSEY	24565 QUALTON CT	MORENO VALLEY, CA	92553-5334	190.29	19.03	37.68	246.98
31227585000	482653031	POWELL, EMILY	24604	QUALTON CT	MORENO VALLEY	CA	92553-3894	POWELL, EMILY	24604 QUALTON CT	MORENO VALLEY, CA	92553-3894	254.02	25.4	50.3	329.7
92134105005	482653039	ROSA, GLORIMAR	24716	QUALTON CT	MORENO VALLEY	CA	92553-5332	ROSA, GLORIMAR	24716 QUALTON CT	MORENO VALLEY, CA	92553-5332	253.92	25.39	50.28	329.58
91044245008	482653040	SYLVIA, PATRICIA	13674	VELLANTO WAY	MORENO VALLEY	CA	92553-5304	SYLVIA, PATRICIA	13674 VELLANTO WAY	MORENO VALLEY, CA	92553-5304	253.92	25.39	50.28	329.58
88439865004	482654005	SEGURA, SANDRA (REN)	13692	SEARSON DR	MORENO VALLEY	CA	92553-3823	SEGURA, SANDRA	14471 ETERNAL DR	MORENO VALLEY, CA	92553-3597	236.93	23.69	46.91	307.52
31103175009	482654010	CARLE, ROBERT	13632	SEARSON DR	MORENO VALLEY	CA	92553-3823	CARLE, ROBERT	13632 SEARSON DR	MORENO VALLEY, CA	92553-3823	254.02	25.4	50.3	329.7
31438875002	482661003	BLACHE, CONSTANCE	14778	BRIANA ST	MORENO VALLEY	CA	92553-7694	BLACHE, CONSTANCE	14778 BRIANA ST	MORENO VALLEY, CA	92553-7694	254.02	25.4	50.3	329.7
85621155009	482661004	LOPEZ, JULIE	14786	BRIANA ST	MORENO VALLEY	CA	92553-7694	LOPEZ, JULIE	14786 BRIANA ST	MORENO VALLEY, CA	92553-7694	254.02	25.4	50.3	329.7
94504635006	482661006	GOMSI, NOELLE (RENT)	14804	BRIANA ST	MORENO VALLEY	CA	92553-7614	GOMSI, NOELLE (RENT)	14804 BRIANA ST	MORENO VALLEY, CA	92553-7614	254.12	25.41	50.32	329.84
55525275003	482661008	YRIGOYEN, DENISE	14822	BRIANA ST	MORENO VALLEY	CA	92553-7614	YRIGOYEN, DENNIS	14822 BRIANA	MORENO VALLEY, CA	92553-7614	329.32	32.93	65.21	427.44
97112785003	482662005	ALVIDREZ, PAUL (RENT)	24135	DELPHINIUM AVE	MORENO VALLEY	CA	92553-2410	ALVIDREZ, PAUL (RENT)	24135 DELPHINIUM AVE	MORENO VALLEY, CA	92553-2410	254.12	25.41	50.32	329.84
90952655006	482662010	VASQUEZ, JESSICA	14915	KENNEBEC CT	MORENO VALLEY	CA	92553-5109	VASQUEZ, JESSICA	14915 KENNEBEC CT	MORENO VALLEY, CA	92553-5109	63.63	6.36	12.6	82.58
31372065003	482662013	BANUELOS, ARTURO	14885	KENNEBEC CT	MORENO VALLEY	CA	92553-7627	RESIDENT, CURRENT	14885 KENNEBEC CT	MORENO VALLEY, CA	92553-7627	254.02	25.4	50.3	329.7
92423593009	482662014	TAYLOR, PARRIE (RENT)	14875	KENNEBEC CT	MORENO VALLEY	CA	92553-7627	TAYLOR, PARRIE	14875 KENNEBEC CT	MORENO VALLEY, CA	92553-7627	253.09	25.31	50.11	328.5
31559365002	482662029	ZAMORA, RAFAEL	14820	KENNEBEC CT	MORENO VALLEY	CA	92553-7620	ZAMORA, RAFAEL	14820 KENNEBEC CT	MORENO VALLEY, CA	92553-7620	254.02	25.4	50.3	329.7
94259415003	482662032	LLAMAS, MARIA AND JESUS (OWNR)	14850	KENNEBEC CT	MORENO VALLEY	CA	92553-7620	LLAMAS, MARIA AND JESUS	14850 KENNEBEC CT	MORENO VALLEY, CA	92553-7620	254.12	25.41	50.32	329.84
31180595009	482662037	JOURDAN, VALERIE	14831	BRIANA ST	MORENO VALLEY	CA	92553-7616	JOURDAN, VALERIE	14831 BRIANA ST	MORENO VALLEY, CA	92553-7616	254.02	25.4	50.3	329.7
92421933002	482662039	WELCH, KIMBERLY (RENT)	14813	BRIANA ST	MORENO VALLEY	CA	92553-7616	WELCH, KIMBERLY	14813 BRIANA ST	MORENO VALLEY, CA	92553-7616	122.73	12.27	24.3	159.3
75959425009	482662040	GROSS, CARLA	14803	BRIANA ST	MORENO VALLEY	CA	92553-7616	GROSS, CARLA	14803 BRIANA ST	MORENO VALLEY, CA	92553-7616	100.44	10.04	19.89	130.36
88710543006	482662044	NORWOOD, ANNIE (RENT)	14769	BRIANA ST	MORENO VALLEY	CA	92553-7695	NORWOOD, ANNIE (RENT)	14769 BRIANA ST	MORENO VALLEY, CA	92553-7695	254.12	25.41	50.32	329.84
63901235005	482663009	ZUNIGA, ALICIA	24230	DRESSIN DR	MORENO VALLEY	CA	92553-7607	ZUNIGA, ALICIA	24230 DRESSIN DR	MORENO VALLEY, CA	92553-7607	254.12	25.41	50.32	329.84
31076375005	482663012	KNIGHT, IDELLA	14887	BRIANA ST	MORENO VALLEY	CA	92553-7633	KNIGHT, IDELLA	14887 BRIANA ST	MORENO VALLEY, CA	92553-7633	254.02	25.4	50.3	329.7
91455345005	482663013	CRUZ, MARTHA	14879	BRIANA ST	MORENO VALLEY	CA	92553-7633	CRUZ, MARTHA	14879 BRIANA ST	MORENO VALLEY, CA	92553-7633	103.92	10.39	20.58	134.88
100705593009	482663014	IBARRA, MANUEL AND CLAUDIA (RE	14867	BRIANA ST	MORENO VALLEY	CA	92553-7633	IBARRA, MANUEL AND CLAUDIA	14867 BRIANA ST	MORENO VALLEY, CA	92553-7633	81.11	8.11	16.06	105.28
95917465004	482671007	CARLOS, RICARDO (RENT)	24320	SUN VALLEY RD	MORENO VALLEY	CA	92553-7647	CARLOS, RICARDO	24320 SUN VALLEY RD	MORENO VALLEY, CA	92553-7647	254.12	25.41	50.32	329.84
31466795000	482671009	FERNANDEZ, MARIA	24340	SUN VALLEY RD	MORENO VALLEY	CA	92553-7647	FERNANDEZ, MARIA	24340 SUN VALLEY RD	MORENO VALLEY, CA	92553-7647	254.02	25.4	50.3	329.7
88233935007	482672009	EVANS, TRISHGINA	24351	SUN VALLEY RD	MORENO VALLEY	CA	92553-7648	EVANS, TRISHGINA	24351 SUN VALLEY RD	MORENO VALLEY, CA	92553-7648	254.12	25.41	50.32	329.84
31565645001	482672013	CONTRERAS, QUENIA	24309	SUN VALLEY RD	MORENO VALLEY	CA	92553-7648	CONTRERAS, QUENIA	24309 SUN VALLEY RD	MORENO VALLEY, CA	92553-7648	254.02	25.4	50.3	329.7
94161775005	482672019	PETRUSAN, PATRICIA (OWNR)	24241	SUN VALLEY RD	MORENO VALLEY	CA	92553-7637	PETRUSAN, PATRICIA	24241 SUN VALLEY RD	MORENO VALLEY, CA	92553-7637	254.12	25.41	50.32	329.84
31301215001	482673008	TAJIMAROA, JOSE F	24143	SUN VALLEY RD	MORENO VALLEY	CA	92553-7611	TAJIMAROA, JOSE F	24143 SUN VALLEY RD	MORENO VALLEY, CA	92553-7611	254.12	25.41	50.32	329.84
95524195005	482674002	HALL, WINDI (RENT)	24158	SUN VALLEY RD	MORENO VALLEY	CA	92553-7610	HALL, WINDI	24158 SUN VALLEY RD	MORENO VALLEY, CA	92553-7610	254.12	25.41	50.32	329.84
31637185004	482674009	AMATON, ALEC	24218	SUN VALLEY RD	MORENO VALLEY	CA	92553-7636	AMATON, ALEC	24218 SUN VALLEY RD	MORENO VALLEY, CA	92553-7636	254.02	25.4	50.3	329.7
97120045002	482674013	BAUTISTA, VERONICA (RENT)	24256	SUN VALLEY RD	MORENO VALLEY	CA	92553-7636	BAUTISTA, VERONICA (RENT)	24256 SUN VALLEY RD	MORENO VALLEY, CA	92553-7636	192.43	19.24	38.1	249.76
87924625007	482674016	CASTRO, CARLOS	14967	BRIANA ST	MORENO VALLEY	CA	92553-7632	CASTRO, CARLOS	14967 BRIANA ST	MORENO VALLEY, CA	92553-7632	254.12	25.41	50.32	329.84
97666385002	482674019	FIGUEROA, JOLLY (RENT)	14925	BRIANA ST	MORENO VALLEY	CA	92553-7632	FIGUEROA, JOLLY	14925 BRIANA ST	MORENO VALLEY, CA	92553-7632	254.12	25.41	50.32	329.84
31103455000	482674024	CHANEY, LINDA	24227	DRESSIN DR	MORENO VALLEY	CA	92553-7608	CHANEY, LINDA	24227 DRESSIN DR	MORENO VALLEY, CA	92553-7608	254.02	25.4	50.3	329.7
31103485004	482674025	SCARVERS, UWANDA	24219	DRESSIN DR	MORENO VALLEY	CA	92553-7608	SCARVERS, UWANDA	24219 DRESSIN DR	MORENO VALLEY, CA	92553-7608	254.02	25.4	50.3	329.7
94698525009	482674026	BANKS, LAURA (RENT)	24211	DRESSIN DR	MORENO VALLEY	CA	92553-7608	BANKS, LAURA	24211 DRESSIN DR	MORENO VALLEY, CA	92553-7608	189.69	18.97	37.56	246.2
91199605004	482674027	OROZCO, MARTIN AND GUADALUPE	24209	DRESSIN DR	MORENO VALLEY	CA	92553-7608	OROZCO, MARTIN AND GUADALUPE	24209 DRESSIN DR	MORENO VALLEY, CA	92553-7608	253.92	25.39	50.28	329.58

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31646185005	482674028	MCGRIFF, MAYO	24197	DRESSIN DR	MORENO VALLEY	CA	92553-5106	MCGRIFF, MAYO	24197 DRESSIN DR	MORENO VALLEY, CA	92553-5106	254.02	25.4	50.3	329.7
87335885001	482674031	BROWN, JAMAHL	24167	DRESSIN DR	MORENO VALLEY	CA	92553-5106	BROWN, JAMAHL	22628 RADNOR LN	MORENO VALLEY, CA	92557-6805	254.12	25.41	50.32	329.84
62804785006	482681006	LEANOS, EFREN	14852	SPINNAKER LN	MORENO VALLEY	CA	92553-9406	LEANOS, EFREN	14852 SPINNAKER LN	MORENO VALLEY, CA	92553-9406	235.8	23.58	46.69	306.06
89399383000	482681010	PEREZ, TERESA (RENT)	14816	SPINNAKER LN	MORENO VALLEY	CA	92553-9406	PEREZ, TERESA	14816 SPINNAKER LN	MORENO VALLEY, CA	92553-9406	254.12	25.41	50.32	329.84
63075735003	482681011	RICHARDS, DESMOND	14808	SPINNAKER LN	MORENO VALLEY	CA	92553-9434	RICHARDS, DESMOND	14808 SPINNAKER LN	MORENO VALLEY, CA	92553-9434	254.12	25.41	50.32	329.84
31332845004	482681012	VASQUEZ, SONIA	14800	SPINNAKER LN	MORENO VALLEY	CA	92553-9434	VASQUEZ, SONIA	14800 SPINNAKER LN	MORENO VALLEY, CA	92553-9434	254.02	25.4	50.3	329.7
96060553003	482681014	BELMAN, FELIPA (RENT)	14782	SPINNAKER LN	MORENO VALLEY	CA	92553-9404	BELMAN, FELIPA	14782 SPINNAKER LN	MORENO VALLEY, CA	92553-9404	109.58	10.96	21.7	142.22
31415805005	482681015	ROBERSON, BERTHA	14774	SPINNAKER LN	MORENO VALLEY	CA	92553-9404	ROBERSON, BERTHA	14774 SPINNAKER LN	MORENO VALLEY, CA	92553-9404	127.36	12.74	25.22	165.3
31156785009	482682009	BENJAMIN, BILL	14781	SPINNAKER LN	MORENO VALLEY	CA	92553-9405	BENJAMIN, BILL	14781 SPINNAKER LN	MORENO VALLEY, CA	92553-9405	249.17	24.92	49.34	323.42
31156955003	482682010	DOAN, THAO	14789	SPINNAKER LN	MORENO VALLEY	CA	92553-9405	DOAN, THAO	14789 SPINNAKER LN	MORENO VALLEY, CA	92553-9405	254.02	25.4	50.3	329.7
31291175002	482682011	MUNOZ, BASILIO	14797	SPINNAKER LN	MORENO VALLEY	CA	92553-9405	MUNOZ, BASILIO	15065 NORTON LN LN	MORENO VALLEY, CA	92551-4058	103.92	10.39	20.58	134.88
97615815009	482682014	MARTINEZ, MARIBEL (RENT)	14821	SPINNAKER LN	MORENO VALLEY	CA	92553-9407	MARTINEZ, MARIBEL	14821 SPINNAKER LN	MORENO VALLEY, CA	92553-9407	134.12	13.41	26.56	174.08
31314515003	482682017	PRUDHOLM, MERCY	14845	SPINNAKER LN	MORENO VALLEY	CA	92553-9407	PRUDHOLM,	14845 SPINNAKER LN	MORENO VALLEY, CA	92553-9407	254.02	25.4	50.3	329.7
31155045007	482682019	WILKE, COLLEEN	14875	SPINNAKER LN	MORENO VALLEY	CA	92553-9409	WILKE, COLLEEN	14875 SPINNAKER LN	MORENO VALLEY, CA	92553-9409	254.02	25.4	50.3	329.7
31630725006	482682025	WILLIAMS, DWAYNE	14929	SPINNAKER LN	MORENO VALLEY	CA	92553-9410	WILLIAMS, DWAYNE	14929 SPINNAKER LN	MORENO VALLEY, CA	92553-9410	254.02	25.4	50.3	329.7
31479415003	482682036	GONZALEZ, NORMA	14870	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9418	GONZALEZ, NORMA	14870 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9418	253.96	25.4	50.28	329.64
48329845002	482682037	VALLE, JAMIE	14860	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9416	VALLE, JAMIE	14860 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9416	254.02	25.4	50.3	329.7
75780435007	482682038	HERNANDEZ, VICTORIA	14850	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9416	HERNANDEZ, VICTORIA	14850 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9416	254.02	25.4	50.3	329.7
31567915000	482682041	BULTER, SHIRLEY (OWNR)	14826	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9416	BULTER, SHIRLEY	14826 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9416	127.46	12.75	25.24	165.44
94413935007	482682045	MARTINEZ, ISRAEL (RENT)	14800	LAVENDER LN	MORENO VALLEY	CA	92553-9430	MARTINEZ, ISRAEL	14164 SAN CRISTOBAL BAY DR	MORENO VALLEY, CA	92553-2907	154.12	15.41	30.52	200.04
96983875009	482682053	SECHANG, VIVIAN (RENT)	14799	LAVENDER LN	MORENO VALLEY	CA	92553-9411	SECHANG, VIVIAN	14799 LAVENDER LN	MORENO VALLEY, CA	92553-9411	254.12	25.41	50.32	329.84
31607665006	482682056	SALVATIERRA, MARIA (OWNR)	14829	LAVENDER LN	MORENO VALLEY	CA	92553-9431	SALVATIERRA, MARIA	14829 LAVENDER LN	MORENO VALLEY, CA	92553-9431	67.36	6.74	13.34	87.42
61524745000	482682060	YORK, SHIRLEEN	14869	LAVENDER LN	MORENO VALLEY	CA	92553-9413	YORK, SHIRLEEN	14869 LAVENDER LN	MORENO VALLEY, CA	92553-9413	99.12	9.91	19.63	128.64
31648095000	482682061	BABBITT, TISHA (OWNR) ACTIVE	14879	LAVENDER LN	MORENO VALLEY	CA	92553-9413	BABBITT, TISHA	14879 LAVENDER LN	MORENO VALLEY, CA	92553-9413	408.42	40.84	80.87	530.12
97111315004	482683003	NGUYEN, TED (OWNR)	14929	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9420	NGUYEN, TED	14929 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9420	254.12	25.41	50.32	329.84
31168975004	482683004	LYNN, CYNTHIA	14919	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9420	LYNN, CYNTHIA	14919 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9420	254.02	25.4	50.3	329.7
31439465006	482683009	SMITH, JAIME	14855	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9417	SMITH, JAIME	14855 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9417	254.02	25.4	50.3	329.7
31514115000	482683012	GRIFFIN, HAROLD	14880	LAVENDER LN	MORENO VALLEY	CA	92553-9412	GRIFFIN, HAROLD	14880 LAVENDER LN	MORENO VALLEY, CA	92553-9412	254.12	25.41	50.32	329.84
31545215003	482683014	AREVALO, JOSE	14900	LAVENDER LN	MORENO VALLEY	CA	92553-9433	AREVALO, JOSE	14900 LAVENDER LN	MORENO VALLEY, CA	92553-9433	253.92	25.39	50.28	329.58
96662255009	482683016	JAMIE, MIRTHA (OWNR)	14920	LAVENDER LN	MORENO VALLEY	CA	92553-9415	JAMIE, MIRTHA	14920 LAVENDER LN	MORENO VALLEY, CA	92553-9415	254.12	25.41	50.32	329.84
94064353009	482683017	GARIBAY, ELIZABETH (OWNR)	14930	LAVENDER LN	MORENO VALLEY	CA	92553-9415	GARIBAY, ELIZABETH	14930 LAVENDER LN	MORENO VALLEY, CA	92553-9415	291.59	29.16	57.73	378.48
31372075001	482690001	LOERA, ARMANDO	14605	UNITY CT	MORENO VALLEY	CA	92553-9403	LOERA, ARMANDO	14605 UNITY CT	MORENO VALLEY, CA	92553-9403	254.02	25.4	50.3	329.7
31601045000	482690016	MARTINEZ, CARLOS	14623	CAGNEY CT	MORENO VALLEY	CA	92553-9428	MARTINEZ, CARLOS	14623 CAGNEY CT	MORENO VALLEY, CA	92553-9428	254.02	25.4	50.3	329.7
31179415001	482690017	BONILLA, RICHARD E	14633	CAGNEY CT	MORENO VALLEY	CA	92553-9428	BONILLA, RICHARD E	5437 CARFAX AVE	90713-1625	283.52	28.35	56.14	368	
94484675002	482690020	MOORE, ANDREW (RENT)	11267	DAVIS ST	MORENO VALLEY	CA	92557-5040	MOORE, ANDREW	11575 DAVIS ST	MORENO VALLEY, CA	92557-5538	61.26	6.13	12.13	79.5
92229615009	482690022	MEDINA, CHRISTINA AND JOHNNY	14665	CAGNEY CT	MORENO VALLEY	CA	92553-9425	MEDINA, CHRISTINA AND JOHNNY	14665 CAGNEY CT	MORENO VALLEY, CA	92553-9425	253.92	25.39	50.28	329.58
60529255002	482690024	MELGOZA, ADELINA	14681	UNITY CT	MORENO VALLEY	CA	92553-9422	MELGOZA, ADELINA	14681 UNITY CT	MORENO VALLEY, CA	92553-9422	291.14	29.11	57.65	377.88
31180925000	482690029	TABIL, JESUS	14682	HAMBY CT	MORENO VALLEY	CA	92553-9426	TABIL, JESUS	14682 HAMBY CT	MORENO VALLEY, CA	92553-9426	254.02	25.4	50.3	329.7
98201895010	482690034	BROWN, DARRYL W AND VALARIE R	14717	UNITY CT	MORENO VALLEY	CA	92553-9423	BROWN, DARRYL W AND VALARIE R	14636 SALT RIVER WAY	MORENO VALLEY, CA	92555-4750	420.76	42.08	83.31	546.14
59889045008	484041001	CARMACK, CICELEY	14243	AGAVE ST	MORENO VALLEY	CA	92553-4421	CARMACK, CICELEY	22642 SPRINGMIST DR	MORENO VALLEY, CA	92557-2637	254.12	25.41	50.32	329.84
31064385009	484041003	MAGANA, JOSE	14213	AGAVE ST	MORENO VALLEY	CA	92553-4421	MAGANA, JOSE	14213 AGAVE ST	MORENO VALLEY, CA	92553-4421	254.12	25.41	50.32	329.84
92684845004	484041005	RODRIGUEZ, CECILIA	14181	AGAVE ST	MORENO VALLEY	CA	92553-4477	RODRIGUEZ, CECILIA	14181 AGAVE ST	MORENO VALLEY, CA	92553-4477	254.12	25.41	50.32	329.84
31244555001	484041007	DUTTON, RODNEY AND MARIELA	14161	AGAVE ST	MORENO VALLEY	CA	92553-4477	DUTTON, RODNEY AND MARIELA	14161 AGAVE ST	MORENO VALLEY, CA	92553-4477	254.12	25.41	50.32	329.84
92409573002	484041010	ADAMS, NICKY (RENT)	14130	AGAVE ST	MORENO VALLEY	CA	92553-4477	ADAMS, NICKY (RENT)	14130 AGAVE ST	MORENO VALLEY, CA	92553-4477	170.22	17.02	33.7	220.94
94007105001	484041011	ARCHER, RICHARD (OWNR)	14140	AGAVE ST	MORENO VALLEY	CA	92553-4477	ARCHER, RICHARD	14140 AGAVE ST	MORENO VALLEY, CA	92553-4477	329.6	32.96	65.26	427.82
55799465004	484041012	CORRALES, MAYNOR	14150	AGAVE ST	MORENO VALLEY	CA	92553-4477	CORRALES, MAYNOR	14150 AGAVE ST	MORENO VALLEY, CA	92553-4477	240.98	24.1	47.71	312.78
53307215001	484041015	JACKSON, DAVID AND ANDREA	14182	AGAVE ST	MORENO VALLEY	CA	92553-4477	JACKSON, DAVID AND ANDREA	14182 AGAVE ST	MORENO VALLEY, CA	92553-4477	109.12	10.91	21.61	141.62
55974045002	484041023	EDWARDS, NICHOL	14199	APPLE BLOSSOM LN	MORENO VALLEY	CA	92553-4481	EDWARDS, NICHOL	14199 APPLE BLOSSOM LN	MORENO VALLEY, CA	92553-4481	254.02	25.4	50.3	329.7
97139045001	484042007	SOLIS, MARIA (RENT)	14198	APPLE BLOSSOM LN	MORENO VALLEY	CA	92553-4481	SOLIS, MARIA	14198 APPLE BLOSSOM LN	MORENO VALLEY, CA	92553-4481	254.12	25.41	50.32	329.84
95735915002	484042021	GROLON, ISABEL (RENT)	14152	WOODPARK DR	MORENO VALLEY	CA	92553-4404	GROLON, ISABEL	14152 WOODPARK DR	MORENO VALLEY, CA	92553-4404	254.12	25.41	50.32	329.84
86242273008	484042023	DU, THAI (RENT)	14176	WOODPARK DR	MORENO VALLEY	CA	92553-4404	DU, THAI	14176 WOODPARK DR	MORENO VALLEY, CA	92553-4404	154.12	15.41	30.52	200.04
31271915009	484042025	BURTON, KEVIN	14200	WOODPARK DR	MORENO VALLEY	CA	92553-4460	BURTON, KEVIN	14200 WOODPARK DR	MORENO VALLEY, CA	92553-4460	329.04	32.9	65.15	427.08
95670865005	484042028	ESQUIVEL, NORA (RENT)	25292	BRODIAEA AVE	MORENO VALLEY	CA	92553-4402	ESQUIVEL, NORA	25292 BRODIAEA AVE	MORENO VALLEY, CA	92553-4402	254.02	25.4	50.3	329.7
31354045006	484042038	HARRIS, DEREK	14147	WILLOUGHBY RD	MORENO VALLEY	CA	92553-4448	HARRIS, DEREK	14147 WILLOUGHBY RD	MORENO VALLEY, CA	92553-4448	229.32	22.93	45.41	297.64
70197275002	484042040	GONZALEZ, JOSE	14136	WILLOUGHBY RD	MORENO VALLEY	CA	92553-4449	GONZALEZ, JOSE	14136 WILLOUGHBY RD	MORENO VALLEY, CA	92553-4449	254.02	25.4	50.3	329.7
50447475003	484042044	GARCIA, GABRIEL	14184	WILLOUGHBY RD	MORENO VALLEY	CA	92553-4449	GARCIA, GABRIEL	14184 WILLOUGHBY RD	MORENO VALLEY, CA	92553-4449	299.32	29.93	59.27	388.5
98046805018	484051005	BOSTICK, DEBRHA (OWNR)	14197	HIGH NOON CT	MORENO VALLEY	CA	92553-4485	BOSTICK, DEBRHA	14197 HIGH NOON CT	MORENO VALLEY, CA	92553-4485	254.12	25.41	50.32	329.84
76068335007	484051009	LOPEZ, GARY	14147	HIGH NOON CT	MORENO VALLEY	CA	92553-4485	LOPEZ, GARY	12879 BARBAZON DR	MORENO VALLEY, CA	92555-2339	404.62	40.46	80.11	525.18
66794855000	484051017	WUENCE, ANTONIO	14220	HIGH NOON CT	MORENO VALLEY	CA	92553-4486	WUENCE, ANTONIO	14220 HIGH NOON CT	MORENO VALLEY, CA	92553-4486	254.12	25.41	50.32	329.84
96473805006	484051020	WILLIAMS, JOAN (OWNR)	14241	RIO BRAVO RD	MORENO VALLEY	CA	92553-4487	WILLIAMS, JOAN	14241 RIO BRAVO RD	MORENO VALLEY, CA	92553-4487	190.79	19.08	37.78	247.64
31246555006	484051023	PARKE, DENNIS A	14203	RIO BRAVO RD	MORENO VALLEY	CA	92553-4487	PARKE, DENNIS A	14203 RIO BRAVO RD	MORENO VALLEY, CA	92553-4487	253.92	25.39	50.28	329.58
74672115004	484052002	MILLWEE, WILLIAM D	14228	RIO BRAVO RD	MORENO VALLEY	CA	92553-4488	MILLWEE, WILLIAM D	40123 AVENIDA VENIDA	MURRIETA, CA	92562-5935	263.18	26.32	52.11	341.6
31481605009	484052003	ROBINSON, NAOMI	14216	RIO BRAVO RD	MORENO VALLEY	CA	92553-4488	ROBINSON, NAOMI	14216 RIO BRAVO RD	MORENO VALLEY, CA	92553-4488	254.02	25.4	50.3	329.7
88265223008	484052007	CROSBY, JESSE (OWNR)	14164	RIO BRAVO RD	MORENO VALLEY	CA	92553-4488	CROSBY, JESSE	14164 RIO BRAVO RD	MORENO VALLEY, CA	92553-4488	254.12	25.41	50.32	329.84
50850035002	484052009	HARGES, ERIKA (RENT)	14138	RIO BRAVO RD	MORENO VALLEY	CA	92553-4488	HARGES, ERIKA	25345 MAROON CREEK CT	MORENO VALLEY, CA	92551-2429	254.02	25.4	50.3	329.7
72676815000	484060001	RICHARD, DONINELL	25756	BRODIAEA AVE	MORENO VALLEY	CA	92553-4909	RICHARD, DONINELL	25756 BRODIAEA AVE	MORENO VALLEY, CA	92553-4909	329.32	32.93	65.21	427.44
90388405006	484060004	TORRES, ANTONIA	25720	BRODIAEA AVE	MORENO VALLEY	CA	92553-4909	TORRES, ANTONIA	25720 BRODIAEA AVE	MORENO VALLEY, CA	92553-4909	203.92	20.39	40.38	264.68
87984973007	484060019	GUERRERO, SANDRA (RENT)	14159	CYPRESS SANDS LN	MORENO VALLEY	CA	92553-2918	GUERRERO, SANDRA	14159 CYPRESS SANDS LN	MORENO VALLEY, CA	92553-2918	254.12	25.41	50.32	329.84
95642385005	484060028	GONZALEZ, REYNA (RENT)	14180	CYPRESS SANDS LN	MORENO VALLEY	CA	92553-2917	GONZALEZ, REYNA	14180 CYPRESS SANDS LN	MORENO VALLEY, CA	92553-2917	71.73	7.17	14.2	93.1
96353585006	484060036	COBB, LOVITA (RENT)	14197	PORT ROYAL PL	MORENO VALLEY	CA	92553-2916	COBB, LOVITA	14197 PORT ROYAL PL	MORENO VALLEY, CA	92553-2916	254.02	25.4	50.3	329.7
66028285003	484060041	CHURCHILL, EARLEEN	14151	PORT ROYAL PL	MORENO VALLEY	CA	92553-2916	CHURCHILL, EARLEEN	14151 PORT ROYAL PL	MORENO VALLEY, CA	92553-2916	254.12	25.41	50.32	329.84
89065933002	484060048	ODOM, RAMONA (RENT)	14168	PORT ROYAL PL	MORENO VALLEY	CA	92553-2915	ODOM, RAMONA	14168 PORT ROYAL PL	MORENO VALLEY, CA	92553-2915	282.35	28.24	55.91	366.48
92185745003	484060053	WATTS, THEKA	14212	PORT ROYAL PL	MORENO VALLEY	CA	92553-2915	WATTS, THEKA	14212 PORT ROYAL PL	MORENO VALLEY, CA	92553-2915	253.92	25.39	50.28	329.58
96175645001	484060056	TATAJE, BEATRIZ (RENT)	14213	MARTINIQUE DR	MORENO VALLEY	CA	92553-2914	TATAJE, BEATRIZ (RENT)	14213 MARTINIQUE DR	MORENO VALLEY, CA	92553-2914	134.52	13.45	26.64	174.6
83865135009	484060064	MARIN, JENNIFER	14141	MARTINIQUE DR	MORENO VALLEY	CA	92553-2914	MARIN, JENNIFER	14141 MARTINIQUE DR	MORENO VALLEY, CA	92553-2914	254.02	25.4	50.3	329.7
62157355009	484060072	HERRERA, DANIEL	14188	MARTINIQUE DR	MORENO VALLEY	CA	92553-2913	HERRERA, DANIEL	14188 MARTINIQUE DR	MORENO VALLEY, CA	92553-2913	192.12	19.21	38.04	249.36
96592735008	484060076	ADAMS, SHAMEKA (RENT)	14222	MARTINIQUE DR	MORENO VALLEY	CA	92553-2913	ADAMS, SHAMEKA	14222 MARTINIQUE DR	MORENO VALLEY, CA	92553-2913	254.12	25.41	50.32	329.84
88421763003	484071001	RUSSELL, ANNA (RENT)	25768	BRODIAEA AVE	MORENO VALLEY	CA	92553-4909	RUSSELL, ANNA	25768 BRODIAEA AVE	MORENO VALLEY, CA	92553-4909	44.12	4.41	8.74	57.26
31410025000	484071002	TREJO, AMALIA	25780	BRODIAEA AVE	MORENO VALLEY	CA	92553-4909	TREJO, AMALIA	25780 BRODIAEA AVE	MORENO VALLEY, CA	92553-4909	254.02	25.4	50.3	329.7
31179705008	484071009	DELGADO, ALFRED	14179	FLAMINGO BAY LN	MORENO VALLEY	CA	92553-2912	DELGADO, ALFRED	14179 FLAMINGO BAY	MORENO VALLEY, CA	92553-2912	63.63	6.36	12.6	82.58
95989245009	484072006	CHAVEZ, LATISHA (OWNR)	25938	BRODIAEA AVE	MORENO VALLEY	CA	92553-4911	CHAVEZ, LATISHA	25938 BRODIAEA AVE	MORENO VALLEY, CA	92553-4911	254.12	25.41	50.32	329.84
95521845005	484072016	BOGLIN, GLYNIS (OWNR)	25834	BRODIAEA AVE	MORENO VALLEY	CA	92553-4940	BOGLIN, GLYNIS	25834 BRODIAEA AVE	MORENO VALLEY, CA	92553-4940	254.12	25.41	50.32	329.84
95605455007	484072019	GONZALEZ, REYNA (RENT)	14130	FLAMINGO BAY LN	MORENO VALLEY	CA	92553-2911	GONZALEZ, REYNA	14130 FLAMINGO BAY LN	MORENO VALLEY, CA	92553-2911	254.02	25.4	50.3	329.7
68119765007	484072020	AMES, JEREMY	14140	FLAMINGO BAY LN	MORENO VALLEY	CA	92553-2911	AMES, JEREMY	14140 FLAMINGO BAY LN	MORENO VALLEY, CA	92553-2911	329.6	32.96	65.26	427.82
49282705000	484072027	WOODS, AHASUERUS	14204	FLAMINGO BAY LN	MORENO VALLEY	CA	92553-2911	WOODS, AHASUERUS	14204 FLAMINGO BAY	MORENO VALLEY, CA	92553-2911	329.32	32.93	65.21	427.44
31472845008	484072030	WRIGHT, FRANCES	14221	SAN CRISTOBAL BAY DR	MORENO VALLEY	CA	92553-2937	WRIGHT, FRANCES	14221 SAN CRISTOBAL BAY DR	MORENO VALLEY, CA	92553-2937	67.36	6.74	13.34	87.42
31462965003	484072031	URQUIZU, CESAR AND MARIA	14209	SAN CRISTOBAL BAY DR	MORENO VALLEY	CA	92553-2937	URQUIZU, CESAR AND MARIA	21780 MARIE RD	PERRIS, CA	92570-6883	262.02	26.2	51.88	340.1
93753195002	484072035	DENNIS, DEMETRIUS (OWNR)	14175	SAN CRISTOBAL BAY DR	MORENO VALLEY	CA	92553-2908	DENNIS, DEMETRIUS	14175 SAN CRISTOBAL BAY DR	MORENO VALLEY, CA	92553-2908	21.12	2.11	4.18	27.4
31598055005	484072040	CAZARES, SANDI	14131	SAN CRISTOBAL BAY DR	MORENO VALLEY	CA	92553-2908	CAZARES, SANDI	2958 BERKLEY RD	RIVERSIDE, CA	92506-1403	231.36	23.14	45.81	300.3
48527225000	484072049	SANDOVAL, LETICIA (OWN)	14200	SAN CRISTOBAL BAY DR	MORENO VALLEY	CA	92553-2936	SANDOVAL, LETICIA	14200 SAN CRISTOBAL BAY DR	MORENO VALLEY, CA	92553-2936	53.85	5.39	10.66	69.88
31309255005	484072057	HEISS, NANCY	14175	ST TROPEZ CT	MORENO VALLEY	CA	92553-2910	HEISS, NANCY	14175 ST TROPEZ CT	MORENO VALLEY, CA	92553-2910	254.12	25.41	50.32	329.84
31317565003	484072065	VALADEZ, ROGER	14148	ST TROPEZ CT	MORENO VALLEY	CA	92553-2909	VALADEZ, ROGER	14148 ST TROPEZ CT	MORENO VALLEY, CA	92553-2909	329.6	32.96	65.26	427.82
31346385000	484072067	MONTEZUMA, ARIEL	14164	ST TROPEZ CT	MORENO VALLEY	CA	92553-2909	MONTEZUMA, ARIEL	14164 ST TROPEZ CT	MORENO VALLEY, CA	92553-2909	254.02	25.4	50.3	329.7
31268135009	484072077	ALATORRE, THERESA	14191	MONTEGO BAY DR	MORENO VALLEY	CA	92553-2906	ALATORRE, THERESA	14191 MONTEGO BAY DR	MORENO VALLEY, CA	92553-2906	329.04	32.9	65.15	427.08
94498825001	484072078	BELLAMY, QUONIA	14183	MONTEGO BAY DR	MORENO VALLEY	CA	92553-2906	BELLAMY, QUONIA	14183 MONTEGO BAY DR	MORENO VALLEY, CA	92553-2906	110.79	11.08	21.94	143.8
93045709006	484072087	MARTE, ANABEL (OWNR)	14148	MONTEGO BAY DR	MORENO VALLEY	CA	92553-2905	MARTE, ANABEL	14148 MONTEGO BAY DR	MORENO VALLEY, CA	92553-2905	266.17	26.62	52.7	345.48
96592865000	484072092	FARRIS, TANISHA (RENT)	14192	MONTEGO BAY DR	MORENO VALLEY	CA	92553-2905	FARRIS, TANISHA	14192 MONTEGO BAY DR	MORENO VALLEY, CA	92553-2905	254.12	25.41	50.32	329.84
89109133006	484072096	MASTERSON, ASHLEE (RENT)	14221	JAMAICA SANDS LN	MORENO VALLEY	CA	92553-2935	MASTERSON, ASHLEE	14221 JAMAICA SANDS LN	MORENO VALLEY, CA	92553-2935	190.79	19.08	37.78	247.64
31446365002	484072102	VALENCIA, LILIA	14163	JAMAICA SANDS LN	MORENO VALLEY	CA	92553-2904	VALENCIA, LILIA	14163 JAMAICA SANDS LN	MORENO VALLEY, CA	92553-2904	114.02	11.4	22.58	147.98
76165285001	484072103	ZAMARRIPA, CESAR	14155	JAMAICA SANDS LN	MORENO VALLEY	CA	92553-2904	ZAMARRIPA, CESAR	14155 JAMAICA SANDS LN	MORENO VALLEY, CA	92553-2904	329.32	32.93	65.21	427.44
31255605007	484081006	JAMES, CHARLES	14296	JANIE CT	MORENO VALLEY	CA	92553-4918	RESIDENT, CURRENT	14296 JANIE CT	MORENO VALLEY, CA	92553-4918	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
74531335006	484081010	MONIE, GLORIA	14339	JANE CT	MORENO VALLEY	CA	92553-4917	MONIE, GLORIA	14339 JANE CT	MORENO VALLEY, CA	92553-4917	254.02	25.4	50.3	329.7
31466025002	484081015	NEVARREZ, HIGINIO	14358	HOUSTON DR	MORENO VALLEY	CA	92553-4921	NEVARREZ, HIGINIO	14358 HOUSTON DR	MORENO VALLEY, CA	92553-4921	254.02	25.4	50.3	329.7
93660525000	484081016	KUTTER, MATTHEW (OWNR)	14344	HOUSTON DR	MORENO VALLEY	CA	92553-4921	KUTTER, MATTHEW	PO BOX 8531	MORENO VALLEY, CA	92552-8531	254.12	25.41	50.32	329.84
31637855003	484081024	APARICIO, ARMANDO	25963	BRODIAEA AVE	MORENO VALLEY	CA	92553-4910	APARICIO, ARMANDO	25963 BRODIAEA AVE	MORENO VALLEY, CA	92553-4910	254.02	25.4	50.3	329.7
31593795001	484082007	FELIX, DANIEL	14281	CHANTRY DR	MORENO VALLEY	CA	92553-2946	FELIX, DANIEL	14281 CHANTRY DR	MORENO VALLEY, CA	92553-2946	329.32	32.93	65.21	427.44
92030675005	484082008	TORRES, LORENA	25776	FLINT DR	MORENO VALLEY	CA	92553-4925	TORRES, LORENA	425 W D ST APT 2	ONTARIO, CA	91762-3441	253.92	25.39	50.28	329.58
31292675005	484082018	SABEL, KENNETH	25908	FLINT DR	MORENO VALLEY	CA	92553-4923	SABEL, KENNETH	25908 FLINT DR	MORENO VALLEY, CA	92553-4923	234.93	23.49	46.52	304.92
31450825008	484082027	PALMER, ELVIE LEE	25805	BRODIAEA AVE	MORENO VALLEY	CA	92553-2943	PALMER, ELVIE LEE	25805 BRODIAEA AVE	MORENO VALLEY, CA	92553-2943	329.32	32.93	65.21	427.44
31469585008	484083001	CAMPOS, MARCOS	25906	FRESCA DR	MORENO VALLEY	CA	92553-4951	CAMPOS, MARCOS	25906 FRESCA DR	MORENO VALLEY, CA	92553-4951	20.69	2.07	4.1	26.84
90292413008	484083003	HARRIS, SHAWNQUIES (RENT)	25878	FRESCA DR	MORENO VALLEY	CA	92553-4951	HARRIS, SHAWNQUIES	25878 FRESCA DR	MORENO VALLEY, CA	92553-4951	299.84	29.98	59.37	389.18
31065235008	484083004	GARDNER, CURTIS	25907	FLINT DR	MORENO VALLEY	CA	92553-2945	GARDNER, CURTIS	25907 FLINT DR	MORENO VALLEY, CA	92553-2945	254.02	25.4	50.3	329.7
95676685000	484083012	MITCHELL, RITA (RENT)	14314	CHANTRY DR	MORENO VALLEY	CA	92553-2948	MITCHELL, RITA	14314 CHANTRY DR	MORENO VALLEY, CA	92553-2948	46.81	4.68	9.27	60.74
91360125003	484083014	ROSALES, JENNIFER AND ROBERT	14346	CHANTRY DR	MORENO VALLEY	CA	92553-2948	ROSALES, JENNIFER AND ROBERT	14346 CHANTRY DR	MORENO VALLEY, CA	92553-2948	253.92	25.39	50.28	329.58
31366395006	484091003	MYERS, SHEILA B	25545	BRODIAEA AVE	MORENO VALLEY	CA	92553-4986	MYERS, SHEILA B	25545 BRODIAEA AVE	MORENO VALLEY, CA	92553-4986	54.02	5.4	10.7	70.1
31655365008	484091013	GAONA, ARACELI	14298	SANDCASTLE CT	MORENO VALLEY	CA	92553-4991	GAONA, ARACELI	14298 SANDCASTLE	MORENO VALLEY, CA	92553-4991	164.66	16.47	32.6	213.72
97107975003	484091019	VILLA, STEVE AND STEPHINE	14301	SANDCASTLE CT	MORENO VALLEY	CA	92553-4991	VILLA, STEVE AND STEPHINE	14301 SANDCASTLE CT	MORENO VALLEY, CA	92553-4991	211.9	21.19	41.96	275.04
31213725001	484092011	APPERSON HALLIF, TORRI	14290	WINDJAMMER DR	MORENO VALLEY	CA	92553-4989	HALLIF, TORRI	14290 WINDJAMMER DR	MORENO VALLEY, CA	92553-4989	254.02	25.4	50.3	329.7
31106075003	484092013	RACHWITZ, MIKE	14274	WINDJAMMER DR	MORENO VALLEY	CA	92553-4989	RACHWITZ, MIKE	14274 WINDJAMMER DR	MORENO VALLEY, CA	92553-4989	254.02	25.4	50.3	329.7
31606285008	484092018	HEISSER, GENE	25637	BRODIAEA AVE	MORENO VALLEY	CA	92553-4949	HEISSER, GENE	25637 BRODIAEA AVE	MORENO VALLEY, CA	92553-4949	254.02	25.4	50.3	329.7
31628205009	484092023	SOZA, DANIEL J AND RACHEAL	25695	BRODIAEA AVE	MORENO VALLEY	CA	92553-4949	SOZA, LINDSEY	25695 BRODIAEA AVE	MORENO VALLEY, CA	92553-4949	68.69	6.87	13.6	89.14
73516575007	484092024	CONTRERAS, ESTEVAN (RENT)	25709	BRODIAEA AVE	MORENO VALLEY	CA	92553-2940	CONTRERAS, ESTEVAN (RENT)	2019 S EUCLID AVE	ONTARIO, CA	91762-6514	105.32	10.53	20.85	136.7
31136145006	484093004	DELANEY, JOHN	14300	WOODLARK LN	MORENO VALLEY	CA	92553-4983	DELANEY, JOHN	14300 WOODLARK LN	MORENO VALLEY, CA	92553-4983	254.02	25.4	50.3	329.7
57321685009	484101002	NIEDERMAN, LORI	25369	BRODIAEA AVE	MORENO VALLEY	CA	92553-4431	NIEDERMAN, LORI	25369 BRODIAEA AVE	MORENO VALLEY, CA	92553-4431	254.02	25.4	50.3	329.7
97668415002	484101004	ROBLEDO, VERONICA	25345	BRODIAEA AVE	MORENO VALLEY	CA	92553-4431	ROBLEDO, VERONICA	25345 BRODIAEA AVE	MORENO VALLEY, CA	92553-4431	127.46	12.75	25.24	165.44
96744975004	484101018	BALLESTEROS, GEORGE (RENT)	25334	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4411	BALLESTEROS, GEORGE	25334 RAMBLEWOOD CT	MORENO VALLEY, CA	92553-4411	185.08	18.51	36.65	240.22
93012245003	484101021	HURN, ANNETTE (RENT)	25370	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4411	HURN, ANNETTE	25370 RAMBLEWOOD CT	MORENO VALLEY, CA	92553-4411	329.32	32.93	65.21	427.44
53042765008	484102001	KINGSBURY, JOHN	25369	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4410	KINGSBURY, JOHN	633 S KNICKERBOCKER DR #309	SUNNYVALE, CA	94087-1034	254.02	25.4	50.3	329.7
57165475004	484102003	ELIAS, DANIEL	25345	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4410	ELIAS, DANIEL	25345 RAMBLEWOOD CT	MORENO VALLEY, CA	92553-4410	129.32	12.93	25.61	167.84
31522925003	484102005	ALDAPA, MARY	25321	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4410	ALDAPA, MARY	25321 RAMBLEWOOD CT	MORENO VALLEY, CA	92553-4410	190.69	19.07	37.76	247.5
31077085004	484102010	NIXON, BENTON	25261	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4408	NIXON, BENTON	25261 RAMBLEWOOD CT	MORENO VALLEY, CA	92553-4408	254.02	25.4	50.3	329.7
31329885001	484102012	HURST, FREDA	25274	VALLEYWOOD CT	MORENO VALLEY	CA	92553-4416	HURST, FREDA	25274 VALLEYWOOD CT	MORENO VALLEY, CA	92553-4416	254.02	25.4	50.3	329.7
31420565005	484102020	BULL, GREGORY	25370	VALLEYWOOD CT	MORENO VALLEY	CA	92553-4418	BULL, GREGORY	25370 VALLEYWOOD CT	MORENO VALLEY, CA	92553-4418	254.02	25.4	50.3	329.7
92252445004	484102001	CAMARILLO, RAFAEL AND ANA	25369	VALLEYWOOD CT	MORENO VALLEY	CA	92553-4417	CAMARILLO, RAFAEL AND ANA	25369 VALLEYWOOD CT	MORENO VALLEY, CA	92553-4417	73.92	7.39	14.64	95.94
90192263001	484104005	FILVESTRE, ANA (RENT)	14303	WOODPARK DR	MORENO VALLEY	CA	92553-4406	FILVESTRE, ANA	14303 WOODPARK DR	MORENO VALLEY, CA	92553-4406	254.12	25.41	50.32	329.84
99461283007	484105003	MORALES PEREZ, EDGAR	14334	FARMWOOD DR	MORENO VALLEY	CA	92553-4403	MORALES PEREZ, EDGAR	14334 FARMWOOD DR	MORENO VALLEY, CA	92553-4403	97.02	9.7	19.21	125.92
91804055004	484111001	FARANSO, GEORGE	25015	BRODIAEA AVE	MORENO VALLEY	CA	92553-4428	FARANSO, GEORGE	25015 BRODIAEA AVE	MORENO VALLEY, CA	92553-4428	253.92	25.39	50.28	329.58
92483475008	484111008	JUAREZ, ENRIQUE	25070	OCOTILLO AVE	MORENO VALLEY	CA	92553-4440	JUAREZ, ENRIQUE	25070 OCOTILLO AVE	MORENO VALLEY, CA	92553-4440	254.02	25.4	50.3	329.7
96117715008	484111009	CARILLO, JOSE (OWNR)	25060	OCOTILLO AVE	MORENO VALLEY	CA	92553-4440	CARILLO, JOSE	25060 OCOTILLO AVE	MORENO VALLEY, CA	92553-4440	63.63	6.36	12.6	82.58
31594005005	484111011	MARQUEZ, SHEILA	25030	OCOTILLO AVE	MORENO VALLEY	CA	92553-4440	MARQUEZ, SHEILA	25030 OCOTILLO AVE	MORENO VALLEY, CA	92553-4440	254.02	25.4	50.3	329.7
31611745002	484111016	ALEXANDER, DALE	25063	OCOTILLO AVE	MORENO VALLEY	CA	92553-4440	ALEXANDER, DALE	PO BOX 8539	MORENO VALLEY, CA	92552-8539	254.02	25.4	50.3	329.7
91038355006	484111022	STEPHENSON, VICTORIA	25040	YUCCA DR	MORENO VALLEY	CA	92553-4349	STEPHENSON, VICTORIA	25040 YUCCA DR	MORENO VALLEY, CA	92553-4349	329.04	32.9	65.15	427.08
60261195005	484112005	MANSELL, HARNETHIA	14280	PALMEA DR	MORENO VALLEY	CA	92553-4413	MANSELL, HARNETHIA	14280 PALMEA DR	MORENO VALLEY, CA	92553-4413	254.12	25.41	50.32	329.84
94936723001	484112012	ROUBEL, MICHELLE (RENT)	14305	AGAVE ST	MORENO VALLEY	CA	92553-4423	ROUBEL, MICHELLE	14305 AGAVE ST	MORENO VALLEY, CA	92553-4423	179.75	17.98	35.59	233.3
52721145009	484112020	HOGG, ANTONIO	25172	YUCCA DR	MORENO VALLEY	CA	92553-4351	HOGG, ANTONIO	18117 POINCIANA RD	ADELANTO, CA	92301-2082	254.02	25.4	50.3	329.7
89008423009	484113003	CAIN, MIJANAE (RENT)	25217	BRODIAEA AVE	MORENO VALLEY	CA	92553-4430	CAIN, MIJANAE	25217 BRODIAEA AVE	MORENO VALLEY, CA	92553-4430	254.12	25.41	50.32	329.84
96593445007	484113009	REYES, CHRISTINE (RENT)	14320	AGAVE ST	MORENO VALLEY	CA	92553-4423	REYES, CHRISTINE	14320 AGAVE ST	MORENO VALLEY, CA	92553-4423	254.12	25.41	50.32	329.84
31566865002	484113014	HUTCHERSON, BERRY	14356	AGAVE ST	MORENO VALLEY	CA	92553-4423	HUTCHERSON, BERRY	835 PUGET DR E	PORT ORCHARD, WA	98366-8542	254.12	25.41	50.32	329.84
31185855003	484113016	TELLO, VICTOR	14370	AGAVE ST	MORENO VALLEY	CA	92553-4423	TELLO, VICTOR	14370 AGAVE ST	MORENO VALLEY, CA	92553-4423	254.12	25.41	50.32	329.84
94567128008	484113021	SERRANO, CHRIS AND NANC (RENT)	25156	YUCCA DR	MORENO VALLEY	CA	92553-4351	SERRANO, CHRIS AND NANCY	25156 YUCCA DR	MORENO VALLEY, CA	92553-4351	224.18	22.42	44.39	290.98
71992185000	484121007	BANUELOS, ADRIANA	14437	CHOLLA DR	MORENO VALLEY	CA	92553-4436	BANUELOS, ADRIANA	14437 CHOLLA DR	MORENO VALLEY, CA	92553-4436	254.02	25.4	50.3	329.7
31591165007	484121009	VELOZ, ESTHER	14417	CHOLLA DR	MORENO VALLEY	CA	92553-4436	VELOZ, ESTHER	14417 CHOLLA DR	MORENO VALLEY, CA	92553-4436	329.32	32.93	65.21	427.44
31453485003	484121011	BRUCE, TAMI	14397	CHOLLA DR	MORENO VALLEY	CA	92553-4401	BRUCE, TAMI	14397 CHOLLA DR	MORENO VALLEY, CA	92553-4401	254.02	25.4	50.3	329.7
31486275007	484121018	BILTON, LUSHER AND MARY	14327	CHOLLA DR	MORENO VALLEY	CA	92553-4401	BILTON, LUSHER AND MARY	14327 CHOLLA DR	MORENO VALLEY, CA	92553-4401	60.4	6.04	11.96	78.38
31087515003	484121028	EVANS, TERI	14217	CHOLLA DR	MORENO VALLEY	CA	92553-4434	EVANS, TERI	14217 CHOLLA DR	MORENO VALLEY, CA	92553-4434	190.69	19.07	37.76	247.5
94688045001	484121031	PANIAGUA, LORRAINE	25203	JOSHUA AVE	MORENO VALLEY	CA	92553-4458	PANIAGUA, LORRAINE	15402 THISTLE ST	FONTANA, CA	92336-0220	254.12	25.41	50.32	329.84
92225935007	484121042	RHODEN, MICHAEL	25180	JOSHUA AVE	MORENO VALLEY	CA	92553-4439	RHODEN, MICHAEL	PO BOX 7152	MORENO VALLEY, CA	92552-7152	126.96	12.7	25.14	164.78
94308555008	484122017	BROWN, SHERRIE (RENT)	14326	CHOLLA DR	MORENO VALLEY	CA	92553-4422	BROWN, SHERRIE	14326 CHOLLA DR	MORENO VALLEY, CA	92553-4422	329.6	32.96	65.26	427.82
31299945004	484122019	GOERING, GARY	14446	CHOLLA DR	MORENO VALLEY	CA	92553-4437	GOERING, DEBORAH	14446 CHOLLA DR	MORENO VALLEY, CA	92553-4437	123.78	12.38	24.51	160.66
73431515002	484122020	LEMUS, ELENA	14456	CHOLLA DR	MORENO VALLEY	CA	92553-4437	LEMUS, ELENA	14456 CHOLLA DR	MORENO VALLEY, CA	92553-4437	63.63	6.36	12.6	82.58
88485595004	484131002	NOFRI, DAVID	25274	WOODCREEK CT	MORENO VALLEY	CA	92553-4444	NOFRI, DAVID	489 DENSLOW AVE	LOS ANGELES, CA	90049-3506	254.12	25.41	50.32	329.84
90246193000	484132004	WILSON, KAREN (RENT)	25333	WOODCREEK CT	MORENO VALLEY	CA	92553-4445	WILSON, KAREN	25333 WOODCREEK CT	MORENO VALLEY, CA	92553-4445	316.83	31.68	62.73	411.24
88566025001	484132012	WILLIAMS, DEBRA	25274	OAKSTONE CT	MORENO VALLEY	CA	92553-4419	WILLIAMS, DEBRA	25393 BRODIAEA AVE	MORENO VALLEY, CA	92553-4431	357.88	35.79	70.86	464.52
31139965007	484132015	ESPINOZA, CHARLOTTE	25310	OAKSTONE CT	MORENO VALLEY	CA	92553-4419	ESPINOZA, CHARLOTTE	25310 OAKSTONE CT	MORENO VALLEY, CA	92553-4419	171.36	17.14	33.93	222.42
31474815005	484132018	WELZ, CAROL	25346	OAKSTONE CT	MORENO VALLEY	CA	92553-4419	WELZ, CAROL	25346 OAKSTONE CT	MORENO VALLEY, CA	92553-4419	204.02	20.4	40.4	264.8
31107505001	484134005	MUJICA, CASPER AND ESTHER (OWR	25265	OAKSTONE CT	MORENO VALLEY	CA	92553-4420	MUJICA, ESTHER	25265 OAKSTONE CT	MORENO VALLEY, CA	92553-4420	74.02	7.4	14.66	96.06
31049005000	484134009	FLEMING, RICHARD	14413	WOODPARK DR	MORENO VALLEY	CA	92553-4455	FLEMING, RICHARD	14413 WOODPARK DR	MORENO VALLEY, CA	92553-4455	254.02	25.4	50.3	329.7
101584283002	484134010	HARRIS, WARREN (RENT)	14403	WOODPARK DR	MORENO VALLEY	CA	92553-4455	HARRIS, WARREN	15344 PERRIS BLVD, APT 3	MORENO VALLEY, CA	92551-4501	49.63	4.96	9.83	64.4
31158305006	484135002	MONTANARI, CRAIG	14422	FARMWOOD DR	MORENO VALLEY	CA	92553-4427	MONTANARI, CRAIG	14422 FARMWOOD DR	MORENO VALLEY, CA	92553-4427	254.02	25.4	50.3	329.7
91279065007	484135004	LENARD, DAVISHA	14398	FARMWOOD DR	MORENO VALLEY	CA	92553-4403	LENARD, DAVISHA	14398 FARMWOOD DR	MORENO VALLEY, CA	92553-4403	357.88	35.79	70.86	464.52
48515945004	484141015	CERNA, MARTIN	25543	CLIFTON CT	MORENO VALLEY	CA	92553-4924	CERNA, MARTIN	25543 CLIFTON CT	MORENO VALLEY, CA	92553-4924	254.02	25.4	50.3	329.7
64620125003	484142003	ALTHEIDE, RENEE (OWNR)	25688	CLIFTON CT	MORENO VALLEY	CA	92553-4947	ALTHEIDE, RENEE	25688 CLIFTON CT	MORENO VALLEY, CA	92553-4947	82.6	8.26	16.35	107.2
95110925000	484142009	ESPINOZA, ROSARIO (OWNR)	25616	CLIFTON CT	MORENO VALLEY	CA	92553-4900	ESPINOZA, ROSARIO	25616 CLIFTON CT	MORENO VALLEY, CA	92553-4900	153.52	15.35	30.4	199.26
31477205001	484142017	ESPINOSA, VILMA M	25579	JONESTOWN DR	MORENO VALLEY	CA	92553-2900	ESPINOSA, VILMA M	25579 JONESTOWN DR	MORENO VALLEY, CA	92553-2900	254.02	25.4	50.3	329.7
31437705000	484144002	HOLLIS, BRANDYE	25676	JONESTOWN DR	MORENO VALLEY	CA	92553-4998	HOLLIS, BRANDYE	25676 JONESTOWN DR	MORENO VALLEY, CA	92553-4998	254.02	25.4	50.3	329.7
92145845006	484145009	ORDAZ, JUAN LUIS AND LILIAN	14478	REDWING DR	MORENO VALLEY	CA	92553-4996	ORDAZ, JUAN LUIS AND LILIAN	14478 REDWING DR	MORENO VALLEY, CA	92553-4996	100.64	10.06	19.93	130.62
48513965004	484145010	LUNA, SABRINA AND LUPE	14490	REDWING DR	MORENO VALLEY	CA	92553-4996	LUNA, SABRINA AND LUPE	14490 REDWING DR	MORENO VALLEY, CA	92553-4996	254.02	25.4	50.3	329.7
97064915009	484151003	SANTILLANES, CARMEN (RENT)	14408	STUARD DR	MORENO VALLEY	CA	92553-4954	SANTILLANES, CARMEN (RENT)	14408 STUARD DR	MORENO VALLEY, CA	92553-4954	60	6	11.88	77.88
91087105001	484151004	DE REAL, VERONICA AND JUAN (RE	14422	STUARD DR	MORENO VALLEY	CA	92553-4954	DE REAL, VERONICA AND JUAN	14422 STUARD DR	MORENO VALLEY, CA	92553-4954	57.25	5.73	11.34	74.3
95578385001	484151006	AGUILAR, MARIA (RENT)	14450	STUARD DR	MORENO VALLEY	CA	92553-4954	AGUILAR, MARIA	6902 37TH ST	RIVERSIDE, CA	92509-1319	148.54	14.85	29.41	192.8
95356175006	484151011	COX, TYESHA (RENT)	25821	BLAKE DR	MORENO VALLEY	CA	92553-4945	COX, TYESHA	25821 BLAKE DR	MORENO VALLEY, CA	92553-4945	153.49	15.35	30.39	199.22
92313855006	484151012	PADILLA, DANIEL	25805	BLAKE DR	MORENO VALLEY	CA	92553-4945	PADILLA, DANIEL	25805 BLAKE DR	MORENO VALLEY, CA	92553-4945	253.92	25.39	50.28	329.58
31052895007	484151014	GILL, RICK	14455	JANIE CT	MORENO VALLEY	CA	92553-4993	GILL, RICK	14455 JANIE CT	MORENO VALLEY, CA	92553-4993	127.36	12.74	25.22	165.3
31566855004	484151016	REYES, JOSEPH	14423	JANIE CT	MORENO VALLEY	CA	92553-4993	REYES, JOSEPH	14423 JANIE CT	MORENO VALLEY, CA	92553-4993	254.02	25.4	50.3	329.7
31148145001	484151020	KOSEK, PAUL AND STEPHANIE	14430	SYLVESTER CT	MORENO VALLEY	CA	92553-4962	KOSEK, PAUL AND STEPHANIE	14430 SYLVESTER CT	MORENO VALLEY, CA	92553-4962	254.02	25.4	50.3	329.7
87796295008	484151029	BLOUGH, JULIET	14415	SYLVESTER CT	MORENO VALLEY	CA	92553-4973	BLOUGH, JULIET	PO BOX 9614	MORENO VALLEY, CA	92552-9614	254.12	25.41	50.32	329.84
31472075009	484153004	TIT, MONIROUT	14432	CHANTRY DR	MORENO VALLEY	CA	92553-4948	TIT, MONIROUT	14432 CHANTRY DR	MORENO VALLEY, CA	92553-4948	54.02	5.4	10.7	70.1
31342785005	484153006	MICHEL, SALVADOR	14462	CHANTRY DR	MORENO VALLEY	CA	92553-4948	MICHEL, SALVADOR	14462 CHANTRY DR	MORENO VALLEY, CA	92553-4948	329.32	32.93	65.21	427.44
31591145002	484153007	ALI, RODA	14463	STUARD DR	MORENO VALLEY	CA	92553-4955	ALI, RODA	14463 STUARD DR	MORENO VALLEY, CA	92553-4955	167.32	16.73	33.13	217.18
90589123008	484153009	RODRIGUEZ, ESTEBAN (RENT)	14433	STUARD DR	MORENO VALLEY	CA	92553-4955	RODRIGUEZ, ESTEBAN	14433 STUARD DR	MORENO VALLEY, CA	92553-4955	435.51	43.55	86.23	565.28
31599635002	484162003	SWARTZ, JOHN	14545	SYLVESTER DR	MORENO VALLEY	CA	92553-4927	SWARTZ, JOHN	14545 SYLVESTER DR	MORENO VALLEY, CA	92553-4927	254.02	25.4	50.3	329.7
31325575004	484162004	SCOTT, DARREN	14559	SYLVESTER DR	MORENO VALLEY	CA	92553-4927	SCOTT, DARREN	14559 SYLVESTER DR	MORENO VALLEY, CA	92553-4927	254.02	25.4	50.3	329.7
93657365009	484162006	SADLER, JERRY (OWNR)	14583	SYLVESTER DR	MORENO VALLEY	CA	92553-4927	SADLER, JERRY	14583 SYLVESTER DR	MORENO VALLEY, CA	92553-4927	240.29	24.03	47.58	311.88
97761893004	484162007	AHFOOK, SEOI (RENT)	25872	THUNDERCLOUD CT	MORENO VALLEY	CA	92553-4953	AHFOOK, SEOI	25872 THUNDERCLOUD CT	MORENO VALLEY, CA	92553-4953	216.53	21.65	42.87	281.04
92677925001	484162009	RUIZ, LUCIA	25848	THUNDERCLOUD CT	MORENO VALLEY	CA	92553-4953	RUIZ, LUCIA	25848 THUNDERCLOUD CT	MORENO VALLEY, CA	92553-4953	126.66	12.67	25.08	164.4
31379305008	484162011	FLORES, RODOLFO AND ROSARIO	25824	THUNDERCLOUD CT	MORENO VALLEY	CA	92553-4953	FLORES, RODOLFO AND ROSARIO	25824 THUNDERCLOUD CT	MORENO VALLEY, CA	92553-4953	37.35	3.74	7.4	48.48
87936925008	484162015	RUIZ, JOSE LUIS AND MARIA	25801	THUNDERCLOUD CT	MORENO VALLEY	CA	92553-4953	RUIZ, JOSE LUIS AND MARIA	25801 THUNDERCLOUD CT	MORENO VALLEY, CA	92553-4953	254.12	25.41	50.32	329.84
97539583009	484162019	ALTHERR, CHRISTOPHER (OWNR)	25900	WHITE WOOD CIR	MORENO VALLEY	CA	92553-2932	ALTHERR, CHRISTOPHER	25900 WHITE WOOD CIR	MORENO VALLEY, CA	92553-2932	171.48	17.15	33.35	222.58
99870163000	484162020	FLORES, SANDRA	25890	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4976	FLORES, SANDRA	25890 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4976	160.79	16.08	31.84	208.7
95594223002	484162025	WOODS, LATISHA	25840	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4976	WOODS, LATISHA	25840 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4976	190.69	19.07	37.76	247.5
31356305001	484162031	ROEL, JESUS	14512	CHANTRY DR	MORENO VALLEY	CA	92553-4942	ROEL, JESUS	14512 CHANTRY DR	MORENO VALLEY, CA	92553-4942	254.02	25.4	50.3	329.7
52764645004	484163006	VELASCO, MICHELLE	25879	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4957	VELASCO, MICHELLE	25879 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4957	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31446345007	484163009	JOHNSON, MACK	25909	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4979	JOHNSON, MACK	25909 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4979	254.02	25.4	50.3	329.7
31584475007	484163014	HERNANDEZ, JOSE LUIS	25951	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4979	HERNANDEZ, JOSE LUIS	25951 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4979	254.02	25.4	50.3	329.7
31266475001	484163015	MILLER, BRAD I	25961	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4979	MILLER, BRAD I	25961 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4979	253.92	25.39	50.28	329.58
31279625005	484164002	MORGAN, LORI	14604	BLACKBUSH RD	MORENO VALLEY	CA	92553-4914	MORGAN, LORI	14604 BLACKBUSH RD	MORENO VALLEY, CA	92553-4914	254.02	25.4	50.3	329.7
31362373006	484164004	VEJAR, MARITZA (RENT)	14578	BLACKBUSH RD	MORENO VALLEY	CA	92553-2925	VEJAR, MARITZA	14578 BLACKBUSH RD	MORENO VALLEY, CA	92553-2925	130.79	13.08	25.9	169.76
31364105002	484164011	ANDERSON, THERESA	14525	BLACKBUSH RD	MORENO VALLEY	CA	92553-4919	ANDERSON, THERESA	29218 CASTLEWOOD DR	MENIFEE, CA	92584-7584	254.02	25.4	50.3	329.7
31383545000	484164016	CHANEY, DEAN D	25950	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4977	CHANEY, DEAN D	25950 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4977	169.18	16.92	33.5	219.58
97107415001	484164019	SALAVERRIA, WALTER (RENT)	14560	SYLVESTER DR	MORENO VALLEY	CA	92553-4929	SALAVERRIA, WALTER (RENT)	14560 SYLVESTER DR	MORENO VALLEY, CA	92553-4929	146.92	14.69	29.09	190.7
31414205004	484164022	CASTRO, AMANDA	14524	SYLVESTER DR	MORENO VALLEY	CA	92553-4929	CASTRO, AMANDA	14524 SYLVESTER DR	MORENO VALLEY, CA	92553-4929	254.02	25.4	50.3	329.7
52932025007	484171008	GALLEGOS, DORA	25606	ARGONAUT DR	MORENO VALLEY	CA	92553-4968	GALLEGOS, DORA	25606 ARGONAUT DR	MORENO VALLEY, CA	92553-4968	254.02	25.4	50.3	329.7
95842755003	484171009	MORRISON, DEVYN (RENT)	25618	ARGONAUT DR	MORENO VALLEY	CA	92553-4968	MORRISON, DEVYN	13340 HOLBECK CT	MORENO VALLEY, CA	92553-6215	254.02	25.4	50.3	329.7
97360795006	484171010	ROSS, LANA (RENT)	25630	ARGONAUT DR	MORENO VALLEY	CA	92553-4968	ROSS, LANA (RENT)	25630 ARGONAUT DR	MORENO VALLEY, CA	92553-4968	216.17	21.62	42.8	280.58
31574295006	484171011	MARQUEZ, MARIA	25642	ARGONAUT DR	MORENO VALLEY	CA	92553-4968	MARQUEZ, MARIA	25642 ARGONAUT DR	MORENO VALLEY, CA	92553-4968	254.02	25.4	50.3	329.7
96002405007	484171014	BENITO, ANGELICA (OWNR)	14545	ANTILLES DR	MORENO VALLEY	CA	92553-4952	BENITO, ANGELICA	14545 ANTILLES DR	MORENO VALLEY, CA	92553-4952	84.43	8.44	16.72	109.58
31104465006	484171017	FARAGOZA, ESTHER	14577	ANTILLES DR	MORENO VALLEY	CA	92553-4952	FARAGOZA, ESTHER	14577 ANTILLES DR	MORENO VALLEY, CA	92553-4952	254.02	25.4	50.3	329.7
64909675004	484172008	MARQUECHO, KIM	14565	RIO HONDO DR	MORENO VALLEY	CA	92553-4965	MARQUECHO, KIM	3531 FLORINE AVE	RIVERSIDE, CA	92509-1434	63.63	6.36	12.6	82.58
31386845000	484172009	ROMERO, REINA	14579	RIO HONDO DR	MORENO VALLEY	CA	92553-4965	ROMERO, REINA	14579 RIO HONDO DR	MORENO VALLEY, CA	92553-4965	254.02	25.4	50.3	329.7
31556545001	484172010	USQUIANN, LAURO	14593	RIO HONDO DR	MORENO VALLEY	CA	92553-4965	USQUIANN, LAURO	14593 RIO HONDO DR	MORENO VALLEY, CA	92553-4965	155.48	15.55	30.79	201.8
31286105007	484172013	RUBALCABA, LODRENA	14620	ARUBA PL	MORENO VALLEY	CA	92553-4985	RUBALCABA, LODRENA	14620 ARUBA PL	MORENO VALLEY, CA	92553-4985	254.02	25.4	50.3	329.7
87984635009	484172019	SILAS, JEROME	14583	ARUBA PL	MORENO VALLEY	CA	92553-4985	SILAS, JEROME	14583 ARUBA PL	MORENO VALLEY, CA	92553-4985	329.6	32.96	65.26	427.82
83009535000	484172020	WRIGHT JACK (OWNR)	14595	ARUBA PL	MORENO VALLEY	CA	92553-4985	WRIGHT, JACK	24705 GLENBROOK CT	MORENO VALLEY, CA	92551-7294	329.32	32.93	65.21	427.44
31075195005	484172022	ARROYO, JOHN AND ANGELA	14619	ARUBA PL	MORENO VALLEY	CA	92553-4985	ARROYO, JOHN AND ANGELA	14619 ARUBA PL	MORENO VALLEY, CA	92553-4985	224.02	22.4	44.36	290.76
97037375008	484172023	ZEMORA, CYNTHIA (OWNR)	14598	ANTILLES DR	MORENO VALLEY	CA	92553-4980	ZEMORA, CYNTHIA	6945 BARCELONA WAY	RIVERSIDE, CA	92504-2211	254.12	25.41	50.32	329.84
31450665001	484172024	ALEXANDER, LOLA	14586	ANTILLES DR	MORENO VALLEY	CA	92553-4980	ALEXANDER, LOLA	14586 ANTILLES DR	MORENO VALLEY, CA	92553-4980	329.32	32.93	65.21	427.44
74762435006	484181001	DURLEY, TRUMAN	25760	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5069	DURLEY, TRUMAN	25760 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5069	254.12	25.41	50.32	329.84
74762485005	484181002	LOPEZ, AUGUSTIN C	25772	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5069	LOPEZ, AUGUSTIN C	25772 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5069	190.79	19.08	37.78	247.64
97630748003	484181004	MALDONADO, ANGEL(OWNR)	25794	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5069	MALDONADO, ANGEL	25794 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5069	171.48	17.15	33.95	222.58
31342285000	484181012	CORNING, ALAN E	25875	FIGWOOD WAY	MORENO VALLEY	CA	92553-4928	CORNING, ALAN E	25875 FIGWOOD WAY	MORENO VALLEY, CA	92553-4928	254.02	25.4	50.3	329.7
31436865008	484181020	ROMERO, HECTOR	25763	FIGWOOD WAY	MORENO VALLEY	CA	92553-2927	ROMERO, HECTOR	25763 FIGWOOD WAY	MORENO VALLEY, CA	92553-2927	254.02	25.4	50.3	329.7
31384025007	484181029	TOOLE, MYRTLE	25894	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5049	TOOLE, MYRTLE	25894 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5049	102.45	10.25	20.29	132.98
51093315008	484182010	HOLVES, TOREY	25834	FIGWOOD WAY	MORENO VALLEY	CA	92553-4941	HOLVES, TOREY	25834 FIGWOOD WAY	MORENO VALLEY, CA	92553-4941	254.02	25.4	50.3	329.7
91862295002	484182014	COX, DONNA	25778	FIGWOOD WAY	MORENO VALLEY	CA	92553-4943	COX, DONNA	25778 FIGWOOD WAY	MORENO VALLEY, CA	92553-4943	63.93	6.39	12.66	82.98
31388575007	484182025	HIGGS, LAWRENCE	14654	ROSEMARY AVE	MORENO VALLEY	CA	92553-4931	HIGGS, LAWRENCE	14654 ROSEMARY AVE	MORENO VALLEY, CA	92553-4931	254.02	25.4	50.3	329.7
74162415003	484183013	ARCOS, ALEXANDRO	14722	BLACKBUSH RD	MORENO VALLEY	CA	92553-2926	ARCOS, ALEXANDRO	14722 BLACKBUSH RD	MORENO VALLEY, CA	92553-2926	154.02	15.4	30.5	199.9
95676645009	484183019	BYRD, TINA (RENT)	14644	BLACKBUSH RD	MORENO VALLEY	CA	92553-4906	BYRD, TINA	14644 BLACKBUSH RD	MORENO VALLEY, CA	92553-4906	253.13	25.31	50.12	328.56
96069063007	484191001	HUFFER, SEAN (RENT)	14611	ANTILLES DR	MORENO VALLEY	CA	92553-4981	HUFFER, SEAN	14611 ANTILLES DR	MORENO VALLEY, CA	92553-4981	63.13	6.31	12.5	81.94
31609805003	484191002	ZARAZUA, CARMEN	14623	ANTILLES DR	MORENO VALLEY	CA	92553-4981	ZARAZUA, CARMEN	14623 ANTILLES DR	MORENO VALLEY, CA	92553-4981	329.32	32.93	65.21	427.44
31072605006	484191003	PEREZ, RICHARD	14633	ANTILLES DR	MORENO VALLEY	CA	92553-4981	PEREZ, RICHARD	14633 ANTILLES DR	MORENO VALLEY, CA	92553-4981	97.44	9.74	19.29	126.46
89080443004	484191004	ANGUIANO, ELENA (RENT)	25520	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5050	ANGUIANO, ELENA (RENT)	25520 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5050	136.37	13.64	27	177
31303805003	484191006	HARDY, DEREK	25552	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5050	HARDY, DEREK	25552 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5050	254.12	25.41	50.32	329.84
98261535010	484191016	MARTINEZ, MARIA (OWNR)	14677	ANTILLES DR	MORENO VALLEY	CA	92553-4981	MARTINEZ, MARIA	14677 ANTILLES DR	MORENO VALLEY, CA	92553-4981	134.12	13.41	26.56	174.08
89851653003	484191017	STUART, MELISSA (RENT)	14667	ANTILLES DR	MORENO VALLEY	CA	92553-4981	STUART, MELISSA	14667 ANTILLES DR	MORENO VALLEY, CA	92553-4981	190.79	19.08	37.78	247.64
93798785003	484192003	DE LA ROSA, LAURA (OWNR)	14692	ARUBA PL	MORENO VALLEY	CA	92553-4958	DE LA ROSA, LAURA	14692 ARUBA PL	MORENO VALLEY, CA	92553-4958	54.12	5.41	10.72	70.24
31593625007	484192019	DUBAY, LORIE	14717	RIO HONDO DR	MORENO VALLEY	CA	92553-4966	DUBAY, LORIE	PO BOX 310965	FONTANA, CA	92331-0965	254.02	25.4	50.3	329.7
93396295009	484193006	BRADLEY, LIONEL (RENT)	14675	RIO GRANDE DR	MORENO VALLEY	CA	92553-4961	BRADLEY, LIONEL	14675 RIO GRANDE DR	MORENO VALLEY, CA	92553-4961	254.12	25.41	50.32	329.84
31412685007	484194001	HILL, TERRLYNN	14679	ARUBA PL	MORENO VALLEY	CA	92553-4984	HILL, TERRLYNN	14679 ARUBA PL	MORENO VALLEY, CA	92553-4984	62.36	6.24	12.35	80.94
85933845004	484194002	GUTIERREZ, RENATO	14667	ARUBA PL	MORENO VALLEY	CA	92553-4984	GUTIERREZ, RENATO	14667 ARUBA PL	MORENO VALLEY, CA	92553-4984	254.02	25.4	50.3	329.7
95081675007	484194004	TUOHY, DANIEL (RENT)	14643	ARUBA PL	MORENO VALLEY	CA	92553-4985	TUOHY, DANIEL	26267 WALKER PASS DR	MORENO VALLEY, CA	92555-2425	174.09	17.41	34.47	225.96
31353065002	484194005	GARCIA, JOSE DAVID	14631	ARUBA PL	MORENO VALLEY	CA	92553-4985	GARCIA, JOSE DAVID	14631 ARUBA PLACE	MORENO VALLEY, CA	92553-4985	74.35	7.44	14.72	96.5
31075035009	484194006	REICHERT, HERBERT	14612	ANTILLES DR	MORENO VALLEY	CA	92553-4912	REICHERT, HERBERT	14612 ANTILLES DR	MORENO VALLEY, CA	92553-4912	127.36	12.74	25.22	165.3
31072335003	484194009	ESTRELLA, FRANK	14646	ANTILLES DR	MORENO VALLEY	CA	92553-4912	ESTRELLA, FRANK	14646 ANTILLES DR	MORENO VALLEY, CA	92553-4912	254.02	25.4	50.3	329.7
97523755007	484201003	HERNANDEZ, BRANDY (OWNR)	14533	COCHITI DR	MORENO VALLEY	CA	92553-7143	HERNANDEZ, BRANDY	14533 COCHITI DR	MORENO VALLEY, CA	92553-7143	257.93	25.79	51.07	334.78
31108005004	484201012	BUTLER, GEORGE AND ERA	25415	TAUPE AVE	MORENO VALLEY	CA	92553-7169	BUTLER, GEORGE AND ERA	25415 TAUPE AVE	MORENO VALLEY, CA	92553-7169	254.02	25.4	50.3	329.7
86687065008	484201035	FIELDS, PAMELA	25433	CLOVELLY CT	MORENO VALLEY	CA	92553-7138	FIELDS, PAMELA	25433 CLOVELLY CT	MORENO VALLEY, CA	92553-7138	127.36	12.74	25.22	165.3
86574645007	484201037	WOOD, TIMOTHY	25405	CLOVELLY CT	MORENO VALLEY	CA	92553-7138	WOOD, TIMOTHY	25405 CLOVELLY CT	MORENO VALLEY, CA	92553-7138	254.02	25.4	50.3	329.7
86471465003	484201040	KOREL, DEBRA	25412	CLOVELLY CT	MORENO VALLEY	CA	92553-7138	KOREL, DEBRA	25412 CLOVELLY CT	MORENO VALLEY, CA	92553-7138	34.11	3.41	6.75	44.26
88067203002	484201044	ROMERO, BERENICE (RENT)	25463	CHIPMAN HILL CT	MORENO VALLEY	CA	92553-7137	ROMERO, BERENICE	25463 CHIPMAN HILL CT	MORENO VALLEY, CA	92553-7137	63.63	6.36	12.6	82.58
96342895004	484201045	MITCHELLE, LATONIA (RENT)	25447	CHIPMAN HILL CT	MORENO VALLEY	CA	92553-7137	MITCHELLE, LATONIA	25447 CHIPMAN HILL CT	MORENO VALLEY, CA	92553-7137	247.76	24.78	49.06	321.58
91649425006	484201050	ORDONIO, ANABEL	25408	CHIPMAN HILL CT	MORENO VALLEY	CA	92553-7137	ORDONIO, ANABEL	25408 CHIPMAN HILL CT	MORENO VALLEY, CA	92553-7137	253.92	25.39	50.28	329.58
31610725008	484202001	CAMPBELL, JOHN	14509	RIO BRAVO RD	MORENO VALLEY	CA	92553-7171	CAMPBELL, JOHN	14509 RIO BRAVO RD	MORENO VALLEY, CA	92553-7171	62.44	6.24	12.36	81.04
57441975004	484202005	ROMERO, JESUS	14557	RIO BRAVO RD	MORENO VALLEY	CA	92553-7171	ROMERO, JESUS	14557 RIO BRAVO RD	MORENO VALLEY, CA	92553-7171	282.23	28.22	55.88	366.32
97598245007	484202007	HERRINGTON, KRYSTLE (RENT)	25428	TAUPE AVE	MORENO VALLEY	CA	92553-7168	HERRINGTON, KRYSTLE	25428 TAUPE AVE	MORENO VALLEY, CA	92553-7168	262.03	26.2	51.88	340.1
31077625001	484202013	DRUMMOND, MITCHELL	14522	COCHITI DR	MORENO VALLEY	CA	92553-7139	DRUMMOND, MITCHELL	14522 COCHITI DR	MORENO VALLEY, CA	92553-7139	247.85	24.79	49.07	321.7
95833143001	484203005	GARCIA, GEORGE (RENT)	14686	RIO BRAVO RD	MORENO VALLEY	CA	92553-7173	GARCIA, GEORGE	14686 RIO BRAVO RD	MORENO VALLEY, CA	92553-7173	63.63	6.36	12.6	82.58
98858603007	484203014	SALCEDO, OSCAR (OWNR)	14570	RIO BRAVO RD	MORENO VALLEY	CA	92553-7170	SALCEDO, OSCAR	14570 RIO BRAVO RD	MORENO VALLEY, CA	92553-7170	63.63	6.36	12.6	82.58
31645035009	484203017	NEUENS, CHARLES	14534	RIO BRAVO RD	MORENO VALLEY	CA	92553-7170	NEUENS, CHARLES	14534 RIO BRAVO RD	MORENO VALLEY, CA	92553-7170	154.02	15.4	30.5	199.9
31314795002	484211010	JOHNSON, DEBRA	25263	MINNETONKA CT	MORENO VALLEY	CA	92553-7159	JOHNSON, DEBRA	910 W WILSON ST	BANNING, CA	92220-4375	54.02	5.4	10.7	70.1
31229685005	484211012	AGUIAR, JOSE	25283	MINNETONKA CT	MORENO VALLEY	CA	92553-7159	AGUIAR, JOSE	25283 MINNETONKA CT	MORENO VALLEY, CA	92553-7159	254.12	25.41	50.32	329.84
31649545004	484211019	FOSTER, RAQUEL	25292	BILLIE DR	MORENO VALLEY	CA	92553-7160	FOSTER, RAQUEL	25292 BILLIE DR	MORENO VALLEY, CA	92553-7160	329.32	32.93	65.21	427.44
94698535007	484211023	BAILEY, LISA (RENT)	25252	BILLIE DR	MORENO VALLEY	CA	92553-7160	BAILEY, LISA	25252 BILLIE DR	MORENO VALLEY, CA	92553-7160	201.47	20.15	39.89	261.5
31079615009	484212001	PRICE, JOHN AND TAMEKA	25253	BILLIE DR	MORENO VALLEY	CA	92553-7161	PRICE, JOHN AND TAMEKA	25253 BILLIE DR	MORENO VALLEY, CA	92553-7161	254.02	25.4	50.3	329.7
97388915002	484212010	SALCEDO, DULCE	25316	OCONTO CT	MORENO VALLEY	CA	92553-7166	SALCEDO, DULCE	25316 OCONTO CT	MORENO VALLEY, CA	92553-7166	465.98	46.6	92.26	604.84
89720313002	484212014	ZUNIGA, URIEL AND GLADYS	25260	OCONTO CT	MORENO VALLEY	CA	92553-7166	ZUNIGA, URIEL AND GLADYS	25260 OCONTO CT	MORENO VALLEY, CA	92553-7166	420.76	42.08	83.31	546.14
53087025009	484212026	GARCIA, RICARDO	25270	MENOMINEE CT	MORENO VALLEY	CA	92553-7167	GARCIA, RICARDO	25270 MENOMINEE CT	MORENO VALLEY, CA	92553-7167	46.28	4.63	9.16	60.06
31047835000	484212035	PETERSON, GEORGE	25336	DELPHINIUM AVE	MORENO VALLEY	CA	92553-7194	PETERSON, GEORGE	25336 DELPHINIUM AVE	MORENO VALLEY, CA	92553-7194	329.6	32.96	65.26	427.82
31465165004	484213001	MORRIS, CATHERINE AND JASON	14510	PARKWOOD CT	MORENO VALLEY	CA	92553-7162	MORRIS, CATHERINE AND JASON	PO BOX 9756	MORENO VALLEY, CA	92552-9756	254.02	25.4	50.3	329.7
88316645001	484213002	ALANIS, MICHELLE (RENT)	14522	PARKWOOD CT	MORENO VALLEY	CA	92553-7162	ALANIS, MICHELLE	14522 PARKWOOD CT	MORENO VALLEY, CA	92553-7162	246.01	24.6	48.71	319.32
31052885009	484213012	CABALLERO, CONNIE	14642	PARKWOOD CT	MORENO VALLEY	CA	92553-7163	CABALLERO, CONNIE	120 E FLORIDA AVE	HEMET, CA	92543	327.48	32.75	64.84	425.06
31573645005	484221007	BRADLEY, ROBERT	25142	DESERT WILLOW DR	MORENO VALLEY	CA	92553-7140	BRADLEY, ROBERT	25142 DESERT WILLOW DR	MORENO VALLEY, CA	92553-7140	254.02	25.4	50.3	329.7
31602295005	484221011	ARREOLA, EVELIA	25161	DESERT WILLOW DR	MORENO VALLEY	CA	92553-7141	ARREOLA, EVELIA	25161 DESERT WILLOW DR	MORENO VALLEY, CA	92553-7141	118.79	11.88	23.52	154.18
31493825001	484221014	HOBBS SR, PAUL	25197	DESERT WILLOW DR	MORENO VALLEY	CA	92553-7141	HOBBS SR, PAUL	25197 DESERT WILLOW DR	MORENO VALLEY, CA	92553-7141	63.63	6.36	12.6	82.58
85329565003	484221018	CHAMBERS, SHERRI	25204	BILLIE DR	MORENO VALLEY	CA	92553-7188	CHAMBERS, SHERRI	25204 BILLIE DR	MORENO VALLEY, CA	92553-7188	154.02	15.4	30.5	199.9
91155533001	484222006	HERN, PAMELYN (RENT)	25193	BILLIE DR	MORENO VALLEY	CA	92553-7107	HERN, PAMELYN	25193 BILLIE DR	MORENO VALLEY, CA	92553-7107	233.09	23.31	46.15	302.54
31073575000	484222013	PURCELL, MELISSA	25160	ALEPPO WAY	MORENO VALLEY	CA	92553-7142	PURCELL, MELISSA	PO BOX 9642	MORENO VALLEY, CA	92552-9642	254.12	25.41	50.32	329.84
31579675005	484222020	TOLLIVER, GARY	25173	ALEPPO WAY	MORENO VALLEY	CA	92553-7142	TOLLIVER, GARY	25173 ALEPPO WAY	MORENO VALLEY, CA	92553-7142	254.12	25.41	50.32	329.84
31590195003	484222025	CONDE, GINA	25202	GORGONIO WAY	MORENO VALLEY	CA	92553-1508	CONDE, GINA	25202 GORGONIO WAY	MORENO VALLEY, CA	92553-1508	329.32	32.93	65.21	427.44
31388765002	484222028	LAWLER, THEODORE	25166	GORGONIO WAY	MORENO VALLEY	CA	92553-7126	LAWLER, THEODORE	25166 GORGONIO WAY	MORENO VALLEY, CA	92553-7126	190.07	19.01	37.63	246.7
94527265004	484222029	NAVONGSAK, SOMPHITH (RENT)	25154	GORGONIO WAY	MORENO VALLEY	CA	92553-7126	NAVONGSAK, SOMPHITH	25154 GORGONIO WAY	MORENO VALLEY, CA	92553-7126	254.12	25.41	50.32	329.84
57163235000	484222032	VARGAS, JAIME	25135	GORGONIO WAY	MORENO VALLEY	CA	92553-7126	VARGAS, JAIME	25135 GORGONIO WAY	MORENO VALLEY, CA	92553-7126	254.02	25.4	50.3	329.7
31363565007	484222036	TURNER, NELLIE	25183	GORGONIO WAY	MORENO VALLEY	CA	92553-7126	TURNER, NELLIE	25183 GORGONIO WAY	MORENO VALLEY, CA	92553-7126	254.02	25.4	50.3	329.7
53888005004	484222039	SALAZAR, SYLVIA	25219	GORGONIO WAY	MORENO VALLEY	CA	92553-1509	SALAZAR, SYLVIA	25219 GORGONIO WAY	MORENO VALLEY, CA	92553-1509	110.69	11.07	21.92	143.68
96094365002	484223006	GONZALEZ, DOMINGO (RENT)	14664	AGAVE ST	MORENO VALLEY	CA	92553-7165	GONZALEZ, DOMINGO	14664 AGAVE ST	MORENO VALLEY, CA	92553-7165	62.71	6.27	12.42	81.38
31334745001	484223008	CARTER, TERRY	14644	AGAVE ST	MORENO VALLEY	CA	92553-7165	CARTER, TERRY	14644 AGAVE ST	MORENO VALLEY, CA	92553-7165	254.12	25.41	50.32	329.84
49750965001	484224002	JACKSON, GWENDALYN	14570	AGAVE ST	MORENO VALLEY	CA	92553-7164	JACKSON, GWENDALYN	14570 AGAVE ST	MORENO VALLEY, CA	92553-7164	190.79	19.08	37.78	247.64
70997985006	484224005	ALVAREZ, ROCIO	14530	AGAVE ST	MORENO VALLEY	CA	92553-7164	ALVAREZ, ROCIO	14530 AGAVE ST	MORENO VALLEY, CA	92553-7164	190.79	19.08	37.78	247.64
31489035002	484224006	GRAY, RAY	14518	AGAVE ST	MORENO VALLEY	CA	92553-7164	GRAY, RAY	14518 AGAVE ST	MORENO VALLEY, CA	92553-7164	254.12	25.41	50.32	329.84
55564655004	484231014	WILL, SHELLEY	25079	BILLIE DR	MORENO VALLEY	CA	92553-7106	WILL, SHELLEY	25079 BILLIE DR	MORENO VALLEY, CA	92553-7106	254.02	25.4	50.3	329.7
31488905001	484231020	AYON, JAVIER	25123	BILLIE DR	MORENO VALLEY	CA	92553-7107	AYON, JAVIER	25123 BILLIE DR	MORENO VALLEY, CA	92553-7107	254.12	25.41	50.32	329.84
93013305008	484232004	GOMEZ, JOSE	14553	MAY LN	MORENO VALLEY	CA	92553-7105	GOMEZ, JOSE	11291 EDMONSON AVE	MORENO VALLEY, CA	92555-5273	254.02	25.4	50.3	329.7
90650963001	484232011	HERNANDEZ, JESSICA (RENT)	14552	CHOLLA DR	MORENO VALLEY	CA	92553-7102	HERNANDEZ, JESSICA	14552 CHOLLA DR	MORENO VALLEY, CA	92553-7102	321.82	32.18	63.72	417.72
66486205000	484233003	VEGA, OLEGARIO	14568	MAY LN	MORENO VALLEY	CA	92553-7104	VEGA, OLEGARIO	14568 MAY LN	MORENO VALLEY, CA	92553-7104	104.12	10.41	20.62	135.14

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31340395001	484233007	ROLDAN, YONATAN	14512	MAY LN	MORENO VALLEY	CA	92553-7104	ROLDAN, YONATAN	14512 MAY LN	MORENO VALLEY, CA	92553-7104	254.02	25.4	50.3	329.7
31154705001	484241004	OWENS, JOHN	25209	DELPHINIUM AVE	MORENO VALLEY	CA	92553-7113	OWENS, JOHN	25611 ERICSON DR	MORENO VALLEY, CA	92553-5024	222.2	22.22	44	288.4
99182765004	484241005	ZAMARRIPA, ANGEL (RENT)	25197	DELPHINIUM AVE	MORENO VALLEY	CA	92553-7193	ZAMARRIPA, ANGEL	25197 DELPHINIUM AVE	MORENO VALLEY, CA	92553-7193	237.76	23.78	47.08	308.6
31606305004	484241006	DUVALL, COREY	25185	DELPHINIUM AVE	MORENO VALLEY	CA	92553-7193	DUVALL, COREY	4080 SW 159TH LN	OCALA, FL	34473-8220	254.02	25.4	50.3	329.7
31149645004	484241008	ESPINOZA SR, RAY	14800	CASA LOMA DR	MORENO VALLEY	CA	92553-7131	ESPINOZA SR, RAY	14800 CASA LOMA DR	MORENO VALLEY, CA	92553-7131	187.35	18.74	37.1	243.18
63011715002	484241015	PETERSON, CINDY	14872	CASA LOMA DR	MORENO VALLEY	CA	92553-7131	PETERSON, CINDY	14872 CASA LOMA DR	MORENO VALLEY, CA	92553-7131	254.12	25.41	50.32	329.84
93067955007	484241016	TORO, ALBERTO	14825	LA BRISIS WAY	MORENO VALLEY	CA	92553-1510	TORO, ALBERTO	14825 LA BRISIS WAY	MORENO VALLEY, CA	92553-1510	254.02	25.4	50.3	329.7
94758405006	484241019	JONES, SHARON (RENT)	14795	LA BRISIS WAY	MORENO VALLEY	CA	92553-1511	JONES, SHARON	14795 LA BRISIS WAY	MORENO VALLEY, CA	92553-1511	254.12	25.41	50.32	329.84
86262553007	484241025	GODOY, JESUS	14850	LA BRISIS WAY	MORENO VALLEY	CA	92553-7150	GODOY, JESUS	14850 LA BRISIS WAY	MORENO VALLEY, CA	92553-7150	190.12	19.01	37.64	246.76
66769155009	484242008	MOLAND, EARLINE	14831	CASA LOMA DR	MORENO VALLEY	CA	92553-7174	MOLAND, EARLINE	14831 CASA LOMA DR	MORENO VALLEY, CA	92553-7174	254.12	25.41	50.32	329.84
96760235006	484242012	PALM, EMERY (RENT)	14807	CASA LOMA DR	MORENO VALLEY	CA	92553-7174	PALM, EMERY	14807 CASA LOMA DR	MORENO VALLEY, CA	92553-7174	127.46	12.75	25.24	165.44
64572885006	484252002	VEGA, JAIME	25231	EL GRECO DR	MORENO VALLEY	CA	92553-7179	VEGA, JAIME	25231 EL GRECO DR	MORENO VALLEY, CA	92553-7179	204.12	20.41	40.42	264.94
91786003004	484253007	MESTA, HELEN (RENT)	25159	EL GRECO DR	MORENO VALLEY	CA	92553-7180	MESTA, HELEN	25159 EL GRECO DR	MORENO VALLEY, CA	92553-7180	267.58	26.76	52.98	347.3
31157235003	484253022	BROWN, JAMES	25159	VANESSA CT	MORENO VALLEY	CA	92553-7178	BROWN, JAMES	25159 VANESSA CT	MORENO VALLEY, CA	92553-7178	254.02	25.4	50.3	329.7
31401245003	484253026	GUTIERREZ, MARILOU	25172	VANESSA CT	MORENO VALLEY	CA	92553-7178	GUTIERREZ, MARILOU	25172 VANESSA CT	MORENO VALLEY, CA	92553-7178	254.02	25.4	50.3	329.7
31507155005	484261001	RIOS, LOURDES	25365	EL GRECO DR	MORENO VALLEY	CA	92553-7130	RIOS, LOURDES	25365 EL GRECO DR	MORENO VALLEY, CA	92553-7130	253.92	25.39	50.28	329.58
94305815000	484261007	THOMAS, JHONNA (RENT)	25291	EL GRECO DR	MORENO VALLEY	CA	92553-7199	THOMAS, JHONNA	25291 EL GRECO DR	MORENO VALLEY, CA	92553-7199	173	17.3	34.25	224.54
72703695007	484261010	HERNANDEZ, THERESA	25255	EL GRECO DR	MORENO VALLEY	CA	92553-7199	HERNANDEZ, THERESA	25255 EL GRECO DR	MORENO VALLEY, CA	92553-7199	254.02	25.4	50.3	329.7
92792573001	484262003	SIORDIA, PORFILIO (RENT)	14921	REMBRANDT DR	MORENO VALLEY	CA	92553-1513	SIORDIA, PORFILIO	13305 CAVANDISH LN	MORENO VALLEY, CA	92553-6201	168.48	16.85	33.36	218.68
31359845007	484262004	WILLIAMS, JASMINE	14907	REMBRANDT DR	MORENO VALLEY	CA	92553-1513	WILLIAMS, JASMINE	14907 REMBRANDT DR	MORENO VALLEY, CA	92553-1513	254.02	25.4	50.3	329.7
69209915004	484262013	QUINONEZ, PATRICIA	14799	REMBRANDT DR	MORENO VALLEY	CA	92553-1514	QUINONEZ, PATRICIA	14799 REMBRANDT DR	MORENO VALLEY, CA	92553-1514	254.02	25.4	50.3	329.7
31331705005	484263003	BRYANT, MICHAEL	25349	RENOIR AVE	MORENO VALLEY	CA	92553-7109	BRYANT, MICHAEL	25349 RENOIR AVE	MORENO VALLEY, CA	92553-7109	48.52	4.85	9.61	62.96
31229355004	484263012	WATSON, LOIS	25326	EL GRECO DR	MORENO VALLEY	CA	92553-7129	WATSON, LOIS	25326 EL GRECO DR	MORENO VALLEY, CA	92553-7129	254.12	25.41	50.32	329.84
95273045001	484263014	FREEMAN, SHANNON (OWNR)	25350	EL GRECO DR	MORENO VALLEY	CA	92553-7129	FREEMAN, SHANNON	25350 EL GRECO DR	MORENO VALLEY, CA	92553-7129	177.96	17.8	35.24	230.98
74535595002	484263016	SAUCEDO, CARLOS	25374	EL GRECO DR	MORENO VALLEY	CA	92553-7129	SAUCEDO, CARLOS	25374 EL GRECO DR	MORENO VALLEY, CA	92553-7129	254.02	25.4	50.3	329.7
93354795003	484265020	QUIROGA, FIDEL	25335	DELPHINIUM AVE	MORENO VALLEY	CA	92553-7151	QUIROGA, FIDEL	25335 DELPHINIUM AVE	MORENO VALLEY, CA	92553-7151	254.12	25.41	50.32	329.84
31373395002	484271006	JACKSON, RUTH	25388	RENOIR AVE	MORENO VALLEY	CA	92553-7110	JACKSON, RUTH	25388 RENOIR AVE	MORENO VALLEY, CA	92553-7110	127.06	12.71	25.16	164.92
96400645003	484271007	PEREZ, ILLBRED TRUST	25378	RENOIR AVE	MORENO VALLEY	CA	92553-7110	PEREZ, ILLBRED TRUST	27295 OCEAN DUNES ST #3	MORENO VALLEY, CA	92555-4916	242.76	24.28	48.07	315.1
31494815008	484271008	MANGARREZ, PEDRO	14869	ALBA WAY	MORENO VALLEY	CA	92553-7136	MANGARREZ, PEDRO	14869 ALBA WAY	MORENO VALLEY, CA	92553-7136	254.12	25.41	50.32	329.84
88723015000	484271012	RUIZ, NORENE	14829	ALBA WAY	MORENO VALLEY	CA	92553-7136	RUIZ, NORENE	14829 ALBA WAY	MORENO VALLEY, CA	92553-7136	117.76	11.78	23.32	152.84
58505295008	484271016	RAYMOND, ANNETTE	14785	ALBA WAY	MORENO VALLEY	CA	92553-7100	RAYMOND, ANNETTE	14785 ALBA WAY	MORENO VALLEY, CA	92553-7100	405.08	40.51	80.21	525.78
57307365005	484272006	ESPINOZA, MARIA	25433	RENOIR AVE	MORENO VALLEY	CA	92553-7111	ESPINOZA, MARIA	25433 RENOIR AVE	MORENO VALLEY, CA	92553-7111	254.02	25.4	50.3	329.7
31200935004	484272005	GASCA, EDWARD	25421	EL GRECO DR	MORENO VALLEY	CA	92553-7123	GASCA, EDWARD	25421 EL GRECO DR	MORENO VALLEY, CA	92553-7123	254.02	25.4	50.3	329.7
31498685006	484273008	ROBLEDO, DEBRA (OWNER)	25455	EL GRECO DR	MORENO VALLEY	CA	92553-7123	ROBLEDO, DEBRA	25455 EL GRECO DR	MORENO VALLEY, CA	92553-7123	63.63	6.36	12.6	82.58
31497505006	484273011	GARCIA, LAURA	25487	EL GRECO DR	MORENO VALLEY	CA	92553-1501	GARCIA, LAURA	25487 EL GRECO DR	MORENO VALLEY, CA	92553-1501	125.22	12.52	24.79	162.52
59691175000	484273016	ESTRADA, TANGIE	25543	EL GRECO DR	MORENO VALLEY	CA	92553-7132	ESTRADA, TANGIE	18700 YORBA LINDA BLVD APT 79	YORBA LINDA, CA	92886-4152	329.6	32.96	65.26	427.82
94154175006	484273026	GONZALES, ROSARIO (OWNR)	25620	EL GRECO DR	MORENO VALLEY	CA	92553-1507	GONZALES, ROSARIO	25620 EL GRECO DR	MORENO VALLEY, CA	92553-1507	63.63	6.36	12.6	82.58
31551635003	484273032	GERMANY, RICHARD (RENT)	14848	ALBA WAY	MORENO VALLEY	CA	92553-7146	GERMANY, RICHARD	14848 ALBA WAY	MORENO VALLEY, CA	92553-7146	254.12	25.41	50.32	329.84
96779695009	484273035	LISCANO, MICHAEL JR (RENT)	14780	ALBA WAY	MORENO VALLEY	CA	92553-7148	LISCANO, MICHAEL JR	232 BUSBEE ST	EAST CAMDEN, AR	71701-7176	61	6.1	12.09	79.16
31306615006	484273045	PATRON, CARLOS	25561	EL GRECO DR	MORENO VALLEY	CA	92553-7144	PATRON, CARLOS	25561 EL GRECO DR	MORENO VALLEY, CA	92553-7144	254.02	25.4	50.3	329.7
89638733008	484281003	FOUSE, LEANN (RENT)	14946	MAGELLAN DR	MORENO VALLEY	CA	92553-5038	FOUSE, LEANN	14946 MAGELLAN DR	MORENO VALLEY, CA	92553-5038	254.12	25.41	50.32	329.84
97108845009	484281007	MA, BA (RENT)	14892	MAGELLAN DR	MORENO VALLEY	CA	92553-5075	MA, BA	14892 MAGELLAN DR	MORENO VALLEY, CA	92553-5075	227.85	22.79	45.11	295.74
31655265009	484281012	ROSAS, JOSE AND SANDRA	14893	EDELWEISS PL	MORENO VALLEY	CA	92553-5031	ROSAS, JOSE AND SANDRA	14893 EDELWEISS PL	MORENO VALLEY, CA	92553-5031	329.32	32.93	65.21	427.44
31443855006	484282006	ORTIZ, EDIE	14928	EDELWEISS PL	MORENO VALLEY	CA	92553-5071	ORTIZ, EDIE	14928 EDELWEISS PL	MORENO VALLEY, CA	92553-5071	82.68	8.27	16.37	107.3
92214375008	484282008	BUCKNER, STEPHANIA	14941	DE SOTO PL	MORENO VALLEY	CA	92553-5051	BUCKNER, STEPHANIA	14941 DE SOTO PL	MORENO VALLEY, CA	92553-5051	103.92	10.39	20.58	134.88
91888515001	484283006	CARO, HUGO	25651	STONEYBROOK DR	MORENO VALLEY	CA	92553-5029	CARO, HUGO	25651 STONEYBROOK DR	MORENO VALLEY, CA	92553-5029	327.04	32.7	64.75	424.48
87291945004	484283015	CORTES, MARIA	25561	STONEYBROOK DR	MORENO VALLEY	CA	92553-5080	CORTES, MARIA	25561 STONEYBROOK DR	MORENO VALLEY, CA	92553-5080	254.12	25.41	50.32	329.84
31118985007	484284003	HIRSHEL, LEE	14939	RIO GRANDE DR	MORENO VALLEY	CA	92553-5058	HIRSHEL, LEE	14939 RIO GRANDE DR	MORENO VALLEY, CA	92553-5058	329.32	32.93	65.21	427.44
96076895001	484284010	AGUILAR, JESUS (RENT)	14904	DE SOTO PL	MORENO VALLEY	CA	92553-5039	AGUILAR, JESUS	14904 DE SOTO PL	MORENO VALLEY, CA	92553-5039	254.12	25.41	50.32	329.84
31402675000	484285003	LEE, YVETTE	14906	RIO GRANDE DR	MORENO VALLEY	CA	92553-5048	LEE, YVETTE	14906 RIO GRANDE DR	MORENO VALLEY, CA	92553-5048	254.02	25.4	50.3	329.7
95028605001	484285008	VASQUEZ, EVANS AND NANCY (OWNR	14960	RIO GRANDE DR	MORENO VALLEY	CA	92553-5048	VASQUEZ, EVANS	14960 RIO GRANDE DR	MORENO VALLEY, CA	92553-5048	166.17	16.62	32.9	215.68
31131765006	484285010	HOUGH, JOHN	14986	RIO GRANDE DR	MORENO VALLEY	CA	92553-5048	HOUGH, JOHN	14986 RIO GRANDE DR	MORENO VALLEY, CA	92553-5048	254.02	25.4	50.3	329.7
97122745001	484291001	ROBINSON, CHINIQUE (RENT)	25601	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5066	ROBINSON, CHINIQUE (RENT)	25601 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5066	217.91	21.79	43.15	282.84
85355855007	484291009	STOKES, DONNA	25594	ERICSON DR	MORENO VALLEY	CA	92553-5054	STOKES, DONNA	7480 LANKERSHIM AVE	HIGHLAND, CA	92346-3464	254.02	25.4	50.3	329.7
95456115007	484291010	VIVIENDOLA, DEBORAH (OWNR)	25580	ERICSON DR	MORENO VALLEY	CA	92553-5054	VIVIENDOLA, DEBORAH	25580 ERICSON DR	MORENO VALLEY, CA	92553-5054	63.63	6.36	12.6	82.58
31102455002	484291014	MURPHY, CHRISTOPHER	14807	MAGELLAN DR	MORENO VALLEY	CA	92553-5053	MURPHY, CHRISTOPHER	14807 MAGELLAN DR	MORENO VALLEY, CA	92553-5053	254.02	25.4	50.3	329.7
59330495008	484291018	VILLA, GILBERT	14855	MAGELLAN DR	MORENO VALLEY	CA	92553-5042	VILLA, GILBERT	14855 MAGELLAN DR	MORENO VALLEY, CA	92553-5042	254.12	25.41	50.32	329.84
56409935001	484291019	WORRELL, TIFFANY	14867	MAGELLAN DR	MORENO VALLEY	CA	92553-5042	WORRELL, TIFFANY	14867 MAGELLAN DR	MORENO VALLEY, CA	92553-5042	188.98	18.9	37.42	245.28
92436955005	484292005	DOWLING, MARISELA	25671	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5002	DOWLING, MARISELA	25671 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5002	254.12	25.41	50.32	329.84
93883085000	484292007	YOUNG, TREVIA (RENT)	25697	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5002	YOUNG, TREVIA	PO BOX 9801	MORENO VALLEY, CA	92552-1801	143.76	14.38	28.46	186.6
74762625006	484292013	RIOS, MARCOS AND ERIKA	25658	ERICSON DR	MORENO VALLEY	CA	92553-5023	RIOS, MARCOS AND ERIKA	25658 ERICSON DR	MORENO VALLEY, CA	92553-5023	254.02	25.4	50.3	329.7
95547105005	484293002	ADRIANO, CLAUDIA (RENT)	25611	ERICSON DR	MORENO VALLEY	CA	92553-5024	ADRIANO, CLAUDIA	25611 ERICSON DR	MORENO VALLEY, CA	92553-5024	192.56	19.26	38.13	249.94
96866405005	484293003	VASQUEZ, MARIA (RENT)	25621	ERICSON DR	MORENO VALLEY	CA	92553-5024	VASQUEZ, MARIA	25621 ERICSON DR	MORENO VALLEY, CA	92553-5024	202.38	20.24	40.07	262.68
95277955000	484293006	MORALES, FRANCES (RENT)	25651	ERICSON DR	MORENO VALLEY	CA	92553-5024	MORALES, FRANCES	25651 ERICSON DR	MORENO VALLEY, CA	92553-5024	254.12	25.41	50.32	329.84
31463875009	484294009	ROBERSON, ANNETTE	14858	RIO GRANDE DR	MORENO VALLEY	CA	92553-5056	ROBERSON, ANNETTE	14858 RIO GRANDE DR	MORENO VALLEY, CA	92553-5056	254.02	25.4	50.3	329.7
62276555005	484301015	GASTELUM, PAUL	25819	PARSLEY AVE	MORENO VALLEY	CA	92553-5021	GASTELUM, PAUL/THELMA SANCHEZ	12255 WOODBRIAR DR	MORENO VALLEY, CA	92555-1871	63.63	6.36	12.6	82.58
85173175007	484302004	CARDENA, ADRIANA	25861	PARSLEY AVE	MORENO VALLEY	CA	92553-5005	CARDENA, ADRIANA	25861 PARSLEY AVE	MORENO VALLEY, CA	92553-5005	254.02	25.4	50.3	329.7
31597085001	484302006	TORRES, GLORIA	25871	PARSLEY AVE	MORENO VALLEY	CA	92553-5005	TORRES, GLORIA	25871 PARSLEY AVE	MORENO VALLEY, CA	92553-5005	254.02	25.4	50.3	329.7
94919185000	484302007	BOOKART, HAROLD (RENT)	25879	PARSLEY AVE	MORENO VALLEY	CA	92553-5005	BOOKART, HAROLD	25879 PARSLEY AVE	MORENO VALLEY, CA	92553-5005	254.12	25.41	50.32	329.84
31286115005	484303001	PHILLIPS, NANCY	25878	PARSLEY AVE	MORENO VALLEY	CA	92553-5006	RESIDENT, CURRENT	25878 PARSLEY AVE	MORENO VALLEY, CA	92553-5006	254.02	25.4	50.3	329.7
49282285008	484303002	MILLER, BRIGETTE	25870	PARSLEY AVE	MORENO VALLEY	CA	92553-5006	MILLER, BRIGETTE	23887 RIDGE POINT CT	MORENO VALLEY, CA	92557-2936	254.02	25.4	50.3	329.7
95220555004	484303009	VIDRIO, JOSE (OWNR)	14808	TARRAGON WAY	MORENO VALLEY	CA	92553-5082	VIDRIO, JOSE	14808 TARRAGON WAY	MORENO VALLEY, CA	92553-5082	254.12	25.41	50.32	329.84
96457685004	484303011	MOTA, ELOY (OWNR)	14780	TARRAGON WAY	MORENO VALLEY	CA	92553-5008	MOTA, ELOY	14780 TARRAGON WAY	MORENO VALLEY, CA	92553-5008	254.12	25.41	50.32	329.84
90784945003	484303023	GAMA, CARMEN	25824	PARSLEY AVE	MORENO VALLEY	CA	92553-5020	GAMA, CARMEN	25824 PARSLEY AVE	MORENO VALLEY, CA	92553-5020	230.53	23.05	45.64	299.22
31128025008	484303024	ROBERTSON, NEAL	25786	PARSLEY AVE	MORENO VALLEY	CA	92553-5004	ROBERTSON, NEAL	25786 PARSLEY AVE	MORENO VALLEY, CA	92553-5004	254.02	25.4	50.3	329.7
31371955008	484303025	ALVAREZ, RUDY AND PATRICIA	25782	PARSLEY AVE	MORENO VALLEY	CA	92553-5004	ALVAREZ, RUDY AND PATRICIA	25782 PARSLEY AVE	MORENO VALLEY, CA	92553-5004	254.02	25.4	50.3	329.7
31471095007	484303029	ZARAGOZA, ROSA	25764	PARSLEY AVE	MORENO VALLEY	CA	92553-5004	ZARAGOZA, ROSA	25764 PARSLEY AVE	MORENO VALLEY, CA	92553-5004	254.02	25.4	50.3	329.7
31182685006	484303037	BEVERAGE, RON AND JEAN	25841	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5035	BEVERAGE, RON AND JEAN	25841 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5035	254.12	25.41	50.32	329.84
94183895004	484303040	STEELE, SEAN (OWNR)	14763	ROSEMARY AVE	MORENO VALLEY	CA	92553-5079	STEELE, SEAN	14763 ROSEMARY AVE	MORENO VALLEY, CA	92553-5079	456.16	45.62	90.32	592.08
66689465006	484303045	ALONZO, VINCENT	14811	ROSEMARY AVE	MORENO VALLEY	CA	92553-5044	ALONZO, VINCENT	14811 ROSEMARY AVE	MORENO VALLEY, CA	92553-5044	63.3	6.33	12.53	82.16
55463685001	484303046	HILL, TYRONE	14817	ROSEMARY AVE	MORENO VALLEY	CA	92553-5044	HILL, TYRONE	14817 ROSEMARY AVE	MORENO VALLEY, CA	92553-5044	188.74	18.87	37.37	244.98
95530595008	484311004	CARREON, EDGAR (OWNR)	25861	CORIANDER CT	MORENO VALLEY	CA	92553-5027	CARREON, EDGAR	25861 CORIANDER CT	MORENO VALLEY, CA	92553-5027	254.02	25.4	50.3	329.7
96725795001	484311009	BERNASCONI, CARMEN (RENT)	25811	CORIANDER CT	MORENO VALLEY	CA	92553-5027	BERNASCONI, CARMEN	25811 CORIANDER CT	MORENO VALLEY, CA	92553-5027	59.01	5.9	11.68	76.58
96183275002	484311011	SALAZAR, EVELYN (OWNR)	25791	CORIANDER CT	MORENO VALLEY	CA	92553-5062	SALAZAR, EVELYN	25791 CORIANDER CT	MORENO VALLEY, CA	92553-5062	212.17	21.22	42.01	275.38
31071365008	484311033	BRUSH, PATRICIA	25777	BASIL CT	MORENO VALLEY	CA	92553-5060	BRUSH, PATRICIA	25777 BASIL CT	MORENO VALLEY, CA	92553-5060	254.02	25.4	50.3	329.7
31134885005	484311035	PONCE, GUILLERMINA	25757	BASIL CT	MORENO VALLEY	CA	92553-5060	PONCE, GUILLERMINA	25757 BASIL CT	MORENO VALLEY, CA	92553-5060	63.63	6.36	12.6	82.58
31602775004	484311039	JONES, ELIZABETH	25784	BASIL CT	MORENO VALLEY	CA	92553-5059	JONES, ELIZABETH	25784 BASIL CT	MORENO VALLEY, CA	92553-5059	254.02	25.4	50.3	329.7
31154075003	484311040	ESCOTO, TOI-YA	25794	BASIL CT	MORENO VALLEY	CA	92553-5059	ESCOTO, TOI-YA	25794 BASIL CT	MORENO VALLEY, CA	92553-5059	190.69	19.07	37.76	247.5
93804255000	484312001	ANTHONY, VIVIAN (RENT)	14874	TARRAGON WAY	MORENO VALLEY	CA	92553-5084	ANTHONY, VIVIAN	14874 TARRAGON WAY	MORENO VALLEY, CA	92553-5084	254.12	25.41	50.32	329.84
49389665001	484312007	BREWAH, JEFFERY	14934	TARRAGON WAY	MORENO VALLEY	CA	92553-5009	BREWAH, JEFFERY	14934 TARRAGON WAY	MORENO VALLEY, CA	92553-5009	254.02	25.4	50.3	329.7
59677105004	484312008	HERNANDEZ, FRANCISCO	25864	CORIANDER CT	MORENO VALLEY	CA	92553-5043	HERNANDEZ, FRANCISCO	25864 CORIANDER CT	MORENO VALLEY, CA	92553-5043	254.12	25.41	50.32	329.84
91213035003	484312013	THOMAS, FLOYD AND DEBRA	25898	CORIANDER CT	MORENO VALLEY	CA	92553-5043	THOMAS, FLOYD AND DEBRA	25898 CORIANDER CT	MORENO VALLEY, CA	92553-5043	253.92	25.39	50.28	329.58
84442585001	484312021	VACCAINOR, VIVIANA	14964	CURRY ST	MORENO VALLEY	CA	92553-5015	VACCAINOR, VIVIANA	14964 CURRY ST	MORENO VALLEY, CA	92553-5015	254.02	25.4	50.3	329.7
92550695008	484312022	ENRIQUEZ, JOSE	14970	CURRY ST	MORENO VALLEY	CA	92553-5015	ENRIQUEZ, JOSE	14970 CURRY ST	MORENO VALLEY, CA	92553-5015	127.36	12.74	25.22	165.3
31050815008	484321001	BLACK, MICHAEL	25993	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5011	BLACK, MICHAEL	25993 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5011	63.63	6.36	12.6	82.58
96859155002	484321002	ASHRAF, ADAM (RENT)	25981	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5011	ASHRAF, ADAM	25981 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5011	254.12	25.41	50.32	329.84
31525495006	484321005	VALDEZ, RICARDO AND OFELIA	25943	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5011	VALDEZ, RICARDO	26838 9TH ST SPC 66	HIGHLAND, CA	92346-3572	147.91	14.79	29.29	191.98
31243805001	484321010	KAROLCZAK, JOHN	14780	ROSEMARY AVE	MORENO VALLEY	CA	92553-5022	KAROLCZAK, JOHN	14780 ROSEMARY AVE	MORENO VALLEY, CA	92553-5022	254.12	25.41	50.32	329.84
63116995000	484321030	SANCHEZ, MARTHA	14808	CURRY ST	MORENO VALLEY	CA	92553-5017	SANCHEZ, MARTHA	14808 CURRY ST	MORENO VALLEY, CA	92553-5017	194.05	19.41	38.42	251.86
74817565000	484321032	SOLARES, BERTHA	14826	CURRY ST	MORENO VALLEY	CA	92553-5017	SOLARES, BERTHA	24209 CLOVER AVE	MORENO VALLEY, CA	92551-7666	254.02	25.4	50.3	329.7
95274585005	484321045	HAYS, TRACI (RENT)	14924	CURRY ST	MORENO VALLEY	CA	92553-5055	HAYS, TRACI	14924 CURRY ST	MORENO VALLEY, CA	92553-5055	104.12	10.41	20.62	135.14

MV00167472

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
87941493008	484321049	DUQUET, ABRAHAM (RENT)	25958	CORIANDER CT	MORENO VALLEY	CA	92553-5016	DUQUET, ABRAHAM	25958 CORIANDER CT	MORENO VALLEY, CA	92553-5016	254.12	25.41	50.32	329.84
63897805005	484321054	ARMENTA, PAULINA	25996	CORIANDER CT	MORENO VALLEY	CA	92553-5016	ARMENTA, PAULINA	25996 CORIANDER CT	MORENO VALLEY, CA	92553-5016	63.63	6.36	12.6	82.58
66426095009	484322004	AGUILAR, LUIS AND MARIBEL	14925	CURRY ST	MORENO VALLEY	CA	92553-5019	AGUILAR, LUIS	14925 CURRY ST	MORENO VALLEY, CA	92553-5019	135.49	13.55	26.83	175.86
97633475003	484322010	JONES, EATON (RENT)	25919	PARSLEY AVE	MORENO VALLEY	CA	92553-5077	JONES, EATON	23899 EUCALYPTUS AVE APT 91	MORENO VALLEY, CA	92553-5546	127.46	12.75	25.24	165.44
93705383002	485031008	PIMENTEL, ANTHONY (RENT) APTS	15129	ELM CT UNIT D	MORENO VALLEY	CA	92551-3685	PIMENTEL, ANTHONY	15129 ELM CT UNIT D	MORENO VALLEY, CA	92551-3685	195.53	19.55	38.71	253.78
95467495004	485032017	LOPEZ, OCTAVIO (OWNR)	15047	PEPPER CT	MORENO VALLEY	CA	92551-3623	LOPEZ, OCTAVIO	4756 BEVERLY CT	RIVERSIDE, CA	92506-1919	254.12	25.41	50.32	329.84
82097085000	485032019	SORIANO, JUAN	15069	PEPPER CT	MORENO VALLEY	CA	92551-3623	SORIANO, JUAN	15069 PEPPER CT	MORENO VALLEY, CA	92551-3623	168.95	16.9	33.45	219.28
86628783001	485032023	MIRANDA, OSCAR (RENT)	15115	PEPPER CT	MORENO VALLEY	CA	92551-7662	MIRANDA, OSCAR	15115 PEPPER CT	MORENO VALLEY, CA	92551-7662	254.12	25.41	50.32	329.84
96757585008	485032024	LLAMAS, MARGARITA (RENT)	15125	PEPPER CT	MORENO VALLEY	CA	92551-7662	LLAMAS, MARGARITA	15125 PEPPER CT	MORENO VALLEY, CA	92551-7662	190.79	19.08	37.78	247.64
95742445001	485032026	PULIDO, MARISOL (OWNR)	15141	PEPPER CT	MORENO VALLEY	CA	92551-7662	PULIDO, MARISOL	15141 PEPPER CT	MORENO VALLEY, CA	92551-7662	64.17	6.42	12.71	83.28
61527275001	485033038	GONZALES, SANDRA	15254	PEPPER CT	MORENO VALLEY	CA	92551-7665	GONZALES, SANDRA	15254 PEPPER CT	MORENO VALLEY, CA	92551-7665	329.6	32.96	65.26	427.82
97045835005	485033039	ANNIS, CLEMENT (RENT)	15234	PEPPER CT	MORENO VALLEY	CA	92551-7665	OSTLUND, S OTT R & ALETA M	16529 JOY ST	LAKE ELSINORE, CA	92531-	254.12	25.41	50.32	329.84
31253205006	485033046	AVILA, MARIA	15160	PEPPER CT	MORENO VALLEY	CA	92551-3624	AVILA, MARIA	15160 PEPPER CT	MORENO VALLEY, CA	92551-3624	329.6	32.96	65.26	427.82
74672165003	485033047	RODARTE, LUCIANA	15150	PEPPER CT	MORENO VALLEY	CA	92551-3624	RODARTE, LUCIANA	15150 PEPPER CT	MORENO VALLEY, CA	92551-3624	254.02	25.4	50.3	329.7
74672125002	485033052	CONDE, ROBERTO AND MARIA	15104	PEPPER CT	MORENO VALLEY	CA	92551-3624	CONDE, ROBERTO AND MARIA	1825 INGRAHAM ST	NORTH LAS VEGAS, NV	89030-7354	67.36	6.74	13.34	87.42
90577603002	485033054	SANCHEZ, LINDA	15082	PEPPER CT	MORENO VALLEY	CA	92551-7664	SANCHEZ, LINDA	15082 PEPPER CT	MORENO VALLEY, CA	92551-7664	257.91	25.79	51.07	334.76
95284045005	485033056	REYNOSO, LUIS	15058	PEPPER CT	MORENO VALLEY	CA	92551-7664	REYNOSO, LUIS	15058 PEPPER CT	MORENO VALLEY, CA	92551-7664	217.41	21.74	43.05	282.18
31272405004	485042001	RIOS, LEODORA	24282	NICOLE CT	MORENO VALLEY	CA	92551-7668	RIOS, LEODORA	24282 NICOLE CT	MORENO VALLEY, CA	92551-7668	404.16	40.42	80.02	524.58
94863365002	485042003	AMAYA, HERIBERTO	24302	NICOLE CT	MORENO VALLEY	CA	92551-3626	AMAYA, HERIBERTO	24302 NICOLE CT	MORENO VALLEY, CA	92551-3626	63.83	6.38	12.64	82.84
88316965003	485042006	BLUE WAVE INVESTMENTS LLC	24332	NICOLE CT	MORENO VALLEY	CA	92551-3626	BLUE WAVE INVESTMENTS LLC	25577 SAN THOMAS ST	MORENO VALLEY, CA	92557-5829	254.12	25.41	50.32	329.84
101138963004	485042007	ARMIJO, VANESSA M	24342	NICOLE CT	MORENO VALLEY	CA	92551-3626	ARMIJO, VANESSA M	24342 NICOLE CT	MORENO VALLEY, CA	92551-3626	139.84	13.98	27.69	181.5
87079985004	485042013	LOFTON, JAMES	24393	NICOLE CT	MORENO VALLEY	CA	92551-3627	LOFTON, JAMES	24393 NICOLE CT	MORENO VALLEY, CA	92551-3627	254.02	25.4	50.3	329.7
31476045007	485042018	MARTIN, IRIS	24343	NICOLE CT	MORENO VALLEY	CA	92551-3627	MARTIN, IRIS	24343 NICOLE CT	MORENO VALLEY, CA	92551-3627	32.68	3.27	6.47	42.4
97094295006	485042019	GUEVARA, ALICIA (RENT)	24333	NICOLE CT	MORENO VALLEY	CA	92551-3627	GUEVARA, ALICIA	24333 NICOLE CT	MORENO VALLEY, CA	92551-3627	190.79	19.08	37.78	247.64
31083625009	485042022	SCHUELLER, KIETH	24303	NICOLE CT	MORENO VALLEY	CA	92551-3627	SCHUELLER, KIETH	24303 NICOLE CT	MORENO VALLEY, CA	92551-3627	82.68	8.27	16.37	107.3
31640215002	485042026	HERNANDEZ, HECTOR M AND MARIA	24290	GABRIEL ST	MORENO VALLEY	CA	92551-7675	HERNANDEZ, HECTOR M AND MARIA	24290 GABRIEL ST	MORENO VALLEY, CA	92551-7675	254.02	25.4	50.3	329.7
93741725006	485042027	GARCIA, MARIA PONCE (RENT)	24300	GABRIEL ST	MORENO VALLEY	CA	92551-3639	GARCIA, MARIA PONCE	24300 GABRIEL ST	MORENO VALLEY, CA	92551-3639	254.12	25.41	50.32	329.84
31525245009	485043004	SILVA, MIRNA A	15033	PAIGE AVE	MORENO VALLEY	CA	92551-3649	SILVA, MIRNA A	13877 CHAGALL CT APT 366	MORENO VALLEY, CA	92553-6611	232.68	23.27	46.07	302
31580535003	485043009	LEOCADIO, LARRY	15069	PAIGE AVE	MORENO VALLEY	CA	92551-3649	LEOCADIO, LARRY	15069 PAIGE AVE	MORENO VALLEY, CA	92551-3649	254.02	25.4	50.3	329.7
31636795008	485051003	ESCOBAR, GUILLERMO AND YOLANDA	24330	GABRIEL ST	MORENO VALLEY	CA	92551-3639	ESCOBAR, GUILLERMO	24330 GABRIEL ST	MORENO VALLEY, CA	92551-3639	72.18	7.22	14.29	93.68
31300215003	485051009	LARA, DANILO	24390	GABRIEL ST	MORENO VALLEY	CA	92551-3639	LARA, DANILO	24390 GABRIEL ST	MORENO VALLEY, CA	92551-3639	289.73	28.97	57.37	376.06
96523665007	485052001	WEATHERSPOON, DEANNA (RENT)	24311	GABRIEL ST	MORENO VALLEY	CA	92551-3640	WEATHERSPOON, DEANNA (RENT)	24311 GABRIEL ST	MORENO VALLEY, CA	92551-3640	153.74	15.37	30.44	199.54
31308315005	485052007	HALE, JAMES	24377	GABRIEL ST	MORENO VALLEY	CA	92551-3640	HALE, JAMES	24377 GABRIEL ST	MORENO VALLEY, CA	92551-3640	329.6	32.96	65.26	427.82
96297565009	485052008	FISHER, STACEY (RENT)	24393	GABRIEL ST	MORENO VALLEY	CA	92551-3640	FISHER, STACEY	24393 GABRIEL ST	MORENO VALLEY, CA	92551-3640	254.12	25.41	50.32	329.84
91725705005	485052009	AGUADO, VIRIDIANA	24405	GABRIEL ST	MORENO VALLEY	CA	92551-3641	AGUADO, VIRIDIANA	24405 GABRIEL ST	MORENO VALLEY, CA	92551-3641	253.92	25.39	50.28	329.58
89619663002	485052016	PINEDA, SAMUEL (RENT)	24499	GABRIEL ST	MORENO VALLEY	CA	92551-7677	PINEDA, SAMUEL	24499 GABRIEL ST	MORENO VALLEY, CA	92551-7677	60.59	6.06	12	78.64
62506955001	485052018	RAMIREZ, LINDA	24515	GABRIEL ST	MORENO VALLEY	CA	92551-3647	RAMIREZ, LINDA	24515 GABRIEL ST	MORENO VALLEY, CA	92551-3647	134.12	13.41	26.56	174.08
97405563007	485052021	HERRERA , ZABRINA	24539	GABRIEL ST	MORENO VALLEY	CA	92551-3647	HERRERA , ZABRINA	24539 GABRIEL ST	MORENO VALLEY, CA	92551-3647	265.82	26.58	52.63	345.02
93831725005	485052026	AGUILAR, ABRAHAM (OWNR)	24579	GABRIEL ST	MORENO VALLEY	CA	92551-3647	AGUILAR, ABRAHAM	24579 GABRIEL ST	MORENO VALLEY, CA	92551-3647	190.79	19.08	37.78	247.64
97119395000	485052027	TAPIA, KARLA AND JORGE (OWNR)	24286	KARRY CT	MORENO VALLEY	CA	92551-7673	TAPIA, KARLA AND JORGE	24286 KARRY CT	MORENO VALLEY, CA	92551-7673	127.36	12.74	25.22	165.3
100346973002	485052029	MILLER, MICHAEL (RENT)	24298	KARRY CT	MORENO VALLEY	CA	92551-7673	MILLER, MICHAEL	24298 KARRY CT	MORENO VALLEY, CA	92551-7673	122.89	12.29	24.33	159.5
95387735004	485052037	MARQUEZ, SILVIA (OWNR)	24348	KARRY CT	MORENO VALLEY	CA	92551-3652	MARQUEZ, SILVIA	24348 KARRY CT	MORENO VALLEY, CA	92551-3652	190.79	19.08	37.78	247.64
31599745009	485052040	SANTIS, JANET	24341	KARRY CT	MORENO VALLEY	CA	92551-3653	SANTIS, JANET	24341 KARRY CT	MORENO VALLEY, CA	92551-3653	77.46	7.75	15.34	100.54
95479635000	485052042	MENDOZA, GUADALUPE (RENT)	24327	KARRY CT	MORENO VALLEY	CA	92551-3653	MENDOZA, GUADALUPE	24218 CLOVER AVE APT D	MORENO VALLEY, CA	92551-3699	254.12	25.41	50.32	329.84
91010945002	485052049	SANCHEZ, GUADALUPE	24286	KURT CT	MORENO VALLEY	CA	92551-7672	SANCHEZ, GUADALUPE	24286 KURT CT	MORENO VALLEY, CA	92551-7672	46.42	4.64	9.19	60.24
31565515008	485052055	FLORES, ANTONIO M	24328	KURT CT	MORENO VALLEY	CA	92551-3658	FLORES, ANTONIO M	24328 KURT CT	MORENO VALLEY, CA	92551-3658	254.02	25.4	50.3	329.7
75267875002	485052060	LOPEZ, ROSALIO	24351	KURT CT	MORENO VALLEY	CA	92551-7654	LOPEZ, ROSALIO	24351 KURT CT	MORENO VALLEY, CA	92551-7654	237.42	23.74	47.01	308.16
70922305007	485052065	NAVARRO, BLONDY	24321	KURT CT	MORENO VALLEY	CA	92551-7654	NAVARRO, BLONDY	24321 KURT CT	MORENO VALLEY, CA	92551-7654	254.02	25.4	50.3	329.7
31292725002	485053004	VARAJAS, ALVARO	24440	TYANN CT	MORENO VALLEY	CA	92551-3637	VARAJAS, ALVARO	24440 TYANN CT	MORENO VALLEY, CA	92551-3637	329.04	32.9	65.15	427.08
96870285002	485053005	RANGEL, BLANCA (RENT)	24450	TYANN CT	MORENO VALLEY	CA	92551-3637	RANGEL, BLANCA	24450 TYANN CT	MORENO VALLEY, CA	92551-3637	204.12	20.41	40.42	264.94
85848405006	485053008	TORRES, AUGUSTIN	24480	TYANN CT	MORENO VALLEY	CA	92551-3637	TORRES, AUGUSTIN	24480 TYANN CT	MORENO VALLEY, CA	92551-3637	254.02	25.4	50.3	329.7
31583365002	485053025	DEL RIO, JOSE LUIS (OWNR)	24466	FILAREE AVE	MORENO VALLEY	CA	92551-3635	DEL RIO, JOSELUIS	24466 FILAREE AVE	MORENO VALLEY, CA	92551-3635	190.69	19.07	37.76	247.5
92988963003	485053028	PEARSON, HELEN (RENT)	24496	FILAREE AVE	MORENO VALLEY	CA	92551-3635	PEARSON, HELEN	24496 FILAREE AVE	MORENO VALLEY, CA	92551-3635	205.39	20.54	40.67	266.58
89629293009	485054005	PERALTA, HECTOR (RENT)	24446	FILAREE AVE	MORENO VALLEY	CA	92551-3635	PERALTA, HECTOR	24446 FILAREE AVE	MORENO VALLEY, CA	92551-3635	242.65	24.27	48.04	314.94
96786585007	485054007	VASQUEZ, ALBERT (RENT)	24465	FILAREE AVE	MORENO VALLEY	CA	92551-3636	VASQUEZ, ALBERT	24465 FILAREE AVE	MORENO VALLEY, CA	92551-3636	254.12	25.41	50.32	329.84
92046665003	485054008	MCGINNIS, GREGORY	24475	FILAREE AVE	MORENO VALLEY	CA	92551-3636	MCGINNIS, GREGORY	PO BOX 7036	MORENO VALLEY, CA	92552-7036	127.26	12.73	25.2	165.18
96121635007	485055008	BIVINS, LATANISIA MONIQUE	15207	PAIGE AVE	MORENO VALLEY	CA	92551-7670	BIVINS, LATANISIA MONIQUE	15207 PAIGE AVE	MORENO VALLEY, CA	92551-7670	274.29	27.43	54.31	356.02
31267955008	485055016	ABAD, JOSE L	15149	PAIGE AVE	MORENO VALLEY	CA	92551-3654	ABAD, JOSE L	15149 PAIGE AVE	MORENO VALLEY, CA	92551-3654	107.42	10.74	21.27	139.42
91573925003	485061002	RELEFORD, CRYSTAL	24524	BEAL AVE	MORENO VALLEY	CA	92551-4009	RELEFORD, CRYSTAL	24524 BEAL AVE	MORENO VALLEY, CA	92551-4009	253.92	25.39	50.28	329.58
91685485007	485061021	LEEPER, HENRY (OWNR)	15043	WINTERGREEN ST	MORENO VALLEY	CA	92551-4059	LEEPER, HENRY	PO BOX 1451	MORENO VALLEY, CA	92556-1451	28.92	2.89	5.73	37.52
95868385006	485062003	VEGA, MARIA AND LUIS (RENT)	24534	ELMENDORF DR	MORENO VALLEY	CA	92551-4013	VEGA, MARIA	24534 ELMENDORF DR	MORENO VALLEY, CA	92551-4013	254.12	25.41	50.32	329.84
92792213007	485062009	CARTER, JACK (OWNR)	24571	BEAL AVE	MORENO VALLEY	CA	92551-4008	CARTER, JACK (OWNR)	24571 BEAL AVE	MORENO VALLEY, CA	92551-4008	253.09	25.31	50.11	328.5
31227875009	485062014	ASHLINE, DALE	24511	BEAL AVE	MORENO VALLEY	CA	92551-4008	ASHLINE, DALE	24511 BEAL AVE	MORENO VALLEY, CA	92551-4008	394.15	39.42	78.04	511.6
94426355000	485064003	GREY, SHERRIE (OWNR)	24680	GOLDSTON CT	MORENO VALLEY	CA	92551-4092	GREY, SHERRIE	24680 GOLDSTON CT	MORENO VALLEY, CA	92551-4092	254.12	25.41	50.32	329.84
31311045006	485064006	ROSADO, VERENDA	24710	GOLDSTON CT	MORENO VALLEY	CA	92551-4060	ROSADO, VERENDA	24710 GOLDSTON CT	MORENO VALLEY, CA	92551-4060	190.58	19.06	37.74	247.38
75649975006	485064008	ALAMIO, JULIAN	24730	GOLDSTON CT	MORENO VALLEY	CA	92551-4060	ALAMIO, JULIAN	24730 GOLDSTON CT	MORENO VALLEY, CA	92551-4060	254.02	25.4	50.3	329.7
58838175008	485064021	HOFFMAN, ALEX	24700	PATRICIAN CT	MORENO VALLEY	CA	92551-4000	HOFFMAN, ALEX	24700 PATRICIAN CT	MORENO VALLEY, CA	92551-4000	254.02	25.4	50.3	329.7
31610465002	485071001	ABBYS ADOLESCENT DEVEL CTR	24510	VANDENBERG DR	MORENO VALLEY	CA	92551-4024	ABBYS ADOLESCENT DEVEL CTR	24510 VANDENBERG DR	MORENO VALLEY, CA	92551-4024	329.32	32.93	65.21	427.44
92722255005	485071007	BROWN, TAMALA (RENT)	24586	VANDENBERG DR	MORENO VALLEY	CA	92551-4024	BROWN, TAMALA	24586 VANDENBERG DR	MORENO VALLEY, CA	92551-4024	329.6	32.96	65.26	427.82
31625805009	485072002	MORENO, CHARLIE AND NORMA	15142	BATTON ST	MORENO VALLEY	CA	92551-4027	MORENO, CHARLIE AND NORMA	15142 BATTON ST	MORENO VALLEY, CA	92551-4027	254.02	25.4	50.3	329.7
31139655002	485072014	ROATH, MICHAEL	24680	GOLD STAR DR	MORENO VALLEY	CA	92551-4017	ROATH, MICHAEL	24680 GOLD STAR DR	MORENO VALLEY, CA	92551-4017	254.02	25.4	50.3	329.7
88216535006	485072017	SANDRA ROTH (OWNR)	24710	GOLD STAR DR	MORENO VALLEY	CA	92551-4088	SANDRA ROTH	1169 BROADWAY LN	HEMET, CA	92545-6218	254.12	25.41	50.32	329.84
31396435005	485072019	JOHNSON, JOSEPH (OWNR)	24699	HEATH CT	MORENO VALLEY	CA	92551-4097	JOHNSON, JOSEPH	24699 HEATH CT	MORENO VALLEY, CA	92551-4097	254.02	25.4	50.3	329.7
48545045000	485072023	HALL, KISHA	24659	HEATH CT	MORENO VALLEY	CA	92551-4097	HALL, KISHA	24659 HEATH CT	MORENO VALLEY, CA	92551-4097	254.02	25.4	50.3	329.7
31137775001	485072027	FREGOSO, LOUIS AND CAROL	24680	HEATH CT	MORENO VALLEY	CA	92551-4096	FREGOSO, LOUIS AND CAROL	24680 HEATH CT	MORENO VALLEY, CA	92551-4096	254.02	25.4	50.3	329.7
31413005008	485072028	GEORGE, MARIE	24690	HEATH CT	MORENO VALLEY	CA	92551-4096	GEORGE, MARIE	24690 HEATH CT	MORENO VALLEY, CA	92551-4096	254.02	25.4	50.3	329.7
95223125009	485072029	CRUMP, BILLY (RENT)	24700	HEATH CT	MORENO VALLEY	CA	92551-4003	CRUMP, BILLY	24700 HEATH CT	MORENO VALLEY, CA	92551-4003	63.63	6.36	12.6	82.58
56091275005	485072034	FUNDERBURY, KIT	24677	RUGBY LN	MORENO VALLEY	CA	92551-4022	FUNDERBURY, KIT	24677 RUGBY LN	MORENO VALLEY, CA	92551-4022	329.32	32.93	65.21	427.44
62865055008	485072035	PRICE, LANCE	24667	RUGBY LN	MORENO VALLEY	CA	92551-4022	PRICE, LANCE	24667 RUGBY LN	MORENO VALLEY, CA	92551-4022	254.12	25.41	50.32	329.84
31067585000	485074004	SPIGNER, DENISE	24568	FILAREE AVE	MORENO VALLEY	CA	92551-4015	SPIGNER, DENISE	24568 FILAREE AVE	MORENO VALLEY, CA	92551-4015	254.02	25.4	50.3	329.7
31601195008	485074005	HENARD, MYRNA	24584	FILAREE AVE	MORENO VALLEY	CA	92551-4015	HENARD, MYRNA	24584 FILAREE AVE	MORENO VALLEY, CA	92551-4015	404.62	40.46	80.11	525.18
31106275001	485075003	RICHMOND, GENE	24700	RUGBY LN	MORENO VALLEY	CA	92551-4029	RICHMOND, GENE	24700 RUGBY LN	MORENO VALLEY, CA	92551-4029	127.36	12.74	25.22	165.3
97498945003	485075009	PILOLA, ELAINE (RENT)	15178	BUKTON AVE	MORENO VALLEY	CA	92551-4019	PILOLA, ELAINE	15178 BUKTON AVE	MORENO VALLEY, CA	92551-4019	254.12	25.41	50.32	329.84
31105625000	485075012	HERNANDEZ, JUAN M	15214	BUKTON AVE	MORENO VALLEY	CA	92551-4085	HERNANDEZ, JUAN M	15214 BUKTON AVE	MORENO VALLEY, CA	92551-4085	254.02	25.4	50.3	329.7
98361945012	485081002	VASQUEZ, GILBERT (RENT)	15128	LAVERDA LN	MORENO VALLEY	CA	92551-4061	VASQUEZ, GILBERT	15128 LAVERDA LN	MORENO VALLEY, CA	92551-4061	94.12	9.41	18.64	122.16
97092855002	485081004	RIVERA, DALIA (RENT)	15104	LAVERDA LN	MORENO VALLEY	CA	92551-4061	RIVERA, DALIA	15104 LAVERDA LN	MORENO VALLEY, CA	92551-4061	254.12	25.41	50.32	329.84
91363245002	485081006	HENDERSON, SCOTT AND DEBBIE	24890	GREENLEE WAY	MORENO VALLEY	CA	92551-4067	HENDERSON, SCOTT AND DEBBIE	24890 GREENLEE WAY	MORENO VALLEY, CA	92551-4067	253.92	25.39	50.28	329.58
93577235007	485081015	MCCLURE, JULIE (RENT)	24793	AGUSTA DR	MORENO VALLEY	CA	92551-4036	MCCLURE, JULIE	24793 AGUSTA DR	MORENO VALLEY, CA	92551-4036	254.12	25.41	50.32	329.84
31576445000	485081016	SANCHEZ, ANNA	24809	AGUSTA DR	MORENO VALLEY	CA	92551-4031	SANCHEZ, ANNA	24809 AGUSTA DR	MORENO VALLEY, CA	92551-4031	254.12	25.41	50.32	329.84
87610635000	485083001	BACAJAL, FELIPE (RENT)	15152	NORTON LN	MORENO VALLEY	CA	92551-4066	BACAJAL, FELIPE	15665 LAS POSAS DR	MORENO VALLEY, CA	92551-1991	211.24	21.12	41.83	274.18
31593915006	485083007	ARREDONDO, DAVID	15141	PRENTICE WAY	MORENO VALLEY	CA	92551-4064	ARREDONDO, DAVID	15141 PRENTICE WAY	MORENO VALLEY, CA	92551-4064	100.02	10	19.8	129.82
92763125007	485084003	POWELL, SARAH	24778	AGUSTA DR	MORENO VALLEY	CA	92551-4035	POWELL, SARAH	24778 AGUSTA DR	MORENO VALLEY, CA	92551-4035	84.18	8.42	16.67	109.26
31558545007	485084006	VELASCO, MARIA	15053	NORTON LN	MORENO VALLEY	CA	92551-4058	VELASCO, MARIA	15053 NORTON LN	MORENO VALLEY, CA	92551-4058	254.02	25.4	50.3	329.7
92618505003	485091007	GARCIA, MARK (RENT)	15176	BLACK SHADOW DR	MORENO VALLEY	CA	92551-4083	GARCIA, MARK	15176 BLACK SHADOW DR	MORENO VALLEY, CA	92551-4083	126.96	12.7	25.14	164.78
63187155007	485091010	CHAVEZ, ROSARIO	15173	BLACK SHADOW DR	MORENO VALLEY	CA	92551-4082	CHAVEZ, ROSARIO	15173 BLACK SHADOW DR	MORENO VALLEY, CA	92551-4082	254.12	25.41	50.32	329.84
72337945002	485091012	NAVARRO, GUSTAVO	15197	BLACK SHADOW DR	MORENO VALLEY	CA	92551-4082	NAVARRO, GUSTAVO	15197 BLACK SHADOW DR	MORENO VALLEY, CA	92551-4082	254.02	25.4	50.3	329.7
94306463001	485091017	STANDIFER, TERRESE (RENT)	15248	LAVERDA LN	MORENO VALLEY	CA	92551-4026	STANDIFER, TERRESE	15248 LAVERDA LN	MORENO VALLEY, CA	92551-4026	199.36	19.94	39.47	258.76
97797775003	485091025	MAHIE, FILIPE (OWNR)	15152	LAVERDA LN	MORENO VALLEY	CA	92551-4061	MAHIE, FILIPE	15152 LAVERDA LN	MORENO VALLEY, CA	92551-4061	254.12	25.41	50.32	329.84
31463895006	485092006	FOREMAN SR, GEORGE H	15153	LAVERDA LN	MORENO VALLEY	CA	92551-4062	FOREMAN SR, GEORGE H	15153 LAVERDA LN	MORENO VALLEY, CA	92551-4062	229.02	22.9	45.35	297.26
88397975001	485093007	ROBERSON, KATRINA (RENT)	15176	NORTON LN	MORENO VALLEY	CA	92551-4066	ROBERSON, KATRINA	15176 NORTON LN	MORENO VALLEY, CA	92551-4066	124.09	12.41	24.57	161.06
65742825007	485093013	FERGUSON, ALICE	15201	PRENTICE WAY	MORENO VALLEY	CA	92551-0908	FERGUSON, ALICE	25299 ALESSANDRO BLVD APT 214	MORENO VALLEY, CA	92553-6546	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31596765000	485093014	MOHAMED, ALLEX	24795	MATTUS WAY	MORENO VALLEY	CA	92551-0902	MOHAMED, ALLEX	24795 MATTUS WAY	MORENO VALLEY, CA	92551-0902	254.02	25.4	50.3	329.7
74453235004	485093015	APARICIO, JESUS AND JOSEPHINA	24811	MATTUS WAY	MORENO VALLEY	CA	92551-4011	APARICIO, JESUS AND JOSEPHINA	24811 MATTUS WAY	MORENO VALLEY, CA	92551-4011	254.02	25.4	50.3	329.7
73899145008	485093017	LOPEZ, MIRLAN	24843	MATTUS WAY	MORENO VALLEY	CA	92551-4011	LOPEZ, MIRLAN	24843 MATTUS WAY	MORENO VALLEY, CA	92551-4011	254.02	25.4	50.3	329.7
94931995005	485093020	CARTER, SHIMARJU AND OSCAR	24891	MATTUS WAY	MORENO VALLEY	CA	92551-4011	CARTER, SHIMARJU AND OSCAR	24891 MATTUS WAY	MORENO VALLEY, CA	92551-4011	250.49	25.05	49.6	325.12
96988275004	485093022	GUTIERREZ, MAYRA (RENT)	24874	GOLD STAR DR	MORENO VALLEY	CA	92551-4018	GUTIERREZ, MAYRA	24874 GOLD STAR DR	MORENO VALLEY, CA	92551-4018	254.12	25.41	50.32	329.84
31522375008	485101007	GENTLE, TRINA	24875	GOLD STAR DR	MORENO VALLEY	CA	92551-4039	GENTLE, TRINA	24875 GOLD STAR DR	MORENO VALLEY, CA	92551-4039	254.02	25.4	50.3	329.7
91099205000	485101011	MEJIA, VICTOR	24827	GOLD STAR DR	MORENO VALLEY	CA	92551-4038	MEJIA, VICTOR	24827 GOLD STAR DR	MORENO VALLEY, CA	92551-4038	63.93	6.39	12.66	82.98
92266048008	485101013	ALLEN, BEVERLY (RENT)	24803	GOLD STAR DR	MORENO VALLEY	CA	92551-4038	ALLEN, BEVERLY	24803 GOLD STAR DR	MORENO VALLEY, CA	92551-4038	187.73	18.77	37.17	243.66
95852205008	485101022	DE LARA, SUSAN (RENT)	15335	BLACK SHADOW DR	MORENO VALLEY	CA	92551-4042	DE LARA, SUSAN	15335 BLACK SHADOW DR	MORENO VALLEY, CA	92551-4042	130.56	13.06	25.85	169.46
31070385006	485101033	ROSALES, ELVIA	15342	SWARENS CT	MORENO VALLEY	CA	92551-4028	ROSALES, ELVIA	15342 SWARENS CT	MORENO VALLEY, CA	92551-4028	26.74	2.67	5.29	34.7
31509885008	485101035	BRYANT, WILLIAM	15312	SWARENS CT	MORENO VALLEY	CA	92551-4028	BRYANT, WILLIAM	15312 SWARENS CT	MORENO VALLEY, CA	92551-4028	254.12	25.41	50.32	329.84
31474365004	485101039	HELLER, RANDOLPH AND MARILYN	15299	SWARENS CT	MORENO VALLEY	CA	92551-4044	HAMPTON, LANDRY	15299 SWARENS CT	MORENO VALLEY, CA	92551-4044	276.03	27.6	54.65	358.28
76251545005	485101042	SANCHEZ, JAQUELYN (RENT)	15343	SWARENS CT	MORENO VALLEY	CA	92551-4030	SANCHEZ, JAQUELYN	15343 SWARENS CT	MORENO VALLEY, CA	92551-4030	329.32	32.93	65.21	427.44
31640455001	485101051	DE LA RIVA, ISAIS (ACTIVE)	15327	WITCZAK CT	MORENO VALLEY	CA	92551-4077	DE LA RIVA, ISAIS	15327 WITCZAK	MORENO VALLEY, CA	92551-4077	254.02	25.4	50.3	329.7
91944873008	485102001	HERNANDEZ, PATRICIA (RENT)	15262	BLACK SHADOW DR	MORENO VALLEY	CA	92551-4041	HERNANDEZ, PATRICIA (RENT)	15262 BLACK SHADOW DR	MORENO VALLEY, CA	92551-4041	118.69	11.87	23.5	154.04
31097685006	485103003	DEAN, ANN	24795	FAY AVE	MORENO VALLEY	CA	92551-4073	DEAN, ANN	24795 FAY AVE	MORENO VALLEY, CA	92551-4073	329.6	32.96	65.26	427.82
31645255002	485103005	DURIO, MARION (OWNR)	24819	FAY AVE	MORENO VALLEY	CA	92551-4001	DURIO, MARION	24819 FAY AVE	MORENO VALLEY, CA	92551-4001	171.72	17.17	34	222.88
96812795007	485103007	BLUITT, LATOYA	24843	FAY AVE	MORENO VALLEY	CA	92551-4001	BLUITT, LATOYA	24843 FAY AVE	MORENO VALLEY, CA	92551-4001	181.99	18.19	36.02	236.14
31069615000	485103013	ONTIVEROS, MARTIN	24915	FAY AVE	MORENO VALLEY	CA	92551-4046	ONTIVEROS, MARTIN	24915 FAY AVE	MORENO VALLEY, CA	92551-4046	329.6	32.96	65.26	427.82
31456345006	485131002	MACIAS, LETICIA	24522	FAY AVE	MORENO VALLEY	CA	92551-4048	MACIAF, LETICIA	24522 FAY AVE	MORENO VALLEY, CA	92551-4048	100.12	10.01	19.82	129.94
94889563005	485131007	ROBERSON, LINDSEY (RENT)	24580	FAY AVE	MORENO VALLEY	CA	92551-4047	ROBERSON, LINDSEY	24580 FAY AVE	MORENO VALLEY, CA	92551-4047	182.39	18.24	36.11	236.74
91578845009	485131011	HAIGHT, BRENDA	24624	FAY AVE	MORENO VALLEY	CA	92551-4072	HAIGHT, BRENDA	24624 FAY AVE	MORENO VALLEY, CA	92551-4072	254.12	25.41	50.32	329.84
94011893007	485132007	CARDONA, EUSEBIO (RENT)	24735	GOLD STAR DR	MORENO VALLEY	CA	92551-4055	CARDONA, EUSEBIO	24735 GOLD STAR DR	MORENO VALLEY, CA	92551-4055	127.46	12.75	25.24	165.44
99022013000	485132008	GEORGE, ALEXANDRA (RENT)	24745	GOLD STAR DR	MORENO VALLEY	CA	92551-4055	GEORGE, ALEXANDRA	24745 GOLD STAR DR	MORENO VALLEY, CA	92551-4055	94.48	9.45	18.71	122.62
31357795001	485132009	CLARKE, EMMA	24676	TALBOT CT	MORENO VALLEY	CA	92551-0911	CLARKE, EMMA	24676 TALBOT CT	MORENO VALLEY, CA	92551-0911	190.69	19.07	37.76	247.5
101716303006	485132014	PARKER, PATRICIA AND RONALD (O	24728	TALBOT CT	MORENO VALLEY	CA	92551-4056	AURELIO, LARRY	24728 TALBOT CT	MORENO VALLEY, CA	92551-4056	97.48	9.75	19.3	126.52
76352565006	485132016	NEAL, DEBORAH	24742	TALBOT CT	MORENO VALLEY	CA	92551-4056	NEAL, DEBORAH	24742 TALBOT CT	MORENO VALLEY, CA	92551-4056	254.02	25.4	50.3	329.7
87787705001	485132018	OWENS, GERALDINE	24739	TALBOT CT	MORENO VALLEY	CA	92551-4057	OWENS, GERALDINE	24739 TALBOT CT	MORENO VALLEY, CA	92551-4057	329.6	32.96	65.26	427.82
31564715009	485132023	FAIR, JOHN	24687	TALBOT CT	MORENO VALLEY	CA	92551-0912	FAIR, JOHN	24687 TALBOT CT	MORENO VALLEY, CA	92551-0912	254.02	25.4	50.3	329.7
31288645000	485132026	COLLINS, PETER	24688	FAY AVE	MORENO VALLEY	CA	92551-4074	COLLINS, PETER	9445 WEBSTER RD	CAMDEN ON GAULEY, WV	26208-9792	254.12	25.41	50.32	329.84
87981495004	485133003	GALVEZ, BRIDGET	24727	FAY AVE	MORENO VALLEY	CA	92551-4045	GALVEZ, BRIDGET	24727 FAY AVE	MORENO VALLEY, CA	92551-4045	254.12	25.41	50.32	329.84
52185815006	485133012	BARRETT, DEENA	24621	FAY AVE	MORENO VALLEY	CA	92551-4049	BARRETT, DEENA	24621 FAY AVE	MORENO VALLEY, CA	92551-4049	329.6	32.96	65.26	427.82
31390285009	485133016	HUERTA, LEONARDO	15466	HERNE CT	MORENO VALLEY	CA	92551-4050	HUERTA, LEONARDO	15466 HERNE CT	MORENO VALLEY, CA	92551-4050	254.02	25.4	50.3	329.7
31510835007	485134005	SNOOK, CHERYL	15391	HERNE CT	MORENO VALLEY	CA	92551-4075	SNOOK, CHERYL	15391 HERNE CT	MORENO VALLEY, CA	92551-4075	254.02	25.4	50.3	329.7
62190785000	485141003	RECORD, RAYNELL	24436	STACEY AVE	MORENO VALLEY	CA	92551-3644	RECORD, RAYNELL	14425 WINDMILL CIR	VICTORVILLE, CA	92394-6951	192.56	19.26	38.13	249.94
31146845008	485141027	HAUGHTON, JAMES H	24496	KATRINA AVE	MORENO VALLEY	CA	92551-3665	HAUGHTON, JAMES H	24496 KATRINA AVE	MORENO VALLEY, CA	92551-3665	254.02	25.4	50.3	329.7
86756085007	485142002	VALDEZ, RAUL	24397	STACEY AVE	MORENO VALLEY	CA	92551-3645	VALDEZ, RAUL	24397 STACEY AVE	MORENO VALLEY, CA	92551-3645	174.02	17.4	34.46	225.86
31286345007	485142004	ORTIZ, MARTIN AND MARLENA	24381	STACEY AVE	MORENO VALLEY	CA	92551-3645	ORTIZ, MARTIN AND MARLENA	24381 STACEY AVE	MORENO VALLEY, CA	92551-3645	254.02	25.4	50.3	329.7
92502785000	485142005	SHAO, MING	24373	STACEY AVE	MORENO VALLEY	CA	92551-3645	SHAO, MING	24373 STACEY AVE	MORENO VALLEY, CA	92551-3645	254.02	25.4	50.3	329.7
91328685002	485142010	HUERTA, RAYMOND	24333	STACEY AVE	MORENO VALLEY	CA	92551-3645	HUERTA, RAYMOND	24333 STACEY AVE	MORENO VALLEY, CA	92551-3645	253.92	25.39	50.28	329.58
31257935004	485142014	HARRY, RICHARD	24297	STACEY AVE	MORENO VALLEY	CA	92551-7679	HARRY, RICHARD	PO BOX 7443	MORENO VALLEY, CA	92552-7443	253.92	25.39	50.28	329.58
31072805004	485142016	BARON, ROBERT	15312	THERESA AVE	MORENO VALLEY	CA	92551-3670	BARON, ROBERT	15312 THERESA AVE	MORENO VALLEY, CA	92551-3670	254.02	25.4	50.3	329.7
91366263000	485142017	CORONA, JAZMINE (RENT)	15322	THERESA AVE	MORENO VALLEY	CA	92551-3670	CORONA, JAZMINE	15322 THERESA AVE	MORENO VALLEY, CA	92551-3670	282.35	28.24	55.91	366.48
92492855009	485142018	RAMIREZ, AMELIA	15332	THERESA AVE	MORENO VALLEY	CA	92551-3670	RAMIREZ, AMELIA	15332 THERESA AVE	MORENO VALLEY, CA	92551-3670	254.02	25.4	50.3	329.7
98224665010	485142022	GARCIA, KIMBERLY (RENT)	15364	THERESA AVE	MORENO VALLEY	CA	92551-3670	GARCIA, KIMBERLY	22440 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2655	84.49	8.45	16.73	109.66
96080535006	485142032	DELACRUZ, ROSA LINDA (RENT)	24360	KATRINA AVE	MORENO VALLEY	CA	92551-3666	DELACRUZ, ROSA LINDA	13975 GAYE ST	MORENO VALLEY, CA	92553-	244.13	24.41	48.34	316.88
31550045009	485142033	WHITTINGTON, VICTORIA	24370	KATRINA AVE	MORENO VALLEY	CA	92551-3666	WHITTINGTON, VICTORIA	24370 KATRINA AVE	MORENO VALLEY, CA	92551-3666	254.02	25.4	50.3	329.7
96149203008	485142037	HARLEY, ALICIA (RENT)	24408	KATRINA AVE	MORENO VALLEY	CA	92551-7683	HARLEY, ALICIA (RENT)	24408 KATRINA AVE	MORENO VALLEY, CA	92551-7683	185.85	18.59	36.8	241.22
96058255000	485142042	DANIEL, BRIAN (RENT)	24340	STACEY AVE	MORENO VALLEY	CA	92551-3643	DANIEL, BRIAN	15928 PERRIS BLVD STE E	MORENO VALLEY, CA	92551-4693	254.12	25.41	50.32	329.84
31356505004	485143003	RAMIREZ, DORA AND IGNACIA	24348	STACEY AVE	MORENO VALLEY	CA	92551-3643	RAMIREZ, DORA AND IGNACIA	24348 STACEY AVE	MORENO VALLEY, CA	92551-3643	154.02	15.4	30.5	199.9
31427795002	485144001	PEREZ, ELIAS	24310	STACEY AVE	MORENO VALLEY	CA	92551-7678	PEREZ, ELIAS	24310 STACEY AVE	MORENO VALLEY, CA	92551-7678	254.02	25.4	50.3	329.7
75049845001	485144003	GUERRERO, TOMAS AND ALBA	24282	STACEY AVE	MORENO VALLEY	CA	92551-3642	GUERRERO, TOMAS AND ALBA	24282 STACEY AVE	MORENO VALLEY, CA	92551-3642	254.02	25.4	50.3	329.7
31607895008	485144007	DEANDA, ANNA	15281	THERESA AVE	MORENO VALLEY	CA	92551-7689	DEANDA, ANNA	15281 THERESA AVE	MORENO VALLEY, CA	92551-7689	254.02	25.4	50.3	329.7
77534765006	485144010	MARTINEZ, PRISCILLA	15309	THERESA AVE	MORENO VALLEY	CA	92551-3667	MARTINEZ, PRISCILLA	15309 THERESA AVE	MORENO VALLEY, CA	92551-3667	254.02	25.4	50.3	329.7
97280535001	485144011	MARQUEZ, VERONICA (RENT)	15317	THERESA AVE	MORENO VALLEY	CA	92551-3667	MARQUEZ, VERONICA	15303 VENTURA BLVD STE 1095	SHERMAN OAKS, CA	91403-5869	26.67	2.67	5.28	34.6
97982425005	485144015	GRAY, ALIKIA	15349	THERESA AVE	MORENO VALLEY	CA	92551-3667	GRAY, ALIKIA	15349 THERESA AVE	MORENO VALLEY, CA	92551-3667	329.6	32.96	65.26	427.82
96288845000	485145006	COOPER, BRANDON (OWNR)	24391	KATRINA AVE	MORENO VALLEY	CA	92551-3663	COOPER, BRANDON	24258 STATE HIGHWAY 74	PERRIS, CA	92570-8113	211.93	21.19	41.96	275.08
55275985006	485145010	ORTIZ, JULIO	24417	KATRINA AVE	MORENO VALLEY	CA	92551-3664	ORTIZ, JULIO	24198 RADWELL DR	MORENO VALLEY, CA	92553-3393	254.02	25.4	50.3	329.7
31331975008	485145018	HORNER, MARIE	24487	KATRINA AVE	MORENO VALLEY	CA	92551-3664	HORNER, MARIE	24487 KATRINA AVE	MORENO VALLEY, CA	92551-3664	254.02	25.4	50.3	329.7
92845115004	485151005	SMITH, ALISA	24062	POPPYSTONE DR	MORENO VALLEY	CA	92551-7604	SMITH, ALISA	24062 POPPYSTONE DR	MORENO VALLEY, CA	92551-7604	67.36	6.74	13.34	87.42
31572545008	485151006	SMITH, CHERYL LYNN	24070	POPPYSTONE DR	MORENO VALLEY	CA	92551-7604	SMITH, CHERYL LYNN	24070 POPPYSTONE DR	MORENO VALLEY, CA	92551-7604	134.02	13.4	26.54	173.94
96058475004	485151010	GARCIA, EDWIN (RENT)	24100	POPPYSTONE DR	MORENO VALLEY	CA	92551-5120	GARCIA, EDWIN	24100 POPPYSTONE DR	MORENO VALLEY, CA	92551-5120	60.63	6.06	12	78.68
31224675008	485151021	EMEZUO, HENRY	24188	POPPYSTONE DR	MORENO VALLEY	CA	92551-5121	EMEZUO, HENRY	24188 POPPYSTONE DR	MORENO VALLEY, CA	92551-5121	254.02	25.4	50.3	329.7
55633895001	485151027	RINCON, RAFAEL AND ARACELI	15250	CANYONSTONE DR	MORENO VALLEY	CA	92551-7659	RINCON, RAFAEL AND ARACELI	15250 CANYONSTONE DR	MORENO VALLEY, CA	92551-7659	227.36	22.74	45.02	295.1
31586675005	485151028	JIMENEZ, JOSE M	15270	CANYONSTONE DR	MORENO VALLEY	CA	92551-7659	JIMENEZ, JOSE M	15270 CANYONSTONE DR	MORENO VALLEY, CA	92551-7659	254.02	25.4	50.3	329.7
96131935003	485152007	ADAMS, JENNIFER (RENT)	24077	POPPYSTONE DR	MORENO VALLEY	CA	92551-7608	ADAMS, JENNIFER	16224 SKYWOOD CT	MORENO VALLEY, CA	92551-7234	187.69	18.77	37.16	243.62
31054165006	485152008	PARRAS, NINA	24085	POPPYSTONE DR	MORENO VALLEY	CA	92551-7608	PARRAS, NINA	24085 POPPYSTONE DR	MORENO VALLEY, CA	92551-7603	154.02	15.4	30.5	199.9
96668885004	485152010	HOLMES, COURTNEY (RENT)	24101	POPPYSTONE DR	MORENO VALLEY	CA	92551-5119	HOLMES, COURTNEY	45648 CORTE LOBOS	TEMECULA, CA	92592-1233	254.12	25.41	50.32	329.84
62400285008	485152014	COAUSTRO, ADAM	24076	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7613	COAUSTRO, ADAM	461 10TH ST E	POMONA, CA	91766-3447	254.12	25.41	50.32	329.84
31645365009	485152015	RHYNES, ANDREW	24070	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7613	RHYNES, ANDREW	24070 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7613	329.32	32.93	65.21	427.44
94313225008	485152028	MOORE, CHANEL (RENT)	24101	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7600	MOORE, CHANEL	24101 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7600	51.24	5.12	10.15	66.5
90036735002	485152036	TOFA, OWEN	24163	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7617	TOFA, OWEN	24163 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7617	189.59	18.96	37.54	246.08
31433145007	485152038	PATRIARCO, JUSTIN	24179	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7617	PATRIARCO, JUSTIN	24179 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7617	254.02	25.4	50.3	329.7
74672665008	485152040	BURNS, DEBRA A	24193	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7617	BURNS, DEBRA A	24193 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7617	254.02	25.4	50.3	329.7
81175825000	485153003	MARTIN, SHARRON	24179	POPPYSTONE DR	MORENO VALLEY	CA	92551-7634	MARTIN, SHARRON	24179 POPPYSTONE DR	MORENO VALLEY, CA	92551-7634	254.02	25.4	50.3	329.7
31354825002	485153005	VALDEZ, JOSE	24163	POPPYSTONE DR	MORENO VALLEY	CA	92551-7644	VALDEZ, JOSE	24163 POPPYSTONE DR	MORENO VALLEY, CA	92551-7644	114.02	11.4	22.58	147.98
97106595005	485153014	COLVIN, AMBER	24146	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7625	COLVIN, AMBER	24146 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7625	127.46	12.75	25.24	165.44
95327305000	485153021	CEBALLOS, ADRIANA (RENT)	15325	CANYONSTONE DR	MORENO VALLEY	CA	92551-7660	CEBALLOS, ADRIANA	15325 CANYONSTONE DR	MORENO VALLEY, CA	92551-7660	253.74	25.37	50.24	329.34
31534475002	485161001	GALINDO, IGNACIO (OWNR)	15429	FUGATE CT	MORENO VALLEY	CA	92551-3608	GALINDO, IGNACIO	15429 FUGATE CT	MORENO VALLEY, CA	92551-3608	190.39	19.04	37.7	247.12
31136035009	485161006	MORENO, SAV	15396	FUGATE CT	MORENO VALLEY	CA	92551-7661	MORENO, SAV	31749 CANYON RIDGE DR	LAKE ELSINORE, CA	92532-0421	254.02	25.4	50.3	329.7
31137135006	485161010	REYNOLDS, THELMA	15438	FUGATE CT	MORENO VALLEY	CA	92551-3619	REYNOLDS, THELMA	15438 FUGATE CT	MORENO VALLEY, CA	92551-3619	254.02	25.4	50.3	329.7
31204185003	485161011	ABEL, TIM	15446	FUGATE CT	MORENO VALLEY	CA	92551-3619	ABEL, TIM	15446 FUGATE CT	MORENO VALLEY, CA	92551-3619	254.02	25.4	50.3	329.7
68408415008	485161015	ROBLES, GABRIEL	15437	TIFFIN CT	MORENO VALLEY	CA	92551-3616	ROBLES, GABRIEL	15437 TIFFIN CT	MORENO VALLEY, CA	92551-3616	254.12	25.41	50.32	329.84
88326963002	485161018	SANCHEZ, STEPHANIE (RENT)	15413	TIFFIN CT	MORENO VALLEY	CA	92551-3616	SANCHEZ, STEPHANIE	15413 TIFFIN CT	MORENO VALLEY, CA	92551-3616	27.46	2.75	5.44	35.64
31103845009	485161019	AHLEFELD, HOWARD AND CAROL	15395	TIFFIN CT	MORENO VALLEY	CA	92551-5124	AHLEFELD, HOWARD AND CAROL	15395 TIFFIN CT	MORENO VALLEY, CA	92551-5124	254.02	25.4	50.3	329.7
91734363008	485161021	PERRY, JOEY (RENT)	15380	TIFFIN CT	MORENO VALLEY	CA	92551-5123	PERRY, JOEY	15380 TIFFIN CT	MORENO VALLEY, CA	92551-5123	266.17	26.62	52.7	345.48
98285305017	485161027	GARIBAY, HECTOR (RENT)	15446	TIFFIN CT	MORENO VALLEY	CA	92551-3616	GARIBAY, HECTOR	15446 TIFFIN CT	MORENO VALLEY, CA	92551-3616	190.49	19.05	37.72	247.24
90008848008	485161029	BARNES, WILLIE (RENT)	15449	GEMSTONE CT	MORENO VALLEY	CA	92551-3603	BARNES, WILLIE	15449 GEMSTONE CT	MORENO VALLEY, CA	92551-3603	121.76	12.18	24.11	158.04
31146425006	485161030	PEHKONEN, NANCY	15445	GEMSTONE CT	MORENO VALLEY	CA	92551-3603	PEHKONEN, NANCY	577 1ST APT 15	CRESCENT CITY, CA	95531-3838	254.52	25.45	50.4	330.36
92657323009	485161035	CHESNUT, LAURA	15395	GEMSTONE CT	MORENO VALLEY	CA	92551-5117	ROWSHAN, HAMID	15395 GEMSTONE CT	MORENO VALLEY, CA	92551-5117	414.72	41.47	82.11	538.3
89700773007	485161041	OCHOA, JESSE OMAR,VALDOVINO L	15430	GEMSTONE CT	MORENO VALLEY	CA	92551-5118	OCHOA, JESSE OMAR,VALDOVINO L	11381 BRIGHT STAR TRL	MORENO VALLEY, CA	92557-5617	420.76	42.08	83.31	546.14
96129955002	485161054	CAMPOS, MICHAEL DANKO (OWNR)	15385	CANYONSTONE DR	MORENO VALLEY	CA	92551-7639	CAMPOS, MICHAEL DANKO	15385 CANYONSTONE DR	MORENO VALLEY, CA	92551-7639	63.63	6.36	12.6	82.58
31267705001	485162001	LEON, ARMANDO	15360	CANYONSTONE DR	MORENO VALLEY	CA	92551-7628	LEON, ARMANDO	15360 CANYONSTONE DR	MORENO VALLEY, CA	92551-7628	190.59	19.06	37.74	247.38
95906475005	485162005	NOLEN, OLIVE AND ROYCE (RENT)	15400	CANYONSTONE DR	MORENO VALLEY	CA	92551-7658	NOLEN, OLIVE AND ROYCE	PO BOX 9133	MORENO VALLEY, CA	92552-9133	202.25	20.23	40.05	262.52
31137425005	485162008	JENSEN, TINA M	15422	CANYONSTONE DR	MORENO VALLEY	CA	92551-7658	JENSEN, TINA M	15422 CANYONSTONE DR	MORENO VALLEY, CA	92551-7658	254.12	25.41	50.32	329.84
92626085004	485162011	HOLMES, ANDREW AND APRIL	15440	CANYONSTONE DR	MORENO VALLEY	CA	92551-7629	HOLMES, ANDREW AND APRIL	15440 CANYONSTONE DR	MORENO VALLEY, CA	92551-7629	37.49	3.75	7.42	48.66
97511815000	485162016	BARRIO, CHRISTOPHER (RENT)	15482	CANYONSTONE DR	MORENO VALLEY	CA	92551-7629	BARRIO, CHRISTOPHER	15482 CANYONSTONE DR	MORENO VALLEY, CA	92551-7629	60.09	6.01	11.9	77.98
31592365009	485163002	PEREZ, ALVARO	24111	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3604	PEREZ, ALVARO	24111 PUDDINGSTONE DR	MORENO VALLEY, CA	92551-3604	136.37	13.64	27	177
94705135004	485163006	GILBERT, CHRISTINE (RENT)	24071	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3620	GILBERT, CHRISTINE	24071 PUDDINGSTONE DR	MORENO VALLEY, CA	92551-3620	254.12	25.41	50.32	329.84
101471639009	485163012	HAYES, KEITH (RENT)	24011	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3620	HAYES, KEITH (RENT)	24011 PUDDINGSTONE DR	MORENO VALLEY, CA	92551-3620	97.25	9.73	19.26	126.22
97402175006	485163013	HAYES, KEITH (RENT)	15491	FUGATE CT	MORENO VALLEY	CA	92551-3618	HAYES, KEITH	24011 PUDDINGSTONE DR	MORENO VALLEY, CA	92551-3620	168.38	16.84	33.34	218.54

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
58294905001	485163014	BELL, JUDITH	15461	FUGATE CT	MORENO VALLEY	CA	92551-3618	BELL, JUDITH	15461 FUGATE CT	MORENO VALLEY, CA	92551-3618	254.02	25.4	50.3	329.7
97335135007	485163020	BELL, CAMERON (RENT)	24181	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3621	BELL, CAMERON	24181 PUDDINGSTONE DR	MORENO VALLEY, CA	92551-3621	187.45	18.75	37.12	243.3
53905245006	485163024	ROBLES, DANIEL	24141	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3621	ROBLES, DANIEL	PO BOX 690304	TULSA, OK	74169-0304	254.02	25.4	50.3	329.7
52185745001	485163025	OWENS, MARISSA	24131	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3621	OWENS, MARISSA	PO BOX 10891	SAN BERNARDINO, CA	92423-0891	329.32	32.93	65.21	427.44
56091015000	485172001	BALZ, MARY	24280	DYNA PL	MORENO VALLEY	CA	92551-7684	BALZ, MARY	24280 DYNA PL	MORENO VALLEY, CA	92551-7684	254.02	25.4	50.3	329.7
94892915006	485173001	MORALES, JACQUELINE (OWNR)	24346	DYNA PL	MORENO VALLEY	CA	92551-3676	MORALES, JACQUELINE	24346 DYNA PL	MORENO VALLEY, CA	92551-3676	254.12	25.41	50.32	329.84
31387495001	485173004	MILLS, SANDRA G	24372	DYNA PL	MORENO VALLEY	CA	92551-3676	RHONDA AMAIOYI	24372 DYNA PL	MORENO VALLEY, CA	92551-3676	79.02	7.9	15.65	102.56
31137765003	485173005	IRBY, CLIFFORD	24378	DYNA PL	MORENO VALLEY	CA	92551-3676	IRBY, CLIFFORD	24378 DYNA PL	MORENO VALLEY, CA	92551-3676	254.02	25.4	50.3	329.7
90616963002	485173007	EASLEY, KENNETTE	24394	DYNA PL	MORENO VALLEY	CA	92551-3676	EASLEY, KENNETTE	24394 DYNA PL	MORENO VALLEY, CA	92551-3676	306.98	30.7	60.78	398.46
89941045001	485173008	HIDALGO, NELSON	24404	DYNA PL	MORENO VALLEY	CA	92551-7686	HIDALGO, NELSON	24404 DYNA PL	MORENO VALLEY, CA	92551-7686	253.92	25.39	50.28	329.58
31150455001	485173016	CARISOZA, SHARON AND DEBRA	24379	DYNA PL	MORENO VALLEY	CA	92551-3678	CARISOZA, SHARON AND DEBRA	24379 DYNA PL	MORENO VALLEY, CA	92551-3678	329.32	32.93	65.21	427.44
81505405006	485173020	CARLOS, SIMON	24347	DYNA PL	MORENO VALLEY	CA	92551-3678	CARLOS, SIMON	24347 DYNA PL	MORENO VALLEY, CA	92551-3678	351.05	35.11	69.51	455.66
49897825000	485173036	IGBINOSA, JIMIE	15411	BANDY CT	MORENO VALLEY	CA	92551-7693	IGBINOSA, JIMIE	24586 NORTHERN DANCE DR	MORENO VALLEY, CA	92551-7461	254.02	25.4	50.3	329.7
94668925008	485173037	CANTELLI, KRISTIE (OWNR)	15401	BANDY CT	MORENO VALLEY	CA	92551-7693	CANTELLI, KRISTIE	15401 BANDY CT	MORENO VALLEY, CA	92551-7693	254.12	25.41	50.32	329.84
31281985003	485173046	RICHARDSON, NAOMI	15436	BANDY CT	MORENO VALLEY	CA	92551-3671	RICHARDSON, NAOMI	15436 BANDY CT	MORENO VALLEY, CA	92551-3671	329.32	32.93	65.21	427.44
88969663002	485174005	BUI, THIN (RENT)	15449	JULIE AVE	MORENO VALLEY	CA	92551-3661	BUI, THIN	15449 JULIE AVE	MORENO VALLEY, CA	92551-3661	329.6	32.96	65.26	427.82
60721525009	485174011	ARELLANO, RODOLFO	24301	DYNA PL	MORENO VALLEY	CA	92551-3677	ARELLANO, RODOLFO	20535 MAGNOLIA AVE	NUEVO, CA	92567-9255	329.6	32.96	65.26	427.82
95917435001	485174014	JACKSON, WALTER	15436	THERESA AVE	MORENO VALLEY	CA	92551-3648	JACKSON, WALTER	615 SAN ROGELIO ST	HEMET, CA	92545-2436	254.12	25.41	50.32	329.84
95028505002	485174017	WELCH, JASON (RENT)	15458	THERESA AVE	MORENO VALLEY	CA	92551-3648	WELCH, JASON	2442 IOWA AVE APT F4	RIVERSIDE, CA	92507-2872	221.96	22.2	43.95	288.1
96351655005	485175010	STIGER, ANTHONY (RENT)	24423	CAROLEE AVE	MORENO VALLEY	CA	92551-3674	STIGER, ANTHONY	24423 CAROLEE AVE	MORENO VALLEY, CA	92551-3674	254.12	25.41	50.32	329.84
92647225001	485175011	SCOTT, VANESSA (RENT)	24433	CAROLEE AVE	MORENO VALLEY	CA	92551-3674	SCOTT, VANESSA	24433 CAROLEE AVE	MORENO VALLEY, CA	92551-3674	222.91	22.29	44.14	289.32
31545265002	485175019	PANTOJA, CLEMENTE	15466	BANDY CT	MORENO VALLEY	CA	92551-3672	PANTOJA, CLEMENTE	15466 BANDY CT	MORENO VALLEY, CA	92551-3672	253.92	25.39	50.28	329.58
75041755006	485181013	GUTIERREZ, JOSE A AND MARIA D	24418	ELECTRA CT	MORENO VALLEY	CA	92551-6914	GUTIERREZ, JOSE A AND MARIA D	24418 ELECTRA CT	MORENO VALLEY, CA	92551-6914	254.02	25.4	50.3	329.7
31064215005	485181018	HIERS, RADENE	24460	ELECTRA CT	MORENO VALLEY	CA	92551-6904	HIERS, RADENE	24460 ELECTRA CT	MORENO VALLEY, CA	92551-6904	329.32	32.93	65.21	427.44
61178225004	485181028	SEPULVEDA, OSCAR M	24435	ELECTRA CT	MORENO VALLEY	CA	92551-6905	SEPULVEDA, OSCAR M	24435 ELECTRA CT	MORENO VALLEY, CA	92551-6905	54.06	5.41	10.7	70.16
72770015009	485181031	LERMA, ROGELIO	24411	ELECTRA CT	MORENO VALLEY	CA	92551-6905	LERMA, ROGELIO	24411 ELECTRA CT	MORENO VALLEY, CA	92551-6905	254.02	25.4	50.3	329.7
75051825001	485181033	URIARTE, LYDIA M	24428	ROBIE CT	MORENO VALLEY	CA	92551-6910	URIARTE, LYDIA M	24379 ELECTRA CT	MORENO VALLEY, CA	92551-6902	262.02	26.2	51.88	340.1
90743543003	485181038	GONZALES, CARLOS	24468	ROBIE CT	MORENO VALLEY	CA	92551-6910	GONZALES, CARLOS	24468 ROBIE CT	MORENO VALLEY, CA	92551-6910	257.45	25.75	50.98	334.16
96192315005	485181046	RAZO, JUANA (RENT)	24461	ROBIE CT	MORENO VALLEY	CA	92551-6911	RAZO, JUANA	24461 ROBIE CT	MORENO VALLEY, CA	92551-6911	254.12	25.41	50.32	329.84
50394235008	485181049	GLANCY, MAUREEN	24437	ROBIE CT	MORENO VALLEY	CA	92551-6911	GLANCY, MAUREEN	24437 ROBIE CT	MORENO VALLEY, CA	92551-6911	154.02	15.4	30.5	199.9
31059405005	485181051	MUNDO, LETICIA	24421	ROBIE CT	MORENO VALLEY	CA	92551-6911	MUNDO, LETICIA	24421 ROBIE CT	MORENO VALLEY, CA	92551-6911	254.02	25.4	50.3	329.7
95255835009	485182003	RODRIGUEZ, JORGE LUIS (RENT)	24374	ROBIE CT	MORENO VALLEY	CA	92551-6909	RODRIGUEZ, JORGE LUIS	24374 ROBIE CT	MORENO VALLEY, CA	92551-6909	442.39	44.24	87.59	574.22
31615655001	485182015	BRANCARTO, CHRIS	24331	ELECTRA CT	MORENO VALLEY	CA	92551-6902	FLORES, ANTONIO IV	24328 KURT CT	MORENO VALLEY, CA	92551-3658	254.02	25.4	50.3	329.7
65379795004	485182017	MORRIS, NICHOLE	24315	ELECTRA CT	MORENO VALLEY	CA	92551-6902	MORRIS, NICHOLE	24315 ELECTRA CT	MORENO VALLEY, CA	92551-6902	254.12	25.41	50.32	329.84
69225935006	485182020	GALAN, LUIS	24291	ELECTRA CT	MORENO VALLEY	CA	92551-6901	GALAN, LUIS	24291 ELECTRA CT	MORENO VALLEY, CA	92551-6901	90.69	9.07	17.96	117.7
53807125009	485182023	PALACIOS, GLORIA	24267	ELECTRA CT	MORENO VALLEY	CA	92551-6901	PALACIOS, GLORIA	24267 ELECTRA CT	MORENO VALLEY, CA	92551-6901	254.02	25.4	50.3	329.7
93729415006	485182028	JIMENEZ, ANGEL (OWNR)	24300	ELECTRA CT	MORENO VALLEY	CA	92551-6950	JIMENEZ, ANGEL	24300 ELECTRA CT	MORENO VALLEY, CA	92551-6950	254.12	25.41	50.32	329.84
31411765002	485182029	LEDEZMA, LEOBARDO	24310	ELECTRA CT	MORENO VALLEY	CA	92551-6950	LEDEZMA, LEOBARDO	24310 ELECTRA CT	MORENO VALLEY, CA	92551-6950	63.63	6.36	12.6	82.58
97102785004	485182042	GARCIA, ROBERTO AND NORMA (OWN	24314	ROBIE CT	MORENO VALLEY	CA	92551-6920	GARCIA, ROBERTO	24314 ROBIE CT	MORENO VALLEY, CA	92551-6920	172.13	17.21	34.08	223.42
31485015004	485183008	PERAZA, MARY	24339	ROBIE CT	MORENO VALLEY	CA	92551-6921	PERAZA, MARY	24339 ROBIE CT	MORENO VALLEY, CA	92551-6921	254.02	25.4	50.3	329.7
91875085008	485183011	RODRIGUEZ, MARINA (OWNR)	24313	ROBIE CT	MORENO VALLEY	CA	92551-6943	RODRIGUEZ, MARINA	24313 ROBIE CT	MORENO VALLEY, CA	92551-6943	63.93	6.39	12.66	82.98
31461655000	485191003	FERGUSON, STEPHANIE	24481	LIOLIOS WAY	MORENO VALLEY	CA	92551-6907	FERGUSON, STEPHANIE	24481 LIOLIOS WAY	MORENO VALLEY, CA	92551-6907	301.76	30.18	59.75	391.68
31301375007	485191016	LOPEZ, ABEL	24448	FITZ ST	MORENO VALLEY	CA	92551-7624	LOPEZ, ABEL	24448 FITZ ST	MORENO VALLEY, CA	92551-7624	254.12	25.41	50.32	329.84
93639603007	485191020	HEREDIA, JAVIER	15720	JALANIE LN	MORENO VALLEY	CA	92551-6928	HEREDIA, JAVIER	15720 JALANIE LN	MORENO VALLEY, CA	92551-6928	229	22.9	45.34	297.24
74557555004	485192003	ESPITIA, GONZALO AND MARIA	24434	LIOLIOS WAY	MORENO VALLEY	CA	92551-6906	ESPITIA, GONZALO AND MARIA	24434 LIOLIOS WAY	MORENO VALLEY, CA	92551-6906	254.02	25.4	50.3	329.7
95740455002	485192007	WHITE, DOUGLAS (RENT)	24466	LIOLIOS WAY	MORENO VALLEY	CA	92551-6906	WHITE, DOUGLAS	3411 BROOKSIDE LN	JONESBORO, GA	30236-6878	83.78	8.38	16.59	108.74
93631055009	485192010	MARTINEZ,JOSE AND CARMEN(OWNR)	24490	LIOLIOS WAY	MORENO VALLEY	CA	92551-6906	MARTINEZ, JOSE AND CARMEN	24490 LIOLIOS WAY	MORENO VALLEY, CA	92551-6906	54.12	5.41	10.72	70.24
90130523007	485193004	WHITTAKER, CYNTHIA (RENT)	12905	MONTECELLO DR	MORENO VALLEY	CA	92555-2363	WHITTAKER, CYNTHIA	8855 S NORMANDIE AVE	LOS ANGELES, CA	90044-2151	144.39	14.44	28.59	187.4
96524535002	485193007	ORTIZ, STEPHANIE (RENT)	24403	FITZ ST	MORENO VALLEY	CA	92551-7623	ORTIZ, STEPHANIE	24403 FITZ ST	MORENO VALLEY, CA	92551-7623	254.12	25.41	50.32	329.84
94237695000	485193009	ROSS, DEBORAH (RENT)	24385	FITZ ST	MORENO VALLEY	CA	92551-7606	ROSS, DEBORAH	23853 BETTS PL	MORENO VALLEY, CA	92553-3420	200.86	20.09	39.77	260.7
31101185001	485194001	LOZANO, MANUEL J	24323	FITZ ST	MORENO VALLEY	CA	92551-5115	LOZANO, MANUEL J	24323 FITZ ST	MORENO VALLEY, CA	92551-5115	254.02	25.4	50.3	329.7
91078675005	485194002	JIMENEZ, ISIDRO	24313	FITZ ST	MORENO VALLEY	CA	92551-5115	JIMENEZ, ISIDRO	24313 FITZ ST	MORENO VALLEY, CA	92551-5115	253.92	25.39	50.28	329.58
50498535004	485194003	CABRERA, JOSE	24305	FITZ ST	MORENO VALLEY	CA	92551-5115	CABRERA, JOSE	24305 FITZ ST	MORENO VALLEY, CA	92551-5115	254.02	25.4	50.3	329.7
31614875008	485194012	ANDERSON, JOHN	15703	NADIA ST	MORENO VALLEY	CA	92551-6915	ANDERSON, JOHN	15703 NADIA ST	MORENO VALLEY, CA	92551-6915	254.12	25.41	50.32	329.84
97723435001	485194019	ZAMBRANO, MARIA (RENT)	15635	NADIA ST	MORENO VALLEY	CA	92551-6919	ZAMBRANO, MARIA	15635 NADIA ST	MORENO VALLEY, CA	92551-6919	190.12	19.01	37.64	246.76
91941135008	485194021	WONZO, MICHAEL	15613	NADIA ST	MORENO VALLEY	CA	92551-6919	WONZO, MICHAEL	15613 NADIA ST	MORENO VALLEY, CA	92551-6919	59.15	5.92	11.71	76.76
31414525007	485195002	MERCADO, VICTOR AND MARIA	15689	LIPARI DR	MORENO VALLEY	CA	92551-6908	MERCADO, VICTOR	15689 LIPARI DR	MORENO VALLEY, CA	92551-6908	254.02	25.4	50.3	329.7
31059455004	485195008	COSGROVE, TERRI	15641	LIPARI DR	MORENO VALLEY	CA	92551-6908	COSGROVE, TERRI	15641 LIPARI DR	MORENO VALLEY, CA	92551-6908	329.32	32.93	65.21	427.44
48326625003	485195010	DOSSANTOS, ANEMARI	24298	HILDA CT	MORENO VALLEY	CA	92551-6953	DOSSANTOS, ANEMARI	15575 GUAJOME RD	MORENO VALLEY, CA	92551-1902	329.32	32.93	65.21	427.44
89683165003	485195013	RUSSELL, JAMISHA (OWNR)	24324	HILDA CT	MORENO VALLEY	CA	92551-6912	RUSSELL, JAMISHA	24324 HILDA CT	MORENO VALLEY, CA	92551-6912	253.92	25.39	50.28	329.58
86719533001	485195021	OUTLAW, INGRID (OWNR)	24351	HILDA CT	MORENO VALLEY	CA	92551-6913	OUTLAW, INGRID	24351 HILDA CT	MORENO VALLEY, CA	92551-6913	254.12	25.41	50.32	329.84
31180415007	485195026	ADAMS, JOHN	24305	HILDA CT	MORENO VALLEY	CA	92551-6913	ADAMS, JOHN	25768 LA SALINA PL	MORENO VALLEY, CA	92551-2022	254.02	25.4	50.3	329.7
98319145018	485195030	THOMPSON, MICHAEL (RENT)	24286	FITZ ST	MORENO VALLEY	CA	92551-5116	THOMPSON, MICHAEL	957 N JASMINE AVE	ONTARIO, CA	91762-2040	254.12	25.41	50.32	329.84
73095415006	485195036	FANO, BEN	24334	FITZ ST	MORENO VALLEY	CA	92551-7612	FANO, BEN	24334 FITZ ST	MORENO VALLEY, CA	92551-7612	254.02	25.4	50.3	329.7
10188093008	485195038	WILLIAMS, ROBERT (OWNR)	24348	FITZ ST	MORENO VALLEY	CA	92551-7612	WILLIAMS, ROBERT	24348 FITZ ST	MORENO VALLEY, CA	92551-7612	308.64	30.86	61.11	400.6
31395025003	485195041	GONDEK, DONNA	15713	LIPARI DR	MORENO VALLEY	CA	92551-6955	GONDEK, DONNA	15713 LIPARI DR	MORENO VALLEY, CA	92551-6955	254.02	25.4	50.3	329.7
81805735001	485201002	LIMON, SANDRA	15761	SHERYL LN	MORENO VALLEY	CA	92551-6927	LIMON, SANDRA	15761 SHERYL LN	MORENO VALLEY, CA	92551-6927	154.02	15.4	30.5	199.9
86219995005	485201005	GONZALES, JUAN CARLOS	15785	SHERYL LN	MORENO VALLEY	CA	92551-6927	GONZALES, JUAN CARLOS	15785 SHERYL LN	MORENO VALLEY, CA	92551-6927	254.02	25.4	50.3	329.7
95330725006	485201007	BARAJAS, KAREN (OWNR)	15794	APRIL CT	MORENO VALLEY	CA	92551-6922	BARAJAS, KAREN	15794 APRIL CT	MORENO VALLEY, CA	92551-6922	63.63	6.36	12.6	82.58
97102905009	485201008	CORONA, GABRIEL AND MONICA	15786	APRIL CT	MORENO VALLEY	CA	92551-6922	CORONA, GABRIEL	15786 APRIL CT	MORENO VALLEY, CA	92551-6922	254.12	25.41	50.32	329.84
31078705002	485201009	TOLLIVER, NORMA	15778	APRIL CT	MORENO VALLEY	CA	92551-6922	TOLLIVER, NORMA	556 MIRACLE DR	SAN JACINTO, CA	92583-4450	254.02	25.4	50.3	329.7
86586053004	485201014	PERKINS, ERIC	15761	APRIL CT	MORENO VALLEY	CA	92551-6922	PERKINS, ERIC	15761 APRIL CT	MORENO VALLEY, CA	92551-6922	285.89	28.59	56.61	371.08
63975185009	485201015	VALENCIA, ANDRES	15769	APRIL CT	MORENO VALLEY	CA	92551-6922	VALENCIA, ANDRES	15769 APRIL CT	MORENO VALLEY, CA	92551-6922	257.52	25.75	50.99	334.26
31243065006	485201018	DIAZ, JOHN	15793	APRIL CT	MORENO VALLEY	CA	92551-6922	DIAZ, JOHN	15793 APRIL CT	MORENO VALLEY, CA	92551-6922	90.06	9.01	17.83	116.88
100761603000	485201023	OLMO, ROSA (RENT)	24307	WILDWOOD ST	MORENO VALLEY	CA	92551-6923	OLMO, ROSA	24307 WILDWOOD ST	MORENO VALLEY, CA	92551-6923	359.14	35.91	71.11	466.16
92940383006	485201026	SANDOVAL, NASARIO (OWNR)	24337	WILDWOOD ST	MORENO VALLEY	CA	92551-6923	SANDOVAL, NASARIO	24337 WILDWOOD ST	MORENO VALLEY, CA	92551-6923	490.75	49.08	97.17	636.98
31274075009	485201027	PATTERSON, CLARENCE	24347	WILDWOOD ST	MORENO VALLEY	CA	92551-6923	PATTERSON, CLARENCE	24347 WILDWOOD ST	MORENO VALLEY, CA	92551-6923	329.32	32.93	65.21	427.44
96606295008	485201028	HALIFIA, VISESIO (RENT)	24357	WILDWOOD ST	MORENO VALLEY	CA	92551-6923	HALIFIA, VISESIO	24357 WILDWOOD ST	MORENO VALLEY, CA	92551-6923	254.12	25.41	50.32	329.84
50885945006	485201033	BURNS, CHANKA	24407	WILDWOOD ST	MORENO VALLEY	CA	92551-6925	BURNS, CHANKA	24407 WILDWOOD ST	MORENO VALLEY, CA	92551-6925	329.32	32.93	65.21	427.44
75051105002	485201039	ROSE, HILDA	24467	WILDWOOD ST	MORENO VALLEY	CA	92551-6925	ROSE, HILDA	24467 WILDWOOD ST	MORENO VALLEY, CA	92551-6925	329.32	32.93	65.21	427.44
60126265005	485201045	GALLOWAY, DONNA	24474	ST THOMAS AVE	MORENO VALLEY	CA	92551-6934	GALLOWAY, DONNA	24474 ST THOMAS AVE	MORENO VALLEY, CA	92551-6934	190.78	19.08	37.77	247.62
98513903006	485201048	MILLER, BOBBY LYNN (RENT)	24438	ST THOMAS AVE	MORENO VALLEY	CA	92551-6933	MILLER, BOBBY LYNN	24438 ST THOMAS AVE	MORENO VALLEY, CA	92551-6933	156.96	15.7	31.08	203.72
31614605005	485201052	PORTER, G P	24390	ST THOMAS AVE	MORENO VALLEY	CA	92551-6962	PORTER, G P	24390 ST THOMAS AVE	MORENO VALLEY, CA	92551-6962	190.39	19.04	37.7	247.12
96661635002	485201055	LAOS, ADRIAN (OWNR)	24354	ST THOMAS AVE	MORENO VALLEY	CA	92551-6960	LAOS ADRIAN (OWNER)	24354 ST THOMAS AVE	MORENO VALLEY, CA	92551-6960	254.12	25.41	50.32	329.84
31378475004	485201065	MITCHELL, DARYL	24341	ST THOMAS AVE	MORENO VALLEY	CA	92551-6900	MITCHELL, DARYL	24341 ST THOMAS AVE	MORENO VALLEY, CA	92551-6900	317.34	31.73	62.83	411.9
88485925005	485202001	NOFRI, DAVID	15754	SHERYL LN	MORENO VALLEY	CA	92551-6926	NOFRI, DAVID	489 DENSLOW AVE	LOS ANGELES, CA	90049-3506	254.12	25.41	50.32	329.84
86485273003	485202004	GARCIA, GILBERT (OWNR)	15778	SHERYL LN	MORENO VALLEY	CA	92551-6926	GARCIA, GILBERT	12348 TUSCOLA ST	MORENO VALLEY, CA	92557-7605	190.79	19.08	37.78	247.64
31295775007	485202005	SANCHEZ, MARGIE	15786	SHERYL LN	MORENO VALLEY	CA	92551-6926	SANCHEZ, MARGIE	15786 SHERYL LN	MORENO VALLEY, CA	92551-6926	61.66	6.17	12.21	80.02
89698643001	485202007	MORALES ERNEST, SUSAN L TRUST	15793	JUNE CT	MORENO VALLEY	CA	92551-6932	MORALES ERNEST, SUSAN L TRUST	5530 RAINBOW HEIGHTS RD	FALLBROOK, CA	92028-8842	145.76	14.58	28.86	189.18
98230885011	485202011	DARBY, LESTER (OWNR)	15761	JUNE CT	MORENO VALLEY	CA	92551-6932	DARBY, LESTER	15761 JUNE CT	MORENO VALLEY, CA	92551-6932	194.12	19.41	38.44	251.96
31138245001	485202015	HOLLYFIELD, ERIC	15770	JUNE CT	MORENO VALLEY	CA	92551-6932	HOLLYFIELD, ERIC	15770 JUNE CT	MORENO VALLEY, CA	92551-6932	190.29	19.03	37.68	246.98
31538705005	485202016	GRAHAM, ERIC L	15778	JUNE CT	MORENO VALLEY	CA	92551-6932	GRAHAM, ERIC L	15778 JUNE CT	MORENO VALLEY, CA	92551-6932	254.12	25.41	50.32	329.84
31371985002	485202019	GATLIN, CAROLYN	15793	JALANIE LN	MORENO VALLEY	CA	92551-6931	GATLIN, CAROLYN	15793 JALANIE LN	MORENO VALLEY, CA	92551-6931	329.6	32.96	65.26	427.82
96121515002	485202022	KIVI, ALEX (OWNR)	15761	JALANIE LN	MORENO VALLEY	CA	92551-6931	KIVI, ALEX	15761 JALANIE LN	MORENO VALLEY, CA	92551-6931	126.65	12.67	25.08	164.38
31643075005	485202024	GULLEN, DINORAH	15753	JALANIE LN	MORENO VALLEY	CA	92551-6931	GULLEN, DINORAH	15753 JALANIE LN	MORENO VALLEY, CA	92551-6931	254.02	25.4	50.3	329.7
31079605001	485203001	ROGERS, ROSEMARY	15754	JALANIE LN	MORENO VALLEY	CA	92551-6929	ROGERS, ROSEMARY	15754 JALANIE LN	MORENO VALLEY, CA	92551-6929	254.02	25.4	50.3	329.7
31165105002	485211001	BARNETT, LOUIS	24294	FIJI DR	MORENO VALLEY	CA	92551-6937	BARNETT, LOUIS	24294 FIJI DR	MORENO VALLEY, CA	92551-6937	127.36	12.74	25.22	165.3
31052745009	485211006	HYYL, BARBARA	24354	FIJI DR	MORENO VALLEY	CA	92551-6937	HYYL, BARBARA	28953 KENDA CT	MORENO VALLEY, CA	92555-8264	127.36	12.74	25.22	165.3
59203685007	485212004	NELSON, MAGGIE	24426	FIJI DR	MORENO VALLEY	CA	92551-6939	NELSON, MAGGIE	24426 FIJI DR	MORENO VALLEY, CA	92551-6939	254.12	25.41	50.32	329.84
97022705001	485212018	DEL CASTILLO, ROBERTO (RENT)	24399	FIJI DR	MORENO VALLEY	CA	92551-6940	DEL CASTILLO, ROBERTO	24399 FIJI DR	MORENO VALLEY, CA	92551-6940	254.02	25.4	50.3	329.7
92635015000	485212022	SOSA, GRACIE AND OMAR	24410	CARMAN LN	MORENO VALLEY	CA	92551-6944	SOSA, GRACIE AND OMAR	24410 CARMAN LN	MORENO VALLEY, CA	92551-6944	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
98518595008	485212023	BAINES, CASSANDRA	24420	CARMAN LN	MORENO VALLEY	CA	92551-6944	BAINES, CASSANDRA	24420 CARMAN LN	MORENO VALLEY, CA	92551-6944	106.02	10.6	20.99	137.6
75039585006	485212028	GODOY, GERARDO (OWNR)	24474	CARMAN LN	MORENO VALLEY	CA	92551-6945	GODOY, GERARDO	24474 CARMAN LN	MORENO VALLEY, CA	92551-6945	254.02	25.4	50.3	329.7
31572605005	485212033	YOUNG, CARMEN (OWNR)	24473	CARMAN LN	MORENO VALLEY	CA	92551-6945	YOUNG, CARMEN	12980 PERRIS BLVD STE 218	MORENO VALLEY, CA	92553-2375	130.52	13.05	25.84	169.4
31473775000	485213002	TREJO, LISA	24353	FIJI DR	MORENO VALLEY	CA	92551-6938	TREJO, LISA	24353 FIJI DR	MORENO VALLEY, CA	92551-6938	254.02	25.4	50.3	329.7
31053445000	485213005	BLACKBURN, LYNNE	24325	FIJI DR	MORENO VALLEY	CA	92551-6938	BLACKBURN, LYNNE	24325 FIJI DR	MORENO VALLEY, CA	92551-6938	254.02	25.4	50.3	329.7
59856775003	485213006	WRIGHT JR, EUGENE	24317	FIJI DR	MORENO VALLEY	CA	92551-6938	WRIGHT JR, EUGENE	13423 PRANCER LN	MORENO VALLEY, CA	92555-8420	328.68	32.87	65.08	426.62
89837525000	485213008	ESTRADA, IRISI-	24295	FIJI DR	MORENO VALLEY	CA	92551-6938	ESTRADA, IRISI-	24295 FIJI DR	MORENO VALLEY, CA	92551-6938	253.92	25.39	50.28	329.58
31359065000	485213010	MOSER, BILLY	24354	CARMAN LN	MORENO VALLEY	CA	92551-6942	MOSER, BILLY	24354 CARMAN LN	MORENO VALLEY, CA	92551-6942	329.32	32.93	65.21	427.44
31472405000	485213012	MCCREA, MICHAEL AND DENISE	24330	CARMAN LN	MORENO VALLEY	CA	92551-6942	MCCREA, MICHAEL	24330 CARMAN LN	MORENO VALLEY, CA	92551-6942	254.02	25.4	50.3	329.7
96691495008	486021001	OCHOA, JOSE AND ALJONDRA (OWNR	25906	HARRIET AVE	MORENO VALLEY	CA	92551-7009	OCHOA, JOSE AND ALJONDRA (OWN)	25906 HARRIET AVE	MORENO VALLEY, CA	92551-7009	321.76	32.18	63.71	417.64
99380593000	486021004	RON, LYDIA (RENT)	25944	HARRIET AVE	MORENO VALLEY	CA	92551-7009	RON, LYDIA	25944 HARRIET AVE	MORENO VALLEY, CA	92551-7009	190.59	19.06	37.74	247.38
31651885008	486021006	AMEZCUA, MARIA	25972	HARRIET AVE	MORENO VALLEY	CA	92551-7009	AMEZCUA, MARIA	25972 HARRIET AVE	MORENO VALLEY, CA	92551-7009	254.02	25.4	50.3	329.7
71675545000	486021007	CRESS, RICHARD	25984	HARRIET AVE	MORENO VALLEY	CA	92551-7009	CRESS, RICHARD	25984 HARRIET AVE	MORENO VALLEY, CA	92551-7009	254.02	25.4	50.3	329.7
98179695010	486021010	AVATONGO, VAKE (RENT)	15042	CAROLINA AVE	MORENO VALLEY	CA	92551-7069	AVATONGO, VAKE	12808 LEE ST	MORENO VALLEY, CA	92553-3723	254.12	25.41	50.32	329.84
93940293006	486022004	BARRADAS, ROBERTO	15160	CAROLINA AVE	MORENO VALLEY	CA	92551-7007	BARRADAS, ROBERTO	15160 CAROLINA AVE	MORENO VALLEY, CA	92551-7007	63.83	6.38	12.64	82.84
31212015002	486022008	ESTRADA, JOSE (OWNR)	15210	CAROLINA AVE	MORENO VALLEY	CA	92551-7032	ESTRADA, JOSE	15210 CAROLINA AVE	MORENO VALLEY, CA	92551-7032	100.02	10	19.8	129.82
62726485000	486023006	LUCKEY, ROBERT	25925	MARGARET AVE	MORENO VALLEY	CA	92551-7026	LUCKEY, ROBERT	25925 MARGARET AVE	MORENO VALLEY, CA	92551-7026	254.02	25.4	50.3	329.7
95670045008	486023007	DILTS, KRISTINE (OWNR)	25915	MARGARET AVE	MORENO VALLEY	CA	92551-7026	DILTS, KRISTINE	25915 MARGARET AVE	MORENO VALLEY, CA	92551-7026	254.12	25.41	50.32	329.84
31527275008	486023008	GARCIA, SYLVIA	25903	MARGARET AVE	MORENO VALLEY	CA	92551-7026	GARCIA, SYLVIA	25903 MARGARET AVE	MORENO VALLEY, CA	92551-7026	190.79	19.08	37.78	247.64
99228143006	486023011	CUEVA, ANA (OWNR)	25871	MARGARET AVE	MORENO VALLEY	CA	92551-1426	CUEVA, ANA (OWNR)	25871 MARGARET AVE	MORENO VALLEY, CA	92551-1426	58.2	5.82	11.52	75.54
89593363002	486024002	FLORES , JOSE JUAN (RENT)	25884	MARGARET AVE	MORENO VALLEY	CA	92551-1425	FLORES , JOSE JUAN	25884 MARGARET AVE	MORENO VALLEY, CA	92551-1425	331.59	33.16	65.65	430.4
31126055005	486024005	ACOSTA, TINA MARIE	25918	MARGARET AVE	MORENO VALLEY	CA	92551-7012	ACOSTA, TINA MARIE	25918 MARGARET AVE	MORENO VALLEY, CA	92551-7012	20.53	2.05	4.06	26.64
92970255000	486024009	SANDOVAL, CASANDRA (OWNR)	25951	ANNETTE AVE	MORENO VALLEY	CA	92551-7000	SANDOVAL, CASANDRA	25951 ANNETTE AVE	MORENO VALLEY, CA	92551-7000	254.02	25.4	50.3	329.7
95855695008	486024012	SALWAY, SHANIKA (RENT)	25917	ANNETTE AVE	MORENO VALLEY	CA	92551-7000	SALWAY, SHANIKA	25917 ANNETTE AVE	MORENO VALLEY, CA	92551-7000	254.12	25.41	50.32	329.84
64081445001	486025008	HOBBS, LILLIAN	15070	CHARLEE CT	MORENO VALLEY	CA	92551-7001	HOBBS, LILLIAN	15070 CHARLEE CT	MORENO VALLEY, CA	92551-7001	146.1	14.61	28.93	189.62
31299955007	486025009	VEGA, ALBERTO	15082	CHARLEE CT	MORENO VALLEY	CA	92551-7001	VEGA, ALBERTO	15082 CHARLEE CT	MORENO VALLEY, CA	92551-7001	27.36	2.74	5.42	35.5
54246645000	486025010	SANCHEZ, SHERRY	15094	CHARLEE CT	MORENO VALLEY	CA	92551-7001	SANCHEZ, SHERRY	15094 CHARLEE CT	MORENO VALLEY, CA	92551-7001	63.63	6.36	12.6	82.58
71982995000	486025014	SANFORD, SHERRON	25910	ANNETTE AVE	MORENO VALLEY	CA	92551-7004	SANFORD, SHERRON	25910 ANNETTE AVE	MORENO VALLEY, CA	92551-7004	254.02	25.4	50.3	329.7
96593695004	486025015	MARQUEZ, ELFRAQIA (RENT)	25922	ANNETTE AVE	MORENO VALLEY	CA	92551-7004	MARQUEZ, ELFRAQIA	25922 ANNETTE AVE	MORENO VALLEY, CA	92551-7004	44.35	4.44	8.78	57.56
91858143002	486025016	SOCOY, ANGELINA (RENT)	25934	ANNETTE AVE	MORENO VALLEY	CA	92551-7004	SOCOY, ANGELINA	25934 ANNETTE AVE	MORENO VALLEY, CA	92551-7004	147.5	14.75	29.21	191.44
31590995005	486025021	FERREL, KARLA	15109	CAROLINA AVE	MORENO VALLEY	CA	92551-7006	FERREL, KARLA	15109 CAROLINA AVE	MORENO VALLEY, CA	92551-7006	254.02	25.4	50.3	329.7
31370155008	486025026	VASQUEZ, AURORA	25959	HARRIET AVE	MORENO VALLEY	CA	92551-7008	VASQUEZ, AURORA	25959 HARRIET AVE	MORENO VALLEY, CA	92551-7008	254.02	25.4	50.3	329.7
31480135005	486025027	TRIPP, GENE	25945	HARRIET AVE	MORENO VALLEY	CA	92551-7008	TRIPP, GENE	25945 HARRIET AVE	MORENO VALLEY, CA	92551-7008	57.44	5.74	11.37	74.54
31147745007	486031008	WILLSON, BILL	25776	HARRIET AVE	MORENO VALLEY	CA	92551-1411	WILLSON, BILL	25776 HARRIET AVE	MORENO VALLEY, CA	92551-1411	30.69	3.07	6.08	39.82
91621235005	486031010	CORDERO, DANNY	15029	JACQUETTA AVE	MORENO VALLEY	CA	92551-7011	CORDERO, DANNY	15029 JACQUETTA AVE	MORENO VALLEY, CA	92551-7011	253.92	25.39	50.28	329.58
94460595009	486031014	CAMACHO, TERESA (RENT)	15076	JACQUETTA AVE	MORENO VALLEY	CA	92551-7010	CAMACHO, TERESA	15076 JACQUETTA AVE	MORENO VALLEY, CA	92551-7010	254.12	25.41	50.32	329.84
92795605008	486031023	LAWSON, SHERRI (RENT)	15195	JACQUETTA AVE	MORENO VALLEY	CA	92551-7023	LORRAINE AND ALBERT LAROSA	6328 RANCHITO AVE	VAN NUYS, CA	91401-2216	250.32	25.03	49.56	324.9
94607375001	486032002	MCKINNEY, LORI (RENT)	15208	JACQUETTA AVE	MORENO VALLEY	CA	92551-1415	MCKINNEY, LORI	15208 JACQUETTA AVE	MORENO VALLEY, CA	92551-1415	235.54	23.55	46.64	305.72
31442005007	486032006	ZARATE, CLAUDIA	15156	JACQUETTA AVE	MORENO VALLEY	CA	92551-7024	ZARATE, CLAUDIA	15156 JACQUETTA AVE	MORENO VALLEY, CA	92551-7024	254.02	25.4	50.3	329.7
89705005008	486032013	PLAMONDON, DUSTIN AND ANGELA	15064	JACQUETTA AVE	MORENO VALLEY	CA	92551-7010	PLAMONDON, DUSTIN AND ANGELA	15064 JACQUETTA AVE	MORENO VALLEY, CA	92551-7010	253.92	25.39	50.28	329.58
51782545008	486032024	ALCALA, VERONICA	15145	ZHANA DR	MORENO VALLEY	CA	92551-7029	ALCALA, VERONICA	15145 ZHANA DR	MORENO VALLEY, CA	92551-7029	254.02	25.4	50.3	329.7
94128685003	486033007	LACEY, TERRI (RENT)	25827	MARGARET AVE	MORENO VALLEY	CA	92551-7019	LACEY, TERRI	25827 MARGARET AVE	MORENO VALLEY, CA	92551-7019	185.69	18.57	36.77	241.02
31606745002	486034001	PETERSON, SUSAN	25860	MARGARET AVE	MORENO VALLEY	CA	92551-1425	PETERSON, SUSAN	25860 MARGARET AVE	MORENO VALLEY, CA	92551-1425	127.4	12.74	25.23	165.36
31354375006	486034004	DAWSON, ANGELIA	25857	ANNETTE AVE	MORENO VALLEY	CA	92551-7003	DAWSON, ANGELIA	25857 ANNETTE AVE	MORENO VALLEY, CA	92551-7003	254.02	25.4	50.3	329.7
74763395002	486035007	SEVILLA, MARIA AND HECTOR J	15078	ZHANA DR	MORENO VALLEY	CA	92551-1455	SEVILLA, MARIA AND HECTOR J	15078 ZHANA DR	MORENO VALLEY, CA	92551-1455	254.02	25.4	50.3	329.7
31320005005	486041001	SAVE, TELESIA	25580	SAN LUPE AVE	MORENO VALLEY	CA	92551-1447	SAVE, TELESIA	25580 SAN LUPE AVE	MORENO VALLEY, CA	92551-1447	253.92	25.39	50.28	329.58
31499575007	486041006	MARTINEZ, HORTENCIA	25620	SAN LUPE AVE	MORENO VALLEY	CA	92551-7036	MARTINEZ, HORTENCIA	25620 SAN LUPE AVE	MORENO VALLEY, CA	92551	254.02	25.4	50.3	329.7
66811665002	486041010	JARAMILLO, JOSE	25652	SAN LUPE AVE	MORENO VALLEY	CA	92551-7036	JARAMILLO, JOSE	25652 SAN LUPE AVE	MORENO VALLEY, CA	92551-7036	254.12	25.41	50.32	329.84
56077885006	486041013	WAFER, FLOYD	25676	SAN LUPE AVE	MORENO VALLEY	CA	92551-1444	WAFER, FLOYD	25676 SAN LUPE AVE	MORENO VALLEY, CA	92551-1444	254.02	25.4	50.3	329.7
31592525000	486041019	REMSON, LISA	25724	SAN LUPE AVE	MORENO VALLEY	CA	92551-7043	REMSON, LISA	25724 SAN LUPE AVE	MORENO VALLEY, CA	92551-7043	254.02	25.4	50.3	329.7
31281005009	486042001	MORALES, ROBERT	25581	SAN LUPE AVE	MORENO VALLEY	CA	92551-7040	RESIDENT, CURRENT	25581 SAN LUPE AVE	MORENO VALLEY, CA	92551-7040	254.02	25.4	50.3	329.7
31136505000	486042006	SULCER, BEVERLY	25653	SAN LUPE AVE	MORENO VALLEY	CA	92551-7042	SULCER, BEVERLY	25653 SAN LUPE AVE	MORENO VALLEY, CA	92551-7042	254.02	25.4	50.3	329.7
31598465009	486042007	HINOJOSA, MIGUEL	25667	SAN LUPE AVE	MORENO VALLEY	CA	92551-7042	HINOJOSA, MIGUEL	25667 SAN LUPE AVE	MORENO VALLEY, CA	92551-7042	254.02	25.4	50.3	329.7
31400465008	486042008	THOMPSON, LAFON	25675	SAN LUPE AVE	MORENO VALLEY	CA	92551-7042	THOMPSON, LAFON	25675 SAN LUPE AVE	MORENO VALLEY, CA	92551-7042	254.02	25.4	50.3	329.7
60328595008	486042009	PEDACE, CARLOS	25683	SAN LUPE AVE	MORENO VALLEY	CA	92551-7042	PEDACE, CARLOS	25683 SAN LUPE AVE	MORENO VALLEY, CA	92551-7042	254.12	25.41	50.32	329.84
91232283000	486042017	TAVARES, ANTHONY AND MARLENE	15071	RIO GRANDE DR	MORENO VALLEY	CA	92551-1440	TAVARES, ANTHONY AND MARLENE	15071 RIO GRANDE DR	MORENO VALLEY, CA	92551-1440	266.17	26.62	52.7	345.48
96511135004	486042019	MCCRORY, CHERYL (RENT)	15095	RIO GRANDE DR	MORENO VALLEY	CA	92551-1440	MCCRORY, CHERYL	15095 RIO GRANDE DR	MORENO VALLEY, CA	92551-1440	329.6	32.96	65.26	427.82
31539895003	486042034	MILLER, WALTER	15109	CALLE RENFRO	MORENO VALLEY	CA	92551-7018	MILLER, WALTER	15109 CALLE RENFRO	MORENO VALLEY, CA	92551-7018	190.79	19.08	37.78	247.64
31250265009	486043002	ROBERSON, FRED	15024	RIO GRANDE DR	MORENO VALLEY	CA	92551-7020	ROBERSON, FRED	15024 RIO GRANDE DR	MORENO VALLEY, CA	92551-7020	253.92	25.39	50.28	329.58
86092123009	486051001	ROBLES,, ANINA (RENT)	25508	SAN LUPE AVE	MORENO VALLEY	CA	92551-7038	ROBLES,, ANINA	25508 SAN LUPE AVE	MORENO VALLEY, CA	92551-7038	254.12	25.41	50.32	329.84
89835273006	486051007	JIMENEZ, OSCAR	25556	SAN LUPE AVE	MORENO VALLEY	CA	92551-7038	JIMENEZ, OSCAR	25556 SAN LUPE AVE	MORENO VALLEY, CA	92551-7038	372.61	37.26	73.78	483.64
74418545002	486052002	HAWKINS, SALLY	25547	SAN LUPE AVE	MORENO VALLEY	CA	92551-7040	HAWKINS, SALLY	115 W TICHENOR ST	COMPTON, CA	90220-4749	254.02	25.4	50.3	329.7
93695785001	486054005	GUTTIEREZ, MIKE (OWNR)	15172	MARTE CIR	MORENO VALLEY	CA	92551-7034	GUTTIEREZ, MIKE	15172 MARTE CIR	MORENO VALLEY, CA	92551-7034	190.69	19.07	37.76	247.5
67375375008	486055002	RATINER, KEITH-	15132	RIO GRANDE DR	MORENO VALLEY	CA	92551-1443	RATINER, KEITH	14940 PERRIS BLVD STE #D	MORENO VALLEY, CA	92553-7182	329.6	32.96	65.26	427.82
31610025005	486056001	FINNEY, SHEILA	25548	MARGARET AVE	MORENO VALLEY	CA	92551-7014	FINNEY, SHEILA	25548 MARGARET AVE	MORENO VALLEY, CA	92551-7014	254.02	25.4	50.3	329.7
31147835008	486056002	MC GLOVER, BEVERLY	25560	MARGARET AVE	MORENO VALLEY	CA	92551-7014	MC GLOVER, BEVERLY	557 STEPNEY ST	INGLEWOOD, CA	90302-2526	329.32	32.93	65.21	427.44
31129255007	486056008	ESPINOZA, JEFF	25634	MARGARET AVE	MORENO VALLEY	CA	92551-1421	ESPINOZA, JEFF	25634 MARGARET AVE	MORENO VALLEY, CA	92551-1421	254.02	25.4	50.3	329.7
31096485000	486056009	WRIGHT, BONNIE	25646	MARGARET AVE	MORENO VALLEY	CA	92551-7016	WRIGHT, BONNIE	30141 ANTELOPE RD STE D	MENIFEE, CA	92584-8066	82.68	8.27	16.37	107.3
31349055003	486056013	COTTEN, ROXCELOA	25704	MARGARET AVE	MORENO VALLEY	CA	92551-1423	COTTEN, ROXCELOA	25704 MARGARET AVE	MORENO VALLEY, CA	92551-1423	154.02	15.4	30.5	199.9
31127265009	486056016	IRISH, ROBERT	25671	ESTRELLAS LN	MORENO VALLEY	CA	92551-7013	IRISH, ROBERT	25671 ESTRELLAS LN	MORENO VALLEY, CA	92551-7013	79.32	7.93	15.71	102.94
93886945003	486056019	JACKSON, W C (RENT)	25635	ESTRELLAS LN	MORENO VALLEY	CA	92551-7013	JACKSON, W C	25635 ESTRELLAS LN	MORENO VALLEY, CA	92551-7013	254.12	25.41	50.32	329.84
67157425000	486056022	LOPEZ, NELSON DAVID	25599	ESTRELLAS LN	MORENO VALLEY	CA	92551-7037	LOPEZ, NELSON DAVID	25599 ESTRELLAS LN	MORENO VALLEY, CA	92551-7037	254.12	25.41	50.32	329.84
91840005009	486056024	MURPHY, MIKE	25573	ESTRELLAS LN	MORENO VALLEY	CA	92551-7037	MURPHY, MIKE	25573 ESTRELLAS LN	MORENO VALLEY, CA	92551-7037	253.92	25.39	50.28	329.58
91983955007	486056025	MCIVER, JOE	25563	ESTRELLAS LN	MORENO VALLEY	CA	92551-7037	MCIVER, JOE	25563 ESTRELLAS LN	MORENO VALLEY, CA	92551-7037	253.92	25.39	50.28	329.58
97222835000	486057011	PRANANSK, SCOTT (RENT)	25609	MARGARET AVE	MORENO VALLEY	CA	92551-1420	PRANANSK, SCOTT	16815 HUDSON BAY DR	MORENO VALLEY, CA	92551-7473	30.54	3.05	6.05	39.64
95215655003	486061001	WEATHERSBY, LLOYD (RENT)	15245	PATRICIA ST	MORENO VALLEY	CA	92551-4595	WEATHERSBY, LLOYD	11878 VISTA DE CERROS DR	MORENO VALLEY, CA	92555-1768	126.66	12.67	25.08	164.4
95317455009	486061002	GARLAND, TEMPSETT (RENT)	15235	PATRICIA ST	MORENO VALLEY	CA	92551-4595	GARLAND, TEMPSETT	15235 PATRICIA ST	MORENO VALLEY, CA	92551-4595	190.49	19.05	37.72	247.24
93876775009	486061003	ARREVALO, MARIELA (RENT)	15223	PATRICIA ST	MORENO VALLEY	CA	92551-4595	ARREVALO, MARIELA	15223 PATRICIA ST	MORENO VALLEY, CA	92551-4595	234.12	23.41	46.36	303.88
31074375000	486061008	YBARRA, MARTHA	15174	PATRICIA ST	MORENO VALLEY	CA	92551-4526	YBARRA, MARTHA	711 RUNT SPEAR RD	WALNUT, CA	91789-1819	254.02	25.4	50.3	329.7
89694485003	486061010	ALMAZAN, RAQUEL	15196	PATRICIA ST	MORENO VALLEY	CA	92551-4526	ALMAZAN, RAQUEL	15196 PATRICIA ST	MORENO VALLEY, CA	92551-4526	420.76	42.08	83.31	546.14
94714163009	486061022	LOPEZ, JOHN (RENT)	15185	JOSEPHINE CT	MORENO VALLEY	CA	92551-4515	LOPEZ, JOHN	14407 S DENKER AVE	GARDENA, CA	90247-2320	148.11	14.81	29.33	192.24
31122785001	486061035	RANDOLPH, LAWRENCE	15210	RENCHER CT	MORENO VALLEY	CA	92551-4524	RANDOLPH, LAWRENCE	15210 RENCHER CT	MORENO VALLEY, CA	92551-4524	254.02	25.4	50.3	329.7
31216545002	486061039	CRUZ, AMANDA	15175	CHELBAMA WAY	MORENO VALLEY	CA	92551-1458	CRUZ, AMANDA	15175 CHELBAMA WAY	MORENO VALLEY, CA	92551-1458	254.02	25.4	50.3	329.7
31418825005	486062007	WRIGHT, ROSALIND	25425	MARGARET AVE	MORENO VALLEY	CA	92551-4520	WRIGHT, ROSALIND	25425 MARGARET AVE	MORENO VALLEY, CA	92551-4520	329.32	32.93	65.21	427.44
58120575007	486062008	PEREA, RICHARD	25413	MARGARET AVE	MORENO VALLEY	CA	92551-4520	PEREA, RICHARD	1428 BREWERTON DR APT 238	SACRAMENTO, CA	95833-1965	254.02	25.4	50.3	329.7
31292005006	486062013	NIETO, ARTURO	25351	MARGARET AVE	MORENO VALLEY	CA	92551-4593	NIETO, ARTURO	25351 MARGARET AVE	MORENO VALLEY, CA	92551-4593	253.92	25.39	50.28	329.58
52294395004	486081005	JIMENEZ, ADRIANA	25094	FILAREE AVE	MORENO VALLEY	CA	92551-4503	JIMENEZ, ADRIANA	25094 FILAREE AVE	MORENO VALLEY, CA	92551-4503	254.02	25.4	50.3	329.7
69219895007	486081007	SOLORZANO, DAVID AND JENNIFER	25118	FILAREE AVE	MORENO VALLEY	CA	92551-4577	SOLORZANO, DAVID AND JENNIFER	25118 FILAREE AVE	MORENO VALLEY, CA	92551-4577	254.02	25.4	50.3	329.7
89529413006	486081008	HALL, VALERIE (RENT)	25130	FILAREE AVE	MORENO VALLEY	CA	92551-4577	HALL, VALERIE	11281 DAVIS ST	MORENO VALLEY, CA	92557-5040	30.16	3.02	5.97	39.14
51427995005	486082008	RIVAS, GUADALUPE	25153	FILAREE AVE	MORENO VALLEY	CA	92551-4511	RIVAS, GUADALUPE	25153 FILAREE AVE	MORENO VALLEY, CA	92551-4511	65.64	6.56	13	85.2
31608115000	486082015	ESPARZA, PRUDENCIA	25237	FILAREE AVE	MORENO VALLEY	CA	92551-4579	ESPARZA, PRUDENCIA	25237 FILAREE AVE	MORENO VALLEY, CA	92551-4579	254.02	25.4	50.3	329.7
96194155004	486082017	DAVISON, MELISSA (RENT)	25261	FILAREE AVE	MORENO VALLEY	CA	92551-4579	DAVISON, MELISSA	25397 BEANTREE CT	MORENO VALLEY, CA	92551-4674	254.02	25.4	50.3	329.7
55299345007	486082018	TORRES, ROSA	25273	FILAREE AVE	MORENO VALLEY	CA	92551-4579	TORRES, ROSA	25273 FILAREE AVE	MORENO VALLEY, CA	92551-4579	54.31	5.43	10.75	70.48
31488715001	486082029	PICARDE, ANTHONY	15344	ELEANOR LN	MORENO VALLEY	CA	92551-4528	PICARDE, ANTHONY	15344 ELEANOR LN	MORENO VALLEY, CA	92551-4528	254.12	25.41	50.32	329.84
31280545008	486082035	TRIGUERO, JOSE J	25188	FAY AVE	MORENO VALLEY	CA	92551-4508	TRIGUERO, JOSE J	25188 FAY AVE	MORENO VALLEY, CA	92551-4508	254.12	25.41	50.32	329.84
95723355009	486082040	ESPINOZA, JUAN (OWNR)	25130	FAY AVE	MORENO VALLEY	CA	92551-4508	ESPINOZA, JUAN	25130 FAY AVE	MORENO VALLEY, CA	92551-4508	190.79	19.08	37.78	247.64
31220505002	486083004	ANGULO, CARLOS	25107	FAY AVE	MORENO VALLEY	CA	92551-4507	ANGULO, CARLOS	25107 FAY AVE	MORENO VALLEY, CA	92551-4507	329.6	32.96	65.26	427.82
90060515008	486083005	MC GEE, TRACY	25119	FAY AVE	MORENO VALLEY	CA	92551-4507	MC GEE, TRACY	25119 FAY AVE	MORENO VALLEY, CA	92551-4507	254.12	25.41	50.32	329.84
31237525002	486083024	BLACKETER, ELAINE	25094	YOLANDA AVE	MORENO VALLEY	CA	92551-4527	BLACKETER, ELAINE	25094 YOLANDA AVE	MORENO VALLEY, CA	92551-4527	254.02	25.4	50.3	329.7
96428165004	486091009	PERITA ENTERPRISES LLC (OWNI	25030	GENTIAN AVE	MORENO VALLEY	CA	92551-4602	PERITA ENTERPRISES LLC (	7375 DAY CREEK BLVD	RANCHO CUCAMONGA, CA	91739-8022	189.09	18.91	37.44	245.42
61349335008	486091013	LOVE, BARBARA (OWNR) APTS	15427	SHEILA ST	MORENO VALLEY	CA	92551-4549	LOVE, BARBARA	12782 COURT ST	GARDEN GROVE, CA	92841-4308	239.92	23.99	47.5	311.4

MV00167476

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95429665000	486092001	JACOBO, HILDA (RENT)	25071	YOLANDA AVE	MORENO VALLEY	CA	92551-4536	JACOBO, HILDA	12531 BLUNTLEAF CT	MORENO VALLEY, CA	92553-4757	254.12	25.41	50.32	329.84
63896365009	486092003	ALVAREZ, MARIA	25095	YOLANDA AVE	MORENO VALLEY	CA	92551-4536	ALVAREZ, MARIA	25095 YOLANDA AVE	MORENO VALLEY, CA	92551-4536	254.12	25.41	50.32	329.84
75749005002	486092005	GOVEA, MADE-LOURDES	25119	YOLANDA AVE	MORENO VALLEY	CA	92551-4540	GOVEA, MADE-LOURDES	25119 YOLANDA AVE	MORENO VALLEY, CA	92551-4540	254.02	25.4	50.3	329.7
31218055000	486092008	SAUCEDO, SALVADOR	25153	YOLANDA AVE	MORENO VALLEY	CA	92551-4540	SAUCEDO, SALVADOR	25153 YOLANDA AVE	MORENO VALLEY, CA	92551-4540	62.74	6.27	12.42	81.42
90708675008	486092009	TERRAZAS, FAVIOLA	25165	YOLANDA AVE	MORENO VALLEY	CA	92551-4540	TERRAZAS, FAVIOLA	25165 YOLANDA AVE	MORENO VALLEY, CA	92551-4540	253.92	25.39	50.28	329.58
31493785006	486092016	UMU, LENORA	25188	JUANITA AVE	MORENO VALLEY	CA	92551-4517	UMU, LENORA	25188 JUANITA AVE	MORENO VALLEY, CA	92551-4517	254.12	25.41	50.32	329.84
94910185009	486092025	CORTEZ, PETRA (OWNR)	25082	JUANITA AVE	MORENO VALLEY	CA	92551-4584	CORTEZ, PETRA	25082 JUANITA AVE	MORENO VALLEY, CA	92551-4584	125.42	12.54	24.83	162.78
98351185012	486093003	CHAVEZ, ALEXANDRA (RENT)	25095	JUANITA AVE	MORENO VALLEY	CA	92551-4585	CHAVEZ, ALEXANDRA	21575 WEBSTER AVE	PERRIS, CA	92570-8742	385.17	38.52	76.26	499.94
63909305003	486093011	RAMOS, GUADALUPE	25189	JUANITA AVE	MORENO VALLEY	CA	92551-4516	RAMOS, GUADALUPE	25189 JUANITA AVE	MORENO VALLEY, CA	92551-4516	190.79	19.08	37.78	247.64
88666595009	486093014	AVERY, GLEN	25212	GENTIAN AVE	MORENO VALLEY	CA	92551-1307	AVERY, GLEN	25212 GENTIAN AVE	MORENO VALLEY, CA	92551-1307	254.12	25.41	50.32	329.84
89179363000	486093015	FLORES-TORRES, JUAN (RENT)	25200	GENTIAN AVE	MORENO VALLEY	CA	92551-1307	FLORES-TORRES, JUAN	25200 GENTIAN AVE	MORENO VALLEY, CA	92551-1307	190.79	19.08	37.78	247.64
31296705000	486093023	SARAGOZA, JESUS	25106	GENTIAN AVE	MORENO VALLEY	CA	92551-4604	SARAGOZA, JESUS	25106 GENTIAN AVE	MORENO VALLEY, CA	92551-4604	348	34.8	68.9	451.7
60261865004	486094004	PORCAYO, MIGUEL	15452	ELEANOR LN	MORENO VALLEY	CA	92551-4504	PORCAYO, MIGUEL	15452 ELEANOR LN	MORENO VALLEY, CA	92551-4504	254.12	25.41	50.32	329.84
65817525000	486094012	TREVIZO, DEBRA	15415	PATRICIA ST	MORENO VALLEY	CA	92551-4531	TREVIZO, DEBRA	25830 PASEO PACIFICO	MORENO VALLEY, CA	92551-7066	254.12	25.41	50.32	329.84
31262215005	486095001	GUTIERREZ, YOLANDA (RENT)	25071	GENTIAN AVE	MORENO VALLEY	CA	92551-1308	GUTIERREZ, YOLANDA	25071 GENTIAN AVE	MORENO VALLEY, CA	92551-1308	190.59	19.06	37.74	247.38
97099925003	486095010	ESPARZA, CHARITY (RENT)	25177	GENTIAN AVE	MORENO VALLEY	CA	92551-4603	ESPARZA, CHARITY	2514 9TH ST	RIVERSIDE, CA	92507-5033	240.6	24.06	47.64	312.28
95911115001	486095011	TURNER, MARY (RENT)	25189	GENTIAN AVE	MORENO VALLEY	CA	92551-4603	TURNER, MARY	25189 GENTIAN AVE	MORENO VALLEY, CA	92551-4603	63.63	6.36	12.6	82.58
96534885003	486101005	BAUCHAM, MELINDA (RENT)	25340	FILAREE AVE	MORENO VALLEY	CA	92551-4582	BAUCHAM, MELINDA	25340 FILAREE AVE	MORENO VALLEY, CA	92551-4582	182.8	18.28	36.19	237.26
95493915002	486102004	MEZA, FELIPE	25461	FILAREE AVE	MORENO VALLEY	CA	92551-4513	MEZA, FELIPE	14802 NEWPORT AVE APT 19B	TUSTIN, CA	92780-6182	254.12	25.41	50.32	329.84
80331825000	486102005	BAYLOR, DAVID	25449	FILAREE AVE	MORENO VALLEY	CA	92551-4513	BAYLOR, DAVID	25449 FILAREE AVE	MORENO VALLEY, CA	92551-4513	82.68	8.27	16.37	107.3
93907265009	486102006	LAGUNAS, FRANCISCO (RENT)	25437	FILAREE AVE	MORENO VALLEY	CA	92551-4513	LAGUNAS, FRANCISCO	628 NUTWOOD ST S	ANAHEIM, CA	92804-3555	46.52	4.65	9.21	60.38
31322235003	486102011	SORIANO, PEDRO AND MARGARITA	25375	FILAREE AVE	MORENO VALLEY	CA	92551-4583	SORIANO, PEDRO AND MARGARITA	25375 FILAREE AVE	MORENO VALLEY, CA	92551-4583	214.02	21.4	42.38	277.78
31297335006	486102014	HERNANDEZ, DAVID	25339	FILAREE AVE	MORENO VALLEY	CA	92551-4583	HERNANDEZ, DAVID	25339 FILAREE AVE	MORENO VALLEY, CA	92551-4583	329.04	32.9	65.15	427.08
31090895007	486102028	MATSUEDA, RYUKO	25402	FAY AVE	MORENO VALLEY	CA	92551-4510	MATSUEDA, RYUKO	25402 FAY AVE	MORENO VALLEY, CA	92551-4510	114.72	11.47	22.71	148.9
94919765008	486103002	LOPEZ, MARIO (RENT)	25485	FAY AVE	MORENO VALLEY	CA	92551-4509	LOPEZ, MARIO	25485 FAY AVE	MORENO VALLEY, CA	92551-4509	254.12	25.41	50.32	329.84
94363195009	486103006	ANDRADE, MARIA (RENT)	25437	FAY AVE	MORENO VALLEY	CA	92551-4509	ANDRADE, MARIA	24344 KATRINA AVE	MORENO VALLEY, CA	92551-3666	75.72	7.57	14.99	98.28
89673433008	486103023	BONILLA,JESUS, CARAVEO, MARIA	25340B	YOLANDA AVE	MORENO VALLEY	CA	92551-4543	BONILLA,JESUS, CARAVEO, MARIA	25340 YOLANDA AVE	MORENO VALLEY, CA	92551-4543	841.52	84.15	166.62	1092.28
31616245006	486103034	VERDUGO, DAISY	25474	YOLANDA AVE	MORENO VALLEY	CA	92551-4545	VERDUGO, DAISY	25474 YOLANDA AVE	MORENO VALLEY, CA	92551-4545	254.02	25.4	50.3	329.7
91541373005	486103036	MANN, KATHY AND CHRISTOPHER (R	25498	YOLANDA AVE	MORENO VALLEY	CA	92551-4545	MANN, KATHY	25498 YOLANDA AVE	MORENO VALLEY, CA	92551-4545	77.35	7.74	15.32	100.4
31116235009	486111001	COLEMAN, EDWARD (OWNR)	25291	YOLANDA AVE	MORENO VALLEY	CA	92551-4547	COLEMAN, EDWARD	550 W BLAINE ST	RIVERSIDE, CA	92507-4026	254.02	25.4	50.3	329.7
49592905000	486111024	HILL-SOTO, JOSE AND TAMMY	25438	JUANITA AVE	MORENO VALLEY	CA	92551-4519	HILL-SOTO, JOSE AND TAMMY	25438 JUANITA AVE	MORENO VALLEY, CA	92551-4519	254.12	25.41	50.32	329.84
67769465003	486111025	MILIAN, FELIPE	25426	JUANITA AVE	MORENO VALLEY	CA	92551-4519	MILIAN, FELIPE	12613 MELBERRY LN	MORENO VALLEY, CA	92555-2220	254.12	25.41	50.32	329.84
84130175008	486112008	HERNANDEZ, SOCORRO	25375	JUANITA AVE	MORENO VALLEY	CA	92551-4591	HERNANDEZ, SOCORRO	25375 JUANITA AVE	MORENO VALLEY, CA	92551-4591	94.12	9.41	18.64	122.16
31568415003	486112012	LUGO, BRENDA	25425	JUANITA AVE	MORENO VALLEY	CA	92551-4518	LUGO, BRENDA	25425 JUANITA AVE	MORENO VALLEY, CA	92551-4518	254.12	25.41	50.32	329.84
57657135002	486112019	VAZQUEZ, DALIA	25498	GENTIAN AVE	MORENO VALLEY	CA	92551-4608	VAZQUEZ, DALIA	902 E AVALON AVE	SANTA ANA, CA	92706-3064	254.02	25.4	50.3	329.7
31406385002	486112025	ARES, EUGENE	25426	GENTIAN AVE	MORENO VALLEY	CA	92551-4608	ARES, EUGENE	25426 GENTIAN AVE	MORENO VALLEY, CA	92551-4608	254.02	25.4	50.3	329.7
31366685005	486112034	PATTERSON JR, SHELTON	25316	GENTIAN AVE	MORENO VALLEY	CA	92551-4606	PATTERSON JR, SHELTON	25316 GENTIAN AVE	MORENO VALLEY, CA	92551-4606	329.32	32.93	65.21	427.44
90375905008	486121001	GONZALES, MARIO (OWNR)	25504	CASA ENCANTADOR RD	MORENO VALLEY	CA	92551-7077	GONZALES, MARIO	PO BOX 8898	MORENO VALLEY, CA	92552-8898	208.51	20.85	41.29	270.64
60263905002	486121007	THOMPSON, KIM (OWNR)	25571	VIA CARLOS CT	MORENO VALLEY	CA	92551-7085	THOMPSON, KIM	27952 DE LA VALLE DR	MORENO VALLEY, CA	92555-5921	329.6	32.96	65.26	427.82
95842865000	486121008	HERNANDEZ, REBECCA (RENT)	25555	VIA CARLOS CT	MORENO VALLEY	CA	92551-7085	HERNANDEZ, REBECCA	25555 VIA CARLOS CT	MORENO VALLEY, CA	92551-7085	72.78	7.28	14.41	94.46
84761015004	486121019	DICKSON, JAMES	25510	VISTA FAMOSO DR	MORENO VALLEY	CA	92551-7090	DICKSON, JAMES	25510 VISTA FAMOSO	MORENO VALLEY, CA	92551-7090	111.06	11.11	21.99	144.14
72056685002	486121020	DICKSON, ELIZABETH	25528	VISTA FAMOSO DR	MORENO VALLEY	CA	92551-7090	DICKSON, ELIZABETH	25528 VISTA FAMOSO	MORENO VALLEY, CA	92551-7090	204.04	20.4	40.4	264.84
99193433005	486121025	BETHLEY, RENEE (RENT)	25594	VISTA FAMOSO DR	MORENO VALLEY	CA	92551-1452	BETHLEY, RENEE	25594 VISTA FAMOSO DR	MORENO VALLEY, CA	92551-1452	139.67	13.97	27.65	181.28
74814865004	486122011	POUNDER, TODD	15350	VIA ALICIA DR	MORENO VALLEY	CA	92551-7089	POUNDER, TODD	10824 WILLOW HEIGHTS DR	LAS VEGAS, NV	89135-1706	288.02	28.8	57.03	373.84
31196425001	486122016	MORONESO, ANTHONY	25640	VIA CARLOS CT	MORENO VALLEY	CA	92555-	MORONESO, ANTHONY	2617 COLLEGE PARK	SCOTTSBLUFF, NE	69361-2294	127.36	12.74	25.22	165.3
65123755004	486122022	VILLAVA, BERNADO	25605	VIA CARLOS CT	MORENO VALLEY	CA	92551-7087	VILLAVA, BERNADO	40040 CALLE YORBA VIS	MURRIETA, CA	92562-5936	254.12	25.41	50.32	329.84
31624585008	486123003	KING, CHRISTINE	15446	MORONGO CT	MORENO VALLEY	CA	92551-7074	KING, CHRISTINE	1601 HULL AVE	DES MOINES, IA	50313-4734	323.49	32.35	64.05	419.88
92221855002	486123004	BORUNDA, ADRIAN	15457	MORONGO CT	MORENO VALLEY	CA	92551-7074	BORUNDA, ADRIAN	15457 MORONGO CT	MORENO VALLEY, CA	92551-7074	253.92	25.39	50.28	329.58
31502925005	486123006	SMITH, TERRI (OWNR)	25546	RANCHO TIERRA DR	MORENO VALLEY	CA	92551-7073	SMITH, TERRI	25546 RANCHO TIERRA DR	MORENO VALLEY, CA	92551-7073	329.6	32.96	65.26	427.82
68591575007	486124002	MUNGUIA, SYLVIA AND ALFREDO	15457	VIA LORCA DR	MORENO VALLEY	CA	92551-7070	MUNGUIA, SYLVIA AND ALFREDO	15457 VIA LORCA DR	MORENO VALLEY, CA	92551-7070	104.02	10.4	20.6	135
91500623009	486124003	BEED, LAKEISHA (RENT)	15469	VIA LORCA DR	MORENO VALLEY	CA	92551-7070	BEED, LAKEISHA	P.O. BOX 9083	MORENO VALLEY, CA	92552-9083	252.21	25.22	49.94	327.36
94170905009	486124010	TINOCO, ALEJANDRO (RENT)	25563	RANCHO TIERRA DR	MORENO VALLEY	CA	92551-7072	TINOCO, ALEJANDRO	12059 MARY LEE WAY	MORENO VALLEY, CA	92555-2130	254.12	25.41	50.32	329.84
31076545000	486131008	NEAL, JIMMY	25720	VISTA FAMOSO DR	MORENO VALLEY	CA	92551-7092	NEAL, JIMMY	25720 VISTA FAMOSO	MORENO VALLEY, CA	92551-7092	311.09	31.11	61.6	403.78
90849445009	486131009	ROMANO, JESUS	15341	CASA GRANDE ST	MORENO VALLEY	CA	92551-7081	ROMANO, JESUS	15341 CASA GRANDE ST	MORENO VALLEY, CA	92551-7081	162.41	16.24	32.16	210.8
31651965001	486131013	PINEDA, RAFAEL	15293	CASA GRANDE ST	MORENO VALLEY	CA	92551-1405	PINEDA, RAFAEL A	15293 CASA GRANDE ST	MORENO VALLEY, CA	92551-1405	54.02	5.4	10.7	70.1
31079045009	486132002	GOMEZ, MARIO	15304	CASA GRANDE ST	MORENO VALLEY	CA	92551-7079	GOMEZ, MARIO	15304 CASA GRANDE ST	MORENO VALLEY, CA	92551-7079	104.02	10.4	20.6	135
31407715001	486133005	INIGUEZ, RICARDO	25711	VISTA FAMOSO DR	MORENO VALLEY	CA	92551-7095	INIGUEZ, RICARDO	25711 VISTA FAMOSO DR	MORENO VALLEY, CA	92551-7095	154.02	15.4	30.5	199.9
94448125003	486134001	BARTHOLOMEW, AMANDA	15473	PASEO CORTEZ	MORENO VALLEY	CA	92551-7083	BARTHOLOMEW, AMANDA	25800 IRIS AVE UNIT C	MORENO VALLEY, CA	92551-2962	160.3	16.03	31.74	208.06
31224325002	486135004	TRADER, CONSTANCE	25659	RANCHO TIERRA DR	MORENO VALLEY	CA	92551-1439	TRADER, CONSTANCE	25659 RANCHO TIERRA DR	MORENO VALLEY, CA	92551-1439	254.02	25.4	50.3	329.7
92959775004	486135009	VANCE, TAUNI	15432	PASEO CORTEZ	MORENO VALLEY	CA	92551-7084	VANCE, TAUNI	7116 WOOD RD	RIVERSIDE, CA	92506-6142	143.72	14.37	28.46	186.54
31266605004	486135011	SANDERS, BARBARA	15408	PASEO CORTEZ	MORENO VALLEY	CA	92551-7084	SANDERS, BARBARA	15408 PASEO CORTEZ	MORENO VALLEY, CA	92551-7084	254.12	25.41	50.32	329.84
31076685000	486135018	GOLDFINCH, SHERRI	15389	CASA GRANDE ST	MORENO VALLEY	CA	92551-1403	GOLDFINCH, SHERRI	15389 CASA GRANDE ST	MORENO VALLEY, CA	92551-1403	254.02	25.4	50.3	329.7
31349165000	486135019	TAYLOR, HOMER	15401	CASA GRANDE ST	MORENO VALLEY	CA	92551-7082	TAYLOR, HOMER	15401 CASA GRANDE ST	MORENO VALLEY, CA	92551-7082	254.02	25.4	50.3	329.7
31136905006	486135021	RIOS, ROBERT AND TERESA	15425	CASA GRANDE ST	MORENO VALLEY	CA	92551-7082	RIOS, ROBERT AND TERESA	15425 CASA GRANDE ST	MORENO VALLEY, CA	92551-7082	329.32	32.93	65.21	427.44
31517095002	486135023	OLIN, SOKHAN	15449	CASA GRANDE ST	MORENO VALLEY	CA	92551-7082	OLIN, SOKHAN	15449 CASA GRANDE ST	MORENO VALLEY, CA	92551-7082	190.69	19.07	37.76	247.5
31078585007	486135025	AMES, ROBERT	15473	CASA GRANDE ST	MORENO VALLEY	CA	92551-7082	AMES, ROBERT	15473 CASA GRANDE ST	MORENO VALLEY, CA	92551-7082	254.02	25.4	50.3	329.7
92933175005	486136004	SUAREZ, GEORGE (RENT)	15462	CASA GRANDE ST	MORENO VALLEY	CA	92551-7080	SUAREZ, GEORGE AND MARIA	15462 CASA GRANDE ST	MORENO VALLEY, CA	92551-7080	90.69	9.07	17.96	117.7
96224425003	486141005	GUTIERREZ, JOSE LUIS	15322	LOS ESTADOS ST	MORENO VALLEY	CA	92551-7050	GUTIERREZ, JOSE LUIS	15322 LOS ESTADOS ST	MORENO VALLEY, CA	92551-7050	228.72	22.87	45.29	296.86
31408535007	486141012	URBAN, LEILA	25914	CALLE FAMILIA	MORENO VALLEY	CA	92551-7048	URBAN, LEILA	25914 CALLE FAMILIA	MORENO VALLEY, CA	92551-7048	254.02	25.4	50.3	329.7
88991665006	486141013	WINSTON, MYOHO	25900	CALLE FAMILIA	MORENO VALLEY	CA	92551-7048	WINSTON, MYOHO	25900 CALLE FAMILIA	MORENO VALLEY, CA	92551-7048	253.92	25.39	50.28	329.58
31279675002	486141025	MC MULLEN, ANITA	25860	RANCHO LUCERO DR	MORENO VALLEY	CA	92551-7053	MC MULLEN, ANITA	25860 RANCHO LUCERO DR	MORENO VALLEY, CA	92551-7053	329.32	32.93	65.21	427.44
94842235004	486141031	MCDONALD, TAKEYA (RENT)	25780	RANCHO LUCERO DR	MORENO VALLEY	CA	92551-7052	MCDONALD, TAKEYA	25780 RANCHO LUCERO DR	MORENO VALLEY, CA	92551-7052	254.12	25.41	50.32	329.84
31287865005	486142004	JASSO, JOSE	25789	RANCHO LUCERO DR	MORENO VALLEY	CA	92551-7054	JASSO, JOSE	25789 RANCHO LUCERO DR	MORENO VALLEY, CA	92551-7054	54.02	5.4	10.7	70.1
93653193004	486142008	MARTINEZ, MONICA (RENT)	15321	VIA CORTEZ	MORENO VALLEY	CA	92551-7045	MARTINEZ, MONICA	15321 VIA CORTEZ	MORENO VALLEY, CA	92551-7045	123.82	12.38	24.52	160.7
31343175001	486143003	GONZALEZ JR, EMANUEL	15341	LOS ESTADOS ST	MORENO VALLEY	CA	92551-7051	GONZALEZ JR, EMANUEL	15341 LOS ESTADOS ST	MORENO VALLEY, CA	92551-7051	254.02	25.4	50.3	329.7
92429423002	486143006	CORELLA, EMMA (RENT)	25933	CALLE FAMILIA	MORENO VALLEY	CA	92551-7049	CORELLA, EMMA (RENT)	25933 CALLE FAMILIA	MORENO VALLEY, CA	92551-7049	253.09	25.31	50.11	328.5
95855135006	486151003	SHAWVER, MITCHELL (RENT)	25913	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-7060	SHAWVER, MITCHELL	1134 VILLA CALIMESA LN SPC B4	CALIMESA, CA	92320-1031	177.9	17.79	35.22	230.9
31104525004	486151005	MUHR, REX	25941	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-7060	MUHR, REX	25941 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-7060	329.32	32.93	65.21	427.44
31248935003	486151006	TERRELL, LAWRENCE	25955	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-7060	TERRELL, LAWRENCE	25955 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-7060	190.74	19.07	37.77	247.58
96375293008	486151009	BLANK, GRACIA MAE (OWNR)	15485	CAMINO GRANDE	MORENO VALLEY	CA	92551-7063	BLANK, GRACIA MAE	15485 CAMINO GRANDE	MORENO VALLEY, CA	92551-7063	181.86	18.19	36.01	236.04
88472408002	486151010	ROCHIN, RAMONA AND ARMANDO	15473	CAMINO GRANDE	MORENO VALLEY	CA	92551-7063	ROCHIN, RAMONA AND ARMANDO	15473 CAMINO GRANDE	MORENO VALLEY, CA	92551-7063	62.46	6.25	12.37	81.06
72919045006	486151016	MCCRAY, SHAWMEIN AND LLEWELLYN	25956	PASEO PACIFICO	MORENO VALLEY	CA	92551-7067	MCCRAY, SHAWMEIN AND LLEWELLYN	P O BOX 310753	FONTANA, CA	92331-0753	282.23	28.22	55.88	366.32
92967685006	486151023	LERUTTE, MAX AND RUTH	25858	PASEO PACIFICO	MORENO VALLEY	CA	92551-7066	LERUTTE, MAX AND RUTH	25858 PASEO PACIFICO	MORENO VALLEY, CA	92551-7066	323.49	32.35	64.05	419.88
93143255003	486151041	WAITES, SHANNON	25843	CASA ENCANTADOR RD	MORENO VALLEY	CA	92551-7055	WAITES, SHANNON	25843 CASA ENCANTADOR DR	MORENO VALLEY, CA	92551-7055	254.12	25.41	50.32	329.84
60511075008	486151046	MONTERO, JHOANNA	25917	CASA ENCANTADOR RD	MORENO VALLEY	CA	92551-7056	MONTERO, JHOANNA	25917 CASA ENCANTADOR DR	MORENO VALLEY, CA	92551-7056	127.46	12.75	25.24	165.44
31532555009	486151047	MANZANERO, GUADALUPE	25931	CASA ENCANTADOR RD	MORENO VALLEY	CA	92551-7056	MANZANERO, GUADALUPE	25931 CASA ENCANTADOR DR	MORENO VALLEY, CA	92551-7056	282.23	28.22	55.88	366.32
31627685000	486151051	TAPIA, FRANCISCO	25991	CASA ENCANTADOR RD	MORENO VALLEY	CA	92551-7056	TAPIA, FRANCISCO	25991 CASA ENCANTADOR DR	MORENO VALLEY, CA	92551-7056	254.02	25.4	50.3	329.7
52163305000	486152006	FOY JR, ELLIS	15435	PASEO CARMEL	MORENO VALLEY	CA	92551-1430	FOY JR, ELLIS	15435 PASEO CARMEL	MORENO VALLEY, CA	92551-1430	323.49	32.35	64.05	419.88
31623725001	486152009	MORTON, HELEN	15471	PASEO CARMEL	MORENO VALLEY	CA	92551-1430	MORTON, HELEN	15471 PASEO CARMEL	MORENO VALLEY, CA	92551-1430	254.02	25.4	50.3	329.7
97041595004	486152010	YANEZ, GUADALUPE (RENT)	15483	PASEO CARMEL	MORENO VALLEY	CA	92551-1430	YANEZ, GUADALUPE	15483 PASEO CARMEL	MORENO VALLEY, CA	92551-1430	254.12	25.41	50.32	329.84
31521495005	486152011	MARQUEZ, TONY	15495	PASEO CARMEL	MORENO VALLEY	CA	92551-1430	MARQUEZ, TONY	25445 SUNNYMEAD BLVD APT 233G	MORENO VALLEY, CA	92553-2386	329.32	32.93	65.21	427.44
58904315009	486153001	CHANEY, JASON	25771	PASEO PACIFICO	MORENO VALLEY	CA	92551-1435	CHANEY, JASON	25771 PASEO PACIFICO	MORENO VALLEY, CA	92551-1435	154.12	15.41	30.52	200.04
95816985009	486153008	GUTIERREZ, LEILANI (RENT)	25869	PASEO PACIFICO	MORENO VALLEY	CA	92551-7064	GUTIERREZ, LEILANI	12347 TUSCOLA ST	MORENO VALLEY, CA	92557-7606	117.57	11.76	23.28	152.6
54689015003	486153015	MUNOZ, EULISES A	25954	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-1401	MUNOZ, EULISES A	25954 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-1401	254.02	25.4	50.3	329.7
31309345007	486153018	PHILLIPS, DOUG	25914	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-1401	PHILLIPS, DOUG	25914 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-1401	253.92	25.39	50.28	329.58
89883895006	486153022	JONES, JANET	25856	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-7058	JONES, JANET	25856 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-7058	253.92	25.39	50.28	329.58
97952055005	486153024	SERVANTES, DEEANA (RENT)	25828	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-7058	SERVANTES, DEEANA	25828 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-7058	46.12	4.61	9.13	59.86
31135195007	486170008	PARKER, WILLIE	25315	GENTIAN AVE	MORENO VALLEY	CA	92551-4609	PARKER, WILLIE	25315 GENTIAN AVE	MORENO VALLEY, CA	92551-4609	329.04	32.9	65.15	427.08
91442533003	486170011	SANCHEZ, SANDY (RENT)	25325	GENTIAN AVE	MORENO VALLEY	CA	92551-4609	SANCHEZ, SANDY	24768 4TH STE #4	SAN BERNARDINO, CA	92410-5048	50.88	5.09	10.07	66.04
31601355004	486181006	SANDOVAL, MANUEL (OWNR)	25246	WENDY WAY	MORENO VALLEY	CA	92551-4648	SANDOVAL, MANUEL (OWNR)	25246 WENDY WAY	MORENO VALLEY, CA	92551-4648	104.02	10.4	20.6	135
31274465007	486182003	BERRY, FRANKIE	15726	PATRICIA ST	MORENO VALLEY	CA	92551-4656	BERRY, FRANKIE	15726 PATRICIA ST	MORENO VALLEY, CA	92551-4656	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95480835006	486182014	ELVIRA, GEORGE	15644	PATRICIA ST	MORENO VALLEY	CA	92551-4672	ELVIRA, GEORGE	1083 HERBERT AVE	LOS ANGELES, CA	90063-1741	211.9	21.19	41.96	275.04
95470205009	486182018	GREEN, KEVIN (RENT)	15614	PATRICIA ST	MORENO VALLEY	CA	92551-4672	GREEN, KEVIN	15614 PATRICIA ST	MORENO VALLEY, CA	92551-4672	190.49	19.05	37.72	247.24
86619243004	486182027	ORTIZ, JESHDAN (OWNR)	15544	PATRICIA ST	MORENO VALLEY	CA	92551-4671	ORTIZ, JESHDAN	15544 PATRICIA ST	MORENO VALLEY, CA	92551-4671	190.79	19.08	37.78	247.64
96429605000	486183006	HERNANDEZ, BENJAMIN AND ERICA	25255	DANA LN	MORENO VALLEY	CA	92551-4662	HERNANDEZ, BENJAMIN AND ERICA	25255 DANA LN	MORENO VALLEY, CA	92551-4662	261.88	26.19	51.85	339.92
91979983009	486183023	SOLORZANO, JANET (RENT)	15707	PATRICIA ST	MORENO VALLEY	CA	92551-1310	SOLORZANO, JANET (RENT)	15707 PATRICIA ST	MORENO VALLEY, CA	92551-1310	109.78	10.98	21.74	142.48
73386855006	486183024	OCHOA, MICAELA	15715	PATRICIA ST	MORENO VALLEY	CA	92551-1310	OCHOA, MICAELA	15715 PATRICIA ST	MORENO VALLEY, CA	92551-1310	61.99	6.2	12.27	80.46
31450295009	486184012	BENITEZ, RODRIGO	25294	DANA LN	MORENO VALLEY	CA	92551-4616	BENITEZ, RODRIGO	25294 DANA LN	MORENO VALLEY, CA	92551-4616	254.02	25.4	50.3	329.7
86441773001	486192003	BAHENA, MONICA (RENT)	25201	WENDY WAY	MORENO VALLEY	CA	92551-6100	BAHENA, MONICA	25201 WENDY WAY	MORENO VALLEY, CA	92551-6100	63.63	6.36	12.6	82.58
31308265005	486192013	GARCIA, ELENO	25097	WENDY WAY	MORENO VALLEY	CA	92551-1312	GARCIA, ELENO	2700 RIDGELINE DR APT 201	CORONA, CA	92882-8743	254.12	25.41	50.32	329.84
96604075009	486192015	CORNER, BEVERLY (RENT)	25075	WENDY WAY	MORENO VALLEY	CA	92551-1312	CORNER, BEVERLY	25075 WENDY WAY	MORENO VALLEY, CA	92551-1312	65.79	6.58	13.03	85.38
93067945000	486192021	ARTERBERRY, ISSAC (RENT)	25118	DANA LN	MORENO VALLEY	CA	92551-4651	ARTERBERRY, ISSAC	25118 DANA LN	MORENO VALLEY, CA	92551-4651	127.36	12.74	25.22	165.3
31563225004	486192028	GARCIA, MAGDALENA	25184	DANA LN	MORENO VALLEY	CA	92551-4659	GARCIA, MAGDALENA	25184 DANA LN	MORENO VALLEY, CA	92551-4659	126.96	12.7	25.14	164.78
31601575008	486192032	VARSAMAS, ZACHARIAS	25216	DANA LN	MORENO VALLEY	CA	92551-4653	VARSAMAS, ZACHARIAS	25216 DANA LN	MORENO VALLEY, CA	92551-4653	254.02	25.4	50.3	329.7
31598875003	486193010	ROMERO, RENEE	25047	WENDY WAY	MORENO VALLEY	CA	92551-4646	ROMERO, RENEE	25047 WENDY WAY	MORENO VALLEY, CA	92551-4646	254.02	25.4	50.3	329.7
31584235008	486193011	VILLARREAL, RALPH AND ELAINA	25211	DANA LN	MORENO VALLEY	CA	92551-4654	VILLARREAL, RALPH AND ELAINA	25211 DANA LN	MORENO VALLEY, CA	92551-4654	64.09	6.41	12.69	83.18
31097765009	486193012	GOODRICH, CRAIG	25205	DANA LN	MORENO VALLEY	CA	92551-4654	GOODRICH, CRAIG	25205 DANA LN	MORENO VALLEY, CA	92551-4654	254.02	25.4	50.3	329.7
95770085009	486193014	MEZA, ALVARO (OWNR)	25189	DANA LN	MORENO VALLEY	CA	92551-4661	MEZA, ALVARO	25189 DANA LN	MORENO VALLEY, CA	92551-4661	254.12	25.41	50.32	329.84
31322725000	486193024	JIMENEZ, JUAN	25111	DANA LN	MORENO VALLEY	CA	92551-4660	JIMENEZ, JUAN	25111 DANA LN	MORENO VALLEY, CA	92551-4660	180.66	18.07	35.77	234.48
92649335004	486193027	BRUNT, JOSHLYN (RENT)	25079	DANA LN	MORENO VALLEY	CA	92551-1322	BRUNT, JOSHLYN	25079 DANA LN	MORENO VALLEY, CA	92551-1322	158.96	15.9	31.47	206.32
31184745000	486193029	DUPREE, TOMMIE	25055	DANA LN	MORENO VALLEY	CA	92551-4615	DUPREE, TOMMIE	25055 DANA LN	MORENO VALLEY, CA	92551-4615	254.02	25.4	50.3	329.7
59255235002	486193037	RODRIGUEZ, ROCIO	25050	DANA LN	MORENO VALLEY	CA	92551-4650	RODRIGUEZ, ROCIO	25050 DANA LN	MORENO VALLEY, CA	92551-4650	254.12	25.41	50.32	329.84
96639863009	486193038	FRANKLIN, LEVOIL (RENT)	25060	DANA LN	MORENO VALLEY	CA	92551-4650	FRANKLIN, LEVOIL	25060 DANA LN	MORENO VALLEY, CA	92551-4650	127.46	12.75	25.24	165.44
94787075004	486201001	RODRIGUEZ, DANIEL	15759	NINYA AVE	MORENO VALLEY	CA	92551-4689	RODRIGUEZ, DANIEL	15759 NINYA AVE	MORENO VALLEY, CA	92551-4689	254.12	25.41	50.32	329.84
86289593002	486201004	MELENDEZ, RICARDO AND VERONICA	15783	NINYA AVE	MORENO VALLEY	CA	92551-4689	MELENDEZ, RICARDO AND VERONICA	15783 NINYA AVE	MORENO VALLEY, CA	92551-4689	190.79	19.08	37.78	247.64
55836225005	486201008	WHITE, GLORIA	15815	NINYA AVE	MORENO VALLEY	CA	92551-4686	WHITE, GLORIA	15815 NINYA AVE	MORENO VALLEY, CA	92551-4686	36.37	3.64	7.2	47.2
31284425005	486201009	TREJO, DELIA	15823	NINYA AVE	MORENO VALLEY	CA	92551-4686	TREJO, DELIA	15823 NINYA AVE	MORENO VALLEY, CA	92551-4686	44.03	4.4	8.72	57.14
31224665000	486202001	MORRISON, KENNETH	15856	NINYA AVE	MORENO VALLEY	CA	92551-4684	MORRISON, KENNETH	15856 NINYA AVE	MORENO VALLEY, CA	92551-4684	282.23	28.22	55.88	366.32
31147875009	486202003	MAY, GREENWOOD T AND JUDY G	15838	NINYA AVE	MORENO VALLEY	CA	92551-4685	MAY, GREENWOOD T AND JUDY G	15838 NINYA AVE	MORENO VALLEY, CA	92551-4685	254.02	25.4	50.3	329.7
97640595005	486202004	LOPEZ, BEVERLY (RENT)	15830	NINYA AVE	MORENO VALLEY	CA	92551-4685	LOPEZ, BEVERLY	15830 NINYA AVE	MORENO VALLEY, CA	92551-4685	242.45	24.25	48.01	314.7
31444675002	486202005	MOORE, LISA	15820	NINYA AVE	MORENO VALLEY	CA	92551-4685	MOORE, LISA	15820 NINYA AVE	MORENO VALLEY, CA	92551-4685	254.02	25.4	50.3	329.7
31497185003	486202006	TREJO, EMMA	15808	NINYA AVE	MORENO VALLEY	CA	92551-4685	TREJO, EMMA	15808 NINYA AVE	MORENO VALLEY, CA	92551-4685	154.02	15.4	30.5	199.9
31461965005	486202011	ALEXANDER, THERESE MAPP	15766	NINYA AVE	MORENO VALLEY	CA	92551-4688	ALEXANDER, THERESE MAPP	15766 NINYA AVE	MORENO VALLEY, CA	92551-4688	254.02	25.4	50.3	329.7
31597915007	486203001	SANCHEZ, JOE	15824	COBRA DR	MORENO VALLEY	CA	92551-1302	SANCHEZ, JOE	15824 COBRA DR	MORENO VALLEY, CA	92551-1302	232.81	23.28	46.1	302.18
97893985005	486203004	RODRIGUEZ, EDGAR (RENT)	15810	COBRA DR	MORENO VALLEY	CA	92551-1302	RODRIGUEZ, EDGAR	15810 COBRA DR	MORENO VALLEY, CA	92551-1302	188.26	18.83	37.28	244.36
93057365002	486203005	CARNEGIE, CELESTE (RENT)	15796	COBRA DR	MORENO VALLEY	CA	92551-4619	CARNEGIE, CELESTE	15796 COBRA DR	MORENO VALLEY, CA	92551-4619	190.39	19.04	37.7	247.12
31649775005	486203008	CORRALES, VICTOR	15768	COBRA DR	MORENO VALLEY	CA	92551-4619	CORRALES, VICTOR	15768 COBRA DR	MORENO VALLEY, CA	92551-4619	254.02	25.4	50.3	329.7
90632523002	486203010	AGUIRRE, BEVERLY (RENT)	15761	NAN AVE	MORENO VALLEY	CA	92551-4658	AGUIRRE, BEVERLY	15761 NAN AVE	MORENO VALLEY, CA	92551-4658	307.69	30.77	60.92	399.38
95620785007	486203013	TORRES, RENEE (RENT)	15791	NAN AVE	MORENO VALLEY	CA	92551-4658	TORRES, RENEE	15791 NAN AVE	MORENO VALLEY, CA	92551-4658	254.12	25.41	50.32	329.84
61374695000	486203015	QUEZADA, MARTHA	15811	NAN AVE	MORENO VALLEY	CA	92551-4657	QUEZADA, MARHTA	15811 NAN AVE	MORENO VALLEY, CA	92551-4657	357.88	35.79	70.86	464.52
94483065002	486203017	CLARKE, MARY (OWNR)	15831	NAN AVE	MORENO VALLEY	CA	92551-4657	CLARKE, MARY	13666 PERSIMMON RD	MORENO VALLEY, CA	92553-3858	254.12	25.41	50.32	329.84
53090135000	486203020	MONTELONGO, CONSTANTINO	15861	NAN AVE	MORENO VALLEY	CA	92551-4657	MONTELONGO, CONSTANTINO	15861 NAN AVE	MORENO VALLEY, CA	92551-4657	63.63	6.36	12.6	82.58
90157113006	486204008	RODRIGUEZ, LIDIA (RENT)	15852	NAN AVE	MORENO VALLEY	CA	92551-4657	RODRIGUEZ, LIDIA	15852 NAN AVE	MORENO VALLEY, CA	92551-4657	166.83	16.68	33.03	216.54
31297255002	486204014	BARRON, LATANYA AND NATHANIEL	15811	WEDOW DR	MORENO VALLEY	CA	92551-1318	BARRON, LATANYA AND NATHANIEL	15811 WEDOW DR	MORENO VALLEY, CA	92551-1318	127.26	12.73	25.2	165.18
89572373004	486204016	MITCHELL, KATHLENE (RENT)	15774	WEDOW DR	MORENO VALLEY	CA	92551-1317	MITCHELL, KATHLENE	1153 S NORETON AVE APT 7	LOS ANGELES, CA	90019-3396	69.75	6.98	13.81	90.52
31076445001	486204020	PACHO, APRIL	15798	WEDOW DR	MORENO VALLEY	CA	92551-1317	PACHO, APRIL	15798 WEDOW DR	MORENO VALLEY, CA	92551-1317	254.02	25.4	50.3	329.7
31331175006	486211002	MCALPIN, ROCHELLE	15847	NINYA AVE	MORENO VALLEY	CA	92551-4686	MCALPIN, ROCHELLE	15847 NINYA AVE	MORENO VALLEY, CA	92551-4686	254.02	25.4	50.3	329.7
73690895003	486211003	MEZA, ALEJANDRO	15855	NINYA AVE	MORENO VALLEY	CA	92551-4683	MEZA, ALEJANDRO	15855 NINYA AVE	MORENO VALLEY, CA	92551-4683	254.02	25.4	50.3	329.7
95078665005	486211007	BUCHANAN, JOSHUA (RENT)	15887	NINYA AVE	MORENO VALLEY	CA	92551-4683	BUCHANAN, JOSHUA	15887 NINYA AVE	MORENO VALLEY, CA	92551-4683	254.02	25.4	50.3	329.7
60974535005	486211008	SANCHEZ, ENRIQUE	15895	NINYA AVE	MORENO VALLEY	CA	92551-4683	SANCHEZ, ENRIQUE	15895 NINYA AVE	MORENO VALLEY, CA	92551-4683	254.12	25.41	50.32	329.84
57848535003	486211011	MERCADO, SUSAN (OWNR)	15919	NINYA AVE	MORENO VALLEY	CA	92551-4617	MERCADO, SUSAN	15919 NINYA AVE	MORENO VALLEY, CA	92551-4617	272.53	27.25	53.96	353.74
95126235001	486211013	BARNES, DEVIN (RENT)	15935	NINYA AVE	MORENO VALLEY	CA	92551-4617	BARNES, DEVIN	29245 CALLE NOGALES APT	MORENO VALLEY, CA	92552-7086	254.12	25.41	50.32	329.84
31254255003	486211018	DUDAS, KEVIN	15975	NINYA AVE	MORENO VALLEY	CA	92551-4610	DUDAS, KEVIN	9705 BLUE BELL DR	LAS VEGAS, NV	89134-7834	254.12	25.41	50.32	329.84
72820075009	486212001	COLLINS, TANYA	15984	NINYA AVE	MORENO VALLEY	CA	92551-4611	COLLINS, TANYA	844 ANIRA CT	PERRIS, CA	92571-5113	217.06	21.71	42.98	281.74
91780705000	486212004	SAWYER, CHANTEL	15960	NINYA AVE	MORENO VALLEY	CA	92551-4611	SAWYER, CHANTEL	15960 NINYA AVE	MORENO VALLEY, CA	92551-4611	405.08	40.51	80.21	525.78
31273885001	486212015	HUNTER, STURGIS	15849	COBRA DR	MORENO VALLEY	CA	92551-4623	HUNTER, STURGIS	15849 COBRA DR	MORENO VALLEY, CA	92551-4623	329.32	32.93	65.21	427.44
92644055003	486212019	PEREZ, CIPRIANO (RENT)	15885	COBRA DR	MORENO VALLEY	CA	92551-1305	PEREZ, CIPRIANO	16176 EBONY AVE	MORENO VALLEY, CA	92551-9228	164.8	16.48	32.63	213.9
31504545001	486212022	MARTINEZ, PAUL S	15913	COBRA DR	MORENO VALLEY	CA	92551-4645	MARTINEZ, PAUL S	15913 COBRA DR	MORENO VALLEY, CA	92551-4645	253.92	25.39	50.28	329.58
70927555003	486213005	DEVINE, DANAE	15886	COBRA DR	MORENO VALLEY	CA	92551-1304	DEVINE, DANAE	15886 COBRA DR	MORENO VALLEY, CA	92551-1304	254.02	25.4	50.3	329.7
31497235003	486213008	LOPEZ, BERNIE	15848	COBRA DR	MORENO VALLEY	CA	92551-4620	LOPEZ, BERNIE	15848 COBRA DR	MORENO VALLEY, CA	92551-4620	329.32	32.93	65.21	427.44
60556675007	486214003	MARTINEZ, LINDA	15906	WEDOW DR	MORENO VALLEY	CA	92551-4633	MARTINEZ, LINDA	15906 WEDOW DR	MORENO VALLEY, CA	92551-4633	70.44	7.04	13.95	91.42
65632695007	486214006	JARAMILLO, JOSE	15942	WEDOW DR	MORENO VALLEY	CA	92551-4633	JARAMILLO, JOSE	15942 WEDOW DR	MORENO VALLEY, CA	92551-4633	254.12	25.41	50.32	329.84
31353265001	486214010	BUSTAMANTE, DAVID	15990	WEDOW DR	MORENO VALLEY	CA	92551-4633	BUSTAMANTE, DAVID	15990 WEDOW DR	MORENO VALLEY, CA	92551-4633	329.32	32.93	65.21	427.44
88423053008	486221006	CASILLAS, YVETTE (RENT)	15761	PATRICIA ST	MORENO VALLEY	CA	92551-4667	CASILLAS, YVETTE	11303 DRIFTWOOD DR	FONTANA, CA	92337-0606	254.12	25.41	50.32	329.84
31608415007	486221015	LOPEZ, CONNIE	15779	PATRICIA ST	MORENO VALLEY	CA	92551-4638	LOPEZ, CONNIE	15779 PATRICIA ST	MORENO VALLEY, CA	92551-4639	129.02	12.9	25.55	167.46
92417413009	486221019	VELASQUEZ, JEANNETTE TRUST	25253	SHAWEL ASH DR	MORENO VALLEY	CA	92551-1314	VELASQUEZ, JEANNETTE TRUST	25253 SHAWEL ASH DR	MORENO VALLEY, CA	92551-1314	335.75	33.58	66.48	435.8
31333525009	486221025	POWELL, MICHAEL	25325	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4675	POWELL, MICHAEL	27595 E TRAIL RIDGE WAY APT 1060	MORENO VALLEY, CA	92555-3110	217.96	21.8	43.16	282.9
84483745002	486221026	BLACKBURN, DEBBIE	25337	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4675	BLACKBURN, DEBBIE	25337 SHAWEL ASH DR	MORENO VALLEY, CA	92551-4675	200	20	39.6	259.6
65942945008	486221028	MOSQUEDA, JORGE	25361	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4675	MOSQUEDA, JORGE	25361 SHAWEL ASH DR	MORENO VALLEY, CA	92551-4675	254.12	25.41	50.32	329.84
91260003000	486222002	RAMIREZ, ERICA (OWNR)	25348	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4677	RAMIREZ, ERICA	25348 SHAWEL ASH DR	MORENO VALLEY, CA	92551-4677	123.45	12.35	24.44	160.22
31247955000	486222007	PARSONS, GABRIELE	15784	PATRICIA ST	MORENO VALLEY	CA	92551-4637	PARSONS, GABRIELE	15784 PATRICIA ST	MORENO VALLEY, CA	92551-4637	190.69	19.07	37.76	247.5
89871705001	486222013	TARULA, CARLOS	15772	PATRICIA ST	MORENO VALLEY	CA	92551-4666	TARULA, CARLOS	15772 PATRICIA ST	MORENO VALLEY, CA	92551-4666	36.37	3.64	7.2	47.2
31593895000	486222014	OROZCO, CESAR	15770	PATRICIA ST	MORENO VALLEY	CA	92551	OROZCO, CESAR	15770 PATRICIA ST	MORENO VALLEY, CA	92551	254.02	25.4	50.3	329.7
101705763002	486222015	MAXWELL, CHRISTINE (RENT)	15768	PATRICIA ST	MORENO VALLEY	CA	92551-4666	MAXWELL, CHRISTINE	15768 PATRICIA ST	MORENO VALLEY, CA	92551-4666	23.52	2.35	4.66	30.52
31131895009	486222017	MURRAY, DONALD	15764	PATRICIA ST	MORENO VALLEY	CA	92551-4666	MURRAY, DONALD	15764 PATRICIA ST	MORENO VALLEY, CA	92551-4666	254.02	25.4	50.3	329.7
96509955005	486222023	GONZALEZ, VERONICA (RENT)	15752	PATRICIA ST	MORENO VALLEY	CA	92551-4666	GONZALEZ, VERONICA	15752 PATRICIA ST	MORENO VALLEY, CA	92551-4666	193.58	19.36	38.33	251.26
31363075000	486222034	DAWSON, GLORIA (OWNR)	25359	BEANTREE CT	MORENO VALLEY	CA	92551-4674	DAWSON, GLORIA	25359 BEANTREE CT	MORENO VALLEY, CA	92551-4674	254.02	25.4	50.3	329.7
93152415001	486222042	GOMEZ, JOSE	15761	CAYMAN CIR	MORENO VALLEY	CA	92551-4629	GOMEZ, JOSE	15761 CAYMAN CIR	MORENO VALLEY, CA	92551-4629	254.02	25.4	50.3	329.7
50390555008	486231001	LOPEZ, JUAN	25373	SHAWEL ASH DR	MORENO VALLEY	CA	92551-1315	LOPEZ, JUAN	25373 SHAWEL ASH DR	MORENO VALLEY, CA	92551-1315	254.02	25.4	50.3	329.7
31424105004	486231003	JACKSON, MARY AND PAUL	25397	SHAWEL ASH DR	MORENO VALLEY	CA	92551-1315	JACKSON, MARY AND PAUL	141 OLD SUMRALL RD	COLUMBIA, MS	39429-9739	190.69	19.07	37.76	247.5
31525095000	486231005	SMITH, FERDIANN	25421	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4676	SMITH, FERDIANN	PO BOX 1113	MORENO VALLEY, CA	92556-1113	254.12	25.41	50.32	329.84
88656775002	486232005	HOLGUIN, SUSAN	25396	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4677	HOLGUIN, SUSAN	25396 SHAWEL ASH DR	MORENO VALLEY, CA	92551-4677	254.12	25.41	50.32	329.84
67376085007	486232007	DUONG, MYDUYEN	25372	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4677	DUONG, MYDUYEN	6618 MONCLAIR DR	RIVERSIDE, CA	92504	254.12	25.41	50.32	329.84
31377455000	486232012	ROTA-KOHRT, YVONNE	25421	BEANTREE CT	MORENO VALLEY	CA	92551-1301	ROTA-KOHRT, YVONNE	25421 BEANTREE CT	MORENO VALLEY, CA	92551-1301	254.02	25.4	50.3	329.7
31427215004	486233006	ONTIVEROS, CARLOS AND MARLENE	15761	FARMSTEAD ST	MORENO VALLEY	CA	92551-4669	ONTIVEROS, CARLOS AND MARLENE	15761 FARMSTEAD ST	MORENO VALLEY, CA	92551-4669	254.02	25.4	50.3	329.7
31343945000	486234001	LOPEZ, JOSE	25371	CAYMAN AVE	MORENO VALLEY	CA	92551-4679	LOPEZ, JOSE	25371 CAYMAN AVE	MORENO VALLEY, CA	92551-4679	329.32	32.93	65.21	427.44
31100315006	486234003	JERNEGAN, SABRINA	25386	BEANTREE CT	MORENO VALLEY	CA	92551-4673	JERNEGAN, SABRINA	25386 BEANTREE CT	MORENO VALLEY, CA	92551-4673	179.32	17.93	35.51	232.74
31370435000	486234004	GRAJEDA, ANTONIO	25370	BEANTREE CT	MORENO VALLEY	CA	92551-4673	GRAJEDA, ANTONIO	PO BOX 39597	DOWNEY, CA	90239-0597	329.32	32.93	65.21	427.44
31474715001	486235002	HERNANDEZ, MOSES	15786	BLUECHIP CIR	MORENO VALLEY	CA	92551-4665	HERNANDEZ, MOSES	15786 BLUECHIP CIR	MORENO VALLEY, CA	92551-4665	194.02	19.4	38.42	251.82
75886065009	486235015	JIMENEZ, RICHARDO	15760	BLUECHIP CIR	MORENO VALLEY	CA	92551-4664	JIMENEZ, RICHARDO	668 CAMELIA DR	PERRIS, CA	92571-3616	204.02	20.4	40.4	264.8
93287785007	486235024	JACKSON, ODESSA	15759	BLUECHIP CIR	MORENO VALLEY	CA	92551-4663	JACKSON, ODESSA	15759 BLUECHIP CIR	MORENO VALLEY, CA	92551-4663	329.6	32.96	65.26	427.82
89681273004	486235025	HAWKINS, LEROY (RENT)	15761	BLUECHIP CIR	MORENO VALLEY	CA	92551-4663	HAWKINS, LEROY	15761 BLUECHIP CIR	MORENO VALLEY, CA	92551-4663	116.69	11.67	23.1	151.46
31358925002	486235031	INFANTE, JAVIER AND ANABETH	15772	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	INFANTE, JAVIER AND ANABETH	15772 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	329.32	32.93	65.21	427.44
55832375002	486235033	PADILLA, MARTHA	15768	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	PADILLA, MARTHA	15768 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	105.69	10.57	20.93	137.18
91487403005	486235034	JACKSON, WANJUKU (OWNR)	15766	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	JACKSON, WANJUKU	15766 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	31.13	3.11	6.16	40.4
52668615003	486235035	CLONINGER, LISA	15764	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	CLONINGER, LISA	15764 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	254.02	25.4	50.3	329.7
87945125007	486235037	WASHINGTON, DEDRICK	15760	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	WASHINGTON, DEDRICK	15760 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	254.12	25.41	50.32	329.84
31635775004	486235041	GALLARDO, MARIO AND ROSARIO	15752	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	GALLARDO, MARIO AND ROSARIO	15752 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	34.02	3.4	6.74	44.16
90280895002	486235043	ROBINSON, LORENE	25445	SANTIAGO DR	MORENO VALLEY	CA	92551-4678	ROBINSON, LORENE	13200 PAVILLION CT	MORENO VALLEY, CA	92553-5610	329.04	32.9	65.15	427.08
31554665000	486290004	ACADEMIA, HERMINO	27160	CACTUS AVE	MORENO VALLEY	CA	92555-4710	ACADEMIA, HERMINO	27160 CACTUS AVE	MORENO VALLEY, CA	92555-4710	254.02	25.4	50.3	329.7
65257025004	486290007	VASQUEZ, MARTHA	14385	WINDMILL LN	MORENO VALLEY	CA	92555-4707	VASQUEZ, MARTHA	2300 S LEWIS ST SPACE 31	ANAHEIM, CA	92802-5013	136.64	13.66	27.05	177.34
93373275002	486290012	WHITE, KAREN (RENT)	14471	ANTHONY PL	MORENO VALLEY	CA	92555-4713	WHITE, KAREN	14471 ANTHONY PL	MORENO VALLEY, CA	92555-4713	329.6	32.96	65.26	427.82

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
87966575008	486290013	ALVAREZ, KIMBERLY	14443	ANTHONY PL	MORENO VALLEY	CA	92555-4713	ALVAREZ, KIMBERLY	14443 ANTHONY PL	MORENO VALLEY, CA	92555-4713	408.72	40.87	80.93	530.5
31425015000	486290015	GOLDA, PURCELL (OWNR)	14389	ANTHONY PL	MORENO VALLEY	CA	92555-4702	GOLDA, PURCELL	14389 ANTHONY PL	MORENO VALLEY, CA	92555-4702	82.68	8.27	16.37	107.3
92762465007	486290025	SANCHEZ, TERESA	14416	ANTHONY PL	MORENO VALLEY	CA	92555-4709	SANCHEZ, TERESA	14416 ANTHONY PL	MORENO VALLEY, CA	92555-4709	254.02	25.4	50.3	329.7
31284675002	486290026	JOHNSON, JONITH	27330	CACTUS AVE	MORENO VALLEY	CA	92555-4716	JOHNSON, JONITH	27330 CACTUS AVE	MORENO VALLEY, CA	92555-4716	329.04	32.9	65.15	427.08
59841825005	486290027	RUEDA, DORA	27350	CACTUS AVE	MORENO VALLEY	CA	92555-4716	RUEDA, DORA	27350 CACTUS AVE	MORENO VALLEY, CA	92555-4716	254.12	25.41	50.32	329.84
91838135006	486351004	MARASCO, FRANK	25646	CATALEJO LN	MORENO VALLEY	CA	92551-1909	MARASCO, FRANK	25646 CATALEJO LN	MORENO VALLEY, CA	92551-1909	253.92	25.39	50.28	329.58
98298285014	486351005	CABRERRA, RAQUEL	25656	CATALEJO LN	MORENO VALLEY	CA	92551-1909	CABRERRA, RAQUEL	25656 CATALEJO LN	MORENO VALLEY, CA	92551-1909	54.12	5.41	10.72	70.24
86257805005	486351006	TORRES, MARIA DEL CARMEN	15506	GUAJOME RD	MORENO VALLEY	CA	92551-1900	TORRES, MARIA DEL CARMEN	15506 GUAJOME RD	MORENO VALLEY, CA	92551-1900	84.02	8.4	16.64	109.04
48647715003	486351007	KELLY, DAWN (OWNR)	15516	GUAJOME RD	MORENO VALLEY	CA	92551-1900	KELLY, DAWN	1106 AUTUMNWOOD LN	PERRIS, CA	92571-9200	81.4	8.14	16.12	105.64
66123215007	486351011	PONCE, REBECCA	15556	GUAJOME RD	MORENO VALLEY	CA	92551-1900	PONCE, REBECCA	15556 GUAJOME RD	MORENO VALLEY, CA	92551-1900	254.12	25.41	50.32	329.84
31174955006	486351014	RAMOS, GREGORY	15586	GUAJOME RD	MORENO VALLEY	CA	92551-1903	RAMOS, GREGORY	500 S CARMICHAEL AVE APT 119B	SIERRA VISTA, AZ	85635-3085	254.02	25.4	50.3	329.7
31573495006	486351021	STANFORD, GEORGE	15595	JACARA LN	MORENO VALLEY	CA	92553-	STANFORD, GEORGE	15595 JACARA LN	MORENO VALLEY, CA	92551-1971	254.02	25.4	50.3	329.7
97156355000	486351027	LUNA, GLORIA (RENT)	15535	JACARA LN	MORENO VALLEY	CA	92551-1970	LUNA, GLORIA	15535 JACARA LN	MORENO VALLEY, CA	92551-1970	190.79	19.08	37.78	247.64
93835835003	486351028	CASTELLON, ALFONSO (OWNR)	15525	JACARA LN	MORENO VALLEY	CA	92551-1970	CASTELLON, ALFONSO	15525 JACARA LN	MORENO VALLEY, CA	92551-1970	267.26	26.73	52.92	346.9
90879165004	486351031	MEZA, VERONICA (RENT)	25760	JUMANO DR	MORENO VALLEY	CA	92551-2906	MEZA, VERONICA	25760 JUMANO DR	MORENO VALLEY, CA	92551-2906	398.34	39.83	78.87	517.04
63922235000	486352001	HERNANDEZ, SONIA	15625	GUAJOME RD	MORENO VALLEY	CA	92551-1904	HERNANDEZ, SONIA	15625 GUAJOME RD	MORENO VALLEY, CA	92551-1904	254.12	25.41	50.32	329.84
101569163008	486352007	TAYLOR, DEAUNDRE	15565	GUAJOME RD	MORENO VALLEY	CA	92551-1901	TAYLOR, DEAUNDRE	15565 GUAJOME RD	MORENO VALLEY, CA	92551-1901	93.52	9.35	18.52	121.38
94899025008	486352015	SEVILLA, DESIREE (OWNR)	25605	CATALEJO LN	MORENO VALLEY	CA	92551-1910	SEVILLA, DESIREE	25605 CATALEJO LN	MORENO VALLEY, CA	92551-1910	190.79	19.08	37.78	247.64
92267985008	486352016	GRAY, AURORA	25595	CATALEJO LN	MORENO VALLEY	CA	92551-1908	GRAY, AURORA	1966 KENSINGTON DR	SAN JACINTO, CA	92583-6031	329.04	32.9	65.15	427.08
97564073004	486352019	CHRISTIAN, BARBARA (RENT)	25565	CATALEJO LN	MORENO VALLEY	CA	92551-1908	CHRISTIAN, BARBARA	25565 CATALEJO LN	MORENO VALLEY, CA	92551-1908	156.96	15.7	31.08	203.72
94230135003	486352026	MARQUEZ, ELIZABETH (RENT)	15566	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1919	MARQUEZ, ELIZABETH	15566 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1919	54.02	5.4	10.7	70.1
50471065009	486352031	ACEVEDO, ALFONSO	15585	GORRION CT	MORENO VALLEY	CA	92551-1926	ACEVEDO, ALFONSO	15585 GORRION CT	MORENO VALLEY, CA	92551-1926	254.02	25.4	50.3	329.7
70432775008	486352049	ZELEDON, ERICK (RENT)	15536	GRANADA DR	MORENO VALLEY	CA	92551-1934	ZELEDON, ERICK	15536 GRANADA DR	MORENO VALLEY, CA	92551-1934	190.66	19.07	37.75	247.46
62818005000	486352050	CORDERO, HECTOR	15546	GRANADA DR	MORENO VALLEY	CA	92551-1934	CORDERO, HECTOR	15546 GRANADA DR	MORENO VALLEY, CA	92551-1934	165.92	16.59	32.85	215.36
92429413004	486353001	MERAZ, MIGUEL (OWNR)	15615	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1923	MERAZ, MIGUEL	15615 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1923	135.76	13.58	26.88	176.2
31320465008	486353002	BARBER, LARRY	15605	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1922	BARBER, LARRY	15605 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1922	254.02	25.4	50.3	329.7
31574175001	486353005	ROBINSON, EDWARD	15575	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1954	ROBINSON, EDWARD	15575 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1954	254.02	25.4	50.3	329.7
90878615002	486354001	COVARRUBIAS, LAURA (OWNR)	15555	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1920	COVARRUBIAS, LAURA	15555 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1920	190.47	19.05	37.71	247.22
94971243009	486354013	PLACENCIA, MICHAEL (OWNR)	25576	CATALEJO LN	MORENO VALLEY	CA	92551-1907	PLACENCIA, MICHAEL	25576 CATALEJO LN	MORENO VALLEY, CA	92551-1907	63.63	6.36	12.6	82.58
59798845003	486361001	HAWKINS, BUNNY	15705	GUAJOME RD	MORENO VALLEY	CA	92551-1958	HAWKINS, BUNNY	15705 GUAJOME RD	MORENO VALLEY, CA	92551-1958	254.12	25.41	50.32	329.84
94011713005	486361009	BRADFORD, MICHELLE (RENT)	25600	HORADO LN	MORENO VALLEY	CA	92551-1982	BRADFORD, MICHELLE (RENT)	25600 HORADO LN	MORENO VALLEY, CA	92551-1982	233.69	23.37	46.27	303.32
91515789003	486361011	IBARRA, MARY AND ISRAEL (RENT)	25620	HORADO LN	MORENO VALLEY	CA	92551-1982	IBARRA, MARY	25620 HORADO LN	MORENO VALLEY, CA	92551-1982	232.35	23.24	46.01	301.58
86536003000	486361013	LEVETT, JACKIE (RENT)	25640	HORADO LN	MORENO VALLEY	CA	92551-1982	LEVETT, JACKIE	25640 HORADO LN	MORENO VALLEY, CA	92551-1982	90	9	17.82	116.82
31470195008	486361015	SMITH, KITTY	25660	HORADO LN	MORENO VALLEY	CA	92551-1982	SMITH, KITTY	25660 HORADO LN	MORENO VALLEY, CA	92551-1982	154.02	15.4	30.5	199.9
74959075003	486363005	ADERA, VICTOR O	25695	HORADO LN	MORENO VALLEY	CA	92551-1983	ADERA, VICTOR O	25695 HORADO LN	MORENO VALLEY, CA	92551-1983	254.02	25.4	50.3	329.7
85649975008	486363007	LIZARRAGA, GLORIA	25675	HORADO LN	MORENO VALLEY	CA	92551-1983	LIZARRAGA, GLORIA	25675 HORADO LN	MORENO VALLEY, CA	92551-1983	104.02	10.4	20.6	135
31278285006	486363009	ESPARZA, JOSE LUIS	25645	HORADO LN	MORENO VALLEY	CA	92551-1981	ESPARZA, JOSE LUIS	25645 HORADO LN	MORENO VALLEY, CA	92551-1981	204.97	20.5	40.58	266.04
31388325005	486363012	BROOKS, LILIA	25615	HORADO LN	MORENO VALLEY	CA	92551-1981	BROOKS, LILIA	25615 HORADO LN	MORENO VALLEY, CA	92551-1981	329.32	32.93	65.21	427.44
31308235002	486364029	BARKER, OLECIA	15706	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1925	BARKER, OLECIA	15706 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1925	101.6	10.16	20.12	131.86
31370205008	486364034	JOHNS, ROBERT	25580	CASTAS CT	MORENO VALLEY	CA	92551-2903	JOHNS, ROBERT	25580 CASTAS CT	MORENO VALLEY, CA	92551-2903	254.02	25.4	50.3	329.7
96430215000	486365006	PALMA, ANA (OWNR)	15685	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1924	PALMA, ANA	15685 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1924	329.6	32.96	65.26	427.82
50353815002	486365007	HARRIS, DONALD	15675	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1924	HARRIS, DONALD	15675 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1924	254.02	25.4	50.3	329.7
94924375000	486365011	PAEA, ANA (RENT)	15635	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1923	PAEA, ANA	15635 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1923	254.12	25.41	50.32	329.84
31304355005	486365013	FLETCHER, LINDA	15735	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1955	FLETCHER, LINDA	15735 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1955	254.02	25.4	50.3	329.7
31583855009	486371001	HARKLEY, WAYNE AND AALIYAH	15610	JACARA LN	MORENO VALLEY	CA	92551-1998	HARKLEY, WAYNE AND AALIYAH	15610 JACARA LN	MORENO VALLEY, CA	92551-1998	254.02	25.4	50.3	329.7
31529085004	486371004	SANCHEZ, JOSE	15645	ISLETA LN	MORENO VALLEY	CA	92551-1976	SANCHEZ, JOSE	15645 ISLETA LN	MORENO VALLEY, CA	92551-1976	253.92	25.39	50.28	329.58
89661993005	486371005	WOODALL, EUGENE (OWNR)	15635	ISLETA LN	MORENO VALLEY	CA	92551-1976	WOODALL, EUGENE (OWNR)	15635 ISLETA LN	MORENO VALLEY, CA	92551-1976	331.52	33.16	65.65	430.4
31259595001	486372003	MADRIGAL, HUMBERTO	15620	ISLETA LN	MORENO VALLEY	CA	92551-1975	MADRIGAL, HUMBERTO	15620 ISLETA LN	MORENO VALLEY, CA	92551-1975	254.02	25.4	50.3	329.7
96409065008	486372005	DEPETRIS, JESSICA	15600	ISLETA LN	MORENO VALLEY	CA	92551-1975	DEPETRIS, JESSICA	15600 ISLETA LN	MORENO VALLEY, CA	92551-1975	74.18	7.42	14.69	96.28
31243575009	486372012	WRING, ALICE	15665	LAS POSAS DR	MORENO VALLEY	CA	92551-1991	WRING, ALICE	15665 LAS POSAS DR	MORENO VALLEY, CA	92551-1991	200.52	20.05	39.7	260.26
31589435005	486372015	SILVA, SANDY	15695	LAS POSAS DR	MORENO VALLEY	CA	92551-1991	SILVA, SANDY	15695 LAS POSAS DR	MORENO VALLEY, CA	92551-1991	254.02	25.4	50.3	329.7
87756495000	486373002	JEFFERSON, CEDRIC (OWNR)	25790	HORADO LN	MORENO VALLEY	CA	92551-1980	JEFFERSON, CEDRIC	25790 HORADO LN	MORENO VALLEY, CA	92551-1980	127.46	12.75	25.24	165.44
75956695008	486373017	GAO, PENG	15665	LUCIA LN	MORENO VALLEY	CA	92551-2902	GAO, PENG	15665 LUCIA LN	MORENO VALLEY, CA	92551-2902	329.32	32.93	65.21	427.44
61061315003	486373018	BELL, LAURA	15675	LUCIA LN	MORENO VALLEY	CA	92551-2902	BELL, LAURA	3258 CONNORS DR	PERRIS, CA	92571-7617	329.6	32.96	65.26	427.82
88474783008	486374005	ALFARO, ESPEVAS (OWNR)	25785	HORADO LN	MORENO VALLEY	CA	92551-1986	ALFARO, ESPEVAS	1304 RIVERSTONE CT	HEMET, CA	92545-2162	46.35	4.64	9.18	60.16
97476513009	486374014	MITCHELL, LEGETTE (OWNR)	25875	HORADO LN	MORENO VALLEY	CA	92551-1995	MITCHELL, LEGETTE	25875 HORADO LN	MORENO VALLEY, CA	92551-1995	203.5	20.35	40.29	264.14
83182525007	486374017	MARQUEZ, PATRICIA	25905	HORADO LN	MORENO VALLEY	CA	92551-1996	MARQUEZ, PATRICIA	25905 HORADO LN	MORENO VALLEY, CA	92551-1996	254.02	25.4	50.3	329.7
92397123004	486381006	CASTELLON, ABRAHAM (OWNR)	25870	JUMANO DR	MORENO VALLEY	CA	92551-2908	CASTELLON, ABRAHAM	25870 JUMANO DR	MORENO VALLEY, CA	92551-2908	253.09	25.31	50.11	328.5
31620105007	486382009	YOUNG, WILLIAM AND LORI	25940	JUMANO DR	MORENO VALLEY	CA	92551-1963	YOUNG, WILLIAM AND LORI	25940 JUMANO	MORENO VALLEY, CA	92551-1963	254.02	25.4	50.3	329.7
31582205008	486383004	TATRRIEN, RANDY	15570	JACARA LN	MORENO VALLEY	CA	92551-1998	TATRRIEN, RANDY	25541 CEDARBROOK AVE	MORENO VALLEY, CA	92553-4746	254.02	25.4	50.3	329.7
92730515004	486383006	GRAY, KAMOLA	15550	JACARA LN	MORENO VALLEY	CA	92551-1969	GRAY, KAMOLA	15550 JACARA LN	MORENO VALLEY, CA	92551-1969	254.02	25.4	50.3	329.7
92805333002	486383012	BAILEY, KENNY AND DARLENE (REN	15545	ISLETA LN	MORENO VALLEY	CA	92551-1974	BAILEY, KENNY	15545 ISLETA LN	MORENO VALLEY, CA	92551-1974	253.09	25.31	50.11	328.5
96079755001	486384008	CEBALLOS, MARIA (RENT)	25820	LA BARCA RD	MORENO VALLEY	CA	92551-1927	CEBALLOS, MARIA	25820 LA BARCA RD	MORENO VALLEY, CA	92551-1927	254.12	25.41	50.32	329.84
88653075002	486384018	BUTLER, PAULETTE	25820	KARISA CIR	MORENO VALLEY	CA	92551-1968	BUTLER, PAULETTE	25820 KARISA CIR	MORENO VALLEY, CA	92551-1968	71.62	7.16	14.18	92.96
94620465005	486384020	MITCHELL, LISA (RENT)	25835	JUMANO DR	MORENO VALLEY	CA	92551-2907	MITCHELL, LISA	22286 YORKE RD	MORENO VALLEY, CA	92553-2049	26.28	2.63	5.3	34.1
60149575002	486385003	NEGRETE, MIGUEL	25935	JUMANO DR	MORENO VALLEY	CA	92551-1965	NEGRETE, MIGUEL	25935 JUMANO DR	MORENO VALLEY, CA	92551-1965	32.52	3.25	6.44	42.2
31486205002	486385011	MATTHEWS, LANITA	15580	LA ENTRADA DR	MORENO VALLEY	CA	92551-1931	MATTHEWS, LANITA	15580 LA ENTRADA DR	MORENO VALLEY, CA	92551-1931	254.12	25.41	50.32	329.84
96427885005	486385013	FORD, BOB (RENT)	15575	NUECES CT	MORENO VALLEY	CA	92551-1933	FORD, BOB	22182 NAPLES DR	MORENO VALLEY, CA	92557-5908	254.12	25.41	50.32	329.84
99936505008	486385018	WALLER, JASON (RENT)	15570	NUECES CT	MORENO VALLEY	CA	92551-1933	WALLER, JASON	15570 NUECES CT	MORENO VALLEY, CA	92551-1933	329.6	32.96	65.26	427.82
96789115000	486385019	PRINCE, LATOYA (RENT)	15555	OCANA LN	MORENO VALLEY	CA	92551-1950	PRINCE, LATOYA	PO BOX 9122	MORENO VALLEY, CA	92552-9122	41.99	4.2	8.31	54.5
31269505009	486385020	DIMMIAN, JOHN	15545	OCANA LN	MORENO VALLEY	CA	92551-1950	DIMMIAN, JOHN	12214 NUGGET AVE	VICTORVILLE, CA	92392-7456	254.02	25.4	50.3	329.7
31619135003	486385022	CARMICHEAL, ORA	15525	OCANA LN	MORENO VALLEY	CA	92551-1950	CARMICHEAL, ORA	15525 OCANA LN	MORENO VALLEY, CA	92551-1950	229.32	22.93	45.41	297.64
89733793004	486386002	HARRIS, FELICIA C	15595	LAS POSAS DR	MORENO VALLEY	CA	92551-1987	HARRIS, FELICIA C	15595 LAS POSAS DR	MORENO VALLEY, CA	92551-1987	841.52	84.15	166.62	1092.28
58816525001	486387001	BOUCARD, JEAN	25845	LA BARCA RD	MORENO VALLEY	CA	92551-1928	BOUCARD, JEAN	25845 LA BARCA RD	MORENO VALLEY, CA	92551-1928	194.12	19.41	38.44	251.96
31376575007	486387005	HENDERSON, WAYNE	25885	LA BARCA RD	MORENO VALLEY	CA	92551-1928	HENDERSON, WAYNE	25885 LA BARCA RD	MORENO VALLEY, CA	92551-1928	329.32	32.93	65.21	427.44
82592465000	486387006	FISHER, BARBARA	25895	LA BARCA RD	MORENO VALLEY	CA	92551-1928	FISHER, BARBARA	25895 LA BARCA RD	MORENO VALLEY, CA	92551-1928	31.11	3.11	6.16	40.38
31545665008	486387010	THOMAS, ELAINE (OWNR)	25935	LA BARCA RD	MORENO VALLEY	CA	92551-1930	THOMAS, ELAINE	25935 LA BARCA RD	MORENO VALLEY, CA	92551-1930	253.92	25.39	50.28	329.58
86144483002	486387014	CHANG, FRANK AND HU, SHIU FEN	25975	LA BARCA RD	MORENO VALLEY	CA	92551-1930	CHANG, FRANK AND HU, SHIU FEN	1031 S PALMETTO AVE 146	ONTARIO, CA	91762-4942	349.67	34.97	69.23	453.86
50995715001	486387015	NESBITT, ROCHELLE	25985	LA BARCA RD	MORENO VALLEY	CA	92551-1930	NESBITT, ROCHELLE	2043 WILSON AVE	PERRIS, CA	92571-3382	329.32	32.93	65.21	427.44
31404015005	486391001	CHAMBERS, CHARLES	25635	PACATO RD	MORENO VALLEY	CA	92551-1945	CHAMBERS, CHARLES	25635 PACATO RD	MORENO VALLEY, CA	92551-1945	254.02	25.4	50.3	329.7
56589385005	486391002	RIVAS, CHRISTOPHER	25645	PACATO RD	MORENO VALLEY	CA	92551-1945	RIVAS, CHRISTOPHER	25645 PACATO RD	MORENO VALLEY, CA	92551-1945	254.02	25.4	50.3	329.7
96216285008	486391008	NIETO, FELIX	25705	PACATO RD	MORENO VALLEY	CA	92551-1917	NIETO, FELIX	25705 PACATO RD	MORENO VALLEY, CA	92551-1917	228.72	22.87	45.29	296.88
74974595003	486391010	ZARATE, JOSE L	25698	PALO CEDRO DR	MORENO VALLEY	CA	92551-1961	ZARATE, JOSE L	2881 MAGELLAN LN	PERRIS, CA	92571-4823	254.02	25.4	50.3	329.7
94643693009	486391011	WHITEHURST, ELAINE (RENT)	25686	PALO CEDRO DR	MORENO VALLEY	CA	92551-1961	WHITEHURST, ELAINE (RENT)	25686 PALO CEDRO DR	MORENO VALLEY, CA	92551-1961	89.72	8.97	17.76	116.44
91323393004	486391017	PITTS, DESIREE (RENT)	15854	PAMPAS CT	MORENO VALLEY	CA	92551-1967	PITTS, DESIREE	15854 PAMPAS CT	MORENO VALLEY, CA	92551-1967	89.52	8.95	17.73	116.18
97189765005	486392003	DOSS, CALVINA (RENT)	25669	LOS CABOS DR	MORENO VALLEY	CA	92551-1952	DOSS, CALVINA	3855 BELLA VILLAGIO AVE	PERRIS, CA	92571-7477	258.18	25.82	51.12	335.1
61068435003	486392009	HOLLEMAN, FATIN	25723	LOS CABOS DR	MORENO VALLEY	CA	92551-1913	HOLLEMAN, FATIN	25723 LOS CABOS DR	MORENO VALLEY, CA	92551-1913	254.12	25.41	50.32	329.84
90094765004	486392019	CRAIG, DEBORAH AND JONES	25668	PACATO RD	MORENO VALLEY	CA	92551-1946	CRAIG, DEBORAH AND JONES	25668 PACATO RD	MORENO VALLEY, CA	92551-1946	329.04	32.9	65.15	427.08
74974245007	486392024	HERNANDEZ, MARIA ELENA	25718	PACATO RD	MORENO VALLEY	CA	92551-1916	HERNANDEZ, MARIA ELENA	25718 PACATO RD	MORENO VALLEY, CA	92551-1916	323.49	32.35	64.05	419.88
92775893009	486392027	REED, LATRICE	25744	PALO CEDRO DR	MORENO VALLEY	CA	92551-1918	REED, LATRICE	25299 ALESSANDRO BLVD APT 218	MORENO VALLEY, CA	92553-6546	251.31	25.13	49.76	326.2
95999945002	486392041	CAMACHO, DANIEL (RENT)	25635	PALO CEDRO DR	MORENO VALLEY	CA	92551-1962	CAMACHO, DANIEL	13909 CHAGALL CT #64	MORENO VALLEY, CA	92553-9694	75.72	7.57	14.99	98.28
96215935004	486401003	SANDOVAL, AMBROSIO	25536	LOS CABOS DR	MORENO VALLEY	CA	92551-1911	SANDOVAL, AMBROSIO	25536 LOS CABOS DR	MORENO VALLEY, CA	92551-1911	171.72	17.17	34	222.88
91357535003	486401005	PETHAK, ANSHI	25517	LOS CABOS DR	MORENO VALLEY	CA	92551-1911	PETHAK, ANSHI	25517 LOS CABOS DR	MORENO VALLEY, CA	92551-1911	233.01	23.3	46.14	302.44
96375765001	486401006	ZAMBRANO, ISABEL (RENT)	15890	ORO GLEN DR	MORENO VALLEY	CA	92551-1905	ZAMBRANO, ISABEL	15890 ORO GLEN DR	MORENO VALLEY, CA	92551-1905	36.37	3.64	7.2	47.2
31413675007	486401009	PEER, RUEBEN	25559	LOS CABOS DR	MORENO VALLEY	CA	92551-1911	PEER, RUEBEN	25559 LOS CABOS DR	MORENO VALLEY, CA	92551-1911	254.02	25.4	50.3	329.7
31549175003	486401010	HUNTER, MAURISE	25569	LOS CABOS DR	MORENO VALLEY	CA	92551-1911	HUNTER, MAURISE	25569 LOS CABOS DR	MORENO VALLEY, CA	92551-1911	254.02	25.4	50.3	329.7
31386075006	486401015	HURD, FREDDIE	25619	LOS CABOS DR	MORENO VALLEY	CA	92551-1951	HURD, FREDDIE	25619 LOS CABOS DR	MORENO VALLEY, CA	92551-1951	329.32	32.93	65.21	427.44
31557905003	486401022	CALLEROS, MARTHA	25558	PACATO RD	MORENO VALLEY	CA	92551-1941	CALLEROS, MARTHA	25558 PACATO RD	MORENO VALLEY, CA	92551-1941	254.02	25.4	50.3	329.7
96224515004	486401024	MARTIN, CHRISTOPHER J	25578	PACATO RD	MORENO VALLEY	CA	92551-1941	MARTIN, CHRISTOPHER J	25578 PACATO RD	MORENO VALLEY, CA	92551-1941	22.85	2.29	4.52	29.64
91234205003	486401026	MOORE, ROBERT	25598	PACATO RD	MORENO VALLEY	CA	92551-1941	FHLMC	5000 PLANI PARKWAY	CARROLLTON, TX	75010-4900	253.92	25.39	50.28	329.58
31451885003	486402003	COLEMAN, JOCELYN	25563	PALO CEDRO DR	MORENO VALLEY	CA	92551-1915	COLEMAN, JOCELYN	25563 PALO CEDRO DR	MORENO VALLEY, CA	92551-1915	329.32	32.93	65.21	427.44

MV00167479

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95547155004	486402009	DOURSEAU, STEVEN (RENT)	15895	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	DOURSEAU, STEVEN	15895 ORO GLEN DR	MORENO VALLEY, CA	92551-1906	190.79	19.08	37.78	247.64
55827685007	486402010	TRIPLETT, RANDY	15885	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	TRIPLETT, RANDY	15885 ORO GLEN DR	MORENO VALLEY, CA	92551-1906	254.02	25.4	50.3	329.7
96526195009	486402015	PLACENCIA, JUAN (OWNR)	15835	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	PLACENCIA, JUAN	15835 ORO GLEN DR	MORENO VALLEY, CA	92551-1906	254.12	25.41	50.32	329.84
31418075002	486402016	HARRIS, LOUIS AND EMMA	15825	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	HARRIS, LOUIS AND EMMA	PO BOX 2721	EL SEGUNDO, CA	90245-1821	254.02	25.4	50.3	329.7
51213965005	486402017	CARBALLOSA, HURIS AND ESTHER	15815	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	CARBALLOSA, HURIS	15815 ORO GLEN DR	MORENO VALLEY, CA	92551-1906	254.02	25.4	50.3	329.7
95622725006	486402018	CURRY, ANDREA (OWNR)	15805	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	CURRY, ANDREA	15805 ORO GLEN DR	MORENO VALLEY, CA	92551-1906	254.12	25.41	50.32	329.84
100786363007	486403003	CHAVEZ, ERILYNNE (RENT)	25562	PALO CEDRO DR	MORENO VALLEY	CA	92551-1914	CHAVEZ, ERILYNNE	25562 PALO CEDRO DR	MORENO VALLEY, CA	92551-1914	388.6	38.86	76.94	504.4
94924585006	486403010	TYRONDA, NEAL (RENT)	15840	ORO GLEN DR	MORENO VALLEY	CA	92551-1905	TYRONDA, NEAL	16493 COLT WAY	MORENO VALLEY, CA	92555-3301	253.45	25.35	50.18	328.96
95095385006	486403028	MAYA, CONCEPCION (RENT)	15812	PADRE CT	MORENO VALLEY	CA	92551-1997	MAYA, CONCEPCION	15812 PADRE CT	MORENO VALLEY, CA	92551-1997	128.96	12.9	25.53	167.38
31655295003	486411002	DARLAK, JOHN	26020	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2911	DARLAK, JOHN	42005 MARGARITA RD #175	TEMECULA, CA	92591-2834	101.2	10.12	20.04	131.34
91052823009	486411005	RASCH, MARGARET (RENT)	15363	AGUILA PASS	MORENO VALLEY	CA	92555-2901	RASCH, MARGARET	15363 AGUILA PASS	MORENO VALLEY, CA	92555-2901	287.28	28.73	56.88	372.88
97128975009	486411007	LOVANO, ERICK (RENT)	15340	AGUILA PASS	MORENO VALLEY	CA	92555-2900	LOVANO, ERICK	15340 AGUILA PASS	MORENO VALLEY, CA	92555-2900	63.63	6.36	12.6	82.58
94361225007	486412013	IRIGOYEN, HERNESTO (RENT)	15335	CABALLO RD	MORENO VALLEY	CA	92555-2905	IRIGOYEN, HERNESTO	15335 CABALLO RD	MORENO VALLEY, CA	92555-2905	254.12	25.41	50.32	329.84
57320695009	486413001	SENSEMAN, LISA (OWNR)	15362	CABALLO RD	MORENO VALLEY	CA	92555-2906	SENSEMAN, LISA	15362 CABALLO RD	MORENO VALLEY, CA	92555-2906	254.02	25.4	50.3	329.7
31484355005	486413002	MONTES, REGINA	15370	CABALLO RD	MORENO VALLEY	CA	92555-2906	MONTES, REGINA	15370 CABALLO RD	MORENO VALLEY, CA	92555-2906	37.02	3.7	7.33	48.04
88324885009	486413007	GARCIA, JOSE LUIS	15410	CABALLO RD	MORENO VALLEY	CA	92555-2918	GARCIA, JOSE LUIS	509 RICHLAND ST APT N	UPLAND, CA	91786-6758	254.12	25.41	50.32	329.84
84440685004	486413013	GROOM, DENISE	26211	BOGOSO LN	MORENO VALLEY	CA	92555-2971	GROOM, DENISE	26211 BOGOSO LN	MORENO VALLEY, CA	92555-2971	97.48	9.75	19.3	126.52
99981255006	486413019	FLORES, GUADALUPE (RENT)	26151	BOGOSO LN	MORENO VALLEY	CA	92555-2971	FLORES, GUADALUPE	25888 BARTRAN CT	MORENO VALLEY, CA	92553-4799	168.81	16.88	33.42	219.1
63094865006	486413021	HEWETT, RASHELL	26131	BOGOSO LN	MORENO VALLEY	CA	92555-2971	HEWETT, RASHELL	26131 BOGOSO LN	MORENO VALLEY, CA	92555-2971	254.12	25.41	50.32	329.84
62513485006	486413022	WYNDER, EBONY (RENT)	26121	BOGOSO LN	MORENO VALLEY	CA	92555-2971	WYNDER, EBONY	12875 SERPENTINE WAY	MORENO VALLEY, CA	92555-4517	254.12	25.41	50.32	329.84
62265745009	486413024	QUINN, DONALD	26130	BOGOSO LN	MORENO VALLEY	CA	92555-2971	QUINN, DONALD	26130 BOGOSO LN	MORENO VALLEY, CA	92555-2971	200	20	39.6	259.6
82217055000	486413027	NARVARRO, CECILLA AND ERACILO	26160	BOGOSO LN	MORENO VALLEY	CA	92555-2971	NARVARRO, CECILLA AND ERACILO	26160 BOGOSO LN	MORENO VALLEY, CA	92555-2971	254.02	25.4	50.3	329.7
98158923006	486413029	CAMPER, JACQUELINE	15355	CALLE CAMELIA	MORENO VALLEY	CA	92555-2974	CAMPER, JACQUELINE	15355 CALLE CAMELIA	MORENO VALLEY, CA	92555-2974	153	15.3	30.29	198.58
66698145003	486413030	VILLANUEVA, FRANCISCO	15347	CALLE CAMELIA	MORENO VALLEY	CA	92555-2974	VILLANUEVA, FRANCISCO	15347 CALLE CAMELIA	MORENO VALLEY, CA	92555-2974	329.6	32.96	65.26	427.82
87106075006	486413031	MARTINEZ, ERIBERTO AND MARIA	15339	CALLE CAMELIA	MORENO VALLEY	CA	92555-2974	MARTINEZ, ERIBERTO AND MARIA	15339 CALLE CAMELIA	MORENO VALLEY, CA	92555-2974	168.95	16.9	33.45	219.28
93180795002	486413040	PALASOX, GUADALUPE (RENT)	26161	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2914	PALASOX, GUADALUPE	26161 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2914	254.12	25.41	50.32	329.84
91766123001	486414001	COLBERT, SHERINDA (OWNR)	15409	ALOSTA LN	MORENO VALLEY	CA	92555-2910	COLBERT, SHERINDA	15409 ALOSTA LN	MORENO VALLEY, CA	92555-2910	435.51	43.55	86.23	565.28
51856025009	486414002	RUDD, ANNETTE	15399	ALOSTA LN	MORENO VALLEY	CA	92555-2909	RUDD, ANNETTE	15399 ALOSTA LN	MORENO VALLEY, CA	92555-2909	254.12	25.41	50.32	329.84
31524505007	486414004	GILLIAM, DARRYL	15379	ALOSTA LN	MORENO VALLEY	CA	92555-2909	GILLIAM, DARRYL	15379 ALOSTA LN	MORENO VALLEY, CA	92555-2909	254.12	25.41	50.32	329.84
98792253002	486415003	MARTON, JEAN (RENT)	26051	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2912	MARTON, JEAN	26051 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2912	187.66	18.77	37.16	243.58
94676753006	486415009	MAYA, GLORIA (RENT)	15361	CABALLO RD	MORENO VALLEY	CA	92555-2907	MAYA, GLORIA (RENT)	15361 CABALLO RD	MORENO VALLEY, CA	92555-2907	157.2	15.72	31.13	204.04
60632505002	486416003	WINDOM, NAKIA	15420	BRASA LN	MORENO VALLEY	CA	92555-2922	WINDOM, NAKIA	15420 BRASA LN	MORENO VALLEY, CA	92555-2922	100	10	19.8	129.8
31506275002	486416004	STEWART, CAROLYN (OWNR)	15430	BRASA LN	MORENO VALLEY	CA	92555-2922	STEWART, CAROLYN	15430 BRASA LN	MORENO VALLEY, CA	92555-2922	153.92	15.39	30.48	199.78
58906205007	486417007	GARCIA, JOE	15420	BELLO WAY	MORENO VALLEY	CA	92555-2921	GARCIA, JOE	15420 BELLO WAY	MORENO VALLEY, CA	92555-2921	190.79	19.08	37.78	247.64
94288805000	486421001	BANKS, TEE (RENT)	26401	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2961	BANKS, TEE	26401 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2961	254.12	25.41	50.32	329.84
94688795003	486421002	OSBORNE, ONDRE (RENT)	26391	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	DO, DUC (OWNR)	16051 BANANINA ST	FOUNTAIN VALLEY, CA	92708-1501	127.46	12.75	25.24	165.44
97403415004	486421005	CROOK, ERNEST (RENT)	26361	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	CROOK, ERNEST	26361 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2960	254.12	25.41	50.32	329.84
95331045007	486421006	GUITIEREZ, LAURA (OWNR)	26351	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	GUTIEREZ, LAURA	26351 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2960	54.12	5.41	10.72	70.24
83421045000	486421007	GRIGLY, ALITA	26341	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	GRIGLY, ALITA	14150 GRANT ST	MORENO VALLEY, CA	92553-9114	254.02	25.4	50.3	329.7
64877655007	486421010	HOLLOWAY, DANISHA	26311	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	HOLLOWAY, DANISHA	26311 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2960	329.6	32.96	65.26	427.82
100464263002	486421012	TODD, DEBRAH (RENT)	26291	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2962	TODD, DEBRAH	26291 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2962	53.99	5.4	10.69	70.06
94203965001	486421013	CROOK, GREG AND BERNICE (RENT)	26381	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	CROOK, GREG AND BERNICE	26361 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2960	187.69	18.77	37.16	243.62
74281405003	486421020	SUMLIN, SHIRLEY	26350	CAMINO LARGO	MORENO VALLEY	CA	92555-2978	SUMLIN, SHIRLEY	26350 CAMINO LARGO	MORENO VALLEY, CA	92555-2978	329.68	32.97	65.28	427.92
95482215002	486421026	LOFTON II, CARL	15338	ABAZO DR	MORENO VALLEY	CA	92555-2981	LOFTON II, CARL	19023 COLBECK AVE	CARSON, CA	90746-2622	442.39	44.24	87.59	574.22
93287575001	486421031	PATTERSON, ANITA	15378	ABAZO DR	MORENO VALLEY	CA	92555-2982	PATTERSON, ANITA	15378 ABAZO DR	MORENO VALLEY, CA	92555-2982	329.6	32.96	65.26	427.82
85481865004	486422022	INLLAS, CATHERINE	26231	CAMINO LARGO	MORENO VALLEY	CA	92555-2979	DALLAS, CATHERINE	525 BLACKBERRY DR	PERRIS, CA	92571-7835	329.32	32.93	65.21	427.44
66683445002	486422030	MEJIA, DENNIS	26240	BOGOSO LN	MORENO VALLEY	CA	92555-2972	MEJIA, DENNIS	26240 BOGOSO LN	MORENO VALLEY, CA	92555-2972	254.12	25.41	50.32	329.84
75022345003	486422037	CUC, THI MAI	26310	BOGOSO LN	MORENO VALLEY	CA	92555-2983	CUC, THI MAI	8111 STANFORD AVE SPC 8	GARDEN GROVE, CA	92841-4340	329.32	32.93	65.21	427.44
96282015007	486422038	RAMOS, PEGGY	26320	BOGOSO LN	MORENO VALLEY	CA	92555-2983	RAMOS, PEGGY (RENT)	231 E ALESSANDRO BLVD UNIT A500	RIVERSIDE, CA	92508-5084	152.83	15.28	26.3	172.4
66403555001	486422041	RAMOS, LUIS	15388	CALLE ROSA	MORENO VALLEY	CA	92555-2959	RAMOS, LUIS	15388 CALLE ROSA	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
66794595005	486423008	GARCIA, GERARDO AND JUSTINA	26255	BOGOSO LN	MORENO VALLEY	CA	92555-2973	GARCIA, GERARDO AND JUSTINA	26255 BOGOSO LN	MORENO VALLEY, CA	92555-2973	254.12	25.41	50.32	329.84
92015013005	486423012	HILL, CARLA (RENT)	15410	CALLE CAMELIA	MORENO VALLEY	CA	92555-2975	HILL, CARLA	PO BOX 21316	RIVERSIDE, CA	92516-1316	245.19	24.52	48.55	318.24
71550495005	486423015	GILCHRIST, KEITH	15440	CALLE CAMELIA	MORENO VALLEY	CA	92555-2975	GILCHRIST, KEITH	15440 CALLE CAMELIA	MORENO VALLEY, CA	92555-2975	254.02	25.4	50.3	329.7
80395765007	486423017	COUCH, CHRIS	15411	CALLE CASTANO	MORENO VALLEY	CA	92555-2963	COUCH, CHRIS	15411 CALLE CASTANO	MORENO VALLEY, CA	92555-2963	254.02	25.4	50.3	329.7
66994735002	486423020	MCDANIEL, DEWAYNE	15410	CALLE CASTANO	MORENO VALLEY	CA	92555-2963	MCDANIEL, DEWAYNE	15410 CALLE CASTANO	MORENO VALLEY, CA	92555-2963	190.79	19.08	37.78	247.64
71905765004	486431001	GUTIERREZ, MARIA	15485	BRASA LN	MORENO VALLEY	CA	92555-2923	GUTIERREZ, MARIA	15485 BRASA LN	MORENO VALLEY, CA	92555-2923	254.02	25.4	50.3	329.7
58969345006	486431011	SANDOVAL, OSCAR	15458	ALOSTA LN	MORENO VALLEY	CA	92555-2910	SANDOVAL, OSCAR	15458 ALOSTA LN	MORENO VALLEY, CA	92555-2910	28.26	2.83	5.6	36.68
99656863000	486431021	GASCA, LYDIA	15419	ALOSTA LN	MORENO VALLEY	CA	92555-2910	GASCA, LYDIA	15419 ALOSTA LN	MORENO VALLEY, CA	92555-2910	113.1	11.31	22.39	146.8
93746415000	486432001	ALDRETE, JUSTIN (OWNR)	15485	BELLO WAY	MORENO VALLEY	CA	92555-2920	ALDRETE, JUSTIN	15485 BELLO WAY	MORENO VALLEY, CA	92555-2920	252.5	25.25	50	327.74
31537325007	486435006	ROMERO, PAUL	15515	BRASA LN	MORENO VALLEY	CA	92555-3000	ROMERO, PAUL	15515 BRASA LN	MORENO VALLEY, CA	92555-3000	154.12	15.41	30.52	200.04
31537495001	486435017	NYBERG, KEVIN	15509	AROBLES CT	MORENO VALLEY	CA	92555-3001	NYBERG, KEVIN	15509 AROBLES CT	MORENO VALLEY, CA	92555-3001	253.91	25.39	50.27	329.56
31590535002	486441001	WEISS, STEVE	16215	ISLA MARIA CIR	MORENO VALLEY	CA	92551-2062	WEISS, STEVE	16215 ISLA MARIA CIR	MORENO VALLEY, CA	92551-2062	127.35	12.74	25.22	165.3
31261805003	486441017	SORUGGS, SHAWNDA	16140	ISLA MARIA CIR	MORENO VALLEY	CA	92551-2061	SORUGGS, SHAWNDA	16140 ISLA MARIA CIR	MORENO VALLEY, CA	92551-2061	153.86	15.39	30.46	199.7
31265065009	486441022	GASPARD, GOURDET	16190	ISLA MARIA CIR	MORENO VALLEY	CA	92551-2061	GASPARD, GOURDET	16190 ISLA MARIA CIR	MORENO VALLEY, CA	92551-2061	63.63	6.36	12.6	82.58
96784575004	486442001	BUTCHER, MICHAEL (OWNR)	26151	CALLE AGUA	MORENO VALLEY	CA	92551-1643	BUTCHER, MICHAEL	26151 CALLE AGUA	MORENO VALLEY, CA	92551-1643	26.92	2.69	5.33	34.94
58351075003	486442004	MCQUEEN, NIA	26121	CALLE AGUA	MORENO VALLEY	CA	92551-1643	MCQUEEN, NIA	26121 CALLE AGUA	MORENO VALLEY, CA	92551-1643	105.49	10.55	20.89	136.92
57902425001	486442005	MORENO, MATTHEW	26111	CALLE AGUA	MORENO VALLEY	CA	92551-1643	MORENO, MATTHEW	26111 CALLE AGUA	MORENO VALLEY, CA	92551-1643	338.77	33.88	67.08	439.72
70560365002	486442013	AMBRIZ, MARIA	16165	ONDA CIR	MORENO VALLEY	CA	92551-1645	AMBRIZ, MARIA	16165 ONDA CIR	MORENO VALLEY, CA	92551-1645	254.02	25.4	50.3	329.7
54985585005	486442019	SOTO, MARIA	16240	CALLE SERENA	MORENO VALLEY	CA	92551-1637	SOTO, MARIA	16240 CALLE SERENA	MORENO VALLEY, CA	92551-1637	254.02	25.4	50.3	329.7
55774535003	486442024	GHOLSON, CARROL	26110	NUBLADO CIR	MORENO VALLEY	CA	92551-1636	GHOLSON, CARROL	26110 NUBLADO CIR	MORENO VALLEY, CA	92551-1636	61.42	6.14	12.16	79.72
97166485002	486442026	LOPEZ, MARTIN (OWNR)	26099	NUBLADO CIR	MORENO VALLEY	CA	92551-1636	LOPEZ, MARTIN	26099 NUBLADO CIR	MORENO VALLEY, CA	92551-1636	190.79	19.08	37.78	247.64
60315965007	486442027	FREDERICK, SHARON	26089	NUBLADO CIR	MORENO VALLEY	CA	92551-1636	FREDERICK, SHARON	26089 NUBLADO CIR	MORENO VALLEY, CA	92551-1636	254.12	25.41	50.32	329.84
55058755004	486443004	HEUN, JOSEPH	16180	VIA ULTIMO	MORENO VALLEY	CA	92551-1600	HEUN, JOSEPH	16180 VIA ULTIMO	MORENO VALLEY, CA	92551-1600	254.02	25.4	50.3	329.7
52906895008	486443008	WRIGHT, NATASHA	16220	VIA ULTIMO	MORENO VALLEY	CA	92551	WRIGHT, NATASHA	16220 VIA ULTIMO	MORENO VALLEY, CA	92551	254.02	25.4	50.3	329.7
94928353005	486443012	CARDONAS, CECILA(RENT)	16260	VIA ULTIMO	MORENO VALLEY	CA	92551-1603	CARDONAS, CECILA	16260 VIA ULTIMO	MORENO VALLEY, CA	92551-1603	190.69	19.07	37.76	247.5
86682323005	486443013	RAMIREZ, BERNARDO (RENT)	16270	VIA ULTIMO	MORENO VALLEY	CA	92551-1653	RAMIREZ, BERNARDO (RENT)	16270 VIA ULTIMO	MORENO VALLEY, CA	92551-1653	104.53	10.45	20.7	135.66
57611835002	486451001	ROBLES, NORMA AND DONALDO	16215	GRANDE ISLA CIR	MORENO VALLEY	CA	92551-1623	ROBLES, NORMA AND DONALDO	16215 GRANDE ISLA CIR	MORENO VALLEY, CA	92551-1623	104.02	10.4	20.6	135
71639455004	486451003	PEREZ, MIRIAM RIVERA	16195	GRANDE ISLA CIR	MORENO VALLEY	CA	92551-1621	PEREZ, MIRIAM RIVERA	16195 GRANDE ISLA CIR	MORENO VALLEY, CA	92551-1621	222.91	22.29	44.14	289.32
96576365008	486451007	DO, LOAN (RENT)	16155	GRANDE ISLA CIR	MORENO VALLEY	CA	92551-1621	DO, LOAN	16155 GRANDE ISLA CIR	MORENO VALLEY, CA	92551-1621	254.12	25.41	50.32	329.84
57372935000	486451022	LEE, PHILLIP	16190	GRANDE ISLA CIR	MORENO VALLEY	CA	92551-1621	LEE, PHILLIP	16190 GRANDE ISLA CIR	MORENO VALLEY, CA	92551-1621	63.63	6.36	12.6	82.58
56179665006	486452002	RODRIGUEZ, JOEL	16295	CALLE SERENA	MORENO VALLEY	CA	92551-1639	RODRIGUEZ, JOEL	16295 CALLE SERENA	MORENO VALLEY, CA	92551-1639	254.02	25.4	50.3	329.7
91685065005	486452005	BARRERA, JORGE	16265	CALLE SERENA	MORENO VALLEY	CA	92551-1639	BARRERA, JORGE	16265 CALLE SERENA	MORENO VALLEY, CA	92551-1639	253.92	25.39	50.28	329.58
99494015001	486452007	GARCIA, MICHAEL (RENT)	25931	CALLE AGUA	MORENO VALLEY	CA	92551-1620	GARCIA, MICHAEL	15872 PAMPAS CT	MORENO VALLEY, CA	92551-1967	211.47	21.15	41.87	274.48
67034295008	486452008	HOPKINS, APRIL	25921	CALLE AGUA	MORENO VALLEY	CA	92551-1620	HOPKINS, APRIL	25921 CALLE AGUA	MORENO VALLEY, CA	92551-1620	254.12	25.41	50.32	329.84
50761715007	486452011	FLORES, SANDRA	16275	GRANDE ISLA CIR	MORENO VALLEY	CA	92551-1624	FLORES, SANDRA	16275 GRANDE ISLA CIR	MORENO VALLEY, CA	92551-1624	119.49	11.95	23.66	155.08
73375255005	486452017	GILMER, RENEE	16310	VIA IMPRESSO	MORENO VALLEY	CA	92551-1618	GILMER, RENEE	25964 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6305	329.32	32.93	65.21	427.44
49468235004	486452018	HASSAN, MALIKA	16300	VIA IMPRESSO	MORENO VALLEY	CA	92551-1618	HASSAN, MALIKA	16300 VIA IMPRESSO	MORENO VALLEY, CA	92551-1618	63.73	6.37	12.62	82.72
31651725002	486452019	CALLIER, TIM	25880	CALLE FUEGO	MORENO VALLEY	CA	92551-1616	CALLIER, TIM	25880 CALLE FUEGO	MORENO VALLEY, CA	92551-1616	254.02	25.4	50.3	329.7
93773635008	486453005	CHANG, GINGER	16322	CALLE SERENA	MORENO VALLEY	CA	92551-1638	CHANG, GINGER	16322 CALLE SERENA	MORENO VALLEY, CA	92551-1638	257.45	25.75	50.98	334.16
92268385002	486453011	COOK, BRITTANY	16315	VIA ULTIMO	MORENO VALLEY	CA	92551-1614	COOK, BRITTANY	16315 VIA ULTIMO	MORENO VALLEY, CA	92551-1614	238.54	23.85	47.23	309.62
65107805007	486454005	HURD, LT	25901	CALLE FUEGO	MORENO VALLEY	CA	92551-1615	HURD, LT	25901 CALLE FUEGO	MORENO VALLEY, CA	92551-1615	254.12	25.41	50.32	329.84
95589905001	486455002	LOWE, TORIANO (RENT)	16310	VIA ULTIMO	MORENO VALLEY	CA	92551-1613	LOWE, TORIANO	16310 VIA ULTIMO	MORENO VALLEY, CA	92551-1613	262.12	26.21	51.9	340.22
60473875003	486455003	HASAN, ALI	16320	VIA ULTIMO	MORENO VALLEY	CA	92551-1613	HASAN, ALI	16320 VIA ULTIMO	MORENO VALLEY, CA	92551-1613	254.12	25.41	50.32	329.84
94089073005	486455012	WOODS, QUANTE (RENT)	25971	CALLE FUEGO	MORENO VALLEY	CA	92551-1654	WOODS, QUANTE	25971 CALLE FUEGO	MORENO VALLEY, CA	92551-1654	92.35	9.24	18.29	119.86
96059615003	486461005	THOMAS, JOANN (RENT)	16340	SABINA CT	MORENO VALLEY	CA	92551-2004	THOMAS, JOANN	16340 SABINA CT	MORENO VALLEY, CA	92551-2004	64.17	6.42	12.71	83.28
58250545001	486461008	ARCHER, SHANON	25680	CALLE AGUA	MORENO VALLEY	CA	92551-2047	ARCHER, SHANON	25680 CALLE AGUA	MORENO VALLEY, CA	92551-2047	254.02	25.4	50.3	329.7
31350805004	486461020	BURNETT, WILLIAM	25800	CALLE AGUA	MORENO VALLEY	CA	92551-2009	BURNETT, WILLIAM	25800 CALLE AGUA	MORENO VALLEY, CA	92551-2009	254.02	25.4	50.3	329.7
74204695004	486462001	TARKINGTON, HENRY	16305	CALLE AURORA	MORENO VALLEY	CA	92551-2054	TARKINGTON, HENRY	16305 CALLE AURORA	MORENO VALLEY, CA	92551-2054	254.02	25.4	50.3	329.7
31376595003	486462004	MALECKE, LISA	16275	CALLE AURORA	MORENO VALLEY	CA	92551-2052	MALECKE, LISA	16275 CALLE AURORA	MORENO VALLEY, CA	92551-2052	81.21	8.12	16.08	105.4
95464483003	486462007	GRAY, COLETTE (RENT)	25821	CALLE AGUA	MORENO VALLEY	CA	92551-2010	GRAY, COLETTE	25821 CALLE AGUA	MORENO VALLEY, CA	92551-2010	180.81	18.08	35.8	234.68
93836515008	486462010	DIXON, JACQUELINE (OWNR)	25791	CALLE AGUA	MORENO VALLEY	CA	92551-2049	DIXON, JACQUELINE	25791 CALLE AGUA	MORENO VALLEY, CA	92551-2049	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
48394135004	486462012	GOMEZ, EDGAR	16280	ALMANOR CT	MORENO VALLEY	CA	92551-2013	GOMEZ, EDGAR	13113 BOYD LAKE DR	BAKERSFIELD, CA	93314-9838	254.12	25.41	50.32	329.84
31297135008	486462015	RICE, TUNEAN	25771	CALLE AGUA	MORENO VALLEY	CA	92553-	RICE, TUNEAN	25771 CALLE AGUA	MORENO VALLEY, CA	92551-2008	329.04	32.9	65.15	427.08
71523265000	486462019	LANGDON, YOLANDA	25731	CALLE AGUA	MORENO VALLEY	CA	92551-2006	LANGDON, YOLANDA	25731 CALLE AGUA	MORENO VALLEY, CA	92551-2006	254.02	25.4	50.3	329.7
81773005004	486463004	ROMERO, MARIA	16315	VIA IMPRESSO	MORENO VALLEY	CA	92551-1617	ROMERO, MARIA	16315 VIA IMPRESSO	MORENO VALLEY, CA	92551-1617	254.02	25.4	50.3	329.7
31655255001	486463005	LOPEZ, PETRA	16305	VIA IMPRESSO	MORENO VALLEY	CA	92551-1617	LOPEZ, PETRA	16305 VIA IMPRESSO	MORENO VALLEY, CA	92551-1617	329.32	32.93	65.21	427.44
97693363000	486463012	SALAZAR, ANDREA	16292	CALLE AURORA	MORENO VALLEY	CA	92551-2051	SALAZAR, ANDREA	16292 CALLE AURORA	MORENO VALLEY, CA	92551-2051	29.44	2.94	5.83	38.2
31270915001	486464010	HAWKINS, KIM	25761	VIA KANNELA	MORENO VALLEY	CA	92553-	HAWKINS, KIM	25761 VIA KANNELA	MORENO VALLEY, CA	92551-2002	72.61	7.26	14.38	94.24
31376465000	486464013	DE LA MADRID, RAY	25731	VIA KANNELA	MORENO VALLEY	CA	92551-2000	DE LA MADRID, RAY	25731 VIA KANNELA	MORENO VALLEY, CA	92551-2000	254.02	25.4	50.3	329.7
57372635003	486464017	LYNCH, TAMESHA	25691	VIA KANNELA	MORENO VALLEY	CA	92551-2068	LYNCH, TAMESHA	25691 VIA KANNELA	MORENO VALLEY, CA	92551-2068	349.14	34.91	69.13	453.18
58788235003	486470001	FOWLER, MELISSA	16140	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	FOWLER, MELISSA	PO BOX 10451	MORENO VALLEY, CA	92552-0451	254.12	25.41	50.32	329.84
94602995002	486470002	KING, JIMMIE (RENT)	16132	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	KING, JIMMIE	16132 VIA ULTIMO	MORENO VALLEY, CA	92551-1619	63.38	6.33	12.54	82.2
93615305000	486470004	RENWRICK, RICKEY (OWNR)	16116	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	RENWRICK, RICKEY	16116 VIA ULTIMO	MORENO VALLEY, CA	92551-1619	254.12	25.41	50.32	329.84
95293945000	486470006	GRAY, COLETTE (RENT)	16100	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	GRAY, COLETTE	25821 CALLE AGUA	MORENO VALLEY, CA	92551-2010	126.17	12.62	24.98	163.76
52720875007	486470007	WILSON, BRENDA	16092	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	WILSON, BRENDA	16092 VIA ULTIMO	MORENO VALLEY, CA	92551-1619	127.48	12.75	25.24	165.46
96804025006	486470008	THOMAS, DEANNA (RENT)	16084	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	THOMAS, DEANNA	16084 VIA ULTIMO	MORENO VALLEY, CA	92551-1619	189.35	18.94	37.49	245.76
92045025000	486470015	PUL, CASSANDRA	16028	VIA ULTIMO	MORENO VALLEY	CA	92551-1626	PUL, CASSANDRA	16028 VIA ULTIMO	MORENO VALLEY, CA	92551-1626	253.92	25.39	50.28	329.58
62294855000	486470019	WALKER, KIM	16015	PALOMINO LN	MORENO VALLEY	CA	92551-1629	WALKER, KIM	16015 PALOMINO LN	MORENO VALLEY, CA	92551-1629	254.12	25.41	50.32	329.84
53441095003	486470029	MCDOW, DANIEL	16075	PALOMINO LN	MORENO VALLEY	CA	92551-1631	MCDOW, DANIEL	11015 XARSON DR APT C	LYNWOOD, CA	90262-1631	63.63	6.36	12.6	82.58
97404045000	486470033	BLUTT, ERNEST (RENT)	16099	PALOMINO LN	MORENO VALLEY	CA	92551-1631	BLUTT, ERNEST	16099 PALOMINO LN	MORENO VALLEY, CA	92551-1631	329.6	32.96	65.26	427.82
54220825007	486470037	LESLIE, DELANO AND GANEL	16123	PALOMINO LN	MORENO VALLEY	CA	92551-1635	LESLIE, DELANO	16123 PALOMINO LN	MORENO VALLEY, CA	92551-1635	271.57	27.16	53.77	352.48
82994755007	486471001	BALDERAS, VANESSA	26150	CALLE AGUA	MORENO VALLEY	CA	92551-1644	BALDERAS, VANESSA	26150 CALLE AGUA	MORENO VALLEY, CA	92551-1644	179.02	17.9	35.45	232.36
91145685000	486471004	WILSON, AHSHAN	26120	CALLE AGUA	MORENO VALLEY	CA	92551-1644	WILSON, AHSHAN	26120 CALLE AGUA	MORENO VALLEY, CA	92551-1644	253.92	25.39	50.28	329.58
93881075006	486471007	MORALES, ARMANDO (RENT)	16132	PALOMINO LN	MORENO VALLEY	CA	92551-1634	MORALES, ARMANDO	16132 PALOMINO LN	MORENO VALLEY, CA	92551-1634	109.37	10.94	21.66	141.96
91013065000	486471010	SANCHEZ, RAFAEL	16114	PALOMINO LN	MORENO VALLEY	CA	92551-1634	SANCHEZ, RAFAEL	16114 PALOMINO LN	MORENO VALLEY, CA	92551-1634	329.04	32.9	65.15	427.08
56605945002	486471023	RIVERA, CLAUDIA	16054	PALOMINO LN	MORENO VALLEY	CA	92551-1630	RIVERA, CLAUDIA	16054 PALOMINO LN	MORENO VALLEY, CA	92551-1630	254.02	25.4	50.3	329.7
94964435004	486471024	KEMP, TABATHA (OWNR)	16046	PALOMINO LN	MORENO VALLEY	CA	92551-1630	KEMP, TABATHA	16046 PALOMINO LN	MORENO VALLEY, CA	92551-1630	63.63	6.36	12.6	82.58
52799215000	486471025	WALLACE, THERESA (OWNR)	16040	PALOMINO LN	MORENO VALLEY	CA	92551-1630	WALLACE, THERESA	16040 PALOMINO LN	MORENO VALLEY, CA	92551-1630	254.02	25.4	50.3	329.7
101230653004	486471035	DO, KHANH (OWNR)	16127	VIA ULTIMO	MORENO VALLEY	CA	92551-1625	DO, KHANH	16127 VIA ULTIMO	MORENO VALLEY, CA	92551-1625	200.13	20.01	39.63	259.76
59874335009	486480002	DENNIS, JOYCE	16020	EDGEWATER LN	MORENO VALLEY	CA	92551-1647	DENNIS, JOYCE	16020 EDGEWATER LN	MORENO VALLEY, CA	92551-1647	254.12	25.41	50.32	329.84
97482085002	486480003	CHOI, DANIEL (RENT)	16030	EDGEWATER LN	MORENO VALLEY	CA	92551-1647	CHOI, DANIEL (RENT)	16030 EDGEWATER LN	MORENO VALLEY, CA	92551-1647	317.45	31.75	62.86	412.04
57618245001	486480005	GALARZA, CATALINA	16050	EDGEWATER LN	MORENO VALLEY	CA	92551-1647	GALARZA, CATALINA	16050 EDGEWATER LN	MORENO VALLEY, CA	92551-1647	254.02	25.4	50.3	329.7
95830595002	486480006	ROBERTS, MICHEAL (RENT)	16060	EDGEWATER LN	MORENO VALLEY	CA	92551-1647	ROBERTS, MICHEAL	1001 ATLANTIC AVE	ATLANTIC CITY, NJ	08401	119.25	11.93	23.61	154.78
95526255007	486480011	SMITH, SIMONE (RENT)	25865	LAKE SHORE LN	MORENO VALLEY	CA	92551-1651	SMITH, SIMONE	PO BOX 1113	MORENO VALLEY, CA	92556-1113	254.12	25.41	50.32	329.84
95173205009	486480016	ANDERSON, JANET HILL AND KELAN	16098	PENINSULA CT	MORENO VALLEY	CA	92551-1646	ANDERSON, JANET HILL AND KELAN	16098 PENINSULA CT	MORENO VALLEY, CA	92551-1646	167.58	16.76	33.18	217.5
90981993004	486480017	RODRIGUEZ, CHARLES (RENT)	16095	PENINSULA CT	MORENO VALLEY	CA	92551-1646	RODRIGUEZ, CHARLES	16095 PENINSULA CT	MORENO VALLEY, CA	92551-1646	124.36	12.44	24.62	161.4
94037455004	486480018	ROBBINS, MELVIN (OWNR)	16085	PENINSULA CT	MORENO VALLEY	CA	92551-1646	ROBBINS, MELVIN	16085 PENINSULA CT	MORENO VALLEY, CA	92551-1646	254.12	25.41	50.32	329.84
89861603003	486480022	WHITEHEAD, BAHIAH (RENT)	16045	PENINSULA CT	MORENO VALLEY	CA	92551-1646	WHITEHEAD, BAHIAH	16045 PENINSULA CT	MORENO VALLEY, CA	92551-1646	247.4	24.74	48.99	321.12
88064195001	486480027	MARTIN, ANITHRA	16013	PELICAN LN	MORENO VALLEY	CA	92551-1656	MARTIN, ANITHRA	26051 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2912	329.6	32.96	65.26	427.82
74558185000	486480028	ALVIDREZ, ALICE	16023	PELICAN LN	MORENO VALLEY	CA	92551-1656	ALVIDREZ, ALICE	16023 PELICAN LN	MORENO VALLEY, CA	92551-1656	254.02	25.4	50.3	329.7
72074515001	486480029	SONNIER, SHARON	25932	SOARING SEAGULL LN	MORENO VALLEY	CA	92555	SONNIER, SHARON	25932 SOARING SEAGULL LN	MORENO VALLEY, CA	92551-1661	29.32	2.93	5.81	38.04
72072535001	486480030	MCDONALD, MILTON	25924	SOARING SEAGULL LN	MORENO VALLEY	CA	92551-1661	MCDONALD, MILTON	25924 SOARING SEAGULL LN	MORENO VALLEY, CA	92551-1661	82.68	8.27	16.37	107.3
95682585009	486481003	GOUDIA, CHARLENE (RENT)	25850	SHORELINE ST	MORENO VALLEY	CA	92551-1648	GOUDIA, CHARLENE	505 17TH ST	SAN DIEGO, CA	92101-7616	134.25	13.43	26.58	174.24
86565865008	486482002	SOTA, ANA LUISA	25869	SHORELINE ST	MORENO VALLEY	CA	92551-1649	SOTA, ANA LUISA	25869 SHORELINE ST	MORENO VALLEY, CA	92551-1649	254.02	25.4	50.3	329.7
57286815007	486482010	WILSON, PATRICIA (OWNR)	25856	LAKE SHORE LN	MORENO VALLEY	CA	92551-1650	WILSON, PATRICIA	25856 LAKE SHORE LN	MORENO VALLEY, CA	92551-1650	254.02	25.4	50.3	329.7
94747705006	486490010	CHISM, RHONDA (OWNR)	14711	ROUND LEAF RD	MORENO VALLEY	CA	92555-4742	CHISM, RHONDA (OWNR)	11906 CENTRALIA RD	HAWAIIAN GARDENS, CA	90716-2203	254.12	25.41	50.32	329.84
96013935003	486490013	PULIDO, RAFAEL (OWNR)	14675	ROUND LEAF RD	MORENO VALLEY	CA	92555-4742	PULIDO, RAFAEL	14675 ROUND LEAF RD	MORENO VALLEY, CA	92555-4742	54.02	5.4	10.7	70.1
82606625005	486490023	FRAIZER, MICHELLE	27108	BIG HORN AVE	MORENO VALLEY	CA	92555-4745	FRAIZER, MICHELLE	27108 BIG HORN AVE	MORENO VALLEY, CA	92555-4745	127.36	12.74	25.22	165.3
70183385009	486490024	JUAREZ, JAIME (OWNER)	27132	BIG HORN AVE	MORENO VALLEY	CA	92555-4745	JUAREZ, JAIME	27132 BIG HORN AVE	MORENO VALLEY, CA	92555-4745	254.02	25.4	50.3	329.7
97109085006	486491002	MAINA, NANCY	27203	BARK LN	MORENO VALLEY	CA	92555-4749	MAINA, NANCY	27203 BARK LN	MORENO VALLEY, CA	92555-4749	233.01	23.3	46.14	302.44
94552675006	486491005	MARTIN, REGINA (OWNR)	27176	BIG HORN AVE	MORENO VALLEY	CA	92555-4745	MARTIN, REGINA	27176 BIG HORN AVE	MORENO VALLEY, CA	92555-4745	53.62	5.36	10.62	69.58
94768495006	486491008	FELIX, CAMILA (RENT)	27218	BIG HORN AVE	MORENO VALLEY	CA	92555-4746	FELIX, CAMILA	27218 BIG HORN AVE	MORENO VALLEY, CA	92555-4746	405.08	40.51	80.21	525.78
99633275009	486492001	BEAN, ROBERT (RENT)	27253	BIG HORN AVE	MORENO VALLEY	CA	92555-4746	BEAN, ROBERT	10730 CHURCH ST 131	RANCHO CUCAMONGA, CA	91730-6820	254.12	25.41	50.32	329.84
67727745003	486492002	ELLIOT, NISHA	27239	BIG HORN AVE	MORENO VALLEY	CA	92555-4746	ELLIOT, NISHA	10320 BROOKMEAD DR	MORENO VALLEY, CA	92557-2613	236.64	23.66	46.85	307.14
80497395009	486492003	GREEN, SHARON	27225	BIG HORN AVE	MORENO VALLEY	CA	92555-4746	GREEN, SHARON	27225 BIG HORN AVE	MORENO VALLEY, CA	92555-4746	254.02	25.4	50.3	329.7
90068765008	486492007	SALVADOR, DAVILA	27169	BIG HORN AVE	MORENO VALLEY	CA	92555-4745	SALVADOR, DAVILA	27169 BIG HORN AVE	MORENO VALLEY, CA	92555-4745	63.2	6.32	12.51	82.02
97109005003	486492008	FLOWERS, TIFFANY (RENT)	27155	BIG HORN AVE	MORENO VALLEY	CA	92555-4745	FLOWERS, TIFFANY	27155 BIG HORN AVE	MORENO VALLEY, CA	92555-4745	166.89	16.69	33.04	216.62
93481115007	486492013	KHIRANGTONG, MARI (OWNR)	27085	BIG HORN AVE	MORENO VALLEY	CA	92555-4744	KHIRANGTONG, MARI	27085 BIG HORN AVE	MORENO VALLEY, CA	92555-4744	36.37	3.64	7.2	47.2
70190325007	486492018	LI, HIJU	27070	DELPHINIUM AVE	MORENO VALLEY	CA	92555-4737	LI, HIJU	27070 DELPHINIUM AVE	MORENO VALLEY, CA	92555-4737	226.45	22.65	44.84	293.92
93886755002	486492019	ZAMORA, OSCAR (RENT)	27084	DELPHINIUM AVE	MORENO VALLEY	CA	92555-4737	ZAMORA, OSCAR	27084 DELPHINIUM AVE	MORENO VALLEY, CA	92555-4737	63.88	6.38	12.64	82.84
72049805002	486492029	UDOKA, FRANK AND MARIE	27224	DELPHINIUM AVE	MORENO VALLEY	CA	92555-4738	UDOKA, FRANK AND MARIE	27224 DELPHINIUM AVE	MORENO VALLEY, CA	92555-4738	254.12	25.41	50.32	329.84
68041045005	486493002	BROWN, VALERIE	14636	SALT RIVER WAY	MORENO VALLEY	CA	92555-4750	BROWN, VALERIE	14636 SALT RIVER WAY	MORENO VALLEY, CA	92555-4750	254.12	25.41	50.32	329.84
69939535006	486493005	SAMPSON, GEORGE (RENT)	14672	SALT RIVER WAY	MORENO VALLEY	CA	92555-4750	SAMPSON, GEORGE	26695 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4245	237.76	23.78	47.08	308.6
92859485007	486501002	CARTER, ALINDRELL	14661	RED GUM ST	MORENO VALLEY	CA	92555-4751	CARTER, ALINDRELL	14661 RED GUM ST	MORENO VALLEY, CA	92555-4751	254.02	25.4	50.3	329.7
95622885002	486503001	WASHINGTON, RODNEY AND BRIDGET	27336	DELPHINIUM AVE	MORENO VALLEY	CA	92555-4739	WASHINGTON, RODNEY AND BRIDGET	13750 HUNTERS RUN CT	CORONA, CA	92880-5555	335.76	33.58	66.48	435.8
98873795002	486503012	COOK, TOM AND ROBERTA (OWNR)	14651	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4759	COOK, TOM AND ROBERTA	14651 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4759	310.8	31.08	61.54	403.42
70983125007	486503014	MANUEL-SCOTT, BILLIE	14627	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4759	MANUEL-SCOTT, BILLIE	14627 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4759	254.02	25.4	50.3	329.7
68593185005	486503024	CURIEL, WENDY	27357	BIG HORN AVE	MORENO VALLEY	CA	92555-4747	CURIEL, WENDY	27357 BIG HORN AVE	MORENO VALLEY, CA	92555-4747	254.02	25.4	50.3	329.7
68117765001	486504005	THOMAS, DEON	14626	RED GUM ST	MORENO VALLEY	CA	92555-4751	THOMAS, DEON	14626 RED GUM ST	MORENO VALLEY, CA	92555-4751	329.6	32.96	65.26	427.82
69567905007	486504015	SAMANO, NICHOLAS	14661	ROSEA CT	MORENO VALLEY	CA	92555-4754	SAMANO, NICHOLAS	14661 ROSEA CT	MORENO VALLEY, CA	92555-4754	57.44	5.74	11.37	74.54
69208605001	486504017	PADILLA, LUZ	27366	BIG HORN AVE	MORENO VALLEY	CA	92555-4747	PADILLA, LUZ	27366 BIG HORN AVE	MORENO VALLEY, CA	92555-4747	254.02	25.4	50.3	329.7
98234645014	486505010	ARMENDARES, STEFFANIE	14727	WHITE BOX LN	MORENO VALLEY	CA	92555-4734	ARMENDARES, STEFFANIE	14727 WHITE BOX LN	MORENO VALLEY, CA	92555-4734	253.92	25.39	50.28	329.58
93800635009	486510002	OTIS, JOHNNY (RENT)	14589	RED GUM ST	MORENO VALLEY	CA	92555-4751	OTIS, JOHNNY	14930 ARTISAN ST	MORENO VALLEY, CA	92555-6373	94.85	9.49	18.78	123.1
84722035002	486510017	CORONA, ALMA	27314	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4755	CORONA, ALMA	27314 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4755	254.02	25.4	50.3	329.7
93790845008	486511007	GAMBOA, ABEL B (RENT)	27480	AROMATIC CT	MORENO VALLEY	CA	92555-4760	GAMBOA, ABEL B	27480 AROMATIC CT	MORENO VALLEY, CA	92555-4760	204.37	20.44	40.47	265.26
70184245007	486511012	ALVARADO, GEORGINA	14598	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4759	ALVARADO, GEORGINA	14598 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4759	254.02	25.4	50.3	329.7
91154255002	486512001	CANAVAN, ALEXANDER	14603	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4759	CANAVAN, ALEXANDER	28251 BRODIAEA AVE	MORENO VALLEY, CA	92555-6232	173.47	17.35	34.35	225.16
70609045005	486512003	WINSTED, ANTHONY AND DEBRA	14575	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4758	WINSTED, ANTHONY AND DEBRA	14575 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4758	254.02	25.4	50.3	329.7
91370315002	486512008	HUGHES, MARLON	27397	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4756	HUGHES, MARLON	27397 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4756	253.92	25.39	50.28	329.58
91993725005	486513001	BAYLARK, CARMEN	27297	HONEY SCENTED RD	MORENO VALLEY	CA	92555-4752	BAYLARK, CARMEN	27297 HONEY SCENTED RD	MORENO VALLEY, CA	92555-4752	253.92	25.39	50.28	329.58
72579425008	486513002	LIPATA, MYRNA	27313	HONEY SCENTED RD	MORENO VALLEY	CA	92555-4752	LIPATA, MYRNA	27313 HONEY SCENTED RD	MORENO VALLEY, CA	92555-4752	190.69	19.07	37.76	247.5
94484025009	486513008	JONES, ROBERT (OWNR)	27407	HONEY SCENTED RD	MORENO VALLEY	CA	92555-4753	JONES, ROBERT	27407 HONEY SCENTED RD	MORENO VALLEY, CA	92555-4753	254.12	25.41	50.32	329.84
95744295008	486513009	THOMAS, ANDREA (RENT)	27423	HONEY SCENTED RD	MORENO VALLEY	CA	92555-4753	THOMAS, ANDREA	27423 HONEY SCENTED RD	MORENO VALLEY, CA	92555-4753	254.12	25.41	50.32	329.84
69664845005	486520005	BUI, HAI-NGOC	27406	PEPPERMINT ST	MORENO VALLEY	CA	92555-4733	BUI, HAI-NGOC	27406 PEPPERMINT ST	MORENO VALLEY, CA	92555-4733	63.63	6.36	12.6	82.58
90094785000	486520008	BURNS, THOMAS	14751	WHITE BOX LN	MORENO VALLEY	CA	92555-4734	BURNS, THOMAS	14751 WHITE BOX LN	MORENO VALLEY, CA	92555-4734	115.02	11.5	22.77	149.28
97108635003	486522001	BAILEY, FRANCIS (RENT)	14822	WHITE BOX LN	MORENO VALLEY	CA	92555-4735	BAILEY, FRANCIS	14822 WHITE BOX LN	MORENO VALLEY, CA	92555-4735	254.12	25.41	50.32	329.84
91701633001	486522003	WATSON, KRISTINA (RENT)	14846	WHITE BOX LN	MORENO VALLEY	CA	92555-4735	WATSON, KRISTINA	14846 WHITE BOX LN	MORENO VALLEY, CA	92555-4735	127.46	12.75	25.24	165.44
74914505008	486523009	MARTIN, KIMBERLY	14823	WHITE BOX LN	MORENO VALLEY	CA	92555-4735	MARTIN, KIMBERLY	14823 WHITE BOX LN	MORENO VALLEY, CA	92555-4735	254.02	25.4	50.3	329.7
74910965009	486523010	BANUELOS, ANDY	14811	WHITE BOX LN	MORENO VALLEY	CA	92555-4735	BANUELOS, ANDY	14811 WHITE BOX LN	MORENO VALLEY, CA	92555-4735	96.02	9.6	19.01	124.62
88771435001	486523020	REEDY, DAMIEN	27408	SHIMMER CT	MORENO VALLEY	CA	92555-4732	REEDY, DAMIEN	27408 SHIMMER CT	MORENO VALLEY, CA	92555-4732	329.6	32.96	65.26	427.82
81380295007	486541012	CLEMENTS, CRYSTAL	27712	WINDWARD CT	MORENO VALLEY	CA	92555-5762	CLEMENTS, CRYSTAL	27712 WINDWARD CT	MORENO VALLEY, CA	92555-5762	190.69	19.07	37.76	247.5
95054005003	486541019	PUCKETT, ALLEN (OWNR)	27723	SAND DOLLAR WAY	MORENO VALLEY	CA	92555-5766	PUCKETT, ALLEN (OWNR)	27723 SAND DOLLAR WAY	MORENO VALLEY, CA	92555-5766	190.79	19.08	37.78	247.64
92487585006	486542002	JABER, KATIA	27730	SAND DOLLAR WAY	MORENO VALLEY	CA	92555-5766	JABER, KATIA	27730 SAND DOLLAR WAY	MORENO VALLEY, CA	92555-5766	82.68	8.27	16.37	107.3
82247965006	486542007	NUNO, MARIA DE LA LUZ	27675	BRODIAEA AVE	MORENO VALLEY	CA	92555-5765	NUNO, MARIA DE LA LUZ	27675 BRODIAEA AVE	MORENO VALLEY, CA	92555-5765	63.63	6.36	12.6	82.58
100535973000	486550001	BANAGUDOS, ELLA (OWNR)	14389	LANDON RD	MORENO VALLEY	CA	92555-5763	BANAGUDOS, ELLA Y	14389 LANDON RD	MORENO VALLEY, CA	92555-5763	117.99	11.8	23.36	153.14
94305485009	486551004	MARTE, ANABELLE (RENT)	27729	DOVER DR	MORENO VALLEY	CA	92555-5758	MARTE, ANABELLE	27729 DOVER DR	MORENO VALLEY, CA	92555-5758	254.12	25.41	50.32	329.84
80795605002	486551011	JUDON, DELORIS	27827	DOVER DR	MORENO VALLEY	CA	92555-5757	JUDON, DELORIS	27827 DOVER DR	MORENO VALLEY, CA	92555-5757	254.02	25.4	50.3	329.7
94307735003	486552005	MONROE, LETICIA (OWNR)	14442	DUSTY COYOTE AVE	MORENO VALLEY	CA	92555-5759	MONROE, LETICIA	14442 DUSTY COYOTE AVE	MORENO VALLEY, CA	92555-5759	254.12	25.41	50.32	329.84
96719795004	486552008	MCCOY, DAPHNE (OWNR)	14400	DUSTY COYOTE AVE	MORENO VALLEY	CA	92555-5759	MCCOY, DAPHNE	14400 DUSTY COYOTE AVE	MORENO VALLEY, CA	92555-5759	79.12	7.91	15.67	102.68
95346595009	486552010	IDLE, JOANNE (RENT)	27848	SLUMBER LN	MORENO VALLEY	CA	92555-5755	IDLE, JOANNE	27848 SLUMBER LN	MORENO VALLEY, CA	92555-5755	324.66	32.47	64.28	421.4
96735755008	486552020	SISCO, SHALEYAH (OWNR)	27764	DOVER DR	MORENO VALLEY	CA	92555-5757	SISCO, SHALEYAH	27764 DOVER DR	MORENO VALLEY, CA	92555-5757	254.12	25.41	50.32	329.84
92929965007	486552027	ARRELOA, JESSE	14436	LANDON RD	MORENO VALLEY	CA	92555-5764	ARRELOA, JESSE	14436 LANDON RD	MORENO VALLEY, CA	92555-5764	154.02	15.4	30.5	199.9

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
86788325006	486552032	SANTEE, VERONICA	14434	TRADEWINDS PL	MORENO VALLEY	CA	92555-5761	SANTEE, VERONICA	14434 TRADEWINDS PL	MORENO VALLEY, CA	92555-5761	63.63	6.36	12.6	82.58
88440063000	486552033	CELEBRITY CHEF MOUTON LLC	14420	TRADEWINDS PL	MORENO VALLEY	CA	92555-5761	CELEBRITY CHEF MOUTON LLC	14420 TRADEWINDS PL	MORENO VALLEY, CA	92555-5761	426.19	42.62	84.39	553.18
96786525000	486552034	MAGEE, LINZIE (OWNR)	14406	TRADEWINDS PL	MORENO VALLEY	CA	92555-5761	MAGEE, LINZIE	14406 TRADEWINDS PL	MORENO VALLEY, CA	92555-5761	55.61	5.56	11.01	72.18
94290595000	486552035	KANG, JOSEPH (RENT)	14392	TRADEWINDS PL	MORENO VALLEY	CA	92555-5761	KANG, JOSEPH	14392 TRADEWINDS PL	MORENO VALLEY, CA	92555-5761	329.32	32.93	65.21	427.44
81609175004	486553002	LUU, THU (OWNR)	14449	DUSTY COYOTE AVE	MORENO VALLEY	CA	92555-5759	LUU, THU (OWNR)	5718 WOLFE ST	LAKEWOOD, CA	90713-1524	254.02	25.4	50.3	329.7
80285795004	486553005	MARTIN, DIAMETRI	14416	LEEWARD WAY	MORENO VALLEY	CA	92555-5754	MARTIN, DIAMETRI	14416 LEEWARD WY	MORENO VALLEY, CA	92555-5754	254.02	25.4	50.3	329.7
94142155005	487010002	LEE, DAMON (OWNR)	12109	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7722	LEE, DAMON	12109 LEIF ERICSON DR	MORENO VALLEY, CA	92557-7722	254.12	25.41	50.32	329.84
94083875000	487011003	CORTEZ, IGNACIO (RENT)	13114	BRENTWOOD LN	MORENO VALLEY	CA	92553-7889	CORTEZ, IGNACIO	13114 BRENTWOOD LN	MORENO VALLEY, CA	92553-7889	126.62	12.66	25.07	164.34
88045485009	487011005	DAVENPORT, MARCUS AND SHERRI	25760	ONATE DR	MORENO VALLEY	CA	92557-7727	DAVENPORT, MARCUS AND SHERRI	25760 ONATE DR	MORENO VALLEY, CA	92557-7727	311.09	31.11	61.6	403.78
96777495005	487013002	RODRIGUEZ, ADELIA (OWNR)	12122	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7721	RODRIGUEZ, ADELIA	12122 LEIF ERICSON DR	MORENO VALLEY, CA	92557-7721	254.12	25.41	50.32	329.84
94124325008	487013006	HILDEBRAND, JOHN (OWNR)	12166	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7721	HILDEBRAND, JOHN	12166 LEIF ERICSON DR	MORENO VALLEY, CA	92557-7721	254.12	25.41	50.32	329.84
90298523002	487013010	OLIVAS, ALFOLFO (OWNR)	12210	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7723	OLIVAS, ALFOLFO	12210 LEIF ERICSON DR	MORENO VALLEY, CA	92557-7723	254.12	25.41	50.32	329.84
81376915006	487013011	NICHOLSON, DERRECK	12220	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7723	PAM LOWELL OWNER	21250 BOX SPRINGS MOUNTAIN 114	MORENO VALLEY, CA	92557-8700	254.02	25.4	50.3	329.7
93966733007	487013016	HAYES, HENRY JR (RENTR)	12205	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7716	HAYES, HENRY JR	12205 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7716	75	7.5	14.85	97.34
81464435001	487014002	CORTEZ, LAURA	12186	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7757	CORTEZ, LAURA	12186 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7757	254.02	25.4	50.3	329.7
94749725008	487014007	LEMUS, ALEX (OWNR)	12230	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7715	LEMUS, ALEX	12230 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7715	254.12	25.41	50.32	329.84
91446585006	487014013	GOMEZ, PATRICIA	12247	PONCE DE LEON DR	MORENO VALLEY	CA	92557-7712	GOMEZ, PATRICIA	12247 PONCE DE LEON DR	MORENO VALLEY, CA	92557-7712	254.02	25.4	50.3	329.7
96541305005	487015004	LANDERS, SHELIA (RENT)	12252	BALTIMORE AVE	MORENO VALLEY	CA	92557-7728	LANDERS, SHELIA	12252 BALTIMORE AVE	MORENO VALLEY, CA	92557-7728	168.85	16.89	33.43	219.16
94353085003	487015007	CALVANESE, EDUARDO (OWNR)	12210	BALTIMORE AVE	MORENO VALLEY	CA	92557-7728	CALVANESE, EDUARDO	12210 BALTIMORE AVE	MORENO VALLEY, CA	92557-7728	126.96	12.7	25.14	164.78
81539335001	487015010	BILL, TINA	12273	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7717	BILL, TINA	12273 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7717	267.52	26.75	52.97	347.24
64874485000	487015020	(MARTINEZ, ROBERT AND DOROTH/	12315	GRENVILLE AVE	MORENO VALLEY	CA	92557-7734	MARTINEZ, ROBERT AND DOROTHY	12315 GRENVILLE AVE	MORENO VALLEY, CA	92557-7734	254.12	25.41	50.32	329.84
60100235007	487015026	RODRIGUEZ, MARIA	12334	GRENVILLE AVE	MORENO VALLEY	CA	92557-7733	RODRIGUEZ, MARIA	12334 GRENVILLE AVE	MORENO VALLEY, CA	92557-7733	64.13	6.41	12.7	83.24
96882455001	487023004	LOPEZ, DORA (OWNR)	12396	GRENVILLE AVE	MORENO VALLEY	CA	92557-7733	LOPEZ, DORA	231 N EVELYN DR	ANAHEIM, CA	92805-3422	254.12	25.41	50.32	329.84
93947675009	487023005	SUTTON, CHARLES (RENT)	12391	EYRE CT	MORENO VALLEY	CA	92557-7739	SUTTON, CHARLES	12391 EYRE CT	MORENO VALLEY, CA	92557-7739	254.12	25.41	50.32	329.84
64994265002	487023007	AREVALO, MARIA	12371	EYRE CT	MORENO VALLEY	CA	92557-7739	AREVALO, MARIA	12371 EYRE CT	MORENO VALLEY, CA	92557-7739	254.12	25.41	50.32	329.84
94911603009	487023015	SANCHEZ, KARINA (RENT)	12380	EYRE CT	MORENO VALLEY	CA	92557-7739	SANCHEZ, KARINA	12380 EYRE CT	MORENO VALLEY, CA	92557-7739	109.72	10.97	21.72	142.4
81563335001	487023018	MARTIN, ELENA	12385	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7740	MARTIN, ELENA	12385 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7740	32.44	3.24	6.42	42.1
81550425009	487024005	ROMERO, SALLY	12372	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7741	ROMERO, SALLY	12602 BARBAZON	MORENO VALLEY, CA	92555-2248	203.12	20.31	40.22	263.64
92502403000	487030002	BANUELOS, MARIBEL (OWNR)	26050	SCOTT VICTOR CIR	MORENO VALLEY	CA	92555-1834	BANUELOS, MARIBEL	26050 SCOTT VICTOR CIR	MORENO VALLEY, CA	92555-1834	202.84	20.28	40.16	263.28
58665955001	487030006	SHUTTLEWORTH, JULIE	26018	SCOTT VICTOR CIR	MORENO VALLEY	CA	92555-1834	SHUTTLEWORTH, JULIE	17605 DRY RUN CT	RIVERSIDE, CA	92504-8820	165.92	16.59	32.85	215.36
86945785001	487030013	LOPEZ, GARLAND	26058	ELIOT AVE	MORENO VALLEY	CA	92555-1809	LOPEZ, GARLAND	26058 ELIOT AVE	MORENO VALLEY, CA	92555-1809	254.02	25.4	50.3	329.7
97714153008	487030017	HAWKINS, TINA (RENT)	26026	ELIOT AVE	MORENO VALLEY	CA	92555-1809	HAWKINS, TINA (RENT)	26026 ELIOT AVE	MORENO VALLEY, CA	92555-1809	166.64	16.66	32.99	216.28
94412473005	487030019	VERMILLION, ANN (OWNR)	26010	ELIOT AVE	MORENO VALLEY	CA	92555-1809	VERMILLION, ANN	1724 ROCKY RD	FULLERTON, CA	92831-1234	334.44	33.44	66.22	434.1
50909275004	487031002	HILL, CHARLES	26015	ELIOT AVE	MORENO VALLEY	CA	92555-1810	HILL, CHARLES	26015 ELIOT AVE	MORENO VALLEY, CA	92555-1810	329.32	32.93	65.21	427.44
93648715005	487031004	LARA, HUGO (OWNR)	26031	ELIOT AVE	MORENO VALLEY	CA	92555-1810	LARA, HUGO	26031 ELIOT AVE	MORENO VALLEY, CA	92555-1810	189.12	18.91	37.45	245.46
101999563008	487031005	PRICE, CHAUNA (OWNR)	26039	ELIOT AVE	MORENO VALLEY	CA	92555-1810	PRICE, CHAUNA	26039 ELIOT AVE	MORENO VALLEY, CA	92555-1810	34.93	3.49	6.92	45.32
57534805002	487032008	DIEHL, CHRISTINA	26157	CORONADA DR	MORENO VALLEY	CA	92555-1833	DIEHL, CHRISTINA	26157 CORONADA DR	MORENO VALLEY, CA	92555-1833	220.66	22.07	43.69	286.4
81074965006	487041001	WYRICK, ANNIE	12140	LASSELLE ST	MORENO VALLEY	CA	92557-7702	WYRICK, ANNIE	12140 LASSELLE ST	MORENO VALLEY, CA	92557-7702	254.02	25.4	50.3	329.7
70989695004	487041007	GARCIA, MARY	26046	PINZON CT	MORENO VALLEY	CA	92555-1804	GARCIA, MARY	26046 PINZON CT	MORENO VALLEY, CA	92555-1804	254.02	25.4	50.3	329.7
81268715007	487041009	RICE, SHEILA AND JOSEPH	26070	PINZON CT	MORENO VALLEY	CA	92555-1804	RICE, SHEILA AND JOSEPH	26070 PINZON CT	MORENO VALLEY, CA	92555-1804	254.02	25.4	50.3	329.7
61464845008	487041017	CHEWNING, ROBIN	26020	BRIDGER ST	MORENO VALLEY	CA	92555-1815	CHEWNING, ROBIN	26020 BRIDGER ST	MORENO VALLEY, CA	92555-1815	254.12	25.41	50.32	329.84
81443935000	487041032	CHERRY, ROBERT	26031	BRIDGER ST	MORENO VALLEY	CA	92555-1816	CHERRY, ROBERT	26031 BRIDGER ST	MORENO VALLEY, CA	92555-1816	254.02	25.4	50.3	329.7
82331055009	487041040	GAVEIS, JESSICA	26090	CORONADA DR	MORENO VALLEY	CA	92555-1828	GAVEIS, JESSICA	26090 CORONADA DR	MORENO VALLEY, CA	92555-1828	254.02	25.4	50.3	329.7
97146605009	487042001	O'NEILL, JOHN (OWNER)	26121	CORONADA DR	MORENO VALLEY	CA	92555-1851	O'NEILL, JOHN	26121 CORONADA DR	MORENO VALLEY, CA	92555-1851	254.12	25.41	50.32	329.84
88276483000	487042005	ALVAREZ, HECTOR (RENT)	26135	TASMAN ST	MORENO VALLEY	CA	92555-1825	ALVAREZ, HECTOR	26135 TASMAN ST	MORENO VALLEY, CA	92555-1825	254.12	25.41	50.32	329.84
59881175007	487042009	FISHER, RENA	12282	BREWSTER DR	MORENO VALLEY	CA	92555-1818	FISHER, RENA	12282 BREWSTER DR	MORENO VALLEY, CA	92555-1818	329.6	32.96	65.26	427.82
81274835000	487042016	MACK, ODESSA	12348	BREWSTER DR	MORENO VALLEY	CA	92555-1821	MACK, ODESSA	12348 BREWSTER DR	MORENO VALLEY, CA	92555-1821	254.12	25.41	50.32	329.84
91576695007	487043009	HILL, MICHAEL	12268	LASSELLE ST	MORENO VALLEY	CA	92557-7704	HILL, MICHAEL	12268 LASSELLE ST	MORENO VALLEY, CA	92557-7704	329.32	32.93	65.21	427.44
81175645009	487043010	FOX, ANGELA	12280	LASSELLE ST	MORENO VALLEY	CA	92557-7704	FOX, ANGELA	12280 LASSELLE ST	MORENO VALLEY, CA	92557-7704	254.02	25.4	50.3	329.7
95441885007	487044001	CUSHING-OGAN, DIANNA (RENT)	12327	LASSELLE ST	MORENO VALLEY	CA	92557-7706	CUSHING-OGAN, DIANNA	PO BOX 10046	MORENO VALLEY, CA	92552-0046	63.63	6.36	12.6	82.58
89946113005	487044004	VALENZUELA, ROSA (RENT)	12291	LASSELLE ST	MORENO VALLEY	CA	92557-7705	VALENZUELA, ROSA (RENT)	12291 LASSELLE ST	MORENO VALLEY, CA	92557-7705	247.94	24.79	49.09	321.82
81288025000	487044005	THOMPSON, OTIS	12279	LASSELLE ST	MORENO VALLEY	CA	92557-7705	THOMPSON, OTIS	27585 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5713	254.02	25.4	50.3	329.7
81408075003	487044007	LOPEZ, NANCY	12255	LASSELLE ST	MORENO VALLEY	CA	92557-7705	LOPEZ, NANCY	12255 LASSELLE ST	MORENO VALLEY, CA	92557-7705	254.02	25.4	50.3	329.7
96738215006	487044008	LOGAN, CYNTHIA (OWNR)	12243	LASSELLE ST	MORENO VALLEY	CA	92557-7705	LOGAN, CYNTHIA	941 GRANT ST	CALIMESA, CA	92320-1407	254.12	25.41	50.32	329.84
86297883004	487050001	BLANCO, LEONARDO (RENT)	12395	MARQUETTE CT	MORENO VALLEY	CA	92557-7748	BLANCO, LEONARDO	12395 MARQUETTE CT	MORENO VALLEY, CA	92557-7748	63.63	6.36	12.6	82.58
48389765001	487050019	WILLS, CHANELLE	12390	MARQUETTE CT	MORENO VALLEY	CA	92557-7747	WILLS, CHANELLE	12390 MARQUETTE CT	MORENO VALLEY, CA	92557-7747	254.02	25.4	50.3	329.7
96842495007	487050023	MOSLEY, FRANK (OWNR)	12351	LASSELLE ST	MORENO VALLEY	CA	92557-7706	MOSLEY, FRANK	12351 LASSELLE ST	MORENO VALLEY, CA	92557-7706	204.12	20.41	40.42	264.94
99930953000	487050024	RAPER, DOREEN (OWNR)	12339	LASSELLE ST	MORENO VALLEY	CA	92557-7706	RAPER, DOREEN (OWNR)	12339 LASSELLE ST	MORENO VALLEY, CA	92557-7706	63.63	6.36	12.6	82.58
81108755006	487053004	BIAEZ, ANINA	26143	ELDER AVE	MORENO VALLEY	CA	92555-1800	BIAEZ, ANINA	26143 ELDER AVE	MORENO VALLEY, CA	92555-1800	254.02	25.4	50.3	329.7
81179985009	487053006	WILSON, BEN	26119	ELDER AVE	MORENO VALLEY	CA	92555-1800	WILSON, BEN	26119 ELDER AVE	MORENO VALLEY, CA	92555-1800	228.63	22.86	45.27	296.76
61279585004	487053009	TUCKER, MARILYN	26083	ELDER AVE	MORENO VALLEY	CA	92555-1845	TUCKER, MARILYN	26083 ELDER AVE	MORENO VALLEY, CA	92555-1845	254.12	25.41	50.32	329.84
59956735000	487060003	AHMAD, NAEEM	12051	MORRISON ST	MORENO VALLEY	CA	92555-1802	AHMAD, NAEEM	19343 SCARESDALE ST	RIVERSIDE, CA	92508-6154	254.12	25.41	50.32	329.84
92921145009	487071003	SANCHEZ, THELMA	12255	WOODBRIAR DR	MORENO VALLEY	CA	92555-1871	SANCHEZ, THELMA	12255 WOODBRIAR DR	MORENO VALLEY, CA	92555-1871	63.63	6.36	12.6	82.58
95154275004	487072003	HENISH, CHRISTIAN (OWNR)	26252	DEANA CT	MORENO VALLEY	CA	92555-1868	HENISH, CHRISTIAN	26252 DEANA CT	MORENO VALLEY, CA	92555-1868	254.12	25.41	50.32	329.84
48402895005	487072005	GROVE, LISA	26245	DEANA CT	MORENO VALLEY	CA	92555-1868	GROVE, LISA	26245 DEANA CT	MORENO VALLEY, CA	92555-1868	242.2	24.22	47.96	314.36
49706775003	487073004	NOOR-PUMLEY, KAMELYTA	26229	TASMAN ST	MORENO VALLEY	CA	92555-1860	NOOR-PUMLEY, KAMELYTA	26229 TASMAN ST	MORENO VALLEY, CA	92555-1860	254.02	25.4	50.3	329.7
67366295004	487073013	CHEATUM, BRENDA	26259	PARTON CT	MORENO VALLEY	CA	92555-1859	CHEATUM, BRENDA	26259 PARTON CT	MORENO VALLEY, CA	92555-1859	329.6	32.96	65.26	427.82
81569725006	487073016	TRONCOSO, VINCENT	26279	PARTON CT	MORENO VALLEY	CA	92555-1859	TRONCOSO, VINCENT	26279 PARTON CT	MORENO VALLEY, CA	92555-1859	254.02	25.4	50.3	329.7
81627365007	487073024	BUTIU, ROEL	12313	VALERIE CT	MORENO VALLEY	CA	92555-1865	BUTIU, ROEL	12313 VALERIE CT	MORENO VALLEY, CA	92555-1865	127.36	12.74	25.22	165.3
81616265001	487073026	GOODALL, SABRINA	12333	VALERIE CT	MORENO VALLEY	CA	92555-1865	GOODALL, SABRINA	12333 VALERIE CT	MORENO VALLEY, CA	92555-1865	254.02	25.4	50.3	329.7
80719595004	487074001	PECADOR, MARISELA	26199	LEAFWOOD DR	MORENO VALLEY	CA	92555-1864	PECADOR, MARISELA	26199 LEAFWOOD DR	MORENO VALLEY, CA	92555-1864	254.02	25.4	50.3	329.7
93519203005	487074009	GARCIA, RICHARD (RENT)	26297	LEAFWOOD DR	MORENO VALLEY	CA	92555-1857	GARCIA, RICHARD	26297 LEAFWOOD DR	MORENO VALLEY, CA	92555-1857	120.27	12.03	23.81	156.1
56269965002	487081002	GALVAN, FELIPE	12408	WOODBRIAR DR	MORENO VALLEY	CA	92555-1866	GALVAN, FELIPE	25090 DRACAEA AVE APT A	MORENO VALLEY, CA	92553-4209	254.02	25.4	50.3	329.7
92172765006	487082006	GARCIA, VERDIANA	26295	ELDER AVE	MORENO VALLEY	CA	92555-1836	GARCIA, VERDIANA	26295 ELDER AVE	MORENO VALLEY, CA	92555-1836	81.84	8.18	16.2	106.22
81174665007	487090004	NOVAL, VICTORINO	12082	VISTA DE CERROS DR	MORENO VALLEY	CA	92553-1813	NOVAL, VICTORINO	PO BOX 1239	SAN JUAN CAPO, CA	92693-1239	63.63	6.36	12.6	82.58
90678695009	487100005	JONES JR, HARRY	12017	CASA LINDA PL	MORENO VALLEY	CA	92555-1884	JONES JR, HARRY	12017 CASA LINDA PL	MORENO VALLEY, CA	92555-1884	253.92	25.39	50.28	329.58
81613305000	487101001	RANDOLPH, STANLEY	26310	TASMAN ST	MORENO VALLEY	CA	92555-1863	RANDOLPH, STANLEY	10952 ATKINSON AVE	INGLEWOOD, CA	90303-2421	329.32	32.93	65.21	427.44
59178005004	487103001	ROSSI, SHARON	26419	SHERWOOD CIR	MORENO VALLEY	CA	92555-1882	ROSSI, SHARON	26419 SHERWOOD CIR	MORENO VALLEY, CA	92555-1882	54.12	5.41	10.72	70.24
59314665006	487103012	LOPEZ, ANTONIO	26380	SHERWOOD CIR	MORENO VALLEY	CA	92555-1882	LOPEZ, ANTONIO	26380 SHERWOOD CIR	MORENO VALLEY, CA	92555-1882	64.13	6.41	12.7	83.24
86891045001	487103014	SPELLS, ROBIN	26400	SHERWOOD CIR	MORENO VALLEY	CA	92555-1882	SPELLS, ROBIN	26400 SHERWOOD CIR	MORENO VALLEY, CA	92555-1882	233.82	23.38	46.3	303.48
88537145002	487111022	ZAMORA, ANTOINETTE (RENT)	12375	SANDRIA AVE	MORENO VALLEY	CA	92555-1874	ZAMORA, ANTOINETTE	12375 SANDRIA AVE	MORENO VALLEY, CA	92555-1874	229.32	22.93	45.41	297.64
53445985003	487111023	MURILLO, SANDRA	26370	HELENE DR	MORENO VALLEY	CA	92555-1875	MURILLO, SANDRA	26370 HELENE DR	MORENO VALLEY, CA	92555-1875	239.44	23.94	47.41	310.78
53164705003	487111025	EDMONDS, LISA	26385	HELENE DR	MORENO VALLEY	CA	92555-1875	EDMONDS, LISA	26385 HELENE DR	MORENO VALLEY, CA	92555-1875	254.02	25.4	50.3	329.7
53105985007	487111026	MCROWSKY, WENDY	26375	HELENE DR	MORENO VALLEY	CA	92555-1875	MCROWSKY, WENDY	26375 HELENE DR	MORENO VALLEY, CA	92555-1875	232.81	23.28	46.1	302.18
54661225008	487111034	MCNULTY, MARYGAIL	26475	HELENE DR	MORENO VALLEY	CA	92555-1877	MCNULTY, MARYGAIL	26475 HELENE DR	MORENO VALLEY, CA	92555-1877	242.26	24.23	47.97	314.44
81238775007	487121001	DE MELO, RAMIRO	26276	ELDER AVE	MORENO VALLEY	CA	92555-1835	DE MELO, RAMIRO	26276 ELDER AVE	MORENO VALLEY, CA	92555-1835	254.12	25.41	50.32	329.84
81222795007	487121006	MALLEY, JAMES	12369	VIA DE PALMAS	MORENO VALLEY	CA	92555-1844	MALLEY, JAMES	12369 VIA DE PALMAS	MORENO VALLEY, CA	92555-1844	254.02	25.4	50.3	329.7
95313255000	487121007	ORTIZ, IRMA (OWNR)	12379	VIA DE PALMAS	MORENO VALLEY	CA	92555-1844	ORTIZ, IRMA	12379 VIA DE PALMAS	MORENO VALLEY, CA	92555-1844	190.79	19.08	37.78	247.64
81261575001	487121008	KING, VERNITA	12399	VIA DE PALMAS	MORENO VALLEY	CA	92555-1844	KING, VERNITA	12399 VIA DE PALMAS	MORENO VALLEY, CA	92555-1844	254.12	25.41	50.32	329.84
59069875002	487131007	ENRIQUEZ, VICTORIA	12250	SANDRIA AVE	MORENO VALLEY	CA	92555-1879	ENRIQUEZ, VICTORIA	12250 SANDRIA AVE	MORENO VALLEY, CA	92555-1879	257.45	25.75	50.98	334.16
53908735007	487131010	MARTIN, JORGE AND MARGARET	12285	MORRISON ST	MORENO VALLEY	CA	92555-1887	MARTIN, JORGE AND MARGARET	12285 MORRISON ST	MORENO VALLEY, CA	92555-1887	282.21	28.22	55.88	366.3
62131865007	487131016	HERNANDEZ, LOURDES	12189	MORRISON ST	MORENO VALLEY	CA	92555-1803	HERNANDEZ, LOURDES	12189 MORRISON ST	MORENO VALLEY, CA	92555-1803	254.12	25.41	50.32	329.84
81333685005	487140010	FERRELL, DONALD	12058	SHADOWMARK LN	MORENO VALLEY	CA	92555-2032	FERRELL, DONALD	8 SOUTH FORK RD	CODY, WY	82414-9478	190.69	19.07	37.76	247.5
65093965004	487140021	AVILA, ANA	26256	HEMLOCK AVE	MORENO VALLEY	CA	92555-2018	AVILA, ANA	26256 HEMLOCK AVE	MORENO VALLEY, CA	92555-2018	129.6	12.96	25.66	168.22
94416053004	487180003	MADRILES, ANGELICA (RENT)	12320	MORRISON ST	MORENO VALLEY	CA	92555-1805	MADRILES, ANGELICA	15040 HHEACOCK ST #42	MORENO VALLEY, CA	92551-3631	65.93	6.59	13.05	85.56
54511925008	487180005	MILLION, EDDIE	12360	MORRISON ST	MORENO VALLEY	CA	92555-1805	MILLION, EDDIE	12360 MORRISON ST	MORENO VALLEY, CA	92555-1805	398.79	39.88	78.96	517.62
72556635002	487180010	ROLLINS, DARRELL	12460	MORRISON ST	MORENO VALLEY	CA	92555-1807	ROLLINS, DARRELL	12460 MORRISON ST	MORENO VALLEY, CA	92555-1807	254.02	25.4	50.3	329.7
81257755001	487180016	LUKASHEVSKY, SYLVIA	12405	ELF OWL LN	MORENO VALLEY	CA	92555-2038	LUKASHEVSKY, SYLVIA	12405 ELF OWL	MORENO VALLEY, CA	92555-2038	228.63	22.86	45.27	296.76
31444865002	487181001	STURGIS III, ABRAHAM	12274	ELF OWL LN	MORENO VALLEY	CA	92555	STURGIS III, ABRAHAM	12274 ELF OWL	MORENO VALLEY, CA	92555	254.02	25.4	50.3	329.7
59963915008	487181003	TORRES, EVELYN	12314	ELF OWL LN	MORENO VALLEY	CA	92555	TORRES, EVELYN	12314 ELF OWL LN	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
31248885003	487183009	ARELLANO, CIELO	12331	CHUKAR LN	MORENO VALLEY	CA	92555-2036	ARELLANO, CIELO	12331 CHUKAR LN	MORENO VALLEY, CA	92555-2036	120	12	23.76	155.76

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
60690155003	487184002	SHORT, DEVLON	12290	CHUKAR LN	MORENO VALLEY	CA	92555-2000	SHORT, DEVLON	12290 CHUKAR LN	MORENO VALLEY, CA	92555-2000	254.12	25.41	50.32	329.84
88856215006	487184004	GONZALEZ, VICTOR (OWNR)	12330	CHUKAR LN	MORENO VALLEY	CA	92555-2003	GONZALEZ, VICTOR AND EVA	12330 CHUKAR LN	MORENO VALLEY, CA	92555-2003	253.92	25.39	50.28	329.58
72029475003	487184014	HERNANDEZ, MACARIO (OWNR)	26980	PRAIRIE DOG LN	MORENO VALLEY	CA	92555-2024	HERNANDEZ, MACARIO	26980 PRAIRIE DOG LN	MORENO VALLEY, CA	92555-2024	150.66	15.07	29.83	195.54
31599335005	487184028	FELIX, JOSE	12493	WOLVERINE CIR	MORENO VALLEY	CA	92555-2033	FELIX, JOSE	12493 WOLVERINE CIR	MORENO VALLEY, CA	92555-2033	254.02	25.4	50.3	329.7
52077175009	487184033	HOLMES, KAREN AND EARL	12410	WOLVERINE CIR	MORENO VALLEY	CA	92555-2033	HOLMES, KAREN AND EARL	12410 WOLVERINE CIR	MORENO VALLEY, CA	92555-2033	254.02	25.4	50.3	329.7
97277835004	487184036	BARDO, SHERRY (RENT)	12450	WOLVERINE CIR	MORENO VALLEY	CA	92555-2033	BARDO, SHERRY	12450 WOLVERINE CIR	MORENO VALLEY, CA	92555-2033	399.35	39.94	79.07	518.34
94407525005	487190002	RODRIGUEZ, VERONICA (RENT)	12726	ATHERTON DR	MORENO VALLEY	CA	92555-2227	RODRIGUEZ, VERONICA	12726 ATHERTON DR	MORENO VALLEY, CA	92555-2227	154.12	15.41	30.52	200.04
66586555003	487190003	ZHANG, JIAN	12712	ATHERTON DR	MORENO VALLEY	CA	92555-2227	ZHANG, JIAN	12712 ATHERTON DR	MORENO VALLEY, CA	92555-2227	254.12	25.41	50.32	329.84
66506325000	487190008	SCHWARTZ, ALLEN	12644	ATHERTON DR	MORENO VALLEY	CA	92555-2225	SCHWARTZ, ALLEN	12644 ATHERTON DR	MORENO VALLEY, CA	92555-2225	269.11	26.91	53.28	349.3
91666535007	487191006	NIETO, ALMA	12577	ATHERTON DR	MORENO VALLEY	CA	92555-2224	NIETO, ALMA	12577 ATHERTON DR	MORENO VALLEY, CA	92555-2224	253.92	25.39	50.28	329.58
94588185003	487191007	PADILLA, LANEE (OWNR)	12591	ATHERTON DR	MORENO VALLEY	CA	92555-2224	PADILLA, LANEE	12591 ATHERTON DR	MORENO VALLEY, CA	92555-2224	54.12	5.41	10.72	70.24
77573025000	487191016	CASTRO, JESUS	12556	MULBERRY LN	MORENO VALLEY	CA	92555	CASTRO, JESUS	12556 MULBERRY LN	MORENO VALLEY, CA	92555	254.02	25.4	50.3	329.7
93932505007	487191017	MACK, YVETTE (OWNR)	12542	MULBERRY LN	MORENO VALLEY	CA	92555-2231	MACK, YVETTE	12542 MULBERRY LN	MORENO VALLEY, CA	92555-2231	254.12	25.41	50.32	329.84
59073005007	487191021	SUAREZ, DARLENE	12502	NINEBARK ST	MORENO VALLEY	CA	92555-2221	SUAREZ, DARLENE	12502 NINEBARK ST	MORENO VALLEY, CA	92555-2221	254.12	25.41	50.32	329.84
90956973000	487192009	OMARI, AZIZA	12724	MULBERRY LN	MORENO VALLEY	CA	92555-2218	OMARI, AZIZA	27280 RIO VISTA DR	SUN CITY, CA	92586-3565	87.65	8.77	17.35	113.76
65769895005	487193002	CANETE, JASON	12571	MULBERRY LN	MORENO VALLEY	CA	92555-2232	CANETE, JASON	12571 MULBERRY LN	MORENO VALLEY, CA	92555-2232	254.12	25.41	50.32	329.84
94769735004	487193003	MOXLEY, AZONDA (RENT)	26255	PERRIER DR	MORENO VALLEY	CA	92555-2334	MOXLEY, AZONDA	26255 PERRIER DR	MORENO VALLEY, CA	92555-2334	62	6.2	12.28	80.46
97663515002	487193006	NAVARRO, HENRY AND LYDIA	12627	MULBERRY LN	MORENO VALLEY	CA	92555-2220	NAVARRO, HENRY AND LYDIA	12627 MULBERRY LN	MORENO VALLEY, CA	92555-2220	350.5	35.05	69.4	454.94
58962165008	487193007	VAZQUEZ, DAMIAN (OWNR)	12641	MULBERRY LN	MORENO VALLEY	CA	92555-2220	VAZQUEZ, DAMIAN	12641 MULBERRY LN	MORENO VALLEY, CA	92555-2220	254.12	25.41	50.32	329.84
94249605004	487193017	ROBINSON, BRYANT (RENT)	12720	LASSELLE ST	MORENO VALLEY	CA	92553-4792	ROBINSON, BRYANT	PO BOX 35	MORENO VALLEY, CA	92556-0035	192.59	19.26	38.13	249.98
99957763003	487200011	RODRIGUEZ, EVELYN (RENT)	12603	TWIN BERRY DR	MORENO VALLEY	CA	92555-2237	RODRIGUEZ, EVELYN (RENT)	33047 EL CONTENTO DR #B	LAKE ELSINORE, CA	92530-5541	127.78	12.78	25.3	165.84
89076593000	487201004	FRANCO, EDGAR (OWNR)	26176	PRIMROSE WAY	MORENO VALLEY	CA	92555-2229	FRANCO, EDGAR	26176 PRIMROSE WAY	MORENO VALLEY, CA	92555-2229	254.12	25.41	50.32	329.84
61026785007	487202006	ESPINOZA, MARGIE	12590	TWIN BERRY DR	MORENO VALLEY	CA	92555-2234	ESPINOZA, MARGIE	12590 TWIN BERRY DR	MORENO VALLEY, CA	92555-2234	254.12	25.41	50.32	329.84
95043565008	487202015	TOSCANO, GILBERT (OWNR)	12677	CANDLEWOOD LN	MORENO VALLEY	CA	92555-2242	TOSCANO, GILBERT	12677 CANDLEWOOD LN 12	MORENO VALLEY, CA	92555-2242	190.79	19.08	37.78	247.64
63003175002	487202021	KANG, YONG	12593	CANDLEWOOD LN	MORENO VALLEY	CA	92555-2242	KANG, YONG	12593 CANDLEWOOD LN	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
95805845002	487202027	DIVINE, JEFFREY (OWNR)	26239	PRIMROSE WAY	MORENO VALLEY	CA	92555-2245	DIVINE, JEFFREY	26239 PRIMROSE WAY	MORENO VALLEY, CA	92555-2245	127.46	12.75	25.24	165.44
80670285004	487203004	HERRERA, ELIAS	12662	CANDLEWOOD LN	MORENO VALLEY	CA	92555-2241	HERRERA, ELIAS	12662 CANDLEWOOD LN	MORENO VALLEY, CA	92555-2241	237.35	23.74	47	308.08
94970275004	487204001	MACIAS, STEVE AND ANDREA(OWNR)	26221	BEECH DR	MORENO VALLEY	CA	92555-2240	MACIAS, STEVE AND ANDREA	26221 BEECH DR	MORENO VALLEY, CA	92555-2240	63.63	6.36	12.6	82.58
72124265006	487211003	DAVID, RAUL	12654	DOGWOOD WAY	MORENO VALLEY	CA	92555-2249	DAVID, RAUL	12654 DOGWOOD WAY	MORENO VALLEY, CA	92555-2249	131.33	13.13	26	170.46
66693695008	487212001	MORALES, TRINIDAD	26340	CHESTNUT DR	MORENO VALLEY	CA	92555-2247	MORALES, TRINIDAD	26340 CHESTNUT DR	MORENO VALLEY, CA	92555-2247	254.12	25.41	50.32	329.84
65989725005	487212014	DONCKELS, GLORIA	26337	PRIMROSE WAY	MORENO VALLEY	CA	92555-2246	DONCKELS, GLORIA	1629 E CHESTNUT AVE	ORANGE, CA	92867-3881	63.12	6.31	12.5	81.94
65622835005	487213005	GALBA-BRIGHT, JACOB	26288	PRIMROSE WAY	MORENO VALLEY	CA	92555-2245	GALBA-BRIGHT, JACOB	26288 PRIMROSE WY	MORENO VALLEY, CA	92555-2245	254.12	25.41	50.32	329.84
64562855003	487214002	SALCEDO, GRISELDA	12672	BELLFLOWER LN	MORENO VALLEY	CA	92555-2250	SALCEDO, GRISELDA	12672 BELLFLOWER LN	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
66313655001	487215002	O'NEAL, BREECIE	12728	BARBAZON DR	MORENO VALLEY	CA	92555-2254	O'NEAL, BREECIE	12728 BARBAZON DR	MORENO VALLEY, CA	92555-2254	23.6	2.36	4.67	30.62
97094065004	487222004	GARDNER, NICHOLE (RENT)	26484	PRIMROSE WAY	MORENO VALLEY	CA	92555-2239	GARDNER, NICHOLE	26484 PRIMROSE WAY	MORENO VALLEY, CA	92555-2239	99.69	9.97	19.74	129.38
89754163002	487222007	COLE, YEKO (RENT)	26442	PRIMROSE WAY	MORENO VALLEY	CA	92555-2239	COLE, YEKO	26442 PRIMROSE WAY	MORENO VALLEY, CA	92555-2239	182.03	18.2	36.04	236.26
92968665008	487222009	OCHOA, FERNANDO AND CARMEN	26414	PRIMROSE WAY	MORENO VALLEY	CA	92555-2239	OCHOA, FERNANDO	26414 PRIMROSE WAY	MORENO VALLEY, CA	92555-2239	204.02	20.4	40.4	264.8
73055965004	487222011	MARTINEZ, SOLEDAD	26386	PRIMROSE WAY	MORENO VALLEY	CA	92555-2239	MARTINEZ, SOLEDAD	26386 PRIMROSE WAY	MORENO VALLEY, CA	92555-2239	154.02	15.4	30.5	199.9
89932315003	487230002	JOHNSON, BRENDA	26576	FIR AVE	MORENO VALLEY	CA	92555-3522	JOHNSON, BRENDA	11526 BUNKER PL	BEAUMONT, CA	92223-8008	253.92	25.39	50.28	329.58
76023325004	487231005	STONE, GERALD	12623	TORREY PINE RD	MORENO VALLEY	CA	92555-3512	STONE, GERALD	12623 TORREY PINE RD	MORENO VALLEY, CA	92555-3512	254.02	25.4	50.3	329.7
93790245004	487231006	GANDY, DWIGHT (OWNR)	12613	TORREY PINE RD	MORENO VALLEY	CA	92555-3512	GANDY, DWIGHT	12613 TORREY PINE RD	MORENO VALLEY, CA	92555-3512	63.63	6.36	12.6	82.58
75710875001	487231013	GUTIERREZ, DAMIEN	12632	MAGNOLIA DR	MORENO VALLEY	CA	92555-3513	GUTIERREZ, DAMIEN	616 BRUIN DR	RIVERSIDE, CA	92507-6075	210.19	21.02	41.62	272.82
92850155005	487232002	LOGAN, SIMMON	26518	PRIMROSE WAY	MORENO VALLEY	CA	92555-3502	LOGAN, SIMMON	26518 PRIMROSE WAY	MORENO VALLEY, CA	92555-3502	254.02	25.4	50.3	329.7
93546845004	487241006	BALDES, JOSE (OWNR)	12644	TORREY PINE RD	MORENO VALLEY	CA	92555-3512	BALDES, JOSE	12644 TORREY PINE RD	MORENO VALLEY, CA	92555-3512	254.12	25.41	50.32	329.84
81205575007	487241009	CARILLO, MARIA	12675	WILLOWBROOK LN	MORENO VALLEY	CA	92555-3510	CARILLO, MARIA	7946 ORLANDO DR	RIVERSIDE, CA	92503-3044	329.32	32.93	65.21	427.44
93106665004	487242004	JACOBS, LOUIS	12588	WILLOWBROOK LN	MORENO VALLEY	CA	92555-3508	JACOBS, LOUIS	12588 WILLOWBROOK LN	MORENO VALLEY, CA	92555-3508	30.08	3.01	5.96	39.04
80970585005	487243006	HUERTA, AARON	12678	WILLOWBROOK LN	MORENO VALLEY	CA	92555-3509	HUERTA, AARON	12678 WILLOW BROOK LN	MORENO VALLEY, CA	92555-3509	254.02	25.4	50.3	329.7
90624635006	487243015	COLEY-WALK, LINDA	26728	FIR AVE	MORENO VALLEY	CA	92555-3537	COLEY-WALK, LINDA	26728 FIR AVE	MORENO VALLEY, CA	92555-3537	190.59	19.06	37.74	247.38
31177055008	487270001	STILES, JAMES	12880	LASSELLE ST	MORENO VALLEY	CA	92553-1236	STILES, JAMES	12880 LASSELLE ST	MORENO VALLEY, CA	92553-1236	79.32	7.93	15.71	102.94
31209465003	487270005	CHARLES JR, PAUL	12920	LASSELLE ST	MORENO VALLEY	CA	92553-1237	CHARLES JR, PAUL	12920 LASSELLE ST	MORENO VALLEY, CA	92553-1237	254.02	25.4	50.3	329.7
31154795002	487270008	RIOS, CYNTHIA	12950	LASSELLE ST	MORENO VALLEY	CA	92553-1237	RIOS, CYNTHIA	12950 LASSELLE ST	MORENO VALLEY, CA	92553-1237	254.02	25.4	50.3	329.7
31303085004	487270011	ABAIR, EMANUEL	12951	BERNARD CT	MORENO VALLEY	CA	92555-2303	ABAIR, EMANUEL	12951 BERNARD CT	MORENO VALLEY, CA	92555-2303	214.76	21.48	42.52	278.74
95093295000	487270028	LUNA, NADIA (RENT)	12941	SAMPLE CT	MORENO VALLEY	CA	92555-2307	LUNA, NADIA	12941 SAMPLE CT	MORENO VALLEY, CA	92555-2307	134.74	13.47	26.68	174.88
86265833002	487270041	CASTILLO, MARTHA (OWNR)	12960	SAMPLE CT	MORENO VALLEY	CA	92555-2306	CASTILLO, MARTHA	12960 SAMPLE CT	MORENO VALLEY, CA	92555-2306	85.79	8.58	16.99	111.34
31367305003	487270043	TUTOKI, DAVID	12980	SAMPLE CT	MORENO VALLEY	CA	92555-2306	TUTOKI, DAVID	12980 SAMPLE CT	MORENO VALLEY, CA	92555-2306	254.02	25.4	50.3	329.7
59038625000	487271008	BOWDEN, DICHONDRA	26011	BANTA PL	MORENO VALLEY	CA	92555-2304	BOWDEN, DICHONDRA	26011 BANTA PL	MORENO VALLEY, CA	92555-2304	63.63	6.36	12.6	82.58
31328795002	487280012	GARMAN, MR AND MRS	26150	LE MANS DR	MORENO VALLEY	CA	92555-2317	GARMAN, MR AND MRS	26150 LE MANS DR	MORENO VALLEY, CA	92555-2317	253.92	25.39	50.28	329.58
90621123009	487280024	EDWARDS, KIM (RENT)	12895	MONTECELLO DR	MORENO VALLEY	CA	92555-2314	EDWARDS, KIM	514 OCEAN AVE	PERRIS, CA	92571-3922	266.17	26.62	52.7	345.48
92184135004	487280026	VARGAS, LAURA & MYERS	12915	MONTECELLO DR	MORENO VALLEY	CA	92555-2316	VARGAS, LAURA & MYERS	28793 DRACAEA AVE	MORENO VALLEY, CA	92555-8421	253.92	25.39	50.28	329.58
31518275007	487281001	COLEMAN, SUSAN	26211	FIR AVE	MORENO VALLEY	CA	92555-2208	COLEMAN, SUSAN	26211 FIR AVE	MORENO VALLEY, CA	92555-2208	231.42	23.14	45.82	300.38
97330755007	487281004	PINADO, CARLOS (RENT)	26241	FIR AVE	MORENO VALLEY	CA	92555-2208	PINADO, CARLOS	26241 FIR AVE	MORENO VALLEY, CA	92555-2208	154.12	15.41	30.52	200.04
65476535003	487281009	TUGGLE, ROBERT	26280	LE MANS DR	MORENO VALLEY	CA	92555-2321	TUGGLE, ROBERT	26280 LE MANS DR	MORENO VALLEY, CA	92555-2321	254.12	25.41	50.32	329.84
31192985002	487281011	WRIGHT, WARDELL	26260	LE MANS DR	MORENO VALLEY	CA	92555-2321	WRIGHT, WARDELL	21370 SHAKESPEARE CT	MORENO VALLEY, CA	92555-2321	329.32	32.93	65.21	427.44
31267185000	487281016	MALACHI, EVELYN	26210	LE MANS DR	MORENO VALLEY	CA	92555-2319	MALACHI, EVELYN	26210 LE MANS DR	MORENO VALLEY, CA	92555-2319	329.04	32.9	65.15	427.08
91023775000	487282007	PARPIDA, CLAUDIA	26225	PERRIER DR	MORENO VALLEY	CA	92555-2361	PARPIDA, CLAUDIA	26225 PERRIER DR	MORENO VALLEY, CA	92555-2361	253.92	25.39	50.28	329.58
31500815007	487283013	HULL, PETER	12820	MONTECELLO DR	MORENO VALLEY	CA	92555-2312	HULL, PETER	12820 MONTECELLO DR	MORENO VALLEY, CA	92555-2312	245.69	24.57	48.65	318.9
31204885006	487284006	CONLEY, ARELESSIA	12890	ORLEANS DR	MORENO VALLEY	CA	92555-2356	CONLEY, ARELESSIA	12890 ORLEANS DR	MORENO VALLEY, CA	92555-2356	254.02	25.4	50.3	329.7
31176765001	487284008	AGUILAR, ELIDA (OWNR)	12870	ORLEANS DR	MORENO VALLEY	CA	92555-2356	AGUILAR, ELIDA	12870 ORLEANS DR	MORENO VALLEY, CA	92555-2356	254.02	25.4	50.3	329.7
92923183004	487284011	MADRIGAL, OMAR (OWNR)	12840	ORLEANS DR	MORENO VALLEY	CA	92555-2308	MADRIGAL, OMAR	12840 ORLEANS DR	MORENO VALLEY, CA	92555-2308	335.76	33.58	66.48	435.8
31173315003	487284015	ROMERO, ANN (OWNR)	12800	ORLEANS DR	MORENO VALLEY	CA	92555-2308	ROMERO, ANN	12800 ORLEANS DR	MORENO VALLEY, CA	92555-2308	127.36	12.74	25.22	165.3
75168115002	487290003	ZERMENO, GUADALUPE	26315	FIR AVE	MORENO VALLEY	CA	92555-2211	ZERMENO, GUADALUPE	26315 FIR AVE	MORENO VALLEY, CA	92555-2211	63.63	6.36	12.6	82.58
72040915008	487290004	RICHARD, DONNA	26325	FIR AVE	MORENO VALLEY	CA	92555-2211	RICHARD, DONNA	26325 FIR AVE	MORENO VALLEY, CA	92555-2211	55.69	5.57	11.03	72.28
92556865009	487290007	BUNTHANOM, LAMPAI	26340	LE MANS DR	MORENO VALLEY	CA	92555-2350	BUNTHANOM, LAMPAI	26340 LE MANS DR	MORENO VALLEY, CA	92555-2350	30.37	3.04	6.01	39.42
58810995001	487290009	HOLT, SONJA AND ROBERT	26320	LE MANS DR	MORENO VALLEY	CA	92555-2350	HOLT, SONJA AND ROBERT	26320 LE MANS DR	MORENO VALLEY, CA	92555-2350	63.63	6.36	12.6	82.58
31195935006	487290011	CALDWELL, VERA	26300	LE MANS DR	MORENO VALLEY	CA	92555-2350	CALDWELL, VERA	26300 LE MANS DR	MORENO VALLEY, CA	92555-2350	254.02	25.4	50.3	329.7
88021195001	487291001	RODRIGUEZ, JOSE	12809	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2328	RODRIGUEZ, JOSE	12809 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2328	46.12	4.61	9.13	59.86
92053155006	487291003	MONTEROSO, MYNOR	12829	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2328	MONTEROSO, MYNOR	12829 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2328	253.92	25.39	50.28	329.58
31299925008	487291004	WHITE, STANLEY	12839	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2328	WHITE, STANLEY	12839 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2328	254.02	25.4	50.3	329.7
91515333008	487291006	SIMS, SHATOYA (RENT)	12859	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2330	SIMS, SHATOYA	12859 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2330	19.1	19.1	37.82	247.9
63993105009	487291016	LEON, BRENDA (OWNR)	12959	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2331	LEON, BRENDA	12959 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2331	254.12	25.41	50.32	329.84
68016795009	487292001	FOSTER, RUDA	12980	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2332	FOSTER, RUDA	12980 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2332	254.12	25.41	50.32	329.84
94975765000	487292017	VELARDE, VERONICA (OWNR)	12819	BARBAZON DR	MORENO VALLEY	CA	92555-2337	VELARDE, VERONICA	12819 BARBAZON DR	MORENO VALLEY, CA	92555-2337	254.12	25.41	50.32	329.84
87086733002	487292026	ROMAN, ERASMO (RENT)	12909	BARBAZON DR	MORENO VALLEY	CA	92555-2342	ROMAN, ERASMO (RENT)	1696 MATTHEWES ST	RIVERSIDE, CA	92507-2338	257.91	25.79	51.07	334.76
31364695008	487293006	AVEN, SHERYL	26285	PERRIER DR	MORENO VALLEY	CA	92553-	AVEN, SHERYL	26285 PERRIER DR	MORENO VALLEY, CA	92555-2334	562.4	56.24	111.36	729.98
31527285006	487294004	GOMEZ, JUAN AND MARIA ELENA	12940	BARBAZON DR	MORENO VALLEY	CA	92555-2341	GOMEZ, JUAN	12940 BARBAZON DR	MORENO VALLEY, CA	92555-2341	329.6	32.96	65.26	427.82
90558913007	487294020	DOWNEY-WHITE, INBIYA (RENT)	12934	BORDEAUX CT	MORENO VALLEY	CA	92555-2344	WHITE, ENDIYA	12934 BORDEAUX CT	MORENO VALLEY, CA	92555-2344	208.94	20.89	41.37	271.2
90358993001	487294023	WIGGINS, CELESTE (RENT)	12904	BORDEAUX CT	MORENO VALLEY	CA	92555-2344	WIGGINS, CELESTE	12904 BORDEAUX CT	MORENO VALLEY, CA	92555-2344	266.17	26.62	52.7	345.48
97536055006	487294029	MAHE, SONI (OWNR)	12850	BARBAZON DR	MORENO VALLEY	CA	92555-2338	MAHE, SONI (OWNR)	12850 BARBAZON DR	MORENO VALLEY, CA	92555-2338	254.02	25.4	50.3	329.7
31574245007	487294035	LINARES, SANDRA AND JOSEPH	12790	BARBAZON DR	MORENO VALLEY	CA	92555-2335	LINARES, SANDRA AND JOSEPH	12790 BARBAZON DR	MORENO VALLEY, CA	92555-2335	254.02	25.4	50.3	329.7
58503415008	487294036	HERNANDEZ, GUILLERMO	12780	BARBAZON DR	MORENO VALLEY	CA	92555-2335	HERNANDEZ, GUILLERMO	12780 BARBAZON DR	MORENO VALLEY, CA	92555-2335	63.63	6.36	12.6	82.58
31216065002	487300006	HERNANDEZ, TONY AND SANDRA	26490	MAPLERIDGE WAY	MORENO VALLEY	CA	92555-2205	HERNANDEZ, TONY AND SANDRA	26490 MAPLERIDGE WAY	MORENO VALLEY, CA	92555-2205	254.02	25.4	50.3	329.7
87952773006	487301004	MARIN, HERIBERTO (OWNR)	12725	ELMHURST DR	MORENO VALLEY	CA	92555-2200	MARIN, HERIBERTO	6612 VAL VERDE AVE	BUENA PARK, CA	90621-2605	142.11	14.21	28.14	184.44
89851573000	487301005	LEROE, CHERICE (OWNR)	12715	ELMHURST DR	MORENO VALLEY	CA	92555-2200	LEROE, CHERICE	12715 ELMHURST DR	MORENO VALLEY, CA	92555-2200	190.79	19.08	37.78	247.64
49723365004	487302004	ECHEVERRIA, MARIE	26465	MAPLERIDGE WAY	MORENO VALLEY	CA	92555-2206	ECHEVERRIA, MARIE	26465 MAPLERIDGE WAY	MORENO VALLEY, CA	92555-2206	184	18.4	36.43	238.82
87171713006	487302005	BOTHINE, NEIGE (RENT)	26455	MAPLERIDGE WAY	MORENO VALLEY	CA	92555-2206	BOTHINE, NEIGE	26455 MAPLERIDGE WAY	MORENO VALLEY, CA	92555-2206	190.49	19.05	37.72	247.24
31291845002	487302007	JEFFERSON, MONROE	26435	MAPLERIDGE WAY	MORENO VALLEY	CA	92555-2206	JEFFERSON, MONROE	26435 MAPLERIDGE WAY	MORENO VALLEY, CA	92555-2206	36.01	3.6	7.13	46.74
31180615005	487302016	HUDDLESTON, ANGELA	26485	HAZELCREST CT	MORENO VALLEY	CA	92555-2201	HUDDLESTON, ANGELA	26485 HAZELCREST CT	MORENO VALLEY, CA	92555-2201	254.02	25.4	50.3	329.7
88819605004	487302017	RIVERA, LISA	26475	HAZELCREST CT	MORENO VALLEY	CA	92555-2201	RIVERA, LISA	26475 HAZELCREST CT	MORENO VALLEY, CA	92555-2201	103.92	10.39	20.58	134.88
31178755009	487303004	MEDICUS, GARY AND KATE	26470	COCONUT LN	MORENO VALLEY	CA	92555-2326	MEDICUS, GARY AND KATE	26470 COCONUT LN	MORENO VALLEY, CA	92555-2326	329.32	32.93	65.21	427.44
31177855000	487303007	LEBOW-FULLER, DANA	26440	COCONUT LN	MORENO VALLEY	CA	92555-2326	LEBOW-FULLER, DANA	26440 COCONUT LN	MORENO VALLEY, CA	92555-2326	254.02	25.4	50.3	329.7
90103405009	487303012	HERNANDEZ, CARMEN	26475	WILLOWDALE CT	MORENO VALLEY	CA	92555-2325	HERNANDEZ, CARMEN	26475 WILLOWDALE CT	MORENO VALLEY, CA	92555-2325	329.04	32.9	65.15	427.08

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
97216665007	487303014	GARCIA, MARIA AND ARTURO (RENT	26495	WILLOWDALE CT	MORENO VALLEY	CA	92555-2325	GARCIA, MARIA AND ARTURO	26495 WILLOWDALE CT	MORENO VALLEY, CA	92555-2325	190.79	19.08	37.78	247.64
61296515003	487303016	JACKSON, FRANK	26490	WILLOWDALE CT	MORENO VALLEY	CA	92555-2357	JACKSON, FRANK	26490 WILLOWDALE CT	MORENO VALLEY, CA	92555-2357	62.37	6.24	12.35	80.94
62789335004	487303020	HERNANDEZ, IRLANDA	26450	WILLOWDALE CT	MORENO VALLEY	CA	92555-2357	HERNANDEZ, IRLANDA	26450 WILLOWDALE CT	MORENO VALLEY, CA	92555-2357	254.12	25.41	50.32	329.84
92980203005	487304010	MARTINEZ, LAURIE (RENT)	26425	COCONUT LN	MORENO VALLEY	CA	92555-2327	MARTINEZ, LAURIE	26425 COCONUT LN	MORENO VALLEY, CA	92555-2327	248.27	24.83	49.16	322.24
31178375009	487304011	ANDERSON, GRANT	26435	COCONUT LN	MORENO VALLEY	CA	92555-2327	ANDERSON, GRANT	26435 COCONUT LN	MORENO VALLEY, CA	92555-2327	329.32	32.93	65.21	427.44
91991385000	487304012	MELGAR, GLORIA	26445	COCONUT LN	MORENO VALLEY	CA	92555-2327	MELGAR, GLORIA	26445 COCONUT LN	MORENO VALLEY, CA	92555-2327	253.92	25.39	50.28	329.58
97060605002	487304014	VILLALVA, MARIA LOURDES	26465	COCONUT LN	MORENO VALLEY	CA	92555-2327	VILLALVA, MARIA LOURDES	26465 COCONUT LN	MORENO VALLEY, CA	92555-2327	140.76	14.08	27.87	182.7
91983815007	487310003	MURRAY, JOHN (RENT)	12941	GOLDEN LANTERN DR	MORENO VALLEY	CA	92555-2301	MURRAY, JOHN	12941 GOLDEN LANTERN DR	MORENO VALLEY, CA	92555-2301	253.92	25.39	50.28	329.58
84274675009	487310005	PEREZ, PEDRO	12909	GOLDEN LANTERN DR	MORENO VALLEY	CA	92555-2301	PEREZ, PEDRO	12909 GOLDEN LANTERN DR	MORENO VALLEY, CA	92555-2301	254.02	25.4	50.3	329.7
82231105001	487310020	JAIMES, AIDA	26445	ALDERTREE CT	MORENO VALLEY	CA	92555-2366	JAIMES, AIDA	26445 ALDERTREE CT	MORENO VALLEY, CA	92555-2366	154.12	15.41	30.52	200.04
82880045008	487310021	NEWBERN, ELAINE	26433	ALDERTREE CT	MORENO VALLEY	CA	92555-2366	NEWBERN, ELAINE	26433 ALDERTREE CT	MORENO VALLEY, CA	92555-2366	254.12	25.41	50.32	329.84
83790125001	487310026	HOLNESS, GERARD	26480	SAND PALM CT	MORENO VALLEY	CA	92555-2368	HOLNESS, GERARD	26480 SAND PALM CT	MORENO VALLEY, CA	92555-2368	63.63	6.36	12.6	82.58
83543375001	487310031	FRANKLIN, REGINA	26455	SAND PALM CT	MORENO VALLEY	CA	92555-2368	FRANKLIN, REGINA	26455 SAND PALM CT	MORENO VALLEY, CA	92555-2368	63.63	6.36	12.6	82.58
84090815000	487332006	BATCH, CHARLES AND ELLEN	26827	CLAYSTONE DR	MORENO VALLEY	CA	92555	BATCH, CHARLES AND ELLEN	26827 CLAYSTONE DR	MORENO VALLEY, CA	92555	95.02	9.5	18.81	123.32
84095705002	487332007	PANGANIBAN, RODRIGO	26813	CLAYSTONE DR	MORENO VALLEY	CA	92555	PANGANIBAN, RODRIGO	PO BOX 70074	RIVERSIDE, CA	92513-0074	254.02	25.4	50.3	329.7
85032605005	487332010	NAVARRO, ERIKA	12830	AZALEA ST	MORENO VALLEY	CA	92555-3524	NAVARRO, ERIKA	1068 PAINTBRUSH TRL	HEMET, CA	92545-6375	127.36	12.74	25.22	165.3
89012753001	487332015	ROBINSON, BRYANT (OWNR)	26870	SUGARCANE DR	MORENO VALLEY	CA	92555-3535	ROBINSON, BRYANT (OWNR)	26870 SUGARCANE DR	MORENO VALLEY, CA	92555-3535	217.06	21.71	42.98	281.74
88054865001	487333001	CHIRINOS, AMBER AND CARLOS	26899	SUGARCANE DR	MORENO VALLEY	CA	92555-3535	CHIRINOS, AMBER AND CARLOS	26899 SUGARCANE DR	MORENO VALLEY, CA	92555-3535	63.63	6.36	12.6	82.58
89926835006	487333003	WINANS, ZEBULUM AND JOHN (OWNR	26871	SUGARCANE DR	MORENO VALLEY	CA	92555-3535	WINANS, ZEBULUM AND JOHN	26871 SUGARCANE DR	MORENO VALLEY, CA	92555-3535	96.51	9.65	19.11	125.26
99534325009	487333006	MERCER, KEVIN (RENT)	26829	SUGARCANE DR	MORENO VALLEY	CA	92555-3535	MERCER, KEVIN	11835 FRANKLIN ST	MORENO VALLEY, CA	92557-6527	126.16	12.62	24.98	163.74
90794335000	487340010	YOWELL, PAUL	26593	AZALEA ST	MORENO VALLEY	CA	92555-3526	YOWELL, PAUL	26593 AZALEA ST	MORENO VALLEY, CA	92555-3526	253.92	25.39	50.28	329.58
88977515007	487341006	VUONG, THE	26662	AZALEA ST	MORENO VALLEY	CA	92555-3527	VUONG, THE	5660 COVENTRY CIR	BUENA PARK, CA	90621-3934	253.92	25.39	50.28	329.58
95551545005	487351005	POWELL, BRIAN (RENT)	13069	MOHICAN DR	MORENO VALLEY	CA	92555-2401	POWELL, BRIAN	13069 MOHICAN DR	MORENO VALLEY, CA	92555-2401	127.16	12.72	25.18	165.04
90058115006	487351015	MARTINEZ, BRENDA	26046	BILOXI DR	MORENO VALLEY	CA	92555-2404	MARTINEZ, BRENDA	26046 BILOXI DR	MORENO VALLEY, CA	92555-2404	127.26	12.73	25.2	165.18
96789935008	487351016	HAYWARD, JANIS (RENT)	26054	BILOXI DR	MORENO VALLEY	CA	92555-2404	HAYWARD, JANIS	26054 BILOXI DR	MORENO VALLEY, CA	92555-2404	190.79	19.08	37.78	247.64
98017255014	487351019	RUSH, JEAN (OWNR)	26078	BILOXI DR	MORENO VALLEY	CA	92555-2404	RUSH, JEAN	26078 BILOXI DR	MORENO VALLEY, CA	92555-2404	190.79	19.08	37.78	247.64
31312065009	487351021	LOPEZ, CARLOS	26094	BILOXI DR	MORENO VALLEY	CA	92555-2404	LOPEZ, CARLOS	26094 BILOXI DR	MORENO VALLEY, CA	92555-2404	253.92	25.39	50.28	329.58
96231555000	487352005	BINUYA, JOSE I AND AGNES IV	13070	MOHICAN DR	MORENO VALLEY	CA	92555-2408	BINUYA, JOSE I AND AGNES IV	2074 ADRIATIC AVE	LONG BEACH, CA	90810-4056	420.76	42.08	83.31	546.14
31429475005	487352014	GRAHAM, CARMEN	13160	MOHICAN DR	MORENO VALLEY	CA	92555-2402	GRAHAM, CARMEN	13160 MOHICAN DR	MORENO VALLEY, CA	92555-2402	254.02	25.4	50.3	329.7
31465385008	487352017	MAYFIELD, JANET	13190	MOHICAN DR	MORENO VALLEY	CA	92555-2402	MAYFIELD, JANET	13190 MOHICAN DR	MORENO VALLEY, CA	92555-2402	329.32	32.93	65.21	427.44
31133675001	487352024	GALLAGHER, PEGGY	13171	EYOTA DR	MORENO VALLEY	CA	92555-2409	GALLAGHER, PEGGY	13171 EYOTA DR	MORENO VALLEY, CA	92555-2409	241.29	24.13	47.78	313.18
92760003008	487352035	KING, FRANCES (RENT)	13081	EYOTA DR	MORENO VALLEY	CA	92555-2411	KING, FRANCES (RENT)	13081 EYOTA DR	MORENO VALLEY, CA	92555-2411	285.87	28.59	56.6	371.04
31634705002	487352039	GONZALEZ, RAFAEL	13041	EYOTA DR	MORENO VALLEY	CA	92555-2411	GONZALEZ, RAFAEL	13041 EYOTA DR	MORENO VALLEY, CA	92555-2411	127.16	12.72	25.18	165.04
31455805001	487352040	LISARDO, MICHELLE	13031	EYOTA DR	MORENO VALLEY	CA	92555-2411	LISARDO, MICHELLE	13031 EYOTA DR	MORENO VALLEY, CA	92555-2411	329.6	32.96	65.26	427.82
31101025005	487353007	LEE, TOSHIO	13092	EYOTA DR	MORENO VALLEY	CA	92555-2412	LEE, TOSHIO	13092 EYOTA DR	MORENO VALLEY, CA	92555-2412	254.12	25.41	50.32	329.84
31614065008	487353009	GOMEZ, MAURO AND VIRGINIA	1311 2	EYOTA DR	MORENO VALLEY	CA	92555-2483	GOMEZ, MAURO AND VIRGINIA	1774 CINDY CT	CORONA, CA	92882-4813	127.46	12.75	25.24	165.44
31371445006	487353010	BAILEY, MARIE	13122	EYOTA DR	MORENO VALLEY	CA	92555-2410	BAILEY, MARIE	13122 EYOTA DR	MORENO VALLEY, CA	92555-2410	98.12	9.81	19.43	127.34
31370625000	487353012	CUESTAS, LUIS	13142	EYOTA DR	MORENO VALLEY	CA	92555-2410	CUESTAS, LUIS	13142 EYOTA DR	MORENO VALLEY, CA	92555-2410	80	8	15.84	103.84
92091485007	487353014	LANATHOUA, DORA AND AVELARDO	13162	EYOTA DR	MORENO VALLEY	CA	92555-2410	LANATHOUA, DORA AND AVELARDO	13162 EYOTA DR	MORENO VALLEY, CA	92555-2410	153.92	15.39	30.49	199.78
64902585008	487353017	MUHAMMMAD, KEVIN	13192	EYOTA DR	MORENO VALLEY	CA	92555-2410	MUHAMMMAD, KEVIN	2005 W LINCOLN ST	BANNING, CA	92220-4247	254.12	25.41	50.32	329.84
31405415008	487353019	MORALES, MIGUEL AND ALMA	13212	EYOTA DR	MORENO VALLEY	CA	92555-2484	MORALES, MIGUEL AND ALMA	13212 EYOTA DR	MORENO VALLEY, CA	92555-2484	54.12	5.41	10.72	70.24
96595005004	487354002	PADILLA, TIFFANY (RENT)	26103	OSHUA DR	MORENO VALLEY	CA	92555-2407	PADILLA, TIFFANY	26103 OSHUA DR	MORENO VALLEY, CA	92555-2407	259.6	25.96	51.4	336.96
94037625009	487354004	CORDOVA, LILLIAN (OWNR)	26119	OSHUA DR	MORENO VALLEY	CA	92555-2407	CORDOVA, LILLIAN	26119 OSHUA DR	MORENO VALLEY, CA	92555-2407	63.33	6.33	12.54	82.2
93250333000	487354007	WOOD, MELISSA (RENT)	26143	OSHUA DR	MORENO VALLEY	CA	92555-2407	WOOD, MELISSA	12855 BRITTANIA CT	MORENO VALLEY, CA	92553-1847	111.38	11.14	22.05	144.56
95301793002	487360002	WILSON, DARNELL (RENT)	26110	BILOXI DR	MORENO VALLEY	CA	92555-2405	WILSON, DARNELL	2107 N HOLGUIN WAY	CHANDLER, AZ	85225-2968	56.14	5.61	11.12	72.86
31362035001	487360009	PAZ, MAX	13052	PAWNEE DR	MORENO VALLEY	CA	92555-2419	PAZ, MAX	13052 PAWNEE DR	MORENO VALLEY, CA	92555-2419	254.02	25.4	50.3	329.7
31497545008	487360010	BROWN, BETTYE	13060	PAWNEE DR	MORENO VALLEY	CA	92555-2419	BROWN, BETTYE	13060 PAWNEE DR	MORENO VALLEY, CA	92555-2419	254.02	25.4	50.3	329.7
95813215000	487360013	VERGARA, SANDRA (RENT)	13031	TETON CT	MORENO VALLEY	CA	92555-2421	VERGARA, SANDRA	13031 TETON CT	MORENO VALLEY, CA	92555-2421	254.12	25.41	50.32	329.84
31579595002	487360018	GARCIA, TONY	13016	TETON CT	MORENO VALLEY	CA	92555-2422	GARCIA, TONY	13016 TETON CT	MORENO VALLEY, CA	92555-2422	190.69	19.07	37.76	247.5
96221555019	487360019	BEELER, JOSIE (RENT)	13024	TETON CT	MORENO VALLEY	CA	92555-2422	BEELER, JOSIE	13024 TETON CT	MORENO VALLEY, CA	92555-2422	254.12	25.41	50.32	329.84
66426695003	487360029	JIMENEZ, JENNIFER	13096	TETON CT	MORENO VALLEY	CA	92555-2423	JIMENEZ, JENNIFER	23105 BAY AVE APT 263	MORENO VALLEY, CA	92553-9640	254.12	25.41	50.32	329.84
31237355007	487360038	MONTOYA, VILMA	13151	WICHITA WAY	MORENO VALLEY	CA	92555-2433	MONTOYA, VILMA	28949 WILLIAMS AVE	MORENO VALLEY, CA	92555-8232	254.02	25.4	50.3	329.7
95546915007	487360039	NATIVIDAD, LYDIA	13131	WICHITA WAY	MORENO VALLEY	CA	92555-2433	NATIVIDAD, LYDIA	13131 WICHITA WAY	MORENO VALLEY, CA	92555-2433	254.12	25.41	50.32	329.84
92303915006	487360042	MORA, VERONICA	13071	WICHITA WAY	MORENO VALLEY	CA	92555-2431	MORA, VERONICA	13071 WICHITA WAY	MORENO VALLEY, CA	92555-2431	253.92	25.39	50.28	329.58
96131975004	487360048	CRISTMAS, TERRY (RENT)	13011	WICHITA WAY	MORENO VALLEY	CA	92555-2431	CRISTMAS, TERRY	13011 WICHITA WAY	MORENO VALLEY, CA	92555-2431	254.12	25.41	50.32	329.84
31301915004	487361002	ROMO, VIOLETA	13020	WICHITA WAY	MORENO VALLEY	CA	92555	ROMO, VIOLETA	13020 WICHITA WAY	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
85097275007	487361011	CARVAJAL, ERIKA	13110	WICHITA WAY	MORENO VALLEY	CA	92555-2429	CARVAJAL, ERIKA	PO BOX 91	ROSEMEAD, CA	91770-0091	254.02	25.4	50.3	329.7
98229935013	487361012	BRITTMON, MICHELLE (OWNR)	13120	WICHITA WAY	MORENO VALLEY	CA	92555-2429	BRITTMON, MICHELLE	13120 WICHITA WAY	MORENO VALLEY, CA	92555-2429	254.12	25.41	50.32	329.84
31076495000	487361020	SHILEY, RICHARD AND TAMMY	13148	PAWNEE DR	MORENO VALLEY	CA	92555-2416	SHILEY, RICHARD AND TAMMY	13148 PAWNEE DR	MORENO VALLEY, CA	92555-2416	254.02	25.4	50.3	329.7
48688485005	487361026	MORENO, PAUL AND MARY	13208	PAWNEE DR	MORENO VALLEY	CA	92555-2480	MORENO, PAUL AND MARY	13208 PAWNEE DR	MORENO VALLEY, CA	92555-2480	63.73	6.37	12.62	82.72
92004615003	487361028	SIMS, EDNA	13189	POCONO CT	MORENO VALLEY	CA	92555-2415	SIMS, EDNA	12323 SKYLINE DR	DESERT HOT SPRINGS, CA	92240-4324	253.92	25.39	50.28	329.58
85820705002	487361030	TORRES, PEDRO	13169	POCONO CT	MORENO VALLEY	CA	92555-2415	TORRES, PEDRO	13169 POCONO CT	MORENO VALLEY, CA	92555-2415	254.02	25.4	50.3	329.7
55972825002	487361031	LARA-TELLEZ, DAVID	13159	POCONO CT	MORENO VALLEY	CA	92555-2415	LARA-TELLEZ, DAVID	13159 POCONO CT	MORENO VALLEY, CA	92555-2415	254.02	25.4	50.3	329.7
31492015000	487361036	RICKS, YVETTE	13136	POCONO CT	MORENO VALLEY	CA	92555-2414	RICKS, YVETTE	13136 POCONO CT	MORENO VALLEY, CA	92555-2414	253.92	25.39	50.28	329.58
56178665008	487361038	RAMIREZ, MARIA	13156	POCONO CT	MORENO VALLEY	CA	92555-2414	RAMIREZ, MARIA	13156 POCONO CT	MORENO VALLEY, CA	92555-2414	254.02	25.4	50.3	329.7
31306965002	487361040	NEWSON, TIM	13176	POCONO CT	MORENO VALLEY	CA	92555-2414	NEWSON, TIM	13176 POCONO CT	MORENO VALLEY, CA	92555-2414	254.02	25.4	50.3	329.7
31538845006	487361051	REYES, EVANGELINA	26195	OSHUA DR	MORENO VALLEY	CA	92555-2408	REYES, EVANGELINA	26195 OSHUA DR	MORENO VALLEY, CA	92555-2408	254.12	25.41	50.32	329.84
71921045003	487361059	STOVALL, ANDREA	26114	DRACAEA AVE	MORENO VALLEY	CA	92555-2406	STOVALL, ANDREA	26114 DRACAEA AVE	MORENO VALLEY, CA	92555-2406	79.02	7.9	15.65	102.56
94078675002	487361065	WALKER, BERNISHA (RENT)	26184	DRACAEA AVE	MORENO VALLEY	CA	92555-2413	WALKER, BERNISHA	15340 ADOBE WAY	MORENO VALLEY, CA	92555-5814	254.12	25.41	50.32	329.84
31394215006	487361068	DOUCET, EMANUEL	26214	DRACAEA AVE	MORENO VALLEY	CA	92555-6800	DOUCET, EMANUEL	26214 DRACAEA AVE	MORENO VALLEY, CA	92555-6800	254.02	25.4	50.3	329.7
31564815008	487362001	COLLINS, JACKIE	13029	PAWNEE DR	MORENO VALLEY	CA	92555-2420	COLLINS, JACKIE	13029 PAWNEE DR	MORENO VALLEY, CA	92555-2420	82.68	8.27	16.37	107.3
31449865001	487362005	VIDAL, IGNACIO	13061	PAWNEE DR	MORENO VALLEY	CA	92555-2420	VIDAL, IGNACIO	13061 PAWNEE DR	MORENO VALLEY, CA	92555-2420	254.02	25.4	50.3	329.7
94080695004	487362006	KELLEY, MADELINE (RENT)	13069	PAWNEE DR	MORENO VALLEY	CA	92555-2417	KELLEY, MADELINE	13069 PAWNEE DR	MORENO VALLEY, CA	92555-2417	21.13	2.11	4.18	27.42
97389515004	487362007	JONES, ARMESHA (RENT)	13077	PAWNEE DR	MORENO VALLEY	CA	92555-2417	JONES, ARMESHA	13077 PAWNEE DR	MORENO VALLEY, CA	92555-2417	104.12	10.41	20.62	135.14
31517905007	487362018	EYESTONE, JAMES	13185	PAWNEE DR	MORENO VALLEY	CA	92555-2418	EYESTONE, JAMES	13185 PAWNEE DR	MORENO VALLEY, CA	92555-2418	253.92	25.39	50.28	329.58
98012475019	487363015	BRITO, MARISOL (OWNR)	13172	EYOTA DR	MORENO VALLEY	CA	92555-2410	BRITO, MARISOL	13172 EYOTA DR	MORENO VALLEY, CA	92555-2410	63.63	6.36	12.6	82.58
65705705009	487380013	ALVAREZ, GONZALO	26389	BODEGA CT	MORENO VALLEY	CA	92555-2499	ALVAREZ, GONZALO	26389 BODEGA CT	MORENO VALLEY, CA	92555-2499	27.46	2.75	5.44	35.64
92174525003	487380022	ALEXANDER, SHANDRIA	26430	BODEGA CT	MORENO VALLEY	CA	92555-2461	ALEXANDER, SHANDRIA	19409 BELSHAW AVE	CARSON, CA	90746-2401	323.22	32.32	64	419.52
90559983002	487380031	GIRGGS, MELISSA (RENT)	13124	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2458	GIRGGS, MELISSA	13124 NAPA VALLEY CT	MORENO VALLEY, CA	92555-2458	162.63	16.26	32.2	211.08
31455605003	487381004	SMITH, CHRISTINE	13056	TIOGA PASS CT	MORENO VALLEY	CA	92555-2462	SMITH, CHRISTINE	13056 TIOGA PASS CT	MORENO VALLEY, CA	92555-2462	126.76	12.68	25.1	164.52
31331505007	487381007	HUNTIMER, JUDY	13016	TIOGA PASS CT	MORENO VALLEY	CA	92555-2462	HUNTIMER, JUDY	13016 TIOGA PASS CT	MORENO VALLEY, CA	92555-2462	154.02	15.4	30.5	199.9
56056895008	487381021	SEVIRE, SANDRA AND JAMES	13020	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2455	SEVIRE, SANDRA	13020 NAPA VALLEY CT	MORENO VALLEY, CA	92555-2455	154.02	15.4	30.5	199.9
31290295009	487381031	HUDGENS, FRANCINE	13095	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2456	HUDGENS, FRANCINE	26385 HELENE DR	MORENO VALLEY, CA	92555-1875	254.12	25.41	50.32	329.84
31149695003	487381034	TREBUS, JULIE	13131	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2457	TREBUS, JULIE	13131 NAPA VALLEY CT	MORENO VALLEY, CA	92555-2457	63.63	6.36	12.6	82.58
98403823007	487381036	MORENO, BENJAMIN (OWNR)	13165	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2457	MORENO, BENJAMIN	13177 NAPA VALLEY CT	MORENO VALLEY, CA	92555-2457	140.2	14.02	27.76	181.96
31143805003	487381042	CRAIG, CARROL	13237	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2498	CRAIG, CARROL	13237 NAPA VALLEY CT	MORENO VALLEY, CA	92555-2498	254.02	25.4	50.3	329.7
93556033003	487400029	LENSEN, CHRISTOPHER	13353	LAKEPORT DR	MORENO VALLEY	CA	92555-2470	NO, SERVICE	24616 WEBSTER AVE	MORENO VALLEY, CA	92553-3766	113.1	11.31	22.39	146.8
57521435007	487400030	MORENO, LAURA (OWNR)	13345	LAKEPORT DR	MORENO VALLEY	CA	92555-2470	MORENO, LAURA	13345 LAKEPORT DR	MORENO VALLEY, CA	92555-2470	329.32	32.93	65.21	427.44
31595345001	487400037	CORTEZ, ALEXANDER	13250	NELS CIR	MORENO VALLEY	CA	92555-6828	CORTEZ, ALEXANDER	13250 NELS CIR	MORENO VALLEY, CA	92555-6828	82.68	8.27	16.37	107.3
89618403009	487400042	SMITH, JAMIE (RENT)	13340	NELS CIR	MORENO VALLEY	CA	92555-6829	SMITH, JAMIE	13340 NELS CIR	MORENO VALLEY, CA	92555-6829	211.59	21.16	41.89	274.64
57331655004	487410004	BLANCO, FRANK	13389	LAKEPORT DR	MORENO VALLEY	CA	92555-2468	BLANCO, FRANK	13389 LAKEPORT DR	MORENO VALLEY, CA	92555-2468	190.02	19	37.62	246.64
74617565004	487410009	SULLIVAN, JOANN	13439	LAKEPORT DR	MORENO VALLEY	CA	92555-2469	SULLIVAN, JOANN	13439 LAKEPORT DR	MORENO VALLEY, CA	92555-2469	254.02	25.4	50.3	329.7
58492965008	487410014	MOORE, DYANA (OWN)	26095	PRADO ST	MORENO VALLEY	CA	92555-2808	MOORE, DYANA	26095 PRADO ST	MORENO VALLEY, CA	92555-2808	254.12	25.41	50.32	329.84
75178035008	487410018	GARCIA, ALEJANDRO	13416	BRAD ST	MORENO VALLEY	CA	92555-2805	GARCIA, ALEJANDRO	13416 BRAD ST	MORENO VALLEY, CA	92555-2805	254.02	25.4	50.3	329.7
55594555000	487410032	SUTTON, VIVIAN	26024	PECK ST	MORENO VALLEY	CA	92555-2803	SUTTON, VIVIAN	26024 PECK ST	MORENO VALLEY, CA	92555-2803	63.63	6.36	12.6	82.58
88108445004	487411002	GOBLE, LORETTA	26159	DARDANELLE CT	MORENO VALLEY	CA	92555-6825	GOBLE, LORETTA	26159 DARDANELLE CT	MORENO VALLEY, CA	92555-6825	329.6	32.96	65.26	427.82
31602075001	487411008	KELIIPULEOLE, ALAN AND LEANNE	26231	DARDANELLE CT	MORENO VALLEY	CA	92555-2465	KELIIPULEOLE, ALAN AND LEANNE	26231 DARDANELLE CT	MORENO VALLEY, CA	92555-2465	63.63	6.36	12.6	82.58
60506185005	487411011	FIELDS, CATHERINE	26206	DARDANELLE CT	MORENO VALLEY	CA	92555-2465	FIELDS, CATHERINE	26206 DARDANELLE CT	MORENO VALLEY, CA	92555-2465	129.6	12.96	25.66	168.22
97776155007	487411013	WILLIAMS, DONALD (OWNR)	26182	DARDANELLE CT	MORENO VALLEY	CA	92555-6824	WILLIAMS, DONALD	26182 DARDANELLE CT	MORENO VALLEY, CA	92555-6824	63.63	6.36	12.6	82.58
31359405009	487411017	FESTE, DARLA K	26147	FERNDALE CT	MORENO VALLEY	CA	92555-6827	FESTE, DARLA K	26147 FERNDALE CT	MORENO VALLEY, CA	92555-6827	329.32	32.93	65.21	427.44
63178375000	487411019	MORENO, LEONARDO	26171	FERNDALE CT	MORENO VALLEY	CA	92555-6827	MORENO, LEONARDO	26171 FERNDALE CT	MORENO VALLEY, CA	92555-6827	32.68	3.27	6.47	42.4

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
94083775001	487411028	DIAZ, CARLOS (RENT)	14880	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3988	DIAZ, CARLOS	14880 BLUEBRIAR ST	MORENO VALLEY, CA	92553-3988	244.83	24.48	48.48	317.78
31211595002	487411030	SAN AUGUSTINE, JAIME	26170	FERNDALE CT	MORENO VALLEY	CA	92555-6826	SAN AUGUSTINE, JAIME	13520 BEARBERRY DR	MORENO VALLEY, CA	92553-4808	254.02	25.4	50.3	329.7
93621845005	487412016	ENRIQUEZ, STORMY (RENT)	13390	JAMES ST	MORENO VALLEY	CA	92555-2800	ENRIQUEZ, STORMY	13390 JAMES ST	MORENO VALLEY, CA	92555-2800	254.12	25.41	50.32	329.84
60053795000	487413002	MENGEL, DELPHINE	26035	PRADO ST	MORENO VALLEY	CA	92553-	MENGEL, DELPHINE	1863 HARDT ST	LOMA LINDA, CA	92354-1723	254.12	25.41	50.32	329.84
68238715006	487413008	ANDERSON, WESLEY AND ELITA	13415	JAMES ST	MORENO VALLEY	CA	92555-2801	ANDERSON, WESLEY AND ELITA	13415 JAMES ST	MORENO VALLEY, CA	92555-2801	254.12	25.41	50.32	329.84
31459025007	487420004	VILLA JR, PETER	13291	BURNEY PASS DR	MORENO VALLEY	CA	92555-2400	VILLA JR, PETER	13291 BURNEY PASS DR	MORENO VALLEY, CA	92555-2400	254.02	25.4	50.3	329.7
92462233003	487420008	WOODS, NIACHEMA (RENT)	13339	BURNEY PASS DR	MORENO VALLEY	CA	92555-6822	WOODS, NIACHEMA	13339 BURNEY PASS DR	MORENO VALLEY, CA	92555-6822	157.91	15.79	31.27	204.96
31366035002	487421008	PARKER, GLORIA	26371	ALTURAS CREEK DR	MORENO VALLEY	CA	92555-2448	PARKER, GLORIA	26371 ALTURAS CREEK DR	MORENO VALLEY, CA	92555-2448	254.02	25.4	50.3	329.7
31374195002	487421013	FLORENCE, RANDY	26297	ALTURAS CREEK DR	MORENO VALLEY	CA	92555-2447	THOMAS, CYNTHIA	26297 ALTURAS CREEK DR	MORENO VALLEY, CA	92555-2447	329.32	32.93	65.21	427.44
31139295008	487421022	ALLISON, SHERRY	26326	CAPAY BAY CT	MORENO VALLEY	CA	92555-2439	ALLISON, SHERRY	26326 CAPAY BAY CT	MORENO VALLEY, CA	92555-2439	254.02	25.4	50.3	329.7
90473693005	487422005	OSORIO, DORI (RENT)	13318	YUBA PASS RD	MORENO VALLEY	CA	92555-2442	OSORIO, DORI	1535 W 37TH ST	LOS ANGELES, CA	90018-4522	41.2	4.12	8.16	53.46
31654125002	487422008	WEATHERSPOON, PATRICIA	26454	ALTURAS CREEK DR	MORENO VALLEY	CA	92555-6821	WEATHERSPOON, PATRICIA	26454 ALTURAS CREEK DR	MORENO VALLEY, CA	92555-6821	254.02	25.4	50.3	329.7
72675165008	487422024	RUIZ, ARMANDO	26267	DRACAEA AVE	MORENO VALLEY	CA	92555-6806	RUIZ, ARMANDO	26267 DRACAEA AVE	MORENO VALLEY, CA	92555-6806	254.02	25.4	50.3	329.7
31630115004	487422026	LEAKE, STEPHANIE	26295	DRACAEA AVE	MORENO VALLEY	CA	92555-6806	LEAKE, STEPHANIE	26295 DRACAEA AVE	MORENO VALLEY, CA	92555-6806	190.69	19.07	37.76	247.5
97589163004	487422028	HUDSON, JULIA (RENT)	26323	DRACAEA AVE	MORENO VALLEY	CA	92555-2451	HUDSON, JULIA	26323 DRACAEA AVE	MORENO VALLEY, CA	92555-2451	108.2	10.82	21.42	140.44
31141355001	487422029	JONES, MICHAEL	26337	DRACAEA AVE	MORENO VALLEY	CA	92555-2451	JONES, MICHAEL	26337 DRACAEA AVE	MORENO VALLEY, CA	92555-2451	90.29	9.03	17.88	117.18
92197295001	487422032	PLENTES, DELORES	26379	DRACAEA AVE	MORENO VALLEY	CA	92555-2451	PLENTES, DELORES	26379 DRACAEA AVE	MORENO VALLEY, CA	92555-2451	253.92	25.39	50.28	329.58
96076505000	487430004	ESPINOZA, ROSA (RENT)	13379	BURNEY PASS DR	MORENO VALLEY	CA	92555-2438	ESPINOZA, ROSA	13379 BURNEY PASS DR	MORENO VALLEY, CA	92555-2438	254.12	25.41	50.32	329.84
92075333002	487430007	PEREZ, RAMIRO (RENT)	13409	BURNEY PASS DR	MORENO VALLEY	CA	92555-6823	PEREZ, RAMIRO	13326 LASSELLE ST APT 1103	MORENO VALLEY, CA	92553-0853	186.35	18.64	36.9	241.88
94307535005	487431003	MEDINA, MARIA (RENT)	26280	WALKER PASS DR	MORENO VALLEY	CA	92555-2427	MEDINA, MARIA	26280 WALKER PASS DR	MORENO VALLEY, CA	92555-2427	63.53	6.35	12.58	82.46
57932515009	487431006	NAJERA, CHRIS	26322	WALKER PASS DR	MORENO VALLEY	CA	92555-6811	NAJERA, CHRIS	26322 WALKER PASS DR	MORENO VALLEY, CA	92555-6811	254.02	25.4	50.3	329.7
66526615007	487431013	MITCHELL, SHIRLEY	26420	WALKER PASS DR	MORENO VALLEY	CA	92555-6809	MITCHELL, SHIRLEY	26420 WALKER PASS DR	MORENO VALLEY, CA	92555-6809	254.12	25.41	50.32	329.84
88766633009	487431022	TRUEHEART, BILLY (RENT)	26435	CAPAY BAY CT	MORENO VALLEY	CA	92555-2441	TRUEHEART, BILLY	27026 DRACAEA AVE	MORENO VALLEY, CA	92555-4501	114.21	11.42	22.61	148.24
31544415004	487431024	JIMERSON, LATASHA AND MICKEY	26397	CAPAY BAY CT	MORENO VALLEY	CA	92555-6817	JIMERSON, LATASHA AND MICKEY	26397 CAPAY BAY CT	MORENO VALLEY, CA	92555-6817	253.92	25.39	50.28	329.58
61288945000	487431026	REYES, JOEL G AND TERESA	26363	CAPAY BAY CT	MORENO VALLEY	CA	92555-6817	REYES, JOEL G	26363 CAPAY BAY CT	MORENO VALLEY, CA	92555-6817	254.12	25.41	50.32	329.84
75616295002	487431029	SMITH, RANA	26325	CAPAY BAY CT	MORENO VALLEY	CA	92555-2440	SMITH, RANA	26325 CAPAY BAY CT	MORENO VALLEY, CA	92555-2440	461.29	46.12	91.32	598.66
31139015007	487431032	RHODEN, RICHARD C AND DENISE	26287	CAPAY BAY CT	MORENO VALLEY	CA	92555-2477	RHODEN, RICHARD C AND DENISE	26287 CAPAY BAY CT	MORENO VALLEY, CA	92555-2477	329.32	32.93	65.21	427.44
86592213009	487431040	O'QUINN, PAMELA (RENT)	26326	CAPE MENDOCINO CT	MORENO VALLEY	CA	92555-6815	O'QUINN, PAMELA	26326 CAPE MENDOCINO CT	MORENO VALLEY, CA	92555-6815	127.46	12.75	25.24	165.44
88218923000	487431052	TELLEZ, NORA (RENT)	26363	CAPE MENDOCINO CT	MORENO VALLEY	CA	92555-2437	TELLEZ, NORA	26363 CAPE MENDOCINO CT	MORENO VALLEY, CA	92555-2437	254.12	25.41	50.32	329.84
64877465007	487432007	STOKES, IDELL	26339	WALKER PASS DR	MORENO VALLEY	CA	92555-6812	STOKES, IDELL	26339 WALKER PASS DR	MORENO VALLEY, CA	92555-6812	254.12	25.41	50.32	329.84
35828445008	487432013	TAPIA, MARIBEL (OWNR)	26423	WALKER PASS DR	MORENO VALLEY	CA	92555-2426	TAPIA, MARIBEL	26423 WALKER PASS DR	MORENO VALLEY, CA	92555-2426	254.02	25.4	50.3	329.7
69805495007	487440003	ALVAREZ, PATRICIA	13459	LETTERMAN ST	MORENO VALLEY	CA	92555-3712	ALVAREZ, PATRICIA	13459 LETTERMAN ST	MORENO VALLEY, CA	92555-3712	254.02	25.4	50.3	329.7
59834645008	487440006	CARREON, CHRISTINE	13417	LETTERMAN ST	MORENO VALLEY	CA	92555-3712	CARREON, CHRISTINE	13417 LETTERMAN ST	MORENO VALLEY, CA	92555-3712	254.12	25.41	50.32	329.84
95371415005	487441006	PAZ, RICARDO (RENT)	26861	CAMPUS POINT DR	MORENO VALLEY	CA	92555-3705	PAZ, RICARDO	26861 CAMPUS POINT DR	MORENO VALLEY, CA	92555-3705	127.46	12.75	25.24	165.44
59831525009	487442003	ABUFAR, ASHRAF	13424	LETTERMAN ST	MORENO VALLEY	CA	92555-3713	ABUFAR, ASHRAF	13424 LETTERMAN ST	MORENO VALLEY, CA	92555-3713	254.12	25.41	50.32	329.84
99317103005	487442009	DAWSON, TONY (RENTR)	13340	LETTERMAN ST	MORENO VALLEY	CA	92555-3714	DAWSON, TONY	13340 LETTERMAN ST	MORENO VALLEY, CA	92555-3714	176.33	17.63	34.91	228.86
99730075005	487442011	HO, HENRY (OWNR)	26817	HONORS WAY	MORENO VALLEY	CA	92555-3722	HO, HENRY	26817 HONORS WAY	MORENO VALLEY, CA	92555-3722	228.72	22.87	45.29	296.86
95142555000	487442026	EYESTONE, ANDREW (OWNR)	13415	VARSITY LN	MORENO VALLEY	CA	92555-3707	EYESTONE, ANDREW	13415 VARSITY LN	MORENO VALLEY, CA	92555-3707	254.12	25.41	50.32	329.84
90419463008	487442028	ROSAS, FERNANDO LUIS (OWNR)	13443	VARSITY LN	MORENO VALLEY	CA	92555-3707	ROSAS, FERNANDO	13443 VARSITY	MORENO VALLEY, CA	92555-3707	311.91	31.19	61.76	404.84
87558815003	487443003	ZAPATA, TINA	13428	VARSITY LN	MORENO VALLEY	CA	92555-3708	ZAPATA, TINA	13428 VARSITY LN	MORENO VALLEY, CA	92555-3708	94.12	9.41	18.64	122.16
62273375000	487450007	QUINO, PEDRO AND AIDA	26926	HONORS WAY	MORENO VALLEY	CA	92555-3724	QUINO, PEDRO AND AIDA	26926 HONORS WAY	MORENO VALLEY, CA	92555-3724	117.45	11.75	23.26	152.44
82882735009	487450014	PRADO, STEVE	26949	HONORS WAY	MORENO VALLEY	CA	92555-3724	PRADO, STEVE	26949 HONORS WAY	MORENO VALLEY, CA	92555-3724	254.02	25.4	50.3	329.7
83140195004	487450015	COPELAND, WANDA	26937	HONORS WAY	MORENO VALLEY	CA	92555-3724	COPELAND, WANDA	26937 HONORS WAY	MORENO VALLEY, CA	92555-3724	254.02	25.4	50.3	329.7
80694735000	487450016	AGUIRRE, ARTURO	26925	HONORS WAY	MORENO VALLEY	CA	92555-3724	AGUIRRE, ARTURO	3530 E LA PALMA AVE APT 306	ANAHEIM, CA	92806-2155	254.02	25.4	50.3	329.7
60813965001	487450021	DICK, FAKUMOH	26928	COMMONS DR	MORENO VALLEY	CA	92555-3721	DICK, FAKUMOH	26928 COMMONS DR	MORENO VALLEY, CA	92555	154.12	15.41	30.52	200.04
65353625005	487450026	GIBSON, KATRINA	26975	COMMONS DR	MORENO VALLEY	CA	92555-3721	GIBSON, KATRINA	26975 COMMONS DR	MORENO VALLEY, CA	92555-3721	331.52	33.15	65.64	430.3
87183215006	487450032	PORTER, LISA	26966	HOMEROOM CT	MORENO VALLEY	CA	92555-3717	PORTER, LISA	26966 HOMEROOM CT	MORENO VALLEY, CA	92555-3717	254.02	25.4	50.3	329.7
95585463009	487450033	HERNANDEZ, DALIA (RENT)	26978	HOMEROOM CT	MORENO VALLEY	CA	92555-3717	HERNANDEZ, DALIA	26978 HOMEROOM CT	MORENO VALLEY, CA	92555-3717	200.09	20.01	39.62	259.7
89242063009	487450037	HERNANDEZ, JESENIA (RENT)	13446	ATHLETICS DR	MORENO VALLEY	CA	92555-3716	HERNANDEZ, JESENIA (RENT)	13446 ATHLETICS DR	MORENO VALLEY, CA	92555-3716	262.79	26.27	52.02	341.02
99025215001	487451012	MOORE, MYESHA	13397	ATHLETICS DR	MORENO VALLEY	CA	92555-3719	MOORE, MYESHA	13397 ATHLETICS DR	MORENO VALLEY, CA	92555-3719	254.02	25.4	50.3	329.7
96220465002	487470005	MORELAND, KAREN	26345	COTTONWOOD AVE	MORENO VALLEY	CA	92555-2505	MORELAND, KAREN	27115 COTTONWOOD AVE	MORENO VALLEY, CA	92555-4626	333.28	33.33	65.99	432.58
72661845006	487480001	GOMEZ, MARIA C	26596	QUARTZ RD	MORENO VALLEY	CA	92555-3837	GOMEZ, MARIA C	26596 QUARTZ RD	MORENO VALLEY, CA	92555-3837	254.02	25.4	50.3	329.7
73399755000	487480006	CORTEZ, IRMA	26536	QUARTZ RD	MORENO VALLEY	CA	92555-3837	CORTEZ, IRMA	26536 QUARTZ RD	MORENO VALLEY, CA	92555-3837	190.69	19.07	37.76	247.5
91544033001	487481020	PEREZ, WENCESLAO (OWNR)	13597	SESAME RD	MORENO VALLEY	CA	92555-3835	PEREZ, WENCESLAO	13597 SESAME RD	MORENO VALLEY, CA	92555-3835	63.63	6.36	12.6	82.58
73262415002	487481022	VALENZUELA, JOSE	13621	SESAME RD	MORENO VALLEY	CA	92555-3836	VALENZUELA, JOSE	2625 S SAN DIEGO AVE	ONTARIO, CA	91761-6352	254.02	25.4	50.3	329.7
90429143003	487481026	BRUNIER, KARCELETTA	26650	EMERALD AVE	MORENO VALLEY	CA	92555-3831	BRUNIER, KARCELETTA	26650 EMERALD AVE	MORENO VALLEY, CA	92555-3831	36.37	3.64	7.2	47.2
83946605008	487481049	LOVELY, CASSANDRA	13611	DIAMOND LN	MORENO VALLEY	CA	92555-3833	LOVELY, CASSANDRA	13611 DIAMOND LN	MORENO VALLEY, CA	92555-3833	254.02	25.4	50.3	329.7
82095485000	487482002	GLORIA, JENNIFER AND CARMEL	26632	QUARTZ RD	MORENO VALLEY	CA	92555-3839	GLORIA, JENNIFER AND CARMEL	26632 QUARTZ RD	MORENO VALLEY, CA	92555-3839	254.02	25.4	50.3	329.7
89725155004	487482007	GAITAN, ARACELI	26694	QUARTZ RD	MORENO VALLEY	CA	92555-3839	GAITAN, ARACELI	26694 QUARTZ RD	MORENO VALLEY, CA	92555-3839	253.92	25.39	50.28	329.58
73148235001	487482009	BRITO, ORTENCIA	13568	SESAME RD	MORENO VALLEY	CA	92555-3835	BRITO, ORTENCIA	13568 SESAME RD	MORENO VALLEY, CA	92555-3835	63.53	6.35	12.58	82.46
71549265005	487482011	VALLES, ELSA	13592	SESAME RD	MORENO VALLEY	CA	92555-3835	VALLES, ELSA	13592 SESAME RD	MORENO VALLEY, CA	92555-3835	329.32	32.93	65.21	427.44
31326835008	487492009	GALLOWAY, EVELYN (RENT)	13638	REGIS DR	MORENO VALLEY	CA	92555-2510	GALLOWAY, EVELYN	13638 REGIS DR	MORENO VALLEY, CA	92555-2510	329.32	32.93	65.21	427.44
31585595009	487492012	LUCAS, ASTRID	13630	ERIN DR	MORENO VALLEY	CA	92555-2524	LUCAS, ASTRID	13630 ERIN DR	MORENO VALLEY, CA	92555-2524	28.49	2.85	5.64	36.98
31305255003	487493018	NAVA, MARIA	26138	WINDEMERE WAY	MORENO VALLEY	CA	92555-2516	NAVA, MARIA	26138 WINDEMERE WAY	MORENO VALLEY, CA	92555-2516	329.32	32.93	65.21	427.44
31428785002	487493019	LEHMANN, BONNIE	26124	WINDEMERE WAY	MORENO VALLEY	CA	92555-2516	LEHMANN, BONNIE	26124 WINDEMERE WAY	MORENO VALLEY, CA	92555-2516	329.32	32.93	65.21	427.44
31370135003	487493020	CLARK, DOROTHY J	26110	WINDEMERE WAY	MORENO VALLEY	CA	92555-2516	CLARK, DOROTHY J	26110 WINDEMERE WAY	MORENO VALLEY, CA	92555-2516	254.02	25.4	50.3	329.7
68121505008	487493023	ACEVEDO, HECTOR	26068	WINDEMERE WAY	MORENO VALLEY	CA	92555-2525	ACEVEDO, HECTOR	26068 WINDEMERE WAY	MORENO VALLEY, CA	92555-2525	254.12	25.41	50.32	329.84
31056855006	487494027	HARRIS, CAROLYN (OWNR)	26046	BAY AVE	MORENO VALLEY	CA	92555-2512	HARRIS, CAROLYN	26046 BAY AVE	MORENO VALLEY, CA	92555-2512	91.02	9.1	18.02	118.14
31283395003	487494030	GONZALEZ, ROSEMARY(OWNR)	26004	BAY AVE	MORENO VALLEY	CA	92555-2512	GONZALEZ, ROSEMARY	26004 BAY AVE	MORENO VALLEY, CA	92555-2512	229.32	22.93	45.41	297.64
96315535006	487500005	WADUUD, RAHEEM (RENT)	26446	BAY AVE	MORENO VALLEY	CA	92555-2540	WADUUD, RAHEEM	26446 BAY AVE	MORENO VALLEY, CA	92555-2540	254.12	25.41	50.32	329.84
74514495008	487500011	RUIZ, AUGUSTINE	26455	FIELD ST	MORENO VALLEY	CA	92555-2551	RUIZ, AUGUSTINE	26455 FIELD ST	MORENO VALLEY, CA	92555-2551	254.02	25.4	50.3	329.7
91576435009	487500013	DEL LA CRUZ, GLORIA	26479	FIELD ST	MORENO VALLEY	CA	92555-2551	DEL LA CRUZ, GLORIA	26479 FIELD ST	MORENO VALLEY, CA	92555-2551	253.92	25.39	50.28	329.58
96094195008	487500015	BARGER, JOHN (OWNR)	13662	BRISBANE CT	MORENO VALLEY	CA	92555-2552	BARGER, JOHN	13662 BRISBANE CT	MORENO VALLEY, CA	92555-2552	127.16	12.72	25.18	165.04
97104015002	487500021	WURZER, KATHERINE	13625	BRISBANE CT	MORENO VALLEY	CA	92555-2552	WURZER, KATHERINE	13625 BRISBANE CT	MORENO VALLEY, CA	92555-2552	211.9	21.19	41.96	275.04
73146325006	487500024	KIRKLAND, CRAIG AND MICHELLE	13661	BRISBANE CT	MORENO VALLEY	CA	92555-2552	KIRKLAND, CRAIG AND MICHELLE	13661 BRISBANE CT	MORENO VALLEY, CA	92555-2552	190.44	19.04	37.71	247.18
87524425007	487500031	HEYWARD, DEVORA	26368	FIELD ST	MORENO VALLEY	CA	92555-2548	HEYWARD, DEVORA	26368 FIELD ST	MORENO VALLEY, CA	92555-2548	254.12	25.41	50.32	329.84
80692815007	487500033	BALLEW, GEORGE	26377	HOBART CIR	MORENO VALLEY	CA	92555-2553	BALLEW, GEORGE	6115 HOMESTEAD ST	RIVERSIDE, CA	92509-4925	329.6	32.96	65.26	427.82
91108605005	487500050	CLEAVER, PAUL AND STEFANIE	13663	SYDNEY AVE	MORENO VALLEY	CA	92555-2542	CLEAVER, PAUL AND STEPHANIE	13663 SYDNEY AVE	MORENO VALLEY, CA	92555-2542	190.59	19.06	37.74	247.38
72637785008	487500051	TOBIAS, MATT AND MARY	13668	DARWIN DR	MORENO VALLEY	CA	92555-2554	TOBIAS, MATT	13668 DARWIN DR	MORENO VALLEY, CA	92555-2554	254.02	25.4	50.3	329.7
93315755002	487502006	WALTER, COLIN (RENT)	26386	BAY AVE	MORENO VALLEY	CA	92555-2528	WALTER, COLIN	PO BOX 806	FOREST FALLS, CA	92339-0806	395.21	39.52	77.86	510.38
96479355007	487502012	WILLIAMS, EDWARD AND PRISCILLA	26347	FIELD ST	MORENO VALLEY	CA	92555-2549	WILLIAMS, EDWARD AND PRISCILLA	26347 FIELD ST	MORENO VALLEY, CA	92555-2549	329.6	32.96	65.26	427.82
77264825008	487510006	SMITH, DAVID	26527	OPAL ST	MORENO VALLEY	CA	92555-3821	SMITH, DAVID	66900 IRONWOOD DR APT 610	DESERT HOT SPRINGS, CA	92240-6006	254.02	25.4	50.3	329.7
71931425002	487510012	ZARAZUA, TINO	26554	BAY AVE	MORENO VALLEY	CA	92555	ZARAZUA, TINO	26554 BAY AVE	MORENO VALLEY, CA	92555-3800	126.44	12.64	25.04	164.1
94791875008	487511011	BOWLES, NICOLE (RENT)	26611	OPAL ST	MORENO VALLEY	CA	92555-3823	BOWLES, NICOLE AND MICHAEL	26611 OPAL ST	MORENO VALLEY, CA	92555-3823	125.79	12.58	24.91	163.26
74610565009	487512003	BRIGGERS, SANDRA	26698	BAY AVE	MORENO VALLEY	CA	92555-3804	BRIGGERS, SANDRA	26698 BAY AVE	MORENO VALLEY, CA	92555-3804	254.02	25.4	50.3	329.7
71521175003	487512007	ROSENBLUM, BRUCE	26707	OPAL ST	MORENO VALLEY	CA	92555-3824	ROSENBLUM, BRUCE	26707 OPAL ST	MORENO VALLEY, CA	92555-3824	254.02	25.4	50.3	329.7
90917755008	487513007	HANDS, RONALD EW	26616	OPAL ST	MORENO VALLEY	CA	92555-3822	HANDS, RONALD	26616 OPAL ST	MORENO VALLEY, CA	92555-3822	253.92	25.39	50.28	329.58
98062575013	487513008	SIMENTAL, JAVIER (RENT)	26628	OPAL ST	MORENO VALLEY	CA	92555-3822	SIMENTAL, JAVIER	26628 OPAL ST	MORENO VALLEY, CA	92555-3822	254.12	25.41	50.32	329.84
87048105004	487513010	SALES, ARMIDA	26648	OPAL ST	MORENO VALLEY	CA	92555-3822	SALES, ARMIDA	26648 OPAL ST	MORENO VALLEY, CA	92555-3822	190.69	19.07	37.76	247.5
88612955007	487513011	CLEAVELAND, MATT	26658	OPAL ST	MORENO VALLEY	CA	92555-3822	CLEAVELAND, MATT	26658 OPAL ST	MORENO VALLEY, CA	92555-3822	62.79	6.28	12.43	81.5
74886035007	487513014	CORRALES, ALMA	26685	EMERALD AVE	MORENO VALLEY	CA	92555-3832	CORRALES, ALMA	26685 EMERALD AVE	MORENO VALLEY, CA	92555-3832	254.02	25.4	50.3	329.7
72130065005	487513023	BENJAMIN, VEADA	26577	EMERALD AVE	MORENO VALLEY	CA	92555-3830	BENJAMIN, VEADA	26577 EMERALD AVE	MORENO VALLEY, CA	92555-3830	254.02	25.4	50.3	329.7
71388245003	487514001	WILSON, ROB AND ANGELICA	13652	SESAME RD	MORENO VALLEY	CA	92555-3836	WILSON, ROB AND ANGI	13652 SESAME RD	MORENO VALLEY, CA	92555-3836	165.64	16.56	32.8	215
91889053005	487514003	WALLACE, LAURA AND SYLVESTER (	13676	SESAME RD	MORENO VALLEY	CA	92555-3836	WALLACE, LAURA	13676 SESAME RD	MORENO VALLEY, CA	92555-3836	169.48	16.95	33.56	219.98
91416935003	487514004	SWISS, NORA	13688	SESAME RD	MORENO VALLEY	CA	92555-3836	SWISS, NORA	13688 SESAME RD	MORENO VALLEY, CA	92555-3836	253.92	25.39	50.28	329.58
97104745009	487520002	GONZALEZ, JAIME AND MARI(RENT)	13932	MONET ST	MORENO VALLEY	CA	92555-2570	GONZALEZ, JAIME AND MARIA	13932 MONET ST	MORENO VALLEY, CA	92555-2570	336.46	33.65	66.62	436.72
81257965006	487520003	GALVAN, JUANA	26299	BARBADOS LN	MORENO VALLEY	CA	92555-2559	GALVAN, JUANA	26299 BARBADOS LN	MORENO VALLEY, CA	92555-2559	254.02	25.4	50.3	329.7
75988725005	487521003	JONES, GREGORY AND TANJA	26308	BARBADOS LN	MORENO VALLEY	CA	92555-2560	JONES, GREGORY AND TANJA	26308 BARBADOS LN	MORENO VALLEY, CA	92555-2560	254.02	25.4	50.3	329.7
98360365015	487522020	SPENCER, TRACY (RENT)	13901	MONET ST	MORENO VALLEY	CA	92555-2570	SPENCER, TRACY	13901 MONET ST	MORENO VALLEY, CA	92555-2570	190.79	19.08	37.78	247.64
99237555000	487530005	KIVEKA, HAKA	26559	BAY AVE	MORENO VALLEY	CA	92555-3801	KIVEKA, HAKA	26559 BAY AVE	MORENO VALLEY, CA	92555-3801	254.12	25.41	50.32	329.84
92426865005	487530015	OLUFEMI, AGETUNMOBI (RENT)	26510	PEGASUS WAY	MORENO VALLEY	CA	92555-3817	OLUFEMI, AGETUNMOBI	27798 GLADSTONE DR	MORENO VALLEY, CA	92555-5829	329.04	32.9	65.15	427.08

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
97107895000	487530017	MALING, NOAH AND ROLANDO (RENT	13819	ANDROMEDA AVE	MORENO VALLEY	CA	92555-3814	MALING, NOAH AND ROLANDO	13819 ANDROMEDA AVE	MORENO VALLEY, CA	92555-3814	190.79	19.08	37.78	247.64
96221525008	487531009	PALOMAREZ, ROBERT	26590	RHONE CT	MORENO VALLEY	CA	92555-3808	PALOMAREZ, ROBERT	26590 RHONE CT	MORENO VALLEY, CA	92555-3808	228.72	22.87	45.29	296.86
96374065001	487532009	JAUREGUI, JOEL (OWNR)	26561	SAGE BRUSH CT	MORENO VALLEY	CA	92555-3816	JAUREGUI, JOEL	26561 SAGE BRUSH CT	MORENO VALLEY, CA	92555-3816	48.76	4.88	9.65	63.28
83515745002	487532016	MUDRICK, CURTIS	26560	SAGE BRUSH CT	MORENO VALLEY	CA	92555-3816	MUDRICK, CURTIS	14150 GRANT ST	MORENO VALLEY, CA	92553-9114	254.02	25.4	50.3	329.7
87307995007	487560007	DE LEON, CARMELITA	26824	HR AVE	MORENO VALLEY	CA	92555-3537	DE LEON, CARMELITA	26824 FIR AVE	MORENO VALLEY, CA	92555-3537	254.12	25.41	50.32	329.84
31075165001	488010005	HEEKIN, SCOTT	27061	PAM PL	MORENO VALLEY	CA	92555-2109	HEEKIN, SCOTT	27061 PAM PL	MORENO VALLEY, CA	92555-2109	254.02	25.4	50.3	329.7
31178305004	488010006	POPP, JEFFREY (OWNR)	27041	PAM PL	MORENO VALLEY	CA	92555-2109	POPP, JEFFREY	27041 PAM PL	MORENO VALLEY, CA	92555-2109	254.02	25.4	50.3	329.7
68476615003	488022006	HARRY, MARY	27493	WALFRED WAY	MORENO VALLEY	CA	92555-2111	HARRY, MARY AND ANDREW	27493 WALFRED WAY	MORENO VALLEY, CA	92555-2111	254.12	25.41	50.32	329.84
31350405008	488031002	SUAREZ, MANUEL	12152	LANTZ LN	MORENO VALLEY	CA	92555-2122	SUAREZ, MANUEL	12152 LANTZ LN	MORENO VALLEY, CA	92555-2122	190.69	19.07	37.76	247.5
87872775006	488032001	AGUILLARD, DONALD AND ALISA	27019	ARCHIE AVE	MORENO VALLEY	CA	92555-2100	AGUILLARD, DONALD AND ALISA	27019 ARCHIE AVE	MORENO VALLEY, CA	92555-2100	204.18	20.42	40.43	265.02
87789005004	488041003	MARIN, ESTHER	12186	MARY LEE WAY	MORENO VALLEY	CA	92555-2114	MARIN, ESTHER	5271 MANZANAR AVE	PICO RIVERA, CA	90660-2631	254.12	25.41	50.32	329.84
31103415009	488041004	STEVENSON, JOE AND JACQUELINE	12170	MARY LEE WAY	MORENO VALLEY	CA	92555-2114	STEVENSON, JOE AND JACQUELINE	12170 MARY LEE WAY	MORENO VALLEY, CA	92555-2114	127.36	12.74	25.22	165.3
93553405002	488041005	GALLARDO, PATRICIA (OWNR)	12152	MARY LEE WAY	MORENO VALLEY	CA	92555-2114	GALLARDO, PATRICIA	12152 MARY LEE WAY	MORENO VALLEY, CA	92555-2114	254.12	25.41	50.32	329.84
31406645008	488050015	SOTO, ADOLFO	27410	CAROL PL	MORENO VALLEY	CA	92555-2116	SOTO, ADOLFO	27410 CAROL PL	MORENO VALLEY, CA	92555-2116	117.32	11.73	23.23	152.28
31482493007	488051002	QUIONES, TERESA (OWNR)	27480	DARLENE DR	MORENO VALLEY	CA	92555-2102	QUIONES, TERESA	27480 DARLENE DR	MORENO VALLEY, CA	92555-2102	127.46	12.75	25.24	165.44
95535785007	488061001	MEDINA, MELINDA (RENT)	12231	MARY LEE WAY	MORENO VALLEY	CA	92555-2131	MEDINA, MELINDA	12231 MARY LEE WAY	MORENO VALLEY, CA	92555-2131	254.12	25.41	50.32	329.84
97103805003	488061005	MACIAS, SANTIAGO	12340	LANTZ LN	MORENO VALLEY	CA	92555-2119	MACIAS, SANTIAGO	12340 LANTZ LN	MORENO VALLEY, CA	92555-2119	322.76	32.28	64.1	420.14
81629705001	488061011	KRIKL, STEVE	12240	LANTZ LN	MORENO VALLEY	CA	92555-2123	KRIKL, STEVE	12240 LANTZ LN	MORENO VALLEY, CA	92555-2123	254.02	25.4	50.3	329.7
31388905004	488071003	WALL, CLARA	27280	DARLENE DR	MORENO VALLEY	CA	92555-2121	WALL, CLARA	11987 PERRIS BLVD	MORENO VALLEY, CA	92557-6543	329.6	32.96	65.26	427.82
87940945006	488110014	MURPHY, CHENIQUE	12799	DOLOMITE LN	MORENO VALLEY	CA	92555-4512	MURPHY, CHENIQUE	12799 DOLOMITE LN	MORENO VALLEY, CA	92555-4512	254.12	25.41	50.32	329.84
86514955007	488110015	COLBY, JENNIFER	12791	DOLOMITE LN	MORENO VALLEY	CA	92555-4512	COLBY, JENNIFER	1061 E JOEL ST	CARSON, CA	90745-3433	254.02	25.4	50.3	329.7
89387353001	488110073	HUTCHISON, DAVID (RENT)	12843	SERPENTINE WAY	MORENO VALLEY	CA	92555-4516	HUTCHISON, DAVID	22730 DEBERRY ST	GRAND TERRACE, CA	92313-5520	40.91	4.09	8.1	53.1
88334745003	488110076	GUTERRIEZ, ANDRES	12875	SERPENTINE WAY	MORENO VALLEY	CA	92555-4517	GUTERRIEZ, ANDRES	12875 SERPENTINE WAY	MORENO VALLEY, CA	92555-4517	254.12	25.41	50.32	329.84
85360135009	488110080	CAMPBELL, SANDRA	12852	SERPENTINE WAY	MORENO VALLEY	CA	92555-4516	CAMPBELL, SANDRA	12852 SERPENTINE WAY	MORENO VALLEY, CA	92555-4516	204.02	20.4	40.4	264.8
97247765001	488120006	BROOKS, MONIQUE (OWNR)	27202	GOLDEN FIELD CT	MORENO VALLEY	CA	92555-4539	BROOKS, MONIQUE	27202 GOLDEN FIELD CT	MORENO VALLEY, CA	92555-4539	190.29	19.03	37.68	246.98
96531443007	488120010	SEVILLANO, ELVIS (RENT)	27162	GOLDEN FIELD CT	MORENO VALLEY	CA	92555-4538	SEVILLANO, ELVIS	27162 GOLDEN FIELD CT	MORENO VALLEY, CA	92555-4538	185.85	18.59	36.8	241.22
96836385002	488120013	ROGERS, SYDNEY (OWNR)	27132	GOLDEN FIELD CT	MORENO VALLEY	CA	92555-4538	ROGERS, SYDNEY	27132 GOLDEN FIELD CT	MORENO VALLEY, CA	92555-4538	190.79	19.08	37.78	247.64
96344425009	488120018	MARTINEZ, ALBERTO (OWNR)	13072	MISTY MEADOW CT	MORENO VALLEY	CA	92555-4535	MARTINEZ, ALBERTO	13072 MISTY MEADOW CT	MORENO VALLEY, CA	92555-4535	64.13	6.41	12.7	83.24
97869975008	488121011	FIORILLO, ANTHONY (OWNR)	13075	WINDHAVEN DR	MORENO VALLEY	CA	92555-4536	FIORILLO, ANTHONY	13075 WINDHAVEN DR	MORENO VALLEY, CA	92555-4536	254.12	25.41	50.32	329.84
85481765005	488121016	ZAPATA, RENE	13028	CREEKSIDE WAY	MORENO VALLEY	CA	92555-4540	ZAPATA, RENE	10964 WILLOWBROOK AVE	LOS ANGELES, CA	90059-1254	63.63	6.36	12.6	82.58
94689515000	488122005	REILOVA, RICARDO	12936	COBBLESTONE LN	MORENO VALLEY	CA	92555-4511	REILOVA, RICARDO	12936 COBBLESTONE LN	MORENO VALLEY, CA	92555-4511	254.12	25.41	50.32	329.84
94722015004	488122006	HARRIEL, RODNEY (OWNR)	12954	COBBLESTONE LN	MORENO VALLEY	CA	92555-4511	HARRIEL, RODNEY	12954 COBBLESTONE LN	MORENO VALLEY, CA	92555-4511	254.12	25.41	50.32	329.84
87720895007	488122015	JONES, ERICA	12967	DOLOMITE LN	MORENO VALLEY	CA	92555-4514	JONES, ERICA	2231 S FERN AVE APT E	ONTARIO, CA	91762-6445	254.12	25.41	50.32	329.84
95596115000	488122028	RODRIGUEZ, MIGUEL (OWNR)	12955	COBBLESTONE LN	MORENO VALLEY	CA	92555-4511	RODRIGUEZ, MIGUEL	12955 COBBLESTONE LN	MORENO VALLEY, CA	92555-4511	63.05	6.31	12.48	81.82
95601685008	488131002	SILVA, HALENA (RENT)	13161	CREEKSIDE WAY	MORENO VALLEY	CA	92555-4541	SILVA, HALENA	13161 CREEKSIDE WAY	MORENO VALLEY, CA	92555-4541	254.12	25.41	50.32	329.84
84166175002	488131019	ROMAN, ANNA	27042	DRACAEA AVE	MORENO VALLEY	CA	92555-4501	ROMAN, ANNA	27042 DRACAEA AVE	MORENO VALLEY, CA	92555-4501	104.02	10.4	20.6	135
93228825003	488132007	EURIN'ELLIOT, MARYLIN (RENT)	27151	QUAIL CREEK DR	MORENO VALLEY	CA	92555-4521	EURIN'ELLIOT, MARYLIN	PO BOX 10031	MORENO VALLEY, CA	92552-0031	147.48	14.75	29.2	191.42
86431183006	488132023	RIVAS, HERMAN (OWNR)	27160	QUAIL CREEK DR	MORENO VALLEY	CA	92555-4521	RIVAS, HERMAN	27160 QUAIL CREEK DR	MORENO VALLEY, CA	92555-4521	254.12	25.41	50.32	329.84
83702925008	488132026	CASTRO, ANTHONY	27124	QUAIL CREEK DR	MORENO VALLEY	CA	92555-4521	CASTRO, ANTHONY	27124 QUAIL CREEK DR	MORENO VALLEY, CA	92555-4521	254.02	25.4	50.3	329.7
98168955018	488132027	OLIVAS, CYNTHIA (OWNR)	27112	QUAIL CREEK DR	MORENO VALLEY	CA	92555-4521	OLIVAS, CYNTHIA	27112 QUAIL CREEK DR	MORENO VALLEY, CA	92555-4521	84.91	8.49	16.81	110.2
91193785009	488132033	BUCOL, LALAINE	27147	OAK RIDGE RD	MORENO VALLEY	CA	92555-4526	BUCOL, LALAINE	27147 OAK RIDGE RD	MORENO VALLEY, CA	92555-4526	253.92	25.39	50.28	329.58
91585965008	488132036	GLOVER, RICHARD AND SARAH	27183	OAK RIDGE RD	MORENO VALLEY	CA	92555-4526	GLOVER, RICHARD AND SARAH	27183 OAK RIDGE RD	MORENO VALLEY, CA	92555-4526	63.87	6.39	12.65	82.9
92196255002	488133011	GARCIA, RONALD	27110	OAK RIDGE RD	MORENO VALLEY	CA	92555-4525	GARCIA, RONALD	27110 OAK RIDGE RD	MORENO VALLEY, CA	92555-4525	253.92	25.39	50.28	329.58
96229065007	488133032	CONPETENTE, RANDY (OWNR)	27121	WOODGLEN LN	MORENO VALLEY	CA	92555-4533	CONPETENTE, RANDY	27121 WOODGLEN LN	MORENO VALLEY, CA	92555-4533	63.63	6.36	12.6	82.58
94751895008	488140017	WILLIAMS, JOHN	27298	COLD CREEK CT	MORENO VALLEY	CA	92555-4532	WILLIAMS, JOHN	27298 COLD CREEK CT	MORENO VALLEY, CA	92555-4532	254.12	25.41	50.32	329.84
94688685006	488140021	ORTEGA, MARK (OWNR)	13108	WILD SAGE LN	MORENO VALLEY	CA	92555-4530	ORTEGA, MARK	13108 WILD SAGE LN	MORENO VALLEY, CA	92555-4530	254.12	25.41	50.32	329.84
95595835009	488140043	CLARK, COURTNEY (OWNR)	27224	WOODGLEN WAY	MORENO VALLEY	CA	92555-4534	CLARK, COURTNEY	27224 WOODGLEN WAY	MORENO VALLEY, CA	92555-4534	63.63	6.36	12.6	82.58
31329485001	488180008	MCGINNIS, GREGORY	27060	VINEWOOD PL	MORENO VALLEY	CA	92555-4617	MCGINNIS, GREGORY	27060 VINEWOOD PL PMB 7036	MORENO VALLEY, CA	92555-4617	104.72	10.47	20.73	135.92
56814155001	488180020	HERNANDEZ, DELIA	27130	COTTONWOOD AVE	MORENO VALLEY	CA	92555-4624	HERNANDEZ, DELIA	27130 COTTONWOOD AVE	MORENO VALLEY, CA	92555-4624	59.12	5.91	11.71	76.72
59768025008	488180021	CORDENIS, ANTONIO (OWNR)	27132	COTTONWOOD AVE	MORENO VALLEY	CA	92555-4624	CORDENIS, ANTONIO	27132 COTTONWOOD AVE	MORENO VALLEY, CA	92555-4624	205.91	20.59	40.77	267.26
94571495004	488190001	MCDONALD, LETICIA (RENT)	27041	COTTONWOOD AVE	MORENO VALLEY	CA	92555-4604	MCDONALD, LETICIA (RENT)	27041 COTTONWOOD AVE	MORENO VALLEY, CA	92555-4604	566.02	56.6	112.07	734.68
61509465009	488190014	ANDERSON, EDDIE	27306	CEDAR CT	MORENO VALLEY	CA	92555-4655	ANDERSON, EDDIE	27306 CEDAR CT	MORENO VALLEY, CA	92555-4655	254.12	25.41	50.32	329.84
93809545009	488190018	RAMIREZ, MARYSOL (OWNR)	27271	CEDAR CT	MORENO VALLEY	CA	92555-4654	RAMIREZ, MARYSOL	27271 CEDAR CT	MORENO VALLEY, CA	92555-4654	54.12	5.41	10.72	70.24
70188055007	488200019	ADCOCK, ROBERT	13711	OLIVER ST	MORENO VALLEY	CA	92555-5623	ADCOCK, ROBERT	13711 OLIVER ST	MORENO VALLEY, CA	92555-5623	63.63	6.36	12.6	82.58
70906325006	488200020	VILLALOBOS, JOANNE	13715	OLIVER ST	MORENO VALLEY	CA	92555-5623	VILLALOBOS, JOANNE	13715 OLIVER ST	MORENO VALLEY, CA	92555-5623	254.02	25.4	50.3	329.7
56058465004	488210008	BEARDEN, GINGER (TNT)	13860	MARIAN RD	MORENO VALLEY	CA	92555-4634	BEARDEN, GINGER	13860 MARIAN RD	MORENO VALLEY, CA	92555-4634	329.32	32.93	65.21	427.44
31256395009	488210010	MANIAGI, SAMMY	27118	LARKMEAD CT	MORENO VALLEY	CA	92555-4610	MANIAGI, SAMMY	27118 LARKMEAD CT	MORENO VALLEY, CA	92555-4610	330.38	33.04	65.42	428.82
89883615005	488210011	URNA, NORMA	13860	NASON ST	MORENO VALLEY	CA	92555-4620	URNA, NORMA	13860 NASON ST	MORENO VALLEY, CA	92555-4620	256.18	25.62	50.72	332.52
89000005004	488230002	HERRERA, CHERYL	12038	PETTIT ST	MORENO VALLEY	CA	92555-5406	HERRERA, CHERYL	12038 PETTIT ST	MORENO VALLEY, CA	92555-5406	253.92	25.39	50.28	329.58
66085805004	488230009	CORAH, ELLIS	12079	HINSON ST	MORENO VALLEY	CA	92555-5408	CORAH, ELLIS	108 BAY DR	HENDERSONVLLE, TN	37075-4021	243.28	24.33	48.17	315.76
94458075002	488230010	BURDINE, NATASHA	12057	HINSON ST	MORENO VALLEY	CA	92555-5408	BURDINE, NATASHA	12057 HINSON ST	MORENO VALLEY, CA	92555-5408	150.22	15.02	29.74	194.98
82698035006	488232008	PENA, FRANCISCO	12083	FENIMORE DR	MORENO VALLEY	CA	92555-5403	PENA, FRANCISCO	12083 FENIMORE DR	MORENO VALLEY, CA	92555-5403	254.02	25.4	50.3	329.7
31516835004	488232009	BARBER, GERRY AND LESLIE (OWNR	12155	FENIMORE DR	MORENO VALLEY	CA	92555-5411	BARBER, GERRY	12155 FENIMORE DR	MORENO VALLEY, CA	92555-5411	329.04	32.9	65.15	427.08
70408995002	488232010	ARIAS, TERESA	12167	FENIMORE DR	MORENO VALLEY	CA	92555-5411	ARIAS, TERESA	26222 CALICO LN	MORENO VALLEY, CA	92555-3361	147.42	14.74	29.19	191.34
31545515000	488240008	CROUCH, LEONARD (OWN)	12221	HINSON ST	MORENO VALLEY	CA	92555-5415	CROUCH, LEONARD	12221 HINSON ST	MORENO VALLEY, CA	92555-5415	329.04	32.9	65.15	427.08
89796995009	488241006	JARVIS, DAWN	28129	BELFRY CIR	MORENO VALLEY	CA	92555-5414	JARVIS, DAWN	28129 BELFRY CIR	MORENO VALLEY, CA	92555-5414	253.92	25.39	50.28	329.58
31384645007	488241007	BURNETT, PETER AND SHERRY	28109	BELFRY CIR	MORENO VALLEY	CA	92555-5414	BURNETT, PETER	28109 BELFRY CIR	MORENO VALLEY, CA	92555-5414	254.02	25.4	50.3	329.7
31052135007	488241010	BAILEY, ROBERT	28160	HEMLOCK AVE	MORENO VALLEY	CA	92555-5412	BAILEY, ROBERT	28160 HEMLOCK AVE	MORENO VALLEY, CA	92555-5412	65.69	6.57	13.01	85.26
58685745004	488270005	BERMUDEZ, OSCAR	28115	WHITE SAND TRL	MORENO VALLEY	CA	92555-5436	BERMUDEZ, OSCAR	28115 WHITE SAND TR	MORENO VALLEY, CA	92555-5436	287.89	28.79	57	373.68
31397795007	488270009	BROOKS, DONOVAN	28090	WHITE SAND TRL	MORENO VALLEY	CA	92555-5400	BROOKS, DONOVAN	28090 WHITE SAND TR	MORENO VALLEY, CA	92555-5400	329.32	32.93	65.21	427.44
95813595008	488270018	FERRER, MARIA	28131	HEMLOCK AVE	MORENO VALLEY	CA	92555-5433	FERRER, MARIA	28131 HEMLOCK AVE	MORENO VALLEY, CA	92555-5433	266.17	26.62	52.7	345.48
83733315001	488280004	FINKELSTEIN, LAWRENCE AND CIND	12341	DEEP VALLEY TRL	MORENO VALLEY	CA	92555-5430	FINKELSTEIN, LAWRENCE AND CIND	12341 DEEP VALLEY TR	MORENO VALLEY, CA	92555-5430	254.02	25.4	50.3	329.7
31328925005	488281008	PORTER, SARA	28299	HEMLOCK AVE	MORENO VALLEY	CA	92555-5413	PORTER, SARA	28299 HEMLOCK AVE	MORENO VALLEY, CA	92555-5413	254.02	25.4	50.3	329.7
31534905002	488281019	BROWN, HOMER	12323	CLOUDBURST TRL	MORENO VALLEY	CA	92555-5426	BROWN, HOMER	12323 CLOUDBURST TR	MORENO VALLEY, CA	92555-5426	329.32	32.93	65.21	427.44
31621215002	488282001	BAISDEN, LARRY	12342	PRAIRIE WIND TRL	MORENO VALLEY	CA	92555-5425	BAISDEN, LARRY	12342 PRAIRIE WIND TR	MORENO VALLEY, CA	92555-5425	433.1	43.31	85.75	562.16
68557065005	488290001	SMITH, MATTIE	12369	DEEP VALLEY TRL	MORENO VALLEY	CA	92555-5430	SMITH, MATTIE	12369 DEEP VALLEY TR	MORENO VALLEY, CA	92555-5430	221.82	22.18	43.92	287.92
31367655009	488290005	ZUNIGA, MICHAEL	12471	DEEP VALLEY TRL	MORENO VALLEY	CA	92555-5431	ZUNIGA, MICHAEL	12471 DEEP VALLEY TR	MORENO VALLEY, CA	92555-5431	123.49	12.35	24.45	160.28
94666323008	488290007	SILLA, JOSEPH (OWNR)	28211	MESA TOP TRL	MORENO VALLEY	CA	92555-5419	SILLA, JOSEPH	3790 BLACKPINE	YORBA LINDA, CA	92886-6928	202.84	20.28	40.16	263.28
62125945003	488292008	SANTIAGO, NIDIA (OWNR)	12368	CLOUDBURST TRL	MORENO VALLEY	CA	92555-5426	SANTIAGO, NIDIA	12368 CLOUDBURST TR	MORENO VALLEY, CA	92555-5426	82.58	8.26	16.35	107.18
31287145007	488340003	CROSIER, LARRY	28855	FIR AVE	MORENO VALLEY	CA	92555-6701	CROSIER, LARRY	11750 CARLY CT	RIVERSIDE, CA	92503-5984	329.32	32.93	65.21	427.44
91495545009	488380006	MERCED, WILFERDO AND MADELINE	27082	DOLOSTONE WAY	MORENO VALLEY	CA	92555-4506	MERCED, WILFERDO AND MADELINE	27082 DOLOSTONE WAY	MORENO VALLEY, CA	92555-4506	253.92	25.39	50.28	329.58
91495225006	488380007	SALAS, MICHELLE	27090	DOLOSTONE WAY	MORENO VALLEY	CA	92555-4507	SALAS, MICHELLE	27090 DOLOSTONE WAY	MORENO VALLEY, CA	92555-4507	211.74	21.17	41.92	274.82
95606435000	488380010	REYNOLDS, BEANN (RENT)	27114	DOLOSTONE WAY	MORENO VALLEY	CA	92555-4507	REYNOLDS, BEANN	26270 CHESTNUT DR	MORENO VALLEY, CA	92555-2244	90	9	17.82	116.82
100735053009	488380018	SATURNINO, PAULETTE	27097	DOLOSTONE WAY	MORENO VALLEY	CA	92555-4507	SATURNINO, PAULETTE	27097 DOLOSTONE WAY	MORENO VALLEY, CA	92555-4507	63.63	6.36	12.6	82.58
88370235004	488380033	TAYLOR, FRANK	27120	ADVENTURINE WAY	MORENO VALLEY	CA	92555-4515	TAYLOR, FRANK	27120 ADVENTURINE WAY	MORENO VALLEY, CA	92555-4515	90.79	9.08	17.98	117.84
99929135001	488380035	BROCK, CARY (OWNR)	12835	COBBLESTONE LN	MORENO VALLEY	CA	92555-4508	BROCK, CARY	12835 COBBLESTONE LN	MORENO VALLEY, CA	92555-4508	254.12	25.41	50.32	329.84
93276175008	488380039	REIDY, MICHAEL AND BELINDA (OW	12834	COBBLESTONE LN	MORENO VALLEY	CA	92555-4508	REIDY, MICHAEL AND BELINDA	12834 COBBLESTONE LN	MORENO VALLEY, CA	92555-4508	329.6	32.96	65.26	427.82
93369415001	488380040	MCKEE, ROSA	12842	COBBLESTONE LN	MORENO VALLEY	CA	92555-4508	MCKEE, ROSA	12842 COBBLESTONE LN	MORENO VALLEY, CA	92555-4508	254.12	25.41	50.32	329.84
89756113008	2539021008	QUIONEZ, LUIS (RENT)	24305	ST THOMAS AVE	MORENO VALLEY	CA	92551-6900	QUIONEZ, LUIS	24305 ST THOMAS AVE	MORENO VALLEY, CA	92551-6900	316.83	31.68	62.73	411.24
91856863004	3908392003	FRIESON, LA WANDA	26228	CLYDESDALE LN	MORENO VALLEY	CA	92555-3307	FRIESON, LA WANDA	26228 CLYDESDALE LN	MORENO VALLEY, CA	92555-3307	255.53	25.55	50.59	331.66

MV00167486

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) **Report by Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 26, 2012

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate;

2. Appoint those applicants who received majority vote by the City Council; and

3. If vacancies are not filled by a majority vote of the City Council, authorize the City Clerk to re-advertise the positions as vacant and carry over the current applications for reconsideration of appointment at a future date.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2012.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. Mary McBean applied for the Arts Commission, Environmental and Historical Preservation Board and the Library Commission.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

One (1) term expiring June 30, 2015
Public Representative

None

ARTS COMMISSION
Three (3) terms expiring June 30, 2015

Mary McBean**
Ruth A. Van Hala*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
Two (2) terms expiring June 30, 2015

Michelle Terese Gerard
Mary McBean**
Carla Jennifer Thornton*

LIBRARY COMMISSION
Two (2) terms expiring June 30, 2015

Mary McBean

PARKS AND RECREATION COMMISSION
Two (2) terms expiring June 30, 2015

Jonneshia C. Bright
Latrece Bright
James Lucha

RECREATIONAL TRAILS BOARD
Three (3) terms expiring June 30, 2015

Angelyn L. Grady
Radene Ramos Hiers*
Brenda Y. Jackson*
Vivian Joneswhye-Brock*

SENIOR CITIZENS' BOARD
Three (3) terms expiring June 30, 2015

Cleveland Johnson*

TRAFFIC SAFETY COMMISSION
Two (2) terms expiring June 30, 2015

Michael Riiff
Wraymond Sawyerr *

*Incumbent
** Applied for more than one position

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michele Patterson, Assistant to the City Manager

AGENDA DATE: June 26, 2012

TITLE: JOB TRAINING LINKAGE INITIATIVE

RECOMMENDED ACTION

Staff recommends that the City Council approve the continued development of the Job Training Linkage Initiative in Moreno Valley.

BACKGROUND

Though some areas of the state and nation are beginning to experience improvement in unemployment rates, Moreno Valley's rate continues to be unusually high at 13.7%. Expressed in terms of local impact, 12,200 Moreno Valley residents are currently unemployed.

Committed to stimulating local improvement, the City Council adopted the Economic Development Action Plan in April 2011 and conducted a Goal Setting Workshop in May 2011. Both events established Job Development as a prioritized goal.

This last year, Moreno Valley's logistics industry has grown significantly. The City's monthly Economic Development Summary documents more than 15 million square feet of industrial buildings under development and many millions of square feet are in the planning stages:

- First Industrial Logistics Center: a proposal to develop a 397,000 square foot logistics building.
- March Business Center: a proposal to develop 75 acres into four industrial buildings totaling 1,484,407 square feet.
- VIP Moreno Valley Distribution Center: a proposed plan to develop a 1,616,133 square foot distribution facility on 71 acres.
- World Logistics Center: a proposed master plan for the development of up to 41.6 million square feet on 2,665 acres.

Unfortunately, creating jobs does not guarantee employment for Moreno Valley residents. Staff now proposes to offer subsidized logistics training that facilitates the selection of Moreno Valley residents to fill the expected employment opportunities.

As described by noted regional economist Dr. John Husing, Moreno Valley's demographics support logistics development. According to his source - the American Community Survey of 2010 - approximately 54% of Moreno Valley residents aged 25 or older have a high school diploma or less. In addition, a significant portion of Moreno Valley's workforce has been employed in residential construction. As the residential construction industry continues to experience recovery delays, the City has identified logistics as a growth industry that could offer the opportunity for upward mobility and replace lost residential construction jobs for these segments of Moreno Valley's population.

In FY 2007/08, the City's Neighborhood Preservation office introduced a job training program for the manufacturing and logistics industries. Known as the Community Talent Development Partnership, that program partnered with Riverside Community College District (RCCD) and was targeted to assist income-eligible, at-risk youth. Funded by a grant from the U.S. Department of Labor and by the City's Community Development Block Grant (CDBG), the program trained dozens of youth. However, it was discontinued when the grant funds were exhausted and few of the graduates found employment in the declining economy.

In 2009, the American Recovery and Reinvestment Act (ARRA) included a grant program identified as the High Growth and Emerging Industries Grant. A partnership of community colleges including RCCD formed the Southern California Logistics Technology Collaborative (SCLTC), which received an ARRA grant of $4,260,863 from the U.S. Department of Labor, Employment and Training Administration to fund new vocational training programs. As a member of the SCLTC, RCCD has been bringing new vocational training to Riverside County residents at their Corona location and has facilitated the employment of more than 150 people.

Staff has engaged in planning discussions with SBCCD and RCCD. ARRA grant funds continue to be available through early 2013 and RCCD has indicated their support for providing training to several cohorts of Moreno Valley residents through the end of 2012.

DISCUSSION

Staff recommends that the City Council approve the continued development of the Job Training Linkage Initiative, to be funded until the end of 2012 by RCCD through the SCLTC's ARRA grant.

The Manufacturing Skill Standards Council (MSSC) has created a credentialing system that covers core competency areas for logistics employees, as defined by MSSC's industry-led, nationally-validated skills standards for higher skilled, frontline material handling workers across all supply chain facilities: factories, warehouses, distribution centers, fulfillment centers, and transporters.

Understanding MSSC's credentialed training program, RCCD and City staff met with representatives of Masonite, Ralph's, Ross Dress For Less, Ryder, Skechers, United Natural Foods, Inc., and Walgreens distribution centers to confirm that the curriculum supports the employee knowledge, skills and experience that each requires. The proposed program format is derived from those conversations.

Enrollment Eligibility

If the City Council approves, the proposed training will be available free of charge to all eligible Moreno Valley residents. MSSC training recognizes the employers' need for employability, academic, and technical skills. All of the proposed programs incorporate an intake assessment to ensure that students meet the minimum knowledge, experience, and skill pre-requisites. MSSC strongly recommends that individuals be at the 9th grade level of English, math and critical thinking before attempting MSSC courses and assessments. In addition, all students must pass a drug test prior to admission into the program.

Proposed Training

If approved, two Logistics Certification credentials will be offered: the foundational-level Certified Logistics Associate (CLA) certificate and the mid-level Certified Logistics Technician (CLT) certificate. CLA certification is a prerequisite for CLT enrollment. In addition, with emerging logistics technologies, many distribution centers offer positions that require advanced skills in programming and maintenance of robotics, conveyors, computer numerical control, and programmable logic control (PLC) systems. Staff is proposing that RCCD offer the Automation Technologies courses in Moreno Valley to enable residents with three years of experience in a related field to train and successfully compete for as many of these new positions as possible.

Some Moreno Valley residents with logistics experience may only need forklift certification. RCCD will provide a short-term 3-day orientation that will enable students to gain their OSHA Safety Standards (10-hour card). Finally, in the event that several residents need a refresher to pass the 9th grade English / math assessment(s), RCCD would offer an Employability Skills course.

The curriculum of each program is summarized in Attachment A.

Coordination with Moreno Valley High Schools

The current logistics growth, high unemployment rate, and expiring grant funding demand immediate, relevant training for adults. In addition, the longer-term vision for

the development of the City's logistics workforce would expand the training program to Moreno Valley's high school students.

Establishing curriculum for high school credit requires review by a curriculum committee, which could involve a six-month to one-year evaluation period. Staff has engaged in preliminary discussions with Superintendent Dr. Judy White from Moreno Valley Unified School District (MVUSD) and will make a similar proposal to Val Verde Unified School District (VVUSD) regarding a series of courses to be offered through each districts' Career Technical Education programs.

Schedule

If the City Council approves, staff propose to offer the following training cohorts of approximately 20 students each:

- CLA / CLT: Two cohorts by Fall 2012.
- Automation Technologies: One cohort by Fall 2012
- 3-day Forklift Orientation: Potential for one cohort by Fall 2012, if RCCD identifies enough students
- Employability Skills: Potential for one cohort concurrently offered with the first CLA class, if RCCD identifies enough students. Once students pass the assessments, they would be eligible to participate in the second CLA cohort.

Training Location

As a member of the SCLTC, RCCD has been bringing new vocational training to Riverside County residents at their Corona location and this proposal would expand the training to include a Moreno Valley location. To ensure convenient access for Moreno Valley residents, staff has confirmed the availability of the Moreno Valley Employment Resource Center as the training location through 2012. Moreno Valley Unified School District has also expressed enthusiasm for providing a training classroom. Forklift training will be conducted in the Hunter Park area of Riverside, near the intersection of Columbia and Iowa Avenues.

ALTERNATIVES

Alternative 1: Approve the continued development of the Job Training Linkage Initiative in Moreno Valley. **Staff recommends this alternative because the training will enable the employment of Moreno Valley residents in the growing logistics industry.**

Alternative 2: Decline to approve the continued development of the Job Training Linkage Initiative in Moreno Valley. **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no fiscal impact on the City's funds. If the City Council approves the proposed programs, RCCD will fund the training through the end of 2012 from the $4,260,863 grant awarded under the American Recovery and Reinvestment Act of 2009 to the Southern California Logistics Technology Collaborative, of which RCCD is a partner.

RCCD is participating in an application to extend the grant performance period and they are also seeking new grant opportunities. If the grant funding expires as scheduled in February 2013, the City could consider funding additional cohorts through CDBG, as has been used in the past. Such a proposal would be brought back to the City Council in the future for separate consideration.

CITY COUNCIL GOALS

Positive Environment. Create a positive environment for the development of Moreno Valley's workforce.

SUMMARY

Moreno Valley's logistics industry is growing. However, creating local jobs does not guarantee employment for Moreno Valley residents.

A partnership of community colleges including Riverside Community College District (RCCD) formed the Southern California Logistics Technology Collaborative (SCLTC), which received an American Recovery and Reinvestment Act of 2009 (ARRA) grant of $4,260,863 from the U.S. Department of Labor, Employment and Training Administration. The grant is funding vocational training programs. As a member of the SCLTC, RCCD has been bringing new vocational training to Riverside County residents at their Corona location.

Staff proposes to offer subsidized logistics training programs in Moreno Valley that facilitate selection of Moreno Valley residents to fill the expected logistics employment opportunities. Specific logistics training programs are summarized on Attachment A and would include:

- The foundational-level Certified Logistics Associate (CLA) certificate.
- The mid-level Certified Logistics Technician (CLT) certificate.
- Automation Technologies.
- Forklift Certification / 3-day Orientation: For residents with distribution center experience but who lack current forklift certification.
- Employability Skills: a refresher in 9th grade English / math.

Staff recommends that the City Council approve the continued development of the Job Training Linkage Initiative in Moreno Valley.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Logistics Training Curriculum

Prepared By:
Michele Patterson
Assistant to the City Manager

Department Head Approval:
Michelle Dawson
Assistant City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT A

LOGISTICS TRAINING CURRICULUM

The Manufacturing Skill Standards Council (MSSC) has created a credentialing system that covers core competency areas for logistics employees across all supply chain facilities: factories, warehouses, distribution centers, fulfillment centers, and transporters.

MSSC training recognizes the employers' need for employability, academic, and technical skills. All of the proposed programs incorporate an intake assessment to ensure that students meet the minimum knowledge, experience, and skill pre-requisites. MSSC strongly recommends that individuals be at the 9th grade level of English, math and critical thinking before attempting MSSC courses and assessments.In addition, all students must pass a drug test prior to admission into the program.

Certified Logistics Associate – 60 hours

- Intro. to Global Supply Chain Logistics
- Material Handling Equipment
- Material Handling & Equipment Operation
- Quality Control Principles
- Work Communication
- Teamwork & Good Workplace Conduct
- Computer Systems for Logistics
- OSHA Safety Standards (10-hour card)

Certified Logistics Technician*– 36 hours

- Product Receiving
- Product Storage
- Order Processing
- Packaging & Shipment
- Inventory Control
- Safe Handling of Hazardous Material
- Evaluation of Transportation Modes
- Dispatch & Tracking Operations

* CLA certification is a prerequisite for CLT enrollment.

Automation Technologies– 100 hours

- Electrical & Motor Controls
- Programmable Logic Controllers (PLC)
- Integrated Automation & Troubleshooting
- OSHA Safety Standards (10-hour card)

Forklift Certification – 3-day Orientation

For those residents who possess distribution center experience but lack current forklift certification (which is frequently issued and retained by each employer), the City / RCCD will provide a short-term 3-day orientation that will enable students to gain their OSHA Safety Standards (10-hour card).

Employability Skills

In the event that several residents need a refresher to pass the 9th grade English / math assessment(s), RCCD would offer an Employability Skills course. Once a student passes the assessments, he or she would be eligible for the next CLA / CLT cohort.

CITY MANAGER'S REPORT

(Informational only –not for Council action)

a) Police Department - Oral Presentation by Police Chief Joel Ontiveros

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: June 26, 2012

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUB-SECTION 9.12.050(F) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADDING SUB-SECTION 9.12.060(O) TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY.

RECOMMENDED ACTION

Staff recommends that the City Council introduce the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way.

BACKGROUND

The existing Right-of-Way (ROW) within Sunnymead Boulevard is not symmetrical from the centerline and is shifted approximately ten (10) feet to the south. The result of this shift is that there are several signs that find themselves located within the public ROW where they otherwise would not be situated had the ROW been consistant on each side of the roadway. One example is the sign for the Chicago Pasta House, which is now located within the public ROW. Chicago Pasta House is looking to reconstruct its monument sign, but is prohibited under the existing Municipal Code.

DISCUSSION

City staff is recommending an update to Title 9 of the MVMC in order to accommodate the off-set ROW of Sunnymead Boulevard (from Frederick Street to Perris Boulevard).

Listed below are key proposed changes to various portions throughout sub-sections 9.12.050 and 9.12.060 of Title 9 of the existing municipal code:

- Amend the Municipal Code to include an additional exception to those signs within the public right-of-way of Sunnymead Boulevard
- Add a subsection to specify the circumstances and provisions under which a sign permit would be considered for approval

An administrative policy will be drafted to address signage within the public Right-of-Way of Sunnymead Boulevard and will establish the limitations and requirements of such a condition, including requiring the issuance of an encroachment permit, liability insurance and compliance with all other aspects of Chapter 9 of the City of Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve the introduction of the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way. **This alternative is recommended by staff.** *Approval would allow limited approval of certain signs which encroach into the public ROW.*

2. Do not approve the introduction of the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way. **This alternative is not recommended by staff.** *Any signs found to be within the public ROW would be in violation of the Municipal Code and subject to fines by the City.*

FISCAL IMPACT

There are no fiscal impacts associated with the proposed action.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 - Proposed Ordinance No. 850

Prepared By:
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
Paul Early
Deputy City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ORDINANCE NO. 850

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUB-SECTION 9.12.050(F) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADDING SUB-SECTION 9.12.060(O) TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY

The City Council of the City of Moreno Valley does hereby ordain as follows:

SECTION 1. AMENDMENT OF SUB-SECTION 9.12.050(F) OF SECTION 9.12.050 OF CHAPTER 9.12 OF THE MORENO VALLEY MUNICIPAL CODE:

1.1. Sub-Section 9.12.050(F) of Chapter 9.12 of Title 9 of the City of Moreno ValleyMunicipal Code is hereby amended to read, in its entirety, as follows:

"Signs within the public right-of-way, except those required by a governmental agency and temporary political signs and off-site directional signs subject to the provisions of Sections 9.12.040(H) and 9.12.060(L) of this chapter.Modified Monument Signs located in the public right-of-way subject to the provisions of Section 9.12.060(O) of this chapter may also be permitted."

SECTION 2. ADDITION OF SUB-SECTION 9.12.060(O) OF SECTION 9.12.060 OF CHAPTER 9.12 OF THE MORENO VALLEY MUNICIPAL CODE:

2.1 Sub-Section 9.12.060(O) of Chapter 9.12 of Title 9 of the City of Moreno ValleyMunicipal Code is hereby added to read, in its entirety, as follows:

"O. Signs in the Public Right-Of-Way

1. A Modified Monument Sign that is otherwise permissible pursuant to Section 9.12.060(B)(1) of this chapter and located in the public-right-of-way may be permitted in the following circumstances:
    a. The sign is located within a public right-of-way controlled by the City of Moreno Valley;
    b. The sign is located along Sunnymead Boulevard between Frederick Street and Perris Boulevard;
    c. There is no practicable location on private property to locate the sign;
    d. The sign design and location do not obstruct or impede any utility, utility access, pedestrian walkways or pedestrian or vehicle sight lines.
    e. The sign design and location are not located over or upon any other easement without written authorization for such from the owner of the easement.

f. An encroachment permit is obtained, all fees paid, and all required insurance and other requirements are kept current and valid;
g. A sign permit is obtained in accordance with this Chapter.

2. In order to apply for a permit for a sign in the public right-of-way pursuant to this Section, an application must first be made for an encroachment permit and all criteria for such encroachment permit must be met.
3. In the event that any of the requirements or terms of the encroachment permit are not met or are not continually maintained in accordance with the encroachment permit, any sign permit shall become void and such sign shall become a public nuisance and may be removed by the City at any time at the sign owner's expense.
4. Any such sign in the public right-of-way shall be immediately removed from the public right-of-way upon request by the City for any public purpose and shall not be entitled to any compensation."

SECTION 3. EFFECT OF ENACTMENT:

3.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect thirty days after the date of its adoption.

Ordinance No. 850
Date Adopted: July 10, 2012

APPROVED AND ADOPTED this 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 850
Date Adopted: July 10, 2012

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENOVALLEY)

I, Jane Halstead,City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 850 had its first reading on June 26, 2012 and had its second reading on July 10, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of July, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 850
Date Adopted: July 10, 2012

ORDINANCE NO.847

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA12-0008 AMENDING THE MUNICIPAL CODE TO INCREASE THE MAXIMUM HEIGHT AND SIGN AREA FOR MENU BOARDS IN THE CITY'S SIGN CODE IN SECTION 9.12.060.D.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on June 12, 2012, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: General Plan policy 2.10.6 states that signs should be highly compatible with the building and site design relative to size, color, material, and placement. Policy 7.7.3 states that reasonable controls should be implemented on the size, number and design of signs to minimize degradation of visual quality. The changes proposed to the Municipal Code are consistent with the General Plan and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations,

the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The purpose and intent of the City's sign regulation as stated in Municipal Code Section 9.12.060 is to aid in the identification of land uses and facilities to provide for public convenience; encourage signs that are attractive, discourage clutter and maintain a high quality visual image for the community; promote the economic well-being of local businesses and the community; reduce traffic and safety hazards; and ensure that signs are in keeping with the goals, objectives and policies of the city of Moreno Valley general plan. As proposed, the Municipal Code Amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 The City's sign regulations in Chapter 9.12 of Title 9 of the City of Moreno Valley Municipal Code in Section 9.12.060.D are hereby revised as follows:

D. Drive-Through Restaurant Menu Boards. Two additional signs shall be permitted for the purpose of displaying the type and price of products sold on-site to drive-through customers. Such signs may include a speaker system to allow drive-through customers to order food and beverages. Such signs shall not exceed forty-eight (48) square feet in area and eight feet in height inclusive of the base. If the restaurant elects to build only a single menu board, the sign shall not exceed 64 square feet and the height shall not exceed eight feet inclusive of the base.

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 26th day of June, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 847
Date Adopted: June 26, 2012

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halsted, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on June 12, 2012 and had its second reading on June 26, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 847
Date Adopted: June 26, 2012

ORDINANCE NO. 848

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.22.030 OF CHAPTER 12.22 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF THROUGH STREETS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. AMENDMENT TO THE MUNICIPAL CODE:

Section 12.22.030 of the City of Moreno Valley Municipal Code is hereby amended as follows:

Name of Through Street	**Inclusive Limits**
Alessandro Boulevard	West city limit to east city limit east of Theodore Street
Bay Avenue	West city limit to Heacock Street; Ramsdell Drive to Morrison Street; Moreno Beach Drive to Merwin Street
Box Springs Road	Morton Road to Day Street
Brodiaea Avenue	Frederick Street to Lasselle Street; Moreno Beach Drive to Redlands Boulevard
Cactus Avenue	West city limit to terminus east of Redlands Boulevard
Campus Parkway	Day Street to Towngate Circle
Cottonwood Avenue	West city limit to Redlands Boulevard
Day Street	Old 215 Frontage Road to Ironwood Avenue
Delphinium Avenue	Heacock Street to Lasselle Street
Dracaea Avenue	West city limit to Nason Street
Elder Avenue	Terminus west of Perris Boulevard to Nason Street
Elsworth Street	Cactus Avenue to Eucalyptus Avenue
Encilia Avenue	Eucalyptus Avenue (W) to Eucalyptus Avenue (E)
Eucalyptus Avenue	West city limit to Towngate Boulevard; Towngate Boulevard to Nason Street; Nason Street to Gilman Springs Road

Fir Avenue	Heacock Street to Nason Street; Nason Street to Eucalyptus Avenue
Frederick Street	Cactus Avenue to State Highway 60
Gentian Avenue	Heacock Street to Indian Street; Perris Boulevard to Camino Flores
Gilman Springs Road	Eucalyptus Avenue to south city limit
Graham Street	Cactus Avenue to Sunnymead Boulevard; David Lane to Woodlander Way
Heacock Street	Nandina Avenue to Perris Boulevard
Hemlock Avenue	Pigeon Pass Road to Kitching Street
Highland Boulevard	Ironwood Avenue to Redlands Boulevard
Indian Street	South city limit to Manzanita Avenue
Iris Avenue	Heacock Street to Moreno Beach Drive
Ironwood Avenue	Day Street to Theodore Street
John F. Kennedy Drive	West city limit to Lasselle Street; Oliver Street to Redlands Boulevard
Kitching Street	Elder Avenue to Jaclyn Avenue; Sunnymead Boulevard to south city limit
Krameria Avenue	Heacock Street to Lasselle Street
Lasselle Street	Sunnymead Boulevard to south city limit
Locust Avenue	Moreno Beach Drive to Redlands Boulevard
Manzanita Avenue	Heacock Street to Perris Boulevard
Moreno Beach Drive	Locust Avenue to Iris Avenue
Morrison Street	Eucalyptus Avenue to Cactus Avenue
Nason Street	Ironwood Avenue to Iris Avenue
Nandina Avenue	Heacock Street to Perris Boulevard
Old Lake Drive	Pigeon Pass Road to Sunnymead Ranch Parkway
Oliver Street	Iris Avenue to Alessandro Boulevard
Perris Boulevard	South city limit to Reche Vista Drive

Ordinance No. 847
Date Adopted: June 26, 2012

Pigeon Pass Road	North city limit to State Highway 60
Quincy Street	Locust Avenue to Ironwood Avenue; Eucalyptus Avenue to Cactus Avenue
Reche Vista Road	Heacock Street to north city limit
Redlands Boulevard	North city limit north of Locust Avenue to Cactus Avenue
San Michele Road	Heacock Street to Perris Boulevard
Sinclair Street	Eucalyptus Avenue to Alessandro Boulevard
Sunnymead Boulevard	Lasselle Street to Frederick Street
Sunnymead Ranch Parkway	Pigeon Pass Road to Perris Boulevard
Theodore Street	Ironwood Avenue to Alessandro Boulevard
Veterans Way	Cactus Avenue to Alessandro Boulevard

SECTION 2. EFFECT OF ENACTMENT:

Enacting this ordinance will modify the current limits of designated through streets in the City of Moreno Valley. Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 26th day of June, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 847
Date Adopted: June 26, 2012

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on June 12, 2012 and had its second reading on June 26, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 847
Date Adopted: June 26, 2012

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

June 26, 2012

REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
William H. Batey II, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
Marcelo Co, Council Member

MV00167516

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES

THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

REGULAR MEETING - 6:30 PM
JUNE 26, 2012

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority and the Board of Library Trustees- actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

INVOCATION - Father Frederick Costales - St. Christopher Catholic Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is

a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, City as Successor Agency for the Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 6-19, 2012.

A.4 APPROVAL OF THE CHECK REGISTER FOR APRIL, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2012-53, Approving the Check Register for the Month of April, 2012 in the Amount of $13,408,420.85.

Resolution No. 2012-53

A Resolution of the City Council of the City Of Moreno Valley, California, Approving the Check Register for the Month of April, 2012

A.5 ACCEPT $3,500,000 OF TRANSPORTATION UNIFORM MITIGATION

FEE (TUMF) FUNDING FOR THE SR-60/MORENO BEACH INTERCHANGE PHASE 1 - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:
Accept $3,500,000 in Transportation Uniform Mitigation Fee (TUMF) funding for the SR-60/Moreno Beach Interchange Phase 1 project.

A.6 THE OFFICE OF JUVENILE JUSTICE DELINQUENCY PREVENTION (OJJDP) FY2012 COMMUNITY BASED VIOLENCE PREVENTION DEMONSTRATION PROGRAM (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if granted) of the "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program" in the amount of $713,286, for a 36-month period beginning October 1, 2012 and ending September 30, 2015; and

2. Authorize the revenue and expense budgets in the OJJDP - Police Grant Fund (New Fund - 2XXX) for the FY2012 Community Based Violence Prevention Demonstration Program in the amount of $713,286, respectively, upon approval and acceptance of the grant from the Office of Juvenile Justice Delinquency Prevention (OJJDP).

A.7 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2012 (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2012.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;

   b. Frederick Street between Centerpointe Drive and Cactus Avenue;

   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;

   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;

   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;

   f. Atlantic Circle east of Frederick Street;

g. Brabham Street between Frederick Street and Andretti Street;

h. TownGate Boulevard between Frederick Street and Heritage Way;

i. Bay Avenue between Kristina Court and Courage Street;

j. Alessandro Boulevard between Chagall Court and Elsworth Street;

k. Alessandro Boulevard between Joy Street and Cactus Avenue;

l. Resource Way between Frederick Street and Corporate Way;

m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Eastridge Street between Frederick Street and Heritage Way;

o. Calle San Juan De Los Lagos between Frederick Street and Veterans Way;

p. Veterans Way between Business Center Drive and Alessandro Boulevard;

q. New Hope between Veterans Way and Elsworth;

r. Veterans Way between Cactus Avenue and Alessandro Boulevard, and

s. Heritage Way between TownGate Boulevard and Town Circle;

2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Tuesday, July 3, 2012 through 5:00 p.m. on Thursday, July 5, 2012 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2012; and

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.8 NOTICE OF COMPLETION AND ACCEPTANCE OF SUNNYMEAD BOULEVARD REVITALIZATION IMPROVEMENTS COMPLETED BY ENVIRONMENTAL CONSTRUCTION, INC. - PROJECT NO. 04-89280221-1 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Sunnymead Boulevard Revitalization from Frederick Street to Perris Boulevard constructed by Environmental Construction, Inc., 21550 Oxnard Street, Suite

1050, Woodland Hills, CA 91367;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Accept the improvements into the City's maintained system;

4. Authorize the Financial & Administrative Services Director to release the retention to Environmental Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project;

5. Authorize the Purchasing & Facilities Division Manager to execute a Change Order to increase the Purchase Order (No. 35442) with Environmental Construction, Inc., in the amount of $272,468.10 for the Sunnymead Boulevard Revitalization project (Account No. 501.82125); and

6. Authorize the Public Works Director/City Engineer to execute Contract Change Order No. 7 (Final) for Environmental Construction, Inc.

A.9 FACILITY LEASE EXTENSION WITH MORENO VALLEY GATEWAY, LLC (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve the three lease extensions with Moreno Valley Gateway, LLC for the building located at 14325 Frederick St., Moreno Valley;

2. Authorize the City Manager to sign the lease extensions and any subsequent extensions for office space located at 14325 Frederick St., Moreno Valley; and

3. Authorize the Purchasing & Facilities Manager to execute a purchase order for said leases for Fiscal Year 2012-13 as follows:

   a. Suites 1-3 $54,029
   b. Suite 4 $24,048
   c. Suites 5-9 $90,000

A.10 PARCEL MAP 32631 - COMMERCIAL - REDUCE THE IRREVOCABLE LETTER OF CREDIT AS FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF DAY STREET, GATEWAY DRIVE, MEMORIAL WAY, CAMPUS

PARKWAY, AND TOWNGATE CIRCLE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: GATEWAY COMPANY, L.C., A NEVADA LIMITED LIABILITY COMPANY BY: FRITZ DUDA COMPANY, A TEXAS CORPORATION, ITS MANAGER, NEWPORT BEACH, CA 92663 (Report of: Community & Economic Development Department)

Recommendation:

1. Adopt the proposed Resolution No. 2012- 54 authorizing the acceptance of the public improvements within Parcel Map 32631 – Commercial as complete and accepting the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system; and

   Resolution No. 2012-54

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Parcel Map 32631 and Accepting the Portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle Associated with the Project into the City's Maintained Street System

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

A.11 COOPERATIVE AGREEMENT FOR THE COST SHARE OF AERIAL LADDER TRUCK PERSONNEL BETWEEN THE CITY OF MORENO VALLEY, THE CITY OF PERRIS, AND THE COUNTY OF RIVERSIDE (Report of: Fire Department)

Recommendation:

1. Approve a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside; and

2. Authorize the Fire Chief to implement the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks.

A.12 AUTHORIZATION TO AWARD PROFESSIONAL CONSULTANT

SERVICES AGREEMENTS FOR BUILDING & SAFETY PLAN CHECK AND INSPECTION SERVICES TO MULTIPLE VENDORS (Report of Community & Economic Development Department)

Recommendation:

1. Approve a five year Independent Contractor Agreement with Willdan Engineering for Building & Safety Plan Check and Inspection Services;

2. Approve a five year Independent Contractor Agreement with Scott Fazekas & Associates for Building & Safety Plan Check and Inspection Services;

3. Approve a five year Independent Contractor Agreement with Esgil Corporation for Building & Safety Plan Check Services;

4. Authorize the City Manager to approve the annual purchase orders through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and

5. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to each vendor to cover the estimated costs for providing services for the Building & Safety Division for FY2012/2013 and future years under the Agreement.

A.13 PA11-0009 – COMMERCIAL DEVELOPMENT – ACCEPT THE AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH SIDE OF IRIS AVENUE, WEST OF OLIVER STREET, DEVELOPER: KAISER FOUNDATION HEALTH PLAN, INC., & KAISER FOUNDATION HOSPITALS, MORENO VALLEY, CA 92555 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Agreement and Bonds for Public Improvements;

2. Authorize the Mayor to execute the Agreement;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.14 SECOND AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT WITH DENNIS GRUBB & ASSOCIATES (Report of: Fire Department)

Recommendation:

1. Approve the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC;

2. Authorize the City Manager to execute the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC; and

3. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 41249 with Dennis Grubb & Associates, LLC in the amount of $25,000 for fire plan check services for a total not to exceed amount of $115,000 for Fiscal Year 2011/2012.

A.15 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2012/2013 RATE ADJUSTMENT (Report of: Public Works Department/M&O)

Recommendation:

Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2012/2013 Rate Adjustment.

A.16 AUTHORIZE ESTABLISHMENT OF THE KEEP MORENO VALLEY BEAUTIFUL PROGRAM (Report of: Public Works Department/M&O)

Recommendation:

1. Authorize the establishment of a Keep Moreno Valley Beautiful Program which will include becoming a Keep America Beautiful affiliate;

2. Approve the submission of a Keep America Beautiful affiliate application with Mayor's Letter of Endorsement; and

3. Authorize the use of Maintenance and Operations Division operational funds for start-up costs.

A.17 NOTICE OF COMPLETION AND ACCEPTANCE OF THE INDIAN STREET BICYCLE LANES FROM IRIS AVENUE TO KATRINA AVENUE CONSTRUCTED BY ELITE COMPANIES US, INC.
PROJECT NO. 11-12556331 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Indian Street Bicycle Lanes from

Iris Avenue to Katrina Avenue, constructed by Elite Companies US, Inc., 15321 La Salle Lane, Huntington Beach, CA 92647;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to Elite Companies US, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained system.

A.18 NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL IMPROVEMENTS FOR THE LASSELLE STREET AT MARGARET AVENUE INTERSECTION CONSTRUCTED BY J.F.L. ELECTRIC, INC. - PROJECT NO. 10-12566630 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection constructed by J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to J.F.L. Electric, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained system.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2012 (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2012.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;

   b. Frederick Street between Centerpointe Drive and Cactus Avenue;

   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;

   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;

   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;

   f. Atlantic Circle east of Frederick Street;

   g. Brabham Street between Frederick Street and Andretti Street;

   h. TownGate Boulevard between Frederick Street and Heritage Way;

   i. Bay Avenue between Kristina Court and Courage Street;

   j. Alessandro Boulevard between Chagall Court and Elsworth Street;

   k. Alessandro Boulevard between Joy Street and Cactus Avenue;

   l. Resource Way between Frederick Street and Corporate Way;

   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

   n. Eastridge Street between Frederick Street and Heritage Way;

   o. Calle San Juan De Los Lagos between Frederick Street and Veterans Way;

   p. Veterans Way between Business Center Drive and Alessandro Boulevard;

   q. New Hope between Veterans Way and Elsworth;

   r. Veterans Way between Cactus Avenue and Alessandro Boulevard; and

s. Heritage Way between TownGate Boulevard and Town Circle;

2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Tuesday, July 3, 2012 through 5:00 p.m. on Thursday, July 5, 2012 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2012; and

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

B.4 AMEND THE CONTRACT WITH THINK TOGETHER, INC. TO OPERATE DAY-TO-DAY ACTIVITIES AND FUNCTIONS INVOLVING THE CITY'S AFTER SCHOOL EDUCATION AND SAFETY (ASES) GRANT PROGRAM FOR FISCAL YEAR 2012-13 (Report of Parks and Community Services Department)

Recommendation:

1. Authorize the City Manager to amend the contract entered into with THINK TOGETHER Inc. on April 26, 2011, to operate day-to-day activities and functions of the City's Prop 49 state-funded ASES after school grant program; and

2. Authorize the additional revenue and expense budgets in the STARS Program Grant Fund (Fund 162) for the ASES Grant Program in the amount of $262,941, respectively, upon approval of the contract amendment with Think Together, Inc.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING REGARDING PA10-0030, AN AMENDMENT TO TITLE 9 OF THE MUNICIPAL CODE REGULATIONS TO: (1) ADOPT WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) GOOD NEIGHBOR GUIDELINES; (2) REVISE PARKING STANDARDS FOR RESTAURANTS; (3) REDUCE COMMUNITY COMMERCIAL (CC) FRONT AND STREET SIDE BUILDING SETBACKS, AND OTHER REVISIONS TO PARKING AND LANDSCAPE SETBACKS; (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS; AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD TO REVISE SAFETY FEATURES AND DRIVE AISLES WIDTHS (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that PA10-0030 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 849, thereby approving PA10-0030, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 849

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Adopting WRCOG Good Neighbor Guidelines; (2) Revised Parking Standards for Restaurants; (3) Reduction of (CC) Community Commercial Front and Street side Building Setbacks, and Revisions to Parking and Landscape Setbacks; (4) Provide for Parking Lot Maintenance Standards, Banning “Topping” of Trees; and (5) Amend the General Parking Design Standard with Revised Safety Features and 24 Foot Wide Drive Aisles

E.2 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department/M&O)

Recommendation: That the City Council:

1. Approve placing the submitted list of delinquent solid waste accounts that are attached to this report on the Fiscal Year (FY) 2012/2013 Riverside County property tax roll for collection;

2. Adopt Resolution No. 2012-55 repealing, revising and reenacting the provisions of Resolution 2007-72 of the City Council of the City of Moreno Valley, California, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll; and

Resolution No. 2012-55

A Resolution repealing, revising and reenacting the provisions of Resolution 2007-72 of the City Council of the City of Moreno Valley, California, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll

3. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2012-55 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)

G.2 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate;

2. Appoint those applicants who received majority vote by the City Council;

3. If vacancies are not filled by a majority vote of the City Council, authorize the City Clerk to re-advertise the positions as vacant and carry over the current applications for reconsideration of appointment at a future date.

G.3 JOB TRAINING LINKAGE INITIATIVE (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the continued development of the Job Training Linkage Initiative in Moreno Valley.

G.4 JULY 4TH UPDATE (ORAL PRESENTATION) (Report of: Parks and Community Services Department)

G.5 CITY MANAGER'S REPORT (Informational - not for Council action)

a) Police Department - Oral Presentation by Police Chief Joel Ontiveros

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

H.1.1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUB-SECTION 9.12.050(F) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADDING SUB-SECTION 9.12.060(O) TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Introduce the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way.

Ordinance No. 850

An Ordinance of the City Council of the City of Moreno Valley, California, amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding Sub-Section 9.12.060(O) to Title 9 of the City of

Moreno Valley Municipal Code Relating to Signs in the Public Right-Of-Way

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2.1 ORDINANCE NO.847 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA12-0008 AMENDING THE MUNICIPAL CODE TO INCREASE THE MAXIMUM HEIGHT AND SIGN AREA FOR MENU BOARDS IN THE CITY'S SIGN CODE IN SECTION 9.12.060.D. (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 12, 2012 ON A 5-0 VOTE) (Report of: Community and Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 847 thereby APPROVING Municipal Code Amendment PA12-0008, based on the findings in the City Council Ordinance.

Ordinance No. 847

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA12-0008 Amending the Municipal Code to Increase the Maximum Height and Sign Area for Menu Boards in the City's Sign Code in Section 9.12.060.D.

H.2.2 ORDINANCE NO. 848 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.22.030 OF CHAPTER 12.22 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF THROUGH STREETS. (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 12, 2012 ON A 5-0 VOTE) (REPORT OF: PUBLIC WORKS DEPARTMENT)

Recommendation: That the City Council:

Adopt Ordinance No.848, amending Title 12 Section 12.22.030 of the City of Moreno Valley Municipal Code relating to the designation of through streets (as listed within the ordinance).

Ordinance No. 848

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.22.030 of Chapter 12.22 of the City of Moreno Valley Municipal Code Relating to the Designation of Through Streets

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT,CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
June 12, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Robert Mills
2. Proclamation Recognizing Police Chief John Anderson
3. "Spotlight on Moreno Valley Business"
   a) Moreno Valley Mall
   b) Berrybean Café

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 12, 2012

CALL TO ORDER - The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Housing Authority and the Board of Library Trustees was called to order at 6:35 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

Mayor Richard A. Stewart announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem William H. Batey II

INVOCATION - Pastor Lupe Gonzalez - Templo de Milagros International

ROLL CALL

Council:

Richard A. Stewart	Mayor
William H. Batey II	Mayor Pro Tem
Jesse L. Molina	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Joel Ontiveros	Police Chief
Abdul Ahmad	Fire Chief

Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Interim Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A.14), Kenny Bell (Item A.14), and Marcia Amino (Item A.14).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 22, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO HILLCREST CONTRACTING, INC. FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE - PROJECT NO. 11-41570125 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract to Hillcrest Contracting, Inc. (Hillcrest), 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder, for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project;

2. Authorize the City Manager to execute the construction contract with Hillcrest;

3. Authorize the issuance of a Purchase Order to Hillcrest in the amount of $3,939,216.13 ($3,282,680.11 for the Base Bid and awarded Alternates, plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any

subsequent change orders to the contract with Hillcrest, up to but not to exceed the Purchase Order contingency of $656,536.02, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to Hillcrest, if no claims are filed against the project.

A.4 ACCEPTANCE AND APPROPRIATION OF $1,000,000 STATE-LOCAL PARTNERSHIP PROGRAM (SLPP) FUNDS FOR SR-60/NASON STREET OVERCROSSING IMPROVEMENT PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:
Accept and appropriate the $1,000,000 State-Local Partnership Program (SLPP) grant for the SR-60/Nason Street Overcrossing Improvement Project from the California Transportation Commission (CTC).

A.5 NOTICE OF COMPLETION AND ACCEPTANCE OF STREET IMPROVEMENTS FOR LOCAL STREET PAVEMENT RESURFACING, PROJECT NO. 12-22679728 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Local Street Pavement Resurfacing constructed by All American Asphalt, PO Box 2229, Corona, CA 92878;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to All American Asphalt thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.6 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4-MAINTENANCE MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2012/13
(Report of: Public Works Department)

Recommendation:

Acting in its capacity as the legislative body of Moreno Valley Community Facilities District No. 4-Maintenance ("CFD No. 4-M" or "District") approve and adopt Resolution No. 2012-39, approving the calculation of the Community Facilities District No. 4-M maximum special tax rate for Fiscal Year 2012/13.

Resolution No. 2012-39

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 4-Maintenance Maximum Special Tax Rate for Fiscal Year 2012/13

A.7 APPROVING THE CALCULATION OF THE MAXIMUM SPECIAL TAX FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation:

Acting in its capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt Resolution No. 2012-40, approving the calculation of the maximum special tax for Moreno Valley Community Facilities District No. 5 for fiscal year 2012/13.

Resolution No. 2012-40

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Maximum Special Tax for Moreno Valley Community Facilities District No. 5 for Fiscal Year 2012/13

A.8 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITES DISTRICT NO. 3 (AUTO MALL REFINANCING) MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation:

Acting in its capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3" or "District"), approve and adopt Resolution No. 2012-41 to approve the calculation of the Community Facilities District No. 3 maximum special tax rate for fiscal year (FY) 2012/13.

Resolution No. 2012-41

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 3 (Auto Mall Refinancing) Maximum Special Tax Rate for Fiscal Year 2012/13

A.9 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITES DISTRICT NO. 87-1 (TOWNGATE) MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation:

Acting in its capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1" or "District") approve and adopt Resolution No. 2012-42 to approve the calculation of the Community Facilities District No. 87-1 Special Tax rate for fiscal year (FY) 2012/13.

Resolution No. 2012-42

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 87-1 (Towngate) Maximum Special Tax Rate for Fiscal Year 2012/13

A.10 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation:

Acting in its capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate), Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1" or "District") approve and adopt Resolution No. 2012-43 to approve the calculation of the CFD No. 87-1, Improvement Area No. 1, Special Tax rate for fiscal year (FY) 2012/13.

Resolution No. 2012-43

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 Maximum Special Tax Rate for Fiscal Year (FY) 2012/13

A.11 APPROVE UPDATES TO MORENO VALLEY ELECTRIC UTILITY SOLAR PROGRAM (Report of: Public Works Department)

Recommendation:
Approve the updated Moreno Valley Electric Utility (MVU) Solar Program.

A.12 AUTHORIZATION TO AWARD AN INDEPENDENT CONTRACTOR AGREEMENT FOR FIRE PLAN CHECK SERVICES TO DENNIS GRUBB

& ASSOCIATES (Report of: Fire Department)

Recommendation:

1. Approve a five year Independent Contractor Agreement with Dennis Grubb & Associates for Fire Plan Check Services not to exceed $600,000;

2. Authorize the City Manager to execute the Agreement with Dennis Grubb & Associates; and

3. Authorize the City Manager to approve the annual purchase orders issued to Dennis Grubb & Associates.

A.13 APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH PUBLIC ENTITY RISK MANAGEMENT AUTHORITY (PERMA) FOR PROPERTY AND CASUALTY INSURANCE PRODUCT LINES (Report of: Human Resources Department/Risk Management)

Recommendation:

1. Approve a Memorandum of Understanding with Public Entity Risk Management Authority (PERMA) for Property and Casualty Insurance Product Lines; and

2. Authorize the City Manager to extend the annual contract for up to four consecutive years, if deemed to meet the City's best interests.

A.14 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES TO INCLUDE RATE SCHEDULES AND ASSOCIATED AGREEMENTS FOR ECONOMIC DEVELOPMENT RATE – NEW BUSINESS OR EXPANDED LOAD CUSTOMERS AND ECONOMIC DEVELOPMENT RATE – BUSINESS RETENTION FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:

1. Approve Resolution No. 2012-44 amending the Electric Rates to include rate schedules for the Economic Development Rate ED – New Business or Expanded Load Customers and Economic Development Rate BR – Business Retention for Moreno Valley Utility

Resolution No. 2012-44

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates to Include Rate Schedules and Associated Agreements for the Economic Development Rate – New Business or Expanded Load Customers and Economic

Development Rate – Business Retention for Moreno Valley Utility

2. Authorize the City Manager to execute, on behalf of the City Council, the required Economic Development Rate Agreement for Business Retention pursuant to Schedule ED-BR - Economic Development – Business Retention Rate; and

3. Authorize the City Manager to execute, on behalf of the City Council, the required Economic Development Rate Agreement for New or Expanded Load Electric Service Customer pursuant to Schedule ED - Economic Development Rate.

A.15 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY CITY EMPLOYEES ASSOCIATION, MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2015 (Report of: Human Resources Department)

Recommendation:

1. Approve the successor Memoranda of Understanding (MOUs) between the City of Moreno Valley and the Moreno Valley City Employees Association, Moreno Valley Management Association and Moreno Valley Confidential Management Employees for the period of July 1, 2012 through June 30, 2015;

2. Extend the economic provisions of these Agreements to unrepresented classifications as specified in this report;

3. Approve updates to the Salary Schedule and Personnel Rules & Regulations to incorporate revisions as specified in the MOUs; and

4. Authorize the Financial and Administrative Services Director to adjust operating budgets to reflect the Council's approval of the recommended actions.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 3-2, Council Member Jesse L. Molina, and Council Member Marcelo Co opposed.

A.16 CONFLICT OF INTEREST CODE – AGENCY REVIEW (Report of: City Clerk Department)

Recommendation:

As the Code reviewing body of the City of Moreno Valley, direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2012.

A.17 APPROVE BUDGETS AND BUDGET AMENDMENTS TO THE REVISED OPERATING BUDGET FOR FISCAL YEAR 2012/13 (Report of: Financial & Administrative Services Department)

Recommendation:

1. The Finance Subcommittee recommends that the City Council: Adopt Resolution No. 2012-49, approving Amendments to the Revised Operating Budget for the City of Moreno Valley for FY 2012/13, pursuant to the appropriations and Position Control Roster presented in Exhibits A through C to the Resolution;

   Resolution No. 2012-49

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Amendments to the Operating Budget for Fiscal Year 2012/13

2. Acting in its capacity as the Successor Agency to the Community Redevelopment Agency of Moreno Valley, adopt Resolution No. 2012-50, establishing a budget for the Successor Agency for FY 2012/13; pursuant to the appropriations presented in Exhibit A to the Resolution; and

   Resolution No. 2012-50

   A Resolution of the City of Moreno Valley as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2012/13

A.18 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 16 – June 5, 2012.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 22, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-2/12-13 (MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION) AND ZONE D BUDGET ADJUSTMENT TO PROVIDE FOR ZONE D LANDSCAPE PROGRAM SERVICES (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for CSD Project No. DSG-2/12-13 (the "Agreement") with Mariposa Landscapes, Inc.;

2. Authorize the President of the CSD Board to execute said Agreement with Mariposa Landscapes, Inc.;

3. Authorize the appropriation of an additional $45,424 from Zone D Fund Balance to Account No. 181.78110.6261 (Standard Landscape Maintenance Administration) to fund the increased cost of Zone D landscape maintenance services; and

4. Authorize the Purchasing Division Manager, to issue purchase orders on July 1, 2012 to Mariposa Landscapes, Inc., in the amounts of:

   a) One hundred fifty-five thousand seven hundred eighty-four and 00/100 dollars ($155,784.00) for twelve (12) months of base maintenance services; and

   b) Ten thousand one hundred and 00/100 dollars ($10,100.00) for anticipated Additional Work, per Exhibit C, Section 2, paragraph E, of the Agreement.

B.4 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation:

Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community

Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2012-07 approving the calculation of the Community Facilities District No. 1 maximum special tax rate for fiscal year 2012/13.

Resolution No. CSD 2012-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 1 Maximum Special Tax Rate for Fiscal Year 2012/13

B.5 APPROVE THE FIRST EXTENSION AGREEMENT FOR PROJECT NO. E-81415/11 (MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION) FOR PROMONTORY PARK/MAHOGANY FIELDS/CELEBRATIONS AND INCLUSION OF MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION FOR ZONE E-12 STONERIDGE RANCH (Report of: Public Works Department)

Recommendation:

1. Approve the First Extension to the Agreement for CSD Project No. E-81415/11 (the "Agreement") with Merchants Landscape Services, Inc., which includes the added parkway landscape maintenance area for Zone E-12 Stoneridge Ranch;

2. Authorize the President of the CSD Board to execute said Extension Agreement with Merchants Landscape Services, Inc.; and

3. Authorize the Purchasing Division Manager to issue purchase orders for fiscal year (FY) 2012/13 to Merchants Landscape Services, Inc., in the cumulative amounts of:

   a) Eighty-one thousand one hundred and ninety-four and 64/100 dollars ($81,194.64) for twelve (12) months of base maintenance services; and,

   b) Seventeen thousand three hundred and 00/100 dollars ($17,300.00) for anticipated Additional Work, per Exhibit C, Section 2, paragraph E, of the Agreement.

B.6 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE M (MEDIANS) PROJECT NO. M/12-13 (MAINTENANCE OF MEDIAN-MONUMENT-PARKWAY LANDSCAPING AND IRRIGATION) AND INCLUSION OF MAINTENANCE OF THE PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION FOR ZONE S (SUNNYMEAD BOULEVARD) (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for CSD Project No. M/12-13 Maintenance of Median-Monument-Parkway Landscaping and Irrigation (the "Agreement") with TruGreen Landcare, which will include the added maintenance of the median and parkway landscape areas for Zone S (Sunnymead Boulevard);

2. Authorize the CSD Board President to execute the Agreement with TruGreen Landcare; and

3. Authorize the Purchasing Division Manager, to issue purchase orders for fiscal year (FY) 2012/13 to TruGreen Landcare, in the cumulative amounts of:

   a) Seventy thousand four hundred thirty-five and 91/100 dollars ($70,435.91) for twelve (12) months of base maintenance services and;

   b) Five thousand eight hundred and 00/100 dollars ($5,800.00) for anticipated Additional Work, per Exhibit C, Section 2, paragraph E. of the Agreement.

B.7 APPROVE BUDGETS AND BUDGET AMENDMENTS TO THE REVISED OPERATING BUDGET FOR FISCAL YEAR 2012/13 (Report of: Financial & Administrative Services Department)

Recommendation:
Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2012-19, approving Amendments to the Revised Operating Budget for the Moreno Valley Community Services District for FY 2012/13, pursuant to the appropriations and Position Control Roster presented in Exhibits A through C to the Resolution;

Resolution No. CSD 2012-19

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Adopting the Amendments to the Operating Budget for Fiscal Year 2012/13

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 22, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 APPROVE BUDGETS AND BUDGET AMENDMENTS TO THE REVISED OPERATING BUDGET FOR FISCAL YEAR 2012/13 (Report of: Financial & Administrative Services Department)

Recommendation:

Acting in its capacity as the Moreno Valley Housing Authority, adopt Resolution No. HA 2012-06, establishing a budget for the Housing Authority for FY 2012/13; pursuant to the appropriations presented in Exhibit A to the Resolution.

Resolution No. HA 2012-06

A Resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2012/13

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 22, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A.1 through D.2, except Item A.15, which was pulled for separate action. by m/Mayor Pro Tem William H. Batey II, s/Council Member Marcelo Co

Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2012/2013 ANNUAL RATES (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2012-52, a Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2012-52

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for new Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Rolls

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

Motion to Approve by m//Council Member Robin N. Hastings, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2012-13 (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2012-13; and

2. Adopt Resolution No. 2012-45 establishing the appropriations limit at $93,811,748 for the City of Moreno Valley for Fiscal Year 2012-13.

Resolution No. 2012-45

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2012-13

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

E.3 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2012-13 (Report of: Financial & Administrative Services Department)

Recommendation: That the CSD:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2012-13; and

2. Adopt Resolution No. CSD 2012-08, establishing the appropriations limit at $15,117,121 for the Moreno Valley Community Services District for Fiscal Year 2012-13.

Resolution No. CSD 2012-08

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2012-13

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

Motion to Approve by m/Vice President William H. Batey II, s/Board Member Robin N. Hastings

Approved by a vote of 5-0.

E.4 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA12-0008) TO REVISE PORTIONS OF THE CITY'S SIGN CODE IN SECTION 9.12.060.D TO ALLOW FOR INCREASED SIGN COPY AREA AND HEIGHT FOR DRIVE-THROUGH RESTAURANT MENU BOARDS (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that application PA12-0008 (Municipal Code Amendment) will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section

15305, Minor Alterations to Land Use Limitations, as a Class 5 Categorical Exemption; and

2. INTRODUCE Ordinance No. 847 thereby APPROVING Municipal Code Amendment PA12-0008, based on the findings in the City Council Ordinance.

Ordinance No. 847

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA12-0008 Amending the Municipal Code to Increase the Maximum Height and Sign Area for Menu Boards in the City's Sign Code in Section 9.12.060.D.

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

Motion to Approve Recommendation No. 1 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

E.5 PUBLIC HEARING TO CONSIDER THE STAFF RECOMMENDED RESOLUTIONS APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2012/13 (Report of: Public Works Department)

Recommendation: That the CSD:

1. Conduct a Public Hearing to consider the continuance of current Moreno Valley Community Services District annual parcel charges proposed for FY 2012-13 and to approve and adopt the following proposed resolutions:

Resolution No. CSD 2012-09 to approve the calculation of the Zone A charges;

Resolution No. CSD 2012-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community

Services) Services During Fiscal Year 2012/2013

2. Resolution No. CSD 2012-10 to approve the calculation of the Zone B charges;

Resolution No. CSD 2012-10

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2012/2013

3. Resolution No. CSD 2012-11 to approve the calculation of the Zone C charges;

Resolution No. CSD 2012-11

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2012/2013

4. Resolution No. CSD 2012-12 to approve the calculation of the Zone D charges;

Resolution No. CSD 2012-12

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2012/2013

5. Resolution No. CSD 2012-13 to approve the calculation of the Zone E charge;

Resolution No. CSD 2012-13

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (Extensive Landscape Maintenance) Services During Fiscal Year 2012/2013

6. Resolution No. CSD 2012-14 to approve the calculation of the Zone E-1A charges;

Resolution No. CSD 2012-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2012/2013

7. Resolution No. CSD 2012-15 to approve the calculation of the Zone E-3A charges;

Resolution No. CSD 2012-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway Internal Parkway Landscape Maintenance) Services During Fiscal Year 2012/2013

8. Resolution No. CSD 2012-16 to approve the calculation of the Zone E-4A charges;

Resolution No. CSD 2012-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2012/2013

9. Resolution No. CSD 2012-17 to approve the calculation of the Zone M charges; and

Resolution No. CSD 2012-17

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/ Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2012/2013

10. Resolution No. CSD 2012-18 to approve the calculation of the Zone S charges.

Resolution No. CSD 2012-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2012/2013

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

Motion to Approve Recommendation No. 1 by m/Vice President William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 3 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 4 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5--0.

Motion to Approve Recommendation No. 5 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 6 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 7 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 8 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 9 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 10 by m/Vice President William H. Batey II, s/Board Member Jesse L. Molina

Approved by a vote of 5-0.

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

Item A.15 was pulled from the Consent Calendar for separate action.

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

G. REPORTS

G.1 WRCOG PRESENTATION ON AB 811 HERO PROGRAM (ORAL PRESENTATION) (Report of: City Manager's Office)

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

No action required.

G.2 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

Mayor Richard A. Stewart reported:
1. The lawsuit has been filed and served
2. March Health Care - close to signing a deal for health-related use facility on east March
3. FAA requires a general aviation use at March; therefore, a small building for general aviation and possible a hanger or two are going to be built; March Joint Powers held a public forum meeting at Orange Crest area, which is most affected by overflight

b) Report by Council Member Council Member Robin N. Hastings on the

Western Riverside Council of Governments (WRCOG)

Council Member Robin N. Hastings reported:
1. WRCOG has been contacted by counties across the state regarding information on how to assemble HERO program; looking for expanding the program and to provide a model for other jurisdictions
2. WRCOG General Assembly will be held June 21, with VIP reception starting at 5:30 p.m., and General Assembly event at 6:30 p.m. General Powell will be the speaker; encouraged everyone to attend

c) Report by Council Member Council Member Jesse L. Molina on the Riverside Transit Agency (RTA)

Council Member Jesse L. Molina reported:
1. RTA used grants to replace buses
2. Concerned about eliminating school buses; City Traffic Engineer Eric Lewis and Larry Rubio are working diligently to ensure safety for the kids; thanked Eric Lewis and Larry Rubio for working together and for partnering with Safe Routes to School
3. More people are using public transit

G.3 GENERAL MUNICIPAL ELECTION – NOVEMBER 6, 2012 - RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Adopt: Resolution No. 2012-46, calling and giving notice of the holding of a general municipal election on Tuesday, November 6, 2012 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

Resolution No. 2012-46

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 6, 2012, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

2. Adopt Resolution No. 2012-47, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 6, 2012 pursuant to §10403 of the California Elections

Code;

Resolution No. 2012-47

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election with the Statewide General Election to be Held on Tuesday, November 6, 2012, Pursuant to Section 10403 of the California Elections Code

3. Adopt Resolution No. 2012-48, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 6, 2012; and

Resolution No. 2012-48

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 6, 2012

4. Approve the Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

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

The City Clerk announced a correction to the staff report under Fiscal Impact: 61,000 dollars was budgeted, and there is a gap, which will be addressed and evaluated during the midyear budget adjustment. Typically, the invoice from the Riverside County Registrar of Voters is not received until February.

Motion to Approve Recommendation No. 1 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 3 by m/Mayor Pro Tem

William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 4 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

G.4 SAFE ROUTES TO SCHOOL PROGRAM (POWERPOINT PRESENTATION) (Report of: Public Works Department/TED)

Recommendation: That the City Council:

1. Receive and file information presented; and

2. Endorse the Safe Routes to School Program.

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

Motion to Approve by m/Council Member Jesse L. Molina, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

Recess;

Reconvened

G.5 ADOPTION OF FY 2012-2013 CAPITAL IMPROVEMENT PLAN (Report of: Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2012-51, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2012-2013, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan;

Resolution No. 2012-51

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for FY 2012-2013

2. Acting in its capacity as the President and Board of Directors of the

Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2012-20, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2012-2013, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan.

Resolution No. CSD 2012-20

A Resolution of the Community Services District, Adopting the Capital Improvement Plan for FY 2012-2013

3. Acting in its capacity as the Chairman and Board of Directors of the Moreno Valley Housing Authority, adopt Resolution No. MVHA 2012-05, approving the Capital Improvement Plan as the capital budget for the Moreno Valley Housing Authority for FY 2012-2013, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan.

Resolution HA No. 2012-05

A Resolution of the Moreno Valley Housing Authority, Adopting the Capital Improvement Plan for FY 2012-2013

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

Motion to Approve Recommendation No. 1 by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Vice President William H. Batey II, s/Board Member Robin N. Hastings

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 3 by m/Vice Chairperson William H. Batey II, s/Commissioner Robin N. Hastings

Approved by a vote of 5-0.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action) - none

Mayor Richard A. Stewart opened the agenda item for public comments;

there being none, public comments were closed.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

H.1.1 INTRODUCTION OF ORDINANCE NO. 848 AMENDING SECTION 12.22.030 OF THE MORENO VALLEY MUNICIPAL CODE, RELATING TO DESIGNATION OF THROUGH STREETS (Report of: Public Works Department)

Recommendation: That the City Council:

Introduce Ordinance No.848, amending Title 12 Section 12.22.030 of the City of Moreno Valley Municipal Code relating to the designation of though streets (as listed within the ordinance).

Ordinance No. 848

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.22.030 of Chapter 12.22 of the City of Moreno Valley Municipal Code Relating to the Designation of Through Streets

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

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2.1 ORDINANCE NO. 845 - AN ORDINANCE APPROVING AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE FOR THE EXCLUSION OF CROSSING GUARDS AND RECREATION AIDES HIRED ON OR AFTER THE EFFECTIVE DATE OF THIS CONTRACT AMENDMENT, AND ADOPT THE RELATED ORDINANCE AS REQUIRED BY CALPERS (RECEIVED FIRST READING AND INTRODUCTION ON MAY 22, 2012 BY A 5-0 VOTE) (Report of: Human Resources Department)

Recommendation: That the City Council:

Adopt Ordinance No. 845 to amend the City of Moreno Valley's contract with CalPERS to provide the Exclusion of Crossing Guards and Recreation

Aides hired on or after the effective date of this contract amendment.

Ordinance No. 845

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

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

H.2.2 ORDINANCE NO. 846 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DISSOLVING IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY AND ORDERING THE RECORDATION OF AN AMENDMENT TO THE NOTICE OF SPECIAL TAX LIEN RELATED TO SUCH DISTRICT (RECEIVED FIRST READING AND INTRODUCTION ON MAY 22, 2012 BY A 5-0 VOTE) (Report of: Public Works Department)

Recommendation: That the City Council:

Acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley adopt Ordinance No. 846 ordering the dissolution of CFD No. 7, Improvement Area No. 2 and the recordation of an amendment to the Notice of Special Tax Lien.

Ordinance No. 846

An Ordinance of the City Council of the City of Moreno Valley, California, Dissolving Improvement Area No. 2 of Community Facilities District No. 7 of the City of Moreno Valley and Ordering the Recordation of an Amendment to the Notice of Special Tax Lien Related to Such District

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

Motion to Approve by m/ Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pam Patterson, co-owner of A-Postal Express

1. Thanked Council Members Molina and Co for their support and help in robbery case

2. Financial help/loan

Jose D. Chavez

1. Sidewalk repair on New Haven

2. Towing trucks

Gilbert Gonzales

1. Incentive program to streamline and reduce costs for the City

Tom Jerele Sr.

1. Commercial signage

2. Memorial Day service – an excellent service

3. Taste of the Valley is coming up on June 23 - a great event

Kenny Bell

1. Jobs in Moreno Valley

Marcia Amino

1. Jobs in the City

2. Property rights of residents

3. Warehouse/logistics center

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT,CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Mayor Pro Tem William H. Batey II

1. Thanked staff, PD Chief and Fire Chief for helping with City Hall tour for kids from TownGate Elementary School

2. Edgemont water system issue has always been a tough issue; trying to work with the company to make improvements to the water system; there are some challenges; hope we will get some positive results; might bring the issue to the council for further action

3. Next week will be out of state; requested to delay DIF item

4. Thanked residents of Moreno Valley for all the support

5. Regarding developing jobs - we will need to prioritize what kinds of jobs to bring to the city and how to do that; has ideas that can be brought forward to broaden the job base and streamline the process; a lot of work left to be done

Council Member Robin N. Hastings

1. Voted for the economic development Moreno Valley Utility incentives to bring in additional business - it is an important tool to keep us competitive; it is a pilot program, which will be evaluated

2. Regarding transfer of funds to do Nason Street improvements - improvements are necessary to mitigate the traffic flow; the City was able to take advantage of TUMF funds to do the improvements because the project was shuffle ready; asked to contact her with any questions and concerns

3. Attended a groundbreaking at the Moreno Valley College with Mayor Stewart - terrific to see that we are getting bond money for improvements at college

4. Attended the Sunnymead Ranch Veterans Memorial Garden groundbreaking with Mayor Stewart, which was done specifically to honor Sunnymead Ranch veterans; a phenomenal event; was very honored to be invited to attend it

5. Yesterday, attended the Soroptimist International Award Banquet - this group of women contributed this year over 20,000 dollars to local organizations and charities, a tremendous amount of money to benefit the residents; they are doing a terrific job

5. A-Postal Express - is terrible sorry about the situation; use of City funds is restricted, as money may only be used for specific purposes; a loan or a gift to a business is considered a misuse of public funds

Council Member Jesse L. Molina

1. Is sorry about A-Postal Express situation; if there is anything he can do, he will

2. Will take a look at the sidewalk Mr. Chavez talked about

3. Thanked all the citizens who come to the council meetings with comments; asked to email or call him with any concerns; thanked for being patient

Mayor Richard A. Stewart

1. Stated that his Mom is in the hospital

2. Stated that Best Buy has no financial assistance from the City. The City can help only businesses that are served by the Moreno Valley Utility; we are trying to find ways to assist businesses we have right now; asked to please contact him with any ideas how to retain a business in the City; the City needs to charge the impact fees, as the fee pays for infrastructure;

3. Met with Parks & Community Services Director Mike McCarthy and a member of sports group concerned about high cost of the electricity for lights in the ball fields. The fees are charged by Edison

4. Improvements on Sunnymead Blvd. were paid by business owners on Sunnymead Blvd.

5. Regarding property rights - zoning is not considered to be one of the constitutionally protected property rights

6. The City needs to take action to attract businesses and jobs; welcomes any suggestions

7. Commended Eagle Scouts for working very hard on public projects

8. Stated that he is endorsing Mayor Pro Tem Batey, who is running for a higher office

9. Regarding jobs – the biggest success story is Meridian - many jobs were already created and more will be

10. Edgemont water issue - working on it; not an easy answer to that

11. Stated that we need to keep the effort going to give incentives to businesses to hire local residents

CLOSED SESSION - canceled

ADJOURNMENT

The meeting was adjourned in memory of Cpl. Anthony R. Servin who was killed in combat in Afghanistan.

There being no further business to conduct, the meeting was adjourned at 9:13 p.m. by unanimous informal consent.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Secretary, Housing Authority
Secretary, Board of Library Trustees

Approved by:

_____

Mayor Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, City as Successor to the Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Housing Authority
Chairperson, Board of Library Trustees

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 26, 2012

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 6 – 19, 2012.

Reports on Reimbursable Activities June 6 – 19, 2012		
Council Member	Date	Meeting
William H. Batey II	6/14/12	Rally 'Round the Flag
Marcelo Co		None
Robin N. Hastings		None
Jesse L. Molina	6/14/12	Rally 'Round the Flag
Richard A. Stewart	6/14/12	Rally 'Round the Flag

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00167565

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: June 26, 2012

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2012

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2012-53, approving the Check Register for the month of April, 2012 in the amount of $13,408,420.85.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the FY 2011-12 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2012-53
Check Register for Month of April, 2012

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2012

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2012 through April 30, 2012, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2012 through April 30, 2012, in the total amount of $13,408,420.85 is approved.

APPROVED AND ADOPTED this 26th day of June, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-53
Date Adopted: June 26, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

CITY CLERK

Resolution No. 2012-53
Date Adopted: June 26, 2012

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
4/9/2012	212184	462,643.81		
			SR-60/NASON ST INTRCHNG PROJ	409,578.56
			SR-60/NASON ST INTRCHNG PROJ	53,065.25
4/12/2012	1204041	51,404.87		
			RETENTN PMT PER ESCRW AGREEMNT	51,404.87
	Vendor Total	**514,048.68**		
FYTD for ALL AMERICAN ASPHALT, INC.		**5,838,329.28**		
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
4/16/2012	884984	25,683.58		
			LANDSCAPE MAINT-MVU SUBSTN	567.00
			LANDSCAPE MAINT-MVU	432.00
			LANDSCAPE MAINT-LIBRARY	468.00
			LANDSCAPE MAINT-ANIMAL SVCS	468.00
			LANDSCAPE MAINT-PSB	1,077.83
			LANDSCAPE MAINT-CRC	1,710.00
			LANDSCAPE MAINT-PATRIOT PK	360.00
			LANDSCAPE MAINT-BAY/JFK AQDCT	1,710.00
			LANDSCAPE MAINT-BIKE AQDCT	360.00
			LANDSCAPE MAINT-TOWNGATE CNTR	180.00
			LANDSCAPE MAINT-TOWNGATE AQDCT	635.00
			LANDSCAPE MAINT-S AQDCT "B"	662.00
			LANDSCAPE MAINT-SENIOR CNTR	236.00
			LANDSCAPE MAINT-N AQDCT	473.00
			LANDSCAPE MAINT-S AQDCT "A"	765.50
			LANDSCAPE MAINT-SCE/OLD LAKE	1,575.00
			LANDSCAPE MAINT-PAN AM/AQDCT	540.00
			LANDSCAPE MAINT-FORMER STARS	260.00
			LANDSCAPE MAINT-CITY YARD	225.00
			LANDSCAPE MAINT-ZONE E-3	10,625.00
			LANDSCAPE MAINT-ZONE E-3A	781.02
			APPLY PREEMERGENT HERBICIDE-E3	1,573.23
	Vendor Total	**25,683.58**		
FYTD for BEMUS LANDSCAPE, INC.		**315,932.94**		
BRAUN BLAISING MCLAUGHLIN			Remit to: **SACRAMENTO**	**CA**
4/16/2012	212292	46,921.24		
			LEGAL SVCS	46,921.24
	Vendor Total	**46,921.24**		
FYTD for BRAUN BLAISING MCLAUGHLIN		**97,616.02**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BURKE, WILLIAMS & SORENSEN, LLP.				Remit to: **LOS ANGELES** **CA**	
	4/23/2012	885022	27,555.75		
				LEGAL SVCS	27,555.75
	Vendor Total		**27,555.75**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**247,608.99**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	4/30/2012	212472	36,336.66		
				STORM DRAIN/ST. IMPRV-TOWNSITE	28,574.41
				CONSULTANT ADMIN SVCS-CAP PROJ	7,762.25
	Vendor Total		**36,336.66**		
FYTD for DMC DESIGN GROUP, INC			**280,163.30**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS** **CA**	
4/2/2012	212066	32,236.52		
			COST-SHARING ARRNGMNT RECONCIL	32,236.52
4/9/2012	212214	25,879.30		
			WATER CHARGES	360.04
			WATER CHARGES	264.24
			WATER CHARGES	395.67
			WATER CHARGES	7,926.57
			WATER CHARGES	675.06
			WATER CHARGES	750.18
			WATER CHARGES	7,873.38
			WATER CHARGES	3,356.45
			WATER CHARGES	2,154.01
			WATER CHARGES	29.16
			WATER CHARGES	190.57
			WATER CHARGES	222.06
			WATER CHARGES	73.13
			WATER CHARGES	211.36
			WATER CHARGES	218.51
			WATER CHARGES	116.82
			WATER CHARGES	382.71
			WATER CHARGES	340.54
			WATER CHARGES	165.96
			WATER CHARGES	123.38
			WATER CHARGES	49.50
4/23/2012	212389	38,773.79		
			WATER CHARGES	910.51
			WATER CHARGES	763.06
			WATER CHARGES	407.84
			WATER CHARGES	731.00
			WATER CHARGES	1,183.13
			WATER CHARGES	10,556.92
			WATER CHARGES	1,211.86
			WATER CHARGES	3,864.65
			WATER CHARGES	3,546.88
			WATER CHARGES	2,098.34
			WATER CHARGES	1,762.54
			WATER CHARGES	4,505.59
			WATER CHARGES	48.95
			WATER CHARGES	856.17
			WATER CHARGES	2,048.86
			WATER CHARGES	462.59
			WATER CHARGES	1,035.92
			WATER CHARGES	817.53
			WATER CHARGES	327.23
			WATER CHARGES	63.14
			WATER CHARGES	204.67
			WATER CHARGES	213.07
			WATER CHARGES	627.93
			WATER CHARGES	525.41
Vendor Total		**96,889.61**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,223,153.99**		
ELITE COMPANIES US, INC.			Remit to: **HUNTINGTON BEACH CA**	
4/9/2012	212216	77,803.24		
			INDIAN ST. BICYCLE LANES PROJ.	77,803.24
Vendor Total		**77,803.24**		
FYTD for ELITE COMPANIES US, INC.		**77,803.24**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
4/6/2012	3059	31,191.34		
			STATE INCOME TAX W/H 4/6/12	31,191.34
4/20/2012	3067	29,980.05		
			STATE INCOME TAX W/H 4/20/12	29,980.05
Vendor Total		**61,171.39**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,030,342.80**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM CA**	
4/30/2012	885064	184,065.23		
			DISTRIBUTION CHRGS-MVU	171,850.67
			SPECIAL CHRGS/TEMP POWER POLES	8,380.00
			BAD DEBT-DEDUCTION	-2,354.89
			ONLINE UTILITY SVCS	219.45
			ELECTRIC METER CHRGS-MVU	5,970.00
Vendor Total		**184,065.23**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,267,437.93**		
FALCON ENGINEERING SERVICES, INC.			Remit to: **CORONA CA**	
4/2/2012	212070	27,716.30		
			SR-60/NASON ST OVERCRSSNG PROJ	27,716.30
Vendor Total		**27,716.30**		
FYTD for FALCON ENGINEERING SERVICES, INC.		**27,716.30**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY CA**	
4/9/2012	212219	29,224.08		
			AFTERSCHOOL SNACKS-CACFP	29,224.08
4/16/2012	212307	47,784.24		
			AFTERSCHOOL SNACKS-CACFP	47,784.24
Vendor Total		**77,008.32**		
FYTD for FAMILY SERVICE ASSOCIATION		**301,722.90**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
4/23/2012	885031	34,117.83		
			RETENTION PMT-PROJ#08-41678827	25,560.97
			RETENTION PMT-PROJ#08-41678827	7,048.96
			RETENTION PMT-PROJ#08-41678827	1,507.90
	Vendor Total	**34,117.83**		
FYTD for HILLCREST CONTRACTING, INC		**865,960.19**		
IBERDROLA RENEWABLES, INC			Remit to: **PORTLAND** **OR**	
4/2/2012	212090	54,232.75		
			RENEWABLE ENERGY CREDITS-MVU	54,232.75
	Vendor Total	**54,232.75**		
FYTD for IBERDROLA RENEWABLES, INC		**54,232.75**		
INTERNAL REVENUE SERVICE			Remit to:	
4/6/2012	3058	121,766.64		
			FED INCOME TAX W/H 4/6/12	121,766.64
4/20/2012	3066	117,672.48		
			FED INCOME TAX W/H 4/20/12	117,672.48
	Vendor Total	**239,439.12**		
FYTD for INTERNAL REVENUE SERVICE		**2,807,284.66**		
JFL ELECTRIC, INC.			Remit to: **LOS ANGELES** **CA**	
4/16/2012	212316	48,006.30		
			LASSELLE/MARGARET AVE TRAF SIG	48,006.30
	Vendor Total	**48,006.30**		
FYTD for JFL ELECTRIC, INC.		**143,325.48**		
LUCRECIA JAUREGUI & KENNETH G. MARKS			Remit to: **IRVINE** **CA**	
4/2/2012	212094	36,000.00		
			CASE SETTLEMENT	36,000.00
	Vendor Total	**36,000.00**		
FYTD for LUCRECIA JAUREGUI & KENNETH G. MARKS		**36,000.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY			Remit to: **HEMET**	**CA**
4/23/2012	212413	49,753.57		
			ELECTRICITY	147.18
			ELECTRICITY	1,027.42
			ELECTRICITY	354.70
			ELECTRICITY	1,734.71
			ELECTRICITY	7,985.39
			ELECTRICITY	9,659.38
			ELECTRICITY	2,519.84
			ELECTRICITY	4,589.86
			ELECTRICITY	678.02
			ELECTRICITY	134.17
			ELECTRICITY	11,665.79
			ELECTRICITY	7,054.37
			ELECTRICITY	204.54
			ELECTRICITY	141.56
			ELECTRICITY	90.88
			ELECTRICITY	68.36
			ELECTRICITY	68.29
			ELECTRICITY	139.85
			ELECTRICITY	86.37
			ELECTRICITY	1,402.89
	Vendor Total	**49,753.57**		
FYTD for MORENO VALLEY UTILITY		**636,724.75**		
MSA SYSTEMS, INC.			Remit to: **SAN JOSE**	**CA**
4/2/2012	884899	43,276.79		
			MC75A MOTOROLA TICKET WRITER	29,235.00
			MSR (FOR MC70)	2,418.75
			1 SLOT USB CRADLE KIT	2,391.05
			USB CABLE	165.00
			3-YR BRONZE W/ COMPREHENSIVE	5,070.00
			BATTERY (LITHIUM ION) 4800	1,064.25
			SHIPPING CHARGE	199.00
			CALIF SALES TAX @ 7.75%	2,733.74
	Vendor Total	**43,276.79**		
FYTD for MSA SYSTEMS, INC.		**45,608.68**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS**	**OH**
4/6/2012	3055	25,681.85		
			DEF COMP - 457 & 401(A) 4/6/1	25,681.85
4/20/2012	3063	25,630.85		
			DEF COMP 457 & 401(A) 4/20/12	25,630.85
	Vendor Total	**51,312.70**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**629,482.44**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NOBLE AMERICAS ENERGY SOLUTIONS				Remit to: **PASADENA** **CA**	
	4/16/2012	885002	139,099.01		
				PURCHASE ELECTRIC ENERGY	139,099.01
	Vendor Total		**139,099.01**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS			**1,704,920.96**		
PARSONS TRANSPORTATION GROUP, INC.				Remit to: **IRVINE** **CA**	
	4/2/2012	884904	43,551.83		
				SR-60/NASON ST OVERCRSSNG PROJ	43,551.83
	Vendor Total		**43,551.83**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**994,027.13**		
PERS HEALTH INSURANCE				Remit to: **SACRAMENTO** **CA**	
	4/9/2012	1204011	199,134.75		
				EMPLOYEE HEALTH INS 4/9/12	199,134.75
	Vendor Total		**199,134.75**		
FYTD for PERS HEALTH INSURANCE			**2,001,608.29**		
PERS RETIREMENT				Remit to: **SACRAMENTO** **CA**	
	4/13/2012	3060	213,173.79		
				PERS RETIREMENT 4/13/12	213,173.79
	4/27/2012	3068	212,866.98		
				PERS RETIREMENT 4/27/12	212,866.98
	Vendor Total		**426,040.77**		
FYTD for PERS RETIREMENT			**4,732,839.70**		
RIV CO FLOOD CONTROL & WATER CONSERVATN				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	212135	25,000.00		
				INITIAL PLAN CHK FEE DEPOSIT	25,000.00
	Vendor Total		**25,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**132,574.41**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE**	**CA**
	4/2/2012	884910	2,691,381.62		
				CONTRACT LAW ENF BILL #6	44,611.36
				CONTRACT LAW ENF BILL #6	534.48
				CONTRACT LAW ENF BILL #6	1,508,267.20
				CONTRACT LAW ENF BILL #6	57,382.14
				CONTRACT LAW ENF BILL #6	376,270.06
				CONTRACT LAW ENF BILL #6	5,372.85
				CONTRACT LAW ENF BILL #6	75,569.93
				CONTRACT LAW ENF BILL #6	5,956.80
				CONTRACT LAW ENF BILL #6	80,936.44
				CONTRACT LAW ENF BILL #6	1,586.95
				CONTRACT LAW ENF BILL #6	164,496.37
				CONTRACT LAW ENF BILL #6	2,198.95
				CONTRACT LAW ENF BILL #6	280,648.19
				CONTRACT LAW ENF BILL #6	7,547.49
				CONTRACT LAW ENF BILL #6	34,856.41
				CONTRACT LAW ENF BILL #6	296.65
				CONTRACT LAW ENF BILL #6	44,849.35
	4/23/2012	885041	2,473,652.45		
				CONTRACT LAW ENF BILL #7	44,627.10
				CONTRACT LAW ENF BILL #7	579.87
				CONTRACT LAW ENF BILL #7	1,353,144.67
				CONTRACT LAW ENF BILL #7	52,917.94
				CONTRACT LAW ENF BILL #7	347,635.87
				CONTRACT LAW ENF BILL #7	3,939.75
				CONTRACT LAW ENF BILL #7	74,023.38
				CONTRACT LAW ENF BILL #7	6,208.74
				CONTRACT LAW ENF BILL #7	78,031.89
				CONTRACT LAW ENF BILL #7	1,161.10
				CONTRACT LAW ENF BILL #7	165,519.17
				CONTRACT LAW ENF BILL #7	3,473.10
				CONTRACT LAW ENF BILL #7	263,628.01
				CONTRACT LAW ENF BILL #7	12,356.96
				CONTRACT LAW ENF BILL #7	35,153.75
				CONTRACT LAW ENF BILL #7	327.25
				CONTRACT LAW ENF BILL #7	30,923.90
	Vendor Total		**5,165,034.07**		
FYTD for RIVERSIDE COUNTY SHERIFF			**30,334,377.13**		

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For Period 4/1/2012 through 4/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF MV				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212137	33,785.21		
				SPEC BILLING-LAW ENF. OVRTIME	3,963.36
				SPEC BILLING-LAW ENF. OVRTIME	11,370.00
				SPEC BILLING-LAW ENF. OVRTIME	521.90
				CONTRACT SVCS-OTS GRANT #20163	16,217.36
				PD EXTRA DUTY-RANCHO VERDE BB	1,665.84
				PD EXTRA DUTY-RANCHO VERDE BB	46.75
	4/16/2012	212336	39,300.32		
				SPEC BILLING-LAW ENF. OVRTIME	344.64
				CONTRACT SVCS-OTS GRANT #20163	2,175.73
				CONTRACT SVCS-OTS GRANT #20163	1,274.88
				CONTRACT SVCS-OTS GRANT #20163	10,929.12
				CONTRACT SVCS-OTS GRANT #20163	11,042.68
				CONTRACT SVCS-OTS GRANT #20163	1,180.50
				SPECL BILLING-LAW ENF OVERTIME	11,943.92
				SPECL BILLING-LAW ENF OVERTIME	408.85
	Vendor Total		**73,085.53**		
FYTD for RIVERSIDE COUNTY SHERIFF MV			**304,310.32**		
SHELL ENERGY NORTH AMERICA (US) L.P.				Remit to: **PHILADELPHIA** **PA**	
	4/23/2012	885043	451,052.00		
				ENERGY PURCHASE FOR MV UTIL.	451,052.00
	Vendor Total		**451,052.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**5,223,232.00**		
SILVER CREEK INDUSTRIES, INC				Remit to: **PERRIS** **CA**	
	4/16/2012	212339	117,871.52		
				MORRISON PARK FIRE STN PROJ.	117,871.52
	4/30/2012	212520	259,063.77		
				MORRISON PARK FIRE STN PROJ.	259,063.77
	Vendor Total		**376,935.29**		
FYTD for SILVER CREEK INDUSTRIES, INC			**1,042,476.76**		
SOUTHCOAST HEATING & AIR CONDITIONING				Remit to: **VISTA** **CA**	
	4/9/2012	212265	52,034.38		
				RETENT. RLS-CITY HALL HVAC SYS	48,673.50
				RETENT. RLS-CITY HALL HVAC SYS	3,360.88
	Vendor Total		**52,034.38**		
FYTD for SOUTHCOAST HEATING & AIR CONDITIONING			**516,102.11**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
4/2/2012	212156	32,023.47		
			ELECTRICITY-FERC CHARGES	701.48
			ELECTRIC CHARGES	393.54
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	5,523.17
			WDAT CHARGES-GLOBE	7,719.21
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	1,966.23
			WDAT CHARGES-SUBSTATION 115KV	10,447.31
4/16/2012	212341	103,659.17		
			ELECTRICITY	579.76
			ELECTRICITY	66.88
			ELECTRICITY	1,605.29
			ELECTRICITY	44.82
			ELECTRICITY	66.98
			ELECTRICITY	824.99
			ELECTRICITY	118.74
			ELECTRICITY	709.41
			ELECTRICITY	522.15
			ELECTRICITY	66.96
			ELECTRICITY	840.20
			ELECTRICITY	1,955.47
			ELECTRICITY	1,101.22
			ELECTRICITY	1,106.71
			ELECTRICITY	93,298.77
			ELECTRICITY	407.33
			ELECTRICITY	88.67
			ELECTRICITY	22.16
			ELECTRICITY	46.85
			ELECTRICITY	23.84
			ELECTRICITY	72.29
			ELECTRICITY	89.68
4/23/2012	212436	60,282.40		
			ELECTRICITY	185.69
			ELECTRICITY	26.15
			ELECTRICITY	5,228.48
			ELECTRICITY	777.77
			ELECTRICITY	2,301.65
			ELECTRICITY	18.56
			ELECTRICITY	1,867.84
			ELECTRICITY	514.11
			ELECTRICITY	1,461.06
			ELECTRICITY	783.03
			ELECTRICITY	53.40
			ELECTRICITY	3,686.59
			ELECTRICITY	21.91
			ELECTRICITY	41.48
			ELECTRICITY	4,378.99
			ELECTRICITY	35,794.40
			ELECTRICITY	1,752.70
			ELECTRICITY	181.96
			ELECTRICITY	484.39

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	389.10
			ELECTRICITY	167.13
			ELECTRICITY	166.01
	Vendor Total	195,965.04		
FYTD for SOUTHERN CALIFORNIA EDISON		2,910,721.09		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
4/2/2012	212158	27,415.49		
			LIFE & DISABILITY INSURANCE	10,796.73
			LIFE & DISABILITY INSURANCE	16,883.11
			LIFE & DISABILITY INSURANCE	-264.35
	Vendor Total	27,415.49		
FYTD for STANDARD INSURANCE CO		299,493.77		
STI, INC., TRUCKING & MATERIALS			Remit to: **RIVERSIDE**	**CA**
4/2/2012	212161	73,605.33		
			IRONWOOD AVE IMPRVMNTS PROJ	73,605.33
4/16/2012	212346	35,266.51		
			RETENTION PMT-PROJ#02-89266920	15,000.00
			RETENTION PMT-PROJ#02-89266920	17,925.78
			DAY ST. IMPRVMNTS PROJ-PHASE 2	2,340.73
	Vendor Total	108,871.84		
FYTD for STI, INC., TRUCKING & MATERIALS		528,205.72		
STK ARCHITECTURE, INC.			Remit to: **TEMECULA**	**CA**
4/9/2012	884974	36,299.78		
			ANNEX #1 RE-DESIGN/RENOV. PROJ	11,676.56
			MORRISON PARK FIRE STN PROJ	24,623.22
4/23/2012	885047	27,653.82		
			ANNEX #1 RE-DESIGN/RENOV. PROJ	27,523.32
			ANNEX #1 RE-DESIGN/RENOV. PROJ	130.50
	Vendor Total	63,953.60		
FYTD for STK ARCHITECTURE, INC.		287,237.21		
TCM GROUP			Remit to: **FONTANA**	**CA**
4/16/2012	885009	115,694.66		
			SR-60/NASON ST INTRCHNG PROJ	115,694.66
4/23/2012	885049	130,217.46		
			SR-60/NASON ST INTRCHNG PROJ	130,217.46
	Vendor Total	245,912.12		
FYTD for TCM GROUP		1,278,334.80		

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For Period 4/1/2012 through 4/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
THINK TOGETHER, INC			Remit to: **SANTA ANA** **CA**	
4/9/2012	212274	419,690.90		
			ASES GRANT PRGM SVCS	419,690.90
4/30/2012	212532	419,690.90		
			ASES GRANT PRGM SVCS	419,690.90
	Vendor Total	**839,381.80**		
FYTD for THINK TOGETHER, INC		**3,364,912.15**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS** **MO**	
4/5/2012	1204021	75,912.63		
			CALCARD PMT CYCLE END 3/27/12	75,912.63
4/5/2012	1204031	63,511.75		
			CALCARD PMT CYCLE END 3/27/12	63,511.75
	Vendor Total	**139,424.38**		
FYTD for U.S. BANK/CALCARDS		**1,398,477.12**		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES** **CA**	
4/30/2012	1204051	973,279.22		
			2005 LRB SEMI-ANNL DEBT SVC	973,279.22
4/30/2012	1204061	762,586.25		
			2007 LRB SEMI-ANNL DEBT SVC	762,586.25
	Vendor Total	**1,735,865.47**		
FYTD for WELLS FARGO CORPORATE TRUST		**7,651,725.06**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			Remit to: **RIVERSIDE** **CA**	
4/16/2012	212360	31,113.34		
			TUMF REPORT FOR MARCH 2012	31,113.34
	Vendor Total	**31,113.34**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		**262,109.35**		
	Subtotal	**12,070,209.77**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

GONZALEZ, XAVIER				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212366	35.00		
				REFUND-PARK RENTAL FEE	35.00
	Vendor Total		**35.00**		
FYTD for GONZALEZ, XAVIER			**35.00**		
$1 DOLLAR PLUS STORE #2				Remit to: **SAN BERNARDINO** **CA**	
	4/30/2012	212458	67.43		
				REFUND-BUS LICENSE OVRPYMNT	67.43
	Vendor Total		**67.43**		
FYTD for $1 DOLLAR PLUS STORE #2			**67.43**		
A & I REPROGRAPHICS	**2406362**			Remit to: **ONTARIO** **CA**	
	4/23/2012	212367	2,566.60		
				DRACAEA AVE IMP PLANS & SPECS	1,126.74
				PERRIS BLVD IMPR PLANS & SPECS	1,439.86
	Vendor Total		**2,566.60**		
FYTD for A & I REPROGRAPHICS	**2406362**		**10,628.70**		
ACCESS SECURITY CONTROLS INT., INC.				Remit to: **TEMECULA** **CA**	
	4/9/2012	212180	75.00		
				SECURITY MONITORING SVCS-EOC	75.00
	4/23/2012	212368	75.00		
				MONITOR BURGLAR ALARM-SNYMD MS	75.00
	Vendor Total		**150.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**720.00**		
ACE FOOTWARE				Remit to: **VAN NUYS** **CA**	
	4/2/2012	212027	24.02		
				REFUND-BUS. LIC OVRPMT	24.02
	Vendor Total		**24.02**		
FYTD for ACE FOOTWARE			**24.02**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	4/2/2012	884839	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,187.30**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADLERHORST INTERNATIONAL INC.			Remit to: **RIVERSIDE** **CA**	
4/2/2012	884840	412.64		
			K-9 TRAINING-POLICE PATROL	283.34
			MISC K-9 SUPPLIES-POLICE	129.30
4/30/2012	885056	283.34		
			K-9 TRAINING-POLICE PATROL	283.34
	Vendor Total	**695.98**		
FYTD for ADLERHORST INTERNATIONAL INC.		**3,613.45**		
ADT SECURITY SERVICES			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212181	60.00		
			REFUND-PLAN CHECK OVERPAYMENT	60.00
	Vendor Total	**60.00**		
FYTD for ADT SECURITY SERVICES		**60.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE** **CA**	
4/16/2012	212288	624.00		
			ELECTRICAL WRK-ANML SVCS TS RM	500.00
			ELECTRICAL REPAIRS-CRC	62.00
			ELECTRICAL REPAIRS-ELPOTERO PK	62.00
4/23/2012	212369	7,151.90		
			INSTALL TWO 120V/20A CIRCUITS	3,992.00
			INSTALL TWO 120V/20A CIRCUITS	369.00
			INSTALL TV RECEPT & BOX OUTLET	142.00
			INSTALL TV RECEPT & BOX OUTLET	94.00
			DEMO INGROUND LIGHTS	638.00
			REWIRED WALKWAY LIGHTS	561.64
			ELECTRICAL REPAIRS @ANIMAL SVC	62.00
			ELECTRICAL REPAIRS @ANIMAL SVC	124.00
			REPAIRS TO EXTERIOR LIGHTING	458.11
			ELECTRICAL REPAIRS @CRC	660.00
			ELECTRICAL REPAIRS @CRC	51.15
	Vendor Total	**7,775.90**		
FYTD for ADVANCED ELECTRIC		**54,790.83**		
AEI - CASC, INC			Remit to: **COLTON** **CA**	
4/9/2012	212182	63.35		
			REFUND-BUS. LIC OVRPMT	63.35
	Vendor Total	**63.35**		
FYTD for AEI - CASC, INC		**63.35**		
AEI-CASC ENGINEERING			Remit to: **COLTON** **CA**	
4/23/2012	885018	378.00		
			CONSULTANT SVCS-PWQMP	378.00
	Vendor Total	**378.00**		
FYTD for AEI-CASC ENGINEERING		**31,038.77**		

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AIR CLEANING SYSTEMS INC.			Remit to: **POMONA** **CA**	
4/9/2012	884942	152.50		
			PLYMOVENT MAINT/REPAIRS-STN 91	127.50
			PLYMOVENT PARTS	25.00
4/16/2012	884982	693.41		
			PLYMOVENT MAINT/REPAIRS-STN 48	127.50
			PLYMOVENT PARTS	565.91
	Vendor Total	**845.91**		
FYTD for AIR CLEANING SYSTEMS INC.		**4,054.31**		
ALESSANDRO TIRES & AUTOMOTIVE			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212183	27.14		
			REFUND-BUS. LIC OVRPMT	27.14
	Vendor Total	**27.14**		
FYTD for ALESSANDRO TIRES & AUTOMOTIVE		**27.14**		
ALLIANZ LIFE INSURANCE CO			Remit to: **PITTSBURGH** **PA**	
4/9/2012	212185	75.00		
			NON-EXEMPT ANNUITY	75.00
	Vendor Total	**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**750.00**		
ALVAREZ, NIDEA			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212028	252.00		
			INSTRUCTOR SVCS-DRAWING	252.00
	Vendor Total	**252.00**		
FYTD for ALVAREZ, NIDEA		**903.00**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS** **CA**	
4/2/2012	884841	2,042.92		
			BLOOD DRAWS-POLICE	41.08
			BLOOD DRAWS-POLICE	41.08
			BLOOD DRAWS-POLICE	1,960.76
4/9/2012	884943	2,290.08		
			BLOOD DRAWS-POLICE	2,207.92
			BLOOD DRAWS-POLICE	82.16
	Vendor Total	**4,333.00**		
FYTD for AMERICAN FORENSIC NURSES		**41,151.56**		
AMERICAN PUBLIC POWER ASSOCIATION			Remit to: **BOSTON** **MA**	
4/2/2012	212029	4,810.00		
			MEMBERSHIP DUES-#59815	4,810.00
	Vendor Total	**4,810.00**		
FYTD for AMERICAN PUBLIC POWER ASSOCIATION		**9,182.73**		

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AMERICAN TOWERS				Remit to: **CHARLOTTE** **NC**	
	4/9/2012	212186	2,676.42		
				TOWER SPACE LEASE-TECH SVCS	2,676.42
	Vendor Total		**2,676.42**		
FYTD for AMERICAN TOWERS			**26,455.38**		
AMTECH ELEVATOR SERVICES				Remit to: **ANAHEIM** **CA**	
	4/16/2012	212289	221.92		
				ELEVATOR MAINT/REPAIRS-C HALL	121.92
				ELEVATOR MAINT/REPAIRS-EOC	100.00
	Vendor Total		**221.92**		
FYTD for AMTECH ELEVATOR SERVICES			**4,282.38**		
ANDRADE, MIGUEL				Remit to: **BUENA PARK** **CA**	
	4/30/2012	212459	115.00		
				REFUND-CITATION OVRPYMNT	115.00
	Vendor Total		**115.00**		
FYTD for ANDRADE, MIGUEL			**115.00**		
ANDRE LANDSCAPING SERVICE, INC.				Remit to: **AZUSA** **CA**	
	4/9/2012	212187	56.37		
				REFUND-BUS. LIC OVRPMT	56.37
	Vendor Total		**56.37**		
FYTD for ANDRE LANDSCAPING SERVICE, INC.			**56.37**		
ANIMAL EMERGENCY CLINIC, INC.				Remit to: **GRAND TERRACE** **CA**	
	4/30/2012	885057	55.00		
				EMERGENCY/AFTER HR VET SVCS	55.00
	Vendor Total		**55.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.			**1,940.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				Remit to: **CHINO** **CA**	
	4/9/2012	212188	200.00		
				BEE RMVL-MARCH BALLFIELD	200.00
	4/30/2012	212460	1,525.50		
				PEST CONTROL-CITY PARKS	600.00
				PEST CONTROL-CONTRACT AREAS	229.50
				PEST CONTROL-GOLF COURSE	162.00
				PEST CONTROL-CFD #1	144.00
				PEST CONTROL-MARCH FIELD CNTR	90.00
				PEST CONTROL-MARCH BALLFIELD	300.00
	Vendor Total		**1,725.50**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.			**16,462.00**		

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ARCHIPELAGO LIGHTING				Remit to: **MONTCLAIR CA**	
	4/23/2012	885019	6,961.48		
				8-FOOT LED LIGHT ENGINE KITS	4,833.60
				CA SALES TAX	374.60
				SHIPPING CHARGE	80.00
				HIGH FREQUENCY LED DRIVERS	1,520.00
				CA SALES TAX	117.80
				SHIPPING CHARGE	35.48
	Vendor Total		**6,961.48**		
FYTD for ARCHIPELAGO LIGHTING			**163,418.10**		
ARCON STRUCTURAL ENGINEERS, INC				Remit to: **RANCHO SANTA MARG/ CA**	
	4/2/2012	212030	1,439.02		
				CACTUS AVE/NASON ST. IMPRVMNTS	1,439.02
	Vendor Total		**1,439.02**		
FYTD for ARCON STRUCTURAL ENGINEERS, INC			**1,439.02**		
ARELLANO, LUIS				Remit to: **MORENO VALLEY CA**	
	4/16/2012	212290	9,318.40		
				SOLAR INCENTIVE REBATE	9,318.40
	Vendor Total		**9,318.40**		
FYTD for ARELLANO, LUIS			**9,318.40**		

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ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	4/9/2012	884944	362.41		
				WATER PURIFY UNIT-EOC	24.77
				WATER PURIFY UNIT-STN 2	24.77
				WATER PURIFY UNIT-CITY YARD	24.77
				WATER PURIFY UNIT-CITY YARD	24.77
				WATER PURIFY UNIT-LIBRARY	24.77
				WATER PURIFY UNITS-CITY HALL	123.86
				WATER PURIFY UNIT-STN 6	24.77
				WATER PURIFY UNIT-STN 48	24.77
				WATER PURIFY UNIT-STN 58	15.62
				WATER PURIFY UNIT-STN 91	24.77
				WATER PURIFY UNIT-STN 65	24.77
	4/23/2012	885020	173.40		
				WATER PURIF UNIT-ANIMAL SVCS	49.55
				WATER PURIF UNIT-SENIOR CTR	24.77
				WATER PURIF UNIT-SP DIST ANNEX	24.77
				WATER PURIF UNIT-TS ANNEX	24.77
				WATER PURIF UNIT-FACIL. ANNEX	24.77
				WATER PURIF UNIT-CRC	24.77
	4/30/2012	885058	337.64		
				WATER PURIFY RNTL-STN 6	24.77
				WATER PURIFY RNTL-STN 48	24.77
				WATER PURIFY RNTL-STN 2	24.77
				WATER PURIFY RNTL-STN 58	15.62
				WATER PURIFY RNTL-STN 91	24.77
				WATER PURIFY RNTL-STN 65	24.77
				WATER PURIFY RNTL-LIBRARY	24.77
				WATER PURIFY RNTL-CITY YARD	24.77
				WATER PURIFY RNTL-CITY YARD	24.77
				WATER PURIFY RNTL-CITY HALL	123.86
	Vendor Total		**873.45**		
FYTD for ARROWHEAD WATER			**5,730.95**		
ARTISTIC MAINTENACE, INC				Remit to: **LAKE FOREST** **CA**	
	4/2/2012	212031	56.25		
				REFUND-BUS. LIC OVRPMT	56.25
	Vendor Total		**56.25**		
FYTD for ARTISTIC MAINTENACE, INC			**56.25**		
ASSOCIATED REPRODUCTION SERVICES				Remit to: **WHITTIER** **CA**	
	4/23/2012	212370	428.53		
				LEGAL REPRODUCTION SERVICES	319.65
				LEGAL REPRODUCTION SERVICES	108.88
	Vendor Total		**428.53**		
FYTD for ASSOCIATED REPRODUCTION SERVICES			**428.53**		

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ASSOCIATED REPRODUCTION SVC			Remit to: **WHITTIER** **CA**	
4/2/2012	212032	108.88		
			REPRODUCTION SVCS-C ATTRNY	108.88
	Vendor Total	**108.88**		
FYTD for ASSOCIATED REPRODUCTION SVC		**349.58**		
AT&T MOBILITY			Remit to: **CAROL STREAM** **IL**	
4/2/2012	212033	91.66		
			CELL SVCS-POLICE CMND CNTR	91.66
4/30/2012	212461	91.50		
			CELL SVCS-POLICE CMND CNTR	91.50
	Vendor Total	**183.16**		
FYTD for AT&T MOBILITY		**1,004.23**		
AT&T/MCI			Remit to: **WEST SACRAMENTO** **CA**	
4/9/2012	212189	183.34		
			COMMUNICATION SVCS-POLICE	183.34
	Vendor Total	**183.34**		
FYTD for AT&T/MCI		**1,832.20**		
AUNTIE ANNE'S PRETZELS			Remit to: **GLENDALE** **CA**	
4/2/2012	212034	77.73		
			REFUND-BUS. LIC OVRPMT	77.73
	Vendor Total	**77.73**		
FYTD for AUNTIE ANNE'S PRETZELS		**77.73**		
BACHER, GRACE			Remit to: **HEMET** **CA**	
4/2/2012	212035	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for BACHER, GRACE		**3,187.30**		
BARNETT, BOBBIE			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212190	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for BARNETT, BOBBIE		**200.00**		
BARTEL ASSOCIATES, LLC			Remit to: **SAN MATEO** **CA**	
4/2/2012	212036	6,000.00		
			CONSULTING SVCS-GASB 45 OPEB	6,000.00
	Vendor Total	**6,000.00**		
FYTD for BARTEL ASSOCIATES, LLC		**12,150.00**		

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BATES LEATHERS				Remit to: **LAKEWOOD** **CA**	
	4/2/2012	212037	946.65		
				UNIFORMS-POLICE	946.65
	Vendor Total		**946.65**		
FYTD for BATES LEATHERS			**2,349.53**		
BAUTISTA, JOSEPH C.				Remit to: **FONTANA** **CA**	
	4/2/2012	884842	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for BAUTISTA, JOSEPH C.			**3,158.14**		
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	4/2/2012	884843	4,223.30		
				LANDSCAPE MAINT-VETERANS MMRL	225.00
				LANDSCAPE MAINT-ANNEX	270.00
				LANDSCAPE MAINT-CITY HALL	893.30
				LANDSCAPE MAINT-FIRE STNS	2,835.00
	4/23/2012	885021	5,097.80		
				LANDSCAPE MAINT-VETERANS MEMRL	225.00
				LANDSCAPE MAINT-FIRE STNS	2,835.00
				LANDSCAPE MAINT-CITY HALL	893.30
				LANDSCAPE MAINT-ANNEX	221.00
				LANDSCAPE MAINT-ZONE E-3	923.50
	Vendor Total		**9,321.10**		
FYTD for BEMUS LANDSCAPE, INC.			**315,932.94**		
BESAM U S, INC				Remit to: **MONROE** **NC**	
	4/2/2012	212038	72.07		
				REFUND-BUS. LIC OVRPMT	72.07
	Vendor Total		**72.07**		
FYTD for BESAM U S, INC			**72.07**		
BIBBS, LASANDRA				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212371	37.00		
				REFUND-CANCELLED CONTRCT CLASS	37.00
	Vendor Total		**37.00**		
FYTD for BIBBS, LASANDRA			**37.00**		
BIMBO BAKERIES U S A, INC.				Remit to: **CAMBRIDGE** **ON**	
	4/9/2012	212191	37.44		
				REFUND-BUS. LIC OVRPMT	37.44
	Vendor Total		**37.44**		
FYTD for BIMBO BAKERIES U S A, INC.			**37.44**		

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BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	212039	10,009.40		
				TOXICOLOGY TESTS-POLICE	1,210.90
				TOXICOLOGY TESTS-POLICE	8,798.50
		Vendor Total	**10,009.40**		
FYTD for BIO-TOX LABORATORIES			**88,755.24**		
BLAIR, CHERYL				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	212192	108.00		
				INSTRUCTOR SVCS-BELLY DANCING	108.00
		Vendor Total	**108.00**		
FYTD for BLAIR, CHERYL			**816.00**		
BLAKE, VALLON				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212462	91.00		
				REFUND-ANIMAL SVCS FEES	30.00
				REFUND-ANIMAL SVCS FEES	5.00
				REFUND-ANIMAL SVCS FEES	20.00
				REFUND-ANIMAL SVCS FEES	16.00
				REFUND-ANIMAL SVCS FEES	15.00
				REFUND-ANIMAL SVCS FEES	5.00
		Vendor Total	**91.00**		
FYTD for BLAKE, VALLON			**91.00**		
BLANCO, HILDA				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212291	30.00		
				REFUND-FALSE ALRM GRNTD APPL	30.00
		Vendor Total	**30.00**		
FYTD for BLANCO, HILDA			**30.00**		
BOEHM, BRIDGET				Remit to: **WILDOMAR** **CA**	
	4/9/2012	212193	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
		Vendor Total	**95.00**		
FYTD for BOEHM, BRIDGET			**95.00**		
BOOKLETTERS				Remit to: **COLUMBUS** **OH**	
	4/2/2012	212040	3,450.00		
				ANNUAL SUBSCRIPTION	3,450.00
		Vendor Total	**3,450.00**		
FYTD for BOOKLETTERS			**3,450.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRAUN BLAISING MCLAUGHLIN			Remit to: **SACRAMENTO** **CA**	
4/23/2012	212372	2,363.40		
			LEGAL SERVICES	2,363.40
	Vendor Total	**2,363.40**		
FYTD for BRAUN BLAISING MCLAUGHLIN		**97,616.02**		
BRODART CO.			Remit to: **WILLIAMSPORT** **PA**	
4/2/2012	884844	267.82		
			MISC BOOKS-LIBRARY	38.36
			MISC BOOKS-LIBRARY	21.81
			MISC BOOKS-LIBRARY	42.75
			MISC BOOKS-LIBRARY	74.64
			MISC BOOKS-LIBRARY	49.85
			MISC BOOKS-LIBRARY	40.41
4/16/2012	884985	631.04		
			MISC BOOKS-LIBRARY	21.80
			MISC BOOKS-LIBRARY	57.15
			MISC BOOKS-LIBRARY	42.78
			MISC BOOKS-LIBRARY	21.81
			MISC BOOKS-LIBRARY	22.99
			MISC BOOKS-LIBRARY	23.00
			MISC BOOKS-LIBRARY	254.31
			MISC BOOKS-LIBRARY	187.20
	Vendor Total	**898.86**		
FYTD for BRODART CO.		**29,101.31**		
BROUWER, STEPHANIE			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212463	47.50		
			REFUND-CITATION OVRPYMNT	47.50
	Vendor Total	**47.50**		
FYTD for BROUWER, STEPHANIE		**47.50**		
BUCKINGHAM PROPERTY MANAGEMENT			Remit to: **FRESNO** **CA**	
4/9/2012	212194	34.97		
			REFUND-BUS. LIC OVRPMT	34.97
	Vendor Total	**34.97**		
FYTD for BUCKINGHAM PROPERTY MANAGEMENT		**34.97**		
BUCKINGHAM, STAN			Remit to: **TEMECULA** **CA**	
4/2/2012	212041	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**3,187.30**		

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BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES** **CA**	
4/30/2012	885059	23,132.78		
			LEGAL SVCS	23,132.78
	Vendor Total	**23,132.78**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**247,608.99**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
4/2/2012	212042	64.60		
			MISC BOOKS/MATERIALS-LIBRARY	29.32
			MISC BOOKS/MATERIALS-LIBRARY	35.28
	Vendor Total	**64.60**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**11,062.13**		
CA CONSTRUCTION AND FLOOR TECH AMERICA,			Remit to: **RIVERSIDE** **CA**	
4/23/2012	212373	1,883.00		
			RETENT/STOP NOTICE PYMT-PSB PR	1,883.00
	Vendor Total	**1,883.00**		
FYTD for CA CONSTRUCTION AND FLOOR TECH AMERICA,		**1,883.00**		
CABALCE, KAREN			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212464	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CABALCE, KAREN		**95.00**		
CADIZ, MANNY			Remit to: **RIVERSIDE** **CA**	
4/23/2012	212374	56.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	5.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	5.00
	Vendor Total	**56.00**		
FYTD for CADIZ, MANNY		**56.00**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
4/2/2012	884845	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for CAIN, GREGORY		**3,187.30**		

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CALIFORNIA BUILDING STANDARDS COMMISSION			Remit to: **SACRAMENTO** **CA**	
4/9/2012	212195	131.40		
			SB1473 FEES COLLECTD 1/1-3/31	131.40
	Vendor Total	**131.40**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		**2,025.00**		
CALIFORNIA CONSTRUCTION & FIRE RESTORATI			Remit to: **CLAREMONT** **CA**	
4/16/2012	212293	61.96		
			REFUND-BUS LIC OVERPAYMENT	61.96
	Vendor Total	**61.96**		
FYTD for CALIFORNIA CONSTRUCTION & FIRE RESTORATI		**61.96**		
CALIFORNIA TRANSCRIPTION, LLC			Remit to: **RIVERSIDE** **CA**	
4/2/2012	884846	181.37		
			TRANSCRIPTION SVCS-PLANNING	181.37
	Vendor Total	**181.37**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,147.58**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
4/2/2012	884847	1,457.00		
			PLAN CHECK SVCS-WQMP	1,457.00
	Vendor Total	**1,457.00**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**37,166.50**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
4/23/2012	212375	100.00		
			REFUND-MSU RENTAL DEPOSIT	100.00
	Vendor Total	**100.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**175.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
4/2/2012	884848	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**3,187.30**		
CARE STREAM HEALTH, INC			Remit to: **ROCHESTER** **NY**	
4/2/2012	212043	52.16		
			REFUND-BUS. LIC OVRPMT	52.16
	Vendor Total	**52.16**		
FYTD for CARE STREAM HEALTH, INC		**52.16**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CAREER CARE INSTITUTE				Remit to: **LANCASTER** CA	
	4/23/2012	212376	500.00		
				REFUND-RENTAL DEPOSIT-CRC	500.00
	Vendor Total		**500.00**		
FYTD for CAREER CARE INSTITUTE			**500.00**		
CARRILLO, MONICA				Remit to: **MORENO VALLEY** CA	
	4/2/2012	212044	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for CARRILLO, MONICA			**20.00**		
CARTER, ROSALYN				Remit to: **MORENO VALLEY** CA	
	4/2/2012	884849	318.73		
				RETIREE MED FEB 12, PD APR 12	318.73
	Vendor Total		**318.73**		
FYTD for CARTER, ROSALYN			**2,868.57**		
CASA FOR RIVERSIDE COUNTY, INC.				Remit to: **INDIO** CA	
	4/9/2012	884945	5,881.87		
				COURT APPOINTED ADVOCATE PRGRM	976.94
				COURT APPOINTED ADVOCATE PRGRM	953.83
				COURT APPOINTED ADVOCATE PRGRM	1,051.76
				COURT APPOINTED ADVOCATE PRGRM	1,052.69
				COURT APPOINTED ADVOCATE PRGRM	684.06
				COURT APPOINTED ADVOCATE PRGRM	1,162.59
	Vendor Total		**5,881.87**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.			**11,762.14**		
CASSEL, CANDACE				Remit to: **YUCAIPA** CA	
	4/2/2012	212045	275.20		
				AIRFARE-PUC TESTIMONY	137.60
				AIRFARE-PUC TESTIMONY	137.60
	Vendor Total		**275.20**		
FYTD for CASSEL, CANDACE			**275.20**		
CASTILLO, LUCERO				Remit to: **MORENO VALLEY** CA	
	4/30/2012	212465	8,461.35		
				RELOCATION ASSISTANCE PYMT	8,461.35
	Vendor Total		**8,461.35**		
FYTD for CASTILLO, LUCERO			**12,328.68**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CATHOLIC CHARITIES			Remit to: **SAN BERNARDINO** **CA**	
4/9/2012	212196	591.26		
			RNTL ASSISTANCE-HPR PRGRM	591.26
	Vendor Total	**591.26**		
FYTD for CATHOLIC CHARITIES		**12,246.23**		
CENTRAL FIRE EXTINGUISHER COMPANY			Remit to: **FONTANA** **CA**	
4/2/2012	212046	67.00		
			REPAIR/RECHARGE FIRE EXTNGHRS	67.00
	Vendor Total	**67.00**		
FYTD for CENTRAL FIRE EXTINGUISHER COMPANY		**2,137.78**		
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			Remit to: **RIVERSIDE** **CA**	
4/2/2012	884850	70.00		
			PRE-EMPLOYMENT PHYSICALS	25.00
			PRE-EMPLOYMENT PHYSICALS	45.00
	Vendor Total	**70.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS		**3,599.00**		
CHANDLER ASSET MANAGEMENT, INC			Remit to: **SAN DIEGO** **CA**	
4/30/2012	885060	8,608.00		
			FIXED INCOME INVESTMENT MGMT	8,608.00
	Vendor Total	**8,608.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC		**88,388.00**		
CHAPMAN, MARICELA/WILLIE			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212466	30.00		
			REFUND-ANIMAL SVCS FEES	15.00
			REFUND-ANIMAL SVCS FEES	15.00
	Vendor Total	**30.00**		
FYTD for CHAPMAN, MARICELA/WILLIE		**30.00**		
CHAPMAN, STEVE			Remit to: **REDLANDS** **CA**	
4/2/2012	212047	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for CHAPMAN, STEVE		**3,187.30**		
CHAPPELL, ISAAC			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	884851	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for CHAPPELL, ISAAC		**3,187.30**		

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CHRISTIAN, OWEN				Remit to: **MORENO VALLEY CA**	
	4/2/2012	884852	225.99		
				RETIREE MED APR '12	225.99
	Vendor Total		**225.99**		
FYTD for CHRISTIAN, OWEN			**2,283.24**		
CINDY FARRAR FAMILY DAYCARE				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212048	21.50		
				REFUND-BUS. LIC OVRPMT	21.50
	Vendor Total		**21.50**		
FYTD for CINDY FARRAR FAMILY DAYCARE			**21.50**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO**	**CA**
4/2/2012	884853	326.44		
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-ST MAINT	96.16
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
4/9/2012	884946	95.36		
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
4/16/2012	884986	538.64		
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-ST MAINT	96.16
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-ST MAINT	96.16
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-PURCHASING	3.92
4/23/2012	885023	112.64		
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-CFD #1	13.36

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-PARK MAINT	2.79
4/30/2012	885061	66.35		
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
	Vendor Total	**1,139.43**		
FYTD for CINTAS CORPORATION		**13,029.45**		
CINTAS FIRE PROTECTION			Remit to: **ANAHEIM**	**CA**
4/2/2012	212049	21.98		
			REFUND-BUS. LIC OVRPMT	21.98
	Vendor Total	**21.98**		
FYTD for CINTAS FIRE PROTECTION		**21.98**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY**	**CA**
4/9/2012	884947	6,105.00		
			EXEMPT VEBA	6,105.00
4/23/2012	885024	2,030.00		
			EXEMPT VEBA	2,030.00
	Vendor Total	**8,135.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**75,353.82**		
CITY OF PALO ALTO			Remit to: **PALO ALTO**	**CA**
4/16/2012	212294	160.00		
			CA MUNI RATE GRP 2012 CONF.	160.00
	Vendor Total	**160.00**		
FYTD for CITY OF PALO ALTO		**160.00**		
CITY OF RIVERSIDE			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212197	2,114.80		
			MAINT/ELECTRICAL-DAY/RT60 W/B	1,330.46
			MAINT/ELECTRICAL-DAY/RT60 E/B	784.34
	Vendor Total	**2,114.80**		
FYTD for CITY OF RIVERSIDE		**14,815.02**		
CLARK, ANNIE A.			Remit to: **MURRIETA**	**CA**
4/9/2012	212198	115.87		
			TRAVEL REIMB-CRA WORKSHOP	106.87
			TRAVEL REIMB-CRA WORKSHOP	9.00
	Vendor Total	**115.87**		
FYTD for CLARK, ANNIE A.		**115.87**		

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CLARK, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212199	150.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	150.00
	Vendor Total		**150.00**		
FYTD for CLARK, ASHLEY			**150.00**		
CLEAN ENERGY				Remit to: **SEAL BEACH** **CA**	
	4/2/2012	212050	86.00		
				REFUND-BUS. LIC OVRPMT	86.00
	Vendor Total		**86.00**		
FYTD for CLEAN ENERGY			**86.00**		
COAST TO COAST LASER				Remit to: **MURRIETA** **CA**	
	4/2/2012	212051	96.58		
				ENGRAVING/PLAQUES-POLICE	96.58
	Vendor Total		**96.58**		
FYTD for COAST TO COAST LASER			**1,822.69**		
COLEMAN'S PROFESSIONAL PIANO MOVING				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212200	41.00		
				REFUND-BUS. LIC OVRPMT	41.00
	Vendor Total		**41.00**		
FYTD for COLEMAN'S PROFESSIONAL PIANO MOVING			**41.00**		
COLETTA, LEANN M.				Remit to: **MENIFEE** **CA**	
	4/23/2012	212377	297.00		
				PER DIEM-WebEOC CONFERENCE	297.00
	Vendor Total		**297.00**		
FYTD for COLETTA, LEANN M.			**951.68**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	4/30/2012	212467	7,241.55		
				SUPPLEMENTAL INSURANCE	7,241.55
	Vendor Total		**7,241.55**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**73,977.30**		
COMFORT PALAZE				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212295	20.35		
				REFUND-BUS. LIC OVRPMT	20.35
	Vendor Total		**20.35**		
FYTD for COMFORT PALAZE			**20.35**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMMUNITY ASSISTANCE PROGRAM - CAP			Remit to: **MORENO VALLEY**	**CA**
4/9/2012	884948	5,002.57		
			CAP FOOD DISTRIBUTION PRGRM	2,661.18
			CAP FOOD DISTRIBUTION PRGRM	2,341.39
	Vendor Total	**5,002.57**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP		**31,502.90**		
COMMUNITY CONNECT			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212201	2,232.33		
			CDBG "211" CALL CENTER INFO	563.68
			CDBG "211" CALL CENTER INFO	523.83
			CDBG "211" CALL CENTER INFO	585.01
			CDBG "211" CALL CENTER INFO	559.81
	Vendor Total	**2,232.33**		
FYTD for COMMUNITY CONNECT		**4,442.94**		
COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM**	**CA**
4/9/2012	212202	142.00		
			CHC CONTRIBUTIONS	142.00
4/23/2012	212378	142.00		
			CHC CONTRIBUTIONS	142.00
	Vendor Total	**284.00**		
FYTD for COMMUNITY HEALTH CHARITIES		**5,066.34**		
COMPETITIVE STRIDE			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212203	1,160.20		
			YOUTH/ADULT AWARDS	1,095.55
			YOUTH/ADULT AWARDS	64.65
4/16/2012	212296	514.78		
			YOUTH/ADULT AWARDS	514.78
4/23/2012	212379	10.78		
			YOUTH/ADULT AWARDS	10.78
	Vendor Total	**1,685.76**		
FYTD for COMPETITIVE STRIDE		**3,227.46**		
CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND**	**CA**
4/2/2012	212052	379.93		
			LEGAL SVCS	199.12
			LEGAL SVCS	180.81
4/16/2012	212297	184.04		
			LEGAL SVCS	184.04
	Vendor Total	**563.97**		
FYTD for CONTINUING EDUCATION OF THE BAR		**1,337.85**		

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CONTRACT CARPET CORPORATION			Remit to: **ANAHEIM** **CA**	
4/2/2012	212053	94.92		
			REFUND-BUS. LIC OVRPMT	94.92
	Vendor Total	**94.92**		
FYTD for CONTRACT CARPET CORPORATION		**94.92**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212204	70.00		
			SPORTS OFFICIATING SVCS	70.00
4/16/2012	212298	175.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	35.00
			SPORTS OFFICIATING SVCS	70.00
4/23/2012	212380	89.00		
			SPORTS OFFICIATING FEE	35.00
			SPORTS OFFICIATING FEE	54.00
	Vendor Total	**334.00**		
FYTD for CONTRERAS, JOSE		**2,579.00**		
CORNERSTONE RECORDS MANAGEMENT, LLC			Remit to: **RIVERSIDE** **CA**	
4/16/2012	884983	1,212.17		
			RECORDS OFFSITE STORAGE	1,212.17
	Vendor Total	**1,212.17**		
FYTD for CORNERSTONE RECORDS MANAGEMENT, LLC		**12,951.90**		
COSCO FIRE PROTECTION			Remit to: **BREA** **CA**	
4/9/2012	212205	55.11		
			REFUND-BUS. LIC OVRPMT	55.11
	Vendor Total	**55.11**		
FYTD for COSCO FIRE PROTECTION		**55.11**		
COSEY JR., JAMES			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212054	165.00		
			INSTRUCTOR SVCS-KEMPO KARATE	330.00
			50% WITHHOLDING FOR CSS ORDER	-165.00
4/30/2012	212468	132.00		
			INSTRUCTOR SVCS-KEMPO KARATE	264.00
			50% WITHHOLDING FOR CSS ORDER	-132.00
	Vendor Total	**297.00**		
FYTD for COSEY JR., JAMES		**1,483.50**		

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COSTCO				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212206	60.38		
				EVENT MISC SUPPLIES	60.38
	4/16/2012	212299	941.65		
				MISC SUPPLIES-A CHILDS PLACE	508.61
				MISC SUPPLIES-SKATE PARK	433.04
	4/23/2012	212381	624.61		
				MISC SUPPLIES-A CHILDS PLACE	380.14
				MISC SUPPLIES-SKATE PARK	244.47
	Vendor Total		**1,626.64**		
FYTD for COSTCO			**15,005.81**		
COTA III, GEORGE				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212382	82.00		
				REFUND-CANCELLED CONTRCT CLASS	82.00
	Vendor Total		**82.00**		
FYTD for COTA III, GEORGE			**82.00**		
COUNTY OF RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	212055	753.13		
				JANITORIAL SUPPLIES FOR PD	753.13
	Vendor Total		**753.13**		
FYTD for COUNTY OF RIVERSIDE			**19,368.05**		
COUNTY OF RIVERSIDE - RMAP				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	212056	59.56		
				RECORDATION SVCS-LAND DVLPMNT	59.56
	Vendor Total		**59.56**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**483.22**		
COUNTY OF RIVERSIDE DPSS				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	212207	1,440.00		
				HMIS USER LICENSE FEES	1,440.00
	Vendor Total		**1,440.00**		
FYTD for COUNTY OF RIVERSIDE DPSS			**1,440.00**		
COVENTRY PET RESORT				Remit to: **REDLANDS** **CA**	
	4/9/2012	884949	133.92		
				K-9 MISC SUPPLIES-POLICE	133.92
	Vendor Total		**133.92**		
FYTD for COVENTRY PET RESORT			**572.10**		

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CREATIVE LAWNS AND CARE			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212208	80.76		
			REFUND-BUS. LIC OVRPMT	80.76
	Vendor Total	**80.76**		
FYTD for CREATIVE LAWNS AND CARE		**80.76**		
CRIME SCENE STERI-CLEAN, LLC			Remit to: **RANCHO CUCAMONGA** **CA**	
4/2/2012	212057	750.00		
			BIO-HAZARD CLEAN-UP FOR PD	750.00
	Vendor Total	**750.00**		
FYTD for CRIME SCENE STERI-CLEAN, LLC		**1,890.00**		
CRITICOM MONITORING SERVICES			Remit to: **LAWRENCE** **KS**	
4/2/2012	212058	23.26		
			REFUND-BUS. LIC OVRPMT	23.26
	Vendor Total	**23.26**		
FYTD for CRITICOM MONITORING SERVICES		**23.26**		
CROSSROADS SOFTWARE			Remit to: **BREA** **CA**	
4/23/2012	212383	1,350.00		
			MAINT/SUPPORT-TICKET WRITERS	1,800.00
			25% FTB ORDER TO WITHHOLD	-450.00
	Vendor Total	**1,350.00**		
FYTD for CROSSROADS SOFTWARE		**1,350.00**		
CROWN PRINTERS			Remit to: **SAN BERNARDINO** **CA**	
4/9/2012	212209	3,160.57		
			PRINT/COLLATE-CAFR 2011/12	2,933.24
			SALES TAX	227.33
	Vendor Total	**3,160.57**		
FYTD for CROWN PRINTERS		**7,252.84**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
4/30/2012	212469	6,214.03		
			VECTOR CONTROL SVCS	6,214.03
	Vendor Total	**6,214.03**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**24,084.83**		
CYCLERY USA, INC.			Remit to: **REDLANDS** **CA**	
4/16/2012	212300	1,249.86		
			TREK 16" MOUNTAIN BIKE-POLICE	1,249.86
	Vendor Total	**1,249.86**		
FYTD for CYCLERY USA, INC.		**1,249.86**		

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D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA**	**CA**
4/30/2012	212470	745.00		
			DECEASED ANIMAL RMVL	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**7,450.00**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY**	**CA**
4/2/2012	884854	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for DALE, KATHLEEN		**3,187.30**		
DALIA'S PIZZA			Remit to: **ALTA LOMA**	**CA**
4/9/2012	212210	68.75		
			REFUND-BUS. LIC OVRPMT	68.75
	Vendor Total	**68.75**		
FYTD for DALIA'S PIZZA		**68.75**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
4/2/2012	884855	2,567.12		
			CITATION PROCESSING-BUILDING	694.80
			CITATION PROCESSING-POLICE	1,872.32
4/9/2012	884950	5,359.27		
			CITATION PROCESSING-CODE	4,042.85
			THIRD PARTY COLLECTION FEES	1,316.42
4/30/2012	885062	18,650.35		
			CITATION PROCESSING-BLDG	201.72
			CITATION PROCESSING-BLDG	478.14
			THIRD PARTY COLLECTION FEES	478.50
			CITATION PROCESSING-CODE	17,491.99
	Vendor Total	**26,576.74**		
FYTD for DATA TICKET, INC.		**237,243.75**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO**	**CA**
4/2/2012	212059	130.50		
			SOFTWARE/ONLINE SUBSCRIPTION	130.50
4/23/2012	212384	130.50		
			SOFTWARE/ONLINE SUBSCRIPTION	130.50
	Vendor Total	**261.00**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**1,305.00**		

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DAUM COMMERICAL REAL ESTATE SERVICES			Remit to: **LOS ANGELES** **CA**	
4/16/2012	212301	62.48		
			REFUND-BUS LIC OVERPAYMENT	62.48
	Vendor Total	**62.48**		
FYTD for DAUM COMMERICAL REAL ESTATE SERVICES		**62.48**		
DDL TRAFFIC			Remit to: **CHINO HILLS** **CA**	
4/23/2012	212385	11,113.38		
			772 OPTICOM DETECTORS-60/NASON	2,700.00
			GLOBAL 764 MMPS	5,500.00
			AB-0155 PELCO CLAMPS	180.00
			M-138 OPTICOM CABLE 1000' ROLL	300.00
			COUNT DOWN PED MODULES	1,170.00
			TECHNICAL SUPPORT	500.00
			CA SALES TAX	763.38
	Vendor Total	**11,113.38**		
FYTD for DDL TRAFFIC		**43,388.21**		
DE LA CRUZ, CYNTHIA			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212060	29.60		
			REFUND-DEPOSIT WESTBLUFF PRK	29.60
	Vendor Total	**29.60**		
FYTD for DE LA CRUZ, CYNTHIA		**29.60**		
DEBINAIRE COMPANY			Remit to: **CORONA** **CA**	
4/9/2012	212211	610.00		
			BOILER MAINT-EOC	140.00
			BOILER MAINT-CITY HALL	140.00
			BOILER MAINT-PSB	141.09
			BOILER MAINT-PSB	25.97
			BOILER MAINT-PSB	67.94
			BOILER MAINT-CRC	95.00
4/16/2012	212302	425.00		
			RELOCATE TEMPRTURE SENSOR-EOC	425.00
4/23/2012	212386	140.08		
			BOILER MAINT-CITY HALL	140.08
	Vendor Total	**1,175.08**		
FYTD for DEBINAIRE COMPANY		**2,957.28**		
DELTA DENTAL			Remit to: **SAN FRANCISCO** **CA**	
4/2/2012	884856	10,203.24		
			EMPLOYEE DENTAL INSURANCE	10,203.24
	Vendor Total	**10,203.24**		
FYTD for DELTA DENTAL		**104,923.54**		

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DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	4/23/2012	212387	5,768.86		
				EMPLOYEE DENTAL INSURANCE	5,768.86
	Vendor Total		**5,768.86**		
FYTD for DELTACARE USA			**62,542.05**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	4/2/2012	884857	9,785.00		
				PLAN REVIEW SVCS-FIRE PREVENTN	2,745.00
				FIRE INSPECTION SVCS	7,040.00
	4/16/2012	884987	12,410.00		
				PLAN REVIEW SVCS-FIRE PREVENTN	5,370.00
				FIRE INSPECTION SVCS	7,040.00
	Vendor Total		**22,195.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**134,550.00**		
DEPARTMENT OF CONSERVATION				Remit to: **SACRAMENTO** **CA**	
	4/16/2012	212303	1,831.35		
				SMI FEES FOR 1/1/12 TO 3/31/12	1,927.74
				SMI FEES FOR 1/1/12 TO 3/31/12	-96.39
	Vendor Total		**1,831.35**		
FYTD for DEPARTMENT OF CONSERVATION			**20,641.61**		
DHA CONSULTING				Remit to: **LONG BEACH** **CA**	
	4/9/2012	212212	440.00		
				CONSULTING SVCS-AB26 COMPLIANC	440.00
	Vendor Total		**440.00**		
FYTD for DHA CONSULTING			**2,640.00**		
DIAMOND WIRELESS, LLC				Remit to: **SALT LAKE CITY** **UT**	
	4/2/2012	212061	59.96		
				REFUND-BUS. LIC OVRPMT	37.90
				REFUND-BUS. LIC OVRPMT	22.06
	Vendor Total		**59.96**		
FYTD for DIAMOND WIRELESS, LLC			**59.96**		
DISPATCH TRANS LLC				Remit to: **FONTANA** **CA**	
	4/30/2012	212471	86.00		
				REFUND-CITATION OVRPYMNT	86.00
	Vendor Total		**86.00**		
FYTD for DISPATCH TRANS LLC			**86.00**		

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DLS LANDSCAPE, INC				Remit to: **REDLANDS** **CA**	
	4/30/2012	885063	11,475.00		
				LANDSCAPE MAINT-CFD #1	2,052.00
				LANDSCAPE MAINT-ZONE A	9,423.00
	Vendor Total		**11,475.00**		
FYTD for DLS LANDSCAPE, INC			**118,296.00**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	4/9/2012	212213	2,500.00		
				DAY ST DRAINAGE IMPRVMNTS PROJ	2,500.00
	Vendor Total		**2,500.00**		
FYTD for DMC DESIGN GROUP, INC			**280,163.30**		
DMS CRANE SERVICE				Remit to: **REDLANDS** **CA**	
	4/2/2012	212062	260.00		
				CRANE SVC-ANIMAL SHELTER	260.00
	Vendor Total		**260.00**		
FYTD for DMS CRANE SERVICE			**260.00**		
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	4/2/2012	212063	225.99		
				RETIREE MED APR '12	225.99
	Vendor Total		**225.99**		
FYTD for DORY, ALLEEN F.			**3,349.44**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212064	168.00		
				INSTRUCTOR SVCS-FOLK DANCE	168.00
	Vendor Total		**168.00**		
FYTD for DURAN, BLANCA			**2,142.00**		
DUVAL, ROBERTA				Remit to: **SUN CITY** **CA**	
	4/30/2012	212473	875.00		
				INSTRUCTOR SVCS-CERT	875.00
	Vendor Total		**875.00**		
FYTD for DUVAL, ROBERTA			**2,985.00**		

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E.R. BLOCK PLUMBING & HEATING, INC.			Remit to: **RIVERSIDE** **CA**	
4/2/2012	884858	681.63		
			BACKFLOW DEVICE TESTS-ZONE D	360.00
			BACKFLOW DEVICE TESTS-ZONE D	60.00
			BACKFLOW DEVICE TESTS-ZONE E-1	40.00
			BACKFLOW DEVICE TEST-ZONE E-1A	20.00
			BACKFLOW DEVICE TESTS-ZONE M	40.00
			BACKFLOW DEVICE KIT-ZONE E-1	53.88
			BACKFLOW DEVICE KIT-ZONE D	107.75
4/16/2012	884988	280.00		
			BACKFLOW DEVICE TESTS-ZONE D	80.00
			BACKFLOW DEVICE TESTS-ZONE M	60.00
			BACKFLOW DEVICE TEST-ZONE S	20.00
			BACKFLOW DEVICE TESTS-STN 91	40.00
			BACKFLOW DEVICE TEST-CFD #1	20.00
			BACKFLOW DEVICE TESTS-CONTRACT	40.00
			BACKFLOW DEVICE TEST-PARKS	20.00
4/23/2012	885025	240.00		
			BACKFLOW TESTING IN E-1	40.00
			BACKFLOW TESTING IN E-2	180.00
			BACKFLOW TESTING IN E-15	20.00
	Vendor Total	**1,201.63**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**37,360.87**		
EARLY, PAUL			Remit to: **SUN CITY** **CA**	
4/23/2012	212388	177.50		
			PER DIEM-LCC CITY ATTY CONF.	177.50
	Vendor Total	**177.50**		
FYTD for EARLY, PAUL		**177.50**		
EASTER, LATRINA			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212065	66.00		
			REFUND-DEPOSITS ANIMAL SVCS	30.00
			REFUND-DEPOSITS ANIMAL SVCS	5.00
			REFUND-DEPOSITS ANIMAL SVCS	16.00
			REFUND-DEPOSITS ANIMAL SVCS	15.00
	Vendor Total	**66.00**		
FYTD for EASTER, LATRINA		**66.00**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS** **CA**	
4/2/2012	212067	7,630.48		
			COST-SHARING ARRNGMNT RECONCIL	7,630.48
4/16/2012	212304	8,725.53		
			WATER CHARGES	37.93
			WATER CHARGES	224.04
			WATER CHARGES	1,541.35
			WATER CHARGES	34.80
			WATER CHARGES	705.07
			WATER CHARGES	102.48
			WATER CHARGES	718.30
			WATER CHARGES	284.92
			WATER CHARGES	350.56
			WATER CHARGES	1,132.15
			WATER CHARGES	1,895.85
			WATER CHARGES	326.60
			WATER CHARGES	128.38
			WATER CHARGES	182.12
			WATER CHARGES	125.55
			WATER CHARGES	187.64
			WATER CHARGES	397.17
			WATER CHARGES	350.62
4/30/2012	212474	18,252.24		
			WATER CHARGES	405.37
			WATER CHARGES	271.52
			WATER CHARGES	347.81
			WATER CHARGES	6,380.89
			WATER CHARGES	637.63
			WATER CHARGES	239.28
			WATER CHARGES	8,002.22
			WATER CHARGES	815.41
			WATER CHARGES	203.06
			WATER CHARGES	80.41
			WATER CHARGES	404.55
			WATER CHARGES	80.22
			WATER CHARGES	188.55
			WATER CHARGES	98.46
			WATER CHARGES	96.86
Vendor Total		**34,608.25**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,223,153.99**		
EASY MONEY EMG			Remit to: **VIRGINIA BEACH** **VA**	
4/2/2012	212068	82.50		
			REFUND-BUS. LIC OVRPMT	82.50
Vendor Total		**82.50**		
FYTD for EASY MONEY EMG		**82.50**		

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ECOLAB INC.				Remit to: **ST. PAUL** **MN**	
	4/16/2012	212305	75.93		
				REFUND-BUS LIC OVERPAYMENT	75.93
	Vendor Total		**75.93**		
FYTD for ECOLAB INC.			**75.93**		
EDGELANE MOBILE PARK				Remit to: **LOS ANGELES** **CA**	
	4/16/2012	212363	41.48		
				REFUND-UUT EXEMPT RESIDENTS	41.48
	Vendor Total		**41.48**		
FYTD for EDGELANE MOBILE PARK			**395.14**		
EES CONSULTING, INC.				Remit to: **KIRKLAND** **WA**	
	4/30/2012	212475	10,035.00		
				CONSULTING SVCS-MVU COSA	8,033.00
				CONSULTING SVCS-MVU COSA	1,177.00
				CONSULTING SVCS-MVU LINE EXT	825.00
	Vendor Total		**10,035.00**		
FYTD for EES CONSULTING, INC.			**41,752.00**		
EGGERSTEN, ANNE				Remit to: **RANCHO MIRAGE** **CA**	
	4/2/2012	212069	320.43		
				RETIREE MED APR '12	320.43
	Vendor Total		**320.43**		
FYTD for EGGERSTEN, ANNE			**3,235.68**		
ELECTRIC SERVICES				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212215	30.00		
				REFUND-BUS. LIC OVRPMT	30.00
	Vendor Total		**30.00**		
FYTD for ELECTRIC SERVICES			**30.00**		
EMPIRE MOWER				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212476	198.15		
				EQUIPMENT REPAIRS-PARK MAINT	198.15
	Vendor Total		**198.15**		
FYTD for EMPIRE MOWER			**1,419.73**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	4/2/2012	3052	500.00		
				DEPOSIT TO STATE ACCT 4/2/12	500.00
	Vendor Total		**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**1,030,342.80**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
4/2/2012	884859	261.53		
			CACTUS AVE LIGHTS PROJ WORK	212.25
			NASON TO IRIS NEW SL SYSTEM	49.28
4/9/2012	884951	345.00		
			METER CHARGES-MVU	345.00
4/16/2012	884990	11,425.51		
			MVU WORK AUTHORIZATION 40251B	1,448.27
			MVU WORK AUTHORIZATION 40243A	136.94
			MVU WORK AUTHORIZATION 40250B	1,401.84
			MVU WORK AUTHORIZATION 40249B	6,297.09
			MVU WORK AUTHORIZATN 40237B01	249.72
			MOR BEACH BRIDGE TO EUCALYP BB	258.66
			ENG. REVIEW-SCE PROJ ON CACTUS	561.20
			REVIEW RULE 20A UG PROJ-NASON	1,071.79
Vendor Total		**12,032.04**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,267,437.93**		
ESI ACQUISITION, INC.			Remit to: **AUGUSTA** **GA**	
4/16/2012	884991	8,800.00		
			SS-CIMS7-PRB WEBEOC PROF V7	4,900.00
			SS-CIMS7-MPR-TXI WEBEOC MAPPER	3,900.00
Vendor Total		**8,800.00**		
FYTD for ESI ACQUISITION, INC.		**8,800.00**		
EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	884860	16.17		
			ENGRAVING/PLAQUE-POLICE	16.17
4/23/2012	885026	32.33		
			NAMEPLATES & BADGES	32.33
Vendor Total		**48.50**		
FYTD for EVANS ENGRAVING & AWARDS		**1,243.01**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX** **AZ**	
4/9/2012	212217	5.19		
			IRRIGATION PARTS/SUPPLY-PARKS	5.19
Vendor Total		**5.19**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**10,886.97**		

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EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
4/16/2012	212306	5,396.99		
			LANDSCAPE MAINT-WQB'S	5,396.99
4/30/2012	212477	4,449.17		
			LANDSCAPE MAINT-ZONE E-7	1,672.00
			LANDSCAPE MAINT-ZONE E-7	2,777.17
	Vendor Total	**9,846.16**		
FYTD for EXCEL LANDSCAPE, INC		**85,306.61**		
FAIR HOUSING COUNCIL OF RIV CO, INC.			Remit to: **RIVERSIDE**	**CA**
4/9/2012	884952	5,186.29		
			FORECLOSURE PREVENTN PRGRM	1,646.99
			LANDLORD/TENANT MEDIATN PRGRM	1,157.58
			FAIR HOUSING DISCRIMINATN	2,381.72
	Vendor Total	**5,186.29**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**57,761.88**		
FAIR PRICE CARPETS			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212218	60.11		
			REFUND-BUS. LIC OVRPMT	60.11
	Vendor Total	**60.11**		
FYTD for FAIR PRICE CARPETS		**60.11**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY**	**CA**
4/2/2012	212071	12,912.71		
			CASE MGMNT SVCS	12,842.04
			RNTL ARREARS SVCS	70.67
	Vendor Total	**12,912.71**		
FYTD for FAMILY SERVICE ASSOCIATION		**301,722.90**		
FASHION BLINDS USA			Remit to: **RIVERSIDE**	**CA**
4/23/2012	212390	74.62		
			REFUND-BUS LIC OVERPAYMENT	74.62
	Vendor Total	**74.62**		
FYTD for FASHION BLINDS USA		**74.62**		
FEENSTRA, JOHN			Remit to: **REDLANDS**	**CA**
4/2/2012	884861	361.25		
			RETIREE MED APR '12	361.25
	Vendor Total	**361.25**		
FYTD for FEENSTRA, JOHN		**3,612.50**		

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FENCING BY ACREY, INC			Remit to: **RIVERSIDE** **CA**	
4/2/2012	212072	26.16		
			REFUND-BUS. LIC OVRPMT	26.16
	Vendor Total	**26.16**		
FYTD for FENCING BY ACREY, INC		**26.16**		
FERGUSON, JENNIFER			Remit to: **INDIAN WELLS** **CA**	
4/23/2012	212391	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for FERGUSON, JENNIFER		**95.00**		
FIRE ENGINEERING			Remit to: **CHICAGO** **IL**	
4/30/2012	212478	139.65		
			SUBSCRIPTION R/N-FIRE SVCS	139.65
	Vendor Total	**139.65**		
FYTD for FIRE ENGINEERING		**139.65**		
FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
4/2/2012	212073	598.00		
			ONLINE PROPERTY INFO-CODE	247.00
			ONLINE PROPERTY INFO-CEDD ADMN	181.00
			ONLINE PROPERTY INFO-N PRESVTN	170.00
4/30/2012	212479	664.00		
			REALQUEST ONLINE ACCESS-CODE	307.00
			REALQUEST ONLINE ACCESS-CEDD	187.00
			REALQUEST ONLINE ACCESS-N PRES	170.00
	Vendor Total	**1,262.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**6,608.00**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
4/16/2012	884992	46.68		
			COFFEE SVC-EMPLOYEE PAID	46.68
4/30/2012	885065	627.71		
			COFFEE SVC-EMPLOYEE PAID	214.46
			COFFEE SVC-EMPLOYEE PAID	57.97
			COFFEE SVC-EMPLOYEE PAID	176.17
			COFFEE SVC-EMPLOYEE PAID	120.73
			COFFEE SVC-EMPLOYEE PAID	58.38
	Vendor Total	**674.39**		
FYTD for FIRST CHOICE SERVICES		**7,439.08**		

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FITNESS 19 CA 155 11C			Remit to: **MORENO VALLEY** **CA**	
4/23/2012	212392	224.00		
			GYM MEMBERSHIP DEDUCTIONS	224.00
	Vendor Total	**224.00**		
FYTD for FITNESS 19 CA 155 11C		**2,256.00**		
FOCUS ESTATES, INC			Remit to: **MORENO VALLEY** **CA**	
4/23/2012	212393	593.20		
			HOME IMPRVMNT LN CONTRACT SVCS	2,435.40
			HOME IMPRVMNT LN CONTRACT SVCS	1,259.55
			INVOICE CREDITS	-3,101.75
	Vendor Total	**593.20**		
FYTD for FOCUS ESTATES, INC		**35,488.50**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	884862	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**3,187.30**		
FRANCE, JEANETTE			Remit to: **REDLANDS** **CA**	
4/30/2012	212480	82.50		
			REFUND-CITATION DISMISSED	57.50
			REFUND-CITATION DISMISSED	25.00
	Vendor Total	**82.50**		
FYTD for FRANCE, JEANETTE		**82.50**		
FRANCHISE TAX BOARD			Remit to: **SACRAMENTO** **CA**	
4/9/2012	212220	1,537.55		
			GARNISHMENT	641.89
			GARNISHMENT	153.12
			GARNISHMENT	25.00
			GARNISHMENT	567.54
			GARNISHMENT	150.00
4/23/2012	212394	937.91		
			GARNISHMENT	937.91
4/30/2012	212481	450.00		
			WITHHOLDING PAYMENT	450.00
	Vendor Total	**2,925.46**		
FYTD for FRANCHISE TAX BOARD		**9,379.09**		

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FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	4/23/2012	212395	193.14		
				MILEAGE REIMBURSEMENT	193.14
	Vendor Total		**193.14**		
FYTD for FRANKLIN, L. C.			**1,708.46**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212074	1,154.47		
				PAINT/SUPPLY-GRAFFITI RMVL	1,154.47
	Vendor Total		**1,154.47**		
FYTD for FRAZEE INDUSTRIES, INC			**43,093.52**		
FREEMAN ELECTRIC SERVICE				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212075	37.50		
				REFUND-BUS. LIC OVRPMT	37.50
	Vendor Total		**37.50**		
FYTD for FREEMAN ELECTRIC SERVICE			**37.50**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212221	60.00		
				SPORTS OFFICIATING SVCS	60.00
	4/23/2012	212396	140.00		
				SPORTS OFFICIATING FEE	60.00
				SPORTS OFFICIATING FEE	80.00
	Vendor Total		**200.00**		
FYTD for FRESQUEZ, JOHN			**1,480.00**		
FUELING AND SERVICES TECHNOLOGY, INC				Remit to: **BUENA PARK** **CA**	
	4/2/2012	212076	78.57		
				REFUND-BUS. LIC OVRPMT	78.57
	Vendor Total		**78.57**		
FYTD for FUELING AND SERVICES TECHNOLOGY, INC			**78.57**		
FULBRIGHT & JAWORSKI, L.L.P.				Remit to: **LOS ANGELES** **CA**	
	4/2/2012	212077	639.00		
				LEGAL SVCS	639.00
	Vendor Total		**639.00**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.			**1,891.50**		

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FUNCHESS, CELESTE			Remit to: **MORENO VALLEY** **CA**	
4/23/2012	212397	52.00		
			REFUND-CANCELLED CONTRCT CLASS	52.00
	Vendor Total	**52.00**		
FYTD for FUNCHESS, CELESTE		**52.00**		
G/M BUSINESS INTERIORS, INC.			Remit to: **RIVERSIDE** **CA**	
4/16/2012	212308	409.87		
			REPLACEMENT WORK SURFACE-EOC	308.00
			DELIVERY/INSTALL (NON-TAXABLE)	78.00
			SALES TAX	23.87
	Vendor Total	**409.87**		
FYTD for G/M BUSINESS INTERIORS, INC.		**588.20**		
GAINES SR., GLENN E.			Remit to: **MORENO VALLEY** **CA**	
4/16/2012	212309	102.00		
			REFUND-CITATION FEES	102.00
	Vendor Total	**102.00**		
FYTD for GAINES SR., GLENN E.		**212.00**		
GALLS INC., INLAND UNIFORM			Remit to: **RIVERSIDE** **CA**	
4/23/2012	212398	225.25		
			UNIFORMS-POP TEAM	225.25
	Vendor Total	**225.25**		
FYTD for GALLS INC., INLAND UNIFORM		**7,862.53**		
GARCIA, JOE			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212482	75.50		
			REFUND-CITATION OVRPYMNT	75.50
	Vendor Total	**75.50**		
FYTD for GARCIA, JOE		**75.50**		
GARCIA, MARIVEL			Remit to: **POMONA** **CA**	
4/30/2012	212483	15,126.00		
			RELOCATION ASSISTANCE PYMT	15,126.00
	Vendor Total	**15,126.00**		
FYTD for GARCIA, MARIVEL		**18,850.00**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
4/2/2012	212078	306.80		
			SECURITY SVCS-CRC	306.80
4/9/2012	212222	214.76		
			SECURITY SVCS-TOWNGATE CTR	153.40
			SECURITY SVCS-TOWNGATE CTR	61.36
4/16/2012	212310	1,135.16		
			SECURITY SVCS-CRC RENTALS	92.04
			SECURITY SVCS-TOWNGTE RENTALS	76.70
			SECURITY SVCS-TOWNGTE RENTALS	76.70
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-MVU	276.12
4/23/2012	212399	836.03		
			SECURITY SVCS-SENIOR CTR RNTLS	222.43
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
4/30/2012	212484	207.09		
			SECURITY SVCS-TOWNGATE CNTR	76.70
			SECURITY SVCS-TOWNGATE CNTR	53.69
			SECURITY SVCS-TOWNGATE CNTR	76.70
	Vendor Total	**2,699.84**		
FYTD for GENERAL SECURITY SERVICES, INC.		**41,425.74**		
GHANTIWALA, PRAVIN			Remit to: **WALNUT**	**CA**
4/9/2012	884953	3,420.00		
			ENGINEERING/DESIGN SVCS-MVU	3,420.00
4/23/2012	885027	2,565.00		
			ENGINEERING/DESIGN SVCS-MVU	2,565.00
4/30/2012	885066	3,420.00		
			ENGINEERING/DESIGN SVCS-MVU	3,420.00
	Vendor Total	**9,405.00**		
FYTD for GHANTIWALA, PRAVIN		**35,910.00**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
4/2/2012	884863	8,461.09		
			LEGAL SVCS	3,964.90
			LEGAL SVCS	4,496.19
4/9/2012	884954	9,966.25		
			LEGAL SVCS	4,983.13
			LEGAL SVCS	4,983.12
4/16/2012	884993	88.00		
			LEGAL SVCS	88.00
4/23/2012	885028	401.15		
			LEGAL SVCS	200.57
			LEGAL SVCS	200.58
4/30/2012	885067	12,401.90		
			LEGAL SVCS	2,658.95
			LEGAL SVCS	106.00
			LEGAL SVCS	2,053.70
			LEGAL SVCS	7,583.25
	Vendor Total	**31,318.39**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**254,326.41**		
GLACIER WATER			Remit to: **VISTA**	**CA**
4/2/2012	212079	31.29		
			REFUND-BUS. LIC OVRPMT	31.29
	Vendor Total	**31.29**		
FYTD for GLACIER WATER		**31.29**		
GOD'S HELPING HAND			Remit to: **MENIFEE**	**CA**
4/9/2012	884955	712.50		
			RENT/UTILITIES-CDBG GRANT	712.50
	Vendor Total	**712.50**		
FYTD for GOD'S HELPING HAND		**8,737.50**		
GOMEZ, MARIA			Remit to: **BEAUMONT**	**CA**
4/30/2012	212485	507.00		
			REFUND-CITATION OVRPYMNT	109.00
			REFUND-CITATION OVRPYMNT	109.00
			REFUND-CITATION OVRPYMNT	109.00
			REFUND-CITATION OVRPYMNT	180.00
	Vendor Total	**507.00**		
FYTD for GOMEZ, MARIA		**507.00**		

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GONG ENTERPRISES, INC.				Remit to: **HUNTINGTON BEACH CA**	
	4/9/2012	212223	1,660.00		
				CONSULTANT PLAN CHECK SVCS	830.00
				CONSULTANT PLAN CHECK SVCS	830.00
	4/16/2012	212311	1,152.00		
				PLAN CHECK SVCS-TM32505 FINAL	576.00
				PLAN CHECK SVCS-TM32505 FINAL	576.00
	Vendor Total		**2,812.00**		
FYTD for GONG ENTERPRISES, INC.			**33,500.00**		
GONZALEZ, CLEMENTINA				Remit to: **MORENO VALLEY CA**	
	4/30/2012	212486	2,166.00		
				RELOCATION ASSISTANCE PYMT	2,166.00
	Vendor Total		**2,166.00**		
FYTD for GONZALEZ, CLEMENTINA			**6,425.00**		
GOODWIN, VERNITA				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212080	390.00		
				CLAIM SETTLEMENT	390.00
	Vendor Total		**390.00**		
FYTD for GOODWIN, VERNITA			**390.00**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY CA**	
	4/2/2012	884864	702.00		
				INSTRUCTOR SVCS-KUNG FU/YOUTH	594.00
				INSTRUCTOR SVCS-KUNG FU/ADULT	108.00
	Vendor Total		**702.00**		
FYTD for GOZDECKI, DAN			**6,040.13**		
GREENE, MATTHEW				Remit to: **MORENO VALLEY CA**	
	4/9/2012	212224	90.00		
				SPORTS OFFICIATING SVCS	54.00
				50% CSS WITHHOLDING	-27.00
				SPORTS OFFICIATING SVCS	54.00
				50% CSS WITHHOLDING	-27.00
				SPORTS OFFICIATING SVCS	72.00
				50% CSS WITHHOLDING	-36.00
	4/23/2012	212400	54.00		
				SPORTS OFFICIATING FEE	54.00
				50% WITHHOLDING FOR CSS ORDER	-27.00
				SPORTS OFFICIATING FEE	54.00
				50% WITHHOLDING FOR CSS ORDER	-27.00
	Vendor Total		**144.00**		
FYTD for GREENE, MATTHEW			**1,053.00**		

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GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	4/2/2012	884865	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,187.30**		
GROUP DELTA CONSULTANTS, INC				Remit to: **IRVINE** **CA**	
	4/2/2012	884866	500.00		
				DAY ST IMPRVMNTS PROJECT SVCS	500.00
	4/9/2012	884956	3,321.48		
				INDIAN ST. BICYCLE LANE PROJ.	207.20
				INDIAN ST. BICYCLE LANE PROJ.	3,114.28
	Vendor Total		**3,821.48**		
FYTD for GROUP DELTA CONSULTANTS, INC			**5,086.48**		
GRUYTCH, MICHAEL				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212487	119.00		
				REFUND-CITATION OVRPYMNT	119.00
	Vendor Total		**119.00**		
FYTD for GRUYTCH, MICHAEL			**119.00**		
GUIDA SURVEYING, INC.				Remit to: **IRVINE** **CA**	
	4/16/2012	884994	12,926.00		
				IRONWOOD AVE/STORM DRAIN IMPRV	12,926.00
	Vendor Total		**12,926.00**		
FYTD for GUIDA SURVEYING, INC.			**39,633.00**		
GUILD, ALLISON				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212401	40.00		
				REFUND-CANCELLED CONTRCT CLASS	40.00
	Vendor Total		**40.00**		
FYTD for GUILD, ALLISON			**40.00**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	4/2/2012	212081	60.00		
				INSTRUCTOR SVCS-ZUMBA	60.00
	4/30/2012	212488	96.00		
				INSTRUCTOR SVCS-ZUMBA	96.00
	Vendor Total		**156.00**		
FYTD for GUILIANO, MARIA			**1,292.40**		

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GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	4/2/2012	884867	264.53		
				RETIREE MED APR 12, PD APR 12	264.53
	Vendor Total		**264.53**		
FYTD for GUILLAN, REBECCA S.			**3,008.48**		
GUILLEN, RUTH				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884868	61.75		
				RETIREE MED MAR 12, PD APR 12	61.75
	Vendor Total		**61.75**		
FYTD for GUILLEN, RUTH			**607.65**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	4/2/2012	884869	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,187.30**		
GUTIERREZ, SALVADOR				Remit to: **PERRIS** **CA**	
	4/23/2012	212402	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for GUTIERREZ, SALVADOR			**75.00**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	884995	4,049.00		
				SHOPPING CART RETRIVAL SVC	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**40,490.00**		
H & P NAIL				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	212082	90.00		
				REFUND-BUS. LIC OVRPMT	90.00
	Vendor Total		**90.00**		
FYTD for H & P NAIL			**90.00**		
HAAS, MINA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212083	192.00		
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
				INSTRUCTOR SVCS-BODY SCULPTING	132.00
	Vendor Total		**192.00**		
FYTD for HAAS, MINA			**2,554.20**		

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HAMBURG, IRENE				Remit to: **OTIS** **OR**	
	4/2/2012	884870	637.46		
				RETIREE MED JAN-FEB12,PD APR12	637.46
	Vendor Total		**637.46**		
FYTD for HAMBURG, IRENE			**3,159.76**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	4/2/2012	884871	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,187.30**		
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884872	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,187.30**		
HANSEN, ROBERT L.				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212403	177.50		
				PER DIEM-LCC CITY ATTY CONF.	177.50
	Vendor Total		**177.50**		
FYTD for HANSEN, ROBERT L.			**1,079.06**		
HAPPY TIME BOOK STORE				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212312	70.24		
				REFUND-BUS LIC OVERPAYMENT	70.24
	Vendor Total		**70.24**		
FYTD for HAPPY TIME BOOK STORE			**70.24**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	4/2/2012	212084	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,187.30**		

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HARRIS & ASSOCIATES, INC.			Remit to: **IRVINE** **CA**	
4/2/2012	884873	7,582.41		
			PLAN CHECK SVCS-PA110009	2,408.73
			PLAN CHECK SVCS-PA070168	3,792.85
			PLAN CHECK SVCS-PA070168	1,380.83
4/23/2012	885029	424.77		
			PLAN CHECK SVCS-PA070168	424.77
	Vendor Total	**8,007.18**		
FYTD for HARRIS & ASSOCIATES, INC.		**22,369.45**		
HARTMANN, RICK			Remit to: **SAN DIMAS** **CA**	
4/2/2012	212085	318.73		
			RETIREE MED APR '12	318.73
4/2/2012	884874	3,287.02		
			DEVELOPMENT IMPACT FEE PRGRM	3,287.02
4/23/2012	885030	201.25		
			DEVELOPMENT IMPACT FEE PRGRM	201.25
	Vendor Total	**3,807.00**		
FYTD for HARTMANN, RICK		**35,300.57**		
HATFIELD, CHARLES			Remit to: **LAS VEGAS** **NV**	
4/2/2012	884875	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for HATFIELD, CHARLES		**3,506.03**		
HEFFLEY, ROSS W.			Remit to: **HEMET** **CA**	
4/2/2012	884876	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for HEFFLEY, ROSS W.		**3,187.30**		
HERNANDEZ, MARIA DELROCIO			Remit to: **LOS ANGELES** **CA**	
4/30/2012	212489	236.00		
			REIMB. FTB INTERCEPT-CITATION	236.00
	Vendor Total	**236.00**		
FYTD for HERNANDEZ, MARIA DELROCIO		**236.00**		
HERRICK, ROBERT D.			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212086	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for HERRICK, ROBERT D.		**3,187.30**		

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HOCKLESS, CYNTHIA				Remit to: **FONTANA** **CA**	
	4/9/2012	212225	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for HOCKLESS, CYNTHIA			**200.00**		
HODGE, MARK				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212313	125.00		
				REFUND-RENTL FEES-PICNIC SHLTR	125.00
	Vendor Total		**125.00**		
FYTD for HODGE, MARK			**125.00**		
HOLMAN AUBRY/JOSH				Remit to: **BEAUMONT** **CA**	
	4/2/2012	212087	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for HOLMAN AUBRY/JOSH			**20.00**		
HONDA YAMAHA OF REDLANDS				Remit to: **REDLANDS** **CA**	
	4/2/2012	884877	1,966.41		
				MOTORCYCLE MAINT/REPAIR-POLICE	420.00
				MOTORCYCLE PARTS	1,093.51
				MOTORCYCLE MAINT/REPAIR-POLICE	28.00
				MOTORCYCLE PARTS	52.31
				MOTORCYCLE MAINT/REPAIR-POLICE	84.00
				MOTORCYCLE PARTS	208.28
				MOTORCYCLE MAINT/REPAIR-POLICE	28.00
				MOTORCYCLE PARTS-POLICE	52.31
	4/16/2012	884996	1,667.46		
				MOTORCYCLE MAINT/REPAIR-POLICE	175.00
				MOTORCYCLE PARTS	472.48
				MOTORCYCLE MAINT/REPAIR-POLICE	525.00
				MOTORCYCLE PARTS	423.48
				MOTORCYCLE MAINT/REPAIR-POLICE	70.00
				MOTORCYCLE PARTS	1.50
	4/23/2012	885032	131.57		
				MOTORCYCLE PARTS	131.57
	4/30/2012	885068	98.91		
				MOTORCYCLE MAINT/REPAIR-POLICE	28.00
				MOTORCYCLE PARTS	52.31
				MOTORCYCLE MAINT/REPAIR-POLICE	14.00
				MOTORCYCLE PARTS	4.60
	Vendor Total		**3,864.35**		
FYTD for HONDA YAMAHA OF REDLANDS			**36,590.35**		

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HOT LINE CONSTRUCTION, INC				Remit to: **BRENTWOOD** **CA**	
	4/9/2012	212226	11,212.50		
				HOLD POLE FOR CONSTRUCT. CREW	11,212.50
	Vendor Total		**11,212.50**		
FYTD for HOT LINE CONSTRUCTION, INC			**11,212.50**		
HOUSE OF BEAUTY				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212314	71.55		
				REFUND-BUS LIC OVERPAYMENT	71.55
	Vendor Total		**71.55**		
FYTD for HOUSE OF BEAUTY			**71.55**		
HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212088	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,187.30**		
HUNTINGTON BEACH HONDA				Remit to: **HUNTINGTON BEACH** **CA**	
	4/2/2012	212089	3,986.75		
				HONDA EU6500 GENERATOR-POLICE	3,700.00
				SALES TAX	286.75
	Vendor Total		**3,986.75**		
FYTD for HUNTINGTON BEACH HONDA			**9,594.64**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	4/6/2012	3057	9,025.01		
				DEF COMP 457 4/6/12	9,025.01
	4/20/2012	3065	8,575.01		
				DEF COMP 457 4/20/12	8,575.01
	Vendor Total		**17,600.02**		
FYTD for ICMA RETIREMENT CORP 457			**237,130.81**		

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ICR DOORS				Remit to: **SAN BERNARDINO** **CA**	
	4/9/2012	884957	797.00		
				AUTOMATIC GATE MAINT-STN 6	150.00
				AUTOMATIC GATE MAINT-STN 58	150.00
				AUTOMATIC GATE MAINT-STN 65	90.00
				AUTOMATIC GATE MAINT-STN 91	150.00
				AUTOMATIC GATE MAINT-PSB	101.25
				AUTOMATIC GATE MAINT-PSB	155.75
	4/23/2012	885033	524.10		
				AUTOMATIC GATE MAINT-PSB	44.25
				AUTOMATIC GATE MAINT-PSB	80.75
				INSTALL NEW LOOP DETECTOR-PSB	163.75
				INSTALL NEW LOOP DETECTOR	71.60
				INSTALL NEW LOOP DETECTOR	163.75
	Vendor Total		**1,321.10**		
FYTD for ICR DOORS			**3,386.60**		
ING USA ANNUITY & LIFE INSURANCE CO.				Remit to: **DES MOINES** **IA**	
	4/9/2012	212227	400.00		
				NON-EXEMPT ANNUITY	400.00
	Vendor Total		**400.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**4,225.00**		
INLAND CONTRACTORS, INC.				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	884958	1,143.00		
				NUISANCE ABATEMENT SVCS-CODE	1,143.00
	Vendor Total		**1,143.00**		
FYTD for INLAND CONTRACTORS, INC.			**32,206.40**		
INLAND COUNTIES LEGAL SERVICES INC.				Remit to: **RIVERSIDE** **CA**	
	4/30/2012	212490	7,246.49		
				LEGAL SVCS-HPRR GRANT	7,246.49
	Vendor Total		**7,246.49**		
FYTD for INLAND COUNTIES LEGAL SERVICES INC.			**7,246.49**		
INSIDE PLANTS, INC.				Remit to: **CORONA** **CA**	
	4/9/2012	884959	320.00		
				INDOOR PLANT MAINT-CRC	320.00
	Vendor Total		**320.00**		
FYTD for INSIDE PLANTS, INC.			**3,200.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INTERFACE SYSTEMS			Remit to: **EARTH CITY** **MO**	
4/2/2012	212091	77.69		
			REFUND-BUS. LIC OVRPMT	77.69
	Vendor Total	**77.69**		
FYTD for INTERFACE SYSTEMS		**77.69**		
INTERNAL REVENUE SERVICE			Remit to:	
4/2/2012	3051	2,000.00		
			DEPOSIT TO FEDERAL ACCT 4/2/12	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**2,807,284.66**		
IVG ENERGY			Remit to: **HOUSTON** **TX**	
4/2/2012	212092	1,898.15		
			RENEWABLE ENERGY CREDITS	1,898.15
	Vendor Total	**1,898.15**		
FYTD for IVG ENERGY		**1,898.15**		
J & J EQUIPMENT RENTALS			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212093	20.00		
			REFUND-BUS. LIC OVRPMT	20.00
	Vendor Total	**20.00**		
FYTD for J & J EQUIPMENT RENTALS		**20.00**		
J D H CONTRACTING			Remit to: **RIVERSIDE** **CA**	
4/9/2012	884960	530.00		
			WOMENS SHOWER WALL RMVL-STN 65	530.00
	Vendor Total	**530.00**		
FYTD for J D H CONTRACTING		**47,124.50**		
JACK JR HAMBURGER			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212228	41.15		
			REFUND-BUS. LIC OVRPMT	41.15
	Vendor Total	**41.15**		
FYTD for JACK JR HAMBURGER		**41.15**		
JAM FIRE PROTECTION, INC			Remit to: **MONROVIA** **CA**	
4/30/2012	212491	575.00		
			INSPECT FIRE SUPPRESSION SYSTM	575.00
	Vendor Total	**575.00**		
FYTD for JAM FIRE PROTECTION, INC		**1,170.00**		

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JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
4/16/2012	212315	75.00		
			COURIER SVCS	75.00
Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,314.00**		
JDEDGE SOFTWARE, LLC			Remit to: **KRUGERVILLE** **TX**	
4/2/2012	884878	3,510.00		
			CONSULTANT SVCS-BANK ACH FILE	1,755.00
			CONSULTANT SVCS-BANK ACH FILE	1,755.00
4/9/2012	884961	19,655.08		
			ERP CONVERSION SVCS	2,892.52
			ERP CONVERSION SVCS	16,762.56
4/23/2012	885034	12,963.08		
			ERP CONVERSION SVCS	6,612.44
			ERP CONVERSION SVCS	4,052.56
			ERP CONVERSION SVCS	2,298.08
Vendor Total		**36,128.16**		
FYTD for JDEDGE SOFTWARE, LLC		**152,790.06**		
JONES, SUSAN			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	884879	318.73		
			RETIREE MED APR '12	318.73
Vendor Total		**318.73**		
FYTD for JONES, SUSAN		**3,187.30**		
KARL SCANLAN CO, INC			Remit to: **MENIFEE** **CA**	
4/2/2012	212095	23.17		
			REFUND-BUS. LIC OVRPMT	23.17
Vendor Total		**23.17**		
FYTD for KARL SCANLAN CO, INC		**23.17**		
KDM MERIDIAN, INC.			Remit to: **LAKE FOREST** **CA**	
4/23/2012	885035	680.00		
			ADA COMPLIANT CURB/RAMPS PROJ	680.00
Vendor Total		**680.00**		
FYTD for KDM MERIDIAN, INC.		**80,550.00**		
KELL, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212229	30.00		
			REFUND-FALSE ALARM/APPEALED	30.00
Vendor Total		**30.00**		
FYTD for KELL, MICHAEL		**30.00**		

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KIMLEY-HORN AND ASSOCIATES, INC				Remit to: **PHOENIX** **AZ**	
	4/2/2012	212096	9,686.06		
				TRANSP. MGMT CENTER PROJ SVCS	9,686.06
	4/9/2012	212230	7,784.66		
				TRANSP. MGMT CENTER PROJ SVCS	7,784.66
	Vendor Total		**17,470.72**		
FYTD for KIMLEY-HORN AND ASSOCIATES, INC			**23,662.46**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	4/2/2012	212097	271.44		
				RETIREE MED APR '12	271.44
	Vendor Total		**271.44**		
FYTD for KING, PATRICIA A.			**2,693.04**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884880	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,187.30**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884881	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,187.30**		
KONE, INC				Remit to: **MOLINE** **IL**	
	4/2/2012	212098	29.31		
				REFUND-BUS. LIC OVRPMT	29.31
	Vendor Total		**29.31**		
FYTD for KONE, INC			**29.31**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	4/2/2012	884882	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**3,187.30**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884883	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**3,187.30**		

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LANCE, SOLL & LUNGHARD, LLP			Remit to: **BREA** **CA**	
4/2/2012	212099	360.00		
			SINGLE AUDIT/REPORTS-FINAL	360.00
Vendor Total		**360.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP		**57,650.00**		
LANDMARK FENCE CO, INC			Remit to: **MONTCLAIR** **CA**	
4/9/2012	212231	79.35		
			REFUND-BUS. LIC OVRPMT	79.35
Vendor Total		**79.35**		
FYTD for LANDMARK FENCE CO, INC		**79.35**		
LANDSCAPE MANAGEMENT			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212100	34.40		
			REFUND-BUS. LIC OVRPMT	34.40
Vendor Total		**34.40**		
FYTD for LANDSCAPE MANAGEMENT		**34.40**		
LANGENDORF, BENJAMIN			Remit to: **PERRIS** **CA**	
4/2/2012	884884	254.59		
			RETIREE MED FEB 12, PD APR 12	254.59
Vendor Total		**254.59**		
FYTD for LANGENDORF, BENJAMIN		**2,258.12**		
LANGSTON MOTORSPORTS			Remit to: **PERRIS** **CA**	
4/16/2012	212317	448.92		
			MOTORCYCLE MAINT/REPAIR-POLICE	340.00
			MOTORCYCLE PARTS	108.92
4/23/2012	212404	786.53		
			MOTORCYCLE MAINT/REPAIR-POLICE	432.00
			MOTORCYCLE PARTS	354.53
4/30/2012	212492	695.40		
			MOTORCYCLE MAINT/REPAIR-POLICE	221.00
			MOTORCYCLE PARTS	474.40
Vendor Total		**1,930.85**		
FYTD for LANGSTON MOTORSPORTS		**6,963.42**		

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LAW ENFORCEMENT APPRECIATION COMMITTEE			Remit to: **RIVERSIDE** **CA**	
4/16/2012	212318	250.00		
			34TH LAW ENF APPRECIATN DINNR	50.00
			34TH LAW ENF APPRECIATN DINNR	50.00
			34TH LAW ENF APPRECIATN DINNR	50.00
			34TH LAW ENF APPRECIATN DINNR	50.00
			34TH LAW ENF APPRECIATN DINNR	50.00
4/30/2012	212493	50.00		
			34TH LAW ENF APPRECIATN DINNER	50.00
	Vendor Total	**300.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE		**300.00**		
LAWYERS TITLE COMPANY			Remit to: **NEWPORT BEACH** **CA**	
4/9/2012	212232	550.00		
			PRELIM. REPORT/DOCS-09304960	550.00
4/23/2012	212405	500.00		
			PRELIM TITLE REPORT (BOWERS)	500.00
	Vendor Total	**1,050.00**		
FYTD for LAWYERS TITLE COMPANY		**531,574.12**		
LENNY'S AUTO REPAIR			Remit to: **PERRIS** **CA**	
4/30/2012	212494	76.34		
			REFUND-BUS LICENSE OVRPYMNT	76.34
	Vendor Total	**76.34**		
FYTD for LENNY'S AUTO REPAIR		**76.34**		
LEWIS, CAROLYN S.			Remit to: **BEAUMONT** **CA**	
4/2/2012	884885	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for LEWIS, CAROLYN S.		**3,187.30**		
LEXISNEXIS			Remit to: **LOS ANGELES** **CA**	
4/23/2012	885036	1,480.00		
			LEGAL RESEARCH SVC	740.00
			LEGAL RESEARCH SVC	370.00
			LEGAL RESEARCH SVC	370.00
	Vendor Total	**1,480.00**		
FYTD for LEXISNEXIS		**14,800.00**		

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LINDO, HERMINA G.				Remit to: **TITUSVILLE** **FL**	
	4/2/2012	884886	199.80		
				RETIREE MED FEB 12, PD APR 12	199.80
	Vendor Total		**199.80**		
FYTD for LINDO, HERMINA G.			**2,511.78**		
LITTLE BEIJING				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212233	80.87		
				REFUND-BUS. LIC OVRPMT	80.87
	Vendor Total		**80.87**		
FYTD for LITTLE BEIJING			**80.87**		
LIZARRAGA, PATRICIA				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212495	7.00		
				REFUND-ANIMAL LIC. OVRPYMNT	7.00
	Vendor Total		**7.00**		
FYTD for LIZARRAGA, PATRICIA			**7.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	4/2/2012	884887	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**3,187.30**		
LONGDYKE, DENNIS				Remit to: **BEAUMONT** **CA**	
	4/2/2012	212101	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for LONGDYKE, DENNIS			**2,549.84**		
LOPEZ FLORES, NESTOR				Remit to: **MURRIETA** **CA**	
	4/30/2012	212496	163.50		
				REFUND-CITATION OVRPYMNT	163.50
	Vendor Total		**163.50**		
FYTD for LOPEZ FLORES, NESTOR			**163.50**		

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LOPEZ, JASMINE				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212234	70.00		
				SPORTS OFFICIATING SVCS	70.00
	4/16/2012	212319	0.00		
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	70.00
				VOIDED CHECK #212319 - 4/18/12	-70.00
				VOIDED CHECK #212319 - 4/18/12	-70.00
				VOIDED CHECK #212319 - 4/18/12	-70.00
	4/23/2012	212406	210.00		
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING FEE	35.00
				SPORTS OFFICIATING FEE	35.00
	Vendor Total		**280.00**		
FYTD for LOPEZ, JASMINE			**910.00**		
LOR GEOTECHNICAL GROUP, INC				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	212235	50.00		
				REFUND-BUS. LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC			**50.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	4/30/2012	885069	8,500.00		
				ENVIR. SITE ASSESSMENT SVCS	2,500.00
				ENVIR. SITE ASSESSMENT SVCS	3,000.00
				ENVIR. SITE ASSESSMENT SVCS	3,000.00
	Vendor Total		**8,500.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**59,935.80**		
LOS OLIVOS JEHOVAH'S WITNESS				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212407	475.00		
				REFUND-RENTAL DEPOSIT-CRC	475.00
	Vendor Total		**475.00**		
FYTD for LOS OLIVOS JEHOVAH'S WITNESS			**475.00**		
LUIS RIOS AND EDUARDO GAMAS				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212497	1,547.60		
				RELOCATION ASSISTANCE PYMT.	1,547.60
	Vendor Total		**1,547.60**		
FYTD for LUIS RIOS AND EDUARDO GAMAS			**5,152.85**		

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LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884888	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,187.30**		
MACADEE ELECTRICAL CONSTRUCTION				Remit to: **CHINO** **CA**	
	4/9/2012	212236	38.50		
				REFUND-BUS. LIC OVRPMT	38.50
	Vendor Total		**38.50**		
FYTD for MACADEE ELECTRICAL CONSTRUCTION			**38.50**		
MAGNUM BREEZE II, INC/WOODCREST VEH CTR				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884889	986.06		
				MDC EQUPMNT UPGRD-PD EXCURSION	520.00
				PARTS-MDC EQUIPMENT UPGRADE	317.39
				CA SALES TAX	24.60
				MISC PARTS FOR EXCURSION UPGRD	124.07
	Vendor Total		**986.06**		
FYTD for MAGNUM BREEZE II, INC/WOODCREST VEH CTR			**1,960.01**		
MALDONADO JR., LUIS				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212102	71.00		
				REFUND-DEPOSITS ANIMAL SVCS	30.00
				REFUND-DEPOSITS ANIMAL SVCS	5.00
				REFUND-DEPOSITS ANIMAL SVCS	16.00
				REFUND-DEPOSITS ANIMAL SVCS	15.00
				REFUND-DEPOSITS ANIMAL SVCS	5.00
	Vendor Total		**71.00**		
FYTD for MALDONADO JR., LUIS			**71.00**		
MALDONADO, JULISSA				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212237	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for MALDONADO, JULISSA			**300.00**		
MARCH JOINT POWERS AUTHORITY				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212320	9.70		
				GAS METER CHARGES	7.92
				GAS METER CHARGES	1.78
	Vendor Total		**9.70**		
FYTD for MARCH JOINT POWERS AUTHORITY			**65.45**		

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MARINA LANDSCAPE, INC				Remit to: **ANAHEIM** **CA**	
	4/2/2012	884890	14,991.82		
				LANDSCAPE MAINT-ZONE DSG2-N	4,777.65
				LANDSCAPE MAINT-ZONE DSG2-S	4,480.83
				LANDSCAPE MAINT-ZONE E-1	4,943.58
				LANDSCAPE MAINT-ZONE E-1A	789.76
	4/9/2012	884962	1,495.50		
				LANDSCAPE MAINT-ZONE DSG2-S	1,045.50
				LANDSCAPE MAINT-ZONE E-1	450.00
	Vendor Total		**16,487.32**		
FYTD for MARINA LANDSCAPE, INC			**142,690.36**		
MARTINEZ, GLORIA				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212498	47.50		
				REFUND-CITATION OVRPYMNT	47.50
	Vendor Total		**47.50**		
FYTD for MARTINEZ, GLORIA			**47.50**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	4/2/2012	884891	359.80		
				RETIREE MED FEB 12, PD APR 12	359.80
	Vendor Total		**359.80**		
FYTD for MATHIS, NOLAN			**2,879.60**		
MAX MUSCLE				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212238	35.89		
				REFUND-BUS. LIC OVRPMT	35.89
	Vendor Total		**35.89**		
FYTD for MAX MUSCLE			**35.89**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	4/2/2012	884892	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,187.30**		
MC GRATH RENTCORP (MOBILE MODULAR)				Remit to: **LIVERMORE** **CA**	
	4/9/2012	212239	42.86		
				REFUND-BUS. LIC OVRPMT	42.86
	Vendor Total		**42.86**		
FYTD for MC GRATH RENTCORP (MOBILE MODULAR)			**42.86**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MCAFEE, WAYNE PH.D.				Remit to: **YUCAIPA** **CA**	
	4/23/2012	212408	475.00		
				JOB MATCHING SVCS	475.00
	Vendor Total		**475.00**		
FYTD for MCAFEE, WAYNE PH.D.			**2,370.00**		
MCCAIN TRAFFIC SUPPLY				Remit to: **VISTA** **CA**	
	4/2/2012	212103	10,507.78		
				CONTROLLER-LASSELLE/MARGARET	10,507.78
	4/23/2012	212409	7,158.91		
				TRAFFIC SUPPLIES	7,158.91
	Vendor Total		**17,666.69**		
FYTD for MCCAIN TRAFFIC SUPPLY			**85,683.91**		
MCCARTY, MICHAEL				Remit to: **BEAUMONT** **CA**	
	4/23/2012	212410	495.96		
				REIMB-2012 CPRS CONFERENCE	495.96
	Vendor Total		**495.96**		
FYTD for MCCARTY, MICHAEL			**702.32**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	4/9/2012	884963	60.00		
				SPORTS OFFICIATING SVCS	60.00
	4/16/2012	884997	140.00		
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	80.00
	4/23/2012	885037	280.00		
				SPORTS OFFICIATING FEE	60.00
				SPORTS OFFICIATING FEE	80.00
				SPORTS OFFICIATING FEE	80.00
				SPORTS OFFICIATING FEE	60.00
	Vendor Total		**480.00**		
FYTD for MEEKS, DANIEL			**3,240.00**		
MELAD & ASSOCIATES, INC				Remit to: **HUNTINGTON BEACH** **CA**	
	4/2/2012	212104	659.99		
				PLAN CHECK SVCS-BLDG/SAFETY	659.99
	4/30/2012	212499	747.27		
				PLAN CHECK SVCS-BLDG/SAFETY	747.27
	Vendor Total		**1,407.26**		
FYTD for MELAD & ASSOCIATES, INC			**10,638.06**		

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MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212411	149.30		
				MILEAGE REIMBURSEMENT	149.30
	Vendor Total		**149.30**		
FYTD for MENGISTU, YESHIALEM			**1,294.52**		
MENOS CUSTOMS				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212500	71.34		
				REFUND-BUS LICENSE OVRPYMNT	71.34
	Vendor Total		**71.34**		
FYTD for MENOS CUSTOMS			**71.34**		
MERCHANTS LANDSCAPE SERVICES INC				Remit to: **CORONA** **CA**	
	4/16/2012	884998	5,367.97		
				LANDSCAPE MAINT-ZONE E-8	1,225.87
				LANDSCAPE MAINT-ZONE E-14	3,045.56
				LANDSCAPE MAINT-ZONE E-15	1,096.54
	Vendor Total		**5,367.97**		
FYTD for MERCHANTS LANDSCAPE SERVICES INC			**42,943.76**		
MESA FENCE CO, INC				Remit to: **PERRIS** **CA**	
	4/30/2012	212501	62.68		
				REFUND-BUS LICENSE OVRPYMNT	62.68
	Vendor Total		**62.68**		
FYTD for MESA FENCE CO, INC			**62.68**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	4/2/2012	884893	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,187.30**		
METROCOM MV, INC				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212105	24.58		
				REFUND-BUS. LIC OVRPMT	24.58
	Vendor Total		**24.58**		
FYTD for METROCOM MV, INC			**24.58**		
METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	4/16/2012	212321	100.00		
				CELLULAR TEXT MSG RETRIEVAL	50.00
				CELLULAR TEXT MSG RETRIEVAL	50.00
	Vendor Total		**100.00**		
FYTD for METROPCS WIRELESS, INC.			**400.00**		

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MICHAEL BRANDMAND ASSOCIATES			Remit to: **IRVINE** **CA**	
4/16/2012	212322	10,260.00		
			3RD PRTY REVIEW-VOGEL WRHS EIR	10,260.00
	Vendor Total	**10,260.00**		
FYTD for MICHAEL BRANDMAND ASSOCIATES		**28,349.20**		
MID-EAST PANTRY INTERNATIONAL			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212106	24.63		
			REFUND-BUS. LIC OVRPMT	24.63
	Vendor Total	**24.63**		
FYTD for MID-EAST PANTRY INTERNATIONAL		**24.63**		
MILES, ROBERT			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	884894	225.99		
			RETIREE MED APR '12	225.99
	Vendor Total	**225.99**		
FYTD for MILES, ROBERT		**2,283.24**		
MILLINE, WILLIAM			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212107	11.00		
			REFUND-HARNESS EXCHANGE	10.21
			REFUND-HARNESS EXCHANGE	0.79
	Vendor Total	**11.00**		
FYTD for MILLINE, WILLIAM		**11.00**		
MINARD, MARK E.			Remit to: **REDLANDS** **CA**	
4/2/2012	884895	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for MINARD, MARK E.		**3,187.30**		
MNSD, LLC			Remit to: **MORENO VALLEY** **CA**	
4/16/2012	212323	64.62		
			REFUND-BUS LIC OVERPAYMENT	64.62
	Vendor Total	**64.62**		
FYTD for MNSD, LLC		**64.62**		
MOLLICA, MIKE			Remit to: **DUNNELLON** **FL**	
4/2/2012	884896	401.42		
			RETIREE MED APR '12	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**4,014.20**		

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MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY CA**	
4/2/2012	212108	1,755.00		
			PLUMBING REPAIRS-CRC	480.00
			PLUMBING REPAIRS-CRC	1,275.00
4/23/2012	212412	2,650.00		
			FURNISH & INSTALL WATER HEATER	2,650.00
	Vendor Total	**4,405.00**		
FYTD for MONTGOMERY PLUMBING INC		**19,414.90**		
MORA, PATRICIA A.			Remit to: **MORENO VALLEY CA**	
4/2/2012	884897	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for MORA, PATRICIA A.		**3,187.30**		
MORALES, KAREN			Remit to: **MORENO VALLEY CA**	
4/2/2012	212109	19.43		
			MILEAGE REIMBURSEMENT	19.43
	Vendor Total	**19.43**		
FYTD for MORALES, KAREN		**19.43**		
MORENO VALLEY BOWL			Remit to: **MORENO VALLEY CA**	
4/2/2012	212110	139.20		
			INSTRUCTOR SVCS-BOWLING	139.20
	Vendor Total	**139.20**		
FYTD for MORENO VALLEY BOWL		**739.20**		
MORENO VALLEY CHAMBER OF COMMERCE			Remit to: **MORENO VALLEY CA**	
4/9/2012	212240	4,642.50		
			SVCS PER CONTRACT AGREEMENT	4,522.50
			WAKE-UP MEETING-3/28/12	15.00
			WAKE-UP MEETING-3/28/12	15.00
			WAKE-UP MEETING-3/28/12	15.00
			WAKE-UP MEETING-3/28/12	15.00
			WAKE-UP MEETING-3/28/12	15.00
			WAKE-UP MEETING-3/28/12	15.00
			WAKE-UP MEETING-3/28/12	15.00
			WAKE-UP MEETING-3/28/12	15.00
	Vendor Total	**4,642.50**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**23,005.00**		

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MORENO VALLEY CITY EMPLOYEES ASSOC.			Remit to: **MORENO VALLEY CA**	
4/6/2012	3056	1,393.00		
			MVCEA DUES 4/6/12	1,393.00
4/20/2012	3064	1,393.00		
			MVCEA DUES 4/20/12	1,393.00
	Vendor Total	**2,786.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**31,097.50**		
MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO CA**	
4/16/2012	884999	17,142.59		
			LEASE-FACILITIES ANNEX	2,458.97
			LEASE-TS ANNEX	5,475.90
			LEASE-SDA ANNEX	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**171,425.90**		
MORENO VALLEY HISPANIC CHAMBER OF COMMER			Remit to: **MORENO VALLEY CA**	
4/16/2012	212324	170.00		
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
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			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
			ADELANTE MEETING ATTENDANCE	10.00
	Vendor Total	**170.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER OF COMMER		**3,960.00**		
MORENO VALLEY HISTORICAL SOCIETY			Remit to: **MORENO VALLEY CA**	
4/2/2012	212111	60.00		
			DINNER DANCE/SILENT AUCTION	30.00
			DINNER DANCE/SILENT AUCTION	30.00
	Vendor Total	**60.00**		
FYTD for MORENO VALLEY HISTORICAL SOCIETY		**60.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY			Remit to: **HEMET** **CA**	
4/2/2012	212112	86.88		
			ELECTRICITY-UTILITY FLD OFFICE	86.88
	Vendor Total	**86.88**		
FYTD for MORENO VALLEY UTILITY		**636,724.75**		
MORENO VALLEY WASH HOUSE			Remit to: **ONTARIO** **CA**	
4/2/2012	212113	26.88		
			REFUND-BUS. LIC OVRPMT	26.88
	Vendor Total	**26.88**		
FYTD for MORENO VALLEY WASH HOUSE		**26.88**		
MORGAN, LISA A.			Remit to: **MENTONE** **CA**	
4/2/2012	884898	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,187.30**		
MORNEO, TERESA			Remit to: **PERRIS** **CA**	
4/2/2012	212114	71.00		
			REFUND-DEPOSITS ANIMAL SVCS	30.00
			REFUND-DEPOSITS ANIMAL SVCS	5.00
			REFUND-DEPOSITS ANIMAL SVCS	20.00
			REFUND-DEPOSITS ANIMAL SVCS	16.00
	Vendor Total	**71.00**		
FYTD for MORNEO, TERESA		**71.00**		
MOSS BROS CHRYSLER, JEEP, DODGE MV			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212502	1,874.90		
			VEHICLE MAINT/REPAIR-POLICE	1,079.53
			VEHICLE PARTS	795.37
	Vendor Total	**1,874.90**		
FYTD for MOSS BROS CHRYSLER, JEEP, DODGE MV		**9,619.83**		
MOTHERHOOD MATERNITY #1889			Remit to: **PHILADELPHIA** **PA**	
4/2/2012	212115	73.28		
			REFUND-BUS. LIC OVRPMT	73.28
	Vendor Total	**73.28**		
FYTD for MOTHERHOOD MATERNITY #1889		**73.28**		

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MOTOROLA SOLUTIONS			Remit to: **RIVERSIDE** **CA**	
4/30/2012	212503	2,278.91		
			TICKET WRITER SETUP FEE-POLICE	2,115.00
			SALES TAX	163.91
	Vendor Total	**2,278.91**		
FYTD for MOTOROLA SOLUTIONS		**2,278.91**		
MOUSSA'S QUALITY AUTO SERVICE			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212504	76.34		
			REFUND-BUS LICENSE OVRPYMNT	76.34
	Vendor Total	**76.34**		
FYTD for MOUSSA'S QUALITY AUTO SERVICE		**76.34**		
MULTI - FAMILY BUILDERS, INC			Remit to: **PALM DESERT** **CA**	
4/2/2012	212116	23.74		
			REFUND-BUS. LIC OVRPMT	23.74
	Vendor Total	**23.74**		
FYTD for MULTI - FAMILY BUILDERS, INC		**23.74**		
MUNDY, DANYELLE			Remit to: **COLTON** **CA**	
4/30/2012	212505	32.50		
			REFUND-CITATION DISMISSED	32.50
	Vendor Total	**32.50**		
FYTD for MUNDY, DANYELLE		**32.50**		
MUNOZ, ARIEL			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212241	43.29		
			MILEAGE REIMBURSEMENT	43.29
4/9/2012	212242	0.00		
			MILEAGE REIMBURSEMENT	95.46
			VOIDED CHECK #212242 - 4/10/12	-95.46
4/10/2012	212287	95.46		
			MILEAGE REIMBURSEMENT	95.46
	Vendor Total	**138.75**		
FYTD for MUNOZ, ARIEL		**476.59**		
MUZAK, LLC			Remit to: **FORT MILLS** **SC**	
4/9/2012	212243	68.07		
			REFUND-BUS. LIC OVRPMT	68.07
	Vendor Total	**68.07**		
FYTD for MUZAK, LLC		**68.07**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NAILS BY CHRISTONE DUONG			Remit to: **MORENO VALLEY**	**CA**
4/9/2012	212244	22.00		
			REFUND-BUS. LIC OVRPMT	22.00
	Vendor Total	**22.00**		
FYTD for NAILS BY CHRISTONE DUONG		**22.00**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.			Remit to: **ALBANY**	**NY**
4/2/2012	212117	896.88		
			MISC. FORENSIC SUPPLIES FOR PD	65.84
			CA USE TAX @ 7.75%	4.19
			USE TAX ACCRUAL	-4.19
			MISC. FORENSIC SUPPLIES FOR PD	184.21
			USE TAX ACCRUAL	-13.25
			MISC. FORENSIC SUPPLIES FOR PD	711.24
			USE TAX ACCRUAL	-51.16
	Vendor Total	**896.88**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.		**896.88**		
NATIONAL REALTY GROUP - MORENO VALLEY			Remit to: **MORENO VALLEY**	**CA**
4/16/2012	212325	109.36		
			REFUND-BUS LIC OVERPAYMENT	109.36
	Vendor Total	**109.36**		
FYTD for NATIONAL REALTY GROUP - MORENO VALLEY		**109.36**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS**	**OH**
4/6/2012	3054	1,975.06		
			PST DEF COMP FOR FICA 4/6/12	1,975.06
4/20/2012	3062	2,003.57		
			PST DEF COMP FOR FICA 4/20/12	2,003.57
	Vendor Total	**3,978.63**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**629,482.44**		
NATURE'S IMAGE, INC.			Remit to: **LAKE FOREST**	**CA**
4/23/2012	212414	10,877.50		
			DETENTION BASIN MAINTENANCE	10,877.50
	Vendor Total	**10,877.50**		
FYTD for NATURE'S IMAGE, INC.		**13,010.50**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA**	**CA**
4/2/2012	884900	225.99		
			RETIREE MED APR '12	225.99
	Vendor Total	**225.99**		
FYTD for NAVARRETTE, RALPH		**2,460.94**		

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NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	4/2/2012	884901	320.43		
				RETIREE MED APR '12	320.43
	Vendor Total		**320.43**		
FYTD for NELSON, ROBERT			**3,235.68**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	4/2/2012	884902	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,187.30**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	4/2/2012	212118	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,187.30**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	4/16/2012	212364	16.43		
				REFUND-UUT EXEMPT RESIDENTS	16.43
	Vendor Total		**16.43**		
FYTD for NEW HORIZON MOBILE HOME PARK			**108.54**		
NEW WORLD SYSTEMS, CORP				Remit to: **TROY** **MI**	
	4/9/2012	884964	600.00		
				FM, HR/PY EST TRAVEL EXPENSES	600.00
	4/16/2012	885001	1,710.37		
				FM, HR/PY EST TRAVEL EXPENSES	1,710.37
	Vendor Total		**2,310.37**		
FYTD for NEW WORLD SYSTEMS, CORP			**476,082.92**		
NGUYEN, QUANG				Remit to: **AZUSA** **CA**	
	4/30/2012	885070	151.52		
				MILEAGE REIMBURSEMENT	151.52
	Vendor Total		**151.52**		
FYTD for NGUYEN, QUANG			**584.79**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212119	401.42		
				RETIREE MED APR '12	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,014.20**		

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NINYO & MOORE GEOTECHNICAL			Remit to: **SAN DIEGO** **CA**	
4/2/2012	212120	939.50		
			TRAF SIG-LASSELLE/MARGARET AVE	939.50
4/23/2012	212415	18,132.60		
			IRIS AVE PAVEMENT RESURF. PROJ	18,132.60
	Vendor Total	**19,072.10**		
FYTD for NINYO & MOORE GEOTECHNICAL		**68,813.60**		
O T O DEVELOPMENT			Remit to: **SPARTANBURG** **SC**	
4/9/2012	212245	61.00		
			REFUND-BUS. LIC OVRPMT	61.00
	Vendor Total	**61.00**		
FYTD for O T O DEVELOPMENT		**61.00**		
O'CONNELL, KATHLEEN			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212506	407.50		
			REFUND-CITATION DISMISSED	407.50
	Vendor Total	**407.50**		
FYTD for O'CONNELL, KATHLEEN		**407.50**		
ORMSBY, CHRISTOPHER B.			Remit to: **RIVERSIDE** **CA**	
4/23/2012	212416	106.56		
			MILEAGE REIMBURSEMENT	106.56
	Vendor Total	**106.56**		
FYTD for ORMSBY, CHRISTOPHER B.		**106.56**		
ORTEGA/RAMIREZ, FLOR/HECTOR			Remit to: **PERRIS** **CA**	
4/23/2012	212417	40.00		
			REFUND-RABIES DEPOSIT	40.00
	Vendor Total	**40.00**		
FYTD for ORTEGA/RAMIREZ, FLOR/HECTOR		**40.00**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH** **CA**	
4/9/2012	884965	3,695.00		
			MYERS AVE RELOCATION PROJECT	3,695.00
4/23/2012	885038	4,200.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	4,200.00
4/30/2012	885071	9,000.00		
			APPRAISAL SVCS-STORM DRAIN PRJ	9,000.00
	Vendor Total	**16,895.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**136,732.50**		

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PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND** **CA**	
4/9/2012	884966	203.82		
			TURF FERTILIZATION-ZONE E-7	84.46
			TURF FERTILIZATION-ZONE E-14	17.45
			TURF FERTILIZATION-ZONE E-7	84.46
			TURF FERTILIZATION-ZONE E-14	17.45
	Vendor Total	**203.82**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**5,062.80**		
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
4/30/2012	885072	375.84		
			PAYPHONE SVCS-TECH SVCS	62.64
			PAYPHONE SVCS-TECH SVCS	313.20
	Vendor Total	**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**3,795.98**		
PAILATE, MALIA MATALENA			Remit to: **SAN BRUNO** **CA**	
4/16/2012	212326	2,000.00		
			REFUND-A/C CITATION FEES	2,000.00
4/30/2012	212507	119.00		
			REFUND-CITATION OVRPYMNT	119.00
	Vendor Total	**2,119.00**		
FYTD for PAILATE, MALIA MATALENA		**2,119.00**		
PAINTING BY ZEB BODE			Remit to: **NORCO** **CA**	
4/2/2012	884903	5,950.00		
			PAINTING-PARK CONCRETE AREAS	3,950.00
			PAINT PATIO COVER-GOLF COURSE	2,000.00
4/9/2012	884967	4,400.00		
			EXTERIOR PAINTING-STN 58	4,400.00
	Vendor Total	**10,350.00**		
FYTD for PAINTING BY ZEB BODE		**14,250.00**		
PARRA, JAVIER			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212508	132.00		
			REFUND-CLASSES	112.00
			REFUND-CLASSES	20.00
	Vendor Total	**132.00**		
FYTD for PARRA, JAVIER		**132.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PATAN, LEONOR				Remit to: **PERRIS** **CA**	
	4/23/2012	212418	95.00		
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	75.00
		Vendor Total	**95.00**		
FYTD for PATAN, LEONOR			**95.00**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212121	225.99		
				RETIREE MED APR '12	225.99
		Vendor Total	**225.99**		
FYTD for PATTERSON, ALFREY			**2,283.24**		
PAUL S DHALIWAH & SAT P DEWAN				Remit to: **ALISO VIEJO** **CA**	
	4/9/2012	212246	58.00		
				REFUND-BUS. LIC DUPL. PYMT	58.00
		Vendor Total	**58.00**		
FYTD for PAUL S DHALIWAH & SAT P DEWAN			**58.00**		
PB AMERICAS, INC.				Remit to: **SAN BERNARDINO** **CA**	
	4/2/2012	212122	2,342.44		
				SR-60/NASON ST INTRCHNG PROJ	2,342.44
	4/23/2012	212419	9,702.25		
				SR-60/NASON ST INTRCHNG PROJ	9,702.25
		Vendor Total	**12,044.69**		
FYTD for PB AMERICAS, INC.			**132,294.05**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	884968	4,927.00		
				VETERINARY SVCS-ANIMAL SVCS	4,927.00
	4/30/2012	885073	6,055.75		
				VETERINARY SVCS-ANIMAL SVCS	6,055.75
		Vendor Total	**10,982.75**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**57,011.25**		
PENIGAR TAX SERVICE				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212247	77.73		
				REFUND-BUS. LIC OVRPMT	77.73
		Vendor Total	**77.73**		
FYTD for PENIGAR TAX SERVICE			**77.73**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	4/2/2012	212123	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,187.30**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	4/9/2012	212248	458.63		
				LONG TERM CARE INSURANCE	458.63
	4/23/2012	212420	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**10,089.86**		
PHO HA VIETNAMES RESTAURANT				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212421	83.07		
				REFUND-BUS LIC OVERPAYMENT	83.07
	Vendor Total		**83.07**		
FYTD for PHO HA VIETNAMES RESTAURANT			**83.07**		
PICTUREME PORTRAIT STUDIO #15193				Remit to: **ST. LOUIS** **MO**	
	4/2/2012	212124	52.60		
				REFUND-BUS. LIC OVRPMT	52.60
	Vendor Total		**52.60**		
FYTD for PICTUREME PORTRAIT STUDIO #15193			**124.36**		
POIEMA LANDSCAPE, INC.				Remit to: **COLTON** **CA**	
	4/30/2012	885074	3,296.01		
				LANDSCAPE MAINT-ZONE S	1,165.01
				LANDSCAPE MAINT-ZONE E-12	2,131.00
	Vendor Total		**3,296.01**		
FYTD for POIEMA LANDSCAPE, INC.			**35,638.24**		
POLLEY, LUANA				Remit to: **MENIFEE** **CA**	
	4/2/2012	212125	95.00		
				REFUND-DEPOSITS ANIMAL SVCS	20.00
				REFUND-DEPOSITS ANIMAL SVCS	75.00
	Vendor Total		**95.00**		
FYTD for POLLEY, LUANA			**95.00**		

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POSTMASTER				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212126	380.00		
				ANNUAL RENEWAL 3/28/12-3/28/13	190.00
				ANNUAL RENEWAL 3/28/12-3/28/13	190.00
	4/9/2012	212249	9,456.04		
				POSTAGE-FY 12/13 CSD POSTCARDS	1,891.20
				POSTAGE-FY 12/13 CSD POSTCARDS	1,891.21
				POSTAGE-FY 12/13 CSD POSTCARDS	1,891.21
				POSTAGE-FY 12/13 CSD POSTCARDS	1,891.21
				POSTAGE-FY 12/13 CSD POSTCARDS	1,891.21
	Vendor Total		**9,836.04**		
FYTD for POSTMASTER			**9,836.04**		
PRECINCT REPORTER				Remit to: **SAN BERNARDINO** **CA**	
	4/23/2012	212422	59.50		
				NOTICE INVITING PROPOSALS	59.50
	Vendor Total		**59.50**		
FYTD for PRECINCT REPORTER			**507.86**		
PREMIER PROPERTY SOLUTIONS, INC				Remit to: **CORONA** **CA**	
	4/16/2012	212327	163.94		
				REFUND-BUS LIC OVERPAYMENT	163.94
	Vendor Total		**163.94**		
FYTD for PREMIER PROPERTY SOLUTIONS, INC			**163.94**		
PRICE, GEORGE E.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884905	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,187.30**		
PRO NAILS & HAIR				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212127	55.74		
				REFUND-BUS. LIC OVRPMT	55.74
	Vendor Total		**55.74**		
FYTD for PRO NAILS & HAIR			**55.74**		
PROFESSIONAL COMMUNICATIONS NETWORK PCN				Remit to: **RIVERSIDE** **CA**	
	4/30/2012	212509	478.05		
				LIVE ANSWERING SVC	478.05
	Vendor Total		**478.05**		
FYTD for PROFESSIONAL COMMUNICATIONS NETWORK PCN			**4,366.50**		

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PSOMAS				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	212250	1,270.00		
				IRONWOOD AVE IMPRVMNTS PROJ	1,270.00
	Vendor Total		**1,270.00**		
FYTD for PSOMAS			**150,812.50**		
PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	4/2/2012	884906	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,187.30**		
QUALITY SEAMLESS RAINGUTTERS				Remit to: **CORONA** **CA**	
	4/23/2012	212423	121.00		
				REFUND-PERMIT FEE-CANCELD PROJ	120.00
				REFUND-PERMIT FEE-CANCELD PROJ	0.90
				REFUND-PERMIT FEE-CANCELD PROJ	0.10
	Vendor Total		**121.00**		
FYTD for QUALITY SEAMLESS RAINGUTTERS			**121.00**		
QUINN, JOAN				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212128	64.00		
				REFUND-DEPOSIT PRK USE	64.00
	Vendor Total		**64.00**		
FYTD for QUINN, JOAN			**64.00**		
QWEST COMMUNICATIONS COMPANY, LLC				Remit to: **DENVER** **CO**	
	4/16/2012	212328	95.11		
				REFUND-BUS LIC OVERPAYMENT	95.11
	Vendor Total		**95.11**		
FYTD for QWEST COMMUNICATIONS COMPANY, LLC			**95.11**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	4/2/2012	884907	556.71		
				AUTO GATE SVC/REPAIR-CITY YARD	156.50
				AUTO GATE SVC/REPAIR-CITY YARD	200.00
				AUTO GATE SVC/REPAIR-CITY YARD	200.21
	Vendor Total		**556.71**		
FYTD for R & S OVERHEAD DOORS, INC.			**11,052.82**		

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R N AUTO ELECTRIC				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212129	35.13		
				REFUND-BUS. LIC OVRPMT	35.13
	Vendor Total		**35.13**		
FYTD for R N AUTO ELECTRIC			**35.13**		
RALLY MANAGEMENT SERVICES, LLC				Remit to: **RANCHO CUCAMONGA** **CA**	
	4/2/2012	884908	719.28		
				TEMP STAFFING SVCS-R HENDERSON	719.28
	4/9/2012	884969	719.28		
				TEMP STAFFING SVCS-R HENDERSON	719.28
	4/16/2012	885003	719.28		
				TEMP STAFFING SVCS-R HENDERSON	719.28
	4/23/2012	885039	2,157.84		
				TEMP STAFFING SVCS-R HENDERSON	719.28
				TEMP STAFFING SVCS-R HENDERSON	719.28
				TEMP STAFFING SVCS-R HENDERSON	719.28
	4/30/2012	885075	719.28		
				TEMP STAFFING SVCS-R HENDERSON	719.28
	Vendor Total		**5,034.96**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**11,953.71**		
RAMON SMITH & JONNATHON AUSTIN				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212510	15,542.96		
				RELOCATION ASSIST.-MYERS PROJ	15,542.96
	Vendor Total		**15,542.96**		
FYTD for RAMON SMITH & JONNATHON AUSTIN			**19,801.96**		
RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212130	524.40		
				INSTRUCTOR SVCS-SPANISH CLASS	42.00
				INSTRUCTOR SVCS-KINDER KARATE	111.60
				INSTRUCTOR SVCS-KINDER KARATE	63.00
				INSTRUCTOR SVCS-SING/THEATER	21.00
				INSTRUCTOR SVCS-TAE KWON DO	286.80
	Vendor Total		**524.40**		
FYTD for RAMOS, ROBERTO			**3,497.40**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	212131	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**3,187.30**		

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RBF CONSULTING, INC.			Remit to: **IRVINE** **CA**	
4/2/2012	212132	1,601.50		
			CACTUS AVE/NASON ST. IMPRVMNTS	1,601.50
4/16/2012	212329	10,247.59		
			CACTUS AVE/NASON ST. IMPRVMNTS	10,247.59
	Vendor Total	**11,849.09**		
FYTD for RBF CONSULTING, INC.		**11,849.09**		
RED ALERT SPECIAL COURIERS			Remit to: **RIVERSIDE** **CA**	
4/16/2012	212330	52.50		
			RUSH COURIER SVCS	52.50
	Vendor Total	**52.50**		
FYTD for RED ALERT SPECIAL COURIERS		**52.50**		
REDBOX AUTOMATED RETAIL, LLC			Remit to: **OAKBROOK TERRACE** **IL**	
4/9/2012	212251	287.12		
			REFUND-BUS. LIC OVRPMT	287.12
	Vendor Total	**287.12**		
FYTD for REDBOX AUTOMATED RETAIL, LLC		**287.12**		
REGAL POLY & PAPER CO			Remit to: **COMMERCE** **CA**	
4/2/2012	212133	60.18		
			REFUND-BUS. LIC OVRPMT	60.18
	Vendor Total	**60.18**		
FYTD for REGAL POLY & PAPER CO		**60.18**		
REYES, DIANA			Remit to: **MORENO VALLEY** **CA**	
4/2/2012	212134	50.56		
			REFUND-CONTRACT CLASS	50.56
	Vendor Total	**50.56**		
FYTD for REYES, DIANA		**50.56**		
RICHLAND NURSERY			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	212252	31.84		
			REFUND-BUS. LIC OVRPMT	31.84
	Vendor Total	**31.84**		
FYTD for RICHLAND NURSERY		**31.84**		

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RICK ENGINEERING COMPANY				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884909	650.00		
				STREET IMPRVMNT PRGM SVCS	650.00
	4/9/2012	884970	2,562.50		
				INDIAN ST. BICYCLE LANES PROJ.	712.50
				INDIAN ST. BICYCLE LANES PROJ.	1,850.00
	4/23/2012	885040	920.00		
				RIGHT OF WAY SVC-JFK@LA BRISIS	920.00
	Vendor Total		**4,132.50**		
FYTD for RICK ENGINEERING COMPANY			**61,214.60**		
RIDGE MORENO VALLEY, LLC				Remit to: **LONG BEACH** **CA**	
	4/23/2012	212424	58.00		
				REFUND-BUS LIC OVERPAYMENT	58.00
	Vendor Total		**58.00**		
FYTD for RIDGE MORENO VALLEY, LLC			**29,340.40**		
RIGHTWAY SITE SERVICES, INC.				Remit to: **LAKE ELSINORE** **CA**	
	4/16/2012	212331	398.43		
				PORTABLE RESTROOMS-EQUEST. CTR	308.88
				PORTABLE TOILET/SVC-CITY YARD	89.55
	4/23/2012	212425	72.28		
				PORTABLE RESTROOM-GOLF COURSE	72.28
	Vendor Total		**470.71**		
FYTD for RIGHTWAY SITE SERVICES, INC.			**6,268.00**		
RIV CO FLOOD CONTROL & WATER CONSERVATN				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212332	290.87		
				PLAN CHECK CHGS-NASON/CACTUS	290.87
	4/16/2012	212333	4,860.24		
				PLAN CHECK CHGS-NASON/CACTUS	4,860.24
	Vendor Total		**5,151.11**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**132,574.41**		

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RIVERSIDE AREA RAPE CRISIS CENTER			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212253	3,369.04		
			CDBG SVCS-ABUSE PREV PRGM	697.47
			CDBG SVCS-ABUSE PREV PRGM	738.30
			CDBG SVCS-ABUSE PREV PRGM	678.08
			CDBG SVCS-ABUSE PREV PRGM	652.71
			CDBG SVCS-ABUSE PREV PRGM	602.48
4/23/2012	212426	629.39		
			CDBG SVCS-ABUSE PREV PRGM	629.39
	Vendor Total	**3,998.43**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER		**8,652.78**		
RIVERSIDE COUNTY HABITAT CONSERVATION			Remit to: **RIVERSIDE**	**CA**
4/16/2012	212334	12,980.00		
			KRAT FEES COLLECTED	12,980.00
	Vendor Total	**12,980.00**		
FYTD for RIVERSIDE COUNTY HABITAT CONSERVATION		**34,155.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
4/2/2012	212136	1,300.65		
			RADIO SVCS FOR PD MOTORCYCLES	1,300.65
4/23/2012	212427	248.55		
			RADIO LEASE/MAINT-TECH SVCS	174.78
			RADIO LEASE/MAINT-TECH SVCS	9.71
			RADIO LEASE/MAINT-TECH SVCS	34.05
			VPN CONNECTION SVCS-TECH SVCS	30.01
4/30/2012	212511	1,300.65		
			RADIO SVCS FOR PD MOTORCYCLES	1,300.65
	Vendor Total	**2,849.85**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**17,724.63**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212254	1,891.00		
			REG.-VEHICLE THEFT INV. TRNG	179.00
			REG.-INTERMD TRAF COLL. INV.	196.00
			REG.-INTERMD TRAF COLL. INV.	196.00
			REG.-ADV. TRAFFIC COLL. INV.	440.00
			REG.-ADV. TRAFFIC COLL. INV.	440.00
			REG.-ADV. TRAFFIC COLL. INV.	440.00
4/16/2012	212335	0.00		
			EXPLORER ACADEMY-11 PARTICIPNT	2,225.00
			VOIDED CHECK #212335 - 4/30/12	-2,225.00
4/30/2012	212512	2,225.00		
			EXPLORER ACADEMY-11 PARTICIPNT	2,225.00
	Vendor Total	**4,116.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**10,219.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212255	517.61		
			GARNISHMENT	517.61
4/23/2012	212428	518.13		
			GARNISHMENT	518.13
	Vendor Total	**1,035.74**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**15,971.52**		
RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY**	**CA**
4/23/2012	212429	2,500.05		
			CONTRACT SVCS-OTS GRANT #20163	2,500.05
	Vendor Total	**2,500.05**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**304,310.32**		
RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE**	**CA**
4/9/2012	884971	67.61		
			TRODAT 5430 SELF-INKING STAMP	29.93
			REPLACEMENT INK PADS, 2-COLOR	5.96
			CA SALES TAX	2.78
			SHIPPING CHARGE	6.00
			SELF-INKING GREEN STAMP	15.72
			SHIPPING CHARGE	6.00
			CA SALES TAX	1.22
	Vendor Total	**67.61**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**213.31**		

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ROBLEDO, ESTEBAN				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212337	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for ROBLEDO, ESTEBAN			**200.00**		
ROCHA, SARA L.				Remit to: **QUEEN CREEK** **AZ**	
	4/2/2012	884911	779.70		
				RETIREE MED JAN-MAR12 ($160X3)	779.70
	Vendor Total		**779.70**		
FYTD for ROCHA, SARA L.			**3,227.31**		
RODRIGUEZ, CARLOS				Remit to: **SUN CITY** **CA**	
	4/16/2012	212338	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for RODRIGUEZ, CARLOS			**1,764.00**		
RODRIGUEZ, ROCIO				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212430	48.00		
				REFUND-CONTRACT CLASS REGIS	48.00
	Vendor Total		**48.00**		
FYTD for RODRIGUEZ, ROCIO			**48.00**		
ROGERS, EUGENE				Remit to: **PEBBLE BEACH** **CA**	
	4/2/2012	884912	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**3,187.30**		
ROSENOW SPEVACEK GROUP (RSG, INC.)				Remit to: **SANTA ANA** **CA**	
	4/30/2012	212513	2,485.00		
				NSP ELIGIBILITY REVIEW SVCS	535.00
				NSP ELIGIBILITY REVIEW SVCS	975.00
				NSP ELIGIBILITY REVIEW SVCS	325.00
				NSP ELIGIBILITY REVIEW SVCS	325.00
				NSP ELIGIBILITY REVIEW SVCS	325.00
	Vendor Total		**2,485.00**		
FYTD for ROSENOW SPEVACEK GROUP (RSG, INC.)			**5,085.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ROSETTE, JAVIER				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212138	300.00		
				REFUND-RENTAL DEPOSIT-SR CTR.	300.00
	Vendor Total		**300.00**		
FYTD for ROSETTE, JAVIER			**300.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY CA**	
	4/2/2012	884913	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,187.30**		
ROSSO, ROSA				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212139	95.00		
				REFUND-RABIES & SN DEPOSITS	20.00
				REFUND-RABIES & SN DEPOSITS	75.00
	Vendor Total		**95.00**		
FYTD for ROSSO, ROSA			**95.00**		
ROSSON, LOUIS A.				Remit to: **PERRIS CA**	
	4/2/2012	884914	262.31		
				RETIREE MED APR '12	165.81
				RETIREE MED APR '12	96.50
	Vendor Total		**262.31**		
FYTD for ROSSON, LOUIS A.			**2,674.04**		
ROSSTON SCHOOL OF HAIR DESIGN				Remit to: **MORENO VALLEY CA**	
	4/9/2012	212256	67.45		
				REFUND-BUS. LIC OVRPMT	67.45
	Vendor Total		**67.45**		
FYTD for ROSSTON SCHOOL OF HAIR DESIGN			**67.45**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA CA**	
	4/23/2012	212457	679.00		
				PLUMBING REPAIRS-MORRISON PARK	679.00
	Vendor Total		**679.00**		
FYTD for ROTO-ROOTER PLUMBERS			**1,036.50**		
RUSSO, JERILYNN				Remit to: **MORENO VALLEY CA**	
	4/2/2012	212140	95.00		
				REFUND-RABIES & SN DEPOSITS	20.00
				REFUND-RABIES & SN DEPOSITS	75.00
	Vendor Total		**95.00**		
FYTD for RUSSO, JERILYNN			**95.00**		

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RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	4/2/2012	884915	225.99		
				RETIREE MED APR '12	225.99
	Vendor Total		**225.99**		
FYTD for RUSSO, JOHN			**2,283.24**		
S & R BEAUTY SALON				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212257	37.00		
				REFUND-BUS. LIC OVRPMT	37.00
	Vendor Total		**37.00**		
FYTD for S & R BEAUTY SALON			**37.00**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	4/16/2012	885004	9,000.00		
				PROF CONSULTANT STAFFING SVCS	9,000.00
	Vendor Total		**9,000.00**		
FYTD for SA ASSOCIATES			**83,100.00**		
SABRE LIGHTING AND SIGNS				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212258	2,136.25		
				"POLICE" LETTER SIGN FOR PSB	1,500.00
				LABOR TO INSTALL SIGN	520.00
				CA SALES TAX	116.25
	Vendor Total		**2,136.25**		
FYTD for SABRE LIGHTING AND SIGNS			**3,493.19**		
SADDLEBACK PROPERTIES, INC				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212259	43.21		
				REFUND-BUS. LIC OVRPMT	43.21
	Vendor Total		**43.21**		
FYTD for SADDLEBACK PROPERTIES, INC			**43.21**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212141	36.00		
				INSTRUCTOR SVCS-LATIN ZUMBA	36.00
	Vendor Total		**36.00**		
FYTD for SALMAN, CLAUDIA			**588.00**		
SANCHEZ, SANDY				Remit to: **HEMET** **CA**	
	4/23/2012	212431	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SANCHEZ, SANDY			**20.00**		

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SCHIEFELBEIN, LORI C.				Remit to: **BULLHEAD CITY** **AZ**	
	4/2/2012	212142	318.73		
				RETIREE MED MAR 12, PD APR 12	318.73
	4/9/2012	212260	1,045.00		
				CONSULTANT SVCS-ROT. TOW PRGM	1,045.00
	Vendor Total		**1,363.73**		
FYTD for SCHIEFELBEIN, LORI C.			**11,278.56**		
SCHINDLER ELEVATOR CORP				Remit to: **MORRISTOWN** **NJ**	
	4/9/2012	212261	34.44		
				REFUND-BUS. LIC OVRPMT	34.44
	Vendor Total		**34.44**		
FYTD for SCHINDLER ELEVATOR CORP			**34.44**		
SCHUMAN, MICHAEL				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884916	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for SCHUMAN, MICHAEL			**1,274.92**		
SCMAF S. CA MUNI. ATHLETIC FEDERATION				Remit to: **SOUTH EL MONTE** **CA**	
	4/2/2012	212143	140.00		
				2012 MEMBERSHIP DUES	140.00
	Vendor Total		**140.00**		
FYTD for SCMAF S. CA MUNI. ATHLETIC FEDERATION			**712.00**		
SCOTCH MIST CAR WASH				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212514	71.34		
				REFUND-BUS. LIC OVRPMT	71.34
	Vendor Total		**71.34**		
FYTD for SCOTCH MIST CAR WASH			**71.34**		
SEARS OPTICAL #1821				Remit to: **MASON** **OH**	
	4/30/2012	212515	445.41		
				REFUND-BUS. LIC OVRPMT	58.00
				REFUND-BUS. LIC OVRPMT	352.19
				REFUND-BUS. LIC OVRPMT	35.22
	Vendor Total		**445.41**		
FYTD for SEARS OPTICAL #1821			**445.41**		

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SEARS PORTRAIT STUDIO #41868			Remit to: **ST LOUIS** **MO**	
4/2/2012	212144	75.77		
			REFUND-BUS. LIC OVRPMT	75.77
	Vendor Total	**75.77**		
FYTD for SEARS PORTRAIT STUDIO #41868		**75.77**		
SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
4/23/2012	212432	477.00		
			ARMORED TRANSPORT SVCS-UTILITY	159.00
			ARMORED TRANSPORT SVCS-PARKS	159.00
			ARMORED TRANSPORT SVCS-CASHIER	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**5,247.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
4/2/2012	884917	638.02		
			INSTALL STOREROOM LEVER-FS #6	327.77
			INSTALL DEADBOLTS-PSB	102.50
			INSTALL DEADBOLTS-PSB	207.75
4/16/2012	885005	88.40		
			LOCK REPAIR/DUPL KEYS-GOLF CTR	88.40
4/30/2012	885076	69.27		
			LOCK REPAIR/DUPL. KEYS-CRC	9.27
			LOCK REPAIR/DUPL. KEYS-CRC	60.00
	Vendor Total	**795.69**		
FYTD for SECURITY LOCK & KEY		**6,222.74**		
SERANO, HECTOR			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212516	115.00		
			REFUND-CITATION OVRPMT	57.50
			REFUND-CITATION OVRPMT	57.50
	Vendor Total	**115.00**		
FYTD for SERANO, HECTOR		**115.00**		
SEWELL'S RIVERSIDE DAIRY INC			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212262	63.98		
			REFUND-BUS. LIC OVRPMT	63.98
	Vendor Total	**63.98**		
FYTD for SEWELL'S RIVERSIDE DAIRY INC		**63.98**		

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SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	4/2/2012	212145	165.81		
				RETIREE MED APR '12	165.81
	Vendor Total		**165.81**		
FYTD for SHARRETT, SHARON K.			**1,709.04**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	4/2/2012	212146	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,187.30**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	4/2/2012	212147	459.26		
				FUEL PURCHASES-PD SET	459.26
	4/2/2012	212148	2,194.83		
				FUEL PURCHASES-PD MTRCYCLES	2,194.83
	4/2/2012	212149	66.55		
				FUEL PURCHASE-MAINT & OPS	66.55
	4/23/2012	212433	379.17		
				FUEL PURCHASES	53.41
				FUEL PURCHASES	50.00
				FUEL PURCHASES	67.12
				FUEL PURCHASES-PARKS MAINT DIV	110.90
				FUEL PURCHASE-ANIMAL SVCS	97.74
	4/30/2012	212517	1,926.33		
				FUEL PURCHASES-PD MTRCYCLES	1,926.33
	4/30/2012	212518	221.89		
				FUEL PURCHASES-PD SET	221.89
	Vendor Total		**5,248.03**		
FYTD for SHELL OIL CO.			**20,921.62**		
SHPIGLER GROUP, THE				Remit to: **MONTEBELLO** **NY**	
	4/2/2012	212150	5,000.00		
				SMART GRID OPER CONSULTING-MVU	2,647.70
				SMART GRID OPER CONSULTING-MVU	2,352.30
	Vendor Total		**5,000.00**		
FYTD for SHPIGLER GROUP, THE			**32,352.30**		
SIERRA, PHYLLIS				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212519	45.00		
				REFUND-CITATION OVRPMT	45.00
	Vendor Total		**45.00**		
FYTD for SIERRA, PHYLLIS			**45.00**		

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SINGER & COFFIN, APC				Remit to: **IRVINE** **CA**	
	4/23/2012	885044	414.00		
				LEGAL SVCS	414.00
	4/30/2012	885077	4,725.00		
				LEGAL SVCS	4,725.00
	Vendor Total		**5,139.00**		
FYTD for SINGER & COFFIN, APC			**20,926.70**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212151	3,820.00		
				FULL PG AD-EARTH DAY CLEAN UP	1,485.00
				1/2 PG AD-BOTTLE/CAN RECYCLING	850.00
				FULL PG AD-HH HAZ. WASTE EVENT	1,485.00
	Vendor Total		**3,820.00**		
FYTD for SKY PUBLISHING			**52,416.50**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	4/16/2012	885006	46.64		
				REFUND-EXEMPT UTIL. USER TAXES	46.64
	Vendor Total		**46.64**		
FYTD for SKY TRAILS MOBILE VILLAGE			**625.42**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884918	637.46		
				RETIREE MED FEB-MAR12,PD APR12	637.46
	Vendor Total		**637.46**		
FYTD for SLAGERMAN, SUSAN A.			**2,549.84**		
SLP COMMUNICATIONS				Remit to: **RANCHO CUCAMONGA** **CA**	
	4/30/2012	212521	120.00		
				2012 WOMEN OF DISCTNCTN LUNCHN	40.00
				2012 WOMEN OF DISCTNCTN LUNCHN	40.00
				2012 WOMEN OF DISCTNCTN LUNCHN	40.00
	Vendor Total		**120.00**		
FYTD for SLP COMMUNICATIONS			**155.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884919	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,187.30**		

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SMITH/DEWEY, MICHELLE/DON			Remit to: **MORENO VALLEY** **CA**	
4/23/2012	212434	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for SMITH/DEWEY, MICHELLE/DON		**95.00**		
SO - CAL STRUCTURAL STEEL FABRICATION, I			Remit to: **RIALTO** **CA**	
4/2/2012	212152	99.19		
			REFUND-BUS. LIC OVRPMT	99.19
Vendor Total		**99.19**		
FYTD for SO - CAL STRUCTURAL STEEL FABRICATION, I		**99.19**		
SOCO GROUP, INC			Remit to: **PERRIS** **CA**	
4/2/2012	884920	7,784.72		
			FUEL PURCH-CITY VEHICLES/EQUIP	7,784.72
4/16/2012	885007	17,737.60		
			FUEL PURCH-CITY VEHICLES/EQUIP	8,281.54
			FUEL PURCH-CITY VEHICLES/EQUIP	9,456.06
Vendor Total		**25,522.32**		
FYTD for SOCO GROUP, INC		**307,954.27**		
SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR** **CA**	
4/2/2012	212153	303.56		
			ANNL OPERATING FEE-FIRE ST #6	303.56
4/2/2012	212154	112.85		
			EMISSIONS FEE-FIRE ST #6	112.85
4/9/2012	212263	303.56		
			ANNL OPERATING FEE-FIRE ST #58	303.56
4/9/2012	212264	112.85		
			EMISSIONS FEE-FIRE ST #58	112.85
Vendor Total		**832.82**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**11,190.54**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
4/2/2012	212155	3,807.08		
			ELECTRICITY	44.03
			ELECTRICITY	22.28
			ELECTRICITY	94.61
			ELECTRICITY	1,106.24
			ELECTRICITY	753.13
			ELECTRICITY	122.22
			ELECTRICITY	174.76
			ELECTRICITY	679.59
			ELECTRICITY	150.19
			ELECTRICITY	466.06
			ELECTRICITY	117.07
			ELECTRICITY	76.90
4/9/2012	212266	6,435.80		
			ELECTRICITY	753.48
			ELECTRICITY	23.15
			ELECTRICITY	109.64
			ELECTRICITY	153.39
			ELECTRICITY	1,587.38
			ELECTRICITY	454.81
			ELECTRICITY	852.03
			ELECTRICITY	392.94
			ELECTRICITY	347.98
			ELECTRICITY	238.96
			ELECTRICITY	22.42
			ELECTRICITY	1,159.37
			ELECTRICITY	166.17
			ELECTRICITY	110.30
			ELECTRICITY	63.78
4/16/2012	212340	4,134.73		
			RELOCATE POLE-IRONWOOD AVE PRJ	4,134.73
4/23/2012	212435	250.00		
			REFUND-CANCELED RESERVATION	250.00
4/23/2012	212437	15,842.40		
			RELIABILITY SVCS	401.95
			RELIABILITY SVCS	370.11
			FERC-115KV PROJ-13571 MOR. BCH	14,146.73
			FERC CHRGS-ADDED FACILITIES	701.48
			ELECTRIC CHARGES	222.13
4/30/2012	212522	3,284.61		
			ELECTRICITY-TRAFFIC SIGNALS	56.06
			ELECTRICITY	21.98
			ELECTRICITY	23.95
			ELECTRICITY	88.13
			ELECTRICITY	906.75
			ELECTRICITY	588.07
			ELECTRICITY	111.35
			ELECTRICITY	168.53
			ELECTRICITY	645.56
			ELECTRICITY	149.26
			ELECTRICITY	382.37

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	90.64
			ELECTRICITY	51.96
Vendor Total		33,754.62		
FYTD for SOUTHERN CALIFORNIA EDISON		**2,910,721.09**		
SOUTHERN CALIFORNIA GAS CO.			Remit to: **MONTEREY PARK**	**CA**
4/30/2012	212523	6,586.06		
			GAS CHARGES	787.13
			GAS CHARGES	2,541.45
			GAS CHARGES	90.13
			GAS CHARGES	78.06
			GAS CHARGES	83.46
			GAS CHARGES	579.51
			GAS CHARGES	270.54
			GAS CHARGES	77.20
			GAS CHARGES	537.40
			GAS CHARGES	229.83
			GAS CHARGES	202.98
			GAS CHARGES	146.11
			GAS CHARGES	140.29
			GAS CHARGES	289.86
			GAS CHARGES	283.44
			GAS CHARGES	30.18
			GAS CHARGES	218.49
Vendor Total		6,586.06		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**69,948.55**		
SOUTHERN PET SUPPLIES			Remit to: **SAN DIEGO**	**CA**
4/23/2012	885045	791.20		
			PET SUPPLIES FOR ANIMAL SHLTR	537.55
			PET SUPPLIES FOR ANIMAL SHLTR	253.65
Vendor Total		791.20		
FYTD for SOUTHERN PET SUPPLIES		**2,253.65**		
SOZA, ERMALINDA			Remit to: **ORANGE**	**CA**
4/30/2012	212524	100.00		
			REFUND-CITATION OVRPMT	100.00
Vendor Total		100.00		
FYTD for SOZA, ERMALINDA		**100.00**		

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SPARKLETTS				Remit to: **DALLAS** **TX**	
	4/9/2012	212267	45.39		
				WATER SERVICE-SUNNYMD ELEM.	15.42
				WATER SERVICE-ARMADA ELEM.	11.15
				WATER SERVICE-CREEKSIDE ELEM.	13.82
				WATER SERVICE-GOLF COURSE	5.00
	4/23/2012	212438	12.55		
				WATER SERVICE-SUNNYMD ELEM.	12.55
	4/30/2012	212525	4.50		
				WATER SERVICE-EMERG MGMT SVCS	4.50
	Vendor Total		**62.44**		
FYTD for SPARKLETTS			**579.13**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884921	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,187.30**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884922	225.99		
				RETIREE MED APR '12	225.99
	Vendor Total		**225.99**		
FYTD for SPENCER, MARTHA			**2,283.24**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	4/2/2012	212157	30.00		
				SUBPOENA COMPLNCE-MV120570282	30.00
	4/16/2012	212342	30.00		
				SUBPOENA COMPLNCE SVCS FOR PD	30.00
	Vendor Total		**60.00**		
FYTD for SPRINT			**570.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	4/9/2012	884972	652.06		
				CELL PHONE SVCS-PD/SET	652.06
	4/16/2012	885008	67.41		
				CELL PHONE SVCS-GANG TASK FRC	67.41
	Vendor Total		**719.47**		
FYTD for SPRINT/NEXTEL			**6,328.75**		

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STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
4/2/2012	212159	1,856.07		
			SUPPLEMENTAL INSURANCE	1,856.07
4/30/2012	212526	1,775.12		
			SUPPLEMENTAL INSURANCE	1,775.12
	Vendor Total	**3,631.19**		
FYTD for STANDARD INSURANCE CO		**299,493.77**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE**	**CA**
4/2/2012	884923	1,227.83		
			MONITORING SVCS-MARCH FLD PARK	105.00
			MONITORING SVCS-EOC	110.00
			MONITORING SVCS-ANNEX BLDG 1	105.00
			MONITORING SVCS-TOWNGATE C.C.	220.98
			MONITORING SVCS-PUB SFTY BLDG	194.85
			MONITORING SVCS-CONF & REC CTR	492.00
4/9/2012	884973	252.00		
			MONITORING SVCS-T.S. ANNEX	105.00
			MONITORING SVCS-SP DIST ANNEX	147.00
4/23/2012	885046	2,231.60		
			SECURITY SYS SVC CALL-CTY YARD	219.10
			MONITORING SVCS-PARK SNCK BARS	227.16
			MONITORING SVCS-T.S. ANNEX	234.00
			MONITORING SVCS-PARK SNCK BARS	179.35
			MONITORING SVCS-ANNEX BLDG 1	207.00
			MONITORING SVCS-RED MAPLE	354.00
			MONITORING SVCS-GANG TSK FORCE	104.94
			MONITORING SVCS-CITY HALL	376.50
			MONITORING SVCS-LIBRARY	329.55
	Vendor Total	**3,711.43**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**25,093.58**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO**	**CA**
4/30/2012	212527	7,480.16		
			ELECTRICAL ENERGY SURCHARGE	7,480.16
4/27/2012	33112	1,868.00		
			SALES & USE TAX-1ST QTR 2012	1,868.00
	Vendor Total	**9,348.16**		
FYTD for STATE BOARD OF EQUALIZATION		**56,287.79**		

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STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO**	**CA**
4/9/2012	212268	165.00		
			CASE 200000000199597-J. COSEY	165.00
4/16/2012	212343	90.00		
			CS#0650464971-01/0650613537-01	90.00
4/5/2012	3053	2,298.63		
			CHILD SUPPORT W/H 4/5/12	2,298.63
4/19/2012	3061	2,219.09		
			CHILD SUPPORT W/H 4/19/12	2,219.09
4/30/2012	212528	54.00		
			CS#0650464971-01/0650613537-01	54.00
	Vendor Total	**4,826.72**		
FYTD for STATE DISBURSEMENT UNIT		**45,825.92**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO**	**CA**
4/2/2012	212160	2,676.00		
			FINGERPRINTING SVCS-PD	2,676.00
4/9/2012	212269	595.00		
			BLOOD ALCOHOL ANALYSIS FOR PD	595.00
4/16/2012	212344	64.00		
			FINGERPRINTING SVCS-PD	64.00
4/23/2012	212439	3,166.00		
			FINGERPRINTING SVCS-PD	2,886.00
			BLOOD ALCOHOL ANALYSIS FOR PD	280.00
	Vendor Total	**6,501.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**50,485.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA**	**CA**
4/16/2012	212345	1,616.96		
			DICTATION & TRANSCRIPTION SVCS	1,616.96
	Vendor Total	**1,616.96**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**17,689.12**		
STEWART, CLIFFORD			Remit to: **GLENDALE**	**AZ**
4/2/2012	884924	271.44		
			RETIREE MED APR '12	271.44
	Vendor Total	**271.44**		
FYTD for STEWART, CLIFFORD		**2,693.04**		

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STK ARCHITECTURE, INC.			Remit to: **TEMECULA** **CA**	
4/30/2012	885078	19,791.76		
			MORRISON PARK FIRE STN PROJ	19,791.76
	Vendor Total	**19,791.76**		
FYTD for STK ARCHITECTURE, INC.		**287,237.21**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH** **CA**	
4/16/2012	212347	8,464.81		
			LEGAL SVCS	3,500.00
			LEGAL SVCS	1,305.81
			LEGAL SVCS	550.00
			LEGAL SVCS	75.00
			LEGAL SVCS	2,784.00
			LEGAL SVCS	250.00
4/23/2012	212440	320.00		
			LEGAL SVCS	320.00
4/30/2012	212529	75.00		
			LEGAL SVCS	75.00
	Vendor Total	**8,859.81**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**63,761.84**		
STRICKLER ASSOCIATION, THE			Remit to: **SAN BERNARDINO** **CA**	
4/23/2012	885048	4,192.50		
			CONSULTING SVCS-EDD	4,192.50
	Vendor Total	**4,192.50**		
FYTD for STRICKLER ASSOCIATION, THE		**34,758.75**		
STRICKLER II, JOHN W.			Remit to: **SAN BERNARDINO** **CA**	
4/2/2012	884925	318.73		
			RETIREE MED APR '12	318.73
	Vendor Total	**318.73**		
FYTD for STRICKLER II, JOHN W.		**3,187.30**		
SUNGLASS HUT STORE #4536			Remit to: **MASON** **OH**	
4/16/2012	212348	60.13		
			REFUND-BUS. LIC OVRPMT	60.13
	Vendor Total	**60.13**		
FYTD for SUNGLASS HUT STORE #4536		**60.13**		

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SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY CA**	
4/2/2012	212162	82.58		
			MISC SUPPLIES-PD	50.52
			MISC SUPPLIES-FIRE DEPT	32.06
4/23/2012	212441	9.15		
			SUPPLIES FOR PD COMPUTER	4.30
			KEY DUPLICATION FOR PD DESK	4.85
4/30/2012	212530	33.89		
			MISC SUPPLIES-PD	33.89
	Vendor Total	**125.62**		
FYTD for SUNNYMEAD ACE HARDWARE		**1,386.16**		
SUNNYMEAD MONTESSORI SCHOOL			Remit to: **MORENO VALLEY CA**	
4/9/2012	212270	50.20		
			REFUND-BUS. LIC OVRPMT	50.20
	Vendor Total	**50.20**		
FYTD for SUNNYMEAD MONTESSORI SCHOOL		**50.20**		
TAX COMPLIANCE SERVICES			Remit to: **THOUSAND OAKS CA**	
4/23/2012	212443	5,000.00		
			UUT COMPLIANCE & AUDIT SVCS	5,000.00
	Vendor Total	**5,000.00**		
FYTD for TAX COMPLIANCE SERVICES		**57,500.00**		
THAI DINETTE RESTAURANT			Remit to: **MORENO VALLEY CA**	
4/9/2012	212271	107.08		
			REFUND-BUS. LIC OVRPMT	107.08
	Vendor Total	**107.08**		
FYTD for THAI DINETTE RESTAURANT		**107.08**		
THE GRANITE CONNECTION			Remit to: **MORENO VALLEY CA**	
4/30/2012	212531	71.28		
			REFUND-BUS. LIC OVRPMT	71.28
	Vendor Total	**71.28**		
FYTD for THE GRANITE CONNECTION		**71.28**		
THE SMOG SHOP			Remit to: **MORENO VALLEY CA**	
4/2/2012	212163	83.29		
			REFUND-BUS. LIC OVRPMT	50.22
			REFUND-BUS. LIC OVRPMT	33.07
	Vendor Total	**83.29**		
FYTD for THE SMOG SHOP		**83.29**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
THE STANDARD REGISTER			Remit to: **DAYTON** **OH**	
4/9/2012	212272	77.26		
			REFUND-BUS. LIC OVRPMT	77.26
	Vendor Total	**77.26**		
FYTD for THE STANDARD REGISTER		**77.26**		
THERMAL-COOL INC.			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212273	85.00		
			SVC OF AC UNIT-SUNNYMD SNK BAR	85.00
	Vendor Total	**85.00**		
FYTD for THERMAL-COOL INC.		**4,581.14**		
THOMPSON COBURN LLP			Remit to: **WASHINGTON** **DC**	
4/2/2012	884926	336.68		
			LEGAL SVCS FOR MVU	336.68
	Vendor Total	**336.68**		
FYTD for THOMPSON COBURN LLP		**19,931.77**		
THOMSON REUTERS INC			Remit to: **ENCINO** **CA**	
4/30/2012	212533	602.04		
			LEGAL PUBLICATIONS ANNL SVC	602.04
	Vendor Total	**602.04**		
FYTD for THOMSON REUTERS INC		**5,814.33**		
TIMBERLAKE, CRYSTAL			Remit to: **LONG BEACH** **CA**	
4/9/2012	212275	18.60		
			REFUND-CHILD'S PLACE PRGM	18.60
	Vendor Total	**18.60**		
FYTD for TIMBERLAKE, CRYSTAL		**18.60**		
TKE ENGINEERING INC			Remit to: **RIVERSIDE** **CA**	
4/2/2012	212164	9,215.00		
			DRACAEA AVE SIDEWALK IMPRVMNTS	7,835.00
			DRACAEA AVE SIDEWALK IMPRVMNTS	1,380.00
4/30/2012	212534	3,405.00		
			DRACAEA AVE SIDEWALK IMPRVMNTS	3,405.00
	Vendor Total	**12,620.00**		
FYTD for TKE ENGINEERING INC		**25,099.61**		

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T-MOBILE USA				Remit to: **SEATTLE** **WA**	
	4/23/2012	212442	800.00		
				E911 LOCATOR TOOL SVCS FOR PD	400.00
				E911 LOCATOR TOOL SVCS FOR PD	400.00
	Vendor Total		**800.00**		
FYTD for T-MOBILE USA			**1,000.00**		
TR DESIGN GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212349	8,000.00		
				TRANSP MGMT CTR PROJ SVCS	8,000.00
	Vendor Total		**8,000.00**		
FYTD for TR DESIGN GROUP, INC.			**43,357.29**		
TRAILERSPLUS REDLANDS				Remit to: **REDLANDS** **CA**	
	4/16/2012	212350	6,411.59		
				CAR CARRIER TRAILER FOR PD	5,832.10
				CA SALES TAX	451.99
				LABOR FOR CAR CARRIER	127.50
	Vendor Total		**6,411.59**		
FYTD for TRAILERSPLUS REDLANDS			**6,411.59**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212535	2,197.80		
				INSTRUCTOR SVCS-BALLET INTERMD	155.40
				INSTRUCTOR SVCS-BALLET	399.60
				INSTRUCTOR SVCS-BALLET/ACRO	244.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	177.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	399.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	66.60
				INSTRUCTOR SVCS-HIP HOP DANCE	222.00
	Vendor Total		**2,197.80**		
FYTD for TRICHE, TARA			**21,867.00**		

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TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884927	30.00		
				LINEN RNTL FOR EVENT-CTR#20944	30.00
	4/9/2012	884975	25.00		
				LINEN RENTAL FOR CRC	25.00
	4/16/2012	885010	25.00		
				LINEN RENTAL FOR CRC	25.00
	4/23/2012	885050	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	Vendor Total		**130.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,689.73**		
TROPICAL PLAZA NURSERY, INC.				Remit to: **VILLA PARK** **CA**	
	4/9/2012	212276	6,086.12		
				LANDSCAPE MAINT-ZONE E-2	6,086.12
	4/23/2012	212444	245.93		
				IRRIGATION REPAIRS-ZONE E-2	245.93
	Vendor Total		**6,332.05**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**104,237.86**		
TRUGREEN LANDCARE				Remit to: **RIVERSIDE** **CA**	
	4/2/2012	884928	3,245.00		
				LANDSCAPE MAINT-ZONE E-16	2,485.00
				TREE REPLACED-ZONE E-1A	80.00
				EMERG TREE TRIMMING-CITY HALL	680.00
	4/9/2012	884976	11,233.23		
				LANDSCAPE MAINT-ZONE E-4	7,980.86
				LANDSCAPE MAINT-ZONE E-4A	465.00
				TREE TRIMMING AT CRC	2,070.00
				IRRIGATION REPAIRS-ZONE E-4	717.37
	4/16/2012	212365	110.00		
				TURF REMOVAL-TRACT 21616	110.00
	4/30/2012	885079	700.42		
				IRRIGATION REPAIRS-ZONE E-4	700.42
	Vendor Total		**15,288.65**		
FYTD for TRUGREEN LANDCARE			**235,746.01**		
TUNTLAND, JAMES				Remit to: **PRESCOTT** **AZ**	
	4/2/2012	884929	271.44		
				RETIREE MED APR '12	271.44
	Vendor Total		**271.44**		
FYTD for TUNTLAND, JAMES			**2,693.04**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TURBOSCAPE, INC.				Remit to: **SANTA CLARA** **UT**	
	4/9/2012	884977	11,243.40		
				MULCHING IN ZONE D	5,969.71
				MULCHING IN ZONE E-12	803.10
				MULCHING IN ZONE E-14	1,338.50
				MULCHING IN ZONE E-15	990.49
				MULCHING IN ZONE E-16	1,070.80
				MULCHING IN WATER QUAL. BASINS	1,070.80
	Vendor Total		**11,243.40**		
FYTD for TURBOSCAPE, INC.			**34,343.40**		
TW TELECOM				Remit to: **DENVER** **CO**	
	4/2/2012	212165	477.21		
				TELECOM SVCS-LOCAL/LONG DIST.	477.21
	Vendor Total		**477.21**		
FYTD for TW TELECOM			**5,792.44**		
U.S. POSTAL SERVICE				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212277	795.00		
				BRM FEE RENEWAL-APRIL 2012-13	95.00
				BRM FEE RENEWAL-APRIL 2012-13	95.00
				BRM ANNUAL MAINT. RENEWAL	302.50
				BRM ANNUAL MAINT. RENEWAL	302.50
	Vendor Total		**795.00**		
FYTD for U.S. POSTAL SERVICE			**27,795.00**		
UGLY'S MOBILE TRUCK & TRAILER REPAIR				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212351	58.00		
				REFUND-BUS. LIC OVRPMT	58.00
	Vendor Total		**58.00**		
FYTD for UGLY'S MOBILE TRUCK & TRAILER REPAIR			**58.00**		
ULTIMATE POOL REMODELING, INC				Remit to: **RIVERSIDE** **CA**	
	4/9/2012	212278	22.70		
				REFUND-BUS. LIC OVRPMT	22.70
	Vendor Total		**22.70**		
FYTD for ULTIMATE POOL REMODELING, INC			**22.70**		

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UNDERGROUND SERVICE ALERT			Remit to: **CORONA** **CA**	
4/2/2012	884930	618.00		
			DIGALERT TICKETS SUBSCRPTN SVC	154.50
			DIGALERT TICKETS SUBSCRPTN SVC	154.50
			DIGALERT TICKETS SUBSCRPTN SVC	154.50
			DIGALERT TICKETS SUBSCRPTN SVC	154.50
4/30/2012	885080	660.00		
			DIGALERT TICKETS SUBSCRPTN SVC	165.00
			DIGALERT TICKETS SUBSCRPTN SVC	165.00
			DIGALERT TICKETS SUBSCRPTN SVC	165.00
			DIGALERT TICKETS SUBSCRPTN SVC	165.00
	Vendor Total	**1,278.00**		
FYTD for UNDERGROUND SERVICE ALERT		**5,512.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO** **CA**	
4/16/2012	212352	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
	Vendor Total	**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**2,916.70**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY** **CA**	
4/9/2012	884978	1,644.00		
			IRONWOOD AVE IMPRVMNTS PROJ	1,509.00
			LOCAL STREET PAVEMENT RESURF.	135.00
4/16/2012	885012	2,495.00		
			IRONWOOD AVE IMPRVMNTS PROJ	2,495.00
	Vendor Total	**4,139.00**		
FYTD for UNITED INSPECTION & TESTING INC		**7,291.00**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
4/2/2012	884931	633.08		
			BROOM KITS FOR ST. SWEEPERS	633.08
4/16/2012	885013	972.85		
			BROOM KITS FOR ST. SWEEPERS	633.08
			BROOM KITS FOR ST. SWEEPERS	226.51
			BROOM KITS FOR ST. SWEEPERS	113.26
4/30/2012	885081	972.85		
			BROOM KITS FOR ST. SWEEPERS	972.85
	Vendor Total	**2,578.78**		
FYTD for UNITED ROTARY BRUSH CORP		**34,596.58**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
4/23/2012	885051	106.40		
			FENCE RENTAL-ANIMAL SHELTER	106.40
	Vendor Total	**106.40**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**1,321.39**		
UNITED STATES TREASURY			Remit to: **CINCINNATI** **OH**	
4/9/2012	212279	137.41		
			PAYROLL DEDUCTION AGREEMENT	137.41
	Vendor Total	**137.41**		
FYTD for UNITED STATES TREASURY		**1,976.92**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
4/9/2012	212280	335.00		
			UNITED WAY CONTRIBUTIONS	335.00
4/23/2012	212445	335.00		
			UNITED WAY CONTRIBUTIONS	335.00
	Vendor Total	**670.00**		
FYTD for UNITED WAY OF INLAND VALLEYS		**9,517.66**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
4/16/2012	212353	1,356.60		
			HERBICIDE/AG CHEMICALS	678.30
			HERBICIDE/AG CHEMICALS	678.30
	Vendor Total	**1,356.60**		
FYTD for UNIVAR USA, INC		**6,209.14**		
UNIVERSAL SOCCER			Remit to: **MORENO VALLEY** **CA**	
4/30/2012	212536	111.22		
			REFUND-BUS. LIC OVRPMT	111.22
	Vendor Total	**111.22**		
FYTD for UNIVERSAL SOCCER		**111.22**		
USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
4/16/2012	885014	35.69		
			PAGER SVC FOR PARK RANGERS	1.69
			PAGER SVC FOR TRANSP. DIV	4.59
			PAGER SVC FOR ANIMAL SVCS	29.41
	Vendor Total	**35.69**		
FYTD for USA MOBILITY/ARCH WIRELESS		**359.49**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE TERMITE & PEST ELIMINATION CO.			Remit to: **MORENO VALLEY**	**CA**
4/2/2012	884932	1,350.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-TOWNGATE COMM. CTR	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-UTILITY FIELD OFF.	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-MARB ASES BLDG	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
4/9/2012	884979	1,170.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-TOWNGATE COMM. CTR	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-UTILITY FIELD OFF.	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-MARB ASES BLDG	45.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ANIMAL SHELTER	115.00
4/23/2012	885052	300.00		
			BEE REMOVAL@11650 STEEPLE CHAS	150.00
			TREATED FOR BEES @ CITY HALL	150.00
4/30/2012	885082	150.00		
			BEES/HIVE RMVL-11237 FERNVIEW	150.00

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	Vendor Total	2,970.00		
FYTD for VACATE TERMITE & PEST ELIMINATION CO.		17,000.00		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
4/2/2012	212179	8,400.00		
			PROF CONSULTANT STAFFING SVCS	8,400.00
	Vendor Total	8,400.00		
FYTD for VALI COOPER & ASSOCIATES, INC.		86,992.50		
VALI COOPER ASSOCIATES, INC			Remit to: **RICHMOND**	**CA**
4/2/2012	212166	53.14		
			REFUND-BUS. LIC OVRPMT	53.14
	Vendor Total	53.14		
FYTD for VALI COOPER ASSOCIATES, INC		53.14		
VALLEY MEDICAL			Remit to: **MORENO VALLEY**	**CA**
4/16/2012	212354	83.62		
			REFUND-BUS. LIC OVRPMT	83.62
	Vendor Total	83.62		
FYTD for VALLEY MEDICAL		83.62		
VAS ASSOCIATES, INC.			Remit to: **CORONA**	**CA**
4/23/2012	885053	20,400.00		
			PROF CONSULTANT STAFFING SVCS	20,400.00
	Vendor Total	20,400.00		
FYTD for VAS ASSOCIATES, INC.		184,800.00		
VASQUEZ, ROBERT			Remit to: **MORENO VALLEY**	**CA**
4/30/2012	212537	109.00		
			REFUND-CITATION OVRPMT	109.00
	Vendor Total	109.00		
FYTD for VASQUEZ, ROBERT		129.00		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO**	**CA**
4/30/2012	212538	5,740.00		
			CONSULTANT ACCOUNTING SVCS	5,740.00
	Vendor Total	5,740.00		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		56,650.00		

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VERIZON				Remit to: **TRENTON** **NJ**	
	4/23/2012	212446	1,782.92		
				BACKBONE COMMUN. CHARGES	1,782.92
		Vendor Total	**1,782.92**		
FYTD for VERIZON			**17,487.93**		
VERIZON CALIFORNIA				Remit to: **DALLAS** **TX**	
	4/30/2012	212539	618.34		
				PHONE CHARGES-ERC	618.34
		Vendor Total	**618.34**		
FYTD for VERIZON CALIFORNIA			**6,757.68**		
VICTOR MEDICAL CO				Remit to: **LAKE FOREST** **CA**	
	4/9/2012	212281	802.74		
				ANIMAL MEDICAL SUPPLIES	802.74
	4/23/2012	212447	4,140.84		
				ANIMAL MEDICAL SUPPLIES	252.87
				ANIMAL MEDICAL SUPPLIES	1,342.37
				ANIMAL MEDICAL SUPPLIES	2,036.48
				ANIMAL MEDICAL SUPPLIES	509.12
		Vendor Total	**4,943.58**		
FYTD for VICTOR MEDICAL CO			**18,536.12**		
VIEVU				Remit to: **SEATTLE** **WA**	
	4/2/2012	212167	5,269.00		
				WEARABLE VIDEO CAMERAS FOR PD	5,250.00
				SHIPPING	19.00
				CA USE TAX @ 7.75%	406.88
				USE TAX ACCRUAL	-406.88
		Vendor Total	**5,269.00**		
FYTD for VIEVU			**33,491.40**		
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884934	318.73		
				RETIREE MED APR '12	318.73
		Vendor Total	**318.73**		
FYTD for VIGIL, ERNEST			**3,187.30**		
VILLASANA, ALBERT				Remit to: **SANTA ANA** **CA**	
	4/30/2012	212540	218.00		
				REFUND-CITATION OVRPMT	109.00
				REFUND-CITATION OVRPMT	109.00
		Vendor Total	**218.00**		
FYTD for VILLASANA, ALBERT			**218.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO**	**CA**
4/2/2012	884935	3,909.82		
			EMPLOYEE VISION INSURANCE	3,909.82
4/30/2012	885083	3,934.74		
			EMPLOYEE VISION INSURANCE	3,934.74
	Vendor Total	**7,844.56**		
FYTD for VISION SERVICE PLAN		**43,269.89**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY**	**CA**
4/16/2012	212355	159.57		
			PAINT FOR PARKS	159.57
4/23/2012	212448	79.48		
			PAINT FOR CFD #1 GRAFFITI	79.48
	Vendor Total	**239.05**		
FYTD for VISTA PAINT CORPORATION		**8,517.93**		
VOYAGER FLEET SYSTEM, INC.			Remit to: **HOUSTON**	**TX**
4/16/2012	885015	2,654.34		
			CNG FUEL PURCHASES	2,248.19
			CNG FUEL PURCHASES	382.98
			CNG FUEL PURCHASES	23.17
	Vendor Total	**2,654.34**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**22,684.24**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO**	**CA**
4/2/2012	212168	291.64		
			ASPHALTIC MATERIALS	144.76
			ASPHALTIC MATERIALS	146.88
4/16/2012	212356	3,341.98		
			ASPHALTIC MATERIALS	145.47
			ASPHALTIC MATERIALS	154.70
			ASPHALTIC MATERIALS	109.19
			ASPHALTIC MATERIALS	897.05
			ASPHALTIC MATERIALS	109.19
			ASPHALTIC MATERIALS	145.47
			ASPHALTIC MATERIALS	1,780.91
4/30/2012	212541	2,345.75		
			ASPHALTIC MATERIALS	145.47
			ASPHALTIC MATERIALS	1,172.01
			ASPHALTIC MATERIALS	447.54
			ASPHALTIC MATERIALS	217.28
			ASPHALTIC MATERIALS	146.17
			ASPHALTIC MATERIALS	217.28
	Vendor Total	**5,979.37**		
FYTD for VULCAN MATERIALS CO, INC.		**24,044.37**		

City of Moreno Valley

Check Register

For Period 4/1/2012 through 4/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WAGGONER JR., GLENN C.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884936	276.58		
				RETIREE MED MAR 12, PD APR 12	276.58
	Vendor Total		**276.58**		
FYTD for WAGGONER JR., GLENN C.			**2,616.36**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	884937	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,187.30**		
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212169	318.73		
				RETIREE MED MAR 12, PD APR 12	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WAHLQUIST, DAVE				Remit to: **RIVERSIDE** **CA**	
	4/16/2012	212357	1,920.00		
				CONSULTANT SVCS-LABOR MOUs	1,920.00
	Vendor Total		**1,920.00**		
FYTD for WAHLQUIST, DAVE			**1,920.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	4/9/2012	212283	1,780.20		
				ROLL-OFF STORAGE BIN RENTALS	1,214.51
				ROLL-OFF STORAGE BIN RENTALS	565.69
	4/23/2012	212449	583.91		
				ROLL-OFF STORAGE BIN RENTALS	583.91
	Vendor Total		**2,364.11**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**10,048.92**		
WELS, BRIAN				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212450	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for WELS, BRIAN			**95.00**		

City of Moreno Valley

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WEST				Remit to: **SAINT PAUL** **MN**	
	4/2/2012	212170	677.10		
				AUTO TRACK SVCS-PD	677.10
	4/23/2012	212451	677.10		
				AUTO TRACK SVCS-PD	677.10
	Vendor Total		**1,354.20**		
FYTD for WEST			**5,788.19**		
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	4/9/2012	884980	15,120.00		
				TREE TRIMMING/REMOVALS-ZN E-3	11,970.00
				TREE TRIMMING/REMOVALS-ZN E-3	3,150.00
	4/16/2012	885016	9,030.00		
				TREE TRIMMING SVCS-ZONE E-4	2,870.00
				TREE REMOVAL SVCS-ZONE E-4	3,325.00
				TREE TRIMMING/REMOVALS-DSG-2S	2,310.00
				TREE TRIMMING/REMOVALS-DSG-2S	525.00
	4/23/2012	885054	13,150.00		
				TREE TRIMMING SVCS-ZONE E-14	2,925.00
				TREE TRIMMING SVCS-ZONE M	1,125.00
				TREE REMOVAL SVCS-ZONE M	175.00
				TREE TRIMMING SVCS-ZONE E-4	4,270.00
				TREE TRIMMING/REMOVALS-ZONE E4	420.00
				TREE TRIMMING SVCS-ZONE E-3	1,050.00
				TREE TRIMMING SVCS-ZONE E-8	1,260.00
				TREE TRIMMING SVCS-ZONE E-15	1,750.00
				TREE REMOVAL SVCS-ZONE E-3	175.00
	Vendor Total		**37,300.00**		
FYTD for WEST COAST ARBORISTS, INC.			**74,885.00**		
WESTERMAN, KEVIN				Remit to: **MORENO VALLEY** **CA**	
	4/30/2012	212542	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for WESTERMAN, KEVIN			**20.00**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	4/23/2012	212452	2,100.33		
				WATER CHARGES	704.79
				WATER CHARGES	26.74
				WATER CHARGES	1,294.98
				WATER CHARGES	73.82
	Vendor Total		**2,100.33**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**23,326.42**		

City of Moreno Valley

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WESTOVER, MARK				Remit to: **SAN DIEGO** **CA**	
	4/2/2012	884938	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for WESTOVER, MARK			**2,958.12**		
WHITE, JENNIFER CHESTNUT				Remit to: **SAN DIEGO** **CA**	
	4/2/2012	212171	126.00		
				REFUND-ANIMAL ADOPTION FEES	30.00
				REFUND-ANIMAL ADOPTION FEES	5.00
				REFUND-ANIMAL ADOPTION FEES	75.00
				REFUND-ANIMAL ADOPTION FEES	16.00
	Vendor Total		**126.00**		
FYTD for WHITE, JENNIFER CHESTNUT			**126.00**		
WIBERG, CHRISTOPHER				Remit to: **ANAHEIM** **CA**	
	4/2/2012	212172	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for WIBERG, CHRISTOPHER			**3,397.74**		
WIDJAYA, EISE				Remit to: **MORENO VALLEY** **CA**	
	4/9/2012	212284	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for WIDJAYA, EISE			**20.00**		
WIELIN, RONALD A.				Remit to: **BANNING** **CA**	
	4/2/2012	884939	318.73		
				RETIREE MED APR '12	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**3,187.30**		
WILLDAN AND ASSOCIATES				Remit to: **SAN BERNARDINO** **CA**	
	4/2/2012	212173	10,903.26		
				BLDG & SAFETY PLAN CHECK SVCS	10,903.26
	4/16/2012	212358	12,213.99		
				PROLOGIS PARK EIR REVIEW SVCS	3,525.00
				PROLOGIS PARK EIR REVIEW SVCS	8,688.99
	Vendor Total		**23,117.25**		
FYTD for WILLDAN AND ASSOCIATES			**283,729.22**		

City of Moreno Valley

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLDAN FINANCIAL SERVICES			Remit to: **TEMECULA**	**CA**
4/23/2012	212453	4,250.00		
			ANNL CONTIN. DISCLOSURE INFO	2,500.00
			REV BONDS ANNL DISCLOSURE SVCS	875.00
			REV BONDS ANNL DISCLOSURE SVCS	875.00
	Vendor Total	**4,250.00**		
FYTD for WILLDAN FINANCIAL SERVICES		**6,750.00**		
WILLIAM VILLAGRANA & LAW OFFICES			Remit to: **RIVERSIDE**	**CA**
4/9/2012	212282	0.00		
			CASE SETTLEMENT	18,000.00
			VOIDED CHECK #212282 - 4/30/12	-18,000.00
4/30/2012	212543	18,000.00		
			CASE SETTLEMENT	18,000.00
	Vendor Total	**18,000.00**		
FYTD for WILLIAM VILLAGRANA & LAW OFFICES		**18,000.00**		
WILLIAMS, JANE L.			Remit to: **GRAND FORKS**	**ND**
4/2/2012	884940	192.40		
			RETIREE MED MAR 12, PD APR 12	192.40
	Vendor Total	**192.40**		
FYTD for WILLIAMS, JANE L.		**1,924.00**		
WILLIS, ROBERT H			Remit to: **PERRIS**	**CA**
4/16/2012	212359	60.00		
			SPORTS OFFICIATING SVCS	60.00
4/23/2012	212454	60.00		
			SPORTS OFFICIATING SVCS	60.00
4/30/2012	212544	40.00		
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**160.00**		
FYTD for WILLIS, ROBERT H		**1,980.00**		
WINE WAREHOUSE			Remit to: **COMMERCE**	**CA**
4/2/2012	212174	21.43		
			REFUND-BUS. LIC OVRPMT	21.43
	Vendor Total	**21.43**		
FYTD for WINE WAREHOUSE		**21.43**		
WISNIEWSKI, PAT A.			Remit to: **MORENO VALLEY**	**CA**
4/30/2012	212545	15.00		
			REFUND-DOG LICENSE FEE DUP PMT	15.00
	Vendor Total	**15.00**		
FYTD for WISNIEWSKI, PAT A.		**15.00**		

City of Moreno Valley

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WITT, BRENT				Remit to: **RIVERSIDE** **CA**	
	4/30/2012	212546	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WITT, BRENT			**75.00**		
WLC ARCHITECTS, INC				Remit to: **RANCHO CUCAMONGA** **CA**	
	4/2/2012	212175	47.20		
				REFUND-BUS. LIC OVRPMT	47.20
	Vendor Total		**47.20**		
FYTD for WLC ARCHITECTS, INC			**47.20**		
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	4/16/2012	885017	1,318.81		
				JANITORIAL SVCS-RED MAPLE ELEM	186.00
				JANITORIAL SVCS-TOWNGT RENTALS	600.00
				JANITORIAL SVCS-EMP RES CTR	532.81
	4/23/2012	885055	22,288.55		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRAILER	98.40
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-SP DIST ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MRCH FLD PK CC	955.70
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-SUNNYMD ELEM	184.10
				JANITORIAL SVCS-THINK TG BLDG	298.87
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
	Vendor Total		**23,607.36**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**251,360.73**		

City of Moreno Valley

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	4/2/2012	212176	231.18		
				COPIER RNTL/MAINT-PD	76.51
				COPIER RNTL/MAINT-PD	84.38
				COPIER RNTL/MAINT-PD	70.29
	4/9/2012	212285	1,208.63		
				LEASE OF XEROX XC550-PARKS	566.25
				COPIER BILLABLE PRINTS-PARKS	151.62
				LEASE OF XEROX EX560-PARKS	490.76
	4/16/2012	212361	1,895.84		
				LEASE OF XEROX XC550-PARKS	566.25
				COPIER BILLABLE PRINTS-PARKS	838.83
				LEASE OF XEROX EX560-PARKS	490.76
	4/23/2012	212455	190.68		
				REPLACEMNT STAPLES-PD COPIER	130.68
				COPIER RNTL/MAINT-PD	60.00
	4/30/2012	212547	1,603.15		
				LEASE OF XEROX EX560-GRAPHICS	393.44
				LEASE OF XEROX XC550V-GRAPHICS	424.11
				COPIER BILLABLE PRINTS-GRPHCS	785.60
	Vendor Total		**5,129.48**		
FYTD for XEROX			**40,655.48**		
YAHOO!				Remit to: **SUNNYVALE** **CA**	
	4/2/2012	212177	39.50		
				SUBSCRIBER INFO SEARCH FOR PD	39.50
	Vendor Total		**39.50**		
FYTD for YAHOO!			**39.50**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	4/2/2012	884941	139.90		
				RETIREE MED FEB 12, PD APR 12	139.90
	Vendor Total		**139.90**		
FYTD for YAMASHITA, JULIA J.			**1,571.80**		
YANCEY, KENDRA				Remit to: **MORENO VALLEY** **CA**	
	4/2/2012	212178	37.00		
				REFUND-PHOTOGRAPHY CLASS	37.00
	Vendor Total		**37.00**		
FYTD for YANCEY, KENDRA			**37.00**		

City of Moreno Valley

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
YANEZ, SILVIA				Remit to: **MORENO VALLEY** **CA**	
	4/23/2012	212456	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for YANEZ, SILVIA			**50.00**		
YANG, KAOLEE				Remit to: **HEMET** **CA**	
	4/9/2012	212286	200.00		
				REFUND-3/10/12 RENTAL DEPOSIT	200.00
	Vendor Total		**200.00**		
FYTD for YANG, KAOLEE			**200.00**		
ZARATE, THERESA				Remit to: **MORENO VALLEY** **CA**	
	4/16/2012	212362	35.00		
				REFUND-RENTL FEES-PICNIC SHLTR	35.00
	Vendor Total		**35.00**		
FYTD for ZARATE, THERESA			**35.00**		
ZUMAR INDUSTRIES, INC.				Remit to: **SANTA FE SPRINGS** **CA**	
	4/9/2012	884981	170.76		
				SIGN PURCHASES FOR PARKS	170.76
	Vendor Total		**170.76**		
FYTD for ZUMAR INDUSTRIES, INC.			**475.96**		

Subtotal	**1,338,211.08**
GRAND TOTAL	**13,408,420.85**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: ACCEPT $3,500,000 OF TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) FUNDING FOR THE SR-60/MORENO BEACH INTERCHANGE PHASE 1 – PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept $3,500,000 in Transportation Uniform Mitigation Fee (TUMF) funding for the SR-60/Moreno Beach Interchange Phase 1 project.

BACKGROUND

The SR-60/Moreno Beach interchange has experienced increased traffic as the result of commercial, residential, and recreational growth. The existing SR-60/Moreno Beach infrastructure is insufficient to handle projected growth. Phase 1 improvements include reconstruction of the two eastbound on- and off-ramps to SR-60, the addition of an eastbound auxiliary lane, connection of the west leg of Eucalyptus Avenue to Moreno Beach Drive, the addition of a traffic signal at the eastbound ramps/Moreno Beach Drive intersection, and related improvements.

On March 14, 2006, the City and WRCOG entered into a TUMF Agreement, entitling the City to receive reimbursement for the Project Approval/Environmental Document (PA&ED) phase of the project. Reimbursement for the design and right-of-way phases were addressed in Amendment Nos. 1 and 2 to the agreement.

DISCUSSION

On February 6, 2012, WRCOG adopted the TUMF Central Zone 5-Year Transportation Improvement Program (TIP) for 2012, allocating $3,500,000 for the construction phase of the SR-60/Moreno Beach Phase 1 project. Staff recommends the City Council accept the $3,500,000 of TUMF funding for the SR-60/Moreno Beach Interchange Phase 1 Project.

The Public Works Director/City Engineer was authorized by the City Council on June 24, 2008, to execute amendments to the TUMF agreement. Consequently, the TUMF agreement will be amended to reflect the $3,500,000 construction phase funding. Plans were submitted to Caltrans in March 2012 and are undergoing final review and approval.

ALTERNATIVES

1. Accept $3,500,000 in funding from the Western Riverside Council of Governments (WRCOG) for Moreno Beach/SR-60 Phase 1 Interchange project. *This alternative will allow the completion of needed improvements.*

2. Do not accept $3,500,000 in funding from the Western Riverside Council of Governments (WRCOG) for Moreno Beach/SR-60 Phase 1 Interchange project. *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

Phase 1 is currently funded using Successor Agency 2007 Tax Allocation Bonds (Fund 797) and Transportation Uniform Mitigation Fees (Fund 415). $3,500,000 has been allocated by WRCOG for Phase 1 project construction. The TUMF funds do not have a local match requirement. The appropriation of these TUMF funds as well as an appropriation of $3,500,000 in Successor Agency funds will be allocated as part of the FY 2012/2013 CIP and is included below in order to show all construction funding sources.

AVAILABLE FUNDS

FY 2011/2012 Successor Agency 2007 Tax Allocation Bonds (Account 797.79731)	$ 2,341,000
*FY 2012/2013 Requested Appropriation from Transportation Uniform Mitigation Fees (TUMF) (Account 415.70024)**	*$ 3,500,000*
*FY 2012/2013 Requested Appropriation from Successor Agency (Account 797.79731)**	*$ 3,500,000*
Total Project Budget	**$ 9,341,000**

** To be appropriated with adoption of the FY 2012/2013 Capital Improvement Program Budget*

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval and Authorization to Bid ..... July 2012
Advertise Project ..... August 2012
Begin Construction ..... November 2012
Complete Construction ..... August 2013

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff requests the City Council accept $3,500,000 of TUMF funding for construction phase of the SR-60/Moreno Beach Drive Interchange Phase 1 project.

Prepared By:
Margery A. Lazarus, P.E.
Senior Engineer

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00167691

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Joel Ontiveros, Chief of Police

AGENDA DATE: June 26, 2012

TITLE: THE OFFICE OF JUVENILE JUSTICE DELINQUENCY PREVENTION (OJJDP) FY2012 COMMUNITY BASED VIOLENCE PREVENTION DEMONSTRATION PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council take the following action:

1. Approve the grant application and authorize acceptance (if granted) of the "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program" in the amount of $713,286, for a 36-month period beginning October 1, 2012 and ending September 30, 2015; and

2. Authorize the revenue and expense budgets in the OJJDP - Police Grant Fund (New Fund - 2XXX) for the FY2012 Community Based Violence Prevention Demonstration Program in the amount of $713,286, respectively, upon approval and acceptance of the grant from the Office of Juvenile Justice Delinquency Prevention (OJJDP).

ADVISORY COMMITTEE RECOMENDATION

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) announced this grant opportunity on March 14, 2012. The complete grant application was subsequently presented to and reviewed by the Moreno Valley Public Safety Subcommittee on May 21, 2012 and was fully supported and approved.

BACKGROUND

The City of Moreno Valley is committed to providing a safe environment for the citizens of Moreno Valley. The City Council has made it a priority to provide financial support to the Moreno Valley Police Department to deal with quality of life issues in the community related to juvenile delinquency and gang activity and crime.

DISCUSSION

The Office of Juvenile Justice and Delinquency Prevention (OJJDP), under the auspices of the U.S. Department of Justice, announced a grant funding opportunity, commencing FY 2012-2013. This grant provides up to $1.5 million in funding to law enforcement agencies and other organizations that create and implement anti-gun violence and anti-gang programs, which include a comprehensive and strategic approach to reduce gang related gun violence and crime that affect our youth.

This grant will provide specific funding for the Moreno Valley Police Department to create an Administrative Position for a full time Deputy Sheriff (Officer), who shall act as the Director/Coordinator for this project. This Director/Coordinator shall ensure the goals and objectives of this grant project are fulfilled throughout the 36 month project period. The Director/Coordinator shall collaborate with local education, law enforcement, business and community agencies in the planning and implementation of this anti-gun violence project.

The grant also provides funding to create and implement anti-violence programs designed as primary prevention; gang violence intervention for identifiable at-risk youth; the training of officers assigned to the Moreno Valley Police Department; and targeted gang enforcement and career criminal apprehension programs.

The population to be served by this project includes youths who are at risk of becoming involved in gang related gun violence and crime; as well as the citizens of Moreno Valley who are affected by the criminal street gang problem in Moreno Valley.

The Moreno Valley Police Department will achieve these goals and objectives by implementing specific programs designed to combat the spread of street gang activity and to reduce the level of violent crime committed by gang members within Moreno Valley. Some of these programs focus on the short-term, immediate reduction of violent criminal activity, while others are designed as intermediate intervention programs aimed at educating the families of at-risk youth.

Progress of the goals and objectives of this project will be measured through the documentation of specific program statistics maintained by the Moreno Valley Police Department.

The Moreno Valley Police Department has prepared the proposed grant application, which details a six-part approach to reducing gang related violent crime and youth gang membership. These programs, many of which are already in place and operated by the MVPD, have demonstrated dramatic progress toward the goals and objectives outlined in the grant proposal. These programs include:

- The City of Moreno Valley's Gang Intervention for Teens (GIFT) program.
- Night Time Curfew Ordinance Enforcement Program.
- Law Enforcement and Public Gang Education Programs.
- Targeted Enforcement Patrol Programs.
- Continued Officer Training in the field of Criminal Street Gangs and Violence.
- Project Safe Neighborhoods (PSN) Program

This grant provides up to $1.5 million in funding that may be utilized to support the continued operation of these programs and to create an Administrative position for a full time Officer, who shall be designated as the Director/Coordinator for this project for a 36-month period.

ALTERNATIVES

The Council has the following alternatives:

1) Approve the application for the "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program"", in the amount of $713,286 and subsequently accept the grant award from OJJDP. Staff recommends this alternative.

2) Decline the application for the "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program", in the amount of $713,286. Staff does not recommend this alternative.

FISCAL IMPACT

There is no required match funding from the City of Moreno Valley as a condition of "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program." Therefore, there is no fiscal impact to the City.

Budget Appropriations:

FUND	BUSINESS UNIT	TYPE	AMOUNT
OJJDP - POLICE GRANT FUND (2XXX)	485000 (Federal Grant Operating Revenue)	REV	$713,286
OJJDP - POLICE GRANT FUND (2XXX)	60697XXXX (OJJDP - Community Based Violence Prevention Demonstration Program)	EXP	$713,286

CITY COUNCIL GOALS

The application of the "OJJDP FY2012 Community Based Violence Prevention Demonstration Program", will meet the City Council Public Safety Goal of reducing youth gang membership and violent activity, lowering the rate of gang related violent crime, and improving the quality of life for the citizens of Moreno Valley who are affected by the criminal street gang problem in the City Moreno Valley.

ATTACHMENTS/ EXHIBITS

1. "OJJDP FY2012 Community Based Violence Prevention Demonstration Program", Application.

Prepared By:
Lance Colmer
Investigator

Department Head Approval:
Joel Ontiveros
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

GRANTS.GOV

Grant Application Package

Opportunity Title: OJJDP FY 2012 Community-Based Violence Prevention Demon

Offering Agency: Office of Juvenile Justice Delinquency Prevention

CFDA Number: 16.123

CFDA Description: Community-Based Violence Prevention Program

Opportunity Number: OJJDP-2012-3228

Competition ID:

Opportunity Open Date: 03/14/2012

Opportunity Close Date: 05/01/2012

Agency Contact: For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, or via e-mail to support@grants.gov.
Note: Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

This electronic grants application is intended to be used to apply for the specific Federal funding opportunity referenced here.

If the Federal funding opportunity listed is not the opportunity for which you want to apply, close this application package by clicking on the "Cancel" button at the top of this screen. You will then need to locate the correct Federal funding opportunity, download its application and then apply.

This opportunity is only open to organizations, applicants who are submitting grant applications on behalf of a company, state, local or tribal government, academia, or other type of organization.

*** Application Filing Name:** City of Moreno Valley Police Department

Mandatory Documents

Move Form to Complete

Move Form to Delete

Mandatory Documents for Submission

- Application for Federal Assistance (SF-424)
- Other Attachments Form
- Project Narrative Attachment Form
- Disclosure of Lobbying Activities (SF-LLL)
- Budget Narrative Attachment Form
- Assurances for Non-Construction Programs (SF-42

Optional Documents

- Faith Based EEO Survey

Move Form to Submission List

Move Form to Delete

Optional Documents for Submission

Instructions

1 Enter a name for the application in the Application Filing Name field.

- This application can be completed in its entirety offline; however, you will need to login to the Grants.gov website during the submission process.
- You can save your application at any time by clicking the "Save" button at the top of your screen.
- The "Save & Submit" button will not be functional until all required data fields in the application are completed and you clicked on the "Check Package for Errors" button and confirmed all data required data fields are completed.

2 Open and complete all of the documents listed in the "Mandatory Documents" box. Complete the SF-424 form first.

- It is recommended that the SF-424 form be the first form completed for the application package. Data entered on the SF-424 will populate data fields in other mandatory and optional forms and the user cannot enter data in these fields.

- The forms listed in the "Mandatory Documents" box and "Optional Documents" may be predefined forms, such as SF-424, forms where a document needs to be attached, such as the Project Narrative or a combination of both. "Mandatory Documents" are required for this application. "Optional Documents" can be used to provide additional support for this application or may be required for specific types of grant activity. Reference the application package instructions for more information regarding "Optional Documents".

- To open and complete a form, simply click on the form's name to select the item and then click on the => button. This will move the document to the appropriate "Documents for Submission" box and the form will be automatically added to your application package. To view the form, scroll down the screen or select the form name and click on the "Open Form" button to begin completing the required data fields. To remove a form/document from the "Documents for Submission" box, click the document name to select it, and then click the <= button. This will return the form/document to the "Mandatory Documents" or "Optional Documents" box.

- All documents listed in the "Mandatory Documents" box must be moved to the "Mandatory Documents for Submission" box. When you open a required form, the fields which must be completed are highlighted in yellow with a red border. Optional fields and completed fields are displayed in white. If you enter invalid or incomplete information in a field, you will receive an error message.

3 Click the "Save & Submit" button to submit your application to Grants.gov.

- Once you have properly completed all required documents and attached any required or optional documentation, save the completed application by clicking on the "Save" button.
- Click on the "Check Package for Errors" button to ensure that you have completed all required data fields. Correct any errors or if none are found, save the application package.
- The "Save & Submit" button will become active; click on the "Save & Submit" begin the application submission process.
- You will be taken to the applicant login page to enter your Grants.gov usernar ssword. Follow all onscreen instructions for submiss

Item No. A.6

MV00167696

OMB Number: 4040-0004
Expiration Date: 03/31/2012

Application for Federal Assistance SF-424

* 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

* 2. Type of Application:
- [x] New
- [ ] Continuation
- [ ] Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received: 04/27/2012

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Moreno Valley Police Department

* b. Employer/Taxpayer Identification Number (EIN/TIN): 330076484

* c. Organizational DUNS: 1771341860000

d. Address:

* Street1: 22850 Calle San Juan De Los Lagos
Street2:
* City: Moreno Valley
County/Parish:
* State: CA: California
Province:
* Country: USA: UNITED STATES
* Zip / Postal Code: 92552-0805

e. Organizational Unit:

Department Name: City of Moreno Valley

Division Name: Police Department

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mrs.
* First Name: Felicia
Middle Name: S
* Last Name: Brown
Suffix:

Title: Management Analyst

Organizational Affiliation:

* Telephone Number: 9514266840
Fax Number: 9514866705

* Email: fbrown@riversidesheriff.org

Item No. A.6

MV00167697

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Office of Juvenile Justice Delinquency Prevention

11. Catalog of Federal Domestic Assistance Number:

16.123

CFDA Title:

Community-Based Violence Prevention Program

*** 12. Funding Opportunity Number:**

OJJDP-2012-3228

* Title:

OJJDP FY 2012 Community-Based Violence Prevention Demonstration Program

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Moreno Valley Police Department Community Based Violence Reduction Program will focus on intervention and suppression of gun violence and homicides through youth intervention and community involvement

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant CA-45 b. Program/Project CA-45

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2012 * b. End Date: 09/30/2015

18. Estimated Funding ($):

* a. Federal	713,286.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	713,286.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr. * First Name: Joel

Middle Name:

* Last Name: Ontiveros

Suffix:

* Title: Chief of Police

* Telephone Number: 9514866708 Fax Number: 9514866705

* Email: jontiver@riversidesheriff.org

* Signature of Authorized Representative: Felicia Brown * Date Signed: 04/27/2012

MV00167699

Other Attachment File(s)

*** Mandatory Other Attachment Filename:** MVPD Gang Unit Logic Model.doc

Add Mandatory Other Attachment | Delete Mandatory Other Attachment | View Mandatory Other Attachment

To add more "Other Attachment" attachments, please use the attachment buttons below.

Add Optional Other Attachment | Delete Optional Other Attachment | View Optional Other Attachment

Project Narrative File(s)

*** Mandatory Project Narrative File Filename:** Project Narrative.docx

Add Mandatory Project Narrative File | Delete Mandatory Project Narrative File | View Mandatory Project Narrative File

To add more Project Narrative File attachments, please use the attachment buttons below.

Add Optional Project Narrative File | Delete Optional Project Narrative File | View Optional Project Narrative File

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB
0348-0046

1. * Type of Federal Action:
- [ ] a. contract
- [x] b. grant
- [ ] c. cooperative agreement
- [ ] d. loan
- [ ] e. loan guarantee
- [ ] f. loan insurance

2. * Status of Federal Action:
- [ ] a. bid/offer/application
- [x] b. initial award
- [ ] c. post-award

3. * Report Type:
- [x] a. initial filing
- [ ] b. material change

4. Name and Address of Reporting Entity:

[x] Prime [ ] SubAwardee

** Name* City of Moreno Valley Police Department

** Street 1* 22850 Calle San Juan De Los Lagos *Street 2*

** City* Moreno Valley *State* CA: California *Zip* 92552

Congressional District, if known: CA-45

5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:

6. * Federal Department/Agency:
OJJDP

7. * Federal Program Name/Description:
Community-Based Violence Prevention Program

CFDA Number, *if applicable:* 16.123

8. Federal Action Number, *if known:*

9. Award Amount, *if known:*
$

10. a. Name and Address of Lobbying Registrant:

Prefix ** First Name* N/A *Middle Name*

** Last Name* N/A *Suffix*

** Street 1* *Street 2*

** City* *State* *Zip*

b. Individual Performing Services (including address if different from No. 10a)

Prefix ** First Name* N/A *Middle Name*

** Last Name* N/A *Suffix*

** Street 1* *Street 2*

** City* *State* *Zip*

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

*** Signature:** Felicia Brown

***Name:** *Prefix* Mr. ** First Name* Joel *Middle Name*

** Last Name* Ontiveros *Suffix*

Title: Chief of Police **Telephone No.:** 9514866708 **Date:** 04/27/2012

Federal Use Only:

Authorized for Local Reproduction
Standard Form - LLL (Rev. 7-97)

Budget Narrative File(s)

*** Mandatory Budget Narrative Filename:** BUDGET DETAIL WORKSHEET AND BUDGET NARRATIVE.docx

Add Mandatory Budget Narrative | Delete Mandatory Budget Narrative | View Mandatory Budget Narrative

To add more Budget Narrative attachments, please use the attachment buttons below.

Add Optional Budget Narrative | Delete Optional Budget Narrative | View Optional Budget Narrative

OMB Number: 4040-0007
Expiration Date: 06/30/2014

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C.§§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U. S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

* SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	* TITLE
Felicia Brown	Chief of Police
* APPLICANT ORGANIZATION	* DATE SUBMITTED
Moreno Valley Police Department	04/27/2012

Standard Form 424B (Rev. 7-97) Back

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 26, 2012

TITLE: AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2012

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2012.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
    n. Eastridge Street between Frederick Street and Heritage Way;

o. Calle San Juan De Los Lagos between Frederick Street and Veterans Way;
p. Veterans Way between Business Center Drive and Alessandro Boulevard;
q. New Hope between Veterans Way and Elsworth;
r. Veterans Way between Cactus Avenue and Alessandro Boulevard, and
s. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Tuesday, July 3, 2012 through 5:00 p.m. on Thursday, July 5, 2012 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2012.

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 25 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. The parade in 2010 was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. Approximately 7,000 spectators attended the 2010 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

Street closures for both the parade and the festival site are the same as those closures for the 2010 event.

DISCUSSION

Detailed below is the discussion of the events planned and the street closures for the Independence Day 2012 Program activities:

1. Parade Discussion

   The parade this year will take place on July 4, 2012. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle

San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Burlington Coat Factory store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

Festivities will continue on July 4, 2012 from 2:00 p.m. to 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to the previous year's 2010 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. Gates open at 1:00 p.m. with the festival beginning at 2:00 p.m. There will be food, arts and crafts, game booths, clowns and entertainment. New this year will be a wine and beer garden. An entry may be charged to get into the festival, and there may be a minimal fee for the various activities, such as the bouncers and game booths.

A main stage and a youth stage will guarantee enjoyment for the entire family. There will be several entertainers this year. At 3:00 p.m., Moreno Valley IDOL takes the stage when finalists compete for Moreno Valley Idol. At 4:00 p.m., a performance by "Michael John's Tribute to Billy Joel," followed by "BELLA DONNA - A Tribute to Stevie Nicks and Fleetwood Mac," and then "The Joshua Tree – A Tribute to U2." As a grand finale, the event will conclude with a fireworks extravaganza at 9:00 p.m., which will be simulcast with patriotic music by KOLA (99.9 FM).

Presale tickets for the event are available at the Moreno Valley Conference and Recreation Center from June 11 to July 3. Cost is $2 per person or $10 for a family (up to 6 people). On July 4, entry is free between 1:00 p.m. and 4:00 pm.

After 4:00 p.m., entry fee is $3 per person. Military service members with valid identification and children under 5 are free.

We thank the following sponsors who have contributed to our celebration: KOLA 99.9, Moreno Valley Unified School District, Supervisor Marion Ashley, Budweiser, Pepsi, Accurate Accessories, and Waste Management.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. Barricades placed at intersections designated for one-way traffic will be removed no later than 11:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordination of this event began prior to FY 2012/13. Funds proposed for the Independence Day Celebration are allocated in the approved budget for the Moreno Valley Community Services District Zone A Fund (161.77310) for Fiscal Years 2011/12 and 2012/13. In an effort to offset expenditures, staff has been soliciting sponsors, an entry fee will be charged after 4 pm and there will be a beer garden.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2012 Independence Day festivities this year will take place on July 4, 2012. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2010 parade route. The parade will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will be held at Mountain View Middle School and Morrison Park; street closures affected are adjacent to the festival site.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2012 Proposed Parade Route Map
2. 2012 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00167711

Moreno Valley
Parks & Community Services
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951 413-3280
FAX: (951 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Wednesday, July 4, 2012

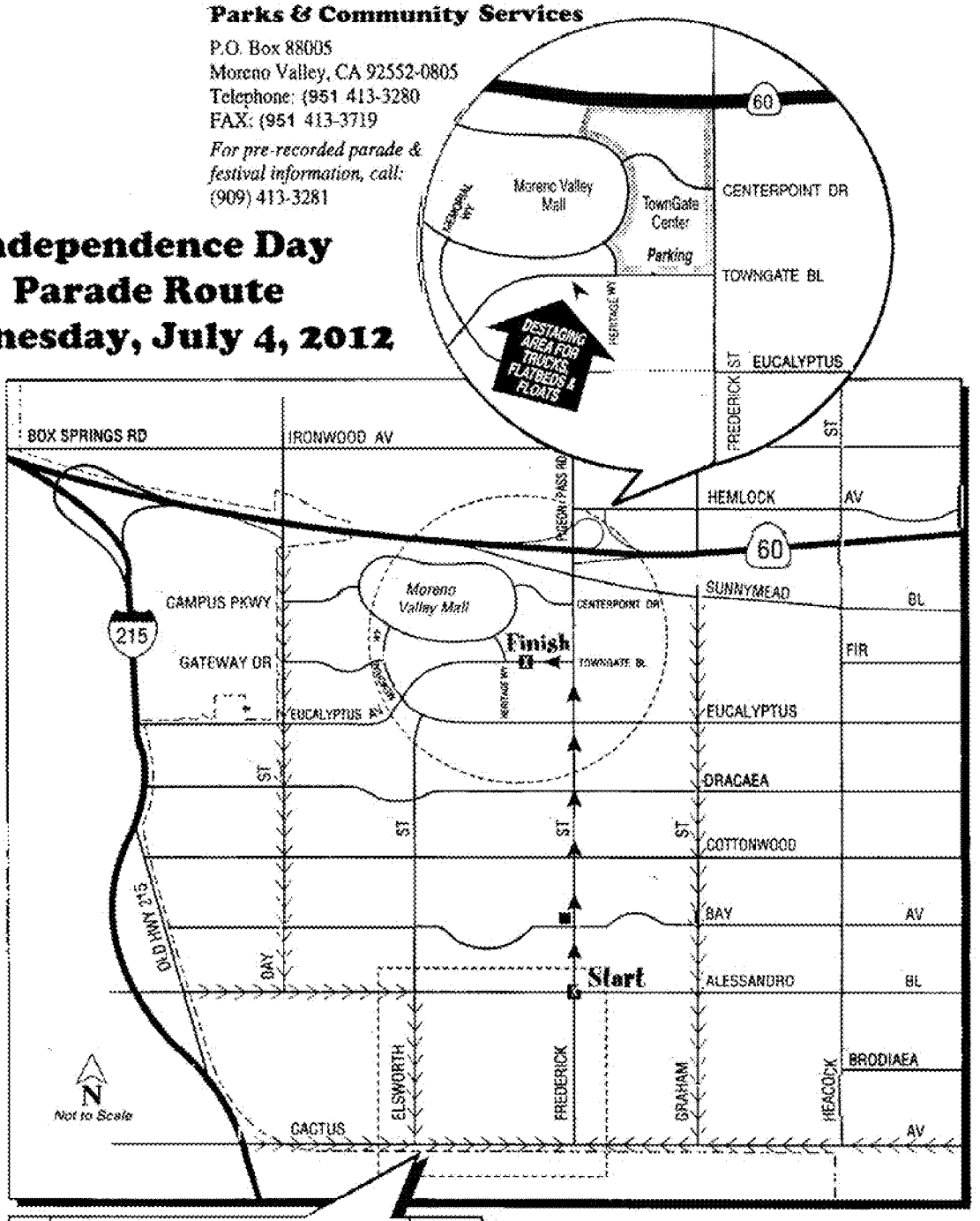

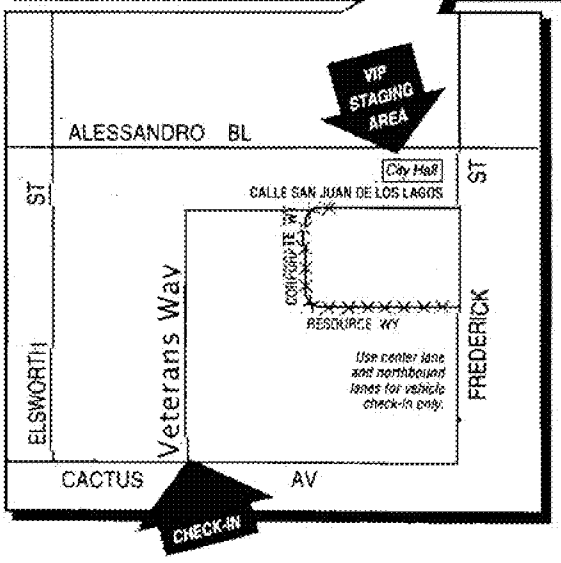

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Wednesday, July 4, 2012

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

Item No. A.7

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MV00167713

Attachment 2

July 4th Festival
Street Closures

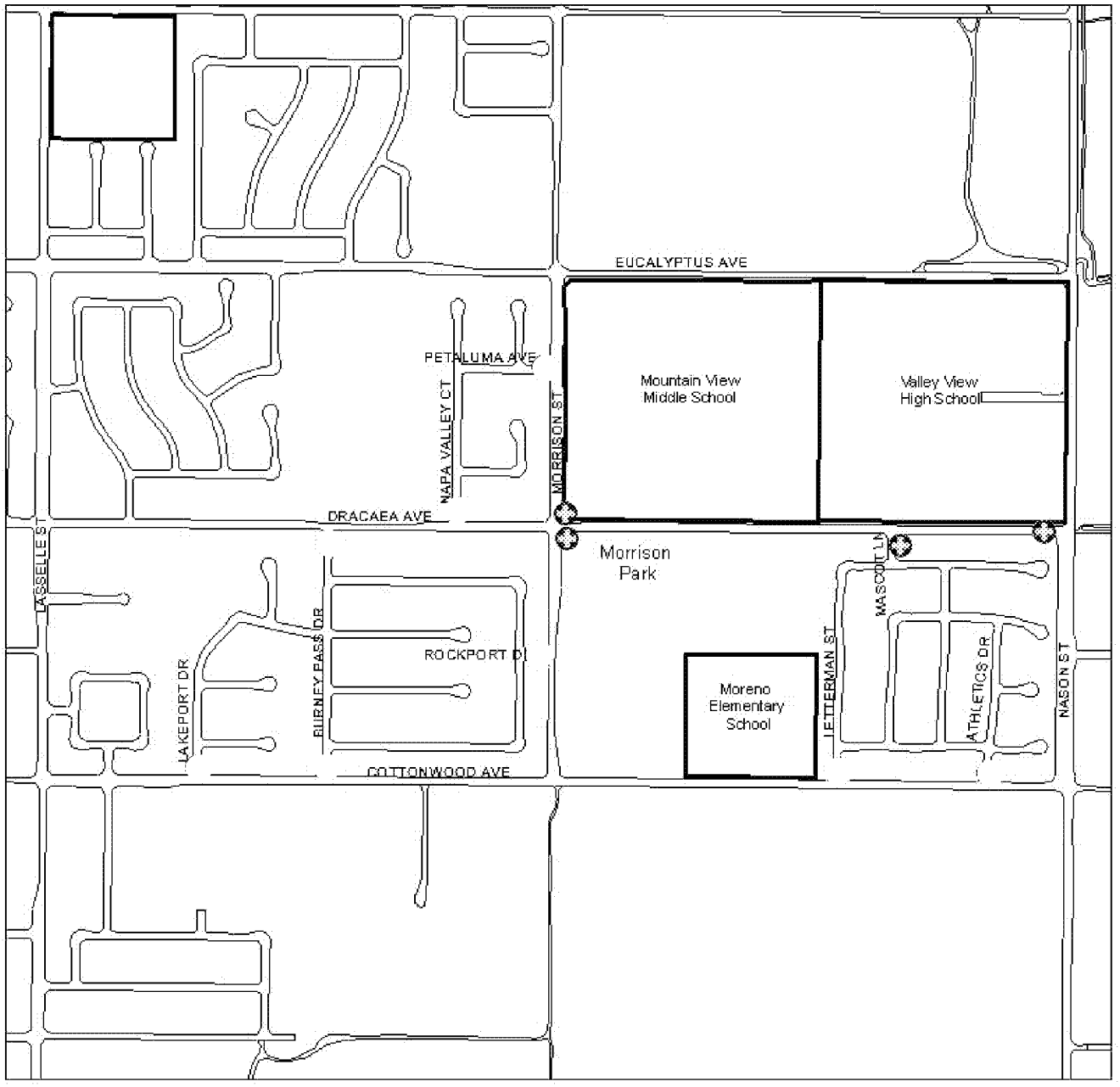

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. A.7

MV00167714

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MV00167715

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF SUNNYMEAD BOULEVARD REVITALIZATION IMPROVEMENTS COMPLETED BY ENVIRONMENTAL CONSTRUCTION, INC. PROJECT NO. 04-89280221-1

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Sunnymead Boulevard Revitalization from Frederick Street to Perris Boulevard constructed by Environmental Construction, Inc., 21550 Oxnard Street, Suite 1050, Woodland Hills, CA 91367.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Accept the improvements into the City's maintained system.

4. Authorize the Financial & Administrative Services Director to release the retention to Environmental Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

5. Authorize the Purchasing & Facilities Division Manager to execute a Change Order to increase the Purchase Order (No. 35442) with Environmental Construction, Inc., in the amount of $272,468.10 for the Sunnymead Boulevard Revitalization project (Account No. 501.82125).

6. Authorize the Public Works Director/City Engineer to execute Contract Change Order No. 7 (Final) for Environmental Construction, Inc.

BACKGROUND

On February 26, 2008, the City Council approved a construction contract with Environmental Construction, Inc. (ECI), Stage 1 of the Sunnymead Boulevard Revitalization project that provided improvements for the infrastructure and aesthetic enhancements, which included a gateway entry arch, bus shelters, sign monuments, parkway landscaping, curbs, gutters, and color sidewalks.

DISCUSSION

ECI completed the project construction on May 25, 2012 at a total construction cost of $5,753,702.90 inclusive of Contract Change Order (CCO) No. 7 (Final). There were several disputed items of work during the course of construction to be negotiated once those items were complete. After negotiations, the City and ECI agreed to a final construction cost of $5,753,702.90 inclusive of CCO 7 (Final). The Purchase Order amount was $5,481,234.80, and staff is requesting an approval of a Change Order to increase the Purchase Order by $272,468.10.

ALTERNATIVES

1. Accept the work as complete for the Sunnymead Boulevard Revitalization from Frederick Street to Perris Boulevard constructed by Environmental Construction, Inc., 21550 Oxnard Street, Suite 1050, Woodland Hills, CA 91367, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, accept the improvements into the City's maintained system, authorize the Financial & Administrative Services Director to release the retention to Environmental Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, authorize the Purchasing & Facilities Division Manager to execute a Change Order to increase the Purchase Order (No. 35442) with Environmental Construction, Inc., in the amount of $272,468.10 for the Sunnymead Boulevard Revitalization project (Account No. 501.82125), and Authorize the Public Works Director/City Engineer to execute Contract Change Order No. 7 (Final) for Environmental Construction, Inc. *This alternative will result in acceptance of the improvements into the City's maintained system.*

2. Do not accept the work as complete for the Sunnymead Boulevard Revitalization from Frederick Street to Perris Boulevard constructed by Environmental Construction, Inc. 21550 Oxnard Street, Suite 1050, Woodland Hills, CA 91367. *This alternative will result in delaying acceptance of the improvements into the City's maintained system, and incur extra cost to the City.*

FISCAL IMPACT

The Sunnymead Boulevard Revitalization project (Stage 1) constructed by ECI was funded with Lease Revenue Bond funds (Fund 501), as budgeted in Fiscal Year 2011/2012. The total Purchase Order amount available for ECI is $5,481,234.80. Contract Change Order 7 (Final) requires a Change Order to the Purchase Order for Environmental Construction Inc., to increase PO No. 35442 in the amount of $272,468.10 in Account No. 501.82125. There is no impact to the General Fund.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

ECI has completed the Stage 1 construction for the Sunnymead Boulevard Revitalization project from Frederick Street to Perris Boulevard. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, accept the improvements into the City's maintained system, and release the retention to Environmental Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, authorize the Purchasing & Facilities Division Manager to execute a Change Order to increase the Purchase Order (No. 35442) with Environmental Construction, Inc., in the amount of $272,468.10 for the Sunnymead Boulevard Revitalization project (Account No. 501.82125), and Authorize the Public Works Director/City Engineer to execute Contract Change Order No. 7 (Final) for Environmental Construction, Inc.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Viren Shah, P.E.
Consultant Project Manager

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

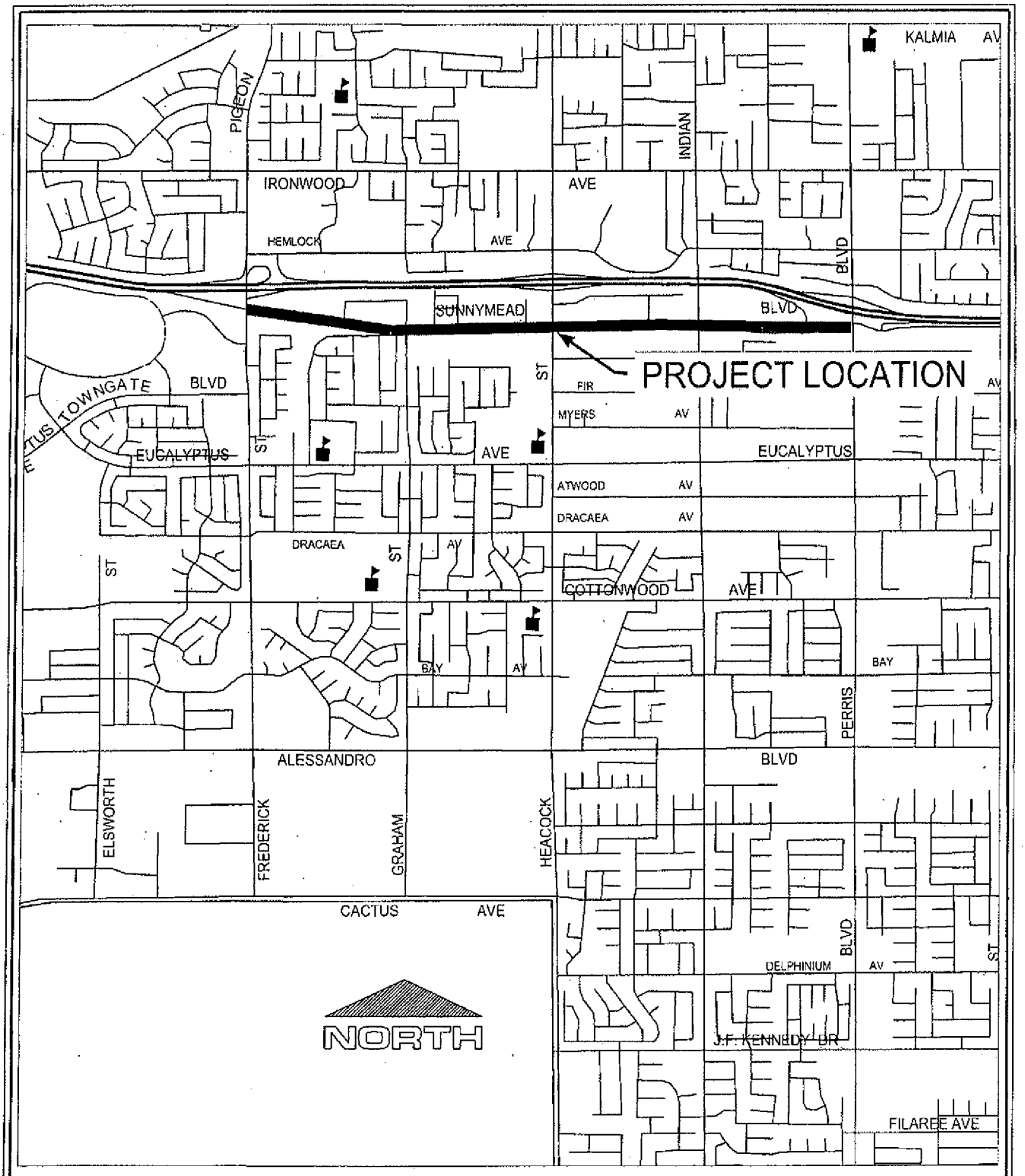

MORENO VALLEY

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. REVITALIZATION
FREDERICK ST. TO PERRIS BLVD.
PROJECT NO. 04-89280221

Item No. A.8

MV00167720

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MV00167721

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: June 26, 2012

TITLE: FACILITY LEASE EXTENSION WITH MORENO VALLEY GATEWAY, LLC

RECOMMENDED ACTION

Staff recommends City Council:

1. Approve the three lease extensions with Moreno Valley Gateway, LLC for the building located at 14325 Frederick St., Moreno Valley.

2. Authorize the City Manager to sign the lease extensions and any subsequent extensions for office space located at 14325 Frederick St., Moreno Valley.

3. Authorize the Purchasing & Facilities Manager to execute a purchase order for said leases for Fiscal Year 2012-13 as follows:

   a. Suites 1-3 $54,029
   b. Suite 4 $24,048
   c. Suites 5-9 $90,000

BACKGROUND

In 2005 the City leased office space with Moreno Valley Gateway, Inc. at 14325 Frederick Street. This space is utilized for Technology Services, Facilities, Special Districts and Moreno Valley Utility office needs.

DISCUSSION

The current lease extension will end on June 30, 2012. The city intends to exercise a one-year lease extension through June 30th, 2013 with the option to extend the lease at the same rate for three months subsequent to the end of the lease term.

The lease is needed for two purposes:

1. House current staff until the Annex #1 project is complete; and
2. House a portion of City Hall staff during the 2nd story sub-floor and re-carpet project.

Staff currently located in 14325 Frederick will move into Annex #1 in early 2013. A portion of the 2nd floor City Hall staff will move into the 14325 building during the sub-floor and re-carpet construction project. This project is scheduled to occur during the first six months of 2013.

The individual lease costs are as follows:

Division	Unit(s)	Square Footage	$ Per Square Foot	Annual Total
Technology Services	1-3	4288	$1.05	$54,029
Facilities	4	2004	$1.00	$24,048
Special Districts & MVU	5-9	7500	$1.00	$90,000

ALTERNATIVES

Staff recommends City Council:

1. Approve the three lease extensions with Moreno Valley Gateway, LLC for the building located at 14325 Frederick St., Moreno Valley.

2. Authorize the City Manager to sign the lease extensions and any subsequent extensions for office space located at 14325 Frederick St., Moreno Valley.

3. Authorize the Purchasing & Facilities Manager to execute a purchase order for said leases for Fiscal Year 2012-13 as follows:

    a. Suites 1-3 $54,029
    b. Suite 4 $24,048
    c. Suites 5-9 $90,000

4. Do not authorize the lease extension renewal and provide staff with alternative direction.

FISCAL IMPACT

The lease extension will encumber $168,077 as follows:

Suites 1-3 $54,029 in 754.75423.6901
Suite 4 $24,048 in 754.75410.6901
Suites 5-9 $90,000 in 149.51710.6901

These lease costs are included in the FY 2012-13 approved budget.

SUMMARY

The City utilizes space located at 14325 Frederick St, Moreno Valley to house staff from Technology Services, Purchasing & Facilities, Special Districts and the MVU Divisions. Staff will require this space until Annex #1 is complete. This lease extension will also be utilized to house a portion of City Hall 2nd floor staff during the sub-floor and re-carpet project.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Attachment "A" – Moreno Valley Gateway, LLC Lease Extension, Units 1-3
Attachment "B" – Moreno Valley Gateway, LLC Lease Extension, Unit 4
Attachment "C" – Moreno Valley Gateway, LLC Lease Extension, Units 5-9

Prepared By:
Rix Skonberg
Purchasing & Facilities Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00167725

2nd **AMENDMENT TO LEASE**

STANDARD LEASE ADDENDUM

THIS AMENDMENT TO LEASE is made and entered into as of the June 26, 2012, by and between Moreno Valley Gateway, LLC ("Lessor") and City of Moreno Valley ("Lessee").

WHEREAS, on or about March 1, 2006 a Lease was entered into by and between Lessor and Lessee relating to certain real property commonly known as: 14325 Frederick Street, Units 1-3, Moreno Valley, CA 92553 (the "Premises"), and

WHEREAS, Lessor and Lessee ☑ have ☐ have not previously amended said Lease, and

WHEREAS, the Lessor and Lessee now desire to amend said Lease,

NOW, THEREFORE, for payment of TEN DOLLARS and other good and valuable consideration to Lessor, the receipt and sufficiency of which is hereby acknowledged, the parties mutually agree to make the following additions and modifications to the Lease:

☑ TERM: The Expiration Date is hereby ☐ advanced ☑ extended to June 30, 2013.

☐ AGREED USE: The Agreed Use is hereby modified to: _____.

☐ BASE RENT ADJUSTMENT: Monthly Base Rent shall be as follows: Base Rent shall remain the same at $1.05 per square foot.

☑ OTHER: After the lease period ends, Lessee has the right to retain premises on a month to month basis at Base Rent of $1.05 per square foot for three (3) months, or until September 30, 2013. After September 30, 2013, the lease becomes month to month and Lessor or Lessee can terminate lease with thirty (30) days notice. During this period rent will increase to $1.20 per square foot.

This Agreement shall not be construed against the party preparing it, but shall be construed as if all parties jointly prepared this Agreement and any uncertainty and ambiguity shall not be interpreted against any one party.

All other terms and conditions of this Lease shall remain unchanged and shall continue in full force and effect except as specifically amended herein.

EXECUTED as of the day and year first above written.

By Lessor:	**By Lessee:**
Moreno Valley Gateway, LLC	City of Moreno Valley
By: _____	**By:** _____
Name Printed: Garfield Logan	Name Printed: _____
Title: President	Title: _____
By: _____	**By:** _____
Name Printed: _____	Name Printed: _____
Title: _____	Title: _____

NOTICE: These forms are often modified to meet changing requirements of law and industry needs. Always write or call to make sure you are utilizing the most current form: AIR Commercial Real Estate Association, 800 W 6th Street, Suite 800, Los Angeles, CA 90017. Telephone No.: (213) 687-8777. Fax No.: (213) 687-8616.

INITIALS _____ INITIALS _____

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FORM ATL-0-7/06E

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MV00167727

2nd **AMENDMENT TO LEASE**

STANDARD LEASE ADDENDUM

THIS AMENDMENT TO LEASE is made and entered into as of the June 26, 2012, by and between Moreno Valley Gateway, LLC ("Lessor") and City of Moreno Valley ("Lessee").

WHEREAS, on or about February 1, 2005 a Lease was entered into by and between Lessor and Lessee relating to certain real property commonly known as: 14325 Frederick Street, Unit 4, Moreno Valley, CA 92553 (the "Premises"), and

WHEREAS, Lessor and Lessee ☑ have ☐ have not previously amended said Lease, and

WHEREAS, the Lessor and Lessee now desire to amend said Lease,

NOW, THEREFORE, for payment of TEN DOLLARS and other good and valuable consideration to Lessor, the receipt and sufficiency of which is hereby acknowledged, the parties mutually agree to make the following additions and modifications to the Lease:

☑ TERM: The Expiration Date is hereby ☐ advanced ☑ extended to June 30, 2013.

☐ AGREED USE: The Agreed Use is hereby modified to: _____.

☐ BASE RENT ADJUSTMENT: Monthly Base Rent shall be as follows: Base Rent shall remain the same at $1.00 per square foot.

☑ OTHER: After the lease period ends, Lessee has the right to retain premises on a month to month basis at Base Rent of $1.00 per square foot for three (3) months, or until September 30, 2013. After September 30, 2013, the lease becomes month to month and Lessor or Lessee can terminate lease with thirty (30) days notice. During this period rent will increase to $1.15 per square foot.

This Agreement shall not be construed against the party preparing it, but shall be construed as if all parties jointly prepared this Agreement and any uncertainty and ambiguity shall not be interpreted against any one party.

All other terms and conditions of this Lease shall remain unchanged and shall continue in full force and effect except as specifically amended herein.

EXECUTED as of the day and year first above written.

By Lessor:	**By Lessee:**
Moreno Valley Gateway, LLC	City of Moreno Valley
By: _____	**By:** _____
Name Printed: Garfield Logan	Name Printed: _____
Title: President	Title: _____
By: _____	**By:** _____
Name Printed: _____	Name Printed: _____
Title: _____	Title: _____

NOTICE: These forms are often modified to meet changing requirements of law and industry needs. Always write or call to make sure you are utilizing the most current form: AIR Commercial Real Estate Association, 800 W 6th Street, Suite 800, Los Angeles, CA 90017. Telephone No.: (213) 687-8777. Fax No.: (213) 687-8616.

_____ **INITIALS** _____ **INITIALS**

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MV00167729

2nd **AMENDMENT TO LEASE**

STANDARD LEASE ADDENDUM

THIS AMENDMENT TO LEASE is made and entered into as of the June 26, 2012, by and between Moreno Valley Gateway, LLC ("Lessor") and City of Moreno Valley (ESA) ("Lessee").

WHEREAS, on or about May 1, 2005 a Lease was entered into by and between Lessor and Lessee relating to certain real property commonly known as: 14325 Frederick Street, Units 5-9, Moreno Valley, CA 92553 (the "Premises"), and

WHEREAS, Lessor and Lessee ☑ have ☐ have not previously amended said Lease, and

WHEREAS, the Lessor and Lessee now desire to amend said Lease,

NOW, THEREFORE, for payment of TEN DOLLARS and other good and valuable consideration to Lessor, the receipt and sufficiency of which is hereby acknowledged, the parties mutually agree to make the following additions and modifications to the Lease:

☑ TERM: The Expiration Date is hereby ☐ advanced ☑ extended to June 30, 2013.

☐ AGREED USE: The Agreed Use is hereby modified to: _____.

☐ BASE RENT ADJUSTMENT: Monthly Base Rent shall be as follows: Base Rent shall remain the same at $1.00 per square foot.

☑ OTHER: After the lease period ends, Lessee has the right to retain premises on a month to month basis at Base Rent of $1.00 per square foot for three (3) months, or until September 30, 2013. After September 30, 2013, the lease becomes month to month and Lessor or Lessee can terminate lease with thirty (30) days notice. During this period rent will increase to $1.15 per square foot.

This Agreement shall not be construed against the party preparing it, but shall be construed as if all parties jointly prepared this Agreement and any uncertainty and ambiguity shall not be interpreted against any one party.

All other terms and conditions of this Lease shall remain unchanged and shall continue in full force and effect except as specifically amended herein.

EXECUTED as of the day and year first above written.

By Lessor:	**By Lessee:**
Moreno Valley Gateway, LLC	City of Moreno Valley
By: _____	**By:** _____
Name Printed: Garfield Logan	Name Printed: _____
Title: President	Title: _____
By: _____	**By:** _____
Name Printed: _____	Name Printed: _____
Title: _____	Title: _____

NOTICE: These forms are often modified to meet changing requirements of law and industry needs. Always write or call to make sure you are utilizing the most current form: AIR Commercial Real Estate Association, 800 W 6th Street, Suite 800, Los Angeles, CA 90017. Telephone No.: (213) 687-8777. Fax No.: (213) 687-8616.

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MV00167731

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad Ansari, Public Works Director/City Engineer
Barry Foster, Community & Economic Development Director

AGENDA DATE: June 26, 2012

TITLE: PARCEL MAP 32631 – COMMERCIAL - REDUCE THE IRREVOCABLE LETTER OF CREDIT AS FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF DAY STREET, GATEWAY DRIVE, MEMORIAL WAY, CAMPUS PARKWAY, AND TOWNGATE CIRCLE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – GATEWAY COMPANY, L.C., A NEVADA LIMITED LIABILITY COMPANY, BY: FRITZ DUDA COMPANY, A TEXAS CORPORTION, ITS MANAGER
NEWPORT BEACH, CA 92663

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the proposed Resolution No. 2012-54 authorizing the acceptance of the public improvements within Parcel Map 32631 – Commercial as complete and accepting the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system; and

2. Authorize the City Engineer to execute the 90% reduction to the Irrevocable Letter of Credit as Faithful Performance Bond, exonerate the Irrevocable Letter of Credit as Material and Labor Bond in 90 days if there are no stop notices or liens

on file with the City Clerk, and exonerate the final 10% of the Irrevocable Letter of Credit as Faithful Performance Bond in one year when all clearances are received.

BACKGROUND

Parcel Map 32631 is a commercial development to subdivide a 20.51 acre parcel of land into 14 individual lots for the purpose of providing a 199,500 square foot mixed use complex, including five major buildings and additional pad buildings that include a mixture of retail, restaurant, and potential office use. The project was conditionally approved requiring construction of certain public improvements. The public improvements included asphalt concrete, curb, gutter, sidewalk, driveway approaches, and a traffic signal. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Community & Economic Development Department/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Irrevocable Letter of Credit as Faithful Performance Bond of $532,000 issued by City National Bank. Ninety days after City Council approves the Irrevocable Letter of Credit as Faithful Performance Bond reduction, the Irrevocable Letter of Credit as Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the Irrevocable Letter of Credit as Faithful Performance Bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the remaining 10% of the Irrevocable Letter of Credit as Faithful Performance Bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 32631 as complete and accepting the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Irrevocable Letter of Credit as Faithful Performance Bond, exonerate the Irrevocable Letter of Credit as Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Irrevocable Letter of

Credit as Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 32631 as complete and accepting the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Irrevocable Letter of Credit as Faithful Performance Bond, exonerate the Irrevocable Letter of Credit as Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Irrevocable Letter of Credit as Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Ahmad Ansari
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

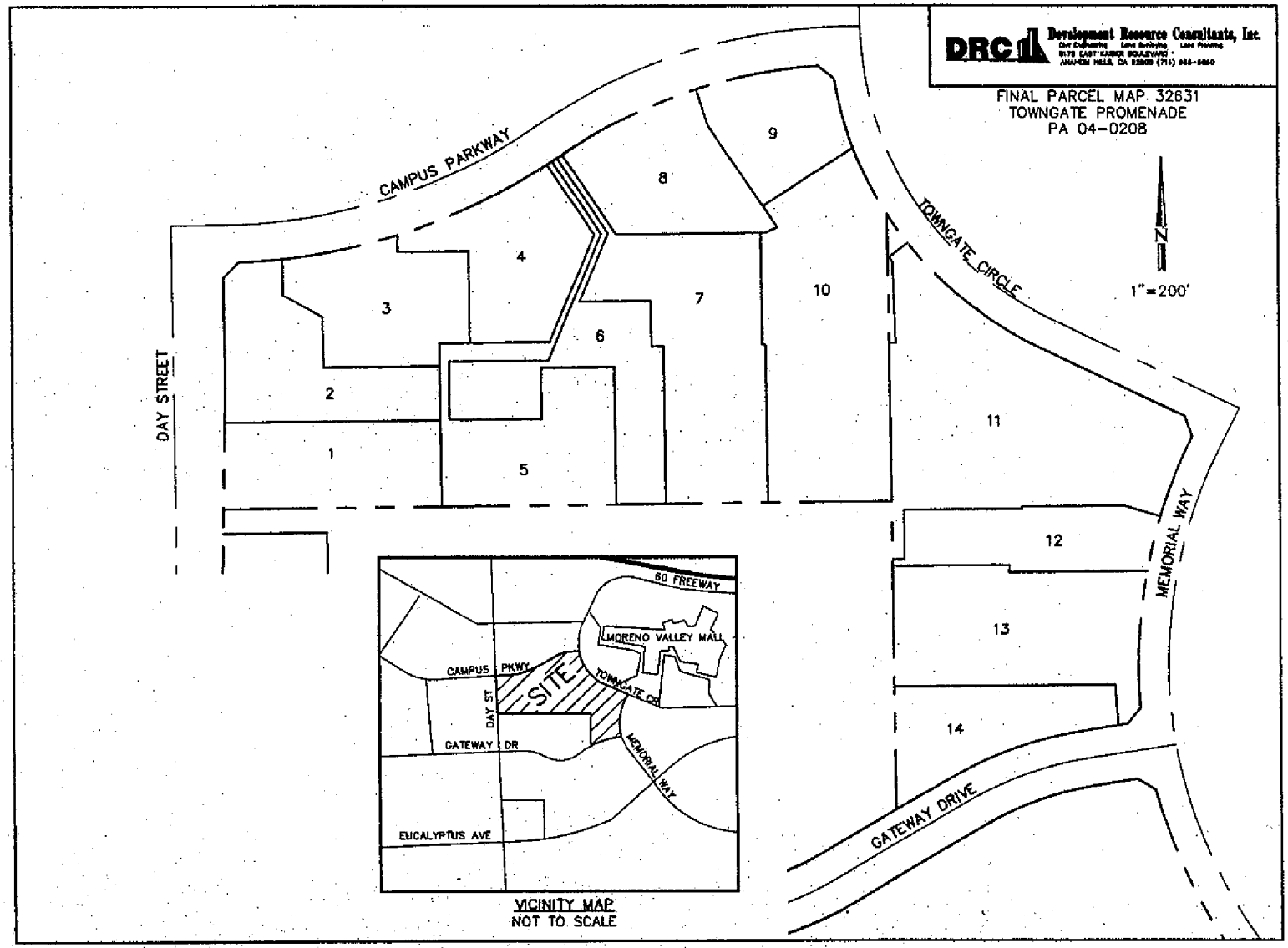

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

PARCEL MAP 32631
VICINITY MAP

Item No. A.10

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MV00167737

RESOLUTION NO. 2012-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PARCEL MAP 32631 AND ACCEPTING THE PORTIONS OF DAY STREET, GATEWAY DRIVE, MEMORIAL WAY, CAMPUS PARKWAY, AND TOWNGATE CIRCLE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Gateway Company, L.C., A Nevada Limited Liability Company By: Fritz Duda Company, a Texas Corporation, Its Manager on the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project were constructed according to the approved plans on file with the City of Moreno Valley; and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner; and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Parcel Map 32631 and accept the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system; and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the public improvements within Parcel Map 32631 are complete, and the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project are accepted into the City's maintained street system.

Resolution No. 2012-54
Date Adopted: June 26, 2012

APPROVED AND ADOPTED this 26th day of June, 2012.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-54
Date Adopted: June 26, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-54 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00167741

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief

AGENDA DATE: June 26, 2012

TITLE: COOPERATIVE AGREEMENT FOR THE COST SHARE OF AERIAL LADDER TRUCK PERSONNEL BETWEEN THE CITY OF MOERNO VALLEY, THE CITY OF PERRIS, AND THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside; and

2. Authorize the Fire Chief to implement the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks.

ADVISORY BOARD/COMMISSION RECOMMENDATION

On May 21, the Public Safety Subcommittee recommended that the City enter into a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside (Attachment A). The Subcommittee also supported the idea of utilizing the savings from this agreement for the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks.

BACKGROUND

On January 17, 2003, the City of Moreno Valley, the City of Perris, and the County of Riverside entered into a cost share agreement for three Fire Captains at Fire Station 91

due to the proximity of that Fire Station to the City of Perris and the unincorporated areas of Riverside County. The City of Perris terminated their participation in that agreement on January 20, 2005 as they were purchasing an aerial ladder truck and would provide their own aerial ladder truck services to the citizens of Perris. In February 2006 the County of Riverside agreed to pay the full cost of these three Fire Captains in order to continue to receive the benefit of having an aerial ladder truck available to respond to emergency calls for service in the unincorporated areas of the County of Riverside that are adjacent to Moreno Valley.

DISCUSSION

In April 2012, the City of Perris contacted the City of Moreno Valley to re-enter into a cooperative cost share agreement for aerial ladder truck services as the City of Perris was unable to staff their aerial ladder truck due to current economic conditions. Staff from the Moreno Valley Fire Department researched the calls for service for both Truck 2 and Truck 91 as well as examined the cost associated with having an aerial ladder truck available to respond to emergency calls for service in all three jurisdictions. This information was then utilized to determine an appropriate cost to share amongst the jurisdictions.

After a thorough review of the available information, staff determined that the total personnel cost of one aerial ladder truck, consisting of three Fire Captains, three Fire Apparatus Engineers, and six Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside should be cost shared amongst all three jurisdictions, with the City of Moreno Valley funding 60% of the total personnel costs, the City of Perris funding 20% of the total personnel costs, and the County of Riverside funding 20% of the total personnel costs.

Personnel costs are identified annually in an Exhibit A that is provided to the City as part of the Fire Protection Services Agreement the City has with the County of Riverside. This Exhibit A is a projection of personnel costs from the State of California. Actual personnel costs are invoiced to the City on a quarterly basis. It is these actual costs that will be shared amongst all three jurisdictions on a quarterly basis.

The proposed cooperative agreement states that the City of Moreno Valley is in the process of converting both aerial ladder truck companies from providing basic life support medical care to providing advance life support medical care. This is due primarily to the heavy call volume for medical aids experienced at Fire Stations 2, 6, and 65 with an ever increasing call volume at Fire Station 91. As both Truck 2 and 91 provide only basic life support care, they are unable to provide advance life support care if they are the first arriving unit to an emergency call for service. Currently, advance life support care is delayed until either a paramedic assessment fire engine or AMR arrives on scene.

The Fire Department is proposing to convert both basic life support (BLS) aerial ladder trucks to advance life support (ALS) aerial ladder trucks utilizing a portion of the $234,785 in increased annual savings that this new agreement will provide to the City's

general fund. A BLS truck is typically staffed 7 days a week, 24 hours a day, by one Fire Captain, one Fire Apparatus Engineer, and two Firefighter II's, which requires a standard staffing level of three Fire Captains, three Fire Apparatus Engineers, and six Firefighter II's. An ALS truck would be staffed daily by one Fire Captain, one Fire Apparatus Engineer, one Firefighter II Paramedic, and one Firefighter II, and would require a standard staffing level of three Fire Captains, three Fire Apparatus Engineers, three Firefighter II Paramedics, and three Firefighter II's. The cost difference per aerial ladder truck to upgrade to advance life support personnel is $64,639 for a total of $129,278. However, with this new agreement, the actual cost to the City would be $81,166 as three of the Firefighter II Paramedics would be cost shared with the City of Perris and County of Riverside. Utilizing the savings mentioned above, the City's general fund would still realize a $153,619 savings with this conversion.

ALTERNATIVES

1. Approve a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside; and authorize the Fire Chief to implement the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks. ***Staff recommends this alternative.***

2. Do not approve a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside; and do not authorize the Fire Chief to implement the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks. ***Staff does not recommend this alternative.***

FISCAL IMPACT

Currently, the cost of personnel to staff one aerial ladder truck on Exhibit A provided to the City by the County of Riverside is $1,838,291. The County of Riverside funds $500,531 of this cost for the availability of both City owned aerial ladder truck companies to respond to the unincorporated areas of Riverside County with the City funding the remaining $1,337,760.

Jurisdiction	*Exhibit A Estimated Cost*
City of Moreno Valley	$1,337,760
County of Riverside	$500,531
Total	**$1,838,291**

Table 1: Current Cost Share Agreement with County of Riverside

This new Agreement will result in the City of Moreno Valley funding 60% of the total personnel costs associated with the aerial ladder truck which will be $1,102,975. The City of Perris will then fund 20% of the personnel costs ($367,658) and the County of Riverside will fund 20% of the personnel costs ($367,658) for a total savings to the City of $735,316. This is an increase of $234,785 over the current savings to the City.

Jurisdiction	Percentage	Exhibit A Estimated Cost
City of Moreno Valley	60%	$1,102,975
City of Perris	20%	$367,658
County of Riverside	20%	$367,658
	Total	**$1,838,291**

Table 2: Cost allocation of a basic life support aerial ladder truck

The cost of one Paramedic aerial ladder truck according to the Exhibit A provided to the City by the County of Riverside is $1,905,930, an increase in cost of $67,639 per aerial ladder truck. This increase would be allocated to all three jurisdictions for one aerial ladder truck. The following table shows the cost estimate for the cost share agreement when the conversion to an advance life support aerial ladder trucks occurs.

Jurisdiction	Percentage	Exhibit A Estimated Cost
City of Moreno Valley	60%	$1,143,558
City of Perris	20%	$381,186
County of Riverside	20%	$381,186
	Total	**$1,905,930**

Table 3: Cost allocation of an advance life support aerial ladder truck

The City's cost for the one ALS ladder truck that is part of the cost share agreement will increase by $40,583; however, the City will also see an increase in payment from the City of Perris and the County of Riverside totaling $27,056, for a net increase to the City of $13,527. The City would be solely responsible for the costs associated with the ALS conversion of the second aerial truck which is $67,639. The total cost to the City for converting both aerial ladder truck companies to paramedic staffing is $81,166. As the City will already be receiving an additional savings of $234,785 to the general fund, this cost could be deducted from that savings, resulting in a net savings to the general fund of $153,619 for this new cooperative agreement and the cost to upgrade to two paramedic aerial ladder trucks.

Description	Amount
Current Contract Savings to the City	$500,531
Cooperative Agreement Savings to the City	$735,316
Increase in savings to General Fund	**$234,785**
Actual Staffing Cost to City for converting both Aerial Ladder Truck to Paramedic Staffing	$81,166
Net Savings to General Fund	**$153,619**

Table 4: Summary of Savings to the City's General Fund

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

SUMMARY

A cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside will be beneficial to the City as it will result in an increase of savings to the City's general fund of $234,785. This savings can then be utilized to cover the $81,166 staffing cost that the City will incur when converting two basic life support aerial ladder trucks to advance life support aerial ladder trucks. The City will still realize a savings of $153,619 to its general fund and receive an upgrade to the level of emergency medical services provided to its citizens.

ATTACHMENTS/EXHIBITS

Attachment A: Cooperative Agreement for the Cost Share of Aerial Ladder Truck Personnel Between the City of Moreno Valley, The City of Perris, and the County of Riverside

Prepared By:
Cynthia Owens
Management Assistant

Department Head Approval:
Abdul Ahmad
Fire Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00167747

COOPERATIVE AGREEMENT FOR THE COST SHARE OF AERIAL LADDER TRUCK PERSONNEL BETWEEN THE CITY OF MORENO VALLEY, THE CITY OF PERRIS, AND THE COUNTY OF RIVERSIDE

This Agreement is made and entered into by and between the City of Moreno Valley, the City of Perris, and the County of Riverside, California on this _____ day of _____, 2012. The purpose of the Agreement is to set forth the parties' understanding of and responsibilities for the cost sharing of aerial ladder truck personnel, consisting of three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside. The total cost of these twelve (12) positions, including the associated administrative charges, will be apportioned amongst all three (3) jurisdictions with the City of Moreno Valley funding 60% of the total personnel costs, the City of Perris funding 20% of the total personnel costs, and the County of Riverside funding 20% of the total personnel costs.

All parties acknowledge that the City of Moreno Valley is in the process of converting both aerial ladder truck companies to Paramedic staffing, which will consist of (3) Fire Captains, three (3) Fire Apparatus Engineers, three (3) Firefighter II Paramedics, and three (3) Firefighter II's per truck company. The City of Perris and the County of Riverside will receive written notice sixty (60) days prior to the date of this implementation. When this occurs, the twelve (12) positions associated with this Agreement will be adjusted to (3) Fire Captains, three (3) Fire Apparatus Engineers, three (3) Firefighter II Paramedics, and three (3) Firefighter II's and will include the allocation of the associated administrative/operational per staff charge by the County of Riverside and the medic program per medic charge by the County of Riverside. The City of Moreno Valley will fund 60% of the total personnel costs, the City of Perris will fund 20% of the total personnel costs, and the County of Riverside will fund 20% of the total personnel costs of those twelve (12) positions.

SECTION I: PURPOSE

A. The County of Riverside has contracted with the City of Moreno Valley, individually pursuant to that certain Cooperative Agreement to provide fire protection, disaster preparedness and response, fire prevention, rescue, hazardous materials mitigation, technical rescue response, medical emergency services, and public service assists for the City of Moreno Valley, dated November 23, 2009, by and between the City of Moreno Valley and the County of Riverside (the "Moreno Valley Cooperative Agreement").

B. The County of Riverside has contracted with the City of Perris, individually pursuant to that certain Cooperative Agreement to provide fire protection, disaster preparedness and response, fire prevention, rescue, hazardous materials mitigation, technical rescue response, medical emergency services, and public service assists for

the City of Perris, dated November 20, 2007, by and between the City of Perris and the County of Riverside (the "Perris Cooperative Agreement").

C. The City of Moreno Valley, City of Perris, and the County of Riverside desire to enter into a cost sharing agreement for the aerial ladder truck personnel which will be of mutual benefit for all involved agencies. The City of Moreno Valley, City of Perris, and the County of Riverside agree that the aerial ladder truck provides service to the City of Moreno Valley as well as to the City of Perris and unincorporated territory of the County of Riverside.

SECTION II: BACKGROUND

On January 17, 2003, the City of Moreno Valley, the City of Perris, and the County of Riverside entered into a cost share agreement for three (3) Fire Captains at Fire Station 91 due to the proximity of that Fire Station to the City of Perris and the unincorporated areas of Riverside County. The City of Perris terminated their participation in that agreement on January 20, 2005 as they were purchasing an aerial ladder truck and would provide their own aerial ladder truck services to citizens of Perris. In February 2006 the County of Riverside agreed to pay the full cost of three (3) Fire Captains in order to continue to receive the benefit of an aerial ladder truck for responses into the unincorporated areas of the County of Riverside that are adjacent to Moreno Valley.

In April 2012, the City of Perris contacted the City of Moreno Valley to re-enter into a cooperative, cost share agreement for aerial ladder truck services as the City of Perris was not able to staff their aerial ladder truck due to current economic conditions. Staff from the Moreno Valley Fire Department researched the calls for service for both Moreno Valley Fire Department aerial ladder trucks as well as examined the cost of associated with having an aerial ladder truck available to respond to calls in all three (3) jurisdictions to determine the actual cost of providing this service and to establish the appropriate share that each jurisdiction should be fiscally responsible for. After a thorough review of the available information, staff determined that the total personnel cost of one (1) aerial ladder truck, consisting of three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside should be cost shared amongst all three (3) jurisdictions, with the City of Moreno Valley funding 60% of the total personnel costs, the City of Perris funding 20% of the total personnel costs, and the County of Riverside funding 20% of the total personnel costs.

SECTION III: ROLES AND RESPONSIBILITIES

Upon adoption of this Agreement, the City of Perris and the County of Riverside each agree to pay the City of Moreno Valley 20% of the total personnel costs associated with one (1) aerial ladder truck, consisting three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside, for a total of 40% of the costs. The roles of each party are defined as follows:

Attachment "A"

A. As the lead agency, the City of Moreno Valley agrees to maintain a minimum daily staffing level of one (1) Fire Captain, (1) Fire Apparatus Engineer, and two (2) Firefighter II's, seven (7) days a week, twenty four (24) hours a day on the aerial ladder truck which requires a standard staffing level of three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's to provide this daily coverage. Currently, the City of Moreno Valley contracts with the County of Riverside for fire protection services and the County has the day-to-day operational responsibilities for fire services within the City which includes the administrative and operational function of the aerial ladder truck personnel.

B. The City of Perris agrees to fund 20% of the total personnel costs for one (1) aerial ladder truck, consisting of three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside. Personnel costs are identified annually in Exhibit A of the Fire Protection Services Agreement between the City of Moreno Valley and the County of Riverside. Actual costs for these positions will be invoiced by the County of Riverside to the City of Perris on a quarterly basis. The County of Riverside will then credit this amount in the quarterly invoice issued to the City of Moreno Valley.

C. The County of Riverside agrees to fund 20% of the total personnel costs for one (1) aerial ladder truck, consisting of three (3) Fire Captains, three (3) Fire Apparatus Engineers, and six (6) Firefighter II's as well as the administrative/operational per staff charge by the County of Riverside. Personnel costs are identified annually in Exhibit A of the Fire Protections Services Agreement between the City of Moreno Valley and the County of Riverside. The County of Riverside will invoice the City of Perris on a quarterly basis for 20% of the actual personnel costs associated with one (1) aerial ladder truck and credit that amount to the quarterly invoice issued to the City of Moreno Valley. The County of Riverside will credit their 20% of the actual personnel costs associated with one (1) aerial ladder truck to the quarterly invoice issued to the City of Moreno Valley.

SECTION IV: OWNERSHIP OF THE FIRE ENGINE

The City of Moreno Valley owns the aerial ladder truck and will pay the engine maintenance costs through the cost allocation plan.

SECTION V: INDEMNIFICATION

The indemnification provisions as provided in the respective Cooperative Agreements referenced above, as they are currently in effect or hereafter entered into, shall apply to this Agreement.

Attachment "A"

SECTION VI: INITIAL TERM AND RENEWAL

This Agreement shall be from July 1, 2012 through June 30, 2017. One (1) year prior to the end of this Agreement, the City of Moreno Valley will contact the City of Perris and the County of Riverside to determine whether the City of Perris and the County of Riverside intend to enter into a new agreement. Terms and conditions of the new agreement can be renegotiated at that time.

SECTION VII: GENERAL PROVISIONS

A. ALTERATION OF TERMS. No addition to, or alteration of, the terms of this Agreement, whether by written or verbal understanding of the City of Moreno Valley, City of Perris, the County of Riverside, their officers, agents, or employees, shall be valid unless made in the form of a written amendment to this Agreement, which is formally approved and executed by the City of Moreno Valley, City of Perris, and the County of Riverside.

B. JURISDICTION AND VENUE. This Agreement is to be construed under the laws of the State of California. The City of Moreno Valley, City of Perris, and the County of Riverside agree to the jurisdiction of the appropriate courts in the County of Riverside, State of California.

C. WAIVER. Any waiver by the City of Moreno Valley, City of Perris, or the County of Riverside, separately or collectively, of any breach of any one or more of the terms of this Agreement shall not be construed to be a waiver of any subsequent or other breach of the same or of any other term thereof. Failure on the part of the City of Moreno Valley, City of Perris, or the County of Riverside to require exact, full and complete compliance with any terms of this Agreement shall not be construed as in any manner changing the terms hereof, or estopping the City of Moreno Valley, City of Perris, or the County of Riverside from enforcement hereof.

D. SEVERABILITY. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

E. ADMINISTRATION

1. The COUNTY Fire Chief shall administer this Agreement on behalf of the County of Riverside.

2. The City of Moreno Valley and City of Perris respective City Managers shall administer this Agreement on behalf of its own City.

F. ENTIRE AGREEMENT.

Attachment "A"

This Agreement is intended by the City of Moreno Valley, City of Perris, and the County of Riverside hereto as a final expression of their understanding, with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith.

SECTION VIII: TERMINATION

Any party of this Agreement may terminate this Agreement by providing a written notice of termination to the other two parties of this Agreement no less than 365 days prior to July 1 each fiscal year. The termination of this Agreement by either the City of Perris or the County of Riverside only nullifies that jurisdiction's commitment to paying for their 20% allocation of the total personnel costs associated with one (1) aerial ladder truck. The City of Moreno Valley will then be responsible for that jurisdiction's cost. Termination notices will be mailed to all parties at the following addresses:

City of Moreno Valley	City of Perris	County of Riverside
P.O. Box 88005	101 N. D Street	4080 Lemon Street
Moreno Valley, CA 92552	Perris, CA 92570	Riverside, CA 92501
Attn: City Manager	Attn: City Manager	Attn: Chief Executive Officer

This Agreement does not affect any other agreements entered into by or among any or all parties for equipment or facilities.

IN WITNESS WHEREOF, the duly authorized officials of the parties hereto have, in their respective capacities, set their hands as of the date first hereinabove written.

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[Signature Provisions on the following page]

Attachment "A"

CITY OF MORENO VALLEY

Dated_____

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

CITY OF PERRIS

Dated_____

By: _____

Title:_____

ATTEST:

By: _____

Title:_____

APPROVED AS TO FORM:

By: _____

Title:_____

Attachment "A"

COUNTY OF RIVERSIDE

Dated_____

By: _____

Title:_____

ATTEST:

By: _____

Title:_____

APPROVED AS TO FORM:

By: _____

Title:_____

Attachment "A"

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MV00167755

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: June 26, 2012

TITLE: AUTHORIZATION TO AWARD PROFESSIONAL CONSULTANT SERVICES AGREEMENTS FOR BUILDING & SAFETY PLAN CHECK AND INSPECTION SERVICES TO MULTIPLE VENDORS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve a five year Independent Contractor Agreement with Willdan Engineering for Building & Safety Plan Check and Inspection Services;

2. Approve a five year Independent Contractor Agreement with Scott Fazekas & Associates for Building & Safety Plan Check and Inspection Services;

3. Approve a five year Independent Contractor Agreement with EsGil Corporation for Building & Safety Plan Check Services;

4. Authorize the City Manager to approve the annual purchase orders through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and

5. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to each vendor to cover the estimated costs for providing services for the Building & Safety Division for FY 2012/2013 and future years under the Agreement.

BACKGROUND

The Building & Safety Division has used contract services from private firms for over 14 years. Willdan and Melad Associates have been awarded independent contractor agreements to perform plan check and/or inspection services for the City's Building & Safety Division most recently from July 1, 2007 through June 30, 2012. The Building & Safety Division issued a Request for Proposal (RFP) for plan check and inspection services in April 2012 due to the upcoming expiration of the current contract. The RFP was posted on the City's website, advertised in the Press Enterprise and the current contractors were notified of the RFP. The RFP allowed companies to submit for both service areas or only a single service, either plan check or inspection services. All proposals were required to be submitted to the City by May 2.

DISCUSSION

In response to the City's RFP, proposals were received from the following eleven companies:

- Bureau Veritas
- California Code Check
- Esgil Corp (Plan Check only)
- Haier Consulting
- Interwest Consulting Group
- Krazan & Associates
- Melad & Associates
- Onward Engineering
- Scott Fazekas & Associates
- TYR Inc. (Inspection only)
- Willdan Engineering

Between May 7 and May 15, a team of evaluators consisting of the City's Fire Marshal, Land Development Division Manager, Building Inspector II and Building Official reviewed the proposals. Proposals were evaluated on multiple criteria utilizing a point system. The criteria included:

- The company's general experience and qualifications, including depth of staffing.
- The company's length of experience providing services to other local jurisdictions for similar types of projects.
- References from other Building Officials.
- Specialized staffing, such as Professional Civil and Structural Engineers, CasP Accessibility Specialists, Architects and other specialized experts.
- Ability to perform electronic plan review.
- The company's business model and project approach.

Each proposal was evaluated on its individual merit. At the end of the process, the top six companies were awarded points based on their ranking by each evaluator and the ranking from all four evaluators were averaged. Three firms were unanimously awarded the highest scores based on the criteria above.

The proposed contract shall be in effect through June 30, 2015 and then renewed per agreement by both parties in one year increments at the end of each fiscal year for a total period of five (5) years from the date of the agreement. The final year of the contract would be concurrent with the fiscal year ending June 30, 2017. Costs for all services conducted by the vendors will be recovered from the applicant per the City's fee schedule.

ALTERNATIVES

1. Approve a five year Independent Contractor Agreement with three companies for Plan Check and/or Inspection Services; authorize the City Manager to execute an Agreement with each company; authorize the City Manager to approve the annual purchase orders issued to each company and authorize the Purchasing & Facilities Division Manager to issue the purchase order to each company***. Due to the competitive selection process conducted by an inter-departmental evaluation team, the proposed action is believed to represent the highest level of service along with the best value for the City and therefore staff recommends this alternative.***

2. Do not approve a five year Independent Contractor Agreement with three companies for Plan Check and/or Inspection Services; do not authorize the City Manager to execute an Agreement with each company; do not authorize the City Manager to approve the annual purchase orders issued to each company and do not authorize the Purchasing & Facilities Division Manager to issue the purchase order to each company***. Staff does not recommend this alternative. There currently are no staffing positions authorized to provide plan check services for the Division and therefore a new budget appropriation and staffing authorization would be required. In addition, the City Council would need to provide funding to hire additional Building Inspectors to meet occasional workload within the Building & Safety Division to conduct inspections; or provide further direction to staff to obtain services by another means.***

FISCAL IMPACT

The approved budget for the Building & Safety Division (011.45130.6291) for contractual services for Fiscal Year 2012/13 is $ 320,000. Costs for plan check services conducted by outside companies are recovered from the applicant per the City's fee schedule. Costs associated with additional inspection services will be recovered from the issuance of Building Permits and/or payments for overtime or same day inspection services and Time and Material projects.

CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

SUMMARY

The Building & Safety Division issued a Request for Proposal for plan check and inspection services in April 2012 due to the upcoming expiration of the current contracts with two companies. An evaluation team consisting of the City's Fire Marshal, Building Official, Land Development Division Manager, and a Building Inspector II reviewed the eleven proposals submitted to the City and awarded the highest evaluation scores to three top firms. As such, staff is recommending that City Council award a five year Independent Contractor Agreement to each of three firms (Willdan Engineering, Scott Fazekas & Associates and EsGil Corp.) for plan check and/or building inspection services.

NOTIFICATION

Not Applicable

ATTACHMENTS/EXHIBITS

Attachment A: WILLDAN ENGINEERING - Independent Contractor Services Agreement and Proposal

Attachment B: SCOTT FAZEKAS & ASSOCIATES - Independent Contractor Services Agreement and Proposal

Attachment C: ESGIL CORPORATION - Independent Contractor Services Agreement and Proposal

Prepared By:
Anne Schneider, PE
Building Official

Department Head Approval:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Willdan Engineering
Address: 650 E. Hospitality Lane #400
City: San Bernardino State: CA Zip: 92408
Business Phone: (909) 386-0200 Fax No: (909) 888-5107
Other Contact Number: N/A
Business License Number: 19168
Federal Tax I.D. Number: 95-2295858

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. Payment terms are provided in Exhibit "B" attached hereto and incorporated herein by this reference.
C. The Contractor Starting Date is July 1, 2012 and the Contractor Ending Date is June 30, 2015. If mutually agreeable, the City and Contractor may extend this agreement in increments of one year, not to exceed a total contract period of five years. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's negligence, recklessness or willful misconduct in its performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all claims which arise from the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

☒ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by first class mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by first class mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Mayor

_____
Date

WILLDAN ENGINEERING

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

Exhibit A

MORENO VALLEY

Proposal for

Building & Safety Plan Check and Inspection Consultant Services

RFP #VAG-11/12-09

May 2, 2012

Submitted by:

WILLDAN

Item No. A.12

MV00167766

WILLDAN Engineering

May 2, 2012

City of Moreno Valley
Attn: City Clerk
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

Subject: **Proposal to Provide Building and Safety Plan Check and Inspection Consultant Services - R.F.P.# VAG - 11/12-09**

Dear City Clerk:

Willdan Engineering is pleased to present this proposal to the **City of Moreno Valley** to continue to provide Building and Safety plan check and inspection services. Willdan has been a consistent industry leader for more than 47 years providing all aspects of municipal and infrastructure engineering, including building and safety, public works, public financing, planning, and construction management services.

While our exceptional services are presented in the proposal, listed below are reasons why Willdan is uniquely qualified to provide these services to the **City of Moreno Valley**.

- **Willdan Engineering** has been providing Building and Safety services to the City of Moreno Valley since 1998. Our staff has extensive experience working with the City's procedures and expectations.

- **Willdan Engineering** offers **electronic plan checking** which significantly expedites review and reduces shipping and printing costs for the applicant, and promotes a paperless environment.

- **Willdan Engineering** specializes in providing professional building, engineering, and planning services to municipalities. The firm has been providing building and safety services to cities and counties on a contract basis since 1979.

- **Willdan Engineering** presently provides building and safety services to a vast number of jurisdictions throughout Southern California. In this capacity, we provide a full range of services including building and safety plan review, permit issuance, inspection and code enforcement. We service client needs from an occasional overload plan review to staffing an entire Department.

- **Willdan Engineering** can provide CASp certified inspectors to the City as required by **Senate Bill No. 1608,** specifically **CHAPTER 549.**

- **Willdan Engineering** can provide **OSHPD 3** plan review and inspection services.

- **Willdan Engineering** offers all disciplines the City may require with on-staff personnel. No subconsultants will be needed for any required services.

Engineering | Geotechnical | Environmental | Financial | Homeland Security
800.789.7517 | fax: 909.888.5107 | 650 E. Hospitality Lane, Suite 400, San Bernardino, CA 92408-3317 | www.willdan.com

- **Willdan Engineering** provides no private sector engineering services; therefore there is no conflict of interest.

- **Willdan Engineering** staff will be prepared to attend all required meetings at City Hall either the same day, or within 24 hours notice.

Our approach to each assignment is to furnish the client with technical assistance and strong project management in a professional, efficient and economical manner. We are looking forward to continuing to provide Building and Safety services to the **City of Moreno Valley.** This proposal shall remain valid for a period of ninety (90) days from date of submittal.

Respectfully submitted,
WILLDAN ENGINEERING

Ronald L. Espalin, PE
Director of Building and Safety

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Letters of Recommendation
Signature Block
Addenda Acknowledgement

FIRM OVERVIEW/QUALIFICATIONS

WILLDAN ENGINEERING has dedicated itself to providing public agencies with reliable engineering and consulting services for more than 47 years. Combining depth of staffing, state-of-the-art technical resources, and local offices rooted in their communities, Willdan Engineering has earned its reputation as a problem solver across a wide range of client interests. We understand the concerns of government agencies – especially those of local government. Our company offers a broad scope of expertise that uniquely qualifies us to serve the needs of cities, counties, and special districts, as well as state and federal agencies.

Since 1964, **Willdan Engineering** has helped revolutionize the way consulting services are provided by local offices. Our regional and satellite offices are strategically located to offer local, focused service to the varied demographics of our public agency customers. Willdan Engineering's lean organization enables staff to efficiently communicate individual project challenges and goals company-wide, thereby utilizing all of Willdan Engineering's resources to deliver the highest quality and most cost-effective product.

WILLDAN ENGINEERING SERVICES

- Building and Safety
- City Engineering
- Capital Program Management
- Construction Management/Inspection
- Development Services/Plan Review
- Environmental/Planning
- Flood Control Design
- Landscape Architecture
- Pavement Management
- Structural Engineering
- Survey/Mapping
- Traffic Engineering
- Transportation Engineering
- Water/Wastewater

Willdan Engineering understands the unique nature of public agency needs and issues. In addition to many of our staff having served in management positions at public agencies prior to joining **Willdan Engineering**, we have numerous assignments with over 60% of the cities and counties in California for building officials, city engineers, planning directors, traffic engineers, and other public agency staff members.

Building and Safety Services

Willdan's experience and strength in building and safety encompasses the complete range of technical disciplines, including, building inspection, grading inspection, accessibility inspection, CASp services, building plan check, and fire-life safety. The inspection and plan check staff maintain current certifications and attends training on a regular basis, to stay current with industry technologies and standards. Specific certifications and education are delineated in staff resumes herein.

This, with our depth of experience, expertise, knowledge and resources, Willdan is able to offer practical solutions that are timely and cost effective, and that will meet the needs of the City of Moreno Valley. The diversity of Willdan's staffs' experience is an added value of our professional services to our clients.

Below is a chart detailing Willdan's Engineering staff by discipline:

California Registered Engineers		California Certified Plans Examiners/Inspectors/Planners	
DISCIPLINE	NUMBER	DISCIPLINE	NUMBER
Civil	56	Building	64
Structural	4	Plumbing	39
Fire Protection	1	Electrical	40
Architect	1	Mechanical	39
Electrical	1	Fire	4
Mechanical	2	Accessibility	58
Landscape Architect	3	Civil	55
Traffic	8	Planner	5

Willdan's corporate-wide capabilities include:

Engineering

- **Building and Safety**
- Disaster Recovery
- Landscape Architecture
- Planning
- Program/Construction Management
- Structural Design
- Survey/Mapping/GIS
- Traffic Design
- Transportation Design
- Water/Wastewater Design

Geotechnical

- Forensic Investigation
- Geotechnical/Foundation Testing/Inspection
- Materials Testing
- Seismic Hazard

Financial Services

- Arbitrage/Rebate
- Cost Allocation/ Study
- Development Fee Study
- Fiscal Impact Analysis
- Utility Rate Analysis

Homeland Solutions

- Infrastructure Protection
- Needs Assessment
- Large Event Security

Resource Solutions

- Environmental Assessment/Audit
- Munitions Investigation
- Soil/Groundwater Investigation

Energy Solutions

- Demand Side Energy Management
- Energy Efficiency
- Renewable Resources/Sustainability

SCOPE OF WORK

PLAN REVIEW SERVICES

Willdan Engineering presently provides Building and Safety services to a number of municipalities and jurisdictions throughout Northern and Southern California. In this capacity, we provide a full range of services including plan review, permit issuance, inspection, code enforcement, counter technician and Building Official services. We service client needs from an occasional overload plan review to staffing an entire Building Division. Willdan has gained a great deal of municipal insight and expertise in serving our extensive clientele over the years. We have performed plan review and inspection on projects ranging from single family residential additions to complex high rise towers (including hotels and casinos), medical facilities and industrial centers. Willdan's plans examiners are ICC certified plans examiners, licensed architects, and registered engineers.

Willdan's experience and strength in building and safety encompasses the complete range of technical disciplines, that is, structural engineering plan check, fire-life safety, electrical, plumbing and mechanical codes, the Title 24 codes, as well as local amendments to the adopted codes. We have extensive experience with the **California Green Building Standards Code.** Willdan staff attends classes and seminars on a regular basis to maintain an up-to-date comprehension of all code requirements.

All building plans will be examined for compliance with the adopted version of the California Building Code, California Residential Code, Green Building Standards Code, California Mechanical Code, California Plumbing Code, California Electrical Code, and the Accessibility, Noise and Energy Conservation requirements as mandated by State Title 24 and all applicable City Ordinances. Plan review for Disabled Access Compliance will include a review of precise grading plans.

All plan check will include compliance with code requirements as well as an overview of the application package for other applicable requirements such as approvals from other local agencies and districts. All plan review will comply with the City's directives, codes and policies. Plan check will include a review of any or all of the following design elements as determined by the City:

Architectural	**Residential**
Fire/Life-safety	**Electrical**
Plumbing	**Energy Conservation Regulations (Title 24)**
Mechanical	**Disabled Access Regulations (CBC)**
Structural	**Green Building Standards**

Willdan staff will either pick up the plans from the City, or have them overnighted to our office at no cost to the City. All plans will be returned to the City either by messenger or overnight delivery at no cost to the City.

Willdan will notify each applicant with two complete typewritten plan check letters which outline the documents reviewed, instructions to the applicant regarding the processing of documents, and a listing of plan check comments. The plan check comments will refer to appropriate sheets, details or calculation pages and the code section of concern. Comments shall specify the apparent code violation. At the City's discretion, plan check comments, plans and documents will be returned directly to the designers until such time as plans are approved.

Our plan checkers will schedule meetings during work hours to discuss and clarify plan check issues with designers, owners and contractors. Resolutions of code issues may also be accomplished by telephone, or meetings prior to resubmitting corrected plans and documents.

Turn-Around Schedule

Typical turn-around time for the initial plan check is eight to ten working days, three to five days for rechecks. This schedule is applicable for all types of construction and can be adjusted to serve the City in the most efficient manner. **Expedited plan check will be provided at the request of the City.**

TYPE OF PROJECT	INITIAL PLAN CHECK	SUBSEQUENT PLAN CHECKS
All residential and non-residential	Eight - ten working days	Three - five working days

ELECTRONIC PLAN REVIEW

Willdan has the ability to provide plan review services electronically, **at no additional cost to the City or applicants**. No additional computer software or hardware is required, only an Internet connection is necessary. Services are provided at the request of the applicant or the agency we serve. Submittals are accepted in PDF format. Willdan will review plans and can transmit the electronic redlined plans back to the applicant or designer as directed, electronically along with the plan review comment sheet.

This service allows for collaboration between the City, designer and plans examiner to facilitate a complete understanding of plan review comments and can reduce shipping, printing and time for plan review processing for the applicant. Below is an example of a redlined plan as reviewed in electronic format.

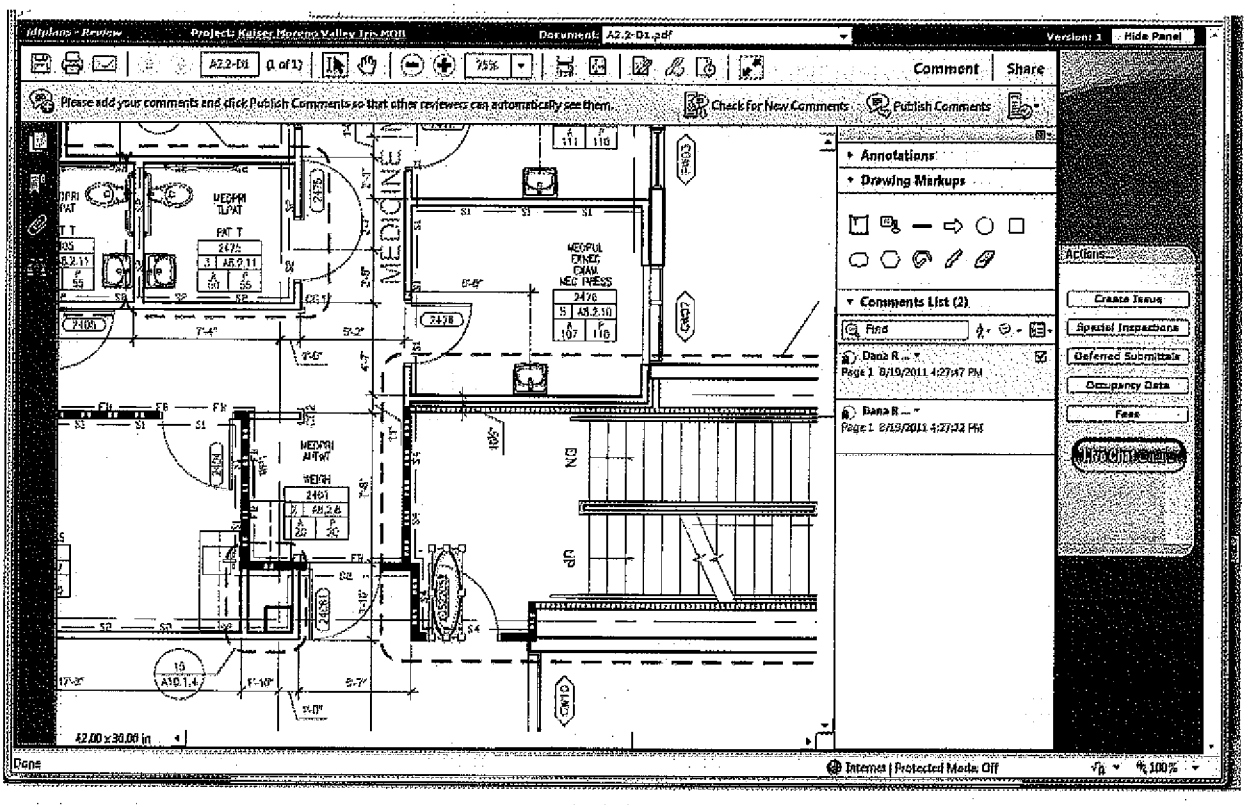

INSPECTION SERVICES

To supplement the current City building inspector on an as needed basis, Willdan can provide certified inspectors to perform building and safety inspections. Our inspectors are fully experienced to perform residential, commercial and industrial inspections for compliance to the approved plans and related documents. The inspections will be performed in accordance with the City's adopted version of the California Building Code, California Residential Code, Green Building Standards Code, California Mechanical Code, California Plumbing Code, California Electrical Code, and the State and Federal regulations for Accessibility, Noise and Energy Conservation.

Inspection staff will be available on a same-day or next-day basis, and will also be available to meet with City staff, builders, developers, and citizens to provide assistance and resolve any inspection issues that may arise.

Inspectors will review the permit package to verify that the on-site condition is consistent with the appropriate records for square footage, setbacks, heights, and other requirements that may be applicable. Inspectors will comply with the City's procedures for reporting inspection results, use City inspection correction forms, make appropriate entries onto the permit documents, and follow City procedures prior to finalizing a building permit.

Willdan will ensure all inspection records, including daily records of what was inspected which will be recorded on the job card, and permit copy entered into the City's Building and Safety Division computer system. We will employ such techniques as necessary to minimize delays to builders and provide helpful advice and counsel to builders, owners, engineers and architects as to enhance the orderly flow of the construction process, yet maintaining an effective level of enforcement.

CASp SERVICES

If required, Willdan can provide CASp certified inspectors to the City as required by **Senate Bill No. 1608,** specifically **CHAPTER 549** which reads as follows:

> *(d) (1) Commencing July 1, 2010, a local agency shall employ or retain at least one building inspector who is a certified access specialist. The certified access specialist shall provide consultation to the local agency, permit applicants, and members of the public on compliance with state construction-related accessibility standards with respect to inspections of a place of public accommodation that relate to permitting, plan checks, or new construction, including, but not limited to, inspections relating to tenant improvements that may impact access. If a local agency employs or retains two or more certified access specialists to comply with this subdivision, at least one-half of the certified access specialists shall be building inspectors who are certified access specialists.*

COUNTER SERVICES

On an as-needed basis, our designated permit technician or inspector will provide counter assistance, permitting and development activities, plan processing, public inquires and other services as needed which can include but is not limited to:

- ✓ Building permit processing and issuance
- ✓ Resolution of resident inquires, complaints
- ✓ Front counter support
- ✓ Plan review monitoring to ensure turnaround times and standards
- ✓ Process Public Records request
- ✓ Maintain records, prepare documents for storage and or imaging;

PERSONNEL

Mr. Patrick Johnson, PE, shall serve as ***Project Manager*** for plan review services. **Mr. James Barrett, CBO**, shall serve as **Project Manager** for inspection and counter services.

TEAM MEMBER	CERTIFICATIONS	TYPE OF WORK
PLAN REVIEW		
Patrick Johnson, PE **Plan Review** ***17 years experience***	California Professional Engineer, CE#6796 ICC Plans Examiner ICC Building Inspector	**Building plan review:** Structural, architectural, green building, plumbing, mechanical, electrical, energy, green building, accessibility.
Arne Lovnaseth, Architect **Plan Review** ***27 years experience***	California Licensed Architect, #C18833 ICC Plans Examiner	**Building plan review:** Architectural, plumbing, green building, mechanical, electrical, energy, green building, accessibility.
Dana Reed **Plan Review and CASp Inspection** ***30 years experience***	CASP Certified ICC Plans Examiner ICC Building Inspector ICC Combination Inspector ICC Electrical Inspector ICC Plumbing Inspector ICC Mechanical Inspector	**Building plan review:** Architectural, plumbing, green building, mechanical, electrical, energy, accessibility, green building, fire life-safety.
INSPECTION		
James Barrett **Inspection** ***28 years experience***	ICC Building Official ICC Building Inspector ICC Citrus Belt Chapter - President	**Building inspection:** Multi-story office buildings, educational facilities, medical research facilities, retail outlets, single-family and multi-family residential developments.
Leonard Patzer **Inspection** ***27 years experience***	OSHPD Class A ICC Commercial Electrical Inspector ICC Building Inspector ICBO Special Inspector (Structural Steel and Welding and Reinforced Concrete) American Welding Society Certified Welding Inspector American Concrete Institute Concrete Field Testing Technician	**Building inspection:** Multi-story office buildings, educational facilities, medical research facilities, medical dialysis facilities (OSHPD III), retail outlets, single-family and multi-family residential developments.

Resumes are located in the appendix.

ORGANIZATION CHART

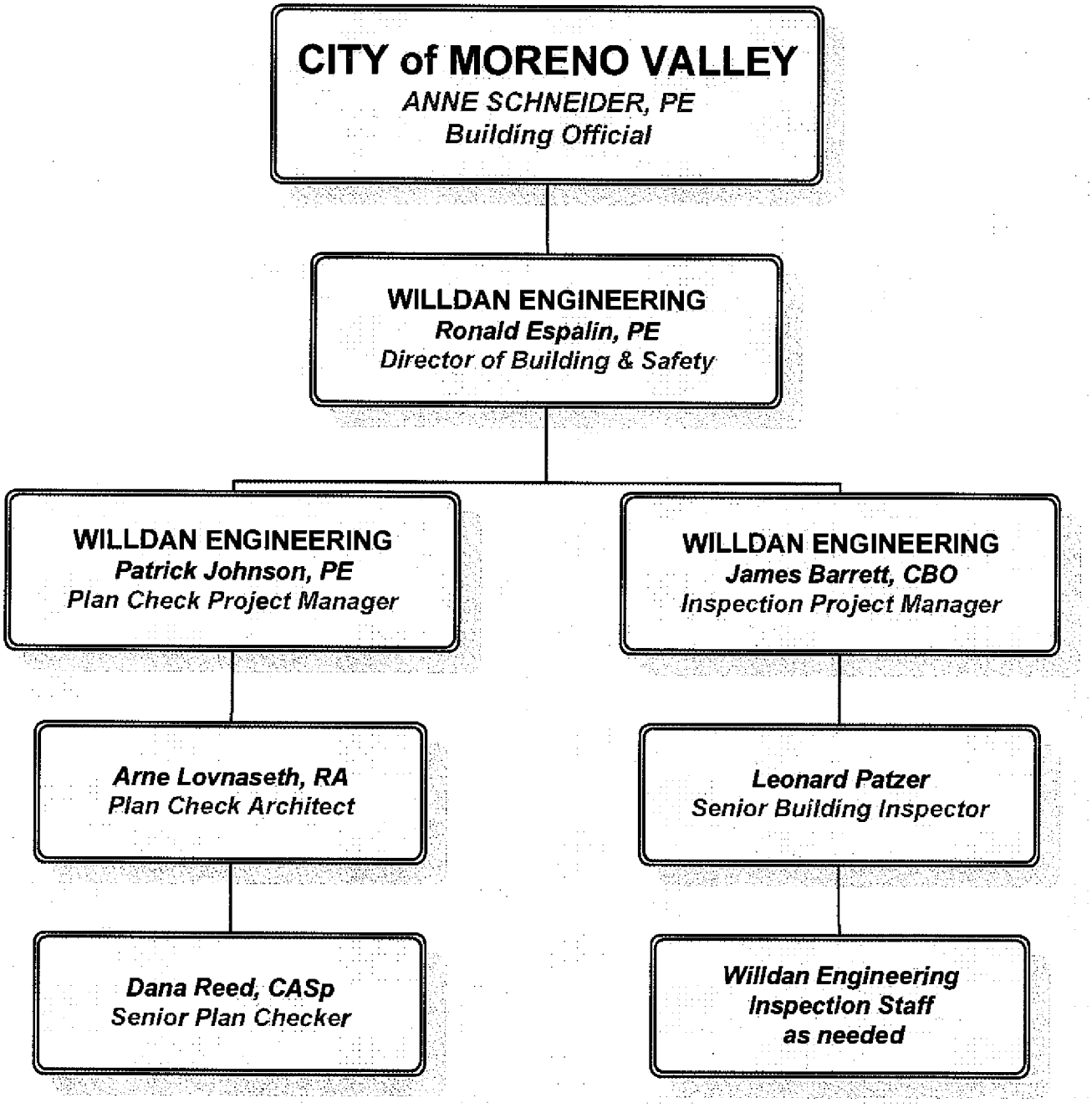

REFERENCES

Client: **City of Highland** **Service Dates:** 1987 - Present
Mr. John Jaquess, Community Development Director
27215 Baseline
Highland, CA 92346
909.864.2136

Services: Building and Safety plan check and inspection services. Grading and engineering improvement plan check and public works inspection services.

Client: **City of Grand Terrace** **Service Dates:** 2000 - Present
Mr. Richard Shields, Director of Building and Safety
22795 Barton Road
Grand Terrace, CA 92313
909.825.3825

Services: Building and Safety plan check and inspection services. Grading and engineering improvement plan check and public works inspection services.

Client: **City of Loma Linda** **Service Dates:** 1980 - Present
Mr. Konrad Bolowich, Community Development Director
25541 Barton Road
Loma Linda, CA 92354
909.799.2810

Services: Building and Safety plan check and inspection services. Building counter services. Grading and engineering improvement plan check and public works inspection services. Building official services.

Client: **City of Colton** **Service Dates:** 1995 - Present
Mr. Mark Tomich, Development Services Director
650 N. La Cadena Drive
Colton, CA 92324
909.370.5099

Services: Building and Safety plan check and inspection services. Building Official services.

Client: **March Joint Powers Authority** **Service Dates:** 1999 - Present
Mr. Dan Fairbanks, Director of Planning
23555 Meyer Drive
Riverside, CA 92518
951.656.7000

Services: Building and Safety plan check and inspection services. Building official services.

FEE SCHEDULE

Willdan proposes to provide plan review services for seventy-five percent (75%) of the fees collected by the City. **These fees exclude:**

- plan review for large projects with a valuation over $25 million
- revisions to previously approved plans
- single family dwellings
- miscellaneous plans
- room additions
- tenant improvements
- remodels

We propose plan review for these projects to be provided for an hourly rate of $125.

Hourly rates are as follows:

SERVICE PROVIDED	HOURLY RATE
Plan Review (non percent of fee)	$ 125
Project Meetings	$ 125
Inspection	$ 105
Counter Services	$ 60

APPENDIX

The following section contains:

- Resumes
- Non-Collusion Affidavit
- Affidavit of Non-Conviction
- Vendor Information
- References
- Letters of Recommendation
- Signature Block
- Addenda Acknowledgement

PATRICK JOHNSON, PE

Plan Check Engineer

Education
University of Iowa, Iowa City, IA Bachelor and Science, Structural Engineering
California State Polytechnic University-Pomona Master of Engineering

Affiliations
ASCE (American Society of Civil Engineers)

Registrations
California Professional Engineer, CE#67960
Arizona Professional Engineer, CE#50435
Colorado Professional Engineer, CE#43704
ICC Plans Examiner, 5280450-60
ICC Building Inspector, 5280450-10

18 Years Experience

Mr. Johnson, a registered Civil Engineer in California, Arizona, Nevada, and Colorado is a Plan Check Engineer for the San Bernardino Office. Patrick has more than 18 years experience in the construction and engineering field. He has more than six years plan check experience with Willdan, and is responsible for structural plan review.

Mr. Johnson's primary focus has been on structural engineering of lightweight commercial, industrial, and residential structures. Since employed with Willdan, he has attended a number of code enforcement and seismic application seminars and has received his Master of Engineering degree, specializing in Structures, from California State Polytechnic University. His extensive experience includes plan checking numerous projects that vary in size and complexity.

Mr. Johnson's previous engineering experience includes the position of a Design Engineer with KLP Consulting Engineers of Centennial, Colorado. In this capacity, he specialized in the design of lightweight commercial, multi and single-family housing. At times he would be called out to the field as a forensic engineer to justify the probable cause of structural damages caused by expansive soils. Mr. Johnson also has engineering experience in the design of variety of transportation projects including single and multi-span bridges, pedestrian tunnels, retaining walls, and concrete box culverts.

Other than residential and commercial timber framed structures, Mr. Johnson has plan checked several tilt up warehouse buildings that range in size up to 2.3 million square feet. He has also plan checked numerous structures consisting of braced and moment frames for lateral resistance, prestressed concrete structures, and multi-story buildings up to 6 stories in height.

Relevant Project Experience

PLAN CHECK

- Morongo Band of Mission Indians - Administration Building
- March Joint Powers Authority - Fresh and Easy Food Processing Facility
- California State University, San Bernardino - Education Building
- City of Moreno Valley - Skechers Warehouse
- City of Fontana - Kaiser Administration Building

ARNE LOVNASETH, RA

Plan Check Architect

Education
Cal Poly Pomona, Bachelor of Science, Bachelor of Architecture

Professional Registrations
California Licensed Architect, #C18833
I.C.C. Plans Examiner #0877794-B3

26 Years Experience

Mr. Arne Lovnaseth, a registered Architect in California, is a Plan Check Architect for the San Bernardino Office. He has 26 years experience in the construction field specializing in design work and plans examining. As a 1983 and 2001 graduate of Cal Poly Pomona his primary focus has been on architectural design of lightweight commercial and residential structures. He has attended a number of code enforcement seminars and currently is compiling a NCARB record for certification nationwide. He has extensive experience in ADA compliance.

During his tenure with Willdan, Mr. Lovnaseth has provided Counter Plan Review services to the City of Redlands, City of Colton, and the March Joint Powers Authority, a redevelopment agency located at March Air Force Base.

Recent plan review projects include:

- **March JPA** - Sysco, 500,000 sq.ft. food processing facility.
- **March JPA** - Fresh & Easy Processing facilities 800,000 sq. ft. complex.
- **City of Loma Linda** - Church addition, 30,000 sq.ft.
- **Moreno Valley** - Chili's Restaurant, 10,000 sq.ft.

Other projects include single and multi-family homes, industrial buildings, commercial warehouses, restaurants, fitness centers, motels, medical facilities and numerous tenant improvements.

Mr. Lovnaseth's previous architectural and plan checking experience includes the position of Senior Plans Examiner for a large Inland Empire City for more than five years. In this capacity, he specialized in the plan checking of lightweight commercial, multi and single-family housing. He supervised a staff of 5 plans examiners and permit technicians, issuing over 3,000 building permits a year.

Prior experience includes project manager at John McInnes Architect in Laguna Beach for five years and job captain at Sumich Design in San Juan Capistrano for eight years.

DANA REED

Senior Plans Examiner/Deputy Building Official

Education
Riverside Community College Construction Technology

Affiliations
International Conference of Building Officials
International Association of Electrical Inspectors
International Association of Plumbing and Mechanical Officials

Registration
Certified Access Specialist CASp-#287
FFPA Plan Check Certificate
DSA – Fire Life Safety Plans Examiner Certificate
ICC Certified Building Inspector, #37018
ICC Certified Plans Examiner, #75985
ICC Certified Combination Inspector, #99561
ICC Certified Electrical Inspector, #87340
ICC Certified Plumbing Inspector, #97093
ICC Certified Mechanical Inspector, #90760

30 Years Experience

Mr. Reed is a Senior Plans Examiner/Deputy Building Official for Willdan's San Bernardino Regional Office. He has more than 30 years of plan review, inspection and construction experience. His extensive experience includes plan review of numerous projects in compliance with the California Building, Plumbing, Mechanical, Electrical, and Fire Codes. Also review of projects under ADA, OSHPD, and Titles 19 & 25.

Examples of recent projects include:

PLAN CHECK
- Barona Casino, valuation $63,000,000
- San Manuel Casino, valuation $45,106,000
- Morongo Casino, valuation $250,000,000
- California State University Student Housing, valuation $7,000,000
- Walgreens Distribution Center, valuation $18,500,000

PLAN CHECK - OSPD III
- Kaiser Support Building, 49,650 SF
- Surgical Center, 6500 SF
- Medical Clinic, 12,000 SF

PLAN CHECK (Fire Review)
- Morongo Casino (alarm system)
- Buena Vista Casino
- Lowes
- Hampton Inn
- Wal-Mart
- San Manuel Village

INSPECTION
- New 100,000 square foot Mercedes-Benz dealership
- New 115,000 square foot K-Mart store
- New 5,000 square foot California Pizza Kitchen

Prior to joining Willdan, Mr. Reed's extensive experience includes plan checking and inspecting industrial and commercial buildings and reviewing plans for compliance with the applicable codes, state and local requirements.

Mr. Reed served the County of Riverside as a plans examiner for the Building Department and as a building inspector for the Cities of Mission Viejo and Laguna Niguel. In this capacity, he reviewed plans for compliance with County and City ordinances, State requirements and codes; he assisted with permit issuance at the public counter, answered technical questions from design professionals and the general public.

JAMES BARRETT, CBO

Project Manager II

Education

Riverside Community College, Riverside, CA
Construction Technology Certificate

National Education Corporation, Glendale, AZ
Architectural Drafting Certificate

Mt. San Jacinto Community College, San Jacinto, CA
Courses in engineering and architecture

Registrations

International Code Council (ICC)
Certified Building Official
Certified Building Inspector

Affiliations

California Building Officials, Green Building Committee 08-09
California Building Officials
Certified Disaster Response Team Member
Past President ICC Citrus Belt Chapter
Hazardous Materials HAZWOPR Certificate
Asbestos Supervisor Certificate
State of California

25 years Experience

Mr. Barrett serves as building inspection manager for the San Bernardino Office. In this capacity, he supervises the Building and Safety Inspection Group and oversees in-house counter technicians. Mr. Barrett has extensive experience in building and safety inspection, code enforcement and plan checking responsibilities. His vast experience includes plan check and inspection of medical research facilities, multi-story office buildings, educational facilities, parking structures, retail outlets, single-family and multi-family residential developments.

Mr. Barrett, a Certified Building Official, has been responsible for complete building and safety operations, that is, front counter operations, permit issuance, plan check, field inspection, and permit coordination with other municipal departments and agencies. His plans examining expertise includes complete fire-life safety building code enforcement, model codes in plumbing, mechanical and electrical as well as the California Building Standard, Title 24 Energy Standards and Accessibility, and ADA requirements. Currently he performs these responsibilities for the City of Loma Linda and the City of Colton.

Relevant Project Experience

City of Colton – Interim Building Official – Oversee city staff, review policy's, provide customer assistance at the counter, prepare monthly reports and perform inspections

City of Loma Linda, Deputy Building Official – Responsible for the day to day building and safety operations, oversee inspection and counter staff provide customer service at the public counter and perform inspections. Also provided inspection management and supervision for various projects including the following:

- Loma Linda University, Centennial Complex, a 150,000 square foot 4 story state of the art medical training facility.
- Loma Linda Academy, gymnasium and education complex.
- Loma Linda University Church Expansion and Renovation

City of Calimesa, Deputy Building Official – over see counter and inspection staff.

City of Canyon Lake, Deputy Building Official - over see counter and inspection staff.

March Joint Powers Authority, Deputy Building Official – Provide inspection management and supervision for various large projects including the following:

- DHL Distribution Center
- Fresh and Easy Food Processing and Distribution Center
- Two Sisters Food Group, Food Processing and Distribution Center
- March Global Port Jet "A" Fuel Farm

Morongo Band of Mission Indians, Project/Inspection Manager – Provided inspection management for the following projects

- 28 story hotel tower and Casino Resort
- Arrowhead Bottling Plant, Morongo Band of Mission Indians
- Administration and Cultural Center

California Energy Commission, Project/Inspection Manager

- Indigo Energy Facility/Wild Flower Energy 135 mega watt peaker power plant, North Palm Springs
- Alliance Colton, Two 40 mega watt peaker plants

Prior to joining Willdan, Mr. Barrett served as Building Official/Code Enforcement Manager for the City of Banning. In this capacity, he was responsible for the daily operations and supervision of the Building and Code Enforcement Division. He also served as the Chief Plan Checker and Building Abatement Officer and contract administrator for Animal Control services.

LEONARD PATZER

Sr. Building Inspector

Education

East Los Angeles College
A.S., Real Estate
Orange Coast College
Weld Technology Units
Wilrick Institute of Technology
Special Inspector

Registrations

OSHPD Class A # A-20182
ICC Commercial Electrical Inspector
ICC Certified Building Inspector
ICBO Certified Special Inspector (Structural Steel and Welding and Reinforced Concrete)
American Welding Society Certified Welding Inspector
American Concrete Institute Concrete Field Testing Technician

26 years Experience

Mr. Patzer, OSHPD and Building Inspector in our San Bernardino Office, has over twenty years of Building and Safety inspection experience. Extensive building inspections include public buildings, commercial and retail construction, medical and educational facilities, single-family dwellings, and multi-family developments. He coordinates with plan check staff, other municipal departments and agencies at the permit issuance stage and when finalizing permits. Most recently he served as an I.O.R for the Casino Morongo Co-Gen Plant, multi level parking structure, high rise hotel tower and casino and the San Manuel Casino, central plant, and multi level parking structure.

Prior to joining Willdan, Mr. Patzer served as Lead Inspector for an engineering firm located in Spring Valley, California. In this capacity, he supervised three inspectors and performed welding and high strength bolt inspection in the field and in the shop. Special projects included the Rancho Los Amigos Hospital in Downey, Riverside County Regional Medical Center, White Memorial Medical Center Market Creek Plaza and Courtyard by Marriot Hotel located in San Diego.

Specific Project Experience

Morongo Band of Mission Indians- Mr. Patzer as Sr. Building Inspector served as an I.O.R. on this project. It consisted of a 29 story hotel tower, 5 level parking structure, 500,000 square foot casino and a 16 delta mega watt co-gen plant.

San Manuel Band of Mission Indians- Mr. Patzer as a Sr. Building Inspector served as an I.O.R. on this project. It consisted of a Casino, a 7 level parking structure and a central plant.

City of Indian Wells- As a Sr. Inspector Mr. Patzer provided all of the California Building Codes inspections for this project. The project was a 6 story addition to the Hilton Grand Champions Resort and Conference Center. He was responsible for ensuring all construction including but not limited to structural, electrical, mechanical and plumbing met the California Codes and approved plans.

City of Fontana- As a Sr. Inspector Mr. Patzer provided supervision of 3 contract inspectors in the City of Fontana. Inspections were performed under the provisions of the California Building Codes. Specifically, Mr. Patzer performed all of the inspections for 3, one million square foot warehouses. Each with a electric service of 1200 AMPS.

Various Special Inspector Assignments- Mr. Patzer performed the Welding and High Strength Bolt Inspections for the following projects: Rancho Los Amigos Hospital in Downey, Riverside County Regional Medical Center, White Memorial Medical Center.

NON-COLLUSION AFFIDAVIT

STATE OF CALIFORNIA)
) SS
COUNTY OF)

(NAME) Ronald L. Espalin, affiant being first duly sworn, deposes and says:

That he or she is Director of Building and Safety of
(sole owner, partner or other proper title)
Willdan Engineering the party making the foregoing Proposal
(Contractor)
that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the Contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company associations, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid (Public Contract Code Section 7106).

Proposer's Name: Ronald L. Espalin
(print)
Proposer's Address: 650 Hospitality Lane, Suite 400, San Bernardino, CA 92408
(print)

Telephone No.: 909-386-0200

Ronald L. Espalin
(Signature of Proposer) 4/30/2012

Director of Building and Safety
(Title)

All signatures must be notarized.

Attach Notary here.

JURAT

State of California

County of San Bernardino

Subscribed and sworn to (or affirmed) before me on this 30th day of April,

20 12 by Ronald L. Espalin,

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Noelia Barajas

(Notary seal)

NOELIA BARAJAS
Commission # 1839289
Notary Public - California
San Bernardino County
My Comm. Expires Mar 2, 2013

OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Non-Collusion Affidavit

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 04/30/12

(Additional information)

INSTRUCTIONS FOR COMPLETING THIS FORM

The wording of all Jurats completed in California after January 1, 2008 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one which does contain proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
  - Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document

2008 Version CAPA v1.9.07 800-873-9865 www.NotaryClasses.com

AFFIDAVIT OF NON-CONVICTION

I hereby affirm that:

I am the Director of Building and Safety and the duly authorized
(Title)

Representative of the firm of: **Willdan Engineering**
(Name of Corporation)

Whose address is: 650 Hospitality Lane, Suite 400, San Bernardino, California 92408

And that

I possess the legal authority to make this affidavit on behalf of myself and the firm for which I am acting.

Except as described in paragraph 3 below, neither I nor the above firm, nor to the best of my knowledge, and of its officers, directors, or partners, or any of its employees directory involved in obtaining Contracts with the City have been convicted of, or have plead ***nolo contendere*** to a charge of, or having during the course of an official investigation or other proceeding admitted in writing or under oath acts or omissions which constitute bribery, attempted bribery, or conspiracy to bride under the laws of any State of the Federal government (conduct prior to July 1, 1977 is not required to be reported).

State "none" or, as appropriate, list any convection, plea or admission described in paragraph two above, with the data, court, official, or administrative body; the individuals involved and their position with the firm, and sentence or disposition, if any.

I acknowledge that this affidavit is required to allow the City to make a determination. I acknowledge that, if the representations set forth in the affidavit are not true and correct, the City may terminate ant Contract awarded and may take any other action.

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.

Signature: Ronald L. Espalin Date: May 1, 2012

Printed Name Ronald L. Espalin, PE Title: Director of Building and Safety

Name of firm: Willdan Engineering

VENDOR INFORMATION

A. PROPOSERS COMPANY INFORMATION **(print or type)**

Company Name: **Willdan Engineering**

Owner / Manager Name: Ronald L. Espalin

PO Mailing Address: 650 Hospitality Lane, Suite 400

City: San Bernardino State CA Zip 92408

Remit to Address (if different from PO mailing address)

City: _____ State _____ Zip _____

Web Site: www.willdan.com

Phone Number: 909-386-0200

Fax Number: 909-888-5107

E-mail Address: respalin@willdan.com

Incorporated? (mark one) Yes X or No ___

Fed. Tax I.D. # or Social # 95-2295858

If not a Corporation, are you a Partnership, LLC, Individual or Joint Venture? _____

How many years of relevant experience within the scope of this RFP? 34

I certify that the information given above is accurate and complete; that the Terms and Conditions as issued by the City of Moreno Valley with this Request for Proposal # VAG-11/12-04 have been fully read, understood, and accepted in total; and that I am a duly authorized agent for quoting purposes for the company named above.

Ronald L. Espalin, PE	Director of Building and Safety
(Print Quoting Persons Name)	(Title)
Ronald L. Espalin	May 1, 2012
(Quoting Persons Signature)	(Date)

REFERENCES

List three (3) references that most closely reflect similar projects and work that your company has worked on within the past five (5) years for a Public or Governmental Agency. **(Type or Print)**

1. Name of Public Agency: **City of Highland**

   Address: 27215 Baseline

   City: Highland State: CA Zip: 92346

   Contact: Mr. John Jaquess Title: Community Development Director

   Telephone: (909) 864-2136 Email: jjaquess@cityofhighland.org

   Service Dates: 1987 - Present

   Brief Summary of Project/Work provided:

   Building and Safety plan check and inspection services. Grading and engineering improvement plan check and public works inspection services.

2. Name of Public Agency: **City of Grand Terrace**

   Address: 22795 Barton Road

   City: Grand Terrace State: CA Zip: 92313

   Contact: Mr. Rich Shields Title: Director of Building & Safety

   Telephone: (909) 825-3825 Email: rshields@cityofgrandterrace.org

   Service Dates: 2000 - Present

   Brief Summary of Project/Work provided:

   Building and Safety plan check and inspection services. Grading and engineering improvement plan check and public works inspection services.

3. Name of Public Agency: **City of Loma Linda**

Address: 25541 Barton Road

City: Loma Linda State: CA Zip: 92354

Contact: Mr. Konrad Bolowich Title: Community Development Dir.

Telephone: (909) 799-2810 Email: kbolowich@lomalinda-ca.gov

Service Dates: 1980 - Present

Brief Summary of Project/Work provided:

Building and Safety plan check and inspection services. Building counter services. Building Official services. Grading and engineering improvement plan check and public works inspection services.

DEPARTMENT OF
BUILDING & SAFETY,
PUBLIC WORKS
AND HOUSING

22795 Barton Road
Suite B
Grand Terrace
California 92313-5295
Civic Center
(909) 825-3825
Fax (909) 825-7506

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

To Whom It May Concern:

Willdan has been providing plan check and inspection services for Building and Safety and Public Works in the City of Grand Terrace for over 12 years. In addition to these services, Willdan is the City Engineer. Their highly qualified staff, attention to detail for all projects, and their unfailing customer service has been a great asset to the City. We consider Willdan as our extended staff and not our consultant.

Personally, I have had the pleasure of working with Willdan not only in the City of Grand Terrace, but also during my tenure as Building Official for the City of Highland.

I highly recommend Willdan to provide Building and Safety services to the City of Moreno Valley. Please feel free to contact me if you would like to discuss their qualifications further.

Sincerely,

Richard Shields, CBO
Director of Building and Safety/Public Works

City of HIGHLAND Inc. 1987

April 25, 2012

Willdan Engineers
650 Hospitality Land Ste 400
San Bernardino, CA 92408

27215 Base Line
Highland, CA 92346
(909) 864-6861
(909) 862-3180 FAX
www.cityofhighland.org

Re: Letter of Recommendation

City Council

Mayor
Larry McCallon

Mayor Pro Tem
Penny Lilburn

Sam J. Racadio
Jody Scott
John P. Timmer

City Manager
Joseph A. Hughes

To Whom It May Concern:

I would like to take this opportunity to offer a formal recommendation for Willdan Engineering. As the Building Official of the City of Highland I have worked with the Willdan staff on various projects.

Willdan has been the City of Highland's contract Building Division plans reviewer/ inspector services provider since the City incorporated in 1987. Besides providing additional staff, as needed, to assist the Planning and Engineering Department staff on various projects over the years, Willdan developed and implemented the plan review service for the City of Highland Fire Prevention Division in approximately 2004 and has provided Deputy Fire Marshall/Fire inspection services for the last six years.

I have found the Willdan Staff to be well very knowledgeable on the recent code developments and always helpful when problems arise. Construction plans have been reviewed in a consistent timely manner and their staff is dedicated to work with the City's needs.

I believe that Willdan Engineering exhibits many of the qualities that are essential to assisting the city with its continued development, and would highly recommend them for assisting in your city's needs.

Respectfully,

Dale Everman, CBO
Building Official
City of Highland

Item No. A.12

City of Loma Linda

25541 Barton Road, Loma Linda, CA 92354 ☎ (909) 799-2830 🖷 (909) 799-2894

Community Development Department

April 25, 2012

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Reference: Building Services – Reference Letter

It is with great pleasure that I recommend Willdan for consideration in providing Building and Safety Services. Willdan has provided the City of Loma Linda building related services since 1980. Detailed below are the services that Willdan provides to the City of Loma Linda:

- Building Plan Check Services both non-structural and structural services.
- Building Inspection Services
- On-Call Building Services including weekends and holidays
- Building Official and Special/Safety Inspection Services
- Public Works Inspection
- Grading and Engineering Improvements Plan Check Services

We have found that contracting these services to be advantageous and that Willdan is competitive and fare in the pricing of those services.

I have also found the Willdan team to be very flexible and accommodating in meeting the need of the client/city and provide efficient and professional services. Willdan, as a company, has the history and staffing to provide governmental contract services. Should you have any questions, please feel free to contact me at (909) 799-2895.

Sincerely,

Konrad Bolowich
Assistant City Manager
City of Loma Linda

Cc:
Willdan
Ron Espalin, Vice President
650 Hospitality Lane, Suite 400
San Bernardino, CA 92408

Insert fee proposal here and include signature page of similar information

Company Name: **Willdan Engineering**
(print)

Authorized Signer: Ronald L. Espalin, PE
(print)

Signature: Date: May 1, 2012

Item No. A.12

ADDENDA ACKNOWLEDGMENT

The undersigned acknowledges receipt of the following ADDENDA and the cost, if any, or such revision has been included in the TOTAL BID of the Bidding Schedule(s). If NONE, WRITE "NONE" ON THE FIRST LINE.

Addendum No.: 1 Dated April 24, 2012

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Company Name: **Willdan Engineering**

Address: 650 Hospitality Lane, Suite 400, San Bernardino, CA 92408

Telephone No.: 909-386-0200

Email Address: respalin@willdan.com

By: Ronald L. Espalin, PE
(print)

Signature: Ronald L. Espalin Date: May 1, 2012

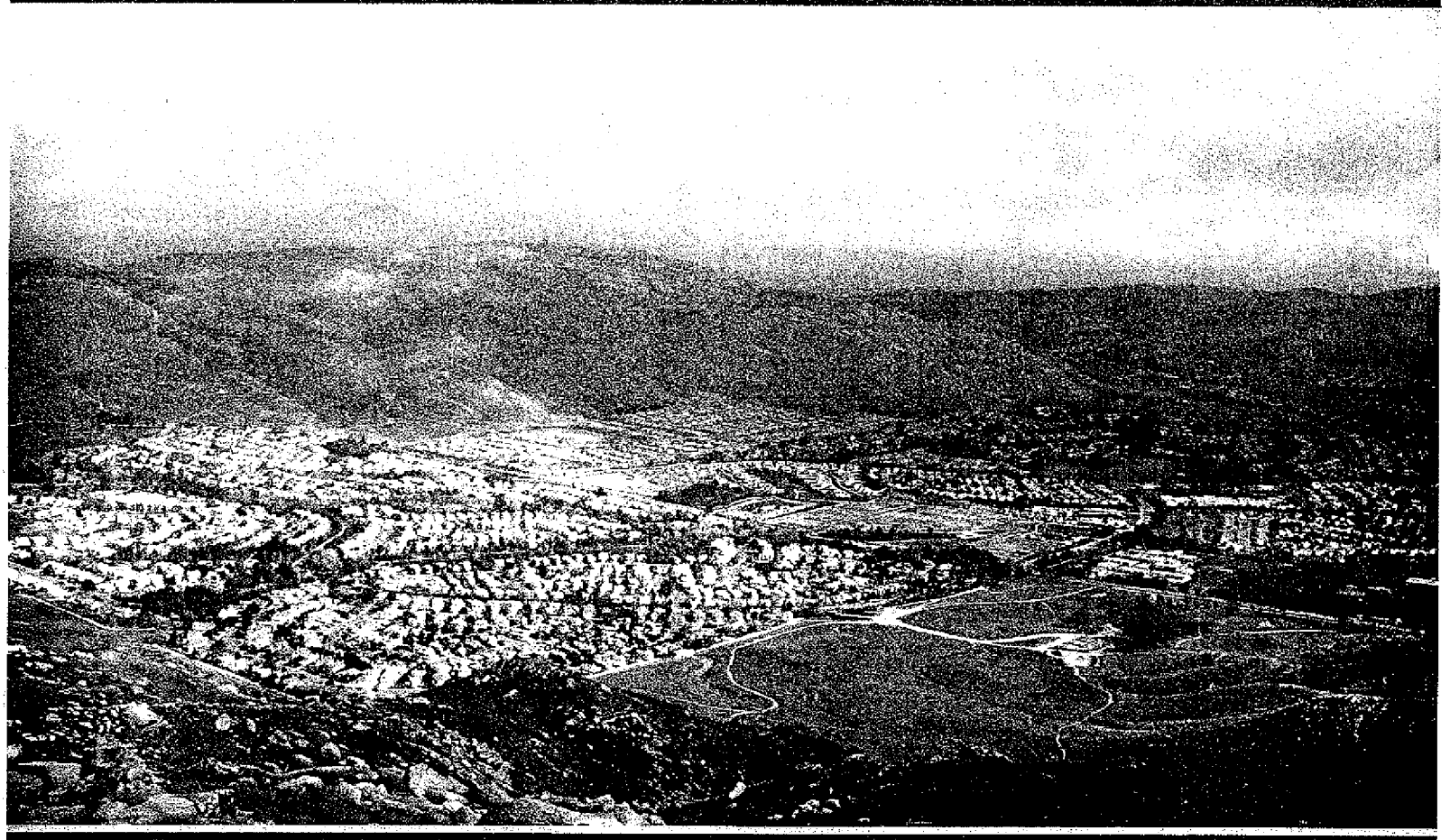

WILLDAN

650 E. Hospitality Lane, Suite 400
San Bernardino, California 92408-3317
T 909.386.0200 | F 909.888.5107
www.willdan.com

Item No. A.12

EXHIBIT B

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $800,000 per fiscal year.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the City as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Community & Economic Development Department at susanc@moval.org or calls directed to (951) 413-3350.

3. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

4. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)

E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

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MV00167803

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Scott Fazekas & Associates, Inc.
Address: 9 Corporate Park, Suite #200
City: Irvine State: CA Zip: 92606-5173
Business Phone: (949) 475-2901 Fax No: (949) 475-2560
Other Contact Number: _____
Business License Number: TBD
Federal Tax I.D. Number: 33-0711166

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. Payment terms are provided in Exhibit "B" attached hereto and incorporated herein by this reference.
C. The Contractor Starting Date is July 1, 2012 and the Contractor Ending Date is June 30, 2015. If mutually agreeable, the City and Contractor may extend this agreement in increments of one year, not to exceed a total contract period of five years. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's negligence, recklessness or willful misconduct in its performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all claims which arise from the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

☒ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, em ployees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Mo reno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, em ployees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be am ended to reduce the required insurance lim its and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the even t the insurance is canceled, the Contractor shall, prior to the cancellation date, subm it to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the cour se of perform ing or otherwise as a result of its work, shall becom e the sole property of the City unless exp licitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, docum ents, and specifications, produced by the Contractor in perform ance of this Agreement. The City and the Contractor agree that to the ex tent permitted by law, until f inal approval by the City, all data shall be trea ted as confidential and will not be rele ased to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreem ent constitutes the entire ag reement between the parties. There are no understandings, agreem ents, or representations of warranties, expressed o r implied, not specif ied in this Agreem ent. This Agreement applies only to the current proposal as attached. This Agreem ent may be modified or amended only by a subsequent written Agreement signed by both parties. Assignm ent of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of term ination. Upon receip t of such notice, the Contractor m ay continue work through the date of termination, provided that no w ork or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to serv ices performed by t he Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Mayor

_____
Date

Scott Fazekas & Associates, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

Exhibit A

PROPOSAL
for
Building & Safety Plan Check & Inspection Consultant Services R.F.P. VAG 11/12-09

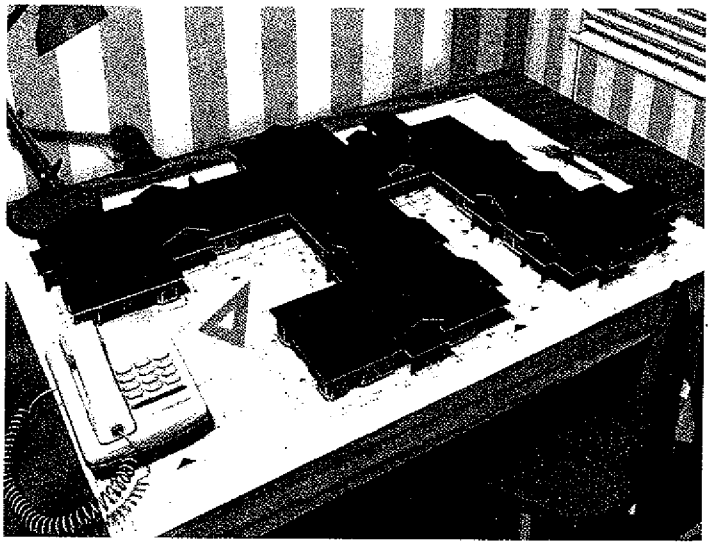

Submitted by
Scott Fazekas & Associates, Inc.
May 2, 2012

SFA
Scott Fazekas & Associates, Inc.

Item No. A.12

SFA Scott Fazekas & Associates, Inc.
Building Safety for Government

May 2, 2012

City of Moreno Valley
Attn: City Clerk
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE: Proposal for Building & Safety Plan Check & Inspection Consultant Services R.F.P. VAG 11/12-09

Dear City Clerk:

SCOTT FAZEKAS & ASSOCIATES, INC. (SFA) appreciates being considered to provide Plan Review and Inspection Services, as needed, to the City of Moreno Valley. We understand the specific needs of the City and will be able to offer services which are tailored to those needs.

Some of the key features of SFA are as follows:

- Exclusively serving governmental agencies and provides no building design to avoid conflict of interest.
- Excellent staff with municipal experience and public relations skills.
- Strong internal organizational systems and policies to facilitate timely and professional services.
- Excellent references from clients and applicants.
- Questionnaires sent to every applicant to determine satisfaction level enabling refinement of services.
- Timely turnaround.
- Principal of SFA participation in hands-on plan review.
- Internal forms, policies and procedures to achieve tailored services to meet the exact needs of the City.

Credentials include: Structural Engineers, Civil Engineers, Architects, Certified Plans Examiners, Certified Building Inspectors, Certified Building Officials, Fire Protection Engineers, LEED Accredited Professionals and CASp Certification.

I hope the enclosed information is found to be concise and informative. Should additional information be desired in a given area, I would be pleased to provide it. I will look forward to hearing from you to further discuss how Scott Fazekas & Associates, Inc. can serve the City of Moreno Valley.

Sincerely,
SCOTT FAZEKAS & ASSOCIATES, INC.

Scott R. Fazekas, President, AIA, NCARB, CBO, LEED AP, CASp
9 Corporate Park, Suite 200, Irvine, CA 92606
(949) 475-2901, FAX (949) 475-2560
sfairvine@aol.com

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KEY AGENCY NEEDS

The entire Proposal addresses all the components that as a whole make SFA a high quality solution to the City's needs. Some of the following are highlights which we feel are specifically germane to the RFP.

- **Exclusively serving municipalities** for zero conflict of interest.
- **Fast turnaround times:** Ten (10) working days for initial review; Five (5) working days for rechecks. Seven (7) working days for accelerated reviews.
- **Competitive fees.**
- **Experience of individual plan check staff** in this field.
- **Municipal experience** in building departments and familiarity with all internal & external agency and division needs.
- **Excellent references** by numerous municipalities.
- **E-mail of correction lists** to City for timely communication.
- **Electronic Plan Review** option for plan submittals.
- **Quality Control** measures practiced to insure a quality work product.
-

SFA incorporates several internal procedures which will: **1)** insure better communication with our client agencies and the applicants; **2)** achieve plan reviews which are more consistent with the specific policies and needs of our clients; and **3)** enhance internal organization and processing.

ABOUT THE COMPANY

Scott Fazekas & Associates, Inc. (SFA) is a California Corporation founded by Scott Fazekas in June 1996. It was formed to offer building safety services and as-needed staffing exclusively to governmental agencies. Mr. Fazekas started and managed identical services for a consulting firm over the 11 years prior to forming SFA, with 12 years of prior municipal building safety experience as a City employee.

All of SFA's plan check staff are licensed Structural or Civil Engineers which allows SFA the ability to assign the challenging structural projects to any one of our engineering staff. This expertise allows SFA the ability to balance out workloads and meet obligations without overloading any one engineer.

SFA does not perform any work for the private sector so no conflict of interest can result during our tenure, allowing SFA staff to maintain objectivity in the enforcement of regulations.

SFA's office location is: 9 Corporate Park, Suite 200
Irvine, CA 92606
(949) 475-2901, FAX (949) 475-2560
sfairvine@aol.com

Section 2 - Scope of Services

The following is the itemized Scope of Services which SFA's staff is prepared to provide for the City of Moreno Valley. All are expected to be performed as part of this Proposal. The Scope of Services and the manner in which they are performed will be in accordance with the specific requirements of the City's program.

- Review of plans for compliance with the applicable model codes, local ordinances amending those codes and consistent with local policies and interpretations.
- Prepare written corrections and copy the City on all corrections, if requested.
- Recheck and approval of the final plans after all corrections have been incorporated in the plans and forward to the City with all necessary documents.

SFA has met and frequently exceeds the deadlines of our client agencies. The best reference of SFA's ability to provide the required services in a timely manner is illustrated in our track record which can be supported by our client reference list.

PROJECT MANAGER-LIAISON

SFA recognizes the need to assure an adequate level of commitment by key personnel. SFA will commit the President, Scott Fazekas, as the Project Manager who will see to the proper function of the building plan review process and will also be personally involved in performing services. He will serve as an extension of the City staff, fully capable of providing the necessary services as determined by the City. SFA's availability to the City staff is an essential ingredient. Prompt information on job status will be provided whenever requested.

SFA will also maintain continual documentation and updated information on the status of all plans being processed. Any inquiries regarding the status of plans which have been forwarded to SFA for review can be directed to us to avoid unnecessary research and phone time by City staff. If desired by the City, SFA will copy the City on all correction notices.

BUILDING PLAN REVIEW

Plan Reviews will incorporate the following scope of regulations: Building, Residential, Plumbing, Mechanical, Electrical, Accessibility, Energy and CalGreen Codes.

SFA has LEED accredidation, CBIG Certification and CASp Certifications which may have value to the City.

INSPECTION SERVICES

SFA proposes to suggest a unique method of staffing inspection services. It is more likely aligned with the current economic times and the needs of the City, offering cost savings over traditional consulting services.

Section 2 - Scope of Services

SFA proposes to utilize a sub-consultant staffing agency which will payroll the employees. There are two options which are available to the City.

Option 1

SFA would work with the City to select employees that would meet the qualifications, full or part-time hours and salary range based on the City's needs. We would direct the sub-consultant Apple One Staffing Services to employ them for the City. SFA would invoice the City under SFA's Agreement.

Option 2

Similar to Option 1, however, SFA would not use the staffing company as a sub-consultant. Instead, the staffing service organization would employ the individual selected directly to the City. This saves the City a sub-consultant mark-up by SFA.

Selection of the employee would be by the City. SFA could assist the City in locating candidates or the staffing service organization can provide staff for a cost.

The rates based on multipliers times payroll rate for both of these options are shown in the Fee Proposal Section.

INTERNAL POLICIES AND PROCEDURES OF SFA

Office Hours

SFA's office hours are between 8:00 a.m. and 5:00 p.m. Monday through Friday during which time SFA staff will be available for communication directly with the applicants.

Agency Information Sheet

This form is designed as a starting point for the plan checker to review prior to commencing each project. It serves as a summary of items which may be unique or exclusive to each client such as ordinance amendments, special policies or interpretations, plan routing preferences, contact person(s) in agency, etc. . . This form is often backed up with other documents such as general notes, ordinances, agency checklists or guidelines. This form can easily be updated at any time by simply calling SFA.

Plan Transmittal

SFA will use our U.P.S. or OnTrack account which is paid for and made available for use by City staff for plan delivery purposes. Pre-labeled mail bags are also provided so dispatching plans to SFA is simple and convenient..

When plans are completed they are stamped on every page, signed and forwarded by U.P.S. or courier with a transmittal form directly to the City. The plan transmittal procedure used by SFA eliminates the possibility of the plans being tampered with when being forwarded for permit issuance.

Computer Plan Check Log

Internal tracking is accomplished by a sophisticated computer software that allows for daily tracking of status of each and every plan check and also gives SFA the workload of each engineer. Incoming and outgoing plans are logged into the computer daily which allows us to know the status of a project immediately. This program allows SFA to quickly answer applicants who call wanting to know plan check status of projects. Many other reports are also available and utilized by many of our clients. Reports that show the client all active plans for their City and the status of each can be printed on a weekly basis to show the client the activity of their projects. Weekly status reports are also printed for internal tracking of performance on turnaround times.

Additionally, SFA has a Daily Scheduling Report which monitors each plan checker's workload and plan review due dates. This is an essential ingredient in meeting our turnaround times.

Correction Lists

The plan review staff have a variety of correction lists, supplemental lists and guidelines for use as deemed appropriate on each individual project. Should the City require use of their standard correction lists, SFA can easily accommodate this by maintaining copies in our Agency Correction List File and referencing their use on our Agency Information Sheet which all plan check staff reference at the beginning of each review. Two copies of the correction lists are developed and attached to the plans along with a transmittal form.

When plans are completed, they are stamped on every page, signed and forwarded by U.P.S., OnTrack or courier with a transmittal form directly to the City. The plan transmittal procedure used by SFA eliminates the possibility of the plans being tampered with when being forwarded for permit issuance.

A list of all required plan corrections will be typed on SFA's Correction Lists and will be submitted to the City.

Transmittal Form

SFA's Transmittal Form is tailored for use specifically with building plan checks. Besides serving to document enclosures, it serves as a good communication tool to alert the permit technician of a number of things which are critical at the permit issuance stage. Some examples are: **1)** when special inspection is required; **2)** when another agency approval is necessary; **3)** if the building official was involved in an interpretation and should be given a chance to review the project; and **4)** if additional review fees are due as well as a number of other topics.

Questionnaire

SFA sends a Questionnaire to each applicant with the initial plan check comments for optional use after the plans are approved. This insures that the designer who worked with SFA is given the opportunity to comment. This helps by soliciting feedback on the services provided by SFA customers of the building departments which are entrusted to SFA. The comments received are forwarded to the client agency. This process makes the plan checker aware that the company values a professional attitude, sends a message to applicants that we care about providing professional services, and lastly, it informs the client agency about the service level SFA is providing.

SFA's goal is to provide consistent, timely and professional services geared to the needs of each client agency. We want to be considered an extension of your agency's staff; not providing generic services but services which are an integral component with our client's departmental operations. A copy follows in the Appendix.

Timely Performance

SFA will strive to maintain efficient turnaround times on all reviews since this is largely a measurement of our performance. It is one of the categories on our questionnaire which is given to our applicants. **The maximum turnaround time for initial reviews will be ten (10)) working days.** Extremely large or complex structures would be as agreed upon with the City's Building Official in advance. **Rechecks will be done within five (5)working days. Accelerated plans will be reviewed in seven (7) working days.**

Every effort will be made to accommodate any fast track plan check schedules that might come about in the City. Special scheduling needs or provides of unique scope would be as agreed upon with the City. SFA prides ourselves on meeting the needs of our client agencies.

SFA will accommodate preliminary reviews to facilitate more on-track projects at the time of the formal submittal for plan check when requested by the City staff. This will aid in timely turnaround times as well as good public relations.

Quality Control

Quality control is achieved through implementation of internal policies and a philosophy which produces a work product that is recognized as professional, consistent, service-oriented, technically accurate, and tailored to each client agency's needs. In addition to our listed policies and procedures, SFA has instituted four internal practices: **1)** Regular staff meetings with all plan check staff; **2)** Applicant Questionnaires on all projects to monitor service level, **3)** Tracking of turnaround time reports, **4)** Employ a philosophy of retaining experienced staff and 5) Attendance at seminars as needed.

Conflict of Interest

Reputation of the City's consultant reflects upon the City. In addition to technical and administrative quality, the perception that the consultant is objective and free from any conflict of interest is critical. Not only does SFA decline doing any private work within the jurisdiction of the City of Moreno Valley, but we decline private, non-municipal work anywhere. Additionally, even our plan check staff are prohibited from doing any work outside of their employment with SFA that could cause a conflict of interest.

Interaction with Applicants

To summarize, SFA's approach involves courtesy, responsiveness, communication, technical thoroughness, convenience and follow-up on service level.

Section 4 - Qualifications/Experience

PERSONNEL QUALIFICATIONS

Principal
Scott R. Fazekas, President, SFA
Registered Architect, CA, C-019013, NCARB, Colorado, Nevada
28 years managing municipal building safety consulting services
40years working in building safety divisions
Certified Building Official, I.C.C.
Certified Plans Examiner, I.C.C./Calbo
Certified Building Inspector, I.C.C./Calbo
LEED AP
Certified Access Specialist, CASp

Mr. Fazekas as President of SFA is authorized to bind the company to the terms and conditions contained in this Proposal and states that the terms are valid for 90 days from the date submitted.

Associates
Ganesh Rao, Plan Check Engineer
Registered Structural Engineer, CA, S-4471
10 Years Design Experience
16 Years Plan Review Experience

Vic Penera, Plan Check Engineer
Registered Structural Engineer, CA, S-2083
Certified Plans Examiner, I.C.B.O.
24 Years Municipal Safety Departments
15 Years Private Municipal Consulting

Brett Archibald, Plan Check Engineer
Registered Civil Engineer, CA
Certified Plans Examiner, I.C.C.
Bachelor of Science in Civil Engineering, SDSU
Build It Green Certification, CA
Certified Access Specialist, CASp

Peter Tang, Plan Check Engineer
Registered Professional Engineer, CA

Russ Helmick, Electrical Plans Examiner
He worked as Chief Electrical Inspector with the City of Irvine and now works for SFA. Russ also serves on NFPA code development and has taught electrical classes nationally for both NFPA and local ICC chapters.

CITY OF MORENO VALLEY
PLAN CHECK & INSPECTION SERVICES RFP #VAG=11/12-09
ORGANIZATION CHART

SCOTT FAZEKAS, AIA, CBO
LEED AP, CASP
PRESIDENT

VICTOR PENERA, Licensed Structural Engineer

GANESH RAO, Licensed Structural Engineer
Certified Plans Examiner

PETER TANG
Licensed Civil Engineer

BRETT ARCHIBALD, Licensed Civil Engineer
Certified Plans Examiner

RUSSELL HELMICH, Electrical

Section 4 - Qualifications/Experience

SFA'S EXPERIENCE

SFA currently provides building safety services for the following jurisdictions:

Anaheim	Indian Wells	Santa Rosa	San Dimas
Arcadia	Garden Grove	Norwalk	San Fernando
Beaumont	Huntington Beach	Ontario	Santa Ana
Cathedral City	Irvine	Palm Desert	
Corona	Laguna Woods	Pasadena	
Costa Mesa	Lake Elsinore	Perris	
Pico Rivera	La Habra Heights	Rancho Palos Verdes	

SFA has performed tens of thousands of plan reviews which have included every type of construction and occupancy group in the building spectrum. We have also encountered many unique administrative policies and processes in working with the building officials in our client jurisdictions which may have arisen due to tight project scheduling, application of alternate design methods or simply due to unique project characteristics. If additional information on plan check references is desired, SFA will be glad to accommodate such a request

Section 5 - Proposed Fee

SFA proposes to charge for plan check at a rate based on the percentage of the plan check fee collected by the City and on an hourly basis for services not subject to the Fee Schedule.

1. Fees for plan check are proposed at 50% of the City's plan check fees. For tracts, a rate of 80% of the City's plan check fee is proposed.

2. An hourly rate of $110 is proposed for projects which are selected for the City's large projects program, currently defined as those exceeding 25 million and offered only to select clients.

3. Hourly plan check fees not otherwise covered by the City's Fee Schedule are proposed at $110.00.

4. Expedited reviews, when requested by the City are proposed at 125% of the regular rate.

SFA proposes to charge for inspectors as follows:

Option 1

Full-time employee with benefits billed through SFA's Agreement would be payroll times 1.81.

Option 2

Full-time employee with benefits billed directly from the staffing service payroll times 1.45.

For example, a $25.00/hour employee would be charged at $45.25 and $36.25 for Options 1 and 2, respectively.

These rates are based on the Staffing Service not being required to find and select the employee and would be contingent upon the City finding and selecting the employee.

If the Staffing Service is requested to find the employees, rates of 1.94 and 1.55 would be charged, respectively.

NON-COLLUSION AFFIDAVIT

STATE OF CALIFORNIA)
) SS
COUNTY OF Orange)

(NAME) Scott Fazekas, President, affiant being first duly sworn, deposes and says:

That he or she is sole owner of
(sole owner, partner or other proper title)
Scott Fazekas & Associates, Inc. the party making the foregoing Proposal
(Contractor)
that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the Contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company associations, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid (Public Contract Code Section 7106).

Proposer's Name: Scott Fazekas & Associates, Inc.
(print)
Proposer's Address: 9 Corporate Park, S-200
(print)
Irvine, CA 92606

Telephone No.: (949) 475-2901

(Signature of Proposer) President
(Title)

All signatures must be notarized.

Attach Notary here.

YOUNG SUK KIM
COMM. # 1941607
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
MY COMM. EXP. JUNE 16, 2015

State of California County of Orange
Subscribed and sworn to (or affirmed) before me on this 30th day of April, 2012, by Scott Fazekas
~~personally known~~ or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.
Notary's Signature Young Suk Kim

AFFIDAVIT OF NON-CONVICTION

I hereby affirm that:

I am the President (Title) and the duly authorized

Representative of the firm of: Scott Fazekas & Associates, Inc. (Name of Corporation)

Whose address is: 9 Corporate Park, S-200
Irvine, CA 92606 And that

I possess the legal authority to make this affidavit on behalf of myself and the firm for which I am acting.

Except as described in paragraph 3 below, neither I nor the above firm, nor to the best of my knowledge, and of its officers, directors, or partners, or any of its employees directory involved in obtaining Contracts with the City have been convicted of, or have plead ***nolo contendere*** to a charge of, or having during the course of an official investigation or other proceeding admitted in writing or under oath acts or omissions which constitute bribery, attempted bribery, or conspiracy to bride under the laws of any State of the Federal government (conduct prior to July 1, 1977 is not required to be reported).

State "none" or, as appropriate, list any convection, plea or admission described in paragraph two above, with the data, court, official, or administrative body; the individuals involved and their position with the firm, and sentence or disposition, if any.

I acknowledge that this affidavit is required to allow the City to make a determination. I acknowledge that, if the representations set forth in the affidavit are not true and correct, the City may terminate ant Contract awarded and may take any other action.

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.

Signature: [signature] Date: 4/30/12

Printed Name Scott R. Fazekas Title: President

Name of firm: Scott Fazekas & Associates, Inc.

VENDOR INFORMATION

A. PROPOSERS COMPANY INFORMATION (print or type)

Company Name: Scott Fazekas & Associates, Inc.

Owner / Manager Name: Scott R. Fazekas

PO Mailing Address: 9 Corporate Park, S-200

City: Irvine State CA Zip 92606

Remit to Address (if different from PO mailing address)

City: _____ State _____ Zip _____

Web Site: ScottFazekasandAssociates.com

Phone Number: (949) 475-2901

Fax Number: (949) 475-2560

E-mail Address: sfairvine@aol.com

Incorporated? (mark one) Yes X or No ___

Fed. Tax I.D. # or Social # 33-0711166

If not a Corporation, are you a Partnership, LLC, Individual or Joint Venture? _____

How many years of relevant experience within the scope of this RFP? 18 years

I certify that the information given above is accurate and complete; that the Terms and Conditions as issued by the City of Moreno Valley with this Request for Proposal # VAG-11/12-~~04~~ 09 have been fully read, understood, and accepted in total; and that I am a duly authorized agent for quoting purposes for the company named above.

Scott R. Fazekas — President
(Print Quoting Persons Name) (Title)

[signature] — 4/30/12
(Quoting Persons Signature) (Date)

REFERENCES

List three (3) references that most closely reflect similar projects and work that your company has worked on within the past five (5) years for a Public or Governmental Agency. (Type or Print)

1. Name of Public Agency: City of Ontario

   Address: 303 E. "B" Street

   City: Ontario State: CA Zip: 91764

   Contact: Kevin Shear Title: Building Official

   Telephone: (909) 395-2172 Email: kshear@ci.ontario.ca.us

   Service Dates: 1999 - present

   Brief Summary of Project/Work provided: Plan review of residential and commercial buildings

2. Name of Public Agency: City of Costa Mesa

   Address: 77 Fair Dr., P.O. Box 1200

   City: Costa Mesa State: CA Zip: 92628-1200

   Contact: Keith Clarke Title: Building Official

   Telephone: (714) 754-5277 Email: kclarke@ci.costamesa.ca.us

   Service Dates: 1996 - present

   Brief Summary of Project/Work provided: Plan review of residential and commercial buildings

3. Name of Public Agency: 1 City of Perris

Address: 101 N. "D" St.

City: Perris State: CA Zip: 92570

Contact: Rene Avila Title: Building Official

Telephone: (951) 443-1029 ext. # 228 Email: Ravila@cityofperris.org

Service Dates: 2005-present

Brief Summary of Project/Work provided: Plan review of residential and commercial buildings.

Additional references are provided in the Appendix

3. Name of Public Agency: City of Norwalk

Address: 12700 Norwalk Blvd.

City: Norwalk State: CA Zip: 90650

Contact: Tony Weimholt Title: Building Official

Telephone: (562) 929-5739 Email: tweimholt@ci.norwalk.ca.us

Service Dates: 1997 to present

Brief Summary of Project/Work provided: Plan review of residential and commercial buildings.

Additional references are provided in the Appendix

Item No. A.12

2011-12 Adopted Fee Schedule
Building & Safety Excerpt

Section 3 - Community & Economic Development

Building and Safety	Unit	Fee
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 459.00
> 1,400 sq ft	per 50 sq ft	$ 7.19
1 Story Plan Check		
<= 1,400 sq ft		$ 649.00
> 1,400 sq ft	per 50 sq ft	$ 6.60
1.5 Story Permit		
<= 1,400 sq ft		$ 531.00
> 1,400 sq ft	per 50 sq ft	$ 8.10
1.5 Story Plan Check		
<= 1,400 sq ft		$ 802.00
> 1,400 sq ft	per 50 sq ft	$ 8.70
2 Story Permit		
<= 1,400 sq ft		$ 645.00
> 1,400 sq ft	per 50 sq ft	$ 9.00

2 Story Plan Check		
<= 1,400 sq ft		$ 802.00
> 1,400 sq ft	per 50 sq ft	$ 8.70
Identical Unit Plan Check	per Unit	$ 89.00

Structural Alterations

1 Story		
<= 1,400 sq ft		$ 376.00
> 1,400 sq ft	per 50 sq ft	$ 3.02
1.5 Story		
<= 1,400 sq ft		$ 396.00
> 1,400 sq ft	per 50 sq ft	$ 4.50
2 Story		
<= 1,400 sq ft		$ 396.00
> 1,400 sq ft	per 50 sq ft	$ 4.50

Non-Structural Alterations

1 Story		
<= 1,400 sq ft		$ 158.00
> 1,400 sq ft	per 50 sq ft	$ 1.50
1.5 Story		
<= 1,400 sq ft		$ 196.00
> 1,400 sq ft	per 50 sq ft	$ 2.09
2 Story		
<= 1,400 sq ft		$ 196.00
> 1,400 sq ft	per 50 sq ft	$ 2.09

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Electrical Permit Fees

1997 Uniform Administrative
Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative
Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative
Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.
(100%) and shall be paid at the time of
submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative
Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 123.00
Permit Issuance	Fee	$ 32.00

Investigation Fees

For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.

Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 150.00
Inspections for which no fee is specifically identified	per Hour	$ 150.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$150.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 150.00 * *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)	per Hour	$ 150.00

Certificate of Occupancy Inspection	Each	$ 180.00

Table 3A Building Permit Fees from 1997 UAC
Adjusted by CPI

FY 11/12 Fees					
TABLE_ID	LOW_RANGE	HIGH_RANGE	NUM_RESULT	EXTRA_AMT	INCREMENT_AMT
BLDVAL11	1	500	32.07	0	0
BLDVAL11	501	2000	32.07	4.15	100
BLDVAL11	2001	25000	94.49	19.1	1000
BLDVAL11	25001	50000	534.65	13.78	1000
BLDVAL11	50001	100000	878.58	9.55	1000
BLDVAL11	100001	500000	1355.56	7.64	1000
BLDVAL11	500001	1000000	4413.43	6.49	1000
BLDVAL11	1000001	1000000000	7654.83	4.97	1000

Insert fee proposal here and include signature page of similar information

Company Name: Scott Fazekas & Associates, Inc.

Authorized Signer: Scott R. Fazekas

Signature 4/30/12 Date

PLAN REVIEW SERVICES

SFA proposes to charge a rate based on a percentage of the plan check fee collected by the City and on an hourly basis for services not subject to the Fee Schedule.

1. Fees for plan check are proposed at 45% of the City's plan check fees. For tracts, a rate of 80% of the City's plan check fee is proposed.

2. An hourly rate of $110 is proposed for projects which are selected for the City's large projects program, currently defined as those exceeding 25 million and offered only to select clients.

3. Hourly plan check fees not otherwise covered by the City's Fee Schedule are proposed at $110.00.

4. Expedited reviews, when requested by the City are proposed at 125% of the regular rate.

INSPECTIONS SERVICES

SFA proposes to charge for inspectors as follows:

Option 1

Payroll rate x 1.81 for F.T.E. with benefits. See Proposal for elaboration.

Option 2

Payroll rate x 1.45 for F.T.E. with benefits. See Proposal for elaboration.

ADDENDA ACKNOWLEDGMENT

The undersigned acknowledges receipt of the following ADDENDA and the cost, if any, or such revision has been included in the TOTAL BID of the Bidding Schedule(s). If NONE, WRITE "NONE" ON THE FIRST LINE.

Addendum No.: 1 Dated 4/24/12

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Company Name: Scott Fazekas & Associates, Inc.

Address: 9 Corporate Park, S-200
Irvine, CA 92606

Telephone No.: (949) 475-2901

Email Address: sfairvine@aol.com

By: Scott R. Fazekas
(print)

Signature: [signature] Date: 4/30/12

CITY OF ONTARIO

303 EAST "B" STREET, CIVIC CENTER ONTARIO CALIFORNIA 91764-4105

(909) 395-2000
FAX (909) 395-2070

PAUL S. LEON
MAYOR

SHEILA MAUTZ
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
DEBRA DORST-PORADA
COUNCIL MEMBERS

CHRIS HUGHES
CITY MANAGER

MARY E. WIRTES, MMC
CITY CLERK

JAMES R. MILHISER
TREASURER

April 18, 2012

Ms. Virginia Garcia
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Subject: Letter of Recommendation for Scott Fazekas & Associates

Dear Ms. Garcia:

It is a pleasure to write this letter of recommendation for Scott Fazekas & Associates, Inc. (SFA) as you requested in you RFP for Building & Safety Services. I, Kevin Shear, am the Building Official for the City of Ontario and have served in this capacity for 13 years. I have worked in a number of Building and Safety Departments for over 30 years, and have used SFA to provide plan check services for approximately 17 years.

I have found their services to be exemplary and the staff to be both knowledgeable in their profession and cordial with both the public and City staff. I have always been able to depend on SFA to provide consistent, quality services with speed, accuracy, and professionalism.

Sincerely,

Kevin Shear
Building Official
City of Ontario

CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT
BUILDING & PLANNING DIVISION
135 N. 'D' STREET, PERRIS, CA 92570-2200
TEL.: (951) 943-5003 FAX: (951) 943-8379

Ms. Virginia Garcia
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92552-0805

Subject: Letter of Recommendation for Scott Fazekas & Associates, Inc

Dear Ms. Garcia:

I have worked with Mr. Scott Fazekas for a number of years and I'm pleased to write this letter of recommendation for Scott Fazekas & Associates, Inc. (SFA) for Building & Safety Services.

I am currently the Assistant Director of Development Services for the City of Perris and have worked in various capacities within the Building and Safety field for over 24 years. Through the years SFA has been on contract with many of the Cities I have been with, to include securing his services in my capacity of Building Official in order to expedite and streamline the plan check process within the City. I have found his services to be dependable, efficient and knowledgeable in building code review. It is because of this established track record that that we are able to recommend this firm as an asset to any Building Department.

I would be more than happy to discuss SFA in more detail should you desire.

Sincerely,

Rene Avila
Assistant Director of Development Services
Phone 951-840-8548 / Fax 951-943-8379
ravila@cityofperris.org

CITY OF COSTA MESA
Building Division
77 Fair Drive
Costa Mesa, California 92626

Ms. Virginia Garcia
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92552-0805

Subject: Letter of Recommendation for Scott Fazekas & Associates, Inc

Dear Ms. Garcia:

I'm pleased to write this letter of recommendation for Scott Fazekas & Associates, Inc (SFA) as requested in your RFP for Building & Safety Services. I am the Building Official for the City of Costa Mesa. I have worked in building safety departments for over 31 years and have used SFA's services for approximately 17 years.

The services provided by SFA have always been accurate and on time. The staff of SFA has worked well with the public and has become a valuable resource for the City of Costa Mesa.

If you would like to discuss this matter further, please e-mail me at: keith.Clarke@costamesaca.gov or call me on my cell phone at: 951.963.6000.

Keith Clarke – Building Official, City of Costa Mesa

/sfa recommendation

Item No. A.12

References

Agency:	**CITY OF ANAHEIM**
Reference:	Sheri Vanderdussen, Planning Director (714) 765-5153
Service:	Plan Review and Building Official

Agency:	**CITY OF ARCADIA**
Reference:	Don Stockham, Building Official (626) 574-5420
Service:	Plan Review

Agency:	**CITY OF BEAUMONT**
Reference:	Keith Hightower, Building Official (951) 769-8529
Service:	Plan Review

Agency:	**CITY OF CATHEDRAL CITY**
Reference:	Gil Estrada, CBO, Building Official (760) 601-6569
Service:	Plan Review

Agency:	**CITY OF CORONA**
Reference:	Rebecca Wisniewski, Plan Check Supervisor (951) 279-3568
Services:	Plan Review

Agency:	**CITY OF COSTA MESA**
Reference:	Khanh Nguyen, P.E., CBO,Community D (714) 754-5604 Keith Clarke, C.B.O., Building Official (714) 754-5277
Services:	Plan Review

Agency:	**CITY OF DOWNEY**
Reference:	Mike Larnard, Building Official Linda Haines, Community Development Director (562) 904-7140
Service:	Plan Review

Agency:	**CITY OF GARDEN GROVE**
Reference:	Ding Victorio, P.E., Building Official (714) 741-5427
Service:	Plan Review

References

Agency:	**CITY OF HUNTINGTON BEACH**
Reference:	Mark Carnahan, C.B.O., Building Official (714) 374-1792
Services:	Plan Review

Agency:	**CITY OF IRVINE**
Reference:	Joe Kirkpatrick, S.E., Building Official (949) 724-6453
Services:	Plan Review

Agency:	**CITY OF LA HABRA HEIGHTS**
Reference:	Shauna Clark, City Manager (562) 694-6302, #227
Services:	Plan Review, Building Official

Agency:	**CITY OF LAKE ELSINORE**
Reference:	Bill Delvin, C.B.O., Building Official (951) 674-3124, #286
Service:	Plan Review

Agency:	**CITY OF NORWALK**
	Tony Weimholt, CBO, Building Official (562) 929-5739 Plan Review

Agency:	**CITY OF ONTARIO**
Reference:	Kevin Shear, CBO, Building Official (909) 391-2546 ext. 4330
Service:	Plan Review

Agency:	**CITY OF PALM DESERT**
Reference:	Mr. Russell Grance, Building Official Ms. Sam Szymanski, Sr. Plans Examiner (760) 776-6420
Service:	Plan Review

Agency:	**CITY OF PASADENA**
Reference:	Sarkis Nazerian, CBO, Building Official (626) 744-7571
Service:	Plan Review

References

Agency:	**CITY OF PERRIS**
Reference:	Rene Avila, C.B.O., Building Official/Fire Marshall (951) 433-1029 ext. 228
Service:	Plan Review

Agency:	**CITY OF PICO RIVERA**
Reference:	Eric Dennis, C.B.O., Building Official (562) 801-4331, cell (760) 670-0371
Service:	Plan Review

Agency:	**CITY OF SAN DIMAS**
Reference:	Eric Beilstein, Building Official (909) 394-6264
Service:	Plan Review

Agency:	**CITY OF SAN FERNANDO**
Reference:	Francisco Villalva, Building Official (818) 898-1231
Service:	Plan Review

Agency:	**CITY OF SANTA ANA**
Reference:	Gerald Caraig, P.E., C.B.O., Building Official (714) 647-5896
Service:	Plan Review

Agency:	**CITY OF SANTA ROSA**
Reference:	Mike Whitacker, P.E., Chief Plan Check Engineer (707) 543-3264
Service:	Plan Review

EDUCATION

Bachelor of Science in Architecture, California State Polytechnic University, 1980
Supplementary Structural Course Work, California State University, Fullerton, 1984

PROFESSIONAL REGISTRATION

Licensed Architect, California, Colorado, NCARB, Nevada

CERTIFICATION

LEED Accredited Professional, LEED
Certified Access Specialist, DSA
Certified Building Official, I.C.C.
Certified Plans Examiner, I.C.C., C.B.C.
Certified Building Inspector, I.C.C., C.B.C.

EXPERIENCE

Mr. Fazekas is President of Scott Fazekas & Associates, Inc. (SFA) which provides building official, building plan check and building inspection services to governmental agencies. He has interfaced with architects, engineers, designers, contractors, plan checkers, inspectors, developers and building owners to achieve code compliant building construction through the application of local, state, and federal codes and regulations.

Mr. Fazekas has plan checked buildings which encompass the full spectrum of building types and occupancy groups and has served as building official for fourteen jurisdictions through long term and interim contract arrangements. He has also contributed to both the design and code enforcement professions by regularly lecturing at code-related seminars and classes. He served six years on the American Institute of Architects Building Performance and Regulations Committee where he monitored the ANSI A117.1 Disabled Access Standards. He also served four years on I.C.B.O.'s General Design/Structural Review Committee and on the Orange Empire Chapter of I.C.B.O.'s Code Change Committee.

Mr. Fazekas has 40 years of progressive experience working in and for building departments. Prior to starting SFA, he was employed by BSI Consultants, Inc. as a Senior Vice President and Division Manager of the Building Safety Division. He was responsible for starting, developing and managing the Building Safety Division for 11 years. During that time he served as building official in California and Washington jurisdictions and oversaw plan review services for more than one hundred client agencies. He also founded and served as President of Employment Systems Inc., which was a corporation dedicated to municipal staffing needs. Before his term with BSI, he spent 13 years working for the building divisions in the Cities of Newport Beach and Costa Mesa where he worked his way through all levels in the departments from clerk to permit technician, inspector and plan check engineer.

PROFESSIONAL AFFILIATIONS

A.I.A., I.C.B.O./ I.C.C., CALBO

EDUCATION

Bachelor of Science in Mechanical Engineering
California State University, San Diego 1968
Master of Science in Mechanical Engineering
University of Southern California, 1970
Supplementary Structural Course Work
California State University, Los Angeles, 1973-76

PROFESSIONAL REGISTRATION

Registered Structural Engineer, California 1976
Registered Professional Engineer, California 1971

EXPERIENCE

After completing 30 years of service with the City of Los Angeles, Mr. Penera retired in April , 2000 and immediately joined SFA as a member of its plan check engineering staff.

Having worked four years in the Department of Public Works and 26 years in Building and Safety with the City of Los Angeles, Mr. Penera has substantial experience in both design and plan checking of structural systems. In the 26 years he spent with LA Department of Building and Safety, he plan checked a wide spectrum of structural systems, occupancies and uses; from simple, wood-frame, single family room additions to complex, high-rise, steel office buildings.

During the last three years of his career with Los Angeles Department of Building and Safety, Mr. Penera served as the Deputy Superintendent of Building in charge of the Engineering Bureau. As Chief of the Engineering Bureau, Mr. Penera oversaw a staff of 175 engineers, technicians and clerical staff responsible for the checking for compliance of state and local regulations related to building, electrical, plumbing, mechanical and zoning issues.

Mr. Penera was active in the development of the first International Building Code (IBC). For one year he served on the Steering Committee for the development of the first draft of the IBC and for two years served as Chairman of the Structural Subcommittee to draft the structural engineering chapters (Chapters 16-26) of the proposed IBC.

PROFESSIONAL AFFILIATIONS

Structural Engineers Association of Southern California
American Society of Civil Engineers
International Conference of Building Officials

GANESH M. RAO

EDUCATION

Masters of Science in Civil Engineering
Brigham Young University, Provo, Utah
Bachelor of Science in Civil Engineering, Bangalore University, India

PROFESSIONAL REGISTRATION

Registered Structural Engineer in California
Registered Professional Engineer in California
Certified Plans Examiner, I.C.C.

EXPERIENCE

Mr. Rao has been a building plan check engineer in SFA's Irvine office since 1998. He reviews both commercial and residential plans for compliance with model codes and local ordinances. He has a total of 23 years of progressively involved engineering experience.

Prior to his employment with SFA, Mr. Rao has spent eight years in the design field with experience in California, Nevada and Hawaii designing wood, steel concrete and post-tensioned low, mid and high-rise structures. Occupancies which he has performed design work for have included retail, medical, office resort, bridge, industrial, schools, parking structure and hanger facilities.

Mr. Rao has experience in a variety of geographic regions. His design experience includes projects in California, Nevada, Washington, Oregon, Hawaii and the Territory of Guam. His plan review experience has been in California, Nevada and Colorado. Mr. Rao has reviewed plans for code compliance, residential, tenant improvement, low to mid-rise, tilt-up warehouses, etc. Projects included a three-dimensional finite element analysis of space frame for a mall in the Territory of Guam, Disney Building in Burbank utilizing "Waurch" moment connections, seismic retrofit of Mattel Distribution Center, an aircraft hanger and Sony Technology Center in San Diego. Projects also included design and detailing of antenna structure ranging from 30 feet monopole to 400 foot latticed tower.

EDUCATION

Bachelor of Science in Engineering, California State Polytechnic University, 1994

PROFESSIONAL REGISTRATION

Licensed Civil Engineer, California, C-59691

EXPERIENCE

Mr. Tang has been a plan check engineer in SFA's Irvine office for seven years. He reviews both residential and commercial plans for compliance with model codes and ordinances. With a background in forensic investigations on wood-framed structures, he is particularly well versed in wood structures.

Over a sixteen year period, Mr. Tang has been exposed to a variety of engineering design assignments with three different structural design firms. He was employed by Seismic, Inc. in Pomona, Ficcadenti & Waggoner Structural Engineers in Irvine, and John A. Martin Structural Engineers in Los Angeles prior to his employment with SFA.

Mr. Tang has been an excellent supervisor to junior plan checkers in the area of wood framing. His expertise in rack design has also made him a valuable resource in the review of increasingly large rack systems.

Mr. Tang was a project designer on Fresno State's Savemart Center, a steel and concrete sports area; the Pacific Grand Resort, a steel conference center in Huntington Beach; the Westpart Tiempo Community in Irvine, a seismic retrofit of homes; and the Casa Gateway Condos in Pacific Palisades, a seismic evaluation of 3-story homes.

BRETT ARCHIBALD

EDUCATION

Bachelor of Science in Civil Engineering, California State San Diego, 2002
Structural Emphasis in Course Work

CERTIFICATIONS

Registered Civil Engineer, California
Certified Plans Examiner, I.C.C.
Certified Mechanical Inspector, I.C.C.
Build It Green Certification, CA
Certified Access Specialist, DSA

EXPERIENCE

Mr. Archibald is one of SFA's professional staff in our Irvine office. He has ten years of experience with SFA reviewing both residential and commercial projects. He is assigned as liaison to the City of La Habra Heights where he has set times to coordinate with City staff.

Mr. Archibald has experience in plan checking a variety of projects including single and multi-family housing, tenant improvements, seismic retrofits, tilt-up warehouses, etc. These projects involved structural systems such as wood framing, light gauge steel, moment frames, cantilever columns, concrete and masonry.

Mr. Archibald has also been instrumental in helping to establish tailored documentation for some of SFA's newer clients or clients which are modifying procedures or policies. His computer skills have assisted in the coordination of SFA processing with the needs of our clients.

PROFESSIONAL AFFILIATIONS

International Code Council
American Society of Civil Engineers

EDUCATION

Associates Degree in Math, Santa Ana College, CA, 1962
K-14 Teaching Credential, UCLA, Los Angeles, CA

CERTIFICATION

Certified Building Official, I.C.C.

EXPERIENCE

Mr. Helmick currently provides specialized consulting electrical plan reivew for all types of commercial and industrial buildings for SFA. He is responsible for reviewing electrical plans for various municipalities and consults with staff on electrical code.

Prior to joining SFA, Mr. Helmick was an Inspection Supervisor and Chief Electrical Inspector with the City of Irvine. In his thirty years with the City, he supervised and trained a team of electrical inspectors; performed difficult, special and complex inspections; and resolved complaints and disputes. He was available to interpret code to laymen, contractors, architects and others as necessary.

During his tenure with the City of Irvine, Mr. Helmick was an instructor at Saddleback Community College for twenty years teaching electrical code and inspection; building code and law; Contractor's License Law, Construction Inspection and Energy Management. He has taught electrical seminars for IAEI and ICBO since 1991. He also serves on NFPA's Electrical Code Development Committee.

PROFESSIONAL AFFILIATIONS

National Fire Protection Agency (NFPA)
International Association of Electrical Inspectors (IAEI)
International Council of Building Officials (ICC)
Underwriter's Laboratory (U/L)
American Public Works Association (APWA)

INSURANCE

Insurance is provided in the following amounts:

a.	General Liability	$1,000,000
b.	Workers Compensation	$1,000,000
c.	Automobile	$1,000,000
d.	Professional Liability	$1,000,000

CORPORATE SEAL

This page is inserted to state the names of the officers of Scott Fazekas & Associates, Inc. and to attest by the corporate seal that the corporation was formed under California State laws and that Scott R. Fazekas is the President and that Joy Fazekas is the Corporate Secretary.

SCOTT R. FAZEKAS 4/30/12 Date

JOY FAZEKAS 4/30/12 Date

EXHIBIT B

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $800,000 per fiscal year.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the City as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be submitted to the Community & Economic Development Department at susanc@moval.org or calls directed to (951) 413-3350.

4. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)

E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services perfor med and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the C ontractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: EsGil Corporation
Address: 9320 Chesapeake Dr., Suite 208
City: San Diego State: CA Zip: 92123
Business Phone: (858) 560-1468 Fax No.: (858) 560-1576
Other Contact Number: (800) 983-7445
Business License Number: TBD
Federal Tax I.D. Number: 95-3444018

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. Payment terms are provided in Exhibit "B" attached hereto and incorporated herein by this reference.
C. The Contractor Starting Date is July 1, 2012 and the Contractor Ending Date is June 30, 2015. If mutually agreeable, the City and Contractor may extend this agreement in increments of one year, not to exceed a total contract period of five years. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all claims which arise from the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be

rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

☐ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☐ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community

Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

MV00167855

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Mayor

_____
Date

EsGil Corporation

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

Exhibit A

ESGIL CORPORATION

Statement of Qualifications

BUILDING & SAFETY PLAN CHECK CONSULTANT SERVICES

for the City of:

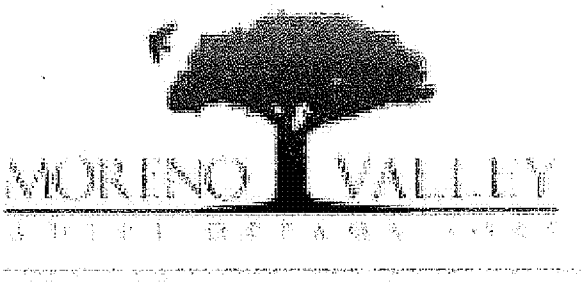

April 30, 2012

Proposal submitted by:

Kurt Culver, President, S.E., C.B.O.

9320 Chesapeake Drive, Suite 208 • San Diego, California 92123
(858) 560-1468 • (800) 983-7445 • www.esgil.com

Item No. A.12

ESGIL CORPORATION

Proposal for Plan Check Services

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ESGIL ATTACHMENTS

A. Sample Log Screen
B. Sample Correction List
C. Sample Invoice
D. Principal Resumes
E. Staff Qualifications
F. Sample Insurance Certificate
G. Client References
H. Letters of Recommendation

CITY FORMS

1) Non-Collusion Affidavit
2) Affidavit of Non-Conviction
3) Vendor Information page
4) References pages
5) Proposal Schedule
6) Addenda Acknowledgement

ESGIL CORPORATION

Plan Review Services

A. INTRODUCTION

1) Methodology/Approach

Plan Control Logs

When plans are received at EsGil, they are reviewed for completeness of submittal, and then logged into our network tracking system. **Attachment "A"** is a sample report from our log system. Our staff enters project information into our database within 24 hours of arrival. Target times and maximum completion times are assigned for each plan review discipline. This information is transferred to a plan check assignment list with completion deadlines as listed in the contract.

The assigned Plan Review Engineer coordinates his/her review with the other plan check disciplines (electrical, mechanical, energy, fire, disabled access) to ensure good communication and coordination of listed deficiencies. EsGil Corporation assures that corrections are communicated as quickly and as clearly as possible. Our goal is to help the applicant through the plan review process. All corrections are identified based on compliance with specified codes and regulations.

Checklists

We have an extensive plan check library that covers all aspects of engineering, code interpretation and legal aspects of plan review. We have all plan review lists on a computer network that allows us to be very user friendly and responsive to the designers, as well as our client building officials. Our checklists have been tailored for each client. **Attachment "B"** is sample building correction list.

Plan review engineers follow the checklists for their reviews. They add to or modify any item on the checklist at their work station and then print out a list showing only those items where deficiencies were found to exist on the plans. All documents shall be provided in a format desired by the City. Copies of the checklists are then sent to the City and/or the applicant and design team via mail, fax or e-mail.

Quality Control / Supervision

Quality control and supervision of plan review staff are accomplished by having all staff in a single location, a clearly defined organization and having management and supervisory decision-makers immediately available to oversee reviews and answer questions. Oversight reviews are made by supervisors as needed to ensure quality control.

Billing Process

Each month, a detailed billing is sent to the City which shows each project reviewed. This billing will also show the turnaround times and other pertinent information. Please see **Attachment "C"** for a sample copy of our invoice.

Applicant Appeals

In cases where an applicant wishes to appeal a decision made by our staff, it will first be reviewed by a supervisor. If the issue still cannot be resolved, the City Building Official will be contacted and a summary of the issue presented. Our staff will then take guidance from the Building Official's decision.

Customer service is a priority for EsGil. Our staff is committed to working with the public to ensure the health and safety of each jurisdiction's community while making the regulatory process understandable, user friendly and reasonable.

2) Proposing Firm

Name:	EsGil Corporation
Mailing Address:	9320 Chesapeake Drive #208 San Diego, CA 92123
E-mail:	mail@esgil.com
Telephone:	(858) 560-1468
Fax #:	(858) 560-1576

3) Project Manager and Staff

Plan reviews for the City will be managed by Chuck Mendenhall, Vice-President of EsGil Corporation. Mr. Mendenhall is a California licensed Civil and Structural Engineer, and has over thirty-five years of building inspection department experience. Chuck will provide all liaisons with City staff and will be available to respond to any designer challenges of plan review items. Kurt Culver, P.E., S.E. will assist and provide back-up for Chuck. Please see **Attachment "D"** for resumes of the principals and **Attachment "E"** for a list of all professional staff that will be assigned to Moreno Valley plan reviews.

4) Team Members

EsGil has the depth of staff available to commit to the workload identified in your RFP. Our staff includes licensed structural engineers, licensed civil engineers, mechanical engineers, electrical engineers, I.C.C. certified building and fire plans examiners and I.C.C. building and fire certified inspectors. We also have CASp and LEED Certified Plans Examiners. All EsGil plan review engineers are I.C.C. Certified. **Attachment "E"** lists our key personnel with their license numbers, certifications, credentials and areas of responsibility.

B. QUALIFICATIONS

EsGil Corporation is a specialized firm that has provided full-service building and fire plan review, inspection and permit processing services to city, county, tribal and state agencies for over 30 years. We have provided building and fire reviews for projects having a valuation in excess of 60 billion dollars. Projects include high-rise buildings, residential projects, tenant improvements, remodels, regional shopping centers, hotels, resorts, hospitals, sports arenas, detention facilities, police stations, fire stations, city halls, libraries, schools, industrial facilities, hazardous occupancies, trash recycling, essential facilities, unreinforced masonry seismic upgrades and casinos.

We understand the Building Official's role. The two corporate founders of EsGil formerly served as Director and Deputy Director of the San Diego County Building Inspection Department. The corporation presently operates the full building inspection departments and also serves as the Building Official for the cities of Del Mar, Encinitas, Lemon Grove, Poway, Santee and Solana Beach. Responsibilities include providing on-site staff for the public counter, inspection, supervision, in addition to plan check in both the City offices and at our local office. The National City and Coronado Building and Fire Departments also utilize our full-service plan check, inspection and permit processing services. Please see **Attachment "G"** for our Client Reference Sheet.

Through EsGil Corporation, client cities share with other jurisdictions a full-depth of highly trained professionals. Our highly-credentialed plan check engineers assist with reviewing state-mandated structural, plumbing, mechanical, electrical, disabled access, fire, energy conservation, green code regulations and also any local building regulations. Highly qualified EsGil managers are always available for policy decisions, problem resolution, applicant appeals of staff decisions, quality control, and supervision. This level of expertise and experience would typically not be affordable by an individual city. **Attachments "D"** and **"E"** lists the credentials, licenses and certifications of our top-level management and plans examiners assigned to Moreno Valley projects.

During the plan review process, our staff is prepared to meet with the applicant or architect/engineer, City employees or consultants. Telephone discussions or meetings at project sites are welcomed to ensure that any plan review issues are handled efficiently. Our goal is to issue approved plans as quickly as possible but in full compliance with laws, codes, ordinances and regulations. Phone calls, teleconferences and meetings at our office are included in our plan check fees. Conferences and meetings outside of our office may be charged hourly, based on our hourly labor rates listed on **"City Form 5"**.

Training

We believe that continuous training for our staff is absolutely imperative for the accuracy and reliability of our inspections and plan reviews. Our plan review and inspection staff attends training classes presented by building organizations such as SEA, ICC and CALBO, with many of our staff members highly sought-after to lecture, teach, and be mentors. We also provide in-house training and cross-training for our staff on a regular basis.

Memberships

Our involvement and support for our local building organizations is a priority for our company and our staff. Kurt Culver, President of EsGil Corporation, currently serves as a member of CALBO's Structural Safety Committee and two other staff members have formerly served as President of the Structural Engineers Association of San Diego.

We are also active members of the following organizations:

- International Code Council (ICC)
- California Building Officials (CALBO)
- International Association of Electrical Inspectors (IAEI)
- International Association of Plumbing and Mechanical Officials (IAPMO)
- Structural Engineers Association (SEAOSD)
- American Concrete Institute (ACI)
- County Building Officials (CBOAC)
- National Fire Sprinkler Association (NFSA)
- CALBO Structural Safety Committee

In addition to serving on numerous committees for these organizations, our staff is also involved with the California Seismic Safety Commission, Strong Motion Instrumentation Advisory Committee and the Leadership in Energy and Environmental Design (L.E.E.D) Green Building Council.

Conflict of Interest

Since 1979, our only product has been providing services to building inspection departments and state agencies. By limiting our clients to only government agencies *and performing no design*, any conflict of interest is completely avoided. All employees have signed agreements that restrict any outside activities or employment that would create a conflict of interest. We have no direct or indirect financial interest in any projects in Moreno Valley.

EsGil Corporation declares that no potential conflict of interest exists or will exist which might impair or undermine our ability or credibility when providing plan checking services to the City of Moreno Valley.

Insurance

To protect our clients and the Corporation, we carry one million dollars of general and professional liability (E&O) insurance with a two million dollar aggregate. Our policies are written exclusively for plan review and building/fire department services. EsGil currently carries all of the insurance requested and can meet or exceed the insurance requirements listed in the RFP. Please see **Attachment "F"** for a copy of our insurance certificate created for the City of Moreno Valley.

C. PERSONNEL

Attachments "D" and **"E"** lists our personnel experience and background. The following is a copy of our organization chart listing our professional staff:

ESGIL CORPORATION ORGANIZATION CHART

TECHNICAL SERVICES

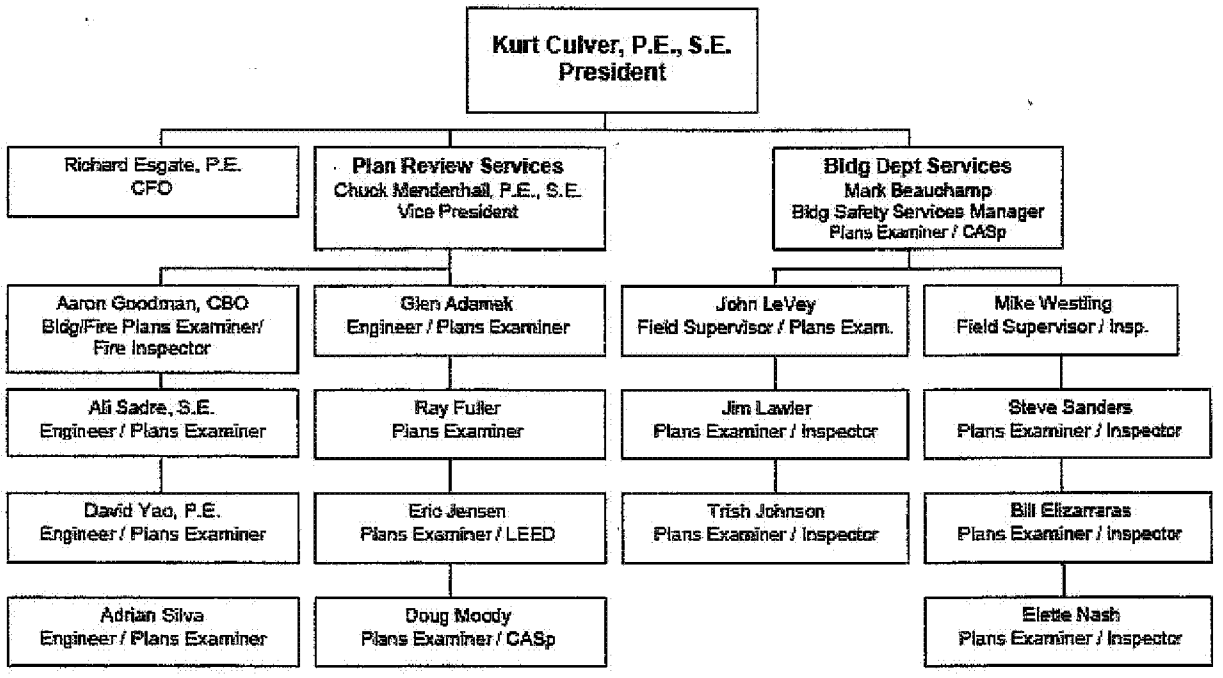

D. REFERENCE

We have also provided the same scope of work for other jurisdictions in this area and are very familiar with the designers working in the region. Please see **"City Form 4" (References pages)** for a list of three (3) jurisdictional references who have used our plan review services within the last five years.

Attachment "G" is a list of other long-term client references where we have provided a similar scope of services; **Attachment "H"** are letters of recommendation from several of our clients. We encourage you to contact any of our clients to evaluate our professional quality and public relations.

E. AUTHORIZATION

The terms and conditions contained in this proposal shall remain valid for a period of no less than ninety (90) days from the date of submittal. I am the person that is officially authorized to bind EsGil Corporation to the terms of the contract and is capable of acceptance from the City:

Kurt Culver, President

F. FEE SCHEDULE

Please see **"City Form 5" (Proposal Schedule)** for a copy of our proposed fees, which will be *valid for at least one (1) year from the effective date of the contract if awarded.*

G. TIME SCHEDULES

Our diverse staff provides flexibility when managing workloads. During peak workloads, we do not accept projects from cities and counties where we do not have an ongoing contractual relationship, thereby maintaining all current contractual service agreements. When necessary, we also assign overtime to allow our plan review staff to meet those timeframes, at no cost to the City. During our thirty-three years in business, we have always been able to meet all of our agreed-upon review times.

The following is a list of our proposed turnaround time for each possible type of job assigned:

Project Type	*Initial Check*	*Rechecks*	*Plan Change*
Single Family Dwellings	5	5	5
Apartments	5	5	5
Tenant Improvements	5	5	5
Commercial/Industrial	10	5	5

**** Turnaround times not to exceed the workdays listed.***

Accelerated / expedited plan reviews can be performed on overtime in half the normal turn-around times or as requested by the Building Official.

H. TRANSPORTATION OF PLANS

To assist in the security of plans, EsGil currently provides Federal Express and Golden State Overnight services for pick-up and delivery of plans when requested by the City staff, at *no cost to the City*.

Resubmitted plans may be delivered to the City office or shipped directly to our office, based on the City's procedures and requirements. EsGil has the ability to receive plans by mail or via electronic transmission, which decreases the time delays and costs associated with shipping plans. At completion, perforated or signed sets of the final plans are delivered to the City.

I. LIST OF SUBMITTALS / CITY SUBMITTAL DOCUMENTS

RFP forms have been included as the following Attachments:

"City Form 1"	Non-Collusion Affidavit
"City Form 2"	Affidavit of Non-Conviction
"City Form 3"	Vendor Information page
"City Form 4"	Reference pages
"City Form 5"	Proposed Schedule
"City Form 6"	Addenda Acknowledgement

City Report

Jurisdiction	Project Street Address	Date Esgil Receive	Date Complete	Location of Plans	Plan Check Numbe	Set#	Project Description
MENIFEE	28155 Encanto Rd	2/1/2012	2/3/2012	JURISDICTION	11-1520	II	Encanto Apartments
MENIFEE	28125 Bradley Rd #300	2/6/2012	2/7/2012	ESGIL	11-1116	I	His Light Church
MENIFEE	25125 Bradley Rd	2/6/2012	2/7/2012	JURISDICTION	11-1062	I	His Light Church
MENIFEE	31143 Geary Rd	2/6/2012	2/13/2012	ESGIL	12-0100	I	Dick Residence
MENIFEE	27256 Hwy 74	2/7/2012	2/16/2012	ESGIL	12-0101	I	Jack In The Box
MENIFEE	30208 Haun Rd	2/9/2012	2/17/2012	ESGIL	12-0113	I	Bj'S Restaurant
MENIFEE	27701 Scott Rd Bldg D Ste 107	2/13/2012	2/13/2012	ESGIL	11-1496	II	Fred Power Dental Office
MENIFEE	33200 Warm Springs Way	2/16/2012	2/21/2012	ESGIL	12-0138	I	Chavez Residence
MENIFEE	28125 Bradley Rd #300	2/16/2012	2/16/2012	JURISDICTION	11-1116	II	His Light Church
MENIFEE	28155 Encanto Dr	2/17/2012	2/23/2012	ESGIL	11-1308/1313	IV	Encanto Apartment Homes
MENIFEE	Tr 34180-3, 34120-4	2/17/2012	2/24/2012	ESGIL	11-1443	I	Southport @ Heritage Lakes
MENIFEE	31143 Geary Rd	2/21/2012	2/27/2012	JURISDICTION	12-0100	II	Dick Residence
MENIFEE	30318 Haun Rd	2/21/2012	2/29/2012	JURISDICTION	11-1526	III	Panera
MENIFEE	26770 Murrieta Road	2/22/2012	2/28/2012	JURISDICTION	12-0051	II	Menifee Valley Memorial Park
MENIFEE	25770 Bundy Canyon Rd	2/23/2012	2/28/2012	ESGIL	11-1484	III	Metro Pcs
MENIFEE	28155 Encanto Dr	2/24/2012	3/2/2012	ESGIL	11-1339	II	Encanto Apartment Homes
MENIFEE	27701 Scott Rd Bldg D Ste 107	2/24/2012	3/1/2012	JURISDICTION	11-1496	III	Fred Power Dental Office
MENIFEE	33200 Warm Springs Way	3/1/2012	3/5/2012	JURISDICTION	12-0138	II	Chavez Residence
MENIFEE	25770 Bundy Canyon Rd	3/5/2012	3/5/2012	JURISDICTION	11-1484	IV	Metro Pcs
MENIFEE	31786 Victoria Place	3/7/2012	3/13/2012	JURISDICTION	12-0183	I	Sycamore @ Hidden Hills
MENIFEE	31798 Victoria Place	3/7/2012	3/13/2012	JURISDICTION	12-0184	I	Sycamore @ Hidden Hills
MENIFEE	31762 Victoria Place	3/7/2012	3/13/2012	JURISDICTION	12-0185	I	Sycamore @ Hidden Hills
MENIFEE	Tr 31724	3/14/2012	3/16/2012	JURISDICTION	12-0086	II	Oaks At Marsden
MENIFEE	26973 Newport Rd	3/15/2012	3/22/2012	JURISDICTION	11-1486	III	Cvs Pharmacy
MENIFEE	28155 Encanto Dr	3/19/2012	3/27/2012	JURISDICTION	11-1308/1313	V	Encanto Apartment Homes
MENIFEE	28155 Encanto Dr	3/19/2012	3/26/2012	JURISDICTION	11-1339	III	Encanto Apartment Homes
MENIFEE	27256 Hwy 74	3/21/2012	3/28/2012	ESGIL	12-0101	II	Jack In The Box
MENIFEE	30208 Haun Rd	3/21/2012	3/29/2012	JURISDICTION	12-0113	II	Bj'S Restaurant
MENIFEE	28155 Encanto Dr	4/3/2012	4/4/2012	JURISDICTION	11-1339	IV	Encanto Apartment Homes
MENIFEE	25200 Trumble Rd	4/6/2012	4/12/2012	JURISDICTION	12-1221	I	Southern California Gas Co
MENIFEE	28356 Eller Way	4/9/2012	4/13/2012	ESGIL	12-1225	I	Stephens Residence
MENIFEE	27587 La Piedra Rd	4/11/2012	4/20/2012	ESGIL	12-0731/741, 076	I	Santa Rosa Academy
MENIFEE	33351 Little Reb Pl	4/11/2012	4/17/2012	ESGIL	PT12-1232	I	Lauritson Residence
MENIFEE	33221 Nancy Ln	4/16/2012	4/20/2012	JURISDICTION	12-0072	II	Gorham Residence

EsGil Corporation

In Partnership with Government for Building Safety

DATE: **April 20, 2012**

JURISDICTION: **Menifee**

PLAN CHECK NO.: **12-0731 thru 737, 740/1, 768** SET: **I**

PROJECT ADDRESS: **27587 La Piedra Road**

PROJECT NAME: **Santa Rosa Academy**

- ☐ APPLICANT
- ☐ JURIS.
- ☐ PLAN REVIEWER
- ☐ FILE

☐ The plans transmitted herewith have been corrected where necessary and substantially comply with the jurisdiction's codes.

☐ The plans transmitted herewith will substantially comply with the jurisdiction's codes when minor deficiencies identified below are resolved and checked by building department staff.

☐ The plans transmitted herewith have significant deficiencies identified on the enclosed check list and should be corrected and resubmitted for a complete recheck.

☒ The check list transmitted herewith is for your information. The plans are being held at Esgil Corporation until corrected plans are submitted for recheck.

☒ The applicant's copy of the check list is enclosed for the jurisdiction to forward to the applicant contact person.

☐ The applicant's copy of the check list has been sent to:

☒ EsGil Corporation staff **did not** advise the applicant that the plan check has been completed.

☐ EsGil Corporation staff **did** advise the applicant that the plan check has been completed.

Person contacted: Telephone #:

Date contacted: (by:) Email: Fax #:

Mail Telephone Fax In Person

☐ REMARKS:

By: **Kurt Culver**
EsGil Corporation
☒ GA ☒ EJ ☐ PC 4/11/12

Enclosures:

9320 Chesapeake Drive, Suite 208 ◆ San Diego, California 92123 ◆ (858) 560-1468 ◆ Fax (858) 560-1576

Attachment "B"

Menifee 12-0731 thru 737, 740/1, 768
April 20, 2012

PLAN REVIEW CORRECTION LIST
COMMERCIAL

PLAN CHECK NO.: **12-0731 thru 737, 740/1, 768**	JURISDICTION: **Menifee**
OCCUPANCY: E	USE: School
TYPE OF CONSTRUCTION: V-B	ACTUAL AREA: varies
ALLOWABLE FLOOR AREA: To be determined	STORIES: 1 and 2
	HEIGHT: varies
SPRINKLERS?: Yes	OCCUPANT LOAD: varies
REMARKS:	
DATE PLANS RECEIVED BY JURISDICTION: 4/10/12	DATE PLANS RECEIVED BY ESGIL CORPORATION: 4/11/12
DATE INITIAL PLAN REVIEW COMPLETED: **April 20, 2012**	PLAN REVIEWER: **Kurt Culver**

FOREWORD (PLEASE READ):

This plan review is limited to the technical requirements contained in the International Building Code, Uniform Plumbing Code, Uniform Mechanical Code, National Electrical Code and state laws regulating energy conservation, noise attenuation and access for the disabled. This plan review is based on regulations enforced by the Building Department. You may have other corrections based on laws and ordinances enforced by the Planning Department, Engineering Department, Fire Department or other departments. Clearance from those departments may be required prior to the issuance of a building permit.

Code sections cited are based on the 2010 CBC, which adopts the 2009 IBC.

The following items listed need clarification, modification or change. All items must be satisfied before the plans will be in conformance with the cited codes and regulations. Per Sec. 105.4 of the 2009 International Building Code, the approval of the plans does not permit the violation of any state, county or city law.

To speed up the recheck process, please note on this list (or a copy) where each correction item has been addressed, i.e., plan sheet number, specification section, etc. Be sure to enclose the marked up list when you submit the revised plans.

- **GENERAL**

1. Please make all corrections and submit THREE new *complete* sets of prints, to: The Menifee building department.

- **PLANS**

2. The architectural plans are incomplete. Please fill in all empty reference bubbles, complete all notes, complete all details, provide necessary dimensions, etc. A complete plan review cannot be performed until then.

3. All sheets of the plans and the first sheet of the calculations are required to be signed by the licensed architect or engineer responsible for the plan preparation. California State Law.

4. Architectural plans were provided for the Storage Building, but no structural information. Also, the "Project Summary" doesn't list it. Please clarify.

5. The reported floor areas on sheet T1 don't seem to include the areas of the various balconies (at each floor). Please recheck the reported floor areas.

6. Provide a note on the plans indicating if any hazardous materials will be stored and/or used within the building which exceed the quantities listed in IBC Tables 307.1(1) and 307.1(2). Room E123?

- **SITE PLAN**

7. Provide a fully dimensioned site plan drawn to scale. Sec. 107.2. Include the following:

   a) Clearly dimension building setbacks from property lines, street centerlines, <u>and from *all* adjacent buildings</u> on the site plan.

   b) Existing and proposed buildings and structures. <u>What is shown southwest of Building E?</u>

8. When two or more buildings are on the same property, the buildings shall have an assumed property line between them for the purpose of determining the required wall and opening protection and roof cover requirements, per Section 705.3. Section 503.1.2.

   a) Please show the assumed property line on the plans (with dimensions), and then show appropriate wall/opening protection. Buildings D/E appear to be quite close, but check all buildings for this requirement.

   b) Additionally, some of the separated "buildings" are connected by exit balconies at the second floor. Please provide a narrative to justify this (pedestrian walkways?).

9. Exterior exit balconies, stairways and ramps shall be located at least 10' from adjacent lot lines and from other buildings on the same lot unless the adjacent building exterior walls and openings are protected in accordance with Section 707 based on fire separation distance. Section 1027.3.

- **BUILDING HEIGHT/STORIES**

10. For the 2-story buildings, please document on the plans that the fire sprinklers are being used to allow increase the allowable number of stories from Table 503.

- **FIRE BARRIERS**

11. Incidental use areas may need to be separated from the main occupancy. See Table 508.2.5 below. Please address the following specific concerns:
    a) Storage rooms.
    b) Even if sprinklers are used to eliminate the need for 1-hour wall construction, Section 508.2.5.2 still requires the partitions to extend to the underside of the floor/roof above and for any doors in the partitions to be self-closing.
    c) In California, the State Fire Marshall has modified the table to prohibit sprinklers as an alternate to the 1-hour protection for laboratories in Group E occupancies. Will there be any laboratories? Room E120?

ROOM OR AREA	SEPARATION AND/OR PROTECTION
Storage rooms over 100 square feet	1 hour or provide automatic fire-extinguishing system

- **EXITS**

12. All doors *and gates*, within the exit path to a public way from an occupancy of Group A or E having an occupant load of 50 or more shall not be provided with latches or locks unless they are equipped with panic hardware. Sections 1008.1.10 and 1002.

- **CORRIDORS**

13. Corridors shall have fire partition walls of one-hour construction when required by Table 1018.1. Show the locations of the rated corridors on the plans or clearly show compliance with an applicable exception from Section 1018.1.

    a) In California, E occupancies must be fire-rated, even if the building is sprinklered.

        i) "Waiting A203" must be constructed as a one-hour corridor. This will also affect A102, etc.

        ii) Also, the second exit for Room B201 is into a stairwell. That stairwell (and its extension at the lower level) must be constructed as a rated corridor.

14. Fire-resistance rated exit corridors shall not be interrupted by intervening rooms. Foyers, lobbies or reception rooms constructed as for corridors shall not be construed as intervening rooms. Section 1018.6.

    a) Corridor A203 must be separated from A202.

    b) See also A103.

15. Corridors shall have interior door openings protected by tight-fitting smoke and draft control assemblies rated 20 minutes. Doors shall be maintained self-closing or be automatic closing by action of a smoke detector per Section 715.4.8. Doors shall be gasketed to provide a smoke and draft seal where the door meets the stop on sides and top. Section 715.

16. Windows in the walls of fire-rated interior corridor walls (Section 715.5):

    a) Such openings shall be protected by glazing listed and labeled for a fire-protection rating of at least 3/4-hour (or ¼-inch thick wired glass in steel frames).

    b) The maximum width or height of such windows shall not exceed 54 inches, and the maximum area may not exceed 1,296 square inches.

    c) The total area of such windows shall not exceed 25% of the area of a common wall with any room. Section 715.5.8.2.

17. Duct penetrations (or air transfer openings) of fire-rated corridor construction shall have fire and smoke dampers per Sections 716.

- **EXIT SIGNS**

18. Exit signs are required whenever two exits are required. Show all required exit sign locations. Section 1011.1.

- **GLASS AND GLAZING**

19. Glazing in the following locations should be of safety glazing material in accordance with Section 2406.4:
    a) Fixed or operable panels adjacent to a door where the nearest exposed edge of the glazing is within a 24-inch arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60 inches above the walking surface.
    b) Individual fixed or operable panels, other than those locations described above, that meet all of the following conditions:
        i) Exposed area of an individual pane is greater than 9 square feet, and:
        ii) Exposed bottom edge is less than 18 inches above the floor, and:
        iii) Exposed top edge is greater than 36 inches above the floor, and:
        iv) One or more walking surfaces are within 36 inches horizontally of the plane of the glazing.
    c) Glazing adjacent to stairways or ramps under certain conditions.

- **ROOFS**

20. Specify on the plans the following information for the roof materials, per Section 1506.3:
    a) Manufacturer's name.
    b) Product name/number.
    c) ICC approval number, or equal.

21. Show the required attic ventilation on the plans. Show "area required" and "area provided." The net free ventilating area shall not be less that 1/300th of the area of the space ventilated. Further, 50% of the opening area must be provided with ventilators in the upper portion (at least 3' above eave or cornice) with the balance of ventilators provided by eave or cornice vents. Section 1203.2.

22. Show location of attic access with a minimum size of 20"x30", unless the maximum vertical headroom height in the attic is less than 30 inches. Access must be provided to each separated attic area. Section 1209.2.

- **MISCELLANEOUS LIFE/SAFETY**

23. Specify the guard height at Key Note 13 on A2.1, etc.

24. Pedestrian walkways must be shown to comply with Section 3104.

25. Specify on the plans that the **Emergency Responder Safety Features** of Section 914 will be installed.

26. Specify on the plans that **portable fire extinguishers** will be installed in the building in accordance with Section 906.

27. A **Fire Alarm System** shall be installed under the following conditions, per Section 907 (see exceptions):

    a) Group **E** occupancies with an occupant load of 50 or more persons or containing more than one classroom or one or more rooms used for day care purposes.

- **ACCESSIBILITY**

28. Provide notes and details on the plans to show compliance with the enclosed "Disabled Access" Review List.

- **GREEN BUILDING STANDARDS**

The California Building Standards Commission (BSC) has adopted the Green Building Standards Code which became effective January 1, 2011 and must be enforced by the local building official. The following mandatory requirements for commercial construction must be included on your plans. The Green Building Standards apply only to **newly constructed** buildings throughout California. CGC 101.3

29. Note on the site plan that for projects of one acre or less the site shall be planned and developed to keep surface water away from buildings. A "SWPP" shall be provided and approved by the City Engineer, showing site grading and provide for storm water retention and drainage during construction. BMP's that are currently enforced by the city engineer must be implemented prior to initial inspection by the building department. CGC 5.106.3.

30. Note on the plans that bicycle parking for projects with over 10 tenant occupants (10 employee occupants) shall comply with CGC Section 5.106.4. The specific details must be submitted and approved by the Planning Department.

31. Note on the plans that fuel-efficient vehicle parking will be provided in accordance with CGC Section 5.106.5.1. The specific details for the parking must be submitted and approved by City Planning Department.

32. Note on the plans that exterior light pollution must comply with CGC section 5.106.8.

33. Submit to the Engineering Department or other Agency that regulates construction waste management a Waste Management Plan that outlines the items listed in CGC Section 5.408.2.

34. Note on the plans that a minimum of 50% of construction waste is to be recycled. CGC 5.408.3

35. Note on the plans that 100% of trees, stumps, rocks, vegetation and associated soils primarily from the construction will be reused or recycled. CGC 5.408.4

36. For new buildings that are 10,000 sq. ft. and over, the architect or responsible design professional shall submit, prior to plan approval, a "**Commissioning Plan**". The Commissioning Plan must be submitted with the plan documents during plan check. The Plan must be reviewed and approved by the plan checker for compliance with 5 required features listed in CGC 5.410.2.3 as follows: (a) General project information (b) Commissioning goals (c) List the systems to be commissioned with information on design intent, equipment and systems to be tested, functions to be tested and acceptable performance based on tests (d) Commissioning Team member information (e) commissioning process activities, schedules and responsibilities

37. Note on the plans that a building " Systems Manual" as listed in CGC Section 5.410.2.5 shall be delivered to the building owner or representative and the facilities operator. Further, note on the plans that the "Systems Manual" shall contain the required features listed in CGC Section 5.410.2.5.1.

38. Note on the plans that during construction, ends of duct openings are to be sealed, and mechanical equipment is to be covered. CGC 5.504.3.

39. Note on the plans that VOC's must comply with the limitations listed in Section 5.504.4 and Tables 4.504.1, 5.504.4.1 5.504.4.2, 5.504.4.3 and 5.504.4.5 for: Adhesives, Sealants, Paints and Coatings, Carpet and Composition Wood Products. CGC 5.504.4

40. Note on the plans that installations of HVAC, refrigeration and fire suppression systems will not contain CFC's or Halons, per CGC 5.508.1

41. Note on the plans that prior to final approval of the building the licensed contractor, architect or engineer in responsible charge of the overall construction must complete and sign the Green Building Standards Certification form and given to the building department official to be filed with the approved plans.

42. Provide calculations prepared by a licensed engineer that will show water consumption reduction of 20% below the baseline water consumption listed in 5.303.2.2. In lieu of providing the calculations, imprint on the plans Table 5.303.2.3, which lists fixtures that meet the 20% reduction. CGC 5.303.2

TABLE 5.303.2.3 FIXTURE FLOW RATES

FIXTURE TYPE	MAXIMUM FLOW RATE AT 20 % REDUCTION
Showerheads	2 gpm @ 80 psi
Lavatory faucets-nonresidential	0.4 gpm @ 60 psi
Kitchen faucets	1.8 gpm @ 60 psi
Wash fountains	1.8 [rim space (in.)/20 gpm @ 60 psi]
Metering faucets	0.2 gallons/cycle
Metering faucets for wash fountains	.20 [rim space (in.)/20 gpm @ 60 psi]
Gravity tank type water closets	1.28 gallons/flush[1]
Flushometer tank water closets	1.28 gallons/flush[1]
Flushometer valve water closets	1.28 gallons/flush[1]
Electromechanical hydraulic water closets	1.28 gallons/flush[1]
Urinals	.5 gallons/flush

1. Includes single and dual flush water closets with an effective flush of 1.28 gallons or less:

Single flush toilets-The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is the average flush volume when tested in accordance with ASME A 112.19.233.2.

Dual flush toilets-The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is defined as the composite, average flush volume of two reduced flushes and one full flush. Flush volumes will be tested in accordance with ASME A 112.19.2 and ASME A 112.19.14.

43. Imprint on the plumbing plans Table 5.303.6 in the CGC. Note on the plans that waste water fixtures shall comply with the standards listed in CGC Table 5.303.6.

44. Note on the plans that landscape irrigation water use shall have weather based controllers. CGC 5.304.3.1.

- **FOUNDATION**

45. Provide a copy of the project soil report prepared by a licensed civil engineer. The report shall include foundation design recommendations based on the engineer's findings.

46. Provide a letter from the soils engineer confirming that the foundation plan, grading plan and specifications have been reviewed and that it has been determined that the recommendations in the soil report are properly incorporated into the plans (when required by the soil report).

47. Note on plans that surface water will drain away from building and show drainage pattern. The grade shall fall a minimum of 5% within the first 10 feet (2% for impervious surfaces). Section 1804.3.

- **STRUCTURAL**

48. Revise the lateral designs to use a rho factor of 1.3, or provide calculations to justify using 1.0. ASCE 7-05, Section 12.3.4.2 and equation 12.4-3.

49. **Importance Factors.** A load importance factor of **1.25** should be used in accordance with ASCE 7-05, Section 11.5.1 (seismic) or Section 6.5.5 (wind) or Section 7.3.3 (snow), based on the Occupancy Category given in Table 1-1. *This includes buildings with elementary school, secondary school or day-care facilities (capacity > 250 people), etc. See Table 1604.5 of the IBC for a complete listing.*

50. On sheet S210, please provide information for the elevator area.

51. Some roof/floor members are spaced 48" and 32" on center: Please specify on the plans the Panel Span rating for the plywood at these locations.

52. On sheet S221, please investigate the need for a pad footing below the reaction of the beam on Line C (21k).

53. On sheet S221, please see the bearing wall in-line with the 6x12 on Line 1 (where the 4x8's are): That bearing wall has no footing shown below it on the foundation plan.

54. Also, what is the size of the header opposite that 6x12?

55. On sheet S230, it appears that a portion of the perimeter continuous footing is missing at Line G/F (at 4).

56. On sheet S241, please clarify the support for the 6x12 beam on Line 3 (between F and G).

57. On sheet S252, please specify the roof framing over the elevator.

58. Regarding the structural calculations:

    a) Please revise page 9 to specify Wind Exposure C (instead of B).

    b) The floor plan sketches on the plans (AK1, etc.) don't match the plans. They appear to be rotated, mirror-images of the actual building layouts. Please revise the sketches.

    c) Also, the shear wall lengths on those various sketches don't match the foundation/framing plans. In some cases, the difference is only a few inches, but in other cases it's a few feet. Please clarify.

    d) Sheet AB5 calls for a beam that is 11.875" deep; the sketch on AK3 shows a different depth and the plans themselves show a much smaller depth. Please investigate.

- **ADDITIONAL**

59. For the Director's deck on sheet A2.1, please specify the surfacing material, show the slope and provide drains/overflows.

60. On sheet A2.5 (etc.), "FB" and "FC" floor designations are shown: How do the floor plans make it clear which one goes where?

61. Please provide complete information on the plans for the proposed fireplace.

62. Please see the following sheets for PME corrections.

63. To speed up the review process, note on this list (or a copy) where each correction item has been addressed, i.e., plan sheet, note or detail number, calculation page, etc.

64. Please indicate here if any changes have been made to the plans that are not a result of corrections from this list. If there are other changes, please briefly describe them and where they are located in the plans.

    Have changes been made to the plans not resulting from this correction list? Please indicate: ❑ Yes ❑ No

65. The jurisdiction has contracted with Esgil Corporation located at 9320 Chesapeake Drive, Suite 208, San Diego, California 92123; telephone number of 858/560-1468, to perform the plan review for your project. If you have any questions regarding these plan review items, please contact **Kurt Culver** at Esgil Corporation. Thank you.

PLUMBING AND MECHANICAL CORRECTIONS

PLAN REVIEWER: Glen Adamek

GENERAL AND ARCHITECTURAL PME ITEMS

66. Each sheet of the plans must be signed by the person responsible for their preparation, even though there are no structural changes, before the permits are issued. Business and Professions Code. The final set of corrected drawings to be reviewed for signing and sealing just before the permits are to be issued.

67. Provide data on the proposed hazardous materials to be stored and used within each separate building. CBC 414. Present the description of the hazardous materials in a format that coincides with the material classifications found in CBC Tables 307.1(1) and 307.1(2).

    a) Clearly show the *types* of hazardous materials being stored or used. Provide a list of the proposed hazardous materials; include the material safety data sheets (MSDS), if applicable.

    b) Clearly show the *amounts* for each type of hazardous material to be stored and in use.

    c) Clearly show the *locations* in the building where each type of hazardous material is being stored or used.

    d) Note: If hazardous materials are present in any amount, forward this information to the mechanical designer for design compliance with CMC Chapter 5.

68. Include, on the mechanical plans, the locations of all required smoke, fire, combination smoke and fire, or ceiling radiation dampers. Be sure to include a symbol on the symbol schedule for each damper type. CBC 716

69. Show compliance with CBC, Section 1204.1: "Interior spaces intended for human occupancy shall be provided with active or passive space-heating systems capable of maintaining a minimum indoor temperature of 68°F. at a point 3 feet above the floor on the design heating day. Show compliance with CBC, Section 1204.1: "Interior spaces intended for human occupancy shall be provided with active or passive space-heating systems capable of maintaining a minimum indoor temperature of 68°F. at a point 3 feet above the floor on the design heating day. As per the International Building Code, Code and Commentary book: "Heating facilities are required for comfort in all new construction. The systems may be either active (such as forced-air furnace) or passive (such as solar systems), as long as the specified performance is achieved. ... The exception recognizes that not all interior spaces are associated with human comfort by the nature of their uses, such as commercial cooler or freezer. These and similar spaces would not require heating systems."

70. Corridors shall not serve as supply, return, exhaust, relief or ventilation air ducts, as per CBC, Section 1017.4.

71. Please provide complete construction drawings for plan review and to issue permits. Notes on the drawings state: "Not For Construction"

72. Sheet P0.1 is missing from the plan package.

73. The mechanical sheets in the plan package do not match the list of mechanical sheets in the Sheet Index on sheet T1. The some sheet numbers or different, some sheets are missing from the plans and some of the sheets provided are not listed in the Sheet Index. Please correct to agree.

74. Please provide complete plans and details for the proposed Fireplace shown in building B.

75. Clearly show the locations of the elevator equipment (elevator equipment room) in building A and building E.

76. Provide the required independent ventilation for the elevator equipment room to prevent the overheating of the electrical equipment. CBC Section 3006.2

77. Please correct the drawings to show the required 42 inch tall "Guards" (guard rails) as per IBC, Section 1013.5: "Where appliances, equipment, fans, roof hatch openings or other components that require service are located within 10 feet of a roof edge or open side of a walking surface..."

PLUMBING (2010 CALIFORNIA PLUMBING CODE)

78. Provide a plumbing material schedule on the plans describing the following systems: Potable water piping, the drain, waste, and vent piping, gas piping, and the roof drains.

79. Sheet P1.0 does not include construction details and drawings for the site plumbing systems. Provide the site plumbing plans showing the sizes and locations of the gas meters and water meter; and the sizes, routes, and slopes of the building sewer, storm drainage system, site gas lines, and site water lines.

80. Identify the extent of the <u>private</u> sewer, water, and gas systems on the plumbing site plan. Clearly specify, on the plans, which City Department is responsible for the permitting, plan check, and inspections for the <u>private</u> utility systems. If private, the responsibility of the City Building Department, and under the Uniform Plumbing Code, provide complete civil site utility plans for plan check, or obtain a separate permit from the City for the civil site plans.

81. Please show the upstream sewer manhole rim and finished floor elevations. Provide backwater valves for all fixtures installed on floor levels below the next upstream manhole rim elevation. (Only fixtures installed on floor levels below the next upstream manhole rim elevation may flow through a backwater valve.) UPC 710.1

82. Please provide plumbing fixture and plumbing equipment schedules for all proposed plumbing fixture and plumbing equipment.

83. Please provide complete water line sizing calculations and plans that agree. : Include the water pressure, pressure loss calculations, water demands, and the developed pipe lengths. UPC 610.0 or Appendix 'A'. Please address the following:

    a) Show the sizes and locations of the separate water meter for each separate building as per the water line sizing calculations on sheet P0.2. Also, developed pipe lengths and elevation pressure losses will be reviewed when water meter locations are provided.

    b) Show the minimum and maximum water pressure supplied to each of the separate public water meters. Pressure regulators may be required and pressure losses were not included in the water line sizing calculations for pressure regulators.

    c) Please provide cut-sheet and callout data on the drawing for the proposed flush valve water closets. Many flush valve water closets require more than the 25 psi used in the water line sizing calculations to operate.

    d) Note, the allowed GPM and velocity values do not seem to match the values in CPC, Chart A-4 for copper tubing. The allowed GPM and velocity values for each separate pipe size for each separate building water system will be reviewed when the water piping material is clearly shown.

    e) A complete review of the water sizing calculations and plans will be done when the complete corrected water sizing calculations and plans are provided.

84. Describe the method of compliance for temperature limitations for the public use lavatories (limited to 110 degrees). Note: The water heater thermostat may not be used for compliance with this Code section. CPC 413. Energy Standards 113(C)3.

85. Hot water recirculating loop systems requirements (Not single family homes): Detail the following:

    a) The installation of an air release valve on the inlet side of the recirculation pump, within 4' of the pump.

    b) A check valve is required between the recirculating pump and the water heating equipment to prevent the hot water from flowing backwards through the recirculation loop.

    c) A check valve is required on the cold water supply line between the hot water system and the next closest tee on the cold water supply line. (See CPC 608.3 for expansion tank requirements.)

86. All water closet seats, except those within dwelling units, shall be of the open front type or have an automatic seat cover dispenser, as per UPC, Section 408.2.2.

87. Floors shall slope to the floor drain(s) location(s). Please detail on the architectural floor plans. UPC 411.4

88. Show 1/4 inch per 12 inch slope on drain and waste lines. UPC Section 708.0

89. Provide gas line plans and calculations, showing gas pressures, piping types, pipe lengths, gas demands and pipe sizing method used. UPC Section 1217.0.

90. Please correct the sizing of the horizontal rainwater piping for the 4 inches per hour rainfall rate as per the City of Menfee.

MECHANICAL (2010 CALIFORNIA MECHANICAL CODE)

91. Review with the architect the locations that require (fire/ceiling radiation/or fire/smoke) damper and/or shaft protection and identify installations on the mechanical plans themselves.

92. Building B is shown to have a Fireplace. If a Pre Fab Fireplace is to be used please provide cut-sheets, listing data and installation instructions for the proposed unit.

93. Correct the MECH-3C forms for the study rooms and classrooms, including the occupant load calculations for the required ventilation rates for outside air.

94. Please provide outside air amounts for each of the HVAC units as per the requirements on the MECH-3C forms.

95. Provide smoke detection in the supply air duct of an *"air-moving system"* for required shut-off of equipment for smoke control. UMC Section 609.0 An *"air-moving system"* is a system designed to provide heating, cooling, or ventilation in which one or more air-handling units are used to supply air to a common space or to draw air from a common plenum or space. UMC Section 203.0

96. Buildings of more than 15' in height shall have an inside means of access that meets the design requirements of UMC 904.10.3.3. Please provide. City approval for use of an outside ladder is required.

Note: If you have any questions regarding this Plumbing and Mechanical plan review list please contact Glen Adamek at (858) 560-1468. To speed the review process, note on this list (or a copy) where the corrected items have been addressed on the plans.

ELECTRICAL and ENERGY COMMENTS

PLAN REVIEWER: Eric Jensen

ELECTRICAL (2010 CALIFORNIA ELECTRICAL CODE)

97. The licensed designer must stamp and sign the approved set of the plans.

98. The City of Menifee has adopted an ordinance (2009-24) that restricts the types, style, and amount of outdoor lighting that may be installed for commercial and multiresidential projects. As part of your plan submittal, include all outdoor lighting fixture locations and a description of each fixture type, including manufacturers' catalog cut sheets. This design is unique in that the ordinance was drafted prior to the widespread availability of LED site lighting which is shown to be used for this project. The lumen level, however, of the fixtures exceed the allowable amounts in the ordinance for non-LED lighting. (4050 lumens versus 5562 lumens (lamp). Due to the new style of lamp, you may want to review with the City if their ordinance remains in place or is being modified. I

99. Include a structural pole base detail for the site lighting.

100. I see the Notes as to what buildings parts are what buildings (sheet E1.1) however they do not have common structural footing design. Include the bonding design of the various building sections that results in a common (to the building) ground plane.

101. The main electric Room "D":

    a) Clearances to comply with CEC 110.26(A)(1) and 110.26(C)(2). Review the one door versus two door requirements.

    b) Door swing out from the room and equipped with panic hardware. (Include the proper design on the architectural sheets, as well).

102. GFCI protection is required for all receptacle outlets installed within 6' of the edge of a sink. Please add in the classroom locations, where required.

103. How is the electrical room in building "E" (E112) ventilated such as to dissipate the heat generated by the 300 KVA transformer? (Review all electrical rooms containing transformers for adequate ventilation).

104. Explain the feeder conduit/conductor sizing and the lack of voltage drop considerations on the single line diagram. For example, the ball field feeder is approximately 1,000 feet long (to the jump off point, not including the branch circuits to the pole lights) yet the 150 ampere circuit will require 1/0 conductors which will barely fit interior of a 1 ½" specified conduit?

105. Include voltage drop calculations for the site branch circuit lighting circuits (No. 12 branch circuit conductor sizing?). Be sure to provide a site lighting schedule, there are unnamed fixture types shown on the site layouts.

106. Include a duct bank description for the various feeders from the 3,000 ampere distribution board. Duct bank to include sections with conduit sizing, number, placement, and depth. Review relative location to buildings, footings, etc.

107. Missing exit sign, building "B", second level, The exit sign and egress lighting design for building DE, second floor.

ENERGY CONSERVATION

108. Include the window energy specifications onto the architectural sheet "A10.2". (Window schedule).

109. Provide an LTG design for each (building) permit number.

Note: If you have any questions regarding this Electrical and Energy plan review list please contact Eric Jensen at (858) 560-1468. To speed the review process, note on this list (or a copy) where the corrected items have been addressed on the plans.

SAMPLE

DISABLED ACCESS REVIEW LIST
DEPARTMENT OF STATE ARCHITECT
TITLE 24

The following disabled access items are taken from the 2010 edition of California Building Code, Title 24. Per Section 1.9.1, all publicly and privately funded public accommodations and commercial facilities shall be accessible to persons with disabilities.

NOTE: All Figures and Tables referenced in this checklist are printed in the California Building Code, Title 24.

• WALKS AND SIDEWALKS

1. Walks along an accessible route of travel are required to be ≥48" minimum in width and have slip resistant surfaces, per Section 1133B.7.

   a) The "Legend" on sheet A1.0 calls for 42" wide walks. Please revise.

2. Show that a 36" wide detectable warning material is provided at boundaries between walkways and vehicular ways. Section 1133B.8.5.

• STAIRWAYS AND HANDRAILS

3. At stairs, the handrail on at least one side must be straight (no 90-degree or 180-degree bends). Please check the plans. Section 1133B.4. See 1/A3.6 (Bldg. B), etc.

• DOORS

4. Show on the plans the required 18" strike-side clearance at Door B102, etc.

• SIGNAGE

5. Per Section 1011.3, tactile exit signs shall be required at the following locations:

   a) Wherever basic CBC provisions require exit signs from a room or area to a corridor or hallway. The tactile exit sign shall have the words, "EXIT ROUTE."

   b) Each grade-level exit door. The tactile exit sign shall have the word, "EXIT."

   c) Each exit door that leads directly to a grade-level exterior exit by means of a stairway or ramp. The tactile exit sign shall have the following words as appropriate:

      i) "EXIT STAIR DOWN."

6. Where permanent identification is provided for rooms and spaces, raised letters shall also be provided and shall be accompanied by Braille. Section 1117B.5.

7. Provide a note on the plans stating that the signage requirements of Section 1117B.5 will be satisfied.

- **ALARMS**

8. Per Sections 907.9.1, 1114B.2.2 and 1007.9, when emergency warning systems or fire alarms are provided, there shall also be approved notification appliances for the hearing impaired, installed in accordance with national standards in the following areas:

   i) Classrooms.

   ii) Restrooms

   iii) Corridors

   iv) Multipurpose rooms.

   v) Occupied rooms where ambient noise impairs hearing of the fire alarm

   vi) Lobbies

   vii) Meeting rooms

9. Provide a note on the plans stating that the audible <u>and visual</u> alarms will comply with the provisions of Title 24 Section 907.

End

SAMPLE

ESGIL CORPORATION

P.O. BOX 420667
SAN DIEGO, CA 92142
(858) 560-1468

INVOICE FOR SERVICES

DATE _____

TO: City of Moreno Valley
Building & Safety Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

Our Invoice No.: _____

P.O. No.: _____

INVOICE PERIOD: From thru

This invoice is for the following
Described work:

(see attached list)

Amount of Invoice

Submitted by: _____
ESGIL CORPORATION

Approved by: _____

Invoice payment is 25 calendar days net. Thank you for your business.

SAMPLE

SERVICES FOR: CITY OF: Moreno Valley COUNTY OF:			ESGIL CORPORATION 9320 CHESAPEAKE DR. #208 SAN DIEGO, CA 92123 (858) 560-1468		INVOICE No: 03122891 P.O. No.: FROM: 3-1-12 THRU: 3-31-12			
PLAN CHECK NO.	USE	TYPE	VALUE	PLAN CHECK FEE/ HOURS CHARGED	ESGIL SERVICE FEE	DATE PLANS REC'D	DATE 1ST CHECK COMPLETED	WORK DAYS
#####					-	TU 3/20	TU 3/27	#
Job Address								
			TOTAL AMOUNT INVOICED:					

Item No. A.12

KURT CULVER, S.E.
PRESIDENT, ESGIL CORPORATION

Kurt Culver was formerly the Research Engineer with the City of San Diego Building Inspection Department. His responsibilities included supervision and training of plan check engineers, along with researching complex code issues to develop department policies.

As President of Esgil Corporation, Kurt has the responsibility of overseeing the day-to-day management of the office operation. This duty includes previewing all plans received, assignment of plans based on complexity and workload, consulting with the plan check engineers and reviewing their finished product. He serves as a liaison with clients from government agencies to handle requests. He is also responsible for the continuing program of providing technical training to staff.

Kurt has a Bachelor of Science degree (Civil Engineering) from San Diego State University and is both a licensed Civil Engineer and licensed Structural Engineer in Nevada and California. He has twenty-nine years experience in the interpretation and application of regulatory requirements contained in the building code.

Kurt is active in the Structural Engineers Association of California having served as the Treasurer and Secretary for the Board of Director in San Diego, as the Chairman of the Membership Committee. He is currently serving on the Code Committee.

Kurt also has I.C.C. Certification as a Plans Examiner. He has his teaching credentials in the Community College system where he taught building code classes for many years.

Kurt is completing his twenty-fifth year with Esgil Corporation, during which time he has successfully demonstrated his ability to apply his technical leadership and management skills to the benefit of the public and the clients served by Esgil Corporation.

CHUCK MENDENHALL, S.E.
VICE-PRESIDENT, ESGIL CORPORATION

Chuck Mendenhall was formerly a Senior Structural Engineer with the County of San Diego Department of Planning and Land Use. He has over 30 years of continuous regulatory experience in the building inspection and plan check areas. His responsibilities include supervision and training of plan check engineers, field inspectors and advising field inspectors and plan check staff on complex or unusual design or construction problems. He also served as Chief of the El Cajon branch of Planning and Land Use Department, wherein he managed a staff of 30 planning and inspection personnel responsible for serving East San Diego County.

He has served in progressively more responsible positions starting with the San Diego County Building Department in 1971 as a Junior Civil Engineer and progressing through Assistant Structural Engineer, Associate Structural Engineer and ultimately Senior Structural Engineer. During this progression period he served one year as an Associate Civil Engineer with the San Diego County Department of Sanitation and Flood Control in charge of contract administering and inspection of capital improvement projects. He is thoroughly experienced in all aspects of plan review including residential, commercial and industrial structures.

Chuck matriculated at San Diego State University and has a Bachelor of Science Degree and Master of Science Degree in Civil Engineering. He is a licensed Professional Engineer (Civil and Structural) in Nevada and California, a licensed I.C.C. Building Inspector, Plans Examiner and Electrical Inspector and has his Teaching Credential in the Community College system where he has taught structural design review courses for engineers.

He has demonstrated his ability to effectively and efficiently perform both high level technical and management duties in a large regulatory department.

RICHARD ESGATE
CFO / BOARD CHAIRMAN

Richard Esgate is the CFO and Board Chairman for Esgil Corporation, which provides Building Department Services to 135 cities and counties. Richard is the Building Official for the Cities of Poway and Santee.

Richard has a Bachelor of Science degree from Cal Poly and is a Professional Engineer (Civil).

Richard Esgate has served as the Deputy Director of the County of San Diego Department of Planning and Land Use. He was responsible for the day-to-day management of the 120 staff division composed of the County building inspection function and portions of the County regulatory planning process. Land development operations were conducted in three high capability service delivery centers. Work elements included counter operations, building plan checking operations, field inspection operations, zoning enforcement, minor subdivision processing and receiving all land development applications.

Richard also served in the former County Engineer Department, the former Building Inspection Department and the Department of Sanitation and Flood Control. He has high level management experience in surveying, materials testing, contract management and road construction; in the field, office and plan checking functions of the building department and regulatory planning processes; and in the planning, budgeting and facility maintenance of the San Diego County Flood Control District.

Richard has served on numerous high level task forces where his knowledge and regulatory management skills contributed to improving the government function. He is a highly experienced regulatory services manager.

ESGIL CORPORATION

9320 Chesapeake Drive #208 San Diego, CA 92123
PH: (858) 560-1468 / (800) 983-7445 FAX: (858) 560-1576
web: www.esgil.com / e-mail: mail@esgil.com

STAFF QUALIFICATIONS

RICHARD ESGATE, P.E.
Civil Engineer

41 years building inspection department experience.
Former Deputy Director of the 120 staff San Diego County Building Inspection Division.
California CE# C19792

KURT CULVER, P.E., S.E.
Civil & Structural Engineer

31 years building inspection department experience.
Former Plan Review Civil and Structural Engineer Engineer for San Diego City Building Inspection Department.
I.C.C. Certified Building Official.
I.C.C. Certified Plans Examiner.
Nevada PE/SE# 9272
California SE# S3242
California CE# C34525

CHUCK MENDENHALL, P.E., S.E.
Civil & Structural Engineer, BSCE, MSCE

37 years building inspection department experience
Former Senior Structural Engineer in the San Diego County Building Inspection Plan Review Division
I.C.C. Certified Building Inspector
I.C.C. Certified Electrical Inspector
I.C.C. Certified Plans Examiner
Nevada PE/SE# 019283
California SE# S3828
California CE# S24904

GLEN ADAMEK
Mechanical Engineer, BSME

34 years building inspection department experience
Former Building Inspector and Plan Review Engineer, San Diego County Building Inspection Department
U.P.C. Certified Plumbing Inspector
I.C.C. Certified Building Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Plans Examiner
CBCI Certified Energy Plans Examiner; Residential and Non-residential

MARK BEAUCHAMP
Bldg Safety Services Manager
Plans Examiner

35 years building department experience
Former Building Official for the City of Vista and City of Pico Rivera
State Certified California Access Specialist (CASp-047)
C.A.B.O. Certified Building Official
I.C.C. Certified Building Official
I.C.C. Certified Plans Examiner
I.C.C. Certified Combination Inspector
I.C.C. Certified Building Inspector
I.C.C. Certified Electrical Inspector
I.C.C. Certified Plumbing Inspector
I.C.C. Certified Mechanical Inspector

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web: www.esgil.com / e-mail: mail@esgil.com

STAFF QUALIFICATIONS

WILLIAM ELIZARRARAS
Plans Examiner / Building Inspector

22 years building department experience
Former Plans Examiner for San Diego County Building Department
10 years private sector construction experience
I.C.C. Certified Building Inspector
I.C.C. Certified Plumbing Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Plans Examiner

RAY FULLER
Plans Examiner / Building Inspector

22 years building department experience
Former Plans Examiner for San Diego County Building Department
I.C.C. Certified Plans Examiner
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Fire Code Inspector

AARON GOODMAN, C.B.O.
Plans Examiner / Building Inspector

36 years building department experience
I.C.C. / C.A.B.O. Certified Building Official
I.C.C. Certified Building Plans Examiner
I.C.C. Certified Mechanical Plans Examiner
I.C.C. Certified Electrical Plans Examiner
I.C.C. Certified Fire Plans Examiner
I.C.C. Certified Plumbing Plans Examiner
I.C.C. Combination Plans Examiner
I.C.C. Certified Fire Inspector I & II
I.C.C. Certified Building Inspector

ERIC JENSEN
Plans Examiner / Building Inspector

22 years building department experience
Former Chief Electrical Inspector, County of San Diego
10 years Foreman Electrician
B.S. Degree San Diego State University
16 years Palomar College, Electrical Code Instructor
I.C.C. Certified Plans Examiner
I.C.C. Certified Plumbing Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Electrical Inspector
L.E.E.D., Green Associate Certified
C.A.B.E.C. Certified Energy Plans Examiner

TRISH JOHNSON
Plans Examiner / Building Inspector

20 years building department experience
I.C.C. Certified Plumbing Inspector
I.C.C. Accessibility Inspector / Plans Examiner
I.C.C. Certified Plans Examiner
I.C.C. Permit Technician
I.C.C. Building Inspector
I.C.C. Mechanical Inspector

ESGIL CORPORATION

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PH: (858) 560-1468 / (800) 983-7445 FAX: (858) 560-1576
web: www.esgil.com / e-mail: mail@esgil.com

STAFF QUALIFICATIONS

JIM LAWLER
Plans Examiner / Building Inspector

28 years building department experience
I.C.C. Certified Building Official
I.C.C. Certified Building Plans Examiner UBC
I.C.C. Certified Building Inspector UBC
I.C.C. Certified Plans Examiner
I.C.C. Certified Combination Inspector – Uniform Codes
I.C.C. Certified Electrical Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Plumbing Inspector

JOHN LE VEY
Field Supervisor
Building Inspector

14 years building department experience
20 years private sector construction experience
10 years (certified) mechanical experience
16 years state licensed plumbing contractor, HER's Certified
I.C.C. Certified Combination Inspector
I.C.C. Certified Building Inspector
I.C.C. Certified Electrical Inspector
I.C.C. Certified Plumbing Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Plans Examiner

DOUG MOODY
Plans Examiner / Building Inspector

10 years plan review experience
19 years private sector construction experience
State Certified California Access Specialist (CASp-042)
I.C.C. Certified Building Inspector
I.C.C. Certified Electrical Inspector
I.C.C. Certified Plumbing Inspector
I.C.C. Certified Mechanical Inspector
I.C.C. Certified Combination Inspector
I.C.C. Certified Plans Examiner
I.C.C. Certified Building Official

ELETTE NASH
Plans Examiner / Building Inspector

25 years building department experience
15 years building inspection experience
I.C.C. Certified Plans Examiner
I.C.C. Certified Building Inspector
I.C.C. Certified Residential Combination Inspector
I.C.C. Certified Fire Inspector I & II

Item No. A.12

ESGIL CORPORATION

9320 Chesapeake Drive #208 San Diego, CA 92123
PH: (858) 560-1468 / (800) 983-7445 FAX: (858) 560-1576
web: www.esgil.com / e-mail: mail@esgil.com

STAFF QUALIFICATIONS

ALI SADRE, P.E., S.E.
Civil & Structural Engineer

25 years plan review experience, former Plan Review Engineer for San Diego City Building Inspection Department.
Masters Degree in Structures, Georgia Tech
I.C.C. Certified Building Inspector
I.C.C. Certified Plans Examiner
I.C.C. Certified Residential Combination Inspector
California SE# S3715
California PE# C42877

Former Chair of the Structural Engineers Assoc. of Ca (SEAOC) Seismology Committee; President of Structural Engineers Assoc. of San Diego (SEAOSD) 2009-2010; Ca Seismic Safety Commission Member 2007-2011; SEAOC Board Member 2007-2011; Ca Hospital Seismic Safety Board (HSSB); Strong Motion Instrumentation Program (SMIP); City of San Diego Board of Appeals Chairman 2007-2011

STEVE SANDERS
Plans Examiner / Building Inspector

25 years building inspector experience
I.C.C. Certified Plans Examiner
I.C.C. Certified Building Inspector

ADRIAN SILVA
Electrical Engineer / Plans Examiner

5 years plan review experience, former Plan Review Engineer for the City of San Diego Development Services Department
I.C.C. Certified Plans Examiner

DAVID YAO, P.E.
Civil Engineer

28 years building inspection plan review experience, former Plan Review Engineer for the County of Salt Lake, Utah.
I.C.C. Certified Building Inspector
I.C.C. Plumbing Inspector
I.C.C. Fire Code
I.C.C. Special Inspector Masonry
I.C.C. Certified Plans Examiner
7 years of private sector design experience
California PE# C35702

Esgil Corporation does not perform work for the private sector. Limiting our clients to government entities completely avoids any conflict of interest situation.

The above listed staff are Esgil employees. Esgil Corporation does not use "moonlight employees", nor does Esgil Corporation permit its employees to hold outside employment that could result in a conflict of interest.

It should be noted that many of Esgil Corporation's plan review staff have served at the highest levels in building inspection departments and have the needed expertise and knowledge to properly interpret the complex regulations contained in the mandated

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 4/23/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Cavignac & Associates
450 B Street, Suite 1800
San Diego, CA 92101-8005
License No. OA99520

CONTACT NAME: Certificate Department
PHONE (A/C, No, Ext): 619-234-6848 FAX (A/C, No): 619-234-8601
E-MAIL ADDRESS: certificates@cavignac.com
PRODUCER CUSTOMER ID #: ESGIL-1

INSURED

EsGil Corporation
9320 Chesapeake Drive, #208
San Diego, CA 92123 United States

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: TRAVELERS PROP CAS CO OF AMER	25674
INSURER B: BEAZLEY INS CO INC	37540
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES CERTIFICATE NUMBER: 182175 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			6801052T972	9/1/2011	9/1/2012	EACH OCCURRENCE	$ 1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 1,000,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$ 10,000
	X Separation of Insureds	X					PERSONAL & ADV INJURY	$ 1,000,000
	X Contractual Liability						GENERAL AGGREGATE	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$ 2,000,000
	POLICY X PROJECT LOC						Deductible	$ 0
A	AUTOMOBILE LIABILITY			BA6663M034	9/1/2011	9/1/2012	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS						BODILY INJURY (Per accident)	$
	SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	$
	HIRED AUTOS							$
	NON-OWNED AUTOS							$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DEDUCTIBLE							$
	RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			UB0675T169	9/1/2011	9/1/2012	X WC STATUTORY LIMITS / OTHER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH)	N/A					E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
B	Professional Liability			V15W0K110601	9/1/2011	9/1/2012	Each Claim	$1,000,000
							Aggregate	$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured coverage applies to General Liability for City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents per policy form. Prof. Liab. - Claims made, defense costs included within limit.

CERTIFICATE HOLDER

City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805
United States

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Jeffrey W. Cavignac

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Attachment "E"

EXIGIS - CAVIGNAC & ASSOCIATES 182175

Item No. A.12

MV00167896

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

BLANKET ADDITIONAL INSURED (ARCHITECTS, ENGINEERS AND SURVEYORS)

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE PART

A. The following is added to **WHO IS AN INSURED (Section II)**:
Any person or organization that you agree in a "contract or agreement requiring insurance" to include as an additional insured on this Coverage Part, but only with respect to liability for "bodily injury", "property damage" or "personal injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:
   a. In the performance of your ongoing operations;
   b. In connection with premises owned by or rented to you; or
   c. In connection with "your work" and included within the "products-completed operations hazard".

   Such person or organization does not qualify as an additional insured for "bodily injury", "property damage" or "personal injury" for which that person or organization has assumed liability in a contract or agreement.
   The insurance provided to the additional insured is limited as follows:
   d. This insurance does not apply on any basis to any person or organization for which coverage as an additional insured specifically is added by another endorsement to this Coverage Part.
   e. This insurance does not apply to the rendering of or failure to render any "professional services".
   f. The limits of insurance afforded to the additional insured shall be the limits which you agreed in that "contract or agreement requiring insurance" to provide for that additional insured, or the limits shown in the Declarations for this Coverage Part, whichever are less. This endorsement does not increase the limits of insurance stated in the **LIMITS OF INSURANCE (Section III)** for this Coverage Part.

B. The following is added to Paragraph **a.** of **4. Other Insurance** in **COMMERCIAL GENERAL LIABILITY CONDITIONS (Section IV)**:
However, if you specifically agree in a "contract or agreement requiring insurance" that the insurance provided to an additional insured under this Coverage Part must apply on a primary basis, or a primary and non-contributory basis, this insurance is primary to other insurance that is available to such additional insured which covers such additional insured as a named insured, and we will not share with the other insurance, provided that:
   (1) The "bodily injury" or "property damage" for which coverage is sought occurs; and
   (2) The "personal injury" for which coverage is sought arises out of an offense committed;

   after you have entered into that "contract or agreement requiring insurance". But this insurance still is excess over valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the insured when the insured is an additional insured under any other insurance.

C. The following is added to Paragraph **8. Transfer Of Rights Of Recovery Against Others To Us** in **COMMERCIAL GENERAL LIABILITY CONDITIONS (Section IV)**:
We waive any rights of recovery we may have against any person or organization because of payments we make for "bodily injury", "property damage" or "personal injury" arising out of "your work" performed by you, or on your behalf, under a "contract or agreement requiring insurance" with that person or organization. We waive these rights only where you have agreed to do so as part of the "contract or agreement requiring insurance" with such person or organization entered into by you before, and in effect when, the "bodily injury" or "property damage" occurs, or the "personal injury" offense is committed.

D. The following definition is added to **DEFINITIONS (Section V)**:
"Contract or agreement requiring insurance" means that part of any contract or agreement under which you are required to include a person or organization as an additional insured on this Coverage Part, provided that the "bodily injury" and "property damage" occurs, and the "personal injury" is caused by an offense committed:
   a. After you have entered into that contract or agreement;
   b. While that part of the contract or agreement is in effect; and
   c. Before the end of the policy period.

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EsGil Corporation

In Partnership with Government for Building Safety

CLIENT REFERENCE SHEET

THE FOLLOWING IS A LIST OF SOME OF OUR CLIENTS. THESE INDIVIDUALS COULD HELP YOU EVALUATE THE ADVANTAGES OF OUR SERVICES.

CITY OF CARLSBAD (760) 602-2700
MR. WILL FOSS
BUILDING OFFICIAL
1635 FARADAY AVE.
CARLSBAD, CA 92008

CALIFORNIA STATE UNIV. (562) 951-4590
OFFICE OF THE CHANCELLOR
MR. THOMAS KENNEDY, CHIEF
401 GOLDEN SHORE, 5TH FLOOR
LONG BEACH, CA 90802

CITY OF CORONADO (619) 522-7331
MR. DAVE CALVANI
BUILDING OFFICIAL
1825 STRAND WAY
CORONADO, CA 92118

CITY OF COVINA (626) 858-7236
MR. KYLE RANDALL
BUILDING OFFICIAL
125 E. COLLEGE STREET
COVINA, CA 91723

CITY OF DEL MAR (858) 755-9313
MS. KATHLEEN A. GARCIA
COMMUNITY DEV. DIRECTOR
1050 CAMINO DEL MAR
DEL MAR, CA 92014

CITY OF ENCINITAS (760) 633-2730
MR. PATRICK MURPHY
PLANNING DIRECTOR
505 S. VULCAN AVE.
ENCINITAS, CA 92024-3633

CITY OF HEMET (951) 765-2475
MR. COLIN McNIE
BUILDING OFFICIAL
445 E. FLORIDA AVE.
HEMET, CA 92543-4209

IMPERIAL COUNTY (760) 482-4236
MR. ARMANDO VILLA
DEV. SERVICES DIRECTOR
801 MAIN STREET
EL CENTRO, CA 92243

CITY OF LEMON GROVE (619) 825-3800
MS. CAROL DICK
DIRECTOR, COMMUNITY DEV.
3232 MAIN STREET
LEMON GROVE, CA 91945

NATIONAL CITY (619) 336-4210
MR. LUIS SAINZ
BUILDING OFFICIAL
1243 NATIONAL CITY BLVD.
NATIONAL CITY, CA 91950

CITY OF PALM SPRINGS (760) 323-8242
MR. TERRY TATUM
BUILDING OFFICIAL
3200 E. TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

CITY OF POWAY (858) 695-4289
MR. ROBERT MANIS
DIRECTOR OF DEVELOPMENT SVCS
13325 CIVIC CENTER DRIVE
POWAY, CA 92064

CITY OF SAN CLEMENTE (949) 361-6170
MR. MIKE JORGENSON
BUILDING OFFICIAL
910 CALLE NEGOCIO, STE. 100
SAN CLEMENTE, CA 92673

SAN DIEGO COUNTY (858) 694-8834
MR. JEFF REDLITZ
ARCHITECT, GENERAL SERVICES
5555 OVERLAND AVE. #2208
SAN DIEGO, CA 92123-1294

CITY OF SANTEE (619) 258-4100
MR. PEDRO ORSO-DEL GADO
DEV. SERVICES DIRECTOR
10601 MAGNOLIA AVE.
SANTEE, CA 92071-1266

CITY OF SOLANA BEACH (858) 720-2440
MOHAMMAD SAMMAK, P.E.
DIRECTOR OF ENGINEERING
635 SOUTH HIGHWAY101
SOLANA BEACH, CA 92075

Attachment "C"

Item No. A.12

MV00167898

City of Avalon

Santa Catalina Island

April 27, 2012

Re: EsGil Corporation Services

To Whom It May Concern:

As the Building Official, Building Inspector and Code Enforcement Officer for the City of Avalon, I wear many hats to manage, regulate and ensure the safety and well-being of the community. Esgil Corporation has allowed me to maintain efficient plan reviews and meet required deadlines with limited resources. Their staff of highly-qualified and experienced professionals offer a broad range of disciplines, providing thorough and comprehensive plan reviews.

Since 2008, the Avalon Building Department has used EsGil Corporation for on-call building plan review and inspection services; we look forward to continuing this relationship.

If you have any questions or would like additional information regarding our experience with EsGil and their staff, please feel fee to contact me at the phone number or e-mail listed below.

Regards,

Bryan P Zuppiger, CBO
Building Official
bzuppiger@cityofavalon.com
Ph: (310) 510-0220

CITY OF
CARLSBAD
Community & Economic Development
www.carlsbadca.gov

April 25, 2012

Re: Reference Letter for EsGil Corporation

To Whom It May Concern:

For over thirty years, EsGil has provided building plan review services for the Carlsbad Building Department. Their company and staff have a respected working history with Carlsbad, assuring that the goals of our department are achieved and the needs of the City are met.

As a coastal city, urban development and environmental regulations in Carlsbad have changed significantly during that time, creating unique challenges for myself and the City staff. As our relationship with EsGil has evolved, so has our ability to meet those challenges. We've built a long-term partnership, providing our community with a service standard of quality, efficiency and integrity.

Please feel free to contact me at 760-602-2716 if you require any additional information regarding our experience with their services.

Sincerely,

Will Foss

Will Foss
Building Official
Will.Foss@carlsbadca.gov

WF:jh

Building Division
1635 Faraday Avenue, Carlsbad, CA 92008-7314 T 760-602-2700 F 760-602-8560

Item No. A.12

CITY OF CORONADO
COMMUNITY DEVELOPMENT

1825 STRAND WAY
CORONADO, CALIFORNIA 92118
WWW.CORONADO.CA.US

CITY HALL
PHONE: (619) 522-7326
FAX: (619) 522-2418

April 25, 2012

Re: EsGil Corporation – Letter of Recommendation

To Whom It May Concern:

I am writing to provide a reference for EsGil Corporation and to describe the quality of services received by their company and their staff.

EsGil has provided building plan review services to the City of Coronado since 1981, with inspection and counter services beginning in 2009. They've been a valuable resource in meeting our Building Department needs.

The City of Coronado staff strives to provide our community with a complete package of quality, accountable and excellent customer service, while meeting required deadlines and turn-around times. Our long lasting relationship with the EsGil team is due to their proven track record of efficiency, consistency and flexibility.

I would highly recommend using EsGil and their staff as a Building and Safety resource for your community.

Thank you,

Dave Calvani,
Senior Building Inspector,
City of Coronado

dcalvani@coronado.ca.us
Ph: (619) 522-2411

City of Encinitas
Planning and Building Department
Current Planning Division
505 S. Vulcan Avenue, Encinitas, California 92024-3633

August 2, 2010

Richard Esgate
EsGil Corporation
9320 Chesapeake Drive, Suite 208
San Diego, CA 92123

Subject: Letter of Reference

Dear Mr. Esgate:

EsGil Corporation has continually provided full building services for the City of Encinitas since incorporation, 1987. The services you provide are seamless; the customer typically considers EsGil employees as City employees. EsGil staff work well with the various development services departments. They are very responsive to issues, and services are provided in a very expedient manner.

The comments we receive from our customers (via customer comment cards) regarding building services consistently rate the Building Division services as exceptional in all of our categories – availability, courtesy, helpfulness and knowledge. We have been monitoring customer comments for multiple years, and the City's Building Division is one of the top rated divisions for receiving exceptional service scores. You often make the City look good.

The timeliness of plan checks and inspections is greatly appreciated by our customers. You consistently meet your contractual performance measures, which is an example for all City departments to follow.

The overall management of the EsGil employees and the Building Division is also worth noting. Any change of staffing has been efficient and without impact to services. Staffing levels are typically adjusted to keep pace with either an increase or decrease in workload. I have personally worked with EsGil through two periods where development activity dropped significantly (early 1990's and 2009/10), and EsGil's performance through these periods has been well received by the Council, management and the public. You continued to provide the City with needed services.

I have also received commendation from the building industry regarding EsGil's performance. Over the past several years with Encinitas, I have had the pleasure of meeting multiple times with building industry representatives over a variety of issues. When discussing the City's

Tel: (760) 633-2710; Fax: (760) 633-2818

building services and EsGil's performance, the development community has always been pleased … even saying "we don't want to lose EsGil." In a more formal process, the City reached out to the development community in 2003/04 to ask them "*how are we doing.*" The consultant's report made the following comment: "Esgil and the Building [Division] received the most positive comments of all departments. Participants indicate that they provide good service – fast, predictable, precise, timely, etc."

It has been a personal pleasure working with EsGil all of these years. You have made my job easier. The City has been pleased with EsGil's services, and we hope to continue that relationship in the future. If you have any questions or need additional information, please call me (760/633-2696) or e-mail pmurphy@cityofencinitas.org.

Sincerely,

Patrick Murphy
Director of Planning and Building

CITY OF POWAY

DON HIGGINSON, Mayor
CARL KRUSE, Deputy Mayor
MERRILEE BOYACK, Councilmember
JIM CUNNINGHAM, Councilmember
JOHN MULLIN, Councilmember

August 9, 2010

Kirk Culver
Chief Executive Officer
EsGil Corporation
9320 Chesapeake Drive, Suite 208
San Diego, CA 92123-1355

Dear Mr. Culver:

EsGil has provided building services to the City of Poway since the City incorporated 30 years ago. Your company has provided excellent consultant services without the cost to the City of an in-house building staff.

EsGil building staff members are a very much a part of the City of Poway's Development Services team. They are knowledgeable regarding California Building Codes and regulations, and they have the same local knowledge that our in-house staff members have. We truly appreciate their problem-solving attitude and the overall customer service they provide.

We are fortunate to have EsGil staff working with us. Your staff's work is professional and thorough, and I would recommend EsGil to anyone considering hiring them.

Sincerely,

DEVELOPMENT SERVICES DEPARTMENT

Robert J. Manis
Director of Development Services

City Hall Located at 13325 Civic Center Drive
Mailing Address: P.O. Box 789, Poway, California 92074-0789
www.poway.org

Item No. A.12

MV00167904

NON-COLLUSION AFFIDAVIT

STATE OF CALIFORNIA)
) SS
COUNTY OF San Diego)

(NAME) Kurt Culver, affiant being first duly sworn, deposes and says:

That he or she is President of
(sole owner, partner or other proper title)
EsGil Corporation the party making the foregoing Proposal
(Contractor)
that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the Contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company associations, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid (Public Contract Code Section 7106).

Proposer's Name: EsGil Corporation
(print)
Proposer's Address: 9320 Chesapeake Dr Ste. 208
(print)
San Diego, CA 92123

Telephone No.: 858-560-1468

(Signature of Proposer) President
(Title)

All signatures must be notarized.

Attach Notary here.

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (If any)

State of California

County of San Diego

Subscribed and sworn to (or affirmed) before me on this

27 day of April, 20 12, by
Date Month Year

(1) _____,
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and)

(2) _____,
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

SALLY BYRD
Commission # 1950736
Notary Public - California
San Diego County
My Comm. Expires Sep 30, 2015

Signature Sally Byrd
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Non-Collusion Affidavit

Document Date: 4/27/2012 Number of Pages: 2

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5910 Reorder: Call Toll-Free 1-800-876-6827

AFFIDAVIT OF NON-CONVICTION

I hereby affirm that:

I am the PRESIDENT (Title) and the duly authorized

Representative of the firm of: ESGIL CORPORATION (Name of Corporation)

Whose address is: 9320 CHESAPEAKE DRIVE #208

SAN DIEGO, CA 92123 And that

I possess the legal authority to make this affidavit on behalf of myself and the firm for which I am acting.

Except as described in paragraph 3 below, neither I nor the above firm, nor to the best of my knowledge, and of its officers, directors, or partners, or any of its employees directory involved in obtaining Contracts with the City have been convicted of, or have plead ***nolo contendere*** to a charge of, or having during the course of an official investigation or other proceeding admitted in writing or under oath acts or omissions which constitute bribery, attempted bribery, or conspiracy to bride under the laws of any State of the Federal government (conduct prior to July 1, 1977 is not required to be reported).

State "none" or, as appropriate, list any convection, plea or admission described in paragraph two above, with the data, court, official, or administrative body; the individuals involved and their position with the firm, and sentence or disposition, if any.

I acknowledge that this affidavit is required to allow the City to make a determination. I acknowledge that, if the representations set forth in the affidavit are not true and correct, the City may terminate ant Contract awarded and may take any other action.

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.

Signature: _____ Date: 4/27/12

Printed Name KURT CULVER Title: PRESIDENT

Name of firm: ESGIL CORPORATION

VENDOR INFORMATION

A. PROPOSERS COMPANY INFORMATION **(print or type)**

Company Name: ESGIL CORPORATION

Owner / Manager Name: KURT CULVER

PO Mailing Address: 9320 CHESAPEAKE DRIVE #208

City: SAN DIEGO State CA Zip 92123

Remit to Address (if different from PO mailing address) SAME AS ABOVE

City: _____ State _____ Zip _____

Web Site: www.esgil.com

Phone Number: (858) 560-1468

Fax Number: (858) 560-1576

E-mail Address: kculver@esgil.com

Incorporated? (mark one) Yes X or No ___

Fed. Tax I.D. # or Social # 95-3444018

If not a Corporation, are you a Partnership, LLC, Individual or Joint Venture? N/A

How many years of relevant experience within the scope of this RFP? 32 YEARS

I certify that the information given above is accurate and complete; that the Terms and Conditions as issued by the City of Moreno Valley with this Request for Proposal # VAG-11/12-04 have been fully read, understood, and accepted in total; and that I am a duly authorized agent for quoting purposes for the company named above.

KURT CULVER	PRESIDENT
(Print Quoting Persons Name)	(Title)
[signature]	4/30/12
(Quoting Persons Signature)	(Date)

REFERENCES

List three (3) references that most closely reflect similar projects and work that your company has worked on within the past five (5) years for a Public or Governmental Agency. **(Type or Print)**

1. Name of Public Agency: CITY OF TEMECULA

   Address: 41000 MAIN STREET

   City: TEMECULA State: CA Zip: 92590

   Contact: MR. RICH JOHNSTON Title: BUILDING OFFICIAL

   Telephone: (951) 694-6444 Email: rich.johnston@cityoftemecula.org

   Service Dates: 1993 - PRESENT

   Brief Summary of Project/Work provided:

   CONTRACT BUILDING DEPARTMENT PLAN REVIEW SERVICES

2. Name of Public Agency: CITY OF SAN JACINTO

   Address: 595 S. SAN JACINTO AVE., BLDG A

   City: SAN JACINTO State: CA Zip: 92583

   Contact: MR. TIM HULTS Title: ACTING BUILDING OFFICIAL

   Telephone: (951) 487-7330 Email: thults@sanjacintoca.us

   Service Dates: 1994 - PRESENT

   Brief Summary of Project/Work provided:

   CONTRACT BUILDING DEPARTMENT PLAN REVIEW SERVICES

3. Name of Public Agency: CITY OF MENIFEE

Address: 29714 HAUN ROAD

City: MENIFEE State: CA Zip: 92586

Contact: MR. TONY ELMO Title: BUILDING OFFICIAL

Telephone: (951) 672-6777 Email: telmo@cityofmenifee.us

Service Dates: 2009 - PRESENT

Brief Summary of Project/Work provided:

CONTRACT BUILDING DEPARTMENT PLAN REVIEW SERVICES

Insert fee proposal here and include signature page of similar information

Company Name: ESGIL CORPORATION
(print)

Authorized Signer: KURT CULVER
(print)

Signature: Date: 4/30/12

Proposal Requirements:

F. (a)	Initial Plan Reviews*: *(* no charge for rechecks)*	80% of City-Collected Plan Check Fee
F. (b)	Hourly Rates:	See Attached
F. (c)	Expedited/Accellerated Reviews:	1.5 Times the Plan Check / Hourly Fee
F. (d)	Inspection – Normal Hours:	Not Applicable
F. (e)	Inspection – Outside Regular Hours:	Not Applicable
F. (f)	*(missing)*	
F. (g)	Counter – Normal Hours:	Not Applicable
F. (h)	Counter – Outside Regular Hours:	Not Applicable
F. (i)	Other Services:	
	- Revisions	Based on Hourly Rates (attached)
	- Project Meetings (*Outside Esgil Office*)	Based on Hourly Rates (attached)
	- Postage Fees	Included in our Fees
	- Transportation of Plans	Included in our fees

ESGIL CORPORATION
HOURLY RATES

Supervising Structural Engineer	$135.00
CASp Certified Access Examiner	$120.00
LEED Certified Plans Examiner	$120.00
Structural Engineer	$120.00
Civil Engineer	$105.00
Electrical Engineer	$105.00
Mechanical Engineer	$105.00
I.C.C. Plans Examiner	$90.00

Note
Rates are increased by a factor of 1.5 for overtime, and for holiday and weekend assignments.

(Rates are subject to change yearly)

ADDENDA ACKNOWLEDGMENT

The undersigned acknowledges receipt of the following ADDENDA and the cost, if any, or such revision has been included in the TOTAL BID of the Bidding Schedule(s). If NONE, WRITE "NONE" ON THE FIRST LINE.

Addendum No.: 1 Dated April 24, 2012 (received)

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Addendum No.: _____ Dated _____

Company Name: ESGIL CORPORATION

Address: 9320 CHESAPEAKE DRIVE #208

SAN DIEGO, CA 92123

Telephone No.: (858) 560-1468

Email Address: kculver@esgil.com

By: KURT CULVER
(print)

Signature: _____ Date: 4/30/12

EXHIBIT B

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $800,000 per fiscal year.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the City as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices may be Copies of invoices may be submitted to the Community & Economic Development Department at susanc@moval.org or calls directed to (951) 413-3350.

4. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)

E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services perfor med and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the C ontractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster, Community & Economic Development Director

AGENDA DATE: June 26, 2012

TITLE: PA11-0009 – COMMERCIAL DEVELOPMENT – ACCEPT THE AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

NORTH SIDE OF IRIS AVENUE, WEST OF OLIVER STREET

Developer: Kaiser Foundation Health Plan, Inc. &
Kaiser Foundation Hospitals
27300 Iris Avenue
Moreno Valley, CA 92555

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Bonds for Public Improvements.

2. Authorize the Mayor to execute the Agreement.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

BACKGROUND

On July 14, 2011, the Planning Commission of the City of Moreno Valley approved project number PA11-0009. The proposed project is for a 74,425 square foot 3 story medical office building located adjacent to the existing Kaiser Hospital.

DISCUSSION

The developer has completed and submitted an Agreement for Public Improvements. The developer agrees to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include but are not limited to asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, and landscaping. Accompanying the agreement are a Faithful Performance Bond in the amount of $522,000 and a Material and Labor Bond in the amount of $261,000 issued by Travelers Casualty and Surety Company of America.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Ahmad Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00167919

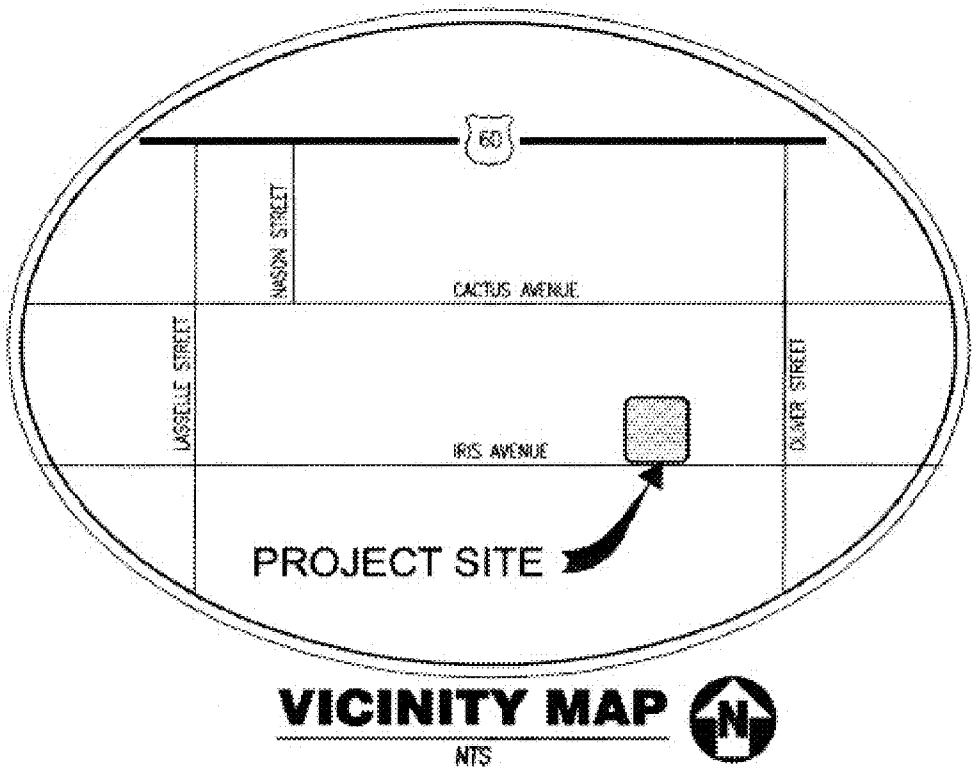

CITY OF MORENO VALLEY **COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT - LAND DEVELOPMENT** **EXHIBIT "A"**	**PA11-0009**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2012\6-26-12 - PA11-0009 - Exhibit A.doc

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MV00167921

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR
PROJECT NO. PA11-0009

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals**, herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA11-0009** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **FIVE HUNDRED TWENTY-TWO THOUSAND AND NO/100** Dollars (*****$522,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **TWO HUNDRED SIXTY-ONE THOUSAND AND NO/100** Dollars (*****$261,000.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

Exhibit "B"

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security in accordance with the City's Municipal Code at anytime during the term of this agreement, subject to approval by the City Engineer and City Attorney.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Developer further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
Kaiser Foundation Health Plan, Inc. &
Kaiser Foundation Hospitals
27300 Iris Avenue
Moreno Valley, CA 92555

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

Kaiser Foundation Health Plan & Kaiser Foundation Hospitals:
Developer

BY: _____
Signature
STEVEN DOSHAY
Print/Type Name
ASSISTANT SECRETARY
Title

BY: _____
Signature
Carlos Zaragoza
Print/Type Name
Assistant Secretary
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA11-0009 - Agreement.doc

State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 4, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Steven Doshay,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

GRACE S. LEE
COMM. #1874691
Notary Public - California
Los Angeles County
My Comm. Expires Dec. 25, 2013

Signature

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of

containing pages, and dated .

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other:

representing: Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # Entry #

Notary contact:

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐

25 29th St., Des Moines, IA 50312-3612 Form ACK03. 10/07. To re-order, call toll-free 1-877-349-6588 or visit us on the Internet at http://www.notaryrotary.com

Item No. A.13

MV00167925

State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 13, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Carlos Zaragoza,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

GRACE S. LEE
COMM. #1874691
Notary Public · California
Los Angeles County
My Comm. Expires Dec. 25, 2013
NRO1 NRO1

Signature

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of _____,

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____
  Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

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Item No. A.13

MV00167926

1/25/12
VBG

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PA11-0009
0
Kaiser Permanente

DATE: 08/01/11
PREPARED BY: Vince Giron

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	1	Thickness (ft.)				
	100	S.F.	7	Ton	33.00	231
A.C. - Street 1	0.5	Thickness (ft.)				
	100	S.F.	3	Ton	80.00	240
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0.67	Thickness (ft.)				
	1200	S.F.	58	Ton	33.00	1,914
A.C. - Street 2	0.25	Thickness (ft.)				
	1200	S.F.	21	Ton	80.00	1,680
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	4,065

Item No. A.13

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EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/01/11
PREPARED BY: Vince Giron

PROJECT: PA11-0009
0 **PUBLIC STREET WORK**
Kaiser Permanente

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	80.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.20	0
Sawcut	60	L.F.	3.00	180
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	2580	SF	3.00	7,740
Remove Existing Curb & Gutter	0	L.F.	12.00	0
Concrete				
P.C.C. Paving - 6"	0	S.F.	6.50	0
P.C.C. Paving - 8"	0	S.F.	10.50	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	120	L.F.	30.00	3,600
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	30.00	0
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	225	L.F.	25.00	5,625
Curb Only - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	1400	S.F.	10.25	14,350
Sidewalk	4650	S.F.	4.25	19,763
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 6"	0	S.F.	6.50	0
Driveway Approach - 8"	5410	S.F.	10.50	56,805
Wheelchair Ramp	3	EA.	2,600.00	7,800
Alley Approach - 8"	0	S.F.	10.25	0
1/2 Alley Apron	0	S.F.	10.25	0
Barricade	0	L.F.	100.00	0
Bus Bay	0	EA.	15,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Reinforced P.C.C. Retaining Walls	0	C.Y.	780.00	0
				0
			SUBTOTAL	115,863
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	0	L.S.	–	0
Traffic Striping (DIF Street)	1	L.S.	16656	16,656
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street -Perris Blvd)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	10000	0
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	0	EA.	800.00	0
Metal Guard Rail	0	L.F.	90.00	0
			SUBTOTAL:	16,656
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	198.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments	0	EA.	300.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	0

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EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/01/11
PREPARED BY: Vince Giron

PROJECT: PA11-0009
0
Kaiser Permanente

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	4350	S.F.	6.00	26,100
Street Lights (9500 lumen)	0	EA.	5,000.00	0
Street Lights (22000 lumen)	0	EA.	6,000.00	0
			SPECIAL DISTRICTS SUBTOTAL:	26,100
Moreno Valley Utilities				
Electrical Utility Infrastructure	0	L.S.	0.00	0
			MVU SUBTOTAL:	0
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination	1	EA.	272,000.00	272,000
Traffic Signal Modification	0	L.S.	0	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
			TRANSPORTATION SUBTOTAL:	272,000

1/25/12
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EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PA11-0009
0
Kaiser Permanente

PUBLIC STORM DRAIN SYSTEM

DATE: 08/01/11
PREPARED BY: Vince Giron

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	7200.00	0
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6000.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (10') DIF Street Name)	0	EA.	6000.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

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EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/01/11
PREPARED BY: Vince Giron

PROJECT: PA11-0009
0
Kaiser Permanente

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6500.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	4000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	0

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EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/01/11
PREPARED BY: Vince Giron

PROJECT: PA11-0009
0
Kaiser Permanente

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	60.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
	0		0.00	0
Services Connections				
1" Service	0	EA.	800.00	0
1" Service w/ 5/8" Service	0	EA.	2,000.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
	0		0.00	0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	235.00	0
	0		0.00	0
			SUBTOTAL:	0

Item No. A.13

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EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/01/11
PREPARED BY: Vince Giron

PROJECT: PA11-0009
0
Kaiser Permanente

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	0	L.F.	55.00	0
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	0	L.F.	80.00	0
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,140.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	630.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pavement around MH	0	S.F.	14.00	0
	0		0.00	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	0

Item No. A.13

1/25/12
VBG

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PA11-0009
0
Kaiser Permanente

DATE: 08/01/11
PREPARED BY: Vince Giron

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$4,065
OFFSITE STREET WORK	:	$115,863
SPECIAL DISTRICTS	:	$26,100
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$272,000
STORM DRAIN SYSTEM	:	$0
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$0
TRAFFIC IMPROVEMENTS	:	$16,656
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$434,684
+20% CONTINGENCY:		$86,937
GRAND TOTAL:		$521,620

BOND AMOUNT: **$522,000**

Item No. A.13

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MV00167935

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements	$522,000	Project No.	PA11-0009
Bond No.	105700018	Premium	$2,088.00
Surety	Travelers Casualty and Surety Company of America A+(XV) CA	Principal	Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals.
Address	205 Lennon Lane, Suite 201	Address	27300 Iris Avenue
City/Zip	Walnut Creek, CA 94598	City/Zip	Moreno Valley, CA 92555

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals**, (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA11-0009**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty and Surety Company of Americaas Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **FIVE HUNDRED TWENTY-TWO THOUSAND AND NO/100** Dollars (*****$522,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "C"

RISK MANAGEMENT
Approved

M. Alonzo 5-30-12
By Date

Item No. A.13

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA11-0009

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on April 23rd, 2012.

NAME OF PRINCIPAL: **Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals**
Company Name

AUTHORIZED SIGNATURE(S): By _____ Assistant Secretary
Name CARLOS ZUNIGA Title

_____
Name STEVEN DOCHAY, ASSISTANT SECRETARY Title

NAME OF SURETY: Travelers Casualty and Surety Company of America A+(XV) CA
Company Name

AUTHORIZED SIGNATURE: _____
Edward C. Spector, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA11-0009 - Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On APR 23 2012 before me, Daravy Mady Notary Public, personally appeared Edward C. Spector who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(seal)

DARAVY MADY
COMM. #1839912
Notary Public - California
Los Angeles County
My Comm. Expires Mar. 9, 2013
NRO1

Signature _____
Daravy Mady, Notary Public

Item No. A.13

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

A+(XV)CA

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 222266 **Certificate No.** 003861500

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

E. S. Albrecht Jr., Lisa L. Thornton, C. K. Nakamura, Maria Pena, Tracy Aston, Marina Tapia, Brenda Wong, Michael R. Mayberry, KD Conrad, Simone Gerhard, Noemi Quiroz, and Edward C. Spector

of the City of Los Angeles, State of California, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 25th day of August, 2010.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 25th day of August, 2010, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-4-09 Printed in U.S.A.

Item No. A.13

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

MV00167939

State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 25, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Carlos Zaragoza,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NRO1 GRACE S. LEE COMM. #1874691 Notary Public - California Los Angeles County My Comm. Expires Dec. 25, 2013 NRO1

Signature

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of _____,

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____ Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____ Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

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Item No. A.13

MV00167940

State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 25, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Steven Doshay,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NRO1 GRACE S. LEE COMM. #1874691 Notary Public - California Los Angeles County My Comm. Expires Dec. 25, 2013 NRO1

Signature

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of

,

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____ Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____ Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

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Item No. A.13

MV00167941

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $261,000

Project No. PA11-0009

Bond No. 105700018

Premium Included in the performance bond

Surety Travelers Casualty and Surety Company of America A+(XV) CA

Principal Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals.

Address 205 Lennon Lane, Suite 201

Address 27300 Iris Avenue

City/Zip Walnut Creek, CA 94598

City/Zip Moreno Valley, CA 92555

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA11-0009**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **TWO HUNDRED SIXTY-ONE THOUSAND AND NO/100** Dollars **(***$261,000.00***)**, lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Exhibit "D"

RISK MANAGEMENT
Approved

M. Alonzo 5-30-12
By

Item No. A.13

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA11-0009

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on April 23rd, 2012.

NAME OF PRINCIPAL: **Kaiser Foundation Health Plan, Inc. & Kaiser Foundation Hospitals**
Company Name

AUTHORIZED SIGNATURE(S): By:

Name Carlos Zuniga Title Assistant Secretary

Name STEVEN DOSHAY, ASSISTANT SECRETARY Title

A+(XV) CA

NAME OF SURETY: Travelers Casualty and Surety Company of America
Company Name

AUTHORIZED SIGNATURE: _____
Edward C. Spector, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA11-0009 - Material Labor Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On APR 23 2012 before me, Daravy Mady Notary Public, personally appeared Edward C. Spector who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(seal)

Signature _____
Daravy Mady, Notary Public

NRO1 DARAVY MADY
COMM. #1839912
Notary Public - California
Los Angeles County
My Comm. Expires Mar. 9, 2013 NRO1

Item No. A.13

State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 25, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Steven Doshay,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

NRO1 GRACE S. LEE COMM. #1874691 Notary Public - California Los Angeles County My Comm. Expires Dec. 25, 2013 NRO1

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of

,

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____
  Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

State of California)
County of Los Angeles)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 25, 2012 before me, Grace S. Lee,
(here insert name and title of the officer)

personally appeared Carlos Zaragoza,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

GRACE S. LEE
COMM. #1874691
Notary Public - California
Los Angeles County
My Comm. Expires Dec. 25, 2013
NRO1

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of

,

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____
  Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

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Item No. A.13

MV00167946

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

A+(XV)CA

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 222266

Certificate No. 003861501

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

E. S. Albrecht Jr., Lisa L. Thornton, C. K. Nakamura, Maria Pena, Tracy Aston, Marina Tapia, Brenda Wong, Michael R. Mayberry, KD Conrad, Simone Gerhard, Noemi Quiroz, and Edward C. Spector

of the City of Los Angeles, State of California, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 25th day of August, 2010.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 25th day of August, 2010, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-4-09 Printed in U.S.A.

Item No. A.13

WARNING: THIS POWER OF ATTOI -432- VALID WITHOUT THE RED BORDER

MV00167947

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief

AGENDA DATE: June 26, 2012

TITLE: SECOND AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT WITH DENNIS GRUBB & ASSOCIATES

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC;

2. Authorize the City Manager to execute the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC; and

3. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 41249 with Dennis Grubb & Associates, LLC in the amount of $25,000 for fire plan check services for a total not to exceed amount of $115,000 for Fiscal Year 2011/2012.

BACKGROUND

The City of Moreno Valley entered into an Independent Contractor Agreement with Dennis Grubb & Associates, LLC. on July 8, 2009. The initial agreement contained an annual not to exceed amount of $50,000 (Attachment A).

On January 18, 2011, Dennis Grubb & Associates, LLC. and the City amended the initial agreement to increase the annual not to exceed amount to $90,000 for fire plan check services. (Attachment B).

DISCUSSION

The number of plans submitted to the Fire Prevention Bureau for review and approval has increased 33% when comparing plan checks submitted from July 1, 2011 through May 15, 2012 to the same time period from the year before. This increase in the demand for fire plan check review has caused the City to reach the $90,000 limit of its Independent Contractor Agreement with Dennis Grubb & Associates, LLC. In order to continue to process plans in a timely manner, and to ensure that complex plan checks are accurately reviewed, the Fire Prevention Bureau is requesting a second amendment to the Independent Contractor Agreement (Attachment C) be approved by City Council, increasing the not to exceed amount to $115,000.

ALTERNATIVES

1. Approve the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC; authorize the City Manager to execute the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC in the form attached hereto; and Authorize the City Manager to execute a Change Order to increase Purchase Order No. 41249 with Dennis Grubb & Associates, LLC in the amount of $25,000 for fire plan check services for a total not to exceed amount of $115,000 for Fiscal Year 2011/2012. ***Staff recommends this alternative as it will ensure timely fire plan check services.***

2. Do not approve the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC; do not authorize the City Manager to execute the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC in the form attached hereto; and do not authorize the City Manager to execute a Change Order to increase Purchase Order No. 41249 with Dennis Grubb & Associates, LLC in the amount of $25,000 for fire plan check services for a total not to exceed amount of $115,000 for Fiscal Year 2011/2012.***Staff does not recommend this alternative as it could potentially delay plan checks.***

FISCAL IMPACT

The additional increase of $25,000 for the second amendment to Dennis Grubb & Associates, LLC. is already included in the existing approved budget for Fire Prevention Inspections - 011.45810.6255. There is no direct impact to the City's General Fund as costs for fire plan check services conducted by Dennis Grubb & Associates, LLC. are recovered from the applicant per the City's fee schedule. This fee, which is adopted annually by City Council, is the actual consultant cost plus a 20% administrative fee.

Original Contract $50,000
First Amendment..... $40,000
Second Amendment..... $25,000
Total..... $115,000

CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Attachment A: Independent Contractor Agreement
Attachment B: First Amendment to the Independent Contractor Agreement
Attachment C: Second Amendment to the Independent Contractor Agreement

Prepared By:
Cynthia Owens
Management Assistant

Department Head Approval:
Abdul Ahmad
Fire Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00167951

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Dennis Grubb and Associates LLC
12523 Limonite Ave., Ste. 440-102
Mira Loma, CA 91752
951-218-5482 (business) 951-681-6860 (fax)
Business License Number:
Federal Tax I.D. Number: 20-8680376

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The City's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. Consultant fee schedule is provided in Exhibit "D " attached hereto and incorporated herein by this reference.
E. The Contractor Starting Date is July 1, 2009 and the Contractor Ending Date is June 30, 2012. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

Attachment A

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by

the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. Where determined applicable by the City, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury $1,000,000 per occurrence/ $2,000,000 aggregate
Property Damage $500,000 per occurrence/ $500,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Worker's Compensation Insurance—in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/RDA premises. Such coverage limits shall not be less than $500,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "D" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or

representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Termination. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

   (b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement

City of Moreno Valley

By: _____
City Manager

Date: 7-13-09

Attest:

_____
City Clerk (not needed if City Manager signs)

Approved as to Legal Form:

_____
City Attorney

Date: 7-8-09

Contractor

By: _____

Title: President

Date: 7-8-09

By: _____

Title: _____

Date: _____

Attachments: Exhibit A
Exhibit B
Exhibit C
Exhibit D

EXHIBIT A

SCOPE OF WORK

A. The review of plans for any and all types of structures including, but not limited to, single family dwellings, multi-family dwellings, industrial and commercial buildings for compliance with all local ordinances and State and Federal laws pertaining to Fire and Building Safety, and for compliance with the adopted Fire, Building, Electrical and Mechanical Codes and adopted NFPA standards as mandated by State Title 24 and applicable ordinances.

B. The selected Consultant shall have on staff at all times, individuals who are experienced in building and fire requirements and related California Fire and Building Codes for commercial and residential design and plan review procedures. It is highly desirable that plan reviews be conducted by a Certified Plans Examiner or registered engineer.

C. Transportation of plans for the first check and for all subsequent re-checks between the City of Moreno Valley Fire Prevention Division and the Consultant's office where the plan check services will be completed.

D. The completion of plan review within the expected time frame. Standard first review is expected to be completed in a maximum of ten (10) working days from the date the Consultant receives the plans for review. Subsequent reviews are expected within ten (10) working days. Upon written request from the City, Consultants will also provide expedited building plan review. Expedited plans shall be reviewed in a maximum of seven (7) working days from the date the Consultant receives the plans.

E. The submittal of two complete, typed listings of all required plan corrections.

F. The arrangement and/or attendance at any required meetings connected with the plan review of a project.

G. The calculation and invoicing of all Fire plan check related fees.

H. This contract if for plan check services on an "as needed" basis. The City of Moreno Valley will use discretion regarding which plans will be reviewed by the consultant.

EXHIBIT B

CITY'S RESPONSIBILIES

A. Provide a copy of the Moreno Valley Fire and Building Code Ammendments.

B. Prepare all plans for shipping using consultant paid shipping account and process plans on behalf of the consultant when returned to City Hall.

C. Provide timely review, processing, and reasonably expeditious approval of all submittals by the consultant.

EXHIBIT C

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $50,000.00 annually.

2. The Contractor's compensation shall be in accordance with the attached Fee Schedule labeled as Exhibit D

3. The Contractor shall submit to the City an original invoice identifying the name of the plans/project and any associated project numbers and the services performed. Each invoice must reference the appropriate Purchase Order number.

4. The City will review each invoice submitted by the Contractor, along with any accompanying required documentation in order to determine that the Contractor has properly invoiced, documented and executed the required services. Payment is made by the City within 30 days of approval of completed work.

5. Failure to comply with all requirements of this Agreement may result in non-payment for work performed.

EXHIBIT D

MORENO VALLEY FIRE CONTRACT PLAN CHECK FEES

(Effective July 1, 2009)

Plan Type	Fee Amount
Fire Department Access	$265.00
New NFPA 13 <100 heads	$350.00
New NFPA 13 >100 heads w/ 1 Riser	$450.00
Each Additional Riser	$150.00
Pre-Action System w/ Alarm	$425.00
TI NFPA 13 or 13R < 100 heads	$225.00
TI NFPA 13 or 13R > 100 heads	$325.00
In-Rack Sprinklers	$330.00
NFPA 13D Single Plan Type	$240.00
New NFPA 13R 3-16 units per building	$350.00
Underground - w/ up to 4 hydrant/riser	$360.00
Underground - w/ 5 or more hydrant/riser	$400.00
Fire Pump	$540.00
Special Extinguishing System	$340.00
Hood & Duct Extinguishing System	$180.00
Special Equipment (Ovens, Dust, Battery)	$300.00
Refrigeration Systems < 500 lbs	$350.00
Refrigeration Systems > 500 lbs	$575.00
Spray Booths	$360.00
Gas Systems (Med Gas, Industrial Gas)	$350.00
New Alarm System	$350.00
TI Fire Alarm System	$250.00
Sprinler Monitoring	$200.00
Hazardous Materials Storage - Non H Occ.	$350.00
Chem Class <10 Chemicals	$285.00
Chem Class >10- 25 Chemicals	$500.00
Chem Class 26 - 100 Chemicals	$1,100.00
Chem Class >100 Chemicals	$1,460.00
High Piled Storage	$330.00
Underground Storage Tanks (per tank)	$250.00
Aboveground Storage Tanks (per tank)	$250.00
Smoke Control - Rationale Analysis & Plan Review	$750.00
A-1 Occupancies - New	$775.00
A-1 Occupancies - TI	$525.00
A-2 & A-3 Occupancies - New	$675.00
A-2 & A-3 Occupancies - TI	$525.00
A-4 & A-5 Occupancies - New	$475.00
A-4 & A-5 Occupancies - TI	$525.00
E Occupancies New	$425.00
E Occupancies TI	$250.00
E Occupancies (DayCare only)	$250.00
B Occupancies New	$350.00
B Occupancies TI	$350.00
H Occupancies (not including Chem Class) New	$360.00

H Occupancies (not including Chem Class) TI	$270.00
F Occupancies New	$350.00
F Occupancies TI	$240.00
I Occupancies New	$625.00
I Occupancies TI	$425.00
L Occupancies New	$380.00
L Occupancies TI	$270.00
M Occupancies New	$350.00
M Occupancies TI	$240.00
R-1 & R-2 Occupancies <50 units New	$350.00
R-1 & R-2 Occupancies >50 units New	$450.00
R-3 Townhomes New	$250.00
R Occupancies All TI's	$250.00
S Occupancies > 50,000sq. ft. New	$285.00
S Occupancies > 50,000sq. ft. TI	$280.00
S Occupancies < 50,000sq. ft. New	$460.00
S Occupancies < 50,000sq. ft. TI	$350.00
High Rise Structure greater than 55 feet	$1,440.00
Additional Reviews	$200.00 per submittal
Project Meetings	$100.00 per hr
Expedited Plan Check	Additional $150.00 per submittal

1. Architectural reviews are based on a single structure/model.

2. Fees for multi-occupancy buildings shall be based on the most hazardous occupancy: Example, F-1 & H-2, fees to be based on H-2.

3. All Fees based on a single system basis.

4. City requested expedited plan review will be conducted with no additional fees.

CERTIFICATE OF INSURANCE

This certifies that

- ☒ STATE FARM FIRE AND CASUALTY COMPANY, Bloomington, Illinois
- ☐ STATE FARM GENERAL INSURANCE COMPANY, Bloomington, Illinois
- ☐ STATE FARM FIRE AND CASUALTY COMPANY, Scarborough, Ontario
- ☐ STATE FARM FLORIDA INSURANCE COMPANY, Winter Haven, Florida
- ☐ STATE FARM LLOYDS, Dallas, Texas

insures the following policyholder for the coverages indicated below:

Policyholder	DENNIS GRUBB & ASSOCIATES LLC
Address of policyholder	12523 LIMONITE AVE STE 400-102, MIRA LOMA, CA 91752
Location of operations	4680 MILLBROOK AVE, RIVERSIDE, CA 92509
Description of operations	PLAN CHECKER

The policies listed below have been issued to the policyholder for the policy periods shown. The insurance described in these policies is subject to all the terms exclusions, and conditions of those policies. The limits of liability shown may have been reduced by any paid claims.

POLICY NUMBER	TYPE OF INSURANCE	POLICY PERIOD Effective Date	POLICY PERIOD Expiration Date	LIMITS OF LIABILITY (at beginning of policy period)
92-LE-2493-9	Comprehensive Business Liability	06-04-2009	06-04-2010	BODILY INJURY AND PROPERTY DAMAGE
This insurance includes:	☐ Products - Completed Operations ☐ Contractual Liability ☐ Underground Hazard Coverage ☐ Personal Injury ☐ Advertising Injury ☐ Explosion Hazard Coverage ☐ Collapse Hazard Coverage ☐ ☐			Each Occurrence $ 1,000,000 General Aggregate $ 2,000,000 Products – Completed Operations Aggregate $ 2,000,000
	EXCESS LIABILITY ☐ Umbrella ☐ Other	POLICY PERIOD Effective Date	POLICY PERIOD Expiration Date	BODILY INJURY AND PROPERTY DAMAGE (Combined Single Limit) Each Occurrence $ Aggregate $
	Workers' Compensation and Employers Liability			Part 1 STATUTORY Part 2 BODILY INJURY Each Accident $ Disease - Each Employee $ Disease - Policy Limit $

POLICY NUMBER	TYPE OF INSURANCE	POLICY PERIOD Effective Date	POLICY PERIOD Expiration Date	LIMITS OF LIABILITY (at beginning of policy period)

THE CERTIFICATE OF INSURANCE IS NOT A CONTRACT OF INSURANCE AND NEITHER AFFIRMATIVELY NOR NEGATIVELY AMENDS, EXTENDS OR ALTERS THE COVERAGE APPROVED BY ANY POLICY DESCRIBED HEREIN.

If any of the described policies are canceled before its expiration date, State Farm will try to mail a written notice to the certificate holder 10 days before cancellation. If however, we fail to mail such notice, no obligation or liability will be imposed on State Farm or its agents or representatives.

Name and Address of Certificate Holder

CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 FREDRICK STREET
PO BOX 88005
MORENO VALLEY, CA 92552

Lou Grande
Signature of Authorized Representative
AGENT 06-24-2009
Title Date

Agent's Code Stamp

AFO Code

LOU GRANDE INS.
License# OC10814
PO Box 147
Norco, CA 92860-0147
(951) 737-2682

RISK MANAGEMENT
Approved

By 6-25-09
Date

558-994 a.4 11-12-2002 Printed in U.S.A.

Item No. A.14

MV00167963

DL Policy No. 92-LE-2493-9 ✓

FE-6609

SECTION II ADDITIONAL INSURED ENDORSEMENT

Policy No.: 92-LE-2493-9

Named Insured: DENNIS GRUBB & ASSOCIATES LLC

Additional Insured (include address):

CITY OF MORENO VALLEY ✓
MORENO VALLEY COMMUNITY SERVICES DISTRICT ✓
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY ✓
14177 FREDRICK STREET
MORENO VALLEY, CA 92552

WHO IS AN INSURED, under SECTION II DESIGNATION OF INSURED, is amended to include as an insured the Additional Insured shown above, but only to the extent that liability is imposed on that Additional Insured solely because of your work performed for that Additional Insured shown above.

Any insurance provided to the Additional Insured shall only apply with respect to a claim made or a suit brought for damages for which you are provided coverage.

The Primary Insurance coverage below applies only when there is an "X" in the box.

☐ **Primary Insurance.** The insurance provided to the Additional Insured shown above shall be primary insurance. Any insurance carried by the Additional Insured shall be noncontributory with respect to coverage provided to you.

All other policy provisions apply.

Printed in U.S.A.

FE-6609

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MV00167965

AMENDMENT TO PROFESSIONAL
SERVICES AGREEMENT
PROJECT NO. _____

This first Amendment to Agreement is made and entered into as of the date the City signs this Amendment by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and Dennis Grubb & Associates, LLC, an independent contractor, hereinafter referred to as the "Contractor,"

RECITALS:

Whereas, the City and Contractor entered into an Agreement entitled "Independent Contractor Agreement," hereinafter referred to as "Agreement," dated July 8, 2009.

Whereas, the Contractor is providing Plan Check Services in the City of Moreno Valley, Riverside County, California.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Contractor, as is more particularly described in Section 1 of this Amendment.

SECTION 1 AMENDMENT to ORIGINAL AGREEMENT:

1.1 Terms of Payment C-1 to the Agreement is hereby amended by changing the compensation amount to "Not-to-Exceed $90,000".

1.2 The City agrees to pay the Contractor and the Contractor agrees to receive a "Not-to-Exceed" fee of $90,000.00, in consideration of the Contractor's performance of the work set forth in Exhibit D to this Amendment and a City issued Change Order to the original Purchase Order.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

Attachment B

Amendment to Professional Services Agreement
Dennis Grubb & Associates, LLC.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY

By: _____
Richard Teichert
Financial & Administrative
Services Director

Date: 1/18/11

CONTRACTOR

By: _____

Title: Pres. Dent.

Date: 1-24-11

RECOMMENDED FOR APPROVAL

By: _____
Steve Curley
Fire Chief

Date: 1/12/11

APPROVED AS TO LEGAL FORM:

By: _____
for Robert Hansen
City Attorney

Date: 1-26-11

Attachments:
Exhibit "A" – Scope of Work
Exhibit "B" – City's Responsibility
Exhibit "C" - Terms of Payment
Exhibit "D" - Moreno Valley Fire Contract Plan Check Fees

SECOND AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND DENNIS GRUBB & ASSOCIATES, LLC.

This Second Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City", and **Dennis Grubb & Associates, LLC (a California Sole Proprietorship, Corporation, Partnership)**, hereinafter referred to as the "Contractor",

RECITALS

Whereas, the City and Contractor entered into an Agreement entitled "Independent Contractor Agreement", hereinafter referred to as "Agreement," dated July 8, 2009.

Whereas, the Contractor is providing Plan Check Services in the City of Moreno Valley, Riverside County, California.

Whereas, it is desirable to amend the Agreement to expand the scope of work to be performed by the Contractor, as is more particularly described in Section 1 of this Amendment.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT

1.1 Terms of Agreement, Exhibit C – 1 is hereby amended to "The Contractor's compensation shall not exceed $115,000 annually" ($50,000 for the original agreement plus $40,000 for the First Amendment to Agreement plus $25,000 for the Second Amendment to Agreement).

1.2 The City agree to pay the Contractor and the Contractor agrees to receive a "Not to exceed" fee of $115,000, in consideration of the Contractor's performance of the work set forth in Exhibit D to this Amendment and a City issued Change Order to the Original Purchase Order.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley	Contractor Name
BY: _____	BY: _____
Michelle Dawson Assistant City Manager	TITLE: _____ (President)
_____ Date	_____ Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

EXHIBIT C

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $115,000.00 annually.

2. The Contractor's compensation shall be in accordance with the attached Fee Schedule labeled as Exhibit D.

3. The Contractor shall submit to the City an original invoice identifying the name of the plans/project and any associated project numbers and the services performed. Each invoice must reference the appropriate Purchase Order number.

4. The City will review each invoice submitted by the Contractor, along with any accompanying required documentation in order to determine that the Contractor has properly invoiced, documented and executed the required services. Payment is made by the City within 30 days of approval of completed work.

5. Failure to comply with all requirements of this Agreement may result in non-payment for work performed.

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MV00167971

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2012/2013 RATE ADJUSTMENT

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2012/2013 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that an annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The combination of a CPI adjustment for FY 2012/2013 of 2.02%, a 2.15% increase in Riverside County tipping fees, and the decrease in household disposal, results in a residential service component rate increase of $0.11 per month, per home.

This is inclusive of a $0.03 discount that has been applied to the disposal component to account for the 2012 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste service programs that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of $0.20 per month, per home.

Accordingly, with a decrease in the disposal component of $0.20 and an increase in the residential service component of $0.31 per month, the new monthly residential rate reflects a total change of an increase of $0.11 and the new rate is $21.32.

Relative to commercial rates, the 2.15% increase in Riverside County tipping fees and the decrease in commercial disposal tonnage results in a commercial disposal component rate decrease of 5.6%. The service component has been revised to reflect bundled commercial trash/recycling service as directed by the City Council at the study session of March 20, 2012. The new combined rate provides a significant savings to customers maintaining the same overall capacity as compared to the cost of adding commercial recycling service to existing commercial trash service under the previous rate structure.

The new bundled rates were developed to comply with Assembly Bill 341 (AB341). AB341 requires businesses, public entities, and multi-family housing complexes to implement a recycling program. The recycling programs must be implemented by July 1, 2012. The goal of this legislation is to reduce commercial solid waste from landfills and reduce green house gas emissions.

The attached exhibit shows details of the proposed new fees for FY 2012/2013 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2012/2013 Rate Adjustment. *This would ensure compliance with the existing Waste Management Franchise Agreement.*

2. Do not approve the Waste Management of the Inland Empire proposed FY 2012/2013 Rate Adjustment. *This would result in non-compliance with the existing Waste Management Franchise Agreement and could result in Waste Management's inability to continue to perform their service as per the contract specifications.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse and Recycling Rates Effective July 1, 2012.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00167975

City of Moreno Valley
Summary of Refuse and Recycling Rates
Effective July 1, 2012

Index Calculation	Old	New	Change	% of Change
Consumer Price Index	232.241	236.941	4.70	2.02%
Riverside County Disposal Fee	$ 34.37	$ 35.12	$ 0.75	2.18%
Total				

Service Type		Current Rate	Proposed Rate
Commercial and Multi-family		No Recycling	Includes Recycling
Size	Freq		
1.5	1	$ 80.77	$ 98.89
1.5	2	$ 145.44	$ 178.06
1.5	3	$ 206.15	$ 252.39
1.5	4	$ 264.95	$ 324.37
1.5	5	$ 327.60	$ 401.08
1.5	6	$ 388.30	$ 475.39
2	1	$ 93.84	$ 114.89
2	2	$ 169.05	$ 206.97
2	3	$ 239.55	$ 293.28
2	4	$ 307.93	$ 376.99
2	5	$ 380.72	$ 466.11
2	6	$ 451.25	$ 552.46
3	1	$ 119.96	$ 146.87
3	2	$ 216.06	$ 264.52
3	3	$ 306.33	$ 375.04
3	4	$ 393.93	$ 482.28
3	5	$ 486.90	$ 596.10
3	6	$ 577.15	$ 706.60
4	1	$ 152.86	$ 187.14
4	2	$ 275.44	$ 337.22
4	3	$ 390.51	$ 478.10
4	4	$ 502.24	$ 614.88
4	5	$ 620.67	$ 759.88
4	6	$ 735.77	$ 900.79
6	1	$ 193.17	$ 236.50
6	2	$ 349.76	$ 428.21
6	3	$ 497.47	$ 609.05
6	4	$ 641.11	$ 784.90
6	5	$ 792.92	$ 970.76
6	6	$ 940.59	$ 1,151.55
Commercial Compactor			
Size	Freq		
1.5	1	$ 102.47	$ 125.45
1.5	2	$ 188.84	$ 231.19
1.5	3	$ 271.27	$ 332.11
1.5	4	$ 351.79	$ 430.69
1.5	5	$ 436.16	$ 533.98
1.5	6	$ 518.54	$ 634.84
2	1	$ 122.78	$ 150.32
2	2	$ 226.95	$ 277.85
2	3	$ 326.39	$ 399.59
2	4	$ 423.73	$ 518.77
2	5	$ 525.46	$ 643.31
2	6	$ 624.93	$ 765.09
3	1	$ 163.36	$ 200.00
3	2	$ 302.89	$ 370.82
3	3	$ 436.57	$ 534.49
3	4	$ 567.61	$ 694.92
3	5	$ 704.00	$ 861.90
3	6	$ 837.69	$ 1,025.57
4	1	$ 210.78	$ 258.05
4	2	$ 391.24	$ 478.99
4	3	$ 564.19	$ 690.73
4	4	$ 733.80	$ 898.38
4	5	$ 910.13	$ 1,114.26
4	6	$ 1,083.15	$ 1,326.08

Service Type		Current Rate	Proposed Rate	
Recycling Bins - 1 Recycle Bin included with Bundled Rate				
Size	Freq			
All Sizes	1	$ 62.62	$ 63.89	Over 1 bin
All Sizes	2	$ 125.24	$ 127.77	Over 1 bin
All Sizes	3	$ 187.86	$ 191.66	Over 1 bin
All Sizes	4	$ 250.48	$ 255.55	Over 1 bin
All Sizes	5	$ 313.10	$ 319.44	Over 1 bin
All Sizes	6	$ 375.72	$ 383.32	Over 1 bin
Commercial Misc Services				
Temp bin service (up to 7 days		$ 128.19	$ 130.78	
Temp bin service (30 days)		$ 282.95	$ 288.68	
Extra empty - first bin		$ 51.58	$ 52.62	
Extra empty - addl bins		$ 22.11	$ 22.56	
Pull-out service per bin				
0-15 feet		N/C	N/C	
16-35 feet		$ 14.86	$ 15.16	
36-50 feet		$ 22.30	$ 22.75	
Over 51 feet		$ 29.74	$ 30.34	
Locking container		$ 37.17	$ 37.92	
Restart fee		$ 44.60	$ 45.50	
Special bin/container lid		$ 14.67	$ 14.97	
Overage fees		$ 51.60	$ 52.64	
Bin exchange - over 1 per yea		$ -	$ 45.00	
Bin exchange - service level c		$ -	$ 45.00	
Bulky item collection		$ 16.54	$ 16.87	
Set up fee		$ 25.85	$ 26.37	
Redelivery fee		$ 51.69	$ 52.74	
Commercial Recycle Contamination			$ 52.62	Per P/U
Rolloff				
Hauling fee		$ 210.91	$ 215.18	+ landfill
Compactor hauling fee		$ 304.87	$ 311.04	+ landfill
Monthly minimum pull fee		$ 210.91	$ 215.18	
Monthly minimum pull fee		$ 304.87	$ 311.04	
Temporary flat fee (incl 4 tons)		$ 375.04	$ 382.63	+ landfill >4
C&D flat fee (incl 4 tons)		$ 396.02	$ 404.03	+ landfill >4
Co-mingle C&D haul fee		$ 408.89	$ 417.16	+ landfill
Delivery		$ 73.50	$ 74.99	
Extra trip		$ 73.50	$ 74.99	
Relocation		$ 73.50	$ 74.99	
Set up fee		$ 25.84	$ 26.36	
Residential Service				
Single family rate		$ 21.21	$ 21.32	
Senior citizen discount rate		$ 19.09	$ 19.19	
Addl 35 gal refuse container		$ 3.67	$ 3.74	
Addl 64 gal refuse container		$ 4.77	$ 4.87	
Addl 64 gal G/W container		N/C	N/C	Max one
Addl 96 gal refuse container		$ 6.35	$ 6.48	
Addl 96 gal G/W container		$ 5.86	$ 5.98	
Addl 96 gal recycle container		$ 2.38	$ 2.43	
Per bag charge		$ 2.56	$ 2.61	
Container changes over 1 per		$ 10.26	$ 10.47	
Addl bulky item pick-up (in		$ 16.54	$ 16.87	minimum
Curbside E-waste (over 3		$ 16.54	$ 16.87	
Temporary bin service		$ 128.20	$ 130.79	
Temporary bin service		$ 282.95	$ 288.68	
Set up fee		$ 12.41	$ 12.66	

EXHIBIT "A"

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MV00167977

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: AUTHORIZE ESTABLISHMENT OF THE KEEP MORENO VALLEY BEAUTIFUL PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the establishment of a Keep Moreno Valley Beautiful Program which will include becoming a Keep America Beautiful affiliate;
2. Approve the submission of a Keep America Beautiful affiliate application with Mayor's Letter of Endorsement; and
3. Authorize the use of Maintenance and Operations Division operational funds for the $4,000 start-up cost.

BACKGROUND

In 2010, the City of Moreno Valley was approached by Keep America Beautiful (KAB) staff regarding the opportunity to become an affiliate. City staff reviewed the program and its requirements and found that it aligned with current City programs, goals, and future direction.

KAB was founded in 1953. It is the largest volunteer based community action and education organization in the country with more than 1,000 affiliates (cities, counties, and non-profits) nationwide. Their areas of focus include: litter prevention, waste reduction and recycling, and beautification and improvement of public spaces. The mission of KAB is to inspire and engage individuals to take a greater responsibility for improving their community environments.

The establishment of a KAB affiliate program offers several key benefits. The national credibility of the KAB program will help improve the overall City image by readily identifying the City as a leader in environmental stewardship. Additionally, its goals are

consistent with maintaining a high quality of life for Moreno Valley residents and businesses. As an affiliate, the City would also be eligible to receive specialized grant funds and would receive national and state support from a network of established affiliates.

During the study session meeting of May 15, 2012, City Council directed Staff to proceed with the development of a Keep Moreno Valley Beautiful Program and establish an affiliation with the Keep America Beautiful organization.

DISCUSSION

The creation of a KMVB program will provide an umbrella for certain existing City of Moreno Valley environmental programs, such as: Adopt-A-Park, Adopt-A-Trail, Waste Management Litter Abatement Partnership, Weekend Weed and Litter Abatement Program, Earth Day Clean-up Event, Neighborhood Clean-up Program, Graffiti Removal Program, and the Illegal Dumping Program. It also allows for the opportunity to expand and include programs, such as Adopt-A-Street, Adopt-A-Landscape Maintained District (LMD) Area and other new grant funded programs. Multiple programs administered by various divisions now would be consolidated under one entity.

The cost for the program will be $4,000 for the start-up year and $350 each year to maintain the affiliation. The start-up costs include pre-certification training and support from the KAB national program staff.

The City has selected a Pre-Certification Team made up of City staff that will represent the various programs involved. The team is made up of City staff from the following divisions:

- Maintenance & Operations Division
- Special Districts Division
- Parks and Community Services Department
- Code and Neighborhood Services Division
- Land Development Division (NPDES Section)

This team will undergo training by KAB staff. The team will develop a community plan with the assistance of KAB national program staff. KAB's staff will also train the Pre-Certification Team on resources, leadership, and networking development. Each year this Team will be responsible to produce an annual report to help measure successes and assess the program.

The initial step to become a KAB affiliate is the submission of an application, including a Letter of Endorsement from the Mayor. The next step will be the initiation of the Pre-Certification process. Staff will bring a resolution and the community plan for Council review and approval once the Pre-Certification process has been completed.

ALTERNATIVES

Staff recommends that the City Council:

1. Authorize the establishment of a Keep Moreno Valley Beautiful Program which will include becoming a Keep America Beautiful affiliate; approve the submission of a KAB affiliate application with Mayor's Letter of Endorsement; and authorize the use of Maintenance and Operations Division operational funds for use of the $4,000 start-up cost. *This option would bring the existing City of Moreno Valley environmental programs together under a single overarching entity. This will allow for the City's programs to receive grant funds that are designated for affiliates of Keep America Beautiful and unify the theme/messaging of the City's various environmental programs.*

2. Do not authorize the establishment of a Keep Moreno Valley Beautiful Program which will include becoming a Keep America Beautiful affiliate. *This option would maintain the existing City of Moreno Valley environmental programs as separately administered and independent programs. This will limit the ability to receive grant funds that are designated for affiliates of Keep America Beautiful and the ability to create a unified theme/message for the City's various environmental programs.*

FISCAL IMPACT

The establishment of the Keep Moreno Valley Beautiful program would be $4,000 for start-up costs ($2,000 will be charged to 010.51510 and $2,000 will be charged to 121.55130) and $350 to maintain on a yearly basis. The cost would be paid for from Public Works Maintenance and Operations Division operational funds within current fiscal year appropriations.

CITY COUNCIL GOALS

Advocacy – Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Positive Environment – Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

EXHIBITS

Exhibit "A" – Application
Exhibit "B" – Letter of Endorsement

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Application for Certification

Keep America Beautiful, Inc. is a non-profit organization whose network of local, statewide and international affiliate programs educates individuals about litter prevention, beautification and community improvement, and waste reduction. Through partnerships and strategic alliances with citizens, businesses and government, Keep America Beautiful's affiliates motivate millions of volunteers annually to clean up, beautify and improve their neighborhoods, thereby creating healthier, safer and more livable community environments.

1. City of Moreno Valley — 193,365
   Community/City/Town/County/Parish — Total Population

2. Ariana Ayala, Management Analyst
   Person requesting certification (Name, Title)

   15670 Perris Blvd.
   Mailing address

   Moreno Valley, Ca 92551
   City, State, Zip

   (951) 413-3109 — (951) 413-3185
   Telephone # — Fax #

   arianaa@moval.org
   Email Address

3. Mayor Richard A. Stewart

   Chief elected officer (Mayor, Council President, etc.)
   ATTACH LETTER OF ENDORSEMENT FROM CHIEF ELECTED OFFICAL

4. Are there any existing citizens' community improvement organizations (i.e. beautification committee, solid waste planning board, community appearance commission, non-profit litter organization, recycling committee, conservation organization, etc.)? Have they been informed of the plan to become a KAB affiliate? _____Yes X_____No

Organization	Date contacted	By whom

EXHIBIT "A"

Revision 1.11

Item No. A.16

MV00167982

5. Pre-Certification Team: (please fill in completely)

Team Leader Information:

Name: Ariana Ayala

Mailing address: P.O. Box 88005, Moreno Valley, Ca 92552

Shipping address for workshop materials: P.O. Box 88005, Moreno Valley, Ca 92552

Email Address (required): arianaa@moval.org

Phone Number: (951) 413-3109 Cell Phone: _____

List Team members:

Team Member	Mailing Address	Phone Email
1. Robert Lemon Maintenance & Operations	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3160 robertle@moval.org
2. Brian Durfee Maintenance & Operations	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3160 briand@moval.org
3. Ariana Ayala Waste & Recycling	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3109 arianaa@moval.org
4. Candace Cassel Special Districts	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3480 candacec@moval.org
5. Jennifer Terry Special Districts	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3480 jennifert@moval.org
6. Anna Chacon Code & Community Services	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3340 annac@moval.org
7. Liz Sickles Parks Maintenance	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3702 lizs@moval.org
8. Dean Ristow (Alternate) Parks Maintenance	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3702 deanr@moval.org
9. Kent Wegelin Stormwater Management	P.O. Box 88005 Moreno Valley, Ca 92552	(951) 413-3109 kentw@moval.org

6. The Pre-Certification Team will need assistance from local authorities responsible for litter, solid waste, and beautification. The Team will need to obtain map(s) and compile statistical information. Please list contacts (such as Public Works/Sanitation, Park, Planning, Engineering, or Community Services) who have been contacted about the intent to establish a KAB affiliate.

Name	Title	Who Contacted
Henry Garcia	City Manager	*N/A
Ahmad Ansari	Public Works Director	*N/A
*Development of a City of Moreno Valley Keep America Beautiful affiliate program with a government entity structure was presented to and received support from the City Council on May 15, 2012.		

7. Estimated operating budgets vary from $1,000 to $750,000. Expenditures cover meeting expenses, brochures, salaries, postage, office supplies, etc. Communities are urged to meet many of these needs through donations of goods and services. In the table provide potential source(s), which may provide cash or in-kind contributions.

NEED	POTENTIAL SOURCE
Executive Director: Salary and Benefits	Existing City of Moreno
Office space and furniture	Valley Operational
Telephone/DSL/Internet Access	Budget – Public Works
Office equipment i.e. computer, fax, copier	Department
Printing	
Postage	
Expenses for Pre-certification Training Workshop, Certification Training Workshop, and Certification Ceremony	
Travel expenses: 6 hours of training required annually to maintain affiliation after certification provided by KAB, state affiliate, or other source.	

We understand the responsibility to assist the Pre-Certification Team in obtaining the cooperation of government, business and civic sectors to complete the Certification process including monthly reporting for a period of Pre-Certification typically 4 to 6 months. We understand we must complete certification within one year of the Pre-Certification Training Workshop or potentially be de-certified*. We understand we must use the name Keep "Community" Beautiful as the name of our organization.

Adriana Ayala 10/12/12

Signature (person requesting certification) Date

The one-time certification fee based on population **must** accompany the application. **Make check payable to Keep America Beautiful.** Certification fee is non-refundable once a pre-certification workshop is conducted. Cancellation of the training workshop requires notification at least 5 business days in advance. Cancellation without notification will require a $500 fee to re-schedule. If de-certified*, re-training may be done within 3 years for a fee of $500 plus travel costs for KAB Trainer.

Keep America Beautiful, Inc.
Training & Affiliate Services Dept.
1010 Washington Blvd.
Stamford, CT 06901

For further information:
Grace Keegan Massinello
Director, Affiliate Communications
Telephone: 203.659.3032
Email: gmassinello@kab.org

Revision 1.11

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MV00167985

TEL: 951.413.3160
FAX: 951.413.3185
WWW.MOVAL.ORG

MORENO VALLEY
WHERE DREAMS SOAR

15670 PERRIS BOULEVARD
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

June 26, 2012

To: Keep America Beautiful Executive Director

The City of Moreno Valley seeks to establish an affiliate program of the Keep America Beautiful national program. This undertaking was formally considered by the City Council at its Study Session meeting of May 15, 2012 and its Regular City Council meeting of June 26, 2012.

A cleaner community supports the quality of living goals of the City and supports the establishment and retention of businesses. To this end, I, Mayor Richard A. Stewart, endorse the establishment of the Keep Moreno Valley Beautiful program.

Sincerely,

Richard A. Stewart
Mayor of the City of Moreno Valley

EXHIBIT "B"

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MV00167987

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE INDIAN STREET BICYCLE LANES FROM IRIS AVENUE TO KATRINA AVENUE CONSTRUCTED BY ELITE COMPANIES US, INC. PROJECT NO. 11-12556331

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue, constructed by Elite Companies US, Inc., 15321 La Salle Lane, Huntington Beach, CA 92647.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

3. Authorize the Financial & Administrative Services Director to release the retention to Elite Companies US, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

4. Accept the improvements into the City's maintained system.

BACKGROUND

The City received a Fiscal Year 2010/2011 Bicycle Transportation Account (BTA) grant from Caltrans to design and construct this project. On February 8, 2011, City Council accepted the BTA grant and appropriated funds for design and construction. On March 20, 2011, the City received a fully executed agreement with Caltrans to move the

project forward. Per the agreement, the City must complete the project prior to April 1, 2016 otherwise the project would not be eligible for reimbursement. The design and construction documents were prepared by in-house staff as a cost saving solution for the City. In October 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

On December 13, 2011, the City Council awarded the construction contract and authorized the issuance of a Purchase Order in the amount of $115,280.10 (the bid amount plus 20% contingency) to Elite Companies US, Inc. for construction of the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue. The construction work for this project began on January 4, 2012.

DISCUSSION

This project constructed Class II Bikeway Improvements on Indian Street between Iris Avenue and Katrina Avenue per the BTA grant. As a point of reference, a Class II Bikeway provides a striped lane for one-way bike travel on a street or highway. Specific work for this project consisted of the installation of new bike lane signs, pavement striping, bicycle detection at traffic signals, and additional pavement in areas to accommodate the bicycle lanes.

The Contractor completed the project at a total construction cost of $94,066.75 inclusive of Contract Change Order No. 1. The final contract total cost did not exceed the approved purchase order amount of $115,280.10. The project was completed on schedule, within budget, and in accordance with the project's contract documents.

ALTERNATIVES

1. Accept the work as complete for the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue, constructed by Elite Companies US, Inc., 15321 La Salle Lane, Huntington Beach, CA 92647, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, authorize the Financial & Administrative Services Director to release the retention to Elite Companies US, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and accept the improvements into the City's maintained system. *This alternative will allow payment to the Contractor and acceptance of the improvements into the City's maintained system.*

2. Do not accept the work as complete for the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue, constructed by Elite Companies US, Inc., 15321 La Salle Lane, Huntington Beach, CA 92647. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained system, and incurring extra costs to the City.*

FISCAL IMPACT

The construction phase of this project is included in the Fiscal Year 2011/2012 Capital Improvements Plan Budget and is funded by Measure "A" (Fund 125). Caltrans will reimburse 90% of the eligible costs up to $152,458 per the BTA grant accepted by the City. The funding for this project is restricted to bicycle related improvements and cannot be used for operational activities. There is no impact to the General Fund.

FISCAL YEAR 2011/2012 BUDGETED FUNDS:

Indian Street Bicycle Lanes / Iris to Katrina (Account No. 125.56331)	$165,077
Total Funds Available	**$165,077**

FINAL DESIGN AND CONSTRUCTION RELATED COSTS:

Design Costs	$25,000
Contractor Construction Costs	$94,000
Construction Surveying Costs	$8,000
Construction Geotechnical Costs	$8,000
Project Administration and Inspection Services	$30,000
Total Project Costs	**$165,000**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Elite Companies US, Inc. completed construction of the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue on May 17, 2012. The City Council is requested to accept the work as complete, direct the recordation of the Notice of Completion, and accept the improvements into the City's maintained system.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

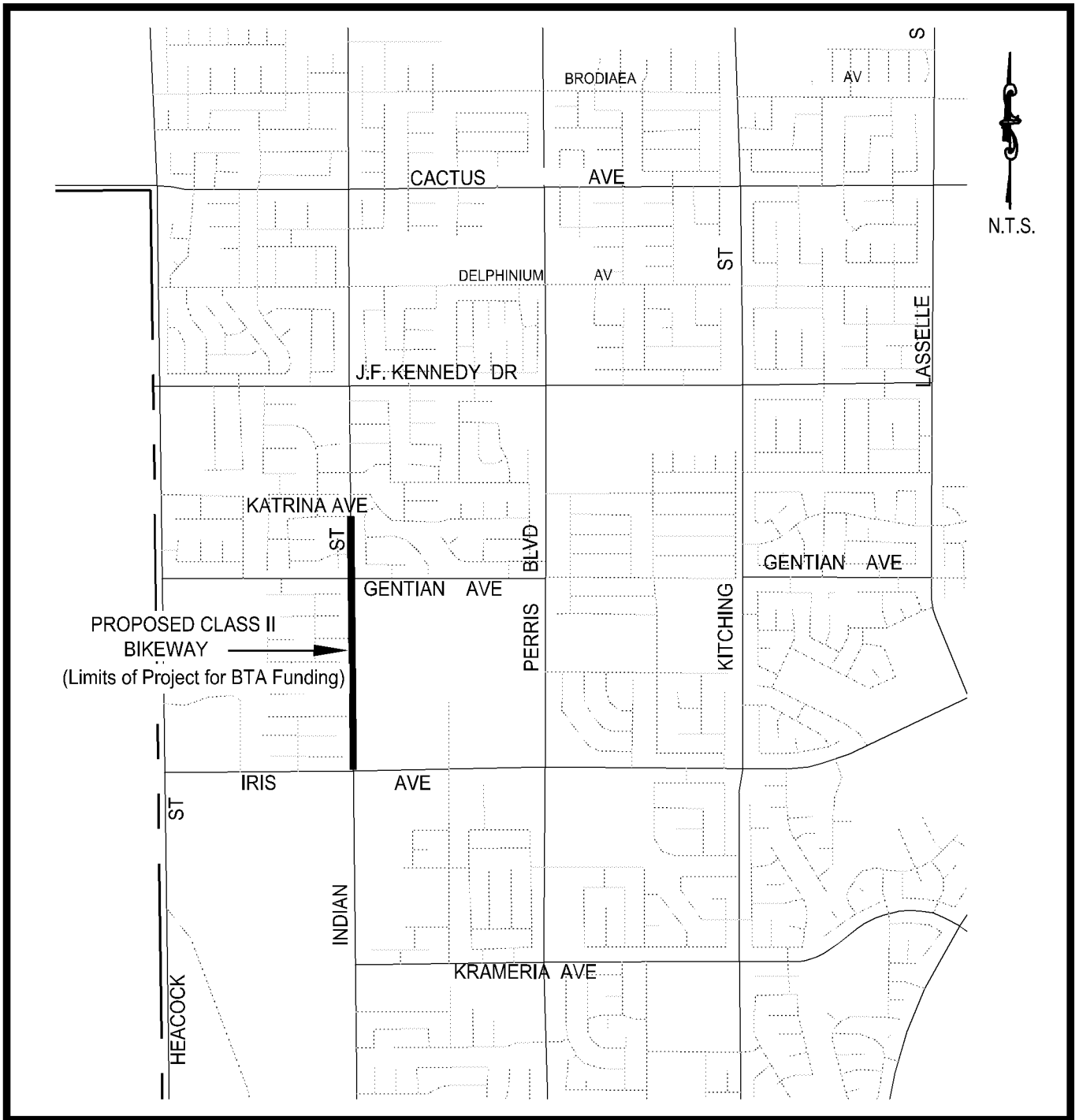

LOCATION MAP

INDIAN STREET - FROM IRIS AVENUE TO KATRINA AVENUE

PROPOSED CLASS II BIKEWAY

Attachment "A"

Item No. A.17

MV00167992

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MV00167993

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL IMPROVEMENTS FOR THE LASSELLE STREET AT MARGARET AVENUE INTERSECTION CONSTRUCTED BY J.F.L. ELECTRIC, INC. PROJECT NO. 10-12566630

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection constructed by J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

3. Authorize the Financial & Administrative Services Director to release the retention to J.F.L. Electric, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

4. Accept the improvements into the City's maintained system.

BACKGROUND

The design and construction documents were prepared by in-house staff as a cost saving solution for the City. In July 2011, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

On September 13, 2011, the City Council awarded the construction contract and authorized the issuance of a Purchase Order in the amount of $211,660.00 (the bid amount plus 20% contingency) to J.F.L. Electric, Inc. for construction of the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection. The construction work for this project began on December 19, 2011.

DISCUSSION

This project installed a new traffic signal at the intersection of Lasselle Street at Margaret Avenue, adjacent to Vista Del Lago High School. The traffic signal accommodates pedestrians crossing Lasselle Street adjacent to the southerly driveway and pedestrian access gate to Vista Del Lago High School. The work also included the removal and construction of new asphalt concrete pavement, curb and gutter, sidewalk, and access ramps, as well as restriping of the intersection, and the installation of signage.

The project work by J.F.L. Electric, Inc. was completed on time in February of 2012. Due to a manufacturing defect in one of the traffic signal mast arms, a new mast arm had to be manufactured and was shipped in May of 2012. All project work was completed on May 8, 2012.

The Contractor completed the project at a total construction cost of $190,059.29 inclusive of Contract Change Order Nos. 1 and 2 (Final). The final contract total cost did not exceed the approved purchase order amount of $211,660.00. The project was completed on schedule, within budget, and in accordance with the project's contract documents.

ALTERNATIVES

1. Accept the work as complete for the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection constructed by J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, authorize the Financial & Administrative Services Director to release the retention to J.F.L. Electric, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and accept the improvements into the City's maintained system. *This alternative will allow payment to the Contractor and acceptance of the improvements into the City's maintained system.*

2. Do not accept the work as complete for the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection constructed by J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained system, and incurring extra costs to the City.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2011/2012 Capital Improvements Project Budget and was financed by DIF Traffic Signal Capital Projects (Fund 417). The funding for this project is restricted to traffic signal capital and street improvements and cannot be used for operational activities. There is no impact to the General Fund.

FISCAL YEAR 2011/2012 BUDGETED FUNDS:

Lasselle Street/Margaret Avenue Traffic Signal (Account No. 417.79027)	$272,000
Total Funds Available	$272,000

FINAL DESIGN AND CONSTRUCTION RELATED COSTS:

Design Completion and Utility Coordination	$6,000
Contractor Construction Costs	$190,000
Construction Surveying Costs	$8,000
Construction Geotechnical Costs	$4,000
City Furnished Equipment	$20,000
Project Administration and Inspection Services	$30,000
Total Project Costs	**$258,000**

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

J.F.L. Electric, Inc. completed construction of the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection on May 8, 2012. The City Council is requested to accept the work as complete, direct the recordation of the Notice of Completion, and accept the improvements into the City's maintained system.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

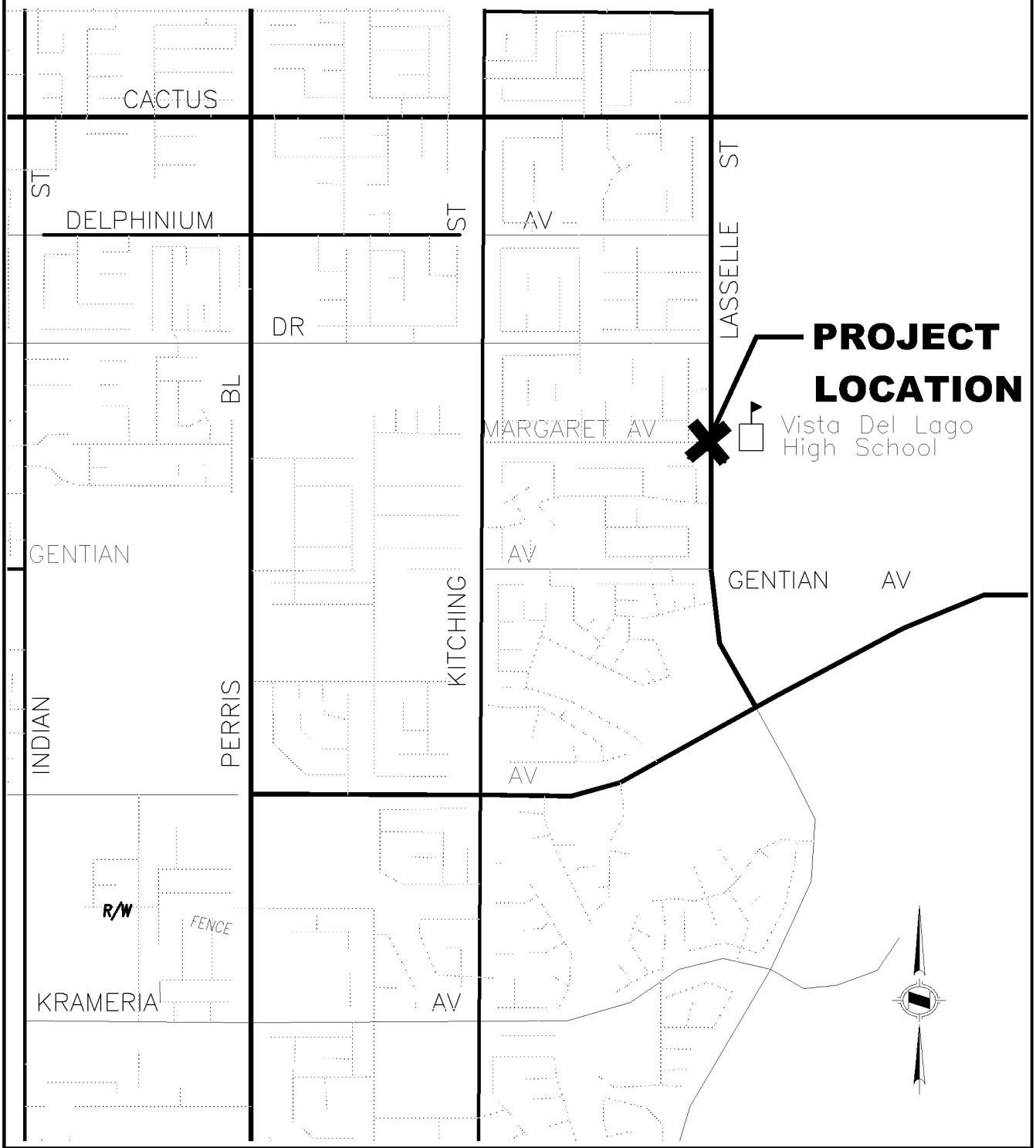

MORENO VALLEY

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 10-12566630 TRAFFIC SIGNAL
LASSELLE STREET
AT
MARGARET AVENUE(WEST LEG) AND VISTA DE LAGO HIGH SCHOOL(EAST LEG)

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MV00167999

MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00168001

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 26, 2012

TITLE: AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2012

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2012.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
    n. Eastridge Street between Frederick Street and Heritage Way;

o. Calle San Juan De Los Lagos between Frederick Street and Veterans Way;
p. Veterans Way between Business Center Drive and Alessandro Boulevard;
q. New Hope between Veterans Way and Elsworth;
r. Veterans Way between Cactus Avenue and Alessandro Boulevard, and
s. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Tuesday, July 3, 2012 through 5:00 p.m. on Thursday, July 5, 2012 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2012.

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 25 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. The parade in 2010 was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. Approximately 7,000 spectators attended the 2010 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

Street closures for both the parade and the festival site are the same as those closures for the 2010 event.

DISCUSSION

Detailed below is the discussion of the events planned and the street closures for the Independence Day 2012 Program activities:

1. Parade Discussion

   The parade this year will take place on July 4, 2012. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle

San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Burlington Coat Factory store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

Festivities will continue on July 4, 2012 from 2:00 p.m. to 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to the previous year's 2010 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. Gates open at 1:00 p.m. with the festival beginning at 2:00 p.m. There will be food, arts and crafts, game booths, clowns and entertainment. New this year will be a wine and beer garden. An entry may be charged to get into the festival, and there may be a minimal fee for the various activities, such as the bouncers and game booths.

A main stage and a youth stage will guarantee enjoyment for the entire family. There will be several entertainers this year. At 3:00 p.m., Moreno Valley IDOL takes the stage when finalists compete for Moreno Valley Idol. At 4:00 p.m., a performance by "Michael John's Tribute to Billy Joel," followed by "BELLA DONNA - A Tribute to Stevie Nicks and Fleetwood Mac," and then "The Joshua Tree – A Tribute to U2." As a grand finale, the event will conclude with a fireworks extravaganza at 9:00 p.m., which will be simulcast with patriotic music by KOLA (99.9 FM).

Presale tickets for the event are available at the Moreno Valley Conference and Recreation Center from June 11 to July 3. Cost is $2 per person or $10 for a family (up to 6 people). On July 4, entry is free between 1:00 p.m. and 4:00 pm.

After 4:00 p.m., entry fee is $3 per person. Military service members with valid identification and children under 5 are free.

We thank the following sponsors who have contributed to our celebration: KOLA 99.9, Moreno Valley Unified School District, Supervisor Marion Ashley, Budweiser, Pepsi, Accurate Accessories, and Waste Management.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. Barricades placed at intersections designated for one-way traffic will be removed no later than 11:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordination of this event began prior to FY 2012/13. Funds proposed for the Independence Day Celebration are allocated in the approved budget for the Moreno Valley Community Services District Zone A Fund (161.77310) for Fiscal Years 2011/12 and 2012/13. In an effort to offset expenditures, staff has been soliciting sponsors, an entry fee will be charged after 4 pm and there will be a beer garden.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2012 Independence Day festivities this year will take place on July 4, 2012. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2010 parade route. The parade will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will be held at Mountain View Middle School and Morrison Park; street closures affected are adjacent to the festival site.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2012 Proposed Parade Route Map
2. 2012 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00168007

Moreno Valley
Parks & Community Services
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951 413-3280
FAX: (951 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Wednesday, July 4, 2012

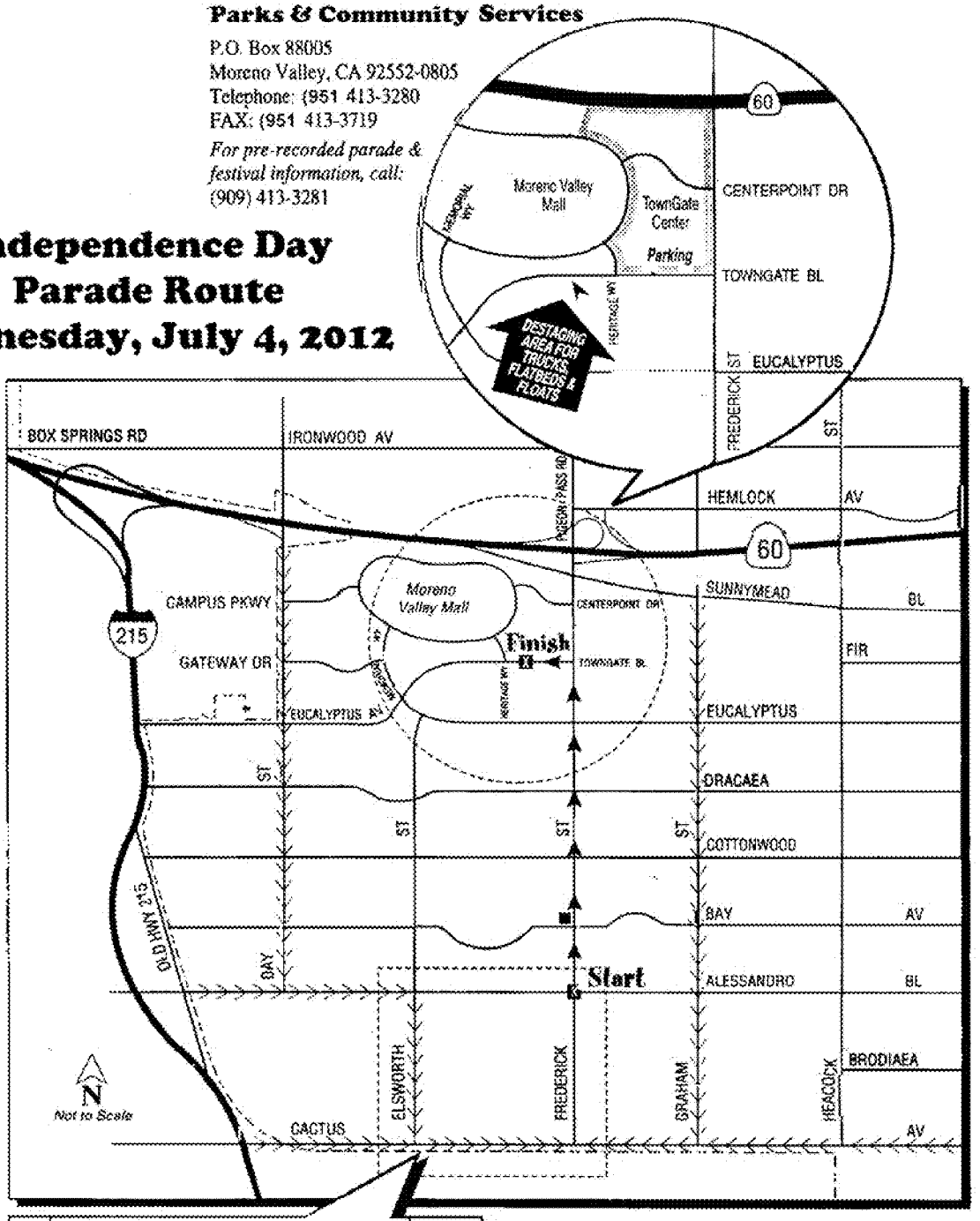

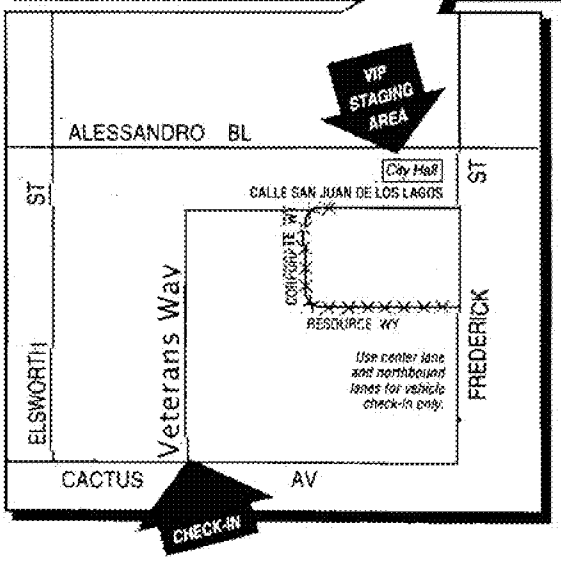

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Wednesday, July 4, 2012

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

Item No. B.3

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MV00168009

July 4th Festival
Street Closures

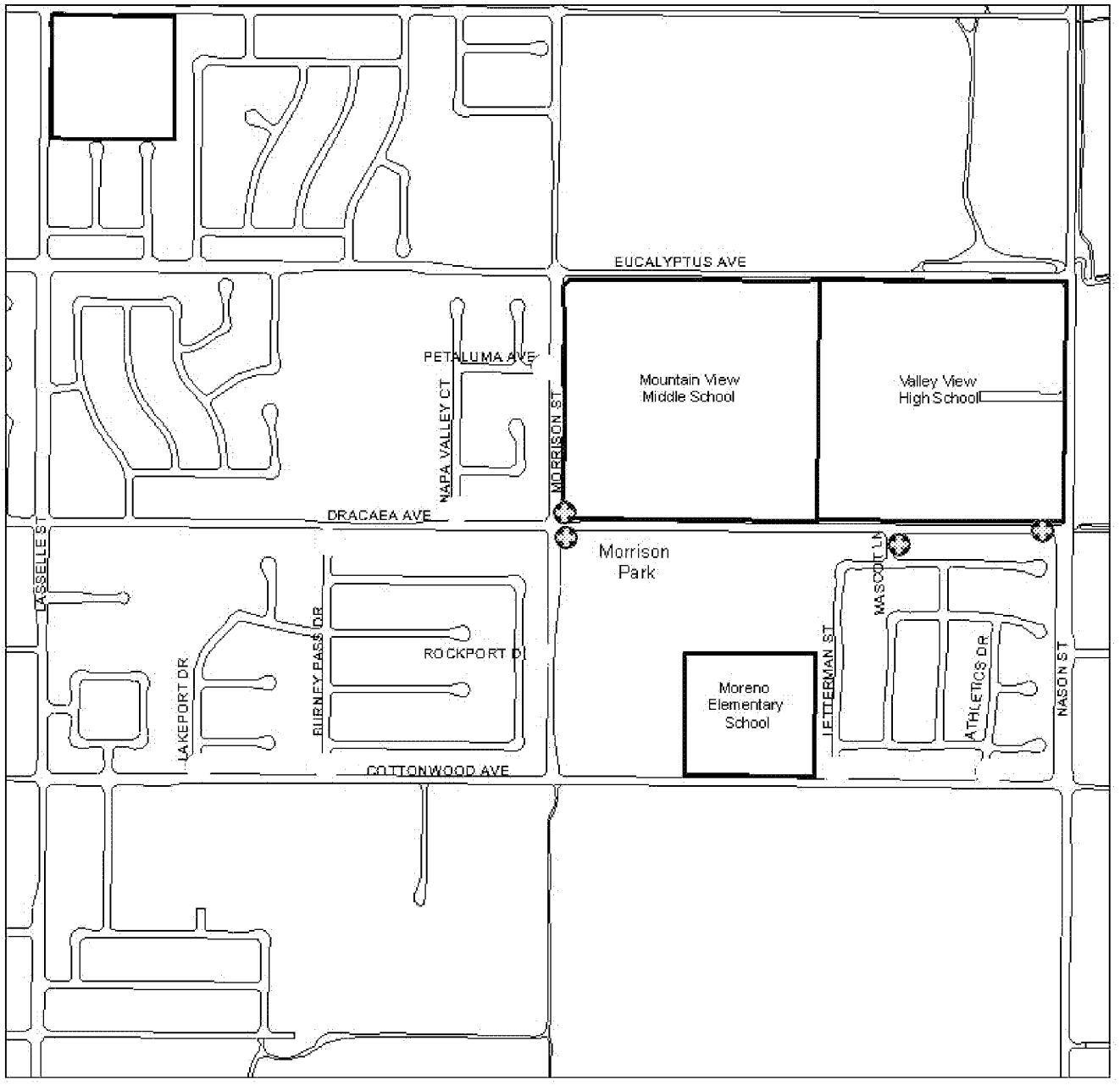

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. B.3

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MV00168011

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District

FROM: Michael J. McCarty, Director of Parks and Community Services

AGENDA DATE: June 26, 2012

TITLE: AMEND THE CONTRACT WITH THINK TOGETHER, INC., TO OPERATE DAY-TO-DAY ACTIVITIES AND FUNCTIONS INVOLVING THE CITY'S AFTER SCHOOL EDUCATION AND SAFETY (ASES) GRANT PROGRAM FOR FISCAL YEAR 2012-13

RECOMMENDED ACTION

Staff recommends that:

1. The City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, authorize the City Manager to amend the contract entered into with THINK TOGETHER Inc. on April 26, 2011, to operate day-to-day activities and functions of the City's Prop 49 state-funded ASES after school grant program, as reflected in Attachment A.

2. The City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, authorize the additional revenue and expense budgets in the STARS Program Grant Fund (Fund 162) for the ASES Grant Program in the amount of $262,941, respectively, upon approval of the contract amendment with Think Together, Inc.

BACKGROUND

The After School Learning and Safe Neighborhoods Partnership Program began in 1998. Proposition 49 was passed by California voters in 2002, changing the name to After School Education and Safety (ASES), which staff refers to as the STARS (Students, Teachers, Achieving, Real, Success) program, and effective July 1, 2006

increasing annual funding from $121 million up to $550 million. Applicants awarded an ASES grant receive a three-year renewable direct grant awarded in one-year increments.

As a result of staff's efforts to provide an increased level of service for Moreno Valley youth through diverse funding, staff submitted competitive grant applications in partnership with Moreno Valley Unified School District (MVUSD) and Val Verde Unified School District (VVUSD) to the After School Partnerships Office, CDE. The City of Moreno Valley is the fiscal agent for the grant. The City of Moreno Valley Parks and Community Services Department received a three-year direct grant that was awarded in three one-year increments of $4,950,000 from the State Department of Education. Grant funding has been reduced since 2006 directly relating to participation numbers and as a result, $4,296,909 is available for the period FY2011-12. The program is currently funded through June 2013.

A two year contract with THINK Together was approved on April 26, 2011 in the amount of $4,296,909 per year to operate the City's ASES grant program for 2011 through 2013.

DISCUSSION

THINK Together has successfully provided comprehensive After School Programming, serving the City's After School Education and Safety Grant (ASES) at 43 sites in MVUSD and VVUSD for the 2011-2012 school year. Attendance increased and there were waiting lists at several of the school sites.

Due to the increased attendance, Parks and Community Services requested permission to apply for additional ASES funding in order to serve more students. On January 10, 2012 Council approved the request to apply for additional funding.

The California Department of Education posted the funding results on May 10, 2012. Funding was available to award grants to one fifth of the applicants. The City of Moreno Valley will receive $262,941 to increase the number of students served at eleven school sites for fiscal year 2012-13.

Attachment A is the amended payment schedule for the THINK Together contract. Also, due to staffing changes with THINK Together, an additional $15,175 will revert back to the City per the benefit allowance agreement on page 3 of the contract.

ALTERNATIVES

1. Authorize the City Manager to amend the contract with THINK Together Inc., to operate day-to-day activities and functions of the City's Prop 49 state-funded ASES after school grant program, as outlined within this document.

2. Do not authorize amendment to the contract and provide direction to staff.

FISCAL IMPACT

This amendment will increase the amount for administration of the contract by $15,175 (16215); $247,766 will be added to Other Contractual - Other (16215.6291.293). All grant funds must be used for ASES Grant Expenditures.

Additional Appropriations:

FUND	BUSINESS UNIT	TYPE	AMOUNT
STARS GRANT FUND (162)	1280.4611 (ASES Grant Revenue)	REV	$262,941.00
STARS GRANT FUND (162)	16215 (ASES Program Grant)	EXP	$262,941.00

SUMMARY

Parks and Community Services Department staff believe that increasing the contract amount with THINK Together is in the best interest of the City. This will allow the City to serve approximately 195 more students. Not only do after school programs offer constructive alternatives to gangs, drugs, and crime, but can also help improve school day attendance, increase academic achievement, and boost graduation rates.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Amended Contract as to form

Prepared By:
Patty Grube
Management Analyst

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00168015

ATTACHMENT A

AMENDMENT TO
THINK TOGETHER, INC. CONTRACT

This First Amendment to the THINK Together, Inc., Contract is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and THINK Together, Inc. (hereinafter referred to as "Contractor") and is effective the date the CSD Signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated July 13, 2011.

Whereas, the Contractor is providing operation of the After School Education and Safety Grant Program (ASES).

Whereas, the CSD received additional ASES Grant funding to serve additional students.

Whereas, the Contractor desires to serve additional students.

Section 1 – Amendment to THINK Together, Inc., Contract.

1.1 Contractor will service additional students for 2012-13 school year according to the ASES Grant requirements.

1.2 Pursuant to Page 3 of the Agreement, the Contractor will not pay the monthly benefit allowance of $1,264.58 to the Program Supervisor position and the annual amount of $15,175 will revert back to the CSD. Schedule B has been revised to reflect this change, attached hereto.

1.3 Pursuant to Page 4 of the Agreement, the Contractor's compensation shall be changed to 100% of the grant award from California Department of Education (CDE), less $115,175 for administrative costs, according to Schedule A, attached hereto.

Section 2 – Other Terms to Remain

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Contract.

SIGNATURE PAGE TO FOLLOW:

Community Services District of the
City of Moreno Valley

BY: _____
City Manager

_____
Date

THINK Together, Inc.

BY: _____
Randy Barth

TITLE: _____
Founder and CEO

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Schedule A
Payment Schedule

Ten monthly payments, due on the 1st of each month from September 1 through June 1, according to the following:

School Name	Components	Amount Awarded	Total Payment to THINK Together (after $100k carve-out)	Monthly Payment Amount (x10) 10%
Armada Elementary	ASES After School Base	$ 112,500.00	$ 109,658.42	$ 10,965.84
Badger Springs Middle	ASES After School Base	95,850.00	93,428.97	9,342.90
Bear Valley Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Box Springs Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Butterfield Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Chaparral Hills Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Cloverdale Elementary	ASES After School Base	99,900.00	97,376.68	9,737.67
Creekside Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Edgemont Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Hendrick Ranch Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Hidden Springs Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Honey Hollow Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
La Jolla Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Landmark Middle	ASES After School Base	87,750.00	85,533.57	8,553.36
Midland Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Moreno Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Mountain View Middle	ASES After School Base	67,500.00	65,795.05	6,579.51
Palm Middle	ASES After School Base	58,050.00	56,583.74	5,658.37
Ramona Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Ridge Crest Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Seneca Elementary	ASES After School Base	98,550.00	96,060.77	9,606.08
Serrano Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Sugar Hill Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Sunnymead Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Sunnymead Middle	ASES After School Base	95,850.00	93,428.97	9,342.90
Sunnymeadows Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
TownGate Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Avalon Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Columbia Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Lakeside Middle	ASES After School Base	95,850.00	93,428.97	9,342.90
Lasselle Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Manuel L. Real Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
March Middle	ASES After School Base	95,850.00	93,428.97	9,342.90
Mary McLeod Bethune Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
May Ranch Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Mead Valley Elementary	ASES After School Base	112,500.00	109,658.42	10,965.84
Rainbow Ridge Elementary	ASES After School Base	112,500.00	109,658.41	10,965.84
Sierra Vista Elementary	ASES After School Base	112,500.00	109,658.41	10,965.84
Tomas Rivera Middle	ASES After School Base	95,850.00	93,428.97	9,342.90
Triple Crown Elementary	ASES After School Base	112,500.00	109,658.41	10,.965.85
Val Verde Elementary	ASES After School Base	112,500.00	109,658.41	10,965.85
Victoriano Elementary	ASES After School Base	112,500.00	109,658.41	10,965.85
Vista Verde Middle	ASES After School Base	68,850.00	67,110.95	6,711.10
		$4,559,850.00	**$ 4,444,675.00**	**$ 444,467.50**

Schedule B
Employee Benefit Allowance

Monthly benefit allowance to be paid semi-monthly as part of employees' regular pay:

Employee	Monthly Allowance
Program Coordinator	$1,264.58
Sr. Admin Analyst	$1,264.58

Annual base pay ranges by position:

Current Title	THINK Title	Base Pay Range
Program Coordinator	Quality Assurance Coach	$45,000-$49,000
Sr. Admin Analyst	Regional Ops Analyst	$33,280-$45,000

MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00168021

MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00168023

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: June 26, 2012

TITLE: A PUBLIC HEARING REGARDING PA10-0030, AN AMENDMENT TO TITLE 9 OF THE MUNICIPAL CODE REGULATIONS TO: (1) ADOPT WRCOG GOOD NEIGHBOR GUIDELINES; (2) REVISE PARKING STANDARDS FOR RESTAURANTS; (3) REDUCE COMMUNITY COMMERCIAL (CC) FRONT AND STREET SIDE BUILDING SETBACKS, AND OTHER REVISIONS TO PARKING AND LANDSCAPE SETBACKS; (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS; AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD TO REVISE SAFETY FEATURES AND DRIVE AISLES WIDTHS.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **RECOGNIZE** that PA10-0030 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

2. **INTRODUCE** Ordinance No. 849, thereby approving PA10-0030, amending various sections of Title 9 of the City of Moreno Valley Municipal Code. (Attachment 2)

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, at its March 8, 2012, meeting approved Planning Commission Resolution 2012-04, recommending by a 6-0 (1 absent) vote that the City Council recognize that PA10-0030 (Municipal Code Amendment) qualifies as an exemption in accordance with CEQA Guidelines, Section15061 (Minor Alterations in

Land Use Limitation) as defined by Section 15378, and approve PA10-0030 (Municipal Code Amendment).

BACKGROUND

The proposed changes were the result of issues and concerns that have arisen over the past few years. Some of the proposed changes are due to Planning Commission requests, and others are staff generated to address changes in development practices, and to provide greater clarity of city regulations and to encourage reduced air emissions and greater land use efficiency and therefore reduced energy use City-wide. This effort has been funded by the City's Federal Energy Efficiency Grant.

DISCUSSION

During the Planning Commission Hearing, the Commission voted to approve the item with some discussion on a couple of the code amendments. There was discussion of issue 4 on the possibility of rewording the language of Topping of Trees in the Tree Preservation and Maintenance section. It was suggested that the word "destructive" be added in front of "topping of trees is prohibited", after discussion and clarification amongst the commissioners and staff, no rewording of issue 4 was motioned. In addition to the proposed code amendments one Commissioner noticed that the diagonal parking measurement was not accurate in Figure 9.11.080-5. Staff agreed that the figure is not accurate, and staff has deleted the "16 feet" from the diagonal parking dimension in Figure 9.11.080-5. Overall the Planning commission was in support of the proposed municipal code amendments.

This proposed amendment would modify various provisions of the Municipal Code and entire amendment is located on Attachment 3. Below is a summary of the items, with more detail provided in the attached Planning Commission report. If adopted, it would create or change the regulations concerning:

1. Adopting WRCOG Good Neighbor Guidelines.

   The addition of the Good Neighbor Guidelines has been suggested to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors within the City of Moreno Valley. The following are the standards from WRCOG that staff suggests be adopted:

   A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center.

   B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods.

   C. Eliminate trucks from using residential areas and repairing vehicles on the streets.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center.

2. Parking Standards for Restaurants.

Revisions to Section 9.11.040 have been made to better address the standard parking requirement for eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. The proposed standard would reduce the required parking for restaurant space equaling up to 15% of the shopping center building square footage, which has been shown to be accommodated with adequate parking at the lower retail parking standard. The proposed standard would permit greater building area and/or less impervious paved areas.

3. Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks.

Several years ago, the Planning Commission asked staff to review other cities setback requirements in the Community Commercial (CC) and Neighborhood Commercial (NC) zones. Staff recommends that the CC front building setback be amended from 20 feet to 10 feet, and that the side street building setback be amended from 20 feet to10 feet. In the NC zone staff recommends that the setback not change and keep the existing 20 foot front and street side setback. Additionally we have added * in regards to a setback based on building height. Based on staff research we recommend that the building play more of a prominent roll in the development of the site layout. Therefore we have revised the parking area to have the same minimum setback as the building setback, or in the case of the CC zone have the parking be set back further than the building setback. In keeping with the building playing more of a prominent role in site layout staff has eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback.

4. Provide for parking lot maintenance standards, banning “topping” of trees.

Revisions to Section 9.17.030 have been made in order to address the practice of topping of trees, which prevents the development of adequate tree canopy to provide the shading required by the Municipal Code. The practice of topping prohibits trees from growing naturally or reaching maturity and fulfilling the code requirement. In association with the new Tree Preservation and Maintenance portion of the code we have added a Heritage Trees section to help preserve mature and historical trees in our City. Staff has researched other cities that have adopted similar tree preservation ordnances.

5. Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Revisions to Section 9.11.080 have been made in order to make parking design safer and consistent with current traffic engineering standards. The standard improvements safety features of parking lot design have been revised and Table 9.11.080-13 has revised driveway and aisle dimensions.

ALTERNATIVES

1. Approve the proposal as submitted.
2. Approve the proposal with modifications to address City Council concerns.
3. Refer the proposal back to the Planning Commission.
4. Deny the proposal.

NOTIFICATION

A 1/8 page public notice was published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance No. 849 with proposed revisions
3. Suggested Code Amendments.
4. Setbacks of other Cities.
5. Planning Commission Staff Report dated March 8, 2012
6. Planning Commission Minutes for March 8, 2012

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER A MUNICIPAL CODE AMENDMENT (PA10-0030) FOR THE AMENDMENT OF THE MUNICIPAL CODE REGULATIONS REGARDING: (1) WRCOG GOOD NEIGHBOR GUIDELINES. (2) PARKING STANDARDS FOR RESTAURANTS IN SHOPPING CENTERS. (3) COMMUNITY COMMERCIAL LAND USE ZONE (CC) FRONT AND STREET SIDE BUILDING SETBACKS, AND PARKING AND LANDSCAPE SETBACKS. (4) PARKING LOT MAINTENANCE STANDARD TO BAN "TOPPING" OF TREES; AND (5) GENERAL PARKING DESIGN STANDARDS FOR SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES.

The proposed Municipal Code Amendment (PA10-0030) modifies various provisions listed above. The modifications eliminate conflicts and clarify the meaning of the above mentioned sections.

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

The City Council may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Gabriel Diaz, Associate Planner at (951) 413-3206 or at the Community & Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday,
June 26, 2012
6:30 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805

ATTACHMENT 1

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MV00168029

ORDINANCE NO. 849

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) ADOPTING WRCOG GOOD NEIGHBOR GUIDELINES; (2) REVISED PARKING STANDARDS FOR RESTAURANTS; (3) REDUCTION OF (CC) COMMUNITY COMMERCIAL FRONT AND STREET SIDE BUILDING SETBACKS, AND REVISIONS TO PARKING AND LANDSCAPE SETBACKS; (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS, BANNING "TOPPING" OF TREES; AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD WITH REVISED SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on June 26, 2012, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The amendments modify various provisions of the Municipal Code regarding: (1) Adopting WRCOG Good Neighbor Guidelines with amendments to address air quality; (2) Reducing the minimum restaurant parking space requirement within shopping centers greater than 25,000 square feet of building area where restaurant space is less than 15% of the shopping center square footage; (3) Recommending that the (CC) Community Commercial front and street side building setbacks be reduced, while maintaining a greater setback for parking than for buildings and eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback; (4) Providing for a parking lot maintenance standard including the banning of "topping" of trees; and (5) Amending the General Parking Design Standard with revised safety features and 24 foot maximum wide drive aisles. The modifications are aimed at reducing the environmental impact of new and existing development by increased attention on post-construction operational issues, increased efficiency in site development and decreased energy usage.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment. Amendments like the Good Neighbor Guidelines and amendments that make development more efficient only improve the Health, Safety and Welfare.

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Section 9.05.050 of Chapter 9.05 of the City of Moreno Valley Municipal Code is hereby added as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

Sections:
9.05.010 Purpose and intent.
9.05.020 Industrial districts.
9.05.030 Permitted uses for industrial districts.
9.05.040 Industrial site development standards.
9.05.050 Good Neighbor Guidelines

9.05.050 Good Neighbor Guidelines for Warehouse Distribution Facilities.

In September, 2005, the Western Riverside Council of Governments (WRCOG) and the Regional Air Quality Task Force (RAQTF) approved the *Good Neighbor Guidelines For Siting New and/or Modified Warehouse/Distribution Facilities*. The Good Neighbor Guidelines used in this section are a modified version of the WRCOG's RAQTF Guidelines. The modified version includes goals and strategies that fit the specific needs of the City of Moreno Valley.

These "Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities," (referred to as "Good Neighbor Guidelines") assist planning departments, developers, property owners, elected officials, community organizations, and the general public as a tool to potentially help address some of the complicated choices associated with permitting warehouse/distribution facilities and understanding the options available when addressing environmental issues. These Good Neighbor Guidelines are designed to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the City of Moreno Valley. Sensitive receptors include residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time.

For the purpose of these Guidelines, warehouse/distribution center means a building used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities that is greater than 650,000 square feet. This shall be cumulative to include multiple warehouse buildings deemed as part of a project or a phased project exceeding a combined total building area of 650,000 square feet. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include "big box" discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public.

A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center by using the following strategies:

1. To the extent possible, locate driveways, loading docks and internal circulation routes away from residential uses or any other sensitive receptors.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.2 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any vacant lot or unimproved nonresidential property in the City.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.5 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds within any commercially zoned property for the purpose other than doing business at the site, and or remaining parked or standing for longer than reasonably appropriate to do such business acts related to such business operations.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.8 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street or road which is adjacent to a parcel upon which there exists a public facility.

5. Enforce compliance with Moreno Valley Municipal Code Section 9.10.150 – "Odors" no operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise

objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.

B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.36.030 – "Designation of Truck Routes" the city traffic engineer shall erect appropriate signs designating the affected street or portion thereof.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.1 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street, road, alley or private property within any residential district within the city.

3. Required warehouse/distribution centers to establish a specific truck route and post signage between the warehouse/distribution center and the freeway and/or primary access arterial that achieves the objective.

4. Require warehouse/distribution centers to provide signage or flyers identifying where food, lodging and entertainment can be found, when it is not available on site.

C. Eliminate trucks from using residential areas and repairing vehicles on the streets by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.A.4. – "Parking Prohibitions or Restrictions" It is unlawful to park or leave standing any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.

2. Allow warehouse/distribution facilities to establish an area within the facility for repairs.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.C – "Parking Prohibitions or Restrictions" while adjacent to a developed residential area, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.A.1 – "Idling Limitation" a driver of a vehicle must turn off the engine upon stopping at a destination.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.C – "Idling Limitation" an equipment operator of a TRU (Transportation Refrigeration Unit) must not cause or allow a TRU to operate while stationary unless the vehicle is lawfully parked at a location approved for truck parking by this code and not within five hundred (500) feet of a school unless the operator is actively engaged in the process of loading or unloading cargo or is waiting in a queue to load or unload cargo for a period not to exceed two hours.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.50.060.D – "Relationship to other laws" nothing in this chapter allows idling in excess

of other applicable laws, including, but not limited to any other local, state or federal law or regulation as stringent as, or more stringent than this chapter.

5. Future tenant improvements involving conversion of a warehouse for refrigeration storage shall include electrical hookups for refrigeration units.

6. Promote the installation of on-site electric hook-ups to eliminate the idling of main and auxiliary engines during loading and unloading of cargo and when trucks are not in use.

2.2 Table 9.11.040B-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended as follows:

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater.	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage. 1/100 sq. ft. of gross floor area over the 15%.	Example a 25,000s.f. Shopping Center. 15% of Shopping Center = 3,750s.f. is calculated at 1/225. 3,750/225 = 17. Any restaurant space over 3,750s.f. is calculated at 1/100. 2000/100 =20

2.3 Table 9.04.040-7 of Section 9.04.040 of Chapter 9.04 of the City of Moreno Valley Municipal Code is hereby amended as follows:

9.04.040 Commercial site development standards.

A. General Requirements. The following table sets forth minimum site development standards for all commercial and office zones. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of

many parcels totaling at least the required site size, but its design must be integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.04.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.04.040-7

Commercial Site Development Minimum Standards

	Requirement	O	OC	VC	NC	CC
1	Minimum site area	10K[1]	10K	10K	10K	1ac[2]
2	Minimum site width, in feet	100	100	100	100	200
3	Minimum site depth, in feet	100	100	100	100	175
4	Front building setback, in feet[3]	20*	20*	20*	20*	10*
5	Side street building setback area, street sides, in feet[3]	20*	20*	20*	20*	10*
6	Lot coverage, maximum	60%	60%	—	—	—
7	Building height, in feet, maximum	See Special Requirements				
8	Parking front street setback, in feet[3]	20	20	20	20	20
9	Parking side street setback, in feet[3]	15	15	15	15	15

	Requirement	O	OC	VC	NC	CC
10	Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas

[1] The term "K" means one thousand (1,000).

[2] The term "ac" means acre or acres.

[3] Measured from property line after dedications for public rights-of-way.

* Building areas above 30 feet shall be setback an additional 5 feet for every 10 feet of additional structure height unless otherwise approved by the Planning Commission.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any of such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated commercial center containing shared parking and access, in which case no minimums are established. Parcels created within integrated commercial centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and if appropriate easements for reciprocal access parking and maintenance are provided.

B. Special Requirements.

1. Wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the building height, but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles in commercial districts are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all commercial districts, required front building setback areas shall be landscaped. Such landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Required rear and interior side building setback areas in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

5. In the office commercial district, all nonoffice uses permitted shall be supportive of office-based development. (See Table 9.02.020-1)

6. In the office commercial district, all commercial and retail activities, other than offices, shall be limited to no more than twenty-five (25) percent of the square footage of any building. In the case of a mixed use development, no more than twenty-five (25) percent of the total square footage of all buildings shall be devoted to commercial/retail uses, with the remaining seventy-five (75) percent to be utilized for office.

7. Parking for each use shall comply with the requirements of Chapter 9.11.

8. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line. (Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992).

2.4 Section 9.17.030 of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended as follows:

9.17.030 Landscape and irrigation design standards.

A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside's Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Eastern Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once

calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

Projects shall be designed to capture and retain storm water onsite to improve water use efficiency and water quality. The use of reclaimed water is encouraged. Contact Eastern Municipal Water District for availability.

B. Plan Design Standards. The following design standards are required on all landscape plan submittals:

1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.

2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) SF of landscaped area, except custom homes or projects designed in-house by the public works department or parks and community services department, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All non-residential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.

3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the city. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.

4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the city.

5. Landscape shall include drought-tolerant plants and water conservation principles.

6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).

7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.

8. Trash enclosures are screened with at least three feet of landscaping on three sides.

9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.

10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the city.

11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org). No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.

12. Water budgets that meet Eastern Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Eastern Municipal Water District.

13. Water budgets are subject to approval by Eastern Municipal Water District. The city of Moreno Valley will cooperate with Eastern Municipal Water District in monitoring to the extent practicable.

14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations and Eastern Municipal Water District. Landscape plans submitted shall meet this standard.

15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.

2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.

3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.

4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.

5. High quality artificial turf is allowed as an element of a project landscape.

6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.

3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.

4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the city.

5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.

6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.

7. The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.

E. Trees.

1. Trees shall be planted in a manner, which maximizes the shading of paved areas, outdoor seating, and both south- and west-facing windows.

2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.

3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.

4. All landscape plans shall indicate mature tree canopy diameters.

5. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.

6. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.

7. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.

8. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.

9. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.

F. Tree Preservation and Maintenance.

1. Trees are required to be pruned, fertilized, and irrigated as needed to maintain an appropriate healthy condition, maximize shading, and maintain an aesthetically pleasing appearance.

2. Topping of trees is prohibited. Topping of trees means cutting back of the crown creating large stubs and preventing trees from growing to maximum maturity resulting in a loss of shading.

3. Pest diseased trees and dead trees shall be replaced with the same species and in the appropriate size. The appropriate size shall be a minimum twenty-four (24) inch box tree.

4. Guidelines are subject to modifications as determined by an arborist, or landscape architect, and approved by the Community & Economic Development Director.

G. Heritage Trees.

1. Heritage trees are defined as meeting one of the following:

a. Any tree that defines the historical and cultural character of the City including older Palm and Olive trees, and or any tree designated as such by official action.

b. Trees with a fifteen (15) inch diameter measured twenty-four (24) inches above ground level.

c. Trees that have reached a height of fifteen (15) feet or greater.

2. No person shall remove, destroy, top, or disfigure a Heritage tree within the City Limits.

3. Removal of a Heritage tree is permitted if the tree poses a dangerous or hazardous condition to people, structures, property, or another Heritage tree.

4. Removal of a Heritage tree is permitted if tree is diseased, drying, or dead, and if a reasonable undertaking to preserve the tree had occurred.

5. Removal of a Heritage tree in the public or future right of way is permitted with the approval of the Community and Economic Development Director and if a reasonable undertaking to preserve the tree had occurred.

6. Removal of a Heritage tree designated historic and or culturally significant by official action shall require the review of the Ecological Historical Preservation Board.

7. Trees grown by nurseries and tree farms for sale purposes are exempt from being a Heritage tree.

H. Irrigation.

1. All planted landscape areas shall be provided with an approved "smart" automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and soil moisture sensing devices. Watering during the rain shall be avoided.

2. Drip and bubbler-type and MP rotator sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type).

3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.

4. Reduced pressure backflow preventers are required on all irrigation systems.

5. No fixed risers are permitted, unless otherwise approved by the community development director.

6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.

7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.

8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9. Eastern Municipal Water District will calculate the annual maximum allowable water budget (AMAWB) for customers requesting a new account. The proposed landscape must meet the AMAWB requirements prior to meter release. (Ord. 786 § 2, 2009)

2.5 Table 9.11.080-13 of Section 9.11.080 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended as follows:

9.11.080 Design standards.

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul-de-sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the city of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

25. Parking lot design shall include openings in curbs to convey water run off into landscape areas for water quality, retention and absorption. Pervious surfaces are recommended where feasible and required for parking areas provided in excess of city requirements.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be nine feet in width and sixteen (16) feet in depth of paved area and two feet of landscaped depth in excess of the adjacent landscape requirement. Spaces may be eighteen (18) feet of paved depth with no additional landscape depth subject to approval by the planning official. (The two feet of additional landscape may not be included in the required landscape setback.) (See Figure 9.11.080-5.)

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

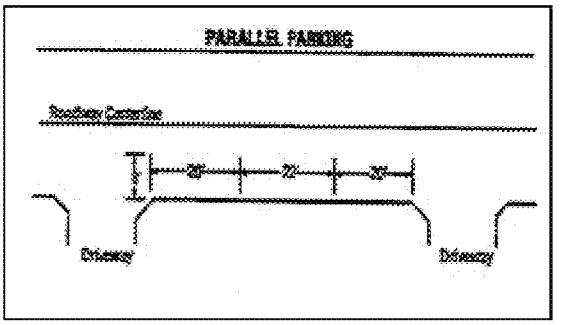

Figure 9.11.080-4

Dimensions of Parallel Parking Spaces

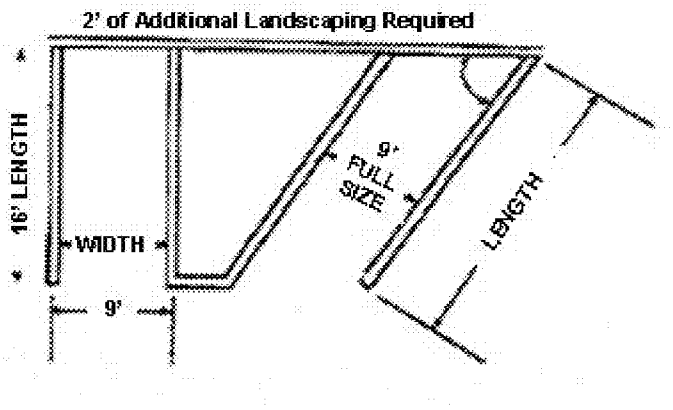

Figure 9.11.080-5

Nonparallel Parking Spaces

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. Parking lots shall be designed to drain into landscape planters using openings in curbs and site grading. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of six hundred (600) feet.

h. Deceleration right turn lanes should be a minimum of two hundred thirty five (235) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (60) foot transition and one hundred twenty five (125) foot turn lane. As approved by the City Traffic Engineer.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (three-inch line – six-inch space – three-inch line for a total of twelve (12) inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the city of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

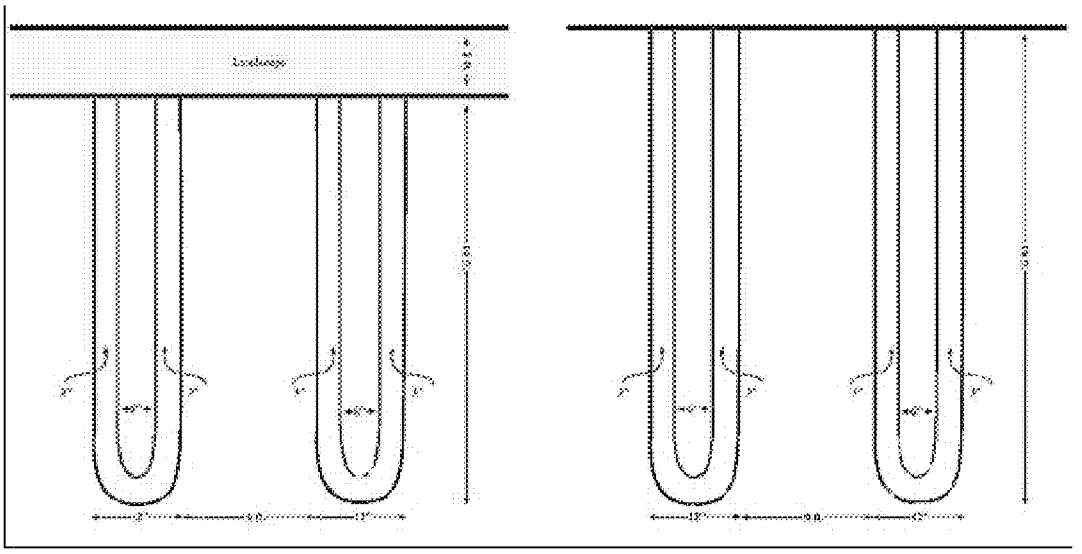

Figure 9.11.080-6A **Figure 9.11.080-6B**

Parking Space Striping Requirements

* Ends of parking stall striping shall be curved or squared off.

D. Accessible Parking Design Standards. The following design standards for accessible parking are intended to be consistent with the state or federal requirements. Any conflicting provisions or future changes in state or federal requirements shall pre-empt the standards for provision of accessible parking spaces contained in this title:

1. All accessible parking spaces shall be striped and marked according to applicable state regulations.

2. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign, of a construction and material approved by the building official, displaying the international symbol of accessibility. The sign shall have a minimum size of seventy (70) square inches, and shall be centered at the interior end of the parking space at a maximum height of eighty (80) inches from the bottom of the sign to the finished grade of the parking space.

3. At each entrance to a parking facility containing one or more parking spaces for the handicapped, a sign with a minimum size of seventeen (17) inches by twenty-two (22) inches shall be posted, stating clearly and conspicuously in letters with a minimum height of one inch the following:

Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for physically handicapped persons may

be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____.

4. Parking spaces reserved for persons with disabilities shall have, in addition to the requirements of subsections (D)(1), (2) and (3) of this section, a surface identification in blue paint of at least three square feet in size, duplicating the international symbol of accessibility.

5. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

6. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Said space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

7. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

8. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this paragraph would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

9. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083 percent gradient) in any direction.

10. Notwithstanding the off-street parking requirements of Subsection 9.11.040(A) of this chapter, the number of parking spaces that are not accessible may

be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

11. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone as described herein.

12. All disabled spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve and oriented so that the user of the disabled parking space need not go past the rear of automotive parking spaces in order to reach the building's main entrance.

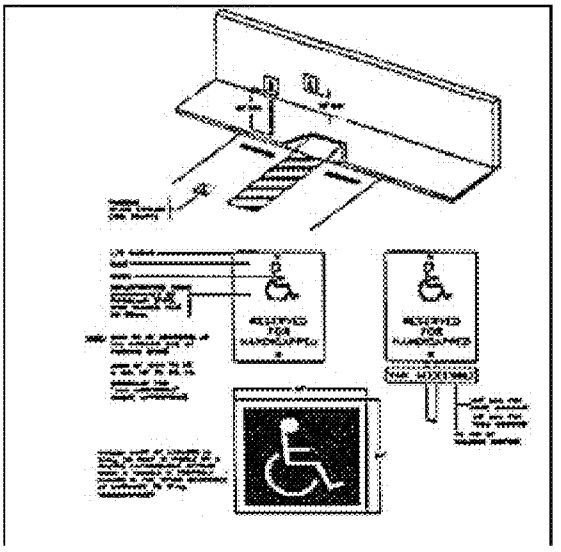

Figure 9.11.080-7

Accessible Parking Stall Requirement

* Ramps shall include a curb-cut type design

* Loading area width: van accessible = 8 feet; all other accessible spaces = 5 feet

E. Surfacing.

1. All permanent automobile and disabled parking spaces, loading and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or other all-weather surfacing, as approved by the city engineer. Every effort should be made to use pervious surfaces to reduce water run off. All parking areas in excess of the requirements of the Municipal Code shall use pervious pavement and/or increased landscape water retention and absorption areas.

2. Temporary parking facilities shall be provided with surfaces which prevent dust, as approved by the city engineer.

F. Location of Parking.

1. All parking spaces required by this chapter shall be provided on the same site as the use requiring the parking spaces, except as authorized in Section 9.11.070, Adjustments to off-street parking requirements of this chapter.

2. All automobile spaces required for residential uses shall be located a maximum of two hundred fifty (250) feet from the units they are serving. Distances shall be measured from the nearest point of the building to the parking space(s) serving that building.

3. All car pool parking spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve.

G. Landscape and Screening Requirements. Parking lot screening and landscaping shall conform to the requirements of Chapter 9.17 of this title.

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13
Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Required (one-way)*	20 feet
Required (two-way)*	24 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1] On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.
[2] Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.
[3] Minimum acute angle measured from the edge of pavement.
* Wider driveway aisles may be approved with the approval of the Community and Economic Development Director.

3. The following criteria and dimensions may be modified by the city engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/Modified Major	Limited access* **	Limited access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector/66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic.
** Access may be restricted by medians.
*** For residential development.

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.3, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 643 § 2.6, 2003; Ord. 616 § 2.2.22, 2003; Ord. 604 §§ 2.15—2.18, 2002; Ord. 557 § 2.6, 2000: Ord. 475 § 1.4 (part), 1995; Ord. 406 § 1.4, 1993; Ord. 405 §§ 1.14, 1.15, 1993; Ord. 402 §§ 1.3, 1.4, 1993; Ord. 359 (part), 1992)

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on June 26, 2012 and had its second reading on July 10, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of July, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 849
Date Adopted: July 10, 2012

Issue 1. Adopting WRCOG Good Neighbor Guidelines.

Staff recommends amending Chapter 9.05 by adding Section 9.05.050 as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

Sections:
9.05.010 Purpose and intent.
9.05.020 Industrial districts.
9.05.030 Permitted uses for industrial districts.
9.05.040 Industrial site development standards.
9.05.050 Good Neighbor Guidelines

9.05.050 Good Neighbor Guidelines for Warehouse Distribution Facilities.

In September, 2005, the Western Riverside Council of Governments (WRCOG) and the Regional Air Quality Task Force (RAQTF) approved the *Good Neighbor Guidelines For Siting New and/or Modified Warehouse/Distribution Facilities*. The Good Neighbor Guidelines used in this section are a modified version of the WRCOG's RAQTF Guidelines. The modified version includes goals and strategies that fit the specific needs of the City of Moreno Valley.

These "Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities," (referred to as "Good Neighbor Guidelines") assist planning departments, developers, property owners, elected officials, community organizations, and the general public as a tool to potentially help address some of the complicated choices associated with permitting warehouse/distribution facilities and understanding the options available when addressing environmental issues. These Good Neighbor Guidelines are designed to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the City of Moreno Valley. Sensitive receptors include residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time.

For the purpose of these Guidelines, warehouse/distribution center means a building used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities that is greater than 650,000 square feet. This shall be cumulative to include multiple warehouse buildings deemed as part of a project or a phased project exceeding a combined total building area of 650,000 square feet. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include "big box" discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public.

A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center by using the following strategies:

1. To the extent possible, locate driveways, loading docks and internal circulation routes away from residential uses or any other sensitive receptors.

ATTACHMENT 3

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.2 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any vacant lot or unimproved nonresidential property in the City.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.5 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds within any commercially zoned property for the purpose other than doing business at the site, and or remaining parked or standing for longer than reasonably appropriate to do such business acts related to such business operations.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.8 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street or road which is adjacent to a parcel upon which there exists a public facility.

5. Enforce compliance with Moreno Valley Municipal Code Section 9.10.150 – "Odors" no operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.

B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.36.030 – "Designation of Truck Routes" the city traffic engineer shall erect appropriate signs designating the affected street or portion thereof.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.1 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street, road, alley or private property within any residential district within the city.

3. Required warehouse/distribution centers to establish a specific truck route and post signage between the warehouse/distribution center and the freeway and/or primary access arterial that achieves the objective.

4. Require warehouse/distribution centers to provide signage or flyers identifying where food, lodging and entertainment can be found, when it is not available on site.

C. Eliminate trucks from using residential areas and repairing vehicles on the streets by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.A.4. – "Parking Prohibitions or Restrictions" It is unlawful to park or leave standing any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.

2. Allow warehouse/distribution facilities to establish an area within the facility for repairs.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.C – "Parking Prohibitions or Restrictions" while adjacent to a developed residential area, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.A.1 – "Idling Limitation" a driver of a vehicle must turn off the engine upon stopping at a destination.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.C – "Idling Limitation" an equipment operator of a TRU (Transportation Refrigeration Unit) must not cause or allow a TRU to operate while stationary unless the vehicle is lawfully parked at a location approved for truck parking by this code and not within five hundred (500) feet of a school unless the operator is actively engaged in the process of loading or unloading cargo or is waiting in a queue to load or unload cargo for a period not to exceed two hours.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.50.060.D – "Relationship to other laws" nothing in this chapter allows idling in excess of other applicable laws, including, but not limited to any other local, state or federal law or regulation as stringent as, or more stringent than this chapter.

5. Future tenant improvements involving conversion of a warehouse for refrigeration storage shall include electrical hookups for refrigeration units.

6. Promote the installation of on-site electric hook-ups to eliminate the idling of main and auxiliary engines during loading and unloading of cargo and when trucks are not in use.

Issue 2. Parking Standards for Restaurants.

Staff recommends amending Table 9.11.040B-12 of Section 9.11.040 by changing the subscript for restaurant parking and adding subscript for as follows:

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater.	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage. 1/100 sq. ft. of gross floor area over the 15%.	Example a 25,000s.f. Shopping Center. 15% of Shopping Center = 3,750s.f. is calculated at 1/225. 3,750/225 = 17. Any restaurant space over 3,750s.f. is calculated at 1/100. 2000/100 =20

Issue 3. Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks.

Staff recommends amending Table 9.04.040-7 of Section 9.04.040 by changing the subscript for front building and side street building setback, and adding subscript B4 as follows:

9.04.040 Commercial site development standards.

A. General Requirements. The following table sets forth minimum site development standards for all commercial and office zones. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.04.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.04.040-7

Commercial Site Development Minimum Standards

	Requirement	O	OC	VC	NC	CC
1	Minimum site area	10K[1]	10K	10K	10K	1ac[2]
2	Minimum site width, in feet	100	100	100	100	200
3	Minimum site depth, in feet	100	100	100	100	175
4	Front building setback, in feet[3]	20*	20*	20*	20*	~~20~~ 10*
5	Side street building setback area, street sides, in feet[3]	20*	20*	20*	20*	~~20~~ 10*
6	Lot coverage, maximum	60%	60%	—	—	—
7	Building height, in feet, maximum	See Special Requirements				
8	Parking front street setback, in feet[3]	20	20	20	20	20

	Requirement	O	OC	VC	NC	CC
9	Parking side street setback, in feet[3]	15	15	15	15	15
10 ~~8~~	Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas

[1] The term "K" means one thousand (1,000).

[2] The term "ac" means acre or acres.

[3] Measured from property line after dedications for public rights-of-way.

* Building areas above 30 feet shall be setback an additional 5 feet for every 10 feet of additional structure height unless otherwise approved by the Planning Commission.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any of such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated commercial center containing shared parking and access, in which case no minimums are established. Parcels created within integrated commercial centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and if appropriate easements for reciprocal access parking and maintenance are provided.

B. Special Requirements.

1. Wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the building height, but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles in commercial districts are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all commercial districts, required front building setback areas shall be landscaped. Such landscaping shall consist predominantly of plant materials except for necessary walks and drives.

~~4. The street side building setback area in any commercial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. When off-street parking is located within building setback areas, a minimum landscaped area of ten (10) feet in depth shall be provided between the property line and the parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.~~

~~5~~ 4. Required rear and interior side building setback areas in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

~~6~~ 5. In the office commercial district, all nonoffice uses permitted shall be supportive of office-based development. (See Table 9.02.020-1)

~~7~~ 6. In the office commercial district, all commercial and retail activities, other than offices, shall be limited to no more than twenty-five (25) percent of the square footage of any building. In the case of a mixed use development, no more than twenty-five (25) percent of the total square footage of all buildings shall be devoted to commercial/retail uses, with the remaining seventy-five (75) percent to be utilized for office.

~~8~~ 7. Parking for each use shall comply with the requirements of Chapter 9.11.

~~9~~ 8. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line. (Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992).

Issue 4. Provide for parking lot maintenance standards, banning "topping" of trees.

Staff recommends amending by changing subscript E, F, G, and H by adding, deleting, and, renumbering, subscript as follows:

9.17.030 Landscape and irrigation design standards.

A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside's Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically

pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Eastern Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

Projects shall be designed to capture and retain storm water onsite to improve water use efficiency and water quality. The use of reclaimed water is encouraged. Contact Eastern Municipal Water District for availability.

B. Plan Design Standards. The following design standards are required on all landscape plan submittals:

1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.

2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) SF of landscaped area, except custom homes or projects designed in-house by the public works department or parks and community services department, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All non-residential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.

3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the city. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.

4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the city.

5. Landscape shall include drought-tolerant plants and water conservation principles.

6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).

7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.

8. Trash enclosures are screened with at least three feet of landscaping on three sides.

9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.

10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the city.

11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org). No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.

12. Water budgets that meet Eastern Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Eastern Municipal Water District.

13. Water budgets are subject to approval by Eastern Municipal Water District. The city of Moreno Valley will cooperate with Eastern Municipal Water District in monitoring to the extent practicable.

14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations and Eastern Municipal Water District. Landscape plans submitted shall meet this standard.

15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.

2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.

3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.

4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.

5. High quality artificial turf is allowed as an element of a project landscape.

6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.

3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.

4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the city.

5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.

6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.

7. The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.

E. Trees.

1. Trees shall be planted in a manner, which maximizes the shading of paved areas, outdoor seating, and both south- and west-facing windows.

2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.

3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.

4. All landscape plans shall indicate mature tree canopy diameters.

~~5. All mature tree canopies in parking lots shall be pruned and maintained to maximize shade potential and ensure healthy, maximum growth. Topping of trees shall be avoided.~~

~~6~~ 5. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.

~~7~~ 6. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.

~~8~~ 7. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.

~~9~~ 8. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.

~~10~~ 9. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.

F. Tree Preservation and Maintenance.

1. Trees are required to be pruned, fertilized, and irrigated as needed to maintain an appropriate healthy condition, maximize shading, and maintain an aesthetically pleasing appearance.

2. Topping of trees is prohibited. Topping of trees means cutting back of the crown creating large stubs and preventing trees from growing to maximum maturity resulting in a loss of shading.

3. Pest diseased trees and dead trees shall be replaced with the same species and in the appropriate size. The appropriate size shall be a minimum twenty-four (24) inch box tree.

4. Guidelines are subject to modifications as determined by an arborist, or landscape architect, and approved by the Community & Economic Development Director.

G. Heritage Trees.

1. Heritage trees are defined as meeting one of the following:

a. Any tree that defines the historical and cultural character of the City including older Palm and Olive trees, and or any tree designated as such by official action.

b. Trees with a fifteen (15) inch diameter measured twenty-four (24) inches above ground level.

c. Trees that have reached a height of fifteen (15) feet or greater.

2. No person shall remove, destroy, top, or disfigure a Heritage tree within the City Limits.

3. Removal of a Heritage tree is permitted if the tree poses a dangerous or hazardous condition to people, structures, property, or another Heritage tree.

4. Removal of a Heritage tree is permitted if tree is diseased, drying, or dead, and if a reasonable undertaking to preserve the tree had occurred.

5. Removal of a Heritage tree in the public or future right of way is permitted with the approval of the Community and Economic Development Director and if a reasonable undertaking to preserve the tree had occurred.

6. Removal of a Heritage tree designated historic and or culturally significant by official action shall require the review of the Ecological Historical Preservation Board.

7. Trees grown by nurseries and tree farms for sale purposes are exempt from being a Heritage tree.

~~F~~ H. Irrigation.

1. All planted landscape areas shall be provided with an approved "smart" automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and soil moisture sensing devices. Watering during the rain shall be avoided.

2. Drip and bubbler-type and MP rotator sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type).

3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.

4. Reduced pressure backflow preventers are required on all irrigation systems.

5. No fixed risers are permitted, unless otherwise approved by the community development director.

6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.

7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.

8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9. Eastern Municipal Water District will calculate the annual maximum allowable water budget (AMAWB) for customers requesting a new account. The proposed landscape must meet the AMAWB requirements prior to meter release. (Ord. 786 § 2, 2009)

Issue 5. Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Staff recommends amending by changing subscript C and Table 9.11.080-13 by adding and deleting subscript as follows:

9.11.080 Design standards.

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul-de-sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the city of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

25. Parking lot design shall include openings in curbs to convey water run off into landscape areas for water quality, retention and absorption. Pervious surfaces are recommended where feasible and required for parking areas provided in excess of city requirements.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be nine feet in width and sixteen (16) feet in depth of paved area and two feet of landscaped depth in excess of the adjacent landscape requirement. Spaces may be eighteen (18) feet of paved depth with no additional landscape depth subject to approval by the planning official. (The two feet of additional landscape may not be included in the required landscape setback.) (See Figure 9.11.080-5.)

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

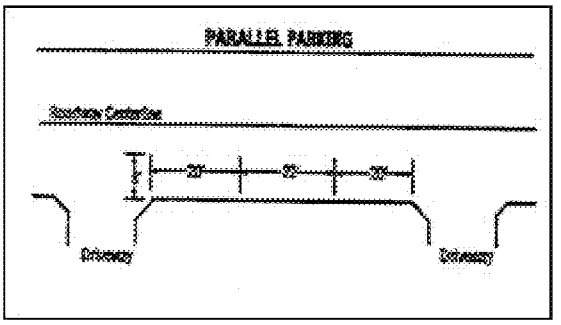

Figure 9.11.080-4

Dimensions of Parallel Parking Spaces

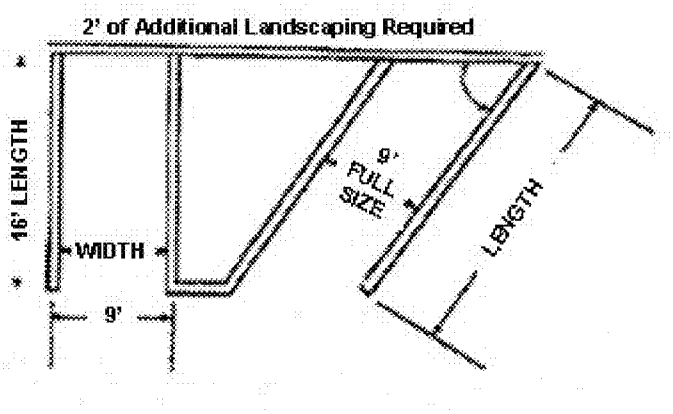

Figure 9.11.080-5

Nonparallel Parking Spaces

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. Parking lots shall be designed to drain into landscape planters using openings in curbs and site grading. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to

provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of ~~one hundred fifty (150)~~ <u>six hundred (600)</u> feet.

h. Deceleration <u>right turn</u> lanes should be a minimum of two hundred ~~ten (210)~~ <u>thirty five (235)</u> feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (60) foot transition and one hundred ~~fifty (150)~~ <u>twenty five (125)</u> foot turn lane. <u>As approved by the City Traffic Engineer.</u>

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (three-inch line – six-inch space – three-inch line for a total of twelve (12) inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the city of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

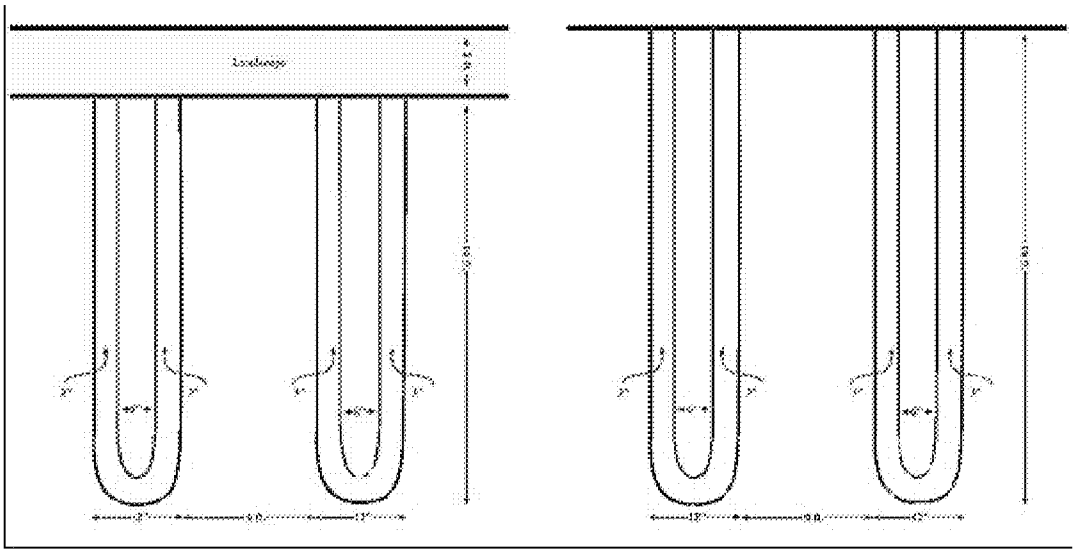

Figure 9.11.080-6A Figure 9.11.080-6B

Parking Space Striping Requirements

* Ends of parking stall striping shall be curved or squared off.

D. Accessible Parking Design Standards. The following design standards for accessible parking are intended to be consistent with the state or federal requirements. Any conflicting provisions or future changes in state or federal requirements shall pre-empt the standards for provision of accessible parking spaces contained in this title:

1. All accessible parking spaces shall be striped and marked according to applicable state regulations.

2. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign, of a construction and material approved by the building official, displaying the international symbol of accessibility. The sign shall have a minimum size of seventy (70) square inches, and shall be centered at the interior end of the parking space at a maximum height of eighty (80) inches from the bottom of the sign to the finished grade of the parking space.

3. At each entrance to a parking facility containing one or more parking spaces for the handicapped, a sign with a minimum size of seventeen (17) inches by twenty-two (22) inches shall be posted, stating clearly and conspicuously in letters with a minimum height of one inch the following:

Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____.

4. Parking spaces reserved for persons with disabilities shall have, in addition to the requirements of subsections (D)(1), (2) and (3) of this section, a surface identification in blue paint of at least three square feet in size, duplicating the international symbol of accessibility.

5. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

6. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Said space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

7. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

8. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars

other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this paragraph would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

9. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083 percent gradient) in any direction.

10. Notwithstanding the off-street parking requirements of Subsection 9.11.040(A) of this chapter, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

11. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone as described herein.

12. All disabled spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve and oriented so that the user of the disabled parking space need not go past the rear of automotive parking spaces in order to reach the building's main entrance.

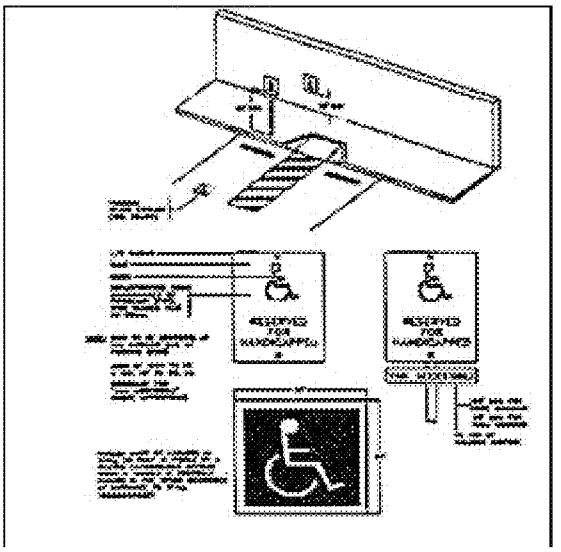

Figure 9.11.080-7

Accessible Parking Stall Requirement

* Ramps shall include a curb-cut type design

* Loading area width: van accessible = 8 feet; all other accessible spaces = 5 feet

E. Surfacing.

1. All permanent automobile and disabled parking spaces, loading and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or other all-weather surfacing, as approved by the city engineer. Every effort should be made to use pervious surfaces to reduce water run off. All parking areas in excess of the requirements of the Municipal Code shall use pervious pavement and/or increased landscape water retention and absorption areas.

2. Temporary parking facilities shall be provided with surfaces which prevent dust, as approved by the city engineer.

F. Location of Parking.

1. All parking spaces required by this chapter shall be provided on the same site as the use requiring the parking spaces, except as authorized in Section 9.11.070, Adjustments to off-street parking requirements of this chapter.

2. All automobile spaces required for residential uses shall be located a maximum of two hundred fifty (250) feet from the units they are serving. Distances shall be measured from the nearest point of the building to the parking space(s) serving that building.

3. All car pool parking spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve.

G. Landscape and Screening Requirements. Parking lot screening and landscaping shall conform to the requirements of Chapter 9.17 of this title.

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13
Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
~~Minimum~~ Required (one-way)*	20 feet
~~Minimum~~ Required (two-way)*	24 feet
~~Maximum~~	~~36 feet~~
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1] On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.
[2] Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.
[3] Minimum acute angle measured from the edge of pavement.
* Wider driveway aisles may be approved with the approval of the Community and Economic Development Director.

3. The following criteria and dimensions may be modified by the city engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/Modified Major	Limited access* **	Limited access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector/66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic.
** Access may be restricted by medians.
*** For residential development.

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.3, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 643 § 2.6, 2003; Ord. 616 § 2.2.22, 2003; Ord. 604 §§ 2.15—2.18, 2002; Ord. 557 § 2.6, 2000: Ord. 475 § 1.4 (part), 1995; Ord. 406 § 1.4, 1993; Ord. 405 §§ 1.14, 1.15, 1993; Ord. 402 §§ 1.3, 1.4, 1993; Ord. 359 (part), 1992)

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Commercial Setbacks

#	City	CC Front Setback	CC Side-Front Setback	NC Front Setback	NC Side Street Setback	Notes
1	Moreno Valley	20 ft.	20 ft.	20 ft.	20 ft.	
2	Perris	10 ft.	10 ft.	10 ft.	10 ft.	On Arterial Streets. Structures greater than 25 feet in height shall be setback an additional 5 feet for each 10 feet of additional structure height.
3	Temecula	20 ft.	20 ft.	25 ft.	25 ft.	On Arterial Streets
4	Redlands	0 ft.	10 ft.	40 ft.	40 ft.	CC=C-3
5	Riverside	0 ft.	0 ft.	0 ft.	0 ft.	Front and side yard setback shall be increased by 2 1/2 feet per story over the second story.
6	Ontario	15 ft.	15 ft.	20 ft.	0 ft.	CC=C2
7	San Bernardino	10 ft.	10 ft.	15 ft.	10 ft.	CC=CG-1

* Other Jurisditions use other names for commercial zones
CC Community Commercial
NC Neighborhood Commercial
C-3 General Commercial
C2 Central Business
CG-1 Commercial General

ATTACHMENT 4

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MV00168081

PLANNING COMMISSION
STAFF REPORT

Case:	PA10-0030 (Municipal Code Amendment)
Date:	March 8, 2012
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	City-wide
Proposal:	To amend the municipal code regulations regarding: (1) Adopting WRCOG Good Neighbor Guidelines. (2) Parking Standards for Restaurants. (3) Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks. (4) Provide for parking lot maintenance standards, banning "topping" of trees. (5) Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.
Recommendation:	Approval

SUMMARY

This is a proposal to amend a range of zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code as identified in the report title above. Some of the proposed changes are due to Planning Commission requests, and others are staff generated to address changes in development practices, and to provide greater clarity of city regulations.

ATTACHMENT 5

PROJECT DESCRIPTION

This proposed amendment would modify various provisions of the Municipal Code. If adopted, it would create or change the regulations concerning: (1) Adopting WRCOG Good Neighbor Guidelines with amendments to address air quality: (2) Reducing the minimum restaurant parking space requirement within shopping centers greater than 25,000 square feet of building area where restaurant space is less than 15% of the shopping center square footage: (3) Recommending that the (CC) Community Commercial front and street side building setbacks be reduced, while maintaining a greater setback for parking than for buildings and eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback: (4) Providing for a parking lot maintenance standard including the banning of "topping" of trees: and (5) Amending the General Parking Design Standard with revised safety features and 24 foot maximum wide drive aisles. The modifications are aimed at reducing the environmental impact of new and existing development by increased attention on post-construction operational issues, increased efficiency in site development and decreased energy usage.

ANALYSIS

Issue 1. Adopting WRCOG Good Neighbor Guidelines.

Chapter 9.05 Industrial Districts of the Municipal Code addresses requirements for industrial development.

The addition of Section 9.05.050 to Chapter 9.05 has been suggested to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the City of Moreno Valley. The Good Neighbor Guidelines used in this code amendment is a modified version of the WRCOG model guidelines. The guidelines would apply to warehouses of 650,000 square feet or more, the State threshold for "projects of regional significance" that require enhanced environmental scrutiny. The following are the standards from WRCOG that staff suggests be adopted:

A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center.

B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods.

C. Eliminate trucks from using residential areas and repairing vehicles on the streets.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center.

There are current municipal code sections that help with the implementation of the WRCOG standards A - D. The municipal code sections that are called out are located in Title 12 *Vehicles and Traffic* of the Municipal Code. By citing the exiting Title 12 codes in the new Good Neighbor Guidelines Section 9.05.050 of Title 9 *Planning and Zoning* it will assist in minimizing the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers. The entire code amendment is located on Attachment 3.

Issue 2. Parking Standards for Restaurants.

Section 9.11.040 of the Municipal Code, addresses Off-street parking requirements.

Revisions to Section 9.11.040 have been made to better address the standard parking requirement for eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. The proposed standard would reduce the required parking for restaurant space equaling up to 15% of the shopping center building square footage, which has been shown to be accommodated with adequate parking at the lower retail parking standard. The size threshold provides for sufficient parking lot size and variety in retail and service uses to preclude a single popular restaurant from overwhelming parking provided on site.

Currently the parking standard for eating and drinking establishments is 1/100 sq. ft. of gross floor area up to 6,000 sq. ft. and 1/75 sq. ft. of gross floor area over 6,000 sq. ft. The proposed parking standard will make eating and drinking establishments within shopping centers of 25,000 sq. ft. of building area or grater be calculated at the general retail standard of 1/225 sq. ft. of gross floor area for up to 15% of building gross floor area for the shopping center. For eating and drinking establishments in excess of the 15% building gross floor area of the shopping center the parking calculation will be 1/100 sq. ft. of gross floor area.

Staff has researched a number of local jurisdictions and found that many have similar parking requirements for restaurants within shopping centers of 25,000 square feet of building area or greater. In addition staff has completed a number of parking studies to prove that the proposed parking standard will not result in a lack of available parking. Lakeside Plaza (Stater Bro's Market Center) located at the northwest corner of Lasselle and Iris, and Lakeside Terrace (CVS Center) at the north east corner of Lasselle and Iris were studied – both centers had sufficient excess parking at peak hours to allow for the proposed lower parking standard. The proposed parking changes will result in shopping centers being more adequately parked, and provide for more efficient development. The proposed standard would permit greater building area and/or less impervious paved areas.

Staff recommends amending Table 9.11.040B-12 of Section 9.11.040 by changing the subscript for restaurant parking and adding subscript for as follows: See Attachment 3.

Issue 3. Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks.

Section 9.04.040 of the Municipal Code, addresses Commercial site development standards.

Several years ago, the Planning Commission asked staff to review other cities setback requirements in the Community Commercial (CC) and Neighborhood Commercial (NC) zones. The City of Moreno Valley has the same setback requirements for both Community Commercial and Neighborhood Commercial zones. Other local cities that have been researched differentiate setback requirements between the CC and NC zones.

On January 28, 2010 staff brought forth the following research. From the research typically the NC zone has a greater setback requirement than the CC zone. Typically what would be developed in the NC zone is smaller scale commercial buildings that cater to the local neighborhoods, and the greater setbacks help create a more residential character by providing more landscaping. The CC zone is typically a community or regional commercial zone where retailers draw people from throughout the community and from other communities. The CC zone tends to be more of a destination for shoppers and typically has your big box retailers:

therefore the shopping center is typically bigger than the NC shopping center in most cases, and the lesser setbacks help create a more urban character with buildings closer to the street.

For either zone, parking could be permitted closer or further away from the front property line. The Village Commercial Residential zone along Sunnymead Boulevard currently allows for buildings to be placed closer to the front property line while keeping parking at the twenty foot setback to allow for the creation of a more pedestrian downtown feel to that area long term. This information was provided to allow for elicit Planning Commission discussion of the issue. Staff did not have a specific recommendation.

At the January 28, 2010 meeting Planning Commission recommended that staff do further research on the building and parking setbacks in the NC and CC zones and that staff provide a recommendation.

Revisions to Section 9.04.040 have been made in order to address the past concerns of the Planning Commission. Planning staff has done additional review of building and parking setbacks in other jurisdiction's commercial zones. Attachment 4 is an informational table that provides the setbacks of other cities that were studied. Staff recommends that the CC front building setback be amended from 20 feet to 10 feet, and that the side street building setback be amended from 20 feet to10 feet. In the NC zone staff recommends that the setback not change and keep the existing 20 foot front and street side setback. Additionally we have added * in regards to building height, this is something we did not bring forth at the previously Planning Commission meeting. Through our research we came across this in other cities and thought it made sense to include a setback based on height to help reduce the potential of having too much building massing at the setback line. In addition to the building setback we changed the parking setback. Based on staff research we recommend that the building play more of a prominent roll in the development of the site layout. Therefore we have revised the parking area to have the same minimum setback as the building setback, or in the case of the CC zone have the parking be set back further than the building setback. In keeping with the building playing more of a prominent role in site layout staff has eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback.

Staff recommends amending Table 9.04.040-7 of Section 9.04.040 by changing the subscript for front building and side street building setback, and adding subscript B4 as follows: See Attachment 3.

Issue 4. Provide for parking lot maintenance standards, banning "topping" of trees.

Section 9.17.030 of the Municipal Code, addresses Landscape and Irrigation Design Standards.

Revisions to Section 9.17.030 have been made in order to address the practice of topping of trees, which prevents the development of adequate tree canopy to provide the shading required by the Municipal Code. Parking lot shading reduces the "heat island effect" created by hot pavement and results in lower micro-climate temperatures that can provide greater comfort and lower energy use in adjacent structures. There are current commercial centers in Moreno Valley that practice and have practiced the topping of trees. The Municipal Code requires that parking areas provide 50 percent shading. The majority of the parking areas meet this code requirement by planting trees, the code defines the 50 percent tree shading requirement at maturity. The practice of topping prohibits trees from growing naturally or

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reaching maturity and fulfilling the code requirement. In association with the new Tree Preservation and Maintenance portion of the code we have added a Heritage Trees section to help preserve mature and historical trees in our City. Staff has researched other cities that have adopted similar tree preservation ordnances.

Staff recommends amending by changing subscript E, F, G, and H by adding, deleting, and, renumbering, subscript as follows: See Attachment 3.

Issue 5. Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Section 9.11.080 of the Municipal Code, addresses General Parking Design Standards.

Revisions to Section 9.11.080 have been made in order to make parking design safer and consistent with current traffic engineering standards. The standard improvements safety features of parking lot design have been revised and Table 9.11.080-13 has revised driveway and aisle dimensions.

Staff recommends amending by changing subscript C and Table 9.11.080-13 by adding and deleting subscript as follows: See Attachment 3.

ENVIRONMENTAL

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 as defined by Section 15378 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

NOTIFICATION

A 1/8 page public notice was published in the local newspaper.

STAFF RECOMMENDATION

APPROVE Resolution No. 2012-04 and thereby, **RECOMMEND** that the City Council:

1. **APPROVE** PA10-0030 (Municipal Code Amendment); and,

2. **RECOGNIZE** that PA10-0030 (Municipal Code Amendment) qualify as an exemption in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.

Prepared by:

Gabriel Diaz
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice.
2. Planning Commission Resolution No. 2012-04.
3. Suggested code amendments.
4. Setbacks of other cities.

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NOTICE
OF
PLANNING COMMISSION
PUBLIC HEARING

THE PLANNING COMMISSION WILL CONSIDER A MUNICIPAL CODE AMENDMENT (PA10-0030) COVERING REGULATIONS REGARDING: (1) WRCOG GOOD NEIGHBOR GUIDELINES. (2) PARKING STANDARDS FOR RESTAURANTS IN SHOPPING CENTERS. (3) COMMUNITY COMMERCIAL LAND USE ZONE (CC) FRONT AND STREET SIDE BUILDING SETBACKS, AND PARKING AND LANDSCAPE SETBACKS. (4) PARKING LOT MAINTENANCE STANDARD TO BAN "TOPPING" OF TREES; AND (5) GENERAL PARKING DESIGN STANDARDS FOR SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES.

The proposed Municipal Code Amendment (PA10-0030) modifies various provisions listed above. The modifications update, eliminate conflicts and/or clarify the meaning of the above mentioned sections.

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

The Planning Commission may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Gabriel Diaz, Associate Planner at (951) 413-3206 or at the Community & Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the following meeting date:

Thursday, March 8, 2012
7:00 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805

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PLANNING COMMISSION RESOLUTION NO. 2012-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF PA10-0030 (MUNICIPAL CODE AMENDMENT) TO THE CITY COUNCIL, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) ADOPTING WRCOG GOOD NEIGHBOR GUIDELINES. (2) PARKING STANDARDS FOR RESTAURANTS: (3) REDUCTION OF (CC) COMMUNITY COMMERCIAL FRONT AND STREET SIDE BUILDING SETBACKS, AND REVISIONS TO PARKING AND LANDSCAPE SETBACKS: (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS, BANNING "TOPPING" OF TREES: AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD WITH REVISED SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES.

Section 1:

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA10-0030 (Municipal Code Amendment), as described in the title of this Resolution.

WHEREAS, on March 8, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

   FACT: All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The amendments modify various provisions of the Municipal Code regarding: (1) Adopting WRCOG Good Neighbor Guidelines with amendments to address air quality: (2) Reducing the minimum restaurant parking space requirement within shopping centers greater than 25,000 square feet of building area where restaurant space is less than 15% of the shopping center square footage: (3) Recommending that the (CC) Community Commercial front and street side building setbacks be reduced, while maintaining a greater setback for parking than for

buildings and eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback: (4) Providing for a parking lot maintenance standard including the banning of "topping" of trees: and (5) Amending the General Parking Design Standard with revised safety features and 24 foot maximum wide drive aisles. The modifications are aimed at reducing the environmental impact of new and existing development by increased attention on post-construction operational issues, increased efficiency in site development and decreased energy usage.

2. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

   FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment. Amendments like the Good Neighbor Guidelines and amendments that make development more efficient only improve the Health, Safety and Welfare.

3. **Conformance with Zoning Regulations** – The proposed amendment is consistent with the purpose and intent of Title 9.

   FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2012-04, recommending that the City Council approve PA10-0030 (Municipal Code Amendment), thereby amending the Municipal Code as described in the title of this resolution.

APPROVED this 8th day of March, 2012.

_____
Ray L. Baker
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

Issue 1. Adopting WRCOG Good Neighbor Guidelines.

Staff recommends amending Chapter 9.05 by adding Section 9.05.050 as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

Sections:
9.05.010 Purpose and intent.
9.05.020 Industrial districts.
9.05.030 Permitted uses for industrial districts.
9.05.040 Industrial site development standards.
9.05.050 Good Neighbor Guidelines

9.05.050 Good Neighbor Guidelines for Warehouse Distribution Facilities.

In September, 2005, the Western Riverside Council of Governments (WRCOG) and the Regional Air Quality Task Force (RAQTF) approved the *Good Neighbor Guidelines For Siting New and/or Modified Warehouse/Distribution Facilities*. The Good Neighbor Guidelines used in this section are a modified version of the WRCOG's RAQTF Guidelines. The modified version includes goals and strategies that fit the specific needs of the City of Moreno Valley.

These "Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities," (referred to as "Good Neighbor Guidelines") assist planning departments, developers, property owners, elected officials, community organizations, and the general public as a tool to potentially help address some of the complicated choices associated with permitting warehouse/distribution facilities and understanding the options available when addressing environmental issues. These Good Neighbor Guidelines are designed to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the City of Moreno Valley. Sensitive receptors include residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time.

For the purpose of these Guidelines, warehouse/distribution center means a building used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities that is greater than 650,000 square feet. This shall be cumulative to include multiple warehouse buildings deemed as part of a project or a phased project exceeding a combined total building area of 650,000 square feet. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include "big box" discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public.

A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center by using the following strategies:

1. To the extent possible, locate driveways, loading docks and internal circulation routes away from residential uses or any other sensitive receptors.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.2 – "Parking Prohibitions or Restrictions" is unlawful to park or leave

standing any commercial vehicle weighing 10,000 pounds or more on any vacant lot or unimproved nonresidential property in the City.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.5 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds within any commercially zoned property for the purpose other than doing business at the site, and or remaining parked or standing for longer than reasonably appropriate to do such business acts related to such business operations.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.8 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street or road which is adjacent to a parcel upon which there exists a public facility.

5. Enforce compliance with Moreno Valley Municipal Code Section 9.10.150 – "Odors" no operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.

B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.36.030 – "Designation of Truck Routes" the city traffic engineer shall erect appropriate signs designating the affected street or portion thereof.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.1 – "Parking Prohibitions or Restrictions" is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street, road, alley or private property within any residential district within the city.

3. Required warehouse/distribution centers to establish a specific truck route and post signage between the warehouse/distribution center and the freeway and/or primary access arterial that achieves the objective.

4. Require warehouse/distribution centers to provide signage or flyers identifying where food, lodging and entertainment can be found, when it is not available on site.

C. Eliminate trucks from using residential areas and repairing vehicles on the streets by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.A.4. – "Parking Prohibitions or Restrictions" It is unlawful to park or leave standing any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.

2. Allow warehouse/distribution facilities to establish an area within the facility for repairs.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.C – "Parking Prohibitions or Restrictions" while adjacent to a developed residential area, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.A.1 – "Idling Limitation" a driver of a vehicle must turn off the engine upon stopping at a destination.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.C – "Idling Limitation" an equipment operator of a TRU (Transportation Refrigeration Unit) must not cause or allow a TRU to operate while stationary unless the vehicle is lawfully parked at a location approved for truck parking by this code and not within five hundred (500) feet of a school unless the operator is actively engaged in the process of loading or unloading cargo or is waiting in a queue to load or unload cargo for a period not to exceed two hours.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.50.060.D – "Relationship to other laws" nothing in this chapter allows idling in excess of other applicable laws, including, but not limited to any other local, state or federal law or regulation as stringent as, or more stringent than this chapter.

5. Future tenant improvements involving conversion of a warehouse for refrigeration storage shall include electrical hookups for refrigeration units.

6. Promote the installation of on-site electric hook-ups to eliminate the idling of main and auxiliary engines during loading and unloading of cargo and when trucks are not in use.

Issue 2. Parking Standards for Restaurants.

Staff recommends amending Table 9.11.040B-12 of Section 9.11.040 by changing the subscript for restaurant parking and adding subscript for as follows:

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater.	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage. 1/100 sq. ft. of gross floor area over the 15%.	Example a 25,000s.f. Shopping Center. 15% of Shopping Center = 3,750s.f. is calculated at 1/225. 3,750/225 = 17. Any restaurant space over 3,750s.f. is calculated at 1/100. 2000/100 =20

Issue 3. Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks.

Staff recommends amending Table 9.04.040-7 of Section 9.04.040 by changing the subscript for front building and side street building setback, and adding subscript B4 as follows:

9.04.040 Commercial site development standards.

A. General Requirements. The following table sets forth minimum site development standards for all commercial and office zones. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.04.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.04.040-7

Commercial Site Development Minimum Standards

	Requirement	O	OC	VC	NC	CC
1	Minimum site area	10K[1]	10K	10K	10K	1ac[2]
2	Minimum site width, in feet	100	100	100	100	200
3	Minimum site depth, in feet	100	100	100	100	175
4	Front building setback, in feet[3]	20*	20*	20*	20*	~~20~~ 10*
5	Side street building setback area, street sides, in feet[3]	20*	20*	20*	20*	~~20~~ 10*
6	Lot coverage, maximum	60%	60%	—	—	—
7	Building height, in feet, maximum	See Special Requirements				
8	Parking front street setback, in feet[3]	20	20	20	20	20

	Requirement	O	OC	VC	NC	CC
9	Parking side street setback, in feet[3]	15	15	15	15	15
10 ~~8~~	Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas

[1] The term "K" means one thousand (1,000).

[2] The term "ac" means acre or acres.

[3] Measured from property line after dedications for public rights-of-way.

* Building areas above 30 feet shall be setback an additional 5 feet for every 10 feet of additional structure height unless otherwise approved by the Planning Commission.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any of such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated commercial center containing shared parking and access, in which case no minimums are established. Parcels created within integrated commercial centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and if appropriate easements for reciprocal access parking and maintenance are provided.

B. Special Requirements.

1. Wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the building height, but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles in commercial districts are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all commercial districts, required front building setback areas shall be landscaped. Such landscaping shall consist predominantly of plant materials except for necessary walks and drives.

~~4. The street side building setback area in any commercial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. When off-street parking is located within building setback areas, a minimum landscaped area of ten (10) feet in depth shall be provided between the property line and the parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.~~

~~5~~ 4. Required rear and interior side building setback areas in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

~~6~~ 5. In the office commercial district, all nonoffice uses permitted shall be supportive of office-based development. (See Table 9.02.020-1)

~~7~~ 6. In the office commercial district, all commercial and retail activities, other than offices, shall be limited to no more than twenty-five (25) percent of the square footage of any building. In the case of a mixed use development, no more than twenty-five (25) percent of the total square footage of all buildings shall be devoted to commercial/retail uses, with the remaining seventy-five (75) percent to be utilized for office.

~~8~~ 7. Parking for each use shall comply with the requirements of Chapter 9.11.

~~9~~ 8. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line. (Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992).

Issue 4. Provide for parking lot maintenance standards, banning "topping" of trees.

Staff recommends amending by changing subscript E, F, G, and H by adding, deleting, and, renumbering, subscript as follows:

9.17.030 Landscape and irrigation design standards.

A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside's Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically

pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Eastern Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

Projects shall be designed to capture and retain storm water onsite to improve water use efficiency and water quality. The use of reclaimed water is encouraged. Contact Eastern Municipal Water District for availability.

B. Plan Design Standards. The following design standards are required on all landscape plan submittals:

1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.

2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) SF of landscaped area, except custom homes or projects designed in-house by the public works department or parks and community services department, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All non-residential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.

3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the city. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.

4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the city.

5. Landscape shall include drought-tolerant plants and water conservation principles.

6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).

7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.

8. Trash enclosures are screened with at least three feet of landscaping on three sides.

9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.

10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the city.

11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org). No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.

12. Water budgets that meet Eastern Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Eastern Municipal Water District.

13. Water budgets are subject to approval by Eastern Municipal Water District. The city of Moreno Valley will cooperate with Eastern Municipal Water District in monitoring to the extent practicable.

14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations and Eastern Municipal Water District. Landscape plans submitted shall meet this standard.

15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.

2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.

3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.

4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.

5. High quality artificial turf is allowed as an element of a project landscape.

6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.

3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.

4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the city.

5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.

6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.

7. The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.

E. Trees.

1. Trees shall be planted in a manner, which maximizes the shading of paved areas, outdoor seating, and both south- and west-facing windows.

2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.

3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.

4. All landscape plans shall indicate mature tree canopy diameters.

~~5. All mature tree canopies in parking lots shall be pruned and maintained to maximize shade potential and ensure healthy, maximum growth. Topping of trees shall be avoided.~~

~~6~~ 5. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.

~~7~~ 6. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.

~~8~~ 7. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.

~~9~~ 8. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.

~~10~~ 9. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.

F. Tree Preservation and Maintenance.

1. Trees are required to be pruned, fertilized, and irrigated as needed to maintain an appropriate healthy condition, maximize shading, and maintain an aesthetically pleasing appearance.

2. Topping of trees is prohibited. Topping of trees means cutting back of the crown creating large stubs and preventing trees from growing to maximum maturity resulting in a loss of shading.

3. Pest diseased trees and dead trees shall be replaced with the same species and in the appropriate size. The appropriate size shall be a minimum twenty-four (24) inch box tree.

4. Guidelines are subject to modifications as determined by an arborist, or landscape architect, and approved by the Community & Economic Development Director.

G. Heritage Trees.

1. Heritage trees are defined as meeting one of the following:

a. Any tree that defines the historical and cultural character of the City including older Palm and Olive trees, and or any tree designated as such by official action.

b. Trees with a fifteen (15) inch diameter measured twenty-four (24) inches above ground level.

c. Trees that have reached a height of fifteen (15) feet or greater.

2. No person shall remove, destroy, top, or disfigure a Heritage tree within the City Limits.

3. Removal of a Heritage tree is permitted if the tree poses a dangerous or hazardous condition to people, structures, property, or another Heritage tree.

4. Removal of a Heritage tree is permitted if tree is diseased, drying, or dead, and if a reasonable undertaking to preserve the tree had occurred.

5. Removal of a Heritage tree in the public or future right of way is permitted with the approval of the Community and Economic Development Director and if a reasonable undertaking to preserve the tree had occurred.

6. Removal of a Heritage tree designated historic and or culturally significant by official action shall require the review of the Ecological Historical Preservation Board.

7. Trees grown by nurseries and tree farms for sale purposes are exempt from being a Heritage tree.

~~F~~ H. Irrigation.

1. All planted landscape areas shall be provided with an approved "smart" automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and soil moisture sensing devices. Watering during the rain shall be avoided.

2. Drip and bubbler-type and MP rotator sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type).

3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.

4. Reduced pressure backflow preventers are required on all irrigation systems.

5. No fixed risers are permitted, unless otherwise approved by the community development director.

6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.

7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.

8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9. Eastern Municipal Water District will calculate the annual maximum allowable water budget (AMAWB) for customers requesting a new account. The proposed landscape must meet the AMAWB requirements prior to meter release. (Ord. 786 § 2, 2009)

Issue 5. Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Staff recommends amending by changing subscript C and Table 9.11.080-13 by adding and deleting subscript as follows:

9.11.080 Design standards.

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul-de-sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the city of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

25. Parking lot design shall include openings in curbs to convey water run off into landscape areas for water quality, retention and absorption. Pervious surfaces are recommended where feasible and required for parking areas provided in excess of city requirements.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be nine feet in width and sixteen (16) feet in depth of paved area and two feet of landscaped depth in excess of the adjacent landscape requirement. Spaces may be eighteen (18) feet of paved depth with no additional landscape depth subject to approval by the planning official. (The two feet of additional landscape may not be included in the required landscape setback.) (See Figure 9.11.080-5.)

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

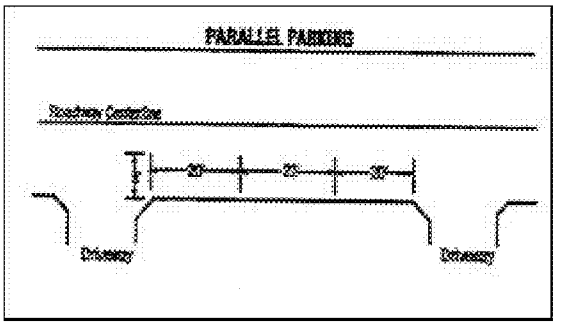

Figure 9.11.080-4

Dimensions of Parallel Parking Spaces

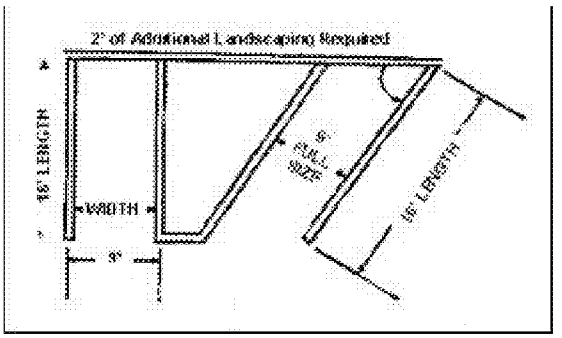

Figure 9.11.080-5

Nonparallel Parking Spaces

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. Parking lots shall be designed to drain into landscape planters using openings in curbs and site grading. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of ~~one hundred fifty (150)~~ <u>six hundred (600)</u> feet.

h. Deceleration <u>right turn</u> lanes should be a minimum of two hundred ~~ten (210)~~ <u>thirty five (235)</u> feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (60) foot transition and one hundred ~~fifty (150)~~ <u>twenty five (125)</u> foot turn lane. <u>As approved by the City Traffic Engineer.</u>

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (three-inch line – six-inch space – three-inch line for a total of twelve (12) inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the city of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

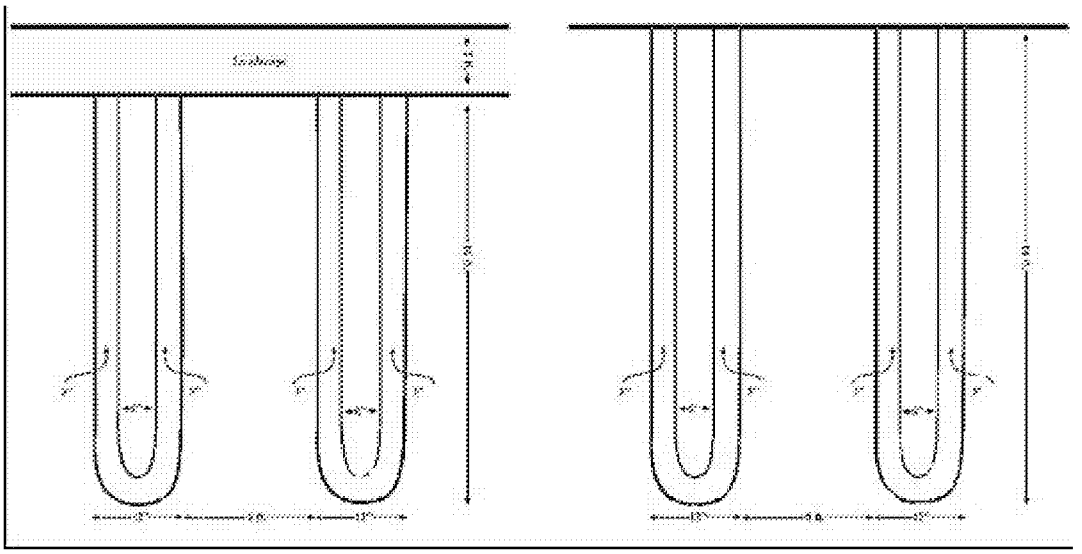

Figure 9.11.080-6A Figure 9.11.080-6B

Parking Space Striping Requirements

* Ends of parking stall striping shall be curved or squared off.

D. Accessible Parking Design Standards. The following design standards for accessible parking are intended to be consistent with the state or federal requirements. Any conflicting provisions or future changes in state or federal requirements shall pre-empt the standards for provision of accessible parking spaces contained in this title:

1. All accessible parking spaces shall be striped and marked according to applicable state regulations.

2. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign, of a construction and material approved by the building official, displaying the international symbol of accessibility. The sign shall have a minimum size of seventy (70) square inches, and shall be centered at

the interior end of the parking space at a maximum height of eighty (80) inches from the bottom of the sign to the finished grade of the parking space.

3. At each entrance to a parking facility containing one or more parking spaces for the handicapped, a sign with a minimum size of seventeen (17) inches by twenty-two (22) inches shall be posted, stating clearly and conspicuously in letters with a minimum height of one inch the following:

Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____.

4. Parking spaces reserved for persons with disabilities shall have, in addition to the requirements of subsections (D)(1), (2) and (3) of this section, a surface identification in blue paint of at least three square feet in size, duplicating the international symbol of accessibility.

5. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

6. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Said space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

7. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

8. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this

paragraph would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

9. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083 percent gradient) in any direction.

10. Notwithstanding the off-street parking requirements of Subsection 9.11.040(A) of this chapter, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

11. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone as described herein.

12. All disabled spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve and oriented so that the user of the disabled parking space need not go past the rear of automotive parking spaces in order to reach the building's main entrance.

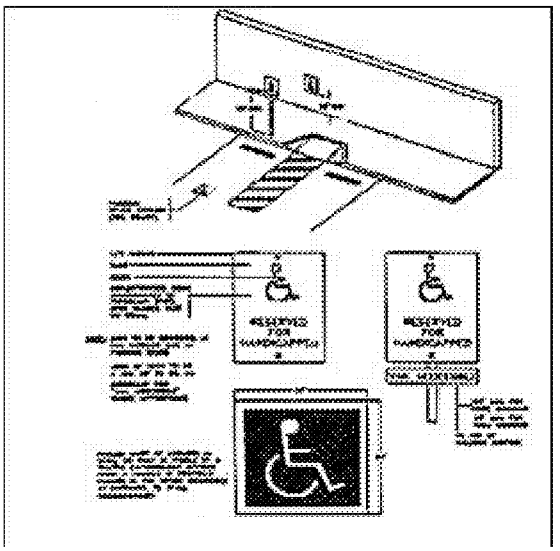

Figure 9.11.080-7

Accessible Parking Stall Requirement

* Ramps shall include a curb-cut type design

* Loading area width: van accessible = 8 feet; all other accessible spaces = 5 feet

E. Surfacing.

1. All permanent automobile and disabled parking spaces, loading and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or other all-weather surfacing, as approved by the city engineer. Every effort should be made to use pervious surfaces to reduce water run off. All parking areas in excess of the requirements of the Municipal Code shall use pervious pavement and/or increased landscape water retention and absorption areas.

2. Temporary parking facilities shall be provided with surfaces which prevent dust, as approved by the city engineer.

F. Location of Parking.

1. All parking spaces required by this chapter shall be provided on the same site as the use requiring the parking spaces, except as authorized in Section 9.11.070, Adjustments to off-street parking requirements of this chapter.

2. All automobile spaces required for residential uses shall be located a maximum of two hundred fifty (250) feet from the units they are serving. Distances shall be measured from the nearest point of the building to the parking space(s) serving that building.

3. All car pool parking spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve.

G. Landscape and Screening Requirements. Parking lot screening and landscaping shall conform to the requirements of Chapter 9.17 of this title.

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13
Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
~~Minimum~~ Required (one-way)*	20 feet
~~Minimum~~ Required (two-way)*	24 feet
~~Maximum~~	~~36 feet~~
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1] On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.
[2] Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.
[3] Minimum acute angle measured from the edge of pavement.
* Wider driveway aisles may be approved with the approval of the Community and Economic Development Director.

3. The following criteria and dimensions may be modified by the city engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/Modified Major	Limited access* **	Limited access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector/66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic.
** Access may be restricted by medians.
*** For residential development.

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.3, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 643 § 2.6, 2003; Ord. 616 § 2.2.22, 2003; Ord. 604 §§ 2.15—2.18, 2002; Ord. 557 § 2.6, 2000: Ord. 475 § 1.4 (part), 1995; Ord. 406 § 1.4, 1993; Ord. 405 §§ 1.14, 1.15, 1993; Ord. 402 §§ 1.3, 1.4, 1993; Ord. 359 (part), 1992)

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Commercial Setbacks

#	City	CC Front Setback	CC Side-Front Setback	NC Front Setback	NC Side Street Setback	Notes
1	Moreno Valley	20 ft.	20 ft.	20 ft.	20 ft.	
2	Perris	10 ft.	10 ft.	10 ft.	10 ft.	On Arterial Streets. Structures greater than 25 feet in height shall be setback an additional 5 feet for each 10 feet of additional structure height.
3	Temecula	20 ft.	20 ft.	25 ft.	25 ft.	On Arterial Streets
4	Redlands	0 ft.	10 ft.	40 ft.	40 ft.	CC=C-3
5	Riverside	0 ft.	0 ft.	0 ft.	0 ft.	Front and side yard setback shall be increased by 2 1/2 feet per story over the second story.
6	Ontario	15 ft.	15 ft.	20 ft.	0 ft.	CC=C2
7	San Bernardino	10 ft.	10 ft.	15 ft.	10 ft.	CC=CG-1

* Other Jurisditions use other names for commercial zones
CC Community Commercial
NC Neighborhood Commercial
C-3 General Commercial
C2 Central Business
CG-1 Commercial General

ATTACHMENT 4

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MV00168117

Opposed – 0

Motion carries 6 – 0, with one absent (Vice Chair Salas)

CHAIR BAKER – Thank you very much and good luck to you. I am looking forward to it and then Staff wrap up on this project John. Thank you

PLANNING OFFICIAL TERELL – Yes this action shall become final unless appealed to the City Council within 15 days.

CHAIR BAKER – Thank you. Okay moving onto to Item No. 2

2. Case Number: PA10-0030 Municipal Code Amendment

Case Planner: Gabriel Diaz

CHAIR BAKER – This is an amendment to the various code regulations to encourage site plan and energy efficiency. Our Case Planner on this is Gabriel Diaz.

PLANNING OFFICIAL TERELL – Yeah, by way of introduction this is a project… Gabriel has been working on a grant which includes many different items. One of them is looking at our code and identifying areas where we can increase the efficiency of the development really to enhance energy, which is the original reason for the grant. There is a bunch of other things, but that's the reason that this being brought forward. It has a series of environmentally related; energy related issues that are here for your consideration.

CHAIR BAKER – Thank you

ASSOCIATE PLANNER DIAZ – Thank you Chairman and Commissioners. My name is Gabriel Diaz, Associate Planner here for the City. The Municipal Code Amendment Case No. PA10-0030 is the case number and the Applicant is the City of Moreno Valley. The proposed amendment would modify various

ATTACHMENT 6

provisions of the Municipal Code. If adopted, it would create or change the regulations concerning. We have five issues and some of them are kind of lengthy and some detail in there. The first one would be the Adoption of WRCOG Neighborhood Guidelines. We have four of them. The addition of Section 9.05.0502, Chapter 9.05 has been suggested to minimize the impact of diesel particulate matter from trucks associated from warehouse and distribution centers on sensitive receptor areas. The good neighbor guidelines are used in this Code Amendment is a modified version of the WRCOG Model Guidelines. The Guidelines would apply to warehouses of 650,000 square feet or more. The State threshold of projects of regional significance that require enhanced environmental scrutiny. Staff has adjusted the adopting the four standards from the WRCOG Guidelines. The first one would be minimize exposure to diesel emissions to neighbors that are situated in a close proximity to the warehouse distribution center. The second one is eliminate diesel trucks from unnecessary transversing through residential neighborhoods. The third one is eliminate trucks from using residential areas and repairing vehicles on the streets and the fourth one is reduce and/or eliminate diesel idling within the warehouse distribution center. These are all current Municipal Codes that help with the implementation of these WRCOG standards.

PLANNING OFFICIAL TERELL – Yeah, maybe what we'll do is we'll stop after each one of these items to see if you have any questions. It is not time for deliberation, but if you have any questions… all the items that Gabriel mentioned are already covered in our Code. What we wanted to do is bring them all together in one place so it was very clear to industrial firms and I think it is really clear already, but make it clear to the world as well as the development community, this City's commitment to those protections; primarily residential neighborhoods from the impacts of diesel emissions from trucks, so it is not a new standard it is really a refashioning. So are there any questions on this particular item.

COMMISSIONER OWINGS – Mr. Chairman if you would. John I was just wondering to reiterate that we are not imposing any more stringent standard that what already exists.

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS – The purpose of this is just to put it all into one area as opposed to…

PLANNING OFFICIAL TERELL – It is to make it clear to the development community as well as the general community that the City is committed to protecting folks from diesel emissions, so it is really what I would call… this is not really… it is not public relations; it is really just bringing you altogether so it is really clear so you don't have one item in this section and one item in that section and it just doesn't; it doesn't come together very well. WRCOG had asked all the

cities to look at these guidelines and encouraged us to adopt them. Several other cities have done so in a similar fashion and they kind of brought together their existing regulations and say hey we're in compliance.

COMMISSIONER OWINGS – That's where I am kind of confused when you say they have asked us to adopt these guidelines and the guidelines are what are the guidelines they wish us to adopt?

PLANNING OFFICIAL TERELL – They are those items right there. It is basically things that we already do, but it is not necessarily things that everybody does, so I think we are trying to provide a consistent way of dealing with this across Western Riverside County.

COMMISSIONER VAN NATTA – Okay and the purpose of putting them in all one place is so that when we start to develop an area of town where we are going to have more warehouses and distribution centers that people can more clearly see that we already have the things in place to prevent us from becoming another Mira Loma.

PLANNING OFFICIAL TERELL – I think that's a fair statement; yes

COMMISSIONER VAN NATTA - Okay

COMMISSIONER GIBA – Could I ask a couple just at a point of education Gabriel? I like to learn while I go along and I'm the new guy in town so, for the WRCOG that they have; they have a regional significance at 650,000 square feet or more for the warehousing they set and established. How is that determined and why is not less. I mean warehouses of less size might still be used, so why is that the regional significance standard set for minimum.

PLANNING OFFICIAL TERELL – There is a regional level of significance that is actually set as State law, so we wanted to use an existing standard that is widely accepted across the State rather than a new standard. The standard for office or retail or residential units is all different square footages, but for warehousing and industrial specifically it is 650,000 square feet, so we wanted to use that existing standard that rather than a new standard and really, you don't have significant truck traffic until you get into the…and it is only significant because the buildings are so big, until you get into those big buildings.

COMMISSIONER GIBA – I just wanted to understand why that was the cut-off number and in neighborhoods where there might be smaller ones. Do we have smaller warehouses in the area other than that that might have that same kind of traffic that could come into them? I know part of this has to do with restricting on neighborhood areas and…

PLANNING OFFICIAL TERELL – Yes we do. The restrictions on trucks will apply to smaller facilities as well but we wanted to identify the area of concern is really the larger warehouses where you get to a scale where there is a potential for… what we do when all industrial buildings over the 650,000 square feet is do a health risk assessment and that is really to identify where those high levels of contaminants exist and we don't allow them to occur in residential neighborhoods and even on those larger buildings we can readily do that. We've designed buildings to access from different streets and other things to really make sure that this standard is met, but those larger buildings is where we look at that because the smaller buildings don't rise to that level of significance. They don't provide; they don't create enough emissions to really kick over any standards, so focusing on those doesn't really get us very far. Other regulations the City has regarding truck routes and those sorts of things take care of the smaller warehouses.

COMMISSIONER GIBA – It is kind of what I thought. I just wanted to clarify that mainly for me; this one is for me. And I had just one other one. I went to the… is this the right place to be discussing this? On page 71, I was just curious, as I was reading the adoptions in here that you had and I understand you put them all together. It is a good idea. Actually I saw it and so you took all those and put them into one package so to speak so that we; you know somebody looking for a good neighbor standard; aha here it is; here are all the ones that cover it, but there was a line item here that just caught my eye and just wanted some clarity. Down toward the bottom just above the letter A; that paragraph it says, big box discounter warehouse stores that sell retail goods, merchandise or equipment or storage and mini storage facilities… how does Sketchers fit into that? They sell retail out of their facility, I mean so kind of by definition you almost want to include them.

PLANNING OFFICIAL TERELL – Well they are not a big box or warehouse store. That is Costco, Super Walmart; those are what we would consider big box.

COMMISSIONER GIBA – Okay, so that warehouse with the store attached is not considered a warehouse store; retail store?

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER GIBA – I'm just kind of curious

PLANNING OFFICIAL TERELL – We have others here in town and I believe Frazee Paint has a retail sales outlet also and that is just an accessory use; it is not the main use.

COMMISSIONER GIBA – Okay, that's all, thank you

CHAIR BAKER – Go ahead Gabriel

ASSOCIATE PLANNER DIAZ – Alright… issue 2; Parking Standards for Restaurants. Revisions to Section 9.11.040 have been made to better address the standard parking requirements for eating and drinking establishments within shopping centers of 20,000 square feet of building area or greater. The proposed standard would reduce the required parking for restaurant parking, for restaurant space equaling up to 15 percent of the shopping center building square footage, which has been shown to accommodate the adequate parking at the lower retail parking standard. Currently the parking standard for eating and drinking establishments is one for every 100 square feet of gross floor area up to 6,000 square feet and from there it is one for every 75 square feet of gross floor area. The proposed parking standard will make eating and drinking establishments within the shopping centers of 20,00 square feet of building area or greater be calculated at a general retail standard of one parking space for every 225 square feet of gross floor area for up to 15 percent of the building gross floor area for the shopping center. There is a lot of math with this new amendment. For eating and drinking establishments in excess of the 15 percent of the building gross floor area for the shopping center, the parking will be calculated at one parking space for every 100 square feet of gross floor area. Staff has researched a number of local jurisdictions and found that many have similar parking requirements for restaurants within shopping centers of 25,000 square feet of building area or greater. In addition, Staff has completed a number of parking studies to prove that the proposed parking standard will not result in a lack of available parking. Lakeside Plaza; the Stater Bros. Market Center located at the northwest corner of LaSalle and Iris and Lakeside Terrace; the CVS Center at the northeast corner of LaSalle and Iris were studied. Both centers had sufficient access parking at peak hours to allow for the proposed parking standard. The proposed parking changes will result in centers being more adequately parked and provide more efficient development.

PLANNING OFFICIAL TERELL – Yeah, to add onto that, what we do now if a restaurant wants to go into a shopping center and there hasn't been a restaurant there before, they have to do a parking study and I've been doing this for a while and we haven't come across one yet where they weren't able to demonstrate that there was sufficient parking even using the retail standard, because the bigger the projects, the only place where I think we might have a parking problem in a shopping center because of a lot of restaurants is in the Town Gate Center, where you have BJ's and Olive Garden and all those restaurants that are next to each other. That particular center doesn't have the citywide standard, it has its own standards and this is a long time ago where there is no limit on the number of restaurants you can have in a center and you still park at roughly the retail rate, so that is an anomaly, so part of it was to kind of get small in line restaurants that want to go into shopping centers out of this requirement to do a parking study just to justify there is enough parking in the center which is the only vehicle we have right now and no pun intended by the code to do that. This

particular standard Gabriel mentioned; we looked at other communities. It is almost the same standard as the City of Rancho Cucamonga and the City of Temecula and so it is more of an industry standard. We've tended to require in my opinion too much parking and too much parking means it is empty; you have to maintain it; it creates environmental impacts such as increased heat and glare and reduces the amount of building you can build on a particular site and so we wanted to bring all those things together and create a more efficient thing that makes projects more viable and makes it easier for tenants to get into buildings.

COMMISSIONER VAN NATTA – I just had a comment. BJ's and Outback and all of those; there is plenty of parking for them as long as you don't mind walking a half a mile from the other side of the parking lot. There are plenty of spaces there, you just hike a little.

PLANNING OFFICIAL TERELL – It is our own little wellness program I guess

COMMISSIONER VAN NATTA – Yeah

COMMISSIONER OWINGS – You can stop off at Carl Jr.'s on the way for a snack on your way to the Olive Garden.

CHAIR BAKER – Okay

ASSOCIATE PLANNER DIAZ – Okay, issue three is reduction of Community Commercial front and street side buildings setbacks and revisions to parking and landscape setbacks. Back in January 28th, 2010 the Planning Commission recommended that Staff defer the research on building and parking setbacks and that Staff provide a recommendation for the NC and CC zones. NC zone (Neighborhood Commercial) is typically a smaller scale commercial building center used for local neighborhoods and the CC zone (Community Commercial) is typically a community regional where retailers draw from throughout the community and from other communities to attend these centers. Revisions to Section 9.04.040 have been made in order to address the past concerns of the past Planning Commission. Planning Staff have done additional review of building and parking setbacks in other jurisdiction commercial center zones. Cities like Temecula, Perris, Riverside, Redlands, Ontario and San Bernardino were studied. Staff recommends that the Community Commercial front building setbacks be amended from 20 feet to 10 feet and that the side street building setbacks be amended from 20 feet to 10 feet and for the Neighborhood Commercial zone, Staff recommends that the setbacks not be changed and keep the existing 20 foot setbacks. In addition, through our research we found that a building height was brought up in other jurisdictions. This was not brought up at the previous Planning Commission meeting. Through our research we came across this in other cities and thought it made sense to include a setback based on height to help reduce the potential for having too much building massing at the setback line. In addition to the building setback, we changed the parking

setback. Based on Staff research, we recommended that the building play more of a prominent role in the development of the site layout, therefore we have revised the parking area to have the same minimum setback as the building setback or in the case of the Community Commercial zone, have the parking be setback further than the building. In keeping with the building playing more of a prominent role in the side layout, Staff has eliminated the 10 foot landscape option and replaced it with a 15 foot landscape depth requirement between the property line and the parking area on the parking side street setback and 20 feet on the parking front street setback. We did have a Commissioner ask a question about what the appearance of this may be and we have provided City Hall here which has a closer setback than the 20 feet requirement in the CC zone. I know this is not a Community Commercial zone, but it is just a building and you see the landscaping and the street and the sidewalk and we've also provide some sketches of what a 10 foot setback is and a 20 foot setback is and setbacks are measured from property line; between the property line and the right-of-way. I believe there is a sidewalk and curb which is 6 feet and in this case I believe it is 11 feet and back from the sidewalk is where the property line starts, so you know the 10 foot setback that we are proposing is not right at the street, you know there is an additional 11 feet there, so in reality from the street you have at least 20 feet.

PLANNING OFFICIAL TERELL – Yeah, again when this came up the last time, we presented this information and there wasn't a strong... the Planning Commission asked us to look into it and then we came back with the information and they said do a little more research and make a recommendation because the first time we just said we'll here are the different standards people have and as Gabriel said, most cities in Riverside County and I won't go out of Riverside County because when you get into LA, the setbacks are much less. We have a similar differential between their major commercial areas which have a smaller setback and their neighborhood center which have a bigger one, because let's think; Sunnymead Ranch there is Lakeshore Plaza up there. The 20 foot setback is actually the same as the 20 foot setback on a single family home and it may blend in and give it a more residential character to those centers, where if you are on Alessandro Boulevard, the buildings could be much closer and have a more urban feel to them without being incompatible and if you go into a lot other cities nearby, you'll see that where the buildings...the MacDonald's you brought up in Riverside is a great example. That is even closer to the street. That is much more urban than we are proposing here and this is the Community Commercial and the Neighborhood Commercial. We have another zone in the code; the Mixed Use zones and they actually do allow buildings to be even closer, but that is your Mixed Use really super urban for Riverside County zone, so when you'd be driving through town in these different zones, you'd notice that they were different and in the Community Commercial this would allow a more efficient use of the site and allow a little bit more building; allow a little more connection to the street, because of those areas you are more likely to have a bus line, which again is trying to get into not forcing people to ride the bus, but to

make it easier or more convenient or to ride a bike or something. It is really to create a more; a better connection between shopping centers and those major streets so that we have both more efficient use of land as well as a better connection to alternatives for transportation. So that's kind of how it got included in this Code Amendment; so we brought that forward with this specific recommendation for your consideration.

COMMISSIONER CROTHERS – I would much rather see a nice beautiful building or see landscaping in the Neighborhood Commercial, rather than seeing a parking lot, so I think this is a good idea. I have always kind of cringed every time you drive by and just see this big giant parking lot and then the building is set in the back and you know there is not much to it, just a big empty or full parking lot either way. You know I'd rather see the nice building or the landscaping so I think this is a good idea.

COMMISSIONER VAN NATTA – Whenever we see something like this, I kind of try to figure out okay how does it apply to what I see going on in the City or is going to go on, so would this apply to something like say for example on Ironwood Boulevard, where it is being widened and people's setbacks are being taken away and cut down, then along Ironwood, would that then apply to where new construction that goes up in that area; may be schools or businesses that are going along Ironwood would have then the smaller setback and fit in with what is being done there to the street?

PLANNING OFFICIAL TERELL – Probably not… Ironwood is a residential street, so most of that along there is actually the Neighborhood Commercial. You've got a few very small shopping centers along that, so probably a 20 foot setback would still apply there. Where it would be is the project you just looked at MacDonald's. MacDonald's is going to be set back further any of the other buildings in that shopping center because the current standard is actually more stringent than the standard that was in place when the shopping center was built. So that is Sunnymead Boulevard, Alessandro, Perris and Frederick; you know those are the streets that were most of the Community Commercial zoning is. The smaller streets like LaSalle or Ironwood are primarily residential streets and they would have the Neighborhood Commercial unless we changed the zone. We can always change the zone, but currently that is most of the Neighborhood Commercial is, is on those mostly residential streets and the Community Commercial is on those mostly commercial streets.

CHAIR BAKER – Yeah, is there anyone else?

COMMISSIONER GIBA – Attachment 4 has to do with this. Am I correct, that is your research?

ASSOCIATE PLANNER DIAZ – Yes

COMMISSIONER GIBA – I was just looking it. They are all over the map and you can explain the all over the map to me. It looks like it depends on the feelings or emotions of what that particular city is doing at that point, but the one that caught my eye is Riverside. Is that a mistake or is that in fact that everything is a zero setback in Riverside or did you not get the data?

PLANNING OFFICIAL TERELL – No, that is correct. They do have a zero setback but then they have no…

COMMISSIONER GIBA - … height requirement…

PLANNING OFFICIAL TERELL – They have a zero but they have notes that push things back based on the height.

COMMISSIONER GIBA – So what we are doing is just what is basically good for Moreno Valley even though we are looking at everybody else because you know some are 15; some are 20; some are 10; some are zero and so we're going to a different setback because it is our City and we think that is what is best for us.

PLANNING OFFICIAL TERELL – Correct and really we're recommending having a differential between Neighborhood and Community Commercial.

COMMISSIONER GIBA – It is ours… I got it

ASSOCIATE PLANNER DIAZ – It does match up with other cities like the City of Perris and some cities like the City of Rancho has very many different types of Community Commercial something or other, so it is pretty hard to compare the two, but the ones that we have are the ones that are in the table here, are the ones that are the closest to our City and are similar.

COMMISSIONER GIBA – And I see that and I agree. There is nothing wrong with changing that. Thank you Gabriel

ASSOCIATE PLANNER DIAZ – Issue four is and I've got one more after that…provide parking lot maintenance standards banning topping of trees; revisions to Section 9.17.030 have been made in order to the address the practice topping of trees, which prevents the development of adequate tree canopy to provide the shading requirements by the Municipal Code. Parking lot shading reduces the heat island effect created by hot pavement and results in lower microclimate temperatures that can provide greater comfort and lower energy use in adjacent structures. There are current commercial centers in Moreno Valley that practice and have practiced the topping of trees. The Municipal Code requires that parking areas provide 50 percent shading. The majority of the parking areas meet this Code requirement by planting trees. The Code defines 50 percent tree shading requirement at maturity. The practice of topping prohibits trees from growing naturally or reaching maturity and fulfilling

the Code requirement. In association with the new trees preservation and maintenance portion of the Code, we have added a heritage tree section to help preserve mature and historical trees in our City, Staff has researched other cities and have adopted similar tree preservation ordinances.

PLANNING OFFICIAL TERELL – Yeah and there are a couple of items here. One of the topping of trees and there are certain trees where it is appropriate. I'm trying to think of the kind and you pollard and you have to trim them back every year. The Mulberry is an example. We don't have any Mulberry Trees in parking lots though, but that is an example of a tree where you need to clip it back every year for it to grow back, because it grows a full canopy within a season once it gets mature. This is to look at trees such as California Sycamore's, which we have in several parking lots. That is not a tree you are supposed to pollard every year because all you do is get stumps that little growees coming out of them and it doesn't recover in a season and Commissioner Riechers who was on the Commission for many years had asked us to look at this and so we did. The other source of looking at this was our Environmental and Historical Preservation Board which has been concerned about the removal of older trees and not that they can't be removed, but that there are environmental benefits in keeping mature trees and providing a policy statement that that is what we want to occur; won't always occur; but what we want to occur for a variety of benefits based on water quality and air quality and some other things. So again this is presented for your consideration and to get your input.

CHAIR BAKER – Are there any questions?

COMMISSIONER GIBA - I always have questions. Thank you. I saw what you did here, is you actually added a whole section that you called Tree Preservation and Maintenance and the Heritage Tree Section. Originally all you had what was called Trees.

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER GIBA – I see that. You might want to appropriately title that section now Tree Planting because that whole section talks about planting the trees, so if you are going to specify it make it where you can at least say what it is. What I wanted to say is that I don't want you to shoot yourself in the foot on this one. It is interesting because Commissioner Riechers and I are neighbors and friends and I did sit on the Ecological Preservation Committee for a while with his wife and so this is kind of one of these things that always pops up with all of us all the time. Sometimes it is appropriate to top trees for safety issues if nothing else and in some cases by topping trees appropriately or properly you can increase the tree canopy and since a lot of this has to do with shading in parking lots, it might be wise not to use the language and I think your language in here was to say, topping trees is prohibited. You might want to look at the

language on that and say something to the extent of chopping trees will be evaluated based on the need at the time or whatever so you don't shoot yourself on the foot on that one. I am an advocate. If anybody took an aerial picture of my house, you can't see my house because of the trees and I have trees and most of my trees are not topped, but there a couple that are because the wood is softer; it breaks easier; some of them get bug infested more and keeping the lower profiles can be a safety issue, so I was just going to recommend you didn't shoot yourself in the foot on it. Change the language on it and make it a little more permissive and not so much definitive because and I forget where it was, but I think it said it is prohibitive. Am I correct?

PLANNING OFFICIAL TERELL – Yeah, F2 says topping of trees is prohibited and then it gives a definition of topping which was intended but it may not have been clear enough you know that largely preventing the tree from growing to maximum,but I see your point where we could have some language that says generally prohibited except where the species of tree would benefit from...

COMMISSIONER GIBA – We'll talk to George… something like that and then I was just kind of curious on page 81 over here that says trees that have reached a height of 15 feet or greater for your heritage trees. Are there trees that are less than 15 feet that are heritage trees? I mean you've got a limit of 15 feet. I mean are there any trees around that are less than 15 feet that you could consider a heritage tree that you are leaving out of this or is there a reason really to have a height requirement for heritage trees.

PLANNING OFFICIAL TERELL – I think it was just to put some boundaries around it so that you know an Oleander Bush wasn't considered a heritage tree. I'll defer to Gabriel. I think he found this standard in another pretty well respected code and we kind of relied on that. You know they've already tested this for many years.

ASSOCIATE PLANNER DIAZ – I believe in response to this question it was the City of Rancho Cucamonga which had… I think their code was more stringent. We've kind of made the diameter and maybe the height a little higher, but there is always a possibility to add it. If you take it through the process of the Historical Preservation Board to possibility make any tree for whatever reason a heritage tree.

COMMISSIONER GIBA – Don't shoot yourself in the foot that's all and make it a little broader. Just because other cities have theirs doesn't mean that we can't look at it for our City. I was just a suggestion.

PLANNING OFFICIAL TERELL – Yeah, I can't conceive of a tree that would be less than 15 feet that would be a heritage tree. I mean a Crate Myrtle is probably the classic one in most communities because it was a popular tree a hundred years ago and they are over 15 feet pretty quickly. They don't get much

over 15 feet till they get really old, but it is just a standard so we can change it, but I think there is a condition that allows others to be included. You know if we went out and found this famous tree and wanted to designate it, the Board could do that.

COMMISSIONER VAN NATTA – Well it just says on there that that's one of the criteria is that size, so it wouldn't be the exclusive one or if something is under 15 it wouldn't be considered a heritage tree under any circumstances or whatever, it says that meeting one of the following, and that is one of three things that are on there. I think under the topping of trees, because topping as he was mentioning is sometimes a very healthy thing to do a tree, you might have instead of saying, topping of trees is prohibited except… give a definition to a descriptive word to topping like excessive topping or something there that then your definition would make sense because topping is a very common thing that is done.

COMMISSIONER OWINGS – You know I defer to Jeff because he is a teacher I suspect, but I think that is what this says. It says that if the topping is done for the sole purpose of not allowing the tree to reach its maximum maturity that would be prohibited. If it is done for the health of the tree or it is done for some other reason, it is totally allowable. It is only when you are doing it just to keep it from reaching its maturity, so I think the wording is clearly what you intended it to be.

ASSOCIATE PLANNER DIAZ – Yeah, I think back to Mr. Giba; prohibited is a strong word, but it is something that happens throughout the City that when you go… these are all guidelines, but when you get to number 4 which is Section F, Tree Preservation Maintenance, there is only four under them and it is pretty short, so you read all four and it kind of all makes sense. If you stop at prohibited, it is pretty tough, but when it goes to number 4, it says the guidelines are subject to modification as determined by an arborist or a landscape architect and approved by the Community and Economic Development, so there is leeway to do the correct thing. We want the tree to grow the way it is supposed to and yes there are different ways of taking care of landscaping and topping maybe one of them, but we want to prevent the topping that destroys the tree.

PLANNING OFFICIAL TERELL – Yeah, I think we have differentiated topping from pruning or other things that you do to trees.

COMMISSIONER VAN NATTA – Can you just use the word destructive topping?

PLANNING OFFICIAL TERELL – Hum… unnecessary, no, but destructive or counterproductive; yeah… destructive is probably the best one

COMMISSIONER VAN NATTA – Put a word in there that differentiates it from just normal topping.

COMMISSIONER OWINGS – You know my concern is I think and not to belabor all these points, either we are for preservation of trees or we're not and if we are, it has to be somewhat strong in the language otherwise everything will become an exception, so you know I don't have any difficulty with the wording as it is because it does allow an arborist to make that determination. So I think the real point here; the real question that we should be asking ourselves is you know do we really want to protect heritage trees or not and if you allow these wiggle room words that is what is going to happen. It is going to make it harder for Code Enforcement to do their job. That's my personal opinion of that and so I would suggest that we leave language. I think the wiggle room here is that if an expert in trees says this tree needs to be topped, then fine.

COMMISSIONER CROTHERS – I agree and I was having the same thoughts you know. When it says prohibited it is not the end all of these requirements you know to top it. It does provide for an arborist or a landscape artist to come out and say yes this tree does need to be topped for the tree's own good and not just because we like the way it looks or because that's what we want to do today you know for the trees.

COMMISSIONER OWINGS – Yeah and to answer Meli's concern and Jeff's concern is the modifier should probably if there were going to be a modifier, the modifier should probably be down in the area where it talks about the sole purpose of being to keep the tree from growing, so if there were to be some wording entered in here to soften this in some way, it should be in that sentence as opposed to the sentence that says prohibit. In other words, a clarifier as to what is as Meli was saying destructive. I don't think that is the proper word, but a word like that could be added there as opposed to the shall be prohibited.

PLANNING OFFICIAL TERELL – Yeah something along the lines of topping of trees means the destructive cutting back in that sentence. Is that what you were referring to?

COMMISSIONER OWINGS – I'm not saying destructive is the right word, but that's where it would be; where I think the modifier needs to be if there is one, otherwise it just gets to be a meaningless… it becomes a symbolic gesture as opposed to one that really means something and I think your intentions of making this a meaningful ordinance is very applaudible and we should support your effort in that and by keeping the stronger language.

PLANNING OFFICIAL TERELL – I would agree, thank you. Are we ready for our last item?

CHAIR BAKER – Issue five, let's move ahead

ASSOCIATE PLANNER DIAZ – Alright, issue 5 is to amend the General Parking Design Standard with revised safety features and 20 foot wide driveway aisles.

Revision to Section to 9.11.080 have been made in order to make parking designs safer and consistent with current traffic engineering standards. The standards improvement safety features of parking lot design have been revised and table 9.11.080-13 has revised driveways and aisle dimensions.

PLANNING OFFICIAL TERELL – Yeah this one was really to discourage overly wide driveways that are really very bad for internal circulation; the 20 and 24 foot and in some cases there is 30, that is why there is an exception at the bottom, relate to fire code standards where they have a minimum for fire code access. A 30 foot wide driveway is actually pretty wide, but on taller buildings it is necessary for fire access so they can get enough distance away from the building to fight a fire and to avoid people saying I've got an extra 20 or 30 feet on my site, I'll just make this driveway wider and pave over on it, so it is really to discourage excessive paving, which has a myriad of environmental issues mainly again related to heat and dirty runoff and other things. So that was the intent of this, this is really limit pavement as much as possible.

COMMISSIONER OWINGS – It wasn't too long ago Planners were saying that driveways should be wider, so all things like the double-breasted suit, they all come back. Is that what you are saying?

PLANNING OFFICIAL TERELL – I don't know that Planners were saying that roads had to be wider but the development standards were saying let's create more and more excess and I think Transportation Planners and Michael is one of them, have seen that wider driveways are not always the best solution. I'm not saying that Michael ever believed they were but they're not always the best and obviously we have the flexibility to hear what the footnote if a good case could be made that gee the driveway has to be 32 feet and we have that option to do that. We're just creating a standard that says do this unless you provide evidence that it really needs to be wider.

COMMISSIONER OWINGS – So someone who has a little experience in this area, I've found that fire department personnel do not understand that they have a reverse in their fire truck, they want all the streets to be wide enough to turn around in and so we need to point out to them that "R" is for reverse, but I guess it is a concern that they would become too narrow. As I get older, I like those wider driveways.

PLANNING OFFICIAL TERELL – Right and that's why we set… really the standard is 24 feet. It has always been the minimum standard and really as a maximum is works pretty well. Sometimes on a main drive aisle we'll make them a little bit wider because there is more traffic and more conflict and it is just like streets you know. Alessandro is wide for a reason you know. The street you live on is narrower for a reason and it's really hopefully starting to create also hierarchy within parking lots; you know every parking aisle is not 30 feet wide because they have the space to do it.

COMMISSIONER GIBA – I had a question. Just clarity if I may… page 85. You have a diagram, figure 9.11.080-5 non-parallel parking. I was looking around for the description of that and I'm probably missing it somewhere so maybe you can point it to me, but besides that you're measurements are on the side of the parallel parking which says 16 feet, but the reality is that the car can't park in that little corner, so that length is not the 16 feet, so do you really mean the car can hang over into the other side of the… because that's not really… this isn't a 9 by 16 like the other picture of your square dimension would be a 9 by 16.

PLANNING OFFICIAL TERELL – No good point, I think we'll do the math and correct that number. It's like x plus y equals 2xy or something like that. We'll get the number because the intent was a standard space is 16 feet deep with 2 foot overhang; that's more than enough for most cars; certainly the standard car would easily fit in that area.

COMMISSIONER GIBA – It's not like we find standard cars anymore, they are all those big ones.

ASSOCIATE PLANNER DIAZ – I don't believe that section has been changed.

COMMISSIONER GIBA – Do you see what I'm talking about?

PLANNING OFFICIAL TERELL – Yeah, that's what happens when we bring something forward, we find something that has always been broken and we have the opportunity to fix it because somebody notices it.

COMMISSIONER GIBA – Thanks Gabriel. Thanks John

CHAIR BAKER – Does anyone else have any comments on the parking amendment? Okay, so do we open this up to Public Hearing? I guess we do.

PLANNING OFFICIAL TERELL – Yes

CHAIR BAKER – Okay, let's open this item up for Public Hearing. I don't have any Speaker Slips on this. Does anyone want to speak on this? If not, I'll close Public Testimony and we'll go forward with Commissioners Debate on the overall project I guess. Does anyone have any comments?

COMMISSIONER VAN NATTA – Sounds good to me.

COMMISSIONER GIBA – I like it pretty good. I just had one other question if I may. Page 88; you left it blank. Is it supposed to be blank for a reason or they just the lines where you are going to fill it in with something or is there some standard I'm supposed to go to get the information; the phone number; the…?

PLANNING OFFICIAL TERELL – Yeah, it's meant… it's a standard language for a sign so each property will have a different location or…

COMMISSIONER GIBA – Okay, so maybe just a reclaimed add. That's kind of what I figured. I thought maybe you hadn't finished filling it in

PLANNING OFFICIAL TERELL – No it is standard language so it would be different for each site.

CHAIR BAKER – I think it's a smart idea

COMMISSIONER OWINGS – Chairman, are we into Commissioners Debate?

CHAIR BAKER - We are

COMMISSIONER OWINGS – I think I speak for everyone that any attempt to make our City more livable is a worthy cause and it seems like you folks have put a lot of work into doing this and I think you've done a good job here and we just need to take from this and extend it into the neighborhoods and start to work to help you know; all this work starts helping property values; livability and making Moreno Valley a more attractive City, so for my standpoint thank you.

CHAIR BAKER – Very good, thank you, anyone else have any comments about this item? I think it's a great move. A lot of work went into putting this together, so if there is no further discussion; if I could get a motion for this PA10-0030, we'll move forward.

COMMISSIONER CROTHERS – I'll motion

CHAIR BAKER – Okay, do you want to read… let's see here; I'll give you this here. I think this will work. Just read the approval; okay.

COMMISSIONER CROTHERS – I motion to **APPROVE** Resolution No. 2012-04 and thereby **RECOMMEND** that the City Council;

1. **APPROVE** PA10-0030 Municipal Code Amendment; and,

2. **RECOGNIZE** that PA10-0030 Municipal Code Amendment qualify as an Exemption in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.

CHAIR BAKER – Thank you. Do I have a second to that motion?

COMMISSIONER GIBA – Second to that

CHAIR BAKER – Okay, we have a motion and a second. All in favor?

Opposed – 0

Motion carries 6 - 0, with one absent (Vice Chair Salas)

CHAIR BAKER – Okay the next thing we want to move onto is…

PLANNING OFFICIAL TERELL – Before you do that…

CHAIR BAKER – Oh yeah, Staff wrap up; I'm sorry

PLANNING OFFICIAL TERELL – That's okay. This item shall be forwarded to the City Council for final review and action.

CHAIR BAKER – Thank you very much.

COMMISSIONER OWINGS – Mr. Chairman, Gabriel should get a commendation for reading that whole thing.

CHAIR BAKER – I'm telling you Gabriel, we'll get you plaque or something for that one I'll tell you. Okay, now the next thing we have is Other Business.

OTHER BUSINESS

CHAIR BAKER – It has to do with the 2011 Annual Report of the Planning Commission. John do you want to give that or…

PLANNING OFFICIAL TERELL – Yeah, real quickly, this is a report. It is required by State Law that we file in April and it is just a recitation of what you guys did last year and you had 34 items and some of those were combined; but 34 items, which is a little bit light. This year we anticipate that you'll have more than that. I think last year hopefully was the low year and it is all uphill from here now that you are all trained and ready to go. In addition to that though there is a chart here and we did have 598 administrative approvals and also 432 plan checks, so that is what we kind of keep. You know based on your direction, we read the codes and all these other projects are able to comply with those codes

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MV00168135

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, Public Works Director/City Engineer

AGENDA DATE: June 26, 2012

TITLE: PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts that are attached to this report on the Fiscal Year (FY) 2012/2013 Riverside County property tax roll for collection.

2. Adopt Resolution No. 2012-55 repealing, revising and reenacting the provisions of Resolution 2007-72 of the City Council of the City of Moreno Valley, California, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

3. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution No. 2012-55 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal

Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,573 delinquent accounts. This delinquent list is to be placed on the FY 2012/2013 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is $2,123,212.06. Although Waste Management accepted payment on delinquent accounts until June 19, 2012, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of the proposed resolution along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts attached to this report on the Fiscal Year (FY) 2012/2013 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.

2. Do not approve placing the submitted list of delinquent solid waste accounts attached to this report on the Fiscal Year (FY) 2012/2013 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately $257,545 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this source which would be approximately $257,545. This amount is deposited into the general fund.

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

A "Notice of Public Hearing" was published on June 12, 2012 and June 19, 2012, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2012/2013.

ATTACHMENTS

Exhibit "A": Proposed Resolution No. 2012-55 repealing, revising, and reenacting the provisions of Resolution 2007-72, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Exhibit "B": List of Delinquent Accounts for FY 2012/2013.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2007-72, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1 ½ % per month for nonpayment of those fees, charges and the basic penalty: and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll: and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

EXHIBIT "A"

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

1. Resolution No. 2007-72 as adopted by the City Council on June 26, 2007, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2007-72 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2017, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26th day of June, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-55
Date Adopted: June 26, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-55 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00168143

MORENO VALLEY Starting List 2012 0														
											1,603,115.07	160,304.66	317,435.07	2,080,854.99
Report run as of: 5/31/2012 3:26:00									Customer Count		7,358			
Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
97123465007	134070001	CARROLL, VALERIE K	27397	DELPHINIUM AVE	MORENO VALLEY	CA	92555-4741	CARROLL, VALERIE K	150 ADAMS DR	HUNTINGTON BEACH, CA	92648-2726	484.44	48.44	95.92	628.8
98269875011	135240027	SANTOSCOY, WILLIAM (RENT)	11935	INDIAN ST	MORENO VALLEY	CA	92557-6306	SANTOSCOY, WILLIAM (RENT)	11935 INDIAN ST	MORENO VALLEY, CA	92557-6306	125.93	12.59	24.93	163.44
90970943008	227221004	SALAZAR, JAVIER (RENT)	24259	DORNER DR	MORENO VALLEY	CA	92553-6207	SALAZAR, JAVIER	24259 DORNER DR	MORENO VALLEY, CA	92553-6207	22.35	2.24	4.43	29
94950685000	256150030	AVERY, DONALD (OWNR)	21089	JENNINGS CT	MORENO VALLEY	CA	92557-8330	AVERY, DONALD	21089 JENNINGS CT	MORENO VALLEY, CA	92557-8330	254.12	25.41	50.32	329.84
99793545005	256150038	MENDOZA, BEATRIZ (OWNR)	21060	JENNINGS CT	MORENO VALLEY	CA	92557-8331	MENDOZA, BEATRIZ	21060 JENNINGS CT	MORENO VALLEY, CA	92557-8331	31.19	3.12	6.18	40.48
31461075002	256181005	DELACOBAS, MARIA	21060	PALA FOXIA PL	MORENO VALLEY	CA	92557-8603	DELACOBAS, MARIA	21060 PALA FOXIA PL	MORENO VALLEY, CA	92557-8603	229.02	22.9	45.35	297.26
31159725006	256181017	JENKINS, KATHY	21192	PALA FOXIA PL	MORENO VALLEY	CA	92557-8614	JENKINS, KATHY	21192 PALA FOXIA PL	MORENO VALLEY, CA	92557-8614	329.32	32.93	65.21	427.44
31563665001	256182022	MEYERS, JEFFREY	21117	MARTYNIA CT	MORENO VALLEY	CA	92557-8602	MEYERS, JEFFREY	21117 MARTYNIA CT	MORENO VALLEY, CA	92557-8602	254.02	25.4	50.3	329.7
97197805000	256182024	LARA CARRANZA, LORENA (OWNR)	21131	MARTYNIA CT	MORENO VALLEY	CA	92557-8602	LARA CARRANZA, LORENA	4792 KINGSLEY ST	MONTCLAIR, CA	91763-3710	254.12	25.41	50.32	329.84
94429915007	256182032	BLUETEL, TERRY (OWNR)	21168	MARTYNIA CT	MORENO VALLEY	CA	92557-8602	BLUETEL, TERRY	21168 MARTYNIA CT	MORENO VALLEY, CA	92557-8602	92.45	9.25	18.31	120
73435385000	256182034	LIZARDI, THESALEE	21150	MARTYNIA CT	MORENO VALLEY	CA	92557-8602	LIZARDI, THESALEE	21150 MARTYNIA CT	MORENO VALLEY, CA	92557-8602	254.02	25.4	50.3	329.7
88547805007	256182038	LUTHER, HEIDI (RENT)	21106	MARTYNIA CT	MORENO VALLEY	CA	92557-8602	LUTHER, HEIDI	PO BOX 5661	SALTON CITY, CA	92275-5661	163.22	16.32	32.32	211.84
91284935001	256182039	HERNANDEZ, JOSEPH (RENT)	21082	MARTYNIA CT	MORENO VALLEY	CA	92557-8639	HERNANDEZ, JOSEPH	21082 MARTYNIA CT	MORENO VALLEY, CA	92557-8639	78.92	7.89	15.63	102.42
97122965004	256191001	GILL, MYISHA (RENT)	21240	PALA FOXIA PL	MORENO VALLEY	CA	92557-8606	GILL, MYISHA	21240 PALA FOXIA PL	MORENO VALLEY, CA	92557-8606	190.79	19.08	37.78	247.64
95312825003	256191004	TOMEI, MARSHALL AND (OWNR)	21252	PALA FOXIA PL	MORENO VALLEY	CA	92557-8606	TOMEI, MARSHALL AND COURTNEY	21252 PALA FOXIA PL	MORENO VALLEY, CA	92557-8606	254.12	25.41	50.32	329.84
31577745005	256191018	CARRANZA, JUAN	21269	PALA FOXIA PL	MORENO VALLEY	CA	92557-8607	CARRANZA, JUAN	21269 PALA FOXIA PL	MORENO VALLEY, CA	92557-8607	54.02	5.4	10.7	70.1
31168065005	256191037	JOHNSON, THOMAS	21396	LILIUM CT	MORENO VALLEY	CA	92557-8620	JOHNSON, THOMAS	21396 LILIUM CT	MORENO VALLEY, CA	92557-8620	329.32	32.93	65.21	427.44
91487853000	256191052	RODRIGUEZ, JOSEPH (RENT)	21295	LILIUM CT	MORENO VALLEY	CA	92557-8617	RODRIGUEZ, JOSEPH (RENT)	21295 LILIUM CT	MORENO VALLEY, CA	92557-8617	63.63	6.36	12.6	82.58
93611715003	256191054	GARCIA, JUANA (RENT)	21275	LILIUM CT	MORENO VALLEY	CA	92557-8617	GARCIA, JUANA	21275 LILIUM CT	MORENO VALLEY, CA	92557-8617	254.12	25.41	50.32	329.84
98340695018	256192004	KING, WILLIE MAE	21475	TOWNSENDIA AVE	MORENO VALLEY	CA	92557-8636	KING, WILLIE MAE	21475 TOWNSENDIA AVE	MORENO VALLEY, CA	92557-8636	190.79	19.08	37.78	247.64
31294855003	256192017	KENNEDY, LINDA	21480	DOUGLASIS CT	MORENO VALLEY	CA	92557-8613	KENNEDY, LINDA	21480 DOUGLASIS CT	MORENO VALLEY, CA	92557-8613	254.12	25.41	50.32	329.84
31159865006	256192022	CAMERON, RONALD	21489	DOUGLASIS CT	MORENO VALLEY	CA	92557-8613	CAMERON, RONALD	21489 DOUGLASIS CT	MORENO VALLEY, CA	92557-8613	254.02	25.4	50.3	329.7
31047005004	256193001	JOHNSON, WILBERT AND DANNIELLE	21389	TOWNSENDIA AVE	MORENO VALLEY	CA	92557-8633	JOHNSON, WILBERT	21389 TOWNSENDIA AVE	MORENO VALLEY, CA	92557-8633	63.63	6.36	12.6	82.58
88031885005	256212001	BARAHONA, VILGILIO	21354	TOWNSENDIA AVE	MORENO VALLEY	CA	92557-8632	BARAHONA, VILGILIO	21354 TOWNSENDIA AVE	MORENO VALLEY, CA	92557-8632	90.79	9.08	17.98	117.84
94430515009	256212003	FAY, TESSA (RENT)	21330	TOWNSENDIA AVE	MORENO VALLEY	CA	92557-8632	FAY, TESSA 951-201-5113	21330 TOWNSENDIA AVE	MORENO VALLEY, CA	92557-8632	114.12	11.41	22.6	148.12
51818855004	256212004	ALSHISH, RUDIMA	21318	TOWNSENDIA AVE	MORENO VALLEY	CA	92557-8632	ALSHISH, RUDIMA	21318 TOWNSENDIA AVE	MORENO VALLEY, CA	92557-8632	329.32	32.93	65.21	427.44
97834425008	256213013	CHAPMAN, LATANYA (RENT)	21370	DOUGLASIS CT	MORENO VALLEY	CA	92557-8630	CHAPMAN, LATANYA	21370 DOUGLASIS CT	MORENO VALLEY, CA	92557-8630	254.12	25.41	50.32	329.84
90836325001	256214003	JIMENEZ, APRIL (RENT)	21438	DOUGLASIS CT	MORENO VALLEY	CA	92557-8611	JIMENEZ, APRIL	21438 DOUGLASIS CT	MORENO VALLEY, CA	92557-8611	253.92	25.39	50.28	329.58
96831125008	256215011	PEJI, OFELIA (OWNR)	11894	RUBBECKIA CIR	MORENO VALLEY	CA	92557-8623	PEJI, OFELIA	14353 PINTAIL LOOP	CORONA, CA	92880-0932	240.29	24.03	47.58	311.88
31171325005	256216006	SCHUMPF, BENSON	21368	BLOSSOMHILL LN	MORENO VALLEY	CA	92557-8625	SCHUMPF, BENSON	21368 BLOSSOMHILL LN	MORENO VALLEY, CA	92557-8625	254.02	25.4	50.3	329.7
86703873008	256216012	GLOYNE, MICHAEL (RENT)	21438	BLOSSOMHILL LN	MORENO VALLEY	CA	92557-8628	GLOYNE, MICHAEL	21438 BLOSSOMHILL LN	MORENO VALLEY, CA	92557-8628	350.38	35.04	69.38	454.78
80963985006	256221001	VELASCO, ALEX	11742	BLACK HAWK LN	MORENO VALLEY	CA	92557-8573	VELASCO, ALEX	11742 BLACK HAWK LN	MORENO VALLEY, CA	92557-8573	254.02	25.4	50.3	329.7
31093795002	256221021	PAVLOVICH, MARK	11696	BALD EAGLE LN	MORENO VALLEY	CA	92557-8500	WILSON, MARLENE	11697 NIAGARA DR	MIRA LOMA, CA	91752-3045	90.69	9.07	17.96	117.7
87976485006	256221027	SUDDS, KEVIN	11651	BALD EAGLE LN	MORENO VALLEY	CA	92557-8500	SUDDS, KEVIN	11651 BALD EAGLE LN	MORENO VALLEY, CA	92557-8500	254.12	25.41	50.32	329.84
31420935008	256222014	WILSON, HAROLD	21761	WINDING RD	MORENO VALLEY	CA	92557-8531	WILSON, HAROLD	21761 WINDING RD	MORENO VALLEY, CA	92557-8531	254.02	25.4	50.3	329.7
93592495001	256231004	HOLMES, BERNARD (RENT)	21805	OSPREY LN	MORENO VALLEY	CA	92557-8502	HOLMES, BERNARD	21550 BOX SPRINGS RD APT 1066	MORENO VALLEY, CA	92557-6729	141.54	14.15	28.02	183.7
31290745005	256231006	WALTER, GEORGE	21835	OSPREY LN	MORENO VALLEY	CA	92557-8502	WALTER, GEORGE	21835 OSPREY LN	MORENO VALLEY, CA	92557-8502	254.12	25.41	50.32	329.84
31195315006	256231009	JOHNSON, STERLING	21822	OSPREY LN	MORENO VALLEY	CA	92557-8502	JOHNSON, STERLING	21822 OSPREY LN	MORENO VALLEY, CA	92557-8502	254.02	25.4	50.3	329.7
94795575002	256241001	GRAY, ANITA (RENT)	21757	GLEN VIEW DR	MORENO VALLEY	CA	92557-8514	GRAY, ANITA	21757 GLEN VIEW DR	MORENO VALLEY, CA	92557-8514	86.37	8.64	17.1	112.1
57084735003	256241004	NICOMEDE, DEBBI	21799	GLEN VIEW DR	MORENO VALLEY	CA	92557-8514	NICOMEDE, DEBBI	21799 GLEN VIEW DR	MORENO VALLEY, CA	92557-8514	254.02	25.4	50.3	329.7
96815335007	256242005	RODRIGUEZ, RAMON (OWNR)	21821	GLEN VIEW DR	MORENO VALLEY	CA	92557-8515	RODRIGUEZ, RAMON (OWNR)	21821 GLEN VIEW DR	MORENO VALLEY, CA	92557-8515	254.12	25.41	50.32	329.84
101558243005	256242008	HERRERA, MARIBEL (RENT)	21863	GLEN VIEW DR	MORENO VALLEY	CA	92557-8515	HERRERA, MARIBEL	21863 GLEN VIEW DR	MORENO VALLEY, CA	92557-8515	93.52	9.35	18.52	121.38
31149835004	256242016	REYNOLDS, EUGENIA	11991	DAY ST	MORENO VALLEY	CA	92557-8519	REYNOLDS, EUGENIA	11991 DAY ST	MORENO VALLEY, CA	92557-8519	254.02	25.4	50.3	329.7
67820255008	256242027	MACALPINE, EILEEN	21862	GLEN VIEW DR	MORENO VALLEY	CA	92557-8513	MACALPINE, EILEEN	21862 GLEN VIEW DR	MORENO VALLEY, CA	92557-8513	254.12	25.41	50.32	329.84
31321855004	256242035	WILWANT, DANNY	21960	WINDING RD	MORENO VALLEY	CA	92557-8512	WILWANT, DANNY	21960 WINDING RD	MORENO VALLEY, CA	92557-8512	254.02	25.4	50.3	329.7
31144285000	256242042	SANCHEZ, IGNACIO	21861	SPRINGCREST RD	MORENO VALLEY	CA	92557-8504	SANCHEZ, IGNACIO	21861 SPRINGCREST RD	MORENO VALLEY, CA	92557-8504	329.32	32.93	65.21	427.44
31471615008	256242044	AYERS, NICOLE	21889	SPRINGCREST RD	MORENO VALLEY	CA	92557-8504	AYERS, NICOLE	21889 SPRINGCREST RD	MORENO VALLEY, CA	92557-8504	254.02	25.4	50.3	329.7
97046595003	256242051	VEGA, ALFRED	21987	SPRINGCREST RD	MORENO VALLEY	CA	92557-8504	VEGA, ALFRED	9337 GOLDEN LATERN RD	RIVERSIDE, CA	92508-9336	420.76	42.08	83.31	546.14
31595855003	256243007	RODRIGUEZ, YOLANDA	21886	SPRINGCREST RD	MORENO VALLEY	CA	92557-8563	RODRIGUEZ, YOLANDA	21886 SPRINGCREST RD	MORENO VALLEY, CA	92557-8563	254.02	25.4	50.3	329.7
31510405007	256243012	FOPPE, KEDRICK	21890	WINDING RD	MORENO VALLEY	CA	92557-8510	FOPPE, KEDRICK	21890 WINDING RD	MORENO VALLEY, CA	92557-8510	254.12	25.41	50.32	329.84
31258835003	256244009	WELCH, STEVEN	21931	WINDING RD	MORENO VALLEY	CA	92557-8552	WELCH, STEVEN	21931 WINDING RD	MORENO VALLEY, CA	92557-8552	253.92	25.39	50.28	329.58
31266195000	256252008	MUHAMMMAD, DENZIL AND CYNTHIA	21672	WINDING RD	MORENO VALLEY	CA	92557-8508	MUHAMMMAD, DENZIL	21672 WINDING RD	MORENO VALLEY, CA	92557-8508	254.12	25.41	50.32	329.84
94809785007	256253008	HERRIN, JOSEPH	11780	COLUMBO ST	MORENO VALLEY	CA	92557-8522	HERRIN, JOSEPH	11780 COLUMBO ST	MORENO VALLEY, CA	92557-8522	43.45	4.35	8.6	56.38
88406873001	256253014	TRISTAO, ROBIN (OWNR)	11840	COLUMBO ST	MORENO VALLEY	CA	92557-8523	TRISTAO, ROBIN	12773 FREDERICK ST APT 306	MORENO VALLEY, CA	92553-4532	127.46	12.75	25.24	165.44
90852325008	256253016	TORRES, OSCAR	11860	COLUMBO ST	MORENO VALLEY	CA	92557-8523	TORRES, OSCAR	11860 COLUMBO ST	MORENO VALLEY, CA	92557-8523	44	4.4	8.71	57.1
63842185001	256254006	GIBSON, MARILYN	21627	WINDING RD	MORENO VALLEY	CA	92557-8526	GIBSON, MARILYN	21627 WINDING RD	MORENO VALLEY, CA	92557-8526	254.12	25.41	50.32	329.84
31209525001	256262009	COBB, ROWENA	21170	TENNYSON RD	MORENO VALLEY	CA	92557-8406	COBB, ROWENA	21170 TENNYSON RD	MORENO VALLEY, CA	92557-8406	190.39	19.04	37.7	247.12
52725505004	256263001	WASHINGTON, ESTELLE (RENT)	21140	LANDS END	MORENO VALLEY	CA	92557-8425	WASHINGTON, ESTELLE	21140 LANDS END	MORENO VALLEY, CA	92557-8425	329.32	32.93	65.21	427.44
31236685000	256272014	NUSBAUM, ENNETTE Y	21244	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8442	NUSBAUM, ENNETTE Y	21244 SHAKESPEARE CT	MORENO VALLEY, CA	92557-8442	253.92	25.39	50.28	329.58
31211015004	256272033	KNOX, RICK	21212	DICKINSON RD	MORENO VALLEY	CA	92557-8433	KNOX, RICK	21212 DICKINSON RD	MORENO VALLEY, CA	92557-8433	254.02	25.4	50.3	329.7
97835045005	256273004	CAMPBELL, JOHN (OWNR)	21229	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8443	CAMPBELL, JOHN	21229 SHAKESPEARE CT	MORENO VALLEY, CA	92557-8443	254.12	25.41	50.32	329.84
96144845005	256291016	ROMERO, ENRIQUE	21085	GALLANT FOX DR	MORENO VALLEY	CA	92557-8303	ROMERO, ENRIQUE	21085 GALLANT FOX DR	MORENO VALLEY, CA	92557-8303	64.15	6.41	12.69	83.2
31595285003	256292002	MARTIN, DANIEL	11430	COUNT FLEET CT	MORENO VALLEY	CA	92557-8301	MARTIN, DANIEL	11430 COUNT FLEET CT	MORENO VALLEY, CA	92557-8301	254.02	25.4	50.3	329.7
31346155008	256292019	LYONS, BRAD (OWNR)	11445	CHAUCER ST	MORENO VALLEY	CA	92557-8316	LYONS, BRAD	11445 CHAUCER ST	MORENO VALLEY, CA	92557-8316	254.02	25.4	50.3	329.7
31481965003	256292020	TURNER, SHAWNA	11455	CHAUCER ST	MORENO VALLEY	CA	92557-8316	TURNER, SHAWNA	11455 CHAUCER ST	MORENO VALLEY, CA	92557-8316	127.36	12.74	25.22	165.3
95467165003	256292025	FLORES, AURORA (RENT)	11435	SUMMER GREEN CT	MORENO VALLEY	CA	92557-8314	FLORES, AURORA	11435 SUMMER GREEN CT	MORENO VALLEY, CA	92557-8314	128.76	12.88	25.49	167.12
31567825009	256301002	FONSECA, ROBERT	21715	ROWENA DR	MORENO VALLEY	CA	92557-8535	FONSECA, ROBERT	21715 ROWENA DR	MORENO VALLEY, CA	92557-8535	329.32	32.93	65.21	427.44
31313185002	256301006	KOSIGIN, JULIE	21675	ROWENA DR	MORENO VALLEY	CA	92557-8576	KOSIGIN, JULIE	21675 ROWENA DR	MORENO VALLEY, CA	92557-8576	254.02	25.4	50.3	329.7
31315325008	256301008	PESKO JR, DAVID	21643	CALLE PRIMA	MORENO VALLEY	CA	92557-8544	PESKO JR, DAVID	21643 CALLE PRIMA	MORENO VALLEY, CA	92557-8544	357.53	35.75	70.79	464.06
31294685009	256303003	FRENCH, WILLIAM	21540	CALLE PRIMA	MORENO VALLEY	CA	92557-8542	FRENCH, WILLIAM	21540 CALLE PRIMA	MORENO VALLEY, CA	92557-8542	63.63	6.36	12.6	82.58
31377035009	256303017	LEON, SUSAN	21635	CALLE MONACO	MORENO VALLEY	CA	92557-8541	LEON, SUSAN	21635 CALLE MONACO	MORENO VALLEY, CA	92557-8541	254.02	25.4	50.3	329.7
31480105006	256304001	HARDY, WILLIAM AND LORLIN	21500	CALLE MONACO	MORENO VALLEY	CA	92557-8538	HARDY, WILLIAM AND LORLIN	21500 CALLE MONACO	MORENO VALLEY, CA	92557-8538	254.02	25.4	50.3	329.7
31336925008	256306002	NAPOLES, JACKIE (OWNR)	21680	DEL AMO ST	MORENO VALLEY	CA	92557-8559	NAPOLES, JACKIE	21680 DEL AMO ST	MORENO VALLEY, CA	92557-8559	254.02	25.4	50.3	329.7
31251145003	256306007	LOZANO, ANDY	21645	DEL AMO ST	MORENO VALLEY	CA	92557-8559	LOZANO, ANDY	21645 DEL AMO ST	MORENO VALLEY, CA	92557-8559	329.04	32.9	65.15	427.08
94978893007	256306009	CALDERON, MONICA (RENT)	21685	DEL AMO ST	MORENO VALLEY	CA	92557-8559	CALDERON, MONICA	21685 DEL AMO ST	MORENO VALLEY, CA	92557-8559	200.09	20.01	39.62	259.7
88496625005	256306012	BONNIER, MICHELLE	21701	CALLE PRIMA	MORENO VALLEY	CA	92557-8578	BONNIER, MICHELLE	21701 CALLE PRIMA	MORENO VALLEY, CA	92557-8578	254.12	25.41	50.32	329.84
31321885008	256306016	ZAVALA, HECTOR AND KATHLYN	21690	ROWENA DR	MORENO VALLEY	CA	92557-8505	ZAVALA, HECTOR AND KATHLYN	21690 ROWENA DR	MORENO VALLEY, CA	92557-8505	254.02	25.4	50.3	329.7
31171295001	256306020	LOBATO, ALONSO	11650	PIMLICO WAY	MORENO VALLEY	CA	92557-8553	LOBATO, ALONSO	11650 PIMLICO WAY	MORENO VALLEY, CA	92557-8553	104.02	10.4	20.6	135
31346625000	256306024	SALERA, SANDRA	11690	PIMLICO WAY	MORENO VALLEY	CA	92557-8553	SALERA, SANDRA	11690 PIMLICO WAY	MORENO VALLEY, CA	92557-8553	329.32	32.93	65.21	427.44
31268585004	256311004	LEANDRO JR, PAUL	21270	TENNYSON RD	MORENO VALLEY	CA	92557-8400	LEANDRO JR, PAUL	21270 TENNYSON RD	MORENO VALLEY, CA	92557-8400	329.32	32.93	65.21	427.44
96518215002	256311010	WHITTINGTON, TRACY (RENT)	11510	CHAUCER ST	MORENO VALLEY	CA	92557-8317	WHITTINGTON, TRACY W	11510 CHAUCER ST	MORENO VALLEY, CA	92557-8317	146.12	14.61	28.93	189.66
91167525008	256312002	SANCHEZ, GEORGINA	21247	TENNYSON RD	MORENO VALLEY	CA	92557-8401	SANCHEZ, GEORGINA	21247 TENNYSON RD	MORENO VALLEY, CA	92557-8401	253.92	25.39	50.28	329.58
31218835007	256312003	RIVERA, RICHARD	21257	TENNYSON RD	MORENO VALLEY	CA	92557-8401	RIVERA, RICHARD	21257 TENNYSON RD	MORENO VALLEY, CA	92557-8401	254.02	25.4	50.3	329.7
73312795005	256312012	MARTIN, WENDY AND SERGIO	21329	TENNYSON RD	MORENO VALLEY	CA	92557-8408	MARTIN, WENDY AND SERGIO	21329 TENNYSON RD	MORENO VALLEY, CA	92557-8408	127.36	12.74	25.22	165.3
31385005008	256312027	JOHNSON, LARRY	21282	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8444	JOHNSON, LARRY	21282 SHAKESPEARE CT	MORENO VALLEY, CA	92557-8444	254.02	25.4	50.3	329.7
31242605005	256312030	SPEER, GREG J	21258	SHAKESPEARE CT	MORENO VALLEY	CA	92557	SPEER, GREG J	21258 SHAKESPEARE CT	MORENO VALLEY, CA	92557	27.36	2.74	5.42	35.5
95664305006	256313007	PARKER, LATONYA (OWNR)	21329	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8447	PARKER, LATONYA	3604 PYRAMID TRL	PERRIS, CA	92570-5500	518.59	51.86	102.68	673.12
31592765009	256313008	VARGAS, LIDIA	21341	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8447	VARGAS, LIDIA	21341 SHAKESPEARE CT	MORENO VALLEY, CA	92557-8447	254.02	25.4	50.3	329.7
95467705000	256320002	JONES, CHARLES (RENT)	21425	WOOLF CT	MORENO VALLEY	CA	92557-8449	JONES, CHARLES	21425 WOOLF CT	MORENO VALLEY, CA	92557-8449	63.63	6.36	12.6	82.58
31576855003	256320015	HAAS, AMY	21435	SHAKESPEARE CT	MORENO VALLEY	CA	92557-8448	HAAS, AMY	21435 SHAKESPEARE CT	MORENO VALLEY, CA	92557-8448	254.02	25.4	50.3	329.7
31266165006	256320032	IRVING, BEATRICE	11515	CLARK ST	MORENO VALLEY	CA	92557-8536	IRVING, BEATRICE	11515 CLARK ST	MORENO VALLEY, CA	92557-8536	312.09	31.21	61.79	405.08
75280055007	256320033	DELOID, CECELIA	11529	CLARK ST	MORENO VALLEY	CA	92557-8536	DELOID, CECELIA	11529 CLARK ST	MORENO VALLEY, CA	92557-8536	254.02	25.4	50.3	329.7
87482945009	256331003	NGUYEN, TUYETINGA	21366	DICKINSON RD	MORENO VALLEY	CA	92557-8416	NGUYEN, TUYETINGA	21366 DICKINSON RD	MORENO VALLEY, CA	92557-8416	254.12	25.41	50.32	329.84
92920915007	256331007	VEGA, RAQUEL (OWNR)	21318	DICKINSON RD	MORENO VALLEY	CA	92557-8436	VEGA, RAQUEL	21318 DICKINSON RD	MORENO VALLEY, CA	92557-8436	254.02	25.4	50.3	329.7
31216725004	256331029	ROJAS, NORMA	21256	OCASEY CT	MORENO VALLEY	CA	92557-8422	ROJAS, JAVIER AND NORMA	21256 O'CASEY	MORENO VALLEY, CA	92557-8422	254.02	25.4	50.3	329.7
31346265005	256332003	ROBINETTE, FRED & DUSTIE	21474	DICKINSON RD	MORENO VALLEY	CA	92557-8420	ROBINETTE, FRED & DUSTIE	21474 DICKINSON RD	MORENO VALLEY, CA	92557-8420	200	20	39.6	259.6
31273465009	256332005	JOHNSON, MARK	21454	DICKINSON RD	MORENO VALLEY	CA	92557-8420	JOHNSON, MARK	21454 DICKINSON RD	MORENO VALLEY, CA	92557-8420	254.02	25.4	50.3	329.7
95796225003	256333012	MARIN, CINDY (RENT)	21375	MARSTON CT	MORENO VALLEY	CA	92557-8438	MARIN, CINDY	22352 SUMMER HOLLY AVE	MORENO VALLEY, CA	92553-6912	43.3	4.33	8.57	56.2

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
89744305004	256333025	HARRISON, KIM	21430	MARSTON CT	MORENO VALLEY	CA	92557-8441	HARRISON, KIM	21430 MARSTON CT	MORENO VALLEY, CA	92557-8441	253.92	25.39	50.28	329.58
92022285004	256333031	HERNANDEZ, GLENN	21377	DICKINSON RD	MORENO VALLEY	CA	92557-8417	HERNANDEZ, GLENN	21377 DICKINSON RD	MORENO VALLEY, CA	92557-8417	253.92	25.39	50.28	329.58
31274765004	256333032	BURNETT, PHILIP	21389	DICKINSON RD	MORENO VALLEY	CA	92557-8417	BURNETT, PHILIP	21389 DICKINSON RD	MORENO VALLEY, CA	92557-8417	254.12	25.41	50.32	329.84
31251985006	256333038	LINTON, DIANE (OWNR)	21465	DICKINSON RD	MORENO VALLEY	CA	92557-8421	LINTON, DIANE	21465 DICKINSON RD	MORENO VALLEY, CA	92557-8421	229.32	22.93	45.41	297.64
77678955001	256333043	JUDGE, KATHY	11693	CLARK ST	MORENO VALLEY	CA	92557-8537	JUDGE, KATHY	11693 CLARK ST	MORENO VALLEY, CA	92557-8537	254.02	25.4	50.3	329.7
95576585003	256333045	ALARCON, LEOBARDO AND REFUGIO	11717	CLARK ST	MORENO VALLEY	CA	92557-8556	ALARCON, LEOBARDO AND REFUGIO	24685 DUNLAVY CT	MORENO VALLEY, CA	92557-6375	21.74	2.17	4.3	28.2
97129895004	256341017	JACKSON, LARNELE AND VICTORI	21830	CALLE MONACO	MORENO VALLEY	CA	92557-8587	JACKSON, LARNELE AND VICTORI	PO BOX 55447	RIVERSIDE, CA	92517-0447	170.76	17.08	33.81	221.64
31643515003	256342004	ALLEN, ROBERTO	11525	MINDORA DR	MORENO VALLEY	CA	92557-8560	ALLEN, ROBERTO	11525 MINDORA DR	MORENO VALLEY, CA	92557-8560	127.36	12.74	25.22	165.3
66737985002	256342005	THOMAS, IRA	11513	MINDORA DR	MORENO VALLEY	CA	92557-8560	THOMAS, IRA	11513 MINDORA DR	MORENO VALLEY, CA	92557-8560	329.6	32.96	65.26	427.82
95052155005	256342011	MARQUEZ, ALEJANDRO (RENT)	11510	MINDORA DR	MORENO VALLEY	CA	92557-8560	MARQUEZ, ALEJANDRO	11510 MINDORA DR	MORENO VALLEY, CA	92557-8560	321.76	32.18	63.71	417.64
71471065004	256451003	HUME, PETER	11462	CHAUCER ST	MORENO VALLEY	CA	92557-8315	HUME, PETER	11462 CHAUCER ST	MORENO VALLEY, CA	92557-8315	254.02	25.4	50.3	329.7
71576015001	256452010	BARAJAS, ERIC	11488	TYLER RD	MORENO VALLEY	CA	92557-8334	BARAJAS, ERIC	11488 TYLER RD	MORENO VALLEY, CA	92557-8334	95.82	9.58	18.97	124.36
93757175007	256452021	STONE, BARBARA (RENT)	11513	GREYSON RD	MORENO VALLEY	CA	92557-8333	STONE, BARBARA	11513 GREYSON RD	MORENO VALLEY, CA	92557-8333	254.12	25.41	50.32	329.84
61369755007	259260081	ROY, RANDY	23340	LAWLESS RD	MORENO VALLEY	CA	92557-3558	ROY, RANDY	23340 LAWLESS RD	MORENO VALLEY, CA	92557-3558	254.12	25.41	50.32	329.84
31165475005	259361003	PRESTON, WARREN	9755	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1801	PRESTON, WARREN	9755 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1801	63.63	6.36	12.6	82.58
54528815002	259361006	CORDOVA, GINA	9779	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1801	CORDOVA, GINA	9779 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1801	329.32	32.93	65.21	427.44
31476875002	259361015	SMITH, CHARLES	9855	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1802	SMITH, CHARLES	9855 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1802	254.02	25.4	50.3	329.7
31336055000	259361021	MOYA, JESUS	9895	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1802	MOYA, JESUS	9895 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1802	254.02	25.4	50.3	329.7
91735375003	259361022	MAXWELL, WILLIAM	9901	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1803	MAXWELL, WILLIAM	PO BOX 390487	ANZA, CA	92539-0487	253.92	25.39	50.28	329.58
31200595005	259362004	CORTEZ, JERRY	9850	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1800	CORTEZ, JERRY	9850 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1800	254.02	25.4	50.3	329.7
31574645003	259362016	SMITH, ELAINE	9799	DEER CREEK RD	MORENO VALLEY	CA	92557-1832	SMITH, ELAINE	9799 DEER CREEK RD	MORENO VALLEY, CA	92557-1832	254.12	25.41	50.32	329.84
31165025000	259362019	MONTENEGRO, ROSA	9829	DEER CREEK RD	MORENO VALLEY	CA	92557-1805	MONTENEGRO, ROSA	9829 DEER CREEK RD	MORENO VALLEY, CA	92557-1805	42.76	4.28	8.47	55.5
94737743009	259362021	TORRES, EDGAR AND ANGIE(OWNR)	9847	DEER CREEK RD	MORENO VALLEY	CA	92557-1805	TORRES, EDGAR AND ANGIE	9847 DEER CREEK RD	MORENO VALLEY, CA	92557-1805	76.37	7.64	15.12	99.12
81768975000	259362022	THOMAS, R C (OWNR)	9857	DEER CREEK RD	MORENO VALLEY	CA	92557-1805	THOMAS, R C	9857 DEER CREEK	MORENO VALLEY, CA	92557-1805	254.12	25.41	50.32	329.84
65364325005	259362024	MURPHY, SHAUN AND TAMMY	9877	DEER CREEK RD	MORENO VALLEY	CA	92557-1805	MURPHY, SHAUN AND TAMMY	9877 DEER CREEK RD	MORENO VALLEY, CA	92557-1805	63.63	6.36	12.6	82.58
31164455002	259363004	RUIZ, RICHARD AND NANCY	9880	DEER CREEK RD	MORENO VALLEY	CA	92557-1804	RUIZ, RICHARD AND NANCY	9880 DEER CREEK RD	MORENO VALLEY, CA	92557-1804	254.12	25.41	50.32	329.84
31363025001	259363015	LEWIS, ARTHUR (OWNR)	9780	DEER CREEK RD	MORENO VALLEY	CA	92557-1831	LEWIS, ARTHUR	12625 FREDERICK ST #L5	MORENO VALLEY, CA	92553-5216	240.98	24.1	47.71	312.78
93809525003	259363018	THURSTON, OMYIA	22800	COUNTRYSIDE WAY	MORENO VALLEY	CA	92557-1830	THURSTON, OMYIA	PO BOX 1201	MORENO VALLEY, CA	92556-1201	80.36	8.04	15.91	104.3
93961535000	259363022	RODRIGUEZ, ALFREDO (OWNR)	22760	COUNTRYSIDE WAY	MORENO VALLEY	CA	92557-1806	RODRIGUEZ, ALFREDO AND MARIA	22760 COUNTRYSIDE WAY	MORENO VALLEY, CA	92557-1806	63.63	6.36	12.6	82.58
31476885000	259371008	AGUIRRE, DANNY AND DIANE	22760	FEATHERBROOK CT	MORENO VALLEY	CA	92557-1808	AGUIRRE, DANNY AND DIANE	22760 FEATHERBROOK CT	MORENO VALLEY, CA	92557-1808	329.32	32.93	65.21	427.44
31447445004	259371017	LOPEZ, CHARLES (RENT)	22724	TURTLECREEK CT	MORENO VALLEY	CA	92557-1809	LOPEZ, CHARLES	22928 SCOTIA LN	MORENO VALLEY, CA	92557-6908	104.93	10.49	20.78	136.18
62284195005	259371018	PATTERSON, WILMA	22734	TURTLECREEK CT	MORENO VALLEY	CA	92557-1809	PATTERSON, WILMA	22734 TURTLECREEK CT	MORENO VALLEY, CA	92557-1809	254.12	25.41	50.32	329.84
73948965006	259371024	HULITT, VERONICA	9680	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1813	HULITT, VERONICA	2045 WEST 108TH ST	LOS ANGELES, CA	90047-4312	190.69	19.07	37.76	247.5
31292945009	259371025	OVERTON JR, STEPHEN E	9688	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1813	OVERTON JR, STEPHEN E	9688 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1813	253.92	25.39	50.28	329.58
91804465008	259371031	BROWN, PATSY	22779	BEAVERCREEK CT	MORENO VALLEY	CA	92557-1810	BROWN, PATSY	22779 BEAVERCREEK CT	MORENO VALLEY, CA	92557-1810	253.92	25.39	50.28	329.58
94067785002	259372010	MESSINA, KRISTIN (OWNR)	9659	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1812	MESSINA, KRISTIN	9659 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1812	254.12	25.41	50.32	329.84
31440125006	259372013	BERGEN, ALLEN J	9635	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1812	BERGEN, ALLEN J	21220 CHIRPING SPARROW RD	DIAMOND BAR, CA	91765-3703	190.69	19.07	37.76	247.5
48350305000	259381001	FITZ, JOSE LUIS AND BEATRICE	22826	MAYBROOK WAY	MORENO VALLEY	CA	92557-1819	FITZ, JOSE LUIS AND BEATRICE	22826 MAYBROOK WAY	MORENO VALLEY, CA	92557-1819	27.06	2.71	5.36	35.12
31184975001	259381008	BROOM, MICHAEL	22896	MAYBROOK WAY	MORENO VALLEY	CA	92557-1819	BROOM, MICHAEL	22896 MAYBROOK WY	MORENO VALLEY, CA	92557-1819	31.86	3.19	6.31	41.34
31187305005	259381011	GARCIA, VERONICA	9530	SHADOW SPRINGS DR	MORENO VALLEY	CA	92557-1822	GARCIA, VERONICA	9530 SHADOW SPRINGS DR	MORENO VALLEY, CA	92557-1822	254.12	25.41	50.32	329.84
84957365004	259381014	RAMIREZ, GRACIELA	9572	SHADOW SPRINGS DR	MORENO VALLEY	CA	92557-1822	RAMIREZ, GRACIELA	9572 SHADOW SPRINGS DR	MORENO VALLEY, CA	92557-1822	254.12	25.41	50.32	329.84
92761563008	259381023	ROGER, LATRICIA	22906	BROOKHOLLOW WAY	MORENO VALLEY	CA	92557-1842	ROGER, LATRICIA	22906 BROOKHOLLOW WAY	MORENO VALLEY, CA	92557-1842	63.63	6.36	12.6	82.58
31528475004	259382003	BROWN, ANNA	9601	SHADOW SPRINGS DR	MORENO VALLEY	CA	92557-1826	BROWN, ANNA	12340 PASEO DEL SOL WAY	MORENO VALLEY, CA	92557-7515	254.12	25.41	50.32	329.84
31306725003	259384001	BEEBE, MIKE	9601	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1815	BEEBE, MIKE	9601 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1815	254.02	25.4	50.3	329.7
31175965001	259384005	ESTRELLA, ALICIA AND ROBERTO	9545	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1818	ESTRELLA, ALICIA AND ROBERTO	9545 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1818	254.02	25.4	50.3	329.7
31300325000	259391002	POATS, EUGENE (OWNR)	22937	BROOKHOLLOW WAY	MORENO VALLEY	CA	92557-1842	POATS, EUGENE	22937 BROOKHOLLOW WAY	MORENO VALLEY, CA	92557-1842	329.32	32.93	65.21	427.44
31483135004	259391003	BELL, AUGUST AND BEVERLY (OWN)	22927	BROOKHOLLOW WAY	MORENO VALLEY	CA	92557-1842	BELL, AUGUST AND BEVERLY (OWN)	22927 BROOKHOLLOW WAY	MORENO VALLEY, CA	92557	134.02	13.4	26.54	173.94
31613585008	259391012	MELDRUM, NANCY	9768	SHADOW SPRINGS DR	MORENO VALLEY	CA	92557-1827	MELDRUM, NANCY	9768 SHADOW SPRINGS DR	MORENO VALLEY, CA	92557-1827	70.79	7.08	14.02	91.88
31591915000	259392007	RUELAS, THERESA	9712	RIPPLECREEK DR	MORENO VALLEY	CA	92557-1838	RUELAS, THERESA	9712 RIPPLECREEK DR	MORENO VALLEY, CA	92557-1838	254.02	25.4	50.3	329.7
31483695006	259393001	SMITH, ANTHONY	9727	RIPPLECREEK DR	MORENO VALLEY	CA	92557-1840	SMITH, ANTHONY	9727 RIPPLECREEK DR	MORENO VALLEY, CA	92557-1840	254.02	25.4	50.3	329.7
97026785005	259393006	ABACHERLI, FRANK (OWNR)	9657	RIPPLECREEK DR	MORENO VALLEY	CA	92557-1821	ABACHERLI, FRANK	PO BOX 327	MIRA LOMA, CA	91752-0327	513.88	51.39	101.75	667
93749995002	259393010	REEVES, DONALD (RENT)	9656	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1814	REEVES, DONALD	9656 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1814	140.79	14.08	27.88	182.74
31254225000	259393015	ALATORRE, SALVADOR	9726	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1836	ALATORRE, SALVADOR	9726 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1836	63.63	6.36	12.6	82.58
31639915007	259402001	WILLIAMS, GITTA	9839	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1848	WILLIAMS, GITTA	9839 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1848	199.02	19.9	39.41	258.32
93877615001	259402003	LEVINSON, STEPHANIE (RENT)	9811	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1848	LEVINSON, STEPHANIE	13436 GLORY BOWERS ST	MORENO VALLEY, CA	92553-6982	254.12	25.41	50.32	329.84
55350325006	259402006	GUZMAN, GUILLERMO (OWNR)	9769	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1816	GUZMAN, GUILLERMO	9769 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1816	154.02	15.4	30.5	199.9
74569525006	259411008	BABATUNDE, FEMI	9783	WHITEWATER RD	MORENO VALLEY	CA	92557-1852	BABATUNDE, FEMI	9783 WHITEWATER RD	MORENO VALLEY, CA	92557-1852	27.36	2.74	5.42	35.5
69580565001	259411016	SANCHEZ, JAVIER	9822	WHITEWATER RD	MORENO VALLEY	CA	92557-1854	SANCHEZ, JAVIER	9822 WHITEWATER RD	MORENO VALLEY, CA	92557-1854	254.02	25.4	50.3	329.7
89924248005	259413003	JIMENEZ, DOLORES (OWNR)	10005	WHITEWATER RD	MORENO VALLEY	CA	92557-1857	JIMENEZ, DOLORES	10005 WHITEWATER RD	MORENO VALLEY, CA	92557-1857	290.44	29.04	57.51	376.98
90463905002	259414003	HESCH, DONALD	9915	WATERFALL CIR	MORENO VALLEY	CA	92557-1845	HESCH, DONALD	9915 WATERFALL CIR	MORENO VALLEY, CA	92557-1845	253.92	25.39	50.28	329.58
31250435004	259414005	BUCHANAN, RODNEY	9895	WATERFALL CIR	MORENO VALLEY	CA	92557-1843	BUCHANAN, RODNEY	9895 WATERFALL CIR	MORENO VALLEY, CA	92557-1843	253.92	25.39	50.28	329.58
87561385007	259414006	CALHOUN, ANYELA	9885	WATERFALL CIR	MORENO VALLEY	CA	92557-1843	CALHOUN, ANYELA	9885 WATERFALL CIR	MORENO VALLEY, CA	92557-1843	62.46	6.25	12.37	81.08
67209455001	259414022	GERREN, JAMAL	9909	WHITEWATER RD	MORENO VALLEY	CA	92557-1856	GERREN, JAMAL	9909 WHITEWATER RD	MORENO VALLEY, CA	92557-1856	254.12	25.41	50.32	329.84
92047805002	259414032	ROMERO, CELESTE	9867	PEBBLE BROOK DR	MORENO VALLEY	CA	92557-1848	ROMERO, CELESTE	9867 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1848	253.92	25.39	50.28	329.58
31418155005	259421004	THOMAS, HAROLD AND DONNA	22530	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1712	THOMAS, HAROLD AND DONNA	22530 COUNTRY CREST DR	MORENO VALLEY, CA	92557-1712	272.53	27.25	53.36	353.14
92140763003	259421005	BARNETT, LINDA (OWNR)	22520	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1712	BARNETT, LINDA	22520 COUNTRY CREST DR	MORENO VALLEY, CA	92557-1712	561.01	56.1	111.08	728.18
58545145006	259422013	NEWBURN, KEVIN	22638	MORALIA DR	MORENO VALLEY	CA	92557-2675	NEWBURN, KEVIN	22638 MORALIA DR	MORENO VALLEY, CA	92557-2675	41.12	4.11	8.14	53.36
73551495001	259422015	OGUNDOWONE, GBENGA	22660	MORALIA DR	MORENO VALLEY	CA	92557-2675	OGUNDOWONE, GBENGA	22660 MORALIA DR	MORENO VALLEY, CA	92557-2675	254.12	25.41	50.32	329.84
31429485003	259423002	BARRERA, LOUIE AND MARY	22575	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1721	BARRERA, LOUIE AND MARY	22575 COUNTRY CREST DR	MORENO VALLEY, CA	92557-1721	190.69	19.07	37.76	247.5
31243655002	259441003	QUON, RICHARD	22460	RIDGEWATER WAY	MORENO VALLEY	CA	92557-1716	QUON, RICHARD	22460 RIDGEWATER WAY	MORENO VALLEY, CA	92557-1716	190.69	19.07	37.76	247.5
93813325007	259442007	WILSON, JOHN	9721	SUNNYBROOK DR	MORENO VALLEY	CA	92557-1704	WILSON, JOHN	38289 PLACER CREEK ST	MURRIETA, CA	92562-9333	63.83	6.38	12.64	82.84
31407245000	259442014	FAGEL, VIOLET	22375	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1709	SORIANO, VIOLET	22375 COUNTRY CREST DR	MORENO VALLEY, CA	92557-1709	174.02	17.4	34.46	225.86
31595495009	259443001	MUNSAYAC, BONIFACIO (OWNR)	9690	SUNNYBROOK DR	MORENO VALLEY	CA	92557-1702	MUNSAYAC, BONIFACIO	9690 SUNNYBROOK DR	MORENO VALLEY, CA	92557-1702	329.32	32.93	65.21	427.44
58437525006	259443002	VILLA, JOE	9702	SUNNYBROOK DR	MORENO VALLEY	CA	92557-1703	VILLA, JOE	9702 SUNNYBROOK DR	MORENO VALLEY, CA	92557-1703	329.6	32.96	65.26	427.82
97048645009	259443003	SANDOVAL, NICHOLAS	9714	SUNNYBROOK DR	MORENO VALLEY	CA	92557-1703	SANDOVAL, NICHOLAS	421 N ELENA AVE	REDONDO BEACH, CA	90277-2823	335.76	33.58	66.48	435.8
72990335006	259443009	HERNANDEZ, TONY	22404	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1710	HERNANDEZ, TONY	22404 COUNTRY CREST DR	MORENO VALLEY, CA	92557-1710	329.32	32.93	65.21	427.44
31419935000	259443016	PRUDE, CARL AND NINA	9761	CROSS CREEK CIR	MORENO VALLEY	CA	92557-1722	PRUDE, CARL AND NINA	9761 CROSS CREEK CIR	MORENO VALLEY, CA	92557-1722	329.32	32.93	65.21	427.44
31220625007	259443019	WHITE, WILLIAM	9696	BIG CREEK CIR	MORENO VALLEY	CA	92557-1705	WHITE, WILLIAM	PO BOX 905	WINCHESTER, CA	92596-0905	254.01	25.4	50.29	329.7
35934635004	259443023	ESCAMILLA, LEANNE M (OWNR)	9736	BIG CREEK CIR	MORENO VALLEY	CA	92557-1707	ESCAMILLA, LEANNE M	9736 BIG CREEK CIR	MORENO VALLEY, CA	92557-1707	254.12	25.41	50.32	329.84
31208355008	259443025	JOHNSON, BETTY	9745	BIG CREEK CIR	MORENO VALLEY	CA	92557-1707	JOHNSON, BETTY	9745 BIG CREEK CIR	MORENO VALLEY, CA	92557-1707	254.02	25.4	50.3	329.7
92449365002	259443026	STRAWBERRY, GENEVA (RENT)	9706	BIG CREEK CIR	MORENO VALLEY	CA	92557-1707	STRAWBERRY, GENEVA	13221 ARVILA DR	VICTORVILLE, CA	92392-8305	190.59	19.06	37.74	247.38
31360425003	259443028	GAINES, MORRIS	9711	BIG CREEK CIR	MORENO VALLEY	CA	92557-1707	GAINES, MORRIS	9711 BIG CREEK CIR	MORENO VALLEY, CA	92557-1707	254.02	25.4	50.3	329.7
88644275003	259444004	(MARTINEZ, MIGUEL AND LAURA (OW	22435	COUNTRY CREST DR	MORENO VALLEY	CA	92557-1711	MARTINEZ, MIGUEL	10146 BEACHCOMBER ST	MORENO VALLEY, CA	92557-2869	241.53	24.15	47.82	313.5
31629505004	259451002	DOMINGUEZ, LARRY AND BRIDGET	23187	MONTALVO RD	MORENO VALLEY	CA	92557-3513	DOMINGUEZ, LARRY AND BRIDGET	23187 MONTALVO RD	MORENO VALLEY, CA	92557-3513	329.32	32.93	65.21	427.44
31620415002	259451012	JONES, GLENN	23039	MONTALVO RD	MORENO VALLEY	CA	92557-3511	JONES, GLENN	23039 MONTALVO RD	MORENO VALLEY, CA	92557-3511	190.69	19.07	37.76	247.5
66434755004	259451024	FOURNIER, LESLIE	23021	COTATI CT	MORENO VALLEY	CA	92557-3501	FOURNIER, LESLIE	23021 COTATI CT	MORENO VALLEY, CA	92557-3501	254.12	25.41	50.32	329.84
62979735007	259470007	HARRIS, YVETTE	9813	TAMALPAIS PL	MORENO VALLEY	CA	92557-3516	HARRIS, YVETTE	9813 TAMALPAIS PL	MORENO VALLEY, CA	92557-3516	110.23	11.02	21.83	143.06
31652285002	259470015	GROOM, RHONDA	9796	TAMALPAIS PL	MORENO VALLEY	CA	92557-3516	GROOM, RON	9796 TAMALPAIS PL	MORENO VALLEY, CA	92557-3516	95.02	9.5	18.81	123.32
91169533007	259470024	STOREY, MERRELL (RENT)	9752	VIA MONTARA	MORENO VALLEY	CA	92557-3502	STOREY, MERRELL (RENT)	9752 VIA MONTARA	MORENO VALLEY, CA	92557-3502	267.58	26.76	52.98	347.3
31642145003	259470030	COFFEEN, DEBRA	9840	VIA MONTARA	MORENO VALLEY	CA	92557-3504	COFFEEN, DEBRA	9840 VIA MONTARA	MORENO VALLEY, CA	92557-3504	48.83	4.88	9.67	63.38
95932085003	259470041	SALUDARES, BENEDICTO (OWNR)	9772	CASMALIA CT	MORENO VALLEY	CA	92557-3515	SALUDARES, BENEDICTO	9772 CASMALIA CT	MORENO VALLEY, CA	92557-3515	254.12	25.41	50.32	329.84
31639935003	259470044	GAINES, LEROY	9814	CASMALIA CT	MORENO VALLEY	CA	92557-3515	GAINES, LEROY	9814 CASMALIA CT	MORENO VALLEY, CA	92557-3515	254.02	25.4	50.3	329.7
50499335001	259482006	BROOKS, SHIRLEY	9966	VIA DEL NORTE	MORENO VALLEY	CA	92557-3522	BROOKS, SHIRLEY	9966 VIA DEL NORTE	MORENO VALLEY, CA	92557-3522	254.02	25.4	50.3	329.7
58637005000	259490003	HELME, CHRIS	9950	SOFIA CT	MORENO VALLEY	CA	92557-3523	HELME, CHRIS	9950 SOFIA CT	MORENO VALLEY, CA	92557-3523	254.12	25.41	50.32	329.84
96505855004	259491015	RADHAWA, FUKHDEEP (OWNR)	23404	MONTALVO RD	MORENO VALLEY	CA	92557-3525	RADHAWA, FUKHDEEP	23404 MONTALVO RD	MORENO VALLEY, CA	92557-3525	136.47	13.65	27.02	177.12
59947975008	259491019	GARCIA, RUDY	23449	PRESIDIO HILLS DR	MORENO VALLEY	CA	92555-	GARCIA, RUDY	23449 PRESIDIO HILLS DR	MORENO VALLEY, CA	92557-3539	254.12	25.41	50.32	329.84
60098495008	259491026	EDWARDS, CANDY	23547	PRESIDIO HILLS DR	MORENO VALLEY	CA	92557-3536	EDWARDS, CANDY	23547 PRESIDIO HILLS DR	MORENO VALLEY, CA	92557-3536	254.12	25.41	50.32	329.84
75659685008	259491027	GALL, RONALD	23561	PRESIDIO HILLS DR	MORENO VALLEY	CA	92553-	GALL, RONALD	23561 PRESIDIO HILLS DR	MORENO VALLEY, CA	92557-3536	254.02	25.4	50.3	329.7
101923993003	259491042	HERNANDEZ, MANUEL (OWNR)	23532	DESCANSO DR	MORENO VALLEY	CA	92557-3544	HERNANDEZ, MANUEL (OWNR)	23532 DESCANSO DR	MORENO VALLEY, CA	92557-3544	63.63	6.36	12.6	82.58
65034775009	259491045	WILLIAMS, TAMIKO	23574	DESCANSO DR	MORENO VALLEY	CA	92557-3544	WILLIAMS, TAMIKO	23574 DESCANSO DR	MORENO VALLEY, CA	92557-3544	254.12	25.41	50.32	329.84
75660155009	259492006	ROBEA, SHIRLEY	9893	PASEO CAYUCO	MORENO VALLEY	CA	92557-3537	ROBEA, SHIRLEY	9893 PASEO CAYUCO	MORENO VALLEY, CA	92557-3537	254.02	25.4	50.3	329.7

MV00168145

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
62946025005	259510007	JOHNSON, BRUCE	29610	DESCANSO DR	MORENO VALLEY	CA	92557-3547	JOHNSON, BRUCE	29610 DESCANSO DR	MORENO VALLEY, CA	92557-3547	254.12	25.41	50.32	329.84
98361965017	259510008	HARKINS, JESSICA (RENT)	29622	DESCANSO DR	MORENO VALLEY	CA	92557-3547	HARKINS, JESSICA (RENT)	29622 DESCANSO DR	MORENO VALLEY, CA	92557-3547	179.6	17.96	35.56	233.12
99975463008	259510013	HANNAH, MARIE (RENT)	23682	DESCANSO DR	MORENO VALLEY	CA	92557-3547	HANNAH, MARIE	23682 DESCANSO DR	MORENO VALLEY, CA	92557-3547	153.88	15.39	30.47	199.72
66374035004	259520011	RODRIGUEZ, LIDA	23409	LAWLESS RD	MORENO VALLEY	CA	92557-3527	RODRIGUEZ, LIDA	23409 LAWLESS RD	MORENO VALLEY, CA	92557-3527	329.6	32.96	65.26	427.82
65907675007	259520018	WALKER, WINIFRED	23494	VIA SOLANA	MORENO VALLEY	CA	92557-3554	WALKER, WINIFRED	28610 STRAUSS LN	MORENO VALLEY, CA	92555-6742	254.12	25.41	50.32	329.84
65550575006	259521011	NELSON, LEE	23437	VIA SOLANA	MORENO VALLEY	CA	92557-3553	NELSON, LEE	23437 VIA SOLANA	MORENO VALLEY, CA	92557-3553	63.63	6.36	12.6	82.58
86351205002	260061002	FARHA, ALEES	23355	VIA MONTEGO	MORENO VALLEY	CA	92557-2724	FARHA, ALEES	23355 VIA MONTEGO	MORENO VALLEY, CA	92557-2724	329.32	32.93	65.21	427.44
31150635004	260061011	MADSEN, CHARLES	10417	VIA APOLINA	MORENO VALLEY	CA	92557-2728	MADSEN, CHARLES	2242 CAPER TREE DR	TUSTIN, CA	92780-7113	188.98	18.9	37.42	245.28
64502025004	260061016	MARCE, EVIE	10377	VIA APOLINA	MORENO VALLEY	CA	92557-2712	CAMARCE, EVIE	PO BOX 1253	MORENO VALLEY, CA	92556-1253	182.76	18.28	36.19	237.22
66735575002	260061019	CASTANEDA, MARIA	10353	VIA APOLINA	MORENO VALLEY	CA	92557-2712	CASTANEDA, MARIA	10353 VIA APOLINA	MORENO VALLEY, CA	92557-2712	254.12	25.41	50.32	329.84
83643975003	260061022	BAUTISTA, PATRICIA	10317	VIA APOLINA	MORENO VALLEY	CA	92557-2712	BAUTISTA, PATRICIA	10317 VIA APOLINA	MORENO VALLEY, CA	92557-2712	183.47	18.35	36.33	238.14
74672675006	260061025	HARTFIELD, TERRENCE	10293	VIA APOLINA	MORENO VALLEY	CA	92557-2708	HARTFIELD, TERRENCE	11739 BELLFLOWER BLVD	DOWNEY, CA	90241-5410	254.02	25.4	50.3	329.7
94836703007	260061026	MEJIA, JAVIER AND JESSICA (REN	10285	VIA APOLINA	MORENO VALLEY	CA	92557-2708	MEJIA, JAVIER AND JESSICA	10285 VIA APOLINA	MORENO VALLEY, CA	92557-2708	82.68	8.27	16.37	107.3
86551643005	260061029	HERNANDEZ, RAUL (RENT)	10261	VIA APOLINA	MORENO VALLEY	CA	92557-2708	HERNANDEZ, RAUL	10261 VIA APOLINA	MORENO VALLEY, CA	92557-2708	254.12	25.41	50.32	329.84
31037823000	260062003	WALKER, TIMEA (RENT)	10247	VIA PAVON	MORENO VALLEY	CA	92557-2707	WALKER, TIMEA (RENT)	10247 VIA PAVON	MORENO VALLEY, CA	92557-2707	190.79	19.08	37.78	247.64
31175185005	260062008	ZAPATA, MARIA	10297	VIA PAVON	MORENO VALLEY	CA	92557-2718	ZAPATA, MARIA	10297 VIA PAVON	MORENO VALLEY, CA	92557-2718	254.02	25.4	50.3	329.7
95253603005	260062013	VILLANUEVA, JUAN	10294	VIA PASTORAL	MORENO VALLEY	CA	92557-2713	VILLANUEVA, JUAN	10294 VIA PASTORAL	MORENO VALLEY, CA	92557-2713	63.63	6.36	12.6	82.58
71445795005	260063009	INIQUEZ, MARTIN	23347	VIA AMADOR	MORENO VALLEY	CA	92557-2719	INIQUEZ, MARTIN	23347 VIA AMADOR	MORENO VALLEY, CA	92557-2719	69.11	6.91	13.68	89.7
97155505001	260063020	BAILON, DANIEL (RENT)	10308	VIA APOLINA	MORENO VALLEY	CA	92557-2705	BAILON, DANIEL (RENT)	21064 BOX SPRINGS RD APT 120	MORENO VALLEY, CA	92557-8731	233.14	23.31	46.16	302.6
72713135004	260063021	LEA, DEVI (RENT)	10316	VIA APOLINA	MORENO VALLEY	CA	92557-2705	LEA, DEVI (RENT)	10316 VIA APOLINA	MORENO VALLEY, CA	92557-2705	87.42	8.74	17.31	113.46
96080505002	260063024	ROMERO, RAUL (RENT)	10360	VIA APOLINA	MORENO VALLEY	CA	92557-2711	ROMERO, RAUL	3993 HOWARD HUGHES PARKWAY	LAS VEGAS, NV	89169-0961	138.75	13.88	27.47	180.08
63846985004	260063036	BROWN, MARC AND MARY L	23380	VIA SAUSALITO	MORENO VALLEY	CA	92557-2720	BROWN, MARC AND MARY L	8230 MAGNOLIA AVE APT 301	RIVERSIDE, CA	92504-6407	63.63	6.36	12.6	82.58
96791885004	260063037	BRANCH, ROSANNA (OWNR)	23388	VIA SAUSALITO	MORENO VALLEY	CA	92557-2720	BRANCH, ROSANNA	23388 VIA SAUSALITO	MORENO VALLEY, CA	92557-2720	254.12	25.41	50.32	329.84
99682905004	260063046	TORRES, TANYA (OWNR)	23411	VIA MONTEGO	MORENO VALLEY	CA	92557-2731	TORRES, TANYA	16196 STARVIEW ST	MORENO VALLEY, CA	92551-7272	187.69	18.77	37.16	243.62
31533705006	260063050	KIRBY-WHITE, DIANE	23379	VIA MONTEGO	MORENO VALLEY	CA	92557-2716	KIRBY-WHITE, DIANE	23571 SUNNYMEAD RANCH PRKY #110-121	MORENO VALLEY, CA	92557-2867	254.02	25.4	50.3	329.7
94448655001	260064004	DAVIS, LUCY	23388	VIA MONTEGO	MORENO VALLEY	CA	92557-2715	DAVIS, LUCY	PO POX 8343	MORENO VALLEY, CA	92552	327.13	32.71	64.77	424.6
95815445005	260071004	JOSEPH, MAGDALENA (RENT)	23951	CREEKWOOD DR	MORENO VALLEY	CA	92557-2922	JOSEPH, MAGDALENA	24115 COTTONWOOD AVE #85	MORENO VALLEY, CA	92553-6274	32.35	3.24	6.41	41.98
96684605000	260072002	RIBER, TREMANIE (RENT)	23944	BRITTLEBUSH CIR	MORENO VALLEY	CA	92557-2933	RIBER, TREMANIE	23944 BRITTLEBUSH CIR	MORENO VALLEY, CA	92557-2933	30.39	3.04	6.02	39.44
51888355002	260073009	GIBSON, JAMES & JACKLYN	10322	DESERT STAR ST	MORENO VALLEY	CA	92557-2928	GIBSON, JAMES	10322 DESERT STAR ST	MORENO VALLEY, CA	92557-2928	167.44	16.74	33.15	217.32
53384795003	260073012	WILSON, ARTHUR	10352	DESERT STAR ST	MORENO VALLEY	CA	92557-2929	WILSON, ARTHUR	10352 DESERT STAR	MORENO VALLEY, CA	92557-2929	254.02	25.4	50.3	329.7
31485335002	260073014	POLANCO, SONIA	23948	CREEKWOOD DR	MORENO VALLEY	CA	92557-2921	POLANCO, SONIA	23948 CREEKWOOD DR	MORENO VALLEY, CA	92557-2921	37.36	3.74	7.4	48.48
31110435000	260074001	WELLS, JAMES	10242	LAKE SUMMIT DR	MORENO VALLEY	CA	92557-2900	WELLS, JAMES	10242 LAKE SUMMIT DR	MORENO VALLEY, CA	92557-2900	63.63	6.36	12.6	82.58
31464315006	260074006	IEZZI, MARTA	10302	LAKE SUMMIT DR	MORENO VALLEY	CA	92557-2908	IEZZI, MARTA	10302 LAKE SUMMIT DR	MORENO VALLEY, CA	92557-2908	179.99	18	35.64	233.62
31575615006	260081013	TOLBER, LINDA	10329	SHORE CREST TER	MORENO VALLEY	CA	92557-2938	TOLBER, LINDA	10329 SHORE CREST TER	MORENO VALLEY, CA	92557-2938	254.02	25.4	50.3	329.7
31401675002	260081015	LOWELL, PAM (OWNER)	10309	SHORE CREST TER	MORENO VALLEY	CA	92557-2938	LOWELL, PAM	PO BOX 567	MORENO VALLEY, CA	92556-0567	127.36	12.74	25.22	165.3
74673225009	260081023	GREENE, DARYL	23887	CREEKWOOD DR	MORENO VALLEY	CA	92557-2920	GREENE, DARYL	23887 CREEKWOOD DR	MORENO VALLEY, CA	92557-2920	63.63	6.36	12.6	82.58
31157725000	260082003	GOODWIN, EVELYN	23916	RIDGE POINT CT	MORENO VALLEY	CA	92557-2937	GOODWIN, EVELYN	23916 RIDGE POINTE	MORENO VALLEY, CA	92557-2937	254.02	25.4	50.3	329.7
98139035013	260082019	JORDAN, MICHAEL (RENT)	23887	RIDGE POINT CT	MORENO VALLEY	CA	92557-2936	JORDAN, MICHAEL	25614 VESPUCCI AVE	MORENO VALLEY, CA	92557-7631	212.52	21.25	42.08	275.84
97020725001	260082023	GRANADOS, NORMA	23919	RIDGE POINT CT	MORENO VALLEY	CA	92557-2936	GRANADOS, NORMA	23919 RIDGE POINT CT	MORENO VALLEY, CA	92557-2936	128.01	12.8	25.35	166.14
89702823003	260082028	BROWN, DAWN (RENT)	10319	DESERT STAR ST	MORENO VALLEY	CA	92557-2930	BROWN, DAWN	10319 DESERT STAR ST	MORENO VALLEY, CA	92557-2930	127.46	12.75	25.24	165.44
57857405001	260082032	SCHADE, RICHARD AND DOLORES	10359	DESERT STAR ST	MORENO VALLEY	CA	92557-2931	SCHADE, RICHARD AND DOLORES	10359 DESERT STAR ST	MORENO VALLEY, CA	92557-2931	90.69	9.07	17.96	117.7
59948105009	260082033	BRYSON, DONALD	10369	DESERT STAR ST	MORENO VALLEY	CA	92557-2931	BRYSON, DONALD	10369 DESERT STAR ST	MORENO VALLEY, CA	92557-2931	228.72	22.87	45.29	296.86
31584785002	260091008	GOULATTE, MIMIELLE	23758	CEDAR CREEK TER	MORENO VALLEY	CA	92557-2902	GOULATTE, MIMIELLE	23758 CEDAR CREEK TER	MORENO VALLEY, CA	92557-2902	254.02	25.4	50.3	329.7
96847505004	260091012	BETANCOURT, JOSE R (OWNR)	23726	CEDAR CREEK TER	MORENO VALLEY	CA	92557-2902	BETANCOURT, JOSE R	23726 CEDAR CREEK TER	MORENO VALLEY, CA	92557-2902	25.37	2.54	5.02	32.92
52288565005	260092002	NOVAL, VICTORINO	23714	WATERLEAF CIR	MORENO VALLEY	CA	92557-2912	NOVAL, VICTORINO	PO BOX 1239	SAN JUAN CAPO, CA	92693-1239	63.63	6.36	12.6	82.58
94393045008	260092005	WARE, LYDIA (RENT)	23738	WATERLEAF CIR	MORENO VALLEY	CA	92557-2912	WARE, LYDIA	23738 WATERLEAF CIR	MORENO VALLEY, CA	92557-2912	194.12	19.41	38.44	251.96
64097195009	260092009	JUAREZ, TAMMY	23778	WATERLEAF CIR	MORENO VALLEY	CA	92557-2914	JUAREZ, TAMMY	23880 BLUE BILL CT	MORENO VALLEY, CA	92557-2812	254.12	25.41	50.32	329.84
95589085003	260092011	FABROS, KRISTINE (OWNR)	23820	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2923	FABROS, KRISTINE	23820 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2923	254.12	25.41	50.32	329.84
31290495007	260092012	WILLIAMS, MARGARET	23828	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2923	WILLIAMS, MARGARET	23828 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2923	231.99	23.2	45.93	301.12
85609895009	260092018	BOISCLAIR, PIXIE	23863	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2925	BOISCLAIR, PIXIE	23863 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2925	254.02	25.4	50.3	329.7
65820405009	260092022	LUCERO, BETTY	23831	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2923	LUCERO, BETTY	23831 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2923	190.49	19.05	37.72	247.24
82712345000	260092023	LEMUS, BYRON	23823	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2923	LEMUS, BYRON	23823 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2923	174.02	17.4	34.46	225.86
31440785007	260101006	MERRILL, GERALD	23956	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2941	MERRILL, GERALD	23956 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2941	254.02	25.4	50.3	329.7
94154675001	260101013	WEST, CYNTHIA	24020	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2943	WEST, CYNTHIA	24020 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2943	254.12	25.41	50.32	329.84
70570685004	260101015	SPAAN, DANIEL AND MICHELLE	23950	CEDAR CREEK TER	MORENO VALLEY	CA	92557-2905	SPAAN, DANIEL AND MICHELLE	23950 CEDAR CREEK TER	MORENO VALLEY, CA	92557-2905	254.02	25.4	50.3	329.7
74673165001	260101026	EVANS, DONALD P	23854	CEDAR CREEK TER	MORENO VALLEY	CA	92557-2904	EVANS, DONALD P	23854 CEDAR CREEK TER	MORENO VALLEY, CA	92557-2904	254.02	25.4	50.3	329.7
72095015001	260103014	TABRON, DON	23927	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2926	TABRON, DON	23927 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2926	90.39	9.04	17.9	117.32
86598643006	260103019	BEVERLY, BRENDA (RENT)	23879	BLUE RIDGE PL	MORENO VALLEY	CA	92557-2925	BEVERLY, BRENDA	23879 BLUE RIDGE PL	MORENO VALLEY, CA	92557-2925	254.12	25.41	50.32	329.84
31167035004	260111002	WALLACE, SHARON AND THOMAS	10571	MENDOZA RD	MORENO VALLEY	CA	92557-3974	WALLACE, SHARON	10571 MENDOZA RD	MORENO VALLEY, CA	92557-3974	254.02	25.4	50.3	329.7
31648825007	260111007	HAWTHORNE, LES	10621	MENDOZA RD	MORENO VALLEY	CA	92557-3974	HAWTHORNE, LES	24935 SEAGATE DR	DANA POINT, CA	92629-1920	29.67	2.97	5.87	38.5
84060515006	260111033	PEXTON, KELLY	10610	VILLAGE RD	MORENO VALLEY	CA	92557-3959	PEXTON, KELLY	10610 VILLAGE RD	MORENO VALLEY, CA	92557-3959	154.02	15.4	30.5	199.9
31616335007	260111036	NAVIA, LORENZO AND SANCHEZ, MA	10580	VILLAGE RD	MORENO VALLEY	CA	92557-3959	NAVIA, LORENZO AND MARIA	10580 VILLAGE RD	MORENO VALLEY, CA	92557-3959	253.92	25.39	50.28	329.58
93917783009	260112003	FISHER, WAKIAA (RENT)	23579	TARARA DR	MORENO VALLEY	CA	92557-3956	FISHER, WAKIAA	23579 TARARA DR	MORENO VALLEY, CA	92557-3956	57.27	5.73	11.34	74.32
92854945002	260112006	LEE, KRYSTAL	23591	TARARA DR	MORENO VALLEY	CA	92557-3956	LEE, KRYSTAL	23591 TARARA DR	MORENO VALLEY, CA	92557-3956	254.02	25.4	50.3	329.7
71107555001	260112010	FLENTES, JEAN	10672	MENDOZA RD	MORENO VALLEY	CA	92557-3944	FLENTES, JEAN	10672 MENDOZA RD	MORENO VALLEY, CA	92557-3944	254.02	25.4	50.3	329.7
93175995000	260113001	CLARKSTON, JOSEPH (RENT)	23578	TARARA DR	MORENO VALLEY	CA	92557-3954	CLARKSTON, JOSEPH	23578 TARARA DR	MORENO VALLEY, CA	92557-3954	77.13	7.71	15.27	100.1
65909095005	260113010	BONILLA, JOSE	23625	TONADA LN	MORENO VALLEY	CA	92557-3966	BONILLA, JOSE	23625 TONADA LN	MORENO VALLEY, CA	92557-3966	254.12	25.41	50.32	329.84
31595635000	260114014	BOYD, SHARIA	10530	VILLAGE RD	MORENO VALLEY	CA	92557-3938	BOYD, SHARIA	10530 VILLAGE RD	MORENO VALLEY, CA	92557-3938	254.02	25.4	50.3	329.7
62578315005	260121005	QUEZADA, SARAH	10811	MENDOZA RD	MORENO VALLEY	CA	92557-3946	QUEZADA, SARAH	10811 MENDOZA RD	MORENO VALLEY, CA	92557-3946	329.6	32.96	65.26	427.82
31413135001	260121023	LUCKEY, CLARENCE *** SEE NOTES	10790	VILLAGE RD	MORENO VALLEY	CA	92557-3980	LUCKEY, CLARENCE	19943 GRIDLEY RD	CERRITOS, CA	90703-6722	209.54	20.95	41.49	271.98
31315165001	260122003	CAMPBELL, ARCHIE	10770	VILLAGE RD	MORENO VALLEY	CA	92557-3940	CAMPBELL, ARCHIE	10770 VILLAGE RD	MORENO VALLEY, CA	92557-3940	379.23	37.92	75.09	492.24
94514925004	260122004	HERNANDEZ, JOSE (RENT)	10760	VILLAGE RD	MORENO VALLEY	CA	92557-3940	HERNANDEZ, JOSE	10760 VILLAGE RD	MORENO VALLEY, CA	92557-3940	127.46	12.75	25.24	165.44
94558715005	260123002	JONES, CHARLES (OWNR)	23599	TARARA DR	MORENO VALLEY	CA	92557-3956	JONES, CHARLES	23599 TARARA DR	MORENO VALLEY, CA	92557-3956	254.02	25.4	50.3	329.7
31149155006	260123004	LACSON, HELEN	23607	TARARA DR	MORENO VALLEY	CA	92557-3956	LACSON, HELEN	23607 TARARA DR	MORENO VALLEY, CA	92557-3956	254.02	25.4	50.3	329.7
31509335004	260124007	EDGERSON, CARMELLA	23651	AIROSA PL	MORENO VALLEY	CA	92557-3964	EDGERSON, CARMELLA	23651 AIROSA PL	MORENO VALLEY, CA	92557-3964	254.12	25.41	50.32	329.84
31152405008	260124009	HOLLIER, GREGORY	10924	MENDOZA RD	MORENO VALLEY	CA	92557-3957	HOLLIER, GREGORY	PO BOX 8825	MORENO VALLEY, CA	92552-8825	254.32	25.43	50.36	330.1
31563655003	260124017	FAULKNER, BRENDA	23608	TARARA DR	MORENO VALLEY	CA	92557-3955	FAULKNER, BRENDA	15531 WOODRUFF AVE UNIT 3	BELLFLOWER, CA	90706-4080	416.61	41.66	82.49	540.74
90998865005	260124019	WILLIAMS, KIMBERLY	23600	TARARA DR	MORENO VALLEY	CA	92557-3955	WILLIAMS, KIMBERLY	23600 TARARA DR	MORENO VALLEY, CA	92557-3955	70.59	7.06	13.98	91.62
31276635007	260124021	WATSON, KENNETH	23609	AIROSA PL	MORENO VALLEY	CA	92557-3964	WATSON, KENNETH	23609 AIROSA PL	MORENO VALLEY, CA	92557-3964	254.12	25.41	50.32	329.84
31263425009	260125004	GARRETT, JAMES	23641	TONADA LN	MORENO VALLEY	CA	92557-3966	GARRETT, BONNIE	23641 TONADA LN	MORENO VALLEY, CA	92557-3966	136.37	13.64	27	177
99068895002	260125006	FARHA, LUNNA	23633	TONADA LN	MORENO VALLEY	CA	92557-3966	FARHA, LUNNA	23633 TONADA LN	MORENO VALLEY, CA	92557-3966	84.38	8.44	16.71	109.52
64506155007	260125008	HALLSTROM, DON	23634	AIROSA PL	MORENO VALLEY	CA	92557-3963	HALLSTROM, DON	23634 AIROSA PL	MORENO VALLEY, CA	92557-3963	254.12	25.41	50.32	329.84
81911925007	260126001	FINA, ANNA	10990	VILLAGE RD	MORENO VALLEY	CA	92557-3962	FINA, ANNA	10990 VILLAGE RD	MORENO VALLEY, CA	92557-3962	127.36	12.74	25.22	165.3
81973445008	260126007	GARCIA, LUIS	10930	VILLAGE RD	MORENO VALLEY	CA	92557-3962	GARCIA, LUIS	10930 VILLAGE RD	MORENO VALLEY, CA	92557-3962	254.02	25.4	50.3	329.7
84926435005	260126010	POLLAND, CHRISTINE	10911	MENDOZA RD	MORENO VALLEY	CA	92557-3958	POLLAND, CHRISTINE	23346 STONY CREEK WAY	MORENO VALLEY, CA	92557-3812	292.3	29.23	57.88	379.4
31168105007	260131004	SANDERS, SANDRA	23781	REDBARK DR	MORENO VALLEY	CA	92557-3984	SANDERS, SANDRA	23781 REDBARK DR	MORENO VALLEY, CA	92557-3984	329.32	32.93	65.21	427.44
31452285007	260132001	VEYNA, JOSE	23886	PINE FIELD DR	MORENO VALLEY	CA	92557-3916	VEYNA, JOSE	23886 PINE FIELD DR	MORENO VALLEY, CA	92557-3916	254.02	25.4	50.3	329.7
73248435007	260132002	FOX, MARYLIN	23860	PINE FIELD DR	MORENO VALLEY	CA	92557-3916	FOX, MARYLIN	126 N THISTLE RD	BREA, CA	92821-4727	254.02	25.4	50.3	329.7
93180453003	260133004	CASTRO, VINCENT (RENT)	10833	CEDAR TREE DR	MORENO VALLEY	CA	92557-3920	CASTRO, VINCENT	24657 FREEPORT DR	MORENO VALLEY, CA	92551-7417	183.71	18.37	36.37	238.44
97191905002	260134005	JOHNSON, RICHARD (RENT)	23801	HAZELWOOD DR	MORENO VALLEY	CA	92557-3933	JOHNSON, RICHARD	12622 MEMORIAL WAY APT 3144	MORENO VALLEY, CA	92553-7578	41.5	4.15	8.22	53.86
51254195001	260135014	DAY, TIMOTHY	10820	TEAKWOOD CIR	MORENO VALLEY	CA	92557-3932	DAY, TIMOTHY	10820 TEAKWOOD CIR	MORENO VALLEY, CA	92557-3932	254.02	25.4	50.3	329.7
31569755009	260136001	JACKSON, KELLEY	23889	PINE FIELD DR	MORENO VALLEY	CA	92557-3917	JACKSON, KELLEY	23889 PINE FIELD DR	MORENO VALLEY, CA	92557-3917	254.02	25.4	50.3	329.7
31587845003	260136004	COOK, BLANCHE	23837	PINE FIELD DR	MORENO VALLEY	CA	92557-3917	COOK, BLANCHE	23837 PINE FIELD DR	MORENO VALLEY, CA	92557-3917	254.02	25.4	50.3	329.7
31337245009	260141001	DE GROOT, RUDY	23821	REDBARK DR	MORENO VALLEY	CA	92557-3968	DE GROOT, RUDY	23821 REDBARK DR	MORENO VALLEY, CA	92557-3968	254.02	25.4	50.3	329.7
31324035001	260141006	LOPEZ, LUIS (RENT)	23871	REDBARK DR	MORENO VALLEY	CA	92557-3968	LOPEZ, LUIS	23871 REDBARK DR	MORENO VALLEY, CA	92557-3968	254.12	25.41	50.32	329.84
53922845005	260141008	ALVARADO, ENRIQUE	23891	REDBARK DR	MORENO VALLEY	CA	92557-3968	ALVARADO, ENRIQUE	23891 REDBARK DR	MORENO VALLEY, CA	92557-3968	329.32	32.93	65.21	427.44
31386105005	260141014	CRAIG, LINDA	23951	REDBARK DR	MORENO VALLEY	CA	92557-3969	CRAIG, LINDA	23951 REDBARK DR	MORENO VALLEY, CA	92557-3969	329.32	32.93	65.21	427.44
62822025008	260141022	STEVENS, BRENDA	23960	PINE HILLO DR	MORENO VALLEY	CA	92557-3900	STEVENS, BRENDA	23960 PINE FIELD DR	MORENO VALLEY, CA	92557-3900	254.12	25.41	50.32	329.84
31144875006	260141027	EDMONDS, MORTON AND ADRENA	23910	PINE FIELD DR	MORENO VALLEY	CA	92557-3900	EDMONDS, MORTON AND ADRENA	19069 VAN BUREN BLVD	RIVERSIDE, CA	92508-9171	329.32	32.93	65.21	427.44
95156885001	260142017	ARGOTE, DORA (RENT)	23939	HAZELWOOD DR	MORENO VALLEY	CA	92557-3937	ARGOTE, DORA	23939 HAZELWOOD DR	MORENO VALLEY, CA	92557-3937	190.79	19.08	37.78	247.64
91683985007	260142024	FLORES, GUADALUPE	23869	HAZELWOOD DR	MORENO VALLEY	CA	92557-3933	FLORES, GUADALUPE	23869 HAZELWOOD DR	MORENO VALLEY, CA	92557-3933	153.92	15.39	30.48	199.78

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
91115783002	260143003	WILLIAMS, SHAQUON (RENT)	23890	HAZELWOOD DR	MORENO VALLEY	CA	92557-3935	WILLIAMS, SHAQUON	PO BOX 8645	MORENO VALLEY, CA	92552-8645	114.57	11.46	22.68	148.7
31108965008	260144006	LEONARD, HERBERT	23939	PINE FIELD DR	MORENO VALLEY	CA	92557-3971	GAINES, ORVILLE	23939 PINE FIELD DR	MORENO VALLEY, CA	92557-3971	208.12	20.31	40.22	263.64
31337165005	260151009	ORTEGA, RAUL	10930	SHADY GLADE RD	MORENO VALLEY	CA	92557-3910	ORTEGA, RAUL	5602 ANINANDALE PL	CORONA, CA	92880-7263	237.65	23.77	47.05	308.46
90843873001	260151014	ZOMALT, GREG (RENT)	23699	BREEZY MEADOW CT	MORENO VALLEY	CA	92557-3909	ZOMALT, GREG	12416 CAPE CT	MORENO VALLEY, CA	92557-7503	84.31	8.43	16.69	109.42
88092465005	260151015	BARTLETT, KYLE	23687	BREEZY MEADOW CT	MORENO VALLEY	CA	92557-3909	BARTLETT, KYLE	23687 BREEZY MEADOW CT	MORENO VALLEY, CA	92557-3909	127.46	12.75	25.24	165.44
64372305003	260152005	ECHEVERRIA, GEYDI	23616	LAKE VALLEY DR	MORENO VALLEY	CA	92557-3950	ECHEVERRIA, GEYDI	23616 LAKE VALLEY DR	MORENO VALLEY, CA	92557-3950	254.12	25.41	50.32	329.84
97307035007	260153006	CHAMBERS, KELLY (RENT)	23720	REDBARK DR	MORENO VALLEY	CA	92557-3901	CHAMBERS, KELLY	9937 PASATIEMPO PL	MORENO VALLEY, CA	92557-3520	177.9	17.79	35.22	230.9
31272765008	260154002	CASTRO, ROBERT	23609	LAKE VALLEY DR	MORENO VALLEY	CA	92557-3953	CASTRO, ROBERT	23609 LAKE VALLEY DR	MORENO VALLEY, CA	92557-3953	329.04	32.9	65.15	427.08
31053905003	260154003	BARTON, HERBERT	23615	LAKE VALLEY DR	MORENO VALLEY	CA	92557-3953	BARTON, HERBERT	23615 LAKE VALLEY DR	MORENO VALLEY, CA	92557-3953	254.02	25.4	50.3	329.7
96197415003	260154011	NORRIS, REGINA (RENT)	10963	SHADY GLADE RD	MORENO VALLEY	CA	92557-3911	NORRIS, REGINA	10963 SHADY GLADE RD	MORENO VALLEY, CA	92557-3911	104.12	10.41	20.62	135.14
53669195008	260154012	MCDEVITT, MICHELLE	10973	SHADY GLADE RD	MORENO VALLEY	CA	92557-3911	MCDEVITT, MICHELLE	10973 SHADY GLADE RD	MORENO VALLEY, CA	92557-3911	254.02	25.4	50.3	329.7
97052935000	260154014	GREY, CHARLES (RENT)	10960	POPPY FIELD CIR	MORENO VALLEY	CA	92557-3912	GREY, CHARLES	10960 POPPY FIELD CIR	MORENO VALLEY, CA	92557-3912	254.12	25.41	50.32	329.84
94059945006	260154016	CANO, ERIK (OWNR)	10949	POPPY FIELD CIR	MORENO VALLEY	CA	92557-3912	CANO, ERIK	825 DOYLE AVE	REDLANDS, CA	92374-2530	254.12	25.41	50.32	329.84
92910545006	260154023	SHELTON, PERCY	10947	GRASS VALLEY CIR	MORENO VALLEY	CA	92557-3913	SHELTON, PERCY	10947 GRASS VALLEY CIR	MORENO VALLEY, CA	92557-3913	254.02	25.4	50.3	329.7
73441485007	260154024	HAWTHORNE, GARRET	10957	GRASS VALLEY CIR	MORENO VALLEY	CA	92557-3913	HAWTHORNE, GARRET	10957 GRASS VALLEY CIR	MORENO VALLEY, CA	92557-3913	254.02	25.4	50.3	329.7
81004165000	260161011	SINGH, ALLEN	10929	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3930	SINGH, ALLEN	10929 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3930	254.02	25.4	50.3	329.7
96070105007	260161017	SAULET, AZIZ (OWNR)	10857	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3985	SAULET, AZIZ	10857 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3985	37.5	3.75	7.43	48.66
31052295003	260161018	RAMIREZ, VICTOR	10845	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3985	RAMIREZ, VICTOR	10845 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3985	254.02	25.4	50.3	329.7
31483125006	260162002	SHERMAN, ROCHELLE	10785	VILLAGE RD	MORENO VALLEY	CA	92557-3943	SHERMAN, ROCHELLE	10785 VILLAGE RD	MORENO VALLEY, CA	92557-3943	555.22	55.52	109.93	720.66
60281915002	260162009	MANUS, TED	23580	LAKE VALLEY DR	MORENO VALLEY	CA	92557-3950	MANUS, TED	23580 LAKE VALLEY DR	MORENO VALLEY, CA	92557-3950	36.62	3.66	7.25	47.52
90832265002	260163005	MATHIS, MARY	10878	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3986	MATHIS, MARY	13728 OCHRE LN	VICTORVILLE, CA	92394-7516	253.92	25.39	50.28	329.58
96070225002	260163006	SAULET, CONSTANT (OWNR)	10890	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3986	SAULET, CONSTANT	10857 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3985	190.49	19.05	37.72	247.24
91713565000	260163012	LUGO, NORMA	10962	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3929	LUGO, NORMA	10962 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3929	40.59	4.06	8.04	52.68
31371025004	260163015	WILSON, LILLIE (RENT)	23584	BREEZY MEADOW CT	MORENO VALLEY	CA	92557-3927	WILSON, LILLIE	23584 BREEZY MEADOW CT	MORENO VALLEY, CA	92557-3927	329.32	32.93	65.21	427.44
64603365008	260163017	EVANS, SHEENA	23589	ROSEMEADOW CT	MORENO VALLEY	CA	92557-3931	EVANS, SHEENA	23589 ROSEMEADOW CT	MORENO VALLEY, CA	92557-3931	254.12	25.41	50.32	329.84
97025005001	260171017	BOYKIN, LUCKITA	10576	RIDGEFIELD TER	MORENO VALLEY	CA	92557-3803	BOYKIN, LUCKITA	10576 RIDGEFIELD TER	MORENO VALLEY, CA	92557-3803	127.46	12.75	25.24	165.44
31563605004	260171018	WOODAL, MICHELLE	23370	STONY CREEK WAY	MORENO VALLEY	CA	92557-3812	WOODAL, MICHELLE	23370 STONY CREEK WAY	MORENO VALLEY, CA	92557-3812	154.02	15.4	30.5	199.9
31476035009	260172001	BOBO, FELIX	10601	RIDGEFIELD TER	MORENO VALLEY	CA	92557-3804	BOBO, FELIX	10601 RIDGEFIELD TER	MORENO VALLEY, CA	92557-3804	254.02	25.4	50.3	329.7
74842645002	260173004	MORRIS, LISA	10701	VILLAGE RD	MORENO VALLEY	CA	92557-3961	MORRIS, LISA	10701 VILLAGE RD	MORENO VALLEY, CA	92557-3961	190.69	19.07	37.76	247.5
56453145005	260173005	AMAYA, STEVE	10709	VILLAGE RD	MORENO VALLEY	CA	92557-3961	AMAYA, STEVE	10709 VILLAGE RD	MORENO VALLEY, CA	92557-3961	254.02	25.4	50.3	329.7
66660285003	260173012	TELTIMEZ, DORA	10759	VILLAGE RD	MORENO VALLEY	CA	92557-3942	TELTIMEZ, DORA	10759 VILLAGE RD	MORENO VALLEY, CA	92557-3942	229.6	22.96	45.46	298.02
95489195001	260173013	PORTER, LATOSHA (OWNR)	10765	VILLAGE RD	MORENO VALLEY	CA	92557-3942	PORTER, LATOSHA	10765 VILLAGE RD	MORENO VALLEY, CA	92557-3942	81.53	8.15	16.14	105.82
69249275003	260173028	YARBROUGH, TYRONE	10700	RIDGEFIELD TER	MORENO VALLEY	CA	92557-3807	YARBROUGH, TYRONE	10700 RIDGEFIELD TER	MORENO VALLEY, CA	92557-3807	254.02	25.4	50.3	329.7
71310245007	260173029	WILLIAMS, ANITA	10690	RIDGEFIELD TER	MORENO VALLEY	CA	92557-3807	WILLIAMS, ANITA	27705 EAST TRAIL RIDGE WAY# 2031	MORENO VALLEY, CA	92555-3139	254.02	25.4	50.3	329.7
97047985009	260181001	REYES, FRANCISCO G AND PAZE	23346	STONY CREEK WAY	MORENO VALLEY	CA	92557-3812	REYES, FRANCISCO G AND PAZE	23330 STONY CREEK WAY	MORENO VALLEY, CA	92557-3812	420.76	42.08	83.31	546.14
94738235004	260181007	LINAREZ, SYLVIA (RENT)	23298	STONY CREEK WAY	MORENO VALLEY	CA	92557-3809	LINAREZ, SYLVIA	26636 SAFFRON CIR	MORENO VALLEY, CA	92555-3834	99.69	9.97	19.74	129.38
98636703007	260181009	NORWOOD, TRINA (OWNR)	23282	STONY CREEK WAY	MORENO VALLEY	CA	92557-3809	NORWOOD, TRINA	23282 STONY CREEK WAY	MORENO VALLEY, CA	92557-3809	152.12	15.21	30.12	197.44
93676035009	260181010	HUETA, VERONICA (RENT)	23274	STONY CREEK WAY	MORENO VALLEY	CA	92557-3809	HUETA, VERONICA	23274 STONY CREEK WAY	MORENO VALLEY, CA	92557-3809	174.12	17.41	34.48	226
72630135000	260182007	NOBLE, NATHAN	10670	MOHAVE CT	MORENO VALLEY	CA	92557-3813	NOBLE, NATHAN	10670 MOHAVE CT	MORENO VALLEY, CA	92557-3813	329.32	32.93	65.21	427.44
88754125002	260182009	VEGA, SERGIO	10650	MOHAVE CT	MORENO VALLEY	CA	92557-3813	VEGA, SERGIO	14716 S GIBSON AVE	E RNCHO DMINGZ, CA	90221-3124	254.12	25.41	50.32	329.84
31635905007	260182011	LEIGHTON, MALCOM	10651	MOHAVE CT	MORENO VALLEY	CA	92557-3813	LEIGHTON, MALCOM	10651 MOHAVE CT	MORENO VALLEY, CA	92557-3813	254.02	25.4	50.3	329.7
31171855003	260182015	MARINEZ, RICHARD (OWNR)	10689	MOHAVE CT	MORENO VALLEY	CA	92557-3813	MARINEZ, RICHARD	10689 MOHAVE CT	MORENO VALLEY, CA	92557-3813	254.02	25.4	50.3	329.7
57247165005	260182017	WEBSTER, DERRICK	10700	BREEZY MEADOW DR	MORENO VALLEY	CA	92557-3820	WEBSTER, DERRICK	10700 BREEZY MEADOW DR	MORENO VALLEY, CA	92557-3820	254.02	25.4	50.3	329.7
91360943001	260191008	COLLINS, WONDELL	22972	SPRINGDALE DR	MORENO VALLEY	CA	92557-2604	COLLINS, WONDELL	389 MESA VERDE PARK	BEAUMONT, CA	92223-3401	219.23	21.92	43.41	284.56
31204245001	260191010	DIEGO, CONSUELO	22942	SPRINGDALE DR	MORENO VALLEY	CA	92557-2604	DIEGO, CONSUELO	22942 SPRINGDALE DR	MORENO VALLEY, CA	92557-2604	329.32	32.93	65.21	427.44
65282735003	260191015	TEMPLE, LORNA (RENT)	22892	SPRINGDALE DR	MORENO VALLEY	CA	92557-2677	TEMPLE, LORNA	22892 SPRINGDALE DR	MORENO VALLEY, CA	92557-2677	190.49	19.05	37.72	247.24
31052525005	260191018	AMINO, TED	10363	CREST BROOK DR	MORENO VALLEY	CA	92557-2611	AMINO, TED	10363 CREST BROOK DR	MORENO VALLEY, CA	92557-2611	200	20	39.6	259.6
90831725008	260191027	HERRICK, MARY AND STEVEN	10338	CREST BROOK DR	MORENO VALLEY	CA	92557-2609	HERRICK, MARY	10338 CREST BROOK DR	MORENO VALLEY, CA	92557-2609	303.81	30.38	60.15	394.34
31263145008	260192011	SLAJER, ANDREW	22871	SPRINGDALE DR	MORENO VALLEY	CA	92557-2681	SLAJER, ANDREW	22871 SPRINGDALE DR	MORENO VALLEY, CA	92557-2681	253.92	25.39	50.28	329.58
99094285002	260193004	CARMONA, RENE (RENT)	10426	STREAMWOOD CIR	MORENO VALLEY	CA	92557-2606	CARMONA, RENE	10426 STREAMWOOD CIR	MORENO VALLEY, CA	92557-2606	96.02	9.6	19.01	124.62
31051095007	260193012	CARRERA, JOE F	22949	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2608	CARRERA, JOE F	PO BOX 9902	MORENO VALLEY, CA	92552-1902	348.16	34.82	68.94	451.9
73085055002	260202001	HAYNES, NATALIE	10432	BROOKMEAD DR	MORENO VALLEY	CA	92557-2683	HAINES, NATALIE	10432 BROOKMEAD DR	MORENO VALLEY, CA	92557-2683	254.02	25.4	50.3	329.7
31456265002	260202004	ORNELAS, LORI	10408	BROOKMEAD DR	MORENO VALLEY	CA	92557-2683	ORNELAS, LORI	10408 BROOKMEAD DR	MORENO VALLEY, CA	92557-2683	254.02	25.4	50.3	329.7
31621495003	260202007	JONES, FRED	10384	BROOKMEAD DR	MORENO VALLEY	CA	92557-2613	JONES, FRED	10384 BROOKMEAD DR	MORENO VALLEY, CA	92557-2613	317.65	31.77	62.89	412.3
96402815003	260204002	MATRIN, JAMEL (RENT)	22503	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2617	MATRIN, JAMEL	29410 HEMLOCK AVE APT 102	MORENO VALLEY, CA	92557-8855	134.92	13.49	26.71	175.12
93809355008	260204005	PINO, MARIA (OWNR)	22539	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2617	PINO, MARIA	6141 ORANGE AVE APT 31	CYPRESS, CA	90630-3368	254.12	25.41	50.32	329.84
96796995000	260204006	CHERRY, TONY	22551	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2617	CHERRY, TONY	25660 VISTA FAMOSO DR	MORENO VALLEY, CA	92551-7091	420.76	42.08	83.31	546.14
93961745006	260204015	FARAH, YOUSSEF (OWNR)	22560	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2661	FARAH, YOUSSEF	22560 COUNTRY GATE RD	MORENO VALLEY, CA	92557-2661	254.12	25.41	50.32	329.84
31409595002	260204017	JOHNSON, RENE	22540	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2661	JOHNSON, RENE	22540 COUNTRY GATE RD	MORENO VALLEY, CA	92557-2661	254.02	25.4	50.3	329.7
73555855006	260204020	MALONE, YAZHID	22510	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2661	CAMPOS, YAZHID	321 SAN FRANCISCO	POMONA, CA	91767-4731	105.84	10.58	20.96	137.38
93111165009	260205001	HAWKINS, DERWIN	22491	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2662	HAWKINS, DERWIN	22491 COUNTRY GATE RD	MORENO VALLEY, CA	92557-2662	254.12	25.41	50.32	329.84
87574405006	260205016	GEORGE, JOHN	10479	BROOKMEAD DR	MORENO VALLEY	CA	92557-2615	GEORGE, JOHN	10479 BROOKMEAD DR	MORENO VALLEY, CA	92557-2615	329.6	32.96	65.26	427.82
69497835002	260205017	CASTELAN, ANTHONY	10487	BROOKMEAD DR	MORENO VALLEY	CA	92557-2615	CASTELAN, ANTHONY	10487 BROOKMEAD DR	MORENO VALLEY, CA	92557-2615	254.02	25.4	50.3	329.7
66545285006	260211006	SAMANO, NANCY (OWNR)	10639	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2953	SAMANO, NANCY	10639 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2953	126.96	12.7	25.14	164.78
94420965005	260211009	CHAVEZ, LATISHA (RENT)	10609	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2953	CHAVEZ, LATISHA	10609 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2953	204.12	20.41	40.42	264.94
55158255007	260211010	MCINTURF, RON	10599	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2953	MCINTURF, RON	10599 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2953	254.02	25.4	50.3	329.7
31591815001	260211026	MACIAS, ELIZABETH	23870	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2956	MACIAS, ELIZABETH	23870 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2956	254.02	25.4	50.3	329.7
84504535009	260211031	MARTINEZ, JOSE	23865	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2956	MARTINEZ, JOSE	23865 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2956	254.02	25.4	50.3	329.7
56773245005	260211039	BALDERRAMA, RAMENA	23815	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2955	BALDERRAMA, RAMENA	23815 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2955	284.09	28.41	56.25	368.74
91556055000	260211040	QUINTA, TERESA AND ANDY	23807	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2955	QUINTA, TERESA AND ANDY	23807 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2955	329.04	32.9	65.15	427.08
31578755000	260211042	WILSON, ROSE	23791	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2952	WILSON, ROSE	23791 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2952	254.02	25.4	50.3	329.7
87586485003	260211043	MILLER, SHEILA	23785	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2952	MILLER, SHEILA	23785 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2952	329.6	32.96	65.26	427.82
31491035008	260211045	KENNEYBREW, KIMBERLY	23771	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2952	KENNEYBREW, KIMBERLY	23771 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2952	91.12	9.11	18.04	118.26
97108865004	260212006	VANNOY, DWAYNE (OWNR)	23723	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2969	VANNOY, DWAYNE	23723 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2969	190.79	19.08	37.78	247.64
98581153000	260212010	MOORE, RHONDA (RENT)	23699	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2949	MOORE, RHONDA	7900 LIMONITE AVE G - 154	RIVERSIDE, CA	92509-2949	85.69	8.57	16.97	111.22
31439295002	260212016	WASHINGTON, VERONICA D	23710	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2970	WASHINGTON, VERONICA D	23710 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2970	254.02	25.4	50.3	329.7
97701835003	260212022	PAGE, CYNTHIA (RENT)	23758	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2950	PAGE, CYNTHIA	23758 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2950	254.12	25.41	50.32	329.84
96231735003	260212024	MENDEZ, CESAR (RENT)	23774	BOUQUET CANYON PL	MORENO VALLEY	CA	92557-2950	MENDEZ, CESAR	23774 BOUQUET CANYON PL	MORENO VALLEY, CA	92557-2950	189.12	18.91	37.45	245.46
92581145009	260212033	WAYSZ, JENNIFER	23776	TIMBER BLUFF CT	MORENO VALLEY	CA	92557-2940	WAYSZ, JENNIFER	23776 TIMBER BLUFF CT	MORENO VALLEY, CA	92557-2940	190.69	19.07	37.76	247.5
90394605002	260212043	XIAO, SIZHANG	23868	LONE PINE DR	MORENO VALLEY	CA	92557-2947	XIAO, SIZHANG	23868 LONE PINE DR	MORENO VALLEY, CA	92557-2947	157.45	15.75	31.18	204.36
97394805003	260212001	CAMACHO, BERNARDO (RENT)	23878	LONE PINE DR	MORENO VALLEY	CA	92557-2960	CAMACHO, BERNARDO	23878 LONE PINE DR	MORENO VALLEY, CA	92557-2960	190.12	19.01	37.64	246.76
71710595004	260221010	ARCEA, NORMA	23968	LONE PINE DR	MORENO VALLEY	CA	92557-2964	ARCEA, NORMA	23968 LONE PINE DR	MORENO VALLEY, CA	92557-2964	63.63	6.36	12.6	82.58
31240185007	260221014	SIMMS, WILLETTA	24010	LONE PINE DR	MORENO VALLEY	CA	92557-2964	SIMMS, WILLETTA	24010 LONE PINE DR	MORENO VALLEY, CA	92557-2964	113.92	11.39	22.56	147.86
31551705008	260221017	LOGAN, ANTHONY	23991	LONE PINE DR	MORENO VALLEY	CA	92557-2964	LOGAN, ANTHONY	23991 LONE PINE DR	MORENO VALLEY, CA	92557-2964	329.32	32.93	65.21	427.44
75914545009	260221018	ROCIO, CHARLES AND CHERYL	23981	LONE PINE DR	MORENO VALLEY	CA	92557-2964	ROCIO, CHARLES AND CHERYL	23981 LONE PINE DR	MORENO VALLEY, CA	92557-2964	254.02	25.4	50.3	329.7
31265305009	260221021	RUBENSTEIN, ROCHELLE	23945	LONE PINE DR	MORENO VALLEY	CA	92557-2963	RUBENSTEIN, ROCHELLE	23945 LONE PINE DR	MORENO VALLEY, CA	92557-2963	254.12	25.41	50.32	329.84
93796145002	260221022	MCMILLAN, VALERIE (RENT)	23915	LONE PINE DR	MORENO VALLEY	CA	92557-2961	MCMILLAN, VALERIE	23915 LONE PINE DR	MORENO VALLEY, CA	92557-2961	254.12	25.41	50.32	329.84
64947965003	260221032	DIAZ, CLARETTA	10660	PEPPER RIDGE LN	MORENO VALLEY	CA	92557-2957	DIAZ, CLARETTA	11619 CIMARRON AVE	HAWTHORNE, CA	90250-1917	254.12	25.41	50.32	329.84
92516555008	260221033	GUZMAN, CLAUDIA	10659	SILVER LEAF CIR	MORENO VALLEY	CA	92557-2967	GUZMAN, CLAUDIA	10659 SILVER LEAF CIR	MORENO VALLEY, CA	92557-2967	191.35	19.14	37.89	248.38
31389345009	260221046	ASHFORD, DONNIE L (OWNR)	10600	SILVER LEAF CIR	MORENO VALLEY	CA	92557-2965	ASHFORD, DONNIE L	10600 SILVER LEAF CIR	MORENO VALLEY, CA	92557-2965	190.69	19.07	37.76	247.5
57158035002	260221055	BELL, LATOYA	23959	PINE SMOKE PL	MORENO VALLEY	CA	92557-2959	BELL, LATOYA	23959 PINE SMOKE PL	MORENO VALLEY, CA	92557-2959	254.02	25.4	50.3	329.7
91560833009	260221056	TOVAR, ANICA (RENT)	23951	PINE SMOKE PL	MORENO VALLEY	CA	92557-2959	TOVAR, ANICA	2804 VINE ST	RIALTO, CA	92376-5322	127.42	12.74	25.23	165.38
86946785007	260221062	LAMBERT, ERIC	23893	PINE SMOKE PL	MORENO VALLEY	CA	92557-2959	LAMBERT, ERIC	23893 PINE SMOKE PL	MORENO VALLEY, CA	92557-2959	55.28	5.53	10.95	71.74
31497925008	260222001	AMADOR, DAVID	10666	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2906	AMADOR, DAVID	10666 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2906	329.32	32.93	65.21	427.44
57452545002	260222006	CHAPMAN, KATHY	10616	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2906	CHAPMAN, KATHY	10616 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2906	190.69	19.07	37.76	247.5
97055995000	260222007	KEMP, DAMON (OWNER)	10608	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2906	KEMP, DAMON	10608 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2906	254.02	25.4	50.3	329.7
96620405006	260222008	GANT, LATONYA (OWNR)	10600	WILLOW CREEK RD	MORENO VALLEY	CA	92557-2906	GANT, LATONYA	10600 WILLOW CREEK RD	MORENO VALLEY, CA	92557-2906	254.12	25.41	50.32	329.84
91718455002	260222017	DOWD, FRED	10613	PEPPER RIDGE LN	MORENO VALLEY	CA	92557-2958	DOWD, FRED	10613 PEPPER RIDGE LN	MORENO VALLEY, CA	92557-2958	219.66	21.97	43.49	285.1
53244175004	260231003	MCCLINE, CAROL AND STEVE	23385	EVENING SNOW	MORENO VALLEY	CA	92557-2807	MCCLINE, CAROL	23385 EVENING SNOW	MORENO VALLEY, CA	92557-2807	96.97	9.7	19.2	125.86
94083535002	260231009	MORELAND, LAJUIER (RENT)	10075	ARROW LEAF	MORENO VALLEY	CA	92557-2804	MORELAND, LAJUIER	10075 ARROW LEAF	MORENO VALLEY, CA	92557-2804	158.33	15.83	31.35	205.5
31385985002	260231011	RICE, JAMIE	10055	ARROW LEAF	MORENO VALLEY	CA	92557-2800	RICE, JAMIE	10055 ARROW LEAF	MORENO VALLEY, CA	92557-2800	211.46	21.15	41.87	274.46

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31555825004	260231014	TOWNSEND, TERESA	10025	ARROW LEAF	MORENO VALLEY	CA	92557-2800	TOWNSEND, TERESA	10025 ARROW LEAF	MORENO VALLEY, CA	92557-2800	254.02	25.4	50.3	329.7
31518175008	260231017	DELGADO, CATIUSCA	10030	ARROW LEAF	MORENO VALLEY	CA	92557-2800	DELGADO, CATIUSCA	29198 RANGER ST	MORENO VALLEY, CA	92557-4805	253.92	25.39	50.28	329.58
52079315006	260231022	ANDERSON, ROBERT (OWNR)	23375	PRESCOTT	MORENO VALLEY	CA	92557-2805	ANDERSON, ROBERT	23375 PRESCOTT	MORENO VALLEY, CA	92557-2805	254.02	25.4	50.3	329.7
97031425001	260231036	ISAAC, TONA	10044	SAND CREST	MORENO VALLEY	CA	92557-2818	ISAAC, TONA	PO BOX 7225	MORENO VALLEY, CA	92552-7225	232.98	23.3	46.13	302.4
62592585009	260232002	LEPORE, RICHARD (RENT)	23425	EVENING SNOW	MORENO VALLEY	CA	92557-2808	LEPORE, RICHARD	23425 EVENING SNOW	MORENO VALLEY, CA	92557-2808	254.12	25.41	50.32	329.84
31219835005	260241020	KELLAR, MICHAEL	10000	ROCK HILL	MORENO VALLEY	CA	92557-2826	KELLAR, MICHAEL	10000 ROCK HILL	MORENO VALLEY, CA	92557-2826	254.02	25.4	50.3	329.7
31219485008	260241022	RANDHAWA, NASIB	10044	ROCK HILL	MORENO VALLEY	CA	92557-2826	RANDHAWA, NASIB	10044 ROCK HILL	MORENO VALLEY, CA	92557-2826	254.02	25.4	50.3	329.7
75315885007	260241045	MORRIS, CLARICE	23545	EVENING SNOW	MORENO VALLEY	CA	92557-2810	MORRIS, CLARICE	23545 EVENING SNOW	MORENO VALLEY, CA	92557-2810	254.02	25.4	50.3	329.7
80793895006	260251002	MARTINEZ, LOMBARDO (OWNR)	22538	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2619	MARTINEZ, LOMBARDO	22538 COBBLE CREEK DR	MORENO VALLEY, CA	92557-2619	180.72	18.07	35.78	234.56
62182445009	260251006	CALIMESE, SHERRI	10364	RIVER RUN CIR	MORENO VALLEY	CA	92557-2622	CALIMESE, SHERRI	10364 RIVER RUN CIR	MORENO VALLEY, CA	92557-2622	254.12	25.41	50.32	329.84
31309455003	260251011	BROWN, SHEILAH	10361	RIVER RUN CIR	MORENO VALLEY	CA	92557-2622	BROWN, SHEILAH	10361 RIVER RUN CIR	MORENO VALLEY, CA	92557-2622	254.12	25.41	50.32	329.84
31128965000	260251012	STEIN, GREG AND AMY	10367	RIVER RUN CIR	MORENO VALLEY	CA	92557-2622	STEIN, GREG AND AMY	10367 RIVER RUN CIR	MORENO VALLEY, CA	92557-2622	254.02	25.4	50.3	329.7
31525975005	260251013	COOPER, FRANK	22502	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2684	COOPER, FRANK	22502 COBBLE CREEK DR	MORENO VALLEY, CA	92557-2684	254.12	25.41	50.32	329.84
96636145007	260251015	SCOTT, JAIMIE (RENT)	22478	COBBLE CREEK DR	MORENO VALLEY	CA	92557-2618	SCOTT, JAIMIE	22478 COBBLE CREEK DR	MORENO VALLEY, CA	92557-2618	104.53	10.45	20.7	135.66
93920405005	260251019	OBASEKI, OGIE (OWNR)	10426	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2694	OBASEKI, OGIE	10426 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2694	254.12	25.41	50.32	329.84
31354965002	260251022	DAVISON, KEVIN	10402	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2694	DAVISON, KEVIN	10402 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2694	254.02	25.4	50.3	329.7
31461465000	260252004	SALOMON, DEBBIE	10344	BROOKMEAD DR	MORENO VALLEY	CA	92557-2613	SALOMON, DEBBIE	10344 BROOKMEAD DR	MORENO VALLEY, CA	92557-2613	329.32	32.93	65.21	427.44
95700503006	260252008	ROYAL, DAVID (OWNR)	10312	BROOKMEAD DR	MORENO VALLEY	CA	92557-2613	ROYAL, DAVID	2535 N ORANGEWOOD AVE	RIALTO, CA	92377	195.22	19.52	38.65	253.39
31162175005	260253004	THOMAS, BERTRAM	10357	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2624	THOMAS, BERTRAM	10357 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2624	254.02	25.4	50.3	329.7
71723755003	260253008	MERRITT, CHARLIE	10389	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2624	MERRITT, CHARLIE	10389 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2624	270.14	27.01	53.49	350.64
73446335008	260253010	ALNABER, SALIM (OWNR)	10405	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2695	ALNABER, SALIM	10405 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2695	254.02	25.4	50.3	329.7
90982143001	260253012	SALAZAR, OLIVER (OWNR)	10421	MEADOW CREEK DR	MORENO VALLEY	CA	92557-2695	SALAZAR, OLIVER	10421 MEADOW CREEK DR	MORENO VALLEY, CA	92557-2695	287.28	28.73	56.88	372.88
83355675007	260261009	BRIDGES, PATRICK AND SHANDRA	22728	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2627	BRIDGES, PATRICK AND SHANDRA	9825 SHADOW MOUNTAIN DR	MORENO VALLEY, CA	92557-3531	254.02	25.4	50.3	329.7
92517735009	260262003	BLACK, CARLOS	22690	SPRINGMIST DR	MORENO VALLEY	CA	92557-2698	BLACK, CARLOS	22690 SPRINGMIST DR	MORENO VALLEY, CA	92557-2698	253.92	25.39	50.28	329.58
91635413007	260262016	RODRIQUEZ, EDWARDO (RENT)	22739	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2628	RODRIQUEZ, EDWARDO	11946 ASLAN CT	MORENO VALLEY, CA	92557-6116	90.4	9.04	17.9	117.32
94524875003	260262017	PAIZ, LESLIE (RENT)	22731	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2628	PAIZ, LESLIE	25624 SHALU AVE	MORENO VALLEY, CA	92557-6611	56.45	5.65	11.18	73.26
93041645008	260262018	CARTER, JENNIFER	22721	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2628	CARTER, JENNIFER	13881 WALNUT CT	MORENO VALLEY, CA	92555-6128	63.63	6.36	12.6	82.58
92398605001	260271009	MOSLEY, EVELYN	22750	SPRINGMIST DR	MORENO VALLEY	CA	92557-2638	MOSLEY, EVELYN	22750 SPRINGMIST DR	MORENO VALLEY, CA	92557-2638	253.92	25.39	50.28	329.58
58843295003	260272001	MCMULLEN, CAROL	22658	SPRINGMIST DR	MORENO VALLEY	CA	92557-2698	MCMULLEN, CAROL	22658 SPRINGMIST DR	MORENO VALLEY, CA	92557-2698	254.12	25.41	50.32	329.84
31163155007	260272006	TRAMEL, LEROY	22760	SPRINGMIST DR	MORENO VALLEY	CA	92557-2638	TRAMEL, LEROY	22760 SPRINGMIST DR	MORENO VALLEY, CA	92557-2638	254.02	25.4	50.3	329.7
72606645003	260272007	ALVA, GILIV	22770	SPRINGMIST DR	MORENO VALLEY	CA	92557-2638	ALVA, GILIV	22770 SPRINGMIST DR	MORENO VALLEY, CA	92557-2638	254.02	25.4	50.3	329.7
96993795005	260282014	TUCKER, DERRICK	22843	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2631	TUCKER, DERRICK	22843 MESA SPRINGS WAY	MORENO VALLEY, CA	92557-2631	420.76	42.08	83.31	546.14
31179185007	260282016	RUSSELL, STEPHEN	22827	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2631	RUSSELL, STEPHEN	22827 MESA SPRINGS WAY	MORENO VALLEY, CA	92557-2631	254.02	25.4	50.3	329.7
96993735008	260282018	HEAD, JOHNE (OWNR)	22811	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2631	HEAD, JOHNE	22811 MESA SPRINGS WAY	MORENO VALLEY, CA	92557-2631	165.92	16.59	32.85	215.36
91867655005	260283005	PEYREFITTE, INGRIDE	22848	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2630	PEYREFITTE, INGRIDE	22848 MESA SPRINGS WAY	MORENO VALLEY, CA	92557-2630	253.92	25.39	50.28	329.58
31643735007	260283009	WATKINS, VAN	22880	MESA SPRINGS WAY	MORENO VALLEY	CA	92557-2630	WATKINS, VAN	22880 MESA SPRINGS WAY	MORENO VALLEY, CA	92557-2630	254.02	25.4	50.3	329.7
61359165002	260283018	HEALTON, STEVE AND ALEXIS	22791	SHADOWRIDGE LN	MORENO VALLEY	CA	92557-2633	HEALTON, STEVE AND ALEXIS	22791 SHADOWRIDGE LN	MORENO VALLEY, CA	92557-2633	329.6	32.96	65.26	427.82
31306665005	260283020	ROCHA, MARIA	22771	SHADOWRIDGE LN	MORENO VALLEY	CA	92557-2633	ROCHA, MARIA	22771 SHADOWRIDGE LN	MORENO VALLEY, CA	92557-2633	154.02	15.4	30.5	199.9
57964295008	260291001	GUILLIN, FERNANDO	23967	STAGHORN CIR	MORENO VALLEY	CA	92557-2822	GUILLIN, FERNANDO	23967 STAGHORN CIR	MORENO VALLEY, CA	92557-2822	254.02	25.4	50.3	329.7
95101765002	260291006	BOLANOS, PRISCILA (RENT)	23962	STAGHORN CIR	MORENO VALLEY	CA	92557-2822	BOLANOS, PRISCILA	11836 IVY LN	MORENO VALLEY, CA	92557-6532	190.79	19.08	37.78	247.64
31177195009	260291014	JORDAN, JERRY	10180	CARIBOU CIR	MORENO VALLEY	CA	92557-2820	JORDAN, JERRY	10180 CARIBOU CIR	MORENO VALLEY, CA	92557-2820	236.52	23.65	46.83	307
31253915007	260291017	LINARES, MANUEL	10199	CARIBOU CIR	MORENO VALLEY	CA	92557-2820	LINARES, MR AND MRS	10199 CARIBOU CIR	MORENO VALLEY, CA	92557-2820	254.12	25.41	50.32	329.84
96384885008	260292007	LIPKIN, ELLEN	23902	SOLITARE CIR	MORENO VALLEY	CA	92557-2821	LIPKIN, ELLEN	23902 SOLITARE CIR	MORENO VALLEY, CA	92557-2821	190.79	19.08	37.78	247.64
31197335008	260292010	BOYCE, BOBBY L	23920	SOLITARE CIR	MORENO VALLEY	CA	92557-2821	BOYCE, BOBBY L	23920 SOLITARE CIR	MORENO VALLEY, CA	92557-2821	254.02	25.4	50.3	329.7
93728505009	260292011	WOOD, RODNEY	23921	SOLITARE CIR	MORENO VALLEY	CA	92557-2821	WOOD, RODNEY	23921 SOLITARE CIR	MORENO VALLEY, CA	92557-2821	250.9	25.09	49.68	325.66
31210855009	260292014	MEDRANO, DAVID	10132	LAKE SUMMIT DR	MORENO VALLEY	CA	92557-2823	MEDRANO, DAVID	10132 LAKE SUMMIT DR	MORENO VALLEY, CA	92557-2823	254.02	25.4	50.3	329.7
31155815005	260292020	PROVENCIO, MICHAEL	10192	LAKE SUMMIT DR	MORENO VALLEY	CA	92557-2823	PROVENCIO, MICHAEL	10192 LAKE SUMMIT DR	MORENO VALLEY, CA	92557-2823	254.02	25.4	50.3	329.7
31416115008	260301007	WRIGHT, GREGORY AND EVELYN (OW	23835	LAKE VISTA RD	MORENO VALLEY	CA	92557-2815	WRIGHT, GREGORY AND EVELYN	23835 LAKE VISTA RD	MORENO VALLEY, CA	92557-2815	27.36	2.74	5.42	35.5
31179955002	260302007	HAJDUK, JOSEF	10068	THRASHER CIR	MORENO VALLEY	CA	92557-2817	HAJDUK, JOSEF	10068 THRASHER CIR	MORENO VALLEY, CA	92557-2817	329.32	32.93	65.21	427.44
65152125006	260302015	CHENG, DALTON	10109	MALLOW DR	MORENO VALLEY	CA	92557-2830	CHENG, DALTON	10109 MALLOW DR	MORENO VALLEY, CA	92557-2830	254.12	25.41	50.32	329.84
85096155004	260303013	HERNANDEZ, ANGELINA	10062	MALLOW DR	MORENO VALLEY	CA	92557-2827	HERNANDEZ, ANGELINA	10062 MALLOW DR	MORENO VALLEY, CA	92557-2827	254.02	25.4	50.3	329.7
31416895004	260303020	AMEZQUITA, FERMAN	10126	MALLOW DR	MORENO VALLEY	CA	92557-2829	AMEZQUITA, FERMAN	10126 MALLOW DR	MORENO VALLEY, CA	92557-2829	254.02	25.4	50.3	329.7
31224895002	260311001	ARIDA, WALLIE	10024	SNIPE CIR	MORENO VALLEY	CA	92557-2836	ARIDA, WALLIE	10024 SNIPE CIR	MORENO VALLEY, CA	92557-2836	254.12	25.41	50.32	329.84
31264455000	260311018	LOGEL, CHRIS AND TAMARA	10094	DEEP CANYON RD	MORENO VALLEY	CA	92557-2859	LOGEL, CHRIS AND TAMARA	10094 DEEP CANYON RD	MORENO VALLEY, CA	92557-2859	254.02	25.4	50.3	329.7
85509275001	260312011	CARTER, CELESTINE (OWNR)	10025	THORNBIRD CT	MORENO VALLEY	CA	92557-2854	CARTER, CELESTINE (OWNR)	10025 THORNBIRD CT	MORENO VALLEY, CA	92557-2854	127.46	12.75	25.24	165.44
31249035000	260312022	MAGANA, MARIE	10049	DEEP CANYON RD	MORENO VALLEY	CA	92557-2860	MAGANA, MARIE	PO BOX 512	MORENO VALLEY, CA	92556-0512	329.6	32.96	65.26	427.82
90338075000	260312026	JORDON, RONI	10001	DEEP CANYON RD	MORENO VALLEY	CA	92557-2860	JORDON, RONI	10001 DEEP CANYON RD	MORENO VALLEY, CA	92557-2860	329.04	32.9	65.15	427.08
50884435006	260312032	FLORES, JAMES	23772	YELLOWBILL TER	MORENO VALLEY	CA	92557-2833	FLORES, JAMES	23772 YELLOWBILL TER	MORENO VALLEY, CA	92557-2833	254.02	25.4	50.3	329.7
31429605008	260321001	BENSON, JUNE	22802	SPRINGDALE DR	MORENO VALLEY	CA	92557-2601	BENSON, JUNE	22802 SPRINGDALE DR	MORENO VALLEY, CA	92557-2601	127.36	12.74	25.22	165.3
98102495014	260321022	STUART, CHARLENE (RENT)	10393	CROSSING GREEN CIR	MORENO VALLEY	CA	92557-2690	STUART, CHARLENE	15670 LASSELLE ST #2V	MORENO VALLEY, CA	92551-6310	197.41	19.74	39.09	256.22
97299815002	260321026	LEARY, ALVIN (RENT)	10392	CROSSING GREEN CIR	MORENO VALLEY	CA	92557-2626	LEARY, ALVIN	10392 CROSSING GREEN CIR	MORENO VALLEY, CA	92557-2626	254.12	25.41	50.32	329.84
31283095006	260321027	WHITSETT, DAVID	10386	CROSSING GREEN CIR	MORENO VALLEY	CA	92557-2626	WHITSETT, DAVID	10386 CROSSING GREEN CIR	MORENO VALLEY, CA	92557-2626	190.69	19.07	37.76	247.5
31588555001	260321031	SAN AGUSTINE, JAIME	10362	CROSSING GREEN CIR	MORENO VALLEY	CA	92557-2626	SAN AGUSTINE, JAIME	13520 BEARBERRY DR	MORENO VALLEY, CA	92553-4808	329.32	32.93	65.21	427.44
60465225009	260322006	SCOTT, ALVADA	10320	CROSSING GREEN CIR	MORENO VALLEY	CA	92557-2623	SCOTT, ALVADA	12620 MEMORIAL WAY APT 3153	MORENO VALLEY, CA	92553-7576	254.12	25.41	50.32	329.84
92084205001	260331007	GARCIA, VALERIO AND SARITA	23643	MARGUERITE CIR	MORENO VALLEY	CA	92557-2853	GARCIA, VALERIO AND SARITA	23643 MARGUERITE CIR	MORENO VALLEY, CA	92557-2853	253.92	25.39	50.28	329.58
101916373007	260331013	PRATHER, JEFFREY (OWNR)	23638	NARCISSUS CIR	MORENO VALLEY	CA	92557-2816	PRATHER, JEFFREY	23638 NARCISSUS CIR	MORENO VALLEY, CA	92557-2816	308.64	30.86	61.11	400.6
71014525006	260331023	DARDEN, DENISE	10225	FERNLEAF DR	MORENO VALLEY	CA	92557-2848	DARDEN, DENISE	10620 CANYON VISTA RD	MORENO VALLEY, CA	92557-3033	254.02	25.4	50.3	329.7
31178585005	260332003	DURAN, RAY (OWNR)	23716	BLACKBIRD CIR	MORENO VALLEY	CA	92557-2811	DURAN, RAY	23716 BLACKBIRD CIR	MORENO VALLEY, CA	92557-2811	323.49	32.35	64.05	419.88
31280255008	260332004	BOSTIC, MARSHALL	23706	BLACKBIRD CIR	MORENO VALLEY	CA	92557-2811	BOSTIC, MARSHALL	P O BOX 7222	MORENO VALLEY, CA	92552-7222	254.02	25.4	50.3	329.7
31306295003	260332006	WHITE, CHARLES AND EDITH	23709	BLACKBIRD CIR	MORENO VALLEY	CA	92557-2844	WHITE, CHARLES AND EDITH	23709 BLACKBIRD CIR	MORENO VALLEY, CA	92557-2844	254.02	25.4	50.3	329.7
60084235003	260340004	COOPER, FRANK	23765	COLDWATER CT	MORENO VALLEY	CA	92557-2864	COOPER, FRANK	23765 COLDWATER CT	MORENO VALLEY, CA	92557-2864	254.12	25.41	50.32	329.84
31349635002	260340016	JOHNSON, ROBERT	23749	HELIOTROPE WAY	MORENO VALLEY	CA	92557-2858	JOHNSON, ROBERT	23749 HELIOTROPE WAY	MORENO VALLEY, CA	92557-2858	329.32	32.93	65.21	427.44
31552425005	260340018	JACKSON, DAVID	23769	HELIOTROPE WAY	MORENO VALLEY	CA	92557-2858	JACKSON, DAVID	23769 HELIOTROPE WAY	MORENO VALLEY, CA	92557-2858	404.62	40.46	80.11	525.18
31242585009	260340020	WEISE, RICHARD R	23809	BLUE BILL CT	MORENO VALLEY	CA	92557-2813	WEISE, RICHARD R	23809 BLUE BILL CT	MORENO VALLEY, CA	92557-2813	254.12	25.41	50.32	329.84
66285115005	260340024	CHARLES, CARLYN	23869	BLUE BILL CT	MORENO VALLEY	CA	92557-2813	CHARLES, CARLYN	23869 BLUE BILL CT	MORENO VALLEY, CA	92557-2813	254.12	25.41	50.32	329.84
92958785004	260340026	CARTER, MICHAEL (RENT)	23880	BLUE BILL CT	MORENO VALLEY	CA	92557-2812	CARTER, MICHAEL	10874 ANEMONE CIR	MORENO VALLEY, CA	92557-4115	25.14	2.51	4.98	32.62
31256995003	260340027	HARRIS, MICHAEL	23870	BLUE BILL CT	MORENO VALLEY	CA	92557-2812	HARRIS, MICHAEL	23870 BLUE BILL CT	MORENO VALLEY, CA	92557-2812	329.04	32.9	65.15	427.08
31458405009	260340031	BALLARD, ARMEL	23830	BLUE BILL CT	MORENO VALLEY	CA	92557-2812	BALLARD, ARMEL	23830 BLUE BILL CT	MORENO VALLEY, CA	92557-2812	254.02	25.4	50.3	329.7
31366615000	260340032	KRONCKE, RACHEL	23820	BLUE BILL CT	MORENO VALLEY	CA	92557-2812	KRONCKE, RACHEL	2308 SLATER MILL RD	DOUGLASVILLE, GA	30135-1334	329.32	32.93	65.21	427.44
84832175009	260340037	CHATMAN, GREGORY	23770	BLUE BILL CT	MORENO VALLEY	CA	92557-2837	CHATMAN, GREGORY	23770 BLUE BILL CT	MORENO VALLEY, CA	92557-2837	190.69	19.07	37.76	247.5
31215365001	260340038	FRANKS, MARION	23760	BLUE BILL CT	MORENO VALLEY	CA	92557-2837	FRANKS, MARION	23760 BLUE BILL CT	MORENO VALLEY, CA	92557-2837	161.16	16.12	31.91	209.18
95524335006	260351001	IMANA, EDURNE	22810	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2629	IMANA, EDURNE	22810 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2629	63.63	6.36	12.6	82.58
97708455007	260351009	SUAREZ, VERONICA	22730	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2649	SUAREZ, VERONICA	22730 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2649	254.02	25.4	50.3	329.7
31283455000	260351015	GOIK, PETE L	22660	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2645	GOIK, PETE L	22660 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2645	254.12	25.41	50.32	329.84
31415275006	260351022	KIM, SU YOUNG	22590	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2653	KIM, SU YOUNG	22590 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2653	169.02	16.9	33.47	219.38
81400535003	260352002	CASTELLANOS, PERLA	10319	TRIBUTARY DR	MORENO VALLEY	CA	92557-2651	CASTELLANOS, PERLA	10319 TRIBUTARY DR	MORENO VALLEY, CA	92557-2651	335.76	33.58	66.48	435.8
31195215007	260352006	ORTIZ, ROLAND	10351	TRIBUTARY DR	MORENO VALLEY	CA	92557-2651	ORTIZ, ROLAND	10351 TRIBUTARY DR	MORENO VALLEY, CA	92557-2651	126.37	12.64	25.02	164.02
85608205006	260352010	WILSON, MARGARET	10381	TRIBUTARY DR	MORENO VALLEY	CA	92557-2651	WILSON, MARGARET	10381 TRIBUTARY DR	MORENO VALLEY, CA	92557-2651	254.02	25.4	50.3	329.7
50883085001	260353001	ROSS, DENISE	22760	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2635	ROSS, DENISE	22760 COUNTRY GATE RD	MORENO VALLEY, CA	92557-2635	254.02	25.4	50.3	329.7
92815395008	260361014	FOREBES, PAULA	22552	SPRINGDALE DR	MORENO VALLEY	CA	92557-2644	FOREBES, PAULA	22552 SPRINGDALE DR	MORENO VALLEY, CA	92557-2644	190.69	19.07	37.76	247.5
85273445009	260361032	CLARK, PATRICIA	22671	SPRINGDALE DR	MORENO VALLEY	CA	92557-2602	CLARK, PATRICIA	22671 SPRINGDALE DR	MORENO VALLEY, CA	92557-2602	254.02	25.4	50.3	329.7
31407035004	260362001	GAMEZ, ANDREW AND VALERIE	22702	SPRINGDALE DR	MORENO VALLEY	CA	92557-2678	GAMEZ, ANDREW AND VALERIE	22702 SPRINGDALE DR	MORENO VALLEY, CA	92557-2678	271.6	27.16	53.78	352.52
31591825009	260362009	RENWRICK, RONALD AND TRACY	22622	SPRINGDALE DR	MORENO VALLEY	CA	92557-2600	RENWRICK, RONALD	22622 SPRINGDALE DR	MORENO VALLEY, CA	92557-2600	254.02	25.4	50.3	329.7
96779115001	260362013	JACKSON, TONY AND CELIUA	22689	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2647	JACKSON, TONY	22689 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2647	254.12	25.41	50.32	329.84
85245865008	260371001	SALGADO, JOSE	10038	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1859	SALGADO, JOSE	10038 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1859	41.04	4.1	8.13	53.26
31623845006	260372014	GUZMAN, GEORGE	10259	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1864	GUZMAN, GEORGE	10259 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1864	254.02	25.4	50.3	329.7
74672535006	260372022	LOOMIS, ROGER AND SHELLY	10147	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1861	LOOMIS, ROGER AND SHELLY	10147 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1861	329.32	32.93	65.21	427.44
62568485000	260372025	GARCIA, ROMAN	10105	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1861	GARCIA, ROMAN	10105 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1861	63.63	6.36	12.6	82.58
31637525003	260372026	BARKER, CURTIS	10085	SYCAMORE CANYON RD	MORENO VALLEY	CA	92557-1860	BARKER, CURTIS	10085 SYCAMORE CANYON RD	MORENO VALLEY, CA	92557-1860	254.02	25.4	50.3	329.7
31196355005	260381006	SAMSTAG, DAVID	10070	CARTAGENA DR	MORENO VALLEY	CA	92557-2665	SAMSTAG, DAVID	7 CARTIER AISLE	IRVINE, CA	92620-5708	329.32	32.93	65.21	427.44
31365875007	260381011	GREEN WOMACK, MADOLYN	10120	CARTAGENA DR	MORENO VALLEY	CA	92557-2667	GREEN-WOMACK, MADOLYN	10120 CARTAGENA DR	MORENO VALLEY, CA	92557-2667	190.29	19.03	37.68	246.98

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
75987615004	260381012	ROSS, GAYLE	10130	CARTAGENA DR	MORENO VALLEY	CA	92557-2667	ROSS, GAYLE	10130 CARTAGENA DR	MORENO VALLEY, CA	92557-2667	254.02	25.4	50.3	329.7
31593615009	260382002	AMAYA, SYLVIA (OWNR)	10125	CARTAGENA DR	MORENO VALLEY	CA	92557-2668	AMAYA, SYLVIA	11555 LASSELLE ST	MORENO VALLEY, CA	92557-5821	63.61	6.36	12.59	82.56
31277135000	260391001	GRIFFIN, LEONARD	22446	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2655	GRIFFIN, LEONARD	22446 MOUNTAIN VIEW RD	HACKETTS TOWN, CA	92557	90.59	9.06	17.94	117.58
31223805003	260391003	HARDIN, GREGORY	22434	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2655	HARDIN, GREGORY	22434 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2655	254.02	25.4	50.3	329.7
31227105001	260391008	MERRELL, STEVE	22404	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2655	MERRELL, STEVE	22404 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2655	354.04	35.4	70.1	459.54
93123605002	260391018	SAMPS, JANELL (RENT)	10458	VALLEY CREST CIR	MORENO VALLEY	CA	92557-9010	SAMPS, JANELL	22439 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2657	207.27	20.73	41.04	269.02
77602055000	260392001	HIDALGO, ESTELA	22447	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2657	HIDALGO, ESTELA	22447 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2657	158.87	15.89	31.46	206.2
70632285006	260392017	GARCIA, ELIZABETH	22490	COUNTRY GATE RD	MORENO VALLEY	CA	92557-2660	GARCIA, ELIZABETH	22490 COUNTRY GATE RD	MORENO VALLEY, CA	92557-2660	254.02	25.4	50.3	329.7
31636995006	260401007	FORREST, HARRIET	22508	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2652	FORREST, HARRIET	22508 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2652	63.63	6.36	12.6	82.58
94951675000	260401013	SA, AMILO (OWNR)	22464	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2655	SA, AMILO	22464 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2655	254.12	25.41	50.32	329.84
94731155005	260401066	HEFNER, PAULA (RENT)	22514	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2652	HEFNER, PAULA	22514 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2652	90.79	9.08	17.98	117.84
87730955008	260402003	MCCHRISTIAN, LEON	22511	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2658	MCCHRISTIAN, LEON	22511 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2658	254.12	25.41	50.32	329.84
97107065004	260402007	GALLARDO, MARY (OWNR)	22483	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2657	GALLARDO, MARY	22483 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2657	254.12	25.41	50.32	329.84
31291045000	260402010	ASHE, JAQUELINE	22455	MOUNTAIN VIEW RD	MORENO VALLEY	CA	92557-2657	ASHE, JAQUELINE	PO BOX 7717	MORENO VALLEY, CA	92552-7717	161.93	16.19	32.06	210.18
31376425009	260412002	PATTERSON, TROY D	10010	MIRACANTO WAY	MORENO VALLEY	CA	92557-9002	PATTERSON, TROY D	10010 MIRACANTO WAY	MORENO VALLEY, CA	92557-9002	329.32	32.93	65.21	427.44
31442725006	260412016	JUSTICE, ZYRIC AND SONYA	22511	BELCANTO DR	MORENO VALLEY	CA	92557-9028	JUSTICE, ZYRIC AND SONYA	22511 BELCANTO DR	MORENO VALLEY, CA	92557-9028	133.02	13.3	26.34	172.66
31425795006	260413010	BRADSHAW, VICKI	22565	BELCANTO DR	MORENO VALLEY	CA	92557-9029	BRADSHAW, VICKI	22565 BELCANTO DR	MORENO VALLEY, CA	92557-9029	254.02	25.4	50.3	329.7
94701725009	260413014	LAGANDOAN, ADONIS (RENT)	22599	MORALIA DR	MORENO VALLEY	CA	92557-2674	LAGANDOAN, ADONIS	22599 MORALIA DR	MORENO VALLEY, CA	92557-2674	254.12	25.41	50.32	329.84
31487335003	260422015	ESPARZA, JAMES	22440	BELCANTO DR	MORENO VALLEY	CA	92557-9026	ESPARZA, JAMES	22440 BELCANTO DR	MORENO VALLEY, CA	92557-9026	254.12	25.41	50.32	329.84
31402175005	260431007	SAUCIER, LUCY	10159	ALTABRISA WAY	MORENO VALLEY	CA	92557-9019	SAUCIER, LUCY	10159 ALTABRISA	MORENO VALLEY, CA	92557-9019	329.32	32.93	65.21	427.44
31443833008	260431016	HOSKINS, RAYMOND (RENT)	10200	CARTAGENA DR	MORENO VALLEY	CA	92557-9021	HOSKINS, RAYMOND	10200 CARTAGENA DR	MORENO VALLEY, CA	92557-9021	206.11	20.61	40.81	267.52
92661403004	260440001	FOSTER, YOLANDA (RENT)	10100	VIA PESCADERO	MORENO VALLEY	CA	92557-2741	FOSTER, YOLANDA	10100 VIA PESCADERO	MORENO VALLEY, CA	92557-2741	127.46	12.75	25.24	165.44
59201345003	260440022	TEAGUE, MARTIN AND FAITH	10199	VIA PESCADERO	MORENO VALLEY	CA	92557-2742	TEAGUE, MARTIN AND FAITH	10199 VIA PESCADERO	MORENO VALLEY, CA	92557-2742	63.63	6.36	12.6	82.58
61294805007	260450004	SAKATA, SHELBY	10050	VIA PESCADERO	MORENO VALLEY	CA	92557	SAKATA, SHELBY	10050 VIA PESCADERO	MORENO VALLEY, CA	92557	45.44	4.54	9	58.98
96380345000	260450006	TAYLOR, DARYL (OWNR)	10030	VIA PESCADERO	MORENO VALLEY	CA	92557-2746	TAYLOR, DARYL	10030 VIA PESCADERO	MORENO VALLEY, CA	92557-2746	254.02	25.4	50.3	329.7
93886413004	260450009	RUIZ, DALIA (RENT)	10025	VIA PESCADERO	MORENO VALLEY	CA	92557-2746	RUIZ, DALIA	1041 N LYRA WAY	BEAUMONT, CA	92223-2080	56.46	5.65	11.18	73.28
60663935007	260450015	HERNANDEZ, NORMA	10190	VIA INDIGO	MORENO VALLEY	CA	92557-2745	HERNANDEZ, NORMA	12220 PIGEON PASS RD SUITE O	MORENO VALLEY, CA	92557	254.12	25.41	50.32	329.84
53737805005	260470015	QUI, LOUIS	23446	MARINER WAY	MORENO VALLEY	CA	92557-2879	QUI, LOUIS	23446 MARINER WAY	MORENO VALLEY, CA	92557-2879	63.63	6.36	12.6	82.58
60464715006	260470017	DIAZ, GABRIEL	23466	MARINER WAY	MORENO VALLEY	CA	92557-2879	DIAZ, GABRIEL	23466 MARINER WAY	MORENO VALLEY, CA	92557-2879	52.11	5.21	10.32	67.62
81188595001	260471005	CORT, SHERRI	10156	BEACHCOMBER ST	MORENO VALLEY	CA	92557-2869	CORT, SHERRI	10156 BEACHCOMBER ST	MORENO VALLEY, CA	92557-2869	254.02	25.4	50.3	329.7
31120205004	260471009	SHEA, MICHAEL	10196	BEACHCOMBER ST	MORENO VALLEY	CA	92557-2878	SHEA, MICHAEL	10196 BEACHCOMBER ST	MORENO VALLEY, CA	92557-2878	117.25	11.73	23.22	152.18
52687805003	260471015	ESPINOZA, SANDRA	10256	BEACHCOMBER ST	MORENO VALLEY	CA	92557-2871	ESPINOZA, SANDRA	10256 BEACHCOMBER ST	MORENO VALLEY, CA	92557-2871	329.32	32.93	65.21	427.44
31985205008	260471022	BROWN, LASHANDA	10269	CORAL LN	MORENO VALLEY	CA	92557-2877	BROWN, LASHANDA	10269 CORAL LN	MORENO VALLEY, CA	92557-2877	246.64	24.66	48.83	320.12
92079215009	260472006	VELASCOS, JESUS	10210	CORAL LN	MORENO VALLEY	CA	92557-2875	VELASCOS, JESUS	10210 CORAL LN	MORENO VALLEY, CA	92557-2875	253.92	25.39	50.28	329.58
97909585004	260510010	STORY, MICHAEL (OWNR)	23065	IMPERIAL RD	MORENO VALLEY	CA	92557	STORY, MICHAEL	23065 IMPERIAL RD	MORENO VALLEY, CA	92557	190.79	19.08	37.78	247.64
97996515016	260510030	GHERARDI, TIFFANY (OWNR)	10077	DEVILLE DR	MORENO VALLEY	CA	92557-2756	GHERARDI, TIFFANY	8548 CATALPA PL	RIVERSIDE, CA	92504-2830	254.12	25.41	50.32	329.84
31227615004	260312001	LIZARRAGA, ELPIDIO	13116	LANCASTER LN	MORENO VALLEY	CA	92553-8000	LIZARRAGA, ELPIDIO	PO BOX 166	WILDOMAR, CA	92595-0166	253.92	25.39	50.28	329.58
70828045001	260312002	KRAUSE, LARRY	13090	LANCASTER LN	MORENO VALLEY	CA	92553-8069	KRAUSE, LARRY	13090 LANCASTER LN	MORENO VALLEY, CA	92553-8069	254.02	25.4	50.3	329.7
97463005004	260320022	PLATA, ARTHUR (RENT)	21825	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-8145	PLATA, ARTHUR	12783 KIOWA RD APT 2	APPLE VALLEY, CA	92308-4271	147.14	14.71	29.13	190.98
98335795017	260331001	GIL, THELMA AND FIDEL (RENT)	13129	GINA AVE	MORENO VALLEY	CA	92553-8065	GIL, THELMA AND FIDEL	13129 GINA AVE	MORENO VALLEY, CA	92553-8065	90.69	9.07	17.96	117.7
31442575007	260331003	DOMINGUEZ, MARIA	13153	GINA AVE	MORENO VALLEY	CA	92553-8065	DOMINGUEZ, MARIA	13091 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5620	329.32	32.93	65.21	427.44
91433773001	260331006	AHOIA, HUAVAI (RENT)	13189	GINA AVE	MORENO VALLEY	CA	92553-8065	AHOIA, HUAVAI (RENT)	13450 EDGEMONT ST APT 2	MORENO VALLEY, CA	92553-8044	113.18	11.32	22.41	146.9
31305085009	260331007	RIVERA, MARGARET	13201	GINA AVE	MORENO VALLEY	CA	92553-8033	RIVERA, MARGARET	13201 GINA AVE	MORENO VALLEY, CA	92553-8033	254.02	25.4	50.3	329.7
31505775009	260332006	ADAMS, DAN	13188	GINA AVE	MORENO VALLEY	CA	92553-8065	ADAMS, DAN	13188 GINA AVE	MORENO VALLEY, CA	92553-8065	253.92	25.39	50.28	329.58
96565105006	260332026	LIMON, BRIAN (RENT)	13199	EDGEMONT ST	MORENO VALLEY	CA	92553-8042	LIMON, BRIAN	5191 PHILADELPHIA ST APT 2	CHINO, CA	91710-2433	119.25	11.93	23.61	154.78
94170215004	260332032	ZHANG, YANTING	13129	EDGEMONT ST	MORENO VALLEY	CA	92553-8042	ZHANG, YANTING	13129 EDGEMONT ST	MORENO VALLEY, CA	92553-8042	254.12	25.41	50.32	329.84
92759455005	260332034	ESQUIVEL, JOSEPH (RENT)	21574	DRACAEA AVE	MORENO VALLEY	CA	92553-8015	ESQUIVEL, JOSEPH	21574 DRACAEA AVE	MORENO VALLEY, CA	92553-8015	306.68	30.67	60.72	398.06
93047425001	260340001	LOPEZ, ESPERANZA (RENT)	13128	EDGEMONT ST	MORENO VALLEY	CA	92553-8041	LOPEZ, ESPERANZA	13128 EDGEMONT ST	MORENO VALLEY, CA	92553-8041	254.02	25.4	50.3	329.7
31443585003	260340002	REYES, ROBERTO	13152	EDGEMONT ST	MORENO VALLEY	CA	92553-8041	REYES, ROBERTO	13152 EDGEMONT ST	MORENO VALLEY, CA	92553-8041	64.53	6.45	12.78	83.74
31480905004	260340004	VARGAS, GUILLERMO	13160	EDGEMONT ST	MORENO VALLEY	CA	92553-8041	VARGAS, GUILLERMO	13160 EDGEMONT ST	MORENO VALLEY, CA	92553-8041	254.02	25.4	50.3	329.7
95508933003	260360040	VENEGAS, JULISSA AND ADOLFO	13363	EDGEMONT ST	MORENO VALLEY	CA	92553-8030	VENEGAS, JULISSA AND ADOLFO	13363 EDGEMONT ST	MORENO VALLEY, CA	92553-8030	327.45	32.75	64.84	425.02
96627065002	260370001	MACIAS, JACINTO (OWNR)	21830	DRACAEA AVE	MORENO VALLEY	CA	92553-8023	MACIAS, JACINTO	21830 DRACAEA AVE	MORENO VALLEY, CA	92553-8023	104.12	10.41	20.62	135.14
55785395008	260370007	HUANG, TILA CHOPRA AND KETTY	21800	COTTONWOOD AVE UNIT E	MORENO VALLEY	CA	92553-7344	HUANG, TILA CHOPRA AND KETTY	1518 W FLIPPEN CT	ANAHEIM, CA	92802-3909	254.02	25.4	50.3	329.7
94697755002	260370012	VAZQUEZ, MARGARITA (RENT)	13440	EDGEMONT ST	MORENO VALLEY	CA	92553-8045	VAZQUEZ, MARGARITA	13440 EDGEMONT ST	MORENO VALLEY, CA	92553-8045	659.2	65.92	130.52	855.64
31633135004	260380001	CAPERON, JOSE (RENT)	21867	DRACAEA AVE	MORENO VALLEY	CA	92553-8038	CAPERON, JOSE	21867 DRACAEA AVE	MORENO VALLEY, CA	92553-8038	279.32	27.93	55.31	362.54
94921243004	260380004	DEL CAMPO, REFUGIO M(RENT)	21947	DRACAEA AVE	MORENO VALLEY	CA	92553-8087	DEL CAMPO, REFUGIO M	21947 DRACAEA AVE	MORENO VALLEY, CA	92553-8087	266.17	26.62	52.7	345.48
57035525009	260380005	NAVARRO, MARIA LUISA	21955	DRACAEA AVE	MORENO VALLEY	CA	92553-8087	NAVARRO, MARIA LUISA	PO BOX 9846	MORENO VALLEY, CA	92552-1846	496.55	49.66	98.32	644.52
89610653003	260380024	ARREGUIN JR, FLORENTINO	13420	HILDEGARDE ST	MORENO VALLEY	CA	92553-8167	ARREGUIN JR, FLORENTINO	13388 HILDEGARDE ST	MORENO VALLEY, CA	92553-8168	420.76	42.08	83.31	546.14
31597385008	260380025	CAILLET, RONALD	13410	HILDEGARDE ST	MORENO VALLEY	CA	92553-8167	CAILLET, RONALD	13410 HILDEGARDE ST	MORENO VALLEY, CA	92553-8167	63.63	6.36	12.6	82.58
31556215000	260380030	JAIN, RAVI ETUX	13346	HILDEGARDE ST	MORENO VALLEY	CA	92553-8168	JAIN, RAVI ETUX	13346 HILDEGARDE ST	MORENO VALLEY, CA	92553-8168	254.02	25.4	50.3	329.7
31286635001	260380036	DONOVAN, MONICA	13389	HILDEGARDE ST	MORENO VALLEY	CA	92553-8168	DONOVAN, MONICA	13389 HILDEGARDE ST	MORENO VALLEY, CA	92553-8168	253.92	25.39	50.28	329.58
31572245001	260380040	MACEDO, ENEDINA	13431	HILDEGARDE ST	MORENO VALLEY	CA	92553-8166	MACEDO, ENEDINA	13431 HILDEGARDE ST	MORENO VALLEY, CA	92553-8166	254.02	25.4	50.3	329.7
70951545006	260380044	HUERTA, CYNTHIA	13477	HILDEGARDE ST	MORENO VALLEY	CA	92553-8166	HUERTA, CYNTHIA	13477 HILDEGARDE ST	MORENO VALLEY, CA	92553-8166	254.02	25.4	50.3	329.7
31086005002	260380045	CABALLERO, MANUEL	13491	HILDEGARDE ST	MORENO VALLEY	CA	92553-8166	CABALLERO, MANUEL	13491 HILDEGARDE ST	MORENO VALLEY, CA	92553-8166	254.02	25.4	50.3	329.7
92797298008	260380069	TAST, JENNIFER (RENT)	13455	BARBARA ST	MORENO VALLEY	CA	92553-8112	TAST, JENNIFER	13455 BARBARA ST	MORENO VALLEY, CA	92553-8112	206.08	20.61	40.8	267.48
31345445000	260380076	RAMIREZ, SANTIAGO	13454	BARBARA ST	MORENO VALLEY	CA	92553-8111	RAMIREZ, SANTIAGO	13400 ELSWORTH ST APT 105	MORENO VALLEY, CA	92553-8487	254.02	25.4	50.3	329.7
96795675009	260380077	CABANAS, ROSALBA (OWNR)	13361	DAY ST	MORENO VALLEY	CA	92553-8124	CABANAS, ROSALBA	13361 DAY ST	MORENO VALLEY, CA	92553-8124	254.12	25.41	50.32	329.84
88718063009	260390010	POGUES, EVONIA (RENT)	13561	EDGEMONT ST	MORENO VALLEY	CA	92553-8054	POGUES,EVONIA	13561 EDGEMONT ST	MORENO VALLEY, CA	92553-8054	47.22	4.72	9.35	61.28
54212545003	260390033	GEORGE, MARJORIE	13760	HWY 215	MORENO VALLEY	CA	92553-7908	GEORGE, MARJORIE	13760 HIGHWAY 215	MORENO VALLEY, CA	92553-7908	289.25	28.93	57.27	375.44
96085865005	263200002	SERNA, LETICIA (RENT)	21775	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8176	SERNA, LETICIA	21775 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8176	229.6	22.96	45.46	298.02
101690063003	263200008	MARTINES, ALEJANDRO	21883	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8179	MARTINES, ALEJANDRO	21883 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8179	151.43	15.14	29.98	196.54
93145083004	263200019	NAVARRO, MARGARITA (RENT)	21907	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8185	NAVARRO, MARGARITA	21907 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8185	147.28	14.73	29.16	191.16
31069515001	263200020	ALMAGUER, ARGIL	21921	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8185	ALMAGUER, ARGIL	13612 PERSIMMON RD	MORENO VALLEY, CA	92553-3858	254.02	25.4	50.3	329.7
31411155000	263210006	GOTTSCHALK FAMILY TRUST	21824	BRILL RD	MORENO VALLEY	CA	92553-8119	GOTTSCHALK FAMILY TRUST	13660 DAY ST	MORENO VALLEY, CA	92553-8136	329.32	32.93	65.21	427.44
31250575004	263210007	GOTTSCHALK, ETHAN AND SYLVIA (	21834	BRILL RD	MORENO VALLEY	CA	92553-8119	GOTTSCHALK, ETHAN	13660 DAY ST	MORENO VALLEY, CA	92553-8136	253.92	25.39	50.28	329.58
53911205002	263210013	SCHILLING, CHERI	21835	BRILL RD	MORENO VALLEY	CA	92553-8120	SCHILLING, CHERI	24400 ELECTRA CT	MORENO VALLEY, CA	92551-6914	329.32	32.93	65.21	427.44
31399825007	263210014	DIAZ, JORGE	21825	BRILL RD	MORENO VALLEY	CA	92553-8120	DIAZ, JORGE	21825 BRILL RD	MORENO VALLEY, CA	92553-8120	329.32	32.93	65.21	427.44
71032955007	263210022	OROZCO, DEBORA AND JOHNNY	21784	BAY AVE	MORENO VALLEY	CA	92553-8104	OROZCO, DEBORA	21784 BAY AVE	MORENO VALLEY, CA	92553-8104	254.02	25.4	50.3	329.7
31637575002	263210040	FRANCO, CARMEN	21918	BAY AVE	MORENO VALLEY	CA	92553-8128	FRANCO, CARMEN	21918 BAY AVE	MORENO VALLEY, CA	92553-8128	254.02	25.4	50.3	329.7
77443675009	263210041	LAM, JIMMY	21949	BRILL RD	MORENO VALLEY	CA	92553-8132	LAM, LAUREN	1119 SCHOOL ST	CORONA, CA	92882-1950	329.32	32.93	65.21	427.44
31474835008	263220019	ALONSO, CARLOS	21827	BAY AVE	MORENO VALLEY	CA	92553-8106	ALONSO, CARLOS	21827 BAY AVE	MORENO VALLEY, CA	92553-8106	329.32	32.93	65.21	427.44
31550765007	263230018	SIMENTAL, TONY	21894	ALESSANDRO BLVD	MORENO VALLEY	CA	92553-8266	SIMENTAL, TONY	21894 ALESSANDRO BLVD	MORENO VALLEY, CA	92553-8266	254.02	25.4	50.3	329.7
92150005002	264052002	RODRIGUEZ, RUBEN	11028	LONE STAR RD	MORENO VALLEY	CA	92557-4801	RODRIGUEZ, RUBEN	11028 LONE STAR RD	MORENO VALLEY, CA	92557-4801	253.92	25.39	50.28	329.58
31071675003	264052004	WILLIAMS, VIVIAN	11111	SADDLE RIDGE RD	MORENO VALLEY	CA	92557-4811	WILLIAMS, VIVIAN	11111 SADDLE RIDGE RD	MORENO VALLEY, CA	92557-4811	72.44	7.24	14.34	94.02
96846725000	264052005	LOVE, ROSIE (RENT)	11097	SADDLE RIDGE RD	MORENO VALLEY	CA	92557-4810	LOVE, ROSIE	11097 SADDLE RIDGE RD	MORENO VALLEY, CA	92557-4810	127.46	12.75	25.24	165.44
95271185005	264052009	CURRY, TIM AND DANIELLE (RENT)	11041	SADDLE RIDGE RD	MORENO VALLEY	CA	92557-4810	RRED., MARGARET	5066 BARNDINGIRON PL	RANCHO CUCAMONGA, CA	91739-2194	109.37	10.94	21.66	141.96
62092685009	264052013	BAILEY, JAMES	11070	PIONEER RIDGE RD	MORENO VALLEY	CA	92557-4800	BAILEY, JAMES	11070 PIONEER RIDGE RD	MORENO VALLEY, CA	92557-4800	63.63	6.36	12.6	82.58
58948545008	264053009	WUENCE, JULISSA	11140	SADDLE RIDGE RD	MORENO VALLEY	CA	92557-4809	WUENCE, JULISSA	11140 SADDLE RIDGE RD	MORENO VALLEY, CA	92557-4809	254.12	25.41	50.32	329.84
31200505004	264071019	RAI, JASWANT	23541	ASHWOOD AVE	MORENO VALLEY	CA	92557-4962	RAI, JASWANT	23541 ASHWOOD AVE	MORENO VALLEY, CA	92557-4962	60	6	11.88	77.88
31592195009	264071023	ORG, JOEL AND JENNIE	23565	ASHWOOD AVE	MORENO VALLEY	CA	92557-4962	ORG, JOEL	23565 ASHWOOD AVE	MORENO VALLEY, CA	92557-4962	254.02	25.4	50.3	329.7
74568925004	264071025	CANTRELL, BRANDON AND KARLYN	23577	ASHWOOD AVE	MORENO VALLEY	CA	92557-4963	CANTRELL, BRANDON AND KARLYN	15604 HITCHING POST ST	MORENO VALLEY, CA	92555-2940	254.02	25.4	50.3	329.7
31643705003	264071026	ARIZAGA, JOSE R	23583	ASHWOOD AVE	MORENO VALLEY	CA	92557-4963	ARIZAGA, JOSE R	23583 ASHWOOD AVE	MORENO VALLEY, CA	92557-4963	329.32	32.93	65.21	427.44
96620175004	264071030	HENDERSON, DENISE (RENT)	23607	ASHWOOD AVE	MORENO VALLEY	CA	92557-4966	HENDERSON, DENISE	23607 ASHWOOD AVE	MORENO VALLEY, CA	92557-4966	254.12	25.41	50.32	329.84
31540505003	264071031	FAYE, JESSE	23613	ASHWOOD AVE	MORENO VALLEY	CA	92557-4966	FAYE, JESSE	250 WILKERSON AVE APT 30	PERRIS, CA	92570-2208	182.8	18.28	36.19	237.26
94457435009	264071033	CARLOS, TRISHA (RENT)	23540	PARKLAND AVE	MORENO VALLEY	CA	92557-4971	CARLOS, TRISHA	23540 PARKLAND AVE	MORENO VALLEY, CA	92557-4971	105.88	10.59	20.96	137.42
31399855000	264071034	MULLINAX, SABINA	23530	PARKLAND AVE	MORENO VALLEY	CA	92557-4971	MULLINAX, SABINA	PO BOX 9924	MORENO VALLEY, CA	92552-1924	254.02	25.4	50.3	329.7
96365345019	264071040	SALUDARES, JOANNA P (OWNR)	23470	PARKLAND AVE	MORENO VALLEY	CA	92557-4974	SALUDARES, JOANNA P	23470 PARKLAND AVE	MORENO VALLEY, CA	92557-4974	254.12	25.41	50.32	329.84
55228255008	264071046	SOTO, ELADIO	11055	BETH CT	MORENO VALLEY	CA	92557-4973	SOTO, ELADIO	1424 EPURGE ON ST APT 1 N	SANTA ANA, CA	92701-4973	51.97	5.2	10.29	67.44
53859005005	264071052	CORONADO, GLORIA	11030	BETH CT	MORENO VALLEY	CA	92557-4973	CORONADO, GLORIA	11030 BETH CT	MORENO VALLEY, CA	92557-4973	127.36	12.74	25.22	165.3
92839975009	264072007	GONZALEZ, MATHEW	23587	PARKLAND AVE	MORENO VALLEY	CA	92557-4934	GONZALEZ, MATHEW	PO BOX 8591	MORENO VALLEY, CA	92552-8591	63.63	6.36	12.6	82.58
100472233002	264072008	HARRIS, LEISHA (OWNR)	23581	PARKLAND AVE	MORENO VALLEY	CA	92557-4934	HARRIS, LEISHA	23581 PARKLAND AVE	MORENO VALLEY, CA	92557-4934	113.1	11.31	22.39	146.8

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
57511405004	264072016	PROBUS, CYNTHIA	11041	ROCKY RIDGE RD	MORENO VALLEY	CA	92557-4929	PROBUS, CYNTHIA	11041 ROCKY RIDGE RD	MORENO VALLEY, CA	92557-4929	63.63	6.36	12.6	82.58
97031715000	264072018	DAVIS, NYELA (RENT)	23556	ASHWOOD AVE	MORENO VALLEY	CA	92557-4961	DAVIS, NYELA	1914 LITTLE ZION MANOR DR APT D	SN BERNRDINO, CA	92411-0932	262.79	26.27	52.02	341.02
31336515004	264072024	SEWELL, DONNA	11054	AVIS CT	MORENO VALLEY	CA	92557-4957	SEWELL, DONNA	11054 AVIS CT	MORENO VALLEY, CA	92557-4957	276.15	27.62	54.68	358.44
91285615009	264072031	THOMPSON, YVONNE	23576	ASHWOOD AVE	MORENO VALLEY	CA	92557-4964	THOMPSON, YVONNE	23576 ASHWOOD AVE	MORENO VALLEY, CA	92557-4964	253.92	25.39	50.28	329.58
88611965007	264072032	LAWTON, RAQUEL (RENT)	23582	ASHWOOD AVE	MORENO VALLEY	CA	92557-4964	LAWTON, RAQUEL	23582 ASHWOOD AVE	MORENO VALLEY, CA	92557-4964	254.12	25.41	50.32	329.84
68625565005	264072037	JUAREZ, MARTHA	11109	DEBRA WAY	MORENO VALLEY	CA	92557-4956	JUAREZ, MARTHA	11109 DEBRA WAY	MORENO VALLEY, CA	92557-4956	63.63	6.36	12.6	82.58
31587875006	264072038	JUAREZ, WILLI	11103	DEBRA WAY	MORENO VALLEY	CA	92557-4956	JUAREZ, WILLI	13168 TONIKAN DR	MORENO VALLEY, CA	92553-7817	264.09	26.41	52.29	342.78
53378105005	264081001	CORRAL, ROSALINA	23636	PARKLAND AVE	MORENO VALLEY	CA	92557-4935	CORRAL, ROSALINA	23636 PARKLAND AVE	MORENO VALLEY, CA	92557-4935	254.02	25.4	50.3	329.7
87343595006	264081003	JOHNSON, LINDA	23648	PARKLAND AVE	MORENO VALLEY	CA	92557-4935	JOHNSON, LINDA	23648 PARKLAND AVE	MORENO VALLEY, CA	92557-4935	96.37	9.64	19.08	125.08
64599665005	264081008	WILLIAMS, CLARK	23678	PARKLAND AVE	MORENO VALLEY	CA	92557-4935	WILLIAMS, CLARK	23678 PARKLAND AVE	MORENO VALLEY, CA	92557-4935	254.12	25.41	50.32	329.84
93306555003	264082002	GONZALEZ, PRISCILLA (RENT)	23641	PARKLAND AVE	MORENO VALLEY	CA	92557-4936	GONZALEZ, PRISCILLA	22257 SHERMAN AVE	MORENO VALLEY, CA	92553-8248	254.12	25.41	50.32	329.84
31535705001	264082008	WILLIAMS, ANITA	23677	PARKLAND AVE	MORENO VALLEY	CA	92557-4936	WILLIAMS, ANITA	23677 PARKLAND AVE	MORENO VALLEY, CA	92557-4936	254.02	25.4	50.3	329.7
95192835007	264082009	CASA, PATRICIA	23689	PARKLAND AVE	MORENO VALLEY	CA	92557-4937	CASA, PATRICIA	23689 PARKLAND AVE	MORENO VALLEY, CA	92557-4937	190.79	19.08	37.78	247.64
72630775005	264082019	IRVING, LASONYA	23654	MISTY GLADE CT	MORENO VALLEY	CA	92557-4954	IRVING, LASONYA	12310 VISTA HEMOSA DR	MORENO VALLEY, CA	92557-7517	254.02	25.4	50.3	329.7
31228015008	264082028	RIEM, DAVE	23659	MISTY GLADE CT	MORENO VALLEY	CA	92557-4954	RIEM, DAVE	23659 MISTY GLADE CT	MORENO VALLEY, CA	92557-4954	254.02	25.4	50.3	329.7
69409045004	264082033	ENRIQUEZ, JOE AND LUCY	23644	BIRDSONG CT	MORENO VALLEY	CA	92557-4953	ENRIQUEZ, JOE AND LUCY	23644 BIRDSONG CT	MORENO VALLEY, CA	92557-4953	254.12	25.41	50.32	329.84
86275385005	264082037	DUNCAN, OSCAR (RENT)	23649	BIRDSONG CT	MORENO VALLEY	CA	92557-4953	DUNCAN, OSCAR	23649 BIRDSONG CT	MORENO VALLEY, CA	92557-4953	54.12	5.41	10.72	70.24
65795835003	264082040	GARCIA, PAULA	23662	ASHWOOD AVE	MORENO VALLEY	CA	92557-4968	GARCIA, PAULA	12450 MARSHALL AVE APT 155	CHINO, CA	91710-5815	254.12	25.41	50.32	329.84
31070305003	264082042	BURNETT, VERONICA	23650	ASHWOOD AVE	MORENO VALLEY	CA	92557-4968	BURNETT, VERONICA	23650 ASHWOOD AVE	MORENO VALLEY, CA	92557-4968	254.02	25.4	50.3	329.7
90954505004	264082052	FLORES, ALEJANDRA (OWNR)	11086	DEBRA WAY	MORENO VALLEY	CA	92557-4955	FLORES, ALEJANDRA	11086 DEBRA WAY	MORENO VALLEY, CA	92557-4955	190.59	19.06	37.74	247.38
96676205000	264082055	RODRIGUEZ, MALLELY (OWNR)	11068	DEBRA WAY	MORENO VALLEY	CA	92557-4955	RODRIGUEZ, MALLELY	11068 DEBRA WAY	MORENO VALLEY, CA	92557-4955	254.12	25.41	50.32	329.84
91970125009	264083019	DEGARMO, NEAL AND ALAYNE	23713	COLD SPRING	MORENO VALLEY	CA	92557-4949	DEGARMO, NEAL AND ALAYNE	23713 COLD SPRING	MORENO VALLEY, CA	92557-4949	190.59	19.06	37.74	247.38
96797655009	264083020	NOLEN, TIMOTHY (OWNR)	23717	COLD SPRING	MORENO VALLEY	CA	92557-4949	NOLEN, TIMOTHY	1051 ABBOTTSWOOD RD	PERRIS, CA	92571-9413	420.76	42.08	83.31	546.14
31327925007	264091001	GROVER, JOYCE	11001	LE GRAND LN	MORENO VALLEY	CA	92557-4959	GROVER, JOYCE	11001 LE GRAND LN	MORENO VALLEY, CA	92557-4959	228.63	22.86	45.27	296.76
48613035008	264091004	YZUETA, NADINE	11019	LE GRAND LN	MORENO VALLEY	CA	92557-4959	YZUETA, NADINE	11019 LE GRAND LN	MORENO VALLEY, CA	92557-4959	36.37	3.64	7.2	47.2
31406855003	264091012	MEJIA, ANGELA (OWNR)	11024	LE GRAND LN	MORENO VALLEY	CA	92557-4959	MEJIA, ANGELA	11024 LE GRAND LN	MORENO VALLEY, CA	92557-4959	254.02	25.4	50.3	329.7
99901325000	264091014	MARTIN, MYRA (RENT)	23792	COLD SPRING	MORENO VALLEY	CA	92557-4948	MARTIN, MYRA	23792 COLD SPRING	MORENO VALLEY, CA	92557-4948	254.12	25.41	50.32	329.84
31427725007	264091024	WALLS, KAREN	23852	COLD SPRING	MORENO VALLEY	CA	92557-4951	WALLS, KAREN	23852 COLD SPRING	MORENO VALLEY, CA	92557-4951	254.02	25.4	50.3	329.7
97334245007	264091034	LOUIS, HERNS (RENT)	23912	COLD SPRING	MORENO VALLEY	CA	92557-4952	LOUIS, HERNS	23912 COLD SPRING	MORENO VALLEY, CA	92557-4952	84.12	8.41	16.66	109.18
89335633002	264091040	DEASE JONES, TONYISA (RENT)	11058	MINERS TRL	MORENO VALLEY	CA	92557-4922	DEASE JONES, TONYISA	11058 MINERS TRL	MORENO VALLEY, CA	92557-4922	336.46	33.65	66.62	436.72
90102935000	264091043	MARQUEZ, MARITZA	11076	MINERS TRL	MORENO VALLEY	CA	92557-4922	MARQUEZ, MARITZA	11076 MINERS TRL	MORENO VALLEY, CA	92557-4922	253.92	25.39	50.28	329.58
91033915009	264092001	LILI (OWNR)	23826	PARKLAND AVE	MORENO VALLEY	CA	92557-4941	MONIE, ALMA	23826 PARKLAND AVE	MORENO VALLEY, CA	92557-4941	73.8	7.38	14.61	95.78
92915815000	264092007	RAMIREZ, MARIN	23790	PARKLAND AVE	MORENO VALLEY	CA	92557-4939	RAMIREZ, MARIN	23790 PARKLAND AVE	MORENO VALLEY, CA	92557-4939	63.63	6.36	12.6	82.58
91464643004	264092009	THOMAS, CHRIS (RENT)	23778	PARKLAND AVE	MORENO VALLEY	CA	92557-4939	THOMAS, CHRIS	23778 PARKLAND AVE	MORENO VALLEY, CA	92557-4939	219.36	21.94	43.43	284.72
31561195004	264092011	ZARAGOZA, NAN	23766	PARKLAND AVE	MORENO VALLEY	CA	92557-4939	ZARAGOZA, NAN	23766 PARKLAND AVE	MORENO VALLEY, CA	92557-4939	254.02	25.4	50.3	329.7
96798225008	264092017	GONZALEZ, JORGE N	23799	COLD SPRING	MORENO VALLEY	CA	92557-4950	GONZALEZ, JORGE	23799 COLD SPG	MORENO VALLEY, CA	92557-4950	420.76	42.08	83.31	546.14
31217545000	264092021	GARCIA, ROLANDO J	11055	SULTAN ST	MORENO VALLEY	CA	92557-4916	GARCIA, ROLANDO J	11055 SULTAN ST	MORENO VALLEY, CA	92557-4916	254.02	25.4	50.3	329.7
97517705000	264092022	LEE, JOI (RENT)	11061	SULTAN ST	MORENO VALLEY	CA	92557-4916	LEE, JOI	11061 SULTAN ST	MORENO VALLEY, CA	92557-4916	211.24	21.12	41.83	274.18
92901185000	264092024	SOTO RAMOS, FABIOLA	23800	WINTERGLEN CIR	MORENO VALLEY	CA	92557-4914	SOTO RAMOS, FABIOLA	23800 WINTERGLEN CIR	MORENO VALLEY, CA	92557-4914	254.02	25.4	50.3	329.7
31509255000	264092026	FLORES, ALEXANDRA	23788	WINTERGLEN CIR	MORENO VALLEY	CA	92557-4914	FLORES, ALEXANDRA	23788 WINTERGLEN CIR	MORENO VALLEY, CA	92557-4914	254.12	25.41	50.32	329.84
89859205001	264092027	ROMERO, SARAH (OWNR)	23787	WINTERGLEN CIR	MORENO VALLEY	CA	92557-4914	ROMERO, SARAH	23787 WINTERGLEN CIR	MORENO VALLEY, CA	92557-4914	254.12	25.41	50.32	329.84
91073075002	264092028	WALKER, BEVERLY	11081	SULTAN ST	MORENO VALLEY	CA	92557-4917	WALKER, BEVERLY	11081 SULTAN ST	MORENO VALLEY, CA	92557-4917	113.92	11.39	22.56	147.86
31580695009	264092029	DAVIS, RICKEY	11091	SULTAN ST	MORENO VALLEY	CA	92557-4917	DAVIS, RICKEY	11091 SULTAN ST	MORENO VALLEY, CA	92557-4917	254.02	25.4	50.3	329.7
31377875002	264092030	TILLMANNS, DAN	11103	SULTAN ST	MORENO VALLEY	CA	92557-4917	TILLMANNS, DAN	11103 SULTAN ST	MORENO VALLEY, CA	92557-4917	254.02	25.4	50.3	329.7
97048305000	264093005	MYERS, TIFFINI (RENT)	11062	SULTAN ST	MORENO VALLEY	CA	92557-4915	MYERS, TIFFINI	11062 SULTAN ST	MORENO VALLEY, CA	92557-4915	41.3	4.13	8.18	53.6
31449935007	264093011	HERNANDEZ, JOSE AND LUPE (OWNR	11098	SULTAN ST	MORENO VALLEY	CA	92557-4918	HERNANDEZ, JOSE AND GUADALUPE	11098 SULTAN ST	MORENO VALLEY, CA	92557-4918	26.65	2.67	5.28	34.58
93395205000	264094005	WESTERNMAN, KEVIN	11064	SILVER RUN	MORENO VALLEY	CA	92557-4919	WESTERNMAN, KEVIN	11064 SILVER RUN	MORENO VALLEY, CA	92557-4919	254.12	25.41	50.32	329.84
31262315004	264094012	SVADER, FRED (RENT)	11106	SILVER RUN	MORENO VALLEY	CA	92557-4926	SVADER, FRED	11106 SILVER RUN	MORENO VALLEY, CA	92557-4926	112.58	11.26	22.29	146.12
89777295002	264110019	WILLETS, JODY	11480	TIFFANY LN	MORENO VALLEY	CA	92557-7706	WILLETS, JODY	5524 CARRIBBEAN PL	JONESBORO, AR	72404-8473	63.88	6.39	12.66	82.98
31619755002	264121009	MAWWINITT, FRED	11520	KIWI CT	MORENO VALLEY	CA	92557-5425	MAWWINITT, FRED	11520 KIWI CT	MORENO VALLEY, CA	92557-5425	127.36	12.74	25.22	165.3
31330865003	264121014	TAITANO, RAYMOND P	11570	KIWI CT	MORENO VALLEY	CA	92557-5425	TAITANO, RAYMOND P	14555 LYNNLEE LN	MORENO VALLEY, CA	92555-4720	254.02	25.4	50.3	329.7
31386685003	264121019	CUEVA, JUAN JOSE	11599	PARAKEET CT	MORENO VALLEY	CA	92557-5424	CUEVA, JUAN JOSE	11599 PARAKEET CT	MORENO VALLEY, CA	92557-5424	254.02	25.4	50.3	329.7
92121355009	264121025	ACEVES, KIMBERLY	11527	PARAKEET CT	MORENO VALLEY	CA	92557-5424	ACEVES, KIMBERLY	1255 E CITRUS AVE APT 115	REDLANDS, CA	92374-5369	253.92	25.39	50.28	329.58
64714205007	264121026	BAGDANOV, LETITIA	11522	PARAKEET CT	MORENO VALLEY	CA	92557-5424	BAGDANOV, LETITIA	11522 PARAKEET CT	MORENO VALLEY, CA	92557-5424	63.63	6.36	12.6	82.58
86707573007	264121033	PEREZ, TERESA	11598	PARAKEET CT	MORENO VALLEY	CA	92557-5424	PEREZ, TERESA	11598 PARAKEET CT	MORENO VALLEY, CA	92557-5424	254.12	25.41	50.32	329.84
51422055003	264121037	BALL, MICHELE	11587	BOBOLINK LN	MORENO VALLEY	CA	92557-5423	BALL, MICHELE	11587 BOBOLINK LN	MORENO VALLEY, CA	92557-5423	254.02	25.4	50.3	329.7
55869035006	264121041	MENJIVAR, RICK	11527	BOBOLINK LN	MORENO VALLEY	CA	92557-5423	MENJIVAR, RICK	11527 BOBOLINK LN	MORENO VALLEY, CA	92557-5423	323.49	32.35	64.05	419.88
52287715009	264121042	BARBEE, MARCUS	11515	BOBOLINK LN	MORENO VALLEY	CA	92557-5423	BARBEE, MARCUS	11515 BOBOLINK LN	MORENO VALLEY, CA	92557-5423	194.02	19.4	38.42	251.82
71160105005	264121051	GOMEZ, FRANCES	23284	WOODPECKER PATH	MORENO VALLEY	CA	92557-5420	GOMEZ, FRANCES	13397 HICKORY WAY	MORENO VALLEY, CA	92553-6935	254.02	25.4	50.3	329.7
93805075005	264122005	BOYD, LANESHA (RENT)	23315	WOODPECKER PATH	MORENO VALLEY	CA	92557-5421	BOYD, LANESHA	23315 WOODPECKER PATH	MORENO VALLEY, CA	92557-5421	300.57	30.06	59.51	390.12
97837945002	264131006	GLOUER, PEDDIE (RENT)	11846	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6229	GLOUER, PEDDIE (RENT)	14150 GRANT ST # 104	MORENO VALLEY, CA	92553-9114	266.17	26.62	52.7	345.48
62534785009	264131009	VILLICANA, EMILIO	11868	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6232	VILLICANA, EMILIO	11868 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6232	254.12	25.41	50.32	329.84
35023303002	264131010	BARRERA, EDWARDO (RENT)	11878	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6232	BARRERA, EDWARDO	11878 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6232	27.46	2.75	5.44	35.64
49534985005	264131011	SELL, SANDRA	11886	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6232	SELL, SANDRA	11886 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6232	229.32	22.93	45.41	297.64
96764425008	264131013	STARK, BREANNA (OWNR)	11900	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6241	STARK, BREANNA	11900 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6241	254.12	25.41	50.32	329.84
92994385003	264131014	VARLA, DIANNA	11908	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6241	VARLA, DIANNA	11908 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6241	254.02	25.4	50.3	329.7
95182515005	264131039	OLIVE, RHONDA (RENT)	11832	GRAHAM ST	MORENO VALLEY	CA	92557-6157	OLIVE, RHONDA	11832 GRAHAM ST	MORENO VALLEY, CA	92557-6157	246.36	24.64	48.78	319.76
31481345004	264131053	FOGGO, DREW	23583	WOODLANDER WAY	MORENO VALLEY	CA	92557-6215	FOGGO, DREW	23583 WOODLANDER WAY	MORENO VALLEY, CA	92557-6215	254.02	25.4	50.3	329.7
31283665006	264131055	KELLEY, JOHN	23576	WOODLANDER WAY	MORENO VALLEY	CA	92557-6214	KELLEY, JOHN	23576 WOODLANDER WAY	MORENO VALLEY, CA	92557-6214	329.32	32.93	65.21	427.44
96738655003	264131061	MCCANTS, PATRICIA (RENT)	23516	WOODLANDER WAY	MORENO VALLEY	CA	92557-6214	MCCANTS, PATRICIA	23516 WOODLANDER WAY	MORENO VALLEY, CA	92557-6214	329.6	32.96	65.26	427.82
92646595005	264132010	GUITERREZ, RICARDO	23580	CANDLE SHOE CT	MORENO VALLEY	CA	92557-6217	GUITERREZ, RICARDO	11669 ANDERSON ST	LOMA LINDA, CA	92354-3412	254.02	25.4	50.3	329.7
77524125002	264132014	MILLER, DUANE	11842	WILD FLAX LN	MORENO VALLEY	CA	92557-6226	MILLER, DUANE	11842 WILD FLAX LN	MORENO VALLEY, CA	92557-6226	63.33	6.33	12.54	82.2
96274845000	264132019	HERNANDEZ, JESSICA (OWNR)	23545	BLOOMING MEADOW RD	MORENO VALLEY	CA	92557-6237	HERNANDEZ, JESSICA	23545 BLOOMING MEADOW RD	MORENO VALLEY, CA	92557-6237	254.12	25.41	50.32	329.84
58050425008	264132022	GRANT, GREG	23571	BLOOMING MEADOW RD	MORENO VALLEY	CA	92557-6237	GRANT, GREG	23571 BLOOMING MEADOW RD	MORENO VALLEY, CA	92557-6237	254.02	25.4	50.3	329.7
96620035004	264132032	GUEST, LATONNIA (RENT)	23649	BLOOMING MEADOW RD	MORENO VALLEY	CA	92557-6210	GUEST, LATONNIA	23410 HEMLOCK AVE # 2 0 5	MORENO VALLEY, CA	92557-8854	68.29	6.83	13.52	88.64
31348485005	264133007	BROWN, JOSEPH	11820	BAYLESS ST	MORENO VALLEY	CA	92557-6219	BROWN, JOSEPH	11820 BAYLESS ST	MORENO VALLEY, CA	92557-6219	254.02	25.4	50.3	329.7
88854455000	264133022	DUVAL, CARLOS	11889	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6231	DUVAL, CARLOS	25099 MIDDLEBROOK WAY	MORENO VALLEY, CA	92551-9203	282.06	28.21	55.85	366.1
92077603001	264133024	GUZMAN, EILEEN (RENT)	11873	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6231	GUZMAN, EILEEN (RENT)	11873 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6231	190.79	19.08	37.78	247.64
31511385009	264133035	MC WHORTER, GREG	11785	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6239	MC WHORTER, GREG	11785 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6239	254.02	25.4	50.3	329.7
31401545000	264133037	PACHECO, MARIA ISABEL	11769	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6239	PACHECO, MARIA ISABEL	11769 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6239	254.02	25.4	50.3	329.7
96764415000	264133039	JESKO, JOANNE (OWNR)	11753	BRIAR KNOLL PL	MORENO VALLEY	CA	92557-6239	JESKO, JOANNE	11753 BRIAR KNOLL PL	MORENO VALLEY, CA	92557-6239	254.12	25.41	50.32	329.84
31414605000	264141002	DARNELL, HOUSTON AND SANDRA	11986	BAYLESS ST	MORENO VALLEY	CA	92557-6233	DARNELL, HOUSTON AND SANDRA	11986 BAYLESS ST	MORENO VALLEY, CA	92557-6233	254.02	25.4	50.3	329.7
31090855005	264141014	MATHEWS, LUANA	11900	BAYLESS ST	MORENO VALLEY	CA	92557-6233	MATHEWS, LUANA	11900 BAYLESS ST	MORENO VALLEY, CA	92557-6233	254.02	25.4	50.3	329.7
95222745001	264141016	BLANKENSHIP, MARCUS (RENT)	11880	BAYLESS ST	MORENO VALLEY	CA	92557-6219	BLANKENSHIP, MARCUS	11880 BAYLESS ST	MORENO VALLEY, CA	92557-6219	123.4	12.34	24.43	160.16
31266515003	264142006	GRAVES, ANTHONY	11924	MEADOW WOOD WAY	MORENO VALLEY	CA	92557-6216	GRAVES, ANTHONY	11924 MEADOW WOOD WY	MORENO VALLEY, CA	92557-6216	63.63	6.36	12.6	82.58
31496185005	264142008	PARKES, QUINCY	11912	MEADOW WOOD WAY	MORENO VALLEY	CA	92557-6216	PARKES, QUINCY	11912 MEADOW WOOD WAY	MORENO VALLEY, CA	92557-6216	254.02	25.4	50.3	329.7
31362845001	264142019	HARTS, KIMBERLY	11905	BAYLESS ST	MORENO VALLEY	CA	92557-6234	HARTS, KIMBERLY	11905 BAYLESS ST	MORENO VALLEY, CA	92557-6234	254.02	25.4	50.3	329.7
93163173008	264142025	LOPEZ, ELIZABETH (RENT)	11947	BAYLESS ST	MORENO VALLEY	CA	92557-6234	LOPEZ, ELIZABETH	11947 BAYLESS ST	MORENO VALLEY, CA	92557-6234	238.64	23.86	47.25	309.74
95137335007	264143011	WEERNINK, RAYMON (RENT)	23622	CINNAMON CREEK CT	MORENO VALLEY	CA	92557-6218	WEERNINK, RAYMON	1332 E 68TH ST	LONG BEACH, CA	90805-1607	254.12	25.41	50.32	329.84
93544455000	264143016	JURADO, ERIKA (OWNR)	23589	CINNAMON CREEK CT	MORENO VALLEY	CA	92557-6218	JURADO, ERIKA	23589 CINNAMON CREEK CT	MORENO VALLEY, CA	92557-6218	127.46	12.75	25.24	165.44
96794935008	264143017	RIQUELME, HODTONIELK CT	23599	CINNAMON CREEK CT	MORENO VALLEY	CA	92557-6218	RIQUELME, HODTONIEL	13901 COURAGE ST APT A	MORENO VALLEY, CA	92553-8756	420.76	42.08	83.31	546.14
31588845001	264143019	FLINT, JERRY	23617	CINNAMON CREEK CT	MORENO VALLEY	CA	92557-6218	FLINT, JERRY	23617 CINNAMON CREEK CT	MORENO VALLEY, CA	92557-6218	329.32	32.93	65.21	427.44
31343455002	264143025	SANTOS, MAX AND DIANE (OWNR)	23622	WHISPERING WINDS WAY	MORENO VALLEY	CA	92557-6223	SANTOS, MAX AND DIANE	23622 WHISPERING WINDS WAY	MORENO VALLEY, CA	92557-6223	73.62	7.36	14.58	95.54
61335125001	264143027	AVILA, GLORIA	23606	WHISPERING WINDS WAY	MORENO VALLEY	CA	92557-6223	AVILA, GLORIA	23606 WHISPERING WINDS WAY	MORENO VALLEY, CA	92557-6223	254.12	25.41	50.32	329.84
64241765003	264143030	PEARSON, TANYA	23584	WHISPERING WINDS WAY	MORENO VALLEY	CA	92557-6223	PEARSON, TANYA	4663 ORANGE VISTA WAY	RIVERSIDE, CA	92506-2343	202.25	20.23	40.05	262.52
95135245000	264143034	TAPUPU, JAKOB (RENT)	11922	WILD FLAX LN	MORENO VALLEY	CA	92557-6226	TAPUPU, JAKOB	11922 WILD FLAX LN	MORENO VALLEY, CA	92557-6226	254.12	25.41	50.32	329.84
31559105007	264143035	BRYANT, DONNA	11914	WILD FLAX LN	MORENO VALLEY	CA	92557-6226	BRYANT, DONNA	11914 WILD FLAX LN	MORENO VALLEY, CA	92557-6226	254.02	25.4	50.3	329.7
90088115003	264143041	HORN, TIMOTHY	11866	WILD FLAX LN	MORENO VALLEY	CA	92557-6226	HORN, TIMOTHY	11866 WILD FLAX LN	MORENO VALLEY, CA	92557-6226	253.92	25.39	50.28	329.58
94634265008	264143042	HOLLAND, ELVINA (RENT)	11858	WILD FLAX LN	MORENO VALLEY	CA	92557-6226	HOLLAND, ELVINA	11858 WILD FLAX LN	MORENO VALLEY, CA	92557-6226	254.12	25.41	50.32	329.84
31144375001	264144007	GREEN, JOAN	11946	GRAHAM ST	MORENO VALLEY	CA	92557-6159	GREEN, JOAN	11946 GRAHAM ST	MORENO VALLEY, CA	92557-6159	282.23	28.22	55.88	366.32
31483245001	264144008	ALFIER, LUANNE	11938	GRAHAM ST	MORENO VALLEY	CA	92557-6159	ALFIER, LUANNE	626 DEARBORN #40	REDLANDS, CA	92374-3947	190.69	19.07	37.76	247.5

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
92920775006	264144016	HORN, LATOYA	11883	WILD FLAX LN	MORENO VALLEY	CA	92557-6228	HORN, LATOYA	11883 WILD FLAX LN	MORENO VALLEY, CA	92557-6228	254.02	25.4	50.3	329.7
91714685003	264144022	ESCLOVON, MARY	11921	WILD FLAX LN	MORENO VALLEY	CA	92557-6228	ESCLOVON, MARY	11921 WILD FLAX LN	MORENO VALLEY, CA	92557-6228	253.92	25.39	50.28	329.58
31559235000	264144023	KELLY, BRIAN	11927	WILD FLAX LN	MORENO VALLEY	CA	92557-6228	KELLY, BRIAN	11927 WILD FLAX LN	MORENO VALLEY, CA	92557-6228	329.32	32.93	65.21	427.44
31111645004	264144026	CODY, LEE	11959	WILD FLAX LN	MORENO VALLEY	CA	92557-6228	CODY, LEE	11959 WILDFLAX LN	MORENO VALLEY, CA	92557-6228	136.37	13.64	27	177
77600815005	264144033	BROWN, KEIANYA	23591	WHISPERING WINDS WAY	MORENO VALLEY	CA	92557-6224	BROWN, KEIANYA	23591 WHISPERING WINDS WAY	MORENO VALLEY, CA	92557-6224	254.02	25.4	50.3	329.7
31114065009	264144038	PROVENZANO, JOANNA	23631	WHISPERING WINDS WAY	MORENO VALLEY	CA	92557-6225	PROVENZANO, JOANNA	23631 WHISPERING WINDS WAY	MORENO VALLEY, CA	92557-6225	254.02	25.4	50.3	329.7
96979745005	264151002	HAGGARD, JOEL (RENT)	11938	ASLAN CT	MORENO VALLEY	CA	92557-6116	HAGGARD, JOEL (RENT)	11938 ASLAN CT	MORENO VALLEY, CA	92557-6116	286.58	28.66	56.74	371.98
94603765008	264151006	BARLOW, LAKEISHA (RENT)	11906	ASLAN CT	MORENO VALLEY	CA	92557-6116	BARLOW, LAKEISHA	11906 ASLAN CT	MORENO VALLEY, CA	92557-6116	254.12	25.41	50.32	329.84
95098685007	264151008	BAKER, TAMU (RENT)	11890	ASLAN CT	MORENO VALLEY	CA	92557-6173	BAKER, TAMU	11890 ASLAN CT	MORENO VALLEY, CA	92557-6173	254.12	25.41	50.32	329.84
65361525009	264151019	LEONGUERRERO, DOLEEN	11929	GRAHAM ST	MORENO VALLEY	CA	92557-6158	LEONGUERRERO, DOLEEN	11929 GRAHAM ST	MORENO VALLEY, CA	92557-6158	254.12	25.41	50.32	329.84
31290775008	264151020	FORD, JAMES E	11939	GRAHAM ST	MORENO VALLEY	CA	92557-6158	FORD, JAMES E	11939 GRAHAM ST	MORENO VALLEY, CA	92557-6158	40.79	4.08	8.08	52.94
90791923002	264151021	THOMPSON, LEADRIAN (RENT)	11945	GRAHAM ST	MORENO VALLEY	CA	92557-6158	THOMPSON, LEADRIAN	821 W TRENTON ST	SN BERNRDNO, CA	92405-4231	371.07	37.11	73.47	481.64
83660495008	264151025	GARCIA, LIDIA AND JOSE	23492	SEAFARER WAY	MORENO VALLEY	CA	92557-6119	GARCIA, LIDIA AND JOSE	23492 SEAFARER WAY	MORENO VALLEY, CA	92557-6119	190.39	19.04	37.7	247.12
31352395006	264152004	GALINDO, CARI	11883	ASLAN CT	MORENO VALLEY	CA	92557-6173	GALINDO, CARI	11883 ASLAN CT	MORENO VALLEY, CA	92557-6173	254.02	25.4	50.3	329.7
94349655001	264152013	JONAS, CAMERON	11948	HONEY HOLLOW	MORENO VALLEY	CA	92557-6108	JONAS, CAMERON	11948 HONEY HOLLOW	MORENO VALLEY, CA	92557-6108	254.12	25.41	50.32	329.84
31377655008	264152015	JOHNSTON, TINA	11938	HONEY HOLLOW	MORENO VALLEY	CA	92557-6108	JOHNSTON, TINA	11938 HONEY HOLLOW	MORENO VALLEY, CA	92557-6108	254.02	25.4	50.3	329.7
95880785007	264152016	ESTES, EDDIE (RENT)	11930	HONEY HOLLOW	MORENO VALLEY	CA	92557-6108	ESTES, EDDIE	1671 RIDLEY AVE	HACIENDA HEIGHTS, CA	91745-3248	189.79	18.98	37.58	246.34
96867945000	264152017	METOYER, TYSHEONA (RENT)	11922	HONEY HOLLOW	MORENO VALLEY	CA	92557-6108	METOYER, TYSHEONA	11922 HONEY HOLLOW	MORENO VALLEY, CA	92557-6108	154.12	15.41	30.52	200.04
53324235002	264152018	ZAZUETA, MARIA	11920	HONEY HOLLOW	MORENO VALLEY	CA	92557-6108	ZAZUETA, MARIA	11865 YELLOW IRIS WAY	MORENO VALLEY, CA	92557-6022	254.02	25.4	50.3	329.7
49914875002	264153002	BRADLEY, MYKELLE	11988	DREAM ST	MORENO VALLEY	CA	92557-6124	BRADLEY, MYKELLE	27408 SHIMMER CT	MORENO VALLEY, CA	92555-4732	254.02	25.4	50.3	329.7
96438475008	264153005	CHAVEZ, NORMA (OWNR)	11964	DREAM ST	MORENO VALLEY	CA	92557-6124	CHAVEZ, NORMA	11964 DREAM ST	MORENO VALLEY, CA	92557-6124	63.63	6.36	12.6	82.58
96804495007	264153011	ZAMORA, PEDRO	11916	DREAM ST	MORENO VALLEY	CA	92557-6121	ZAMORA, PEDRO (OWNR)	15055 EXCELSIOR DR	LA MIRADA, CA	90638-4510	335.76	33.58	66.48	435.8
89852325001	264153012	FIGUEROA, JULIO	11908	DREAM ST	MORENO VALLEY	CA	92557-6121	BARRERA, JUAN	11908 DREAM ST	MORENO VALLEY, CA	92557-6121	253.92	25.39	50.28	329.58
31352925005	264153016	PINEDA, ROSA MARIA	11876	DREAM ST	MORENO VALLEY	CA	92557-6121	PINEDA, ROSA MARIA	11876 DREAM ST	MORENO VALLEY, CA	92557-6121	254.02	25.4	50.3	329.7
96867915006	264153023	EARLS, VICTORIA (RENT)	11921	HONEY HOLLOW	MORENO VALLEY	CA	92557-6107	EARLS, VICTORIA	6266 N ROSEMEAD BLVD #A258	TEMPLE CITY, CA	91780-1560	308.78	30.38	60.15	394.3
31342225003	264153026	LOREDO, TITO R	11941	HONEY HOLLOW	MORENO VALLEY	CA	92557-6107	LOREDO, TITO R	11941 HONEY HOLLOW	MORENO VALLEY, CA	92557-6107	64.36	6.44	12.74	83.52
58543745005	264153028	CONDON, PERRY	11972	SUGAR CREEK CT	MORENO VALLEY	CA	92557-6120	CONDON, PERRY	10902 TEA BARK RD	MORENO VALLEY, CA	92557-4000	254.12	25.41	50.32	329.84
92689963007	264153029	GOUDEAU, ANGELIQUE (RENT)	11964	SUGAR CREEK CT	MORENO VALLEY	CA	92557-6120	GOUDEAU, ANGELIQUE	11964 SUGAR CREEK CT	MORENO VALLEY, CA	92557-6120	127.46	12.75	25.24	165.44
93329383001	264153036	WILLIAMS, TERRENCE (RENT)	11906	SUGAR CREEK CT	MORENO VALLEY	CA	92557-6120	WILLIAMS, TERRENCE	1737 DOBELL ST	PERRIS, CA	92571-6502	181.23	18.12	35.88	235.22
95625985004	264153046	JENKINS, LISA (RENT)	11959	SUGAR CREEK CT	MORENO VALLEY	CA	92557-6168	JENKINS, LISA	11959 SUGAR CREEK CT	MORENO VALLEY, CA	92557-6168	178.37	17.84	35.32	231.52
92565915000	264153047	VILLEGAS, TERESA	11967	SUGAR CREEK CT	MORENO VALLEY	CA	92557-6168	VILLEGAS, TERESA	11967 SUGAR CREEK CT	MORENO VALLEY, CA	92557-6168	254.02	25.4	50.3	329.7
94503645006	264153054	MC GEE, JAMEE (RENT)	23343	SEAFARER WAY	MORENO VALLEY	CA	92557-6117	MC GEE, JAMEE	23343 SEAFARER WAY	MORENO VALLEY, CA	92557-6117	254.12	25.41	50.32	329.84
31614285002	264153058	CALDERON, JOSE	23385	SEAFARER WAY	MORENO VALLEY	CA	92557-6117	CALDERON, JOSE	23385 SEAFARER WAY	MORENO VALLEY, CA	92557-6117	54.02	5.4	10.7	70.1
97033865004	264153066	VARGAS, TATIANA (RENT)	23449	SEAFARER WAY	MORENO VALLEY	CA	92557-6118	VARGAS, TATIANA	23449 SEAFARER WAY	MORENO VALLEY, CA	92557-6118	63.63	6.36	12.6	82.58
96543915003	264154001	ROSS, TAHEISHA (RENT)	11881	DREAM ST	MORENO VALLEY	CA	92557-6122	ROSS, TAHEISHA	11881 DREAM ST	MORENO VALLEY, CA	92557-6122	254.12	25.41	50.32	329.84
31299585009	264154003	GARCIA, LETICIA	11897	DREAM ST	MORENO VALLEY	CA	92557-6122	GARCIA, LETICIA	11897 DREAM ST	MORENO VALLEY, CA	92557-6122	254.02	25.4	50.3	329.7
97130945002	264154007	GRIFFIN, ROSALYN (RENT)	11929	DREAM ST	MORENO VALLEY	CA	92557-6123	GRIFFIN, ROSALYN	11929 DREAM ST	MORENO VALLEY, CA	92557-6123	133.85	13.39	26.5	173.72
93983465008	264154008	FUJIMA, TAD (OWNR)	11937	DREAM ST	MORENO VALLEY	CA	92557-6123	FUJIMA, TAD (OWNR)	11937 DREAM ST	MORENO VALLEY, CA	92557-6123	211.24	21.12	41.83	274.18
90882613004	264161003	SESENA, MANUEL (RENT)	23492	WOODLANDER WAY	MORENO VALLEY	CA	92557-6212	SESENA, MANUEL	12156 ZINNIA ST	MORENO VALLEY, CA	92557-8201	26.83	2.68	5.31	34.82
87999283000	264161005	SAVEDER, ABRHAM (RENT)	23476	WOODLANDER WAY	MORENO VALLEY	CA	92557-6212	SAVEDER, ABRHAM	23476 WOODLANDER WAY	MORENO VALLEY, CA	92557-6212	190.79	19.08	37.78	247.64
31274825002	264161008	SCHOONOVER, JUDY L	23450	WOODLANDER WAY	MORENO VALLEY	CA	92557-6113	SCHOONOVER, J	23450 WOODLANDER WAY	MORENO VALLEY, CA	92557-6113	254.12	25.41	50.32	329.84
31592445007	264162009	EASTERLING, ANTHONY	23270	ELFIN PL	MORENO VALLEY	CA	92557-6127	EASTERLING, ANTHONY	12989 WESTBURY DR	MORENO VALLEY, CA	92553-4183	254.02	25.4	50.3	329.7
31420655006	264162011	RODDA, SARA	23254	ELFIN PL	MORENO VALLEY	CA	92557-6127	RODDA, SARA	29991 CANYON HILLS RD#1709-427	LAKE ELSINORE, CA	92532-2579	254.02	25.4	50.3	329.7
98295795013	264162016	APARACIO, MARIA (RENT)	23285	ELFIN PL	MORENO VALLEY	CA	92557-6129	APARACIO, MARIA	25258 TURQUOISE LN	MORENO VALLEY, CA	92557-7438	189.79	18.98	37.58	246.34
62567995005	264162019	GRIFFIN, ODETTE	23305	ELFIN PL	MORENO VALLEY	CA	92557-6129	GRIFFIN, ODETTE	23305 ELFIN PL	MORENO VALLEY, CA	92557-6129	254.12	25.41	50.32	329.84
31622555008	264162024	PALOMAREZ, LOUISE	23340	BREEZY WAY	MORENO VALLEY	CA	92557-6125	PALOMAREZ, LOUISE	23340 BREEZY WAY	MORENO VALLEY, CA	92557-6125	254.02	25.4	50.3	329.7
95485575009	264162025	CHISHOLM, KEITH (OWNR)	23324	BREEZY WAY	MORENO VALLEY	CA	92557-6125	CHISHOLM, KEITH	23324 BREEZY WAY	MORENO VALLEY, CA	92557-6125	254.12	25.41	50.32	329.84
57130135000	264162030	LOPEZ, STEVE	23276	BREEZY WAY	MORENO VALLEY	CA	92557-6174	LOPEZ, STEVE	23276 BREEZY WAY	MORENO VALLEY, CA	92557-6174	254.02	25.4	50.3	329.7
96553155001	264162031	TAYLOR, LATOYA (RENT)	23268	BREEZY WAY	MORENO VALLEY	CA	92557-6174	TAYLOR, LATOYA	23268 BREEZY WAY	MORENO VALLEY, CA	92557-6174	233.14	23.31	46.16	302.6
96235723008	264162034	LUNA, GLORIA	11865	DREAM ST	MORENO VALLEY	CA	92557-6122	LUNA, GLORIA	11865 DREAM ST	MORENO VALLEY, CA	92557-6122	88.63	8.86	17.55	115.04
98173035012	264163001	LUNA, MICHAEL (RENT)	11868	DREAM ST	MORENO VALLEY	CA	92557-6121	LUNA, MICHAEL	11865 DREAM ST	MORENO VALLEY, CA	92557-6122	169.51	16.95	33.56	220.02
53779655008	264163010	PONCE, ISMAEL AND MARIA ELENA	11861	HONEY HOLLOW	MORENO VALLEY	CA	92557-6107	PONCE, ISMAEL AND MARIA ELENA	11861 HONEY HOLLOW	MORENO VALLEY, CA	92557-6107	34.02	3.4	6.74	44.14
31593965005	264164008	BIRCHESS, MARCELA	11808	HONEY HOLLOW	MORENO VALLEY	CA	92557-6106	BIRCHESS, MARCELA	11808 HONEY HOLLOW	MORENO VALLEY, CA	92557-6106	190.69	19.07	37.76	247.5
31549645005	264164009	CARRERA, SAUL AND MARIA(OWNR)	11800	HONEY HOLLOW	MORENO VALLEY	CA	92557-6106	CARRERA, SAUL AND MARIA	11800 HONEY HOLLOW	MORENO VALLEY, CA	92557-6106	254.02	25.4	50.3	329.7
93560795005	264164020	GUERRO, JESUS AND ROSARIO	23409	WOODLANDER WAY	MORENO VALLEY	CA	92557-6112	GUERRO, JESUS AND ROSARIO	26545 BONITA HEIGHTS AVE	MORENO VALLEY, CA	92555-4225	233.14	23.31	46.16	302.6
95489575001	264164025	MEZA, KRYSTAN (OWNR)	23451	WOODLANDER WAY	MORENO VALLEY	CA	92557-6112	MEZA, KRYSTAN	23451 WOODLANDER WAY	MORENO VALLEY, CA	92557-6112	254.12	25.41	50.32	329.84
96859585002	264164028	JENNINGS, GWENDOLYN	23473	WOODLANDER WAY	MORENO VALLEY	CA	92557-6213	JENNINGS, GWENDOLYN	23473 WOODLANDER WAY	MORENO VALLEY, CA	92557-6213	254.12	25.41	50.32	329.84
31113445002	264164030	GRONNING, CANDICE	23496	SHADY GLEN CT	MORENO VALLEY	CA	92557-6114	GRONNING, CANDICE	23496 SHADY GLEN CT	MORENO VALLEY, CA	92557-6114	254.02	25.4	50.3	329.7
96364285006	264164033	BAGLER, DEANA (RENT)	23474	SHADY GLEN CT	MORENO VALLEY	CA	92557-6114	BAGLER, DEANA	2545 RED PINE ST	SAN JACINTO, CA	92582-4783	237.34	23.73	46.99	308.06
31435565003	264164037	RODRIGUEZ, DANIEL	23442	SHADY GLEN CT	MORENO VALLEY	CA	92557-6114	RODRIGUEZ, DANIEL	23442 SHADY GLEN CT	MORENO VALLEY, CA	92557-6114	254.02	25.4	50.3	329.7
31599535003	264164046	SANCHEZ, VIRGINIA	23431	SHADY GLEN CT	MORENO VALLEY	CA	92557-6115	SANCHEZ, VIRGINIA	23431 SHADY GLEN CT	MORENO VALLEY, CA	92557-6115	254.02	25.4	50.3	329.7
52771705006	264164048	WATSON, LETICIA	23451	SHADY GLEN CT	MORENO VALLEY	CA	92557-6115	WATSON, LETICIA	23451 SHADY GLEN CT	MORENO VALLEY, CA	92557-6115	254.02	25.4	50.3	329.7
96762105009	264164050	CASTELO, JULIO (RENT)	23465	SHADY GLEN CT	MORENO VALLEY	CA	92557-6115	CASTELO, JULIO	23465 SHADY GLEN CT	MORENO VALLEY, CA	92557-6115	254.12	25.41	50.32	329.84
50496535008	264164054	MADRIGAL, PABLO	23495	SHADY GLEN CT	MORENO VALLEY	CA	92557-6115	MADRIGAL, PABLO	23495 SHADY GLEN CT	MORENO VALLEY, CA	92557-6115	254.02	25.4	50.3	329.7
60728795007	264164056	HOLGUIN, ESPERANZA	11849	GRAHAM ST	MORENO VALLEY	CA	92557-6158	HOLGUIN, ESPERANZA	10832 VALLEY DR	RIVERSIDE, CA	92505-2002	254.12	25.41	50.32	329.84
31299695006	264164058	LOZANO, MARIBEL	11861	GRAHAM ST	MORENO VALLEY	CA	92557-6158	LOZANO, MARIBEL	11861 GRAHAM ST	MORENO VALLEY, CA	92557-6158	254.02	25.4	50.3	329.7
31537915003	264164059	GUERRERO, LETICIA AND LEONARDO	11867	GRAHAM ST	MORENO VALLEY	CA	92557-6158	GUERRERO, LETICIA AND LEONARDO	14025 S ZAMORA AVE	COMPTON, CA	90222-3629	254.12	25.41	50.32	329.84
88991613007	264164060	GOINS, MIKECOL	11850	ASLAN CT	MORENO VALLEY	CA	92557-6173	GOINS, MIKECOL	11850 ASLAN CT	MORENO VALLEY, CA	92557-6173	238.64	23.86	47.25	309.74
31386775004	264164063	SILVA, ALEX AND CLAUDIA	11826	ASLAN CT	MORENO VALLEY	CA	92557-6173	SILVA, ALEX	11826 ASLAN CT	MORENO VALLEY, CA	92557-6173	254.02	25.4	50.3	329.7
31591595007	264164065	BANKS, DION	11835	ASLAN CT	MORENO VALLEY	CA	92557-6173	BANKS, DION	11835 ASLAN CT	MORENO VALLEY, CA	92557-6173	254.02	25.4	50.3	329.7
31129475003	264172003	WALTERS, ROBERT (OWNR)	23097	SONINET DR	MORENO VALLEY	CA	92557-5437	WALTERS, ROBERT	23097 SONINET DR	MORENO VALLEY, CA	92557-5437	254.02	25.4	50.3	329.7
64380925006	264172004	LOPEZ, ERNESTO AND VERONICA	23111	SONINET DR	MORENO VALLEY	CA	92557-5402	LOPEZ, ERNESTO AND VERONICA	5681 IRONWOOD CT	SAN BERNARDINO, CA	92404-2818	171.61	17.16	33.98	222.74
91470755007	264172022	JACKSON, CHANTEA	23178	HARLAND DR	MORENO VALLEY	CA	92557-5410	JACKSON, CHANTEA	23178 HARLAND DR	MORENO VALLEY, CA	92557-5410	103.92	10.39	20.58	134.88
85019285009	264174008	SIERRA, PHYLLIS	23153	HARLAND DR	MORENO VALLEY	CA	92557-5407	SIERRA, PHYLLIS	23153 HARLAND DR	MORENO VALLEY, CA	92557-5407	190.39	19.04	37.7	247.12
31276715000	264174011	LOPEZ, ANTONIO AND MARIA	23189	HARLAND DR	MORENO VALLEY	CA	92557-5407	LOPEZ, ANTONIO	23189 HARLAND DR	MORENO VALLEY, CA	92557-5407	253.92	25.39	50.28	329.58
31616325009	264182001	HERNANDEZ, CINDA	23019	WESTERN RIDGE RD	MORENO VALLEY	CA	92557	HERNANDEZ, CINDA	23019 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4827	254.02	25.4	50.3	329.7
55650015004	264182004	SANDERS, DUANE D	23085	WESTERN RIDGE RD	MORENO VALLEY	CA	92557-4827	SANDERS, DUANE D	23085 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4827	329.32	32.93	65.21	427.44
31595555006	264182013	CAMPOS, LISA	23291	WESTERN RIDGE RD	MORENO VALLEY	CA	92557-4818	CAMPOS, LISA	23291 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4818	254.02	25.4	50.3	329.7
33778285000	264191003	LEGUINAS, ROBIN (OWNR)	23410	SWAN ST	MORENO VALLEY	CA	92557-7909	LEGUINAS, ROBIN	23410 SWAN ST	MORENO VALLEY, CA	92557-7909	127.46	12.75	25.24	165.44
86149563004	264191018	GULLEY, DORRIS (RENT)	23626	SWAN ST	MORENO VALLEY	CA	92557-7936	GULLEY, DORRIS	23626 SWAN ST	MORENO VALLEY, CA	92557-7936	63.63	6.36	12.6	82.58
31363485004	264192005	DEJOHNETTE, ARNISE	23441	SWAN ST	MORENO VALLEY	CA	92557-7903	DEJOHNETTE, ARNISE	23441 SWAN ST	MORENO VALLEY, CA	92557-7903	254.02	25.4	50.3	329.7
96029223008	264192010	DAVILA, ELVIRA	11664	HUMMINGBIRD PL	MORENO VALLEY	CA	92557-6160	DAVILA, ELVIRA	11664 HUMMINGBIRD PL	MORENO VALLEY, CA	92557-6160	54.24	5.42	10.74	70.4
97180125009	264192013	AYALA, GABRIELA (OWNR)	11702	HUMMINGBIRD PL	MORENO VALLEY	CA	92557-6160	AYALA, GABRIELA	11702 HUMMINGBIRD PL	MORENO VALLEY, CA	92557-6160	254.12	25.41	50.32	329.84
86321483006	264192032	ANSARI, SHEHZAD	11673	WARBLER WAY	MORENO VALLEY	CA	92557-6202	ANSARI, SHEHZAD	11673 WARBLER WAY	MORENO VALLEY, CA	92557-6202	254.12	25.41	50.32	329.84
60280445003	264192035	GARCIA, OFELIA AND SAID	11637	WARBLER WAY	MORENO VALLEY	CA	92557-6202	GARCIA, OFELIA AND SAID	11637 WARBLER WAY	MORENO VALLEY, CA	92557-6202	254.12	25.41	50.32	329.84
31637905003	264193006	FLORES, ALEJANDRA (RENT)	11678	HONEY HOLLOW	MORENO VALLEY	CA	92557-6103	FLORES, ALEJANDRA	11678 HONEY HOLLOW	MORENO VALLEY, CA	92557-6103	329.32	32.93	65.21	427.44
31431445008	264193011	BUTLER, SHARON AND TAJI	11738	HONEY HOLLOW	MORENO VALLEY	CA	92557-6166	BUTLER, SHARON	11738 HONEY HOLLOW	MORENO VALLEY, CA	92557-6166	63.63	6.36	12.6	82.58
93427725002	264193018	BUSH, ODAS JR (RENT)	11735	HUMMINGBIRD PL	MORENO VALLEY	CA	92557-6161	BUSH, ODAS JR	11659 VALLE LINDO	MORENO VALLEY, CA	92555-5311	236.64	23.66	46.85	307.14
31444705006	264193024	PALOMARES, ANDY	23455	RHEA DR	MORENO VALLEY	CA	92557-6109	PALOMARES, ANDY	23455 RHEA DR	MORENO VALLEY, CA	92557-6109	254.02	25.4	50.3	329.7
31585935008	264193030	CROCKETT, TIMOTHY	23525	RHEA DR	MORENO VALLEY	CA	92557-6208	CROCKETT, TIMOTHY	23525 RHEA DR	MORENO VALLEY, CA	92557-6208	254.02	25.4	50.3	329.7
31592465002	264194012	RAMIREZ, ERIC	11689	CRANE CT	MORENO VALLEY	CA	92557-6203	RAMIREZ, ERIC	11689 CRANE CT	MORENO VALLEY, CA	92557-6203	79.7	7.97	15.78	103.44
31207325007	264194014	HOPKINS, MARY	11669	CRANE CT	MORENO VALLEY	CA	92557-6203	HOPKINS, MARY	11669 CRANE CT	MORENO VALLEY, CA	92557-6203	254.02	25.4	50.3	329.7
88986083008	264194018	SOLLANO, MARIO (OWNR)	11680	CRANE CT	MORENO VALLEY	CA	92557-6203	SOLLANO, MARIO	11680 CRANE CT	MORENO VALLEY, CA	92557-6203	228.7	22.87	45.28	296.84
67018315007	264194020	JORDAN, RODNEY	11700	CRANE CT	MORENO VALLEY	CA	92557-6203	JORDAN, RODNEY	11700 CRANE CT	MORENO VALLEY, CA	92557-6203	329.6	32.96	65.26	427.82
82146685009	264194021	BRECINO, MARIA AND JOSE LOUIS	11710	CRANE CT	MORENO VALLEY	CA	92557-6203	BRECINO, MARIA AND JOSE LOUIS	11710 CRANE CT	MORENO VALLEY, CA	92557-6203	254.02	25.4	50.3	329.7
50385945007	264194022	FLOREZ, DANI	23565	SWAN ST	MORENO VALLEY	CA	92557-7902	FLOREZ, DANI	23565 SWAN ST	MORENO VALLEY, CA	92557-7902	198.17	19.82	39.24	257.22
94298515000	264202004	BUTLER, KENYA (RENT)	11565	HONEY HOLLOW	MORENO VALLEY	CA	92557-5417	BUTLER, KENYA	11565 HONEY HOLLOW	MORENO VALLEY, CA	92557-5417	253.92	25.39	50.28	329.58
99795675002	264203001	SANTIAGO, JESUS (OWNR)	23332	TOUCAN PL	MORENO VALLEY	CA	92557-5413	SANTIAGO, JESUS	3103 BRISTOL ST APT 267	SANTA ANA, CA	92704-6749	254.12	25.41	50.32	329.84
99539415009	264203003	WILLIAMS, JUANITA (RENT)	23346	TOUCAN PL	MORENO VALLEY	CA	92557-5413	WILLIAMS, JUANITA	23346 TOUCAN PL	MORENO VALLEY, CA	92557-5413	217.45	21.75	43.06	282.24
31469535009	264203005	SANCHEZ, LORA	23374	TOUCAN PL	MORENO VALLEY	CA	92557-5413	SANCHEZ, LORA	23374 TOUCAN PL	MORENO VALLEY, CA	92557-5413	329.32	32.93	65.21	427.44
75912195006	264204013	WILSON, MIRIAM	11592	HONEY HOLLOW	MORENO VALLEY	CA	92557-5416	WILSON, MIRIAM	11592 HONEY HOLLOW	MORENO VALLEY, CA	92557-5416	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
96965555005	264212001	TURJILLO, IVAN	23431	WESTERN RIDGE RD	MORENO VALLEY	CA	92557-4823	TURJILLO, IVAN	23431 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4823	38.81	3.88	7.68	50.36
31623975008	264213013	MALLORY, VERLINE	11240	PIONEER RIDGE RD	MORENO VALLEY	CA	92557-4825	MALLORY, VERLINE	11240 PIONEER RIDGE RD	MORENO VALLEY, CA	92557-4825	254.02	25.4	50.3	329.7
31144845003	264214001	DICKERSON, B JEWELL AND B	11221	PIONEER RIDGE RD	MORENO VALLEY	CA	92557-4808	DICKERSON, B JEWELL AND B	11221 PIONEER RIDGE RD	MORENO VALLEY, CA	92557-4808	254.02	25.4	50.3	329.7
31126095007	264214003	ALLEN, CALVIN	11261	PIONEER RIDGE RD	MORENO VALLEY	CA	92557-4808	ALLEN, CALVIN	11261 PIONEER RIDGE RD	MORENO VALLEY, CA	92557-4808	254.02	25.4	50.3	329.7
91520233009	264221001	WEBB, CANILLE (RENT)	23761	PARKLAND AVE	MORENO VALLEY	CA	92557-4940	WEBB, CANILLE	23761 PARKLAND AVE	MORENO VALLEY, CA	92557-4940	63.63	6.36	12.6	82.58
97009325008	264221010	WILLIAMS, RICHARD (OWNR)	23815	PARKLAND AVE	MORENO VALLEY	CA	92557-4942	WILLIAMS, RICHARD	11858 ALANA WAY	VICTORVILLE, CA	92392-4419	272.76	27.28	54.01	354.04
31544715001	264221025	NEZART, DORIS	23716	MARK TWAIN	MORENO VALLEY	CA	92557-4901	NEZART, DORIS	23716 MARK TWAIN	MORENO VALLEY, CA	92557-4901	127.26	12.73	25.2	165.18
94339013007	264221027	NEWMAN, SHUNITA (RENT)	23704	MARK TWAIN	MORENO VALLEY	CA	92557-4901	NEWMAN, SHUNITA	23704 MARK TWAIN	MORENO VALLEY, CA	92557-4901	71	7.1	14.06	92.14
92357115000	264221029	HEKKEKA, WILLIAM	23692	MARK TWAIN	MORENO VALLEY	CA	92557-4901	HEKKEKA, WILLIAM	8895 BURLINGTON CIR	RIVERSIDE, CA	92508-2530	253.92	25.39	50.28	329.58
93868453003	264221030	JOHNSON, RACHAEL (RENT)	23686	MARK TWAIN	MORENO VALLEY	CA	92557-4901	JOHNSON, RACHAEL	23686 MARK TWAIN	MORENO VALLEY, CA	92557-4901	224.18	22.42	44.39	290.98
85548305003	264221035	MEJIA, ANA	23669	MARK TWAIN	MORENO VALLEY	CA	92557-4902	MEJIA, ANA	23669 MARK TWAIN	MORENO VALLEY, CA	92557-4902	254.02	25.4	50.3	329.7
97976865004	264221046	SANTIAGO, FELIPE	23737	MARK TWAIN	MORENO VALLEY	CA	92557-4903	SANTIAGO, FELIPE	25081 ABBEY LN	MORENO VALLEY, CA	92557-6552	79.81	7.98	15.8	103.58
96992885008	264221062	GOINS, CLAUDIA (RENT)	23823	MARK TWAIN	MORENO VALLEY	CA	92557-4904	GOINS, CLAUDIA	23823 MARK TWAIN	MORENO VALLEY, CA	92557-4904	234.12	23.41	46.36	303.88
31300245007	264221063	ALLEN, GREGORY L	23829	MARK TWAIN	MORENO VALLEY	CA	92557-4904	ALLEN, GREGORY L	23829 MARK TWAIN	MORENO VALLEY, CA	92557-4904	254.02	25.4	50.3	329.7
94169385000	264221066	YBARRA, ARTURO (RENT)	23847	MARK TWAIN	MORENO VALLEY	CA	92557-4904	YBARRA, ARTURO	23847 MARK TWAIN	MORENO VALLEY, CA	92557-4904	254.12	25.41	50.32	329.84
95006635003	264222001	GUTIERREZ, RICARDO	11344	REDHILL RD	MORENO VALLEY	CA	92557-4912	GUTIERREZ, RICARDO	11344 REDHILL RD	MORENO VALLEY, CA	92557-4912	250.69	25.07	49.64	325.38
92787925008	264222006	LANDRY, GLADYS	11374	REDHILL RD	MORENO VALLEY	CA	92557-4912	LANDRY, GLADYS	11374 REDHILL RD	MORENO VALLEY, CA	92557-4912	105.32	10.53	20.85	136.7
92679125003	264222008	WILLIAMS, LINDA	11386	REDHILL RD	MORENO VALLEY	CA	92557-4912	WILLIAMS, LINDA	11386 REDHILL RD	MORENO VALLEY, CA	92557-4912	279.02	27.9	55.25	362.16
92755965006	264222011	DIAZ, ROY	11375	WEINHART CT	MORENO VALLEY	CA	92557-4908	DIAZ, ROY	11375 WEINHART CT	MORENO VALLEY, CA	92557-4908	254.02	25.4	50.3	329.7
96676275005	264222014	SCOTT, DAVID (OWNR)	11363	WEINHART CT	MORENO VALLEY	CA	92557-4908	SCOTT, DAVID	11363 WEINHART CT	MORENO VALLEY, CA	92557-4908	254.12	25.41	50.32	329.84
52079495008	264222017	PALAFOX, ARTEMISA	11376	WEINHART CT	MORENO VALLEY	CA	92557-4908	PALAFOX, ARTEMISA	11376 WEINHART CT	MORENO VALLEY, CA	92557-4908	254.02	25.4	50.3	329.7
88355465006	264222018	JOHNSON, GARY (RENT)	11382	WEINHART CT	MORENO VALLEY	CA	92557-4908	JOHNSON, GARY	11382 WEINHART CT	MORENO VALLEY, CA	92557-4908	119.12	11.91	23.59	154.6
98292585014	264222019	BROWN, EDNA (RENT)	11388	WEINHART CT	MORENO VALLEY	CA	92557-4908	BROWN, EDNA	11388 WEINHART CT	MORENO VALLEY, CA	92557-4908	254.12	25.41	50.32	329.84
31419455000	264222020	VOSS, GARLAND	23832	MARK TWAIN	MORENO VALLEY	CA	92557-4905	VOSS, GARLAND	23832 MARK TWAIN	MORENO VALLEY, CA	92557-4905	179.32	17.93	35.51	232.74
31636305001	264222023	ELLIS-SLAUGHTER, GEORGIA	23850	MARK TWAIN	MORENO VALLEY	CA	92557-4905	ELLIS-SLAUGHTER, GEORGIA	23850 MARK TWAIN	MORENO VALLEY, CA	92557-4905	254.02	25.4	50.3	329.7
96156185007	264222024	FARROW, SHEILA (RENT)	23856	MARK TWAIN	MORENO VALLEY	CA	92557-4905	FARROW, SHEILA	708 E 47TH ST	LOS ANGELES, CA	90011-5404	134.92	13.49	26.71	175.12
86245453003	264222026	WARNER, TRECEL (RENT)	23868	MARK TWAIN	MORENO VALLEY	CA	92557-4907	WARNER, TRECEL	23868 MARK TWAIN	MORENO VALLEY, CA	92557-4907	299.68	29.97	59.34	388.98
93960295002	264222028	BRANDEN, MONEZEL (RENT)	23919	PARKLAND AVE	MORENO VALLEY	CA	92557-4946	BRANDEN, MONEZEL	24318 HEMLOCK AVE SUITE A5	MORENO VALLEY, CA	92557-7223	41.79	4.18	8.27	54.24
73447075000	264222032	BONNER, MARQUITA	23895	PARKLAND AVE	MORENO VALLEY	CA	92557-4946	BONNER, MARQUITA	526 N HANOVER ST	ANAHEIM, CA	92801-5007	254.08	25.41	50.31	329.78
94974255000	264222033	LIST, SCOTT (RENT)	23889	PARKLAND AVE	MORENO VALLEY	CA	92557-4946	LIST, SCOTT (RENT)	23889 PARKLAND AVE	MORENO VALLEY, CA	92557-4946	368.47	36.85	72.96	478.26
88897555008	264222038	URQUIZU, CESAR AND KAREN	23859	PARKLAND AVE	MORENO VALLEY	CA	92557-4943	URQUIZU, CESAR AND KAREN	21780 MARIE RD	PERRIS, CA	92570-6883	277.17	27.72	54.88	359.76
93821985001	264222041	GARCIA, MARISOL (RENT)	23841	PARKLAND AVE	MORENO VALLEY	CA	92557-4943	GARCIA, MARISOL	12131 SOMBRA APT 217	MORENO VALLEY, CA	92557-4943	25.97	2.6	5.14	33.7
31300145008	264231006	STREETER, RICK AND MARY	23846	PARKLAND AVE	MORENO VALLEY	CA	92557-4944	STREETER, RICK AND MARY	23846 PARKLAND AVE	MORENO VALLEY, CA	92557-4944	154.02	15.4	30.5	199.9
99821295006	264231013	PALACIOS, MARTIN (RENT)	11132	SILVER RUN	MORENO VALLEY	CA	92557-4926	PALACIOS, MARTIN	5360 VAN BUREN BLVD APT 228	RIVERSIDE, CA	92503-2621	254.12	25.41	50.32	329.84
99424115007	264231015	TROYA, WALTER	11111	SILVER RUN	MORENO VALLEY	CA	92557-4921	TROYA, WALTER	11111 SILVER RUN	MORENO VALLEY, CA	92557-4921	254.12	25.41	50.32	329.84
55869275005	264232008	ACEVEDO, FELIPE	11133	MINERS TRL	MORENO VALLEY	CA	92557-4925	ACEVEDO, FELIPE	11133 MINERS TR	MORENO VALLEY, CA	92557-4925	254.02	25.4	50.3	329.7
31369115009	264233006	MARKHAM, DAVID	11142	MINERS TRL	MORENO VALLEY	CA	92557-4924	MARKHAM, DAVID	11142 MINERS TRL	MORENO VALLEY, CA	92557-4924	229.19	22.92	45.38	297.48
88489295009	264234001	NOFRI, DAVID	23960	PARKLAND AVE	MORENO VALLEY	CA	92557-4945	NOFRI, DAVID	23960 PARKLAND AVE	MORENO VALLEY, CA	92557-4945	254.12	25.41	50.32	329.84
94635525001	264234003	REYES-TATE, JESSENIA (RENT)	23948	PARKLAND AVE	MORENO VALLEY	CA	92557-4945	REYES-TATE, JESSENIA	23948 PARKLAND AVE	MORENO VALLEY, CA	92557-4945	254.12	25.41	50.32	329.84
74458755003	264234004	CLARK, GOLDIE	23942	PARKLAND AVE	MORENO VALLEY	CA	92557-4945	CLARK, GOLDIE	23942 PARKLAND AVE	MORENO VALLEY, CA	92557-4945	254.02	25.4	50.3	329.7
92511153003	264234013	JACOBS, YOLANDA (RENT)	23888	PARKLAND AVE	MORENO VALLEY	CA	92557-4945	JACOBS, YOLANDA	23888 PARKLAND AVE	MORENO VALLEY, CA	92557-4945	270.39	27.04	53.54	350.96
101058863005	264234022	CASERTANO, COLIN (RENT)	23935	COPPER HILL PL	MORENO VALLEY	CA	92557-4932	CASERTANO, COLIN	23935 COPPER HILL PL	MORENO VALLEY, CA	92557-4932	52.02	5.2	10.3	67.52
93563215001	264234023	BOUDREAUX, MEGAN (OWNR)	23956	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-4960	BOUDREAUX, MEGAN AND ZACHARY	23956 BADGER SPRINGS TRL	MORENO VALLEY, CA	92557-4960	84.12	8.41	16.66	109.18
31249755008	264234029	MC CULLEY, MICHAELA	23929	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-4960	MC CULLEY, MICHAELA	23929 BADGER SPRINGS TR	MORENO VALLEY, CA	92557-4960	254.12	25.41	50.32	329.84
55095365008	264234033	VELASQUEZ, RAMIRO	11257	MINERS TRL	MORENO VALLEY	CA	92557-4928	VELASQUEZ, RAMIRO	11257 MINERS TR	MORENO VALLEY, CA	92557-4928	89.63	8.96	17.75	116.32
91765765008	264234035	LOPEZ, MARIA	11230	MINERS TRL	MORENO VALLEY	CA	92557-4928	LOPEZ, MARIA	11230 MINERS TR	MORENO VALLEY, CA	92557-4928	253.92	25.39	50.28	329.58
97517955007	264234038	MCGEAL, JANICE (RENT)	11256	MINERS TRL	MORENO VALLEY	CA	92557-4928	MCGEAL, JANICE	11256 MINERS TRL	MORENO VALLEY, CA	92557-4928	254.12	25.41	50.32	329.84
93518185001	264234039	EDOGIAWERIE, HANOFI (OWNR)	11266	MINERS TRL	MORENO VALLEY	CA	92557-4928	EDOGIAWERIE, HANOFI	11266 MINERS TR	MORENO VALLEY, CA	92557-4928	253.92	25.39	50.28	329.58
92388813008	264235004	NELSON, HEATHER (OWNR)	23880	MARK TWAIN	MORENO VALLEY	CA	92557-4907	NELSON, HEATHER	23880 MARK TWAIN	MORENO VALLEY, CA	92557-4907	161.13	16.11	31.9	209.12
95880845005	264235007	CARLSON, FRANK (RENT)	23874	MARK TWAIN	MORENO VALLEY	CA	92557-4907	CARLSON, FRANK	PO BOX 541	VICTORVILLE, CA	92393-0541	189.7	18.97	37.56	246.22
31555925003	264236002	LLOYD, GAYLORD (OWN)	23919	MARK TWAIN	MORENO VALLEY	CA	92557-4906	LLOYD, GAYLORD	23919 MARK TWAIN	MORENO VALLEY, CA	92557-4906	254.02	25.4	50.3	329.7
92512185005	264236008	RAMIREZ, MAURICIO (RENT)	23883	MARK TWAIN	MORENO VALLEY	CA	92557-4906	RAMIREZ, MAURICIO	23883 MARK TWAIN	MORENO VALLEY, CA	92557-4906	84.57	8.46	16.74	109.76
31155815005	264241005	LEE, BERNESTINE	11103	OUTLAW WAY	MORENO VALLEY	CA	92557-4803	LEE, BERNESTINE	11103 OUTLAW WAY	MORENO VALLEY, CA	92557-4803	254.02	25.4	50.3	329.7
31561425006	264241013	MC LENDON, CINDY	23246	RANGER ST	MORENO VALLEY	CA	92557-4805	MC LENDON, CINDY	23246 RANGER ST	MORENO VALLEY, CA	92557-4805	82.68	8.27	16.37	107.3
31321205001	264243014	JACOBSEN, HARRY	11185	PIONEER RIDGE RD	MORENO VALLEY	CA	92557-4808	JACOBSEN, HARRY	29076 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4817	329.32	32.93	65.21	427.44
31598955006	264251011	TAYLOR, SUSAN	23356	SONNET DR	MORENO VALLEY	CA	92557-5438	TAYLOR, SUSAN	23356 SONNET DR	MORENO VALLEY, CA	92557-5438	254.02	25.4	50.3	329.7
87929725005	264252001	MEJIA, SOTERO	23440	SONNET DR	MORENO VALLEY	CA	92557-5405	MEJIA, SOTERO	23440 SONNET DR	MORENO VALLEY, CA	92557-5405	254.12	25.41	50.32	329.84
31610245009	264252004	REINHARDT, BILLIE	23476	SONNET DR	MORENO VALLEY	CA	92557-5405	REINHARDT, BILLIE	23476 SONNET DR	MORENO VALLEY, CA	92557-5405	124.02	12.4	24.56	160.96
31532825003	264253005	PEARSON, SEAN P	23273	HARLAND DR	MORENO VALLEY	CA	92557-5408	PEARSON, SEAN P	9407 TURNBRIDGE LN	RIVERSIDE, CA	92508-9310	254.02	25.4	50.3	329.7
58090775000	264254002	HENSHAW, JOHN	23248	HARLAND DR	MORENO VALLEY	CA	92557-5411	HENSHAW, JOHN	23248 HARLAND DR	MORENO VALLEY, CA	92557-5411	27.06	2.71	5.36	35.12
31215615009	264254005	ROSAS, JOHN (RENT)	23284	HARLAND DR	MORENO VALLEY	CA	92557-5411	ROSAS, JOHN	23284 HARLAND DR	MORENO VALLEY, CA	92557-5411	254.02	25.4	50.3	329.7
31084585005	264254031	MC PHERSON, MR	23341	SONNET DR	MORENO VALLEY	CA	92557-5404	MC PHERSON, MR	23341 SONNET DR	MORENO VALLEY, CA	92557-5404	254.02	25.4	50.3	329.7
88019415001	264254034	BARNETT, LISA	23305	SONNET DR	MORENO VALLEY	CA	92557-5404	BARNETT, LISA	23305 SONNET DR	MORENO VALLEY, CA	92557-5404	221.61	22.16	43.88	287.64
58167665009	264254038	SILGUERO, JOSEPH	23259	SONNET DR	MORENO VALLEY	CA	92557-5404	SILGUERO, JOSEPH	23259 SONNET DR	MORENO VALLEY, CA	92557-5404	254.02	25.4	50.3	329.7
31502015006	264261004	REYNOLDS, GREGORY	22817	SWEETPEA CIR	MORENO VALLEY	CA	92557-6026	REYNOLDS, GREGORY	22817 SWEETPEA CIR	MORENO VALLEY, CA	92557-6026	253.92	25.39	50.28	329.58
31128145003	264261006	SHELTON, GERRY	22789	SWEETPEA CIR	MORENO VALLEY	CA	92557-6026	SHELTON, GERRY	22789 SWEETPEA CIR	MORENO VALLEY, CA	92557-6026	254.02	25.4	50.3	329.7
31269575004	264261007	ORTIZ, BEATRICE	22775	SWEETPEA CIR	MORENO VALLEY	CA	92557-6026	ORTIZ, BEATRICE	22775 SWEETPEA CIR	MORENO VALLEY, CA	92557-6026	254.02	25.4	50.3	329.7
58639065003	264261009	HUDSON, BERNICE E	22802	SWEETPEA CIR	MORENO VALLEY	CA	92557-6026	HUDSON, BERNICE E	22802 SWEETPEA CIR	MORENO VALLEY, CA	92557-6026	254.12	25.41	50.32	329.84
31554715000	264261011	BOZARTH, MARTHA	22830	SWEETPEA CIR	MORENO VALLEY	CA	92557-6026	BOZARTH, MARTHA	22830 SWEETPEA CIR	MORENO VALLEY, CA	92557-6026	104.02	10.4	20.6	135
31061995007	264261018	MARSHALL, CRAIG B	22799	CATMINT CIR	MORENO VALLEY	CA	92557-6025	MARSHALL, CRAIG B	22799 CATMINT CIR	MORENO VALLEY, CA	92557-6025	254.02	25.4	50.3	329.7
93313143006	264261020	MORROW, JESSIKA (OWNR)	22776	CATMINT CIR	MORENO VALLEY	CA	92557-6025	MORROW, JESSIKA (OWNR)	22776 CATMINT CIR	MORENO VALLEY, CA	92557-6025	103.31	10.33	20.46	134.08
52511355009	264261027	FITHIAN, ALINA	22865	WILD GERANIUM LN	MORENO VALLEY	CA	92557-6019	FITHIAN, ALINA	22865 WILD GERANIUM LN	MORENO VALLEY, CA	92557-6019	254.02	25.4	50.3	329.7
31476475006	264261038	ESTRADA, VICTOR	11908	YELLOW IRIS WAY	MORENO VALLEY	CA	92557-6023	ESTRADA, VICTOR	11908 YELLOW IRIS WAY	MORENO VALLEY, CA	92557-6023	254.02	25.4	50.3	329.7
97931095001	264263003	FERNANDEZ, ISAURA (RENT)	11893	YELLOW IRIS WAY	MORENO VALLEY	CA	92557-6024	FERNANDEZ, ISAURA	11893 YELLOW IRIS WAY	MORENO VALLEY, CA	92557-6024	63.63	6.36	12.6	82.58
91401875007	264263004	JIMENEZ, JAVIER	11865	YELLOW IRIS WAY	MORENO VALLEY	CA	92557-6022	JIMENEZ, JAVIER	11865 YELLOW IRIS WAY	MORENO VALLEY, CA	92557-6022	253.92	25.39	50.28	329.58
97053735000	264264002	RAMIREZ, RICHARD (RENT)	22706	WILD GERANIUM LN	MORENO VALLEY	CA	92557-6018	RAMIREZ, RICHARD (RENT)	22706 WILD GERANIUM LN	MORENO VALLEY, CA	92557-6018	194.57	19.46	38.52	252.54
81189375005	264264004	ORTEGA, JOSUE	22738	WILD GERANIUM LN	MORENO VALLEY	CA	92557-6018	ORTEGA, JOSUE	15413 GEMSTONE CT	MORENO VALLEY, CA	92551-3603	63.63	6.36	12.6	82.58
31099035009	264271002	BISHOP, RICHARD	22786	WILD GERANIUM LN	MORENO VALLEY	CA	92557-6018	BISHOP, RICHARD	22786 WILD GERANIUM LN	MORENO VALLEY, CA	92557-6018	254.02	25.4	50.3	329.7
62073785008	264271010	BENITES, ARMANDO	22845	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6042	BENITES, ARMANDO	22845 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-6042	227.15	22.72	44.98	294.84
31069565000	264271012	BELL, JOHNNY AND YVONNE	22817	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6042	BELL, JOHNNY	2700 GRAFTON CT	LAS VEGAS, NV	89117-0648	254.02	25.4	50.3	329.7
31625405003	264273004	ALEX, EDMOND	22766	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6008	ALEX, EDMOND	22766 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-6008	254.02	25.4	50.3	329.7
31553025007	264273008	GONZALES, HECTOR	22818	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6008	GONZALES, HECTOR	22818 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-6008	254.02	25.4	50.3	329.7
57202705007	264275004	FLORES JR, WILLIAM	11748	COUNTRY FLOWER LN	MORENO VALLEY	CA	92557-6002	FLORES JR, WILLIAM	11748 COUNTRY FLOWER LN	MORENO VALLEY, CA	92557-6002	127.36	12.74	25.22	165.3
52206765000	264282001	CUELLAR, RITA	11831	LIVERPOOL LN	MORENO VALLEY	CA	92557-6131	CUELLAR, RITA	11831 LIVERPOOL LN	MORENO VALLEY, CA	92557-6131	254.02	25.4	50.3	329.7
31633015009	264282003	BROOKS, WALTER	11813	LIVERPOOL LN	MORENO VALLEY	CA	92557-6131	BROOKS, WALTER	11813 LIVERPOOL LN	MORENO VALLEY, CA	92557-6131	254.02	25.4	50.3	329.7
31623495009	264282004	ANDRADE, IVAN	11805	LIVERPOOL LN	MORENO VALLEY	CA	92557-6131	ANDRADE, IVAN	11805 LIVERPOOL LN	MORENO VALLEY, CA	92557-6131	54.02	5.4	10.7	70.1
31545035001	264282011	HERNANDEZ, SARAH	11768	LIVERPOOL LN	MORENO VALLEY	CA	92557-6130	HERNANDEZ, SARAH	11768 LIVERPOOL LN	MORENO VALLEY, CA	92557-6130	253.92	25.39	50.28	329.58
91846185008	264282012	BETHEL, APRIL	11776	LIVERPOOL LN	MORENO VALLEY	CA	92557-6130	BETHEL, APRIL	11776 LIVERPOOL LN	MORENO VALLEY, CA	92557-6130	253.92	25.39	50.28	329.58
96207775004	264282014	TRUMBO, JENNIE (OWNR)	11794	LIVERPOOL LN	MORENO VALLEY	CA	92557-6132	TRUMBO, JENNIE	11794 LIVERPOOL LN	MORENO VALLEY, CA	92557-6132	47.46	4.75	9.4	61.6
90089363008	264282015	GAFFORD, STEPHANIE (RENT)	11804	LIVERPOOL LN	MORENO VALLEY	CA	92557-6132	GAFFORD, STEPHANIE	11804 LIVERPOOL LN	MORENO VALLEY, CA	92557-6132	94.83	9.48	18.78	123.08
31549905000	264282018	FLORES, RICHARD	11830	LIVERPOOL LN	MORENO VALLEY	CA	92557-6132	FLORES, RICHARD	11830 LIVERPOOL LN	MORENO VALLEY, CA	92557-6132	254.02	25.4	50.3	329.7
31621515009	264282019	BANKS, NICOLE	11840	LIVERPOOL LN	MORENO VALLEY	CA	92557-6132	BANKS, NICOLE	11840 LIVERPOOL LN	MORENO VALLEY, CA	92557-6132	254.02	25.4	50.3	329.7
31065735003	264282024	RAMIREZ, CARLOS	11884	LIVERPOOL LN	MORENO VALLEY	CA	92557-6170	RAMIREZ, C	11884 LIVERPOOL LN	MORENO VALLEY, CA	92557-6170	254.02	25.4	50.3	329.7
70506175005	264282030	GARCIA, MONICA	11938	LIVERPOOL LN	MORENO VALLEY	CA	92557-6134	GARCIA, MONICA	25234 BRANDING IRON WAY	MORENO VALLEY, CA	92557-6134	254.02	25.4	50.3	329.7
95880795005	264282032	GARCIA, FLOR (OWNR)	11956	LIVERPOOL LN	MORENO VALLEY	CA	92557-6134	GARCIA, FLOR	11956 LIVERPOOL LN	MORENO VALLEY, CA	92557-6134	254.12	25.41	50.32	329.84
31587395007	264291002	ALEXANDER, LUANN	23650	SWAN ST	MORENO VALLEY	CA	92557-7936	ALEXANDER, LUANN	23650 SWAN ST	MORENO VALLEY, CA	92557-7936	254.02	25.4	50.3	329.7
91545029000	264291011	AUSTIN, NINA	23758	SWAN ST	MORENO VALLEY	CA	92557-7928	AUSTIN, NINA	12135 FRANKLIN ST	MORENO VALLEY, CA	92557-7424	199.1	19.91	39.42	258.42
94775465007	264292002	MERCADO, JOHN (OWNR)	23721	SWAN ST	MORENO VALLEY	CA	92557-7900	MERCADO, JOHN	23721 SWAN ST	MORENO VALLEY, CA	92557-7900	254.12	25.41	50.32	329.84
62206475009	264292013	SALAZAR, GISSEL	23745	SWAN ST	MORENO VALLEY	CA	92557-7900	SALAZAR, GISSEL	23745 SWAN ST	MORENO VALLEY, CA	92557-7900	220.92	22.09	43.74	286.74
31496155001	264292014	BOKELMAN, SHAVONA	23757	SWAN ST	MORENO VALLEY	CA	92557-7900	BOKELMAN, SHAVONA	23757 SWAN ST	MORENO VALLEY, CA	92557-7900	254.02	25.4	50.3	329.7
86571065004	264293003	DIAZ, SANDRA	23733	COCKATIEL DR	MORENO VALLEY	CA	92557-6200	DIAZ, SANDRA	23733 COCKATIEL DR	MORENO VALLEY, CA	92557-6200	254.02	25.4	50.3	329.7

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
96797515009	264298005	GONZALEZ, ANGELINA (RENT)	23709	COCKATIEL DR	MORENO VALLEY	CA	92557-6200	GONZALEZ, ANGELINA	11883 BAYLESS ST	MORENO VALLEY, CA	92557-6220	107.09	10.71	21.2	139
97169273000	264299011	COLE, JESSICA (RENT)	23637	COCKATIEL DR	MORENO VALLEY	CA	92557-6200	COLE, JESSICA	23637 COCKATIEL DR	MORENO VALLEY, CA	92557-6200	94.9	9.49	18.79	123.18
97609875009	264299012	LEWIS, THELMA (RENT)	23625	COCKATIEL DR	MORENO VALLEY	CA	92557-6200	LEWIS, THELMA (RENT)	23625 COCKATIEL DR	MORENO VALLEY, CA	92557-6200	188.09	18.81	37.24	244.14
31171045004	264299013	KAMINE, SHARON	23690	RHEA DR	MORENO VALLEY	CA	92557-6205	KAMINE, SHARON	23690 RHEA DR	MORENO VALLEY, CA	92557-6205	254.02	25.4	50.3	329.7
62733195001	264299014	FLORES, BLANCA	23680	RHEA DR	MORENO VALLEY	CA	92557-6205	FLORES, BLANCA	23680 RHEA DR	MORENO VALLEY, CA	92557-6205	254.12	25.41	50.32	329.84
90151533001	264299016	SAAVEDRA, MICHELLE (RENT)	23646	RHEA DR	MORENO VALLEY	CA	92557-6205	SAAVEDRA, MICHELLE	23646 RHEA DR	MORENO VALLEY, CA	92557-6205	152.48	15.25	30.19	197.9
31376015005	264299018	CHARPENTIER, JOHN AND RENEE	23620	RHEA DR	MORENO VALLEY	CA	92557-6205	CHARPENTIER, JOHN AND RENEE	6601 N KEETON CIR	BETHANY, OK	73008-5951	39.53	3.95	7.83	51.3
93183373004	264299021	SMITH, IRMA (RENT)	11711	CRANE CT	MORENO VALLEY	CA	92557-6203	SMITH, IRMA	11711 CRANE CT	MORENO VALLEY, CA	92557-6203	226.59	22.66	44.86	294.1
93114103006	264294007	WALKER, ROSLYN	23619	RHEA DR	MORENO VALLEY	CA	92557-6206	WALKER, ROSLYN	23619 RHEA DR	MORENO VALLEY, CA	92557-6206	122.84	12.28	24.32	159.44
94511365007	264294010	TAYLOR, NATASHA (RENT)	23655	RHEA DR	MORENO VALLEY	CA	92557-6206	TAYLOR, NATASHA	23655 RHEA DR	MORENO VALLEY, CA	92557-6206	254.12	25.41	50.32	329.84
87289535004	264301005	PACHECO, CONNIE	11920	ALBION WAY	MORENO VALLEY	CA	92557-6139	PACHECO, CONNIE	11920 ALBION WAY	MORENO VALLEY, CA	92557-6139	240.98	24.1	47.71	312.78
52242625005	264301007	BELL, KEITH	11902	ALBION WAY	MORENO VALLEY	CA	92557-6139	BELL, KEITH	11902 ALBION WAY	MORENO VALLEY, CA	92557-6139	169.71	16.97	33.6	220.28
49425715003	264301014	PARK, HAN	11903	ALBION WAY	MORENO VALLEY	CA	92557-6140	PARK, HAN	14025 QUAILRIDGE DR	RIVERSIDE, CA	92503-7201	204.12	20.41	40.42	264.94
99518685006	264301018	CRUZ, TERESA (RENT)	11939	ALBION WAY	MORENO VALLEY	CA	92557-6140	CRUZ, TERESA	1920 E CYPRESS ST #21	ANAHEIM, CA	92805-3479	109.37	10.94	21.66	141.96
31584325009	264301019	DONIS, BLANCA	11947	ALBION WAY	MORENO VALLEY	CA	92557-6140	DONIS, BLANCA	11947 ALBION WAY	MORENO VALLEY, CA	92557-6140	254.12	25.41	50.32	329.84
31491075009	264301032	LOPEZ, RONNY	11885	HARTLAND PL	MORENO VALLEY	CA	92557-6102	LOPEZ, RONNY	11885 HARTLAND PL	MORENO VALLEY, CA	92557-6102	100	10	19.8	129.8
99122345008	264301034	ROLDAN, KATRINA (RENT)	11905	HARTLAND PL	MORENO VALLEY	CA	92557-6102	ROLDAN, KATRINA	11905 HARTLAND PL	MORENO VALLEY, CA	92557-6102	329.32	32.93	65.21	427.44
31320075000	264301037	CUBA, WILFREDO AND OFELIA	11931	HARTLAND PL	MORENO VALLEY	CA	92557-6102	CUBA, WILFREDO AND OFELIA	11931 HARTLAND PL	MORENO VALLEY, CA	92557-6102	57.42	5.74	11.37	74.52
96798825002	264301045	FANOUS, ILHAM (RENT)	11930	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6146	FANOUS, ILHAM	11930 COLLINGSWOOD DR	MORENO VALLEY, CA	92557-6146	371.95	37.2	73.65	482.78
96794695008	264301047	HERNANDEZ, GEORGINA (RENT)	11910	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6146	HERNANDEZ, GEORGINA	11910 COLLINGSWOOD DR	MORENO VALLEY, CA	92557-6146	254.12	25.41	50.32	329.84
31537785000	264302001	HARVEY, SUSANA	23081	FALL RIVER RD	MORENO VALLEY	CA	92557-6152	HARVEY, SUSANA	23081 FALL RIVER RD	MORENO VALLEY, CA	92557-6152	329.6	32.96	65.26	427.82
89040103009	264302002	ACOSTA, XAVIER (RENT)	23089	FALL RIVER RD	MORENO VALLEY	CA	92557-6152	ACOSTA, XAVIER	23089 FALL RIVER RD	MORENO VALLEY, CA	92557-6152	254.12	25.41	50.32	329.84
31183115004	264302010	FRAGOSO, ELIASIN	23161	FALL RIVER RD	MORENO VALLEY	CA	92557-6153	FRAGOSO, ELIASIN	23161 FALL RIVER RD	MORENO VALLEY, CA	92557-6153	254.02	25.4	50.3	329.7
56766935004	264302017	VILLAGRANA, CELILIO	23071	FALL RIVER RD	MORENO VALLEY	CA	92557-6151	VILLAGRANA, CELILIO	23071 FALL RIVER RD	MORENO VALLEY, CA	92557-6151	254.02	25.4	50.3	329.7
31141565007	264302018	DIAZ, DOMINGO	23061	FALL RIVER RD	MORENO VALLEY	CA	92557-6151	DIAZ, DOMINGO	23061 FALL RIVER RD	MORENO VALLEY, CA	92557-6151	190.69	19.07	37.76	247.5
31057605007	264302019	DAVIS, KIM	23051	FALL RIVER RD	MORENO VALLEY	CA	92557-6151	DAVIS, KIM	23051 FALL RIVER RD	MORENO VALLEY, CA	92557-6151	254.02	25.4	50.3	329.7
86153003004	264302023	CHAVEZ, MARIA (OWNR)	23011	FALL RIVER RD	MORENO VALLEY	CA	92557-6150	CHAVEZ, MARIA	23011 FALL RIVER RD	MORENO VALLEY, CA	92557-6151	254.12	25.41	50.32	329.84
31108585002	264302034	VELOS AVILES SR, LUIS	23015	SEABROOK LN	MORENO VALLEY	CA	92557-6165	VELOS AVILES SR, LUIS	23015 SEABROOK LN	MORENO VALLEY, CA	92557-6165	104.02	10.4	20.6	135
31539435000	264321010	CARDENAS-HUERTA, AURORA	23037	MANSFIELD LN	MORENO VALLEY	CA	92557-6163	CARDENAS-HUERTA, AURORA	23037 MANSFIELD LN	MORENO VALLEY, CA	92557-6163	254.12	25.41	50.32	329.84
92619413000	264321011	VASQUEZ, RICO (RENT)	23027	MANSFIELD LN	MORENO VALLEY	CA	92557-6163	VASQUEZ, RICO	PO BOX 2305	LONGMONT, CO	80502-2305	170.49	17.05	33.76	221.28
94057313002	264321013	ARAGEL, FELICIANA (RENT)	23003	MANSFIELD LN	MORENO VALLEY	CA	92557-6163	ARAGEL, FELICIANA (RENT)	23003 MANSFIELD LN	MORENO VALLEY, CA	92557-6163	155.73	15.57	30.83	202.13
31609295000	264321026	VENEGAS, LYNN	23006	LAMBOURNE CT	MORENO VALLEY	CA	92557-6100	VENEGAS, LYNN	23006 LAMBOURNE CT	MORENO VALLEY, CA	92557-6100	254.02	25.4	50.3	329.7
31626595001	264321031	MCCAFFERY, TANA	23072	LAMBOURNE CT	MORENO VALLEY	CA	92557-6100	MCCAFFERY, TANA	23072 LAMBOURNE CT	MORENO VALLEY, CA	92557-6100	214.44	21.44	42.46	278.34
99135243002	264322003	ROGERS, DEREK L (RENT)	11814	KETTERING CT	MORENO VALLEY	CA	92557-6135	ROGERS, DEREK L	13774 KAREN LYNN CT	MORENO VALLEY, CA	92553-1724	33.86	3.39	6.7	43.94
31106185000	264322009	HOLLOWAY, WILLIAM J	11766	KETTERING CT	MORENO VALLEY	CA	92557-6135	HOLLOWAY, WILLIAM J	11766 KETTERING CT	MORENO VALLEY, CA	92557-6135	254.02	25.4	50.3	329.7
60960525003	264322010	VIELMAN, ANA	11765	KETTERING CT	MORENO VALLEY	CA	92557-6136	VIELMAN, ANA	11765 KETTERING CT	MORENO VALLEY, CA	92557-6136	254.12	25.41	50.32	329.84
31381385007	264322013	SAMUELS, LOLA H	11789	KETTERING CT	MORENO VALLEY	CA	92557-6136	SAMUELS, LOLA H	11789 KETTERING CT	MORENO VALLEY, CA	92557-6136	36.37	3.64	7.2	47.2
98229815018	264322014	ACOSTA, CHRISTMAS (RENT)	11797	KETTERING CT	MORENO VALLEY	CA	92557-6136	ACOSTA, CHRISTMAS	11797 KETTERING CT	MORENO VALLEY, CA	92557-6136	190.79	19.08	37.78	247.64
31415935008	264322021	BUI, TRUNG	11814	CARLISLE CT	MORENO VALLEY	CA	92557-6137	BUI, TRUNG	11814 CARLISLE CT	MORENO VALLEY, CA	92557-6137	254.02	25.4	50.3	329.7
31215385007	264322028	COTTRELL, CALVIN G AND MARY	11765	CARLISLE CT	MORENO VALLEY	CA	92557-6138	COTTRELL, CALVIN G AND MARY	11765 CARLISLE CT	MORENO VALLEY, CA	92557-6138	254.02	25.4	50.3	329.7
91187125000	264322029	ENG, CARLY	11773	CARLISLE CT	MORENO VALLEY	CA	92557-6138	ENG, CARLY	11773 CARLISLE CT	MORENO VALLEY, CA	92557-6138	253.92	25.39	50.28	329.58
31637675001	264322033	CERVERA, DELORES	11805	CARLISLE CT	MORENO VALLEY	CA	92557-6138	CERVERA, DELORES	11805 CARLISLE CT	MORENO VALLEY, CA	92557-6138	254.02	25.4	50.3	329.7
93427885008	264322035	TOPETE, EMILIA (OWNR)	11821	CARLISLE CT	MORENO VALLEY	CA	92557-6138	TOPETE, EMILIA	11821 CARLISLE CT	MORENO VALLEY, CA	92557-6138	154.12	15.41	30.52	200.04
97121055007	264322040	WASHINGTON, STEPHANIE	11806	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6143	WASHINGTON, STEPHANIE	15706 JALANJE LN	MORENO VALLEY, CA	92551-6928	283.43	28.34	56.12	367.88
31645375007	264322041	OREHEL, FRANCISCO	11798	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6143	OREHEL, FRANCISCO	11798 COLLINGSWOOD DR	MORENO VALLEY, CA	92557-6143	254.02	25.4	50.3	329.7
89893875009	264322042	ELIZARRARAS, MARTHA	11790	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6143	ELIZARRARAS, MARTHA	11790 COLLINGSWOOD DR	MORENO VALLEY, CA	92557-6143	67.26	6.73	13.32	87.3
81767875003	264322043	JOHNSON, ANNEKE	11782	COLLINGSWOOD DR	MORENO VALLEY	CA	92557-6143	JOHNSON, ANNEKE	11782 COLLINGSWOOD DR	MORENO VALLEY, CA	92557-6143	83.4	8.34	16.51	108.24
51991045000	264323002	JOHNSON, STAN AND SANDRA	23087	MANSFIELD LN	MORENO VALLEY	CA	92557-6148	JOHNSON, STAN AND SANDRA	23087 MANSFIELD LN	MORENO VALLEY, CA	92557-6148	41.89	4.19	8.29	54.36
31645925002	264323004	VELIS, JENNIFER	23107	MANSFIELD LN	MORENO VALLEY	CA	92557-6148	VELIS, JENNIFER	23107 MANSFIELD LN	MORENO VALLEY, CA	92557-6148	254.02	25.4	50.3	329.7
31079135000	264331006	MCDONALD, GEORGE	22775	TEA ROSE LN	MORENO VALLEY	CA	92557-6016	MCDONALD, GEORGE	22775 TEA ROSE LN	MORENO VALLEY, CA	92557-6016	229.02	22.9	45.35	297.26
31303665002	264331007	JOHNSON, LEONARD	22787	TEA ROSE LN	MORENO VALLEY	CA	92557-6014	JOHNSON, LEONARD	22787 TEA ROSE LN	MORENO VALLEY, CA	92557-6014	127.26	12.73	25.2	165.18
97093873009	264332003	MOLETTE, DAMION (RENT)	22815	CATTAIL LN	MORENO VALLEY	CA	92557-6013	MOLETTE, DAMION	PO BOX 348	MORENO VALLEY, CA	92556-0348	264.18	26.42	52.31	342.9
87887485005	264342004	CASTILLO, GILBERT	22846	TEA ROSE LN	MORENO VALLEY	CA	92557-6015	CASTILLO, GILBERT	22846 TEA ROSE LN	MORENO VALLEY, CA	92557-6015	254.12	25.41	50.32	329.84
31656855003	264342005	JAHN, PAM	22836	TEA ROSE LN	MORENO VALLEY	CA	92557-6015	JAHN, PAM	22836 TEA ROSE LN	MORENO VALLEY, CA	92557-6015	254.02	25.4	50.3	329.7
31400165001	264342013	BANKS, KEVIN	11711	BLUE LUPIN LN	MORENO VALLEY	CA	92557-6005	BANKS, KEVIN	11711 BLUE LUPIN LN	MORENO VALLEY, CA	92557-6005	127.36	12.74	25.22	165.3
31144625009	264344011	FOSTER, PATRICK	11649	BLUE LUPIN LN	MORENO VALLEY	CA	92557-6003	FOSTER, PATRICK	11649 BLUE LUPIN LN	MORENO VALLEY, CA	92557-6003	254.02	25.4	50.3	329.7
31429235006	264352009	CAMPBELL, TERRA	22589	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6033	CAMPBELL, TERRA	22589 CLIMBING ROSE	MORENO VALLEY, CA	92557-6033	254.02	25.4	50.3	329.7
31472505009	264352016	DIXON, RICHARD	22659	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-6034	DIXON, RICHARD	22659 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-6034	254.02	25.4	50.3	329.7
89146013003	264361005	PICKARD, CHARISSE (RENT)	11683	BOBOLINK LN	MORENO VALLEY	CA	92557-5427	PICKARD, CHARISSE (RENT)	11683 BOBOLINK LN	MORENO VALLEY, CA	92557-5427	154.12	15.41	30.52	200.04
51059065001	264361011	CHAMORRO, PABLO	11692	CANVASBACK CIR	MORENO VALLEY	CA	92557-5400	CHAMORRO, PABLO	11692 CANVASBACK CIR	MORENO VALLEY, CA	92557-5400	214.02	21.4	42.38	277.78
92451915003	264361015	VELASQUEZ, MARICELA	11654	CANVASBACK CIR	MORENO VALLEY	CA	92557-5400	VELASQUEZ, MARICELA	11654 CANVASBACK CIR	MORENO VALLEY, CA	92557-5400	254.02	25.4	50.3	329.7
90320525004	264361019	SUAREZ, SIMONA	11663	CANVASBACK CIR	MORENO VALLEY	CA	92557-5414	SUAREZ, SIMONA	11663 CANVASBACK CIR	MORENO VALLEY, CA	92557-5414	253.92	25.39	50.28	329.58
64589925003	264361023	GONZALEZ, ANABELLE (OWNR)	11703	CANVASBACK CIR	MORENO VALLEY	CA	92557-5414	GONZALEZ, ANABELLE	11703 CANVASBACK CIR	MORENO VALLEY, CA	92557-5414	54.12	5.41	10.72	70.24
66068135001	264361029	VASQUEZ, ISRAEL	11672	PINTAIL CT	MORENO VALLEY	CA	92557-5434	VASQUEZ, ISRAEL	11672 PINTAIL CT	MORENO VALLEY, CA	92557-5434	191.12	19.11	37.84	248.06
60187925009	264361031	MOONEY, TIMOTHY	11664	PINTAIL CT	MORENO VALLEY	CA	92557-5435	MOONEY, TIMOTHY	11664 PINTAIL CT	MORENO VALLEY, CA	92557-5435	63.63	6.36	12.6	82.58
31150675005	264361036	DUBON, GUS	11643	PINTAIL CT	MORENO VALLEY	CA	92557-5435	DUBON, GUS	11643 PINTAIL CT	MORENO VALLEY, CA	92557-5435	254.02	25.4	50.3	329.7
86772873008	264361042	STEWART, SHANNON (RENT)	11703	PINTAIL CT	MORENO VALLEY	CA	92557-5436	STEWART, SHANNON	12031 NITA DR	MORENO VALLEY, CA	92557-7211	170.74	17.07	33.81	221.62
80351195000	264361048	SAMUELS, LOLO (OWNR)	23061	GOLDEN EYE LN	MORENO VALLEY	CA	92557-5430	SAMUELS, LOLO	23061 GOLDEN EYE LN	MORENO VALLEY, CA	92557-5430	219.84	21.98	43.53	285.34
93975033005	264362021	LEE, STELLA	11662	BOBOLINK LN	MORENO VALLEY	CA	92557-5415	LEE, STELLA	PO BOX 358	MORENO VALLEY, CA	92556-0358	193.82	19.38	38.38	251.56
89069573009	264371001	HERNANDEZ, MARTHA (OWNR)	22013	MONICO DR	MORENO VALLEY	CA	92557-5926	HERNANDEZ, MARTHA	22013 MONICO DR	MORENO VALLEY, CA	92557-5926	127.46	12.75	25.24	165.44
91012825003	264371023	JOHNSON, PATRICIA (RENT)	22073	SPRINGCREST RD	MORENO VALLEY	CA	92557-5902	JOHNSON, PATRICIA	22073 SPRING CREST RD	MORENO VALLEY, CA	92557-5902	253.92	25.39	50.28	329.58
86157295004	264372006	GARCIA, JESSIE	22074	SPRINGCREST RD	MORENO VALLEY	CA	92557-5901	GARCIA, JESSIE	22074 SPRING CREST RD	MORENO VALLEY, CA	92557-5901	100.02	10	19.8	129.82
31153245000	264372007	BAGGETT, SHEILA	22062	SPRINGCREST RD	MORENO VALLEY	CA	92557-5901	BAGGETT, SHEILA	22062 SPRINGCREST RD	MORENO VALLEY, CA	92557-5901	254.02	25.4	50.3	329.7
53966265003	264373004	VALDEZ, JOSE	22098	NAPLES DR	MORENO VALLEY	CA	92557-5903	VALDEZ, JOSE	22098 NAPLES DR	MORENO VALLEY, CA	92557-5903	254.02	25.4	50.3	329.7
88018545004	264373009	BOYD, TAMI	11780	CONSTANTINE CIR	MORENO VALLEY	CA	92557-5940	BOYD, TAMI	11780 CONSTANTINE CIR	MORENO VALLEY, CA	92557-5940	63.63	6.36	12.6	82.58
31643185002	264373014	AHMED, RAGIQ	11835	CONSTANTINE CIR	MORENO VALLEY	CA	92557-5913	AHMED, RAGIQ	4957 SILVERADO DR	FAIRFIELD, CA	94534-6824	254.02	25.4	50.3	329.7
31599365008	264373016	ABDELRHMAN, NAJIB AND AMEL	11875	CONSTANTINE CIR	MORENO VALLEY	CA	92557-5913	ABDELRHMAN, NAJIB	11875 CONSTANTINE CIR	MORENO VALLEY, CA	92557-5913	126.49	12.65	25.05	164.18
86804653005	264373017	NAVA, ALBERTO (RENT)	11895	CONSTANTINE CIR	MORENO VALLEY	CA	92557-5913	NAVA, ALBERTO (RENT)	PO BOX 9836	MORENO VALLEY, CA	92552-1836	126.47	12.65	25.04	164.14
75179745007	264381014	SOLCHAGA, JOSE	22182	NAPLES DR	MORENO VALLEY	CA	92557-5908	SOLCHAGA, JOSE	22182 NAPLES DR	MORENO VALLEY, CA	92557-5908	254.02	25.4	50.3	329.7
88096105002	264381017	RUGLEY, DOROTHY	22146	NAPLES DR	MORENO VALLEY	CA	92557-5905	RUGLEY, DOROTHY	22146 NAPLES DR	MORENO VALLEY, CA	92557-5905	329.6	32.96	65.26	427.82
95822725002	264381023	HALDERMAN, TODD (RENT)	22289	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5916	HALDERMAN, TODD	22289 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5916	254.02	25.4	50.3	329.7
31383575003	264382003	COOK, DAN	22181	NAPLES DR	MORENO VALLEY	CA	92557-5907	COOK, DAN	22181 NAPLES DR	MORENO VALLEY, CA	92557-5907	79.02	7.9	15.65	102.56
31621165002	264382004	ABUFARHA, JIHADS	22191	NAPLES DR	MORENO VALLEY	CA	92557-5907	ABUFARHA, JIHADS	22191 NAPLES DR	MORENO VALLEY, CA	92557-5907	254.02	25.4	50.3	329.7
31605015007	264382006	DAVIS, DONTE	22217	NAPLES DR	MORENO VALLEY	CA	92557-5907	DAVIS, DONTE	22217 NAPLES DR	MORENO VALLEY, CA	92557-5907	154.02	15.4	30.5	199.9
83028045003	264382007	DEL RIO, VERONICA	22229	NAPLES DR	MORENO VALLEY	CA	92557-5909	DEL RIO, VERONICA	22229 NAPLES DR	MORENO VALLEY, CA	92557-5909	254.02	25.4	50.3	329.7
94176045007	264382012	VALDEZ, MARY (RENT)	22289	NAPLES DR	MORENO VALLEY	CA	92557-5912	VALDEZ, MARY	13376 ATHLETIC DR	MORENO VALLEY, CA	92555-3718	133.85	13.39	26.5	173.72
58943515005	264382014	ROCHA, LETICIA	22309	NAPLES DR	MORENO VALLEY	CA	92557-5912	ROCHA, LETICIA	22309 NAPLES DR	MORENO VALLEY, CA	92557-5912	190.79	19.08	37.78	247.64
31152085005	264382016	DAVIS, RICARDO	22339	NAPLES DR	MORENO VALLEY	CA	92557-5912	DAVIS, RICARDO	22339 NAPLES DR	MORENO VALLEY, CA	92557-5912	127.36	12.74	25.22	165.3
89557533002	264390001	TOVAR, HILDA	11925	BARCLAY DR	MORENO VALLEY	CA	92557-5915	TOVAR, HILDA	11925 BARCLAY DR	MORENO VALLEY, CA	92557-5915	63.63	6.36	12.6	82.58
88897553008	264402001	GALLARDO, VIVENCIO (RENT)	22400	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-5935	GALLARDO, VIVENCIO	22400 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-5935	90.79	9.08	17.98	117.84
31173275001	264402007	MARQUEZ, GOEL	22460	CLIMBING ROSE DR	MORENO VALLEY	CA	92557-5939	MARQUEZ, GOEL	22460 CLIMBING ROSE DR	MORENO VALLEY, CA	92557-5939	190.69	19.07	37.76	247.5
70985725001	264403003	JOHNSON, GREGORY	22430	NARANJA ST	MORENO VALLEY	CA	92557-5928	JOHNSON, GREGORY	22430 NARANJA ST	MORENO VALLEY, CA	92557-5928	254.02	25.4	50.3	329.7
31363475006	264403013	FAUSTO, FRANCISCO	22419	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5918	FAUSTO, FRANCISCO	22419 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5918	329.32	32.93	65.21	427.44
59865925003	264404011	VAUGHN, ARLENE	11920	BARCLAY DR	MORENO VALLEY	CA	92557-5915	VAUGHN, ARLENE	11920 BARCLAY DR	MORENO VALLEY, CA	92557-5915	254.12	25.41	50.32	329.84
96978895003	264404014	WOODS, WANDA	11890	BARCLAY DR	MORENO VALLEY	CA	92557-5914	WOODS, WANDA	11890 BARCLAY DR	MORENO VALLEY, CA	92557-5914	137.12	13.71	27.15	177.98
97979265004	264404015	TILLET, JERMAINE (RENT)	11880	BARCLAY DR	MORENO VALLEY	CA	92557-5914	TILLET, JERMAINE (RENT)	11880 BARCLAY DR	MORENO VALLEY, CA	92557-5914	254.12	25.41	50.32	329.84
31313055009	264405002	NEWELL, RUBEN	22378	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5917	NEWELL, RUBEN	22378 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5917	254.12	25.41	50.32	329.84
88773065004	264405003	RICHARDSON, ROSEMARY	22390	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5917	RICHARDSON, ROSEMARY	22390 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5917	254.12	25.41	50.32	329.84
97981695000	264405005	JIMENEZ, MIRNA (RENT)	22414	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5917	JIMENEZ, MIRNA	22414 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5917	63.63	6.36	12.6	82.58
98045015016	264405006	KIM, HA (RENT)	22426	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5917	KIM, HA	22426 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5917	84.58	8.46	16.75	109.78
65619325002	264411008	TOSCANO, LETICIA	22519	NARANJA ST	MORENO VALLEY	CA	92557-5931	TOSCANO, LETICIA	22519 NARANJA ST	MORENO VALLEY, CA	92557-5931	127.46	12.75	25.24	165.44

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
96979705003	264412005	WILLIAMS, JEFFREY (OWNR)	22532	NARANJA ST	MORENO VALLEY	CA	92557-5933	WILLIAMS, JEFFREY	22532 NARANJA ST	MORENO VALLEY, CA	92557-5933	254.12	25.41	50.32	329.84
31472975006	264412009	STEPHENSON, LEROY	22580	NARANJA ST	MORENO VALLEY	CA	92557-5933	STEPHENSON, LEROY	22580 NARANJA ST	MORENO VALLEY, CA	92557-5933	254.02	25.4	50.3	329.7
50911595003	264412010	AGUILAR, GEORGE	22600	NARANJA ST	MORENO VALLEY	CA	92557-5933	AGUILAR, GEORGE	12091 RIPARIAN WAY	MORENO VALLEY, CA	92557-6939	301.42	30.14	59.68	391.24
31418005007	264412017	YOUNG, CAROL AND THEODORE	22533	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5921	YOUNG, CAROL	22533 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5921	254.02	25.4	50.3	329.7
53275205002	264412019	CALDWELL, MARY	22509	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5921	CALDWELL, MARY	22509 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5921	190.69	19.07	37.76	247.5
87063053003	264413007	WIENS, DANNY (RENT)	22546	SCARLET SAGE WAY	MORENO VALLEY	CA	92557-5922	WIENS, DANNY	22546 SCARLET SAGE WAY	MORENO VALLEY, CA	92557-5922	154.12	15.41	30.52	200.04
31183005007	264421006	DE LA ROSA, JOANNA (OWNR)	11686	SANDPIPER CT	MORENO VALLEY	CA	92557-7918	DE LA ROSA, JOANNA	11686 SANDPIPER	MORENO VALLEY, CA	92557-7918	104.02	10.4	20.6	135
31349335005	264421008	SUAREZ, PABLO AND GRACIELA	11710	SANDPIPER CT	MORENO VALLEY	CA	92557-7918	SUAREZ, PABLO AND GRACIELA	11710 SANDPIPER CT	MORENO VALLEY, CA	92557-7918	329.32	32.93	65.21	427.44
68527445009	264421009	ESQUIVEL, HERMAN (OWNR)	11722	SANDPIPER CT	MORENO VALLEY	CA	92557-7918	ESQUIVEL, HERMAN	11722 SANDPIPER CT	MORENO VALLEY, CA	92557-7918	232.76	23.28	46.09	302.12
87617385007	264422006	MC GEE, RENZA	11639	SANDPIPER CT	MORENO VALLEY	CA	92557-7917	MC GEE, RENZA	19340 MISSION RANCH RD	RIVERSIDE, CA	92508-6831	254.12	25.41	50.32	329.84
91371303002	264422008	BULACAN, CYNTHIA (RENT)	11626	MCCULLY CT	MORENO VALLEY	CA	92557-7911	BULACAN, CYNTHIA	11626 MCCULLY CT	MORENO VALLEY, CA	92557-7911	113.39	11.34	22.45	147.18
94953985001	264423005	CURRY, LATSHA (RENT)	11585	MCCULLY CT	MORENO VALLEY	CA	92557-7910	CURRY, LATSHA	11585 MCCULLY CT	MORENO VALLEY, CA	92557-7910	163.34	16.33	32.34	212
31364675002	264423008	BROWN, HARVEY	11584	MCCULLY CT	MORENO VALLEY	CA	92557-7910	BROWN, HARVEY	11584 MC CULLY CT	MORENO VALLEY, CA	92557-7910	329.32	32.93	65.21	427.44
31312915007	264423009	NAIR, MAHENDRA K	11596	MCCULLY CT	MORENO VALLEY	CA	92557-7910	NAIR, MAHENDRA K	11596 MC CULLY CT	MORENO VALLEY, CA	92557-7910	253.92	25.39	50.28	329.58
86564543009	264423012	MITCHEL, JOE (RENT)	11593	SANDPIPER CT	MORENO VALLEY	CA	92557-7915	MITCHEL, JOE (RENT)	11593 SANDPIPER CT	MORENO VALLEY, CA	92557-7915	82.68	8.27	16.37	107.3
91925045000	264423022	TENORIO, VELIA (OWNR)	11558	SANDPIPER CT	MORENO VALLEY	CA	92557-7913	TENORIO, VELIA	11558 SANDPIPER CT	MORENO VALLEY, CA	92557-7913	252.76	25.28	50.05	328.08
31264855006	264423023	KING, LARRY G	11570	SANDPIPER CT	MORENO VALLEY	CA	92557-7914	KING, ROSALIND	11570 SANDPIPER	MORENO VALLEY, CA	92557-7914	254.02	25.4	50.3	329.7
31537875001	264423025	TORRES, MAURICE	11594	SANDPIPER CT	MORENO VALLEY	CA	92557-7914	TORRES, MAURICE	11594 SANDPIPER	MORENO VALLEY, CA	92557-7914	329.6	32.96	65.26	427.82
31171405008	264431006	WARD, DONALD	23854	SWAN ST	MORENO VALLEY	CA	92557-7927	WARD, DONALD	23854 SWAN ST	MORENO VALLEY, CA	92557-7927	228.63	22.86	45.27	296.76
31172935005	264431007	VEGIGA, MICHELE	23866	SWAN ST	MORENO VALLEY	CA	92557-7927	VEGIGA, MICHELE	23866 SWAN ST	MORENO VALLEY, CA	92557-7927	190.69	19.07	37.76	247.5
93839415005	264431011	PEREZ, ANDREW (RENT)	23902	SWAN ST	MORENO VALLEY	CA	92557-7927	PEREZ, ANDREW	971 LONG BEACH DR	COLTON, CA	92324-6807	254.12	25.41	50.32	329.84
31467485003	264431013	FAZANDE, GREGORY C	11647	MCCULLY CT	MORENO VALLEY	CA	92557-7912	FAZANDE, GREGORY C	11647 MC CULLY CT	MORENO VALLEY, CA	92557-7912	329.6	32.96	65.26	427.82
90985093004	264431016	BULACAN, CYNTHIA	11680	MCCULLY CT	MORENO VALLEY	CA	92557-7911	BULACAN, CYNTHIA	4526 CANDELARIA WAY	PERRIS, CA	92571-5138	143.94	14.39	28.5	186.82
31169825004	264431018	MC LEOD, ROSEMARY	23931	COCKATIEL DR	MORENO VALLEY	CA	92557-7924	MC LEOD, ROSEMARY	23931 COCKATIEL DR	MORENO VALLEY, CA	92557-7924	254.02	25.4	50.3	329.7
52400565001	264431024	WOMACK, JC	23835	COCKATIEL DR	MORENO VALLEY	CA	92557-7923	WOMACK, JC	23835 COCKATIEL DR	MORENO VALLEY, CA	92557-7923	70.77	7.08	14.01	91.84
57964615001	264431028	GARCIA, MARIA L	23824	ROWE DR	MORENO VALLEY	CA	92557-7929	GARCIA, MARIA L	23824 ROWE DR	MORENO VALLEY, CA	92557-7929	226.79	22.68	44.9	294.36
93942795005	264431040	BLANCO, MYRA (OWNR)	23945	ROWE DR	MORENO VALLEY	CA	92557-7935	BLANCO, MYRA	23945 ROWE DR	MORENO VALLEY, CA	92557-7935	254.12	25.41	50.32	329.84
31177415003	264431044	AMEZCUA, MARIA	23875	ROWE DR	MORENO VALLEY	CA	92557-7932	AMEZCUA, MARIA	23875 ROWE DR	MORENO VALLEY, CA	92557-7932	190.69	19.07	37.76	247.5
57963335002	264431057	ALVARADO, SYLVIA	23781	ROWE DR	MORENO VALLEY	CA	92557-7930	ALVARADO, SYLVIA	23781 ROWE DR	MORENO VALLEY, CA	92557-7930	63.63	6.36	12.6	82.58
94428735007	264432002	PERSON, FRANCESCA (OWNR)	23793	SWAN ST	MORENO VALLEY	CA	92557-7925	PERSON, FRANCESCA (OWNR)	23793 SWAN ST	MORENO VALLEY, CA	92557-7925	50.52	5.05	10	65.56
92573935000	264432003	CARTER, MICHAEL	23805	SWAN ST	MORENO VALLEY	CA	92557-7925	CARTER, MICHAEL	23805 SWAN ST	MORENO VALLEY, CA	92557-7925	254.02	25.4	50.3	329.7
59201825002	264432011	BERRY, DOYLE AND LINDA (OWNR)	23790	COCKATIEL DR	MORENO VALLEY	CA	92557-7922	BERRY, DOYLE	23790 COCKATIEL DR	MORENO VALLEY, CA	92557-7922	63.63	6.36	12.6	82.58
83697555005	264440006	URIBE, ALEJANDRO AND OFELIA	11575	BLUE JAY CT	MORENO VALLEY	CA	92557-5447	URIBE, ALEJANDRO	11575 BLUE JAY CT	MORENO VALLEY, CA	92557-5447	254.02	25.4	50.3	329.7
80650975001	264440010	MENDOZA, JUAN	11532	BLUE JAY CT	MORENO VALLEY	CA	92557-5446	MENDOZA, JUAN	11532 BLUE JAY CT	MORENO VALLEY, CA	92557-5446	137.44	13.74	27.21	178.38
94494225006	264440011	GREENBANK, JASON (RENT)	11546	BLUE JAY CT	MORENO VALLEY	CA	92557-5446	GREENBANK, JASON	29477 PINELEAF ST	MENIFEE, CA	92584-7489	191.87	19.19	37.99	249.04
91020243008	279690005	JACKSON, TENIEL (RENT)	25062	ROADRUNNER LN	MORENO VALLEY	CA	92557-6549	JACKSON, TENIEL	25062 ROADRUNNER LN	MORENO VALLEY, CA	92557-6549	98.97	9.9	19.6	128.46
31058295000	291090010	FRANKLIN, CHERYL	21634	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-8062	FRANKLIN, CHERYL	21634 EUCALYPTUS AV	MORENO VALLEY, CA	92553-8062	254.02	25.4	50.3	329.7
90405493009	291120027	CANDELARIA, FELICIA (RENT)	13122	YELLOWWOOD ST	MORENO VALLEY	CA	92553-6943	CANDELARIA, FELICIA	14150 GRANT ST	MORENO VALLEY, CA	92553-9114	256.98	25.7	50.88	333.56
84637625008	291130003	OROZCO, CELIA	13550	DAY ST	MORENO VALLEY	CA	92553-8135	OROZCO, CELIA	13550 DAY ST	MORENO VALLEY, CA	92553-8135	177.44	17.74	35.13	230.3
100839103009	291130018	GARCIA, MARTHA	22209	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8325	GARCIA, MARTHA	22209 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8325	117.83	11.78	23.33	152.94
31385685005	291140013	HERNANDEZ, ARMANDO AND MARIA	13549	ELSWORTH ST	MORENO VALLEY	CA	92553-8463	HERNANDEZ, ARMANDO AND MARIA	13549 ELSWORTH ST	MORENO VALLEY, CA	92553-8463	76.3	7.63	15.11	99.02
80470175002	291161011	DIXON, KENT	13649	PHYLLIS AVE	MORENO VALLEY	CA	92553-8344	DIXON, KENT	13649 PHYLLIS AVE	MORENO VALLEY, CA	92553-8344	254.02	25.4	50.3	329.7
31101865008	291161013	PEREZ, JOAQUIN	22362	ELLA AVE	MORENO VALLEY	CA	92553-8338	PEREZ, JOAQUIN	22362 ELLA AVE	MORENO VALLEY, CA	92553-8338	129.32	12.93	25.61	167.84
31048105001	291161014	WILSON, MATTHEW	22376	ELLA AVE	MORENO VALLEY	CA	92553-8338	WILSON, MATTHEW	22376 ELLA AVE	MORENO VALLEY, CA	92553-8338	254.02	25.4	50.3	329.7
31356795003	291162001	PARTIDA, HENRY	22487	ELLA AVE	MORENO VALLEY	CA	92553-8347	PARTIDA, HENRY	22487 ELLA AVE	MORENO VALLEY, CA	92553-8347	54.02	5.4	10.7	70.1
83252575007	291162003	SALGADO, EVELIO (OWNER)	22461	ELLA AVE	MORENO VALLEY	CA	92553-8347	SALGADO, EVELIO	22461 ELLA AVE	MORENO VALLEY, CA	92553-8347	254.02	25.4	50.3	329.7
31735143000	291162010	VEGA, ANA (RENT)	22375	ELLA AVE	MORENO VALLEY	CA	92553-8339	VEGA, ANA (RENT)	22375 ELLA AVE	MORENO VALLEY, CA	92553-8339	127.46	12.75	25.24	165.44
52683775008	291162016	TOVAR, YADIRA	22414	BERTIE AVE	MORENO VALLEY	CA	92553-8333	TOVAR, YADIRA	22414 BERTIE AVE	MORENO VALLEY, CA	92553-8333	254.02	25.4	50.3	329.7
97109425004	291162018	RODRIGUEZ, ARTURO (RENT)	22487	BERTIE AVE	MORENO VALLEY	CA	92553-8334	RODRIGUEZ, ARTURO	13887 DAY ST	MORENO VALLEY, CA	92553-8255	254.12	25.41	50.32	329.84
96287375000	291162021	CHAVEZ, GUALBERTO	22474	BERTIE AVE	MORENO VALLEY	CA	92553-8333	CHAVEZ, GUALBERTO	22474 BERTIE AVE	MORENO VALLEY, CA	92553-8333	519.25	51.93	102.81	673.98
31606415001	291163001	URZUA, ANGEL AND ELIZABETH	22487	BERTIE AVE	MORENO VALLEY	CA	92553-8334	URZUA, ANGEL	23690 MARSHALL ST	PERRIS, CA	92570-7972	254.02	25.4	50.3	329.7
97234405005	291163002	BEAN, BRUCE (RENT)	22473	BERTIE AVE	MORENO VALLEY	CA	92553-8334	BEAN, BRUCE	28897 CYPRESS POINT DR	MENIFEE, CA	92584-8834	248.27	24.83	49.16	322.24
75319965002	291163006	PAYAN, MARIA L	22423	BERTIE AVE	MORENO VALLEY	CA	92553-8334	PAYAN, MARIA L	22423 BERTIE AVE	MORENO VALLEY, CA	92553-8334	254.02	25.4	50.3	329.7
81933265009	291163010	CHAVEZ, CARLOS	22375	BERTIE AVE	MORENO VALLEY	CA	92553-8320	CHAVEZ, CARLOS	22375 BERTIE AVE	MORENO VALLEY, CA	92553-8320	90.69	9.07	17.96	117.7
52694585005	291163013	VARRIGA, CARMEN	22376	BAY AVE	MORENO VALLEY	CA	92553-8351	VARRIGA, CARMEN	22376 BAY AVE	MORENO VALLEY, CA	92553-8351	254.02	25.4	50.3	329.7
31603005004	291163019	HERNANDEZ, ARACELI (RENT)	22450	BAY AVE	MORENO VALLEY	CA	92553-8309	HERNANDEZ, ARACELI	22450 BAY AVE	MORENO VALLEY, CA	92553-8309	190.69	19.07	37.76	247.5
91690555002	291171003	SUING, T DOAN	22045	BAY AVE	MORENO VALLEY	CA	92553-8221	SUING, T DOAN	22045 BAY AVE	MORENO VALLEY, CA	92553-8221	253.92	25.39	50.28	329.58
86090573008	291171004	MARINO, STEPHANIE (RENT)	13792	DAY ST	MORENO VALLEY	CA	92553-8252	MARINO, STEPHANIE	13792 DAY ST	MORENO VALLEY, CA	92553-8252	357.88	35.79	70.86	464.52
53560505004	291172001	PESQUEDA, MARIBEL	22063	BAY AVE	MORENO VALLEY	CA	92553-8212	PESQUEDA, MARIBEL	22063 BAY AVE	MORENO VALLEY, CA	92553-8212	254.02	25.4	50.3	329.7
31453445002	291172004	NORIEGA, OLGA	13838	NOLZE PL	MORENO VALLEY	CA	92553-8235	NORIEGA, OLGA	13838 NOLZE PL	MORENO VALLEY, CA	92553-8235	54.02	5.4	10.7	70.1
75402185000	291172006	MARTIN, WALTER AND ELIZABETH	22094	SHERMAN AVE	MORENO VALLEY	CA	92553-8238	MARTIN, WALTER AND ELIZABETH	41905 CHAPARRAL DR	TEMECULA, CA	92592-8897	1017.08	101.71	201.38	1320.16
72626245005	291172015	HERRERA, LILIANA	22133	BAY AVE	MORENO VALLEY	CA	92553-8222	HERRERA, LILIANA	12548 CARMEL KNOLLS DR	RANCHO CUCAMONGA, CA	91739-9005	254.02	25.4	50.3	329.7
31479395007	291172019	MOORE, FELITA	22208	SHERMAN AVE	MORENO VALLEY	CA	92553-8242	MOORE, FELITA	PO BOX 5781	RIVERSIDE, CA	92517-5781	254.02	25.4	50.3	329.7
70561925003	291172032	GONZALES, MARTIN (APTS)	22125	BAY AVE	MORENO VALLEY	CA	92553-8222	GONZALES, MARTIN	12548 CARMEL KNOLLS DR	RANCHO CUCAMONGA, CA	91739-9005	254.02	25.4	50.3	329.7
31135645003	291172083	TELLES, LINDA	22138	SHERMAN AVE	MORENO VALLEY	CA	92553-8268	TELLES, LINDA	22138 SHERMAN AVE	MORENO VALLEY, CA	92553-8268	254.02	25.4	50.3	329.7
97007835005	291181001	LIZARRAGA, DAVID (RENT)	22265	BAY AVE	MORENO VALLEY	CA	92553-8228	LIZARRAGA, DAVID	22265 BAY AVE	MORENO VALLEY, CA	92553-8228	108.59	10.85	20.5	139.98
98763273009	291181002	SAYCHAREUN, AMNOY (OWNR)	22277	BAY AVE	MORENO VALLEY	CA	92553-8228	SAYCHAREUN, AMNOY	5443 WILDSAGE PL	CHINO HILLS, CA	91709-8723	265.92	26.59	52.65	345.16
31607695000	291181004	PHILLIPS, ROBYN	22307	BAY AVE	MORENO VALLEY	CA	92553-8308	PHILLIPS, ROBYN	22307 BAY AVE	MORENO VALLEY, CA	92553-8308	189.05	18.91	37.43	245.38
31581235004	291181010	FERNANDEZ, JORGE	22383	BAY AVE	MORENO VALLEY	CA	92553-8308	FERNANDEZ, JORGE	22383 BAY AVE	MORENO VALLEY, CA	92553-8308	190.69	19.07	37.76	247.5
94674295008	291181012	FERNANDEZ, RUBELINA (RENT)	22401	BAY AVE	MORENO VALLEY	CA	92553-8308	FERNANDEZ, RUBELINA	PO BOX 7076	MORENO VALLEY, CA	92552-7076	189.79	18.98	37.58	246.34
90353985008	291181018	ALVAREZ, LILIANA	22487	BAY AVE	MORENO VALLEY	CA	92553-8308	ALVAREZ, LILIANA	13747 PECAN PL	MORENO VALLEY, CA	92553-5302	253.92	25.39	50.28	329.58
86282985005	291181030	TELLE, EDUARDO	22308	FARRAGUT AVE	MORENO VALLEY	CA	92553-8312	TELLE, EDUARDO	22308 FARRAGUT AVE	MORENO VALLEY, CA	92553-8312	42.88	4.29	8.49	55.64
31296105006	291182001	SALAZAR, FERNANDO	22329	FARRAGUT AVE	MORENO VALLEY	CA	92553-8313	SALAZAR, FERNANDO	25683 ALPARAS CIR	MORENO VALLEY, CA	92551-2025	254.12	25.41	50.32	329.84
31106765008	291182004	MELENDREZ, THERESA	22367	FARRAGUT AVE	MORENO VALLEY	CA	92553-8313	MELENDREZ, THERESA	22367 FARRAGUT AVE	MORENO VALLEY, CA	92553-8313	254.02	25.4	50.3	329.7
31525905000	291182012	SANDOVAL, MONICA	22471	FARRAGUT AVE	MORENO VALLEY	CA	92553-8315	SANDOVAL, MONICA	14147 APPLEBLOSSOM LN	MORENO VALLEY, CA	92553-4481	329.6	32.96	65.26	427.82
55097745005	291182016	ALAMILLA, JACINTO	22354	SHERMAN AVE	MORENO VALLEY	CA	92553-8323	ALAMILLA, JACINTO	PO BOX 7014	MORENO VALLEY, CA	92552-7014	404.62	40.46	80.11	525.18
31578975004	291182019	REYNOSO, DIANNE	22390	SHERMAN AVE	MORENO VALLEY	CA	92553-8323	REYNOSO, DIANNE	12847 INDIAN ST	MORENO VALLEY, CA	92553-9324	254.02	25.4	50.3	329.7
31220075002	291182025	GARCIA, ANDRES	22470	SHERMAN AVE	MORENO VALLEY	CA	92553-8328	GARCIA, ANDRES	22470 SHERMAN AVE	MORENO VALLEY, CA	92553-8328	254.02	25.4	50.3	329.7
58077535008	291191016	MUNGUIA, MARIA	13899	PEPPER ST	MORENO VALLEY	CA	92553-8237	MUNGUIA, MARIA	13899 PEPPER ST	MORENO VALLEY, CA	92553-8237	254.02	25.4	50.3	329.7
31510625001	291191017	HERNANDEZ, OLGA	13903	PEPPER ST	MORENO VALLEY	CA	92553-8240	HERNANDEZ, OLGA	13903 PEPPER ST	MORENO VALLEY, CA	92553-8240	254.02	25.4	50.3	329.7
89011253008	291191018	FOX, DEXTER (OWNR)	13923	PEPPER ST	MORENO VALLEY	CA	92553-8240	FOX, DEXTER	13923 PEPPER ST	MORENO VALLEY, CA	92553-8240	329.6	32.96	65.26	427.82
83440745003	291191019	CHAVEZ, CATALINA	13931	PEPPER ST	MORENO VALLEY	CA	92553-8240	CHAVEZ, CATALINA	13931 PEPPER ST	MORENO VALLEY, CA	92553-8240	254.02	25.4	50.3	329.7
96194935001	291192001	SANDOVAL, CHRIS	22257	SHERMAN AVE	MORENO VALLEY	CA	92553-8248	SANDOVAL, CHRIS	22257 SHERMAN AVE	MORENO VALLEY, CA	92553-8248	439.06	43.91	86.93	569.88
31612415009	291192020	LOPEZ, OMAR	13929	GRANT ST	MORENO VALLEY	CA	92553-8322	LOPEZ, OMAR	13929 GRANT ST	MORENO VALLEY, CA	92553-8322	254.02	25.4	50.3	329.7
97082425004	291192024	WALLS, RANDY (RENT)	22240	ALESSANDRO BLVD	MORENO VALLEY	CA	92553-8207	WALLS, RANDY	22240 ALESSANDRO BLVD	MORENO VALLEY, CA	92553-8207	282.4	28.24	55.92	366.54
94004953009	291200008	AMBRIZ, PEDRO (RENT)	13944	GRANT ST	MORENO VALLEY	CA	92553-8321	AMBRIZ, PEDRO	13944 GRANT ST	MORENO VALLEY, CA	92553-8321	41.15	4.12	8.15	53.4
31523275007	291211003	TRUJILLO, VICENTE	22561	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8431	TRUJILLO, VICENTE	22561 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8431	254.02	25.4	50.3	329.7
31421825009	291211019	ZAMORA, JOSE	13660	ELSWORTH ST	MORENO VALLEY	CA	92553-8464	ZAMORA, JOSE	13660 ELSWORTH ST	MORENO VALLEY, CA	92553-8464	329.32	32.93	65.21	427.44
83776075000	291211020	BLANCO, MANUEL	13672	ELSWORTH ST	MORENO VALLEY	CA	92553-8464	BLANCO, MANUEL	13672 ELSWORTH ST	MORENO VALLEY, CA	92553-8464	254.02	25.4	50.3	329.7
31082385001	291211029	HARVEY, EDWARD	13701	BOEING ST	MORENO VALLEY	CA	92553-8424	HARVEY, EDWARD	PO BOX 20	TALLMADGE, OH	44278-0020	254.02	25.4	50.3	329.7
63067765003	291211030	GONZALEZ, MARCO SR	13687	BOEING ST	MORENO VALLEY	CA	92553-8427	GONZALEZ, MARCO SR	13687 BOEING ST	MORENO VALLEY, CA	92553-8427	254.12	25.41	50.32	329.84
31266885005	291211035	YEPEZ, DAVID	13617	BOEING ST	MORENO VALLEY	CA	92553-8427	YEPEZ, DAVID	13617 BOEING ST	MORENO VALLEY, CA	92553-8427	63.63	6.36	12.6	82.58
31117825003	291211045	GAZAWAY, HOWARD	22568	TEMCO ST	MORENO VALLEY	CA	92553-8414	GAZAWAY, HOWARD	22568 TEMCO ST	MORENO VALLEY, CA	92553-8414	310.27	31.03	61.43	402.72
62207915005	291212002	ZAMARRIPA, JOSE	22571	TEMCO ST	MORENO VALLEY	CA	92553-8415	ZAMARRIPA, JOSE	22571 TEMCO ST	MORENO VALLEY, CA	92553-8415	329.6	32.96	65.26	427.82
31489585006	291213010	MENDEZ, MELVIN	22565	VOUGHT ST	MORENO VALLEY	CA	92553-8401	MENDEZ, MELVIN	22565 VOUGHT ST	MORENO VALLEY, CA	92553-8401	254.12	25.41	50.32	329.84
31575535003	291213015	MAY, DIANA	13668	BOEING ST	MORENO VALLEY	CA	92553-8426	MAY, DIANA	11420 TROPIC CT	MORENO VALLEY, CA	92557-5746	254.02	25.4	50.3	329.7
75258955006	291213017	ARDA, VALERIANO	13700	BOEING ST	MORENO VALLEY	CA	92553-8423	ARDA, VALERIANO	13700 BOEING ST	MORENO VALLEY, CA	92553-8423	254.02	25.4	50.3	329.7
97102435008	291214001	RODRIQUEZ, JUAN (OWNR)	13610	MCDONNELL ST	MORENO VALLEY	CA	92553-8469	RODRIQUEZ, JUAN (OWNR)	13610 MCDONNELL ST	MORENO VALLEY, CA	92553-8469	254.12	25.41	50.32	329.84
31374145003	291214002	FERNANDEZ, MIRNA	13622	MCDONNELL ST	MORENO VALLEY	CA	92553-8469	FERNANDEZ, MIRNA	13622 MCDONNELL ST	MORENO VALLEY, CA	92553-8469	104.02	10.4	20.6	135
31638595006	291221008	GORDILLO, EDGAR	22705	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8420	GORDILLO, EDGAR	22705 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8420	63.69	6.37	12.61	82.66
62831335004	291222002	MORRIS, ROSA	22611	TEMCO ST	MORENO VALLEY	CA	92553-8433	MORRIS, ROSA	22611 TEMCO ST	MORENO VALLEY, CA	92553-8433	329.6	32.96	65.26	427.82

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
86050445000	291222004	MC CRADY, WILLIAM	22651	TEMCO ST	MORENO VALLEY	CA	92553-8433	MC CRADY, WILLIAM	22651 TEMCO ST	MORENO VALLEY, CA	92553-8433	329.32	32.93	65.21	427.44
31061455000	291222005	GONZALES, RICHARD	22663	TEMCO ST	MORENO VALLEY	CA	92553-8433	GONZALES, RICHARD	22663 TEMCO ST	MORENO VALLEY, CA	92553-8433	82.68	8.27	16.37	107.3
94341275008	291222009	JACKSON, MICHELLE (OWNR)	22610	VOUGHT ST	MORENO VALLEY	CA	92553-8435	JACKSON, MICHELLE	22610 VOUGHT ST	MORENO VALLEY, CA	92553-8435	127.46	12.75	25.24	165.44
31645815005	291222011	SIMS, SONIA	22650	VOUGHT ST	MORENO VALLEY	CA	92553-8435	SIMS, SONIA	22650 VOUGHT ST	MORENO VALLEY, CA	92553-8435	254.02	25.4	50.3	329.7
95306353003	291222012	BENITEZ, FRANCISCA (OWNR)	22660	VOUGHT ST	MORENO VALLEY	CA	92553-8435	BENITEZ, FRANCISCA	22660 VOUGHT ST	MORENO VALLEY, CA	92553-8435	54.91	5.49	10.87	71.26
95524785001	291223001	VARGAS, CLAUDIA (RENT)	22601	VOUGHT ST	MORENO VALLEY	CA	92553-8421	VARGAS, CLAUDIA	22601 VOUGHT ST	MORENO VALLEY, CA	92553-8421	254.12	25.41	50.32	329.84
31306125009	291223002	YANEZ, DANIEL	22621	VOUGHT ST	MORENO VALLEY	CA	92553-8421	YANEZ, DANIEL	22621 VOUGHT ST	MORENO VALLEY, CA	92553-8421	254.02	25.4	50.3	329.7
92072535007	291224006	ARELLANO, NOEL (OWNR)	13695	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8653	ARELLANO, NOEL	13695 THUNDERBIRD DR	MORENO VALLEY, CA	92553-8653	72.74	7.27	14.4	94.4
31518355000	291225002	MARTINEZ, SALVADOR O	22727	VOUGHT ST	MORENO VALLEY	CA	92553-8616	MARTINEZ, SALVADOR	22727 VOUGHT ST	MORENO VALLEY, CA	92553-8616	125.44	12.54	24.84	162.82
31405345003	291232012	BECKHAM, CHERYL	13541	CASPER CT	MORENO VALLEY	CA	92553-8670	BECKHAM, CHERYL	13541 CASPER CT	MORENO VALLEY, CA	92553-8670	254.02	25.4	50.3	329.7
91267173009	291233008	ELY, RUBY (RENT)	22898	VOUGHT ST	MORENO VALLEY	CA	92553-8617	ELY, RUBY	22898 VOUGHT ST	MORENO VALLEY, CA	92553-8617	79.13	7.91	15.67	102.7
91304723005	291233017	GUERRERO, SONIA (RENT)	13676	PLAYER CT	MORENO VALLEY	CA	92553-8648	GUERRERO, SONIA (RENT)	13676 PLAYER CT	MORENO VALLEY, CA	92553-8648	257.91	25.79	51.07	334.76
92078215001	291233018	SAHAGUN, EDGAR	13662	PLAYER CT	MORENO VALLEY	CA	92553-8648	SAHAGUN, EDGAR	13662 PLAYER CT	MORENO VALLEY, CA	92553-8648	253.92	25.39	50.28	329.58
31451435008	291233019	VILLALTA, RONALD	13650	PLAYER CT	MORENO VALLEY	CA	92553-8648	VILLALTA, RONALD	13650 PLAYER CT	MORENO VALLEY, CA	92553-8648	50	5	9.9	64.9
97605045002	291233022	VILLSENOR, MARIO (RENT)	13612	PLAYER CT	MORENO VALLEY	CA	92553-8648	VILLSENOR, MARIO	13612 PLAYER CT	MORENO VALLEY, CA	92553-8648	190.49	19.05	37.72	247.24
31479145000	291233031	CATELLANOS, LUIS	13696	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8652	CATELLANOS, LUIS	13696 THUNDERBIRD DR	MORENO VALLEY, CA	92553-8652	247.48	24.75	49	321.22
54925655008	291233032	GUERRA, SILVIA	13674	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8652	GUERRA, SILVIA	11122 LIVERPOOL LN	RIVERSIDE, CA	92503-5881	254.02	25.4	50.3	329.7
93409605005	291233034	CORTEZ, JOSE ANTONIO (OWNR)	13648	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8652	CORTEZ, JOSE ANTONIO	13648 THUNDERBIRD DR	MORENO VALLEY, CA	92553-8652	63.63	6.36	12.6	82.58
93769655001	291233035	MCMURRAY, MARINE (OWNR)	13636	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8652	MCMURRAY, MARINE	13636 THUNDERBIRD DR	MORENO VALLEY, CA	92553-8652	127.46	12.75	25.24	165.44
31263735004	291233037	JACKSON, ZETA	13610	THUNDERBIRD DR	MORENO VALLEY	CA	92553-8652	JACKSON, ZETA	13610 THUNDERBIRD DR	MORENO VALLEY, CA	92553-8652	175.73	17.57	34.79	228.08
31265395000	291234003	MYERS, BETTY	22777	VOUGHT ST	MORENO VALLEY	CA	92553-8616	MYERS, BETTY	22777 VOUGHT ST	MORENO VALLEY, CA	92553-8616	254.12	25.41	50.32	329.84
31327045002	291234011	GONZALES, VICTOR	22873	VOUGHT ST	MORENO VALLEY	CA	92553-8655	GONZALES, VICTOR	22873 VOUGHT ST	MORENO VALLEY, CA	92553-8655	254.02	25.4	50.3	329.7
96637615006	291241001	BLACKWELL, WAYNE (RENT)	22881	COTTONWOOD AVE	MORENO VALLEY	CA	92553-8660	BLACKWELL, WAYNE	22881 COTTONWOOD AVE	MORENO VALLEY, CA	92553-8660	254.12	25.41	50.32	329.84
85944955007	291241003	GOMEZ, LUIS	13540	CASPER CT	MORENO VALLEY	CA	92553-8670	GOMEZ, LUIS	13540 CASPER CT	MORENO VALLEY, CA	92553-8670	254.02	25.4	50.3	329.7
31606885002	291241006	TORRES, MIGUEL	23094	VOUGHT ST	MORENO VALLEY	CA	92553-8600	TORRES, MIGUEL	23094 VOUGHT ST	MORENO VALLEY, CA	92553-8600	254.02	25.4	50.3	329.7
90409895007	291242002	GALEANA, MARIO	23079	VOUGHT ST	MORENO VALLEY	CA	92553-8601	GALEANA, MARIO	23079 VOUGHT ST	MORENO VALLEY, CA	92553-8601	253.92	25.39	50.28	329.58
97313555005	291242006	WATLEY, JACQUILINE (RENT)	23081	VOUGHT ST	MORENO VALLEY	CA	92553-8601	WATLEY, JACQUILINE (RENT)	22790 ALLIES PL APT D	MORENO VALLEY, CA	92553-8755	262.37	26.24	51.95	340.54
31651345002	291242017	GARCIA, GILBERT	22885	VOUGHT ST	MORENO VALLEY	CA	92553-8655	GARCIA, GILBERT	22885 VOUGHT ST	MORENO VALLEY, CA	92553-8655	254.02	25.4	50.3	329.7
92909285002	291261006	LOPEZ, MARIA	13821	BOEING ST	MORENO VALLEY	CA	92553-8518	LOPEZ, MARIA	13821 BOEING ST	MORENO VALLEY, CA	92553-8518	254.02	25.4	50.3	329.7
91191073002	291261012	OCAMPO, RAUL (OWNR)	13778	ELSWORTH ST	MORENO VALLEY	CA	92553-8468	OCAMPO, RAUL	13778 ELSWORTH ST	MORENO VALLEY, CA	92553-8468	50.79	5.08	10.06	65.92
31082885006	291261015	NYCEK, JACKLYN	13820	ELSWORTH ST	MORENO VALLEY	CA	92553-8520	NYCEK, JACKLYN	13820 ELSWORTH ST	MORENO VALLEY, CA	92553-8520	254.02	25.4	50.3	329.7
62646695000	291261017	STRICK, LAWRENCE	13844	ELSWORTH ST	MORENO VALLEY	CA	92553-8520	STRICK, LAWRENCE	13844 ELSWORTH ST	MORENO VALLEY, CA	92553-8520	254.12	25.41	50.32	329.84
31186735007	291262010	LE FRIDGE, DOLORES	13779	MCDONNELL ST	MORENO VALLEY	CA	92553-8513	LE FRIDGE, DOLORES	13779 MCDONNELL ST	MORENO VALLEY, CA	92553-8513	63.63	6.36	12.6	82.58
31413875005	291262012	SOLOMAN, GERTUDE	22541	BAY AVE	MORENO VALLEY	CA	92553-8404	SOLOMAN, GERTUDE	22541 BAY AVE	MORENO VALLEY, CA	92553-8404	254.02	25.4	50.3	329.7
55886125001	291262015	TRIPP, EVELYN	13806	BOEING ST	MORENO VALLEY	CA	92553-8517	TRIPP, EVELYN	13806 BOEING ST	MORENO VALLEY, CA	92553-8517	189.02	18.9	37.43	245.34
31604645008	291262020	RAMOS, PABLO (OWNR)	13874	BOEING ST	MORENO VALLEY	CA	92553-8517	RAMOS, PABLO	22320 FARRAGUT AVE	MORENO VALLEY, CA	92553-8312	54.02	5.4	10.7	70.1
93358703003	291263003	TALIA, LASAALIA	13876	MCDONNELL ST	MORENO VALLEY	CA	92553-8530	TALIA, LASAALIA	13876 MCDONNELL ST	MORENO VALLEY, CA	92553-8530	75.49	7.55	14.95	97.98
31306135007	291263006	FRAUSTO, JOSE D	13832	MCDONNELL ST	MORENO VALLEY	CA	92553-8530	FRAUSTO, JOSE D	13832 MCDONNELL ST	MORENO VALLEY, CA	92553-8530	254.02	25.4	50.3	329.7
31510695006	291263010	SIMMS, CARNELL	13778	MCDONNELL ST	MORENO VALLEY	CA	92553-8512	SIMMS, CARNELL	13778 MCDONNELL ST	MORENO VALLEY, CA	92553-8512	254.02	25.4	50.3	329.7
94872165005	291264001	CHRISTIAN, JATIN (RENT)	13918	ELSWORTH ST	MORENO VALLEY	CA	92553-8554	CHRISTIAN, JATIN	3618 WEST KINGSWAY AVE	ANAHEIM, CA	92804-4618	192.08	19.21	38.03	249.3
96389805004	291300004	SAADIQ, DONOVAN (OWNR)	22620	BERKSHIRE LN	MORENO VALLEY	CA	92553-8407	SAADIQ, DONOVAN (OWNR)	22620 BERKSHIRE LN	MORENO VALLEY, CA	92553-8407	200	20	39.6	259.6
31520455005	291300010	MAYNEZ, RUPERTA	22670	ABINGTON PL	MORENO VALLEY	CA	92553-8476	MAYNEZ, RUPERTA	22670 ABINGTON PL	MORENO VALLEY, CA	92553-8476	254.12	25.41	50.32	329.84
31653765009	291300012	JACKSON, TRIVIAN	22622	ABINGTON PL	MORENO VALLEY	CA	92553-8476	JACKSON, TRIVIAN	22622 ABINGTON PL	MORENO VALLEY, CA	92553-8476	254.12	25.41	50.32	329.84
31355145002	291300013	AVILA, MARIA	22645	ABINGTON PL	MORENO VALLEY	CA	92553-8476	AVILA, MARIA	22645 ABINGTON PL	MORENO VALLEY, CA	92553-8476	91.88	9.19	18.19	119.26
31054855001	291300014	SMITH, DANNELLE AND AUDREY	22677	ABINGTON PL	MORENO VALLEY	CA	92553-8476	SMITH, AUDREY	22677 ABINGTON PL	MORENO VALLEY, CA	92553-8476	254.12	25.41	50.32	329.84
94853455004	291300021	RODRIGUEZ, SALVADOR (OWNR)	22610	BAY AVE	MORENO VALLEY	CA	92553-8405	RODRIGUEZ, SALVADOR	22610 BAY AVE	MORENO VALLEY, CA	92553-8405	507.52	50.75	100.49	658.76
60678765000	291301006	LUARCA, MARTHA	13712	PAN AM BLVD	MORENO VALLEY	CA	92553-8410	LUARCA, MARTHA	13712 PAN AM BLVD	MORENO VALLEY, CA	92553-8410	329.6	32.96	65.26	427.82
96521335001	291311005	RAMIREZ, ESPARANZA (RENT)	22919	DRACAEA AVE	MORENO VALLEY	CA	92553-7815	RAMIREZ, ESPARANZA	22919 DRACAEA AVE	MORENO VALLEY, CA	92553-7815	254.12	25.41	50.32	329.84
101874252008	291311007	FRANCIS, DAVID JAMES	22891	DRACAEA AVE	MORENO VALLEY	CA	92553-6410	FRANCIS, DAVID JAMES	22891 DRACAEA AVE	MORENO VALLEY, CA	92553-6410	36.04	3.6	7.14	46.76
88420815000	291311016	ARELLANO, CRYSTAL	13311	APPLEBY CT	MORENO VALLEY	CA	92553-7801	ARELLANO, CRYSTAL	13311 APPLEBY CT	MORENO VALLEY, CA	92553-7801	48.52	4.85	9.61	62.96
31595515005	291311022	ANDRADE, SERGIO	22892	SCHRIBNER DR	MORENO VALLEY	CA	92553-6434	ANDRADE, SERGIO	22892 SCHRIBNER DR	MORENO VALLEY, CA	92553-6434	254.02	25.4	50.3	329.7
31448915003	291311023	GRUBBS, DONALD	22904	SCRIBNER DR	MORENO VALLEY	CA	92553-7825	GRUBBS, DONALD	22904 SCRIBNER DR	MORENO VALLEY, CA	92553-7825	190.69	19.07	37.76	247.5
75109525000	291311025	INIGUEZ, EFREN JV	22940	SCRIBNER DR	MORENO VALLEY	CA	92553-7825	INIGUEZ, EFREN JV	22940 SCRIBNER DR	MORENO VALLEY, CA	92553-7825	254.02	25.4	50.3	329.7
31206975002	291312008	VALENCIA, LORANA	13356	OAK DELL ST	MORENO VALLEY	CA	92553-6424	VALENCIA, LORANA	13356 OAK DELL ST	MORENO VALLEY, CA	92553-6424	254.02	25.4	50.3	329.7
31128105001	291313008	SANCHEZ, OCTAVIO	22828	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7800	SANCHEZ, OCTAVIO	22828 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7800	254.02	25.4	50.3	329.7
49454315007	291314010	RIOS, JOAQUIN AND VERONICA	22779	DRACAEA AVE	MORENO VALLEY	CA	92553-7861	RIOS, JOAQUIN AND VERONICA	22779 DRACAEA AVE	MORENO VALLEY, CA	92553-7861	127.38	12.74	25.22	165.32
31357025003	291314013	CUNNINGHAM, LEAH	22763	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7802	CUNNINGHAM, LEAH	22763 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7802	196.37	19.64	38.88	254.88
91609303005	291314015	IMMANUEL HOUSE	22764	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7802	IMMANUEL HOUSE	P O BOX 10271	MORENO VALLEY, CA	92552-0271	315.04	31.5	62.38	408.92
75099545009	291314017	BELTRAN, JACQUELINE JV	22790	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7802	BELTRAN, JACQUELINE JV	22790 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7802	154.02	15.4	30.5	199.9
31480755009	291321009	BARAJAS, MARIA	22927	BAYWOOD DR	MORENO VALLEY	CA	92553-6408	BARAJAS, MARIA	22927 BAYWOOD DR	MORENO VALLEY, CA	92553-6408	329.32	32.93	65.21	427.44
31208165008	291322012	TORO, ALEJANDRO	22932	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7803	TORO, ALEJANDRO	22932 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7803	254.02	25.4	50.3	329.7
96195075008	291322013	EVANS, AUDRE (RENT)	22946	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7803	EVANS, AUDRE	22946 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7803	51.28	5.13	10.15	66.56
50514955009	291322015	MARTINEZ, ANNA ISABEL (OWNR)	22970	AQUEDUCT WAY	MORENO VALLEY	CA	92553-7803	MARTINEZ, ANNA ISABEL	22970 AQUEDUCT WAY	MORENO VALLEY, CA	92553-7803	329.32	32.93	65.21	427.44
31061345004	291323001	GARCIA, DAVID	22878	BAYWOOD DR	MORENO VALLEY	CA	92553-7808	GARCIA, DAVID	22878 BAYWOOD DR	MORENO VALLEY, CA	92553-7808	479.92	47.99	95.02	622.92
31342595005	291324002	PATTERSON, THERESA	22767	BREMEN ST	MORENO VALLEY	CA	92553-7811	PATTERSON, THERESA	22767 BREMEN ST	MORENO VALLEY, CA	92553-7811	140.29	14.03	27.78	182.08
31097675008	291325001	CABICO, GEORGE	22783	BAYWOOD DR	MORENO VALLEY	CA	92553-7807	CABICO, GEORGE	22783 BAYWOOD DR	MORENO VALLEY, CA	92553-7807	329.32	32.93	65.21	427.44
96772305006	291331006	RILEY, JOHN (OWNR)	12056	COACHMAN LN	MORENO VALLEY	CA	92557-6912	RILEY, JOHN	12056 COACHMAN LN	MORENO VALLEY, CA	92557-6912	254.12	25.41	50.32	329.84
72145615008	291331007	MONREAL, DANIEL	12044	COACHMAN LN	MORENO VALLEY	CA	92557-6912	MONREAL, DANIEL	12044 COACHMAN LN	MORENO VALLEY, CA	92557-6912	254.02	25.4	50.3	329.7
95770595000	291331011	HALLE, WILLIAM (RENT)	22940	SCOTIA LN	MORENO VALLEY	CA	92557-6908	HALLE, WILLIAM	22940 SCOTIA LN	MORENO VALLEY, CA	92557-6908	254.12	25.41	50.32	329.84
76182475006	291331016	ZAKHAROV, MICHAEL	22862	SCOTIA LN	MORENO VALLEY	CA	92557-6990	ZAKHAROV, MICHAEL	22862 SCOTIA LN	MORENO VALLEY, CA	92557-6990	254.02	25.4	50.3	329.7
31637985006	291332022	VAN WYE, NORMAN	22864	GLENDON DR	MORENO VALLEY	CA	92557-6911	VAN-WYE, NORMAN	22864 GLENDON DR	MORENO VALLEY, CA	92557-6911	254.02	25.4	50.3	329.7
85576785003	291332027	SAVEDRA, JOSE	22940	CHAMBRAY DR	MORENO VALLEY	CA	92557-6920	SAVEDRA, JOSE	22940 CHAMBRAY DR	MORENO VALLEY, CA	92557-6920	254.02	25.4	50.3	329.7
92819215008	291333001	BROOKS, KYM	22871	GLENDON DR	MORENO VALLEY	CA	92557-6910	BROOKS, KYM	22871 GLENDON DR	MORENO VALLEY, CA	92557-6910	64.03	6.4	12.68	83.1
93758795005	291334010	GARCIA, SILVIA (RENT)	22973	CHAMBRAY DR	MORENO VALLEY	CA	92557-6919	GARCIA, SILVIA	22973 CHAMBRAY DR	MORENO VALLEY, CA	92557-6919	254.12	25.41	50.32	329.84
60289515009	291334011	DIAZ, MIKE	22967	CHAMBRAY DR	MORENO VALLEY	CA	92557-6919	DIAZ, MIKE	22967 CHAMBRAY DR	MORENO VALLEY, CA	92557-6919	64.13	6.41	12.7	83.24
95933465001	291341007	SMITH, RACHEL (OWNR)	12091	RIPARIAN WAY	MORENO VALLEY	CA	92557-6939	SMITH, RACHEL	12091 RIPARIAN WAY	MORENO VALLEY, CA	92557-6939	254.12	25.41	50.32	329.84
86526065008	291341008	JOHNSON, DIANA	12105	RIPARIAN WAY	MORENO VALLEY	CA	92557-6943	JOHNSON, DIANA	9888 PEBBLE BROOK DR	MORENO VALLEY, CA	92557-1847	148.34	14.83	29.37	192.54
31656955002	291342008	VASQUEZ, TRINIDAD	22756	SCOTIA LN	MORENO VALLEY	CA	92557-6905	VASQUEZ, TRINIDAD	22756 SCOTIA LN	MORENO VALLEY, CA	92557-6905	254.02	25.4	50.3	329.7
69479635002	291342013	MARTINEZ, JIMMY (OWNR)	22814	SCOTIA LN	MORENO VALLEY	CA	92557-6990	MARTINEZ, JIMMY	22814 SCOTIA LN	MORENO VALLEY, CA	92557-6990	329.32	32.93	65.21	427.44
64979355004	291344001	GARCIA, BLANCA	22857	GLENDON DR	MORENO VALLEY	CA	92557-6910	GARCIA, BLANCA	22857 GLENDON DR	MORENO VALLEY, CA	92557-6910	252.45	25.25	49.99	327.68
62530775009	291344008	BURNSIDE, ROBERT	22767	GLENDON DR	MORENO VALLEY	CA	92557-6981	BURNSIDE, ROBERT	22767 GLENDON DR	MORENO VALLEY, CA	92557-6981	254.12	25.41	50.32	329.84
31360445009	291344012	REYES, GREGIA	22711	GLENDON DR	MORENO VALLEY	CA	92557-6909	REYES, GREGIA	22711 GLENDON DR	MORENO VALLEY, CA	92557-6909	329.32	32.93	65.21	427.44
31378555007	291344016	GRAY, HARDY	22752	GLENDON DR	MORENO VALLEY	CA	92557-6909	GRAY, HARDY	22752 GLENDON DR	MORENO VALLEY, CA	92557-6909	329.32	32.93	65.21	427.44
91246305006	291344017	WATKINS, WILLIAM	22764	GLENDON DR	MORENO VALLEY	CA	92557-6909	WATKINS, WILLIAM	7130 LINCOLN AVE	RIVERSIDE, CA	92504-4610	253.92	25.39	50.28	329.58
31145825004	291344026	SHEA, KEVIN JV	12074	RIPARIAN WAY	MORENO VALLEY	CA	92557-6938	SHEA, KEVIN JV	12074 RIPARIAN WAY	MORENO VALLEY, CA	92557-6938	254.02	25.4	50.3	329.7
89984613001	291344031	FOSTER, THAD (RENT)	12136	RIPARIAN WAY	MORENO VALLEY	CA	92557-6940	FOSTER, THAD (RENT)	12136 RIPARIAN WAY	MORENO VALLEY, CA	92557-6940	150.17	15.02	29.73	194.92
73446715008	291344032	CERECERES, MARIBEL	12148	RIPARIAN WAY	MORENO VALLEY	CA	92557-6940	CERECERES, MARIBEL	12148 RIPARIAN WAY	MORENO VALLEY, CA	92557-6940	254.02	25.4	50.3	329.7
96287485007	291345006	CHOUINARD, MICHAEL R	22739	CHAMBRAY DR	MORENO VALLEY	CA	92557-6917	DELMAE PROPERTY LLC	12831 MORENO BEACH DR STE 107	MORENO VALLEY, CA	92555-4419	63.93	6.39	12.66	82.98
31593555001	291361004	ROMO, LETICIA	12168	HYTHE ST	MORENO VALLEY	CA	92557-6924	ROMO, LETICIA	22591 TEMCO ST	MORENO VALLEY, CA	92553-8415	254.12	25.41	50.32	329.84
94885915000	291361019	RAYA, MACARIO	12274	HYTHE ST	MORENO VALLEY	CA	92557-6983	RAYA, MACARIO	12274 HYTHE ST	MORENO VALLEY, CA	92557-6983	190.49	19.05	37.72	247.24
90668513008	291361024	AGUILAR, PAUL (RENT)	22422	HAWTHORN AVE	MORENO VALLEY	CA	92553-6986	AGUILAR, PAUL (RENT)	22422 HAWTHORN AVE	MORENO VALLEY, CA	92553-6986	259.87	25.99	51.45	337.3
83318665007	291361028	ODDIRI, CLARE	12332	HYTHE ST	MORENO VALLEY	CA	92557-6900	ODDIRI, CLARE	12332 HYTHE ST	MORENO VALLEY, CA	92557-6900	254.02	25.4	50.3	329.7
95343993002	291361032	PATAKY, ROBERT (RENT)	22851	KINROSS LN	MORENO VALLEY	CA	92557-6937	PATAKY, ROBERT	22851 KINROSS LN	MORENO VALLEY, CA	92557-6937	127.46	12.75	25.24	165.44
91416635006	291362004	INGRAM, BARNEY	12315	HYTHE ST	MORENO VALLEY	CA	92557-6926	INGRAM, BARNEY	12315 HYTHE ST	MORENO VALLEY, CA	92557-6926	46.12	4.61	9.13	59.86
31552135008	291362019	DAQUIGAN, BENJAMIN	12215	HYTHE ST	MORENO VALLEY	CA	92557-6984	DAQUIGAN, BENJAMIN	12215 HYTHE ST	MORENO VALLEY, CA	92557-6984	254.12	25.41	50.32	329.84
89536975003	291362022	MONTANEZ, DENNISSE (RENT)	12195	HYTHE ST	MORENO VALLEY	CA	92557-6925	MONTANEZ, DENNISSE (RENT)	12195 HYTHE ST	MORENO VALLEY, CA	92557-6925	219.36	21.94	43.43	284.72
58450105007	291362026	ACOSTA, IVAN	12161	HYTHE ST	MORENO VALLEY	CA	92557-6925	ACOSTA, IVAN	12161 HYTHE ST	MORENO VALLEY, CA	92557-6925	164.12	16.41	32.5	213.02
31326985002	291371001	OLSON, THOMAS	13240	OAK DELL ST	MORENO VALLEY	CA	92553-6421	OLSON, THOMAS	13240 OAK DELL ST	MORENO VALLEY, CA	92553-6421	254.02	25.4	50.3	329.7
31527695000	291371009	FLORES, JOSEPH	13176	OAK DELL ST	MORENO VALLEY	CA	92553-7838	FLORES, JOSEPH	13176 OAK DELL ST	MORENO VALLEY, CA	92553-7838	97.46	9.75	19.3	126.5
96248235010	291371022	RODRIGUEZ, CHRISTIAN	13064	OAK DELL ST	MORENO VALLEY	CA	92553-7899	RODRIGUEZ, CHRISTIAN	13064 OAK DELL ST	MORENO VALLEY, CA	92553-7899	414.17	41.42	82.01	537.58
94106335003	291371024	SMITH, ANNETTE (RENT)	13050	OAK DELL ST	MORENO VALLEY	CA	92553-7834	SMITH, ANNETTE	13050 OAK DELL ST	MORENO VALLEY, CA	92553-7834	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
56003715008	291371033	EATMON, CARY AND WENDY	22918	PAHUTE DR	MORENO VALLEY	CA	92553-7850	EATMON, CARY AND WENDY	22918 PAHUTE DR	MORENO VALLEY, CA	92553-7850	254.02	25.4	50.3	329.7
86318783009	291371034	PASSI, JESSICA	22910	PAHUTE DR	MORENO VALLEY	CA	92553-7850	PASSI, JESSICA	22910 PAHUTE DR	MORENO VALLEY, CA	92553-7850	254.12	25.41	50.32	329.84
97417665001	291371038	ALVARADO, MARISELA (OWN)	22874	PAHUTE DR	MORENO VALLEY	CA	92553-7848	ALVARADO, MARISELA (OWN)	3745 MEARS AVE	RIVERSIDE, CA	92509-1346	63.63	6.36	12.6	82.58
94050355008	291372006	FRYE, PATRICE (RENT)	13209	LAKOTA ST	MORENO VALLEY	CA	92553-7831	FRYE, PATRICE	13209 LAKOTA ST	MORENO VALLEY, CA	92553-7831	254.12	25.41	50.32	329.84
93163023000	291372010	GEORGE, KASHIMA (RENT)	13239	LAKOTA ST	MORENO VALLEY	CA	92553-7831	GEORGE, KASHIMA	13239 LAKOTA ST	MORENO VALLEY, CA	92553-7831	244.83	24.48	48.48	317.78
94593305008	291372013	BEASLEY, ASHLEY (RENT)	13213	OAK DELL ST	MORENO VALLEY	CA	92553-7839	BEASLEY, ASHLEY	13213 OAK DELL ST	MORENO VALLEY, CA	92553-7839	254.12	25.41	50.32	329.84
94273695005	291372017	CUEVA, EVELYN	22954	DRACAEA AVE	MORENO VALLEY	CA	92553-7816	CUEVA, EVELYN	22954 DRACAEA AVE	MORENO VALLEY, CA	92553-7816	254.12	25.41	50.32	329.84
89386453002	291373002	EVANS, SONJA (RENT)	13172	LAKOTA ST	MORENO VALLEY	CA	92553-7832	EVANS, SONJA	PO BOX 8086	MORENO VALLEY, CA	92551-7832	130.62	13.06	25.86	169.54
98861343007	291373007	ROSSI, CLINTON AND ALEASE	13146	PAN AM BLVD	MORENO VALLEY	CA	92553-7854	ROSSI, CLINTON AND ALEASE	13146 PAN AM BLVD	MORENO VALLEY, CA	92553-7854	63.63	6.36	12.6	82.58
51151865008	291373012	RUBLE, MICHAEL	13110	PAN AM BLVD	MORENO VALLEY	CA	92553-6429	RUBLE, MICHAEL	13110 PAN AM BLVD	MORENO VALLEY, CA	92553-6429	254.02	25.4	50.3	329.7
55109865002	291373021	DEL ROSARIO, RESHMAN	13044	PAN AM BLVD	MORENO VALLEY	CA	92553-7851	DEL ROSARIO, RESHMAN	13044 PAN AM BLVD	MORENO VALLEY, CA	92553-7851	76.37	7.64	15.12	99.12
31654975003	291373025	YOUNG, DEANDRA (RENT)	13049	TONIKAN DR	MORENO VALLEY	CA	92553-7812	YOUNG, DEANDRA	13049 TONIKAN DR	MORENO VALLEY, CA	92553-7812	127.36	12.74	25.22	165.3
31410485003	291373026	EREDIA, ISAAC	13055	TONIKAN DR	MORENO VALLEY	CA	92553-7812	EREDIA, ISAAC	13055 TONIKAN DR	MORENO VALLEY, CA	92553-7812	254.02	25.4	50.3	329.7
88475083002	291374002	EDWARDS, KIMBERLY	13168	TONIKAN DR	MORENO VALLEY	CA	92553-7817	EDWARDS, KIMBERLY	13168 TONIKAN DR	MORENO VALLEY, CA	92553-7817	226.59	22.66	44.86	294.1
93793535007	291374004	RUIZ, MARIA (OWNR)	13154	TONIKAN DR	MORENO VALLEY	CA	92553-7817	RUIZ, MARIA	14209 PORT ROYAL PLACE	MORENO VALLEY, CA	92553-2916	254.12	25.41	50.32	329.84
91006073002	291374008	HAMM, TERRY (RENT)	13126	TONIKAN DR	MORENO VALLEY	CA	92553-7817	HAMM, TERRY	13126 TONIKAN DR	MORENO VALLEY, CA	92553-7817	175.07	17.51	34.66	227.24
75187495002	291374010	PEREZ, MARGARET	13110	TONIKAN DR	MORENO VALLEY	CA	92553-7817	PEREZ, MARGARET	1492 W 6TH ST STE K	CORONA, CA	92882-6529	91.92	9.19	18.2	119.3
96212575006	291374013	GONZELEZ, JOSE	13088	TONIKAN DR	MORENO VALLEY	CA	92553-7805	GONZELEZ, JOSE	10452 IMPERIAL HWY	GARDEN GROVE, CA	92843-1126	304.2	30.42	60.23	394.84
92689225003	291374014	BROOKS, LORETTA (RENT)	13082	TONIKAN DR	MORENO VALLEY	CA	92553-7805	BROOKS, LORETTA	13082 TONIKAN DR	MORENO VALLEY, CA	92553-7805	254.02	25.4	50.3	329.7
31069015006	291374015	NAPER, HYCANITH	13076	TONIKAN DR	MORENO VALLEY	CA	92553-7805	NAPER, HYCANITH	13076 TONIKAN DR	MORENO VALLEY, CA	92553-7805	254.02	25.4	50.3	329.7
31594895008	291374020	RICHARDSON, KELLY	22909	PAHUTE DR	MORENO VALLEY	CA	92553-7849	RICHARDSON, KELLY	22909 PAHUTE DR	MORENO VALLEY, CA	92553-7849	254.02	25.4	50.3	329.7
94788205005	291374039	HAMMONS, SIDNEY (RENT)	13169	OAK DELL ST	MORENO VALLEY	CA	92553-7837	HAMMONS, SIDNEY	13169 OAK DELL ST	MORENO VALLEY, CA	92553-7837	254.12	25.41	50.32	329.84
94964255001	291381005	BRAZIL, FELICIA (RENT)	22804	PAHUTE DR	MORENO VALLEY	CA	92553-7846	BRAZIL, PERY MERCER AND FELICI	555 W 14TH ST	SN BERNRDNO, CA	92405-4502	254.12	25.41	50.32	329.84
96088765000	291381010	BUENROSTRO, URIEL (OWNR)	22772	PAHUTE DR	MORENO VALLEY	CA	92553-7844	BUENROSTRO, URIEL	15521 EUCALYPTUS AVE	BELLFLOWER, CA	90706-3801	254.12	25.41	50.32	329.84
55123845008	291381013	JIMENEZ, ANTONIO (OWNR)	22758	PAHUTE DR	MORENO VALLEY	CA	92553-7844	JIMENEZ, ANTONIO	22758 PAHUTE DR	MORENO VALLEY, CA	92553-7844	254.02	25.4	50.3	329.7
91425575009	291381021	HICKS, TRISHA	13079	KIOWA DR	MORENO VALLEY	CA	92553-7821	HICKS, TRISHA	23313 ZITEO CT	MORENO VALLEY, CA	92553-1728	253.92	25.39	50.28	329.58
70592155009	291381028	LOPEZ, ROLANDO	13131	KIOWA DR	MORENO VALLEY	CA	92553-7822	LOPEZ, ROLANDO	13131 KIOWA DR	MORENO VALLEY, CA	92553-7822	254.02	25.4	50.3	329.7
52903735009	291381034	GILBERT, GORDON	13177	KIOWA DR	MORENO VALLEY	CA	92553-7822	GILBERT, GORDON	13177 KIOWA DR	MORENO VALLEY, CA	92553-7822	254.02	25.4	50.3	329.7
50305665003	291382007	FLORES, IVONNE	22819	KIOWA DR	MORENO VALLEY	CA	92553-7819	FLORES, IVONNE	22819 KIOWA CT	MORENO VALLEY, CA	92553-7819	36.37	3.64	7.2	47.2
31127915003	291382008	PLAMONDON, GREGG	22818	KIOWA DR	MORENO VALLEY	CA	92553-7819	PLAMONDON, GREGG	22818 KIOWA CT	MORENO VALLEY, CA	92553-7819	190.66	19.07	37.75	247.46
48279675003	291382010	ALBOR, SONIA	22794	KIOWA DR	MORENO VALLEY	CA	92553-6413	ALBOR, SONIA AND OMAR	15645 PASADENA AVE APT F	TUSTIN, CA	92780-5062	351.61	35.16	69.62	456.38
98403633007	291382016	DELOZA, GABRIELA	13134	KIOWA DR	MORENO VALLEY	CA	92553-7823	NO, SERVICE	13134 KIOWA DR	MORENO VALLEY, CA	92553-7823	139.67	13.97	27.65	181.28
98321539002	291382019	SNYDER, VALEN (RENT)	13112	KIOWA DR	MORENO VALLEY	CA	92553-6413	SNYDER, VALEN	13112 KIOWA DR	MORENO VALLEY, CA	92553-6413	137.57	13.76	27.24	178.56
31426975002	291382021	MENCHACA, DOREEN	13096	KIOWA DR	MORENO VALLEY	CA	92553-7820	MENCHACHA, DOREEN	13096 KIOWA DR	MORENO VALLEY, CA	92553-7820	254.02	25.4	50.3	329.7
93633065003	291382031	HOWITT, MELANIE (OWNR)	13019	LAKOTA ST	MORENO VALLEY	CA	92553-7828	HOWITT, MELANIE	825 N 14TH ST	BISMARCK, ND	58501-4330	254.12	25.41	50.32	329.84
90107413008	291382032	ROBINSON, RHONDA (RENT)	13025	LAKOTA ST	MORENO VALLEY	CA	92553-7828	ROBINSON, RHONDA	13019 LAKOTA ST	MORENO VALLEY, CA	92553-7828	254.13	25.41	50.32	329.86
75108815001	291382034	RINCON, WILLIAM	13039	LAKOTA ST	MORENO VALLEY	CA	92553-7828	RINCON, WILLIAM	13039 LAKOTA ST	MORENO VALLEY, CA	92553-7828	131.11	13.11	25.96	170.18
31596925007	291382036	VASQUEZ, RICHARD	13055	LAKOTA ST	MORENO VALLEY	CA	92553-7828	VASQUEZ, RICHARD	13055 LAKOTA ST	MORENO VALLEY, CA	92553-7828	254.02	25.4	50.3	329.7
97729683005	291382043	GUZMAN, EDNITA (RENT)	13101	LAKOTA ST	MORENO VALLEY	CA	92553-6419	GUZMAN, EDNITA (RENT)	13101 LAKOTA ST	MORENO VALLEY, CA	92553-6419	81.96	8.2	16.23	106.38
87486295006	291382045	SOTO, CHRISTINE	13113	LAKOTA ST	MORENO VALLEY	CA	92553-6419	SOTO, CHRISTINE	13113 LAKOTA ST	MORENO VALLEY, CA	92553-6419	254.12	25.41	50.32	329.84
88719755002	291382047	GUZMAN, VIVIAN	13125	LAKOTA ST	MORENO VALLEY	CA	92553-6419	GUZMAN, VIVIAN	294 BIG HORN MOUNTAIN RD	SAN BERNARDINO, CA	92410-2168	254.12	25.41	50.32	329.84
92645243001	291382048	HUYNH, MINHTAM AND BUI, THUTIE	13131	LAKOTA ST	MORENO VALLEY	CA	92553-6419	HARRISON, BRUCE	13131 LAKOTA ST	MORENO VALLEY, CA	92553-6419	227.71	22.77	45.09	295.56
91773565004	291382050	TERRELL, ZARA (RENT)	13189	PAN AM BLVD	MORENO VALLEY	CA	92553-6430	TERRELL, ZARA	13189 PAN AM BLVD	MORENO VALLEY, CA	92553-6430	126.36	12.64	25.02	164
89589893009	291383004	GARCIA, FRANCINE (RENT)	13208	PAN AM BLVD	MORENO VALLEY	CA	92553-7856	GARCIA, FRANCINE (RENT)	13208 PAN AM BLVD	MORENO VALLEY, CA	92553-7856	176.43	17.64	34.93	229
95696935006	291383005	COLEGIO, FRANCISCO (OWNR)	13151	LAKOTA ST	MORENO VALLEY	CA	92553-6420	COLEGIO, FRANCISCO	13151 LAKOTA ST	MORENO VALLEY, CA	92553-6420	127.46	12.75	25.24	165.44
31507015005	291384008	GOMEZ, MARIA	13054	LAKOTA ST	MORENO VALLEY	CA	92553-7827	GOMEZ, MARIA	13054 LAKOTA ST	MORENO VALLEY, CA	92553-7827	253.92	25.39	50.28	329.58
80965295004	291384015	DIAZ, GUADALUPE	22809	PAHUTE DR	MORENO VALLEY	CA	92553-7847	DIAZ, GUADALUPE	22809 PAHUTE DR	MORENO VALLEY, CA	92553-7847	107.35	10.74	21.25	139.34
31464645007	291384019	VERA JR, DANIEL A	13055	PAN AM BLVD	MORENO VALLEY	CA	92553-7852	VERA JR, DANIEL A	13055 PAN AM BLVD	MORENO VALLEY, CA	92553-7852	291.98	29.2	57.81	378.98
31357285008	291384028	UHRICH, JEREMY J	13117	PAN AM BLVD	MORENO VALLEY	CA	92553-7853	UHRICH, JEREMY J	13117 PAN AM BLVD	MORENO VALLEY, CA	92553-7853	329.32	32.93	65.21	427.44
99294595009	291384034	MEDINA, ROSA (RENT)	13169	PAN AM BLVD	MORENO VALLEY	CA	92553-7853	MEDINA, ROSA	13169 PAN AM BLVD	MORENO VALLEY, CA	92553-7853	254.12	25.41	50.32	329.84
94281725002	291391008	BURGUENO, YADIRA (RENT)	12236	FORMBY DR	MORENO VALLEY	CA	92557-6922	BURGUENO, YADIRA	14156 SAN CRISTOBAL BAY DR	MORENO VALLEY, CA	92553-2907	63.63	6.36	12.6	82.58
94342775001	291392004	ALVARADO, MICHAEL (RENT)	22665	ASHFORD CIR	MORENO VALLEY	CA	92557-6802	ALVARADO, MICHAEL	22665 ASHFORD CIR	MORENO VALLEY, CA	92557-6802	254.12	25.41	50.32	329.84
59040205004	291392006	NORDMARK, PAUL	22651	ASHFORD CIR	MORENO VALLEY	CA	92557-6802	NORDMARK, PAUL	22651 ASHFORD CIR	MORENO VALLEY, CA	92557-6802	254.12	25.41	50.32	329.84
97129095002	291392010	SUTTON, STEPHEN (RENT)	22511	RADNOR LN	MORENO VALLEY	CA	92557-6804	SUTTON, STEPHEN	PO BOX 112	NORCO, CA	92860-0112	104.53	10.45	20.7	135.66
70815735003	291392016	RODRIGUEZ, ANNA AND MICHAEL	12157	RIPARIAN WAY	MORENO VALLEY	CA	92557-6943	RODRIGUEZ, ANNA AND MICHAEL	12157 RIPARIAN WAY	MORENO VALLEY, CA	92557-6943	104.02	10.4	20.6	135
88853393005	291393006	MALDONADO, VERONICA (OWNR)	12240	RIPARIAN WAY	MORENO VALLEY	CA	92557-6941	MALDONADO, VERONICA	12240 RIPARIAN WAY	MORENO VALLEY, CA	92557-6941	90.79	9.08	17.98	117.84
31447665007	291393024	RANDLE, JANICE	12220	TURTON LN	MORENO VALLEY	CA	92557-6921	RANDLE, JANICE	12220 TURTON LN	MORENO VALLEY, CA	92557-6921	254.02	25.4	50.3	329.7
95101715003	291393039	VORGEACK, PATRICK G (OWNR)	12189	FORMBY DR	MORENO VALLEY	CA	92557-6915	VORGEACK, PATRICK G (OWNR)	4481 COMMONWEALTH AVE	CULVER CITY, CA	90230-4216	253.92	25.39	50.28	329.58
97196815000	291393040	LUNA, RICARDO (RENT)	12177	FORMBY DR	MORENO VALLEY	CA	92557-6915	LUNA, RICARDO	24935 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3707	254.12	25.41	50.32	329.84
68687485002	291402013	ANYAWOKE, PATRICK (OWNR)	22699	KINROSS LN	MORENO VALLEY	CA	92557-6800	ANYAWOKE, PATRICK	4452 W 137TH ST APT 4	HAWTHORNE, CA	90250-6988	208.53	20.85	40.3	264.18
31104955003	291402015	PEREZ, HELEN	22675	KINROSS LN	MORENO VALLEY	CA	92557-6800	PEREZ, HELEN	22675 KINROSS LN	MORENO VALLEY, CA	92557-6800	179.02	17.9	35.45	232.36
31454915001	291402019	EDEY, CALVIN	22625	KINROSS LN	MORENO VALLEY	CA	92557-6800	EDEY, CALVIN	22625 KINROSS LN	MORENO VALLEY, CA	92557-6800	254.02	25.4	50.3	329.7
31507915006	291403004	SULLIVAN, GAEL	22653	RADNOR LN	MORENO VALLEY	CA	92557-6856	SULLIVAN, GAEL	PO BOX 7982	MORENO VALLEY, CA	92552-7982	253.92	25.39	50.28	329.58
94917105001	291404006	DELGADO, TIFFANY AND RICHARD (	22752	KINROSS LN	MORENO VALLEY	CA	92557-6936	DELGADO, TIFFANY	22752 KINROSS LN	MORENO VALLEY, CA	92557-6936	254.12	25.41	50.32	329.84
96156225009	291404009	GARCIA, MIGUEL (RENT)	22788	KINROSS LN	MORENO VALLEY	CA	92557-6936	GARCIA, MIGUEL	22788 KINROSS LN	MORENO VALLEY, CA	92557-6936	254.12	25.41	50.32	329.84
31573225003	291404010	HAINE, RHONDA	22800	KINROSS LN	MORENO VALLEY	CA	92557-6986	HAINE, RHONDA	22800 KINROSS LN	MORENO VALLEY, CA	92557-6986	247.48	24.75	49	321.22
93555465004	291404018	MORA, MYRA (RENT)	22705	RADNOR LN	MORENO VALLEY	CA	92557-6930	MORA, MYRA	2742 ADRIAN ST	SAN DIEGO, CA	92110-5710	27.53	2.75	5.45	35.72
74733945000	291411008	CHANEY, JAMES	12101	HERITAGE DR	MORENO VALLEY	CA	92557-6850	CHANEY, JAMES	12101 HERITAGE DR	MORENO VALLEY, CA	92557-6850	254.02	25.4	50.3	329.7
91360025004	291412005	DOWNEY, ELIZABETH	22501	SHEFFIELD DR	MORENO VALLEY	CA	92557-6858	DOWNEY, ELIZABETH	22501 SHEFFIELD DR	MORENO VALLEY, CA	92557-6858	127.26	12.73	25.2	165.18
94023023005	291412006	JAIMEZ, J. GREGORY (RENT)	22611	HANOVER CT	MORENO VALLEY	CA	92557-6817	JAIMEZ, J. GREGORY	22611 HANOVER CT	MORENO VALLEY, CA	92557-6817	273.82	27.38	54.22	355.4
84841185008	291412012	ROBERTSON, GLORIA	22533	SHEFFIELD DR	MORENO VALLEY	CA	92557-6822	ROBERTSON, GLORIA	22533 SHEFFIELD DR	MORENO VALLEY, CA	92557-6822	118.81	11.88	23.52	154.2
94333635000	291412014	ROMAWAC, REMELIN (RENT)	22545	SHEFFIELD DR	MORENO VALLEY	CA	92557-6822	ROMAWAC, REMELIN	22545 SHEFFIELD DR	MORENO VALLEY, CA	92557-6822	54.12	5.41	10.72	70.24
68441985009	291412015	SAIDAHMAD, ISMAIL	22551	SHEFFIELD DR	MORENO VALLEY	CA	92557-6822	SAIDAHMAD, ISMAIL	22551 SHEFFIELD DR	MORENO VALLEY, CA	92557-6822	32.46	3.25	6.43	42.12
31062835009	291413018	STANLEY, DONALD	22510	SHEFFIELD DR	MORENO VALLEY	CA	92557-6841	STANLEY, DONALD	22510 SHEFFIELD DR	MORENO VALLEY, CA	92557-6841	254.02	25.4	50.3	329.7
31579025002	291413019	URIAS, KAREN AND HECTOR	22522	SHEFFIELD DR	MORENO VALLEY	CA	92557-6841	URIAS, KAREN AND HECTOR	22522 SHEFFIELD DR	MORENO VALLEY, CA	92557-6841	189.32	18.93	37.49	245.72
31496305000	291431004	MEDINA, MIGUEL ANGEL	12239	HERITAGE DR	MORENO VALLEY	CA	92557-6813	MEDINA, MIGUEL ANGEL	12239 HERITAGE DR	MORENO VALLEY, CA	92557-6813	254.02	25.4	50.3	329.7
31547615005	291431017	ALVARADO, BARBARA	22565	KINROSS LN	MORENO VALLEY	CA	92557-6809	ALVARADO, BARBARA	22565 KINROSS LN	MORENO VALLEY, CA	92557-6809	254.02	25.4	50.3	329.7
31422155007	291431026	ACOSTA, CARLOS	22555	KINROSS LN	MORENO VALLEY	CA	92557-6809	ACOSTA, CARLOS	22555 KINROSS LN	MORENO VALLEY, CA	92557-6809	165.64	16.56	32.8	215
31341665002	291432005	HERNANDEZ, JAVIER	22564	KINROSS LN	MORENO VALLEY	CA	92557-6808	HERNANDEZ, JAVIER	22564 KINROSS LN	MORENO VALLEY, CA	92557-6808	229.32	22.93	45.41	297.64
31566255006	291432008	PEREZ, ADALBERTO AND ELSA	12306	HERITAGE DR	MORENO VALLEY	CA	92557-6852	PEREZ, ADALBERTO	12306 HERITAGE DR	MORENO VALLEY, CA	92557-6852	329.32	32.93	65.21	427.44
31279865002	291432013	BLACK, EUGENE	12246	HERITAGE DR	MORENO VALLEY	CA	92557-6814	BLACK, EUGENE	12246 HERITAGE DR	MORENO VALLEY, CA	92557-6814	254.02	25.4	50.3	329.7
31381435007	291432021	IRVING, GAIL	22575	RADNOR LN	MORENO VALLEY	CA	92557-6804	IRVING, GAIL	PO BOX 1206	BELLFLOWER, CA	90707-1206	306.28	30.63	60.64	397.54
87988403008	291432023	WILKSON, LINDA	22591	RADNOR LN	MORENO VALLEY	CA	92557-6804	WILKSON, LINDA	5300 BEACH BLVD	BUENA PARK, CA	90621-1292	45.65	4.57	9.04	59.24
97868025000	291432024	HARROD, KEONDRA (RENT)	22603	RADNOR LN	MORENO VALLEY	CA	92557-6855	HARROD, KEONDRA (RENT)	22603 RADNOR LN	MORENO VALLEY, CA	92557-6855	202.84	20.28	40.16	263.28
97582735008	291432025	FINE, CLAIRE (RENT)	22615	RADNOR LN	MORENO VALLEY	CA	92557-6855	FINE, CLAIRE (RENT)	22615 RADNOR LN	MORENO VALLEY, CA	92557-6855	253.92	25.39	50.28	329.58
31316305000	291433003	ANDERSON, ANDRE	22550	RADNOR LN	MORENO VALLEY	CA	92557-6803	ANDERSON, ANDRE	22550 RADNOR LN	MORENO VALLEY, CA	92557-6803	254.12	25.41	50.32	329.84
31279665004	291433007	ELLIOTT, JAMES	22611	STRATFORD CT	MORENO VALLEY	CA	92557-6816	ELLIOTT, JAMES	5839 VIA LAS NUBES	RIVERSIDE, CA	92506-3667	254.02	25.4	50.3	329.7
31581625002	291433009	BRUCE, MOLLY	22618	STRATFORD CT	MORENO VALLEY	CA	92557-6816	BRUCE, MOLLY	22618 STRATFORD CT	MORENO VALLEY, CA	92557-6816	404.62	40.46	80.11	525.18
31355605005	291433012	CLEMENT, CHERRY	22596	STRATFORD CT	MORENO VALLEY	CA	92557-6861	CLEMENT, CHERRY	22596 STRATFORD CT	MORENO VALLEY, CA	92557-6861	254.02	25.4	50.3	329.7
48358975002	291433013	WALKER, DAMON	22586	STRATFORD CT	MORENO VALLEY	CA	92557-6861	WALKER, DAMON	22586 STRATFORD CT	MORENO VALLEY, CA	92557-6861	254.02	25.4	50.3	329.7
31510665002	291492021	RIVERA, JOAQUIN	12102	DRURY LN	MORENO VALLEY	CA	92557-6826	RIVERA, JOAQUIN	12102 DRURY LN	MORENO VALLEY, CA	92557-6826	53.88	5.39	10.67	69.92
31569795001	291493012	LOPEZ, GLORIA	12043	DRURY LN	MORENO VALLEY	CA	92557-6827	LOPEZ, GLORIA	19237 NUTHATCH ST	PERRIS, CA	92570-6520	111.49	11.15	22.08	144.7
97309863008	291493014	MARTE, ANNABELL (OWNR)	12063	DRURY LN	MORENO VALLEY	CA	92557-6827	MARTE, ANNABELL	12063 DRURY LN	MORENO VALLEY, CA	92557-6827	171.48	17.15	33.95	222.58
31473445000	291493018	WASSON, WENDI	12105	DRURY LN	MORENO VALLEY	CA	92557-6827	WASSON, WENDI	12105 DRURY LN	MORENO VALLEY, CA	92557-6827	254.02	25.4	50.3	329.7
31969243008	291493019	WOODS, MELODY (RENT)	12121	DRURY LN	MORENO VALLEY	CA	92557-6827	WOODS, MELODY	12121 DRURY LN	MORENO VALLEY, CA	92557-6827	267.58	26.76	52.98	347.3
31579005006	291493020	ERNZEN, KENNETH	12131	DRURY LN	MORENO VALLEY	CA	92557-6827	ERNZEN, KENNETH	12131 DRURY LN	MORENO VALLEY, CA	92557-6827	190.69	19.07	37.76	247.5
94082065009	291493044	GREGORY, ADAMAND (OWNR)	22303	WEMBLEY DR	MORENO VALLEY	CA	92557-6829	GREGORY, ADAMAND	22303 WEMBLEY DR	MORENO VALLEY, CA	92557-6829	254.12	25.41	50.32	329.84
92374565000	291494002	LOPEZ, JALYSSA (RENT)	22355	SHEFFIELD DR	MORENO VALLEY	CA	92557-6819	LOPEZ, JALYSSA	12625 FREDERICK ST STE I-5	MORENO VALLEY, CA	92553-5235	67.46	6.75	13.36	87.56
31481025001	291494006	PINEDA, MARIA	22395	SHEFFIELD DR	MORENO VALLEY	CA	92557-6819	PINEDA, MARIA	22395 SHEFFIELD DR	MORENO VALLEY, CA	92557-6819	329.32	32.93	65.21	427.44
31441235001	291494010	CARNES, DEBBIE	22435	SHEFFIELD DR	MORENO VALLEY	CA	92557-6857	CARNES, DEBBIE	22435 SHEFFIELD DR	MORENO VALLEY, CA	92557-6857	190.69	19.07	37.76	247.5
31332535009	291501006	JEFFERSON, CLARENCE J	12084	BRIXTON CT	MORENO VALLEY	CA	92557-6833	JEFFERSON, CLARENCE J	12084 BRIXTON CT	MORENO VALLEY, CA	92557-6833	254.02	25.4	50.3	329.7

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
75087345006	291501008	URMENETA, CARLOS	12056	BRIXTON CT	MORENO VALLEY	CA	92557-6833	URMENETA, CARLOS	12056 BRIXTON CT	MORENO VALLEY, CA	92557-6833	291.04	29.1	57.63	377.76
31633515004	291501009	EVANS, TYWON	12042	BRIXTON CT	MORENO VALLEY	CA	92557-6833	EVANS, TYWON	12042 BRIXTON CT	MORENO VALLEY, CA	92557-6833	254.02	25.4	50.3	329.7
94514835003	291501025	RODRIGUEZ, PATRICIA (RENT)	12251	BRIXTON CT	MORENO VALLEY	CA	92557-6836	RODRIGUEZ, PATRICIA	21550 BOX SPRINGS RD APT 2022	MORENO VALLEY, CA	92557-6717	78.45	7.85	15.53	101.82
31502505003	291502003	MARTINEZ, RAFAEL	12395	KINROSS LN	MORENO VALLEY	CA	92557-6806	MARTINEZ, RAFAEL	22395 KINROSS LN	MORENO VALLEY, CA	92557-6806	254.12	25.41	50.32	329.84
95187135004	291503001	YORK, ORA (RENT)	12314	TIMLICO CT	MORENO VALLEY	CA	92557-6862	YORK, ORA	12314 TIMLICO CT	MORENO VALLEY, CA	92557-6862	169.6	16.96	33.58	220.14
67050295004	291503016	JOHNSON, SHARONA AND MICHAEL	12299	TIMLICO CT	MORENO VALLEY	CA	92557-6839	JOHNSON, SHARONA AND MICHAEL	12299 TIMLICO CT	MORENO VALLEY, CA	92557-6839	241.53	24.15	47.82	313.5
98195505016	291503035	SOWELL, LATASHA (RENT)	12198	BRIXTON CT	MORENO VALLEY	CA	92557-6844	SOWELL, LATASHA	12198 BRIXTON CT	MORENO VALLEY, CA	92557-6844	329.6	32.96	65.26	427.82
31235545002	291511016	CORONEL, ANTHONY	13066	BRENTWOOD LN	MORENO VALLEY	CA	92553-7886	CORONEL, ANTHONY	13066 BRENTWOOD LN	MORENO VALLEY, CA	92553-7886	329.04	32.9	65.15	427.08
31447455001	291512011	SMITH, GEORGE	22644	LAGUNA DR	MORENO VALLEY	CA	92553-7881	SMITH, GEORGE	22721 SHADOWRIDGE LN	MORENO VALLEY, CA	92557-2633	254.02	25.4	50.3	329.7
65475195006	291512015	MASQURO, LETICIA	22692	LAGUNA DR	MORENO VALLEY	CA	92553-7881	MASQURO, LETICIA	22692 LAGUNA DR	MORENO VALLEY, CA	92553-7881	254.12	25.41	50.32	329.84
31325095005	291513003	GARCIA, MIKE	13095	BALBOA LN	MORENO VALLEY	CA	92553-6401	GARCIA, MIKE	13095 BALBOA LN	MORENO VALLEY, CA	92553-6401	210.88	21.08	41.74	273.64
31262525000	291513009	JURADO, EILEEN (OWNR)	13011	BALBOA LN	MORENO VALLEY	CA	92553-7859	JURADO, EILEEN	13011 BALBOA LN	MORENO VALLEY, CA	92553-7859	254.12	25.41	50.32	329.84
31632335004	291513013	GARCIA, ENRIQUE	22574	BELAIRE DR	MORENO VALLEY	CA	92553-7867	GARCIA, ENRIQUE	14665 PERHAM DR	MORENO VALLEY, CA	92553-3562	254.02	25.4	50.3	329.7
94513475000	291521012	TRINIDAD, CLARA (OWNR)	13222	BRENTWOOD LN	MORENO VALLEY	CA	92553-7893	TRINIDAD, CLARA	13222 BRENTWOOD LN	MORENO VALLEY, CA	92553-7893	254.12	25.41	50.32	329.84
98367733003	291522015	MARRNEZ, FIDEL (OWNR)	22611	LAGUNA DR	MORENO VALLEY	CA	92553-7879	MARRNEZ, FIDEL	22611 LAGUNA DR	MORENO VALLEY, CA	92553-7879	257.45	25.75	50.98	334.16
31340205001	291522022	GABUYA, SARAH	22612	WESTLAKE DR	MORENO VALLEY	CA	92553-7873	GABUYA, SARAH	22612 WESTLAKE DR	MORENO VALLEY, CA	92553-7873	129.49	12.95	25.64	168.06
89636613007	291522024	GREEN, JANELLA (RENT)	13171	MALIBU CT	MORENO VALLEY	CA	92553-7885	GREEN, JANELLA	13171 MALIBU CT	MORENO VALLEY, CA	92553-7885	190.79	19.08	37.78	247.64
97392945008	291522033	FAWEHIN, MARY	13170	MALIBU CT	MORENO VALLEY	CA	92553-7885	FAWEHIN, MARY	13170 MALIBU CT	MORENO VALLEY, CA	92553-7885	254.12	25.41	50.32	329.84
31600265005	291522036	FLEMING, DENISE	22662	WESTLAKE DR	MORENO VALLEY	CA	92553-7876	FLEMING, DENISE	22662 WESTLAKE DR	MORENO VALLEY, CA	92553-7876	254.02	25.4	50.3	329.7
66079355001	291522039	EPENESA, IETI	22698	WESTLAKE DR	MORENO VALLEY	CA	92553-7876	EPENESA, IETI	22698 WESTLAKE DR	MORENO VALLEY, CA	92553-7876	63.63	6.36	12.6	82.58
86106883007	291523008	EASON, MARCUS (RENT)	22627	WESTLAKE DR	MORENO VALLEY	CA	92553-7875	EASON, MARCUS	22627 WESTLAKE DR	MORENO VALLEY, CA	92553-7875	397.06	39.71	78.62	515.38
92214845000	291523009	MONTZ, DONALD	22617	WESTLAKE DR	MORENO VALLEY	CA	92553-7875	MONTZ, DONALD	22617 WESTLAKE DR	MORENO VALLEY, CA	92553-7875	22.64	2.26	4.48	29.38
31447935001	291523012	MATTHEWS, LYNNETTE	22587	WESTLAKE DR	MORENO VALLEY	CA	92553-6439	MATTHEWS, LYNNETTE	15790 LASSELLE ST APT L	MORENO VALLEY, CA	92551-6327	329.32	32.93	65.21	427.44
99930785002	291523019	JONES, DESHONE (RENT)	22552	LA JOLLA CIR	MORENO VALLEY	CA	92553-7866	MOLAND, CATHY	22552 LA JOLLA CIR	MORENO VALLEY, CA	92553-7866	254.12	25.41	50.32	329.84
93497033000	291523021	ABUCEJO, SERGIO E AND VICTORIA	22591	LA JOLLA CIR	MORENO VALLEY	CA	92553-7866	ABUCEJO, SERGIO E AND VICTORIA	445 GREEN ORCHARD PL	RIVERSIDE, CA	92506-7590	198.82	19.88	38.38	251.56
31178945000	291523024	MOY, FRED	22555	LA JOLLA CIR	MORENO VALLEY	CA	92553-7866	MOY, FRED	22555 LA JOLLA CIR	MORENO VALLEY, CA	92553-7866	351.61	35.16	69.62	456.38
93159335003	291523030	PEREZ, ALVARO	13195	BALBOA LN	MORENO VALLEY	CA	92553-6402	PEREZ, ALVARO	13195 BALBOA LN	MORENO VALLEY, CA	92553-6402	254.12	25.41	50.32	329.84
52783885003	291531006	SHAH, KHALID	22800	DOWNING ST	MORENO VALLEY	CA	92553-1874	SHAH, KHALID	9200 MILLIKEN AVE APT 2208	RANCHO CUCAMONGA, CA	91730-5490	237.05	23.71	46.94	307.68
67334025009	291531011	ABUDA, ETHEL	12800	LAMBETH ST	MORENO VALLEY	CA	92553-1863	ABUDA, ETHEL	438 W ELM ST	ONTARIO, CA	91762-5709	127.46	12.75	25.24	165.44
92834505006	291532002	MONTES, CARLOS	22819	PARKHAM ST	MORENO VALLEY	CA	92553-1868	MONTES, CARLOS	22819 PARKHAM ST	MORENO VALLEY, CA	92553-1868	254.02	25.4	50.3	329.7
31243755001	291532005	NUNEZ, JOE	22789	PARKHAM ST	MORENO VALLEY	CA	92553-1867	NUNEZ, JOE	22789 PARKHAM ST	MORENO VALLEY, CA	92553-1867	254.12	25.41	50.32	329.84
31254685003	291533015	MALLAPPA, BASAVAPPATTN C	22710	BROMPTON ST	MORENO VALLEY	CA	92553-1805	MALLAPPA, BASAVAPPATTN C	22710 BROMPTON ST	MORENO VALLEY, CA	92553-1805	63.63	6.36	12.6	82.58
96829185009	291533019	KUMAR, ARUN (RENT)	22750	BROMPTON ST	MORENO VALLEY	CA	92553-1807	KUMAR, ARUN	22750 BROMPTON ST	MORENO VALLEY, CA	92553-1807	97.46	9.75	19.3	126.5
90397075006	291533024	BAKER, LANEAL AND TIFFANY	22800	BROMPTON ST	MORENO VALLEY	CA	92553-1837	BAKER, LANEAL AND TIFFANY	878 ROXANNE	HEMET, CA	92543-4376	254.12	25.41	50.32	329.84
31386275009	291535002	CURRIE, GORDON	22721	BROMPTON ST	MORENO VALLEY	CA	92553-1806	CURRIE, GORDON	22721 BROMPTON ST	MORENO VALLEY, CA	92553-1806	163.98	16.4	32.47	212.84
31621185008	291535005	FERNANDEZ, NATALIE	22691	BROMPTON ST	MORENO VALLEY	CA	92553-1836	FERNANDEZ, NATALIE	22691 BROMPTON ST	MORENO VALLEY, CA	92553-1836	254.02	25.4	50.3	329.7
83375795000	291536004	FORDHAM, LAQUITTA	12809	GERRARD ST	MORENO VALLEY	CA	92553-1844	FORDHAM, LAQUITTA	12809 GERRARD ST	MORENO VALLEY, CA	92553-1844	329.32	32.93	65.21	427.44
31641495001	291536006	BALL, ULYIOUS	12789	GERRARD ST	MORENO VALLEY	CA	92553-1842	BALL, ULYIOUS	12789 GERRARD ST	MORENO VALLEY, CA	92553-1842	77.44	7.74	15.33	100.5
31273295005	291537002	WEATHERSPOON, SARA	22690	DOWNING ST	MORENO VALLEY	CA	92553-1879	WEATHERSPOON, SARA	22690 DOWNING ST	MORENO VALLEY, CA	92553-1879	254.02	25.4	50.3	329.7
83747095007	291538007	WILLIAMS, ELISE ANN	22789	DOWNING ST	MORENO VALLEY	CA	92553-1873	WILLIAMS, ELISE ANN	22789 DOWNING ST	MORENO VALLEY, CA	92553-1873	351.61	35.16	69.62	456.38
96863445004	291538010	DENNINGHAM, WILLIAM (RENT)	12819	LAMBETH ST	MORENO VALLEY	CA	92553-1864	DENNINGHAM, WILLIAM	12819 LAMBETH ST	MORENO VALLEY, CA	92553-1864	155.09	15.51	30.71	201.3
96443495004	291538014	TREJO, JUAN (RENT)	12830	TIVERTON CT	MORENO VALLEY	CA	92553-1877	TREJO, JUAN	12830 TIVERTON CT	MORENO VALLEY, CA	92553-1877	91.58	9.16	18.13	118.86
97936365003	291538019	MAYA, MARTHA (RENT)	12829	TIVERTON CT	MORENO VALLEY	CA	92553-1878	MAYA, MARTHA	12829 TIVERTON CT	MORENO VALLEY, CA	92553-1878	254.12	25.41	50.32	329.84
31621965004	291538020	TATE, KEVIN	12839	TIVERTON CT	MORENO VALLEY	CA	92553-1878	TATE, KEVIN	12839 TIVERTON CT	MORENO VALLEY, CA	92553-1878	254.02	25.4	50.3	329.7
75081465003	291541014	ALVAREZ, RICHARD	12790	PAN AM BLVD	MORENO VALLEY	CA	92553-1800	ALVAREZ, RICHARD	12790 PAN AM BLVD	MORENO VALLEY, CA	92553-1800	134.02	13.4	26.54	173.94
91897233001	291541020	ROBINSON, KAREN AND ROY (RENT)	12850	PAN AM BLVD	MORENO VALLEY	CA	92553-1801	ROBINSON, KAREN AND ROY	22849 PARKHAM ST	MORENO VALLEY, CA	92553-1868	318.07	31.81	62.98	412.84
88356323004	291541022	JACUINDE, CELSO (OWNR)	12870	PAN AM BLVD	MORENO VALLEY	CA	92553-1801	JACUINDE, CELSO	12870 PAN AM BLVD	MORENO VALLEY, CA	92553-1801	125.79	12.58	24.91	163.26
31331255009	291541026	BUSTOS, MARIA	12910	PAN AM BLVD	MORENO VALLEY	CA	92553-1803	BUSTOS, MARIA	12910 PAN AM BLVD	MORENO VALLEY, CA	92553-1803	190.29	19.03	37.68	246.98
31311475005	291541032	BLUCHE, LUIS	22900	BROMPTON ST	MORENO VALLEY	CA	92553-1840	BLUCHE, LUIS	22900 BROMPTON ST	MORENO VALLEY, CA	92553-1840	104.12	10.41	20.62	135.14
64721135007	291541037	ROMERO, ARGENTINA	22950	BROMPTON ST	MORENO VALLEY	CA	92553-1840	ROMERO, ARGENTINA CLAUDIA	22950 BROMPTON ST	MORENO VALLEY, CA	92553-1840	31.71	3.17	6.28	41.14
31511865008	291541040	ALLEN, MARY (OWN)	22980	BROMPTON ST	MORENO VALLEY	CA	92553-1840	ALLEN, MARY	22980 BROMPTON ST	MORENO VALLEY, CA	92553-1840	254.02	25.4	50.3	329.7
91254005003	291541050	HAMILTON, KEN (RENT)	22881	BROMPTON ST	MORENO VALLEY	CA	92553-1839	HAMILTON, KEN	13724 CHARA ST	MORENO VALLEY, CA	92553-4879	37.17	3.72	7.36	48.24
31479775007	291551004	YOUNG, MARIA	22620	DOWNING ST	MORENO VALLEY	CA	92553-1819	YOUNG, MARIA	22620 DOWNING ST	MORENO VALLEY, CA	92553-1819	254.02	25.4	50.3	329.7
31320775003	291551006	GODOY, MARIA	22640	DOWNING ST	MORENO VALLEY	CA	92553-1819	GODOY, MARIA	22640 DOWNING ST	MORENO VALLEY, CA	92553-1819	31.34	3.13	6.21	40.66
31296665004	291552002	TARTAGLIA, LOUIS A	22659	DOWNING ST	MORENO VALLEY	CA	92553-1818	TARTAGLIA, LOUIS A	22659 DOWNING ST	MORENO VALLEY, CA	92553-1818	127.26	12.73	25.2	165.18
31275815001	291552006	CENTENO, JAVIER	12780	PEMBRIDGE DR	MORENO VALLEY	CA	92553-1812	CENTENO, JAVIER	12780 PEMBRIDGE DR	MORENO VALLEY, CA	92553-1812	127.26	12.73	25.2	165.18
81804135000	291552007	HARRIS, RODNEY	12790	PEMBRIDGE DR	MORENO VALLEY	CA	92553-1812	HARRIS, RODNEY	11740 JAFFA WAY	MORENO VALLEY, CA	92557-6665	254.02	25.4	50.3	329.7
92771215001	291552008	SALMAN, CLAUDIA (RENT)	12800	PEMBRIDGE DR	MORENO VALLEY	CA	92553-1858	SALMAN, CLAUDIA	12800 PEMBRIDGE DR	MORENO VALLEY, CA	92553-1858	54.12	5.41	10.72	70.24
31245245004	291552013	PRICE, MIKE R	12799	NORWICH CT	MORENO VALLEY	CA	92553-1869	PRICE, MIKE R	12799 NORWICH CT	MORENO VALLEY, CA	92553-1869	323.49	32.35	64.05	419.88
93122895003	291552015	AZZU, ANNE (OWNR)	12800	NORWICH CT	MORENO VALLEY	CA	92553-1870	AZZU, ANNE	12800 NORWICH CT	MORENO VALLEY, CA	92553-1870	124.12	12.41	24.58	161.1
31242935006	291552016	MERCHANT, HOWARD	12810	NORWICH CT	MORENO VALLEY	CA	92553-1870	MERCHANT, HOWARD	12810 NORWICH CT	MORENO VALLEY, CA	92553-1870	254.02	25.4	50.3	329.7
96231755008	291552017	SIMON, CHERIE (RENT)	12820	NORWICH CT	MORENO VALLEY	CA	92553-1870	SIMON, CHERIE (RENT)	12820 NORWICH CT	MORENO VALLEY, CA	92553-1870	254.12	25.41	50.32	329.84
31244635005	291553006	KUNARD, NANCY	22629	PARKHAM ST	MORENO VALLEY	CA	92553-1865	KUNARD, NANCY	PO BOX 8125	MORENO VALLEY, CA	92552-8125	254.12	25.41	50.32	329.84
92278505006	291553011	BIRTS, LARRY (RENT)	22670	CHELSEA ST	MORENO VALLEY	CA	92553-1875	BIRTS, LARRY	22670 CHELSEA ST	MORENO VALLEY, CA	92553-1875	253.92	25.39	50.28	329.58
91609563000	291553020	VILAN, MARK (RENT)	22620	SOUTHWALK ST	MORENO VALLEY	CA	92553-1828	VILAN, MARK	22620 SOUTHWALK ST	MORENO VALLEY, CA	92553-1828	36.32	3.64	7.2	47.2
31376665008	291555018	HODGES, RICHARD AND MINDY	22570	BARONS CT	MORENO VALLEY	CA	92553-1856	HODGES, RICHARD	22570 BARONS CT	MORENO VALLEY, CA	92553-1856	63.63	6.36	12.6	82.58
88419373009	291562002	ROBERTS, RUTH (OWNR)	22561	BARONS CT	MORENO VALLEY	CA	92553-1856	ROBERTS, RUTH	23911 EUCALYPTUS AVE #70	MORENO VALLEY, CA	92553-5506	127.16	12.72	25.18	165.04
87635745004	291562008	DO, DUC	22500	GREENWICH CT	MORENO VALLEY	CA	92553-1820	DO, DUC	16051 BANANA ST	FOUNTAIN VALLEY, CA	92708-1501	329.6	32.96	65.26	427.82
92365905007	291562015	ALLEN, JOSEPH	22470	SOUTHWALK ST	MORENO VALLEY	CA	92553-1821	ALLEN, JOSEPH	22470 SOUTHWALK ST	MORENO VALLEY, CA	92553-1821	254.02	25.4	50.3	329.7
31201115004	291562017	NELSON, MAUREEN	22490	SOUTHWALK ST	MORENO VALLEY	CA	92553-1821	NELSON, MAUREEN	22490 SOUTHWALK ST	MORENO VALLEY, CA	92553-1821	254.02	25.4	50.3	329.7
98463263008	291562023	PETRO, JULIE (RENT)	12865	BRITTANIA CT	MORENO VALLEY	CA	92553-1847	PETRO, JULIE	11343 SATICOY ST	SUN VALLEY, CA	91352-4731	105.33	10.53	20.86	136.7
31220845001	291562027	VIALPANDO, PHIL	12840	BRITTANIA CT	MORENO VALLEY	CA	92553-1847	VIALPANDO, PHIL	12840 BRITTANIA CT	MORENO VALLEY, CA	92553-1847	254.12	25.41	50.32	329.84
92122123006	291581002	MARLZONAZO, CRISEL (RENT)	13011	ACACIA AVE	MORENO VALLEY	CA	92553-6901	MARLZONAZO, CRISEL (RENT)	13011 ACACIA AVE	MORENO VALLEY, CA	92553-6901	262.73	26.27	52.02	341.02
95271735000	291581007	WEST, LASHUNDA (RENT)	13051	ACACIA AVE	MORENO VALLEY	CA	92553-6901	WEST, LASHUNDA	13051 ACACIA AVE	MORENO VALLEY, CA	92553-6901	164.6	16.46	32.59	213.64
98319045019	291581011	THIGPEN, BETTY (RENT)	13083	ACACIA AVE	MORENO VALLEY	CA	92553-6903	THIGPEN, BETTY (RENT)	3395 IRONWOOD CT	PERRIS, CA	92571-7553	254.12	25.41	50.32	329.84
93844495006	291582007	ALVA, RALPH (RENT)	13002	ACACIA AVE	MORENO VALLEY	CA	92553-6900	ALVA, RALPH	933 VISTA WAY	COLTON, CA	92324-2654	109.38	10.94	21.66	141.96
92049233008	291582014	CAMPBELL, RAMONA (RENT)	13105	ARBOR PARK LN	MORENO VALLEY	CA	92553-6907	CAMPBELL, RAMONA	PO BOX 9879	MORENO VALLEY, CA	92552-1879	262.73	26.27	52.02	341.02
91860483005	291582017	BRUNO, FRANLYN AND TERRI (RENT	22228	SILVERBELL LN	MORENO VALLEY	CA	92553-6926	BRUNO, FRANLYN AND TERRI	22228 SILVERBELL LN	MORENO VALLEY, CA	92553-6926	28.99	2.9	5.74	37.62
96203905009	291582026	DOUGLAS, SYLVIA (RENT)	13096	HONEYLOCUST AVE	MORENO VALLEY	CA	92553-6920	DOUGLAS, SYLVIA	13096 HONEYLOCUST AVE	MORENO VALLEY, CA	92553-6920	329.6	32.96	65.26	427.82
80474945003	291583007	NANGPI, MARVIN	22359	SUMMER HOLLY AVE	MORENO VALLEY	CA	92553-6913	NANGPI, MARVIN	22359 SUMMER HOLLY AVE	MORENO VALLEY, CA	92553-6913	62.39	6.24	12.35	80.98
97864455008	291583009	BURNS, ENID (RENT)	22359	SUMMER HOLLY AVE	MORENO VALLEY	CA	92553-6913	BURNS, ENID	22359 SUMMER HOLLY AVE	MORENO VALLEY, CA	92553-6913	74.8	7.48	14.81	97.08
59038885005	291583030	VILLALOBOS, SHERYL	22253	SUMMER HOLLY AVE	MORENO VALLEY	CA	92553-6910	VILLALOBOS, SHERYL	22253 SUMMER HOLLY AVE	MORENO VALLEY, CA	92553-6910	254.12	25.41	50.32	329.84
60590905008	291583034	AKINBAYODE, SUNDAY AND VICTOR	22262	REDWOOD LN	MORENO VALLEY	CA	92553-6904	AKINBAYODE, SUNDAY AND VICTOR	22262 REDWOOD LN	MORENO VALLEY, CA	92553-6904	254.12	25.41	50.32	329.84
93609805008	291610017	TURNER, AIDEE	13119	YELLOWWOOD ST	MORENO VALLEY	CA	92553-6942	TURNER, AIDEE	13119 YELLOWWOOD ST	MORENO VALLEY, CA	92553-6942	230.8	23.08	45.7	299.56
84483575007	291610020	MCADORY, LETARDY	13122	YELLOWWOOD ST	MORENO VALLEY	CA	92553-6943	MCADORY, LETARDY	2902 ROCKFALLS LN	HENDERSON, NV	89074-5758	254.02	25.4	50.3	329.7
91366133008	291611001	CASTILLO, LAURA	13155	ACACIA AVE	MORENO VALLEY	CA	92553-6914	CASTILLO, LAURA	13155 ACACIA AVE	MORENO VALLEY, CA	92553-6914	262.73	26.27	52.02	341.02
86993935008	291611002	VARGAS, MARIA	13163	ACACIA AVE	MORENO VALLEY	CA	92553-6914	VARGAS, MARIA	1086 AUTUMNWOOD LN	PERRIS, CA	92571-9260	254.12	25.41	50.32	329.84
52002985007	291611004	REED, ANTHONY	13177	ACACIA AVE	MORENO VALLEY	CA	92553-6914	REED, ANTHONY	13177 ACACIA AVE	MORENO VALLEY, CA	92553-6914	254.12	25.41	50.32	329.84
84000125004	291612002	PATINO, ANGELICA	13230	ACACIA AVE	MORENO VALLEY	CA	92553-6928	PATINO, ANGELICA	24446 DRACAEA AVE APT B	MORENO VALLEY, CA	92553-2892	254.12	25.41	50.32	329.84
74861065003	291612005	SANCHEZ, JUAN (OWNR)	22199	EMPRESS ST	MORENO VALLEY	CA	92553-6931	SANCHEZ, JUAN	22199 EMPRESS ST	MORENO VALLEY, CA	92553-6931	254.02	25.4	50.3	329.7
70386255005	291613001	EVERETT, MARLENE	22165	EMPRESS ST	MORENO VALLEY	CA	92553-6931	EVERETT, MARLENE	22165 EMPRESS ST	MORENO VALLEY, CA	92553-6931	153.94	15.39	30.48	199.8
96287725007	291613005	CASTRO, SIGFREDO	22205	EMPRESS ST	MORENO VALLEY	CA	92553-6931	CASTRO, SIGFREDO	22205 EMPRESS ST	MORENO VALLEY, CA	92553-6931	519.25	51.93	102.81	673.98
80484935004	291613008	CAGUIM BAGA, RACHEL	13250	EMPRESS ST	MORENO VALLEY	CA	92553-6930	CAGUIM BAGA, RACHEL	13250 EMPRESS ST	MORENO VALLEY, CA	92553-6930	254.02	25.4	50.3	329.7
53078005002	291613012	VALDIVIA, ELVIA	13218	EMPRESS ST	MORENO VALLEY	CA	92553-6930	VALDIVIA, ELVIA	13218 EMPRESS ST	MORENO VALLEY, CA	92553-6930	179.49	17.95	35.54	232.96
67258605008	291613017	PINEDA, LUPE	22200	EMPRESS ST	MORENO VALLEY	CA	92553-6932	PINEDA, LUPE	22200 EMPRESS ST	MORENO VALLEY, CA	92553-6932	254.12	25.41	50.32	329.84
89523563004	291613026	LARA, TERESA AND HERRERA, ALEX	22203	SWEETGUM AVE	MORENO VALLEY	CA	92553-6924	LARA, TERESA AND HERRERA, ALEX	22203 SWEETGUM AVE	MORENO VALLEY, CA	92553-6924	90.79	9.08	17.98	117.84
52097735000	291614007	GUERRERO DE CASILLAS, ANA	22184	SWEETGUM AVE	MORENO VALLEY	CA	92553-6922	GUERRERO DE CASILLAS, ANA	22184 SWEETGUM AVE	MORENO VALLEY, CA	92553-6922	254.02	25.4	50.3	329.7
91686753008	291615013	HEGEMAN, TRACY (RENT)	22314	LILAC CT	MORENO VALLEY	CA	92553-6944	HEGEMAN, TRACY	22314 LILAC CT	MORENO VALLEY, CA	92553-6944	35.38	3.54	7.01	45.92
73377965002	291615015	ESCOBAR, IRENE	22330	LILAC CT	MORENO VALLEY	CA	92553-6944	ESCOBAR, IRENE	22330 LILAC CT	MORENO VALLEY, CA	92553-6944	232.1	23.21	45.96	301.26
99883555001	291616008	SANDOVAL, FERNANDO (RENT)	13340	PEASHRUB AVE	MORENO VALLEY	CA	92553-6946	SANDOVAL, FERNANDO	13340 PEASHRUB AVE	MORENO VALLEY, CA	92553-6946	192.56	19.26	38.13	249.94
89106033003	291620006	KILPATRICK, JENNIFER	22491	DRACAEA AVE	MORENO VALLEY	CA	92553-6919	JACKSON RIVERO REALTY	9219 TRAILHEAD PT	RIVERSIDE, CA	92509-4964	224.22	22.42	44.4	291.02

MV00168157

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
85542715000	291620013	CONDEZ, CANDELARIA	22298	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6939	CONDEZ, CANDELARIA	22298 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6939	254.12	25.41	50.32	329.84
92655275003	291620014	PEREZ, LISA (RENT)	22288	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6939	PEREZ, LISA	22288 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6939	149.5	14.95	29.6	194.04
90638675007	291620017	HERNANDEZ, WALTER J	13372	HICKORY WAY	MORENO VALLEY	CA	92553-6936	HERNANDEZ, WALTER J	13372 HICKORY WAY	MORENO VALLEY, CA	92553-6936	253.92	25.39	50.28	329.58
87689935001	291620023	LOPEZ, EUDIA	13332	HICKORY WAY	MORENO VALLEY	CA	92553-6936	LOPEZ, EUDIA	13332 HICKORY WAY	MORENO VALLEY, CA	92553-6936	254.12	25.41	50.32	329.84
93792575000	291622002	CHADWICK, TAMI (RENT)	13315	CHERRYLAUREL AVE	MORENO VALLEY	CA	92553-6918	CHADWICK, TAMI (RENT)	13315 CHERRYLAUREL AVE	MORENO VALLEY, CA	92553-6918	254.12	25.41	50.32	329.84
52979675001	291622005	HARRIS, KENNETH	13345	CHERRYLAUREL AVE	MORENO VALLEY	CA	92553-6918	HARRIS, KENNETH	13345 CHERRY LAUREL AVE	MORENO VALLEY, CA	92553-6918	90.05	9.01	17.83	116.88
95521935006	291622012	PELGONE, LORI (RENT)	22182	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6937	PELGONE, LORI	22182 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6937	254.12	25.41	50.32	329.84
96288655009	291622013	MALDONADO, LUIS (RENT)	22174	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6937	MALDONADO, LUIS	22174 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6937	319.25	31.93	63.21	414.38
97001415006	291623028	SALAZAR, CESAR (RENT)	13356	SOURWOOD AVE	MORENO VALLEY	CA	92553-6958	SALAZAR, CESAR	22422 HAWTHORN AVE	MORENO VALLEY, CA	92553-6986	39.31	3.93	7.78	51.02
95433855000	291623034	GONZALEZ, BEATRIZ (RENT)	22071	GOLDENCHAIN ST	MORENO VALLEY	CA	92553-6956	GONZALEZ, BEATRIZ	330 MUSCATEL AVE	ONTARIO, CA	91764-3829	147.14	14.71	29.13	190.98
89590503009	291623038	NGUYEN, LANLE	22039	GOLDENCHAIN ST	MORENO VALLEY	CA	92553-6956	NGUYEN, LANLE	22039 GOLDENCHAIN ST	MORENO VALLEY, CA	92553-6956	204.54	20.45	40.5	265.48
96289335005	291623039	DANG, KEITH	22031	GOLDENCHAIN ST	MORENO VALLEY	CA	92553-6956	DANG, KEITH	13022 YUMA PL	WESTMINSTER, CA	92683-2060	519.25	51.93	102.81	673.98
56125495005	291623058	BOWEN, DEBORAH	22016	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6947	BOWEN, DEBORAH	22016 WITCH HAZEL AVE	MORENO VALLEY, CA	92553-6947	123.39	12.34	24.43	160.16
56020985005	291624002	TRIGO, ROMAN AND SUSANA	22019	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6948	TRIGO, ROMAN AND SUSANA	22019 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6948	193.79	19.38	38.37	251.52
96287965006	291624004	MACIAS, JENNIFER (RENT)	22035	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6948	MACIAS, JENNIFER	22035 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6948	190.79	19.08	37.78	247.64
95577725002	291624008	EALY, KILA (RENT)	22067	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6948	EALY, KILA	22067 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6948	133.09	13.31	26.35	172.74
96210045002	291624018	QUIROGA, ADOLFO AND CARMEN (RE	22058	GOLDENCHAIN ST	MORENO VALLEY	CA	92553-6955	QUIROGA, ADOLFO	15449 GAMINO GRANDE	MORENO VALLEY, CA	92551-7063	28.72	2.87	5.69	37.26
57370215005	291624024	VILLANUEVA, JESUS	22017	MIMOSA LN	MORENO VALLEY	CA	92553-6953	VILLANUEVA, JESUS	22017 MIMOSA LN	MORENO VALLEY, CA	92553-6953	254.02	25.4	50.3	329.7
94377035003	291624034	TORRES, EDDIE (OWNR)	22046	MIMOSA LN	MORENO VALLEY	CA	92553-6954	TORRES, EDDIE (OWNR)	22046 MIMOSA LN	MORENO VALLEY, CA	92553-6954	95.25	9.53	18.86	123.62
92984465007	291625003	DESANTO, ANTHONY	13321	MIMOSA LN	MORENO VALLEY	CA	92553-6951	DESANTO, ANTHONY	13321 MIMOSA LN	MORENO VALLEY, CA	92553-6951	254.02	25.4	50.3	329.7
94039515008	291631008	DEWITT, ARNOLD (RENT)	22473	MAIDENHAIR ST	MORENO VALLEY	CA	92553-6971	DEWITT, ARNOLD	883 W 34TH ST APT E	LONG BEACH, CA	90806-1276	27.53	2.75	5.45	35.72
56120895002	291632001	MERRILL, DONALD AND CRYSTAL	13449	ARBOR PARK LN	MORENO VALLEY	CA	92553-6960	MERRILL, DONALD AND CRYSTAL	13449 ARBOR PARK LN	MORENO VALLEY, CA	92553-6960	329.32	32.93	65.21	427.44
56357635005	291632015	RIVERA, SYLVIA	22347	BLACK GUM ST	MORENO VALLEY	CA	92553-6962	RIVERA, SYLVIA	22347 BLACK GUM ST	MORENO VALLEY, CA	92553-6962	254.02	25.4	50.3	329.7
96287315003	291633015	POUNCY, FRANK	13456	ARBOR PARK LN	MORENO VALLEY	CA	92553-6961	POUNCY, FRANK	13456 ARBOR PARK LN	MORENO VALLEY, CA	92553-6961	319.25	31.93	63.21	414.38
56563075005	291633016	MARTIN, TAMMERA	13444	ARBOR PARK LN	MORENO VALLEY	CA	92553-6961	MARTIN, TAMMERA	13444 ARBOR PARK LN	MORENO VALLEY, CA	92553-6961	254.02	25.4	50.3	329.7
59219035000	291633021	WASHINGTON, KIZZIE	13447	GLORYBOWER ST	MORENO VALLEY	CA	92553-6983	WASHINGTON, KIZZIE	13447 GLORYBOWER ST	MORENO VALLEY, CA	92553-6983	254.12	25.41	50.32	329.84
92728865004	291634001	THA, APRIL	13476	GLORYBOWER ST	MORENO VALLEY	CA	92553-6982	THA, APRIL	13476 GLORYBOWER ST	MORENO VALLEY, CA	92553-6982	190.79	19.08	37.78	247.64
59142545007	291634003	RODRIGUEZ, ESTHER	13456	GLORYBOWER ST	MORENO VALLEY	CA	92553-6982	RODRIGUEZ, ESTHER	13456 GLORYBOWER ST	MORENO VALLEY, CA	92553-6982	44.12	4.41	8.74	57.26
91133013007	291634005	LEVESTON, STEPHANIE (RENT)	13436	GLORYBOWER ST	MORENO VALLEY	CA	92553-6982	LEVESTON, STEPHANIE	13436 GLORYBOWER ST	MORENO VALLEY, CA	92553-6982	96.87	9.69	19.18	125.72
57127345002	291634012	FARROW, MARILYN	22436	BLACK GUM ST	MORENO VALLEY	CA	92553-6964	FARROW, MARILYN	22436 BLACK GUM ST	MORENO VALLEY, CA	92553-6964	329.04	32.9	65.15	427.08
96678325001	291635022	BRIGGS, CONNIE (RENT)	22377	BLACK GUM ST	MORENO VALLEY	CA	92553-6962	BRIGGS, CONNIE	22377 BLACK GUM ST	MORENO VALLEY, CA	92553-6962	160.74	16.07	31.83	208.64
93980145002	291635023	HALL, LAQUIDA (RENT)	22387	BLACK GUM ST	MORENO VALLEY	CA	92553-6962	HALL, LAQUIDA	22387 BLACK GUM ST	MORENO VALLEY, CA	92553-6962	329.6	32.96	65.26	427.82
87169653002	291635027	TRAVIS, BLAKE (RENT)	22427	BLACK GUM ST	MORENO VALLEY	CA	92553-6965	TRAVIS, BLAKE	22427 BLACK GUM ST	MORENO VALLEY, CA	92553-6965	99.79	9.98	19.76	129.52
96300765009	291635040	CORREA, LESLIE (RENT)	13430	HAWTHORN AVE	MORENO VALLEY	CA	92553-6984	CORREA, LESLIE	13430 HAWTHORN AVE	MORENO VALLEY, CA	92553-6984	27.36	2.74	5.42	35.5
62102615001	291636002	KHAN, NAEEM	22321	HAWTHORN AVE	MORENO VALLEY	CA	92553-6989	KHAN, NAEEM	22321 HAWTHORN AVE	MORENO VALLEY, CA	92553-6989	254.12	25.41	50.32	329.84
59826095009	291636020	GORDILLO, YESENIA	13429	HAWTHORN AVE	MORENO VALLEY	CA	92553-6985	GORDILLO, YESENIA	13429 HAWTHORN AVE	MORENO VALLEY, CA	92553-6985	254.12	25.41	50.32	329.84
72366605002	291636027	SANCHEZ, ZOILA	22434	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6973	SANCHEZ, ZOILA	22434 WITCH HAZEL AVE	MORENO VALLEY, CA	92553-6973	254.12	25.41	50.32	329.84
59809095005	291636033	KENYON, EAN	22386	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6980	KENYON, EAN	22386 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6980	64.13	6.41	12.7	83.24
94622225002	291636034	WILLIAMS, DARRYLLYNN (RENT)	22378	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6980	WILLIAMS, DARRYLLYNN	22378 WITCHHAZEL AVE	MORENO VALLEY, CA	92553-6980	254.12	25.41	50.32	329.84
75307975005	291636042	VALDEZ, RAFAEL	22314	WITCHHAZEL AVE	MORENO VALLEY	CA	92553-6980	VALDEZ, RAFAEL	12652 MEMORIAL WAY #73	MORENO VALLEY, CA	92553-7555	254.12	25.41	50.32	329.84
57878255008	291641003	COXSEY, JAMES	13296	SNOWBELL LN	MORENO VALLEY	CA	92553-6966	COXSEY, JAMES	13296 SNOWBELL LN	MORENO VALLEY, CA	92553-6966	254.02	25.4	50.3	329.7
57750655005	291641004	TITOV, ALEXANDER	13308	SNOWBELL LN	MORENO VALLEY	CA	92553-6969	TITOV, ALEXANDER	7467 W 67TH AVE	ARVADA, CO	80003-3956	254.02	25.4	50.3	329.7
92301395009	291641010	GONZALEZ, FRANCISCO (RENT)	13329	SASSAFRAS ST	MORENO VALLEY	CA	92553-6976	GONZALEZ, FRANCISCO	13329 SASSAFRAS ST	MORENO VALLEY, CA	92553-6976	189.92	18.99	37.6	246.5
90281643003	291641011	VALENZUELA, CONSUELO (RENT)	13317	SASSAFRAS ST	MORENO VALLEY	CA	92553-6976	VALENZUELA, CONSUELO (RENT)	13317 SASSAFRAS ST	MORENO VALLEY, CA	92553-6976	167.46	16.75	33.16	217.36
93491525000	291670002	NEAL, LYNNE (OWNR)	13050	ZENITH WAY	MORENO VALLEY	CA	92553-2042	NEAL, LYNNE	13050 ZENITH WAY	MORENO VALLEY, CA	92553-2042	254.12	25.41	50.32	329.84
90329245004	291671032	FUENTES, YVAN	22321	ECHO PARK WAY	MORENO VALLEY	CA	92553-2045	FUENTES, YVAN	22321 ECHO PARK WAY	MORENO VALLEY, CA	92553-2045	26.24	2.62	5.2	34.04
90331245000	291671038	OSUNA, BILLY	22322	ECHO PARK WAY	MORENO VALLEY	CA	92553-2045	OSUNA, BILLY	22322 ECHO PARK WAY	MORENO VALLEY, CA	92553-2045	253.92	25.39	50.28	329.58
90329725003	291671039	TAPIA, MARK	22314	ECHO PARK WAY	MORENO VALLEY	CA	92553-2045	TAPIA, MARK	22314 ECHO PARK WAY	MORENO VALLEY, CA	92553-2045	253.92	25.39	50.28	329.58
91365975003	291671044	HENRY-CORNILIUS, ROMULDA	22369	ECHO PARK WAY	MORENO VALLEY	CA	92553-2045	HENRY-CORNILIUS, ROMULDA	22369 ECHO PARK WAY	MORENO VALLEY, CA	92553-2045	162.7	16.27	32.21	211.18
91623245009	291671050	BUTLER, REGENALD	22370	ECHO PARK WAY	MORENO VALLEY	CA	92553-2045	BUTLER, REGENALD	22370 ECHO PARK WAY	MORENO VALLEY, CA	92553-2045	173.53	17.35	34.36	225.24
93695715006	291671059	CLEGG, JOHN (OWNR)	22357	YATES ST	MORENO VALLEY	CA	92553-2046	CLEGG, JOHN	22357 YATES ST	MORENO VALLEY, CA	92553-2046	254.02	25.4	50.3	329.7
92674355007	291671061	ENEA, LISA	22369	YATES ST	MORENO VALLEY	CA	92553-2046	ENEA, LISA	22369 YATES ST	MORENO VALLEY, CA	92553-2046	127.36	12.74	25.22	165.3
93900005009	291671068	BELL, KELVIN AND BRENDA (OWNR)	22390	REGENTS PARK LN	MORENO VALLEY	CA	92553-2039	BELL, KELVIN AND BRENDA	22390 REGENTS PARK LN	MORENO VALLEY, CA	92553-2039	126.96	12.7	25.14	164.78
31444215009	292021003	SPENCER, LAVON	12774	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5951	SPENCER, LAVON	12774 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5951	165.64	16.56	32.8	215
31628595007	292021004	BAPTISTE, KANDACE	12780	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5951	BAPTISTE, KANDACE	12780 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5951	254.02	25.4	50.3	329.7
31634375001	292022003	GOMEZ, GILARDO	12757	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5952	GOMEZ, GILARDO	12757 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5952	254.02	25.4	50.3	329.7
31461615009	292022010	DILLARD, BRIDGETTE	12799	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5952	DILLARD, BRIDGETTE	12799 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5952	329.32	32.93	65.21	427.44
31593435007	292022016	VASQUEZ, MARTHA	12548	PENSKE ST	MORENO VALLEY	CA	92553-5207	VASQUEZ, MARTHA	12578 ANDRETTI ST	MORENO VALLEY, CA	92553-5200	190.39	19.04	37.7	247.12
75089915002	292022023	ZARI, JAN	12510	PENSKE ST	MORENO VALLEY	CA	92553-5207	ZARI, JAN	10344 BROOKMEAD DR	MORENO VALLEY, CA	92557-2613	254.02	25.4	50.3	329.7
31407805002	292022024	FIERRO, AUDREY	12504	PENSKE ST	MORENO VALLEY	CA	92553-5207	FIERRO, AUDREY	12504 PENSKE ST	MORENO VALLEY, CA	92553-5207	254.02	25.4	50.3	329.7
31378565005	292022025	RENTERIA, ROMAN	12501	ANDRETTI ST	MORENO VALLEY	CA	92553-5201	RENTERIA, ROMAN	12501 ANDRETTI ST	MORENO VALLEY, CA	92553-5201	329.32	32.93	65.21	427.44
31099885000	292022026	GREEN, STANLEY AND JOYCE	12507	ANDRETTI ST	MORENO VALLEY	CA	92553-5201	GREEN, STANLEY AND JOYCE	12507 ANDRETTI ST	MORENO VALLEY, CA	92553-5201	233.1	23.31	46.15	302.56
90039455003	292022034	ALVAREZ, ANDREA	12567	ANDRETTI ST	MORENO VALLEY	CA	92553-5201	ALVAREZ, ANDREA	12567 ANDRETTI ST	MORENO VALLEY, CA	92553-5201	253.92	25.39	50.28	329.58
31455585007	292022037	DIAZ, MIKE	12585	ANDRETTI ST	MORENO VALLEY	CA	92553-5201	DIAZ, MIKE	12585 ANDRETTI ST	MORENO VALLEY, CA	92553-5201	27.36	2.74	5.42	35.5
31472435004	292023012	GONZALES, MIGUEL	12516	ANDRETTI ST	MORENO VALLEY	CA	92553-5200	GONZALES, MIGUEL	12516 ANDRETTI ST	MORENO VALLEY, CA	92553-5200	254.02	25.4	50.3	329.7
31122305002	292023018	PEA, MOON	12557	PENSKE ST	MORENO VALLEY	CA	92553-5208	PEA, MOON	12557 PENSKE ST	MORENO VALLEY, CA	92553-5208	329.32	32.93	65.21	427.44
96015113000	292023019	MENDOZA, MARIA (RENT)	12565	PENSKE ST	MORENO VALLEY	CA	92553-5208	MENDOZA, MARIA (RENT)	12565 PENSKE ST	MORENO VALLEY, CA	92553-5208	127.06	12.71	25.16	164.92
91802995001	292023020	MORENO, LEONARDO	12579	PENSKE ST	MORENO VALLEY	CA	92553-5208	MORENO, LEONARDO	12579 PENSKE ST	MORENO VALLEY, CA	92553-5208	253.92	25.39	50.28	329.58
94303865004	292031002	MOE, WENDELL (RENT)	12729	MEADBURY DR	MORENO VALLEY	CA	92553-5901	MOE, WENDELL	12729 MEADBURY DR	MORENO VALLEY, CA	92553-5901	254.12	25.41	50.32	329.84
94036765001	292031010	RAMIREZ, JOSE (RENT)	23239	PARK VALLEY DR	MORENO VALLEY	CA	92553-5924	RAMIREZ, JOSE	23239 PARK VALLEY DR	MORENO VALLEY, CA	92553-5924	63.63	6.36	12.6	82.58
91579075000	292031015	OCHOA, MARIO	12824	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5961	OCHOA, MARIO	12824 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5961	253.92	25.39	50.28	329.58
31049315005	292031016	KELLETT, BRUCE	12830	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5961	KELLETT, BRUCE	12830 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5961	63.63	6.36	12.6	82.58
82991715002	292031017	PULIDO, LAURA	12836	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5961	PULIDO, LAURA	12836 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5961	329.32	32.93	65.21	427.44
97141055005	292032005	REYNOLDS, GLORIA (RENT)	12827	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5964	REYNOLDS, GLORIA	12827 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5964	254.12	25.41	50.32	329.84
31406635000	292032009	MAMA, FUAPAINA	12851	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5964	MAMA, FUAPAUNA	14028 BELLFLOWER BLVD APT E	BELLFLOWER, CA	90706-2460	479.92	47.99	95.02	622.92
96562555008	292032013	MASCORRO, OLGA (OWNR)	23128	GURNEY PL	MORENO VALLEY	CA	92553-5205	MASCORRO, OLGA	23128 GURNEY PL	MORENO VALLEY, CA	92553-5205	90.79	9.08	17.98	117.84
93771315009	292032022	MACK, ANTHONY (RENT)	23119	DONAHUE CT	MORENO VALLEY	CA	92553-5204	MACK, ANTHONY	23119 DONAHUE CT	MORENO VALLEY, CA	92553-5204	329.6	32.96	65.26	427.82
31310585004	292041001	GUTIERREZ, ROGACIANO	12727	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5952	GUTIERREZ, ROGACIANO	12727 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5952	254.12	25.41	50.32	329.84
31382775003	292041005	SEGURA, ROBIN (RENT)	12681	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5980	GRANADOS, FAVIOLA	12681 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5980	254.02	25.4	50.3	329.7
31332425002	292041009	SALES, MELBA	12641	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5980	SALES, MELBA	12641 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5980	57.27	5.73	11.34	74.32
32684855008	292042004	WATKINS, BARBARA	12579	MEADOWGATE CIR	MORENO VALLEY	CA	92553-5902	WATKINS, BARBARA	12579 MEADOWGATE CIR	MORENO VALLEY, CA	92553-5902	36.15	3.62	7.16	46.92
31607565007	292042016	PINCKNEY, ROSE	12680	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5979	PINCKNEY, ROSE	12680 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5979	254.02	25.4	50.3	329.7
31083765009	292042017	THOMAS, RANDALL	12692	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5979	THOMAS, RANDALL	12692 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5979	329.32	32.93	65.21	427.44
31229005001	292043008	CUTLER, RICHARD	12541	SOFTWIND DR	MORENO VALLEY	CA	92553-5994	CUTLER, RICHARD	12541 SOFTWIND DR	MORENO VALLEY, CA	92553-5994	253.92	25.39	50.28	329.58
94337903004	292043010	DOMINGUEZ, DEEDEE (RENT)	12554	SHADYBEND DR	MORENO VALLEY	CA	92553-5993	DOMINGUEZ, DEEDEE	12554 SHADYBEND DR	MORENO VALLEY, CA	92553-5993	82.68	8.27	16.37	107.3
93485253008	292043012	RAMIREZ, MANUEL	12574	SHADYBEND DR	MORENO VALLEY	CA	92553-5993	RAMIREZ, MANUEL	232 E 49TH ST	SN BERNRDNO, CA	92404-1104	212.13	21.21	42	275.34
54244385009	292043016	MARQUEZ, JUAN VICTOR	12614	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	MARQUEZ, JUAN VICTOR	12614 SHADYBEND DR	MORENO VALLEY, CA	92553-5905	257.44	25.74	50.97	334.14
66857205002	292044003	RAMIREZ, ELADIO	12595	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5995	RAMIREZ, ELADIO	12595 VALLEY MEADOWS DR	MORENO VALLEY, CA	92553-5995	204.12	20.41	40.42	264.94
73165265008	292045001	PITCHERS, DIANE	12544	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5995	PITCHERS, DIANE	12544 VALLEY MEADOWS DR	MORENO VALLEY, CA	92553-5995	254.02	25.4	50.3	329.7
31356555003	292045004	VELASQUEZ, MARCELINO	12570	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5995	VELASQUEZ, MARCELINO	12570 VALLEY MEADOWS DR	MORENO VALLEY, CA	92553-5995	254.02	25.4	50.3	329.7
93118445006	292051001	DYER, MARTY (RENT)	12745	SHADYBEND DR	MORENO VALLEY	CA	92553-5992	DYER, MARTY	12745 SHADYBEND DR	MORENO VALLEY, CA	92553-5992	276.03	27.6	54.65	358.28
93929353004	292051003	SHEA, SHELLY	12713	SHADYBEND DR	MORENO VALLEY	CA	92553-5992	SHEA, SHELLY	12713 SHADYBEND DR	MORENO VALLEY, CA	92553-5992	172.18	17.22	34.09	223.48
95995385007	292051004	WELDON, ANGELA (RENT)	12701	SHADYBEND DR	MORENO VALLEY	CA	92553-5992	WELDON, ANGELA	12701 SHADYBEND DR	MORENO VALLEY, CA	92553-5992	329.32	32.93	65.21	427.44
31580505009	292051009	MALDONADO, FIDEL	12643	SHADYBEND DR	MORENO VALLEY	CA	92553-5908	MALDONADO, FIDEL	12643 SHADYBEND DR	MORENO VALLEY, CA	92553-5908	140.29	14.03	27.78	182.08
31533935008	292051010	HORNYAK, ALICIA	12627	SHADYBEND DR	MORENO VALLEY	CA	92553-5908	HORNYAK, ALICIA	27570 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5709	254.02	25.4	50.3	329.7
31340495000	292051017	ARLINE, MICHELLE	23260	MERRYGROVE CIR	MORENO VALLEY	CA	92553-5910	ARLINE, MICHELLE	23260 MERRYGROVE CIR	MORENO VALLEY, CA	92553-5910	329.32	32.93	65.21	427.44
69622835005	292051019	JACKSON, AVA	23290	MERRYGROVE CIR	MORENO VALLEY	CA	92553-5910	JACKSON, AVA	23290 MERRYGROVE CIR	MORENO VALLEY, CA	92553-5910	329.32	32.93	65.21	427.44
97960885002	292051020	HARRIS, BRENDA (RENT)	23304	MERRYGROVE CIR	MORENO VALLEY	CA	92553-5989	HARRIS, BRENDA	12646 MEMORIAL WAY, APT# 2087	MORENO VALLEY, CA	92553-7595	214.96	21.5	42.56	279
31087285001	292051025	DUNCAN, RICK	23260	DEWDROP CIR	MORENO VALLEY	CA	92553-5984	DUNCAN, RICK	PO BOX 10287	MORENO VALLEY, CA	92552-0287	254.02	25.4	50.3	329.7
31489325001	292052007	DOMINGUEZ, MICHAEL	12673	SOFTWIND DR	MORENO VALLEY	CA	92553-5938	DOMINGUEZ, MICHAEL	12673 SOFTWIND DR	MORENO VALLEY, CA	92553-5938	63.63	6.36	12.6	82.58
31326035006	292052008	MARTINEZ, JOAQUIN	12661	SOFTWIND DR	MORENO VALLEY	CA	92553-5938	MARTINEZ, JOAQUIN	12661 SOFTWIND DR	MORENO VALLEY, CA	92553-5938	254.02	25.4	50.3	329.7

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
61003505005	292052012	JONES, GREGORY	12626	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	JONES, GREGORY	12626 SHADYBEND DR	MORENO VALLEY, CA	92553-5905	63.63	6.36	12.6	82.58
82865295006	292052014	ANGULO, TONY	12662	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	IBARRA, JUANA	PO BOX 8081	MORENO VALLEY, CA	92552-8081	254.02	25.4	50.3	329.7
66672225001	292052015	ADAMS, HELEN (OWNR)	12650	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	ADAMS, HELEN	12650 SHADYBEND DR	MORENO VALLEY, CA	92553-5905	329.6	32.96	65.26	427.82
56186575000	292052016	DIZAYE, HABIBA	12674	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	DIZAYE, HABIBA	12674 SHADYBEND DR	MORENO VALLEY, CA	92553-5905	34.1	3.41	6.75	44.26
31594385005	292052017	HERNANDEZ, ERNESTO	12686	SHADYBEND DR	MORENO VALLEY	CA	92553-5905	HERNANDEZ, ERNESTO	337 E 1ST ST	CALEXICO, CA	92231-2731	254.02	25.4	50.3	329.7
94020553009	292053005	VACA, SUSANA	12674	SOFTWIND DR	MORENO VALLEY	CA	92553-5936	VACA, SUSANA	12674 SOFTWIND DR	MORENO VALLEY, CA	92553-5936	224.18	22.42	44.39	290.98
31249095007	292053014	MC KINLEY, MICHAEL	12653	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5969	MC KINLEY, MICHAEL	12653 VALLEY MEADOWS DR	MORENO VALLEY, CA	92553-5969	228.72	22.87	45.29	296.86
31118715004	292054013	REDWINE, KAREN	12650	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5996	REDWINE, KAREN	12650 VALLEY MEADOWS DR	MORENO VALLEY, CA	92553-5996	254.02	25.4	50.3	329.7
96144165007	292061016	FREDERICO, JOSEPH (RENT)	23148	SURTEES CT	MORENO VALLEY	CA	92553-5214	FREDERICO, JOSEPH	23148 SURTEES CT	MORENO VALLEY, CA	92553-5214	134.48	13.45	26.63	174.54
90027483003	292061017	MEREDITH, JULIANA (RENT)	23145	SURTEES CT	MORENO VALLEY	CA	92553-5214	MEREDITH, JULIANA	23145 SURTEES CT	MORENO VALLEY, CA	92553-5214	221.76	22.18	43.91	287.84
31523375006	292061018	CASTILLO, ANA (OWNR)	23127	SURTEES CT	MORENO VALLEY	CA	92553-5214	CASTILLO, ANA	23127 SURTEES CT	MORENO VALLEY, CA	92553-5214	82.68	8.27	16.37	107.3
31588395005	292061024	SOUSA, MICHAEL	12850	PENSKE ST	MORENO VALLEY	CA	92553-5212	SOUSA, MICHAEL	12850 PENSKE ST	MORENO VALLEY, CA	92553-5212	154.02	15.4	30.5	199.9
85420245008	292061025	SOUSA, LEONA	12858	PENSKE ST	MORENO VALLEY	CA	92553-5212	SOUSA II, MICHAEL	12858 PENSKE ST	MORENO VALLEY, CA	92553-5212	254.02	25.4	50.3	329.7
94526165007	292062011	RAMOS, LISA (RENT)	12775	PENSKE ST	MORENO VALLEY	CA	92553-5211	RAMOS, LISA	12775 PENSKE ST	MORENO VALLEY, CA	92553-5211	254.12	25.41	50.32	329.84
58555185006	292072004	MENDES, RITA	12937	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5982	MENDES, RITA	12937 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5982	228.72	22.87	45.29	296.86
31305595002	292072005	DAVILA, RICK A	12943	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5982	DAVILA, RICK A	12943 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5982	254.02	25.4	50.3	329.7
31619725009	292072008	INMAN, SHERRI	12967	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5982	INMAN, SHERRI	12967 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5982	54.02	5.4	10.7	70.1
56684235006	292072010	DOMINGUEZ, BRENDA	12981	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5982	DOMINGUEZ, BRENDA	12981 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5982	190.69	19.07	37.76	247.5
95813065009	292072018	GILLIS, MICHAEL (OWNR)	12922	ADELINE AVE	MORENO VALLEY	CA	92553-5942	GILLIS, MICHAEL	12922 ADELINE AVE	MORENO VALLEY, CA	92553-5942	254.12	25.41	50.32	329.84
31061845009	292072019	LARA, ERNEST	12910	ADELINE AVE	MORENO VALLEY	CA	92553-5942	LARA, ERNEST	12910 ADELINE AVE	MORENO VALLEY, CA	92553-5942	115.49	11.55	22.87	149.9
95648925009	292072021	CABRERA, ENRIQUE (RENT)	12887	ADELINE AVE	MORENO VALLEY	CA	92553-5934	CABRERA, ENRIQUE	12887 ADELINE AVE	MORENO VALLEY, CA	92553-5934	41.89	4.19	8.29	54.36
96253205008	292072023	CASILLAS, SUMMER (RENT)	12911	ADELINE AVE	MORENO VALLEY	CA	92553-5943	CASILLAS, SUMMER	15300 AVENIDA ANILLO	MORENO VALLEY, CA	92555-4109	79.63	7.96	15.77	103.34
88014853007	292072030	RAZO, ANTONIO	12995	ADELINE AVE	MORENO VALLEY	CA	92553-5943	RAZO, ANTONIO	12995 ADELINE AVE	MORENO VALLEY, CA	92553-5943	369.64	36.96	73.19	479.78
31145865005	292081007	SPENCER, MILDRED	12765	SHADYBEND DR	MORENO VALLEY	CA	92553-5992	SPENCER, MILDRED	12765 SHADYBEND DR	MORENO VALLEY, CA	92553-5992	555.22	55.52	109.93	720.66
31591795005	292082001	OLIVARES, DANNY	12860	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5961	OLIVARES, DANNY	12860 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5961	254.02	25.4	50.3	329.7
85056905001	292082007	OROSCO, LILIAN	12898	SUNNYMEADOWS DR	MORENO VALLEY	CA	92553-5961	OROSCO, LILIAN AND LUCIO	12898 SUNNYMEADOWS DR	MORENO VALLEY, CA	92553-5961	254.02	25.4	50.3	329.7
55680215009	292082014	TUNSTALL, EBENY AND CRAIG	12769	MEADBURY DR	MORENO VALLEY	CA	92553-5901	TUNSTALL, EBENY AND CRAIG	12769 MEADBURY DR	MORENO VALLEY, CA	92553-5901	254.02	25.4	50.3	329.7
31324335008	292083012	BURKS, ROBERT	23313	OLD VALLEY DR	MORENO VALLEY	CA	92553-5654	BURKS, ROBERT	23313 OLD VALLEY DR	MORENO VALLEY, CA	92553-5654	329.32	32.93	65.21	427.44
92952825009	292084002	MCBRIDE, ANGELIQUE (RENT)	12977	VALLEY SPRINGS DR	MORENO VALLEY	CA	92553-5918	MCBRIDE, ANGELIQUE	5925 SYCAMORE CANYON BLVD APT 116	RIVERSIDE, CA	92507-8467	50.58	5.06	10.01	65.64
31285825008	292084013	RENDON, JAIME	23301	BROOKHAVEN DR	MORENO VALLEY	CA	92553-5922	RENDON, JAIME	23301 BROOKHAVEN DR	MORENO VALLEY, CA	92553-5922	216	21.6	42.77	280.36
31573995001	292084017	SWEENEY, PATRICK	23249	BROOKHAVEN DR	MORENO VALLEY	CA	92553-5916	SWEENEY, PATRICK	23249 BROOKHAVEN DR	MORENO VALLEY, CA	92553-5916	30.69	3.07	6.08	39.82
92600805008	292091001	TORRES, VANESSA	12794	SUNNYGLEN DR	MORENO VALLEY	CA	92553-5623	TORRES, VANESSA	12794 SUNNYGLEN DR	MORENO VALLEY, CA	92553-5623	254.02	25.4	50.3	329.7
31464475002	292091011	GUZMAN, DAVID	12926	SUNNYGLEN DR	MORENO VALLEY	CA	92553-5634	GUZMAN, DAVID	12926 SUNNYGLEN DR	MORENO VALLEY, CA	92553-5634	190.69	19.07	37.76	247.5
31441285000	292092013	BELTRAN, INDALFER	12921	GLENMERE DR	MORENO VALLEY	CA	92553-5925	BELTRAN, INDALFER	12921 GLENMERE DR	MORENO VALLEY, CA	92553-5925	254.02	25.4	50.3	329.7
57367185007	292092020	MERCHANT LEE, VICTOR	12829	GLENMERE DR	MORENO VALLEY	CA	92553-5985	MERCHANT LEE, VICTOR	12829 GLENMERE DR	MORENO VALLEY, CA	92553-5985	94.02	9.4	18.62	122.02
31341865000	292092022	POLLARD, MARK	12816	GLENMERE DR	MORENO VALLEY	CA	92553-5985	POLLARD, MARK	12816 GLENMERE DR	MORENO VALLEY, CA	92553-5985	190.69	19.07	37.76	247.5
31242195001	292092026	NGUYEN, GUY	12870	GLENMERE DR	MORENO VALLEY	CA	92553-5985	NGUYEN, GUY	12870 GLENMERE DR	MORENO VALLEY, CA	92553-5985	254.02	25.4	50.3	329.7
94462625009	292092030	MURILLO, DELIA (RENT)	12922	GLENMERE DR	MORENO VALLEY	CA	92553-5926	MURILLO, DELIA	12922 GLENMERE DR	MORENO VALLEY, CA	92553-5926	216.77	21.68	42.92	281.36
75076465003	292092038	BECERRA, AVELINO AND HELENA	12879	SUNNYGLEN DR	MORENO VALLEY	CA	92553-5622	BECERRA, AVELINO AND HELENA	12879 SUNNYGLEN DR	MORENO VALLEY, CA	92553-5622	254.02	25.4	50.3	329.7
31264005005	292092045	JOHNSON, JEFFREY	23421	OLD VALLEY DR	MORENO VALLEY	CA	92553-5656	JOHNSON, JEFFREY	23421 OLD VALLEY DR	MORENO VALLEY, CA	92553-5656	254.02	25.4	50.3	329.7
93824595007	292092046	AFEMATA, VERA (RENT)	23401	OLD VALLEY DR	MORENO VALLEY	CA	92553-5656	AFEMATA, VERA	23401 OLD VALLEY DR	MORENO VALLEY, CA	92553-5656	334.6	33.46	66.25	434.3
91122083005	292092049	WHITSON, RAMONA (RENT)	23361	OLD VALLEY DR	MORENO VALLEY	CA	92553-5654	WHITSON, RAMONA	23361 OLD VALLEY DR	MORENO VALLEY, CA	92553-5654	70.33	7.03	13.93	91.28
65882145004	292092051	SANTOS, MARGIE	23343	OLD VALLEY DR	MORENO VALLEY	CA	92553-5654	SANTOS, MARGIE	23343 OLD VALLEY DR	MORENO VALLEY, CA	92553-5654	254.12	25.41	50.32	329.84
95592015000	292093003	GALLEGOS, JAVIER (RENT)	23440	OLD VALLEY DR	MORENO VALLEY	CA	92553-5655	GALLEGOS, JAVIER	23440 OLD VALLEY DR	MORENO VALLEY, CA	92553-5655	254.12	25.41	50.32	329.84
31123095004	292093004	ROCHA, ALBERT	23454	OLD VALLEY DR	MORENO VALLEY	CA	92553-5655	ROCHA, ALBERT	23454 OLD VALLEY DR	MORENO VALLEY, CA	92553-5655	329.32	32.93	65.21	427.44
96059415005	292093007	WILLIAMS, JENNIFER	23494	OLD VALLEY DR	MORENO VALLEY	CA	92553-5655	WILLIAMS, JENNIFER	23494 OLD VALLEY DR	MORENO VALLEY, CA	92553-5655	267.96	26.8	53.06	347.8
75986115007	292111005	HENRY, SUE	12718	FOXDALE DR	MORENO VALLEY	CA	92553-5608	HENRY, SUE	12718 FOXDALE DR	MORENO VALLEY, CA	92553-5608	329.32	32.93	65.21	427.44
91423673003	292111027	GODEA, GEORGINA (RENT)	23683	GAMMA ST	MORENO VALLEY	CA	92553-5636	GODEA, GEORGINA	23683 GAMMA ST	MORENO VALLEY, CA	92553-5636	282.35	28.24	55.91	366.48
46716565007	292112017	PENA, ANGELITA	23700	GAMMA ST	MORENO VALLEY	CA	92553-5635	PENA, ANGELITA	23700 GAMMA ST	MORENO VALLEY, CA	92553-5635	254.02	25.4	50.3	329.7
58648215003	292113002	MARTIN, ERICA	12729	GORHAM ST	MORENO VALLEY	CA	92553-5625	MARTIN, ERICA	12729 GORHAM ST	MORENO VALLEY, CA	92553-5625	254.12	25.41	50.32	329.84
92644015002	292113007	WALEAN, ELLEN	12669	GORHAM ST	MORENO VALLEY	CA	92553-5604	WALEAN, ELLEN	12669 GORHAM ST	MORENO VALLEY, CA	92553-5604	35.63	3.56	7.05	46.24
96859425008	292113016	VASQUEZ, MARIA (RENT)	12718	GORHAM ST	MORENO VALLEY	CA	92553-5676	VASQUEZ, MARIA	12718 GORHAM ST	MORENO VALLEY, CA	92553-5676	260.53	26.05	51.58	338.16
31441475000	292113018	MAYA, DANIEL - OWNR	12744	GORHAM ST	MORENO VALLEY	CA	92553-5676	MAYA, DANIEL - OWNR	12744 GORHAM ST	MORENO VALLEY, CA	92553-5676	190.02	19	37.62	246.64
31279175007	292113024	FREES, LARRY	12683	DREW CT	MORENO VALLEY	CA	92553-5619	FREES, LARRY	12683 DREW CT	MORENO VALLEY, CA	92553-5619	254.02	25.4	50.3	329.7
31185915001	292113028	ARMAS, JOSE	12644	DREW CT	MORENO VALLEY	CA	92553-5619	ARMAS, JOSE	12644 DREW CT	MORENO VALLEY, CA	92553-5619	254.02	25.4	50.3	329.7
60002245003	292113032	SANTOS, MARGIE	12694	DREW CT	MORENO VALLEY	CA	92553-5619	SANTOS, MARGIE	23663 MYSTIC CT	MORENO VALLEY, CA	92553-5616	268.49	26.85	53.16	348.5
95761925000	292113035	BURCIAGA, CHARLES (RENT)	12730	DREW CT	MORENO VALLEY	CA	92553-5611	BURCIAGA, CHARLES	24870 HIGHWOOD ST	MORENO VALLEY, CA	92551-7223	342.26	34.23	67.77	444.24
90282085008	292113040	DANNER, RICHARD	12707	FOXDALE DR	MORENO VALLEY	CA	92553-5671	DANNER, RICHARD	12707 FOXDALE DR	MORENO VALLEY, CA	92553-5671	253.92	25.39	50.28	329.58
95577845007	292113043	BRIGGS, TERINA (RENT)	12669	FOXDALE DR	MORENO VALLEY	CA	92553-5607	BRIGGS, TERINA	12669 FOXDALE DR	MORENO VALLEY, CA	92553-5607	254.12	25.41	50.32	329.84
31486675003	292113044	ANDREWS, MICHAEL	12655	FOXDALE DR	MORENO VALLEY	CA	92553-5607	ANDREWS, MICHAEL	12655 FOXDALE DR	MORENO VALLEY, CA	92553-5607	254.12	25.41	50.32	329.84
31619805002	292121002	SEROGGINS, STEVEN	12865	GORHAM ST	MORENO VALLEY	CA	92553-5602	SEROGGINS, STEVEN	12865 GORHAM ST	MORENO VALLEY, CA	92553-5602	254.02	25.4	50.3	329.7
31253755000	292122003	CONTRERRAS, PEDRO AND PATTY	12854	CROSSMONT PL	MORENO VALLEY	CA	92553-5615	CONTRERRAS, PEDRO AND PATTY	12854 CROSSMONT PL	MORENO VALLEY, CA	92553-5615	254.12	25.41	50.32	329.84
75072525000	292122010	STOKES, CLINTON V	12829	FOXDALE DR	MORENO VALLEY	CA	92553-5674	STOKES, CLINTON V	23820 IRONWOOD AVE SPC 110	MORENO VALLEY, CA	92557-8124	254.02	25.4	50.3	329.7
31515035004	292123006	AREDONDO, LILIA	12791	ALONA ST	MORENO VALLEY	CA	92553-5650	AREDONDO, LILIA	12791 ALONA ST	MORENO VALLEY, CA	92553-5650	254.12	25.41	50.32	329.84
31353625006	292124008	ROTHSCHILD, ALTHERESA	12850	ALONA ST	MORENO VALLEY	CA	92553-5662	ROTHSCHILD, ALTHERESA	12850 ALONA ST	MORENO VALLEY, CA	92553-5662	254.12	25.41	50.32	329.84
31398725000	292124009	BECERRA, VICTOR AND SANDRA	12854	ALONA ST	MORENO VALLEY	CA	92553-5662	BECERRA, VICTOR AND SANDRA	12854 ALONA ST	MORENO VALLEY, CA	92553-5662	63.63	6.36	12.6	82.58
84889955005	292126003	HAMMITTON, KENNETH	12823	LATEEN DR	MORENO VALLEY	CA	92553-5627	HAMMITTON, KENNETH	12779 NINEBARK ST	MORENO VALLEY, CA	92553-1210	254.02	25.4	50.3	329.7
62595505009	292126004	MARTINEZ, FRANK (OWNR)	12813	LATEEN DR	MORENO VALLEY	CA	92553-5627	MARTINEZ, FRANK	12813 LATEEN DR	MORENO VALLEY, CA	92553-5627	127.5	12.75	25.25	165.48
66913205003	292127002	MORALES, HEROLINDA	12675	CROSSMONT PL	MORENO VALLEY	CA	92553-5613	MORALES, HEROLINDA	12675 CROSSMONT PL	MORENO VALLEY, CA	92553-5613	282.4	28.24	55.92	366.54
87104295005	292127011	WHITE, SHAYLIA	12810	GORHAM ST	MORENO VALLEY	CA	92553-5605	WHITE, SHAYLIA	24446 ELECTRA CT	MORENO VALLEY, CA	92551-6904	254.02	25.4	50.3	329.7
31610975005	292127012	CROMER, BEATRIZ	12820	GORHAM ST	MORENO VALLEY	CA	92553-5605	CROMER, BEATRIZ	12820 GORHAM ST	MORENO VALLEY, CA	92553-5605	254.02	25.4	50.3	329.7
95436945005	292127014	HAINES, WANDA (RENT)	12844	GORHAM ST	MORENO VALLEY	CA	92553-5605	HAINES, WANDA	12844 GORHAM ST	MORENO VALLEY, CA	92553-5605	190.52	19.05	37.72	247.28
92644065001	292127016	LOZANO, NORBERTO	12870	GORHAM ST	MORENO VALLEY	CA	92553-5605	LOZANO, NORBERTO	12870 GORHAM ST	MORENO VALLEY, CA	92553-5605	292.12	29.21	57.84	379.16
60226905009	292131009	SANCHEZ, ALMA (OWNR)	12980	ALONA ST	MORENO VALLEY	CA	92553-5657	SANCHEZ, ALMA	12980 ALONA ST	MORENO VALLEY, CA	92553-5657	329.6	32.96	65.26	427.82
96272485009	292131010	CELAYA, RENEE (OWNR)	12994	ALONA ST	MORENO VALLEY	CA	92553-5657	CELAYA, RENEE	12994 ALONA ST	MORENO VALLEY, CA	92553-5657	75.23	7.52	14.9	97.64
80573695004	292132011	CASTILLO, VIVIAN	23663	MYSTIC CT	MORENO VALLEY	CA	92553-5616	CASTILLO, VIVIAN	225 HANNAH WAY	PLACENTIA, CA	92870-4636	254.02	25.4	50.3	329.7
94461655004	292132012	DERRATT, MARLENA (RENT)	23653	MYSTIC CT	MORENO VALLEY	CA	92553-5616	ELLIOTT, SANDRA(OWNER)	318 RAINTREE DR	HENDERSONVILLE, TN	37075-5211	254.12	25.41	50.32	329.84
64275685008	292132015	VERGARA, CESAR	13156	GORHAM ST	MORENO VALLEY	CA	92553-5626	VERGARA, CESAR	13156 GORHAM ST	MORENO VALLEY, CA	92553-5626	127.52	12.75	25.25	165.52
90080045005	292133006	WONG, BRIAN	12956	CROSSMONT PL	MORENO VALLEY	CA	92553-5664	WONG, BRIAN	12956 CROSSMONT PL	MORENO VALLEY, CA	92553-5664	253.92	25.39	50.28	329.58
31192525009	292133009	CHAGOLLA, REBECCA	12935	FOXDALE DR	MORENO VALLEY	CA	92553-5609	CHAGOLLA, REBECCA	12935 FOXDALE DR	MORENO VALLEY, CA	92553-5609	254.02	25.4	50.3	329.7
31051785002	292134005	O'DELL, PATRICIA	12940	GORHAM ST	MORENO VALLEY	CA	92553-5679	O'DELL, PATRICIA	3048 PACKARD AVE	KINGMAN, AZ	86409-1507	127.36	12.74	25.22	165.3
31296715004	292134010	ROBERSON, AUBREY	12935	CROSSMONT PL	MORENO VALLEY	CA	92553-5665	ROBERSON, AUBREY	12935 CROSSMONT PL	MORENO VALLEY, CA	92553-5665	253.92	25.39	50.28	329.58
96289955004	292135002	AGUILAR, JESUS	13175	GORHAM ST	MORENO VALLEY	CA	92553-5606	AGUILAR, JESUS	13175 GORHAM ST	MORENO VALLEY, CA	92553-5606	519.25	51.93	102.81	673.98
91516773003	292135007	JOHNSON, JOYCE (RENT)	13111	GORHAM ST	MORENO VALLEY	CA	92553-5606	JOHNSON, JOYCE	3211 MILLRIDGE DR	HEMET, CA	92454	36.56	3.66	7.24	47.44
91492675008	292135008	CEGUERO, MARIA	13095	GORHAM ST	MORENO VALLEY	CA	92553-5600	CEGUERO, MARIA	13095 GORHAM ST	MORENO VALLEY, CA	92553-5600	253.92	25.39	50.28	329.58
96094115005	292135010	CASTELLON, HECTOR RAYMOND	13071	GORHAM ST	MORENO VALLEY	CA	92553-5600	CASTELLON, HECTOR RAYMOND	13071 GORHAM ST	MORENO VALLEY, CA	92553-5600	254.12	25.41	50.32	329.84
62196765001	292135015	SALAZAR, JUANA	13001	GORHAM ST	MORENO VALLEY	CA	92553-5600	SALAZAR, JUANA	13001 GORHAM ST	MORENO VALLEY, CA	92553-5600	214.12	21.41	42.4	277.92
97505685009	292135016	GOTTIEB, LAWRENCE (OWNR)	12991	GORHAM ST	MORENO VALLEY	CA	92553-5679	GOTTIEB, LAWRENCE	12991 GORHAM ST	MORENO VALLEY, CA	92553-5679	254.12	25.41	50.32	329.84
31568875006	292151009	CERVANTES, ALFONSO	12695	SHAFFER CT	MORENO VALLEY	CA	92553-5680	CERVANTES, ALFONSO	12695 SHAFFER CT	MORENO VALLEY, CA	92553-5680	254.02	25.4	50.3	329.7
31220705000	292151014	KIM, CHUENG S	12748	SHAFFER CT	MORENO VALLEY	CA	92553-5632	KIM, CHUENG S	12748 SHAFFER RD	MORENO VALLEY, CA	92553-5632	127.46	12.75	25.24	165.44
87161303003	292151020	DELARIVA, IRMA (RENT)	23939	GAMMA ST	MORENO VALLEY	CA	92553-5638	DELARIVA, IRMA	23939 GAMMA ST	MORENO VALLEY, CA	92553-5638	40	4	7.92	51.92
66454035004	292151021	BENITO, SAL	23927	GAMMA ST	MORENO VALLEY	CA	92553-5638	BENITO, SAL	23927 GAMMA ST	MORENO VALLEY, CA	92553-5638	254.12	25.41	50.32	329.84
88212705009	292151033	MICKELSON, JEFF	12678	ARGO PL	MORENO VALLEY	CA	92553-5659	NICKELSON, JEFF	12678 ARGO PL	MORENO VALLEY, CA	92553-5659	70.79	7.08	14.02	91.88
53058345003	292151041	DOZIER, GUY	12786	ARGO PL	MORENO VALLEY	CA	92553-5631	DOZIER, GUY	12786 ARGO PL	MORENO VALLEY, CA	92553-5631	127.36	12.74	25.22	165.3
96401885000	292152004	GAIZZAK, BOZENA (RENT)	23734	GAMMA ST	MORENO VALLEY	CA	92553-5635	GAIZZAK, BOZENA	16885 VIA LUNADO	MORENO VALLEY, CA	92551-2190	226.85	22.69	44.92	294.44
31223755005	292152005	SHUKLA, PRAVIN	23750	GAMMA ST	MORENO VALLEY	CA	92553-5635	SHUKLA, PRAVIN	23750 GAMMA ST	MORENO VALLEY, CA	92553-5635	254.02	25.4	50.3	329.7
31599265009	292152015	ADESE, DONNA	23884	GAMMA ST	MORENO VALLEY	CA	92553-5639	ADESE, DONNA	PO BOX 8957	MORENO VALLEY, CA	92552-8957	254.02	25.4	50.3	329.7
31307855003	292152017	LUL, KAY	23908	GAMMA ST	MORENO VALLEY	CA	92553-5683	LUL, KAY	657 ANTHIRIUM AVE	PERRIS, CA	92571-3611	329.6	32.96	65.26	427.82
31342295008	292152022	KNIGHTEN, CASSANDRA	23970	GAMMA ST	MORENO VALLEY	CA	92553-5640	KNIGHTEN, CASSANDRA	23970 GAMMA ST	MORENO VALLEY, CA	92553-5640	123.32	12.33	24.42	160.06
31090775002	292152023	MARQUIS, JANE	23841	DONCASTER DR	MORENO VALLEY	CA	92553-5668	MARQUIS, JANE	23841 DONCASTER DR	MORENO VALLEY, CA	92553-5668	63.63	6.36	12.6	82.58
31502315003	292152028	PEARSON, FONTAINE	23755	DONCASTER DR	MORENO VALLEY	CA	92553-5633	PEARSON, FONTAINE	23755 DONCASTER DR	MORENO VALLEY, CA	92553-5633	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31082005001	292160012	MARSHALL, DAVID	12449	LORAINE TER	MORENO VALLEY	CA	92553-3012	MARSHALL, DAVID	12449 LORAINE TERRACE	MORENO VALLEY, CA	92553-3012	254.02	25.4	50.3	329.7
72001095002	292181002	LIONGSON, RIGOBERTO A	23798	HEMLOCK AVE	MORENO VALLEY	CA	92557-7138	LIONGSON, RIGOBERTO A	593 PECKAM DR	LA PUENTE, CA	91746-1827	63.63	6.36	12.6	82.58
101837893006	292181003	WEATHERMAN, ERIC	23838	HEMLOCK AVE	MORENO VALLEY	CA	92557-7138	WEATHERMAN, ERIC	23838 HEMLOCK AVE	MORENO VALLEY, CA	92557-7138	88.63	8.86	17.55	115.04
52002155001	292181008	MAYIA, SOTELO	23848	HEMLOCK AVE	MORENO VALLEY	CA	92557-7143	MAYIA, SOTELO	23848 HEMLOCK AVE	MORENO VALLEY, CA	92557-7143	297.48	29.75	58.9	386.12
31197125002	292181013	RODRIGUEZ, GILBERT (OWNR)	12199	KRISTEN CT	MORENO VALLEY	CA	92557-7149	RODRIGUEZ, GILBERT	13585 ALTIVO ST	MORENO VALLEY, CA	92555-8245	190.69	19.07	37.76	247.5
75355005008	292181018	TORRES, TRANSITO	23890	HEMLOCK AVE	MORENO VALLEY	CA	92557-7143	TORRES, TRANSITO	23890 HEMLOCK AVE	MORENO VALLEY, CA	92557-7143	254.02	25.4	50.3	329.7
62228425004	292181019	MARSHALL, DANIEL	23908	HEMLOCK AVE	MORENO VALLEY	CA	92557-7143	MARSHALL, DANIEL	14305 CORPORATE WAY	MORENO VALLEY, CA	92553-9048	558.75	55.88	110.63	725.24
31196035003	292181029	RIOS, JENNIE	12177	DEERWOOD LN	MORENO VALLEY	CA	92557-7100	RIOS, JENNIE	12177 DEERWOOD LN	MORENO VALLEY, CA	92557-7100	254.02	25.4	50.3	329.7
97618205001	292181032	LEON, CRISTINE	12205	DEERWOOD LN	MORENO VALLEY	CA	92557-7100	LEON, CRISTINE	23167 IRONWOOD AVE APT 47	MORENO VALLEY, CA	92557-8041	376.66	37.67	74.58	488.9
31266285001	292181033	BRUNSTON, DELORES	12225	DEERWOOD LN	MORENO VALLEY	CA	92557-7100	BRUNSTON, DELORES	12225 DEERWOOD LN	MORENO VALLEY, CA	92557-7100	254.12	25.41	50.32	329.84
88275395001	292182007	QUINTERO, GUADALUPE	12206	DEERWOOD LN	MORENO VALLEY	CA	92557-7146	QUINTERO, GUADALUPE	12206 DEERWOOD LN	MORENO VALLEY, CA	92557-7146	254.12	25.41	50.32	329.84
70943535005	292191013	CARILLO, ELENA	12005	POUTOUS CT	MORENO VALLEY	CA	92557-8147	CARILLO, ELENA	12005 POUTOUS CT	MORENO VALLEY, CA	92557-8147	254.02	25.4	50.3	329.7
89914005006	292191016	MACIAS, HECTOR	12091	WEBB ST	MORENO VALLEY	CA	92557-8163	MACIAS, HECTOR	12091 WEBB ST	MORENO VALLEY, CA	92557-8163	253.92	25.39	50.28	329.58
31604995004	292191017	CORDOVA, ALFREDO	12079	WEBB ST	MORENO VALLEY	CA	92557-8163	CORDOVA, ALFREDO	12079 WEBB ST	MORENO VALLEY, CA	92557-8163	254.02	25.4	50.3	329.7
91440533007	292192002	HALEY, ARNITA (RENT)	23895	IRONWOOD AVE	MORENO VALLEY	CA	92557-8146	HALEY , ARNITA	23895 IRONWOOD AVE	MORENO VALLEY, CA	92557-8146	282.35	28.24	55.91	366.48
48715085000	292192016	PUGA, EDWARD	12118	WEBB ST	MORENO VALLEY	CA	92557-8148	PUGA, EDWARD	12118 WEBB	MORENO VALLEY, CA	92557-8148	254.02	25.4	50.3	329.7
66489055005	292192018	RIVERA, AURORA	12088	WEBB ST	MORENO VALLEY	CA	92557-8162	RIVERA, AURORA	4750 SOMERSET DR	RIVERSIDE, CA	92507-5770	254.12	25.41	50.32	329.84
97097155008	292192020	LOPEZ, MONICA (RENT)	12068	WEBB ST	MORENO VALLEY	CA	92557-8162	LOPEZ, MONICA	12068 WEBB ST	MORENO VALLEY, CA	92557-8162	158.57	15.86	31.4	205.82
95400435008	292192023	DELGADO, JUAN (RENT)	12028	WEBB ST	MORENO VALLEY	CA	92557-8162	DELGADO, JUAN	12028 WEBB ST	MORENO VALLEY, CA	92557-8162	254.12	25.41	50.32	329.84
31321795007	292193009	BROWN, RICHARD E AND MARY H-	12124	KRISTEN CT	MORENO VALLEY	CA	92557-7148	BROWN, RICHARD E AND MARY H	12124 KRISTEN CT	MORENO VALLEY, CA	92557-7148	254.02	25.4	50.3	329.7
54290005002	292193015	CONTRERAS, LORENA	12065	DEERWOOD LN	MORENO VALLEY	CA	92557-7100	CONTRERAS, LORENA	PO BOX 15242	ANAHEIM, CA	92803-5242	254.02	25.4	50.3	329.7
31290005000	292193020	CERDA, MARTHA	12094	DEERWOOD LN	MORENO VALLEY	CA	92557-7141	CERDA, MARTHA	12094 DEERWOOD LN	MORENO VALLEY, CA	92557-7141	254.12	25.41	50.32	329.84
31440915000	292201004	JONES, CHARLOTTE	23570	GARY CT	MORENO VALLEY	CA	92557-8164	JONES, CHARLOTTE	23570 GARY CT	MORENO VALLEY, CA	92557-8164	282.23	28.22	55.88	366.32
95684045009	292201008	GUZMAN, VICTOR (OWNR)	12029	BAYLESS ST	MORENO VALLEY	CA	92557-8160	GUZMAN, VICTOR	12029 BAYLESS ST	MORENO VALLEY, CA	92557-8160	189.79	18.98	37.58	246.34
31229615000	292202001	DE ROUEN, BARBARA	12121	ZINNIA ST	MORENO VALLEY	CA	92557-8203	DE ROUEN, BARBARA	12121 ZINNIA ST	MORENO VALLEY, CA	92557-8203	254.12	25.41	50.32	329.84
31162735008	292202003	SMITH, TERRY	12101	ZINNIA ST	MORENO VALLEY	CA	92557-8203	SMITH, TERRY	12101 ZINNIA ST	MORENO VALLEY, CA	92557-8203	127.36	12.74	25.22	165.3
73119775008	292202015	LEON, CESAR	12050	GRAHAM ST	MORENO VALLEY	CA	92557-7014	LEON, CESAR	12050 GRAHAM ST	MORENO VALLEY, CA	92557-7014	254.02	25.4	50.3	329.7
31638955000	292202020	HAMBLETON, BRIAN	23553	IRONWOOD AVE	MORENO VALLEY	CA	92557-8101	HAMBLETON, BRIAN	23553 IRONWOOD AVE	MORENO VALLEY, CA	92557-8101	242.44	24.24	48	314.68
31341585009	292202031	PENA, PATRICIA	12081	ZINNIA ST	MORENO VALLEY	CA	92557-8202	PENA, PATRICIA	PO BOX 152	MORENO VALLEY, CA	92556-0152	254.02	25.4	50.3	329.7
73665475003	292202032	RUIZ, ROLANDO	23596	JUDGE WARD CT	MORENO VALLEY	CA	92557-8216	RUIZ, ROLANDO	23596 JUDGE WARD CT	MORENO VALLEY, CA	92557-8216	254.02	25.4	50.3	329.7
66695225002	292202035	URIBE, JOSE	23556	JUDGE WARD CT	MORENO VALLEY	CA	92557-8216	URIBE, JOSE	23556 JUDGE WARD CT	MORENO VALLEY, CA	92557-8216	329.6	32.96	65.26	427.82
74746485008	292202042	HENDRIX, ALONDA	12110	GRAHAM ST	MORENO VALLEY	CA	92557-7044	HENDRIX, ALONDA	12110 GRAHAM ST	MORENO VALLEY, CA	92557-7044	479.92	47.99	95.02	622.92
81317295008	292202046	SAVIS, SUSANNE	12134	GRAHAM ST	MORENO VALLEY	CA	92557-7044	SAVIS, SUSANNE	12134 GRAHAM ST	MORENO VALLEY, CA	92557-7044	120.42	12.04	23.84	156.3
31392585002	292204002	MOORHOUSE, ROSE	12028	BAYLESS ST	MORENO VALLEY	CA	92557-8159	MOORHOUSE, ROSE	12028 BAYLESS ST	MORENO VALLEY, CA	92557-8159	29.32	2.93	5.81	38.04
52333675001	292205001	CHAVEZ, JUAN	12124	BAYLESS ST	MORENO VALLEY	CA	92557-8161	CHAVEZ, JUAN	12124 BAYLESS ST	MORENO VALLEY, CA	92557-8161	254.02	25.4	50.3	329.7
59422155004	292205005	ESPARZA, JUAN	12062	BAYLESS ST	MORENO VALLEY	CA	92557-8154	ESPARZA, JUAN	12062 BAYLESS ST	MORENO VALLEY, CA	92557-8154	54.12	5.41	10.72	70.24
31593225001	292206007	BABARACO, MARJORIE	12067	POUTOUS CT	MORENO VALLEY	CA	92557-8147	BADARACO, MARJORIE	12067 POUTOUS CT	MORENO VALLEY, CA	92557-8147	86.37	8.64	17.1	112.1
54984645006	292206009	RODRIGUEZ, JESUS AND LETICIA	12078	SWEGLES LN	MORENO VALLEY	CA	92557-8149	RODRIGUEZ, JESUS	12078 SWEGLES LN	MORENO VALLEY, CA	92557-8149	254.02	25.4	50.3	329.7
96246355000	292206016	TAIFAU, CARMELITA (RENT)	12016	SWEGLES LN	MORENO VALLEY	CA	92557-8149	TAIFAU, CARMELITA	12016 SWEGLES LN	MORENO VALLEY, CA	92557-8149	104.12	10.41	20.62	135.14
31424245005	292207001	WILLIAMS, OZIE	12124	POUTOUS CT	MORENO VALLEY	CA	92557-8157	WILLIAMS, OZIE	12124 POUTOUS CT	MORENO VALLEY, CA	92557-8157	254.02	25.4	50.3	329.7
87689705009	292212001	CEBALLOS, PAUL E	12130	ZINNIA ST	MORENO VALLEY	CA	92557-8201	CEBALLOS, PAUL E	12130 ZINNIA ST	MORENO VALLEY, CA	92557-8201	190.49	19.05	37.72	247.24
91463893003	292212002	FERNANDEZ, MIGUEL (RENT)	12142	ZINNIA ST	MORENO VALLEY	CA	92557-8201	FERNANDEZ, MIGUEL	12142 ZINNIA ST	MORENO VALLEY, CA	92557-8201	190.79	19.08	37.78	247.64
98319505012	292212003	SESENA, MANUEL (RENT)	12156	ZINNIA ST	MORENO VALLEY	CA	92557-8201	SESENA, MANUEL (RENT)	12156 ZINNIA ST	MORENO VALLEY, CA	92557-8201	292.21	29.22	57.86	379.28
97952985000	292212007	ANDRADE, MONICA (RENT)	12198	ZINNIA ST	MORENO VALLEY	CA	92557-8201	ANDRADE, MONICA	12198 ZINNIA ST	MORENO VALLEY, CA	92557-8201	254.12	25.41	50.32	329.84
31286725007	292212011	RAMJATTAN, DOREEN	23634	HEMLOCK AVE	MORENO VALLEY	CA	92557-7135	RAMJATTAN, DOREEN	23634 HEMLOCK AVE	MORENO VALLEY, CA	92557-7135	254.02	25.4	50.3	329.7
31166705005	292213004	GIL, ALFONSO	12152	GRAHAM ST	MORENO VALLEY	CA	92557-7044	GIL, ALFONSO	12152 GRAHAM ST	MORENO VALLEY, CA	92557-7044	254.02	25.4	50.3	329.7
53626255005	292213009	ANDERSON, SHERRY L	12182	GRAHAM ST	MORENO VALLEY	CA	92557-7016	ANDERSON, SHERRY L	12182 GRAHAM ST	MORENO VALLEY, CA	92557-7016	190.69	19.07	37.76	247.5
97461225002	292213016	HARDY, JOHNNY (RENT)	12225	ZINNIA ST	MORENO VALLEY	CA	92557-8204	HARDY, JOHNNY	12225 ZINNIA ST	MORENO VALLEY, CA	92557-8204	254.12	25.41	50.32	329.84
48279885002	292213020	GUTIERREZ, JOSE	12191	ZINNIA ST	MORENO VALLEY	CA	92557-8204	GUTIERREZ, JOSE	21550 BOX SPRINGS RD APT 1040	MORENO VALLEY, CA	92557-6714	329.6	32.96	65.26	427.82
31200515002	292213023	SMITH, MILES	23595	NORRIS DR	MORENO VALLEY	CA	92557-8215	SMITH, MILES	PO BOX 1597	BULLHEAD CITY, AZ	86430-1597	254.02	25.4	50.3	329.7
31567355007	292213027	BARRETT, CHARLAVONNA	12131	ZINNIA ST	MORENO VALLEY	CA	92557-8203	BARRETT, CHARLAVONNA	12131 ZINNIA ST	MORENO VALLEY, CA	92557-8203	254.02	25.4	50.3	329.7
31215635005	292221006	TUTTLE, MICHAEL	23621	HEMLOCK AVE	MORENO VALLEY	CA	92557-8206	TUTTLE, MICHAEL	312 S MAIN ST APT A	BRUNDIDGE, AL	36010-1833	254.02	25.4	50.3	329.7
31198265000	292222010	PAZEJ, CHRISTINE	23648	DAVID LN	MORENO VALLEY	CA	92557-8213	PAZEJ, CHRISTINE	23648 DAVID LN	MORENO VALLEY, CA	92557-8213	254.02	25.4	50.3	329.7
66379115006	292222014	WILLIAMS, KEITH AND ANITA	23705	HEMLOCK AVE	MORENO VALLEY	CA	92557-7112	WILLIAMS, KEITH AND ANITA	13301 LARKHAVEN DR	MORENO VALLEY, CA	92553-3256	155.73	15.57	30.83	202.12
92745775007	292222028	AGUIRRE, MONICA	23551	DAVID LN	MORENO VALLEY	CA	92557-8207	AGUIRRE, MONICA	23551 DAVID LN	MORENO VALLEY, CA	92557-8207	254.02	25.4	50.3	329.7
97780063008	292222031	LIEHR, LINDA (RENT)	23521	DAVID LN	MORENO VALLEY	CA	92557-8207	LIEHR, LINDA (RENT)	23521 DAVID LN	MORENO VALLEY, CA	92557-8207	62.64	6.26	12.4	81.3
31377645001	292222032	VIVANCO, MARIA	23511	DAVID LN	MORENO VALLEY	CA	92557-8207	VIVANCO, MARIA	23511 DAVID LN	MORENO VALLEY, CA	92557-8207	329.32	32.93	65.21	427.44
31578925005	292230014	FREIBURGHOUSE, NORIV	23620	TOWER ST	MORENO VALLEY	CA	92553-3034	FREIBURGHOUSE, NORIV	23620 TOWER ST	MORENO VALLEY, CA	92553-3034	244.71	24.47	48.45	317.62
97323943003	292230030	WILLIAMS, ODETTE	23770	SUNNYMEAD BLVD STE B	MORENO VALLEY	CA	92553-3022	WILLIAMS, ODETTE	23770 SUNNYMEAD BLVD	MORENO VALLEY, CA	92553-3022	481.8	48.18	95.4	625.36
97684355001	292271001	EMORY, LLOYD (OWNR)	12017	BUCKTHORN DR	MORENO VALLEY	CA	92557-7013	EMORY, LLOYD	12017 BUCKTHORN DR	MORENO VALLEY, CA	92557-7013	127.46	12.75	25.24	165.44
97850735009	292272001	SANTACRUZ, LORENA (RENT)	12076	RACKET CT	MORENO VALLEY	CA	92557-7011	SANTACRUZ, LORENA	12076 RACKET CT	MORENO VALLEY, CA	92557-7011	254.12	25.41	50.32	329.84
31529875008	292272008	LAROCHE, JAMES	12029	RACKET CT	MORENO VALLEY	CA	92557-7011	LAROCHE, JAMES	12029 RACKET CT	MORENO VALLEY, CA	92557-7011	253.92	25.39	50.28	329.58
31090655007	292272014	MAGDALENO, ESTER	12078	BUCKTHORN DR	MORENO VALLEY	CA	92557-7012	MAGDALENO, ESTER	PO BOX 383	ASHLAND, KS	67831-0383	254.02	25.4	50.3	329.7
96943548003	292272016	CABRERA, CHRISTIAN (RENT)	12056	BUCKTHORN DR	MORENO VALLEY	CA	92557-7012	CABRERA, CHRISTIAN	12056 BUCKTHORN DR	MORENO VALLEY, CA	92557-7012	100	10	19.8	129.8
55592405006	292272019	PACANINS, GUSTAVO	12024	BUCKTHORN DR	MORENO VALLEY	CA	92557-7012	PACANINS, GUSTAVO	158 S PARK ST	ORANGE, CA	92869-4034	212.31	21.23	42.04	275.58
80909185007	296021010	KIMBLE, JUANITA	13111	BAGATELLE ST	MORENO VALLEY	CA	92553-5954	KIMBLE, JUANITA	13111 BAGATELLE ST	MORENO VALLEY, CA	92553-5954	329.32	32.93	65.21	427.44
31649165003	296022004	HARRIEL, ANDREA	13065	KOCHI DR	MORENO VALLEY	CA	92553-5971	HARRIEL, ANDREA	13065 KOCHI DR	MORENO VALLEY, CA	92553-5971	207.44	20.74	41.07	269.24
91097863005	296023007	AGUIRRE, RUBEN (RENT)	13112	KOCHI DR	MORENO VALLEY	CA	92553-5955	AGUIRRE, RUBEN	13112 KOCHI DR	MORENO VALLEY, CA	92553-5955	127.46	12.75	25.24	165.44
31114305009	296024004	RHODES, SERENE	23190	LENA ST	MORENO VALLEY	CA	92553-5972	RHODES, SERENE	23190 LENA ST	MORENO VALLEY, CA	92553-5972	254.02	25.4	50.3	329.7
31203125008	296025005	LEDESMA, MANUEL	23191	LENA ST	MORENO VALLEY	CA	92553-5974	LEDESMA, MANUEL	23191 LENA ST	MORENO VALLEY, CA	92553-5974	254.02	25.4	50.3	329.7
31615425000	296025011	SINGLETON, CHRISTINE	23174	MELINDA CT	MORENO VALLEY	CA	92553-5950	SINGLETON, CHRISTINE	23174 MELINDA CT	MORENO VALLEY, CA	92553-5950	329.32	32.93	65.21	427.44
31370575000	296025019	ORTEGA, CARLOS	23215	MELINDA CT	MORENO VALLEY	CA	92553-5976	ORTEGA, CARLOS	23215 MELINDA CT	MORENO VALLEY, CA	92553-5976	26.69	2.67	5.28	34.64
31126125001	296025020	ALLISON, CHRIS	23201	MELINDA CT	MORENO VALLEY	CA	92553-5976	ALLISON, CHRIS	23201 MELINDA CT	MORENO VALLEY, CA	92553-5976	254.02	25.4	50.3	329.7
31359265008	296025024	OWENS, ERNESTINE	23151	MELINDA CT	MORENO VALLEY	CA	92553-5949	OWENS, ERNESTINE	23151 MELINDA CT	MORENO VALLEY, CA	92553-5949	254.02	25.4	50.3	329.7
31571375005	296031003	AMEZCUA, JUAN BENJAMIN	13143	BAGATELLE ST	MORENO VALLEY	CA	92553-5954	AMEZCUA, JUAN BENJAMIN	13143 BAGATELLE ST	MORENO VALLEY, CA	92553-5954	329.32	32.93	65.21	427.44
83505535007	296031013	ESTER, IV	23048	DRACAEA AVE	MORENO VALLEY	CA	92553-3274	ESTER, IV	23048 DRACAEA AVE	MORENO VALLEY, CA	92553-3274	329.32	32.93	65.21	427.44
31060295006	296032007	SEARS, ROBERT	13177	KOCHI DR	MORENO VALLEY	CA	92553-5956	SEARS, ROBERT	23453 N MUSTANG WAY	FLORENCE, AZ	85132-7101	254.02	25.4	50.3	329.7
31166645008	296033012	GUILLEN, JOSIE	13211	ADELINE AVE	MORENO VALLEY	CA	92553-5941	GUILLEN, JOSIE	13211 ADELINE AVE	MORENO VALLEY, CA	92553-5941	254.12	25.41	50.32	329.84
31123885005	296033015	PHILLIPS, ROBERT AND PATRICIA	13165	ADELINE AVE	MORENO VALLEY	CA	92553-5930	PHILLIPS, ROBERT	13165 ADELINE AVE	MORENO VALLEY, CA	92553-5930	285.4	28.54	56.51	370.44
97814885003	296034001	CROOK, LAKEIA (RENT)	23244	DRACAEA AVE	MORENO VALLEY	CA	92553-3281	CROOK, LAKEIA	44448 MEADOW GROVE ST	HEMET, CA	92544-2630	36.36	3.64	7.2	47.18
61344765008	296034006	LOPEZ, ROGELIO	23188	DRACAEA AVE	MORENO VALLEY	CA	92553-3212	LOPEZ, ROGELIO	23188 DRACAEA AVE	MORENO VALLEY, CA	92553-3212	30.79	3.08	6.1	39.96
63175235006	296034009	LEWIS, JAYLENA	23152	DRACAEA AVE	MORENO VALLEY	CA	92553-3212	LEWIS, JAYLENA	23152 DRACAEA AVE	MORENO VALLEY, CA	92553-3212	204.12	20.41	40.42	264.94
31068725009	296034011	GORDON, GENEVA	23161	SHIDAY CT	MORENO VALLEY	CA	92553-5959	GORDON, G	23161 SHIDAY CT	MORENO VALLEY, CA	92553-5959	254.02	25.4	50.3	329.7
31478205009	296034014	LOPEZ, MARIA	23201	SHIDAY CT	MORENO VALLEY	CA	92553-5978	LOPEZ, MARIA	23201 SHIDAY CT	MORENO VALLEY, CA	92553-5978	125.69	12.57	24.89	163.14
31134985004	296034021	HALL, JOHN AND DARLENE	23202	SHIDAY CT	MORENO VALLEY	CA	92553-5977	HALL, JOHN	23202 SHIDAY CT	MORENO VALLEY, CA	92553-5977	254.02	25.4	50.3	329.7
87779745000	296034024	PHILLIPS, LENA	23160	SHIDAY CT	MORENO VALLEY	CA	92553-5958	PHILLIPS, LENA	23160 SHIDAY CT	MORENO VALLEY, CA	92553-5958	254.12	25.41	50.32	329.84
95490443007	296034029	MERRIWEATHER, EVA (OWNR)	23191	DENVER CT	MORENO VALLEY	CA	92553-5929	MERRIWEATHER, EVA	23191 DENVER CT	MORENO VALLEY, CA	92553-5929	103.09	10.31	20.41	133.8
97833315003	296034033	TOSAEONO, SAANU	23231	DENVER CT	MORENO VALLEY	CA	92553-5965	TOSAEONO, SAANU	23231 DENVER CT	MORENO VALLEY, CA	92553-5965	254.12	25.41	50.32	329.84
74687505000	296034040	MCADORY, MARY	23160	DENVER CT	MORENO VALLEY	CA	92553-5928	MCADORY, MARY	23160 DENVER CT	MORENO VALLEY, CA	92553-5928	254.02	25.4	50.3	329.7
31503015004	296034041	SWANSON, DIANE	23152	DENVER CT	MORENO VALLEY	CA	92553-5928	SWANSON, DIANE	23152 DENVER CT	MORENO VALLEY, CA	92553-5928	231.3	23.13	45.8	300.22
91227195009	296041017	CRUZ, JOSE	23311	LENA ST	MORENO VALLEY	CA	92553-5904	CRUZ, JOSE	23311 LENA ST	MORENO VALLEY, CA	92553-5904	190.58	19.06	37.73	247.36
31109835008	296041021	JIMENEZ, RICARDO	13062	VALLEY SPRINGS DR	MORENO VALLEY	CA	92553-5903	JIMENEZ, RICARDO	13062 VALLEY SPRINGS RD	MORENO VALLEY, CA	92553-5903	254.02	25.4	50.3	329.7
91840165005	296042002	ORDONAS, TELESFORO	13106	PAVILLION CT	MORENO VALLEY	CA	92553-5601	ORDONAS, TELESFORO	13106 PAVILLION CT	MORENO VALLEY, CA	92553-5601	190.29	19.03	37.68	246.98
94757395000	296042009	ALCANTARA, ELEI	13016	PAVILLION CT	MORENO VALLEY	CA	92553-5696	ALCANTARA, ELEI	13016 PAVILLION CT	MORENO VALLEY, CA	92553-5696	253.92	25.39	50.28	329.58
31212395002	296042025	THOMA, DEBRA	13064	TIERRA CANYON DR	MORENO VALLEY	CA	92553-5641	THOMA, DEBRA	13064 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5641	63.63	6.36	12.6	82.58
31174005006	296042029	DOTY, BRIANI	13010	TIERRA CANYON DR	MORENO VALLEY	CA	92553-5641	DOTY, BRIANI	13010 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5641	254.02	25.4	50.3	329.7
31356655002	296043005	JACKSON, MARVA (RENT)	23339	LA MESA LN	MORENO VALLEY	CA	92553-3206	JACKSON, MARVA	23339 LA MESA LN	MORENO VALLEY, CA	92553-3206	134.02	13.4	26.54	173.94
66659465007	296043006	GAMEZ, JOSE AND OLGA	23353	LA MESA LN	MORENO VALLEY	CA	92553-3206	GAMEZ, JOSE AND OLGA	23353 LA MESA LN	MORENO VALLEY, CA	92553-3206	127.52	12.75	25.25	165.52
31390135001	296045001	LUA, ELISEO	23262	LENA ST	MORENO VALLEY	CA	92553-5946	LUA, ELISEO	15756 MESA VERDE DR	MORENO VALLEY, CA	92555-4221	194.95	19.5	38.6	253.04
31572255008	296045003	SODIKOMKUM, TERESA	23288	LENA ST	MORENO VALLEY	CA	92553-5946	SODIKOMKUM, TERESA	23288 LENA ST	MORENO VALLEY, CA	92553-5946	254.02	25.4	50.3	329.7
31464375003	296052005	STEPHENS, JODI	23338	VIDA CT	MORENO VALLEY	CA	92553-3216	STEPHENS, JODI	23338 VIDA CT	MORENO VALLEY, CA	92553-3216	329.32	32.93	65.21	427.44

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
52554085006	296052007	DURON, CARLOS	23364	VIDA CT	MORENO VALLEY	CA	92553-3216	DURON, CARLOS	23364 VIDA CT	MORENO VALLEY, CA	92553-3216	254.02	25.4	50.3	329.7
31297525006	296052022	DEANDA, LORRIE	23365	PARK LANE CT	MORENO VALLEY	CA	92553-3249	DEANDA, LORRIE	23365 PARK LANE CT	MORENO VALLEY, CA	92553-3249	253.92	25.39	50.28	329.58
31260825001	296052024	GONZALEZ, MARGARITA (OWNR)	23339	PARK LANE CT	MORENO VALLEY	CA	92553-3249	GONZALEZ, MARGARITA	13605 STOCKBROOK RD	MORENO VALLEY, CA	92553-4835	254.12	25.41	50.32	329.84
98303525012	296052027	HERNANDEZ, EMILIO (RENT)	23303	PARK LANE CT	MORENO VALLEY	CA	92553-3249	HERNANDEZ, EMILIO	23303 PARK LANE CT	MORENO VALLEY, CA	92553-3249	254.12	25.41	50.32	329.84
65151075008	296052032	DIMAS, ELENA	23326	DRACAEA AVE	MORENO VALLEY	CA	92553-3271	DIMAS, ELENA	23326 DRACAEA AVE	MORENO VALLEY, CA	92553-3271	190.79	19.08	37.78	247.64
31179025001	296052033	THURMAN, ROBERT	23338	DRACAEA AVE	MORENO VALLEY	CA	92553-3271	THURMAN, ROBERT	23338 DRACAEA AVE	MORENO VALLEY, CA	92553-3271	254.02	25.4	50.3	329.7
57887095003	296052034	FUENTES, NICOLAS	23352	DRACAEA AVE	MORENO VALLEY	CA	92553-3271	FUENTES, NICOLAS	23352 DRACAEA AVE	MORENO VALLEY, CA	92553-3271	254.02	25.4	50.3	329.7
91579423005	296052042	SCHANKS, DAWNIESHA (RENT)	23456	DRACAEA AVE	MORENO VALLEY	CA	92553-3223	SCHANKS, DAWNIESHA (RENT)	23456 DRACAEA AVE	MORENO VALLEY, CA	92553-3223	63.63	6.36	12.6	82.58
91399653009	296052048	ORTEGA, TEMO(OWNR)	13189	TIERRA CANYON DR	MORENO VALLEY	CA	92553-5644	ORTEGA, TEMO(OWNR)	13189 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5644	127.78	12.78	25.3	165.84
96150995000	296052049	BROWN, ELEANOR (RENT)	13179	TIERRA CANYON DR	MORENO VALLEY	CA	92553-5644	BROWN, ELEANOR	126 PEROU ST APT 1	PERRIS, CA	92570-2600	254.12	25.41	50.32	329.84
63906885007	296053003	MARTINEZ, FRANCISCO	13163	PAVILLION CT	MORENO VALLEY	CA	92553-5603	MARTINEZ, FRANCISCO	13163 PAVILLION CT	MORENO VALLEY, CA	92553-5603	254.12	25.41	50.32	329.84
95051965007	296053008	MORALES, JOSE A (RENT)	13150	TIERRA CANYON DR	MORENO VALLEY	CA	92553-5618	MORALES, JOSE A	13150 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5618	254.12	25.41	50.32	329.84
96524345003	296054002	CLINES, TAMMY (OWNR)	13236	PAVILLION CT	MORENO VALLEY	CA	92553-5610	CLINES, TAMMY	1132 TOMAN AVE	CLARTON, PA	15025-1158	254.12	25.41	50.32	329.84
31582905001	296054009	JONES, HELEN	13138	PAVILLION CT	MORENO VALLEY	CA	92553-5672	JONES, HELEN	13138 PAVILLION CT	MORENO VALLEY, CA	92553-5672	154.02	15.4	30.5	199.9
31539635008	296071005	SOTELO, CATALINA	13071	SUNLIT CT	MORENO VALLEY	CA	92553-5688	SOTELO, CATALINA	13071 SUNLIT CT	MORENO VALLEY, CA	92553-5688	63.63	6.36	12.6	82.58
31452295005	296071014	YOUNG, BOBBY J	13064	SUNLIT CT	MORENO VALLEY	CA	92553-5687	YOUNG, BOBBY J	13064 SUNLIT CT	MORENO VALLEY, CA	92553-5687	254.02	25.4	50.3	329.7
73669435004	296071019	MACIAS, MIGUEL	13116	SUNLIT CT	MORENO VALLEY	CA	92553-5645	MACIAS, MIGUEL	13116 SUNLIT CT	MORENO VALLEY, CA	92553-5645	254.02	25.4	50.3	329.7
31646055002	296071024	LUDWIG, SYLVIA	13077	SUNBIRD DR	MORENO VALLEY	CA	92553-5698	LUDWIG, SYLVIA	13077 SUNBIRD DR	MORENO VALLEY, CA	92553-5698	100	10	19.8	129.8
96563075007	296071027	BOWIE, CYNTHIA	13087	SUNBIRD DR	MORENO VALLEY	CA	92553-5698	BOWIE, CYNTHIA	1526 WESTERN VILLAGE DR	SAN JACINTO, CA	92583-6342	254.12	25.41	50.32	329.84
94571815007	296072001	PALOMINOS, LORENA (OWNR)	13012	SUNBIRD DR	MORENO VALLEY	CA	92553-5698	PALOMINOS, LORENA	13012 SUNBIRD DR	MORENO VALLEY, CA	92553-5698	120.79	12.08	23.92	156.78
70312295003	296072006	IGNACIO, GLORIA	13076	SUNBIRD DR	MORENO VALLEY	CA	92553-5698	IGNACIO, GLORIA	13076 SUNBIRD DR	MORENO VALLEY, CA	92553-5698	254.02	25.4	50.3	329.7
56472775002	296072013	GRAHAM, TANIA	13093	GOLDFINCH ST	MORENO VALLEY	CA	92553-5694	GRAHAM, TANIA	13093 GOLDFINCH ST	MORENO VALLEY, CA	92553-5694	254.02	25.4	50.3	329.7
66910955001	296072014	PADILLA, RENEE	13083	GOLDFINCH ST	MORENO VALLEY	CA	92553-5694	PADILLA, RENEE	13083 GOLDFINCH ST	MORENO VALLEY, CA	92553-5694	190.79	19.08	37.78	247.64
31509585001	296072015	JUAREZ, WALTER	13067	GOLDFINCH ST	MORENO VALLEY	CA	92553-5694	JUAREZ, WALTER	13067 GOLDFINCH ST	MORENO VALLEY, CA	92553-5694	329.6	32.96	65.26	427.82
53692275003	296073002	MORALES, WALTER	13015	LARKHAVEN DR	MORENO VALLEY	CA	92553-5689	MORALES, WALTER	13015 LARKHAVEN DR	MORENO VALLEY, CA	92553-5689	190.69	19.07	37.76	247.5
88358243007	296073007	GRAYSON, VICENTE (RENT)	13115	LARKHAVEN DR	MORENO VALLEY	CA	92553-5691	GRAYSON, VICENTE (RENT)	13115 LARKHAVEN DR	MORENO VALLEY, CA	92553-5691	129.12	12.91	25.57	167.58
31642855003	296073008	KING, JAMIE	13125	LARKHAVEN DR	MORENO VALLEY	CA	92553-5691	KING, JAMIE	13125 LARKHAVEN DR	MORENO VALLEY, CA	92553-5691	254.02	25.4	50.3	329.7
68419665002	296073010	EDMOND, DWAYNE	13182	GOLDFINCH ST	MORENO VALLEY	CA	92553-5693	EDMOND, DWAYNE	13182 GOLDFINCH ST	MORENO VALLEY, CA	92553-5693	254.12	25.41	50.32	329.84
48612305003	296073016	HERNANDEZ, ANITA	13062	GOLDFINCH ST	MORENO VALLEY	CA	92553-5694	HERNANDEZ, ANITA	13062 GOLDFINCH ST	MORENO VALLEY, CA	92553-5694	63.63	6.36	12.6	82.58
93699625007	296074001	SANDES, CYNTHIA (RENT)	13144	LARKHAVEN DR	MORENO VALLEY	CA	92553-5684	SANDES, CYNTHIA	12800 NORWICH CT	MORENO VALLEY, CA	92553-1870	254.12	25.41	50.32	329.84
31541755008	296074005	JOHNSON, DEIDRA	13104	LARKHAVEN DR	MORENO VALLEY	CA	92553-5684	JOHNSON, DEIDRA	13104 LARKHAVEN DR	MORENO VALLEY, CA	92553-5684	257.42	25.74	50.97	334.12
59143125003	296074006	CASTILLO, CLAUDIA	13094	LARKHAVEN DR	MORENO VALLEY	CA	92553-5689	CASTILLO, CLAUDIA	4591 BEVERLY CT	RIVERSIDE, CA	92506-1904	254.12	25.41	50.32	329.84
95348875001	296074015	PALUMBA, DORA	13004	LARKHAVEN DR	MORENO VALLEY	CA	92553-5689	PALUMBA, DORA	24063 BRODIAEA AVE	MORENO VALLEY, CA	92553-6708	253.92	25.39	50.28	329.58
74877125007	296081007	ALSTON, LATOSHA	13161	SUNLIT CT	MORENO VALLEY	CA	92553-5646	ALSTON, LATOSHA	13161 SUNLIT CT	MORENO VALLEY, CA	92553-5646	190.69	19.07	37.76	247.5
31591365005	296082004	GAFFORD, WILLIAM	13247	SUNBIRD DR	MORENO VALLEY	CA	92553-5649	GAFFORD, WILLIAM	13247 SUNBIRD DR	MORENO VALLEY, CA	92553-5649	190.39	19.04	37.7	247.12
52610115000	296082007	NGUNJIRI, MUMBI	13215	SUNBIRD DR	MORENO VALLEY	CA	92553-5649	NGUNJIRI, MUMBI	13215 SUNBIRD DR	MORENO VALLEY, CA	92553-5649	254.02	25.4	50.3	329.7
31120415003	296083002	LOPEZ, RUBEN	13138	SUNBIRD DR	MORENO VALLEY	CA	92553-5685	LOPEZ, RUBEN	13138 SUNBIRD DR	MORENO VALLEY, CA	92553-5685	254.02	25.4	50.3	329.7
95467395005	296083029	REEVE, MELISSA (OWNR)	23707	WHITEOWL CT	MORENO VALLEY	CA	92553-2202	REEVE, MELISSA	23707 WHITEOWL CT	MORENO VALLEY, CA	92553-2202	254.12	25.41	50.32	329.84
31547635001	296083036	KLOSINSKI, MARY AND JOHN	23648	WHITEOWL CT	MORENO VALLEY	CA	92553-5686	KLOSINSKI, MARY AND JOHN	23648 WHITEOWL CT	MORENO VALLEY, CA	92553-5686	254.02	25.4	50.3	329.7
91948675009	296083042	LEON, AMERICA (RENT)	800	TEMESCAL	CORONA	CA	92879-2058	LEON, AMERICA	4137 TYLER AVE	EL MONTE, CA	91731-1965	224.87	22.49	44.52	291.88
97073023007	296084001	RIVERA, ANGELICA (RENT)	13244	LARKHAVEN DR	MORENO VALLEY	CA	92553-5690	RIVERA, ANGELICA (RENT)	12029 BAYLESS ST	MORENO VALLEY, CA	92557-8160	106.96	10.7	21.18	138.82
31394485009	296084007	MARCIAL, CAROLINA	13184	LARKHAVEN DR	MORENO VALLEY	CA	92553-5684	MARCIAL, CAROLINA	13184 LARKHAVEN DR	MORENO VALLEY, CA	92553-5684	190.69	19.07	37.76	247.5
31165275007	296092001	GORE, ELIZABETH	23794	ELYCE CT	MORENO VALLEY	CA	92553-3299	GORE, ELIZABETH	23794 ELYCE CT	MORENO VALLEY, CA	92553-3299	190.79	19.08	37.78	247.64
69852035006	296092004	AMOS, RICKY	23834	ELYCE CT	MORENO VALLEY	CA	92553-3242	O.COM RICKY	23834 ELYCE CT	MORENO VALLEY, CA	92553-3242	129.6	12.96	25.66	168.22
90986015009	296092010	GRAVES, ASHLEY (RENT)	23845	ELYCE CT	MORENO VALLEY	CA	92553-3242	GRAVES, ASHLEY	P O BOX 9591	MORENO VALLEY, CA	92552-9591	99.69	9.97	19.74	129.38
31413845002	296092016	HOWARD, JIMMY	23806	HUTTON CT	MORENO VALLEY	CA	92553-3243	HOWARD, JIMMY	23806 HUTTON CT	MORENO VALLEY, CA	92553-3243	86.37	8.64	17.1	112.1
98366073003	296092019	CASTANEDA, MARTIN (OWNR)	23848	HUTTON CT	MORENO VALLEY	CA	92553-3243	CASTANEDA, MARTIN AND IRMA	23848 HUTTON CT	MORENO VALLEY, CA	92553-3243	257.45	25.75	50.98	334.16
31615745003	296092020	MARTINEZ, CHRIS	23862	HUTTON CT	MORENO VALLEY	CA	92553-3243	MARTINEZ, CHRIS	23862 HUTTON CT	MORENO VALLEY, CA	92553-3243	254.02	25.4	50.3	329.7
65886075002	296092026	HERNANDEZ, ARTURO (OWNR)	23819	HUTTON CT	MORENO VALLEY	CA	92553-3243	HERNANDEZ, ARTURO	23819 HUTTON CT	MORENO VALLEY, CA	92553-3243	190.79	19.08	37.78	247.64
95896485008	296092028	FUENTES, JOHN	23791	HUTTON CT	MORENO VALLEY	CA	92553-2703	FUENTES, JOHN	23791 HUTTON CT	MORENO VALLEY, CA	92553-2703	154.02	15.4	30.5	199.9
95565348007	296101006	LEWIS, VANESSA (RENT)	13193	RUNNING DEER RD	MORENO VALLEY	CA	92553-3257	LEWIS, VANESSA	13193 RUNNING DEER RD	MORENO VALLEY, CA	92553-3257	195.27	19.53	38.66	253.46
31646855004	296102001	HATTEN, DAVID	23826	WOLCOTT DR	MORENO VALLEY	CA	92553-3240	HATTEN, DAVID	344 W 4TH ST	PERRIS, CA	92570-2013	254.02	25.4	50.3	329.7
31543605006	296103001	POZOS, MARIA	23874	DRACAEA AVE	MORENO VALLEY	CA	92553-3276	POZOS, MARIA	23874 DRACAEA AVE	MORENO VALLEY, CA	92553-3276	253.92	25.39	50.28	329.58
90466075009	296103015	ASENDORF, CHARMAN	23865	WOLCOTT DR	MORENO VALLEY	CA	92553-3241	ASENDORF, CHARMAN	23865 WOLCOTT DR	MORENO VALLEY, CA	92553-3241	253.92	25.39	50.28	329.58
31090575004	296103018	LYONS, BEVERLY	23840	CUSHENBURY RD	MORENO VALLEY	CA	92553-3231	LYONS, BEVERLY	23840 CUSHENBURY RD	MORENO VALLEY, CA	92553-3231	247.48	24.75	49	321.22
91627503005	296103020	RODRIGUES, DANIEL (RENT)	23820	CUSHENBURY RD	MORENO VALLEY	CA	92553-3231	RODRIGUES, DANIEL	23820 CUSHENBURY RD	MORENO VALLEY, CA	92553-3231	63.63	6.36	12.6	82.58
31533985007	296103021	MCCOY, ANN	23810	CUSHENBURY RD	MORENO VALLEY	CA	92553-3231	MCCOY, ANN	23810 CUSHENBURY RD	MORENO VALLEY, CA	92553-3231	254.02	25.4	50.3	329.7
31352575008	296111007	OTOOLE, VIRGINIA	23583	DRACAEA AVE	MORENO VALLEY	CA	92553-3273	OTOOLE, VIRGINIA	23583 DRACAEA AVE	MORENO VALLEY, CA	92553-3273	254.02	25.4	50.3	329.7
64254345005	296111009	DIXON, TIFFANY	13269	SUNFIELD DR	MORENO VALLEY	CA	92553-3260	DIXON, TIFFANY	13269 SUNFIELD DR	MORENO VALLEY, CA	92553-3260	253.84	25.38	50.26	329.48
31123485002	296111015	SCAGNETTI, WAYNE	13296	SUNFLOWER CT	MORENO VALLEY	CA	92553-3225	SCAGNETTI, WAYNE	13296 SUNFLOWER CT	MORENO VALLEY, CA	92553-3225	63.63	6.36	12.6	82.58
58075905004	296111016	GARCIA, EDDIE	13286	SUNFLOWER CT	MORENO VALLEY	CA	92553-3225	GARCIA, EDDIE	13286 SUNFLOWER CT	MORENO VALLEY, CA	92553-3225	329.32	32.93	65.21	427.44
31286695003	296111017	COOLIDGE, BRUCE	13284	SUNFLOWER CT	MORENO VALLEY	CA	92553-3225	COOLIDGE, BRUCE	13284 SUNFLOWER CT	MORENO VALLEY, CA	92553-3225	357.53	35.75	70.79	464.06
87982145006	296111020	GONZALES, VALERIE	13305	SUNFLOWER CT	MORENO VALLEY	CA	92553-3224	GONZALES, VALERIE	13305 SUNFLOWER CT	MORENO VALLEY, CA	92553-3224	254.12	25.41	50.32	329.84
99393935008	296112014	WARREN, EMPRISS (RENT)	23607	DRACAEA AVE	MORENO VALLEY	CA	92553-3275	WARREN, EMPRISS	207 DEPOT ST	MANNING, SC	29102-3612	254.12	25.41	50.32	329.84
31293095005	296112019	EVANS, PHILIP	23681	DRACAEA AVE	MORENO VALLEY	CA	92553-3275	EVANS, PHILIP	23681 DRACAEA AVE	MORENO VALLEY, CA	92553-3275	329.32	32.93	65.21	427.44
96287675007	296112021	RODRIGUEZ, CARLOS	23705	DRACAEA AVE	MORENO VALLEY	CA	92553-3295	RODRIGUEZ, CARLOS	23705 DRACAEA AVE	MORENO VALLEY, CA	92553-3295	414.25	41.43	82.02	537.68
96456255006	296112024	CORDOVA, EDUARDO	13301	LARKHAVEN DR	MORENO VALLEY	CA	92553-3256	CORDOVA, EDUARDO	13301 LARKHAVEN DR	MORENO VALLEY, CA	92553-3256	288.73	28.87	57.17	374.76
31519465005	296112025	GUTIERREZ, MIGUEL	13311	LARKHAVEN DR	MORENO VALLEY	CA	92553-3256	GUTIERREZ, MIGUEL	13311 LARKHAVEN DR	MORENO VALLEY, CA	92553-3256	153.92	15.39	30.48	199.78
88513515000	296112031	CALZADA, FRANCISCO	13372	FIELDCREST CT	MORENO VALLEY	CA	92553-3215	CALZADA, FRANCISCO	24810 AGUSTA DR	MORENO VALLEY, CA	92551-4031	63.63	6.36	12.6	82.58
94041385001	296113010	VALENCIA, RAQUEL (RENT)	13360	LARKHAVEN DR	MORENO VALLEY	CA	92553-3205	VALENCIA, RAQUEL	10677 RIDGEFIELD TER	MORENO VALLEY, CA	92557-3808	56.45	5.65	11.18	73.26
57753985000	296122004	BURTON, LATESHA	13455	SUNFLOWER CT	MORENO VALLEY	CA	92553-3226	BURTON, LATESHA	13455 SUNFLOWER CT	MORENO VALLEY, CA	92553-3226	254.02	25.4	50.3	329.7
31615555002	296123014	CERDA, ROBERTO	13383	SUNSWEPT CT	MORENO VALLEY	CA	92553-3229	CERDA, ROBERTO	13383 SUNSWEPT CT	MORENO VALLEY, CA	92553-3229	254.02	25.4	50.3	329.7
31311265009	296123018	CROTHER, MONIQUE	13416	SUNSWEPT CT	MORENO VALLEY	CA	92553-2710	CROTHER, MONIQUE	13416 SUNSWEPT CT	MORENO VALLEY, CA	92553-2710	253.92	25.39	50.28	329.58
65248865006	296123019	ANAYA, NANCY	13428	SUNSWEPT CT	MORENO VALLEY	CA	92553-2710	ANAYA, NANCY	13428 SUNSWEPT CT	MORENO VALLEY, CA	92553-2710	329.6	32.96	65.26	427.82
31645055004	296123023	JOHNSON, SHANE	13435	FIELDCREST CT	MORENO VALLEY	CA	92553-3217	JOHNSON, SHANE	13435 FIELDCREST CT	MORENO VALLEY, CA	92553-3217	254.02	25.4	50.3	329.7
31478145002	296124002	BUTLER, MARY	23549	SUNCREST AVE	MORENO VALLEY	CA	92553-3264	BUTLER, MARY	23549 SUNCREST AVE	MORENO VALLEY, CA	92553-3264	254.02	25.4	50.3	329.7
92073913005	296124006	LOPEZ, ERNEST (RENT)	23607	SUNCREST AVE	MORENO VALLEY	CA	92553-3221	LOPEZ, ERNEST	23607 SUNCREST AVE	MORENO VALLEY, CA	92553-3221	63.63	6.36	12.6	82.58
89024215000	296124010	ARELLANO, SERENA	23655	SUNCREST AVE	MORENO VALLEY	CA	92553-3221	ARELLANO, SERENA	23655 SUNCREST AVE	MORENO VALLEY, CA	92553-3221	186.7	18.67	36.97	242.32
95809455007	296126002	COVARRUBIAS, FELIPE (OWNR)	13380	LARKHAVEN DR	MORENO VALLEY	CA	92553-3205	COVARRUBIAS, FELIPE	13380 LARKHAVEN DR	MORENO VALLEY, CA	92553-3205	254.02	25.4	50.3	329.7
31467195004	296126004	MANZO, ISABELLE	13400	LARKHAVEN DR	MORENO VALLEY	CA	92553-3220	MANZO, ISABELLE	13400 LARKHAVEN DR	MORENO VALLEY, CA	92553-3220	267.35	26.74	52.94	347.02
97695335002	296126005	SANCHEZ, THALIA	13410	LARKHAVEN DR	MORENO VALLEY	CA	92553-3220	SANCHEZ, THALIA	13410 LARKHAVEN DR	MORENO VALLEY, CA	92553-3220	238.64	23.86	47.25	309.74
31188025002	296126008	GONZALES, ANTHONY	13448	LARKHAVEN DR	MORENO VALLEY	CA	92553-3220	GONZALES, ANTHONY AND MARIA	13448 LARKHAVEN DR	MORENO VALLEY, CA	92553-3220	254.02	25.4	50.3	329.7
31604675001	296126009	OHEARN, JOHN	13460	LARKHAVEN DR	MORENO VALLEY	CA	92553-3220	OHEARN, JOHN	13460 LARKHAVEN DR	MORENO VALLEY, CA	92553-3220	254.02	25.4	50.3	329.7
31210315003	296126010	BUENDIA, SANDRA	13474	LARKHAVEN DR	MORENO VALLEY	CA	92553-3220	BUENDIA, SANDRA	13474 LARKHAVEN DR	MORENO VALLEY, CA	92553-3220	104.02	10.4	20.6	135
31513025001	296126017	REILLY, JOHN	23736	SUNCREST AVE	MORENO VALLEY	CA	92553-3282	REILLY, JOHN	23736 SUNCREST AVE	MORENO VALLEY, CA	92553-3282	254.12	25.41	50.32	329.84
31115735006	296131002	BURKETT, TOM	13275	RUNNING DEER RD	MORENO VALLEY	CA	92553-3245	BURKETT, TOM	13275 RUNNING DEER RD	MORENO VALLEY, CA	92553-3245	254.02	25.4	50.3	329.7
54636435006	296131003	TITH, PHALLA	13289	RUNNING DEER RD	MORENO VALLEY	CA	92553-3245	TITH, PHALLA	13289 RUNNING DEER RD	MORENO VALLEY, CA	92553-3245	254.02	25.4	50.3	329.7
60385315007	296132001	LUNA, PETRA	13339	RUNNING DEER RD	MORENO VALLEY	CA	92553-3263	LUNA, PETRA	13339 RUNNING DEER RD	MORENO VALLEY, CA	92553-3263	63.63	6.36	12.6	82.58
31516315003	296132006	RAMIREZ, SERGIO	13416	REINDEER ST	MORENO VALLEY	CA	92553-3291	RAMIREZ, SERGIO	12954 VALLEY SPRINGS DR	MORENO VALLEY, CA	92553-5999	303.6	30.36	60.11	394.06
92009343009	296133015	OROZCO, MITZI (RENT)	23807	DRACAEA AVE	MORENO VALLEY	CA	92553-3213	OROZCO, MITZI (RENT)	4230 13TH ST	RIVERSIDE, CA	92501-3475	63.53	6.35	12.58	82.46
98465293007	296133016	TEGGERS, ERICA (RENT)	23821	DRACAEA AVE	MORENO VALLEY	CA	92553-3213	TEGGERS, ERICA	23821 DRACAEA AVE	MORENO VALLEY, CA	92553-3213	153.52	15.35	30.4	199.26
31608065000	296133025	CARRION, JESUS	13335	DEERPARK DR	MORENO VALLEY	CA	92553-3235	CARRION, JOSE	13335 DEERPARK DR	MORENO VALLEY, CA	92553-3235	127.36	12.74	25.22	165.3
98079295016	296133027	OCHOA , EDWIN (OWNR)	13365	DEERPARK DR	MORENO VALLEY	CA	92553-3235	OCHOA , EDWIN	13365 DEERPARK DR	MORENO VALLEY, CA	92553-3235	408.36	40.84	80.86	530.04
52728705006	296134001	ALVARADO, MICHAELA	23987	DRACAEA AVE	MORENO VALLEY	CA	92553-3279	ALVARADO, MICHAELA	23987 DRACAEA AVE	MORENO VALLEY, CA	92553-3279	126.69	12.67	25.08	164.44
92955833004	296134004	AVELAR, CONNIE (RENT)	23939	DRACAEA AVE	MORENO VALLEY	CA	92553-3279	AVELAR, CONNIE	23939 DRACAEA AVE	MORENO VALLEY, CA	92553-3279	190.79	19.08	37.78	247.64
31279145004	296134005	SANCHEZ, LETICIA (OWNR)	23923	DRACAEA AVE	MORENO VALLEY	CA	92553-3279	SANCHEZ, LETICIA	23923 DRACAEA AVE	MORENO VALLEY, CA	92553-3279	254.02	25.4	50.3	329.7
31390965003	296134008	HALEY, CHARLES AND DELORES	23890	DEERFERN AVE	MORENO VALLEY	CA	92553-3280	HALEY, CHARLES AND DELORES	23890 DEERFERN AVE	MORENO VALLEY, CA	92553-3280	252.92	25.39	50.28	329.58
31505145002	296134010	NUNEZ, ANDREW	23938	DEERFERN AVE	MORENO VALLEY	CA	92553-3233	NUNEZ, ANDREW	23938 DEER FERN	MORENO VALLEY, CA	92553-3233	321.04	32.1	63.57	416.7
31268695001	296134011	CARPIO, YOLANDA	23922	DEERFERN AVE	MORENO VALLEY	CA	92553-3233	CARPIO, YOLANDA	23922 DEER FERN	MORENO VALLEY, CA	92553-3233	204.02	20.4	40.4	264.8
96144673000	296134012	HERNANDEZ, NORMA (RENT)	23954	DEERFERN AVE	MORENO VALLEY	CA	92553-3233	HERNANDEZ, NORMA	23954 DEERFERN AVE	MORENO VALLEY, CA	92553-3233	190.69	19.07	37.76	247.5
97688165002	296134014	LOPEZ, ELSA (RENT)	13326	RUNNING HORSE DR	MORENO VALLEY	CA	92553-3202	LOPEZ, ELSA	13326 RUNNING HORSE DR	MORENO VALLEY, CA	92553-3202	97.85	9.79	19.37	127

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95889025006	296134015	QUEZADA, GILBERTO (RENT)	13338	RUNNING HORSE DR	MORENO VALLEY	CA	92553-3202	QUEZADA, GILBERTO	13338 RUNNING HORSE DR	MORENO VALLEY, CA	92553-3202	254.02	25.4	50.3	329.7
55525685007	296135014	PALOMINO, LUIS	29909	DOE CT	MORENO VALLEY	CA	92553-3238	PALOMINO, LUIS	29909 DOE CT	MORENO VALLEY, CA	92553-3238	254.02	25.4	50.3	329.7
31442585005	296141001	PAYAN, NORMA	23869	SUNCREST AVE	MORENO VALLEY	CA	92553-3269	PAYAN, NORMA	240 COUNT TURF CT	PERRIS, CA	92571-4669	182.8	18.28	36.19	237.26
97097235002	296141005	CLAYTON, LACHELLE	23829	SUNCREST AVE	MORENO VALLEY	CA	92553-3269	CLAYTON, LACHELLE	23829 SUNCREST AVE	MORENO VALLEY, CA	92553-3269	233.8	23.38	46.29	303.46
31624305007	296141011	OCHOA, MARCO	23759	SUNCREST AVE	MORENO VALLEY	CA	92553-3209	OCHOA, MARCO	23759 SUNCREST AVE	MORENO VALLEY, CA	92553-3209	254.02	25.4	50.3	329.7
88207265001	296142006	ORTEGA, MILTON	23810	SUNCREST AVE	MORENO VALLEY	CA	92553-3267	ORTEGA, MILTON	23810 SUNCREST AVE	MORENO VALLEY, CA	92553-3267	254.12	25.41	50.32	329.84
31483415005	296142009	CARTER, ROBIN	23781	ANTLER CT	MORENO VALLEY	CA	92553-3290	CARTER, ROBIN	23781 ANTLER CT	MORENO VALLEY, CA	92553-3290	50.69	5.07	10.04	65.78
31443665006	296142013	JONES, JEANNEANE	23790	ANTLER CT	MORENO VALLEY	CA	92553-3290	JONES, JEANNEANE	23790 ANTLER CT	MORENO VALLEY, CA	92553-3290	254.02	25.4	50.3	329.7
62773985001	296142014	MANZO, PATTY	13401	REINDEER ST	MORENO VALLEY	CA	92553-3292	MANZO, PATTY	5229 ODELL ST	RIVERSIDE, CA	92509-4614	80.79	8.08	16	104.86
31249605000	296143001	WILLS, JOE	13420	REINDEER ST	MORENO VALLEY	CA	92553-3291	WILLS, JOE	24426 DRACAEA AVE APT 3	MORENO VALLEY, CA	92553-6290	306.66	30.67	60.72	398.04
96183285000	296143005	ZAVALA, FABIOLA (RENT)	13448	REINDEER ST	MORENO VALLEY	CA	92553-3291	ZAVALA, FABIOLA	13448 REINDEER ST	MORENO VALLEY, CA	92553-3291	90.39	9.04	17.9	117.32
95936495008	296143007	PERAZZA, JAZMIN (RENT)	23830	SUNCREST AVE	MORENO VALLEY	CA	92553-3286	PERAZZA, JAZMIN	23830 SUNCREST AVE	MORENO VALLEY, CA	92553-3286	254.12	25.41	50.32	329.84
31528555007	296143009	MOORE, DELMA	23850	SUNCREST AVE	MORENO VALLEY	CA	92553-3286	MOORE, DELMA	23850 SUNCREST AVE	MORENO VALLEY, CA	92553-3286	254.12	25.41	50.32	329.84
96781365004	296143010	JOHNSON, LEE (RENT)	23860	SUNCREST AVE	MORENO VALLEY	CA	92553-3286	JOHNSON, LEE	23860 SUNCREST AVE	MORENO VALLEY, CA	92553-3286	254.12	25.41	50.32	329.84
31392445002	296145010	MORALES, ALIJA	23956	SUNCREST AVE	MORENO VALLEY	CA	92553-3288	MORALES, ALIJA	23956 SUNCREST AVE	MORENO VALLEY, CA	92553-3288	254.02	25.4	50.3	329.7
95099245008	296151004	MORENO, JUANA (RENT)	23133	DUNHILL DR	MORENO VALLEY	CA	92553-9651	MORENO, JUANA	23133 DUNHILL DR	MORENO VALLEY, CA	92553-9651	254.12	25.41	50.32	329.84
95908639007	296151017	AREAS, LUIS	13584	PLATO DR	MORENO VALLEY	CA	92553-9656	AREAS, LUIS	13584 PLATO DR	MORENO VALLEY, CA	92553-9656	88.63	8.86	17.55	115.04
96299205001	296151021	HARISTON, REGINALD (RENT)	13601	PLATO DR	MORENO VALLEY	CA	92553-9685	HARISTON, REGINALD	4012 W 129TH ST APT 23	HAWTHORNE, CA	90250-9421	254.12	25.41	50.32	329.84
31549535008	296151024	BROWN, TINA	13615	COPE CT	MORENO VALLEY	CA	92553-9649	BROWN, TINA	13615 COPE CT	MORENO VALLEY, CA	92553-9649	357.53	35.75	70.79	464.06
97956623007	296152002	ESPITO, LORENA	23134	DUNHILL DR	MORENO VALLEY	CA	92553-9650	EMILIANO VALDEZ	23134 DUNHILL DR	MORENO VALLEY, CA	92553-9650	219.84	21.98	43.53	285.34
57265255008	296152013	LOPEZ, JESUS	23174	SWEENEY DR	MORENO VALLEY	CA	92553-1708	LOPEZ, JESUS	23174 SWEENEY DR	MORENO VALLEY, CA	92553-1708	254.02	25.4	50.3	329.7
31529185003	296153001	YOUNG, FELTON	23153	SWEENEY DR	MORENO VALLEY	CA	92553-3424	YOUNG, FELTON	23153 SWEENEY DR	MORENO VALLEY, CA	92553-3424	404.16	40.42	80.02	524.58
31128295001	296161004	SUBIA, MARGIE	13673	PLATO DR	MORENO VALLEY	CA	92553-9658	SUBIA, MARGIE	13673 PLATO DR	MORENO VALLEY, CA	92553-9658	54.02	5.4	10.7	70.1
97441555004	296161006	FLORES, BRANDY (OWNR)	13697	PLATO DR	MORENO VALLEY	CA	92553-9658	FLORES, BRANDY	13697 PLATO DR	MORENO VALLEY, CA	92553-9658	70.79	7.08	14.02	91.88
64983715001	296161024	OLEA, MARIANA	23140	BAY AVE	MORENO VALLEY	CA	92553-9619	OLEA, MARIANA	13970 KALAHARI CT	MORENO VALLEY, CA	92553-9603	254.12	25.41	50.32	329.84
31137315008	296161038	MURGUIA, ROSA (OWNR)	13736	KRISTINA CT	MORENO VALLEY	CA	92553-9683	MURGUIA, ROSA	13736 KRISTINA CT	MORENO VALLEY, CA	92553-9683	115.69	11.57	22.91	150.16
31454865001	296161043	ROSENBROOK, LAURA (OWNR)	13690	KRISTINA CT	MORENO VALLEY	CA	92553-9654	ROSENBROOK, LAURA	20701 BEACH BLVD SPC 189	HUNTINGTON BEACH, CA	92648-4961	38.57	3.86	7.64	50.06
31107085009	296161045	RICHARDSON, ROBERT	13699	KRISTINA CT	MORENO VALLEY	CA	92553-9654	RICHARDSON, ROBERT	13699 KRISTINA CT	MORENO VALLEY, CA	92553-9654	329.32	32.93	65.21	427.44
65576925008	296161046	CARDENAS, JESUS	13707	KRISTINA CT	MORENO VALLEY	CA	92553-9684	CARDENAS, JESUS	13707 KRISTINA CT	MORENO VALLEY, CA	92553-9684	154.12	15.41	30.52	200.04
31139955009	296161048	MEDRANO, MIKAELA	13727	KRISTINA CT	MORENO VALLEY	CA	92553-9684	MEDRANO, MIKAELA	13727 KRISTINA CT	MORENO VALLEY, CA	92553-9684	127.36	12.74	25.22	165.3
73365155006	296161055	ATKINS, SYDNEY	13645	COPE CT	MORENO VALLEY	CA	92553-9649	ATKINS, SYDNEY	13645 COPE CT	MORENO VALLEY, CA	92553-9649	254.02	25.4	50.3	329.7
98290235018	296161056	ANGLE, JANET (RENT)	13651	COPE CT	MORENO VALLEY	CA	92553-9649	ANGLE, JANET	28201 DENVER CT	MORENO VALLEY, CA	92553-5965	32.35	3.24	6.41	41.98
97518055004	296161060	PLUIDO, ROSA (RENT)	13660	COPE CT	MORENO VALLEY	CA	92553-9648	PLUIDO, ROSA	13660 COPE CT	MORENO VALLEY, CA	92553-9648	254.12	25.41	50.32	329.84
31553035005	296161062	AKERLUNDH, ISABEL CHRISTINA	13652	COPE CT	MORENO VALLEY	CA	92553-9648	AKERLUNDH, ISABEL CHRISTINA	13652 COPE CT	MORENO VALLEY, CA	92553-9648	254.02	25.4	50.3	329.7
88121205007	296161063	MANNING, CHERYL	13648	COPE CT	MORENO VALLEY	CA	92553-9648	MANNING, CHERYL	13648 COPE CT	MORENO VALLEY, CA	92553-9648	254.12	25.41	50.32	329.84
99906383006	296161067	MORA, BELEN (RENT)	13633	PLATO DR	MORENO VALLEY	CA	92553-9657	MORA, BELEN	13633 PLATO DR	MORENO VALLEY, CA	92553-9657	224.18	22.42	44.39	290.98
81487095002	296161068	LANGSTON, BILL	13637	PLATO DR	MORENO VALLEY	CA	92553-9657	LANGSTON, BILL	13637 PLATO DR	MORENO VALLEY, CA	92553-9657	254.02	25.4	50.3	329.7
31251885007	296163006	HERNANDEZ, VANESSA	23133	BAY AVE	MORENO VALLEY	CA	92553-9621	PONCE, ESTANISLAO	23133 BAY AVE	MORENO VALLEY, CA	92553-9621	254.32	25.43	50.36	330.1
95050795005	296172001	HARRIS, SHARON (RENT)	23255	SWEENEY DR	MORENO VALLEY	CA	92553-1709	HARRIS, SHARON	PO BOX 8311	MORENO VALLEY, CA	92552-8311	177.9	17.79	35.22	230.9
94013845004	296172002	ROBLES-MARTINEZ, ALMA (OWNR)	23269	SWEENEY DR	MORENO VALLEY	CA	92553-1709	ROBLES-MARTINEZ, ALMA	23269 SWEENEY DR	MORENO VALLEY, CA	92553-1709	100	10	19.8	129.8
91686963004	296173003	ALVAREZ, ALEJANDRO (OWNR)	23313	ZITEO CT	MORENO VALLEY	CA	92553-1728	ALVAREZ, ALEJANDRO	23313 ZITEO CT	MORENO VALLEY, CA	92553-1728	528.15	52.82	104.57	685.52
31057105002	296174007	MACK, GEORGIE	13606	NAGAI DR	MORENO VALLEY	CA	92553-1715	MACK, GEORGIE	13606 NAGAI DR	MORENO VALLEY, CA	92553-1715	63.63	6.36	12.6	82.58
31518395002	296174015	EMPIRE WEST MANAGEMENT	13521	PATTILYNN DR	MORENO VALLEY	CA	92553-3470	EMPIRE WEST MANAGEMENT	PO BOX 567	MORENO VALLEY, CA	92556	253.92	25.39	50.28	329.58
31483645007	296174017	DIAZ, ARMANDO	13537	PATTILYNN DR	MORENO VALLEY	CA	92553-3470	DIAZ, ARMANDO	13537 PATTILYNN DR	MORENO VALLEY, CA	92553-3470	134.02	13.4	26.54	173.94
94313585002	296174018	TREJO, CRISTINA (RENT)	13545	PATTILYNN DR	MORENO VALLEY	CA	92553-3470	TREJO, CRISTINA	13545 PATTILYNN DR	MORENO VALLEY, CA	92553-3470	202.39	20.24	40.07	262.7
72627165009	296174019	DIAZ, MAURICIO	13553	PATTILYNN DR	MORENO VALLEY	CA	92553-3470	DIAZ, MAURICIO	13553 PATTILYNN DR	MORENO VALLEY, CA	92553-3470	71.03	7.1	14.06	92.18
94916053003	296174022	QUEZADA, REFUGIO	13577	PATTILYNN DR	MORENO VALLEY	CA	92553-3470	QUEZADA, REFUGIO	13577 PATTILYNN DR	MORENO VALLEY, CA	92553-3470	43.37	4.34	8.59	56.28
89011613003	296174035	SANCHEZ, FRANSICO (OWNR)	13681	PATTILYNN DR	MORENO VALLEY	CA	92553-3471	SANCHEZ, FRANSICO	13681 PATTILYNN DR	MORENO VALLEY, CA	92553-3471	254.12	25.41	50.32	329.84
31146605008	296175001	DELHOYO, DOMINGO RAY	23388	CHALLIS CT	MORENO VALLEY	CA	92553-3432	DELHOYO, DOMINGO RAY	23388 CHALLIS CT	MORENO VALLEY, CA	92553-3432	329.32	32.93	65.21	427.44
74139765007	296175008	VARGAS, GUADALUPE	23428	CHALLIS CT	MORENO VALLEY	CA	92553-3497	VARGAS, GUADALUPE	23428 CHALLIS CT	MORENO VALLEY, CA	92553-3497	357.53	35.75	70.79	464.06
57887285003	296175012	ALFARO, THEODORO	23460	CHALLIS CT	MORENO VALLEY	CA	92553-3466	ALFARO, THEODORO	23460 CHALLIS CT	MORENO VALLEY, CA	92553-3466	254.02	25.4	50.3	329.7
31420465006	296175027	MCNAIR, JEWEL	23405	CHALLIS CT	MORENO VALLEY	CA	92553-3469	MCNAIR, JEWEL	23405 CHALLIS CT	MORENO VALLEY, CA	92553-3469	228.63	22.86	45.27	296.76
81849865001	296175032	MARTINEZ, LUIS ROBERTO	23370	ROLANDA DR	MORENO VALLEY	CA	92553-3444	MARTINEZ, LUIS ROBERTO	23370 ROLANDA DR	MORENO VALLEY, CA	92553-3444	329.32	32.93	65.21	427.44
97117175000	296175041	ANDERSON, PERRIN (OWNR)	23448	ROLANDA DR	MORENO VALLEY	CA	92553-3493	ANDERSON, PERRIN	23448 ROLANDA DR	MORENO VALLEY, CA	92553-3493	132.46	13.25	26.23	171.92
95592435002	296175050	NELSON, TERRY AND REBECCA	23471	ROLANDA DR	MORENO VALLEY	CA	92553-3495	NELSON, TERRY AND REBECCA	28230 LOCUST AVE	MORENO VALLEY, CA	92555-5264	211.9	21.19	41.96	275.04
31600395008	296175054	SANCHEZ, GILBERTO	23439	ROLANDA DR	MORENO VALLEY	CA	92553-3495	SANCHEZ, GILBERTO	23439 ROLANDA DR	MORENO VALLEY, CA	92553-3495	254.02	25.4	50.3	329.7
101690933001	296175060	DEDEN, RITA	23391	ROLANDA DR	MORENO VALLEY	CA	92553-3446	DEDEN, RITA	23391 ROLANDA DR	MORENO VALLEY, CA	92553-3446	239.26	23.93	47.37	310.54
31267475009	296175069	ZAMBRANO, JAVIER	13370	CHIANTE CT	MORENO VALLEY	CA	92553-3492	ZAMBRANO, JAVIER	13370 CHIANTE CT	MORENO VALLEY, CA	92553-3492	329.04	32.9	65.15	427.08
53947185000	296175082	SALDANA, ARTHUR	23482	YEE ST	MORENO VALLEY	CA	92553	SALDANA, ARTHUR	P O BOX 7871	MORENO VALLEY, CA	92552	51.44	5.14	10.19	66.76
31653705002	296181004	CERVANTES, MARINA	23220	BAY AVE	MORENO VALLEY	CA	92553-3476	CERVANTES, MARINA	23220 BAY AVE	MORENO VALLEY, CA	92553-3476	254.02	25.4	50.3	329.7
53105525004	296181006	RAMOS, DEBORAH	23230	BAY AVE	MORENO VALLEY	CA	92553-3476	RAMOS, DEBORAH	23230 BAY AVE	MORENO VALLEY, CA	92553-3476	36.37	3.64	7.2	47.2
66963385000	296181010	DEROUEN, MARC	13715	PATTILYNN DR	MORENO VALLEY	CA	92553-3442	DEROUEN, MARC	13715 PATTILYNN DR	MORENO VALLEY, CA	92553-3442	254.12	25.41	50.32	329.84
58447915003	296181011	CABULOY, CARMEN	13705	PATTILYNN DR	MORENO VALLEY	CA	92553-3442	CABULOY, CARMEN	13705 PATTILYNN DR	MORENO VALLEY, CA	92553-3442	254.12	25.41	50.32	329.84
94491175002	296182004	HARRINGTON, GEORGE (RENT)	13682	PATTILYNN DR	MORENO VALLEY	CA	92553-3441	HARRINGTON, GEORGE	620 TYSON AVE FL 1ST	PHILADELPHIA, PA	19111-4331	233.14	23.31	46.16	302.6
72398825009	296182005	PEREZ, GRISEL	13690	PATTILYNN DR	MORENO VALLEY	CA	92553-3441	PEREZ, GRISEL	13690 PATTILYNN DR	MORENO VALLEY, CA	92553-3441	254.02	25.4	50.3	329.7
95871325003	296182009	MUNOZ, MARCELLO (RENT)	13729	PATTILYNN DR	MORENO VALLEY	CA	92553-3472	MUNOZ, MARCELLO	13729 PATTILYNN DR	MORENO VALLEY, CA	92553-3472	211.99	21.19	41.96	275.08
31617325007	296182014	ZORALES, PATRICIA	23260	YEE ST	MORENO VALLEY	CA	92553-3447	MORALES, PATRICIA	23260 YEE ST	MORENO VALLEY, CA	92553-3447	184.05	18.41	36.44	238.88
74584305001	296182022	BONILLA, SIGFRIDO	23328	YEE ST	MORENO VALLEY	CA	92553-3489	BONILLA, SIGFRIDO	3575 FLETCHER DR # 9	LOS ANGELES, CA	90065-2975	254.02	25.4	50.3	329.7
31576195002	296182025	AGUIRRE, TAMMY	23352	YEE ST	MORENO VALLEY	CA	92553-3489	AGUIRRE, TAMMY	23352 YEE ST	MORENO VALLEY, CA	92553-3489	329.32	32.93	65.21	427.44
96156125000	296183008	RODRIGUEZ, PAOLA (OWNR)	23379	YEE ST	MORENO VALLEY	CA	92553-3491	RODRIGUEZ, PAOLA	23379 YEE ST	MORENO VALLEY, CA	92553-3491	254.12	25.41	50.32	329.84
95277545007	296183009	NAVA, HECTOR (RENT)	23369	YEE ST	MORENO VALLEY	CA	92553-3491	NAVA, HECTOR	23369 YEE ST	MORENO VALLEY, CA	92553-3491	63.63	6.36	12.6	82.58
31556075009	296183013	RHODES, MAYBETH	23329	YEE ST	MORENO VALLEY	CA	92553-3491	RHODES, MAYBETH	15800 LASSELLE ST APT 115	MORENO VALLEY, CA	92551-1688	228.63	22.86	45.27	296.76
92373865009	296183016	CASTILLO, DANIEL	23436	DOME ST	MORENO VALLEY	CA	92553-3483	CASTILLO, DANIEL	23436 DOME ST	MORENO VALLEY, CA	92553-3483	253.92	25.39	50.28	329.58
97110445009	296184006	PEREZ, DAVID (RENT)	23255	BAY AVE	MORENO VALLEY	CA	92553-3477	PEREZ, DAVID	28761 FOX TAIL WAY	HIGHLAND, CA	92346-5709	226.15	22.62	44.78	293.54
93078335005	296184007	OSUNA, CYNTHIA E (RENT)	23261	BAY AVE	MORENO VALLEY	CA	92553-3477	OSUNA, CYNTHIA E	23261 BAY AVE	MORENO VALLEY, CA	92553-3477	254.02	25.4	50.3	329.7
91406303006	296184010	GARCIA, ARACELIE	23285	BAY AVE	MORENO VALLEY	CA	92553-3477	GARCIA, ARACELIE	23285 BAY AVE	MORENO VALLEY, CA	92553-3477	262.73	26.27	52.02	341.02
88312603008	296185004	MADRID, JOSEPH	23373	DOME ST	MORENO VALLEY	CA	92553-3485	MADRID, JOSEPH	23373 DOME ST	MORENO VALLEY, CA	92553-3485	63.43	6.34	12.56	82.32
31571285004	296185010	LEMLE, CHARLES	23425	DOME ST	MORENO VALLEY	CA	92553-3436	LEMLE, CHARLES	23425 DOME ST	MORENO VALLEY, CA	92553-3436	254.02	25.4	50.3	329.7
89536683004	296185011	JACKSON, DEDRA (RENT)	23433	DOME ST	MORENO VALLEY	CA	92553-3436	JACKSON, DEDRA	PO BOX 7056	MORENO VALLEY, CA	92552-7056	127.84	12.78	25.31	165.92
96751113000	296185018	KELLEY, RONALD	23489	DOME ST	MORENO VALLEY	CA	92553-3486	KELLEY, RONALD	23489 DOME ST	MORENO VALLEY, CA	92553-3486	128.94	12.89	25.53	167.36
92894129005	296185022	NONAIR, EVELYN (OWNR)	13690	CASPIAN WAY	MORENO VALLEY	CA	92553-3487	NONAIR, EVELYN	13690 CASPIAN WAY	MORENO VALLEY, CA	92553-3487	335.76	33.58	66.48	435.8
31297045007	296185026	ROBLES, JOEL	13650	CASPIAN WAY	MORENO VALLEY	CA	92553-3487	ROBLES, JOEL	13650 CASPIAN WAY	MORENO VALLEY, CA	92553-3487	253.92	25.39	50.28	329.58
92310445000	296185028	AMMONS, ARCHE (OWNR)	13630	CASPIAN WAY	MORENO VALLEY	CA	92553-3487	AMMONS, ARCHE	13630 CASPIAN WAY	MORENO VALLEY, CA	92553-3487	253.92	25.39	50.28	329.58
95506765002	296185032	URIBE, ALMA (OWNR)	23456	BAY AVE	MORENO VALLEY	CA	92553-3480	URIBE, ALMA (OWNR)	23456 BAY AVE	MORENO VALLEY, CA	92553-3480	36.44	3.64	7.22	47.28
31630255004	296185033	TERRELL, ANITA	23430	BAY AVE	MORENO VALLEY	CA	92553-3480	TERRELL, ANITA	23430 BAY AVE	MORENO VALLEY, CA	92553-3480	254.02	25.4	50.3	329.7
95325135000	296185036	NUNEZ, GILLIBERTO (OWNR)	23380	BAY AVE	MORENO VALLEY	CA	92553-3479	NUNEZ, GILLIBERTO	23380 BAY AVE	MORENO VALLEY, CA	92553-3479	254.12	25.41	50.32	329.84
91183043006	296185040	DUNCAN, JOHNNY (RENT)	23336	BAY AVE	MORENO VALLEY	CA	92553-3478	DUNCAN, JOHNNY (RENT)	23336 BAY AVE	MORENO VALLEY, CA	92553-3478	121.52	12.15	24.06	157.72
88448915005	296185041	SCOTT, CAROLYN	23324	BAY AVE	MORENO VALLEY	CA	92553-3478	SCOTT, CAROLYN	23324 BAY AVE	MORENO VALLEY, CA	92553-3478	63.63	6.36	12.6	82.58
31449085005	296191004	FIMBRES, FRANCISCA	13785	CHAGALL CT	MORENO VALLEY	CA	92553-9628	FIMBRES, FRANCISCA	13785 CHAGALL CT	MORENO VALLEY, CA	92553-9628	254.02	25.4	50.3	329.7
31393265007	296191005	RUIZ, AMELIA	13773	CHAGALL CT	MORENO VALLEY	CA	92553-9628	RUIZ, AMELIA	13773 CHAGALL CT	MORENO VALLEY, CA	92553-9628	207.44	20.74	41.07	269.24
31291325001	296192005	SIMMONS, IRIS	23222	DYNASTY CT	MORENO VALLEY	CA	92553-9652	SIMMONS, IRIS	23222 DYNASTY CT	MORENO VALLEY, CA	92553-9652	253.92	25.39	50.28	329.58
31146825002	296212009	MYERS, ANA	13811	KAREN LYNN DR	MORENO VALLEY	CA	92553-3465	MYERS, ANA	13811 KARENLYNN DR	MORENO VALLEY, CA	92553-3465	254.02	25.4	50.3	329.7
94581005006	296212012	ESTEVEZ, YADIRA	13834	KAREN LYNN DR	MORENO VALLEY	CA	92553-3465	ESTEVEZ, YADIRA	13834 KAREN LYNN DR	MORENO VALLEY, CA	92553-3465	219.36	21.94	43.43	284.72
97116635006	296212013	FELIX, JOSE JUAN	13824	KAREN LYNN DR	MORENO VALLEY	CA	92553-3465	FELIX, JOSE JUAN	9714 LUNDAHL DR	RICO RIVERA, CA	90660-4212	335.76	33.58	66.48	435.8
91208345008	296212020	MARTINEZ, REGINNA	13771	CASPIAN WAY	MORENO VALLEY	CA	92553-3462	MARTINEZ, REGINNA	13771 CASPIAN WAY	MORENO VALLEY, CA	92553-3462	253.92	25.39	50.28	329.58
95080975004	296212032	HULSEY, JO ANNE (RENT)	13887	CASPIAN WAY	MORENO VALLEY	CA	92553-3463	HULSEY, JO ANNE	3648 NAVRA RD	GOLDEN VALLEY, AZ	86413-8137	168.81	16.88	33.42	219.1
57886265009	296212035	TORRES, GLORIA	23280	DYNASTY CT	MORENO VALLEY	CA	92553-9652	TORRES, GLORIA	23280 DYNASTY CT	MORENO VALLEY, CA	92553-9652	254.02	25.4	50.3	329.7
31378725002	296212036	PADILLA, VICTOR	23283	DYNASTY CT	MORENO VALLEY	CA	92553-9653	PADILLA, VICTOR	23283 DYNASTY CT	MORENO VALLEY, CA	92553-9653	103.37	10.34	20.47	134.16
31434315009	296212040	SALAS, CHRISTOPHER	23235	DYNASTY CT	MORENO VALLEY	CA	92553-9653	SALAS, CHRISTOPHER	23235 DYNASTY CT	MORENO VALLEY, CA	92553-9653	254.02	25.4	50.3	329.7
96655593002	296212046	GARCIA, JUAN (RENT)	13805	GUCCI DR	MORENO VALLEY	CA	92553-3430	GARCIA, JUAN	PO BOX 9104	MORENO VALLEY, CA	92552-9104	185.85	18.59	36.8	241.22
91946175008	296212050	JAIME, JORGE	23330	PROTEA CT	MORENO VALLEY	CA	92553-3438	JAIME, JORGE	23330 PROTEA CT	MORENO VALLEY, CA	92553-3438	124.92	12.49	24.73	162.14

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31127235006	296212056	HUFFER, DONALD	28370	DIZA ST	MORENO VALLEY	CA	92553-3429	HUFFER, DONALD	28370 DIZA ST	MORENO VALLEY, CA	92553-3429	182.44	18.24	36.12	236.8
95808645008	296212060	NICHOLS, BRANDON (RENT)	13939	CASPIAN WAY	MORENO VALLEY	CA	92553-3464	NICHOLS, BRANDON	878 S STATE COLLEGE BLVD	ANAHEIM, CA	92806-4614	90.6	9.06	17.94	117.58
97052335006	296213001	LOPEZ, MANUEL (RENT)	13754	CASPIAN WAY	MORENO VALLEY	CA	92553-3498	LOPEZ, MANUEL	13754 CASPIAN WAY	MORENO VALLEY, CA	92553-3498	154.12	15.41	30.52	200.04
58882475003	296213006	SANTOS, JAVIER	13794	CASPIAN WAY	MORENO VALLEY	CA	92553-3498	SANTOS, JAVIER	13794 CASPIAN WAY	MORENO VALLEY, CA	92553-3498	329.6	32.96	65.26	427.82
31510635009	296213018	ESPERANZA, MARILYN	13890	CASPIAN WAY	MORENO VALLEY	CA	92553-3459	ESPERANZA, MARILYN	13890 CASPIAN WAY	MORENO VALLEY, CA	92553-3459	127.36	12.74	25.22	165.3
96094225002	296222014	UPSHAW, LAURA (RENT)	23300	GERBERA ST	MORENO VALLEY	CA	92553-9600	UPSHAW, LAURA	23415 GERBERA ST	MORENO VALLEY, CA	92553-9602	150.91	15.09	29.88	195.88
31645765005	296222022	LIZARRAGA, DORA	23364	GERBERA ST	MORENO VALLEY	CA	92553-9600	LIZARRAGA, DORA	23364 GERBERA ST	MORENO VALLEY, CA	92553-9600	254.02	25.4	50.3	329.7
31063815001	296223003	QUINONEZ, RICHARD	23475	GERBERA ST	MORENO VALLEY	CA	92553-9602	QUINONEZ, RICHARD	23475 GERBERA ST	MORENO VALLEY, CA	92553-9602	254.02	25.4	50.3	329.7
31055245007	296223007	DIAZ, JAVIER	23435	GERBERA ST	MORENO VALLEY	CA	92553-9602	DIAZ, JAVIER	23435 GERBERA ST	MORENO VALLEY, CA	92553-9602	204.02	20.4	40.4	264.8
97102805000	296223009	UPSHAW, LAURA (RENT)	23415	GERBERA ST	MORENO VALLEY	CA	92553-9602	UPSHAW, LAURA (RENT)	23415 GERBERA ST	MORENO VALLEY, CA	92553-9602	136.3	13.63	26.99	176.9
31246475003	296223026	CUEVAS, JOSE	13963	KALAHARI CT	MORENO VALLEY	CA	92553-9603	CUEVAS, JOSE	13963 KALAHARI CT	MORENO VALLEY, CA	92553-9603	39.2	3.92	7.76	50.88
31595355008	296223031	SOSA, MARICELA	23261	GERBERA ST	MORENO VALLEY	CA	92553-9601	SOSA, MARICELA	23261 GERBERA ST	MORENO VALLEY, CA	92553-9601	254.02	25.4	50.3	329.7
95406755007	296223032	VALDEZ, JACQUELINE	13934	CHAGALL CT	MORENO VALLEY	CA	92553-9646	VALDEZ, JACQUELINE	13934 CHAGALL CT ST	MORENO VALLEY, CA	92553-9646	335.07	33.51	66.34	434.92
67910595006	296231007	VERRUM, YESENIA	13551	NEW HAVEN DR	MORENO VALLEY	CA	92553-3408	VERRUM, YESENIA	13551 NEW HAVEN DR	MORENO VALLEY, CA	92553-3408	254.12	25.41	50.32	329.84
87370285004	296231008	REEVES, LENITA	13549	NEW HAVEN DR	MORENO VALLEY	CA	92553-3408	REEVES, LENITA	13549 NEW HAVEN DR	MORENO VALLEY, CA	92553-3408	254.12	25.41	50.32	329.84
91310089006	296231012	YOUNG, SONYA (RENT)	13541	NEW HAVEN DR	MORENO VALLEY	CA	92553-3408	YOUNG, SONYA (RENTR)	13541 NEW HAVEN DR	MORENO VALLEY, CA	92553-3408	206.17	20.62	40.82	267.6
72002225001	296232015	HAMMONDS, VANESSA	13609	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3456	HAMMONDS, VANESSA	13609 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3456	104.02	10.4	20.6	135
80913275000	296232020	RAMIREZ, ALEYDA	13588	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3454	RAMIREZ, ALEYDA	13588 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3454	254.02	25.4	50.3	329.7
92952605005	296232026	PILGRIM, JULIE ANN (RENT)	13553	RUNDELL DR	MORENO VALLEY	CA	92553-3412	PILGRIM, JULIE ANN	13553 RUNDELL DR	MORENO VALLEY, CA	92553-3412	254.02	25.4	50.3	329.7
31365325003	296233007	CERVANTES, ESTER	13542	SYLVAR DR	MORENO VALLEY	CA	92553-3421	CERVANTES, ESTER	13542 SYLVAR DR	MORENO VALLEY, CA	92553-3421	254.02	25.4	50.3	329.7
31267245008	296233010	HURTADO, REFUGIO	13511	SYLVAR DR	MORENO VALLEY	CA	92553-3415	HURTADO, REFUGIO	13511 SYLVAR DR	MORENO VALLEY, CA	92553-3415	190.59	19.06	37.74	247.38
95635995001	296233012	LOFTON, STEVEN (OWNR)	13537	SYLVAR DR	MORENO VALLEY	CA	92553-3415	LOFTON, STEVEN	1405 SATINWOOD CT	RIVERSIDE, CA	92501-1864	254.12	25.41	50.32	329.84
61003865009	296233021	POWELL, STEVEN AND PAMELA	13643	RUNDELL DR	MORENO VALLEY	CA	92553-1700	POWELL, STEVEN AND PAMELA	13643 RUNDELL DR	MORENO VALLEY, CA	92553-1700	154.12	15.41	30.52	200.04
31587965003	296233023	JOHNSON, ROBERT	13624	RUNDELL DR	MORENO VALLEY	CA	92553-3484	JOHNSON, ROBERT	P O BOX 7356	MORENO VALLEY, CA	92552-7356	254.02	25.4	50.3	329.7
95195875001	296233025	ZELEDON, ERIC (OWNR)	13598	RUNDELL DR	MORENO VALLEY	CA	92553-3413	ZELEDON, ERIC	15536 GRANADA DR	MORENO VALLEY, CA	92551-1934	190.79	19.08	37.78	247.64
96328495007	296233026	BULLOCK, ELMIRA (RENT)	13584	RUNDELL DR	MORENO VALLEY	CA	92553-3413	BULLOCK, ELMIRA	13584 RUNDELL DR	MORENO VALLEY, CA	92553-3413	254.12	25.41	50.32	329.84
98037875012	296233027	MESA, ANTOINETTE	13572	RUNDELL DR	MORENO VALLEY	CA	92553-3413	MESA, ANTOINETTE	13572 RUNDELL DR	MORENO VALLEY, CA	92553-3413	371.95	37.2	73.65	482.78
31082015009	296233029	MESA, JOSE	13546	RUNDELL DR	MORENO VALLEY	CA	92553-3413	MESA, JOSE	13546 RUNDELL DR	MORENO VALLEY, CA	92553-3413	254.02	25.4	50.3	329.7
31213745007	296233031	BULLOCK, BERTHA	13520	RUNDELL DR	MORENO VALLEY	CA	92553-3413	BULLOCK, BERTHA	13520 RUNDELL DR	MORENO VALLEY, CA	92553-3413	254.02	25.4	50.3	329.7
31240475006	296241001	TRAPP, EDWARD	23516	BAY AVE	MORENO VALLEY	CA	92553-3402	TRAPP, EDWARD	23516 BAY AVE	MORENO VALLEY, CA	92553-3402	253.92	25.39	50.28	329.58
31605815009	296241002	DREW, CHIRE	23530	BAY AVE	MORENO VALLEY	CA	92553-3402	DREW, CHIRE	23530 BAY AVE	MORENO VALLEY, CA	92553-3402	254.02	25.4	50.3	329.7
97370205009	296241003	WASHINGTON, TAWONIA (RENT)	23542	BAY AVE	MORENO VALLEY	CA	92553-3402	WASHINGTON, TAWONIA	23542 BAY AVE	MORENO VALLEY, CA	92553-3402	267.58	26.76	52.98	347.3
92268945005	296241008	DENSITIT, ROSHAWNA	13731	NEW HAVEN DR	MORENO VALLEY	CA	92553-3481	DENSITIT, ROSHAWNA	13731 NEW HAVEN DR	MORENO VALLEY, CA	92553-3481	233.92	23.39	46.32	303.62
95820143008	296241014	GUTIERREZ, ERICKA (RENT)	13675	NEW HAVEN DR	MORENO VALLEY	CA	92553-3410	GUTIERREZ, ERICKA (RENT)	13675 NEW HAVEN DR	MORENO VALLEY, CA	92553-3410	121.48	12.15	24.05	157.68
31408695003	296241018	PULIDO, AURORA	13631	NEW HAVEN DR	MORENO VALLEY	CA	92553-3410	PULIDO, AURORA	13631 NEW HAVEN DR	MORENO VALLEY, CA	92553-3410	254.02	25.4	50.3	329.7
91138413002	296242010	MATA, JOANNE (RENT)	13655	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3456	MATA, JOANNE	13655 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3456	230.64	23.06	45.67	299.36
50878975004	296243005	MARTINEZ, LUIS	13670	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3406	MARTINEZ, LUIS	13670 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3406	254.02	25.4	50.3	329.7
91730585000	296243006	GUILLEN, TERESA	13680	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3406	GUILLEN, TERESA	13680 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3406	127.26	12.73	25.2	165.18
31342565001	296243010	ECHEVERRIA, ANA	13726	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3457	ECHEVERRIA, ANA	13726 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3457	254.02	25.4	50.3	329.7
31096735008	296243011	POWELL, MAURICE	13738	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-3457	POWELL, MAURICE	13738 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-3457	254.02	25.4	50.3	329.7
31273285007	296243022	BELTON, RICK	13714	RUNDELL DR	MORENO VALLEY	CA	92553-1702	BELTON, RICK	73373 COUNTRY CLUB DR APT 3210	PALM DESERT, CA	92260-8650	254.02	25.4	50.3	329.7
31162455006	296243025	RODRIGUEZ, TRINIDAD	13678	RUNDELL DR	MORENO VALLEY	CA	92553-3414	RODRIGUEZ, TRINIDAD	29165 WILLIAMS AVE	MORENO VALLEY, CA	92555-8316	254.12	25.41	50.32	329.84
97116245008	296243027	SALOME, LAKETA (RENT)	13663	SYLVAR DR	MORENO VALLEY	CA	92553-3417	SALOME, LAKETA	13663 SYLVAR DR	MORENO VALLEY, CA	92553-3417	309.86	30.99	61.35	402.18
91840153007	296243035	LOAISIGA, AURELINA (RENT)	23686	BAY AVE	MORENO VALLEY	CA	92553-3404	LOAISIGA, AURELINA	23686 BAY AVE	MORENO VALLEY, CA	92553-3404	262.73	26.27	52.02	341.02
31398865000	296243037	KIRKPATRICK, PATRICIA	23656	BAY AVE	MORENO VALLEY	CA	92553	KIRKPATRICK, PATRICIA	23656 BAY AVE	MORENO VALLEY, CA	92553	254.02	25.4	50.3	329.7
92522025008	296244009	SMITH, DARRYL (RENT)	13644	SYLVAR DR	MORENO VALLEY	CA	92553-1703	SMITH, DARRYL	13644 SYLVAR DR	MORENO VALLEY, CA	92553-1703	254.02	25.4	50.3	329.7
31500455007	296251003	MENDEZ, SILVIA	23767	BETTS PL	MORENO VALLEY	CA	92553-3467	MENDEZ, SILVIA	23767 BETTS PL	MORENO VALLEY, CA	92553-3467	254.12	25.41	50.32	329.84
94377535008	296251004	HERNANDEZ, SUGEY (RENT)	23773	BETTS PL	MORENO VALLEY	CA	92553-3467	HERNANDEZ, SUGEY	23773 BETTS PL	MORENO VALLEY, CA	92553-3467	190.79	19.08	37.78	247.64
68094835008	296251009	JOHNSON, LEKEITH	23801	BETTS PL	MORENO VALLEY	CA	92553-3420	JOHNSON, LEKEITH	23801 BETTS PL	MORENO VALLEY, CA	92553-3420	254.12	25.41	50.32	329.84
94579545007	296251010	HERNANDEZ, MARIA (OWNR)	23807	BETTS PL	MORENO VALLEY	CA	92553-3420	HERNANDEZ, MARIA	23807 BETTS PL	MORENO VALLEY, CA	92553-3420	187.69	18.77	37.16	243.62
31256245001	296251015	PEIDRA, MARIA	23839	BETTS PL	MORENO VALLEY	CA	92553-3420	PEIDRA, MARIA	23839 BETTS PL	MORENO VALLEY, CA	92553-3420	117.45	11.75	23.26	152.44
73137315007	296252007	FLORES, JESUS	13578	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	FLORES, JESUS	13637 ROCKCREST DR	MORENO VALLEY, CA	92553-3423	63.63	6.36	12.6	82.58
62943645002	296252010	TORRES, SR RUBEN	13560	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	TORRES, SR RUBEN	13560 RUCKCREST DR	MORENO VALLEY, CA	92553-1714	254.12	25.41	50.32	329.84
89191633009	296252014	GARCIA, HEIDI (RENT)	13536	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	GARCIA, HEIDI	13536 ROCKCREST DR	MORENO VALLEY, CA	92553-1714	204.12	20.41	40.42	264.94
31357045009	296252015	VALENZUELA, RAYMUNDO	13532	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	VALENZUELA, RAYMUNDO	13532 ROCKCREST DR	MORENO VALLEY, CA	92553-1714	254.02	25.4	50.3	329.7
101473543004	296252016	MARSHALL RESIDENTIAL PROPERTIE	13526	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	MARSHALL RESIDENTIAL PROPERTIE	24490 SUNNYMEAD BLVD STE 213	MORENO VALLEY, CA	92553-7763	286.73	28.67	56.77	372.16
91518763001	296252017	DIEBERITZ, BOBBI	13522	ROCKCREST DR	MORENO VALLEY	CA	92553-1714	DIEBERITZ, BOBBI	13522 ROCKCREST DR	MORENO VALLEY, CA	92553-1714	133.38	13.34	26.41	173.12
50510735004	296253021	FELIX, ROSALIO	23795	NANWOOD DR	MORENO VALLEY	CA	92553-1717	FELIX, ROSALIO	23795 NANWOOD DR	MORENO VALLEY, CA	92553-1717	127.36	12.74	25.22	165.3
83622695006	296253028	ORCOYNE-YORIO, MARIA	23841	NANWOOD DR	MORENO VALLEY	CA	92553-3449	ORCOYNE-YORIO, MARIA	6862 SAN PACO CIR	BUENA PARK, CA	90620-2923	254.02	25.4	50.3	329.7
94945825001	296253030	HASHIM, COLEY (RENT)	23857	NANWOOD DR	MORENO VALLEY	CA	92553-3449	HASHIM, COLEY	23857 NANWOOD DR	MORENO VALLEY, CA	92553-3449	40.79	4.08	8.08	52.94
31653805001	296253037	JOHNSON, DOLORES	23818	BETTS PL	MORENO VALLEY	CA	92553-3407	JOHNSON, DOLORES	23818 BETTS PL	MORENO VALLEY, CA	92553-3407	254.12	25.41	50.32	329.84
55677215005	296253041	GARCIA, FRANCISCO	23794	BETTS PL	MORENO VALLEY	CA	92553-3460	GARCIA, FRANCISCO	23794 BETTS PL	MORENO VALLEY, CA	92553-3460	254.12	25.41	50.32	329.84
85819055000	296253042	RAMOS, MARIA	23788	BETTS PL	MORENO VALLEY	CA	92553-3460	RAMOS, MARIA	23788 BETTS PL	MORENO VALLEY, CA	92553-3460	254.12	25.41	50.32	329.84
31584425008	296253044	MCGEE, ARTHUR	23778	BETTS PL	MORENO VALLEY	CA	92553-3460	MCGEE, ARTHUR	23778 BETTS PL	MORENO VALLEY, CA	92553-3460	54.12	5.41	10.72	70.24
92212315007	296261004	MARTE, ALVIN	13673	SUNBRIGHT DR	MORENO VALLEY	CA	92553-6057	MARTE, ALVIN	PO BOX D	MORENO VALLEY, CA	92556-4004	254.02	25.4	50.3	329.7
91965203002	296261017	BERNAL, SAMUEL (RENT)	13686	ROCKCREST DR	MORENO VALLEY	CA	92553-1711	BERNAL, SAMUEL	13686 ROCKCREST DR	MORENO VALLEY, CA	92553-1711	218.64	21.86	43.29	283.78
93955145008	296261019	CUEVAS, MONICA (OWNR)	24442	MARILYN ST	MORENO VALLEY	CA	92553-3360	CUEVAS, MONICA	2876 N I ST	SAN BERNARDINO, CA	92405-2954	63.63	6.36	12.6	82.58
31464605005	296262008	HERNANDEZ, JOSE J	13666	SUNRAY CT	MORENO VALLEY	CA	92553-6011	HERNANDEZ, JOSE J	13666 SUNRAY CT	MORENO VALLEY, CA	92553-6011	254.02	25.4	50.3	329.7
31059585007	296262016	ZETINA, DIANA	13711	SUNRAY CT	MORENO VALLEY	CA	92553-6059	ZETINA, DIANA	13711 SUNRAY CT	MORENO VALLEY, CA	92553-6059	254.12	25.41	50.32	329.84
97873975000	296262018	LOZANO, ANTHONY (RENT)	13735	SUNRAY CT	MORENO VALLEY	CA	92553-6059	LOZANO, ANTHONY	8819 WATSON AVE	WHITTIER, CA	90605-2033	197.48	19.75	39.1	256.32
31477725002	296262021	REYNA, LUZ	13734	SUNBRIGHT DR	MORENO VALLEY	CA	92553-6009	REYNA, LUZ	13734 SUNBRIGHT DR	MORENO VALLEY, CA	92553-6009	254.02	25.4	50.3	329.7
95552403002	296263002	GORDON, ASHLY (RENT)	13649	ROCKCREST DR	MORENO VALLEY	CA	92553-3423	GORDON, ASHLY	13649 ROCKCREST DR	MORENO VALLEY, CA	92553-3423	63.63	6.36	12.6	82.58
88283495004	296263006	HOOPER, LESLIE	13697	ROCKCREST DR	MORENO VALLEY	CA	92553-3423	HOOPER, LESLIE	13697 ROCKCREST DR	MORENO VALLEY, CA	92553-3423	40.49	4.05	8.02	52.54
101490473002	296263008	GREEN, DOROTHY (RENT)	13721	ROCKCREST DR	MORENO VALLEY	CA	92553-1712	GREEN, DOROTHY	13721 ROCKCREST DR	MORENO VALLEY, CA	92553-1712	93.52	9.35	18.52	121.38
56808275002	296263011	WOLLENWEBER, SHERI	13748	SCHAYLEEN CT	MORENO VALLEY	CA	92553-3419	WOLLENWEBER, SHERI	13748 SCHAYLEEN CT	MORENO VALLEY, CA	92553-3419	254.02	25.4	50.3	329.7
31389425002	296263022	ARMENTA, SERGIO - OWNR	13651	SCHAYLEEN CT	MORENO VALLEY	CA	92553-3418	ARMENTA, SERGIO - OWNR	13651 SCHAYLEEN CT	MORENO VALLEY, CA	92553-3418	329.32	32.93	65.21	427.44
31587245009	296263026	IVORY, CARLA	13699	SCHAYLEEN CT	MORENO VALLEY	CA	92553-3418	IVORY, CARLA	13699 SCHAYLEEN CT	MORENO VALLEY, CA	92553-3418	254.02	25.4	50.3	329.7
91325973007	296263029	MARTIN, DORWONDA (OWNR)	13735	SCHAYLEEN CT	MORENO VALLEY	CA	92553-1706	MARTIN, DORWONDA (OWNR)	13735 SCHAYLEEN CT	MORENO VALLEY, CA	92553-1706	127.46	12.75	25.24	165.44
31573845000	296263030	BROWN, PEGGY L	13747	SCHAYLEEN CT	MORENO VALLEY	CA	92553-1706	BROWN, PEGGY L	13747 SCHAYLEEN CT	MORENO VALLEY, CA	92553-1706	254.02	25.4	50.3	329.7
95187565005	296271007	OLIVER, CHARLES	13775	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-6062	OLIVER, CHARLES	13775 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-6062	254.12	25.41	50.32	329.84
31057065000	296272016	BERNESTINE, KAREN AND ARTHUR	28719	NEW ENGLAND DR	MORENO VALLEY	CA	92553-6065	BERNESTINE, KAREN AND ARTHUR	28719 NEW ENGLAND DR	MORENO VALLEY, CA	92553-6065	329.32	32.93	65.21	427.44
94619635002	296273001	ALCANTARA, SERGIO (OWNR)	13848	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-6000	ALCANTARA, SERGIO	13848 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-6000	254.12	25.41	50.32	329.84
92814053002	296273002	CARBALLO, MARIA	13838	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-6000	CARBALLO, MARIA	13838 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-6000	238.64	23.86	47.25	309.74
96395855000	296273003	HOWARD, LASHONDA (RENT)	13826	GOLDEN EAGLE CT	MORENO VALLEY	CA	92553-6000	HOWARD, LASHONDA	13826 GOLDEN EAGLE CT	MORENO VALLEY, CA	92553-6000	254.12	25.41	50.32	329.84
91840473000	296273007	MARTINEZ, ROY (RENT)	23615	BAY AVE	MORENO VALLEY	CA	92553-3403	MARTINEZ, ROY (RENT)	23615 BAY AVE	MORENO VALLEY, CA	92553-3403	233.53	23.35	46.24	303.12
92905575009	296273008	EDWARDS, PAMELA	23631	BAY AVE	MORENO VALLEY	CA	92553-3403	EDWARDS, PAMELA	23631 BAY AVE	MORENO VALLEY, CA	92553-3403	254.02	25.4	50.3	329.7
68203845003	296273012	MONROI, SHARON	23697	BAY AVE	MORENO VALLEY	CA	92553-3403	MONROI, SHARON	23697 BAY AVE	MORENO VALLEY, CA	92553-3403	63.63	6.36	12.6	82.58
31583935003	296274011	RODRIGUEZ, DAVID	13826	SYLVAR DR	MORENO VALLEY	CA	92553-6003	RODRIGUEZ, DAVID	13826 SYLVAR DR	MORENO VALLEY, CA	92553-6003	99.02	9.9	19.61	128.52
31361715000	296291003	PEARSON, CATHY	23781	BAY AVE	MORENO VALLEY	CA	92553-3400	PEARSON, CATHY	23781 BAY AVE	MORENO VALLEY, CA	92553-3400	254.02	25.4	50.3	329.7
31247775008	296291010	HARRINGTON, WILHELMENIA	13805	ROCKCREST DR	MORENO VALLEY	CA	92553-1710	HARRINGTON, WILHELMENIA	2875 WESTRIDGE RD	RIVERSIDE, CA	92506-4444	165.63	16.56	32.79	214.98
31300195007	296291016	THOMPSON, LAVERNE	13822	ROCKPORT CT	MORENO VALLEY	CA	92553-6006	THOMPSON, LAVERNE	PO BOX 10336	MORENO VALLEY, CA	92552-0336	329.32	32.93	65.21	427.44
91858243001	296291022	IBARRA, GONSALO (RENT)	13811	ROCKPORT CT	MORENO VALLEY	CA	92553-6005	IBARRA, GONSALO	13811 ROCKPORT CT	MORENO VALLEY, CA	92553-6005	249.3	24.93	49.36	323.58
93070705004	296292005	ELIZARRARAZ, STACEY	23799	NEW ENGLAND DR	MORENO VALLEY	CA	92553-6067	ELIZARRARAZ, STACEY	23799 NEW ENGLAND DR	MORENO VALLEY, CA	92553-6067	254.02	25.4	50.3	329.7
95427775009	296293003	WARNELL, MARNELL (RENT)	13864	ROCKCREST DR	MORENO VALLEY	CA	92553-3435	WARNELL, MARNELL	13864 ROCKCREST DR	MORENO VALLEY, CA	92553-3435	329.6	32.96	65.26	427.82
89749333007	300070007	VALLEY MEDI RAN	24601	IRIS AVE	MORENO VALLEY	CA	92551-7222	VALLEY MEDI RAN	24601 IRIS AVE	MORENO VALLEY, CA	92551-7222	81.75	8.18	16.19	106.1
60177065000	304041004	SIQUEIROS, MARCO	14625	MUIRFIELD ST	MORENO VALLEY	CA	92555-6214	SIQUEIROS, MARCO	14625 MUIRFIELD ST	MORENO VALLEY, CA	92555-6214	127.75	12.78	25.29	165.8
93974225008	304041013	ZALAYA, EDWARD (OWNR)	14517	MUIRFIELD ST	MORENO VALLEY	CA	92555-6217	ZALAYA, EDWARD	14517 MUIRFIELD ST	MORENO VALLEY, CA	92555-6217	63.38	6.39	12.66	82.98
99802573001	304041015	COLTON, JAMIE (RENT)	14504	MUIRFIELD ST	MORENO VALLEY	CA	92555-6217	COLTON, JAMIE	14504 MUIRFIELD ST	MORENO VALLEY, CA	92555-6217	132.68	13.27	26.27	172.2
31617825002	304041016	ADJIVON, CELSUS	14510	MUIRFIELD ST	MORENO VALLEY	CA	92555-6217	ADJIVON, CELSUS	14510 MUIRFIELD ST	MORENO VALLEY, CA	92555-6217	125.47	12.55	24.84	162.86
31618195002	304041018	LAIGO, ROZELLE	14534	MUIRFIELD ST	MORENO VALLEY	CA	92555-6217	LAIGO, ROZELLE	14534 MUIRFIELD ST	MORENO VALLEY, CA	92555-6217	126.96	12.7	25.14	164.78
31628365005	304041028	MOORE, JAMES	14515	STARFALL PL	MORENO VALLEY	CA	92555-6221	MOORE, JAMES	14515 STARFALL PL	MORENO VALLEY, CA	92555-6221	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95900385009	304041032	RUELAS, BRENDA (OWNR)	14524	STARFALL PL	MORENO VALLEY	CA	92555-6221	RUELAS, BRENDA	14524 STARFALL PL	MORENO VALLEY, CA	92555-6221	190.69	19.07	37.76	247.5
31590425005	304042011	MOTON, DEBORAH (OWNR)	14650	MURFIELD ST	MORENO VALLEY	CA	92555-6213	MOTON, DEBORAH	14650 MURFIELD ST	MORENO VALLEY, CA	92555-6213	136.37	13.64	27	177
77659355007	304042023	SCOTT, KENNETH	14733	MURFIELD ST	MORENO VALLEY	CA	92555-6205	SCOTT, KENNETH	14733 MURFIELD ST	MORENO VALLEY, CA	92555-6205	254.02	25.4	50.3	329.7
89784653006	304042027	KENDRICK, TIFFANY (OWNR)	14685	MURFIELD ST	MORENO VALLEY	CA	92555-6204	KENDRICK, TIFFANY	14685 MURFIELD ST	MORENO VALLEY, CA	92555-6204	321.76	32.18	63.71	417.64
60859385006	304052008	RIVERA, CASSIE	28305	HILLSDALE AVE	MORENO VALLEY	CA	92555-6209	RIVERA, CASSIE	27525 E TRAILRIDGE WAY UNIT 1097	MORENO VALLEY, CA	92555-4486	253.42	25.34	50.18	328.92
94622445006	304053008	GARCIA, WENDY (OWNR)	14516	CRESTVIEW CIR	MORENO VALLEY	CA	92555-6230	GARCIA, WENDY	3668 WHIELDON DR	PERRIS, CA	92571-7342	254.12	25.41	50.32	329.84
31644325001	304053013	GUERRERO, FRANK	28290	BELLETERRE AVE	MORENO VALLEY	CA	92555-6231	GUERRERO, FRANK	28290 BELLETERRE AVE	MORENO VALLEY, CA	92555-6231	254.02	25.4	50.3	329.7
97404225002	304053021	WARD, ERIKA (RENT)	28386	BELLETERRE AVE	MORENO VALLEY	CA	92555-6215	WARD, ERIKA	28386 BELLETERRE AVE	MORENO VALLEY, CA	92555-6215	327.31	32.73	64.81	424.84
61206095000	304060004	DEVEKA, ALAND HAKLI	28434	BELLETERRE AVE	MORENO VALLEY	CA	92555-6211	DEVEKA, ALAND HAKLI	28434 BELLETERRE AVE	MORENO VALLEY, CA	92555-6211	254.12	25.41	50.32	329.84
96002875008	304070007	ROCHA, EFRAIN (OWNR)	28620	HIGHPOINT AVE	MORENO VALLEY	CA	92555-7004	ROCHA, EFRAIN (OWNR)	28620 HIGHPOINT AVE	MORENO VALLEY, CA	92555-7004	170.79	17.08	33.82	221.68
82182915006	304070010	BROOKS, AUDREY	28652	HIGHPOINT AVE	MORENO VALLEY	CA	92555-7004	BROOKS, AUDREY	28652 HIGHPOINT AVE	MORENO VALLEY, CA	92555-7004	130.44	13.04	25.83	169.3
31206885001	304070022	BRANDON, THOMAS	28631	HIGHPOINT AVE	MORENO VALLEY	CA	92555-7002	BRANDON, THOMAS	28631 HIGHPOINT AVE	MORENO VALLEY, CA	92555-7002	254.02	25.4	50.3	329.7
90872163009	304070030	ACOSTA, BUSHRA (RENT)	28715	CARNOUSTIE AVE	MORENO VALLEY	CA	92555-7010	ACOSTA, BUSHRA (RENT)	28715 CARNOUSTIE AVE	MORENO VALLEY, CA	92555-7010	127.46	12.75	25.24	165.44
74030655001	304070044	OTT, MICHAEL	28579	CARNOUSTIE AVE	MORENO VALLEY	CA	92555-7008	OTT, MICHAEL	28579 CARNOUSTIE AVE	MORENO VALLEY, CA	92555-7008	104.02	10.4	20.6	135
97107803009	304070051	GJELHAUG, CARL (RENT)	28509	HIGHPOINT AVE	MORENO VALLEY	CA	92555-7000	GJELHAUG, CARL	28509 HIGHPOINT AVE	MORENO VALLEY, CA	92555-7000	109.85	10.99	21.75	142.58
97557475004	304080001	HOWARD, BRIDGET (RENT)	14964	STEPHENSON ST	MORENO VALLEY	CA	92555-6328	HOWARD, BRIDGET	14964 STEPHENSON ST	MORENO VALLEY, CA	92555-6328	104.53	10.45	20.7	135.66
84226785006	304080004	ELTAIBY, HOYA	14940	STEPHENSON ST	MORENO VALLEY	CA	92555-6328	ELTAIBY, HOYA	14940 STEPHENSON ST	MORENO VALLEY, CA	92555-6328	254.02	25.4	50.3	329.7
31565455000	304080009	WILKINSON, RICHARD	14900	STEPHENSON ST	MORENO VALLEY	CA	92555-6328	WILKINSON, RICHARD	14900 STEPHENSON ST	MORENO VALLEY, CA	92555-6328	317.35	31.74	62.84	411.92
92973165003	304080010	TAYLOR, KIT (RENT)	14892	STEPHENSON ST	MORENO VALLEY	CA	92555-6323	TAYLOR, KIT	14892 STEPHENSON ST	MORENO VALLEY, CA	92555-6323	254.02	25.4	50.3	329.7
59336515001	304080012	DOZIER, WILLITTE	14876	STEPHENSON ST	MORENO VALLEY	CA	92555-6327	DOZIER, WILLITTE	14876 STEPHENSON ST	MORENO VALLEY, CA	92555-6327	126.9	12.69	25.13	164.7
87309165007	304090007	MORLEY, RONALD	14901	PETE DYE ST	MORENO VALLEY	CA	92555-6334	MORLEY, RONALD	14901 PETE DYE ST	MORENO VALLEY, CA	92555-6334	184.12	18.41	36.46	238.98
73924885008	304090014	SCOTT, LA RHONDA	14831	PETE DYE ST	MORENO VALLEY	CA	92555-6330	SCOTT, LA RHONDA	14831 PETE DYE ST	MORENO VALLEY, CA	92555-6330	254.02	25.4	50.3	329.7
97676075006	304090029	BROWN, JADA (OWRN)	14830	PETE DYE ST	MORENO VALLEY	CA	92555-6330	BROWN, JADA (OWRN)	14830 PETE DYE ST	MORENO VALLEY, CA	92555-6330	254.12	25.41	50.32	329.84
48396115003	304090031	PLACCHI, JENNIFER	14850	PETE DYE ST	MORENO VALLEY	CA	92555-6331	PLACCHI, JENNIFER	14850 PETE DYE ST	MORENO VALLEY, CA	92555-6331	147.44	14.74	29.19	191.36
31655455009	304090038	SANDERWALKER, ROBERT	14920	PETE DYE ST	MORENO VALLEY	CA	92555-6333	SANDERWALKER, ROBERT	14920 PETE DYE ST	MORENO VALLEY, CA	92555-6333	124.02	12.4	24.56	160.96
96521325003	304090039	ADAMSON, CANDICE (RENT)	14930	PETE DYE ST	MORENO VALLEY	CA	92555-6333	ADAMSON, CANDICE	14930 PETE DYE ST	MORENO VALLEY, CA	92555-6333	190.79	19.08	37.78	247.64
90633623009	304110017	WOODS,NIOKI (RENT)	14871	NORFOLK CIR	MORENO VALLEY	CA	92555-7064	WOODS,NIOKI (RENT)	23920 REDBARK DR	MORENO VALLEY, CA	92557-3970	103.1	10.31	20.41	133.82
63785745005	304110023	ESTRADA, CHERLY	14888	NORFOLK CIR	MORENO VALLEY	CA	92555	ESTRADA, CHERLY	14888 NORFOLK CIR	MORENO VALLEY, CA	92555	129.12	12.91	25.57	167.58
64179665006	304110028	GARCIA, MARCO	14847	PROVINCE CIR	MORENO VALLEY	CA	92555-7310	GARCIA, MARCO	14847 PROVINCE CIR	MORENO VALLEY, CA	92555-7310	254.12	25.41	50.32	329.84
96656635002	304110031	HUMPHREY, TAMMY (RENT)	14871	PROVINCE CIR	MORENO VALLEY	CA	92555-7310	HUMPHREY, TAMMY	14871 PROVINCE CIR	MORENO VALLEY, CA	92555-7310	72.91	7.29	14.44	94.62
94308255001	304110033	VELASQUES, DIANA (RENT)	14887	PROVINCE CIR	MORENO VALLEY	CA	92555-7310	VELASQUES, DIANA	14887 PROVINCE CIR	MORENO VALLEY, CA	92555-7310	254.12	25.41	50.32	329.84
75126755005	304110038	PEREZ, NOEL	14872	PROVINCE CIR	MORENO VALLEY	CA	92555-7310	PEREZ, NOEL	14872 PROVINCE CIR	MORENO VALLEY, CA	92555-7310	254.02	25.4	50.3	329.7
95796895004	304110046	GUERRERO, JANELLE LEON (RENT)	14885	DURHAM CIR	MORENO VALLEY	CA	92555-7308	GUERRERO, JANELLE LEON	14885 DURHAM CIR	MORENO VALLEY, CA	92555-7308	254.12	25.41	50.32	329.84
59166845003	304111004	GOCHEZ, PATRICE	28692	AVALON AVE	MORENO VALLEY	CA	92555-7061	GOCHEZ, PATRICE	28692 AVALON AVE	MORENO VALLEY, CA	92555-7061	254.12	25.41	50.32	329.84
66594815003	304111005	HARTS, TERRY	28698	AVALON AVE	MORENO VALLEY	CA	92555-7061	HARTS, TERRY	P O BOX 70363	RIVERSIDE, CA	92513-0363	254.12	25.41	50.32	329.84
88689575005	304111015	PERALTA, GINA	28764	AVALON AVE	MORENO VALLEY	CA	92555-7062	PERALTA, GINA	28764 AVALON AVE	MORENO VALLEY, CA	92555-7062	304.6	30.46	60.31	395.36
90237193009	304121008	ALLEN, AMEER	28480	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6319	ALLEN, AMEER	2889 PINTA CT	PERRIS, CA	92571-4849	201.24	20.12	39.85	261.2
54897645000	304121009	ALLEN, JOSEPH	28470	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6319	ALLEN, JOSEPH	3380 LA SIERRA AVE STE 104	RIVERSIDE, CA	92503-5225	338.77	33.88	67.08	439.72
58118345000	304121014	KING, THOMAS AND SIMS, DESIREE	28420	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6317	KING, THOMAS	1765 N 200 E APT 11C	LOGAN, UT	84341-1967	329.32	32.93	65.21	427.44
93100115003	304122006	TURNER, BEVERLY (RENT)	28319	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6312	TURNER, BEVERLY	22985 CLIMBING ROSE DR APT 119	MORENO VALLEY, CA	92557-6030	282.59	28.26	55.95	366.8
31280425003	304122008	TOSTADO, PAT	28339	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6314	TOSTADO, PAT	28339 FOREST OAKS WAY	MORENO VALLEY, CA	92555-6314	254.02	25.4	50.3	329.7
50454565000	304122016	SANDOVAL, JENNY	28419	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6318	SANDOVAL, JENNY	28419 FOREST OAKS WAY	MORENO VALLEY, CA	92555-6318	254.02	25.4	50.3	329.7
31574005007	304122018	HEALY, THOMAS (OWNR)	28439	FOREST OAKS WAY	MORENO VALLEY	CA	92555-6320	HEALY, THOMAS	28439 FOREST OAKS	MORENO VALLEY, CA	92555-6320	331.58	33.16	65.65	430.38
95787655001	304122031	BROWN, MELODY AND DWIGHT (RENT	15079	BAY HILL DR	MORENO VALLEY	CA	92555-6326	BROWN, MELODY	15079 BAY HILL DR	MORENO VALLEY, CA	92555-6326	63.63	6.36	12.6	82.58
100867863000	304131011	LOVATO, SIMONETTE (OWNR)	28385	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6303	LOVATO, SIMONETTE	28385 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6303	95.79	9.58	18.97	124.32
31633765001	304131013	BALDWIN, GRAHAM	28401	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6305	BALDWIN, GRAHAM	28401 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6305	177.26	17.73	35.1	230.08
96442275002	304131025	AVILA, REGINA (OWNR)	28497	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6305	AVILA, REGINA	28497 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6305	27.46	2.75	5.44	35.64
100362923000	304132019	KNIGHTON, JASON AND MICHELLE (	28386	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6302	KNIGHTON, JASON AND MICHELLE	28386 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6302	55.06	5.51	10.9	71.46
52196785009	304132021	POLANCO, ANNA (OWNR)	28370	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6302	POLANCO, ANNA	28370 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6302	54.02	5.4	10.7	70.12
31267825006	304151001	GREEN, JOYCE	28020	CHAMPIONSHIP DR	MORENO VALLEY	CA	92555-6411	GREEN, JOYCE	28020 CHAMPIONSHIP DR	MORENO VALLEY, CA	92555-6411	26.93	2.69	5.33	34.94
94337285004	304152005	LAWSON, DAVID (RENT)	15288	ZAHARIAS ST	MORENO VALLEY	CA	92555-6408	LAWSON, DAVID	15288 ZAHARIAS ST	MORENO VALLEY, CA	92555-6408	254.12	25.41	50.32	329.84
63892875001	304152020	LOGUEZ, GLORIA	15408	ZAHARIAS ST	MORENO VALLEY	CA	92555-6404	LOGUEZ, GLORIA	15408 ZAHARIAS ST	MORENO VALLEY, CA	92555-6404	254.12	25.41	50.32	329.84
86883065003	304152021	MCKEE, STEPHEN	15416	ZAHARIAS ST	MORENO VALLEY	CA	92555-6404	MCKEE, STEPHEN	2405 E CITRUS AVE	REDLANDS, CA	92374-8209	174.13	17.41	34.48	226.02
95333315006	304152022	ESCALANTE, DAVID R (OWNR)	15424	ZAHARIAS ST	MORENO VALLEY	CA	92555-6404	ESCALANTE, DAVID R	15424 ZAHARIAS ST	MORENO VALLEY, CA	92555-6404	62.16	6.22	12.31	80.68
31287775004	304152026	WILSON, PATRICIA	15391	ZAHARIAS ST	MORENO VALLEY	CA	92555-6403	WILSON, PATRICIA	15391 ZAHARIAS ST	MORENO VALLEY, CA	92555-6403	254.02	25.4	50.3	329.7
61436945005	304152032	SAPP, ROBYN AND BRIAN	15345	DUNES WAY	MORENO VALLEY	CA	92555-6401	SAPP, ROBYN AND BRIAN	15345 DUNES WAY	MORENO VALLEY, CA	92555-6401	190.79	19.08	37.78	247.64
56194135007	304152042	FINLEY, GENISE	15265	DUNES WAY	MORENO VALLEY	CA	92555-6416	FINLEY, GENISE	15265 DUNES WAY	MORENO VALLEY, CA	92555-6416	254.02	25.4	50.3	329.7
94146595004	304153020	MARTIN, JESSICA (RENT)	15318	DUNES WAY	MORENO VALLEY	CA	92555-6400	MARTIN, JESSICA	15318 DUNES WAY	MORENO VALLEY, CA	92555-6400	438.31	43.83	86.79	568.92
93187765003	304161002	BAILEY, RHONDA	15759	TURNBERRY ST	MORENO VALLEY	CA	92555-4904	BAILEY, RHONDA	15759 TURNBERRY ST	MORENO VALLEY, CA	92555-4904	254.12	25.41	50.32	329.84
31468715003	304161016	LILLY, BARBARA A	15615	TURNBERRY ST	MORENO VALLEY	CA	92555-4901	LILLY, BARBARA A	15615 TURNBERRY ST	MORENO VALLEY, CA	92555-4901	254.02	25.4	50.3	329.7
89737093002	304162001	FAEDER, SETH NATHANIEL	15610	TURNBERRY ST	MORENO VALLEY	CA	92555-4900	FAEDER, SETH NATHANIEL	15610 TURNBERRY ST	MORENO VALLEY, CA	92555-4900	371.5	37.15	73.56	482.2
53517055008	304163002	CARTER, FELIX	15660	TURNBERRY ST	MORENO VALLEY	CA	92555-4902	CARTER, FELIX	15660 TURNBERRY ST	MORENO VALLEY, CA	92555-4902	254.02	25.4	50.3	329.7
31206775004	304163003	VIZCAINO, SILVERIO	15670	TURNBERRY ST	MORENO VALLEY	CA	92555-4902	VIZCAINO, SILVERIO	15670 TURNBERRY ST	MORENO VALLEY, CA	92555-4902	329.32	32.93	65.21	427.44
95515455000	304163004	LOWE, RALPH	15680	TURNBERRY ST	MORENO VALLEY	CA	92555-4902	LOWE, RALPH	15680 TURNBERRY ST	MORENO VALLEY, CA	92555-4902	254.12	25.41	50.32	329.84
31429505009	304163007	SINCLAIR, CARRIE	27190	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4913	SINCLAIR, CARRIE	27190 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4913	254.02	25.4	50.3	329.7
31265525003	304163010	KINGSTON, DAVID M	27220	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4915	KINGSTON, DAVID M	27220 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4915	63.63	6.36	12.6	82.58
31264945008	304164005	WALLACE, PAULA	27185	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4914	WALLACE, PAULA	27185 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4914	254.12	25.41	50.32	329.84
93881705004	304164007	TENERELLI, NATHAN (OWNR)	15710	TURNBERRY ST	MORENO VALLEY	CA	92555-4903	TENERELLI, NATHAN	5225 CANYON CREST DR 71-188	RIVERSIDE, CA	92507-6321	126.61	12.66	25.07	164.32
93958125002	304171006	SAGRERO, JESSICA (RENT)	27238	ENGLEWOOD ST	MORENO VALLEY	CA	92555-4931	SAGRERO, JESSICA	25824 BRODIAEA ST	MORENO VALLEY, CA	92553-4940	202.35	20.24	40.07	262.64
31453675003	304172007	OLIVER, BOBBY	15675	TOURAINE CT	MORENO VALLEY	CA	92555-4930	OLIVER, BOBBY	15675 TOURAINE CT	MORENO VALLEY, CA	92555-4930	254.02	25.4	50.3	329.7
62141635005	304172008	HALL, CHARMAYNE	15665	TOURAINE CT	MORENO VALLEY	CA	92555-4930	HALL, CHARMAYNE	15665 TOURAINE CT	MORENO VALLEY, CA	92555-4930	254.12	25.41	50.32	329.84
31313525001	304172012	JAMES, YOHANTUS	15674	BIARRITZ CT	MORENO VALLEY	CA	92555-4927	JAMES, YOHANTUS	15674 BIARRITZ CT	MORENO VALLEY, CA	92555-4927	254.02	25.4	50.3	329.7
31326495009	304172014	GIBSON, LEWIS AND SANDRA	15694	BIARRITZ CT	MORENO VALLEY	CA	92555-4927	GIBSON, LEWIS AND SANDRA	15694 BIARRITZ CT	MORENO VALLEY, CA	92555-4927	190.21	19.02	37.66	246.88
31465995000	304172016	GRAVES, ADRIAN	15714	BIARRITZ CT	MORENO VALLEY	CA	92555-4929	GRAVES, ADRIAN	15714 BIARRITZ CT	MORENO VALLEY, CA	92555-4929	254.02	25.4	50.3	329.7
31339105004	304172024	TAYLOR, SILVIA	15695	BIARRITZ CT	MORENO VALLEY	CA	92555-4928	TAYLOR, SILVIA	15695 BIARRITZ CT	MORENO VALLEY, CA	92555-4928	63.58	6.36	12.59	82.52
97639395007	304172025	SMITH, SCHERRIE (RENT)	15685	BIARRITZ CT	MORENO VALLEY	CA	92555-4928	SMITH, SCHERRIE	15685 BIARRITZ CT	MORENO VALLEY, CA	92555-4928	227.66	22.77	45.08	295.5
95901175009	304172037	SKEEN, SRYEEA (RENT)	15707	VERSAILLES CT	MORENO VALLEY	CA	92555-4933	SKEEN, SRYEEA	15707 VERSAILLES CT	MORENO VALLEY, CA	92555-4933	254.02	25.4	50.3	329.7
55974565002	304172039	MORALES, STACY	15691	VERSAILLES CT	MORENO VALLEY	CA	92555-4932	MORALES, STACY	15691 VERSAILLES CT	MORENO VALLEY, CA	92555-4932	254.02	25.4	50.3	329.7
96612505002	304172042	MCPHEETERS, KOREN (RENT)	15665	VERSAILLES CT	MORENO VALLEY	CA	92555-4932	MCPHEETERS, KOREN	15665 VERSAILLES CT	MORENO VALLEY, CA	92555-4932	65.12	6.51	12.89	84.52
31533315008	304172049	FLETES, ISRAEL	15695	CONNEMARA CT	MORENO VALLEY	CA	92555-4935	FLETES, ISRAEL	15695 CONNEMARA CT	MORENO VALLEY, CA	92555-4935	329.32	32.93	65.21	427.44
31424565007	304172055	MCDANIEL, BENNIE O	15660	PININA CT	MORENO VALLEY	CA	92555-4938	MCDANIEL, BENNIE O	15660 PININA CT	MORENO VALLEY, CA	92555-4938	329.32	32.93	65.21	427.44
91526145005	304172059	GONZALEZ, EMILY	15669	PININA CT	MORENO VALLEY	CA	92555-4938	GONZALEZ, EMILY	26359 BODEGA CT	MORENO VALLEY, CA	92555-2460	329.04	32.9	65.15	427.08
31458665004	304181005	WILLIAMS, CLARENCE	15605	OLIVER ST	MORENO VALLEY	CA	92555-4906	WILLIAMS, CLARENCE	15605 OLIVER ST	MORENO VALLEY, CA	92555-4906	254.02	25.4	50.3	329.7
91411025005	304181012	GARCIA, MICHAEL	27490	ENGLEWOOD ST	MORENO VALLEY	CA	92555-4924	GARCIA, MICHAEL	27490 ENGLEWOOD ST	MORENO VALLEY, CA	92555-4924	253.92	25.39	50.28	329.58
91126975009	304182005	TAMAYO, ALEXANDRA	15640	OLIVER ST	MORENO VALLEY	CA	92555-4905	TAMAYO, ALEXANDRA	15640 OLIVER ST	MORENO VALLEY, CA	92555-4905	62.8	6.28	12.43	81.5
91903855006	304182013	BEAM, PHILIP	15720	OLIVER ST	MORENO VALLEY	CA	92555-4908	BEAM, PHILIP	15720 OLIVER ST	MORENO VALLEY, CA	92555-4908	253.92	25.39	50.28	329.58
95743985005	304183005	SMITH, LA DASHA (RENT)	15765	OLIVER ST	MORENO VALLEY	CA	92555-4909	SMITH, LA DASHA	15765 OLIVER ST	MORENO VALLEY, CA	92555-4909	254.14	25.41	50.32	329.86
31544175004	304183030	ROBERTS JR, STANLEY	15705	PRESTANCIA CT	MORENO VALLEY	CA	92555-4925	ROBERTS JR, STANLEY	15705 PRESTANCIA CT	MORENO VALLEY, CA	92555-4925	256.33	25.63	50.75	332.7
31598175000	304190004	TAYLOR, JOSEPH	27704	CALLANDER ST	MORENO VALLEY	CA	92555-5900	TAYLOR, JOSEPH	27704 CALLANDER ST	MORENO VALLEY, CA	92555-5900	254.02	25.4	50.3	329.7
98752993001	304190008	MCCARTHY, RICHARD (OWNR)	15739	CAMINO REAL	MORENO VALLEY	CA	92555-5942	MCCARTHY, RICHARD	PO BOX 286	RUNNING SPRINGS, CA	92382-0286	44.24	4.42	8.76	57.42
60723245004	304190016	VALDEZ, SALVADOR	15835	CAMINO REAL	MORENO VALLEY	CA	92555-5927	VALDEZ, SALVADOR	15835 CAMINO REAL	MORENO VALLEY, CA	92555-5927	254.12	25.41	50.32	329.84
92955923001	304190017	WILBORN, ANNETTE (OWNR)	15847	CAMINO REAL	MORENO VALLEY	CA	92555-5927	WILBORN, ANNETTE	PO BOX 9214	MORENO VALLEY, CA	92552-9214	335.76	33.58	66.48	435.8
86200923000	304190029	ELLIOT, DWAYNE (OWNR)	27680	EL CABRILLO CT	MORENO VALLEY	CA	92555-5944	ELLIOT, DWAYNE	27680 EL CABRILLO CT	MORENO VALLEY, CA	92555-5944	254.12	25.41	50.32	329.84
97104035008	304190032	HILTON, PRETTI (OWNR)	27705	CALLANDER ST	MORENO VALLEY	CA	92555-5901	HILTON, PRETTI	27705 CALLANDER ST	MORENO VALLEY, CA	92555-5901	421.06	42.11	83.37	546.52
31561985008	304190035	PATTON, BARBARA	27797	DE LA VALLE DR	MORENO VALLEY	CA	92555-5916	PATTON, BARBARA	27797 DE LA VALLE DR	MORENO VALLEY, CA	92555-5916	254.02	25.4	50.3	329.7
60528695002	304190037	SIPIN, MARILOU	15809	ALISA VIEJO CT	MORENO VALLEY	CA	92555-5914	SIPIN, MARILOU	15809 ALISA VIEJO CT	MORENO VALLEY, CA	92555-5914	254.12	25.41	50.32	329.84
95431813005	304190054	DENNIS, CHRISTOPHER (OWNR)	15860	BONITA VERDE CT	MORENO VALLEY	CA	92555-5904	DENNIS, CHRISTOPHER	15860 BONITA VERDE CT	MORENO VALLEY, CA	92555-5904	238.64	23.86	47.25	309.74
90448135005	304190076	BARTON, KELLY	15824	CAMINO REAL	MORENO VALLEY	CA	92555-5928	BARTON, KELLY	29615 LAKE VALLEY DR	MORENO VALLEY, CA	92557-3953	233.64	23.36	46.26	303.26
89515443009	304201020	ROWLAND, SHAKIMA (RENT)	27420	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4919	ROWLAND, SHAKIMA	27420 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4919	190.79	19.08	37.78	247.64
97109275006	304201024	SALCIDO, YVONNE	27460	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4919	SALCIDO, YVONNE	27460 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4919	220.76	22.08	43.71	286.54
97845145003	304202004	MAY, THAIS (OWNR)	27435	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4920	MAY, THAIS	27435 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4920	254.12	25.41	50.32	329.84

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31305395004	304202012	RODRIGUEZ, ROSARIO	27355	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4918	RODRIGUEZ, ROSARIO	27355 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4918	254.02	25.4	50.3	329.7
31615175002	304202018	PEREZ, MR AND MRS CARLOS	27295	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4916	PEREZ, MR AND MRS CARLOS	27295 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4916	35.39	3.54	7.01	45.92
31284285004	304202019	LEWIS, JOEL	27285	OCEAN DUNES ST	MORENO VALLEY	CA	92555-4916	LEWIS, JOEL	27285 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4916	253.92	25.39	50.28	329.58
94527485008	304213003	WHITE, ANH (OWNR)	15863	OLIVER ST	MORENO VALLEY	CA	92555-4912	WHITE, ANH-	15863 OLIVER ST	MORENO VALLEY, CA	92555-4912	279.12	27.91	55.27	362.28
75954265003	304213007	KORZEC, PATRICIA	27439	LAUREL CT	MORENO VALLEY	CA	92555-4940	KORZEC, PATRICIA	27439 LAUREL CT	MORENO VALLEY, CA	92555-4940	134.02	13.4	26.54	173.94
74809365009	304213008	KNOX, SARAH	27429	LAUREL CT	MORENO VALLEY	CA	92555-4940	KNOX, SARAH-	27429 LAUREL CT	MORENO VALLEY, CA	92555-4940	254.02	25.4	50.3	329.7
31579525007	304213010	TORRESCLEMENTE, LUIS	27409	LAUREL CT	MORENO VALLEY	CA	92555-4940	TORRESCLEMENTE, LUIS	27409 LAUREL CT	MORENO VALLEY, CA	92555-4940	254.02	25.4	50.3	329.7
75018285003	304220002	PATTERSON, WILLIE J	15883	CAMINO REAL	MORENO VALLEY	CA	92555-5927	PATTERSON, WILLIE J	15883 CAMINO REAL	MORENO VALLEY, CA	92555-5927	272.53	27.25	53.96	353.74
94706345008	304220003	FRANKLIN, CAROL (RENT)	15895	CAMINO REAL	MORENO VALLEY	CA	92555-5927	FRANKLIN, CAROL	15895 CAMINO REAL	MORENO VALLEY, CA	92555-5927	254.12	25.41	50.32	329.84
31625015005	304220004	GONZALES, RAMON	15907	CAMINO REAL	MORENO VALLEY	CA	92555-5927	GONZALES, RAMON	44489 TOWN CENTER WAY UNIT D	PALM DESERT, CA	92260-2789	254.02	25.4	50.3	329.7
62865655004	304220015	SOJOBI, ANGELA	15979	BUENA MESA CT	MORENO VALLEY	CA	92555-5926	SOJOBI, ANGELA	15979 BUENA MESA CT	MORENO VALLEY, CA	92555-5926	254.12	25.41	50.32	329.84
97363535005	304220017	BERUMEN, ARTHUR (OWNR)	15990	BUENA MESA CT	MORENO VALLEY	CA	92555-5926	BERUMEN, ARTHUR	15990 BUENA MESA CT	MORENO VALLEY, CA	92555-5926	254.12	25.41	50.32	329.84
31641435004	304220030	PITTMAN, AMADEUS	27742	CORTE DEL SOL	MORENO VALLEY	CA	92555-5933	PITTMAN, AMADEUS	27742 CORTE DE SOL	MORENO VALLEY, CA	92555-5933	90.69	9.07	17.96	117.7
99789515009	304220034	JENKINS, SHEENA (RENT)	27694	CORTE DEL SOL	MORENO VALLEY	CA	92555-5930	JENKINS, SHEENA	27694 CORTE DEL SOL	MORENO VALLEY, CA	92555-5930	329.6	32.96	65.26	427.82
94944075003	304220041	(MARTIN, BECKIE(RENT)	27610	CORTE DEL SOL	MORENO VALLEY	CA	92555-5924	(MARTIN, BECKIE	5925 SYCAMORE CANYON BLVD	RIVERSIDE, CA	92507-8468	143.9	14.39	28.49	186.78
92322275000	304220043	BLACK, SONYA	27621	PALA LOMA CT	MORENO VALLEY	CA	92555-5929	BLACK, SONYA	27621 PALA LOMA CT	MORENO VALLEY, CA	92555-5929	253.92	25.39	50.28	329.58
95925825002	304220044	RANDHAWA, AMOOPJIT AND KANWALB	27622	PALA LOMA CT	MORENO VALLEY	CA	92555-5929	RANDHAWA, AMOOPJIT AND KANWALB	27622 PALA LOMA CT	MORENO VALLEY, CA	92555-5929	420.76	42.08	83.31	546.14
60179295008	304220058	SIMMONS, UNITA AND BARIN	15909	BONITA VERDE CT	MORENO VALLEY	CA	92555-5908	SIMMONS, UNITA AND BARIN.	15909 BONITA VERDE CT	MORENO VALLEY, CA	92555-5908	254.12	25.41	50.32	329.84
31568975005	304220063	BROWN, TERRANCE	15920	BONITA VERDE CT	MORENO VALLEY	CA	92555-5908	BROWN, TERRANCE	13135 HEACOCK ST APT 210	MORENO VALLEY, CA	92553-2805	254.02	25.4	50.3	329.7
31563115007	304220065	FORD, TERI	15900	BONITA VERDE CT	MORENO VALLEY	CA	92555-5908	FORD, TERI	15900 BONITA VERDE CT	MORENO VALLEY, CA	92555-5908	254.02	25.4	50.3	329.7
89968223006	304220078	AGUILAR, ESTEBAN (OWNR)	27706	CORTE DEL SOL	MORENO VALLEY	CA	92555-5930	AGUILAR, ESTEBAN	27706 CORTE DEL SOL	MORENO VALLEY, CA	92555-5930	63	6.3	12.47	81.76
91924975007	304231004	GILCREASE, CLEVELAND (OWNR)	28615	DORAL WAY	MORENO VALLEY	CA	92555-7021	GILCREASE, CLEVELAND	28615 DORAL WAY	MORENO VALLEY, CA	92555-7021	253.92	25.39	50.28	329.58
91786253001	304231006	KARMANN, AMANDA (RENT)	15015	RYDER WAY	MORENO VALLEY	CA	92555-7025	KARMANN, AMANDA	15015 RYDER WAY	MORENO VALLEY, CA	92555-7025	63.63	6.36	12.6	82.58
49297895008	304231007	HUNT, BILL AND JENNIFIER	15025	RYDER WAY	MORENO VALLEY	CA	92555-7025	HUNT, BILL AND JENNIFIER	15025 RYDER WAY	MORENO VALLEY, CA	92555-7025	273.49	27.35	54.15	354.98
31365975006	304231009	NODD, JOHN F (OWNR)	15010	RYDER WAY	MORENO VALLEY	CA	92555-7025	NODD, JOHN F	15010 RYDER WAY	MORENO VALLEY, CA	92555-7025	254.02	25.4	50.3	329.7
93006115002	304232011	CARPIO, RONETTE (RENT)	28600	DORAL WAY	MORENO VALLEY	CA	92555-7020	CARPIO, RONETTE	28600 DORAL WAY	MORENO VALLEY, CA	92555-7020	121.74	12.17	24.1	158
84858465003	304290022	VINCENT, CLARENCE (OWNR)	28885	BIG PINE WAY	MORENO VALLEY	CA	92555-7033	VINCENT, CLARENCE	28885 BIG PINE WAY	MORENO VALLEY, CA	92555-7033	104.02	10.4	20.6	135
48555235009	304290045	LORENZANA, JOSEPH	28834	BIG PINE WAY	MORENO VALLEY	CA	92555-7032	LORENZANA, JOSEPH-	28834 BIG PINE WAY	MORENO VALLEY, CA	92555-7032	91.65	9.17	18.15	118.96
64713665002	304290049	DARO, CAROL	14599	MOUNTAIN VISTA	MORENO VALLEY	CA	92555-7031	DARO, CAROL	14599 MOUNTAIN VISTA	MORENO VALLEY, CA	92555-7031	228.72	22.87	45.29	296.86
59759735008	304300010	MILLER, SUDIE	14805	SAN JACINTO DR	MORENO VALLEY	CA	92555-6368	MILLER, SUDIE	14805 SAN JACINTO DR	MORENO VALLEY, CA	92555-6368	254.12	25.41	50.32	329.84
57949745007	304300029	ROY, PATRICIA	28270	GRANDVIEW DR	MORENO VALLEY	CA	92555	ROY, PATRICIA	28270 GRANDVIEW DR	MORENO VALLEY, CA	92555	254.02	25.4	50.3	329.7
57085565005	304300042	BENJAMIN, GARY A	14753	ROCKY MOUNTAIN WAY	MORENO VALLEY	CA	92555-6361	BENJAMIN, GARY A	14753 ROCKY MOUNTAIN WAY	MORENO VALLEY, CA	92555-6361	254.02	25.4	50.3	329.7
96692055008	304300048	DOZIER, RICHARD (RENT)	28263	GRANDVIEW DR	MORENO VALLEY	CA	92555-6350	DOZIER, RICHARD AND MARSHA	28263 GRANDVIEW DR	MORENO VALLEY, CA	92555-6350	254.12	25.41	50.32	329.84
88047355002	304310011	JOHNSON, CHERYL (RENT)	28440	GRANDVIEW DR	MORENO VALLEY	CA	92555-6357	JOHNSON, CHERYL	25681 STONEYBROOK DR	MORENO VALLEY, CA	92553-5029	98.28	9.83	19.46	127.56
96183205007	304310061	CLARK, PERLITA (OWNR)	28353	GRANDVIEW DR	MORENO VALLEY	CA	92555-6351	CLARK, PERLITA	28230 LOCUST AVE	MORENO VALLEY, CA	92555-5264	316.83	31.68	62.73	411.24
58922895009	304320007	LA FOE, EVELYN	14735	GRANDVIEW DR	MORENO VALLEY	CA	92555-7043	LA FOE, EVELYN	14735 GRANDVIEW DR	MORENO VALLEY, CA	92555	57.27	5.73	11.34	74.32
96214265007	304320012	JONES, CARLETTA	14715	GRANDVIEW DR	MORENO VALLEY	CA	92555-7041	JONES, CARLETTA	14715 GRANDVIEW DR	MORENO VALLEY, CA	92555-7041	57.27	5.73	11.34	74.32
51500415001	304320033	SALCIDO, ALFONSO AND VICTORIA	14696	GRANDVIEW DR	MORENO VALLEY	CA	92555-7040	SALCIDO, ALFONSO	14696 GRANDVIEW DR	MORENO VALLEY, CA	92555-7040	254.02	25.4	50.3	329.7
93343655005	304330001	CABIN, JOSHUA	27938	DE LA VALLE DR	MORENO VALLEY	CA	92555-5921	CABIN, JOSHUA	27938 DE LA VALLE DR	MORENO VALLEY, CA	92555-5921	227.52	22.75	45.05	295.32
51807165002	304330010	MORRIS-IVY, CHARLENE	15924	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5936	MORRIS-IVY, CHARLENE	15924 LA COSTA ALTA DR	MORENO VALLEY, CA	92555-5936	329.32	32.93	65.21	427.44
51270285008	304330023	DOMINGUEZ, REYNA AND RUBEN (OW	15891	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5935	DOMINGUEZ, REYNA	15891 LA COSTA ALTA DR	MORENO VALLEY, CA	92555-5935	254.02	25.4	50.3	329.7
31655405000	304340002	BEASLEY, SONYA	16004	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5938	BEASLEY, SONYA	16004 LA COSTA ALTA DR	MORENO VALLEY, CA	92555-5938	329.32	32.93	65.21	427.44
51643035009	304340009	WALLACE, LAMARR	16071	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5939	WALLACE, LAMARR	8350 GARDENDALE ST APT 104	PARAMOUNT, CA	90723-2463	227.86	22.79	45.12	295.76
31656305009	304340010	CAREY, TERESA	16061	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5937	CAREY, TERESA	16061 LA COSTA ALTA DR	MORENO VALLEY, CA	92555-5937	329.32	32.93	65.21	427.44
91101513009	304340013	NUNEZ, ALEXANDRA (OWNR)	16031	LA COSTA ALTA DR	MORENO VALLEY	CA	92555-5937	NUNEZ, ALEXANDRA	16031 LA COSTA ALTA DR	MORENO VALLEY, CA	92555-5937	182.15	18.22	36.07	236.42
55514175008	304350001	BANDUR, LISA	15484	ADOBE WAY	MORENO VALLEY	CA	92555-5812	BANDUR, LISA	15484 ADOBE WAY	MORENO VALLEY, CA	92555-5812	127.46	12.75	25.24	165.44
101226943002	304350006	JOHNSON, SHEILA	15469	ADOBE WAY	MORENO VALLEY	CA	92555-5813	JOHNSON, SHEILA	15469 ADOBE WAY	MORENO VALLEY, CA	92555-5813	90.9	9.09	18	117.98
75233455002	304350047	LETT, GLADYS	15424	LA CASA DR	MORENO VALLEY	CA	92555-5843	LETT, GLADYS	15424 LA CASA DR	MORENO VALLEY, CA	92555-5843	329.6	32.96	65.26	427.82
94919035002	304360007	KWAK, DONG YOONG (OWNR)	15309	LA PALMA WAY	MORENO VALLEY	CA	92555-5821	KWAK, DONG YOONG	15309 LA PALMA WAY	MORENO VALLEY, CA	92555-5821	63.63	6.36	12.6	82.58
75295965004	304360009	PADILLA, RAFAELA	15289	LA PALMA WAY	MORENO VALLEY	CA	92555-5821	PADILLA, RAFAELA	15289 LA PALMA WAY	MORENO VALLEY, CA	92555-5821	64.03	6.4	12.68	83.1
52335105006	304360010	JOHNSON, SANDRA	15279	LA PALMA WAY	MORENO VALLEY	CA	92555-5821	JOHNSON, SANDRA	15279 LA PALMA WAY	MORENO VALLEY, CA	92555-5821	116.93	11.69	23.15	151.76
99352085006	304360015	KINCABE, KIETH	27756	DE LA VEGA CT	MORENO VALLEY	CA	92555-5822	KINCABE, KIETH-	27756 DE LA VEGA CT	MORENO VALLEY, CA	92555-5822	329.6	32.96	65.26	427.82
91969133009	304360017	STACY, IVA (RENT)	27776	DE LA VEGA CT	MORENO VALLEY	CA	92555-5822	STACY, IVA	27776 DE LA VEGA CT	MORENO VALLEY, CA	92555-5822	40.62	4.06	8.04	52.72
88371265005	304360028	HICKS, VERNAE	15291	ADOBE WAY	MORENO VALLEY	CA	92555-5819	HICKS, VERNAE	15291 ADOBE WAY	MORENO VALLEY, CA	92555-5819	254.12	25.41	50.32	329.84
97009975001	304360032	VANVOOREN, ERNESTINE (RENT)	15244	ADOBE WAY	MORENO VALLEY	CA	92555-5810	VANVOOREN, ERNESTINE	15244 ADOBE WAY	MORENO VALLEY, CA	92555-5810	127.46	12.75	25.24	165.44
54695995004	304360048	WALKER, BOBBY	15372	ADOBE WAY	MORENO VALLEY	CA	92555-5816	WALKER, BOBBY	15372 ADOBE WAY	MORENO VALLEY, CA	92555-5816	254.12	25.41	50.32	329.84
52305755002	304370004	TAYLOR, ELIZABETH-	15199	LA PALMA WAY	MORENO VALLEY	CA	92555-5806	TAYLOR, ELIZABETH	15199 LA PALMA WAY	MORENO VALLEY, CA	92555-5806	229.32	22.93	45.41	297.64
55199745009	304370008	SPEARS, BELINDA	27727	VIA DE LA REAL	MORENO VALLEY	CA	92555-5803	SPEARS, BELINDA	27727 VIA DE LA REAL	MORENO VALLEY, CA	92555-5803	254.02	25.4	50.3	329.7
62541565000	304370012	AUBRY, SHERRYL	27740	VIA DE LA REAL	MORENO VALLEY	CA	92555-5802	AUBRY, SHERRYL	27740 VIA DE LA REAL	MORENO VALLEY, CA	92555-5802	254.12	25.41	50.32	329.84
49286905009	304370031	HANSEN, TYLER	27917	VIA DE LA REAL	MORENO VALLEY	CA	92555-5808	HANSEN, TYLER	27917 VIA DE LA REAL	MORENO VALLEY, CA	92555-5808	20.68	2.07	4.09	26.84
95907445000	304370043	PEREZ, TIM	27769	RANCHO BAJA	MORENO VALLEY	CA	92555-5807	PEREZ, TIM	27769 RANCHO BAJA	MORENO VALLEY, CA	92555-5807	216.95	21.7	42.96	281.6
31650445003	304370054	BIEDERMANN, STACEY	27817	VIA DE LA REAL	MORENO VALLEY	CA	92555-5805	BIEDERMANN, STACEY	11214 HERMINIA CT	MORENO VALLEY, CA	92555-6503	254.02	25.4	50.3	329.7
84429945003	304370056	CABRERA, DAVID	27797	VIA DE LA REAL	MORENO VALLEY	CA	92555-5805	CABRERA, DAVID	27797 VIA DE LA REAL	MORENO VALLEY, CA	92555-5805	139.02	13.9	27.53	180.44
92214535005	304370057	SHALAYA, MARVLEY	27787	VIA DE LA REAL	MORENO VALLEY	CA	92555-5805	SHALAYA, MARVLEY	1005 ATHENA CT	RIVERSIDE, CA	92507-2801	253.92	25.39	50.28	329.58
51538695002	304370061	ADAM, SANDRA	27772	RANCHO BAJA	MORENO VALLEY	CA	92555-5807	ADAM, SANDRA	25920 IRIS AVE STE 13A	MORENO VALLEY, CA	92551-1658	254.02	25.4	50.3	329.7
83205915004	304381002	POWELL, KYLE	15015	BAY HILL DR	MORENO VALLEY	CA	92555-6335	POWELL, KYLE	15015 BAY HILL DR	MORENO VALLEY, CA	92555-6335	46.52	4.65	9.21	60.38
101988233006	304381005	GIBBS, MICHELLE (RENT)	15033	BAY HILL DR	MORENO VALLEY	CA	92555-6335	GIBBS, MICHELLE	15033 BAY HILL DR	MORENO VALLEY, CA	92555-6335	88.63	8.86	17.55	115.04
92322595003	304382008	ENCISO, JANIETTE	28383	BIRDIE ST	MORENO VALLEY	CA	92555-6359	ENCISO, JANIETTE	28383 BIRDIE ST	MORENO VALLEY, CA	92555-6359	254.02	25.4	50.3	329.7
94418855002	304382009	HERNANDEZ, NORMA (RENT)	28393	BIRDIE ST	MORENO VALLEY	CA	92555-6359	HERNANDEZ, NORMA	28393 BIRDIE ST	MORENO VALLEY, CA	92555-6359	181.69	18.17	35.97	235.82
100631543008	304383005	WELCH L	15054	BAY HILL DR	MORENO VALLEY	CA	92555-6325	WELCH A	15054 BAY HILL DR	MORENO VALLEY, CA	92555-6325	170.14	17.01	33.69	220.84
96279855006	304383008	YOUNG, HELENA (RENT)	15036	BAY HILL DR	MORENO VALLEY	CA	92555-6325	YOUNG, HELENA (RENT)	15036 BAY HILL DR	MORENO VALLEY, CA	92555-6325	41.34	4.13	8.19	53.64
76223975003	304384004	ASIEAU, JUSTIN	28380	EAGLE ST	MORENO VALLEY	CA	92555-6336	ASIEAU, JUSTIN	28380 EAGLE ST	MORENO VALLEY, CA	92555-6336	114.02	11.4	22.58	147.98
95213885000	304391023	GOODRICH, TODD (RENT)	28551	EAGLE ST	MORENO VALLEY	CA	92555-6344	GOODRICH, TODD	28551 EAGLE ST	MORENO VALLEY, CA	92555-6344	254.12	25.41	50.32	329.84
92144645001	304391025	ELAM, INDIA	14927	FAIRWAY CIR	MORENO VALLEY	CA	92555-6346	ELAM, INDIA	14927 FAIRWAY CIR	MORENO VALLEY, CA	92555-6346	253.92	25.39	50.28	329.58
93094105000	304391027	HASKELL, CASSIDI	14910	FAIRWAY CIR	MORENO VALLEY	CA	92555-6346	HASKELL, CASSIDI	14910 FAIRWAY CIR	MORENO VALLEY, CA	92555-6346	242.06	24.21	47.93	314.18
69397025004	304392005	PAYAN, RICARDO (OWNR)	28548	EAGLE ST	MORENO VALLEY	CA	92555-6342	PAYAN, RICARDO (OWNR)	28548 EAGLE ST	MORENO VALLEY, CA	92555-6342	254.02	25.4	50.3	329.7
53260265001	304392006	PINA, HELEN	28538	EAGLE ST	MORENO VALLEY	CA	92555-6342	PINA, HELEN	28538 EAGLE ST	MORENO VALLEY, CA	92555-6342	197.85	19.79	39.17	256.8
53245245007	304392007	MORAN, HECTOR	28528	EAGLE ST	MORENO VALLEY	CA	92555-6341	MORAN, HECTOR	28528 EAGLE ST	MORENO VALLEY, CA	92555-6341	254.02	25.4	50.3	329.7
60259985005	304400003	PADILLA, MICHAEL	15581	HAMMETT CT	MORENO VALLEY	CA	92555	PADILLA, MICHAEL	15581 HAMMETT CT	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
93070895004	304400007	TUPOU, MISELE	15541	HAMMETT CT	MORENO VALLEY	CA	92555-4956	BAC FIELD SERVICES	30870 RUSSELL RANCH RD 3RD FLOOR	WESTLAKE VILLAGE, CA	91362-7366	329.32	32.93	65.21	427.44
53964265002	304400008	GHALWEN, MAHMUD	15531	HAMMETT CT	MORENO VALLEY	CA	92555-4956	GHALWEN, MAHMUD	15531 HAMMETT CT	MORENO VALLEY, CA	92555-4956	254.12	25.41	50.32	329.84
97109435003	304401008	ALLEN, ANDREW	15583	TURNBERRY ST	MORENO VALLEY	CA	92555-4952	ALLEN, ANDREW	26636 9TH ST APT 241	HIGHLAND, CA	92346-5552	170.05	17.01	33.67	220.72
64943715005	304401010	EKHAGUERE, COURAGE	15603	TURNBERRY ST	MORENO VALLEY	CA	92555-4901	EKHAGUERE, COURAGE	15603 TURNBERRY ST	MORENO VALLEY, CA	92555-4901	254.12	25.41	50.32	329.84
60020695000	304401018	ALFARO, MIGUEL	15546	HAMMETT CT	MORENO VALLEY	CA	92555	ALFARO, MIGUEL	15546 HAMMETT CT	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
64119665002	304401022	GRAY, CREASY	27074	FINA CT	MORENO VALLEY	CA	92555-4957	GRAY, CREASY	24445 KATRINA AVE	MORENO VALLEY, CA	92551-3664	254.12	25.41	50.32	329.84
58808235009	304402006	GABOUREL, RITA	27212	ARLA ST	MORENO VALLEY	CA	92555-4942	GABOUREL, RITA	6060 4TH AVE	LOS ANGELES, CA	90043-4208	254.02	25.4	50.3	329.7
90224615009	304410005	ODEY, LUCY	27308	ARLA ST	MORENO VALLEY	CA	92555-4944	ODEY, LUCY	27308 ARLA ST	MORENO VALLEY, CA	92555-4944	234.34	23.43	46.4	304.16
97054855002	304410006	GUZMAN, MARTHA (RENT)	27320	ARLA ST	MORENO VALLEY	CA	92555-4944	GUZMAN, MARTHA	27320 ARLA ST	MORENO VALLEY, CA	92555-4944	254.12	25.41	50.32	329.84
81279945005	304410008	BLUITT, PEARL	27344	ARLA ST	MORENO VALLEY	CA	92555-4944	BLUITT, PEARL	27344 ARLA ST	MORENO VALLEY, CA	92555-4944	254.02	25.4	50.3	329.7
56415405009	304410010	LEE, PAULA	27368	ARLA ST	MORENO VALLEY	CA	92555-4944	LEE, PAULA	26949 NUCIA DR	MORENO VALLEY, CA	92555-4984	268.25	26.83	53.11	348.18
56412685007	304410012	ROBINSON, CHARLES	27392	ARLA ST	MORENO VALLEY	CA	92555-4944	ROBINSON, CHARLES	27392 ARLA ST	MORENO VALLEY, CA	92555-4944	190.29	19.03	37.68	246.98
91073005007	304410015	DAVIS, DESHAUN (TENAT)	27428	ARLA ST	MORENO VALLEY	CA	92555-4946	DAVIS, DESHAUN	27428 ARLA ST	MORENO VALLEY, CA	92555-4946	253.92	25.39	50.28	329.58
55281025006	304410016	ESPINOZA, SANDRA	27440	ARLA ST	MORENO VALLEY	CA	92555-4946	ESPINOZA, SANDRA	27440 ARLA ST	MORENO VALLEY, CA	92555-4946	329.32	32.93	65.21	427.44
61150075004	304411002	STUBBS, LISA	27481	ARLA ST	MORENO VALLEY	CA	92555-4947	STUBBS, LISA	27481 ARLA ST	MORENO VALLEY, CA	92555-4947	254.12	25.41	50.32	329.84
90241765001	304411010	JONES, SANDRA	27385	ARLA ST	MORENO VALLEY	CA	92555-4945	JONES, SANDRA	27385 ARLA ST	MORENO VALLEY, CA	92555-4945	193.92	19.39	38.4	251.7
68360625007	304411011	SINGH, SUKHWINDER	27373	ARLA ST	MORENO VALLEY	CA	92555-4945	SINGH, SUKHWINDER	27373 ARLA ST	MORENO VALLEY, CA	92555-4945	254.12	25.41	50.32	329.84
92371955004	304420007	HOWE, JEREMY (RENT)	29100	ALICANTE AVE	MORENO VALLEY	CA	92555-7302	HOWE, JEREMY	29100 ALICANTE AVE	MORENO VALLEY, CA	92555-7302	63.63	6.36	12.6	82.58
59674195002	304421008	JENKINS, JAMES	29190	ALICANTE AVE	MORENO VALLEY	CA	92555-7302	JENKINS, JAMES	29190 ALICANTE AVE	MORENO VALLEY, CA	92555-7302	54.12	5.41	10.72	70.24
93049305002	304421019	NEVELS, THOMAS	14550	VASCO WAY	MORENO VALLEY	CA	92555-7305	NEVELS, THOMAS	14550 VASCO WAY	MORENO VALLEY, CA	92555-7305	254.02	25.4	50.3	329.7
61177165008	304421038	COLE, NORMA	14620	VASCO WAY	MORENO VALLEY	CA	92555-7306	COLE, NORMA	14620 VASCO WAY	MORENO VALLEY, CA	92555-7306	254.12	25.41	50.32	329.84
62391135001	304422011	LACANIENTA, MARK	29107	ALICANTE AVE	MORENO VALLEY	CA	92555-7303	LACANIENTA, MARK	29107 ALICANTE AVE	MORENO VALLEY, CA	92555-7303	226.45	22.65	44.84	293.92

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
89992705001	304422014	CORONA, LUPE	29077	ALICANTE AVE	MORENO VALLEY	CA	92555-7301	CORONA, LUPE	29077 ALICANTE AVE	MORENO VALLEY, CA	92555-7301	190.79	19.08	37.78	247.64
91902655000	304422015	JACKSON, RAMONA	29067	ALICANTE AVE	MORENO VALLEY	CA	92555-7301	JACKSON, RAMONA	29067 ALICANTE AVE	MORENO VALLEY, CA	92555-7301	136.37	13.64	27	177
67003965002	304422025	TENZA, CORAZON	29051	BARCELONA CT	MORENO VALLEY	CA	92555	TENZA, CORAZON	29051 BARCELONA CT	MORENO VALLEY, CA	92555	126.66	12.67	25.08	164.4
71254625007	304430005	CAMMON, DANA	28912	AVALON AVE	MORENO VALLEY	CA	92555-7055	CAMMON, DANA	28912 AVALON AVE	MORENO VALLEY, CA	92555-7055	254.02	25.4	50.3	329.7
94689885002	304433023	STEPHENSON, BRENT (OWNR)	29044	CANTABRIA CT	MORENO VALLEY	CA	92555-7309	STEPHENSON, BRENT	29044 CANTABRIA CT	MORENO VALLEY, CA	92555-7309	190.79	19.08	37.78	247.64
96593845003	304434015	RIVERA, NATALIE (RENT)	29025	CANTABRIA CT	MORENO VALLEY	CA	92555-7309	RIVERA, NATALIE	205 BRIDGEWATER CT	SUFFOLK, VA	23434-2186	148.06	14.81	29.32	192.18
94079275004	304434023	PINTO, NORMA (OWNR)	14660	VASCO WAY	MORENO VALLEY	CA	92555-7306	PINTO, NORMA	14660 VASCO WAY	MORENO VALLEY, CA	92555-7306	254.12	25.41	50.32	329.84
74995355008	304441015	WILLIAMS III, ALFRED T	14866	TOLEDO CT	MORENO VALLEY	CA	92555-7312	WILLIAMS III, ALFRED T	14866 TOLEDO CT	MORENO VALLEY, CA	92555-7312	254.02	25.4	50.3	329.7
73200465001	304441024	JINNA, TARA	14858	CATALINA CT	MORENO VALLEY	CA	92555-7067	JINNA, TARA	14858 CATALINA CT	MORENO VALLEY, CA	92555-7067	254.02	25.4	50.3	329.7
64924895007	304441035	HOWARD, DEBORAH	14884	CADIZ CT	MORENO VALLEY	CA	92555-7311	HOWARD, DEBORAH	14884 CADIZ CT	MORENO VALLEY, CA	92555-7311	254.12	25.41	50.32	329.84
65702165009	304441038	STAFFORD, TERRY	14877	TOLEDO CT	MORENO VALLEY	CA	92555-7312	STAFFORD, TERRY	14877 TOLEDO CT	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
96993025007	304441048	NUNEZ JR, RODOLFO (RENT)	14850	SEVILLA CT	MORENO VALLEY	CA	92555-7066	NUNEZ JR, RODOLFO	14850 SEVILLA CT	MORENO VALLEY, CA	92555-7066	254.12	25.41	50.32	329.84
58598025000	304450008	DANIELS, JAQUELINE	14915	RYDER WAY	MORENO VALLEY	CA	92555-7058	DANIELS, JAQUELINE	PO BOX 7431	MORENO VALLEY, CA	92552-7431	254.12	25.41	50.32	329.84
68050335005	304450015	DILLION, KATHERINE	14864	HAMPSHIRE CIR	MORENO VALLEY	CA	92555-7059	DILLION, KATHERINE	PO BOX 7133	MORENO VALLEY, CA	92552-7133	357.88	35.79	70.86	464.52
58972285002	304450021	JIMENEZ, RICARDO	28615	AVALON AVE	MORENO VALLEY	CA	92555-7060	JIMENEZ, RICARDO	28615 AVALON AVE	MORENO VALLEY, CA	92555-7060	194.12	19.41	38.44	251.96
10159294300 7	304450022	WALKER, ALICIA (RENT)	28609	AVALON AVE	MORENO VALLEY	CA	92555-7060	WALKER, ALICIA	28609 AVALON AVE	MORENO VALLEY, CA	92555-7060	97.02	9.7	19.21	125.92
96223535002	304450034	PIMENTEL, FRANCISCO	28660	AVALON AVE	MORENO VALLEY	CA	92555-7061	PIMENTEL, FRANCISCO	28660 AVALON AVE	MORENO VALLEY, CA	92555-7061	171.72	17.17	34	222.88
93858373001	304470011	HERNANDEZ, ITZEL (RENT)	27558	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5709	HERNANDEZ, ITZEL	27558 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5709	63.63	6.36	12.6	82.58
66610065004	304470012	BAILEY, EARNEST	27570	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5709	BAILEY, EARNEST	15759 TURNBERRY ST	MORENO VALLEY, CA	92555-4904	254.12	25.41	50.32	329.84
62905355001	304470014	NORTON, GARLAND	27596	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5709	NORTON, GARLAND	27596 LAFAYETTE CR	MORENO VALLEY, CA	92555-5709	254.12	25.41	50.32	329.84
96591025009	304470017	CERVANTES, JAVIER (RENT)	27636	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5709	CERVANTES, JAVIER	25670 STUYVESANT ST	MORENO VALLEY, CA	92557-7625	190.79	19.08	37.78	247.64
93782535000	304471008	SANDERS, JAMES (RENT)	27693	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5713	SANDERS, JAMES AND KATHY	PO BOX 8273	ALTA LOMA, CA	91701-0273	63.63	6.36	12.6	82.58
93770255003	304471012	TERRAZAS, ALBERT (OWNR)	27645	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5713	TERRAZAS, ALBERT	27645 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5713	254.12	25.41	50.32	329.84
97361055009	304471015	DISCHNER, SEAN (OWNR)	27609	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5713	DISCHNER, SEAN	27609 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5713	254.12	25.41	50.32	329.84
97643035005	304471020	MCDUFFEY, CHRIS (RENT)	27563	ROSEMONT CT	MORENO VALLEY	CA	92555-5717	MCDUFFEY, CHRIS	27563 ROSEMONT CT	MORENO VALLEY, CA	92555-5717	329.6	32.96	65.26	427.82
91784753001	304471022	BRANCH, SIDNEY (RENT)	27588	ROSEMONT CT	MORENO VALLEY	CA	92555-5718	BRANCH, SIDNEY	25920 IRIS AVE STE 13A	MORENO VALLEY, CA	92551-1658	99.37	9.94	19.68	128.98
75339045004	304471032	MILLER, TIFFANY	27671	ROSEMONT CT	MORENO VALLEY	CA	92555-5716	MILLER, TIFFANY	27671 ROSEMONT CT	MORENO VALLEY, CA	92555-5716	63.63	6.36	12.6	82.58
95601965009	304471037	MOORE, CAROL (RENT)	27611	ROSEMONT CT	MORENO VALLEY	CA	92555-5716	MOORE, CAROL	PO BOX 10306	MORENO VALLEY, CA	92552-0306	329.6	32.96	65.26	427.82
75515515000	304471046	GONZALEZ, ANGELA	27614	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5732	GONZALEZ, ANGELA	27614 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5732	254.02	25.4	50.3	329.7
62717375006	304471051	CUSTODIO, JOSE	27684	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5732	CUSTODIO, JOSE	27684 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5732	63.63	6.36	12.6	82.58
89855435001	304472003	LIN, RAY	27718	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5710	LIN, RAY	27718 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5710	253.92	25.39	50.28	329.58
60803025000	304481001	TIDDLE, CLIFTON AND MELODY	27778	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5712	TIDDLE, CLIFTON AND MELODY	27778 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5712	254.12	25.41	50.32	329.84
96189255006	304481003	PUNSALAN, JOEL (RENT)	27802	LAFAYETTE WAY	MORENO VALLEY	CA	92555-5712	PUNSALAN, JOEL (RENT)	27802 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5712	259.12	25.91	51.31	336.32
61050845005	304481008	GOUDEAU, LAURENCE	14544	PIEDMONT DR	MORENO VALLEY	CA	92553	GOUDEAU, LAURENCE	14544 PIEDMONT DR	MORENO VALLEY, CA	92555-5739	129.12	12.91	25.57	167.58
94589825007	304481010	FELTENBERGER, MARK (RENT)	14570	PIEDMONT DR	MORENO VALLEY	CA	92555-5739	FELTENBERGER, MARK	25497 FAY AVE	MORENO VALLEY, CA	92551-4509	357.88	35.79	70.86	464.52
88813055000	304481017	BETHEL, NATALIE	14620	SHADY VALLEY WAY	MORENO VALLEY	CA	92555-5735	BETHEL, NATALIE	14620 SHADY VALLEY WAY	MORENO VALLEY, CA	92555-5735	253.92	25.39	50.28	329.58
62158135004	304481023	IDDRISSU, BESSIE	27940	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5729	IDDRISSU, BESSIE	27940 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5729	254.12	25.41	50.32	329.84
86624213000	304481025	SIMPSON, LISA (RENT)	27912	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5729	SIMPSON, LISA	27912 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5729	254.12	25.41	50.32	329.84
86369705009	304482013	BROOKS, SANDRA	14578	NEWBURGH RD	MORENO VALLEY	CA	92555-5742	BROOKS, SANDRA	13179 TIERRA CANYON DR	MORENO VALLEY, CA	92553-5644	282.23	28.22	55.88	366.32
94998625002	304482014	GONZALEZ, KATHY & SALVADOR	14590	NEWBURGH RD	MORENO VALLEY	CA	92555-5742	GONZALEZ, KATHY	14590 NEWBURGH RD	MORENO VALLEY, CA	92555-5742	329.6	32.96	65.26	427.82
92462243001	304482017	RICHEE, FRANCES	14628	NEWBURGH RD	MORENO VALLEY	CA	92555-5742	RICHEE, FRANCES	14628 NEWBURGH RD	MORENO VALLEY, CA	92555-5742	277.1	27.71	54.87	359.66
62175045007	304483016	NEAL, PATRICIA	27925	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5730	NEAL, PATRICIA	27925 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5730	254.12	25.41	50.32	329.84
80815695009	304490004	VALDEZ, MANUEL	27661	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5731	VALDEZ, MANUEL	27661 ROCKWOOD AVE	MORENO VALLEY, CA	92555-5731	254.02	25.4	50.3	329.7
62817305009	304490006	FORD, NEFERITARA	27685	ROCKWOOD AVE	MORENO VALLEY	CA	92555-5731	FORD, NEFERITARA	15729 TURNBERRY ST	MORENO VALLEY, CA	92555-4904	254.12	25.41	50.32	329.84
98038265018	304490012	LOPEZ, KARINA (RENTR)	27738	FAIRMOUNT DR	MORENO VALLEY	CA	92555-5721	LOPEZ, KARINA	27738 FAIRMOUNT DR	MORENO VALLEY, CA	92555-5721	254.12	25.41	50.32	329.84
97757383009	304490015	STOKES, SHERENE (OWNR)	27706	FAIRMOUNT DR	MORENO VALLEY	CA	92555-5721	STOKES, SHERENE	27706 FAIRMOUNT DR	MORENO VALLEY, CA	92555-5721	166.64	16.66	32.99	216.28
101103193000	304491004	KIAMA, EPHRAIM (OWNR)	27735	FAIRMOUNT DR	MORENO VALLEY	CA	92555-5723	KIAMA, EPHRAIM	27735 FAIRMOUNT DR	MORENO VALLEY, CA	92555-5723	108.2	10.82	21.42	140.44
83701415007	304491007	SMITH, MICHELLE	27699	FAIRMOUNT DR	MORENO VALLEY	CA	92555-5722	SMITH, MICHELLE	25884 IRIS AVE UNIT C	MORENO VALLEY, CA	92551-2925	232.81	23.28	46.1	302.18
64092995008	304491009	SCOTT, STACEY	27675	FAIRMOUNT DR	MORENO VALLEY	CA	92555-5722	SCOTT, STACEY	27675 FAIRMOUNT DR	MORENO VALLEY, CA	92555-5722	254.12	25.41	50.32	329.84
96364475006	304491017	LIPATA, CHONA	14784	WILLOWGROVE PL	MORENO VALLEY	CA	92555-5746	LIPATA, CHONA	14784 WILLOWGROVE PL	MORENO VALLEY, CA	92555-5746	420.76	42.08	83.31	546.14
65298755004	304491019	MOSS, DWAYNE	14808	WILLOWGROVE PL	MORENO VALLEY	CA	92555-5746	MOSS, DWAYNE	14808 WILLOWGROVE PL	MORENO VALLEY, CA	92555-5746	254.12	25.41	50.32	329.84
64478295000	304491022	CLARK, MARION	14807	GREEN LAWN AVE	MORENO VALLEY	CA	92555-5744	CLARK, MARION	14807 GREEN LAWN AVE	MORENO VALLEY, CA	92555-5744	329.6	32.96	65.26	427.82
97097015008	304491025	MASON, BILLIE (RENT)	14771	GREEN LAWN AVE	MORENO VALLEY	CA	92555-5744	MASON, BILLIE	14771 GREEN LAWN AVE	MORENO VALLEY, CA	92555-5744	253.09	25.31	50.11	328.5
92374313003	304492012	STANLEY, RICHARD (RENT)	27688	HASTINGS DR	MORENO VALLEY	CA	92555-5724	STANLEY, RICHARD	27688 HASTINGS DR	MORENO VALLEY, CA	92555-5724	48.77	4.88	9.66	63.3
71665095005	304500010	FRATER, MARCIA	27896	AUBURN LN	MORENO VALLEY	CA	92555-5726	FRATER, MARCIA	27896 AUBURN LN	MORENO VALLEY, CA	92555-5726	254.02	25.4	50.3	329.7
92665445007	304500012	PEARSON, CHERIE	27872	AUBURN LN	MORENO VALLEY	CA	92555-5726	PEARSON, CHERIE	27872 AUBURN LN	MORENO VALLEY, CA	92555-5726	217.32	21.73	43.03	282.08
95341795008	304500018	CABRAL, JOSE (RENT)	27903	CRESCENT CT	MORENO VALLEY	CA	92555-5738	CABRAL, JOSE	27903 CRESCENT CT	MORENO VALLEY, CA	92555-5738	105.88	10.59	20.96	137.42
96778945009	304500023	VALEDEVIA, MARCELA (RENT)	27898	CRESCENT CT	MORENO VALLEY	CA	92555-5738	VALEDEVIA, MARCELA	27898 CRESCENT CT	MORENO VALLEY, CA	92555-5738	254.12	25.41	50.32	329.84
65049795003	304500029	ODOM, DWIGHT AND VICKI	14637	ASTORIA DR	MORENO VALLEY	CA	92555-5737	ODOM, DWIGHT AND VICKI	14637 ASTORIA DR	MORENO VALLEY, CA	92555-5737	254.12	25.41	50.32	329.84
65985545001	304500037	MOSLEY, JOYCE	14684	TILDEN LN	MORENO VALLEY	CA	92555-5715	MOSLEY, JOYCE	14684 TILDEN LN	MORENO VALLEY, CA	92555-5715	254.12	25.41	50.32	329.84
81751765000	304500039	PEREZ, BRENDA	14660	TILDEN LN	MORENO VALLEY	CA	92555-5715	PEREZ, BRENDA	PO BOX 1229	MORENO VALLEY, CA	92556-1229	222.91	22.29	44.14	289.32
95098195000	304501004	DURAN, JESSE AND MELANIE (RENT	27917	AUBURN LN	MORENO VALLEY	CA	92555-5728	DURAN, JESSE AND MELANIE	27917 AUBURN LN	MORENO VALLEY, CA	92555-5728	63.63	6.36	12.6	82.58
87942045003	304501011	HUDSON, VERNA AND SHAWN	27833	AUBURN LN	MORENO VALLEY	CA	92555-5728	HUDSON, VERNA AND SHAWN	27833 AUBURN LN	MORENO VALLEY, CA	92555-5728	254.12	25.41	50.32	329.84
95307925004	304501020	SERRANO, RAMIRO AND ROSA (OWN)	27856	HASTINGS DR	MORENO VALLEY	CA	92555-5745	SERRANO, RAMIRO AND ROSA	27856 HASTINGS DR	MORENO VALLEY, CA	92555-5745	190.79	19.08	37.78	247.64
68603585008	304502005	NIERO, ERIKA	14722	SHADY VALLEY WAY	MORENO VALLEY	CA	92555-5734	NIERO, ERIKA	14722 SHADY VALLEY WAY	MORENO VALLEY, CA	92555-5734	254.02	25.4	50.3	329.7
66356155005	304510007	KITE, REGINA	27822	GLADSTONE DR	MORENO VALLEY	CA	92555-5829	KITE, REGINA	27822 GLADSTONE DR	MORENO VALLEY, CA	92555-5829	329.6	32.96	65.26	427.82
65117795008	304510025	RUIS, ROBERT	27837	SPRING GROVE ST	MORENO VALLEY	CA	92555-5834	RUIS, ROBERT	26077 KALMIA AVE	MORENO VALLEY, CA	92555-1743	217.06	21.71	42.98	281.74
65118035006	304510030	TAYLOR, SONYA	27777	SPRING GROVE ST	MORENO VALLEY	CA	92555-5834	TAYLOR, SONYA	27777 SPRING GROVE ST	MORENO VALLEY, CA	92555-5834	254.12	25.41	50.32	329.84
65925595006	304510033	SEARS, MAURICE	27630	GLADSTONE DR	MORENO VALLEY	CA	92555-5831	SEARS, MAURICE	27630 GLADSTONE DR	MORENO VALLEY, CA	92555-5831	480.56	48.06	95.15	623.76
96235785003	304510038	LESURE, HENRY (RENT)	27690	GLADSTONE DR	MORENO VALLEY	CA	92555-5831	LESURE, HENRY	27690 GLADSTONE DR	MORENO VALLEY, CA	92555-5831	254.12	25.41	50.32	329.84
95817055002	304510040	MARTIN, ROBERT (RENT)	27714	GLADSTONE DR	MORENO VALLEY	CA	92555-5830	MARTIN, ROBERT	27714 GLADSTONE DR	MORENO VALLEY, CA	92555-5830	254.12	25.41	50.32	329.84
65359685009	304511012	WHITSON, LATAUN	14921	MERIDIAN PL	MORENO VALLEY	CA	92555-5835	WHITSON, LATAUN	14921 MERIDIAN PL	MORENO VALLEY, CA	92555-5835	87.45	8.75	17.32	113.5
65051615007	304511036	VALENCIA, SILVIA	27824	SPRING GROVE ST	MORENO VALLEY	CA	92555-5833	VALENCIA, SILVIA	27824 SPRING GROVE ST	MORENO VALLEY, CA	92555-5833	254.12	25.41	50.32	329.84
65626745009	304511041	NASH, BARBARA	14922	ANSLEY CT	MORENO VALLEY	CA	92555-5827	NASH, BARBARA	14922 ANSLEY CT	MORENO VALLEY, CA	92555-5827	254.12	25.41	50.32	329.84
92732845001	304511045	HERNANDEZ, OCTAVIO	14929	ANSLEY CT	MORENO VALLEY	CA	92555-5827	HERNANDEZ, OCTAVIO	14929 ANSLEY CT	MORENO VALLEY, CA	92555-5827	67.36	6.74	13.34	87.42
93014595005	304511046	JARA, LUCILLA (RENT)	14917	ANSLEY CT	MORENO VALLEY	CA	92555-5827	JARA, LUCILLA	24581 EUCALYPTUS AVE APT 13	MORENO VALLEY, CA	92553-9318	169.64	16.96	33.59	220.18
84359715000	304512015	TAVAREZ, ROBERTO	27631	GLADSTONE DR	MORENO VALLEY	CA	92555-5828	TAVAREZ, ROBERTO	9656 BRIARWOOD AVE	FONTANA, CA	92335-5675	254.02	25.4	50.3	329.7
66123225005	304512016	MORSE, JENNIFER	27632	LONGMEADOW CT	MORENO VALLEY	CA	92555-5832	MORSE, JENNIFER	27632 LONGMEADOW CT	MORENO VALLEY, CA	92555-5832	254.12	25.41	50.32	329.84
65902785005	304512018	DURAZO, JULIE	27656	LONGMEADOW CT	MORENO VALLEY	CA	92555-5832	DURAZO, JULIE	27656 LONGMEADOW CT	MORENO VALLEY, CA	92555-5832	254.12	25.41	50.32	329.84
74277025001	304512021	LAMBAREN, JESUS	27692	LONGMEADOW CT	MORENO VALLEY	CA	92555-5832	LAMBAREN, JESUS	25297 S POINTE DR STE 150	LAGUNA HILLS, CA	92653-1493	404.62	40.46	80.11	525.18
66378515005	304512024	LEE, SUKSAN	27681	LONGMEADOW CT	MORENO VALLEY	CA	92555-5832	LEE, SUKSAN	27681 LONGMEADOW CT	MORENO VALLEY, CA	92555-5832	221.61	22.16	43.88	287.64
66557715001	304512025	MEDINA, JORGE	27669	LONGMEADOW CT	MORENO VALLEY	CA	92555-5832	MEDINA, JORGE	27669 LONGMEADOW CT	MORENO VALLEY, CA	92555-5832	254.12	25.41	50.32	329.84
92567495004	304520002	PHILLIPS, PATRICIA	15455	LEGENDARY DR	MORENO VALLEY	CA	92555-5852	PHILLIPS, PATRICIA	15455 LEGENDARY DR	MORENO VALLEY, CA	92555-5852	254.02	25.4	50.3	329.7
99941405009	304520007	RAMOS, ERICKA (RENT)	27527	SHELLIE WAY	MORENO VALLEY	CA	92555-5850	RAMOS, ERICKA	27527 SHELLIE WAY	MORENO VALLEY, CA	92555-5850	254.12	25.41	50.32	329.84
97431825009	304520008	RIOS, GERADO (OWNR)	27517	SHELLIE WAY	MORENO VALLEY	CA	92555-5850	RIOS, GERADO	27517 SHELLIE WAY	MORENO VALLEY, CA	92555-5850	329.6	32.96	65.26	427.82
70330335007	304520009	SLOWINSKI, MICHAEL	15470	LEGENDARY DR	MORENO VALLEY	CA	92555-5851	SLOWINSKI, MICHAEL	15470 LEGENDARY DR	MORENO VALLEY, CA	92555-5851	329.32	32.93	65.21	427.44
70349535005	304520017	MILLON, VICKI	15390	LEGENDARY DR	MORENO VALLEY	CA	92555-5845	MILLON, VICKI	15390 LEGENDARY DR	MORENO VALLEY, CA	92555-5845	125.65	12.57	24.88	163.08
88305103007	304520027	COOK, DORITHA AND MARQUIS	15290	LEGENDARY DR	MORENO VALLEY	CA	92555-5800	COOK, DORITHA	15290 LEGENDARY DR	MORENO VALLEY, CA	92555-5800	254.12	25.41	50.32	329.84
69857495008	304520032	DEVICENTE, AMPARO	15240	LEGENDARY DR	MORENO VALLEY	CA	92555-5800	DEVICENTE, AMPARO	15240 LEGENDARY DR	MORENO VALLEY, CA	92555-5800	63.63	6.36	12.6	82.58
69677295002	304530011	GRECO, MICHAEL AND PRICILLA	27707	VIA DE LA REAL	MORENO VALLEY	CA	92555-5803	GRECO, MICHAEL	27707 VIA DE LA REAL	MORENO VALLEY, CA	92555-5803	190.29	19.03	37.68	246.98
90415415005	304531005	SANDOVAL, MARIO (OWN)	27725	VIA SONATA	MORENO VALLEY	CA	92555-5853	SANDOVAL, MARIO (OWN)	27725 VIA SONATA	MORENO VALLEY, CA	92555-5853	461.37	46.14	91.35	598.84
65887865001	304540016	BANKS, ADRIAN	27895	VIA SONATA	MORENO VALLEY	CA	92555-5854	BANKS, ADRIAN	27895 VIA SONATA	MORENO VALLEY, CA	92555-5854	254.12	25.41	50.32	329.84
65009735000	304540019	LARSON, JAMES AND JOSIE	27925	VIA SONATA	MORENO VALLEY	CA	92555-5855	LARSON, JAMES AND JOSIE	27925 VIA SONATA	MORENO VALLEY, CA	92555-5855	254.12	25.41	50.32	329.84
96707365009	304541001	GOMEZ, JOSE (RENT)	15104	LA CASA DR	MORENO VALLEY	CA	92555-5837	GOMEZ, JOSE	15104 LA CASA DR	MORENO VALLEY, CA	92555-5837	138.75	13.88	27.47	180.08
96413905004	304541010	LAUREL, CATRINA (OWNR)	15214	LA CASA DR	MORENO VALLEY	CA	92555-5839	LAUREL, CATRINA	15214 LA CASA DR	MORENO VALLEY, CA	92555-5839	254.12	25.41	50.32	329.84
66429755004	304550001	SANCHEZ, VIVIANA	15371	LA CASA DR	MORENO VALLEY	CA	92555-5842	SANCHEZ, VIVIANA	15371 LA CASA DR	MORENO VALLEY, CA	92555-5842	61.46	6.15	12.17	79.76
64678575006	304550003	BROWN, DERRICK	15355	LA CASA DR	MORENO VALLEY	CA	92555-5842	BROWN, DERRICK	15355 LA CASA DR	MORENO VALLEY, CA	92555-5842	63.63	6.36	12.6	82.58
88986715006	304550007	MARTINEZ, ELENILSON	15325	LA CASA DR	MORENO VALLEY	CA	92555-5842	MARTINEZ, ELENILSON	15325 LA CASA DR	MORENO VALLEY, CA	92555-5842	123.03	12.3	24.36	159.68
92445563008	304550010	PARMLEY, SILVA	15299	LA CASA DR	MORENO VALLEY	CA	92555-5840	PARMLEY, SILVA	15299 LA CASA DR	MORENO VALLEY, CA	92555-5840	257.91	25.79	51.07	334.76
83782995005	304550011	MILEY, JUANA (RENT)	15289	LA CASA DR	MORENO VALLEY	CA	92555-5840	MILLEY, JUANA	15289 LA CASA DR	MORENO VALLEY, CA	92555-5840	254.02	25.4	50.3	329.7
66319475006	304550012	YOUNG, MARY	15279	LA CASA DR	MORENO VALLEY	CA	92555-5840	YOUNG, MARY	15279 LA CASA DR	MORENO VALLEY, CA	92555-5840	254.12	25.41	50.32	329.84

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
91668755006	304551016	GUZMAN, JOSE AND YEMIN	15364	LA CASA DR	MORENO VALLEY	CA	92555-5841	GUZMAN, JOSE	15364 LA CASA DR	MORENO VALLEY, CA	92555-5841	63.93	6.39	12.66	82.98
91271065004	304560004	SHELLS, JHALYN (RENT)	14871	ARTISAN ST	MORENO VALLEY	CA	92555-6370	SHELLS, JHALYN	14871 ARTISAN ST	MORENO VALLEY, CA	92555-6370	253.92	25.39	50.28	329.58
85939025003	304560009	PORRAS, EDGER	14911	ARTISAN ST	MORENO VALLEY	CA	92555-6374	PORRAS, EDGER	14911 ARTISAN ST	MORENO VALLEY, CA	92555-6374	254.02	25.4	50.3	329.7
93929575008	304560016	SIMS, JAMES (OWNR)	28047	STONEGATE CT	MORENO VALLEY	CA	92555-6372	SIMS, JAMES	28047 STONEGATE CT	MORENO VALLEY, CA	92555-6372	63.63	6.36	12.6	82.58
97144375002	304560018	WRIGHT, KEITH M	28063	STONEGATE CT	MORENO VALLEY	CA	92555-6372	WRIGHT, KEITH M	28063 STONEGATE CT	MORENO VALLEY, CA	92555-6372	63.63	6.36	12.6	82.58
97058815002	304560028	HIBBLE, WESLEY (RENT)	14957	STEPHENSON ST	MORENO VALLEY	CA	92555-6329	HIBBLE, WESLEY	14957 STEPHENSON ST	MORENO VALLEY, CA	92555-6329	190.29	19.03	37.68	246.98
66788875008	304560033	KAMIREZ, JENNIFER	14917	STEPHENSON ST	MORENO VALLEY	CA	92555-6329	OMMIREZ, JENNIFER	14917 STEPHENSON ST	MORENO VALLEY, CA	92555-6329	254.12	25.41	50.32	329.84
94738345001	304560034	JOHNSON, TAMARA (OWNR)	14905	STEPHENSON ST	MORENO VALLEY	CA	92555-6329	JOHNSON, TAMARA	14905 STEPHENSON ST	MORENO VALLEY, CA	92555-6329	254.12	25.41	50.32	329.84
92823025000	304561009	GROSS, SHADONIALA (RENT)	14850	ARTISAN ST	MORENO VALLEY	CA	92555-6369	GROSS, SHADONIALA	14850 ARTISAN ST	MORENO VALLEY, CA	92555-6369	224.02	22.4	44.36	290.76
94305225004	304561010	HURT, DENISHA (OWNER)	14818	ARTISAN ST	MORENO VALLEY	CA	92555-6369	HURT, DENISHA	14818 ARTISAN ST	MORENO VALLEY, CA	92555-6369	254.12	25.41	50.32	329.84
94795765002	304561016	ALLEN, TROY (OWNR)	14860	STEPHENSON ST	MORENO VALLEY	CA	92555-6327	ALLEN, TROY	14860 STEPHENSON ST	MORENO VALLEY, CA	92555-6327	254.12	25.41	50.32	329.84
91823565007	304580012	COTTINGHAM, JAMES (RENT)	15651	HAMMETT CT	MORENO VALLEY	CA	92555-4993	COTTINGHAM, JAMES	15651 HAMMETT CT	MORENO VALLEY, CA	92555-4993	151.95	15.2	30.09	197.22
97605175004	308020001	SANDOVAL, THELMA (RENT)	26794	VISTA ALLEGRE	MORENO VALLEY	CA	92555-4116	SANDOVAL, THELMA	26794 VISTA ALLEGRE	MORENO VALLEY, CA	92555-4116	254.12	25.41	50.32	329.84
66991485000	308251010	GREER, LORI	15738	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4210	GREER, LORI	2414 WAXWING AVE	VENTURA, CA	93003-7170	254.12	25.41	50.32	329.84
58017965002	308251011	FRUGE, KATHERINE	15730	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4210	FRUGE, KATHERINE	15730 VISTA DEL MAR ST	MORENO VALLEY, CA	92555-4210	254.02	25.4	50.3	329.7
57926805000	308251012	MAYES, MICHAEL	15722	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4210	MAYES, MICHAEL	15722 VISTA DEL MAR ST	MORENO VALLEY, CA	92555-4210	329.32	32.93	65.21	427.44
58908125000	308252005	ATKINSON, PATRICIA	15786	MESA VERDE DR	MORENO VALLEY	CA	92555-4221	ATKINSON, PATRICIA	15786 MESA VERDE DR	MORENO VALLEY, CA	92555-4221	184.12	18.41	36.46	238.98
91911415002	308252008	SANDOVAL, ELIZABETH	15756	MESA VERDE DR	MORENO VALLEY	CA	92555-4221	SANDOVAL, ELIZABETH	15756 MESA VERDE DR	MORENO VALLEY, CA	92555-4221	136.64	13.66	27.05	177.34
93789765006	308252010	GAULDEN, PAUL (RENT)	15734	MESA VERDE DR	MORENO VALLEY	CA	92555-4221	GAULDEN, PAUL	25061 WAGNER WAY	HEMET, CA	92544-1728	253.92	25.39	50.28	329.58
87341435004	308252011	CLARK, DARILYN	15724	MESA VERDE DR	MORENO VALLEY	CA	92555-4221	CLARK, DARILYN	15724 MESA VERDE DR	MORENO VALLEY, CA	92555-4221	254.12	25.41	50.32	329.84
59760065006	308252022	LEE-MCDUFFIE, PRECIOUS	26657	PUEBLO VISTA WAY	MORENO VALLEY	CA	92555-4201	LEE-MCDUFFIE, PRECIOUS	26657 PUEBLO VISTA WAY	MORENO VALLEY, CA	92555-4201	329.6	32.96	65.26	427.82
91077215004	308252025	VISTA FINANCIAL INVESTMENTS IN	26715	PUEBLO VISTA WAY	MORENO VALLEY	CA	92555-4208	VISTA FINANCIAL INVESTMENTS IN	26715 PUEBLO VISTA WAY	MORENO VALLEY, CA	92555-4208	329.04	32.9	65.15	427.08
93894265009	308252026	HATERMAN, RACHEL (OWNR)	26729	PUEBLO VISTA WAY	MORENO VALLEY	CA	92555-4208	HATERMAN, RACHEL	26729 PUEBLO VISTA WAY	MORENO VALLEY, CA	92555-4208	173.89	17.39	34.43	225.7
96744855009	308252031	REYES, JESSICA (OWNR)	15683	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4206	REYES, JESSICA	15683 VISTA DEL MAR ST	MORENO VALLEY, CA	92555-4206	229.9	22.99	45.52	298.4
56625985001	308261003	DOMINGUEZ, VALERIE	15678	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4207	DOMINGUEZ, VALERIE	15678 VISTA DEL MAR ST	MORENO VALLEY, CA	92555-4207	63.63	6.36	12.6	82.58
80494855009	308261008	WILLIAMS, DOROTHY	15628	VISTA DEL MAR ST	MORENO VALLEY	CA	92555-4207	WILLIAMS, DOROTHY	15628 VISTA DEL MAR ST	MORENO VALLEY, CA	92555-4207	79.32	7.93	15.71	102.94
97033215001	308261012	CAMITADASO, PETE (OWNR)	26798	SANTA ROSA DR	MORENO VALLEY	CA	92555-4205	CAMITADASO, PETE	26798 SANTA ROSA DR	MORENO VALLEY, CA	92555-4205	154.12	15.41	30.52	200.04
53326025001	308261026	BOND, CAROLINE	26600	SANTA ROSA DR	MORENO VALLEY	CA	92555-4203	BOND, CAROLINE	26600 SANTA ROSA DR	MORENO VALLEY, CA	92555-4203	254.02	25.4	50.3	329.7
53028955007	308262004	AVILA, MARK	26655	SANTA ROSA DR	MORENO VALLEY	CA	92555-4202	AVILA, MARK	26655 SANTA ROSA DR	MORENO VALLEY, CA	92555-4202	63.63	6.36	12.6	82.58
59008555007	308262020	BROWN, DERRICK	26640	PUEBLO VISTA WAY	MORENO VALLEY	CA	92555-4200	BROWN, DERRICK	26640 PUEBLO VISTA WAY	MORENO VALLEY, CA	92555-4200	254.12	25.41	50.32	329.84
96059505006	308271007	RODRIGUEZ, DANIEL	15730	AVENIDA DE CIRCO	MORENO VALLEY	CA	92555-4230	RODRIGUEZ, DANIEL	15730 AVENIDA DE CIRCO	MORENO VALLEY, CA	92555-4230	312.29	31.23	61.83	405.34
58707215007	308271013	ROBINSON, LISA	15715	AVENIDA DE CALMA	MORENO VALLEY	CA	92555-4246	ROBINSON, LISA	15715 AVENIDA DE CALMA	MORENO VALLEY, CA	92555-4246	254.12	25.41	50.32	329.84
97154605003	308271016	UMAU, CHARLENE (RENT)	15745	AVENIDA DE CALMA	MORENO VALLEY	CA	92555-4233	UMAU, CHARLENE	15745 AVENIDA DE CALMA	MORENO VALLEY, CA	92555-4233	186.81	18.68	36.99	242.48
95050475002	308272011	FREELAND, RAMONA (RENT)	26475	SANTA ROSA DR	MORENO VALLEY	CA	92555-4216	FREELAND, RAMONA	26475 SANTA ROSA DR	MORENO VALLEY, CA	92555-4216	64.29	6.43	12.73	83.44
56292675005	308272014	ZACHERY, CHERI (RENT)	26505	SANTA ROSA DR	MORENO VALLEY	CA	92555-4217	ZACHERY, CHERI	26505 SANTA ROSA DR	MORENO VALLEY, CA	92555-4217	254.02	25.4	50.3	329.7
56299855002	308272017	ANDREAS, STEVE	26535	SANTA ROSA DR	MORENO VALLEY	CA	92552-	ANDREAS, STEVE	3207 VIA PESCADO	CARLSBAD, CA	92010	329.32	32.93	65.21	427.44
76201185005	308272019	VILLAVICENCIO, JUAN	26555	SANTA ROSA DR	MORENO VALLEY	CA	92555-4217	VILLAVICENCIO, JUAN	26555 SANTA ROSA DR	MORENO VALLEY, CA	92555-4217	329.32	32.93	65.21	427.44
62367075003	308272022	ODIMEGWU, ETHEL	15625	MESA VERDE DR	MORENO VALLEY	CA	92555-4220	ODIMEGWU, ETHEL	15625 MESA VERDE DR	MORENO VALLEY, CA	92555-4220	329.6	32.96	65.26	427.82
89166313008	308272026	PARKER, KAREN (RENT)	15665	MESA VERDE DR	MORENO VALLEY	CA	92555-4220	PARKER, KAREN (RENT)	15665 MESA VERDE DR	MORENO VALLEY, CA	92555-4220	190.79	19.08	37.78	247.64
95679645003	308272039	GOSLEE, PATRICE (OWNR)	15758	BELLEZA CIR	MORENO VALLEY	CA	92555-4239	GOSLEE, PATRICE	15758 BELLEZA CIR	MORENO VALLEY, CA	92555-4239	254.12	25.41	50.32	329.84
64330845008	308272049	MILLINER, TANYA	26482	AVENIDA DE LA PAZ	MORENO VALLEY	CA	92555-4240	MILLINER, TANYA	11817 ARLEE AVE	NORWALK, CA	90650-1949	269.11	26.91	53.28	349.3
93487973003	308272052	SMITH, TOSSIE	26452	AVENIDA DE LA PAZ	MORENO VALLEY	CA	92555-4240	SMITH, TOSSIE	12682 ARLETTA CIR	GARDEN GROVE, CA	92840-6012	229	22.9	45.34	297.24
95813545009	308273004	GONZALEZ, CINDY (RENT)	26520	SANTA ROSA DR	MORENO VALLEY	CA	92555-4214	GONZALEZ, CINDY	26520 SANTA ROSA DR	MORENO VALLEY, CA	92555-4214	254.12	25.41	50.32	329.84
96212985000	308273006	MILES III, BILLIE C	26500	SANTA ROSA DR	MORENO VALLEY	CA	92555-4214	MILES III, BILLIE C	19613 FARIMAN DR	CARSON, CA	90746-2451	254.12	25.41	50.32	329.84
98883363006	308273013	PURTUE, JAMES (RENT)	26430	SANTA ROSA DR	MORENO VALLEY	CA	92555-4213	PURTUE, JAMES (RENT)	26430 SANTA ROSA DR	MORENO VALLEY, CA	92555-4213	127.78	12.78	25.3	165.84
64574255004	308274002	AGUAYO, ROBERT AND CYNTHIA	15733	AVENIDA DEL CORAZON	MORENO VALLEY	CA	92555-4238	AGUAYO, ROBERT	15733 AVENIDA DEL CORAZON	MORENO VALLEY, CA	92555-4238	329.6	32.96	65.26	427.82
88231305003	308274004	COLEMAN, DANIELETTE	15753	AVENIDA DEL CORAZON	MORENO VALLEY	CA	92555-4238	COLEMAN, DANIELETTE	9808 BELFAST DR	GARDEN GROVE, CA	92844-1650	254.12	25.41	50.32	329.84
58817945001	308281005	HARRELL, DEBORAH	26505	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4225	HARRELL, DEBORAH	26505 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4225	254.12	25.41	50.32	329.84
59257805008	308281010	DELGADO, KATHY (OWNR)	26555	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4225	DELGADO, KATHY	26555 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4225	254.12	25.41	50.32	329.84
96407355008	308281025	PEREZ, BLANCA (RENT)	26725	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4236	PEREZ, BLANCA	26725 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4236	62.08	6.21	12.29	80.56
86534013003	308281026	PACE, NYGELLE (RENT)	26735	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4236	PACE, NYGELLE	26735 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4236	190.79	19.08	37.78	247.64
92967855000	308282004	GANTT, LOUIS (RENT)	26640	CALLE LINDA	MORENO VALLEY	CA	92555-4229	GANTT, LOUIS (RENT)	26640 CALLE LINDA	MORENO VALLEY, CA	92555-4229	54.02	5.4	10.7	70.1
93929195008	308282005	MCCRAY, JAMES (RENT)	26630	CALLE LINDA	MORENO VALLEY	CA	92555-4229	MCCRAY, JAMES (RENT)	19510 VAN BUREN BLVD STE F3	RIVERSIDE, CA	92508-9458	254.12	25.41	50.32	329.84
60143185007	308282008	ALMANZA, PAULA	26600	CALLE LINDA	MORENO VALLEY	CA	92555-4229	ALMANZA, PAULA	26600 CALLE LINDA	MORENO VALLEY, CA	92555-4229	254.12	25.41	50.32	329.84
98883693007	308283006	GOMEZ, STEPHANIE (RENT)	26595	CALLE LINDA	MORENO VALLEY	CA	92555-4228	GOMEZ, STEPHANIE (RENT)	16556 SIR BARTON WAY	MORENO VALLEY, CA	92551-2533	175.04	17.5	34.66	227.2
59694385000	308283008	LEE, AVIA	26615	CALLE LINDA	MORENO VALLEY	CA	92552	LEE, AVIA	26615 CALLE LINDA	MORENO VALLEY, CA	92555-4228	254.12	25.41	50.32	329.84
92909575001	308283021	CARREON, RICK	26540	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4224	CARREON, RICK	5440 IRONWOOD ST	SAN BERNARDINO, CA	92404-2843	254.02	25.4	50.3	329.7
58810815003	308283022	VERNON, NICOLE	26530	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4224	VERNON, NICOLE	26530 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4224	254.02	25.4	50.3	329.7
96384485002	308283023	EVANS, STACEY (OWNR)	26520	BONITA HEIGHTS DR	MORENO VALLEY	CA	92555-4224	EVANS, STACEY	26520 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4224	254.12	25.41	50.32	329.84
58817055007	308283026	RYAN, MELINDA	15770	AVENIDA DE CALMA	MORENO VALLEY	CA	92555-4232	RYAN, MELINDA	13640 KITCHING ST	MORENO VALLEY, CA	92553-4815	177.9	17.79	35.22	230.9
94195545002	308361004	CASTANEDA, ERIC (RENT)	26445	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2929	CASTANEDA, ERIC	26445 THOROUGHBRED LN	MORENO VALLEY, CA	92555-2929	60.78	6.08	12.03	78.88
58817605002	308361005	BARNES, GARY	26457	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2929	BARNES, GARY	26457 THOROUGHBRED LN	MORENO VALLEY, CA	92555-2929	329.6	32.96	65.26	427.82
64457605009	308362007	TORRES, KRISTIN	26428	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2928	TORRES, KRISTIN	26428 THOROUGHBRED LN	MORENO VALLEY, CA	92555-2928	104.12	10.41	20.62	135.14
89522135000	308362010	SMITH, MELINDA RENELL	26400	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2926	SMITH, MELINDA RENELL	16785 ARROYO PARK DR	MORENO VALLEY, CA	92551-2105	371.5	37.15	73.56	482.2
51303895009	308362026	JONES, DIANA	26353	OLD ANVIL LN	MORENO VALLEY	CA	92555-2935	JONES, DIANA	26353 OLD ANVIL LN	MORENO VALLEY, CA	92555-2935	254.02	25.4	50.3	329.7
95312585003	308362031	SANDOVAL, NASARIO (OWNR)	26405	OLD ANVIL LN	MORENO VALLEY	CA	92555-2939	SANDOVAL, NASARIO	24337 WILD WOOD ST	MORENO VALLEY, CA	92551-6923	48	4.8	9.5	62.3
95312685002	308362032	WILLIAMS, KERYUS (RENT)	26417	OLD ANVIL LN	MORENO VALLEY	CA	92555-2939	WILLIAMS, KERYUS	26417 OLD ANVIL LN	MORENO VALLEY, CA	92555-2939	62.64	6.26	12.4	81.3
51649495009	308362045	BRISCOE, CYNTHIA	26384	OLD ANVIL LN	MORENO VALLEY	CA	92555-2938	BRISCOE, CYNTHIA	26384 OLD ANVIL LN	MORENO VALLEY, CA	92555-2938	254.02	25.4	50.3	329.7
93290665006	308362048	CANTRELL, KARLYN	15604	HITCHING POST ST	MORENO VALLEY	CA	92555-2940	CANTRELL, KARLYN	15604 HITCHING POST ST	MORENO VALLEY, CA	92555-2940	254.12	25.41	50.32	329.84
96384485007	308364002	RICHARDS, MARCIE (OWNR)	15605	SAGE CT	MORENO VALLEY	CA	92555-2931	RICHARDS, MARCIE	15605 SAGE CT	MORENO VALLEY, CA	92555-2931	254.12	25.41	50.32	329.84
94486325001	308364003	HILOBSKY, JACKIE (RENT)	15615	SAGE CT	MORENO VALLEY	CA	92555-2931	HILOBSKY, JACKIE	15615 SAGE CT	MORENO VALLEY, CA	92555-2931	190.79	19.08	37.78	247.64
50348165008	308364004	DUFF, MARIE	15625	SAGE CT	MORENO VALLEY	CA	92555-2933	DUFF, MARIE	15625 SAGE CT	MORENO VALLEY, CA	92555-2933	254.02	25.4	50.3	329.7
91972883005	308364021	PERRY, BRITTANY (RENT)	26381	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2927	PERRY, BRITTANY	15625 LASSELLE ST APT 43	MORENO VALLEY, CA	92551-4703	252.54	25.25	50	327.78
97465325002	308370014	WILKES, DONALD AND MICHELLE	15508	SAGE CT	MORENO VALLEY	CA	92555-2930	WILKES, DONALD AND MICHELLE	19416 KEMP AVE	CARSON, CA	90746-2849	420.76	42.08	83.31	546.14
94262055002	308370016	OLMOS, SANTIAGO	15501	SAGE CT	MORENO VALLEY	CA	92555-2930	OLMOS, SANTIAGO	15501 SAGE CT	MORENO VALLEY, CA	92555-2930	193.82	19.38	38.38	251.56
90314435006	308370021	JOHNSON, HENRY	15545	SAGE CT	MORENO VALLEY	CA	92555-2930	JOHNSON, HENRY	15545 SAGE CT	MORENO VALLEY, CA	92555-2930	253.92	25.39	50.28	329.58
50348545009	308370022	DORSEY, VERNON	15555	SAGE CT	MORENO VALLEY	CA	92555-2930	DORSEY, VERNON	15555 SAGE CT	MORENO VALLEY, CA	92555-2930	105.32	10.53	20.85	136.7
88741873001	308370025	ROBINSON, BENIDA (OWNR)	15585	SAGE CT	MORENO VALLEY	CA	92555-2931	ROBINSON, BENIDA (OWNR)	15585 SAGE CT	MORENO VALLEY, CA	92555-2931	62.79	6.28	12.43	81.5
80627525004	308370029	GARCIA, SANDRA	26462	SILVERADO CT	MORENO VALLEY	CA	92555-2953	GARCIA, SANDRA	26895 ALISO CREEK RD STE B	ALISO VIEJO, CA	92656-5302	254.02	25.4	50.3	329.7
96864405001	308370032	ROBERTS, MELISSA (OWNR)	26444	SILVERADO CT	MORENO VALLEY	CA	92555-2953	ROBERTS, MELISSA	26444 SILVERADO CT	MORENO VALLEY, CA	92555-2953	254.12	25.41	50.32	329.84
84349765000	308371009	GAMEZ, PATRICIA	26472	PRAIRIE LN	MORENO VALLEY	CA	92555-2944	GAMEZ, PATRICIA	26472 PRAIRIE LN	MORENO VALLEY, CA	92555-2944	254.02	25.4	50.3	329.7
98268905017	308371012	CONTRERAS, OCTAVIO (RENT)	15617	LARIAT LN	MORENO VALLEY	CA	92555-2949	CONTRERAS, OCTAVIO	15617 LARIAT LN	MORENO VALLEY, CA	92555-2949	254.12	25.41	50.32	329.84
52693485008	308372009	BRADLEY, GEOFFREY	26402	PRAIRIE LN	MORENO VALLEY	CA	92555-2944	BRADLEY, GEOFFREY	26402 PRAIRIE LN	MORENO VALLEY, CA	92555-2944	254.02	25.4	50.3	329.7
94199585005	308372020	GOMEZ, STEPHANIE (RENT)	26481	SILVERADO CT	MORENO VALLEY	CA	92555-2956	GOMEZ, STEPHANIE	26481 SILVERADO CT	MORENO VALLEY, CA	92555-2956	254.12	25.41	50.32	329.84
97105395009	308380002	FUQUA JR, REGINALD (RENT)	15578	FIREROCK LN	MORENO VALLEY	CA	92555-2969	FUQUA JR, REGINALD	15578 FIREROCK LN	MORENO VALLEY, CA	92555-2969	254.12	25.41	50.32	329.84
75006235009	308381007	GARCIA, OFELIA	26590	SILVERADO CT	MORENO VALLEY	CA	92555-2957	GARCIA, OFELIA	26590 SILVERADO CT	MORENO VALLEY, CA	92555-2957	54.02	5.4	10.7	70.1
96384915002	308381008	SANDERS-HALE, LINDA	26580	SILVERADO CT	MORENO VALLEY	CA	92555-2957	SANDERS-HALE, LINDA	27410 OCEAN DUNES ST	MORENO VALLEY, CA	92555-4919	233.01	23.3	46.14	302.44
53514735003	308382003	ARZAGA, GINA	15612	LARIAT LN	MORENO VALLEY	CA	92555-2950	ARZAGA, GINA	15612 LARIAT LN	MORENO VALLEY, CA	92555-2950	254.12	25.41	50.32	329.84
95040105001	308382014	ZORNES, PHILIP (RENT)	15531	BUCKBOARD LN	MORENO VALLEY	CA	92555-2967	ZORNES, PHILIP	15531 BUCKBOARD LN	MORENO VALLEY, CA	92555-2967	254.12	25.41	50.32	329.84
57511575008	308383007	SMITH, HEATHER	26561	THOROUGHBRED LN	MORENO VALLEY	CA	92555-2965	SMITH, HEATHER	26561 THOROUGHBRED LN	MORENO VALLEY, CA	92555-2965	254.02	25.4	50.3	329.7
97105265006	308383013	ALEXANDER, CHARMAINE	15556	BUCKBOARD LN	MORENO VALLEY	CA	92555-2966	ALEXANDER, CHARMAINE	15556 BUCKBOARD LN	MORENO VALLEY, CA	92555-2966	127.46	12.75	25.24	165.44
96384725002	308383017	KAYOMI, RICHARD (RENT)	15539	FIREROCK LN	MORENO VALLEY	CA	92555-2970	KAYOMI, RICHARD	15539 FIREROCK LN	MORENO VALLEY, CA	92555-2970	100	10	19.8	129.8
96635925005	308390002	PHILLIPS, PATRICIA (RENT)	26168	CLYDESDALE LN	MORENO VALLEY	CA	92555-3308	PHILLIPS, PATRICIA	26168 CLYDESDALE LN	MORENO VALLEY, CA	92555-3308	253.96	25.4	50.28	329.64
88603605000	308390006	CRAWFORD, SEQUOIA	26120	CLYDESDALE LN	MORENO VALLEY	CA	92555-3308	CRAWFORD, SEQUOIA	26120 CLYDESDALE LN	MORENO VALLEY, CA	92555-3308	217.06	21.71	42.98	281.74
94828725000	308390011	GREER, BILLY JR (RENT)	26173	CLYDESDALE LN	MORENO VALLEY	CA	92555-3308	GREER, BILLY JR	26173 CLYDESDALE LN	MORENO VALLEY, CA	92555-3308	254.12	25.41	50.32	329.84
58398865008	308390014	ULLOA, EDUARDO	16473	COLT WAY	MORENO VALLEY	CA	92555-3301	ULLOA, EDUARDO	16473 COLT WAY	MORENO VALLEY, CA	92555-3301	254.12	25.41	50.32	329.84
95503205007	308390016	FULLER, JOE (RENT)	16493	COLT WAY	MORENO VALLEY	CA	92555-3301	FULLER, JOE	16493 COLT WAY	MORENO VALLEY, CA	92555-3301	190.79	19.08	37.78	247.64
81669905001	308390023	ORTIZ, RALPH	16512	DARTMOOR CIR	MORENO VALLEY	CA	92555-3311	ORTIZ, RALPH	16512 DARTMOOR CIR	MORENO VALLEY, CA	92555-3311	127.36	12.74	25.22	165.3
58400305000	308392001	HUGHES, LISA	26204	CLYDESDALE LN	MORENO VALLEY	CA	92555-3307	HUGHES, LISA	26204 CLYDESDALE LN	MORENO VALLEY, CA	92555-3307	224.12	22.41	44.38	290.9
58397315006	308399011	CHAVEZ, VERONICA AND HUGO	16520	COLT WAY	MORENO VALLEY	CA	92555-3303	CHAVEZ, VERONICA AND HUGO	16520 COLT WAY	MORENO VALLEY, CA	92555-3303	90.29	9.03	17.88	117.18
86723645000	308400007	MARENCO, LUZ	16532	SPIRIT RD	MORENO VALLEY	CA	92555-3324	MARENCO, LUZ	16532 SPIRIT RD	MORENO VALLEY, CA	92555-3324	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
60626445007	308400008	GREEN, MARK	16520	SPIRIT RD	MORENO VALLEY	CA	92555-3324	GREEN, MARK	16520 SPIRIT RD	MORENO VALLEY, CA	92555	52.46	5.25	10.39	68.08
64341265006	308400010	KLEMAN, ESTRELLA	16502	SPIRIT RD	MORENO VALLEY	CA	92555-3324	KLEMAN, ESTRELLA	16502 SPIRIT RD	MORENO VALLEY, CA	92555-3324	254.12	25.41	50.32	329.84
88787355003	308400011	GURODE, PATRICIA	16494	SPIRIT RD	MORENO VALLEY	CA	92555-3322	GURODE, PATRICIA	16494 SPIRIT RD	MORENO VALLEY, CA	92555-3322	190.12	19.01	37.64	246.76
97241385004	308401002	UMALI, ERICSON (RENT)	16419	SPIRIT RD	MORENO VALLEY	CA	92555-3323	UMALI, ERICSON	16419 SPIRIT RD	MORENO VALLEY, CA	92555-3323	154.12	15.41	30.52	200.04
94920525007	308401019	BARNES, CAROLYN (RENT)	26225	MUSTANG CT	MORENO VALLEY	CA	92555-3319	BARNES, CAROLYN	26225 MUSTANG CT	MORENO VALLEY, CA	92555-3319	302	30.2	59.8	391.98
69302415002	308401032	LOPEZ, JOSE	16439	WELSH CT	MORENO VALLEY	CA	92555-3333	LOPEZ, JOSE	16439 WELSH CT	MORENO VALLEY, CA	92555-3333	254.02	25.4	50.3	329.7
91621605007	308411002	HASS, YVONNE	26392	CLYDESDALE LN	MORENO VALLEY	CA	92555-3328	HASS, YVONNE	26392 CLYDESDALE LN	MORENO VALLEY, CA	92555-3328	63.92	6.39	12.66	82.96
95346585001	308412012	HERNANDEZ, HENRY (OWNR)	26537	CLYDESDALE LN	MORENO VALLEY	CA	92555-3334	HERNANDEZ, HENRY	26537 CLYDESDALE LN	MORENO VALLEY, CA	92555-3334	254.12	25.41	50.32	329.84
59837875002	308413003	MITCHELL, ONA	16425	QUARTER HORSE RD	MORENO VALLEY	CA	92555-3330	MITCHELL, ONA	16425 QUARTER HORSE RD	MORENO VALLEY, CA	92555-3330	254.12	25.41	50.32	329.84
89808673009	308414002	BROWN, CLARENCE (RENT)	16430	QUARTER HORSE RD	MORENO VALLEY	CA	92555-3329	BROWN, CLARENCE	PO BOX 9163	MORENO VALLEY, CA	92552-9163	84.87	8.49	16.8	110.16
80463325006	308414003	CLOWNEY, MICKIE	16440	QUARTER HORSE RD	MORENO VALLEY	CA	92555-3329	CLOWNEY, MICKIE	25700 VESPUCCI AVE	MORENO VALLEY, CA	92557-7752	254.02	25.4	50.3	329.7
96059545008	308414006	GILLIARD, EMMETT (RENT)	26425	CLYDESDALE LN	MORENO VALLEY	CA	92555-3332	GILLIARD, EMMETT	PO BOX 10437	MORENO VALLEY, CA	92552-0437	26.67	2.67	5.28	34.6
61242495001	308420024	BROWN, CARMELLA (TNT)	26436	MARE LN	MORENO VALLEY	CA	92555-3315	BROWN, CARMELLA	26436 MARE LN	MORENO VALLEY, CA	92555-3315	254.12	25.41	50.32	329.84
90979915005	308420030	MOORE, SPENCER	16485	QUARTER HORSE RD	MORENO VALLEY	CA	92555-3330	MOORE, SPENCER	16485 QUARTER HORSE RD	MORENO VALLEY, CA	92555-3330	50.32	5.03	9.96	65.3
95291643007	308421007	NEUMAN, ANDREA (RENT)	26445	MARE LN	MORENO VALLEY	CA	92555-3315	NEUMAN, ANDREA	12712 ADMIRALTY WAY APT F102	EVERETT, WA	98204-8023	61.03	6.1	12.08	79.2
65992595002	308430003	SIMMONS, ANNIE	26292	CLYDESDALE LN	MORENO VALLEY	CA	92555-3306	SIMMONS, ANNIE	PO BOX 1135	LAKE ELSINORE, CA	92531-1135	127.46	12.75	25.24	165.44
75851965004	308430005	FREDERICKSON, CLAUDIA	26312	CLYDESDALE LN	MORENO VALLEY	CA	92555-3328	FREDERICKSON, CLAUDIA	26312 CLYDESDALE LN	MORENO VALLEY, CA	92555-3328	254.02	25.4	50.3	329.7
75161645006	308431003	MERELES, DOLORES S	26307	CLYDESDALE LN	MORENO VALLEY	CA	92555-3327	MERELES, DOLORES S	26307 CLYDESDALE LN	MORENO VALLEY, CA	92555-3327	254.02	25.4	50.3	329.7
95880665002	308431006	LUGO, MANUELA (RENT)	16437	HACKNEY CT	MORENO VALLEY	CA	92555-3326	LUGO, MANUELA	16437 HACKNEY CT	MORENO VALLEY, CA	92555-3326	182.8	18.28	36.19	237.26
97497715003	308431007	NORRIS, LATAICHA	16427	HACKNEY CT	MORENO VALLEY	CA	92555-3326	NORRIS, LATAICHA	16427 HACKNEY CT	MORENO VALLEY, CA	92555-3326	254.12	25.41	50.32	329.84
92991575009	308431021	SKIPPER, LORNE G	26323	CLYDESDALE LN	MORENO VALLEY	CA	92555-3327	SKIPPER, LORNE G	26323 CLYDESDALE LN	MORENO VALLEY, CA	92555-3327	254.02	25.4	50.3	329.7
69668395000	308451007	WASHINGTON, MELVIN	26575	CALLE LUNA	MORENO VALLEY	CA	92555-4111	WASHINGTON, MELVIN	26575 CALLE LUNA	MORENO VALLEY, CA	92555-4111	254.02	25.4	50.3	329.7
93638915004	308452005	HAMILTON, CHRISTOPHER (OWNR)	15344	AVENIDA DE PORTUGAL	MORENO VALLEY	CA	92555-4100	HAMILTON, CHRISTOPHER	15344 AVENIDA DE PORTUGAL	MORENO VALLEY, CA	92555-4100	254.12	25.41	50.32	329.84
97394593007	308452008	FLORES, ISAAC	15320	AVENIDA DE PORTUGAL	MORENO VALLEY	CA	92555-4100	FLORES, ISAAC	15320 AVENIDA DE PORTUGAL	MORENO VALLEY, CA	92555-4100	240.16	24.02	47.55	311.72
70736085007	308452011	MCNEAL, RASHAWN	15333	VIA RIO	MORENO VALLEY	CA	92555-4104	MCNEAL, RASHAWN	15333 VIA RIO	MORENO VALLEY, CA	92555-4104	254.02	25.4	50.3	329.7
71017795002	308453004	ALMANZOR, ROSE	26586	CALLE BELDING	MORENO VALLEY	CA	92555-4106	ALMANZOR, ROSE	9468 MAGNOLIA AVE UNIT 88	RIVERSIDE, CA	92503-3746	254.02	25.4	50.3	329.7
90133023006	308453008	LUNA, VALERIE (RENT)	26514	CALLE BELDING	MORENO VALLEY	CA	92555-4106	LUNA, VALERIE (RENT)	26514 CALLE BELDING	MORENO VALLEY, CA	92555-4106	31.98	3.2	6.33	41.5
92814023009	308454012	VRUHOEF, MISTY (RENT)	15341	VIA RIO	MORENO VALLEY	CA	92555-4104	VRUHOEF, MISTY	15341 VIA RIO	MORENO VALLEY, CA	92555-4104	248.27	24.83	49.16	322.24
70905395003	308454021	MORALES, PAMELA	15342	VIA RIO	MORENO VALLEY	CA	92555-4104	MORALES, PAMELA	15342 VIA RIO	MORENO VALLEY, CA	92555-4104	254.02	25.4	50.3	329.7
95301315003	308460001	MCMORRIS, RHEAN (RENT)	26683	CALLE LUNA	MORENO VALLEY	CA	92555-4112	MCMORRIS, RHEAN	26683 CALLE LUNA	MORENO VALLEY, CA	92555-4112	254.12	25.41	50.32	329.84
95355965002	308460002	ARTERBERRY, RICARDO (RENT)	26701	CALLE LUNA	MORENO VALLEY	CA	92555-4112	ARTERBERRY, RICARDO	1101 CHAGAL AVE	LANCASTER, CA	93535-4388	62.54	6.25	12.38	81.16
91347045007	308460006	TAYLOR THOMAS, CRYSTAL	26773	CALLE LUNA	MORENO VALLEY	CA	92555-4113	TAYLOR THOMAS, CRYSTAL	26773 CALLE LUNA	MORENO VALLEY, CA	92555-4113	204.92	20.49	40.57	265.98
97689725003	308460007	GEDDES, RICHARD AND CINDY (OWN	26791	CALLE LUNA	MORENO VALLEY	CA	92555-4113	GEDDES, RICHARD AND CINDY	26791 CALLE LUNA	MORENO VALLEY, CA	92555-4113	189.79	18.98	37.58	246.34
89405483004	308460010	TAYLOR, CHRIS AND KATHY	26845	CALLE LUNA	MORENO VALLEY	CA	92555-4114	TAYLOR, CHRIS AND KATHY	21 RENATA	NEWPORT BEACH, CA	92657-1207	320.76	32.08	63.51	416.34
97354305002	308460018	LAMAS, PAUL AND SHANNON (RENT)	15400	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4120	LAMAS, PAUL	15427 N 172ND LN	SURPRISE, AZ	85388-0237	187.69	18.77	37.16	243.62
65293215009	308461001	ANAYA, JOSE AND APRIL	15368	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4120	ANAYA, JOSE AND APRIL	15368 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4120	162.52	16.25	32.18	210.94
73146675002	308462001	MADDOX, ANA	15355	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4120	MADDOX, ANA	15355 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4120	254.02	25.4	50.3	329.7
96384385003	308462006	MARUTINO, SANDRA (RENT)	15395	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4120	MARUTINO, SANDRA	15395 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4120	54.12	5.41	10.72	70.24
95301105007	308462013	CREWSE, JASON	15366	VIA LIDO	MORENO VALLEY	CA	92555-4118	CREWSE, JASON	15366 VIA LIDO	MORENO VALLEY, CA	92555-4118	126.16	12.62	24.99	163.74
94882585006	308463010	GRAY, YVONNE (OWNR)	15395	VIA LIDO	MORENO VALLEY	CA	92555-4118	GRAY, YVONNE	15395 VIA LIDO	MORENO VALLEY, CA	92555-4118	63.33	6.33	12.54	82.2
67725035006	308463013	CHISM, LATOYA	26818	CALLE LUNA	MORENO VALLEY	CA	92555-4113	CHISM, LATOYA	26818 CALLE LUNA	MORENO VALLEY, CA	92555-4113	190.79	19.08	37.78	247.64
66888755001	308463017	GLASSFORD, JAMIE	15370	BARONA CT	MORENO VALLEY	CA	92555-4121	GLASSFORD, JAMIE	15370 BARONA CT	MORENO VALLEY, CA	92555-4121	179.12	17.91	35.47	232.48
93047325002	308463018	FLORES, LUIS	15375	BARONA CT	MORENO VALLEY	CA	92555-4121	FLORES, LUIS	15375 BARONA CT	MORENO VALLEY, CA	92555-4121	254.02	25.4	50.3	329.7
63004755008	308463028	VIGILL, MIKE	15364	AVENIDA ANILLO	MORENO VALLEY	CA	92555-4108	VIGILL, MIKE	414 2ND ST APT 201	HERMOSA BEACH, CA	90254	120.79	12.08	23.92	156.78
69550695007	308470010	ROMERO, ROSA	15299	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4119	ROMERO, ROSA	15299 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4119	254.02	25.4	50.3	329.7
101025823003	308470014	WARD, DION	15323	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4119	WARD, DION	15323 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4119	103.31	10.33	20.46	134.08
81246345000	308470015	JONES, MARILYN (RENT)	15331	AVENIDA FIESTA	MORENO VALLEY	CA	92555-4119	JONES, MARILYN	28870 RAINIER WAY	MORENO VALLEY, CA	92555-7027	254.02	25.4	50.3	329.7
97081575004	308470018	KEMP, SHANIKA (OWNR)	26854	CALLE VEJAR	MORENO VALLEY	CA	92555-4117	KEMP, SHANIKA	6221 25TH ST	SACRAMENTO, CA	95822-3706	187.69	18.77	37.16	243.62
96642485003	308470021	RACHEYA, RAY (RENT)	15338	VIA MARAVILLA	MORENO VALLEY	CA	92555-4115	RACHEYA, RAY	15338 VIA MARAVILLA	MORENO VALLEY, CA	92555-4115	63.23	6.32	12.52	82.06
65962565005	308470026	IRIBE, MARIA	26839	VISTA ALLEGRE	MORENO VALLEY	CA	92555	IRIBE, MARIA	26839 VISTA ALLEGRE	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
93871525003	308470031	HAMPTON, MARLENA (RENT)	12643	VALLEY MEADOWS DR	MORENO VALLEY	CA	92553-5969	HAMPTON, MARLENA	25646 BUENA FORTUNA LN	MORENO VALLEY, CA	92551-2042	153.43	15.34	30.38	199.14
86679523009	308470040	AMADOR, JOSE	15327	VIA MARAVILLA	MORENO VALLEY	CA	92555-4115	AMADOR, JOSE	15327 VIA MARAVILLA	MORENO VALLEY, CA	92555-4115	190.79	19.08	37.78	247.64
62249515001	308470046	BROOM, NEISTA	15308	AVENIDA ANILLO	MORENO VALLEY	CA	92555-4109	BROOM, NEISTA	15308 AVENIDA ANILLO	MORENO VALLEY, CA	92555-4109	25	2.5	4.95	32.44
96277275002	308480001	CASTRO, ADAM (OWNR)	17234	CLEVELAND BAY WAY	MORENO VALLEY	CA	92555-3359	CASTRO, ADAM	17234 CLEVELAND BAY WAY	MORENO VALLEY, CA	92555-3359	254.12	25.41	50.32	329.84
94602735007	308480004	RIVERS, ROBIN (RENT)	17192	CLEVELAND BAY WAY	MORENO VALLEY	CA	92555-3359	RIVERS, ROBIN	17192 CLEVELAND BAY WAY	MORENO VALLEY, CA	92555-3359	190.79	19.08	37.78	247.64
71680845007	308481004	VILLALOBOS, RUBEN	17087	CLEVELAND BAY WAY	MORENO VALLEY	CA	92555-3357	VILLALOBOS, RUBEN	17087 CLEVELAND BAY WAY	MORENO VALLEY, CA	92555-3357	254.02	25.4	50.3	329.7
90361695002	308481005	BURNETT, CONSTANCE	17110	VIA XAVIER LN	MORENO VALLEY	CA	92555-3338	BURNETT, CONSTANCE	17110 VIA XAVIER LN	MORENO VALLEY, CA	92555-3338	78.37	7.84	15.52	101.72
86134695009	308481009	VASQUEZ, ARTURO	17195	CLEVELAND BAY WAY	MORENO VALLEY	CA	92555-3359	VASQUEZ, ARTURO	17195 CLEVELAND BAY WAY	MORENO VALLEY, CA	92555-3359	168.95	16.9	33.45	219.28
94206255007	308481012	JOSHUEA, VANESSA (RENT)	17141	CLEVELAND BAY WAY	MORENO VALLEY	CA	92555-3359	JOSHUEA, VANESSA	17141 CLEVELAND BAY WAY	MORENO VALLEY, CA	92555-3359	254.12	25.41	50.32	329.84
93820165005	308490010	BEED, LAKEISHA (RENT)	26207	FILLY LN	MORENO VALLEY	CA	92555-3355	BEED, LAKEISHA	15469 VIA LORCA DR	MORENO VALLEY, CA	92551-7070	215.36	21.54	42.64	279.52
71082155000	308490011	ROMERO, SALVADOR	26223	FILLY LN	MORENO VALLEY	CA	92555-3355	ROMERO, SALVADOR	26223 FILLY LN	MORENO VALLEY, CA	92555-3355	329.32	32.93	65.21	427.44
70890105008	308490014	DE LAO, GERSON	16912	FOXTROT LN	MORENO VALLEY	CA	92555-3354	DE LAO, GERSON	16912 FOXTROT LN	MORENO VALLEY, CA	92555-3354	254.02	25.4	50.3	329.7
65865175000	308491009	JOHNSON, BRIAN	17056	VIA XAVIER LN	MORENO VALLEY	CA	92555-3338	JOHNSON, BRIAN	17056 VIA XAVIER LN	MORENO VALLEY, CA	92555-3338	254.12	25.41	50.32	329.84
97604945006	308502007	SOCO, APOLONIO	16876	VIA XAVIER LN	MORENO VALLEY	CA	92555-3337	SOCO, APOLONIO	15646 RIO BLANCO TRL	MORENO VALLEY, CA	92555-4964	342.84	34.28	67.88	445
89013465004	308502012	HOWARD, STEPHANIE	16799	FOXTROT LN	MORENO VALLEY	CA	92555-3352	HOWARD, STEPHANIE	16799 FOXTROT LN	MORENO VALLEY, CA	92555-3352	254.02	25.4	50.3	329.7
90923155002	308502016	RAGEL, BENJAMIN	16735	FOXTROT LN	MORENO VALLEY	CA	92555-3352	RAGEL, BENJAMIN	4750 LINCOLN BLVD, APT# 461	MARINA DEL REY, CA	90292-9306	189.59	18.96	37.54	246.08
68484175009	308502017	MONAHAN, DAWN	16748	COLT WAY	MORENO VALLEY	CA	92555-3347	MONAHAN, DAWN	16748 COLT WAY	MORENO VALLEY, CA	92555-3347	190.79	19.08	37.78	247.64
97144105009	308502019	GUERRERO, MAXIMO	16780	COLT WAY	MORENO VALLEY	CA	92555-3349	GUERRERO, MAXIMO	893 CANTABRIA CT	PERRIS, CA	92571-5105	393.97	39.4	78.01	511.36
66526325008	308502027	URIBE, RAMIE	16799	COLT WAY	MORENO VALLEY	CA	92555-3349	URIBE, RAMIE	26279 IRIS AVE	MORENO VALLEY, CA	92555-3044	217.06	21.71	42.98	281.74
90871085008	308510001	YOUNGBLOOD, CHANTAY	16720	FOXTROT LN	MORENO VALLEY	CA	92555-3352	YOUNGBLOOD, CHANTAY	16720 FOXTROT LN	MORENO VALLEY, CA	92555-3352	253.92	25.39	50.28	329.58
95515205001	308510010	MARSHAL, WILLIE (RENT)	16620	COLT WAY	MORENO VALLEY	CA	92555-3345	MARSHAL, WILLIE (RENT)	16620 COLT WAY	MORENO VALLEY, CA	92555-3345	254.02	25.4	50.3	329.7
84985355007	308511014	CALDERA, LIZ	16696	WITHERS WAY	MORENO VALLEY	CA	92555-3342	CALDERA, LIZ	12614 ROSS AVE	CHINO, CA	91710-3653	66.45	6.65	13.16	86.24
75165155009	308511018	GEARHART, JEFFREY	16640	WITHERS WAY	MORENO VALLEY	CA	92555-3343	GEARHART, JEFFREY	16640 WITHERS WAY	MORENO VALLEY, CA	92555-3343	254.02	25.4	50.3	329.7
99919995001	308511023	SMITH, DERICK (OWNR)	16570	WITHERS WAY	MORENO VALLEY	CA	92555-3343	SMITH, DERICK AND ANGELA	16570 WITHERS WAY	MORENO VALLEY, CA	92555-3343	254.12	25.41	50.32	329.84
94213685003	308512002	LORENZANA, LINDA (OWNR)	26011	GALT WAY	MORENO VALLEY	CA	92555-3340	LORENZANA, LINDA	26011 GALT WAY	MORENO VALLEY, CA	92555-3340	254.12	25.41	50.32	329.84
92012403000	308513002	PANIKI, CONIDA (RENT)	16711	FOXTROT LN	MORENO VALLEY	CA	92555-3351	PANIKI, CONIDA	16711 FOXTROT LN	MORENO VALLEY, CA	92555-3351	266.17	26.62	52.7	345.48
70573835007	308520001	PALACIO, ARTEMIO	26054	ROJO TIERRA	MORENO VALLEY	CA	92555-3368	PALACIO, ARTEMIO	26054 ROJO TIERRA	MORENO VALLEY, CA	92555-3368	254.02	25.4	50.3	329.7
70904445006	308520004	TOWNES, NICOLE	26090	ROJO TIERRA	MORENO VALLEY	CA	92555-3368	TOWNES, NICOLE	26090 ROJO TIERRA	MORENO VALLEY, CA	92555-3368	254.02	25.4	50.3	329.7
70996485003	308520005	EDWARDS, KAREN	26102	ROJO TIERRA	MORENO VALLEY	CA	92555-3368	EDWARDS, KAREN	26102 ROJO TIERRA	MORENO VALLEY, CA	92555-3368	254.02	25.4	50.3	329.7
96352675009	308520013	PUGA, ISELA	26045	SADDLEBRED LN	MORENO VALLEY	CA	92555-3377	PUGA, ISELA	26045 SADDLEBRED LN	MORENO VALLEY, CA	92555-3377	254.12	25.41	50.32	329.84
69686465007	308520017	ELIZONDO, RODOLFO	17106	CHAPPARRAL WAY	MORENO VALLEY	CA	92555-3376	ELIZONDO, RODOLFO	1342 HIGHLAND AV N #6	LOS ANGELES, CA	90028-9301	254.02	25.4	50.3	329.7
88696015008	308520033	TOMLIN, KARA	16921	TACK LN	MORENO VALLEY	CA	92555-3382	TOMLIN, KARA	16921 TACK LN	MORENO VALLEY, CA	92555-3382	124.12	12.41	24.58	161.1
66449165006	308520036	BURGOS, ADAM	16879	TACK LN	MORENO VALLEY	CA	92555	BURGOS, ADAM	26808 LAPOUDRE PASS CT	SUN CITY, CA	92586-4853	190.59	19.06	37.74	247.38
91599005001	308520043	BAIITY, MONIQUE	16781	TACK LN	MORENO VALLEY	CA	92555-3378	BAIITY, MONIQUE	16781 TACK LN	MORENO VALLEY, CA	92555-3378	253.92	25.39	50.28	329.58
94284155005	308522009	JOHNSON, CASSANDRA (OWNR)	26103	BLAZER CT	MORENO VALLEY	CA	92555-3387	JOHNSON, CASSANDRA	26103 BLAZER CT	MORENO VALLEY, CA	92555-3387	82.68	8.27	16.37	107.3
66148815008	308522012	HERNANDEZ, CARLOS	26067	BLAZER CT	MORENO VALLEY	CA	92555-3387	HERNANDEZ, CARLOS	26067 BLAZER CT	MORENO VALLEY, CA	92555-3387	254.12	25.41	50.32	329.84
97865125005	308522029	OCHOA, CATHY (RENT)	26118	HOLSTEIN DR	MORENO VALLEY	CA	92555-3375	OCHOA, CATHY	26118 HOLSTEIN DR	MORENO VALLEY, CA	92555-3375	254.12	25.41	50.32	329.84
97582275004	308530006	HEBERT, ROBYN	17199	BRONCO LN	MORENO VALLEY	CA	92555-3370	HEBERT, ROBYN	17199 BRONCO LN	MORENO VALLEY, CA	92555-3370	190.79	19.08	37.78	247.64
91481765002	308530009	TORREZ, EMMA	17217	BRONCO LN	MORENO VALLEY	CA	92555-3371	TORREZ, EMMA	17217 BRONCO LN	MORENO VALLEY, CA	92555-3371	127.26	12.73	25.2	165.18
86397783003	308530010	HORTON, JOMO (RENT)	17223	BRONCO LN	MORENO VALLEY	CA	92555-3371	HORTON, JOMO (RENT)	17223 BRONCO LN	MORENO VALLEY, CA	92555-3371	248.27	24.83	49.16	322.24
90154293005	308530011	HOWARD, TRACY (RENT)	17229	BRONCO LN	MORENO VALLEY	CA	92555-3371	HOWARD, TRACY	17229 BRONCO LN	MORENO VALLEY, CA	92555-3371	88.27	8.83	17.48	114.56
94427865001	308530015	MORENO, JULIETTE (RENT)	17253	BRONCO LN	MORENO VALLEY	CA	92555-3371	MORENO, JULIETTE	17253 BRONCO LN	MORENO VALLEY, CA	92555-3371	254.12	25.41	50.32	329.84
96759375008	308531002	MOLINA, JENNY	17317	CREMELLO WAY	MORENO VALLEY	CA	92555-3369	MOLINA, JENNY	17317 CREMELLO WAY	MORENO VALLEY, CA	92555-3369	74.45	7.45	14.74	96.62
93727375008	308531008	COVARUBIAS, MARIA (OWNR)	17298	BRONCO LN	MORENO VALLEY	CA	92555-3373	COVARUBIAS, MARIA	17298 BRONCO LN	MORENO VALLEY, CA	92555-3373	254.12	25.41	50.32	329.84
93964415009	308531010	AVILA, MARGARITA (RENT)	26047	ARABIAN CT	MORENO VALLEY	CA	92555-3358	AVILA, MARGARITA	20775 EL NIDO AVE	PERRIS, CA	92571-7434	254.12	25.41	50.32	329.84
95817335004	308531012	PRADO, ALEJANDRO (RENT)	26071	ARABIAN CT	MORENO VALLEY	CA	92555-3358	PRADO, ALEJANDRO	16811 MAJESTIC PL	MORENO VALLEY, CA	92555-3358	104.64	10.46	20.72	135.82
89400553000	308531020	TOMPKINS, STEVEN	26060	ARABIAN CT	MORENO VALLEY	CA	92555-3358	TOMPKINS, STEVEN	14520 VILLAGE DR APT 1906	FONTANA, CA	92337-2709	329.86	32.99	65.31	428.14
91286395003	308531021	LARA, ROSEMARY AND CYNTHIA	26048	ARABIAN CT	MORENO VALLEY	CA	92555-3358	LARA, ROSEMARY AND CYNTHIA	26048 ARABIAN CT	MORENO VALLEY, CA	92555-3358	253.92	25.39	50.28	329.58
97307635001	308531038	EL-AMIN, NADIYAH (OWNR)	26034	YEARLING CT	MORENO VALLEY	CA	92555-3364	EL-AMIN, NADIYAH	26034 YEARLING CT	MORENO VALLEY, CA	92555-3364	23.83	2.38	4.72	30.92
88605763001	308531040	MURILLO, OMAR (RENT)	26043	PINTO CT	MORENO VALLEY	CA	92555-3366	MURILLO, OMAR (RENT)	26119 HARLINGER CT	MORENO VALLEY, CA	92555-3386	254.12	25.41	50.32	329.84
95452125004	308540001	NYECHE, KIM (OWNR)	26130	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3390	NYECHE, KIM	26130 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3390	253.92	25.39	50.28	329.58

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
70891335008	308540002	HOLT, ANITRA	26144	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3390	HOLT, ANITRA	26144 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3390	254.02	25.4	50.3	329.7
92451695009	308540003	HERNANDEZ, ADAN	26158	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3390	HERNANDEZ, ADAN	26158 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3390	254.02	25.4	50.3	329.7
94192135005	308540005	ORDUNEZ, KAREN (OWNR)	26189	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3391	ORDUNEZ, KAREN AND CARLOS	26189 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3391	194.12	19.41	38.44	251.96
70908235001	308540006	SCHELLER, SUSAN	26200	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3391	SCHELLER, SUSAN	748 MOCKINGBIRD CIR	BEAUMONT, CA	92223-7116	254.02	25.4	50.3	329.7
71386895000	308540007	GRISSOM, CALVIN	26214	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3391	GRISSOM, CALVIN	26214 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3391	254.02	25.4	50.3	329.7
93889285005	308540008	GARCIA, RICHARD (OWNR)	26217	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3391	GARCIA, RICHARD	26217 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3391	63.63	6.36	12.6	82.58
90039005009	308540013	MANSKER, MITTIE	26203	UNBRIDLED CIR	MORENO VALLEY	CA	92555-3391	MANSKER, MITTIE	26203 UNBRIDLED CIR	MORENO VALLEY, CA	92555-3391	63.93	6.39	12.66	82.98
71652545009	308540020	FLANNIGAN, KAROLYN	26146	CHARISMATIC CT	MORENO VALLEY	CA	92555-3388	FLANNIGAN, KAROLYN	26146 CHARISMATIC CT	MORENO VALLEY, CA	92555-3388	254.02	25.4	50.3	329.7
96612365001	308540029	WEEKS, ZACHARY AND CHARLES	26219	CHARISMATIC CT	MORENO VALLEY	CA	92555-3389	WEEKS, ZACHARY AND CHARLES	26219 CHARISMATIC CT	MORENO VALLEY, CA	92555-3389	155.4	15.54	30.77	201.7
98332283001	308540033	WARNER, TANEAL MARIE (OWNR)	26163	CHARISMATIC CT	MORENO VALLEY	CA	92555-3388	WARNER, TANEAL MARIE	26163 CHARISMATIC CT	MORENO VALLEY, CA	92555-3388	257.45	25.75	50.98	334.16
73979745002	308541005	MCCALL, KIM	17309	RIVA RIDGE DR	MORENO VALLEY	CA	92555-3395	MCCALL, KIM	17309 RIVA RIDGE DR	MORENO VALLEY, CA	92555-3395	181.34	18.13	35.91	235.36
95925535003	308541009	SALMANCA, VIOSELINA (RENT)	17285	RIVA RIDGE DR	MORENO VALLEY	CA	92555-3395	SALMANCA, VIOSELINA	17285 RIVA RIDGE DR	MORENO VALLEY, CA	92555-3395	254.12	25.41	50.32	329.84
74888585007	308541011	HINRICHS, ROB	17302	CREMELLO WAY	MORENO VALLEY	CA	92555-3392	HINRICHS, ROB	13843 HUMMINGBIRD WAY	RCH CUCAMONGA, CA	91739-5991	254.02	25.4	50.3	329.7
96764445004	308541015	KONILOW, JUSTIN (OWNR)	17326	CREMELLO WAY	MORENO VALLEY	CA	92555-3392	KONILOW, JUSTIN (OWNR)	17326 CREMELLO WAY	MORENO VALLEY, CA	92555-3392	63.63	6.36	12.6	82.58
96769175009	308551006	TVETIO, DANE (OWNR)	17339	RIVA RIDGE DR	MORENO VALLEY	CA	92555-3396	TVETIO, DANE	17339 RIVA RIDGE DR	MORENO VALLEY, CA	92555-3396	190.79	19.08	37.78	247.64
73456335007	308552004	ROMO, MARIO J	17334	CREMELLO WAY	MORENO VALLEY	CA	92555-3392	ROMO, MARIO J	7950 ETIWANDA AVE APT 40106	RCH CUCAMONGA, CA	91739-8741	217.96	21.8	43.16	282.9
90441809009	308552010	JONES, CORRINE	17365	KENTUCKY DERBY DR	MORENO VALLEY	CA	92555-7907	JONES, CORRINE	17365 KENTUCKY DERBY DR	MORENO VALLEY, CA	92555-7907	306.38	30.7	60.78	398.46
69519565009	308552014	RODGERS, ALANA	17389	KENTUCKY DERBY DR	MORENO VALLEY	CA	92555-7907	RODGERS, ALANA	19947 CANTARA ST	WINNETKA, CA	91306-1904	254.02	25.4	50.3	329.7
95327225007	308560002	MURGA, FRANCISCO AND VERONICA	17378	RIVA RIDGE DR	MORENO VALLEY	CA	92555-7901	MURGA, FRANCISCO AND VERONICA	17378 RIVA RIDGE DR	MORENO VALLEY, CA	92555-7901	54.12	5.41	10.72	70.24
99029825005	308560006	LANDRY, APRIL (RENT)	17435	RIVA RIDGE DR	MORENO VALLEY	CA	92555-3400	LANDRY, APRIL	17435 RIVA RIDGE DR	MORENO VALLEY, CA	92555-3400	90.69	9.07	17.96	117.7
85479795008	308560016	JACKSON, LATONYA	17476	KENTUCKY DERBY DR	MORENO VALLEY	CA	92555-7912	JACKSON, LATONYA	17476 KENTUCKY DERBY DR	MORENO VALLEY, CA	92555-7912	254.02	25.4	50.3	329.7
95710575000	308561006	LAMAR, BENJAMIN (OWNR)	17455	KENTUCKY DERBY DR	MORENO VALLEY	CA	92555-7910	LAMAR, BENJAMIN	17455 KENTUCKY DERBY DR	MORENO VALLEY, CA	92555-7910	190.79	19.08	37.78	247.64
80597805000	308561009	EILEFSON, JOHN	17491	KENTUCKY DERBY DR	MORENO VALLEY	CA	92555-7910	EILEFSON, JOHN	17491 KENTUCKY DERBY DR	MORENO VALLEY, CA	92555-7910	254.02	25.4	50.3	329.7
88926455006	308570001	SAPPINGTON, MILO	26960	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4958	SAPPINGTON, MILO	26960 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4958	309.05	30.91	61.19	401.14
81497015008	308570010	JUAREZ, DANIEL JOJO	15574	RIO BLANCO TRL	MORENO VALLEY	CA	92555-4962	JUAREZ, DANIEL JOJO	15574 RIO BLANCO TR	MORENO VALLEY, CA	92555-4962	254.02	25.4	50.3	329.7
100380193005	308571001	HARDSON, KENNETH (RENT)	27023	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4961	HARDSON, KENNETH	27023 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4961	113.1	11.31	22.39	146.8
93822135008	308571003	BOTELLO, CHERYL (OWNR)	27003	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4961	BOTELLO, CHERYL	27003 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4961	63.63	6.36	12.6	82.58
74862285005	308571007	YUEN, CHOONG-WAI	26963	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4959	YUEN, CHOONG-WAI	26963 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4959	254.02	25.4	50.3	329.7
84774845003	308571011	LEMON, KENYON	26923	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4959	LEMON, KENYON	26923 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4959	27.36	2.74	5.42	35.5
96180943008	308571015	MANGURE, LUCAS (RENT)	26892	WINTER PARK PL	MORENO VALLEY	CA	92555-4977	MANGURE, LUCAS	26892 WINTER PARK PL	MORENO VALLEY, CA	92555-4977	35.59	3.56	7.05	46.18
86681393002	308571021	COOPER, AKAYME	26952	WINTER PARK PL	MORENO VALLEY	CA	92555-4966	COOPER, AKAYME	26952 WINTER PARK PL	MORENO VALLEY, CA	92555-4966	254.12	25.41	50.32	329.84
90773875005	308571027	OLIVER, HUGO	27012	WINTER PARK PL	MORENO VALLEY	CA	92555-4978	OLIVER, HUGO	26396 MARE LN	MORENO VALLEY, CA	92555-3312	253.92	25.39	50.28	329.58
92392589008	308571028	ROMERO, ROXANNE	27022	WINTER PARK PL	MORENO VALLEY	CA	92555-4978	ROMERO, ROXANNE	27022 WINTER PARK PL	MORENO VALLEY, CA	92555-4978	148.27	14.83	29.38	192.44
96279505000	308572001	CANNON, EDWARD (OWNR)	27015	WINTER PARK PL	MORENO VALLEY	CA	92555-4979	CANNON, EDWARD	27015 WINTER PARK PL	MORENO VALLEY, CA	92555-4979	254.12	25.41	50.32	329.84
80690145002	308572016	LLANES, JEFF MARCO AND EDNA	15633	COPPER MOUNTAIN RD	MORENO VALLEY	CA	92555-4968	LLANES, JEFF MARCO AND EDNA	15633 COPPER MOUNTAIN RD	MORENO VALLEY, CA	92555-4968	254.02	25.4	50.3	329.7
97132155003	308573001	SPEARMAN, CHARZETTA (RENT)	15611	PONCHA SPRINGS WAY	MORENO VALLEY	CA	92555-4975	SPEARMAN, CHARZETTA	15611 PONCHA SPRINGS WAY	MORENO VALLEY, CA	92555-4975	254.12	25.41	50.32	329.84
77475845006	308573013	MATTHEWS, MYESHA	26910	STORRIE LAKE DR	MORENO VALLEY	CA	92555-4971	MATTHEWS, MYESHA	12858 AZALEA ST	MORENO VALLEY, CA	92555-3524	329.32	32.93	65.21	427.44
82889155005	308580006	CRAWFORD, MILDRED	15742	RIO BLANCO TRL	MORENO VALLEY	CA	92555-4982	CRAWFORD, MILDRED	15742 RIO BLANCO TR	MORENO VALLEY, CA	92555-4982	254.02	25.4	50.3	329.7
95812965002	308580007	SATURNINO, PAULETTE (RENT)	15754	RIO BLANCO TRL	MORENO VALLEY	CA	92555-4982	SATURNINO, PAULETTE	15754 RIO BLANCO TR	MORENO VALLEY, CA	92555-4982	99.89	9.99	19.79	129.64
96419165003	308581012	CHERRYE, CHERRY (RENT)	26849	NUCIA DR	MORENO VALLEY	CA	92555-4985	CHERRYE, CHERRY	26849 NUCIA DR	MORENO VALLEY, CA	92555-4985	254.12	25.41	50.32	329.84
92939455003	308581018	HOWARD, DIANE (RENT)	15707	PONCHA SPRINGS WAY	MORENO VALLEY	CA	92555-4988	HOWARD, DIANE	15707 PONCHA SPRINGS WAY	MORENO VALLEY, CA	92555-4988	254.02	25.4	50.3	329.7
94062035001	308582039	SMALLWOOD, FELICITAS (RENT)	26856	NUCIA DR	MORENO VALLEY	CA	92555-4985	SMALLWOOD, FELICITAS	26856 NUCIA DR	MORENO VALLEY, CA	92555-4985	129.12	12.91	25.57	167.58
90891445001	308582041	BUSH, KEN (OWNR)	26876	NUCIA DR	MORENO VALLEY	CA	92555-4983	BUSH, KEN	26876 NUCIA DR	MORENO VALLEY, CA	92555-4983	63.45	6.35	12.56	82.34
91953735007	308582048	CABRERA, PATRICIA	26946	NUCIA DR	MORENO VALLEY	CA	92555-4984	CABRERA, PATRICIA	26946 NUCIA DR	MORENO VALLEY, CA	92555-4984	83.92	8.39	16.62	108.92
85214365009	308582052	CRISOLOGO, NARCISO	26986	NUCIA DR	MORENO VALLEY	CA	92555-4984	CRISOLOGO, NARCISO	26986 NUCIA DR	MORENO VALLEY, CA	92555-4984	254.02	25.4	50.3	329.7
96158745006	308590009	WIDJAJA, JOSEPH (OWNR)	26890	SUGARITE CANYON DR	MORENO VALLEY	CA	92555-9102	WIDJAJA, JOSEPH	26890 SUGARITE CANYON DR	MORENO VALLEY, CA	92555-9102	244.15	24.42	48.34	316.9
95447795003	308590010	TOLEDO, JANINE (OWNR)	26900	SUGARITE CANYON DR	MORENO VALLEY	CA	92555-9102	TOLEDO, JANINE	26900 SUGARITE CANYON DR	MORENO VALLEY, CA	92555-9102	190.49	19.05	37.72	247.24
92960543001	308591002	BROWN, CAROLYN D (OWNR)	26980	SUGARITE CANYON DR	MORENO VALLEY	CA	92555-9103	BROWN, CAROLYN D	26980 SUGARITE CANYON DR	MORENO VALLEY, CA	92555-9103	209.1	20.91	41.4	271.4
88596325008	308592008	HARRIS, PATRICE	26953	SUGARITE CANYON DR	MORENO VALLEY	CA	92555-9103	HARRIS, PATRICE	26953 SUGARITE CANYON DR	RANCHO BELLASO, CA	92555-9103	54.12	5.41	10.72	70.24
91471443001	308592014	RUIZ, MARLENE (RENT)	26893	SUGARITE CANYON DR	MORENO VALLEY	CA	92555-9102	RUIZ, MARLENE	26893 SUGARITE CANYON DR	MORENO VALLEY, CA	92555-9102	63.63	6.36	12.6	82.58
85664695006	308601009	GUZMAN, MIRIAM	26955	ROCKVALE TER	MORENO VALLEY	CA	92555-9100	GUZMAN, MIRIAM	26955 ROCKVALE TER	MORENO VALLEY, CA	92555-9100	63.63	6.36	12.6	82.58
88275535002	308601017	HOLMES, MICHELLE	26971	CIMARRON CANYON DR	MORENO VALLEY	CA	92555-4992	HOLMES, MICHELLE	26971 CIMARRON CANYON DR	MORENO VALLEY, CA	92555-4992	254.12	25.41	50.32	329.84
87151445005	308601020	VARGAS, JOHANNA	26941	CIMARRON CANYON DR	MORENO VALLEY	CA	92555-4992	VARGAS, JOHANNA	26941 CIMARRON CANYON DR	MORENO VALLEY, CA	92555-4992	254.12	25.41	50.32	329.84
86134783000	308620045	BREWSTER JR, HAMILTON (OWNR)	26921	CIMARRON CANYON DR	MORENO VALLEY	CA	92555-4991	BREWSTER JR, HAMILTON	26921 CIMARRON CANYON DR	MORENO VALLEY, CA	92555-4991	109.71	10.97	21.72	142.4
31580725003	312031001	PADILLA, JUAN	25379	IVORY AVE	MORENO VALLEY	CA	92551-9230	PADILLA, JUAN	25379 IVORY AVE	MORENO VALLEY, CA	92551-9230	254.02	25.4	50.3	329.7
31148715001	312031021	WOODAND, MARGO	16061	EBONY AVE	MORENO VALLEY	CA	92551-9227	WOODAND, MARGO	16061 EBONY AVE	MORENO VALLEY, CA	92551-9227	254.02	25.4	50.3	329.7
91704885002	312031023	CURIEL, SANDRA	16037	EBONY AVE	MORENO VALLEY	CA	92551-9227	CURIEL, SANDRA	16037 EBONY AVE	MORENO VALLEY, CA	92551-9227	253.92	25.39	50.28	329.58
31487975008	312031028	MALDONADO, IRENE	25300	CEREMONY AVE	MORENO VALLEY	CA	92551-9223	MALDONADO, IRENE	25300 CEREMONY AVE	MORENO VALLEY, CA	92551-9223	190.29	19.03	37.68	246.98
53270355001	312031030	SELLERS, WOODIE	25330	CEREMONY AVE	MORENO VALLEY	CA	92551-9223	SELLERS, WOODIE	25330 CEREMONY AVE	MORENO VALLEY, CA	92551-9223	254.02	25.4	50.3	329.7
31326145003	312033003	MOORE, PATRICIA	16146	EBONY AVE	MORENO VALLEY	CA	92551-9228	MOORE, PATRICIA	16146 EBONY AVE	MORENO VALLEY, CA	92551-9228	254.02	25.4	50.3	329.7
57851825006	312033005	WILBANKS, DONALD	16176	EBONY AVE	MORENO VALLEY	CA	92551	WILBANKS, DONALD	16176 EBONY AVE	MORENO VALLEY, CA	92551	254.03	25.4	50.3	329.72
58180295000	312033010	MOSSTERNY, GENESSE	25344	IVORY AVE	MORENO VALLEY	CA	92551-9229	MOSSTERNY, GENESSE	25344 IVORY AVE	MORENO VALLEY, CA	92551-9229	329.32	32.93	65.21	427.44
31392615006	312033016	RUIZ, ROSA	25331	ORBIT CT	MORENO VALLEY	CA	92551-9247	RUIZ, ROSA	25331 ORBIT CT	MORENO VALLEY, CA	92551-9247	254.02	25.4	50.3	329.7
81927995008	312033017	BAKER, JAMES	25319	ORBIT CT	MORENO VALLEY	CA	92551-9247	BAKER, JAMES	25319 ORBIT CT	MORENO VALLEY, CA	92551-9247	254.02	25.4	50.3	329.7
31151675003	312033019	ADAMS, EUGENE	25332	ORBIT CT	MORENO VALLEY	CA	92551-9247	ADAMS, EUGENE	25332 ORBIT CT	MORENO VALLEY, CA	92551-9247	254.02	25.4	50.3	329.7
31624245000	312033024	VALDIVIA, JOSE AND LISA	25355	MAXY DR	MORENO VALLEY	CA	92551-9256	VALDIVIA, JOSE AND LISA	25355 MAXY DR	MORENO VALLEY, CA	92551-9256	47.48	4.75	9.4	61.62
31301015003	312033025	HERNANDEZ, MARIA	25343	MAXY DR	MORENO VALLEY	CA	92551-9255	HERNANDEZ, MARIA	25343 MAXY DR	MORENO VALLEY, CA	92551-9255	129.6	12.96	25.66	168.22
92024913008	312033026	GARCIA, GASTON (OWNR)	25331	MAXY DR	MORENO VALLEY	CA	92551-9255	GARCIA, GASTON	25331 MAXY DR	MORENO VALLEY, CA	92551-9255	89.03	8.9	17.63	115.56
94038025003	312041001	RIOS, ANGELINA (RENT)	24632	ORMISTA DR	MORENO VALLEY	CA	92553-3802	RIOS, ANGELINA	25396 ORCHID CT	MORENO VALLEY, CA	92553-6515	177.9	17.79	35.22	230.9
31311725003	312041009	PITTMAN, EVANS	25474	CEREMONY AVE	MORENO VALLEY	CA	92551-9265	PITTMAN, EVANS	25474 CEREMONY AVE	MORENO VALLEY, CA	92551-9265	253.92	25.39	50.28	329.58
95546663009	312041015	YAZLOFF, LENORAD (RENT)	16058	NIPPET LN	MORENO VALLEY	CA	92551-9259	YAZLOFF, LENORAD	16205 GRAINDE ISLA CIR	MORENO VALLEY, CA	92551-1623	46.15	4.62	9.14	59.9
31292065003	312041026	ESCOBAR, SAUL	16202	NIPPET LN	MORENO VALLEY	CA	92551-1114	ESCOBAR, SAUL	16202 NIPPET LN	MORENO VALLEY, CA	92551-1114	253.92	25.39	50.28	329.58
31242075006	312042007	HASKINS, WILLIE	16086	SPACE DR	MORENO VALLEY	CA	92551-1130	HASKINS, WILLIE	16086 SPACE DR	MORENO VALLEY, CA	92551-1130	254.02	25.4	50.3	329.7
49589275008	312042009	LOZA, NORMA	16114	SPACE DR	MORENO VALLEY	CA	92551-9244	LOZA, NORMA	12625 FREDERICK ST #175	MORENO VALLEY, CA	92553-5216	254.02	25.4	50.3	329.7
73114805003	312042014	LEELO, JUNE (RENT)	16184	SPACE DR	MORENO VALLEY	CA	92551-9246	LEELO, JUNE	16184 SPACE AVE	MORENO VALLEY, CA	92551-9246	254.02	25.4	50.3	329.7
95794875001	312042015	CONTRERAS, FLORENCE (RENT)	16198	SPACE DR	MORENO VALLEY	CA	92551-9246	CONTRERAS, FLORENCE	16198 SPACE DR	MORENO VALLEY, CA	92551-9246	254.02	25.4	50.3	329.7
94577435004	312042022	GUTIERREZ, CYNTHIA (RENT)	16165	NIPPET LN	MORENO VALLEY	CA	92551-9264	GUTIERREZ, CYNTHIA	16165 NIPPET LN	MORENO VALLEY, CA	92551-9264	254.12	25.41	50.32	329.84
97441235002	312042032	ROBLES, DANNY AND EUNICE	16025	NIPPET LN	MORENO VALLEY	CA	92551-9260	ROBLES, DANNY AND EUNICE	16025 NIPPET LN	MORENO VALLEY, CA	92551-9260	254.12	25.41	50.32	329.84
83533255007	312042033	GRIJARLVA, JUAN	25439	CEREMONY AVE	MORENO VALLEY	CA	92551-9266	GRIJARLVA, JUAN	25439 CEREMONY AVE	MORENO VALLEY, CA	92551-9266	254.02	25.4	50.3	329.7
31547315008	312042036	SAUCER, TYRONE	25403	CEREMONY AVE	MORENO VALLEY	CA	92551-9266	SAUCER, TYRONE	PO BOX 9842	MORENO VALLEY, CA	92552-1842	253.92	25.39	50.28	329.58
99294889002	312043002	HENRY, JASMINE (RENT)	25392	ORBIT CT	MORENO VALLEY	CA	92551-9247	HENRY, JASMINE	25392 ORBIT CT	MORENO VALLEY, CA	92551-9247	63.63	6.36	12.6	82.58
86093945001	312044003	WARREN, KENNETHA	16207	SPACE DR	MORENO VALLEY	CA	92551-1129	WARREN, KENNETHA	25510 CAMINO CASTILLO	MORENO VALLEY, CA	92551-2117	254.02	25.4	50.3	329.7
92321885004	312044004	SUTTON, ANITA	16193	SPACE DR	MORENO VALLEY	CA	92551-9245	SUTTON, ANITA	16193 SPACE AVE	MORENO VALLEY, CA	92551-9245	253.92	25.39	50.28	329.58
91342305003	312050005	LINTON, DEBORAH	16155	ABEDUL ST	MORENO VALLEY	CA	92551-2033	LINTON, DEBORAH	16155 ABEDUL ST	MORENO VALLEY, CA	92551-2033	254.12	25.41	50.32	329.84
54019935000	312050007	MCGEE, TRACY	16131	ABEDUL ST	MORENO VALLEY	CA	92551-2033	MCGEE, TRACY	16131 ABEDUL CT	MORENO VALLEY, CA	92551-2033	254.12	25.41	50.32	329.84
75122565004	312050011	BANKS, CHESTER AND ELAINE	16083	ABEDUL ST	MORENO VALLEY	CA	92551-2031	BANKS, CHESTER AND ELAINE	16083 ABEDUL ST	MORENO VALLEY, CA	92551-2031	254.12	25.41	50.32	329.84
31371525009	312050012	SILVESTRE, AGNES	16071	ABEDUL ST	MORENO VALLEY	CA	92551-2031	SILVESTRE, AGNES	16071 ABEDUL ST	MORENO VALLEY, CA	92551-2031	154.12	15.41	30.52	200.04
96253055009	312050019	GARCIA, JESSICA (RENT)	25538	FRENTE CALIENTE	MORENO VALLEY	CA	92551-2041	GARCIA, JESSICA (RENT)	25538 FRENTE CALIENTE	MORENO VALLEY, CA	92551-2041	127.46	12.75	25.24	165.44
81606525008	312061003	GIBBS, YATHET	16020	LA FORTUNA LN	MORENO VALLEY	CA	92551-2023	GIBBS, YATHET	16020 LA FORTUNA LN	MORENO VALLEY, CA	92551-2023	329.32	32.93	65.21	427.44
96216385007	312061011	SWEARINGEN, PETER	25642	TONADILLA CIR	MORENO VALLEY	CA	92551-1608	SWEARINGEN, PETER	25642 TONADILLA CIR	MORENO VALLEY, CA	92551-1608	228.72	22.87	45.29	296.86
96604515007	312061019	MOJICA, JENNIE (OWNR)	25647	TONADILLA CIR	MORENO VALLEY	CA	92551-1608	MOJICA, JENNIE	25647 TONADILLA CIR	MORENO VALLEY, CA	92551-1608	64.05	6.41	12.68	83.12
99045473008	312061022	WASHINGTON, SHELIA (RENT)	25611	TONADILLA CIR	MORENO VALLEY	CA	92551-1608	WASHINGTON, SHELIA	25611 TONADILLA CIR	MORENO VALLEY, CA	92551-1608	273.52	27.35	54.16	355.02
31285715001	312061025	VIDRO, OLGA	16135	RANCHO DEL LAGO	MORENO VALLEY	CA	92551-2019	VIDRO, OLGA	16135 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-2019	247.41	24.74	48.99	321.12
31397215009	312061027	GOINT, FRANCISCO A	16095	RANCHO DEL LAGO	MORENO VALLEY	CA	92551-1604	GOINT, FRANCISCO A	16095 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-1604	63.63	6.36	12.6	82.58
31267015004	312062006	URIBE, OSCAR	25756	LA SALINA PL	MORENO VALLEY	CA	92551-2022	URIBE, OSCAR	25756 LA SALINA PL	MORENO VALLEY, CA	92551-2022	254.02	25.4	50.3	329.7
31496815003	312062011	PAZ, LISETH	25731	LA SALINA PL	MORENO VALLEY	CA	92551-2022	PAZ, LISETH	25731 LA SALINA PL	MORENO VALLEY, CA	92551-2022	191.44	19.14	37.91	248.48
31635425008	312063003	THOMAS, BETTY	16105	LA FORTUNA LN	MORENO VALLEY	CA	92551-2024	THOMAS, BETTY	16105 LA FORTUNA LN	MORENO VALLEY, CA	92551-2024	254.02	25.4	50.3	329.7
31367975002	312063004	ELIAS, MARY	16095	LA FORTUNA LN	MORENO VALLEY	CA	92551-1606	ELIAS, MARY	16095 LA FORTUNA LN	MORENO VALLEY, CA	92551-1606	254.02	25.4	50.3	329.7
31623515005	312063013	LEARY, ANN	25587	HONDO BARRANCA	MORENO VALLEY	CA	92551-1611	LEARY, ANN	25587 HONDO BARRANCA	MORENO VALLEY, CA	92551-1611	217.96	21.8	43.16	282.9
70209125007	312071004	ESQUIZIAS, CLAUDIA	25654	MORENA CIR	MORENO VALLEY	CA	92551-1605	ESQUIZIAS, CLAUDIA	25654 MORENA CIR	MORENO VALLEY, CA	92551-1605	329.32	32.93	65.21	427.44
57052925000	312071013	ASHLEY, TERRY	16180	LA FORTUNA LN	MORENO VALLEY	CA	92551-2026	ASHLEY, TERRY	16180 LA FORTUNA LN	MORENO VALLEY, CA	92551-2026	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
74965015003	312071015	THOMPSON, DOROTHY	16200	LA FORTUNA LN	MORENO VALLEY	CA	92551-2028	THOMPSON, DOROTHY	10355 RIVER RUN CIR	MORENO VALLEY, CA	92557-2622	329.32	32.93	65.21	427.44
97184015004	312071016	DULING, TAMARA (RENT)	16210	LA FORTUNA LN	MORENO VALLEY	CA	92551-2028	DULING, TAMARA	16210 LA FORTUNA LN	MORENO VALLEY, CA	92551-2028	63.63	6.36	12.6	82.58
91308263002	312071017	CARR, CYNTHIA (RENT)	16220	LA FORTUNA LN	MORENO VALLEY	CA	92551-2028	CARR, CYNTHIA	16220 LA FORTUNA LN	MORENO VALLEY, CA	92551-2028	341.4	34.14	67.6	443.12
51572215002	312071022	OROZCO, PERLA AND ALBERT	16195	RANCHO DEL LAGO	MORENO VALLEY	CA	92551-2021	OROZCO, PERLA AND ALBERT	12150 PIGEON PASS RD APT C120	MORENO VALLEY, CA	92557-6969	208.06	20.81	41.2	270.06
31413635006	312071023	BUTLER, SHIRLEY A BURRIS	16185	RANCHO DEL LAGO	MORENO VALLEY	CA	92553-2021	BUTLER, SHIRLEY A BURRIS	16185 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-2021	254.02	25.4	50.3	329.7
31302495000	312071028	PEREYDA, JOSE	16155	RANCHO DEL LAGO	MORENO VALLEY	CA	92555	PEREYDA, JOSE	16155 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-2019	253.92	25.39	50.28	329.58
31467345003	312071029	BROOKS, MARY	16145	RANCHO DEL LAGO	MORENO VALLEY	CA	92551-2019	BROOKS, MARY	16145 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-2019	329.32	32.93	65.21	427.44
31616215002	312072007	BRIM, ANDREW	16190	RANCHO DEL LAGO	MORENO VALLEY	CA	92551-2020	BRIM, ANDREW	16190 RANCHO DEL LAGO	MORENO VALLEY, CA	92551-2020	267.44	26.74	52.95	347.12
87171423007	312072022	GALLOWAY, VERA (RENT)	16235	LA FORTUNA LN	MORENO VALLEY	CA	92551-2029	GALLOWAY, VERA	16235 LA FORTUNA LN	MORENO VALLEY, CA	92551-2029	186.96	18.7	37.02	242.66
31527525006	312072023	JOHNSON, DONOVAN	16225	LA FORTUNA LN	MORENO VALLEY	CA	92551-2029	JOHNSON, DONOVAN	16225 LA FORTUNA LN	MORENO VALLEY, CA	92551-2029	329.6	32.96	65.26	427.82
31426125005	312081002	LOPEZ, MARIA	25061	RED MAPLE LN	MORENO VALLEY	CA	92551-9211	LOPEZ, MARIA	25061 RED MAPLE LN	MORENO VALLEY, CA	92551-9211	254.02	25.4	50.3	329.7
96194885001	312081007	SANTILLAN, JUANITA (OWNR)	25089	RED MAPLE LN	MORENO VALLEY	CA	92551-9211	SANTILLAN, JUANITA	1415 S HESPERIAN ST	SANTA ANA, CA	92704-3410	254.12	25.41	50.32	329.84
91319645000	312081016	PEREZ, CARLOS	16329	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9205	PEREZ, CARLOS	16329 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9205	190.59	19.06	37.74	247.38
31354625004	312081018	WILSON, SHIRLEY	16349	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9205	WILSON, SHIRLEY	16349 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9205	254.02	25.4	50.3	329.7
94201135004	312081020	VINCENTE, SONIA (RENT)	16369	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9205	VINCENTE, SONIA	16369 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9205	124.12	12.41	24.58	161.1
31078525000	312081027	BLACKBURN, MARK	16439	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9210	BLACKBURN, MARK	16439 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9210	254.12	25.41	50.32	329.84
31217415007	312081028	KELSON, DOROTHY	16449	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9210	KELSON, DOROTHY	16449 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9210	254.02	25.4	50.3	329.7
90695713009	312081031	COOK, CANDACE (RENT)	16479	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9210	COOK, CANDACE	16479 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9210	306.98	30.7	60.78	398.46
31603165000	312081032	HENDERSON, CHRIS	16489	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9210	HENDERSON, CHRIS	16489 SILVERBIRCH RD	MORENO VALLEY, CA	92551-9210	254.02	25.4	50.3	329.7
89943603009	312081035	MORALES, ANTHONY AND GUADALUPE	15675	NADIA ST	MORENO VALLEY	CA	92551-6919	MORALES, ANTHONY AND GUADALUPE	25275 ALESSANDRO BLVD APT 933	MORENO VALLEY, CA	92553-6542	271.1	27.11	53.68	351.88
31334545003	312082003	SINGLETON, CHERYL	16459	HAVENWOOD RD	MORENO VALLEY	CA	92551-9220	SINGLETON, CHERYL	16459 HAVENWOOD RD	MORENO VALLEY, CA	92551-9220	329.32	32.93	65.21	427.44
86340225001	312082007	SULLIVAN, ROBERT	16417	HAVENWOOD RD	MORENO VALLEY	CA	92551-9220	SULLIVAN, ROBERT	16417 HAVENWOOD RD	MORENO VALLEY, CA	92551-9220	329.32	32.93	65.21	427.44
31453295003	312082008	MADDEN, DEMITRIUS	16407	HAVENWOOD RD	MORENO VALLEY	CA	92551-9289	MADDEN, DEMITRIUS	16407 HAVENWOOD RD	MORENO VALLEY, CA	92551-9289	254.02	25.4	50.3	329.7
89664833003	312082011	GAIR, ANTHONY	16371	HAVENWOOD RD	MORENO VALLEY	CA	92551-9219	GAIR, ANTHONY	7429 S JEFFERY BLVD	CHICAGO, IL	60649-3621	420.76	42.08	83.31	546.14
94018125004	312082017	HOOKS, DAVID (OWNR)	25111	MIDDLEBROOK WAY	MORENO VALLEY	CA	92551-9204	HOOKS, DAVID	25111 MIDDLEBROOK WAY	MORENO VALLEY, CA	92551-9204	254.12	25.41	50.32	329.84
96726955005	312082026	GUNN, WILAMENA (RENT)	16370	SILVERBIRCH RD	MORENO VALLEY	CA	92551-9206	GUNN, WILAMENA	550 WELLESLEY DR UNIT 105	CORONA, CA	92879-8815	189.79	18.98	37.58	246.34
97106755001	312082042	TRAN, HA AND TUAN	16427	HAZELWOOD CT	MORENO VALLEY	CA	92551-9218	TRAN, HA AND TUAN	16427 HAZELWOOD CT	MORENO VALLEY, CA	92551-9218	420.76	42.08	83.31	546.14
97364575004	312082044	TOLVIER, NASAUN (RENT)	16407	HAZELWOOD CT	MORENO VALLEY	CA	92551-9292	TOLVIER, NASAUN	14402 JANE CT	MORENO VALLEY, CA	92553-4992	119.25	11.93	23.61	154.78
93825235000	312082045	PEREZ, DIANA (RENT)	16395	HAZELWOOD CT	MORENO VALLEY	CA	92551-9216	PEREZ, DIANA	16395 HAZELWOOD CT	MORENO VALLEY, CA	92551-9216	262.12	26.21	51.9	340.22
92915655001	312082050	JIMENEZ, KARINA	16350	HAZELWOOD CT	MORENO VALLEY	CA	92551-9216	JIMENEZ, KARINA	16350 HAZELWOOD CT	MORENO VALLEY, CA	92551-9216	86.37	8.64	17.1	112.1
31465155006	312083006	GALLEGOS, MARIA (RENT)	25132	MIDDLEBROOK WAY	MORENO VALLEY	CA	92551-9202	GALLEGOS, MARIA	25132 MIDDLEBROOK WAY	MORENO VALLEY, CA	92551-9202	254.02	25.4	50.3	329.7
31626285002	312083009	REYES, DENISE	25119	RED MAPLE LN	MORENO VALLEY	CA	92551-9212	REYES, DENISE	25119 RED MAPLE LN	MORENO VALLEY, CA	92551-9212	63.69	6.37	12.61	82.66
92016835001	312083010	JONES, GENISE	25113	RED MAPLE LN	MORENO VALLEY	CA	92551-9212	JONES, GENISE	25113 RED MAPLE LN	MORENO VALLEY, CA	92551-9212	253.92	25.39	50.28	329.58
99011975001	312083011	ARREDONDO, PATRICIA (RENT)	25107	RED MAPLE LN	MORENO VALLEY	CA	92551-9212	ARREDONDO, PATRICIA	25107 RED MAPLE LN	MORENO VALLEY, CA	92551-9212	254.02	25.4	50.3	329.7
96421075008	312091002	MARTINEZ, HUMBERTO (OWNR)	25143	RED MAPLE LN	MORENO VALLEY	CA	92551-9212	MARTINEZ, HUMBERTO	25143 RED MAPLE LN	MORENO VALLEY, CA	92551-9212	54.12	5.41	10.72	70.24
95400535007	312091010	WILLIAMS, PATTY (RENT)	16339	SADDLEBROOK LN	MORENO VALLEY	CA	92551-9232	WILLIAMS, PATTY	16339 SADDLEBROOK LN	MORENO VALLEY, CA	92551-9232	254.12	25.41	50.32	329.84
31321775001	312091013	GONZALES, ALMA	16369	SADDLEBROOK LN	MORENO VALLEY	CA	92551-9233	GONZALES, ALMA	16369 SADDLEBROOK LN	MORENO VALLEY, CA	92551-9233	254.02	25.4	50.3	329.7
31535415002	312091019	GARCIA, JAMES (OWNR)	16439	SADDLEBROOK LN	MORENO VALLEY	CA	92551-9235	GARCIA, JAMES	16439 SADDLEBROOK LN	MORENO VALLEY, CA	92551-9235	177.53	17.75	35.15	230.42
75003725003	312091030	ANGUIANO, ERIC A	16408	HAVENWOOD RD	MORENO VALLEY	CA	92551-9290	ANGUIANO, ERIC A	16408 HAVENWOOD RD	MORENO VALLEY, CA	92551-9290	323.49	32.35	64.05	419.88
92036183005	312091031	GARCIA, ANNETTE	16394	HAVENWOOD RD	MORENO VALLEY	CA	92551-9200	GARCIA, ANNETTE	16394 HAVENWOOD RD	MORENO VALLEY, CA	92551-9200	188.09	18.81	37.24	244.14
59977595005	312091032	MANZO, ANITA	16380	HAVENWOOD RD	MORENO VALLEY	CA	92551-9200	MANZO, ANITA	1752 FAIRDALE AVE	ESCONDIDO, CA	92027-3119	254.12	25.41	50.32	329.84
61073185005	312092003	WHITMER, MELISSA	25155	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9215	WHITMER, MELISSA	25155 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9215	254.12	25.41	50.32	329.84
94259335000	312094002	HANDEL, MEGAN (RENT)	25184	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9238	HANDEL, MEGAN	25184 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9238	57	5.7	11.29	73.98
31412765000	312094006	CASTANEDA, JOSE T	25208	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9240	CASTANEDA, JOSE T	25208 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9240	254.02	25.4	50.3	329.7
94833363005	312094009	MARROQUIN, RICHARD (OWNR)	25226	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9240	MARROQUIN, RICHARD	25226 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9240	209.72	20.97	41.52	272.2
96482855006	312094012	HOLLY, JONES (RENT)	16475	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9253	HOLLY, JONES	16475 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9253	127.46	12.75	25.24	165.44
31330305001	312094019	AMIGO, OSVALDO	16405	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9251	AMIGO, OSVALDO	16405 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9251	254.02	25.4	50.3	329.7
97001413006	312094035	MONTANEZ, JAZMIN (RENT)	25201	LOGAN BERRY CT	MORENO VALLEY	CA	92551-9299	MONTANEZ, JAZMIN	25201 LOGAN BERRY CT	MORENO VALLEY, CA	92551-9299	58.92	5.89	11.67	76.46
31352675007	312094036	JOHNSON, LINDA AND GREGORY	25195	LOGAN BERRY CT	MORENO VALLEY	CA	92551-1100	JOHNSON, LINDA AND GREGORY	25195 LOGAN BERRY CT	MORENO VALLEY, CA	92551-1100	254.02	25.4	50.3	329.7
31342775007	312094038	DOWNER, ROBERT	25183	LOGAN BERRY CT	MORENO VALLEY	CA	92551-1100	DOWNER, ROBERT	4335 N PECK RD	EL MONTE, CA	91732-1905	254.02	25.4	50.3	329.7
31497325004	312095003	BULLEY, JOSEPH	16308	SADDLEBROOK LN	MORENO VALLEY	CA	92551-1122	BULLEY, JOSEPH	16308 SADDLEBROOK LN	MORENO VALLEY, CA	92551-1122	254.02	25.4	50.3	329.7
96604005004	312095006	CALDERON, ALFREDO (RENT)	16334	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9248	CALDERON, ALFREDO	16334 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9248	254.12	25.41	50.32	329.84
75005335000	312095014	BREWSTER, CICELY	16398	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9250	BREWSTER, CICELY	16398 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9250	190.29	19.03	37.68	246.98
101895613003	312095016	GOMEZ, TERESA (RENT)	16414	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9250	GOMEZ, TERESA	16414 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9250	87.93	8.79	17.41	114.12
31457975001	312095017	GATHRIGHT, REGINALD	16422	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9250	GATHRIGHT, REGINALD	16422 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9250	254.02	25.4	50.3	329.7
73211535004	312095021	COOTH, JAIME	16279	PARKSIDE LN	MORENO VALLEY	CA	92551-9273	COOTH, JAIME	16279 PARKSIDE LN	MORENO VALLEY, CA	92551-9273	254.02	25.4	50.3	329.7
31313275003	312095022	HUDSPET, MILDRED	16259	PARKSIDE LN	MORENO VALLEY	CA	92551-9273	HUDSPET, MILDRED	16259 PARKSIDE LN	MORENO VALLEY, CA	92551-9273	254.02	25.4	50.3	329.7
97107495004	312101005	RODRIGUEZ,GILBERT,PEREZ,KRIS	25342	MOORLAND RD	MORENO VALLEY	CA	92551-9279	RODRIGUEZ,GILBERT,PEREZ,KRIS	25342 MOORLAND RD	MORENO VALLEY, CA	92551-9279	190.79	19.08	37.78	247.64
60271085007	312101007	REYES, DORCAS	25370	MOORLAND RD	MORENO VALLEY	CA	92551-9279	REYES, DORCAS	25370 MOORLAND RD	MORENO VALLEY, CA	92551-9279	254.12	25.41	50.32	329.84
31597995000	312101009	LOPEZ, GUADALUPE	25398	MOORLAND RD	MORENO VALLEY	CA	92551-9279	LOPEZ, GUADALUPE	25398 MOORLAND RD	MORENO VALLEY, CA	92551-9279	254.02	25.4	50.3	329.7
94081435007	312101016	HAWKINS, CASANDRA (RENT)	25496	MOORLAND RD	MORENO VALLEY	CA	92551-9281	HAWKINS, CASANDRA	PO BOX 8812	MORENO VALLEY, CA	92552-8812	189.79	18.98	37.58	246.34
60267395000	312102001	GICKING, PAUL	25497	MOORLAND RD	MORENO VALLEY	CA	92551-9280	GICKING, PAUL	25497 MOORLAND RD	MORENO VALLEY, CA	92551-9280	254.12	25.41	50.32	329.84
95444153004	312102020	VEGA, MARIA (RENT)	16338	PARKSIDE LN	MORENO VALLEY	CA	92551-9272	VEGA, MARIA (RENT)	16338 PARKSIDE LN	MORENO VALLEY, CA	92551-9272	52.84	5.28	10.46	68.58
31323865002	312102037	COLEMAN, RENAEE	16290	KENSINGTON PL	MORENO VALLEY	CA	92551-9267	COLEMAN, RENAEE	23949 BAY AVE APT 48	MORENO VALLEY, CA	92553-6047	254.02	25.4	50.3	329.7
59047295001	312102041	JACKSON, LOIS	16314	KENSINGTON PL	MORENO VALLEY	CA	92551-9297	JACKSON, LOIS	28181 WINGED FOOT DR	SUN CITY, CA	92586-2587	254.12	25.41	50.32	329.84
31553075006	312102047	SMITH, LETITIA	16368	KENSINGTON PL	MORENO VALLEY	CA	92551-9268	SMITH, LETITIA	16368 KENSINGTON PL	MORENO VALLEY, CA	92551-9268	254.02	25.4	50.3	329.7
88689675004	312103001	VERGARA, RICARDO	16461	KENSINGTON PL	MORENO VALLEY	CA	92551-9269	VERGARA, RICARDO	16461 KENSINGTON PL	MORENO VALLEY, CA	92551-9269	254.12	25.41	50.32	329.84
31608615005	312103006	PADILLA, ADRIANA (OWNR)	16413	PARKSIDE LN	MORENO VALLEY	CA	92551-9275	PADILLA, ADRIANA	16413 PARKSIDE LN	MORENO VALLEY, CA	92551-9275	186.37	18.64	36.9	241.9
81520495006	312103007	GRIJALVA, MONICA AND ZETH	16407	PARKSIDE LN	MORENO VALLEY	CA	92551-9275	GRIJALVA, MONICA AND ZETH	16407 PARKSIDE LN	MORENO VALLEY, CA	92551-9275	254.02	25.4	50.3	329.7
91335783006	312103018	BROWN, AUDREY (RENT)	16490	HEATHER GLEN RD	MORENO VALLEY	CA	92551-9252	BROWN, AUDREY	16490 HEATHER GLEN RD	MORENO VALLEY, CA	92551-9252	216.17	21.62	42.8	280.58
31623435002	312103021	FLANAN, ROSEMARIE	25266	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9242	FLANAN, ROSEMARIE	25266 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9242	254.02	25.4	50.3	329.7
92063865006	312104012	TORRES, JOSE	25281	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9243	TORRES, JOSE	25281 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9243	253.92	25.39	50.28	329.58
95126465002	312104019	LAMETTE, MICHAEL (RENT)	25239	MORNING DOVE WAY	MORENO VALLEY	CA	92551-9241	LAMETTE, MICHAEL	25239 MORNING DOVE WAY	MORENO VALLEY, CA	92551-9241	253.92	25.39	50.28	329.58
96222455000	312111001	MELGAR, FERNANDO A	16347	ABEDUL ST	MORENO VALLEY	CA	92551-2038	MELGAR, FERNANDO A	16347 ABEDUL ST	MORENO VALLEY, CA	92551-2038	228.72	22.87	45.29	296.86
90629748002	312112001	BELOTE, BALOUSE AND SONDRA	16263	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2073	BELOTE, BALOUSE AND SONDRA	16263 AVENIDA DE LORING	MORENO VALLEY, CA	92551-2073	444.11	44.41	87.93	576.44
31223115008	312112007	HARRIS, JACQUELINE	16266	ABEDUL ST	MORENO VALLEY	CA	92551-2035	HARRIS, JACQUELINE	16266 ABEDUL ST	MORENO VALLEY, CA	92551-2035	127.46	12.75	25.24	165.44
31224015007	312112008	AVANT, FULTON	16278	ABEDUL ST	MORENO VALLEY	CA	92551-2035	AVANT, FULTON	16278 ABEDUL ST	MORENO VALLEY, CA	92551-2035	254.12	25.41	50.32	329.84
31219085002	312112012	BEVIEN, ARTHUR	16326	ABEDUL ST	MORENO VALLEY	CA	92551-2037	BEVIEN, ARTHUR	16326 ABEDUL ST	MORENO VALLEY, CA	92551-2037	254.12	25.41	50.32	329.84
31576405008	312112013	EGANS, SHAWNA	25550	CALABRIA DR	MORENO VALLEY	CA	92551-2063	EGANS, SHAWNA	25550 CALABRIA DR	MORENO VALLEY, CA	92551-2063	254.02	25.4	50.3	329.7
96764475007	312112015	DELEON, EMERITA (RENT)	25574	CALABRIA DR	MORENO VALLEY	CA	92551-2063	DELEON, EMERITA	25574 CALABRIA DR	MORENO VALLEY, CA	92551-2063	254.12	25.41	50.32	329.84
31357545004	312112016	PEDROZA, PRIMITIVO	25586	CALABRIA DR	MORENO VALLEY	CA	92551-2063	PEDROZA, PRIMITIVO	25586 CALABRIA DR	MORENO VALLEY, CA	92551-2063	254.02	25.4	50.3	329.7
31315475006	312112019	BERNAL, ERNESTO (OWNR)	25622	CALABRIA DR	MORENO VALLEY	CA	92551-2065	BERNAL, ERNESTO	25622 CALABRIA DR	MORENO VALLEY, CA	92551-2065	254.12	25.41	50.32	329.84
93288275002	312112023	RAMIREZ, LAURA	16299	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2071	RAMIREZ, LAURA	16299 AVENIDA DE LORING	MORENO VALLEY, CA	92551-2071	127.46	12.75	25.24	165.44
61167475004	312112024	PLASCENCIA, JUAN JOSE	25613	CASCADA CIR	MORENO VALLEY	CA	92551-2096	PLASCENCIA, JUAN JOSE	7600 AMBERGATE PL APT H205	RIVERSIDE, CA	92504-2681	254.12	25.41	50.32	329.84
62131465001	312113008	ZIMMERMAN, DENESHA	16278	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2070	ZIMMERMAN, DENESHA	16278 AVENIDA DE LORING	MORENO VALLEY, CA	92551-2070	254.12	25.41	50.32	329.84
31471535005	312121002	TREVINO, ROSE	25601	BUENA FORTUNA LN	MORENO VALLEY	CA	92551-2089	TREVINO, ROSE	25601 BUENA FORTUNA LN	MORENO VALLEY, CA	92551-2089	120.66	12.07	23.89	156.6
96696435000	312123003	LEON, LAURA (OWNR)	25637	CALABRIA DR	MORENO VALLEY	CA	92551-2066	LEON, LAURA	25637 CALABRIA DR	MORENO VALLEY, CA	92551-2066	254.12	25.41	50.32	329.84
31549015007	312123022	GRIZZARD, SARA	16455	ANCLADERO CT	MORENO VALLEY	CA	92551-2092	GRIZZARD, SARA	1251 AUTUMNWOOD LN	PERRIS, CA	92571-9203	254.02	25.4	50.3	329.7
31448435004	312123030	DIAZ, MONIQUE	16398	ANCLADERO CT	MORENO VALLEY	CA	92551-2090	DIAZ, MONIQUE	2034 ALBANY CT	SAN JACINTO, CA	92582-6924	63.63	6.36	12.6	82.58
31426165006	312123033	BERG, DANA	16434	ANCLADERO CT	MORENO VALLEY	CA	92551-2091	BERG, DANA	16434 ANCLADERO CT	MORENO VALLEY, CA	92551-2091	75	7.5	14.85	97.34
92539305003	312123040	THOMAS, IVORY	25634	BUENA FORTUNA LN	MORENO VALLEY	CA	92551-2042	THOMAS, IVORY	25634 BUENA FORTUNA LN	MORENO VALLEY, CA	92551-2042	254.02	25.4	50.3	329.7
99398133003	312123041	MOORER, HARRY (RENT)	25646	BUENA FORTUNA LN	MORENO VALLEY	CA	92551-2042	MOORER, HARRY	25646 BUENA FORTUNA LN	MORENO VALLEY, CA	92551-2042	137.57	13.76	27.24	178.56
92385133007	312123050	COVARRUBIAS, MONICA	25634	BUENA VILLAGE CT	MORENO VALLEY	CA	92551-2098	COVARRUBIAS, MONICA	25634 BUENA VILLAGE CT	MORENO VALLEY, CA	92551-2098	194.17	19.42	38.45	252.02
87029755007	312123051	GARCIA, ALONSO	16407	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2080	GARCIA, ALONSO	16407 AVENIDA DE LORING	MORENO VALLEY, CA	92551-2080	254.02	25.4	50.3	329.7
75324525005	312124004	FITCH, LORI	16362	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2075	FITCH, LORI	2414 WAXWING AVE	VENTURA, CA	93003-7170	190.69	19.07	37.76	247.5
92382545008	312124011	BROWN, TONIA	16446	AVENIDA DE LORING	MORENO VALLEY	CA	92551-2078	BROWN, TONIA	16446 AVENIDA DE LORING	MORENO VALLEY, CA	92551-2078	127.36	12.74	25.22	165.3
31313555004	312141002	BLACKMAN, SANDRA	16571	WAR CLOUD DR	MORENO VALLEY	CA	92551-2527	BLACKMAN, SANDRA	16571 WAR CLOUD DR	MORENO VALLEY, CA	92551-2527	190.39	19.04	37.7	247.12
31392295003	312141006	WILLIAMS, LATISIA	16539	WAR CLOUD DR	MORENO VALLEY	CA	92551-2526	WILLIAMS, LATISIA	24040 POSTAL AVE UNIT 71	MORENO VALLEY, CA	92556-5004	254.02	25.4	50.3	329.7
96363695002	312141007	RAMIREZ, DAISY (OWNR)	16531	WAR CLOUD DR	MORENO VALLEY	CA	92551-2526	RAMIREZ, DAISY	16531 WAR CLOUD DR	MORENO VALLEY, CA	92551-2526	254.12	25.41	50.32	329.84
99712455003	312141012	BARAJAS, MARCOS (OWNR)	25026	GRANVILLE ST	MORENO VALLEY	CA	92551-2546	BARAJAS, MARCOS	162 E FROMER ST	RIALTO, CA	92376-7010	254.12	25.41	50.32	329.84
31198965003	312142003	THAXTON, MARY	16563	SIR BARTON WAY	MORENO VALLEY	CA	92551-2535	THAXTON, MARY	16563 SIR BARTON	MORENO VALLEY, CA	92551-2535	104.02	10.4	20.6	135

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31181345000	312142007	SHELBY, NORMA	16531	SIR BARTON WAY	MORENO VALLEY	CA	92551-2534	SHELBY, NORMA	16531 SIR BARTON	MORENO VALLEY, CA	92551-2534	254.02	25.4	50.3	329.7
97268865006	312142014	SOROZA, ROSA (RENT)	16564	WAR CLOUD DR	MORENO VALLEY	CA	92551-2525	SOROZA, ROSA	16564 WAR CLOUD DR	MORENO VALLEY, CA	92551-2525	254.12	25.41	50.32	329.84
31372575006	312142015	WILLIAMS, LAVERNE	16572	WAR CLOUD DR	MORENO VALLEY	CA	92551-2528	WILLIAMS, LAVERNE	16572 WAR CLOUD DR	MORENO VALLEY, CA	92551-2528	329.32	32.93	65.21	427.44
31541885001	312143009	BRANDON, CORRAINE	25121	GRANVILLE ST	MORENO VALLEY	CA	92551-2547	BRANDON, CORRAINE	25121 GRANVILLE ST	MORENO VALLEY, CA	92551-2547	329.04	32.9	65.15	427.08
90766143008	312143013	CLARK JARVELLA	25161	GRANVILLE ST	MORENO VALLEY	CA	92551-2547	CLARK JARVELLA	25161 GRANVILLE ST	MORENO VALLEY, CA	92551-2547	302.06	30.21	59.81	392.06
51816195007	312143014	DELGADO, IRMA	25171	GRANVILLE ST	MORENO VALLEY	CA	92551-2547	DELGADO, IRMA	25171 GRANVILLE ST	MORENO VALLEY, CA	92551-2547	63.63	6.36	12.6	82.58
95680855006	312143016	SANDOVAL, JUANA (RENT)	25180	GRAYLAG CIR	MORENO VALLEY	CA	92551-2591	SANDOVAL, JUANA AND PEDRO	25180 GRAYLAG CIR	MORENO VALLEY, CA	92551-2591	190.79	19.08	37.78	247.64
95415665007	312143019	ALVAREZ, JENNIE (RENT)	25150	GRAYLAG CIR	MORENO VALLEY	CA	92551-2591	ALVAREZ, JENNIE	25150 GRAYLAG CIR	MORENO VALLEY, CA	92551-2591	254.12	25.41	50.32	329.84
31244085000	312143020	TATUNAY, RICARDO	25140	GRAYLAG CIR	MORENO VALLEY	CA	92551-2591	TATUNAY, RICARDO	25140 GREYLAG CIR	MORENO VALLEY, CA	92551-2591	254.16	25.42	50.32	329.88
91364815000	312143021	WHITE, SHAUN	25130	GRAYLAG CIR	MORENO VALLEY	CA	92551-2591	WHITE, SHAUN	25130 GRAYLAG CIR	MORENO VALLEY, CA	92551-2591	102.25	10.23	20.25	132.72
31439595009	312143027	BUSTAMANTE, MIKE	25171	GRAYLAG CIR	MORENO VALLEY	CA	92551-2591	BUSTAMANTE, MIKE	25171 GREYLAG CIR	MORENO VALLEY, CA	92551-2591	329.32	32.93	65.21	427.44
97097885005	312144012	PEREZ, JOSE A AND JAQUELINE	16580	SEATTLE SLEW DR	MORENO VALLEY	CA	92551-2569	PEREZ, JOSE A AND JAQUELINE	16580 SEATTLE SLEW DR	MORENO VALLEY, CA	92551-2569	420.76	42.08	83.31	546.14
95615315006	312144013	RICO, ADRIAN (RENT)	16572	SEATTLE SLEW DR	MORENO VALLEY	CA	92551-2569	RICO, ADRIAN	16572 SEATTLE SLEW DR	MORENO VALLEY, CA	92551-2569	254.12	25.41	50.32	329.84
31447105005	312144019	SOPELO, LETICIA	16528	SEATTLE SLEW DR	MORENO VALLEY	CA	92551-2569	SOPELO, LETICIA	16528 SEATTLE SLEW DR	MORENO VALLEY, CA	92551-2569	254.02	25.4	50.3	329.7
31303975007	312144020	RAMIREZ, MARTHA	16522	SEATTLE SLEW DR	MORENO VALLEY	CA	92551-2569	RAMIREZ, MARTHA	16522 SEATTLE SLEW DR	MORENO VALLEY, CA	92551-2569	36.92	3.69	7.31	47.92
60654405007	312144022	ZOCARIAS, JUDY	16510	SEATTLE SLEW DR	MORENO VALLEY	CA	92551-2569	ZOCARIAS, JUDY	16510 SEATTLE SLEW DR	MORENO VALLEY, CA	92551-2569	329.6	32.96	65.26	427.82
31580005004	312151001	WARD, ARNETA	16634	SIR BARTON WAY	MORENO VALLEY	CA	92551-2537	WARD, ARNETA	16634 SIR BARTON	MORENO VALLEY, CA	92551-2537	64.09	6.41	12.69	83.18
31221915004	312151002	COMBS, CASSANDRA	16642	SIR BARTON WAY	MORENO VALLEY	CA	92551-2537	COMBS, CASSANDRA	16642 SIR BARTON WAY	MORENO VALLEY, CA	92551-2537	254.12	25.41	50.32	329.84
95050605005	312151003	LOPEZ, JESUS (OWNR)	16628	WHIRLAWAY CIR	MORENO VALLEY	CA	92551-2404	LOPEZ, JESUS	16628 WHIRLAWAY CIR	MORENO VALLEY, CA	92551-2404	40	4	7.92	51.92
31427335009	312151006	BURKE, THOMAS	16652	WHIRLAWAY CIR	MORENO VALLEY	CA	92551-2404	BURKE, THOMAS	16652 WHIRLAWAY CIR	MORENO VALLEY, CA	92551-2404	64.36	6.44	12.74	83.52
84844395008	312151007	JARAMILLO, RENE	16653	WHIRLAWAY CIR	MORENO VALLEY	CA	92551-2404	JARAMILLO, RENE	16653 WHIRLAWAY CIR	MORENO VALLEY, CA	92551-2404	90	9	17.82	116.82
96979685007	312151014	BELCHER, TOWAN (RENT)	25211	OMAHA DR	MORENO VALLEY	CA	92551-2403	BELCHER, TOWAN	25211 OMAHA DR	MORENO VALLEY, CA	92551-2403	481.45	48.15	95.33	624.92
65262685005	312151015	AMBRIZ, MARTIN	25221	OMAHA DR	MORENO VALLEY	CA	92551-2403	AMBRIZ, MARTIN	100 SUMMIT DR	KYLE, TX	78640-9555	254.12	25.41	50.32	329.84
99017205000	312151020	MEJIA, MARIA	16677	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2557	MEJIA, MARIA	16677 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2557	254.02	25.4	50.3	329.7
31310455001	312151021	SPRINGER, ERNESTINA	16687	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2557	SPRINGER, ERNESTINA	PO BOX 8083	MORENO VALLEY, CA	92552-8083	253.92	25.39	50.28	329.58
96310705001	312151024	GARIBITO, LEO (OWNR)	16658	SIR BARTON WAY	MORENO VALLEY	CA	92551-2537	GARIBITO, LEO	16658 SIR BARTON WAY	MORENO VALLEY, CA	92551-2537	254.12	25.41	50.32	329.84
95493935008	312151027	DRINKARD, MICHAEL	16680	SIR BARTON WAY	MORENO VALLEY	CA	92551-2539	DRINKARD, MICHAEL	16680 SIR BARTON WAY	MORENO VALLEY, CA	92551-2539	248.27	24.83	49.16	322.24
31500555006	312151033	SPENCE, GARY	16661	SECRETARIAT DR	MORENO VALLEY	CA	92551-2541	SPENCE, GARY	16661 SECRETARIAT DR	MORENO VALLEY, CA	92551-2541	329.6	32.96	65.26	427.82
93721715000	312152006	BLACKMAN, ROBERT (OWNR)	25206	OMAHA DR	MORENO VALLEY	CA	92551-2402	BLACKMAN, ROBERT	25206 OMAHA DR	MORENO VALLEY, CA	92551-2402	253.45	25.35	50.18	328.96
31436365003	312153001	CAMACHO, LUIS	25182	OMAHA DR	MORENO VALLEY	CA	92551-2400	CAMACHO, LUIS	25182 OMAHA DR	MORENO VALLEY, CA	92551-2400	117.44	11.74	23.25	152.42
97626265001	312153002	VILLICANA, MICHAEL AND ANA	25172	OMAHA DR	MORENO VALLEY	CA	92551-2400	VILLICANA, MICHAEL AND ANA	9332 PAPAYA PL	FONTANA, CA	92335-2598	420.76	42.08	83.31	546.14
31609315006	312153003	SANDOVAL, NATIVIDA	25162	OMAHA DR	MORENO VALLEY	CA	92551-2400	SANDOVAL, NATIVIDA	25162 OMAHA DR	MORENO VALLEY, CA	92551-2400	254.02	25.4	50.3	329.7
31217445001	312153010	DEMESA, CATALINA	16604	SIR BARTON WAY	MORENO VALLEY	CA	92551-2572	DEMESA, CATALINA	16604 SIR BARTON	MORENO VALLEY, CA	92551-2572	329.32	32.93	65.21	427.44
56192815008	312153011	PATTERSON, BRIGITTE	16612	SIR BARTON WAY	MORENO VALLEY	CA	92551-2572	PATTERSON, BRIGITTE	16612 SIR BARTON	MORENO VALLEY, CA	92551-2572	254.02	25.4	50.3	329.7
94025025000	312154004	MACIEL, TONITA (OWNR)	16645	SIR BARTON WAY	MORENO VALLEY	CA	92551-2538	FUENTES, JOSEPH	4620 VAN BUREN BLVD APT 169	RIVERSIDE, CA	92503-2697	254.12	25.41	50.32	329.84
58294975006	312154005	MCGEE, DAVID	16641	SIR BARTON WAY	MORENO VALLEY	CA	92557-	MCGEE, DAVID	16641 SIR BARTON WAY	MORENO VALLEY, CA	92551-2538	254.02	25.4	50.3	329.7
68059755007	312154018	BRITO, MARIA	16628	WAR CLOUD DR	MORENO VALLEY	CA	92551-2529	BRITO, MARIA	16628 WAR CLOUD DR	MORENO VALLEY, CA	92551-2529	254.12	25.41	50.32	329.84
31509695008	312156003	GARCIA, ROSA	16649	WAR CLOUD DR	MORENO VALLEY	CA	92551-2530	GARCIA, ROSA	2560 PERRIS BLVD G-3 PMB 39	PERRIS, CA	92571-3253	254.12	25.41	50.32	329.84
31470815008	312156004	MC CULLOUGH, STEVE	16641	WAR CLOUD DR	MORENO VALLEY	CA	92551-2530	MC CULLOUGH, STEVE	16641 WAR CLOUD DR	MORENO VALLEY, CA	92551-2530	254.02	25.4	50.3	329.7
31189735001	312161001	HOFFMAN, ROY	16707	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2558	HOFFMAN, ROY	16707 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2558	190.69	19.07	37.76	247.5
88814945002	312161014	NGUYEN, KIM (OWN)	16776	SECRETARIAT DR	MORENO VALLEY	CA	92551-2545	THOMPSON, MELONECE	16776 SECRETARIAT DR	MORENO VALLEY, CA	92551-2545	253.92	25.39	50.28	329.58
31440845005	312161023	GRIFFIN, VERONICA	16704	SECRETARIAT DR	MORENO VALLEY	CA	92551-2574	GRIFFIN, VERONICA	16704 SECRETARIAT DR	MORENO VALLEY, CA	92551-2574	254.02	25.4	50.3	329.7
31519745007	312162006	ARREDONDO, DIANA	16741	MAJESTIC PRINCE WAY	MORENO VALLEY	CA	92551-2514	ARREDONDO, DIANA	16741 MAJESTIC PRINCE WAY	MORENO VALLEY, CA	92551-2514	253.92	25.39	50.28	329.58
93876773009	312162011	LEE, JOYCE(RENT)	16691	MAJESTIC PRINCE WAY	MORENO VALLEY	CA	92551-2597	LEE, JOYCE(RENT)	44741 STEWART WAY	HEMET, CA	92544-5550	50.49	5.05	10	65.52
95320445006	312163005	CARO, LISETTE (RENT)	16710	WAR CLOUD DR	MORENO VALLEY	CA	92551-2531	CARO, LISETTE (RENT)	16710 WAR CLOUD DR	MORENO VALLEY, CA	92551-2531	248.27	24.83	49.16	322.24
66031515009	312163008	TELLIS, THELMA	16728	WAR CLOUD DR	MORENO VALLEY	CA	92551-2531	TELLIS, THELMA	16728 WAR CLOUD DR	MORENO VALLEY, CA	92551-2531	189.12	18.91	37.45	245.46
31415135006	312163009	JONES, SHEILA	16734	WAR CLOUD DR	MORENO VALLEY	CA	92551-2531	JONES, SHEILA	16734 WAR CLOUD DR	MORENO VALLEY, CA	92551-2531	254.02	25.4	50.3	329.7
91521405001	312163010	MARQUEZ, KIMBERLY	16740	WAR CLOUD DR	MORENO VALLEY	CA	92551-2531	MARQUEZ, KIMBERLY	16740 WAR CLOUD DR	MORENO VALLEY, CA	92551-2531	253.92	25.39	50.28	329.58
31202435005	312163012	MCKEE, PEGGY (OWNR)	16752	WAR CLOUD DR	MORENO VALLEY	CA	92551-2531	MCKEE, PEGGY	16752 WAR CLOUD DR	MORENO VALLEY, CA	92551-2531	254.02	25.4	50.3	329.7
96002805003	312163014	BRACKINS, SANDRA (RENT)	16737	SECRETARIAT DR	MORENO VALLEY	CA	92551-2543	BRACKINS, SANDRA	16737 SECRETARIAT DR	MORENO VALLEY, CA	92551-2543	254.12	25.41	50.32	329.84
31621315001	312163015	WILLIAMS, JAMES E	16729	SECRETARIAT DR	MORENO VALLEY	CA	92551-2543	WILLIAMS, JAMES E	16729 SECRETARIAT DR	MORENO VALLEY, CA	92551-2543	254.02	25.4	50.3	329.7
94011745009	312163016	TEMORES, ROGELIO (RENT)	16721	SECRETARIAT DR	MORENO VALLEY	CA	92551-2543	TEMORES,ROGELIO (RENT)	16721 SECRETARIAT DR	MORENO VALLEY, CA	92551-2543	254.12	25.41	50.32	329.84
53819875006	312163024	VINCENT, LONNIE AND SHIRLEY	16669	SIR BARTON WAY	MORENO VALLEY	CA	92551-2538	VINCENT, LONNIE AND SHIRLEY	16669 SIR BARTON WAY	MORENO VALLEY, CA	92551-2538	229.62	22.96	45.46	298.04
51571275001	312164002	SADLER, EUGENE	16789	SECRETARIAT DR	MORENO VALLEY	CA	92551-2544	SADLER, EUGENE	16789 SECRETARIAT DR	MORENO VALLEY, CA	92551-2544	229.32	22.93	45.41	297.64
72296275000	312164016	VARGAS, ALBERT	16685	WAR CLOUD DR	MORENO VALLEY	CA	92551-2512	VARGAS, ALBERT	16685 WAR CLOUD DR	MORENO VALLEY, CA	92551-2512	134.02	13.4	26.54	173.94
31150465009	312164017	TALBOT, DWAYNE	16677	WAR CLOUD DR	MORENO VALLEY	CA	92551-2512	TALBOT, DWAYNE	16677 WAR CLOUD DR	MORENO VALLEY, CA	92551-2512	254.02	25.4	50.3	329.7
95547685003	312164021	HERNANDEZ, JAIME (RENT)	16772	MAJESTIC PRINCE WAY	MORENO VALLEY	CA	92551-2516	HERNANDEZ, JAIME	16772 MAJESTIC PRINCE WAY	MORENO VALLEY, CA	92551-2516	229.6	22.96	45.46	298.02
84406605002	312164024	ZUNIGA, ERICA	16797	HARKER CIR	MORENO VALLEY	CA	92551-2521	ZUNIGA, ERICA	16797 HARKER CIR	MORENO VALLEY, CA	92551-2521	329.32	32.93	65.21	427.44
52892845007	312164026	MENDEZ, IMELDA	16781	HARKER CIR	MORENO VALLEY	CA	92551-2521	MENDEZ, IMELDA	16781 HARKER CIR	MORENO VALLEY, CA	92551-2521	254.02	25.4	50.3	329.7
87904185001	312164031	MURFITT, ALAN	25128	HARKER LN	MORENO VALLEY	CA	92551-2522	MURFITT, ALAN	PO BOX 7091	MORENO VALLEY, CA	92552-7091	329.6	32.96	65.26	427.82
92689045001	312164032	JACKSON, NICHOLAS	25138	HARKER LN	MORENO VALLEY	CA	92551-2522	JACKSON, NICHOLAS	15740 LASSELLE ST APT H	MORENO VALLEY, CA	92551-6334	127.36	12.74	25.22	165.3
31447795000	312171006	SAUCEDO,HORACIO (RENT)	25072	SLATE CREEK DR	MORENO VALLEY	CA	92551-2500	SAUCEDO, HORACIO	25072 SLATE CREEK DR	MORENO VALLEY, CA	92551-2500	63.73	6.37	12.62	82.72
95223045006	312171008	AVALOS, SERGIO (RENT)	25051	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2506	AVALOS, SERGIO	6358 ARCHER ST	RIVERSIDE, CA	92509-5056	148.54	14.85	29.41	192.8
97309645005	312171010	BAKER, KATE (RENT)	25031	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2506	BAKER, KATE	12831 MORENO BEACH DR #107	MORENO VALLEY, CA	92555-4419	89.31	8.93	17.68	115.92
86439963007	312171012	MUNOZ, JOSE (RENT)	25011	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2506	MUNOZ, JOSE	25011 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2506	254.12	25.41	50.32	329.84
84680845002	312171013	SALAS, SIMON	25107	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2588	SALAS, SIMON	25107 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2588	254.02	25.4	50.3	329.7
76133495005	312171026	SALINAS, NORMA	25164	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2509	SALINAS, NORMA	25164 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2509	254.02	25.4	50.3	329.7
31148685007	312171030	MC CASLIN, GREG	25212	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2589	MC CASLIN, GREG	25212 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2589	254.02	25.4	50.3	329.7
94854215003	312171033	MURILLO, ALFREDO (OWNR)	25227	HARKER LN	MORENO VALLEY	CA	92551-2595	MURILLO, ALFREDO AND NOEMI	25227 HARKER LN	MORENO VALLEY, CA	92551-2595	190.79	19.08	37.78	247.64
87990705001	312171034	JORDAN, SAPHINE	25217	HARKER LN	MORENO VALLEY	CA	92551-2595	JORDAN, SAPHINE	25217 HARKER LN	MORENO VALLEY, CA	92551-2595	148.6	14.86	29.42	192.88
97097385000	312171041	RIVAS, DIANA (RENT)	25147	HARKER LN	MORENO VALLEY	CA	92551-2523	RIVAS, DIANA	25147 HARKER LN	MORENO VALLEY, CA	92551-2523	254.12	25.41	50.32	329.84
94391315005	312171042	BURNETT, KEVIN (OWNR)	25137	HARKER LN	MORENO VALLEY	CA	92551-2523	BURNETT, KEVIN	25137 HARKER LN	MORENO VALLEY, CA	92551-2523	150.6	15.06	29.82	195.46
31159035001	312171043	AGUILAR, RICHARD	25127	HARKER LN	MORENO VALLEY	CA	92551-2523	AGUILAR, RICHARD	25127 HARKER LN	MORENO VALLEY, CA	92551-2523	329.32	32.93	65.21	427.44
92440105006	312171044	COCIO, ROSAMARIA	25117	HARKER LN	MORENO VALLEY	CA	92551-2523	COCIO, ROSAMARIA	25117 HARKER LN	MORENO VALLEY, CA	92551-2523	190.59	19.06	37.74	247.38
52057905008	312171045	JACKSON, THOMAS	25107	HARKER LN	MORENO VALLEY	CA	92551-2523	JACKSON, THOMAS	25107 HARKER LN	MORENO VALLEY, CA	92551-2523	329.32	32.93	65.21	427.44
31557735009	312171048	WOODS, EDWARD	25077	HARKER LN	MORENO VALLEY	CA	92551-2518	WOODS, EDWARD	25077 HARKER LN	MORENO VALLEY, CA	92551-2518	254.02	25.4	50.3	329.7
31316805007	312171051	BROWN, VALENCIA	25047	HARKER LN	MORENO VALLEY	CA	92551-2517	BROWN, VALENCIA	25047 HARKER LN	MORENO VALLEY, CA	92551-2517	251.6	25.16	49.82	326.56
92078385005	312171054	FUTCH, SHARON	25017	HARKER LN	MORENO VALLEY	CA	92551-2517	FUTCH, SHARON	PO BOX 1575	MORENO VALLEY, CA	92556-1575	329.04	32.9	65.15	427.08
83940985002	312172003	WHITE, ANTHONY	25189	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2510	WHITE, ANTHONY	25189 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2510	254.02	25.4	50.3	329.7
89974035004	312172004	WILKES,DONALD,MCELROY,MICHELLE	25177	PEBBLE CREEK WAY	MORENO VALLEY	CA	92551-2510	WILKES,DONALD,MCELROY,MICHELLE	25177 PEBBLE CREEK WAY	MORENO VALLEY, CA	92551-2510	442.39	44.24	87.59	574.22
31560695001	312172013	ROBINSON, CHERISE	25106	SLATE CREEK DR	MORENO VALLEY	CA	92551-2502	ROBINSON, CHERISE	25106 SLATE CREEK DR	MORENO VALLEY, CA	92551-2502	329.32	32.93	65.21	427.44
66907185009	312172018	RAHMAN, POLASH	25164	SLATE CREEK DR	MORENO VALLEY	CA	92551-2504	RAHMAN, POLASH	25164 SLATE CREEK DR	MORENO VALLEY, CA	92551-2504	127.46	12.75	25.24	165.44
92078575005	312172021	DESOUZA, JASON	25200	SLATE CREEK DR	MORENO VALLEY	CA	92551-1002	DESOUZA, JASON	25200 SLATE CREEK DR	MORENO VALLEY, CA	92551-1002	404.16	40.42	80.02	524.58
86822195004	312172024	AVALOS, VICTORIA	25201	SLATE CREEK DR	MORENO VALLEY	CA	92551-1002	AVALOS, VICTORIA	25201 SLATE CREEK DR	MORENO VALLEY, CA	92551-1002	254.02	25.4	50.3	329.7
68600175000	312172033	JENKINS, AARON	25095	SLATE CREEK DR	MORENO VALLEY	CA	92551-1001	JENKINS, AARON	25095 SLATE CREEK DR	MORENO VALLEY, CA	92551-1001	329.32	32.93	65.21	427.44
98548323004	312172038	NEW SEASON PROPERTIES	25031	SLATE CREEK DR	MORENO VALLEY	CA	92551-2501	NEW SEASON PROPERTIES	25031 SLATE CREEK DR	MORENO VALLEY, CA	92551-2501	63.63	6.36	12.6	82.58
101120133007	312172039	CARILLO, JANET (OWN)	25021	SLATE CREEK DR	MORENO VALLEY	CA	92551-2501	CARILLO, JANET (OWN)	25021 SLATE CREEK DR	MORENO VALLEY, CA	92551-2501	103.31	10.33	20.46	134.08
96745405001	312181002	TRAN, TONY (OWNR)	16768	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2552	TRAN, TONY	16768 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2552	254.12	25.41	50.32	329.84
94862745005	312181006	RUFF, MICHELLE	16816	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2578	RUFF, MICHELLE	16816 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2578	36.37	3.64	7.2	47.2
92631295000	312181014	ESTON, LINDLEY	16777	LIATRIS LN	MORENO VALLEY	CA	92551-2582	ESTON, LINDLEY	PO BOX 7611	MORENO VALLEY, CA	92552-7611	254.02	25.4	50.3	329.7
97452315002	312181017	DIAZ, ANA (RENT)	24116	POPPYSTONE DR	MORENO VALLEY	CA	92551-7643	DIAZ, ANA	25834 RIGWOOD WAY	MORENO VALLEY, CA	92553-4941	63.75	6.38	12.62	82.74
92760095009	312181020	PINON, JERRY	16778	LIATRIS LN	MORENO VALLEY	CA	92551-2582	PINON, JERRY	16778 LIATRIS LN	MORENO VALLEY, CA	92551-2582	404.62	40.46	80.11	525.18
97461415002	312181021	SHELBY, VERONICA (RENT)	16792	LIATRIS LN	MORENO VALLEY	CA	92551-2582	SHELBY, VERONICA	23941 EUCALYPTUS AVE APT 55	MORENO VALLEY, CA	92553-5538	139.37	13.94	27.6	180.9
70029855005	312181024	SEVILLA, SANDRA (OWNR)	16828	LIATRIS LN	MORENO VALLEY	CA	92551-2583	SEVILLA, SANDRA	16828 LIATRIS LN	MORENO VALLEY, CA	92551-2583	329.32	32.93	65.21	427.44
71164195008	312182004	SOUTHERLAND, BEATRIZ	16900	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2554	SOUTHERLAND, BEATRIZ	16900 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2554	351.75	35.18	69.65	456.56
31431925007	312182010	HUNTER, LORI (RENT)	16935	MAILE LN	MORENO VALLEY	CA	92551-2580	HUNTER, LORI	16935 MAILE LN	MORENO VALLEY, CA	92551-2580	111.98	11.2	22.17	145.34
91475713005	312182011	MURPHY, CLAUDIA (RENT)	16923	MAILE LN	MORENO VALLEY	CA	92551-2580	MURPHY, CLAUDIA	16923 MAILE LN	MORENO VALLEY, CA	92551-2580	39.31	3.93	7.78	51.02
31368525005	312182013	ANDRES, DEAN AND MICHELE	16899	MAILE LN	MORENO VALLEY	CA	92551-2581	ANDRES, MICHELLE	16899 MAILE LN	MORENO VALLEY, CA	92551-2581	254.02	25.4	50.3	329.7
92217455004	312182020	VINES, NAKIYA AND KEVIN	16888	MAILE LN	MORENO VALLEY	CA	92551-2581	VINES, NAKIYA AND KEVIN	16888 MAILE LN	MORENO VALLEY, CA	92551-2581	247.15	24.72	48.94	320.8
68157285008	312183007	GONZALEZ, MARIA	25417	PLUMERIA LN	MORENO VALLEY	CA	92551-2562	GONZALEZ, MARIA	25117 HARKER LN	MORENO VALLEY, CA	92551-2523	129.12	12.91	25.57	167.58
100079763003	312184004	FLAKES, ALISA (OWNR)	16911	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2576	FLAKES, ALISA	16433 GELDING WAY	MORENO VALLEY, CA	92555-3313	324.83	32.48	64.32	421.62

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
58298125006	312184005	PRICE, KEISHA	16899	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2555	PRICE, KEISHA	16899 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2555	179.32	17.93	35.51	232.74
61286035005	312184010	THOMAS, AGNES	16839	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2553	THOMAS, AGNES	16839 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2553	190.79	19.08	37.78	247.64
65035385008	312184011	BROWN, STEFANEY	16827	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2553	BROWN, STEFANEY	16827 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2553	254.12	25.41	50.32	329.84
89538493000	312184012	RODRIQUEZ, SANDRA (RENT)	16815	HOLLYHOCK DR	MORENO VALLEY	CA	92551-2553	RODRIQUEZ, SANDRA	16815 HOLLYHOCK DR	MORENO VALLEY, CA	92551-2553	146.64	14.66	29.03	190.32
97428275000	312191011	DURAN, GILBERT (RENT)	25521	SIERRA LEONE CT	MORENO VALLEY	CA	92551-2168	DURAN, GILBERT	25521 SIERRA LEONE CT	MORENO VALLEY, CA	92551-2168	86.93	8.69	17.21	112.82
81579455001	312191026	JONES, BENNIE	25510	CAMINO CASTILLO	MORENO VALLEY	CA	92551-2117	JONES, BENNIE	25510 CAMINO CASTILLO	MORENO VALLEY, CA	92551-2117	329.32	32.93	65.21	427.44
54669255004	312192006	FUGGINS,TRENTON AND LISA	25641	SIERRA LEONE CT	MORENO VALLEY	CA	92551-2100	FUGGINS,TRENTON AND LISA	25641 SIERRA LEONE CT	MORENO VALLEY, CA	92551-2100	272.53	27.25	53.96	353.74
31480955007	312192009	JONES, MICHELLE (OWNR)	25630	CAMINO CASTILLO	MORENO VALLEY	CA	92551-2121	JONES, MICHELLE	25630 CAMINO CASTILLO	MORENO VALLEY, CA	92551-2121	154.02	15.4	30.5	199.9
31214535009	312193007	STONE, SANDRA AND CORY	25603	CAMINO CASTILLO	MORENO VALLEY	CA	92551-2122	STONE, SANDRA AND CORY	25603 CAMINO CASTILLO	MORENO VALLEY, CA	92551-2122	254.02	25.4	50.3	329.7
91307573009	312193010	COLIER,JEAN	25626	SIERRA BRAVO CT	MORENO VALLEY	CA	92551-2128	COLIER,JEAN	25626 SIERRA BRAVO CT	MORENO VALLEY, CA	92551-2128	168.27	16.83	33.32	218.4
31547885008	312193013	SHANKS, CHANDRA	25590	SIERRA BRAVO CT	MORENO VALLEY	CA	92551-2161	SHANKS, CHANDRA	25590 SIERRA BRAVO CT	MORENO VALLEY, CA	92551-2161	254.02	25.4	50.3	329.7
31396705008	312193015	MC DONALD, JAMES	25566	SIERRA BRAVO CT	MORENO VALLEY	CA	92551-2125	MC DONALD, JAMES	25566 SIERRA BRAVO CT	MORENO VALLEY, CA	92551-2125	190.67	19.07	37.75	247.48
93224415008	312201004	OCHOA, RUBEN AND JOSEPHINA	16675	VIA PAMPLONA	MORENO VALLEY	CA	92551-2178	OCHOA, RUBEN AND JOSEPHINA	16675 VIA PAMPLONA	MORENO VALLEY, CA	92551-2178	254.12	25.41	50.32	329.84
51162985000	312202004	MARIN, DONNA	25591	SIERRA BRAVO CT	MORENO VALLEY	CA	92553-	ANDRADE, VICTOR	3601 CORNISH ST	PERRIS, CA	92571-9460	479.92	47.99	95.02	622.92
93163035008	312202006	MCCLENDON, SHARMON (RENT)	25615	SIERRA BRAVO CT	MORENO VALLEY	CA	92551-2127	MCCLENDON, SHARMON	25615 SIERRA BRAVO CT	MORENO VALLEY, CA	92551-2127	254.12	25.41	50.32	329.84
53327315008	312202014	MUNIZ, ANA	25589	SIERRA CALMO CT	MORENO VALLEY	CA	92551-2140	MUNIZ, ANA	25589 SIERRA CALMO CT	MORENO VALLEY, CA	92551-2140	330.22	33.02	65.38	428.62
95636145008	312202016	GARDNER, MIKEL (RENT)	25613	SIERRA CALMO CT	MORENO VALLEY	CA	92551-2163	GARDNER, MIKEL	25613 SIERRA CALMO CT	MORENO VALLEY, CA	92551-2163	63.46	6.35	12.57	82.36
62249865007	312202027	MARTIN, DAMALL	25661	SIERRA BELLO CT	MORENO VALLEY	CA	92551-2141	MARTIN, DAMALL	21064 BOX SPRINGS RD APT 116	MORENO VALLEY, CA	92557-8731	59.55	5.96	11.79	77.28
66385645002	312202029	OSORNIA, RAUL	25650	CAMINO BELLAGIO	MORENO VALLEY	CA	92551-2143	OSORNIA, RAUL	25650 CAMINO BELLAGIO	MORENO VALLEY, CA	92551-2143	190.79	19.08	37.78	247.64
31459865000	312203006	PHANNIX, MICHELLE	16722	VIA ALEGRIA	MORENO VALLEY	CA	92551-2144	PHANNIX, MICHELLE	16722 VIA ALGERIA	MORENO VALLEY, CA	92551-2144	329.6	32.96	65.26	427.82
31313905001	312211001	PEREZ, ANGELA	16801	VIA LUNADO	MORENO VALLEY	CA	92551-2189	PEREZ, ANGELA	16801 VIA LUNADO	MORENO VALLEY, CA	92551-2189	63.63	6.36	12.6	82.58
31262355005	312211003	FONTENOT JR, HERBERT	16825	VIA LUNADO	MORENO VALLEY	CA	92551-2189	FONTENOT JR, HERBERT	22491 DE BERRY ST #0197	GRAND TERRACE, CA	92313-5482	88.1	8.81	17.44	114.34
31526075002	312211005	BROWN, DARRYL	16849	VIA LUNADO	MORENO VALLEY	CA	92551-2189	BROWN, DARRYL	16849 VIA LUNADO	MORENO VALLEY, CA	92551-2189	254.12	25.41	50.32	329.84
31575695009	312211009	ROSBUROUGH, ERNEST	16897	VIA LUNADO	MORENO VALLEY	CA	92551-2190	ROSBUROUGH, ERNEST	16897 VIA LUNADO	MORENO VALLEY, CA	92551-2190	64.03	6.4	12.68	83.1
63889475001	312212011	JUAREZ, JUAN AND JUANA	16910	VIA LUNADO	MORENO VALLEY	CA	92551-2188	JUAREZ, JUAN AND JUANA	16910 VIA LUNADO	MORENO VALLEY, CA	92551-2188	93.46	9.35	18.51	121.3
31306865003	312212013	HERRING, BEVERLY	25548	CAMINO MARILENA	MORENO VALLEY	CA	92551-2198	HERRING, BEVERLY	25548 CAMINO MARILENA	MORENO VALLEY, CA	92551-2198	254.02	25.4	50.3	329.7
85478115003	312212016	SMOOT, JOANA	25584	CAMINO MARILENA	MORENO VALLEY	CA	92551-2198	SMOOT, JOANA	25584 CAMINO MARILENA	MORENO VALLEY, CA	92551-2198	329.32	32.93	65.21	427.44
31639775006	312212021	MAURICIO, ELIZABETH	25607	SIERRA CADIZ CT	MORENO VALLEY	CA	92551-2199	MAURICIO, ELIZABETH-	25607 SIERRA CADIZ CT	MORENO VALLEY, CA	92551-2199	63.63	6.36	12.6	82.58
95156155004	312212025	JAMES, LASONIA (RENT)	25572	SIERRA CADIZ CT	MORENO VALLEY	CA	92551-4100	JAMES, LASONIA	25572 SIERRA CADIZ CT	MORENO VALLEY, CA	92551-4100	254.12	25.41	50.32	329.84
81942205003	312212032	DAVIS, DIANNA	25575	CAMINO BELLAGIO	MORENO VALLEY	CA	92551-2167	DAVIS, DIANNA	PO BOX 862121	LOS ANGELES, CA	90086-2121	247.6	24.76	49.02	321.38
76398855005	312212034	MCGEE, TONI	25570	CAMINO BELLAGIO	MORENO VALLEY	CA	92551-2167	MCGEE, TONI	1307 W SCHOOL ST	COMPTON, CA	90220-1717	254.02	25.4	50.3	329.7
92607775009	312221002	MARTINEZ, ARACELI (RENT)	16405	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2108	MARTINEZ, ARACELI	1083 ABBOTTSWOOD	PERRIS, CA	92571-9413	41.2	4.12	8.16	53.46
81923923002	312221004	HERNANDEZ, KARLA (RENT)	16425	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2108	HERNANDEZ, KARLA	16425 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2108	272.5	27.25	53.96	353.7
61365585001	312221005	GOMEZ, HILDA	16435	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2108	GOMEZ, HILDA	16435 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2108	204.12	20.41	40.42	264.94
86654273004	312221010	ROBINSON, LEWIS	16485	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2109	ROBINSON, LEWIS	16485 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2109	209.72	20.97	41.52	272.2
62414315003	312221014	BROWN, GERALD	16525	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2148	BROWN, GERALD	29121 ALICANTE AVE	MORENO VALLEY, CA	92555-7303	126.84	12.68	25.11	164.62
97096905003	312222002	AVALOS, ROXANNE AND SAL (OWNR)	16444	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2107	AVALOS, ROXANNE AND SAL	16444 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2107	254.12	25.41	50.32	329.84
54669815007	312222003	CLARIN, RICARDO	16454	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2107	CLARIN, RICARDO	16454 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2107	254.02	25.4	50.3	329.7
72035475000	312222007	TACHIN, ABIGAIL	16494	VISTA CONEJO DR	MORENO VALLEY	CA	92551-2107	TACHIN, ABIGAIL	16494 VISTA CONEJO DR	MORENO VALLEY, CA	92551-2107	154.02	15.4	30.5	199.9
31205255005	312222008	BASHEER, LATI (OWNR)	16495	ZARCO LUNA PL	MORENO VALLEY	CA	92551-2133	BASHEER, LATI	16495 ZARCO LUNA PL	MORENO VALLEY, CA	92551-2133	104.62	10.46	20.71	135.78
92413645000	312222009	THOMAS, ROBERT	16485	ZARCO LUNA PL	MORENO VALLEY	CA	92551-2133	THOMAS, ROBERT	15712 PATRICIA ST	MORENO VALLEY, CA	92551-4656	253.92	25.39	50.28	329.58
53254155007	312222014	BOLANOS, MYRNA	16435	ZARCO LUNA PL	MORENO VALLEY	CA	92551-2133	BOLANOS, MYRNA	16435 ZARCO LUNA PL	MORENO VALLEY, CA	92551-2133	254.02	25.4	50.3	329.7
61160425000	312222016	DUNN, ROBERT	16440	ZARCO LUNA PL	MORENO VALLEY	CA	92551-2133	DUNN, ROBERT	16440 ZARCO LUNA PL	MORENO VALLEY, CA	92551-2133	254.12	25.41	50.32	329.84
31277735004	312222018	BOYD, KAREN	16460	ZARCO LUNA PL	MORENO VALLEY	CA	92551-2133	BOYD, KAREN	16460 ZARCO LUNA PL	MORENO VALLEY, CA	92551-2133	329.04	32.9	65.15	427.08
31593125002	312222021	LONDON, CONSUELO	25946	ZAMORA AVE	MORENO VALLEY	CA	92551-2134	LONDON, CONSUELO	25946 ZAMORA AVE	MORENO VALLEY, CA	92551-2134	28.19	2.82	5.58	36.58
72658655001	312222027	LAYTON, OQUESA	16445	ZOCALO PL	MORENO VALLEY	CA	92551-2137	LAYTON, OQUESA	16445 ZOCALO PL	MORENO VALLEY, CA	92551-2137	329.32	32.93	65.21	427.44
97682253006	312222034	WINANIF,ZEVULUNA (OWNR)	25943	ZORRA LN	MORENO VALLEY	CA	92551-4105	WINANIF,ZEVULUUV	26871 SUGARCANE DR	MORENO VALLEY, CA	92555-3535	68.73	6.87	13.61	89.2
96385055009	312223009	HONG, SUNG JA (RENT)	25990	ZORRA LN	MORENO VALLEY	CA	92551-4112	HONG, SUNG JA	25990 ZORRA LN	MORENO VALLEY, CA	92551-4112	72.91	7.29	14.44	94.62
91921885002	312223015	O'NEAL, FRANTZ	16410	ZOCALO PL	MORENO VALLEY	CA	92551-2136	O'NEAL, FRANTZ	24160 POWELL PL	MORENO VALLEY, CA	92553-3568	253.92	25.39	50.28	329.58
31388745007	312223019	ROJAS, LINA AND RUDY	16450	ZOCALO PL	MORENO VALLEY	CA	92551-2136	ROJAS, LINA	16450 ZOCALO PL	MORENO VALLEY, CA	92551-2136	63.63	6.36	12.6	82.58
66581485009	312223021	WILLIAMS, ANGELA	16470	ZOCALO PL	MORENO VALLEY	CA	92551-2138	WILLIAMS, ANGELA	16470 ZOCALO PL	MORENO VALLEY, CA	92551-2138	204.12	20.41	40.42	264.94
88024305002	312223025	MURGUIA, ALBERT	25980	YANEZ TRAIL RD	MORENO VALLEY	CA	92551-2101	MURGUIA, ALBERT	25980 YANEZ TRAIL RD	MORENO VALLEY, CA	92551-2101	197.41	19.74	39.09	256.22
97781785005	312223027	PENLAND, TANI	16510	ZOCALO PL	MORENO VALLEY	CA	92551-2149	PENLAND, TANI	16510 ZOCALO PL	MORENO VALLEY, CA	92551-2149	200.09	20.01	39.62	259.7
94353535009	312223030	GUTIRREZ, FELIPE (OWNR)	25945	ZAMORA AVE	MORENO VALLEY	CA	92551-2135	GUTIRREZ, FELIPE	25945 ZAMORA AVE	MORENO VALLEY, CA	92551-2135	65.92	6.59	13.05	85.56
88681833008	312223037	GOOSBY, LEONARD	25930	YANEZ TRAIL RD	MORENO VALLEY	CA	92551-2101	GOOSBY, LEONARD	PO BOX 9083	MORENO VALLEY, CA	92552-9083	41.07	4.11	8.13	53.3
31531235009	312224003	EVANS, BRANDON	25943	YANEZ TRAIL RD	MORENO VALLEY	CA	92551-2102	EVANS, BRANDON	25943 YANEZ TRAIL RD	MORENO VALLEY, CA	92551-2102	404.16	40.42	80.02	524.58
99457313009	312224005	ARGUETA, MARINA (OWNR)	25921	YANEZ TRAIL RD	MORENO VALLEY	CA	92551-2102	ARGUETA, MARINA	25921 YANEZ TRAIL RD	MORENO VALLEY, CA	92551-2102	175.04	17.5	34.66	227.2
90470205004	312224007	RICHARDS, AGNES	25910	XANA WAY	MORENO VALLEY	CA	92551-4121	RICHARDS, AGNES	PO BOX 8262	MORENO VALLEY, CA	92552-8262	253.92	25.39	50.28	329.58
31426885005	312224010	FARFAN, ALEX	25960	XANA WAY	MORENO VALLEY	CA	92551-4121	FARFAN, ALEX	10133 MOSBY WOOD DR	FAIRFAX, VA	22030-1719	254.02	25.4	50.3	329.7
31289425004	312232009	MARSHALL, WILLIE J	16759	CALLE PINATA	MORENO VALLEY	CA	92551-2112	MARSHALL, WILLIE J	16620 COLT WAY	MORENO VALLEY, CA	92555-3345	254.12	25.41	50.32	329.84
31527775003	312232010	BROWN, KELLI	16749	CALLE PINATA	MORENO VALLEY	CA	92551-2112	BROWN, KELLI	16749 CALLE PINATA	MORENO VALLEY, CA	92551-2112	254.12	25.41	50.32	329.84
61240685005	312232012	BECKUM, AMY AND DANIEL	25855	VIA TEJON AVE	MORENO VALLEY	CA	92551-4119	BECKUM, AMY	25855 VIA TEJON AVE	MORENO VALLEY, CA	92551-4119	392.87	39.29	77.79	509.94
31403725008	312232014	GONZALEZ, ANDRES	25835	VIA TEJON AVE	MORENO VALLEY	CA	92551-4116	GONZALEZ, ANDRES	25835 VIA TEJON	MORENO VALLEY, CA	92551-4116	254.02	25.4	50.3	329.7
96227145005	312232028	MCGILL, SHEENA (RENT)	25810	VIA SALERNO CT	MORENO VALLEY	CA	92551-2132	MCGILL, SHEENA	25810 VIA SALERNO CT	MORENO VALLEY, CA	92551-2132	357.88	35.79	70.86	464.52
31426565002	312232029	ANCHETA, GABRIELA	25820	VIA SALERNO CT	MORENO VALLEY	CA	92551-2132	ANCHETA, GABRIELA	25820 VIA SALERNO	MORENO VALLEY, CA	92551-2132	63.08	6.3	12.48	81.82
65006425001	312232030	GANT, STANLEY	25830	VIA SALERNO CT	MORENO VALLEY	CA	92551-2132	GANT, STANLEY	25830 VIA SALERNO CT	MORENO VALLEY, CA	92551-2132	63.74	6.37	12.62	82.72
75491535000	312232033	WOODS-HAYDEN, JENEAN (OWNR)	25805	VIA SALERNO CT	MORENO VALLEY	CA	92551-2132	WOODS-HAYDEN, JENEAN	25805 VIA SALERNO CT	MORENO VALLEY, CA	92551-2132	329.32	32.93	65.21	427.44
91452055002	312232034	FAGARANG, HANALEA	25795	VIA SALERNO CT	MORENO VALLEY	CA	92551-2157	FAGARANG, HANALEA	25795 VIA SALERNO CT	MORENO VALLEY, CA	92551-2157	253.92	25.39	50.28	329.58
96463255002	312233002	MINIMO, ANNABELLE C (OWNR)	16755	ARROYO PARK DR	MORENO VALLEY	CA	92551-2105	MINIMO, ANNABELLE C	16755 ARROYO PARK DR	MORENO VALLEY, CA	92551-2105	60	6	11.88	77.88
90665095002	312233005	JIMENEZ, JOSE ALFREDO	16725	ARROYO PARK DR	MORENO VALLEY	CA	92551-2105	JIMENEZ, JOSE ALFREDO	16725 ARROYO PARK DR	MORENO VALLEY, CA	92551-2105	228.75	22.88	45.29	296.9
31470585006	312233010	GUEVARA, MARILU	25764	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2175	GUEVARA, MARILU	25764 VIA HAMACA AVE	MORENO VALLEY, CA	92551-2175	329.32	32.93	65.21	427.44
31516155006	312233021	MASON, CHARLIE	25790	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2174	MASON, CHARLIE	25790 VIA HAMACA AVE	MORENO VALLEY, CA	92551-2174	253.92	25.39	50.28	329.58
96216875004	312233029	MONTANO, GABE (OWNR)	25870	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2193	MONTANO, GABE	25870 VIA HAMACA AVE	MORENO VALLEY, CA	92551-2193	190.69	19.07	37.76	247.5
90725675002	312233031	LEWIS, MR AND MRS	25760	VIA WANDA PL	MORENO VALLEY	CA	92551-2173	LEWIS, MR AND MRS	25760 VIA WANDA PL	MORENO VALLEY, CA	92551-2173	131.41	13.14	26.02	170.56
94278395007	312234009	JENKINS, JAEL (RENT)	25875	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2196	JENKINS, JAEL	26980 SUGARITE CANYON DR	MORENO VALLEY, CA	92555-9103	254.12	25.41	50.32	329.84
66096865008	312234013	VEGA, CECILIA	25835	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2196	VEGA, CECILIA	25835 VIA HAMACA AVE	MORENO VALLEY, CA	92551-2196	254.12	25.41	50.32	329.84
96155985001	312234016	SANCHEZ, JOSE (OWNR)	25805	VIA HAMACA AVE	MORENO VALLEY	CA	92551-2195	SANCHEZ, JOSE	25805 VIA HAMACA AVE	MORENO VALLEY, CA	92551-2195	27.46	2.75	5.44	35.64
90922463009	312234024	HATTON, JUSTIN	25812	VIA TEJON AVE	MORENO VALLEY	CA	92551-4124	HATTON, JUSTIN	25812 VIA TEJON AVE	MORENO VALLEY, CA	92551-4124	63.63	6.36	12.6	82.58
88814335000	312234026	BOONE, TANYA	25826	VIA TEJON AVE	MORENO VALLEY	CA	92551-4124	BOONE, TANYA	25826 VIA TEJON AVE	MORENO VALLEY, CA	92551-4124	253.92	25.39	50.28	329.58
31371675007	312234032	LEE, CLIFTON	25909	VIA ZURITA CT	MORENO VALLEY	CA	92551-4115	LEE, CLIFTON	25909 VIA ZURITA CT	MORENO VALLEY, CA	92551-4115	254.02	25.4	50.3	329.7
31362995009	312234037	KENT, EVE	25870	VIA XAVIER LN	MORENO VALLEY	CA	92551-4120	KENT, EVE	25870 VIA XAVIER LN	MORENO VALLEY, CA	92551-4120	254.02	25.4	50.3	329.7
97700875006	312241008	ROMERO, ELIZABETH	16859	CALLE PINATA	MORENO VALLEY	CA	92551-2116	ROMERO, ELIZABETH-	16859 CALLE PINATA	MORENO VALLEY, CA	92551-2116	355.17	35.52	70.32	461
97181833008	312241009	VENSON, LOUIS (RENT)	16870	CALLE PINATA	MORENO VALLEY	CA	92551-2115	VENSON, LOUIS (RENT)	16870 CALLE PINATA	MORENO VALLEY, CA	92551-2115	166.64	16.66	32.99	216.28
97354585003	312241010	LOPEZ, RENEE (OWNR)	16880	CALLE PINATA	MORENO VALLEY	CA	92551-2115	LOPEZ, RENEE	16880 CALLE PINATA	MORENO VALLEY, CA	92551-2115	254.12	25.41	50.32	329.84
75119075003	312242007	BELMAN, HERIBERTO	16819	CALLE PINATA	MORENO VALLEY	CA	92551-2114	BELMAN, HERIBERTO AND SYLVIA	16819 CALLE PINATA	MORENO VALLEY, CA	92551-2114	254.02	25.4	50.3	329.7
88636205004	312242009	LEBRON, ANGEL	16799	CALLE PINATA	MORENO VALLEY	CA	92551-2151	LEBRON, ANGEL	16799 CALLE PINATA	MORENO VALLEY, CA	92551-2151	357.88	35.79	70.86	464.52
90638585006	312242021	PETERS, ELECIA	25820	VIA JACARA CT	MORENO VALLEY	CA	92551-2103	PETERS, ELECIA	25820 VIA JACARA CT	MORENO VALLEY, CA	92551-2103	63.93	6.39	12.66	82.98
99969835000	312243001	GONZALEZ, ALBERTO (OWNR)	16855	ARROYO PARK DR	MORENO VALLEY	CA	92551-2106	GONZALEZ, ALBERTO	16855 ARROYO PARK DR	MORENO VALLEY, CA	92551-2106	120.29	12.03	23.82	156.12
93886525001	312243005	MORGAN, CAROL (RENT)	16815	ARROYO PARK DR	MORENO VALLEY	CA	92551-2106	MORGAN, CAROL	16815 ARROYO PARK DR	MORENO VALLEY, CA	92551-2106	77.06	7.71	15.26	100.02
31510925008	312243008	SMITH, GREG	16785	ARROYO PARK DR	MORENO VALLEY	CA	92551-2105	SMITH, GREG	16785 ARROYO PARK DR	MORENO VALLEY, CA	92551-2105	329.32	32.93	65.21	427.44
73543805003	312250017	MACIEL, CHARLES	25430	EDWIN RD	MORENO VALLEY	CA	92551-9524	MACIEL, CHARLES	25430 EDWIN ST	MORENO VALLEY, CA	92551-9524	254.02	25.4	50.3	329.7
97394315006	312260004	NOGALES, RUBEN AND PRISCILA	17825	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6373	NOGALES, RUBEN AND PRISCILA	17825 CALLE CAPISTRANO	MORENO VALLEY, CA	92551-6373	187.45	18.75	37.12	243.3
92938085003	312280013	GARIBAY, ESTHER	17299	CALLE RIO VISTA	MORENO VALLEY	CA	92551-6324	GARIBAY, ESTHER	17299 CALLE RIO VISTA	MORENO VALLEY, CA	92551-6324	329.32	32.93	65.21	427.44
95773045000	312280016	CANCHOLA, OMAR (OWNR)	17323	CALLE RIO VISTA	MORENO VALLEY	CA	92551-6325	CANCHOLA, OMAR	17323 CALLE RIO VISTA	MORENO VALLEY, CA	92551-6325	78.12	7.81	15.47	101.38
66132225006	312281003	GUERRA, ALFONSO	25978	FUENTE CT	MORENO VALLEY	CA	92551-6320	GUERRA, ALFONSO	25978 FUENTE CT	MORENO VALLEY, CA	92551-6320	154.12	15.41	30.52	200.04
92263748008	312281011	KELLY, GLADYS (RENT)	25967	HACIENDA CT	MORENO VALLEY	CA	92551-6321	KELLY, GLADYS	25967 HACIENDA CT	MORENO VALLEY, CA	92551-6321	157.91	15.79	31.27	204.96
92065785008	312281013	SOUS, JOSEFINA (RENT)	25983	HACIENDA CT	MORENO VALLEY	CA	92551-6321	SOUS, JOSEFINA (RENT)	25983 HACIENDA CT	MORENO VALLEY, CA	92551-6321	253.92	25.39	50.28	329.58
86475085004	312281014	COMO, CAROL	25991	HACIENDA CT	MORENO VALLEY	CA	92551-6321	COMO, CAROL	15148 MORENO BEACH DR APT 1724	MORENO VALLEY, CA	92555-5502	254.02	25.4	50.3	329.7
86161375009	312281017	TAYLOR, JERRY	25976	HACIENDA CT	MORENO VALLEY	CA	92551-6321	TAYLOR, JERRY	25976 HACIENDA CT	MORENO VALLEY, CA	92551-6321	254.02	25.4	50.3	329.7
96104625005	312281021	ROMERO, HIRAN (OWNR)	25957	AVENIDA DE PLATA	MORENO VALLEY	CA	92551-6322	ROMERO, HIRAN	25957 AVENIDA DE PLATA	MORENO VALLEY, CA	92551-6322	254.12	25.41	50.32	329.84
87451695006	312290005	SOWELL, SHENAN	17403	CALLE RIO VISTA	MORENO VALLEY	CA	92551-6326	SOWELL, SHENAN	15447 LA CASA DR	MORENO VALLEY, CA	92555-5844	254.12	25.41	50.32	329.84

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
88752773009	312290007	ALCARAZ, MARGARITA (RENT)	17419	CALLE RIO VISTA	MORENO VALLEY	CA	92551-6326	ALCARAZ, MARGARITA	17419 CALLE RIO VISTA	MORENO VALLEY, CA	92551-6326	206.17	20.62	40.82	267.6
92727815007	312290011	TUEROS, LADY	17451	CALLE RIO VISTA	MORENO VALLEY	CA	92551-6326	TUEROS, LADY	17451 CALLE RIO VISTA	MORENO VALLEY, CA	92551-6326	254.12	25.41	50.32	329.84
73994635004	312290015	COX, CHANDRA	25945	MAGNIFICA CT	MORENO VALLEY	CA	92551-6319	COX, CHANDRA	25945 MAGNIFICA CT	MORENO VALLEY, CA	92551-6319	254.02	25.4	50.3	329.7
97100505007	312290016	TRAN, MY ANH THI	25953	MAGNIFICA CT	MORENO VALLEY	CA	92551-6319	TRAN, MY ANH THI	11215 ACONITE AVE	FOUNTAIN VALLEY, CA	92708-2106	420.76	42.08	83.31	546.14
85177445002	312290023	COLEMAN, FIENNICE	25950	MAGNIFICA CT	MORENO VALLEY	CA	92551-6319	COLEMAN, FIENNICE	25950 MAGNIFICA CT	MORENO VALLEY, CA	92551-6319	254.02	25.4	50.3	329.7
96846345000	312290026	THOMAS, MICHELLE AND GREGORY	25933	AVENIDA ESPALDAR	MORENO VALLEY	CA	92551-6304	THOMAS, MICHELLE AND GREGORY	25933 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6304	329.6	32.96	65.26	427.82
97997525012	312290030	JACKSON, WILENA	25965	AVENIDA ESPALDAR	MORENO VALLEY	CA	92551-6304	JACKSON, WILENA	25965 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6304	254.12	25.41	50.32	329.84
90116065002	312290031	JACKSON, EBONY	17415	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6302	JACKSON, EBONY	3891 ALBILLO LOOP	PERRIS, CA	92571-7526	253.92	25.39	50.28	329.58
95887975002	312291007	BLANKENSHIP, KAYKEYSHA (RENT)	17440	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6303	BLANKENSHIP, KAYKEYSHA	17440 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6303	254.12	25.41	50.32	329.84
97360655005	312291010	SESSIONS, GINA (RENT)	17416	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6303	SESSIONS, GINA	17416 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6303	302	30.2	59.8	391.98
92289045000	312292005	BELL, LOWELL (RENT)	25964	AVENIDA ESPALDAR	MORENO VALLEY	CA	92551-6305	BELL, LOWELL	25964 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6305	153.92	15.39	30.48	199.78
71624365005	312292008	VEJAR, ANSELMO	25940	AVENIDA ESPALDAR	MORENO VALLEY	CA	92551-6305	VEJAR, ANSELMO	25940 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6305	208.12	20.81	40.22	263.64
94174755002	312292013	WOODS, VERNON (OWNR)	25955	FUENTE CT	MORENO VALLEY	CA	92551-6320	WOODS, VERNON	25955 FUENTE CT	MORENO VALLEY, CA	92551-6320	137.52	13.75	27.23	178.5
97076765004	312300010	LUCERO, KAREN (OWNR)	25313	AMY CT	MORENO VALLEY	CA	92551-2413	LUCERO, KAREN	25313 AMY CT	MORENO VALLEY, CA	92551-2413	190.79	19.08	37.78	247.64
97097225004	312300017	CHAVEZ, MARIA (RENT)	16512	CENTURY ST	MORENO VALLEY	CA	92551-2414	CHAVEZ, MARIA	16512 CENTURY ST	MORENO VALLEY, CA	92551-2414	127.17	12.72	25.18	165.06
96994785005	312301007	HILL, JEVETTA (RENT)	16654	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2556	HILL, JEVETTA	16654 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2556	254.12	25.41	50.32	329.84
91302785006	312301008	TAYLOR, SHAKIRA	16664	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2556	TAYLOR, SHAKIRA	16664 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2556	329.04	32.9	65.15	427.08
63096195008	312301009	JOHNSON, VICTOR AND CHRISTA	16676	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2556	JOHNSON, VICTOR AND CHRISTA	16676 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2556	329.6	32.96	65.26	427.82
92505165003	312301014	CORTEZ, MARCIA (RENT)	25310	LURIN AVE	MORENO VALLEY	CA	92551-2405	CORTEZ, MARCIA	835 ANIRA CT	PERRIS, CA	92571-5113	116.39	11.64	23.05	151.06
64487115009	312301023	PEER, RUBEN	25308	RUNSEY CT	MORENO VALLEY	CA	92551-2411	PEER, RUBEN	25308 RUNSEY CT	MORENO VALLEY, CA	92551-2411	63.79	6.38	12.63	82.78
70032215004	312301026	ROGERS, OFELIA	25327	BRONSON CT	MORENO VALLEY	CA	92551-2412	ROGERS, OFELIA	25327 BRONSON CT	MORENO VALLEY, CA	92551-2412	254.02	25.4	50.3	329.7
64712295002	312301029	MILLER, AROL	25297	BRONSON CT	MORENO VALLEY	CA	92551-2412	MILLER, AROL	25297 BRONSON CT	MORENO VALLEY, CA	92551-2412	95.24	9.52	18.86	123.62
65042985008	312301033	HERNANDEZ, PEDRO	25316	BRONSON CT	MORENO VALLEY	CA	92551-2412	HERNANDEZ, PEDRO	25316 BRONSON CT	MORENO VALLEY, CA	92551-2412	254.12	25.41	50.32	329.84
70926545008	312310001	THAI, TOM	25267	PLUMERIA LN	MORENO VALLEY	CA	92551-2427	THAI, TOM	25267 PLUMERIA LN	MORENO VALLEY, CA	92551-2427	115.75	11.58	22.92	150.24
68156685006	312311001	POTESTA, LORENZO AND CECILIA	16932	CENTURY ST	MORENO VALLEY	CA	92551-2420	POTESTA, LORENZO AND CECILIA	16932 CENTURY ST	MORENO VALLEY, CA	92551-2420	254.12	25.41	50.32	329.84
69544495002	312312001	PALOMARES, ELVA	25331	LURIN AVE	MORENO VALLEY	CA	92551-2406	PALOMARES, ELVA	25331 LURIN AVE	MORENO VALLEY, CA	92551-2406	404.62	40.46	80.11	525.18
67003645000	312312003	TRAN, ROSAVILNA	25311	LURIN AVE	MORENO VALLEY	CA	92551-2406	TRAN, ROSAVILNA	25311 LURIN AVE	MORENO VALLEY, CA	92551-2406	126.96	12.7	25.14	164.78
86653363007	312312009	HENRY, BENNIE (RENT)	25300	ASPEN GLEN AVE	MORENO VALLEY	CA	92551-2410	HENRY, BENNIE	25300 ASPEN GLEN AVE	MORENO VALLEY, CA	92551-2410	231.74	23.17	45.88	300.78
73942735002	312313011	HO, ANH-	16872	SADDLEBROOK LN	MORENO VALLEY	CA	92551-2421	HO, ANH	16872 SADDLEBROOK LN	MORENO VALLEY, CA	92551-2421	254.02	25.4	50.3	329.7
69871795006	312313022	RAMIREZ, CANDACE	25335	MACKENZIE CT	MORENO VALLEY	CA	92551-2428	RAMIREZ, CANDACE	25335 MACKENZIE CT	MORENO VALLEY, CA	92551-2428	70.77	7.08	14.01	91.84
94794195005	312313025	CARTER, JAMES AND DEANA CURTIS	25299	MACKENZIE CT	MORENO VALLEY	CA	92551-2428	CARTER, JAMES AND DEANA CURTIS	26410 SANTA ROSA DR	MORENO VALLEY, CA	92555-4213	254.02	25.4	50.3	329.7
95844875009	312313028	WOODS, ROMNEY (OWNR)	25322	MACKENZIE CT	MORENO VALLEY	CA	92551-2428	WOODS, ROMNEY (OWNR)	2250 CEDAR AVE APT 10	LONG BEACH, CA	90806-4262	266.17	26.62	52.7	345.48
69566135001	312313029	THOMPSON, LINDA	25334	MACKENZIE CT	MORENO VALLEY	CA	92551-2428	THOMPSON, LINDA	25334 MACKENZIE CT	MORENO VALLEY, CA	92551-2428	254.02	25.4	50.3	329.7
98394003000	312313031	HARGES, TROY AND ERIKA (OWNR)	26345	MAROON CREEK CT	MORENO VALLEY	CA	92551-2429	HARGES, TROY AND ERIKAY	25345 MAROON CREEK CT	MORENO VALLEY, CA	92551-2429	536.65	53.67	106.26	696.56
88230495005	312313034	MCCRAY, JAMES	25309	MAROON CREEK CT	MORENO VALLEY	CA	92551-2429	MCCRAY, JAMES	19510 VAN BUREN BLVD STE F3	RIVERSIDE, CA	92508-9458	405.08	40.51	80.21	525.78
67004035006	312313035	RAMIREZ, YURGEN	25297	MAROON CREEK CT	MORENO VALLEY	CA	92551	RAMIREZ, YURGEN	25297 MAROON CREEK CT	MORENO VALLEY, CA	92551	104.12	10.41	20.62	135.14
89521763009	312320002	VARGAS, JERRY (OWNR)	17512	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6349	VARGAS, JERRY	17512 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6349	254.12	25.41	50.32	329.84
77451085006	312320003	CHASE, KEITH	17522	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6349	CHASE, KEITH-	17522 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6349	254.02	25.4	50.3	329.7
75944045001	312320009	ARIAS, MELISSA	17582	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6349	ARIAS, MELISSA	17582 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6349	127.36	12.74	25.22	165.3
98251375014	312320010	GARCIA, MARIA (RENT)	17592	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6349	GARCIA, MARIA	PO BOX 9836	MORENO VALLEY, CA	92552-1836	335.76	33.58	66.48	435.8
100461443001	312322008	ORTIZ, MELISSA	17577	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6348	ORTIZ, MELISSA	17577 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6348	63.52	6.35	12.58	82.44
76199595005	312322015	ZENO, ZANAE	17507	CALLE DE AMIGOS	MORENO VALLEY	CA	92551-6348	ZENO, ZANAE	17507 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6348	127.36	12.74	25.22	165.3
73682145008	312322022	MENDOZA, LENA AND ANTHONY	25966	CORTE ANTIGUA	MORENO VALLEY	CA	92551-6345	MENDOZA, LENA	2201 HERITAGE CIR	CORONA, CA	92882-5700	254.02	25.4	50.3	329.7
84658225008	312324002	BENNET, ROBERT	25962	AVENIDA CLASSICA	MORENO VALLEY	CA	92551-6346	BENNET, ROBERT	25962 AVENIDA CLASSICA	MORENO VALLEY, CA	92551-6346	254.02	25.4	50.3	329.7
94820595004	312330010	KNOTTS, DOLORES (RENT)	25948	CORTE ANTIGUA	MORENO VALLEY	CA	92551-6345	KNOTTS, DOLORES	25948 CORTE ANTIGUA	MORENO VALLEY, CA	92551-6345	125.48	12.55	24.85	162.86
90755783006	312331003	STRANGE, DIANE(OWNR)	25937	CORTE ANTIGUA	MORENO VALLEY	CA	92551-6345	STRANGE, DIANE	25937 CORTE ANTIGUA	MORENO VALLEY, CA	92551-6345	116.37	11.64	23.04	151.04
72543455007	312332001	MORALES, MONICA	25947	CALLE ENSENADA	MORENO VALLEY	CA	92551-6344	MORALES, MONICA	25947 CALLE ENSENADA	MORENO VALLEY, CA	92551-6344	254.02	25.4	50.3	329.7
72641225008	312332002	SEGURA, FRANCISCO	25941	CALLE ENSENADA	MORENO VALLEY	CA	92551-6344	SEGURA, FRANCISCO	25941 CALLE ENSENADA	MORENO VALLEY, CA	92551-6344	254.02	25.4	50.3	329.7
92021495002	312332004	LAQUIRE, TONYA	25929	CALLE ENSENADA	MORENO VALLEY	CA	92551-6344	LAQUIRE, TONYA	25929 CALLE ENSENADA	MORENO VALLEY, CA	92551-6344	253.92	25.39	50.28	329.58
90628775007	312332005	WHITMAN, EVELYN AND JASON	25923	CALLE ENSENADA	MORENO VALLEY	CA	92551-6344	WHITMAN, EVELYN AND JASON	26472 PRAIRIE LN	MORENO VALLEY, CA	92555-2944	180.5	18.05	35.74	234.28
93770345005	312332006	PALAFOX, VERONICA (OWNR)	25920	CAMINO ROSADA	MORENO VALLEY	CA	92551-6342	PALAFOX, VERONICA	25920 CAMINO ROSADA	MORENO VALLEY, CA	92551-6342	63.63	6.36	12.6	82.58
95718825001	312333003	HUERTA, DEBORAH (RENT)	25933	CAMINO ROSADA	MORENO VALLEY	CA	92551-6343	HUERTA, DEBORAH-	25933 CAMINO ROSADA	MORENO VALLEY, CA	92551-6343	104.53	10.45	20.7	135.66
95960665002	312333007	ALVAREZ, CLAUDIA (OWNR)	17690	CAMINO SONRISA	MORENO VALLEY	CA	92551-6339	ALVAREZ, CLAUDIA	17690 CAMINO SONRISA	MORENO VALLEY, CA	92551-6339	63.63	6.36	12.6	82.58
71909145007	312334002	BENNET, SHARON	17705	CAMINO SONRISA	MORENO VALLEY	CA	92551-6341	BENNET, SHARON	17705 CAMINO SONRISA	MORENO VALLEY, CA	92551-6341	404.62	40.46	80.11	525.18
87672605006	312334007	ROBINSON, ALTHEA	17655	CAMINO SONRISA	MORENO VALLEY	CA	92551-6340	ROBINSON, ALTHEA	25595 HORADO LN	MORENO VALLEY, CA	92551-1979	254.12	25.41	50.32	329.84
71894885005	312334009	WILLIAMS, JESSE	17635	CAMINO SONRISA	MORENO VALLEY	CA	92551-6340	WILLIAMS, JESSE	17635 CAMINO SONRISA	MORENO VALLEY, CA	92551-6340	62.39	6.24	12.35	80.98
73470245007	312334014	BARGANIER, BEVERLY	17585	CAMINO SONRISA	MORENO VALLEY	CA	92551-6374	BARGANIER, BEVERLY	17585 CAMINO SONRISA	MORENO VALLEY, CA	92551-6374	254.02	25.4	50.3	329.7
91524335000	312334016	FLORES, JESUS (OWNR)	17565	CAMINO SONRISA	MORENO VALLEY	CA	92551-6374	FLORES, JESUS	17565 CAMINO SONRISA	MORENO VALLEY, CA	92551-6374	253.92	25.39	50.28	329.58
88274913005	312334023	HERNANDEZ, JANET AND JOSE	17495	CAMINO SONRISA	MORENO VALLEY	CA	92551-6338	HERNANDEZ, JANET AND JOSE	3827 WITT AVE	RIVERSIDE, CA	92501-1551	254.12	25.41	50.32	329.84
74082855000	312334027	LEVI, ANTHONY AND LAKEISHA	25932	AVENIDA CLASSICA	MORENO VALLEY	CA	92551-6346	LEVI, ANTHONY AND LAKEISHA	25932 AVENIDA CLASSICA	MORENO VALLEY, CA	92551-6346	254.02	25.4	50.3	329.7
75215495001	312334029	ANDERSON, AUDREY	25944	AVENIDA CLASSICA	MORENO VALLEY	CA	92551-6346	ANDERSON, AUDREY	25944 AVENIDA CLASSICA	MORENO VALLEY, CA	92551-6346	254.02	25.4	50.3	329.7
86243375005	312334030	TERAN, DEBRA (OWNR)	25950	AVENIDA CLASSICA	MORENO VALLEY	CA	92551-6346	TERAN, DEBRA	25950 AVENIDA CLASSICA	MORENO VALLEY, CA	92551-6346	254.12	25.41	50.32	329.84
92234895007	312340008	PARKER, STEVE	17802	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6371	PARKER, STEVE	17802 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6371	253.92	25.39	50.28	329.58
81730525005	312340009	BLIGEN, CHERON	17794	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6369	BLIGEN, CHERON	4742 BRIDGEWATER CLUB LOOP	SPRING HILL, FL	34607-2552	127.4	12.74	25.23	165.36
81947225001	312340019	PAGE, JOSEPH	17797	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6370	PAGE, JOSEPH-	17797 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6370	254.02	25.4	50.3	329.7
96291175004	312340022	BRAZIL, FELICIA	17773	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6370	BRAZIL, FELICIA	17773 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6370	93.52	9.35	18.52	121.38
74424485002	312340026	OCHOA, WENDY	17741	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6370	OCHOA, WENDY	17741 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6370	104.02	10.4	20.6	135
93871365006	312340027	RUFFIN, BOBBIE (RENT)	17733	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6370	RUFFIN, BOBBIE	17733 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6370	232.68	23.27	46.07	302
70128495001	312340035	JONES, TABATHA	17830	CAMINO DEL REY	MORENO VALLEY	CA	92551-6355	JONES, TABATHA	17830 CAMINO DEL REY	MORENO VALLEY, CA	92551-6355	254.02	25.4	50.3	329.7
75685475009	312340054	ARROYO, VANESSA	17687	CAMINO DEL REY	MORENO VALLEY	CA	92551-6352	ARROYO, VANESSA	17687 CAMINO DEL REY	MORENO VALLEY, CA	92551-6352	178.37	17.84	35.32	231.52
88262465004	312340066	VAXTER, ROSE	17779	CAMINO DEL REY	MORENO VALLEY	CA	92551-6354	VAXTER, ROSE	17779 CAMINO DEL REY	MORENO VALLEY, CA	92551-6354	250.45	25.05	49.59	325.08
73684815003	312340071	BECKFORD, JANIS	17819	CAMINO DEL REY	MORENO VALLEY	CA	92551-6356	BECKFORD, JANIS	17819 CAMINO DEL REY	MORENO VALLEY, CA	92551-6356	254.02	25.4	50.3	329.7
94481233001	312341003	NUNNERY, ELLENA (OWNR)	17740	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6369	NUNNERY, ELLENA	17740 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6369	63.63	6.36	12.6	82.58
74508595009	312341005	NGATI, EMMANUEL	17724	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6369	NGATI, EMMANUEL	17724 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6369	63.63	6.36	12.6	82.58
94698585006	312341009	JUAREZ, RUDY (RENT)	17692	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6367	JUAREZ, RUDY	23803 PARKLAND AVE	MORENO VALLEY, CA	92557-4942	221.61	22.16	43.88	287.64
92809295002	312341012	SMITH, JESSIE (OWNR)	17668	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6367	SMITH, JESSIE	17668 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6367	90.69	9.07	17.96	117.7
95606425002	312342001	GOODEN, DERWIN (OWNR)	17835	CAMINO DEL REY	MORENO VALLEY	CA	92551-6356	GOODEN, DERWIN	17835 CAMINO DEL REY	MORENO VALLEY, CA	92551-6356	63.63	6.36	12.6	82.58
70573555005	312350001	BRIANO, DANIEL	17824	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6373	BRIANO, DANIEL	372 LA CLARITA AVE	SAN JACINTO, CA	92582-3094	254.02	25.4	50.3	329.7
86364213003	312350007	PERKINS, KESHANNA	17776	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6359	PERKINS, KESHANNA	3136 LOWER CREEK DR	DOUGLASVILLE, GA	30135-8207	216.77	21.68	42.92	281.36
93477085001	312350014	ADORADOR, GEMMA (OWNR)	17761	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6359	ADORADOR, GEMMA	17761 CALLE CAPISTRANO	MORENO VALLEY, CA	92551-6359	40.79	4.08	8.08	52.94
91262405002	312350015	THOMAS, SHAVONNE	17769	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6359	THOMAS, SHAVONNE	17769 CALLE CAPISTRANO	MORENO VALLEY, CA	92551-6359	253.92	25.39	50.28	329.58
71377345005	312350018	BARRON, JAIME	17793	CALLE CAPISTRANO	MORENO VALLEY	CA	92551-6359	BARRON, JAIME	17793 CALLE CAPISTRANO	MORENO VALLEY, CA	92551-6359	127.36	12.74	25.22	165.3
96587785007	312350033	WOOD, JOSHUA (RENT)	17740	CORTE SOLEDAD	MORENO VALLEY	CA	92551-6363	WOOD, JOSHUA	17740 CORTE SOLEDAD	MORENO VALLEY, CA	92551-6363	101.54	10.15	20.1	131.78
94697615002	312350034	SINCLAIR, ROLAND	17734	CORTE SOLEDAD	MORENO VALLEY	CA	92551-6363	SINCLAIR, ROLAND	17734 CORTE SOLEDAD	MORENO VALLEY, CA	92551-6363	254.12	25.41	50.32	329.84
97578385009	312350035	KELLY, JEFFREY (OWNR)	17728	CORTE SOLEDAD	MORENO VALLEY	CA	92551-6363	KELLY, JEFFREY	17728 CORTE SOLEDAD	MORENO VALLEY, CA	92551-6363	63.63	6.36	12.6	82.58
95337975008	312350040	HARVEY, TANYA (RENT)	17701	CORTE SOLEDAD	MORENO VALLEY	CA	92551-6362	HARVEY, TANYA	23382 HEMLOCK AVE APT 205	MORENO VALLEY, CA	92557-8833	254.12	25.41	50.32	329.84
91476973008	312351001	PERKINS, MARNISHA (RENT)	17725	CORTE SOLEDAD	MORENO VALLEY	CA	92551-6362	PERKINS, MARNISHA	17725 CORTE SOLEDAD	MORENO VALLEY, CA	92551-6362	157.35	15.74	31.16	204.24
97922615001	312351028	HERNANDEZ, IRMA (OWNR)	25957	VIA ELEGANTE	MORENO VALLEY	CA	92551-6366	HERNANDEZ, IRMA (OWNR)	25957 VIA ELEGANTE	MORENO VALLEY, CA	92551-6366	190.79	19.08	37.78	247.64
88112345007	312351033	MITCHELL, VIOLA	25962	VIA ELEGANTE	MORENO VALLEY	CA	92551-6366	MITCHELL, VIOLA	25962 VIA ELEGANTE	MORENO VALLEY, CA	92551-6366	63.63	6.36	12.6	82.58
93150305008	312351034	RIVERA, SALVADOR	25954	VIA ELEGANTE	MORENO VALLEY	CA	92551-6366	RIVERA, SALVADOR	25954 VIA ELEGANTE	MORENO VALLEY, CA	92551-6366	254.02	25.4	50.3	329.7
91424985006	312351035	ACEIELUNO, SONIA	25946	VIA ELEGANTE	MORENO VALLEY	CA	92551-6366	ACEIELUNO, SONIA	25946 VIA ELEGANTE	MORENO VALLEY, CA	92551-6366	253.92	25.39	50.28	329.58
95481065005	312351044	THOMAS, WILLIE(OWNR)	25945	CORTE SAN LEANDRO	MORENO VALLEY	CA	92551-6360	THOMAS, WILLIE	25945 CORTE SAN LEANDRO	MORENO VALLEY, CA	92551-6360	63.29	6.33	12.53	82.14
95842995003	312351045	BIBIANO, MARIO	25953	CORTE SAN LEANDRO	MORENO VALLEY	CA	92551-6360	BIBIANO, MARIO	25953 CORTE SAN LEANDRO	MORENO VALLEY, CA	92551-6360	335.76	33.58	66.48	435.8
91473635000	316030006	NEWLIGHT MISSIONARY BAPTIST	16100	NEW LIGHT WAY	MORENO VALLEY	CA	92551-7211	NEWLIGHT MISSIONARY BAPTIST	16100 NEW LIGHT WAY	MORENO VALLEY, CA	92551-7211	254.02	25.4	50.3	329.7
88378135008	316040013	VIERA, JASON	16040	GERANIUM CT	MORENO VALLEY	CA	92551-7278	VIERA, JASON	16040 GERANIUM CT	MORENO VALLEY, CA	92551-7278	190.49	19.05	37.72	247.24
90576293009	316051001	WINGFIELD, MICHAEL	16161	SMOKETREE PL	MORENO VALLEY	CA	92551-7246	WINGFIELD, MICHAEL	16161 SMOKETREE PL	MORENO VALLEY, CA	92551-7246	228.15	22.82	45.17	296.12
89836989005	316052001	IDOINE, TIN	24657	GLENBROOK CT	MORENO VALLEY	CA	92551-7294	IDOINE, TIN	24657 GLENBROOK CT	MORENO VALLEY, CA	92551-7294	295.24	29.52	58.46	383.22
92246455003	316052019	DUENAS, ESTER	16231	EMMA LN	MORENO VALLEY	CA	92551-7253	DUENAS, ESTER	16231 EMMA LN	MORENO VALLEY, CA	92551-7253	329.04	32.9	65.15	427.08
31317685008	316052021	WINSOR, DANIEL L	24722	GOYA AVE	MORENO VALLEY	CA	92551-7269	WINSOR, DANIEL L	12150 PIGEON PASS RD #EE145	MORENO VALLEY, CA	92557-6967	254.12	25.41	50.32	329.84
56446025004	316052022	SCAFFER, PETE	24704	GOYA AVE	MORENO VALLEY	CA	92551-7269	SCAFFER, PETE	24704 GOYA AVE	MORENO VALLEY, CA	92551-7269	254.02	25.4	50.3	329.7
31516125003	316052024	PEREZ, SANDRA	24668	GOYA AVE	MORENO VALLEY	CA	92551-7270	PEREZ, SANDRA	3047 KALEI CT	PERRIS, CA	92571-3773	253.92	25.39	50.28	329.58

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31645335006	316061004	PAZMINO, ANNA M	16234	SKYWOOD CT	MORENO VALLEY	CA	92551-7234	PAZMINO, ANNA M	16234 SKYWOOD CT	MORENO VALLEY, CA	92551-7234	254.02	25.4	50.3	329.7
31396745000	316061005	QUINTERO, MIGUEL AND GLORIA	16224	SKYWOOD CT	MORENO VALLEY	CA	92551-7234	QUINTERO, MIGUEL AND GLORIA	16224 SKYWOOD CT	MORENO VALLEY, CA	92551-7234	254.02	25.4	50.3	329.7
75362065001	316061010	REYNA, CHRISTEL	16224	BREEZEWOOD ST	MORENO VALLEY	CA	92551-7230	REYNA, CHRISTEL	15263 HOOK BLVD APT B30	VICTORVILLE, CA	92394-2122	254.02	25.4	50.3	329.7
98269345013	316061012	GARCIA, JOEL (RENT)	16221	BREEZEWOOD CT	MORENO VALLEY	CA	92551-7231	GARCIA, JOEL	16221 BREEZEWOOD CT	MORENO VALLEY, CA	92551-7231	190.29	19.03	37.68	246.98
97513015004	316062003	ZUNIGA, KYLE (RENT)	16196	STARVIEW ST	MORENO VALLEY	CA	92551-7272	ZUNIGA, KYLE (RENT)	16196 STARVIEW ST	MORENO VALLEY, CA	92551-7272	190.79	19.08	37.78	247.64
96723815002	316062005	GREENE, DWON (OWNR)	16172	STARVIEW ST	MORENO VALLEY	CA	92551-7205	GREENE, DWON	16172 STARVIEW ST	MORENO VALLEY, CA	92551-7205	100	10	19.8	129.8
82284975007	316062008	YOUNG, DOLORES	16136	STARVIEW ST	MORENO VALLEY	CA	92551-7205	YOUNG, DOLORES	1622 W. 113TH ST	LOS ANGELES, CA	90047-4852	254.02	25.4	50.3	329.7
31457545002	316062010	WILSON, SAMUEL L AND MARY	24942	GATEWOOD ST	MORENO VALLEY	CA	92551-7276	WILSON, SAMUEL L	24942 GATEWOOD ST	MORENO VALLEY, CA	92551-7276	254.02	25.4	50.3	329.7
31408145009	316062013	PEREZ, GERRE	24900	GATEWOOD ST	MORENO VALLEY	CA	92551-7276	PEREZ, GERRE	24900 GATEWOOD ST	MORENO VALLEY, CA	92551-7276	154.02	15.4	30.5	199.9
31458515006	316062017	SMITH, BOBBIE	24844	GATEWOOD ST	MORENO VALLEY	CA	92551-7288	SMITH, BOBBIE	24844 GATEWOOD ST	MORENO VALLEY, CA	92551-7288	254.02	25.4	50.3	329.7
31652395009	316062019	ELAZAROV, GUY	16112	GERANIUM CT	MORENO VALLEY	CA	92551-7292	ELAZAROV, GUY	16112 GERANIUM CT	MORENO VALLEY, CA	92551-7292	254.02	25.4	50.3	329.7
31465435008	316063003	ROGERS, DION L	24897	GATEWOOD ST	MORENO VALLEY	CA	92551-7291	ROGERS, DION L	24897 GATEWOOD ST	MORENO VALLEY, CA	92551-7291	254.02	25.4	50.3	329.7
31458795007	316063006	ESPINOZA, RAY AND MELODY	24855	GATEWOOD ST	MORENO VALLEY	CA	92551-7290	ESPINOZA, RAY	24855 GATEWOOD ST	MORENO VALLEY, CA	92551-7290	188.44	18.84	37.31	244.58
31645115002	316063007	HAYWOOD, FAYE	24843	GATEWOOD ST	MORENO VALLEY	CA	92551-7290	HAYWOOD, FAYE	24843 GATEWOOD ST	MORENO VALLEY, CA	92551-7290	179.02	17.9	35.45	232.36
31442225001	316063008	BERRY, ROBBIE	24831	GATEWOOD ST	MORENO VALLEY	CA	92551-7290	BERRY, ROBBIE	25920 IRIS AVE STE 13A	MORENO VALLEY, CA	92551-1658	329.32	32.93	65.21	427.44
88982563006	316063010	GARICA,SANDRA	24807	GATEWOOD ST	MORENO VALLEY	CA	92551-7290	GARICA,SANDRA	24807 GATEWOOD ST	MORENO VALLEY, CA	92551-7290	380.75	38.08	75.39	494.2
31200475000	316063016	CATLEDGE, PAUL	24844	NEWGARDEN ST	MORENO VALLEY	CA	92551-7421	CATLEDGE, PAUL	24844 NEWGARDEN ST	MORENO VALLEY, CA	92551-7421	254.02	25.4	50.3	329.7
87802235007	316064001	FUTCH, DANITA	16188	EMMA LN	MORENO VALLEY	CA	92551-7251	FUTCH, DANITA	P O BOX 1575	MORENO VALLEY, CA	92556-1575	217.06	21.71	42.98	281.74
83317795002	316064004	OLVERA, TINA	16152	EMMA LN	MORENO VALLEY	CA	92551-7251	OLVERA, TINA	3322 VANCE ST	RIVERSIDE, CA	92504-4022	254.02	25.4	50.3	329.7
92271535005	316064008	PENA, MARISOL (RENT)	16183	GREENFIELD ST	MORENO VALLEY	CA	92551-7257	PENA, MARISOL	16183 GREENFIELD ST	MORENO VALLEY, CA	92551-7257	253.92	25.39	50.28	329.58
52968505000	316064009	VILLAPANDO, GINA	16171	GREENFIELD ST	MORENO VALLEY	CA	92551-7238	VILLAPANDO, GINA	16171 GREENFIELD ST	MORENO VALLEY, CA	92551-7238	254.02	25.4	50.3	329.7
31451705001	316064012	WILLIAMS, CYNTHIA (RENT)	16135	GREENFIELD ST	MORENO VALLEY	CA	92551-7238	WILLIAMS, CYNTHIA	7307 BELPINE PL APT 19	RCH CUCAMONGA, CA	91730-6772	254.02	25.4	50.3	329.7
92319095004	316064013	YOUNG, PAULA	24780	GATEWOOD ST	MORENO VALLEY	CA	92551-7286	YOUNG, PAULA	24780 GATEWOOD ST	MORENO VALLEY, CA	92551-7286	41.92	4.19	8.3	54.4
48432465002	316064018	MCCART, RODNEY	16224	EMMA LN	MORENO VALLEY	CA	92551-7252	MCCART, RODNEY	16224 EMMA LN	MORENO VALLEY, CA	92551-7252	254.02	25.4	50.3	329.7
91974605000	316071005	TAYLOR, BELINDA	24545	MOONLIGHT DR	MORENO VALLEY	CA	92551-7298	TAYLOR, BELINDA	24545 MOONLIGHT DR	MORENO VALLEY, CA	92551-7298	253.92	25.39	50.28	329.58
74041575005	316071006	BROWN, VANESSA	24535	MOONLIGHT DR	MORENO VALLEY	CA	92551-7298	BROWN, VANESSA	P O BOX 8652	MORENO VALLEY, CA	92552-8652	254.02	25.4	50.3	329.7
91365715008	316072005	OBUGE, MICHAEL	24648	CONSTELLATION WAY	MORENO VALLEY	CA	92551-7295	OBUGE, MICHAEL	24648 CONSTELLATION WAY	MORENO VALLEY, CA	92551-7295	253.64	25.36	50.22	329.22
71832195000	316073002	JOHNSON, JEROME F	24615	MOONLIGHT DR	MORENO VALLEY	CA	92551-7299	JOHNSON, JEROME F	24615 MOONLIGHT DR	MORENO VALLEY, CA	92551-7299	254.02	25.4	50.3	329.7
74829375005	316073008	MARTINEZ, ARTURO (OWNR)	24675	MOONLIGHT DR	MORENO VALLEY	CA	92551-7299	MARTINEZ, ARTURO	24675 MOONLIGHT DR	MORENO VALLEY, CA	92551-7299	30.69	3.07	6.08	39.82
74438215009	316073009	GARCIA, JUAN AND GRACIELA	24685	MOONLIGHT DR	MORENO VALLEY	CA	92551-7299	GARCIA, JUAN AND GRACIELA	24685 MOONLIGHT DR	MORENO VALLEY, CA	92551-7299	254.02	25.4	50.3	329.7
71833045000	316073013	DE LA CRUZ, MARIA	24650	MOONLIGHT DR	MORENO VALLEY	CA	92551-7299	DE LA CRUZ, MARIA	25598 PACATO RD	MORENO VALLEY, CA	92551-1941	254.02	25.4	50.3	329.7
64055675006	316073021	WILLIAMS, WADZELL	16409	EMMA LN	MORENO VALLEY	CA	92551-7285	WILLIAMS, WADZELL	16409 EMMA LN	MORENO VALLEY, CA	92551-7285	329.6	32.96	65.26	427.82
88901715004	316073024	MACIEL, SANDRA	16445	EMMA LN	MORENO VALLEY	CA	92551-7285	MACIEL, SANDRA	16445 EMMA LN	MORENO VALLEY, CA	92551-7285	190.42	19.04	37.7	247.16
96997985006	316073025	VELA, JUANITA (OWNR)	16457	EMMA LN	MORENO VALLEY	CA	92551-7285	VELA, JUANITA	16457 EMMA LN	MORENO VALLEY, CA	92551-7285	127.46	12.75	25.24	165.44
91337953006	316081007	RUDOLPH, ANTHONY (RENT)	16316	BREEZEWOOD ST	MORENO VALLEY	CA	92551-7232	RUDOLPH, ANTHONY (RENT)	16316 BREEZEWOOD ST	MORENO VALLEY, CA	92551-7232	262.73	26.27	52.02	341.02
92022395001	316081009	RODRIGUEZ, NOE	16340	BREEZEWOOD ST	MORENO VALLEY	CA	92551-7232	RODRIGUEZ, NOE	16340 BREEZEWOOD ST	MORENO VALLEY, CA	92551-7232	126.95	12.7	25.14	164.78
86171833002	316082002	WEICK, ANITA (RENT)	16256	GREENFIELD ST	MORENO VALLEY	CA	92551-7241	WEICK, ANITA	16256 GREENFIELD ST	MORENO VALLEY, CA	92551-7241	329.6	32.96	65.26	427.82
31408975004	316082003	CHAMBERS, BRIAN	16268	GREENFIELD ST	MORENO VALLEY	CA	92551-7241	CHAMBERS, BRIAN	16268 GREENFIELD ST	MORENO VALLEY, CA	92551-7241	254.02	25.4	50.3	329.7
31410875001	316082005	LEE, RODGENA	16292	GREENFIELD ST	MORENO VALLEY	CA	92551-7241	LEE, RODGENA	16292 GREENFIELD ST	MORENO VALLEY, CA	92551-7241	254.02	25.4	50.3	329.7
94683553004	316082008	MENDOZA, JULIANA (RENT)	16326	GREENFIELD ST	MORENO VALLEY	CA	92551-7279	MENDOZA, JULIANA	16326 GREENFIELD ST	MORENO VALLEY, CA	92551-7279	214.54	21.45	42.48	278.46
31408135001	316083011	POLICARPIO, ELIZABETH (OWNR)	16255	GREENFIELD ST	MORENO VALLEY	CA	92551-7240	POLICARPIO, ELIZABETH	12691 MAGNOLIA DR	MORENO VALLEY, CA	92555-3514	189.7	18.97	37.56	246.22
31412395008	316083012	WILKERSON, SANDRA	16267	GREENFIELD ST	MORENO VALLEY	CA	92551-7240	WILKERSON, SANDRA	16267 GREENFIELD ST	MORENO VALLEY, CA	92551-7240	254.02	25.4	50.3	329.7
31410495001	316083016	GAMMAGE, VINCENT	16315	GREENFIELD ST	MORENO VALLEY	CA	92551-7227	GAMMAGE, VINCENT	16315 GREENFIELD ST	MORENO VALLEY, CA	92551-7227	63.63	6.36	12.6	82.58
75992105007	316083023	LUMBA, ANGELITO I	16399	GREENFIELD ST	MORENO VALLEY	CA	92551-7259	LUMBA, ANGELITO I	16399 GREENFIELD ST	MORENO VALLEY, CA	92551-7259	254.02	25.4	50.3	329.7
48327875008	316083027	BUTLER, DANIEL	24781	HIGHWOOD ST	MORENO VALLEY	CA	92551-7224	BUTLER, DANIEL	24781 HIGHWOOD ST	MORENO VALLEY, CA	92551-7224	329.32	32.93	65.21	427.44
31482885003	316083034	GRAY, TERRIAN	16428	EMMA LN	MORENO VALLEY	CA	92551-7283	GRAY, TERRIAN	16428 EMMA LN	MORENO VALLEY, CA	92551-7283	254.02	25.4	50.3	329.7
85278673008	316083035	BALEANU, GABRIEL (OWNR)	16416	EMMA LN	MORENO VALLEY	CA	92551-7283	BALEANU, GABRIEL	16416 EMMA LN	MORENO VALLEY, CA	92551-7283	254.12	25.41	50.32	329.84
66393165004	316091002	LEVERETTE, NESHAJ	24929	HIGHWOOD ST	MORENO VALLEY	CA	92551-7202	LEVERETTE, NESHAJ	24929 HIGHWOOD ST	MORENO VALLEY, CA	92551-7202	60.47	6.05	11.97	78.48
31387815004	316091008	LYONS, MARK	16400	STARVIEW ST	MORENO VALLEY	CA	92551-7218	LYONS, MARK	16400 STARVIEW ST	MORENO VALLEY, CA	92551-7218	282.23	28.22	55.88	366.32
69423125007	316091014	PARTIDA, DANIA	16328	STARVIEW ST	MORENO VALLEY	CA	92551-7216	PARTIDA, DANIA	16328 STARVIEW ST	MORENO VALLEY, CA	92551-7216	254.02	25.4	50.3	329.7
91938065008	316091015	SOMBRITO, KATHRINE	16316	STARVIEW ST	MORENO VALLEY	CA	92551-7273	SOMBRITO, KATHRINE	16316 STARVIEW ST	MORENO VALLEY, CA	92551-7273	127.26	12.73	25.2	165.18
31166285003	316091020	SCHUCHMAN, FLORENCE EBERSOLE	16256	STARVIEW ST	MORENO VALLEY	CA	92551-7213	SCHUCHMAN, FLORENCE EBERSOLE	16256 STARVIEW ST	MORENO VALLEY, CA	92551-7213	136.37	13.64	27	177
31454395000	316092001	MARTINEZ, WILLIAM J	24913	CITADEL ST	MORENO VALLEY	CA	92551-7200	MARTINEZ, WILLIAM J	24913 CITADEL ST	MORENO VALLEY, CA	92551-7200	90.69	9.07	17.96	117.7
31537305001	316092010	BAEZ, JOE	24869	CITADEL ST	MORENO VALLEY	CA	92551-7229	BAEZ, JOE	24869 CITADEL ST	MORENO VALLEY, CA	92551-7229	254.12	25.41	50.32	329.84
68302695004	316093001	DAVIS, PHILLIP	16235	STARVIEW ST	MORENO VALLEY	CA	92551-7209	DAVIS, PHILLIP	5369 IMAGES CT	LAS VEGAS, NV	89107-2730	254.12	25.41	50.32	329.84
86339775007	316093004	MUNOZ, JOSE	16271	STARVIEW ST	MORENO VALLEY	CA	92551-7215	MUNOZ, JOSE	16271 STARVIEW ST	MORENO VALLEY, CA	92551-7215	254.12	25.41	50.32	329.84
31368645000	316093007	BALL, MARY	16307	STARVIEW ST	MORENO VALLEY	CA	92551-7274	BALL, MARY	16307 STARVIEW ST	MORENO VALLEY, CA	92551-7274	254.02	25.4	50.3	329.7
96661565006	316093010	MINGO, MICHAEL (RENT)	16343	STARVIEW ST	MORENO VALLEY	CA	92551-7217	MINGO, MICHAEL	16343 STARVIEW ST	MORENO VALLEY, CA	92551-7217	170.21	17.02	33.7	220.92
31180805005	316093021	JACKSON, CHESSIE	16294	SKYWOOD CT	MORENO VALLEY	CA	92551-7234	JACKSON, CHESSIE	16294 SKYWOOD CT	MORENO VALLEY, CA	92551-7234	204.02	20.4	40.4	264.8
97306895008	316093022	PAZ, FRANCIS (RENT)	16282	SKYWOOD CT	MORENO VALLEY	CA	92551-7234	PAZ, FRANCIS	16282 SKYWOOD CT	MORENO VALLEY, CA	92551-7234	204.12	20.41	40.42	264.94
93862135004	316094007	LEMUS, VERONICA AND (OWNR)	16315	SKYWOOD CT	MORENO VALLEY	CA	92551-7236	LEMUS, VERONICA AND RICARDO	16315 SKYWOOD CT	MORENO VALLEY, CA	92551-7236	254.12	25.41	50.32	329.84
31263675006	316121007	BRADFORD, BEVERLY	24564	FREEPORT DR	MORENO VALLEY	CA	92551-7415	BRADFORD, BEVERLY	PO BOX 9751	MORENO VALLEY, CA	92552-9751	254.02	25.4	50.3	329.7
95173645007	316121015	SIGALA, FROYLAN (RENT)	24660	FREEPORT DR	MORENO VALLEY	CA	92551-7418	SIGALA, FROYLAN	24660 FREEPORT DR	MORENO VALLEY, CA	92551-7418	254.12	25.41	50.32	329.84
96485745002	316121016	GARCIA, CHRISTINA AND ANGEL	24672	FREEPORT DR	MORENO VALLEY	CA	92551-7418	GARCIA, CHRISTINA	24672 FREEPORT DR	MORENO VALLEY, CA	92551-7418	156.31	15.63	30.95	202.88
94704285005	316121021	ARROYO, MYNOR (OWNR)	24726	FREEPORT DR	MORENO VALLEY	CA	92551-7454	ARROYO, MYNOR	24726 FREEPORT DR	MORENO VALLEY, CA	92551-7454	149.12	14.91	29.53	193.54
31562935007	316121023	ROSS, CHRISTOPHER	24746	FREEPORT DR	MORENO VALLEY	CA	92551-7454	ROSS, CHRISTOPHER	24746 FREEPORT DR	MORENO VALLEY, CA	92551-7454	254.02	25.4	50.3	329.7
92417553009	316121024	ARGUENTIN, BRENDA	16757	TARANO LN	MORENO VALLEY	CA	92551-7411	ARGUENTIN, BRENDA	16757 TARANO LN	MORENO VALLEY, CA	92551-7411	335.76	33.58	66.48	435.8
72186395008	316121025	COMAGON, GRACE	16749	TARANO LN	MORENO VALLEY	CA	92551-7411	COMAGON, GRACE	16749 TARANO LN	MORENO VALLEY, CA	92551-7411	129.94	12.99	25.73	168.66
93784765007	316121026	HECKARD, LASHONE (RENT)	16741	TARANO LN	MORENO VALLEY	CA	92551-7411	HECKARD, LASHONE	16741 TARANO LN	MORENO VALLEY, CA	92551-7411	254.02	25.4	50.3	329.7
96129525003	316121032	VALADEZ, RICKY (RENT)	24545	ANGELLA WAY	MORENO VALLEY	CA	92551-7407	VALADEZ, RICKY	24545 ANGELLA WAY	MORENO VALLEY, CA	92551-7407	254.12	25.41	50.32	329.84
95000455001	316121034	SUFLE, WENDY (OWNR)	24589	ANGELLA WAY	MORENO VALLEY	CA	92551-7407	SUFLE, WENDY	24589 ANGELLA WAY	MORENO VALLEY, CA	92551-7407	127.46	12.75	25.24	165.44
31322585009	316121035	SALMERON, MARIA	24611	ANGELLA WAY	MORENO VALLEY	CA	92551-7448	SALMERON, MARIA	24611 ANGELLA WAY	MORENO VALLEY, CA	92551-7448	254.02	25.4	50.3	329.7
31162785007	316121039	HAYNES, JOSEPH H	24699	ANGELLA WAY	MORENO VALLEY	CA	92551-7414	HAYNES, JOSEPH H	24699 ANGELLA WAY	MORENO VALLEY, CA	92551-7414	329.32	32.93	65.21	427.44
67224885001	316122011	WILLIAMS, SHAWNDRA AND JASON	24627	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7412	WILLIAMS, SHAWNDRA AND JASON	24627 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7412	329.6	32.96	65.26	427.82
31543985006	316122016	GRANADOS, EVANGELINA	24598	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7461	GRANADOS, EVANGELINA	24598 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7461	329.04	32.9	65.15	427.08
97106265004	316122025	GOVEA, JESSE CHAVEZ	24669	FREEPORT DR	MORENO VALLEY	CA	92551-7417	GOVEA, JESSE CHAVEZ	24669 FREEPORT DR	MORENO VALLEY, CA	92551-7417	420.76	42.08	83.31	546.14
31160735002	316122026	CASTRO, ALFRED	24657	FREEPORT DR	MORENO VALLEY	CA	92551-7417	CASTRO, ALFRED	24657 FREEPORT DR	MORENO VALLEY, CA	92551-7417	329.32	32.93	65.21	427.44
31166695007	316122036	LERMA, MARIANNE (RENT)	24525	FREEPORT DR	MORENO VALLEY	CA	92551-7416	LERMA, MARIANNE	25310 OAKSTONE CT	MORENO VALLEY, CA	92553-4419	254.02	25.4	50.3	329.7
97623825001	316131002	CASTRO, ELIS (OWNR)	16710	TARANO LN	MORENO VALLEY	CA	92551-7410	CASTRO, ELIS	16710 TARANO LN	MORENO VALLEY, CA	92551-7410	63.63	6.36	12.6	82.58
31450375002	316132003	CARDENAS, JESUS AND MONICA	24975	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7402	CARDENAS, JESUS	24975 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7402	254.02	25.4	50.3	329.7
31308155008	316132010	WASHINGTON, THOMAS	24891	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7401	WASHINGTON, THOMAS	24891 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7401	329.6	32.96	65.26	427.82
92417363009	316132011	CORTEZ, JOSE AND PATRICIA	24879	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7401	CORTEZ, JOSE AND PATRICIA	24879 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7401	335.76	33.58	66.48	435.8
53535105000	316132012	JAUREGUI, MONICA	24867	NORTHERN DANCER DR	MORENO VALLEY	CA	92551-7401	JAUREGUI, MONICA	24867 NORTHERN DANCER DR	MORENO VALLEY, CA	92551-7401	259.51	25.95	51.38	336.84
96854375007	316133002	LEYVA, JOSE (RENTER)	16708	KETTENBURG LN	MORENO VALLEY	CA	92551-7408	RAYFORD, TERRY	16708 KETTENBURG LN	MORENO VALLEY, CA	92551-7408	254.02	25.4	50.3	329.7
91626155000	316133004	HERCULES, GERMAN AND CARMEN	16724	KETTENBURG LN	MORENO VALLEY	CA	92551-7408	HERCULES, GERMAN AND CARMEN	726 W SLAUSON AVE #5	LOS ANGELES, CA	90044-6327	329.04	32.9	65.15	427.08
31146085007	316133005	BACHMAN, TODD AND DENISE	16732	KETTENBURG LN	MORENO VALLEY	CA	92551-7408	BACHMAN, TODD AND DENISE	16732 KETTENBURG LN	MORENO VALLEY, CA	92551-7408	254.02	25.4	50.3	329.7
31454125007	316133011	MC GINTY, DEBORAH	16740	CANOE COVE	MORENO VALLEY	CA	92551-7404	MC GINTY, DEBORAH	16740 CANOE COVE	MORENO VALLEY, CA	92551-7404	127.36	12.74	25.22	165.3
31470225002	316133017	HOWARD, SANDRA	16709	CANOE COVE	MORENO VALLEY	CA	92551-7404	HOWARD, SANDRA	16709 CANOE COVE	MORENO VALLEY, CA	92551-7404	329.32	32.93	65.21	427.44
97443955006	316141002	VASQUEZ, JANET (RENT)	16845	BALTIC CT	MORENO VALLEY	CA	92551-7482	VASQUEZ, JANET (RENT)	16845 BALTIC CT	MORENO VALLEY, CA	92551-7482	254.02	25.4	50.3	329.7
99786973002	316141004	SANCHEZ, DANIELLE (RENT)	16825	BALTIC CT	MORENO VALLEY	CA	92551-7482	SANCHEZ, DANIELLE	16825 BALTIC CT	MORENO VALLEY, CA	92551-7482	123.78	12.38	24.51	160.66
90896763002	316141006	MARSTEN, PATRICIA (OWNR)	16805	BALTIC CT	MORENO VALLEY	CA	92551-7482	MARSTEN, PATRICIA	16805 BALTIC CT	MORENO VALLEY, CA	92551-7482	63.63	6.36	12.6	82.58
94428815000	316141008	IRISH, KEVIN (OWNR)	16785	BALTIC CT	MORENO VALLEY	CA	92551-7481	IRISH, KEVIN	16785 BALTIC CT	MORENO VALLEY, CA	92551-7481	254.12	25.41	50.32	329.84
31548875008	316141009	LOPEZ, MARIA	16780	BALTIC CT	MORENO VALLEY	CA	92551-7481	LOPEZ, MARIA	16780 BALTIC CT	MORENO VALLEY, CA	92551-7481	254.02	25.4	50.3	329.7
31270105001	316141014	REYES, KIMBERLY	16830	BALTIC CT	MORENO VALLEY	CA	92551-7482	REYES, KIMBERLY	16830 BALTIC CT	MORENO VALLEY, CA	92551-7482	254.12	25.41	50.32	329.84
31566595009	316141016	CARRUITERO, GINO A	16855	TRINITY BAY CT	MORENO VALLEY	CA	92551-7480	CARRUITERO, GINO A	16855 TRINITY BAY CT	MORENO VALLEY, CA	92551-7480	204.02	20.4	40.4	264.8
31643795004	316141017	PHILLIPS, DEBBIE	16845	TRINITY BAY CT	MORENO VALLEY	CA	92551-7480	PHILLIPS, DEBBIE	16845 TRINITY BAY CT	MORENO VALLEY, CA	92551-7480	329.32	32.93	65.21	427.44
31257365002	316141019	STEWART, PRESTON J	16825	TRINITY BAY CT	MORENO VALLEY	CA	92551-7480	STEWART, PRESTON J	16825 TRINITY BAY CT	MORENO VALLEY, CA	92551-7480	254.02	25.4	50.3	329.7
97123905001	316141023	CERRILLOS, OMAR AND ELVIA (OWN	16795	TRINITY BAY CT	MORENO VALLEY	CA	92551-7478	CERRILLOS, OMAR AND ELVIA	16795 TRINITY BAY CT	MORENO VALLEY, CA	92551-7478	63.63	6.36	12.6	82.58
31416305008	316141032	FUENTES, ROBERTA	24648	SUPERIOR AVE	MORENO VALLEY	CA	92551-7476	FUENTES, ROBERTA	24648 SUPERIOR AVE	MORENO VALLEY, CA	92551-7476	254.02	25.4	50.3	329.7
99695855006	316141035	DODSON, RYAN (RENT)	16825	HUDSON BAY DR	MORENO VALLEY	CA	92551-7473	DODSON, RYAN	7153 MARGUERITA AVE	RIVERSIDE, CA	92504-4542	281.09	28.11	55.66	364.84
31289975008	316141046	PENUNURI, CHARLES	24756	FORTUNE BAY LN	MORENO VALLEY	CA	92551-7435	PENUNURI, CHARLES	24756 FORTUNE BAY	MORENO VALLEY, CA	92551-7435	189.12	18.91	37.45	245.46

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95794185006	316143004	LOPEZ, THANIA (RENT)	24557	SUPERIOR AVE	MORENO VALLEY	CA	92551-7475	LOPEZ, THANIA	24557 SUPERIOR AVE	MORENO VALLEY, CA	92551-7475	254.12	25.41	50.32	329.84
64074415002	316143009	BROCK, RENEE	24617	SUPERIOR AVE	MORENO VALLEY	CA	92551-7477	BROCK, RENEE	24617 SUPERIOR AVE	MORENO VALLEY, CA	92551-7477	254.12	25.41	50.32	329.84
31631805007	316143023	CHAMPAGNE, ISSAC	24780	SUBURBAN LN	MORENO VALLEY	CA	92551-7468	CHAMPAGNE, ISSAC	24780 SUBURBAN LN	MORENO VALLEY, CA	92551-7468	125.49	12.55	24.85	162.88
31194405000	316143024	PLUMMER, TED	24768	SUBURBAN LN	MORENO VALLEY	CA	92551-7468	PLUMMER, TED	24768 SUBURBAN LN	MORENO VALLEY, CA	92551-7468	204.12	20.41	40.42	264.94
97519035007	316151011	LEE, DENISE	24833	SUPERIOR AVE	MORENO VALLEY	CA	92551-7446	LEE, DENISE	24833 SUPERIOR AVE	MORENO VALLEY, CA	92551-7446	190.59	19.06	37.74	247.38
91706015000	316152002	NAJERA, BLANCA (RENT)	24840	SUPERIOR AVE	MORENO VALLEY	CA	92551-7445	NAJERA, BLANCA	24840 SUPERIOR AVE	MORENO VALLEY, CA	92551-7445	217.42	21.74	43.05	282.2
94521455007	316152003	VILLA, PAULA (RENT)	24828	SUPERIOR AVE	MORENO VALLEY	CA	92551-7445	VILLA, PAULA	24828 SUPERIOR AVE	MORENO VALLEY, CA	92551-7445	254.12	25.41	50.32	329.84
31187325001	316153009	MEDINA, DIANE	16795	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7457	MEDINA, DIANE	16795 MEDITERRANEAN DR	MORENO VALLEY, CA	92551-7457	254.02	25.4	50.3	329.7
97615855000	316153012	BUTLER, NISHE (RENT)	16790	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7456	BUTLER, NISHE	3741 BROCKTON AVE	RIVERSIDE, CA	92501-3208	107.9	10.79	21.36	140.04
96427475001	316153016	FLORES, PAULA (RENT)	16830	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7419	FLORES, PAULA (RENT)	16830 MEDITERRANEAN DR	MORENO VALLEY, CA	92551-7419	254.12	25.41	50.32	329.84
31284725002	316153017	RUIZ, OLIVIA	16840	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7419	RUIZ, OLIVIA	16840 MEDITERRANEAN DR	MORENO VALLEY, CA	92551-7419	253.92	25.39	50.28	329.58
31444415007	316153018	ROBERTSON, CHARLES	16850	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7419	ROBERTSON, CHARLES	16850 MEDITERRANEAN DR	MORENO VALLEY, CA	92551-7419	254.02	25.4	50.3	329.7
31652195001	316153019	STEVENS, TOMMY	16860	MEDITERRANEAN DR	MORENO VALLEY	CA	92551-7419	STEVENS, TOMMY	16860 MEDITERRANEAN DR	MORENO VALLEY, CA	92551-7419	254.02	25.4	50.3	329.7
89667033004	316153023	GUIGNARD, RENE	24816	FORTUNE BAY LN	MORENO VALLEY	CA	92551-7439	GUIGNARD, RENE	24816 FORTUNE BAY LN	MORENO VALLEY, CA	92551-7439	420.76	42.08	83.31	546.14
31204155009	316153035	ZAPIEN, FRANCISCO AND MARIA	16840	LAKE VICTORIA DR	MORENO VALLEY	CA	92551-7433	ZAPIEN, FRANCISCO AND MARIA	16840 LAKE VICTORIA DR	MORENO VALLEY, CA	92551-7433	254.02	25.4	50.3	329.7
84331455003	316153036	LIGON, RALPH	16850	LAKE VICTORIA DR	MORENO VALLEY	CA	92551-7433	LIGON, RALPH	16850 LAKE VICTORIA DR	MORENO VALLEY, CA	92551-7433	254.02	25.4	50.3	329.7
92725335001	316153038	PAUL, DEBRA (RENT)	16845	ST GEORGE WAY	MORENO VALLEY	CA	92551-7427	PAUL, DEBRA	PO BOX 51642	RIVERSIDE, CA	92517-2642	159.36	16	31.67	207.62
31400445003	316153051	IBARRA, MANUEL	16840	ST GEORGE WAY	MORENO VALLEY	CA	92551-7426	IBARRA, MANUEL	16840 ST GEORGE WAY	MORENO VALLEY, CA	92551-7426	127.36	12.74	25.22	165.3
61539205001	316153057	MALDONADO, PASCUAL AND KATHY	24876	SUBURBAN LN	MORENO VALLEY	CA	92551-7430	MALDONADO, PASCUAL AND KATHY	24876 SUBURBAN LN	MORENO VALLEY, CA	92551-7430	254.12	25.41	50.32	329.84
31294045004	316190035	BOWERS, WILLIAM (OWNR)	24870	SAN MICHELE RD	MORENO VALLEY	CA	92551-9522	BOWERS, WILLIAM	36274 PROVINCE DR	MURRIETA, CA	92562-8438	190.69	19.07	37.76	247.5
31071335005	316200003	MALCOM, MIKE	24710	NANDINA AVE	MORENO VALLEY	CA	92551-9503	MALCOM, MIKE	24080 TRAILWOOD RD	HEMET, CA	92545-2114	329.32	32.93	65.21	427.44
77299455001	316220007	CALDERA, ERICKA	16508	TAURUS LN	MORENO VALLEY	CA	92551-7488	CALDERA, ERICKA	16508 TAURUS LN	MORENO VALLEY, CA	92551-7488	254.02	25.4	50.3	329.7
87853585006	316220008	BUTLER, TERRI	16520	TAURUS LN	MORENO VALLEY	CA	92551-7488	BUTLER, TERRI	16520 TAURUS LN	MORENO VALLEY, CA	92551-7488	173.16	17.32	34.29	224.76
81689925009	316220010	OGWO, EDWARD	16505	TARANO LN	MORENO VALLEY	CA	92551-7489	OGWO, EDWARD	16505 TARANO LN	MORENO VALLEY, CA	92551-7489	254.02	25.4	50.3	329.7
91089283004	316220013	AVALOS, RUBEN	16541	TARANO LN	MORENO VALLEY	CA	92551-7489	AVALOS, RUBEN	16541 TARANO LN	MORENO VALLEY, CA	92551-7489	257.45	25.75	50.98	334.16
87185665006	316220018	CHACON, MARIA	16623	TARANO LN	MORENO VALLEY	CA	92551	CHACON, MARIA	16623 TARANO LN	MORENO VALLEY, CA	92551	254.02	25.4	50.3	329.7
97968365006	316221009	COOPER, DONTAE (RENT)	24575	POLARIS DR	MORENO VALLEY	CA	92551-7486	COOPER, DONTAE	24575 POLARIS DR	MORENO VALLEY, CA	92551-7486	211.98	21.19	41.96	275.08
97106455004	316221011	DRAKE, CHERI (RENT)	24555	POLARIS DR	MORENO VALLEY	CA	92551-7486	DRAKE, CHERI	23398 HEMLOCK AVE	MORENO VALLEY, CA	92557-7097	85.13	8.51	16.86	110.48
86494085005	316221018	AGUILAR, THERESA	16654	SHUNING CT	MORENO VALLEY	CA	92551-7491	AGUILAR, THERESA	16654 SHUNING CT	MORENO VALLEY, CA	92551-7491	63.61	6.36	12.59	82.56
90781803008	316221021	MORRIS, YOLANDA	16641	TAURUS LN	MORENO VALLEY	CA	92551-7492	MORRIS, YOLANDA	16641 TAURUS LN	MORENO VALLEY, CA	92551-7492	94.26	9.43	18.66	122.34
88684155004	316222005	FLORES, CARMEN	24550	POLARIS DR	MORENO VALLEY	CA	92551-7486	FLORES, CARMEN	12660 MEMORIAL WAY APT 1001	MORENO VALLEY, CA	92553-7559	254.12	25.41	50.32	329.84
98265185014	318141043	QUINTANILLA, OLGA (RENT)	24720	FORTUNE BAY LN	MORENO VALLEY	CA	92551-7435	QUINTANILLA, OLGA (RENT)	13322 LASSELLE ST APT 1097	MORENO VALLEY, CA	92553-0851	53.73	5.37	10.64	69.74
94432075007	321241010	PRICE, ANGELA (RENT)	17684	CAMINO SAN SIMEON	MORENO VALLEY	CA	92551-6867	PRICE, ANGELA	17684 CAMINO SAN SIMEON	MORENO VALLEY, CA	92551-6867	163.22	16.32	32.32	211.84
69792515003	422070085	LOPEZ, HEIDI MICHELLE AND BRAD	30220	DRACAEA AVE	MORENO VALLEY	CA	92555-6706	LOPEZ, HEIDI MICHELLE AND BRAD	30220 DRACAEA AVE	MORENO VALLEY, CA	92555-6706	404.62	40.46	80.11	525.18
97980005007	425343009	BLACK, YURINE (RENT)	24231	ROYALE ST	MORENO VALLEY	CA	92557-5013	BLACK, YURINE	14185 BRANDT DR	MORENO VALLEY, CA	92553-6705	197.41	19.74	39.09	256.22
96421923000	434030019	SHORE, PRECIOUS	23469	CHALLIS CT	MORENO VALLEY	CA	92553-3469	SHORE, PRECIOUS	23469 CHALLIS CT	MORENO VALLEY, CA	92553-3469	62.26	6.23	12.33	80.8
63990815006	471290001	TAYLOR, CHARLES	9530	RECHE VISTA DR	MORENO VALLEY	CA	92557-1411	TAYLOR, CHARLES	9530 RECHE VISTA DR	MORENO VALLEY, CA	92557-1411	405.08	40.51	80.21	525.78
31529585009	471300016	KELLEY, ALVIN	9900	MICHAEL WAY	MORENO VALLEY	CA	92557	KELLEY, ALVIN	9900 MICHAEL	MORENO VALLEY, CA	92557	63.63	6.36	12.6	82.58
31141425007	473150068	AAB, DEBRA	11388	TRUST WAY	MORENO VALLEY	CA	92555-5259	AAB, DEBRA	PO BOX 88	MORENO VALLEY, CA	92556-0088	254.02	25.4	50.3	329.7
50427205002	473180001	MCKEE, JASON	28191	LOCUST AVE	MORENO VALLEY	CA	92555-5251	MCKEE, JASON	28191 LOCUST AVE	MORENO VALLEY, CA	92555-5251	190.69	19.07	37.76	247.5
31647425003	473180002	SMITH, JULIE	11277	WEBER AVE	MORENO VALLEY	CA	92555-5297	SMITH, JULIE	11277 WEBER	MORENO VALLEY, CA	92555-5297	63.63	6.36	12.6	82.58
94524895009	473180016	MILLER, MEKEVA (RENT)	11437	WEBER AVE	MORENO VALLEY	CA	92555-8600	MILLER, MEKEVA	11437 WEBER AVE	MORENO VALLEY, CA	92555-8600	42.02	4.2	8.32	54.54
31377495002	473180026	MATA, ROBERT AND YOLANDA	11412	WEBER AVE	MORENO VALLEY	CA	92555-5299	MATA, ROBERT	11412 WEBER AVE	MORENO VALLEY, CA	92555-5299	254.02	25.4	50.3	329.7
97609035006	473180027	ROMERO, BEVERLY (RENT)	11400	WEBER AVE	MORENO VALLEY	CA	92555-5299	ROMERO, BEVERLY	11400 WEBER AVE	MORENO VALLEY, CA	92555-5299	254.12	25.41	50.32	329.84
92917193004	473180031	BLAIR, CHARLES (OWNR)	11350	WEBER AVE	MORENO VALLEY	CA	92555-5246	BLAIR, CHARLES	11350 WEBER AVE	MORENO VALLEY, CA	92555-5246	335.76	33.58	66.48	435.8
31538395000	473180033	CUMMINGS, CHRISTOPHER	11326	WEBER AVE	MORENO VALLEY	CA	92555-5246	CUMMINGS, CHRISTOPHER	11326 WEBER AVE	MORENO VALLEY, CA	92555-5246	254.12	25.41	50.32	329.84
70702535005	473180036	PENALOZA, RICARDO	11288	WEBER AVE	MORENO VALLEY	CA	92555-5298	PENALOZA, RICARDO	11288 WEBER AVE	MORENO VALLEY, CA	92555-5298	117.49	11.75	23.26	152.5
31062065000	473180041	MCKEE, TOM	28155	LOCUST AVE	MORENO VALLEY	CA	92555-5263	MCKEE, TOM	28155 LOCUST AVE	MORENO VALLEY, CA	92555-5263	317.35	31.74	62.84	411.92
94964695009	473180042	JAUREGUI, HUMBERTO (OWNR)	11330	CARRIE LN	MORENO VALLEY	CA	92555-5205	JAUREGUI, HUMBERTO	11330 CARRIE LN	MORENO VALLEY, CA	92555-5205	329.6	32.96	65.26	427.82
31095245003	473180043	CONNERS, CARL	11360	CARRIE LN	MORENO VALLEY	CA	92555-5205	CONNERS, CARL	11360 CARRIE LN	MORENO VALLEY, CA	92555-5205	254.02	25.4	50.3	329.7
31657045002	473180044	TRUJILLO, HECTOR	11390	CARRIE LN	MORENO VALLEY	CA	92555-5205	TRUJILLO, HECTOR	11390 CARRIE LN	MORENO VALLEY, CA	92555-5205	63.63	6.36	12.6	82.58
92058645003	473180046	RICHARDSON, WILLIAM	11430	CARRIE LN	MORENO VALLEY	CA	92555-5208	RICHARDSON, WILLIAM	11430 CARRIE LN	MORENO VALLEY, CA	92555-5208	190.29	19.03	37.68	246.98
31377325008	473210007	JOHNSON, JOHN AND JANE	29100	HIGHLAND BLVD	MORENO VALLEY	CA	92555-6507	JOHNSON, JOHN	29100 HIGHLAND BLVD	MORENO VALLEY, CA	92555-6507	329.32	32.93	65.21	427.44
31497975007	473210012	MARES, SUSAN	29122	HIGHLAND BLVD	MORENO VALLEY	CA	92555-6507	MARES, SUSAN	29122 HIGHLAND BLVD	MORENO VALLEY, CA	92555-6507	108.79	10.88	21.54	141.2
57265215007	473210018	DAVIS, TROY	11420	REDLANDS BLVD	MORENO VALLEY	CA	92555-6536	DAVIS, TROY	P O BOX 8795	MORENO VALLEY, CA	92552-8795	398.79	39.88	78.96	517.62
31118905004	473220036	KORBUSZEWSKI, LINDA	29068	IRONWOOD AVE	MORENO VALLEY	CA	92555-6607	KORBUSZEWSKI, LINDA	29068 IRONWOOD AVE	MORENO VALLEY, CA	92555-6607	254.02	25.4	50.3	329.7
68370155004	473220038	ALVAREZ, JESUS AND MAGIEL	11790	REDLANDS BLVD	MORENO VALLEY	CA	92555-6592	ALVAREZ, JESUS AND MAGIEL	11790 REDLANDS BLVD	MORENO VALLEY, CA	92555-6592	204.12	20.41	40.42	264.94
31617695009	473220067	ORTIZ, EDUARDO	29060	JUNIPER AVE	MORENO VALLEY	CA	92555-6573	ORTIZ, EDUARDO	29060 JUNIPER AVE	MORENO VALLEY, CA	92555-6573	329.32	32.93	65.21	427.44
66454775008	473220079	GOMEZ, TONY	11828	ORANGE GROVE CIR	MORENO VALLEY	CA	92555-6564	GOMEZ, TONY	11828 ORANGE GROVE CIR	MORENO VALLEY, CA	92555-6564	100.26	10.03	19.85	130.12
64515265005	473220080	WALKER, PAUL	11841	ORANGE GROVE CIR	MORENO VALLEY	CA	92555-6564	WALKER, PAUL	11841 ORANGE GROVE CIR	MORENO VALLEY, CA	92555-6564	323.76	32.38	64.1	420.24
55571545001	473230004	QUINTANAR, SANTOS	11165	HERMINIA CT	MORENO VALLEY	CA	92555-6569	QUINTANAR, SANTOS H	11165 HERMINIA CT	MORENO VALLEY, CA	92555-6569	40.69	4.07	8.06	52.8
31373985008	473230007	GONZALES, MARTIN	11214	HERMINIA CT	MORENO VALLEY	CA	92555-6503	GONZALES, MARTIN	11214 HERMINIA CT	MORENO VALLEY, CA	92555-6503	329.32	32.93	65.21	427.44
31786793008	473241006	BARRAGAN, JESSICA (RENT)	28115	LOCUST AVE	MORENO VALLEY	CA	92555-5228	BARRAGAN, JESSICA (RENT)	28115 LOCUST AVE	MORENO VALLEY, CA	92555-5228	165.92	16.59	32.85	215.36
80379445009	473241009	SMITH, CASSANDRA	28050	MORREY LN	MORENO VALLEY	CA	92555-5242	SMITH, CASSANDRA	28050 MORREY LN	MORENO VALLEY, CA	92555-5242	398.79	39.88	78.96	517.62
31208775000	473241011	KOONTZ, STACY AND STEVE	28094	MORREY LN	MORENO VALLEY	CA	92555-5242	KOONTZ, STACY AND STEVE	28094 MORREY LN	MORENO VALLEY, CA	92555-5242	329.32	32.93	65.21	427.44
72926365003	473241016	CALLOWAY, DON	28099	MORREY LN	MORENO VALLEY	CA	92555-5243	CALLOWAY, DON	9287 STONE CANYON RD	CORONA, CA	92883-5099	329.32	32.93	65.21	427.44
31330395002	473241018	MUIR, DEBBIE	28050	GERALD LN	MORENO VALLEY	CA	92555-5210	MUIR, DEBBIE	28050 GERALD LN	MORENO VALLEY, CA	92555-5210	90.39	9.04	17.9	117.32
95346375005	473241031	MOELLER, DONNA (RENT)	28094	KALMIA AVE	MORENO VALLEY	CA	92555-5215	MOELLER, DONNA	28094 KALMIA AVE	MORENO VALLEY, CA	92555-5215	63.63	6.36	12.6	82.58
59413185007	473250020	HARRINGTON, FRANK	28400	LOCUST AVE	MORENO VALLEY	CA	92555-5229	HARRINGTON, FRANK	28400 LOCUST AVE	MORENO VALLEY, CA	92555-5229	329.6	32.96	65.26	427.82
54992115000	473250032	VIERNES, JOSE	28301	MANZANITA AVE	MORENO VALLEY	CA	92555-5239	VIERNES, JOSE	28301 MANZANITA AVE	MORENO VALLEY, CA	92555-5239	254.02	25.4	50.3	329.7
31059025005	473250036	NELSON, TERRY AND REBECCA	28230	LOCUST AVE	MORENO VALLEY	CA	92555-5264	NELSON, TERRY AND REBECCA	28230 LOCUST AVE	MORENO VALLEY, CA	92555-5264	190.69	19.07	37.76	247.5
75503295002	473250049	ROMERO, MIGUEL	28389	BLACK OAK AVE	MORENO VALLEY	CA	92555-5203	ROMERO, MIGUEL	28389 BLACK OAK AVE	MORENO VALLEY, CA	92555-5203	329.32	32.93	65.21	427.44
58350165006	473250057	PENTONEY, KRISTIN	11177	QUINCY ST	MORENO VALLEY	CA	92555-6583	PENTONEY, KRISTIN	11177 QUINCY ST	MORENO VALLEY, CA	92555-6583	254.12	25.41	50.32	329.84
31305495003	473260002	FLEMING, CARL	11165	RAYMOND RD	MORENO VALLEY	CA	92555-6529	FLEMING, CARL	11165 RAYMOND RD	MORENO VALLEY, CA	92555-6529	73.64	7.36	14.58	95.58
31188215002	473260005	LOGAN, RONALD (OWNR)	11093	RAYMOND RD	MORENO VALLEY	CA	92555-6588	LOGAN, RONALD	11093 RAYMOND RD	MORENO VALLEY, CA	92555-6588	104.02	10.4	20.6	135
31511885004	473260009	NUNEZ, RUBEN	11088	RAYMOND RD	MORENO VALLEY	CA	92555-6588	NUNEZ, RUBEN	11088 RAYMOND RD	MORENO VALLEY, CA	92555-6588	127.36	12.74	25.22	165.3
98059705012	473280024	FANNING, MARTHA (OWNR)	28040	KALMIA AVE	MORENO VALLEY	CA	92555-5215	FANNING, MARTHA	28040 KALMIA AVE	MORENO VALLEY, CA	92555-5215	120.49	12.05	23.86	156.38
31483565008	473310020	HUHS, JEFFREY	28889	JUNIPER AVE	MORENO VALLEY	CA	92555-6572	HUHS, JEFFREY	PO BOX 9191	SPRING, TX	77387-9191	404.62	40.46	80.11	525.18
80559305005	473340004	SADLER, DOUG AND DEANNA	11197	BONNIE VIEW AVE	MORENO VALLEY	CA	92555-5254	SADLER, DOUG AND DEANNA	11197 BONNIE VIEW AVE	MORENO VALLEY, CA	92555-5254	329.32	32.93	65.21	427.44
84770365001	473351022	WHEELER, BRADFORD	11108	ALDREN CT	MORENO VALLEY	CA	92555-6547	WHEELER, BRADFORD	11108 ALDREN CT	MORENO VALLEY, CA	92555-6547	254.12	25.41	50.32	329.84
84027765002	473361007	VASQUEZ, ALAND DIANE	11134	ALDREN CT	MORENO VALLEY	CA	92555-6547	VASQUEZ, ALAND DIANE	11134 ALDREN CT	MORENO VALLEY, CA	92555-6547	190.79	19.08	37.78	247.64
31651435003	473362005	ESPINOZA, MARISELA C	11160	TWILIGHT WAY	MORENO VALLEY	CA	92555-6546	ESPINOZA, MARISELA C	11160 TWILIGHT WAY	MORENO VALLEY, CA	92555-6546	82.68	8.27	16.37	107.3
31288445002	473364006	BECK, BONNIE	28689	MARK RD	MORENO VALLEY	CA	92555-6578	BECK, BONNIE	28689 MARK RD	MORENO VALLEY, CA	92555-6578	162.96	16.3	32.27	211.52
31318905000	473371004	WILLIAMS, RUTH	27831	KALMIA AVE	MORENO VALLEY	CA	92555-5262	WILLIAMS, RUTH	27831 KALMIA AVE	MORENO VALLEY, CA	92555-5262	323.22	32.32	64	419.52
31153645006	473371012	BUSH, ODAS	11659	VALLE LINDO	MORENO VALLEY	CA	92555-5311	BUSH, ODAS	11659 VALLE LINDO	MORENO VALLEY, CA	92555-5311	329.6	32.96	65.26	427.82
71899975005	473373003	DELONE, RAYMOND	27927	KALMIA AVE	MORENO VALLEY	CA	92555-5213	DELONE, RAYMOND	27927 KALMIA AVE	MORENO VALLEY, CA	92555-5213	254.02	25.4	50.3	329.7
31055045009	473373006	FRANKLIN, CHESTER A	27999	KALMIA AVE	MORENO VALLEY	CA	92555-5213	FRANKLIN, CHESTER A	27999 KALMIA AVE	MORENO VALLEY, CA	92555-5213	153.59	15.36	30.41	199.34
31181545008	473382004	GORDON, JOYCE LINN	11748	VALLE LINDO	MORENO VALLEY	CA	92555-5324	GORDON, JOYCE LINN	11748 VALLE LINDO	MORENO VALLEY, CA	92555-5324	303.93	30.39	60.18	394.5
31149205006	473388002	EVANS, VIRGINIA	11722	VIA COLINA	MORENO VALLEY	CA	92555-5326	EVANS, VIRGINIA	11722 VIA COLINA	MORENO VALLEY, CA	92555-5326	254.02	25.4	50.3	329.7
31154225002	473384005	GOOCH, RON	11748	KNOLL VISTA ST	MORENO VALLEY	CA	92555-5317	GOOCH, RON	11748 KNOLL VISTA ST	MORENO VALLEY, CA	92555-5317	329.32	32.93	65.21	427.44
31197205005	473391001	TRAX, LINDA	11285	QUINCY ST	MORENO VALLEY	CA	92555-6585	TRAX, LINDA	1554 BARTON RD	REDLANDS, CA	92373-5457	254.02	25.4	50.3	329.7
91976193001	473391019	SERRANO, ROSA	26462	CLYDESDALE LN	MORENO VALLEY	CA	92555-3331	SERRANO, ROSA	26462 CLYDESDALE LN	MORENO VALLEY, CA	92555-3331	190.79	19.08	37.78	247.64
82637675009	473392005	CABAN, APRIL	11443	LADD AVE	MORENO VALLEY	CA	92555-5234	CABAN, APRIL	11443 LADD AVE	MORENO VALLEY, CA	92555-5234	323.49	32.35	64.05	419.88
31166085005	473401003	ROSS, DAVID	11335	EDMONSON AVE	MORENO VALLEY	CA	92555-5275	ROSS, DAVID	11335 EDMONSON AVE	MORENO VALLEY, CA	92555-5275	229.32	22.93	45.41	297.64
31300825005	473411002	WHITESIDE, HUESTON (OWNR)	11302	CROCKER CIR	MORENO VALLEY	CA	92555-5236	WHITESIDE, HUESTON	11302 CROCKER CIR	MORENO VALLEY, CA	92555-5236	329.32	32.93	65.21	427.44
31591685008	474073003	ORDORICA, HALDO	11341	COLEMAN ST	MORENO VALLEY	CA	92557-5751	ORDORICA, HALDO	11341 COLEMAN ST	MORENO VALLEY, CA	92557-5751	254.02	25.4	50.3	329.7
97082505007	474074013	BYRD, ANGELA (OWNR)	25124	LAMAYO AVE	MORENO VALLEY	CA	92557-5710	BYRD, ANGELA	25124 LAMAYO AVE	MORENO VALLEY, CA	92557-5710	254.12	25.41	50.32	329.84
97082295001	474081012	DELTORO, RUBEN (OWNR)	25388	JACLYN AVE	MORENO VALLEY	CA	92557-5741	DEL TORO, RUBEN	25388 JACLYN AVE	MORENO VALLEY, CA	92557-5741	204.12	20.41	40.42	264.94
31291425000	474082007	CHAVEZ, JOSE	25236	LAMAYO AVE	MORENO VALLEY	CA	92557-5761	CHAVEZ, JOSE	25236 LAMAYO AVE	MORENO VALLEY, CA	92557-5761	398.34	39.83	78.87	517.04
31541395004	474083001	GREEN, ROSALIND	25205	LAMAYO AVE	MORENO VALLEY	CA	92557-5771	GREEN, ROSALIND	25205 LAMAYO AVE	MORENO VALLEY, CA	92557-5771	254.12	25.41	50.32	329.84
31177775007	474084024	NEVELS, THOMAS	11400	SPLENDOR WAY	MORENO VALLEY	CA	92557-5767	NEVELS, THOMAS	11400 SPLENDOR WAY	MORENO VALLEY, CA	92557-5767	257.1	25.71	50.91	333.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
59028075007	474110034	ACOSTA, GERALDINE	11395	LASSELLE ST	MORENO VALLEY	CA	92557-5819	ACOSTA, GERALDINE	11395 LASSELLE ST	MORENO VALLEY, CA	92557-5819	254.02	25.4	50.3	329.7
31562975004	474110038	AGUILAR, JANEL	25890	KALMIA AVE	MORENO VALLEY	CA	92557-5838	AGUILAR, JANEL	25890 KALMIA AVE	MORENO VALLEY, CA	92557-5838	247.76	24.78	49.06	321.58
101649593008	474110047	CAPARELLO, LIVIO	11303	LASSELLE ST	MORENO VALLEY	CA	92557-5819	CAPARELLO, LIVIO	11303 LASSELLE ST	MORENO VALLEY, CA	92557-5819	296.23	29.62	58.65	384.5
62763975004	474120009	SANAME, MILFORD	11730	PERRIS BLVD	MORENO VALLEY	CA	92557-6538	SANAME, MILFORD	11730 PERRIS BLV	MORENO VALLEY, CA	92557-6538	254.12	25.41	50.32	329.84
64554965007	474130009	GIBSON, MELISSA	11592	MATHEWS RD	MORENO VALLEY	CA	92557-6521	GIBSON, MELISSA	11592 MATHEWS RD	MORENO VALLEY, CA	92557-6521	254.12	25.41	50.32	329.84
31086965000	474130012	DE LA CRUZ, ED & DONNA	25325	MOUNTAIN CLIFF DR	MORENO VALLEY	CA	92557-6503	DE LA CRUZ, ED & DONNA	25325 MOUNTAIN CLIFF DR	MORENO VALLEY, CA	92557-6503	90.02	9	17.82	116.84
65177925005	474130021	MARTINEZ, RAFAELA	25448	VALLEY VIEW LN	MORENO VALLEY	CA	92557-6506	MARTINEZ, RAFAELA	25448 VALLEY VIEW LN	MORENO VALLEY, CA	92557-6506	127.46	12.75	25.24	165.44
92471045004	474130023	GUTIERREZ, ARTURO	25446	MOUNTAIN CLIFF DR	MORENO VALLEY	CA	92557-6504	GUTIERREZ, ARTURO	25446 MOUNTAIN CLIFF DR	MORENO VALLEY, CA	92557-6504	254.02	25.4	50.3	329.7
31106375000	474130033	GABLE, THOMAS	11560	MATHEWS RD	MORENO VALLEY	CA	92557-6521	GABLE, THOMAS	11560 MATHEWS RD	MORENO VALLEY, CA	92557-6521	329.32	32.93	65.21	427.44
31635225000	474141010	MOORHOUSE, AMANDA	11705	IVY LN	MORENO VALLEY	CA	92557-6523	MOORHOUSE, AMANDA	11705 IVY LN	MORENO VALLEY, CA	92557-6523	24.34	2.43	4.82	31.58
31078595005	474141018	RICHARDSON, DALE	11683	IVY LN	MORENO VALLEY	CA	92557-6531	RICHARDSON, DALE	11683 IVY LN	MORENO VALLEY, CA	92557-6531	254.02	25.4	50.3	329.7
31142355009	474142001	KATCHADOORIAN, ROSE	25405	VALLEY VIEW LN	MORENO VALLEY	CA	92557-6507	KATCHADORRIAN, ROSE	25405 VALLEY VIEW LN	MORENO VALLEY, CA	92557-6507	228.63	22.86	45.27	296.76
31309115005	474142005	BANSLEY, KAREN A	11740	IVY LN	MORENO VALLEY	CA	92557-6500	BANSLEY, KAREN A	11740 IVY LN	MORENO VALLEY, CA	92557-6500	329.6	32.96	65.26	427.82
62226475007	474142010	LIEN, BRANDI	11696	IVY LN	MORENO VALLEY	CA	92557-6530	LIEN, BRANDI	11696 IVY LN	MORENO VALLEY, CA	92557-6530	329.6	32.96	65.26	427.82
31246735009	474151011	GALUS, MARTIN	11821	IVY LN	MORENO VALLEY	CA	92557-6524	GALUS, MARTIN	11821 IVY LN	MORENO VALLEY, CA	92557-6524	323.22	32.32	64	419.52
70318925008	474151029	SANCHEZ, JOE	11776	FRANKLIN ST	MORENO VALLEY	CA	92557-6526	SANCHEZ, JOE	11776 FRANKLIN ST	MORENO VALLEY, CA	92557-6526	323.48	32.35	64.05	419.88
31216515008	474152004	FLORES, FRANK	11765	KITCHING ST	MORENO VALLEY	CA	92557-6608	FLORES, FRANK	11765 KITCHING ST	MORENO VALLEY, CA	92557-6608	762.06	76.21	150.89	989.14
31324215003	474152005	FERNANDEZ, FRANK	11791	KITCHING ST	MORENO VALLEY	CA	92557-6608	FERNANDEZ, FRANK	11791 KITCHING ST	MORENO VALLEY, CA	92557-6608	329.32	32.93	65.21	427.44
92805123006	474153008	MERCER, KEVIN (RENT)	11835	FRANKLIN ST	MORENO VALLEY	CA	92557-6527	MERCER, KEVIN	11835 FRANKLIN ST	MORENO VALLEY, CA	92557-6527	219.36	21.94	43.43	284.72
31115745004	474162002	BURNETT, ARTHUR	11890	IVY LN	MORENO VALLEY	CA	92557-6532	BURNETT, ARTHUR	500 S MARSHALL AVE APT 41	MCLEANSBORO, IL	62859-1905	329.32	32.93	65.21	427.44
56275785007	474162015	BLANCO, MANUEL	11945	KITCHING ST	MORENO VALLEY	CA	92557-6640	BLANCO, MANUEL	11945 KITCHING ST	MORENO VALLEY, CA	92557-6640	254.02	25.4	50.3	329.7
31326525003	474163003	GONZALEZ, KATHY	11969	IVY LN	MORENO VALLEY	CA	92557-6525	GONZALEZ, KATHY	28485 GONZAGA RD	SANTA NELLA, CA	95322-9740	254.02	25.4	50.3	329.7
94037495006	474170003	GARCIA, ORFELINA AND SANTIAGO	11530	KITCHING ST	MORENO VALLEY	CA	92557-5827	GARCIA, ORFELINA AND SANTIAGO	11530 KITCHING ST	MORENO VALLEY, CA	92557-5827	258.52	25.85	51.19	335.54
58787495000	474170004	HEISF, KAREN	11560	KITCHING ST	MORENO VALLEY	CA	92557-5827	HEISF, KAREN	11560 KITCHING ST	MORENO VALLEY, CA	92557-5827	405.08	40.51	80.21	525.78
31123835009	474170007	SLEETER, DAVID	11620	KITCHING ST	MORENO VALLEY	CA	92557-6609	SLEETER, DAVID	11620 KITCHING ST	MORENO VALLEY, CA	92557-6609	164.8	16.48	32.63	213.9
99206513008	474170018	VURENTE , BRODERICK (RENT)	11549	KAYAL AVE	MORENO VALLEY	CA	92557-5810	VURENTE , BRODERICK	11549 KAYAL AVE	MORENO VALLEY, CA	92557-5810	396.56	39.66	78.52	514.72
31384585009	474170019	LEE, DELMA (OWNR)	11575	KAYAL AVE	MORENO VALLEY	CA	92557-5810	LEE, DELMA	11575 KAYAL AVE	MORENO VALLEY, CA	92557-5810	254.02	25.4	50.3	329.7
31183675006	474171006	BYLER, LUCINDA	25647	LILY CT	MORENO VALLEY	CA	92557-5831	BYLER, LUCINDA	25647 LILY CT	MORENO VALLEY, CA	92557-5831	190.69	19.07	37.76	247.5
84119765007	474171012	ORTEGA, PATRICIA	11545	SLAWSON AVE	MORENO VALLEY	CA	92557-5832	ORTEGA, PATRICIA	11545 SLAWSON AVE	MORENO VALLEY, CA	92557-5832	254.02	25.4	50.3	329.7
99034225001	474180013	COLEMAN, STEVEN	25580	OVERLOOK CIR	MORENO VALLEY	CA	92557-6647	COLEMAN, STEVEN	25580 OVERLOOK CIR	MORENO VALLEY, CA	92557-6647	127.36	12.74	25.22	165.3
97420715005	474180021	WHEELER, DIANE (RENT)	11643	KAYAL AVE	MORENO VALLEY	CA	92557-6618	WHEELER, DIANE	11643 KAYAL AVE	MORENO VALLEY, CA	92557-6618	228.72	22.87	45.29	296.88
31631745000	474180024	RICHARDSON, LARRY	11685	KAYAL AVE	MORENO VALLEY	CA	92557-6619	RICHARDSON, LARRY	22972 SPRINGDALE AVE	MORENO VALLEY, CA	92557-2604	254.02	25.4	50.3	329.7
67276535005	474180025	JAMES, DELIA	11699	KAYAL AVE	MORENO VALLEY	CA	92557-6619	JAMES, DELIA	11699 KAYAL AVE	MORENO VALLEY, CA	92557-6619	329.6	32.96	65.26	427.82
92470695009	474200010	VELSQUEZ, ANGEL	11545	LASSELLE ST	MORENO VALLEY	CA	92557-5821	VELSQUEZ, ANGEL	11545 LASSELLE ST	MORENO VALLEY, CA	92557-5821	254.02	25.4	50.3	329.7
31360005001	474200021	JONES, OLA	11565	LASSELLE ST	MORENO VALLEY	CA	92557-5821	JONES, OLA	11565 LASSELLE ST	MORENO VALLEY, CA	92557-5821	254.02	25.4	50.3	329.7
99315023000	474220011	HARRIS, GLORIA	26191	KALMIA AVE	MORENO VALLEY	CA	92555-1744	HARRIS, GLORIA	26191 KALMIA AVE	MORENO VALLEY, CA	92555-1744	175.04	17.5	34.66	227.2
88165845000	474220012	STOKES, ROBERT	26203	KALMIA AVE	MORENO VALLEY	CA	92555-1724	STOKES, ROBERT	26203 KALMIA AVE	MORENO VALLEY, CA	92555-1724	329.6	32.96	65.26	427.82
97416553006	474220013	DE JONG, JENNIFER (RENT)	26215	KALMIA AVE	MORENO VALLEY	CA	92555-1724	DE JONG, JENNIFER	26215 KALMIA AVE	MORENO VALLEY, CA	92555-1724	51.07	5.11	10.11	66.28
31416675000	474220025	RHODES, MR AND MRS KEITH D	26340	KALMIA AVE	MORENO VALLEY	CA	92555-1720	RHODES, MR AND MRS KEITH D	26340 KALMIA AVE	MORENO VALLEY, CA	92555-1720	329.32	32.93	65.21	427.44
31416015009	474220030	TAYLOR, WILLIE (OWNR)	26300	KALMIA AVE	MORENO VALLEY	CA	92555-1720	TAYLOR, WILLIE	26300 KALMIA AVE	MORENO VALLEY, CA	92555-1720	237.33	23.73	46.99	308.04
31104445001	474220032	STOKES, LORRAINE	26246	KALMIA AVE	MORENO VALLEY	CA	92555-1723	STOKES, LORRAINE	26246 KALMIA AVE	MORENO VALLEY, CA	92555-1723	329.32	32.93	65.21	427.44
31640285007	474230008	MACON, DITRA	26611	KALMIA AVE	MORENO VALLEY	CA	92555-1761	MACON, DITRA	26611 KALMIA AVE	MORENO VALLEY, CA	92555-1761	392.96	39.3	77.81	510.06
31366725007	474260005	WORTMAN, CRYSTAL	11621	DALEHURST RD	MORENO VALLEY	CA	92555-1909	WORTMAN, CRYSTAL	11621 DALEHURST RD	MORENO VALLEY, CA	92555-1909	254.02	25.4	50.3	329.7
96170395004	474271003	ALCOCER, ANGELES (RENT)	26548	IRONWOOD AVE	MORENO VALLEY	CA	92555-1714	ALCOCER, ANGELES	26548 IRONWOOD AVE	MORENO VALLEY, CA	92555-1714	254.12	25.41	50.32	329.84
72807525002	474272005	REY, WELLY	26900	SANDI LN	MORENO VALLEY	CA	92555-1915	REY, WELLY	13439 KIRKWOOD DR	VICTORVILLE, CA	92392-7504	398.79	39.88	78.96	517.62
96316005005	474272007	PAWLUK, GEORGE (RENT)	26920	SANDI LN	MORENO VALLEY	CA	92555-1915	PAWLUK, GEORGE	26920 SANDI LN	MORENO VALLEY, CA	92555-1915	70.79	7.08	14.02	91.88
60618105005	474272009	GAPCZYNSKI, WILLIAM	26960	SANDI LN	MORENO VALLEY	CA	92555-1915	GAPCZYNSKI, WILLIAM	26960 SANDI LN	MORENO VALLEY, CA	92555-1915	254.12	25.41	50.32	329.84
48508455001	474272011	ROBLES, ISABEL	26995	SANDI LN	MORENO VALLEY	CA	92555-1915	ROBLES, ISABEL	26995 SANDI	MORENO VALLEY, CA	92555-1915	254.02	25.4	50.3	329.7
31616475007	474272018	VOSS, VICTOR	26860	IRONWOOD AVE	MORENO VALLEY	CA	92555-1907	VOSS, VICTOR	4890 AGATE	LAGUNA BEACH, CA	92651-3324	254.02	25.4	50.3	329.7
58792055002	474272023	HAMPEN, LORRIE	26850	IRONWOOD AVE	MORENO VALLEY	CA	92555-1907	HAMPEN, LORRIE	12553 SHADYBEND DR	MORENO VALLEY, CA	92553-5906	405.08	40.51	80.21	525.78
97271685008	474272026	HOWARD, PATRICK (OWNR)	26785	IRONWOOD AVE	MORENO VALLEY	CA	92555-1906	HOWARD, PATRICK	26785 IRONWOOD AVE	MORENO VALLEY, CA	92555-1906	254.12	25.41	50.32	329.84
31521545005	474272031	APOLDO, HENRY	26965	KAFTAN WAY	MORENO VALLEY	CA	92555-1911	APOLDO, HENRY	11502 BRECKENRIDGE DR	WHITTIER, CA	90604-2511	208.06	20.81	41.2	270.06
31639055007	474273002	VALADEZ, CHANTEL (OWN)	26563	IRONWOOD AVE	MORENO VALLEY	CA	92555-1715	VALADEZ, CHANTEL	26563 IRONWOOD AVE	MORENO VALLEY, CA	92555-1715	272.89	27.29	54.03	354.2
31413915007	474273003	BAUER, DARRYLL AND SUSAN	26603	IRONWOOD AVE	MORENO VALLEY	CA	92555-1770	BAUER, DARRYLL AND SUSAN	26603 IRONWOOD AVE	MORENO VALLEY, CA	92555-1770	462.43	46.24	91.56	600.22
70863365000	474273009	DIAZ, FRANCISCO	26765	IRONWOOD AVE	MORENO VALLEY	CA	92555-1906	DIAZ, FRANCISCO	26765 IRONWOOD AVE	MORENO VALLEY, CA	92555-1906	254.02	25.4	50.3	329.7
31457125000	474283004	SERNA, RUDY AND MOLLIE	25425	JACLYN AVE	MORENO VALLEY	CA	92557-5709	SERNA, RUDY AND MOLLIE	25425 JACLYN AVE	MORENO VALLEY, CA	92557-5709	62.74	6.27	12.42	81.42
93214145006	474284001	MUNIZ, ISABEL	25486	JACLYN AVE	MORENO VALLEY	CA	92557-5708	MUNIZ, ISABEL	27421 WALFRED WAY	MORENO VALLEY, CA	92555-2111	70.21	7.02	13.9	91.12
31301395003	474291005	CLAYTON, AMY	11430	COLEMAN ST	MORENO VALLEY	CA	92557-5752	CLAYTON, AMY	11430 COLEMAN ST	MORENO VALLEY, CA	92557-5752	165.92	16.59	32.85	215.36
31531705000	474291021	CLARK, PAUL	11415	TROPIC CT	MORENO VALLEY	CA	92557-5747	CLARK, PAUL	11415 TROPIC CT	MORENO VALLEY, CA	92557-5747	246.36	24.64	48.78	319.76
57613585000	474291033	UBALLEZ, GLORIA	11410	RIVIERA CT	MORENO VALLEY	CA	92557-5748	UBALLEZ, GLORIA	11410 RIVIERA CT	MORENO VALLEY, CA	92557-5748	32.36	3.24	6.41	42
64441835005	474292001	FLAMENCO, PATRICIA	11411	COLEMAN ST	MORENO VALLEY	CA	92557-5753	FLAMENCO, PATRICIA	11411 COLEMAN ST	MORENO VALLEY, CA	92557-5753	254.12	25.41	50.32	329.84
31216385005	474292027	PHONG, KHA MICHAEL	25036	KALMIA AVE	MORENO VALLEY	CA	92557-5757	PHONG, KHA MICHAEL	25036 KALMIA AVE	MORENO VALLEY, CA	92557-5757	254.02	25.4	50.3	329.7
31367285007	474320009	YOUNG, KIM	25900	FRANKLOU DR	MORENO VALLEY	CA	92557-5301	YOUNG, KIM	25900 FRANKLOU DR	MORENO VALLEY, CA	92557-5301	254.02	25.4	50.3	329.7
31293695009	474333016	SCHROEDER, KAREN	25271	ALPHA ST	MORENO VALLEY	CA	92557-5728	SCHROEDER, KAREN	25271 ALPHA ST	MORENO VALLEY, CA	92557-5728	306.42	30.64	60.67	397.72
92924855000	474330019	GASYAN, KRISTINA (RENT)	25228	KALMIA AVE	MORENO VALLEY	CA	92557-5732	GASYAN, KRISTINA	14150 GRANT ST	MORENO VALLEY, CA	92553-9114	254.12	25.41	50.32	329.84
31520705003	474333021	LANDRY, RUBY	25272	KALMIA AVE	MORENO VALLEY	CA	92557-5732	LANDRY, RUBY	25272 KALMIA AVE	MORENO VALLEY, CA	92557-5732	190.79	19.08	37.78	247.64
31059775007	474351006	BARTELL, MRS AND MR	11525	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1746	BARTELL, MRS AND MR	11525 STEEPLE CHASE DR	MORENO VALLEY, CA	92555-1746	26	2.6	5.15	33.74
31087995002	474351010	GERBITZ, JESS	26075	BERCAW CT	MORENO VALLEY	CA	92555-1702	GERBITZ, JESS	26075 BERCAW CT	MORENO VALLEY, CA	92555-1702	254.02	25.4	50.3	329.7
99972453003	474352001	MCGEE, CHARRISSE (RENT)	26188	MOUNTAIN RANCH RD	MORENO VALLEY	CA	92555-1762	MCGEE, CHARRISSE	26188 MOUNTAIN RANCH RD	MORENO VALLEY, CA	92555-1762	185.85	18.59	36.8	241.22
31574435007	474352005	PETERS, MICHEAL	11540	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1745	PETERS, MICHEAL	11540 STEEPLE CHASE DR	MORENO VALLEY, CA	92555-1745	329.32	32.93	65.21	427.44
70049205000	474353004	ACOSTA, VANESSA	26240	NORTHSHORE DR	MORENO VALLEY	CA	92555-1736	ACOSTA, VANESSA	26240 NORTHSHORE DR	MORENO VALLEY, CA	92555-1736	323.49	32.35	64.05	419.88
89783995007	474361003	HILL, KARINA	26014	CHATEAU CT	MORENO VALLEY	CA	92555-1772	HILL, KARINA	26014 CHATEAU CT	MORENO VALLEY, CA	92555-1772	63.03	6.3	12.48	81.8
31593505002	474361022	KELLEY, KEN	26015	CHATEAU CT	MORENO VALLEY	CA	92555-1772	KELLEY, KEN	26015 CHATEAU CT	MORENO VALLEY, CA	92555-1772	254.02	25.4	50.3	329.7
31248755000	474361026	KHATTAB, MAHMOUD	11665	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1706	KHATTAB, MAHMOUD	11665 STEEPLE CHASE DR	MORENO VALLEY, CA	92555-1706	254.12	25.41	50.32	329.84
88795485009	474361027	BARNETT, ALICIA	11685	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1706	BARNETT, ALICIA	15356 AGUILA PASS	MORENO VALLEY, CA	92555-2900	254.12	25.41	50.32	329.84
31260795007	474363005	JOHNSON, JONITH	11726	VISTA DE CERROS DR	MORENO VALLEY	CA	92555-1752	JOHNSON, JONITH	11726 VISTA DE CERROS DR	MORENO VALLEY, CA	92555-1752	329.6	32.96	65.26	427.82
31452375008	474371012	CASON, VIDELL	11820	LASSELLE ST	MORENO VALLEY	CA	92557-6601	CASON, VIDELL	11858 ASLAN CT	MORENO VALLEY, CA	92557-6173	329.32	32.93	65.21	427.44
31138095002	474381011	MUIA, RICHARD P	11990	LASSELLE ST	MORENO VALLEY	CA	92557-6603	MUIA, RICHARD P	11457 E 178TH ST	ARTESIA, CA	90701-3827	325.13	32.51	64.38	422
31304015002	474381012	LARA, ALAN	11991	ELAHIL CT	MORENO VALLEY	CA	92555-1757	LARA, ALAN	11991 ELAHIL CT	MORENO VALLEY, CA	92555-1757	329.32	32.93	65.21	427.44
94980555004	474381013	RODRIGUEZ, JOSE	11970	ELAHIL CT	MORENO VALLEY	CA	92555-1757	RODRIGUEZ, JOSE	11970 ELAHIL CT	MORENO VALLEY, CA	92555-1757	152.12	15.21	30.12	197.44
96697185000	474381027	MUNOZ, ERIC	11921	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1751	MUNOZ, ERIC	71-1683 PUUKAMANU LOOP #52	KAILUA KONA, HI	96740-9328	420.76	42.08	83.31	546.14
31112615008	474382001	TORRES, TONY	11910	STEEPLE CHASE DR	MORENO VALLEY	CA	92555-1750	TORRES, TONY	11910 STEEPLE CHASE DR	MORENO VALLEY, CA	92555-1750	254.02	25.4	50.3	329.7
96541865007	474384001	CHESTER, DORTHY	11938	VISTA DE CERROS DR	MORENO VALLEY	CA	92555-1754	CHESTER, DORTHY	11457 178TH ST	ARTESIA, CA	90701-3827	420.76	42.08	83.31	546.14
31266375002	474391001	CONSTON, DONALD	25112	QUEBRADA CT	MORENO VALLEY	CA	92557-6529	CONSTON, DONALD	25112 QUEBRADA CT	MORENO VALLEY, CA	92557-6529	254.12	25.41	50.32	329.84
88217085008	474391010	SALINAS, REGINA	25045	QUEBRADA CT	MORENO VALLEY	CA	92557-6509	SALINAS, REGINA	25045 QUEBRADA CT	MORENO VALLEY, CA	92557-6509	127.46	12.75	25.24	165.44
31237505006	474391022	RIOS, MARIA	25053	GRADUAR CT	MORENO VALLEY	CA	92557-6511	RIOS, MARIA	25053 GRADUAR CT	MORENO VALLEY, CA	92557-6511	254.02	25.4	50.3	329.7
99987285007	474392009	STRIETER, DAVID (RENT)	11981	VENETIAN DR	MORENO VALLEY	CA	92557-6520	STRIETER, DAVID	11981 VENETIAN DR	MORENO VALLEY, CA	92557-6520	154.12	15.41	30.52	200.04
31161045005	474393007	MUCINO, ALEX	11965	VILLA HERMOSA	MORENO VALLEY	CA	92557-6515	MUCINO, ALEX	11965 VILLA HERMOSA	MORENO VALLEY, CA	92557-6515	329.32	32.93	65.21	427.44
89006555005	474394001	JONES, NATALIE	11996	VILLA HERMOSA	MORENO VALLEY	CA	92557-6516	JONES, NATALIE	11996 VILLA HERMOSA	MORENO VALLEY, CA	92557-6516	253.83	25.38	50.26	329.46
88582165008	474394008	CONTRERAS, IVONNE	11954	VILLA HERMOSA	MORENO VALLEY	CA	92557-6516	CONTRERAS, IVONNE	11954 VILLA HERMOSA	MORENO VALLEY, CA	92557-6516	127.46	12.75	25.24	165.44
31272545005	474401002	PIERS, STEPHEN	11465	SAN FERNANDO ST	MORENO VALLEY	CA	92557-5720	PIERS, STEPHEN	11465 SAN FERNANDO ST	MORENO VALLEY, CA	92557-5720	253.92	25.39	50.28	329.58
68711195001	474402001	GARCIA, BENNY AND JOAN	25476	KALMIA AVE	MORENO VALLEY	CA	92557-5736	GARCIA, BENNY	25476 KALMIA AVE	MORENO VALLEY, CA	92557-5736	258.35	25.84	51.15	335.32
31553715002	474402005	FERGUSON, ARTHUR AND ELLEN	11401	KITCHING ST	MORENO VALLEY	CA	92557-5826	FERGUSON, ARTHUR AND ELLEN	11401 KITCHING ST	MORENO VALLEY, CA	92557-5826	250.32	25.03	49.56	324.9
67108715002	474402022	LOUGH, CATHI	25462	KALMIA AVE	MORENO VALLEY	CA	92557-5736	LOUGH, CATHI	25462 KALMIA AVE	MORENO VALLEY, CA	92557-5736	399.24	39.92	79.05	518.2
31362775005	474403002	NICHOLLS, MARCI J	11345	SAN FERNANDO ST	MORENO VALLEY	CA	92557-5718	NICHOLLS, MARCI J	11345 SAN FERNANDO ST	MORENO VALLEY, CA	92557-5718	329.32	32.93	65.21	427.44
31070725005	474403006	FIELDS, CLAUDE W	25446	SANTA BARBARA ST	MORENO VALLEY	CA	92557-5701	FIELDS, CLAUDE W	25446 SANTA BARBARA ST	MORENO VALLEY, CA	92557-5701	254.02	25.4	50.3	329.7
89613473005	474404007	GARCIA, MARIA (RENT)	11440	KITCHING ST	MORENO VALLEY	CA	92557-5840	GARCIA, MARIA	11440 KITCHING ST	MORENO VALLEY, CA	92557-5840	190.79	19.08	37.78	247.64
91415285001	474410002	GIBSON, LINDA	26280	HORIZON WAY	MORENO VALLEY	CA	92555-1731	GIBSON, LINDA	26280 HORIZON WAY	MORENO VALLEY, CA	92555-1731	47.22	4.72	9.35	61.28
60693595005	474410010	AGUAYO, LUIS	26340	MOUNTAIN RANCH RD	MORENO VALLEY	CA	92555-1734	AGUAYO, LUIS	26340 MOUNTAIN RANCH RD	MORENO VALLEY, CA	92555-1734	254.12	25.41	50.32	329.84
74569985009	474420005	VILLICANA, JESUS	24463	BARLEY RD	MORENO VALLEY	CA	92557-4054	VILLICANA, JESUS	24463 BARLEY RD	MORENO VALLEY, CA	92557-4054	329.32	32.93	65.21	427.44
83247035001	474431003	HUTCHINSON, TERRI	24260	HARVEST RD	MORENO VALLEY	CA	92557-4021	HUTCHINSON, TERRI	24260 HARVEST RD	MORENO VALLEY, CA	92557-4021	202.5	20.25	40.1	262.84

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31619205008	474431009	JACKSON, KINSEY	24271	HARVEST RD	MORENO VALLEY	CA	92557-4047	JACKSON, KINSEY	24271 HARVEST RD	MORENO VALLEY, CA	92557-4047	329.32	32.93	65.21	427.44
31064205007	474431030	MOSLEY, APRIL	24322	BARLEY RD	MORENO VALLEY	CA	92557-4050	MOSLEY, APRIL	24322 BARLEY RD	MORENO VALLEY, CA	92557-4050	76.32	7.63	15.11	99.06
31338215003	474432006	HERRERA, SERGIO	24380	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4010	HERRERA, MILDRED	24380 OLD COUNTRY RD	MORENO VALLEY, CA	92557-4010	254.02	25.4	50.3	329.7
72235775003	474432008	WILLIAMS, MICHEALA	24406	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4010	WILLIAMS, MICHEALA	24406 OLD COUNTRY RD	MORENO VALLEY, CA	92557-4010	26.96	2.7	5.34	34.98
75285135000	474433011	DAHLQUIST, RICHARD	24461	WILLOW RUN RD	MORENO VALLEY	CA	92557-4024	DAHLQUIST, RICHARD	23927 RIDGE POINT CT	MORENO VALLEY, CA	92557-2936	254.02	25.4	50.3	329.7
31370975006	474433015	EPPERSON, GREGORY	24489	BROWN DOVE CIR	MORENO VALLEY	CA	92557-4044	EPPERSON, GREGORY	24489 BROWN DOVE CIR	MORENO VALLEY, CA	92557-4044	57.36	5.74	11.36	74.44
94243305000	474433019	GUERRERO, KELLY (RENT)	24472	QUAIL NEST RD	MORENO VALLEY	CA	92557-4043	GUERRERO, KELLY	24472 QUAIL NEST RD	MORENO VALLEY, CA	92557-4043	469.13	46.91	92.89	608.92
68526035007	474434002	THOMAS, KATHLEEN	24383	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4008	THOMAS, KATHLEEN	24383 OLD COUNTRY RD UNIT B	MORENO VALLEY, CA	92557-4008	254.02	25.4	50.3	329.7
31538105001	474434012	REYES, FRANK	10837	TEA BARK RD	MORENO VALLEY	CA	92557-4045	REYES, FRANK	10837 TEA BARK RD	MORENO VALLEY, CA	92557-4045	63.83	6.38	12.64	82.84
92853965009	474441005	RYAN, CRAIG (RENT)	24207	BARLEY RD	MORENO VALLEY	CA	92557-4051	RYAN, CRAIG	24207 BARLEY RD	MORENO VALLEY, CA	92557-4051	254.02	25.4	50.3	329.7
31312025008	474441014	MOSHER, MOE	24288	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4007	MOSHER, MOE	24288 OLD COUNTRY RD	MORENO VALLEY, CA	92557-4007	56.66	5.67	11.22	73.54
96025255009	474442007	JACOBS, ALVIN (OWNR)	10959	TEA BARK RD	MORENO VALLEY	CA	92557-4046	JACOBS, ALVIN	10959 TEA BARK RD	MORENO VALLEY, CA	92557-4046	376.05	37.61	74.46	488.1
31142095004	474442009	BARGSTEN, BARBARA	10933	TEA BARK RD	MORENO VALLEY	CA	92557-4046	BARGSTEN, BARBARA	10933 TEA BARK RD	MORENO VALLEY, CA	92557-4046	246.36	24.64	48.78	319.76
91204595004	474443018	ASHLOCK, TRACY (OWNR)	24442	ROBINWOOD DR	MORENO VALLEY	CA	92557-4017	ASHLOCK, TRACY	24442 ROBINWOOD DR	MORENO VALLEY, CA	92557-4017	127.26	12.73	25.2	165.18
87175535005	474443023	CONDON, PERRY	10902	TEA BARK RD	MORENO VALLEY	CA	92557-4000	CONDON, PERRY	10902 TEA BARK RD	MORENO VALLEY, CA	92557-4000	254.02	25.4	50.3	329.7
88189625006	474451004	MORRIS, KEVIN	10953	FENTON RD	MORENO VALLEY	CA	92557-4039	MORRIS, KEVIN	10953 FENTON RD	MORENO VALLEY, CA	92557-4039	254.12	25.41	50.32	329.84
92574355009	474451016	CLARK, DAVID	24137	PLEASANT RUN RD	MORENO VALLEY	CA	92557-4031	CLARK, DAVID	24137 PLEASANT RUN RD NO 1	MORENO VALLEY, CA	92557-4031	254.02	25.4	50.3	329.7
87307155003	474451017	DOUGLAS, JOSEPH AND LISA	24151	PLEASANT RUN RD	MORENO VALLEY	CA	92557-4031	DOUGLAS, JOSEPH AND LISA	24151 PLEASANT RUN RD	MORENO VALLEY, CA	92557-4031	254.12	25.41	50.32	329.84
31061285006	474451020	FLORES, ARMANDO	24191	PLEASANT RUN RD	MORENO VALLEY	CA	92557-4031	FLORES, ARMANDO	24191 PLEASANT RUN RD	MORENO VALLEY, CA	92557-4031	127.36	12.74	25.22	165.3
76154675003	474451021	BREAU, JERRENE	24205	PLEASANT RUN RD	MORENO VALLEY	CA	92557-4031	BREAU, JERRENE	24205 PLEASANT RUN RD	MORENO VALLEY, CA	92557-4031	254.02	25.4	50.3	329.7
31166255009	474452002	EVANS, TRACY	10920	FENTON RD	MORENO VALLEY	CA	92557-4038	EVANS, TRACY	10920 FENTON	MORENO VALLEY, CA	92557-4038	404.62	40.46	80.11	525.18
31344495002	474452007	ALMARAZ, MELODY	10943	NOBLEWOOD RD	MORENO VALLEY	CA	92557-4034	ALMARAZ, MELODY	23961 STAGHORN CIR	MORENO VALLEY, CA	92557-2822	404.62	40.46	80.11	525.18
31625855008	474453001	SMITH, ELNORA	10864	NOBLEWOOD RD	MORENO VALLEY	CA	92557-4033	SMITH, ELNORA	10864 NOBLEWOOD RD	MORENO VALLEY, CA	92557-4033	254.02	25.4	50.3	329.7
90164353001	474453007	JAQUES, JOSEPHINE (RENT)	10947	OAK RUN CIR	MORENO VALLEY	CA	92553-4032	JAQUES, JOSEPHINE	10947 OAK RUN CIR	MORENO VALLEY, CA	92557-4032	140.79	14.08	27.88	182.74
31317935006	474453019	SEJA, SALLY	24105	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4003	SEJA, SALLY	24105 OLD COUNTRY RD	MORENO VALLEY, CA	92557-4003	279.6	27.96	55.36	362.92
89247463004	474453020	MABON, DANIEL (OWNR)	24097	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4003	MABON, DANIEL	27510 SHELLIE WAY	MORENO VALLEY, CA	92555-5849	254.12	25.41	50.32	329.84
61207825005	474454005	VANCE, LASH	24182	OLD COUNTRY RD	MORENO VALLEY	CA	92557-4004	VANCE, LASH	22654 CANYON LAKE DR S	SUN CITY, CA	92587-7561	64.13	6.41	12.7	83.24
31372015004	474461010	LEVESTON, STEVEN	10827	FENTON RD	MORENO VALLEY	CA	92557-4037	LEVESTON, STEVEN	11105 PIONEER RIDGE RD	MORENO VALLEY, CA	92557-4807	254.02	25.4	50.3	329.7
54525115008	474462005	HOCKETT, DENISE	10807	FOXLOVE LN	MORENO VALLEY	CA	92557-4023	HOCKETT, DENISE	2605 FLINT WAY APT 4	SN BERNRDNO, CA	92408-3822	232.2	23.22	45.98	301.38
31102145008	474462012	WOODS, GEORGE	24102	BARLEY RD	MORENO VALLEY	CA	92557-4012	WOODS, GEORGE	24102 BARLEY RD	MORENO VALLEY, CA	92557-4012	329.6	32.96	65.26	427.82
92518155008	474462013	JAMES, PAT	24074	BARLEY RD	MORENO VALLEY	CA	92557-4048	JAMES, PAT	24074 BARLEY RD	MORENO VALLEY, CA	92557-4048	147.64	14.76	29.23	191.62
95068325006	474462021	CHAVEZ, JAVIER (OWNR)	24077	BARLEY RD	MORENO VALLEY	CA	92557-4049	CHAVEZ, JAVIER	24077 BARLEY RD	MORENO VALLEY, CA	92557-4049	254.12	25.41	50.32	329.84
31591765001	474463009	GOWER, DAVID	24080	ORANGECREEK CIR	MORENO VALLEY	CA	92557-4042	GOWER, DAVID	24080 ORANGECREEK CIR	MORENO VALLEY, CA	92557-4042	254.02	25.4	50.3	329.7
81185965009	474463013	KIMSEY, TAMARA	24063	ORANGECREEK CIR	MORENO VALLEY	CA	92557-4042	KIMSEY, TAMARA	24063 ORANGECREEK CIR	MORENO VALLEY, CA	92557-4042	228.63	22.86	45.27	296.76
91835265004	474471007	ALEXANDER, KENNETH	24398	RIMMEW RD	MORENO VALLEY	CA	92557-3056	ALEXANDER, KENNETH	23579 TARARA DR	MORENO VALLEY, CA	92557-3956	253.92	25.39	50.28	329.58
96206775006	474471014	HARMON, CARRIE (OWNR)	24433	RIMMEW RD	MORENO VALLEY	CA	92557-3019	HARMON, CARRIE	24433 RIMMEW RD	MORENO VALLEY, CA	92557-3019	254.12	25.41	50.32	329.84
86537233000	474471015	ORTIZ, SARAH (OWNR)	24421	RIMMEW RD	MORENO VALLEY	CA	92557-3019	ORTIZ, SARAH	24421 RIMMEW RD	MORENO VALLEY, CA	92557-3019	80	8	15.84	103.84
68524195008	474471023	PEREZ, ALFREDO	24414	PEPPERMILL DR	MORENO VALLEY	CA	92557-3024	PEREZ, ALFREDO	24414 PEPPERMILL DR	MORENO VALLEY, CA	92557-3024	282.23	28.22	55.88	366.32
86082753007	474471024	MCGHEE, LAURA	24426	PEPPERMILL DR	MORENO VALLEY	CA	92557-3024	MCGHEE, LAURA	24426 PEPPERMILL DR	MORENO VALLEY, CA	92557-3024	335.76	33.58	66.49	435.8
31503035000	474471033	WILSON, BRUCE	10452	SAGECREST DR	MORENO VALLEY	CA	92557-3036	WILSON, BRUCE	10452 SAGECREST DR	MORENO VALLEY, CA	92557-3036	61.74	6.17	12.22	80.12
31656825000	474471037	JENDERKO, LAURA	10437	SAGECREST DR	MORENO VALLEY	CA	92557-3036	JENDERKO, LAURA	10437 SAGECREST DR	MORENO VALLEY, CA	92557-3036	254.02	25.4	50.3	329.7
31108355000	474471039	HOLLIS, FRED	10457	SAGECREST DR	MORENO VALLEY	CA	92557-3036	HOLLIS, FRED	10457 SAGECREST DR	MORENO VALLEY, CA	92557-3036	254.02	25.4	50.3	329.7
66151785008	474472011	OGBOGU, JONATHAN	24475	PEPPERMILL DR	MORENO VALLEY	CA	92557-3027	OGBOGU, JONATHAN	24475 PEPPERMILL DR	MORENO VALLEY, CA	92557-3027	254.12	25.41	50.32	329.84
31300065004	474481010	GORDON, TAJUANA	24198	RIMMEW RD	MORENO VALLEY	CA	92557-3012	GORDON, TAJUANA	24198 RIMMEW RD	MORENO VALLEY, CA	92557-3012	329.32	32.93	65.21	427.44
51645745005	474482004	MACK, DARRYL	10634	ASTER LEAF LN	MORENO VALLEY	CA	92557-3023	MACK, DARRYL	10634 ASTER LEAF LN	MORENO VALLEY, CA	92557-3023	329.32	32.93	65.21	427.44
31207205002	474482009	VALDEPENA, NORMA	24265	RIMMEW RD	MORENO VALLEY	CA	92557-3016	VALDEPENA, NORMA	24265 RIMMEW RD	MORENO VALLEY, CA	92557-3016	254.02	25.4	50.3	329.7
31265605006	474482013	WINDEN, CARY E	10676	DAISY FIELD LN	MORENO VALLEY	CA	92557-3022	WINDEN, CARY E	10676 DAISY FIELD LN	MORENO VALLEY, CA	92557-3022	99.91	9.99	19.78	129.68
57965165002	474482014	HERRERA, ERICA	10684	DAISY FIELD LN	MORENO VALLEY	CA	92557-3022	HERRERA, ERICA	10684 DAISY FIELD LN	MORENO VALLEY, CA	92557-3022	254.02	25.4	50.3	329.7
31384175005	474482017	FIELDER, PHILLIP	10671	DAISY FIELD LN	MORENO VALLEY	CA	92557-3022	FIELDER, PHILLIP	10671 DAISY FIELD LN	MORENO VALLEY, CA	92557-3022	254.02	25.4	50.3	329.7
31372265001	474511001	BALLARD, CAROL	24516	PEPPERMILL DR	MORENO VALLEY	CA	92557-3053	BALLARD, CAROL	24516 PEPPERMILL DR	MORENO VALLEY, CA	92557-3053	254.02	25.4	50.3	329.7
97871315003	474511014	MARTIN, NINA (RENT)	10476	WATERCRESS CIR	MORENO VALLEY	CA	92557-3054	MARTIN, NINA	13353 CAVANDISH LN	MORENO VALLEY, CA	92553-6202	254.12	25.41	50.32	329.84
31341245001	474511019	SNELL, LEA	10449	SALTBUSH CIR	MORENO VALLEY	CA	92557-3055	SNELL, LEA	10449 SALTBUSH CIR	MORENO VALLEY, CA	92557-3055	254.02	25.4	50.3	329.7
97030585009	474511028	WENDELL, CARR (RENT)	10460	SALTBUSH CIR	MORENO VALLEY	CA	92557-3055	WENDELL, CARR	10460 SALTBUSH CIR	MORENO VALLEY, CA	92557-3055	254.12	25.41	50.32	329.84
31145065003	474511030	SINGH, CAROL	10486	SALTBUSH CIR	MORENO VALLEY	CA	92557-3055	SINGH, CAROL	PO BOX 1351	MORENO VALLEY, CA	92556-1351	254.02	25.4	50.3	329.7
88380223005	474511031	GARCIA, JOSE (OWNR)	10494	SALTBUSH CIR	MORENO VALLEY	CA	92557-3055	GARCIA, JOSE	10494 SALTBUSH CIR	MORENO VALLEY, CA	92557-3055	539.19	53.92	106.76	699.86
69566575008	474512002	PATEL, DANNY	24554	MEADOW GRASS WAY	MORENO VALLEY	CA	92557-4128	PATEL, DANNY	24554 MEADOW GRASS WAY	MORENO VALLEY, CA	92557-4128	254.02	25.4	50.3	329.7
89173173003	474512009	NGUYEN, KAITLYN	10556	HILL GRASS DR	MORENO VALLEY	CA	92557-4100	NGUYEN, KAITLYN	25184 BRONZE DR	MORENO VALLEY, CA	92557-7444	63.63	6.36	12.6	82.58
94933765009	474512011	BARNES, FRED (RENT)	10582	HILL GRASS DR	MORENO VALLEY	CA	92557-4100	BARNES, FRED	10582 HILL GRASS DR	MORENO VALLEY, CA	92557-4100	41.78	4.18	8.27	54.22
31281625009	474512013	GODOY, PATRICIA	10610	HILL GRASS DR	MORENO VALLEY	CA	92557-4100	GODOY, PATRICIA	10610 HILLGRASS DR	MORENO VALLEY, CA	92557-4100	254.02	25.4	50.3	329.7
31160195005	474513003	EVANS, JAMES SCOTT	24560	CANDLEBUSH CT	MORENO VALLEY	CA	92557-4130	EVANS, JAMES SCOTT	24560 CANDLE BUSH CT	MORENO VALLEY, CA	92557-4130	254.02	25.4	50.3	329.7
31523235006	474513012	JOHNSON, TIFFANY	10557	HILL GRASS DR	MORENO VALLEY	CA	92557-4123	JOHNSON, TIFFANY	10557 HILL GRASS DR	MORENO VALLEY, CA	92557-4123	254.02	25.4	50.3	329.7
58749545000	474521001	CARLOS, LORENA	10809	ANEMONE CIR	MORENO VALLEY	CA	92557-4114	CARLOS, LORENA	24360 MYERS AVE	MORENO VALLEY, CA	92553-2845	114.12	11.41	22.6	148.12
96760195004	474521005	FRASCA, LEONARD AND MARY	10749	ANEMONE CIR	MORENO VALLEY	CA	92557-4144	FRASCA, LEONARD AND MARY	224 E KENDALL ST	CORONA, CA	92879-4144	665.95	66.6	131.86	864.4
31073855001	474521007	HANCOCK, THOMAS	10752	ANEMONE CIR	MORENO VALLEY	CA	92557-4144	HANCOCK, THOMAS	10752 ANEMONE CIR	MORENO VALLEY, CA	92557-4144	54.02	5.4	10.7	70.1
86972228001	474521025	DELGADO, JUAN (OWNR)	10733	HYACINTH LN	MORENO VALLEY	CA	92557-4143	DELGADO, JUAN (OWNR)	10733 HYACINTH LN	MORENO VALLEY, CA	92557-4143	190.79	19.08	37.78	247.64
54793735002	474522010	VALDEPEMA, JUAN	24598	WIND FLOWER DR	MORENO VALLEY	CA	92557-4125	VALDEPEMA, JUAN	24322 RIMMEW RD	MORENO VALLEY, CA	92557-3056	184.03	18.4	36.44	238.86
96042935002	474522011	ELBERSON, MICHA (RENT)	24614	WIND FLOWER DR	MORENO VALLEY	CA	92557-4125	ELBERSON, MICHA	22985 CLIMBING ROSE DR APT 222	MORENO VALLEY, CA	92557-6036	70.9	7.09	14.04	92.02
31049655003	474523017	HUNTER, RAE C (OWNR)	10732	ROCK ROSE PL	MORENO VALLEY	CA	92557-4118	HUNTER, RAE C	10732 ROCK ROSE PL	MORENO VALLEY, CA	92557-4118	104.12	10.41	20.62	135.14
31566235005	474523019	WILLIAMS, MONICA	24600	JASMINE CT	MORENO VALLEY	CA	92557-4120	WILLIAMS, MONICA	24600 JASMINE CT	MORENO VALLEY, CA	92557-4120	254.02	25.4	50.3	329.7
31208215008	474523021	ADORNO, IVETTE	24620	JASMINE CT	MORENO VALLEY	CA	92557-4120	ADORNO, IVETTE	29024 CANTABRIA CT	MORENO VALLEY, CA	92555-7309	27.37	2.74	5.42	35.52
81693335005	474523025	GARZON, MIGUEL	24639	JASMINE CT	MORENO VALLEY	CA	92557-4120	GARZON, MIGUEL	24639 JASMINE CT	MORENO VALLEY, CA	92557-4120	254.02	25.4	50.3	329.7
66734985009	474523027	MILLER, DONNA	24625	JASMINE CT	MORENO VALLEY	CA	92557-4120	MILLER, DONNA	24625 JASMINE CT	MORENO VALLEY, CA	92557-4120	254.12	25.41	50.32	329.84
94557965004	474523029	IDEH, CHINYERE (RENT)	24607	JASMINE CT	MORENO VALLEY	CA	92557-4120	IDEH, CHINYERE	24607 JASMINE CT	MORENO VALLEY, CA	92557-4120	204.12	20.41	40.42	264.94
98302765013	474524011	STATEWIDE PROPERTY MGMT (RENT)	10766	HILL GRASS DR	MORENO VALLEY	CA	92557-4102	STATEWIDE PROPERTY MGMT	10766 HILL GRASS DR	MORENO VALLEY, CA	92557-4102	99.69	9.97	19.74	129.38
94395535000	474525004	HONT, ANDRE (RENT)	24699	WISTERIA LN	MORENO VALLEY	CA	92557-4106	MONJIOZI, JOHN	P O BOX 4220	OCEANSIDE, CA	92052-4220	151.58	15.16	30.01	196.74
31422255006	474525007	AINSWORTH, LATASHA	24665	WISTERIA LN	MORENO VALLEY	CA	92557-4106	AINSWORTH, LATASHA	24665 WISTERIA LN	MORENO VALLEY, CA	92557-4106	329.32	32.93	65.21	427.44
90403805009	474531005	BENITEZ, GABRIELA	24570	WISTERIA LN	MORENO VALLEY	CA	92557-4104	BENITEZ, GABRIELA	24570 WISTERIA LN	MORENO VALLEY, CA	92557-4104	329.04	32.9	65.15	427.08
91665053009	474531012	MILLER, JENNIFER (RENT)	24571	JASMINE CT	MORENO VALLEY	CA	92557-4122	MILLER, JENNIFER	24571 JASMINE CT	MORENO VALLEY, CA	92557-4122	63.63	6.36	12.6	82.58
48451055008	474532010	BARNETT, MARK	24557	WISTERIA LN	MORENO VALLEY	CA	92557-4105	BARNETT, MARK	24557 WISTERIA LN	MORENO VALLEY, CA	92557-4105	254.02	25.4	50.3	329.7
31471525007	474532013	SMITH, LISA	24550	WILD CALLA DR	MORENO VALLEY	CA	92557-4108	SMITH, LISA	24550 WILD CALLA DR	MORENO VALLEY, CA	92557-4108	32.69	3.27	6.47	42.42
31075795009	474532015	BANDURA, NANCY	24574	WILD CALLA DR	MORENO VALLEY	CA	92557-4108	BANDURA, NANCY	24574 WILD CALLA DR	MORENO VALLEY, CA	92557-4108	154.02	15.4	30.5	199.9
97072275006	474532020	SANCHEZ, ERIC (RENT)	24628	WILD CALLA DR	MORENO VALLEY	CA	92557-4111	SANCHEZ, ERIC	24628 WILD CALLA DR	MORENO VALLEY, CA	92557-4111	254.12	25.41	50.32	329.84
88859035008	474532024	HALL, PAMELA	24670	WILD CALLA DR	MORENO VALLEY	CA	92557-4111	HALL, PAMELA	24670 WILD CALLA DR	MORENO VALLEY, CA	92557-4111	253.92	25.39	50.28	329.58
90885033009	474532026	HERNANDEZ, HECTOR AND NILIDA	24690	WILD CALLA DR	MORENO VALLEY	CA	92557-4111	HERNANDEZ, HECTOR AND NILIDA	24690 WILD CALLA DR	MORENO VALLEY, CA	92557-4111	241.71	24.17	47.86	313.72
31270095003	474532027	PASKEL, PATRICIA A	24700	WILD CALLA DR	MORENO VALLEY	CA	92557-4111	PASKEL, PATRICIA A	24700 WILD CALLA DR	MORENO VALLEY, CA	92557-4111	254.12	25.41	50.32	329.84
74844825000	474533011	JIMMEZ, JUAN	10911	ANEMONE CIR	MORENO VALLEY	CA	92557-4145	JIMMEZ, JUAN	10911 ANEMONE CIR	MORENO VALLEY, CA	92557-4145	323.49	32.35	64.05	419.88
31245495001	474533016	BUSTAMANTE, LUCHO	10837	ANEMONE CIR	MORENO VALLEY	CA	92557-4114	BUSTAMANTE, LUCHO	10837 ANEMONE CIR	MORENO VALLEY, CA	92557-4114	253.92	25.39	50.28	329.58
31160565007	474534002	FANSEGA, BECKY	24719	WILD CALLA DR	MORENO VALLEY	CA	92557-4112	FANSEGA, BECKY	24719 WILD CALLA DR	MORENO VALLEY, CA	92557-4112	254.02	25.4	50.3	329.7
97001515005	474541002	CLICK, DOUGLAS (RENT)	24631	SHAGBARK RD	MORENO VALLEY	CA	92557-4138	CLICK, DOUGLAS	24631 SHAGBARK RD	MORENO VALLEY, CA	92557-4138	254.12	25.41	50.32	329.84
86542923005	474541021	IGLESIAS, ANDREA (RENT)	24798	CANDLENUT CT	MORENO VALLEY	CA	92557-4141	IGLESIAS, ANDREA (RENT)	24123 FORSYTE ST	MORENO VALLEY, CA	92557-5009	135.81	13.58	26.89	176.28
74727915008	474541022	JENKINS, RYAN	24784	CANDLENUT CT	MORENO VALLEY	CA	92557-4141	JENKINS, RYAN	24784 CANDLENUT CT	MORENO VALLEY, CA	92557-4141	329.32	32.93	65.21	427.44
62677765000	474541027	SILVA, LISA	24712	CANDLENUT CT	MORENO VALLEY	CA	92557	SILVA, LISA	24712 CANDLENUT CT	MORENO VALLEY, CA	92557-4139	240.98	24.1	47.71	312.78
67853195002	474541030	MELENDREZ, ALEX	24741	PLUMTREE CT	MORENO VALLEY	CA	92557-4132	MELENDREZ, ALEX	24741 PLUMTREE CT	MORENO VALLEY, CA	92557-4132	329.6	32.96	65.26	427.82
95933285009	474541034	AVILA, ALICIA BERTHA (OWNR)	24783	PLUMTREE CT	MORENO VALLEY	CA	92557-4132	AVILA, ALICIA BERTHA	24783 PLUMTREE CT	MORENO VALLEY, CA	92557-4132	254.12	25.41	50.32	329.84
97997055010	474541039	ARAIS, JOHNNY (RENT)	24780	PLUMTREE CT	MORENO VALLEY	CA	92557-4132	ARAIS, JOHNNY	24780 PLUMTREE CT	MORENO VALLEY, CA	92557-4132	190.79	19.08	37.78	247.64
31153195000	474541048	PALOMAREZ, LOUISE (OWNR)	24766	THORNBERRY CIR	MORENO VALLEY	CA	92557-4137	PALOMAREZ, LOUISE	24766 THORNBERRY CIR	MORENO VALLEY, CA	92557-4137	254.12	25.41	50.32	329.84
31154815008	474541050	SCHUBOTHE, DON	24746	THORNBERRY CIR	MORENO VALLEY	CA	92557-4137	SCHUBOTHE, DON	24746 THORNBERRY CIR	MORENO VALLEY, CA	92557-4137	254.12	25.41	50.32	329.84
31457855006	474542004	MOORE, LINDA	24700	THORNBERRY CIR	MORENO VALLEY	CA	92557-4135	MOORE, LINDA	24700 THORNBERRY CIR	MORENO VALLEY, CA	92557-4135	254.12	25.41	50.32	329.84
31347565000	474551001	DIZADARE, ROY AND DEBRA	10791	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4222	DIZADARE, ROY	29049 WAYFARER RD	MENIFEE, CA	92585-3328	179.38	17.94	35.52	232.82
61487245005	474551002	ASHLEY, WENDY	10809	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4201	ASHLEY, WENDY	10809 MORNING RIDGE DR	MORENO VALLEY, CA	92557-4201	254.12	25.41	50.32	329.84
75491675000	474551005	JOHNSON, TRACIE	10861	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4201	JOHNSON, TRACIE	10861 MORNING RIDGE DR	MORENO VALLEY, CA	92557-4201	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31511265004	474551007	CURLEY, STEVE	10895	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4201	CURLEY, STEVE	10895 MORNING RIDGE DR	MORENO VALLEY, CA	92557-4201	347.48	34.75	68.8	451.02
97324825006	474551009	SHAW, PATRICK AND MARIA (RENT)	10927	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4221	SHAW, PATRICK	10927 MORNING RIDGE DR	MORENO VALLEY, CA	92557-4221	62.63	6.26	12.4	81.28
67079195004	474552004	GORDON, MONIQUE	10860	CLOUD HAVEN DR	MORENO VALLEY	CA	92557-4210	GORDON, MONIQUE	10860 CLOUD HAVEN DR	MORENO VALLEY, CA	92557-4210	100	10	19.8	129.8
31388135005	474553007	COOKE, STEPHEN	10876	MORNING RIDGE DR	MORENO VALLEY	CA	92557-4202	COOKE, STEPHEN	10876 MORNING RIDGE DR	MORENO VALLEY, CA	92557-4202	253.82	25.38	50.26	329.44
31258445005	474553012	ROBERSON, DAVID	24886	SUN STREAM CIR	MORENO VALLEY	CA	92557-4206	ROBERSON, DAVID	24886 SUN STREAM CIR	MORENO VALLEY, CA	92557-4206	253.92	25.39	50.28	329.58
88034675003	474553014	ARNOLD, ANGELA (RENT)	24870	SUN STREAM CIR	MORENO VALLEY	CA	92557-4206	ARNOLD, ANGELA	17642 CALLE DE AMIGOS	MORENO VALLEY, CA	92551-6350	205.13	20.51	40.62	266.24
31556895007	474553015	GALLUCCI, NANCY	24857	MANZANITA AVE	MORENO VALLEY	CA	92557-4209	GALLUCCI, NANCY	24857 MANZANITA AVE	MORENO VALLEY, CA	92557-4209	127.36	12.74	25.22	165.3
92752235007	474562001	MORENO, PAT	24886	MANZANITA AVE	MORENO VALLEY	CA	92557-4208	MORENO, PAT	24886 MANZANITA AVE	MORENO VALLEY, CA	92557-4208	104.02	10.4	20.6	135
89055663009	474563011	FARUQ, ALLITHA	24793	EARLY MORN LN	MORENO VALLEY	CA	92557-4215	FARUQ, ALLITHA	24793 EARLY MORN LN	MORENO VALLEY, CA	92557-4215	253	25.3	50.09	328.38
31305675005	474563012	STEININGER, MICHAEL	24792	EARLY MORN LN	MORENO VALLEY	CA	92557-4215	STEININGER, MICHAEL	24792 EARLY MORN LN	MORENO VALLEY, CA	92557-4215	254.12	25.41	50.32	329.84
31205585006	474571001	GONZALES, ROBERT	10485	MORNING RIDGE DR	MORENO VALLEY	CA	92557-3211	GONZALES, ROBERT	10485 MORNING RIDGE DR	MORENO VALLEY, CA	92557-3211	254.02	25.4	50.3	329.7
31655085007	474571003	SCRUGGS, CHARLES	10451	MORNING RIDGE DR	MORENO VALLEY	CA	92557-3211	SCRUGGS, CHARLES	10451 MORNING RIDGE DR	MORENO VALLEY, CA	92557-3211	247.32	24.73	48.97	321.02
67755365003	474572006	BASTIO, LISA	24714	MORNING MIST DR	MORENO VALLEY	CA	92557-3202	BASTIO, LISA	1292 E 3RD ST	POMONA, CA	91766-2209	104.81	10.48	20.75	136.04
99826845000	474574005	SPENCER, JAN (RENT)	24805	MORNING MIST DR	MORENO VALLEY	CA	92557-3204	SPENCER, JAN	12150 PIGEON PASS RD APT F151	MORENO VALLEY, CA	92557-6971	114.97	11.5	22.76	149.22
31297615007	474574007	PLEDGER, DENISE	24874	COVEY RD	MORENO VALLEY	CA	92557-4220	PLEDGER, DENISE	24874 COVEY RD	MORENO VALLEY, CA	92557-4220	253.92	25.39	50.28	329.58
31145215002	474576006	RAYO, TIRSO AND SOCORRO	24701	COVEY RD	MORENO VALLEY	CA	92557-4218	RAYO, TIRSO AND SOCORRO	24701 COVEY RD	MORENO VALLEY, CA	92557-4218	254.02	25.4	50.3	329.7
99357453007	474576012	FUENTES, CECILIA (OWNR)	24814	FAIR DAWN LN	MORENO VALLEY	CA	92557-4216	FUENTES, CECILIA	24814 FAIR DAWN LN	MORENO VALLEY, CA	92557-4216	127.46	12.75	25.24	165.44
31159845001	474581002	ROMAN, GINGER	10399	MORNING RIDGE DR	MORENO VALLEY	CA	92557-3211	ROMAN, GINGER	10399 MORNING RIDGE DR	MORENO VALLEY, CA	92557-3211	254.02	25.4	50.3	329.7
73601055006	474581019	WHITE, JOE AND MARY	10311	STARSHINE DR	MORENO VALLEY	CA	92557-3201	WHITE, MARY AND JOE	10311 STARSHINE DR	MORENO VALLEY, CA	92557-3201	37.69	3.77	7.46	48.92
31151565006	474581021	CLOUD, CONSTANCE H	10265	STARSHINE DR	MORENO VALLEY	CA	92557-3201	CLOUD, CONSTANCE H	10265 STARSHINE DR	MORENO VALLEY, CA	92557-3201	329.32	32.93	65.21	427.44
87016803004	474582008	SCARBROUGH, SARA (RENT)	10394	STARSHINE DR	MORENO VALLEY	CA	92557-3200	SCARBROUGH, SARA (RENT)	23155 IRONWOOD AVE APT 18	MORENO VALLEY, CA	92557-8028	211.47	21.15	41.87	274.48
80689445001	474583002	WILSON, GREGORY AND FESHIA	24699	MOONSHADOW DR	MORENO VALLEY	CA	92557-3212	WILSON, GREGORY AND FESHIA	24699 MOONSHADOW DR	MORENO VALLEY, CA	92557-3212	111.32	11.13	22.04	144.48
74290015006	474583004	MOTTE, FRANKLIN	24725	MOONSHADOW DR	MORENO VALLEY	CA	92557-3206	MOTTE, FRANKLIN	23800 SUNNYMEAD BLVD STE D	MORENO VALLEY, CA	92553-7731	254.02	25.4	50.3	329.7
97020603006	474583005	CLARK, DESSIE (OWNR)	24743	MOONSHADOW DR	MORENO VALLEY	CA	92557-3206	CLARK, DESSIE	24743 MOONSHADOW DR	MORENO VALLEY, CA	92557-3206	65.09	6.51	12.89	84.48
31439285004	474583006	ALDRICH, FRED	24769	MOONSHADOW DR	MORENO VALLEY	CA	92557-3206	ALDRICH, FRED	24769 MOONSHADOW DR	MORENO VALLEY, CA	92557-3206	190.03	19	37.63	246.64
31198985009	474583007	JONES, CHRISTOPHER	24781	MOONSHADOW DR	MORENO VALLEY	CA	92557-3206	JONES, CHRISTOPHER	24781 MOONSHADOW DR	MORENO VALLEY, CA	92557-3206	254.02	25.4	50.3	329.7
66365725007	474601002	DARDEN, DENISE	10620	CANYON VISTA RD	MORENO VALLEY	CA	92557-3033	DARDEN, DENISE	10620 CANYON VISTA RD	MORENO VALLEY, CA	92557-3033	254.12	25.41	50.32	329.84
31305315001	474601003	GALLEGOS, MIKE	10610	CANYON VISTA RD	MORENO VALLEY	CA	92557-3033	GALLEGOS, MIKE	10610 CANYON VISTA RD	MORENO VALLEY, CA	92557-3033	253.92	25.39	50.28	329.58
31644605002	474601007	KEIZER, DOUGLAS	10570	CANYON VISTA RD	MORENO VALLEY	CA	92557-3033	KEIZER, DOUGLAS	10570 CANYON VISTA RD	MORENO VALLEY, CA	92557-3033	254.02	25.4	50.3	329.7
71573195000	474602006	SILVAS, DAVID AND MARIE	10691	PARK RIM CIR	MORENO VALLEY	CA	92557-3009	SILVAS, DAVID AND MARIE	10691 PARK RIM CIR	MORENO VALLEY, CA	92557-3009	254.02	25.4	50.3	329.7
31508935000	474602007	HOLNESS, GERARDA	10707	PARK RIM CIR	MORENO VALLEY	CA	92557-3009	HOLNESS, GERARDA	10707 PARK RIM CIR	MORENO VALLEY, CA	92557-3009	254.02	25.4	50.3	329.7
31049165006	474602008	MALONE, TOOTSIE	10721	PARK RIM CIR	MORENO VALLEY	CA	92557-3009	MALONE, TOOTSIE	10721 PARK RIM CIR	MORENO VALLEY, CA	92557-3009	254.02	25.4	50.3	329.7
95228815005	474602009	WEST, KIM	10731	PARK RIM CIR	MORENO VALLEY	CA	92557-3009	WEST, KIM	10731 PARK RIM CIR	MORENO VALLEY, CA	92557-3009	254.12	25.41	50.32	329.84
72714455004	474602017	DURON, CHRISTINE	10711	CANYON VISTA RD	MORENO VALLEY	CA	92557-3000	DURON, CHRISTINE	10711 CANYON VISTA RD	MORENO VALLEY, CA	92557-3000	254.02	25.4	50.3	329.7
31604465005	474602024	NUGENT, LEFFORD	10589	CANYON VISTA RD	MORENO VALLEY	CA	92557-3031	NUGENT, LEFFORD	10589 CANYON VISTA RD	MORENO VALLEY, CA	92557-3031	254.02	25.4	50.3	329.7
71056635004	474602026	PINTOR, ALICIA	24090	CANYON WOODS CIR	MORENO VALLEY	CA	92557-3007	PINTOR, ALICIA	24090 CANYON WOODS CIR	MORENO VALLEY, CA	92557-3007	254.02	25.4	50.3	329.7
97047335006	474602034	KEYHEA, SAMMY (RENT)	24060	STONE CREEK CIR	MORENO VALLEY	CA	92557-3008	KEYHEA, SAMMY	24060 STONE CREEK CIR	MORENO VALLEY, CA	92557-3008	288.49	28.85	57.12	374.46
69867895003	474611008	WELLS, LILIANA	10480	CANYON VISTA RD	MORENO VALLEY	CA	92557-3030	WELLS, LILIANA	2392 HERTIAGE DR	CORONA, CA	92882-5776	99.68	9.97	19.74	129.38
95709235004	474611011	ALVIN, THORNTON (RENT)	10450	CANYON VISTA RD	MORENO VALLEY	CA	92557-3030	ALVIN, THORNTON	10450 CANYON VISTA RD	MORENO VALLEY, CA	92557-3030	254.12	25.41	50.32	329.84
31144675008	474611013	DONERSON-STONE, LAURA	10430	CANYON VISTA RD	MORENO VALLEY	CA	92557-3028	DONERSON-STONE, LAURA	10430 CANYON VISTA RD	MORENO VALLEY, CA	92557-3028	254.02	25.4	50.3	329.7
49686735006	474612015	WILSON, KEITH	10479	CANYON VISTA RD	MORENO VALLEY	CA	92557-3029	WILSON, KEITH	10479 CANYON VISTA RD	MORENO VALLEY, CA	92557-3029	254.02	25.4	50.3	329.7
86382615001	474612018	NEMBACK, DARCY	24185	SHADY RIDGE CIR	MORENO VALLEY	CA	92557-3005	NEMBACK, DARCY	24185 SHADY RIDGE CIR	MORENO VALLEY, CA	92557-3005	63.63	6.36	12.6	82.58
31144665000	474621010	ZAMBRANO, SUSAN	10280	CANYON VISTA RD	MORENO VALLEY	CA	92557-3041	ZAMBRANO, SUSAN	10280 CANYON VISTA RD	MORENO VALLEY, CA	92557-3041	254.02	25.4	50.3	329.7
31144045001	474622006	EVANS, DONALD	24360	RIMCREST LN	MORENO VALLEY	CA	92557-3046	EVANS, DONALD	24360 RIMCREST LN	MORENO VALLEY, CA	92557-3046	254.02	25.4	50.3	329.7
97024995006	474622012	ESTRADA, LORI AND EDDIE (OWNR)	24333	RIMCREST LN	MORENO VALLEY	CA	92557-3046	ESTRADA, LORI AND EDDIE	6073 BANNOCK DR	RIVERSIDE, CA	92507-8477	31.12	3.11	6.16	40.38
31429205002	474622015	DUNN, HENRY	24330	HIGHLAND MESA LN	MORENO VALLEY	CA	92557-3039	DUNN, HENRY	24330 HIGHLAND MESA LN	MORENO VALLEY, CA	92557-3039	90.69	9.07	17.96	117.7
66065545001	474632001	KEHNIT, DANIELLE	10161	CANYON VISTA RD	MORENO VALLEY	CA	92557-3048	KEHNIT, DANIELLE	10161 CANYON VISTA RD	MORENO VALLEY, CA	92557-3048	254.12	25.41	50.32	329.84
31617315009	474632014	BRASSEUR, JOHN	10255	CANYON VISTA RD	MORENO VALLEY	CA	92557-3043	BRASSEUR, JOHN	10255 CANYON VISTA RD	MORENO VALLEY, CA	92557-3043	42.19	4.22	8.35	54.76
31452035000	474641001	LAFALBRIE, DELIA	11813	VENETIAN DR	MORENO VALLEY	CA	92557-6518	LAFALBRIE, DELIA	11813 VENETIAN DR	MORENO VALLEY, CA	92557-6518	329.6	32.96	65.26	427.82
97094675006	474641022	CABRERA, ELMA (RENT)	11939	VENETIAN DR	MORENO VALLEY	CA	92557-6518	CABRERA, ELMA	1524 POEMA DR	COLTON, CA	92324-1980	126.17	12.62	24.98	163.76
96279915004	474642004	SILBERA, LEONOR (OWNR)	25237	BRISTOL AVE	MORENO VALLEY	CA	92557-6501	SILBERA, LEONOR	25237 BRISTOL AVE	MORENO VALLEY, CA	92557-6501	254.02	25.4	50.3	329.7
31136255002	474642009	WILLIAMS, LINDA	11822	VILLA HERMOSA	MORENO VALLEY	CA	92557-6512	WILLIAMS, LINDA	11822 VILLA HERMOSA	MORENO VALLEY, CA	92557-6512	149.02	14.9	29.51	193.42
89864325006	474643001	HERNANDEZ, JAVIER AND LILIA	11815	VILLA HERMOSA	MORENO VALLEY	CA	92557-6513	HERNANDEZ, JAVIER AND LILIA	11815 VILLA HERMOSA	MORENO VALLEY, CA	92557-6513	127.26	12.73	25.2	165.18
86681323007	474643004	CRUZ, MARIA ELENA (OWNR)	11826	VENETIAN DR	MORENO VALLEY	CA	92557-6517	CRUZ, MARIA ELENA (OWNR)	11826 VENETIAN DR	MORENO VALLEY, CA	92557-6517	254.12	25.41	50.32	329.84
31076155001	474643008	RANKINS, TROY	11850	VENETIAN DR	MORENO VALLEY	CA	92557-6517	RANKINS, TROY	11850 VENETIAN DR	MORENO VALLEY, CA	92557-6517	329.32	32.93	65.21	427.44
31506235001	474643011	COATES-JARMAN, STEVEN	11868	VENETIAN DR	MORENO VALLEY	CA	92557-6517	COATES-JARMAN, STEVEN	11868 VENETIAN DR	MORENO VALLEY, CA	92557-6517	253.92	25.39	50.28	329.58
31636315009	474643012	DELONE, RAYMOND	11874	VENETIAN DR	MORENO VALLEY	CA	92557-6517	DELONE, RAYMOND	27927 KALMIA AVE	MORENO VALLEY, CA	92555-5213	329.32	32.93	65.21	427.44
66950105006	474643024	BACON, RYAN	11821	VILLA HERMOSA	MORENO VALLEY	CA	92557-6513	BACON, RYAN	11821 VILLA HERMOSA	MORENO VALLEY, CA	92557-6513	329.6	32.96	65.26	427.82
60852315006	474644005	DIAZ, PATRICIA AND ENRIQUE	11932	VENETIAN DR	MORENO VALLEY	CA	92557-6519	DIAZ, PATRICIA AND ENRIQUE	11932 VENETIAN DR	MORENO VALLEY, CA	92557-6519	254.12	25.41	50.32	329.84
91006633005	474644010	CALVILLO, KERRI (RENT)	11917	VILLA HERMOSA	MORENO VALLEY	CA	92557-6515	CALVILLO, KERRI	11917 VILLA HERMOSA	MORENO VALLEY, CA	92557-6515	93.64	9.36	18.54	121.54
31371625008	474645008	LEWIS, GERALDINE	11876	VILLA HERMOSA	MORENO VALLEY	CA	92557-6514	LEWIS, GERALDINE	11876 VILLA HERMOSA	MORENO VALLEY, CA	92557-6514	254.02	25.4	50.3	329.7
68246145009	474651002	ALFARO, MARIBEL	25677	JAVIER PL	MORENO VALLEY	CA	92557-6615	ALFARO, MARIBEL	25677 JAVIER PL	MORENO VALLEY, CA	92557-6615	254.12	25.41	50.32	329.84
31199835009	474651006	MOORE, PATRICIA	25645	JAVIER PL	MORENO VALLEY	CA	92557-6615	MOORE, PATRICIA	25645 JAVIER PL	MORENO VALLEY, CA	92557-6615	329.32	32.93	65.21	427.44
99809485001	474651009	MELBOR, SHELLY (RENT)	25646	JAVIER PL	MORENO VALLEY	CA	92557-6615	MELBOR, SHELLY	25646 JAVIER PL	MORENO VALLEY, CA	92557-6615	254.12	25.41	50.32	329.84
31632115007	474651021	ALVAREZ, RAYMOND	25637	JASON PL	MORENO VALLEY	CA	92557-6600	ALVAREZ, RAYMOND	25637 JASON PL	MORENO VALLEY, CA	92557-6600	253.92	25.39	50.28	329.58
95952015006	474651028	RAYMER, RODNEY (OWNR)	25686	JASON PL	MORENO VALLEY	CA	92557-6600	RAYMER, RODNEY (OWNR)	25686 JASON PL	MORENO VALLEY, CA	92557-6600	165.92	16.59	32.85	215.36
59874405004	474651031	ELSAHRKAWI, GAMAL	25681	SHALU AVE	MORENO VALLEY	CA	92557-6614	ELSAHRKAWI, GAMAL	25681 SHALU AVE	MORENO VALLEY, CA	92557-6614	254.12	25.41	50.32	329.84
97865115007	474651042	KING, CRAIG (RENT)	11940	TUSCOLA ST	MORENO VALLEY	CA	92557-6635	KING, CRAIG (RENT)	7680 WINSHIP WAY	COLTON, CA	92324-9400	129.85	12.99	25.71	168.54
90601523007	474652002	IBARRA, ANTONIO	25694	SHALU AVE	MORENO VALLEY	CA	92557-6612	IBARRA, ANTONIO	25694 SHALU AVE	MORENO VALLEY, CA	92557-6612	262.73	26.27	52.02	341.02
94698675007	474652003	GRIFFITH, ARENITA (RENT)	25684	SHALU AVE	MORENO VALLEY	CA	92557-6612	GRIFFITH, ARENITA	25684 SHALU AVE	MORENO VALLEY, CA	92557-6612	329.6	32.96	65.26	427.82
31380875006	474660012	DAVIS, MICHAEL	25707	ASPENWOOD CT	MORENO VALLEY	CA	92557-6631	DAVIS, MICHAEL	25707 ASPENWOOD CT	MORENO VALLEY, CA	92557-6631	254.02	25.4	50.3	329.7
31301195005	474671005	COSTON, ARNOLD	11420	RIDGEMONT DR	MORENO VALLEY	CA	92557-5811	COSTON, ARNOLD	11420 RIDGEMONT DR	MORENO VALLEY, CA	92557-5811	190.69	19.07	37.76	247.5
31595305009	474672006	ROSS, BEVERLY	25578	SAN THOMAS ST	MORENO VALLEY	CA	92557-5800	ROSS, BEVERLY	25578 SAN THOMAS ST	MORENO VALLEY, CA	92557-5800	179.02	17.9	35.45	232.36
97169875004	474673002	ALVARADO, JENNIFER	11379	SAN RICARDO AVE	MORENO VALLEY	CA	92557-5809	ALVARADO, JENNIFER	11379 SAN RICARDO AVE	MORENO VALLEY, CA	92557-5809	254.12	25.41	50.32	329.84
31637065009	474674003	WAGNER, MICHAEL	25577	SAN THOMAS ST	MORENO VALLEY	CA	92557-5829	WAGNER, MICHAEL	25577 SAN THOMAS ST	MORENO VALLEY, CA	92557-5829	254.02	25.4	50.3	329.7
52510385005	474674014	CARDIFF, MATT (OWN)	25576	SAN ANTONIO ST	MORENO VALLEY	CA	92557-5805	CARDIFF, MATT	25576 SAN ANTONIO ST	MORENO VALLEY, CA	92557-5805	277.18	27.72	54.88	359.76
94029775004	474675002	GRAJEDA, CHRISTOPHER (RENT)	25631	SAN ANTONIO ST	MORENO VALLEY	CA	92557-5843	GRAJEDA, CHRISTOPHER	7068 HIGHLAND SPRING LN	HIGHLAND, CA	92346-5465	41.2	4.12	8.16	53.48
58098945008	474675007	FRANKO, RAUL	25561	SAN ANTONIO ST	MORENO VALLEY	CA	92557-5806	FRANKO, RAUL	26176 PRIMROSE WAY	MORENO VALLEY, CA	92555-2229	254.02	25.4	50.3	329.7
31381585005	474675016	CAMPBELL, FANNY	25590	KALMIA AVE	MORENO VALLEY	CA	92557-5803	CAMPBELL, FANNY	25590 KALMIA AVE	MORENO VALLEY, CA	92557-5803	254.12	25.41	50.32	329.84
95135385002	474675017	MACIAS, SYLVIA (RENT)	11485	RIDGEMONT DR	MORENO VALLEY	CA	92557-5813	MACIAS, SYLVIA	26686 SAFFRON CIR	MORENO VALLEY, CA	92555-3834	254.02	25.4	50.3	329.7
31404275000	474701012	SOLOMON, CRESTA (OWNR)	25208	ALTA VISTA DR	MORENO VALLEY	CA	92557-5233	SOLOMON, CRESTA	25208 ALTA VISTA	MORENO VALLEY, CA	92557-5233	254.02	25.4	50.3	329.7
57291835003	474710003	CRUZ, MIGUEL	25300	PICO VISTA WAY	MORENO VALLEY	CA	92557-5221	CRUZ, MIGUEL	25300 PICO VISTA WAY	MORENO VALLEY, CA	92557-5221	254.02	25.4	50.3	329.7
31276675008	474720007	FLOURNOY, JAMES L	25426	FRAN LOU DR	MORENO VALLEY	CA	92557-5213	FLOURNOY, JAMES L	25426 FRAN LOU DR	MORENO VALLEY, CA	92557-5213	253.92	25.39	50.28	329.58
96231405010	474720016	LOUIS, LILIA (RENT)	25453	BIANCA CT	MORENO VALLEY	CA	92557-5243	LOUIS, LILIA	25453 BIANCA CT	MORENO VALLEY, CA	92557-5243	136.37	13.64	27	177
91715225007	474730005	DOSS, GWEN	11877	CITRUS CT	MORENO VALLEY	CA	92557-6644	DOSS, GWEN	PO BOX 429	MORENO VALLEY, CA	92556-0429	253.92	25.39	50.28	329.58
86787525000	474731001	GARIBALDI, CARLO AND JAMIE	11818	NAVEL AVE	MORENO VALLEY	CA	92557-6643	GARIBALDI, CARLO AND JAMIE	11818 NAVEL AVE	MORENO VALLEY, CA	92557-6643	165.64	16.56	32.8	215
84547075004	474731011	KNUTZEN, SHELLY	11770	JAFFA WAY	MORENO VALLEY	CA	92557-6665	KNUTZEN, SHELLY	11770 JAFFA WAY	MORENO VALLEY, CA	92557-6665	329.32	32.93	65.21	427.44
83000295009	474731012	COOK, TIFFANY	11762	JAFFA WAY	MORENO VALLEY	CA	92557-6665	COOK, TIFFANY	11762 JAFFA WAY	MORENO VALLEY, CA	92557-6665	104.02	10.4	20.6	135
84214565008	474731013	BENTON, WESLEY	11754	JAFFA WAY	MORENO VALLEY	CA	92557-6665	BENTON, WESLEY	11754 JAFFA WAY	MORENO VALLEY, CA	92557-6665	254.02	25.4	50.3	329.7
83001145009	474733001	JOHNSON, CHARLENE	25511	TANGERINE RD	MORENO VALLEY	CA	92557-6646	JOHNSON, CHARLENE	25511 TANGERINE RD	MORENO VALLEY, CA	92557-6646	329.32	32.93	65.21	427.44
96408213006	474733008	DEAN, JENNIFER (OWNR)	25566	SHALU AVE	MORENO VALLEY	CA	92557-6645	DEAN, JENNIFER	25566 SHALU AVE	MORENO VALLEY, CA	92557-6645	63.63	6.36	12.6	82.58
72565175009	475030017	CAZARES, ERMELINDA	11080	DAVIS ST	MORENO VALLEY	CA	92557-5036	CAZARES, ERMELINDA	11080 DAVIS ST	MORENO VALLEY, CA	92557-5036	254.02	25.4	50.3	329.7
86681043006	475030024	AKBAR, MASHIYAT (RENT)	23992	QUAPAW TRL	MORENO VALLEY	CA	92557-5027	AKBAR, MASHIYAT	441 EDGEWOOD ST APT 6	INGLEWOOD, CA	90302-4479	329.6	32.96	65.26	427.82
99828955002	475031001	FINCH, AQURANIST (OWNR)	24330	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5021	FINCH, AQURANIST	24330 CHIPPEWA TR	MORENO VALLEY, CA	92557-5021	254.12	25.41	50.32	329.84
97294035007	475031002	MHOON, ANGELINETTE (RENT)	24344	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5021	MHOON, ANGELINETTE	908 BRETT DR, APT A	HINESVILLE, GA	31313-4247	254.12	25.41	50.32	329.84
94619755006	475032002	BELL, LUCAS (OWNR)	24519	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5024	BELL, LUCAS	24519 CHIPPEWA TRL	MORENO VALLEY, CA	92557-5024	63.63	6.36	12.6	82.58
66740525002	475032008	MOORE, ANGELA	24435	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5022	MOORE, ANGELA	24435 CHIPPEWA TR	MORENO VALLEY, CA	92557-5022	254.12	25.41	50.32	329.84
31291095009	475032021	VITELA, SAMUEL	24263	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5026	VITELA, SAMUEL	24263 CHIPPEWA TR	MORENO VALLEY, CA	92557-5026	254.12	25.41	50.32	329.84
91885485003	475032026	RODRIGUEZ, FAUSTINO	24280	ANGIE LN	MORENO VALLEY	CA	92557-5049	RODRIGUEZ, FAUSTINO	24280 ANGIE LN	MORENO VALLEY, CA	92557-5049	329.04	32.9	65.15	427.08
97015995004	475032032	BELL, CHARLES (RENT)	11135	INDIAN ST	MORENO VALLEY	CA	92557-5048	BELL, CHARLES	11135 INDIAN ST	MORENO VALLEY, CA	92557-5048	36.32	3.63	7.19	47.14
31408085001	475050018	VELOZ, CHARLENE	24847	SUNDAY DR	MORENO VALLEY	CA	92557-5104	VELOZ, CHARLENE	1640 E HIGHLAND AVE	REDLANDS, CA	92374-5571	154.02	15.4	30.5	199.9

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31102235009	475050019	REED, CECELIA	24841	SUNDAY DR	MORENO VALLEY	CA	92557-5104	REED, CECELIA	24841 SUNDAY DR	MORENO VALLEY, CA	92557-5104	74.02	7.4	14.66	96.06
95723165009	475050026	SHEPERD, DEISHAT	24780	FREEDOM CT	MORENO VALLEY	CA	92557-5108	SHEPERD, DEISHAT	24780 FREEDOM CT	MORENO VALLEY, CA	92557-5108	539.19	53.92	106.76	699.86
31133745007	475050034	HELMS, GREG	24841	FREEDOM CT	MORENO VALLEY	CA	92557-5108	HELMS, GREG	24841 FREEDOM CT	MORENO VALLEY, CA	92557-5108	329.32	32.93	65.21	427.44
96642665005	475070028	ZAFRA, MARIU (RENT)	24810	EL DORADO ST	MORENO VALLEY	CA	92557-5116	ZAFRA, MARIU	24810 EL DORADO ST	MORENO VALLEY, CA	92557-5116	254.12	25.41	50.32	329.84
31255155001	475070029	MALAKOUTI, STEPHANIE	24798	EL DORADO ST	MORENO VALLEY	CA	92557-5116	MALAKOUTI, STEPHANIE	24798 EL DORADO ST	MORENO VALLEY, CA	92557-5116	254.12	25.41	50.32	329.84
31092685007	475070031	RIX, PEGGY	24792	EL DORADO ST	MORENO VALLEY	CA	92557-5116	RIX, PEGGY	24792 EL DORADO ST	MORENO VALLEY, CA	92557-5116	204.02	20.4	40.4	264.8
97633595008	475070045	MCFADDEN, KEUNDRA (OWNR)	24856	SKYLAND DR	MORENO VALLEY	CA	92557-5138	MCFADDEN, KEUNDRA	24856 SKYLAND DR	MORENO VALLEY, CA	92557-5138	127.46	12.75	25.24	165.44
72023605009	475070047	WIMSATT, ALBERT AND KATHY	24867	SKYLAND DR	MORENO VALLEY	CA	92557-5139	WIMSATT, ALBERT AND KATHY	24867 SKYLAND DR	MORENO VALLEY, CA	92557-5139	254.02	25.4	50.3	329.7
92289175002	475070050	BONILLA, ERINN	24831	SKYLAND DR	MORENO VALLEY	CA	92557-5139	BONILLA, ERINN	24831 SKYLAND DR	MORENO VALLEY, CA	92557-5139	34.64	3.46	6.86	44.96
73187785003	475070055	PHALEN, ALISHA	24771	SKYLAND DR	MORENO VALLEY	CA	92557-5139	PHALEN, ALISHA	14216 UXBRIDGE ST	WESTMINSTER, CA	92683-4138	254.02	25.4	50.3	329.7
60689855008	475081002	GRANADOS, ROGELIO	24588	SKYLAND DR	MORENO VALLEY	CA	92557-5144	GRANADOS, ROGELIO	24588 SKYLAND DR	MORENO VALLEY, CA	92557-5144	63.63	6.36	12.6	82.58
95338375002	475081009	HUBERT, CASSANDRA (RENT)	24700	SKYLAND DR	MORENO VALLEY	CA	92557-5145	HUBERT, CASSANDRA	24700 SKYLAND DR	MORENO VALLEY, CA	92557-5145	254.12	25.41	50.32	329.84
31062515006	475081014	POLITTO, JOSEPH	24638	SKYLAND DR	MORENO VALLEY	CA	92557-5114	POLITTO, JOSEPH	24638 SKYLAND DR	MORENO VALLEY, CA	92557-5114	254.02	25.4	50.3	329.7
87383545003	475081017	BOLDEN, RAY	24542	SKYLAND DR	MORENO VALLEY	CA	92557-5144	BOLDEN, RAY	24542 SKYLAND DR	MORENO VALLEY, CA	92557-5144	254.12	25.41	50.32	329.84
31196315004	475082006	THOMPSON, ROSAVELT	24571	SKYLAND DR	MORENO VALLEY	CA	92557-5115	THOMPSON, ROSAVELT	24571 SKYLAND DR	MORENO VALLEY, CA	92557-5115	282.23	28.22	55.88	366.32
66792995005	475082016	RIVERA, PATRICIA AND FREDY	24560	SKYROCK DR	MORENO VALLEY	CA	92557-5601	RIVERA, PATRICIA AND FREDY	24560 SKYROCK DR	MORENO VALLEY, CA	92557-5601	47.37	4.74	9.38	61.48
86134815006	475082018	ROSS, FATIMAH	24536	SKYROCK DR	MORENO VALLEY	CA	92557-5601	ROSS, FATIMAH	24536 SKYROCK DR	MORENO VALLEY, CA	92557-5601	211.44	21.14	41.87	274.44
58099505008	475082019	MC CULLOUGH, SONJIA	24524	SKYROCK DR	MORENO VALLEY	CA	92557-5601	MC CULLOUGH, SONJIA	24524 SKYROCK DR	MORENO VALLEY, CA	92557-5601	254.12	25.41	50.32	329.84
31128175006	475082027	SMITH, ANNETTE	24711	SKYLAND DR	MORENO VALLEY	CA	92557-5100	SMITH, ANNETTE	PO BOX 705	MORENO VALLEY, CA	92556-0705	254.02	25.4	50.3	329.7
31626275008	475082030	FIERRO, ELIZABETH	24747	SKYLAND DR	MORENO VALLEY	CA	92557-5100	FIERRO, ELIZABETH	24747 SKYLAND DR	MORENO VALLEY, CA	92557-5100	329.32	32.93	65.21	427.44
31092295009	475100008	PLAXCO, DON P	11275	DAVIS ST	MORENO VALLEY	CA	92557-5040	PLAXCO, DON P	11279A DAVIS ST	MORENO VALLEY, CA	92557-5040	253.92	25.39	50.28	329.58
31341545008	475100009	PLAXCO, DON P (OWNR) APTS	11281	DAVIS ST	MORENO VALLEY	CA	92557-5040	PLAXCO, DON P	11279A DAVIS ST	MORENO VALLEY, CA	92557-5040	762.06	76.21	150.89	989.14
31595255009	475100021	RIVAS, ANGELINA	24010	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5528	RIVAS, ANGELINA	24010 SANDY GLADE AVE	MORENO VALLEY, CA	92557-5528	404.62	40.46	80.11	525.18
94829445007	475100024	ALVAREZ, ERNIE (OWNR)	24050	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5528	ALVAREZ, ERNIE	24050 SANDY GLADE AVE	MORENO VALLEY, CA	92557-5528	247.13	24.71	48.93	320.76
53309005001	475100026	MITCHELL, SUE	24080	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5528	MITCHELL, SUE	24080 SANDY GLADE	MORENO VALLEY, CA	92557-5528	254.02	25.4	50.3	329.7
59154165001	475100029	CABRAL, RAMON	24083	ROSELEAF PL	MORENO VALLEY	CA	92557-5536	CABRAL, RAMON	24083 ROSELEAF PL	MORENO VALLEY, CA	92557-5536	127.46	12.75	25.24	165.44
56705015005	475100032	NEWBERRY, LOUISE	24065	ROSELEAF PL	MORENO VALLEY	CA	92557-5536	NEWBERRY, LOUISE	24065 ROSELEAF PL	MORENO VALLEY, CA	92557-5536	104.02	10.4	20.6	135
31074465001	475100034	MORETTI, TRACY	24051	ROSELEAF PL	MORENO VALLEY	CA	92557-5536	MORETTI, TRACY	24051 ROSELEAF PL	MORENO VALLEY, CA	92557-5536	329.32	32.93	65.21	427.44
31557075007	475100051	NETTLES, DAVID	11328	GREEN GLEN ST	MORENO VALLEY	CA	92557-5535	NETTLES, DAVID	11328 GREEN GLEN ST	MORENO VALLEY, CA	92557-5535	46.02	4.6	9.11	59.72
96212965000	475100055	MALTA, ALBERT	11360	GREEN GLEN ST	MORENO VALLEY	CA	92557-5535	MALTA, ALBERT	11475 DAVIS ST	MORENO VALLEY, CA	92557-5537	257.82	25.78	51.05	334.64
31591553002	475100056	REINA, DORA (OWNR)	11312	BLUEWOOD PL	MORENO VALLEY	CA	92557-5532	REINA, DORA	11312 BLUEWOOD PL	MORENO VALLEY, CA	92557-5532	62.5	6.25	12.38	81.12
90213345009	475100061	SAMS, ROCHELLE	11347	SAGEWOOD PL	MORENO VALLEY	CA	92557-5531	SAMS, ROCHELLE	11347 SAGEWOOD PL	MORENO VALLEY, CA	92557-5531	253.92	25.39	50.28	329.58
86694275000	475100068	HERNANDEZ, CRYSTAL (RENT)	11343	DAVIS ST	MORENO VALLEY	CA	92557-5002	HERNANDEZ, CRYSTAL	11343 DAVIS ST	MORENO VALLEY, CA	92557-5002	254.12	25.41	50.32	329.84
31344565007	475100070	MARTINEZ, RAUL	11321	DAVIS ST	MORENO VALLEY	CA	92557-5002	MARTINEZ, RAUL	11321 DAVIS ST	MORENO VALLEY, CA	92557-5002	154.02	15.4	30.5	199.9
96803185004	475100071	ADAMS, WAYNE (OWNR)	11273	DAVIS ST	MORENO VALLEY	CA	92557-5040	ADAMAS, WAYNE	11273 DAVIS ST	MORENO VALLEY, CA	92557-5040	254.12	25.41	50.32	329.84
31383065000	475111001	TUCKER, DARRELL	24011	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5529	TUCKER, DARRELL	24011 SANDY GLADE	MORENO VALLEY, CA	92557-5529	254.02	25.4	50.3	329.7
97031725008	475111003	BLACKBURN, SUSAN (RENT)	24039	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5529	BLACKBURN, SUSAN	24039 SANDY GLADE AVE	MORENO VALLEY, CA	92557-5529	254.12	25.41	50.32	329.84
31394545007	475111006	MORTON, OBELL	24081	SANDY GLADE AVE	MORENO VALLEY	CA	92557-5529	MORTON, OBELL	24081 SANDY GLADE	MORENO VALLEY, CA	92557-5529	379.23	37.92	75.09	492.24
96156235007	475111014	ESPINOZA, KIMBERLY (RENT)	11456	TRIUMPH LN	MORENO VALLEY	CA	92557-5543	ESPINOZA, KIMBERLY	11456 TRIUMPH LN	MORENO VALLEY, CA	92557-5543	229.12	22.91	45.37	297.38
94775895007	475111015	SANTOS, MR (RENT)	11440	TRIUMPH LN	MORENO VALLEY	CA	92557-5543	SANTOS, MR	11440 TRIUMPH LN	MORENO VALLEY, CA	92557-5543	155.2	15.52	30.73	201.44
96481065004	475111016	GLOVER, ARCHIE (OWNR)	11426	TRIUMPH LN	MORENO VALLEY	CA	92557-5543	GLOVER, ARCHIE	11426 TRIUMPH LN	MORENO VALLEY, CA	92557-5543	329.6	32.96	65.26	427.82
61164905001	475111020	ACOSTA, DAVID AND ANABERTHA	11399	TRIUMPH LN	MORENO VALLEY	CA	92557-5543	ACOSTA, DAVID AND ANABERTHA	11399 TRIUMPH LN	MORENO VALLEY, CA	92557-5543	63.63	6.36	12.6	82.58
49831615003	475111030	WALKER, MELVIN	11380	SANDSTONE PL	MORENO VALLEY	CA	92557-5527	WALKER, MELVIN	11380 SANDSTONE	MORENO VALLEY, CA	92557-5527	198.69	19.87	39.34	257.88
94252425006	475111035	TREANOR, BRITTANY (OWNR)	11453	SANDSTONE PL	MORENO VALLEY	CA	92557-5527	TREANOR, BRITTANY	11453 SANDSTONE PL	MORENO VALLEY, CA	92557-5527	254.12	25.41	50.32	329.84
31134805002	475111053	MALTA, ALBERT	11475	DAVIS ST	MORENO VALLEY	CA	92557-5537	MALTA, ALBERT	11475 DAVIS ST	MORENO VALLEY, CA	92557-5537	329.32	32.93	65.21	427.44
87153023009	475112002	CALDERON, ADRIENNA (RENT)	24027	SANDBOW ST	MORENO VALLEY	CA	92557-5526	CALDERON, ADRIENNA	24027 SANDBOW ST	MORENO VALLEY, CA	92557-5526	254.12	25.41	50.32	329.84
57065055004	475112003	RAMOS, BELISARIO	24043	SANDBOW ST	MORENO VALLEY	CA	92557-5526	RAMOS, BELISARIO	24043 SANDBOW	MORENO VALLEY, CA	92557-5526	190.69	19.07	37.76	247.5
97672239002	475112006	BECERRA, LORENA (OWNR)	24087	SANDBOW ST	MORENO VALLEY	CA	92557-5526	BECERRA, LORENA	24087 SANDBOW ST	MORENO VALLEY, CA	92557-5526	182.75	18.28	36.18	237.2
31144545006	475112009	GILMORE, JERI	11455	DAYBREAK TRL	MORENO VALLEY	CA	92557-5504	GILMORE, JERI	11455 DAYBREAK TR	MORENO VALLEY, CA	92557-5504	254.02	25.4	50.3	329.7
31082675000	475120010	DHALIWAL, MANOHAR	11395	DAYBREAK TRL	MORENO VALLEY	CA	92557-5504	DHALIWAL, MANOHAR	11395 DAYBREAK TR	MORENO VALLEY, CA	92557-5504	254.02	25.4	50.3	329.7
31304385009	475120011	SLAUGHTER, RONALD	11383	DAYBREAK TRL	MORENO VALLEY	CA	92557-5504	SLAUGHTER, RONALD	11383 DAYBREAK TR	MORENO VALLEY, CA	92557-5504	204.32	20.43	40.46	265.2
94772725000	475121007	MORANTE, ERNESTO (OWNR)	11464	DAYBREAK TRL	MORENO VALLEY	CA	92557-5503	MORANTE, ERNESTO	11464 DAYBREAK TRL	MORENO VALLEY, CA	92557-5503	254.12	25.41	50.32	329.84
31591675000	475121009	NORBY, CHRISTINA	11449	MORNING STAR LN	MORENO VALLEY	CA	92557-5502	NORBY, CHRISTINA	11449 MORNING STAR LN	MORENO VALLEY, CA	92557-5502	254.02	25.4	50.3	329.7
69973975002	475121011	GONZALEZ, CARLOS	11425	MORNING STAR LN	MORENO VALLEY	CA	92557-5502	GONZALEZ, CARLOS	11425 MORNING STAR LN	MORENO VALLEY, CA	92557-5502	254.02	25.4	50.3	329.7
31633335002	475121016	SHONO, SHEILA AND DAVID	11412	MORNING STAR LN	MORENO VALLEY	CA	92557-5502	SHONO, SHEILA AND DAVID	11412 MORNING STAR LN	MORENO VALLEY, CA	92557-5502	254.02	25.4	50.3	329.7
31355915005	475131001	DELAWYER, PATTY	11381	BRIGHT STAR TRL	MORENO VALLEY	CA	92557-5617	DELAWYER, PATTY	11381 BRIGHT STAR TR	MORENO VALLEY, CA	92557-5617	329.32	32.93	65.21	427.44
31529565003	475131004	BRADLEY, ANITA	11417	BRIGHT STAR TRL	MORENO VALLEY	CA	92557-5617	BRADLEY, ANITA	11417 BRIGHT STAR TR	MORENO VALLEY, CA	92557-5617	63.28	6.33	12.53	82.12
87747585000	475131005	NUNEZ, GLORIA	11433	BRIGHT STAR TRL	MORENO VALLEY	CA	92557-5617	NUNEZ, GLORIA	11433 BRIGHT STAR TR	MORENO VALLEY, CA	92557-5617	254.12	25.41	50.32	329.84
55251495000	475131006	SANCHEZ, HERMAN	11445	BRIGHT STAR TRL	MORENO VALLEY	CA	92557-5617	SANCHEZ, HERMAN	11445 BRIGHT STAR TR	MORENO VALLEY, CA	92557-5617	254.02	25.4	50.3	329.7
31510335002	475132003	MENDOZA, CLEMA	24591	SUNDIAL WAY	MORENO VALLEY	CA	92557-5609	MENDOZA, CLEMA	24591 SUNDIAL WAY	MORENO VALLEY, CA	92557-5609	254.12	25.41	50.32	329.84
31624725009	475132004	VENEGAS, CARLOS	24611	SUNDIAL WAY	MORENO VALLEY	CA	92557-5609	VENEGAS, CARLOS	24611 SUNDIAL WAY	MORENO VALLEY, CA	92557-5609	193.85	19.39	38.38	251.6
97533125009	475132010	RAINER, LESLIE (RENT)	24769	SUNDIAL WAY	MORENO VALLEY	CA	92557-5612	RAINER, LESLIE	24769 SUNDIAL WAY	MORENO VALLEY, CA	92557-5612	254.12	25.41	50.32	329.84
97997065018	475132013	DE LA ROCHA, MARIO	24831	SUNDIAL WAY	MORENO VALLEY	CA	92557-5614	DE LA ROCHA, MARIO	24831 SUNDIAL WAY	MORENO VALLEY, CA	92557-5614	449.96	45	89.09	584.04
54548005002	475132015	DE LA PAZ, CARLOS	24871	SUNDIAL WAY	MORENO VALLEY	CA	92557-5614	DE LA PAZ, CARLOS	24871 SUNDIAL WAY	MORENO VALLEY, CA	92557-5614	254.02	25.4	50.3	329.7
92902955006	475132018	CLAIRE,RENE AND TERESA (RENT)	24927	SUNDIAL WAY	MORENO VALLEY	CA	92557-5614	CLAIRE,RENE AND TERESA	14882 DOVEHURST ST	MORENO VALLEY, CA	92553-3960	184.03	18.4	36.44	238.86
98640565003	475132024	FORBES, SHOLAN (RENT)	11379	HUBBARD ST	MORENO VALLEY	CA	92557-5648	NELSON, REBECCA - OWNR	28290LOCUST AVE	MORENO VALLEY, CA	92555-5648	291.14	29.11	57.65	377.88
55801815005	475132025	TRAUTH, PAUL	11393	HUBBARD ST	MORENO VALLEY	CA	92557-5648	TRAUTH, PAUL	11393 HUBBARD ST	MORENO VALLEY, CA	92557-5648	254.02	25.4	50.3	329.7
31061375007	475133003	GIBSON, STEVE	24646	SUNDIAL WAY	MORENO VALLEY	CA	92557-5611	GIBSON, STEVE	24646 SUNDIAL WAY	MORENO VALLEY, CA	92557-5611	190.69	19.07	37.76	247.5
55642315008	475133007	LOPEZ, GABRIELA	24758	SUNDIAL WAY	MORENO VALLEY	CA	92557-5611	LOPEZ, GABRIELA	24758 SUNDIAL WY	MORENO VALLEY, CA	92557-5611	254.02	25.4	50.3	329.7
83565015000	475133008	FLORES, REBECCA	24784	SUNDIAL WAY	MORENO VALLEY	CA	92557-5611	FLORES, REBECCA	24784 SUNDIAL WAY	MORENO VALLEY, CA	92557-5611	254.02	25.4	50.3	329.7
31414425008	475133009	ALONSO, RAMONE	24808	SUNDIAL WAY	MORENO VALLEY	CA	92557-5613	ALONSO, RAMONE	24808 SUNDIAL WAY	MORENO VALLEY, CA	92557-5613	254.02	25.4	50.3	329.7
96209525003	475133015	SALAZAR, OLIVER (OWNR)	24825	MOONTIDE LN	MORENO VALLEY	CA	92557-5607	SALAZAR, OLIVER	24825 MOONTIDE LN	MORENO VALLEY, CA	92557-5607	254.12	25.41	50.32	329.84
56594835001	475133017	LOPEZ, LETICIA	24781	MOONTIDE LN	MORENO VALLEY	CA	92557-5618	LOPEZ, LETICIA	24781 MOONTIDE LN	MORENO VALLEY, CA	92557-5618	329.32	32.93	65.21	427.44
91510585006	475134003	BLACK, FRANCINA	24650	MOONTIDE LN	MORENO VALLEY	CA	92557-5605	BLACK, FRANCINA	24650 MOONTIDE LN	MORENO VALLEY, CA	92557-5605	253.92	25.39	50.28	329.58
31297645007	475134007	YATES, LA SHONDA	24756	MOONTIDE LN	MORENO VALLEY	CA	92557-5608	YATES, LA SHONDA	24756 MOONTIDE LN	MORENO VALLEY, CA	92557-5608	329.32	32.93	65.21	427.44
57503665006	475134008	NERI, ROBERT	24782	MOONTIDE LN	MORENO VALLEY	CA	92557-5608	NERI, ROBERT	24782 MOONTIDE LN	MORENO VALLEY, CA	92557-5608	282.23	28.22	55.88	366.32
31642495009	475134011	HANANIA, GEORGE	24852	MOONTIDE LN	MORENO VALLEY	CA	92557-5606	HANANIA, GEORGE	24852 MOONTIDE LN	MORENO VALLEY, CA	92557-5606	254.02	25.4	50.3	329.7
53069895004	475141007	CARPENTER, TROY	24816	RED RIVER RD	MORENO VALLEY	CA	92557-5620	CARPENTER, TROY	24816 RED RIVER RD	MORENO VALLEY, CA	92557-5620	247.48	24.75	49	321.22
31522465009	475141010	KITAYAMA, KIM	24860	RED RIVER RD	MORENO VALLEY	CA	92557-5620	KITAYAMA, KIM	24860 RED RIVER RD	MORENO VALLEY, CA	92557-5620	329.32	32.93	65.21	427.44
56884615000	475141013	MARTIN, FRANCIS	24861	RED RIVER RD	MORENO VALLEY	CA	92557-5621	MARTIN, FRANCIS	24861 RED RIVER RD	MORENO VALLEY, CA	92557-5621	254.12	25.41	50.32	329.84
31594685002	475141020	CRAIG, MARY	24858	ROCK SPRING TRL	MORENO VALLEY	CA	92557-5623	CRAIG, MARY	24858 ROCK SPRING TR	MORENO VALLEY, CA	92557-5623	254.02	25.4	50.3	329.7
90313875005	475141031	HARRIS, ROBERT	11473	PERRIS BLVD	MORENO VALLEY	CA	92557-5660	HARRIS, ROBERT	11473 PERRIS BLV	MORENO VALLEY, CA	92557-5660	121.32	12.13	24.02	157.46
53548985008	475141035	LAZANO, GLORIA	24950	GEM CT	MORENO VALLEY	CA	92557-5627	LAZANO, GLORIAN	24950 GEM CT	MORENO VALLEY, CA	92557-5627	141.18	14.12	27.95	183.24
69737535004	475141036	WITTER, LUCLEN	24980	GEM CT	MORENO VALLEY	CA	92557-5627	WITTER, LUCLEN	24980 GEM CT	MORENO VALLEY, CA	92557-5627	254.02	25.4	50.3	329.7
95306985001	475142010	LONGORIA, DARLENE (RENT)	11440	GOLD BLUFF RD	MORENO VALLEY	CA	92557-5625	LONGORIA, DARLENE	11440 GOLD BLUFF RD	MORENO VALLEY, CA	92557-5625	46.81	4.68	9.27	60.74
95931545009	475150005	HERNANDEZ, MIGUEL (OWNR)	11531	PERRIS BLVD	MORENO VALLEY	CA	92557-5662	HERNANDEZ, MIGUEL	11531 PERRIS BLVD	MORENO VALLEY, CA	92557-5662	254.12	25.41	50.32	329.84
73258125001	475150011	CISNEROS, GUADALUPE	11550	HUBBARD ST	MORENO VALLEY	CA	92557-5652	CISNEROS, GUADALUPE	1429 E 8TH ST T	BEAUMONT, CA	92223-2464	168.95	16.9	33.45	219.28
59329945009	475150012	GOODIN III, CHARLES (OWNR)	11520	HUBBARD ST	MORENO VALLEY	CA	92557-5652	GOODIN III, CHARLES	11520 HUBBARD ST	MORENO VALLEY, CA	92557-5652	168.36	16.84	33.34	218.52
92726423001	475150023	GRIMES, KRYSTLE (RENT)	24808	METRIC DR	MORENO VALLEY	CA	92557-5634	GRIMES, KRYSTLE	24808 METRIC DR	MORENO VALLEY, CA	92557-5634	189.76	18.98	37.57	246.3
31134065007	475150024	WASHINGTON, KENNETH	24820	METRIC DR	MORENO VALLEY	CA	92557-5634	WASHINGTON, KENNETH	24820 METRIC DR	MORENO VALLEY, CA	92557-5634	254.02	25.4	50.3	329.7
94185255003	475150026	SOTO, JESUS AND TAMMY (RENT)	24844	METRIC DR	MORENO VALLEY	CA	92557-5634	SOTO, JESUS AND TAMMY	24844 METRIC DR	MORENO VALLEY, CA	92557-5634	63.63	6.36	12.6	82.58
31586705004	475150036	FINLEY, RON	24785	METRIC DR	MORENO VALLEY	CA	92557-5635	FINLEY, RON	24785 METRIC DR	MORENO VALLEY, CA	92557-5635	254.02	25.4	50.3	329.7
31373235006	475150043	SANDOVAL, ASUNCION	24865	KALMIA AVE	MORENO VALLEY	CA	92557-5630	SANDOVAL, ASUNCION	24865 KALMIA AVE	MORENO VALLEY, CA	92557-5630	23.49	2.35	4.65	30.48
95934355002	475160005	MALDONADO, JOSE SOCORRO (OWNR)	11503	HUBBARD ST	MORENO VALLEY	CA	92557-5653	MALDONADO, JOSE SOCORRO	11503 HUBBARD ST	MORENO VALLEY, CA	92557-5653	323.76	32.38	64.1	420.24
66026365000	475160009	PARADA, MARIA	24696	HILTON DR	MORENO VALLEY	CA	92557-5636	PARADA, MARIA	24696 HILTON DR	MORENO VALLEY, CA	92557-5636	254.12	25.41	50.32	329.84
31065555000	475160014	SINGLETARY, JOHN	11567	HUBBARD ST	MORENO VALLEY	CA	92557-5653	SINGLETARY, JOHN	11567 HUBBARD ST	MORENO VALLEY, CA	92557-5653	254.02	25.4	50.3	329.7
31095035007	475160043	BARRETT, CLARA	11519	PROSPERITY LN	MORENO VALLEY	CA	92557-5640	BARRETT, CLARA	11519 PROSPERITY LN	MORENO VALLEY, CA	92557-5640	254.02	25.4	50.3	329.7
31514465006	475160044	SIMS, DUANE	11523	PROSPERITY LN	MORENO VALLEY	CA	92557-5640	SIMS, DUANE	11523 PROSPERITY LN	MORENO VALLEY, CA	92557-5640	190.79	19.08	37.78	247.64
31276585007	475160051	RICE, CHARLES	11603	PROSPERITY LN	MORENO VALLEY	CA	92557-5622	RICE, CHARLES	11603 PROSPERITY LN	MORENO VALLEY, CA	92557-5622	153.92	15.39	30.48	199.78
97059505005	475160064	MONTERO, LAURA (RENT)	11520	INDIAN ST	MORENO VALLEY	CA	92557-6315	MONTERO, LAURA	11520 INDIAN ST	MORENO VALLEY, CA	92557-6315	127.46	12.75	25.24	165.44
97120545007	475170008	MALTA, ALBERT	11558	DAVIS ST	MORENO VALLEY	CA	92557-5525	MALTA, ALBERT	11475 DAVIS ST	MORENO VALLEY, CA	92557-5537	420.76	42.08	83.31	546.14

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
60089465002	475170010	PORRAS, WARNER	11588	DAVIS ST	MORENO VALLEY	CA	92557-5525	PORRAS, WARNER	11588 DAVIS ST	MORENO VALLEY, CA	92557-5525	63.83	6.38	12.64	82.84
92112703005	475170011	WILLIAMS, CHRIS (RENT)	11517	DAYBREAK TRL	MORENO VALLEY	CA	92557-5506	WILLIAMS, CHRIS	29226 MELINDA CT	MORENO VALLEY, CA	92553-5976	80.31	8.03	15.9	104.24
71023535005	475170014	PARSON, REGINA	11559	DAYBREAK TRL	MORENO VALLEY	CA	92557-5506	PARSON, REGINA	11559 DAYBREAK TR	MORENO VALLEY, CA	92557-5506	104.02	10.4	20.6	135
97109725002	475170016	JONES, BOBBY (OWNR)	11585	DAYBREAK TRL	MORENO VALLEY	CA	92557-5506	JONES, BOBBY	11585 DAYBREAK TRL	MORENO VALLEY, CA	92557-5506	127.46	12.75	25.24	165.44
63015265007	475170018	LAKA, HUKMUN	11598	SPYGLASS CIR	MORENO VALLEY	CA	92557-5512	LAKA, HUKMUN	11598 SPYGLASS CIR	MORENO VALLEY, CA	92557-5512	190.79	19.08	37.78	247.64
88403455006	475170020	COLLIER, JOHN	11572	SPYGLASS CIR	MORENO VALLEY	CA	92557-5512	COLLIER, JOHN	11572 SPYGLASS CIR	MORENO VALLEY, CA	92557-5512	254.12	25.41	50.32	329.84
61347875008	475170028	THOMAS, MARK (OWNR)	11543	SPYGLASS CIR	MORENO VALLEY	CA	92557-5513	THOMAS, MARK	9318 139TH CT NE	REDMOND, WA	98052-6428	254.12	25.41	50.32	329.84
97046615009	475170032	PRITCHETT, DEBORAH (RENT)	11597	SPYGLASS CIR	MORENO VALLEY	CA	92557-5513	PRITCHETT, DEBORAH	11597 SPYGLASS CIR	MORENO VALLEY, CA	92557-5513	254.12	25.41	50.32	329.84
31114855003	475170035	ARAGON, ALBERT	11568	SEAPORT CIR	MORENO VALLEY	CA	92557-5514	ARAGON, ALBERT	11568 SEAPORT CIR	MORENO VALLEY, CA	92557-5514	254.02	25.4	50.3	329.7
95578315006	475170042	SHELTON, YVONNE	11525	SEAPORT CIR	MORENO VALLEY	CA	92557-5515	SHELTON, YVONNE	11525 SEAPORT CIR	MORENO VALLEY, CA	92557-5515	254.12	25.41	50.32	329.84
59335065007	475170043	GONZALEZ, RUTH	11539	SEAPORT CIR	MORENO VALLEY	CA	92557-5515	GONZALEZ, RUTH	11539 SEAPORT CIR	MORENO VALLEY, CA	92557-5515	254.12	25.41	50.32	329.84
31478835007	475171003	MILNE, EDWARD	24267	MOONRAKER LN	MORENO VALLEY	CA	92557-5510	MILNE, EDWARD	24267 MOONRAKER LN	MORENO VALLEY, CA	92557-5510	254.02	25.4	50.3	329.7
93772585000	475171006	COMBS, JOSHUA (RENT)	24299	MOONRAKER LN	MORENO VALLEY	CA	92557-5510	COMBS, JOSHUA	24299 MOONRAKER LN	MORENO VALLEY, CA	92557-5510	266.17	26.62	52.7	345.48
49604965000	475171010	VARGAS, JUDITH (OWNR)	24345	MOONRAKER LN	MORENO VALLEY	CA	92557-5510	VARGAS, JUDITH	24345 MOONRAKER LN	MORENO VALLEY, CA	92557-5510	254.02	25.4	50.3	329.7
66579085007	475171011	ROCHA, FRANCISCO AND ROSARIO	24357	MOONRAKER LN	MORENO VALLEY	CA	92557-5510	ROCHA, FRANCISCO AND ROSARIO	24357 MOONRAKER LN	MORENO VALLEY, CA	92557-5510	254.12	25.41	50.32	329.84
87872265003	475171017	GOMEZ, ERICK	24429	MOONRAKER LN	MORENO VALLEY	CA	92557-5510	GOMEZ, ERICK	24429 MOONRAKER LN	MORENO VALLEY, CA	92557-5510	126.86	12.69	25.12	164.66
31627735000	475171022	FINEGEN, ANNA	11578	RIDGECREST LN	MORENO VALLEY	CA	92557-5509	FINEGEN, ANNA	11578 RIDGECREST LN	MORENO VALLEY, CA	92557-5509	154.02	15.4	30.5	199.9
100239313008	475172003	BADEMCI, MULIGAN (RENT)	11538	RIDGECREST LN	MORENO VALLEY	CA	92557-5507	BADEMCI, MULIGAN	11538 RIDGECREST LN	MORENO VALLEY, CA	92557-5507	103.31	10.33	20.46	134.08
31119745006	475172010	KING, JON	11569	RIDGECREST LN	MORENO VALLEY	CA	92557-5508	KING, JON	11569 RIDGECREST LN	MORENO VALLEY, CA	92557-5508	254.02	25.4	50.3	329.7
60692725000	475172011	SHAFF, ALZORA	11579	RIDGECREST LN	MORENO VALLEY	CA	92557-5508	SHAFF, ALZORA	11579 RIDGECREST LN	MORENO VALLEY, CA	92557-5508	254.12	25.41	50.32	329.84
72529955001	475172012	ARROYO, PATRICIA	11599	RIDGECREST LN	MORENO VALLEY	CA	92557-5508	ARROYO, PATRICIA	11599 RIDGECREST LN	MORENO VALLEY, CA	92557-5508	115.37	11.54	22.84	149.74
31082695006	475172019	ANTONUCCI, ALBERT	11516	DAYBREAK TRL	MORENO VALLEY	CA	92557-5505	ANTONUCCI, ALBERT	11690 IVY LN	MORENO VALLEY, CA	92557-6530	190.69	19.07	37.76	247.5
31560425008	475181017	PETORELLA, JOSEPH E (RENT)	11598	LEISURE WAY	MORENO VALLEY	CA	92557-5522	PETORELLA, JOSEPH E	11598 LEISURE WAY	MORENO VALLEY, CA	92557-5522	127.36	12.74	25.22	165.3
60615045004	475181032	LEYVA, YOLANDA	11573	LEISURE WAY	MORENO VALLEY	CA	92557-5523	LEYVA, YOLANDA	11573 LEISURE WAY	MORENO VALLEY, CA	92557-5523	254.12	25.41	50.32	329.84
31094585004	475181033	WHITSETT, MICHAEL AND PATRICIA	11561	LEISURE WAY	MORENO VALLEY	CA	92557-5523	WHITSETT, MICHAEL AND PATRICIA	11561 LEISURE WAY	MORENO VALLEY, CA	92557-5523	254.02	25.4	50.3	329.7
64887315008	475182001	CHAVEZ, GRACE	11508	TRIUMPH LN	MORENO VALLEY	CA	92557-5520	CHAVEZ, GRACE	11508 TRIUMPH LN	MORENO VALLEY, CA	92557-5520	247.52	24.75	49.01	321.28
80500445000	475182002	GUZMAN, JASON	11518	TRIUMPH LN	MORENO VALLEY	CA	92557-5520	GUZMAN, JASON	11518 TRIUMPH LN	MORENO VALLEY, CA	92557-5520	254.02	25.4	50.3	329.7
98191085013	475182008	WEST, JAMES AND MELISSA	11588	TRIUMPH LN	MORENO VALLEY	CA	92557-5520	WEST, JAMES AND MELISSA	1 PLAZA SOUTH ST	TAHLEQUAH, OK	74464-4750	387.84	38.78	76.79	503.4
31158885004	475182030	SANDERS, PAULA	11621	KASBA CIR	MORENO VALLEY	CA	92557-5516	SANDERS, PAULA	11621 KASBA CIR	MORENO VALLEY, CA	92557-5516	190.69	19.07	37.76	247.5
31638785006	475182037	MEDINA, TIMOTHY	11618	KASBA CIR	MORENO VALLEY	CA	92557-5516	MEDINA, TIMOTHY	11618 KASBA CIR	MORENO VALLEY, CA	92557-5516	254.12	25.41	50.32	329.84
94941193002	475182042	JONES, BRYAN	11533	DAVIS ST	MORENO VALLEY	CA	92557-5538	NO, SERVICE	11533 DAVIS ST	MORENO VALLEY, CA	92557-5538	171.48	17.15	33.95	222.58
88412925009	475182045	VACA, CARLOS	11561	DAVIS ST	MORENO VALLEY	CA	92557-5538	VACA, CARLOS	11561 DAVIS ST	MORENO VALLEY, CA	92557-5538	329.6	32.96	65.26	427.82
54256545000	475190017	WILLIAMS, MILDRED	24175	GREGORY LN	MORENO VALLEY	CA	92557-5519	WILLIAMS, MILDRED	PO BOX 902	MORENO VALLEY, CA	92556-0902	104.48	10.45	20.69	135.6
92893815007	475190021	BOLAJEH, ABIN (RENT)	11667	DAVIS ST	MORENO VALLEY	CA	92557-6336	BOLAJEH, ABIN	11667 DAVIS ST	MORENO VALLEY, CA	92557-6336	254.02	25.4	50.3	329.7
31462225009	475200003	PLAXICO, DON AND IDA	11672	DAVIS ST	MORENO VALLEY	CA	92557-6301	PLAXICO, DON AND IDA	11279A DAVIS ST	MORENO VALLEY, CA	92557-5040	254.02	25.4	50.3	329.7
98314545015	475200009	WALLS, E SHARRON	24266	VIRGINIA LN	MORENO VALLEY	CA	92557-6309	WALLS, E SHARRON	24266 VIRGINIA LN	MORENO VALLEY, CA	92557-6309	304.57	30.46	60.3	395.32
31577675009	475200014	AMEZCUA, ROSALBA	24304	VIRGINIA LN	MORENO VALLEY	CA	92557-6311	AMEZCUA, ROSALBA	24304 VIRGINIA LN	MORENO VALLEY, CA	92557-6311	34.05	3.41	6.74	44.18
31500765002	475200019	THORPE, THEODORE	24301	VIRGINIA LN	MORENO VALLEY	CA	92557-6312	THORPE, THEODORE	24301 VIRGINA LN	MORENO VALLEY, CA	92557-6312	190.79	19.08	37.78	247.64
31279415007	475200042	REUSKAUFF, JOE AND BERYL	11640	DAVIS ST	MORENO VALLEY	CA	92557-6301	REUSKAUFF, JOE AND BERYL	11640 DAVIS ST	MORENO VALLEY, CA	92557-6301	254.02	25.4	50.3	329.7
31247825008	475200046	MC FARLAND, DEANNA K	24379	WILLIS LN	MORENO VALLEY	CA	92557-6308	MC FARLAND, DEANNA K	24379 WILLIS LN	MORENO VALLEY, CA	92557-6308	329.32	32.93	65.21	427.44
31150115003	475210036	DELANDRO, FRANK	11666	PROSPERITY LN	MORENO VALLEY	CA	92557-5641	DELANDRO, FRANK	11666 PROSPERITY LN	MORENO VALLEY, CA	92557-5641	254.02	25.4	50.3	329.7
86627503002	475210038	MITCHELL, KENNETH AND STACY	11640	PROSPERITY LN	MORENO VALLEY	CA	92557-5641	MITCHELL, KENNETH	11640 PROSPERITY LN	MORENO VALLEY, CA	92557-5641	64.13	6.41	12.7	83.24
59843325006	475211001	MORALES, MONICA	11631	DEFIANCE WAY	MORENO VALLEY	CA	92557-5643	MORALES, MONICA	11631 DEFIANCE WAY	MORENO VALLEY, CA	92557-5643	329.6	32.96	65.26	427.82
31633645007	475211004	RAMOS, ALANA	11671	DEFIANCE WAY	MORENO VALLEY	CA	92557-5643	RAMOS, ALANA	11671 DEFIANCE WAY	MORENO VALLEY, CA	92557-5643	254.02	25.4	50.3	329.7
94576025002	475212013	ALLEN, BRYAN (OWNR)	11672	DEFIANCE WAY	MORENO VALLEY	CA	92557-5642	ALLEN, BRYAN	11672 DEFIANCE WAY	MORENO VALLEY, CA	92557-5642	254.12	25.41	50.32	329.84
31374755004	475220007	VARELA, LINDA	24810	VALECREST DR	MORENO VALLEY	CA	92557-6403	VARELA, LINDA	24810 VALECREST DR	MORENO VALLEY, CA	92557-6403	254.02	25.4	50.3	329.7
92421015005	475220039	GONZALEZ, ELIZABETH	11673	PERRIS BLVD	MORENO VALLEY	CA	92557-6537	GONZALEZ, ELIZABETH	11673 PERRIS BLV	MORENO VALLEY, CA	92557-6537	174.37	17.44	34.53	226.32
31362475008	475220069	SANCHEZ, SARA	11730	CAMINO DE LA VISTA DR	MORENO VALLEY	CA	92557-6414	SANCHEZ, SARA	11730 CAMINO DE LA VISTA	MORENO VALLEY, CA	92557-6414	254.02	25.4	50.3	329.7
87927845006	475221004	HOGUE, MARGART	24845	VALECREST DR	MORENO VALLEY	CA	92557-6404	HOGUE, MARGART	24845 VALECREST DR	MORENO VALLEY, CA	92557-6404	154.12	15.41	30.52	200.04
89945415004	475231001	ARCINIEGA, ROSA	24760	REDCLIFF CT	MORENO VALLEY	CA	92557-6405	ARCINIEGA, ROSA	24760 REDCLIFF CT	MORENO VALLEY, CA	92557-6405	323.22	32.32	64	419.52
70404125004	475231002	MORALES, LUZ AND EDGAR	24770	REDCLIFF CT	MORENO VALLEY	CA	92557-6405	MORALES, LUZ AND EDGAR	24770 REDCLIFF CT	MORENO VALLEY, CA	92557-6405	63.73	6.37	12.62	82.72
31331345001	475231008	TOLBERT SR, MICHAEL	24830	REDCLIFF CT	MORENO VALLEY	CA	92557-6405	TOLBERT SR, MICHAEL	24830 REDCLIFF CT	MORENO VALLEY, CA	92557-6405	329.32	32.93	65.21	427.44
93123525009	475231020	NAPUTI, SHANE	24761	REDCLIFF CT	MORENO VALLEY	CA	92557-6400	NAPUTI, SHANE	24761 REDCLIFF CT	MORENO VALLEY, CA	92557-6400	254.12	25.41	50.32	329.84
93002775002	475231022	LARGE, MARILYN (RENT)	24772	ENCHANTED WAY	MORENO VALLEY	CA	92557-6429	LARGE, MARILYN	24772 ENCHANTED WAY	MORENO VALLEY, CA	92557-6429	168.26	16.83	33.32	218.4
60863725007	475231025	NICKELL, JIM	24802	ENCHANTED WAY	MORENO VALLEY	CA	92557-6408	NICKELL, JIM	24802 ENCHANTED WAY	MORENO VALLEY, CA	92557-6408	204.12	20.41	40.42	264.94
31500875009	475231026	FERNANDEZ, JAVIER	24812	ENCHANTED WAY	MORENO VALLEY	CA	92557-6408	FERNANDEZ, JAVIER	24812 ENCHANTED WY	MORENO VALLEY, CA	92557-6408	254.12	25.41	50.32	329.84
91662045009	475231035	NGUYEN, ROSEMARY	11803	CAMINO DE LA VISTA DR	MORENO VALLEY	CA	92557-6415	NGUYEN, ROSEMARY	11803 CAMINO DE LA VISTA DR	MORENO VALLEY, CA	92557-6415	253.92	25.39	50.28	329.58
94351625004	475232002	CARAVANTES, JASON (OWNR)	24843	ENCHANTED WAY	MORENO VALLEY	CA	92557-6409	CARAVANTES, JASON	1386 W 8TH ST	UPLAND, CA	91786-7028	192.56	19.26	38.13	249.94
98319315012	475233005	JONES, JANET (RENT)	24975	ENCHANTED WAY	MORENO VALLEY	CA	92557-6411	JONES, JANET	24975 ENCHANTED WAY	MORENO VALLEY, CA	92557-6411	63.23	6.32	12.52	82.06
66883375002	475233010	COLEMAN, TERRENCE	24960	ENCHANTED WAY	MORENO VALLEY	CA	92557-6410	COLEMAN, TERRENCE	24960 ENCHANTED WAY	MORENO VALLEY, CA	92557-6410	254.12	25.41	50.32	329.84
31656065009	475233016	BARRAGAN, ERNESTO	24945	CAMINO DE ORO WAY	MORENO VALLEY	CA	92557-6407	BARRAGAN, ERNESTO	24945 CAMINO DE ORO WAY	MORENO VALLEY, CA	92557-6407	254.02	25.4	50.3	329.7
96480515002	475233021	MENDEZ, LAURA (OWNR)	24986	CAMINO DE ORO WAY	MORENO VALLEY	CA	92557-6406	MENDEZ, LAURA (OWNR)	24986 CAMINO DE ORO WAY	MORENO VALLEY, CA	92557-6406	54.12	5.41	10.72	70.24
95288145000	475233023	PASCUAL, ADRIENNE	24964	CAMINO DE ORO WAY	MORENO VALLEY	CA	92557-6406	PASCUAL, ADRIENNE	24964 CAMINO DE ORO WAY	MORENO VALLEY, CA	92557-6406	53.92	5.39	10.68	69.98
93207835005	475240004	ARCHUNDIA, HEIDY	11864	INDIAN ST	MORENO VALLEY	CA	92557-6304	ARCHUNDIA, HEIDY	11864 INDIAN ST	MORENO VALLEY, CA	92557-6304	323.76	32.38	64.1	420.24
31231065008	475240019	MONTOYA, MARTINA AND MARTIN	24536	COVINGTON WAY	MORENO VALLEY	CA	92557-6427	MONTOYA, MARTINA AND MARTIN	24536 COVINGTON WAY	MORENO VALLEY, CA	92557-6427	63.54	6.35	12.58	82.46
31243085002	475240028	MARINEZ, ROSA	24596	COVINGTON WAY	MORENO VALLEY	CA	92557-6427	MARINEZ, ROSA	24596 COVINGTON WAY	MORENO VALLEY, CA	92557-6427	254.02	25.4	50.3	329.7
31549545006	475240032	MOGHADDAM, NOSART	11841	KILGORE ST	MORENO VALLEY	CA	92557-6446	MOGHADDAM, NOSART	11841 KILGORE ST	MORENO VALLEY, CA	92557-6446	329.32	32.93	65.21	427.44
31426265005	475240044	BOARTFIELD, BOB	11821	HUBBARD ST	MORENO VALLEY	CA	92557-6440	BOARTFIELD, BOB	11821 HUBBARD ST	MORENO VALLEY, CA	92557-6440	190.69	19.07	37.76	247.5
58482355007	475250029	GUTIERREZ, MARIA BELEN (RENT)	11861	INDIAN ST	MORENO VALLEY	CA	92557-6306	GUTIERREZ, MARIA BELEN	11861 INDIAN ST	MORENO VALLEY, CA	92557-6306	254.12	25.41	50.32	329.84
31504955004	475250039	MARSHALL, CLAUDIA	24347	GROVEN LN	MORENO VALLEY	CA	92557-6334	MARSHALL, CLAUDIA	24347 GROVEN LN	MORENO VALLEY, CA	92557-6334	128.92	12.89	25.53	167.32
31085115001	475250045	BALDARAY, PETE	24396	GROVEN LN	MORENO VALLEY	CA	92557-6345	BALDARAY, PETE	24396 GROVEN LN	MORENO VALLEY, CA	92557-6345	254.02	25.4	50.3	329.7
31375915008	475250054	REVELES, DIEGO	24417	GROVEN LN	MORENO VALLEY	CA	92557-6346	REVELES, DIEGO	24417 GROVEN LN	MORENO VALLEY, CA	92557-6346	254.02	25.4	50.3	329.7
93385395001	475250063	PATRICK, LISA (OWNR)	24463	DUNLAVY CT	MORENO VALLEY	CA	92557-6314	PATRICK, LISA	24463 DUNLAVY CT	MORENO VALLEY, CA	92557-6314	254.12	25.41	50.32	329.84
31094145007	475250065	UEDA, MICHAEL	24487	DUNLAVY CT	MORENO VALLEY	CA	92557-6314	UEDA, MICHAEL	24487 DUNLAVY CT	MORENO VALLEY, CA	92557-6314	157.32	15.73	31.15	204.2
96231285007	475251005	NICHOLL, CHRISTIAN (RENT)	24452	DUNLAVY CT	MORENO VALLEY	CA	92557-6317	NICHOLL, CHRISTIAN (RENT)	14395 SUSANA CT	MORENO VALLEY, CA	92553-3567	157.75	15.78	31.23	204.74
31301245005	475251011	KHAN, ILYAS	24372	DUNLAVY CT	MORENO VALLEY	CA	92557-6313	KHAN, ILYAS	24372 DUNLAVY CT	MORENO VALLEY, CA	92557-6313	154.12	15.41	30.52	200.04
69295295003	475261010	VIVEROS, HECTOR (OWNR)	24072	GROVEN LN	MORENO VALLEY	CA	92557-6331	VIVEROS, HECTOR	24072 GROVEN LN	MORENO VALLEY, CA	92557-6331	254.02	25.4	50.3	329.7
91126605007	475261033	MORENO, MAGALY	24057	MADOLE DR	MORENO VALLEY	CA	92557-6341	MORENO, MAGALY	24057 MADOLE DR	MORENO VALLEY, CA	92557-6341	153.92	15.39	30.48	199.78
35577375005	475262003	POWERS, LAURA (RENT)	24071	GROVEN LN	MORENO VALLEY	CA	92557-6332	POWERS, LAURA	24071 GROVEN LN	MORENO VALLEY, CA	92557-6332	32.35	3.24	6.41	41.98
91601945008	475262007	CASTILLO-PARAMO, CARMEN (RENT)	24139	GROVEN LN	MORENO VALLEY	CA	92557-6325	CASTILLO-PARAMO, CARMEN (RENT)	827 MEYLER ST	SAN PEDRO, CA	90731-1430	41.2	4.12	8.16	53.46
95048565007	475263015	SINGLETON, KAREN (OWNR)	11774	NOTNIL CT	MORENO VALLEY	CA	92557-6347	SINGLETON, KAREN	11774 NOTNIL CT	MORENO VALLEY, CA	92557-6347	254.12	25.41	50.32	329.84
90473093001	475263023	HARRIS, JAYN	11802	GLADWAY CT	MORENO VALLEY	CA	92557-6329	HARRIS, JAYN	11802 GLADWAY CT	MORENO VALLEY, CA	92557-6329	164.54	16.45	32.58	213.56
68582255003	475263028	GARCIA, LIZETTE	24210	MADOLE DR	MORENO VALLEY	CA	92557-6363	GARCIA, LIZETTE	24210 MADOLE DR	MORENO VALLEY, CA	92557-6363	254.02	25.4	50.3	329.7
31065045008	475263030	ANDREWS, JOHN (OWNR)	11761	DAVIS ST	MORENO VALLEY	CA	92557-6316	ANDREWS, JOHN	PO BOX 69	MORENO VALLEY, CA	92556-0069	519.41	51.94	102.84	674.18
31294715003	475264006	RAMOS, ERNEST	11759	LANCEWOOD DR	MORENO VALLEY	CA	92557-6362	RAMOS, ERNEST	11759 LANCEWOOD DR	MORENO VALLEY, CA	92557-6362	254.02	25.4	50.3	329.7
93039195006	475264008	ALEMAN, KRIS (RENT)	11851	LANCEWOOD DR	MORENO VALLEY	CA	92557-6354	ALEMAN, KRIS	11861 LANCEWOOD DR	MORENO VALLEY, CA	92557-6354	202.41	20.24	40.08	262.72
31048005002	475271001	ROWE JR, RAYMOND	24011	KERNWOOD DR	MORENO VALLEY	CA	92557-6358	ROWE JR, RAYMOND	24011 KERNWOOD DR	MORENO VALLEY, CA	92557-6358	254.02	25.4	50.3	329.7
60005645002	475271003	VALENZUELA, JESUS	24037	KERNWOOD DR	MORENO VALLEY	CA	92557-6358	VALENZUELA, JESUS	24037 KERNWOOD DR	MORENO VALLEY, CA	92557-6358	285.61	28.56	56.55	370.72
92648425007	475272005	TAYLOR, SHARON	24070	KERNWOOD DR	MORENO VALLEY	CA	92557-6351	TAYLOR, SHARON	24070 KERNWOOD DR	MORENO VALLEY, CA	92557-6351	254.12	25.41	50.32	329.84
84827125000	475272010	BELTRAN, SARAH	24123	KERNWOOD DR	MORENO VALLEY	CA	92557-6359	BELTRAN, SARAH	2270 NELSON ST APT D	POMONA, CA	91766-5956	254.02	25.4	50.3	329.7
93071183001	475272012	BALDWIN, CYNTHIA	24095	KERNWOOD DR	MORENO VALLEY	CA	92557-6352	BALDWIN, CYNTHIA	24095 KERNWOOD DR	MORENO VALLEY, CA	92557-6352	133.82	13.38	26.5	173.68
31203675002	475272019	MC GUIRE, EDWARD	11881	ZANTAR LN	MORENO VALLEY	CA	92557-6350	MC GUIRE, EDWARD	11881 ZANTAR LN	MORENO VALLEY, CA	92557-6350	329.32	32.93	65.21	427.44
95371075006	475272042	VONCILE, HALL (RENT)	24130	IRONWOOD AVE	MORENO VALLEY	CA	92557-7202	VONCILE, HALL	24130 IRONWOOD AVE	MORENO VALLEY, CA	92557-7202	54.12	5.41	10.72	70.24
31355695006	475272058	VICKERS, MICHAEL	24192	IRONWOOD AVE	MORENO VALLEY	CA	92557-7200	VICKERS, MICHAEL	24192 IRONWOOD AVE	MORENO VALLEY, CA	92557-7200	229.02	22.9	45.35	297.26
31617035005	475280007	VARGAS, MARIA (RENT)	11948	DAVIS ST	MORENO VALLEY	CA	92557-6326	VARGAS, MARIA	11948 DAVIS ST	MORENO VALLEY, CA	92557-6326	33.86	3.39	6.7	43.94
31287075001	475280021	SHEDLOCK, LUZ	24438	IRONWOOD AVE	MORENO VALLEY	CA	92557-7207	SHEDLOCK, LUZ	24438 IRONWOOD AVE	MORENO VALLEY, CA	92557-7207	254.02	25.4	50.3	329.7
92999529009	475280030	MUNOZ, GUILLERMINA (RENT)	11939	INDIAN ST	MORENO VALLEY	CA	92557-6306	MUNOZ, GUILLERMINA (RENT)	11939 INDIAN ST	MORENO VALLEY, CA	92557-6306	245.06	24.51	48.52	318.08
90621245004	475280047	FIGUEROA, IRMA	11960	KEVIN ST	MORENO VALLEY	CA	92557-6322	FIGUEROA, IRMA	11960 KEVIN ST	MORENO VALLEY, CA	92557-6322	253.92	25.39	50.28	329.58
31269245004	475280068	BERTRAND, ANTHONY	11890	DAVIS ST	MORENO VALLEY	CA	92557-6338	BERTRAND, ANTHONY	1407 E GAYLORD ST	MT PLEASANT, MI	48858-3626	254.02	25.4	50.3	329.7
31092715001	475280072	ROBERTS, JAMES	11950	DAVIS ST	MORENO VALLEY	CA	92557-6326	ROBERTS, JAMES	11950 DAVIS ST	MORENO VALLEY, CA	92557-6326	254.02	25.4	50.3	329.7
31399415003	475280089	VILLEGAS, TANISHA	24464	IRONWOOD AVE	MORENO VALLEY	CA	92557-7207	VILLEGAS, TANISHA	24464 IRONWOOD AVE	MORENO VALLEY, CA	92557-7207	63.7	6.37	12.61	82.68

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31471255003	475280091	DELBRUEGGE, DON	24446	IRONWOOD AVE	MORENO VALLEY	CA	92557-7207	DELBRUEGGE, DON	PO BOX 8781	MORENO VALLEY, CA	92552-8781	179.08	17.91	35.46	232.44
31348165002	475292004	NEWMAN, JERRY	11921	HUBBARD ST	MORENO VALLEY	CA	92557-6422	NEWMAN, JERRY	11921 HUBBARD ST	MORENO VALLEY, CA	92557-6422	223.49	22.35	44.25	290.08
70406615006	475292005	VASQUEZ, MARIA	11933	HUBBARD ST	MORENO VALLEY	CA	92557-6422	VASQUEZ, MARIA	11933 HUBBARD ST	MORENO VALLEY, CA	92557-6422	254.02	25.4	50.3	329.7
82042495000	475292008	LANDIN, MIGUEL	11977	HUBBARD ST	MORENO VALLEY	CA	92557-6422	LANDIN, MIGUEL	1097 N STATE ST SPC 116	HEMET, CA	92543-1530	254.02	25.4	50.3	329.7
31144435009	475292017	GORDON, HARRIET	11898	KILGORE ST	MORENO VALLEY	CA	92557-6445	GORDON, HARRIET	11898 KILGORE ST	MORENO VALLEY, CA	92557-6445	57.27	5.73	11.34	74.32
94138695000	475293003	ROSA, LUIS (RENT)	11966	INDIAN ST	MORENO VALLEY	CA	92557-6305	ROSA, LUIS	11966 INDIAN ST	MORENO VALLEY, CA	92557-6305	254.12	25.41	50.32	329.84
97216153004	475293006	RODRIGUEZ, EDNA (RENT)	11936	INDIAN ST	MORENO VALLEY	CA	92557-6305	RODRIGUEZ, EDNA	11936 INDIAN ST	MORENO VALLEY, CA	92557-6305	128.34	12.83	25.41	166.58
67349255008	475293012	SILVA, JOHN	11901	OHIO ST	MORENO VALLEY	CA	92557-6432	SILVA, JOHN	11901 OHIO ST	MORENO VALLEY, CA	92557-6432	254.12	25.41	50.32	329.84
31271405006	475293015	CARDENAS, RAMON	11927	OHIO ST	MORENO VALLEY	CA	92557-6432	CARDENAS, RAMON	11927 OHIO	MORENO VALLEY, CA	92557-6432	254.12	25.41	50.32	329.84
52704465007	475293017	PURTHER, DELORES	24550	IRONWOOD AVE	MORENO VALLEY	CA	92557-7801	PURTHER, LAWRENCE	24550 IRONWOOD AVE	MORENO VALLEY, CA	92557-7801	130	13	25.74	168.74
31517835002	475293018	MUNOZ, AFRICA	24546	IRONWOOD AVE	MORENO VALLEY	CA	92557-7801	MUNOZ, AFRICA	24546 IRONWOOD AVE	MORENO VALLEY, CA	92557-7801	190.59	19.06	37.74	247.38
31350785008	475293027	BARNES, FRANK	11899	WELLER PL	MORENO VALLEY	CA	92557-6434	BARNES, FRANK	11899 WELLER PL	MORENO VALLEY, CA	92557-6434	254.02	25.4	50.3	329.7
93073955005	475293044	MILLER, DAVID	11911	WELBY PL	MORENO VALLEY	CA	92557-6436	MILLER, DAVID	11911 WELBY PL	MORENO VALLEY, CA	92557-6436	254.02	25.4	50.3	329.7
31066715005	475293045	BULLOCK, GORDON	11897	WELBY PL	MORENO VALLEY	CA	92557-6436	BULLOCK, GORDON	11897 WELBY PL	MORENO VALLEY, CA	92557-6436	329.32	32.93	65.21	427.44
38032345015	475293049	WILLIAMS, SAMANTHA (RENT)	11910	WELBY PL	MORENO VALLEY	CA	92557-6435	WILLIAMS, SAMANTHA	11910 WELBY PL	MORENO VALLEY, CA	92557-6435	181.2	18.12	35.88	235.18
96546835003	475293055	WINSTON, LAKEISHA (RENT)	11984	WELBY PL	MORENO VALLEY	CA	92557-6435	WINSTON, LAKEISHA	11984 WELBY PL	MORENO VALLEY, CA	92557-6435	42	4.2	8.32	54.5
65458785008	475293058	GUTIERREZ, JOSE (RENT)	11907	KILGORE ST	MORENO VALLEY	CA	92557-6438	GUTIERREZ, JOSE	25420 TODD DR	MORENO VALLEY, CA	92553-4163	103.15	10.32	20.42	133.88
31372705009	475293062	DAUSTER, FRANKLIN	11961	KILGORE ST	MORENO VALLEY	CA	92557-6438	DAUSTER, FRANKLIN	11961 KILGORE ST	MORENO VALLEY, CA	92557-6438	254.02	25.4	50.3	329.7
86420873004	475293064	RIVERA, NANETTE (OWNR)	11989	KILGORE ST	MORENO VALLEY	CA	92557-6438	RIVERA, NANETTE	11989 KILGORE ST	MORENO VALLEY, CA	92557-6438	129.6	12.96	25.66	168.22
31446515001	475300021	WASHINGTON, BILLY	24946	IRONWOOD AVE	MORENO VALLEY	CA	92557-7808	WASHINGTON, BILLY	161 ARBETH E	RIALTO, CA	92377-4701	329.32	32.93	65.21	427.44
31390295007	475300025	WALL, CHARLES	11987	PERRIS BLVD	MORENO VALLEY	CA	92557-6543	WALL, CHARLES	11987 PERRIS BLVD	MORENO VALLEY, CA	92557-6543	254.02	25.4	50.3	329.7
65941905008	475300038	GOMEZ, TERESA (OWNR)	11877	CAMINO DE LA VISTA DR	MORENO VALLEY	CA	92557-6416	GOMEZ, TERESA	15762 CAYMAN CIR	MORENO VALLEY, CA	92551-4629	53.42	5.34	10.58	69.32
59969745001	475300040	MONTOYA, SILVIA (RENT)	11897	CAMINO DE LA VISTA DR	MORENO VALLEY	CA	92557-6416	MONTOYA, SILVIA	11897 CAMINO DE LA VISTA DR	MORENO VALLEY, CA	92557-6416	329.6	32.96	65.26	427.82
31512105006	475300043	PAEZ, JAVIER	24911	ESCONDIDO CT	MORENO VALLEY	CA	92557-6413	PAEZ, GLORIA	24911 ESCONDIDO CT	MORENO VALLEY, CA	92557-6413	154.02	15.4	30.5	199.9
31541635004	475300054	MCKINLEY, CHAROLETTE	24920	ESCONDIDO CT	MORENO VALLEY	CA	92557-6413	MCKINLEY, CHAROLETTE	24920 ESCONDIDO CT	MORENO VALLEY, CA	92557-6413	254.12	25.41	50.32	329.84
31361765009	475300057	SALSEDO, SILVIA	11965	FOUCH LN	MORENO VALLEY	CA	92557-6417	SALSEDO, SILVIA	11965 FOUCH LN	MORENO VALLEY, CA	92557-6417	169.18	16.92	33.5	219.58
31062735000	475311003	SELNICK, PENIPIT	24530	SUMMERFIELD DR	MORENO VALLEY	CA	92557-5129	SELNICK, PENIPIT	224 CONDESSA CT	OCEANSIDE, CA	92057-6149	131.88	13.18	26.1	171.1
31438415009	475311012	PENA, NORBERTO	24510	ZUPPARDO WAY	MORENO VALLEY	CA	92557-5135	PENA, NORBERTO	24510 ZUPPARDO WAY	MORENO VALLEY, CA	92557-5135	63.63	6.36	12.6	82.58
61034485004	475311025	HARRIS, DARWIN	24575	ZUPPARDO WAY	MORENO VALLEY	CA	92557-5122	HARRIS, DARWIN	24575 ZUPPARDO WAY	MORENO VALLEY, CA	92557-5122	254.12	25.41	50.32	329.84
31471345005	475312010	LADESMA, OSCAR	11141	FERNVIEW PL	MORENO VALLEY	CA	92557-5112	LADESMA, OSCAR	11141 FERNVIEW PL	MORENO VALLEY, CA	92557-5112	64.05	6.41	12.68	83.12
31566125008	475312017	SOLARES, LUZ	24515	SUMMERFIELD DR	MORENO VALLEY	CA	92557-5130	SOLARES, LUZ	24515 SUMMERFIELD DR	MORENO VALLEY, CA	92557-5130	268.97	26.9	53.26	349.12
31162855002	475313005	LICERIO, DAVID	24553	SUNNY RIDGE DR	MORENO VALLEY	CA	92557-5137	LICERIO, DAVID	24553 SUNNY RIDGE DR	MORENO VALLEY, CA	92557-5137	63.63	6.36	12.6	82.58
64176395009	475313006	JONES, SHELLEY	24563	SUNNY RIDGE DR	MORENO VALLEY	CA	92557-5137	JONES, SHELLEY	24563 SUNNY RIDGE DR	MORENO VALLEY, CA	92557-5137	63.63	6.36	12.6	82.58
31422675008	475313008	REID, KELLY	24583	SUNNY RIDGE DR	MORENO VALLEY	CA	92557-5137	REID, KELLY	24583 SUNNY RIDGE DR	MORENO VALLEY, CA	92557-5137	254.02	25.4	50.3	329.7
31150825004	475314002	ZARETKI, STEVEN	11212	SUNGLOW DR	MORENO VALLEY	CA	92557-5143	ZARETKI, STEVEN	11212 SUNGLOW DR	MORENO VALLEY, CA	92557-5143	254.02	25.4	50.3	329.7
31193815006	475314005	BURROWES, JAMES AND GLORIA	11170	SUNGLOW DR	MORENO VALLEY	CA	92557-5109	BURROWES, JAMES AND GLORIA	11170 SUNGLOW DR	MORENO VALLEY, CA	92557-5109	190.69	19.07	37.76	247.5
31520805002	475321004	MENDOZA, FRANCISCO	24360	QUAPAW TRL	MORENO VALLEY	CA	92557-5030	MENDOZA, FRANCISCO	24360 QUAPAW TR	MORENO VALLEY, CA	92557-5030	63.63	6.36	12.6	82.58
54236935000	475321006	DUARTE, ROBERT	24388	QUAPAW TRL	MORENO VALLEY	CA	92557-5030	DUARTE, ROBERT	24388 QUAPAW TR	MORENO VALLEY, CA	92557-5030	329.32	32.93	65.21	427.44
96231245006	475321012	MARQUEZ, CINDY D (OWNR)	24462	QUAPAW TRL	MORENO VALLEY	CA	92557-5030	MARQUEZ, CINDY D	24462 QUAPAW TRL	MORENO VALLEY, CA	92557-5030	254.12	25.41	50.32	329.84
95947413002	475321019	LEDFORD, PATRICK (RENT)	24547	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5024	LEDFORD, PATRICK	24547 CHIPPEWA TRL	MORENO VALLEY, CA	92557-5024	105.72	10.57	20.93	137.22
92927045005	475321023	ORCOYNE-YORIO, MARIA (OWNR)	24062	QUAPAW TRL	MORENO VALLEY	CA	92557-5027	ORCOYNE-YORIO, MARIA (OWNR)	6862 SAN PACO CIR	BUENA PARK, CA	90620-2923	254.02	25.4	50.3	329.7
69650895003	475321029	ALMADA, KARIA	11060	DAVIS ST	MORENO VALLEY	CA	92557-5036	ALMADA, KARIA	11060 DAVIS ST	MORENO VALLEY, CA	92557-5036	254.02	25.4	50.3	329.7
63106495006	475322003	GORDON, EUGENE	24415	QUAPAW TRL	MORENO VALLEY	CA	92557-5031	GORDON, EUGENE	24415 QUAPAW TR	MORENO VALLEY, CA	92557-5031	329.6	32.96	65.26	427.82
93385085006	475322006	RUZZAMENTI, SUSAN (OWNR)	24365	QUAPAW TRL	MORENO VALLEY	CA	92557-5031	RUZZAMENTI, SUSAN	25534 KALMIA AVE	MORENO VALLEY, CA	92557-5803	254.12	25.41	50.32	329.84
97764003005	475322013	GUERRERO, MELISSA (RENT)	24366	PAWNEE TRL	MORENO VALLEY	CA	92557-5032	GUERRERO, MELISSA (RENT)	24366 PAWNEE TRL	MORENO VALLEY, CA	92557-5032	147.28	14.73	29.16	191.16
31319125002	475322017	MATA, YOLANDA (OWN)	24418	PAWNEE TRL	MORENO VALLEY	CA	92557-5034	MATA, YOLANDA	24418 PAWNEE TRL	MORENO VALLEY, CA	92557-5034	309.6	30.96	61.3	401.86
31285205008	475322024	SIPPLE, PAUL	24357	PAWNEE TRL	MORENO VALLEY	CA	92557-5033	SIPPLE, PAUL	24357 PAWNEE TRL	MORENO VALLEY, CA	92557-5033	253.92	25.39	50.28	329.58
93171695002	475322027	SOTO, MONIQUE (RENT)	24546	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5023	SOTO, MONIQUE	24546 CHIPPEWA TR	MORENO VALLEY, CA	92557-5023	39.02	3.9	7.73	50.64
87984675005	475322030	JONES, LAUREN	24580	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5023	JONES, LAUREN	22481 BAY AVE	MORENO VALLEY, CA	92553-8308	178.6	17.86	35.36	231.82
31279605009	475331002	RUVALCABA, FRANCISCO	24102	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5014	RUVALCABA, FRANCISCO	24102 CHIPPEWA TR	MORENO VALLEY, CA	92557-5014	54.02	5.4	10.7	70.1
31549635007	475331003	CLIVE, LUANA	24118	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5014	CLIVE, LUANA	24118 CHIPPEWA TR	MORENO VALLEY, CA	92557-5014	229.32	22.93	45.41	297.64
48291725008	475331004	BERDEJO, MARINO AND MARIA	24134	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5014	BERDEJO, MARINO AND MARIA	24134 CHIPPEWA TR	MORENO VALLEY, CA	92557-5014	254.02	25.4	50.3	329.7
58355795003	475331012	MONTGOMERY, JESSICA	24212	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5014	MONTGOMERY, JESSICA	24212 CHIPPEWA TR	MORENO VALLEY, CA	92557-5014	254.12	25.41	50.32	329.84
97126575007	475331013	CHRISTIAN, ANDREW (OWNR)	24224	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5014	CHRISTIAN, ANDREW	24224 CHIPPEWA TRL	MORENO VALLEY, CA	92557-5014	138.61	13.86	27.44	179.9
92224525006	475332004	GONZALEZ, CLARA (RENT)	24203	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5016	GONZALEZ, CLARA	24203 CHIPPEWA TR	MORENO VALLEY, CA	92557-5016	253.92	25.39	50.28	329.58
97617375007	475332006	FERRIS, STEVE (RENT)	24223	CHIPPEWA TRL	MORENO VALLEY	CA	92557-5016	FERRIS, STEVE	11520 PROSPERITY LN	MORENO VALLEY, CA	92557-5639	145.08	14.51	28.73	188.3
53231425009	475333008	SANCHEZ, LETICIA	24211	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-5029	SANCHEZ, LETICIA	24211 BADGER SPRINGS TR	MORENO VALLEY, CA	92557-5029	144.69	14.47	28.65	187.8
92472915009	475333011	DOUGLAS, VINCENT	24011	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-5001	DOUGLAS, VINCENT	24011 BADGER SPRINGS TR	MORENO VALLEY, CA	92557-5001	254.02	25.4	50.3	329.7
31097425001	475333012	LARA, PAUL J	24023	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-5001	LARA, PAUL J	24023 BADGER SPRINGS TR	MORENO VALLEY, CA	92557-5001	329.32	32.93	65.21	427.44
31061815005	475333015	LANG, RAYMOND	24059	BADGER SPRINGS TRL	MORENO VALLEY	CA	92557-5001	LANG, RAYMOND	24059 BADGER SPRINGS TR	MORENO VALLEY, CA	92557-5001	254.02	25.4	50.3	329.7
66504755004	475334002	JONES, PAUL AND MYIESHA (OWN)	24052	ROYALE ST	MORENO VALLEY	CA	92557-5010	JONES, PAUL	24052 ROYALE ST	MORENO VALLEY, CA	92557-5010	127.46	12.75	25.24	165.44
99686963002	475334014	CROSS, ROBERT (RENT)	24025	FORSYTE ST	MORENO VALLEY	CA	92557-5007	CROSS, ROBERT (RENT)	8115 EUCLID AVE	WHITTIER, CA	90605-1021	63.63	6.36	12.6	82.58
35217815006	475335003	HIGGINS, DAVID (RENT)	24026	FORSYTE ST	MORENO VALLEY	CA	92557-5006	HIGGINS, DAVID	24026 FORSYTE ST	MORENO VALLEY, CA	92557-5006	254.12	25.41	50.32	329.84
31287785002	475335007	CRANDALL, ROBERT AND LUANNE	24008	FORSYTE ST	MORENO VALLEY	CA	92557-5006	CRANDALL, ROBERT AND LUANNE	24008 FORSYTE ST	MORENO VALLEY, CA	92557-5006	254.02	25.4	50.3	329.7
65095885007	475341003	PENA, ERICA	24216	FORSYTE ST	MORENO VALLEY	CA	92557-5004	PENA, ERICA	24216 FORSYTE ST	MORENO VALLEY, CA	92557-5004	259.12	25.91	51.31	336.32
31639215004	475341013	MONDRAGON, JESSE A	24114	FORSYTE ST	MORENO VALLEY	CA	92557-5008	MONDRAGON, JESSE A	24114 FORSYTE ST	MORENO VALLEY, CA	92557-5008	254.02	25.4	50.3	329.7
31060625007	475341014	BLYTH, DOROTHY	24108	FORSYTE ST	MORENO VALLEY	CA	92557-5008	BLYTH, D	24108 FORSYTE ST	MORENO VALLEY, CA	92557-5008	90.69	9.07	17.96	117.7
31572915000	475341015	GARIBAY, GRACIANO	24104	FORSYTE ST	MORENO VALLEY	CA	92557-5008	GARIBAY, GRACIANO	24104 FORSYTE ST	MORENO VALLEY, CA	92557-5008	282.23	28.22	55.88	366.32
49200725008	475341021	SCHMIDT, RYAN	24070	FORSYTE ST	MORENO VALLEY	CA	92557-5006	SCHMIDT, RYAN	24070 FORSYTE ST	MORENO VALLEY, CA	92557-5006	254.02	25.4	50.3	329.7
91808763006	475341027	CANNON, KATRINA (RENT)	24040	FORSYTE ST	MORENO VALLEY	CA	92557-5006	CANNON, KATRINA	7801 BOLERO DR	RIVERSIDE, CA	92509-5219	54.66	5.47	10.82	70.94
92473095009	475342034	CROSS, NANCY	24097	FORSYTE ST	MORENO VALLEY	CA	92557-5007	CROSS, NANCY	11485 QUINCY ST	MORENO VALLEY, CA	92555-6558	329.32	32.93	65.21	427.44
77332585003	475342035	GONZALES, CYNTHIA	24103	FORSYTE ST	MORENO VALLEY	CA	92557-5009	GONZALES, CYNTHIA	24103 FORSYTE ST	MORENO VALLEY, CA	92557-5009	329.32	32.93	65.21	427.44
94537515001	475342036	PENA, LARRY (RENT)	24107	FORSYTE ST	MORENO VALLEY	CA	92557-5009	PENA, LARRY	4176 GOLDEN GLEN DR	CHINO HILLS, CA	91709-4645	43.38	4.34	8.59	56.3
31309745003	475343003	WARREN, DAVID	24153	ROYALE ST	MORENO VALLEY	CA	92557-5020	WARREN, DAVID	24153 ROYALE ST	MORENO VALLEY, CA	92557-5020	129.6	12.96	25.66	168.22
31251655005	475343004	MARIANARO, JOSEPH	24165	ROYALE ST	MORENO VALLEY	CA	92557-5020	MARIANARO, JOSEPH	24165 ROYALE ST	MORENO VALLEY, CA	92557-5020	254.02	25.4	50.3	329.7
89938755007	475351002	MOLINA, CRISSY	24649	SUNNY RIDGE DR	MORENO VALLEY	CA	92557-5146	MOLINA, CRISSY	24649 SUNNY RIDGE DR	MORENO VALLEY, CA	92557-5146	253.92	25.39	50.28	329.58
31132135007	475351003	MOSQUEDA, JOSEPH	24661	SUNNY RIDGE DR	MORENO VALLEY	CA	92557-5146	MOSQUEDA, JOSEPH	24661 SUNNY RIDGE DR	MORENO VALLEY, CA	92557-5146	329.32	32.93	65.21	427.44
73605625008	475351013	CANTE, FELIPE	24691	HUNTLEY DR	MORENO VALLEY	CA	92557-5142	CANTE, FELIPE	24691 HUNTLEY DR	MORENO VALLEY, CA	92557-5142	254.02	25.4	50.3	329.7
31131155004	475352002	COGAN, CHRIS T	24651	SUMMERFIELD DR	MORENO VALLEY	CA	92557-5132	COGAN, CHRIS T	42863 19TH ST W	LANCASTER, CA	93534-6222	254.02	25.4	50.3	329.7
92834205009	475352008	LAIRD, LESLIE (OWNR)	24698	SUMMERFIELD DR	MORENO VALLEY	CA	92557-5131	LAIRD, LESLIE	24698 SUMMERFIELD DR	MORENO VALLEY, CA	92557-5131	141.41	14.14	28	183.54
31372415000	475352019	TOLOSA, MARIA	24698	HUNTLEY DR	MORENO VALLEY	CA	92557-5105	TOLOSA, MARIA	24698 HUNTLEY DR	MORENO VALLEY, CA	92557-5105	129.32	12.93	25.61	167.86
95992045002	475352024	VIVEROS, ARTURO (OWNR)	24652	HUNTLEY DR	MORENO VALLEY	CA	92557-5105	VIVEROS, ARTURO	24652 HUNTLEY DR	MORENO VALLEY, CA	92557-5105	254.12	25.41	50.32	329.84
90262103006	475352025	JONES, JOHN AND ETHEL (RENT)	24642	HUNTLEY DR	MORENO VALLEY	CA	92557-5105	JONES, JOHN AND ETHEL	24642 HUNTLEY DR	MORENO VALLEY, CA	92557-5105	316.83	31.68	62.73	411.24
76147015006	475352026	ROSS, CYNTHIA	24634	HUNTLEY DR	MORENO VALLEY	CA	92557-5105	ROSS, CYNTHIA	24634 HUNTLEY DR	MORENO VALLEY, CA	92557-5105	329.32	32.93	65.21	427.44
31649315002	475353008	HARRISON, CHRIS	24712	SUNDAY DR	MORENO VALLEY	CA	92557-5103	HARRISON, CHRIS	24712 SUNDAY DR	MORENO VALLEY, CA	92557-5103	254.02	25.4	50.3	329.7
31102245007	475353009	MITCHELL, CLYDE	24724	SUNDAY DR	MORENO VALLEY	CA	92557-5103	MITCHELL, CLYDE	5829 ADDY LN	N LAS VEGAS, NV	89081-6418	254.02	25.4	50.3	329.7
87583805003	475353011	BARRAGAN, LUPE	24746	SUNDAY DR	MORENO VALLEY	CA	92557-5103	BARRAGAN, LUPE	24746 SUNDAY DR	MORENO VALLEY, CA	92557-5103	254.12	25.41	50.32	329.84
83913675003	475360013	ALARCON, REFUGIO AND LEOBARDO	24685	DUNLAVY CT	MORENO VALLEY	CA	92557-6375	ALARCON, REFUGIO AND LEOBARDO	24685 DUNLAVY CT	MORENO VALLEY, CA	92557-6375	104.02	10.4	20.6	135
95650913007	477220006	SEVILLANO, ELVIS (RENT)	26360	HOBART CIR	MORENO VALLEY	CA	92555-2553	SEVILLANO, ELVIS (RENT)	26360 HOBART CIR	MORENO VALLEY, CA	92555-2553	53.56	5.36	10.6	69.52
89857523008	477324007	JONES, JENNIFER	12320	FALCON LN	MORENO VALLEY	CA	92555-2040	JONES, JENNIFER	12320 FALCON LN	MORENO VALLEY, CA	92555-2040	325.98	32.6	64.54	423.12
95052195007	477413006	ROBLES, JUAN AND ALMA (RENT)	12358	BALTIMORE AVE	MORENO VALLEY	CA	92557-7730	ROBLES, JUAN AND ALMA	12358 BALTIMORE AVE	MORENO VALLEY, CA	92557-7730	127.35	12.74	25.22	165.3
91715003003	477431012	CALHOUN, MARK (RENT)	12320	MARQUETTE CT	MORENO VALLEY	CA	92557-7742	CALHOUN, MARK	12320 MARQUETTE CT	MORENO VALLEY, CA	92557-7742	80.03	8	15.85	103.86
96848305004	477431015	WILSON, LARRY AND CYNTHIA	12350	MARQUETTE CT	MORENO VALLEY	CA	92557-7747	WILSON, LARRY AND CYNTHIA	12350 MARQUETTE CT	MORENO VALLEY, CA	92557-7747	420.76	42.08	83.31	546.14
97103545003	477453007	SANDOVAL, ALBERTO JENNIFER	13090	MOHICAN DR	MORENO VALLEY	CA	92555-2403	SANDOVAL, ALBERTO JENNIFER	15425 CABALLO RD	MORENO VALLEY, CA	92555-2919	90.4	9.04	17.9	117.32
90884993000	477482003	LOCKE, NASHALINDA (RENT)	13333	YUBA PASS RD	MORENO VALLEY	CA	92555-2443	LOCKE, NASHALINDA	13333 YUBA PASS RD	MORENO VALLEY, CA	92555-2443	357.89	35.79	70.85	464.54
89285985005	477492010	RAMOS, CRYSTAL (RENT)	26378	WALKER PASS DR	MORENO VALLEY	CA	92555-2424	RAMOS, CRYSTAL	800 E WASHINGTON ST APT 850	COLTON, CA	92324-7104	80.43	8.04	15.93	104.38
97110635009	477492031	SHAMABUKURO, ARIANE	26267	CAPAY BAY CT	MORENO VALLEY	CA	92555-2477	SHAMABUKURO, ARIANE	26267 CAPAY BAY CT	MORENO VALLEY, CA	92555-2477	127.46	12.75	25.24	165.44
72746535000	477503015	CHOUINARD, MARK (OWNR)	13400	JAMES ST	MORENO VALLEY	CA	92555-2800	CHOUINARD, MARK	4753 RADNOR AVE	LAKEWOOD, CA	90713-2338	63.63	6.36	12.6	82.58
90868393009	477682030	GARLAND, MARA (RENT)	26435	HELENE DR	MORENO VALLEY	CA	92555-1877	GARLAND, MARA (RENT)	26435 HELENE DR	MORENO VALLEY, CA	92555-1877	197.13	19.71	39.03	255.86
97093905000	477693013	HARRIS, ANGELA	12381	MORRISON ST	MORENO VALLEY	CA	92555-1806	HARRIS, ANGELA	12381 MORRISON ST	MORENO VALLEY, CA	92555-1806	211.9	21.19	41.96	275.04
90832413001	477773004	DOMINGUEZ, MANUEL	26302	PRIMROSE WAY	MORENO VALLEY	CA	92555-2245	DOMINGUEZ, MANUEL	26302 PRIMROSE WAY	MORENO VALLEY, CA	92555-2245	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
96586983003	477840018	BALDERAS, SHANTEL (RENT)	12620	MORRISON ST	MORENO VALLEY	CA	92555-3518	BALDERAS, SHANTEL (RENT)	12620 MORRISON ST	MORENO VALLEY, CA	92555-3518	63.63	6.36	12.6	82.58
88911523004	478030005	NEAL, DIMEETRIQUE (RENT)	13780	RODERICK DR	MORENO VALLEY	CA	92555-6109	NEAL, DIMEETRIQUE	13780 RODERICK DR	MORENO VALLEY, CA	92555-6109	171.21	17.12	33.9	222.22
97106295008	478040019	NORMAN, LETICIA (RENT)	13991	JERANELLA CT	MORENO VALLEY	CA	92555-8208	NORMAN, LETICIA	13991 JERANELLA CT	MORENO VALLEY, CA	92555-8208	247.13	24.71	48.93	320.76
31379475002	478050002	GOULD, AMBER	28344	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6102	GOULD, AMBER	28344 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-6102	247.76	24.78	49.06	321.58
31075775003	478050006	MAKLIN, PAUL	13961	WALNUT CT	MORENO VALLEY	CA	92555-6110	MAKLIN, PAUL	13961 WALNUT CT	MORENO VALLEY, CA	92555-6110	254.02	25.4	50.3	329.7
31227575002	478050014	KOTERWAS, ED	13894	WALNUT CT	MORENO VALLEY	CA	92555-6127	KOTERWAS, ED	13894 WALNUT CT	MORENO VALLEY, CA	92555-6127	254.02	25.4	50.3	329.7
91453695006	478050015	POWERS, JOSHUA	13908	WALNUT CT	MORENO VALLEY	CA	92555-6126	POWERS, JOSHUA	13908 WALNUT CT	MORENO VALLEY, CA	92555-6126	329.04	32.9	65.15	427.08
31220835003	478050019	LOUX, ROXANNE	13960	WALNUT CT	MORENO VALLEY	CA	92555-6126	LOUX, ROXANNE	13960 WALNUT CT	MORENO VALLEY, CA	92555-6126	126.66	12.67	25.08	164.4
53737445001	478080012	HAND, HELD W	28260	BRODIAEA AVE	MORENO VALLEY	CA	92555-6108	HAND, HELD W	PO BOX 933	MORENO VALLEY, CA	92556-0933	179.99	18	35.64	233.62
64924965002	478090021	WELLS, LAURIE	28130	CACTUS AVE	MORENO VALLEY	CA	92555-6208	WELLS, LAURIE	28130 CACTUS AVE	MORENO VALLEY, CA	92555-6208	254.12	25.41	50.32	329.84
61182415006	478100003	OROZCO, DEBORAH	14191	WILMOT ST	MORENO VALLEY	CA	92555-6927	OROZCO, DEBORAH	21784 BAY AVE	MORENO VALLEY, CA	92553-8104	254.12	25.41	50.32	329.84
98042793009	478131014	JOHNSON, FRETTA (RENT)	28894	CAMPBELL AVE	MORENO VALLEY	CA	92555-6912	JOHNSON, FRETTA (RENT)	28894 CAMPBELL AVE	MORENO VALLEY, CA	92555-6912	152.12	15.21	30.12	197.44
31139455004	478131029	NEESE, DWAYNE	28947	MALTBY AVE	MORENO VALLEY	CA	92555-6905	NEESE, DWAYNE	28947 MALTBY AVE	MORENO VALLEY, CA	92555-6905	254.02	25.4	50.3	329.7
99372313000	478131060	SALAZAR, EMMA	28830	CAMPBELL AVE	MORENO VALLEY	CA	92555-6912	SALAZAR, EMMA	28830 CAMPBELL AVE	MORENO VALLEY, CA	92555-6912	137.57	13.76	27.24	178.56
31381255004	478132017	MAYNE, RICK	28882	BRODIAEA AVE	MORENO VALLEY	CA	92555-6903	MAYNE, RICK	28882 BRODIAEA AVE	MORENO VALLEY, CA	92555-6903	254.02	25.4	50.3	329.7
97763065004	478132018	WALTERS, COLTEN (RENT)	28910	BRODIAEA AVE	MORENO VALLEY	CA	92555-6906	WALTERS, COLTEN	28910 BRODIAEA AVE	MORENO VALLEY, CA	92555-6906	248.27	24.83	49.16	322.24
31246955002	478132034	PULSAKOWSKI, GEORGE	28847	CAMPBELL AVE	MORENO VALLEY	CA	92555-6910	PULSAKOWSKI, GEORGE	28847 CAMPBELL AVE	MORENO VALLEY, CA	92555-6910	253.32	25.33	50.28	329.93
88434973002	478152050	CAMPBELL, ROBERT (OWNR)	29025	KIMBERLY AVE	MORENO VALLEY	CA	92555-7208	CAMPBELL, ROBERT (OWNR)	29025 KIMBERLY AVE	MORENO VALLEY, CA	92555-7208	190.79	19.08	37.78	247.64
97574143009	478165002	FHC INVESTMENTS, LLC (OWNR)	28961	KIMBERLY AVE	MORENO VALLEY	CA	92555-6900	FHC INVESTMENTS, LLC (OWNR)	28961 KIMBERLY AVE	MORENO VALLEY, CA	92555-6900	74.99	7.5	14.85	97.32
61483215000	478165011	SANCHEZ, ORLANDO	28841	KIMBERLY AVE	MORENO VALLEY	CA	92555-6915	SANCHEZ, ORLANDO	28841 KIMBERLY AVE	MORENO VALLEY, CA	92555-6915	254.12	25.41	50.32	329.84
99933753002	478166001	COPAS, ANETTE (RENT)	28765	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6943	COPAS, ANETTE (RENT)	28765 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-6943	223.95	22.4	44.34	290.68
95482395004	478166003	KUEBLER, ROBIN (RENT)	28819	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6939	KUEBLER, ROBIN AND CANDACE J	15389 ALOSTA LN	MORENO VALLEY, CA	92555-2909	62.54	6.25	12.38	81.16
58292995006	478166007	JORDAN, CATHERINE	28857	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6939	JORDAN, CATHERINE	PO BOX 6056	MORENO VALLEY, CA	92554-6056	190.79	19.08	37.78	247.64
92980545009	478166009	MACIEL, SERENA (RENT)	28873	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6939	MACIEL, SERENA	18950 NEWMAN AVE	RIVERSIDE, CA	92508-9681	254.12	25.41	50.32	329.84
75176865007	478166013	WILSON, PAUL R	28929	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6932	WILSON, PAUL R	26119 ELDER AVE	MORENO VALLEY, CA	92555-1800	329.6	32.96	65.26	427.82
31376525008	478166014	ROWAN, TERRY AND LAVERNE	28949	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6932	ROWAN, TERRY AND LAVERNE	28949 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-6932	329.6	32.96	65.26	427.82
86430623006	478166020	PELAYO, MAYRA (OWNR)	28766	KIMBERLY AVE	MORENO VALLEY	CA	92555-6914	PELAYO, MAYRA	28766 KIMBERLY AVE	MORENO VALLEY, CA	92555-6914	254.12	25.41	50.32	329.84
94831665006	478166026	MARTINEZ, VICTOR (OWNR)	14360	STODDARD ST	MORENO VALLEY	CA	92555-6921	MARTINEZ, VICTOR	15136 PEPPER CT	MORENO VALLEY, CA	92551-3624	254.12	25.41	50.32	329.84
95780835009	478171013	MORENO, SARAH (RENT)	28787	GIFFORD AVE	MORENO VALLEY	CA	92555-8240	MORENO, SARAH	28787 GIFFORD AVE	MORENO VALLEY, CA	92555-8240	254.12	25.41	50.32	329.84
53949995006	478172012	SOU, LINDA	28851	GIFFORD AVE	MORENO VALLEY	CA	92555-8241	SOU, LINDA	22635 TANAGER ST	GRAND TERRACE, CA	92313-6121	254.02	25.4	50.3	329.7
75734515007	478173029	ARILLANO, SEGEFREDO	13909	REDLANDS BLVD	MORENO VALLEY	CA	92555-8312	ARILLANO, SEGEFREDO	1358 OAK ST	SN BERNRDNO, CA	92410-2253	254.02	25.4	50.3	329.7
60370805006	478173035	REES, BRENDA	28943	GIFFORD AVE	MORENO VALLEY	CA	92555-8242	HUMANISTIC FOSTER FAMILY AGENC	PO BOX 1167	MORENO VALLEY, CA	92556-1167	262.2	26.22	51.92	340.32
92816378000	478173038	CHEAH, JESSICA (OWNR)	28895	GIFFORD AVE	MORENO VALLEY	CA	92555-8266	CHEAH, JESSICA	25259 MENOMINEE CT	MORENO VALLEY, CA	92553-7167	190.79	19.08	37.78	247.64
94277215007	478174016	LARA, ERIC (RENT)	13935	REDLANDS BLVD	MORENO VALLEY	CA	92555-8312	LARA, ERIC	13935 REDLANDS BLVD	MORENO VALLEY, CA	92555-8312	190.79	19.08	37.78	247.64
96060705002	478175003	CAMBEROS, YESENIA (RENT)	28889	WILLIAMS AVE	MORENO VALLEY	CA	92555-8231	CAMBEROS, YESENIA	31875 FLOSSIE WAY	WINCHESTER, CA	92596-8403	163.12	16.31	32.3	211.72
31445835006	478175012	TAVERNA, LESLIE	28900	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6933	TAVERNA, LESLIE	25994 GEORGIA AVE	HEMET, CA	92544-5628	231.74	23.17	45.88	300.78
92436785001	478175014	KNIGHT, HEATHER	28930	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-6933	KNIGHT, HEATHER	28930 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-6933	329.6	32.96	65.26	427.82
31066765004	478176003	HARKINS, JEFF	28835	WILLIAMS AVE	MORENO VALLEY	CA	92555-8231	HARKINS, JEFF	28835 WILLIAMS AVE	MORENO VALLEY, CA	92555-8231	63.63	6.36	12.6	82.58
97197845002	478176004	MENDOZA, HUGO (RENT)	13946	STERLING ST	MORENO VALLEY	CA	92555-8219	MENDOZA, HUGO	13946 STERLING ST	MORENO VALLEY, CA	92555-8219	126.92	12.69	25.13	164.74
31173235000	478181059	ANDRES, MARIA AND MARCELINO	29233	GIFFORD AVE	MORENO VALLEY	CA	92555-8327	ANDRES, MARIA AND MARCELINO	29233 GIFFORD AVE	MORENO VALLEY, CA	92555-8327	228.63	22.86	45.27	296.76
31503605000	478182035	WOODS, JOHN	29087	WILLIAMS AVE	MORENO VALLEY	CA	92555-8323	WOODS, JOHN	29087 WILLIAMS AVE	MORENO VALLEY, CA	92555-8323	254.12	25.41	50.32	329.84
31368495001	478182036	CLARK, GEORGE	29111	WILLIAMS AVE	MORENO VALLEY	CA	92555-8316	CLARK, GEORGE	29111 WILLIAMS AVE	MORENO VALLEY, CA	92555-8316	104.02	10.4	20.6	135
31475555001	478182041	HARRIS, HIROMI JOHN	29215	WILLIAMS AVE	MORENO VALLEY	CA	92555-8322	HARRIS, HIROMI JOHN	29215 WILLIAMS AVE	MORENO VALLEY, CA	92555-8322	36.37	3.64	7.2	47.2
48611605002	478182048	DYKASTRA, EDDIE	29144	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-7221	DYKASTRA, EDDIE	10436 SANDSTONE CT	MENTONE, CA	92359-1219	329.6	32.96	65.26	427.82
31573965007	478182050	VICTORIA, ZULIMA	29147	WILLIAMS AVE	MORENO VALLEY	CA	92555-8316	VICTORIA, ZULIMA	29147 WILLIAMS AVE	MORENO VALLEY, CA	92555-8316	172.74	17.27	34.2	224.2
31507005007	478182056	GESS, SHERI	29125	WILLIAMS AVE	MORENO VALLEY	CA	92555-8316	GESS, SHERI	29125 WILLIAMS AVE	MORENO VALLEY, CA	92555-8316	253.92	25.39	50.28	329.58
62409175002	478191025	MARTINEZ, TERESA T	29106	STEVENS AVE	MORENO VALLEY	CA	92555-8313	MARTINEZ, TERESA T	24351 KURT CT	MORENO VALLEY, CA	92551-7654	329.6	32.96	65.26	427.82
97078115007	478191031	REYES, BRYANT (RENT)	29075	BAY AVE	MORENO VALLEY	CA	92555-8302	REYES, BRYANT	25907 RATTON ST	MORENO VALLEY, CA	92553-8302	143.64	14.36	28.44	186.44
52778985002	478191035	GROSS, JOE	29249	BAY AVE	MORENO VALLEY	CA	92555-8302	GROSS, JOE	29249 BAY AVE	MORENO VALLEY, CA	92555-8302	254.02	25.4	50.3	329.7
94457455004	478191037	BERNHARD, TODD (RENT)	29219	BAY AVE	MORENO VALLEY	CA	92555-8302	BERNHARD, TODD	29219 BAY AVE	MORENO VALLEY, CA	92555-8302	329.6	32.96	65.26	427.82
96010763004	478192032	SAMPSON, NIKI (RENT)	29103	STEVENS AVE	MORENO VALLEY	CA	92555-8314	SAMPSON, NIKI (RENT)	29103 STEVENS AVE	MORENO VALLEY, CA	92555-8314	152.12	15.21	30.12	197.44
95453055006	478192038	HAYES, JAMES (OWNR)	29120	GIFFORD AVE	MORENO VALLEY	CA	92555-8317	HAYES, JAMES	29120 GIFFORD AVE	MORENO VALLEY, CA	92555-8317	254.12	25.41	50.32	329.84
98363315010	478192057	GARCIA, SOPHIA (RENT)	29046	GIFFORD AVE	MORENO VALLEY	CA	92555-8325	GARCIA, SOPHIA	29046 GIFFORD AVE	MORENO VALLEY, CA	92555-8325	259.29	25.93	51.34	336.54
90473213006	478201021	MOSLEY, ANN (RENT)	28790	STEVENS AVE	MORENO VALLEY	CA	92555-8222	MOSLEY, ANN	7380 S EASTERN AVE STE 124	LAS VEGAS, NV	89123-1502	145.48	14.55	28.81	188.82
31134165006	478201043	VIGILIO, VIRGINIA	28925	BAY AVE	MORENO VALLEY	CA	92555-8204	VIGILIO, VIRGINIA	28925 BAY AVE	MORENO VALLEY, CA	92555-8204	329.32	32.93	65.21	427.44
31131535005	478201059	ESQUIVEL, JOHN	28822	STEVENS AVE	MORENO VALLEY	CA	92555-8255	ESQUIVEL, JOHN	28822 STEVENS AVE	MORENO VALLEY, CA	92555-8255	254.02	25.4	50.3	329.7
31642525003	478201060	CARBAJAL, JUAN	28890	STEVENS AVE	MORENO VALLEY	CA	92555-8255	CARBAJAL, JUAN	28890 STEVENS AVE	MORENO VALLEY, CA	92555-8255	537.73	53.77	106.47	697.96
86798883001	478202035	ANDERSON, MATTHEW (RENT)	28838	GIFFORD AVE	MORENO VALLEY	CA	92555-8262	ANDERSON, MATTHEW	21329 PALA FOXIA PL	MORENO VALLEY, CA	92557-8607	92.54	9.25	18.32	120.1
85359635006	478202041	BROWN, KRISTY	28971	STEVENS AVE	MORENO VALLEY	CA	92555-8223	BROWN, KRISTY	28971 STEVENS AVE	MORENO VALLEY, CA	92555-8223	254.02	25.4	50.3	329.7
31285545007	478202042	ARIAS, YOLANDA	28959	STEVENS AVE	MORENO VALLEY	CA	92555-8223	RESIDENT, CURRENT	28959 STEVENS AVE	MORENO VALLEY, CA	92555-8223	253.92	25.39	50.28	329.58
31303245001	478202052	JACKSON, DAVID	13851	REDLANDS BLVD	MORENO VALLEY	CA	92555-8308	JACKSON, DAVID	13851 REDLANDS BLV	MORENO VALLEY, CA	92555-8308	253.92	25.39	50.28	329.58
31142015001	478202055	BROWN, RALPH	28916	GIFFORD AVE	MORENO VALLEY	CA	92555-8263	BRAUN, RALPH	6690 LA JOLLA DR	RIVERSIDE, CA	92504-2016	50.61	5.06	10.02	65.68
31161655006	478202060	FLORES, LYDIA	28910	GIFFORD AVE	MORENO VALLEY	CA	92555-8263	FLORES, LYDIA	28910 GIFFORD AVE	MORENO VALLEY, CA	92555-8263	254.02	25.4	50.3	329.7
31246205000	478202083	RESINGER, BILLIE	28845	STEVENS AVE	MORENO VALLEY	CA	92555-8258	RESINGER, BILLIE	28845 STEVENS AVE	MORENO VALLEY, CA	92555-8258	253.92	25.39	50.28	329.58
31601865007	478210057	FINLEY, SAM	28820	BAY AVE	MORENO VALLEY	CA	92555-8202	FINLEY, SAM	28820 BAY AVE	MORENO VALLEY, CA	92555-8202	254.02	25.4	50.3	329.7
94753913000	478210058	GALVEZ, RENE(RENT)	28840	BAY AVE	MORENO VALLEY	CA	92555-8202	GALVEZ, RENE(RENT)	28840 BAY AVE	MORENO VALLEY, CA	92555-8202	210.41	21.04	41.66	273.1
89022065005	478210068	POUTOUS, STEVEN	13680	STODDARD ST	MORENO VALLEY	CA	92555-8224	POUTOUS, STEVEN	13680 STODDARD ST	MORENO VALLEY, CA	92555-8224	405.08	40.51	80.21	525.78
31224275002	478261004	STEELE, MARLENE	28184	BAY AVE	MORENO VALLEY	CA	92555-6121	STEELE, MARLENE	28184 BAY AVE	MORENO VALLEY, CA	92555-6121	254.02	25.4	50.3	329.7
31224005009	478261013	LINTON, LAURENCE	28225	SEA BISCUIT ST	MORENO VALLEY	CA	92555-6002	LINTON, LAURENCE	28225 SEA BISCUIT ST	MORENO VALLEY, CA	92555-6002	329.32	32.93	65.21	427.44
31391905007	478271009	LESAN, JAQUELYN	28082	SEA BISCUIT ST	MORENO VALLEY	CA	92555-6000	LESAN, JAQUELYN	28082 SEA BISCUIT ST	MORENO VALLEY, CA	92555-6000	329.6	32.96	65.26	427.82
31402485000	478273004	VILLANUEVA, JERRY AND VICTORIA	28040	WAR ADMIRAL ST	MORENO VALLEY	CA	92555-6007	VILLANUEVA, JERRY AND VICTORIA	28040 WAR ADMIRAL ST	MORENO VALLEY, CA	92555-6007	329.32	32.93	65.21	427.44
31165375006	478280003	BENNETT, ROCELIUS	13550	WILMOT ST	MORENO VALLEY	CA	92555-8233	BENNETT, ROCELIUS	2302 N TUCKER AVE #T1	FARMINGTON, NM	87401-8983	190.69	19.07	37.76	247.5
86902895007	478280027	BRYANT, FREDERICK	13529	ALTIVO ST	MORENO VALLEY	CA	92555-8245	BRYANT, FREDERICK	13529 ALTIVO ST	MORENO VALLEY, CA	92555-8245	189.68	18.97	37.56	246.2
86351345003	478280034	FRYE, BARBARA	28953	KENDA CT	MORENO VALLEY	CA	92555-8264	FRYE, BARBARA	28953 KENDA CT	MORENO VALLEY, CA	92555-8264	254.02	25.4	50.3	329.7
96080165003	478280039	LOZANO, KATHRINA	28994	MOLSON CT	MORENO VALLEY	CA	92555-8246	LOZANO, KATHRINA	28994 MOLSON CT	MORENO VALLEY, CA	92555-8246	320.76	32.08	63.51	416.34
31476705008	478290015	MENDOZA, MARISA	13689	WILMOT ST	MORENO VALLEY	CA	92555-8236	MENDOZA, MARISA	13689 WILMOT ST	MORENO VALLEY, CA	92555-8236	329.32	32.93	65.21	427.44
31111205006	478290016	NELSON, LINDA K	13669	WILMOT ST	MORENO VALLEY	CA	92555-8236	KIEFFER, RALPH J	PO BOX 2260	JASPER, OR	97438-0298	307.75	30.78	60.93	399.44
91180675009	478290021	SHOWALTER, STEPHEN	28665	BELMONT PARK WAY	MORENO VALLEY	CA	92555-8418	SHOWALTER, STEPHEN	28665 BELMONT PARK WAY	MORENO VALLEY, CA	92555-8418	154.12	15.41	30.52	200.04
85385335004	478291001	EARL, JILL (RENT)	13515	WILMOT ST	MORENO VALLEY	CA	92555-8234	EARL, JILL	2161 SADDLEBACK DR	CORONA, CA	92879-1187	95.53	9.55	18.91	123.98
75899555001	478291008	CARRASCO, OSCAR	28656	BELMONT PARK WAY	MORENO VALLEY	CA	92555-8418	CARRASCO, OSCAR	28656 BELMONT PARK WAY	MORENO VALLEY, CA	92555-8418	276.71	27.67	54.79	359.16
74898585003	478291017	CHACON, CAESAR AND MIRELLA	13579	MEADOWLANDS CT	MORENO VALLEY	CA	92555-8417	CHACON, CAESAR AND MIRELLA	13579 MEADOWLANDS CT	MORENO VALLEY, CA	92555-8417	254.12	25.41	50.32	329.84
94154215008	478301003	GARCIA, VICTOR (OWNR)	13071	MOZART WAY	MORENO VALLEY	CA	92555-6700	GARCIA, VICTOR (OWNR)	13071 MOZART WAY	MORENO VALLEY, CA	92555-6700	329.6	32.96	65.26	427.82
31291765008	478301012	GERARD, ROBERT	13077	GERSHWIN WAY	MORENO VALLEY	CA	92555-6730	GERARD, ROBERT	13077 GERSHWIN WAY	MORENO VALLEY, CA	92555-6730	247.2	24.72	48.95	320.86
31291695003	478302003	ZALDIVAR, FRANK	28743	STRAUSS LN	MORENO VALLEY	CA	92555-6748	ZALDIVAR, FRANK	28743 STRAUSS LN	MORENO VALLEY, CA	92555-6748	253.92	25.39	50.28	329.58
31292385006	478303006	ZALDIVAR, SYLVIA	13156	MOZART WAY	MORENO VALLEY	CA	92555-6726	ZALDIVAR, SYLVIA	13156 MOZART WAY	MORENO VALLEY, CA	92555-6726	329.04	32.9	65.15	427.08
31515525001	478303012	LANDAVERDE, ROSEMARY	28794	STRAUSS LN	MORENO VALLEY	CA	92555-6747	LANDAVERDE, ROSEMARY	PO BOX 8034	SURPRISE, AZ	85374-0117	262.2	26.22	51.92	340.32
31502945001	478311003	MORENO, RICHARD	13217	GERSHWIN WAY	MORENO VALLEY	CA	92555-6734	MORENO, RICHARD	13217 GERSHWIN WAY	MORENO VALLEY, CA	92555-6734	82.68	8.27	16.37	107.3
31633035005	478312006	HODGES, ERNESTINA	28722	HANDEL CT	MORENO VALLEY	CA	92555-6736	HODGES, ERNESTINA	28722 HANDEL CT	MORENO VALLEY, CA	92555-6736	254.02	25.4	50.3	329.7
97181475003	478312008	YBARRA, TONY (OWNR)	28690	HANDEL CT	MORENO VALLEY	CA	92555-6735	YBARRA, TONY	28690 HANDEL CT	MORENO VALLEY, CA	92555-6735	189.62	18.96	37.54	246.12
95566335007	478312014	QUILO, JUANA (OWNR)	28754	DRACAEA AVE	MORENO VALLEY	CA	92555-6739	QUILO, JUANA	28754 DRACAEA AVE	MORENO VALLEY, CA	92555-6739	63.84	6.38	12.64	82.86
31313955000	478312017	SILVA, CAROLYN	28690	DRACAEA AVE	MORENO VALLEY	CA	92555-6737	SILVA, CAROLYN	28690 DRACAEA AVE	MORENO VALLEY, CA	92555-6737	184.02	18.4	36.44	238.84
82762805008	478320002	MARTE, MELVIN	14289	ANNADALE DR	MORENO VALLEY	CA	92555-6238	MARTE, MELVIN	14289 ANNADALE DR	MORENO VALLEY, CA	92555-6238	254.02	25.4	50.3	329.7
74896685009	478320008	MARROQUIN, ALEX	14367	ANNADALE DR	MORENO VALLEY	CA	92555-6238	MARROQUIN, ALEX	2091 STAR THISTLE LN	PERRIS, CA	92571-3449	254.02	25.4	50.3	329.7
87335655009	478321005	WILEY, CRYSTAL	14298	MORNINGSIDE DR	MORENO VALLEY	CA	92555-6240	WILEY, CRYSTAL	14298 MORNINGSIDE DR	MORENO VALLEY, CA	92555-6240	329.6	32.96	65.26	427.82
97907075002	478322001	BARRIENTOS, BRENDA	14267	MORNINGSIDE DR	MORENO VALLEY	CA	92555-6240	BARRIENTOS, BRENDA	6185 MAGNOLIA AVE	RIVERSIDE, CA	92506-2524	67.46	6.75	13.35	87.56
71416225006	478322009	PARIKH, RAMESH	14304	ANNADALE DR	MORENO VALLEY	CA	92555-6238	PARIKH, RAMESH	2501 REDROCK DR	CORONA, CA	92882-8607	106.27	10.63	21.04	137.92
96223975009	478322030	HANNAH, TONY	14285	MARYKNOLL CT	MORENO VALLEY	CA	92555-6235	HANNAH, TONY	28229 ARBORGLENN DR	MORENO VALLEY, CA	92555-6237	228.72	22.87	45.29	296.86
72589175009	478322038	MARTINEZ, YOLANDA	14331	MORNINGSIDE DR	MORENO VALLEY	CA	92555-6241	MARTINEZ, YOLANDA	14331 MORNINGSIDE DR	MORENO VALLEY, CA	92555-6241	254.02	25.4	50.3	329.7
94304205001	478330002	RENDEROS, JOSE (OWNR)	28431	BRODIAEA AVE	MORENO VALLEY	CA	92555-6234	RENDEROS, JOSE	28431 BRODIAEA AVE	MORENO VALLEY, CA	92555-6234	157.88	15.79	31.26	204.92
94830055006	478331005	GUZMAN, JOSH (OWNR)	14337	ARBORGLENN DR	MORENO VALLEY	CA	92555-6250	GUZMAN, JOSH	14337 ARBORGLENN DR	MORENO VALLEY, CA	92555-6250	127.46	12.75	25.24	165.44
80623145003	478340001	REEDER, DIANNA	13760	RODERICK DR	MORENO VALLEY	CA	92555-6109	REEDER, DIANNA	13760 RODERICK DR	MORENO VALLEY, CA	92555-6109	254.02	25.4	50.3	329.7

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
77263785008	478341005	ADAMS, FELICIA	13823	PEYTON DR	MORENO VALLEY	CA	92555-6138	ADAMS, FELICIA	13823 PEYTON DR	MORENO VALLEY, CA	92555-6138	168.95	16.9	33.45	219.28
77384625006	478341007	PALOMAREZ, MARYJANE	13783	PEYTON DR	MORENO VALLEY	CA	92555-6137	PALOMAREZ, MARYJANE	24766 THORNBERRY CIR	MORENO VALLEY, CA	92557-4137	254.02	25.4	50.3	329.7
89708795006	478342014	BRIGGS, BENJAMIN	13845	RODERICK DR	MORENO VALLEY	CA	92555-6117	BRIGGS, BENJAMIN	13845 RODERICK DR	MORENO VALLEY, CA	92555-6117	48.92	4.89	9.69	63.48
95458325009	478342018	SANCHEZ, JOSEPH (OWNR)	13765	RODERICK DR	MORENO VALLEY	CA	92555-6109	SANCHEZ, JOSEPH	13765 RODERICK DR	MORENO VALLEY, CA	92555-6109	136.37	13.64	27	177
80837235000	478342020	HUNTER, JO ALICE	28281	BAY AVE	MORENO VALLEY	CA	92555-6122	HUNTER, JO ALICE	28281 BAY AVE	MORENO VALLEY, CA	92555-6122	254.02	25.4	50.3	329.7
96080065004	478351017	STEPHENS, CHRISTINA	28323	KEATON DR	MORENO VALLEY	CA	92555-6023	STEPHENS, CHRISTINA	28323 KEATON DR	MORENO VALLEY, CA	92555-6023	84.32	8.43	16.7	109.44
80796705009	478351021	STREET, PATRICIA	28304	BAY AVE	MORENO VALLEY	CA	92555-6132	STREET, PATRICIA	28304 BAY AVE	MORENO VALLEY, CA	92555-6132	329.32	32.93	65.21	427.44
81364385002	478351030	STIEDE, LAURA	28443	KEATON DR	MORENO VALLEY	CA	92555-6025	STIEDE, LAURA	29229 HEMLOCK AVE APT 12	MORENO VALLEY, CA	92557-8009	329.32	32.93	65.21	427.44
81507505001	478351032	RICHARDS, NORBERT	28403	KEATON DR	MORENO VALLEY	CA	92555-6025	RICHARDS, NORBERT	28403 KEATON DR	MORENO VALLEY, CA	92555-6025	254.02	25.4	50.3	329.7
83895965001	478352003	O'SHEA, ROY	13690	OAKLEY DR	MORENO VALLEY	CA	92555-6020	O'SHEA, ROY	195 W ELMWOOD AVE UNIT 103	BURBANK, CA	91502-2227	254.02	25.4	50.3	329.7
82998575006	478352011	PETTYJOHN, CONNIE	28465	CRISPIN DR	MORENO VALLEY	CA	92555-6031	PETTYJOHN, CONNIE	12831 MORENO BEACH DR STE 107	MORENO VALLEY, CA	92555-4419	198.69	19.87	39.34	257.88
92766025001	478352013	WILLIAMS, MICHAEL	28385	CRISPIN DR	MORENO VALLEY	CA	92555-6029	WILLIAMS, MICHAEL	28385 CRISPIN DR	MORENO VALLEY, CA	92555-6029	190.69	19.07	37.76	247.5
95213175009	478360010	MOHSIN, AZIZA (OWNR)	13570	KELTON CT	MORENO VALLEY	CA	92555-6019	MOHSIN, AZIZA	13570 KELTON CT	MORENO VALLEY, CA	92555-6019	64.13	6.41	12.7	83.24
74897595006	478360012	ODLAND, DORENE	13610	KELTON CT	MORENO VALLEY	CA	92555-6018	ODLAND, DORENE	13610 KELTON CT	MORENO VALLEY, CA	92555-6018	329.32	32.93	65.21	427.44
73883155009	478360017	LOPEZ, PAUL	13573	BAXTER CT	MORENO VALLEY	CA	92555-6027	LOPEZ, PAUL	13573 BAXTER CT	MORENO VALLEY, CA	92555-6027	254.02	25.4	50.3	329.7
74012025002	478360018	GALLEGOS, GERARDO	13553	BAXTER CT	MORENO VALLEY	CA	92555-6027	GALLEGOS, GERARDO	13553 BAXTER CT	MORENO VALLEY, CA	92555-6027	254.02	25.4	50.3	329.7
82208615003	478361004	VALERIANO, ARDA	13546	SOMERGATE DR	MORENO VALLEY	CA	92555-6036	VALERIANO, ARDA	13546 SOMERGATE DR	MORENO VALLEY, CA	92555-6036	254.02	25.4	50.3	329.7
91563205005	478361017	GAMBOA-RIVAS, ANGELA (OWNR)	13532	DUNCAN DR	MORENO VALLEY	CA	92555-6033	GAMBOA-RIVAS, ANGELA	13532 DUNCAN DR	MORENO VALLEY, CA	92555-6033	253.92	25.39	50.28	329.58
87602735006	478370012	ESPELETA, MARCELINA	13278	CANTERBURY DOWNS WAY	MORENO VALLEY	CA	92555-8400	ESPELETA, MARCELINA	13278 CANTERBURY DOWNS WAY	MORENO VALLEY, CA	92555-8400	254.12	25.41	50.32	329.84
88815435006	478371001	KYLES, LEOTA	13255	CANTERBURY DOWNS WAY	MORENO VALLEY	CA	92555-8400	KYLES, LEOTA	13255 CANTERBURY DOWNS WAY	MORENO VALLEY, CA	92555-8400	253.92	25.39	50.28	329.58
87787045000	478371003	ELLIOT, RUBY	13295	CANTERBURY DOWNS WAY	MORENO VALLEY	CA	92555-8400	ELLIOT, RUBY	13295 CANTERBURY DOWNS WAY	MORENO VALLEY, CA	92555-8400	254.12	25.41	50.32	329.84
84398725006	478380005	WASHINGTON, CAROLYN	28845	LEXINGTON WAY	MORENO VALLEY	CA	92555-8403	WASHINGTON, CAROLYN	28845 LEXINGTON WAY	MORENO VALLEY, CA	92555-8403	254.02	25.4	50.3	329.7
90651175005	478381002	BRANNON, ROBERT	13305	LOS ALAMITOS CT	MORENO VALLEY	CA	92555-8406	BRANNON, ROBERT	13305 LOS ALAMITOS CT	MORENO VALLEY, CA	92555-8406	333.22	33.32	65.98	432.5
84523895003	478381003	MCGEE, ANTHONY	13325	LOS ALAMITOS CT	MORENO VALLEY	CA	92555-8406	MCGEE, ANTHONY	13325 LOS ALAMITOS CT	MORENO VALLEY, CA	92555-8406	254.02	25.4	50.3	329.7
93301985004	478381011	JUAREZ, MIRIAM	13388	TRIPLE CROWN CT	MORENO VALLEY	CA	92555-8409	JUAREZ, MIRIAM	13388 TRIPLE CROWN CT	MORENO VALLEY, CA	92555-8409	254.12	25.41	50.32	329.84
82997165000	478381014	GARCIA, SAMUEL	13328	TRIPLE CROWN CT	MORENO VALLEY	CA	92555-8409	GARCIA, SAMUEL	13328 TRIPLE CROWN CT	MORENO VALLEY, CA	92555-8409	190.69	19.07	37.76	247.5
81958375003	478381015	MEDINA, JOSE	13308	TRIPLE CROWN CT	MORENO VALLEY	CA	92555-8409	MEDINA, JOSE	13308 TRIPLE CROWN CT	MORENO VALLEY, CA	92555-8409	63.63	6.36	12.6	82.58
90607535002	478381020	ROSS, LASHONDA	13343	TRIPLE CROWN CT	MORENO VALLEY	CA	92555-8409	ROSS, LASHONDA	13343 TRIPLE CROWN CT	MORENO VALLEY, CA	92555-8409	253.92	25.39	50.28	329.58
93135065009	478381021	ARRINGTON, ANTHONY	28775	DRACAEA AVE	MORENO VALLEY	CA	92555-8421	ARRINGTON, ANTHONY	28775 DRACAEA AVE	MORENO VALLEY, CA	92555-8421	254.02	25.4	50.3	329.7
91839655004	478381022	VARGAS, GILDARDO	28793	DRACAEA AVE	MORENO VALLEY	CA	92555-8421	VARGAS, GILDARDO	28793 DRACAEA AVE	MORENO VALLEY, CA	92555-8421	253.92	25.39	50.28	329.58
82034875007	478390002	BROUSSARD, DEREK AND SHERREE	13340	SANTA ANITA AVE	MORENO VALLEY	CA	92555-8416	BROUSSARD, DEREK AND SHERREE	13340 SANTA ANITA AVE	MORENO VALLEY, CA	92555-8416	63.63	6.36	12.6	82.58
96246985008	478391001	OLIVEDO, MERCEDES	28743	LAUREL PARK WAY	MORENO VALLEY	CA	92555-8411	OLIVEDO, MERCEDES	28743 LAUREL PARK WAY	MORENO VALLEY, CA	92555-8411	63.63	6.36	12.6	82.58
84610195005	478391003	GUTIERREZ, ERICKA	13373	SANTA ANITA AVE	MORENO VALLEY	CA	92555-8416	GUTIERREZ, ERICKA	13373 SANTA ANITA AVE	MORENO VALLEY, CA	92555-8416	254.02	25.4	50.3	329.7
80527505000	478391008	BROWN, MILTON AND ANGELA	13376	NOTTINGHAM AVE	MORENO VALLEY	CA	92555-8412	BROWN, MILTON AND ANGELA	13376 NOTTINGHAM AVE	MORENO VALLEY, CA	92555-8412	254.02	25.4	50.3	329.7
80396605009	478393002	GASPARD, AUDREY P	13351	NOTTINGHAM AVE	MORENO VALLEY	CA	92555-8412	GASPARD, AUDREY P	13351 NOTTINGHAM AVE	MORENO VALLEY, CA	92555-8412	247.48	24.75	49	321.22
85098075007	478400010	WALKER, DEBRA	28610	STRAUSS LN	MORENO VALLEY	CA	92555-6742	WALKER, DEBRA	28610 STRAUSS LN	MORENO VALLEY, CA	92555-6742	311.48	31.15	61.67	404.3
96059105000	478400012	CHAVEZ, LUIS (OWNR)	13061	ESSEN LN	MORENO VALLEY	CA	92555-6757	CHAVEZ, LUIS	13061 ESSEN LN	MORENO VALLEY, CA	92555-6757	190.79	19.08	37.78	247.64
93866605006	478400027	SPEARS, ERICA (OWNR)	13189	WEXFORD AVE	MORENO VALLEY	CA	92555-6710	SPEARS, ERICA	13189 WEXFORD AV	MORENO VALLEY, CA	92555-6710	40.79	4.08	8.08	52.94
93813595000	478400033	DARBY, KEITH (OWNR)	13135	WEXFORD AVE	MORENO VALLEY	CA	92555-6710	DARBY, KEITH	13135 WEXFORD AV	MORENO VALLEY, CA	92555-6710	165.91	16.59	32.85	215.34
85517175005	478401005	HENDERSON, RANDY	13100	ESSEN LN	MORENO VALLEY	CA	92555-6757	HENDERSON, RANDY	13100 ESSEN LN	MORENO VALLEY, CA	92555-6757	254.02	25.4	50.3	329.7
84530135008	478402002	HARDISON, LAWANDA (OWNR)	28619	STRAUSS LN	MORENO VALLEY	CA	92555-6742	HARDISON, LAWANDA	28619 STRAUSS LN	MORENO VALLEY, CA	92555-6742	279.32	27.93	55.31	362.54
84763755004	478402013	HARDY, SARAH	28614	DRACAEA AVE	MORENO VALLEY	CA	92555-6740	HARDY, SARAH	28614 DRACAEA AVE	MORENO VALLEY, CA	92555-6740	127.36	12.74	25.22	165.3
86534355001	478410007	PEREZ, ALICIA	28624	MARANDA CT	MORENO VALLEY	CA	92555-8424	PEREZ, ALICIA	28624 MARANDA CT	MORENO VALLEY, CA	92555-8424	36.37	3.64	7.2	47.2
86758535009	478410016	YOUNG, GLORIA	28634	BAY MEADOWS AVE	MORENO VALLEY	CA	92555-8427	YOUNG, GLORIA	28634 BAY MEADOWS AVE	MORENO VALLEY, CA	92555-8427	254.02	25.4	50.3	329.7
90782735001	478412006	WRIGHT JR, EUGENE (OWNR)	13423	PRANCER LN	MORENO VALLEY	CA	92555-8420	WRIGHT JR, EUGENE	13423 PRANCER LN	MORENO VALLEY, CA	92555-8420	297.13	29.71	58.83	385.66
62291835006	478420016	CERDA, SUZANNA	29177	MALTBY AVE	MORENO VALLEY	CA	92555-7226	CERDA, SUZANNA	29177 MALTBY AVE	MORENO VALLEY, CA	92555-7226	254.12	25.41	50.32	329.84
31117235007	478420018	ENSIGN, ALBERT	29155	MALTBY AVE	MORENO VALLEY	CA	92555-7226	ENSIGN, ALBERT	P O BOX 6152	MORENO VALLEY, CA	92554-6152	254.02	25.4	50.3	329.7
31261775009	478421008	HOLT, THOMAS	29235	CAMPBELL AVE	MORENO VALLEY	CA	92555-7200	HOLT, THOMAS	29235 CAMPBELL AVE	MORENO VALLEY, CA	92555-7200	253.92	25.39	50.28	329.58
94457865001	478430007	ACOSTA, LESLIE (OWNR)	29070	KIMBERLY AVE	MORENO VALLEY	CA	92555-7215	ACOSTA, LESLIE	29070 KIMBERLY AVE	MORENO VALLEY, CA	92555-7215	254.12	25.41	50.32	329.84
62762335001	478430016	IRVINE, RICK	29075	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-7211	IRVINE, RICK	29075 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-7211	254.12	25.41	50.32	329.84
92231505005	478430017	STOREY, DONALD	29155	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-7212	STOREY, DONALD	29155 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-7212	254.12	25.41	50.32	329.84
60853955009	478430019	DRAKE, MICHAEL	29095	ALESSANDRO BLVD	MORENO VALLEY	CA	92555-7211	DRAKE, MICHAEL	241.5 C ST APT A	SELMA, CA	93662-3176	254.12	25.41	50.32	329.84
31618055001	478431012	WALL, VELMA	29054	MALTBY AVE	MORENO VALLEY	CA	92555-7219	WALL, VELMA	29054 MALTBY AVE	MORENO VALLEY, CA	92555-7219	254.02	25.4	50.3	329.7
31446145009	478431014	KILO, NOEL R	29148	MALTBY AVE	MORENO VALLEY	CA	92555-7224	KILO, NOEL R	29148 MALTBY AVE	MORENO VALLEY, CA	92555-7224	189.02	18.9	37.43	245.34
90797303009	478483029	DIAZ, EDITH (RENT)	13682	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	DIAZ, EDITH	13682 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6506	174.11	17.41	34.47	225.98
66684045004	479060001	SPARGO, TINA	12631	KITCHING ST	MORENO VALLEY	CA	92553-4723	SPARGO, TINA	10930 W MONTECITO AVE	PHOENIX, AZ	85037-5409	153.43	15.34	30.38	199.14
94901225000	479060003	CORREA, ERICA (OWNR)	12655	KITCHING ST	MORENO VALLEY	CA	92553-4723	CORREA, ERICA	12655 KITCHING ST	MORENO VALLEY, CA	92553-4723	329.6	32.96	65.26	427.82
31255405009	479060004	VALADEZ, RAYMOND AND AGNES	12671	KITCHING ST	MORENO VALLEY	CA	92553-4723	VALADEZ, RAYMOND	12671 KITCHING ST	MORENO VALLEY, CA	92553-4723	254.12	25.41	50.32	329.84
96003115006	479060014	BELLOC, ERICA (RENT)	12686	LAURY LN	MORENO VALLEY	CA	92553-2325	BELLOC, ERICA	16698 WASHINGTON ST	RIVERSIDE, CA	92504-6120	158.12	15.81	31.31	205.22
91041583002	479060016	MORENO, EDGAR (RENT)	12656	LAURY LN	MORENO VALLEY	CA	92553-2325	MORENO, EDGAR	700 DEL MAR AVE	CHULA VISTA, CA	91910-5913	115.65	11.57	22.9	150.1
31639025004	479060017	MALDONADO, ANGEL	25450	TODD DR	MORENO VALLEY	CA	92553-4163	MALDONADO, ANGEL	25450 TODD DR	MORENO VALLEY, CA	92553-4163	254.02	25.4	50.3	329.7
57518405009	479060033	MILLER, PAMELA	25378	TODD DR	MORENO VALLEY	CA	92553-2335	MILLER, PAMELA	PO BOX 497	MORENO VALLEY, CA	92556-0497	254.02	25.4	50.3	329.7
93172035009	479060037	SILVA, ROSA (RENT)	25322	TODD DR	MORENO VALLEY	CA	92553-2335	SILVA, ROSA	25322 TODD DR	MORENO VALLEY, CA	92553-2335	190.4	19.04	37.7	247.12
60966985002	479062005	PEREZ, ELEAZAR	25353	TODD DR	MORENO VALLEY	CA	92553-4161	PEREZ, ELEAZAR	25353 TODD DR	MORENO VALLEY, CA	92553-4161	254.12	25.41	50.32	329.84
96418975005	479062013	LOPEZ, ARACELI (RENT)	12701	LAURY LN	MORENO VALLEY	CA	92553-4137	LOPEZ, ARACELI	21550 BOX SPRINGS RD	MORENO VALLEY, CA	92557-6712	51.63	5.16	10.22	67
31112205004	479062015	ARCHIBEQUE, MARTHA	12727	LAURY LN	MORENO VALLEY	CA	92553-4137	ARCHIBEQUE, RICHARD	12727 LAURY LN	MORENO VALLEY, CA	92553-4137	254.02	25.4	50.3	329.7
90452105003	479062018	MORA, OSCAR	25388	FIR AVE	MORENO VALLEY	CA	92553-4192	MORA, OSCAR	25388 FIR AVE	MORENO VALLEY, CA	92553-4192	253.92	25.39	50.28	329.58
61452425001	479062023	HERNANDEZ, ELIZABETH	25318	FIR AVE	MORENO VALLEY	CA	92553-4192	HERNANDEZ, ELIZABETH	25318 FIR AVE	MORENO VALLEY, CA	92553-4192	254.12	25.41	50.32	329.84
97570615008	479062035	PICAZO, STEPHANIE (RENT)	25408	JUDITH PL	MORENO VALLEY	CA	92553-2324	PICAZO, STEPHANIE	212 NORTH PALM AVE	ONTARIO, CA	91762-3525	70.21	7.02	13.9	91.12
31177345008	479062037	GUNNER, JANICE	25376	JUDITH PL	MORENO VALLEY	CA	92553-4130	GUNNER, JANICE	25376 JUDITH PL	MORENO VALLEY, CA	92553-4130	190.29	19.03	37.68	246.98
61457165004	479062039	BLAIR, DAWN	25348	JUDITH PL	MORENO VALLEY	CA	92553-4130	BLAIR, DAWN	26151 CALLE AGUA	MORENO VALLEY, CA	92551-1643	45.84	4.58	9.08	59.5
89938895008	479090018	HANKINS, PATRICIA (RENT)	13075	BIRCHWOOD DR UNIT B	MORENO VALLEY	CA	92553-5433	HANKINS, PATRICIA	13075 BIRCHWOOD DR B	MORENO VALLEY, CA	92553-5433	153.15	15.32	30.32	198.78
97124425004	479090025	COBOS, FIDEL (RENT)	25038	ATWOOD AVE	MORENO VALLEY	CA	92553-4219	COBOS, FIDEL (RENT)	25038 ATWOOD AVE	MORENO VALLEY, CA	92553-4219	54.31	5.43	10.75	70.48
31076505008	479090038	GALARZA, DAN	25119	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-4122	GALARZA, DAN	25119 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-4122	254.02	25.4	50.3	329.7
87158305009	479100009	PAILAPE, MALIA	13026	SHIREBOURN RD	MORENO VALLEY	CA	92553-4249	PAILAPE, MALIA	13026 SHIREBOURN RD	MORENO VALLEY, CA	92553-4249	54.02	5.4	10.7	70.1
91010645005	479100017	GUERRA, YESENIA	13010	THISTLE BROOK DR	MORENO VALLEY	CA	92553-4259	GUERRA, YESENIA	13010 THISTLE BROOK DR	MORENO VALLEY, CA	92553-4259	253.92	25.39	50.28	329.58
97846715001	479100018	VIDANA, RACHEL	13022	THISTLE BROOK DR	MORENO VALLEY	CA	92553-4259	VIDANA, RACHEL	23734 VALLE DEL ORO UNIT 201	NEWHALL, CA	91321-3192	362.12	36.21	71.7	470.02
97033375007	479100024	REYES, GABRIELA (RENT)	13096	THISTLE BROOK DR	MORENO VALLEY	CA	92553-4259	REYES, GABRIELA	13096 THISTLE BROOK DR	MORENO VALLEY, CA	92553-4259	254.12	25.41	50.32	329.84
56058065008	479101004	LOPEZ, MARCIANO	13097	SHIREBOURN RD	MORENO VALLEY	CA	92553-4248	LOPEZ, MARCIANO	13097 SHIREBOURN RD	MORENO VALLEY, CA	92553-4248	40.69	4.07	8.06	52.8
31363495002	479101005	HOLIDAY, PAN	13107	SHIREBOURN RD	MORENO VALLEY	CA	92553-4250	HOLIDAY, PAN	13107 SHIREBOURN RD	MORENO VALLEY, CA	92553-4250	254.02	25.4	50.3	329.7
97279075009	479102001	CARBAJAL, GALDINO (RENT)	13102	SHIREBOURN RD	MORENO VALLEY	CA	92553-4267	CARBAJAL, GALDINO	13102 SHIREBOURN RD	MORENO VALLEY, CA	92553-4267	190.79	19.08	37.78	247.64
59952975008	479102008	MARQUEZ, MARISA	25319	RIVENDELL TER	MORENO VALLEY	CA	92553	MARQUEZ, MARISA	25319 RIVENDELL TER	MORENO VALLEY, CA	92553	254.12	25.41	50.32	329.84
31287465009	479111004	BOSTIC, MARSHALL B	13167	SHIREBOURN RD	MORENO VALLEY	CA	92553-4250	BOSTIC, MARSHALL B	PO BOX 7222	MORENO VALLEY, CA	92552-7222	329.32	32.93	65.21	427.44
31266005000	479111005	MACIAS, MARTIN	13181	SHIREBOURN RD	MORENO VALLEY	CA	92553-4250	MACIAS, MARTIN	13181 SHIREBOURN RD	MORENO VALLEY, CA	92553-4250	127.46	12.75	25.24	165.44
31080385005	479111008	HERBERT, LOUIS AND SANDRA	13219	SHIREBOURN RD	MORENO VALLEY	CA	92553-4287	HERBERT, LOUIS AND SANDRA	PO BOX 8553	MORENO VALLEY, CA	92552-8553	357.53	35.75	70.79	464.06
31376655000	479112007	HOLLINS, HENRY (OWNR)	13211	THISTLE BROOK DR	MORENO VALLEY	CA	92553-5407	HOLLINS, HENRY	13211 THISTLE BROOK DR	MORENO VALLEY, CA	92553-5407	96.02	9.6	19.01	124.62
90864373002	479113003	VELASQUEZ, NELLIE (RENT)	25350	DRACAEA AVE	MORENO VALLEY	CA	92553-4240	VELASQUEZ, NELLIE (RENT)	25350 DRACAEA AVE	MORENO VALLEY, CA	92553-4240	312.68	31.27	61.91	405.84
31248995000	479113005	FIGUEROA, MADELYN	25330	DRACAEA AVE	MORENO VALLEY	CA	92553-4240	FIGUEROA, MADELYN	25330 DRACAEA AVE	MORENO VALLEY, CA	92553-4240	254.12	25.41	50.32	329.84
74012995008	479113015	DAVALOS, JUAN	13178	THISTLE BROOK DR	MORENO VALLEY	CA	92553-4298	DAVALOS, JUAN	13178 THISTLE BROOK DR	MORENO VALLEY, CA	92553-4298	254.02	25.4	50.3	329.7
49515425002	479113034	CORONA, MARIA G	25447	STEFFY CIR	MORENO VALLEY	CA	92553-4252	CORONA, MARIA G	25447 STEFFY CR	MORENO VALLEY, CA	92553-4252	254.02	25.4	50.3	329.7
55556715006	479113037	CASTELLON, FRANCISCO JAVIER	25485	STEFFY CIR	MORENO VALLEY	CA	92553-4252	CASTELLON, FRANCISCO JAVIER	25485 STEFFY CIR	MORENO VALLEY, CA	92553-4252	329.32	32.93	65.21	427.44
31123605007	479113046	SEEGER, SHERRY	25418	STEFFY CIR	MORENO VALLEY	CA	92553-4232	SEEGER, SHERRY	25418 STEFFY CIR	MORENO VALLEY, CA	92553-4232	254.02	25.4	50.3	329.7
95622435007	479113048	CARRILLO, MANUELA (RENT)	13162	TERRY CT	MORENO VALLEY	CA	92553-4231	CARRILLO, MANUELA	13162 TERRY CT	MORENO VALLEY, CA	92553-4231	254.12	25.41	50.32	329.84
31355935001	479113051	MARINAS, FELICITAS	13134	TERRY CT	MORENO VALLEY	CA	92553-4231	MARINAS, FELICITAS	13134 TERRY CT	MORENO VALLEY, CA	92553-4231	254.02	25.4	50.3	329.7
95600695008	479120005	ALVAREZ, JOSE (RENT)	13182	SUNSET LN	MORENO VALLEY	CA	92553-4253	ALVAREZ, JOSE	13182 SUNSET LN	MORENO VALLEY, CA	92553-4253	190.79	19.08	37.78	247.64
31120135002	479120008	LAWRENCE, BARNEY	25111	ATWOOD AVE	MORENO VALLEY	CA	92553-4222	LAWRENCE, BARNEY	PO BOX 703	MORENO VALLEY, CA	92556-0703	163.63	16.36	32.4	212.38
31320825002	479120028	RIVERA, ARTEMIO	25074	DRACAEA AVE	MORENO VALLEY	CA	92553-4234	RIVERA, ARTEMIO	25074 DRACAEA AVE	MORENO VALLEY, CA	92553-4234	143.92	14.39	28.5	186.8
95968553008	479120085	BUTLER, VANESSA (RENT) APTS	13185	BENCLIFF AVE UNIT A	MORENO VALLEY	CA	92553-5425	BUTLER, VANESSA	13185 BENCLIFF AVE UNIT A	MORENO VALLEY, CA	92553-5425	195.27	19.53	38.66	253.46
93229143004	479120087	LOVE, WAYNE (RENT)	13213	BENCLIFF AVE	MORENO VALLEY	CA	92553-5438	LOVE, WAYNE	13213 BENCLIFF AVE	MORENO VALLEY, CA	92553-5438	243.45	24.35	48.2	315.98
31434825002	479121002	OROZCO, VERONICA (APTS)	13142	BENCLIFF AVE UNIT A	MORENO VALLEY	CA	92553-5431	OROZCO, VERONICA	13142 BENCLIFF AVE A	MORENO VALLEY, CA	92553-5431	254.02	25.4	50.3	329.7
83345345008	479121009	CORTEZ, OSCAR (APTS)	13240	BENCLIFF AVE UNIT A	MORENO VALLEY	CA	92553-5434	CORTEZ, OSCAR	13240 BENCLIFF AVE A	MORENO VALLEY, CA	92553-5434	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
90442483004	479121018	XAYAVONG, AENOI (RENT) APTS	13221	TACOMA DR UNIT A	MORENO VALLEY	CA	92553-5436	XAYAVONG, AENOI	1815 ENTERPRISE AVE	RIVERSIDE, CA	92507-5410	230.79	23.08	45.7	299.56
31605805001	479121020	SALAS, ISAIAS (RENT)	25230	DRACAEA AVE	MORENO VALLEY	CA	92553-4238	SALAS, ISAIAS	25230 DRACAEA AVE	MORENO VALLEY, CA	92553-4238	134.02	13.4	26.54	173.94
99695375007	479121023	WILLIAMS, BENITA (RENT)	13210	TACOMA DR	MORENO VALLEY	CA	92553-4255	WILLIAMS, BENITA	13210 TACOMA DR	MORENO VALLEY, CA	92553-4255	247.86	24.79	49.08	321.72
61515445001	479131004	SOLORIO, JUAN	13287	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4273	SOLORIO, JUAN	13287 BIRCHWOOD DR	MORENO VALLEY, CA	92553-4273	254.12	25.41	50.32	329.84
31268265001	479131005	UNDERWOOD, MARIA	13301	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4229	UNDERWOOD, MARIA	13301 BIRCHWOOD DR	MORENO VALLEY, CA	92553-4229	253.92	25.39	50.28	329.58
31302635001	479131006	OLIVER, TONY (OWNR)	13313	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4229	OLIVER, TONY	8636 MILL POND PL	RIVERSIDE, CA	92508-6619	162.45	16.25	32.17	210.86
31635815006	479131011	BAKER, CLIFTON	13371	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4229	BAKER, CLIFTON	13371 BIRCHWOOD DR	MORENO VALLEY, CA	92553-4229	254.02	25.4	50.3	329.7
83653695001	479132047	RAMIREZ, CARLOS	13337	PATRICIA LN	MORENO VALLEY	CA	92553-4241	RAMIREZ, CARLOS	11884 LIVERPOOL ST	MORENO VALLEY, CA	92557-6170	127.18	12.72	25.18	165.06
96184715008	479132048	GUTIEREZ, FREDDIE (RENT)	13363	PATRICIA LN	MORENO VALLEY	CA	92553-4241	GUTIEREZ, FREDDIE	13363 PATRICIA LN	MORENO VALLEY, CA	92553-4241	254.12	25.41	50.32	329.84
31364145004	479132061	ARREOLA, MARTHA	13337	BENCLIFF AVE	MORENO VALLEY	CA	92553-4226	ARREOLA, MARTHA	13337 BENCLIFF DR	MORENO VALLEY, CA	92553-4226	115.02	11.5	22.77	149.28
90660705005	479132073	NAVARRETTE, RAMON	13288	BENCLIFF AVE	MORENO VALLEY	CA	92553-4262	NAVARRETTE, RAMON	13288 BEN CLIFF DR	MORENO VALLEY, CA	92553-4262	253.92	25.39	50.28	329.58
31113675003	479132076	PEREZ, JESSE	13265	TACOMA DR	MORENO VALLEY	CA	92553-4295	PEREZ, JESSE	13265 TACOMA DR	MORENO VALLEY, CA	92553-4295	264.17	26.42	52.31	342.88
95934415000	479132078	BLACK, JESSICA (RENT)	13336	BENCLIFF AVE	MORENO VALLEY	CA	92553-4227	BLACK, JESSICA	13336 BENCLIFF AVE	MORENO VALLEY, CA	92553-4227	254.12	25.41	50.32	329.84
97701755009	479140004	ARCHULETA, ANNA (RENT)	13385	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4229	ARCHULETA, ANNA	13385 BIRCHWOOD DR	MORENO VALLEY, CA	92553-4229	136.37	13.64	27	177
31263445005	479140009	AKBARI, MOHAMMAD (RENT)	13453	BIRCHWOOD DR	MORENO VALLEY	CA	92553-4274	AKBARI, MOHAMMAD	13453 BIRCHWOOD DR	MORENO VALLEY, CA	92553-4274	125.66	12.57	24.88	163.1
31531605001	479150031	LA RUE, CATHERINE	13395	LASSELLE ST	MORENO VALLEY	CA	92553-0800	LA RUE, CATHERINE	13395 LASSELLE ST	MORENO VALLEY, CA	92553-0800	398.34	39.83	78.87	517.04
31315775003	479150033	HAND, FRED (OWNR)	13465	LASSELLE ST	MORENO VALLEY	CA	92553-6828	HAND, FRED	PO BOX 959	MORENO VALLEY, CA	92556-0959	165.64	16.56	32.8	215
31386525007	479160006	ALEMAN, CONSUELO	25752	COTTONWOOD AVE	MORENO VALLEY	CA	92553-4874	ALEMAN, CONSUELO	25752 COTTONWOOD AVE	MORENO VALLEY, CA	92553-4874	329.92	32.93	65.21	427.44
31297425007	479160014	BROWN, HANK/DEWAIN	25754	COTTONWOOD AVE	MORENO VALLEY	CA	92553-4874	BROWN, HANK	25754 COTTONWOOD AVE	MORENO VALLEY, CA	92553-4874	179.72	17.97	35.58	233.26
31554595005	479170004	CARRION, JOHN	25961	COTTONWOOD AVE	MORENO VALLEY	CA	92553-4805	CARRION, JOHN	25961 COTTONWOOD AVE	MORENO VALLEY, CA	92553-4805	134.02	13.4	26.54	173.94
92231865009	479170028	GREEN, TONY	13588	TERRA BELLA AVE	MORENO VALLEY	CA	92553-4824	GREEN, TONY	13588 TERRA BELLA AVE	MORENO VALLEY, CA	92553-4824	253.92	25.39	50.28	329.58
62497705006	479170031	GURROLA, CLIFFORD	13556	TERRA BELLA AVE	MORENO VALLEY	CA	92553-4824	GURROLA, CLIFFORD	13556 TERRA BELLA AVE	MORENO VALLEY, CA	92553-4824	254.12	25.41	50.32	329.84
92397103008	479170032	SERVIN, HUMBERTO	13546	TERRA BELLA AVE	MORENO VALLEY	CA	92553-4824	SERVIN, HUMBERTO	13546 TERRA BELLA AVE	MORENO VALLEY, CA	92553-4824	76.37	7.64	15.12	99.12
31220775005	479200015	L B C SERVICE	25085	ST CHRISTOPHER LN	MORENO VALLEY	CA	92553-4310	L B C SERVICE	25085 ST CHRISTOPHER LN	MORENO VALLEY, CA	92553-4310	254.12	25.41	50.32	329.84
90756813008	479200022	THAIN, JOHNATHAN (RENT)	13608	PERRIS BLVD	MORENO VALLEY	CA	92553-4307	THAIN, JOHNATHAN (RENT)	13608 PERRIS BLVD	MORENO VALLEY, CA	92553-4307	105.81	10.58	20.95	137.34
90405873009	479220024	CARDINEL, DANIEL (RENT)	13950	MORENO ROSE PL	MORENO VALLEY	CA	92553-4325	CARDINEL, DANIEL (RENT)	13950 MORENO ROSE PL	MORENO VALLEY, CA	92553-4325	434.47	43.45	86.03	563.94
31470895001	479251004	ARIAS, JOSE	25425	DRACAEA AVE	MORENO VALLEY	CA	92553-4239	ARIAS, JOSE	25425 DRACAEA AVE	MORENO VALLEY, CA	92553-4239	146.85	14.69	29.08	190.6
96866545006	479251008	MARKS, MARY AND HERMAN (RENT)	13281	SILVER LN	MORENO VALLEY	CA	92553-4289	MARKS, MARY AND HERMAN	13281 SILVER LN	MORENO VALLEY, CA	92553-4289	190.79	19.08	37.78	247.64
87951223004	479251013	PUENTE, SYLVIA (RENT)	13333	SILVER LN	MORENO VALLEY	CA	92553-4270	PUENTE, SYLVIA	13333 SILVER LN	MORENO VALLEY, CA	92553-4270	47.79	4.78	9.46	62.02
31371005008	479251014	WISEMAN, SUSAN	13343	SILVER LN	MORENO VALLEY	CA	92553-4270	WISEMAN, SUSAN	13343 SILVER LN	MORENO VALLEY, CA	92553-4270	34.64	3.46	6.86	44.96
89340243004	479251015	PEREZ, YARI (RENT)	15159	CALLE RENFRO	MORENO VALLEY	CA	92551-7018	PEREZ, YARI (RENT)	15159 CALLE RENFRO	MORENO VALLEY, CA	92551-7018	286.69	28.67	56.76	372.12
69926195004	479251021	BURCIAGA, ANTONIO	13413	SILVER LN	MORENO VALLEY	CA	92553-4212	BURCIAGA, ANTONIO	13413 SILVER LN	MORENO VALLEY, CA	92553-4212	44.05	4.41	8.72	57.18
31068765000	479251024	HICKMAN, MICHELE	13443	SILVER LN	MORENO VALLEY	CA	92553-4212	HICKMAN, MICHELE	13443 SILVER LN	MORENO VALLEY, CA	92553-4212	254.02	25.4	50.3	329.7
95301145009	479252008	MENDOZA, JUAN (RENT)	13430	GOLD PL	MORENO VALLEY	CA	92553-4280	MENDOZA, JUAN	13430 GOLD PL	MORENO VALLEY, CA	92553-4280	214.54	21.45	42.48	278.46
91967325003	479252009	JAIMES, MARIA	13420	GOLD PL	MORENO VALLEY	CA	92553-4280	JAIMES, MARIA	13420 GOLD PL	MORENO VALLEY, CA	92553-4280	253.92	25.39	50.28	329.58
31129905001	479252012	WILLIAMS, RICKIE	13390	GOLD PL	MORENO VALLEY	CA	92553-4278	WILLIAMS, RICKIE	13390 GOLD PL	MORENO VALLEY, CA	92553-4278	254.02	25.4	50.3	329.7
31249225000	479252014	KEMMERER, CHRISTINE (OWNR)	13370	GOLD PL	MORENO VALLEY	CA	92553-4278	KEMMERER, CHRISTINE	13370 GOLD PL	MORENO VALLEY, CA	92553-4278	228.72	22.87	45.29	296.86
86908343000	479252018	WILSON, TONY (RENT)	13358	SILVER LN	MORENO VALLEY	CA	92553-4288	WILSON, TONY	13358 SILVER LN	MORENO VALLEY, CA	92553-4288	127.46	12.75	25.24	165.44
31639155006	479253006	GONZALEZ, CARLOS	13451	GOLD PL	MORENO VALLEY	CA	92553-4281	GONZALEZ, CARLOS	13451 GOLD PL	MORENO VALLEY, CA	92553-4281	254.02	25.4	50.3	329.7
91124863007	479253020	JONES, LISA (RENT)	13398	SILVER LN	MORENO VALLEY	CA	92553-4290	JONES, LISA	13398 SILVER LN	MORENO VALLEY, CA	92553-4290	147.28	14.73	29.16	191.16
62366485009	479261001	ORTEGA, TR	25243	FIR AVE	MORENO VALLEY	CA	92553-4120	ORTEGA, TR	25243 FIR AVE	MORENO VALLEY, CA	92553-4120	254.12	25.41	50.32	329.84
54991485004	479261003	MARIN, CARLOS	25219	FIR AVE	MORENO VALLEY	CA	92553-4120	MARIN, CARLOS	25219 FIR AVE	MORENO VALLEY, CA	92553-4120	254.02	25.4	50.3	329.7
95722665006	479261006	CARILLO, DAISY (RENT)	25175	FIR AVE	MORENO VALLEY	CA	92553-2312	CARILLO, DAISY	25175 FIR AVE	MORENO VALLEY, CA	92553-2312	130.49	13.05	25.84	169.36
75836545004	479261014	PRICE, TRACEY	25248	BRANDING IRON WAY	MORENO VALLEY	CA	92553-2316	PRICE, TRACEY	25248 BRANDING IRON WAY	MORENO VALLEY, CA	92553-2316	329.32	32.93	65.21	427.44
31088915007	479261015	HERNANDEZ, MARIA	25235	BRANDING IRON WAY	MORENO VALLEY	CA	92553-2316	HERNANDEZ, MARIA	25235 BRANDING IRON WAY	MORENO VALLEY, CA	92553-2316	40.39	4.04	8	52.42
62116005009	479261017	MORAN, ENEYDA	25207	BRANDING IRON WAY	MORENO VALLEY	CA	92553-2316	MORAN, ENEYDA	25207 BRANDING IRON WAY	MORENO VALLEY, CA	92553-2316	254.12	25.41	50.32	329.84
96365393000	479261020	MARTINEZ, JONATHAN (RENT)	25163	BRANDING IRON WAY	MORENO VALLEY	CA	92553-4104	MARTINEZ, JONATHAN	25163 BRANDING IRON WAY	MORENO VALLEY, CA	92553-4104	381.98	38.2	75.63	495.8
64428845000	479261036	LOZANO, ESMERALDA	25184	MARSEL RANCH RD	MORENO VALLEY	CA	92553-4176	LOZANO, ESMERALDA	25184 MARSEL RANCH RD	MORENO VALLEY, CA	92553-4176	154.12	15.41	30.52	200.04
31123065000	479261043	ROBISON, LAWRENCE	25201	MARSEL RANCH RD	MORENO VALLEY	CA	92553-2329	ROBISON, LAWRENCE	25201 MARSEL RANCH RD	MORENO VALLEY, CA	92553-2329	254.02	25.4	50.3	329.7
96251745017	479261044	PERIGOMO, ANGELA (RENT)	25185	MARSEL RANCH RD	MORENO VALLEY	CA	92553-4177	PERIGOMO, ANGELA	13142 KIOWA DR	MORENO VALLEY, CA	92553-7823	254.12	25.41	50.32	329.84
89791093009	479261054	GUERRERO, ANGELICA (RENT)	25244	BRIDLE TRAIL RD	MORENO VALLEY	CA	92553-4175	GUERRERO, ANGELICA	25244 BRIDLE TRAIL RD	MORENO VALLEY, CA	92553-4175	107.91	10.79	21.37	140.06
31102545004	479262007	NAVARETE, JUANITA	12805	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4147	NAVARETE, JUANITA	12805 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4147	254.02	25.4	50.3	329.7
57085405009	479262009	MONTERROSA, BLANCA	12777	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-2331	MONTERROSA, BLANCA	PO BOX 9845	MORENO VALLEY, CA	92552-1845	70.29	7.03	13.92	91.22
62239265004	479262012	VALADEZ, EVA	12949	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4179	VALADEZ, EVA	12949 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4179	254.12	25.41	50.32	329.84
57372065002	479262014	GARCIA, ANNA (OWNR)	12921	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4179	GARCIA, ANNA	12921 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4179	214.02	21.4	42.38	277.78
62671215009	479262016	RUBIO, GIOVANNI	12893	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4147	RUBIO, GIOVANNI	12893 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4147	254.12	25.41	50.32	329.84
31414835002	479263004	RIOS, ELIVORIO (OWNR)	25165	BRIDLE TRAIL RD	MORENO VALLEY	CA	92553-4174	RIOS, ELIVORIO	25165 BRIDLE TRAIL RD	MORENO VALLEY, CA	92553-4174	47.03	4.7	9.31	61.04
81138555004	479263005	GARCIA, ARIANA (OWNR)	25153	BRIDLE TRAIL RD	MORENO VALLEY	CA	92553-4174	GARCIA, ARIANNA	25153 BRIDLE TRAIL RD	MORENO VALLEY, CA	92553-4174	254.02	25.4	50.3	329.7
31124325004	479270001	SUAZO, JESSE	12761	TAMARA DR	MORENO VALLEY	CA	92553-2333	SUAZO, JESSE	12761 TAMARA DR	MORENO VALLEY, CA	92553-2333	254.02	25.4	50.3	329.7
94185855007	479270003	SOLIS, GABRIELA AND ANGEL	12785	TAMARA DR	MORENO VALLEY	CA	92553-2333	SOLIS, GABRIELA AND ANGEL	12785 TAMARA DR	MORENO VALLEY, CA	92553-2333	254.12	25.41	50.32	329.84
31634175003	479270014	JEFFERSON, JUNE	12927	TAMARA DR	MORENO VALLEY	CA	92553-4157	JEFFERSON, JUNE	12927 TAMARA DR	MORENO VALLEY, CA	92553-4157	254.02	25.4	50.3	329.7
94950495000	479270020	BUFORD, CARL AND MELISSA	12997	TAMARA DR	MORENO VALLEY	CA	92553-4157	BUFORD, CARL AND MELISSA	12997 TAMARA DR	MORENO VALLEY, CA	92553-4157	49.6	4.96	9.82	64.38
31350145008	479270022	FREILING, CHAD	12996	FOREMAN AVE	MORENO VALLEY	CA	92553-4128	FREILING, CHAD	12996 FOREMAN AVE	MORENO VALLEY, CA	92553-4128	254.02	25.4	50.3	329.7
31589035009	479270025	CARDENAS, LORRAINE	12964	FOREMAN AVE	MORENO VALLEY	CA	92553-4128	CARDENAS, LORRAINE	12964 FOREMAN AVE	MORENO VALLEY, CA	92553-4128	254.02	25.4	50.3	329.7
62986095002	479271001	PRESLEY, NORA	12946	TAMARA DR	MORENO VALLEY	CA	92553-4158	PRESLEY, NORA	P O BOX 8005	MORENO VALLEY, CA	92552-8005	254.02	25.4	50.3	329.7
31201285008	479271010	POWER, MATT	12890	TAMARA DR	MORENO VALLEY	CA	92553-4156	POWER, MATT	12890 TAMARA DR	MORENO VALLEY, CA	92553-4156	329.92	32.93	65.21	427.44
93228313000	479271013	PADILLA, MARIA (RENT)	12856	TAMARA DR	MORENO VALLEY	CA	92553-4156	PADILLA, MARIA	12856 TAMARA DR	MORENO VALLEY, CA	92553-4156	238.64	23.86	47.25	309.74
31159535006	479272002	GILANI, PIERCE Z (OWNR)	12759	FOREMAN AVE	MORENO VALLEY	CA	92553-2318	GILANI, PIERCE	PO BOX 9704	MORENO VALLEY, CA	92552-9704	127.36	12.74	25.22	165.3
98329585014	479280001	WANDER, GEORGIA AND CAMPBELL,H	13986	FLAMING ARROW DR	MORENO VALLEY	CA	92553-4331	WANDER, GEORGIA AND CAMPBELL,H	PO BOX 7691	MORENO VALLEY, CA	92552-7691	420.76	42.08	83.31	546.14
98535173002	479281006	DORSEY, MELYSSA (RENT)	25152	SILENT CREEK RD	MORENO VALLEY	CA	92553-4337	DORSEY, MELYSSA	14839 EDELWEISS PL	MORENO VALLEY, CA	92553-5031	127.78	12.78	25.3	165.84
31117905006	479281008	GIELHAUG, CARL T	25128	SILENT CREEK RD	MORENO VALLEY	CA	92553-4337	GIELHAUG, CARL T	25128 SILENT CREEK RD	MORENO VALLEY, CA	92553-4337	254.02	25.4	50.3	329.7
31118265008	479281012	GULLETT, SHIRLEY	25177	SILENT CREEK RD	MORENO VALLEY	CA	92553-4337	GULLETT, SHIRLEY	25177 SILENT CREEK RD	MORENO VALLEY, CA	92553-4337	254.02	25.4	50.3	329.7
98165615016	479290003	GONSALEZ, DEOSELINA (RENT)	25251	OLD FARM ST	MORENO VALLEY	CA	92553-4343	GONSALEZ, DEOSELINA	25251 OLD FARM ST	MORENO VALLEY, CA	92553-4343	210.55	21.06	41.69	273.28
90609443007	479290004	WILLIAMS, KIM (RENT)	25265	OLD FARM ST	MORENO VALLEY	CA	92553-4343	WILLIAMS, KIM (RENT)	15162 PERRIS BLVD, APT 106	MORENO VALLEY, CA	92551-7150	241.98	24.2	47.91	314.08
31049455005	479290006	DOMINGUEZ, MARGARITO	25289	OLD FARM ST	MORENO VALLEY	CA	92553-4343	DOMINGUEZ, MARGARITO	25289 OLD FARM ST	MORENO VALLEY, CA	92553-4343	254.02	25.4	50.3	329.7
31487005002	479290011	MILNER, JEANNIE	25365	OLD FARM ST	MORENO VALLEY	CA	92553-4326	MILNER, JEANNIE	25365 OLD FARM ST	MORENO VALLEY, CA	92553-4326	54.12	5.41	10.72	70.24
50349655003	479291002	NUNGARY, JESSE (OWNR)	25342	OLD FARM ST	MORENO VALLEY	CA	92553-4328	NUNGARY, JESSE	25342 OLD FARM ST	MORENO VALLEY, CA	92553-4328	254.02	25.4	50.3	329.7
82975655007	479291006	ALEXANDER, DONZELL	25286	OLD FARM ST	MORENO VALLEY	CA	92553-4329	ALEXANDER, DONZELL	25286 OLD FARM ST	MORENO VALLEY, CA	92553-4329	254.02	25.4	50.3	329.7
31307305009	479291009	MIRAMONTES-DE LUNA, ARMANDO	25244	OLD FARM ST	MORENO VALLEY	CA	92553-4329	MIRAMONTES-DE LUNA, ARMANDO	25244 OLD FARM ST	MORENO VALLEY, CA	92553-4329	254.02	25.4	50.3	329.7
31166795006	479291023	BERUMEN, ARTHUR AND SANDRA	25338	SUGAR HILL RD	MORENO VALLEY	CA	92553-4347	BERUMEN, ARTHUR AND SANDRA	15990 BUENA MESA CT	MORENO VALLEY, CA	92555-5926	228.63	22.86	45.27	296.76
89820287007	479291029	GONZALEZ, BRENDA (RENT)	25266	SUGAR HILL RD	MORENO VALLEY	CA	92553-6522	GONZALEZ, BRENDA	25266 SUGAR HILL RD	MORENO VALLEY, CA	92553-6522	321.76	32.18	63.71	417.64
90626905004	479292008	HICKS, GLORIA	25214	SUGAR HILL RD	MORENO VALLEY	CA	92553-6522	HICKS, GLORIA	25214 SUGAR HILL RD	MORENO VALLEY, CA	92553-6522	127.26	12.73	25.2	165.18
57295485007	479300001	SANCHEZ, JUAN AND ANNA	25243	HEMLOCK AVE	MORENO VALLEY	CA	92557-7520	SANCHEZ, JUAN AND ANNA	25243 HEMLOCK AVE	MORENO VALLEY, CA	92557-7520	254.02	25.4	50.3	329.7
89927255005	479300008	SERRANO, EVANGELINA	12302	LOREZ DR	MORENO VALLEY	CA	92557-7407	SERRANO, EVANGELINA	12302 LOREZ DR	MORENO VALLEY, CA	92557-7407	214.76	21.48	42.52	278.74
50320985005	479300031	MCGEE, SHER	12364	MARMONT PL	MORENO VALLEY	CA	92557-7415	MCGEE, SHER	12364 MARMONT PL	MORENO VALLEY, CA	92557-7415	254.02	25.4	50.3	329.7
31196395007	479301005	JONES, EILEEN	25181	ELDER AVE	MORENO VALLEY	CA	92557-7402	JONES, EILEEN	25181 ELDER AVE	MORENO VALLEY, CA	92557-7402	254.02	25.4	50.3	329.7
70073065009	479302003	RAMIREZ, JAIME	12371	LOREZ DR	MORENO VALLEY	CA	92557-7409	RAMIREZ, JAIME	12371 LOREZ DR	MORENO VALLEY, CA	92557-7409	254.02	25.4	50.3	329.7
93383285009	479302010	RIVERA, LESSER (RENT)	12271	LOREZ DR	MORENO VALLEY	CA	92557-7428	RIVERA, LESSER	12271 LOREZ DR	MORENO VALLEY, CA	92557-7428	254.12	25.41	50.32	329.84
31440185003	479311007	ZAMUDIO, FRANCISCO	12317	VISTA HERMOSA DR	MORENO VALLEY	CA	92557-7518	ZAMUDIO, FRANCISCO	26980 STORRIE LAKE DR	MORENO VALLEY, CA	92555-4958	254.02	25.4	50.3	329.7
53633925001	479311018	THOMAS, ALVINA	25323	LAS PALOMAS DR	MORENO VALLEY	CA	92557-7510	THOMAS, ALVINA	25323 LAS PALOMAS DR	MORENO VALLEY, CA	92557-7510	254.02	25.4	50.3	329.7
31054495007	479311034	ARGUJO, GLORIA	25483	LAS PALOMAS DR	MORENO VALLEY	CA	92557-7512	ARGUJO, GLORIA	25483 LAS PALOMAS DR	MORENO VALLEY, CA	92557-7512	254.02	25.4	50.3	329.7
56139235001	479311037	ARTEAGA, JUAN	25273	LAS PALOMAS DR	MORENO VALLEY	CA	92557-7508	ARTEAGA, JUAN	25273 LAS PALOMAS DR	MORENO VALLEY, CA	92557-7508	254.02	25.4	50.3	329.7
73687275009	479312009	BOWEN, MYESHA	25481	HEMLOCK AVE	MORENO VALLEY	CA	92557-7523	BOWEN, MYESHA	25481 HEMLOCK AVE	MORENO VALLEY, CA	92557-7523	254.02	25.4	50.3	329.7
57888335001	479312011	TUCKER, LEE	25459	HEMLOCK AVE	MORENO VALLEY	CA	92557-7523	TUCKER, LEE	25459 HEMLOCK AVE	MORENO VALLEY, CA	92557-7523	154.02	15.4	30.5	199.9
55931295009	479312014	OLAGUEZ, GLORIA	25429	HEMLOCK AVE	MORENO VALLEY	CA	92557-7523	OLAGUEZ, GLORIA	25429 HEMLOCK AVE	MORENO VALLEY, CA	92557-7523	254.02	25.4	50.3	329.7
80730505000	479312035	CORTES, MARIA	12330	VISTA HERMOSA DR	MORENO VALLEY	CA	92557-7517	CORTES, MARIA	24195 FAWN ST	MORENO VALLEY, CA	92553-3392	254.02	25.4	50.3	329.7
50901505003	479312037	WHITE, ERIKA	12341	PASEO DEL SOL WAY	MORENO VALLEY	CA	92557-7516	WHITE, ERIKA	12341 PASEO DEL SOL WAY	MORENO VALLEY, CA	92557-7516	254.02	25.4	50.3	329.7
94697455005	479312048	BROWN, ANA (RENT)	12340	PASEO DEL SOL WAY	MORENO VALLEY	CA	92557-7515	BROWN, ANA	12340 PASEO DEL SOL WAY	MORENO VALLEY, CA	92557-7515	254.12	25.41	50.32	329.84
31174775004	479312055	KEANE, ANNE	25416	LAS PALOMAS DR	MORENO VALLEY	CA	92557-7511	KEANE, ANNE	25416 LAS PALOMAS DR	MORENO VALLEY, CA	92557-7511	254.02	25.4	50.3	329.7
31132605008	479312057	LEVENSAILOR, RICHARD	12331	ARENISCA VERDE DR	MORENO VALLEY	CA	92557-7514	LEVENSAILOR, RICHARD	12331 ARENISCA VERDE DR	MORENO VALLEY, CA	92557-7514	329.32	32.93	65.21	427.44
98191535019	479312066	MATUS, ROCELIA	12332	ARENISCA VERDE DR	MORENO VALLEY	CA	92557-7513	MATUS, ROCELIA	12332 ARENISCA VERDE DR	MORENO VALLEY, CA	92557-7513	169.35	16.94	33.53	219.8

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
98228505015	479312067	HUYNH, HOA VAN	12340	ARENISCA VERDE DR	MORENO VALLEY	CA	92557-7513	HUYNH, HOA VAN	24921 NANDINA AVE	MORENO VALLEY, CA	92551-9542	335.76	33.58	66.48	435.8
63815795009	479321001	CONTRERAS, LETICIA	13747	STOCKBROOK RD	MORENO VALLEY	CA	92553-4873	CONTRERAS, LETICIA	13747 STOCKBROOK RD	MORENO VALLEY, CA	92553-4873	165.92	16.59	32.85	215.36
97504725004	479321004	REYES, JOSE	13701	STOCKBROOK RD	MORENO VALLEY	CA	92553-4873	REYES, JOSE	13701 STOCKBROOK RD	MORENO VALLEY, CA	92553-4873	254.12	25.41	50.32	329.84
60149355008	479321005	GALVEZ, RUBEN	13689	STOCKBROOK RD	MORENO VALLEY	CA	92553-4835	GALVEZ, RUBEN	13689 STOCKBROOK RD	MORENO VALLEY, CA	92553-4835	25.08	2.51	4.97	32.54
31607985009	479321009	FISHER, ROBERT AND LISA	13641	STOCKBROOK RD	MORENO VALLEY	CA	92553-4835	FISHER, ROBERT AND LISA	13641 STOCKBROOK RD	MORENO VALLEY, CA	92553-4835	254.02	25.4	50.3	329.7
74524345009	479321012	SLANEY, DAVID	13605	STOCKBROOK RD	MORENO VALLEY	CA	92553-4835	SLANEY, DAVID	14500 MCNAB AVE APT 1406	BELLFLOWER, CA	90706	254.02	25.4	50.3	329.7
31298305000	479321025	PULIDO, EZEQUIEL	25585	LOREN WAY	MORENO VALLEY	CA	92553-4833	PULIDO, EZEQUIEL	16745 ARROYO PARK DR	MORENO VALLEY, CA	92551-2105	253.92	25.39	50.28	329.58
31570085008	479321026	PACHECO, PEDRO	25571	LOREN WAY	MORENO VALLEY	CA	92553-4833	PACHECO, PEDRO	25571 LOREN WAY	MORENO VALLEY, CA	92553-4833	254.02	25.4	50.3	329.7
31414635004	479321030	MONGE, KATHY	25513	LOREN WAY	MORENO VALLEY	CA	92553-4833	MONGE, KATHY	25513 LOREN WAY	MORENO VALLEY, CA	92553-4833	329.32	32.93	65.21	427.44
31095555007	479321036	GIBBS JR, JOHN	25546	LOREN WAY	MORENO VALLEY	CA	92553-4833	GIBBS JR, JOHN	25546 LORIEN WY	MORENO VALLEY, CA	92553-4833	254.02	25.4	50.3	329.7
92319035007	479322004	MURRILO, MARTHA	13546	STOCKBROOK RD	MORENO VALLEY	CA	92553-4834	MURRILO, MARTHA	13546 STOCKBROOK RD	MORENO VALLEY, CA	92553-4834	253.92	25.39	50.28	329.58
57559425009	479322009	SIC, IRIS	13606	STOCKBROOK RD	MORENO VALLEY	CA	92553-4806	SIC, IRIS	13606 STOCKBROOK RD	MORENO VALLEY, CA	92553-4806	254.02	25.4	50.3	329.7
70338305006	479322015	PINEDA, ELSA AND BERNARDO	13678	STOCKBROOK RD	MORENO VALLEY	CA	92553-4806	PINEDA, ELSA	13678 STOCKBROOK RD	MORENO VALLEY, CA	92553-4806	27.06	2.71	5.36	35.12
94361475004	479333006	AVALOS, IGNACIA (RENT)	25189	SWEET GRASS DR	MORENO VALLEY	CA	92553-4362	AVALOS, IGNACIA	25189 SWEET GRASS DR	MORENO VALLEY, CA	92553-4362	61.3	6.13	12.14	79.56
57921655004	479333019	CASTRO, JOE AND CAROL	13681	DEER HILL PL	MORENO VALLEY	CA	92553-4360	CASTRO, JOE AND CAROL	13681 DEER HILL PL	MORENO VALLEY, CA	92553-4360	150.8	15.08	29.86	195.72
60053945009	479333020	WILLIAMS, SHAWN	13695	DEER HILL PL	MORENO VALLEY	CA	92553-4360	WILLIAMS, SHAWN	13695 DEER HILL PL	MORENO VALLEY, CA	92553-4360	254.12	25.41	50.32	329.84
31222185005	479341009	CHANDLER, EDWARD	25167	LEANN CT	MORENO VALLEY	CA	92553-2328	CHANDLER, EDWARD	25167 LEANN CT	MORENO VALLEY, CA	92553-2328	253.92	25.39	50.28	329.58
86652773003	479341010	CHAVEZ, SUMMERLOVE (RENT)	25183	LEANN CT	MORENO VALLEY	CA	92553-2328	CHAVEZ, SUMMERLOVE	25183 LEANN CT	MORENO VALLEY, CA	92553-2328	154.12	15.41	30.52	200.04
31113125009	479341011	SAAVEDRA, ALBERT	25197	LEANN CT	MORENO VALLEY	CA	92553-2328	SAAVEDRA, ALBERT	25197 LEANN CT	MORENO VALLEY, CA	92553-2328	254.02	25.4	50.3	329.7
95659315004	479341012	NICOLA, ANTHONY (RENT)	25209	LEANN CT	MORENO VALLEY	CA	92553-4172	NICOLA, ANTHONY	25209 LEANN CT	MORENO VALLEY, CA	92553-4172	254.12	25.41	50.32	329.84
92066945003	479341014	NAVARRO, TOMASA R	25235	LEANN CT	MORENO VALLEY	CA	92553-4172	NAVARRO, TOMASA R	25235 LEANN CT	MORENO VALLEY, CA	92553-4172	153.74	15.37	30.44	199.54
31601445006	479341017	MORENO, GILBERT	25250	LEANN CT	MORENO VALLEY	CA	92553-4172	MORENO, GILBERT	220 JOHNSTON ST	COLTON, CA	92324-1316	50	5	9.9	64.9
31425595008	479341021	GREGG, CHARLES	25210	LEANN CT	MORENO VALLEY	CA	92553-4172	GREGG, CHARLES	25210 LEANN CT	MORENO VALLEY, CA	92553-4172	254.02	25.4	50.3	329.7
90614373001	479341022	JOHNSON, LAQUITA	25198	LEANN CT	MORENO VALLEY	CA	92553-2327	JOHNSON, LAQUITA	25198 LEANN CT	MORENO VALLEY, CA	92553-2327	233.82	23.38	46.3	303.48
92507963001	479341029	MERCADO, JAIME (OWNR)	25213	TODD DR	MORENO VALLEY	CA	92553-4159	MERCADO, JAIME	25213 TODD DR	MORENO VALLEY, CA	92553-4159	130.45	13.05	25.83	169.32
93607373002	479342002	MARROQUIN, EDGAR (RENT)	25240	TODD DR	MORENO VALLEY	CA	92553-4160	MARROQUIN, EDGAR	25240 TODD DR	MORENO VALLEY, CA	92553-4160	233.82	23.38	46.3	303.48
94757465005	479342005	DIAZ, DON	25200	TODD DR	MORENO VALLEY	CA	92553-4160	DIAZ, DON	8229 GUAVA AVE	BUENA PARK, CA	90620-2219	149.39	14.94	29.58	193.9
31055025003	479342013	GODFREY, JANET	12679	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4178	GODFREY, JANET	12679 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4178	254.02	25.4	50.3	329.7
95301275001	479342016	SYKEF, ROSALIND (RENT)	12717	SHIRAY RANCH RD	MORENO VALLEY	CA	92553-4145	SYKEF, ROSALIND (RENT)	12717 SHIRAY RANCH RD	MORENO VALLEY, CA	92553-4145	247.58	24.76	49.02	321.34
71127285006	479351002	ORDAZ, ADRIANNA	25525	FIR AVE	MORENO VALLEY	CA	92553-4750	ORDAZ, ADRIANNA	25525 FIR AVE	MORENO VALLEY, CA	92553-4750	254.02	25.4	50.3	329.7
97072855004	479351004	NUNEZ,JOSE	25553	FIR AVE	MORENO VALLEY	CA	92553-4750	NUNEZ,JOSE	25553 FIR AVE	MORENO VALLEY, CA	92553-4750	420.76	42.08	83.31	546.14
31581935007	479351008	RAMSDEN, ELIZABETH	12785	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4748	RAMSDEN, ELIZABETH	12785 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4748	184.02	18.4	36.44	238.84
64883065009	479351009	ZUNIGA, MARIA	12795	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4748	ZUNIGA, MARIA	12795 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4748	242.13	24.21	47.94	314.28
92554853006	479351015	CASTILLO, LOURDES (RENT)	12814	PINEBROOK CT	MORENO VALLEY	CA	92553-1214	CASTILLO, LOURDES	12814 PINEBROOK CT	MORENO VALLEY, CA	92553-1214	294.76	29.48	58.36	382.58
97106175003	479351018	JIMENEZ, JOEL	12781	PINEBROOK CT	MORENO VALLEY	CA	92553-4744	JIMENEZ, JOEL	9850 19TH ST APT 89	RANCHO CUCAMONGA, CA	91737-4220	420.76	42.08	83.31	546.14
91889395004	479352004	ESQUIVEL, ERIKA	25555	CEDARBROOK AVE	MORENO VALLEY	CA	92553-4746	ESQUIVEL, ERIKA	25555 CEDARBROOK AVE	MORENO VALLEY, CA	92553-4746	162.56	16.26	32.19	211
96760113001	479352006	GARCIA, YESENIA (RENT)	25579	CEDARBROOK AVE	MORENO VALLEY	CA	92553-4746	GARCIA, YESENIA	25579 CEDARBROOK AVE	MORENO VALLEY, CA	92553-4746	95.85	9.59	18.98	124.4
96341365007	479352015	DE LA ROSA, FELIPE (RENT)	12786	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4739	DE LA ROSA, FELIPE	12786 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4739	254.12	25.41	50.32	329.84
95535935006	479352036	TOLEDO, JESSICA	12797	RAENETTE WAY	MORENO VALLEY	CA	92553-4709	TOLEDO, JESSICA	12797 RAENETTE WAY	MORENO VALLEY, CA	92553-4709	254.12	25.41	50.32	329.84
87635935004	479352037	DO, DUC (OWNER)	12789	RAENETTE WAY	MORENO VALLEY	CA	92553-4709	VO, DUKE	16051 BANANA ST	FOUNTAIN VALLEY, CA	92708-1501	254.12	25.41	50.32	329.84
31316675002	479352040	SHEPHERD, ARTIMAE	12765	RAENETTE WAY	MORENO VALLEY	CA	92553-4709	SHEPHERD, ARTIMAE	12765 RAENETTE WAY	MORENO VALLEY, CA	92553-4709	254.12	25.41	50.32	329.84
96588135002	479352042	TURNAGE, LARRY (RENT)	12766	RAENETTE WAY	MORENO VALLEY	CA	92553-4709	TURNAGE, LARRY	12766 RAENETTE WAY	MORENO VALLEY, CA	92553-4709	254.12	25.41	50.32	329.84
71343515001	479353003	MALOY, KRISTOFFER	12782	ARDOS ST	MORENO VALLEY	CA	92553-4741	MALOY, KRISTOFFER	12782 ARDOS ST	MORENO VALLEY, CA	92553-4741	254.02	25.4	50.3	329.7
97105405007	479353004	RUIZ, JUAN EDUARDO	12788	ARDOS ST	MORENO VALLEY	CA	92553-4741	RUIZ, JUAN EDUARDO	12788 ARDOS ST	MORENO VALLEY, CA	92553-4741	254.12	25.41	50.32	329.84
31250965002	479353006	WILSON, REGGIE	12798	ARDOS ST	MORENO VALLEY	CA	92553-4798	WILSON, REGGIE	12798 ARDOS ST	MORENO VALLEY, CA	92553-4798	253.92	25.39	50.28	329.58
81919765003	479353008	KEY, KAREN	12810	ARDOS ST	MORENO VALLEY	CA	92553-4753	KEY, KAREN	12810 ARDOS ST	MORENO VALLEY, CA	92553-4753	207.44	20.74	41.07	269.24
61035175001	479353015	GRACIANO, MARIA	25739	FIR AVE	MORENO VALLEY	CA	92553-4737	GRACIANO, MARIA	25739 FIR AVE	MORENO VALLEY, CA	92553-4737	127.46	12.75	25.24	165.44
101880703006	479361002	TYLER, BOBBY (OWNR)	25532	FIR AVE	MORENO VALLEY	CA	92553-4749	TYLER, BOBBY (OWNR)	25532 FIR AVE	MORENO VALLEY, CA	92553-4749	286.73	28.67	56.77	372.16
97072845007	479361005	FLINT, MARY	25592	FIR AVE	MORENO VALLEY	CA	92553-4749	FLINT, MARY	25592 FIR AVE	MORENO VALLEY, CA	92553-4749	194.93	19.48	38.58	252.98
31437695002	479361012	SMITH, RONDA	12701	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4755	SMITH, RONDA	12701 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4755	254.02	25.4	50.3	329.7
31090985008	479362001	MCMILLAN, MICHAEL	12617	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4716	MCMILLAN, MICHAEL	12617 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4716	254.02	25.4	50.3	329.7
99971065007	479362007	EVANS, SHAMEKA (RENT)	12531	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4754	EVANS, SHAMEKA (RENT)	12531 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4754	190.69	19.07	37.76	247.5
92302335000	479362011	ARGUETA, EMILDA	12546	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4754	ARGUETA, EMILDA	12546 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4754	254.02	25.4	50.3	329.7
56143355007	479362014	JOHNSON, LEWIS	12590	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4754	JOHNSON, LEWIS	12590 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4754	329.32	32.93	65.21	427.44
53042635006	479362021	SOKO, CARL	12660	SHADOWBROOK ST	MORENO VALLEY	CA	92553-4770	SOKO, CARL	12660 SHADOWBROOK ST	MORENO VALLEY, CA	92553-4770	254.02	25.4	50.3	329.7
31319335008	479362025	FISHER, HELEN	12673	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4760	FISHER, HELEN	1027 SYMERON CT	PERRIS, CA	92570-3420	329.04	32.9	65.15	427.08
94124245005	479362026	PINEDA, MICHELLA (OWNR)	12511	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	PINEDA, MICHELLA	12511 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4758	254.12	25.41	50.32	329.84
31508965009	479362027	COATES, PAULETTE	12527	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	COATES, PAULETTE	12527 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4758	36.35	3.64	7.2	47.18
31120715000	479362032	MANRIQUEZ, RAUL IV	12589	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	MANRIQUEZ, RAUL IV	12589 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4758	254.02	25.4	50.3	329.7
31542735001	479362034	FELTY, IRMA AND CHARLES (OWNR)	12613	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4760	FELTY, IRMA AND CHARLES	12613 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4760	253.92	25.39	50.28	329.58
91980503008	479362037	MURRAY, JAMES (RENT)	12653	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4760	MURRAY, JAMES	12653 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4760	190.79	19.08	37.78	247.64
31458435003	479363001	HARPER, HENRY	12674	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4759	HARPER, HENRY	12674 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4759	329.32	32.93	65.21	427.44
31631925002	479363006	COLUNGA, RACHELLE	12738	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4784	COLUNGA, RACHELLE	12738 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4784	36.37	3.64	7.2	47.2
31398305008	479363007	JOHNSON, LEZETTE	12668	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4759	JOHNSON, LEZETTE	12668 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4759	254.02	25.4	50.3	329.7
31387615003	479363008	LOPEZ, MARCIAL	12658	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4759	LOPEZ, MARCIAL	12658 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4759	253.92	25.39	50.28	329.58
94810945002	479363011	MENDOZA, JACKIE (OWNR)	12600	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4759	MENDOZA, JACKIE	12600 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4759	254.12	25.41	50.32	329.84
62641585004	479363015	SILVA, MARITZA	12550	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	SILVA, MARITZA	12550 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4758	60.79	6.08	12.04	78.9
31487165008	479363017	BUCKLEY, LASHAUNDA	12526	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	BUCKLEY, LASHAUNDA	12215 GRAHAM ST APT 5	MORENO VALLEY, CA	92557-7018	284.17	28.42	56.27	368.84
65087895002	479363018	GONZALEZ, LINDA	12510	WILLOW TREE AVE	MORENO VALLEY	CA	92553-4758	GONZALEZ, LINDA	12510 WILLOW TREE AVE	MORENO VALLEY, CA	92553-4758	254.12	25.41	50.32	329.84
50440985001	479371004	NEWELL, ANNIE	12415	KITCHING ST	MORENO VALLEY	CA	92557-7619	NEWELL, ANNIE	12415 KITCHING ST	MORENO VALLEY, CA	92557-7619	254.02	25.4	50.3	329.7
95824075004	479371012	REVELES, LORRAINE (RENT)	12416	COOL CT	MORENO VALLEY	CA	92557-7504	REVELES, LORRAINE	12416 COOL CT	MORENO VALLEY, CA	92557-7504	63.63	6.36	12.6	82.58
98204665012	479371018	LOPEZ, MIRIAM (RENT)	12415	COOL CT	MORENO VALLEY	CA	92557-7504	LOPEZ, MIRIAM	25350 SANTIAGO DR SPC 143	MORENO VALLEY, CA	92551-4680	27.53	2.75	5.45	35.72
57254085008	479371027	FLORES, GABRIEL (OWNR)	12406	FELT CT	MORENO VALLEY	CA	92557-7506	FLORES, GABRIEL	12406 FELT CT	MORENO VALLEY, CA	92557-7506	27.36	2.74	5.42	35.5
31604015000	479371029	VILLALOBOS, MARIA	12394	FELT CT	MORENO VALLEY	CA	92557-7506	VILLALOBOS, MARIA	12394 FELT CT	MORENO VALLEY, CA	92557-7506	80.94	8.09	16.03	105.06
31366005008	479371030	ESPINOZA, LISA	12395	FELT CT	MORENO VALLEY	CA	92557-7506	ESPINOZA, LISA	1040 S MOUNT VERNON DRIVE SP	COLTON, CA	92324-4228	24.93	2.49	4.94	32.34
87996405001	479371032	BRONAUGH, BONNIE AND GARY	12415	FELT CT	MORENO VALLEY	CA	92557-7506	BRONAUGH, BONNIE AND GARY	12415 FELT CT	MORENO VALLEY, CA	92557-7506	190.79	19.08	37.78	247.64
94891605003	479372010	HARRY, GERALDINE (RENT)	25369	ELDER AVE	MORENO VALLEY	CA	92557-7502	HARRY, GERALDINE	25369 ELDER AVE	MORENO VALLEY, CA	92557-7502	63.63	6.36	12.6	82.58
97061245006	479372014	JUAREZ, RAFAEL (RENT)	25417	ELDER AVE	MORENO VALLEY	CA	92557-7501	JUAREZ, RAFAEL	25417 ELDER AVE	MORENO VALLEY, CA	92557-7501	156.64	15.66	31.01	203.3
59154605009	479372019	RAMOS, SANDRA	25477	ELDER AVE	MORENO VALLEY	CA	92557-7501	RAMOS, SANDRA	25477 ELDER AVE	MORENO VALLEY, CA	92557-7501	63.83	6.38	12.64	82.84
85953115001	479381008	PLAZOLA, FRANCISCO JAVIER	12721	HEARTLEAF ST	MORENO VALLEY	CA	92553-1207	PLAZOLA, FRANCISCO JAVIER	12721 HEARTLEAF ST	MORENO VALLEY, CA	92553-1207	28.63	2.86	5.67	37.16
31434245004	479382003	RAMIREZ, LURDES	12666	JUNEBERRY CT	MORENO VALLEY	CA	92553-4762	RAMIREZ, LURDES	12666 JUNEBERRY CT	MORENO VALLEY, CA	92553-4762	269.32	26.93	53.33	349.58
31509315008	479382018	COX, SHERRY	12602	PEACHLEAF ST	MORENO VALLEY	CA	92553-1213	COX, SHERRY	12602 PEACHLEAF ST	MORENO VALLEY, CA	92553-1213	329.6	32.96	65.26	427.82
31503565008	479382019	ELLOWP, STEVE	12594	PEACHLEAF ST	MORENO VALLEY	CA	92553-4783	ELLOWP, STEVE	12594 PEACHLEAF ST	MORENO VALLEY, CA	92553-4783	329.6	32.96	65.26	427.82
31313615002	479382020	CARNERO, RAMIRO	12584	PEACHLEAF ST	MORENO VALLEY	CA	92553-4783	CARNERO, RAMIRO	12584 PEACHLEAF ST	MORENO VALLEY, CA	92553-4783	254.02	25.4	50.3	329.7
85843665002	479382021	HERNANDEZ, GEORGINA	12576	PEACHLEAF ST	MORENO VALLEY	CA	92553-4783	ERNANDEZ, GEORGINA	13121 RUNNING DEER RD	MORENO VALLEY, CA	92553-3257	112.54	11.25	22.28	146.06
87926193002	479382023	MORALES, ARMANDO (OWNR)	12560	PEACHLEAF ST	MORENO VALLEY	CA	92553-4783	MORALES, ARMANDO	12560 PEACHLEAF ST	MORENO VALLEY, CA	92553-4783	63.63	6.36	12.6	82.58
90742005008	479383002	RENDON, EUGENIA (OWNR)	25736	FIR AVE	MORENO VALLEY	CA	92553-4740	RENDON, EUGENIA	25736 FIR AVE	MORENO VALLEY, CA	92553-4740	127.26	12.73	25.2	165.18
92637253005	479383013	SJEM, DARLEEN	25711	SWEETLEAF ST	MORENO VALLEY	CA	92553-1223	SJEM, DARLEEN	25711 SWEETLEAF ST	MORENO VALLEY, CA	92553-1223	191.79	19.18	37.97	248.94
31327225004	479383015	YOUNG, TOUZALIN	25735	SWEETLEAF ST	MORENO VALLEY	CA	92553-1223	YOUNG, TOUZALIN	25735 SWEETLEAF ST	MORENO VALLEY, CA	92553-1223	54.02	5.4	10.7	70.1
31325135007	479384002	GUZMAN, LEA AND JOSE	12525	PEACHLEAF ST	MORENO VALLEY	CA	92553-4765	GUZMAN, LEA AND JOSE	12525 PEACHLEAF ST	MORENO VALLEY, CA	92553-4765	254.02	25.4	50.3	329.7
86102075006	479384006	MEDRANO, DELFINA	12597	PEACHLEAF ST	MORENO VALLEY	CA	92553-1212	MEDRANO, DELFINA	12008 186 ST	ARTESIA, CA	90701-5712	329.32	32.93	65.21	427.44
74098935000	479384008	IBARRA, MARIO	12615	PEACHLEAF ST	MORENO VALLEY	CA	92553-4782	IBARRA, MARIO	12615 PEACHLEAF ST	MORENO VALLEY, CA	92553-4782	254.02	25.4	50.3	329.7
97093995001	479384009	YBARRA, ERICA AND HERIBERTO	12623	PEACHLEAF ST	MORENO VALLEY	CA	92553-4782	YBARRA, ERICA AND HERIBERTO	12623 PEACHLEAF ST	MORENO VALLEY, CA	92553-4782	254.12	25.41	50.32	329.84
31534935006	479384013	WHITFORD, DEBRA	12509	HEARTLEAF ST	MORENO VALLEY	CA	92553-4761	WHITFORD, DEBRA	12509 HEARTLEAF ST	MORENO VALLEY, CA	92553-4761	329.32	32.93	65.21	427.44
31573705002	479384015	ALVAREZ, VIANEY	12529	HEARTLEAF ST	MORENO VALLEY	CA	92553-4761	ALVAREZ, VIANEY	12529 HEARTLEAF ST	MORENO VALLEY, CA	92553-4761	329.32	32.93	65.21	427.44
94539925001	479384021	HENRY, NATASHA (RENT)	12591	HEARTLEAF ST	MORENO VALLEY	CA	92553-4761	HENRY, NATASHA	12591 HEARTLEAF ST	MORENO VALLEY, CA	92553-4761	136.37	13.64	27	177
97097415004	479391006	WALKER, JOHNNY (RENT)	12917	WESTBURY DR	MORENO VALLEY	CA	92553-4180	WALKER, JOHNNY	12917 WESTBURY DR	MORENO VALLEY, CA	92553-4180	224.65	22.47	44.48	291.58
96786455004	479391007	CARRO, LILA (RENT)	12925	WESTBURY DR	MORENO VALLEY	CA	92553-4180	CARRO, LILA	12925 WESTBURY DR	MORENO VALLEY, CA	92553-4180	41.3	4.13	8.18	53.6
31115775007	479391012	BUTLER JR, ABRAHAM	25474	WEDMORE DR	MORENO VALLEY	CA	92553-4184	BUTLER JR, ABRAHAM	25474 WEDMORE DR	MORENO VALLEY, CA	92553-4184	254.02	25.4	50.3	329.7
31247005000	479391015	RAMOS, JUAN	25438	WEDMORE DR	MORENO VALLEY	CA	92553-4184	RAMOS, JUAN	25438 WEDMORE DR	MORENO VALLEY, CA	92553-4184	253.92	25.39	50.28	329.58
97743705002	479391022	QURESHI, NAEEM AND ANIS (OWNR)	25451	FIR AVE	MORENO VALLEY	CA	92553-4123	QURESHI, NAEEM	25451 FIR AVE	MORENO VALLEY, CA	92553-4123	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
92601773002	479391027	CIENEGA, CYNTHIA (OWNR)	12837	WESTBURY DR	MORENO VALLEY	CA	92553-2336	CIENEGA, CYNTHIA	12837 WESTBURY DR	MORENO VALLEY, CA	92553-2336	241.04	24.1	47.73	312.86
83292405009	479391044	DONALD, REESE	12820	WESTBURY DR	MORENO VALLEY	CA	92553-4151	DONALD, REESE	12820 WESTBURY DR	MORENO VALLEY, CA	92553-4151	254.02	25.4	50.3	329.7
87646745001	479392003	ARRIETA, SONIA	12989	WESTBURY DR	MORENO VALLEY	CA	92553-4183	ARRIETA, SONIA	24716 DUNLAVY CT	MORENO VALLEY, CA	92557-6376	254.12	25.41	50.32	329.84
31097595005	479392006	LOPEZ, ANTONIO J	12992	WESTBURY DR	MORENO VALLEY	CA	92553-4126	LOPEZ, ANTONIO J	12992 WESTBURY DR	MORENO VALLEY, CA	92553-4126	329.32	32.93	65.21	427.44
31129285003	479392011	STURGIS, MICHELLE	12948	WESTBURY DR	MORENO VALLEY	CA	92553-4126	STURGIS, MICHELLE	12948 WESTBURY DR	MORENO VALLEY, CA	92553-4126	254.02	25.4	50.3	329.7
31169335007	479392013	SEGALA, RICHARD	25419	WEDMORE DR	MORENO VALLEY	CA	92553-4185	SEGALA, RICHARD	25419 WEDMORE DR	MORENO VALLEY, CA	92553-4185	254.02	25.4	50.3	329.7
87884495000	479392014	PEREZ, JOE	25429	WEDMORE DR	MORENO VALLEY	CA	92553-4185	PEREZ, JOE	25429 WEDMORE DR	MORENO VALLEY, CA	92553-4185	254.12	25.41	50.32	329.84
54989145000	479392018	HUERTA, ART	25475	WEDMORE DR	MORENO VALLEY	CA	92553-4185	HUERTA, ART	25475 WEDMORE DR	MORENO VALLEY, CA	92553-4185	329.32	32.93	65.21	427.44
31359835009	479401003	BESSENT, PATRICIA	12533	BROADLEAF LN	MORENO VALLEY	CA	92553-4721	BESSENT, PATRICIA	12533 BROADLEAF LN	MORENO VALLEY, CA	92553-4721	329.32	32.93	65.21	427.44
88287185000	479401004	HAMMONDS, RONALD	12545	BROADLEAF LN	MORENO VALLEY	CA	92553-4721	HAMMONDS, RONALD	12545 BROADLEAF LN	MORENO VALLEY, CA	92553-4721	329.6	32.96	65.26	427.82
31571865002	479401007	FERNANDEZ, ANTONIO AND ROSALVA	12577	BROADLEAF LN	MORENO VALLEY	CA	92553-4721	FERNANDEZ, ANTONIO	12577 BROADLEAF LN	MORENO VALLEY, CA	92553-4721	56.02	5.6	11.09	72.7
93723145006	479401010	GOGLIA, APRIL (OWNR)	12667	BROADLEAF LN	MORENO VALLEY	CA	92553-4722	GOGLIA, APRIL	12667 BROADLEAF LN	MORENO VALLEY, CA	92553-4722	329.6	32.96	65.26	427.82
31551795009	479401020	GONZALEZ, JOSE	12502	BLUNTLEAF CT	MORENO VALLEY	CA	92553-4757	GONZALEZ, JOSE	12502 BLUNTLEAF CT	MORENO VALLEY, CA	92553-4757	190.69	19.07	37.76	247.5
97578205007	479401023	COASTLINE PROPTERY MANAGEMENT	12545	BLUNTLEAF CT	MORENO VALLEY	CA	92553-4757	COASTLINE PROPTERY MANAGEMENT	12545 BLUNTLEAF CT	MORENO VALLEY, CA	92553	254.02	25.4	50.3	329.7
90150953004	479401029	STREETS, RODNEY (OWNER)	12635	BLUNTLEAF CT	MORENO VALLEY	CA	92553-4751	STREETS, RODNEY	12635 BLUNTLEAF CT	MORENO VALLEY, CA	92553-4751	407.12	40.71	80.61	528.44
86114543003	479401031	PELCHER, NORA (RENT)	12665	BLUNTLEAF CT	MORENO VALLEY	CA	92553-4751	PELCHER, NORA	14150 GRANT ST UNIT 44	MORENO VALLEY, CA	92553-9114	70.9	7.09	14.04	92.02
55072925008	479401033	WILLIAMS, LEONARD	12695	BLUNTLEAF CT	MORENO VALLEY	CA	92553-4751	WILLIAMS, LEONARD	12695 BLUNTLEAF CT	MORENO VALLEY, CA	92553-4751	254.02	25.4	50.3	329.7
65794585008	479402001	THOMPSON, CHRISTINA	25834	FIR AVE	MORENO VALLEY	CA	92553-4708	THOMPSON, CHRISTINA	14413 S KEENE ST	COMPTON, CA	90220-1241	405.08	40.51	80.21	525.78
74862925001	479402011	SJODEN, JUSTIN	25797	SWEETLEAF ST	MORENO VALLEY	CA	92553-4773	SJODEN, JUSTIN	25797 SWEETLEAF ST	MORENO VALLEY, CA	92553-4773	254.02	25.4	50.3	329.7
53778005007	479402018	NWUFO, GLADYS AND CHARLES	25808	SWEETLEAF ST	MORENO VALLEY	CA	92553-4727	NWUFO, GLADYS AND CHARLES	25808 SWEETLEAF ST	MORENO VALLEY, CA	92553-4727	254.02	25.4	50.3	329.7
91266845001	479402020	BLANCHE, JOANNE	12692	BROADLEAF LN	MORENO VALLEY	CA	92553-4772	BLANCHE, JOANNE	2552 WALNUT AV STE 210	TUSTIN, CA	92780-6983	253.92	25.39	50.28	329.58
31338815007	479402024	JONES, GWENDOLYN	12644	BROADLEAF LN	MORENO VALLEY	CA	92553-4772	JONES, GWENDOLYN	12644 BROADLEAF LN	MORENO VALLEY, CA	92553-4772	134.02	13.4	26.54	173.94
90835505005	479402025	PAEA, SANGUNA	12632	BROADLEAF LN	MORENO VALLEY	CA	92553-4772	PAEA, SANGUNA	12632 BROADLEAF LN	MORENO VALLEY, CA	92553-4772	253.92	25.39	50.28	329.58
31279225007	479402030	BOOKER, IRA	12572	BROADLEAF LN	MORENO VALLEY	CA	92553-4771	BOOKER, IRA	12572 BROADLEAF LN	MORENO VALLEY, CA	92553-4771	329.32	32.93	65.21	427.44
72902355006	479402033	BARRERA, MOISES	12536	BROADLEAF LN	MORENO VALLEY	CA	92553-4771	BARRERA, MOISES	738 LAKE ST	LAKE ELSINORE, CA	92530-4346	254.02	25.4	50.3	329.7
31437525008	479402034	COLEMAN, STEPHANIE	12524	BROADLEAF LN	MORENO VALLEY	CA	92553-4771	COLEMAN, STEPHANIE	12524 BROADLEAF LN	MORENO VALLEY, CA	92553-4771	254.02	25.4	50.3	329.7
92535855005	479411001	FLORES, ARMANDO	12549	LASSELLE ST	MORENO VALLEY	CA	92553-4742	FLORES, ARMANDO	12549 LASSELLE ST	MORENO VALLEY, CA	92553-4742	357.18	35.72	70.72	463.6
93771075009	479411013	MILLANES, JECILIA (OWNR)	25998	FIR AVE	MORENO VALLEY	CA	92553-4702	MILLANES, JECILIA	25998 FIR AVE	MORENO VALLEY, CA	92553-4702	420.76	42.08	83.31	546.14
94766825001	479411017	BURRELL, GERALDINE (RENT)	25944	FIR AVE	MORENO VALLEY	CA	92553-4702	BURRELL, GERALDINE	25944 FIR AVE	MORENO VALLEY, CA	92553-4702	84.51	8.45	16.73	109.68
94713375007	479411021	ABARCA, CHRISTOPHER (OWNR)	25888	FIR AVE	MORENO VALLEY	CA	92553-4736	ABARCA, CHRISTOPHER	25888 FIR AVE	MORENO VALLEY, CA	92553-4736	63.83	6.38	12.64	82.84
94126355002	479411025	MARSHALL, DANIEL (OWNR)	12710	HACKBERRY LN	MORENO VALLEY	CA	92553-4777	MARSHALL, DANIEL	12710 HACKBERRY LN	MORENO VALLEY, CA	92553-4777	254.12	25.41	50.32	329.84
31302005003	479411031	TRICE, JAMES	12638	HACKBERRY LN	MORENO VALLEY	CA	92553-4796	TRICE, JAMES	12638 HACKBERRY LN	MORENO VALLEY, CA	92553-4796	228.72	22.87	45.29	296.88
31328765008	479412001	WILSON, RUTH	12537	HACKBERRY LN	MORENO VALLEY	CA	92553-4776	WILSON, RUTH	12537 HACKBERRY LN	MORENO VALLEY, CA	92553-4776	254.12	25.41	50.32	329.84
89928025002	479412005	JIT, SUMAN	12587	HACKBERRY LN	MORENO VALLEY	CA	92553-4776	JIT, SUMAN	1191 DUTCH MILL RD	HEMET, CA	92545-8709	195.18	19.52	38.65	253.34
96104215001	479412006	RIOS, JOSE AND HERMILA (RENT)	12599	HACKBERRY LN	MORENO VALLEY	CA	92553-4776	RIOS, JOSE AND HERMILA	12599 HACKBERRY LN	MORENO VALLEY, CA	92553-4776	254.12	25.41	50.32	329.84
96272405006	479412014	BASSMADJIAN, KHOURIEN (OWNR)	12666	NINEBARK ST	MORENO VALLEY	CA	92553-4781	BASSMADJIAN, KHOURIEN	12666 NINEBARK ST	MORENO VALLEY, CA	92553-4781	254.12	25.41	50.32	329.84
96715935003	479412018	CATOLIATO, CATHERINE (RENT)	12632	NINEBARK ST	MORENO VALLEY	CA	92553-4781	CATOLIATO, CATHERINE	12632 NINEBARK ST	MORENO VALLEY, CA	92553-4781	100.12	10.01	19.82	129.94
96001395001	479412020	MENDOZA, PHI (RENT)	12610	NINEBARK ST	MORENO VALLEY	CA	92553-4781	MENDOZA, PHI	12610 NINEBARK ST	MORENO VALLEY, CA	92553-4781	190.79	19.08	37.78	247.64
31499035001	479413002	FERGINS, SHERRY	12519	NINEBARK ST	MORENO VALLEY	CA	92553-4778	FERGINS, SHERRY	12519 NINEBARK ST	MORENO VALLEY, CA	92553-4778	182.68	18.27	36.17	237.1
57061285005	479413006	STINSON, RUBY	12555	NINEBARK ST	MORENO VALLEY	CA	92553-4778	STINSON, RUBY	12555 NINEBARK ST	MORENO VALLEY, CA	92553-4778	152.36	15.24	30.17	197.76
31197755009	479413007	DELT, DAVID	12565	NINEBARK ST	MORENO VALLEY	CA	92553-4778	DELT, DAVID	12565 NINEBARK ST	MORENO VALLEY, CA	92553-4778	329.32	32.93	65.21	427.44
31298355009	479413009	ARVIZU, JOSE F	12583	NINEBARK ST	MORENO VALLEY	CA	92553-4778	ARVIZU, JOSE F	12583 NINEBARK ST	MORENO VALLEY, CA	92553-4778	329.04	32.9	65.15	427.08
97093925006	479413015	CORBIN, DEBORAH	12639	NINEBARK ST	MORENO VALLEY	CA	92553-4779	CORBIN, DEBORAH	32643 VIA DESTELLO	TEMECULA, CA	92592-3965	420.76	42.08	83.31	546.14
92985985005	479413017	ORTON BURGESS	12657	NINEBARK ST	MORENO VALLEY	CA	92553-4779	ORTON BURGESS	12657 NINEBARK ST	MORENO VALLEY, CA	92553-4779	468.26	46.83	92.72	607.8
31470205006	479413018	JOHNSON, SAMUEL AND BERNICE	12665	NINEBARK ST	MORENO VALLEY	CA	92553-4779	JOHNSON, SAMUEL AND BERNICE	12665 NINEBARK ST	MORENO VALLEY, CA	92553-4779	329.32	32.93	65.21	427.44
95301185000	479413020	PATTERSON, KELLEE AND GLEN (OW	12683	NINEBARK ST	MORENO VALLEY	CA	92553-1209	PATTERSON, KELLEE AND GLEN	12683 NINEBARK ST	MORENO VALLEY, CA	92553-1209	259.12	25.91	51.31	336.32
31494935002	479413026	CLARK, DEANNA	12739	NINEBARK ST	MORENO VALLEY	CA	92553-4780	CLARK, DEANNA	15916 LASSELLE ST UNIT A	MORENO VALLEY, CA	92551-4778	224.55	22.46	44.46	291.46
31243715000	479413027	ORTIZ, SYLVIA A	12747	NINEBARK ST	MORENO VALLEY	CA	92553-4780	ORTIZ, SYLVIA A	12747 NINEBARK ST	MORENO VALLEY, CA	92553-4780	254.02	25.4	50.3	329.7
31127865002	479421004	PARSON, GLENN	12360	KITCHING ST	MORENO VALLEY	CA	92557-7617	PARSON, GLENN	12360 KITCHING ST	MORENO VALLEY, CA	92557-7617	127.36	12.74	25.22	165.3
73261165006	479421008	GOBEA, ESPERANZA	12400	KITCHING ST	MORENO VALLEY	CA	92557-7620	GOBEA, ESPERANZA	24669 FREEPORT DR	MORENO VALLEY, CA	92551-7417	254.02	25.4	50.3	329.7
90871313000	479421010	LUNA, LORENZO (RENT)	12419	KASOTA CT	MORENO VALLEY	CA	92557-7641	LUNA, LORENZO (RENT)	12419 KASOTA CT	MORENO VALLEY, CA	92557-7641	182.53	18.25	36.14	236.92
31127145005	479421011	HEWITT, DARRYL	12407	KASOTA CT	MORENO VALLEY	CA	92557-7641	HEWITT, DARRYL	12407 KASOTA CT	MORENO VALLEY, CA	92557-7641	480.56	48.06	95.15	623.76
52989755003	479421012	MCVEY, RICK	12395	KASOTA CT	MORENO VALLEY	CA	92557-7608	MCVEY, RICK	12395 KASOTA CT	MORENO VALLEY, CA	92557-7608	254.12	25.41	50.32	329.84
31595655005	479421013	ANDERSON ADULT HOME	12383	KASOTA CT	MORENO VALLEY	CA	92557-7608	ANDERSON ADULT HOME	12383 KASOTA CT	MORENO VALLEY, CA	92557-7608	329.6	32.96	65.26	427.82
92386013000	479421018	SANCHEZ, VIOLETA (RENT)	12320	KASOTA CT	MORENO VALLEY	CA	92557-7608	SANCHEZ, VIOLETA	12320 KASOTA CT	MORENO VALLEY, CA	92557-7608	266.17	26.62	52.7	345.48
31245445002	479421027	RAMIREZ, YOLANDA	12419	TUSCOLA ST	MORENO VALLEY	CA	92557-7607	RAMIREZ, YOLANDA	12419 TUSCOLA ST	MORENO VALLEY, CA	92557-7607	253.92	25.39	50.28	329.58
31552575003	479421031	HYDE, MARIA	12375	TUSCOLA ST	MORENO VALLEY	CA	92557-7606	HYDE, MARIA	12375 TUSCOLA ST	MORENO VALLEY, CA	92557-7606	329.32	32.93	65.21	427.44
95722795009	479422008	ESPINOZA, CHRISTINA C	12346	YUMA CT	MORENO VALLEY	CA	92557-7600	ESPINOZA, CHRISTINA C	12346 YUMA CT	MORENO VALLEY, CA	92557-7600	420.76	42.08	83.31	546.14
77491465002	479422009	ESCOBEDO, CONCEPCION (OWNR)	12336	YUMA CT	MORENO VALLEY	CA	92557-7600	ESCOBEDO, CONCEPCION	12336 YUMA CT	MORENO VALLEY, CA	92557-7600	104.02	10.4	20.6	135
60235875006	479422016	VELAZQUEZ, TORIBIO	12395	YUMA CT	MORENO VALLEY	CA	92557-7600	VELAZQUEZ, TORIBIO	12395 YUMA CT	MORENO VALLEY, CA	92557-7600	254.12	25.41	50.32	329.84
31594265000	479422025	CORTEZ, FRANK AND DONNA	12348	SHASTA PL	MORENO VALLEY	CA	92557-7603	CORTEZ, FRANK	12348 SHASTA PL	MORENO VALLEY, CA	92557-7603	124.02	12.4	24.56	160.96
93349785005	479422035	TURNER, TRESA (RENT)	12417	SHASTA PL	MORENO VALLEY	CA	92557-7604	TURNER, TRESA	12417 SHASTA PL	MORENO VALLEY, CA	92557-7604	206.52	20.65	40.89	268.06
31504985008	479422038	GARCIA, SANTIAGO	12348	TUSCOLA ST	MORENO VALLEY	CA	92557-7605	GARCIA, SANTIAGO	12348 TUSCOLA ST	MORENO VALLEY, CA	92557-7605	329.04	32.9	65.15	427.08
31095345002	479423002	DAUGHENBAUGH, BOBBI	25521	ELDER AVE	MORENO VALLEY	CA	92557-7601	DAUGHENBAUGH, BOBBI	25521 ELDER AVE	MORENO VALLEY, CA	92557-7601	329.32	32.93	65.21	427.44
95592085005	479423005	ARANDA, ARTURO (OWNR)	25541	ELDER AVE	MORENO VALLEY	CA	92557-7601	ARANDA, ARTURO	25541 ELDER AVE	MORENO VALLEY, CA	92557-7601	282.24	28.24	55.32	366.54
31311875001	479423031	ESPINOSA, DIANE	25601	ELDER AVE	MORENO VALLEY	CA	92557-7638	ESPINOSA, DIANE	25601 ELDER AVE	MORENO VALLEY, CA	92557-7638	253.92	25.39	50.28	329.58
84448085003	479423033	DAVIS, PETER	25621	ELDER AVE	MORENO VALLEY	CA	92557-7638	DAVIS, PETER	25621 ELDER AVE	MORENO VALLEY, CA	92557-7638	240.7	24.07	47.66	312.42
93202635008	479431007	GALLEGO, ROBERT AND JULIE	12013	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7720	GALLEGO, ROBERT AND JULIE	12013 LEIF ERICSON DR	MORENO VALLEY, CA	92557-7720	254.12	25.41	50.32	329.84
80288045006	479431019	ROBERSON, MAURICE	25775	PIZZARO CT	MORENO VALLEY	CA	92557-7744	ROBERSON, MAURICE	25775 PIZZARO CT	MORENO VALLEY, CA	92557-7744	65.3	6.53	12.93	84.74
98042755017	479432004	MOORE, TYNEA (RENT)	12044	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7713	MOORE, TYNEA	12044 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7713	127.46	12.75	25.24	165.44
71525785006	479432008	ALLEN, JUSTIN	12096	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7713	ALLEN, JUSTIN	12096 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7713	228.63	22.86	45.27	296.76
31055265002	479432028	MC KINNON, WILBERT	12115	LASSELLE ST	MORENO VALLEY	CA	92557-7708	MC KINNON, WILBERT	12115 LASSELLE ST	MORENO VALLEY, CA	92557-7708	254.02	25.4	50.3	329.7
31472415008	479432031	CAYON, BARBARA	12073	LASSELLE ST	MORENO VALLEY	CA	92557-7708	CAYON, BARBARA	12073 LASSELLE ST	MORENO VALLEY, CA	92557-7708	127.06	12.71	25.16	164.92
95051185001	479433004	JENKINS, LAJO (RENT)	12149	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7714	JENKINS, LAJO	12149 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7714	254.12	25.41	50.32	329.84
82334445002	479435002	CORTES, ERNESTO	12028	LASSELLE ST	MORENO VALLEY	CA	92557-7701	CORTES, ERNESTO	12028 LASSELLE ST	MORENO VALLEY, CA	92557-7701	574.59	57.46	113.77	745.8
84842935009	479435003	GONZALEZ, LILIANA	12042	LASSELLE ST	MORENO VALLEY	CA	92557-7701	GONZALEZ, LILIANA	12042 LASSELLE ST	MORENO VALLEY, CA	92557-7701	268.52	26.85	53.17	348.52
31507165003	479441012	RODGERS, KIM	13724	CHARA AVE	MORENO VALLEY	CA	92553-4879	RODGERS, KIM	13724 CHARA AVE	MORENO VALLEY, CA	92553-4879	253.92	25.39	50.28	329.58
31052805006	479441013	DEANE, EDITH	13712	CHARA AVE	MORENO VALLEY	CA	92553-4879	DEANE, EDITH	13712 CHARA AVE	MORENO VALLEY, CA	92553-4879	254.02	25.4	50.3	329.7
55985255003	479441018	CARBALLERO, SANTOS	13650	CHARA AVE	MORENO VALLEY	CA	92553-4838	CARBALLERO, SANTOS	13650 CHARA AVE	MORENO VALLEY, CA	92553-4838	254.02	25.4	50.3	329.7
31421885006	479441021	SMITH, MIKE (OWNR)	13651	CHARA AVE	MORENO VALLEY	CA	92553-4838	SMITH, MIKE	PO BOX 8	CALIMESA, CA	92320-0008	254.02	25.4	50.3	329.7
31547145004	479441023	CASAS, NORMA	13675	CHARA AVE	MORENO VALLEY	CA	92553-4838	CASAS, NORMA	13675 CHARA AVE	MORENO VALLEY, CA	92553-4838	357.18	35.72	70.72	463.6
31150925003	479441026	PEREZ, ALBERTO AND LAURA	13713	CHARA AVE	MORENO VALLEY	CA	92553-4839	PEREZ, ALBERTO AND LAURA	13713 CHARA AVE	MORENO VALLEY, CA	92553-4839	54.02	5.4	10.7	70.1
58599235004	479442002	MCCARNS, STEPHANIE (RENT)	25954	LANCIA ST	MORENO VALLEY	CA	92553-4842	MCCARNS, STEPHANIE	26395 SANTA ROSA	MORENO VALLEY, CA	92555-4215	329.6	32.96	65.26	427.82
31320195005	479442003	ASHLEY, RHODESTIA	25942	LANCIA ST	MORENO VALLEY	CA	92553-4842	ASHLEY, RHODESTIA	25942 LANCIA ST	MORENO VALLEY, CA	92553-4842	253.92	25.39	50.28	329.58
31571695008	479443013	EICHMAN, KELLY	25904	RAILTON ST	MORENO VALLEY	CA	92553-4844	EICHMAN, KELLY	25904 RAILTON ST	MORENO VALLEY, CA	92553-4844	208.54	20.85	41.29	270.68
93007505008	479444009	JAIME, ROMAN	25907	RAILTON ST	MORENO VALLEY	CA	92553-4845	JAIME, ROMAN	25907 RAILTON ST	MORENO VALLEY, CA	92553-4845	204.02	20.4	40.4	264.8
53379665005	479444010	MENDEZ, ESTELLA (OWNR)	25897	RAILTON ST	MORENO VALLEY	CA	92553-0705	MENDEZ, ESTELLA	25897 RAILTON ST	MORENO VALLEY, CA	92553-0705	254.18	25.42	50.33	329.92
93818235005	479444012	QUINNIE, COLENTCHIA (RENT)	25875	RAILTON ST	MORENO VALLEY	CA	92553-0705	QUINNIE, COLENTCHIA	25875 RAILTON ST	MORENO VALLEY, CA	92553-0705	329.6	32.96	65.26	427.82
56696555002	479444014	CALVILLO, JULIAN AND ALEJANDRA	25845	RAILTON ST	MORENO VALLEY	CA	92553-0705	CALVILLO, JULIAN AND ALEJANDRA	25845 RAILTON ST	MORENO VALLEY, CA	92553-0705	254.02	25.4	50.3	329.7
31649685004	479444015	THOMPSON, CARRIE	25846	BAY AVE	MORENO VALLEY	CA	92553-4836	THOMPSON, CARRIE	25846 BAY AVE	MORENO VALLEY, CA	92553-4836	329.32	32.93	65.21	427.44
96653035005	479451012	VASQUEZ, LUCY (RENT)	13225	SWEETFERN ST	MORENO VALLEY	CA	92553-6815	VASQUEZ, LUCY	29688 HEMLOCK AVE APT 71	MORENO VALLEY, CA	92557-7127	163.22	16.32	32.32	211.84
95050033005	479451014	GONZALEZ, MARTHA (RENT)	13199	SWEETFERN ST	MORENO VALLEY	CA	92553-6818	GONZALEZ, MARTHA	13199 SWEETFERN ST	MORENO VALLEY, CA	92553-6818	477.5	47.75	94.55	619.78
95272505006	479452009	FREEMAN, DANIELLE (RENT)	13141	SWEETSPICE ST	MORENO VALLEY	CA	92553-6820	FREEMAN, DANIELLE	13141 SWEETSPICE ST	MORENO VALLEY, CA	92553-6820	229	22.9	45.34	297.24
31307975008	479453006	MARTIN, PAUL	13198	SWEETSPICE ST	MORENO VALLEY	CA	92553-6819	MARTIN, PAUL	13198 SWEETSPICE ST	MORENO VALLEY, CA	92553-6819	253.92	25.39	50.28	329.58
31947285003	479453012	MARKS, DEBRA	25529	FERNBUSH ST	MORENO VALLEY	CA	92553-6830	MARKS, DEBRA	25529 FERNBUSH ST	MORENO VALLEY, CA	92553-6830	329.04	32.9	65.15	427.08
68114055007	479453018	WILLIAMS, JOHN	25598	DRACAEA AVE	MORENO VALLEY	CA	92553-6808	WILLIAMS, JOHN	25598 DRACAEA AVE	MORENO VALLEY, CA	92553-6808	254.12	25.41	50.32	329.84
31224865003	479453026	KOZAKOVSKY, LINDA	13199	RAENETTE WAY	MORENO VALLEY	CA	92553-6874	KOZAKOVSKY, LINDA	PO BOX 8561	MORENO VALLEY, CA	92552-8561	124.02	12.4	24.56	160.96
87773225002	479454001	SAUCEDO, LUIS	13135	PEPPERBUSH DR	MORENO VALLEY	CA	92553-0811	SAUCEDO, LUIS	13135 PEPPERBUSH DR	MORENO VALLEY, CA	92553-0811	126.96	12.7	25.14	164.78
59678775001	479454006	TRUJILLO, GRETEL	25724	MOONSEED ST	MORENO VALLEY	CA	92553-6868	TRUJILLO,TARRABE GRETEL	25724 MOONSEED ST	MORENO VALLEY, CA	92553-6868	254.12	25.41	50.32	329.84
95156545003	479454009	GUILBAULT, ERICK (RENT)	13160	OILNUT CT	MORENO VALLEY	CA	92553-6869	GUILBAULT, ERICK	13160 OILNUT CT	MORENO VALLEY, CA	92553-6869	254.12	25.41	50.32	329.84
31387125009	479454010	BROWN, CORLIS	13150	OILNUT CT	MORENO VALLEY	CA	92553-6869	BROWN, CORLIS	13150 OILNUT CT	MORENO VALLEY, CA	92553-6869	190.69	19.07	37.76	247.5

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31107575006	479454019	CHAPPELL, ISSAC	13144	RAENELLE WAY	MORENO VALLEY	CA	92553-6803	CHAPPELL, ISSAC	13144 RAENETTE WAY	MORENO VALLEY, CA	92553-6803	329.32	32.93	65.21	427.44
31269215000	479455006	HARRIS, PERDA (OWNR)	25731	MOONSEED ST	MORENO VALLEY	CA	92553-6873	HARRIS, PERDA	25731 MOONSEED ST	MORENO VALLEY, CA	92553-6873	254.02	25.4	50.3	329.7
31096995003	479461006	ALONGI, PAUL	25442	OLD FARM ST	MORENO VALLEY	CA	92553-4376	ALONGI, PAUL	25442 OLD FARM ST	MORENO VALLEY, CA	92553-4376	329.32	32.93	65.21	427.44
31624965008	479461012	MOYA, ALBERTO (OWNR)	25449	ORCHID CT	MORENO VALLEY	CA	92553-4379	MOYA, ALBERTO	25449 ORCHID CT	MORENO VALLEY, CA	92553-4379	70.69	7.07	14	91.74
88492165000	479461016	NOFRI, DAVID	25405	ORCHID CT	MORENO VALLEY	CA	92553-4379	NOFRI, DAVID	489 DENSLOW AVE	LOS ANGELES, CA	90049-3506	254.12	25.41	50.32	329.84
31376435007	479461019	REYNOLDS, APRELLA	25384	ORCHID CT	MORENO VALLEY	CA	92553-6515	REYNOLDS, APRELLA	18415 BLUESKY ST	RIVERSIDE, CA	92508-9333	254.02	25.4	50.3	329.7
31415015001	479461023	YORKE, CAROL	25428	ORCHID CT	MORENO VALLEY	CA	92553-4380	YORKE, CAROL	25428 ORCHID CT	MORENO VALLEY, CA	92553-4380	254.02	25.4	50.3	329.7
31251005002	479461034	HOLLINS, BRIDGET	25403	BAY AVE	MORENO VALLEY	CA	92553-4387	HOLLINS, BRIDGET	25403 BAY AVE	MORENO VALLEY, CA	92553-4387	154.02	15.4	30.5	199.9
95599425009	479462004	RUIZ, ALMA (OWNR)	13822	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4382	RUIZ, ALMA	13822 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4382	154.12	15.41	30.52	200.04
92560465005	479462020	FRAGOZA, JOSE LUIS AND URSULA	13924	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4354	FRAGOZA, JOSE LUIS	13924 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4354	357.13	35.71	70.71	463.54
88347415004	479462027	DIAZ, RENE	13919	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4355	DIAZ, RENE	13919 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4355	254.12	25.41	50.32	329.84
85453415003	479462028	MUHAMMAD, KIM	13917	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4355	MUHAMMAD, KIM	13917 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4355	254.02	25.4	50.3	329.7
31216785001	479462032	SOZA, ROLAND	13893	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6518	SOZA, ROLAND	13893 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6518	253.92	25.39	50.28	329.58
99384285004	479462034	OSBORNE, WILLIAM AND SANDRA	11285	INDIAN ST	MORENO VALLEY	CA	92557-5048	OSBORNE, WILLIAM AND	11285 INDIAN ST	MORENO VALLEY, CA	92557-5048	240.82	24.08	47.68	312.58
67375815006	479462038	LEWIS, NADINE	13890	ELMWOOD CT	MORENO VALLEY	CA	92553-4356	LEWIS, NADINE	13890 ELMWOOD CT	MORENO VALLEY, CA	92553-4356	254.12	25.41	50.32	329.84
31381405002	479462041	LA ROSA, ALBERT	13920	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	LA ROSA, ALBERT	6328 RANCHITO AV	VAN NUYS, CA	91401-2216	254.02	25.4	50.3	329.7
55786795004	479462044	MURRILLO, ROSARA	13950	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	MURRILLO, ROSARA	13950 ELMWOOD CT	MORENO VALLEY, CA	92553-4357	254.02	25.4	50.3	329.7
31454645008	479462047	BUSH, WILLIAM	13981	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	BUSH, WILLIAM	13981 ELMWOOD CT	MORENO VALLEY, CA	92553-4357	227.86	22.79	45.12	295.76
31350065009	479462048	FIERRO, MARIA	13971	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	FIERRO, MARIA	14579 NEWBURGH RD	MORENO VALLEY, CA	92555-5743	329.32	32.93	65.21	427.44
97101795004	479462053	RAMAN, NOEMI (OWNR)	13921	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	RAMAN, NOEMI	13921 ELMWOOD CT	MORENO VALLEY, CA	92553-4357	127.46	12.75	25.24	165.44
87254555003	479462054	RAMOS, JOSE	13911	ELMWOOD CT	MORENO VALLEY	CA	92553-4357	RAMOS, JOSE	6852 37TH ST	RIVERSIDE, CA	92509-1315	254.12	25.41	50.32	329.84
48317415006	479462057	MAYER, STEVIE	13881	ELMWOOD CT	MORENO VALLEY	CA	92553-4356	MAYER, STEVIE	6955 US HIGHWAY 411 S	GREENBACK, TN	37742-2167	254.02	25.4	50.3	329.7
31525475000	479462058	DOTY, ALBERT	13871	ELMWOOD CT	MORENO VALLEY	CA	92553-4356	DOTY, ALBERT	13871 ELMWOOD CT	MORENO VALLEY, CA	92553-4356	329.6	32.96	65.26	427.82
83798185001	479471001	BARELA, MARIA	13625	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	BARELA, MARIA	15384 ELEANOR LN	MORENO VALLEY, CA	92551-4528	254.02	25.4	50.3	329.7
98318233001	479471006	CHRISTMAS, BRECHELLE (RENT)	25256	SWEET GRASS DR	MORENO VALLEY	CA	92553-4364	CHRISTMAS, BRECHELLE (RENT)	25256 SWEET GRASS DR	MORENO VALLEY, CA	92553-4364	224.94	22.49	44.54	291.96
96278065004	479472002	THOMPSON, CASSANDRA (RENT)	25265	SWEET GRASS DR	MORENO VALLEY	CA	92553-4363	THOMPSON, CASSANDRA	25265 SWEET GRASS DR	MORENO VALLEY, CA	92553-4363	254.12	25.41	50.32	329.84
31535665009	479472010	HAEGER, CHERYL	25252	WHITE BIRCH LN	MORENO VALLEY	CA	92553-4398	HAEGER, CHERYL	25252 WHITE BIRCH LN	MORENO VALLEY, CA	92553-4398	254.02	25.4	50.3	329.7
55363685003	479473003	FUENTES, GLADIS	25322	BAY AVE	MORENO VALLEY	CA	92553-4385	FUENTES, GLADIS	25322 BAY AVE	MORENO VALLEY, CA	92553-4385	27.37	2.74	5.42	35.52
97110475002	479473005	PEREZ, JOSE (OWNR)	25346	BAY AVE	MORENO VALLEY	CA	92553-4385	PEREZ, JOSE	25346 BAY AVE	MORENO VALLEY, CA	92553-4385	54.12	5.41	10.72	70.24
89067673002	479473012	LABATO, ANTONIO (RENT)	25426	BAY AVE	MORENO VALLEY	CA	92553-4386	LABATO, ANTONIO	25426 BAY AVE	MORENO VALLEY, CA	92553-4386	214.07	21.41	42.39	277.86
31447725005	479473021	MORALES, ALFREDO	25437	WHITE BIRCH LN	MORENO VALLEY	CA	92553-6503	MORALES, ALFREDO	25437 WHITE BIRCH LN	MORENO VALLEY, CA	92553-6503	49.02	4.9	9.71	63.62
81523945006	479473030	ZAVALA, DIEGO AND ADRIANA	25345	WHITE BIRCH LN	MORENO VALLEY	CA	92553-6501	ZAVALA, DIEGO AND ADRIANA	25345 WHITE BIRCH LN	MORENO VALLEY, CA	92553-6501	189.02	18.9	37.48	245.34
92923135005	479473032	ROSALES, CESAR	25321	WHITE BIRCH LN	MORENO VALLEY	CA	92553-6501	ROSALES, CESAR	25321 WHITE BIRCH LN	MORENO VALLEY, CA	92553-6501	254.02	25.4	50.3	329.7
95834495005	479473033	QUEVEDO, MARTHA (RENT)	25315	WHITE BIRCH LN	MORENO VALLEY	CA	92553-6501	QUEVEDO, MARTHA	24941 STONEGATE LN	LAGUNA MIGUEL, CA	92677	124.96	12.44	24.62	161.4
31222915002	479474003	ARRUDA, JEFF	13654	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	ARRUDA, JEFF	13654 CRAPE MYRTLE DR	MORENO VALLEY, CA	92553-4395	253.92	25.39	50.28	329.58
31304985003	479474005	ARTEAGA, MARTIN	13674	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	ARTEAGA, MARTIN	13674 CRAPE MYRTLE DR	MORENO VALLEY, CA	92553-4395	118.02	11.8	23.37	153.18
89275363006	479474008	SANDERS, NICOLE AND RONN (RENT	13704	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4370	SANDERS, NICOLE AND RONNIE	13704 CRAPE MYRTLE DR	MORENO VALLEY, CA	92553-4370	63.63	6.36	12.6	82.58
89338133001	479475001	MCFAIL, TANYA (RENT)	13646	BLACK ELM CT	MORENO VALLEY	CA	92553-4391	MCFAIL, TANYA	13646 BLACK ELM CT	MORENO VALLEY, CA	92553-4391	63.46	6.35	12.57	82.36
95907065009	479475011	VILLAREAL, EVA (RENT)	13691	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-4377	VILLAREAL, EVA	13691 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-4377	224.13	22.41	44.38	290.92
88417735008	479475012	MONTENCAHUAY, ANA	13681	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-4377	MONTENCAHUAY, ANA	13681 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-4377	254.12	25.41	50.32	329.84
96721965004	479475014	WILLIAMS, SONYA (RENT)	13661	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-4377	WILLIAMS, SONYA	13661 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-4377	254.12	25.41	50.32	329.84
31530425001	479476008	TEYO, RAUL	13712	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-6510	TEYO, RAUL	862 FINNEGAN WAY	PERRIS, CA	92571-7634	253.92	25.39	50.28	329.58
31102345006	479476009	JIMENEZ, MARIO	13747	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6507	JIMENEZ, MARIO	13747 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6507	254.02	25.4	50.3	329.7
98206525017	479476015	PEREZ, SANDRA (RENT)	13709	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6507	PEREZ, SANDRA	13709 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6507	168.95	16.9	33.45	219.28
96352035004	479477002	TAYLOR, EMIMA (RENT)	13708	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6505	TAYLOR, EMIMA (RENT)	7631 SOARING BIRD CT	CORONA, CA	92880-3619	177.9	17.79	35.22	230.9
31321365007	479477003	HARRIS, JOY	13714	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6505	HARRIS, JOY	13714 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6505	136.39	13.64	27.01	177.02
84524555002	479477009	CONNER, MALSPISA	13752	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6505	CONNER, MALSPISA	13752 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6505	168.95	16.9	33.45	219.28
31358775003	479477011	HERNANDEZ, FABIAN	13766	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6505	HERNANDEZ, FABIAN	13766 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6505	63.63	6.36	12.6	82.58
95199835002	479477013	CASTILLO, JUAN (RENT)	13778	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6505	SUND, DAVID	1056 TITUS CT	SAN JACINTO, CA	92583-4417	207.09	20.71	41	268.8
31269725003	479481013	MONTIEL, RAMON	13617	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	MONTIEL, RAMON	13617 CRAPE MYRTLE DR	MORENO VALLEY, CA	92553-4395	254.02	25.4	50.3	329.7
31469725009	479482003	CORONA, MARIA	13519	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4314	CORONA, MARIA	13519 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4314	90.69	9.07	17.96	117.7
97082845006	479482006	JIMENEZ, TRINIDAD	13539	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4314	JIMENEZ, TRINIDAD	13539 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4314	185.43	18.54	36.72	240.68
31352675002	479482011	FLORES, JOSE	13571	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4315	FLORES, JOSE	13571 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4315	310.27	31.03	61.43	402.72
63020755004	479482014	WHITE, VERONICA	13589	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4315	WHITE, VERONICA	3656 GINGER ST	PERRIS, CA	92571-7825	254.12	25.41	50.32	329.84
95622545004	479482021	ARNWINE, ROBERT (RENT)	13671	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6517	ARNWINE, ROBERT	13671 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6517	254.12	25.41	50.32	329.84
94417365007	479482024	JOSETH, DESIREE	13689	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6517	JOSETH, DESIREE	13689 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6517	248.27	24.83	49.16	322.24
31136245005	479482025	SALLEY, CURTIS AND DEBBIE	13697	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6517	SALLEY, CURTIS AND DEBBIE	13697 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6517	254.02	25.4	50.3	329.7
31072895005	479482031	GEIGER, GEORGE	13582	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-6502	GEIGER, GEORGE	13582 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-6502	254.02	25.4	50.3	329.7
31359935008	479482038	RAMIREZ, YOLANDA	13611	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-4377	RAMIREZ, YOLANDA	13611 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-4377	114.02	11.4	22.58	147.98
88721925003	479482040	RAMIREZ, MARIBEL (RENT)	13631	BLUE SPRUCE CT	MORENO VALLEY	CA	92553-4377	RAMIREZ, MARIBEL	13631 BLUE SPRUCE CT	MORENO VALLEY, CA	92553-4377	104.12	10.41	20.62	135.14
97161505009	479482053	BERNAL, JHOAN (RENT)	13615	BLACK ELM CT	MORENO VALLEY	CA	92553-6500	BERNAL, JHOAN	13240 BEN CLIFF DR APT A	MORENO VALLEY, CA	92553-5434	27.53	2.75	5.45	35.72
31073055009	479482054	SEARCY, GREGORY	13625	BLACK ELM CT	MORENO VALLEY	CA	92553-4390	SEARCY, GREGORY	13625 BLACK ELM CT	MORENO VALLEY, CA	92553-4390	254.02	25.4	50.3	329.7
66630005005	479482057	MUNOZ, FIDEL	13616	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	MUNOZ, FIDEL	1041 FLOREY ST	PERRIS, CA	92571-0814	254.12	25.41	50.32	329.84
31395125002	479482058	WILLIAMS, MELINDA	13608	CRAPE MYRTLE DR	MORENO VALLEY	CA	92553-4395	WILLIAMS, MELINDA	3669 MORNING GLORY DR	RIALTO, CA	92377-4831	254.02	25.4	50.3	329.7
97451295008	479483002	CABELLO, GLADIS	13512	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4309	CABELLO, GLADIS	13512 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4309	127.46	12.75	25.24	165.44
31076205001	479483009	ALSUP, TERRY	13556	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4309	ALSUP, TERRY	13556 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4309	329.32	32.93	65.21	427.44
88277388009	479483012	MAGANA, CESEAR (RENT)	13576	RED MAHOGANY DR	MORENO VALLEY	CA	92553-4309	MAGANA, CESEAR	13576 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4309	189.79	18.98	37.58	246.34
95339455003	479483016	GAINES, THERESA (RENT)	13600	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	GAINES, THERESA	13600 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6506	154.12	15.41	30.52	200.04
31081145004	479483022	GONZALES, VICTOR AND ESTHER	13638	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	GONZALES, VICTOR AND ESTHER	26046 PINZON CT	MORENO VALLEY, CA	92555-1804	254.02	25.4	50.3	329.7
31110315005	479483024	MC AULEY, MICHAEL	13650	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	MC AULEY, MICHAEL	13650 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6506	254.02	25.4	50.3	329.7
68477865008	479483026	SHEPHERD, CHARLES	13664	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	SHEPHERD, CHARLES	13664 RED MAHOGANY DR	MORENO VALLEY, CA	92553-6506	190.79	19.08	37.78	247.64
98264305012	479483028	LETTMAN, LEONORA (OWNR)	13676	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	LETTMAN, LEONORA	23155 IRONWOOD AVE APT 8	MORENO VALLEY, CA	92557-8027	211.93	21.19	41.96	275.08
89613373006	479483030	MANNING, BRADLEY	13688	RED MAHOGANY DR	MORENO VALLEY	CA	92553-6506	MANNING, BRADLEY	8043 MONTARA AVE	RANCHO CUCAMONGA, CA	91730-2531	283.06	28.31	56.05	367.4
31467575004	479491007	JONES, SARAH	25638	PALMWOOD DR	MORENO VALLEY	CA	92557-7609	JONES, SARAH	25638 PALMWOOD DR	MORENO VALLEY, CA	92557-7609	54.02	5.4	10.7	70.1
31469855001	479491008	MORRISSEY, GREG	25635	PALM MEADOWS CT	MORENO VALLEY	CA	92557-7611	MORRISSEY, GREG	25635 PALM MEADOWS CT	MORENO VALLEY, CA	92557-7611	329.32	32.93	65.21	427.44
57795685004	479491012	BARAJAS, CHRISTINE	25688	PALM MEADOWS CT	MORENO VALLEY	CA	92557-7611	BARAJAS, CHRISTINE	25688 PALM MEADOWS CT	MORENO VALLEY, CA	92557-7611	154.02	15.4	30.5	199.9
31112773001	479491018	BERNAL, RENE (RENT)	25653	PALM SHADOWS DR	MORENO VALLEY	CA	92557-7613	BERNAL, RENE (RENT)	25653 PALM SHADOWS DR	MORENO VALLEY, CA	92557-7613	165.92	16.59	32.85	215.36
31416755003	479491020	MILLER, DENEL	25685	PALM SHADOWS DR	MORENO VALLEY	CA	92557-7613	MILLER, DENEL	25685 PALM SHADOWS DR	MORENO VALLEY, CA	92557-7613	254.02	25.4	50.3	329.7
31614105000	479491026	PERKINS, GREGORY (RENT)	12083	PALM VISTA ST	MORENO VALLEY	CA	92557-7615	PERKINS, GREGORY	12083 PALM VISTA ST	MORENO VALLEY, CA	92557-7615	404.62	40.46	80.11	525.18
31076755005	479492001	NICKERSON, PAMELA	25640	PALM SHADOWS DR	MORENO VALLEY	CA	92557-7612	NICKERSON, PAMELA	25640 PALM SHADOWS DR	MORENO VALLEY, CA	92557-7612	63.73	6.37	12.62	82.72
94969965001	479492002	MCKINNEY, MICHAEL (RENT)	25654	PALM SHADOWS DR	MORENO VALLEY	CA	92557-7612	MCKINNEY, MICHAEL	PO BOX 1419	MORENO VALLEY, CA	92556-1419	254.12	25.41	50.32	329.84
88267833006	479492008	POLLARD, RICHARD (RENT)	25744	PALM SHADOWS DR	MORENO VALLEY	CA	92557-7612	POLLARD, RICHARD	25744 PALM SHADOWS DR	MORENO VALLEY, CA	92557-7612	99.69	9.97	19.74	129.38
55930175006	479492010	COLINDRES, ANNA	12024	PALM VISTA ST	MORENO VALLEY	CA	92557-7614	COLINDRES, ANNA	12024 PALM VISTA ST	MORENO VALLEY, CA	92557-7614	54.02	5.4	10.7	70.1
87637785001	479492017	RESENDEZ, MARLENE	12108	PALM VISTA ST	MORENO VALLEY	CA	92557-7614	RESENDEZ, MARLENE	3303 S ARCHIBALD AVE APT 119	ONTARIO, CA	91761-7901	211.24	21.12	41.83	274.18
95589023004	479501019	MIELES, MARTHA (RENT)	25442	HAWKWOOD TRL	MORENO VALLEY	CA	92557-7544	MIELES, MARTHA	25442 HAWKWOOD TRL	MORENO VALLEY, CA	92557-7544	176.33	17.63	34.91	228.86
31388675001	479501023	MONGE, MAGDALENA	12034	FLINTLOCK TRL	MORENO VALLEY	CA	92557-7550	MONGE, MAGDALENA	12034 FLINTLOCK TR	MORENO VALLEY, CA	92557-7550	329.32	32.93	65.21	427.44
31446265003	479501029	SCOTT, NORMA	12094	FLINTLOCK TRL	MORENO VALLEY	CA	92557-7550	SCOTT, NORMA	12094 FLINTLOCK TR	MORENO VALLEY, CA	92557-7550	329.32	32.93	65.21	427.44
99079125007	479501034	CHAVIS, DONALD (RENT)	25431	LONE MESA TRL	MORENO VALLEY	CA	92557-7538	CHAVIS, DONALD	25431 LONE MESA TR	MORENO VALLEY, CA	92557-7538	97.06	9.71	19.22	125.98
31400845009	479501035	MC CRUTER, GARY AND BELINDA	25419	LONE MESA TRL	MORENO VALLEY	CA	92557-7538	MC CRUTER, GARY AND BELINDA	25419 LONE MESA TR	MORENO VALLEY, CA	92557-7538	77.44	7.74	15.33	100.5
97822265006	479501036	WARD, DION (RENT)	12101	AMBER HILL TRL	MORENO VALLEY	CA	92557-7555	WARD, DION (RENT)	15323 AVENIDA FIESTA	MORENO VALLEY, CA	92555-4119	104.78	10.48	20.75	136
87239805002	479501039	RODRIGUEZ, JOSIE	12071	AMBER HILL TRL	MORENO VALLEY	CA	92557-7527	RODRIGUEZ, JOSIE	25654 PALM SHADOWS DR	MORENO VALLEY, CA	92557-7612	254.02	25.4	50.3	329.7
95606215006	479502013	STONE, BEVERLY (OWNR)	12092	AMBER HILL TRL	MORENO VALLEY	CA	92557-7533	STONE, BEVERLY	12092 AMBER HILL TRL	MORENO VALLEY, CA	92557-7533	73.69	7.37	14.59	95.64
98225685013	479502015	HUANTE, NICOLE (OWNR)	12115	WESTERLY TRL	MORENO VALLEY	CA	92557-7525	HUANTE, NICOLE (OWNR)	12115 WESTERLY TRL	MORENO VALLEY, CA	92557-7525	190.79	19.08	37.78	247.64
31397185005	479502023	SUTTON, ELENORE	12063	FLINTLOCK TRL	MORENO VALLEY	CA	92557-7551	SUTTON, ELENORE	12063 FLINTLOCK TR	MORENO VALLEY, CA	92557-7551	254.02	25.4	50.3	329.7
101294613009	479512005	GONZALEZ, REYNA	12211	AMBER HILL TRL	MORENO VALLEY	CA	92557-7557	GONZALEZ, REYNA	12211 AMBER HILL TRL	MORENO VALLEY, CA	92557-7557	23.31	2.33	4.62	30.24
31465605002	479512012	COTA, CHARLIE P	12141	AMBER HILL TRL	MORENO VALLEY	CA	92557-7546	COTA, CHARLIE P	12141 AMBER HILL TR	MORENO VALLEY, CA	92557-7546	329.32	32.93	65.21	427.44
31321745008	479513007	BOWDEN, BETTY	12162	AMBER HILL TRL	MORENO VALLEY	CA	92557-7547	BOWDEN, BETTY	12162 AMBER HILL TR	MORENO VALLEY, CA	92557-7547	254.02	25.4	50.3	329.7
31348245006	479513008	STEWART, GLENDA	12182	AMBER HILL TRL	MORENO VALLEY	CA	92557-7549	STEWART, GLENDA	12182 AMBER HILL TR	MORENO VALLEY, CA	92557-7549	254.02	25.4	50.3	329.7
31219145000	479513014	KING, CAROL (OWNR)	12235	WESTERLY TRL	MORENO VALLEY	CA	92557-7526	KING, CAROL	12235 WESTERLY TR	MORENO VALLEY, CA	92557-7526	329.32	32.93	65.21	427.44
57388765001	479513016	HALEMAN, MAKWAN	12215	WESTERLY TRL	MORENO VALLEY	CA	92557-7526	HALEMAN, MAKWAN	12215 WESTERLY TR	MORENO VALLEY, CA	92557-7526	253.96	25.4	50.28	329.64
31107055005	479513017	LEWIS, BENNY	12205	WESTERLY TRL	MORENO VALLEY	CA	92557-7526	LEWIS, BENNY	12205 WESTERLY TR	MORENO VALLEY, CA	92557-7526	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31323415003	479513022	PETERSON, STELLA	12155	WESTERLY TRL	MORENO VALLEY	CA	92557-7525	PETERSON, STELLA	12155 WESTERLY TR	MORENO VALLEY, CA	92557-7525	63.02	6.3	12.48	81.8
95481655001	479513026	WEST, CHRIS (RENT)	12212	AMBER HILL TRL	MORENO VALLEY	CA	92557-7557	WEST, CHRIS	12212 AMBER HILL TRL	MORENO VALLEY, CA	92557-7557	235.45	23.55	46.62	305.6
99697053000	479513027	DECATUR WYATT, TAMARA (RENT)	12220	AMBER HILL TRL	MORENO VALLEY	CA	92557-7557	DECATUR WYATT, TAMARA	12220 AMBER HILL TRL	MORENO VALLEY, CA	92557-7557	265.48	26.55	52.57	344.58
91269823009	479514002	HERALDEZ, RALPH AND ALICIA	25412	SAND CREEK TRL	MORENO VALLEY	CA	92557-7536	HERALDEZ, RALPH AND ALICIA	14208 HIGH NOON CT	MORENO VALLEY, CA	92553-4486	285.87	28.59	56.6	371.04
97398875009	479514004	CAMPBELL, CYNTHIA (RENT)	25436	SAND CREEK TRL	MORENO VALLEY	CA	92557-7536	CAMPBELL, CYNTHIA	25436 SAND CREEK TRL	MORENO VALLEY, CA	92557-7536	254.12	25.41	50.32	329.84
31284105002	479514005	CALDWAY, LLOYD	25448	SAND CREEK TRL	MORENO VALLEY	CA	92555-7536	CALDWAY, LLOYD	903 W STOCKWELL ST	COMPTON, CA	90222-3418	254.12	25.41	50.32	329.84
92227555002	479514008	GUTIERREZ, JOSE	25484	SAND CREEK TRL	MORENO VALLEY	CA	92557-7536	GUTIERREZ, JOSE	5009 GENEVIEVE ST	SN BERNRDNO, CA	92407-3258	245.45	24.55	48.6	318.58
99535623007	479517003	ROSSI, RONALD (OWNR)	12217	LANGTRY CIR	MORENO VALLEY	CA	92557-7531	LINDSEAY REGINA RENTAL	12217 LANGTRY CIR	MORENO VALLEY, CA	92557-7531	108.2	10.82	21.42	140.44
31249205004	479521008	CAMACHO, ENRIQUE BERTHA	13095	RAENETTE WAY	MORENO VALLEY	CA	92553-6801	CAMACHO, ENRIQUE BERTHA	13095 RAENETTE WAY	MORENO VALLEY, CA	92553-6801	254.12	25.41	50.32	329.84
31390705001	479521012	JOHNSON, DIANE	13098	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	JOHNSON, DIANE	13098 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	254.02	25.4	50.3	329.7
87467235009	479521014	FERRARA, MARGARET	13074	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	FERRARA, MARGARET	13074 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	254.12	25.41	50.32	329.84
94421005005	479521015	ORDAZ, VICTOR M (OWNR)	13062	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	ORDAZ, VICTOR M	13062 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	254.12	25.41	50.32	329.84
31314955008	479521017	MAYS, GEORGE T AND CAROL	13038	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	MAYS, GEORGE T AND CAROL	13038 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	254.02	25.4	50.3	329.7
31289755004	479521018	SANCHEZ, NEPTALIE	13026	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	SANCHEZ, NEPTALIE	13026 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	254.12	25.41	50.32	329.84
31545335008	479521020	CARINGTON, DIJON	13002	SWEETSPICE ST	MORENO VALLEY	CA	92553-6822	CARINGTON, DIJON	13002 SWEETSPICE ST	MORENO VALLEY, CA	92553-6822	253.92	25.39	50.28	329.58
91154395003	479522003	PEREZ, SOPHIA	13023	BENDER DR	MORENO VALLEY	CA	92553-6806	PEREZ, SOPHIA	13023 BENDER DR	MORENO VALLEY, CA	92553-6805	253.92	25.39	50.28	329.58
31286415007	479522010	VILLA, GLENDA	13119	BENDER DR	MORENO VALLEY	CA	92553-6871	VILLA, GLENDA	13119 BENDER DR	MORENO VALLEY, CA	92553-6871	329.04	32.9	65.15	427.08
31591215002	479522011	GOGUE, MARIE	13060	RAENETTE WAY	MORENO VALLEY	CA	92553-6802	GOGUE, MARIE	PO BOX 7996	MORENO VALLEY, CA	92552-7996	254.02	25.4	50.3	329.7
86614353001	479522013	JACKSON, DIANE (RENT)	13036	RAENETTE WAY	MORENO VALLEY	CA	92553-6802	JACKSON, DIANE	13036 RAENETTE WAY	MORENO VALLEY, CA	92553-6802	254.12	25.41	50.32	329.84
73191815009	479523001	ALLEN, VINCENT	13120	BENDER DR	MORENO VALLEY	CA	92553-6871	ALLEN, VINCENT	13120 BENDER DR	MORENO VALLEY, CA	92553-6871	254.02	25.4	50.3	329.7
31599695009	479523014	SPRATT, WINSTON (RENT)	13016	BENDER DR	MORENO VALLEY	CA	92553-6804	SPRATT, WINSTON	13016 BENDER DR	MORENO VALLEY, CA	92553-6804	254.02	25.4	50.3	329.7
59058925005	479524011	MARTIN, JERMAINE	13014	SWEETFERN ST	MORENO VALLEY	CA	92553-6821	MARTIN, JERMAINE	13014 SWEETFERN ST	MORENO VALLEY, CA	92553-6821	254.12	25.41	50.32	329.84
83701785009	479524020	NGUYEN, LOI	13113	SWEETSPICE ST	MORENO VALLEY	CA	92553-6820	NGUYEN, LOI	13113 SWEETSPICE ST	MORENO VALLEY, CA	92553-6820	254.02	25.4	50.3	329.7
31194125009	479524022	DIAZ, GEORGE	13089	SWEETSPICE ST	MORENO VALLEY	CA	92553-6823	DIAZ, GEORGE	13089 SWEETSPICE ST	MORENO VALLEY, CA	92553-6823	329.32	32.93	65.21	427.44
88734485008	479531009	GLENNS, KRYSTAL	25572	WEDMORE DR	MORENO VALLEY	CA	92553-4718	GLENNS, KRYSTAL	25572 WEDMORE DR	MORENO VALLEY, CA	92553-4718	254.12	25.41	50.32	329.84
66486555006	479531013	HERNANDEZ, VALERIE AND VICTOR	25604	WEDMORE DR	MORENO VALLEY	CA	92553-4715	HERNANDEZ, VALERIE AND VICTOR	25604 WEDMORE DR	MORENO VALLEY, CA	92553-4715	254.12	25.41	50.32	329.84
95904155007	479531026	MCEACHERN, SHELLY (OWNR)	25620	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-4712	MCEACHERN, SHELLY	25620 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-4712	68.74	6.87	13.61	89.22
31385935003	479531027	ROBERSON, VICTORIA	12887	RAENETTE WAY	MORENO VALLEY	CA	92553-1218	ROBERSON, VICTORIA	12887 RAENETTE WAY	MORENO VALLEY, CA	92553-1218	254.02	25.4	50.3	329.7
73595255008	479531029	FLORES, CATALINA (OWNR)	12913	RAENETTE WAY	MORENO VALLEY	CA	92553-4708	FLORES, CATALINA	12913 RAENETTE WAY	MORENO VALLEY, CA	92553-4708	254.02	25.4	50.3	329.7
98191795014	479531031	PENA, VERONICA (OWNR)	12937	RAENETTE WAY	MORENO VALLEY	CA	92553-4708	PENA, VERONICA	2021 W 96TH ST	LOS ANGELES, CA	90047-3729	54.12	5.41	10.72	70.24
88220303006	479532004	SIMPSON, ORLANDO (RENT)	13017	SWEETFERN ST	MORENO VALLEY	CA	92553-6821	SIMPSON, ORLANDO	13017 SWEETFERN ST	MORENO VALLEY, CA	92553-6821	254.12	25.41	50.32	329.84
31461315002	479533010	THOMAS, BILL	25719	ROSEBAY CT	MORENO VALLEY	CA	92553-1220	THOMAS, BILL	25719 ROSEBAY CT	MORENO VALLEY, CA	92553-1220	329.32	32.93	65.21	427.44
81357725005	479533011	HERRERA, ADRIANA	25709	ROSEBAY CT	MORENO VALLEY	CA	92553-1220	HERRERA, ADRIANA	25709 ROSEBAY CT	MORENO VALLEY, CA	92553-1220	127.38	12.74	25.22	165.3
10067119230004	479533015	WILSON, CRISTOPHER (RENT)	25669	ROSEBAY CT	MORENO VALLEY	CA	92553-4707	WILSON, CRISTOPHER	25669 ROSEBAY CT	MORENO VALLEY, CA	92553-4707	142.34	14.23	28.18	184.74
31076745008	479533023	DREW, RODNEY	12941	VELVETLEAF ST	MORENO VALLEY	CA	92553-4787	DREW, RODNEY	12941 VELVETLEAF ST	MORENO VALLEY, CA	92553-4787	282.23	28.22	55.88	366.32
82803075003	479534003	GREEN, THERESA	12982	VELVETLEAF ST	MORENO VALLEY	CA	92553-4705	GREEN, THERESA	12982 VELVETLEAF ST	MORENO VALLEY, CA	92553-4705	97.48	9.75	19.3	126.52
93414023007	479534008	PERRY, TAMIKO (RENT)	12942	VELVETLEAF ST	MORENO VALLEY	CA	92553-4788	PERRY, TAMIKO (RENT)	12942 VELVETLEAF ST	MORENO VALLEY, CA	92553-4788	160.55	16.06	31.79	208.38
48509945007	479541005	COREA, BENJAMIN	25771	DAPHNE CT	MORENO VALLEY	CA	92553-4790	COREA, BENJAMIN	25771 DAPHNE CT	MORENO VALLEY, CA	92553-4790	254.02	25.4	50.3	329.7
31075105004	479541008	IPPOLITO, SHARON	25770	DAPHNE CT	MORENO VALLEY	CA	92553-4790	IPPOLITO, SHARON	25770 DAPHNE CT	MORENO VALLEY, CA	92553-4790	63.39	6.34	12.55	82.28
51247855006	479541010	MASTERS, TIFFANY	25780	DAPHNE CT	MORENO VALLEY	CA	92553-4790	MASTERS, TIFFANY	25780 DAPHNE CT	MORENO VALLEY, CA	92553-4790	84.02	8.4	16.64	109.04
90626725002	479541011	VASQUEZ, BLANCA	25791	FIR AVE	MORENO VALLEY	CA	92553-4737	VASQUEZ, BLANCA	27213 QUAIL CREEK DR	MORENO VALLEY, CA	92555-4523	233.64	23.36	46.26	303.26
99691513007	479541014	ARREDONDO, CRISTINA (RENT)	25775	FIR AVE	MORENO VALLEY	CA	92553-4737	ARREDONDO, CRISTINA	25775 FIR AVE	MORENO VALLEY, CA	92553-4737	202.84	20.28	40.16	263.28
85827645000	479542010	SMITH, MAURITA	12822	VELVETLEAF ST	MORENO VALLEY	CA	92553-4786	SMITH, MAURITA	2545 RED PINE ST	SAN JACINTO, CA	92582-4783	254.02	25.4	50.3	329.7
31444325006	479542013	JOHNSON, AYA	12863	NINEBARK ST	MORENO VALLEY	CA	92553-4704	JOHNSON, AYA	12863 NINEBARK ST	MORENO VALLEY, CA	92553-4704	254.02	25.4	50.3	329.7
93861425005	479542020	MUTH, SOKHA (RENT)	12779	NINEBARK ST	MORENO VALLEY	CA	92553-1210	MUTH, SOKHA (RENT)	12779 NINEBARK ST	MORENO VALLEY, CA	92553-1210	54.24	5.42	10.74	70.4
31575295003	479543006	FLORES, LAURA	12833	WINTERBERRY DR	MORENO VALLEY	CA	92553-4730	FLORES, LAURA	12833 WINTERBERRY DR	MORENO VALLEY, CA	92553-4730	54.02	5.4	10.7	70.1
49859495009	479543016	ERICSON, ALEXANDRIA	25889	BARTRAM CT	MORENO VALLEY	CA	92553-1200	ERICSON, ALEXANDRIA	25889 BARTRAM CT	MORENO VALLEY, CA	92553-1200	329.32	32.93	65.21	427.44
31595415006	479544005	MOORE, GAIL	25949	FIR AVE	MORENO VALLEY	CA	92553-4795	MOORE, GAIL	PO BOX 81	RIVERSIDE, CA	92502-0081	254.02	25.4	50.3	329.7
83666245004	479544008	GALLEGOS, AUGUSTINA (RENT)	25913	FIR AVE	MORENO VALLEY	CA	92553-4795	GALLEGOS, AUGUSTINA	25913 FIR AVE	MORENO VALLEY, CA	92553-4795	228.63	22.86	45.27	296.76
71516575009	479544009	JOHNSON, RAQUEL	25901	FIR AVE	MORENO VALLEY	CA	92553-4795	JOHNSON, RAQUEL	25901 FIR AVE	MORENO VALLEY, CA	92553-4795	36.37	3.64	7.2	47.2
99837005003	479544016	MANRIQUEZ, STEVEN (OWNR)	25950	DEERBERRY DR	MORENO VALLEY	CA	92553-4724	MANRIQUEZ, STEVEN	25950 DEERBERRY DR	MORENO VALLEY, CA	92553-4724	253.45	25.35	50.18	328.96
92772913002	479544024	MITCHELL, WILLIE	12875	LASSELLE ST	MORENO VALLEY	CA	92553-4728	MITCHELL, WILLIE	12875 LASSELLE ST	MORENO VALLEY, CA	92553-4728	185.85	18.59	36.8	241.22
95599235009	479551007	CHAVEZ, JORGE (RENT)	25751	BRUMELIA CT	MORENO VALLEY	CA	92553-4789	CHAVEZ, JORGE	25751 BRUMELIA CT	MORENO VALLEY, CA	92553-4789	254.12	25.41	50.32	329.84
31307755004	479552001	ROOTS-FAUK, LIZZIE	12838	VELVETLEAF ST	MORENO VALLEY	CA	92553-4786	ROOTS-FAUK, LIZZIE	12838 VELVETLEAF ST	MORENO VALLEY, CA	92553-4786	254.02	25.4	50.3	329.7
31656355008	479552005	AMOS, BRENDA (OWN)	12870	VELVETLEAF ST	MORENO VALLEY	CA	92553-4786	AMOS, BRENDA	12870 VELVETLEAF ST	MORENO VALLEY, CA	92553-4786	254.02	25.4	50.3	329.7
31537835000	479552006	RILEY, LAWANA	12878	VELVETLEAF ST	MORENO VALLEY	CA	92553-4786	RILEY, LAWANA	PO BOX 177	LAKEWOOD, CA	90714-0177	203.12	20.31	40.22	263.64
62767855000	479552010	HUIZAR, MIGUEL AND ANGEL	12910	VELVETLEAF ST	MORENO VALLEY	CA	92553-4788	HUIZAR, MIGUEL AND ANGEL	12910 VELVETLEAF ST	MORENO VALLEY, CA	92553-4788	254.12	25.41	50.32	329.84
31641715005	479552017	MOTLEY, SHARI	12971	NINEBARK ST	MORENO VALLEY	CA	92553-1211	MOTLEY, SHARI	12971 NINEBARK ST	MORENO VALLEY, CA	92553-1211	254.02	25.4	50.3	329.7
31053735009	479552021	ZAMORA, JOHN	12923	NINEBARK ST	MORENO VALLEY	CA	92553-1211	ZAMORA, JOHN	12923 NINEBARK ST	MORENO VALLEY, CA	92553-1211	254.02	25.4	50.3	329.7
92296665004	479553009	PACE-SMITH, NYGELLE	12899	LASSELLE ST	MORENO VALLEY	CA	92553-4728	PACE-SMITH, NYGELLE	12899 LASSELLE ST	MORENO VALLEY, CA	92553-4728	253.92	25.39	50.28	329.58
31598185008	479553013	REYES, RUBEN	12918	WINTERBERRY DR	MORENO VALLEY	CA	92553-1228	REYES, RUBEN	12918 WINTERBERRY WY	MORENO VALLEY, CA	92553-1228	71.79	7.18	14.21	93.18
96418035003	479553019	FERGUSON, LINDA (RENT)	12990	WINTERBERRY DR	MORENO VALLEY	CA	92553-1228	FERGUSON, LINDA	25445 SUNNYMEAD BLVD APT 159	MORENO VALLEY, CA	92553-4199	254.12	25.41	50.32	329.84
31387385009	479553027	PRUDHOMME, GERALD (OWNR)	25861	WOLFBERRY DR	MORENO VALLEY	CA	92553-4735	PRUDHOMME, GERALD	25861 WOLFBERRY DR	MORENO VALLEY, CA	92553-4735	254.02	25.4	50.3	329.7
91399385006	479554002	MOJICA, JORGE	25862	WOLFBERRY DR	MORENO VALLEY	CA	92553-4734	MOJICA, JORGE	25862 WOLFBERRY DR	MORENO VALLEY, CA	92553-4734	253.92	25.39	50.28	329.58
31303075006	479554007	SMITH, ROBERT A	25922	WOLFBERRY DR	MORENO VALLEY	CA	92553-1230	SMITH, ROBERT A	25922 WOLFBERRY DR	MORENO VALLEY, CA	92553-1230	253.92	25.39	50.28	329.58
31383525004	479554008	CRAIG JR, WILLIAM D	25919	HOLLYBERRY LN	MORENO VALLEY	CA	92553-1208	CRAIG JR, WILLIAM D	20230 CAMINO DEL SOL	RIVERSIDE, CA	92508-2455	254.02	25.4	50.3	329.7
31054405006	479554010	WELCH JR, AFRED	25895	HOLLYBERRY LN	MORENO VALLEY	CA	92553-4733	WELCH JR, AFRED	25895 HOLLYBERRY LN	MORENO VALLEY, CA	92553-4733	254.02	25.4	50.3	329.7
85120545001	479554011	MUNDT, GEORGE	25883	HOLLYBERRY LN	MORENO VALLEY	CA	92553-4733	MUNDT, GEORGE	25883 HOLLYBERRY LN	MORENO VALLEY, CA	92553-4733	254.02	25.4	50.3	329.7
31053185004	479554013	NIETO, JOE	25859	HOLLYBERRY LN	MORENO VALLEY	CA	92553-4733	NIETO, JOE	25859 HOLLYBERRY LN	MORENO VALLEY, CA	92553-4733	204.02	20.4	40.4	264.8
31389875007	479555001	HEAD, JEROME	25858	HOLLYBERRY LN	MORENO VALLEY	CA	92553-4732	HEAD, JEROME	25858 HOLLYBERRY LN	MORENO VALLEY, CA	92553-4732	329.32	32.93	65.21	427.44
84791295002	479555005	REZA, DARLENE	25908	HOLLYBERRY LN	MORENO VALLEY	CA	92553-1208	REZA, DARLENE	25908 HOLLYBERRY LN	MORENO VALLEY, CA	92553-1208	254.02	25.4	50.3	329.7
31288335005	479561002	WOODS, MARY	13011	PEPPERBUSH DR	MORENO VALLEY	CA	92553-6800	WOODS, MARY	13011 PEPPERBUSH DR	MORENO VALLEY, CA	92553-6800	329.32	32.93	65.21	427.44
31109655005	479561003	ACEVEDO, RAFAEL	13023	PEPPERBUSH DR	MORENO VALLEY	CA	92553-6800	ACEVEDO, RAFAEL	13023 PEPPERBUSH DR	MORENO VALLEY, CA	92553-6800	254.02	25.4	50.3	329.7
56703385002	479561005	HARRIS, TRAVETTE	13047	PEPPERBUSH DR	MORENO VALLEY	CA	92553-6800	HARRIS, TRAVETTE	13047 PEPPERBUSH DR	MORENO VALLEY, CA	92553-6800	189.12	18.91	37.45	245.46
31050065005	479562005	RANDLE JR, WILLIE	13060	PEPPERBUSH DR	MORENO VALLEY	CA	92553-6848	RANDLE JR, WILLIE	13060 PEPPERBUSH DR	MORENO VALLEY, CA	92553-6848	329.32	32.93	65.21	427.44
31257945002	479562006	LAPLANTE, ALPHONSE	13048	PEPPERBUSH DR	MORENO VALLEY	CA	92553-6848	LAPLANTE, ALPHONSE	13048 PEPPERBUSH DR	MORENO VALLEY, CA	92553-6848	329.04	32.9	65.15	427.08
72181825009	479563005	GOMEZ, LOUIS	13048	NINEBARK ST	MORENO VALLEY	CA	92553-6831	GOMEZ, LOUIS	1928 VAQUERO ST	WEST COVINA, CA	91791-4094	254.02	25.4	50.3	329.7
52724905003	479563011	LINGLE-VELASQUEZ, BRENDA	13077	FELISA ST	MORENO VALLEY	CA	92553-6870	LINGLE-VELASQUEZ, BRENDA	13077 FELISA ST	MORENO VALLEY, CA	92553-6870	329.32	32.93	65.21	427.44
31572715002	479564003	WALKER, PAMELA	25944	ANDRE CT	MORENO VALLEY	CA	92553-6824	WALKER, PAMELA	25944 ANDRE CT	MORENO VALLEY, CA	92553-6824	254.02	25.4	50.3	329.7
92098475004	479564009	UTRERA, JENNIFER	25981	ANDRE CT	MORENO VALLEY	CA	92553-6824	UTRERA, JENNIFER	25981 ANDRE CT	MORENO VALLEY, CA	92553-6824	190.59	19.06	37.74	247.38
50354055009	479564017	CERVANTES, DEBRA	25944	BLUELEAF ST	MORENO VALLEY	CA	92553-6851	CERVANTES, DEBRA	25944 BLUELEAF ST	MORENO VALLEY, CA	92553-6851	258.7	25.87	51.22	335.78
73032645001	479564020	PARKER, LAVENA (RENT)	25980	BLUELEAF ST	MORENO VALLEY	CA	92553-6880	PARKER, LAVENA	25980 BLUELEAF ST	MORENO VALLEY, CA	92553-6880	254.02	25.4	50.3	329.7
31438615007	479571004	CARILLO, ANA	13198	PEPPERBUSH DR	MORENO VALLEY	CA	92553-0810	CARILLO, ANA	13198 PEPPERBUSH DR	MORENO VALLEY, CA	92553-0810	254.02	25.4	50.3	329.7
31236705006	479571011	JOHNSON, RANDY	13121	NINEBARK ST	MORENO VALLEY	CA	92553-6837	JOHNSON, RANDY	13121 NINEBARK ST	MORENO VALLEY, CA	92553-6837	247.2	24.72	48.95	320.86
31341895004	479571012	RELIFORD, GREGORY	13133	NINEBARK ST	MORENO VALLEY	CA	92553-6837	RELIFORD, GREGORY	13133 NINEBARK ST	MORENO VALLEY, CA	92553-6837	329.32	32.93	65.21	427.44
31364065005	479571015	TUDUGALLA, ANO	13169	NINEBARK ST	MORENO VALLEY	CA	92553-6838	TUDUGALLA, ANO	13169 NINEBARK ST	MORENO VALLEY, CA	92553-6838	329.32	32.93	65.21	427.44
31414555000	479571018	MEDINA, ROBERT IV	13217	NINEBARK ST	MORENO VALLEY	CA	92553-0801	MEDINA, ROBERT IV	13217 NINEBARK ST	MORENO VALLEY, CA	92553-0801	329.32	32.93	65.21	427.44
95823873008	479572004	LEW, SHIRLEY	25944	DRACAEA AVE	MORENO VALLEY	CA	92557-6864	LEW, SHIRLEY	1849 FREE STONE GATE LN	MORENO VALLEY, CA	91745	23.31	2.33	4.62	30.24
52164085004	479572005	FERREIRA, JOSE GUADALUPE	25932	DRACAEA AVE	MORENO VALLEY	CA	92553-6864	FERREIRA, JOSE GUADALUPE	25932 DRACAEA AVE	MORENO VALLEY, CA	92553-6864	189.32	18.93	37.49	245.74
49298505008	479572014	ECHENIQUE, SILVANA	13186	NINEBARK ST	MORENO VALLEY	CA	92553-6833	ECHENIQUE, SILVANA	13186 NINEBARK ST	MORENO VALLEY, CA	92553-6833	154.02	15.4	30.5	199.9
98339105014	479572022	TURNER, JUSTIN (RENT)	25955	REDBAY LN	MORENO VALLEY	CA	92553-6843	TURNER, JUSTIN	25955 REDBAY LN	MORENO VALLEY, CA	92553-6843	45.2	4.52	8.95	58.66
60261255002	479573008	SUAREZ, MELENA	13144	TWINFLOWER CT	MORENO VALLEY	CA	92553-0820	SUAREZ, MELENA	13144 TWINFLOWER CT	MORENO VALLEY, CA	92553-0820	279.6	27.96	55.36	362.92
73212235005	479573009	MONTGOMERY, EMOGENE	13130	TWINFLOWER CT	MORENO VALLEY	CA	92553-0820	MONTGOMERY, EMOGENE	13130 TWINFLOWER CT	MORENO VALLEY, CA	92553-0820	54.02	5.4	10.7	70.1
92038165005	479573011	SIMS, DARREN	13127	TWINFLOWER CT	MORENO VALLEY	CA	92553-0821	SIMS, DARREN	13127 TWINFLOWER CT	MORENO VALLEY, CA	92553-0821	253.92	25.39	50.28	329.58
31623915001	479573013	CONCEPCION, ARLENE	13149	TWINFLOWER CT	MORENO VALLEY	CA	92553-0821	CONCEPCION, ARLENE	13149 TWINFLOWER CT	MORENO VALLEY, CA	92553-0821	254.02	25.4	50.3	329.7
86847435001	479573015	MEZA, MIGUEL (OWNR)	13169	TWINFLOWER CT	MORENO VALLEY	CA	92553-0821	MEZA, MIGUEL	13169 TWINFLOWER CT	MORENO VALLEY, CA	92553-0821	63.63	6.36	12.6	82.58
51594535009	479573020	ELDER, CELESTINE	13122	ZENOBIA CT	MORENO VALLEY	CA	92553-6816	ELDER, CELESTINE	13122 ZENOBIA CT	MORENO VALLEY, CA	92553-6816	136.37	13.64	27	177
98126985005	479573030	OCEJO, IVAN	13140	NINEBARK ST	MORENO VALLEY	CA	92553-6832	OCEJO, IVAN	13140 NINEBARK ST	MORENO VALLEY, CA	92553-6832	253.44	25.34	50.18	328.96
31618065009	479573031	GONZALEZ, MARIO AND BLANCA	13130	NINEBARK ST	MORENO VALLEY	CA	92553-6832	GONZALEZ, MARIO AND BLANCA	PO BOX 8898	MORENO VALLEY, CA	92552-8898	329.32	32.93	65.21	427.44
31361805001	479581001	PAREDES, ANA	13747	BEARBERRY DR	MORENO VALLEY	CA	92553-0710	PAREDES, ANA	13747 BEARBERRY DR	MORENO VALLEY, CA	92553-0710	254.02	25.4	50.3	329.7
90071055001	479581009	VANDERSLICE, LAURA	13647	BEARBERRY DR	MORENO VALLEY	CA	92553-4875	VANDERSLICE, LAURA	13647 BEARBERRY DR	MORENO VALLEY, CA	92553-4875	253.92	25.39	50.28	329.58

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
94484825001	479581010	BLACKWELL, TONICA (RENT)	13635	BEARBERRY DR	MORENO VALLEY	CA	92553-4875	BLACKWELL, TONICA	12089 KILGORE ST	MORENO VALLEY, CA	92557-7909	182.8	18.28	36.19	237.26
66595775008	479581013	SILVA, JAVIER	13593	BEARBERRY DR	MORENO VALLEY	CA	92553-4809	SILVA, JAVIER	13593 BEARBERRY DR	MORENO VALLEY, CA	92553-4809	254.12	25.41	50.32	329.84
60629695008	479581015	ROSS, MICHAEL	13569	BEARBERRY DR	MORENO VALLEY	CA	92553-4808	ROSS, MICHAEL	10130 CARTAGENA DR	MORENO VALLEY, CA	92557-2667	254.12	25.41	50.32	329.84
31565755007	479582001	TAYLOR, RUSSELL	13500	BANEBERRY ST	MORENO VALLEY	CA	92553-4822	TAYLOR, RUSSELL	13500 BANEBERRY ST	MORENO VALLEY, CA	92553-4822	254.02	25.4	50.3	329.7
31410555008	479582002	HERRERA, ROBERT	13512	BANEBERRY ST	MORENO VALLEY	CA	92553-4822	HERRERA, ROBERT	13512 BANEBERRY ST	MORENO VALLEY, CA	92553-4822	204.02	20.4	40.4	264.8
96717995006	479582010	ORTEGA, CELINA (RENT)	25703	DITTANY ST	MORENO VALLEY	CA	92553-4896	ORTEGA, CELINA	12605 BRIDGEWATER DR	CORONA, CA	92880-8846	254.12	25.41	50.32	329.84
31314295007	479582016	CARREON, JESUS	25692	DANDELION CT	MORENO VALLEY	CA	92553-4894	CARREON, JESUS	25692 DANDELION CT	MORENO VALLEY, CA	92553-4894	254.02	25.4	50.3	329.7
31583545005	479582023	GONZALEZ, RUBEN	25703	DANDELION CT	MORENO VALLEY	CA	92553-4892	GONZALEZ, RUBEN	25703 DANDELION CT	MORENO VALLEY, CA	92553-4892	254.02	25.4	50.3	329.7
31102115004	479582027	STAFFORD, LISA	25668	TALLANDSIA CT	MORENO VALLEY	CA	92553-0706	STAFFORD, LISA	25668 TALLANDSIA CT	MORENO VALLEY, CA	92553-0706	254.02	25.4	50.3	329.7
80714825007	479582033	PETERSON, WAYNE	25729	TALLANDSIA CT	MORENO VALLEY	CA	92553-4804	PETERSON, WAYNE	25729 TALLANDSIA CT	MORENO VALLEY, CA	92553-4804	254.02	25.4	50.3	329.7
84430135001	479582034	LOPEZ, FERMIN AND BECKY	25719	TALLANDSIA CT	MORENO VALLEY	CA	92553-4804	LOPEZ, FERMIN AND BECKY	25719 TALLANDSIA CT	MORENO VALLEY, CA	92553-4804	329.32	32.93	65.21	427.44
95906955004	479582036	CARROLL, EDWIN (OWNR)	25705	TALLANDSIA CT	MORENO VALLEY	CA	92553-4804	CARROLL, EDWIN	25705 TALLANDSIA CT	MORENO VALLEY, CA	92553-4804	254.12	25.41	50.32	329.84
31052835000	479582037	KOLAND, GARY (OWNR)	25693	TALLANDSIA CT	MORENO VALLEY	CA	92553-0707	KOLAND, GARY	25693 TALLANDSIA CT	MORENO VALLEY, CA	92553-0707	254.02	25.4	50.3	329.7
96593765009	479582045	THOMAS, ALICE (RENT)	25710	BAY AVE	MORENO VALLEY	CA	92553-4877	THOMAS, ALICE	1335 W BELLEVIEW ST	SN BERNRDNO, CA	92410-2256	254.12	25.41	50.32	329.84
70183755001	479591003	TORREZ, ALICIA	13405	NINEBARK ST	MORENO VALLEY	CA	92553-6855	TORREZ, ALICIA	13405 NINEBARK ST	MORENO VALLEY, CA	92553-6855	357.53	35.75	70.79	464.06
94692195001	479591006	VALENZUELA, ERNESTO (OWNR)	13447	NINEBARK ST	MORENO VALLEY	CA	92553-6855	VALENZUELA, ERNESTO	13447 NINEBARK ST	MORENO VALLEY, CA	92553-6855	95.25	9.53	18.86	123.62
31413555002	479592009	RANGEL, ESPERANZA	13419	NUTMEG ST	MORENO VALLEY	CA	92553-6861	RANGEL, ESPERANZA	13419 NUTMEG ST	MORENO VALLEY, CA	92553-6861	190.69	19.07	37.76	247.5
31516535007	479594005	CHENAULT, BEVERLY (OWNR)	25799	ANISE ST	MORENO VALLEY	CA	92553-6857	CHENAULT, BEVERLY	25799 ANISE ST	MORENO VALLEY, CA	92553-6857	323.22	32.32	64	419.52
31106345007	479594006	LARSON, RUSSELL	25811	ANISE ST	MORENO VALLEY	CA	92553-6890	LARSON, RUSSELL	25811 ANISE ST	MORENO VALLEY, CA	92553-6890	254.02	25.4	50.3	329.7
31349725003	479595006	OJEDA, TERESA	25812	CAYENNE CT	MORENO VALLEY	CA	92553-4853	OJEDA, TERESA	25812 CAYENNE CT	MORENO VALLEY, CA	92553-4853	247.44	24.74	48.99	321.16
97110555004	479595013	PICENO, OFELIA (OWNR)	25763	CAYENNE CT	MORENO VALLEY	CA	92553-4885	PICENO, OFELIA	25763 CAYENNE CT	MORENO VALLEY, CA	92553-4885	40.29	4.03	7.98	52.28
53812765004	479595014	SPIGNER, LESLEAY	25751	CAYENNE CT	MORENO VALLEY	CA	92553-4885	SPIGNER, LESLEAY	25751 CAYENNE CT	MORENO VALLEY, CA	92553-4885	254.02	25.4	50.3	329.7
92396823009	479595017	INZUNZA, JAIRO (RENT)	25776	MARGARITA ST	MORENO VALLEY	CA	92553-4854	INZUNZA, JAIRO	201 GILBERT WAY	PLACENTIA, CA	92870-4659	127.46	12.75	25.24	165.44
31483865000	479595019	BENNETT, STEVE	25800	MARGARITA ST	MORENO VALLEY	CA	92553-4899	BENNETT, STEVE	25800 MARGARITA ST	MORENO VALLEY, CA	92553-4899	329.32	32.93	65.21	427.44
31351195000	479597002	NEWTON, CAROLYN	13513	NINEBARK ST	MORENO VALLEY	CA	92553-4852	NEWTON, CAROLYN	13513 NINEBARK ST	MORENO VALLEY, CA	92553-4852	329.32	32.93	65.21	427.44
31176575001	479597007	MAYFIELD, SUSAN	13573	NINEBARK ST	MORENO VALLEY	CA	92553-4852	MAYFIELD, SUSAN	13573 NINEBARK ST	MORENO VALLEY, CA	92553-4852	154.02	15.4	30.5	199.9
31414545003	479597008	ROSENBROOK, ANN (OWNR)	13585	NINEBARK ST	MORENO VALLEY	CA	92553-4852	ROSENBROOK, ANN	13585 NINEBARK ST	MORENO VALLEY, CA	92553-4852	254.02	25.4	50.3	329.7
49468035006	479601009	GIBSON, WILLIE (OWNR)	12200	KITCHING ST	MORENO VALLEY	CA	92557-7622	GIBSON, WILLIE	28347 TRISTAN DR	MORENO VALLEY, CA	92555-6135	254.02	25.4	50.3	329.7
91036455009	479601012	CHANEY, MONTAQUE	25511	SAND CREEK TRL	MORENO VALLEY	CA	92557-7634	CHANEY, MONTAQUE	25511 SAND CREEK TR	MORENO VALLEY, CA	92557-7634	253.92	25.39	50.28	329.58
49707095004	479601018	HUDSON, LURLINE	25540	SAND CREEK TRL	MORENO VALLEY	CA	92557-7634	HUDSON, LURLINE	25540 SAND CREEK TR	MORENO VALLEY, CA	92557-7634	254.02	25.4	50.3	329.7
31375775007	479601022	STARN, CRISTY	25500	SAND CREEK TRL	MORENO VALLEY	CA	92557-7634	STARN, CRISTY	25500 SAND CREEK TR	MORENO VALLEY, CA	92557-7634	254.02	25.4	50.3	329.7
96216245007	479602008	WYATT-MEJIA, LUCY (RENT)	25695	VESPUCCI AVE	MORENO VALLEY	CA	92557-7632	WYATT-MEJIA, LUCY	10445 ARTESIA BLVD	BELLFLOWER, CA	90706-7925	199.74	19.97	39.55	259.26
94981025004	479603001	POOLE, MELITA (RENT)	25700	VESPUCCI AVE	MORENO VALLEY	CA	92557-7752	POOLE, MELITA	25700 VESPUCCI AVE	MORENO VALLEY, CA	92557-7752	254.12	25.41	50.32	329.84
96775205000	479603010	DIAZ, KASY (RENT)	25626	VESPUCCI AVE	MORENO VALLEY	CA	92557-7631	DIAZ, KASY	25626 VESPUCCI AVE	MORENO VALLEY, CA	92557-7631	50	5	9.9	64.9
31357635005	479612001	VELASQUEZ, OSCAR	25509	STUYVESANT ST	MORENO VALLEY	CA	92557-7626	VELASQUEZ, OSCAR	25509 STUYVESANT ST	MORENO VALLEY, CA	92557-7626	63.63	6.36	12.6	82.58
31594465008	479612006	RUBIO, JOSE	25569	STUYVESANT ST	MORENO VALLEY	CA	92557-7626	RUBIO, JOSE	25569 STUYVESANT ST	MORENO VALLEY, CA	92557-7626	329.32	32.93	65.21	427.44
31380355005	479613001	WRIGHT, DARRYL	12276	COCOPAH CT	MORENO VALLEY	CA	92557-7624	WRIGHT, DARRYL	12276 COCOPAH CT	MORENO VALLEY, CA	92557-7624	254.02	25.4	50.3	329.7
95050315006	479613002	EVENSON, BONNIE (OWNR)	12266	COCOPAH CT	MORENO VALLEY	CA	92557-7624	EVENSON, BONNIE	12266 COCOPAH CT	MORENO VALLEY, CA	92557-7624	254.12	25.41	50.32	329.84
90692273008	479613005	LEMUSZ, MANUEL (RENT)	12234	COCOPAH CT	MORENO VALLEY	CA	92557-7624	LEMUZ, MANUEL	12234 COCOPAH CT	MORENO VALLEY, CA	92557-7624	136.37	13.64	27	177
31183825005	479614004	STORMS, RUTH	25641	STUYVESANT ST	MORENO VALLEY	CA	92557-7627	STORMS, RUTH	25641 STUYVESANT ST	MORENO VALLEY, CA	92557-7627	63.73	6.37	12.62	82.72
31524615004	479614006	GAMBLE, SANDRA	25665	STUYVESANT ST	MORENO VALLEY	CA	92557-7627	GAMBLE, SANDRA	25665 STUYVESANT ST	MORENO VALLEY, CA	92557-7627	39.76	3.98	7.87	51.6
101251023003	479615007	CERVANTES, JAVIER (RENT)	25670	STUYVESANT ST	MORENO VALLEY	CA	92557-7625	CERVANTES, JAVIER	25670 STUYVESANT ST	MORENO VALLEY, CA	92557-7625	103.31	10.33	20.46	134.08
57905725001	479616004	HERNANDEZ, BLANCA	25690	ONATE DR	MORENO VALLEY	CA	92557-7629	HERNANDEZ, BLANCA	1337 E ROMINEYA DR	ANAHEIM, CA	92805-1116	254.02	25.4	50.3	329.7
86286533001	479616011	MORALES, HECTOR (RENT)	25614	ONATE DR	MORENO VALLEY	CA	92557-7629	MORALES, HECTOR	25614 ONATE DR	MORENO VALLEY, CA	92557-7629	84.98	8.5	16.83	110.3
88669285008	479621003	JONES, LUISA	13838	PAPRIKA CT	MORENO VALLEY	CA	92553-4861	JONES, LUISA	13838 PAPRIKA CT	MORENO VALLEY, CA	92553-4861	254.12	25.41	50.32	329.84
94443085002	479621004	TOBIAS, JOSH AND MARIA (RENT)	13826	PAPRIKA CT	MORENO VALLEY	CA	92553-4861	TOBIAS, JOSH AND MARIA	13826 PAPRIKA CT	MORENO VALLEY, CA	92553-4861	254.12	25.41	50.32	329.84
31282285008	479621009	LOGAN, CYNTHIA (OWNR)	13801	PAPRIKA CT	MORENO VALLEY	CA	92553-4862	LOGAN, CYNTHIA	941 GRANT ST	CALIMESA, CA	92320-1407	276.03	27.6	54.65	358.28
91855533006	479621013	KEY, TRINA (RENT)	13849	PAPRIKA CT	MORENO VALLEY	CA	92553-4862	KEY, TRINA	13849 PAPRIKA CT	MORENO VALLEY, CA	92553-4862	30	3	5.94	38.94
94257245002	479621015	GATHRIGAC, PERLENE (RENT)	13862	CUMIN ST	MORENO VALLEY	CA	92553-4859	GATHRIGAC, PERLENE	13862 CUMIN ST	MORENO VALLEY, CA	92553-4859	63.29	6.32	12.52	82.06
48562265008	479621016	HALLOWAY, DIONNE	13850	CUMIN ST	MORENO VALLEY	CA	92553-4859	HALLOWAY, DIONNE	13850 CUMIN ST	MORENO VALLEY, CA	92553-4859	254.02	25.4	50.3	329.7
31333935003	479621022	FUENTES, MERCEDES	25911	BAY AVE	MORENO VALLEY	CA	92553-4837	FUENTES, MERCEDES	PO BOX 8258	MORENO VALLEY, CA	92552-8258	207.44	20.74	41.07	269.24
90117975009	479621023	HALE, ROSLYN	25923	BAY AVE	MORENO VALLEY	CA	92553-4837	HALE, ROSLYN	25923 BAY AVE	MORENO VALLEY, CA	92553-4837	253.92	25.39	50.28	329.58
97648543007	479621025	GILBERT, LILY	25947	BAY AVE	MORENO VALLEY	CA	92553-4837	GILBERT, LILY	25947 BAY AVE	MORENO VALLEY, CA	92553-4837	266.33	26.63	52.73	345.68
93422345003	479622001	CHAVEZ, AUGUSTINE (OWNR)	13861	CHERVIL CT	MORENO VALLEY	CA	92553-4811	CHAVEZ, AUGUSTINE	13861 CHERVIL CT	MORENO VALLEY, CA	92553-4811	60.49	6.05	11.98	78.5
31565835001	479622018	RODRIGUEZ, SAMANTHA	13825	CUMIN ST	MORENO VALLEY	CA	92553-4858	RODRIGUEZ, SAMANTHA	13825 CUMIN ST	MORENO VALLEY, CA	92553-4858	254.02	25.4	50.3	329.7
31470115005	479622021	ELIZARRARAS, YVONNE	13791	CUMIN ST	MORENO VALLEY	CA	92553-4891	ELIZARRARAS, YVONNE	13791 CUMIN ST	MORENO VALLEY, CA	92553-4891	34.52	3.45	6.84	44.8
31049955000	479622023	ZIMMERMAN, KATHY	25875	BAY AVE	MORENO VALLEY	CA	92553-4860	ZIMMERMAN, KATHY	26647 CALLE LUNA	MORENO VALLEY, CA	92555-4112	254.02	25.4	50.3	329.7
31399185001	479622025	MACEDA, NENITA	25851	BAY AVE	MORENO VALLEY	CA	92553-4860	MACEDA, NENITA	25851 BAY AVE	MORENO VALLEY, CA	92553-4860	254.02	25.4	50.3	329.7
31484045001	479622031	MORGAN, EFREM F	13786	CHARA AVE	MORENO VALLEY	CA	92553-4879	MORGAN, EFREM F	13786 CHARA ST	MORENO VALLEY, CA	92553-4879	179.02	17.9	35.45	232.36
100705873000	479622034	QUIROZ, GLORIA (RENT)	13828	CHARA AVE	MORENO VALLEY	CA	92553-4827	QUIROZ, GLORIA	600 CENTRAL AVE #363	RIVERSIDE, CA	92507-6528	49.47	4.95	9.8	64.2
96774615007	479622035	MARQUEZ, SUSANA AND BERNARDO	13842	CHARA AVE	MORENO VALLEY	CA	92553-4827	MARQUEZ, SUSANA AND BERNARDO	13842 CHARA AVE	MORENO VALLEY, CA	92553-4827	190.79	19.08	37.78	247.64
90470005006	479622037	EATON, TYRAIN (RENT)	25792	TIMO ST	MORENO VALLEY	CA	92553-0708	EATON, TYRAIN	25792 TIMO ST	MORENO VALLEY, CA	92553-0708	127.26	12.73	25.2	165.18
101917553007	479623002	VELIM, CRYSTAL (OWNR)	13771	CHARA AVE	MORENO VALLEY	CA	92553-4881	VELIM, CRYSTAL	13771 CHARA AVE	MORENO VALLEY, CA	92553-4881	308.64	30.86	61.11	400.6
31160555009	479623004	BONSEIGNEUR, BARBARA	13799	CHARA AVE	MORENO VALLEY	CA	92553-4881	BONSEIGNEUR, BARBARA	13799 CHARA ST	MORENO VALLEY, CA	92553-4881	254.02	25.4	50.3	329.7
87520075008	479631002	LOUQUE, ANGELA	13812	CHERVIL CT	MORENO VALLEY	CA	92553-4814	LOUQUE, ANGELA	13812 CHERVIL CT	MORENO VALLEY, CA	92553-4814	254.12	25.41	50.32	329.84
54514115002	479631004	ONUKOGU, SONIJA	13926	CHERVIL CT	MORENO VALLEY	CA	92553-4814	CHUBBS, SONIJA	13926 CHERVIL CT	MORENO VALLEY, CA	92553-4814	254.02	25.4	50.3	329.7
31573565001	479632015	ROBINSON, BETTY	13926	CHARA AVE	MORENO VALLEY	CA	92553-4880	ROBINSON, BETTY	13926 CHARA ST	MORENO VALLEY, CA	92553-4880	254.02	25.4	50.3	329.7
96453675005	479632016	BRASSFIELD, PENNY (OWNR)	13940	CHARA AVE	MORENO VALLEY	CA	92553-4880	BRASSFIELD, PENNY	13940 CHARA ST	MORENO VALLEY, CA	92553-4880	63.83	6.38	12.64	82.84
95422335003	479632018	CASTANEDA, AMADO (OWNR)	13968	CHARA AVE	MORENO VALLEY	CA	92553-4880	CASTANEDA, AMADO	13968 CHARA AVE	MORENO VALLEY, CA	92553-4880	254.12	25.41	50.32	329.84
31487755004	479632020	PINKNEY, DARRELL	13996	CHARA AVE	MORENO VALLEY	CA	92553-4880	PINKNEY, DARRELL	13996 CHARA ST	MORENO VALLEY, CA	92553-4880	254.12	25.41	50.32	329.84
62885895002	479641005	JONES, ANDRE L AND LUISA	25699	DRACAEA AVE	MORENO VALLEY	CA	92553-6809	JONES, ANDRE L AND LUISA	25699 DRACAEA AVE	MORENO VALLEY, CA	92553-6809	254.12	25.41	50.32	329.84
31441075004	479641012	SMITH, DEBRA	25685	BEEJA CT	MORENO VALLEY	CA	92553-6846	SMITH, DEBRA	25685 BEEJA CT	MORENO VALLEY, CA	92553-6846	254.02	25.4	50.3	329.7
31419215001	479641020	HERRERA, LEONEL	13290	RAENETTE WAY	MORENO VALLEY	CA	92553-6877	HERRERA, LEONEL	13290 RAENETTE WAY	MORENO VALLEY, CA	92553-6877	111.16	11.12	22.01	144.28
31105855001	479642001	KELLY, GENE	13251	RAENETTE WAY	MORENO VALLEY	CA	92553-6878	KELLY, GENE	13251 RAENETTE WAY	MORENO VALLEY, CA	92553-6878	254.02	25.4	50.3	329.7
89796173001	479642005	RAMIREZ, CESAR	13315	RAENETTE WAY	MORENO VALLEY	CA	92553-6853	RAMIREZ, CESAR	13315 RAENETTE WAY	MORENO VALLEY, CA	92553-6853	63.63	6.36	12.6	82.58
91726183002	479642014	HUERTA, MATEO (RENT)	25717	TURMERIC WAY	MORENO VALLEY	CA	92553-0819	HUERTA, MATEO	25717 TURMERIC WAY	MORENO VALLEY, CA	92553-0819	272.5	27.25	53.96	353.7
96413685007	479642015	BRYANT, JEALIN (RENT)	25733	TURMERIC WAY	MORENO VALLEY	CA	92553-0819	BRYANT, JEALIN	25941 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6304	99.69	9.97	19.74	129.38
31251895005	479642024	BOLDEN, DENISE	13251	NINEBARK ST	MORENO VALLEY	CA	92553-0805	BOLDEN, DENISE	13251 NINEBARK ST	MORENO VALLEY, CA	92553-0805	39.05	3.91	7.73	50.68
87920485007	479643002	GARCIA, MOISES	13346	NINEBARK ST	MORENO VALLEY	CA	92553-6835	GARCIA, MOISES	13346 NINEBARK ST	MORENO VALLEY, CA	92553-6835	254.12	25.41	50.32	329.84
95481355004	479643003	ALVERDI, JUAN C;ZHOU, LI JUN	13330	NINEBARK ST	MORENO VALLEY	CA	92553-6835	ALVERDI, JUAN C;ZHOU, LI JUN	13330 NINEBARK ST	MORENO VALLEY, CA	92553-6835	420.76	42.08	83.31	546.14
90419553007	479644004	GRIFFIN, GLORY (RENT)	25833	DRACAEA AVE	MORENO VALLEY	CA	92553-6865	GRIFFIN, GLORY	25833 DRACAEA AVE	MORENO VALLEY, CA	92553-6865	190.79	19.08	37.78	247.64
31347625008	479644005	WILLIAMS, ANN IV	25821	DRACAEA AVE	MORENO VALLEY	CA	92553-6865	WILLIAMS, ANN IV	25821 DRACAEA AVE	MORENO VALLEY, CA	92553-6865	254.02	25.4	50.3	329.7
67767595000	479644013	RIOS, RAEANNE	13310	NUTMEG ST	MORENO VALLEY	CA	92553-0808	RIOS, RAEANNE	13310 NUTMEG ST	MORENO VALLEY, CA	92553-0808	254.12	25.41	50.32	329.84
94843405006	479651002	MESA, ELENA (OWNR)	25551	BAY AVE	MORENO VALLEY	CA	92553-4800	MESA, ELENA	25551 BAY AVE	MORENO VALLEY, CA	92553-4800	127.46	12.75	25.24	165.44
69835345006	479651007	JOHNSON, ROBERT	25590	FRUIT TREE ST	MORENO VALLEY	CA	92553-4807	JOHNSON, ROBERT	25590 FRUIT TREE ST	MORENO VALLEY, CA	92553-4807	254.02	25.4	50.3	329.7
96643585000	479651008	GRAZIANO, JONATHAN (OWNR)	25580	FRUIT TREE ST	MORENO VALLEY	CA	92553-4807	GRAZIANO, JONATHAN	25580 FRUIT TREE ST	MORENO VALLEY, CA	92553-4807	254.12	25.41	50.32	329.84
31621015004	479651013	RICHERDSON, BESSIE	25528	FRUIT TREE ST	MORENO VALLEY	CA	92553-4807	RICHERDSON, BESSIE	25528 FRUIT TREE ST	MORENO VALLEY, CA	92553-4807	63.63	6.36	12.6	82.58
31365685007	479651015	RODRIGUEZ, REBECCA	13770	RED BERRY ST	MORENO VALLEY	CA	92553-4865	RODRIGUEZ, REBECCA	13770 RED BERRY ST	MORENO VALLEY, CA	92553-4865	76.23	7.62	15.09	98.94
54239975005	479651017	ESCOBEDO, JOSE AND YANIRA	13810	RED BERRY ST	MORENO VALLEY	CA	92553-4865	ESCOBEDO, JOSE AND YANIRA	13810 RED BERRY ST	MORENO VALLEY, CA	92553-4865	63.63	6.36	12.6	82.58
31177085002	479651019	MARINELLI, RITA	13850	RED BERRY ST	MORENO VALLEY	CA	92553-4865	MARINELLI, RITA	13850 RED BERRY ST	MORENO VALLEY, CA	92553-4865	190.69	19.07	37.76	247.5
56699225006	479651026	HARRIS, TREENA	25621	BAY AVE	MORENO VALLEY	CA	92553-4866	HARRIS, TREENA	25621 BAY AVE	MORENO VALLEY, CA	92553-4866	190.69	19.07	37.76	247.5
71795955009	479651028	DIXON, KRISTOPHER	25641	BAY AVE	MORENO VALLEY	CA	92553-4866	DIXON, KRISTOPHER	25641 BAY AVE	MORENO VALLEY, CA	92553-4866	55.72	5.57	11.03	72.32
94754523000	479651031	OCAMPO, ADRIAN (OWNR)	13795	MANGOWOOD DR	MORENO VALLEY	CA	92553-4850	OCAMPO, ADRIAN	13795 MANGOWOOD DR	MORENO VALLEY, CA	92553-4850	176.78	17.68	35	229.46
31463195003	479652002	MORAN, JOSE	25540	BLACK WALNUT ST	MORENO VALLEY	CA	92553-4863	MORAN, JOSE	25540 BLACK WALNUT ST	MORENO VALLEY, CA	92553-4863	254.02	25.4	50.3	329.7
56977785008	479652006	GONZALEZ, IDALIS	25580	BLACK WALNUT ST	MORENO VALLEY	CA	92553-4863	GONZALEZ, IDALIS	25580 BLACK WALNUT ST	MORENO VALLEY, CA	92553-4863	254.02	25.4	50.3	329.7
31291755000	479652008	JOHNSON, SAMUEL E	25589	FRUIT TREE ST	MORENO VALLEY	CA	92553-4820	JOHNSON, SAMUEL E	PO BOX 7522	LOS ANGELES, CA	90007-0522	253.92	25.39	50.28	329.58
31413605002	479652014	ESTRADA, ALBERTO	25529	FRUIT TREE ST	MORENO VALLEY	CA	92553-4820	ESTRADA, ALBERTO	25529 FRUIT TREE ST	MORENO VALLEY, CA	92553-4820	62.69	6.27	12.41	81.36
94677565004	479653002	LOGAN, RYAN (RENT)	13760	MANGOWOOD DR	MORENO VALLEY	CA	92553-4828	LOGAN, RYAN	13760 MANGOWOOD DR	MORENO VALLEY, CA	92553-4828	254.12	25.41	50.32	329.84
84953275002	479661002	MARTINEZ, ROLANDO	12221	LOREZ DR	MORENO VALLEY	CA	92557-7408	MARTINEZ, ROLANDO	12221 LOREZ DR	MORENO VALLEY, CA	92557-7408	254.02	25.4	50.3	329.7
58580725001	479661003	NUNEZ, SALVADOR	12209	LOREZ DR	MORENO VALLEY	CA	92557-7408	NUNEZ, SALVADOR	12209 LOREZ DR	MORENO VALLEY, CA	92557-7408	254.12	25.41	50.32	329.84
53133535004	479661011	HORSLEY, DOROTHY	12113	LOREZ DR	MORENO VALLEY	CA	92557-7436	HORSLEY, DOROTHY	3205 DOVE PL	NASHVILLE, TN	37218-2011	165.64	16.56	32.8	215

MV00168189

Item No. E.2

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
50512105002	479661014	JONES, ELAINE AND ERICK	12077	LOREZ DR	MORENO VALLEY	CA	92557-7440	JONES, ELAINE AND ERICK	12077 LOREZ DR	MORENO VALLEY, CA	92557-7440	254.02	25.4	50.3	329.7
51831985000	479661019	RAX, JONATHAN DR	25160	BRONZE DR	MORENO VALLEY	CA	92557-7444	RAX, JONATHAN	25160 BRONZE DR	MORENO VALLEY, CA	92557-7444	254.02	25.4	50.3	329.7
31649265002	479661020	GLOVER, RICKY AND REGINA	25172	BRONZE DR	MORENO VALLEY	CA	92557-7444	GLOVER, RICKY	25172 BRONZE DR	MORENO VALLEY, CA	92557-7444	254.02	25.4	50.3	329.7
81872525005	479661021	NGUYEN, KATLYN	25184	BRONZE DR	MORENO VALLEY	CA	92557-7444	NGUYEN, KATLYN	25184 BRONZE DR	MORENO VALLEY, CA	92557-7444	63.63	6.36	12.6	82.58
31628845005	479662004	TERRY JR, CECIL	25252	BRONZE DR	MORENO VALLEY	CA	92557-7445	TERRY JR, CECIL	25252 BRONZE DR	MORENO VALLEY, CA	92557-7445	254.02	25.4	50.3	329.7
31633585009	479662007	PLAYER, TATANISHA	25267	BRONZE DR	MORENO VALLEY	CA	92557-7443	PLAYER, TATANISHA	25267 BRONZE DR	MORENO VALLEY, CA	92557-7443	254.02	25.4	50.3	329.7
49466305003	479662009	SWANIKER, GEORGE	25243	BRONZE DR	MORENO VALLEY	CA	92557-7443	SWANIKER, GEORGE	25243 BRONZE DR	MORENO VALLEY, CA	92557-7443	254.02	25.4	50.3	329.7
31573685006	479662017	NINETE, JOSEPH	25206	MARBLE DR	MORENO VALLEY	CA	92557-7441	NINETE, JOSEPH	25206 MARBLE DR	MORENO VALLEY, CA	92557-7441	254.02	25.4	50.3	329.7
31567795005	479662019	NINETE, BERNADITA (RENT)	25234	MARBLE DR	MORENO VALLEY	CA	92557-7441	NINETE, BERNADITA	25234 MARBLE DR	MORENO VALLEY, CA	92557-7441	63.63	6.36	12.6	82.58
97402975008	479662044	MANCINAS, RAMON (OWNR)	12051	FRANKLIN ST	MORENO VALLEY	CA	92557-7560	MANCINAS, RAMON	12051 FRANKLIN ST	MORENO VALLEY, CA	92557-7560	254.12	25.41	50.32	329.84
31544475001	479662046	BENJAMIN, JOHN AND VIRGINIA	12035	FRANKLIN ST	MORENO VALLEY	CA	92557-7560	BENJAMIN, JOHN	12035 FRANKLIN ST	MORENO VALLEY, CA	92557-7560	253.92	25.39	50.28	329.58
94524605000	479663002	CARILLO, FRANCISCO AND BETTY	12098	FRANKLIN ST	MORENO VALLEY	CA	92557-7559	CARILLO, FRANCISCO AND BETTY	12098 FRANKLIN ST	MORENO VALLEY, CA	92557-7559	254.12	25.41	50.32	329.84
97094165003	479663014	JACKSON, MICHELLE (RENT)	25210	TURQUOISE LN	MORENO VALLEY	CA	92557-7438	JACKSON, MICHELLE	25210 TURQUOISE LN	MORENO VALLEY, CA	92557-7438	254.12	25.41	50.32	329.84
97094175001	479663017	VELASCO JR, ALBERTO	25246	TURQUOISE LN	MORENO VALLEY	CA	92557-7438	VELASCO JR, ALBERTO	12971 MORENO BEACH DR APT 10106	MORENO VALLEY, CA	92555-4424	420.76	42.08	83.31	546.14
52390355008	479663021	PEREZ, SUSAN	25271	TURQUOISE LN	MORENO VALLEY	CA	92557-7439	PEREZ, SUSAN	23181 WESTERN RIDGE RD	MORENO VALLEY, CA	92557-4828	254.02	25.4	50.3	329.7
92994175007	479663024	ESPINOZA, MAYRA	25239	TURQUOISE LN	MORENO VALLEY	CA	92557-7439	ESPINOZA, MAYRA	25239 TURQUOISE LN	MORENO VALLEY, CA	92557-7439	329.32	32.93	65.21	427.44
92530613007	479663025	NORMAN, SHANICKA (RENT)	25227	TURQUOISE LN	MORENO VALLEY	CA	92557-7439	NORMAN, SHANICKA (RENT)	25227 TURQUOISE LN	MORENO VALLEY, CA	92557-7439	206.16	20.62	40.82	267.58
99098615004	479663029	DO, MERCEDES	12224	LOREZ DR	MORENO VALLEY	CA	92557-7442	DO, MERCEDES	1343 W LATHAM AVE	HEMET, CA	92543-3839	63.63	6.36	12.6	82.58
31575255001	479663034	TAPIAS, YOLANDA (OWNR)	25236	HEMLOCK AVE	MORENO VALLEY	CA	92557-7519	TAPIAS, YOLANDA	25236 HEMLOCK AVE	MORENO VALLEY, CA	92557-7519	129.02	12.9	25.55	167.46
87376105009	479670003	GALVAN, EMA	25293	DRACAEA AVE	MORENO VALLEY	CA	92553-4268	GALVAN, EMA	25293 DRACAEA AVE	MORENO VALLEY, CA	92553-4268	254.12	25.41	50.32	329.84
91177485005	479670005	GONZALEZ, JOSE	25261	DRACAEA AVE	MORENO VALLEY	CA	92553-4268	GONZALEZ, JOSE	25261 DRACAEA AVE	MORENO VALLEY, CA	92553-4268	253.92	25.39	50.28	329.58
81593025002	479670017	WEATHERSPOON, NYOAO	25288	DRAKE DR	MORENO VALLEY	CA	92553-5419	WEATHERSPOON, NYOAO	27648 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5709	254.02	25.4	50.3	329.7
82205665007	479670026	MONROY, JULIO	25280	HENRY CT	MORENO VALLEY	CA	92553-5415	MONROY, JULIO	25280 HENRY CT	MORENO VALLEY, CA	92553-5415	254.02	25.4	50.3	329.7
87094485008	479670032	GALVAN, DEANNA	25309	CHARITY CT	MORENO VALLEY	CA	92553-5416	GALVAN, DEANNA	25309 CHARITY CT	MORENO VALLEY, CA	92553-5416	210.19	21.02	41.62	272.82
86861745007	479670036	SALLEY, TERESA	25278	CHARITY CT	MORENO VALLEY	CA	92553-5416	SALLEY, TERESA	25278 CHARITY CT	MORENO VALLEY, CA	92553-5416	254.02	25.4	50.3	329.7
87512995002	479670038	ALVAREZ, FRANCINE	25302	CHARITY CT	MORENO VALLEY	CA	92553-5416	ALVAREZ, FRANCINE	25302 CHARITY CT	MORENO VALLEY, CA	92553-5416	179.12	17.91	35.47	232.48
87578135004	479671006	BRISTNO, LOURDES	13318	KYLE DR	MORENO VALLEY	CA	92553-5413	BRISTNO, LOURDES	13318 KYLE DR	MORENO VALLEY, CA	92553-5413	254.12	25.41	50.32	329.84
86944185008	479671020	VALENCIA, CHRISTINA	25303	MICHELE LN	MORENO VALLEY	CA	92553-5420	VALENCIA, CHRISTINA	25303 MICHELE LN	MORENO VALLEY, CA	92553-5420	254.02	25.4	50.3	329.7
80934605007	479672014	VARGAS, ROSEMARY	25287	DRAKE DR	MORENO VALLEY	CA	92553-5419	VARGAS, ROSEMARY	25287 DRAKE DR	MORENO VALLEY, CA	92553-5419	254.02	25.4	50.3	329.7
92262035009	479680006	WILLIAMS, ALFRED	13449	ALPINE ST	MORENO VALLEY	CA	92553-0863	WILLIAMS, ALFRED	13449 ALPINE ST	MORENO VALLEY, CA	92553-0863	253.92	25.39	50.28	329.58
86128385006	479681005	LEON, CECILIA	13464	ALPINE ST	MORENO VALLEY	CA	92553-0864	LEON, CECILIA	13464 ALPINE ST	MORENO VALLEY, CA	92553-0864	254.02	25.4	50.3	329.7
31062145004	481031002	MILLS, EDWARD M	12025	MARIGOLD AVE	MORENO VALLEY	CA	92557-7209	MILLS, EDWARD M	12025 MARIGOLD AVE	MORENO VALLEY, CA	92557-7209	329.32	32.93	65.21	427.44
92579655005	481031009	MADRID, LINDA (RENT)	12105	MARIGOLD AVE	MORENO VALLEY	CA	92557-7218	MADRID, LINDA	12105 MARIGOLD AVE	MORENO VALLEY, CA	92557-7218	179.02	17.9	35.45	232.36
31509675002	481031011	VIDAL, MARIO	12131	MARIGOLD AVE	MORENO VALLEY	CA	92557-7218	VIDAL, MARIO	12131 MARIGOLD AVE	MORENO VALLEY, CA	92557-7218	63.63	6.36	12.6	82.58
88248175004	481031020	LINCOLN, EDWARD AND LORETTA	12072	NITA DR	MORENO VALLEY	CA	92557-7210	LINCOLN, EDWARD AND LORETTA	60 PRIVATE DR 356	IRONTON, OH	45638-8555	254.12	25.41	50.32	329.84
72001835007	481032007	AMBRIS, JAVIER	12081	INDIAN ST	MORENO VALLEY	CA	92557-7215	AMBRIS, JAVIER	12081 INDIAN ST	MORENO VALLEY, CA	92557-7215	254.02	25.4	50.3	329.7
81565955004	481032008	GOMEZ, ANA ROSA	12093	INDIAN ST	MORENO VALLEY	CA	92557-7215	GOMEZ, ANA ROSA	12093 INDIAN ST	MORENO VALLEY, CA	92557-7215	35.69	3.57	7.07	46.32
94878003006	481032020	JOHNSON, ELIZABETH (RENT)	12034	MARIGOLD AVE	MORENO VALLEY	CA	92557-7203	JOHNSON, ELIZABETH	12034 MARIGOLD AVE	MORENO VALLEY, CA	92557-7203	109.72	10.97	21.72	142.4
31124105000	481032022	STAHLEY, PATSY	12012	MARIGOLD AVE	MORENO VALLEY	CA	92557-7203	STAHLEY, PATSY	12012 MARIGOLD AVE	MORENO VALLEY, CA	92557-7203	254.02	25.4	50.3	329.7
31606125002	481033006	CASTANEDA, EDITH	12083	NITA DR	MORENO VALLEY	CA	92557-7211	CASTANEDA, EDITH	12083 NITA DR	MORENO VALLEY, CA	92557-7211	254.02	25.4	50.3	329.7
96292145009	481033010	ROBLES, JOHNATHAN	12041	NITA DR	MORENO VALLEY	CA	92557-7211	ROBLES, JOHNATHAN	12041 NITA DR	MORENO VALLEY, CA	92557-7211	253.92	25.39	50.28	329.58
97251025009	481041005	GUERRERO, CLAUDIA AND LUIS (RE	12217	MARIGOLD AVE	MORENO VALLEY	CA	92557-7231	GUERRERO, CLAUDIA AND LUIS	12217 MARIGOLD AVE	MORENO VALLEY, CA	92557-7231	146.9	14.69	29.09	190.66
94331365000	481041006	PETERSON, JESSIE (RENT)	12203	MARIGOLD AVE	MORENO VALLEY	CA	92557-7231	PETERSON, JESSIE	211 CHATEAU LA SALLE DR	SAN JOSE, CA	95111-3015	187.69	18.77	37.16	243.62
75328985009	481041008	PEREZ, FRANCISCO	12177	MARIGOLD AVE	MORENO VALLEY	CA	92557-7218	PEREZ, FRANCISCO	12177 MARIGOLD AVE	MORENO VALLEY, CA	92557-7218	254.02	25.4	50.3	329.7
94953425009	481041022	VAN VLIMMEREN, JOHNTHAN (RENT)	12208	NITA DR	MORENO VALLEY	CA	92557-7212	VAN VLIMMEREN, JOHNTHAN	12208 NITA DR	MORENO VALLEY, CA	92557-7212	190.79	19.08	37.78	247.64
31451955008	481041026	LEYVA, BRENDA	12248	NITA DR	MORENO VALLEY	CA	92557-7212	LEVA, BRENDA	12248 NITA DR	MORENO VALLEY, CA	92557-7212	254.02	25.4	50.3	329.7
91294913008	481042006	JOHNSON, ROSIE	12203	INDIAN ST	MORENO VALLEY	CA	92557-7230	JOHNSON, ROSIE	12203 INDIAN ST	MORENO VALLEY, CA	92557-7230	70.79	7.08	14.02	91.88
31403505004	481042010	SAMUEL, MR AND MRS	12202	MARIGOLD AVE	MORENO VALLEY	CA	92557-7208	SAMUEL, MR AND MRS	12202 MARIGOLD AVE	MORENO VALLEY, CA	92557-7208	254.02	25.4	50.3	329.7
31261725000	481043005	MARTIN, CHARLES	12197	NITA DR	MORENO VALLEY	CA	92557-7213	MARTIN, CHARLES	12197 NITA DR	MORENO VALLEY, CA	92557-7213	252.45	25.25	49.99	327.68
31372655009	481043010	CASTANEDA, SOLEDAD	12149	NITA DR	MORENO VALLEY	CA	92557-7213	CASTANEDA, SOLEDAD	12149 NITA DR	MORENO VALLEY, CA	92557-7213	254.02	25.4	50.3	329.7
31495185007	481061002	CRAIG, DEBRA	24526	SINALOA ST	MORENO VALLEY	CA	92557-7816	CRAIG, DEBRA	24526 SINALOA ST	MORENO VALLEY, CA	92557-7816	67.64	6.76	13.39	87.78
31290275003	481062006	CORTEZ, ALEJANDRO A	24628	SINALOA ST	MORENO VALLEY	CA	92557-7818	CORTEZ, ALEJANDRO A	24628 SINALOA ST	MORENO VALLEY, CA	92557-7818	254.12	25.41	50.32	329.84
31582525001	481062014	PEREZ, SANDRA	12150	LEAHY DR	MORENO VALLEY	CA	92557-7316	PEREZ, SANDRA	12150 LEAHY DR	MORENO VALLEY, CA	92557-7316	254.02	25.4	50.3	329.7
96385065007	481062017	HUDSON, MONIQUE	12180	LEAHY DR	MORENO VALLEY	CA	92557-7316	HUDSON, MONIQUE	12180 LEAHY DR	MORENO VALLEY, CA	92557-7316	253.09	25.31	50.11	328.5
95330425009	481063019	TORRES, MARIELA (OWNR)	24640	SINGER ST	MORENO VALLEY	CA	92557-7810	TORRES, MARIELA	24640 SINGER ST	MORENO VALLEY, CA	92557-7810	254.12	25.41	50.32	329.84
92964783002	481064008	HERNANDEZ, CAROLINA	24528	HEMLOCK AVE	MORENO VALLEY	CA	92557-7301	HERNANDEZ, CAROLINA	24528 HEMLOCK AVE	MORENO VALLEY, CA	92557-7301	243.45	24.35	48.2	315.98
31093835004	481064009	THOMAS, LOLA	24548	HEMLOCK AVE	MORENO VALLEY	CA	92557-7301	THOMAS, LOLA	24548 HEMLOCK AVE	MORENO VALLEY, CA	92557-7301	254.02	25.4	50.3	329.7
94397635005	481064011	STEWART, REBECCA (RENT)	24572	HEMLOCK AVE	MORENO VALLEY	CA	92557-7301	STEWART, REBECCA	24572 HEMLOCK AVE	MORENO VALLEY, CA	92557-7301	127.46	12.75	25.24	165.44
95051825007	481064020	VODEGAL, CHRISTAL (RENT)	24710	HEMLOCK AVE	MORENO VALLEY	CA	92557-7308	VODEGAL, CHRISTAL	24710 HEMLOCK AVE	MORENO VALLEY, CA	92557-7308	254.12	25.41	50.32	329.84
88187865009	481064029	SERNA, OLGA	24621	SINGER ST	MORENO VALLEY	CA	92557-7811	SERNA, OLGA	24621 SINGER ST	MORENO VALLEY, CA	92557-7811	254.12	25.41	50.32	329.84
59843335004	481064031	MADRID, BRANDY (OWNR)	24589	SINGER ST	MORENO VALLEY	CA	92557-7815	MADRID, BRANDY	24589 SINGER ST	MORENO VALLEY, CA	92557-7815	252.52	25.25	50	327.76
31589275008	481064038	PALOMINO, MELISSA	12165	HANOVER AVE	MORENO VALLEY	CA	92557-7823	PALOMINO, MELISSA	12165 HANOVER AVE	MORENO VALLEY, CA	92557-7823	254.02	25.4	50.3	329.7
31409915005	481090031	PATCHEN, LONNIE	24513	HEMLOCK AVE	MORENO VALLEY	CA	92557-7302	PATCHEN, LONNIE	24513 HEMLOCK AVE	MORENO VALLEY, CA	92557-7302	254.02	25.4	50.3	329.7
95728895007	481130007	RANGEL, SUZANNE (RENT)	24081	WEBSTER AVE	MORENO VALLEY	CA	92553-3078	RANGEL, SUZANNE	24081 WEBSTER AVE	MORENO VALLEY, CA	92553-3078	254.02	25.4	50.3	329.7
81369215005	481130020	MANZANO, GABRIAEL	24162	FIR AVE	MORENO VALLEY	CA	92553-2842	MANZANO, GABRIAEL	5357 HOWARD ST #E-1	ONTARIO, CA	91762-4600	301.6	30.16	59.73	391.49
95910275009	481130083	AVILA, ISIDRO AND HILDA	24134	FIR AVE	MORENO VALLEY	CA	92553-2842	AVILA, ISIDRO AND HILDA	24134 FIR AVE	MORENO VALLEY, CA	92553-2842	254.12	25.41	50.32	329.84
99760243001	481140006	GUTIERREZ, JOSE (RENT)	24285	SUNNYMEAD BLVD	MORENO VALLEY	CA	92553-3029	GUTIERREZ, JOSE	24285 SUNNYMEAD BLVD	MORENO VALLEY, CA	92553-3029	101.73	10.17	20.14	132.04
96271135005	481140020	MENDOZA, CARMEN (RENT)	24422	WEBSTER AVE	MORENO VALLEY	CA	92553-7791	MENDOZA, CARMEN	24422 WEBSTER AVE	MORENO VALLEY, CA	92553-7791	254.12	25.41	50.32	329.84
95499265005	481140021	GRAHAM, YOLANDA (RENT) APTS	24392	WEBSTER AVE UNIT 02	MORENO VALLEY	CA	92553-7782	GRAHAM, YOLANDA	24392 WEBSTER AVE UNIT 2	MORENO VALLEY, CA	92553-7782	253.92	25.39	50.28	329.58
95816025001	481140027	HARDY, ZURI (RENT)	24264	WEBSTER AVE	MORENO VALLEY	CA	92553-7721	HARDY, ZURI	24245 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3105	168.81	16.88	33.42	219.1
99232623001	481140028	TAYLOR, DENISE (OWNR)	24442	WEBSTER AVE	MORENO VALLEY	CA	92553-7723	TAYLOR, DENISE	24442 WEBSTER AVE	MORENO VALLEY, CA	92553-7723	296.23	29.62	58.65	384.5
92548603001	481150009	ALLIPLAY, FELICIDAD (RENT)	24421	WEBSTER AVE	MORENO VALLEY	CA	92553-7724	ALLIPLAY, FELICIDAD	24421 WEBSTER AVE	MORENO VALLEY, CA	92553-7724	614.94	61.49	121.76	798.18
86471913009	481150023	SALAZAR, THOMAS (OWNR)	24400	FIR AVE	MORENO VALLEY	CA	92553-3110	SALAZAR, THOMAS	24400 FIR AVE	MORENO VALLEY, CA	92553-3110	126.96	12.7	25.14	164.78
31215885002	481150031	MONTES, RUBEN	24276	FIR AVE	MORENO VALLEY	CA	92553-2843	MONTES, RUBEN	24276 FIR AVE	MORENO VALLEY, CA	92553-2843	254.02	25.4	50.3	329.7
93205045005	481150033	ALVAREZ, CLAUDIA (RENT)	24264	FIR AVE	MORENO VALLEY	CA	92553-2843	ALVAREZ, CLAUDIA	24264 FIR AVE	MORENO VALLEY, CA	92553-2843	295.04	29.5	58.42	382.96
89528533003	481150036	MONTES, RUBEN AND MELIDA	24262	FIR AVE	MORENO VALLEY	CA	92553-2843	MONTES, RUBEN AND MELIDA	24276 FIR AVE	MORENO VALLEY, CA	92553-2843	420.76	42.08	83.31	546.14
75350165005	481161012	ARRENDONDO, CHRISTOPHER	24526	WEBSTER AVE	MORENO VALLEY	CA	92553-3738	ARRENDONDO, CHRISTOPHER	24526 WEBSTER AVE	MORENO VALLEY, CA	92553-3738	329.32	32.93	65.21	427.44
93556133002	481161019	CHEN, TANPING (RENT)	24616	WEBSTER AVE	MORENO VALLEY	CA	92553-3766	CHEN, TANPING	24616 WEBSTER AVE	MORENO VALLEY, CA	92553-3766	143.12	14.31	28.34	185.76
31257175002	481161020	GUTIERREZ, YOLANDA	24614	WEBSTER AVE	MORENO VALLEY	CA	92553-3766	GUTIERREZ, YOLANDA	24614 WEBSTER AVE	MORENO VALLEY, CA	92553-3766	253.92	25.39	50.28	329.58
75036155004	481161025	RICHARDSON, JEFF	24634	WEBSTER AVE	MORENO VALLEY	CA	92553-3766	RICHARDSON, JEFF	28765 ALESSANDRO BLVD	MORENO VALLEY, CA	92555-6943	203.12	20.31	40.22	263.64
31069085001	481161026	BROWN, DIANE	12609	VAL VIEW ST	MORENO VALLEY	CA	92553-3801	BROWN, DIANE	12609 VAL VIEW ST	MORENO VALLEY, CA	92553-3801	254.02	25.4	50.3	329.7
95389465006	481161036	STANSBERRY, DAVION (RENT)	28849	NANWOOD DR	MORENO VALLEY	CA	92553-3449	STANSBERRY, DAVION	28849 NANWOOD DR	MORENO VALLEY, CA	92553-3449	94.91	9.49	18.79	123.18
75348555007	481162004	PARRA, PATRICIA R	24701	STARCREST DR	MORENO VALLEY	CA	92553-3734	PARRA, PATRICIA R	24064 POSTAL AVE	MORENO VALLEY, CA	92553-3020	254.02	25.4	50.3	329.7
31627025009	481162005	PINEDA, VLADIMIR	24713	STARCREST DR	MORENO VALLEY	CA	92553-3734	PINEDA, VLADIMIR	24713 STARCREST DR	MORENO VALLEY, CA	92553-3734	190.69	19.07	37.76	247.5
96209605006	481162012	HALL, MARK AND DENISE (RENT)	24712	WEBSTER AVE	MORENO VALLEY	CA	92553-3764	HALL, MARK	24712 WEBSTER AVE	MORENO VALLEY, CA	92553-3764	269.05	26.91	53.27	349.22
90474085001	481171005	KACARAB, JULIE	24531	WEBSTER AVE	MORENO VALLEY	CA	92553-3755	KACARAB, JULIE	7651 FRAZER DR	RIVERSIDE, CA	92509-5318	399.24	39.92	79.05	518.2
94141713000	481171014	HALL, LEAH (RENT)	12612	VAL VIEW ST	MORENO VALLEY	CA	92553-9310	HALL, LEAH (RENT)	12612 VAL VIEW ST	MORENO VALLEY, CA	92553-9310	281.16	28.12	55.67	364.94
90337265002	481171023	RAY, DENISE (RENT) APTS	24747	WEBSTER AVE UNIT C	MORENO VALLEY	CA	92553-9341	RAY, DENISE	22985 CLIMBING ROSE DR APT 128	MORENO VALLEY, CA	92557-6045	109.18	10.92	21.62	141.7
31092045002	481171026	PEIKERT, JOHN	24730	FIR AVE	MORENO VALLEY	CA	92553-9308	PEIKERT, JOHN	24730 FIR AVE	MORENO VALLEY, CA	92553-9308	254.02	25.4	50.3	329.7
77465435003	481171034	HAND, FRED (OWNR) APTS	24608	FIR AVE	MORENO VALLEY	CA	92553-3710	HAND, FRED	PO BOX 933	MORENO VALLEY, CA	92556-0933	232.62	23.26	46.06	301.94
31246155000	481171035	MARTINEZ, FLORENCIO (OWNR)	24602	FIR AVE	MORENO VALLEY	CA	92553-3710	MARTINEZ, FLORENCIO	24602 FIR AVE	MORENO VALLEY, CA	92553-3710	253.92	25.39	50.28	329.58
75118495007	481171036	REYES, SABINO AND MINERVA	24594	FIR AVE	MORENO VALLEY	CA	92553-3742	REYES, SABINO AND MINERVA	24594 FIR AVE	MORENO VALLEY, CA	92553-3742	154.02	15.4	30.5	199.9
74855825006	481171042	PEREZ-SOLORIO, SALVADOR	12680	INDIAN ST	MORENO VALLEY	CA	92553-3717	PEREZ-SOLORIO, SALVADOR	12680 INDIAN ST	MORENO VALLEY, CA	92553-3717	104.02	10.4	20.6	135
55249485006	481200010	VALENCIA, ROSALIA	24893	FIR AVE	MORENO VALLEY	CA	92553-3712	VALENCIA, ROSALIA	146 S WILLOW AVE	RIALTO, CA	92376-6302	254.02	25.4	50.3	329.7
96210465003	481200011	ARREEOLA, ROSELIA	24903	FIR AVE	MORENO VALLEY	CA	92553-9317	ARREEOLA, ROSELIA	24903 FIR AVE	MORENO VALLEY, CA	92553-9317	237.16	23.72	46.96	307.82
89566713001	481200043	RIVERA, CORTNEY (RENT)	24921	FIR AVE	MORENO VALLEY	CA	92553-9317	RIVERA, CORTNEY	24921 FIR AVE	MORENO VALLEY, CA	92553-9317	63.63	6.36	12.6	82.58
86088785002	481210003	OROZCO, KARLA	24797	MYERS AVE	MORENO VALLEY	CA	92553-9328	OROZCO, KARLA	24797 MYERS AVE	MORENO VALLEY, CA	92553-9328	254.02	25.4	50.3	329.7
97348703000	481210007	HALL, CHRISTINA (RENT)	24875	MYERS AVE	MORENO VALLEY	CA	92553-9330	HALL, CHRISTINA	24875 MYERS AVE	MORENO VALLEY, CA	92553-9330	108.31	10.83	20.46	134.08
97102565000	481210011	KHAN, SHAFIQUL (OWNR)	24935	MYERS AVE	MORENO VALLEY	CA	92553-9332	KHAN, SHAFIQUL	5276 VICTORIA AVE	RIVERSIDE, CA	92506-1565	231.74	23.17	45.88	300.78
31345905003	481210014	GARCIA, ROBERTO	24975	MYERS AVE	MORENO VALLEY	CA	92553-9332	GARCIA, ROBERTO	24975 MYERS AVE	MORENO VALLEY, CA	92553-9332	329.32	32.93	65.21	427.44
31326255009	481210034	COLE, CLARENCE	24804	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3770	COLE, CLARENCE	24804 EUCALYPTUS AV	MORENO VALLEY, CA	92553-3770	254.02	25.4	50.3	329.7

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
92980503007	481210039	MEDINA, YVONNE (RENT)	24788	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3706	MEDINA, YVONNE	24788 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3706	272.41	27.24	53.94	353.58
97062325007	481210045	THEPHAVONG, EVITA (RENT)	24796	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3706	THEPHAVONG, EVITA	24796 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3706	106.35	10.64	21.06	138.04
74495645009	481221004	MAJORS, GLORIA	12808	INDIAN ST	MORENO VALLEY	CA	92553-9323	MAJORS, GLORIA	PO BOX 931	MORENO VALLEY, CA	92556-7422	329.32	32.93	65.21	427.44
58860175002	481221016	LOPEZ, JORGE A (OWNR)	12765	ROSS ST	MORENO VALLEY	CA	92553-9334	LOPEZ, JORGE A (OWNR)	12765 ROSS ST	MORENO VALLEY, CA	92553-9334	104.12	10.41	20.62	135.14
91874505003	481222002	VALDERAS, PEARLITA	12780	ROSS ST	MORENO VALLEY	CA	92553-9334	VALDERAS, PEARLITA	12780 ROSS ST	MORENO VALLEY, CA	92553-9334	253.92	25.39	50.28	329.58
31289725001	481222004	RUBIO, SALVADOR (OWNR)	12808	ROSS ST	MORENO VALLEY	CA	92553-3733	RUBIO, SALVADOR	12808 ROSS ST	MORENO VALLEY, CA	92553-3733	254.12	25.41	50.32	329.84
31086795006	481222005	RODRIGUEZ, MARILYN	12820	ROSS ST	MORENO VALLEY	CA	92553-3733	RODRIGUEZ, MARILYN	12820 ROSS ST	MORENO VALLEY, CA	92553-3733	90.69	9.07	17.96	117.72
31195865000	481222012	RIOS, BETO	12823	LEE ST	MORENO VALLEY	CA	92553-3722	RIOS, BETO	12823 LEE ST	MORENO VALLEY, CA	92553-3722	357.53	35.75	70.79	464.06
86386513003	481223008	RODRIGUEZ, DENICE (RENT)	12860	LEE ST	MORENO VALLEY	CA	92553-3723	RODRIGUEZ, DENICE	12860 LEE ST	MORENO VALLEY, CA	92553-3723	62.05	6.21	12.29	80.54
91373765001	481223014	SMITHSON, PATRICIA	24657	FIR AVE	MORENO VALLEY	CA	92553-9305	SMITHSON, PATRICIA	24657 FIR AVE	MORENO VALLEY, CA	92553-9305	50.53	5.05	10	65.58
91558483006	481223019	VAZQUEZ, IRMA (RENT)	24719	FIR AVE	MORENO VALLEY	CA	92553-9309	VAZQUEZ, IRMA	24719 FIR AVE	MORENO VALLEY, CA	92553-9309	513.97	51.4	101.77	667.12
65139745003	481223022	GRACIAN, MARCO	24662	MYERS AVE	MORENO VALLEY	CA	92553-9327	GRACIAN, MARCO	24662 MYERS AVE	MORENO VALLEY, CA	92553-9327	254.12	25.41	50.32	329.84
31613615005	481223027	MASCHMEYER, CHRIS	24748	MYERS AVE	MORENO VALLEY	CA	92553-3728	MASCHMEYER, CHRIS	24748 MYERS AVE	MORENO VALLEY, CA	92553-3728	404.62	40.46	80.11	525.18
94266745009	481223033	DAVIS FAMILY TRUST (OWNR) APTS	24667	FIR AVE UNIT 04	MORENO VALLEY	CA	92553-9351	DAVIS FAMILY TRUST	24667 FIR AVE UNIT 4	MORENO VALLEY, CA	92553-9351	1014.18	101.42	200.81	1316.4
38326235014	481230006	LEANOS, LISETTE (OWNR)	24537	MYERS AVE	MORENO VALLEY	CA	92553-3724	LEANOS, LISETTE	24537 MYERS AVE	MORENO VALLEY, CA	92553-3724	343.17	34.32	67.95	445.42
50894535004	481230012	REYES, MICHAEL	24637	MYERS AVE	MORENO VALLEY	CA	92553-3731	REYES, MICHAEL	24637 MYERS AVE	MORENO VALLEY, CA	92553-3731	254.02	25.4	50.3	329.7
93857295000	481230014	ARDON, SALVADOR (RENT)	24677	MYERS AVE	MORENO VALLEY	CA	92553-3731	ARDON, SALVADOR	24677 MYERS AVE	MORENO VALLEY, CA	92553-3731	127.16	12.72	25.18	165.04
75114395007	481230022	AGUAYO, ALBERTO AND MARIA	24680	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3704	AGUAYO, ALBERTO AND MARIA	24678 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3704	308.04	30.8	60.99	399.82
95809185002	481230030	CARRILLO, CHRIS (RENT)	24582	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3778	CARRILLO, CHRIS	24582 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3778	64.49	6.45	12.77	83.7
31215825005	481230033	HENRICKSON, EUGENE AND YOSKIE	24510	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3778	HENRICKSON, EUGENE	12047 DUNLAP PL	CHINO, CA	91710-1944	62.1	6.21	12.3	80.6
31550945000	481230036	APARICIO, ROBERTA (OWNR)	12926	INDIAN ST	MORENO VALLEY	CA	92553-9325	APARICIO, ROBERTA	14796 VAN GOGH AVE	MORENO VALLEY, CA	92553-1520	232.81	23.28	46.1	302.18
94349625008	481240007	VALENZUELA, JESUS (RENT)	24367	FIR AVE UNIT A	MORENO VALLEY	CA	92553-2883	VALENZUELA, JESUS	24367 FIR AVE UNIT A	MORENO VALLEY, CA	92553-2883	104.53	10.45	20.7	135.66
31490605000	481240010	AGUIRRE, ANNAMARIA	24417	FIR AVE	MORENO VALLEY	CA	92553-2840	AGUIRRE, ANNAMARIA	24417 FIR AVE	MORENO VALLEY, CA	92553-2840	154.12	15.41	30.52	200.04
86533063004	481240013	CHAVEZ, HECTOR (OWNR)	24465	FIR AVE	MORENO VALLEY	CA	92553-2840	CHAVEZ, HECTOR	24465 FIR AVE	MORENO VALLEY, CA	92553-2840	254.12	25.41	50.32	329.84
91742483006	481240018	MONTEJANO, LUIS (RENT)	12735	INDIAN ST	MORENO VALLEY	CA	92553-9322	MONTEJANO, LUIS	12735 INDIAN ST	MORENO VALLEY, CA	92553-9322	147.26	14.73	29.16	191.14
67241605004	481240027	GUTIERREZ, RICARDO	24446	MYERS AVE	MORENO VALLEY	CA	92553-3128	GUTIERREZ, RICARDO	24446 MYERS AVE	MORENO VALLEY, CA	92553-3128	120.79	12.08	23.92	156.78
56582685007	481240030	CARLOS, ISMAEL AND LORENA	24360	MYERS AVE	MORENO VALLEY	CA	92553-2845	CARLOS, ISMAEL AND LORENA	24360 MYERS AVE	MORENO VALLEY, CA	92553-2845	1149.4	114.94	227.58	1491.92
95705585008	481240034	DASILVA, DAVID (OWNR)	24320	MYERS AVE	MORENO VALLEY	CA	92553-2845	DESILVA, DAVID	7646 PARK PATH DR	HUNTINGTN BCH, CA	92648-6803	329.6	32.96	65.26	427.82
75354895004	481240040	CARDENAS, MARIA S AND LEON	12833	INDIAN ST	MORENO VALLEY	CA	92553-9324	CARDENAS, MARIA S	26346 PRAIRE LN	MORENO VALLEY, CA	92555-2942	254.02	25.4	50.3	329.7
53300575000	481250012	DINEFF, MARK	24421	MYERS AVE	MORENO VALLEY	CA	92553-3191	DINEFF, MARK	24421 MYERS AVE	MORENO VALLEY, CA	92553-3191	254.02	25.4	50.3	329.7
74993655000	481250016	BENNETT WARNEST APTS	24487	MYERS AVE	MORENO VALLEY	CA	92553-3191	BENNETT, WARNEST	23368 BAY AVE	MORENO VALLEY, CA	92553-3479	508.04	50.8	100.59	659.42
66599105001	481250018	BELTRAN, VERONICA	12917	INDIAN ST	MORENO VALLEY	CA	92553-9326	BELTRAN, VERONICA	24205 ATWOOD AVE	MORENO VALLEY, CA	92553-3135	405.08	40.51	80.21	525.78
88909948000	481250021	SANCHEZ, JOSE (OWNR)	12945	INDIAN ST	MORENO VALLEY	CA	92553-9326	SANCHEZ, JOSE	12945 INDIAN ST	MORENO VALLEY, CA	92553-9326	251.15	25.12	49.73	325.98
86461163007	481250022	GARCIA, ALAN (RENT)	12975	INDIAN ST	MORENO VALLEY	CA	92553-9326	GARCIA, ALAN	20528 COOPERHAWK CT	WILDOMAR, CA	92595-6907	36.68	3.67	7.26	47.6
97045905000	481250039	KING-STONE RECOVERY	24419	MYERS AVE	MORENO VALLEY	CA	92553-3191	KING-STONE RECOVERY	417 CANOE COVE	DIAMOND BAR, CA	91765-1754	165.92	16.59	32.85	215.36
67755065006	481260015	HACHE, PEDRO (RENT) APTS	24138	MYERS AVE	MORENO VALLEY	CA	92553-2846	HACHE, PEDRO	24138 MYERS AVE	MORENO VALLEY, CA	92553-2846	544.03	54.4	107.72	706.14
87321625006	481260026	DIAZ, SYLVIA	12834	MEAD CT	MORENO VALLEY	CA	92553-3123	DIAZ, SYLVIA	12834 MEAD CT	MORENO VALLEY, CA	92553-3123	329.6	32.96	65.26	427.82
75414465006	481260029	NAVARETTE, SERGIO	12835	MEAD CT	MORENO VALLEY	CA	92553-3123	NAVARETTE, SERGIO	12835 MEAD CT	MORENO VALLEY, CA	92553-3123	144.02	14.4	28.52	186.92
31627745008	481270004	BAILEY, JOSEPH (OWNR)	24061	MYERS AVE	MORENO VALLEY	CA	92553-2848	BAILEY, JOSEPH	11206 SCHUYLER AV	RIVERSIDE, CA	92505-2714	329.32	32.93	65.21	427.44
85045635001	481270012	GORROCINO, GRACIELA	24137	MYERS AVE	MORENO VALLEY	CA	92553-3124	GORROCINO, GRACIELA	24137 MYERS AVE	MORENO VALLEY, CA	92553-3124	254.02	25.4	50.3	329.7
97113875002	481270013	RAND, VALARIE	24159	MYERS AVE	MORENO VALLEY	CA	92553-3124	RAND, VALARIE	24159 MYERS AVE	MORENO VALLEY, CA	92553-3124	117.99	11.8	23.36	153.14
83035445004	481270021	PALAGANAS, BLONDIE	24246	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3177	PALAGANAS, BLONDIE	24246 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3177	254.02	25.4	50.3	329.7
31553995003	481291001	AGUAYO, MARIA AND LUCIO	12011	HARCLARE DR	MORENO VALLEY	CA	92557-7826	AGUAYO, MARIA AND LUCIO	12011 HARCLARE DR	MORENO VALLEY, CA	92557-7826	254.02	25.4	50.3	329.7
91392505006	481291003	PICKETT, ROLANDA	12033	HARCLARE DR	MORENO VALLEY	CA	92557-7826	PICKETT, ROLANDA	12033 HARCLARE DR	MORENO VALLEY, CA	92557-7826	53.92	5.39	10.68	69.98
93807745001	481291006	NISCHWITZ, JULIE (OWNR)	12063	HARCLARE DR	MORENO VALLEY	CA	92557-7826	NISCHWITZ, JULIE	21182 TENNYSON RD	MORENO VALLEY, CA	92557-8406	254.12	25.41	50.32	329.84
69271135008	481291010	SITNER, MICHAEL P	12101	HARCLARE DR	MORENO VALLEY	CA	92557-7828	SITNER, MICHAEL P	12101 HARCLARE DR	MORENO VALLEY, CA	92557-7828	95.2	9.52	18.85	123.56
31185545001	481291018	JIMINEZ, YOLANDA	12175	HARCLARE DR	MORENO VALLEY	CA	92557-7828	JIMINEZ, YOLANDA	12175 HARCLARE DR	MORENO VALLEY, CA	92557-7828	329.32	32.93	65.21	427.44
31382295004	481291022	KING, WILLIE	12219	HARCLARE DR	MORENO VALLEY	CA	92557-7830	KING, WILLIE	12219 HARCLARE DR	MORENO VALLEY, CA	92557-7830	254.02	25.4	50.3	329.7
94820865002	481291024	WILLIAMS-HARDY, SARAH (OWNR)	12235	HARCLARE DR	MORENO VALLEY	CA	92557-7830	WILLIAMS-HARDY, SARAH	28614 DRACIEA AVE	MORENO VALLEY, CA	92555-6740	165.92	16.59	32.85	215.36
31301415009	481292009	HAWTHORNE, CHRYSTALYNN	12081	AARON DR	MORENO VALLEY	CA	92557-7834	HAWTHORNE, CHRYSTALYNN	12081 AARON DR	MORENO VALLEY, CA	92557-7834	347.76	34.78	68.86	451.38
62753215005	481292010	LOPEZ, NORMAN	12093	AARON DR	MORENO VALLEY	CA	92557-7834	LOPEZ, NORMAN	12093 AARON DR	MORENO VALLEY, CA	92557-7834	254.12	25.41	50.32	329.84
31331755009	481292012	GONZALEZ, DIANA	12117	AARON DR	MORENO VALLEY	CA	92557-7829	GONZALEZ, DIANA	12117 AARON DR	MORENO VALLEY, CA	92557-7829	254.12	25.41	50.32	329.84
31609415005	481292015	SALAZAR, LAURIE	12153	AARON DR	MORENO VALLEY	CA	92557-7829	SALAZAR, LAURIE	12153 AARON DR	MORENO VALLEY, CA	92557-7829	254.12	25.41	50.32	329.84
90696043008	481292028	JACKSON, ARLENA (RENT)	24779	ALCOVE PL	MORENO VALLEY	CA	92557-7840	JACKSON, ARLENA	11380 HUBBARD ST	MORENO VALLEY, CA	92557-5649	255.12	25.51	50.51	331.14
31511615001	481293001	RUDASILL, BOB	12070	AARON DR	MORENO VALLEY	CA	92557-7834	RUDASILL, BOB	27029 QUAIL CREEK DR	RANCHO BELASCO, CA	92555-4519	329.6	32.96	65.26	427.82
31566415007	481293009	KALOGONIS, KATHLEEN	12166	AARON DR	MORENO VALLEY	CA	92557-7833	KALOGONIS, KATHLEEN	12166 AARON DR	MORENO VALLEY, CA	92557-7833	63.63	6.36	12.6	82.58
55646825002	481301007	LAX, ROBERT	12091	BARNES CT	MORENO VALLEY	CA	92557-7837	LAX, ROBERT	12091 BARNES CT	MORENO VALLEY, CA	92557-7837	254.02	25.4	50.3	329.7
54005635002	481301009	HARRISON, RYAN	12102	BARNES CT	MORENO VALLEY	CA	92557-7835	HARRISON, RYAN	12102 BARNES CT	MORENO VALLEY, CA	92557-7835	329.32	32.93	65.21	427.44
62409155006	481301016	ESPELETA, DWIGHT	12169	ODESSA DR	MORENO VALLEY	CA	92557-7839	ESPELETA, DWIGHT	13278 CANTERBURY DOWNS WAY	MORENO VALLEY, CA	92555-8400	230.56	23.06	45.65	299.26
65398675009	481301018	OLEA, CHRISTINA	12151	ODESSA DR	MORENO VALLEY	CA	92557-7839	OLEA, CHRISTINA	12151 ODESSA DR	MORENO VALLEY, CA	92557-7839	254.12	25.41	50.32	329.84
71996095004	481301024	MITCHEL, TONIA	12031	ODESSA DR	MORENO VALLEY	CA	92557-7839	MITCHEL, TONIA	12031 ODESSA DR	MORENO VALLEY, CA	92557-7839	104.13	10.41	20.62	135.16
99053435007	481301026	MONIEL, CHRIS	12007	ODESSA DR	MORENO VALLEY	CA	92557-7839	MONIEL, CHRIS	12007 ODESSA DR	MORENO VALLEY, CA	92557-7839	254.02	25.4	50.3	329.7
31552885008	481301027	CAMACHO, JASMINE	12010	AARON DR	MORENO VALLEY	CA	92557-7834	CAMACHO, JASMINE	12010 AARON DR	MORENO VALLEY, CA	92557-7834	204.12	20.41	40.42	264.94
60678155008	481302001	MABRA, LONDA	12009	AARON DR	MORENO VALLEY	CA	92557-7834	MABRA, LONDA	12009 AARON DR	MORENO VALLEY, CA	92557-7834	329.6	32.96	65.26	427.82
55167235002	481302003	DODSON, MITCHELL	12080	ODESSA DR	MORENO VALLEY	CA	92557-7825	DODSON, MITCHELL	12080 ODESSA DR	MORENO VALLEY, CA	92557-7825	254.02	25.4	50.3	329.7
96292505003	481302005	ROMO-LOPEZ, SANDRA	12050	ODESSA DR	MORENO VALLEY	CA	92557-7825	ROMO-LOPEZ, SANDRA	12050 ODESSA DR	MORENO VALLEY, CA	92557-7825	259.25	25.93	51.33	336.5
97629695005	481302008	UDEOGARNYA, DOBONAVENTURE	12088	ODESSA DR	MORENO VALLEY	CA	92557-7825	UDEOGARNYA, DOBONAVENTURE	12088 ODESSA DR	MORENO VALLEY, CA	92557-7825	104.12	10.41	20.62	135.14
55579495004	481302009	OSBORNE, MARTIN AND MEURELENE	12098	ODESSA DR	MORENO VALLEY	CA	92557-7825	OSBORNE, MARTIN AND MEURELENE	12098 ODESSA DR	MORENO VALLEY, CA	92557-7825	254.02	25.4	50.3	329.7
31577075005	481302014	KENNERSON, RHONDA	12152	ODESSA DR	MORENO VALLEY	CA	92557-7838	KENNERSON, RHONDA	12152 ODESSA DR	MORENO VALLEY, CA	92557-7838	329.32	32.93	65.21	427.44
92157065004	481302024	GALVAN, MIGUEL	12273	HARCLARE DR	MORENO VALLEY	CA	92557-7830	GALVAN, MIGUEL	12273 HARCLARE DR	MORENO VALLEY, CA	92557-7830	260.64	26.06	51.61	338.3
76162785003	481302025	CORONADO, JULIETA	12261	HARCLARE DR	MORENO VALLEY	CA	92557-7830	CORONADO, JULIETA	12261 HARCLARE DR	MORENO VALLEY, CA	92557-7830	154.02	15.4	30.5	199.9
91611445002	481310005	MATZ, LYNDA AND PETER	12324	LEAHY DR	MORENO VALLEY	CA	92557-7319	MATZ, LYNDA AND PETER	12324 LEAHY DR	MORENO VALLEY, CA	92557-7319	36.37	3.64	7.2	47.2
97778125000	481311008	VALDEZ, LAURA (RENT)	24657	HEMLOCK AVE	MORENO VALLEY	CA	92557-7304	VALDEZ, LAURA	275 COCHISE RD	PERRIS, CA	92570-1757	158.9	15.89	31.46	206.24
31628795005	481312020	GARCIA, GABRIEL	24511	PACE DR	MORENO VALLEY	CA	92557-7327	GARCIA, GABRIEL	24511 PACE DR	MORENO VALLEY, CA	92557-7327	329.32	32.93	65.21	427.44
31059955009	481312026	HALL, CINDY	24576	PACE DR	MORENO VALLEY	CA	92557-7327	HALL, CINDY	24576 PACE DR	MORENO VALLEY, CA	92557-7327	254.02	25.4	50.3	329.7
97082235004	481312030	MEJIA, TONY (OWNR)	24565	HEMLOCK AVE	MORENO VALLEY	CA	92557-7362	MEJIA, TONY	24565 HEMLOCK AVE	MORENO VALLEY, CA	92557-7362	214.54	21.45	42.48	278.46
74461075000	481312034	PEREZ, ELVIA	24525	HEMLOCK AVE	MORENO VALLEY	CA	92557-7362	PEREZ, ELVIA	1387 HOOLI CIR	PEARL CITY, HI	96782-1911	63.63	6.36	12.6	82.58
83649345003	481312038	PINEDA, MARIO A	24719	PACE DR	MORENO VALLEY	CA	92557-7329	PINEDA, MARIO A	24719 PACE DR	MORENO VALLEY, CA	92557-7329	254.02	25.4	50.3	329.7
70814485008	481312049	MORALES, JULIAN	24575	PACE DR	MORENO VALLEY	CA	92557-7327	MORALES, JULIAN	24575 PACE DR	MORENO VALLEY, CA	92557-7327	254.02	25.4	50.3	329.7
74312185002	481312052	HYDE, MICHELLE	24539	PACE DR	MORENO VALLEY	CA	92557-7327	HYDE, MICHELLE	24539 PACE DR	MORENO VALLEY, CA	92557-7327	329.32	32.93	65.21	427.44
97082055001	481322008	HOLBROOK, DANICA (RENT) APTS	24791	HEMLOCK AVE UNIT A	MORENO VALLEY	CA	92557-7306	HOLBROOK, DANICA (RENT)	24791 HEMLOCK AVE UNIT A	MORENO VALLEY, CA	92557-7306	104.12	10.41	20.62	135.14
31546645001	481322009	OSBORN, DOUGLAS AND CHRISTINA	24777	HEMLOCK AVE	MORENO VALLEY	CA	92557-7376	OSBORN, DOUGLAS	24777 HEMLOCK AVE UNIT A	MORENO VALLEY, CA	92557-7376	316.48	31.65	62.66	410.78
31139905000	481341005	ATKINS, EUGENE	12053	WELLER PL	MORENO VALLEY	CA	92557-7846	ATKINS, EUGENE	1531 W LOUGHLIN DR	CHANDLER, AZ	85224-8814	208.06	20.81	41.2	270.06
31208005002	481341026	NAKAAHIKI, NALU	12130	KILGORE ST	MORENO VALLEY	CA	92557-7806	NAKAAHIKI, NALU	12130 KILGORE ST	MORENO VALLEY, CA	92557-7806	190.69	19.07	37.76	247.5
31190595008	481341027	ALLEN, JAMES AND LORI	12118	KILGORE ST	MORENO VALLEY	CA	92557-7806	ALLEN, JAMES AND LORI	12118 KILGORE ST	MORENO VALLEY, CA	92557-7806	329.32	32.93	65.21	427.44
31216465008	481341028	NAVARRETE, ALEJANDRINA	12106	KILGORE ST	MORENO VALLEY	CA	92557-7806	NAVARRETE, ALEJANDRINA	12106 KILGORE ST	MORENO VALLEY, CA	92557-7806	254.02	25.4	50.3	329.7
99677353003	481342015	DUPREE, MYESHIA (RENT)	24664	BAYBERRY CIR	MORENO VALLEY	CA	92557-7844	DUPREE, MYESHIA	24664 BAYBERRY CIR	MORENO VALLEY, CA	92557-7844	88.56	8.86	17.53	114.94
96210675009	481342034	SAMPSON, WILLIAM	12075	HONEYSUCKLE CT	MORENO VALLEY	CA	92557-7847	SAMPSON, WILLIAM	598 MARIGOLD DR	FAIRFIELD, CA	94533-1365	171.72	17.17	34	222.88
97343555002	482020012	CASTRO, AUGUSTINE (RENT)	24128	ATWOOD AVE	MORENO VALLEY	CA	92553-3134	CASTRO, AUGUSTINE	24128 ATWOOD AVE	MORENO VALLEY, CA	92553-3134	173.31	17.33	34.32	224.94
31483795005	482020021	TENORIO, JUANITA (RENT)	13120	HEACOCK ST	MORENO VALLEY	CA	92553-2834	TENORIO, JUANITA	13120 HEACOCK ST	MORENO VALLEY, CA	92553-2834	63.63	6.36	12.6	82.58
55646655007	482020026	RIOS, JOSE (RENT)	24055	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-2832	RIOS, JOSE	13625 SYLMAR DR	MORENO VALLEY, CA	92553-1704	61.67	6.17	12.21	80.04
94575943001	482020029	MOSEBY, RAY ANTHONY (RENT)APTS	24087	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-2832	MOSEBY, RAY ANTHONY	24087 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-2832	405.72	40.57	80.33	526.62
31130465001	482020046	STEWART, LORI	24245	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3105	STEWART, LORI	24245 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3105	163.88	16.39	32.45	212.7
94352753004	482020055	LEWIS, NITHELDIA (RENT)	24247	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3105	LEWIS, NITHELDIA (RENT)	24247 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3105	63.63	6.36	12.6	82.58
31644365002	482020061	MEDINA, MARIA	24230	ATWOOD AVE	MORENO VALLEY	CA	92553-3136	MEDINA, MARIA	24230 ATWOOD AVE	MORENO VALLEY, CA	92553-3136	254.02	25.4	50.3	329.7
31643895003	482020001	GREEN, DELIA	24273	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3105	GREEN, DELIA	24273 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3105	329.32	32.93	65.21	427.44
60381335002	482030002	HAGGERTY, THOMAS	24279	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3105	HAGGERTY, THOMAS	24279 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3105	1181.3	118.13	233.9	1533.32
91006123002	482030008	ORTIZ, LUCAS (RENT)	24355	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-2801	ORTIZ, LUCAS	24355 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-2801	126.96	12.7	25.14	164.78
93700585001	482030009	MARINES, OSCAR (RENT)	24369	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-2801	MARINES, OSCAR	24369 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-2801	254.12	25.41	50.32	329.84
87085613009	482030010	MATZ, DIANE (RENT)	24395	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-2801	MATZ, DIANE	24395 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-2801	335.76	33.58	66.48	435.8
96552483004	482030011	MORA, ANA	24411	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3107	MORA, ANACE	24411 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3107	194.72	19.47	38.55	252.74

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
91259185004	482030028	ZAMBRANO, MARIA	24336	ATWOOD AVE	MORENO VALLEY	CA	92553-2829	ZAMBRANO, MARIA	15635 NADIA ST	MORENO VALLEY, CA	92551-6919	913.37	91.34	180.85	1185.54
97109265008	482030040	CARILLO, MAGDALENA (RENT) APTS	24390	ATWOOD AVE	MORENO VALLEY	CA	92553-2829	CARILLO, MAGDALENA	24390 ATWOOD AVE	MORENO VALLEY, CA	92553-2829	102.31	10.23	20.26	132.78
94530955003	482040012	ALCALA, ROSALINA (RENT)	24563	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3703	ALCALA, ROSALINA	24563 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3703	134.12	13.41	26.56	174.08
97687733005	482040015	REYES, WENDY (RENT)	24621	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3773	REYES, WENDY	P O BOX 7358	MORENO VALLEY, CA	92552-7358	81.8	8.18	16.2	106.16
95591985008	482040031	TARULA, LETICIA	24540	ATWOOD AVE	MORENO VALLEY	CA	92553-3740	TARULA, LETICIA	24540 ATWOOD AVE	MORENO VALLEY, CA	92553-3740	329.6	32.96	65.26	427.82
93706295009	482040042	AGUIRRE, MARTHA (RENT)	24676	ATWOOD AVE	MORENO VALLEY	CA	92553-3775	AGUIRRE, MARTHA	11975 SUGAR CREEK CT	MORENO VALLEY, CA	92557-6168	62.64	6.26	12.4	81.3
95291845005	482040043	WEST, KAREN (OWNR)	24680	ATWOOD AVE	MORENO VALLEY	CA	92553-3775	WEST, KAREN	24680 ATWOOD AVE	MORENO VALLEY, CA	92553-3775	63.63	6.36	12.6	82.58
91346755002	482050003	GONZALEZ, FRANCISCO	24815	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3769	GONZALEZ, FRANCISCO	24815 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3769	508.14	50.81	100.61	659.56
55906975008	482050022	VEGA, JAIME	24810	ATWOOD AVE	MORENO VALLEY	CA	92553-3783	VEGA, JAIME	24810 ATWOOD AVE	MORENO VALLEY, CA	92553-3783	329.32	32.93	65.21	427.44
96401235007	482050023	MARTINEZ, AMBER (OWNR)	24802	ATWOOD AVE	MORENO VALLEY	CA	92553-3783	MARTINEZ, AMBER	24802 ATWOOD AVE	MORENO VALLEY, CA	92553-3783	483.12	48.31	95.66	627.08
97062265009	482050026	NUNGARAY, MARIA G	24791	EUCALYPTUS AVE	MORENO VALLEY	CA	92553-3705	NUNGARAY, MARIA G	24791 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3705	335.76	33.58	66.48	435.8
95831555008	482050031	CRUZ, ALFREDO (OWNR) APTS	24874	ATWOOD AVE	MORENO VALLEY	CA	92553-3783	CRUZ, ALFREDO	24874 ATWOOD AVE	MORENO VALLEY, CA	92553-3783	329.04	32.9	65.15	427.08
59705345003	482050032	GUTIERREZ, FRANK (RENT)	24872	ATWOOD AVE	MORENO VALLEY	CA	92553-3783	GUTIERREZ, FRANK	24872 ATWOOD AVE	MORENO VALLEY, CA	92553-3783	131.96	13.2	26.13	171.28
92532175005	482060008	LORENZO, OSORIO (RENT)	24861	ATWOOD AVE	MORENO VALLEY	CA	92553-3907	LORENZO, OSORIO	24861 ATWOOD AVE	MORENO VALLEY, CA	92553-3907	100.59	10.06	19.92	130.56
75411785005	482060009	MARTINEZ, AURORA	24876	DRACAEA AVE	MORENO VALLEY	CA	92553-3746	MARTINEZ, AURORA	24876 DRACAEA AVE	MORENO VALLEY, CA	92553-3746	444.51	44.45	88.01	576.96
99181663007	482060016	NEVILL, ROBERT AND LORI	24985	ATWOOD AVE	MORENO VALLEY	CA	92553-3748	NEVILL, ROBERT AND LORI	11099 AFRICAN SUNSET	HENDERSON, NV	89052-8616	169.75	16.98	33.61	220.32
97812295001	482060018	MORALES, CYNTHIA	13157	PERRIS BLVD	MORENO VALLEY	CA	92553-5402	MORALES, CYNTHIA	13157 PERRIS BLVD	MORENO VALLEY, CA	92553-5402	130.09	13.01	25.76	168.84
31298285004	482060030	GOLDWINE, JOE	24888	DRACAEA AVE	MORENO VALLEY	CA	92553-3750	GOLDWINE, JOE	24523 VANDENBERG DR	MORENO VALLEY, CA	92551-4023	195.18	19.52	38.65	253.34
89588953008	482060041	MANSELL, CLARENCE AND HARNETHI	24804	DRACAEA AVE	MORENO VALLEY	CA	92553-3746	MANSELL, CLARENCE AND HARNETHI	14280 PALMEA DR	MORENO VALLEY, CA	92553-4413	420.76	42.08	83.31	546.14
90627815001	482070004	GARCIA, THERESA	24547	ATWOOD AVE	MORENO VALLEY	CA	92553-3739	GARCIA, THERESA	24547 ATWOOD AVE	MORENO VALLEY, CA	92553-3739	392.52	39.25	77.72	509.48
88347853001	482070006	KELIIPULEOLE, MARIBEL (RENT)	24607	ATWOOD AVE	MORENO VALLEY	CA	92553-3904	KELIIPULEOLE, MARIBEL	24941 BASSWOOD ST	MORENO VALLEY, CA	92553-3806	26.28	2.63	5.2	34.1
91573205004	482070007	RUIZ, BETZAIDA	24621	ATWOOD AVE	MORENO VALLEY	CA	92553-9304	RUIZ, BETZAIDA	24621 ATWOOD AVE	MORENO VALLEY, CA	92553-9304	70.59	7.06	13.98	91.62
92427483003	482070009	ALCAZAR, EVERARDO (RENT)	24651	ATWOOD AVE	MORENO VALLEY	CA	92553-9304	ALCAZAR, EVERARDO (RENT)	24651 ATWOOD AVE	MORENO VALLEY, CA	92553-9304	90.11	9.01	17.84	116.96
52623445004	482070012	BARAJAS, ABRAHAM	24713	ATWOOD AVE	MORENO VALLEY	CA	92553-3782	BARAJAS, ABRAHAM	24713 ATWOOD AVE	MORENO VALLEY, CA	92553-3782	254.14	25.41	50.32	329.86
31158275002	482070031	TABARES, MARIA	24579	ATWOOD AVE	MORENO VALLEY	CA	92553-3739	TABARES, MARIA	24579 ATWOOD AVE	MORENO VALLEY, CA	92553-3739	254.02	25.4	50.3	329.7
86682925009	482070039	QUINONIE, ENE	13154	INDIAN ST	MORENO VALLEY	CA	92553-3754	QUINONIE, ENE	13154 INDIAN ST	MORENO VALLEY, CA	92553-3754	254.02	25.4	50.3	329.7
93562183009	482080042	MORALES, RAUDEL AND ANA	24329	ATWOOD AVE	MORENO VALLEY	CA	92553-2830	MORALES, RAUDEL AND ANA	24329 ATWOOD AVE	MORENO VALLEY, CA	92553-2830	29	2.9	5.74	37.64
92083485009	482080054	DANDRIDGE, NATHAN	13225	SCOTTY LN	MORENO VALLEY	CA	92553-3148	DANDRIDGE, NATHAN	13225 SCOTTY LN	MORENO VALLEY, CA	92553-3148	189.99	19	37.62	246.6
31487435002	482090006	BORGES, JEFFREY	24176	DRACAEA AVE	MORENO VALLEY	CA	92553-2893	BORGES, JEFFREY	24176 DRACAEA AVE	MORENO VALLEY, CA	92553-2893	136.37	13.64	27	177
31526095008	482090018	BERUMEN, JOSEPHINE	24157	ATWOOD AVE	MORENO VALLEY	CA	92553-2828	BERUMEN, JOSEPHINE	24157 ATWOOD AVE	MORENO VALLEY, CA	92553-2828	329.6	32.96	65.26	427.82
95467415001	482090024	GUINTO, SANDRA (OWNR)	24215	ATWOOD AVE	MORENO VALLEY	CA	92553-3135	GUINTO, SANDRA	24215 ATWOOD AVE	MORENO VALLEY, CA	92553-3135	63.63	6.36	12.6	82.58
31555135009	482111010	TELLES, JOSE	13357	DILBECK DR	MORENO VALLEY	CA	92553-3355	TELLES, JOSE	13357 DILBECK DR	MORENO VALLEY, CA	92553-3355	254.02	25.4	50.3	329.7
87960415005	482111018	FLEVOTOMOS, GARYFALIA (RENT)	13425	DILBECK DR	MORENO VALLEY	CA	92553-6238	FLEVOTOMOS, GARYFALIA	13425 DILBECK DR	MORENO VALLEY, CA	92553-6238	63.63	6.36	12.6	82.58
95503275002	482111020	RUIZ, ALFREDO AND LUCIA (OWNR)	13455	DILBECK DR	MORENO VALLEY	CA	92553-6238	RUIZ, ALFREDO AND LUCIA	14681 CHERRYWOOD LN	TUSTIN, CA	92780-6746	190.79	19.08	37.78	247.64
31529005001	482112001	MARTIN, LESTER	24374	SYKES DR	MORENO VALLEY	CA	92553-3361	MARTIN, LESTER	24374 SYKES DR	MORENO VALLEY, CA	92553-3361	253.92	25.39	50.28	329.58
86500743001	482112016	ADAMS, DIANNE (RENT)	24373	MARILYN ST	MORENO VALLEY	CA	92553-6241	ADAMS, DIANNE	24373 MARILYN ST	MORENO VALLEY, CA	92553-6241	154.12	15.41	30.52	200.04
67348155001	482113007	CHUNG, MARIA	24306	COTTONWOOD AVE	MORENO VALLEY	CA	92553-3310	CHUNG, MARIA	24306 COTTONWOOD AVE	MORENO VALLEY, CA	92553-3310	254.12	25.41	50.32	329.84
90863695007	482121004	VASQUEZ, MARIA	24468	MARILYN ST	MORENO VALLEY	CA	92553-3360	VASQUEZ, MARIA	24468 MARILYN ST	MORENO VALLEY, CA	92553-3360	253.92	25.39	50.28	329.58
31595985006	482122001	ESTRADA, EDUARDO	24377	MARILYN ST	MORENO VALLEY	CA	92553-6241	MORENO, JOSE E	24377 MARILYN ST	MORENO VALLEY, CA	92553-6241	254.02	25.4	50.3	329.7
94108755000	482122006	ESTRADA, ELIZABETH (RENT)	24443	MARILYN ST	MORENO VALLEY	CA	92553-3359	ESTRADA, ELIZABETH	13400 ELSWORTH ST APT 204	MORENO VALLEY, CA	92553-8472	231.74	23.17	45.88	300.78
31124145002	482122010	STEBNITZ, JOAN	13365	INDIAN ST	MORENO VALLEY	CA	92553-3828	STEBNITZ, JOAN	PO BOX 1382	MORENO VALLEY, CA	92556-1382	254.02	25.4	50.3	329.7
55258955008	482122014	BARRIGA, MARVIN	24568	ONEIDA ST	MORENO VALLEY	CA	92553-3370	BARRIGA, MARVIN	24568 ONEIDA ST	MORENO VALLEY, CA	92553-3370	63.63	6.36	12.6	82.58
95798525006	482122015	GARCIA, JULISA (RENT)	24554	ONEIDA ST	MORENO VALLEY	CA	92553-3370	GARCIA, JULISA	24554 ONEIDA ST	MORENO VALLEY, CA	92553-3370	254.12	25.41	50.32	329.84
92326893001	482122016	SAGREDO, MARIA (RENT)	24538	ONEIDA ST	MORENO VALLEY	CA	92553-3370	SAGREDO, MARIA	24538 ONEIDA ST	MORENO VALLEY, CA	92553-3370	50.6	5.06	10.02	65.66
63767355004	482122018	BADILLO, OLIVIA	24508	ONEIDA ST	MORENO VALLEY	CA	92553-3370	BADILLO, OLIVIA	24508 ONEIDA ST	MORENO VALLEY, CA	92553-3370	254.12	25.41	50.32	329.84
95414965007	482122021	FAHNESTOCK, MARTIN (RENT)	24464	ONEIDA ST	MORENO VALLEY	CA	92553-6256	FAHNESTOCK, MARTIN	20843 WAALEW RD SPC C43	APPLE VALLEY, CA	92307-6329	62.62	6.26	12.4	81.28
65859415007	482122029	BROCK, LYNAE (RENT)	24387	ONEIDA ST	MORENO VALLEY	CA	92553-6259	BROCK, LYNAE	24387 ONEIDA ST	MORENO VALLEY, CA	92553-6259	164.52	16.45	32.58	213.54
61242655007	482122030	REBOLLAR, JUAN CARLOS	24401	ONEIDA ST	MORENO VALLEY	CA	92553-3371	REBOLLAR, JUAN CARLOS	24401 ONEIDA ST	MORENO VALLEY, CA	92553-3371	63.63	6.36	12.6	82.58
31058905002	482123004	CARDONA, AMADOR	24465	ONEIDA ST	MORENO VALLEY	CA	92553-6258	CARDONA, AMADOR	24465 ONEIDA ST	MORENO VALLEY, CA	92553-6258	254.02	25.4	50.3	329.7
31269685009	482123006	PACHECO, DIANA	24489	ONEIDA ST	MORENO VALLEY	CA	92553-6258	PACHECO, DIANA	24489 ONEIDA ST	MORENO VALLEY, CA	92553-6258	90.29	9.03	17.88	117.18
80668695002	482123009	VENEGAS-CRUZ, AMELIA	24525	ONEIDA ST	MORENO VALLEY	CA	92553-3372	VENEGAS-CRUZ, AMELIA	24525 ONEIDA ST	MORENO VALLEY, CA	92553-3372	254.02	25.4	50.3	329.7
31125845002	482123010	WYNN, LARRY	24537	ONEIDA ST	MORENO VALLEY	CA	92553-3372	WYNN, LARRY	24537 ONEIDA ST	MORENO VALLEY, CA	92553-3372	323.49	32.35	64.05	419.88
67221505007	482123012	CISNEROS, ARTHUR (OWN)	24561	ONEIDA ST	MORENO VALLEY	CA	92553-3372	CISNEROS, ARTHUR	24561 ONEIDA ST	MORENO VALLEY, CA	92553-3372	120.28	12.03	23.82	156.12
99757348006	482123015	MORRISON, AMY (RENT)	24387	SYKES DR	MORENO VALLEY	CA	92553-3312	MORRISON, AMY	24387 SYKES DR	MORENO VALLEY, CA	92553-3312	63.69	6.37	12.61	82.66
31090795008	482141005	MARTIN, VICTOR AND DEBORAH SUE	13284	HIAWATHA LN	MORENO VALLEY	CA	92553-3890	MARTIN, VICTOR AND DEBORAH SUE	11875 PIGEON PASS RD STE D1	MORENO VALLEY, CA	92557-6043	357.53	35.75	70.79	464.06
88044735000	482141010	DIDION, PAMELA (OWNR)	24856	LUKEWOOD PL	MORENO VALLEY	CA	92553-3842	DIDION, PAMELA	147 GOLDEN ROD AVE	PERRIS, CA	92570-7240	147.91	14.79	29.29	191.98
31440015009	482141013	JIMENEZ, ADAN	24814	LUKEWOOD PL	MORENO VALLEY	CA	92553-3842	JIMENEZ, ADAN	24814 LUKEWOOD PL	MORENO VALLEY, CA	92553-3842	254.02	25.4	50.3	329.7
31475125002	482141014	MEDINA, GUADALUPE	24800	LUKEWOOD PL	MORENO VALLEY	CA	92553-3842	MEDINA, GUADALUPE	24800 LUKEWOOD PL	MORENO VALLEY, CA	92553-3842	254.02	25.4	50.3	329.7
95001585002	482141015	ALANIZ, BEATRICE (OWNR)	13290	MORENO WAY	MORENO VALLEY	CA	92553-3844	ALANIZ, BEATRICE	13290 MORENO WAY	MORENO VALLEY, CA	92553-3844	63.63	6.36	12.6	82.58
95993815002	482141016	MARTINEZ, PATRICIA (OWNR)	13260	MORENO WAY	MORENO VALLEY	CA	92553-3844	MARTINEZ, PATRICIA	13260 MORENO WAY	MORENO VALLEY, CA	92553-3844	59.36	5.94	11.75	77.04
58648075002	482142006	SANTOS, ISAAC	24855	LUKEWOOD PL	MORENO VALLEY	CA	92553-3842	SANTOS, ISAAC	24855 LUKEWOOD PL	MORENO VALLEY, CA	92553-3842	254.12	25.41	50.32	329.84
51028285000	482144002	SALAZAR, SOCCORO	24803	RAMONA LN	MORENO VALLEY	CA	92553-3862	SALAZAR, SOCCORO	24803 RAMONA LN	MORENO VALLEY, CA	92553-3862	254.02	25.4	50.3	329.7
95833075005	482144004	ORTIZ, RITA (RENT)	24835	RAMONA LN	MORENO VALLEY	CA	92553-3862	ORTIZ, RITA	24411 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-3107	253.82	25.38	50.26	329.44
75347455000	482144007	MUNOZ, RODRIGO AND VERONICA	24867	RAMONA LN	MORENO VALLEY	CA	92553-3862	MUNOZ, RODRIGO	24867 RAMONA LN	MORENO VALLEY, CA	92553-3862	254.02	25.4	50.3	329.7
31113335005	482144008	STIEDE, DEL	24883	RAMONA LN	MORENO VALLEY	CA	92553-3862	STIEDE, DEL	24883 RAMONA LN	MORENO VALLEY, CA	92553-3862	254.02	25.4	50.3	329.7
31065925003	482151002	BROWN, MARY	13409	MORENO WAY	MORENO VALLEY	CA	92553-3846	BROWN, MARY	13409 MORENO WAY	MORENO VALLEY, CA	92553-3846	329.32	32.93	65.21	427.44
93279665009	482152003	ZUNIGA, JENNIFER	13417	HIAWATHA LN	MORENO VALLEY	CA	92553-3891	ZUNIGA, JENNIFER	13417 HIAWATHA LN	MORENO VALLEY, CA	92553-3891	254.12	25.41	50.32	329.84
96840265009	482152004	PORTILLO, MARIO (OWNR)	13431	HIAWATHA LN	MORENO VALLEY	CA	92553-3891	PORTILLO, MARIO	13431 HIAWATHA LN	MORENO VALLEY, CA	92553-3891	127.46	12.75	25.24	165.44
31408365002	482152008	MUNOZ, MIDEY AND LESLIE	13458	HIAWATHA LN	MORENO VALLEY	CA	92553-3826	MUNOZ, MIDEY AND LESLIE	13458 HIAWATHA LN	MORENO VALLEY, CA	92553-3826	254.02	25.4	50.3	329.7
31253315003	482152009	GREY, KATHLENE	13448	HIAWATHA LN	MORENO VALLEY	CA	92553-3826	GREY, KATHLENE AND JOHN	13448 HIAWATHA LN	MORENO VALLEY, CA	92553-3826	254.12	25.41	50.32	329.84
31573925006	482152012	RUIZ, JOSE	13420	HIAWATHA LN	MORENO VALLEY	CA	92553-3826	RUIZ, JOSE	13420 HIAWATHA LN	MORENO VALLEY, CA	92553-3826	254.02	25.4	50.3	329.7
31279875000	482152013	SINGLETON, MARCELA SEE NOTES	13404	HIAWATHA LN	MORENO VALLEY	CA	92553-3826	SINGLETON, JESSE	13404 HIAWATHA	MORENO VALLEY, CA	92553-3826	479.92	47.99	95.02	622.92
31631905006	482152015	HIXCHBAUGH, JOANN	13366	HIAWATHA LN	MORENO VALLEY	CA	92553-3879	HIXCHBAUGH, JOANN	13366 HIAWATHA LN	MORENO VALLEY, CA	92553-3879	329.32	32.93	65.21	427.44
84616945005	482152025	MORRIS, PETER	13456	MORENO WAY	MORENO VALLEY	CA	92553-3847	MORRIS, PETER	13456 MORENO WAY	MORENO VALLEY, CA	92553-3847	254.02	25.4	50.3	329.7
31146275007	482152026	MC COY, SARAH	13436	MORENO WAY	MORENO VALLEY	CA	92553-3847	MC COY, SARAH	13436 MORENO WY	MORENO VALLEY, CA	92553-3847	254.02	25.4	50.3	329.7
62198365001	482152031	O'QUIN, MALIWALEKA	24851	CORLEY CT	MORENO VALLEY	CA	92553-3821	O'QUIN, MALIWALEKA	P O BOX 51844	RIVERSIDE, CA	92517-2844	329.6	32.96	65.26	427.82
31105965008	482152038	MANRIQUEZ, DIANA	13396	MORENO WAY	MORENO VALLEY	CA	92553-3845	MANRIQUEZ, DIANA	13396 MORENO WAY	MORENO VALLEY, CA	92553-3845	329.32	32.93	65.21	427.44
92835263003	482152044	COAKLEY, VICTORIA	24916	COTTONWOOD AVE	MORENO VALLEY	CA	92553-3824	BROWN,DAMOIN	24916 COTTONWOOD AVE	MORENO VALLEY, CA	92553-3824	219.36	21.94	43.43	284.72
31633165007	482152051	SANCHEZ, MARIA	24894	COTTONWOOD AVE	MORENO VALLEY	CA	92553-3816	SANCHEZ, MARIA	1753 TOPAZ DR	PERRIS, CA	92571-3456	190.69	19.07	37.76	247.5
31123735000	482161004	SHEEKS, MARGARET	13471	JO ANN ST	MORENO VALLEY	CA	92553-3838	SHEEKS, MARGARET	13471 JO ANN ST	MORENO VALLEY, CA	92553-3838	129.52	12.93	25.61	167.84
49696925005	482161017	MELVIN, FELICIA	24730	MYRNA ST	MORENO VALLEY	CA	92553-3852	MELVIN, FELICIA	24730 MYRNA ST	MORENO VALLEY, CA	92553-3852	82.68	8.27	16.37	107.3
89522733004	482162010	CASTANON, IRMA (OWNR)	13441	CORA PL	MORENO VALLEY	CA	92553-3820	CASTANON, IRMA (OWN)	13441 CORA PL	MORENO VALLEY, CA	92553-3820	266.17	26.62	52.7	345.48
50428765002	482162020	LEE, WILLIE	13471	LEOTA CT	MORENO VALLEY	CA	92553-3840	LEE, WILLIE	418 E 84TH PL	LOS ANGELES, CA	90003-3106	329.32	32.93	65.21	427.44
31129845004	482162030	WARD, J	13484	JO ANN ST	MORENO VALLEY	CA	92553-3839	WARD, J	27954 JOHNF KENNEDY DR APT C	MORENO VALLEY, CA	92555-5898	254.02	25.4	50.3	329.7
92776653007	482170015	MCCOWN, CANDICE (RENT)	24421	COTTONWOOD AVE	MORENO VALLEY	CA	92553-3315	MCCOWN, CANDICE	25011 DELPHINIUM AVE APT 203	MORENO VALLEY, CA	92553-1524	176.87	17.69	35.02	229.56
31406435002	482170020	ALTAMIRANO, MARTINIANO	24396	DORNER DR	MORENO VALLEY	CA	92553-3324	ALTAMIRANO, MARTINIANO	24396 DORNER DR	MORENO VALLEY, CA	92553-3324	254.02	25.4	50.3	329.7
31284265008	482170030	CICERO'S HOPE YOUTH CENTER	24487	DORNER DR	MORENO VALLEY	CA	92553-3325	CICERO'S HOPE YOUTH CENTER	12625 FREDERICK ST BLDG 1-5 344	MORENO VALLEY, CA	92553-5216	247.2	24.72	48.95	320.86
31562275005	482170041	KHALID, SHAHIDAH	13533	INDIAN ST	MORENO VALLEY	CA	92553-3831	KHALID, SHAHIDAH	13533 INDIAN ST	MORENO VALLEY, CA	92553-3831	264.08	26.41	52.29	342.76
90107703007	482170047	MCINTYRE, LOVEY (RENT)	24395	COTTONWOOD AVE	MORENO VALLEY	CA	92553-6253	MCINTYRE, LOVEY	24395 COTTONWOOD AVE	MORENO VALLEY, CA	92553-6253	434.82	43.48	86.09	564.38
31093285009	482201001	SINGLETON, JOSEFA IV	24762	EUGENA AVE	MORENO VALLEY	CA	92553-3835	SINGLETON, JOSEFA IV	24762 EUGENA AVE	MORENO VALLEY, CA	92553-3835	254.02	25.4	50.3	329.7
81678555009	482201003	TAPIA, SYLVIA	24786	EUGENA AVE	MORENO VALLEY	CA	92553-3835	TAPIA, SYLVIA	24786 EUGENA AVE	MORENO VALLEY, CA	92553-3835	168.67	16.87	33.4	218.92
95319785006	482201010	RUSSAW, JOYCE (RENT)	24870	EUGENA AVE	MORENO VALLEY	CA	92553-3867	RUSSAW, JOYCE	24870 EUGENA AVE	MORENO VALLEY, CA	92553-3867	242.58	24.26	48.03	314.86
61286375003	482201021	GIRON, LEONARDO (OWNR)	24910	ALESSANDRO BLVD	MORENO VALLEY	CA	92553-5707	GIRON, LEONARDO	24910 ALESSANDRO BLVD	MORENO VALLEY, CA	92553-5707	124.12	12.41	24.58	161.1
31441365003	482201029	ALVAREZ, ELVIA	13900	GAYE ST	MORENO VALLEY	CA	92553-3869	ALVAREZ, ELVIA	13900 GAYE ST	MORENO VALLEY, CA	92553-3869	254.02	25.4	50.3	329.7
38021055018	482202002	DOTSON, CHEYLA (RENT)	24775	EUGENA AVE	MORENO VALLEY	CA	92553-3836	DOTSON, CHEYLA (RENT)	21360 DOUGLASS CT	MORENO VALLEY, CA	92557-8630	90.65	9.07	17.95	117.66
88911493000	482202006	CRAWFORD, MARY (RENT)	24823	EUGENA AVE	MORENO VALLEY	CA	92553-3866	CRAWFORD, MARY	24823 EUGENA AVE	MORENO VALLEY, CA	92553-3866	226.31	22.63	44.81	293.74
91939413006	482202008	LOBATOS, CARLOS (RENT)	24846	EUGENA AVE	MORENO VALLEY	CA	92553-3867	LOBATOS, CARLOS	24846 EUGENA AVE	MORENO VALLEY, CA	92553-3867	139.05	13.91	27.53	180.48
55138855003	482202012	CHAIDEZ, APOLONIA	13941	GAYE ST	MORENO VALLEY	CA	92553-3868	CHAIDEZ, APOLONIA	13941 GAYE ST	MORENO VALLEY, CA	92553-3868	254.02	25.4	50.3	329.7
31316715004	482202015	SHEGOG, DEBORAH	24848	CAROLYN AVE	MORENO VALLEY	CA	92553-3865	SHEGOG, DEBORAH	24848 CAROLYN AVE	MORENO VALLEY, CA	92553-3865	254.12	25.41	50.32	329.84
31545205005	482203003	BLANCO, JESUS (OWNR)	24785	CAROLYN AVE	MORENO VALLEY	CA	92553-3832	BLANCO, JESUS	24785 CAROLYN AVE	MORENO VALLEY, CA	92553-3832	253.92	25.39	50.28	329.58
96606555003	482203016	SOTO, ISABELLA (RENT)	24834	ALESSANDRO BLVD	MORENO VALLEY	CA	92553-5899	SOTO, ISABELLA	24834 ALESSANDRO BLVD	MORENO VALLEY, CA	92553-5899	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31117115002	482230015	EDWARDS, WALTER	14739	PERRIS BLVD	MORENO VALLEY	CA	92553-7115	EDWARDS, WALTER	14739 PERRIS BLV	MORENO VALLEY, CA	92553-7115	254.02	25.4	50.3	329.7
31555325009	482241016	MCCOY, JAMAL	13591	RAMSDELL DR	MORENO VALLEY	CA	92553-6212	MCCOY, JAMAL	24407 WILDWOOD ST	MORENO VALLEY, CA	92551-6925	329.32	32.93	65.21	427.44
55158765000	482241017	VALORA, ANGEL S AND MARIBEL	13603	RAMSDELL DR	MORENO VALLEY	CA	92553-3333	VALORA, ANGEL S AND MARIBEL	22800 ADRIENNE AVE APT B	MORENO VALLEY, CA	92553-8766	254.02	25.4	50.3	329.7
93200315009	482242005	DAVIDSON, STEFANIE	24322	DORNER DR	MORENO VALLEY	CA	92553-3324	DAVIDSON, STEFANIE	24322 DORNER DR	MORENO VALLEY, CA	92553-3324	254.12	25.41	50.32	329.84
31477665004	482242014	TAPIA, VERONICA	24269	DOLAN DR	MORENO VALLEY	CA	92553-3399	TAPIA, VERONICA	24269 DOLAN DR	MORENO VALLEY, CA	92553-3399	254.02	25.4	50.3	329.7
69701685008	482242019	KOEPP, EDWINA	24325	DOLAN DR	MORENO VALLEY	CA	92553-3321	KOEPP, EDWINA	24325 DOLAN DR	MORENO VALLEY, CA	92553-3321	254.02	25.4	50.3	329.7
75027915002	482242024	SALDANA, MANUEL AND MARGARITA	24371	BION DR	MORENO VALLEY	CA	92553-3307	SALDANA, MANUEL AND MARGARITA	24371 BION DR	MORENO VALLEY, CA	92553-3307	254.02	25.4	50.3	329.7
95933695003	482243002	PURAY, HERLINA (OWNR)	13620	RAMSDELL DR	MORENO VALLEY	CA	92553-3336	PURAY, HERLINA	13620 RAMSDELL DR	MORENO VALLEY, CA	92553-3336	329.6	32.96	65.26	427.82
31410385004	482243007	BEAN, MARILYN (OWNR)	24303	DORNER DR	MORENO VALLEY	CA	92553-3323	BEAN, MARILYN	24303 DORNER DR	MORENO VALLEY, CA	92553-3323	254.02	25.4	50.3	329.7
31432585006	482243008	TOFA, TOLUA	24313	DORNER DR	MORENO VALLEY	CA	92553-3323	TOFA, TOLUA	24313 DORNER DR	MORENO VALLEY, CA	92553-3323	329.32	32.93	65.21	427.44
31373025000	482243009	VILLEGAS, GRISELDA (OWNR)	24323	DORNER DR	MORENO VALLEY	CA	92553-3323	VILLEGAS, GRISELDA	24323 DORNER DR	MORENO VALLEY, CA	92553-3323	254.02	25.4	50.3	329.7
75029495006	482243010	REYNA, VICTOR AND VICKY	24333	DORNER DR	MORENO VALLEY	CA	92553-3323	REYNA, VICTOR AND VICKY	24333 DORNER DR	MORENO VALLEY, CA	92553-3323	254.02	25.4	50.3	329.7
92383173003	482243011	DAVIS, TAKEYSHA (RENT)	24343	DORNER DR	MORENO VALLEY	CA	92553-3323	DAVIS, TAKEYSHA	11533 DAVIS ST	MORENO VALLEY, CA	92557-5538	79.45	7.95	15.73	103.12
88742215008	482251021	LOVE, DAVID	24786	SHOREHAM AVE	MORENO VALLEY	CA	92553-3934	LOVE, DAVID	24786 SHOREHAM AVE	MORENO VALLEY, CA	92553-3934	254.12	25.41	50.32	329.84
88612935002	482252013	FULLER, CHERIE (RENT)	14820	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3902	FULLER, CHERIE	14820 BLUEBRIAR ST	MORENO VALLEY, CA	92553-3902	127.46	12.75	25.24	165.44
31321535002	482253003	SHELTON, NEVA	14813	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3903	SHELTON, NEVA	14813 BLUEBRIAR ST	MORENO VALLEY, CA	92553-3903	254.02	25.4	50.3	329.7
91498223008	482253023	OWENS, SHANTE (RENT)	14836	BRENTSTONE ST	MORENO VALLEY	CA	92553-3906	OWENS, SHANTE	14836 BRENTSTONE ST	MORENO VALLEY, CA	92553-3906	190.79	19.08	37.78	247.64
31164035001	482253036	FRYE, PEARL I AND STEVEN	14877	BRENTSTONE ST	MORENO VALLEY	CA	92553-3905	FRYE, PEARL I AND STEVEN	28953 KENDA CT	MORENO VALLEY, CA	92555-8264	254.02	25.4	50.3	329.7
86280023001	482253038	GOMEZ, ORLANDO (RENT)	14868	VINEHILL ST	MORENO VALLEY	CA	92553-3940	GOMEZ, ORLANDO (RENT)	14868 VINEHILL ST	MORENO VALLEY, CA	92553-3940	63.63	6.36	12.6	82.58
31266185002	482253041	CALHOON, LORIE	14838	VINEHILL ST	MORENO VALLEY	CA	92553-3940	CALHOON, LORIE	14838 VINEHILL ST	MORENO VALLEY, CA	92553-3940	254.12	25.41	50.32	329.84
97612125001	482254002	RUBIO, MARTHA (RENT)	14809	VINEHILL ST	MORENO VALLEY	CA	92553-3939	RUBIO, MARTHA (RENT)	14809 VINEHILL ST	MORENO VALLEY, CA	92553-3939	63.63	6.36	12.6	82.58
90241605005	482254004	TRIPLETT, ROBERT	14829	VINEHILL ST	MORENO VALLEY	CA	92553-3939	TRIPLETT, ROBERT	1296 LABRADOR DR	LAS VEGAS, NV	89142-1145	247.25	24.73	48.96	320.92
91616943006	482254018	MAYVILLE, RICHARD AND COREEN	14854	STARMONT ST	MORENO VALLEY	CA	92553-3922	MAYVILLE, RICHARD AND COREEN	14854 STARMONT ST	MORENO VALLEY, CA	92553-3922	531.55	53.16	105.25	689.94
95682225005	482254021	SANDOVAL, LEILA (OWNR)	14824	STARMONT ST	MORENO VALLEY	CA	92553-3922	SANDOVAL, LEILA	15458 ALOSTA LN	MORENO VALLEY, CA	92555-2910	72.31	7.23	14.32	93.84
95493865002	482261001	MAURER, DANNETTE (RENT)	14999	VINEHILL ST	MORENO VALLEY	CA	92553-3965	MAURER, DANNETTE	14999 VINEHILL ST	MORENO VALLEY, CA	92553-3965	190.79	19.08	37.78	247.64
74134925005	482261014	PADILLA, RUPERTO	14954	STARMONT ST	MORENO VALLEY	CA	92553-3924	PADILLA, RUPERTO	14954 STARMONT ST	MORENO VALLEY, CA	92553-3924	254.02	25.4	50.3	329.7
31505525002	482262002	GRAHAM, JEFFERY	14938	VINEHILL ST	MORENO VALLEY	CA	92553-3958	GRAHAM, JEFFERY	14938 VINEHILL ST	MORENO VALLEY, CA	92553-3958	228.54	22.85	45.25	296.64
31511325002	482264001	AREVALO, JOSE M	14882	DOVEHURST ST	MORENO VALLEY	CA	92553-3960	AREVALO, JOSE M	14882 DOVEHURST ST	MORENO VALLEY, CA	92553-3960	228.63	22.86	45.27	296.76
31079035001	482264002	SANDOVAL, CAESAR	14892	DOVEHURST ST	MORENO VALLEY	CA	92553-3960	SANDOVAL, CAESAR	14892 DOVEHURST ST	MORENO VALLEY, CA	92553-3960	78.63	7.86	15.57	102.06
55711835002	482264015	GARCIA, HECTOR MARIN	14933	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3954	HECTOR GARCIA, JOSE RAMIREZ	14933 BLUEBRIAR ST	MORENO VALLEY, CA	92553-3954	254.02	25.4	50.3	329.7
31630625007	482265006	KNOWLES, RICHARD T	14910	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3904	KNOWLES, RICHARD T	22446 GILMORE ST	WEST HILLS, CA	91307-3706	234.99	23.5	46.53	305
97913875005	482265007	HUPP, VERONICA (RENT)	14920	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3904	QURESHI, NADEEM	25451 FIR AVE	MORENO VALLEY, CA	92553-4123	163.22	16.32	32.32	211.84
92488873008	482266004	SANCHEZ, JENNIFER (RENT)	24859	CASTLEBROOK AVE	MORENO VALLEY	CA	92553-3968	SANCHEZ, JENNIFER	5650 S PARK AVE APT 1152	TUCSON, AZ	85706-3357	307.42	30.74	60.87	399.02
31625035001	482271001	RUVAL, GRISELDA	14623	PERHAM DR	MORENO VALLEY	CA	92553-3562	RUVAL, GRISELDA	14623 PERHAM DR	MORENO VALLEY, CA	92553-3562	63.63	6.36	12.6	82.58
83728855007	482271006	STEVENS, STEPHANIE	14579	PERHAM DR	MORENO VALLEY	CA	92553-3560	STEVENS, STEPHANIE	P.O. BOX 661	DESERT CENTER, CA	92239-0661	254.02	25.4	50.3	329.7
31473405008	482272009	WHITE, BETTY	14615	CORDON PL	MORENO VALLEY	CA	92553-3537	WHITE, BETTY	14615 CORDON PL	MORENO VALLEY, CA	92553-3537	254.02	25.4	50.3	329.7
31466145007	482272019	PEREZ, ROBERTO	14556	CORDON PL	MORENO VALLEY	CA	92553-3534	PEREZ, ROBERTO	14556 CORDON PL	MORENO VALLEY, CA	92553-3534	254.02	25.4	50.3	329.7
31538635000	482272024	HANGER, ROSAMARIA	24366	GLENCREST DR	MORENO VALLEY	CA	92553-3539	HANGER, ROSAMARIA	24366 GLENCREST DR	MORENO VALLEY, CA	92553-3539	329.6	32.96	65.26	427.82
69360745001	482272026	BILES, CHERIE (RENT)	14611	JUSTIN PL	MORENO VALLEY	CA	92553-2423	BILES, CHERIE (RENT)	14611 JUSTIN PL	MORENO VALLEY, CA	92553-2423	190.69	19.07	37.76	247.5
71295365004	482272034	VEGA, MIGUEL	14524	JUSTIN PL	MORENO VALLEY	CA	92553-3552	VEGA, MIGUEL	14524 JUSTIN PL	MORENO VALLEY, CA	92553-3552	254.02	25.4	50.3	329.7
98217775011	482272035	GUERRERO, JHONY MADERA,MUNOZ J	14538	JUSTIN PL	MORENO VALLEY	CA	92553-3552	GUERRERO, JHONY MADERA,MUNOZ J	14538 JUSTIN PL	MORENO VALLEY, CA	92553-3552	170.76	17.08	33.81	221.64
98217785019	482272037	VALDOVINOS, LUPITA AND JUAN G	14564	JUSTIN PL	MORENO VALLEY	CA	92553-3552	VALDOVINOS, LUPITA AND JUAN G	28271 BRODIAEA AVE	MORENO VALLEY, CA	92555-6232	420.76	42.08	83.31	546.14
97737795005	482272039	RIOS, MARIA (RENT)	14594	JUSTIN PL	MORENO VALLEY	CA	92553-3552	RIOS, MARIA	14594 JUSTIN PL	MORENO VALLEY, CA	92553-3552	40	4	7.92	51.92
57064465001	482272040	JACKSON, LATONIA	14608	JUSTIN PL	MORENO VALLEY	CA	92553-2422	JACKSON, LATONIA	14608 JUSTIN PL	MORENO VALLEY, CA	92553-2422	254.02	25.4	50.3	329.7
95290075008	482272045	RANGEL, VICKIE (RENT)	24472	GLENCREST DR	MORENO VALLEY	CA	92553-3540	RANGEL, VICKIE (RENT)	24472 GLENCREST DR	MORENO VALLEY, CA	92553-3540	148.3	14.83	29.36	192.48
94764145009	482273006	ROCHA, JOSE (RENT)	24337	GLENCREST DR	MORENO VALLEY	CA	92553-3535	ROCHA, JOSE	14610 CORDON PL	MORENO VALLEY, CA	92553-3535	114.21	11.42	22.61	148.24
31484335000	482274004	WALIGH, GLEN AND FRANCIS	24411	GLENCREST DR	MORENO VALLEY	CA	92553-3528	WALIGH, GLEN AND FRANCIS	24411 GLENCREST DR	MORENO VALLEY, CA	92553-3528	187.05	18.71	37.04	242.78
31377315000	482281002	GARRETT, BOBBIE AND ANA	14395	PERHAM DR	MORENO VALLEY	CA	92553-3581	GARRETT, BOBBIE	14395 PERHAM DR	MORENO VALLEY, CA	92553-3581	254.02	25.4	50.3	329.7
54231995008	482281006	NUNEZ, MARCIANO	14445	PERHAM DR	MORENO VALLEY	CA	92553-3518	NUNEZ, MARCIANO	14445 PERHAM DR	MORENO VALLEY, CA	92553-3518	254.02	25.4	50.3	329.7
97052985005	482282005	LOZANO, HEBER (RENT)	24330	ST JAMES DR	MORENO VALLEY	CA	92553-3587	LOZANO, HEBER (RENT)	17326 CREMELLO WAY	MORENO VALLEY, CA	92555-3392	152.57	15.26	30.21	198.02
31377045007	482282008	VASQUEZ, ANEDENA	24372	ST JAMES DR	MORENO VALLEY	CA	92553-3587	VASQUEZ, ANEDENA	24372 ST JAMES DR	MORENO VALLEY, CA	92553-3587	404.62	40.46	80.11	525.18
31648555003	482282009	LOGAN, ALTHANIEL	24386	ST JAMES DR	MORENO VALLEY	CA	92553-3587	LOGAN, ALTHANIEL	24386 ST JAMES DR	MORENO VALLEY, CA	92553-3587	254.02	25.4	50.3	329.7
80932785003	482282015	DE ONATIZ, EDITH-	24476	ST JAMES DR	MORENO VALLEY	CA	92553-3572	DE ONATIZ, EDITH-	24476 ST JAMES DR	MORENO VALLEY, CA	92553-3572	254.02	25.4	50.3	329.7
90869735006	482283006	FLORES, MARICELA	24329	ST JAMES DR	MORENO VALLEY	CA	92553-3592	FLORES, MARICELA	24329 ST JAMES DR	MORENO VALLEY, CA	92553-3592	63.93	6.39	12.66	82.98
56087565002	482283012	WILLIAMS, GAIL	24435	ST JAMES DR	MORENO VALLEY	CA	92553-3571	WILLIAMS, GAILE	24435 ST JAMES DR	MORENO VALLEY, CA	92553-3571	254.02	25.4	50.3	329.7
93088973009	482283015	ARELLANO, ANA (RENT)	24475	ST JAMES DR	MORENO VALLEY	CA	92553-3571	ARELLANO, ANA	24475 ST JAMES DR	MORENO VALLEY, CA	92553-3571	122.89	12.29	24.33	159.5
72847015005	482283022	AMBA, CHRISTINE	24384	BOSTWICK DR	MORENO VALLEY	CA	92553-3504	AMBA, CHRISTINE	24384 BOSTWICK DR	MORENO VALLEY, CA	92553-3504	254.02	25.4	50.3	329.7
92248295003	482283026	ROJAS, ABRAHAM	24328	BOSTWICK DR	MORENO VALLEY	CA	92553-3504	ROJAS, ABRAHAM	24328 BOSTWICK DR	MORENO VALLEY, CA	92553-3504	253.92	25.39	50.28	329.58
31605245009	482284005	ARMENTA, MARIA	24475	BOSTWICK DR	MORENO VALLEY	CA	92553-3503	ARMENTA, MARIA	11437 WEBER AVE	MORENO VALLEY, CA	92555-8600	174.13	17.41	34.48	226.02
88970303006	482284010	QUIRARTE, LETICIA (RENT)	24442	BOSTWICK DR	MORENO VALLEY	CA	92553-3527	QUIRARTE, LETICIA (RENT)	24442 BOSTWICK DR	MORENO VALLEY, CA	92553-3527	46.53	4.65	9.21	60.38
98084165013	482284011	GARCIA, MARIA (RENT)	24433	BOSTWICK DR	MORENO VALLEY	CA	92553-3503	GARCIA, MARIA	150 SAN FELIPE DR	PERRIS, CA	92571-4619	41.99	4.2	8.31	54.5
56055485006	482284012	PLASOLA, JESUS	24421	BOSTWICK DR	MORENO VALLEY	CA	92553-3503	PLASOLA, JESUS	24421 BOSTWICK DR	MORENO VALLEY, CA	92553-3503	254.02	25.4	50.3	329.7
91837175009	482284016	LUNA, ARTHUR	24355	BOSTWICK DR	MORENO VALLEY	CA	92553-3522	LUNA, ARTHUR	24355 BOSTWICK DR	MORENO VALLEY, CA	92553-3522	253.92	25.39	50.28	329.58
99015729009	482284020	LEON, EDDIE (RENT)	24303	BOSTWICK DR	MORENO VALLEY	CA	92553-3522	LEON, EDDIE	12526 PEACHLEAF ST	MORENO VALLEY, CA	92553-4764	78.14	7.81	15.47	101.42
31200835006	482291001	MONREAL, FRANK	13631	RAMSDELL DR	MORENO VALLEY	CA	92553-3333	MONREAL, FRANK	13631 RAMSDELL DR	MORENO VALLEY, CA	92553-3333	254.02	25.4	50.3	329.7
31320425007	482291006	MICHEL, MARIA	13693	RAMSDELL DR	MORENO VALLEY	CA	92553-3333	MICHEL, MARIA	13693 RAMSDELL DR	MORENO VALLEY, CA	92553-3333	254.02	25.4	50.3	329.7
31298805005	482292006	GARCIA, RAMON C (RENT)	24263	TIERRA DE ORO	MORENO VALLEY	CA	92553-6223	GARCIA, RAMON C	13804 RED MAHOGANY DR	MORENO VALLEY, CA	92553-4382	63.63	6.36	12.6	82.58
31066495001	482292009	INMAN, LA DONNA	24333	TIERRA DE ORO	MORENO VALLEY	CA	92553-3343	CASCARELLI, TRACI	24333 TIERRA DE ORO	MORENO VALLEY, CA	92553-3343	254.02	25.4	50.3	329.7
97420535003	482292010	LOPEZ, RAMON (RENT)	24317	TIERRA DE ORO	MORENO VALLEY	CA	92553-3343	LOPEZ, RAMON	24317 TIERRA DE ORO	MORENO VALLEY, CA	92553-3343	254.12	25.41	50.32	329.84
93679045001	482292019	GUIPOU, FETONGI (OWNR)	24389	TIERRA DE ORO	MORENO VALLEY	CA	92553-3343	GUIPOU, FETONGI	24389 TIERRA DE ORO	MORENO VALLEY, CA	92553-3343	254.12	25.41	50.32	329.84
31454275005	482292020	CONTRERAS, LYDIA	24377	TIERRA DE ORO	MORENO VALLEY	CA	92553-3343	CONTRERAS, LYDIA	24377 TIERRA DE ORO	MORENO VALLEY, CA	92553-3343	254.02	25.4	50.3	329.7
60176775003	482293013	ROBINSON, PATRICIA	24324	TIERRA DE ORO	MORENO VALLEY	CA	92553-3344	ROBINSON, PATRICIA	24324 TIERRA DE ORO	MORENO VALLEY, CA	92553-3344	58.37	5.84	11.56	75.76
95931745007	482293014	GARIBAY, HECTOR (OWNR)	24338	TIERRA DE ORO	MORENO VALLEY	CA	92553-3344	GARIBAY, HECTOR	24338 TIERRA DE ORO	MORENO VALLEY, CA	92553-3344	254.12	25.41	50.32	329.84
99625715003	482293016	MENDOZA, BLANCA (OWNR)	24385	VIA DEL SOL	MORENO VALLEY	CA	92553-3347	MENDOZA, BLANCA	24385 VIA DEL SOL	MORENO VALLEY, CA	92553-3347	190.79	19.08	37.78	247.64
75155785008	482294002	VELEZ, VERONICA	24250	VIA DEL SOL	MORENO VALLEY	CA	92553-6224	VELEZ, VERONICA	24250 VIA DEL SOL	MORENO VALLEY, CA	92553-6224	254.02	25.4	50.3	329.7
92778895003	482301004	MORENO, MARGARITA	24316	JANET KAY DR	MORENO VALLEY	CA	92553-3542	MORENO, MARGARITA	24316 JANET KAY DR	MORENO VALLEY, CA	92553-3542	47.48	4.75	9.4	61.62
51122775008	482301007	BURNS, SARAH-	24282	JANET KAY DR	MORENO VALLEY	CA	92553-2414	BURNS, SARAH-	24282 JANET KAY DR	MORENO VALLEY, CA	92553-2414	254.02	25.4	50.3	329.7
85206315006	482302001	ABEYTA, BETTY	14745	PERHAM DR	MORENO VALLEY	CA	92553-3556	DOFFING, LISA	14745 PERHAM DR	MORENO VALLEY, CA	92553-3556	254.02	25.4	50.3	329.7
98217815013	482302003	ARMSTRONG, DASHAWN (RENT)	14725	PERHAM DR	MORENO VALLEY	CA	92553-3556	ARMSTRONG, DASHAWN	14725 PERHAM DR	MORENO VALLEY, CA	92553-3556	308.79	30.88	61.14	400.8
70975735005	482302011	PINTOR, ARACELI	14645	PERHAM DR	MORENO VALLEY	CA	92553-3562	PINTOR, ARACELI	14645 PERHAM DR	MORENO VALLEY, CA	92553-3562	254.02	25.4	50.3	329.7
92643145007	482303006	RAMIREZ, MELODY	14690	PERHAM DR	MORENO VALLEY	CA	92553-3564	RAMIREZ, MELODY	14690 PERHAM DR	MORENO VALLEY, CA	92553-3564	254.02	25.4	50.3	329.7
95903615003	482303009	MANOLLA, FELIX (RENT)	14671	WILMA SUE ST	MORENO VALLEY	CA	92553-2433	MANOLLA, FELIX	14671 WILMA SUE ST	MORENO VALLEY, CA	92553-2433	253.63	25.36	50.22	329.2
64710625007	482304007	PEREZ, LAURA	14692	WILMA SUE ST	MORENO VALLEY	CA	92553-2432	PEREZ, LAURA	14692 WILMA SUE ST	MORENO VALLEY, CA	92553-2432	254.12	25.41	50.32	329.84
93769715009	482304013	GONZALEZ, DIANA (RENT)	24352	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3525	GONZALEZ, DIANA	14891 STARMONT ST	MORENO VALLEY, CA	92553-3921	334.12	33.41	66.16	433.68
31647515004	482304018	BIRTS, CYNTHIA	24402	DELPHINIUM AVE	MORENO VALLEY	CA	92553-2412	BIRTS, CYNTHIA	24402 DELPHINIUM AVE	MORENO VALLEY, CA	92553-2412	254.02	25.4	50.3	329.7
31598295005	482304030	GOMEZ, MARISOL	14683	CLAUDINE ST	MORENO VALLEY	CA	92553-2408	GOMEZ, MARISOL	14683 CLAUDINE ST	MORENO VALLEY, CA	92553-2408	254.02	25.4	50.3	329.7
89534763002	482304034	VALENCIA, JAMES (RENT)	24381	JANET KAY DR	MORENO VALLEY	CA	92553-3543	VALENCIA, JAMES	24381 JANET KAY DR	MORENO VALLEY, CA	92553-3543	83.36	8.34	16.51	108.2
97680635001	482305011	ROSS, FELIPE AND ALMA (RENT)	14704	CLAUDINE ST	MORENO VALLEY	CA	92553-3517	ROSS, FELIPE AND ALMA	14704 CLAUDINE ST	MORENO VALLEY, CA	92553-3517	189.12	18.91	37.45	245.46
90992863008	482305014	SEPULVEDA, PATRICIA (RENT)	14734	CLAUDINE ST	MORENO VALLEY	CA	92553-3517	SEPULVEDA, PATRICIA	14734 CLAUDINE ST	MORENO VALLEY, CA	92553-3517	190.79	19.08	37.78	247.64
92396743006	482306005	NIETO, ROBERTO	24418	JANET KAY DR	MORENO VALLEY	CA	92553-3545	NIETO, ROBERTO	24418 JANET KAY DR	MORENO VALLEY, CA	92553-3545	47.28	4.73	9.36	61.36
96287905009	482306009	HINOJOSA, MARTINA (OWNR)	24466	JANET KAY DR	MORENO VALLEY	CA	92553-3545	HINOJOSA, MARTINA	24466 JANET KAY DR	MORENO VALLEY, CA	92553-3545	65.79	6.58	13.03	85.38
97667805002	482306014	SANCHEZ, ESMERALDA (OWNR)	14686	CARLA JEAN DR	MORENO VALLEY	CA	92553-2406	SANCHEZ, ESMERALDA	14686 CARLA JEAN DR	MORENO VALLEY, CA	92553-2406	254.12	25.41	50.32	329.84
31426075005	482306020	ESPINOZA, MATILDA	14746	CARLA JEAN DR	MORENO VALLEY	CA	92553-3515	ESPINOZA, EMELDA	14746 CARLA JEAN DR	MORENO VALLEY, CA	92553-3515	134.02	13.4	26.54	173.94
31700785009	482311012	PENA, MANUEL AND ALEJANDRINA	24476	MURAL CT	MORENO VALLEY	CA	92553-3507	PENA, MANUEL AND ALEJANDRINA	24476 MURAL CT	MORENO VALLEY, CA	92553-3507	183.63	18.36	36.36	238.34
31382895008	482311014	GARCIA, GUILLERMO	24461	MURAL CT	MORENO VALLEY	CA	92553-3507	GARCIA, GUILLERMO	24461 MURAL CT	MORENO VALLEY, CA	92553-3507	90.69	9.07	17.96	117.7
96289285005	482311021	WYATT, DAWN (RENT)	24486	LAMONT DR	MORENO VALLEY	CA	92553-3555	WYATT, DAWN	24486 LAMONT DR	MORENO VALLEY, CA	92553-3555	231.99	23.2	45.93	301.12
31280195001	482311022	MORALES, SHIRLEY	24446	LAMONT DR	MORENO VALLEY	CA	92553-3555	MORALES, SHIRLEY	24446 LAMONT DR	MORENO VALLEY, CA	92553-3555	282.23	28.22	55.88	366.32
31370035004	482311025	MORENO, MIGUEL AND ROSA	24473	LAMONT DR	MORENO VALLEY	CA	92553-3553	MORENO, MIGUEL AND ROSA	24473 LAMONT DR	MORENO VALLEY, CA	92553-3553	254.02	25.4	50.3	329.7
31259075000	482311029	EUSTAQUIO, J	24421	LAMONT DR	MORENO VALLEY	CA	92553-3553	EUSTAQUIO, J	24421 LAMONT DR	MORENO VALLEY, CA	92553-3553	254.02	25.4	50.3	329.7
95220315005	482311030	TOLENTINO, DANIELA (RENT)	15631	PATRICIA ST	MORENO VALLEY	CA	92551-4655	TOLENTINO, DANIELA	16007 MERRILL AV	FONTANA, CA	92335-4463	75.42	7.54	14.93	97.88
31368635002	482311031	LY, HAI	24395	LAMONT DR	MORENO VALLEY	CA	92553-3580	LY, HAI	24395 LAMONT DR	MORENO VALLEY, CA	92553-3580	232.81	23.28	46.1	302.18

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31516205006	482311033	RAMOS, JUAN	24369	LAMONT DR	MORENO VALLEY	CA	92553-3580	RAMOS, JUAN	24369 LAMONT DR	MORENO VALLEY, CA	92553-3580	253.92	25.39	50.28	329.58
98217865012	482312002	SMITH, DONNA (RENT)	14359	PERHAM DR	MORENO VALLEY	CA	92553-3581	SMITH, DONNA	14359 PERHAM DR	MORENO VALLEY, CA	92553-3581	44.12	4.41	8.74	57.26
90367075009	482312004	HERNANDEZ, JORGE	14335	PERHAM DR	MORENO VALLEY	CA	92553-3581	HERNANDEZ, JORGE	24749 ATWOOD AVE	MORENO VALLEY, CA	92553-3782	253.92	25.39	50.28	329.58
75648235008	482313004	GEORGE, KATINA	24330	LAMONT DR	MORENO VALLEY	CA	92553-3554	GEORGE, KATINA	24330 LAMONT DR	MORENO VALLEY, CA	92553-3554	254.02	25.4	50.3	329.7
86617913007	482313005	EVANS, MICHELLE	24344	LAMONT DR	MORENO VALLEY	CA	92553-3554	EVANS, MICHELLE	24344 LAMONT DR	MORENO VALLEY, CA	92553-3554	254.12	25.41	50.32	329.84
81582685007	482313008	PEREZ, LAURA	14343	STONEHURST DR	MORENO VALLEY	CA	92553-3579	PEREZ, LAURA	14343 STONEHURST DR	MORENO VALLEY, CA	92553-3579	329.32	32.93	65.21	427.44
93814605006	482313010	JATUINDE, ALESIA (RENT)	14311	STONEHURST DR	MORENO VALLEY	CA	92553-3579	JATUINDE, ALESIA	24341 BRODIAEA AVE	MORENO VALLEY, CA	92553-6747	119.25	11.93	23.61	154.78
87426555007	482313013	JURLS, KATHLEEN	14265	STONEHURST DR	MORENO VALLEY	CA	92553-2434	JURLS, KATHLEEN	14265 STONEHURST DR	MORENO VALLEY, CA	92553-2434	254.12	25.41	50.32	329.84
95914615000	482314002	PINTO, LUIZ (RENT)	24308	HINLEY DR	MORENO VALLEY	CA	92553-3533	PINTO, LUIZ	24308 FINLEY DR	MORENO VALLEY, CA	92553-3533	254.12	25.41	50.32	329.84
31221615007	482320001	LEWIS, ART	24418	VIA DEL SOL	MORENO VALLEY	CA	92553-3350	LEWIS, ART	24418 VIA DEL SOL	MORENO VALLEY, CA	92553-3350	254.12	25.41	50.32	329.84
95290465006	482320002	VALENTINE, CYNDI (RENT)	24434	VIA DEL SOL	MORENO VALLEY	CA	92553-3350	VALENTINE, CYNDI	2900 MILLWHEEL	PFAFF TOWN, NC	27040-7425	107.48	10.75	21.28	139.5
49323335000	482320008	KING, CRAIG	24500	VIA DEL SOL	MORENO VALLEY	CA	92553-6226	KING, CRAIG	24500 VIA DEL SOL	MORENO VALLEY, CA	92553-6226	357.53	35.75	70.79	464.06
31227115009	482320013	SHARMA, VIKAS	13705	DAHL DR	MORENO VALLEY	CA	92553-3375	SHARMA, VIKAS	13705 DAHL DR	MORENO VALLEY, CA	92553-3375	253.92	25.39	50.28	329.58
49746505006	482320015	AVERY, ERIC	13731	DAHL DR	MORENO VALLEY	CA	92553-3375	AVERY, ERIC	13731 DAHL DR	MORENO VALLEY, CA	92553-3375	36.37	3.64	7.2	47.2
31508835001	482321001	ORTEGA, ANA	24408	TIERRA DE ORO	MORENO VALLEY	CA	92553-3346	ORTEGA, ANA	24408 TIERRA DE ORO	MORENO VALLEY, CA	92553-3346	254.02	25.4	50.3	329.7
31645045007	482321007	SHARMA, VIKAS	24486	TIERRA DE ORO	MORENO VALLEY	CA	92553-3346	SHARMA, VIKAS	24486 TIERRA DE ORO	MORENO VALLEY, CA	92553-3346	254.02	25.4	50.3	329.7
31121385007	482321009	MOORE, ALICE AESTEL	24475	VIA DEL SOL	MORENO VALLEY	CA	92553-3349	MOORE, ALICE AESTEL	3431 CHANTILLY CIR	RIVERSIDE, CA	92506-2122	254.02	25.4	50.3	329.7
92128575000	482321011	MAILANGI, ANTONIO	24457	VIA DEL SOL	MORENO VALLEY	CA	92553-3349	MAILANGI, ANTONIO	24457 VIA DEL SOL	MORENO VALLEY, CA	92553-3349	254.02	25.4	50.3	329.7
93671325009	482321012	MARQUES, ANGEL AND SANDRA (REN	24445	VIA DEL SOL	MORENO VALLEY	CA	92553-3349	MARQUES, ANGEL AND SANDRA	24445 VIA DEL SOL	MORENO VALLEY, CA	92553-3349	254.12	25.41	50.32	329.84
31430205000	482322001	VAZQUEZ, AMADO	24415	TIERRA DE ORO	MORENO VALLEY	CA	92553-3345	VAZQUEZ, AMADO	24415 TIERRA DE ORO	MORENO VALLEY, CA	92553-3345	187.44	18.74	37.11	243.28
31365345009	482322003	TRAKAS, JERI	24443	TIERRA DE ORO	MORENO VALLEY	CA	92553-3345	TRAKAS, JERI	24443 TIERRA DE ORO	MORENO VALLEY, CA	92553-3345	254.02	25.4	50.3	329.7
88488955002	482322013	NORFI, DAVID	24418	BAY AVE	MORENO VALLEY	CA	92553-3314	NORFI, DAVID	489 DENSLOW AVE	LOS ANGELES, CA	90049-3506	254.12	25.41	50.32	329.84
97952415000	482323002	BERRY, SATRINA (RENT)	24868	BOWER ST	MORENO VALLEY	CA	92553-5317	BERRY, SATRINA	24868 BOWER ST	MORENO VALLEY, CA	92553-5317	254.12	25.41	50.32	329.84
31218545008	482331011	CHACON, MELINDA	24157	SILVERWOOD LN	MORENO VALLEY	CA	92553-3576	CHACON, MELINDA	24157 SILVERWOOD LN	MORENO VALLEY, CA	92553-3576	254.02	25.4	50.3	329.7
98217855014	482331024	BENJAMIN, PRECIOUS (RENT)	24132	JIMSON PL	MORENO VALLEY	CA	92553-3547	BENJAMIN, PRECIOUS	24132 JIMSON PL	MORENO VALLEY, CA	92553-3547	137.57	13.76	27.24	178.56
90573283008	482331028	MCMILLAM, JANIEL (OWNR)	24169	JIMSON PL	MORENO VALLEY	CA	92553-3547	MCMILLAM, JANIEL	24169 JIMSON PL	MORENO VALLEY, CA	92553-3547	190.79	19.08	37.78	247.64
31292145007	482331029	GUEVARA, SERGIO	24181	JIMSON PL	MORENO VALLEY	CA	92553-3547	GUEVARA, SERGIO	24181 JIMSON PL	MORENO VALLEY, CA	92553-3547	253.92	25.39	50.28	329.58
90742703001	482331037	GIBSON, LATANYA	14600	UNITY CT	MORENO VALLEY	CA	92553-9439	GIBSON, LATANYA	14600 UNITY CT	MORENO VALLEY, CA	92553-9439	423.46	42.35	83.85	549.64
92437155001	482332002	FIELDS, MISHAWN (RENT)	14528	JOSHUA TREE AVE	MORENO VALLEY	CA	92553-3549	FIELDS, MISHAWN	14528 JOSHUA TREE AVE	MORENO VALLEY, CA	92553-3549	254.02	25.4	50.3	329.7
74672685004	482333001	WEATHERSBY, DENNIS (OWNR)	14517	UNITY CT	MORENO VALLEY	CA	92553-9401	WEATHERSBY, DENNIS	14517 UNITY CT	MORENO VALLEY, CA	92553-9401	104.02	10.4	20.6	135
63066825003	482333003	SANCHEZ, MIRIAM	14557	UNITY CT	MORENO VALLEY	CA	92553-9401	SANCHEZ, MIRIAM	14557 UNITY CT	MORENO VALLEY, CA	92553-9401	190.79	19.08	37.78	247.64
95348835004	482341004	MONTEROSA, KARLA (RENT)	24063	BRODIAEA AVE	MORENO VALLEY	CA	92553-6708	MONTEROSA, KARLA	24063 BRODIAEA AVE	MORENO VALLEY, CA	92553-6708	254.12	25.41	50.32	329.84
31116555001	482341012	DAVIS, EDGAR	14346	TRAVERS CT	MORENO VALLEY	CA	92553-2401	DAVIS, EDGAR	14346 TRAVERS CT	MORENO VALLEY, CA	92553-2401	54.02	5.4	10.7	70.1
95134995005	482341014	ROSALES, ALAN (RENT)	14312	TRAVERS CT	MORENO VALLEY	CA	92553-2401	ROSALES, ALAN	14312 TRAVERS CT	MORENO VALLEY, CA	92553-2401	134.12	13.41	26.56	174.08
85941195003	482342012	ARRELANO, MONICA (OWNR)	14280	VINCENTE DR	MORENO VALLEY	CA	92553-3584	ARRELANO, MONICA	14280 VINCENTE DR	MORENO VALLEY, CA	92553-3584	254.02	25.4	50.3	329.7
96156165001	482342019	COTTO, MICHAEL (RENT)	24132	FINLEY DR	MORENO VALLEY	CA	92553-3529	COTTO, MICHAEL	24132 FINLEY DR	MORENO VALLEY, CA	92553-3529	190.79	19.08	37.78	247.64
31217895006	482342022	MAYO, RHONDA	24180	FINLEY DR	MORENO VALLEY	CA	92553-3529	MAYO, RHONDA	24180 FINLEY DR	MORENO VALLEY, CA	92553-3529	154.02	15.4	30.5	199.9
98661583000	482342026	ROSALES, ROBERT (RENT)	24244	FINLEY DR	MORENO VALLEY	CA	92553-3546	ROSALES, ROBERT	24244 FINLEY DR	MORENO VALLEY, CA	92553-3546	152.12	15.21	30.12	197.44
53880245001	482342028	ARMSTRONG, CAMERON	24276	FINLEY DR	MORENO VALLEY	CA	92553-3546	ARMSTRONG, CAMERON	200 W MERRILL AVE APT 118	RIALTO, CA	92376-6483	254.02	25.4	50.3	329.7
31247085003	482343006	COLLINS, DEBRA	24211	FINLEY DR	MORENO VALLEY	CA	92553-3551	COLLINS, DEBRA	24211 FINLEY DR	MORENO VALLEY, CA	92553-3551	329.04	32.9	65.15	427.08
99316103001	482343010	SMITH, RUTH (RENT)	24184	POWELL PL	MORENO VALLEY	CA	92553-3568	SMITH, RUTH	24184 POWELL PL	MORENO VALLEY, CA	92553-3568	142.44	14.24	28.2	184.88
92429243000	482343012	ABU-SHABAKEH, ANTOINE AND KATH	24220	POWELL PL	MORENO VALLEY	CA	92553-3559	ABU-SHABAKEH, ANTOINE AND KATH	11800 LASSELLE ST	MORENO VALLEY, CA	92557-6601	335.76	33.58	66.48	435.8
31124365005	482343025	SUSS JR, DON	24101	POWELL PL	MORENO VALLEY	CA	92553-3565	SUSS JR, DON	24101 POWELL PL	MORENO VALLEY, CA	92553-3565	62.76	6.28	12.43	81.46
31105525001	482343031	BURROWS, STEVE	24017	POWELL PL	MORENO VALLEY	CA	92553-3573	BURROWS, STEVE	24017 POWELL PL	MORENO VALLEY, CA	92553-3573	82.68	8.27	16.37	107.3
31616135009	482351005	DOMKE, REBECCA	14921	BLUEBERRY RD	MORENO VALLEY	CA	92553-3602	DOMKE, REBECCA	14921 BLUEBERRY RD	MORENO VALLEY, CA	92553-3602	265.77	26.58	52.62	344.96
31054725009	482351008	SIMS, DONNA L AND FORREST F	14959	BLUEBERRY RD	MORENO VALLEY	CA	92553-3602	SIMS, DONNA L AND FORREST F	14443 ANTHONY PL	MORENO VALLEY, CA	92555-4713	254.02	25.4	50.3	329.7
88253973002	482352005	MARTINEZ, ROSARIO (RENT)	14922	BLUEBERRY RD	MORENO VALLEY	CA	92553-5101	MARTINEZ, ROSARIO	24591 FERNDELL ST	MORENO VALLEY, CA	92553-5714	63.01	6.3	12.48	81.78
31067145003	482352006	SUMMERS, EDWARD	14934	BLUEBERRY RD	MORENO VALLEY	CA	92553-5101	SUMMERS, EDWARD	14934 BLUEBERRY RD	MORENO VALLEY, CA	92553-5101	254.02	25.4	50.3	329.7
92209035002	482353001	JOHNSON, MARSHA	14996	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	JOHNSON, MARSHA	14996 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	144.02	14.4	28.53	186.92
31356665000	482353002	SANCHEZ, BRENDA	14988	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	SANCHEZ, BRENDA	14988 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	329.32	32.93	65.21	427.44
91800163009	482353007	BETANCOURTH, JUANA (OWNR)	14954	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	BETANCOURTH, JUANA	14954 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	202.84	20.28	40.16	263.28
31627465006	482353008	IBARRA, SERGIO AND MARIA	14948	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	IBARRA, SERGIO AND MARIA	14948 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	254.02	25.4	50.3	329.7
31528955003	482353009	SMITH, DEBRA	14940	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	SMITH, DEBRA	14940 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	329.04	32.9	65.15	427.08
31382135008	482353010	HERNANDEZ, ALMA	14928	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	HERNANDEZ, ALMA	PO BOX 9702	MORENO VALLEY, CA	92552-9702	254.02	25.4	50.3	329.7
91566083003	482353011	JONES, JOSEPH (RENT)	14916	CLIFFROSE CT	MORENO VALLEY	CA	92553-3606	JONES, JOSEPH (RENT)	14916 CLIFFROSE CT	MORENO VALLEY, CA	92553-3606	277.43	27.74	54.93	360.1
31067255009	482353015	ROMINE, KATHY	14868	CLIFFROSE CT	MORENO VALLEY	CA	92553-3607	ROMINE, KATHY	14868 CLIFFROSE CT	MORENO VALLEY, CA	92553-3607	316.98	31.7	62.76	411.44
59698925008	482361007	RILEY, ERIKA	13666	PERSIMMON RD	MORENO VALLEY	CA	92553-3858	RILEY, ERIKA	13666 PERSIMMON RD	MORENO VALLEY, CA	92553-3858	254.12	25.41	50.32	329.84
85217335009	482362002	MITCHELL, CAROL	24942	BASSWOOD ST	MORENO VALLEY	CA	92553-3807	MITCHELL, CAROL	24942 BASSWOOD ST	MORENO VALLEY, CA	92553-3807	254.02	25.4	50.3	329.7
86743473003	482363006	FOWLER, NATASHA (RENT)	24913	BASSWOOD ST	MORENO VALLEY	CA	92553-3806	FOWLER, NATASHA	24913 BASSWOOD ST	MORENO VALLEY, CA	92553-3806	254.12	25.41	50.32	329.84
91823635003	482363015	BUTTS, ANGELA (RENT)	24890	BAY AVE	MORENO VALLEY	CA	92553-3854	BUTTS, ANGELA	24890 BAY AVE	MORENO VALLEY, CA	92553-3854	329.04	32.9	65.15	427.08
31273715007	482364001	RAMIREZ, JUANITA AND MARCELO	13749	MORENO WAY	MORENO VALLEY	CA	92553-3849	RAMIREZ, JUANITA AND MARCELO	13749 MORENO WAY	MORENO VALLEY, CA	92553-3849	127.36	12.74	25.22	165.3
81175295001	482364012	JIMENEZ, LETICIA	13676	PECAN PL	MORENO VALLEY	CA	92553-3856	JIMENEZ, LETICIA	13676 PECAN PL	MORENO VALLEY, CA	92553-3856	404.62	40.46	80.11	525.18
64480015005	482364014	OGWO, EDWARD AND ABIGAEL	13700	PECAN PL	MORENO VALLEY	CA	92553-5300	OGWO, EDWARD AND ABIGAEL	13700 PECAN PL	MORENO VALLEY, CA	92553-5300	246.01	24.6	48.71	319.32
98802423004	482364016	RIVAS, LAURA (RENT)	13724	PECAN PL	MORENO VALLEY	CA	92553-5300	RIVAS, LAURA	13724 PECAN PL	MORENO VALLEY, CA	92553-5300	82.12	8.21	16.26	106.58
75093515004	482365001	ALVAREZ, CRUZ	13747	PECAN PL	MORENO VALLEY	CA	92553-5302	ALVAREZ, CRUZ	13747 PECAN PL	MORENO VALLEY, CA	92553-5302	254.02	25.4	50.3	329.7
31186275003	482365007	GILLESPIE, RICHARD	13675	PECAN PL	MORENO VALLEY	CA	92553-3855	GILLESPIE, RICHARD	29086 BARCELONA CT	MORENO VALLEY, CA	92555-7314	236.62	23.66	46.85	307.12
95383305003	482370004	RUSSELL, MICHELLE (RENT)	13893	RAMSDELL DR	MORENO VALLEY	CA	92553-6213	RUSSELL, MICHELLE AND BRUCE	13893 RAMSDELL DR	MORENO VALLEY, CA	92553-6213	254.12	25.41	50.32	329.84
52897015004	482370010	ALMAZAN, RONALD	13821	RAMSDELL DR	MORENO VALLEY	CA	92553-6213	ALMAZAN, RONALD	13821 RAMSDELL DR	MORENO VALLEY, CA	92553-6213	254.02	25.4	50.3	329.7
98055985011	482370013	NAVARRO, ADRIANA & ADAM (RENT)	13791	RAMSDELL DR	MORENO VALLEY	CA	92553-3337	NAVARRO, ADRIANA & ADAM	13791 RAMSDELL DR	MORENO VALLEY, CA	92553-3337	40.79	4.08	8.08	52.94
99320163000	482370015	MOSLEY, ALICIA (RENT)	13771	RAMSDELL DR	MORENO VALLEY	CA	92553-3337	MOSLEY, ALICIA (RENT)	13771 RAMSDELL DR	MORENO VALLEY, CA	92553-3337	132.68	13.27	26.27	172.2
31544055009	482371006	PURAY, HERLINA	24138	MILLSAP DR	MORENO VALLEY	CA	92553-6210	PURAY, HERLINA	24138 MILLSAP DR	MORENO VALLEY, CA	92553-6210	253.92	25.39	50.28	329.58
98200483008	482371016	ARIAS, MONICA	24210	MILLSAP DR	MORENO VALLEY	CA	92553-3330	ARIAS, MONICA	24210 MILLSAP DR	MORENO VALLEY, CA	92553-3330	253.86	25.39	50.26	329.5
31530105008	482371018	WILLIAMS, JOYCE	24244	MILLSAP DR	MORENO VALLEY	CA	92553-3330	WILLIAMS, JOYCE	24244 MILLSAP DR	MORENO VALLEY, CA	92553-3330	281.97	28.2	55.83	365.98
31642615004	482372002	MCCONICO, GENE A	24233	MILLSAP DR	MORENO VALLEY	CA	92553-3329	MCCONICO, GENE A	24233 MILLSAP DR	MORENO VALLEY, CA	92553-3329	254.02	25.4	50.3	329.7
31277375009	482372004	BUTLER, WILLIE	24201	MILLSAP DR	MORENO VALLEY	CA	92553-3329	BUTLER, WILLIE	24201 MILLSAP DR	MORENO VALLEY, CA	92553-3329	253.92	25.39	50.28	329.58
31049345009	482372022	VAUGHAN SR, DELAS L	24129	HORTON CT	MORENO VALLEY	CA	92553-3327	VAUGHAN SR, DELAS L	24129 HORTON CT	MORENO VALLEY, CA	92553-3327	100	10	19.8	129.8
89804015007	482372024	VALENCIA, ALANA	24121	DELGADO CT	MORENO VALLEY	CA	92553-3319	VALENCIA, ALANA	24121 DELGADO CT	MORENO VALLEY, CA	92553-3319	63.93	6.39	12.66	82.98
31065095007	482372028	JOHNSON, ELVEE	24178	DELGADO CT	MORENO VALLEY	CA	92553-3378	JOHNSON, ELVEE	24178 DELGADO CT	MORENO VALLEY, CA	92553-3378	329.32	32.93	65.21	427.44
91663623005	482372032	SOTO, JESSE AND REBECCA (RENT)	24238	DELGADO CT	MORENO VALLEY	CA	92553-3320	SOTO, JESSE AND REBECCA	24238 DELGADO CT	MORENO VALLEY, CA	92553-3320	153.09	15.31	30.31	198.7
80921635001	482372035	DEANS, CHRISTINA	24237	DELGADO CT	MORENO VALLEY	CA	92553-3385	DEANS, CHRISTINA	24237 DELGADO CT	MORENO VALLEY, CA	92553-3385	254.02	25.4	50.3	329.7
94242625005	482372040	HERNANDEZ, XAVIER (OWNR)	24161	DELGADO CT	MORENO VALLEY	CA	92553-3319	HERNANDEZ, XAVIER	24161 DELGADO CT	MORENO VALLEY, CA	92553-3319	254.12	25.41	50.32	329.84
31412885005	482372044	MEJORADO, JUAN	24146	VIA VARGAS DR	MORENO VALLEY	CA	92553-3352	MEJORADO, JUAN	24146 VIA VARGAS DR	MORENO VALLEY, CA	92553-3352	190.69	19.07	37.76	247.5
96556175000	482372046	JORDAN, GARY (OWNR)	24172	VIA VARGAS DR	MORENO VALLEY	CA	92553-3352	JORDAN, GARY	1971 CAMDEN ST	RIVERSIDE, CA	92506-3528	63.63	6.36	12.6	82.58
31146185006	482372047	SANTOS, SEVILLA	24184	VIA VARGAS DR	MORENO VALLEY	CA	92553-3352	SANTOS, SEVILLA	24184 VIA VARGAS DR	MORENO VALLEY, CA	92553-3352	282.23	28.22	55.88	366.32
91032543000	482372051	GOMEZ, SALINDA (OWNR)	24236	VIA VARGAS DR	MORENO VALLEY	CA	92553-6230	GOMEZ, SALINDA (OWNR)	24236 VIA VARGAS DR	MORENO VALLEY, CA	92553-6230	266.08	26.61	52.68	345.36
31606085000	482372052	BOSIO, JUAN	24240	VIA VARGAS DR	MORENO VALLEY	CA	92553-6230	BOSIO, JUAN	24240 VIA VARGAS DR	MORENO VALLEY, CA	92553-6230	254.02	25.4	50.3	329.7
31194065001	482373001	ABARCA, ANTONIO	24119	VIA VARGAS DR	MORENO VALLEY	CA	92553-3351	ABARCA, ANTONIO	24119 VIA VARGAS DR	MORENO VALLEY, CA	92553-3351	254.02	25.4	50.3	329.7
62710625009	482373007	TAFOYA, MARIA GUADALUPE	24191	VIA VARGAS DR	MORENO VALLEY	CA	92553-3351	TAFOYA, MARIA GUADALUPE	24191 VIA VARGAS DR	MORENO VALLEY, CA	92553-3351	254.12	25.41	50.32	329.84
55741095004	482373008	HANSEN, GLORIA LEON	24203	VIA VARGAS DR	MORENO VALLEY	CA	92553-6205	HANSEN, GLORIA LEON	24203 VIA VARGAS DR	MORENO VALLEY, CA	92553-6205	254.02	25.4	50.3	329.7
92817275009	482381005	BAILEY, BLANCHE (RENT)	14815	CLIFFROSE CT	MORENO VALLEY	CA	92553-3607	BAILEY, BLANCHE	204 N MAYFLOWER ST	HEMET, CA	92544-4761	236.73	23.67	46.87	307.26
31455285000	482381006	SOUZ, KIM	14812	BLUEBERRY RD	MORENO VALLEY	CA	92553-5100	SOUZ, KIM	14812 BLUEBERRY RD	MORENO VALLEY, CA	92553-5100	254.02	25.4	50.3	329.7
31544815000	482381008	MORENO, JUDITH	14836	BLUEBERRY RD	MORENO VALLEY	CA	92553-5100	MORENO, JUDITH	14836 BLUEBERRY RD	MORENO VALLEY, CA	92553-5100	329.04	32.9	65.15	427.08
93753475003	482382007	LANDRY, DENNIS AND MARY (RENT)	24353	BLUEGRASS CT	MORENO VALLEY	CA	92553-3604	LANDRY, DENNIS AND MARY	15928 PERRIS BLVD #306	MORENO VALLEY, CA	92551-4693	323.76	32.38	64.1	420.24
93387655002	482382009	MITCHELL, JENNIFER (RENT)	24331	BLUEGRASS CT	MORENO VALLEY	CA	92553-3604	MITCHELL, JENNIFER	12471 CLEARWATER CT	VICTORVILLE, CA	92392-6778	254.12	25.41	50.32	329.84
89513193006	482382014	MCCLAIN-YANCEY, TORI (RENT)	24322	COMFORT CT	MORENO VALLEY	CA	92553-3680	MCCLAIN-YANCEY, TORI	24322 COMFORT CT	MORENO VALLEY, CA	92553-3680	254.12	25.41	50.32	329.84
31304825007	482382015	RODRIGUEZ, REBECCA	24334	COMFORT CT	MORENO VALLEY	CA	92553-3680	RODRIGUEZ, REBECCA	24334 COMFORT CT	MORENO VALLEY, CA	92553-3680	273.62	27.36	54.18	355.14
96616915007	482382019	RUIZ, ALMA (RENT)	24363	COMFORT CT	MORENO VALLEY	CA	92553-3680	RUIZ, ALMA	24363 COMFORT CT	MORENO VALLEY, CA	92553-3680	251.2	25.12	49.74	326.04
88970183001	482382020	MOHR, SARAH (RENT)	24341	COMFORT CT	MORENO VALLEY	CA	92553-3680	MOHR, SARAH	24341 COMFORT CT	MORENO VALLEY, CA	92553-3680	171.8	17.18	34.02	222.98
31058955001	482383003	BUCHANAN, KEN	14767	PERHAM DR	MORENO VALLEY	CA	92553-3651	BUCHANAN, KEN	14767 PERHAM DR	MORENO VALLEY, CA	92553-3651	190.39	19.04	37.7	247.12
95275475005	482384002	LUJAN, SANDRA (RENT)	14848	CLIFFROSE CT	MORENO VALLEY	CA	92553-3607	LUJAN, SANDRA	25717 TURMERIC WAY	MORENO VALLEY, CA	92553-0819	254.12	25.41	50.32	329.84
90393443008	482384006	PASILLAS, JOHN (RENT)	14800	CLIFFROSE CT	MORENO VALLEY	CA	92553-3607	PASILLAS, JOHN	14800 CLIFFROSE CT	MORENO VALLEY, CA	92553-3607	392.83	39.28	77.78	509.88

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
88969883006	482384012	KYAW, THEIN AND MYA, WIN WIN	24396	BLUEGRASS CT	MORENO VALLEY	CA	92553-7698	KYAW, THEIN AND MYA, WIN WIN	441 W FOOTHILL BLVD	ARCADIA, CA	91006-2213	329.5	32.95	65.24	427.68
54305695003	482384013	LESTER, PHILIPS	24382	BLUEGRASS CT	MORENO VALLEY	CA	92553-7698	LESTER, PHILIPS	24382 BLUEGRASS CT	MORENO VALLEY, CA	92553-7698	87.69	8.77	17.36	113.82
96430585002	482384014	MORALES, FELIPE (RENT)	24364	BLUEGRASS CT	MORENO VALLEY	CA	92553-3605	MORALES, FELIPE	24364 BLUEGRASS CT	MORENO VALLEY, CA	92553-3605	99.69	9.97	19.74	129.38
65033895006	482384017	ORTEGA, MONICA	24326	BLUEGRASS CT	MORENO VALLEY	CA	92553-3605	ORTEGA, MONICA	2006 FAIR CREST TRL	FORNEY, TX	75126-6300	254.12	25.41	50.32	329.84
31623425004	482384018	CARRILLO, MADELYN	24314	BLUEGRASS CT	MORENO VALLEY	CA	92553-3605	CARRILLO, MADELYN	24314 BLUEGRASS CT	MORENO VALLEY, CA	92553-3605	184.03	18.4	36.44	238.86
31518585002	482384019	MARLAK, NAOMI	24302	BLUEGRASS CT	MORENO VALLEY	CA	92553-3605	MARLAK, NAOMI	24302 BLUEGRASS CT	MORENO VALLEY, CA	92553-3605	253.92	25.39	50.28	329.58
51592525005	482384020	GIBSON, MARTHA	14802	PERHAM CT	MORENO VALLEY	CA	92553-7699	GIBSON, MARTHA	14802 PERHAM CT	MORENO VALLEY, CA	92553-7699	254.02	25.4	50.3	329.7
81970575006	482384024	BUENO, PATRICIA	24307	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3524	BUENO, PATRICIA	24307 DELPHINIUM AVE	MORENO VALLEY, CA	92553-3524	254.02	25.4	50.3	329.7
31519635000	482384027	MONTES, DELIA	24343	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3524	MONTES, DELIA	24343 DELPHINIUM AVE	MORENO VALLEY, CA	92553-3524	53.92	5.39	10.68	69.98
93324275005	482384033	PACHECO, EVELIA (RENT)	24421	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3508	PACHECO, EVELIA	24421 DELPHINIUM AVE	MORENO VALLEY, CA	92553-3508	254.12	25.41	50.32	329.84
31269235006	482384034	NUNEZ, NIMIA	24431	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3508	NUNEZ, NIMIA	24431 DELPHINIUM AVE	MORENO VALLEY, CA	92553-3508	254.12	25.41	50.32	329.84
92624965004	482384037	AFFORDABLE SERVICES	24475	DELPHINIUM AVE	MORENO VALLEY	CA	92553-3508	AFFORDABLE SERVICES	24475 DELPHINIUM AVE	MORENO VALLEY, CA	92553-3508	254.02	25.4	50.3	329.7
31358715006	482391001	WINGATE, RANDY	13641	PECAN PL	MORENO VALLEY	CA	92553-3855	WINGATE, RANDY	13641 PECAN PL	MORENO VALLEY, CA	92553-3855	329.32	32.93	65.21	427.44
31596945003	482391002	TORRES, JUAN	13631	PECAN PL	MORENO VALLEY	CA	92553-3855	TORRES, JUAN	13631 PECAN PL	MORENO VALLEY, CA	92553-3855	254.02	25.4	50.3	329.7
31490175000	482392001	GARCIA, SEBASTIANA	13637	MORENO WAY	MORENO VALLEY	CA	92553-3848	GARCIA, SEBASTIANA	13637 MORENO WAY	MORENO VALLEY, CA	92553-3848	329.6	32.96	65.26	427.82
75032025009	482392003	CASTILLO SR, JOSE M	13611	MORENO WAY	MORENO VALLEY	CA	92553-3848	CASTILLO SR, JOSE M	12243 TIMILCO CT	MORENO VALLEY, CA	92557-6839	329.32	32.93	65.21	427.44
31610635007	482392005	ADAMS, CASSANDRA AND NATHALIEL	13589	MORENO WAY	MORENO VALLEY	CA	92553-3893	ADAMS, CASSANDRA AND NATHALIEL	13589 MORENO WAY	MORENO VALLEY, CA	92553-3893	137.69	13.77	27.26	178.72
31476185007	482392006	CAMACHO, LAURA	13577	MORENO WAY	MORENO VALLEY	CA	92553-3893	CAMACHO, LAURA	13577 MORENO WAY	MORENO VALLEY, CA	92553-3893	282.29	28.22	55.88	366.32
31161825001	482392008	MARQUEZ, MANUEL	13549	MORENO WAY	MORENO VALLEY	CA	92553-3893	MARQUEZ, MANUEL	13549 MORENO WAY	MORENO VALLEY, CA	92553-3893	71.05	7.11	14.07	92.22
31536595002	482393001	CENICEROS, FRANK	24854	BOWER ST	MORENO VALLEY	CA	92553-5317	CENICEROS, FRANK	24854 BOWER ST	MORENO VALLEY, CA	92553-5317	333.5	33.35	66.03	432.88
56839265009	482393004	RAMIREZ, LEONARD	24900	BOWER ST	MORENO VALLEY	CA	92553-5318	RAMIREZ, LEONARD	24900 BOWER ST	MORENO VALLEY, CA	92553-5318	254.02	25.4	50.3	329.7
97109545000	482393005	ORENEAIN, ISMAEL (RENT)	24910	BOWER ST	MORENO VALLEY	CA	92553-5318	ORENEAIN, ISMAEL	24910 BOWER ST	MORENO VALLEY, CA	92553-5318	254.12	25.41	50.32	329.84
31641305001	482394001	DUARTE, CAMERINA	24855	BOWER ST	MORENO VALLEY	CA	92553-3830	DUARTE, CAMERINA	24855 BOWER ST	MORENO VALLEY, CA	92553-3830	254.02	25.4	50.3	329.7
95931885007	482394005	TORRES, MANUEL (OWNR)	24913	BOWER ST	MORENO VALLEY	CA	92553-3805	TORRES, MANUEL	24913 BOWER ST	MORENO VALLEY, CA	92553-3805	254.12	25.41	50.32	329.84
96131565000	482394007	CHAVEZ, NALLELY (OWNR)	24941	BOWER ST	MORENO VALLEY	CA	92553-3805	CHAVEZ, NALLELY	24941 BOWER ST	MORENO VALLEY, CA	92553-3805	254.12	25.41	50.32	329.84
31406525003	482395007	RAMIREZ, JENNIFER	24935	BAYLEAF ST	MORENO VALLEY	CA	92553-3814	RAMIREZ, JENNIFER	24935 BAYLEAF ST	MORENO VALLEY, CA	92553-3814	329.32	32.93	65.21	427.44
31653305006	482395014	MORAN, JOSE	24908	BRANCH ST	MORENO VALLEY	CA	92553-5319	MORAN, JOSE	24908 BRANCH ST	MORENO VALLEY, CA	92553-5319	222.97	22.3	44.15	289.4
98021065016	482396003	BELLAMY, TRACIE (RENT)	13612	PERSIMMON RD	MORENO VALLEY	CA	92553-3858	BELLAMY, TRACIE	13612 PERSIMMON RD	MORENO VALLEY, CA	92553-3858	253.09	25.31	50.11	328.5
31355455006	482396007	ZULUETA, LOUISE	13570	PERSIMMON RD	MORENO VALLEY	CA	92553-5306	ZULUETA, LOUISE	13570 PERSIMMON RD	MORENO VALLEY, CA	92553-5306	254.02	25.4	50.3	329.7
31448095005	482396011	ALEXANDER, GREGORY	13516	PERSIMMON RD	MORENO VALLEY	CA	92553-5306	ALEXANDER, GREGORY	13516 PERSIMMON RD	MORENO VALLEY, CA	92553-5306	254.02	25.4	50.3	329.7
31306245004	482411001	GUZMAN, CRYSTOBAL	14914	CLOVERFIELD RD	MORENO VALLEY	CA	92553-5711	GUZMAN, CRYSTOBAL	14914 CLOVERFIELD RD	MORENO VALLEY, CA	92553-5711	329.32	32.93	65.21	427.44
31287935001	482412003	BARRAGAN, SERGIO AND LAURA	24560	MORNING GLORY ST	MORENO VALLEY	CA	92553-3972	BARRAGAN, SERGIO AND LAURA	24560 MORNING GLORY ST	MORENO VALLEY, CA	92553-3972	63.63	6.36	12.6	82.58
31574825004	482412007	MORENO, JESSICA	24626	MORNING GLORY ST	MORENO VALLEY	CA	92553-3974	MORENO, JESSICA	24626 MORNING GLORY ST	MORENO VALLEY, CA	92553-3974	254.02	25.4	50.3	329.7
92766473006	482412013	DIAZ, BARBARA (RENT)	14923	CLOVERFIELD RD	MORENO VALLEY	CA	92553-5712	DIAZ, BARBARA	14923 CLOVERFIELD RD	MORENO VALLEY, CA	92553-5712	253.09	25.31	50.11	328.5
31326115009	482412015	MARTINEZ, JESUS	14920	SILVERTREE RD	MORENO VALLEY	CA	92553-5705	MARTINEZ, JESUS	14920 SILVERTREE RD	MORENO VALLEY, CA	92553-5705	254.02	25.4	50.3	329.7
31365045002	482413003	MAYNEZ, JOSE	24676	FERNDELL ST	MORENO VALLEY	CA	92553-3989	MAYNEZ, JOSE	24676 FERNDELL ST	MORENO VALLEY, CA	92553-3989	254.02	25.4	50.3	329.7
63183805000	482413006	CHAVEZ, GABRIEL	24724	FERNDELL ST	MORENO VALLEY	CA	92553-3991	CHAVEZ, GABRIEL	1013 LORNA ST	CORONA, CA	92882-4067	254.12	25.41	50.32	329.84
31351655003	482413008	VALENCIA, GEORGE	24744	FERNDELL ST	MORENO VALLEY	CA	92553-3991	VALENCIA, GEORGE	24744 FERNDELL ST	MORENO VALLEY, CA	92553-3991	254.02	25.4	50.3	329.7
31550995009	482413011	WADE, VIVIAN	24711	FERNDELL ST	MORENO VALLEY	CA	92553-3991	WADE, VIVIAN	24711 FERNDELL ST	MORENO VALLEY, CA	92553-3991	90.37	9.04	17.89	117.3
31614135004	482413014	SACARIAS, RUTH	24653	FERNDELL ST	MORENO VALLEY	CA	92553-3992	SACARIAS, RUTH	24653 FERNDELL ST	MORENO VALLEY, CA	92553-3992	254.02	25.4	50.3	329.7
75062685007	482413019	DELAROSA, JOEL V	24690	MORNING GLORY ST	MORENO VALLEY	CA	92553-3974	DELAROSA, JOEL V	24690 MORNING GLORY ST	MORENO VALLEY, CA	92553-3974	254.02	25.4	50.3	329.7
31464445009	482413027	CARDENAS, ALFREDO AND ANA	24675	MORNING GLORY ST	MORENO VALLEY	CA	92553-3956	CARDENAS, ALFREDO	24675 MORNING GLORY ST	MORENO VALLEY, CA	92553-3956	126.29	12.63	25.01	163.92
56078165005	482414005	WILLIAMS, ELIZABETH	24561	MORNING GLORY ST	MORENO VALLEY	CA	92553-3973	WILLIAMS, ELIZABETH	24561 MORNING GLORY ST	MORENO VALLEY, CA	92553-3973	254.02	25.4	50.3	329.7
31547715004	482414010	CIUBAL, ROGER	14977	SILVERTREE RD	MORENO VALLEY	CA	92553-3984	CIUBAL, ROGER	14977 SILVERTREE RD	MORENO VALLEY, CA	92553-3984	72.69	7.27	14.39	94.34
95793265001	482414012	LOPEZ, JULIO CESAR (OWNR)	14949	SILVERTREE RD	MORENO VALLEY	CA	92553-5704	LOPEZ, JULIO CESAR	14949 SILVERTREE RD	MORENO VALLEY, CA	92553-5704	194.12	19.41	38.44	251.96
94155565001	482414014	LOPEZ, ISRAEL (RENT)	14925	SILVERTREE RD	MORENO VALLEY	CA	92553-5704	LOPEZ, ISRAEL	3190 SHERRY DR	HEMET, CA	92545-1105	46.81	4.68	9.27	60.74
95411985009	482421005	BAHEMA, AMALIA (RENT)	24575	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5813	BAHEMA, AMALIA	24575 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5813	254.12	25.41	50.32	329.84
49409175000	482421007	ALBA SANCHEZ, JUAN FRANCISCO	14755	SILVERTREE RD	MORENO VALLEY	CA	92553-5703	ALBA SANCHEZ, JUAN FRANCISCO	14755 SILVERTREE RD	MORENO VALLEY, CA	92553-5703	127.36	12.74	25.22	165.3
74539505007	482421008	SOLIN, WENDY	14767	SILVERTREE RD	MORENO VALLEY	CA	92553-5703	SOLIN, WENDY	14767 SILVERTREE RD	MORENO VALLEY, CA	92553-5703	254.02	25.4	50.3	329.7
31637195002	482421015	NOLASCO, MIGUEL	14849	SILVERTREE RD	MORENO VALLEY	CA	92553-5820	NOLASCO, MIGUEL	14849 SILVERTREE RD	MORENO VALLEY, CA	92553-5820	254.02	25.4	50.3	329.7
94258195001	482421016	MCGINNIS, GREGORY (OWNR)	14861	SILVERTREE RD	MORENO VALLEY	CA	92553-5820	MCGINNIS, GREGORY	P O BOX 7036	MORENO VALLEY, CA	92552-7036	254.02	25.4	50.3	329.7
91499343003	482423005	TRAN, TUAN (OWNR)	14834	CLOVERFIELD RD	MORENO VALLEY	CA	92553-3999	TRAN, TUAN	23331 RIDGELINE RD	DIAMOND BAR, CA	91765-3004	262.73	26.27	52.02	341.02
96317433003	482423007	MONTENEGRO, MARISELA	14802	CLOVERFIELD RD	MORENO VALLEY	CA	92553-3999	MONTENEGRO, MARISELA	14802 CLOVERFIELD RD	MORENO VALLEY, CA	92553-3999	156.96	15.7	31.08	203.72
85915275000	482423009	HERNANDEZ, HUGO	14770	CLOVERFIELD RD	MORENO VALLEY	CA	92553-5710	HERNANDEZ, HUGO	14770 CLOVERFIELD RD	MORENO VALLEY, CA	92553-5710	254.02	25.4	50.3	329.7
31397205001	482423013	REYES, HERLINDA	24655	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5815	REYES, HERLINDA	23134 DUNHILL DR	MORENO VALLEY, CA	92553-9650	254.02	25.4	50.3	329.7
91420135003	482423020	WEISSENBACH, KURT	14821	WINTERGREEN ST	MORENO VALLEY	CA	92553-3985	WEISSENBACH, KURT	14821 WINTERGREEN ST	MORENO VALLEY, CA	92553-3985	127.26	12.73	25.2	165.18
62278145008	482423025	KROT, CHRISTINA	14871	WINTERGREEN ST	MORENO VALLEY	CA	92553-3985	KROT, CHRISTINA	14871 WINTERGREEN ST	MORENO VALLEY, CA	92553-3985	254.12	25.41	50.32	329.84
86350635004	482424002	MENDOZA, MARIA	14762	WINTERGREEN ST	MORENO VALLEY	CA	92553-5809	MENDOZA, MARIA	14762 WINTERGREEN ST	MORENO VALLEY, CA	92553-5809	254.02	25.4	50.3	329.7
98344355011	482424004	MATTISON, KENYA (RENT)	14784	WINTERGREEN ST	MORENO VALLEY	CA	92553-5809	MATTISON, KENYA	13024 DAY ST APT B 205	MORENO VALLEY, CA	92553-8108	36.48	3.65	7.22	47.34
66751285000	482424012	THOMPSON, SHANNEE	24654	BAMBOO CT	MORENO VALLEY	CA	92553-3979	THOMPSON, SHANNEE	24654 BAMBOO CT	MORENO VALLEY, CA	92553-3979	254.12	25.41	50.32	329.84
88655305003	482424014	LOPEZ, MARIA (RENT)	24680	BAMBOO CT	MORENO VALLEY	CA	92553-3979	LOPEZ, MARIA	24425 FILAREE AVE	MORENO VALLEY, CA	92551-3636	94.85	9.49	18.78	123.1
31598835002	482424018	CORTEZ, MARLENE	24730	BAMBOO CT	MORENO VALLEY	CA	92553-5709	CORTEZ, MARLENE	PO BOX 6240	MORENO VALLEY, CA	92554-6240	254.02	25.4	50.3	329.7
31414155004	482424020	VAZQUEZ, RUBY	24731	BAMBOO CT	MORENO VALLEY	CA	92553-5709	VAZQUEZ, RUBY	24731 BAMBOO CT	MORENO VALLEY, CA	92553-5709	254.02	25.4	50.3	329.7
96295225005	482424023	ORTIZ, LONNIE MARIE (RENT)	24693	BAMBOO CT	MORENO VALLEY	CA	92553-3980	ORTIZ, LONNIE MARIE	24693 BAMBOO CT	MORENO VALLEY, CA	92553-3980	84.51	8.45	16.73	109.68
52294035009	482424026	SPILLERS, DANIEL	24653	BAMBOO CT	MORENO VALLEY	CA	92553-3980	SPILLERS, DANIEL	24653 BAMBOO CT	MORENO VALLEY, CA	92553-3980	254.02	25.4	50.3	329.7
99169635009	482441004	RAYGOSA, FABIAN	24319	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6725	RAYGOSA, FABIAN	24319 MOUNT RUSSELL DR	MORENO VALLEY, CA	92553-6725	254.02	25.4	50.3	329.7
31259485004	482441014	SIERRA, JOSE	14074	HAUSTEEN CT	MORENO VALLEY	CA	92553-6720	SIERRA, JOSE	14074 HAUSTEEN CT	MORENO VALLEY, CA	92553-6720	215.69	21.57	42.71	279.96
87349255004	482441015	TEJEDA, SAMUEL	14075	HAUSTEEN CT	MORENO VALLEY	CA	92553-6720	TEJEDA, SAMUEL	2130 S DOREEN WAY	SANTA ANA, CA	92704-4718	254.12	25.41	50.32	329.84
83407135000	482441016	MONTOYA, TARYN (RENT)	14089	HAUSTEEN CT	MORENO VALLEY	CA	92553-6720	COLE, DOLORES	5267 WINTERVIEW DR	ALEXANDRIA, VA	22312-3912	253.82	25.38	50.26	329.44
74713135002	482441023	ACCORD, JESSICA	14076	FENNER CT	MORENO VALLEY	CA	92553-6719	JOHNSON, JANET	14076 FENNER CT	MORENO VALLEY, CA	92553-6719	254.02	25.4	50.3	329.7
31465775006	482441025	NAU, LANI	14106	FENNER CT	MORENO VALLEY	CA	92553-6753	NAU, LANI	14106 FENNER CT	MORENO VALLEY, CA	92553-6753	120.69	12.07	23.9	156.64
31386065003	482442005	GOLYER, WILLIAM	14062	BRANDT DR	MORENO VALLEY	CA	92553-6701	GOLYER, WILLIAM	11840 GRAHAM ST	MORENO VALLEY, CA	92557-6157	237.76	23.78	47.08	308.6
94684265003	482442007	PENA, MARIA (OWNR)	14088	BRANDT DR	MORENO VALLEY	CA	92553-6701	PENA, MARIA	14088 BRANDT DR	MORENO VALLEY, CA	92553-6701	254.12	25.41	50.32	329.84
69231415003	482442014	SOTO, MARIA	14184	BRANDT DR	MORENO VALLEY	CA	92553-6706	SOTO, MARIA	14184 BRANDT DR	MORENO VALLEY, CA	92553-6706	29.32	2.93	5.81	38.04
91001273001	482442016	ZURITA, SUSAN (RENT)	14212	BRANDT DR	MORENO VALLEY	CA	92553-6745	ZURITA, SUSAN (RENT)	14212 BRANDT DR	MORENO VALLEY, CA	92553-6745	70.87	7.09	14.03	91.98
93321115005	482443001	MARISCAL, MARLENE (RENT)	24275	DIMITRA DR	MORENO VALLEY	CA	92553-6770	MARISCAL, MARLENE	24275 DIMITRA DR	MORENO VALLEY, CA	92553-6770	138.75	13.88	27.47	180.08
31458105002	482443002	GARCIA, MANUEL	24289	DIMITRA DR	MORENO VALLEY	CA	92553-6770	GARCIA, MANUEL	24289 DIMITRA DR	MORENO VALLEY, CA	92553-6770	254.02	25.4	50.3	329.7
31359305000	482443006	IVERSON, EDIE	24345	DIMITRA DR	MORENO VALLEY	CA	92553-6718	IVERSON, EDIE	24345 DIMITRA DR	MORENO VALLEY, CA	92553-6718	51.72	5.17	10.24	67.12
70566915004	482443007	GUTIERREZ, JOSE AND ALEJANDRA	14157	BRANDT DR	MORENO VALLEY	CA	92553-6705	GUTIERREZ, JOSE AND ALEJANDRA	14157 BRANDT DR	MORENO VALLEY, CA	92553-6705	543.56	54.36	107.62	705.54
31451745003	482443008	LEON, JUANITA	14171	BRANDT DR	MORENO VALLEY	CA	92553-6705	LEON, JUANITA	14171 BRANDT DR	MORENO VALLEY, CA	92553-6705	61.37	6.14	12.15	79.64
95380585005	482443009	SYLVESTER, STEPHANIE (RENT)	14185	BRANDT DR	MORENO VALLEY	CA	92553-6705	SYLVESTER, STEPHANIE	24330 SAINT JAMES DR	MORENO VALLEY, CA	92553-3587	71.48	7.14	14.14	92.7
56736625002	482443015	GOMEZ, NORMA L	14228	PERHAM CT	MORENO VALLEY	CA	92553-6768	GOMEZ, NORMA L	201 GALILEO LN	PERRIS, CA	92571-4828	252.09	25.21	49.91	327.2
93149993005	482443027	RIVERA, MYRA (RENT)	14229	PERHAM CT	MORENO VALLEY	CA	92553-6769	RIVERA, MYRA (RENT)	14229 PERHAM CT	MORENO VALLEY, CA	92553-6769	84.58	8.46	16.75	109.78
92268095003	482443028	DUBOSE, EUGENE	14243	PERHAM CT	MORENO VALLEY	CA	92553-6769	DUBOSE, EUGENE	14657 ONTARIO CIR	FONTANA, CA	92336-0682	253.92	25.39	50.28	329.58
31081915002	482444001	HANSEN, RHONDA	24344	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6726	HANSEN, RHONDA	24344 MT RUSSEL DR	MORENO VALLEY, CA	92553-6726	254.02	25.4	50.3	329.7
94684645004	482444002	HERNANDEZ, HILIRIO (RENT)	24330	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6726	HERNANDEZ, HILIRIO	14170 BRANDT DR	MORENO VALLEY, CA	92553-6706	254.12	25.41	50.32	329.84
31286425000	482444005	GARNER, CARL AND JACKIE	24284	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6759	GARNER, CARL AND JACKIE	24284 MT RUSSELL DR	MORENO VALLEY, CA	92553-6759	163.4	16.34	32.35	212.08
84493625006	482451001	CARMONA, GABRIEL AND HILDA (OW	24631	BRODIAEA AVE	MORENO VALLEY	CA	92553-5801	CARMONA, GABRIEL	24631 BRODIAEA AVE	MORENO VALLEY, CA	92553-5801	49.36	4.94	9.77	64.06
31546005005	482451004	PRADO, ROBERT	24677	BRODIAEA AVE	MORENO VALLEY	CA	92553-5801	PRADO, ROBERT	150 S MAIN ST	BLYTHE, CA	92225-2509	253.92	25.39	50.28	329.58
31081895006	482451007	WHITE, GRANT	24721	BRODIAEA AVE	MORENO VALLEY	CA	92553-5801	WHITE, GRANT	PO BOX 8148	MORENO VALLEY, CA	92552-8148	254.02	25.4	50.3	329.7
31492755004	482451012	LOPEZ, JOSE (OWNR)	14333	VICTOR DR	MORENO VALLEY	CA	92553-5806	LOPEZ, JOSE	14333 VICTOR DR	MORENO VALLEY, CA	92553-5806	204.16	20.42	40.42	264.98
31066595000	482451017	SMITH, DEBBIE L	14377	VICTOR DR	MORENO VALLEY	CA	92553-5807	SMITH, D L	14377 VICTOR DR	MORENO VALLEY, CA	92553-5807	254.02	25.4	50.3	329.7
97035865009	482451035	VAZQUEZ, JUAN (RENT)	14318	SAYAN PL	MORENO VALLEY	CA	92553-3961	VAZQUEZ, JUAN (RENT)	14318 SAYAN PL	MORENO VALLEY, CA	92553-3961	20.18	2.02	4	26.18
31075645001	482451039	RODRIGUEZ, SERGIO (OWNR)	14275	SAYAN PL	MORENO VALLEY	CA	92553-3959	RODRIGUEZ, SERGIO	14275 SAYAN PL	MORENO VALLEY, CA	92553-3959	254.02	25.4	50.3	329.7
90426813008	482451045	GARCIA, VIOLETA (RENT)	14300	HOMESTEAD DR	MORENO VALLEY	CA	92553-3977	GARCIA, VIOLETA AND MOISES	4019 46TH ST #8	SAN DIEGO, CA	92105-1831	26.77	2.68	5.3	34.74
88947563009	482451050	MARSH, DIANNE (OWNR)	24547	BRODIAEA AVE	MORENO VALLEY	CA	92553-3978	MARSH, DIANNE	24547 BRODIAEA AVE	MORENO VALLEY, CA	92553-3978	254.12	25.41	50.32	329.84
87358205006	482452027	LORENZO, MARCO (RENT)	24663	SLOAN CT	MORENO VALLEY	CA	92553-5896	LORENZO, MARCO	15149 NORTON LANE	MORENO VALLEY, CA	92551-4065	82.8	8.28	16.39	107.46
94692735008	482452037	MEZA, MICHAEL	24692	SLOAN CT	MORENO VALLEY	CA	92553-5895	MEZA, MICHAEL	24692 SLOAN CT	MORENO VALLEY, CA	92553-5895	202.25	20.23	40.05	262.52
91193995005	482452041	LOPEZ, DAISY (RENT)	14322	VICTOR DR	MORENO VALLEY	CA	92553-5897	LOPEZ, DAISY	15070 ELM CT APT C	MORENO VALLEY, CA	92551-3697	253.92	25.39	50.28	329.58
31618175006	482453001	ROBLES, MARIA	14255	HOMESTEAD DR	MORENO VALLEY	CA	92553-3966	ROBLES, MARIA	14255 HOMESTEAD DR	MORENO VALLEY, CA	92553-3966	254.02	25.4	50.3	329.7
92204975003	482461005	PANTOJA, GRACE	24521	JENKINS DR	MORENO VALLEY	CA	92553-3964	PANTOJA, GRACE	24521 JENKINS DR	MORENO VALLEY, CA	92553-3964	323.22	32.32	64	419.52

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31281185001	482461010	ANSLEY,ROSIA	14195	HOMESTEAD DR	MORENO VALLEY	CA	92553-3967	ANSLEY,ROSIA	14195 HOMESTEAD DR	MORENO VALLEY, CA	92553-3967	329.32	32.93	65.21	427.44
96798165000	482461011	SPARKS, ELAINE (RENT)	14179	HOMESTEAD DR	MORENO VALLEY	CA	92553-3967	SPARKS, ELAINE	14179 HOMESTEAD DR	MORENO VALLEY, CA	92553-3967	190.49	19.05	37.72	247.24
86964465007	482461015	RINCON, JOSE (OWNR)	14146	HOMESTEAD DR	MORENO VALLEY	CA	92553-3967	RINCON, JOSE	14146 HOMESTEAD DR	MORENO VALLEY, CA	92553-3967	254.02	25.4	50.3	329.7
97530265005	482461020	TYSON, TASHEENA (OWNR)	14228	HOMESTEAD DR	MORENO VALLEY	CA	92553-3966	TYSON, TASHEENA	14228 HOMESTEAD DR	MORENO VALLEY, CA	92553-3966	420.76	42.08	83.31	546.14
31553255008	482461028	ROGERS, EDITH (RENT)	14149	LINNETT DR	MORENO VALLEY	CA	92553-5701	ROGERS, EDITH	14149 LINNETT DR	MORENO VALLEY, CA	92553-5701	329.32	32.93	65.21	427.44
91184095003	482462003	CADENA, SONIA (RENT)	14216	LINNETT DR	MORENO VALLEY	CA	92553-3963	CADENA, SONIA	14245 HIGH NOON CT	MORENO VALLEY, CA	92553-4485	211.73	21.17	41.92	274.82
96286465003	482462005	JIMENEZ, IVAN (RENT)	14188	LINNETT DR	MORENO VALLEY	CA	92553-3962	JIMENEZ, IVAN	14188 LINNETT DR	MORENO VALLEY, CA	92553-3962	312.38	31.24	61.85	405.46
93843685008	482462006	CONTRERAS, ARCELIA (OWNR)	14174	LINNETT DR	MORENO VALLEY	CA	92553-3962	CONTRERAS, ARCELIA	14174 LINNETT DR	MORENO VALLEY, CA	92553-3962	90.79	9.08	17.98	117.84
31068185002	482462007	GUARDADO, RAY	14158	LINNETT DR	MORENO VALLEY	CA	92553-3962	GUARDADO,RAY	PO BOX 7883 MORE	MORENO VALLEY, CA	92552-7883	126.76	12.68	25.1	164.52
31444085006	482462013	GUTIERREZ, ANGEL	14191	GALVIN CT	MORENO VALLEY	CA	92553-3997	GUTIERREZ, ANGEL	25328 BROBIAEA AVE	MORENO VALLEY, CA	92553-4402	329.32	32.93	65.21	427.44
97182575000	482462018	PAYAN, ANNETTE	14150	GALVIN CT	MORENO VALLEY	CA	92553-3997	PAYAN, ANNETTE	14150 GALVIN CT	MORENO VALLEY, CA	92553-3997	254.12	25.41	50.32	329.84
94025653007	482462022	GOMEZ, FERNANDO (OWNR)	14222	GALVIN CT	MORENO VALLEY	CA	92553-3997	GOMEZ, FERNANDO	14222 GALVIN CT	MORENO VALLEY, CA	92553-3997	223.95	22.4	44.34	290.68
31586435006	482462023	MAYES, ROBERT	14240	GALVIN CT	MORENO VALLEY	CA	92553-3997	MAYES, ROBERT	14240 GALVIN CT	MORENO VALLEY, CA	92553-3997	254.02	25.4	50.3	329.7
95050448009	482462028	HOLGUIN LEONOR	14177	KINGSWAY CT	MORENO VALLEY	CA	92553-3998	HOLGUIN LEONOR	14177 KINGSWAY CT	MORENO VALLEY, CA	92553-3998	236.37	23.64	46.8	306.8
31571905004	482462031	BAILON, JOSE	14138	KINGSWAY CT	MORENO VALLEY	CA	92553-3998	BAILON, JOSE	14138 KINGSWAY CT	MORENO VALLEY, CA	92553-3998	254.02	25.4	50.3	329.7
31534485000	482462034	EDINGSTON, RENETTA	14194	KINGSWAY CT	MORENO VALLEY	CA	92553-3998	EDINGSTON, RENETTA	14194 KINGSWAY CT	MORENO VALLEY, CA	92553-3998	20.36	2.04	4.03	26.42
97386715008	482462037	CADENAS, SALVADOR (OWNR)	14244	KINGSWAY CT	MORENO VALLEY	CA	92553-3998	CADENAS, SALVADOR	14244 KINGSWAY CT	MORENO VALLEY, CA	92553-3998	54.12	5.41	10.72	70.24
66376845009	482462038	GOMEZ, SALVADOR	24747	JENKINS DR	MORENO VALLEY	CA	92553-3996	GOMEZ, SALVADOR	24747 JENKINS DR	MORENO VALLEY, CA	92553-3996	63.63	6.36	12.6	82.58
88073715003	482462039	FRIAS, HERLINDA	24733	JENKINS DR	MORENO VALLEY	CA	92553-3996	FRIAS, HERLINDA	20900 SOUDER ST	PERRIS, CA	92570-6313	254.12	25.41	50.32	329.84
31119575001	482462042	KALLAL, LORI V	24697	JENKINS DR	MORENO VALLEY	CA	92553-3994	KALLAL, LORI V	24697 JENKINS DR	MORENO VALLEY, CA	92553-3994	254.02	25.4	50.3	329.7
94976115005	482471003	CANES, MARIO (OWNR)	24558	SENECA CIR	MORENO VALLEY	CA	92553-5824	CANES, MARIO	24558 SENECA CIR	MORENO VALLEY, CA	92553-5824	92.79	9.28	18.37	120.44
97993905011	482471008	SIMENTAL, CHRISTIAN (RENT)	24511	SENECA CIR	MORENO VALLEY	CA	92553-5824	SIMENTAL, CHRISTIAN (RENT)	24511 SENECA CIR	MORENO VALLEY, CA	92553-5824	63.63	6.36	12.6	82.58
97224025006	482471019	ROBINSON, CARLA (RENT)	24532	TUSCARORA CIR	MORENO VALLEY	CA	92553-5818	FLORES, IRIS	3250 MARKET ST APT 230	RIVERSIDE, CA	92501-2465	190.29	19.03	37.68	246.98
31291915007	482471020	DELGADO, LOUIS	24518	TUSCARORA CIR	MORENO VALLEY	CA	92553-5818	DELGADO, LOUIS	24518 TUSCARORA CIR	MORENO VALLEY, CA	92553-5818	222.25	22.23	44.01	288.48
31127835000	482471021	PAGE, ROBERT	24512	TUSCARORA CIR	MORENO VALLEY	CA	92553-5818	PAGE, ROBERT	24512 TUSCARORA CIR	MORENO VALLEY, CA	92553-5818	254.02	25.4	50.3	329.7
31294995004	482471022	MORALES, JUAN	24513	TUSCARORA CIR	MORENO VALLEY	CA	92553-5818	MORALES, JUAN	24513 TUSCARORA CIR	MORENO VALLEY, CA	92553-5818	34.12	3.41	6.76	44.28
64696305005	482471023	TELLEZ, PAULA	24519	TUSCARORA CIR	MORENO VALLEY	CA	92553-5818	TELLEZ, PAULA	24519 TUSCARORA CIR	MORENO VALLEY, CA	92553-5818	127.26	12.73	25.2	165.18
31578555002	482472019	BUSTILLOS, LIZ	14417	VICTOR DR	MORENO VALLEY	CA	92553-5808	BUSTILLOS, LIZ	14417 VICTOR DR	MORENO VALLEY, CA	92553-5808	63.63	6.36	12.6	82.58
31064765009	482473001	SMITH, ARVENSON	24666	CONLEY CT	MORENO VALLEY	CA	92553-5872	SMITH, ARVENSON	24666 CONLEY CT	MORENO VALLEY, CA	92553-5872	329.32	32.93	65.21	427.44
93641355005	482473002	CUELLAR, ANDREA (RENT)	24680	CONLEY CT	MORENO VALLEY	CA	92553-5872	CUELLAR, ANDREA	24680 CONLEY CT	MORENO VALLEY, CA	92553-5872	45.93	4.59	9.09	59.6
86450195004	482473005	LARIOS, MELVIN	24720	CONLEY CT	MORENO VALLEY	CA	92553-5811	LARIOS, MELVIN	25307 CEREMONY AVE	MORENO VALLEY, CA	92551-9224	54.02	5.4	10.7	70.1
95770925003	482473011	PARKER, LASHAWN (RENT)	24693	CONLEY CT	MORENO VALLEY	CA	92553-5873	PARKER, LASHAWN	24693 CONLEY CT	MORENO VALLEY, CA	92553-5873	405.08	40.51	80.21	525.78
49634435009	482481004	ERWIN, DENNIS	14083	TRAVERS DR	MORENO VALLEY	CA	92553-6764	ERWIN, DENNIS	14083 TRAVERS DR	MORENO VALLEY, CA	92553-6764	357.53	35.75	70.79	464.06
31631075000	482481010	MEJIA, MILTON	14117	ANN MARIE CT	MORENO VALLEY	CA	92553-6731	MEJIA, MILTON	14117 ANN MARIE CT	MORENO VALLEY, CA	92553-6731	254.02	25.4	50.3	329.7
55078835006	482481016	AGUILAR, DEIDRA	14106	ANN MARIE CT	MORENO VALLEY	CA	92553-6730	AGUILAR, DEIDRA	14106 ANN MARIE CT	MORENO VALLEY, CA	92553-6730	432.83	43.28	85.7	561.8
31398855002	482481025	RILEY, DEBRA	24096	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6722	RILEY, DEBRA	24096 MT RUSSELL DR	MORENO VALLEY, CA	92553-6722	329.32	32.93	65.21	427.44
97284905005	482481031	LIZAHOLA, STEPHENIE (OWNR)	24198	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6724	LIZAHOLA, STEPHENIE	24198 MOUNT RUSSELL DR	MORENO VALLEY, CA	92553-6724	180.74	18.07	35.79	234.6
83675795003	482482009	ALVARADO, MARISELA	24181	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6723	ALVARADO, MARISELA	24181 MT RUSSELL DR	MORENO VALLEY, CA	92553-6723	122.02	12.2	24.16	158.38
31391125001	482482010	QUINTERO, CONNIE	24199	MOUNT RUSSELL DR	MORENO VALLEY	CA	92553-6723	QUINTERO, CONNIE	24199 MT RUSSELL DR	MORENO VALLEY, CA	92553-6723	190.39	19.04	37.7	247.12
93885193002	482482015	IBARRA, ELIZABETH (RENT)	14121	FENNER CT	MORENO VALLEY	CA	92553-6754	IBARRA, ELIZABETH (RENT)	14121 FENNER CT	MORENO VALLEY, CA	92553-6754	82.68	8.27	16.37	107.3
31172205008	482482017	CHERRY, HAYES AND GWEN (OWNR)	14018	MAXINE CT	MORENO VALLEY	CA	92553-6721	CHERRY, HAYES AND GWEN	14018 MAXINE CT	MORENO VALLEY, CA	92553-6721	254.02	25.4	50.3	329.7
31069055007	482491007	MC DOWELL, WILLIAM	14161	TRAVERS DR	MORENO VALLEY	CA	92553-6735	MC DOWELL, WILLIAM	14161 TRAVERS DR	MORENO VALLEY, CA	92553-6735	254.02	25.4	50.3	329.7
98260503008	482491008	VITHAYAVONG, DAVINA (OWN)	14147	TRAVERS DR	MORENO VALLEY	CA	92553-6735	VITHAYAVONG, DAVINA (OWN)	14147 TRAVERS DR	MORENO VALLEY, CA	92553-6735	63.63	6.36	12.6	82.58
31522695001	482492001	JOHNSON, MARSHA	14244	TRAVERS DR	MORENO VALLEY	CA	92553-6766	JOHNSON, MARSHA	25981 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5011	254.02	25.4	50.3	329.7
97612165002	482492003	PATRICK, CHANEL (RENT)	14216	TRAVERS DR	MORENO VALLEY	CA	92553-6766	PATRICK, CHANEL	14216 TRAVERS DR	MORENO VALLEY, CA	92553-6766	254.12	25.41	50.32	329.84
74832705000	482492005	SOSA, RAMIRO	14188	TRAVERS DR	MORENO VALLEY	CA	92553-6736	SOSA, RAMIRO	14188 TRAVERS DR	MORENO VALLEY, CA	92553-6736	329.32	32.93	65.21	427.44
31314775006	482492013	BEASLEY, MARVIN J	24121	DIMITRA DR	MORENO VALLEY	CA	92553-6750	BEASLEY, MARVIN J	24121 DIMITRA DR	MORENO VALLEY, CA	92553-6750	254.02	25.4	50.3	329.7
31533555004	482492014	HERNANDEZ, TERREL	24127	DIMITRA DR	MORENO VALLEY	CA	92553-6716	HERNANDEZ, TERREL	24127 DIMITRA DR	MORENO VALLEY, CA	92553-6716	254.02	25.4	50.3	329.7
31087765000	482492021	FREEMAN III, WILLIAM H	24215	DIMITRA DR	MORENO VALLEY	CA	92553-6751	FREEMAN III, WILLIAM H	24215 DIMITRA DR	MORENO VALLEY, CA	92553-6751	254.02	25.4	50.3	329.7
91662435007	482492027	MATTOX, JOE AND CHELSEA	14187	VINCENTE DR	MORENO VALLEY	CA	92553-3505	MATTOX, JOE AND CHELSEA	14187 VINCENTE DR	MORENO VALLEY, CA	92553-3505	127.26	12.73	25.2	165.18
91714033000	482492035	JAUREGUI, NASARIO	14230	VINCENTE DR	MORENO VALLEY	CA	92553-2402	JAUREGUI, NASARIO	14230 VINCENTE DR	MORENO VALLEY, CA	92553-2402	548.96	54.9	108.69	712.54
96311095007	482492046	GALVIZ, PEDRO (OWNR)	14176	TOBY CT	MORENO VALLEY	CA	92553-6733	GALVIZ, PEDRO	14176 TOBY CT	MORENO VALLEY, CA	92553-6733	254.12	25.41	50.32	329.84
96475025005	482492053	BAILEY, KENNETH (OWNR)	14233	CASCO CT	MORENO VALLEY	CA	92553-6748	BAILEY, KENNETH	14233 CASCO CT	MORENO VALLEY, CA	92553-6748	43.69	4.37	8.65	56.7
89092213007	482492054	VARGAS, LAURA (RENT)	14221	CASCO CT	MORENO VALLEY	CA	92553-6748	VARGAS, LAURA	14221 CASCO CT	MORENO VALLEY, CA	92553-6748	224.18	22.42	44.39	290.98
91422745001	482500001	ANDRADE, JOHN (RENT)	24494	BRODIAEA AVE	MORENO VALLEY	CA	92553-3512	ANDRADE, JOHN	24494 BRODIAEA AVE	MORENO VALLEY, CA	92553-3512	77.35	7.74	15.32	100.4
95517525000	482500002	CEJA, ROLANDO (ONWR)	24480	BRODIAEA AVE	MORENO VALLEY	CA	92553-3512	CEJA, ROLANDO	24480 BRODIAEA AVE	MORENO VALLEY, CA	92553-3512	254.02	25.4	50.3	329.7
31584635004	482500003	WILLIAMS, MARCUS AND CELINA	24466	BRODIAEA AVE	MORENO VALLEY	CA	92553-3512	WILLIAMS, MARCUS AND CELINA	24466 BRODIAEA AVE	MORENO VALLEY, CA	92553-3512	27.94	2.79	5.53	36.26
94977113003	482500005	PEREZ, JORGE (OWNR)	24422	BRODIAEA AVE	MORENO VALLEY	CA	92553-3512	PEREZ, JORGE	24422 BRODIAEA AVE	MORENO VALLEY, CA	92553-3512	103.63	10.36	20.52	134.5
98696163004	482500007	MYERS, A SALLY (RENT)	24401	JONNA LN	MORENO VALLEY	CA	92553-3591	MYERS, A SALLY	24401 JONNA LN	MORENO VALLEY, CA	92553-3591	63.63	6.36	12.6	82.58
93645333001	482501010	GARCIA, PATRICIA (RENT)	14147	AUSTENE CIR	MORENO VALLEY	CA	92553-3590	GARCIA, PATRICIA (RENT)	24538 BAY AVE	MORENO VALLEY, CA	92553-3837	38.03	3.8	7.53	49.36
99777733002	482501013	ZIMMERMAN, CLARIMESHA (RENT)	14185	AUSTENE CIR	MORENO VALLEY	CA	92553-3590	ZIMMERMAN, CLARIMESHA	14185 AUSTENE CIR	MORENO VALLEY, CA	92553-3590	72.89	7.29	14.43	94.6
92623195008	482501016	GOMEZ, MANUEL (OWN)	14158	STONEHURST DR	MORENO VALLEY	CA	92553-6729	GOMEZ, MANUEL	14158 STONEHURST DR	MORENO VALLEY, CA	92553-6729	310.56	31.06	61.49	403.1
61053915004	482501021	MADDOX, LORA	14141	STONEHURST DR	MORENO VALLEY	CA	92553-6732	MADDOX, LORA	14141 STONEHURST DR	MORENO VALLEY, CA	92553-6732	329.6	32.96	65.26	427.82
31208485001	482501026	BIRR, MELVIN	14213	STONEHURST DR	MORENO VALLEY	CA	92553-6761	BIRR, MELVIN	14213 STONEHURST DR	MORENO VALLEY, CA	92553-6761	329.32	32.93	65.21	427.44
96603505001	482511006	CHEN, FEN AND QUAN, JENNIE	14696	JOSHUA TREE AVE	MORENO VALLEY	CA	92553-3548	CHEN, FEN AND QUAN, JENNIE	14696 JOSHUA TREE AVE	MORENO VALLEY, CA	92553-3548	63.63	6.36	12.6	82.58
97162115009	482511007	MANZANAREZ, IRENE (OWNR)	14708	JOSHUA TREE AVE	MORENO VALLEY	CA	92553-2421	MANZANAREZ, IRENE	14708 JOSHUA TREE AVE	MORENO VALLEY, CA	92553-2421	254.12	25.41	50.32	329.84
31368215000	482511010	GONZALES, GERONIMO	14744	JOSHUA TREE AVE	MORENO VALLEY	CA	92553-2421	GONZALES, GERONIMO	14744 JOSHUA TREE AVE	MORENO VALLEY, CA	92553-2421	254.02	25.4	50.3	329.7
31329685003	482512006	ROQUE, IRENE	24165	LOVE CT	MORENO VALLEY	CA	92553-3509	ROQUE, IRENE	24165 LOVE CT	MORENO VALLEY, CA	92553-3509	50.39	5.04	9.98	65.4
31241665004	482531002	SPARROW, INEZ	24269	BAY AVE	MORENO VALLEY	CA	92553-3301	SPARROW, INEZ	24269 BAY AVE	MORENO VALLEY, CA	92553-3301	329.04	32.9	65.15	427.08
31526185009	482531009	KOSS, DORIS (OWNR)	24298	MILLSAP DR	MORENO VALLEY	CA	92553-3330	KOSS, DORIS	24298 MILLSAP DR	MORENO VALLEY, CA	92553-3330	82.68	8.27	16.37	107.3
93848973006	482532004	TROOP, TERESA (RENT)	24354	MILLSAP DR	MORENO VALLEY	CA	92553-3376	TROOP, TERESA	24354 MILLSAP DR	MORENO VALLEY, CA	92553-3376	227.96	22.8	45.14	295.88
31072905009	482533012	MC COLLUM, JACQUELINE (OWNR)	13860	CALADA DR	MORENO VALLEY	CA	92553-3394	CUMMINGS, MATILDA	13860 CALADA DR	MORENO VALLEY, CA	92553-3394	190.79	19.08	37.78	247.64
91923705006	482533013	VALENZUELA, ERNIE	13870	CALADA DR	MORENO VALLEY	CA	92553-3394	VALENZUELA, ERNIE	13870 CALADA DR	MORENO VALLEY, CA	92553-3394	215.92	21.59	42.75	280.26
31092875007	482533014	ROSA, PAUL AND MARIA	13890	CALADA DR	MORENO VALLEY	CA	92553-3394	ROSA, PAUL AND MARIA	13890 CALADA DR	MORENO VALLEY, CA	92553-3394	254.02	25.4	50.3	329.7
64483775009	482533020	LEON, RAUL AND BERTHA	24333	MILLSAP DR	MORENO VALLEY	CA	92553-3331	LEON, RAUL	24333 MILLSAP DR	MORENO VALLEY, CA	92553-3331	254.12	25.41	50.32	329.84
31255495000	482533021	WAHL, MIKE	24353	MILLSAP DR	MORENO VALLEY	CA	92553-3331	WAHL, MIKE	24353 MILLSAP DR	MORENO VALLEY, CA	92553-3331	127.46	12.75	25.24	165.44
31581355008	482533022	WILKERSON, CAROL	24371	MILLSAP DR	MORENO VALLEY	CA	92553-3331	WILKERSON, CAROL	24371 MILLSAP DR	MORENO VALLEY, CA	92553-3331	254.12	25.41	50.32	329.84
31451585006	482533026	SAID, MARCIA E	24290	DABNEY DR	MORENO VALLEY	CA	92553-6229	SAID, MARCIA E	24290 DABNEY DR	MORENO VALLEY, CA	92553-6229	179.08	17.91	35.46	232.44
31285135003	482534006	MABON, CRYSTAL	13881	CALADA DR	MORENO VALLEY	CA	92553-3395	MABON, CRYSTAL	13881 CALADA DR	MORENO VALLEY, CA	92553-3395	329.04	32.9	65.15	427.08
31253765008	482534007	GARCIA, VICTOR	13867	CALADA DR	MORENO VALLEY	CA	92553-3395	GARCIA, VICTOR	13867 CALADA DR	MORENO VALLEY, CA	92553-3395	254.12	25.41	50.32	329.84
31255425005	482534010	AMADOR, VERONICA	13885	CALADA DR	MORENO VALLEY	CA	92553-3395	AMADOR, VERONICA	13885 CALADA DR	MORENO VALLEY, CA	92553-3395	90	9	17.82	116.82
52868565009	482535001	HORSTKOTTE, CARL	24331	VIA VARGAS DR	MORENO VALLEY	CA	92553-3353	HORSTKOTTE, CARL	24331 VIA VARGAS DR	MORENO VALLEY, CA	92553-3353	329.32	32.93	65.21	427.44
31125625008	482535002	WILLIAMS, JOYCE	24321	VIA VARGAS DR	MORENO VALLEY	CA	92553-3353	WILLIAMS, JOYCE	24321 VIA VARGAS DR	MORENO VALLEY, CA	92553-3353	190.69	19.07	37.76	247.5
95816325008	482536006	SALCEDO, SALVADOR AND SONIA	24326	VIA VARGAS DR	MORENO VALLEY	CA	92553-3354	SALCEDO, SALVADOR AND SONIA	38025 SEVILLA AVE	MURRIETA, CA	92563	335.76	33.58	66.48	435.8
31183035001	482536008	GARCIA, ANTONIO	24298	VIA VARGAS DR	MORENO VALLEY	CA	92553-6231	GARCIA, ANTONIO	24298 VIA VARGAS DR	MORENO VALLEY, CA	92553-6231	254.02	25.4	50.3	329.7
96741635002	482536009	FUERTE, CONSUELO (RENT)	24290	VIA VARGAS DR	MORENO VALLEY	CA	92553-6231	FUERTE, CONSUELO	24290 VIA VARGAS DR	MORENO VALLEY, CA	92553-6231	297.13	29.71	58.83	385.66
31379655004	482536013	CLEVELAND, MARTHA J	24335	BAIRNDALE DR	MORENO VALLEY	CA	92553-3374	CLEVELAND, MARTHA J	24335 BAIRNDALE DR	MORENO VALLEY, CA	92553-3374	254.02	25.4	50.3	329.7
95931965000	482536015	AGUILA, JOSE ANTONIO (OWNR)	24361	BAIRNDALE DR	MORENO VALLEY	CA	92553-3374	AGUILA, JOSE ANTONIO	24361 BAIRNDALE DR	MORENO VALLEY, CA	92553-3374	254.12	25.41	50.32	329.84
98232705015	482551006	ESCALANTE, JESSIE	13431	HAREWOOD DR	MORENO VALLEY	CA	92553-3302	ESCALANTE, JESSIE	2005 LINDEN ST APT 11	RIVERSIDE, CA	92507-3516	182.8	18.28	36.19	237.26
88725693002	482551013	ECHEVERRIA, GERSON (RENT)	24015	AMBERLEY DR	MORENO VALLEY	CA	92553-3377	ECHEVERRIA, GERSON	24015 AMBERLEY DR	MORENO VALLEY, CA	92553-3377	254.12	25.41	50.32	329.84
95486515000	482551014	HERNANDEZ, JOSEFINA (RENT)	24029	AMBERLEY DR	MORENO VALLEY	CA	92553-3377	HERNANDEZ, JOSEFINA	24029 AMBERLEY DR	MORENO VALLEY, CA	92553-3377	29.12	2.91	5.77	37.78
94337465006	482552008	WELCH, STAPGEN (RENT)	24041	ROTHBURY DR	MORENO VALLEY	CA	92553-6236	WELCH, STAPGEN	24041 ROTHBURY DR	MORENO VALLEY, CA	92553-6236	84	8.4	16.63	109.02
67753455009	482552009	THOMAS, FELIX	24065	ROTHBURY DR	MORENO VALLEY	CA	92553-6236	THOMAS, FELIX	24065 ROTHBURY DR	MORENO VALLEY, CA	92553-6236	107.63	10.76	21.31	139.7
31620535007	482552014	GRIJALVA, ERNESTO	24116	AMBERLEY DR	MORENO VALLEY	CA	92553-3381	GRIJALVA, ERNESTO	24116 AMBERLEY DR	MORENO VALLEY, CA	92553-3381	254.02	25.4	50.3	329.7
94221615001	482552017	DELMAE PROPERTIES	24134	AMBERLEY DR	MORENO VALLEY	CA	92553-3381	DELMAE PROPERTIES	12831 MORENO BEACH DR STE 107 BOX 22	MORENO VALLEY, CA	92555-4419	118.69	11.87	23.5	154.04
91391463006	482552018	TREJO, VICTOR (RENT)	24142	AMBERLEY DR	MORENO VALLEY	CA	92553-3381	TREJO, VICTOR	4015 N LANG AVE	COVINA, CA	91722-3817	88.17	8.82	17.46	114.44
91649163000	482552019	ZANDATE, CRYSTAL (RENT)	24150	AMBERLEY DR	MORENO VALLEY	CA	92553-3381	ZANDATE, CRYSTAL (RENT)	14197 HIGH NOON CT	MORENO VALLEY, CA	92553-4485	42.19	4.22	8.35	54.76
31485195006	482552022	MARTINEZ, VALERIE (TNT)	24174	AMBERLEY DR	MORENO VALLEY	CA	92553-3383	MARTINEZ, VALERIE	24174 AMBERLEY DR	MORENO VALLEY, CA	92553-3383	25.39	2.54	5.03	32.94
31158755001	482552029	HATTER, DON	24193	ROTHBURY DR	MORENO VALLEY	CA	92553-3317	HATTER, DON	24193 ROTHBURY DR	MORENO VALLEY, CA	92553-3317	157.44	15.74	31.17	204.34
96270275007	482552030	LEWIS, KIMMEIKA (RENT)	24185	ROTHBURY DR	MORENO VALLEY	CA	92553-3317	LEWIS, KIMMEIKA	24185 ROTHBURY DR	MORENO VALLEY, CA	92553-3317	142.44	14.24	28.2	184.88
94820555002	482552031	IGNACIO, CUBIAS (RENT)	24177	ROTHBURY DR	MORENO VALLEY	CA	92553-3317	IGNACIO, CUBIAS	14150 GRAND ST APT#41	MORENO VALLEY, CA	92553-9114	55.12	5.51	10.91	71.54

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
88508045009	482553002	DE LA ROSA, ALICIA	24094	ROTHBURY DR	MORENO VALLEY	CA	92553-6235	DE LA ROSA, ALICIA	24094 ROTHBURY DR	MORENO VALLEY, CA	92553-6235	190.79	19.08	37.78	247.64
62100185005	482553015	JENNINGS, RUSSELL	24124	ROTHBURY DR	MORENO VALLEY	CA	92553-3384	JENNINGS, RUSSELL	482 W SAN YSIDRO BLVD #1671	SAN YSIDRO, CA	92173-2444	254.12	25.41	50.32	329.84
88255623005	482553017	MIRANDA, ARTHUR (OWNR)	24136	ROTHBURY DR	MORENO VALLEY	CA	92553-3384	MIRANDA, AKI HUK	24136 ROTHBURY DR	MORENO VALLEY, CA	92553-3384	254.12	25.41	50.32	329.84
96774145006	482553021	MACARIA, EMSIZA (RENT)	24164	ROTHBURY DR	MORENO VALLEY	CA	92553-3384	MACARIA, EMSIZA	24164 ROTHBURY DR	MORENO VALLEY, CA	92553-3384	90.5	9.05	17.92	117.46
100945093009	482553024	HILEY, LATREECE (RENT)	24188	ROTHBURY DR	MORENO VALLEY	CA	92553-3318	HILEY, LATREECE	24188 ROTHBURY DR	MORENO VALLEY, CA	92553-3318	67.99	6.8	13.46	88.24
88166955004	482553025	GREGORY, AMY	24192	ROTHBURY DR	MORENO VALLEY	CA	92553-3318	GREGORY, AMY	24192 ROTHBURY DR	MORENO VALLEY, CA	92553-3318	254.12	25.41	50.32	329.84
86790425005	482553027	GARCIA, MARIE	24202	ROTHBURY DR	MORENO VALLEY	CA	92553-6237	GARCIA, MARIE	25927 PASEO PACIFICO	MORENO VALLEY, CA	92551-1434	189.7	18.97	37.56	246.22
31430155000	482553040	CONTRERAS, JOSE	24189	FAWN ST	MORENO VALLEY	CA	92553-3392	CONTRERAS, JOSE	24189 FAWN ST	MORENO VALLEY, CA	92553-3392	254.02	25.4	50.3	329.7
55233985005	482553041	MOYSES, ALBA	24195	FAWN ST	MORENO VALLEY	CA	92553-3392	MOYSES, ALBA	24195 FAWN ST	MORENO VALLEY, CA	92553-3392	254.02	25.4	50.3	329.7
96615733007	482553044	WHITE, GLENN (OWNR)	24213	FAWN ST	MORENO VALLEY	CA	92553-6250	WHITE, GLENN	24213 FAWN ST	MORENO VALLEY, CA	92553-6250	97.02	9.7	19.21	125.92
97720525008	482553045	LOYD, DONNIE (RENT)	24221	FAWN ST	MORENO VALLEY	CA	92553-6250	LOYD, DONNIE	24221 FAWN ST	MORENO VALLEY, CA	92553-6250	254.12	25.41	50.32	329.84
91542375003	482554006	MARQUEZ, CHRISTINE	24135	AMBERLEY DR	MORENO VALLEY	CA	92553-3382	MARQUEZ, CHRISTINE	24135 AMBERLEY DR	MORENO VALLEY, CA	92553-3382	173.92	17.39	34.44	225.74
97068455006	482554008	GODINEZ, MARIA (RENT)	24151	AMBERLEY DR	MORENO VALLEY	CA	92553-3382	GODINEZ, MARIA	24151 AMBERLEY DR	MORENO VALLEY, CA	92553-3382	95	9.5	18.81	123.3
31376125002	482554009	BEDOLLA, SYLVIA	24157	AMBERLEY DR	MORENO VALLEY	CA	92553-3382	BEDOLLA, SYLVIA	24157 AMBERLEY DR	MORENO VALLEY, CA	92553-3382	254.02	25.4	50.3	329.7
31328885003	482554012	MARTINEZ, MIRNA	24179	AMBERLEY DR	MORENO VALLEY	CA	92553-3387	MARTINEZ, MIRNA	24179 AMBERLEY DR	MORENO VALLEY, CA	92553-3387	254.02	25.4	50.3	329.7
96232695017	482554028	LLAMAS, DALIA (RENT)	13390	CAVANDISH LN	MORENO VALLEY	CA	92553-6247	LLAMAS, DALIA	13390 CAVANDISH LN	MORENO VALLEY, CA	92553-6247	36.56	3.66	7.24	47.44
97331505008	482561001	MARROQUIN, JUAN (OWNR)	24165	LINNEA CT	MORENO VALLEY	CA	92553-2425	MARROQUIN, JUAN (OWNR)	24165 LINNEA CT	MORENO VALLEY, CA	92553-2425	63.63	6.36	12.6	82.58
94838065007	482561003	EDWARDS, DALANDA (RENT)	24187	LINNEA CT	MORENO VALLEY	CA	92553-2425	EDWARDS, DELANDA	24187 LINNEA CT	MORENO VALLEY, CA	92553-2425	207.67	20.77	41.12	269.54
94256365009	482561004	CANO, JIMMY AND LUZ B	24201	LINNEA CT	MORENO VALLEY	CA	92553-3595	CANO, JIMMY AND LUZ B	24201 LINNEA CT	MORENO VALLEY, CA	92553-3595	420.76	42.08	83.31	546.14
31556395002	482561006	MOSLEY, AYESHA (OWNR)	24225	LINNEA CT	MORENO VALLEY	CA	92553-3595	MOSLEY, AYESHA	24225 LINNEA CT	MORENO VALLEY, CA	92553-3595	329.32	32.93	65.21	427.44
31090945007	482561018	MC GREGOR, WILLIAM R	24203	CRAIG DR	MORENO VALLEY	CA	92553-3570	MC GREGOR, WILLIAM R	24203 CRAIG DR	MORENO VALLEY, CA	92553-3570	63.63	6.36	12.6	82.58
75085895004	482561022	GRANADOS, MIRIAM	24244	CRAIG DR	MORENO VALLEY	CA	92553-3569	GRANADOS, MIRIAM	24244 CRAIG DR	MORENO VALLEY, CA	92553-3569	254.02	25.4	50.3	329.7
86543693001	482561029	BARRERA, MIGUEL (RENT)	24156	CRAIG DR	MORENO VALLEY	CA	92553-3596	BARRERA, MIGUEL	24156 CRAIG DR	MORENO VALLEY, CA	92553-3596	254.12	25.41	50.32	329.84
91424075007	482561031	MARIN, GRASIANO (OWNR)	24130	CRAIG DR	MORENO VALLEY	CA	92553-3596	MARIN, GRASIANO	24130 CRAIG DR	MORENO VALLEY, CA	92553-3596	162.42	16.24	32.16	210.82
31078185001	482561033	WILLIAMS, STEPHEN S	24110	CRAIG DR	MORENO VALLEY	CA	92553-3596	WILLIAMS, STEPHEN S	24110 CRAIG DR	MORENO VALLEY, CA	92553-3596	254.02	25.4	50.3	329.7
97580555009	482561047	TORREZ, JOY (RENT)	14395	SUSANA CT	MORENO VALLEY	CA	92553-3567	TORREZ, JOY	14395 SUSANA CT	MORENO VALLEY, CA	92553-3567	254.12	25.41	50.32	329.84
91571843004	482561052	CERVANTES, GUILLERMO (RENT)	14445	SUSANA CT	MORENO VALLEY	CA	92553-3577	CERVANTES, GUILLERMO	14445 SUSANA CT	MORENO VALLEY, CA	92553-3577	226.73	22.67	44.89	294.28
96662355008	482561057	BLAZE, ELIANE (RENT)	14485	SUSANA CT	MORENO VALLEY	CA	92553-3577	BLAZE, ELIANE	14485 SUSANA CT	MORENO VALLEY, CA	92553-3577	254.12	25.41	50.32	329.84
31521115005	482562003	VALENTINE, YOLANDA	14435	ETERNAL DR	MORENO VALLEY	CA	92553-3597	VALENTINE, YOLANDA	14435 ETERNAL DR	MORENO VALLEY, CA	92553-3597	310.27	31.03	61.48	402.72
52058575005	482562005	ZAVALA, MARISELA	14459	ETERNAL DR	MORENO VALLEY	CA	92553-3597	ZAVALA, MARISELA	14459 ETERNAL DR	MORENO VALLEY, CA	92553-3597	254.02	25.4	50.3	329.7
91487803001	482562006	SEDURA, SANDRA (RENT)	14471	ETERNAL DR	MORENO VALLEY	CA	92553-3597	SEDURA, SANDRA	14471 ETERNAL DR	MORENO VALLEY, CA	92553-3597	282.35	28.24	55.91	366.48
91975325006	482562010	SIORDIA, MARIA AND ERNESTO (RE	14430	UNITY CT	MORENO VALLEY	CA	92553-3578	SIORDIA, MARIA	14430 UNITY CT	MORENO VALLEY, CA	92553-3578	100.59	10.06	19.92	130.56
31409775004	482562012	ALDAPA, JOHNNY	14458	UNITY CT	MORENO VALLEY	CA	92553-3578	ALDAPA, JOHNNY	14458 UNITY CT	MORENO VALLEY, CA	92553-3578	127.36	12.74	25.22	165.3
66787555007	482571007	ACENCIO, DAVID	24269	DRACAEA AVE	MORENO VALLEY	CA	92553-3167	ACENCIO, DAVID	24269 DRACAEA AVE	MORENO VALLEY, CA	92553-3167	254.12	25.41	50.32	329.84
92762933009	482571013	CORONA, ANABEL (RENT)	24207	DRACAEA AVE	MORENO VALLEY	CA	92553-3167	CORONA, ANABEL	24207 DRACAEA AVE	MORENO VALLEY, CA	92553-3167	244.83	24.48	48.48	317.78
66872455008	482571017	ABAD, LUIS AND VANESSA	24173	DRACAEA AVE	MORENO VALLEY	CA	92553-3166	ABAD, LUIS AND VANESSA	24173 DRACAEA AVE	MORENO VALLEY, CA	92553-3166	254.12	25.41	50.32	329.84
49589215001	482571020	IGLESEAS, ALEJANDRO	24154	RADWELL DR	MORENO VALLEY	CA	92553-3393	IGLESEAS, ALEJANDRO	24154 RADWELL DR	MORENO VALLEY, CA	92553-3393	140.44	14.04	27.81	182.28
96094295007	482571023	TANON, CHRISTINA (RENT)	24176	RADWELL DR	MORENO VALLEY	CA	92553-3393	TANON, CHRISTINA	21342 DICKINSON RD	MORENO VALLEY, CA	92557-8416	61.26	6.13	12.13	79.5
96299235005	482571025	CORONA, MONICA	24190	RADWELL DR	MORENO VALLEY	CA	92553-3393	CORONA, MONICA	24190 RADWELL DR	MORENO VALLEY, CA	92553-3393	485.98	48.6	96.22	630.8
93557433007	482571026	VASQUEZ, LORENA (RENT)	24198	RADWELL DR	MORENO VALLEY	CA	92553-3393	VASQUEZ, LORENA	24198 RADWELL DR	MORENO VALLEY, CA	92553-3393	229	22.9	45.34	297.24
62593545006	482571037	COLCHADO, ALEJANDRO	13278	CAVANDISH LN	MORENO VALLEY	CA	92553-6245	COLCHADO, ALEJANDRO	13278 CAVANDISH LN	MORENO VALLEY, CA	92553-6245	254.12	25.41	50.32	329.84
31590995001	482571040	INGRAM, CYNTHIA	13296	CAVANDISH LN	MORENO VALLEY	CA	92553-6245	INGRAM, CYNTHIA	13296 CAVANDISH LN	MORENO VALLEY, CA	92553-6245	63.63	6.36	12.6	82.58
31622895007	482571041	JUAREZ, SAMUEL	13302	CAVANDISH LN	MORENO VALLEY	CA	92553-6203	JUAREZ, SAMUEL	13302 CAVANDISH LN	MORENO VALLEY, CA	92553-6203	254.02	25.4	50.3	329.7
88605013009	482571050	CRETTY, BONNIE (RENT)	13356	CAVANDISH LN	MORENO VALLEY	CA	92553-6204	CRETTY, BONNIE	13356 CAVANDISH LN	MORENO VALLEY, CA	92553-6204	23.63	2.36	4.68	30.66
92896303007	482571051	ACERO, JOSE M AND ANA M L	13362	CAVANDISH LN	MORENO VALLEY	CA	92553-6204	ACERO, JOSE M AND ANA M L	1511 CANTANIA DR	PERRIS, CA	92571-3769	335.76	33.58	66.48	435.8
91601183007	482572003	RHYNE, DOHNYCIA (RENT)	13369	CAVANDISH LN	MORENO VALLEY	CA	92553-6202	RHYNE, DOHNYCIA	13369 CAVANDISH LN	MORENO VALLEY, CA	92553-6202	201.27	20.13	39.85	261.24
82891345002	482572010	FLOREZ, OCTAVIO	24261	RADWELL DR	MORENO VALLEY	CA	92553-3313	FLOREZ, OCTAVIO	24261 RADWELL DR	MORENO VALLEY, CA	92553-3313	254.02	25.4	50.3	329.7
89563153009	482572016	CHAURE, CLAUDIA (RENT)	24213	RADWELL DR	MORENO VALLEY	CA	92553-3313	CHAURE, CLAUDIA	24213 RADWELL DR	MORENO VALLEY, CA	92553-3313	242.13	24.21	47.94	314.28
91339698007	482572017	BILINSKI, KELLY (RENT)	24203	RADWELL DR	MORENO VALLEY	CA	92553-3313	BILINSKI, KELLY	12253 KEENLAND DR	RANCHO CUCAMONGA, CA	91739-9062	240.16	24.02	47.55	311.72
97608835000	482572021	JHAWAR, BALBIR AND HARINDERJIT	24177	RADWELL DR	MORENO VALLEY	CA	92553-3398	JHAWAR, BALBIR AND HARINDERJIT	16196 JACOBS CIR	RIVERSIDE, CA	92504-6214	383.49	38.35	75.93	497.76
50508765001	482572026	CARREON, MARIA	13328	HELMSDALE ST	MORENO VALLEY	CA	92553-3311	CARREON, MARIA	13328 HELMSDALE ST	MORENO VALLEY, CA	92553-3311	254.02	25.4	50.3	329.7
31656155000	482572029	CERVANTES, MIGUEL	13350	HELMSDALE ST	MORENO VALLEY	CA	92553-3311	CERVANTES, MIGUEL	13350 HELMSDALE ST	MORENO VALLEY, CA	92553-3311	65.65	6.57	13	85.2
95524495002	482572032	DAO, DAN (OWNR)	13365	HOLBECK CT	MORENO VALLEY	CA	92553-6215	DAO, DAN	13365 HOLBECK CT	MORENO VALLEY, CA	92553-6215	63.63	6.36	12.6	82.58
31605075004	482572035	LOPEZ, JULISSA	13347	HOLBECK CT	MORENO VALLEY	CA	92553-6215	LOPEZ, JULISSA	13347 HOLBECK CT	MORENO VALLEY, CA	92553-6215	190.69	19.07	37.76	247.5
31389685007	482572036	CANTOR, VERONICA	13341	HOLBECK CT	MORENO VALLEY	CA	92553-6215	CANTOR, VERONICA	3735 KANSAS AVE APT IV	RIVERSIDE, CA	92507-4322	254.02	25.4	50.3	329.7
58195315004	482572042	SANDOVAL, LORENZA	13352	HOLBECK CT	MORENO VALLEY	CA	92553-6215	SANDOVAL, LORENZA	13352 HOLBECK CT	MORENO VALLEY, CA	92553-6215	44.02	4.4	8.72	57.12
88947745002	482572043	RANGEL, TESIBEL	13358	HOLBECK CT	MORENO VALLEY	CA	92553-6215	RANGEL, TESIBEL	13358 HOLBECK CT	MORENO VALLEY, CA	92553-6215	153.92	15.39	30.48	199.78
92132005000	482582001	HADDOW, ERIN	24770	CHIPPENDALE ST	MORENO VALLEY	CA	92553-5862	HADDOW, ERIN	24770 CHIPPENDALE ST	MORENO VALLEY, CA	92553-5862	253.92	25.39	50.28	329.58
97112185009	482582006	CHANG, MICHAEL K	24840	CHIPPENDALE ST	MORENO VALLEY	CA	92553-5817	CHANG, MICHAEL K	2020 E LOCUST CT	ONTARIO, CA	91761-7617	420.76	42.08	83.31	546.14
31205825006	482582007	ARELLANO, JESSE	24850	CHIPPENDALE ST	MORENO VALLEY	CA	92553-5817	ARELLANO, JESSE	24850 CHIPPENDALE ST	MORENO VALLEY, CA	92553-5817	254.02	25.4	50.3	329.7
93595465000	482582008	NUNEZ, MARTY (RENT)	24868	CHIPPENDALE ST	MORENO VALLEY	CA	92553-5817	NUNEZ, MARTY	24868 CHIPPENDALE ST	MORENO VALLEY, CA	92553-5817	174.12	17.41	34.48	226
94751915004	482582013	OLIVEROS, MIRIAM (RENT)	24813	CHIPPENDALE ST	MORENO VALLEY	CA	92553-5817	OLIVEROS, MIRIAM	24813 CHIPPENDALE ST	MORENO VALLEY, CA	92553-5817	190.49	19.05	37.72	247.24
97379205000	482582020	FUTCH, MARCUS (RENT)	24804	CAPE COD ST	MORENO VALLEY	CA	92553-5822	FUTCH, MARCUS	24804 CAPE COD ST	MORENO VALLEY, CA	92553-5822	144.12	14.41	28.54	187.06
62927945002	482582021	RODRIGUEZ, CHRISTINE	24816	CAPE COD ST	MORENO VALLEY	CA	92553-5822	RODRIGUEZ, CHRISTINE	24816 CAPE COD ST	MORENO VALLEY, CA	92553-5822	254.12	25.41	50.32	329.84
31345175006	482582024	BENEGAS, JUAN MANUEL	24866	CAPE COD ST	MORENO VALLEY	CA	92553-5822	BENEGAS, JUAN MANUEL	24866 CAPE COD ST	MORENO VALLEY, CA	92553-5822	254.02	25.4	50.3	329.7
88278785008	482582030	REYES, LORENZA	24791	CAPE COD ST	MORENO VALLEY	CA	92553-5861	REYES, LORENZA	24791 CAPE COD ST	MORENO VALLEY, CA	92553-5861	254.02	25.4	50.3	329.7
31571665004	482591002	RIVERS, GINGER	24930	LORNA DR	MORENO VALLEY	CA	92553-5883	RIVERS, GINGER	24930 LORNA DR	MORENO VALLEY, CA	92553-5883	254.02	25.4	50.3	329.7
31058835007	482591005	MADISON, WILLIAM	24884	LORNA DR	MORENO VALLEY	CA	92553-5825	MADISON, WILLIAM	24884 LORNA DR	MORENO VALLEY, CA	92553-5825	254.02	25.4	50.3	329.7
51986545005	482591013	KITTOK, MARY JO	24794	LORNA DR	MORENO VALLEY	CA	92553-5881	KITTOK, MARY JO	24794 LORNA DR	MORENO VALLEY, CA	92553-5881	190.69	19.07	37.76	247.5
31338485006	482592002	FLORES, ESTHER	24893	NOGAL ST	MORENO VALLEY	CA	92553-5889	FLORES, ESTHER	24893 NOGAL ST	MORENO VALLEY, CA	92553-5889	329.32	32.93	65.21	427.44
55729445008	482592017	BEVERLY, VANESSA	24883	LORNA DR	MORENO VALLEY	CA	92553-5884	BEVERLY, VANESSA	24883 LORNA DR	MORENO VALLEY, CA	92553-5884	214.02	21.4	42.38	277.78
94141675008	482592019	LARRY, LA SHAWN (RENT)	24911	LORNA DR	MORENO VALLEY	CA	92553-3953	LARRY, LA SHAWN	PO BOX 56297	RIVERSIDE, CA	92517-1197	86.37	8.64	17.1	112.1
31083885004	482592024	NEVARES, ERIC	14406	IBEX ST	MORENO VALLEY	CA	92553-5827	NEVARES, ERIC	14406 IBEX ST	MORENO VALLEY, CA	92553-5827	254.02	25.4	50.3	329.7
73524795005	482593009	LLAMAS, JUAN PEDRO	24806	NOGAL ST	MORENO VALLEY	CA	92553-5844	LLAMAS, ROSA	650 S OLIVE AVE	RIALTO, CA	92376-7087	254.02	25.4	50.3	329.7
94259525000	482593011	ARTIGA, YADIRA (RENT)	24795	LORNA DR	MORENO VALLEY	CA	92553-5882	ARTIGA, YADIRA	24795 LORNA DR	MORENO VALLEY, CA	92553-5882	114.21	11.42	22.61	148.24
31331205000	482593013	MARTINEZ, MARTA	24821	LORNA DR	MORENO VALLEY	CA	92553-5871	MARTINEZ, MARTA	24821 LORNA DR	MORENO VALLEY, CA	92553-5871	104.02	10.4	20.6	135
66122965001	482593015	SANCHEZ, LUCY	24845	LORNA DR	MORENO VALLEY	CA	92553-5871	SANCHEZ, LUCY	24845 LORNA DR	MORENO VALLEY, CA	92553-5871	184.12	18.41	36.46	238.98
94319655004	482593016	SIFUENTES, SANDRA (RENT)	24849	LORNA DR	MORENO VALLEY	CA	92553-5871	SIFUENTES, SANDRA	24401 JONNA LN	MORENO VALLEY, CA	92553-3591	61.16	6.12	12.11	79.38
96706825005	482594005	JACKSON, SHANILTON (RENT)	24833	NOGAL ST	MORENO VALLEY	CA	92553-5845	JACKSON, SHANILTON	24833 NOGAL ST	MORENO VALLEY, CA	92553-5845	253.09	25.31	50.11	328.5
97112865006	482596005	MALONE, NATALIAH (RENT)	14453	PHILO ST	MORENO VALLEY	CA	92553-5843	MALONE, NATALIAH-	14453 PHILO ST	MORENO VALLEY, CA	92553-5843	231.3	23.13	45.8	300.22
31310905007	482596009	THOMAS, TIMOTHY	14409	PHILO ST	MORENO VALLEY	CA	92553-5894	THOMAS, TIMOTHY	14409 PHILO ST	MORENO VALLEY, CA	92553-5894	329.04	32.9	65.15	427.08
31331425004	482600007	ESTRADA, MARTHA	24111	AYLESBURY DR	MORENO VALLEY	CA	92553-6219	ESTRADA, MARTHA	24111 AYLESBURY DR	MORENO VALLEY, CA	92553-6219	40.69	4.07	8.06	52.8
98208645018	482600016	RIVERA, LISA (RENT)	24138	FAWN ST	MORENO VALLEY	CA	92553-3390	RIVERA, LISA (RENT)	24138 FAWN ST	MORENO VALLEY, CA	92553-3390	98.52	9.85	18.52	121.38
95832235004	482600022	PEREZ, ROMEL E	24098	FAWN ST	MORENO VALLEY	CA	92553-6248	PEREZ, ROMEL E	459 13TH ST W	PERRIS, CA	92570-4535	455.62	45.56	90.21	591.38
31143905002	482600033	MARTINEZ, JUAN AND PATRICIA	24036	AYLESBURY DR	MORENO VALLEY	CA	92553-6218	MARTINEZ, JUAN	24036 AYLESBURY DR	MORENO VALLEY, CA	92553-6218	254.02	25.4	50.3	329.7
98198093006	482600034	KENNEDY, REKEIA (RENT)	24046	AYLESBURY DR	MORENO VALLEY	CA	92553-6218	KENNEDY, REKEIA	24046 AYLESBURY DR	MORENO VALLEY, CA	92553-6218	156.96	15.7	31.08	203.72
31299035005	482600041	WOODS, KEVIN	13303	LUTON CT	MORENO VALLEY	CA	92553-6233	WOODS, KEVIN	13303 LUTON CT	MORENO VALLEY, CA	92553-6233	254.02	25.4	50.3	329.7
94847935006	482600050	RAMOS, JUAN (OWNR)	13291	HELMSDALE ST	MORENO VALLEY	CA	92553-6217	RAMOS, JUAN	13291 HELMSDALE ST	MORENO VALLEY, CA	92553-6217	190.79	19.08	37.78	247.64
31494135001	482600055	RODRIGUEZ, RALPH-	24141	DRACAEA AVE	MORENO VALLEY	CA	92553-3139	RODRIGUEZ, RALPH	24141 DRACAEA AVE	MORENO VALLEY, CA	92553-3139	98.92	9.39	18.6	121.9
81118675001	482600057	GALLEGOS, MARCOS	24115	DRACAEA AVE	MORENO VALLEY	CA	92553-3139	GALLEGOS, MARCOS	14191 CASCO CT	MORENO VALLEY, CA	92553-6712	63.63	6.36	12.6	82.58
31561115001	482611006	FLORES, VERONICA AND NORMA	24815	BRODIAEA AVE	MORENO VALLEY	CA	92553-5857	FLORES, VERONICA AND NORMA	24815 BRODIAEA AVE	MORENO VALLEY, CA	92553-5857	190.69	19.07	37.76	247.5
31414215002	482611010	AVILA, ALBERT	24871	BRODIAEA AVE	MORENO VALLEY	CA	92553-5857	AVILA, ALBERT	24871 BRODIAEA AVE	MORENO VALLEY, CA	92553-5857	254.02	25.4	50.3	329.7
31283365009	482611019	HOPKINS, MARIA	24770	HEIL DR	MORENO VALLEY	CA	92553-5877	HOPKINS, MARIA	24770 HEIL DR	MORENO VALLEY, CA	92553-5877	254.12	25.41	50.32	329.84
31287275009	482612003	REBOLLEDO, FRANK	24823	HEIL DR	MORENO VALLEY	CA	92553-5847	REBOLLEDO, FRANK	24823 HEIL DR	MORENO VALLEY, CA	92553-5847	254.02	25.4	50.3	329.7
31188115003	482612015	GUERRERO, SALVADOR	24912	OTIS DR	MORENO VALLEY	CA	92553-5866	GUERRERO, SALVADOR	24912 OTIS DR	MORENO VALLEY, CA	92553-5866	254.02	25.4	50.3	329.7
31555345005	482612016	ROSAS, ROSA L	24932	OTIS DR	MORENO VALLEY	CA	92553-5866	ROSAS, ROSA L	24932 OTIS DR	MORENO VALLEY, CA	92553-5866	126.96	12.7	25.14	164.78
31346515003	482612017	FRANCO, JOSE	24946	OTIS DR	MORENO VALLEY	CA	92553-5866	FRANCO, JOSE	24946 OTIS DR	MORENO VALLEY, CA	92553-5866	190.69	19.07	37.76	247.5
90261745004	482613001	BOLTON, KEITH	24811	OTIS DR	MORENO VALLEY	CA	92553-5837	BOLTON, KEITH-	24811 OTIS DR	MORENO VALLEY, CA	92553-5837	253.92	25.39	50.28	329.58
73228025005	482613008	BARAJAS, JOSE ALEJANDRO	24915	OTIS DR	MORENO VALLEY	CA	92553-5865	BARAJAS, JOSE ALEJANDRO	24915 OTIS DR	MORENO VALLEY, CA	92553-5865	254.12	25.41	50.32	329.84
96299725002	482613009	THOMAS AGNES 2002 TRUST	24933	OTIS DR	MORENO VALLEY	CA	92553-5865	THOMAS AGNES 2002 TRUST	24933 OTIS DR	MORENO VALLEY, CA	92553-5865	177.35	17.74	35.12	230.2
31321235005	482614001	REID, ELIZABETH	24999	BRODIAEA AVE	MORENO VALLEY	CA	92553-5849	REID, ELIZABETH	PO BOX 10271	MORENO VALLEY, CA	92552-0271	121.84	12.18	24.12	158.14

MV00168197

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31641285005	482614004	MILLER, THOMAS	24957	BRODIAEA AVE	MORENO VALLEY	CA	92553-5849	MILLER, THOMAS	24957 BRODIAEA AVE	MORENO VALLEY, CA	92553-5949	254.02	25.4	50.3	329.7
31599985001	482614012	ALPIVAR, GEORGE A	24916	HEIL DR	MORENO VALLEY	CA	92553-5868	ALPIVAR, GEORGE A	24916 HEIL DR	MORENO VALLEY, CA	92553-5868	254.02	25.4	50.3	329.7
31369225006	482614014	DOUTHIT, CINDY	24944	HEIL DR	MORENO VALLEY	CA	92553-5868	DOUTHIT, CINDY	24944 HEIL DR	MORENO VALLEY, CA	92553-5868	329.32	32.93	65.21	427.44
95431173007	482614018	AKINTIMOYE, ELIZABETH	14316	IBEX ST	MORENO VALLEY	CA	92553-5828	AKINTIMOYE, ELIZABETH	14316 IBEX ST	MORENO VALLEY, CA	92553-5828	36.26	3.63	7.18	47.06
31390445006	482622019	CAPERON, MICHELLE	24694	MARS CT	MORENO VALLEY	CA	92553-5826	CAPERON, MICHELLE	24694 MARS CT	MORENO VALLEY, CA	92553-5826	109.02	10.9	21.59	141.5
101703973003	482622021	ADAMS, PAMELA (RENT)	24718	MARS CT	MORENO VALLEY	CA	92553-5834	ADAMS, PAMELA	24718 MARS CT	MORENO VALLEY, CA	92553-5834	81.11	8.11	16.06	105.28
31565705008	482622030	MANZANO, KARLA	24695	MARS CT	MORENO VALLEY	CA	92553-5838	MANZANO, KARLA	24695 MARS CT	MORENO VALLEY, CA	92553-5838	254.12	25.41	50.32	329.84
90193003004	482622032	DENSON, TEALOMIA (RENT)	24673	MARS CT	MORENO VALLEY	CA	92553-5838	DENSON, TEALOMIA	24673 MARS CT	MORENO VALLEY, CA	92553-5838	201.17	20.12	39.83	261.1
87945295001	482623027	LEFLORE, FREDERICK (RENT)	14549	VICTOR DR	MORENO VALLEY	CA	92553-5842	LEFLORE, FREDERICK	14549 VICTOR DR	MORENO VALLEY, CA	92553-5842	45.91	4.59	9.09	59.58
90124633007	482623029	PERALTA, MARIA (OWNR)	14573	VICTOR DR	MORENO VALLEY	CA	92553-5842	PERALTA, MARIA	14573 VICTOR DR	MORENO VALLEY, CA	92553-5842	126.96	12.7	25.14	164.78
90654773003	482631005	CARDOZO, SALVADOR (RENT)	13815	PHEASANT KNOLL LN	MORENO VALLEY	CA	92553-3877	CARDOZO, SALVADOR	13815 PHEASANT KNOLL LN	MORENO VALLEY, CA	92553-3877	277.43	27.74	54.93	360.1
31304895002	482631009	RENTERIA, JULIO	13867	PHEASANT KNOLL LN	MORENO VALLEY	CA	92553-3877	RENTERIA, JULIO	13867 PHEASANT KNOLL LN	MORENO VALLEY, CA	92553-3877	254.02	25.4	50.3	329.7
31268605000	482631013	SAMPSON,DANIEL	13921	PHEASANT KNOLL LN	MORENO VALLEY	CA	92553-3880	SAMPSON, DANIEL	13921 PHEASANT KNOLL LN	MORENO VALLEY, CA	92553-3880	154.02	15.4	30.5	199.9
31129105009	482631025	CARSON, ERIC	24657	CAROLYN AVE	MORENO VALLEY	CA	92553-3889	CARSON, ERIC	24657 CAROLYN AVE	MORENO VALLEY, CA	92553-3889	254.02	25.4	50.3	329.7
31060765007	482631030	CALLENDER, MRS MAGDRIE R	24703	CAROLYN AVE	MORENO VALLEY	CA	92553-3834	CALLENDER, MRS MAGDRIE R	24703 CAROLYN AVE	MORENO VALLEY, CA	92553-3834	57.27	5.73	11.34	74.32
95473335006	482632026	CABRERA, ISIDRO (RENT)	24616	WILLET LN	MORENO VALLEY	CA	92553-3817	CABRERA, ISIDRO	24616 WILLET LN	MORENO VALLEY, CA	92553-3817	254.02	25.4	50.3	329.7
98311535013	482632029	REYES, MAYKELIN (RENT)	24646	WILLET LN	MORENO VALLEY	CA	92553-3817	REYES, MAYKELIN	24646 WILLET LN	MORENO VALLEY, CA	92553-3817	254.12	25.41	50.32	329.84
97711555000	482632032	CHACON, MIKE AND ROSE (RENT)	24676	WILLET LN	MORENO VALLEY	CA	92553-3817	CHACON, MIKE AND ROSE	24676 WILLET LN	MORENO VALLEY, CA	92553-3817	254.12	25.41	50.32	329.84
31296325000	482632034	YANEZ, JOSE R	24696	WILLET LN	MORENO VALLEY	CA	92553-3817	YANEZ, JOSE R	24696 WILLET LN	MORENO VALLEY, CA	92553-3817	247.76	24.78	49.06	321.58
31540805000	482633004	GRANT, CHARLENE	24667	WILLET LN	MORENO VALLEY	CA	92553-3827	GRANT, CHARLENE	24667 WILLET LN	MORENO VALLEY, CA	92553-3827	329.6	32.96	65.26	427.82
92193235004	482633005	WALCHES, ELIZABETH	24655	WILLET LN	MORENO VALLEY	CA	92553-3827	WALCHES, ELIZABETH	24655 WILLET LN	MORENO VALLEY, CA	92553-3827	253.92	25.39	50.28	329.58
97067915002	482633006	NICHOLS, JESSICA (RENT)	24645	WILLET LN	MORENO VALLEY	CA	92553-3827	NICHOLS, JESSICA	24645 WILLET LN	MORENO VALLEY, CA	92553-3827	294.63	29.46	58.34	382.42
56205895001	482633016	FIELDS, LEANDRE	13914	PHEASANT KNOLL LN	MORENO VALLEY	CA	92553-5330	FIELDS, LEANDRE	12625 FREDERICK ST #15-316	MORENO VALLEY, CA	92553-5216	254.02	25.4	50.3	329.7
83603045003	482633019	SOTO, VITELIO	13952	PHEASANT KNOLL LN	MORENO VALLEY	CA	92553-5330	SOTO, VITELIO	746 N 900 W APT 310	SALT LAKE CITY, UT	84116-4029	254.02	25.4	50.3	329.7
55078045002	482633026	MACIAS, LILIA	13905	ROBIN NEST CT	MORENO VALLEY	CA	92553-5336	MACIAS, LILIA	13905 ROBIN NEST CT	MORENO VALLEY, CA	92553-5336	254.02	25.4	50.3	329.7
97800625007	482633031	EDLER, JAIME (OWNR)	13849	ROBIN NEST CT	MORENO VALLEY	CA	92553-3882	EDLER, JAIME	13849 ROBIN NEST CT	MORENO VALLEY, CA	92553-3882	254.02	25.4	50.3	329.7
56316575003	482633034	CALDERON, GUADALUPE	13850	ROBIN NEST CT	MORENO VALLEY	CA	92553-3874	CALDERON, GUADALUPE	13850 ROBIN NEST CT	MORENO VALLEY, CA	92553-3874	104.02	10.4	20.6	135
55215835004	482633042	MCLEOD, SAMUEL	13946	ROBIN NEST CT	MORENO VALLEY	CA	92553-5335	MCLEOD, SAMUEL	13946 ROBIN NEST CT	MORENO VALLEY, CA	92553-5335	254.02	25.4	50.3	329.7
60530775001	482633044	COLEMAN, LONNIE	24702	CAROLYN AVE	MORENO VALLEY	CA	92553-3881	COLEMAN, LONNIE	24702 CAROLYN AVE	MORENO VALLEY, CA	92553-3881	254.12	25.41	50.32	329.84
31514065000	482641005	RODRIGUEZ, EMILY	13533	VELLANTO WAY	MORENO VALLEY	CA	92553-3857	RODRIGUEZ, EMILY	13533 VELLANTO WAY	MORENO VALLEY, CA	92553-3857	254.12	25.41	50.32	329.84
94597645008	482641014	FIDIS, DENISE (RENT)	13587	VELLANTO WAY	MORENO VALLEY	CA	92553-3883	FIDIS, DENISE	13587 VELLANTO WAY	MORENO VALLEY, CA	92553-3883	211.93	21.19	41.96	275.08
31449615004	482641015	MENA, ESMIRNA	13593	VELLANTO WAY	MORENO VALLEY	CA	92553-3883	MENA, ESMIRNA	13593 VELLANTO WAY	MORENO VALLEY, CA	92553-3883	72.74	7.27	14.4	94.4
63116085001	482641016	MUIR, FRAN	13599	VELLANTO WAY	MORENO VALLEY	CA	92553-3883	MUIR, FRAN	13599 VELLANTO WAY	MORENO VALLEY, CA	92553-3883	254.12	25.41	50.32	329.84
31654575007	482641017	MARTINEZ, RENE	13607	VELLANTO WAY	MORENO VALLEY	CA	92553-5301	MARTINEZ, RENE	13607 VELLANTO WAY	MORENO VALLEY, CA	92553-5301	63.63	6.36	12.6	82.58
92252615008	482641018	TATE, RETONYA	13613	VELLANTO WAY	MORENO VALLEY	CA	92553-5301	TATE, RETONYA	12625 FREDERICK ST STE 15	MORENO VALLEY, CA	92553-5216	253.92	25.39	50.28	329.58
94037195009	482641021	KILLEBREW, NATASHA (RENT)	13633	VELLANTO WAY	MORENO VALLEY	CA	92553-5301	KILLEBREW, NATASHA	13633 VELLANTO WAY	MORENO VALLEY, CA	92553-5301	329.6	32.96	65.26	427.82
94040075008	482642002	ALVAREZ, SOPHIA (RENT)	24703	MANTEE PL	MORENO VALLEY	CA	92553-5323	ALVAREZ, SOPHIA	21687 EUCALYPTUS AVE	MORENO VALLEY, CA	92553-8064	254.12	25.41	50.32	329.84
31390195008	482642004	MEDINA, YOLANDA	24675	MANTEE PL	MORENO VALLEY	CA	92553-3887	MEDINA, YOLANDA	24675 MANTEE PL	MORENO VALLEY, CA	92553-3887	254.02	25.4	50.3	329.7
76101065002	482642008	BARRERA, ANA (OWNR)	24619	MANTEE PL	MORENO VALLEY	CA	92553-5322	BARRERA, ANA	24619 MANTEE PL	MORENO VALLEY, CA	92553-5322	63.36	6.34	12.55	82.24
55155365000	482642009	PAZ, FRANCISCO	24607	MANTEE PL	MORENO VALLEY	CA	92553-5322	PAZ, FRANCISCO	24607 MANTEE PL	MORENO VALLEY, CA	92553-5322	254.02	25.4	50.3	329.7
96616365002	482642015	KINSLEY, AUSTIN (OWNR)	24574	MANTEE PL	MORENO VALLEY	CA	92553-3884	KINSLEY, AUSTIN	24574 MANTEE PL	MORENO VALLEY, CA	92553-3884	254.12	25.41	50.32	329.84
31225515009	482642038	SANTOYO, JAIME G	13586	VELLANTO WAY	MORENO VALLEY	CA	92553-3860	SANTOYO, JAIME G	13586 VELLANTO WAY	MORENO VALLEY, CA	92553-3860	254.12	25.41	50.32	329.84
65034995003	482642041	CASTILLO, RICHARD	13642	VELLANTO WAY	MORENO VALLEY	CA	92553-5304	CASTILLO, RICHARD	13642 VELLANTO WAY	MORENO VALLEY, CA	92553-5304	254.12	25.41	50.32	329.84
31099965003	482642042	KNOX, DAVID	13650	VELLANTO WAY	MORENO VALLEY	CA	92553-5304	KNOX, DAVID	13650 VELLANTO WAY	MORENO VALLEY, CA	92553-5304	254.02	25.4	50.3	329.7
31071465007	482643008	GUZMAN, ROBIN	13524	SEARSON DR	MORENO VALLEY	CA	92553-3822	GUZMAN, ROBIN	13524 SEARSON DR	MORENO VALLEY, CA	92553-3822	254.02	25.4	50.3	329.7
70380215007	482643009	TORRES, AURORA	13512	SEARSON DR	MORENO VALLEY	CA	92553-3822	TORRES, AURORA	13512 SEARSON DR	MORENO VALLEY, CA	92553-3822	152.44	15.24	30.18	197.86
31557565004	482651003	MIDDLEBROOKS, DEBRATH	13687	VELLANTO WAY	MORENO VALLEY	CA	92553-5339	HOLMES, EARL C AND KAREN	13687 VELLANTO WAY	MORENO VALLEY, CA	92553-5339	254.02	25.4	50.3	329.7
75756125004	482651004	BELTRAN, JUAN (OWNR)	13695	VELLANTO WAY	MORENO VALLEY	CA	92553-5339	BELTRAN, JUAN	13695 VELLANTO WAY	MORENO VALLEY, CA	92553-5339	178.63	17.86	35.37	231.86
92969455000	482651005	WILLIAMS, BARBARA (RENT)	13703	VELLANTO WAY	MORENO VALLEY	CA	92553-3897	WILLIAMS, BARBARA	13703 VELLANTO WAY	MORENO VALLEY, CA	92553-3897	190.69	19.07	37.76	247.5
31557603003	482651007	RIVERA, YOLANDA	22917	PAHUTE DR	MORENO VALLEY	CA	92553-7849	RIVERA, YOLANDA	22917 PAHUTE DR	MORENO VALLEY, CA	92553-7849	190.79	19.08	37.78	247.64
66610185009	482651008	TO, ROBERTA	13725	VELLANTO WAY	MORENO VALLEY	CA	92553-3897	TO, ROBERTA	13725 VELLANTO WAY	MORENO VALLEY, CA	92553-3897	179.6	17.96	35.56	233.12
31402075006	482651009	FIELDS, SIMON K	13733	VELLANTO WAY	MORENO VALLEY	CA	92553-3897	FIELDS, SIMON K	13733 VELLANTO WAY	MORENO VALLEY, CA	92553-3897	190.69	19.07	37.76	247.5
93638325008	482652005	SANCHEZ, VICTOR (OWNR)	24612	BAY AVE	MORENO VALLEY	CA	92553-3809	SANCHEZ, VICTOR	24612 BAY AVE	MORENO VALLEY, CA	92553-3809	254.12	25.41	50.32	329.84
31080585003	482652011	COOMER, LARRY	24668	BAY AVE	MORENO VALLEY	CA	92553-3809	COOMER, LARRY	24668 BAY AVE	MORENO VALLEY, CA	92553-3809	254.02	25.4	50.3	329.7
31565495002	482652015	GUTIERREZ, ROSA	24715	ORMISTA DR	MORENO VALLEY	CA	92553-5327	GUTIERREZ, ROSA	24715 ORMISTA DR	MORENO VALLEY, CA	92553-5327	329.32	32.93	65.21	427.44
52270985000	482652022	ALLEN, RICHARD	24617	ORMISTA DR	MORENO VALLEY	CA	92553-3804	ALLEN, RICHARD	24617 ORMISTA DR	MORENO VALLEY, CA	92553-3804	254.02	25.4	50.3	329.7
31402325004	482652025	HURTADO, HENRY	24575	ORMISTA DR	MORENO VALLEY	CA	92553-5326	HURTADO, HENRY	24575 ORMISTA DR	MORENO VALLEY, CA	92553-5326	254.02	25.4	50.3	329.7
95850475005	482653005	CONTRERAS, SERGIO (OWNR)	24590	ORMISTA DR	MORENO VALLEY	CA	92553-5325	CONTRERAS, SERGIO	24590 ORMISTA DR	MORENO VALLEY, CA	92553-5325	190.29	19.03	37.68	246.98
95933075003	482653006	BAGHERDAI, MAHNAZ (OWNR)	24604	ORMISTA DR	MORENO VALLEY	CA	92553-3802	BAGHERDAI, MAHNAZ	24604 ORMISTA DR	MORENO VALLEY, CA	92553-3802	211.98	21.19	41.96	275.08
31100905002	482653018	MC FARLAND, JAMES	24673	QUALTON CT	MORENO VALLEY	CA	92553-3895	MC FARLAND, JAMES	24673 QUALTON CT	MORENO VALLEY, CA	92553-3895	254.02	25.4	50.3	329.7
31371455003	482653022	WILSON, SHEENA	24617	QUALTON CT	MORENO VALLEY	CA	92553-3895	WILSON, SHEENA	24617 QUALTON CT	MORENO VALLEY, CA	92553-3895	254.02	25.4	50.3	329.7
31546795009	482653023	CARR, DARLENE	24605	QUALTON CT	MORENO VALLEY	CA	92553-3895	CARR, DARLENE	24605 QUALTON CT	MORENO VALLEY, CA	92553-3895	199.04	19.9	39.41	258.34
92934995001	482653026	CARROLL, RAMSEY	24565	QUALTON CT	MORENO VALLEY	CA	92553-5334	CARROLL, RAMSEY	24565 QUALTON CT	MORENO VALLEY, CA	92553-5334	190.29	19.03	37.68	246.98
31227585000	482653031	POWELL, EMILY	24604	QUALTON CT	MORENO VALLEY	CA	92553-3894	POWELL, EMILY	24604 QUALTON CT	MORENO VALLEY, CA	92553-3894	254.02	25.4	50.3	329.7
92134105005	482653039	ROSA, GLORIMAR	24716	QUALTON CT	MORENO VALLEY	CA	92553-5332	ROSA, GLORIMAR	24716 QUALTON CT	MORENO VALLEY, CA	92553-5332	253.92	25.39	50.28	329.58
91044245008	482653040	SYLVIA, PATRICIA	13674	VELLANTO WAY	MORENO VALLEY	CA	92553-5304	SYLVIA, PATRICIA	13674 VELLANTO WAY	MORENO VALLEY, CA	92553-5304	253.92	25.39	50.28	329.58
88439865004	482654005	SEGURA, SANDRA (REN)	13692	SEARSON DR	MORENO VALLEY	CA	92553-3823	SEGURA, SANDRA	14471 ETERNAL DR	MORENO VALLEY, CA	92553-3597	236.93	23.69	46.91	307.52
31103175009	482654010	CARLE, ROBERT	13632	SEARSON DR	MORENO VALLEY	CA	92553-3823	CARLE, ROBERT	13632 SEARSON DR	MORENO VALLEY, CA	92553-3823	254.02	25.4	50.3	329.7
31438875002	482661003	BLACHE, CONSTANCE	14778	BRIANA ST	MORENO VALLEY	CA	92553-7694	BLACHE, CONSTANCE	14778 BRIANA ST	MORENO VALLEY, CA	92553-7694	254.02	25.4	50.3	329.7
85621155009	482661004	LOPEZ, JULIE	14786	BRIANA ST	MORENO VALLEY	CA	92553-7694	LOPEZ, JULIE	14786 BRIANA ST	MORENO VALLEY, CA	92553-7694	254.02	25.4	50.3	329.7
94504635006	482661006	GOMSI, NOELLE (RENT)	14804	BRIANA ST	MORENO VALLEY	CA	92553-7614	GOMSI, NOELLE (RENT)	14804 BRIANA ST	MORENO VALLEY, CA	92553-7614	254.12	25.41	50.32	329.84
55525275003	482661008	YRIGOYEN, DENISE	14822	BRIANA ST	MORENO VALLEY	CA	92553-7614	YRIGOYEN, DENNIS	14822 BRIANA	MORENO VALLEY, CA	92553-7614	329.32	32.93	65.21	427.44
97112785003	482662005	ALVIDREZ, PAUL (RENT)	24135	DELPHINIUM AVE	MORENO VALLEY	CA	92553-2410	ALVIDREZ, PAUL (RENT)	24135 DELPHINIUM AVE	MORENO VALLEY, CA	92553-2410	254.12	25.41	50.32	329.84
90952655006	482662010	VASQUEZ, JESSICA	14915	KENNEBEC CT	MORENO VALLEY	CA	92553-5109	VASQUEZ, JESSICA	14915 KENNEBEC CT	MORENO VALLEY, CA	92553-5109	63.63	6.36	12.6	82.58
31372065003	482662013	BANUELOS, ARTURO	14885	KENNEBEC CT	MORENO VALLEY	CA	92553-7627	RESIDENT, CURRENT	14885 KENNEBEC CT	MORENO VALLEY, CA	92553-7627	254.02	25.4	50.3	329.7
92423593009	482662014	TAYLOR, PARRIE (RENT)	14875	KENNEBEC CT	MORENO VALLEY	CA	92553-7627	TAYLOR, PARRIE	14875 KENNEBEC CT	MORENO VALLEY, CA	92553-7627	253.09	25.31	50.11	328.5
31559365002	482662029	ZAMORA, RAFAEL	14820	KENNEBEC CT	MORENO VALLEY	CA	92553-7620	ZAMORA, RAFAEL	14820 KENNEBEC CT	MORENO VALLEY, CA	92553-7620	254.02	25.4	50.3	329.7
94259415003	482662032	LLAMAS, MARIA AND JESUS (OWNR)	14850	KENNEBEC CT	MORENO VALLEY	CA	92553-7620	LLAMAS, MARIA AND JESUS	14850 KENNEBEC CT	MORENO VALLEY, CA	92553-7620	254.12	25.41	50.32	329.84
31180595009	482662037	JOURDAN, VALERIE	14831	BRIANA ST	MORENO VALLEY	CA	92553-7616	JOURDAN, VALERIE	14831 BRIANA ST	MORENO VALLEY, CA	92553-7616	254.02	25.4	50.3	329.7
92421933002	482662039	WELCH, KIMBERLY (RENT)	14813	BRIANA ST	MORENO VALLEY	CA	92553-7616	WELCH, KIMBERLY	14813 BRIANA ST	MORENO VALLEY, CA	92553-7616	122.73	12.27	24.3	159.3
75959425009	482662040	GROSS, CARLA	14803	BRIANA ST	MORENO VALLEY	CA	92553-7616	GROSS, CARLA	14803 BRIANA ST	MORENO VALLEY, CA	92553-7616	100.44	10.04	19.89	130.36
88710543006	482662044	NORWOOD, ANNIE (RENT)	14769	BRIANA ST	MORENO VALLEY	CA	92553-7695	NORWOOD, ANNIE (RENT)	14769 BRIANA ST	MORENO VALLEY, CA	92553-7695	254.12	25.41	50.32	329.84
63901235005	482663009	ZUNIGA, ALICIA	24230	DRESSIN DR	MORENO VALLEY	CA	92553-7607	ZUNIGA, ALICIA	24230 DRESSIN DR	MORENO VALLEY, CA	92553-7607	254.12	25.41	50.32	329.84
31076375005	482663012	KNIGHT, IDELLA	14887	BRIANA ST	MORENO VALLEY	CA	92553-7633	KNIGHT, IDELLA	14887 BRIANA ST	MORENO VALLEY, CA	92553-7633	254.02	25.4	50.3	329.7
91455345005	482663013	CRUZ, MARTHA	14879	BRIANA ST	MORENO VALLEY	CA	92553-7633	CRUZ, MARTHA	14879 BRIANA ST	MORENO VALLEY, CA	92553-7633	103.92	10.39	20.58	134.88
100705593009	482663014	IBARRA, MANUEL AND CLAUDIA (RE	14867	BRIANA ST	MORENO VALLEY	CA	92553-7633	IBARRA, MANUEL AND CLAUDIA	14867 BRIANA ST	MORENO VALLEY, CA	92553-7633	81.11	8.11	16.06	105.28
95917465004	482671007	CARLOS, RICARDO (RENT)	24320	SUN VALLEY RD	MORENO VALLEY	CA	92553-7647	CARLOS, RICARDO	24320 SUN VALLEY RD	MORENO VALLEY, CA	92553-7647	254.12	25.41	50.32	329.84
31466795000	482671009	FERNANDEZ, MARIA	24340	SUN VALLEY RD	MORENO VALLEY	CA	92553-7647	FERNANDEZ, MARIA	24340 SUN VALLEY RD	MORENO VALLEY, CA	92553-7647	254.02	25.4	50.3	329.7
88233935007	482672009	EVANS, TRISHGINA	24351	SUN VALLEY RD	MORENO VALLEY	CA	92553-7648	EVANS, TRISHGINA	24351 SUN VALLEY RD	MORENO VALLEY, CA	92553-7648	254.12	25.41	50.32	329.84
31565645001	482672013	CONTRERAS, QUENIA	24309	SUN VALLEY RD	MORENO VALLEY	CA	92553-7648	CONTRERAS, QUENIA	24309 SUN VALLEY RD	MORENO VALLEY, CA	92553-7648	254.02	25.4	50.3	329.7
94161775005	482672019	PETRUSAN, PATRICIA (OWNR)	24241	SUN VALLEY RD	MORENO VALLEY	CA	92553-7637	PETRUSAN, PATRICIA	24241 SUN VALLEY RD	MORENO VALLEY, CA	92553-7637	254.12	25.41	50.32	329.84
31301215001	482673008	TAJIMAROA, JOSE F	24143	SUN VALLEY RD	MORENO VALLEY	CA	92553-7611	TAJIMAROA, JOSE F	24143 SUN VALLEY RD	MORENO VALLEY, CA	92553-7611	254.12	25.41	50.32	329.84
95524195005	482674002	HALL, WINDI (RENT)	24158	SUN VALLEY RD	MORENO VALLEY	CA	92553-7610	HALL, WINDI	24158 SUN VALLEY RD	MORENO VALLEY, CA	92553-7610	254.12	25.41	50.32	329.84
31637185004	482674009	AMATON, ALEC	24218	SUN VALLEY RD	MORENO VALLEY	CA	92553-7636	AMATON, ALEC	24218 SUN VALLEY RD	MORENO VALLEY, CA	92553-7636	254.02	25.4	50.3	329.7
97120045002	482674013	BAUTISTA, VERONICA (RENT)	24256	SUN VALLEY RD	MORENO VALLEY	CA	92553-7636	BAUTISTA, VERONICA (RENT)	24256 SUN VALLEY RD	MORENO VALLEY, CA	92553-7636	192.43	19.24	38.1	249.76
87924625007	482674016	CASTRO, CARLOS	14967	BRIANA ST	MORENO VALLEY	CA	92553-7632	CASTRO, CARLOS	14967 BRIANA ST	MORENO VALLEY, CA	92553-7632	254.12	25.41	50.32	329.84
97666385002	482674019	FIGUEROA, JOLLY (RENT)	14925	BRIANA ST	MORENO VALLEY	CA	92553-7632	FIGUEROA, JOLLY	14925 BRIANA ST	MORENO VALLEY, CA	92553-7632	254.12	25.41	50.32	329.84
31103455000	482674024	CHANEY, LINDA	24227	DRESSIN DR	MORENO VALLEY	CA	92553-7608	CHANEY, LINDA	24227 DRESSIN DR	MORENO VALLEY, CA	92553-7608	254.02	25.4	50.3	329.7
31103485004	482674025	SCARVERS, UWANDA	24219	DRESSIN DR	MORENO VALLEY	CA	92553-7608	SCARVERS, UWANDA	24219 DRESSIN DR	MORENO VALLEY, CA	92553-7608	254.02	25.4	50.3	329.7
94698525009	482674026	BANKS, LAURA (RENT)	24211	DRESSIN DR	MORENO VALLEY	CA	92553-7608	BANKS, LAURA	24211 DRESSIN DR	MORENO VALLEY, CA	92553-7608	189.69	18.97	37.56	246.2
91199605004	482674027	OROZCO, MARTIN AND GUADALUPE	24209	DRESSIN DR	MORENO VALLEY	CA	92553-7608	OROZCO, MARTIN AND GUADALUPE	24209 DRESSIN DR	MORENO VALLEY, CA	92553-7608	253.92	25.39	50.28	329.58

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31646185005	482674028	MCGRIFF, MAYO	24197	DRESSIN DR	MORENO VALLEY	CA	92553-5106	MCGRIFF, MAYO	24197 DRESSIN DR	MORENO VALLEY, CA	92553-5106	254.02	25.4	50.3	329.7
87335885001	482674031	BROWN, JAMAHL	24167	DRESSIN DR	MORENO VALLEY	CA	92553-5106	BROWN, JAMAHL	22628 RADNOR LN	MORENO VALLEY, CA	92557-6805	254.12	25.41	50.32	329.84
62804785006	482681006	LEANOS, EFREN	14852	SPINNAKER LN	MORENO VALLEY	CA	92553-9406	LEANOS, EFREN	14852 SPINNAKER LN	MORENO VALLEY, CA	92553-9406	235.8	23.58	46.69	306.06
89399383000	482681010	PEREZ, TERESA (RENT)	14816	SPINNAKER LN	MORENO VALLEY	CA	92553-9406	PEREZ, TERESA	14816 SPINNAKER LN	MORENO VALLEY, CA	92553-9406	254.12	25.41	50.32	329.84
63075735003	482681011	RICHARDS, DESMOND	14808	SPINNAKER LN	MORENO VALLEY	CA	92553-9434	RICHARDS, DESMOND	14808 SPINNAKER LN	MORENO VALLEY, CA	92553-9434	254.12	25.41	50.32	329.84
31332845004	482681012	VASQUEZ, SONIA	14800	SPINNAKER LN	MORENO VALLEY	CA	92553-9434	VASQUEZ, SONIA	14800 SPINNAKER LN	MORENO VALLEY, CA	92553-9434	254.02	25.4	50.3	329.7
96060553003	482681014	BELMAN, FELIPA (RENT)	14782	SPINNAKER LN	MORENO VALLEY	CA	92553-9404	BELMAN, FELIPA	14782 SPINNAKER LN	MORENO VALLEY, CA	92553-9404	109.58	10.96	21.7	142.22
31415805005	482681015	ROBERSON, BERTHA	14774	SPINNAKER LN	MORENO VALLEY	CA	92553-9404	ROBERSON, BERTHA	14774 SPINNAKER LN	MORENO VALLEY, CA	92553-9404	127.36	12.74	25.22	165.3
31156785009	482682009	BENJAMIN, BILL	14781	SPINNAKER LN	MORENO VALLEY	CA	92553-9405	BENJAMIN, BILL	14781 SPINNAKER LN	MORENO VALLEY, CA	92553-9405	249.17	24.92	49.34	323.42
31156955003	482682010	DOAN, THAO	14789	SPINNAKER LN	MORENO VALLEY	CA	92553-9405	DOAN, THAO	14789 SPINNAKER LN	MORENO VALLEY, CA	92553-9405	254.02	25.4	50.3	329.7
31291175002	482682011	MUNOZ, BASILIO	14797	SPINNAKER LN	MORENO VALLEY	CA	92553-9405	MUNOZ, BASILIO	15065 NORTON LN LN	MORENO VALLEY, CA	92551-4058	103.92	10.39	20.58	134.88
97615815009	482682014	MARTINEZ, MARIBEL (RENT)	14821	SPINNAKER LN	MORENO VALLEY	CA	92553-9407	MARTINEZ, MARIBEL	14821 SPINNAKER LN	MORENO VALLEY, CA	92553-9407	134.12	13.41	26.56	174.08
31314515003	482682017	PRUDHOLM, MERCY	14845	SPINNAKER LN	MORENO VALLEY	CA	92553-9407	PRUDHOLM,	14845 SPINNAKER LN	MORENO VALLEY, CA	92553-9407	254.02	25.4	50.3	329.7
31155045007	482682019	WILKE, COLLEEN	14875	SPINNAKER LN	MORENO VALLEY	CA	92553-9409	WILKE, COLLEEN	14875 SPINNAKER LN	MORENO VALLEY, CA	92553-9409	254.02	25.4	50.3	329.7
31630725006	482682025	WILLIAMS, DWAYNE	14929	SPINNAKER LN	MORENO VALLEY	CA	92553-9410	WILLIAMS, DWAYNE	14929 SPINNAKER LN	MORENO VALLEY, CA	92553-9410	254.02	25.4	50.3	329.7
31479415003	482682036	GONZALEZ, NORMA	14870	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9418	GONZALEZ, NORMA	14870 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9418	253.96	25.4	50.28	329.64
48328465002	482682037	VALLE, JAMIE	14860	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9416	VALLE, JAMIE	14860 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9416	254.02	25.4	50.3	329.7
75780435007	482682038	HERNANDEZ, VICTORIA	14850	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9416	HERNANDEZ, VICTORIA	14850 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9416	254.02	25.4	50.3	329.7
31567915000	482682041	BULTER, SHIRLEY (OWNR)	14826	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9416	BULTER, SHIRLEY	14826 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9416	127.46	12.75	25.24	165.44
94413935007	482682045	MARTINEZ, ISRAEL (RENT)	14800	LAVENDER LN	MORENO VALLEY	CA	92553-9430	MARTINEZ, ISRAEL	14164 SAN CRISTOBAL BAY DR	MORENO VALLEY, CA	92553-2907	154.12	15.41	30.52	200.04
96983875009	482682053	SECHANG, VIVIAN (RENT)	14799	LAVENDER LN	MORENO VALLEY	CA	92553-9411	SECHANG, VIVIAN	14799 LAVENDER LN	MORENO VALLEY, CA	92553-9411	254.12	25.41	50.32	329.84
31607665006	482682056	SALVATIERRA, MARIA (OWNR)	14829	LAVENDER LN	MORENO VALLEY	CA	92553-9431	SALVATIERRA, MARIA	14829 LAVENDER LN	MORENO VALLEY, CA	92553-9431	67.36	6.74	13.34	87.42
61524745000	482682060	YORK, SHIRLEEN	14869	LAVENDER LN	MORENO VALLEY	CA	92553-9413	YORK, SHIRLEEN	14869 LAVENDER LN	MORENO VALLEY, CA	92553-9413	99.12	9.91	19.63	128.64
31648095000	482682061	BABBITT, TISHA (OWNR) ACTIVE	14879	LAVENDER LN	MORENO VALLEY	CA	92553-9413	BABBITT, TISHA	14879 LAVENDER LN	MORENO VALLEY, CA	92553-9413	408.42	40.84	80.87	530.12
97111315004	482683003	NGUYEN, TED (OWNR)	14929	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9420	NGUYEN, TED	14929 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9420	254.12	25.41	50.32	329.84
31168975004	482683004	LYNN, CYNTHIA	14919	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9420	LYNN, CYNTHIA	14919 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9420	254.02	25.4	50.3	329.7
31439465006	482683009	SMITH, JAIME	14855	MEADOW BREEZE DR	MORENO VALLEY	CA	92553-9417	SMITH, JAIME	14855 MEADOW BREEZE DR	MORENO VALLEY, CA	92553-9417	254.02	25.4	50.3	329.7
31514115000	482683012	GRIFFIN, HAROLD	14880	LAVENDER LN	MORENO VALLEY	CA	92553-9412	GRIFFIN, HAROLD	14880 LAVENDER LN	MORENO VALLEY, CA	92553-9412	254.12	25.41	50.32	329.84
31545215003	482683014	AREVALO, JOSE	14900	LAVENDER LN	MORENO VALLEY	CA	92553-9433	AREVALO, JOSE	14900 LAVENDER LN	MORENO VALLEY, CA	92553-9433	253.92	25.39	50.28	329.58
96662255009	482683016	JAMIE, MIRTHA (OWNR)	14920	LAVENDER LN	MORENO VALLEY	CA	92553-9415	JAMIE, MIRTHA	14920 LAVENDER LN	MORENO VALLEY, CA	92553-9415	254.12	25.41	50.32	329.84
94064353009	482683017	GARIBAY, ELIZABETH (OWNR)	14930	LAVENDER LN	MORENO VALLEY	CA	92553-9415	GARIBAY, ELIZABETH	14930 LAVENDER LN	MORENO VALLEY, CA	92553-9415	291.59	29.16	57.73	378.48
31372075001	482690001	LOERA, ARMANDO	14605	UNITY CT	MORENO VALLEY	CA	92553-9403	LOERA, ARMANDO	14605 UNITY CT	MORENO VALLEY, CA	92553-9403	254.02	25.4	50.3	329.7
31601045000	482690016	MARTINEZ, CARLOS	14623	CAGNEY CT	MORENO VALLEY	CA	92553-9428	MARTINEZ, CARLOS	14623 CAGNEY CT	MORENO VALLEY, CA	92553-9428	254.02	25.4	50.3	329.7
31179415001	482690017	BONILLA, RICHARD E	14633	CAGNEY CT	MORENO VALLEY	CA	92553-9428	BONILLA, RICHARD E	5437 CARFAX AVE	90713-1625	283.52	28.35	56.14	368	
94484675002	482690020	MOORE, ANDREW (RENT)	11267	DAVIS ST	MORENO VALLEY	CA	92557-5040	MOORE, ANDREW	11575 DAVIS ST	MORENO VALLEY, CA	92557-5538	61.26	6.13	12.13	79.5
92229615009	482690022	MEDINA, CHRISTINA AND JOHNNY	14665	CAGNEY CT	MORENO VALLEY	CA	92553-9425	MEDINA, CHRISTINA AND JOHNNY	14665 CAGNEY CT	MORENO VALLEY, CA	92553-9425	253.92	25.39	50.28	329.58
60529255002	482690024	MELGOZA, ADELINA	14681	UNITY CT	MORENO VALLEY	CA	92553-9422	MELGOZA, ADELINA	14681 UNITY CT	MORENO VALLEY, CA	92553-9422	291.14	29.11	57.65	377.88
31180925000	482690029	TABIL, JESUS	14682	HAMBY CT	MORENO VALLEY	CA	92553-9426	TABIL, JESUS	14682 HAMBY CT	MORENO VALLEY, CA	92553-9426	254.02	25.4	50.3	329.7
98201895010	482690034	BROWN, DARRYL W AND VALARIE R	14717	UNITY CT	MORENO VALLEY	CA	92553-9423	BROWN, DARRYL W AND VALARIE R	14636 SALT RIVER WAY	MORENO VALLEY, CA	92555-4750	420.76	42.08	83.31	546.14
59889045008	484041001	CARMACK, CICELEY	14243	AGAVE ST	MORENO VALLEY	CA	92553-4421	CARMACK, CICELEY	22642 SPRINGMIST DR	MORENO VALLEY, CA	92557-2637	254.12	25.41	50.32	329.84
31064385009	484041003	MAGANA, JOSE	14213	AGAVE ST	MORENO VALLEY	CA	92553-4421	MAGANA, JOSE	14213 AGAVE ST	MORENO VALLEY, CA	92553-4421	254.12	25.41	50.32	329.84
92684845004	484041005	RODRIGUEZ, CECILIA	14181	AGAVE ST	MORENO VALLEY	CA	92553-4477	RODRIGUEZ, CECILIA	14181 AGAVE ST	MORENO VALLEY, CA	92553-4477	254.12	25.41	50.32	329.84
31244555001	484041007	DUTTON, RODNEY AND MARIELA	14161	AGAVE ST	MORENO VALLEY	CA	92553-4477	DUTTON, RODNEY AND MARIELA	14161 AGAVE ST	MORENO VALLEY, CA	92553-4477	254.12	25.41	50.32	329.84
92409573002	484041010	ADAMS, NICKY (RENT)	14130	AGAVE ST	MORENO VALLEY	CA	92553-4477	ADAMS, NICKY (RENT)	14130 AGAVE ST	MORENO VALLEY, CA	92553-4477	170.22	17.02	33.7	220.94
94007105001	484041011	ARCHER, RICHARD (OWNR)	14140	AGAVE ST	MORENO VALLEY	CA	92553-4477	ARCHER, RICHARD	14140 AGAVE ST	MORENO VALLEY, CA	92553-4477	329.6	32.96	65.26	427.82
55799465004	484041012	CORRALES, MAYNOR	14150	AGAVE ST	MORENO VALLEY	CA	92553-4477	CORRALES, MAYNOR	14150 AGAVE ST	MORENO VALLEY, CA	92553-4477	240.98	24.1	47.71	312.78
53307215001	484041015	JACKSON, DAVID AND ANDREA	14182	AGAVE ST	MORENO VALLEY	CA	92553-4477	JACKSON, DAVID AND ANDREA	14182 AGAVE ST	MORENO VALLEY, CA	92553-4477	109.12	10.91	21.61	141.62
55974045002	484041023	EDWARDS, NICHOL	14199	APPLE BLOSSOM LN	MORENO VALLEY	CA	92553-4481	EDWARDS, NICHOL	14199 APPLE BLOSSOM LN	MORENO VALLEY, CA	92553-4481	254.02	25.4	50.3	329.7
97139045001	484042007	SOLIS, MARIA (RENT)	14198	APPLE BLOSSOM LN	MORENO VALLEY	CA	92553-4481	SOLIS, MARIA	14198 APPLE BLOSSOM LN	MORENO VALLEY, CA	92553-4481	254.12	25.41	50.32	329.84
95735915002	484042021	GROLON, ISABEL (RENT)	14152	WOODPARK DR	MORENO VALLEY	CA	92553-4404	GROLON, ISABEL	14152 WOODPARK DR	MORENO VALLEY, CA	92553-4404	254.12	25.41	50.32	329.84
86242273008	484042023	DU, THAI (RENT)	14176	WOODPARK DR	MORENO VALLEY	CA	92553-4404	DU, THAI	14176 WOODPARK DR	MORENO VALLEY, CA	92553-4404	154.12	15.41	30.52	200.04
31271915009	484042025	BURTON, KEVIN	14200	WOODPARK DR	MORENO VALLEY	CA	92553-4460	BURTON, KEVIN	14200 WOODPARK DR	MORENO VALLEY, CA	92553-4460	329.04	32.9	65.15	427.08
95670865005	484042028	ESQUIVEL, NORA (RENT)	25292	BRODIAEA AVE	MORENO VALLEY	CA	92553-4402	ESQUIVEL, NORA	25292 BRODIAEA AVE	MORENO VALLEY, CA	92553-4402	254.02	25.4	50.3	329.7
31354045006	484042038	HARRIS, DEREK	14147	WILLOUGHBY RD	MORENO VALLEY	CA	92553-4448	HARRIS, DEREK	14147 WILLOUGHBY RD	MORENO VALLEY, CA	92553-4448	229.32	22.93	45.41	297.64
70197275002	484042040	GONZALEZ, JOSE	14136	WILLOUGHBY RD	MORENO VALLEY	CA	92553-4449	GONZALEZ, JOSE	14136 WILLOUGHBY RD	MORENO VALLEY, CA	92553-4449	254.02	25.4	50.3	329.7
50447475003	484042044	GARCIA, GABRIEL	14184	WILLOUGHBY RD	MORENO VALLEY	CA	92553-4449	GARCIA, GABRIEL	14184 WILLOUGHBY RD	MORENO VALLEY, CA	92553-4449	299.32	29.93	59.27	388.5
98046805018	484051005	BOSTICK, DEBRHA (OWNR)	14197	HIGH NOON CT	MORENO VALLEY	CA	92553-4485	BOSTICK, DEBRHA	14197 HIGH NOON CT	MORENO VALLEY, CA	92553-4485	254.12	25.41	50.32	329.84
76068335007	484051009	LOPEZ, GARY	14147	HIGH NOON CT	MORENO VALLEY	CA	92553-4485	LOPEZ, GARY	12879 BARBAZON DR	MORENO VALLEY, CA	92555-2339	404.62	40.46	80.11	525.18
66794855000	484051017	WUENCE, ANTONIO	14220	HIGH NOON CT	MORENO VALLEY	CA	92553-4486	WUENCE, ANTONIO	14220 HIGH NOON CT	MORENO VALLEY, CA	92553-4486	254.12	25.41	50.32	329.84
96473805006	484051020	WILLIAMS, JOAN (OWNR)	14241	RIO BRAVO RD	MORENO VALLEY	CA	92553-4487	WILLIAMS, JOAN	14241 RIO BRAVO RD	MORENO VALLEY, CA	92553-4487	190.79	19.08	37.78	247.64
31246555006	484051023	PARKE, DENNIS A	14203	RIO BRAVO RD	MORENO VALLEY	CA	92553-4487	PARKE, DENNIS A	14203 RIO BRAVO RD	MORENO VALLEY, CA	92553-4487	253.92	25.39	50.28	329.58
74672115004	484052002	MILLWEE, WILLIAM D	14228	RIO BRAVO RD	MORENO VALLEY	CA	92553-4488	MILLWEE, WILLIAM D	40123 AVENIDA VENIDA	MURRIETA, CA	92562-5935	263.18	26.32	52.11	341.6
31481605009	484052003	ROBINSON, NAOMI	14216	RIO BRAVO RD	MORENO VALLEY	CA	92553-4488	ROBINSON, NAOMI	14216 RIO BRAVO RD	MORENO VALLEY, CA	92553-4488	254.02	25.4	50.3	329.7
88265223008	484052007	CROSBY, JESSE (OWNR)	14164	RIO BRAVO RD	MORENO VALLEY	CA	92553-4488	CROSBY, JESSE	14164 RIO BRAVO RD	MORENO VALLEY, CA	92553-4488	254.12	25.41	50.32	329.84
50850035002	484052009	HARGES, ERIKA (RENT)	14138	RIO BRAVO RD	MORENO VALLEY	CA	92553-4488	HARGES, ERIKA	25345 MAROON CREEK CT	MORENO VALLEY, CA	92551-2429	254.02	25.4	50.3	329.7
72676815000	484060001	RICHARD, DONINELL	25756	BRODIAEA AVE	MORENO VALLEY	CA	92553-4909	RICHARD, DONINELL	25756 BRODIAEA AVE	MORENO VALLEY, CA	92553-4909	329.32	32.93	65.21	427.44
90388405006	484060004	TORRES, ANTONIA	25720	BRODIAEA AVE	MORENO VALLEY	CA	92553-4909	TORRES, ANTONIA	25720 BRODIAEA AVE	MORENO VALLEY, CA	92553-4909	203.92	20.39	40.38	264.68
87984973007	484060019	GUERRERO, SANDRA (RENT)	14159	CYPRESS SANDS LN	MORENO VALLEY	CA	92553-2918	GUERRERO, SANDRA	14159 CYPRESS SANDS LN	MORENO VALLEY, CA	92553-2918	254.12	25.41	50.32	329.84
95642385005	484060028	GONZALEZ, REYNA (RENT)	14180	CYPRESS SANDS LN	MORENO VALLEY	CA	92553-2917	GONZALEZ, REYNA	14180 CYPRESS SANDS LN	MORENO VALLEY, CA	92553-2917	71.73	7.17	14.2	93.1
96353585006	484060036	COBB, LOVITA (RENT)	14197	PORT ROYAL PL	MORENO VALLEY	CA	92553-2916	COBB, LOVITA	14197 PORT ROYAL PL	MORENO VALLEY, CA	92553-2916	254.02	25.4	50.3	329.7
66028285003	484060041	CHURCHILL, EARLEEN	14151	PORT ROYAL PL	MORENO VALLEY	CA	92553-2916	CHURCHILL, EARLEEN	14151 PORT ROYAL PL	MORENO VALLEY, CA	92553-2916	254.12	25.41	50.32	329.84
89065933002	484060048	ODOM, RAMONA (RENT)	14168	PORT ROYAL PL	MORENO VALLEY	CA	92553-2915	ODOM, RAMONA	14168 PORT ROYAL PL	MORENO VALLEY, CA	92553-2915	282.35	28.24	55.91	366.48
92185745003	484060053	WATTS, THEKA	14212	PORT ROYAL PL	MORENO VALLEY	CA	92553-2915	WATTS, THEKA	14212 PORT ROYAL PL	MORENO VALLEY, CA	92553-2915	253.92	25.39	50.28	329.58
96175645001	484060056	TATAJE, BEATRIZ (RENT)	14213	MARTINIQUE DR	MORENO VALLEY	CA	92553-2914	TATAJE, BEATRIZ (RENT)	14213 MARTINIQUE DR	MORENO VALLEY, CA	92553-2914	134.52	13.45	26.64	174.6
83865135009	484060064	MARIN, JENNIFER	14141	MARTINIQUE DR	MORENO VALLEY	CA	92553-2914	MARIN, JENNIFER	14141 MARTINIQUE DR	MORENO VALLEY, CA	92553-2914	254.02	25.4	50.3	329.7
62157355009	484060072	HERRERA, DANIEL	14188	MARTINIQUE DR	MORENO VALLEY	CA	92553-2913	HERRERA, DANIEL	14188 MARTINIQUE DR	MORENO VALLEY, CA	92553-2913	192.12	19.21	38.04	249.36
96592735008	484060076	ADAMS, SHAMEKA (RENT)	14222	MARTINIQUE DR	MORENO VALLEY	CA	92553-2913	ADAMS, SHAMEKA	14222 MARTINIQUE DR	MORENO VALLEY, CA	92553-2913	254.12	25.41	50.32	329.84
88421763003	484071001	RUSSELL, ANNA (RENT)	25768	BRODIAEA AVE	MORENO VALLEY	CA	92553-4909	RUSSELL, ANNA	25768 BRODIAEA AVE	MORENO VALLEY, CA	92553-4909	44.12	4.41	8.74	57.26
31410025000	484071002	TREJO, AMALIA	25780	BRODIAEA AVE	MORENO VALLEY	CA	92553-4909	TREJO, AMALIA	25780 BRODIAEA AVE	MORENO VALLEY, CA	92553-4909	254.02	25.4	50.3	329.7
31179705008	484071009	DELGADO, ALFRED	14179	FLAMINGO BAY LN	MORENO VALLEY	CA	92553-2912	DELGADO, ALFRED	14179 FLAMINGO BAY	MORENO VALLEY, CA	92553-2912	63.63	6.36	12.6	82.58
95989245009	484072006	CHAVEZ, LATISHA (OWNR)	25938	BRODIAEA AVE	MORENO VALLEY	CA	92553-4911	CHAVEZ, LATISHA	25938 BRODIAEA AVE	MORENO VALLEY, CA	92553-4911	254.12	25.41	50.32	329.84
95521845005	484072016	BOGLIN, GLYNIS (OWNR)	25834	BRODIAEA AVE	MORENO VALLEY	CA	92553-4940	BOGLIN, GLYNIS	25834 BRODIAEA AVE	MORENO VALLEY, CA	92553-4940	254.12	25.41	50.32	329.84
95605455007	484072019	GONZALEZ, REYNA (RENT)	14130	FLAMINGO BAY LN	MORENO VALLEY	CA	92553-2911	GONZALEZ, REYNA	14130 FLAMINGO BAY LN	MORENO VALLEY, CA	92553-2911	254.02	25.4	50.3	329.7
68119765007	484072020	AMES, JEREMY	14140	FLAMINGO BAY LN	MORENO VALLEY	CA	92553-2911	AMES, JEREMY	14140 FLAMINGO BAY LN	MORENO VALLEY, CA	92553-2911	329.6	32.96	65.26	427.82
49282705000	484072027	WOODS, AHASUERUS	14204	FLAMINGO BAY LN	MORENO VALLEY	CA	92553-2911	WOODS, AHASUERUS	14204 FLAMINGO BAY	MORENO VALLEY, CA	92553-2911	329.32	32.93	65.21	427.44
31472845008	484072030	WRIGHT, FRANCES	14221	SAN CRISTOBAL BAY DR	MORENO VALLEY	CA	92553-2937	WRIGHT, FRANCES	14221 SAN CRISTOBAL BAY DR	MORENO VALLEY, CA	92553-2937	67.36	6.74	13.34	87.42
31462965003	484072031	URQUIZU, CESAR AND MARIA	14209	SAN CRISTOBAL BAY DR	MORENO VALLEY	CA	92553-2937	URQUIZU, CESAR AND MARIA	21780 MARIE RD	PERRIS, CA	92570-6883	262.02	26.2	51.88	340.1
93753195002	484072035	DENNIS, DEMETRIUS (OWNR)	14175	SAN CRISTOBAL BAY DR	MORENO VALLEY	CA	92553-2908	DENNIS, DEMETRIUS	14175 SAN CRISTOBAL BAY DR	MORENO VALLEY, CA	92553-2908	21.12	2.11	4.18	27.4
31598055005	484072040	CAZARES, SANDI	14131	SAN CRISTOBAL BAY DR	MORENO VALLEY	CA	92553-2908	CAZARES, SANDI	2958 BERKLEY RD	RIVERSIDE, CA	92506-1403	231.36	23.14	45.81	300.3
48527225000	484072049	SANDOVAL, LETICIA (OWN)	14200	SAN CRISTOBAL BAY DR	MORENO VALLEY	CA	92553-2936	SANDOVAL, LETICIA	14200 SAN CRISTOBAL BAY DR	MORENO VALLEY, CA	92553-2936	53.85	5.39	10.66	69.88
31309255005	484072057	HEISS, NANCY	14175	ST TROPEZ CT	MORENO VALLEY	CA	92553-2910	HEISS, NANCY	14175 ST TROPEZ CT	MORENO VALLEY, CA	92553-2910	254.12	25.41	50.32	329.84
31317565003	484072065	VALADEZ, ROGER	14148	ST TROPEZ CT	MORENO VALLEY	CA	92553-2909	VALADEZ, ROGER	14148 ST TROPEZ CT	MORENO VALLEY, CA	92553-2909	329.6	32.96	65.26	427.82
31346385000	484072067	MONTEZUMA, ARIEL	14164	ST TROPEZ CT	MORENO VALLEY	CA	92553-2909	MONTEZUMA, ARIEL	14164 ST TROPEZ CT	MORENO VALLEY, CA	92553-2909	254.02	25.4	50.3	329.7
31268135009	484072077	ALATORRE, THERESA	14191	MONTEGO BAY DR	MORENO VALLEY	CA	92553-2906	ALATORRE, THERESA	14191 MONTEGO BAY DR	MORENO VALLEY, CA	92553-2906	329.04	32.9	65.15	427.08
94498825001	484072078	BELLAMY, QUONIA	14183	MONTEGO BAY DR	MORENO VALLEY	CA	92553-2906	BELLAMY, QUONIA	14183 MONTEGO BAY DR	MORENO VALLEY, CA	92553-2906	110.79	11.08	21.94	143.8
93045709006	484072087	MARTE, ANABEL (OWNR)	14148	MONTEGO BAY DR	MORENO VALLEY	CA	92553-2905	MARTE, ANABEL	14148 MONTEGO BAY DR	MORENO VALLEY, CA	92553-2905	266.17	26.62	52.7	345.48
96592865000	484072092	FARRIS, TANISHA (RENT)	14192	MONTEGO BAY DR	MORENO VALLEY	CA	92553-2905	FARRIS, TANISHA	14192 MONTEGO BAY DR	MORENO VALLEY, CA	92553-2905	254.12	25.41	50.32	329.84
89109133006	484072096	MASTERSON, ASHLEE (RENT)	14221	JAMAICA SANDS LN	MORENO VALLEY	CA	92553-2935	MASTERSON, ASHLEE	14221 JAMAICA SANDS LN	MORENO VALLEY, CA	92553-2935	190.79	19.08	37.78	247.64
31446365002	484072102	VALENCIA, LILIA	14163	JAMAICA SANDS LN	MORENO VALLEY	CA	92553-2904	VALENCIA, LILIA	14163 JAMAICA SANDS LN	MORENO VALLEY, CA	92553-2904	114.02	11.4	22.58	147.98
76165285001	484072103	ZAMARRIPA, CESAR	14155	JAMAICA SANDS LN	MORENO VALLEY	CA	92553-2904	ZAMARRIPA, CESAR	14155 JAMAICA SANDS LN	MORENO VALLEY, CA	92553-2904	329.32	32.93	65.21	427.44
31255605007	484081006	JAMES, CHARLES	14296	JANIE CT	MORENO VALLEY	CA	92553-4918	RESIDENT, CURRENT	14296 JANIE CT	MORENO VALLEY, CA	92553-4918	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
74531335006	484081010	MONIE, GLORIA	14339	JANE CT	MORENO VALLEY	CA	92553-4917	MONIE, GLORIA	14339 JANE CT	MORENO VALLEY, CA	92553-4917	254.02	25.4	50.3	329.7
31466025002	484081015	NEVARREZ, HIGINIO	14358	HOUSTON DR	MORENO VALLEY	CA	92553-4921	NEVARREZ, HIGINIO	14358 HOUSTON DR	MORENO VALLEY, CA	92553-4921	254.02	25.4	50.3	329.7
93660525000	484081016	KUTTER, MATTHEW (OWNR)	14344	HOUSTON DR	MORENO VALLEY	CA	92553-4921	KUTTER, MATTHEW	PO BOX 8531	MORENO VALLEY, CA	92552-8531	254.12	25.41	50.32	329.84
31637855003	484081024	APARICIO, ARMANDO	25963	BRODIAEA AVE	MORENO VALLEY	CA	92553-4910	APARICIO, ARMANDO	25963 BRODIAEA AVE	MORENO VALLEY, CA	92553-4910	254.02	25.4	50.3	329.7
31593795001	484082007	FELIX, DANIEL	14281	CHANTRY DR	MORENO VALLEY	CA	92553-2946	FELIX, DANIEL	14281 CHANTRY DR	MORENO VALLEY, CA	92553-2946	329.32	32.93	65.21	427.44
92030675005	484082008	TORRES, LORENA	25776	FLINT DR	MORENO VALLEY	CA	92553-4925	TORRES, LORENA	425 W D ST APT 2	ONTARIO, CA	91762-3441	253.92	25.39	50.28	329.58
31292675005	484082018	SABEL, KENNETH	25908	FLINT DR	MORENO VALLEY	CA	92553-4923	SABEL, KENNETH	25908 FLINT DR	MORENO VALLEY, CA	92553-4923	234.93	23.49	46.52	304.92
31450825008	484082027	PALMER, ELVIE LEE	25805	BRODIAEA AVE	MORENO VALLEY	CA	92553-2943	PALMER, ELVIE LEE	25805 BRODIAEA AVE	MORENO VALLEY, CA	92553-2943	329.32	32.93	65.21	427.44
31469585008	484083001	CAMPOS, MARCOS	25906	FRESCA DR	MORENO VALLEY	CA	92553-4951	CAMPOS, MARCOS	25906 FRESCA DR	MORENO VALLEY, CA	92553-4951	20.69	2.07	4.1	26.84
90292413008	484083003	HARRIS, SHAWNQUIES (RENT)	25878	FRESCA DR	MORENO VALLEY	CA	92553-4951	HARRIS, SHAWNQUIES	25878 FRESCA DR	MORENO VALLEY, CA	92553-4951	299.84	29.98	59.37	389.18
31065235008	484083004	GARDNER, CURTIS	25907	FLINT DR	MORENO VALLEY	CA	92553-2945	GARDNER, CURTIS	25907 FLINT DR	MORENO VALLEY, CA	92553-2945	254.02	25.4	50.3	329.7
95676685000	484083012	MITCHELL, RITA (RENT)	14314	CHANTRY DR	MORENO VALLEY	CA	92553-2948	MITCHELL, RITA	14314 CHANTRY DR	MORENO VALLEY, CA	92553-2948	46.81	4.68	9.27	60.74
91360125003	484083014	ROSALES, JENNIFER AND ROBERT	14346	CHANTRY DR	MORENO VALLEY	CA	92553-2948	ROSALES, JENNIFER AND ROBERT	14346 CHANTRY DR	MORENO VALLEY, CA	92553-2948	253.92	25.39	50.28	329.58
31366395006	484091003	MYERS, SHEILA B	25545	BRODIAEA AVE	MORENO VALLEY	CA	92553-4986	MYERS, SHEILA B	25545 BRODIAEA AVE	MORENO VALLEY, CA	92553-4986	54.02	5.4	10.7	70.1
31655365008	484091013	GAONA, ARACELI	14298	SANDCASTLE CT	MORENO VALLEY	CA	92553-4991	GAONA, ARACELI	14298 SANDCASTLE	MORENO VALLEY, CA	92553-4991	164.66	16.47	32.5	213.72
97107975003	484091019	VILLA, STEVE AND STEPHINE	14301	SANDCASTLE CT	MORENO VALLEY	CA	92553-4991	VILLA, STEVE AND STEPHINE	14301 SANDCASTLE CT	MORENO VALLEY, CA	92553-4991	211.9	21.19	41.96	275.04
31213725001	484092011	APPERSON HALIFF, TORRI	14290	WINDJAMMER DR	MORENO VALLEY	CA	92553-4989	HALIFF, TORRI	14290 WINDJAMMER DR	MORENO VALLEY, CA	92553-4989	254.02	25.4	50.3	329.7
31106075003	484092013	RACHWITZ, MIKE	14274	WINDJAMMER DR	MORENO VALLEY	CA	92553-4989	RACHWITZ, MIKE	14274 WINDJAMMER DR	MORENO VALLEY, CA	92553-4989	254.02	25.4	50.3	329.7
31606285008	484092018	HEISSER, GENE	25637	BRODIAEA AVE	MORENO VALLEY	CA	92553-4949	HEISSER, GENE	25637 BRODIAEA AVE	MORENO VALLEY, CA	92553-4949	254.02	25.4	50.3	329.7
31628205009	484092023	SOZA, DANIEL J AND RACHEAL	25695	BRODIAEA AVE	MORENO VALLEY	CA	92553-4949	SOZA, LINDSEY	25695 BRODIAEA AVE	MORENO VALLEY, CA	92553-4949	68.69	6.87	13.6	89.14
73516575007	484092024	CONTRERAS, ESTEVAN (RENT)	25709	BRODIAEA AVE	MORENO VALLEY	CA	92553-2940	CONTRERAS, ESTEVAN (RENT)	2019 S EUCLID AVE	ONTARIO, CA	91762-6514	105.32	10.53	20.85	136.7
31136145006	484093004	DELANEY, JOHN	14300	WOODLARK LN	MORENO VALLEY	CA	92553-4983	DELANEY, JOHN	14300 WOODLARK LN	MORENO VALLEY, CA	92553-4983	254.02	25.4	50.3	329.7
57321685009	484101002	NIEDERMAN, LORI	25369	BRODIAEA AVE	MORENO VALLEY	CA	92553-4431	NIEDERMAN, LORI	25369 BRODIAEA AVE	MORENO VALLEY, CA	92553-4431	254.02	25.4	50.3	329.7
97668415002	484101004	ROBLEDO, VERONICA	25345	BRODIAEA AVE	MORENO VALLEY	CA	92553-4431	ROBLEDO, VERONICA	25345 BRODIAEA AVE	MORENO VALLEY, CA	92553-4431	127.46	12.75	25.24	165.44
96744975004	484101018	BALLESTEROS, GEORGE (RENT)	25334	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4411	BALLESTEROS, GEORGE	25334 RAMBLEWOOD CT	MORENO VALLEY, CA	92553-4411	185.08	18.51	36.65	240.22
93012245003	484101021	HURN, ANNETTE (RENT)	25370	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4411	HURN, ANNETTE	25370 RAMBLEWOOD CT	MORENO VALLEY, CA	92553-4411	329.32	32.93	65.21	427.44
53042765008	484102001	KINGSBURY, JOHN	25369	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4410	KINGSBURY, JOHN	633 S KNICKERBOCKER DR #309	SUNNYVALE, CA	94087-1034	254.02	25.4	50.3	329.7
57165475004	484102003	ELIAS, DANIEL	25345	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4410	ELIAS, DANIEL	25345 RAMBLEWOOD CT	MORENO VALLEY, CA	92553-4410	129.32	12.93	25.61	167.84
31522925003	484102005	ALDAPA, MARY	25321	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4410	ALDAPA, MARY	25321 RAMBLEWOOD CT	MORENO VALLEY, CA	92553-4410	190.69	19.07	37.76	247.5
31077085004	484102010	NIXON, BENTON	25261	RAMBLEWOOD CT	MORENO VALLEY	CA	92553-4408	NIXON, BENTON	25261 RAMBLEWOOD CT	MORENO VALLEY, CA	92553-4408	254.02	25.4	50.3	329.7
31329885001	484102012	HURST, FREDA	25274	VALLEYWOOD CT	MORENO VALLEY	CA	92553-4416	HURST, FREDA	25274 VALLEYWOOD CT	MORENO VALLEY, CA	92553-4416	254.02	25.4	50.3	329.7
31420565005	484102020	BULL, GREGORY	25370	VALLEYWOOD CT	MORENO VALLEY	CA	92553-4418	BULL, GREGORY	25370 VALLEYWOOD CT	MORENO VALLEY, CA	92553-4418	254.02	25.4	50.3	329.7
92252445004	484102001	CAMARILLO, RAFAEL AND ANA	25369	VALLEYWOOD CT	MORENO VALLEY	CA	92553-4417	CAMARILLO, RAFAEL AND ANA	25369 VALLEYWOOD CT	MORENO VALLEY, CA	92553-4417	79.32	7.93	14.64	95.94
90192263001	484104001	FILVESTRE, ANA (RENT)	14303	WOODPARK DR	MORENO VALLEY	CA	92553-4406	FILVESTRE, ANA	14303 WOODPARK DR	MORENO VALLEY, CA	92553-4406	254.12	25.41	50.32	329.84
99461283007	484105003	MORALES PEREZ, EDGAR	14334	FARMWOOD DR	MORENO VALLEY	CA	92553-4403	MORALES PEREZ, EDGAR	14334 FARMWOOD DR	MORENO VALLEY, CA	92553-4403	97.02	9.7	19.21	125.92
91804055004	484111001	FARANSO, GEORGE	25015	BRODIAEA AVE	MORENO VALLEY	CA	92553-4428	FARANSO, GEORGE	25015 BRODIAEA AVE	MORENO VALLEY, CA	92553-4428	253.92	25.39	50.28	329.58
92483475008	484111008	JUAREZ, ENRIQUE	25070	OCOTILLO AVE	MORENO VALLEY	CA	92553-4440	JUAREZ, ENRIQUE	25070 OCOTILLO AVE	MORENO VALLEY, CA	92553-4440	254.02	25.4	50.3	329.7
96117715008	484111009	CARILLO, JOSE (OWNR)	25060	OCOTILLO AVE	MORENO VALLEY	CA	92553-4440	CARILLO, JOSE	25060 OCOTILLO AVE	MORENO VALLEY, CA	92553-4440	63.63	6.36	12.6	82.58
31594005005	484111011	MARQUEZ, SHEILA	25030	OCOTILLO AVE	MORENO VALLEY	CA	92553-4440	MARQUEZ, SHEILA	25030 OCOTILLO AVE	MORENO VALLEY, CA	92553-4440	254.02	25.4	50.3	329.7
31611745002	484111016	ALEXANDER, DALE	25063	OCOTILLO AVE	MORENO VALLEY	CA	92553-4440	ALEXANDER, DALE	PO BOX 8539	MORENO VALLEY, CA	92552-8539	254.02	25.4	50.3	329.7
91038355006	484111022	STEPHENSON, VICTORIA	25040	YUCCA DR	MORENO VALLEY	CA	92553-4349	STEPHENSON, VICTORIA	25040 YUCCA DR	MORENO VALLEY, CA	92553-4349	329.04	32.9	65.15	427.08
60261195005	484112005	MANSELL, HARNETHIA	14280	PALMEA DR	MORENO VALLEY	CA	92553-4413	MANSELL, HARNETHIA	14280 PALMEA DR	MORENO VALLEY, CA	92553-4413	254.12	25.41	50.32	329.84
94936723001	484112012	ROUBEL, MICHELLE (RENT)	14305	AGAVE ST	MORENO VALLEY	CA	92553-4423	ROUBEL, MICHELLE	14305 AGAVE ST	MORENO VALLEY, CA	92553-4423	179.75	17.98	35.59	233.3
52721145009	484112020	HOGG, ANTONIO	25172	YUCCA DR	MORENO VALLEY	CA	92553-4351	HOGG, ANTONIO	18117 POINCIANA RD	ADELANTO, CA	92301-2082	254.02	25.4	50.3	329.7
89008423009	484113003	CAIN, MIJANAE (RENT)	25217	BRODIAEA AVE	MORENO VALLEY	CA	92553-4430	CAIN, MIJANAE	25217 BRODIAEA AVE	MORENO VALLEY, CA	92553-4430	254.12	25.41	50.32	329.84
96593445007	484113009	REYES, CHRISTINE (RENT)	14320	AGAVE ST	MORENO VALLEY	CA	92553-4423	REYES, CHRISTINE	14320 AGAVE ST	MORENO VALLEY, CA	92553-4423	254.12	25.41	50.32	329.84
31566865002	484113014	HUTCHERSON, BERRY	14356	AGAVE ST	MORENO VALLEY	CA	92553-4423	HUTCHERSON, BERRY	835 PUGET DR E	PORT ORCHARD, WA	98366-8542	254.12	25.41	50.32	329.84
31185855003	484113016	TELLO, VICTOR	14370	AGAVE ST	MORENO VALLEY	CA	92553-4423	TELLO, VICTOR	14370 AGAVE ST	MORENO VALLEY, CA	92553-4423	254.12	25.41	50.32	329.84
94567139008	484113021	SERRANO, CHRIS AND NANC (RENT)	25156	YUCCA DR	MORENO VALLEY	CA	92553-4351	SERRANO, CHRIS AND NANCY	25156 YUCCA DR	MORENO VALLEY, CA	92553-4351	224.18	22.42	44.39	290.98
71992185000	484121007	BANUELOS, ADRIANA	14437	CHOLLA DR	MORENO VALLEY	CA	92553-4436	BANUELOS, ADRIANA	14437 CHOLLA DR	MORENO VALLEY, CA	92553-4436	254.02	25.4	50.3	329.7
31591165007	484121009	VELOZ, ESTHER	14417	CHOLLA DR	MORENO VALLEY	CA	92553-4436	VELOZ, ESTHER	14417 CHOLLA DR	MORENO VALLEY, CA	92553-4436	329.32	32.93	65.21	427.44
31453485003	484121011	BRUCE, TAMI	14397	CHOLLA DR	MORENO VALLEY	CA	92553-4401	BRUCE, TAMI	14397 CHOLLA DR	MORENO VALLEY, CA	92553-4401	254.02	25.4	50.3	329.7
31486275007	484121018	BILTON, LUSHER AND MARY	14327	CHOLLA DR	MORENO VALLEY	CA	92553-4401	BILTON, LUSHER AND MARY	14327 CHOLLA DR	MORENO VALLEY, CA	92553-4401	60.4	6.04	11.96	78.38
31087515003	484121028	EVANS, TERI	14217	CHOLLA DR	MORENO VALLEY	CA	92553-4434	EVANS, TERI	14217 CHOLLA DR	MORENO VALLEY, CA	92553-4434	190.69	19.07	37.76	247.5
94688045001	484121031	PANIAGUA, LORRAINE	25203	JOSHUA AVE	MORENO VALLEY	CA	92553-4458	PANIAGUA, LORRAINE	15402 THISTLE ST	FONTANA, CA	92336-0220	254.12	25.41	50.32	329.84
92225935007	484121042	RHODEN, MICHAEL	25180	JOSHUA AVE	MORENO VALLEY	CA	92553-4439	RHODEN, MICHAEL	PO BOX 7152	MORENO VALLEY, CA	92552-7152	126.96	12.7	25.14	164.78
94308555008	484122017	BROWN, SHERRIE (RENT)	14326	CHOLLA DR	MORENO VALLEY	CA	92553-4422	BROWN, SHERRIE	14326 CHOLLA DR	MORENO VALLEY, CA	92553-4422	329.6	32.96	65.26	427.82
31299945004	484122019	GOERING, GARY	14446	CHOLLA DR	MORENO VALLEY	CA	92553-4437	GOERING, DEBORAH	14446 CHOLLA DR	MORENO VALLEY, CA	92553-4437	123.78	12.38	24.51	160.66
73431515002	484122020	LEMUS, ELENA	14456	CHOLLA DR	MORENO VALLEY	CA	92553-4437	LEMUS, ELENA	14456 CHOLLA DR	MORENO VALLEY, CA	92553-4437	63.63	6.36	12.6	82.58
88485595004	484131002	NOFRI, DAVID	25274	WOODCREEK CT	MORENO VALLEY	CA	92553-4444	NOFRI, DAVID	489 DENSLOW AVE	LOS ANGELES, CA	90049-3506	254.12	25.41	50.32	329.84
90246193000	484132004	WILSON, KAREN (RENT)	25333	WOODCREEK CT	MORENO VALLEY	CA	92553-4445	WILSON, KAREN	25333 WOODCREEK CT	MORENO VALLEY, CA	92553-4445	316.83	31.68	62.73	411.24
88566025001	484132012	WILLIAMS, DEBRA	25274	OAKSTONE CT	MORENO VALLEY	CA	92553-4419	WILLIAMS, DEBRA	25393 BRODIAEA AVE	MORENO VALLEY, CA	92553-4431	357.88	35.79	70.86	464.52
31139965007	484132015	ESPINOZA, CHARLOTTE	25310	OAKSTONE CT	MORENO VALLEY	CA	92553-4419	ESPINOZA, CHARLOTTE	25310 OAKSTONE CT	MORENO VALLEY, CA	92553-4419	171.36	17.14	33.93	222.42
31474815005	484132018	WELZ, CAROL	25346	OAKSTONE CT	MORENO VALLEY	CA	92553-4419	WELZ, CAROL	25346 OAKSTONE CT	MORENO VALLEY, CA	92553-4419	204.02	20.4	40.4	264.8
31107505001	484134005	MUJICA, CASPER AND ESTHER (OWR	25265	OAKSTONE CT	MORENO VALLEY	CA	92553-4420	MUJICA, ESTHER	25265 OAKSTONE CT	MORENO VALLEY, CA	92553-4420	74.02	7.4	14.66	96.06
31049005000	484134009	FLEMING, RICHARD	14413	WOODPARK DR	MORENO VALLEY	CA	92553-4455	FLEMING, RICHARD	14413 WOODPARK DR	MORENO VALLEY, CA	92553-4455	254.02	25.4	50.3	329.7
101584283002	484134010	HARRIS, WARREN (RENT)	14403	WOODPARK DR	MORENO VALLEY	CA	92553-4455	HARRIS, WARREN	15344 PERRIS BLVD, APT 3	MORENO VALLEY, CA	92551-4501	49.63	4.96	9.83	64.4
31158305006	484135002	MONTANARI, CRAIG	14422	FARMWOOD DR	MORENO VALLEY	CA	92553-4427	MONTANARI, CRAIG	14422 FARMWOOD DR	MORENO VALLEY, CA	92553-4427	254.02	25.4	50.3	329.7
91279065007	484135004	LENARD, DAVISHA	14398	FARMWOOD DR	MORENO VALLEY	CA	92553-4403	LENARD, DAVISHA	14398 FARMWOOD DR	MORENO VALLEY, CA	92553-4403	357.88	35.79	70.86	464.52
48515945004	484141015	CERNA, MARTIN	25543	CLIFTON CT	MORENO VALLEY	CA	92553-4924	CERNA, MARTIN	25543 CLIFTON CT	MORENO VALLEY, CA	92553-4924	254.02	25.4	50.3	329.7
64620125003	484142003	ALTHEIDE, RENEE (OWNR)	25688	CLIFTON CT	MORENO VALLEY	CA	92553-4947	ALTHEIDE, RENEE	25688 CLIFTON CT	MORENO VALLEY, CA	92553-4947	82.6	8.26	16.35	107.2
95110925000	484142009	ESPINOZA, ROSARIO (OWNR)	25616	CLIFTON CT	MORENO VALLEY	CA	92553-4900	ESPINOZA, ROSARIO	25616 CLIFTON CT	MORENO VALLEY, CA	92553-4900	153.52	15.35	30.4	199.26
31477205001	484142017	ESPINOSA, VILMA M	25579	JONESTOWN DR	MORENO VALLEY	CA	92553-2900	ESPINOSA, VILMA M	25579 JONESTOWN DR	MORENO VALLEY, CA	92553-2900	254.02	25.4	50.3	329.7
31437705000	484144002	HOLLIS, BRANDYE	25676	JONESTOWN DR	MORENO VALLEY	CA	92553-4998	HOLLIS, BRANDYE	25676 JONESTOWN DR	MORENO VALLEY, CA	92553-4998	254.02	25.4	50.3	329.7
92145845006	484145009	ORDAZ, JUAN LUIS AND LILIAN	14478	REDWING DR	MORENO VALLEY	CA	92553-4996	ORDAZ, JUAN LUIS AND LILIAN	14478 REDWING DR	MORENO VALLEY, CA	92553-4996	100.64	10.06	19.93	130.62
48513965004	484145010	LUNA, SABRINA AND LUPE	14490	REDWING DR	MORENO VALLEY	CA	92553-4996	LUNA, SABRINA AND LUPE	14490 REDWING DR	MORENO VALLEY, CA	92553-4996	254.02	25.4	50.3	329.7
97064915009	484151003	SANTILLANES, CARMEN (RENT)	14408	STUARD DR	MORENO VALLEY	CA	92553-4954	SANTILLANES, CARMEN (RENT)	14408 STUARD DR	MORENO VALLEY, CA	92553-4954	60	6	11.88	77.88
91087105001	484151004	DE REAL, VERONICA AND JUAN (RE	14422	STUARD DR	MORENO VALLEY	CA	92553-4954	DE REAL, VERONICA AND JUAN	14422 STUARD DR	MORENO VALLEY, CA	92553-4954	57.25	5.73	11.34	74.3
95578385001	484151006	AGUILAR, MARIA (RENT)	14450	STUARD DR	MORENO VALLEY	CA	92553-4954	AGUILAR, MARIA	6902 37TH ST	RIVERSIDE, CA	92509-1319	148.54	14.85	29.41	192.8
95356175006	484151011	COX, TYESHA (RENT)	25821	BLAKE DR	MORENO VALLEY	CA	92553-4945	COX, TYESHA	25821 BLAKE DR	MORENO VALLEY, CA	92553-4945	153.49	15.35	30.39	199.22
92313855006	484151012	PADILLA, DANIEL	25805	BLAKE DR	MORENO VALLEY	CA	92553-4945	PADILLA, DANIEL	25805 BLAKE DR	MORENO VALLEY, CA	92553-4945	253.92	25.39	50.28	329.58
31052895007	484151014	GILL, RICK	14455	JANE CT	MORENO VALLEY	CA	92553-4993	GILL, RICK	14455 JANE CT	MORENO VALLEY, CA	92553-4993	127.36	12.74	25.22	165.3
31566855004	484151016	REYES, JOSEPH	14423	JANE CT	MORENO VALLEY	CA	92553-4993	REYES, JOSEPH	14423 JANE CT	MORENO VALLEY, CA	92553-4993	254.02	25.4	50.3	329.7
31148145001	484151020	KOSEK, PAUL AND STEPHANIE	14430	SYLVESTER CT	MORENO VALLEY	CA	92553-4962	KOSEK, PAUL AND STEPHANIE	14430 SYLVESTER CT	MORENO VALLEY, CA	92553-4962	254.02	25.4	50.3	329.7
87796295008	484151029	BLOUGH, JULIET	14415	SYLVESTER CT	MORENO VALLEY	CA	92553-4973	BLOUGH, JULIET	PO BOX 9614	MORENO VALLEY, CA	92552-9614	254.12	25.41	50.32	329.84
31472075009	484153004	TIT, MONIROUT	14432	CHANTRY DR	MORENO VALLEY	CA	92553-4948	TIT, MONIROUT	14432 CHANTRY DR	MORENO VALLEY, CA	92553-4948	54.02	5.4	10.7	70.1
31342785005	484153006	MICHEL, SALVADOR	14462	CHANTRY DR	MORENO VALLEY	CA	92553-4948	MICHEL, SALVADOR	14462 CHANTRY DR	MORENO VALLEY, CA	92553-4948	329.32	32.93	65.21	427.44
31591145002	484153007	ALI, RODA	14463	STUARD DR	MORENO VALLEY	CA	92553-4955	ALI, RODA	14463 STUARD DR	MORENO VALLEY, CA	92553-4955	167.32	16.73	33.13	217.18
90589123008	484153009	RODRIGUEZ, ESTEBAN (RENT)	14433	STUARD DR	MORENO VALLEY	CA	92553-4955	RODRIGUEZ, ESTEBAN	14433 STUARD DR	MORENO VALLEY, CA	92553-4955	435.51	43.55	86.23	565.28
31599635002	484162003	SWARTZ, JOHN	14545	SYLVESTER DR	MORENO VALLEY	CA	92553-4927	SWARTZ, JOHN	14545 SYLVESTER DR	MORENO VALLEY, CA	92553-4927	254.02	25.4	50.3	329.7
31325575004	484162004	SCOTT, DARREN	14559	SYLVESTER DR	MORENO VALLEY	CA	92553-4927	SCOTT, DARREN	14559 SYLVESTER DR	MORENO VALLEY, CA	92553-4927	254.02	25.4	50.3	329.7
93657365009	484162006	SADLER, JERRY (OWNR)	14583	SYLVESTER DR	MORENO VALLEY	CA	92553-4927	SADLER, JERRY	14583 SYLVESTER DR	MORENO VALLEY, CA	92553-4927	240.29	24.03	47.58	311.88
97761893004	484162007	AHFOOK, SEOI (RENT)	25872	THUNDERCLOUD CT	MORENO VALLEY	CA	92553-4953	AHFOOK, SEOI	25872 THUNDERCLOUD CT	MORENO VALLEY, CA	92553-4953	216.53	21.65	42.87	281.04
92677925001	484162009	RUIZ, LUCIA	25848	THUNDERCLOUD CT	MORENO VALLEY	CA	92553-4953	RUIZ, LUCIA	25848 THUNDERCLOUD CT	MORENO VALLEY, CA	92553-4953	126.66	12.67	25.08	164.4
31379305008	484162011	FLORES, RODOLFO AND ROSARIO	25824	THUNDERCLOUD CT	MORENO VALLEY	CA	92553-4953	FLORES, RODOLFO AND ROSARIO	25824 THUNDERCLOUD CT	MORENO VALLEY, CA	92553-4953	37.35	3.74	7.4	48.48
87936925008	484162015	RUIZ, JOSE LUIS AND MARIA	25801	THUNDERCLOUD CT	MORENO VALLEY	CA	92553-4953	RUIZ, JOSE LUIS AND MARIA	25801 THUNDERCLOUD CT	MORENO VALLEY, CA	92553-4953	254.12	25.41	50.32	329.84
97539583009	484162019	ALTHERR, CHRISTOPHER (OWNR)	25900	WHITE WOOD CIR	MORENO VALLEY	CA	92553-2932	ALTHERR, CHRISTOPHER	25900 WHITE WOOD CIR	MORENO VALLEY, CA	92553-2932	171.48	17.15	33.95	222.58
99870163000	484162020	FLORES, SANDRA	25890	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4976	FLORES, SANDRA	25890 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4976	160.79	16.08	31.84	208.7
95594223002	484162025	WOODS, LATISHA	25840	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4976	WOODS, LATISHA	25840 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4976	190.69	19.07	37.76	247.5
51356305001	484162031	ROEL, JESUS	14512	CHANTRY DR	MORENO VALLEY	CA	92553-4942	ROEL, JESUS	14512 CHANTRY DR	MORENO VALLEY, CA	92553-4942	254.02	25.4	50.3	329.7
52764645004	484163006	VELASCO, MICHELLE	25879	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4957	VELASCO, MICHELLE	25879 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4957	254.02	25.4	50.3	329.7

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31446345007	484163009	JOHNSON, MACK	25909	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4979	JOHNSON, MACK	25909 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4979	254.02	25.4	50.3	329.7
31584475007	484163014	HERNANDEZ, JOSE LUIS	25951	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4979	HERNANDEZ, JOSE LUIS	25951 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4979	254.02	25.4	50.3	329.7
31266475001	484163015	MILLER, BRAD I	25961	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4979	MILLER, BRAD I	25961 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4979	253.92	25.39	50.28	329.58
31279625005	484164002	MORGAN, LORI	14604	BLACKBUSH RD	MORENO VALLEY	CA	92553-4914	MORGAN, LORI	14604 BLACKBUSH RD	MORENO VALLEY, CA	92553-4914	254.02	25.4	50.3	329.7
31362373006	484164004	VEJAR, MARITZA (RENT)	14578	BLACKBUSH RD	MORENO VALLEY	CA	92553-2925	VEJAR, MARITZA	14578 BLACKBUSH RD	MORENO VALLEY, CA	92553-2925	130.79	13.08	25.9	169.76
31364105002	484164011	ANDERSON, THERESA	14525	BLACKBUSH RD	MORENO VALLEY	CA	92553-4919	ANDERSON, THERESA	29218 CASTLEWOOD DR	MENIFEE, CA	92584-7584	254.02	25.4	50.3	329.7
31383545000	484164016	CHANEY, DEAN D	25950	WHITE WOOD CIR	MORENO VALLEY	CA	92553-4977	CHANEY, DEAN D	25950 WHITE WOOD CIR	MORENO VALLEY, CA	92553-4977	169.18	16.92	33.5	219.58
97107415001	484164019	SALAVERRIA, WALTER (RENT)	14560	SYLVESTER DR	MORENO VALLEY	CA	92553-4929	SALAVERRIA, WALTER (RENT)	14560 SYLVESTER DR	MORENO VALLEY, CA	92553-4929	146.92	14.69	29.09	190.7
31414205004	484164022	CASTRO, AMANDA	14524	SYLVESTER DR	MORENO VALLEY	CA	92553-4929	CASTRO, AMANDA	14524 SYLVESTER DR	MORENO VALLEY, CA	92553-4929	254.02	25.4	50.3	329.7
52932025007	484171008	GALLEGOS, DORA	25606	ARGONAUT DR	MORENO VALLEY	CA	92553-4968	GALLEGOS, DORA	25606 ARGONAUT DR	MORENO VALLEY, CA	92553-4968	254.02	25.4	50.3	329.7
95842755003	484171009	MORRISON, DEVYN (RENT)	25618	ARGONAUT DR	MORENO VALLEY	CA	92553-4968	MORRISON, DEVYN	13340 HOLBECK CT	MORENO VALLEY, CA	92553-6215	254.02	25.4	50.3	329.7
97360795006	484171010	ROSS, LANA (RENT)	25630	ARGONAUT DR	MORENO VALLEY	CA	92553-4968	ROSS, LANA (RENT)	25630 ARGONAUT DR	MORENO VALLEY, CA	92553-4968	216.17	21.62	42.8	280.58
31574295006	484171011	MARQUEZ, MARIA	25642	ARGONAUT DR	MORENO VALLEY	CA	92553-4968	MARQUEZ, MARIA	25642 ARGONAUT DR	MORENO VALLEY, CA	92553-4968	254.02	25.4	50.3	329.7
96002405007	484171014	BENITO, ANGELICA (OWNR)	14545	ANTILLES DR	MORENO VALLEY	CA	92553-4952	BENITO, ANGELICA	14545 ANTILLES DR	MORENO VALLEY, CA	92553-4952	84.43	8.44	16.72	109.58
31104465006	484171017	FARAGOZA, ESTHER	14577	ANTILLES DR	MORENO VALLEY	CA	92553-4952	FARAGOZA, ESTHER	14577 ANTILLES DR	MORENO VALLEY, CA	92553-4952	254.02	25.4	50.3	329.7
64909675004	484172008	MARQUECHO, KIM	14565	RIO HONDO DR	MORENO VALLEY	CA	92553-4965	MARQUECHO, KIM	3531 FLORINE AVE	RIVERSIDE, CA	92509-1434	63.63	6.36	12.6	82.58
31386845000	484172009	ROMERO, REINA	14579	RIO HONDO DR	MORENO VALLEY	CA	92553-4965	ROMERO, REINA	14579 RIO HONDO DR	MORENO VALLEY, CA	92553-4965	254.02	25.4	50.3	329.7
31556545001	484172010	USQUIANN, LAURO	14593	RIO HONDO DR	MORENO VALLEY	CA	92553-4965	USQUIANN, LAURO	14593 RIO HONDO DR	MORENO VALLEY, CA	92553-4965	155.48	15.55	30.79	201.8
31286105007	484172013	RUBALCABA, LODRENA	14620	ARUBA PL	MORENO VALLEY	CA	92553-4985	RUBALCABA, LODRENA	14620 ARUBA PL	MORENO VALLEY, CA	92553-4985	254.02	25.4	50.3	329.7
87984635009	484172019	SILAS, JEROME	14583	ARUBA PL	MORENO VALLEY	CA	92553-4985	SILAS, JEROME	14583 ARUBA PL	MORENO VALLEY, CA	92553-4985	329.6	32.96	65.26	427.82
83009535000	484172020	WRIGHT JACK (OWNR)	14595	ARUBA PL	MORENO VALLEY	CA	92553-4985	WRIGHT, JACK	24705 GLENBROOK CT	MORENO VALLEY, CA	92551-7294	329.32	32.93	65.21	427.44
31075195005	484172022	ARROYO, JOHN AND ANGELA	14619	ARUBA PL	MORENO VALLEY	CA	92553-4985	ARROYO, JOHN AND ANGELA	14619 ARUBA PL	MORENO VALLEY, CA	92553-4985	224.02	22.4	44.36	290.76
97037375008	484172023	ZEMORA, CYNTHIA (OWNR)	14598	ANTILLES DR	MORENO VALLEY	CA	92553-4980	ZEMORA, CYNTHIA	6945 BARCELONA WAY	RIVERSIDE, CA	92504-2211	254.12	25.41	50.32	329.84
31450665001	484172024	ALEXANDER, LOLA	14586	ANTILLES DR	MORENO VALLEY	CA	92553-4980	ALEXANDER, LOLA	14586 ANTILLES DR	MORENO VALLEY, CA	92553-4980	329.32	32.93	65.21	427.44
74762435006	484181001	DURLEY, TRUMAN	25760	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5069	DURLEY, TRUMAN	25760 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5069	254.12	25.41	50.32	329.84
74762485005	484181002	LOPEZ, AUGUSTIN C	25772	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5069	LOPEZ, AUGUSTIN C	25772 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5069	190.79	19.08	37.78	247.64
97630743003	484181004	MALDONADO, ANGEL(OWNR)	25794	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5069	MALDONADO, ANGEL	25794 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5069	171.48	17.15	33.95	222.58
31342285000	484181012	CORNING, ALAN E	25875	FIGWOOD WAY	MORENO VALLEY	CA	92553-4928	CORNING, ALAN E	25875 FIGWOOD WAY	MORENO VALLEY, CA	92553-4928	254.02	25.4	50.3	329.7
31436865008	484181020	ROMERO, HECTOR	25763	FIGWOOD WAY	MORENO VALLEY	CA	92553-2927	ROMERO, HECTOR	25763 FIGWOOD WAY	MORENO VALLEY, CA	92553-2927	254.02	25.4	50.3	329.7
31384025007	484181029	TOOLE, MYRTLE	25894	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5049	TOOLE, MYRTLE	25894 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5049	102.45	10.25	20.29	132.98
31093315008	484182010	HOLVES, TOREY	25834	FIGWOOD WAY	MORENO VALLEY	CA	92553-4941	HOLVES, TOREY	25834 FIGWOOD WAY	MORENO VALLEY, CA	92553-4941	254.02	25.4	50.3	329.7
91862295002	484182014	COX, DONNA	25778	FIGWOOD WAY	MORENO VALLEY	CA	92553-4943	COX, DONNA	25778 FIGWOOD WAY	MORENO VALLEY, CA	92553-4943	63.93	6.39	12.66	82.98
31388575007	484182025	HIGGS, LAWRENCE	14654	ROSEMARY AVE	MORENO VALLEY	CA	92553-4931	HIGGS, LAWRENCE	14654 ROSEMARY AVE	MORENO VALLEY, CA	92553-4931	254.02	25.4	50.3	329.7
74162415003	484183013	ARCOS, ALEXANDRO	14722	BLACKBUSH RD	MORENO VALLEY	CA	92553-2926	ARCOS, ALEXANDRO	14722 BLACKBUSH RD	MORENO VALLEY, CA	92553-2926	154.02	15.4	30.5	199.9
95676645009	484183019	BYRD, TINA (RENT)	14644	BLACKBUSH RD	MORENO VALLEY	CA	92553-4906	BYRD, TINA	14644 BLACKBUSH RD	MORENO VALLEY, CA	92553-4906	253.13	25.31	50.12	328.56
96069063007	484191001	HUFFER, SEAN (RENT)	14611	ANTILLES DR	MORENO VALLEY	CA	92553-4981	HUFFER, SEAN	14611 ANTILLES DR	MORENO VALLEY, CA	92553-4981	63.13	6.31	12.5	81.94
31609805003	484191002	ZARAZUA, CARMEN	14623	ANTILLES DR	MORENO VALLEY	CA	92553-4981	ZARAZUA, CARMEN	14623 ANTILLES DR	MORENO VALLEY, CA	92553-4981	329.32	32.93	65.21	427.44
31072605006	484191003	PEREZ, RICHARD	14633	ANTILLES DR	MORENO VALLEY	CA	92553-4981	PEREZ, RICHARD	14633 ANTILLES DR	MORENO VALLEY, CA	92553-4981	97.44	9.74	19.29	126.46
89080443004	484191004	ANGUIANO, ELENA (RENT)	25520	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5050	ANGUIANO, ELENA (RENT)	25520 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5050	136.37	13.64	27	177
31303805003	484191006	HARDY, DEREK	25552	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5050	HARDY, DEREK	25552 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5050	254.12	25.41	50.32	329.84
98261535010	484191016	MARTINEZ, MARIA (OWNR)	14677	ANTILLES DR	MORENO VALLEY	CA	92553-4981	MARTINEZ, MARIA	14677 ANTILLES DR	MORENO VALLEY, CA	92553-4981	134.12	13.41	26.56	174.08
89851653003	484191017	STUART, MELISSA (RENT)	14667	ANTILLES DR	MORENO VALLEY	CA	92553-4981	STUART, MELISSA	14667 ANTILLES DR	MORENO VALLEY, CA	92553-4981	190.79	19.08	37.78	247.64
93798785003	484192003	DE LA ROSA, LAURA (OWNR)	14692	ARUBA PL	MORENO VALLEY	CA	92553-4958	DE LA ROSA, LAURA	14692 ARUBA PL	MORENO VALLEY, CA	92553-4958	54.12	5.41	10.72	70.24
31593625007	484192019	DUBAY, LORIE	14717	RIO HONDO DR	MORENO VALLEY	CA	92553-4966	DUBAY, LORIE	PO BOX 310965	FONTANA, CA	92331-0965	254.02	25.4	50.3	329.7
93396295009	484193006	BRADLEY, LIONEL (RENT)	14675	RIO GRANDE DR	MORENO VALLEY	CA	92553-4961	BRADLEY, LIONEL	14675 RIO GRANDE DR	MORENO VALLEY, CA	92553-4961	254.12	25.41	50.32	329.84
31412685007	484194001	HILL, TERRLYNN	14679	ARUBA PL	MORENO VALLEY	CA	92553-4984	HILL, TERRLYNN	14679 ARUBA PL	MORENO VALLEY, CA	92553-4984	62.36	6.24	12.35	80.94
85933845004	484194002	GUTIERREZ, RENATO	14667	ARUBA PL	MORENO VALLEY	CA	92553-4984	GUTIERREZ, RENATO	14667 ARUBA PL	MORENO VALLEY, CA	92553-4984	254.02	25.4	50.3	329.7
95081675007	484194004	TUOHY, DANIEL (RENT)	14642	ARUBA PL	MORENO VALLEY	CA	92553-4985	TUOHY, DANIEL	26267 WALKER PASS DR	MORENO VALLEY, CA	92555-2425	174.09	17.41	34.47	225.96
31353065002	484194005	GARCIA, JOSE DAVID	14631	ARUBA PL	MORENO VALLEY	CA	92553-4985	GARCIA, JOSE DAVID	14631 ARUBA PLACE	MORENO VALLEY, CA	92553-4985	74.35	7.44	14.72	96.5
31075035009	484194006	REICHERT, HERBERT	14612	ANTILLES DR	MORENO VALLEY	CA	92553-4912	REICHERT, HERBERT	14612 ANTILLES DR	MORENO VALLEY, CA	92553-4912	127.36	12.74	25.22	165.3
31072335003	484194009	ESTRELLA, FRANK	14646	ANTILLES DR	MORENO VALLEY	CA	92553-4912	ESTRELLA, FRANK	14646 ANTILLES DR	MORENO VALLEY, CA	92553-4912	254.02	25.4	50.3	329.7
97523755007	484201003	HERNANDEZ, BRANDY (OWNR)	14533	COCHITI DR	MORENO VALLEY	CA	92553-7143	HERNANDEZ, BRANDY	14533 COCHITI DR	MORENO VALLEY, CA	92553-7143	257.93	25.79	51.07	334.78
31108005004	484201012	BUTLER, GEORGE AND ERA	25415	TAUPE AVE	MORENO VALLEY	CA	92553-7169	BUTLER, GEORGE AND ERA	25415 TAUPE AVE	MORENO VALLEY, CA	92553-7169	254.02	25.4	50.3	329.7
86687065008	484201035	FIELDS, PAMELA	25433	CLOVELLY CT	MORENO VALLEY	CA	92553-7138	FIELDS, PAMELA	25433 CLOVELLY CT	MORENO VALLEY, CA	92553-7138	127.36	12.74	25.22	165.3
86574645007	484201037	WOOD, TIMOTHY	25405	CLOVELLY CT	MORENO VALLEY	CA	92553-7138	WOOD, TIMOTHY	25405 CLOVELLY CT	MORENO VALLEY, CA	92553-7138	254.02	25.4	50.3	329.7
86471465003	484201040	KOREL, DEBRA	25412	CLOVELLY CT	MORENO VALLEY	CA	92553-7138	KOREL, DEBRA	25412 CLOVELLY CT	MORENO VALLEY, CA	92553-7138	34.11	3.41	6.75	44.26
88067203002	484201044	ROMERO, BERENICE (RENT)	25463	CHIPMAN HILL CT	MORENO VALLEY	CA	92553-7137	ROMERO, BERENICE	25463 CHIPMAN HILL CT	MORENO VALLEY, CA	92553-7137	63.63	6.36	12.6	82.58
96342895004	484201045	MITCHELLE, LATONIA (RENT)	25447	CHIPMAN HILL CT	MORENO VALLEY	CA	92553-7137	MITCHELLE, LATONIA	25447 CHIPMAN HILL CT	MORENO VALLEY, CA	92553-7137	247.76	24.78	49.06	321.58
91649425006	484201050	ORDONIO, ANABEL	25408	CHIPMAN HILL CT	MORENO VALLEY	CA	92553-7137	ORDONIO, ANABEL	25408 CHIPMAN HILL CT	MORENO VALLEY, CA	92553-7137	253.92	25.39	50.28	329.58
31610725008	484202001	CAMPBELL, JOHN	14509	RIO BRAVO RD	MORENO VALLEY	CA	92553-7171	CAMPBELL, JOHN	14509 RIO BRAVO RD	MORENO VALLEY, CA	92553-7171	62.44	6.24	12.36	81.04
57441975004	484202005	ROMERO, JESUS	14557	RIO BRAVO RD	MORENO VALLEY	CA	92553-7171	ROMERO, JESUS	14557 RIO BRAVO RD	MORENO VALLEY, CA	92553-7171	282.23	28.22	55.88	366.32
97598245007	484202007	HERRINGTON, KRYSTLE (RENT)	25428	TAUPE AVE	MORENO VALLEY	CA	92553-7168	HERRINGTON, KRYSTLE	25428 TAUPE AVE	MORENO VALLEY, CA	92553-7168	262.03	26.2	51.88	340.1
31077625001	484202013	DRUMMOND, MITCHELL	14522	COCHITI DR	MORENO VALLEY	CA	92553-7139	DRUMMOND, MITCHELL	14522 COCHITI DR	MORENO VALLEY, CA	92553-7139	247.85	24.79	49.07	321.7
95833143001	484203005	GARCIA, GEORGE (RENT)	14686	RIO BRAVO RD	MORENO VALLEY	CA	92553-7173	GARCIA, GEORGE	14686 RIO BRAVO RD	MORENO VALLEY, CA	92553-7173	63.63	6.36	12.6	82.58
98858603003	484203014	SALCEDO, OSCAR (OWNR)	14570	RIO BRAVO RD	MORENO VALLEY	CA	92553-7170	SALCEDO, OSCAR	14570 RIO BRAVO RD	MORENO VALLEY, CA	92553-7170	63.63	6.36	12.6	82.58
31645035009	484203017	NEUENS, CHARLES	14534	RIO BRAVO RD	MORENO VALLEY	CA	92553-7170	NEUENS, CHARLES	14534 RIO BRAVO RD	MORENO VALLEY, CA	92553-7170	154.02	15.4	30.5	199.9
31314795002	484211010	JOHNSON, DEBRA	25263	MINNETONKA CT	MORENO VALLEY	CA	92553-7159	JOHNSON, DEBRA	910 W WILSON ST	BANNING, CA	92220-4375	54.02	5.4	10.7	70.1
31229685005	484211012	AGUIAR, JOSE	25283	MINNETONKA CT	MORENO VALLEY	CA	92553-7159	AGUIAR, JOSE	25283 MINNETONKA CT	MORENO VALLEY, CA	92553-7159	254.12	25.41	50.32	329.84
31649545004	484211019	FOSTER, RAQUEL	25292	BILLIE DR	MORENO VALLEY	CA	92553-7160	FOSTER, RAQUEL	25292 BILLIE DR	MORENO VALLEY, CA	92553-7160	329.32	32.93	65.21	427.44
94698535007	484211023	BAILEY, LISA (RENT)	25252	BILLIE DR	MORENO VALLEY	CA	92553-7160	BAILEY, LISA	25252 BILLIE DR	MORENO VALLEY, CA	92553-7160	201.47	20.15	39.89	261.5
31079615009	484212001	PRICE, JOHN AND TAMEKA	25253	BILLIE DR	MORENO VALLEY	CA	92553-7161	PRICE, JOHN AND TAMEKA	25253 BILLIE DR	MORENO VALLEY, CA	92553-7161	254.02	25.4	50.3	329.7
97388915002	484212010	SALCEDO, DULCE	25316	OCONTO CT	MORENO VALLEY	CA	92553-7166	SALCEDO, DULCE	25316 OCONTO CT	MORENO VALLEY, CA	92553-7166	465.98	46.6	92.26	604.84
89720313002	484212014	ZUNIGA, URIEL AND GLADYS	25260	OCONTO CT	MORENO VALLEY	CA	92553-7166	ZUNIGA, URIEL AND GLADYS	25260 OCONTO CT	MORENO VALLEY, CA	92553-7166	420.76	42.08	83.31	546.14
53087025009	484212026	GARCIA, RICARDO	25270	MENOMINEE CT	MORENO VALLEY	CA	92553-7167	GARCIA, RICARDO	25270 MENOMINEE CT	MORENO VALLEY, CA	92553-7167	46.28	4.63	9.16	60.06
31047835000	484212035	PETERSON, GEORGE	25336	DELPHINIUM AVE	MORENO VALLEY	CA	92553-7194	PETERSON, GEORGE	25336 DELPHINIUM AVE	MORENO VALLEY, CA	92553-7194	329.6	32.96	65.26	427.82
31465165004	484213001	MORRIS, CATHERINE AND JASON	14510	PARKWOOD CT	MORENO VALLEY	CA	92553-7162	MORRIS, CATHERINE AND JASON	PO BOX 9756	MORENO VALLEY, CA	92552-9756	254.02	25.4	50.3	329.7
88316645001	484213002	ALANIS, MICHELLE (RENT)	14522	PARKWOOD CT	MORENO VALLEY	CA	92553-7162	ALANIS, MICHELLE	14522 PARKWOOD CT	MORENO VALLEY, CA	92553-7162	246.01	24.6	48.71	319.32
31052885009	484213012	CABALLERO, CONNIE	14642	PARKWOOD CT	MORENO VALLEY	CA	92553-7163	CABALLERO, CONNIE	120 E FLORIDA AVE	HEMET, CA	92543	327.48	32.75	64.84	425.06
31573645005	484221007	BRADLEY, ROBERT	25142	DESERT WILLOW DR	MORENO VALLEY	CA	92553-7140	BRADLEY, ROBERT	25142 DESERT WILLOW DR	MORENO VALLEY, CA	92553-7140	254.02	25.4	50.3	329.7
31602295005	484221011	ARREOLA, EVELIA	25161	DESERT WILLOW DR	MORENO VALLEY	CA	92553-7141	ARREOLA, EVELIA	25161 DESERT WILLOW DR	MORENO VALLEY, CA	92553-7141	118.79	11.88	23.52	154.18
31493825001	484221014	HOBBS SR, PAUL	25197	DESERT WILLOW DR	MORENO VALLEY	CA	92553-7141	HOBBS SR, PAUL	25197 DESERT WILLOW DR	MORENO VALLEY, CA	92553-7141	63.63	6.36	12.6	82.58
85329565003	484221018	CHAMBERS, SHERRI	25204	BILLIE DR	MORENO VALLEY	CA	92553-7188	CHAMBERS, SHERRI	25204 BILLIE DR	MORENO VALLEY, CA	92553-7188	154.02	15.4	30.5	199.9
91155533001	484222006	HERN, PAMELYN (RENT)	25193	BILLIE DR	MORENO VALLEY	CA	92553-7107	HERN, PAMELYN	25193 BILLIE DR	MORENO VALLEY, CA	92553-7107	233.09	23.31	46.15	302.54
31073575000	484222013	PURCELL, MELISSA	25160	ALEPPO WAY	MORENO VALLEY	CA	92553-7142	PURCELL, MELISSA	PO BOX 9642	MORENO VALLEY, CA	92552-9642	254.12	25.41	50.32	329.84
31579675005	484222020	TOLLIVER, GARY	25173	ALEPPO WAY	MORENO VALLEY	CA	92553-7142	TOLLIVER, GARY	25173 ALEPPO WAY	MORENO VALLEY, CA	92553-7142	254.12	25.41	50.32	329.84
31590195003	484222025	CONDE, GINA	25202	GORGONIO WAY	MORENO VALLEY	CA	92553-1508	CONDE, GINA	25202 GORGONIO WAY	MORENO VALLEY, CA	92553-1508	329.32	32.93	65.21	427.44
31388765002	484222028	LAWLER, THEODORE	25166	GORGONIO WAY	MORENO VALLEY	CA	92553-7126	LAWLER, THEODORE	25166 GORGONIO WAY	MORENO VALLEY, CA	92553-7126	190.07	19.01	37.63	246.7
94527265004	484222029	NAVONGSAK, SOMPHITH (RENT)	25154	GORGONIO WAY	MORENO VALLEY	CA	92553-7126	NAVONGSAK, SOMPHITH	25154 GORGONIO WAY	MORENO VALLEY, CA	92553-7126	254.12	25.41	50.32	329.84
57163235000	484222032	VARGAS, JAIME	25135	GORGONIO WAY	MORENO VALLEY	CA	92553-7126	VARGAS, JAIME	25135 GORGONIO WAY	MORENO VALLEY, CA	92553-7126	254.02	25.4	50.3	329.7
31363565007	484222036	TURNER, NELLIE	25183	GORGONIO WAY	MORENO VALLEY	CA	92553-7126	TURNER, NELLIE	25183 GORGONIO WAY	MORENO VALLEY, CA	92553-7126	254.02	25.4	50.3	329.7
53888005004	484222039	SALAZAR, SYLVIA	25219	GORGONIO WAY	MORENO VALLEY	CA	92553-1509	SALAZAR, SYLVIA	25219 GORGONIO WAY	MORENO VALLEY, CA	92553-1509	110.69	11.07	21.92	143.68
96094365002	484223006	GONZALEZ, DOMINGO (RENT)	14664	AGAVE ST	MORENO VALLEY	CA	92553-7165	GONZALEZ, DOMINGO	14664 AGAVE ST	MORENO VALLEY, CA	92553-7165	62.71	6.27	12.42	81.38
31334745001	484223008	CARTER, TERRY	14644	AGAVE ST	MORENO VALLEY	CA	92553-7165	CARTER, TERRY	14644 AGAVE ST	MORENO VALLEY, CA	92553-7165	254.12	25.41	50.32	329.84
49750965001	484224002	JACKSON, GWENDALYN	14570	AGAVE ST	MORENO VALLEY	CA	92553-7164	JACKSON, GWENDALYN	14570 AGAVE ST	MORENO VALLEY, CA	92553-7164	190.79	19.08	37.78	247.64
70997985006	484224005	ALVAREZ, ROCIO	14530	AGAVE ST	MORENO VALLEY	CA	92553-7164	ALVAREZ, ROCIO	14530 AGAVE ST	MORENO VALLEY, CA	92553-7164	190.79	19.08	37.78	247.64
31489035002	484224006	GRAY, RAY	14518	AGAVE ST	MORENO VALLEY	CA	92553-7164	GRAY, RAY	14518 AGAVE ST	MORENO VALLEY, CA	92553-7164	254.12	25.41	50.32	329.84
55564655004	484231014	WILL, SHELLEY	25079	BILLIE DR	MORENO VALLEY	CA	92553-7106	WILL, SHELLEY	25079 BILLIE DR	MORENO VALLEY, CA	92553-7106	254.02	25.4	50.3	329.7
31488905001	484231020	AYON, JAVIER	25123	BILLIE DR	MORENO VALLEY	CA	92553-7107	AYON, JAVIER	25123 BILLIE DR	MORENO VALLEY, CA	92553-7107	254.12	25.41	50.32	329.84
93013305008	484232004	GOMEZ, JOSE	14553	MAY LN	MORENO VALLEY	CA	92553-7105	GOMEZ, JOSE	11291 EDMONSON AVE	MORENO VALLEY, CA	92555-5273	254.02	25.4	50.3	329.7
90650963001	484232011	HERNANDEZ, JESSICA (RENT)	14552	CHOLLA DR	MORENO VALLEY	CA	92553-7102	HERNANDEZ, JESSICA	14552 CHOLLA DR	MORENO VALLEY, CA	92553-7102	321.82	32.18	63.72	417.72
66486205000	484233003	VEGA, OLEGARIO	14568	MAY LN	MORENO VALLEY	CA	92553-7104	VEGA, OLEGARIO	14568 MAY LN	MORENO VALLEY, CA	92553-7104	104.12	10.41	20.62	135.14

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31340395001	484233007	ROLDAN, YONATAN	14512	MAY LN	MORENO VALLEY	CA	92553-7104	ROLDAN, YONATAN	14512 MAY LN	MORENO VALLEY, CA	92553-7104	254.02	25.4	50.3	329.7
31154705001	484241004	OWENS, JOHN	25209	DELPHINIUM AVE	MORENO VALLEY	CA	92553-7113	OWENS, JOHN	25611 ERICSON DR	MORENO VALLEY, CA	92553-5024	222.2	22.22	44	288.4
99182765004	484241005	ZAMARRIPA, ANGEL (RENT)	25197	DELPHINIUM AVE	MORENO VALLEY	CA	92553-7193	ZAMARRIPA, ANGEL	25197 DELPHINIUM AVE	MORENO VALLEY, CA	92553-7193	237.76	23.78	47.08	308.6
31606305004	484241006	DUVALL, COREY	25185	DELPHINIUM AVE	MORENO VALLEY	CA	92553-7193	DUVALL, COREY	4080 SW 159TH LN	OCALA, FL	34473-8220	254.02	25.4	50.3	329.7
31149645004	484241008	ESPINOZA SR, RAY	14800	CASA LOMA DR	MORENO VALLEY	CA	92553-7131	ESPINOZA SR, RAY	14800 CASA LOMA DR	MORENO VALLEY, CA	92553-7131	187.35	18.74	37.1	243.18
63011715002	484241015	PETERSON, CINDY	14872	CASA LOMA DR	MORENO VALLEY	CA	92553-7131	PETERSON, CINDY	14872 CASA LOMA DR	MORENO VALLEY, CA	92553-7131	254.12	25.41	50.32	329.84
93067955007	484241016	TORO, ALBERTO	14825	LA BRISIS WAY	MORENO VALLEY	CA	92553-1510	TORO, ALBERTO	14825 LA BRISIS WAY	MORENO VALLEY, CA	92553-1510	254.02	25.4	50.3	329.7
94758405006	484241019	JONES, SHARON (RENT)	14795	LA BRISIS WAY	MORENO VALLEY	CA	92553-1511	JONES, SHARON	14795 LA BRISIS WAY	MORENO VALLEY, CA	92553-1511	254.12	25.41	50.32	329.84
86262553007	484241025	GODOY, JESUS	14850	LA BRISIS WAY	MORENO VALLEY	CA	92553-7150	GODOY, JESUS	14850 LA BRISIS WAY	MORENO VALLEY, CA	92553-7150	190.12	19.01	37.64	246.76
66769155009	484242008	MOLAND, EARLINE	14831	CASA LOMA DR	MORENO VALLEY	CA	92553-7174	MOLAND, EARLINE	14831 CASA LOMA DR	MORENO VALLEY, CA	92553-7174	254.12	25.41	50.32	329.84
96760235006	484242012	PALM, EMERY (RENT)	14807	CASA LOMA DR	MORENO VALLEY	CA	92553-7174	PALM, EMERY	14807 CASA LOMA DR	MORENO VALLEY, CA	92553-7174	127.46	12.75	25.24	165.44
64572885006	484252002	VEGA, JAIME	25231	EL GRECO DR	MORENO VALLEY	CA	92553-7179	VEGA, JAIME	25231 EL GRECO DR	MORENO VALLEY, CA	92553-7179	204.12	20.41	40.42	264.94
91786003004	484253007	MESTA, HELEN (RENT)	25159	EL GRECO DR	MORENO VALLEY	CA	92553-7180	MESTA, HELEN	25159 EL GRECO DR	MORENO VALLEY, CA	92553-7180	267.58	26.76	52.98	347.3
31157235003	484253022	BROWN, JAMES	25159	VANESSA CT	MORENO VALLEY	CA	92553-7178	BROWN, JAMES	25159 VANESSA CT	MORENO VALLEY, CA	92553-7178	254.02	25.4	50.3	329.7
31401245003	484253026	GUTIERREZ, MARILOU	25172	VANESSA CT	MORENO VALLEY	CA	92553-7178	GUTIERREZ, MARILOU	25172 VANESSA CT	MORENO VALLEY, CA	92553-7178	254.02	25.4	50.3	329.7
31507155005	484261001	RIOS, LOURDES	25365	EL GRECO DR	MORENO VALLEY	CA	92553-7130	RIOS, LOURDES	25365 EL GRECO DR	MORENO VALLEY, CA	92553-7130	253.92	25.39	50.28	329.58
94305815000	484261007	THOMAS, JHONNA (RENT)	25291	EL GRECO DR	MORENO VALLEY	CA	92553-7199	THOMAS, JHONNA	25291 EL GRECO DR	MORENO VALLEY, CA	92553-7199	173	17.3	34.25	224.54
72703695007	484261010	HERNANDEZ, THERESA	25255	EL GRECO DR	MORENO VALLEY	CA	92553-7199	HERNANDEZ, THERESA	25255 EL GRECO DR	MORENO VALLEY, CA	92553-7199	254.02	25.4	50.3	329.7
92792573001	484262003	SIORDIA, PORFILIO (RENT)	14921	REMBRANDT DR	MORENO VALLEY	CA	92553-1513	SIORDIA, PORFILIO	13305 CAVANDISH LN	MORENO VALLEY, CA	92553-6201	168.48	16.85	33.36	218.68
31359845007	484262004	WILLIAMS, JASMINE	14907	REMBRANDT DR	MORENO VALLEY	CA	92553-1513	WILLIAMS, JASMINE	14907 REMBRANDT DR	MORENO VALLEY, CA	92553-1513	254.02	25.4	50.3	329.7
69209915004	484262013	QUINONEZ, PATRICIA	14799	REMBRANDT DR	MORENO VALLEY	CA	92553-1514	QUINONEZ, PATRICIA	14799 REMBRANDT DR	MORENO VALLEY, CA	92553-1514	254.02	25.4	50.3	329.7
31331705005	484263003	BRYANT, MICHAEL	25349	RENOIR AVE	MORENO VALLEY	CA	92553-7109	BRYANT, MICHAEL	25349 RENOIR AVE	MORENO VALLEY, CA	92553-7109	48.52	4.85	9.61	62.96
31229355004	484263012	WATSON, LOIS	25326	EL GRECO DR	MORENO VALLEY	CA	92553-7129	WATSON, LOIS	25326 EL GRECO DR	MORENO VALLEY, CA	92553-7129	254.12	25.41	50.32	329.84
95273045001	484263014	FREEMAN, SHANNON (OWNR)	25350	EL GRECO DR	MORENO VALLEY	CA	92553-7129	FREEMAN, SHANNON	25350 EL GRECO DR	MORENO VALLEY, CA	92553-7129	177.96	17.8	35.24	230.98
74535595002	484263016	SAUCEDO, CARLOS	25374	EL GRECO DR	MORENO VALLEY	CA	92553-7129	SAUCEDO, CARLOS	25374 EL GRECO DR	MORENO VALLEY, CA	92553-7129	254.02	25.4	50.3	329.7
93354795003	484265020	QUIROGA, FIDEL	25335	DELPHINIUM AVE	MORENO VALLEY	CA	92553-7151	QUIROGA, FIDEL	25335 DELPHINIUM AVE	MORENO VALLEY, CA	92553-7151	254.12	25.41	50.32	329.84
31373395002	484271006	JACKSON, RUTH	25388	RENOIR AVE	MORENO VALLEY	CA	92553-7110	JACKSON, RUTH	25388 RENOIR AVE	MORENO VALLEY, CA	92553-7110	127.06	12.71	25.16	164.92
96400645003	484271007	PEREZ, ILLBRED TRUST	25378	RENOIR AVE	MORENO VALLEY	CA	92553-7110	PEREZ, ILLBRED TRUST	27295 OCEAN DUNES ST #3	MORENO VALLEY, CA	92555-4916	242.76	24.28	48.07	315.1
31494815008	484271008	MANGARREZ, PEDRO	14869	ALBA WAY	MORENO VALLEY	CA	92553-7136	MANGARREZ, PEDRO	14869 ALBA WAY	MORENO VALLEY, CA	92553-7136	254.12	25.41	50.32	329.84
88723015000	484271012	RUIZ, NORENE	14829	ALBA WAY	MORENO VALLEY	CA	92553-7136	RUIZ, NORENE	14829 ALBA WAY	MORENO VALLEY, CA	92553-7136	117.76	11.78	23.32	152.84
58505295008	484271016	RAYMOND, ANNETTE	14785	ALBA WAY	MORENO VALLEY	CA	92553-7100	RAYMOND, ANNETTE	14785 ALBA WAY	MORENO VALLEY, CA	92553-7100	405.08	40.51	80.21	525.78
57307365005	484272006	ESPINOZA, MARIA	25433	RENOIR AVE	MORENO VALLEY	CA	92553-7111	ESPINOZA, MARIA	25433 RENOIR AVE	MORENO VALLEY, CA	92553-7111	254.02	25.4	50.3	329.7
31200935004	484272005	GASCA, EDWARD	25421	EL GRECO DR	MORENO VALLEY	CA	92553-7123	GASCA, EDWARD	25421 EL GRECO DR	MORENO VALLEY, CA	92553-7123	254.02	25.4	50.3	329.7
31498685006	484273008	ROBLEDO, DEBRA (OWNER)	25455	EL GRECO DR	MORENO VALLEY	CA	92553-7123	ROBLEDO, DEBRA	25455 EL GRECO DR	MORENO VALLEY, CA	92553-7123	63.63	6.36	12.6	82.58
31497505006	484273011	GARCIA, LAURA	25487	EL GRECO DR	MORENO VALLEY	CA	92553-1501	GARCIA, LAURA	25487 EL GRECO DR	MORENO VALLEY, CA	92553-1501	125.22	12.52	24.79	162.52
59691175000	484273016	ESTRADA, TANGIE	25543	EL GRECO DR	MORENO VALLEY	CA	92553-7132	ESTRADA, TANGIE	18700 YORBA LINDA BLVD APT 79	YORBA LINDA, CA	92886-4152	329.6	32.96	65.26	427.82
94154175006	484273026	GONZALES, ROSARIO (OWNR)	25620	EL GRECO DR	MORENO VALLEY	CA	92553-1507	GONZALES, ROSARIO	25620 EL GRECO DR	MORENO VALLEY, CA	92553-1507	63.63	6.36	12.6	82.58
31551635003	484273032	GERMANY, RICHARD (RENT)	14848	ALBA WAY	MORENO VALLEY	CA	92553-7146	GERMANY, RICHARD	14848 ALBA WAY	MORENO VALLEY, CA	92553-7146	254.12	25.41	50.32	329.84
96779695009	484273035	LISCANO, MICHAEL JR (RENT)	14780	ALBA WAY	MORENO VALLEY	CA	92553-7148	LISCANO, MICHAEL JR	232 BUSBEE ST	EAST CAMDEN, AR	71701-7176	61	6.1	12.09	79.16
31306615006	484273045	PATRON, CARLOS	25561	EL GRECO DR	MORENO VALLEY	CA	92553-7144	PATRON, CARLOS	25561 EL GRECO DR	MORENO VALLEY, CA	92553-7144	254.02	25.4	50.3	329.7
89638733008	484281003	FOUSE, LEANN (RENT)	14946	MAGELLAN DR	MORENO VALLEY	CA	92553-5038	FOUSE, LEANN	14946 MAGELLAN DR	MORENO VALLEY, CA	92553-5038	254.12	25.41	50.32	329.84
97108845009	484281007	MA, BA (RENT)	14892	MAGELLAN DR	MORENO VALLEY	CA	92553-5075	MA, BA	14892 MAGELLAN DR	MORENO VALLEY, CA	92553-5075	227.85	22.79	45.11	295.74
31655265009	484281012	ROSAS, JOSE AND SANDRA	14893	EDELWEISS PL	MORENO VALLEY	CA	92553-5031	ROSAS, JOSE AND SANDRA	14893 EDELWEISS PL	MORENO VALLEY, CA	92553-5031	329.32	32.93	65.21	427.44
31443855006	484282006	ORTIZ, EDIE	14928	EDELWEISS PL	MORENO VALLEY	CA	92553-5071	ORTIZ, EDIE	14928 EDELWEISS PL	MORENO VALLEY, CA	92553-5071	82.68	8.27	16.37	107.3
92214375008	484282008	BUCKNER, STEPHANIA	14941	DE SOTO PL	MORENO VALLEY	CA	92553-5051	BUCKNER, STEPHANIA	14941 DE SOTO PL	MORENO VALLEY, CA	92553-5051	103.92	10.39	20.58	134.88
91888515001	484283006	CARO, HUGO	25651	STONEYBROOK DR	MORENO VALLEY	CA	92553-5029	CARO, HUGO	25651 STONEYBROOK DR	MORENO VALLEY, CA	92553-5029	327.04	32.7	64.75	424.48
87291945004	484283015	CORTES, MARIA	25561	STONEYBROOK DR	MORENO VALLEY	CA	92553-5080	CORTES, MARIA	25561 STONEYBROOK DR	MORENO VALLEY, CA	92553-5080	254.12	25.41	50.32	329.84
31118985007	484284003	HIRSHEL, LEE	14939	RIO GRANDE DR	MORENO VALLEY	CA	92553-5058	HIRSHEL, LEE	14939 RIO GRANDE DR	MORENO VALLEY, CA	92553-5058	329.32	32.93	65.21	427.44
96076895001	484284010	AGUILAR, JESUS (RENT)	14904	DE SOTO PL	MORENO VALLEY	CA	92553-5039	AGUILAR, JESUS	14904 DE SOTO PL	MORENO VALLEY, CA	92553-5039	254.12	25.41	50.32	329.84
31402675000	484285003	LEE, YVETTE	14906	RIO GRANDE DR	MORENO VALLEY	CA	92553-5048	LEE, YVETTE	14906 RIO GRANDE DR	MORENO VALLEY, CA	92553-5048	254.02	25.4	50.3	329.7
95028605001	484285008	VASQUEZ, EVANS AND NANCY (OWNR	14960	RIO GRANDE DR	MORENO VALLEY	CA	92553-5048	VASQUEZ, EVANS	14960 RIO GRANDE DR	MORENO VALLEY, CA	92553-5048	166.17	16.62	32.9	215.68
31131765006	484285010	HOUGH, JOHN	14986	RIO GRANDE DR	MORENO VALLEY	CA	92553-5048	HOUGH, JOHN	14986 RIO GRANDE DR	MORENO VALLEY, CA	92553-5048	254.02	25.4	50.3	329.7
97122745001	484291001	ROBINSON, CHINIQUE (RENT)	25601	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5066	ROBINSON, CHINIQUE (RENT)	25601 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5066	217.91	21.79	43.15	282.84
85355855007	484291009	STOKES, DONNA	25594	ERICSON DR	MORENO VALLEY	CA	92553-5054	STOKES, DONNA	7480 LANKERSHIM AVE	HIGHLAND, CA	92346-3464	254.02	25.4	50.3	329.7
95456115007	484291010	VIVIENDOLA, DEBORAH (OWNR)	25580	ERICSON DR	MORENO VALLEY	CA	92553-5054	VIVIENDOLA, DEBORAH	25580 ERICSON DR	MORENO VALLEY, CA	92553-5054	63.63	6.36	12.6	82.58
31102455002	484291014	MURPHY, CHRISTOPHER	14807	MAGELLAN DR	MORENO VALLEY	CA	92553-5053	MURPHY, CHRISTOPHER	14807 MAGELLAN DR	MORENO VALLEY, CA	92553-5053	254.02	25.4	50.3	329.7
59330495008	484291018	VILLA, GILBERT	14855	MAGELLAN DR	MORENO VALLEY	CA	92553-5042	VILLA, GILBERT	14855 MAGELLAN DR	MORENO VALLEY, CA	92553-5042	254.12	25.41	50.32	329.84
56409935001	484291019	WORRELL, TIFFANY	14867	MAGELLAN DR	MORENO VALLEY	CA	92553-5042	WORRELL, TIFFANY	14867 MAGELLAN DR	MORENO VALLEY, CA	92553-5042	188.98	18.9	37.42	245.28
92436955005	484292005	DOWLING, MARISELA	25671	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5002	DOWLING, MARISELA	25671 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5002	254.12	25.41	50.32	329.84
93883085000	484292007	YOUNG, TREVIA (RENT)	25697	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5002	YOUNG, TREVIA	PO BOX 9801	MORENO VALLEY, CA	92552-1801	143.76	14.38	28.46	186.6
74762625006	484292013	RIOS, MARCOS AND ERIKA	25658	ERICSON DR	MORENO VALLEY	CA	92553-5023	RIOS, MARCOS AND ERIKA	25658 ERICSON DR	MORENO VALLEY, CA	92553-5023	254.02	25.4	50.3	329.7
95547105005	484293002	ADRIANO, CLAUDIA (RENT)	25611	ERICSON DR	MORENO VALLEY	CA	92553-5024	ADRIANO, CLAUDIA	25611 ERICSON DR	MORENO VALLEY, CA	92553-5024	192.56	19.26	38.13	249.94
96866405005	484293003	VASQUEZ, MARIA (RENT)	25621	ERICSON DR	MORENO VALLEY	CA	92553-5024	VASQUEZ, MARIA	25621 ERICSON DR	MORENO VALLEY, CA	92553-5024	202.38	20.24	40.07	262.68
95277955000	484293006	MORALES, FRANCES (RENT)	25651	ERICSON DR	MORENO VALLEY	CA	92553-5024	MORALES, FRANCES	25651 ERICSON DR	MORENO VALLEY, CA	92553-5024	254.12	25.41	50.32	329.84
31463975009	484294009	ROBERSON, ANNETTE	14858	RIO GRANDE DR	MORENO VALLEY	CA	92553-5056	ROBERSON, ANNETTE	14858 RIO GRANDE DR	MORENO VALLEY, CA	92553-5056	254.02	25.4	50.3	329.7
62276555005	484301015	GASTELUM, PAUL	25819	PARSLEY AVE	MORENO VALLEY	CA	92553-5021	GASTELUM, PAUL/THELMA SANCHEZ	12255 WOODBRIAR DR	MORENO VALLEY, CA	92555-1871	63.63	6.36	12.6	82.58
85173175007	484302004	CARDENA, ADRIANA	25861	PARSLEY AVE	MORENO VALLEY	CA	92553-5005	CARDENA, ADRIANA	25861 PARSLEY AVE	MORENO VALLEY, CA	92553-5005	254.02	25.4	50.3	329.7
31597085001	484302006	TORRES, GLORIA	25871	PARSLEY AVE	MORENO VALLEY	CA	92553-5005	TORRES, GLORIA	25871 PARSLEY AVE	MORENO VALLEY, CA	92553-5005	254.02	25.4	50.3	329.7
94919185000	484302007	BOOKART, HAROLD (RENT)	25879	PARSLEY AVE	MORENO VALLEY	CA	92553-5005	BOOKART, HAROLD	25879 PARSLEY AVE	MORENO VALLEY, CA	92553-5005	254.12	25.41	50.32	329.84
31286115005	484303001	PHILLIPS, NANCY	25878	PARSLEY AVE	MORENO VALLEY	CA	92553-5006	RESIDENT, CURRENT	25878 PARSLEY AVE	MORENO VALLEY, CA	92553-5006	254.02	25.4	50.3	329.7
49282285008	484303002	MILLER, BRIGETTE	25870	PARSLEY AVE	MORENO VALLEY	CA	92553-5006	MILLER, BRIGETTE	23887 RIDGE POINT CT	MORENO VALLEY, CA	92557-2936	254.02	25.4	50.3	329.7
95220555004	484303009	VIDRIO, JOSE (OWNR)	14808	TARRAGON WAY	MORENO VALLEY	CA	92553-5082	VIDRIO, JOSE	14808 TARRAGON WAY	MORENO VALLEY, CA	92553-5082	254.12	25.41	50.32	329.84
96457685004	484303011	MOTA, ELOY (OWNR)	14780	TARRAGON WAY	MORENO VALLEY	CA	92553-5008	MOTA, ELOY	14780 TARRAGON WAY	MORENO VALLEY, CA	92553-5008	254.12	25.41	50.32	329.84
90784945003	484303023	GAMA, CARMEN	25824	PARSLEY AVE	MORENO VALLEY	CA	92553-5020	GAMA, CARMEN	25824 PARSLEY AVE	MORENO VALLEY, CA	92553-5020	230.53	23.05	45.64	299.22
31128025008	484303024	ROBERTSON, NEAL	25786	PARSLEY AVE	MORENO VALLEY	CA	92553-5004	ROBERTSON, NEAL	25786 PARSLEY AVE	MORENO VALLEY, CA	92553-5004	254.02	25.4	50.3	329.7
31371955008	484303025	ALVAREZ, RUDY AND PATRICIA	25782	PARSLEY AVE	MORENO VALLEY	CA	92553-5004	ALVAREZ, RUDY AND PATRICIA	25782 PARSLEY AVE	MORENO VALLEY, CA	92553-5004	254.02	25.4	50.3	329.7
31471095007	484303029	ZARAGOZA, ROSA	25764	PARSLEY AVE	MORENO VALLEY	CA	92553-5004	ZARAGOZA, ROSA	25764 PARSLEY AVE	MORENO VALLEY, CA	92553-5004	254.02	25.4	50.3	329.7
31182685006	484303037	BEVERAGE, RON AND JEAN	25841	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5035	BEVERAGE, RON AND JEAN	25841 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5035	254.12	25.41	50.32	329.84
94183895004	484303040	STEELE, SEAN (OWNR)	14763	ROSEMARY AVE	MORENO VALLEY	CA	92553-5079	STEELE, SEAN	14763 ROSEMARY AVE	MORENO VALLEY, CA	92553-5079	456.16	45.62	90.32	592.08
66689465006	484303045	ALONZO, VINCENT	14811	ROSEMARY AVE	MORENO VALLEY	CA	92553-5044	ALONZO, VINCENT	14811 ROSEMARY AVE	MORENO VALLEY, CA	92553-5044	63.3	6.33	12.53	82.16
55463685001	484303046	HILL, TYRONE	14817	ROSEMARY AVE	MORENO VALLEY	CA	92553-5044	HILL, TYRONE	14817 ROSEMARY AVE	MORENO VALLEY, CA	92553-5044	188.74	18.87	37.37	244.98
95530595008	484311004	CARREON, EDGAR (OWNR)	25861	CORIANDER CT	MORENO VALLEY	CA	92553-5027	CARREON, EDGAR	25861 CORIANDER CT	MORENO VALLEY, CA	92553-5027	254.02	25.4	50.3	329.7
96725795001	484311009	BERNASCONI, CARMEN (RENT)	25811	CORIANDER CT	MORENO VALLEY	CA	92553-5027	BERNASCONI, CARMEN	25811 CORIANDER CT	MORENO VALLEY, CA	92553-5027	59.01	5.9	11.68	76.58
96183275002	484311011	SALAZAR, EVELYN (OWNR)	25791	CORIANDER CT	MORENO VALLEY	CA	92553-5062	SALAZAR, EVELYN	25791 CORIANDER CT	MORENO VALLEY, CA	92553-5062	212.17	21.22	42.01	275.38
31071365008	484311033	BRUSH, PATRICIA	25777	BASIL CT	MORENO VALLEY	CA	92553-5060	BRUSH, PATRICIA	25777 BASIL CT	MORENO VALLEY, CA	92553-5060	254.02	25.4	50.3	329.7
31134885005	484311035	PONCE, GUILLERMINA	25757	BASIL CT	MORENO VALLEY	CA	92553-5060	PONCE, GUILLERMINA	25757 BASIL CT	MORENO VALLEY, CA	92553-5060	63.63	6.36	12.6	82.58
31602775004	484311039	JONES, ELIZABETH	25784	BASIL CT	MORENO VALLEY	CA	92553-5059	JONES, ELIZABETH	25784 BASIL CT	MORENO VALLEY, CA	92553-5059	254.02	25.4	50.3	329.7
31154075003	484311040	ESCOTO, TOI-YA	25794	BASIL CT	MORENO VALLEY	CA	92553-5059	ESCOTO, TOI-YA	25794 BASIL CT	MORENO VALLEY, CA	92553-5059	190.69	19.07	37.76	247.5
93804255000	484312001	ANTHONY, VIVIAN (RENT)	14874	TARRAGON WAY	MORENO VALLEY	CA	92553-5084	ANTHONY, VIVIAN	14874 TARRAGON WAY	MORENO VALLEY, CA	92553-5084	254.12	25.41	50.32	329.84
49389665001	484312007	BREWAH, JEFFERY	14934	TARRAGON WAY	MORENO VALLEY	CA	92553-5009	BREWAH, JEFFERY	14934 TARRAGON WAY	MORENO VALLEY, CA	92553-5009	254.02	25.4	50.3	329.7
59677105004	484312008	HERNANDEZ, FRANCISCO	25864	CORIANDER CT	MORENO VALLEY	CA	92553-5043	HERNANDEZ, FRANCISCO	25864 CORIANDER CT	MORENO VALLEY, CA	92553-5043	254.12	25.41	50.32	329.84
91213035003	484312013	THOMAS, FLOYD AND DEBRA	25898	CORIANDER CT	MORENO VALLEY	CA	92553-5043	THOMAS, FLOYD AND DEBRA	25898 CORIANDER CT	MORENO VALLEY, CA	92553-5043	253.92	25.39	50.28	329.58
84442585001	484312021	VACCAINOR, VIVIANA	14964	CURRY ST	MORENO VALLEY	CA	92553-5015	VACCAINOR, VIVIANA	14964 CURRY ST	MORENO VALLEY, CA	92553-5015	254.02	25.4	50.3	329.7
92550695008	484312022	ENRIQUEZ, JOSE	14970	CURRY ST	MORENO VALLEY	CA	92553-5015	ENRIQUEZ, JOSE	14970 CURRY ST	MORENO VALLEY, CA	92553-5015	127.36	12.74	25.22	165.3
31050815008	484321001	BLACK, MICHAEL	25993	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5011	BLACK, MICHAEL	25993 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5011	63.63	6.36	12.6	82.58
96859155002	484321002	ASHRAF, ADAM (RENT)	25981	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5011	ASHRAF, ADAM	25981 DELPHINIUM AVE	MORENO VALLEY, CA	92553-5011	254.12	25.41	50.32	329.84
31525495006	484321005	VALDEZ, RICARDO AND OFELIA	25943	DELPHINIUM AVE	MORENO VALLEY	CA	92553-5011	VALDEZ, RICARDO	26838 9TH ST SPC 66	HIGHLAND, CA	92346-3572	147.91	14.79	29.29	191.98
31243805001	484321010	KAROLCZAK, JOHN	14780	ROSEMARY AVE	MORENO VALLEY	CA	92553-5022	KAROLCZAK, JOHN	14780 ROSEMARY AVE	MORENO VALLEY, CA	92553-5022	254.12	25.41	50.32	329.84
63116995000	484321030	SANCHEZ, MARTHA	14808	CURRY ST	MORENO VALLEY	CA	92553-5017	SANCHEZ, MARTHA	14808 CURRY ST	MORENO VALLEY, CA	92553-5017	194.05	19.41	38.42	251.86
74817565000	484321032	SOLARES, BERTHA	14826	CURRY ST	MORENO VALLEY	CA	92553-5017	SOLARES, BERTHA	24209 CLOVER AVE	MORENO VALLEY, CA	92551-7666	254.02	25.4	50.3	329.7
95274585005	484321045	HAYS, TRACI (RENT)	14924	CURRY ST	MORENO VALLEY	CA	92553-5055	HAYS, TRACI	14924 CURRY ST	MORENO VALLEY, CA	92553-5055	104.12	10.41	20.62	135.14

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
87941493008	484321049	DUQUET, ABRAHAM (RENT)	25958	CORIANDER CT	MORENO VALLEY	CA	92553-5016	DUQUET, ABRAHAM	25958 CORIANDER CT	MORENO VALLEY, CA	92553-5016	254.12	25.41	50.32	329.84
63897805005	484321054	ARMENTA, PAULINA	25996	CORIANDER CT	MORENO VALLEY	CA	92553-5016	ARMENTA, PAULINA	25996 CORIANDER CT	MORENO VALLEY, CA	92553-5016	63.63	6.36	12.6	82.58
66426095009	484322004	AGUILAR, LUIS AND MARIBEL	14925	CURRY ST	MORENO VALLEY	CA	92553-5019	AGUILAR, LUIS	14925 CURRY ST	MORENO VALLEY, CA	92553-5019	135.49	13.55	26.83	175.86
97633475003	484322010	JONES, EATON (RENT)	25919	PARSLEY AVE	MORENO VALLEY	CA	92553-5077	JONES, EATON	23899 EUCALYPTUS AVE APT 91	MORENO VALLEY, CA	92553-5546	127.46	12.75	25.24	165.44
93705383002	485031008	PIMENTEL, ANTHONY (RENT) APTS	15129	ELM CT UNIT D	MORENO VALLEY	CA	92551-3685	PIMENTEL, ANTHONY	15129 ELM CT UNIT D	MORENO VALLEY, CA	92551-3685	195.53	19.55	38.71	253.78
95467495004	485032017	LOPEZ, OCTAVIO (OWNR)	15047	PEPPER CT	MORENO VALLEY	CA	92551-3623	LOPEZ, OCTAVIO	4756 BEVERLY CT	RIVERSIDE, CA	92506-1919	254.12	25.41	50.32	329.84
82097085000	485032019	SORIANO, JUAN	15069	PEPPER CT	MORENO VALLEY	CA	92551-3623	SORIANO, JUAN	15069 PEPPER CT	MORENO VALLEY, CA	92551-3623	168.95	16.9	33.45	219.28
86628783001	485032023	MIRANDA, OSCAR (RENT)	15115	PEPPER CT	MORENO VALLEY	CA	92551-7662	MIRANDA, OSCAR	15115 PEPPER CT	MORENO VALLEY, CA	92551-7662	254.12	25.41	50.32	329.84
96757585008	485032024	LLAMAS, MARGARITA (RENT)	15125	PEPPER CT	MORENO VALLEY	CA	92551-7662	LLAMAS, MARGARITA	15125 PEPPER CT	MORENO VALLEY, CA	92551-7662	190.79	19.08	37.78	247.64
95742445001	485032026	PULIDO, MARISOL (OWNR)	15141	PEPPER CT	MORENO VALLEY	CA	92551-7662	PULIDO, MARISOL	15141 PEPPER CT	MORENO VALLEY, CA	92551-7662	64.17	6.42	12.71	83.28
61527275001	485033038	GONZALES, SANDRA	15254	PEPPER CT	MORENO VALLEY	CA	92551-7665	GONZALES, SANDRA	15254 PEPPER CT	MORENO VALLEY, CA	92551-7665	329.6	32.96	65.26	427.82
97045835005	485033039	ANNIS, CLEMENT (RENT)	15234	PEPPER CT	MORENO VALLEY	CA	92551-7665	OSTLUND, SCOTT R & ALETA M	16529 JOY ST	LAKE ELSINORE, CA	92531-	254.12	25.41	50.32	329.84
31253205006	485033046	AVILA, MARIA	15160	PEPPER CT	MORENO VALLEY	CA	92551-3624	AVILA, MARIA	15160 PEPPER CT	MORENO VALLEY, CA	92551-3624	329.6	32.96	65.26	427.82
74672165003	485033047	RODARTE, LUCIANA	15150	PEPPER CT	MORENO VALLEY	CA	92551-3624	RODARTE, LUCIANA	15150 PEPPER CT	MORENO VALLEY, CA	92551-3624	254.02	25.4	50.3	329.7
74672125002	485033052	CONDE, ROBERTO AND MARIA	15104	PEPPER CT	MORENO VALLEY	CA	92551-3624	CONDE, ROBERTO AND MARIA	1825 INGRAHAM ST	NORTH LAS VEGAS, NV	89030-7354	67.36	6.74	13.34	87.42
90577603002	485033054	SANCHEZ, LINDA	15082	PEPPER CT	MORENO VALLEY	CA	92551-7664	SANCHEZ, LINDA	15082 PEPPER CT	MORENO VALLEY, CA	92551-7664	257.91	25.79	51.07	334.76
95224045005	485033056	REYNOSO, LUIS	15058	PEPPER CT	MORENO VALLEY	CA	92551-7664	REYNOSO, LUIS	15058 PEPPER CT	MORENO VALLEY, CA	92551-7664	217.41	21.74	43.05	282.18
31272405004	485042001	RIOS, LEODORA	24282	NICOLE CT	MORENO VALLEY	CA	92551-7668	RIOS, LEODORA	24282 NICOLE CT	MORENO VALLEY, CA	92551-7668	404.16	40.42	80.02	524.58
94863365002	485042003	AMAYA, HERIBERTO	24302	NICOLE CT	MORENO VALLEY	CA	92551-3626	AMAYA, HERIBERTO	24302 NICOLE CT	MORENO VALLEY, CA	92551-3626	63.83	6.38	12.64	82.84
88316965003	485042006	BLUE WAVE INVESTMENTS LLC	24332	NICOLE CT	MORENO VALLEY	CA	92551-3626	BLUE WAVE INVESTMENTS LLC	25577 SAN THOMAS ST	MORENO VALLEY, CA	92557-5829	254.12	25.41	50.32	329.84
101138963004	485042007	ARMIJO, VANESSA M	24342	NICOLE CT	MORENO VALLEY	CA	92551-3626	ARMIJO, VANESSA M	24342 NICOLE CT	MORENO VALLEY, CA	92551-3626	139.84	13.98	27.69	181.5
87079985004	485042013	LOFTON, JAMES	24393	NICOLE CT	MORENO VALLEY	CA	92551-3627	LOFTON, JAMES	24393 NICOLE CT	MORENO VALLEY, CA	92551-3627	254.02	25.4	50.3	329.7
31476045007	485042018	MARTIN, IRIS	24343	NICOLE CT	MORENO VALLEY	CA	92551-3627	MARTIN, IRIS	24343 NICOLE CT	MORENO VALLEY, CA	92551-3627	32.68	3.27	6.47	42.4
97094295006	485042019	GUEVARA, ALICIA (RENT)	24333	NICOLE CT	MORENO VALLEY	CA	92551-3627	GUEVARA, ALICIA	24333 NICOLE CT	MORENO VALLEY, CA	92551-3627	190.79	19.08	37.78	247.64
31083625009	485042022	SCHUELLER, KIETH	24303	NICOLE CT	MORENO VALLEY	CA	92551-3627	SCHUELLER, KIETH	24303 NICOLE CT	MORENO VALLEY, CA	92551-3627	82.68	8.27	16.37	107.3
31640215002	485042026	HERNANDEZ, HECTOR M AND MARIA	24290	GABRIEL ST	MORENO VALLEY	CA	92551-7675	HERNANDEZ, HECTOR M AND MARIA	24290 GABRIEL ST	MORENO VALLEY, CA	92551-7675	254.02	25.4	50.3	329.7
93741725006	485042027	GARCIA, MARIA PONCE (RENT)	24300	GABRIEL ST	MORENO VALLEY	CA	92551-3639	GARCIA, MARIA PONCE	24300 GABRIEL ST	MORENO VALLEY, CA	92551-3639	254.12	25.41	50.32	329.84
31525245009	485043004	SILVA, MIRNA A	15083	PAIGE AVE	MORENO VALLEY	CA	92551-3649	SILVA, MIRNA A	13877 CHAGALL CT APT 366	MORENO VALLEY, CA	92553-6611	232.68	23.27	46.07	302
31580535003	485043009	LEOCADIO, LARRY	15069	PAIGE AVE	MORENO VALLEY	CA	92551-3649	LEOCADIO, LARRY	15069 PAIGE AVE	MORENO VALLEY, CA	92551-3649	254.02	25.4	50.3	329.7
31636795008	485051003	ESCOBAR, GUILLERMO AND YOLANDA	24330	GABRIEL ST	MORENO VALLEY	CA	92551-3639	ESCOBAR, GUILLERMO	24330 GABRIEL ST	MORENO VALLEY, CA	92551-3639	72.18	7.22	14.29	93.68
31300215003	485051009	LARA, DANILO	24390	GABRIEL ST	MORENO VALLEY	CA	92551-3639	LARA, DANILO	24390 GABRIEL ST	MORENO VALLEY, CA	92551-3639	289.73	28.97	57.37	376.06
96523665007	485052001	WEATHERSPOON, DEANNA (RENT)	24311	GABRIEL ST	MORENO VALLEY	CA	92551-3640	WEATHERSPOON, DEANNA (RENT)	24311 GABRIEL ST	MORENO VALLEY, CA	92551-3640	153.74	15.37	30.44	199.54
31308315005	485052007	HALE, JAMES	24377	GABRIEL ST	MORENO VALLEY	CA	92551-3640	HALE, JAMES	24377 GABRIEL ST	MORENO VALLEY, CA	92551-3640	329.6	32.96	65.26	427.82
96297565009	485052008	FISHER, STACEY (RENT)	24393	GABRIEL ST	MORENO VALLEY	CA	92551-3640	FISHER, STACEY	24393 GABRIEL ST	MORENO VALLEY, CA	92551-3640	254.12	25.41	50.32	329.84
91725705005	485052009	AGUADO, VIRIDIANA	24405	GABRIEL ST	MORENO VALLEY	CA	92551-3641	AGUADO, VIRIDIANA	24405 GABRIEL ST	MORENO VALLEY, CA	92551-3641	253.92	25.39	50.28	329.58
89619663002	485052016	PINEDA, SAMUEL (RENT)	24499	GABRIEL ST	MORENO VALLEY	CA	92551-7677	PINEDA, SAMUEL	24499 GABRIEL ST	MORENO VALLEY, CA	92551-7677	60.59	6.06	12	78.64
62506955001	485052018	RAMIREZ, LINDA	24515	GABRIEL ST	MORENO VALLEY	CA	92551-3647	RAMIREZ, LINDA	24515 GABRIEL ST	MORENO VALLEY, CA	92551-3647	134.12	13.41	26.56	174.08
97405563007	485052021	HERRERA , ZABRINA	24539	GABRIEL ST	MORENO VALLEY	CA	92551-3647	HERRERA , ZABRINA	24539 GABRIEL ST	MORENO VALLEY, CA	92551-3647	265.82	26.58	52.63	345.02
93831725005	485052026	AGUILAR, ABRAHAM (OWNR)	24579	GABRIEL ST	MORENO VALLEY	CA	92551-3647	AGUILAR, ABRAHAM	24579 GABRIEL ST	MORENO VALLEY, CA	92551-3647	190.79	19.08	37.78	247.64
97119395000	485052027	TAPIA, KARLA AND JORGE (OWNR)	24286	KARRY CT	MORENO VALLEY	CA	92551-7673	TAPIA, KARLA AND JORGE	24286 KARRY CT	MORENO VALLEY, CA	92551-7673	127.36	12.74	25.22	165.3
100346973002	485052029	MILLER, MICHAEL (RENT)	24298	KARRY CT	MORENO VALLEY	CA	92551-7673	MILLER, MICHAEL	24298 KARRY CT	MORENO VALLEY, CA	92551-7673	122.89	12.29	24.33	159.5
95387735004	485052037	MARQUEZ, SILVIA (OWNR)	24348	KARRY CT	MORENO VALLEY	CA	92551-3652	MARQUEZ, SILVIA	24348 KARRY CT	MORENO VALLEY, CA	92551-3652	190.79	19.08	37.78	247.64
31599745009	485052040	SANTIS, JANET	24341	KARRY CT	MORENO VALLEY	CA	92551-3653	SANTIS, JANET	24341 KARRY CT	MORENO VALLEY, CA	92551-3653	77.46	7.75	15.34	100.54
95479635000	485052042	MENDOZA, GUADALUPE (RENT)	24327	KARRY CT	MORENO VALLEY	CA	92551-3653	MENDOZA, GUADALUPE	24218 CLOVER AVE APT D	MORENO VALLEY, CA	92551-3699	254.12	25.41	50.32	329.84
91010945002	485052049	SANCHEZ, GUADALUPE	24286	KURT CT	MORENO VALLEY	CA	92551-7672	SANCHEZ, GUADALUPE	24286 KURT CT	MORENO VALLEY, CA	92551-7672	46.42	4.64	9.19	60.24
31565515008	485052055	FLORES, ANTONIO M	24328	KURT CT	MORENO VALLEY	CA	92551-3658	FLORES, ANTONIO M	24328 KURT CT	MORENO VALLEY, CA	92551-3658	254.02	25.4	50.3	329.7
75267875002	485052060	LOPEZ, ROSALIO	24351	KURT CT	MORENO VALLEY	CA	92551-7654	LOPEZ, ROSALIO	24351 KURT CT	MORENO VALLEY, CA	92551-7654	237.42	23.74	47.01	308.16
70922305007	485052065	NAVARRO, BLONDY	24321	KURT CT	MORENO VALLEY	CA	92551-7654	NAVARRO, BLONDY	24321 KURT CT	MORENO VALLEY, CA	92551-7654	254.02	25.4	50.3	329.7
31292725002	485053004	VARAJAS, ALVARO	24440	TYANN CT	MORENO VALLEY	CA	92551-3637	VARAJAS, ALVARO	24440 TYANN CT	MORENO VALLEY, CA	92551-3637	329.04	32.9	65.15	427.08
96870285002	485053005	RANGEL, BLANCA (RENT)	24450	TYANN CT	MORENO VALLEY	CA	92551-3637	RANGEL, BLANCA	24450 TYANN CT	MORENO VALLEY, CA	92551-3637	204.12	20.41	40.42	264.94
85848405006	485053008	TORRES, AUGUSTIN	24480	TYANN CT	MORENO VALLEY	CA	92551-3637	TORRES, AUGUSTIN	24480 TYANN CT	MORENO VALLEY, CA	92551-3637	254.02	25.4	50.3	329.7
31583365002	485053025	DEL RIO, JOSE LUIS (OWNR)	24466	FILAREE AVE	MORENO VALLEY	CA	92551-3635	DEL RIO, JOSELUIS	24466 FILAREE AVE	MORENO VALLEY, CA	92551-3635	190.69	19.07	37.76	247.5
92988963003	485053028	PEARSON, HELEN (RENT)	24496	FILAREE AVE	MORENO VALLEY	CA	92551-3635	PEARSON, HELEN	24496 FILAREE AVE	MORENO VALLEY, CA	92551-3635	205.39	20.54	40.67	266.58
89629293009	485054005	PERALTA, HECTOR (RENT)	24446	FILAREE AVE	MORENO VALLEY	CA	92551-3635	PERALTA, HECTOR	24446 FILAREE AVE	MORENO VALLEY, CA	92551-3635	242.65	24.27	48.04	314.94
96786585007	485054007	VASQUEZ, ALBERT (RENT)	24465	FILAREE AVE	MORENO VALLEY	CA	92551-3636	VASQUEZ, ALBERT	24465 FILAREE AVE	MORENO VALLEY, CA	92551-3636	254.12	25.41	50.32	329.84
92046665003	485054008	MCGINNIS, GREGORY	24475	FILAREE AVE	MORENO VALLEY	CA	92551-3636	MCGINNIS, GREGORY	PO BOX 7036	MORENO VALLEY, CA	92552-7036	127.26	12.73	25.2	165.18
96121635007	485055008	BIVINS, LATANISIA MONIQUE	15207	PAIGE AVE	MORENO VALLEY	CA	92551-7670	BIVINS, LATANISIA MONIQUE	15207 PAIGE AVE	MORENO VALLEY, CA	92551-7670	274.29	27.43	54.31	356.02
31267955008	485055016	ABAD, JOSE L	15149	PAIGE AVE	MORENO VALLEY	CA	92551-3654	ABAD, JOSE L	15149 PAIGE AVE	MORENO VALLEY, CA	92551-3654	107.42	10.74	21.27	139.42
91573925003	485061002	RELEFORD, CRYSTAL	24524	BEAL AVE	MORENO VALLEY	CA	92551-4009	RELEFORD, CRYSTAL	24524 BEAL AVE	MORENO VALLEY, CA	92551-4009	253.92	25.39	50.28	329.58
91685485007	485061021	LEEPER, HENRY (OWNR)	15043	WINTERGREEN ST	MORENO VALLEY	CA	92551-4059	LEEPER, HENRY	PO BOX 1451	MORENO VALLEY, CA	92556-1451	28.92	2.89	5.73	37.52
95868385006	485062003	VEGA, MARIA AND LUIS (RENT)	24534	ELMENDORF DR	MORENO VALLEY	CA	92551-4013	VEGA, MARIA	24534 ELMENDORF DR	MORENO VALLEY, CA	92551-4013	254.12	25.41	50.32	329.84
92792213007	485062009	CARTER, JACK (OWNR)	24571	BEAL AVE	MORENO VALLEY	CA	92551-4008	CARTER, JACK (OWNR)	24571 BEAL AVE	MORENO VALLEY, CA	92551-4008	253.09	25.31	50.11	328.5
31227875009	485062014	ASHLINE, DALE	24511	BEAL AVE	MORENO VALLEY	CA	92551-4008	ASHLINE, DALE	24511 BEAL AVE	MORENO VALLEY, CA	92551-4008	394.15	39.42	78.04	511.6
94426355000	485064003	GREY, SHERRIE (OWNR)	24680	GOLDSTON CT	MORENO VALLEY	CA	92551-4092	GREY, SHERRIE	24680 GOLDSTON CT	MORENO VALLEY, CA	92551-4092	254.12	25.41	50.32	329.84
31311045006	485064006	ROSADO, VERENDA	24710	GOLDSTON CT	MORENO VALLEY	CA	92551-4060	ROSADO, VERENDA	24710 GOLDSTON CT	MORENO VALLEY, CA	92551-4060	190.58	19.06	37.74	247.38
75649975006	485064008	ALAMIO, JULIAN	24730	GOLDSTON CT	MORENO VALLEY	CA	92551-4060	ALAMIO, JULIAN	24730 GOLDSTON CT	MORENO VALLEY, CA	92551-4060	254.02	25.4	50.3	329.7
58838175008	485064021	HOFFMAN, ALEX	24700	PATRICIAN CT	MORENO VALLEY	CA	92551-4000	HOFFMAN, ALEX	24700 PATRICIAN CT	MORENO VALLEY, CA	92551-4000	254.02	25.4	50.3	329.7
31610465002	485071001	ABBYS ADOLESCENT DEVEL CTR	24510	VANDENBERG DR	MORENO VALLEY	CA	92551-4024	ABBYS ADOLESCENT DEVEL CTR	24510 VANDENBERG DR	MORENO VALLEY, CA	92551-4024	329.32	32.93	65.21	427.44
92722255005	485071007	BROWN, TAMALA (RENT)	24586	VANDENBERG DR	MORENO VALLEY	CA	92551-4024	BROWN, TAMALA	24586 VANDENBERG DR	MORENO VALLEY, CA	92551-4024	329.6	32.96	65.26	427.82
31625805009	485072002	MORENO, CHARLIE AND NORMA	15142	BATTON ST	MORENO VALLEY	CA	92551-4027	MORENO, CHARLIE AND NORMA	15142 BATTON ST	MORENO VALLEY, CA	92551-4027	254.02	25.4	50.3	329.7
31139655002	485072014	ROATH, MICHAEL	24680	GOLD STAR DR	MORENO VALLEY	CA	92551-4017	ROATH, MICHAEL	24680 GOLD STAR DR	MORENO VALLEY, CA	92551-4017	254.02	25.4	50.3	329.7
88216535006	485072017	SANDRA ROTH (OWNR)	24710	GOLD STAR DR	MORENO VALLEY	CA	92551-4088	SANDRA ROTH	1169 BROADWAY LN	HEMET, CA	92545-6218	254.12	25.41	50.32	329.84
31396435005	485072019	JOHNSON, JOSEPH (OWNR)	24699	HEATH CT	MORENO VALLEY	CA	92551-4097	JOHNSON, JOSEPH	24699 HEATH CT	MORENO VALLEY, CA	92551-4097	254.02	25.4	50.3	329.7
48545045000	485072023	HALL, KISHA	24659	HEATH CT	MORENO VALLEY	CA	92551-4097	HALL, KISHA	24659 HEATH CT	MORENO VALLEY, CA	92551-4097	254.02	25.4	50.3	329.7
31137775001	485072027	FREGOSO, LOUIS AND CAROL	24680	HEATH CT	MORENO VALLEY	CA	92551-4096	FREGOSO, LOUIS AND CAROL	24680 HEATH CT	MORENO VALLEY, CA	92551-4096	254.02	25.4	50.3	329.7
31413005008	485072028	GEORGE, MARIE	24690	HEATH CT	MORENO VALLEY	CA	92551-4096	GEORGE, MARIE	24690 HEATH CT	MORENO VALLEY, CA	92551-4096	254.02	25.4	50.3	329.7
95223125009	485072029	CRUMP, BILLY (RENT)	24700	HEATH CT	MORENO VALLEY	CA	92551-4003	CRUMP, BILLY	24700 HEATH CT	MORENO VALLEY, CA	92551-4003	63.63	6.36	12.6	82.58
56091275005	485072034	FUNDERBURY, KIT	24677	RUGBY LN	MORENO VALLEY	CA	92551-4022	FUNDERBURY, KIT	24677 RUGBY LN	MORENO VALLEY, CA	92551-4022	329.32	32.93	65.21	427.44
62865055008	485072035	PRICE, LANCE	24667	RUGBY LN	MORENO VALLEY	CA	92551-4022	PRICE, LANCE	24667 RUGBY LN	MORENO VALLEY, CA	92551-4022	254.12	25.41	50.32	329.84
31067585000	485074004	SPIGNER, DENISE	24568	FILAREE AVE	MORENO VALLEY	CA	92551-4015	SPIGNER, DENISE	24568 FILAREE AVE	MORENO VALLEY, CA	92551-4015	254.02	25.4	50.3	329.7
31601195008	485074005	HENARD, MYRNA	24584	FILAREE AVE	MORENO VALLEY	CA	92551-4015	HENARD, MYRNA	24584 FILAREE AVE	MORENO VALLEY, CA	92551-4015	404.62	40.46	80.11	525.18
31106275001	485075003	RICHMOND, GENE	24700	RUGBY LN	MORENO VALLEY	CA	92551-4029	RICHMOND, GENE	24700 RUGBY LN	MORENO VALLEY, CA	92551-4029	127.36	12.74	25.22	165.3
97498945003	485075009	PILOLA, ELAINE (RENT)	15178	BUKTON AVE	MORENO VALLEY	CA	92551-4019	PILOLA, ELAINE	15178 BUKTON AVE	MORENO VALLEY, CA	92551-4019	254.12	25.41	50.32	329.84
31105625000	485075012	HERNANDEZ, JUAN M	15214	BUKTON AVE	MORENO VALLEY	CA	92551-4085	HERNANDEZ, JUAN M	15214 BUKTON AVE	MORENO VALLEY, CA	92551-4085	254.02	25.4	50.3	329.7
98361945012	485081002	VASQUEZ, GILBERT (RENT)	15128	LAVERDA LN	MORENO VALLEY	CA	92551-4061	VASQUEZ, GILBERT	15128 LAVERDA LN	MORENO VALLEY, CA	92551-4061	94.12	9.41	18.64	122.16
97092855002	485081004	RIVERA, DALIA (RENT)	15104	LAVERDA LN	MORENO VALLEY	CA	92551-4061	RIVERA, DALIA	15104 LAVERDA LN	MORENO VALLEY, CA	92551-4061	254.12	25.41	50.32	329.84
91363245002	485081006	HENDERSON, SCOTT AND DEBBIE	24890	GREENLEE WAY	MORENO VALLEY	CA	92551-4067	HENDERSON, SCOTT AND DEBBIE	24890 GREENLEE WAY	MORENO VALLEY, CA	92551-4067	253.92	25.39	50.28	329.58
93577235007	485081015	MCCLURE, JULIE (RENT)	24793	AGUSTA DR	MORENO VALLEY	CA	92551-4036	MCCLURE, JULIE	24793 AGUSTA DR	MORENO VALLEY, CA	92551-4036	254.12	25.41	50.32	329.84
31576445000	485081016	SANCHEZ, ANNA	24809	AGUSTA DR	MORENO VALLEY	CA	92551-4031	SANCHEZ, ANNA	24809 AGUSTA DR	MORENO VALLEY, CA	92551-4031	254.12	25.41	50.32	329.84
87610635000	485083001	BACAJAL, FELIPE (RENT)	15152	NORTON LN	MORENO VALLEY	CA	92551-4066	BACAJAL, FELIPE	15665 LAS POSAS DR	MORENO VALLEY, CA	92551-1991	211.24	21.12	41.83	274.18
31593915006	485083007	ARREDONDO, DAVID	15141	PRENTICE WAY	MORENO VALLEY	CA	92551-4064	ARREDONDO, DAVID	15141 PRENTICE WAY	MORENO VALLEY, CA	92551-4064	100.02	10	19.8	129.82
92763125007	485084003	POWELL, SARAH	24778	AGUSTA DR	MORENO VALLEY	CA	92551-4035	POWELL, SARAH	24778 AGUSTA DR	MORENO VALLEY, CA	92551-4035	84.18	8.42	16.67	109.26
31558545007	485084006	VELASCO, MARIA	15053	NORTON LN	MORENO VALLEY	CA	92551-4058	VELASCO, MARIA	15053 NORTON LN	MORENO VALLEY, CA	92551-4058	254.02	25.4	50.3	329.7
92618505003	485091007	GARCIA, MARK (RENT)	15176	BLACK SHADOW DR	MORENO VALLEY	CA	92551-4083	GARCIA, MARK	15176 BLACK SHADOW DR	MORENO VALLEY, CA	92551-4083	126.96	12.7	25.14	164.78
63187155007	485091010	CHAVEZ, ROSARIO	15173	BLACK SHADOW DR	MORENO VALLEY	CA	92551-4082	CHAVEZ, ROSARIO	15173 BLACK SHADOW DR	MORENO VALLEY, CA	92551-4082	254.12	25.41	50.32	329.84
72337945002	485091012	NAVARRO, GUSTAVO	15197	BLACK SHADOW DR	MORENO VALLEY	CA	92551-4082	NAVARRO, GUSTAVO	15197 BLACK SHADOW DR	MORENO VALLEY, CA	92551-4082	254.02	25.4	50.3	329.7
94306463001	485091017	STANDIFER, TERRESE (RENT)	15248	LAVERDA LN	MORENO VALLEY	CA	92551-4026	STANDIFER, TERRESE	15248 LAVERDA LN	MORENO VALLEY, CA	92551-4026	199.36	19.94	39.47	258.76
97797775003	485091025	MAHIE, FILIPE (OWNR)	15152	LAVERDA LN	MORENO VALLEY	CA	92551-4061	MAHIE, FILIPE	15152 LAVERDA LN	MORENO VALLEY, CA	92551-4061	254.12	25.41	50.32	329.84
31463895006	485092006	FOREMAN SR, GEORGE H	15153	LAVERDA LN	MORENO VALLEY	CA	92551-4062	FOREMAN SR, GEORGE H	15153 LAVERDA LN	MORENO VALLEY, CA	92551-4062	229.02	22.9	45.35	297.26
88397975001	485093007	ROBERSON, KATRINA (RENT)	15176	NORTON LN	MORENO VALLEY	CA	92551-4066	ROBERSON, KATRINA	15176 NORTON LN	MORENO VALLEY, CA	92551-4066	124.09	12.41	24.57	161.06
65742825007	485093013	FERGUSON, ALICE	15201	PRENTICE WAY	MORENO VALLEY	CA	92551-0908	FERGUSON, ALICE	25299 ALESSANDRO BLVD APT 214	MORENO VALLEY, CA	92553-6546	254.12	25.41	50.32	329.84

MV00168203

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
31596765000	485093014	MOHAMED, ALLEX	24795	MATTUS WAY	MORENO VALLEY	CA	92551-0902	MOHAMED, ALLEX	24795 MATTUS WAY	MORENO VALLEY, CA	92551-0902	254.02	25.4	50.3	329.7
74453235004	485093015	APARICIO, JESUS AND JOSEPHINA	24811	MATTUS WAY	MORENO VALLEY	CA	92551-4011	APARICIO, JESUS AND JOSEPHINA	24811 MATTUS WAY	MORENO VALLEY, CA	92551-4011	254.02	25.4	50.3	329.7
73899145008	485093017	LOPEZ, MIRLAN	24843	MATTUS WAY	MORENO VALLEY	CA	92551-4011	LOPEZ, MIRLAN	24843 MATTUS WAY	MORENO VALLEY, CA	92551-4011	254.02	25.4	50.3	329.7
94931995005	485093020	CARTER, SHIMARJU AND OSCAR	24891	MATTUS WAY	MORENO VALLEY	CA	92551-4011	CARTER, SHIMARJU AND OSCAR	24891 MATTUS WAY	MORENO VALLEY, CA	92551-4011	250.49	25.05	49.6	325.12
96988275004	485093022	GUTIERREZ, MAYRA (RENT)	24874	GOLD STAR DR	MORENO VALLEY	CA	92551-4018	GUTIERREZ, MAYRA	24874 GOLD STAR DR	MORENO VALLEY, CA	92551-4018	254.12	25.41	50.32	329.84
31522375008	485101007	GENTLE, TRINA	24875	GOLD STAR DR	MORENO VALLEY	CA	92551-4039	GENTLE, TRINA	24875 GOLD STAR DR	MORENO VALLEY, CA	92551-4039	254.02	25.4	50.3	329.7
91099205000	485101011	MEJIA, VICTOR	24827	GOLD STAR DR	MORENO VALLEY	CA	92551-4038	MEJIA, VICTOR	24827 GOLD STAR DR	MORENO VALLEY, CA	92551-4038	63.93	6.39	12.66	82.98
92266048008	485101013	ALLEN, BEVERLY (RENT)	24803	GOLD STAR DR	MORENO VALLEY	CA	92551-4038	ALLEN, BEVERLY	24803 GOLD STAR DR	MORENO VALLEY, CA	92551-4038	187.73	18.77	37.17	243.66
95852205008	485101022	DE LARA, SUSAN (RENT)	15335	BLACK SHADOW DR	MORENO VALLEY	CA	92551-4042	DE LARA, SUSAN	15335 BLACK SHADOW DR	MORENO VALLEY, CA	92551-4042	130.56	13.06	25.85	169.46
31070385006	485101033	ROSALES, ELVIA	15342	SWARENS CT	MORENO VALLEY	CA	92551-4028	ROSALES, ELVIA	15342 SWARENS CT	MORENO VALLEY, CA	92551-4028	26.74	2.67	5.29	34.7
31509885008	485101035	BRYANT, WILLIAM	15312	SWARENS CT	MORENO VALLEY	CA	92551-4028	BRYANT, WILLIAM	15312 SWARENS CT	MORENO VALLEY, CA	92551-4028	254.12	25.41	50.32	329.84
31474365004	485101039	HELLER, RANDOLPH AND MARILYN	15299	SWARENS CT	MORENO VALLEY	CA	92551-4044	HAMPTON, LANDRY	15299 SWARENS CT	MORENO VALLEY, CA	92551-4044	276.03	27.6	54.65	358.28
76251545005	485101042	SANCHEZ, JAQUELYN (RENT)	15343	SWARENS CT	MORENO VALLEY	CA	92551-4030	SANCHEZ, JAQUELYN	15343 SWARENS CT	MORENO VALLEY, CA	92551-4030	329.32	32.93	65.21	427.44
31640455001	485101051	DE LA RIVA, ISAIS (ACTIVE)	15327	WITCZAK CT	MORENO VALLEY	CA	92551-4077	DE LA RIVA, ISAIS	15327 WITCZAK	MORENO VALLEY, CA	92551-4077	254.02	25.4	50.3	329.7
91944873008	485102001	HERNANDEZ, PATRICIA (RENT)	15262	BLACK SHADOW DR	MORENO VALLEY	CA	92551-4041	HERNANDEZ, PATRICIA (RENT)	15262 BLACK SHADOW DR	MORENO VALLEY, CA	92551-4041	118.69	11.87	23.5	154.04
31097685006	485103003	DEAN, ANN	24795	FAY AVE	MORENO VALLEY	CA	92551-4073	DEAN, ANN	24795 FAY AVE	MORENO VALLEY, CA	92551-4073	329.6	32.96	65.26	427.82
31645255002	485103005	DURIO, MARION (OWNR)	24819	FAY AVE	MORENO VALLEY	CA	92551-4001	DURIO, MARION	24819 FAY AVE	MORENO VALLEY, CA	92551-4001	171.72	17.17	34	222.88
96812795007	485103007	BLUITT, LATOYA	24843	FAY AVE	MORENO VALLEY	CA	92551-4001	BLUITT, LATOYA	24843 FAY AVE	MORENO VALLEY, CA	92551-4001	181.99	18.19	36.02	236.14
31069615000	485103013	ONTIVEROS, MARTIN	24915	FAY AVE	MORENO VALLEY	CA	92551-4046	ONTIVEROS, MARTIN	24915 FAY AVE	MORENO VALLEY, CA	92551-4046	329.6	32.96	65.26	427.82
31456345006	485131002	MACIAS, LETICIA	24522	FAY AVE	MORENO VALLEY	CA	92551-4048	MACIAF, LETICIA	24522 FAY AVE	MORENO VALLEY, CA	92551-4048	100.12	10.01	19.82	129.94
94889563005	485131007	ROBERSON, LINDSEY (RENT)	24580	FAY AVE	MORENO VALLEY	CA	92551-4047	ROBERSON, LINDSEY	24580 FAY AVE	MORENO VALLEY, CA	92551-4047	182.39	18.24	36.11	236.74
91578845009	485131011	HAIGHT, BRENDA	24624	FAY AVE	MORENO VALLEY	CA	92551-4072	HAIGHT, BRENDA	24624 FAY AVE	MORENO VALLEY, CA	92551-4072	254.12	25.41	50.32	329.84
94011893007	485132007	CARDONA, EUSEBIO (RENT)	24735	GOLD STAR DR	MORENO VALLEY	CA	92551-4055	CARDONA, EUSEBIO	24735 GOLD STAR DR	MORENO VALLEY, CA	92551-4055	127.46	12.75	25.24	165.44
99022013000	485132008	GEORGE, ALEXANDRA (RENT)	24745	GOLD STAR DR	MORENO VALLEY	CA	92551-4055	GEORGE, ALEXANDRA	24745 GOLD STAR DR	MORENO VALLEY, CA	92551-4055	94.48	9.45	18.71	122.62
31357795001	485132009	CLARKE, EMMA	24676	TALBOT CT	MORENO VALLEY	CA	92551-0911	CLARKE, EMMA	24676 TALBOT CT	MORENO VALLEY, CA	92551-0911	190.69	19.07	37.76	247.5
101716303006	485132014	PARKER, PATRICIA AND RONALD (O	24728	TALBOT CT	MORENO VALLEY	CA	92551-4056	AURELIO, LARRY	24728 TALBOT CT	MORENO VALLEY, CA	92551-4056	97.48	9.75	19.3	126.52
76352565006	485132016	NEAL, DEBORAH	24742	TALBOT CT	MORENO VALLEY	CA	92551-4056	NEAL, DEBORAH	24742 TALBOT CT	MORENO VALLEY, CA	92551-4056	254.02	25.4	50.3	329.7
87787705001	485132018	OWENS, GERALDINE	24739	TALBOT CT	MORENO VALLEY	CA	92551-4057	OWENS, GERALDINE	24739 TALBOT CT	MORENO VALLEY, CA	92551-4057	329.6	32.96	65.26	427.82
31564715009	485132023	FAIR, JOHN	24687	TALBOT CT	MORENO VALLEY	CA	92551-0912	FAIR, JOHN	24687 TALBOT CT	MORENO VALLEY, CA	92551-0912	254.02	25.4	50.3	329.7
31288645000	485132026	COLLINS, PETER	24688	FAY AVE	MORENO VALLEY	CA	92551-4074	COLLINS, PETER	9445 WEBSTER RD	CAMDEN ON GAULEY, WV	26208-9792	254.12	25.41	50.32	329.84
87981495004	485133003	GALVEZ, BRIDGET	24727	FAY AVE	MORENO VALLEY	CA	92551-4045	GALVEZ, BRIDGET	24727 FAY AVE	MORENO VALLEY, CA	92551-4045	254.12	25.41	50.32	329.84
52185815006	485133012	BARRETT, DEENA	24621	FAY AVE	MORENO VALLEY	CA	92551-4049	BARRETT, DEENA	24621 FAY AVE	MORENO VALLEY, CA	92551-4049	329.6	32.96	65.26	427.82
31390285009	485133016	HUERTA, LEONARDO	15466	HERNE CT	MORENO VALLEY	CA	92551-4050	HUERTA, LEONARDO	15466 HERNE CT	MORENO VALLEY, CA	92551-4050	254.02	25.4	50.3	329.7
31510835007	485134005	SNOOK, CHERYL	15391	HERNE CT	MORENO VALLEY	CA	92551-4075	SNOOK, CHERYL	15391 HERNE CT	MORENO VALLEY, CA	92551-4075	254.02	25.4	50.3	329.7
62190785000	485141003	RECORD, RAYNELL	24436	STACEY AVE	MORENO VALLEY	CA	92551-3644	RECORD, RAYNELL	14425 WINDMILL CIR	VICTORVILLE, CA	92394-6951	192.56	19.26	38.13	249.94
31146845008	485141027	HAUGHTON, JAMES H	24496	KATRINA AVE	MORENO VALLEY	CA	92551-3665	HAUGHTON, JAMES H	24496 KATRINA AVE	MORENO VALLEY, CA	92551-3665	254.02	25.4	50.3	329.7
86756085007	485142002	VALDEZ, RAUL	24397	STACEY AVE	MORENO VALLEY	CA	92551-3645	VALDEZ, RAUL	24397 STACEY AVE	MORENO VALLEY, CA	92551-3645	174.02	17.4	34.46	225.86
31286345007	485142004	ORTIZ, MARTIN AND MARLENA	24381	STACEY AVE	MORENO VALLEY	CA	92551-3645	ORTIZ, MARTIN AND MARLENA	24381 STACEY AVE	MORENO VALLEY, CA	92551-3645	254.02	25.4	50.3	329.7
92502785000	485142005	SHAO, MING	24373	STACEY AVE	MORENO VALLEY	CA	92551-3645	SHAO, MING	24373 STACEY AVE	MORENO VALLEY, CA	92551-3645	254.02	25.4	50.3	329.7
91328685002	485142010	HUERTA, RAYMOND	24333	STACEY AVE	MORENO VALLEY	CA	92551-3645	HUERTA, RAYMOND	24333 STACEY AVE	MORENO VALLEY, CA	92551-3645	253.92	25.39	50.28	329.58
31257935004	485142014	HARRY, RICHARD	24297	STACEY AVE	MORENO VALLEY	CA	92551-7679	HARRY, RICHARD	PO BOX 7443	MORENO VALLEY, CA	92552-7443	253.92	25.39	50.28	329.58
31072805004	485142016	BARON, ROBERT	15312	THERESA AVE	MORENO VALLEY	CA	92551-3670	BARON, ROBERT	15312 THERESA AVE	MORENO VALLEY, CA	92551-3670	254.02	25.4	50.3	329.7
91366263000	485142017	CORONA, JAZMINE (RENT)	15322	THERESA AVE	MORENO VALLEY	CA	92551-3670	CORONA, JAZMINE	15322 THERESA AVE	MORENO VALLEY, CA	92551-3670	282.35	28.24	55.91	366.48
92492855009	485142018	RAMIREZ, AMELIA	15332	THERESA AVE	MORENO VALLEY	CA	92551-3670	RAMIREZ, AMELIA	15332 THERESA AVE	MORENO VALLEY, CA	92551-3670	254.02	25.4	50.3	329.7
98224665010	485142022	GARCIA, KIMBERLY (RENT)	15364	THERESA AVE	MORENO VALLEY	CA	92551-3670	GARCIA, KIMBERLY	22440 MOUNTAIN VIEW RD	MORENO VALLEY, CA	92557-2655	84.49	8.45	16.73	109.66
96080535006	485142032	DELACRUZ, ROSA LINDA (RENT)	24360	KATRINA AVE	MORENO VALLEY	CA	92551-3666	DELACRUZ, ROSA LINDA	13975 GAYE ST	MORENO VALLEY, CA	92553-	244.13	24.41	48.34	316.88
31550045009	485142033	WHITTINGTON, VICTORIA	24370	KATRINA AVE	MORENO VALLEY	CA	92551-3666	WHITTINGTON, VICTORIA	24370 KATRINA AVE	MORENO VALLEY, CA	92551-3666	254.02	25.4	50.3	329.7
96149203008	485142037	HARLEY, ALICIA (RENT)	24408	KATRINA AVE	MORENO VALLEY	CA	92551-7683	HARLEY, ALICIA (RENT)	24408 KATRINA AVE	MORENO VALLEY, CA	92551-7683	185.85	18.59	36.8	241.22
96058255000	485142042	DANIEL, PERRY (RENT)	24340	STACEY AVE	MORENO VALLEY	CA	92551-3643	DANIEL, PERRY	15928 PERRIS BLVD STE E	MORENO VALLEY, CA	92551-4693	254.12	25.41	50.32	329.84
31356505004	485143003	RAMIREZ, DORA AND IGNACIA	24348	STACEY AVE	MORENO VALLEY	CA	92551-3643	RAMIREZ, DORA AND IGNACIA	24348 STACEY AVE	MORENO VALLEY, CA	92551-3643	154.02	15.4	30.5	199.9
31427795002	485144001	PEREZ, ELIAS	24310	STACEY AVE	MORENO VALLEY	CA	92551-7678	PEREZ, ELIAS	24310 STACEY AVE	MORENO VALLEY, CA	92551-7678	254.02	25.4	50.3	329.7
75049845001	485144003	GUERRERO, TOMAS AND ALBA	24282	STACEY AVE	MORENO VALLEY	CA	92551-3642	GUERRERO, TOMAS AND ALBA	24282 STACEY AVE	MORENO VALLEY, CA	92551-3642	254.02	25.4	50.3	329.7
31607895008	485144007	DEANDA, ANNA	15281	THERESA AVE	MORENO VALLEY	CA	92551-7689	DEANDA, ANNA	15281 THERESA AVE	MORENO VALLEY, CA	92551-7689	254.02	25.4	50.3	329.7
77534765006	485144010	MARTINEZ, PRISCILLA	15309	THERESA AVE	MORENO VALLEY	CA	92551-3667	MARTINEZ, PRISCILLA	15309 THERESA AVE	MORENO VALLEY, CA	92551-3667	254.02	25.4	50.3	329.7
97280535001	485144011	MARQUEZ, VERONICA (RENT)	15317	THERESA AVE	MORENO VALLEY	CA	92551-3667	MARQUEZ, VERONICA	15303 VENTURA BLVD STE 1095	SHERMAN OAKS, CA	91403-5869	26.67	2.67	5.28	34.6
97982425005	485144015	GRAY, ALIKIA	15349	THERESA AVE	MORENO VALLEY	CA	92551-3667	GRAY, ALIKIA	15349 THERESA AVE	MORENO VALLEY, CA	92551-3667	329.6	32.96	65.26	427.82
96288845000	485145006	COOPER, BRANDON (OWNR)	24391	KATRINA AVE	MORENO VALLEY	CA	92551-3663	COOPER, BRANDON	24258 STATE HIGHWAY 74	PERRIS, CA	92570-8113	211.93	21.19	41.96	275.08
55275985006	485145010	ORTIZ, JULIO	24417	KATRINA AVE	MORENO VALLEY	CA	92551-3664	ORTIZ, JULIO	24198 RADWELL DR	MORENO VALLEY, CA	92553-3393	254.02	25.4	50.3	329.7
31331975008	485145018	HORNER, MARIE	24487	KATRINA AVE	MORENO VALLEY	CA	92551-3664	HORNER, MARIE	24487 KATRINA AVE	MORENO VALLEY, CA	92551-3664	254.02	25.4	50.3	329.7
92845115004	485151005	SMITH, ALISA	24062	POPPYSTONE DR	MORENO VALLEY	CA	92551-7604	SMITH, ALISA	24062 POPPYSTONE DR	MORENO VALLEY, CA	92551-7604	67.36	6.74	13.34	87.42
31572545008	485151006	SMITH, CHERYL LYNN	24070	POPPYSTONE DR	MORENO VALLEY	CA	92551-7604	SMITH, CHERYL LYNN	24070 POPPYSTONE DR	MORENO VALLEY, CA	92551-7604	134.02	13.4	26.54	173.94
96058475004	485151010	GARCIA, EDWIN (RENT)	24100	POPPYSTONE DR	MORENO VALLEY	CA	92551-5120	GARCIA, EDWIN	24100 POPPYSTONE DR	MORENO VALLEY, CA	92551-5120	60.63	6.06	12	78.68
31224675008	485151021	EMEZUO, HENRY	24188	POPPYSTONE DR	MORENO VALLEY	CA	92551-5121	EMEZUO, HENRY	24188 POPPYSTONE DR	MORENO VALLEY, CA	92551-5121	254.02	25.4	50.3	329.7
55633895001	485151027	RINCON, RAFAEL AND ARACELI	15250	CANYONSTONE DR	MORENO VALLEY	CA	92551-7659	RINCON, RAFAEL AND ARACELI	15250 CANYONSTONE DR	MORENO VALLEY, CA	92551-7659	227.36	22.74	45.02	295.1
31586675005	485151028	JIMENEZ, JOSE M	15270	CANYONSTONE DR	MORENO VALLEY	CA	92551-7659	JIMENEZ, JOSE M	15270 CANYONSTONE DR	MORENO VALLEY, CA	92551-7659	254.02	25.4	50.3	329.7
96131935003	485152007	ADAMS, JENNIFER (RENT)	24077	POPPYSTONE DR	MORENO VALLEY	CA	92551-7608	ADAMS, JENNIFER	16224 SKYWOOD CT	MORENO VALLEY, CA	92551-7234	187.69	18.77	37.16	243.62
31054165006	485152008	PARRAS, NINA	24085	POPPYSTONE DR	MORENO VALLEY	CA	92551-7608	PARRAS, NINA	24085 POPPYSTONE DR	MORENO VALLEY, CA	92551-7603	154.02	15.4	30.5	199.9
96668885004	485152010	HOLMES, COURTNEY (RENT)	24101	POPPYSTONE DR	MORENO VALLEY	CA	92551-5119	HOLMES, COURTNEY	45648 CORTE LOBOS	TEMECULA, CA	92592-1233	254.12	25.41	50.32	329.84
62400285008	485152014	COAUSTRO, ADAM	24076	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7613	COAUSTRO, ADAM	461 10TH ST E	POMONA, CA	91766-3447	254.12	25.41	50.32	329.84
31645365009	485152015	RHYNES, ANDREW	24070	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7613	RHYNES, ANDREW	24070 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7613	329.32	32.93	65.21	427.44
94313225008	485152028	MOORE, CHANEL (RENT)	24101	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7600	MOORE, CHANEL	24101 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7600	51.24	5.12	10.15	66.5
90036735002	485152036	TOFA, OWEN	24163	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7617	TOFA, OWEN	24163 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7617	189.59	18.96	37.54	246.08
31433145007	485152038	PATRIARCO, JUSTIN	24179	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7617	PATRIARCO, JUSTIN	24179 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7617	254.02	25.4	50.3	329.7
74672665008	485152040	BURNS, DEBRA A	24193	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7617	BURNS, DEBRA A	24193 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7617	254.02	25.4	50.3	329.7
81175825000	485153003	MARTIN, SHARRON	24179	POPPYSTONE DR	MORENO VALLEY	CA	92551-7634	MARTIN, SHARRON	24179 POPPYSTONE DR	MORENO VALLEY, CA	92551-7634	254.02	25.4	50.3	329.7
31354825002	485153005	VALDEZ, JOSE	24163	POPPYSTONE DR	MORENO VALLEY	CA	92551-7644	VALDEZ, JOSE	24163 POPPYSTONE DR	MORENO VALLEY, CA	92551-7644	114.02	11.4	22.58	147.98
97106595005	485153014	COLVIN, AMBER	24146	STONEBRIDGE CT	MORENO VALLEY	CA	92551-7625	COLVIN, AMBER	24146 STONEBRIDGE CT	MORENO VALLEY, CA	92551-7625	127.46	12.75	25.24	165.44
95327305000	485153021	CEBALLOS, ADRIANA (RENT)	15325	CANYONSTONE DR	MORENO VALLEY	CA	92551-7660	CEBALLOS, ADRIANA	15325 CANYONSTONE DR	MORENO VALLEY, CA	92551-7660	253.74	25.37	50.24	329.34
31534475002	485161001	GALINDO, IGNACIO (OWNR)	15429	FUGATE CT	MORENO VALLEY	CA	92551-3608	GALINDO, IGNACIO	15429 FUGATE CT	MORENO VALLEY, CA	92551-3608	190.39	19.04	37.7	247.12
31136035009	485161006	MORENO, SAV	15396	FUGATE CT	MORENO VALLEY	CA	92551-7661	MORENO, SAV	31749 CANYON RIDGE DR	LAKE ELSINORE, CA	92532-0421	254.02	25.4	50.3	329.7
31137135006	485161010	REYNOLDS, THELMA	15438	FUGATE CT	MORENO VALLEY	CA	92551-3619	REYNOLDS, THELMA	15438 FUGATE CT	MORENO VALLEY, CA	92551-3619	254.02	25.4	50.3	329.7
31204185003	485161011	ABEL, TIM	15446	FUGATE CT	MORENO VALLEY	CA	92551-3619	ABEL, TIM	15446 FUGATE CT	MORENO VALLEY, CA	92551-3619	254.02	25.4	50.3	329.7
68408415008	485161015	ROBLES, GABRIEL	15437	TIFFIN CT	MORENO VALLEY	CA	92551-3616	ROBLES, GABRIEL	15437 TIFFIN CT	MORENO VALLEY, CA	92551-3616	254.12	25.41	50.32	329.84
88326963002	485161018	SANCHEZ, STEPHANIE (RENT)	15413	TIFFIN CT	MORENO VALLEY	CA	92551-3616	SANCHEZ, STEPHANIE	15413 TIFFIN CT	MORENO VALLEY, CA	92551-3616	27.46	2.75	5.44	35.64
31103845009	485161019	AHLEFELD, HOWARD AND CAROL	15395	TIFFIN CT	MORENO VALLEY	CA	92551-5124	AHLEFELD, HOWARD AND CAROL	15395 TIFFIN CT	MORENO VALLEY, CA	92551-5124	254.02	25.4	50.3	329.7
91734363008	485161021	PERRY, JOEY (RENT)	15380	TIFFIN CT	MORENO VALLEY	CA	92551-5123	PERRY, JOEY	15380 TIFFIN CT	MORENO VALLEY, CA	92551-5123	266.17	26.62	52.7	345.48
98285305017	485161027	GARIBAY, HECTOR (RENT)	15446	TIFFIN CT	MORENO VALLEY	CA	92551-3616	GARIBAY, HECTOR	15446 TIFFIN CT	MORENO VALLEY, CA	92551-3616	190.49	19.05	37.72	247.24
90008848008	485161029	BARNES, WILLIE (RENT)	15449	GEMSTONE CT	MORENO VALLEY	CA	92551-3603	BARNES, WILLIE	15449 GEMSTONE CT	MORENO VALLEY, CA	92551-3603	121.76	12.18	24.11	158.04
31146425006	485161030	PEHKONEN, NANCY	15445	GEMSTONE CT	MORENO VALLEY	CA	92551-3603	PEHKONEN, NANCY	577 1ST APT 15	CRESCENT CITY, CA	95531-3838	254.52	25.45	50.4	330.36
92657323009	485161035	CHESNUT, LAURA	15395	GEMSTONE CT	MORENO VALLEY	CA	92551-5117	ROWSHAN, HAMID	15395 GEMSTONE CT	MORENO VALLEY, CA	92551-5117	414.72	41.47	82.11	538.3
89700773007	485161041	OCHOA, JESSE OMAR, VALDOVINO L	15430	GEMSTONE CT	MORENO VALLEY	CA	92551-5118	OCHOA, JESSE OMAR, VALDOVINO L	11381 BRIGHT STAR TRL	MORENO VALLEY, CA	92557-5617	420.76	42.08	83.31	546.14
96129955002	485161054	CAMPOS, MICHAEL DANKO (OWNR)	15385	CANYONSTONE DR	MORENO VALLEY	CA	92551-7639	CAMPOS, MICHAEL DANKO	15385 CANYONSTONE DR	MORENO VALLEY, CA	92551-7639	63.63	6.36	12.6	82.58
31267705001	485162001	LEON, ARMANDO	15360	CANYONSTONE DR	MORENO VALLEY	CA	92551-7628	LEON, ARMANDO	15360 CANYONSTONE DR	MORENO VALLEY, CA	92551-7628	190.59	19.06	37.74	247.38
95906475005	485162005	NOLEN, OLIVE AND ROYCE (RENT)	15400	CANYONSTONE DR	MORENO VALLEY	CA	92551-7658	NOLEN, OLIVE AND ROYCE	PO BOX 9133	MORENO VALLEY, CA	92552-9133	202.25	20.23	40.05	262.52
31137425005	485162008	JENSEN, TINA M	15422	CANYONSTONE DR	MORENO VALLEY	CA	92551-7658	JENSEN, TINA M	15422 CANYONSTONE DR	MORENO VALLEY, CA	92551-7658	254.12	25.41	50.32	329.84
92626085004	485162011	HOLMES, ANDREW AND APRIL	15440	CANYONSTONE DR	MORENO VALLEY	CA	92551-7629	HOLMES, ANDREW AND APRIL	15440 CANYONSTONE DR	MORENO VALLEY, CA	92551-7629	37.49	3.75	7.42	48.66
97511815000	485162016	BARRIO, CHRISTOPHER (RENT)	15482	CANYONSTONE DR	MORENO VALLEY	CA	92551-7629	BARRIO, CHRISTOPHER	15482 CANYONSTONE DR	MORENO VALLEY, CA	92551-7629	60.09	6.01	11.9	77.98
31592365009	485163002	PEREZ, ALVARO	24111	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3604	PEREZ, ALVARO	24111 PUDDINGSTONE DR	MORENO VALLEY, CA	92551-3604	136.37	13.64	27	177
94705135004	485163006	GILBERT, CHRISTINE (RENT)	24071	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3620	GILBERT, CHRISTINE	24071 PUDDINGSTONE DR	MORENO VALLEY, CA	92551-3620	254.12	25.41	50.32	329.84
101471633009	485163012	HAYES, KEITH (RENT)	24011	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3620	HAYES, KEITH (RENT)	24011 PUDDINGSTONE DR	MORENO VALLEY, CA	92551-3620	97.25	9.73	19.26	126.22
97402175006	485163013	HAYES, KEITH (RENT)	15491	FUGATE CT	MORENO VALLEY	CA	92551-3618	HAYES, KEITH	24011 PUDDINGSTONE DR	MORENO VALLEY, CA	92551-3620	168.38	16.84	33.34	218.54

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
98294905001	485163014	BELL, JUDITH	15461	FUGATE CT	MORENO VALLEY	CA	92551-3618	BELL, JUDITH	15461 FUGATE CT	MORENO VALLEY, CA	92551-3618	254.02	25.4	50.3	329.7
97335135007	485163020	BELL, CAMERON (RENT)	24181	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3621	BELL, CAMERON	24181 PUDDINGSTONE DR	MORENO VALLEY, CA	92551-3621	187.45	18.75	37.12	243.3
53905245006	485163024	ROBLES, DANIEL	24141	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3621	ROBLES, DANIEL	PO BOX 690304	TULSA, OK	74169-0304	254.02	25.4	50.3	329.7
52185745001	485163025	OWENS, MARISSA	24131	PUDDINGSTONE DR	MORENO VALLEY	CA	92551-3621	OWENS, MARISSA	PO BOX 10891	SAN BERNARDINO, CA	92423-0891	329.32	32.93	65.21	427.44
56091015000	485172001	BALZ, MARY	24280	DYNA PL	MORENO VALLEY	CA	92551-7684	BALZ, MARY	24280 DYNA PL	MORENO VALLEY, CA	92551-7684	254.02	25.4	50.3	329.7
94892915006	485173001	MORALES, JACQUELINE (OWNR)	24346	DYNA PL	MORENO VALLEY	CA	92551-3676	MORALES, JACQUELINE	24346 DYNA PL	MORENO VALLEY, CA	92551-3676	254.12	25.41	50.32	329.84
31387495001	485173004	MILLS, SANDRA G	24372	DYNA PL	MORENO VALLEY	CA	92551-3676	RHONDA AMAIOYI	24372 DYNA PL	MORENO VALLEY, CA	92551-3676	79.02	7.9	15.65	102.56
31137765003	485173005	IRBY, CLIFFORD	24378	DYNA PL	MORENO VALLEY	CA	92551-3676	IRBY, CLIFFORD	24378 DYNA PL	MORENO VALLEY, CA	92551-3676	254.02	25.4	50.3	329.7
90616963002	485173007	EASLEY, KENNETTE	24394	DYNA PL	MORENO VALLEY	CA	92551-3676	EASLEY, KENNETTE	24394 DYNA PL	MORENO VALLEY, CA	92551-3676	306.98	30.7	60.78	398.46
89941045001	485173008	HIDALGO, NELSON	24404	DYNA PL	MORENO VALLEY	CA	92551-7686	HIDALGO, NELSON	24404 DYNA PL	MORENO VALLEY, CA	92551-7686	253.92	25.39	50.28	329.58
31150455001	485173016	CARISOZA, SHARON AND DEBRA	24379	DYNA PL	MORENO VALLEY	CA	92551-3678	CARISOZA, SHARON AND DEBRA	24379 DYNA PL	MORENO VALLEY, CA	92551-3678	329.32	32.93	65.21	427.44
81505405006	485173020	CARLOS, SIMON	24347	DYNA PL	MORENO VALLEY	CA	92551-3678	CARLOS, SIMON	24347 DYNA PL	MORENO VALLEY, CA	92551-3678	351.05	35.11	69.51	455.66
49897825000	485173036	IGBINOSA, JIMIE	15411	BANDY CT	MORENO VALLEY	CA	92551-7693	IGBINOSA, JIMIE	24586 NORTHERN DANCE DR	MORENO VALLEY, CA	92551-7461	254.02	25.4	50.3	329.7
94668925008	485173037	CANTELLI, KRISTIE (OWNR)	15401	BANDY CT	MORENO VALLEY	CA	92551-7693	CANTELLI, KRISTIE	15401 BANDY CT	MORENO VALLEY, CA	92551-7693	254.12	25.41	50.32	329.84
31281985003	485173046	RICHARDSON, NAOMI	15436	BANDY CT	MORENO VALLEY	CA	92551-3671	RICHARDSON, NAOMI	15436 BANDY CT	MORENO VALLEY, CA	92551-3671	329.32	32.93	65.21	427.44
88969663002	485174005	BUI, THIN (RENT)	15449	JULIE AVE	MORENO VALLEY	CA	92551-3661	BUI, THIN	15449 JULIE AVE	MORENO VALLEY, CA	92551-3661	329.6	32.96	65.26	427.82
60721525009	485174011	ARELLANO, RODOLFO	24301	DYNA PL	MORENO VALLEY	CA	92551-3677	ARELLANO, RODOLFO	20535 MAGNOLIA AVE	NUEVO, CA	92567-9255	329.6	32.96	65.26	427.82
95917435001	485174014	JACKSON, WALTER	15436	THERESA AVE	MORENO VALLEY	CA	92551-3648	JACKSON, WALTER	615 SAN ROGELIO ST	HEMET, CA	92545-2436	254.12	25.41	50.32	329.84
95028505002	485174017	WELCH, JASON (RENT)	15458	THERESA AVE	MORENO VALLEY	CA	92551-3648	WELCH, JASON	2442 IOWA AVE APT F4	RIVERSIDE, CA	92507-2872	221.96	22.2	43.95	288.1
96351655005	485175010	STIGER, ANTHONY (RENT)	24423	CAROLEE AVE	MORENO VALLEY	CA	92551-3674	STIGER, ANTHONY	24423 CAROLEE AVE	MORENO VALLEY, CA	92551-3674	254.12	25.41	50.32	329.84
92647225001	485175011	SCOTT, VANESSA (RENT)	24433	CAROLEE AVE	MORENO VALLEY	CA	92551-3674	SCOTT, VANESSA	24433 CAROLEE AVE	MORENO VALLEY, CA	92551-3674	222.91	22.29	44.14	289.32
31545265002	485175019	PANTOJA, CLEMENTE	15466	BANDY CT	MORENO VALLEY	CA	92551-3672	PANTOJA, CLEMENTE	15466 BANDY CT	MORENO VALLEY, CA	92551-3672	253.92	25.39	50.28	329.58
75041755006	485181013	GUTIERREZ, JOSE A AND MARIA D	24418	ELECTRA CT	MORENO VALLEY	CA	92551-6914	GUTIERREZ, JOSE A AND MARIA D	24418 ELECTRA CT	MORENO VALLEY, CA	92551-6914	254.02	25.4	50.3	329.7
31064215005	485181018	HIERS, RADENE	24460	ELECTRA CT	MORENO VALLEY	CA	92551-6904	HIERS, RADENE	24460 ELECTRA CT	MORENO VALLEY, CA	92551-6904	329.32	32.93	65.21	427.44
61178225004	485181028	SEPULVEDA, OSCAR M	24435	ELECTRA CT	MORENO VALLEY	CA	92551-6905	SEPULVEDA, OSCAR M	24435 ELECTRA CT	MORENO VALLEY, CA	92551-6905	54.06	5.41	10.7	70.16
72770015009	485181031	LERMA, ROGELIO	24411	ELECTRA CT	MORENO VALLEY	CA	92551-6905	LERMA, ROGELIO	24411 ELECTRA CT	MORENO VALLEY, CA	92551-6905	254.02	25.4	50.3	329.7
75051825001	485181033	URIARTE, LYDIA M	24428	ROBIE CT	MORENO VALLEY	CA	92551-6910	URIARTE, LYDIA M	24379 ELECTRA CT	MORENO VALLEY, CA	92551-6902	262.02	26.2	51.88	340.1
90743543003	485181038	GONZALES, CARLOS	24468	ROBIE CT	MORENO VALLEY	CA	92551-6910	GONZALES, CARLOS	24468 ROBIE CT	MORENO VALLEY, CA	92551-6910	257.45	25.75	50.98	334.16
96192315005	485181046	RAZO, JUANA (RENT)	24461	ROBIE CT	MORENO VALLEY	CA	92551-6911	RAZO, JUANA	24461 ROBIE CT	MORENO VALLEY, CA	92551-6911	254.12	25.41	50.32	329.84
50394235008	485181049	GLANCY, MAUREEN	24437	ROBIE CT	MORENO VALLEY	CA	92551-6911	GLANCY, MAUREEN	24437 ROBIE CT	MORENO VALLEY, CA	92551-6911	154.02	15.4	30.5	199.9
31059405005	485181051	MUNDO, LETICIA	24421	ROBIE CT	MORENO VALLEY	CA	92551-6911	MUNDO, LETICIA	24421 ROBIE CT	MORENO VALLEY, CA	92551-6911	254.02	25.4	50.3	329.7
95255835009	485182003	RODRIGUEZ, JORGE LUIS (RENT)	24374	ROBIE CT	MORENO VALLEY	CA	92551-6909	RODRIGUEZ, JORGE LUIS	24374 ROBIE CT	MORENO VALLEY, CA	92551-6909	442.39	44.24	87.59	574.22
31615655001	485182015	BRANCARTO, CHRIS	24331	ELECTRA CT	MORENO VALLEY	CA	92551-6902	FLORES, ANTONIO M	24328 KURT CT	MORENO VALLEY, CA	92551-3658	254.02	25.4	50.3	329.7
65379795004	485182017	MORRIS, NICHOLE	24315	ELECTRA CT	MORENO VALLEY	CA	92551-6902	MORRIS, NICHOLE	24315 ELECTRA CT	MORENO VALLEY, CA	92551-6902	254.12	25.41	50.32	329.84
69225935006	485182020	GALAN, LUIS	24291	ELECTRA CT	MORENO VALLEY	CA	92551-6901	GALAN, LUIS	24291 ELECTRA CT	MORENO VALLEY, CA	92551-6901	90.69	9.07	17.96	117.7
53807125009	485182023	PALACIOS, GLORIA	24267	ELECTRA CT	MORENO VALLEY	CA	92551-6901	PALACIOS, GLORIA	24267 ELECTRA CT	MORENO VALLEY, CA	92551-6901	254.02	25.4	50.3	329.7
93729415006	485182028	JIMENEZ, ANGEL (OWNR)	24300	ELECTRA CT	MORENO VALLEY	CA	92551-6950	JIMENEZ, ANGEL	24300 ELECTRA CT	MORENO VALLEY, CA	92551-6950	254.12	25.41	50.32	329.84
31411765002	485182029	LEDEZMA, LEOBARDO	24310	ELECTRA CT	MORENO VALLEY	CA	92551-6950	LEDEZMA, LEOBARDO	24310 ELECTRA CT	MORENO VALLEY, CA	92551-6950	63.63	6.36	12.6	82.58
97102785004	485182042	GARCIA, ROBERTO AND NORMA (OWN	24314	ROBIE CT	MORENO VALLEY	CA	92551-6920	GARCIA, ROBERTO	24314 ROBIE CT	MORENO VALLEY, CA	92551-6920	172.13	17.21	34.08	223.42
31485015004	485183008	PERAZA, MARY	24339	ROBIE CT	MORENO VALLEY	CA	92551-6921	PERAZA, MARY	24339 ROBIE CT	MORENO VALLEY, CA	92551-6921	254.02	25.4	50.3	329.7
91875085008	485183011	RODRIGUEZ, MARINA (OWNR)	24313	ROBIE CT	MORENO VALLEY	CA	92551-6943	RODRIGUEZ, MARINA	24313 ROBIE CT	MORENO VALLEY, CA	92551-6943	63.93	6.39	12.66	82.98
31461655000	485191003	FERGUSON, STEPHANIE	24481	LIOLIOS WAY	MORENO VALLEY	CA	92551-6907	FERGUSON, STEPHANIE	24481 LIOLIOS WAY	MORENO VALLEY, CA	92551-6907	301.76	30.18	59.75	391.68
31301375007	485191016	LOPEZ, ABEL	24448	FITZ ST	MORENO VALLEY	CA	92551-7624	LOPEZ, ABEL	24448 FITZ ST	MORENO VALLEY, CA	92551-7624	254.12	25.41	50.32	329.84
93639603007	485191020	HEREDIA, JAVIER	15720	JALANIE LN	MORENO VALLEY	CA	92551-6928	HEREDIA, JAVIER	15720 JALANIE LN	MORENO VALLEY, CA	92551-6928	229	22.9	45.34	297.24
74557555004	485192003	ESPITIA, GONZALO AND MARIA	24434	LIOLIOS WAY	MORENO VALLEY	CA	92551-6906	ESPITIA, GONZALO AND MARIA	24434 LIOLIOS WAY	MORENO VALLEY, CA	92551-6906	254.02	25.4	50.3	329.7
95740455002	485192007	WHITE, DOUGLAS (RENT)	24466	LIOLIOS WAY	MORENO VALLEY	CA	92551-6906	WHITE, DOUGLAS	3411 BROOKSIDE LN	JONESBORO, GA	30236-6878	83.78	8.38	16.59	108.74
93631055009	485192010	MARTINEZ,JOSE AND CARMEN(OWNR)	24490	LIOLIOS WAY	MORENO VALLEY	CA	92551-6906	MARTINEZ, JOSE AND CARMEN	24490 LIOLIOS WAY	MORENO VALLEY, CA	92551-6906	54.12	5.41	10.72	70.24
90130523007	485193004	WHITTAKER, CYNTHIA (RENT)	12905	MONTECELLO DR	MORENO VALLEY	CA	92555-2363	WHITTAKER, CYNTHIA	8855 S NORMANDIE AVE	LOS ANGELES, CA	90044-2151	144.39	14.44	28.59	187.4
96524535002	485193007	ORTIZ, STEPHANIE (RENT)	24403	FITZ ST	MORENO VALLEY	CA	92551-7623	ORTIZ, STEPHANIE	24403 FITZ ST	MORENO VALLEY, CA	92551-7623	254.12	25.41	50.32	329.84
94237695000	485193009	ROSS, DEBORAH (RENT)	24385	FITZ ST	MORENO VALLEY	CA	92551-7606	ROSS, DEBORAH	23853 BETTS PL	MORENO VALLEY, CA	92553-3420	200.86	20.09	39.77	260.7
31101185001	485194001	LOZANO, MANUEL J	24323	FITZ ST	MORENO VALLEY	CA	92551-5115	LOZANO, MANUEL J	24323 FITZ ST	MORENO VALLEY, CA	92551-5115	254.02	25.4	50.3	329.7
91078675005	485194002	JIMENEZ, ISIDRO	24313	FITZ ST	MORENO VALLEY	CA	92551-5115	JIMENEZ, ISIDRO	24313 FITZ ST	MORENO VALLEY, CA	92551-5115	253.92	25.39	50.28	329.58
50498535004	485194003	CABRERA, JOSE	24305	FITZ ST	MORENO VALLEY	CA	92551-5115	CABRERA, JOSE	24305 FITZ ST	MORENO VALLEY, CA	92551-5115	254.02	25.4	50.3	329.7
31614875008	485194012	ANDERSON, JOHN	15703	NADIA ST	MORENO VALLEY	CA	92551-6915	ANDERSON, JOHN	15703 NADIA ST	MORENO VALLEY, CA	92551-6915	254.12	25.41	50.32	329.84
97723435001	485194019	ZAMBRANO, MARIA (RENT)	15635	NADIA ST	MORENO VALLEY	CA	92551-6919	ZAMBRANO, MARIA	15635 NADIA ST	MORENO VALLEY, CA	92551-6919	190.12	19.01	37.64	246.76
91941135008	485194021	WONZO, MICHAEL	15613	NADIA ST	MORENO VALLEY	CA	92551-6919	WONZO, MICHAEL	15613 NADIA ST	MORENO VALLEY, CA	92551-6919	59.15	5.92	11.71	76.76
31414525007	485195002	MERCADO, VICTOR AND MARIA	15689	LIPARI DR	MORENO VALLEY	CA	92551-6908	MERCADO, VICTOR	15689 LIPARI DR	MORENO VALLEY, CA	92551-6908	254.02	25.4	50.3	329.7
31059455004	485195008	COSGROVE, TERRI	15641	LIPARI DR	MORENO VALLEY	CA	92551-6908	COSGROVE, TERRI	15641 LIPARI DR	MORENO VALLEY, CA	92551-6908	329.32	32.93	65.21	427.44
48326625003	485195010	DOSSANTOS, ANEMARI	24298	HILDA CT	MORENO VALLEY	CA	92551-6953	DOSSANTOS, ANEMARI	15575 GUAJOME RD	MORENO VALLEY, CA	92551-1902	329.32	32.93	65.21	427.44
89683165003	485195013	RUSSELL, JAMISHA (OWNR)	24324	HILDA CT	MORENO VALLEY	CA	92551-6912	RUSSELL, JAMISHA	24324 HILDA CT	MORENO VALLEY, CA	92551-6912	253.92	25.39	50.28	329.58
86719533001	485195021	OUTLAW, INGRID (OWNR)	24351	HILDA CT	MORENO VALLEY	CA	92551-6913	OUTLAW, INGRID	24351 HILDA CT	MORENO VALLEY, CA	92551-6913	254.12	25.41	50.32	329.84
31180415007	485195026	ADAMS, JOHN	24305	HILDA CT	MORENO VALLEY	CA	92551-6913	ADAMS, JOHN	25768 LA SALINA PL	MORENO VALLEY, CA	92551-2022	254.02	25.4	50.3	329.7
98319145018	485195030	THOMPSON, MICHAEL (RENT)	24286	FITZ ST	MORENO VALLEY	CA	92551-5116	THOMPSON, MICHAEL	957 N JASMINE AVE	ONTARIO, CA	91762-2040	254.12	25.41	50.32	329.84
73095415006	485195036	FANO, BEN	24334	FITZ ST	MORENO VALLEY	CA	92551-7612	FANO, BEN	24334 FITZ ST	MORENO VALLEY, CA	92551-7612	254.02	25.4	50.3	329.7
101880933008	485195038	WILLIAMS, ROBERT (OWNR)	24348	FITZ ST	MORENO VALLEY	CA	92551-7612	WILLIAMS, ROBERT	24348 FITZ ST	MORENO VALLEY, CA	92551-7612	308.64	30.86	61.11	400.6
31395025003	485195041	GONDEK, DONNA	15713	LIPARI DR	MORENO VALLEY	CA	92551-6955	GONDEK, DONNA	15713 LIPARI DR	MORENO VALLEY, CA	92551-6955	254.02	25.4	50.3	329.7
81805735001	485201002	LIMON, SANDRA	15761	SHERYL LN	MORENO VALLEY	CA	92551-6927	LIMON, SANDRA	15761 SHERYL LN	MORENO VALLEY, CA	92551-6927	154.02	15.4	30.5	199.9
86219995005	485201005	GONZALES, JUAN CARLOS	15785	SHERYL LN	MORENO VALLEY	CA	92551-6927	GONZALES, JUAN CARLOS	15785 SHERYL LN	MORENO VALLEY, CA	92551-6927	254.02	25.4	50.3	329.7
95330725006	485201007	BARAJAS, KAREN (OWNR)	15794	APRIL CT	MORENO VALLEY	CA	92551-6922	BARAJAS, KAREN	15794 APRIL CT	MORENO VALLEY, CA	92551-6922	63.63	6.36	12.6	82.58
97102905009	485201008	CORONA, GABRIEL AND MONICA	15786	APRIL CT	MORENO VALLEY	CA	92551-6922	CORONA, GABRIEL	15786 APRIL CT	MORENO VALLEY, CA	92551-6922	254.12	25.41	50.32	329.84
31078705002	485201009	TOLLIVER, NORMA	15778	APRIL CT	MORENO VALLEY	CA	92551-6922	TOLLIVER, NORMA	556 MIRACLE DR	SAN JACINTO, CA	92583-4450	254.02	25.4	50.3	329.7
86586053004	485201014	PERKINS, ERIC	15761	APRIL CT	MORENO VALLEY	CA	92551-6922	PERKINS, ERIC	15761 APRIL CT	MORENO VALLEY, CA	92551-6922	285.89	28.59	56.61	371.08
63975185009	485201015	VALENCIA, ANDRES	15769	APRIL CT	MORENO VALLEY	CA	92551-6922	VALENCIA, ANDRES	15769 APRIL CT	MORENO VALLEY, CA	92551-6922	257.52	25.75	50.99	334.26
31243065006	485201018	DIAZ, JOHN	15793	APRIL CT	MORENO VALLEY	CA	92551-6922	DIAZ, JOHN	15793 APRIL CT	MORENO VALLEY, CA	92551-6922	90.06	9.01	17.83	116.88
100761603000	485201023	OLMO, ROSA (RENT)	24307	WILDWOOD ST	MORENO VALLEY	CA	92551-6923	OLMO, ROSA	24307 WILDWOOD ST	MORENO VALLEY, CA	92551-6923	359.14	35.91	71.11	466.16
92940383006	485201026	SANDOVAL, NASARIO (OWNR)	24337	WILDWOOD ST	MORENO VALLEY	CA	92551-6923	SANDOVAL, NASARIO	24337 WILDWOOD ST	MORENO VALLEY, CA	92551-6923	490.75	49.08	97.17	636.98
31274075009	485201027	PATTERSON, CLARENCE	24347	WILDWOOD ST	MORENO VALLEY	CA	92551-6923	PATTERSON, CLARENCE	24347 WILDWOOD ST	MORENO VALLEY, CA	92551-6923	329.32	32.93	65.21	427.44
96606295008	485201028	HALIFIA, VISESIO (RENT)	24357	WILDWOOD ST	MORENO VALLEY	CA	92551-6923	HALIFIA, VISESIO	24357 WILDWOOD ST	MORENO VALLEY, CA	92551-6923	254.12	25.41	50.32	329.84
50885945006	485201033	BURNS, CHANKA	24407	WILDWOOD ST	MORENO VALLEY	CA	92551-6925	BURNS, CHANKA	24407 WILDWOOD ST	MORENO VALLEY, CA	92551-6925	329.32	32.93	65.21	427.44
75051105002	485201039	ROSE, HILDA	24467	WILDWOOD ST	MORENO VALLEY	CA	92551-6925	ROSE, HILDA	24467 WILDWOOD ST	MORENO VALLEY, CA	92551-6925	329.32	32.93	65.21	427.44
60126265005	485201045	GALLOWAY, DONNA	24474	ST THOMAS AVE	MORENO VALLEY	CA	92551-6934	GALLOWAY, DONNA	24474 ST THOMAS AVE	MORENO VALLEY, CA	92551-6934	190.78	19.08	37.77	247.62
98513903006	485201048	MILLER, BOBBY LYNN (RENT)	24438	ST THOMAS AVE	MORENO VALLEY	CA	92551-6933	MILLER, BOBBY LYNN	24438 ST THOMAS AVE	MORENO VALLEY, CA	92551-6933	156.96	15.7	31.08	203.72
31614605005	485201052	PORTER, G P	24390	ST THOMAS AVE	MORENO VALLEY	CA	92551-6962	PORTER, G P	24390 ST THOMAS AVE	MORENO VALLEY, CA	92551-6962	190.39	19.04	37.7	247.12
96661635002	485201055	LAOS, ADRIAN (OWNR)	24354	ST THOMAS AVE	MORENO VALLEY	CA	92551-6960	LAOS ADRIAN (OWNER)	24354 ST THOMAS AVE	MORENO VALLEY, CA	92551-6960	254.12	25.41	50.32	329.84
31378475004	485201065	MITCHELL, DARYL	24341	ST THOMAS AVE	MORENO VALLEY	CA	92551-6900	MITCHELL, DARYL	24341 ST THOMAS AVE	MORENO VALLEY, CA	92551-6900	317.34	31.73	62.83	411.9
88485925005	485202001	NOFRI, DAVID	15754	SHERYL LN	MORENO VALLEY	CA	92551-6926	NOFRI, DAVID	489 DENSLOW AVE	LOS ANGELES, CA	90049-3506	254.12	25.41	50.32	329.84
86485273003	485202004	GARCIA, GILBERT (OWNR)	15778	SHERYL LN	MORENO VALLEY	CA	92551-6926	GARCIA, GILBERT	12348 TUSCOLA ST	MORENO VALLEY, CA	92557-7605	190.79	19.08	37.78	247.64
31295775007	485202005	SANCHEZ, MARGIE	15786	SHERYL LN	MORENO VALLEY	CA	92551-6926	SANCHEZ, MARGIE	15786 SHERYL LN	MORENO VALLEY, CA	92551-6926	61.66	6.17	12.21	80.02
89698643001	485202007	MORALES ERNEST, SUSAN L TRUST	15793	JUNE CT	MORENO VALLEY	CA	92551-6932	MORALES ERNEST, SUSAN L TRUST	5530 RAINBOW HEIGHTS RD	FALLBROOK, CA	92028-8842	145.76	14.58	28.86	189.18
98230885011	485202011	DARBY, LESTER (OWNR)	15761	JUNE CT	MORENO VALLEY	CA	92551-6932	DARBY, LESTER	15761 JUNE CT	MORENO VALLEY, CA	92551-6932	194.12	19.41	38.44	251.96
31138245001	485202015	HOLLYFIELD, ERIC	15770	JUNE CT	MORENO VALLEY	CA	92551-6932	HOLLYFIELD, ERIC	15770 JUNE CT	MORENO VALLEY, CA	92551-6932	190.29	19.03	37.68	246.98
31538705005	485202016	GRAHAM, ERIC L	15778	JUNE CT	MORENO VALLEY	CA	92551-6932	GRAHAM, ERIC L	15778 JUNE CT	MORENO VALLEY, CA	92551-6932	254.12	25.41	50.32	329.84
31371985002	485202019	GATLIN, CAROLYN	15793	JALANIE LN	MORENO VALLEY	CA	92551-6931	GATLIN, CAROLYN	15793 JALANIE LN	MORENO VALLEY, CA	92551-6931	329.6	32.96	65.26	427.82
96121515002	485202023	KIVI, ALEX (OWNR)	15761	JALANIE LN	MORENO VALLEY	CA	92551-6931	KIVI, ALEX	15761 JALANIE LN	MORENO VALLEY, CA	92551-6931	126.65	12.67	25.08	164.38
31643075005	485202024	GULLEN, DINORAH	15753	JALANIE LN	MORENO VALLEY	CA	92551-6931	GULLEN, DINORAH	15753 JALANIE LN	MORENO VALLEY, CA	92551-6931	254.02	25.4	50.3	329.7
31079605001	485203001	ROGERS, ROSEMARY	15754	JALANIE LN	MORENO VALLEY	CA	92551-6929	ROGERS, ROSEMARY	15754 JALANIE LN	MORENO VALLEY, CA	92551-6929	254.02	25.4	50.3	329.7
31165105002	485211001	BARNETT, LOUIS	24294	FIJI DR	MORENO VALLEY	CA	92551-6937	BARNETT, LOUIS	24294 FIJI DR	MORENO VALLEY, CA	92551-6937	127.36	12.74	25.22	165.3
31052745009	485211006	HYYL, BARBARA	24354	FIJI DR	MORENO VALLEY	CA	92551-6937	HYYL, BARBARA	28953 KENDA CT	MORENO VALLEY, CA	92555-8264	127.36	12.74	25.22	165.3
59203685007	485212004	NELSON, MAGGIE	24426	FIJI DR	MORENO VALLEY	CA	92551-6939	NELSON, MAGGIE	24426 FIJI DR	MORENO VALLEY, CA	92551-6939	254.12	25.41	50.32	329.84
97022705001	485212018	DEL CASTILLO, ROBERTO (RENT)	24399	FIJI DR	MORENO VALLEY	CA	92551-6940	DEL CASTILLO, ROBERTO	24399 FIJI DR	MORENO VALLEY, CA	92551-6940	254.02	25.4	50.3	329.7
92635015000	485212022	SOSA, GRACIE AND OMAR	24410	CARMAN LN	MORENO VALLEY	CA	92551-6944	SOSA, GRACIE AND OMAR	24410 CARMAN LN	MORENO VALLEY, CA	92551-6944	254.02	25.4	50.3	329.7

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
98518595008	485212023	BAINES, CASSANDRA	24420	CARMAN LN	MORENO VALLEY	CA	92551-6944	BAINES, CASSANDRA	24420 CARMAN LN	MORENO VALLEY, CA	92551-6944	106.02	10.6	20.99	137.6
75039585006	485212028	GODOY, GERARDO (OWNR)	24474	CARMAN LN	MORENO VALLEY	CA	92551-6945	GODOY, GERARDO	24474 CARMAN LN	MORENO VALLEY, CA	92551-6945	254.02	25.4	50.3	329.7
31572605005	485212033	YOUNG, CARMEN (OWNR)	24473	CARMAN LN	MORENO VALLEY	CA	92551-6945	YOUNG, CARMEN	12980 PERRIS BLVD STE 218	MORENO VALLEY, CA	92553-2375	130.52	13.05	25.84	169.4
31473775000	485213002	TREJO, LISA	24353	FIJI DR	MORENO VALLEY	CA	92551-6938	TREJO, LISA	24353 FIJI DR	MORENO VALLEY, CA	92551-6938	254.02	25.4	50.3	329.7
31053445000	485213005	BLACKBURN, LYNNE	24325	FIJI DR	MORENO VALLEY	CA	92551-6938	BLACKBURN, LYNNE	24325 FIJI DR	MORENO VALLEY, CA	92551-6938	254.02	25.4	50.3	329.7
59856775003	485213006	WRIGHT JR, EUGENE	24317	FIJI DR	MORENO VALLEY	CA	92551-6938	WRIGHT JR, EUGENE	13423 PRANCER LN	MORENO VALLEY, CA	92555-8420	328.68	32.87	65.08	426.62
89837525000	485213008	ESTRADA, IRISI-	24295	FIJI DR	MORENO VALLEY	CA	92551-6938	ESTRADA, IRISI-	24295 FIJI DR	MORENO VALLEY, CA	92551-6938	253.92	25.39	50.28	329.58
31359065000	485213010	MOSER, BILLY	24354	CARMAN LN	MORENO VALLEY	CA	92551-6942	MOSER, BILLY	24354 CARMAN LN	MORENO VALLEY, CA	92551-6942	329.32	32.93	65.21	427.44
31472405000	485213012	MCCREA, MICHAEL AND DENISE	24330	CARMAN LN	MORENO VALLEY	CA	92551-6942	MCCREA, MICHAEL	24330 CARMAN LN	MORENO VALLEY, CA	92551-6942	254.02	25.4	50.3	329.7
96691495008	486021001	OCHOA, JOSE AND ALJONDRA (OWNR	25906	HARRIET AVE	MORENO VALLEY	CA	92551-7009	OCHOA, JOSE AND ALJONDRA (OWN)	25906 HARRIET AVE	MORENO VALLEY, CA	92551-7009	321.76	32.18	63.71	417.64
99380593000	486021004	RON, LYDIA (RENT)	25944	HARRIET AVE	MORENO VALLEY	CA	92551-7009	RON, LYDIA	25944 HARRIET AVE	MORENO VALLEY, CA	92551-7009	190.59	19.06	37.74	247.38
31651885008	486021006	AMEZCUA, MARIA	25972	HARRIET AVE	MORENO VALLEY	CA	92551-7009	AMEZCUA, MARIA	25972 HARRIET AVE	MORENO VALLEY, CA	92551-7009	254.02	25.4	50.3	329.7
71675545000	486021007	CRESS, RICHARD	25984	HARRIET AVE	MORENO VALLEY	CA	92551-7009	CRESS, RICHARD	25984 HARRIET AVE	MORENO VALLEY, CA	92551-7009	254.02	25.4	50.3	329.7
98179695010	486021010	AVATONGO, VAKE (RENT)	15042	CAROLINA AVE	MORENO VALLEY	CA	92551-7069	AVATONGO, VAKE	12808 LEE ST	MORENO VALLEY, CA	92553-3723	254.12	25.41	50.32	329.84
93940293006	486022004	BARRADAS, ROBERTO	15160	CAROLINA AVE	MORENO VALLEY	CA	92551-7007	BARRADAS, ROBERTO	15160 CAROLINA AVE	MORENO VALLEY, CA	92551-7007	63.83	6.38	12.64	82.84
31212015002	486022008	ESTRADA, JOSE (OWNR)	15210	CAROLINA AVE	MORENO VALLEY	CA	92551-7032	ESTRADA, JOSE	15210 CAROLINA AVE	MORENO VALLEY, CA	92551-7032	100.02	10	19.8	129.82
62726485000	486023006	LUCKEY, ROBERT	25925	MARGARET AVE	MORENO VALLEY	CA	92551-7026	LUCKEY, ROBERT	25925 MARGARET AVE	MORENO VALLEY, CA	92551-7026	254.02	25.4	50.3	329.7
95670045008	486023007	DILTS, KRISTINE (OWNR)	25915	MARGARET AVE	MORENO VALLEY	CA	92551-7026	DILTS, KRISTINE	25915 MARGARET AVE	MORENO VALLEY, CA	92551-7026	254.12	25.41	50.32	329.84
31527275008	486023008	GARCIA, SYLVIA	25903	MARGARET AVE	MORENO VALLEY	CA	92551-7026	GARCIA, SYLVIA	25903 MARGARET AVE	MORENO VALLEY, CA	92551-7026	190.79	19.08	37.78	247.64
99228143006	486023011	CUEVA, ANA (OWNR)	25871	MARGARET AVE	MORENO VALLEY	CA	92551-1426	CUEVA, ANA (OWNR)	25871 MARGARET AVE	MORENO VALLEY, CA	92551-1426	58.2	5.82	11.52	75.54
89593363002	486024002	FLORES , JOSE JUAN (RENT)	25884	MARGARET AVE	MORENO VALLEY	CA	92551-1425	FLORES , JOSE JUAN	25884 MARGARET AVE	MORENO VALLEY, CA	92551-1425	331.59	33.16	65.65	430.4
31126055005	486024005	ACOSTA, TINA MARIE	25918	MARGARET AVE	MORENO VALLEY	CA	92551-7012	ACOSTA, TINA MARIE	25918 MARGARET AVE	MORENO VALLEY, CA	92551-7012	20.53	2.05	4.06	26.64
92970255000	486024009	SANDOVAL, CASANDRA (OWNR)	25951	ANNETTE AVE	MORENO VALLEY	CA	92551-7000	SANDOVAL, CASANDRA	25951 ANNETTE AVE	MORENO VALLEY, CA	92551-7000	254.02	25.4	50.3	329.7
95855695008	486024012	SALWAY, SHANIKA (RENT)	25917	ANNETTE AVE	MORENO VALLEY	CA	92551-7000	SALWAY, SHANIKA	25917 ANNETTE AVE	MORENO VALLEY, CA	92551-7000	254.12	25.41	50.32	329.84
64081445001	486025008	HOBBS, LILLIAN	15070	CHARLEE CT	MORENO VALLEY	CA	92551-7001	HOBBS, LILLIAN	15070 CHARLEE CT	MORENO VALLEY, CA	92551-7001	146.1	14.61	28.93	189.62
31299955007	486025009	VEGA, ALBERTO	15082	CHARLEE CT	MORENO VALLEY	CA	92551-7001	VEGA, ALBERTO	15082 CHARLEE CT	MORENO VALLEY, CA	92551-7001	27.36	2.74	5.42	35.5
52466645000	486025010	SANCHEZ, SHERRY	15094	CHARLEE CT	MORENO VALLEY	CA	92551-7001	SANCHEZ, SHERRY	15094 CHARLEE CT	MORENO VALLEY, CA	92551-7001	63.63	6.36	12.6	82.58
71982995000	486025014	SANFORD, SHERRON	25910	ANNETTE AVE	MORENO VALLEY	CA	92551-7004	SANFORD, SHERRON	25910 ANNETTE AVE	MORENO VALLEY, CA	92551-7004	254.02	25.4	50.3	329.7
96593695004	486025015	MARQUEZ, ELFRACIA (RENT)	25922	ANNETTE AVE	MORENO VALLEY	CA	92551-7004	MARQUEZ, ELFRACIA	25922 ANNETTE AVE	MORENO VALLEY, CA	92551-7004	44.35	4.44	8.78	57.56
91858143002	486025016	SOCOY, ANGELINA (RENT)	25934	ANNETTE AVE	MORENO VALLEY	CA	92551-7004	SOCOY, ANGELINA	25934 ANNETTE AVE	MORENO VALLEY, CA	92551-7004	147.5	14.75	29.21	191.44
31590995005	486025021	FERREL, KARLA	15109	CAROLINA AVE	MORENO VALLEY	CA	92551-7006	FERREL, KARLA	15109 CAROLINA AVE	MORENO VALLEY, CA	92551-7006	254.02	25.4	50.3	329.7
31370155008	486025026	VASQUEZ, AURORA	25959	HARRIET AVE	MORENO VALLEY	CA	92551-7008	VASQUEZ, AURORA	25959 HARRIET AVE	MORENO VALLEY, CA	92551-7008	254.02	25.4	50.3	329.7
31480125005	486025027	TRIPP, GENE	25945	HARRIET AVE	MORENO VALLEY	CA	92551-7008	TRIPP, GENE	25945 HARRIET AVE	MORENO VALLEY, CA	92551-7008	57.44	5.74	11.37	74.54
31147745007	486031008	WILLSON, BILL	25776	HARRIET AVE	MORENO VALLEY	CA	92551-1411	WILLSON, BILL	25776 HARRIET AVE	MORENO VALLEY, CA	92551-1411	30.69	3.07	6.08	39.82
91621235005	486031010	CORDERO, DANNY	15029	JACQUETTA AVE	MORENO VALLEY	CA	92551-7011	CORDERO, DANNY	15029 JACQUETTA AVE	MORENO VALLEY, CA	92551-7011	253.92	25.39	50.28	329.58
94460595009	486031014	CAMACHO, TERESA (RENT)	15076	JACQUETTA AVE	MORENO VALLEY	CA	92551-7010	CAMACHO, TERESA	15076 JACQUETTA AVE	MORENO VALLEY, CA	92551-7010	254.12	25.41	50.32	329.84
92795605008	486031023	LAWSON, SHERRI (RENT)	15195	JACQUETTA AVE	MORENO VALLEY	CA	92551-7023	LORRAINE AND ALBERT LAROSA	6328 RANCHITO AVE	VAN NUYS, CA	91401-2216	250.32	25.03	49.56	324.9
94607375001	486032002	MCKINNEY, LORI (RENT)	15208	JACQUETTA AVE	MORENO VALLEY	CA	92551-1415	MCKINNEY, LORI	15208 JACQUETTA AVE	MORENO VALLEY, CA	92551-1415	235.54	23.55	46.64	305.72
31442005007	486032006	ZARATE, CLAUDIA	15156	JACQUETTA AVE	MORENO VALLEY	CA	92551-7024	ZARATE, CLAUDIA	15156 JACQUETTA AVE	MORENO VALLEY, CA	92551-7024	254.02	25.4	50.3	329.7
89705005008	486032013	PLAMONDON, DUSTIN AND ANGELA	15064	JACQUETTA AVE	MORENO VALLEY	CA	92551-7010	PLAMONDON, DUSTIN AND ANGELA	15064 JACQUETTA AVE	MORENO VALLEY, CA	92551-7010	253.92	25.39	50.28	329.58
51782545008	486032024	ALCALA, VERONICA	15145	ZHANA DR	MORENO VALLEY	CA	92551-7029	ALCALA, VERONICA	15145 ZHANA DR	MORENO VALLEY, CA	92551-7029	254.02	25.4	50.3	329.7
94128685003	486033007	LACEY, TERRI (RENT)	25827	MARGARET AVE	MORENO VALLEY	CA	92551-7019	LACEY, TERRI	25827 MARGARET AVE	MORENO VALLEY, CA	92551-7019	185.69	18.57	36.77	241.02
31606745002	486034001	PETERSON, SUSAN	25860	MARGARET AVE	MORENO VALLEY	CA	92551-1425	PETERSON, SUSAN	25860 MARGARET AVE	MORENO VALLEY, CA	92551-1425	127.4	12.74	25.23	165.36
31354375006	486034004	DAWSON, ANGELIA	25857	ANNETTE AVE	MORENO VALLEY	CA	92551-7003	DAWSON, ANGELIA	25857 ANNETTE AVE	MORENO VALLEY, CA	92551-7003	254.02	25.4	50.3	329.7
74763395002	486035007	SEVILLA, MARIA AND HECTOR J	15078	ZHANA DR	MORENO VALLEY	CA	92551-1455	SEVILLA, MARIA AND HECTOR J	15078 ZHANA DR	MORENO VALLEY, CA	92551-1455	254.02	25.4	50.3	329.7
31320005005	486041001	SAVE, TELESIA	25580	SAN LUPE AVE	MORENO VALLEY	CA	92551-1447	SAVE, TELESIA	25580 SAN LUPE AVE	MORENO VALLEY, CA	92551-1447	253.92	25.39	50.28	329.58
31499575007	486041006	MARTINEZ, HORTENCIA	25620	SAN LUPE AVE	MORENO VALLEY	CA	92551-7036	MARTINEZ, HORTENCIA	25620 SAN LUPE AVE	MORENO VALLEY, CA	92551	254.02	25.4	50.3	329.7
66811665002	486041010	JARAMILLO, JOSE	25652	SAN LUPE AVE	MORENO VALLEY	CA	92551-7036	JARAMILLO, JOSE	25652 SAN LUPE AVE	MORENO VALLEY, CA	92551-7036	254.12	25.41	50.32	329.84
56077885006	486041013	WAFER, FLOYD	25676	SAN LUPE AVE	MORENO VALLEY	CA	92551-1444	WAFER, FLOYD	25676 SAN LUPE AVE	MORENO VALLEY, CA	92551-1444	254.02	25.4	50.3	329.7
31592525000	486041019	REMSON, LISA	25724	SAN LUPE AVE	MORENO VALLEY	CA	92551-7043	REMSON, LISA	25724 SAN LUPE AVE	MORENO VALLEY, CA	92551-7043	254.02	25.4	50.3	329.7
31281005009	486042001	MORALES, ROBERT	25581	SAN LUPE AVE	MORENO VALLEY	CA	92551-7040	RESIDENT, CURRENT	25581 SAN LUPE AVE	MORENO VALLEY, CA	92551-7040	254.02	25.4	50.3	329.7
31136505000	486042006	SULCER, BEVERLY	25653	SAN LUPE AVE	MORENO VALLEY	CA	92551-7042	SULCER, BEVERLY	25653 SAN LUPE AVE	MORENO VALLEY, CA	92551-7042	254.02	25.4	50.3	329.7
31598465009	486042007	HINOJOSA, MIGUEL	25667	SAN LUPE AVE	MORENO VALLEY	CA	92551-7042	HINOJOSA, MIGUEL	25667 SAN LUPE AVE	MORENO VALLEY, CA	92551-7042	254.02	25.4	50.3	329.7
31400465008	486042008	THOMPSON, LAFON	25675	SAN LUPE AVE	MORENO VALLEY	CA	92551-7042	THOMPSON, LAFON	25675 SAN LUPE AVE	MORENO VALLEY, CA	92551-7042	254.02	25.4	50.3	329.7
60328595008	486042009	PEDACE, CARLOS	25683	SAN LUPE AVE	MORENO VALLEY	CA	92551-7042	PEDACE, CARLOS	25683 SAN LUPE AVE	MORENO VALLEY, CA	92551-7042	254.12	25.41	50.32	329.84
91232283000	486042017	TAVARES, ANTHONY AND MARLENE	15071	RIO GRANDE DR	MORENO VALLEY	CA	92551-1440	TAVARES, ANTHONY AND MARLENE	15071 RIO GRANDE DR	MORENO VALLEY, CA	92551-1440	266.17	26.62	52.7	345.48
96511135004	486042019	MCCRORY, CHERYL (RENT)	15095	RIO GRANDE DR	MORENO VALLEY	CA	92551-1440	MCCRORY, CHERYL	15095 RIO GRANDE DR	MORENO VALLEY, CA	92551-1440	329.6	32.96	65.26	427.82
31539895003	486042034	MILLER, WALTER	15109	CALLE RENFRO	MORENO VALLEY	CA	92551-7018	MILLER, WALTER	15109 CALLE RENFRO	MORENO VALLEY, CA	92551-7018	190.79	19.08	37.78	247.64
31250265009	486043002	ROBERSON, FRED	15024	RIO GRANDE DR	MORENO VALLEY	CA	92551-7020	ROBERSON, FRED	15024 RIO GRANDE DR	MORENO VALLEY, CA	92551-7020	253.92	25.39	50.28	329.58
86092123009	486051001	ROBLES,, ANINA (RENT)	25508	SAN LUPE AVE	MORENO VALLEY	CA	92551-7038	ROBLES,, ANINA	25508 SAN LUPE AVE	MORENO VALLEY, CA	92551-7038	254.12	25.41	50.32	329.84
89835273006	486051007	JIMENEZ, OSCAR	25556	SAN LUPE AVE	MORENO VALLEY	CA	92551-7038	JIMENEZ, OSCAR	25556 SAN LUPE AVE	MORENO VALLEY, CA	92551-7038	372.61	37.26	73.78	483.64
74418545002	486052002	HAWKINS, SALLY	25547	SAN LUPE AVE	MORENO VALLEY	CA	92551-7040	HAWKINS, SALLY	115 W TICHENOR ST	COMPTON, CA	90220-4749	254.02	25.4	50.3	329.7
93695785001	486054005	GUTTIEREZ, MIKE (OWNR)	15172	MARTE CIR	MORENO VALLEY	CA	92551-7034	GUTTIEREZ, MIKE	15172 MARTE CIR	MORENO VALLEY, CA	92551-7034	190.69	19.07	37.76	247.5
67375375008	486055002	RATINER, KEITH-	15132	RIO GRANDE DR	MORENO VALLEY	CA	92551-1443	RATINER, KEITH	14940 PERRIS BLVD STE #D	MORENO VALLEY, CA	92553-7182	329.6	32.96	65.26	427.82
31610025005	486056001	FINNEY, SHEILA	25548	MARGARET AVE	MORENO VALLEY	CA	92551-7014	FINNEY, SHEILA	25548 MARGARET AVE	MORENO VALLEY, CA	92551-7014	254.02	25.4	50.3	329.7
31147835008	486056002	MC GLOVER, BEVERLY	25560	MARGARET AVE	MORENO VALLEY	CA	92551-7014	MC GLOVER, BEVERLY	557 STEPNEY ST	INGLEWOOD, CA	90302-2526	329.32	32.93	65.21	427.44
31129255007	486056008	ESPINOZA, JEFF	25634	MARGARET AVE	MORENO VALLEY	CA	92551-1421	ESPINOZA, JEFF	25634 MARGARET AVE	MORENO VALLEY, CA	92551-1421	254.02	25.4	50.3	329.7
31096485000	486056009	WRIGHT, BONNIE	25646	MARGARET AVE	MORENO VALLEY	CA	92551-7016	WRIGHT, BONNIE	30141 ANTELOPE RD STE D	MENIFEE, CA	92584-8066	82.68	8.27	16.37	107.3
31349055003	486056013	COTTEN, ROXCELOA	25704	MARGARET AVE	MORENO VALLEY	CA	92551-1423	COTTEN, ROXCELOA	25704 MARGARET AVE	MORENO VALLEY, CA	92551-1423	154.02	15.4	30.5	199.9
31127265009	486056016	IRISH, ROBERT	25671	ESTRELLAS LN	MORENO VALLEY	CA	92551-7013	IRISH, ROBERT	25671 ESTRELLAS LN	MORENO VALLEY, CA	92551-7013	79.32	7.93	15.71	102.94
93886945003	486056019	JACKSON, W C (RENT)	25635	ESTRELLAS LN	MORENO VALLEY	CA	92551-7013	JACKSON, W C	25635 ESTRELLAS LN	MORENO VALLEY, CA	92551-7013	254.12	25.41	50.32	329.84
67157425000	486056022	LOPEZ, NELSON DAVID	25599	ESTRELLAS LN	MORENO VALLEY	CA	92551-7037	LOPEZ, NELSON DAVID	25599 ESTRELLAS LN	MORENO VALLEY, CA	92551-7037	254.12	25.41	50.32	329.84
91840005009	486056024	MURPHY, MIKE	25573	ESTRELLAS LN	MORENO VALLEY	CA	92551-7037	MURPHY, MIKE	25573 ESTRELLAS LN	MORENO VALLEY, CA	92551-7037	253.92	25.39	50.28	329.58
91983955007	486056025	MCIVER, JOE	25563	ESTRELLAS LN	MORENO VALLEY	CA	92551-7037	MCIVER, JOE	25563 ESTRELLAS LN	MORENO VALLEY, CA	92551-7037	253.92	25.39	50.28	329.58
97222835000	486057011	PRANANSK, SCOTT (RENT)	25609	MARGARET AVE	MORENO VALLEY	CA	92551-1420	PRANANSK, SCOTT	16815 HUDSON BAY DR	MORENO VALLEY, CA	92551-7473	30.54	3.05	6.05	39.64
95215655003	486061001	WEATHERSBY, LLOYD (RENT)	15245	PATRICIA ST	MORENO VALLEY	CA	92551-4595	WEATHERSBY, LLOYD	11878 VISTA DE CERROS DR	MORENO VALLEY, CA	92555-1768	126.66	12.67	25.08	164.4
95317455009	486061002	GARLAND, TEMPSETT (RENT)	15235	PATRICIA ST	MORENO VALLEY	CA	92551-4595	GARLAND, TEMPSETT	15235 PATRICIA ST	MORENO VALLEY, CA	92551-4595	190.49	19.05	37.72	247.24
93876775009	486061003	ARREVALO, MARIELA (RENT)	15223	PATRICIA ST	MORENO VALLEY	CA	92551-4595	ARREVALO, MARIELA	15223 PATRICIA ST	MORENO VALLEY, CA	92551-4595	234.12	23.41	46.36	303.88
31074375000	486061008	YBARRA, MARTHA	15174	PATRICIA ST	MORENO VALLEY	CA	92551-4526	YBARRA, MARTHA	711 FLINT SPEAR RD	WALNUT, CA	91789-1819	254.02	25.4	50.3	329.7
89694485003	486061010	ALMAZAN, RAQUEL	15196	PATRICIA ST	MORENO VALLEY	CA	92551-4526	ALMAZAN, RAQUEL	15196 PATRICIA ST	MORENO VALLEY, CA	92551-4526	420.76	42.08	83.31	546.14
94714163009	486061022	LOPEZ, JOHN (RENT)	15185	JOSEPHINE CT	MORENO VALLEY	CA	92551-4515	LOPEZ, JOHN	14407 S DENKER AVE	GARDENA, CA	90247-2320	148.11	14.81	29.33	192.24
31122785001	486061035	RANDOLPH, LAWRENCE	15210	RENCHER CT	MORENO VALLEY	CA	92551-4524	RANDOLPH, LAWRENCE	15210 RENCHER CT	MORENO VALLEY, CA	92551-4524	254.02	25.4	50.3	329.7
31216545002	486061039	CRUZ, AMANDA	15175	CHELBAMA WAY	MORENO VALLEY	CA	92551-1458	CRUZ, AMANDA	15175 CHELBAMA WAY	MORENO VALLEY, CA	92551-1458	254.02	25.4	50.3	329.7
31418825005	486062007	WRIGHT, ROSALIND	25425	MARGARET AVE	MORENO VALLEY	CA	92551-4520	WRIGHT, ROSALIND	25425 MARGARET AVE	MORENO VALLEY, CA	92551-4520	329.32	32.93	65.21	427.44
58120575007	486062008	PEREA, RICHARD	25413	MARGARET AVE	MORENO VALLEY	CA	92551-4520	PEREA, RICHARD	1428 BREWERTON DR APT 238	SACRAMENTO, CA	95833-1965	254.02	25.4	50.3	329.7
31292005006	486062013	NIETO, ARTURO	25351	MARGARET AVE	MORENO VALLEY	CA	92551-4593	NIETO, ARTURO	25351 MARGARET AVE	MORENO VALLEY, CA	92551-4593	253.92	25.39	50.28	329.58
52294395004	486081005	JIMENEZ, ADRIANA	25094	FILAREE AVE	MORENO VALLEY	CA	92551-4503	JIMENEZ, ADRIANA	25094 FILAREE AVE	MORENO VALLEY, CA	92551-4503	254.02	25.4	50.3	329.7
69219895007	486081007	SOLORZANO, DAVID AND JENNIFER	25118	FILAREE AVE	MORENO VALLEY	CA	92551-4577	SOLORZANO, DAVID AND JENNIFER	25118 FILAREE AVE	MORENO VALLEY, CA	92551-4577	254.02	25.4	50.3	329.7
89529413006	486081008	HALL, VALERIE (RENT)	25130	FILAREE AVE	MORENO VALLEY	CA	92551-4577	HALL, VALERIE	11281 DAVIS ST	MORENO VALLEY, CA	92557-5040	30.16	3.02	5.97	39.14
51427995005	486082008	RIVAS, GUADALUPE	25153	FILAREE AVE	MORENO VALLEY	CA	92551-4511	RIVAS, GUADALUPE	25153 FILAREE AVE	MORENO VALLEY, CA	92551-4511	65.64	6.56	13	85.2
31608115000	486082015	ESPARZA, PRUDENCIA	25237	FILAREE AVE	MORENO VALLEY	CA	92551-4579	ESPARZA, PRUDENCIA	25237 FILAREE AVE	MORENO VALLEY, CA	92551-4579	254.02	25.4	50.3	329.7
96194155004	486082017	DAVISON, MELISSA (RENT)	25261	FILAREE AVE	MORENO VALLEY	CA	92551-4579	DAVISON, MELISSA	25397 BEANTREE CT	MORENO VALLEY, CA	92551-4674	254.02	25.4	50.3	329.7
55299345007	486082018	TORRES, ROSA	25273	FILAREE AVE	MORENO VALLEY	CA	92551-4579	TORRES, ROSA	25273 FILAREE AVE	MORENO VALLEY, CA	92551-4579	54.31	5.43	10.75	70.48
31488715001	486082029	PICARDE, ANTHONY	15344	ELEANOR LN	MORENO VALLEY	CA	92551-4528	PICARDE, ANTHONY	15344 ELEANOR LN	MORENO VALLEY, CA	92551-4528	254.12	25.41	50.32	329.84
31280545008	486082035	TRIGUERO, JOSE J	25188	FAY AVE	MORENO VALLEY	CA	92551-4508	TRIGUERO, JOSE J	25188 FAY AVE	MORENO VALLEY, CA	92551-4508	254.12	25.41	50.32	329.84
95723355009	486082040	ESPINOZA, JUAN (OWNR)	25130	FAY AVE	MORENO VALLEY	CA	92551-4508	ESPINOZA, JUAN	25130 FAY AVE	MORENO VALLEY, CA	92551-4508	190.79	19.08	37.78	247.64
31220505002	486083004	ANGULO, CARLOS	25107	FAY AVE	MORENO VALLEY	CA	92551-4507	ANGULO, CARLOS	25107 FAY AVE	MORENO VALLEY, CA	92551-4507	329.6	32.96	65.26	427.82
90060515008	486083005	MC GEE, TRACY	25119	FAY AVE	MORENO VALLEY	CA	92551-4507	MC GEE, TRACY	25119 FAY AVE	MORENO VALLEY, CA	92551-4507	254.12	25.41	50.32	329.84
31237525002	486083024	BLACKETER, ELAINE	25094	YOLANDA AVE	MORENO VALLEY	CA	92551-4527	BLACKETER, ELAINE	25094 YOLANDA AVE	MORENO VALLEY, CA	92551-4527	254.02	25.4	50.3	329.7
96428165004	486091009	PERITA ENTERPRISES LLC (OWNI	25030	GENTIAN AVE	MORENO VALLEY	CA	92551-4602	PERITA ENTERPRISES LLC (	7375 DAY CREEK BLVD	RANCHO CUCAMONGA, CA	91739-8022	189.09	18.91	37.44	245.42
61349335008	486091013	LOVE, BARBARA (OWNR) APTS	15427	SHEILA ST	MORENO VALLEY	CA	92551-4549	LOVE, BARBARA	12782 COURT ST	GARDEN GROVE, CA	92841-4308	239.92	23.99	47.5	311.4

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95429665000	486092001	JACOBO, HILDA (RENT)	25071	YOLANDA AVE	MORENO VALLEY	CA	92551-4536	JACOBO, HILDA	12531 BLUNTLEAF CT	MORENO VALLEY, CA	92553-4757	254.12	25.41	50.32	329.84
63896365009	486092003	ALVAREZ, MARIA	25095	YOLANDA AVE	MORENO VALLEY	CA	92551-4536	ALVAREZ, MARIA	25095 YOLANDA AVE	MORENO VALLEY, CA	92551-4536	254.12	25.41	50.32	329.84
75749005002	486092005	GOVEA, MADE-LOURDES	25119	YOLANDA AVE	MORENO VALLEY	CA	92551-4540	GOVEA, MADE-LOURDES	25119 YOLANDA AVE	MORENO VALLEY, CA	92551-4540	254.02	25.4	50.3	329.7
31218055000	486092008	SAUCEDO, SALVADOR	25153	YOLANDA AVE	MORENO VALLEY	CA	92551-4540	SAUCEDO, SALVADOR	25153 YOLANDA AVE	MORENO VALLEY, CA	92551-4540	62.74	6.27	12.42	81.42
90708675008	486092009	TERRAZAS, FAVIOLA	25165	YOLANDA AVE	MORENO VALLEY	CA	92551-4540	TERRAZAS, FAVIOLA	25165 YOLANDA AVE	MORENO VALLEY, CA	92551-4540	253.92	25.39	50.28	329.58
31493785006	486092016	UMU, LENORA	25188	JUANITA AVE	MORENO VALLEY	CA	92551-4517	UMU, LENORA	25188 JUANITA AVE	MORENO VALLEY, CA	92551-4517	254.12	25.41	50.32	329.84
94910185009	486092025	CORTEZ, PETRA (OWNR)	25082	JUANITA AVE	MORENO VALLEY	CA	92551-4584	CORTEZ, PETRA	25082 JUANITA AVE	MORENO VALLEY, CA	92551-4584	125.42	12.54	24.83	162.78
98351185012	486093003	CHAVEZ, ALEXANDRA (RENT)	25095	JUANITA AVE	MORENO VALLEY	CA	92551-4585	CHAVEZ, ALEXANDRA	21575 WEBSTER AVE	PERRIS, CA	92570-8742	385.17	38.52	76.26	499.94
63909305003	486093011	RAMOS, GUADALUPE	25189	JUANITA AVE	MORENO VALLEY	CA	92551-4516	RAMOS, GUADALUPE	25189 JUANITA AVE	MORENO VALLEY, CA	92551-4516	190.79	19.08	37.78	247.64
88666595009	486093014	AVERY, GLEN	25212	GENTIAN AVE	MORENO VALLEY	CA	92551-1307	AVERY, GLEN	25212 GENTIAN AVE	MORENO VALLEY, CA	92551-1307	254.12	25.41	50.32	329.84
89179363000	486093015	FLORES-TORRES, JUAN (RENT)	25200	GENTIAN AVE	MORENO VALLEY	CA	92551-1307	FLORES-TORRES, JUAN	25200 GENTIAN AVE	MORENO VALLEY, CA	92551-1307	190.79	19.08	37.78	247.64
31296705000	486093023	SARAGOZA, JESUS	25106	GENTIAN AVE	MORENO VALLEY	CA	92551-4604	SARAGOZA, JESUS	25106 GENTIAN AVE	MORENO VALLEY, CA	92551-4604	348	34.8	68.9	451.7
60261865004	486094004	PORCAYO, MIGUEL	15452	ELEANOR LN	MORENO VALLEY	CA	92551-4504	PORCAYO, MIGUEL	15452 ELEANOR LN	MORENO VALLEY, CA	92551-4504	254.12	25.41	50.32	329.84
65817525000	486094012	TREVIZO, DEBRA	15415	PATRICIA ST	MORENO VALLEY	CA	92551-4531	TREVIZO, DEBRA	25830 PASEO PACIFICO	MORENO VALLEY, CA	92551-7066	254.12	25.41	50.32	329.84
31262215005	486095001	GUTIERREZ, YOLANDA (RENT)	25071	GENTIAN AVE	MORENO VALLEY	CA	92551-1308	GUTIERREZ, YOLANDA	25071 GENTIAN AVE	MORENO VALLEY, CA	92551-1308	190.59	19.06	37.74	247.38
97099925003	486095010	ESPARZA, CHARITY (RENT)	25177	GENTIAN AVE	MORENO VALLEY	CA	92551-4603	ESPARZA, CHARITY	2514 9TH ST	RIVERSIDE, CA	92507-5033	240.6	24.06	47.64	312.28
95911115001	486095011	TURNER, MARY (RENT)	25189	GENTIAN AVE	MORENO VALLEY	CA	92551-4603	TURNER, MARY	25189 GENTIAN AVE	MORENO VALLEY, CA	92551-4603	63.63	6.36	12.6	82.58
96534885003	486101005	BAUCHAM, MELINDA (RENT)	25340	FILAREE AVE	MORENO VALLEY	CA	92551-4582	BAUCHAM, MELINDA	25340 FILAREE AVE	MORENO VALLEY, CA	92551-4582	182.8	18.28	36.19	237.26
95493915002	486102004	MEZA, FELIPE	25461	FILAREE AVE	MORENO VALLEY	CA	92551-4513	MEZA, FELIPE	14802 NEWPORT AVE APT 19B	TUSTIN, CA	92780-6182	254.12	25.41	50.32	329.84
80331825000	486102005	BAYLOR, DAVID	25449	FILAREE AVE	MORENO VALLEY	CA	92551-4513	BAYLOR, DAVID	25449 FILAREE AVE	MORENO VALLEY, CA	92551-4513	82.68	8.27	16.37	107.3
93907265009	486102006	LAGUNAS, FRANCISCO (RENT)	25437	FILAREE AVE	MORENO VALLEY	CA	92551-4513	LAGUNAS, FRANCISCO	628 NUTWOOD ST S	ANAHEIM, CA	92804-3555	46.52	4.65	9.21	60.38
31322235003	486102011	SORIANO, PEDRO AND MARGARITA	25375	FILAREE AVE	MORENO VALLEY	CA	92551-4583	SORIANO, PEDRO AND MARGARITA	25375 FILAREE AVE	MORENO VALLEY, CA	92551-4583	214.02	21.4	42.38	277.78
31297335006	486102014	HERNANDEZ, DAVID	25339	FILAREE AVE	MORENO VALLEY	CA	92551-4583	HERNANDEZ, DAVID	25339 FILAREE AVE	MORENO VALLEY, CA	92551-4583	329.04	32.9	65.15	427.08
31090895007	486102028	MATSUEDA, RYUKO	25402	FAY AVE	MORENO VALLEY	CA	92551-4510	MATSUEDA, RYUKO	25402 FAY AVE	MORENO VALLEY, CA	92551-4510	114.72	11.47	22.71	148.9
94919765008	486103002	LOPEZ, MARIO (RENT)	25485	FAY AVE	MORENO VALLEY	CA	92551-4509	LOPEZ, MARIO	25485 FAY AVE	MORENO VALLEY, CA	92551-4509	254.12	25.41	50.32	329.84
94363195009	486103006	ANDRADE, MARIA (RENT)	25437	FAY AVE	MORENO VALLEY	CA	92551-4509	ANDRADE, MARIA	24344 KATRINA AVE	MORENO VALLEY, CA	92551-3666	75.72	7.57	14.99	98.28
89673433008	486103023	BONILLA,JESUS, CARAVEO, MARIA	25340B	YOLANDA AVE	MORENO VALLEY	CA	92551-4543	BONILLA,JESUS, CARAVEO, MARIA	25340 YOLANDA AVE	MORENO VALLEY, CA	92551-4543	841.52	84.15	166.62	1092.28
31616245006	486103034	VERDUGO, DAISY	25474	YOLANDA AVE	MORENO VALLEY	CA	92551-4545	VERDUGO, DAISY	25474 YOLANDA AVE	MORENO VALLEY, CA	92551-4545	254.02	25.4	50.3	329.7
91541373005	486103036	MANN, KATHY AND CHRISTOPHER (R	25498	YOLANDA AVE	MORENO VALLEY	CA	92551-4545	MANN, KATHY	25498 YOLANDA AVE	MORENO VALLEY, CA	92551-4545	77.35	7.74	15.32	100.4
31116235009	486111001	COLEMAN, EDWARD (OWNR)	25291	YOLANDA AVE	MORENO VALLEY	CA	92551-4547	COLEMAN, EDWARD	550 W BLAINE ST	RIVERSIDE, CA	92507-4026	254.02	25.4	50.3	329.7
49592905000	486111024	HILL-SOTO, JOSE AND TAMMY	25438	JUANITA AVE	MORENO VALLEY	CA	92551-4519	HILL-SOTO, JOSE AND TAMMY	25438 JUANITA AVE	MORENO VALLEY, CA	92551-4519	254.12	25.41	50.32	329.84
67769465003	486111025	MILIAN, FELIPE	25426	JUANITA AVE	MORENO VALLEY	CA	92551-4519	MILIAN, FELIPE	12613 MELBERRY LN	MORENO VALLEY, CA	92555-2220	254.12	25.41	50.32	329.84
84130175008	486112008	HERNANDEZ, SOCORRO	25375	JUANITA AVE	MORENO VALLEY	CA	92551-4591	HERNANDEZ, SOCORRO	25375 JUANITA AVE	MORENO VALLEY, CA	92551-4591	94.12	9.41	18.64	122.16
31568415003	486112012	LUGO, BRENDA	25425	JUANITA AVE	MORENO VALLEY	CA	92551-4518	LUGO, BRENDA	25425 JUANITA AVE	MORENO VALLEY, CA	92551-4518	254.12	25.41	50.32	329.84
57657135002	486112019	VAZQUEZ, DALIA	25498	GENTIAN AVE	MORENO VALLEY	CA	92551-4608	VAZQUEZ, DALIA	902 E AVALON AVE	SANTA ANA, CA	92706-3064	254.02	25.4	50.3	329.7
31406385002	486112025	ARES, EUGENE	25426	GENTIAN AVE	MORENO VALLEY	CA	92551-4608	ARES, EUGENE	25426 GENTIAN AVE	MORENO VALLEY, CA	92551-4608	254.02	25.4	50.3	329.7
31366685005	486112034	PATTERSON JR, SHELTON	25316	GENTIAN AVE	MORENO VALLEY	CA	92551-4606	PATTERSON JR, SHELTON	25316 GENTIAN AVE	MORENO VALLEY, CA	92551-4606	329.32	32.93	65.21	427.44
90375905008	486121001	GONZALES, MARIO (OWNR)	25504	CASA ENCANTADOR RD	MORENO VALLEY	CA	92551-7077	GONZALES, MARIO	PO BOX 8898	MORENO VALLEY, CA	92552-8898	208.51	20.85	41.29	270.64
60263905002	486121007	THOMPSON, KIM (OWNR)	25571	VIA CARLOS CT	MORENO VALLEY	CA	92551-7085	THOMPSON, KIM	27952 DE LA VALLE DR	MORENO VALLEY, CA	92555-5921	329.6	32.96	65.26	427.82
95842865000	486121008	HERNANDEZ, REBECCA (RENT)	25555	VIA CARLOS CT	MORENO VALLEY	CA	92551-7085	HERNANDEZ, REBECCA	25555 VIA CARLOS CT	MORENO VALLEY, CA	92551-7085	72.78	7.28	14.41	94.46
84761015004	486121019	DICKSON, JAMES	25510	VISTA FAMOSO DR	MORENO VALLEY	CA	92551-7090	DICKSON, JAMES	25510 VISTA FAMOSO	MORENO VALLEY, CA	92551-7090	111.06	11.11	21.99	144.14
72056685002	486121020	DICKSON, ELIZABETH	25528	VISTA FAMOSO DR	MORENO VALLEY	CA	92551-7090	DICKSON, ELIZABETH	25528 VISTA FAMOSO	MORENO VALLEY, CA	92551-7090	204.04	20.4	40.4	264.84
99193433005	486121025	BETHLEY, RENEE (RENT)	25594	VISTA FAMOSO DR	MORENO VALLEY	CA	92551-1452	BETHLEY, RENEE	25594 VISTA FAMOSO DR	MORENO VALLEY, CA	92551-1452	139.67	13.97	27.65	181.28
74814865004	486122011	POUNDER, TODD	15350	VIA ALICIA DR	MORENO VALLEY	CA	92551-7089	POUNDER, TODD	10824 WILLOW HEIGHTS DR	LAS VEGAS, NV	89135-1706	288.02	28.8	57.03	373.84
31196425001	486122016	MORONESO, ANTHONY	25640	VIA CARLOS CT	MORENO VALLEY	CA	92555-	MORONESO, ANTHONY	2617 COLLEGE PARK	SCOTTSBLUFF, NE	69361-2294	127.36	12.74	25.22	165.3
65123755004	486122022	VILLAVA, BERNADO	25605	VIA CARLOS CT	MORENO VALLEY	CA	92551-7087	VILLAVA, BERNADO	40040 CALLE YORBA VIS	MURRIETA, CA	92562-5936	254.12	25.41	50.32	329.84
31624585008	486123003	KING, CHRISTINE	15446	MORONGO CT	MORENO VALLEY	CA	92551-7074	KING, CHRISTINE	1601 HULL AVE	DES MOINES, IA	50313-4734	323.49	32.35	64.05	419.88
92221855002	486123004	BORUNDA, ADRIAN	15457	MORONGO CT	MORENO VALLEY	CA	92551-7074	BORUNDA, ADRIAN	15457 MORONGO CT	MORENO VALLEY, CA	92551-7074	253.92	25.39	50.28	329.58
31502925005	486123006	SMITH, TERRI (OWNR)	25546	RANCHO TIERRA DR	MORENO VALLEY	CA	92551-7073	SMITH, TERRI	25546 RANCHO TIERRA DR	MORENO VALLEY, CA	92551-7073	329.6	32.96	65.26	427.82
68591575007	486124002	MUNGUIA, SYLVIA AND ALFREDO	15457	VIA LORCA DR	MORENO VALLEY	CA	92551-7070	MUNGUIA, SYLVIA AND ALFREDO	15457 VIA LORCA DR	MORENO VALLEY, CA	92551-7070	104.02	10.4	20.6	135
91500623009	486124003	BEED, LAKEISHA (RENT)	15469	VIA LORCA DR	MORENO VALLEY	CA	92551-7070	BEED, LAKEISHA	P.O. BOX 9083	MORENO VALLEY, CA	92552-9083	252.21	25.22	49.94	327.36
94170905009	486124010	TINOCO, ALEJANDRO (RENT)	25563	RANCHO TIERRA DR	MORENO VALLEY	CA	92551-7072	TINOCO, ALEJANDRO	12059 MARY LEE WAY	MORENO VALLEY, CA	92555-2130	254.12	25.41	50.32	329.84
31076545000	486131008	NEAL, JIMMY	25720	VISTA FAMOSO DR	MORENO VALLEY	CA	92551-7092	NEAL, JIMMY	25720 VISTA FAMOSO	MORENO VALLEY, CA	92551-7092	311.09	31.11	61.6	403.78
90849445009	486131009	ROMANO, JESUS	15341	CASA GRANDE ST	MORENO VALLEY	CA	92551-7081	ROMANO, JESUS	15341 CASA GRANDE ST	MORENO VALLEY, CA	92551-7081	162.41	16.24	32.16	210.8
31651965001	486131013	PINEDA, RAFAEL	15293	CASA GRANDE ST	MORENO VALLEY	CA	92551-1405	PINEDA, RAFAEL A	15293 CASA GRANDE ST	MORENO VALLEY, CA	92551-1405	54.02	5.4	10.7	70.1
31079045009	486132002	GOMEZ, MARIO	15304	CASA GRANDE ST	MORENO VALLEY	CA	92551-7079	GOMEZ, MARIO	15304 CASA GRANDE ST	MORENO VALLEY, CA	92551-7079	104.02	10.4	20.6	135
31407715001	486133005	INIGUEZ, RICARDO	25711	VISTA FAMOSO DR	MORENO VALLEY	CA	92551-7095	INIGUEZ, RICARDO	25711 VISTA FAMOSO DR	MORENO VALLEY, CA	92551-7095	154.02	15.4	30.5	199.9
94448125003	486134001	BARTHOLOMEW, AMANDA	15473	PASEO CORTEZ	MORENO VALLEY	CA	92551-7083	BARTHOLOMEW, AMANDA	25800 IRIS AVE UNIT C	MORENO VALLEY, CA	92551-2962	160.3	16.03	31.74	208.06
31224325002	486135004	TRADER, CONSTANCE	25659	RANCHO TIERRA DR	MORENO VALLEY	CA	92551-1439	TRADER, CONSTANCE	25659 RANCHO TIERRA DR	MORENO VALLEY, CA	92551-1439	254.02	25.4	50.3	329.7
92959775004	486135009	VANCE, TAUNI	15432	PASEO CORTEZ	MORENO VALLEY	CA	92551-7084	VANCE, TAUNI	7116 WOOD RD	RIVERSIDE, CA	92506-6142	143.72	14.37	28.46	186.54
31266605004	486135011	SANDERS, BARBARA	15408	PASEO CORTEZ	MORENO VALLEY	CA	92551-7084	SANDERS, BARBARA	15408 PASEO CORTEZ	MORENO VALLEY, CA	92551-7084	254.12	25.41	50.32	329.84
31076685000	486135018	GOLDFINCH, SHERRI	15389	CASA GRANDE ST	MORENO VALLEY	CA	92551-1403	GOLDFINCH, SHERRI	15389 CASA GRANDE ST	MORENO VALLEY, CA	92551-1403	254.02	25.4	50.3	329.7
31349165000	486135019	TAYLOR, HOMER	15401	CASA GRANDE ST	MORENO VALLEY	CA	92551-7082	TAYLOR, HOMER	15401 CASA GRANDE ST	MORENO VALLEY, CA	92551-7082	254.02	25.4	50.3	329.7
31136905006	486135021	RIOS, ROBERT AND TERESA	15425	CASA GRANDE ST	MORENO VALLEY	CA	92551-7082	RIOS, ROBERT AND TERESA	15425 CASA GRANDE ST	MORENO VALLEY, CA	92551-7082	329.32	32.93	65.21	427.44
31517095002	486135022	OLIN, SOKHAN	15449	CASA GRANDE ST	MORENO VALLEY	CA	92551-7082	OLIN, SOKHAN	15449 CASA GRANDE ST	MORENO VALLEY, CA	92551-7082	190.69	19.07	37.76	247.5
31078585007	486135025	AMES, ROBERT	15473	CASA GRANDE ST	MORENO VALLEY	CA	92551-7082	AMES, ROBERT	15473 CASA GRANDE ST	MORENO VALLEY, CA	92551-7082	254.02	25.4	50.3	329.7
92933175005	486136004	SUAREZ, GEORGE (RENT)	15462	CASA GRANDE ST	MORENO VALLEY	CA	92551-7080	SUAREZ, GEORGE AND MARIA	15462 CASA GRANDE ST	MORENO VALLEY, CA	92551-7080	90.69	9.07	17.96	117.7
96224425003	486141005	GUTIERREZ, JOSE LUIS	15322	LOS ESTADOS ST	MORENO VALLEY	CA	92551-7050	GUTIERREZ, JOSE LUIS	15322 LOS ESTADOS ST	MORENO VALLEY, CA	92551-7050	228.72	22.87	45.29	296.86
31408535007	486141012	URBAN, LEILA	25914	CALLE FAMILIA	MORENO VALLEY	CA	92551-7048	URBAN, LEILA	25914 CALLE FAMILIA	MORENO VALLEY, CA	92551-7048	254.02	25.4	50.3	329.7
88991665006	486141013	WINSTON, MYOHO	25900	CALLE FAMILIA	MORENO VALLEY	CA	92551-7048	WINSTON, MYOHO	25900 CALLE FAMILIA	MORENO VALLEY, CA	92551-7048	253.92	25.39	50.28	329.58
31279675002	486141025	MC MULLEN, ANITA	25860	RANCHO LUCERO DR	MORENO VALLEY	CA	92551-7053	MC MULLEN, ANITA	25860 RANCHO LUCERO DR	MORENO VALLEY, CA	92551-7053	329.32	32.93	65.21	427.44
94842235004	486141031	MCDONALD, TAKEYA (RENT)	25780	RANCHO LUCERO DR	MORENO VALLEY	CA	92551-7052	MCDONALD, TAKEYA	25780 RANCHO LUCERO DR	MORENO VALLEY, CA	92551-7052	254.12	25.41	50.32	329.84
31287865005	486142004	JASSO, JOSE	25789	RANCHO LUCERO DR	MORENO VALLEY	CA	92551-7054	JASSO, JOSE	25789 RANCHO LUCERO DR	MORENO VALLEY, CA	92551-7054	54.02	5.4	10.7	70.1
93653193004	486142008	MARTINEZ, MONICA (RENT)	15321	VIA CORTEZ	MORENO VALLEY	CA	92551-7045	MARTINEZ, MONICA	15321 VIA CORTEZ	MORENO VALLEY, CA	92551-7045	123.82	12.38	24.52	160.7
31343175001	486143003	GONZALEZ JR, EMANUEL	15341	LOS ESTADOS ST	MORENO VALLEY	CA	92551-7051	GONZALEZ JR, EMANUEL	15341 LOS ESTADOS ST	MORENO VALLEY, CA	92551-7051	254.02	25.4	50.3	329.7
92429423002	486143006	CORELLA, EMMA (RENT)	25933	CALLE FAMILIA	MORENO VALLEY	CA	92551-7049	CORELLA, EMMA (RENT)	25933 CALLE FAMILIA	MORENO VALLEY, CA	92551-7049	253.09	25.31	50.11	328.5
95855135006	486151003	SHAWVER, MITCHELL (RENT)	25913	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-7060	SHAWVER, MITCHELL	1134 VILLA CALIMESA LN SPC B4	CALIMESA, CA	92320-1031	177.9	17.79	35.22	230.9
31104525004	486151005	MUHR, REX	25941	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-7060	MUHR, REX	25941 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-7060	329.32	32.93	65.21	427.44
31248935003	486151006	TERRELL, LAWRENCE	25955	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-7060	TERRELL, LAWRENCE	25955 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-7060	190.74	19.07	37.77	247.58
96375293008	486151009	BLANK, GRACIA MAE (OWNR)	15485	CAMINO GRANDE	MORENO VALLEY	CA	92551-7063	BLANK, GRACIA MAE	15485 CAMINO GRANDE	MORENO VALLEY, CA	92551-7063	181.86	18.19	36.01	236.04
88472408002	486151010	ROCHIN, RAMONA AND ARMANDO	15473	CAMINO GRANDE	MORENO VALLEY	CA	92551-7063	ROCHIN, RAMONA AND ARMANDO	15473 CAMINO GRANDE	MORENO VALLEY, CA	92551-7063	62.46	6.25	12.37	81.06
72919045006	486151016	MCCRAY, SHAWMEIN AND LLEWELLYN	25956	PASEO PACIFICO	MORENO VALLEY	CA	92551-7067	MCCRAY, SHAWMEIN AND LLEWELLYN	P O BOX 310753	FONTANA, CA	92331-0753	282.23	28.22	55.88	366.32
92967685006	486151023	LERUTTE, MAX AND RUTH	25858	PASEO PACIFICO	MORENO VALLEY	CA	92551-7066	LERUTTE, MAX AND RUTH	25858 PASEO PACIFICO	MORENO VALLEY, CA	92551-7066	323.49	32.35	64.05	419.88
93143255003	486151041	WAITES, SHANNON	25843	CASA ENCANTADOR RD	MORENO VALLEY	CA	92551-7055	WAITES, SHANNON	25843 CASA ENCANTADOR DR	MORENO VALLEY, CA	92551-7055	254.12	25.41	50.32	329.84
60511075008	486151046	MONTERO, JHOANNA	25917	CASA ENCANTADOR RD	MORENO VALLEY	CA	92551-7056	MONTERO, JHOANNA	25917 CASA ENCANTADOR DR	MORENO VALLEY, CA	92551-7056	127.46	12.75	25.24	165.44
31532555009	486151047	MANZANERO, GUADALUPE	25931	CASA ENCANTADOR RD	MORENO VALLEY	CA	92551-7056	MANZANERO, GUADALUPE	25931 CASA ENCANTADOR DR	MORENO VALLEY, CA	92551-7056	282.23	28.22	55.88	366.32
31627685000	486151051	TAPIA, FRANCISCO	25991	CASA ENCANTADOR RD	MORENO VALLEY	CA	92551-7056	TAPIA, FRANCISCO	25991 CASA ENCANTADOR DR	MORENO VALLEY, CA	92551-7056	254.02	25.4	50.3	329.7
52163305000	486152006	FOY JR, ELLIS	15435	PASEO CARMEL	MORENO VALLEY	CA	92551-1430	FOY JR, ELLIS	15435 PASEO CARMEL	MORENO VALLEY, CA	92551-1430	323.49	32.35	64.05	419.88
31623725001	486152009	MORTON, HELEN	15471	PASEO CARMEL	MORENO VALLEY	CA	92551-1430	MORTON, HELEN	15471 PASEO CARMEL	MORENO VALLEY, CA	92551-1430	254.02	25.4	50.3	329.7
97041595004	486152010	YANEZ, GUADALUPE (RENT)	15483	PASEO CARMEL	MORENO VALLEY	CA	92551-1430	YANEZ, GUADALUPE	15483 PASEO CARMEL	MORENO VALLEY, CA	92551-1430	254.12	25.41	50.32	329.84
31521495005	486152011	MARQUEZ, TONY	15495	PASEO CARMEL	MORENO VALLEY	CA	92551-1430	MARQUEZ, TONY	25445 SUNNYMEAD BLVD APT 233G	MORENO VALLEY, CA	92553-2386	329.32	32.93	65.21	427.44
58904315009	486153001	CHANEY, JASON	25771	PASEO PACIFICO	MORENO VALLEY	CA	92551-1435	CHANEY, JASON	25771 PASEO PACIFICO	MORENO VALLEY, CA	92551-1435	154.12	15.41	30.52	200.04
95816985009	486153008	GUTIERREZ, LEILANI (RENT)	25869	PASEO PACIFICO	MORENO VALLEY	CA	92551-7064	GUTIERREZ, LEILANI	12347 TUSCOLA ST	MORENO VALLEY, CA	92557-7606	117.57	11.76	23.28	152.6
54689015003	486153015	MUNOZ, EULISES A	25954	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-1401	MUNOZ, EULISES A	25954 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-1401	254.02	25.4	50.3	329.7
31309345007	486153018	PHILLIPS, DOUG	25914	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-1401	PHILLIPS, DOUG	25914 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-1401	253.92	25.39	50.28	329.58
89883895006	486153022	JONES, JANET	25856	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-7058	JONES, JANET	25856 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-7058	253.92	25.39	50.28	329.58
97952055005	486153024	SERVANTES, DEEANA (RENT)	25828	CASA FANTASTICO DR	MORENO VALLEY	CA	92551-7058	SERVANTES, DEEANA	25828 CASA FANTASTICO DR	MORENO VALLEY, CA	92551-7058	46.12	4.61	9.13	59.86
31135195007	486170008	PARKER, WILLIE	25315	GENTIAN AVE	MORENO VALLEY	CA	92551-4609	PARKER, WILLIE	25315 GENTIAN AVE	MORENO VALLEY, CA	92551-4609	329.04	32.9	65.15	427.08
91442533003	486170011	SANCHEZ, SANDY (RENT)	25325	GENTIAN AVE	MORENO VALLEY	CA	92551-4609	SANCHEZ, SANDY	24768 4TH STE #4	SAN BERNARDINO, CA	92410-5048	50.88	5.09	10.07	66.04
31601355004	486181006	SANDOVAL, MANUEL (OWNR)	25246	WENDY WAY	MORENO VALLEY	CA	92551-4648	SANDOVAL, MANUEL (OWNR)	25246 WENDY WAY	MORENO VALLEY, CA	92551-4648	104.02	10.4	20.6	135
31274465007	486182003	BERRY, FRANKIE	15726	PATRICIA ST	MORENO VALLEY	CA	92551-4656	BERRY, FRANKIE	15726 PATRICIA ST	MORENO VALLEY, CA	92551-4656	254.12	25.41	50.32	329.84

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95480835006	486182014	ELVIRA, GEORGE	15644	PATRICIA ST	MORENO VALLEY	CA	92551-4672	ELVIRA, GEORGE	1083 HERBERT AVE	LOS ANGELES, CA	90063-1741	211.9	21.19	41.96	275.04
95470205009	486182018	GREEN, KEVIN (RENT)	15614	PATRICIA ST	MORENO VALLEY	CA	92551-4672	GREEN, KEVIN	15614 PATRICIA ST	MORENO VALLEY, CA	92551-4672	190.49	19.05	37.72	247.24
86619243004	486182027	ORTIZ, JESHDAN (OWNR)	15544	PATRICIA ST	MORENO VALLEY	CA	92551-4671	ORTIZ, JESHDAN	15544 PATRICIA ST	MORENO VALLEY, CA	92551-4671	190.79	19.08	37.78	247.64
96429605000	486183006	HERNANDEZ, BENJAMIN AND ERICA	25255	DANA LN	MORENO VALLEY	CA	92551-4662	HERNANDEZ, BENJAMIN AND ERICA	25255 DANA LN	MORENO VALLEY, CA	92551-4662	261.88	26.19	51.85	339.92
91979983009	486183023	SOLORZANO, JANET (RENT)	15707	PATRICIA ST	MORENO VALLEY	CA	92551-1310	SOLORZANO, JANET (RENT)	15707 PATRICIA ST	MORENO VALLEY, CA	92551-1310	109.78	10.98	21.74	142.48
73386855006	486183024	OCHOA, MICAELA	15715	PATRICIA ST	MORENO VALLEY	CA	92551-1310	OCHOA, MICAELA	15715 PATRICIA ST	MORENO VALLEY, CA	92551-1310	61.99	6.2	12.27	80.46
31450295009	486184012	BENITEZ, RODRIGO	25294	DANA LN	MORENO VALLEY	CA	92551-4616	BENITEZ, RODRIGO	25294 DANA LN	MORENO VALLEY, CA	92551-4616	254.02	25.4	50.3	329.7
86441773001	486192003	BAHENA, MONICA (RENT)	25201	WENDY WAY	MORENO VALLEY	CA	92551-6100	BAHENA, MONICA	25201 WENDY WAY	MORENO VALLEY, CA	92551-6100	63.63	6.36	12.6	82.58
31308265005	486192013	GARCIA, ELENO	25097	WENDY WAY	MORENO VALLEY	CA	92551-1312	GARCIA, ELENO	2700 RIDGELINE DR APT 201	CORONA, CA	92882-8743	254.12	25.41	50.32	329.84
96604075009	486192015	CORNER, BEVERLY (RENT)	25075	WENDY WAY	MORENO VALLEY	CA	92551-1312	CORNER, BEVERLY	25075 WENDY WAY	MORENO VALLEY, CA	92551-1312	65.79	6.58	13.03	85.38
93067945000	486192021	ARTERBERRY, ISSAC (RENT)	25118	DANA LN	MORENO VALLEY	CA	92551-4651	ARTERBERRY, ISSAC	25118 DANA LN	MORENO VALLEY, CA	92551-4651	127.36	12.74	25.22	165.3
31563225004	486192028	GARCIA, MAGDALENA	25184	DANA LN	MORENO VALLEY	CA	92551-4659	GARCIA, MAGDALENA	25184 DANA LN	MORENO VALLEY, CA	92551-4659	126.96	12.7	25.14	164.78
31601575008	486192032	VARSAMAS, ZACHARIAS	25216	DANA LN	MORENO VALLEY	CA	92551-4653	VARSAMAS, ZACHARIAS	25216 DANA LN	MORENO VALLEY, CA	92551-4653	254.02	25.4	50.3	329.7
31598875003	486193010	ROMERO, RENEE	25047	WENDY WAY	MORENO VALLEY	CA	92551-4646	ROMERO, RENEE	25047 WENDY WAY	MORENO VALLEY, CA	92551-4646	254.02	25.4	50.3	329.7
31584235008	486193011	VILLARREAL, RALPH AND ELAINA	25211	DANA LN	MORENO VALLEY	CA	92551-4654	VILLARREAL, RALPH AND ELAINA	25211 DANA LN	MORENO VALLEY, CA	92551-4654	64.09	6.41	12.69	83.18
31097765009	486193012	GOODRICH, CRAIG	25205	DANA LN	MORENO VALLEY	CA	92551-4654	GOODRICH, CRAIG	25205 DANA LN	MORENO VALLEY, CA	92551-4654	254.02	25.4	50.3	329.7
95770085009	486193014	MEZA, ALVARO (OWNR)	25189	DANA LN	MORENO VALLEY	CA	92551-4661	MEZA, ALVARO	25189 DANA LN	MORENO VALLEY, CA	92551-4661	254.12	25.41	50.32	329.84
31322725000	486193024	JIMENEZ, JUAN	25111	DANA LN	MORENO VALLEY	CA	92551-4660	JIMENEZ, JUAN	25111 DANA LN	MORENO VALLEY, CA	92551-4660	180.66	18.07	35.77	234.48
92649335004	486193027	BRUNT, JOSHLYN (RENT)	25079	DANA LN	MORENO VALLEY	CA	92551-1322	BRUNT, JOSHLYN	25079 DANA LN	MORENO VALLEY, CA	92551-1322	158.96	15.9	31.47	206.32
31184745000	486193029	DUPREE, TOMMIE	25055	DANA LN	MORENO VALLEY	CA	92551-4615	DUPREE, TOMMIE	25055 DANA LN	MORENO VALLEY, CA	92551-4615	254.02	25.4	50.3	329.7
59255235002	486193037	RODRIGUEZ, ROCIO	25050	DANA LN	MORENO VALLEY	CA	92551-4650	RODRIGUEZ, ROCIO	25050 DANA LN	MORENO VALLEY, CA	92551-4650	254.12	25.41	50.32	329.84
96639863009	486193038	FRANKLIN, LEVOIL (RENT)	25060	DANA LN	MORENO VALLEY	CA	92551-4650	FRANKLIN, LEVOIL	25060 DANA LN	MORENO VALLEY, CA	92551-4650	127.46	12.75	25.24	165.44
94787075004	486201001	RODRIGUEZ, DANIEL	15759	NINYA AVE	MORENO VALLEY	CA	92551-4689	RODRIGUEZ, DANIEL	15759 NINYA AVE	MORENO VALLEY, CA	92551-4689	254.12	25.41	50.32	329.84
86289593002	486201004	MELENDEZ, RICARDO AND VERONICA	15783	NINYA AVE	MORENO VALLEY	CA	92551-4689	MELENDEZ, RICARDO AND VERONICA	15783 NINYA AVE	MORENO VALLEY, CA	92551-4689	190.79	19.08	37.78	247.64
55836225005	486201008	WHITE, GLORIA	15815	NINYA AVE	MORENO VALLEY	CA	92551-4686	WHITE, GLORIA	15815 NINYA AVE	MORENO VALLEY, CA	92551-4686	36.37	3.64	7.2	47.2
31284425005	486201009	TREJO, DELIA	15823	NINYA AVE	MORENO VALLEY	CA	92551-4686	TREJO, DELIA	15823 NINYA AVE	MORENO VALLEY, CA	92551-4686	44.03	4.4	8.72	57.14
31224665000	486202001	MORRISON, KENNETH	15856	NINYA AVE	MORENO VALLEY	CA	92551-4684	MORRISON, KENNETH	15856 NINYA AVE	MORENO VALLEY, CA	92551-4684	282.23	28.22	55.88	366.32
31147875009	486202003	MAY, GREENWOOD T AND JUDY G	15838	NINYA AVE	MORENO VALLEY	CA	92551-4685	MAY, GREENWOOD T AND JUDY G	15838 NINYA AVE	MORENO VALLEY, CA	92551-4685	254.02	25.4	50.3	329.7
97640395005	486202004	LOPEZ, BEVERLY (RENT)	15830	NINYA AVE	MORENO VALLEY	CA	92551-4685	LOPEZ, BEVERLY	15830 NINYA AVE	MORENO VALLEY, CA	92551-4685	242.45	24.25	48.01	314.7
31444675002	486202005	MOORE, LISA	15820	NINYA AVE	MORENO VALLEY	CA	92551-4685	MOORE, LISA	15820 NINYA AVE	MORENO VALLEY, CA	92551-4685	254.02	25.4	50.3	329.7
31497185002	486202006	TREJO, EMMA	15808	NINYA AVE	MORENO VALLEY	CA	92551-4685	TREJO, EMMA	15808 NINYA AVE	MORENO VALLEY, CA	92551-4685	154.02	15.4	30.5	199.9
31461965005	486202011	ALEXANDER, THRESE MAPP	15766	NINYA AVE	MORENO VALLEY	CA	92551-4688	ALEXANDER, THRESE MAPP	15766 NINYA AVE	MORENO VALLEY, CA	92551-4688	254.02	25.4	50.3	329.7
31597915007	486208003	SANCHEZ, JOE	15824	COBRA DR	MORENO VALLEY	CA	92551-1302	SANCHEZ, JOE	15824 COBRA DR	MORENO VALLEY, CA	92551-1302	232.81	23.28	46.1	302.18
97893985005	486208004	RODRIGUEZ, EDGAR (RENT)	15810	COBRA DR	MORENO VALLEY	CA	92551-1302	RODRIGUEZ, EDGAR	15810 COBRA DR	MORENO VALLEY, CA	92551-1302	188.26	18.83	37.28	244.36
93057365002	486208005	CARNEGIE, CELESTE (RENT)	15796	COBRA DR	MORENO VALLEY	CA	92551-4619	CARNEGIE, CELESTE	15796 COBRA DR	MORENO VALLEY, CA	92551-4619	190.39	19.04	37.7	247.12
31649775005	486208008	CORRALES, VICTOR	15768	COBRA DR	MORENO VALLEY	CA	92551-4619	CORRALES, VICTOR	15768 COBRA DR	MORENO VALLEY, CA	92551-4619	254.02	25.4	50.3	329.7
90632523002	486208010	AGUIRRE, BEVERLY (RENT)	15761	NAN AVE	MORENO VALLEY	CA	92551-4658	AGUIRRE, BEVERLY	15761 NAN AVE	MORENO VALLEY, CA	92551-4658	307.69	30.77	60.92	399.38
95620785007	486208013	TORRES, RENEE (RENT)	15791	NAN AVE	MORENO VALLEY	CA	92551-4658	TORRES, RENEE	15791 NAN AVE	MORENO VALLEY, CA	92551-4658	254.12	25.41	50.32	329.84
61374695000	486208015	QUEZADA, MARTHA	15811	NAN AVE	MORENO VALLEY	CA	92551-4657	QUEZADA, MARHTA	15811 NAN AVE	MORENO VALLEY, CA	92551-4657	357.88	35.79	70.86	464.52
94483065002	486208017	CLARKE, MARY (OWNR)	15831	NAN AVE	MORENO VALLEY	CA	92551-4657	CLARKE, MARY	13666 PERSIMMON RD	MORENO VALLEY, CA	92553-3858	254.12	25.41	50.32	329.84
53090135000	486208020	MONTELONGO, CONSTANTINO	15861	NAN AVE	MORENO VALLEY	CA	92551-4657	MONTELONGO, CONSTANTINO	15861 NAN AVE	MORENO VALLEY, CA	92551-4657	63.63	6.36	12.6	82.58
90157113006	486204008	RODRIGUEZ, LIDIA (RENT)	15852	NAN AVE	MORENO VALLEY	CA	92551-4657	RODRIGUEZ, LIDIA	15852 NAN AVE	MORENO VALLEY, CA	92551-4657	166.83	16.68	33.03	216.54
31297255002	486204014	BARRON, LATANYA AND NATHANIEL	15811	WEDOW DR	MORENO VALLEY	CA	92551-1318	BARRON, LATANYA AND NATHANIEL	15811 WEDOW DR	MORENO VALLEY, CA	92551-1318	127.26	12.73	25.2	165.18
89572373004	486204016	MITCHELL, KATHLENE (RENT)	15774	WEDOW DR	MORENO VALLEY	CA	92551-1317	MITCHELL, KATHLENE	1153 S NORETON AVE APT 7	LOS ANGELES, CA	90019-3396	69.75	6.98	13.81	90.52
31076445001	486204020	PACHO, APRIL	15798	WEDOW DR	MORENO VALLEY	CA	92551-1317	PACHO, APRIL	15798 WEDOW DR	MORENO VALLEY, CA	92551-1317	254.02	25.4	50.3	329.7
31331175006	486211002	MCALPIN, ROCHELLE	15847	NINYA AVE	MORENO VALLEY	CA	92551-4686	MCALPIN, ROCHELLE	15847 NINYA AVE	MORENO VALLEY, CA	92551-4686	254.02	25.4	50.3	329.7
73690895003	486211003	MEZA, ALEJANDRO	15855	NINYA AVE	MORENO VALLEY	CA	92551-4683	MEZA, ALEJANDRO	15855 NINYA AVE	MORENO VALLEY, CA	92551-4683	254.02	25.4	50.3	329.7
95078665005	486211007	BUCHANAN, JOSHUA (RENT)	15887	NINYA AVE	MORENO VALLEY	CA	92551-4683	BUCHANAN, JOSHUA	15887 NINYA AVE	MORENO VALLEY, CA	92551-4683	254.02	25.4	50.3	329.7
60974535005	486211008	SANCHEZ, ENRIQUE	15895	NINYA AVE	MORENO VALLEY	CA	92551-4683	SANCHEZ, ENRIQUE	15895 NINYA AVE	MORENO VALLEY, CA	92551-4683	254.12	25.41	50.32	329.84
57848535003	486211011	MERCADO, SUSAN (OWNR)	15919	NINYA AVE	MORENO VALLEY	CA	92551-4617	MERCADO, SUSAN	15919 NINYA AVE	MORENO VALLEY, CA	92551-4617	272.53	27.25	53.96	353.74
95126235001	486211013	BARNES, DEVIN (RENT)	15935	NINYA AVE	MORENO VALLEY	CA	92551-4617	BARNES, DEVIN	29245 CALLE NOGALES APT	MORENO VALLEY, CA	92552-7086	254.12	25.41	50.32	329.84
31254255003	486211018	DUDAS, KEVIN	15975	NINYA AVE	MORENO VALLEY	CA	92551-4610	DUDAS, KEVIN	9705 BLUE BELL DR	LAS VEGAS, NV	89134-7834	254.12	25.41	50.32	329.84
72820075009	486212001	COLLINS, TANYA	15984	NINYA AVE	MORENO VALLEY	CA	92551-4611	COLLINS, TANYA	844 ANIRA CT	PERRIS, CA	92571-5113	217.06	21.71	42.98	281.74
91780705000	486212004	SAWYER, CHANTEL	15960	NINYA AVE	MORENO VALLEY	CA	92551-4611	SAWYER, CHANTEL	15960 NINYA AVE	MORENO VALLEY, CA	92551-4611	405.08	40.51	80.21	525.78
31273885001	486212015	HUNTER, STURGIS	15849	COBRA DR	MORENO VALLEY	CA	92551-4623	HUNTER, STURGIS	15849 COBRA DR	MORENO VALLEY, CA	92551-4623	329.32	32.93	65.21	427.44
92644055003	486212019	PEREZ, CIPRIANO (RENT)	15885	COBRA DR	MORENO VALLEY	CA	92551-1305	PEREZ, CIPRIANO	16176 EBONY AVE	MORENO VALLEY, CA	92551-9228	164.8	16.48	32.63	213.9
31504545001	486212022	MARTINEZ, PAUL S	15913	COBRA DR	MORENO VALLEY	CA	92551-4645	MARTINEZ, PAUL S	15913 COBRA DR	MORENO VALLEY, CA	92551-4645	253.92	25.39	50.28	329.58
70927555003	486213005	DEVINE, DANAE	15886	COBRA DR	MORENO VALLEY	CA	92551-1304	DEVINE, DANAE	15886 COBRA DR	MORENO VALLEY, CA	92551-1304	254.02	25.4	50.3	329.7
31497235003	486213008	LOPEZ, BERNIE	15848	COBRA DR	MORENO VALLEY	CA	92551-4620	LOPEZ, BERNIE	15848 COBRA DR	MORENO VALLEY, CA	92551-4620	329.32	32.93	65.21	427.44
60556675007	486214003	MARTINEZ, LINDA	15906	WEDOW DR	MORENO VALLEY	CA	92551-4633	MARTINEZ, LINDA	15906 WEDOW DR	MORENO VALLEY, CA	92551-4633	70.44	7.04	13.95	91.42
65632695007	486214006	JARAMILLO, JOSE	15942	WEDOW DR	MORENO VALLEY	CA	92551-4633	JARAMILLO, JOSE	15942 WEDOW DR	MORENO VALLEY, CA	92551-4633	254.12	25.41	50.32	329.84
31353265001	486214010	BUSTAMANTE, DAVID	15990	WEDOW DR	MORENO VALLEY	CA	92551-4633	BUSTAMANTE, DAVID	15990 WEDOW DR	MORENO VALLEY, CA	92551-4633	329.32	32.93	65.21	427.44
88423053008	486221006	CASILLAS, YVETTE (RENT)	15761	PATRICIA ST	MORENO VALLEY	CA	92551-4667	CASILLAS, YVETTE	11303 DRIFTWOOD DR	FONTANA, CA	92337-0606	254.12	25.41	50.32	329.84
31608415007	486221015	LOPEZ, CONNIE	15779	PATRICIA ST	MORENO VALLEY	CA	92551-4638	LOPEZ, CONNIE	15779 PATRICIA ST	MORENO VALLEY, CA	92551-4639	129.02	12.9	25.55	167.46
92417413009	486221019	VELASQUEZ, JEANNETTE TRUST	25253	SHAWEL ASH DR	MORENO VALLEY	CA	92551-1314	VELASQUEZ, JEANNETTE TRUST	25253 SHAWEL ASH DR	MORENO VALLEY, CA	92551-1314	335.75	33.58	66.48	435.8
31333525009	486221025	POWELL, MICHAEL	25325	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4675	POWELL, MICHAEL	27595 E TRAIL RIDGE WAY APT 1060	MORENO VALLEY, CA	92555-3110	217.96	21.8	43.16	282.9
84483745002	486221026	BLACKBURN, DEBBIE	25337	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4675	BLACKBURN, DEBBIE	25337 SHAWEL ASH DR	MORENO VALLEY, CA	92551-4675	200	20	39.6	259.6
65942945008	486221028	MOSQUEDA, JORGE	25361	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4675	MOSQUEDA, JORGE	25361 SHAWEL ASH DR	MORENO VALLEY, CA	92551-4675	254.12	25.41	50.32	329.84
91260003000	486222002	RAMIREZ, ERICA (OWNR)	25348	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4677	RAMIREZ, ERICA	25348 SHAWEL ASH DR	MORENO VALLEY, CA	92551-4677	123.45	12.35	24.44	160.22
31247955000	486222007	PARSONS, GABRIELE	15784	PATRICIA ST	MORENO VALLEY	CA	92551-4637	PARSONS, GABRIELE	15784 PATRICIA ST	MORENO VALLEY, CA	92551-4637	190.69	19.07	37.76	247.5
89871705001	486222013	TARULA, CARLOS	15772	PATRICIA ST	MORENO VALLEY	CA	92551-4666	TARULA, CARLOS	15772 PATRICIA ST	MORENO VALLEY, CA	92551-4666	36.37	3.64	7.2	47.2
31593895000	486222014	OROZCO, CESAR	15770	PATRICIA ST	MORENO VALLEY	CA	92551	OROZCO, CESAR	15770 PATRICIA ST	MORENO VALLEY, CA	92551	254.02	25.4	50.3	329.7
101705763002	486222015	MAXWELL, CHRISTINE (RENT)	15768	PATRICIA ST	MORENO VALLEY	CA	92551-4666	MAXWELL, CHRISTINE	15768 PATRICIA ST	MORENO VALLEY, CA	92551-4666	23.52	2.35	4.66	30.52
31131895009	486222017	MURRAY, DONALD	15764	PATRICIA ST	MORENO VALLEY	CA	92551-4666	MURRAY, DONALD	15764 PATRICIA ST	MORENO VALLEY, CA	92551-4666	254.02	25.4	50.3	329.7
96509955005	486222023	GONZALEZ, VERONICA (RENT)	15752	PATRICIA ST	MORENO VALLEY	CA	92551-4666	GONZALEZ, VERONICA	15752 PATRICIA ST	MORENO VALLEY, CA	92551-4666	193.58	19.36	38.33	251.26
31363075000	486222034	DAWSON, GLORIA (OWNR)	25359	BEANTREE CT	MORENO VALLEY	CA	92551-4674	DAWSON, GLORIA	25359 BEANTREE CT	MORENO VALLEY, CA	92551-4674	254.02	25.4	50.3	329.7
93152415001	486222042	GOMEZ, JOSE	15761	CAYMAN CIR	MORENO VALLEY	CA	92551-4629	GOMEZ, JOSE	15761 CAYMAN CIR	MORENO VALLEY, CA	92551-4629	254.02	25.4	50.3	329.7
50390555008	486231001	LOPEZ, JUAN	25373	SHAWEL ASH DR	MORENO VALLEY	CA	92551-1315	LOPEZ, JUAN	25373 SHAWEL ASH DR	MORENO VALLEY, CA	92551-1315	254.02	25.4	50.3	329.7
31424105004	486231003	JACKSON, MARY AND PAUL	25397	SHAWEL ASH DR	MORENO VALLEY	CA	92551-1315	JACKSON, MARY AND PAUL	141 OLD SUMRALL RD	COLUMBIA, MS	39429-9739	190.69	19.07	37.76	247.5
31525095000	486231005	SMITH, FERDIANN	25421	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4676	SMITH, FERDIANN	PO BOX 1113	MORENO VALLEY, CA	92556-1113	254.12	25.41	50.32	329.84
88656775002	486232005	HOLGUIN, SUSAN	25396	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4677	HOLGUIN, SUSAN	25396 SHAWEL ASH DR	MORENO VALLEY, CA	92551-4677	254.12	25.41	50.32	329.84
67376085007	486232007	DUONG, MYDUYEN	25372	SHAWEL ASH DR	MORENO VALLEY	CA	92551-4677	DUONG, MYDUYEN	6618 MONCLAIR DR	RIVERSIDE, CA	92504	254.12	25.41	50.32	329.84
31377455000	486232012	ROTA-KOHRT, YVONNE	25421	BEANTREE CT	MORENO VALLEY	CA	92551-1301	ROTA-KOHRT, YVONNE	25421 BEANTREE CT	MORENO VALLEY, CA	92551-1301	254.02	25.4	50.3	329.7
31427215004	486233006	ONTIVEROS, CARLOS AND MARLENE	15761	FARMSTEAD ST	MORENO VALLEY	CA	92551-4669	ONTIVEROS, CARLOS AND MARLENE	15761 FARMSTEAD ST	MORENO VALLEY, CA	92551-4669	254.02	25.4	50.3	329.7
31343945000	486234001	LOPEZ, JOSE	25371	CAYMAN AVE	MORENO VALLEY	CA	92551-4679	LOPEZ, JOSE	25371 CAYMAN AVE	MORENO VALLEY, CA	92551-4679	329.32	32.93	65.21	427.44
31100315006	486234003	JERNEGAN, SABRINA	25386	BEANTREE CT	MORENO VALLEY	CA	92551-4673	JERNEGAN, SABRINA	25386 BEANTREE CT	MORENO VALLEY, CA	92551-4673	179.32	17.93	35.51	232.74
31370435000	486234004	GRAJEDA, ANTONIO	25370	BEANTREE CT	MORENO VALLEY	CA	92551-4673	GRAJEDA, ANTONIO	PO BOX 39597	DOWNEY, CA	90239-0597	329.32	32.93	65.21	427.44
31474715001	486235002	HERNANDEZ, MOSES	15786	BLUECHIP CIR	MORENO VALLEY	CA	92551-4665	HERNANDEZ, MOSES	15786 BLUECHIP CIR	MORENO VALLEY, CA	92551-4665	194.02	19.4	38.42	251.82
75886065009	486235015	JIMENEZ, RICHARDO	15760	BLUECHIP CIR	MORENO VALLEY	CA	92551-4664	JIMENEZ, RICHARDO	668 CAMELIA DR	PERRIS, CA	92571-3616	204.02	20.4	40.4	264.8
93287785007	486235024	JACKSON, ODESSA	15759	BLUECHIP CIR	MORENO VALLEY	CA	92551-4663	JACKSON, ODESSA	15759 BLUECHIP CIR	MORENO VALLEY, CA	92551-4663	329.6	32.96	65.26	427.82
89681273004	486235025	HAWKINS, LEROY (RENT)	15761	BLUECHIP CIR	MORENO VALLEY	CA	92551-4663	HAWKINS, LEROY	15761 BLUECHIP CIR	MORENO VALLEY, CA	92551-4663	116.69	11.67	23.1	151.46
31358925002	486235031	INFANTE, JAVIER AND ANABETH	15772	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	INFANTE, JAVIER AND ANABETH	15772 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	329.32	32.93	65.21	427.44
55832375002	486235033	PADILLA, MARTHA	15768	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	PADILLA, MARTHA	15768 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	105.69	10.57	20.93	137.18
91487403005	486235034	JACKSON, WANJUKU (OWNR)	15766	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	JACKSON, WANJUKU	15766 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	31.13	3.11	6.16	40.4
52668615003	486235035	CLONINGER, LISA	15764	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	CLONINGER, LISA	15764 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	254.02	25.4	50.3	329.7
87945125007	486235037	WASHINGTON, DEDRICK	15760	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	WASHINGTON, DEDRICK	15760 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	254.12	25.41	50.32	329.84
31635775004	486235041	GALLARDO, MARIO AND ROSARIO	15752	FARMSTEAD ST	MORENO VALLEY	CA	92551-4668	GALLARDO, MARIO AND ROSARIO	15752 FARMSTEAD ST	MORENO VALLEY, CA	92551-4668	34.02	3.4	6.74	44.16
90280895002	486235043	ROBINSON, LORENE	25445	SANTIAGO DR	MORENO VALLEY	CA	92551-4678	ROBINSON, LORENE	13200 PAVILLION CT	MORENO VALLEY, CA	92553-5610	329.04	32.9	65.15	427.08
31554665000	486290004	ACADEMIA, HERMINO	27160	CACTUS AVE	MORENO VALLEY	CA	92555-4710	ACADEMIA, HERMINO	27160 CACTUS AVE	MORENO VALLEY, CA	92555-4710	254.02	25.4	50.3	329.7
65257025004	486290007	VASQUEZ, MARTHA	14385	WINDMILL LN	MORENO VALLEY	CA	92555-4707	VASQUEZ, MARTHA	2300 S LEWIS ST SPACE 31	ANAHEIM, CA	92802-5013	136.64	13.66	27.05	177.34
93373275002	486290012	WHITE, KAREN (RENT)	14471	ANTHONY PL	MORENO VALLEY	CA	92555-4713	WHITE, KAREN	14471 ANTHONY PL	MORENO VALLEY, CA	92555-4713	329.6	32.96	65.26	427.82

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
87966575008	486290013	ALVAREZ, KIMBERLY	14443	ANTHONY PL	MORENO VALLEY	CA	92555-4713	ALVAREZ, KIMBERLY	14443 ANTHONY PL	MORENO VALLEY, CA	92555-4713	408.72	40.87	80.93	530.5
31425015000	486290015	GOLDA, PURCELL (OWNR)	14389	ANTHONY PL	MORENO VALLEY	CA	92555-4702	GOLDA, PURCELL	14389 ANTHONY PL	MORENO VALLEY, CA	92555-4702	82.68	8.27	16.37	107.3
92762465007	486290025	SANCHEZ, TERESA	14416	ANTHONY PL	MORENO VALLEY	CA	92555-4709	SANCHEZ, TERESA	14416 ANTHONY PL	MORENO VALLEY, CA	92555-4709	254.02	25.4	50.3	329.7
31284675002	486290026	JOHNSON, JONITH	27330	CACTUS AVE	MORENO VALLEY	CA	92555-4716	JOHNSON, JONITH	27330 CACTUS AVE	MORENO VALLEY, CA	92555-4716	329.04	32.9	65.15	427.08
59841825005	486290027	RUEDA, DORA	27350	CACTUS AVE	MORENO VALLEY	CA	92555-4716	RUEDA, DORA	27350 CACTUS AVE	MORENO VALLEY, CA	92555-4716	254.12	25.41	50.32	329.84
91838135006	486351004	MARASCO, FRANK	25646	CATALEJO LN	MORENO VALLEY	CA	92551-1909	MARASCO, FRANK	25646 CATALEJO LN	MORENO VALLEY, CA	92551-1909	253.92	25.39	50.28	329.58
98298285014	486351005	CABRERRA, RAQUEL	25656	CATALEJO LN	MORENO VALLEY	CA	92551-1909	CABRERRA, RAQUEL	25656 CATALEJO LN	MORENO VALLEY, CA	92551-1909	54.12	5.41	10.72	70.24
86257805005	486351006	TORRES, MARIA DEL CARMEN	15506	GUAJOME RD	MORENO VALLEY	CA	92551-1900	TORRES, MARIA DEL CARMEN	15506 GUAJOME RD	MORENO VALLEY, CA	92551-1900	84.02	8.4	16.64	109.04
48647715003	486351007	KELLY, DAWN (OWNR)	15516	GUAJOME RD	MORENO VALLEY	CA	92551-1900	KELLY, DAWN	1106 AUTUMNWOOD LN	PERRIS, CA	92571-9200	81.4	8.14	16.12	105.64
66123215007	486351011	PONCE, REBECCA	15556	GUAJOME RD	MORENO VALLEY	CA	92551-1900	PONCE, REBECCA	15556 GUAJOME RD	MORENO VALLEY, CA	92551-1900	254.12	25.41	50.32	329.84
31174955006	486351014	RAMOS, GREGORY	15586	GUAJOME RD	MORENO VALLEY	CA	92551-1903	RAMOS, GREGORY	500 S CARMICHAEL AVE APT 119B	SIERRA VISTA, AZ	85635-3085	254.02	25.4	50.3	329.7
31573495006	486351021	STANFORD, GEORGE	15595	JACARA LN	MORENO VALLEY	CA	92553-	STANFORD, GEORGE	15595 JACARA LN	MORENO VALLEY, CA	92551-1971	254.02	25.4	50.3	329.7
97156355000	486351027	LUNA, GLORIA (RENT)	15535	JACARA LN	MORENO VALLEY	CA	92551-1970	LUNA, GLORIA	15535 JACARA LN	MORENO VALLEY, CA	92551-1970	190.79	19.08	37.78	247.64
93835835003	486351028	CASTELLON, ALFONSO (OWNR)	15525	JACARA LN	MORENO VALLEY	CA	92551-1970	CASTELLON, ALFONSO	15525 JACARA LN	MORENO VALLEY, CA	92551-1970	267.26	26.73	52.92	346.9
90879165004	486351031	MEZA, VERONICA (RENT)	25760	JUMANO DR	MORENO VALLEY	CA	92551-2906	MEZA, VERONICA	25760 JUMANO DR	MORENO VALLEY, CA	92551-2906	398.34	39.83	78.87	517.04
63922235000	486352001	HERNANDEZ, SONIA	15625	GUAJOME RD	MORENO VALLEY	CA	92551-1904	HERNANDEZ, SONIA	15625 GUAJOME RD	MORENO VALLEY, CA	92551-1904	254.12	25.41	50.32	329.84
101569163008	486352007	TAYLOR, DEAUNDRE	15565	GUAJOME RD	MORENO VALLEY	CA	92551-1901	TAYLOR, DEAUNDRE	15565 GUAJOME RD	MORENO VALLEY, CA	92551-1901	93.52	9.35	18.52	121.38
94899025008	486352015	SEVILLA, DESIREE (OWNR)	25605	CATALEJO LN	MORENO VALLEY	CA	92551-1910	SEVILLA, DESIREE	25605 CATALEJO LN	MORENO VALLEY, CA	92551-1910	190.79	19.08	37.78	247.64
92267985008	486352016	GRAY, AURORA	25595	CATALEJO LN	MORENO VALLEY	CA	92551-1908	GRAY, AURORA	1966 KENSINGTON DR	SAN JACINTO, CA	92583-6031	329.04	32.9	65.15	427.08
97564073004	486352019	CHRISTIAN, BARBARA (RENT)	25565	CATALEJO LN	MORENO VALLEY	CA	92551-1908	CHRISTIAN, BARBARA	25565 CATALEJO LN	MORENO VALLEY, CA	92551-1908	156.96	15.7	31.08	203.72
94230135003	486352026	MARQUEZ, ELIZABETH (RENT)	15566	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1919	MARQUEZ, ELIZABETH	15566 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1919	54.02	5.4	10.7	70.1
50471065009	486352031	ACEVEDO, ALFONSO	15585	GORRION CT	MORENO VALLEY	CA	92551-1926	ACEVEDO, ALFONSO	15585 GORRION CT	MORENO VALLEY, CA	92551-1926	254.02	25.4	50.3	329.7
70432775008	486352049	ZELEDON, ERICK (RENT)	15536	GRANADA DR	MORENO VALLEY	CA	92551-1934	ZELEDON, ERICK	15536 GRANADA DR	MORENO VALLEY, CA	92551-1934	190.66	19.07	37.75	247.46
62818005000	486352050	CORDERO, HECTOR	15546	GRANADA DR	MORENO VALLEY	CA	92551-1934	CORDERO, HECTOR	15546 GRANADA DR	MORENO VALLEY, CA	92551-1934	165.92	16.59	32.85	215.36
92429413004	486353001	MERAZ, MIGUEL (OWNR)	15615	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1923	MERAZ, MIGUEL	15615 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1923	135.76	13.58	26.88	176.2
31320465008	486353002	BARBER, LARRY	15605	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1922	BARBER, LARRY	15605 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1922	254.02	25.4	50.3	329.7
31574175001	486353005	ROBINSON, EDWARD	15575	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1954	ROBINSON, EDWARD	15575 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1954	254.02	25.4	50.3	329.7
90878615002	486354001	COVARRUBIAS, LAURA (OWNR)	15555	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1920	COVARRUBIAS, LAURA	15555 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1920	190.47	19.05	37.71	247.22
94971243009	486354013	PLACENCIA, MICHAEL (OWNR)	25576	CATALEJO LN	MORENO VALLEY	CA	92551-1907	PLACENCIA, MICHAEL	25576 CATALEJO LN	MORENO VALLEY, CA	92551-1907	63.63	6.36	12.6	82.58
59798845003	486361001	HAWKINS, BUNNY	15705	GUAJOME RD	MORENO VALLEY	CA	92551-1958	HAWKINS, BUNNY	15705 GUAJOME RD	MORENO VALLEY, CA	92551-1958	254.12	25.41	50.32	329.84
94011713005	486361009	BRADFORD, MICHELLE (RENT)	25600	HORADO LN	MORENO VALLEY	CA	92551-1982	BRADFORD, MICHELLE (RENT)	25600 HORADO LN	MORENO VALLEY, CA	92551-1982	233.69	23.37	46.27	303.32
91515783003	486361011	IBARRA, MARY AND ISRAEL (RENT)	25620	HORADO LN	MORENO VALLEY	CA	92551-1982	IBARRA, MARY	25620 HORADO LN	MORENO VALLEY, CA	92551-1982	232.35	23.24	46.01	301.58
86586003000	486361013	LEVETT, JACKIE (RENT)	25640	HORADO LN	MORENO VALLEY	CA	92551-1982	LEVETT, JACKIE	25640 HORADO LN	MORENO VALLEY, CA	92551-1982	90	9	17.82	116.82
31470195008	486361015	SMITH, KITTY	25660	HORADO LN	MORENO VALLEY	CA	92551-1982	SMITH, KITTY	25660 HORADO LN	MORENO VALLEY, CA	92551-1982	154.02	15.4	30.5	199.9
74959075003	486363005	ADERA, VICTOR O	25695	HORADO LN	MORENO VALLEY	CA	92551-1983	ADERA, VICTOR O	25695 HORADO LN	MORENO VALLEY, CA	92551-1983	254.02	25.4	50.3	329.7
85649975008	486363007	LIZARRAGA, GLORIA	25675	HORADO LN	MORENO VALLEY	CA	92551-1983	LIZARRAGA, GLORIA	25675 HORADO LN	MORENO VALLEY, CA	92551-1983	104.02	10.4	20.6	135
31278285006	486363009	ESPARZA, JOSE LUIS	25645	HORADO LN	MORENO VALLEY	CA	92551-1981	ESPARZA, JOSE LUIS	25645 HORADO LN	MORENO VALLEY, CA	92551-1981	204.97	20.5	40.58	266.04
31388325005	486363012	BROOKS, LILIA	25615	HORADO LN	MORENO VALLEY	CA	92551-1981	BROOKS, LILIA	25615 HORADO LN	MORENO VALLEY, CA	92551-1981	329.32	32.93	65.21	427.44
31308235002	486364029	BARKER, OLECIA	15706	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1925	BARKER, OLECIA	15706 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1925	101.6	10.16	20.12	131.86
31370205008	486364034	JOHNS, ROBERT	25580	CASTAS CT	MORENO VALLEY	CA	92551-2903	JOHNS, ROBERT	25580 CASTAS CT	MORENO VALLEY, CA	92551-2903	254.02	25.4	50.3	329.7
96430215000	486365006	PALMA, ANA (OWNR)	15685	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1924	PALMA, ANA	15685 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1924	329.6	32.96	65.26	427.82
50353815002	486365007	HARRIS, DONALD	15675	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1924	HARRIS, DONALD	15675 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1924	254.02	25.4	50.3	329.7
94924375000	486365011	PAEA, ANA (RENT)	15635	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1923	PAEA, ANA	15635 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1923	254.12	25.41	50.32	329.84
31304355005	486365013	FLETCHER, LINDA	15735	CARMEL VERDE LN	MORENO VALLEY	CA	92551-1955	FLETCHER, LINDA	15735 CARMEL VERDE LN	MORENO VALLEY, CA	92551-1955	254.02	25.4	50.3	329.7
31583855009	486371001	HARKLEY, WAYNE AND AALIYAH	15610	JACARA LN	MORENO VALLEY	CA	92551-1998	HARKLEY, WAYNE AND AALIYAH	15610 JACARA LN	MORENO VALLEY, CA	92551-1998	254.02	25.4	50.3	329.7
31529085004	486371004	SANCHEZ, JOSE	15645	ISLETA LN	MORENO VALLEY	CA	92551-1976	SANCHEZ, JOSE	15645 ISLETA LN	MORENO VALLEY, CA	92551-1976	253.92	25.39	50.28	329.58
89661993005	486371005	WOODALL, EUGENE (OWNR)	15635	ISLETA LN	MORENO VALLEY	CA	92551-1976	WOODALL, EUGENE (OWNR)	15635 ISLETA LN	MORENO VALLEY, CA	92551-1976	331.59	33.16	65.65	430.4
31259595001	486372003	MADRIGAL, HUMBERTO	15620	ISLETA LN	MORENO VALLEY	CA	92551-1975	MADRIGAL, HUMBERTO	15620 ISLETA LN	MORENO VALLEY, CA	92551-1975	254.02	25.4	50.3	329.7
96409665008	486372005	DEPETRIS, JESSICA	15600	ISLETA LN	MORENO VALLEY	CA	92551-1975	DEPETRIS, JESSICA	15600 ISLETA LN	MORENO VALLEY, CA	92551-1975	74.18	7.42	14.69	96.28
31243575009	486372012	WRING, ALICE	15665	LAS POSAS DR	MORENO VALLEY	CA	92551-1991	WRING, ALICE	15665 LAS POSAS DR	MORENO VALLEY, CA	92551-1991	200.52	20.05	39.7	260.26
31589435005	486372015	SILVA, SANDY	15695	LAS POSAS DR	MORENO VALLEY	CA	92551-1991	SILVA, SANDY	15695 LAS POSAS DR	MORENO VALLEY, CA	92551-1991	254.02	25.4	50.3	329.7
87756495000	486373002	JEFFERSON, CEDRIC (OWNR)	25790	HORADO LN	MORENO VALLEY	CA	92551-1980	JEFFERSON, CEDRIC	25790 HORADO LN	MORENO VALLEY, CA	92551-1980	127.46	12.75	25.24	165.44
75956695008	486373017	GAO, PENG	15665	LUCIA LN	MORENO VALLEY	CA	92551-2902	GAO, PENG	15665 LUCIA LN	MORENO VALLEY, CA	92551-2902	329.32	32.93	65.21	427.44
61061315003	486373018	BELL, LAURA	15675	LUCIA LN	MORENO VALLEY	CA	92551-2902	BELL, LAURA	3258 CONNORS DR	PERRIS, CA	92571-7617	329.6	32.96	65.26	427.82
88474783008	486374005	ALFARO, ESPEVAS (OWNR)	25785	HORADO LN	MORENO VALLEY	CA	92551-1986	ALFARO, ESPEVAS	1304 RIVERSTONE CT	HEMET, CA	92545-2162	46.35	4.64	9.18	60.16
97476513009	486374014	MITCHELL, LEGETTE (OWNR)	25875	HORADO LN	MORENO VALLEY	CA	92551-1995	MITCHELL, LEGETTE	25875 HORADO LN	MORENO VALLEY, CA	92551-1995	203.5	20.35	40.29	264.14
83182525007	486374017	MARQUEZ, PATRICIA	25905	HORADO LN	MORENO VALLEY	CA	92551-1996	MARQUEZ, PATRICIA	25905 HORADO LN	MORENO VALLEY, CA	92551-1996	254.02	25.4	50.3	329.7
92397123004	486381006	CASTELLON, ABRAHAM (OWNR)	25870	JUMANO DR	MORENO VALLEY	CA	92551-2908	CASTELLON, ABRAHAM	25870 JUMANO DR	MORENO VALLEY, CA	92551-2908	253.09	25.31	50.11	328.5
31620105007	486382009	YOUNG, WILLIAM AND LORI	25940	JUMANO DR	MORENO VALLEY	CA	92551-1963	YOUNG, WILLIAM AND LORI	25940 JUMANO	MORENO VALLEY, CA	92551-1963	254.02	25.4	50.3	329.7
31582205008	486383004	TATRRIEN, RANDY	15570	JACARA LN	MORENO VALLEY	CA	92551-1998	TATRRIEN, RANDY	25541 CEDARBROOK AVE	MORENO VALLEY, CA	92553-4746	254.02	25.4	50.3	329.7
92730515004	486383006	GRAY, KAMOLA	15550	JACARA LN	MORENO VALLEY	CA	92551-1969	GRAY, KAMOLA	15550 JACARA LN	MORENO VALLEY, CA	92551-1969	254.02	25.4	50.3	329.7
92805333002	486383012	BAILEY, KENNY AND DARLENE (REN	15545	ISLETA LN	MORENO VALLEY	CA	92551-1974	BAILEY, KENNY	15545 ISLETA LN	MORENO VALLEY, CA	92551-1974	253.09	25.31	50.11	328.5
96079755001	486384008	CEBALLOS, MARIA (RENT)	25820	LA BARCA RD	MORENO VALLEY	CA	92551-1927	CEBALLOS, MARIA	25820 LA BARCA RD	MORENO VALLEY, CA	92551-1927	254.12	25.41	50.32	329.84
88653075002	486384018	BUTLER, PAULETTE	25820	KARISA CIR	MORENO VALLEY	CA	92551-1968	BUTLER, PAULETTE	25820 KARISA CIR	MORENO VALLEY, CA	92551-1968	71.62	7.16	14.18	92.96
94620465005	486384020	MITCHELL, LISA (RENT)	25835	JUMANO DR	MORENO VALLEY	CA	92551-2907	MITCHELL, LISA	22286 YORKE RD	MORENO VALLEY, CA	92553-2049	26.28	2.63	5.3	34.1
60149575002	486385003	NEGRETE, MIGUEL	25935	JUMANO DR	MORENO VALLEY	CA	92551-1965	NEGRETE, MIGUEL	25935 JUMANO DR	MORENO VALLEY, CA	92551-1965	32.52	3.25	6.44	42.2
31486205002	486385011	MATTHEWS, LANITA	15580	LA ENTRADA DR	MORENO VALLEY	CA	92551-1931	MATTHEWS, LANITA	15580 LA ENTRADA DR	MORENO VALLEY, CA	92551-1931	254.12	25.41	50.32	329.84
96427885005	486385013	FORD, BOB (RENT)	15575	NUECES CT	MORENO VALLEY	CA	92551-1933	FORD, BOB	22182 NAPLES DR	MORENO VALLEY, CA	92557-5908	254.12	25.41	50.32	329.84
99936505008	486385018	WALLER, JASON (RENT)	15570	NUECES CT	MORENO VALLEY	CA	92551-1933	WALLER, JASON	15570 NUECES CT	MORENO VALLEY, CA	92551-1933	329.6	32.96	65.26	427.82
96789115000	486385019	PRINCE, LATOYA (RENT)	15555	OCANA LN	MORENO VALLEY	CA	92551-1950	PRINCE, LATOYA	PO BOX 9122	MORENO VALLEY, CA	92552-9122	41.99	4.2	8.31	54.5
31269505009	486385020	DIMMIAN, JOHN	15545	OCANA LN	MORENO VALLEY	CA	92551-1950	DIMMIAN, JOHN	12214 NUGGET AVE	VICTORVILLE, CA	92392-7456	254.02	25.4	50.3	329.7
31619135003	486385022	CARMICHEAL, ORA	15525	OCANA LN	MORENO VALLEY	CA	92551-1950	CARMICHEAL, ORA	15525 OCANA LN	MORENO VALLEY, CA	92551-1950	229.32	22.93	45.41	297.64
89733793004	486386002	HARRIS, FELICIA C	15595	LAS POSAS DR	MORENO VALLEY	CA	92551-1987	HARRIS, FELICIA C	15595 LAS POSAS DR	MORENO VALLEY, CA	92551-1987	841.52	84.15	166.62	1092.28
58816525001	486387001	BOUCARD, JEAN	25845	LA BARCA RD	MORENO VALLEY	CA	92551-1928	BOUCARD, JEAN	25845 LA BARCA RD	MORENO VALLEY, CA	92551-1928	194.12	19.41	38.44	251.96
31376575007	486387005	HENDERSON, WAYNE	25885	LA BARCA RD	MORENO VALLEY	CA	92551-1928	HENDERSON, WAYNE	25885 LA BARCA RD	MORENO VALLEY, CA	92551-1928	329.32	32.93	65.21	427.44
82592465000	486387006	FISHER, BARBARA	25895	LA BARCA RD	MORENO VALLEY	CA	92551-1928	FISHER, BARBARA	25895 LA BARCA RD	MORENO VALLEY, CA	92551-1928	31.11	3.11	6.16	40.38
31545665008	486387010	THOMAS, ELAINE (OWNR)	25935	LA BARCA RD	MORENO VALLEY	CA	92551-1930	THOMAS, ELAINE	25935 LA BARCA RD	MORENO VALLEY, CA	92551-1930	253.92	25.39	50.28	329.58
86144483002	486387014	CHANG, FRANK AND HU, SHIU FEN	25975	LA BARCA RD	MORENO VALLEY	CA	92551-1930	CHANG, FRANK AND HU, SHIU FEN	1031 S PALMETTO AVE 146	ONTARIO, CA	91762-4942	349.67	34.97	69.23	453.86
50995715001	486387015	NESBITT, ROCHELLE	25985	LA BARCA RD	MORENO VALLEY	CA	92551-1930	NESBITT, ROCHELLE	2043 WILSON AVE	PERRIS, CA	92571-3382	329.32	32.93	65.21	427.44
31404015005	486391001	CHAMBERS, CHARLES	25635	PACATO RD	MORENO VALLEY	CA	92551-1945	CHAMBERS, CHARLES	25635 PACATO RD	MORENO VALLEY, CA	92551-1945	254.02	25.4	50.3	329.7
56589385005	486391002	RIVAS, CHRISTOPHER	25645	PACATO RD	MORENO VALLEY	CA	92551-1945	RIVAS, CHRISTOPHER	25645 PACATO RD	MORENO VALLEY, CA	92551-1945	254.02	25.4	50.3	329.7
96216285008	486391008	NIETO, FELIX	25705	PACATO RD	MORENO VALLEY	CA	92551-1917	NIETO, FELIX	25705 PACATO RD	MORENO VALLEY, CA	92551-1917	228.72	22.87	45.29	296.88
74974595003	486391010	ZARATE, JOSE L	25698	PALO CEDRO DR	MORENO VALLEY	CA	92551-1961	ZARATE, JOSE L	2881 MAGELLAN LN	PERRIS, CA	92571-4823	254.02	25.4	50.3	329.7
94643693009	486391011	WHITEHURST, ELAINE (RENT)	25686	PALO CEDRO DR	MORENO VALLEY	CA	92551-1961	WHITEHURST, ELAINE (RENT)	25686 PALO CEDRO DR	MORENO VALLEY, CA	92551-1961	89.72	8.97	17.76	116.44
91323393004	486391017	PITTS, DESIREE (RENT)	15854	PAMPAS CT	MORENO VALLEY	CA	92551-1967	PITTS, DESIREE	15854 PAMPAS CT	MORENO VALLEY, CA	92551-1967	89.52	8.95	17.73	116.18
97189765005	486392003	DOSS, CALVINA (RENT)	25669	LOS CABOS DR	MORENO VALLEY	CA	92551-1952	DOSS, CALVINA	3855 BELLA VILLAGIO AVE	PERRIS, CA	92571-7477	258.18	25.82	51.12	335.1
61068435003	486392009	HOLLEMAN, FATIN	25723	LOS CABOS DR	MORENO VALLEY	CA	92551-1913	HOLLEMAN, FATIN	25723 LOS CABOS DR	MORENO VALLEY, CA	92551-1913	254.12	25.41	50.32	329.84
90094765004	486392019	CRAIG, DEBORAH AND JONES	25668	PACATO RD	MORENO VALLEY	CA	92551-1946	CRAIG, DEBORAH AND JONES	25668 PACATO RD	MORENO VALLEY, CA	92551-1946	329.04	32.9	65.15	427.08
74974245007	486392024	HERNANDEZ, MARIA ELENA	25718	PACATO RD	MORENO VALLEY	CA	92551-1916	HERNANDEZ, MARIA ELENA	25718 PACATO RD	MORENO VALLEY, CA	92551-1916	323.49	32.35	64.05	419.88
92775893009	486392027	REED, LATRICE	25744	PALO CEDRO DR	MORENO VALLEY	CA	92551-1918	REED, LATRICE	25299 ALESSANDRO BLVD APT 218	MORENO VALLEY, CA	92553-6546	251.31	25.13	49.76	326.2
95999945002	486392041	CAMACHO, DANIEL (RENT)	25635	PALO CEDRO DR	MORENO VALLEY	CA	92551-1962	CAMACHO, DANIEL	13909 CHAGALL CT #64	MORENO VALLEY, CA	92553-9694	75.72	7.57	14.99	98.28
96215935004	486401003	SANDOVAL, AMBROSIO	25536	LOS CABOS DR	MORENO VALLEY	CA	92551-1911	SANDOVAL, AMBROSIO	25536 LOS CABOS DR	MORENO VALLEY, CA	92551-1911	171.72	17.17	34	222.88
91357535003	486401005	PETHAK, ANSHI	25517	LOS CABOS DR	MORENO VALLEY	CA	92551-1911	PETHAK, ANSHI	25517 LOS CABOS DR	MORENO VALLEY, CA	92551-1911	233.01	23.3	46.14	302.44
96375765001	486401006	ZAMBRANO, ISABEL (RENT)	15890	ORO GLEN DR	MORENO VALLEY	CA	92551-1905	ZAMBRANO, ISABEL	15890 ORO GLEN DR	MORENO VALLEY, CA	92551-1905	36.37	3.64	7.2	47.2
31413675007	486401009	PEER, RUEBEN	25559	LOS CABOS DR	MORENO VALLEY	CA	92551-1911	PEER, RUEBEN	25559 LOS CABOS DR	MORENO VALLEY, CA	92551-1911	254.02	25.4	50.3	329.7
31549175003	486401010	HUNTER, MAURISE	25569	LOS CABOS DR	MORENO VALLEY	CA	92551-1911	HUNTER, MAURISE	25569 LOS CABOS DR	MORENO VALLEY, CA	92551-1911	254.02	25.4	50.3	329.7
31386075006	486401015	HURD, FREDDIE	25619	LOS CABOS DR	MORENO VALLEY	CA	92551-1951	HURD, FREDDIE	25619 LOS CABOS DR	MORENO VALLEY, CA	92551-1951	329.32	32.93	65.21	427.44
31557905003	486401022	CALLEROS, MARTHA	25558	PACATO RD	MORENO VALLEY	CA	92551-1941	CALLEROS, MARTHA	25558 PACATO RD	MORENO VALLEY, CA	92551-1941	254.02	25.4	50.3	329.7
96224515004	486401024	MARTIN, CHRISTOPHER J	25578	PACATO RD	MORENO VALLEY	CA	92551-1941	MARTIN, CHRISTOPHER J	25578 PACATO RD	MORENO VALLEY, CA	92551-1941	22.85	2.29	4.52	29.64
91234205003	486401026	MOORE, ROBERT	25598	PACATO RD	MORENO VALLEY	CA	92551-1941	FHLMC	5000 PLANI PARKWAY	CARROLLTON, TX	75010-4900	253.92	25.39	50.28	329.58
31451885003	486402003	COLEMAN, JOCELYN	25563	PALO CEDRO DR	MORENO VALLEY	CA	92551-1915	COLEMAN, JOCELYN	25563 PALO CEDRO DR	MORENO VALLEY, CA	92551-1915	329.32	32.93	65.21	427.44

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
95547155004	486402009	DOURSEAU, STEVEN (RENT)	15895	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	DOURSEAU, STEVEN	15895 ORO GLEN DR	MORENO VALLEY, CA	92551-1906	190.79	19.08	37.78	247.64
55827685007	486402010	TRIPLETT, RANDY	15885	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	TRIPLETT, RANDY	15885 ORO GLEN DR	MORENO VALLEY, CA	92551-1906	254.02	25.4	50.3	329.7
96526195009	486402015	PLACENCIA, JUAN (OWNR)	15835	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	PLACENCIA, JUAN	15835 ORO GLEN DR	MORENO VALLEY, CA	92551-1906	254.12	25.41	50.32	329.84
31418075002	486402016	HARRIS, LOUIS AND EMMA	15825	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	HARRIS, LOUIS AND EMMA	PO BOX 2721	EL SEGUNDO, CA	90245-1821	254.02	25.4	50.3	329.7
51213965005	486402017	CARBALLOSA, HURIS AND ESTHER	15815	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	CARBALLOSA, HURIS	15815 ORO GLEN DR	MORENO VALLEY, CA	92551-1906	254.02	25.4	50.3	329.7
95622725006	486402018	CURRY, ANDREA (OWNR)	15805	ORO GLEN DR	MORENO VALLEY	CA	92551-1906	CURRY, ANDREA	15805 ORO GLEN DR	MORENO VALLEY, CA	92551-1906	254.12	25.41	50.32	329.84
100786363007	486403003	CHAVEZ, ERILYNNE (RENT)	25562	PALO CEDRO DR	MORENO VALLEY	CA	92551-1914	CHAVEZ, ERILYNNE	25562 PALO CEDRO DR	MORENO VALLEY, CA	92551-1914	388.6	38.86	76.94	504.4
94924585006	486403010	TYRONDA, NEAL (RENT)	15840	ORO GLEN DR	MORENO VALLEY	CA	92551-1905	TYRONDA, NEAL	16493 COLT WAY	MORENO VALLEY, CA	92555-3301	253.45	25.35	50.18	328.96
95095385006	486403028	MAYA, CONCEPCION (RENT)	15812	PADRE CT	MORENO VALLEY	CA	92551-1997	MAYA, CONCEPCION	15812 PADRE CT	MORENO VALLEY, CA	92551-1997	128.96	12.9	25.53	167.38
31655295003	486411002	DARLAK, JOHN	26020	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2911	DARLAK, JOHN	42005 MARGARITA RD #175	TEMECULA, CA	92591-2834	101.2	10.12	20.04	131.34
91052823009	486411005	RASCH, MARGARET (RENT)	15363	AGUILA PASS	MORENO VALLEY	CA	92555-2901	RASCH, MARGARET	15363 AGUILA PASS	MORENO VALLEY, CA	92555-2901	287.28	28.73	56.88	372.88
97128975009	486411007	LOVANO, ERICK (RENT)	15340	AGUILA PASS	MORENO VALLEY	CA	92555-2900	LOVANO, ERICK	15340 AGUILA PASS	MORENO VALLEY, CA	92555-2900	63.63	6.36	12.6	82.58
94361225007	486412013	IRIGOYEN, HERNESTO (RENT)	15335	CABALLO RD	MORENO VALLEY	CA	92555-2905	IRIGOYEN, HERNESTO	15335 CABALLO RD	MORENO VALLEY, CA	92555-2905	254.12	25.41	50.32	329.84
57320695009	486413001	SENSEMAN, LISA (OWNR)	15362	CABALLO RD	MORENO VALLEY	CA	92555-2906	SENSEMAN, LISA	15362 CABALLO RD	MORENO VALLEY, CA	92555-2906	254.02	25.4	50.3	329.7
31484355005	486413002	MONTES, REGINA	15370	CABALLO RD	MORENO VALLEY	CA	92555-2906	MONTES, REGINA	15370 CABALLO RD	MORENO VALLEY, CA	92555-2906	37.02	3.7	7.33	48.04
88324885009	486413007	GARCIA, JOSE LUIS	15410	CABALLO RD	MORENO VALLEY	CA	92555-2918	GARCIA, JOSE LUIS	509 RICHLAND ST APT N	UPLAND, CA	91786-6758	254.12	25.41	50.32	329.84
84440685004	486413013	GROOM, DENISE	26211	BOGOSO LN	MORENO VALLEY	CA	92555-2971	GROOM, DENISE	26211 BOGOSO LN	MORENO VALLEY, CA	92555-2971	97.48	9.75	19.3	126.52
99981255006	486413019	FLORES, GUADALUPE (RENT)	26151	BOGOSO LN	MORENO VALLEY	CA	92555-2971	FLORES, GUADALUPE	25888 BARTRAN CT	MORENO VALLEY, CA	92553-4799	168.81	16.88	33.42	219.1
63094865006	486413021	HEWETT, RASHELL	26131	BOGOSO LN	MORENO VALLEY	CA	92555-2971	HEWETT, RASHELL	26131 BOGOSO LN	MORENO VALLEY, CA	92555-2971	254.12	25.41	50.32	329.84
62513485006	486413022	WYNDER, EBONY (RENT)	26121	BOGOSO LN	MORENO VALLEY	CA	92555-2971	WYNDER, EBONY	12875 SERPENTINE WAY	MORENO VALLEY, CA	92555-4517	254.12	25.41	50.32	329.84
62265745009	486413024	QUINN, DONALD	26130	BOGOSO LN	MORENO VALLEY	CA	92555-2971	QUINN, DONALD	26130 BOGOSO LN	MORENO VALLEY, CA	92555-2971	200	20	39.6	259.6
82217055000	486413027	NARVARRO, CECILLA AND ERACILO	26160	BOGOSO LN	MORENO VALLEY	CA	92555-2971	NARVARRO, CECILLA AND ERACILO	26160 BOGOSO LN	MORENO VALLEY, CA	92555-2971	254.02	25.4	50.3	329.7
98158923006	486413029	CAMPER, JACQUELINE	15355	CALLE CAMELIA	MORENO VALLEY	CA	92555-2974	CAMPER, JACQUELINE	15355 CALLE CAMELIA	MORENO VALLEY, CA	92555-2974	153	15.3	30.29	198.58
66698145003	486413030	VILLANUEVA, FRANCISCO	15347	CALLE CAMELIA	MORENO VALLEY	CA	92555-2974	VILLANUEVA, FRANCISCO	15347 CALLE CAMELIA	MORENO VALLEY, CA	92555-2974	329.6	32.96	65.26	427.82
87106075006	486413031	MARTINEZ, ERIBERTO AND MARIA	15339	CALLE CAMELIA	MORENO VALLEY	CA	92555-2974	MARTINEZ, ERIBERTO AND MARIA	15339 CALLE CAMELIA	MORENO VALLEY, CA	92555-2974	168.95	16.9	33.45	219.28
93180795002	486413040	PALASOX, GUADALUPE (RENT)	26161	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2914	PALASOX, GUADALUPE	26161 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2914	254.12	25.41	50.32	329.84
91766123001	486414001	COLBERT, SHERINDA (OWNR)	15409	ALOSTA LN	MORENO VALLEY	CA	92555-2910	COLBERT, SHERINDA	15409 ALOSTA LN	MORENO VALLEY, CA	92555-2910	435.51	43.55	86.23	565.28
51856025009	486414002	RUDD, ANNETTE	15399	ALOSTA LN	MORENO VALLEY	CA	92555-2909	RUDD, ANNETTE	15399 ALOSTA LN	MORENO VALLEY, CA	92555-2909	254.12	25.41	50.32	329.84
31524505007	486414004	GILLIAM, DARRYL	15379	ALOSTA LN	MORENO VALLEY	CA	92555-2909	GILLIAM, DARRYL	15379 ALOSTA LN	MORENO VALLEY, CA	92555-2909	254.12	25.41	50.32	329.84
98792253002	486415003	MARTON, JEAN (RENT)	26051	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2912	MARTON, JEAN	26051 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2912	187.66	18.77	37.16	243.58
94676753006	486415009	MAYA, GLORIA (RENT)	15361	CABALLO RD	MORENO VALLEY	CA	92555-2907	MAYA, GLORIA (RENT)	15361 CABALLO RD	MORENO VALLEY, CA	92555-2907	157.2	15.72	31.13	204.04
60632505002	486416003	WINDOM, NAKIA	15420	BRASA LN	MORENO VALLEY	CA	92555-2922	WINDOM, NAKIA	15420 BRASA LN	MORENO VALLEY, CA	92555-2922	100	10	19.8	129.8
31506275002	486416004	STEWART, CAROLYN (OWNR)	15430	BRASA LN	MORENO VALLEY	CA	92555-2922	STEWART, CAROLYN	15430 BRASA LN	MORENO VALLEY, CA	92555-2922	153.92	15.39	30.48	199.78
58906205007	486417007	GARCIA, JOE	15420	BELLO WAY	MORENO VALLEY	CA	92555-2921	GARCIA, JOE	15420 BELLO WAY	MORENO VALLEY, CA	92555-2921	190.79	19.08	37.78	247.64
94288805000	486421001	BANKS, TEE (RENT)	26401	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2961	BANKS, TEE	26401 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2961	254.12	25.41	50.32	329.84
94688795003	486421002	OSBORNE, ONDRE (RENT)	26391	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	DO, DUC (OWNR)	16051 BANANINA ST	FOUNTAIN VALLEY, CA	92708-1501	127.46	12.75	25.24	165.44
97403415004	486421005	CROOK, ERNEST (RENT)	26361	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	CROOK, ERNEST	26361 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2960	254.12	25.41	50.32	329.84
95331045007	486421006	GUITIEREZ, LAURA (OWNR)	26351	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	GUTIEREZ, LAURA	26351 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2960	54.12	5.41	10.72	70.24
83421045000	486421007	GRIGLY, ALITA	26341	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	GRIGLY, ALITA	14150 GRANT ST	MORENO VALLEY, CA	92553-9114	254.02	25.4	50.3	329.7
64877655007	486421010	HOLLOWAY, DANISHA	26311	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	HOLLOWAY, DANISHA	26311 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2960	329.6	32.96	65.26	427.82
100464263002	486421012	TODD, DEBRAH (RENT)	26291	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2962	TODD, DEBRAH	26291 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2962	53.99	5.4	10.69	70.06
94203965001	486421013	CROOK, GREG AND BERNICE (RENT)	26381	CASA ENCANTADOR RD	MORENO VALLEY	CA	92555-2960	CROOK, GREG AND BERNICE	26361 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2960	187.69	18.77	37.16	243.62
74281405003	486421020	SUMLIN, SHIRLEY	26350	CAMINO LARGO	MORENO VALLEY	CA	92555-2978	SUMLIN, SHIRLEY	26350 CAMINO LARGO	MORENO VALLEY, CA	92555-2978	329.68	32.97	65.28	427.92
95482215002	486421026	LOFTON II, CARL	15338	ABAZO DR	MORENO VALLEY	CA	92555-2981	LOFTON II, CARL	19023 COLBECK AVE	CARSON, CA	90746-2622	442.39	44.24	87.59	574.22
93287575001	486421031	PATTERSON, ANITA	15378	ABAZO DR	MORENO VALLEY	CA	92555-2982	PATTERSON, ANITA	15378 ABAZO DR	MORENO VALLEY, CA	92555-2982	329.6	32.96	65.26	427.82
85481865004	486422022	INLLAS, CATHERINE	26231	CAMINO LARGO	MORENO VALLEY	CA	92555-2979	DALLAS, CATHERINE	525 BLACKBERRY DR	PERRIS, CA	92571-7835	329.32	32.93	65.21	427.44
66683445002	486422030	MEJIA, DENNIS	26240	BOGOSO LN	MORENO VALLEY	CA	92555-2972	MEJIA, DENNIS	26240 BOGOSO LN	MORENO VALLEY, CA	92555-2972	254.12	25.41	50.32	329.84
75022345003	486422037	CUC, THI MAI	26310	BOGOSO LN	MORENO VALLEY	CA	92555-2983	CUC, THI MAI	8111 STANFORD AVE SPC 8	GARDEN GROVE, CA	92841-4340	329.32	32.93	65.21	427.44
96282015007	486422038	RAMOS, PEGGY	26320	BOGOSO LN	MORENO VALLEY	CA	92555-2983	RAMOS, PEGGY (RENT)	231 E ALESSANDRO BLVD UNIT A500	RIVERSIDE, CA	92508-5084	152.83	15.28	26.3	172.4
66403555001	486422041	RAMOS, LUIS	15388	CALLE ROSA	MORENO VALLEY	CA	92555-2959	RAMOS, LUIS	15388 CALLE ROSA	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
66794595005	486423008	GARCIA, GERARDO AND JUSTINA	26255	BOGOSO LN	MORENO VALLEY	CA	92555-2973	GARCIA, GERARDO AND JUSTINA	26255 BOGOSO LN	MORENO VALLEY, CA	92555-2973	254.12	25.41	50.32	329.84
92015013005	486423012	HILL, CARLA (RENT)	15410	CALLE CAMELIA	MORENO VALLEY	CA	92555-2975	HILL, CARLA	PO BOX 21316	RIVERSIDE, CA	92516-1316	245.19	24.52	48.55	318.24
71550495005	486423015	GILCHRIST, KEITH	15440	CALLE CAMELIA	MORENO VALLEY	CA	92555-2975	GILCHRIST, KEITH	15440 CALLE CAMELIA	MORENO VALLEY, CA	92555-2975	254.02	25.4	50.3	329.7
80395765007	486423017	COUCH, CHRIS	15411	CALLE CASTANO	MORENO VALLEY	CA	92555-2963	COUCH, CHRIS	15411 CALLE CASTANO	MORENO VALLEY, CA	92555-2963	254.02	25.4	50.3	329.7
66994735002	486423020	MCDANIEL, DEWAYNE	15410	CALLE CASTANO	MORENO VALLEY	CA	92555-2963	MCDANIEL, DEWAYNE	15410 CALLE CASTANO	MORENO VALLEY, CA	92555-2963	190.79	19.08	37.78	247.64
71905765004	486431001	GUTIERREZ, MARIA	15485	BRASA LN	MORENO VALLEY	CA	92555-2923	GUTIERREZ, MARIA	15485 BRASA LN	MORENO VALLEY, CA	92555-2923	254.02	25.4	50.3	329.7
58969345006	486431011	SANDOVAL, OSCAR	15458	ALOSTA LN	MORENO VALLEY	CA	92555-2910	SANDOVAL, OSCAR	15458 ALOSTA LN	MORENO VALLEY, CA	92555-2910	28.26	2.83	5.6	36.68
99656863000	486431021	GASCA, LYDIA	15419	ALOSTA LN	MORENO VALLEY	CA	92555-2910	GASCA, LYDIA	15419 ALOSTA LN	MORENO VALLEY, CA	92555-2910	113.1	11.31	22.39	146.8
93746415000	486432001	ALDRETE, JUSTIN (OWNR)	15485	BELLO WAY	MORENO VALLEY	CA	92555-2920	ALDRETE, JUSTIN	15485 BELLO WAY	MORENO VALLEY, CA	92555-2920	252.5	25.25	50	327.74
31537325007	486435006	ROMERO, PAUL	15515	BRASA LN	MORENO VALLEY	CA	92555-3000	ROMERO, PAUL	15515 BRASA LN	MORENO VALLEY, CA	92555-3000	154.12	15.41	30.52	200.04
31537495001	486435017	NYBERG, KEVIN	15509	AROBLES CT	MORENO VALLEY	CA	92555-3001	NYBERG, KEVIN	15509 AROBLES CT	MORENO VALLEY, CA	92555-3001	253.91	25.39	50.27	329.56
31590535002	486441001	WEISS, STEVE	16215	ISLA MARIA CIR	MORENO VALLEY	CA	92551-2062	WEISS, STEVE	16215 ISLA MARIA CIR	MORENO VALLEY, CA	92551-2062	127.35	12.74	25.22	165.3
31261805003	486441017	SORUGGS, SHAWNDA	16140	ISLA MARIA CIR	MORENO VALLEY	CA	92551-2061	SORUGGS, SHAWNDA	16140 ISLA MARIA CIR	MORENO VALLEY, CA	92551-2061	153.86	15.39	30.46	199.7
31265065009	486441022	GASPARD, GOURDET	16190	ISLA MARIA CIR	MORENO VALLEY	CA	92551-2061	GASPARD, GOURDET	16190 ISLA MARIA CIR	MORENO VALLEY, CA	92551-2061	63.63	6.36	12.6	82.58
96784575004	486442001	BUTCHER, MICHAEL (OWNR)	26151	CALLE AGUA	MORENO VALLEY	CA	92551-1643	BUTCHER, MICHAEL	26151 CALLE AGUA	MORENO VALLEY, CA	92551-1643	26.92	2.69	5.33	34.94
58351075003	486442004	MCQUEEN, NIA	26121	CALLE AGUA	MORENO VALLEY	CA	92551-1643	MCQUEEN, NIA	26121 CALLE AGUA	MORENO VALLEY, CA	92551-1643	105.49	10.55	20.89	136.92
57902425001	486442005	MORENO, MATTHEW	26111	CALLE AGUA	MORENO VALLEY	CA	92551-1643	MORENO, MATTHEW	26111 CALLE AGUA	MORENO VALLEY, CA	92551-1643	338.77	33.88	67.08	439.72
70560365002	486442013	AMBRIZ, MARIA	16165	ONDA CIR	MORENO VALLEY	CA	92551-1645	AMBRIZ, MARIA	16165 ONDA CIR	MORENO VALLEY, CA	92551-1645	254.02	25.4	50.3	329.7
54985585005	486442019	SOTO, MARIA	16240	CALLE SERENA	MORENO VALLEY	CA	92551-1637	SOTO, MARIA	16240 CALLE SERENA	MORENO VALLEY, CA	92551-1637	254.02	25.4	50.3	329.7
55774535003	486442024	GHOLSON, CARROL	26110	NUBLADO CIR	MORENO VALLEY	CA	92551-1636	GHOLSON, CARROL	26110 NUBLADO CIR	MORENO VALLEY, CA	92551-1636	61.42	6.14	12.16	79.72
97166485002	486442026	LOPEZ, MARTIN (OWNR)	26099	NUBLADO CIR	MORENO VALLEY	CA	92551-1636	LOPEZ, MARTIN	26099 NUBLADO CIR	MORENO VALLEY, CA	92551-1636	190.79	19.08	37.78	247.64
60315965007	486442027	FREDERICK, SHARON	26089	NUBLADO CIR	MORENO VALLEY	CA	92551-1636	FREDERICK, SHARON	26089 NUBLADO CIR	MORENO VALLEY, CA	92551-1636	254.12	25.41	50.32	329.84
55058755004	486443004	HEUN, JOSEPH	16180	VIA ULTIMO	MORENO VALLEY	CA	92551-1600	HEUN, JOSEPH	16180 VIA ULTIMO	MORENO VALLEY, CA	92551-1600	254.02	25.4	50.3	329.7
52906895008	486443008	WRIGHT, NATASHA	16220	VIA ULTIMO	MORENO VALLEY	CA	92551	WRIGHT, NATASHA	16220 VIA ULTIMO	MORENO VALLEY, CA	92551	254.02	25.4	50.3	329.7
94928353005	486443012	CARDONAS, CECILA(RENT)	16260	VIA ULTIMO	MORENO VALLEY	CA	92551-1603	CARDONAS, CECILA	16260 VIA ULTIMO	MORENO VALLEY, CA	92551-1603	190.69	19.07	37.76	247.5
86682323005	486443013	RAMIREZ, BERNARDO (RENT)	16270	VIA ULTIMO	MORENO VALLEY	CA	92551-1653	RAMIREZ, BERNARDO (RENT)	16270 VIA ULTIMO	MORENO VALLEY, CA	92551-1653	104.53	10.45	20.7	135.66
57611835002	486451001	ROBLES, NORMA AND DONALDO	16215	GRANDE ISLA CIR	MORENO VALLEY	CA	92551-1623	ROBLES, NORMA AND DONALDO	16215 GRANDE ISLA CIR	MORENO VALLEY, CA	92551-1623	104.02	10.4	20.6	135
71639455004	486451003	PEREZ, MIRIAM RIVERA	16195	GRANDE ISLA CIR	MORENO VALLEY	CA	92551-1621	PEREZ, MIRIAM RIVERA	16195 GRANDE ISLA CIR	MORENO VALLEY, CA	92551-1621	222.91	22.29	44.14	289.32
96576365008	486451007	DO, LOAN (RENT)	16155	GRANDE ISLA CIR	MORENO VALLEY	CA	92551-1621	DO, LOAN	16155 GRANDE ISLA CIR	MORENO VALLEY, CA	92551-1621	254.12	25.41	50.32	329.84
57372935000	486451022	LEE, PHILLIP	16190	GRANDE ISLA CIR	MORENO VALLEY	CA	92551-1621	LEE, PHILLIP	16190 GRANDE ISLA CIR	MORENO VALLEY, CA	92551-1621	63.63	6.36	12.6	82.58
56179665006	486452002	RODRIGUEZ, JOEL	16295	CALLE SERENA	MORENO VALLEY	CA	92551-1639	RODRIGUEZ, JOEL	16295 CALLE SERENA	MORENO VALLEY, CA	92551-1639	254.02	25.4	50.3	329.7
91685065005	486452005	BARRERA, JORGE	16265	CALLE SERENA	MORENO VALLEY	CA	92551-1639	BARRERA, JORGE	16265 CALLE SERENA	MORENO VALLEY, CA	92551-1639	253.92	25.39	50.28	329.58
99494015001	486452007	GARCIA, MICHAEL (RENT)	25931	CALLE AGUA	MORENO VALLEY	CA	92551-1620	GARCIA, MICHAEL	15872 PAMPAS CT	MORENO VALLEY, CA	92551-1967	211.47	21.15	41.87	274.48
67034295008	486452008	HOPKINS, APRIL	25921	CALLE AGUA	MORENO VALLEY	CA	92551-1620	HOPKINS, APRIL	25921 CALLE AGUA	MORENO VALLEY, CA	92551-1620	254.12	25.41	50.32	329.84
50761715007	486452011	FLORES, SANDRA	16275	GRANDE ISLA CIR	MORENO VALLEY	CA	92551-1624	FLORES, SANDRA	16275 GRANDE ISLA CIR	MORENO VALLEY, CA	92551-1624	119.49	11.95	23.66	155.08
73375255005	486452017	GILMER, RENEE	16310	VIA IMPRESSO	MORENO VALLEY	CA	92551-1618	GILMER, RENEE	25964 AVENIDA ESPALDAR	MORENO VALLEY, CA	92551-6305	329.32	32.93	65.21	427.44
49468235004	486452018	HASSAN, MALIKA	16300	VIA IMPRESSO	MORENO VALLEY	CA	92551-1618	HASSAN, MALIKA	16300 VIA IMPRESSO	MORENO VALLEY, CA	92551-1618	63.73	6.37	12.62	82.72
31651725002	486452019	CALLIER, TIM	25880	CALLE FUEGO	MORENO VALLEY	CA	92551-1616	CALLIER, TIM	25880 CALLE FUEGO	MORENO VALLEY, CA	92551-1616	254.02	25.4	50.3	329.7
93773635008	486453005	CHANG, GINGER	16322	CALLE SERENA	MORENO VALLEY	CA	92551-1638	CHANG, GINGER	16322 CALLE SERENA	MORENO VALLEY, CA	92551-1638	257.45	25.75	50.98	334.16
92268385002	486453011	COOK, BRITTANY	16315	VIA ULTIMO	MORENO VALLEY	CA	92551-1614	COOK, BRITTANY	16315 VIA ULTIMO	MORENO VALLEY, CA	92551-1614	238.54	23.85	47.23	309.62
65107805007	486454005	HURD, LT	25901	CALLE FUEGO	MORENO VALLEY	CA	92551-1615	HURD, LT	25901 CALLE FUEGO	MORENO VALLEY, CA	92551-1615	254.12	25.41	50.32	329.84
95589905001	486455002	LOWE, TORIANO (RENT)	16310	VIA ULTIMO	MORENO VALLEY	CA	92551-1613	LOWE, TORIANO	16310 VIA ULTIMO	MORENO VALLEY, CA	92551-1613	262.12	26.21	51.9	340.22
60473875003	486455003	HASAN, ALI	16320	VIA ULTIMO	MORENO VALLEY	CA	92551-1613	HASAN, ALI	16320 VIA ULTIMO	MORENO VALLEY, CA	92551-1613	254.12	25.41	50.32	329.84
94089073005	486455012	WOODS, QUANTE (RENT)	25971	CALLE FUEGO	MORENO VALLEY	CA	92551-1654	WOODS, QUANTE	25971 CALLE FUEGO	MORENO VALLEY, CA	92551-1654	92.35	9.24	18.29	119.86
96059615003	486461005	THOMAS, JOANN (RENT)	16340	SABINA CT	MORENO VALLEY	CA	92551-2004	THOMAS, JOANN	16340 SABINA CT	MORENO VALLEY, CA	92551-2004	64.17	6.42	12.71	83.28
58250545001	486461008	ARCHER, SHANON	25680	CALLE AGUA	MORENO VALLEY	CA	92551-2047	ARCHER, SHANON	25680 CALLE AGUA	MORENO VALLEY, CA	92551-2047	254.02	25.4	50.3	329.7
31350805004	486461020	BURNETT, WILLIAM	25800	CALLE AGUA	MORENO VALLEY	CA	92551-2009	BURNETT, WILLIAM	25800 CALLE AGUA	MORENO VALLEY, CA	92551-2009	254.02	25.4	50.3	329.7
74204695004	486462001	TARKINGTON, HENRY	16305	CALLE AURORA	MORENO VALLEY	CA	92551-2054	TARKINGTON, HENRY	16305 CALLE AURORA	MORENO VALLEY, CA	92551-2054	254.02	25.4	50.3	329.7
31376595003	486462004	MALECKE, LISA	16275	CALLE AURORA	MORENO VALLEY	CA	92551-2052	MALECKE, LISA	16275 CALLE AURORA	MORENO VALLEY, CA	92551-2052	81.21	8.12	16.08	105.4
95464483003	486462007	GRAY, COLETTE (RENT)	25821	CALLE AGUA	MORENO VALLEY	CA	92551-2010	GRAY, COLETTE	25821 CALLE AGUA	MORENO VALLEY, CA	92551-2010	180.81	18.08	35.8	234.68
93836515008	486462010	DIXON, JACQUELINE (OWNR)	25791	CALLE AGUA	MORENO VALLEY	CA	92551-2049	DIXON, JACQUELINE	25791 CALLE AGUA	MORENO VALLEY, CA	92551-2049	254.12	25.41	50.32	329.84

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
48394135004	486462012	GOMEZ, EDGAR	16280	ALMANOR CT	MORENO VALLEY	CA	92551-2013	GOMEZ, EDGAR	13113 BOYD LAKE DR	BAKERSFIELD, CA	93314-9838	254.12	25.41	50.32	329.84
31297135008	486462015	RICE, TUNEAN	25771	CALLE AGUA	MORENO VALLEY	CA	92553-	RICE, TUNEAN	25771 CALLE AGUA	MORENO VALLEY, CA	92551-2008	329.04	32.9	65.15	427.08
71523265000	486462019	LANGDON, YOLANDA	25731	CALLE AGUA	MORENO VALLEY	CA	92551-2006	LANGDON, YOLANDA	25731 CALLE AGUA	MORENO VALLEY, CA	92551-2006	254.02	25.4	50.3	329.7
81773005004	486463004	ROMERO, MARIA	16315	VIA IMPRESSO	MORENO VALLEY	CA	92551-1617	ROMERO, MARIA	16315 VIA IMPRESSO	MORENO VALLEY, CA	92551-1617	254.02	25.4	50.3	329.7
31655255001	486463005	LOPEZ, PETRA	16305	VIA IMPRESSO	MORENO VALLEY	CA	92551-1617	LOPEZ, PETRA	16305 VIA IMPRESSO	MORENO VALLEY, CA	92551-1617	329.32	32.93	65.21	427.44
97693363000	486463012	SALAZAR, ANDREA	16292	CALLE AURORA	MORENO VALLEY	CA	92551-2051	SALAZAR, ANDREA	16292 CALLE AURORA	MORENO VALLEY, CA	92551-2051	29.44	2.94	5.83	38.2
31270915001	486464010	HAWKINS, KIM	25761	VIA KANNELA	MORENO VALLEY	CA	92553-	HAWKINS, KIM	25761 VIA KANNELA	MORENO VALLEY, CA	92551-2002	72.61	7.26	14.38	94.24
31376465000	486464013	DE LA MADRID, RAY	25731	VIA KANNELA	MORENO VALLEY	CA	92551-2000	DE LA MADRID, RAY	25731 VIA KANNELA	MORENO VALLEY, CA	92551-2000	254.02	25.4	50.3	329.7
57372635003	486464017	LYNCH, TAMESHA	25691	VIA KANNELA	MORENO VALLEY	CA	92551-2068	LYNCH, TAMESHA	25691 VIA KANNELA	MORENO VALLEY, CA	92551-2068	349.14	34.91	69.13	453.18
58788235003	486470001	FOWLER, MELISSA	16140	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	FOWLER, MELISSA	PO BOX 10451	MORENO VALLEY, CA	92552-0451	254.12	25.41	50.32	329.84
94602995002	486470002	KING, JIMMIE (RENT)	16132	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	KING, JIMMIE	16132 VIA ULTIMO	MORENO VALLEY, CA	92551-1619	63.38	6.33	12.54	82.2
93615305000	486470004	RENWRICK, RICKEY (OWNR)	16116	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	RENWRICK, RICKEY	16116 VIA ULTIMO	MORENO VALLEY, CA	92551-1619	254.12	25.41	50.32	329.84
95293945000	486470006	GRAY, COLETTE (RENT)	16100	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	GRAY, COLETTE	25821 CALLE AGUA	MORENO VALLEY, CA	92551-2010	126.17	12.62	24.98	163.76
52720875007	486470007	WILSON, BRENDA	16092	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	WILSON, BRENDA	16092 VIA ULTIMO	MORENO VALLEY, CA	92551-1619	127.48	12.75	25.24	165.46
96804025006	486470008	THOMAS, DEANNA (RENT)	16084	VIA ULTIMO	MORENO VALLEY	CA	92551-1619	THOMAS, DEANNA	16084 VIA ULTIMO	MORENO VALLEY, CA	92551-1619	189.35	18.94	37.49	245.76
92045025000	486470015	PUL, CASSANDRA	16028	VIA ULTIMO	MORENO VALLEY	CA	92551-1626	PUL, CASSANDRA	16028 VIA ULTIMO	MORENO VALLEY, CA	92551-1626	253.92	25.39	50.28	329.58
62294855000	486470019	WALKER, KIM	16015	PALOMINO LN	MORENO VALLEY	CA	92551-1629	WALKER, KIM	16015 PALOMINO LN	MORENO VALLEY, CA	92551-1629	254.12	25.41	50.32	329.84
53441095003	486470029	MCDOW, DANIEL	16075	PALOMINO LN	MORENO VALLEY	CA	92551-1631	MCDOW, DANIEL	11015 XARSON DR APT C	LYNWOOD, CA	90262-1631	63.63	6.36	12.6	82.58
97404045000	486470033	BLUTT, ERNEST (RENT)	16099	PALOMINO LN	MORENO VALLEY	CA	92551-1631	BLUTT, ERNEST	16099 PALOMINO LN	MORENO VALLEY, CA	92551-1631	329.6	32.96	65.26	427.82
54220825007	486470037	LESLIE, DELANO AND GANEL	16123	PALOMINO LN	MORENO VALLEY	CA	92551-1635	LESLIE, DELANO	16123 PALOMINO LN	MORENO VALLEY, CA	92551-1635	271.57	27.16	53.77	352.48
82994755007	486471001	BALDERAS, VANESSA	26150	CALLE AGUA	MORENO VALLEY	CA	92551-1644	BALDERAS, VANESSA	26150 CALLE AGUA	MORENO VALLEY, CA	92551-1644	179.02	17.9	35.45	232.36
91145685000	486471004	WILSON, AHSHAN	26120	CALLE AGUA	MORENO VALLEY	CA	92551-1644	WILSON, AHSHAN	26120 CALLE AGUA	MORENO VALLEY, CA	92551-1644	253.92	25.39	50.28	329.58
93881075006	486471007	MORALES, ARMANDO (RENT)	16132	PALOMINO LN	MORENO VALLEY	CA	92551-1634	MORALES, ARMANDO	16132 PALOMINO LN	MORENO VALLEY, CA	92551-1634	109.37	10.94	21.66	141.96
91013065000	486471010	SANCHEZ, RAFAEL	16114	PALOMINO LN	MORENO VALLEY	CA	92551-1634	SANCHEZ, RAFAEL	16114 PALOMINO LN	MORENO VALLEY, CA	92551-1634	329.04	32.9	65.15	427.08
56605945002	486471023	RIVERA, CLAUDIA	16054	PALOMINO LN	MORENO VALLEY	CA	92551-1630	RIVERA, CLAUDIA	16054 PALOMINO LN	MORENO VALLEY, CA	92551-1630	254.02	25.4	50.3	329.7
94964435004	486471024	KEMP, TABATHA (OWNR)	16046	PALOMINO LN	MORENO VALLEY	CA	92551-1630	KEMP, TABATHA	16046 PALOMINO LN	MORENO VALLEY, CA	92551-1630	63.63	6.36	12.6	82.58
52799215000	486471025	WALLACE, THERESA (OWNR)	16040	PALOMINO LN	MORENO VALLEY	CA	92551-1630	WALLACE, THERESA	16040 PALOMINO LN	MORENO VALLEY, CA	92551-1630	254.02	25.4	50.3	329.7
101230653004	486471035	DO, KHANH (OWNR)	16127	VIA ULTIMO	MORENO VALLEY	CA	92551-1625	DO, KHANH	16127 VIA ULTIMO	MORENO VALLEY, CA	92551-1625	200.13	20.01	39.63	259.76
59874335009	486480002	DENNIS, JOYCE	16020	EDGEWATER LN	MORENO VALLEY	CA	92551-1647	DENNIS, JOYCE	16020 EDGEWATER LN	MORENO VALLEY, CA	92551-1647	254.12	25.41	50.32	329.84
97482085002	486480003	CHOI, DANIEL (RENT)	16030	EDGEWATER LN	MORENO VALLEY	CA	92551-1647	CHOI, DANIEL (RENT)	16030 EDGEWATER LN	MORENO VALLEY, CA	92551-1647	317.45	31.75	62.86	412.04
57618245001	486480005	GALARZA, CATALINA	16050	EDGEWATER LN	MORENO VALLEY	CA	92551-1647	GALARZA, CATALINA	16050 EDGEWATER LN	MORENO VALLEY, CA	92551-1647	254.02	25.4	50.3	329.7
95830595002	486480006	ROBERTS, MICHEAL (RENT)	16060	EDGEWATER LN	MORENO VALLEY	CA	92551-1647	ROBERTS, MICHEAL	1001 ATLANTIC AVE	ATLANTIC CITY, NJ	08401	119.25	11.93	23.61	154.78
95526255007	486480011	SMITH, SIMONE (RENT)	25865	LAKE SHORE LN	MORENO VALLEY	CA	92551-1651	SMITH, SIMONE	PO BOX 1113	MORENO VALLEY, CA	92556-1113	254.12	25.41	50.32	329.84
95173205009	486480016	ANDERSON, JANET HILL AND KELAN	16098	PENINSULA CT	MORENO VALLEY	CA	92551-1646	ANDERSON, JANET HILL AND KELAN	16098 PENINSULA CT	MORENO VALLEY, CA	92551-1646	167.58	16.76	33.18	217.5
90981993004	486480017	RODRIGUEZ, CHARLES (RENT)	16095	PENINSULA CT	MORENO VALLEY	CA	92551-1646	RODRIGUEZ, CHARLES	16095 PENINSULA CT	MORENO VALLEY, CA	92551-1646	124.36	12.44	24.62	161.4
94037455004	486480018	ROBBINS, MELVIN (OWNR)	16085	PENINSULA CT	MORENO VALLEY	CA	92551-1646	ROBBINS, MELVIN	16085 PENINSULA CT	MORENO VALLEY, CA	92551-1646	254.12	25.41	50.32	329.84
89861603003	486480022	WHITEHEAD, BAHIAH (RENT)	16045	PENINSULA CT	MORENO VALLEY	CA	92551-1646	WHITEHEAD, BAHIAH	16045 PENINSULA CT	MORENO VALLEY, CA	92551-1646	247.4	24.74	48.99	321.12
88064195001	486480027	MARTIN, ANITHRA	16013	PELICAN LN	MORENO VALLEY	CA	92551-1656	MARTIN, ANITHRA	26051 CASA ENCANTADOR RD	MORENO VALLEY, CA	92555-2912	329.6	32.96	65.26	427.82
74558185000	486480028	ALVIDREZ, ALICE	16023	PELICAN LN	MORENO VALLEY	CA	92551-1656	ALVIDREZ, ALICE	16023 PELICAN LN	MORENO VALLEY, CA	92551-1656	254.02	25.4	50.3	329.7
72074515001	486480029	SONNIER, SHARON	25932	SOARING SEAGULL LN	MORENO VALLEY	CA	92555	SONNIER, SHARON	25932 SOARING SEAGULL LN	MORENO VALLEY, CA	92551-1661	29.32	2.93	5.81	38.04
72072535001	486480030	MCDONALD, MILTON	25924	SOARING SEAGULL LN	MORENO VALLEY	CA	92551-1661	MCDONALD, MILTON	25924 SOARING SEAGULL LN	MORENO VALLEY, CA	92551-1661	82.68	8.27	16.37	107.3
95682585009	486481003	GOUDIA, CHARLENE (RENT)	25850	SHORELINE ST	MORENO VALLEY	CA	92551-1648	GOUDIA, CHARLENE	505 17TH ST	SAN DIEGO, CA	92101-7616	134.25	13.43	26.58	174.24
86565865008	486482002	SOTA, ANA LUISA	25869	SHORELINE ST	MORENO VALLEY	CA	92551-1649	SOTA, ANA LUISA	25869 SHORELINE ST	MORENO VALLEY, CA	92551-1649	254.02	25.4	50.3	329.7
57286815007	486482010	WILSON, PATRICIA (OWNR)	25856	LAKE SHORE LN	MORENO VALLEY	CA	92551-1650	WILSON, PATRICIA	25856 LAKE SHORE LN	MORENO VALLEY, CA	92551-1650	254.02	25.4	50.3	329.7
94747705006	486490010	CHISM, RHONDA (OWNR)	14711	ROUND LEAF RD	MORENO VALLEY	CA	92555-4742	CHISM, RHONDA (OWNR)	11906 CENTRALIA RD	HAWAIIAN GARDENS, CA	90716-2203	254.12	25.41	50.32	329.84
96013935003	486490013	PULIDO, RAFAEL (OWNR)	14675	ROUND LEAF RD	MORENO VALLEY	CA	92555-4742	PULIDO, RAFAEL	14675 ROUND LEAF RD	MORENO VALLEY, CA	92555-4742	54.02	5.4	10.7	70.1
82606625005	486490023	FRAIZER, MICHELLE	27108	BIG HORN AVE	MORENO VALLEY	CA	92555-4745	FRAIZER, MICHELLE	27108 BIG HORN AVE	MORENO VALLEY, CA	92555-4745	127.36	12.74	25.22	165.3
70183385009	486490024	JUAREZ, JAIVE (OWNER)	27132	BIG HORN AVE	MORENO VALLEY	CA	92555-4745	JUAREZ, JAIVE	27132 BIG HORN AVE	MORENO VALLEY, CA	92555-4745	254.02	25.4	50.3	329.7
97109085006	486491002	MAINA, NANCY	27203	BARK LN	MORENO VALLEY	CA	92555-4749	MAINA, NANCY	27203 BARK LN	MORENO VALLEY, CA	92555-4749	233.01	23.3	46.14	302.44
94552675006	486491005	MARTIN, REGINA (OWNR)	27176	BIG HORN AVE	MORENO VALLEY	CA	92555-4745	MARTIN, REGINA	27176 BIG HORN AVE	MORENO VALLEY, CA	92555-4745	53.62	5.36	10.62	69.58
94768495006	486491008	FELIX, CAMILLA (RENT)	27218	BIG HORN AVE	MORENO VALLEY	CA	92555-4746	FELIX, CAMILLA	27218 BIG HORN AVE	MORENO VALLEY, CA	92555-4746	405.08	40.51	80.21	525.78
99633275009	486492001	BEAN, ROBERT (RENT)	27253	BIG HORN AVE	MORENO VALLEY	CA	92555-4746	BEAN, ROBERT	10730 CHURCH ST 131	RANCHO CUCAMONGA, CA	91730-6820	254.12	25.41	50.32	329.84
67727745003	486492002	ELLIOT, NISHA	27239	BIG HORN AVE	MORENO VALLEY	CA	92555-4746	ELLIOT, NISHA	10320 BROOKMEAD DR	MORENO VALLEY, CA	92557-2613	236.64	23.66	46.85	307.14
80497395009	486492003	GREEN, SHARON	27225	BIG HORN AVE	MORENO VALLEY	CA	92555-4746	GREEN, SHARON	27225 BIG HORN AVE	MORENO VALLEY, CA	92555-4746	254.02	25.4	50.3	329.7
90068765008	486492007	SALVADOR, DAVILA	27169	BIG HORN AVE	MORENO VALLEY	CA	92555-4745	SALVADOR, DAVILA	27169 BIG HORN AVE	MORENO VALLEY, CA	92555-4745	63.2	6.32	12.51	82.02
97109005003	486492008	FLOWERS, TIFFANY (RENT)	27155	BIG HORN AVE	MORENO VALLEY	CA	92555-4745	FLOWERS, TIFFANY	27155 BIG HORN AVE	MORENO VALLEY, CA	92555-4745	166.89	16.69	33.04	216.62
93481115007	486492013	KHIRANGTONG, MARI (OWNR)	27085	BIG HORN AVE	MORENO VALLEY	CA	92555-4744	KHIRANGTONG, MARI	27085 BIG HORN AVE	MORENO VALLEY, CA	92555-4744	36.37	3.64	7.2	47.2
70190325007	486492018	LI, HIUU	27070	DELPHINIUM AVE	MORENO VALLEY	CA	92555-4737	LI, HIUU	27070 DELPHINIUM AVE	MORENO VALLEY, CA	92555-4737	226.45	22.65	44.84	293.92
93886755002	486492019	ZAMORA, OSCAR (RENT)	27084	DELPHINIUM AVE	MORENO VALLEY	CA	92555-4737	ZAMORA, OSCAR	27084 DELPHINIUM AVE	MORENO VALLEY, CA	92555-4737	63.88	6.38	12.64	82.84
72049805002	486492029	UDOKA, FRANK AND MARIE	27224	DELPHINIUM AVE	MORENO VALLEY	CA	92555-4738	UDOKA, FRANK AND MARIE	27224 DELPHINIUM AVE	MORENO VALLEY, CA	92555-4738	254.12	25.41	50.32	329.84
68041045005	486493002	BROWN, VALERIE	14636	SALT RIVER WAY	MORENO VALLEY	CA	92555-4750	BROWN, VALERIE	14636 SALT RIVER WAY	MORENO VALLEY, CA	92555-4750	254.12	25.41	50.32	329.84
69939535006	486493005	SAMPSON, GEORGE (RENT)	14672	SALT RIVER WAY	MORENO VALLEY	CA	92555-4750	SAMPSON, GEORGE	26695 BONITA HEIGHTS DR	MORENO VALLEY, CA	92555-4245	237.76	23.78	47.08	308.6
92859485007	486501002	CARTER, ALINDRELL	14661	RED GUM ST	MORENO VALLEY	CA	92555-4751	CARTER, ALINDRELL	14661 RED GUM ST	MORENO VALLEY, CA	92555-4751	254.02	25.4	50.3	329.7
95622885002	486503001	WASHINGTON, RODNEY AND BRIDGET	27336	DELPHINIUM AVE	MORENO VALLEY	CA	92555-4739	WASHINGTON, RODNEY AND BRIDGET	13750 HUNTERS RUN CT	CORONA, CA	92880-5555	335.76	33.58	66.48	435.8
98973795002	486503012	COOK, TOM AND ROBERTA (OWNR)	14651	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4759	COOK, TOM AND ROBERTA	14651 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4759	310.8	31.08	61.54	403.42
70983125007	486503014	MANUEL-SCOTT, BILLIE	14627	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4759	MANUEL-SCOTT, BILLIE	14627 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4759	254.02	25.4	50.3	329.7
68593185005	486503024	CURIEL, WENDY	27357	BIG HORN AVE	MORENO VALLEY	CA	92555-4747	CURIEL, WENDY	27357 BIG HORN AVE	MORENO VALLEY, CA	92555-4747	254.02	25.4	50.3	329.7
68117765001	486504005	THOMAS, DEON	14626	RED GUM ST	MORENO VALLEY	CA	92555-4751	THOMAS, DEON	14626 RED GUM ST	MORENO VALLEY, CA	92555-4751	329.6	32.96	65.26	427.82
69567905007	486504015	SAMANO, NICHOLAS	14661	ROSEA CT	MORENO VALLEY	CA	92555-4754	SAMANO, NICHOLAS	14661 ROSEA CT	MORENO VALLEY, CA	92555-4754	57.44	5.74	11.37	74.54
69208605001	486504017	PADILLA, LUZ	27366	BIG HORN AVE	MORENO VALLEY	CA	92555-4747	PADILLA, LUZ	27366 BIG HORN AVE	MORENO VALLEY, CA	92555-4747	254.02	25.4	50.3	329.7
98294645014	486505010	ARMENDARES, STEFFANIE	14727	WHITE BOX LN	MORENO VALLEY	CA	92555-4734	ARMENDARES, STEFFANIE	14727 WHITE BOX LN	MORENO VALLEY, CA	92555-4734	253.92	25.39	50.28	329.58
93800635009	486510002	OTIS, JOHNNY (RENT)	14589	RED GUM ST	MORENO VALLEY	CA	92555-4751	OTIS, JOHNNY	14930 ARTISAN ST	MORENO VALLEY, CA	92555-6373	94.85	9.49	18.78	123.1
84722035002	486510017	CORONA, ALMA	27314	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4755	CORONA, ALMA	27314 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4755	254.02	25.4	50.3	329.7
93790845008	486511007	GAMBOA, ABEL B (RENT)	27480	AROMATIC CT	MORENO VALLEY	CA	92555-4760	GAMBOA, ABEL B	27480 AROMATIC CT	MORENO VALLEY, CA	92555-4760	204.37	20.44	40.47	265.26
70184245007	486511012	ALVARADO, GEORGINA	14598	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4759	ALVARADO, GEORGINA	14598 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4759	254.02	25.4	50.3	329.7
91154255002	486512001	CANAVAN, ALEXANDER	14603	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4759	CANAVAN, ALEXANDER	28251 BRODIAEA AVE	MORENO VALLEY, CA	92555-6232	173.47	17.35	34.35	225.16
70609045005	486512003	WINSTED, ANTHONY AND DEBRA	14575	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4758	WINSTED, ANTHONY AND DEBRA	14575 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4758	254.02	25.4	50.3	329.7
91370315002	486512008	HUGHES, MARLON	27397	WILLOW LEAF RD	MORENO VALLEY	CA	92555-4756	HUGHES, MARLON	27397 WILLOW LEAF RD	MORENO VALLEY, CA	92555-4756	253.92	25.39	50.28	329.58
91993725005	486513001	BAYLARK, CARMEN	27297	HONEY SCENTED RD	MORENO VALLEY	CA	92555-4752	BAYLARK, CARMEN	27297 HONEY SCENTED RD	MORENO VALLEY, CA	92555-4752	253.92	25.39	50.28	329.58
72579425008	486513002	LIPATA, MYRNA	27313	HONEY SCENTED RD	MORENO VALLEY	CA	92555-4752	LIPATA, MYRNA	27313 HONEY SCENTED RD	MORENO VALLEY, CA	92555-4752	190.69	19.07	37.76	247.5
94484025009	486513008	JONES, ROBERT (OWNR)	27407	HONEY SCENTED RD	MORENO VALLEY	CA	92555-4753	JONES, ROBERT	27407 HONEY SCENTED RD	MORENO VALLEY, CA	92555-4753	254.12	25.41	50.32	329.84
95744295008	486513009	THOMAS, ANDREA (RENT)	27423	HONEY SCENTED RD	MORENO VALLEY	CA	92555-4753	THOMAS, ANDREA	27423 HONEY SCENTED RD	MORENO VALLEY, CA	92555-4753	254.12	25.41	50.32	329.84
69664845005	486520005	BUI, HAI-NGOC	27406	PEPPERMINT ST	MORENO VALLEY	CA	92555-4733	BUI, HAI-NGOC	27406 PEPPERMINT ST	MORENO VALLEY, CA	92555-4733	63.63	6.36	12.6	82.58
90094785000	486520008	BURNS, THOMAS	14751	WHITE BOX LN	MORENO VALLEY	CA	92555-4734	BURNS, THOMAS	14751 WHITE BOX LN	MORENO VALLEY, CA	92555-4734	115.02	11.5	22.77	149.28
97108635003	486522001	BAILEY, FRANCIS (RENT)	14822	WHITE BOX LN	MORENO VALLEY	CA	92555-4735	BAILEY, FRANCIS	14822 WHITE BOX LN	MORENO VALLEY, CA	92555-4735	254.12	25.41	50.32	329.84
91701633001	486522003	WATSON, KRISTINA (RENT)	14846	WHITE BOX LN	MORENO VALLEY	CA	92555-4735	WATSON, KRISTINA	14846 WHITE BOX LN	MORENO VALLEY, CA	92555-4735	127.46	12.75	25.24	165.44
74914505008	486523009	MARTIN, KIMBERLY	14823	WHITE BOX LN	MORENO VALLEY	CA	92555-4735	MARTIN, KIMBERLY	14823 WHITE BOX LN	MORENO VALLEY, CA	92555-4735	254.02	25.4	50.3	329.7
74910965009	486523010	BANUELOS, ANDY	14811	WHITE BOX LN	MORENO VALLEY	CA	92555-4735	BANUELOS, ANDY	14811 WHITE BOX LN	MORENO VALLEY, CA	92555-4735	96.02	9.6	19.01	124.62
88771435001	486523020	REEDY, DAMIEN	27408	SHIMMER CT	MORENO VALLEY	CA	92555-4732	REEDY, DAMIEN	27408 SHIMMER CT	MORENO VALLEY, CA	92555-4732	329.6	32.96	65.26	427.82
81380295007	486541012	CLEMENTS, CRYSTAL	27712	WINDWARD CT	MORENO VALLEY	CA	92555-5762	CLEMENTS, CRYSTAL	27712 WINDWARD CT	MORENO VALLEY, CA	92555-5762	190.69	19.07	37.76	247.5
95054005003	486541019	PUCKETT, ALLEN (OWNR)	27723	SAND DOLLAR WAY	MORENO VALLEY	CA	92555-5766	PUCKETT, ALLEN (OWNR)	27723 SAND DOLLAR WAY	MORENO VALLEY, CA	92555-5766	190.79	19.08	37.78	247.64
92487585006	486542002	JABER, KATIA	27730	SAND DOLLAR WAY	MORENO VALLEY	CA	92555-5766	JABER, KATIA	27730 SAND DOLLAR WAY	MORENO VALLEY, CA	92555-5766	82.68	8.27	16.37	107.3
82247965006	486542007	NUNO, MARIA DE LA LUZ	27675	BRODIAEA AVE	MORENO VALLEY	CA	92555-5765	NUNO, MARIA DE LA LUZ	27675 BRODIAEA AVE	MORENO VALLEY, CA	92555-5765	63.63	6.36	12.6	82.58
100535973000	486550001	BANAGUDOS, ELLA (OWNR)	14389	LANDON RD	MORENO VALLEY	CA	92555-5763	BANAGUDOS, ELLA Y	14389 LANDON RD	MORENO VALLEY, CA	92555-5763	117.99	11.8	23.36	153.14
94305485009	486551004	MARTE, ANABELLE (RENT)	27729	DOVER DR	MORENO VALLEY	CA	92555-5758	MARTE, ANABELLE	27729 DOVER DR	MORENO VALLEY, CA	92555-5758	254.12	25.41	50.32	329.84
80795605002	486551011	JUDON, DELORIS	27827	DOVER DR	MORENO VALLEY	CA	92555-5757	JUDON, DELORIS	27827 DOVER DR	MORENO VALLEY, CA	92555-5757	254.02	25.4	50.3	329.7
94307735003	486552005	MONROE, LETICIA (OWNR)	14442	DUSTY COYOTE AVE	MORENO VALLEY	CA	92555-5759	MONROE, LETICIA	14442 DUSTY COYOTE AVE	MORENO VALLEY, CA	92555-5759	254.12	25.41	50.32	329.84
96719795004	486552008	MCCOY, DAPHNE (OWNR)	14400	DUSTY COYOTE AVE	MORENO VALLEY	CA	92555-5759	MCCOY, DAPHNE	14400 DUSTY COYOTE AVE	MORENO VALLEY, CA	92555-5759	79.12	7.91	15.67	102.68
95346595009	486552010	IDLE, JOANNE (RENT)	27848	SLUMBER LN	MORENO VALLEY	CA	92555-5755	IDLE, JOANNE	27848 SLUMBER LN	MORENO VALLEY, CA	92555-5755	324.66	32.47	64.28	421.4
96735755008	486552020	SISCO, SHALEYAH (OWNR)	27764	DOVER DR	MORENO VALLEY	CA	92555-5757	SISCO, SHALEYAH	27764 DOVER DR	MORENO VALLEY, CA	92555-5757	254.12	25.41	50.32	329.84
92929965007	486552027	ARRELOA, JESSE	14436	LANDON RD	MORENO VALLEY	CA	92555-5764	ARRELOA, JESSE	14436 LANDON RD	MORENO VALLEY, CA	92555-5764	154.02	15.4	30.5	199.9

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
86788325006	486552032	SANTEE, VERONICA	14434	TRADEWINDS PL	MORENO VALLEY	CA	92555-5761	SANTEE, VERONICA	14434 TRADEWINDS PL	MORENO VALLEY, CA	92555-5761	63.63	6.36	12.6	82.58
88440063000	486552033	CELEBRITY CHEF MOUTON LLC	14420	TRADEWINDS PL	MORENO VALLEY	CA	92555-5761	CELEBRITY CHEF MOUTON LLC	14420 TRADEWINDS PL	MORENO VALLEY, CA	92555-5761	426.19	42.62	84.39	553.18
96786525000	486552034	MAGEE, LINZIE (OWNR)	14406	TRADEWINDS PL	MORENO VALLEY	CA	92555-5761	MAGEE, LINZIE	14406 TRADEWINDS PL	MORENO VALLEY, CA	92555-5761	55.61	5.56	11.01	72.18
94290595000	486552035	KANG, JOSEPH (RENT)	14392	TRADEWINDS PL	MORENO VALLEY	CA	92555-5761	KANG, JOSEPH	14392 TRADEWINDS PL	MORENO VALLEY, CA	92555-5761	329.32	32.93	65.21	427.44
81609175004	486553002	LUU, THU (OWNR)	14449	DUSTY COYOTE AVE	MORENO VALLEY	CA	92555-5759	LUU, THU (OWNR)	5718 WOLFE ST	LAKEWOOD, CA	90713-1524	254.02	25.4	50.3	329.7
80285795004	486553005	MARTIN, DIAMETRI	14416	LEEWARD WAY	MORENO VALLEY	CA	92555-5754	MARTIN, DIAMETRI	14416 LEEWARD WY	MORENO VALLEY, CA	92555-5754	254.02	25.4	50.3	329.7
94142155005	487010002	LEE, DAMON (OWNR)	12109	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7722	LEE, DAMON	12109 LEIF ERICSON DR	MORENO VALLEY, CA	92557-7722	254.12	25.41	50.32	329.84
94083875000	487011003	CORTEZ, IGNACIO (RENT)	13114	BRENTWOOD LN	MORENO VALLEY	CA	92553-7889	CORTEZ, IGNACIO	13114 BRENTWOOD LN	MORENO VALLEY, CA	92553-7889	126.62	12.66	25.07	164.34
88045485009	487011005	DAVENPORT, MARCUS AND SHERRI	25760	ONATE DR	MORENO VALLEY	CA	92557-7727	DAVENPORT, MARCUS AND SHERRI	25760 ONATE DR	MORENO VALLEY, CA	92557-7727	311.09	31.11	61.6	403.78
96777495005	487013002	RODRIGUEZ, ADELIA (OWNR)	12122	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7721	RODRIGUEZ, ADELIA	12122 LEIF ERICSON DR	MORENO VALLEY, CA	92557-7721	254.12	25.41	50.32	329.84
94124325008	487013006	HILDEBRAND, JOHN (OWNR)	12166	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7721	HILDEBRAND, JOHN	12166 LEIF ERICSON DR	MORENO VALLEY, CA	92557-7721	254.12	25.41	50.32	329.84
90298523002	487013010	OLIVAS, ALFOLFO (OWNR)	12210	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7723	OLIVAS, ALFOLFO	12210 LEIF ERICSON DR	MORENO VALLEY, CA	92557-7723	254.12	25.41	50.32	329.84
81376915006	487013011	NICHOLSON, DERRECK	12220	LEIF ERICSON DR	MORENO VALLEY	CA	92557-7723	PAM LOWELL OWNER	21250 BOX SPRINGS MOUNTAIN 114	MORENO VALLEY, CA	92557-8700	254.02	25.4	50.3	329.7
93966733007	487013016	HAYES, HENRY JR (RENTR)	12205	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7716	HAYES, HENRY JR	12205 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7716	75	7.5	14.85	97.34
81464435001	487014002	CORTEZ, LAURA	12186	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7757	CORTEZ, LAURA	12186 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7757	254.02	25.4	50.3	329.7
94749725008	487014007	LEMUS, ALEX (OWNR)	12230	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7715	LEMUS, ALEX	12230 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7715	254.12	25.41	50.32	329.84
91446585006	487014013	GOMEZ, PATRICIA	12247	PONCE DE LEON DR	MORENO VALLEY	CA	92557-7712	GOMEZ, PATRICIA	12247 PONCE DE LEON DR	MORENO VALLEY, CA	92557-7712	254.02	25.4	50.3	329.7
96541305005	487015004	LANDERS, SHELIA (RENT)	12252	BALTIMORE AVE	MORENO VALLEY	CA	92557-7728	LANDERS, SHELIA	12252 BALTIMORE AVE	MORENO VALLEY, CA	92557-7728	168.85	16.89	33.43	219.16
94353085003	487015007	CALVANESE, EDUARDO (OWNR)	12210	BALTIMORE AVE	MORENO VALLEY	CA	92557-7728	CALVANESE, EDUARDO	12210 BALTIMORE AVE	MORENO VALLEY, CA	92557-7728	126.96	12.7	25.14	164.78
81539335001	487015010	BILL, TINA	12273	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7717	BILL, TINA	12273 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7717	267.52	26.75	52.97	347.24
64874485000	487015020	MARTINEZ, ROBERT AND DOROTH	12315	GRENVILLE AVE	MORENO VALLEY	CA	92557-7734	MARTINEZ, ROBERT AND DOROTHY	12315 GRENVILLE AVE	MORENO VALLEY, CA	92557-7734	254.12	25.41	50.32	329.84
60100235007	487015026	RODRIGUEZ, MARIA	12334	GRENVILLE AVE	MORENO VALLEY	CA	92557-7733	RODRIGUEZ, MARIA	12334 GRENVILLE AVE	MORENO VALLEY, CA	92557-7733	64.13	6.41	12.7	83.24
96882455001	487023004	LOPEZ, DORA (OWNR)	12396	GRENVILLE AVE	MORENO VALLEY	CA	92557-7733	LOPEZ, DORA	231 N EVELYN DR	ANAHEIM, CA	92805-3422	254.12	25.41	50.32	329.84
93947675009	487023005	SUTTON, CHARLES (RENT)	12391	EYRE CT	MORENO VALLEY	CA	92557-7739	SUTTON, CHARLES	12391 EYRE CT	MORENO VALLEY, CA	92557-7739	254.12	25.41	50.32	329.84
64994265002	487023007	AREVALO, MARIA	12371	EYRE CT	MORENO VALLEY	CA	92557-7739	AREVALO, MARIA	12371 EYRE CT	MORENO VALLEY, CA	92557-7739	254.12	25.41	50.32	329.84
94911603009	487023015	SANCHEZ, KARINA (RENT)	12380	EYRE CT	MORENO VALLEY	CA	92557-7739	SANCHEZ, KARINA	12380 EYRE CT	MORENO VALLEY, CA	92557-7739	109.72	10.97	21.72	142.4
81563335001	487023018	MARTIN, ELENA	12385	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7740	MARTIN, ELENA	12385 CHAMPLAIN ST	MORENO VALLEY, CA	92557-7740	32.44	3.24	6.42	42.1
81550425009	487024005	ROMERO, SALLY	12372	CHAMPLAIN ST	MORENO VALLEY	CA	92557-7741	ROMERO, SALLY	12602 BARBAZON	MORENO VALLEY, CA	92555-2248	203.12	20.31	40.22	263.64
92502403000	487030002	BANUELOS, MARIBEL (OWNR)	26050	SCOTT VICTOR CIR	MORENO VALLEY	CA	92555-1834	BANUELOS, MARIBEL	26050 SCOTT VICTOR CIR	MORENO VALLEY, CA	92555-1834	202.84	20.28	40.16	263.28
58665955001	487030006	SHUTTLEWORTH, JULIE	26018	SCOTT VICTOR CIR	MORENO VALLEY	CA	92555-1834	SHUTTLEWORTH, JULIE	17605 DRY RUN CT	RIVERSIDE, CA	92504-8820	165.92	16.59	32.85	215.36
86945785001	487030013	LOPEZ, GARLAND	26058	ELIOT AVE	MORENO VALLEY	CA	92555-1809	LOPEZ, GARLAND	26058 ELIOT AVE	MORENO VALLEY, CA	92555-1809	254.02	25.4	50.3	329.7
97714153008	487030017	HAWKINS, TINA (RENT)	26026	ELIOT AVE	MORENO VALLEY	CA	92555-1809	HAWKINS, TINA (RENT)	26026 ELIOT AVE	MORENO VALLEY, CA	92555-1809	166.64	16.66	32.99	216.28
94412473005	487030019	VERMILLION, ANN (OWNR)	26010	ELIOT AVE	MORENO VALLEY	CA	92555-1809	VERMILLION, ANN	1724 ROCKY RD	FULLERTON, CA	92831-1234	334.44	33.44	66.22	434.1
50909275004	487031002	HILL, CHARLES	26015	ELIOT AVE	MORENO VALLEY	CA	92555-1810	HILL, CHARLES	26015 ELIOT AVE	MORENO VALLEY, CA	92555-1810	329.32	32.93	65.21	427.44
93648715005	487031004	LARA, HUGO (OWNR)	26031	ELIOT AVE	MORENO VALLEY	CA	92555-1810	LARA, HUGO	26031 ELIOT AVE	MORENO VALLEY, CA	92555-1810	189.12	18.91	37.45	245.46
101999563008	487031005	PRICE, CHAUNA (OWNR)	26039	ELIOT AVE	MORENO VALLEY	CA	92555-1810	PRICE, CHAUNA	26039 ELIOT AVE	MORENO VALLEY, CA	92555-1810	34.93	3.49	6.92	45.32
57534805002	487032008	DIEHL, CHRISTINA	26157	CORONADA DR	MORENO VALLEY	CA	92555-1833	DIEHL, CHRISTINA	26157 CORONADA DR	MORENO VALLEY, CA	92555-1833	220.66	22.07	43.69	286.4
81074965006	487041001	WYRICK, ANNIE	12140	LASSELLE ST	MORENO VALLEY	CA	92557-7702	WYRICK, ANNIE	12140 LASSELLE ST	MORENO VALLEY, CA	92557-7702	254.02	25.4	50.3	329.7
70989695004	487041007	GARCIA, MARY	26046	PINZON CT	MORENO VALLEY	CA	92555-1804	GARCIA, MARY	26046 PINZON CT	MORENO VALLEY, CA	92555-1804	254.02	25.4	50.3	329.7
81268715007	487041009	RICE, SHEILA AND JOSEPH	26070	PINZON CT	MORENO VALLEY	CA	92555-1804	RICE, SHEILA AND JOSEPH	26070 PINZON CT	MORENO VALLEY, CA	92555-1804	254.02	25.4	50.3	329.7
61464845008	487041017	CHEWNING, ROBIN	26020	BRIDGER ST	MORENO VALLEY	CA	92555-1815	CHEWNING, ROBIN	26020 BRIDGER ST	MORENO VALLEY, CA	92555-1815	254.12	25.41	50.32	329.84
91443935000	487041032	CHERRY, ROBERT	26031	BRIDGER ST	MORENO VALLEY	CA	92555-1816	CHERRY, ROBERT	26031 BRIDGER ST	MORENO VALLEY, CA	92555-1816	254.02	25.4	50.3	329.7
82331055009	487041040	GAVEIS, JESSICA	26090	CORONADA DR	MORENO VALLEY	CA	92555-1828	GAVEIS, JESSICA	26090 CORONADA DR	MORENO VALLEY, CA	92555-1828	254.02	25.4	50.3	329.7
97146605009	487042001	O'NEILL, JOHN (OWNER)	26121	CORONADA DR	MORENO VALLEY	CA	92555-1851	O'NEILL, JOHN	26121 CORONADA DR	MORENO VALLEY, CA	92555-1851	254.12	25.41	50.32	329.84
88276483000	487042005	ALVAREZ, HECTOR (RENT)	26135	TASMAN ST	MORENO VALLEY	CA	92555-1825	ALVAREZ, HECTOR	26135 TASMAN ST	MORENO VALLEY, CA	92555-1825	254.12	25.41	50.32	329.84
59881175007	487042009	FISHER, RENA	12282	BREWSTER DR	MORENO VALLEY	CA	92555-1818	FISHER, RENA	12282 BREWSTER DR	MORENO VALLEY, CA	92555-1818	329.6	32.96	65.26	427.82
81274835000	487042016	MACK, ODESSA	12348	BREWSTER DR	MORENO VALLEY	CA	92555-1821	MACK, ODESSA	12348 BREWSTER DR	MORENO VALLEY, CA	92555-1821	254.12	25.41	50.32	329.84
91576695007	487043009	HILL, MICHAEL	12268	LASSELLE ST	MORENO VALLEY	CA	92557-7704	HILL, MICHAEL	12268 LASSELLE ST	MORENO VALLEY, CA	92557-7704	329.32	32.93	65.21	427.44
81175645009	487043010	FOX, ANGELA	12280	LASSELLE ST	MORENO VALLEY	CA	92557-7704	FOX, ANGELA	12280 LASSELLE ST	MORENO VALLEY, CA	92557-7704	254.02	25.4	50.3	329.7
95441885007	487044001	CUSHING-OGAN, DIANNA (RENT)	12327	LASSELLE ST	MORENO VALLEY	CA	92557-7706	CUSHING-OGAN, DIANNA	PO BOX 10046	MORENO VALLEY, CA	92552-0046	63.63	6.36	12.6	82.58
89946113005	487044004	VALENZUELA, ROSA (RENT)	12291	LASSELLE ST	MORENO VALLEY	CA	92557-7705	VALENZUELA, ROSA (RENT)	12291 LASSELLE ST	MORENO VALLEY, CA	92557-7705	247.94	24.79	49.09	321.82
81288025000	487044005	THOMPSON, OTIS	12279	LASSELLE ST	MORENO VALLEY	CA	92557-7705	THOMPSON, OTIS	27585 LAFAYETTE WAY	MORENO VALLEY, CA	92555-5713	254.02	25.4	50.3	329.7
81408075003	487044007	LOPEZ, NANCY	12255	LASSELLE ST	MORENO VALLEY	CA	92557-7705	LOPEZ, NANCY	12255 LASSELLE ST	MORENO VALLEY, CA	92557-7705	254.02	25.4	50.3	329.7
96738215006	487044008	LOGAN, CYNTHIA (OWNR)	12243	LASSELLE ST	MORENO VALLEY	CA	92557-7705	LOGAN, CYNTHIA	941 GRANT ST	CALIMESA, CA	92320-1407	254.12	25.41	50.32	329.84
86297883004	487050001	BLANCO, LEONARDO (RENT)	12395	MARQUETTE CT	MORENO VALLEY	CA	92557-7748	BLANCO, LEONARDO	12395 MARQUETTE CT	MORENO VALLEY, CA	92557-7748	63.63	6.36	12.6	82.58
48389765001	487050019	WILLS, CHANELLE	12390	MARQUETTE CT	MORENO VALLEY	CA	92557-7747	WILLS, CHANELLE	12390 MARQUETTE CT	MORENO VALLEY, CA	92557-7747	254.02	25.4	50.3	329.7
96842495007	487050023	MOSLEY, FRANK (OWNR)	12351	LASSELLE ST	MORENO VALLEY	CA	92557-7706	MOSLEY, FRANK	12351 LASSELLE ST	MORENO VALLEY, CA	92557-7706	204.12	20.41	40.42	264.94
99930953000	487050024	RAPER, DOREEN (OWNR)	12339	LASSELLE ST	MORENO VALLEY	CA	92557-7706	RAPER, DOREEN (OWNR)	12339 LASSELLE ST	MORENO VALLEY, CA	92557-7706	63.63	6.36	12.6	82.58
81108755006	487053004	BIAEZ, ANINA	26143	ELDER AVE	MORENO VALLEY	CA	92555-1800	BIAEZ, ANINA	26143 ELDER AVE	MORENO VALLEY, CA	92555-1800	254.02	25.4	50.3	329.7
81179985009	487053006	WILSON, BEN	26119	ELDER AVE	MORENO VALLEY	CA	92555-1800	WILSON, BEN	26119 ELDER AVE	MORENO VALLEY, CA	92555-1800	228.63	22.86	45.27	296.76
61279585004	487053009	TUCKER, MARILYN	26083	ELDER AVE	MORENO VALLEY	CA	92555-1845	TUCKER, MARILYN	26083 ELDER AVE	MORENO VALLEY, CA	92555-1845	254.12	25.41	50.32	329.84
59956735000	487060003	AHMAD, NAEEM	12051	MORRISON ST	MORENO VALLEY	CA	92555-1802	AHMAD, NAEEM	19343 SCARESDALE ST	RIVERSIDE, CA	92508-6154	254.12	25.41	50.32	329.84
92921145009	487071003	SANCHEZ, THELMA	12255	WOODBRIAR DR	MORENO VALLEY	CA	92555-1871	SANCHEZ, THELMA	12255 WOODBRIAR DR	MORENO VALLEY, CA	92555-1871	63.63	6.36	12.6	82.58
95154275004	487072003	HENISH, CHRISTIAN (OWNR)	26252	DEANA CT	MORENO VALLEY	CA	92555-1868	HENISH, CHRISTIAN	26252 DEANA CT	MORENO VALLEY, CA	92555-1868	254.12	25.41	50.32	329.84
48402895005	487072005	GROVE, LISA	26245	DEANA CT	MORENO VALLEY	CA	92555-1868	GROVE, LISA	26245 DEANA CT	MORENO VALLEY, CA	92555-1868	242.2	24.22	47.96	314.36
49706775003	487073004	NOOR-PUMLEY, KAMELYTA	26229	TASMAN ST	MORENO VALLEY	CA	92555-1860	NOOR-PUMLEY, KAMELYTA	26229 TASMAN ST	MORENO VALLEY, CA	92555-1860	254.02	25.4	50.3	329.7
67366295004	487073013	CHEATUM, BRENDA	26259	PARTON CT	MORENO VALLEY	CA	92555-1859	CHEATUM, BRENDA	26259 PARTON CT	MORENO VALLEY, CA	92555-1859	329.6	32.96	65.26	427.82
81569725006	487073016	TRONCOSO, VINCENT	26279	PARTON CT	MORENO VALLEY	CA	92555-1859	TRONCOSO, VINCENT	26279 PARTON CT	MORENO VALLEY, CA	92555-1859	254.02	25.4	50.3	329.7
81627365007	487073024	BUTIU, ROEL	12313	VALERIE CT	MORENO VALLEY	CA	92555-1865	BUTIU, ROEL	12313 VALERIE CT	MORENO VALLEY, CA	92555-1865	127.36	12.74	25.22	165.3
81616265001	487073026	GOODALL, SABRINA	12333	VALERIE CT	MORENO VALLEY	CA	92555-1865	GOODALL, SABRINA	12333 VALERIE CT	MORENO VALLEY, CA	92555-1865	254.02	25.4	50.3	329.7
80719595004	487074001	PECADOR, MARISELA	26199	LEAFWOOD DR	MORENO VALLEY	CA	92555-1864	PECADOR, MARISELA	26199 LEAFWOOD DR	MORENO VALLEY, CA	92555-1864	254.02	25.4	50.3	329.7
93519203005	487074009	GARCIA, RICHARD (RENT)	26297	LEAFWOOD DR	MORENO VALLEY	CA	92555-1857	GARCIA, RICHARD	26297 LEAFWOOD DR	MORENO VALLEY, CA	92555-1857	120.27	12.03	23.81	156.1
56269965002	487081002	GALVAN, FELIPE	12408	WOODBRIAR DR	MORENO VALLEY	CA	92555-1866	GALVAN, FELIPE	25090 DRACAEA AVE APT A	MORENO VALLEY, CA	92553-4209	254.02	25.4	50.3	329.7
92172765006	487082006	GARCIA, VERDIANA	26295	ELDER AVE	MORENO VALLEY	CA	92555-1836	GARCIA, VERDIANA	26295 ELDER AVE	MORENO VALLEY, CA	92555-1836	81.84	8.18	16.2	106.22
81174665007	487090004	NOVAL, VICTORINO	12082	VISTA DE CERROS DR	MORENO VALLEY	CA	92553-1813	NOVAL, VICTORINO	PO BOX 1239	SAN JUAN CAPO, CA	92693-1239	63.63	6.36	12.6	82.58
90678695009	487100005	JONES JR, HARRY	12017	CASA LINDA PL	MORENO VALLEY	CA	92555-1884	JONES JR, HARRY	12017 CASA LINDA PL	MORENO VALLEY, CA	92555-1884	253.92	25.39	50.28	329.58
81613305000	487101001	RANDOLPH, STANLEY	26310	TASMAN ST	MORENO VALLEY	CA	92555-1863	RANDOLPH, STANLEY	10952 ATKINSON AVE	INGLEWOOD, CA	90303-2421	329.32	32.93	65.21	427.44
59178005004	487103001	ROSSI, SHARON	26419	SHERWOOD CIR	MORENO VALLEY	CA	92555-1882	ROSSI, SHARON	26419 SHERWOOD CIR	MORENO VALLEY, CA	92555-1882	54.12	5.41	10.72	70.24
59314665006	487103012	LOPEZ, ANTONIO	26380	SHERWOOD CIR	MORENO VALLEY	CA	92555-1882	LOPEZ, ANTONIO	26380 SHERWOOD CIR	MORENO VALLEY, CA	92555-1882	64.13	6.41	12.7	83.24
86891043001	487103014	SPELLS, ROBIN	26400	SHERWOOD CIR	MORENO VALLEY	CA	92555-1882	SPELLS, ROBIN	26400 SHERWOOD CIR	MORENO VALLEY, CA	92555-1882	233.82	23.38	46.3	303.48
88537145002	487111022	ZAMORA, ANTOINETTE (RENT)	12375	SANDRIA AVE	MORENO VALLEY	CA	92555-1874	ZAMORA, ANTOINETTE	12375 SANDRIA AVE	MORENO VALLEY, CA	92555-1874	229.32	22.93	45.41	297.64
53445985003	487111023	MURILLO, SANDRA	26370	HELENE DR	MORENO VALLEY	CA	92555-1875	MURILLO, SANDRA	26370 HELENE DR	MORENO VALLEY, CA	92555-1875	239.44	23.94	47.41	310.78
53164705003	487111025	EDMONDS, LISA	26385	HELENE DR	MORENO VALLEY	CA	92555-1875	EDMONDS, LISA	26385 HELENE DR	MORENO VALLEY, CA	92555-1875	254.02	25.4	50.3	329.7
53105985007	487111026	MOROWSKY, WENDY	26375	HELENE DR	MORENO VALLEY	CA	92555-1875	MOROWSKY, WENDY	26375 HELENE DR	MORENO VALLEY, CA	92555-1875	232.81	23.28	46.1	302.18
54661225008	487111034	MCNULTY, MARYGAIL	26475	HELENE DR	MORENO VALLEY	CA	92555-1877	MCNULTY, MARYGAIL	26475 HELENE DR	MORENO VALLEY, CA	92555-1877	242.26	24.23	47.97	314.44
81238775007	487121001	DE MELO, RAMIRO	26276	ELDER AVE	MORENO VALLEY	CA	92555-1835	DE MELO, RAMIRO	26276 ELDER AVE	MORENO VALLEY, CA	92555-1835	254.12	25.41	50.32	329.84
81222795007	487121006	MALLEY, JAMES	12369	VIA DE PALMAS	MORENO VALLEY	CA	92555-1844	MALLEY, JAMES	12369 VIA DE PALMAS	MORENO VALLEY, CA	92555-1844	254.02	25.4	50.3	329.7
95313255000	487121007	ORTIZ, IRMA (OWNR)	12379	VIA DE PALMAS	MORENO VALLEY	CA	92555-1844	ORTIZ, IRMA	12379 VIA DE PALMAS	MORENO VALLEY, CA	92555-1844	190.79	19.08	37.78	247.64
81261575001	487121008	KING, VERNITA	12399	VIA DE PALMAS	MORENO VALLEY	CA	92555-1844	KING, VERNITA	12399 VIA DE PALMAS	MORENO VALLEY, CA	92555-1844	254.12	25.41	50.32	329.84
59069875002	487131007	ENRIQUEZ, VICTORIA	12250	SANDRIA AVE	MORENO VALLEY	CA	92555-1879	ENRIQUEZ, VICTORIA	12250 SANDRIA AVE	MORENO VALLEY, CA	92555-1879	257.45	25.75	50.98	334.16
53908735007	487131010	MARTIN, JORGE AND MARGARET	12285	MORRISON ST	MORENO VALLEY	CA	92555-1887	MARTIN, JORGE AND MARGARET	12285 MORRISON ST	MORENO VALLEY, CA	92555-1887	282.21	28.22	55.88	366.3
62131865007	487131016	HERNANDEZ, LOURDES	12189	MORRISON ST	MORENO VALLEY	CA	92555-1803	HERNANDEZ, LOURDES	12189 MORRISON ST	MORENO VALLEY, CA	92555-1803	254.12	25.41	50.32	329.84
81333685005	487140010	FERRELL, DONALD	12058	SHADOWMARK LN	MORENO VALLEY	CA	92555-2032	FERRELL, DONALD	8 SOUTH FORK RD	CODY, WY	82414-9478	190.69	19.07	37.76	247.5
65093965004	487140021	AVILA, ANA	26256	HEMLOCK AVE	MORENO VALLEY	CA	92555-2018	AVILA, ANA	26256 HEMLOCK AVE	MORENO VALLEY, CA	92555-2018	129.6	12.96	25.66	168.22
94416053004	487180003	MADRILES, ANGELICA (RENT)	12320	MORRISON ST	MORENO VALLEY	CA	92555-1805	MADRILES, ANGELICA	15040 HHEACOCK ST #42	MORENO VALLEY, CA	92551-3631	65.93	6.59	13.05	85.56
54511925008	487180005	MILLION, EDDIE	12360	MORRISON ST	MORENO VALLEY	CA	92555-1805	MILLION, EDDIE	12360 MORRISON ST	MORENO VALLEY, CA	92555-1805	398.79	39.88	78.96	517.62
72556635002	487180010	ROLLINS, DARRELL	12460	MORRISON ST	MORENO VALLEY	CA	92555-1807	ROLLINS, DARRELL	12460 MORRISON ST	MORENO VALLEY, CA	92555-1807	254.02	25.4	50.3	329.7
81257755001	487180016	LUKASHEVSKY, SYLVIA	12405	ELF OWL LN	MORENO VALLEY	CA	92555-2038	LUKASHEVSKY, SYLVIA	12405 ELF OWL	MORENO VALLEY, CA	92555-2038	228.63	22.86	45.27	296.76
31444865002	487181001	STURGIS III, ABRAHAM	12274	ELF OWL LN	MORENO VALLEY	CA	92555	STURGIS III, ABRAHAM	12274 ELF OWL	MORENO VALLEY, CA	92555	254.02	25.4	50.3	329.7
59963915008	487181003	TORRES, EVELYN	12314	ELF OWL LN	MORENO VALLEY	CA	92555	TORRES, EVELYN	12314 ELF OWL LN	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
31248885003	487183009	ARELLANO, CIELO	12331	CHUKAR LN	MORENO VALLEY	CA	92555-2036	ARELLANO, CIELO	12331 CHUKAR LN	MORENO VALLEY, CA	92555-2036	120	12	23.76	155.76

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
60690155003	487184002	SHORT, DEVLON	12290	CHUKAR LN	MORENO VALLEY	CA	92555-2000	SHORT, DEVLON	12290 CHUKAR LN	MORENO VALLEY, CA	92555-2000	254.12	25.41	50.32	329.84
88856215006	487184004	GONZALEZ, VICTOR (OWNR)	12330	CHUKAR LN	MORENO VALLEY	CA	92555-2003	GONZALEZ, VICTOR AND EVA	12330 CHUKAR LN	MORENO VALLEY, CA	92555-2003	253.92	25.39	50.28	329.58
72029475003	487184014	HERNANDEZ, MACARIO (OWNR)	26980	PRAIRIE DOG LN	MORENO VALLEY	CA	92555-2024	HERNANDEZ, MACARIO	26980 PRAIRIE DOG LN	MORENO VALLEY, CA	92555-2024	150.66	15.07	29.83	195.54
31599335005	487184028	FELIX, JOSE	12493	WOLVERINE CIR	MORENO VALLEY	CA	92555-2033	FELIX, JOSE	12493 WOLVERINE CIR	MORENO VALLEY, CA	92555-2033	254.02	25.4	50.3	329.7
52077175009	487184033	HOLMES, KAREN AND EARL	12410	WOLVERINE CIR	MORENO VALLEY	CA	92555-2033	HOLMES, KAREN AND EARL	12410 WOLVERINE CIR	MORENO VALLEY, CA	92555-2033	254.02	25.4	50.3	329.7
97277835004	487184036	BARDO, SHERRY (RENT)	12450	WOLVERINE CIR	MORENO VALLEY	CA	92555-2033	BARDO, SHERRY	12450 WOLVERINE CIR	MORENO VALLEY, CA	92555-2033	399.35	39.94	79.07	518.34
94407525005	487190002	RODRIGUEZ, VERONICA (RENT)	12726	ATHERTON DR	MORENO VALLEY	CA	92555-2227	RODRIGUEZ, VERONICA	12726 ATHERTON DR	MORENO VALLEY, CA	92555-2227	154.12	15.41	30.52	200.04
66586555003	487190003	ZHANG, JIAN	12712	ATHERTON DR	MORENO VALLEY	CA	92555-2227	ZHANG, JIAN	12712 ATHERTON DR	MORENO VALLEY, CA	92555-2227	254.12	25.41	50.32	329.84
66506325000	487190008	SCHWARTZ, ALLEN	12644	ATHERTON DR	MORENO VALLEY	CA	92555-2225	SCHWARTZ, ALLEN	12644 ATHERTON DR	MORENO VALLEY, CA	92555-2225	269.11	26.91	53.28	349.3
91666535007	487191006	NIETO, ALMA	12577	ATHERTON DR	MORENO VALLEY	CA	92555-2224	NIETO, ALMA	12577 ATHERTON DR	MORENO VALLEY, CA	92555-2224	253.92	25.39	50.28	329.58
94588185003	487191007	PADILLA, LANEE (OWNR)	12591	ATHERTON DR	MORENO VALLEY	CA	92555-2224	PADILLA, LANEE	12591 ATHERTON DR	MORENO VALLEY, CA	92555-2224	54.12	5.41	10.72	70.24
77573025000	487191016	CASTRO, JESUS	12556	MULBERRY LN	MORENO VALLEY	CA	92555	CASTRO, JESUS	12556 MULBERRY LN	MORENO VALLEY, CA	92555	254.02	25.4	50.3	329.7
93932505007	487191017	MACK, YVETTE (OWNR)	12542	MULBERRY LN	MORENO VALLEY	CA	92555-2231	MACK, YVETTE	12542 MULBERRY LN	MORENO VALLEY, CA	92555-2231	254.12	25.41	50.32	329.84
59073005007	487191021	SUAREZ, DARLENE	12502	NINEBARK ST	MORENO VALLEY	CA	92555-2221	SUAREZ, DARLENE	12502 NINEBARK ST	MORENO VALLEY, CA	92555-2221	254.12	25.41	50.32	329.84
90956973000	487192009	OMARI, AZIZA	12724	MULBERRY LN	MORENO VALLEY	CA	92555-2218	OMARI, AZIZA	27280 RIO VISTA DR	SUN CITY, CA	92586-3565	87.65	8.77	17.35	113.76
65769895005	487193002	CANETE, JASON	12571	MULBERRY LN	MORENO VALLEY	CA	92555-2232	CANETE, JASON	12571 MULBERRY LN	MORENO VALLEY, CA	92555-2232	254.12	25.41	50.32	329.84
94769735004	487193003	MOXLEY, AZONDA (RENT)	26255	PERRIER DR	MORENO VALLEY	CA	92555-2334	MOXLEY, AZONDA	26255 PERRIER DR	MORENO VALLEY, CA	92555-2334	62	6.2	12.28	80.48
97663515002	487193006	NAVARRO, HENRY AND LYDIA	12627	MULBERRY LN	MORENO VALLEY	CA	92555-2220	NAVARRO, HENRY AND LYDIA	12627 MULBERRY LN	MORENO VALLEY, CA	92555-2220	350.5	35.05	69.4	454.94
58962165008	487193007	VAZQUEZ, DAMIAN (OWNR)	12641	MULBERRY LN	MORENO VALLEY	CA	92555-2220	VAZQUEZ, DAMIAN	12641 MULBERRY LN	MORENO VALLEY, CA	92555-2220	254.12	25.41	50.32	329.84
94249605004	487193017	ROBINSON, BRYANT (RENT)	12720	LASSELLE ST	MORENO VALLEY	CA	92553-4792	ROBINSON, BRYANT	PO BOX 35	MORENO VALLEY, CA	92556-0035	192.59	19.26	38.13	249.98
99957763003	487200011	RODRIGUEZ, EVELYN (RENT)	12603	TWIN BERRY DR	MORENO VALLEY	CA	92555-2237	RODRIGUEZ, EVELYN (RENT)	33047 EL CONTENTO DR #B	LAKE ELSINORE, CA	92530-5541	127.78	12.78	25.3	165.84
89076593000	487201004	FRANCO, EDGAR (OWNR)	26176	PRIMROSE WAY	MORENO VALLEY	CA	92555-2229	FRANCO, EDGAR	26176 PRIMROSE WAY	MORENO VALLEY, CA	92555-2229	254.12	25.41	50.32	329.84
61026785007	487202006	ESPINOZA, MARGIE	12590	TWIN BERRY DR	MORENO VALLEY	CA	92555-2234	ESPINOZA, MARGIE	12590 TWIN BERRY DR	MORENO VALLEY, CA	92555-2234	254.12	25.41	50.32	329.84
95043565008	487202015	TOSCANO, GILBERT (OWNR)	12677	CANDLEWOOD LN	MORENO VALLEY	CA	92555-2242	TOSCANO, GILBERT	12677 CANDLEWOOD LN 12	MORENO VALLEY, CA	92555-2242	190.79	19.08	37.78	247.64
63003175002	487202021	KANG, YONG	12593	CANDLEWOOD LN	MORENO VALLEY	CA	92555-2242	KANG, YONG	12593 CANDLEWOOD LN	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
95805845002	487202027	DIVINE, JEFFREY (OWNR)	26239	PRIMROSE WAY	MORENO VALLEY	CA	92555-2245	DIVINE, JEFFREY	26239 PRIMROSE WAY	MORENO VALLEY, CA	92555-2245	127.46	12.75	25.24	165.44
80670285004	487203004	HERRERA, ELIAS	12662	CANDLEWOOD LN	MORENO VALLEY	CA	92555-2241	HERRERA, ELIAS	12662 CANDLEWOOD LN	MORENO VALLEY, CA	92555-2241	237.35	23.74	47	308.08
94970275004	487204001	MACIAS, STEVE AND ANDREA(OWNR)	26221	BEECH DR	MORENO VALLEY	CA	92555-2240	MACIAS, STEVE AND ANDREA	26221 BEECH DR	MORENO VALLEY, CA	92555-2240	63.63	6.36	12.6	82.58
72124265006	487211003	DAVID, RAUL	12654	DOGWOOD WAY	MORENO VALLEY	CA	92555-2249	DAVID, RAUL	12654 DOGWOOD WAY	MORENO VALLEY, CA	92555-2249	131.33	13.13	26	170.46
66693695008	487212001	MORALES, TRINIDAD	26340	CHESTNUT DR	MORENO VALLEY	CA	92555-2247	MORALES, TRINIDAD	26340 CHESTNUT DR	MORENO VALLEY, CA	92555-2247	254.12	25.41	50.32	329.84
65989725005	487212014	DONCKELS, GLORIA	26337	PRIMROSE WAY	MORENO VALLEY	CA	92555-2246	DONCKELS, GLORIA	1629 E CHESTNUT AVE	ORANGE, CA	92867-3881	63.13	6.31	12.5	81.94
65622835005	487213005	GALBA-BRIGHT, JACOB	26288	PRIMROSE WAY	MORENO VALLEY	CA	92555-2245	GALBA-BRIGHT, JACOB	26288 PRIMROSE WY	MORENO VALLEY, CA	92555-2245	254.12	25.41	50.32	329.84
64562855003	487214002	SALCEDO, GRISELDA	12672	BELLFLOWER LN	MORENO VALLEY	CA	92555-2250	SALCEDO, GRISELDA	12672 BELLFLOWER LN	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
66313655001	487215002	O'NEAL, BREECIE	12728	BARBAZON DR	MORENO VALLEY	CA	92555-2254	O'NEAL, BREECIE	12728 BARBAZON DR	MORENO VALLEY, CA	92555-2254	23.6	2.36	4.67	30.62
97094065004	487222004	GARDNER, NICHOLE (RENT)	26484	PRIMROSE WAY	MORENO VALLEY	CA	92555-2239	GARDNER, NICHOLE	26484 PRIMROSE WAY	MORENO VALLEY, CA	92555-2239	99.69	9.97	19.74	129.38
89754163002	487222007	COLE, YEKO (RENT)	26442	PRIMROSE WAY	MORENO VALLEY	CA	92555-2239	COLE, YEKO	26442 PRIMROSE WAY	MORENO VALLEY, CA	92555-2239	182.03	18.2	36.04	236.26
92968665008	487222009	OCHOA, FERNANDO AND CARMEN	26414	PRIMROSE WAY	MORENO VALLEY	CA	92555-2239	OCHOA, FERNANDO	26414 PRIMROSE WAY	MORENO VALLEY, CA	92555-2239	204.02	20.4	40.4	264.8
73055965004	487222011	MARTINEZ, SOLEDAD	26386	PRIMROSE WAY	MORENO VALLEY	CA	92555-2239	MARTINEZ, SOLEDAD	26386 PRIMROSE WAY	MORENO VALLEY, CA	92555-2239	154.02	15.4	30.5	199.9
89932315003	487230002	JOHNSON, BRENDA	26576	FIR AVE	MORENO VALLEY	CA	92555-3522	JOHNSON, BRENDA	11526 BUNKER PL	BEAUMONT, CA	92223-8008	253.92	25.39	50.28	329.58
76023325004	487231005	STONE, GERALD	12623	TORREY PINE RD	MORENO VALLEY	CA	92555-3512	STONE, GERALD	12623 TORREY PINE RD	MORENO VALLEY, CA	92555-3512	254.02	25.4	50.3	329.7
93790245004	487231006	GANDY, DWIGHT (OWNR)	12613	TORREY PINE RD	MORENO VALLEY	CA	92555-3512	GANDY, DWIGHT	12613 TORREY PINE RD	MORENO VALLEY, CA	92555-3512	63.63	6.36	12.6	82.58
75710875001	487231013	GUTIERREZ, DAMIEN	12632	MAGNOLIA DR	MORENO VALLEY	CA	92555-3513	GUTIERREZ, DAMIEN	616 BRUIN DR	RIVERSIDE, CA	92507-6075	210.19	21.02	41.62	272.82
92850155005	487232002	LOGAN, SIMMON	26518	PRIMROSE WAY	MORENO VALLEY	CA	92555-3502	LOGAN, SIMMON	26518 PRIMROSE WAY	MORENO VALLEY, CA	92555-3502	254.02	25.4	50.3	329.7
93546845004	487241006	BALDES, JOSE (OWNR)	12644	TORREY PINE RD	MORENO VALLEY	CA	92555-3512	BALDES, JOSE	12644 TORREY PINE RD	MORENO VALLEY, CA	92555-3512	254.12	25.41	50.32	329.84
81205575007	487241009	CARILLO, MARIA	12675	WILLOWBROOK LN	MORENO VALLEY	CA	92555-3510	CARILLO, MARIA	7946 ORLANDO DR	RIVERSIDE, CA	92503-3044	329.32	32.93	65.21	427.44
93106665004	487242004	JACOBS, LOUIS	12588	WILLOWBROOK LN	MORENO VALLEY	CA	92555-3508	JACOBS, LOUIS	12588 WILLOWBROOK LN	MORENO VALLEY, CA	92555-3508	30.08	3.01	5.96	39.04
80970585005	487243006	HUERTA, AARON	12678	WILLOWBROOK LN	MORENO VALLEY	CA	92555-3509	HUERTA, AARON	12678 WILLOW BROOK LN	MORENO VALLEY, CA	92555-3509	254.02	25.4	50.3	329.7
90624635006	487243015	COLEY-WALK, LINDA	26728	FIR AVE	MORENO VALLEY	CA	92555-3537	COLEY-WALK, LINDA	26728 FIR AVE	MORENO VALLEY, CA	92555-3537	190.59	19.06	37.74	247.38
31177055008	487270001	STILES, JAMES	12880	LASSELLE ST	MORENO VALLEY	CA	92553-1236	STILES, JAMES	12880 LASSELLE ST	MORENO VALLEY, CA	92553-1236	79.32	7.93	15.71	102.94
31209465003	487270005	CHARLES JR, PAUL	12920	LASSELLE ST	MORENO VALLEY	CA	92553-1237	CHARLES JR, PAUL	12920 LASSELLE ST	MORENO VALLEY, CA	92553-1237	254.02	25.4	50.3	329.7
31154795002	487270008	RIOS, CYNTHIA	12950	LASSELLE ST	MORENO VALLEY	CA	92553-1237	RIOS, CYNTHIA	12950 LASSELLE ST	MORENO VALLEY, CA	92553-1237	254.02	25.4	50.3	329.7
31303085004	487270011	ABAIR, EMANUEL	12951	BERNARD CT	MORENO VALLEY	CA	92555-2303	ABAIR, EMANUEL	12951 BERNARD CT	MORENO VALLEY, CA	92555-2303	214.76	21.48	42.52	278.74
95093295000	487270028	LUNA, NADIA (RENT)	12941	SAMPLE CT	MORENO VALLEY	CA	92555-2307	LUNA, NADIA	12941 SAMPLE CT	MORENO VALLEY, CA	92555-2307	134.74	13.47	26.68	174.88
86265833002	487270041	CASTILLO, MARTHA (OWNR)	12960	SAMPLE CT	MORENO VALLEY	CA	92555-2306	CASTILLO, MARTHA	12960 SAMPLE CT	MORENO VALLEY, CA	92555-2306	85.79	8.58	16.99	111.34
31367305003	487270043	TUTOKI, DAVID	12980	SAMPLE CT	MORENO VALLEY	CA	92555-2306	TUTOKI, DAVID	12980 SAMPLE CT	MORENO VALLEY, CA	92555-2306	254.02	25.4	50.3	329.7
59038625000	487271008	BOWDEN, DICHONDRA	26011	BANTA PL	MORENO VALLEY	CA	92555-2304	BOWDEN, DICHONDRA	26011 BANTA PL	MORENO VALLEY, CA	92555-2304	63.63	6.36	12.6	82.58
31328795002	487280012	GARMAN, MR AND MRS	26150	LE MANS DR	MORENO VALLEY	CA	92555-2317	GARMAN, MR AND MRS	26150 LE MANS DR	MORENO VALLEY, CA	92555-2317	253.92	25.39	50.28	329.58
90621123009	487280024	EDWARDS, KIM (RENT)	12895	MONTECELLO DR	MORENO VALLEY	CA	92555-2314	EDWARDS, KIM	514 OCEAN AVE	PERRIS, CA	92571-3922	266.17	26.62	52.7	345.48
92184135004	487280026	VARGAS, LAURA & MYERS	12915	MONTECELLO DR	MORENO VALLEY	CA	92555-2316	VARGAS, LAURA & MYERS	28793 DRACAEA AVE	MORENO VALLEY, CA	92555-8421	253.92	25.39	50.28	329.58
31518275007	487281001	COLEMAN, SUSAN	26211	FIR AVE	MORENO VALLEY	CA	92555-2208	COLEMAN, SUSAN	26211 FIR AVE	MORENO VALLEY, CA	92555-2208	231.42	23.14	45.82	300.38
97330755007	487281004	PINADO, CARLOS (RENT)	26241	FIR AVE	MORENO VALLEY	CA	92555-2208	PINADO, CARLOS	26241 FIR AVE	MORENO VALLEY, CA	92555-2208	154.12	15.41	30.52	200.04
65476535003	487281009	TUGGLE, ROBERT	26280	LE MANS DR	MORENO VALLEY	CA	92555-2321	TUGGLE, ROBERT	26280 LE MANS DR	MORENO VALLEY, CA	92555-2321	254.12	25.41	50.32	329.84
31192985002	487281011	WRIGHT, WARDELL	26260	LE MANS DR	MORENO VALLEY	CA	92555-2321	WRIGHT, WARDELL	21370 SHAKESPEARE CT	MORENO VALLEY, CA	92555-2321	329.32	32.93	65.21	427.44
31267185000	487281016	MALACHI, EVELYN	26210	LE MANS DR	MORENO VALLEY	CA	92555-2319	MALACHI, EVELYN	26210 LE MANS DR	MORENO VALLEY, CA	92555-2319	329.04	32.9	65.15	427.08
91023775000	487282007	PARPIDA, CLAUDIA	26225	PERRIER DR	MORENO VALLEY	CA	92555-2361	PARPIDA, CLAUDIA	26225 PERRIER DR	MORENO VALLEY, CA	92555-2361	253.92	25.39	50.28	329.58
31500315007	487283013	HULL, PETER	12820	MONTECELLO DR	MORENO VALLEY	CA	92555-2312	HULL, PETER	12820 MONTECELLO DR	MORENO VALLEY, CA	92555-2312	245.69	24.57	48.65	318.9
31204885006	487284006	CONLEY, ARELESSIA	12890	ORLEANS DR	MORENO VALLEY	CA	92555-2356	CONLEY, ARELESSIA	12890 ORLEANS DR	MORENO VALLEY, CA	92555-2356	254.02	25.4	50.3	329.7
31176765001	487284008	AGUILAR, ELIDA (OWNR)	12870	ORLEANS DR	MORENO VALLEY	CA	92555-2356	AGUILAR, ELIDA	12870 ORLEANS DR	MORENO VALLEY, CA	92555-2356	254.02	25.4	50.3	329.7
92923183004	487284011	MADRIGAL, OMAR (OWNR)	12840	ORLEANS DR	MORENO VALLEY	CA	92555-2308	MADRIGAL, OMAR	12840 ORLEANS DR	MORENO VALLEY, CA	92555-2308	335.76	33.58	66.48	435.8
31173315003	487284015	ROMERO, ANN (OWNR)	12800	ORLEANS DR	MORENO VALLEY	CA	92555-2308	ROMERO, ANN	12800 ORLEANS DR	MORENO VALLEY, CA	92555-2308	127.36	12.74	25.22	165.3
75168115002	487290003	ZERMENO, GUADALUPE	26315	FIR AVE	MORENO VALLEY	CA	92555-2211	ZERMENO, GUADALUPE	26315 FIR AVE	MORENO VALLEY, CA	92555-2211	63.63	6.36	12.6	82.58
72040915008	487290004	RICHARD, DONNA	26325	FIR AVE	MORENO VALLEY	CA	92555-2211	RICHARD, DONNA	26325 FIR AVE	MORENO VALLEY, CA	92555-2211	55.69	5.57	11.03	72.28
92556865009	487290007	BUNTHANOM, LAMPAI	26340	LE MANS DR	MORENO VALLEY	CA	92555-2350	BUNTHANOM, LAMPAI	26340 LE MANS DR	MORENO VALLEY, CA	92555-2350	30.37	3.04	6.01	39.42
58810395001	487290009	HOLT, SONJA AND ROBERT	26320	LE MANS DR	MORENO VALLEY	CA	92555-2350	HOLT, SONJA AND ROBERT	26320 LE MANS DR	MORENO VALLEY, CA	92555-2350	63.63	6.36	12.6	82.58
31195935006	487290011	CALDWELL, VERA	26300	LE MANS DR	MORENO VALLEY	CA	92555-2350	CALDWELL, VERA	26300 LE MANS DR	MORENO VALLEY, CA	92555-2350	254.02	25.4	50.3	329.7
88021195001	487291001	RODRIGUEZ, JOSE	12809	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2328	RODRIGUEZ, JOSE	12809 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2328	46.12	4.61	9.13	59.86
92053155006	487291003	MONTEROSO, MYNOR	12829	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2328	MONTEROSO, MYNOR	12829 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2328	253.92	25.39	50.28	329.58
31299925008	487291004	WHITE, STANLEY	12839	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2328	WHITE, STANLEY	12839 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2328	254.02	25.4	50.3	329.7
31515333008	487291006	SIMS, SHATOYA (RENT)	12859	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2330	SIMS, SHATOYA	12859 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2330	19.1	19.1	37.82	247.9
63993105009	487291016	LEON, BRENDA (OWNR)	12959	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2331	LEON, BRENDA	12959 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2331	254.12	25.41	50.32	329.84
68016795009	487292001	FOSTER, RUDA	12980	FONTAINEBLEAU DR	MORENO VALLEY	CA	92555-2332	FOSTER, RUDA	12980 FONTAINEBLEAU DR	MORENO VALLEY, CA	92555-2332	254.12	25.41	50.32	329.84
94975765000	487292017	VELARDE, VERONICA (OWNR)	12819	BARBAZON DR	MORENO VALLEY	CA	92555-2337	VELARDE, VERONICA	12819 BARBAZON DR	MORENO VALLEY, CA	92555-2337	254.12	25.41	50.32	329.84
87086733002	487292026	ROMAN, ERASMO (RENT)	12909	BARBAZON DR	MORENO VALLEY	CA	92555-2342	ROMAN, ERASMO (RENT)	1696 MATTHEWES ST	RIVERSIDE, CA	92507-2338	257.91	25.79	51.07	334.76
31364695008	487293006	AVEN, SHERYL	26285	PERRIER DR	MORENO VALLEY	CA	92555-	AVEN, SHERYL	26285 PERRIER DR	MORENO VALLEY, CA	92555-2334	562.4	56.24	111.36	729.98
31527285006	487294004	GOMEZ, JUAN AND MARIA ELENA	12940	BARBAZON DR	MORENO VALLEY	CA	92555-2341	GOMEZ, JUAN	12940 BARBAZON DR	MORENO VALLEY, CA	92555-2341	329.6	32.96	65.26	427.82
90558913007	487294020	DOWNEY-WHITE, INBIYA (RENT)	12934	BORDEAUX CT	MORENO VALLEY	CA	92555-2344	WHITE, ENDIYA	12934 BORDEAUX CT	MORENO VALLEY, CA	92555-2344	208.94	20.89	41.37	271.2
90358993001	487294023	WIGGINS, CELESTE (RENT)	12904	BORDEAUX CT	MORENO VALLEY	CA	92555-2344	WIGGINS, CELESTE	12904 BORDEAUX CT	MORENO VALLEY, CA	92555-2344	266.17	26.62	52.7	345.48
97536055006	487294029	MAHE, SONI (OWNR)	12850	BARBAZON DR	MORENO VALLEY	CA	92555-2338	MAHE, SONI (OWNR)	12850 BARBAZON DR	MORENO VALLEY, CA	92555-2338	254.02	25.4	50.3	329.7
31574245007	487294035	LINARES, SANDRA AND JOSEPH	12790	BARBAZON DR	MORENO VALLEY	CA	92555-2335	LINARES, SANDRA AND JOSEPH	12790 BARBAZON DR	MORENO VALLEY, CA	92555-2335	254.02	25.4	50.3	329.7
58503415008	487294036	HERNANDEZ, GUILLERMO	12780	BARBAZON DR	MORENO VALLEY	CA	92555-2335	HERNANDEZ, GUILLERMO	12780 BARBAZON DR	MORENO VALLEY, CA	92555-2335	63.63	6.36	12.6	82.58
31216065002	487300006	HERNANDEZ, TONY AND SANDRA	26490	MAPLERIDGE WAY	MORENO VALLEY	CA	92555-2205	HERNANDEZ, TONY AND SANDRA	26490 MAPLERIDGE WAY	MORENO VALLEY, CA	92555-2205	254.02	25.4	50.3	329.7
87952773006	487301004	MARIN, HERIBERTO (OWNR)	12725	ELMHURST DR	MORENO VALLEY	CA	92555-2200	MARIN, HERIBERTO	6612 VAL VERDE AVE	BUENA PARK, CA	90621-2605	142.11	14.21	28.14	184.44
89851573000	487301005	LEROE, CHERICE (OWNR)	12715	ELMHURST DR	MORENO VALLEY	CA	92555-2200	LEROE, CHERICE	12715 ELMHURST DR	MORENO VALLEY, CA	92555-2200	190.79	19.08	37.78	247.64
49723365004	487302004	ECHEVERRIA, MARIE	26465	MAPLERIDGE WAY	MORENO VALLEY	CA	92555-2206	ECHEVERRIA, MARIE	26465 MAPLERIDGE WAY	MORENO VALLEY, CA	92555-2206	184	18.4	36.43	238.82
87171713006	487302005	BOTHINE, NEIGE (RENT)	26455	MAPLERIDGE WAY	MORENO VALLEY	CA	92555-2206	BOTHINE, NEIGE	26455 MAPLERIDGE WAY	MORENO VALLEY, CA	92555-2206	190.49	19.05	37.72	247.24
31291845002	487302007	JEFFERSON, MONROE	26435	MAPLERIDGE WAY	MORENO VALLEY	CA	92555-2206	JEFFERSON, MONROE	26435 MAPLERIDGE WAY	MORENO VALLEY, CA	92555-2206	36.01	3.6	7.13	46.74
31180615005	487302016	HUDDLESTON, ANGELA	26485	HAZELCREST CT	MORENO VALLEY	CA	92555-2201	HUDDLESTON, ANGELA	26485 HAZELCREST CT	MORENO VALLEY, CA	92555-2201	254.02	25.4	50.3	329.7
88819605004	487302017	RIVERA, LISA	26475	HAZELCREST CT	MORENO VALLEY	CA	92555-2201	RIVERA, LISA	26475 HAZELCREST CT	MORENO VALLEY, CA	92555-2201	103.92	10.39	20.58	134.88
31178755009	487303004	MEDICUS, GARY AND KATE	26470	COCONUT LN	MORENO VALLEY	CA	92555-2326	MEDICUS, GARY AND KATE	26470 COCONUT LN	MORENO VALLEY, CA	92555-2326	329.32	32.93	65.21	427.44
31177855000	487303007	LEBOW-FULLER, DANA	26440	COCONUT LN	MORENO VALLEY	CA	92555-2326	LEBOW-FULLER, DANA	26440 COCONUT LN	MORENO VALLEY, CA	92555-2326	254.02	25.4	50.3	329.7
90103405009	487303012	HERNANDEZ, CARMEN	26475	WILLOWDALE CT	MORENO VALLEY	CA	92555-2325	HERNANDEZ, CARMEN	26475 WILLOWDALE CT	MORENO VALLEY, CA	92555-2325	329.04	32.9	65.15	427.08

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
97216665007	487303014	GARCIA, MARIA AND ARTURO (RENT	26495	WILLOWDALE CT	MORENO VALLEY	CA	92555-2325	GARCIA, MARIA AND ARTURO	26495 WILLOWDALE CT	MORENO VALLEY, CA	92555-2325	190.79	19.08	37.78	247.64
61296515003	487303016	JACKSON, FRANK	26490	WILLOWDALE CT	MORENO VALLEY	CA	92555-2357	JACKSON, FRANK	26490 WILLOWDALE CT	MORENO VALLEY, CA	92555-2357	62.37	6.24	12.35	80.94
62789335004	487303020	HERNANDEZ, IRLANDA	26450	WILLOWDALE CT	MORENO VALLEY	CA	92555-2357	HERNANDEZ, IRLANDA	26450 WILLOWDALE CT	MORENO VALLEY, CA	92555-2357	254.12	25.41	50.32	329.84
92980203005	487304010	MARTINEZ, LAURIE (RENT)	26425	COCONUT LN	MORENO VALLEY	CA	92555-2327	MARTINEZ, LAURIE	26425 COCONUT LN	MORENO VALLEY, CA	92555-2327	248.27	24.83	49.16	322.24
31178375009	487304011	ANDERSON, GRANT	26435	COCONUT LN	MORENO VALLEY	CA	92555-2327	ANDERSON, GRANT	26435 COCONUT LN	MORENO VALLEY, CA	92555-2327	329.32	32.93	65.21	427.44
91991385000	487304012	MELGAR, GLORIA	26445	COCONUT LN	MORENO VALLEY	CA	92555-2327	MELGAR, GLORIA	26445 COCONUT LN	MORENO VALLEY, CA	92555-2327	253.92	25.39	50.28	329.58
97060605002	487304014	VILLALVA, MARIA LOURDES	26465	COCONUT LN	MORENO VALLEY	CA	92555-2327	VILLALVA, MARIA LOURDES	26465 COCONUT LN	MORENO VALLEY, CA	92555-2327	140.76	14.08	27.87	182.7
91983815007	487310003	MURRAY, JOHN (RENT)	12941	GOLDEN LANTERN DR	MORENO VALLEY	CA	92555-2301	MURRAY, JOHN	12941 GOLDEN LANTERN DR	MORENO VALLEY, CA	92555-2301	253.92	25.39	50.28	329.58
84274675009	487310005	PEREZ, PEDRO	12909	GOLDEN LANTERN DR	MORENO VALLEY	CA	92555-2301	PEREZ, PEDRO	12909 GOLDEN LANTERN DR	MORENO VALLEY, CA	92555-2301	254.02	25.4	50.3	329.7
82231105001	487310020	JAIMES, AIDA	26445	ALDERTREE CT	MORENO VALLEY	CA	92555-2366	JAIMES, AIDA	26445 ALDERTREE CT	MORENO VALLEY, CA	92555-2366	154.12	15.41	30.52	200.04
82880045008	487310021	NEWBERN, ELAINE	26433	ALDERTREE CT	MORENO VALLEY	CA	92555-2366	NEWBERN, ELAINE	26433 ALDERTREE CT	MORENO VALLEY, CA	92555-2366	254.12	25.41	50.32	329.84
83790125001	487310026	HOLNESS, GERARD	26480	SAND PALM CT	MORENO VALLEY	CA	92555-2368	HOLNESS, GERARD	26480 SAND PALM CT	MORENO VALLEY, CA	92555-2368	63.63	6.36	12.6	82.58
83543375001	487310031	FRANKLIN, REGINA	26455	SAND PALM CT	MORENO VALLEY	CA	92555-2368	FRANKLIN, REGINA	26455 SAND PALM CT	MORENO VALLEY, CA	92555-2368	63.63	6.36	12.6	82.58
84090815000	487332006	BATCH, CHARLES AND ELLEN	26827	CLAYSTONE DR	MORENO VALLEY	CA	92555	BATCH, CHARLES AND ELLEN	26827 CLAYSTONE DR	MORENO VALLEY, CA	92555	95.02	9.5	18.81	123.32
84095705002	487332007	PANGANIBAN, RODRIGO	26813	CLAYSTONE DR	MORENO VALLEY	CA	92555	PANGANIBAN, RODRIGO	PO BOX 70074	RIVERSIDE, CA	92513-0074	254.02	25.4	50.3	329.7
85032605005	487332010	NAVARRO, ERIKA	12830	AZALEA ST	MORENO VALLEY	CA	92555-3524	NAVARRO, ERIKA	1068 PAINTBRUSH TRL	HEMET, CA	92545-6375	127.36	12.74	25.22	165.3
89012753001	487332015	ROBINSON, BRYANT (OWNR)	26870	SUGARCANE DR	MORENO VALLEY	CA	92555-3535	ROBINSON, BRYANT (OWNR)	26870 SUGARCANE DR	MORENO VALLEY, CA	92555-3535	217.06	21.71	42.98	281.74
88054865001	487333001	CHIRINOS, AMBER AND CARLOS	26899	SUGARCANE DR	MORENO VALLEY	CA	92555-3535	CHIRINOS, AMBER AND CARLOS	26899 SUGARCANE DR	MORENO VALLEY, CA	92555-3535	63.63	6.36	12.6	82.58
89926835006	487333003	WINANS, ZEBULUM AND JOHN (OWNR	26871	SUGARCANE DR	MORENO VALLEY	CA	92555-3535	WINANS, ZEBULUM AND JOHN	26871 SUGARCANE DR	MORENO VALLEY, CA	92555-3535	96.51	9.65	19.11	125.26
89534325009	487333006	MERCER, KEVIN (RENT)	26829	SUGARCANE DR	MORENO VALLEY	CA	92555-3535	MERCER, KEVIN	11835 FRANKLIN ST	MORENO VALLEY, CA	92557-6527	126.16	12.62	24.98	163.74
90794335000	487340010	YOWELL, PAUL	26593	AZALEA ST	MORENO VALLEY	CA	92555-3526	YOWELL, PAUL	26593 AZALEA ST	MORENO VALLEY, CA	92555-3526	253.92	25.39	50.28	329.58
88977515007	487341006	VUONG, THE	26662	AZALEA ST	MORENO VALLEY	CA	92555-3527	VUONG, THE	5660 COVENTRY CIR	BUENA PARK, CA	90621-3934	253.92	25.39	50.28	329.58
95551545005	487351005	POWELL, BRIAN (RENT)	13069	MOHICAN DR	MORENO VALLEY	CA	92555-2401	POWELL, BRIAN	13069 MOHICAN DR	MORENO VALLEY, CA	92555-2401	127.16	12.72	25.18	165.04
90058115006	487351015	MARTINEZ, BRENDA	26046	BILOXI DR	MORENO VALLEY	CA	92555-2404	MARTINEZ, BRENDA	26046 BILOXI DR	MORENO VALLEY, CA	92555-2404	127.26	12.73	25.2	165.18
96789935008	487351016	HAYWARD, JANIS (RENT)	26054	BILOXI DR	MORENO VALLEY	CA	92555-2404	HAYWARD, JANIS	26054 BILOXI DR	MORENO VALLEY, CA	92555-2404	190.79	19.08	37.78	247.64
98017255014	487351019	RUSH, JEAN (OWNR)	26078	BILOXI DR	MORENO VALLEY	CA	92555-2404	RUSH, JEAN	26078 BILOXI DR	MORENO VALLEY, CA	92555-2404	190.79	19.08	37.78	247.64
31312065009	487351021	LOPEZ, CARLOS	26094	BILOXI DR	MORENO VALLEY	CA	92555-2404	LOPEZ, CARLOS	26094 BILOXI DR	MORENO VALLEY, CA	92555-2404	253.92	25.39	50.28	329.58
96231555000	487352005	BINUYA, JOSE I AND AGNES IV	13070	MOHICAN DR	MORENO VALLEY	CA	92555-2408	BINUYA, JOSE I AND AGNES IV	2074 ADRIATIC AVE	LONG BEACH, CA	90810-4056	420.76	42.08	83.31	546.14
31429475005	487352014	GRAHAM, CARMEN	13160	MOHICAN DR	MORENO VALLEY	CA	92555-2402	GRAHAM, CARMEN	13160 MOHICAN DR	MORENO VALLEY, CA	92555-2402	254.02	25.4	50.3	329.7
31465385008	487352017	MAYFIELD, JANET	13190	MOHICAN DR	MORENO VALLEY	CA	92555-2402	MAYFIELD, JANET	13190 MOHICAN DR	MORENO VALLEY, CA	92555-2402	329.32	32.93	65.21	427.44
31133675001	487352024	GALLAGHER, PEGGY	13171	EYOTA DR	MORENO VALLEY	CA	92555-2409	GALLAGHER, PEGGY	13171 EYOTA DR	MORENO VALLEY, CA	92555-2409	241.29	24.13	47.78	313.18
92760003008	487352035	KING, FRANCES (RENT)	13081	EYOTA DR	MORENO VALLEY	CA	92555-2411	KING, FRANCES (RENT)	13081 EYOTA DR	MORENO VALLEY, CA	92555-2411	285.87	28.59	56.6	371.04
31634705002	487352039	GONZALEZ, RAFAEL	13041	EYOTA DR	MORENO VALLEY	CA	92555-2411	GONZALEZ, RAFAEL	13041 EYOTA DR	MORENO VALLEY, CA	92555-2411	127.16	12.72	25.18	165.04
31455805001	487352040	LISARDO, MICHELLE	13031	EYOTA DR	MORENO VALLEY	CA	92555-2411	LISARDO, MICHELLE	13031 EYOTA DR	MORENO VALLEY, CA	92555-2411	329.6	32.96	65.26	427.82
31101025005	487353007	LEE, TOSHIO	13092	EYOTA DR	MORENO VALLEY	CA	92555-2412	LEE, TOSHIO	13092 EYOTA DR	MORENO VALLEY, CA	92555-2412	254.12	25.41	50.32	329.84
31614065008	487353009	GOMEZ, MAURO AND VIRGINIA	1311 2	EYOTA DR	MORENO VALLEY	CA	92555-2483	GOMEZ, MAURO AND VIRGINIA	1774 CINDY CT	CORONA, CA	92882-4813	127.46	12.75	25.24	165.44
31371445006	487353010	BAILEY, MARIE	13122	EYOTA DR	MORENO VALLEY	CA	92555-2410	BAILEY, MARIE	13122 EYOTA DR	MORENO VALLEY, CA	92555-2410	98.12	9.81	19.43	127.34
31370625000	487353012	CUESTAS, LUIS	13142	EYOTA DR	MORENO VALLEY	CA	92555-2410	CUESTAS, LUIS	13142 EYOTA DR	MORENO VALLEY, CA	92555-2410	80	8	15.84	103.84
92091485007	487353014	LANATHOUA, DORA AND AVELARDO	13162	EYOTA DR	MORENO VALLEY	CA	92555-2410	LANATHOUA, DORA AND AVELARDO	13162 EYOTA DR	MORENO VALLEY, CA	92555-2410	153.92	15.39	30.49	199.78
64902585008	487353017	MUHAMMMAD, KEVIN	13192	EYOTA DR	MORENO VALLEY	CA	92555-2410	MUHAMMMAD, KEVIN	2005 W LINCOLN ST	BANNING, CA	92220-4247	254.12	25.41	50.32	329.84
31405415008	487353019	MORALES, MIGUEL AND ALMA	13212	EYOTA DR	MORENO VALLEY	CA	92555-2484	MORALES, MIGUEL AND ALMA	13212 EYOTA DR	MORENO VALLEY, CA	92555-2484	54.12	5.41	10.72	70.24
96595005004	487354002	PADILLA, TIFFANY (RENT)	26103	OSHUA DR	MORENO VALLEY	CA	92555-2407	PADILLA, TIFFANY	26103 OSHUA DR	MORENO VALLEY, CA	92555-2407	259.6	25.96	51.4	336.96
94037625009	487354004	CORDOVA, LILLIAN (OWNR)	26119	OSHUA DR	MORENO VALLEY	CA	92555-2407	CORDOVA, LILLIAN	26119 OSHUA DR	MORENO VALLEY, CA	92555-2407	63.33	6.33	12.54	82.2
93250333000	487354007	WOOD, MELISSA (RENT)	26143	OSHUA DR	MORENO VALLEY	CA	92555-2407	WOOD, MELISSA	12855 BRITTANIA CT	MORENO VALLEY, CA	92553-1847	111.38	11.14	22.05	144.56
95301793002	487360002	WILSON, DARNELL (RENT)	26110	BILOXI DR	MORENO VALLEY	CA	92555-2405	WILSON, DARNELL	2107 N HOLGUIN WAY	CHANDLER, AZ	85225-2968	56.14	5.61	11.12	72.86
31362035001	487360009	PAZ, MAX	13052	PAWNEE DR	MORENO VALLEY	CA	92555-2419	PAZ, MAX	13052 PAWNEE DR	MORENO VALLEY, CA	92555-2419	254.02	25.4	50.3	329.7
31497545008	487360010	BROWN, BETTYE	13060	PAWNEE DR	MORENO VALLEY	CA	92555-2419	BROWN, BETTYE	13060 PAWNEE DR	MORENO VALLEY, CA	92555-2419	254.02	25.4	50.3	329.7
95813215000	487360013	VERGARA, SANDRA (RENT)	13031	TETON CT	MORENO VALLEY	CA	92555-2421	VERGARA, SANDRA	13031 TETON CT	MORENO VALLEY, CA	92555-2421	254.12	25.41	50.32	329.84
31579595002	487360018	GARCIA, TONY	13016	TETON CT	MORENO VALLEY	CA	92555-2422	GARCIA, TONY	13016 TETON CT	MORENO VALLEY, CA	92555-2422	190.69	19.07	37.76	247.5
96221555019	487360019	BEELER, JOSIE (RENT)	13024	TETON CT	MORENO VALLEY	CA	92555-2422	BEELER, JOSIE	13024 TETON CT	MORENO VALLEY, CA	92555-2422	254.12	25.41	50.32	329.84
66426695003	487360029	JIMENEZ, JENNIFER	13096	TETON CT	MORENO VALLEY	CA	92555-2423	JIMENEZ, JENNIFER	23105 BAY AVE APT 263	MORENO VALLEY, CA	92553-9640	254.12	25.41	50.32	329.84
31237355007	487360038	MONTOYA, VILMA	13151	WICHITA WAY	MORENO VALLEY	CA	92555-2433	MONTOYA, VILMA	28949 WILLIAMS AVE	MORENO VALLEY, CA	92555-8232	254.02	25.4	50.3	329.7
95546915007	487360039	NATIVIDAD, LYDIA	13131	WICHITA WAY	MORENO VALLEY	CA	92555-2433	NATIVIDAD, LYDIA	13131 WICHITA WAY	MORENO VALLEY, CA	92555-2433	254.12	25.41	50.32	329.84
92303915006	487360042	MORA, VERONICA	13071	WICHITA WAY	MORENO VALLEY	CA	92555-2431	MORA, VERONICA	13071 WICHITA WAY	MORENO VALLEY, CA	92555-2431	253.92	25.39	50.28	329.58
96131975004	487360048	CRISTMAS, TERRY (RENT)	13011	WICHITA WAY	MORENO VALLEY	CA	92555-2431	CRISTMAS, TERRY	13011 WICHITA WAY	MORENO VALLEY, CA	92555-2431	254.12	25.41	50.32	329.84
31301915004	487361002	ROMO, VIOLETA	13020	WICHITA WAY	MORENO VALLEY	CA	92555	ROMO, VIOLETA	13020 WICHITA WAY	MORENO VALLEY, CA	92555	254.12	25.41	50.32	329.84
85097275007	487361011	CARVAJAL, ERIKA	13110	WICHITA WAY	MORENO VALLEY	CA	92555-2429	CARVAJAL, ERIKA	PO BOX 91	ROSEMEAD, CA	91770-0091	254.02	25.4	50.3	329.7
98229935013	487361012	BRITTMON, MICHELLE (OWNR)	13120	WICHITA WAY	MORENO VALLEY	CA	92555-2429	BRITTMON, MICHELLE	13120 WICHITA WAY	MORENO VALLEY, CA	92555-2429	254.12	25.41	50.32	329.84
31076495000	487361020	SHILEY, RICHARD AND TAMMY	13148	PAWNEE DR	MORENO VALLEY	CA	92555-2416	SHILEY, RICHARD AND TAMMY	13148 PAWNEE DR	MORENO VALLEY, CA	92555-2416	254.02	25.4	50.3	329.7
48688485005	487361026	MORENO, PAUL AND MARY	13208	PAWNEE DR	MORENO VALLEY	CA	92555-2480	MORENO, PAUL AND MARY	13208 PAWNEE DR	MORENO VALLEY, CA	92555-2480	63.73	6.37	12.62	82.72
92004615003	487361028	SIMS, EDNA	13189	POCONO CT	MORENO VALLEY	CA	92555-2415	SIMS, EDNA	12323 SKYLINE DR	DESERT HOT SPRINGS, CA	92240-4324	253.92	25.39	50.28	329.58
85820705002	487361030	TORRES, PEDRO	13169	POCONO CT	MORENO VALLEY	CA	92555-2415	TORRES, PEDRO	13169 POCONO CT	MORENO VALLEY, CA	92555-2415	254.02	25.4	50.3	329.7
55972825002	487361031	LARA-TELLEZ, DAVID	13159	POCONO CT	MORENO VALLEY	CA	92555-2415	LARA-TELLEZ, DAVID	13159 POCONO CT	MORENO VALLEY, CA	92555-2415	254.02	25.4	50.3	329.7
31492015000	487361036	RICKS, YVETTE	13136	POCONO CT	MORENO VALLEY	CA	92555-2414	RICKS, YVETTE	13136 POCONO CT	MORENO VALLEY, CA	92555-2414	253.92	25.39	50.28	329.58
56178665008	487361038	RAMIREZ, MARIA	13156	POCONO CT	MORENO VALLEY	CA	92555-2414	RAMIREZ, MARIA	13156 POCONO CT	MORENO VALLEY, CA	92555-2414	254.02	25.4	50.3	329.7
31306965002	487361040	NEWSON, TIM	13176	POCONO CT	MORENO VALLEY	CA	92555-2414	NEWSON, TIM	13176 POCONO CT	MORENO VALLEY, CA	92555-2414	254.02	25.4	50.3	329.7
31538845006	487361051	REYES, EVANGELINA	26195	OSHUA DR	MORENO VALLEY	CA	92555-2408	REYES, EVANGELINA	26195 OSHUA DR	MORENO VALLEY, CA	92555-2408	254.12	25.41	50.32	329.84
71921045003	487361059	STOVALL, ANDREA	26114	DRACAEA AVE	MORENO VALLEY	CA	92555-2406	STOVALL, ANDREA	26114 DRACAEA AVE	MORENO VALLEY, CA	92555-2406	79.02	7.9	15.65	102.56
94078675002	487361065	WALKER, BERNISHA (RENT)	26184	DRACAEA AVE	MORENO VALLEY	CA	92555-2413	WALKER, BERNISHA	15340 ADOBE WAY	MORENO VALLEY, CA	92555-5814	254.12	25.41	50.32	329.84
31394215006	487361068	DOUCET, EMANUEL	26214	DRACAEA AVE	MORENO VALLEY	CA	92555-6800	DOUCET, EMANUEL	26214 DRACAEA AVE	MORENO VALLEY, CA	92555-6800	254.02	25.4	50.3	329.7
31564815008	487362001	COLLINS, JACKIE	13029	PAWNEE DR	MORENO VALLEY	CA	92555-2420	COLLINS, JACKIE	13029 PAWNEE DR	MORENO VALLEY, CA	92555-2420	82.68	8.27	16.37	107.3
31449865001	487362005	VIDAL, IGNACIO	13061	PAWNEE DR	MORENO VALLEY	CA	92555-2420	VIDAL, IGNACIO	13061 PAWNEE DR	MORENO VALLEY, CA	92555-2420	254.02	25.4	50.3	329.7
94080695004	487362006	KELLEY, MADELINE (RENT)	13069	PAWNEE DR	MORENO VALLEY	CA	92555-2417	KELLEY, MADELINE	13069 PAWNEE DR	MORENO VALLEY, CA	92555-2417	21.13	2.11	4.18	27.42
97389515004	487362007	JONES, ARMESHA (RENT)	13077	PAWNEE DR	MORENO VALLEY	CA	92555-2417	JONES, ARMESHA	13077 PAWNEE DR	MORENO VALLEY, CA	92555-2417	104.12	10.41	20.62	135.14
31517905007	487362018	EYESTONE, JAMES	13185	PAWNEE DR	MORENO VALLEY	CA	92555-2418	EYESTONE, JAMES	13185 PAWNEE DR	MORENO VALLEY, CA	92555-2418	253.92	25.39	50.28	329.58
98012475019	487363015	BRITO, MARISOL (OWNR)	13172	EYOTA DR	MORENO VALLEY	CA	92555-2410	BRITO, MARISOL	13172 EYOTA DR	MORENO VALLEY, CA	92555-2410	63.63	6.36	12.6	82.58
65705705009	487380013	ALVAREZ, GONZALO	26389	BODEGA CT	MORENO VALLEY	CA	92555-2499	ALVAREZ, GONZALO	26389 BODEGA CT	MORENO VALLEY, CA	92555-2499	27.46	2.75	5.44	35.64
92174525003	487380022	ALEXANDER, SHANDRIA	26430	BODEGA CT	MORENO VALLEY	CA	92555-2461	ALEXANDER, SHANDRIA	19409 BELSHAW AVE	CARSON, CA	90746-2401	323.22	32.32	64	419.52
90559983002	487380031	GIRGGS, MELISSA (RENT)	13124	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2458	GIRGGS, MELISSA	13124 NAPA VALLEY CT	MORENO VALLEY, CA	92555-2458	162.63	16.26	32.2	211.08
31455605003	487381004	SMITH, CHRISTINE	13056	TIOGA PASS CT	MORENO VALLEY	CA	92555-2462	SMITH, CHRISTINE	13056 TIOGA PASS CT	MORENO VALLEY, CA	92555-2462	126.76	12.68	25.1	164.52
31331505007	487381007	HUNTIMER, JUDY	13016	TIOGA PASS CT	MORENO VALLEY	CA	92555-2462	HUNTIMER, JUDY	13016 TIOGA PASS CT	MORENO VALLEY, CA	92555-2462	154.02	15.4	30.5	199.9
56056895008	487381021	SEVIRE, SANDRA AND JAMES	13020	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2455	SEVIRE, SANDRA	13020 NAPA VALLEY CT	MORENO VALLEY, CA	92555-2455	154.02	15.4	30.5	199.9
31290295009	487381031	HUDGENS, FRANCINE	13095	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2456	HUDGENS, FRANCINE	26385 HELENE DR	MORENO VALLEY, CA	92555-1875	254.12	25.41	50.32	329.84
31149695003	487381034	TREBUS, JULIE	13131	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2457	TREBUS, JULIE	13131 NAPA VALLEY CT	MORENO VALLEY, CA	92555-2457	63.63	6.36	12.6	82.58
98403823007	487381036	MORENO, BENJAMIN (OWNR)	13165	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2457	MORENO, BENJAMIN	13177 NAPA VALLEY CT	MORENO VALLEY, CA	92555-2457	140.2	14.02	27.76	181.96
31143805003	487381042	CRAIG, CARROL	13237	NAPA VALLEY CT	MORENO VALLEY	CA	92555-2498	CRAIG, CARROL	13237 NAPA VALLEY CT	MORENO VALLEY, CA	92555-2498	254.02	25.4	50.3	329.7
93556033003	487400029	LENSEN, CHRISTOPHER	13355	LAKEPORT DR	MORENO VALLEY	CA	92555-2470	NO, SERVICE	24616 WEBSTER AVE	MORENO VALLEY, CA	92553-3766	113.1	11.31	22.39	146.8
57521435007	487400030	MORENO, LAURA (OWNR)	13345	LAKEPORT DR	MORENO VALLEY	CA	92555-2470	MORENO, LAURA	13345 LAKEPORT DR	MORENO VALLEY, CA	92555-2470	329.32	32.93	65.21	427.44
31595345001	487400037	CORTEZ, ALEXANDER	13250	NELS CIR	MORENO VALLEY	CA	92555-6828	CORTEZ, ALEXANDER	13250 NELS CIR	MORENO VALLEY, CA	92555-6828	82.68	8.27	16.37	107.3
89618403009	487400042	SMITH, JAMIE (RENT)	13340	NELS CIR	MORENO VALLEY	CA	92555-6829	SMITH, JAMIE	13340 NELS CIR	MORENO VALLEY, CA	92555-6829	211.59	21.16	41.89	274.64
57331655004	487410004	BLANCO, FRANK	13389	LAKEPORT DR	MORENO VALLEY	CA	92555-2468	BLANCO, FRANK	13389 LAKEPORT DR	MORENO VALLEY, CA	92555-2468	190.02	19	37.62	246.64
74617565004	487410009	SULLIVAN, JOANN	13439	LAKEPORT DR	MORENO VALLEY	CA	92555-2469	SULLIVAN, JOANN	13439 LAKEPORT DR	MORENO VALLEY, CA	92555-2469	254.02	25.4	50.3	329.7
58492965008	487410014	MOORE, DYANA (OWN)	26095	PRADO ST	MORENO VALLEY	CA	92555-2808	MOORE, DYANA	26095 PRADO ST	MORENO VALLEY, CA	92555-2808	254.12	25.41	50.32	329.84
75178035008	487410018	GARCIA, ALEJANDRO	13416	BRAD ST	MORENO VALLEY	CA	92555-2805	GARCIA, ALEJANDRO	13416 BRAD ST	MORENO VALLEY, CA	92555-2805	254.02	25.4	50.3	329.7
55594555000	487410032	SUTTON, VIVIAN	26024	PECK ST	MORENO VALLEY	CA	92555-2803	SUTTON, VIVIAN	26024 PECK ST	MORENO VALLEY, CA	92555-2803	63.63	6.36	12.6	82.58
88108445004	487411002	GOBLE, LORETTA	26159	DARDANELLE CT	MORENO VALLEY	CA	92555-6825	GOBLE, LORETTA	26159 DARDANELLE CT	MORENO VALLEY, CA	92555-6825	329.6	32.96	65.26	427.82
31602075001	487411008	KELIIPULEOLE, ALAN AND LEANNE	26231	DARDANELLE CT	MORENO VALLEY	CA	92555-2465	KELIIPULEOLE, ALAN AND LEANNE	26231 DARDANELLE CT	MORENO VALLEY, CA	92555-2465	63.63	6.36	12.6	82.58
60506185005	487411011	FIELDS, CATHERINE	26206	DARDANELLE CT	MORENO VALLEY	CA	92555-2465	FIELDS, CATHERINE	26206 DARDANELLE CT	MORENO VALLEY, CA	92555-2465	129.6	12.96	25.66	168.22
97776155007	487411013	WILLIAMS, DONALD (OWNR)	26182	DARDANELLE CT	MORENO VALLEY	CA	92555-6824	WILLIAMS, DONALD	26182 DARDANELLE CT	MORENO VALLEY, CA	92555-6824	63.63	6.36	12.6	82.58
31359405009	487411017	FESTE, DARLA K	26147	FERNDALE CT	MORENO VALLEY	CA	92555-6827	FESTE, DARLA K	26147 FERNDALE CT	MORENO VALLEY, CA	92555-6827	329.32	32.93	65.21	427.44
63178375000	487411019	MORENO, LEONARDO	26171	FERNDALE CT	MORENO VALLEY	CA	92555-6827	MORENO, LEONARDO	26171 FERNDALE CT	MORENO VALLEY, CA	92555-6827	32.68	3.27	6.47	42.4

Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
94083775001	487411028	DIAZ, CARLOS (RENT)	14880	BLUEBRIAR ST	MORENO VALLEY	CA	92553-3988	DIAZ, CARLOS	14880 BLUEBRIAR ST	MORENO VALLEY, CA	92553-3988	244.83	24.48	48.48	317.78
31211595002	487411030	SAN AUGUSTINE, JAIME	26170	FERNDALE CT	MORENO VALLEY	CA	92555-6826	SAN AUGUSTINE, JAIME	13520 BEARBERRY DR	MORENO VALLEY, CA	92553-4808	254.02	25.4	50.3	329.7
93621845005	487412016	ENRIQUEZ, STORMY (RENT)	13390	JAMES ST	MORENO VALLEY	CA	92555-2800	ENRIQUEZ, STORMY	13390 JAMES ST	MORENO VALLEY, CA	92555-2800	254.12	25.41	50.32	329.84
60053795000	487413002	MENGEL, DELPHINE	26035	PRADO ST	MORENO VALLEY	CA	92553-	MENGEL, DELPHINE	1863 HARDT ST	LOMA LINDA, CA	92354-1723	254.12	25.41	50.32	329.84
68238715006	487413008	ANDERSON, WESLEY AND ELITA	13415	JAMES ST	MORENO VALLEY	CA	92555-2801	ANDERSON, WESLEY AND ELITA	13415 JAMES ST	MORENO VALLEY, CA	92555-2801	254.12	25.41	50.32	329.84
31459025007	487420004	VILLA JR, PETER	13291	BURNEY PASS DR	MORENO VALLEY	CA	92555-2400	VILLA JR, PETER	13291 BURNEY PASS DR	MORENO VALLEY, CA	92555-2400	254.02	25.4	50.3	329.7
92462233003	487420008	WOODS, NIACHEMA (RENT)	13339	BURNEY PASS DR	MORENO VALLEY	CA	92555-6822	WOODS, NIACHEMA	13339 BURNEY PASS DR	MORENO VALLEY, CA	92555-6822	157.91	15.79	31.27	204.96
31366035002	487421008	PARKER, GLORIA	26371	ALTURAS CREEK DR	MORENO VALLEY	CA	92555-2448	PARKER, GLORIA	26371 ALTURAS CREEK DR	MORENO VALLEY, CA	92555-2448	254.02	25.4	50.3	329.7
31374195002	487421013	FLORENCE, RANDY	26297	ALTURAS CREEK DR	MORENO VALLEY	CA	92555-2447	THOMAS, CYNTHIA	26297 ALTURAS CREEK DR	MORENO VALLEY, CA	92555-2447	329.32	32.93	65.21	427.44
31139295008	487421022	ALLISON, SHERRY	26326	CAPAY BAY CT	MORENO VALLEY	CA	92555-2439	ALLISON, SHERRY	26326 CAPAY BAY CT	MORENO VALLEY, CA	92555-2439	254.02	25.4	50.3	329.7
90473693005	487422005	OSORIO, DORI (RENT)	13318	YUBA PASS RD	MORENO VALLEY	CA	92555-2442	OSORIO, DORI	1535 W 37TH ST	LOS ANGELES, CA	90018-4522	41.2	4.12	8.16	53.46
31654125002	487422008	WEATHERSPOON, PATRICIA	26454	ALTURAS CREEK DR	MORENO VALLEY	CA	92555-6821	WEATHERSPOON, PATRICIA	26454 ALTURAS CREEK DR	MORENO VALLEY, CA	92555-6821	254.02	25.4	50.3	329.7
72675165008	487422024	RUIZ, ARMANDO	26267	DRACAEA AVE	MORENO VALLEY	CA	92555-6806	RUIZ, ARMANDO	26267 DRACAEA AVE	MORENO VALLEY, CA	92555-6806	254.02	25.4	50.3	329.7
31630115004	487422026	LEAKE, STEPHANIE	26295	DRACAEA AVE	MORENO VALLEY	CA	92555-6806	LEAKE, STEPHANIE	26295 DRACAEA AVE	MORENO VALLEY, CA	92555-6806	190.69	19.07	37.76	247.5
97589163004	487422028	HUDSON, JULIA (RENT)	26323	DRACAEA AVE	MORENO VALLEY	CA	92555-2451	HUDSON, JULIA	26323 DRACAEA AVE	MORENO VALLEY, CA	92555-2451	108.2	10.82	21.42	140.44
31141355001	487422029	JONES, MICHAEL	26337	DRACAEA AVE	MORENO VALLEY	CA	92555-2451	JONES, MICHAEL	26337 DRACAEA AVE	MORENO VALLEY, CA	92555-2451	90.29	9.03	17.88	117.18
92197295001	487422032	PLENTES, DELORES	26379	DRACAEA AVE	MORENO VALLEY	CA	92555-2451	PLENTES, DELORES	26379 DRACAEA AVE	MORENO VALLEY, CA	92555-2451	253.92	25.39	50.28	329.58
96076505000	487430004	ESPINOZA, ROSA (RENT)	13379	BURNEY PASS DR	MORENO VALLEY	CA	92555-2438	ESPINOZA, ROSA	13379 BURNEY PASS DR	MORENO VALLEY, CA	92555-2438	254.12	25.41	50.32	329.84
92075333002	487430007	PEREZ, RAMIRO (RENT)	13409	BURNEY PASS DR	MORENO VALLEY	CA	92555-6823	PEREZ, RAMIRO	13326 LASSELLE ST APT 1103	MORENO VALLEY, CA	92553-0853	186.35	18.64	36.9	241.88
94307535005	487431003	MEDINA, MARIA (RENT)	26280	WALKER PASS DR	MORENO VALLEY	CA	92555-2427	MEDINA, MARIA	26280 WALKER PASS DR	MORENO VALLEY, CA	92555-2427	63.53	6.35	12.58	82.46
57932515009	487431006	NAJERA, CHRIS	26322	WALKER PASS DR	MORENO VALLEY	CA	92555-6811	NAJERA, CHRIS	26322 WALKER PASS DR	MORENO VALLEY, CA	92555-6811	254.02	25.4	50.3	329.7
66526615007	487431013	MITCHELL, SHIRLEY	26420	WALKER PASS DR	MORENO VALLEY	CA	92555-6809	MITCHELL, SHIRLEY	26420 WALKER PASS DR	MORENO VALLEY, CA	92555-6809	254.12	25.41	50.32	329.84
88766633009	487431022	TRUEHEART, BILLY (RENT)	26435	CAPAY BAY CT	MORENO VALLEY	CA	92555-2441	TRUEHEART, BILLY	27026 DRACAEA AVE	MORENO VALLEY, CA	92555-4501	114.21	11.42	22.61	148.24
31544415004	487431024	JIMERSON, LATASHA AND MICKEY	26397	CAPAY BAY CT	MORENO VALLEY	CA	92555-6817	JIMERSON, LATASHA AND MICKEY	26397 CAPAY BAY CT	MORENO VALLEY, CA	92555-6817	253.92	25.39	50.28	329.58
61288945000	487431026	REYES, JOEL G AND TERESA	26363	CAPAY BAY CT	MORENO VALLEY	CA	92555-6817	REYES, JOEL G	26363 CAPAY BAY CT	MORENO VALLEY, CA	92555-6817	254.12	25.41	50.32	329.84
75616295002	487431029	SMITH, RANA	26325	CAPAY BAY CT	MORENO VALLEY	CA	92555-2440	SMITH, RANA	26325 CAPAY BAY CT	MORENO VALLEY, CA	92555-2440	461.29	46.12	91.32	598.66
31139015007	487431032	RHODEN, RICHARD C AND DENISE	26287	CAPAY BAY CT	MORENO VALLEY	CA	92555-2477	RHODEN, RICHARD C AND DENISE	26287 CAPAY BAY CT	MORENO VALLEY, CA	92555-2477	329.32	32.93	65.21	427.44
86592213009	487431040	O'QUINN, PAMELA (RENT)	26326	CAPE MENDOCINO CT	MORENO VALLEY	CA	92555-6815	O'QUINN, PAMELA	26326 CAPE MENDOCINO CT	MORENO VALLEY, CA	92555-6815	127.46	12.75	25.24	165.44
88218923000	487431052	TELLEZ, NORA (RENT)	26363	CAPE MENDOCINO CT	MORENO VALLEY	CA	92555-2437	TELLEZ, NORA	26363 CAPE MENDOCINO CT	MORENO VALLEY, CA	92555-2437	254.12	25.41	50.32	329.84
64877465007	487432007	STOKES, IDELL	26339	WALKER PASS DR	MORENO VALLEY	CA	92555-6812	STOKES, IDELL	26339 WALKER PASS DR	MORENO VALLEY, CA	92555-6812	254.12	25.41	50.32	329.84
35828445008	487432013	TAPIA, MARIBEL (OWNR)	26423	WALKER PASS DR	MORENO VALLEY	CA	92555-2426	TAPIA, MARIBEL	26423 WALKER PASS DR	MORENO VALLEY, CA	92555-2426	254.02	25.4	50.3	329.7
69805495007	487440003	ALVAREZ, PATRICIA	13459	LETTERMAN ST	MORENO VALLEY	CA	92555-3712	ALVAREZ, PATRICIA	13459 LETTERMAN ST	MORENO VALLEY, CA	92555-3712	254.02	25.4	50.3	329.7
59834645008	487440006	CARREON, CHRISTINE	13417	LETTERMAN ST	MORENO VALLEY	CA	92555-3712	CARREON, CHRISTINE	13417 LETTERMAN ST	MORENO VALLEY, CA	92555-3712	254.12	25.41	50.32	329.84
95371415005	487441006	PAZ, RICARDO (RENT)	26861	CAMPUS POINT DR	MORENO VALLEY	CA	92555-3705	PAZ, RICARDO	26861 CAMPUS POINT DR	MORENO VALLEY, CA	92555-3705	127.46	12.75	25.24	165.44
59831525009	487442003	ABUFAR, ASHRAF	13424	LETTERMAN ST	MORENO VALLEY	CA	92555-3713	ABUFAR, ASHRAF	13424 LETTERMAN ST	MORENO VALLEY, CA	92555-3713	254.12	25.41	50.32	329.84
99317103005	487442009	DAWSON, TONY (RENTR)	13340	LETTERMAN ST	MORENO VALLEY	CA	92555-3714	DAWSON, TONY	13340 LETTERMAN ST	MORENO VALLEY, CA	92555-3714	176.33	17.63	34.91	228.86
99730075005	487442011	HO, HENRY (OWNR)	26817	HONORS WAY	MORENO VALLEY	CA	92555-3722	HO, HENRY	26817 HONORS WAY	MORENO VALLEY, CA	92555-3722	228.72	22.87	45.29	296.86
95142555000	487442026	EYESTONE, ANDREW (OWNR)	13415	VARSITY LN	MORENO VALLEY	CA	92555-3707	EYESTONE, ANDREW	13415 VARSITY LN	MORENO VALLEY, CA	92555-3707	254.12	25.41	50.32	329.84
90419463008	487442028	ROSAS, FERNANDO LUIS (OWNR)	13443	VARSITY LN	MORENO VALLEY	CA	92555-3707	ROSAS, FERNANDO	13443 VARSITY	MORENO VALLEY, CA	92555-3707	311.91	31.19	61.76	404.84
87558815003	487443003	ZAPATA, TINA	13428	VARSITY LN	MORENO VALLEY	CA	92555-3708	ZAPATA, TINA	13428 VARSITY LN	MORENO VALLEY, CA	92555-3708	94.12	9.41	18.64	122.16
62273375000	487450007	QUINO, PEDRO AND AIDA	26926	HONORS WAY	MORENO VALLEY	CA	92555-3724	QUINO, PEDRO AND AIDA	26926 HONORS WAY	MORENO VALLEY, CA	92555-3724	117.45	11.75	23.26	152.44
82882735009	487450014	PRADO, STEVE	26949	HONORS WAY	MORENO VALLEY	CA	92555-3724	PRADO, STEVE	26949 HONORS WAY	MORENO VALLEY, CA	92555-3724	254.02	25.4	50.3	329.7
83140195004	487450015	COPELAND, WANDA	26937	HONORS WAY	MORENO VALLEY	CA	92555-3724	COPELAND, WANDA	26937 HONORS WAY	MORENO VALLEY, CA	92555-3724	254.02	25.4	50.3	329.7
80694735000	487450016	AGUIRRE, ARTURO	26925	HONORS WAY	MORENO VALLEY	CA	92555-3724	AGUIRRE, ARTURO	3530 E LA PALMA AVE APT 306	ANAHEIM, CA	92806-2155	254.02	25.4	50.3	329.7
60813965001	487450021	DICK, FAKUMOH	26928	COMMONS DR	MORENO VALLEY	CA	92555-3721	DICK, FAKUMOH	26928 COMMONS DR	MORENO VALLEY, CA	92555	154.12	15.41	30.52	200.04
65353625005	487450026	GIBSON, KATRINA	26975	COMMONS DR	MORENO VALLEY	CA	92555-3721	GIBSON, KATRINA	26975 COMMONS DR	MORENO VALLEY, CA	92555-3721	331.52	33.15	65.64	430.3
87183215006	487450032	PORTER, LISA	26966	HOMEROOM CT	MORENO VALLEY	CA	92555-3717	PORTER, LISA	26966 HOMEROOM CT	MORENO VALLEY, CA	92555-3717	254.02	25.4	50.3	329.7
95585463009	487450035	HERNANDEZ, DALIA (RENT)	26978	HOMEROOM CT	MORENO VALLEY	CA	92555-3717	HERNANDEZ, DALIA	26978 HOMEROOM CT	MORENO VALLEY, CA	92555-3717	200.09	20.01	39.62	259.7
89242063009	487450037	HERNANDEZ, JESENIA (RENT)	13446	ATHLETICS DR	MORENO VALLEY	CA	92555-3716	HERNANDEZ, JESENIA	13446 ATHLETICS DR	MORENO VALLEY, CA	92555-3716	262.79	26.27	52.02	341.02
99025215001	487451012	MOORE, MYESHA	13397	ATHLETICS DR	MORENO VALLEY	CA	92555-3719	MOORE, MYESHA	13397 ATHLETICS DR	MORENO VALLEY, CA	92555-3719	254.02	25.4	50.3	329.7
96220465002	487470005	MORELAND, KAREN	26345	COTTONWOOD AVE	MORENO VALLEY	CA	92555-2505	MORELAND, KAREN	27115 COTTONWOOD AVE	MORENO VALLEY, CA	92555-4626	333.28	33.33	65.99	432.58
72661845006	487480001	GOMEZ, MARIA C	26596	QUARTZ RD	MORENO VALLEY	CA	92555-3837	GOMEZ, MARIA C	26596 QUARTZ RD	MORENO VALLEY, CA	92555-3837	254.02	25.4	50.3	329.7
73399755000	487480006	CORTEZ, IRMA	26536	QUARTZ RD	MORENO VALLEY	CA	92555-3837	CORTEZ, IRMA	26536 QUARTZ RD	MORENO VALLEY, CA	92555-3837	190.69	19.07	37.76	247.5
91544033001	487481020	PEREZ, WENCESLAO (OWNR)	13597	SESAME RD	MORENO VALLEY	CA	92555-3835	PEREZ, WENCESLAO	13597 SESAME RD	MORENO VALLEY, CA	92555-3835	63.63	6.36	12.6	82.58
73262415002	487481022	VALENZUELA, JOSE	13621	SESAME RD	MORENO VALLEY	CA	92555-3836	VALENZUELA, JOSE	2625 S SAN DIEGO AVE	ONTARIO, CA	91761-6352	254.02	25.4	50.3	329.7
90429143003	487481026	BRUNIER, KARCELETTA	26650	EMERALD AVE	MORENO VALLEY	CA	92555-3831	BRUNIER, KARCELETTA	26650 EMERALD AVE	MORENO VALLEY, CA	92555-3831	36.37	3.64	7.2	47.2
83946605008	487481049	LOVELY, CASSANDRA	13611	DIAMOND LN	MORENO VALLEY	CA	92555-3833	LOVELY, CASSANDRA	13611 DIAMOND LN	MORENO VALLEY, CA	92555-3833	254.02	25.4	50.3	329.7
82095485000	487482002	GLORIA, JENNIFER AND CARMEL	26632	QUARTZ RD	MORENO VALLEY	CA	92555-3839	GLORIA, JENNIFER AND CARMEL	26632 QUARTZ RD	MORENO VALLEY, CA	92555-3839	254.02	25.4	50.3	329.7
89725155004	487482007	GAITAN, ARACELI	26694	QUARTZ RD	MORENO VALLEY	CA	92555-3839	GAITAN, ARACELI	26694 QUARTZ RD	MORENO VALLEY, CA	92555-3839	253.92	25.39	50.28	329.58
73148235001	487482009	BRITO, ORTENCIA	13568	SESAME RD	MORENO VALLEY	CA	92555-3835	BRITO, ORTENCIA	13568 SESAME RD	MORENO VALLEY, CA	92555-3835	63.53	6.35	12.58	82.46
71549265005	487482011	VALLES, ELSA	13592	SESAME RD	MORENO VALLEY	CA	92555-3835	VALLES, ELSA	13592 SESAME RD	MORENO VALLEY, CA	92555-3835	329.32	32.93	65.21	427.44
31326835008	487492009	GALLOWAY, EVELYN (RENT)	13638	REGIS DR	MORENO VALLEY	CA	92555-2510	GALLOWAY, EVELYN	13638 REGIS DR	MORENO VALLEY, CA	92555-2510	329.32	32.93	65.21	427.44
31585595009	487492012	LUCAS, ASTRID	13630	ERIN DR	MORENO VALLEY	CA	92555-2524	LUCAS, ASTRID	13630 ERIN DR	MORENO VALLEY, CA	92555-2524	28.49	2.85	5.64	36.98
31305255003	487493018	NAVA, MARIA	26138	WINDEMERE WAY	MORENO VALLEY	CA	92555-2516	NAVA, MARIA	26138 WINDEMERE WAY	MORENO VALLEY, CA	92555-2516	329.32	32.93	65.21	427.44
31428785002	487493019	LEHMANN, BONNIE	26124	WINDEMERE WAY	MORENO VALLEY	CA	92555-2516	LEHMANN, BONNIE	26124 WINDEMERE WAY	MORENO VALLEY, CA	92555-2516	329.32	32.93	65.21	427.44
31370135003	487493020	CLARK, DOROTHY J	26110	WINDEMERE WAY	MORENO VALLEY	CA	92555-2516	CLARK, DOROTHY J	26110 WINDEMERE WAY	MORENO VALLEY, CA	92555-2516	254.02	25.4	50.3	329.7
68121505008	487493023	ACEVEDO, HECTOR	26068	WINDEMERE WAY	MORENO VALLEY	CA	92555-2525	ACEVEDO, HECTOR	26068 WINDEMERE WAY	MORENO VALLEY, CA	92555-2525	254.12	25.41	50.32	329.84
31056855006	487494027	HARRIS, CAROLYN (OWNR)	26046	BAY AVE	MORENO VALLEY	CA	92555-2512	HARRIS, CAROLYN	26046 BAY AVE	MORENO VALLEY, CA	92555-2512	91.02	9.1	18.02	118.14
31283395003	487494030	GONZALEZ, ROSEMARY(OWNR)	26004	BAY AVE	MORENO VALLEY	CA	92555-2512	GONZALEZ, ROSEMARY	26004 BAY AVE	MORENO VALLEY, CA	92555-2512	229.32	22.93	45.41	297.64
96315535006	487500005	WADUUD, RAHEEM (RENT)	26446	BAY AVE	MORENO VALLEY	CA	92555-2540	WADUUD, RAHEEM	26446 BAY AVE	MORENO VALLEY, CA	92555-2540	254.12	25.41	50.32	329.84
74514495008	487500011	RUIZ, AUGUSTINE	26455	FIELD ST	MORENO VALLEY	CA	92555-2551	RUIZ, AUGUSTINE	26455 FIELD ST	MORENO VALLEY, CA	92555-2551	254.02	25.4	50.3	329.7
91576435009	487500013	DEL LA CRUZ, GLORIA	26479	FIELD ST	MORENO VALLEY	CA	92555-2551	DEL LA CRUZ, GLORIA	26479 FIELD ST	MORENO VALLEY, CA	92555-2551	253.92	25.39	50.28	329.58
96094195008	487500015	BARGER, JOHN (OWNR)	13662	BRISBANE CT	MORENO VALLEY	CA	92555-2552	BARGER, JOHN	13662 BRISBANE CT	MORENO VALLEY, CA	92555-2552	127.16	12.72	25.18	165.04
97104015002	487500021	WURZER, KATHERINE	13625	BRISBANE CT	MORENO VALLEY	CA	92555-2552	WURZER, KATHERINE	13625 BRISBANE CT	MORENO VALLEY, CA	92555-2552	211.9	21.19	41.96	275.04
73146325006	487500024	KIRKLAND, CRAIG AND MICHELLE	13661	BRISBANE CT	MORENO VALLEY	CA	92555-2552	KIRKLAND, CRAIG AND MICHELLE	13661 BRISBANE CT	MORENO VALLEY, CA	92555-2552	190.44	19.04	37.71	247.18
87524425007	487500031	HEYWARD, DEVORA	26368	FIELD ST	MORENO VALLEY	CA	92555-2548	HEYWARD, DEVORA	26368 FIELD ST	MORENO VALLEY, CA	92555-2548	254.12	25.41	50.32	329.84
80692815007	487500033	BALLEW, GEORGE	26377	HOBART CIR	MORENO VALLEY	CA	92555-2553	BALLEW, GEORGE	6115 HOMESTEAD ST	RIVERSIDE, CA	92509-4925	329.6	32.96	65.26	427.82
91108605005	487500050	CLEAVER, PAUL AND STEFANIE	13663	SYDNEY AVE	MORENO VALLEY	CA	92555-2542	CLEAVER, PAUL AND STEPHANIE	13663 SYDNEY AVE	MORENO VALLEY, CA	92555-2542	190.59	19.06	37.74	247.38
72637785008	487500051	TOBIAS, MATT AND MARY	13668	DARWIN DR	MORENO VALLEY	CA	92555-2554	TOBIAS, MATT	13668 DARWIN DR	MORENO VALLEY, CA	92555-2554	254.02	25.4	50.3	329.7
99315755002	487502006	WALTER, COLIN (RENT)	26386	BAY AVE	MORENO VALLEY	CA	92555-2528	WALTER, COLIN	PO BOX 806	FOREST FALLS, CA	92339-0806	395.21	39.52	77.86	510.38
96479355007	487502012	WILLIAMS, EDWARD AND PRISCILLA	26347	FIELD ST	MORENO VALLEY	CA	92555-2549	WILLIAMS, EDWARD AND PRISCILLA	26347 FIELD ST	MORENO VALLEY, CA	92555-2549	329.6	32.96	65.26	427.82
77264825008	487510006	SMITH, DAVID	26527	OPAL ST	MORENO VALLEY	CA	92555-3821	SMITH, DAVID	66900 IRONWOOD DR APT 610	DESERT HOT SPRINGS, CA	92240-6006	254.02	25.4	50.3	329.7
71931425002	487510012	ZARAZUA, TINO	26554	BAY AVE	MORENO VALLEY	CA	92555	ZARAZUA, TINO	26554 BAY AVE	MORENO VALLEY, CA	92555-3800	126.44	12.64	25.04	164.1
94791875008	487511011	BOWLES, NICOLE (RENT)	26611	OPAL ST	MORENO VALLEY	CA	92555-3823	BOWLES, NICOLE AND MICHAEL	26611 OPAL ST	MORENO VALLEY, CA	92555-3823	125.79	12.58	24.91	163.26
74610565009	487512003	BRIGGERS, SANDRA	26698	BAY AVE	MORENO VALLEY	CA	92555-3804	BRIGGERS, SANDRA	26698 BAY AVE	MORENO VALLEY, CA	92555-3804	254.02	25.4	50.3	329.7
71521175003	487512007	ROSENBLUM, BRUCE	26707	OPAL ST	MORENO VALLEY	CA	92555-3824	ROSENBLUM, BRUCE	26707 OPAL ST	MORENO VALLEY, CA	92555-3824	254.02	25.4	50.3	329.7
90917755008	487513007	HANDS, RONALD EW	26616	OPAL ST	MORENO VALLEY	CA	92555-3822	HANDS, RONALD	26616 OPAL ST	MORENO VALLEY, CA	92555-3822	253.92	25.39	50.28	329.58
98062575013	487513008	SIMENTAL, JAVIER (RENT)	26628	OPAL ST	MORENO VALLEY	CA	92555-3822	SIMENTAL, JAVIER	26628 OPAL ST	MORENO VALLEY, CA	92555-3822	254.12	25.41	50.32	329.84
87048105004	487513010	SALES, ARMIDA	26648	OPAL ST	MORENO VALLEY	CA	92555-3822	SALES, ARMIDA	26648 OPAL ST	MORENO VALLEY, CA	92555-3822	190.69	19.07	37.76	247.5
88612955007	487513011	CLEAVELAND, MATT	26658	OPAL ST	MORENO VALLEY	CA	92555-3822	CLEAVELAND, MATT	26658 OPAL ST	MORENO VALLEY, CA	92555-3822	62.79	6.28	12.43	81.5
74886035007	487513014	CORRALES, ALMA	26685	EMERALD AVE	MORENO VALLEY	CA	92555-3832	CORRALES, ALMA	26685 EMERALD AVE	MORENO VALLEY, CA	92555-3832	254.02	25.4	50.3	329.7
72130065005	487513023	BENJAMIN, VEADA	26577	EMERALD AVE	MORENO VALLEY	CA	92555-3830	BENJAMIN, VEADA	26577 EMERALD AVE	MORENO VALLEY, CA	92555-3830	254.02	25.4	50.3	329.7
71388245003	487514001	WILSON, ROB AND ANGELICA	13652	SESAME RD	MORENO VALLEY	CA	92555-3836	WILSON, ROB AND ANGI	13652 SESAME RD	MORENO VALLEY, CA	92555-3836	165.64	16.56	32.8	215
91889053005	487514003	WALLACE, LAURA AND SYLVESTER (	13676	SESAME RD	MORENO VALLEY	CA	92555-3836	WALLACE, LAURA	13676 SESAME RD	MORENO VALLEY, CA	92555-3836	169.48	16.95	33.56	219.98
91416935003	487514004	SWISS, NORA	13688	SESAME RD	MORENO VALLEY	CA	92555-3836	SWISS, NORA	13688 SESAME RD	MORENO VALLEY, CA	92555-3836	253.92	25.39	50.28	329.58
97104745009	487520002	GONZALEZ, JAIME AND MARI(RENT)	13932	MONET ST	MORENO VALLEY	CA	92555-2570	GONZALEZ, JAIME AND MARIA	13932 MONET ST	MORENO VALLEY, CA	92555-2570	336.46	33.65	66.62	436.72
81257965006	487520003	GALVAN, JUANA	26299	BARBADOS LN	MORENO VALLEY	CA	92555-2559	GALVAN, JUANA	26299 BARBADOS LN	MORENO VALLEY, CA	92555-2559	254.02	25.4	50.3	329.7
75988725005	487521003	JONES, GREGORY AND TANJA	26308	BARBADOS LN	MORENO VALLEY	CA	92555-2560	JONES, GREGORY AND TANJA	26308 BARBADOS LN	MORENO VALLEY, CA	92555-2560	254.02	25.4	50.3	329.7
98360365015	487522020	SPENCER, TRACY (RENT)	13901	MONET ST	MORENO VALLEY	CA	92555-2570	SPENCER, TRACY	13901 MONET ST	MORENO VALLEY, CA	92555-2570	190.79	19.08	37.78	247.64
99237555000	487530005	RIVERA, HAKA	26559	BAY AVE	MORENO VALLEY	CA	92555-3801	RIVERA, HAKA	26559 BAY AVE	MORENO VALLEY, CA	92555-3801	254.12	25.41	50.32	329.84
92426865005	487530015	OLUFEMI, AGETUNMOBI (RENT)	26510	PEGASUS WAY	MORENO VALLEY	CA	92555-3817	OLUFEMI, AGETUNMOBI	27798 GLADSTONE DR	MORENO VALLEY, CA	92555-5829	329.04	32.9	65.15	427.08

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Rec No	ParcelNo	NAME	HOUSE#	STREET	CITY	STATE	ZIPCOD	OwnerName	MailAddress	MailCityState	MailZip	Principal	Penalty	Interest	Total TR
97107895000	487530017	MALING, NOAH AND ROLANDO (RENT	13819	ANDROMEDA AVE	MORENO VALLEY	CA	92555-3814	MALING, NOAH AND ROLANDO	13819 ANDROMEDA AVE	MORENO VALLEY, CA	92555-3814	190.79	19.08	37.78	247.64
96221525008	487531009	PALOMAREZ, ROBERT	26590	RHONE CT	MORENO VALLEY	CA	92555-3808	PALOMAREZ, ROBERT	26590 RHONE CT	MORENO VALLEY, CA	92555-3808	228.72	22.87	45.29	296.86
96374065001	487532009	JAUREGUI, JOEL (OWNR)	26561	SAGE BRUSH CT	MORENO VALLEY	CA	92555-3816	JAUREGUI, JOEL	26561 SAGE BRUSH CT	MORENO VALLEY, CA	92555-3816	48.76	4.88	9.65	63.28
83515745002	487532016	MUDRICK, CURTIS	26560	SAGE BRUSH CT	MORENO VALLEY	CA	92555-3816	MUDRICK, CURTIS	14150 GRANT ST	MORENO VALLEY, CA	92553-9114	254.02	25.4	50.3	329.7
87307995007	487560007	DE LEON, CARMELITA	26824	HR AVE	MORENO VALLEY	CA	92555-3537	DE LEON, CARMELITA	26824 FIR AVE	MORENO VALLEY, CA	92555-3537	254.12	25.41	50.32	329.84
31075165001	488010005	HEEKIN, SCOTT	27061	PAM PL	MORENO VALLEY	CA	92555-2109	HEEKIN, SCOTT	27061 PAM PL	MORENO VALLEY, CA	92555-2109	254.02	25.4	50.3	329.7
31178305004	488010006	POPP, JEFFREY (OWNR)	27041	PAM PL	MORENO VALLEY	CA	92555-2109	POPP, JEFFREY	27041 PAM PL	MORENO VALLEY, CA	92555-2109	254.02	25.4	50.3	329.7
68476615003	488022006	HARRY, MARY	27493	WALFRED WAY	MORENO VALLEY	CA	92555-2111	HARRY, MARY AND ANDREW	27493 WALFRED WAY	MORENO VALLEY, CA	92555-2111	254.12	25.41	50.32	329.84
31350405008	488031002	SUAREZ, MANUEL	12152	LANTZ LN	MORENO VALLEY	CA	92555-2122	SUAREZ, MANUEL	12152 LANTZ LN	MORENO VALLEY, CA	92555-2122	190.69	19.07	37.76	247.5
87872775006	488032001	AGUILLARD, DONALD AND ALISA	27019	ARCHIE AVE	MORENO VALLEY	CA	92555-2100	AGUILLARD, DONALD AND ALISA	27019 ARCHIE AVE	MORENO VALLEY, CA	92555-2100	204.18	20.42	40.43	265.02
87789005004	488041003	MARIN, ESTHER	12186	MARY LEE WAY	MORENO VALLEY	CA	92555-2114	MARIN, ESTHER	5271 MANZANAR AVE	PICO RIVERA, CA	90660-2631	254.12	25.41	50.32	329.84
31103415009	488041004	STEVENSON, JOE AND JACQUELINE	12170	MARY LEE WAY	MORENO VALLEY	CA	92555-2114	STEVENSON, JOE AND JACQUELINE	12170 MARY LEE WAY	MORENO VALLEY, CA	92555-2114	127.36	12.74	25.22	165.3
93553405002	488041005	GALLARDO, PATRICIA (OWNR)	12152	MARY LEE WAY	MORENO VALLEY	CA	92555-2114	GALLARDO, PATRICIA	12152 MARY LEE WAY	MORENO VALLEY, CA	92555-2114	254.12	25.41	50.32	329.84
31406645008	488050015	SOTO, ADOLFO	27410	CAROL PL	MORENO VALLEY	CA	92555-2116	SOTO, ADOLFO	27410 CAROL PL	MORENO VALLEY, CA	92555-2116	117.32	11.73	23.23	152.28
31482493007	488051002	QUIONES, TERESA (OWNR)	27480	DARLENE DR	MORENO VALLEY	CA	92555-2102	QUIONES, TERESA	27480 DARLENE DR	MORENO VALLEY, CA	92555-2102	127.46	12.75	25.24	165.44
95535785007	488061001	MEDINA, MELINDA (RENT)	12231	MARY LEE WAY	MORENO VALLEY	CA	92555-2131	MEDINA, MELINDA	12231 MARY LEE WAY	MORENO VALLEY, CA	92555-2131	254.12	25.41	50.32	329.84
97103805003	488061005	MACIAS, SANTIAGO	12340	LANTZ LN	MORENO VALLEY	CA	92555-2119	MACIAS, SANTIAGO	12340 LANTZ LN	MORENO VALLEY, CA	92555-2119	323.76	32.38	64.1	420.24
81629705001	488061011	KRIKL, STEVE	12240	LANTZ LN	MORENO VALLEY	CA	92555-2123	KRIKL, STEVE	12240 LANTZ LN	MORENO VALLEY, CA	92555-2123	254.02	25.4	50.3	329.7
31383905004	488071003	WALL, CLARA	27280	DARLENE DR	MORENO VALLEY	CA	92555-2121	WALL, CLARA	11987 PERRIS BLVD	MORENO VALLEY, CA	92557-6543	329.6	32.96	65.26	427.82
87940945006	488110014	MURPHY, CHENIQUE	12799	DOLOMITE LN	MORENO VALLEY	CA	92555-4512	MURPHY, CHENIQUE	12799 DOLOMITE LN	MORENO VALLEY, CA	92555-4512	254.12	25.41	50.32	329.84
86514955007	488110015	COLBY, JENNIFER	12791	DOLOMITE LN	MORENO VALLEY	CA	92555-4512	COLBY, JENNIFER	1061 E JOEL ST	CARSON, CA	90745-3433	254.02	25.4	50.3	329.7
89387353001	488110073	HUTCHISON, DAVID (RENT)	12843	SERPENTINE WAY	MORENO VALLEY	CA	92555-4516	HUTCHISON, DAVID	22730 DEBERRY ST	GRAND TERRACE, CA	92313-5520	40.91	4.09	8.1	53.1
88334745003	488110076	GUTERRIEZ, ANDRES	12875	SERPENTINE WAY	MORENO VALLEY	CA	92555-4517	GUTERRIEZ, ANDRES	12875 SERPENTINE WAY	MORENO VALLEY, CA	92555-4517	254.12	25.41	50.32	329.84
85360135009	488110080	CAMPBELL, SANDRA	12852	SERPENTINE WAY	MORENO VALLEY	CA	92555-4516	CAMPBELL, SANDRA	12852 SERPENTINE WAY	MORENO VALLEY, CA	92555-4516	204.02	20.4	40.4	264.8
97247765001	488120006	BROOKS, MONIQUE (OWNR)	27202	GOLDEN FIELD CT	MORENO VALLEY	CA	92555-4539	BROOKS, MONIQUE	27202 GOLDEN FIELD CT	MORENO VALLEY, CA	92555-4539	190.29	19.03	37.68	246.98
96531443007	488120010	SEVILLANO, ELVIS (RENT)	27162	GOLDEN FIELD CT	MORENO VALLEY	CA	92555-4538	SEVILLANO, ELVIS	27162 GOLDEN FIELD CT	MORENO VALLEY, CA	92555-4538	185.85	18.59	36.8	241.22
96836385002	488120013	ROGERS, SYDNEY (OWNR)	27132	GOLDEN FIELD CT	MORENO VALLEY	CA	92555-4538	ROGERS, SYDNEY	27132 GOLDEN FIELD CT	MORENO VALLEY, CA	92555-4538	190.79	19.08	37.78	247.64
96344425009	488120018	MARTINEZ, ALBERTO (OWNR)	13072	MISTY MEADOW CT	MORENO VALLEY	CA	92555-4535	MARTINEZ, ALBERTO	13072 MISTY MEADOW CT	MORENO VALLEY, CA	92555-4535	64.13	6.41	12.7	83.24
97869975008	488121011	FIORILLO, ANTHONY (OWNR)	13075	WINDHAVEN DR	MORENO VALLEY	CA	92555-4536	FIORILLO, ANTHONY	13075 WINDHAVEN DR	MORENO VALLEY, CA	92555-4536	254.12	25.41	50.32	329.84
85481765005	488121016	ZAPATA, RENE	13028	CREEKSIDE WAY	MORENO VALLEY	CA	92555-4540	ZAPATA, RENE	10964 WILLOWBROOK AVE	LOS ANGELES, CA	90059-1254	63.63	6.36	12.6	82.58
94689515000	488122005	REILOVA, RICARDO	12936	COBBLESTONE LN	MORENO VALLEY	CA	92555-4511	REILOVA, RICARDO	12936 COBBLESTONE LN	MORENO VALLEY, CA	92555-4511	254.12	25.41	50.32	329.84
94722015004	488122006	HARRIEL, RODNEY (OWNR)	12954	COBBLESTONE LN	MORENO VALLEY	CA	92555-4511	HARRIEL, RODNEY	12954 COBBLESTONE LN	MORENO VALLEY, CA	92555-4511	254.12	25.41	50.32	329.84
87720895007	488122015	JONES, ERICA	12967	DOLOMITE LN	MORENO VALLEY	CA	92555-4514	JONES, ERICA	2221 S FERN AVE APT E	ONTARIO, CA	91762-6445	254.12	25.41	50.32	329.84
95596115000	488122028	RODRIGUEZ, MIGUEL (OWNR)	12955	COBBLESTONE LN	MORENO VALLEY	CA	92555-4511	RODRIGUEZ, MIGUEL	12955 COBBLESTONE LN	MORENO VALLEY, CA	92555-4511	63.05	6.31	12.48	81.82
95601685008	488131002	SILVA, HALENA (RENT)	13161	CREEKSIDE WAY	MORENO VALLEY	CA	92555-4541	SILVA, HALENA	13161 CREEKSIDE WAY	MORENO VALLEY, CA	92555-4541	254.12	25.41	50.32	329.84
84166175002	488131019	ROMAN, ANNA	27042	DRACAEA AVE	MORENO VALLEY	CA	92555-4501	ROMAN, ANNA	27042 DRACAEA AVE	MORENO VALLEY, CA	92555-4501	104.02	10.4	20.6	135
93228825003	488132007	EURIN'ELLIOT, MARYLIN (RENT)	27151	QUAIL CREEK DR	MORENO VALLEY	CA	92555-4521	EURIN'ELLIOT, MARYLIN	PO BOX 10031	MORENO VALLEY, CA	92552-0031	147.48	14.75	29.2	191.42
86431183006	488132023	RIVAS, HERMAN (OWNR)	27160	QUAIL CREEK DR	MORENO VALLEY	CA	92555-4521	RIVAS, HERMAN	27160 QUAIL CREEK DR	MORENO VALLEY, CA	92555-4521	254.12	25.41	50.32	329.84
83702925008	488132026	CASTRO, ANTHONY	27124	QUAIL CREEK DR	MORENO VALLEY	CA	92555-4521	CASTRO, ANTHONY	27124 QUAIL CREEK DR	MORENO VALLEY, CA	92555-4521	254.02	25.4	50.3	329.7
98168955018	488132027	OLIVAS, CYNTHIA (OWNR)	27112	QUAIL CREEK DR	MORENO VALLEY	CA	92555-4521	OLIVAS, CYNTHIA	27112 QUAIL CREEK DR	MORENO VALLEY, CA	92555-4521	84.91	8.49	16.81	110.2
91193785009	488132033	BUCOL, LALAINE	27147	OAK RIDGE RD	MORENO VALLEY	CA	92555-4526	BUCOL, LALAINE	27147 OAK RIDGE RD	MORENO VALLEY, CA	92555-4526	253.92	25.39	50.28	329.58
91585965008	488132036	GLOVER, RICHARD AND SARAH	27183	OAK RIDGE RD	MORENO VALLEY	CA	92555-4526	GLOVER, RICHARD AND SARAH	27183 OAK RIDGE RD	MORENO VALLEY, CA	92555-4526	63.87	6.39	12.65	82.9
92196255002	488133011	GARCIA, RONALD	27110	OAK RIDGE RD	MORENO VALLEY	CA	92555-4525	GARCIA, RONALD	27110 OAK RIDGE RD	MORENO VALLEY, CA	92555-4525	253.92	25.39	50.28	329.58
96229065007	488133032	CONPETENTE, RANDY (OWNR)	27121	WOODGLEN LN	MORENO VALLEY	CA	92555-4533	CONPETENTE, RANDY	27121 WOODGLEN LN	MORENO VALLEY, CA	92555-4533	63.63	6.36	12.6	82.58
94751895008	488140017	WILLIAMS, JOHN	27298	COLD CREEK CT	MORENO VALLEY	CA	92555-4532	WILLIAMS, JOHN	27298 COLD CREEK CT	MORENO VALLEY, CA	92555-4532	254.12	25.41	50.32	329.84
94688685006	488140021	ORTEGA, MARK (OWNR)	13108	WILD SAGE LN	MORENO VALLEY	CA	92555-4530	ORTEGA, MARK	13108 WILD SAGE LN	MORENO VALLEY, CA	92555-4530	254.12	25.41	50.32	329.84
95595835009	488140043	CLARK, COURTNEY (OWNR)	27224	WOODGLEN WAY	MORENO VALLEY	CA	92555-4534	CLARK, COURTNEY	27224 WOODGLEN WAY	MORENO VALLEY, CA	92555-4534	63.63	6.36	12.6	82.58
31329485001	488180008	MCGINNIS, GREGORY	27060	VINEWOOD PL	MORENO VALLEY	CA	92555-4617	MCGINNIS, GREGORY	27060 VINEWOOD PL PMB 7036	MORENO VALLEY, CA	92555-4617	104.72	10.47	20.73	135.92
56814155001	488180020	HERNANDEZ, DELIA	27130	COTTONWOOD AVE	MORENO VALLEY	CA	92555-4624	HERNANDEZ, DELIA	27130 COTTONWOOD AVE	MORENO VALLEY, CA	92555-4624	59.12	5.91	11.71	76.72
59768025008	488180021	CORDENIS, ANTONIO (OWNR)	27132	COTTONWOOD AVE	MORENO VALLEY	CA	92555-4624	CORDENIS, ANTONIO	27132 COTTONWOOD AVE	MORENO VALLEY, CA	92555-4624	205.91	20.59	40.77	267.26
94571495004	488190001	MCDONALD, LETICIA (RENT)	27041	COTTONWOOD AVE	MORENO VALLEY	CA	92555-4604	MCDONALD, LETICIA (RENT)	27041 COTTONWOOD AVE	MORENO VALLEY, CA	92555-4604	566.02	56.6	112.07	734.68
61509465009	488190014	ANDERSON, EDDIE	27306	CEDAR CT	MORENO VALLEY	CA	92555-4655	ANDERSON, EDDIE	27306 CEDAR CT	MORENO VALLEY, CA	92555-4655	254.12	25.41	50.32	329.84
93809545009	488190018	RAMIREZ, MARYSOL (OWNR)	27271	CEDAR CT	MORENO VALLEY	CA	92555-4654	RAMIREZ, MARYSOL	27271 CEDAR CT	MORENO VALLEY, CA	92555-4654	54.12	5.41	10.72	70.24
70188055007	488200019	ADCOCK, ROBERT	13711	OLIVER ST	MORENO VALLEY	CA	92555-5623	ADCOCK, ROBERT	13711 OLIVER ST	MORENO VALLEY, CA	92555-5623	63.63	6.36	12.6	82.58
70906325006	488200020	VILLALOBOS, JOANNE	13715	OLIVER ST	MORENO VALLEY	CA	92555-5623	VILLALOBOS, JOANNE	13715 OLIVER ST	MORENO VALLEY, CA	92555-5623	254.02	25.4	50.3	329.7
56058465004	488210008	BEARDEN, GINGER (TNT)	13860	MARIAN RD	MORENO VALLEY	CA	92555-4634	BEARDEN, GINGER	13860 MARIAN RD	MORENO VALLEY, CA	92555-4634	329.32	32.93	65.21	427.44
31256395009	488210010	MANIAGI, SAMMY	27118	LARKMEAD CT	MORENO VALLEY	CA	92555-4610	MANIAGI, SAMMY	27118 LARKMEAD CT	MORENO VALLEY, CA	92555-4610	330.38	33.04	65.42	428.82
89883615005	488210011	URNA, NORMA	13860	NASON ST	MORENO VALLEY	CA	92555-4620	URNA, NORMA	13860 NASON ST	MORENO VALLEY, CA	92555-4620	256.18	25.62	50.72	332.52
89000005004	488230002	HERRERA, CHERYL	12038	PETTIT ST	MORENO VALLEY	CA	92555-5406	HERRERA, CHERYL	12038 PETTIT ST	MORENO VALLEY, CA	92555-5406	253.92	25.39	50.28	329.58
66085805004	488230009	CORAH, ELLIS	12079	HINSON ST	MORENO VALLEY	CA	92555-5408	CORAH, ELLIS	108 BAY DR	HENDERSONVLLE, TN	37075-4021	243.28	24.33	48.17	315.76
94458075002	488230010	BURDINE, NATASHA	12057	HINSON ST	MORENO VALLEY	CA	92555-5408	BURDINE, NATASHA	12057 HINSON ST	MORENO VALLEY, CA	92555-5408	150.22	15.02	29.74	194.98
82698035006	488232008	PENA, FRANCISCO	12083	FENIMORE DR	MORENO VALLEY	CA	92555-5403	PENA, FRANCISCO	12083 FENIMORE DR	MORENO VALLEY, CA	92555-5403	254.02	25.4	50.3	329.7
31516835004	488232009	BARBER, GERRY AND LESLIE (OWNR	12155	FENIMORE DR	MORENO VALLEY	CA	92555-5411	BARBER, GERRY	12155 FENIMORE DR	MORENO VALLEY, CA	92555-5411	329.04	32.9	65.15	427.08
70408995002	488232010	ARIAS, TERESA	12167	FENIMORE DR	MORENO VALLEY	CA	92555-5411	ARIAS, TERESA	26222 CALICO LN	MORENO VALLEY, CA	92555-3361	147.42	14.74	29.19	191.34
31545515000	488240008	CROUCH, LEONARD (OWN)	12221	HINSON ST	MORENO VALLEY	CA	92555-5415	CROUCH, LEONARD	12221 HINSON ST	MORENO VALLEY, CA	92555-5415	329.04	32.9	65.15	427.08
89796995009	488241006	JARVIS, DAWN	28129	BELFRY CIR	MORENO VALLEY	CA	92555-5414	JARVIS, DAWN	28129 BELFRY CIR	MORENO VALLEY, CA	92555-5414	253.92	25.39	50.28	329.58
31384645007	488241007	BURNETT, PETER AND SHERRY	28109	BELFRY CIR	MORENO VALLEY	CA	92555-5414	BURNETT, PETER	28109 BELFRY CIR	MORENO VALLEY, CA	92555-5414	254.02	25.4	50.3	329.7
31052135007	488241010	BAILEY, ROBERT	28160	HEMLOCK AVE	MORENO VALLEY	CA	92555-5412	BAILEY, ROBERT	28160 HEMLOCK AVE	MORENO VALLEY, CA	92555-5412	65.69	6.57	13.01	85.26
58685745004	488270005	BERMUDEZ, OSCAR	28115	WHITE SAND TRL	MORENO VALLEY	CA	92555-5436	BERMUDEZ, OSCAR	28115 WHITE SAND TR	MORENO VALLEY, CA	92555-5436	287.89	28.79	57	373.68
31397795007	488270009	BROOKS, DONOVAN	28090	WHITE SAND TRL	MORENO VALLEY	CA	92555-5400	BROOKS, DONOVAN	28090 WHITE SAND TR	MORENO VALLEY, CA	92555-5400	329.32	32.93	65.21	427.44
95813595008	488270018	FERRER, MARIA	28131	HEMLOCK AVE	MORENO VALLEY	CA	92555-5433	FERRER, MARIA	28131 HEMLOCK AVE	MORENO VALLEY, CA	92555-5433	266.17	26.62	52.7	345.48
83733315001	488280004	FINKELSTEIN, LAWRENCE AND CIND	12341	DEEP VALLEY TRL	MORENO VALLEY	CA	92555-5430	FINKELSTEIN, LAWRENCE AND CIND	12341 DEEP VALLEY TR	MORENO VALLEY, CA	92555-5430	254.02	25.4	50.3	329.7
31328925005	488281008	PORTER, SARA	28299	HEMLOCK AVE	MORENO VALLEY	CA	92555-5413	PORTER, SARA	28299 HEMLOCK AVE	MORENO VALLEY, CA	92555-5413	254.02	25.4	50.3	329.7
31534905002	488281019	BROWN, HOMER	12323	CLOUDBURST TRL	MORENO VALLEY	CA	92555-5426	BROWN, HOMER	12323 CLOUDBURST TR	MORENO VALLEY, CA	92555-5426	329.32	32.93	65.21	427.44
31621215002	488282001	BAISDEN, LARRY	12342	PRAIRIE WIND TRL	MORENO VALLEY	CA	92555-5425	BAISDEN, LARRY	12342 PRAIRIE WIND TR	MORENO VALLEY, CA	92555-5425	433.1	43.31	85.75	562.16
68557065005	488290001	SMITH, MATTIE	12369	DEEP VALLEY TRL	MORENO VALLEY	CA	92555-5430	SMITH, MATTIE	12369 DEEP VALLEY TR	MORENO VALLEY, CA	92555-5430	221.82	22.18	43.92	287.92
31367655009	488290005	ZUNIGA, MICHAEL	12471	DEEP VALLEY TRL	MORENO VALLEY	CA	92555-5431	ZUNIGA, MICHAEL	12471 DEEP VALLEY TR	MORENO VALLEY, CA	92555-5431	123.49	12.35	24.45	160.28
94666323008	488290007	SILLA, JOSEPH (OWNR)	28211	MESA TOP TRL	MORENO VALLEY	CA	92555-5419	SILLA, JOSEPH	3790 BLACKPINE	YORBA LINDA, CA	92886-6928	202.84	20.28	40.16	263.28
62125945003	488292008	SANTIAGO, NIDIA (OWNR)	12368	CLOUDBURST TRL	MORENO VALLEY	CA	92555-5426	SANTIAGO, NIDIA	12368 CLOUDBURST TR	MORENO VALLEY, CA	92555-5426	82.58	8.26	16.35	107.18
31287145007	488340003	CROSIER, LARRY	28855	FIR AVE	MORENO VALLEY	CA	92555-6701	CROSIER, LARRY	11750 CARLY CT	RIVERSIDE, CA	92503-5984	329.32	32.93	65.21	427.44
91495545009	488380006	MERCED, WILFERDO AND MADELINE	27082	DOLOSTONE WAY	MORENO VALLEY	CA	92555-4506	MERCED, WILFERDO AND MADELINE	27082 DOLOSTONE WAY	MORENO VALLEY, CA	92555-4506	253.92	25.39	50.28	329.58
91495225006	488380007	SALAS, MICHELLE	27090	DOLOSTONE WAY	MORENO VALLEY	CA	92555-4507	SALAS, MICHELLE	27090 DOLOSTONE WAY	MORENO VALLEY, CA	92555-4507	211.74	21.17	41.92	274.82
95606435000	488380010	REYNOLDS, BEANN (RENT)	27114	DOLOSTONE WAY	MORENO VALLEY	CA	92555-4507	REYNOLDS, BEANN	26270 CHESTNUT DR	MORENO VALLEY, CA	92555-2244	90	9	17.82	116.82
100735053009	488380018	SATURNINO, PAULETTE	27097	DOLOSTONE WAY	MORENO VALLEY	CA	92555-4507	SATURNINO, PAULETTE	27097 DOLOSTONE WAY	MORENO VALLEY, CA	92555-4507	63.63	6.36	12.6	82.58
88370235004	488380033	TAYLOR, FRANK	27120	ADVENTURINE WAY	MORENO VALLEY	CA	92555-4515	TAYLOR, FRANK	27120 ADVENTURINE WAY	MORENO VALLEY, CA	92555-4515	90.79	9.08	17.98	117.84
99929135001	488380035	BROCK, CARY (OWNR)	12835	COBBLESTONE LN	MORENO VALLEY	CA	92555-4508	BROCK, CARY	12835 COBBLESTONE LN	MORENO VALLEY, CA	92555-4508	254.12	25.41	50.32	329.84
93276175008	488380039	REIDY, MICHAEL AND BELINDA (OW	12834	COBBLESTONE LN	MORENO VALLEY	CA	92555-4508	REIDY, MICHAEL AND BELINDA	12834 COBBLESTONE LN	MORENO VALLEY, CA	92555-4508	329.6	32.96	65.26	427.82
93369415001	488380040	MCKEE, ROSA	12842	COBBLESTONE LN	MORENO VALLEY	CA	92555-4508	MCKEE, ROSA	12842 COBBLESTONE LN	MORENO VALLEY, CA	92555-4508	254.12	25.41	50.32	329.84
89756113008	2530021008	QUIONEZ, LUIS (RENT)	24305	ST THOMAS AVE	MORENO VALLEY	CA	92551-6900	QUIONEZ, LUIS	24305 ST THOMAS AVE	MORENO VALLEY, CA	92551-6900	316.83	31.68	62.73	411.24
91856863004	3908392003	FRIESON, LA WANDA	26228	CLYDESDALE LN	MORENO VALLEY	CA	92555-3307	FRIESON, LA WANDA	26228 CLYDESDALE LN	MORENO VALLEY, CA	92555-3307	255.53	25.55	50.59	331.66

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MV00168217

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)

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MV00168219

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 26, 2012

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate;

2. Appoint those applicants who received majority vote by the City Council; and

3. If vacancies are not filled by a majority vote of the City Council, authorize the City Clerk to re-advertise the positions as vacant and carry over the current applications for reconsideration of appointment at a future date.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2012.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. Mary McBean applied for the Arts Commission, Environmental and Historical Preservation Board and the Library Commission.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

One (1) term expiring June 30, 2015
Public Representative

None

ARTS COMMISSION
Three (3) terms expiring June 30, 2015

Mary McBean**
Ruth A. Van Hala*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
Two (2) terms expiring June 30, 2015

Michelle Terese Gerard
Mary McBean**
Carla Jennifer Thornton*

LIBRARY COMMISSION
Two (2) terms expiring June 30, 2015

Mary McBean

PARKS AND RECREATION COMMISSION
Two (2) terms expiring June 30, 2015

Jonneshia C. Bright
Latrece Bright
James Lucha

RECREATIONAL TRAILS BOARD
Three (3) terms expiring June 30, 2015

Angelyn L. Grady
Radene Ramos Hiers*
Brenda Y. Jackson*
Vivian Joneswhye-Brock*

SENIOR CITIZENS' BOARD
Three (3) terms expiring June 30, 2015

Cleveland Johnson*

TRAFFIC SAFETY COMMISSION
Two (2) terms expiring June 30, 2015

Michael Riiff
Wraymond Sawyerr *

*Incumbent
** Applied for more than one position

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michele Patterson, Assistant to the City Manager

AGENDA DATE: June 26, 2012

TITLE: JOB TRAINING LINKAGE INITIATIVE

RECOMMENDED ACTION

Staff recommends that the City Council approve the continued development of the Job Training Linkage Initiative in Moreno Valley.

BACKGROUND

Though some areas of the state and nation are beginning to experience improvement in unemployment rates, Moreno Valley's rate continues to be unusually high at 13.7%. Expressed in terms of local impact, 12,200 Moreno Valley residents are currently unemployed.

Committed to stimulating local improvement, the City Council adopted the Economic Development Action Plan in April 2011 and conducted a Goal Setting Workshop in May 2011. Both events established Job Development as a prioritized goal.

This last year, Moreno Valley's logistics industry has grown significantly. The City's monthly Economic Development Summary documents more than 15 million square feet of industrial buildings under development and many millions of square feet are in the planning stages:

- First Industrial Logistics Center: a proposal to develop a 397,000 square foot logistics building.
- March Business Center: a proposal to develop 75 acres into four industrial buildings totaling 1,484,407 square feet.
- VIP Moreno Valley Distribution Center: a proposed plan to develop a 1,616,133 square foot distribution facility on 71 acres.
- World Logistics Center: a proposed master plan for the development of up to 41.6 million square feet on 2,665 acres.

Unfortunately, creating jobs does not guarantee employment for Moreno Valley residents. Staff now proposes to offer subsidized logistics training that facilitates the selection of Moreno Valley residents to fill the expected employment opportunities.

As described by noted regional economist Dr. John Husing, Moreno Valley's demographics support logistics development. According to his source - the American Community Survey of 2010 - approximately 54% of Moreno Valley residents aged 25 or older have a high school diploma or less. In addition, a significant portion of Moreno Valley's workforce has been employed in residential construction. As the residential construction industry continues to experience recovery delays, the City has identified logistics as a growth industry that could offer the opportunity for upward mobility and replace lost residential construction jobs for these segments of Moreno Valley's population.

In FY 2007/08, the City's Neighborhood Preservation office introduced a job training program for the manufacturing and logistics industries. Known as the Community Talent Development Partnership, that program partnered with Riverside Community College District (RCCD) and was targeted to assist income-eligible, at-risk youth. Funded by a grant from the U.S. Department of Labor and by the City's Community Development Block Grant (CDBG), the program trained dozens of youth. However, it was discontinued when the grant funds were exhausted and few of the graduates found employment in the declining economy.

In 2009, the American Recovery and Reinvestment Act (ARRA) included a grant program identified as the High Growth and Emerging Industries Grant. A partnership of community colleges including RCCD formed the Southern California Logistics Technology Collaborative (SCLTC), which received an ARRA grant of $4,260,863 from the U.S. Department of Labor, Employment and Training Administration to fund new vocational training programs. As a member of the SCLTC, RCCD has been bringing new vocational training to Riverside County residents at their Corona location and has facilitated the employment of more than 150 people.

Staff has engaged in planning discussions with SBCCD and RCCD. ARRA grant funds continue to be available through early 2013 and RCCD has indicated their support for providing training to several cohorts of Moreno Valley residents through the end of 2012.

DISCUSSION

Staff recommends that the City Council approve the continued development of the Job Training Linkage Initiative, to be funded until the end of 2012 by RCCD through the SCLTC's ARRA grant.

The Manufacturing Skill Standards Council (MSSC) has created a credentialing system that covers core competency areas for logistics employees, as defined by MSSC's industry-led, nationally-validated skills standards for higher skilled, frontline material handling workers across all supply chain facilities: factories, warehouses, distribution centers, fulfillment centers, and transporters.

Understanding MSSC's credentialed training program, RCCD and City staff met with representatives of Masonite, Ralph's, Ross Dress For Less, Ryder, Skechers, United Natural Foods, Inc., and Walgreens distribution centers to confirm that the curriculum supports the employee knowledge, skills and experience that each requires. The proposed program format is derived from those conversations.

Enrollment Eligibility

If the City Council approves, the proposed training will be available free of charge to all eligible Moreno Valley residents. MSSC training recognizes the employers' need for employability, academic, and technical skills. All of the proposed programs incorporate an intake assessment to ensure that students meet the minimum knowledge, experience, and skill pre-requisites. MSSC strongly recommends that individuals be at the 9th grade level of English, math and critical thinking before attempting MSSC courses and assessments. In addition, all students must pass a drug test prior to admission into the program.

Proposed Training

If approved, two Logistics Certification credentials will be offered: the foundational-level Certified Logistics Associate (CLA) certificate and the mid-level Certified Logistics Technician (CLT) certificate. CLA certification is a prerequisite for CLT enrollment. In addition, with emerging logistics technologies, many distribution centers offer positions that require advanced skills in programming and maintenance of robotics, conveyors, computer numerical control, and programmable logic control (PLC) systems. Staff is proposing that RCCD offer the Automation Technologies courses in Moreno Valley to enable residents with three years of experience in a related field to train and successfully compete for as many of these new positions as possible.

Some Moreno Valley residents with logistics experience may only need forklift certification. RCCD will provide a short-term 3-day orientation that will enable students to gain their OSHA Safety Standards (10-hour card). Finally, in the event that several residents need a refresher to pass the 9th grade English / math assessment(s), RCCD would offer an Employability Skills course.

The curriculum of each program is summarized in Attachment A.

Coordination with Moreno Valley High Schools

The current logistics growth, high unemployment rate, and expiring grant funding demand immediate, relevant training for adults. In addition, the longer-term vision for

the development of the City's logistics workforce would expand the training program to Moreno Valley's high school students.

Establishing curriculum for high school credit requires review by a curriculum committee, which could involve a six-month to one-year evaluation period. Staff has engaged in preliminary discussions with Superintendent Dr. Judy White from Moreno Valley Unified School District (MVUSD) and will make a similar proposal to Val Verde Unified School District (VVUSD) regarding a series of courses to be offered through each districts' Career Technical Education programs.

Schedule

If the City Council approves, staff propose to offer the following training cohorts of approximately 20 students each:

- CLA / CLT: Two cohorts by Fall 2012.
- Automation Technologies: One cohort by Fall 2012
- 3-day Forklift Orientation: Potential for one cohort by Fall 2012, if RCCD identifies enough students
- Employability Skills: Potential for one cohort concurrently offered with the first CLA class, if RCCD identifies enough students. Once students pass the assessments, they would be eligible to participate in the second CLA cohort.

Training Location

As a member of the SCLTC, RCCD has been bringing new vocational training to Riverside County residents at their Corona location and this proposal would expand the training to include a Moreno Valley location. To ensure convenient access for Moreno Valley residents, staff has confirmed the availability of the Moreno Valley Employment Resource Center as the training location through 2012. Moreno Valley Unified School District has also expressed enthusiasm for providing a training classroom. Forklift training will be conducted in the Hunter Park area of Riverside, near the intersection of Columbia and Iowa Avenues.

ALTERNATIVES

Alternative 1: Approve the continued development of the Job Training Linkage Initiative in Moreno Valley. **Staff recommends this alternative because the training will enable the employment of Moreno Valley residents in the growing logistics industry.**

Alternative 2: Decline to approve the continued development of the Job Training Linkage Initiative in Moreno Valley. **Staff does not recommend this alternative.**

FISCAL IMPACT

There is no fiscal impact on the City's funds. If the City Council approves the proposed programs, RCCD will fund the training through the end of 2012 from the $4,260,863 grant awarded under the American Recovery and Reinvestment Act of 2009 to the Southern California Logistics Technology Collaborative, of which RCCD is a partner.

RCCD is participating in an application to extend the grant performance period and they are also seeking new grant opportunities. If the grant funding expires as scheduled in February 2013, the City could consider funding additional cohorts through CDBG, as has been used in the past. Such a proposal would be brought back to the City Council in the future for separate consideration.

CITY COUNCIL GOALS

Positive Environment. Create a positive environment for the development of Moreno Valley's workforce.

SUMMARY

Moreno Valley's logistics industry is growing. However, creating local jobs does not guarantee employment for Moreno Valley residents.

A partnership of community colleges including Riverside Community College District (RCCD) formed the Southern California Logistics Technology Collaborative (SCLTC), which received an American Recovery and Reinvestment Act of 2009 (ARRA) grant of $4,260,863 from the U.S. Department of Labor, Employment and Training Administration. The grant is funding vocational training programs. As a member of the SCLTC, RCCD has been bringing new vocational training to Riverside County residents at their Corona location.

Staff proposes to offer subsidized logistics training programs in Moreno Valley that facilitate selection of Moreno Valley residents to fill the expected logistics employment opportunities. Specific logistics training programs are summarized on Attachment A and would include:

- The foundational-level Certified Logistics Associate (CLA) certificate.
- The mid-level Certified Logistics Technician (CLT) certificate.
- Automation Technologies.
- Forklift Certification / 3-day Orientation: For residents with distribution center experience but who lack current forklift certification.
- Employability Skills: a refresher in 9th grade English / math.

Staff recommends that the City Council approve the continued development of the Job Training Linkage Initiative in Moreno Valley.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Logistics Training Curriculum

Prepared By:
Michele Patterson
Assistant to the City Manager

Department Head Approval:
Michelle Dawson
Assistant City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

LOGISTICS TRAINING CURRICULUM

The Manufacturing Skill Standards Council (MSSC) has created a credentialing system that covers core competency areas for logistics employees across all supply chain facilities: factories, warehouses, distribution centers, fulfillment centers, and transporters.

MSSC training recognizes the employers' need for employability, academic, and technical skills. All of the proposed programs incorporate an intake assessment to ensure that students meet the minimum knowledge, experience, and skill pre-requisites. MSSC strongly recommends that individuals be at the 9th grade level of English, math and critical thinking before attempting MSSC courses and assessments. In addition, all students must pass a drug test prior to admission into the program.

Certified Logistics Associate – 60 hours

- Intro. to Global Supply Chain Logistics
- Material Handling Equipment
- Material Handling & Equipment Operation
- Quality Control Principles
- Work Communication
- Teamwork & Good Workplace Conduct
- Computer Systems for Logistics
- OSHA Safety Standards (10-hour card)

Certified Logistics Technician* – 36 hours

- Product Receiving
- Product Storage
- Order Processing
- Packaging & Shipment
- Inventory Control
- Safe Handling of Hazardous Material
- Evaluation of Transportation Modes
- Dispatch & Tracking Operations

* CLA certification is a prerequisite for CLT enrollment.

Automation Technologies – 100 hours

- Electrical & Motor Controls
- Programmable Logic Controllers (PLC)
- Integrated Automation & Troubleshooting
- OSHA Safety Standards (10-hour card)

Forklift Certification – 3-day Orientation

For those residents who possess distribution center experience but lack current forklift certification (which is frequently issued and retained by each employer), the City / RCCD will provide a short-term 3-day orientation that will enable students to gain their OSHA Safety Standards (10-hour card).

Employability Skills

In the event that several residents need a refresher to pass the 9th grade English / math assessment(s), RCCD would offer an Employability Skills course. Once a student passes the assessments, he or she would be eligible for the next CLA / CLT cohort.

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MV00168231

CITY MANAGER'S REPORT

(Informational only –not for Council action)

a) Police Department - Oral Presentation by Police Chief Joel Ontiveros

Item No. G.5

MV00168232

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MV00168233

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: June 26, 2012

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUB-SECTION 9.12.050(F) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADDING SUB-SECTION 9.12.060(O) TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY.

RECOMMENDED ACTION

Staff recommends that the City Council introduce the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way.

BACKGROUND

The existing Right-of-Way (ROW) within Sunnymead Boulevard is not symmetrical from the centerline and is shifted approximately ten (10) feet to the south. The result of this shift is that there are several signs that find themselves located within the public ROW where they otherwise would not be situated had the ROW been consistant on each side of the roadway. One example is the sign for the Chicago Pasta House, which is now located within the public ROW. Chicago Pasta House is looking to reconstruct its monument sign, but is prohibited under the existing Municipal Code.

DISCUSSION

City staff is recommending an update to Title 9 of the MVMC in order to accommodate the off-set ROW of Sunnymead Boulevard (from Frederick Street to Perris Boulevard).

Listed below are key proposed changes to various portions throughout sub-sections 9.12.050 and 9.12.060 of Title 9 of the existing municipal code:

- Amend the Municipal Code to include an additional exception to those signs within the public right-of-way of Sunnymead Boulevard
- Add a subsection to specify the circumstances and provisions under which a sign permit would be considered for approval

An administrative policy will be drafted to address signage within the public Right-of-Way of Sunnymead Boulevard and will establish the limitations and requirements of such a condition, including requiring the issuance of an encroachment permit, liability insurance and compliance with all other aspects of Chapter 9 of the City of Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve the introduction of the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way. **This alternative is recommended by staff.** *Approval would allow limited approval of certain signs which encroach into the public ROW.*

2. Do not approve the introduction of the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way. **This alternative is not recommended by staff.** *Any signs found to be within the public ROW would be in violation of the Municipal Code and subject to fines by the City.*

FISCAL IMPACT

There are no fiscal impacts associated with the proposed action.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 - Proposed Ordinance No. 850

Prepared By:
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
Paul Early
Deputy City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00168237

ORDINANCE NO. 850

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUB-SECTION 9.12.050(F) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADDING SUB-SECTION 9.12.060(O) TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY

The City Council of the City of Moreno Valley does hereby ordain as follows:

SECTION 1. AMENDMENT OF SUB-SECTION 9.12.050(F) OF SECTION 9.12.050 OF CHAPTER 9.12 OF THE MORENO VALLEY MUNICIPAL CODE:

1.1. Sub-Section 9.12.050(F) of Chapter 9.12 of Title 9 of the City of Moreno Valley Municipal Code is hereby amended to read, in its entirety, as follows:

"Signs within the public right-of-way, except those required by a governmental agency and temporary political signs and off-site directional signs subject to the provisions of Sections 9.12.040(H) and 9.12.060(L) of this chapter. Modified Monument Signs located in the public right-of-way subject to the provisions of Section 9.12.060(O) of this chapter may also be permitted."

SECTION 2. ADDITION OF SUB-SECTION 9.12.060(O) OF SECTION 9.12.060 OF CHAPTER 9.12 OF THE MORENO VALLEY MUNICIPAL CODE:

2.1 Sub-Section 9.12.060(O) of Chapter 9.12 of Title 9 of the City of Moreno Valley Municipal Code is hereby added to read, in its entirety, as follows:

"O. Signs in the Public Right-Of-Way

1. A Modified Monument Sign that is otherwise permissible pursuant to Section 9.12.060(B)(1) of this chapter and located in the public-right-of-way may be permitted in the following circumstances:
    a. The sign is located within a public right-of-way controlled by the City of Moreno Valley;
    b. The sign is located along Sunnymead Boulevard between Frederick Street and Perris Boulevard;
    c. There is no practicable location on private property to locate the sign;
    d. The sign design and location do not obstruct or impede any utility, utility access, pedestrian walkways or pedestrian or vehicle sight lines.
    e. The sign design and location are not located over or upon any other easement without written authorization for such from the owner of the easement.

f. An encroachment permit is obtained, all fees paid, and all required insurance and other requirements are kept current and valid;
g. A sign permit is obtained in accordance with this Chapter.

2. In order to apply for a permit for a sign in the public right-of-way pursuant to this Section, an application must first be made for an encroachment permit and all criteria for such encroachment permit must be met.
3. In the event that any of the requirements or terms of the encroachment permit are not met or are not continually maintained in accordance with the encroachment permit, any sign permit shall become void and such sign shall become a public nuisance and may be removed by the City at any time at the sign owner's expense.
4. Any such sign in the public right-of-way shall be immediately removed from the public right-of-way upon request by the City for any public purpose and shall not be entitled to any compensation."

SECTION 3. EFFECT OF ENACTMENT:

3.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4. NOTICE OF ADOPTION:

4.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 5. EFFECTIVE DATE:

5.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 850 had its first reading on June 26, 2012 and had its second reading on July 10, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of July, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

ORDINANCE NO.847

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA12-0008 AMENDING THE MUNICIPAL CODE TO INCREASE THE MAXIMUM HEIGHT AND SIGN AREA FOR MENU BOARDS IN THE CITY'S SIGN CODE IN SECTION 9.12.060.D.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on June 12, 2012, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: General Plan policy 2.10.6 states that signs should be highly compatible with the building and site design relative to size, color, material, and placement. Policy 7.7.3 states that reasonable controls should be implemented on the size, number and design of signs to minimize degradation of visual quality. The changes proposed to the Municipal Code are consistent with the General Plan and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations,

the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The purpose and intent of the City's sign regulation as stated in Municipal Code Section 9.12.060 is to aid in the identification of land uses and facilities to provide for public convenience; encourage signs that are attractive, discourage clutter and maintain a high quality visual image for the community; promote the economic well-being of local businesses and the community; reduce traffic and safety hazards; and ensure that signs are in keeping with the goals, objectives and policies of the city of Moreno Valley general plan. As proposed, the Municipal Code Amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 The City's sign regulations in Chapter 9.12 of Title 9 of the City of Moreno Valley Municipal Code in Section 9.12.060.D are hereby revised as follows:

D. Drive-Through Restaurant Menu Boards. Two additional signs shall be permitted for the purpose of displaying the type and price of products sold on-site to drive-through customers. Such signs may include a speaker system to allow drive-through customers to order food and beverages. Such signs shall not exceed forty-eight (48) square feet in area and eight feet in height inclusive of the base. If the restaurant elects to build only a single menu board, the sign shall not exceed 64 square feet and the height shall not exceed eight feet inclusive of the base.

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 26th day of June, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halsted, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on June 12, 2012 and had its second reading on June 26, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 847
Date Adopted: June 26, 2012

ORDINANCE NO. 848

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.22.030 OF CHAPTER 12.22 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF THROUGH STREETS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. AMENDMENT TO THE MUNICIPAL CODE:

Section 12.22.030 of the City of Moreno Valley Municipal Code is hereby amended as follows:

Name of Through Street	Inclusive Limits
Alessandro Boulevard	West city limit to east city limit east of Theodore Street
Bay Avenue	West city limit to Heacock Street; Ramsdell Drive to Morrison Street; Moreno Beach Drive to Merwin Street
Box Springs Road	Morton Road to Day Street
Brodiaea Avenue	Frederick Street to Lasselle Street; Moreno Beach Drive to Redlands Boulevard
Cactus Avenue	West city limit to terminus east of Redlands Boulevard
Campus Parkway	Day Street to Towngate Circle
Cottonwood Avenue	West city limit to Redlands Boulevard
Day Street	Old 215 Frontage Road to Ironwood Avenue
Delphinium Avenue	Heacock Street to Lasselle Street
Dracaea Avenue	West city limit to Nason Street
Elder Avenue	Terminus west of Perris Boulevard to Nason Street
Elsworth Street	Cactus Avenue to Eucalyptus Avenue
Encilia Avenue	Eucalyptus Avenue (W) to Eucalyptus Avenue (E)
Eucalyptus Avenue	West city limit to Towngate Boulevard; Towngate Boulevard to Nason Street; Nason Street to Gilman Springs Road

Fir Avenue	Heacock Street to Nason Street; Nason Street to Eucalyptus Avenue
Frederick Street	Cactus Avenue to State Highway 60
Gentian Avenue	Heacock Street to Indian Street; Perris Boulevard to Camino Flores
Gilman Springs Road	Eucalyptus Avenue to south city limit
Graham Street	Cactus Avenue to Sunnymead Boulevard; David Lane to Woodlander Way
Heacock Street	Nandina Avenue to Perris Boulevard
Hemlock Avenue	Pigeon Pass Road to Kitching Street
Highland Boulevard	Ironwood Avenue to Redlands Boulevard
Indian Street	South city limit to Manzanita Avenue
Iris Avenue	Heacock Street to Moreno Beach Drive
Ironwood Avenue	Day Street to Theodore Street
John F. Kennedy Drive	West city limit to Lasselle Street; Oliver Street to Redlands Boulevard
Kitching Street	Elder Avenue to Jaclyn Avenue; Sunnymead Boulevard to south city limit
Krameria Avenue	Heacock Street to Lasselle Street
Lasselle Street	Sunnymead Boulevard to south city limit
Locust Avenue	Moreno Beach Drive to Redlands Boulevard
Manzanita Avenue	Heacock Street to Perris Boulevard
Moreno Beach Drive	Locust Avenue to Iris Avenue
Morrison Street	Eucalyptus Avenue to Cactus Avenue
Nason Street	Ironwood Avenue to Iris Avenue
Nandina Avenue	Heacock Street to Perris Boulevard
Old Lake Drive	Pigeon Pass Road to Sunnymead Ranch Parkway
Oliver Street	Iris Avenue to Alessandro Boulevard
Perris Boulevard	South city limit to Reche Vista Drive

Ordinance No. 847
Date Adopted: June 26, 2012

Pigeon Pass Road	North city limit to State Highway 60
Quincy Street	Locust Avenue to Ironwood Avenue; Eucalyptus Avenue to Cactus Avenue
Reche Vista Road	Heacock Street to north city limit
Redlands Boulevard	North city limit north of Locust Avenue to Cactus Avenue
San Michele Road	Heacock Street to Perris Boulevard
Sinclair Street	Eucalyptus Avenue to Alessandro Boulevard
Sunnymead Boulevard	Lasselle Street to Frederick Street
Sunnymead Ranch Parkway	Pigeon Pass Road to Perris Boulevard
Theodore Street	Ironwood Avenue to Alessandro Boulevard
Veterans Way	Cactus Avenue to Alessandro Boulevard

SECTION 2. EFFECT OF ENACTMENT:

Enacting this ordinance will modify the current limits of designated through streets in the City of Moreno Valley. Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

Ordinance No. 847
Date Adopted: June 26, 2012

SECTION 4. EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 26th day of June, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 847
Date Adopted: June 26, 2012

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on June 12, 2012 and had its second reading on June 26, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Ordinance No. 847
Date Adopted: June 26, 2012

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MV00168251

PLANNING COMMISSIONERS

RAY L. BAKER
Chair

GEORGE SALAS, JR.
Vice-Chair

JEFFERY GIBA
Commissioner

AMBER CROTHERS
Commissioner

THOMAS A. OWINGS
Commissioner

CARLOS RAMIREZ
Commissioner

MELI VAN NATTA
Commissioner

PLANNING COMMISSION AGENDA

July 12, 2012

PLANNING COMMISSION MEETING – 7:00 P.M.

CITY OF MORENO VALLEY
City Hall Council Chambers
14177 Frederick Street
Moreno Valley, California 92553

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE MEETING

(ON DISPLAY AT THE REAR OF THE ROOM)

COMMENTS BY ANY MEMBER OF THE PUBLIC ON ANY MATTER WHICH IS NOT LISTED ON THE AGENDA AND WHICH IS WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMISSION

The City of Moreno Valley complies with the Americans with Disabilities Act of 1990. If you need special assistance to participate in this meeting, please contact Mel Alonzo, ADA Coordinator at (951) 413-3027 at least 48 hours prior to the meeting. The 48-hour notification will enable the City to make arrangements to ensure accessibility to this meeting.

NON-PUBLIC HEARING ITEMS

APPROVAL OF MINUTES

PUBLIC HEARING ITEMS

1. Case Number: P11-090, PA09-0004, and PA09-0022

Case Description: Plot Plan and Tentative Parcel Map 36162 for development of a 1.6 million square foot warehouse facility on approximately 80 acres. Certification of an Environmental Impact Report is required for approval of this project.

Case Type: Environmental Impact Report, Plot Plan for a 1.6 million square foot warehouse, and Tentative Parcel Map 36162

Applicant: Vogel Engineers, Inc.

Owner: Vogel Engineers, Inc.

Representative: RKZ, Inc.

Location: The project is located within the Moreno Valley Industrial Area Plan (SP 208) at the City's southern boundary, between Perris Boulevard and Indian Street and between Grove View Road and the Perris Valley storm channel.

Proposal: The project is generally described as a Plot Plan (PA09-0004) for development of a 1,616,133 square foot warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. Tentative Parcel Map No. 36162 (PA09-0012) is proposed to combine four existing parcels into a single parcel for development of the 1.6 million square warehouse distribution facility. Certification of an Environmental Impact Report is required for approval of this project.

Case Planner: Jeff Bradshaw

1. **APPROVE** Resolution No. 2012-16 and thereby: **CERTIFY** that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and,

2. **APPROVE** Resolution No. 2012-17 and thereby: **APPROVE** PA09-0004 (Plot Plan) and PA09-0012 (Tentative Parcel Map

36162), subject to the attached conditions of approval included as Exhibits A and B.

2. Case Number: PA11-0013
Case Description: Modify specific sections of the Municipal Code necessary to adopt Reach Codes.
Case Type: Development Code Amendments
Applicant: City of Moreno Valley
Owner: Same as above
Representative: Same as above
Location: Citywide
Proposal: Modify Title 9 of the Municipal Code for energy efficiency measures equal to and above current 2011 California Green Building Code standards necessary to adopt Reach Codes, including the modification of Section 9.05.040, "Industrial Site Development Standards", Section 9.17.030 "Landscape and Irrigation Design", Section 9.11.040 "Off Street Parking Requirements", Section 9.03.040 "Residential Site Development Standards, Section 8.80.020 "Waste Diversion Requirements" and Section 8.80.030 Waste Management Plan".
Case Planner: Mark Gross

Recommendation: **APPROVE** Resolution No. 2012-13 and thereby **RECOMMEND** that the City Council:

1. **RECOGNIZE** that the proposed Municipal Code Amendments are exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Sections 15061 of the CEQA Guidelines; and,

2. **APPROVE** PA11-0013 to amend the Municipal Code to include various Municipal Code modifications and additions to allow for the adoption of Reach Codes (Attachment 2).

OTHER BUSINESS

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

PLANNING COMMISSION
STAFF REPORT

Case:	PA09-0004 – Plot Plan PA09-0012 – Tentative Parcel Map No. 36162 P11-020 – Environmental Impact Report
Date:	July 12, 20112
Applicant:	Vogel Engineers, Inc.
Representative:	RKZ, Inc.
Location:	South side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary, in the Moreno Valley Industrial Area Plan (SP 208),
Proposal:	Plot Plan for a 1,616,133 square foot warehouse distribution building to be developed on approximately 80 acres. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. Tentative Parcel Map No. 36162 proposes to combine four existing parcels into a single 80 acre parcel for development of the project. An Environmental Impact Report has been prepared for the project.
Recommendation:	Approval

SUMMARY

This project proposes the development of a 1,616,133 square foot warehouse facility on approximately 80 acres. The project also requires approval of a tentative parcel map, and certification of a Final Environmental Impact Report (EIR).

PROJECT DESCRIPTION

The applicant, Vogel Engineers, Inc. has submitted three applications for development of the VIP Moreno Valley Project, which include a plot plan, a tentative parcel map, and an EIR, in order to develop a 1,616,133 square foot warehouse facility on an approximate 80 acre site (Assessor's Parcel Numbers 316-210-071, -073, -075 and -076) located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

Plot Plan

The Plot Plan is for a 1,616,133 square foot warehouse distribution facility. The warehouse facility is a permitted use in the Industrial zone of the Moreno Valley Industrial Area Plan (SP #208). The east and west elevations of the building are set back 125 from the property line along Perris Boulevard and Indian Street while the truck courts on the north elevation is set back 271 feet from the property line along Grove View Road and the south truck court is set back 261 feet from the Perris Valley Storm Channel.

The warehouse facility includes 268 loading docks with roll-up doors, truck staging and parking areas for 368 trailers within the enclosed truck court, two office areas and 589 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for trucks (1 per loading dock) and meets the employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations of the building. The truck courts are screened by perimeter concrete tilt-up walls on the north, east and west. A chain link fence with slats shall be provided along the project's southern property line to screen the truck loading and parking area from the Perris Valley Storm Channel, as permitted by the Specific Plan.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover, shrubs and trees. The project's Perris Boulevard, Indian Street and Grove View Road will be developed with standard curb, gutter, parkway, and sidewalk.

Tentative Parcel Map

Tentative Parcel Map No. 36162 is proposed to combine the four parcels located within the project site into a single parcel of approximately 80 acres, as well as provide all required street dedications and utility easements.

Site

The project site is currently vacant, consisting of gently sloping land that has been used historically for agricultural purposes but currently lies fallow. It was most recently used as a sod farm that ceased operating in August 2005. The major roads that provide access to the project site are Perris Boulevard, Indian Street, Grove View Street, and Harley Knox Boulevard, with the nearest I-215 interchanges at Harley Knox Boulevard and the Ramona Expressway.

Surrounding Area

The project is located in an area of predominately industrial land uses within the Moreno Valley Industrial Area Plan (SP #208). Land uses to the north include a Waste Management facility and a 426,700 square foot warehouse building. Land uses to the west include the 360,440 square foot i-Herb warehouse building, approximately 20 acres of vacant Industrial zoned land and a site currently used for container storage.

Further to the west is the southern approach to the runways at March Air Reserve Base. Land uses to the east include a ministorage facility, the approximately 255,000 square foot Masonite Door factory, and the approximate 1.2 million square foot Ross Dress For Less distribution facility.

The project site is located at the southerly City limits with a mixture of vacant Industrial zoned land and developed distribution land uses within the City of Perris on the south side of the Perris Valley Storm Drain.

Access

Access to the project site will be provided via two driveways on Indian Street, three driveways on Grove View Road, and two driveways on Perris Boulevard. The northern driveway on Perris Boulevard will be for passenger vehicle and emergency access only. The southern driveway on Perris Boulevard will align with the existing signalized intersection at the Ross Distribution Warehouse entrance. The north project driveway on Indian Street will be for passenger vehicle and emergency access only; all other driveways will be used by both passenger vehicles and trucks. The project is anticipated to be constructed by the year 2013.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code and the Moreno Valley Industrial Area Plan (SP #208).

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the north elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 9.5% of the site. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Plot Plan for the warehouse facility.

Upon review at PRSC in March 2009, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required environmental and technical studies.

Subsequent PRSC reviews occurred in June and December 2009. The project then went inactive for a period of time.

In 2011, the applicant began working again with the City to address potential environmental concerns. Project technical studies were updated and staff determined that an environmental impact report was required pursuant to the California

Environmental Quality Act (CEQA). An application for an environmental impact report was subsequently submitted.

Upon review of a final draft of the site plan and completion of the draft Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2012.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was prepared, with the public comment period beginning on August 26, 2011 and ending on September 26, 2011. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on September 19, 2011.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant LSA Associates, Inc. and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on April 20, 2012, and ending on June 4, 2012.

The Draft EIR was sent to all required State and local agencies and numerous interested parties on April 19, 2012, as well as to the City's Environmental and Historical Preservation Board. Eight comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the eight comments received during the 45 day review period are included in the Response to Comments. Comment letters were received after the comment period from Eastern Municipal Water District (EMWD) and from the State Clearinghouse. These letters did not include comments on the project but were instead sent in recognition of the receipt of the Draft EIR. Responses to these letters were also provided and are included in the Final EIR.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on June 29, 2012, to allow for their review prior to Planning Commission hearing, to meet the notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on agricultural resources, air quality, climate change, and traffic. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to agricultural resources, air quality, climate change and traffic cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions and Global Climate Change, Hydrology and Water Quality, Noise, and Traffic and Circulation. All other environmental effects evaluated in the EIR are considered to be less than significant without mitigation. With mitigation, anticipated impacts to Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality and Noise are anticipated to be below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project. Before the proposed project can be acted upon, the Planning Commission will need to review the final environmental document and either certify or reject the EIR and project Mitigation Monitoring Program.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	February 25, 2009	No Issues
South Coast Air Quality District	February 25, 2009	Request to review AQ study
March Air Reserve Base	March 3, 2009	Verify project site and AICUZ
Riverside County Flood Control	March 12, 2009	District Master Plan Facilities
March JPA	March 18, 2009	AICUZ & Avigation Easement

Staff has coordinated with the responsible agencies listed above and where applicable, conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. **APPROVE** Resolution No. 2012-016 **and CERTIFY** that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Resolution No. 2012-17 **APPROVING** Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the attached conditions of approval included as Exhibits A and B.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2012-16
   Exhibit A – Statement of Overriding Considerations
   Exhibit B – Mitigation Monitoring Program
3. Planning Commission Resolution No. 2012-17
   Exhibit A - Plot Plan Conditions of Approval
   Exhibit B – Parcel Map Conditions of Approval
4. Final EIR
5. Draft EIR
6. Color Site Plan
7. Color Elevations
8. Color and Materials Board
9. Sight Line Exhibit
10. Conceptual Landscape Plan
11. Tentative Parcel Map 36162
12. Preliminary Grading Plan
13. Screenwall and Elevations
14. Aerial Photograph

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

CASE: PA09-0004 – Plot Plan
PA09-0012 – Tentative Parcel Map No. 36162
P11-020 – Environmental Impact Report

APPLICANT: Vogel Engineers, Inc.

OWNER: Vogel Engineers, Inc.

REPRESENTATIVE: RKZ, Inc.

LOCATION: Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

PROPOSAL: Plot Plan for a 1,616,133 square foot warehouse distribution building to be developed on approximately 80 acres. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. The project is located at the City's southern boundary on the north side of the Perris storm channel. Water quality features include five sandfilter basins and an infiltration swale. Tentative Parcel Map No. 36162 proposes to combine four existing parcels into a single 80 acre parcel for development of the project. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 4

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.

LOCATION N ↑

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2012 at 7:00 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

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ATTACHMENT 1

RESOLUTION NO. 2012-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P11-020), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE VIP MORENO VALLEY PROJECT, GENERALLY LOCATED IN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP 208), ON THE SOUTH SIDE OF GROVE VIEW ROAD BETWEEN PERRIS BOULEVARD AND INDIAN STREET AT THE CITY'S SOUTHERN BOUNDARY.

WHEREAS, on July 12, 2012, the Planning Commission of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 1,616,133 square foot distribution warehouse facility on approximately 80 acres. The warehouse building includes 268 dock doors and and 44,000 square feet of office area in four potential office locations. The project is located at the City's southern boundary on the north side of the Perris storm channel. Water quality features include five sandfilter basins and an infiltration swale. Tentative Parcel Map No. 36162 proposes to combine four existing parcels into a single 80 acre parcel for development of the project;

WHEREAS, the project includes applications for a plot plan (PA09-0004) and a tentative parcel map (PA09-0012). All the applications are related but shall not be approved unless the Environmental Impact Report (P11-020) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on April 20, 2012, while the review period ended on June 4, 2012. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on June 29, 2012, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

WHEREAS, on July 12, 2012, the Planning Commission held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2012, the Planning Commission reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed VIP Moreno Valley Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

ATTACHMENT 2

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WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the Final EIR includes a review of potential impacts associated with the implementation of the VIP Moreno Valley Project, including, but not limited to agricultural resources, air quality, climate change and traffic;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the Final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the Planning Commission of the City of Moreno Valley does hereby resolve as follows:

1. The Planning Commission certifies that the Final Environmental Impact Report (EIR) for the VIP Moreno Valley Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the Planning Commission reviewed and considered the information contained in the Final EIR and that the Final EIR reflects the City's independent judgment and analysis; and

2. The Planning Commission hereby adopts the Findings and Statement of Overriding Considerations regarding the Final EIR for the VIP Moreno Valley Project, attached hereto as Exhibit A; and

3. The Planning Commission hereby approves the Mitigation Monitoring Program for the Final EIR for the proposed VIP Moreno Valley Project, attached hereto as Exhibit B.

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APPROVED AND ADOPTED this 12th day of July, 2012.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

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Facts, Findings and Statement of Overriding Considerations
Regarding the Environmental Effects and the Approval of the
VIP Moreno Valley Project
(State Clearinghouse No. 2011081084)

I. INTRODUCTION

The Planning Commission of Moreno Valley (this "Commission"), in certifying the EIR for the VIP Moreno Valley Project and approving Tentative Parcel Map 36162 and a Site Plan authorizing the construction of up to approximately 1,616,133 square feet of distribution warehouse space (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Commission, including the EIR. This Commission adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Commission.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the southwest portion of the City of Moreno Valley. The Project site consists of four parcels totaling approximately 71 net acres located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary. The site is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the Project site.

The Project site is currently vacant, consisting of gently sloping land that has been used historically for agricultural purposes but currently lies fallow. It was most recently used as a sod farm that ceased operating in August 2005. The major roads that provide access to the Project site are Perris Boulevard, Indian Street, Grove View Road, and Harley Knox Boulevard, with the nearest I-215 interchanges at Harley Knox Boulevard and Ramona Expressway.

2. Project Description

The proposed Project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space on an approximately 71 acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 truck trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses.

The Project site is currently designated Business Park/Light Industrial in the City's General Plan. The site is zoned Industrial (I) in the Moreno Valley Industrial Area Plan (SP 208), which was originally adopted in 1989, and amended in 2001 and 2002. The proposed high-cube logistics warehouse project is consistent with the existing General Plan land use and zoning for the site.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- Tentative Parcel Map approval (PM 36162);
- Certification of the Project EIR
- Approval of the Site Plan Review

Other non-discretionary actions

- Approval of a Storm Water Pollution Prevention Plan (SWPPP)

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- Approval of a Water Quality Management Plan (WQMP)
- Issuance of a Grading permit, final drainage study, Final WQMP, and obtaining an NOI and WDID number.
- Issuance of an Encroachment permit
- Issuance of a Building permit

Approvals and permits required by other agencies include:

- A National Pollutant Discharge Elimination System (NPDES) permit
- Approval of water and sewer improvement plans by the Eastern Municipal Water District.
- Approval from the City and Riverside County Flood Control and Water Conservation District to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities
- Encourage industrial development and minimize conflicts with the surrounding existing uses
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors
- Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner
- Encourage new development consistent with the capacity and municipal service capabilities

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- Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years ahead
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On August 26, 2011, the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would

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be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.

- On September 19, 2011, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.

- The NOP public review period ran for 30 days, from August 26, 2011 to September 26, 2011. Written comments on the NOP were received from 12 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: Air Quality, Alternatives Analysis, Biological Resources, Cultural Resources/Sacred Sites, Greenhouse Gas Emissions/Global Climate Change, Hazardous Materials/Contamination, Traffic, and Water Availability and Quality.

- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information, analysis, and mitigation to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Aesthetics; (2) Biological Resources; (3) Cultural Resources; (4) Geology and Soils; (5) Hazards and Hazardous Materials; (6) Hydrology and Water Quality; (7) Land Use Planning; (8) Mineral Resources; (9) Population/Housing; (10) Public Services; (11) Recreation; and, (12) Utilities and Service Systems.

- On April 20, 2012, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended June 4, 2012.

- The City received a total of seven (7) comment letters from public agencies; one (1) from a community organization; and two (2) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.

- On June 28, 2012 in accordance with *Public Resources Code* Section 21092.5, the City provided written responses to public agencies that commented on the DEIR.

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- On June 29, 2012, Notice of the Planning Commission hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.

- On July 12, 20012, this Commission held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Commission certified the EIR, adopted these Facts, Findings and the Statement of Overriding Considerations, and the further recommendations in the Staff Report, and approved the Project, including the PM 36162 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of LSA Associates, Inc. to prepare the EIR for the Project. LSA Associates has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Michael Brandman Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The Planning Commission has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c) (3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended

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mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Commission's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 2.0 and 2.0 of the DEIR and Section 3.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 2.0 of the FEIR.

The EIR evaluated five major environmental categories for potential impacts including Agricultural Resources, Air Quality, Climate Change and GHGs, Noise, and Transportation. Both Project-specific and cumulative impacts were evaluated. Of these five major environmental categories, this Commission concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Commission.

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A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley Planning Commission hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. Agricultural Resources

a. Conflict with existing zoning or a Williamson Act Contract

Potential Significant Impact: Whether the Project would conflict with existing zoning for agricultural use, or a Williamson Act contract.

Findings: Potential impacts of the Project related to conflicts with existing zoning or a Williamson Act Contract are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to existing zoning or Williamson Act will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: As identified in section 4.1 of the DEIR, the Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. The uses proposed for the Project site are consistent with the existing underlying General Plan and Zoning designations. The Project site is not zoned for agricultural uses. No impact would occur and no mitigation is required.

b. Conflict with/Loss of Existing Forest Land or Timberland Zoning

Potential Significant Impact: Whether the Project would conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)), and whether the Project would result in the loss of forest land or conversion of forest land to non-forest uses.

Findings: Potential impacts of the Project related to conflict with/loss of existing forest land or timberland zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record

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before us, this Commission finds that no significant impacts related to loss of forest or timberland will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Section 4.1 identifies no forest or timberland resources located within the Project site nor is the Project site zoned for forest land or timberland. Implementation of the proposed Project would not require any rezoning or General Plan Amendments as the proposed uses are consistent with the existing underlying General Plan land use designation and zoning designation. The proposed Project would not conflict with existing forest zoning, cause rezoning of forest land, or result in the loss or conversion of forest lands to non-forest uses as no such resources exist in the City. No impacts associated with this issue would occur and no mitigation is required.

2. Air Quality

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD"s regional threshold criteria (DEIR, pg. 4.2-26), these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent

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of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.2-14 to 4.2-15) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required. (DEIR, pg. 4.2-15)

c. Long-Term Microscale (CO Hot Spot) Emissions

Potential Significant Impact: Whether the proposed Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation. For CO, the applicable thresholds are:

- California State one-hour CO standard of 20.0 ppm; and

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- California State eight-hour CO standard of 9.0 ppm.

Findings: Potential impacts of the Project related to long-term microscale emissions are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts related to long-term microscale emissions and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the highest one-hour CO concentration experienced at any of the intersections in the Project vicinity would not exceed the one hour CO State standard of 20 ppm. Based on the *Air Quality Analysis* prepared for the proposed Project, the proposed Project would contribute, at most, a 0.2 ppm increase to the one-hour CO concentrations for all scenarios. This is below the 1.0 ppm increase threshold. Also the highest eight-hour CO concentration experienced at any of the intersections in the Project vicinity would not exceed the eight-hour CO state standard of 35 ppm. Based on the Air Quality Analysis prepared for the proposed Project, the proposed Project would contribute, at most, a 0.2 ppm increase to the eight-hour CO concentrations for all scenarios. This is below the 0.45 ppm increase threshold. Since the proposed Project would not exceed the one-hour or eight-hour CO concentration standards, it is reasonable to conclude that no CO hot spots would occur. Therefore, the proposed Project would not have a significant impact on local air quality for CO and no mitigation measures would be required. (DEIR, pgs. 4.2-15 to 4.2-17)

d. Localized Operational Emissions

Potential Significant Impact: Whether the proposed Project would violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants.

For long-term operation, the applicable localized daily thresholds are:

- 12,083 pounds per day of CO;
- 585 pounds per day of NOX;
- 32 pounds per day of PM10; and
- 14 pounds per day of PM2.5.

Findings: Potential impacts of the Project related to localized operational emissions are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that

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development of the Project will not result in significant impacts related to localized operational emissions and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the operational emissions rates of NO_X, CO, PM_{10}, and $PM_{2.5}$ are less than 10 percent of the LST thresholds for the applicable pollutant. None of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed Project. Therefore, the proposed Project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. (DEIR, pgs. 4.2-15 to 4.2-17)

e. Operational-Acute Health Risk

Potential Significant Impact: Whether the proposed Project would expose sensitive receptors to substantial pollutant concentrations.

Findings: Potential impacts of the Project related to operational-acute health risks are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts related to operational-acute health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. Therefore, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required. (DEIR, pg. 4.2-18)

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f. Operational-Chronic Health Risk

Potential Significant Impact: Whether the proposed Project would expose sensitive receptors to substantial pollutant concentrations.

For Maximum Individual Cancer Risk, the applicable thresholds are:

- An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or

For non-cancer chronic hazard indices (HI); the applicable threshold is:

- A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

Findings: Potential impacts of the Project related to operational-chronic health risks are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts related to operational-chronic health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, a screening level health risk assessment was performed for the operational emissions associated with the proposed Project based on the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* guidance. The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with state and federal handling regulations will bring emissions to below a level of significance. The nearest residences would experience a cancer risk of 6.6 in 1 million, which is below the 10 in 1 million threshold. The nearest residences would also experience a chronic hazard index of 0.0041, which is below the 1.0 threshold. The peak off-site worker cancer risk level is 4.5 in a million, which is also below the 10 in 1 million threshold. Chronic hazard index for the peak off-site worker would be 0.0029, which is below the 1.0 threshold. Since the operational phase of the proposed Project would not exceed any of the operational related health risk assessment thresholds, a less than significant impact would occur and no mitigation is required. (EIR, pgs. 4.2-18 to 4.2-19)

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3. Climate Change and Greenhouse Gas Emissions

a. Greenhouse Gas Plan, Policy, Regulation Consistency

Potential Significant Impact: Whether the proposed Project would conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to greenhouse gas plan, policy, and regulation consistency are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts related to greenhouse gas plan, policy, or regulation consistency and, therefore, no mitigation is required.

Facts in Support of the Findings: The proposed Project would implement appropriate GHG reduction strategies and would ensure that it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. In addition, the Project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the Project. Therefore, the proposed Project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions resulting in a less than significant impact. (DEIR, pgs. 4.3-16 to 4.2-21)

4. Noise

a. Airport Noise

Potential Significant Impacts: Whether a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would results in exposure of people residing or working in the project area to excessive noise levels. Or if a project within the vicinity of a private airstrip, would expose people residing or working in the project area to excessive noise levels.

Findings: Potential impacts of the Project relating to airport noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to airport noise will occur as a result of development of the Project and, therefore, no mitigation is required.

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Facts in Support of the Findings: According to Section 4.4 of the DEIR, the nearest airport is the March Air Reserve Base, which is located approximately 0.75 mile northwest of the Project site. The proposed Project is not identified as being within the noise or safety contours delineated for the March Air Reserve Base Airport. While the proposed Project is located within two miles of a public airport, the proposed Project would not have the potential to expose people working on the Project site to excessive noise levels from airport operations as the Project site is located outside of the noise and safety contours of March Air Reserve Base. A less than significant impact would occur with implementation of the proposed Project. Additionally, the proposed Project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue would occur and no mitigation is required. (DEIR, pgs. 4.4-9 to 4.4-10)

b. Ground-Borne Vibrations

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. The Project site is not located near steel-wheeled trains. Additionally, roadways in the project area are either paved or would be paved and would not result in traffic driving over rough roads. Construction activities for the project site do not include blasting or pile driving. The primary vibratory source during the construction of the proposed Project would be large bulldozers. Based on published data, typical bulldozer activities generate an approximate vibration level of 0.089 in/sec at a distance of 25 feet. At the distance of the nearest residence to the project boundary (approximately 1,000 feet) the estimated vibration level would not be discernible. While heavy-duty earthmoving equipment would be used during the construction phase of the project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs. Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required. (DEIR, pg. 4.4-10)

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c. Long-Term Traffic Noise

Potential Significant Impact: Whether the project would result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Findings: Potential impacts of the Project related to long-term noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to long-term noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, project-related traffic noise level increases would be 0.8 dBA or less along all roadway segments analyzed. Noise level increases within this range are small and are not perceptible by the human ear. Therefore, no significant traffic noise impacts would occur to off-site land uses with implementation of the proposed Project. Also the proposed warehouse distribution center uses are not impacted by the 75 dBA CNEL noise contour from Indian Street (within 50 feet of the roadway centerline), Oleander Avenue (within 50 feet of the roadway centerline), or Perris Boulevard (98 feet from the roadway centerline). Therefore, noise levels at the on-site uses are below the City's 75 dBA CNEL noise standard for industrial uses. No significant noise impacts to on-site industrial uses would occur and no mitigation measures are required. (DEIR, pgs. 4.4-10 to 4.4-13)

d. Long-Term Operational Noise

Potential Significant Impact: Whether the project would cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies.

Findings: Potential impacts of the Project related to long-term operational noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to long-term operational noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project boundary. There are also nonconforming residential dwelling units within commercial and industrial uses on property zoned for commercial or industrial uses approximately 0.5 mile

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southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

The warehouse distribution use has loading docks on the north and south sides of the building, approximately 1,000 feet from the existing residences to the north. Noise associated with loading/unloading activities would potentially affect these existing residential uses. Other on-site, noise-producing activities may include traffic and activity within the parking lot (load talking, horn blowing, vehicle door slamming, truck idling, etc.). Although individual activity may generate relatively high and intermittent noise, when added to the typically lower ambient noise and averaged over a longer period of time, the cumulative noise level would be much lower and would be considered a less than significant impact. (DEIR, pg. 4.4-14)

The project would have rooftop heating, ventilating, and air conditioning (HVAC) equipment, as well as ground floor garbage compactors. Rooftop HVAC units generate noise levels of approximately 62 dBA at 50 feet. The closest noise-sensitive land uses are existing residences which are located approximately 1,000 feet to the north from the nearest potential on-site rooftop HVAC equipment location. With the effect of distance divergence, noise generated by HVAC equipment would be reduced by 26 dBA at the closest residences when compared with the noise level measured at 50 feet. Additionally, the roof edge (parapet) creates a noise barrier that reduces noise levels from rooftop HVAC units by an additional 3 to 5 dBA or more for ground floor receptors. Because of the attenuation achieved, nearest residences located to the north of the project site would be exposed to an exterior noise level of 33 dBA L_{max} or lower. This range of noise levels is substantially lower than traffic noise on roadways in the project vicinity and the truck movement and loading/unloading noise. Therefore, because the City's exterior noise standard of 60 dBA L_{dn}/CNEL for HVAC equipment in residential district (Planning and Zoning Code, Chapter 9.03.040) would not be exceeded at the nearest sensitive noise receptors, no significant noise impact resulting from the operation of rooftop HVAC equipment would occur and no mitigation is required. (DEIR, pg. 4.4-15)

Garbage compactors generate approximately 70 dBA L_{max} at 6 feet. With the effect of distance divergence, noise generated by garbage compactors would be reduced to 26 dBA L_{max} or lower at the closest residences. Because the City's exterior noise standard of 60 dBA L_{max} during the day and 55 dBA L_{max} during the night would not be exceeded, no significant noise impacts from the on-site garbage compactors would occur. In the absence of any significant impact, no mitigation is required. (DEIR, pg. 4.4-15)

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It is anticipated that the proposed uses would have some sort of speaker system at the truck loading docks. Typical loud speakers generate a sound level of 75 dBA L_{max} at 50 feet. With the distance attenuation of 26 dBA the speaker noise at the nearest residences will be at or below 49 dBA L_{max}. This range of maximum noise levels is lower than the City's nighttime exterior noise standards of 55 dBA L_{max} standard. Therefore, noise associated with loading dock speakers at the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast and no mitigation measures are required. (DEIR, pg. 4.4-15)

The typical maximum allowable interior noise levels for residential uses are 45 dBA between 10:01 p.m. and 7:59 a.m. and 50 dBA between 8:00 a.m. and 10:00 p.m. Typical southern California homes with windows open would achieve up to 12 dBA in exterior to interior noise reduction. When windows are closed, the noise attenuation increases to 24 dBA. Additionally, distance divergence of 1,000 feet provides 26 dBA of noise attenuation. Interior noise levels at the nearest residential homes to the north, attributable to loading/unloading activities from the nearest on-site loading areas, would be reduced to 37 dBA L_{max} with windows open and to 25 dBA L_{max} with windows closed. This range of noise level is compatible with or lower than typical household activity noise. Therefore, no significant interior noise impacts for the nearest sensitive receptors would occur and no mitigation is required. (DEIR, pg. 4.4-16)

5. Transportation

a. Design Features or Incompatible Uses

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Findings: Potential impacts of the Project related to design features or incompatible uses are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to the design features or incompatible uses will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and

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around the Project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to site access requirements.

The final design of all roadways and intersections within the Project site access would be reviewed by a licensed professional civil engineer to ensure adequate safety when traveling to and from the Project site. The proposed Project does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City of Moreno Valley consistent with the City's Circulation Element Objectives 5.1 (create a safe, efficient, and neighborhood-friendly street system), 5.5 (maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways), and 5.11 (eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians) and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required. (DEIR, pgs. 4.4-15 to 4.4-16)

b. Inadequate Emergency Access

Potential Significant Impact: Whether the proposed Project would result in inadequate emergency access.

Findings: Potential impacts of the Project related to inadequate emergency access are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to inadequate emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the developers of the proposed Project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Construction activities, which may temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. The proposed Project design would be submitted to and approved by the City's Fire and Police Departments prior the issuance of building permits. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required. (DEIR, pg. 4.4-16)

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c. Alternative Transportation

Potential Significant Impact: Whether the proposed Project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the design of the Project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation, including but not limited to pedestrian pathways and sidewalks consistent with the City's Circulation Element Objective 5.8 (encourage development of an efficient public transportation system for the entire community). Through the City's project review process, policies, plans, and/or programs supporting alternative transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur as a result of the proposed Project and no mitigation is required. (DEIR, pgs. 4.4-16 to 4.4-17)

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, airport facilities within the vicinity of the Project site include the March Air Field, which is part of the March Air Reserve Base (MARB). The Project site is located approximately 0.75 mile east of March Air Field and is entirely within Airport Influence Area II. As part of the standard process for development within Airport Influence Areas for MARB, proposed Projects are required to be reviewed by the ALUC for consistency with the ALUP. As a standard condition imposed during ALUC reviews, developments located within the boundaries of Influence Area III are required to provide avigation easements. To

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ensure consistency with the ALUC recommendations is maintained, avigation easements will be required as part of a condition of approval for the Project site. Development that would occur within Airport Influence II of MIP would not include any features that would alter air traffic patterns or the level of air traffic at the MIP; therefore, a less than significant air traffic safety impact would occur and no mitigation is required. (DEIR, pgs. 4.4-17 to 4.4-18)

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including biological resources, paleontological resources, geology and soils, hydrology and water quality, noise (short-term construction), and transportation (local intersections and roadways) were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Commission hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Commission. Specific findings of this Commission for each category of such impacts are set forth in detail below.

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1. Biological Resources

a. Adverse Effects to Sensitive or Special Status Species

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on candidate, sensitive, or special status species.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts to sensitive or special status species to less than significant:

Mitigation Measure BIO-1: *No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, Mitigation Measure BIO-3 shall apply.*

Mitigation Measure BIO-2: *No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in Mitigation Measure BIO-1. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, Mitigation Measures BIO-3 and BIO-4 shall apply.*

Mitigation Measure BIO-3: *If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.*

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Mitigation Measure BIO-4: *If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.*

Facts in Support of the Finding: According to Section 2.5.2 of the DEIR, the site is characterized as a regularly disked field that supports little to no standing vegetation and is not located within a Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Criteria Area. However, the site is located in an area that requires habitat assessments for burrowing owl, five Narrow Endemic Plant Species, and nine Criteria Area Plant Species in accordance with the MSHCP. During the habitat assessment surveys and focused surveys no sign of burrowing owls were observed. The Project site is not an optimal habitat for burrowing owl, but because burrowing owls have been known to occur on land that has been disturbed and is considered a mobile and opportunistic species, **Mitigation Measures BIO-1 through BIO-4** were taken to reduce the potential impact to less than significant. The five NEPS and nine CAPS were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the Project site lacks suitable habitat for these species due to historic agricultural activities. Nonetheless, focused surveys were conducted to cover the four depressed areas and the ditch. No special status plants were observed during the focused surveys. Because of the absence of members of the species and suitable habitat, a less than significant impact to other special status plants would occur. (DEIR, pg. 2-9)

2. <u>Cultural Resources</u>

a. Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on significant fossil resources.

Finding: Implementation of the following mitigation measures will reduce the impact to unique paleontological resources and site or unique geological features to less than significant:

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Mitigation Measure CUL-1: *Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:*

- *Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*

- *Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.*

- *If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.*

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- *Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.*
- *Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.*
- *Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.*

Facts in Support of the Finding: Based on the paleontological resources analysis contained in Section 2.5.3 of the DEIR, the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the proposed Project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. **Mitigation Measure CUL-1** has been identified to reduce the significance of paleontological resource impacts. Adherence to this measure would reduce impacts to paleontological resources to a less than significant level. (DEIR, pgs. 2-12 to 2-13)

3. <u>Geology and Soils</u>

a. Unstable Soils

Potential Significant Impact: The EIR evaluated and concluded that the Project site could experience soil shrinkage during excavation and recompaction.

Finding: Implementation of the following mitigation measures will reduce the potential impact of lateral spreading, subsidence, and collapse to less than significant:

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Mitigation Measure GEO-1: *Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.*

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be

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placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

Facts in Support of the Finding: Section 2.5.4 of the DEIR included a geotechnical analysis that performed in-place soil density tests, which revealed that soil shrinkage that may occur would be approximately 10 percent to 15 percent due to excavation and recompaction. This is based on the assumption that the fill would be compacted to 90 percent of the dry density per ASTM standards. As a result subsidence is estimated at 0.2 feet due to earthwork operations. Impacts are considered potentially significant and mitigation measures are required. The geotechnical analysis determined that there is no potential for landslides or liquefaction. Additionally, potential impacts related to lateral spreading would be reduced to less than significant level through adherence to the UBC. **Mitigation Measure GEO-1** would reduce potential impacts associated with unstable soils to a less than significant level. (DEIR, pgs. 2-15 to 2-16)

b. Expansive Soils

Potential Significant Impact: The EIR evaluated and concluded that expansive soils could occur.

Finding: Implementation of the following mitigation measures will reduce to potential impact of expansive soils to less than significant:

Mitigation Measure GEO-2: *Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.*

Facts in Support of the Finding: According to Section 2.5.4 of the DEIR, soils on site include Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine

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sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2). As detailed in the Project's geotechnical analysis, expansive soils were observed on the Project site. Exploratory trenches revealed the existing earth materials on site to consist of a disturbed soil/fill and natural soil. A fill/disturbed natural soil classifying as a brown, sandy to clayey silt to a silty sand was encountered across the site and ranged in depth from 1 foot to 1½ feet. These soils were noted to be soft to loose and damp. An undisturbed alluvium soil classifying as a brown sandy to clayey silt to a silty sand was encountered beneath the disturbed top soils and fill. These native soils were noted to be firm to stiff, medium dense to dense, and moist. Development of the proposed Project site would be required to adhere to UBC and City design and engineering standards. However, because expansive soils are present on site, impacts associated with this issue are potentially significant and mitigation measures are required. **Mitigation Measure GEO-2** would reduce potential impacts associated with expansive soils to a less than significant level. (DEIR, pgs. 2-16 to 2-17)

4. Hydrology and Water Quality

a. Water Quality Standards and Waste Discharge Requirements

Potential Significant Impact: The EIR evaluated and concluded that the Project could violate water quality or waste discharge requirements, substantially increase the rate of surface runoff causing flooding, create substantial additional sources of polluted runoff, or otherwise substantially degrade water quality.

Finding: Implementation of the following mitigation measures will reduce the potential impacts related to compliance with water quality standards and waste discharge requirements to less than significant:

Mitigation Measure HYD-01: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.*

Mitigation Measure HYD-02: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water*

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Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:

- *Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.*
- *Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.*
- *All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.*
- *The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.*
- *Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.*
- *The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.*

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In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

Mitigation Measure HYD-03: *Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:*

- *The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.*

Mitigation Measure HYD-04: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.*

Facts in Support of the Finding: According to Section 2.5.6 of the DEIR, development of the Project is required to obtain coverage under an NPDES permit, which includes the submittal of a Notice of Intent (NOI) application to the State Water Resources Control Board (SWRCB), the receipt of a Waste Discharge Identification Number (WDID) from SWRCB, and the preparation of an SWPPP for construction wastewater discharges. During the construction period, the Project would use a series of Best Management Practices (BMPs) to reduce erosion and sedimentation. These measures may include the use of gravel bags, silt fences, hay bales, check dams, hydroseed, and soil binders. The construction contractor would be required to operate and maintain these controls throughout the duration of on-site activities. In addition, the construction contractor would be

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required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the RWQCB. Adherence to **Mitigation Measures HYD-01 through HYD-04** will ensure that these practices and measures take place and would reduce the potential impacts related to compliance with water quality standards and waste discharge requirements to less than significant. (DEIR, pgs. 2-19 to 2-24)

b. Erosion

Potential Significant Impact: The EIR evaluated and concluded that the Project could significantly alter drainage patterns that would result in erosion or siltation.

Finding: Implementation of the following mitigation measures will reduce the potential impacts to less than significant:

Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed Project site are less than or equal to pre-development flows.

Facts in Support of the Finding: According to Section 2.5.6 of the DEIR, the majority of storm flows associated with the Project will be collected by a series of drop inlet catch basins. While the increase in impervious surfaces attributable to the proposed Project would contribute to a greater volume and higher velocity of storm water flows, the proposed Project's drainage system would accept and accommodate runoff that would result from Project construction at or below pre-Project conditions. Therefore, the post-development flows generated on the Project site would not exceed the capacity of the planned storm water drainage systems. To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified. With adherence to this mitigation measure, impacts associated with effects on existing drainage patterns are reduced to less than significant. (DEIR, pgs. 2-24 to 2-25)

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5. Noise

a. Short-Term Construction Noise

Potential Significant Impact: The EIR evaluated and concluded that noise levels from grading and other construction activities for the proposed Project may range up to 65 dBA at the closest residences north of the Project site for very limited times when construction occurs near the Project's boundary. Construction-related noise impacts from the proposed Project would be potentially significant.

Finding: Implementation of the following mitigation measures will reduce potential short-term construction noise impacts to less than significant:

4.4.6.1A *During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.*

4.4.6.1B *The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.*

4.4.6.1C *The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.*

4.4.6.1D *During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays.*

Facts in Support of the Finding: According to Section 4.4 of the DEIR, two types of short-term noise impacts could occur during the construction of the Project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed Project would incrementally increase noise levels on access roads leading to the site. The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the

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Project site. Construction of the proposed Project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings. The maximum noise level generated by each scraper on the proposed Project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA Lmax at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations to the Project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on Sundays and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

With adherence to the City's designated construction hours and with implementation of the proposed mitigation measures, potential short-term construction noise impacts would be reduced below the level of significance. (DEIR, pgs. 4.4-16 to 4.4-18)

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6. Transportation

a. Existing Plus Project Roadway Segments

Potential Significant Impact: The EIR evaluated and concluded that two roadway segments are forecasted to exceed satisfactory levels of service in the existing plus project conditions.

Finding: Implementation of the following mitigation measures will reduce project-specific roadway segment impacts to less than significant:

4.5.6.1A. *Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.*

4.5.6.1B. *Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.*

Facts in Support of the Finding: According to Section 4.5 of the DEIR, Perris Boulevard north of Grove View Road (southbound); and Perris Boulevard south of South Project Driveway (northbound and southbound) are projected to operate at unsatisfactory levels of service. The DEIR determined that this roadway currently operates at unsatisfactory levels of service without the projected conditions. The City is currently in the process of implementing a Capital Improvement Project to widen Perris Boulevard from Cactus Avenue south to city limits. The improvement project will widen Perris Boulevard to a six-lane street section, consistent with the General Plan. Construction is scheduled to start in the summer of 2012 and end in May 2013. The widening will encompass the improvements defined in the DEIR to improve operations of the roadway to the City's level of service standard and mitigate the proposed Project's contribution to the impact. With implementation of the City's improvements to Perris Boulevard and implementation of Mitigation Measures 4.5.6.1A

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and 4.5.6.1B requiring that the Project applicant pay traffic impact fees, project-specific impacts will be reduced to less than significant levels. (DEIR, pgs. 4.4-18 to 4.4-19)

b. Year 2013 Cumulative With Project Conditions Intersection and Roadway Segments

Potential Significant Impact: The EIR evaluated and concluded that eleven intersections and four roadway segments are forecasted to exceed satisfactory levels of service in the year 2013 cumulative plus project conditions.

Finding: Implementation of the following mitigation measures will reduce the Project's contribution to cumulatively considerable intersection and roadway segment impacts to a less than significant level:

4.5.6.2A. *Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.*

Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

Facts in Support of the Finding: According to Section 4.5 of the DEIR, an intersection and roadway segment level of service analysis was conducted for the year 2013 cumulative with project condition to determine the Project's contribution to cumulative traffic impacts to local intersections and roadway segments. As identified in Table 4.5.E in the DEIR, the addition of Project traffic to the year 2013 cumulative scenario would result in conditions exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);

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- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

The project contributes to the failure to meet the level of service standard at ten of the eleven intersections resulting in a significant cumulative impact. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a project-specific impact because the need for the intersection is exclusively for project access.

As identified in Table 4.5.E in the DEIR, the addition of Project traffic to the year 2013 cumulative scenario would result in conditions exceeding the established LOS standard at the following roadway segments:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Section 4.5 of the DEIR identifies the improvements necessary to maintain the level of service standard at the intersections and roadways impacted in the year 2013 plus project condition. The roadway and intersection improvements are consistent with the City's General Plan and DIF program and are included in the County's TUMF program. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element.

The following improvements were identified in the DEIR to maintain or improve the operational level of service of the impacted intersections and roadways. The improvements required to maintain or to improve the level of service operations of transportation facilities affected by the project will be constructed through the City's DIF as supplemented by the County's TUMF program. The project will participate with these programs as part of **Mitigation Measures 4.5.6.1A and 4.5.6.1B**. The list of improvements is as follows:

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- I-215 Southbound Ramps/Harley Knox Boulevard: Restripe the left-most westbound through lane as a left-turn lane. Restripe the off-ramp to provide two left-turn lanes and a shared through/right-turn lane. This improvement is part of the TUMF program.

- I-215 Northbound Ramps/Harley Knox Boulevard: Restripe the northbound shared through/left-turn lane as a shared left-turn/through/right-turn lane. Add an eastbound free right-turn lane. This improvement is part of the TUMF program.

- Indian Street/Harley Knox Boulevard: Add an eastbound through lane. Provide overlap phasing for the southbound right-turn lane. These improvements are consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.

- Perris Boulevard/Gentian Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. Perris Boulevard/Iris Avenue: Add a second westbound left-turn lane and an eastbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Krameria Avenue: Add two southbound through lanes, a northbound through lane, and a northbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Nandina Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Grove View Road: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

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- Perris Boulevard/South This improvement is part of the City DIF and County TUMF programs.

- Project Driveway: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of City DIF and TUMF programs.

- Perris Boulevard/Harley Knox Boulevard: Add two southbound through lanes, one northbound through lane, a second eastbound left-turn lane, and overlap phasing for the southbound right-turn lane. These improvements are part of the TUMF program.

- Harley Knox Boulevard west of Indian Street: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.

- Indian Street south of South Project Driveway: Widen to a four-lane Undivided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City of Moreno Valley DIF and TUMF programs.

- Perris Boulevard north of Grove View Road: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City's DIF and TUMF programs.

- Perris Boulevard south of South Project Driveway: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley and City of Perris General Plan Circulation Elements. This improvement is part of the City of Moreno Valley DIF and County TUMF programs.

With implementation of these improvements, all intersections and roadway segments would operate at the applicable performance standard or better during peak hours for year 2013 cumulative with project conditions resulting in a less than significant impact.

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The project will contribute toward these future intersection and roadway improvements to maintain the applicable level of service standard through payment of frees required as part of the DIF and TUMF programs. As part of its Capital Improvement Program (CIP), the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents. The CIP projects are funded by a variety of sources including the County TUMF program and the City's DIF program and general fund. (DEIR, pgs. 4.4-19 to 4.4-28)

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley Planning Commission finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: agricultural resources (individually and cumulative), air quality (individually and cumulative), cumulative climate change and greenhouse gas emissions, transportation (and cumulative). In accordance with CEQA Guidelines Section 15092(b)(2), the Planning Commission of the City of Moreno Valley cannot approve the Project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. <u>Agricultural Resources (Individual and Cumulative Impacts)</u>

a. Conversion of State Designated Farmland

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could impact 16.89 acres of Prime Farmland, 16.23 acres of Farmland of Local Importance, and 38.69 acres of Farmland of Local Importance.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level

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of less than significant. Accordingly, Project-related impacts to state designated farmland will remain significant and unavoidable.

Facts in Support of the Finding: Section 4.1 of the DEIR identifies several potential agricultural conservation measures contained in the City's General Plan that include: enrolling productive agricultural land into a Williamson Act Contract; providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development; protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights; purchasing conservation easements on existing agricultural land to ensure that the land is never converted to urban uses; and donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

The potential agricultural conservation measures identified in the DEIR are not considered to be feasible by the City for the following reasons:

Williamson Act Contracts: Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. In addition, Williamson Act contracts will result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends.

Protecting Existing Agricultural Operations: Providing protection for ongoing agricultural activities from new developments, such as buffers between agricultural operations and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties, will not permanently protect agricultural land.

Transfer of Development Rights, Conservation Easements, or Agricultural Conservation Bank: The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." For this reason, the City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The existing and

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continued reduction in productive agricultural operations within the City is produced by several factors including; urbanization in the City and Inland Empire resulting in dramatically increasing land prices; high water and labor costs; environmental regulation (e.g., insects, odors, groundwater contamination, and solid waste removal); and competition from Kern County and the Central Valley with lower land costs and reduced regulations. (DEIR, pgs. 4.1-10 to 4.1-14)

The City has determined that these measures are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified.

b. Conversion of Farmland to a Non-Agricultural Use

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would result in the development of industrial uses on land that has historically been utilized for sod production.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts from the conversion of farmland to a non-agricultural use will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the DEIR, the Project site has historically been in agricultural production and was most recently used to grow sod, and the sod production ceased operations in in August 2005 and has not been in agricultural production since that time. The conversion of the Project site to a non-agricultural use is a result of various economic and demographic factors. Increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion. A LESA model was also used to evaluate the site. It was determined that the Project LESA score is 64.38, which is considered significant. The Project does not include design features that would prevent the existing agricultural operations in the area from continuing. The Project would convert land that was previously used for agriculture and the development of the proposed Project may contribute to the conversion of adjacent lands. However, the Project is a logical extension of development in the City and does not create leapfrog development or islands of agricultural land that would be difficult to farm. The City recognizes development pressures within the City, and that these pressures will increase as the City continues to build out. Additionally, while the Project would not directly cause the conversion of adjacent agricultural land to non-agricultural uses because in has lied fallow for seven years, it would contribute to development pressure within the City that could potentially lead to the conversion of

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agricultural land off site. However, as stated in the previous discussion of these Findings regarding the conversion of state designated farmland, the City has determined the agricultural conservation measures identified by the City are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified. (DEIR, pgs. 4.1-10 to 4.1-15)

c. Cumulative Agricultural Resource Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would have a significant cumulative impact on agricultural resources in Riverside County.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to cumulative state designated farmland will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the DEIR, the Project-related impacts to Farmland of Statewide Importance and the conversion of agricultural land to a non-agricultural use cannot be mitigated through a local or regional program to mitigate impacts to agricultural resources. As stated previously, the City does not maintain a General Plan or zoning designation for agricultural uses and there are no Project-level feasible mitigation measures that would help reduce cumulative impacts. During the last reporting period (2006–2008), 6,540 acres of Prime Farmland, 2,366 acres of Farmland of Statewide Importance, and 8,873 acres of Farmland of Local Importance were converted to other uses. The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance is a finite resource, the conversion of approximately 71 acres to industrial uses, combined with planned and future development in the City and region, represents a significant cumulative impact to agricultural operations and resources. (DEIR, pg. 4.1-16) As stated in the previous discussion of these Findings regarding the conversion of state designated farmland and conversion of agricultural land to a non-agricultu8rla use, the City has determined the agricultural conservation measures identified by the City are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified

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2. Air Quality (Project-Specific and Cumulative Impact)

a. Short-Term Construction Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Commission finds that **Mitigation Measures 4.2.6.1A through 4.2.6.1T** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Commission finds that even with application of the following mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.2.6.1A *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed Project construction documents, which shall be reviewed by the City.*

4.2.6.1B *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators. Contract specifications shall be included in the proposed Project construction documents, which shall be reviewed by the City.*

4.2.6.1C *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed Project construction documents, which shall be reviewed by the City.*

4.2.6.1D *All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*

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4.2.6.1E *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*

4.2.6.1F *The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.*

4.2.6.1G *Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).*

4.2.6.1H *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).*

4.2.6.1I *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.2.6.1J *If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.*

4.2.6.1K *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*

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- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High-pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch vendor services shall be permitted on site during construction to minimize the need for off-site vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered; and*

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- *Suspend use of all construction equipment operations during second stage smog alerts.*

4.2.6.1L *Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*

4.2.6.1M *All project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

4.2.6.1N *When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.*

4.2.6.1O *All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.*

4.2.6.1P *Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.*

4.2.6.1Q *Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*

4.2.6.1R *All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.*

4.2.6.1S *Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of*

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large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.

4.2.6.1T *Reroute construction trucks away from congested streets and sensitive receptor areas.*

These measures shall be enforced by the on-site facilities manager (or equivalent.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.2.6.1A through 4.2.6.1T, Project construction activities would temporarily exceed SCAQMD regional and localized emissions thresholds for oxides of nitrogen (NO_x) and particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.2-I and 4.2-J) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.2-19 through 4.2-25).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed applicable daily thresholds for operational activities.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Commission finds that Mitigation Measures 4.2.6.3A and 4.2.6.3B is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Commission finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

4.2.6.3A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill*

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this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- *Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.*
- *Increase in insulation such that heat transfer and thermal bridging is minimized.*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.*
- *Incorporate dual-paned or other energy efficient windows.*
- *Incorporate energy efficient space heating and cooling equipment.*
- *Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed.*
- *To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site.*
- *Use paint and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings.*
- *Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.*
- *Reduce energy demand associated with potable water conveyance using the following:*
    - *Landscaping palette emphasizing drought-tolerant plants;*
    - *Use of water-efficient irrigation techniques; and,*
    - *U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.*
- *Provide secure, weather-protected, on-site bicycle storage/parking.*

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- *Provide on-site showers (one for males and one for females). Lockers for employees shall be provided.*
- *Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.*
- *Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.*
- *Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.*
- *Implement compressed workweek schedules.*
- *Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*

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- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks;*
- *Use of SmartWay 1.25 rated trucks.*
- *Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.*
- *Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*

4.2.6.3B *The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.2.6.3A and 4.2.6.3B, Project operational activities will exceed SCAQMD daily emissions thresholds for ROG, NO_x, CO, and PM_{10}. (DEIR Table 4.2.K) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.2-26 to 4.2.28)

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c. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts cumulative air quality impacts will remain significant and unavoidable.

Facts in Support of the Finding: Included in Section 4.2 of the DEIR, Table 4.2.K indicates that the long-term operation of the Project would contribute to long-term regional air pollutants despite implementation of mitigation measures. The Basin is in nonattainment for NO_X, PM_{10}, $PM_{2.5}$, and ozone at the present time; therefore, the operation of the proposed Project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed Project would unavoidably contribute to significant long-term cumulative air quality impacts. (DEIR, pg. 4.2-29)

3. <u>Climate Change and Greenhouse Gas</u>

a. Cumulative Impacts of Climate Change and Greenhouse Gas

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have a cumulative impact related to climate change and greenhouse gas emissions.

Finding: Based on the entire record before us, this Commission finds that the Project's impacts related to climate change and greenhouse gas emissions is potentially significant but will be reduced to the extent feasible through mitigation measures. The Commission finds that **Mitigation Measures 4.3.6.1A and 4.3.6.1C** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Commission finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

Facts in Support of the Finding: According to Section 4.3 of the DEIR, the Project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05.

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However, the proposed Project's GHG emission contribution would result in a cumulative impact regarding climate change and greenhouse gas emissions and the cumulative impacts of the proposed Project on climate change and greenhouse gas emissions are considered to be significant and unavoidable. (DEIR, pgs. 4.3-21 4.3-27)

4. Transportation

a. Existing Plus Project and Cumulative Plus Project Freeway Segments and Freeway Merge/Diverge Areas

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would contribute to two freeway merge/diverge areas failing to maintain the level of service standard in the existing plus project condition. The EIR evaluated and concluded that the Project would contribute to four freeway segments and merge diverge areas failing to maintain the level of service standard in the year 2013 plus project condition.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to freeway segments will remain significant and unavoidable.

Facts in Support of the Finding: As indicated in Section 4.5 of the DEIR, the following two freeway segments are projected to operate at unsatisfactory levels of service in the existing plus project analysis:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

The following four freeway segments and freeway merge/diverge areas are projected to operate at unsatisfactory levels of service in the cumulative year 2013 plus project analysis:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. and p.m. peak hours);
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour); and

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- Freeway segment south of Harley Knox Boulevard (a.m. peak hour).

Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed. (DEIR, pgs. 4.5-18 4.5-28)

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed four alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. The No Project Alternative, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed yet the site would be developed in a similar manner to the proposed Project and consistent with existing zoning for the site. A Reduced Intensity Alternative, a Commercial Center (mixed retail/office) Alternative, and an Off-site Alternative were also selected for analysis. CEQA requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Commission is evaluating the alternatives.

1. Alternative 1 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Specific Plan 208 zoning designation, consisting of an underlying land use of Business Park/Industrial. To allow for quantified comparison of potential impacts, the No Project Alternative was assumed to result in the development of approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. The commercial service component of this alternative would be located along the frontage of Perris Boulevard while the industrial warehouse uses would occupy the remaining portion of the site. (DEIR, pg. 6-12)

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Impacts: The No Build Alternative, as referenced in Section 6.0 of the DEIR, would result in similar impacts when compared to the proposed Project. Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Aesthetics; Williamson Act Contracts/Agricultural Zoning and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use; Mineral Resources; Noise; Population and Housing; Public Services; Recreation and Parks; and Utilities and Service Systems. The Project's significant and unavoidable agricultural impacts, air quality impacts, climate change and GHG impacts, and transportation impacts would also occur in the same manner as the proposed project. However, under the No Build Alternative, potential air quality, climate change, and traffic/transportation impacts would be greater than the proposed project because of the higher trip generation potential of the commercial uses.

Objectives: Under the No Build Alternative, the subject site would develop in a similar manner as the proposed Project, and most of the Project Objectives would be achieved. However, the objectives specifically oriented towards warehouse and industrial uses would be met at a reduced level due to the commercial component included in this Alternative.

Finding: Under the No Build Alternative, the project site would be developed with approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres. This Alternative would result in the same significant and unavoidable impacts associated with agricultural resources, air quality, climate change and greenhouse gases, and traffic that have been identified within the DEIR. However, potential air quality, climate change, and traffic/transportation impacts would be greater than the proposed project because of the higher trip generation potential of the commercial uses. Because the No Build Alternative results in an increase in potential significant and unavoidable impacts in comparison to the proposed Project, the Planning Commission hereby rejects the No Build Alternative.

2. <u>Alternative 2 – Reduced Intensity Alternative</u>

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for air pollution and greenhouse gas emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent but at a reduced level. Implementation of the Reduced Intensity Alternative would

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yield approximately 1,212,100 square feet of development, a reduction of approximately 25 percent or approximately 434,033 square feet, when compared to the approximately 1,616,133 square-foot Project analyzed in the EIR.

Impacts: Under the Reduced Intensity Alternative, impacts related to agricultural resources would be similar to the proposed Project as the same amount of land would be disturbed. Similarly, impacts related to short-term construction-related air quality would be similar to the proposed Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed Project; however, long-term traffic impacts to state freeway segments and merge/diverge areas would remain significant and unavoidable. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the Project but would remain significant and unavoidable. Impacts associated with the generation of greenhouse gas emissions would also be reduced proportionate to the reduction in building area in comparison to the proposed project, but would remain significant and unavoidable.

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project.

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 25 percent (or 434,033 square feet) would be realized as compared to the Project. The Planning Commission hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable agricultural resources impacts, construction and operational air quality impacts, and cumulative greenhouse gas impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the Planning Commission rejects the Reduced

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Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The Planning Commission also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the Planning Commission's rejection of this alternative.

3. Alternative 3—Commercial Center (Mixed Commercial/Office)

Description: As identified in Section 6.0 of the DEIR, the Commercial Center Alternative would result in the development of commercial service and office uses on the Project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.

Impacts: As identified in Section 6.0 of the DEIR, the Commercial Center Alternative would result in similar impacts for the following eight environmental issues: Agriculture and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; and Mineral Resources. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the proposed Project. Long-term traffic impacts to state freeway mainline segments and merge/diverge areas would remain significant and unavoidable. Under the Commercial Center Alternative, impacts related to short-term construction emissions would be similar to the proposed Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude because of the increase in vehicle trips when compared to the Project and would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the proposed Project and would remain less than significant.

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Objectives: Under this alternative, some of the proposed Project objectives are not met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley, but not within the industrial employment sector.

Findings: Under the Commercial Center Alternative, development of commercial service and office uses would occur. This Alternative would have similar impacts that have been identified within the DEIR. However, the Commercial Center Alternative would result in an increase in trip generation in comparison to the proposed Project, and would result in an increase in the severity of the significant and unavoidable impacts to construction and operational air pollution emissions, climate change and greenhouse gas emission, and traffic. The Planning Commission finds that the Commercial Center Alternative would fulfill some but not all of the Project Objectives. Moreno Valley residents would have more opportunities for employment but a warehouse would not be built. Because the Commercial Center Alternative will not fulfill the primary objective of the Project and the severity of significant and unavoidable impacts would be increased in comparison to the proposed Project, the Commission hereby rejects the Commercial Center Alternative.

4. Alternative 4—Off-Site Location

Description: As identified in Section 6.0 of the DEIR, this alternative would result in the same intensity of development of approximately 1,616,133 square feet of warehouse uses on approximately 70.3 acres. The alternative Project site identified by the City is bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.0 miles northwest of the Project site and is within the same Industrial Area Specific Plan as the proposed Project. This alternative off-site property is not owned or under the control of the applicant. The off-site location is currently zoned SP 208 I and is designated Business Park in the City's General Plan, identical to the proposed Project development of this site would not require soil import, inherently reducing impacts form air pollution emissions during construction.

Impacts: Section 6.0 of the DEIR, identifies nine environmental issues that would have similar impacts as the proposed Project. These issues are: Cultural Resources; Geology and Soils; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Population and Housing; Public Services; Recreation; and Utilities and Service Systems. With the Off-Site Location Alternative, impacts related to air quality and traffic impacts would be similar to those identified with the

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proposed Project. Short-term construction and long-term air quality operational and climate change/greenhouse gas emissions impacts under this alternative would remain significant and unavoidable and would result in similar conditions as identified for the proposed Project. Additionally, due to adjacent sensitive receptors, potential impacts to these receptors would be greater in magnitude when compared to the proposed Project. Similarly, noise impacts would be greater in magnitude due to the adjacent sensitive receptors. Operational traffic would result in increased traffic on vanity roadways and may impact different intersection and roadways in comparison to the proposed Project. Under this Alternative, impacts to agricultural resources would be eliminated.

Objectives: The Off-Site Alternative would meet most of the Project objectives. The location of the Off-Site Alternative further north of Harley Knox Boulevard would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system.

Finding: Under the Off-Site Alternative, development of the warehouse would occur in a different location. This Alternative would have similar impacts that have been identified within the DEIR. And most of the objectives of the proposed Project would be met, would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system. The Commission finds that the Off-Site Alternative would have similar impacts to all environmental issues except for agriculture because this Alternative would eliminate the significant and unavoidable impacts to agricultural resources.. Because the Off-Site Alternative will not substantially reduce the environmental impact of the Project and it would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system, the Commission hereby rejects the Off-Site Alternative.

5. Alternatives Considered and Rejected

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 6-3 through 6-5) Three possible alternatives were considered and rejected because they could not accomplish the basic objectives of the Project or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated project objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the proposed Project is to provide for and expand employment and revenue opportunities within the City

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of Moreno Valley. The proposed Project would expand employment options in a location that is convenient to existing transportation corridors, convenient to existing and future City residents and would augment the City's economic base. The following provides and discussion of the three development scenarios that were considered and rejected as potential alternatives to implementation of the proposed Project based on Section 15126.6 of the *CEQA Guidelines* because they did not feasibly attaining most of the basic objectives of the Project while reducing or avoiding any of the significant effects of the proposed Project:

- No Build Alternative: No development would take place within the Project limits and no impacts would occur. However, disallowing development of the site, as suggested by this alternative, would not fulfill the primary objectives of the proposed Project and the site would likely be developed in accordance with existing zoning should the Project not move forward. Retention of the project site in its current condition would not expand employment opportunities to residents of the City. Retaining the site in its current undeveloped condition would not generate the revenue (e.g., property tax) that could augment the City's current revenue stream. Therefore, the No Build Alternative was rejected from further consideration in the EIR.

- Residential Alternative: The Residential Alternative would develop the 71-acre project site with approximately 355 single-family units based on the City's R5 zone. The R5 zone was utilized as this is the zoning designation of the nearest residential uses to the north along Perris Boulevard and north of the Perris Valley Storm Drain channel. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and Industrial Area Plan (SP208 I) zoning designation to a residential R5 designation. Furthermore, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. Since the Residential Alternative consists only of residential uses, employment-generating opportunities would not occur aside from temporary construction work, which would be filled predominantly by those already residing in the area. The residential uses would produce demand for public services that would exceed the amount of municipal revenues it would generate. The project's full potential to utilize the area's close proximity to various freeways and transportation corridors would not be realized as only residential uses would occur under the Residential Alternative. Additionally, the development of the entire 71-acre project site under this alternative would

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result in the placement of the residential uses within an area planned for industrial uses which could result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City employment generating objectives for development of the Project site.

- Mixed Commercial/Residential Alternative: The Mixed Commercial/Residential Alternative would develop the 71-acre project site with approximately 690,000 square feet of Community Commercial uses and 532 multiple-family units. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and SP208 I zoning designation to a residential designation and commercial designation. Additionally, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. While the commercial component of this Alternative would utilize the project site's close proximity to nearby transportation corridors, the development of the remainder of the site with residential uses would not provide the varied employment and service uses and revenue associated with the proposed project. The development of approximately half of the project site under this alternative with residential uses would result in the placement of the residential uses adjacent to SP208 I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. The residential component of this alternative would produce demand for public services that would exceed the amount of municipal revenues it would generate, and there would be little to no employment opportunities created. Therefore, the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City employment generating objectives for development of the project site.

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6. Environmentally Superior Alternative

As explained by Section 6.0 in the DEIR, Alternative 2 (Reduced Intensity Alternative) reduces the severity of Project related air quality impacts. However, long-term air quality impacts, would remain significant after mitigation for this alternative for ROG, NO_x, PM_{10} and $PM_{2.5}$. In a similar manner, Alternative 2 would reduce the volume of daily traffic trips when compared to the proposed Project; however, such impacts to state freeway mainline segments and merge/diverge areas would remain significant and unavoidable until freeway improvements are completed by the state. Alternative 2 would also reduce the quantity of greenhouse gas emission when compared to the proposed Project; however, impacts to Climate Change would remain significant and unavoidable. The remaining environmental issues would ultimately be similar to the proposed Project through adherence to existing standards and mitigation measures. Based on the analysis in Section 6.0 and the summary contained in Table 6.K, Alternative 2, the Reduced Intensity Alternative, is the environmentally superior alternative. The amount of development under this alternative would be reduced when compared to the proposed Project; however, the Alternative 2 would not satisfy several of the Project objectives because it would reduce the level at which it meets the employment generating Project objectives. Because the Reduced Intensity Alternative allows the development of warehouse uses and the provision of new employment opportunities, it meets many of the City's stated Project objectives, while at the same time reduces the impacts associated with the proposed Project. However, because of the lower industrial density, the Alternative fails to meet several key employment generating objectives related to density efficiencies in the same manner as the proposed Project.

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

Section 5.0 of the DEIR identifies the extent to which the new jobs created by a Project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. Construction of the proposed Project will create short-term construction jobs. Due to the existing high unemployment levels that exist in the City, the potential exists for these short-term positions to be filled by workers who, for the most part, reside in the City or neighboring

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communities to the Project area. Therefore, construction of the proposed Project will not generate a permanent increase in population within the Project area.

As previously identified, the proposed Project is expected to employ 646 people. These full-time positions are also anticipated to be filled by workers who, for the most part, reside in the Project area due to high unemployment levels that exist in the City. Operations of the proposed Project will not generate a permanent increase in population within the Project area.

The area surrounding the Project site is governed by the City of Moreno Valley General Plan and the area is guided by Specific Plan 208. Specific Plan 208 guides land use within the Project area to ensure that new development and redevelopment is implemented consistent with the land use policies, controls, and standards contained in Specific Plan 208. Any development of remaining undeveloped land adjacent to the Project site would require its own discretionary approvals and is not reliant on the proposed Project. However, development of the Project site may lead to indirect growth in the Specific Plan area by making available the extension of infrastructure such as water, sewer, drainage, etc. This growth has been planned for and is guided by Specific Plan 208.

The proposed Project would occur within an area currently designated for industrial uses. The proposed Project would not require a General Plan Amendment nor does it require a change in the underlying zoning designation. In addition, the Project reflects the City of Moreno Valley's vision for the area and is consistent with Specific Plan 208. Land uses surrounding the Project site would be in conformance with the City's General Plan and Specific Plan 208. Impacts to population and housing are less than significant; see Section 13 Population and Housing of the Initial Study (Appendix A of the DEIR).

The proposed Project would not eliminate a constraint for development of an approved Project within the City of Moreno Valley. There are no projects in the City of Moreno Valley or surrounding cities that have been approved but are conditioned or dependent on additional improvements at the Project site. Specific Plan 208 guides land uses surrounding the Project site to ensure compatibility between existing operations and adjacent surrounding development. Additionally, the proposed Project would not add capacity to urban services or infrastructure that would be utilized by other project proponents in the surrounding area.

The proposed Project would not result in any significant pressure to redevelop the area around the Project site at a higher density. As previously stated, the development of remaining

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undeveloped land adjacent to the Project site is independent and not reliant on the proposed Project. Therefore, implementation of the proposed Project would not result in redevelopment of adjacent lands at a higher intensity than already prescribed in the City of Moreno Valley's General Plan and Specific Plan 208.

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project does not trigger any of the conditions cited in Guidelines §15127. Nonetheless, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or

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- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Determining whether the proposed project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The project site is generally fallow agricultural land with the site historically used for sod farming operations. However, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the proposed project would permanently alter the site by converting predominantly agricultural uses to urban uses. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the proposed project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is justified in supporting the City's planned use of the site and is not expected to negatively impact the availability of these resources.

In addition, this industrial warehouse project, in concert with the other built or approved industrial warehouse projects, will fundamentally change the character and land use pattern of this portion of the City. Many of the project-specific impacts are addressed, as outlined above, but the change in the use of the land from agricultural to industrial represents a substantial irreversible change for this area. However, this is an intended change a verified by the City's General Plan land use designations and zoning for the area. (DEIR pgs. 5-2 and 5-3)

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley Planning Commission adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Agricultural Impacts—Conversion of State Designated Farmland;

2. Agricultural Impacts—Conversion to a Non-Agricultural Use; and

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3. Cumulative Agricultural Impacts

4. Air Quality Impact—Construction Air Pollutant Emissions;

5. Air Quality Impact—Operational Air Pollutant Emissions; and

6. Cumulative Air Pollutant Emissions.

7. Climate Change and GHG Emissions —

8. Transportation—Existing and Cumulative Impacts to State Freeway Segments and Freeway Merge/Diverge Areas

The Moreno Valley Planning Commission hereby declares that, pursuant to CEQA Guidelines Section 15093, the Planning Commission has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The Planning Commission hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(C) herein.

The Planning Commission hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The Planning Commission hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this Planning Commission finds outweigh the unmitigated impacts.

The Planning Commission further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this Planning Commission finds outweigh any environmental benefits of the alternatives or the other alternatives do not substantively reduce the severity of unavoidable and significant impacts.

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The Planning Commission hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the Planning Commission has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with SP 208, municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Commission finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the Project have been identified in the Draft EIR, the Final EIR and public testimony. This Commission also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Commission has identified economic and social benefits and important policy objectives, Section V above, which result from implementing the Project. The Commission has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Commission finds that the benefits identified herein override the unavoidable environmental effects.

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California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered „acceptable."""

The Planning Commission hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The Planning Commission finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley Planning Commission finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the Planning Commission.

The Planning Commission declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the Planning Commission after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies, amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The Planning Commission hereby certifies the EIR based on the following findings and conclusions:

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A. Findings

1. CEQA Compliance

As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the Findings and supporting documentation. The Planning Commission determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The Planning Commission finds that the EIR was prepared in compliance with CEQA and that the Planning Commission complied with CEQA"s procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the Planning Commission. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(C) of these Findings: Agricultural Impacts—Conversion of State Designated Farmland; Agricultural Impacts—Conversion to a Non-Agricultural Use; Cumulative Agricultural Impacts; Air Quality Impact—Construction Air Pollutant Emissions; Air Quality Impact—Operational Air Pollutant Emissions; Cumulative Air Pollutant Emissions; Climate Change and GHG Emissions; Transportation—Existing Year (2007) with Project Level of Service; and Transportation—Existing and Cumulative Impacts to State Freeway Segments and Freeway Merge/Diverge Areas.

The Planning Commission has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the Planning Commission determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the

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EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(C) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

VII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the Planning Commission hereby adopts, as conditions of approval of the Project, the Mitigation Monitoring and Reporting Plan (MMRP) set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

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4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

VIP Moreno Valley Project

The program has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2011081084) prepared for the project by the City of Moreno Valley.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the Initial Study and the Final EIR.

4.2 MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

EXHIBIT B

4.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: VIP Moreno Valley Project **Applicant: Vogel Engineers, Inc.**

Date: June 2012

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
AIR QUALITY						
4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading and during grading operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents,	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
which shall be reviewed by the City.						
4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During grading	Review of construction documents and on-site inspection		Issuance of a Stop Work Order
4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1H The contractor shall minimize	City of Moreno	Throughout	During	On-site inspection		Issuance of a

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Valley Engineering and Building and Safety	construction	Construction			Stop Work Order
4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading and during grading operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order

MV00170013

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment						

MV00170014

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. • Suspend use of all construction equipment operations during second stage smog alerts.						
4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

MV00170015

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.						
4.2.6.1M All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1N When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1O All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1P Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

MV00170016

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1R All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1T Reroute construction trucks away from congested streets and sensitive receptor areas.	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy	City of Moreno Valley Building and Safety Planning Division	Prior to Construction (once)	Prior to Issuance of Building Permits	Review of building plans and on-site inspection		Withhold Building Permits

MV00170017

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed. • To the extent that they are compatible with landscaping guidelines established by the City,						

MV00170018

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site. • Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings. • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • Reduce energy demand associated with potable water conveyance using the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements. • Provide on-site showers (one for males and one for females). Provide lockers for employees.						

MV00170019

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan. • Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans. • Implement compressed workweek schedules; • Achieve at least 20% per year (as a percentage of previous percentage,						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. • Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; • Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; • Provision of preferential parking for EV and CNG vehicles; • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; • Use of electric (instead of diesel or gasoline-powered) yard trucks; • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk						

MV00170021

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.						
4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	City of Moreno Valley Building and Safety	Prior to Construction (once)	Prior to Issuance of Building Permits and Final Site Plan Approval	Review of final site plan and building plans and on-site inspection		Withhold Building Permits
BIOLOGICAL RESOURCES						
Mitigation Measure BIO-1: No more than 72 hours prior to initiation of ground-	City of Moreno Valley Planning	Prior to Grading	Prior to Issuance of Grading Permit	Submittal of Evidence that the		Withhold Grading Permit

MV00170022

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.	Division			pre-construction survey has been completed.		
Mitigation Measure BIO-2: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Submittal of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Submittal of a report of the survey findings.		Withhold Grading Permit
Mitigation Measures BIO-3. If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit			Withhold Grading Permit

MV00170023

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.						
Mitigation Measure BIO-4: If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that the passive relocation plan has been approved by CDFG and USFWS.		Withhold Grading Permit
CULTURAL RESOURCES						
Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:	City of Moreno Valley Planning Division	Prior to grading and on-going during ground disturbing activities.	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified paleontologist has been retained, and that the paleontologist(s) will be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. A report of findings		Withhold Grading Permit/ Issuance of a Stop Work Order

MV00170024

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.				shall be submitted to the City after the finalization of construction.		

MV00170025

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources						
GEOLOGY AND SOILS						
Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered,	City of Moreno Valley Planning Division Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

MV00170026

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be						

MV00170027

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.						
Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of grading and construction documents and on-site inspection		Withhold Grading Permit
GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE						
4.3.6.1A Prior to the issuance of building	City of Moreno	Prior to	Prior to issuance	Review of		Withhold

MV00170028

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.	Valley Building and Safety Planning Division	construction	of building permits	construction documents and on-site inspection		Building Permit
4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno	City of Moreno Valley Building and Safety	Prior to construction	Prior to issuance of building permits	Review of construction documents/building		Withhold Building Permit

MV00170029

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Valley that the following measures have been be incorporated into the design and construction of the project: • Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following: ○ Increase insulation such that heat transfer and thermal	Planning Division			plans and on-site inspection		

MV00170030

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bridging is minimized. ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. ○ Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following: ○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install efficient lighting and lighting control systems. Use daylight as an						

MV00170031

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.						
4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project: • The project applicant shall use low Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.	City of Moreno Valley Building and Safety Planning Division	Prior to building permit and occupancy	Prior to issuance of occupancy permit	Review of construction documents and on-site inspection		Withhold Occupancy Permit

MV00170032

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: • Install drought tolerant plants for landscaping. • Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. • Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.						
HYDROLOGY AND WATER QUALITY						
Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Submittal of copy of Notice of Intent to City filed with the RWQCB		Withhold Grading Permits

MV00170033

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
construction activities.						
Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP. Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Review and approval of SWPPP		Withhold Grading Permits

MV00170034

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences. The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance. Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.						
Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on	City of Moreno Engineering	During grading and construction	Prior to Grading	Review of construction documents and on-site inspection		Withhold Grading Permit

MV00170035

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.						
Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permit	Submittal of WQMP to City for review and approval		Withhold Grading Permit
Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permits	Submittal of evidence that all requirements are fulfilled		Withhold Grading Permit

MV00170036

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.						
NOISE						
4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit
4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1D During all project site construction activities, the construction contractor shall limit all construction-	City of Moreno Valley Building and Safety	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-		Withhold Grading Permit or Stop Work

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	Engineering Planning Division			site inspection		Order
TRANSPORTATION						
4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	City of Moreno Valley Building and Safety Engineering Planning Division	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of City DIF fees		Withhold Certificate of Occupancy
4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of Riverside County TUMF fees		Withhold Certificate of Occupancy

MV00170038

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
County of Riverside TUMF Program.						
4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	City of Moreno Valley Engineering	Once after construction	Prior to the Issuance of Occupancy Permits	Review of construction documents and on-site inspection		Withhold Occupancy Permits

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RESOLUTION NO. 2012-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING APPLICATION NO'S. PA09-0004 (PLOT PLAN FOR A 1,616,133 SQUARE FOOT WAREHOUSE), AND PA09-0012 (TENTATIVE PARECEL MAP NO. 36162).

Section 1:

WHEREAS, Vogel Engineers, Inc., has filed an application for the approval of PA09-0004, a plot plan for a 1,616,133 square foot warehouse distribution facility on 80 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on July 12, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

ATTACHMENT 3

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FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities. Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is currently zoned Industrial. The proposed use will comply with all applicable zoning regulations and the requirements of the Moreno Valley Industrial Area Plan (SP #208). The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 1,616,133 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

   Land uses to the north include a Waste Management facility and a 426,700 square foot warehouse building. Land uses to the west include the 360,440 square foot i-Herb warehouse building, approximately 20 acres of vacant Industrial zoned land and a site currently used for container storage. Further to the west is the southern approach to the runways at March Air Reserve Base. Land uses to the east include a ministorage facility, the

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approximately 255,000 square foot Masonite Door factory, and the approximate 1.2 million square foot Ross Dress For Less distribution facility.

The project site is located at the southerly City limits with a mixture of vacant Industrial zoned land and developed distribution land uses within the City of Perris on the south side of the Perris Valley Storm Drain.

The proposed warehouse distribution facility is a permitted use in the project site's Industrial zone. As designed and conditioned the project is compatible with existing and proposed land uses in the vicinity.

Section 2:

WHEREAS, the applicant, Vogel Engineers, Inc., has filed an application for the approval of PA09-0012 or Tentative Parcel Map No. 36162 to combine the existing four parcels located within the project site into a single 80 acre.

WHEREAS, on July 12, 2012, the Planning Commission of the City of Moreno Valley held a public hearing to consider the subject applications and the environmental documentation prepared for the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on July 12, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

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1. **Conformance with General and Specific Plans –** That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing four parcels located within the project site into a single 80 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. **Design Conformance with General and Specific Plans –** That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. **Physically Suitable for Proposed Development –** That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary. Land uses to the north include a Waste Management facility and a 426,700 square foot warehouse building. Land uses to the west include the 360,440 square foot i-Herb warehouse building, approximately 20 acres of vacant Industrial zoned land and a site currently used for container storage. Further to the west is the southern approach to the runways at March Air Reserve Base. Land uses to the east include a ministorage facility, the approximately 255,000 square foot Masonite Door factory, and the approximate 1.2 million square foot Ross Dress For Less distribution facility.

   The project site is located at the southerly City limits with a mixture of vacant Industrial zoned land and developed distribution land uses within the City of Perris on the south side of the Perris Valley Storm Drain.

   Overall, the project site is well suited for future development of industrial land uses.

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4. **Physically Suitable for Proposed Density –** That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Perris Boulevard, Indian Street and Grove View Road. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. **Protection of Fish or Wildlife Habitat –** That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. **Health, Safety and Welfare –** That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. **Easements –** That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. **Consistent with Applicable City Ordinances –** That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

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FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. **Passive or Natural Heating and Cooling –** That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

   FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. **Regional Housing –** That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

    FACT: The project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

Section 3:

FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. **FEES**

   Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

   Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal

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Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097 and PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

Section 4:

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2012-17:

1. **APPROVING** PA09-0004 (Plot Plan), subject to the attached conditions of approval included as Exhibit A; and

2. **APPROVING** PA09-0012 (Tentative Parcel Map No. 36162), subject to the attached conditions of approval included as Exhibit B.

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APPROVED this 12th day of July, 2012.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

Attachments

MV00170048

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA09-0004 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 316-210-071, -073, -075 and -076

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA09-0004 is subject to certification of an Environmental Impact Report by the City of Moreno Valley.

P2. Plot Plan PA09-0004 has been approved for development of a 1,616,133 square foot warehouse distribution facility, to be built on a 80 acre site within Assessor's Parcel Numbers 316-210-071, -073, -075 and -076. The facility includes 268 dock doors and 44,000 square feet of office. Required parking for this use equates to a total of 589 employee/visitor parking spaces and 368 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36162 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Perris Boulevard, Indian Street and Grove View Road.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA09-0004 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be

"land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P26. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P27. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P28. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P29. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative treatment for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P30. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P31. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P32. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

P33. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:

- **A. A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C. A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Perris Boulevard, Indian Street and Grove View Road.**
- **D. An 8 foot tall chain link fence with slats is required along the southern property line along the Riverside County Flood Control maintenance road.**

<u>Prior to Issuance of Building Permits</u>

P34. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P35. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P36. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P37. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P38. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. **Street trees planted at 40 feet on center spacing shall be provided along the site's Perris Boulevard, Indian Street and Grove View Road frontages.**

J. **Along property boundaries visible from the public view and accessible to the general public, trees shall be planted at a rate of one tree per 30 linear feet of the interior property line. Tree clusters may satisfy this requirement.**

K. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits, a final map for Tentative Parcel Map No. 36162 (PA09-0012) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the public rights of way.

MITIGATION MEASURES

Air Quality

P54. **4.2.6.1A** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P55. **4.2.6.1B** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P56. **4.2.6.1C** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P57. **4.2.6.1D** All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

P58. **4.2.6.1E** The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.

P59. **4.2.6.1F** The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

P60. **4.2.6.1G** Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).

P61. **4.2.6.1H** The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P62. **4.2.6.1I** The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P63. **4.2.6.1J** If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

P64. **4.2.6.1K** Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;

- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips;
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
- Suspend use of all construction equipment operations during second stage smog alerts.

P65. **4.2.6.1L** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P66. **4.2.6.1M** All project entrances shall be posted with signs which state:

- Truck drivers shall turn off engines when not in use;
- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and
- Telephone numbers of the building facilities manager and CARB, to report violations.

P67. **4.2.6.1N** When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

P68. **4.2.6.1O** All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are

carried to adjacent streets.

P69. **4.2.6.1P** Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

P70. **4.2.6.1Q.** Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.

P71. **4.2.6.1R** All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

P72. **4.2.6.1S** Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.

P73. **4.2.6.1T** Reroute construction trucks away from congested streets and sensitive receptor areas.

P74. **4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed.

- To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site.
- Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings.
- Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.
- Reduce energy demand associated with potable water conveyance using the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
- Provide on-site showers (one for males and one for females). Provide lockers for employees.
- Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.
- Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.
- Implement compressed workweek schedules;
- Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.
- Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it

reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.

- Use of fleet vehicles conforming to 2010 air quality standards or better.
- Installation of catalytic converters on gasoline-powered equipment.
- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;
- Provision of preferential parking for EV and CNG vehicles;
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;
- Use of electric (instead of diesel or gasoline-powered) yard trucks;
- Use of SmartWay 1.25 rated trucks.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.
- Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.

P75. **4.2.6.3B** The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.

Biological Resources

P76. **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.

P77. **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in

Mitigation Measure BIO-1. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.

P78. **Mitigation Measures BIO-3.** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.

P79. **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.

Cultural Resources

P80. **Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.

- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.
- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources

Geology and Soils

P81. Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.

P82. **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Greenhouse Gases and Global Climate Change

P83. **4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows in the office areas shall utilize window treatments for efficient energy conservation.
- Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.
- Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority.
- Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.

P84. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.

- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
  - Increase insulation such that heat transfer and thermal bridging is minimized.
  - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
  - Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:
  - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.
  - Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.
- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

P85. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project:

- The project applicant shall use low Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment.
- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.

- Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
- Install drought tolerant plants for landscaping.
- Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.
- Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.
- Provide employee education about reducing waste and available recycling services.

Hydrology and Water Quality

P86. **Mitigation Measure HYD-01:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.

P87. **Mitigation Measure HYD-02:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:

Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.

Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.

All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.

The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.

Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.

The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

P88. **Mitigation Measure HYD-03:** Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.

P89. **Mitigation Measure HYD-04:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.

P90. **Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.

Noise

P91. **4.4.6.1A** During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

P92. **4.4.6.1B** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.

P93. **4.4.6.1C** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.

P94. **4.9.6.1D** During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

Transportation

P95. **4.5.6.1A.** Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.

P96. **4.5.6.1B.** Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.

P97. **4.5.6.2A.** Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.

Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Please complete and return attached fire flow letter.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless

fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F18. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F19. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F21. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F22. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F23. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F24. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F25. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F26. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F27. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F28. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F29. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F30. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F31. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F32. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F33. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F34. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F35. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date:	02/24/2009	**Address:**	
Case Number:	PA09-0004	**A.P.N.:**	316-210-071, 073, 075, 076

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 4000 G.P.M. for duration of 4-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/ Developer: _____

By: _____ **Date:** _____

Title: _____

WATER AGENCY APPROVAL

Name of Agency: _____

Address: _____

Telephone: _____ **Date:** _____

By: _____ **Title:** _____

NOTE: **THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.**

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD3. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD8. (G) Prior to occupancy, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Indian Street** improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD9. (G) Prior to occupancy, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Perris Boulevard** improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on

mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD11. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD12. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD13. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD14. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control

Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD21. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

<u>Prior to Map Approval or Recordation</u>

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD29. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD30. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD31. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD32. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD33. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

LD34. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be

allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD35. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD36. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD37. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD38. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD39. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD40. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD41. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD42. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD43. (BP) Prior to issuance of a building permit, if the project involves a non-residential subdivision, the map shall be recorded.

LD44. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD45. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD46. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD47. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD48. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of

the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
   i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
   ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD53. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

LD54. Prior to parcel map approval, the map shall show the following:

a. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on Perris Boulevard, Indian Street, and Grove View Road.

b. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along Perris Boulevard and Indian Street.

c. The appropriate additional right-of-way required for a bus turn-out on Perris Boulevard as depicted on the approved project plans and as conditioned by the City's Transportation Department.

d. Corner cutback right-of-way dedications per City Standard 208 at the southeast corner of Indian Street and Grove View Road and the southwest corner of Perris Boulevard and Grove View Road.

LD55. Prior to parcel map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Perris Boulevard, Divided Arterial, City Standard 103C (110-foot RW / 86-foot CC) shall be constructed to half-width plus an additional 18 feet east of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Indian Street, Minor Arterial, Modified City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 18 feet west of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. Grove View Road, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet north of the centerline, along the entire project's north frontage. Additional right-of-way dedications at driveway approaches along the project's north property line, shall be shown on the parcel map.. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite, streetlights, pedestrian ramps, dry and wet utilities.

d. Driveway approaches shall be constructed per City Standard No. 118C or as modified as shown on the project plans. The parcel map shall show an additional 4-foot minimum right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Certain project entrance(s) may be required to be constructed as a public street intersection.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City

Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD56. Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show all driveway approaches to be constructed per City Standard Plan 118C modified, as accepted by the City. There shall be 4-foot minimum wide pedestrian sidewalk area at 2% maximum behind the conventional right-of-way. A minimum 4-foot pedestrian right-of-way dedication shall be made on the final parcel map PM 35672.

LD57. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD58. Prior to precise grading plan approval, the grading plan shall show that the lowest finished floor elevation is a minimum of one foot above the base flood elevation.

LD59. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD60. Prior to occupancy, the developer shall obtain an encroachment permit from Riverside County Flood Control & Water Conservation District in order to connect proposed onsite storm drain to the Perris Valley Channel Lateral B.

LD61. Prior to occupancy, the developer shall make a good faith effort to cause Riverside County Flood Control & Water Conservation District to dedicate additional public street right-of-way on Indian Street and Perris Boulevard along their property frontage between the project's south property line and the bridges.

LD62. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code.

LD63. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens

(bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD64. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site.

LD65. The Applicant has proposed to incorporate the use of vegetated swales, hydrodynamic separators, and sand filters. Final design details of the treatment control BMPs must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD66. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD67. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA09-0004**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD5. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special

Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD6. (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Perris Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or

b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD7. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD8. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD9. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works

Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD10. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD11. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD12. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Perris Boulevard is classified as a Divided Arterial (110'RW/86'CC) per City Standard Plan No. 103C. The sidewalk shall be curb-separated. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE3. Indian Street is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Grove View Road is designated as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE5. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE11 as well as Indian Street for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE6. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE7. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE9. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design Perris Boulevard to include a bus bay per City Standard Plan No. 121 in the southbound direction, south of Grove View Road. The bus bay may be designed to serve as a combination right turn lane/bus bay to the satisfaction of the City Engineer.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection/traffic signal at Perris Boulevard and the South Project Driveway to provide the following (at a minimum):

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

NOTE: The curb return radii on the northwest/southwest corners shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design and modify the intersection of Perris Boulevard at Grove View Road to include a 200' northbound left turn lane with raised median. This modification may include relocation of the traffic detector loops and other traffic signal modifications.

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersections:

- **Perris Boulevard at South Project Driveway (signal modifications).**
- **Perris Boulevard at Grove View Road (signal modifications).**

TE14. (BP) Prior to issuance of a building permit, the project applicant shall make a fair-share contribution in the amount of $45,150 to the City of Moreno Valley for the construction of a traffic signal at Perris Boulevard and Suburban Lane. As this traffic signal is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance shall be provided with the following, or as approved by the City Traffic Engineer:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic.
b) Appropriate signing and striping.

All of these features must be kept in working order.

TE17. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal modifications identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE18. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE10, TE11, and TE12 per the approved plans.

TE19. (CO) Prior to the issuance of a certificate of occupancy for the project, driveway access at the following locations will be installed as follows:

- **North Perris Boulevard Driveway: Right-in, right-out access by means of a raised median.**
- **South Perris Boulevard Driveway: Full access by means of a traffic signal.**
- **Grove View Road Driveways: Full access.**
- **Indian Street Driveways: Full access.**

NOTE: All truck driveways shall have curb return radii of 50 feet.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE20. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA09-0004 & PA09-0012; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This Project is **subject** to a Reimbursement Agreement. The Project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the Project. The developer shall be responsible to pay to the City of Moreno Valley the sum of **$423,150.00** for this electrical distribution infrastructure prior to the issuance of building permits.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36162
ASSESSOR'S PARCEL NUMBERS: 316-210-071, -073, -075 and -076

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36162 is approved for the purposes of re-configuring the existing four parcels located within the project site and creating a single 80 acre parcel.

P2. Development within Tentative Parcel Map No. 36162 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This project shall comply with the project mitigation measures listed in the conditions of approval for PA09-0004 and the mitigation monitoring program for the VIP Moreno Valley Project.

P4. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

EXHIBIT B

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

P5. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P6. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P7. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P8. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P10. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P11. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P12. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P13. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P14. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative treatments for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P15. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P16. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl pre-construction survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P17. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Please complete and return attached fire flow letter.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F18. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F19. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F21. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F22. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F23. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F24. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F25. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by

the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F26. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F27. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F28. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F29. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F30. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F31. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F32. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F33. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F34. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F35. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date: 02/24/2009 **Address:**

Case Number: PA09-0004 **A.P.N.:** 316-210-071, 073, 075, 076

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 4000 G.P.M. for duration of 4-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/ Developer:

By: **Date:**

Title:

WATER AGENCY APPROVAL

Name of Agency:

Address:

Telephone: **Date:**

By: **Title:**

NOTE: **THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.**

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD3. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.
(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD8. (G) Prior to occupancy, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Indian Street** improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD9. (G) Prior to occupancy, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Perris Boulevard** improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the

TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD11. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD12. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD13. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality

treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD14. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP

shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD21. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

<u>Prior to Map Approval or Recordation</u>

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division

for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD29. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD30. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD31. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD32. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD33. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

LD34. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD35. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD36. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD37. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD38. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the

developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD39. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD40. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD41. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD42. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

<u>Prior to Building Permit</u>

LD43. (BP) Prior to issuance of a building permit, if the project involves a non-residential subdivision, the map shall be recorded.

LD44. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD45. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD46. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal,

rocks, soils, concrete and other material that normally results from land clearing.

b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD47. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD48. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
   i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
   ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD53. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

LD54. Prior to parcel map approval, the map shall show the following:

a. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on Perris Boulevard, Indian Street, and Grove View Road.

b. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along Perris Boulevard and Indian Street.

c. The appropriate additional right-of-way required for a bus turn-out on Perris Boulevard as depicted on the approved project plans and as conditioned by the City's Transportation Department.

d. Corner cutback right-of-way dedications per City Standard 208 at the southeast corner of Indian Street and Grove View Road and the southwest corner of Perris Boulevard and Grove View Road.

LD55. Prior to parcel map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Perris Boulevard, Divided Arterial, City Standard 103C (110-foot RW / 86-foot CC) shall be constructed to half-width plus an additional 18 feet east of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Indian Street, Minor Arterial, Modified City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 18 feet west of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of,

but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. Grove View Road, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet north of the centerline, along the entire project's north frontage. Additional right-of-way dedications at driveway approaches along the project's north property line, shall be shown on the parcel map.. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite, streetlights, pedestrian ramps, dry and wet utilities.

d. Driveway approaches shall be constructed per City Standard No. 118C or as modified as shown on the project plans. The parcel map shall show an additional 4-foot minimum right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Certain project entrance(s) may be required to be constructed as a public street intersection.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD56. Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show all driveway approaches to be constructed per City Standard Plan 118C modified, as accepted by the City. There shall be 4-foot minimum wide pedestrian sidewalk area at 2% maximum behind the conventional right-of-way. A minimum 4-foot pedestrian right-of-way dedication shall be made on the final parcel map PM 35672.

LD57. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD58. Prior to precise grading plan approval, the grading plan shall show that the lowest finished floor elevation is a minimum of one foot above the base flood elevation.

LD59. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD60. Prior to occupancy, the developer shall obtain an encroachment permit from Riverside County Flood Control & Water Conservation District in order to connect proposed onsite storm drain to the Perris Valley Channel Lateral B.

LD61. Prior to occupancy, the developer shall make a good faith effort to cause Riverside County Flood Control & Water Conservation District to dedicate additional public street right-of-way on Indian Street and Perris Boulevard along their property frontage between the project's south property line and the bridges.

LD62. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code.

LD63. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD64. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site.

LD65. The Applicant has proposed to incorporate the use of vegetated swales, hydrodynamic separators, and sand filters. Final design details of the treatment control BMPs must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document.

The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD66. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD67. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA09-0004**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD5. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance

with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD6. (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Perris Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or

b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD7. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD8. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD9. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD10. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD11. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD12. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Perris Boulevard is classified as a Divided Arterial (110'RW/86'CC) per City Standard Plan No. 103C. The sidewalk shall be curb-separated. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE3. Indian Street is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Grove View Road is designated as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE5. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE11 as well as Indian Street for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE6. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE7. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE9. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design Perris Boulevard to include a bus bay per City Standard

Plan No. 121 in the southbound direction, south of Grove View Road. The bus bay may be designed to serve as a combination right turn lane/bus bay to the satisfaction of the City Engineer.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection/traffic signal at Perris Boulevard and the South Project Driveway to provide the following (at a minimum):

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

NOTE: The curb return radii on the northwest/southwest corners shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design and modify the intersection of Perris Boulevard at Grove View Road to include a 200' northbound left turn lane with raised median. This modification may include relocation of the traffic detector loops and other traffic signal modifications.

<u>PRIOR TO BUILDING PERMIT</u>

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersections:

- **Perris Boulevard at South Project Driveway (signal modifications).**
- **Perris Boulevard at Grove View Road (signal modifications).**

TE14. (BP) Prior to issuance of a building permit, the project applicant shall make a fair-share contribution in the amount of $45,150 to the City of Moreno Valley for the construction of a traffic signal at Perris Boulevard and Suburban Lane. As this traffic signal is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation.

<u>PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance shall be provided with the following, or as approved by the City Traffic Engineer:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic.
b) Appropriate signing and striping.

All of these features must be kept in working order.

TE17. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal modifications identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE18. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE10, TE11, and TE12 per the approved plans.

TE19. (CO) Prior to the issuance of a certificate of occupancy for the project, driveway access at the following locations will be installed as follows:

- **North Perris Boulevard Driveway: Right-in, right-out access by means of a raised median.**
- **South Perris Boulevard Driveway: Full access by means of a traffic signal.**
- **Grove View Road Driveways: Full access.**
- **Indian Street Driveways: Full access.**

NOTE: All truck driveways shall have curb return radii of 50 feet.

<u>PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM</u>

TE20. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA09-0004 & PA09-0012; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up"

facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This Project is **subject** to a Reimbursement Agreement. The Project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the Project. The developer shall be responsible to pay to the City of Moreno Valley the sum of **$423,150.00** for this electrical distribution infrastructure prior to the issuance of building permits.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

Final

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY

STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

LSA

June 27, 2012

Final

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY

STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

Lead Agency:

City of Moreno Valley Community and Economic Development Department
Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552
Attn: Jeff Bradshaw, Associate Planner
(951) 413-3224

Prepared by:

LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, California 92507
(951) 781-9310

LSA Project No. VOG1001

LSA

June 27, 2012

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Appendix C Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire

MV00170136

1. INTRODUCTION

The Final Environmental Impact Report (EIR) for the proposed VIP Moreno Valley project is composed of the Draft EIR State Clearinghouse No. 2011081084 and Appendices; the Response to Comments; and the Findings, Statement of Overriding Considerations, Staff Reports, and Resolutions. Specifically, this document portion of the EIR includes the Comments and Responses volume of the Final EIR, EIR modifications or errata, and the Mitigation Monitoring and Reporting Program (MMRP). The purpose of this document is to respond to all comments received by the City of Moreno Valley (City) regarding the environmental information and analyses contained in the Draft EIR. Additionally, any corrections to the text and figures of the Draft EIR, generated either from responses to comments or independently by the City, are stated in this volume of the Final EIR. The Draft EIR text has not been modified to reflect these clarifications.

1.1 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters, Section 3.of this document contains corrections and errata to the Draft EIR. Section 4.0 contains the Mitigation Monitoring and Reporting Plan, which includes additional measures developed as a part of this Final EIR.

1.2 PUBLIC REVIEW OF THE DRAFT EIR

As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) of the Draft EIR State Clearinghouse No. 2011081084 for the VIP Moreno Valley project was filed with the State Clearinghouse on April 20, 2012 and the Notice of Availability (NOA) of the Draft EIR was filed with the Riverside County Clerk on April 20, 2012

The Draft EIR was circulated for public review for a period of 45 days, from April 20, 2012 to June 4, 2012. Copies of the Draft EIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the Draft EIR were also made available for public review at the City Planning Department, at one area library, and on the internet.

A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter was received from a citizen group and two letters from individuals. All ten letters have been responded to within this document. Comments that address environmental issues are thoroughly responded to in Section 2.0.

1.3 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley, Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92553
Phone: (951) 413-3224
e-mail: jeffreyb@moval.com

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1.4 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.4.1 Project Location

The project site is located in the City of Moreno Valley, Riverside County. The approximately 71-acre site is generally located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary.

1.4.2 Proposed Project

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses.

1.4.3 Project Objectives

The purpose of the proposed project is to provide a new facility specializing in warehouse distribution services. Upon development, the proposed project will achieve the following:

Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;

Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;

Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;

Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner;

Encourage new development consistent with the capacity and municipal service capabilities;

Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;

Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;

Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;

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Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;

Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;

Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;

Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and

Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

1.4.4 Required Permits and Discretionary Actions

The following discretionary actions are anticipated to be taken by the City of Moreno Valley as part of the proposed project:

Tentative Parcel Map approval (TPM 36162);

Certification of Environmental Impact Report; and

Site Plan approval.

Other non-discretionary actions anticipated to be taken by the City at the Staff level as part of the proposed project include the following:

Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction. Approval of a Water Quality Management Plan (WQMP) to mitigate for post-construction runoff flows.

Issuance of a Grading permit that requires approval of a grading plan, approval of the final drainage study, approval of the Final WQMP, obtaining an NOI and WDID number, and satisfying those conditions of approval required prior to grading.

Issuance of an Encroachment permit for any construction work done in any City-controlled right-of-way. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.

Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits.

Approvals and permits required by other agencies include:

A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that downstream water quality is not worsened.

Approval of water and sewer improvement plans by the Eastern Municipal Water District.

Approval from the City and Riverside County Flood Control and Water Conservation District to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions.

2. RESPONSE TO COMMENTS

A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter was received from a citizen group and two letters from individuals. All ten letters have been responded to within this document. Comments that address environmental concerns have been thoroughly addressed. Comments that (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise environmental issues; or (3) do request the incorporation of additional information not relevant to environmental issues do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines.

Section 15088 of the State CEQA Guidelines, Evaluation of and Response to Comments, states:

a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.

b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

c) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:

   1. Revise the text in the body of the EIR; or
   2. Include marginal notes showing that the information is revised in the responses to comments.

Information provided in this volume of the Final EIR clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

An Errata to the EIR (Section 3.0) has been prepared to make minor corrections and clarifications to the Draft EIR as a result of City review and comments received during the public review period. Therefore, this Response to Comments document, along with the Errata is included as part of the Final EIR for consideration by the Planning Commission prior to a vote to certify the Final EIR.

2.1 LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING ON THE DRAFT EIR

The persons, organizations, and public agencies that submitted comments regarding the Draft EIR through June 4, 2012, are listed below. A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter

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was received from a citizen group and two letters from individuals. Each comment letter received is indexed with a number below.

Comment Letters Received Regarding the Draft EIR

A **California Native American Heritage Commission (May 14, 2012)**
Dave Singleton, Program Analyst

B **California Department of Fish and Game (May 21, 2012)**
Jeff Brandt, Senior Environmental Specialist

C **Gerald M. Budlong (May 31, 2012)**

D **Johnson & Sedlack (June 1, 2012)**
Ray Johnson, AICP, Esq.

E **Sierra Club, San Gorgonio Chapter (June 3, 2012)**
George Hague, Conservation Chair
Moreno Valley Chapter

F **California Department of Transportation, District 8 (June 4, 2012)**
Daniel Kopulsky, Office Chief
Community Planning/IGR-CEQA

G **Eastern Municipal Water District (June 4, 2012)**
Joseph B. Lewis
Director of Engineering Services

H **United States Fish and Wildfire Service (e-mail June 4, 2012)**
Nicole Ronan, Fish and Wildfire Service

I **Riverside County Flood Control and Water Conservation District**
Mekbib Degaga, Engineering Project Manager

J **California Governor's Office of Planning and Research, State Clearinghouse**
Scott Morgan, Director State Clearinghouse

2.2 FORMAT OF RESPONSES TO COMMENTS

Aside from the courtesy statements, introductions, and closings, individual comments within the body of each letter have been identified and numbered. A copy of each comment letter and the City's responses are included in this section. Brackets delineating the individual comments and an alphanumeric identifier have been added to the right margin of the letter. Responses to each comment identified are included on the page(s) following each comment letter. Responses to comments were sent to the agencies that provided comments.

In the process of responding to the comments, there were minor revisions to the Environmental Impact Report. None of the comments or responses constitutes "significant new information" (*CEQA Guidelines* Section 15073.5) that would require recirculation of the Environmental Impact Report.

MV00170141

Letter A

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

May 11, 2012

RECEIVED
MAY 14 2012
CITY OF MORENO VALLEY
Planning Division

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley Community & Economic Development Department
14177 Frederick Street
Moreno Valley, CA 92552

Re: SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the **"VIP Moreno Valley Project – PA09-0004 (plot Plan) PA09-0012 (TPM 36162) P11-020 (EIR);"** located in the City of Moreno Valley; Riverside, California.

Dear Mr. Bradshaw:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. 1

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. 2 The NAHC did conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE) with the following results: Native American cultural resources were not found within the APE. However, the absence of archaeological resources does not preclude their existence at the subsurface level and may be exposed during construction activity. 3

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r). 4

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. 5

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources. 5

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.' 6

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity. 7

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'. 8

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects. 9

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a). 10

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Letter A

Native American Contacts
Riverside County
May 11, 2012

Los Coyotes Band of Mission Indians
Shane Chapparosa, Chairman
P.O. Box 189 Cahuilla
Warner , CA 92086
(760) 782-0711
(760) 782-2701 - FAX

Soboba Band of Mission Indians
Scott Cozaet, Chairperson; Attn: Carrie Garcia
P.O. Box 487 Luiseno
San Jacinto , CA 92581
carrieg@soboba-nsn.gov
(951) 654-2765
(951) 654-4198 - Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(949) 488-3294 - FAX
(530) 354-5876 - cell

San Manuel Band of Mission Indians
James Ramos, Chairperson
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the VIP Moreno Valley Project; located in the City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside County
May 11, 2012

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

William J. Pink
48310 Pechanga Road Luiseno
Temecula , CA 92592
wjpink@hotmail.com
(909) 936-1216
Prefers e-mail contact

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the VIP Moreno Valley Project; located in the City of Moreno Valley; Riverside County, California.

2.4 RESPONSE TO LETTER A

California Native American Heritage Commission

Response to Comment A-1. The comment is introductory and states that the Native American Heritage Commission (NAHC) is the State "trustee agency" pursuant to Public Resources Code Section 21070 for the protection and preservation of the State's Native American resources. The comment also states that the letter contains state and federal statutes relating to Native American historic properties of religious and cultural significance.

The comment is introductory in nature and outlines the NAHC's authority and role as a commenting agency. The NAHC's introduction in this comment is noted, and no further response is required.

Response to Comment A-2. The comment states that CEQA requires that any project that causes a substantial adverse change in the significance of a historical resource, which includes archaeological resources, is a "significant effect" requiring the preparation of an EIR. A Draft EIR was prepared for the proposed project and circulated for public review on April 20, 2012. Based on the *Phase I Cultural Resources Assessment and Paleontological Records Review* prepared for the proposed project, the site contains a historic site and a historic isolate, which were recorded and evaluated for significance in accordance with CEQA. Based on the study, it was determined that the historic resource and historic isolate were not considered to be significant. Consequently, construction and grading of the proposed project site will not affect significant historic resources, resulting in a less than significant impact.

Response to Comment A-3. The comment states that the NAHC Sacred Lands File (SLF) search found that no Native American cultural resources were identified within the project area. Similarly, the Draft EIR determined that there were no cultural resources (historic or prehistoric) identified on the project site as a result of records searches or during on site reconnaissance. The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

Response to Comment A-4. The comment states that NAHC Sacred Sites are confidential and exempt from the Public Records Act pursuant to California Government Code Section 6254. The City acknowledges the sensitivity and confidentiality of the information contained in the cultural resources report. No records maps have been made public nor will they be made public in association with the City's consideration of the proposed project.

Response to Comment A-5. The comment states that pursuant to California Public Resources Code Section 5097.95, the NAHC requests that pertinent project information be provided to Native American consulting parties, and that Native American consultation is a matter of environmental justice. The comment letter states that early consultation with Native American Tribes in the area of the project site is the best way to avoid unanticipated discoveries once a project is underway. The letter includes a list of Native American contacts and recommends obtaining their recommendations concerning the proposed project.

Appendix B-5 of the Draft EIR contains the Phase I Cultural Resource Assessment and Paleontological Records Review, (Michael Brandman Associate., March 27, 2012) prepared for the proposed project in which Native American consultation was conducted. On February 15, 2007, Michael Brandman Associates sent a letter to the NAHC in an effort to determine whether any sacred sites were listed on the Scared Lands Files for this area of Moreno Valley containing the project site.

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In response to the Sacred Land Record Search request, the NAHC identified fourteen Native American contacts that may have knowledge of cultural resources in the project area.

Letters dated February 28, 2007, were sent by MBA to the fourteen Native American contacts provided by the NAHC. The letters notified the parties of the proposed project and requested that the tribes respond with information concerning cultural resources that might be affected.

Response to Comment A-6. The comment states that consultation with Tribes and interested Native American consulting parties on the NAHC list should be conducted in compliance with the requirements of federal National Environmental Policy Act (NEPA), Sections 106 and 4(f) of the National Historic Preservation Act, and the Native American Grave Protection and Repatriation Act (NAGPRA), as appropriate.

The project is not a federal undertaking as defined under Section 106 of the National Historic Preservation Act (NHPA) or 36 Code of Federal Regulations (CFR) Part 800 regulations implementing Section 106. The project does not use federal funds and will not require any federal permits. Therefore, the project does not fall under the regulatory oversight of Section 106. The project is not a federal transportation project, so it also does not fall under the jurisdiction of Section 4(f) of the Department of Transportation Act of 1966. Finally, since there is no federal involvement in the project, the requirements of NAGPRA do not apply.

As described in Response to Comment A-5, above, the City conducted consultation with fourteen local tribes and interested Native American individuals for the project. Consultation included providing those parties with pertinent project and location information.

Response to Comment A-7. The comment states that historic properties of religious and cultural significance are confidential and protected by California Government Code Section 6254. The comment further states that the confidentiality of such resources may also be protected by section 304 of the NHPA. The City acknowledges the sensitivity and confidentiality of any identified resources. The SLF and any associated records maps are not for public distribution. In addition, because the project is not a federal undertaking, it is not regulated under Section 304 of the NHPA.

Response to Comment A-8. The comment identifies State laws regarding the accidental discovery of human remains. In in the unlikely event that human remains are encountered during project grading, the County Coroner and the City Planning Division would be notified immediately, and no further disturbance would occur until the County Coroner makes a determination of origin and disposition. If the remains are determined to be Native American, the County Coroner would notify the NAHC, which will determine and notify the most likely descendant (MLD). Implementation of state law reduces potential impacts related to the discovery of human remains on the proposed project site to a less than significant level, and no additional mitigation is required.

Response to Comment A-9. The comment states that effective consultation, in the opinion of the NAHC, is the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors. The City agrees that effective consultation is desired. The City has reached out to Native American tribes through the consultation process (as detailed in the Draft EIR in Appendix B-5).The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

Response to Comment A-10. The comment states that the NAHC recommends avoidance when a project would damage or destroy Native American cultural resources. The comment further states that documentation and data recovery of such resources is required pursuant to the CEQA

Guidelines. Based on the *Phase I Cultural Resources Assessment and Paleontological Records Review* prepared for the proposed project, the site has a low potential for containing archeological resources due to the lack of such resources previously discovered in the surrounding area and the disturbed nature of the project site. Consequently, construction and grading of the proposed project site will have a low probability of damaging archeological resources. Impacts to archeological resources are considered to be less than significant.

State of California -The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
1416 9th Street
Sacramento, CA 95814
http://www.dfg.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

May 16, 2012

RECEIVED
MAY 21 2012
CITY OF MORENO VALLEY
Planning Division

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92551

Subject: Draft Environmental Impact Report for the VIP Moreno Valley Project
City of Moreno Valley, Riverside County -- SCH #2011081084

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report for the VIP Moreno Valley Project. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections §711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section §15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section §15381), such as a Lake and Streambed Alteration Agreement (California Fish and Game Code Sections §1600 et seq.) and/or a Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (Fish and Game Code Sections 2080 and 2080.1).

The proposed Project consists of the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on a 71-acre site. The Project is located in the City of Moreno Valley and is bounded on the west by Indian Street, on the east by Perris Boulevard, on the north by Grove View Road and on the south by the Perris Valley Storm Drain. The March Air Reserve Base and the Interstate-215 (I-215) are located in the vicinity to the west. The site has been used for dryland farming and is disked. There is vegetation (mostly non-native) on the periphery of the site but the major part of the site is disked.

Western Riverside Multiple Species Habitat Conservation Plan (MSHCP)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the Natural Community Conservation Plan Program (NCCP Program). On June 22, 2004, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section §2800, et seq., of the California Fish and Game Code. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. The City of Moreno Valley is the Lead Agency and is signatory to the 1

implementing agreement of the MSHCP. Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the DEIR discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements.

The Project is located in the Reche Canyon/Badlands Area Plan but does not contain any Criteria Cells and the site is not necessary for reserve assembly. MSHCP policies and procedures that apply to the proposed Project include Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP section 6.1.2 pp 6-20; "Riparian/Riverine and Vernal Pool Policy"), Protection of Narrow Endemic Plant Species (MSHCP section 6.1.3 pp 6-28; "NEPPSA"), and Additional Survey Needs and Procedures (MSHCP section 6.3.2, Additional Survey Needs and Procedures). 1

A) Special Survey Areas

The Project is located within the survey area for the western burrowing owl (WBO). WBO is a State Species of Special Concern and is a species subject to the Migratory Bird Treaty Act (MBTA). Focused surveys for the WBO were conducted in 2009. The results of the focused surveys indicate that there were no direct observations or sign of the WBO. 2

B) Protection of Narrow Endemic Plant Species

Plant species requiring habitat assessments include: San Diego ambrosia, many-stemmed dudleya, spreading navarretia, California Orcutt grass, Wrights trichocoronis, Coulter's goldfields, Davidson's saltscale, little mousetail, mud nama, Parish's brittlescale, round-leaved filaree, San Jacinto Valley crownscale, smooth tarplant, and threat-leaved brodiaea. Focused NEPS and Criteria Area surveys were conducted in 2009. The 2009 surveys determined that the NEPS and Criteria Area Plants have a low potential for occurrence because of the absence of suitable habitat and the disking of the site. The DEIR conclusions are supported by the surveys for the Perris Boulevard Widening Project. 3

C) Riparian/Riverine Areas, Vernal Pools, and Fairy Shrimp

A narrow, north-south trending agricultural drainage ditch bisects the center of the site and terminates at a culvert entering the Perris Valley Storm Drain. The document states that the "drainage ditch" does not meet the requirements of this MSHCP policy. The Department reserves the right to determine whether the on-site channel is jurisdictional. 4

<u>Impacts to the species</u>

The biological report states that the only vegetation on the site is located on the periphery because of ongoing disking and consists primarily of non-native plants. Wildlife on the site includes: red-tailed hawk, American kestrel, common raven, American crow, Brewer's blackbird, Say's phoebe, western kingbird, western meadowlark, mourning dove, side-blotched lizard, western fence lizard, California ground squirrel, desert cottontail and pocket gopher. 5

Proposed mitigation

Impacts to wildlife are covered by the MSHCP and the mitigation requirements in the MSHCP. The DEIR states that preconstruction surveys will be conducted for WBO and nesting birds. If WBO are found on the site the Resource Conservation Agency and the Department should be notified to determine whether additional mitigation measures are required. 6

Department Concerns

The Department reserves the right to determine whether the channel on site is subject to Section 1600 *et seq.* in the Fish and Game Code. A Determination of Biologically Equivalent or Superior Preservation (DBESP) alternative is not required, according to the DEIR. The Department needs to be notified prior to commencement of grading if bird nests or burrowing owl are identified in pre-construction surveys. In addition, a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) may be required. No mitigation has been provided for the loss of this channel. 7

Lake and Streambed Alteration Agreement

Although the proposed Project is within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is not subject to Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, a Lake and Streambed Alteration Agreement Notification may still be required by the Department should the site contain jurisdictional waters. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2.

A routine delineation was conducted in 2009 and the consultants determined that there were no jurisdictional wetlands or streams on the site. However, the Department retains the right to determine whether the resources on site are jurisdictional waters and subject to the Lake and Streambed Alteration Agreement program. A new streambed jurisdictional delineation needs to be conducted to determine whether the channel (i.e., "drainage ditch") conveys water across the site, particularly during the rainy season, and how many linear feet or acres comprise the channel. 8

The Department recommends submitting a notification early on, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924 or go to http://www.dfg.ca.gov/habcon/1600/forms.html. 9

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. Permit negotiations conducted after and outside of the CEQA process are not CEQA-compliant because they deprive the public and agencies of their right to know what project impacts are and how they are being mitigated (CEQA Section 15002). 10

The Department opposes the elimination of ephemeral, intermittent and perennial stream channels, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays: 11

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

Please refer to section 15370 of the CEQA guidelines for the definition of mitigation. If the project does not include the criteria listed above, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources.

We recommend that the Department's concerns be addressed in the Final Environmental Impact Report.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: State Clearinghouse

2.6 RESPONSE TO LETTER B

California Department of Fish and Game

Response to Comment B-1. The commentor accurately summarizes both the CEQA requirement for an analysis of the proposed project's consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the MSHCP policies and procedures applicable to the proposed project.

Response to Comment B-2. The commentor accurately summarizes both the MSHCP requirement for a burrowing owl survey and that the surveys conducted for the project showed no burrowing owl sign or observations.

Response to Comment B-3. The commentor accurately summarizes both the MSHCP requirement for survey of narrow endemic plant species and that the surveys conducted for the project determined there is a low potential for occurrence of the species due to lack of suitable habitat and disking of the site. The commentor also notes these conclusions are consistent with the surveys conducted for the Perris Boulevard Widening Project (which is a City of Moreno Valley capital improvement project) and not related to the VIP Moreno Valley Project.

Response to Comment B-4. The commentor notes the Draft EIR statement that the agricultural ditch running north-south across the center of the site is not jurisdictional and indicates CDFG reserves the right to determine whether the on-site ditch is jurisdictional. As stated in the Draft EIR (pages 2-10 and 2-11), the ditch no longer contains the characteristics of jurisdictional waters. This is due to the construction of Grove View Road and storm drains on the north side of the site, resulting in the elimination of an abundant supply of off-site water flow from the north onto the site. Because the ditch no longer carries the abundant supply off-site water flow, it no longer supports the one riparian species (willow) that exists in the ditch. This condition has become even more evident over the past several years, resulting in no jurisdictional waters on the site.

Response to Comment B-5. The commentor accurately summarizes the vegetation and wildlife observed on the site.

Response to Comment B-6. The commentor accurately summarizes the Draft EIR mitigation measure prescribing preconstruction surveys for burrowing owl and nesting birds, and requests that the Regional Conservation Authority and CDFG be contacted should burrowing owl be found on the site in order to determine the need for additional mitigation. This is standard operating procedure, and the project proponent's biological consultant will comply.

Response to Comment B-7. The commentor identifies CDFG's concerns which are summarized as follows: 1) Regarding the on-site ditch that runs north-south through the center of the project site, CDFG states that they reserve the right to determine whether the site is jurisdictional, and if so, a Section 1600 permit would be required for the loss of the on-site ditch; and 2) CDFG requests that they be notified prior to grading activities if bird nests or burrowing owls or observed during the pre-construction surveys required as part of Mitigation Measures BIO-1 through BIO-4.

Response to Comment B-8. The commentor notes that CDFG's criteria for determining jurisdictional waters are more comprehensive than the MSHCP criteria and requests that a new jurisdictional delineation be conducted.. As stated in the Response to Comment B-4, the Draft EIR has already identified that the on-site ditch no longer accepts off-site water flows during storm events because off-site flows now are conveyed to a storm drain located in Grove View Road. The eastern section of Grove View Road between Perris Boulevard and Indian Street was constructed in 2007 while the

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western section was constructed in 2009 as part of the two warehouse projects located across the street and north of the proposed project. The conditions observed in the 2009 jurisdictional delineation prepared by Ecological Sciences are still valid, and in fact, the lack of jurisdictional waters has become more obvious due to the lack of off-site water conveyance.

Response to Comment B-9. The commentor provides contact information regarding submittals for Section 1600 permit. Refer to Responses to Comments B-4 and B-9. The project contains no jurisdictional waters, a Section 1600 Streambed Alteration Agreement is not required, and this information is therefore not applicable.

Response to Comment B-10. Refer to Responses to Comments B-4, B-9, and B-10.

Response to Comment B-11. Refer to Responses to Comments B-4, B-9, and B-10.

Letter C

RECEIVED
MAY 3 1 2012
CITY OF MORENO VALLEY
Planning Division

Gerald M. Budlong
24821 Metric Drive
Moreno Valley, CA 92557
May 31, 2012

Subject: Proposed VIP Moreno Valley Distribution Center DEIR

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
14177 Frederick Street, Moreno Valley City Hall
Moreno Valley, CA 92553

Dear Mr. Bradshaw:

The proposed VIP Moreno Valley Distribution Center project is consistent with the present specific plan as well as the superseded Oleander Specific Plan of the Moreno Valley General Plan and the zoning ordinance. My opinion of this industrial site concerning prime farmland, remains the same since 1989. The land has been designated as industrial in the specific plans and the zoning ordinance. The land has not met the state definition of prime farmland for the last 20 years or more due to the lack of acreage remaining of the land designated prime farmland on the state map. Viable crops grown on prime farmland have not been commercially possible for quite some time. Much of the site is already developed into industrial uses. 1

My only concern of the subject DEIR is the omission of groundwater levels and associated adverse impacts such as liquefaction. Why are high groundwater levels and liquefaction issues missing from this EIR?

The environmental cleanup program, called the Installation Restoration Program (IRP),at March Field, incorporating the former March AFB and present March ARB, has monitored the groundwater levels on and off base since the start of this program in the late 1980s. The groundwater levels have been rising an average of one to two feet annually. To date local groundwater levels are as high as 10 feet or less from the ground surface. Projects such as the new MWD water pipeline parallel to I-215 and near the March Field Museum has undergone high groundwater conditions which has prevented completion of approximately 400 linear yards of the project. A new bidding process inviting contractors with expertise in high groundwater conditions was initiated. The Air Force is concerned that the high groundwater conditions may adversely impact foundations at the base. The Air Force is concerned about potential adverse impacts from liquefaction in the event of a future earthquake. It was reported at the April 2012 March Field IRP Board meeting, that underground cement utility vaults at the former DHL airfreight building was experiencing flooding. I inquired whether the flooding was caused by high groundwater conditions. Staff promised they will make inquiries and report back at the October IRP meeting. 2

Are the building foundations for the proposed project engineered for high groundwater level conditions and potential liquefaction events from major earthquakes? 3

Sincerely,

Gerald M. Budlong

Gerald M. Budlong.

2.8 RESPONSE TO LETTER C

Gerald M. Budlong

Response to Comment C-1. The City appreciates the comments provided on the proposed project regarding the project being consistent with the City's General Plan and zoning code as well as comments on prime farmland and the area not being viable for farming since 1989. The comments are part of the public record and will be forwarded to the City's decision makers for their consideration prior to approving the project and certifying the EIR.

Response to Comment C-2. Appendix B-6 of the Draft EIR contains the *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California (*NorCal Engineering, May 7, 2007) prepared for the proposed project. The geotechnical investigation consisted of forty (40) subsurface exploratory trenches by a backhoe to depths ranging 5-15 feet below current elevations. The report stated "no ground water was encountered in any of the trenches (page 2). This study indicated that the groundwater levels are greater than 100 feet below the surface and the site has a low potential for liquefaction (page 5). The Draft EIR also provided this information in Section 2.5.4 Geology and Soils, page 2-14 which states *"Liquefaction typically occurs in areas where groundwater is shallower than approximately 30 feet, and where there is the presence of loose, sandy soils. According to the City's General Plan, liquefaction is not considered to be a local hazard since groundwater levels in Moreno Valley are far below the surface.*[1] *The project's geotechnical analysis*[2] *indicates that the depth of groundwater within the project vicinity is in excess of 100 feet. The proposed project site is not located in an area identified as being prone to liquefaction. The potential for earthquake-induced liquefaction within the proposed project is considered very low.*[3] *Because liquefaction at the project site is considered to be very low, a less than significant impact related to liquefaction would occur."*

Response to Comment C-3. The proposed project will be built per the City's and State's building code requirements and those contained in the geotechnical study prepared for the proposed project. The building code includes provisions for seismic safety.

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1 *Chapter 6 Safety*, City of Moreno Valley General Plan, July 11, 2006.
2 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
3 *Figure 5.6-2 Seismic Hazards*, Moreno Valley General Plan Final Program EIR, July 2006.

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Letter D

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Carl T. Sedlack, Esq. Retired

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

June 1, 2012

VIA EMAIL

Jeff Bradshaw
Associate Planner
City of Moreno Valley, Planning Division
Community & Economic Development Dept.
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92553
(951) 413-3224
jeffreyb@moval.com

RE: Moreno Valley Vogel Industrial Park (VIP) Draft Environmental Impact Report Comments

Greetings:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Livable Moreno Valley, I hereby submit these comments on the Moreno Valley VIP Draft Environmental Impact Report (DEIR). (PA09-0004, PA09-0012, TPM No. 36162)

Project Summary:

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. See Figure 1.2. 1

The project is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the project site. Residences are located to the west of the site.

Letter D

General Comments:

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document. 2

Unfortunately, the Draft EIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. On top of these inadequacies, the Draft EIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. Moreover, the EIR evaluates only impacts to Agricultural and Forest Resources, Air Quality, Greenhouse Gas Emissions and Global Climate Change, Noise, and Traffic. The EIR determines, without basis in CEQA, to *not* evaluate in detail impacts which *are potentially significant* but which will be mitigated below a level of significance, including impacts to Biological Resources, Cultural Resources, Geology and Soils, and Hydrology and Water Quality. While effects determined not be significant need not be discussed in detail in the EIR, effects which may be significant must be evaluated, and then the mitigation measures or alternatives which would reduce or avoid that effect must be described. (Public Res. C. § 21002.1(a), (e); State CEQA Guidelines § 15128, 15126, 15123) The EIR fails as an informational document by failing to analyze and evaluate **all potentially significant environmental effects of the project,** relying instead on the cursory evaluation performed for the environmental assessment. By failing to provide information on the potentially significant effects of the project that can be mitigated below a level of significance, the EIR fails as an informational document. The findings are also not supported by substantial evidence in the record, but rather only by the baseless conclusions cited in the EIR. 3 4

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. For instance, the EIR fails to require *any* mitigation for the project's significant impacts to agricultural resources. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. 5 6

Letter D

For instance, several "alternatives" listed in the EIR will not satisfy the actual mitigation required, while other mitigation measures merely require the incorporation of writings, not actions. 7

The Moreno Valley VIP project purports to be a "green project" that is environmentally forward thinking; this is simply not the case, and in fact, the Moreno Valley VIP industrial building will be the *least* green building constructed in Moreno Valley in the past 3 years. The EIR provides examples of typical green building features, but fails to require each of those features for this project. The project only requires LEED certification and does not explain why requiring a gold or platinum LEED certification is infeasible, despite having significant air quality and greenhouse gas impacts. 8

Correspondingly, while most of the project's environmental effects will be a result of its use as a distribution center and corresponding traffic and air quality impacts, not the effects of the warehouse building itself, little if any mitigation is required to reduce these impacts. Regarding traffic effects, the EIR relies heavily on TUMF and DIF programs and concludes that significant effects will be either immediately or promptly reduced by these programs. To the contrary, a significant amount of the streets impacted are not currently planned or funded for improvements, and given the underfunding of these programs are unlikely to see any improvement in the near term. The EIR accordingly understates the traffic and air quality impacts of the project and fails to require all feasible mitigation. 9 10

The EIR also fails to make adequate findings, based on substantial evidence, that the environmentally superior alternative is infeasible. In fact, the environmentally superior alternative satisfies most, if not all project objectives and significant reduces project impacts, particularly with regards to air quality in an area known to have some of the worst air quality in the nation. At the least, the environmentally superior alternative must be implemented in lieu of the project. 11

Further shortcomings of the EIR are detailed below.

Aesthetics

The finding of less than significant impact is not supported regarding lighting. The EIR acknowledges that the project will create a new source of substantial light, but fails to discuss this impact on nighttime views. 12

Agricultural Resources

The project will result in a significant and unmitigated individual and cumulative impact to agricultural resources by converting ***Prime Farmland, Unique Farmland, and Farmland of Statewide Importance***, to non-agricultural use; and would involve other changes in the existing environment which would result in the conversion of Farmland to non-agricultural use. 13

Specifically, the project site is entirely identified as Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Loss of State Designated Farmland as a result of this project is a significant impact, and accounts for a substantial percent of farmland conversion for Riverside County. The project site's Land Evaluation and Site Assessment score further demonstrates a significant impact from the conversion of quality land and agricultural resources. 14

The EIR plays down the effect of development and operation of industrial uses in increasing development pressure on adjacent agricultural properties. The EIR does not disclose the predicted impacts on properties adjacent to the project site or along the truck routes used to access the project site, as well as city wide impacts. 15

No mitigation is required to reduce the significant adverse impacts of this project to agriculture. While the EIR identifies many mitigation measures that may be implemented, it fails to require any mitigation. The fact that the General Plan EIR found mitigation to be infeasible on a citywide scale does not mean that project level mitigation here is infeasible.

Mitigation measures identified by the CDC to reduce agricultural impacts include: 16

- The purchase of agricultural conservation easements;
- Transfer of development rights;
- Acquisition of farmland by the city or county;
- mitigation banking;
- the establishment of "urban limits," greenbelts, and buffers;
- the payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements;
- and planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.

While the measures regarding planning have been determined to be infeasible by the City, ***the EIR does not provide evidence to support the finding of infeasibility with regard to the purchase or transfer of development rights, conservation easements, or donation of funds to assist in the preservation of agricultural lands.*** The conclusion of the EIR that these measures for mitigation of agricultural land are contrary to the City's vision and therefore not feasible is unsupported. The purchase of conservation easements must be required as mitigation barring evidence of infeasibility. The purchase of a permanent agricultural conservation easement of land of at least 2:1 of equal quality must be required to mitigate for impacts from the direct and growth inducing/cumulative loss of agricultural land by either the outright purchase of easements or donation of mitigation fees to a local, regional, or statewide organization that provides for acquisition and stewardship of agricultural conservation easements. Such mitigation is not found to be infeasible. 17

Air Quality

The project will result in significant and unavoidable impacts to air quality during construction and operation. 18

Letter D

Several of the construction air quality impact "mitigation measures" are required by law, and therefore do not qualify as "mitigation." 19

Existing air quality in the project vicinity generally exceeds state and federal air quality standards for Ozone, Coarse Particulate Matter (PM10), Fine Particulate Matter (PM2.5) for the year. The nearest sensitive receptors to the project are rural residences located approximately 1,000ft north of the project site and 0.5 miles southwest of the project site. 20

The EIR fails to disclose all Moreno Valley General Plan Policies relevant to air pollutant emissions. Such omitted policies and objectives include:

- Ultimate Goal VII: achieve a community which "Emphasizes public health and safety…" 21
- Goal 6.1: "To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property."
- Objective 7.5 "Encourage efficient use of energy resources."
- Policies 7.5.1; 7.5.2; 7.5.5 regarding energy efficiency.

The EIR finds that the project would, "add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community." This potential may not be recognized and is unsupported by evidence in the record and are countered by recent projects within Moreno Valley. For instance, the Sketchers project nearby likewise promised job opportunities for local Moreno Valley workers. However, when all was said and done the facility resulted in a net job loss, and most employees were transferred from Ontario, increasing vehicle miles travelled. (*See, "Moreno Valley: Sketchers' warehouse has caused net job loss,"* The Press Enterprise, Jack Katzanek, February 1, 2012. < http://www.pe.com/business/business-headlines/20120201-moreno-valley-skechers-warehouse-has-caused-net-job-loss.ece>) 22

The project use will also be truck distribution; hence despite any local employment at the warehouse, the project will not minimize VMT and will not minimize air pollutant emissions consistent with the AQMP, but will instead drastically increase mobile source emissions. In fact, the focus of the AQMP is to attain PM 2.5 standards, which this project will specifically add to through the use of diesel trucks. (See AQMP 4-1.)The finding that the project is consistent with the AQMP is entirely unsupported. 23

Health Risks

The EIR finds that the project will have less than significant operational-acute health risk impacts on the basis that, "studies …have not provided sufficient information to establish a short-term non-cancer health risk guidance value for respiratory impacts." This ignores entirely the threshold of significance which asks "Would the proposed project expose sensitive receptors to substantial pollutant concentrations?" and does not necessarily require a health risk guidance value. 24

Operational-Chronic Health Risk Impacts are determined to be less than significant. It is unclear 25

from the EIR that levels at the sensitive receptors of Table 4.2.H were measured, as the EIR states, "Sensitive receptors were placed in a general grid extending in all directions to characterize the risk level surrounding the project site." In the immediate vicinity of the project site are residences, the Rancho Verde High School (one mile to the east of the project site), and El Potrero Elementary School (one mile to the northeast of the project). The EIR does not demonstrate that impacts at these and other locations were evaluated, particularly given the increased susceptibility of infants, children, and the elderly to health impacts from diesel PM. 25

Moreover, the HRA accounts only for the cancer risk and temporary respiratory impacts caused by this project. In addition to the risk of cancer, diesel PM is known to cause immune system effects; reproductive, developmental, and endocrine effects; nervous system effects; and lung health problems, as recognized by the County in the General Plan. Immune system effects include increased allergic inflammatory responses and suppression of infection fighting ability. Diesel PM has also been associated with reproductive effects such as decreased sperm production, changes in fetal development, low birth weight and other impacts. Diesel PM exposure may also cause impairment to the central nervous system. (*The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>; *See also, Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf>) 26

SCAQMD has stated with regards to the health effects from diesel PM:

> "Diesel particles consist mainly of elemental carbon and other carbon-containing compounds… Diesel particles are microscopic…Due to their minute size, diesel particles can penetrate deeply into the lung. There is evidence that once in the lung, diesel particles may stay there for a long time.
>
> In addition to particles, diesel exhaust contains several gaseous compounds including carbon monoxide, nitrogen oxides, sulfur dioxide and organic vapors, for example formaldehyde and 1,3-butadiene. Formaldehyde and 1,3-butadiene have been classified as toxic and hazardous air pollutants. Both have been shown to cause tumors in animal studies and there is evidence that exposure to high levels of 1,3-butadiene can cause cancer in humans…
>
> Diesel emissions may also be a problem for asthmatics. Some studies suggest that children with asthma who live near roadways with high amounts of diesel truck traffic have more asthma attacks and use more asthma medication.
>
> Some human volunteers, exposed to diesel exhaust in carefully controlled laboratory studies, reported symptoms such as eye and throat irritation, coughing, phlegm production, difficulty breathing, headache, lightheadedness, nausea and perception of unpleasant odors. Another laboratory study, in which volunteers were exposed to relatively high levels of diesel particles for about an hour, showed that such exposures could cause lung inflammation." (*The Health Effects of Air Pollution on Children, supra*; *See also, Mira Loma Commerce Center EIR No. 450, Air Quality, Section 4.*) 27

Furthermore, infants, children, and the elderly are more susceptible to diesel PM and its associated health impacts. Given this project's close proximity to two schools, the Rancho Verde High school (1 mile east) and El Potrero Elementary School (1 mile northeast) this increased susceptibility is extremely relevant. With regards to infants and children, increased susceptibility to TACs and diesel PM exists for a variety of reasons. Children are generally more active than adults, have higher respiration rates, and inhale more pollutants deeper into the lung. Children also have more lung surface area in proportion to their body size and inhale more air pound for pound when compared to adults, taking in 20 to 50 percent more air and associated air pollutants than adults. When compared to adults, children spend more active time outdoors in polluted air environments and exert themselves harder than adults when playing outside. Importantly, this exposure to high pollutant levels in children occurs while their lungs are still developing, and therefore has more severe impacts on this sensitive group. (*The Health Effects of Air Pollution on Children, supra.*) 28

This increased susceptibility to air pollutant emissions for children has resulted in the California EPA Office of Environmental Health Hazard Assessment ("OEHHA") weighting cancer risk by a factor of 10 for exposures to carcinogens from birth to two years old, and by a factor of 3 for exposures from 2 years old to 15 years old. (*Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>) It is unclear that these increased risks were accounted for in the EIR. Additionally, recent studies conducted by SCAQMD's Brain and Lung Tumor and Air Pollution Foundation have found a specific connection between exposure to diesel PM and brain cancer in children. (Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>) 29

In addition to an increased risk of cancer, the effects of diesel PM on children include slowed lung function and growth, increased emergency room visits, increased incidences of asthma and bronchitis, crib death, asthma respiratory infections, allergic symptoms, and asthma hospitalizations. (*Diesel and Health in America: the Lingering Threat*, *supra.*)

This project will contribute to an already dire TAC situation in Riverside County. The Riverside County Planning Commission recently considered GPA 1096, an amendment to the General Plan to add a Healthy Communities Element which seeks to reduce hazardous air quality impacts to environmental and human health. The Healthy Communities Element of the General Plan was approved in view of the following significant health impacts resulting from already poor air quality in Riverside County: 30

- ***Asthma-Related Hospitalizations***: In 2005, the greatest percentage of asthma-related hospitalizations were among those under age 18 (38%) followed by those over 65 (19%). Blacks experienced the greatest rate of hospitalizations in 2005 at 225.7 per 100,000 population, versus 99.5 and 81.2 for Hispanics and whites, respectively. 31
- ***Risk of Cancer from Diesel Soot and Other Toxic Air Pollutants: Whereas the regional risk of cancer from diesel soot and other toxic air pollutants dropped by 8 percent between 1998 and 2005, the cancer risk in Riverside County increased by 2 percent.*** 32

- Poor air quality costs Riverside and San Bernardino around ***$6.3 billion annually*** in health care expenses.
- 19% of private schools, 11% of public schools, an 21% of licensed child care centers in Riverside County are located within a quarter (1/4) mile of a major highway.
- Around 350,000 Riverside County residents live within a half (1/2) mile of a major highway, including about 40,000 children under age 5.
- Five schools in Riverside County rank in the 10th percentile for air quality, meaning that 90 percent of the schools in the country had better air. Twenty-five schools ranked in the 50th percentile or below. 32

Recognizing these present and unacceptable consequences of air pollution to the health of Riverside's residents, particularly children and the elderly, the County General Plan and recently approved Healthy Communities Element have adopted General Plan policies pertinent to this project.

Construction Impacts

The EIR erroneously categorizes construction impacts as "Construction Equipment Exhaust Emissions." While some construction air quality impacts arise from construction equipment exhaust, other emissions exceed the threshold of significance from architectural coatings (ROG), paving, and fugitive dust during site preparation and grading, including the importations of 220,000cy of soil (NOx and PM10). 33

Table 4.2.1 relies on construction phasing not required of the project. For example, paving will result in 3434lbs/day of NOX emissions, 34 times the SCAQMD threshold. However, the EIR finds that, on a "Peak Day," NOX emissions will be only 390 lbs/day. This reduction is unsupported. Also, paving emissions for ROG are unclear (5.95.9?), but divide into 90 lbs/day on a peak day. Hence, while the EIR correctly finds that construction air quality impacts are significant and require mitigation, it fails to disclose the severity of that impact. Additional mitigation measures are also feasible to further reduce construction air quality emissions including the following:

1. Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.
2. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (eg. Install wheel shakers, wheel washers, and limit site access.) 34
3. All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
4. Pave all construction roads.
5. Pave all construction access roads at least 100 feet on to the site from the main road.
6. Limit fugitive dust sources to 20 percent opacity.
7. Require a dust control plan for earthmoving operations.
8. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of

the container shall be maintained.

9. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.
10. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
11. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
12. Extend grading period sufficiently to reduce air quality impacts below a level of significance.
13. The simultaneous disturbance of the site shall be limited to five acres per day.
14. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
15. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.
16. Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.
17. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period. 34
18. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*
19. Develop a trip reduction plan to achieve a 1.5 AVR for construction employees
20. Require high pressure injectors on diesel construction equipment.*
21. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.*
22. Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.*
23. Utilize only CARB certified equipment for construction activities.*
24. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.*
25. Restrict engine size of construction equipment to the minimum practical size.*
26. Use electric construction equipment where technically feasible.*
27. Substitute gasoline-powered for diesel-powered construction equipment.*
28. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
29. Use methanol-fueled pile drivers.*
30. Install catalytic converters on gasoline-powered equipment.*
31. Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel

formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

32. Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.*
33. All forklifts shall be electric or natural gas powered.*
34. Suspend use of all construction equipment operations during second stage smog alerts.*
35. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
36. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
37. Reroute construction trucks away from congested streets and sensitive receptor areas.*
38. Configure construction parking to minimize traffic interference.*
39. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
40. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
41. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
42. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
43. Require the use of Zero-VOC paints, coatings, and solvents.

(* Would reduce impacts to GHGs as well) 34

Mitigation measure (MM) 4.2.6.1B is uncertain and vague, requiring that contractors "utilize power sources…" This should be amended to read that contractors shall utilize electricity from power poles rather than temporary diesel or gasoline power generators. It is further unclear what is considered to be a "clean-fuel." 35

MM 4.2.6.1C requires that, during construction, contractors utilize Tier II equipment. This measure does not go far enough. At least Tier III equipment is feasible and must be required where such equipment is available. 36

MM 4.2.6.1K does not require any mitigation, only that "construction specifications and bid documents" include "notations." This language must specify that: "the following mitigation shall be required to be implanted and, to ensure implementation, included in grading plans, construction specifications, and bid documents…" Several of the mitigation measures recommended above are included in this section but are not required of the project due to this language. 37

MM 4.2.6.3A does not go far enough. The EIR does not demonstrate that implementation of all of the design features mentioned would be infeasible. Each of these measures must be required. 38

Furthermore, it is misleading. Title 24 deals with building energy efficiency, so SmartWay partnerships and other mitigation measures concerning mobile emissions and vehicle standards will not be required to be implemented. ***As most of this project's operational emissions will be derived from mobile sources, and no mitigation measures pertain to reducing these emissions, the mitigation required of this project does not incorporate all feasible mitigation***. The measures under the bullet "Lease purchase documents shall identify that tenants are encouraged to promote the following" should simply be *required* mitigation for the project unless shown to be infeasible. 39

Operational Emissions 40

Impact 4.2.6.3 is unclear.

The Operational Emissions generated by this project are substantial. For instance, the project's NOX emissions will be 990 lbs/day, 18 times the threshold of significance of a 55lb/day increase; CO emissions will well exceed the threshold of significance at 830 lbs/day, one and a half times the threshold of significance of 550; ROG emissions of 143 lbs/day are 2.6 times the 55 lb threshold, and PM10 well exceeds the 150lbs/day threshold at 170lbs/day. (Note: the rounding of emissions downward where such totals are, for instance, 990.93 for NOx, but this number is rounded down to 990, fails to disseminate the *maximum* daily emissions caused by this project.) 41

The mitigation measures adopted to reduce operational emissions fail to reduce mobile emissions, by far the main source of this project's operational emission. (*See,* Table 4.2.K) The project's non-mobile source operational emissions are essentially limited to ROG emissions, yet the mitigation measures focus on the energy efficiency of the building. (e.g. MM 4.2.6.3A) 42

MM 4.2.6.3A does not go far enough and is misleading. All this mitigation measure requires is that the project's building energy efficiency exceed Title 24 by 20 percent. This mitigation does not in any way require the implementation of each of the alternatives listed below. Moreover, as Title 24 deals with building energy efficiency, SmartWay partnerships and other mitigation measures concerning mobile emissions and vehicle standards **will not be required to be implemented in order to satisfy the actual requirement of this mitigation**. The listing of alternatives to satisfy this mitigation measure is misleading and causes the EIR to fail as an informational document. 43

The EIR does not demonstrate that requiring that the project implement each of the alternatives listed at MM 4.2.6.3A is infeasible. Each of these alternatives must be required of the project. 44

With regards to operational mobile source emissions, most of this project's operational emissions will be derived from mobile sources, and no mitigation measures directly pertain to reducing these emissions. ***The mitigation required of this project to reduce operational air quality impacts does not incorporate all feasible mitigation*** as it fails to require the mitigation listed at MM 4.2.6.3A under the bullet "Lease purchase documents shall identify that tenants are encouraged to promote the following" yet does not find such mitigation to be infeasible. These measures must simply be *required* mitigation for the project as these measures will actually 45

reduce the project's mobile source operational emissions. Likewise, as discussed above, each of the other alternatives listed at MM4.2.6.3 is feasible and must be required of this project.

The following mitigation measures are feasible and must be required of this project:

1. The operator of the primary facilities shall become SmartWay Partner.*
2. The Project shall meet SmartWay 1.25 ratings.*
3. The project shall use only freight companies that meet SmartWay 1.25 ratings.*
4. (ALTERNATIVELY from 2,3 above) The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
6. All fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.* 45
8. Install catalytic converters on gasoline-powered equipment.*
9. Where diesel powered vehicles are necessary, require the use of alternative diesel fuels. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
10. Electrical powered equipment should be utilized in-lieu of gasoline-powered engines where technically feasible.*
11. Utilize electrical equipment for landscape maintenance.*
12. All forklifts shall be electric or natural gas powered.*
13. Utilize electric yard trucks.*
14. Prohibit idling of trucks for periods exceeding three minutes.*

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15. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
16. Charge reduced or no parking fee for EVs and CNG vehicles.*
17. Install EV charging facilities for a minimum of 10% of all parking spaces.*
18. Install a CNG fueling facility.*
19. Provide preferential parking locations for EVs and CNG vehicles.*
20. Implement parking fee for single-occupancy vehicle commuters.*
21. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
22. Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.*
23. Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.*
24. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.*
25. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.*
26. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.* 45
27. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*
28. Provide a complimentary cordless electric lawnmower to each residential buyer.
29. Implement parking cash-out program for non-driving employees.*
30. Require each user to establish a carpool/vanpool program.*
31. Create a car sharing program within the planned community.*
32. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.*
33. Provide preferential parking for carpool/vanpool vehicles.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Provide secure, weather-protected bicycle parking for employees.*
36. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
37. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
38. Provide showers and lockers for employees bicycling or walking to work.*
39. Short-term bicycle parking for retail customers and other non-commute trips.*
40. Connect bicycle lanes/paths to city-wide network.*
41. Design and locate buildings to facilitate transit access, e.g., locate building entrances near

transit stops, eliminate building setbacks, etc.*

42. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
43. Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents.
44. Provide shuttle service to food service establishments/commercial areas.*
45. Provide shuttle service to transit stations/multimodal centers.*
46. Provide on-site child care or contribute to off-site child care within walking distance.*
47. Implement a compressed workweek schedule.*
48. Implement home-based telecommunicating program, alternate work schedules, and satellite work centers.*
49. All buildings shall be constructed to LEED Platinum standards.*
50. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.*
51. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.*
52. Install an ozone destruction catalyst on all air conditioning systems.*
53. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project. *
54. Purchase only green/ renewable power from the electric company.*
55. Install solar water heating systems to generate all hot water requirements.*

45

Cumulative Impacts

The finding of less than significant short-term cumulative impacts is unsupported by evidence in the record. The EIR finds that project individual construction emissions will be significant, and that other projects construction simultaneously will result in short term pollutant impacts. However, the EIR then states that because each project will have to comply with SCAQMD measures such cumulative impact is less than significant. This conclusion is unsupported by the EIR or any reasoning. In fact, here compliance with SCAQMD measures did not reduce short-term air quality impacts below a level of significance, and the presumption that it would for other area projects and the cumulative impact is completely unsupported by any evidence.

The project will result in significant and unmitigated cumulative operational impacts, yet not all feasible mitigation was adopted to reduce this impact. As discussed above, additional mitigation measures must be implemented to reduce operational impacts.

46

Biological Resources

The EIR finds that impacts to biological resources will be less than significant with mitigation based on outdated and limited surveys. The EIR therefore fails as an informational document.

47

Cultural Resources

The EIR finds that impacts to cultural resources would be less than significant with mitigation with regards to paleontological resource or unique geologic feature. The project site has a "high

48

potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits." The finding of less than significant impacts with mitigation is unsupported as the mitigation required for this potentially significant impact is deficient and fails to incorporate all feasible mitigation. 48

First, MM Cul-1 provides for discontinuing monitoring if "the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached." This mitigation measure is impermissibly vague as it fails to state what portion of the site must be excavated to maximum depth before this determination of "no evidence" is made. 49

Second, a qualified paleontological monitor may only "salvage fossils" or temporarily halt or divert equipment to remove large specimens while avoiding construction delays. This salvage of fossils fails to account for the potential importance associated with the placement of those fossils across the site or any study or documentation of the specimens at the site. The salvaging will also likely result in the loss of many paleontological resources as the purpose of the mitigation is demonstrated by this method to be, primarily, to "avoid construction delays" and not to avoid damaging paleontological resources. 50

MM Cul-1 also uses the qualification: "If too few fossil remains are found…"; this is impermissibly vague. There is no quantification of "too few" or objective way to determine whether this has occurred. 51

Overall, the mitigation required for archaeological resources fails to reduce impacts below a level of significance through vagueness and inherent deficiencies. Salvaging fossils also fails to further Objective 7.6 of the General Plan to "Identify and preserve Moreno Valley's unique historical and archaeological resources for future generations." The mitigation and potential impacts conflict with Policy 7.6.1 and 7.6.2 will not ensure that the archaeological resources are preserved or mitigated. It is also unclear from the EIR whether Conservation Element Programs, General Plan 9.7.3, program 7-6 has been incorporated where such program requires: "In areas where archaeological or paleontological resources are known or reasonably expected to exist, based upon the citywide survey conducted by the UCR Archaeological Research Unit, incorporate the recommendations and determinations of that report to reduce potential impacts to levels of insignificance." The EIR therefore fails to require all feasible mitigation, ensure enforceable mitigation, and fails as an informational document. 52

Geology and Soils

The project will require excavation, fill, and recompaction. The project description states that approximately 220,000 cubic yards of additional fill will be required. It is unclear whether the EIR considered impacts from the import of fill, such as traffic and air quality impacts from truck trips to and from the project site to the fill import site, an unknown location at this time. Some 80,000 cy of fill has already been imported to the site, yet the impacts from this fill dirt have 53

been segregated from the remainder for the project. Again, project impacts have been underestimated and improperly segmented. 53

The project is also located on a geologic unit or soil that is unstable as soil shrinkage and expansion may occur. The mitigation for expansive soils, MM Geo-2 is deferred and vague. Specifically, such mitigation requires that the project proponent "inform" engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the geotechnical analysis and that such guidelines "shall be reviewed and considered." The guidelines must be required of the project in order for such mitigation to certain and enforceable. 54

GHGs

The EIR finds that the project is consistent with GHG plans, policies, and regulations. The reasoning behind several of these findings is unsupported. For instance with regards to transportation, as discussed above, the project is unlikely does not reduce VMT. 55

Compliance with GHG reduction strategies is also unsupported. For instance, the EIR fails to delineate how an energy efficient building features support achieving a 33 percent renewable energy mix statewide, unless the building will be reliant on renewable energy. Similarly, the EIR fails to show how the project is compliant with engine efficiency measures where the project does not require the use of fuel efficient trucks. 56

There is no GHG reduction plan as part of the City of Moreno Valley's General Plan, hence Tier 2 SCAQMD criteria are improperly applied. Tier 2 criteria is intended for a plan that may be part of a local general plan, for example. Comparing the impacts from this project to statewide emissions in order to find such emissions to be less than significant is improper.

Tier 3 is more properly applied to the industrial project at hand. The screening level for Tier 3 per the December 5, 2008 the SCAQMD Governing Board adoption of interim GHG significance thresholds is less than 10,000 MTCO2eq/yr. CARB's threshold for the same is less than 7,000MTCO2eq/yr and meets construction and transportation performance standards. Applying these interim thresholds to this project, the project is far in exceedence with emissions in the range of 44,000 MTCO2eq/yr. The finding that the project will have a less than significant individual impact on GHGs and climate change is unsupported in light of the interim numerical thresholds established for industrial projects by SCAQMD and ARB, and these omissions cause the EIR to fail as an informational document. Notably, the GHG appendix E delineates these standards at page 22 (from 2010), but they are neither applied nor mentioned in the EIR. 57

The mitigation measure requiring the devising of a comprehensive water conservation strategy is vague and defers mitigation. There is no requirement that the alternatives listed be incorporated 58

or that the conservation strategy meet any performance standards. 58

Mitigation measure 4.3.6.1A is not mitigation, but a requirement of the California Code of Regulations. 59

Notwithstanding the above deficiencies, the EIR finds cumulative GHG impacts of the project to be significant and unavoidable. 60

Hazards and HazMat

The EIR finds, based on no substantial evidence, that this impact is less than significant. The EIR explains that "potentially hazardous materials…may be used and/or stored on site during the construction and/or occupancy of the proposed industrial facilities." As the tenant of the proposed industrial building is unknown, this impact should be considered potentially significant. Compliance with applicable laws does not necessarily reduce this impact below a level of significance. 61

Hydrology and Water Quality

The project will have a significant impact to water quality which will be mitigated below a level of significance, yet the EIR fails to undertake an evaluation of this impact beyond the cursory review done for the Environmental Assessment. 62

The project will alter the existing drainage onsite. Mitigation Measure Hyd-05 improperly defers mitigation as the EIR fails to provide any reason why the grading plan and/or drainage report cannot be presently prepared but, instead, must be deferred. Deferred mitigation is only permissible where, for practical reasons, it is not feasible to prescribe specific mitigation measures in the EIR. (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 94.) This caveat is not demonstrated here, and a grading plan and drainage report must be contemporaneously prepared for the EIR. 63

Land Use

The project will conflict with an applicable habitat conservation plan or natural community conservation plan. It is unclear how MM Bio-1 through MM Bio-4 will reduce this impact below a level of significance. The EIR thereby fails as an informational document and impacts to land use should be considered significant and unmitigated. 64

Noise

The EIR arbitrarily creates a threshold for significance for noise of a 3dbA increase, stating that only this level of increase is considered potentially significant and that a 3 dbA change is used as a threshold of significance. This 3dbA change is ***not*** a threshold of significance adopted by the City of Moreno Valley. (Guidelines § 15064.7) Furthermore, the statement that only audible 65

changes in existing ambient or background noise levels are considered potentially significant is unsupported except by further conclusory statements. 65

The EIR also relies on the City's Municipal Code with regards to prohibited acts and noise disturbances. These figures too are not a threshold of significance and are not noise standards adopted by the City. Rather, they represent punishable acts and violations of the law. Exemptions from sound regulations likewise refer to punishable sound violations and not noise standards adopted by the City. 66

The noise standards adopted by the City are described in the General Plan, Section 6.4, which states that acceptable residential exterior noise standards are within 60-65 CNEL, and interior at 45 dbA CNEL. The City's municipal code sets limits for a noise disturbance as well at the limits of Table 4.4.F, at Residential 60 dBA daytime, 55 dBA nighttime; Commercial 65 dBA daytime, 60dBA nighttime. 67

The EIR states that the noise analysis was done using "the soft site propagation for noise" on the basis that the ground is not pavement in the project vicinity. However, the site itself will be paved, in addition to the roads that vehicles will travel to and from the site. Other uses surrounding the site are also paved and include industrial/warehouse uses to the north, industrial/warehouse and undeveloped property to the south, industrial/warehouse and a self-storage facility to the east, and warehouses, vehicle storage, residences, and undeveloped property to the west. While these uses are interspersed with vacant uses, agricultural and undeveloped land in the project vicinity is zoned for development and will be hastened towards that end through the development of this project and surrounding areas. Overall, the use of soft site analysis is unsupported by the EIR, and noise levels are likely to be much higher than those predicted by the EIR. 68

The noise study relies on a standard vehicle mix to determine traffic noise. This is unsupported given the locale and proposed project use as a distribution facility. 69

The EIR find that the project will increase traffic noise at 5 study roadway segments where four of these segments already exceed the level of significance for noise. This must be considered a significant impact as the project will result in an increase in ambient noise and such noise levels are and will be unacceptable at off-site land uses. 70

The project will also cause exposure and generation of noise levels in excess of General Plan and Municipal Code standards for construction and operation noise. The EIR wrongly looks at noise impacts at the nearest residence, where the proper measure is to look at noise generation at the property line. 71

The EIR concludes that loading and unloading will be "intermittent" and therefore less than significant. However, the warehouse will be a distribution warehouse, with trucks coming and 72

going, loading and unloading throughout the day. Accordingly, as noise levels will be 75 dBA at 50 feet, the noise impact is significant. 72

The EIR finds long-term traffic and operational noise impacts to be less than significant. However, the entire discussion in the EIR regarding noise is very conclusory and fails to provide any sources for the figures relied upon. 73

The Construction noise analysis is fatally flawed, as the source for typical construction equipment noise is quite outdated, from 1987. It is impossible that construction noise sources from 1987 have not been altered in 25 years. The EIR fails as an informational document by failing to rely on contemporary studies and data. The noise exposure during construction will be much greater than predicted by the EIR. (*See,* attached "Construction Noise Handbook," Chapters 3, 4, and 9, Federal Highway Administration, August 2006, <http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm>; and" Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis," Electronic Library of Construction Occupational Safety and Health, November/December 2002.) Nonetheless, the EIR concludes that noise levels during construction will be up to 91 dBA at 50 feet. 74

The project will have a significant impact from construction noise that is said to be mitigated below a level of significance. However, as discussed above, such mitigation may not be sufficient after analysis based on contemporary studies. Furthermore, the EIR relies on noise occurring between the hours required by the City. This is not mitigation but the law. 75

As it is uncertain that mitigation will reduce project impacts below a level of significance, the following additional mitigation must be required of the project: 76

1. Temporary noise barriers must be installed during project construction.
2. Where technically feasible, utilize only electrical construction equipment
3. During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.
4. Provide a "windows closed" condition requiring a means of mechanical ventilation (e.g. air conditioning) for all buildings.
5. Provide upgraded windows with a minimum Sound Transmission Class (STC) rating of 34 for all buildings, and/or require the installation of double-paned windows.
6. Keep new transportation facilities away from vibration sensitive areas.
7. When dealing with existing transportation facilities, obvious vibration causes, such as pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc., may be eliminated by resurfacing.
8. Require the use of rubberized asphalt for construction of all roadways and parking areas.
9. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.
10. Require resurfacing of roads.

11. Ban heavy trucks near vibration sensitive uses.
12. Use alternate construction methods and tools to reduce construction vibrations. Examples are predrilling of pile holes, avoiding cracking and seating methods for resurfacing concrete pavements near vibration sensitive areas, using rubber tired as opposed to tracked vehicles, placing haul roads away from vibration sensitive areas. 76
13. Scheduling construction activities (particularly pile driving) for times when it does not interfere with vibration sensitive operations (e.g. night time).

Mitigation Measure 4.9.6.1D does not mitigate for noise impacts during construction hours. 77

Cumulative noise impacts were found to be "No Impact." This conclusion is unsupported. The discussion of cumulative traffic noise impacts is unsupported. 78

Transportation

Traffic counts from the project are low given the project's 264 dock doors, parking for 368 trucks and trailers, and parking for 589 passenger vehicles. 79

The EIR fails to study many intersections that will be impacted by the project, particularly along Harley Knox Boulevard en route to I-215. Also, no freeway connection to the north was evaluated at Cactus, and no evaluation of impacts to the south to the Ramona Expressway was conducted. The EIR fails as an informational document by failing to study impacts to these intersections. The EIR also fails to look at future traffic impacts. 80

The EIR attempts to minimize the project's significant and unmitigated traffic impacts by segregating impacts to existing versus 2013 and local intersections and roadways versus freeway segments. 81

The project will result in significant and unmitigated cumulative traffic impacts, resulting in less 10 intersections and 4 roadway segments operating as below the City's LOS standard. Additionally, 3 freeway segments and ramp merge/diverge areas would operate at unsatisfactory levels of service. Despite these impacts, the project does not require any additional mitigation at these intersections or roadways beyond contribution to the DIF and TUMF. 82

The EIR finds that impacts to intersections and roadway segments within the DIF and TUMF programs will be reduced below a level of significance despite the fact that many of these improvements are not yet funded and will likely not be funded for some time. Mitigation is therefore uncertain and deferred. It appears that the only improvement currently planned is widening of Perris Boulevard, to be completed in May 2013. Nonetheless, the EIR finds that impacts based on Opening year 2013 plus project will be mitigated to less than significant at all significantly impacted roadway segments and intersections other than the I-215 segments and ramps. The fact that an improvement is part of the DIF or TUMF program does not ensure that it will soon be planned or funded, and surely does not ensure that it will be planned, funded, and 83

built by 2013 to reduce impacts to less than significant. 83

In fact, the roadways reliant on TUMF funds are not presently scheduled for improvement nor are the improvements funded. (*See, e.g., 2011 Annual Report, Transportation Uniform Mitigation Fee Program,* Western Riverside Council of Governments, "Five Year Transportation Improvement Program," <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>, p.39, *See, also,* <http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf> [detailing funded expenditures in the Central Zone]) Furthermore, TUMF improvements can take up to 9 years to become a reality from a local jurisdiction developing a project to completion of construction. (*2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra,* p.7) Project prioritization, programming, and allocation of funds may also be a barrier to improvements on the roadways impacted by this project. (*2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra,* p.10) The EIR's conclusion that project transportation impacts on local roadways and intersections is less than significant after mitigation is simply not supported by evidence and the realities of these fair share programs. 84

With regards to DIF funding, the EIR even states that, "As part of its Capital Improvement program, the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents." The finding of less than significant impact after mitigation at these impacted intersections and roadway segments is therefore unsupported as such reduction to a level below significance may not occur in the short-term, long-term, or ever if these roadways are not given priority. 85

Mitigation requiring direct funding and completion of improvements at impacted roadways and intersections must be required of the project unless demonstrated to be infeasible. As the project currently stands, not all feasible mitigation has been required of this project to reduce traffic related impacts below a level of significance, and mitigation is uncertain and deferred. 86

Consistency with Local and Regional Plans

The EIR finds that the project is consistent with the SCAQMD AQMP, however the EIR previously found that the project failed to meet SCAQMD's requirements with regard to air quality control for mobile sources and construction emissions. 87

Consistency with the Transportation chapter of the 2008 RCP is unsupported. The statement that the proposed project will "limit[] the need for vehicle travel" and therefore satisfy the goal of "A more efficient transportation system that reduces and better manages vehicle activity" is erroneous. As discussed above, the project will have significant and unmitigated traffic impacts, and reliance on the TUMF and DIF programs provides for uncertain mitigation for traffic impacts. 88

Consistency with the Economy Chapter is likewise unsupported by the EIR. The Goal of 89

"diversifying the region's economy" is not satisfied by "add[ing] to the City's portfolio of industrial services." Said another way, the project will add more industrial services to already existing/proposed industrial services, the opposite of diversifying the region's economy. 89

The EIR finds that the project is consistent with the Compass Growth Vision Principles, yet fails to evaluate how the project is consistent with these principles. The evaluation provides is generalized and fails to discuss how the project is, in fact, consistent with principles 1, 2, and 4 re: improving mobility, fostering livability, and promoting sustainability for future generations. The finding of inconsistency is unsupported by the EIR and, again, the EIR fails as an informational document. 90

Segmentation

The project site has already received 80,000 cubic yards of fill of the total 300,000 cubic yards required onsite. The impact from this fill importation was segmented from the project as a whole. Such importation, upon evaluation in the EIR, would likely push the project construction impacts further above several threshold of significance and would likely lead to the exceedance of PM2.5, among perhaps others. 91

Alternatives

Where there is an environmentally superior alternative that significantly decreases the significant impacts of the Project then that alternative must be approved rather than the Project if that alternative is feasible, even if the alternative would impede to some degree the attainment of the project objectives, or would be more costly. [(PRC§ 21002; *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 597, State CEQA Guidelines § 15126.6(b)]

In this case, both the no project alternative and the reduced intensity alternative would reduce impacts when compared with the project. The reduced intensity alternative would reduce several impacts below a threshold of significance when compared to the proposed project. The reduced intensity alternative would also satisfy most of the project objectives. Accordingly the reduced intensity alternative must be approved over the project. 92

The EIR undermines the reduced intensity alternative by claiming that impacts would be similar; this claim is entirely unsupported by the facts and figures provided in comparison. For instance, with regards to traffic impacts, the EIR finds that impacts to roadways and intersections would be reduces. The EIR then, however, finds that the impact "would be similar." The EIR also finds that the reduced intensity alternative fails to satisfy several project objectives; these findings are likewise unsupported by the evidence. For instance, the EIR states that the reduced intensity alternative fails to meet the objective of clustering industrial warehouses near efficient access points. However, the reduced intensity alternative does not move the project. Nonetheless, the reduced intensity alternative substantially reduces impacts and meets most 93 94 95

project objectives. Accordingly, it must be approved rather than the project. 95

Lastly, the final line of the environmentally superior alternative pertains to an alternative site. There is no discussion of an alternative site with regards to the reduced intensity alternative. The EIR is misleading and fails as an informational document by claiming that the reduced intensity alternative fails to meet objectives related to location because of an alternative site. 96

Conclusion

Thank you for your consideration of these comments and the attached and/or referenced material.

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

Attachments and Electronic Citations

(1) Western Riverside Council of Governments, *2011 Annual Report, Transportation Uniform Mitigation Fee Program,* <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>

(2) Western Riverside Council of Governments, *Funded Expenditures in the Central Zone,* <http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf.>

(3) The Press Enterprise, Jack Katzanek (February 1, 2012) *"Moreno Valley: Sketchers' warehouse has caused net job loss,"* <http://www.pe.com/business/business-headlines/20120201-moreno-valley-skechers-warehouse-has-caused-net-job-loss.ece>

(4) *The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>

(5) *Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf> 97

(6) Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>

(7) *Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>

(8) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

(9) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapters 3, 4, and 9* <http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm>

(10) Electronic Library of Construction Occupational Safety and Health (November/December 2002) *Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis.*

(11) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(12) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects*. 97

RAYMOND W. JOHNSON, Esq., AICP LEED GA
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Thirty years subdivision design: residential, commercial and industrial
- Thirty years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

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General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

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- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals
- Member, U.S. Green Building Council, LEED GA

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants. 97

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co. 97
Lee's Summit, MO 6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO 9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.
Project Coordinator 6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

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2.10 RESPONSE TO LETTER D

Johnson & Sedlack

Response to Comment D-1. The commentor has accurately summarized the general aspects of the proposed project. No further response is necessary.

Response to Comment D-2. The City agrees that the major tenent of CEQA is that it is a disclosure process; therefore, your letter along with all the other comments and responses will be forwarded to the City decision makers for their consideration in the review of the EIR. No further response is necessary.

Response to Comment D-3. The commentor's opinions on the quality of the environmental assessment that was done will be forwarded to the decision-makers for their consideration. The City disagrees with the commentor's generalized assertions regarding the adequacy of the VIP Moreno Valley Draft EIR. The comment that the conclusions in the EIR are not based in fact is erroneous. The Draft EIR is based on the findings of technical studies that were prepared for the project that were included in their entirety in the appendices to the Draft EIR. Those studies are:

- General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., August 1, 2010.
- Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009.
- Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 9, 2009.
- Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 11, 2009.
- Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California, Michael Brandman Associates, March 22, 2007.
- Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007.
- Phase I Environmental for the Evaluation of Potentially Hazardous Materials, Centec Engineering, February 23, 2007.
- Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., March 27, 2009.
- Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., July 24, 2009.
- Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004, Eastern Municipal Water District, January 20, 2010.
- LESA Modeling Worksheets, LSA Associates, Inc., August 2011.
- Air Quality Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.
- Health Risk Assessment VIP Moreno Valley, LSA Associates, Inc., March 2012.

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- Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., December 2011.
- Noise Impact Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.
- Traffic Study VIP Moreno Valley, LSA Associates, Inc., April 9, 2012.

The Initial Study that was prepared for the proposed project determined that impacts on biological resources, cultural resources, geology, and hydrology and water quality would be less than significant with the implementation of mitigation not potentially significant requiring further analysis in an EIR. Those specific mitigation measures are identified in the Initial Study, Section 2.0 of the EIR and are also included in the Mitigation Monitoring and Reporting Plan (MMRP) attached to the Final EIR. The City formally initiated the environmental process with circulation of an NOP along with the Initial Study , which it sent to responsible agencies and interested individuals for a 30-day review period from August 26 to September 26, 2011. At the close of the public review period, the City had received 12 letters on the NOP. The NOP disclosed that an EIR would be prepared and the issues that would be addressed are agricultural and forest resources, air quality, greenhouse gases and global climate change, noise and transportation. None of the responses to the NOP asked that biological resources, cultural resources, geology, and hydrology and water quality be evaluated in the EIR. As a result the City is not concealing information from the public on the significance of impacts.

Response to Comment D-4. The City respectfully disagrees with the commentor's opinion that the findings in the EIR are not supported by substantial evidence. (also refer to Response to Comment D-3).

Response to Comment D-5. As appropriate, a portion of the mitigation measures suggested by the commentor (refer to Response to Comment D-45) have been incorporated in the Final EIR to further reduce impacts but these mitigation measures do not change the conclusions or analysis in the Draft EIR. All mitigation measures that are in the Draft EIR and mitigation added as a result of responses to D-45, D-34 and E-51 through D– 53 have been included in the MMRP (Section 4.0 of the Final EIR) to ensure that they are being implemented.

Response to Comment D-6. It is the commentor's opinion that the mitigation measures in the EIR are vague, uncertain, and unenforceable and are not based in fact nor does the commentor provide any examples. As detailed in the following responses, appropriate and enforceable mitigation of the project's significant individual and cumulative impacts have been identified in the Draft EIR.

Response to Comment D-7. It is not clear as to what the commentor is referring to in stating "several "alternatives" listed in the EIR will not satisfy the actual mitigation required, while other mitigation measures merely require the incorporation of writings, not actions."

The alternatives (Section 6.0 of the Draft EIR) are in compliance with *CEQA Guidelines* Section 15126.6(a), where the Draft EIR describes "a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (*CEQA Guidelines* Section 15126.6(b)). The discussion of project alternatives must "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." The alternatives are to "substantially lessen the significant effects of the project", not to satisfy the actual mitigation required.

It is not clear by what the commentor means as to the mitigation measures "merely require incorporation of writings" and no examples were provided by the commentor to clarify the meaning of the statement.

Response to Comment D-8. The commentor inaccurately suggests that the project should be required to obtain a LEED gold or platinum rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions impacts. The process of obtaining a LEED rating of any level (LEED ratings levels are Certified, Silver, Gold, and Platinum, with Platinum being the highest) is not mitigation. However, the specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. As stated in Mitigation Measure 4.2.6.3.A (Draft EIR page 4.2-26): *"Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:"* With implementation of this measure, the building will meet the 20% performance standard which will render greenhouse gas emissions impacts to a less than significant level on a project-specific basis.

Regarding air quality impacts, many of the suggested mitigation measures have been added in the Final EIR, are incorporated in the Draft EIR already, or were determined to be infeasible. For a list of those mitigation measures please refer to the Tables contained in Response to Comments D-34 regarding construction mitigation measures and D-45 regarding operational mitigation measures.

For clarification purposes, the Level of Significance After Mitigation conclusion regarding the project-specific impact associated with climate change and greenhouse gas emissions that appears on page 4.3-26 has been modified as shown below and as indicated in Section 3.0 Errata in the Final EIR:

Draft EIR, Section 4.3.6.1 Greenhouse Gas Emissions, Page 4.3-26

> **Level of Significance After Mitigation.** The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~ on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable.

Response to Comment D-9. Please see Response to Comment D-8. In addition, a portion of the air quality mitigation measures suggested by the commentor have been incorporated to further reduce air quality and impacts. Please refer to the Table contained in Response to Comment D-45. However, these mitigation measures do not change the conclusions or analysis in the Draft EIR.

Response to Comment D-10. The commentor incorrectly asserts that the project's traffic impacts are not fully mitigated through contribution to TUMF and DIF. As elaborated in Responses to Comments D-82 through D-85, the project's payment of these fees will result in full and complete mitigation.

Response to Comment D-11. The commentor incorrectly asserts that the environmentally superior alternative meets most project objectives and must be approved instead of the proposed project. Although the environmentally superior alternative (reduced density) will result in reduced air pollution and GHG emissions, impacts associated with these issues would remain significant and unavoidable for air quality, greenhouse gas emissions, and traffic in the same manner as the proposed project (see Draft EIR Section 6.4 Comparison of Project Alternatives, Table 6.K, page 6-31). Also refer to Responses to Comments D-92 through D-95 for further elaboration on this subject.

Response to Comment D-12. While the Draft EIR does acknowledge that "*Development of the project site would introduce a new source of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings*" the Draft EIR does not state that the project would result in the introduction of a substantial new source of light as asserted by the commentor. The Draft EIR includes an analysis of potential light and glare impacts that may occur as a result of project implementation.

As noted in the Draft EIR, "*project-related lighting impacts were determined to be less than significant because all development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses. Therefore, impacts associated with this issue are less than significant and no mitigation is required.*"

Response to Comment D-13. The commentor misidentifies the existing farmland designations on-site. As detailed in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-5), "*Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland,*[1] *16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance.*" No Unique Farmland exists on-site. Additionally, the Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of farmland to a non-agricultural use (Draft EIR Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-14).

Response to Comment D-14. The comment is noted. As described in Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-10 of the Draft EIR, "*The conversion of the 16.89 acres of on-site Prime Farmland would be equivalent to 0.03 percent of the total loss of Prime Farmland in the County during this period. Similarly, the conversion of the 16.23 acres of on-site Farmland of Statewide Importance would be equivalent to 0.07 percent of the total loss of Farmland of Statewide Importance in the County during this period. The conversion of the 38.69 acres of on-site Farmland of Local Importance would be equivalent to 1.89 percent of the total loss of Farmland of Local Importance in the County during this period.*" This level of conversion expressed in percentages that would occur with project implementation over the course of a two-year reporting period for the County

[1] Important Farmland Map Riverside County, Farmland Mapping and Monitoring Program, 2004.

does not represent a substantial conversion of farmland within the County. Furthermore, the Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of on-site farmland to a non-agricultural use (Draft EIR, Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-14).

Response to Comment D-15. There are no agricultural land uses designated or zoned adjacent to the proposed project site. As described in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-1), "*Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north; industrial/warehouse and undeveloped property to the south; industrial/warehouses and a self-storage facility to the east; and warehouses, vehicle storage, residences, and undeveloped property to the west. Active agricultural operations (alfalfa) take place on properties located to the southwest of the project site, west of Indian Street and south of Harley Knox Boulevard*". The active agricultural uses identified in the Draft EIR are approximately 1,000 feet away.

The Draft EIR does not play down the effect of on-site development on adjacent agricultural uses or on properties along truck routes or citywide. As identified in the Draft EIR (Section, 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12), "*the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the '…orderly conversion of agricultural lands.' The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development.*" As described in the Draft EIR, the City's General Plan and General Plan EIR have considered and evaluated the eventual and expected conversion of agricultural activity within the City. The City has already anticipated the eventual conversion of all agricultural activity within the City.

Furthermore, to predict potential impacts of the conversion of active agricultural operations that are occurring citywide as a result of the implementation of the proposed project is speculative and outside the scope of the Draft EIR and CEQA. Agricultural activity within the City is an interim use until such time a development proposal is submitted for a particular project, which cannot be predicted.

Response to Comment D-16. The potential mitigation measures identified in this comment are not considered to be feasible by the City of Moreno Valley as determined in the City's General Plan EIR. As identified in the Draft EIR (Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-13), "*Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. The City does have the ability to encourage property owners to participate in Williamson Act programs; however, this is expected to result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. The land would then be available to be developed with urban uses.*

Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified."

The Table below contains the suggested mitigation measures by the commentor. The responses determine whether the Draft EIR contains the mitigation measure, if the mitigation will be added mitigation as part of the Final EIR, or if it will not be included and why.

Suggested Mitigation Measure	Response
1. The purchase of agricultural conservation easements;	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*)
2. Transfer of development rights;	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable.
3. Acquisition of farmland by the city or county;	**Economically infeasible**. Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations.
4. Mitigation banking;	**Economically infeasible**. Neither the City of Moreno Valley or the County have a mechanism in place for mitigation banking. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. In addition, there is not any agricultural zoned land in the City for the City or County to purchase.

Suggested Mitigation Measure	Response
5. The establishment of "urban limits," greenbelts, and buffers;	**Not sufficient.** Will not result in permanent protection of agricultural lands. There is no mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations.
6. The payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements;	**Economically infeasible**. Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See (Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) In addition, there is not any agricultural zoned land in the City for the City or County to purchase and there is no existing fee program for farm land in the City.
7. Planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. In addition the project is an industrial project which the site is planned for in the City's General Plan since 1987. In addition, this is not a residential project. The proposed mitigation is not applicable. The project won't promote "leapfrog" development since the area surrounding the project site is developed.

Response to Comment D-17. Please refer to Response to Comment D-16.

Response to Comment D-18. This comment is noted. The commentor has correctly identified potential air quality impacts of the proposed project. The Draft EIR also identifies the same significant and unavoidable air quality impacts as occurring during construction and operation of the project (Draft EIR Section 4.2 Air Quality, pages 4.3-23, 4.2-25 and 4.3-28 through 4.3-29).

Response to Comment D-19. The Draft EIR Section 4.2 Air Quality includes a discussion of the applicable SCAQMD regional rules that are required of all development within the South Coast Air Basin as well as project-specific mitigation measures. The Draft EIR distinguishes between measures that are required by rules enforced by the SCAQMD and proposed mitigation measures identified to reduce potential impacts. The Draft EIR then presents data reflecting the anticipated reduction of emissions achieved as a result of both rules enforced by the SCAQMD and project-specific mitigation measures. The Draft EIR includes text on page 4.2-21 stating, "*To facilitate monitoring and compliance, applicable SCAQMD regulatory requirements are restated in the following mitigation. These measures shall be incorporated in all project plans, specifications, and contract documents.*" No further discussion is required.

Response to Comment D-20. This comment is noted. The commentor has correctly identified existing ambient air quality conditions in the project vicinity and the location of the nearest sensitive receptors. The Draft EIR Section 4.2 Air Quality, Table 4.2.D page 4.2-5 and page 4.2-6 (Section 4.2.1.5 Sensitive Land Uses in the Project Vicinity) also identifies the same ambient air quality conditions and locations of the nearest sensitive receptors.

Response to Comment D-21. The Draft EIR Section 4.2.3.4 Local Policies, page 4.2-9, includes a discussion of the City's General Plan and the policies relevant to air quality. The goals, objectives, and policies cited by the commentor are in portions of the General Plan that deal with public safety and energy conservation, but are included here to address the comment:

Ultimate Goal VII: Emphasizes public health and safety, including, but not limited to, police, fire, emergency and animal services and protection from floods and other hazards.

> *Response:* Section 2.5.10 of the Draft EIR addressed public health and safety relative to the cited public services, and Section 2.5.12 of the Draft EIR addressed utilities including energy use (i.e., the wise use of energy is considered energy conservation). The Draft EIR evaluated these issues and determined that the proposed project would not have significant impacts related to public health and safety (public services) and energy use/conservation with implementation of the project as proposed with the recommended mitigation. Therefore, the proposed project is consistent with this goal.

Goal 6.1: To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property.

> *Response:* Section 4.2 of the Draft EIR addresses health impacts related to air quality (i.e., health risk assessment), Section 2.5.5 of the Draft EIR addresses hazards and hazardous materials, Section 2.5.4 of the Draft EIR addresses geotechnical hazards, and Section 2.5.6 addresses water-related hazards. The EIR concluded that these impacts would be less than significant based on the design of the project and implementation of recommended mitigation measures except for specific daily thresholds for construction and operational air pollutants.
>
> NOTE: The project's consistency with Objective 7.5 and Policies 7.5.1, 7.5.2, and 7.5.5 regarding energy efficiency is included in Chapter 4.3 Climate Change and Greenhouse Gases, which begins on Draft EIR page 4.3-1. However, the following information is provided for the reader's convenience.

OBJECTIVE 7.5: ENCOURAGE EFFICIENT USE OF ENERGY RESOURCES.

> *Response:* Section 2.5.12 of the Draft EIR examines the project's use of energy resources such as electricity and natural gas and concludes that the potential impacts will be less than significant after compliance with the State's new "Green Building Code" (Title 24) including strict energy conservation requirements. In addition, Mitigation Measure 4.2.6.3A (under Air Quality) also addresses energy conservation.

Policy 7.5.1: Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand.

> *Response:* Sections 2.5.12 (Utilities) and 4.2 (Air Quality) of the Draft EIR addresses the design of the project relative to wise energy use (i.e., energy conservation) and determined that impacts in this regard would be less than significant with implementation of the state Green Building Code as well as implementation of Mitigation Measures 4.2.6.3A.

Policy 7.5.2: Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles.

> *Response:* The proposed project does implement the recommended improvements related to private development in this policy (i.e., bicycle racks, pedestrian access).

Policy 7.5.5: Encourage the use of solar power and other renewable energy systems.

Response: The proposed project does not have a specific end user at this point, but the building design will allow for future installation of solar photovoltaic and solar hot water heating for the office area.

Summary. As stated in section 15002 of the CEQA Guidelines, the basic purposes of CEQA are to 1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities; 2) Identify ways that environmental damage can be avoided or significant reduced; 3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternative or mitigation measures when the governmental agency find the changes to be feasible; and 4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved. While the suggested goals are not cited in the Draft EIR for reasons stated previously, this Draft EIR meets the basic purposes of CEQA and adequately discloses potential project-related effects to human health and the environment within Sections 4.2 Air Quality (beginning on page 4.2-1), 4.3 Climate Change and Greenhouse Gases (beginning on page 4.3-1), 4.4 Noise (beginning on page 4.4-1), and 4.5 Transportation (beginning on page 4.5-1).
Based on project design, compliance with existing regulations and implementation of the recommended mitigation measures protects public health and safety and achieves responsible energy conservation to the extent required by the lead agency under CEQA. Therefore, the proposed project is consistent with these General Plan goals, objectives, and policies.

Response to Comment D-22. Since there is no specific end user identified at this time, it is not known if employees will be relocated from another facility. It should be noted that even relocation of an existing use from elsewhere in the region still benefits the local economy. The relocation of employees may have an indirect employment impact in other jurisdictions but an overall neutral effect on the region (likely the jobs would still stay within the region). It is speculative to predict such employment changes since the end user is not known at this time. The cited online article makes no assertion that vehicle miles travelled (VMT) were increased due to an employee transfer and the commentor provides no evidence that this was the case in that example. The context of the analysis the commentor is commenting on relates to the project's consistency with the Air Quality Management Plan (AQMP) and how the project may accommodate the expected increase in population and employment in the City. The project is consistent with existing General Plan and Zoning designations and therefore it is reasonable to assume that given the proximity of existing homes and existing commercial uses in the area coupled with the City's existing low jobs-to-housing ratio (i.e., below the existing SCAG jobs-to-housing ratio), the project has the potential to minimize the VMT within the community.

Response to Comment D-23. The Draft EIR does not find that the project will minimize VMT compared to a "typical" large industrial/warehouse type project. However, this project provides the opportunity for a reduction in employee-related VMT because the proposed project will create jobs and provide the opportunity for City of Moreno Valley residents to find employment close to their homes. Because of the high unemployment levels in the City of Moreno Valley, this potential is real. However, the commute travel reduction is virtually impossible to calculate. Nonetheless, the project will create the potential for reduction in commuting distances for employees that reside in the City or in other municipalities near the project site.

Response to Comment D-24. The conclusion referenced in this comment is based on the previous assessment of localized operational impacts to sensitive receptors (Section 4.2.5.4). Because the project would not result in any exceedances of localized operational emissions thresholds,

operational acute health risk impacts are expected to be less than significant. Additional language has been added to Section 4.2.5.5 of the Section 3.0 Errata Final EIR to refer the reader back to the previous Section 4.2.5.4 to clarify this point.

Draft EIR Section 4.2.5.5, Operational-Acute Health Risk Impacts Page 4.2-18

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. As previously identified in Section 4.2.5.4, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. Similarly ~~Therefore~~, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

Response to Comment D-25. The HRA analysis provided in the Draft EIR Section 4.2.5.5 Operational-Acute Health Risk Impacts, page 4.2-18, evaluated the health risk levels at all locations within the area covered by the receptor grid which covers the area surrounding the project and extends out to beyond where the project contribution to ambient air quality is measurable. As stated in the technical Health Risk Analysis (HRA) prepared for the project: Receptors were placed at a grid approximately five by five miles to characterize the regional risk levels and at locations of all identified sensitive receptors" (see page 12 of the HRA contained in Appendix D-2 of the Draft EIR). Within the accuracy of the air dispersion model, using a grid of receptors to allow the display of area-wide distributions and wind effects is a much better indication of predicted pollutant concentrations than only placing a single receptor at a location of interest. This is in accordance with SCAQMD HRA methodology. Furthermore, the HRA considers a worst-case scenario (i.e., health risks at the nearest receptors); therefore, it can be expected that health risks at locations further away would be less than that at the nearest receptors.

Response to Comment D-26. This comment is noted. The HRA analysis provided in the Draft EIR Section 4.2.5.5 Operational-Acute Health Risk Impacts and Section 4.2.5.6 Operational-Chronic Health Risk Impacts, page 4.2-18 includes all health risks for which there are accepted analysis methods. The health effects described in the comment do not have methodologies to support inclusion.

Response to Comment D-27. This commentor is stating the facts on diesel emissions provided by the SCAQMD and is noted. No response is required.

Response to Comment D-28. This comment is a statement of fact and is noted. No response is required.

Response to Comment D-29. The HRA analysis provided in the Draft EIR, Section 4.2.5.6 Operational-Chronic Health Risk Impacts, page 4.2-18 accounted for the health risks to all the populations affected by the predicted emissions from the project operations including children. In addition the Draft EIR, Section 4.2.1.5 Sensitive Land Uses in the Project Vicinity, page 4.2-6 identifies those sensitive receptors in the area of the proposed project that are sensitive to air pollutants, which includes residences, schools, medical offices, convalescent facilities, and similar uses. The susceptibility of various portions of the population, including infants and children as well as older people are all considered and analyzed, which includes diesel emissions, in both the air quality and HRA sections of the Draft EIR (Sections 4.2 and 4.3, respectively).

Response to Comment D-30. This comment is a statement of fact and is noted. The City of Moreno Valley General Plan is the governing body for the proposed project not the Riverside County General Plan. Consistency of the project with the Riverside General Plan is not required.

Response to Comment D-31. This comment is a statement of fact and is noted. The commentor does not provide a reference for the statement and there is confusion as to how the bullet item relates to the analysis in the Draft EIR. No response is required.

Response to Comment D-32. This comment is a statement of fact and is noted. The commentor does not provide a reference for the statement and there is confusion as to how the bullet item relates to the analysis in the Draft EIR. The proposed project and the respective HRA prepared for the project and summarized in the Draft EIR, complies with the City of Moreno Valley General Plan policies. The City of Moreno Valley General Plan is the governing body for the proposed project not the Riverside County General Plan. Consistency of the project with the Riverside County General Plan is not required.

Response to Comment D-33. The section title has been changed to reflect that the analysis considers all construction emissions and the change is provided in Section 3.0 Errata in the Final EIR.

Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-19

4.2.6.1 Construction ~~Equipment~~ Emissions

Response to Comment D-34. The data shown in Table 4.2.I of the Draft EIR contains typographical errors; however, Table G: Short-Term Regional Construction Emissions in the Air Quality report (Appendix D-1) in the Draft EIR is correct. The 5.95.9 lbs/day of ROG is a typographical error; the actual emission value is 5.9. The 3434 lbs/day of NO_x is also a typographical error; the actual emission value is 34 lbs/day (see Draft EIR Appendix D-1, Air Quality Study). The numbers in Table 4.2.1 under Fugitive Dust PM_{10}, Exhaust PM_{10}, Fugitive $PM_{2.5}$ and Exhaust $PM_{2.5}$ are also typographical errors and now match the table in the Air Quality Report in Appendix D-1inthe Draft EIR. The amendments to Table 4.2.1 do not change the analysis or the conclusions in the Section 4.2 Air Quality in the Draft EIR. The changes to Table 4.2.I have been included in Section 3.0 Errata in the Final EIR.

Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-20.

Table 4.2.I: Short-Term Regional Construction Emissions

Construction Phase	Pollutant Emissions (lbs/day)							
	ROG	NO_X	CO	SO_2	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	~~1.8~~ 11	~~0.33~~ 4.1	~~0.02~~ 0.18	~~0.32~~ 3.9
Architectural Coating	72	3.7	11	0.01	~~0.2~~ 1.8	~~2.9~~ 0.33	~~0~~ 0.02	~~2.9~~ 0.32
Paving	5.95~~.9~~	34~~34~~	22	0.03	~~329~~ 0.2	~~17~~ 2.9	~~4.4~~ 0	~~16~~ 2.9
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the mitigation measures suggested for inclusion by the commentor and if it is already included in the Draft EIR, if will be added mitigation as part of the Final EIR, or if will not be included and why.

Suggested Mitigation Measure	Response
1. Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
2. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (eg. Install wheel shakers, wheel washers, and limit site access.)	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
3. All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1R** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
4. Pave all construction roads.	**Not Included**. All roads surrounding the site are already paved. This suggested mitigation measure is not warranted.
5. Pave all construction access roads at least 100 feet on to the site from the main road.	**Not Included.** This suggested mitigation measure is not included in Section 4.2 Air Quality of the Draft EIR because it is impractical to pave construction roads onsite. It is infeasible and ineffective to pave roads within the site as the

Suggested Mitigation Measure	Response
	entire site will be graded to process the 220,000 cubic yards of fill to be imported. Such temporary pavement would present unnecessary obstacles and would be destroyed in the process of construction. Paving construction roads within construction areas unnecessarily increase VOC generation, with little or no discernible reduction in other air pollutant emissions. Fugitive dust control is already addressed by **Mitigation Measures 4.2.6.1E** and **4.2.6.1F**.
6. Limit fugitive dust sources to 20 percent opacity.	**Not Included.** The context of this suggested mitigation measure is unclear. It is not feasible to limit fugitive dust *sources* to 20 percent opacity. It is inferred that the commentor is suggesting that fugitive dust *emissions* should be limited to 20 percent opacity consistent with SCAQMD Rule 403. SCAQMD Rule 403 is a regional requirement required of all development within its jurisdiction; therefore, the project is required to adhere to this requirement.
7. Require a dust control plan for earthmoving operations.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** and **4.2.6.1L** on page 4.2-23.
8. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-24) of the Air Quality Section as **Mitigation Measure 4.2.6.1N** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
9. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1O** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
10. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
11. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
12. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Not Included.** This suggested mitigation measure is not included in Section 4.2 Air Quality of the Draft EIR because extending the grading period would not likely achieve a level of reduction great enough to reduce air quality impacts during the grading phase. In fact, extending the grading period would result in an increase in worker vehicle and construction equipment-related emissions, increasing the severity of the impact. In addition, the same quantity of fugitive dust would be emitted to the air basin under this suggestion and impacts associated with regional emissions would not be reduced. Also refer to the response to #13 below.
13. The simultaneous disturbance of the site shall be limited to five acres per day.	**Not Included.** As noted in the CalEEMod manual, "*In order to properly grade a piece of land multiple passes with equipment may be required. The acres is based on the*

Suggested Mitigation Measure	Response
	equipment list and days in grading or site preparation phase according to the anticipated maximum number of acres a given piece of equipment can pass over in an 8-hour workday. The equipment specific grading rates are given in the table below as determined by SCAQMD in consultation with building estimator references." Thus, the CalEEMod calculates a total grading disturbed area many times the size of the project site based on the idea that there are multiple graders, dozers, scrapers, etc. making multiple passes during any one day. This suggested measure to limit simultaneous disturbance of the site to 5 acres per day would not change the results of the air quality modeling and projected air emissions identified in the Draft EIR and in fact may increase emissions due to the grading inefficiencies created by this restriction. By grading a smaller area it prolongs the grading process and releases dust and vehicular emissions (grading construction workers going back and forth to the site over a greater period of time and grading equipment moving around the site) into the air basin over a longer period of time. By grading five acres a day of a minimum grading of 7 days based on a 71 acre site at 10 acres a day the grading would be prolonged to 14 days. There are also logistical considerations getting construction equipment and people back and forth to the site. In addition, there are no sensitive receptors located in close proximity to the project site that would be affected by the dust.
14. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1P** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
15. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measures 4.2.6.1E** and **4.2.6.1G** on page 4.2-22.
16. Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.	**Not Included.** It is not clear what is being suggested by this measure. Trackout (i.e., dirt deposition) is addressed through adherence to **Mitigation Measure 4.1.6.1K**.
17. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1D** on page 4.2-22. While **Mitigation Measure 4.2.6.1D** does not specify the formulation of a high wind response plan as suggested, this mitigation measures requires that clearing, grading, earthmoving, or excavation activities cease upon 25 mph winds or greater. This requirement in combination with other dust control measures outlined in the Draft EIR will accomplish the intent of the suggested mitigation measures stated here.
18. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1S** and summarized in the Errata Section of the Final EIR to include a similar requirement regarding

Suggested Mitigation Measure	Response
large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	scheduling truck trips during non-peak hours as suggested. Approval of a truck haul route is already required prior to grading permit approval. commentor
19. Develop a trip reduction plan to achieve a 1.5 AVR for construction employees	**Not Included.** This suggested mitigation measure is not feasible because construction of this type typically requires a large number of small contractors rather than one large contractor such as for large public works projects. Having multiple small contractors means that workers come from many areas and do not work for the same company, therefore, making efforts to coordinate their carpooling ineffective and infeasible. As noted in **Mitigation Measure 4.2.6.1K**, documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs. In addition, it should be noted that California Public Health and Safety Code Section 40717.9 states that a "public agency shall not require an employer to implement an employee trip reduction program unless the program is expressly required by federal law and the elimination of the program will result in the imposition of federal sanctions, including, but not limited to, the loss of federal funds for transportation purposes."
20. Require high pressure injectors on diesel construction equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
21. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.	**Not Included. Mitigation Measure 4.2.6.1C** which requires CARB Tier II Certified equipment or better (page 4.2-21) is identified in the Draft EIR. Where feasible, CARB Tier II Certified equipment or better will be used during construction of the project. The suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
22. Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.	**Not Included. Mitigation Measure 4.2.6.1C** which requires CARB Tier II Certified equipment or better (page 4.2-21) is identified in the Draft EIR. Where feasible, CARB Tier II Certified equipment or better will be used during construction of the project. infeasible because of CARB off-road regulation changes approved in 2011 making exhaust retrofits of particulate traps no longer mandatory that requiring their use is not feasible.
23. Utilize only CARB certified equipment for construction activities.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1C** on page 4.2-21.
24. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1M** on page 4.2-23.
25. Restrict engine size of construction	**Included.** This suggested mitigation measure is already

Suggested Mitigation Measure	Response
equipment to the minimum practical size.	included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
26. Use electric construction equipment where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
27. Substitute gasoline-powered for diesel-powered construction equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
28. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
29. Use methanol-fueled pile drivers.	**Not Included.** Project construction does not require use of pile drivers.
30. Install catalytic converters on gasoline-powered equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-23.
31. Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM_{10} and NO_x reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NO_x and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Not Included.** It has been determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Additionally, SCAQMD has previously confirmed that PuriNox is not expected to be commercially available in the foreseeable future. Thus, the suggested mitigation measure is not capable of being accomplished in a successful manner within a reasonable period of time because PuriNox is not available commercially. In addition, the requirement to use alternative diesel fuel depends on the availability of such fuel which according to the SCAQMD is not available.
32. Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
33. All forklifts shall be electric or natural gas powered.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
34. Suspend use of all construction equipment operations during second stage smog alerts.	**Incorporated.** As noted on the SCAQMD website (http://www.aqmd.gov/aqmd/index.html), the Basin has not experienced a Stage II smog alert since the 1980's. This is due to cleaner burning fuels in vehicles and more stringent rules BY AQMD regarding PM_{10} and $PM_{2.5}$. While the occurrence of a Stage II smog alert cannot be predicted. It is reasonable to assume that a Stage II smog alert would not occur during the construction phase of this project. However, as precaution the mitigation measure has been added to the Errata Section of the Final EIR as a bullet item under **Mitigation Measure 4.2.6.1K.**
35. Provide temporary traffic controls such as a	**Incorporated.** Additional text has been added to Section

Suggested Mitigation Measure	Response
flag person, during all phases of construction to maintain smooth traffic flow.	4.2.6.1 (page 4.2-24) of the Air Quality Section as **Mitigation Measure 4.2.6.1Q** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
36. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Not Included.** The project site is bounded by Perris Boulevard to the east, Grove View Road to the north, Indian Street to the west, and Perris Valley Storm Channel (PVSC Lateral D unimproved service road) to the south. Perris Boulevard and Grove View Road are improved with curb and gutter on lanes adjacent to the project site, while Indian Street contains a strip of unimproved right-of-way adjacent to the project site. Perris Boulevard contains a raise center median, so left-turn access to/from the site is not possible. Access onto the project site is readily available along Grove View Road and Indian Street. Grove View Road is a low-volume street containing a center two-way left turn lane and already contains adequate provisions for truck access to the site. It is anticipated that the truck haul route permit will require that trucks access the site via Gove View Road.
37. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1T** and summarized in the Errata Section of the Final EIR as suggested. Approval of a truck haul route is already required prior to grading permit approval.
38. Configure construction parking to minimize traffic interference.	**Not Included.** The project site is bounded by Perris Boulevard to the east, Grove View Road to the north, Indian Street to the west, and Oleander Avenue (PVSC Lateral D unimproved service road). Perris Boulevard and Grove View Road are improved with curb and gutter on lanes adjacent to the project site, while Indian Street contains a strip of unimproved right-of-way adjacent to the project site. Access onto the project site is readily available along Perris Boulevard, Grove View Road and Indian Street. Construction parking is expected to be onsite at the discretion of the construction contractor to facilitate construction of the site.
39. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
40. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
41. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Not Included.** This suggested measure is counterproductive to the suggested measures identified in row 40 above and **Mitigation Measure 4.2.6.1K**. In addition, construction workers tend bring their own lunch because they take a limited lunch break. For this reason, the suggested measure will result in additional vehicular emission as compared to without the suggested measure. Thus, this suggested measure is not warranted.
42. Provide shuttle service to transit stations/multimodal centers for the	**Not included. .** This mitigation measure is not practical since the nearest multimodal center is in downtown Riverside

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Suggested Mitigation Measure	Response
construction crew.	located 14.5 miles northwest of the project site. In addition, the Riverside Transit Authority (RTA) has an established bus route, No. 19, which services the project area and the site. The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary.
43. Require the use of Zero-VOC paints, coatings, and solvents.	**Included.** To the extent feasible, this suggested mitigation measure is partially included (low-VOC vs. zero-VOC) in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1J** on page 4.2-23 in accordance with SCAQMD Rule 1113.

~~* Would reduce impacts to GHGs as well~~

Response to Comment D-35. The language in Mitigation Measure 4.2.6.1.B in the Draft EIR is as specific as is possible, while still allowing the possibility that the construction contractor can implement it. Requiring the project contractor to utilize electricity from power poles may result in infeasibility if power poles do not exist on-site. Clean-fuel is fuel other than diesel or gasoline. Clarification of the term "clean-fuel" has been incorporated into the Final EIR.

Draft EIR Section 4.2.6.1 Construction Equipment Exhaust Emissions Page 4.2-21.

> **4.2.6.1B**. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

Response to Comment D-36. The air quality analysis of construction shows that there will be exceedances of ROG, NO_X and PM_{10}. Tier III applies to equipment produced from 2006 to 2008. As of 2012, equipment produced since 2006 are becoming more readily available, but not to the extent that requiring their use is considered feasible mitigation. Tier II specifications result in a substantial reduction in PM_{10} and $PM_{2.5}$ (62.5% to 72.5%, depending on horsepower) over Tier I equipment, which is the basis of the mitigation measure. Tier III specifications are identical to Tier II for PM_{10} and $PM_{2.5}$, thus requiring this more stringent mitigation would have no benefit to the reduction in PM_{10} and $PM_{2.5}$ and was not required.

Response to Comment D-37. Mitigation Measure 4.2.6.1.K as written in the Draft EIR requires that the listed measures be included in "grading plans, construction specifications and bid documents". Once in these documents, they become requirements, enforceable by the City or other regulatory agencies. However, the wording of this and similar measures will be reworded to strengthen the implementation requirement of each measure.

Response to Comment D-38. Although the exact effects of the measures listed are not fully quantifiable at this time, the language of the measure will be changed to require implementation of all the listed design features, rather than a future combination of features, as shown below:

Draft EIR Section 4.2.6.3 Long-Term Operational Emissions, Page 4.2-26.

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent which is considered sufficient by CARB and the SCAQMD to achieve the AB 32 conservation goals for 2020. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any~~ combination of design features, ~~including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: *(note: the list of design features remains the same except for changes outlined in Response D-39 below)*

Changes to this mitigation measure are provided in Section 3.0 Errata of the Final EIR.

The significant impact that these mitigation measures apply to are almost entirely from mobile sources. The emissions exceed the thresholds by up to 1,700%. There are no feasible mitigation measures available to reduce these emissions to anywhere close to the thresholds, therefore; 20% was proposed by the project as a good-faith effort to make a meaningful reduction.

Response to Comment D-39. The only agencies that have any control over the production of vehicles used with this project, and therefore the emissions controls installed on those vehicles, is the California Air Resources Board and the United States EPA. The indirect control the City has over vehicle operations associated with land use decisions cannot not have a substantial effect on the project's air quality impact as the vehicle emissions of concern are from trucks traveling throughout the Air Basin, far outside the City limits.

Response to Comment D-40. Impact 4.2.6.3 is the air quality impact from operational emissions of the project to the regional air quality. This impact statement includes a typographical error and Section 3.0 Errata of the Final EIR incorporates the amended language to clarify the impact statement.

Draft EIR Section 4.2.6.3 Long-Term Operational Emissions, Page 4.2-25.

> **Impact 4.2.6.3:** *Implementation of the proposed project may ~~occur~~ have the potential to exceed applicable daily thresholds for operational activities.*

Response to Comment D-41. This comment reiterates the conclusions presented in the Draft EIR. The rounding of the results is entirely appropriate. It is not inaccurate to report that emissions would be 990.93 lbs/day when all that can really be reported is that the peak emissions could be anywhere between 970 and 990 lbs/day and will be far less for most of the time.

Response to Comment D-42. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39. In addition, the mitigation measures focus on the only project emissions that the project has any ability to reduce.

Response to Comment D-43. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39.

Response to Comment D-44. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39.

Response to Comment D-45. It is not feasible to mandate mitigation on equipment that is controlled by the State and federal governments. As the EIR is only for the construction of the project and the operator has not been identified, the EIR can only specify mitigation that can be implemented by the builder. At the time the operator is known, it is at the City's discretion to impose operating parameters to the operator of the facility.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the operational emissions mitigation measures suggested for inclusion by the commentor. If the measure is included in the Draft EIR the response indicates "included". If the mitigation is being added as part of the Final EIR the response indicates "incorporated", or if the measure is not included the response discusses why the Final EIR does not contain the measure.

Suggested Mitigation Measure	Response
1. The operator of the primary facilities shall become SmartWay Partner.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
2. The Project shall meet SmartWay 1.25 ratings.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
3. The project shall use only freight companies that meet SmartWay 1.25 ratings.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. (ALTERNATIVELY from 2,3 above) The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
5. The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
6. All fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
7. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration	**Incorporated.** Similar language has been added to Section 4.2.6.3 (page 4.2-27) of the Air Quality Section under **Mitigation Measure 4.2.6.3A** and summarized in

Suggested Mitigation Measure	Response
units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.	the Errata Section of the Final EIR to include a portion of the suggested requirement.
8. Install catalytic converters on gasoline-powered equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-23.
9. Where diesel powered vehicles are necessary, require the use of alternative diesel fuels. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Not Included.** It has been determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Additionally, SCAQMD has previously confirmed that PuriNox is not expected to be commercially available in the foreseeable future. Thus, the suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is therefore infeasible. Heavy duty trucks using other types of alternative fuels are not yet widely available on the market at this time. In addition, there is no specific end user at this time, and a future user may already have a truck fleet that would make implementation of alternative fuel vehicles economically infeasible. As alternative fuel trucks become more widely available (e.g., compressed or liquefied natural gas) and are required in higher numbers at the SoCal ports, it is likely that project trucks will utilize alternative fuels.
10. Electrical powered equipment should be utilized in-lieu of gasoline-powered engines where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
11. Utilize electrical equipment for landscape maintenance.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
12. All forklifts shall be electric or natural gas powered.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
13. Utilize electric yard trucks.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
14. Prohibit idling of trucks for periods exceeding three minutes.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1M** on page 4.2-23.
15. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.

Suggested Mitigation Measure	Response
16. Charge reduced or no parking fee for EVs and CNG vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28. While **Mitigation Measure 4.2.6.3A** does not specify reduce or no parking fees for these vehicles, it does specify the "provision of preferential parking."
17. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Included.** To the extent feasible, a similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
18. Install a CNG fueling facility.	**Not Included.** The facility will not be able to take advantage of alternative fuel trucks as outlined previously in Item 9. The number of trucks this project would support does not justify the additional cost of installing a CNG fueling facility, and would likely be only one end user so the cost of such a facility could not be shared among a larger group of industrial users. Therefore, this measure is infeasible.
19. Provide preferential parking locations for EVs and CNG vehicles.*	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
20. Implement parking fee for single-occupancy vehicle commuters.	**Included.** To the extent feasible, a similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
21. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26.
22. Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.	**Incorporated.** The suggested measure to plant low-ozone forming potential trees and shrubs has been added to the project mitigation under **Mitigation Measure 4.3.6.1B**.
23. Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.	**Incorporated.**. The suggested measure to plant low-ozone forming potential trees and shrubs has been added to the project mitigation under **Mitigation Measure 4.3.6.1B**.
24. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.	**Not Included** The suggested mitigation measure to orient buildings north or south is not applicable to a warehouse building due to the size and shape of the project site and the resulting size and orientation of the proposed industrial building.
25. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.	**A Portion of the Measure is Included.** Tree shading of parking areas is a requirement of all projects and is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26. Grass paving is not practical in the City's climate and to date not accepted by the Fire Prevention Bureau

Suggested Mitigation Measure	Response
	in addition heavy trucks cannot park on a grass surface.
26. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.	**Incorporated.** The suggested mitigation measure has been added to reduce air quality emissions as a bulleted item to **Mitigation Measure 4.2.6.3A**.
27. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.	**Incorporated.** The suggested mitigation measure has been added to reduce greenhouse gas emissions as a bulleted item to **Mitigation Measure 4.2.6.3A**.
28. Provide a complimentary cordless electric lawnmower to each residential buyer.	**Not Included.** As stated, the suggested mitigation measure applies to home buyers and is therefore inappropriate.
29. Implement parking cash-out program for non-driving employees.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
30. Require each user to establish a carpool/vanpool program.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
31. Create a car sharing program within the planned community.	**Not Included.** The suggested mitigation measure applies to a planned community and is therefore inappropriate.
32. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.*	**Not Included.** The suggested mitigation measure applies to a residential neighborhood and is therefore inappropriate.
33. Provide preferential parking for carpool/vanpool vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
35. Provide secure, weather-protected bicycle parking for employees.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
36. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Not Included.** Pedestrian access to and from the project will take place from the adjacent streets on associated sidewalks that are already provided in the area.
37. Provide direct safe, direct bicycle access to adjacent bicycle routes.	**Not Included.** Bicycle access from the project will take place to and from the project site on the adjacent streets which already exist in the project area.
38. Provide showers and lockers for employees	**Included.** This suggested mitigation measure is already

Suggested Mitigation Measure	Response
bicycling or walking to work.	included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
39. Short-term bicycle parking for retail customers and other non-commute trips.	**Not Included.** As stated, the suggested mitigation measure applies to a retail uses and is therefore inappropriate.
40. Connect bicycle lanes/paths to city-wide network.	**Not Included.** The suggested mitigation measure applies citywide bicycle planning, and is therefore inapplicable.
41. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.	**Included as a Part of Site Design**. The project site design includes a bus bay along the site's Perris frontage.
42. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Included as a Part of Site Design.** The project site design includes a bus bay along the site's Perris frontage.
43. Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents.	**Incorporated** The suggested mitigation measure has been incorporated as suggested in the Errata to the Final EIR as a bullet to **Mitigation Measure 4.2.6.3A**.
44. Provide shuttle service to food service establishments/commercial areas.	**Not Included.** Warehouse workers tend bring their own lunch because they take a limited lunch break. For this reason, the suggested measure will result in additional vehicular emission as compared to without the suggested measure. Thus, this suggested measure is not warranted.
45. Provide shuttle service to transit stations/multimodal centers.	**Not Included.** The suggested mitigation measure has not been included. The project site design includes a bus bay along the site's Perris frontage. In addition
46. Provide on-site child care or contribute to off-site child care within walking distance.	**Not Included.** The suggested mitigation measure applies to areas with high number of employment and is therefore inapplicable.
47. Implement a compressed workweek schedule.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.
48. Implement home-based telecommunicating program, alternate work schedules, and satellite work centers.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.
49. All buildings shall be constructed to LEED Platinum standards.	**Not Included.** The process of obtaining a LEED rating of any level (LEED ratings levels are Certified, Silver, Gold, and Platinum, with Platinum being the highest) is not mitigation. However, the specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency.
50. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.

Suggested Mitigation Measure	Response
51. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.	**Included.** A similar mitigation measure is provided in **Mitigation Measure 4.2.6.3A** in the Final EIR Errata. It reads as follows: "The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs."
52. Install an ozone destruction catalyst on all air conditioning systems.	**Not Included.** The suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
53. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project.	**Not Included.** The suggested mitigation measure includes implementing carbon offsets in an amount equivalent to 100% of all project mobile source greenhouse gas emission. See Response to Comment E-54. This suggested mitigation measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
54. Purchase only green/ renewable power from the electric company.	**Included.** A similar mitigation measure is provided in **Mitigation Measure 4.2.6.3A** in the Final EIR Errata. It reads as follows: "The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs."
55. Install solar water heating systems to generate all hot water requirements.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26.

Response to Comment D-46. As indicated in the Draft EIR (Section 4.2.5.1, Air Quality Plan Management Plan Consistency, pages 4.2-14 and 4.2-15), the project is consistent with the City's General Plan and zoning. Therefore, regional planning agencies, including SCAG and the SCAQMD, have already accounted for future industrial use on the proposed project site as part of the land use projections contained in the AQMP and other regional planning documents/programs (i.e., Regional Transportation Plan, etc). Implementation of the AQMP and the modified project-related mitigation measures will help to improve air quality levels in the future. Since the proposed project will contribute to full attainment of national and state ambient air quality standards, future cumulative impacts associated with the proposed and cumulative projects will not make a significant contribution to cumulatively considerable air quality impacts in the region. For clarification purposes, Section 4.2.7.1 Short-Term Air Quality Impacts on page 4.2-25 of the Draft EIR has been modified as shown below and as indicated in Section 3.0 Errata in the Final EIR:

Draft EIR, Section 4.2.7.1 Short-Term Air Quality Impacts, Page 4.2-25

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. In addition, implementation of the AQMP will result in improved air quality levels in the future and full attainment of national and state ambient air quality standards, resulting in less than significant cumulative impacts from all short-term and long-term air pollution sources. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

Response to Comment D-47. The commentor states that the biological report that was prepared for the project is outdated and limited in survey coverage, concluding that the EIR fails as an informational document. As indicated in *CEQA Guidelines*, Section 15151, "… an EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. … The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."

The August 2010 biological report *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010, referenced in August 2011 Initial Study and the April 2012 Draft EIR is one of several biological studies that have been conducted on the project site and vicinity. While the August 2010 Initial Study and April 2012 Draft EIR incorporated portions of the 2007 biological resource reports (refer to Response to Comment D-3 for a list of all biological technical reports) in describing site conditions, the environmental documents also included substantial additional biological survey data that was collected subsequent to the 2007 biological reports. In fact, additional surveys for burrowing owl, special status plant species, and wetland determination were conducted on the project site by the applicant's biologist in August 2009 and covered the entire project site. This data was revisited in August 2010 and confirmed as still valid. Biological survey reports often have a limited window within which the stated conclusions are considered valid. However, it must be emphasized that the conditions described in the various biological resource reports were verified and updated where necessary during the environmental process. Therefore, contrary to the commentor's opinion, the collective body of survey data for the project site is current, which accounts for the identification and full disclosure of any biological resources of concern on the project site.

2.7.1.1 **Response to Comment D-48.** The Draft EIR (Section 2.5 Effects Found Not to be Significant, 2.5.3 Cultural Resources, pages 2-12 – 2-13) did find that the proposed project would have a less than significant impact on paleontological resources (fossils) with the implementation of Mitigation Measure CUL-1. This determination was based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project. In that study it was determined that the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources are the fossilized biotic remains of ancient environments valued for the information they yield about the history of the earth and its past ecological settings.

These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the proposed project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. Mitigation Measure CUL-1 has been identified to reduce the significance of paleontological resource impacts.

Response to Comment D-49. The commentor is correct the mitigation measure does state that there would be a discontinuation of monitoring once maximum depth of excavation is met. If there is no excavation of soils there would not be disturbance of fossils (if they are on-site); therefore, why would monitoring be required. It is not the intent of CEQA to excavate the entire site below 4 feet in the case of this project to find fossils if they are there. If construction excavation is only going to a maximum depth of 10 feet and no fossils are found 10 feet below ground surface it can be assumed that the fossils are not within the first 10 feet below ground surface. With the deletion, the monitoring will continue below 4 feet. For clarification purposes that sentence of the Mitigation Measure CUL-1 has been deleted as indicated in Section 3.0 Errata in the Final EIR.

Draft EIR, Section 2.5.3 Cultural Resources, Page 2-13.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
  - ~~If too few fossil remains are found after 50 percent of the planned for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~
  - Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
  - Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.

- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Response to Comment D-50. The City disagrees with the commentor. Mitigation Measure CUL-1 clearly states **"...***Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates and identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage."* Paleontologists are professional scientists and their salvaging efforts would not destroy fossils. The paleontologist's intent and that of the mitigation measure is for construction to stop so the paleontologist can recover the fossil(s) to identify and curate specimens into a professional, fully accredited museum repository with permanent retrievable storage.

Response to Comment D-51. In response to the commentor's comment that portion of Mitigation Measure CUL-1 has been deleted, refer to Response to Comment D-49.

Response to Comment D-52. There is an inherent misunderstanding as to the meaning of archeological and historic resources verses paleontological resources the definition of which is a follows:

Archaeology studies "human cultures" through the recovery, documentation, and analysis of material remains and environmental data, including architecture, artifacts, biofacts, human remains, and landscapes. The main goal of archaeology is to create the most thorough understanding of how and why both historical and prehistoric people lived, to understand the evolution of human society and civilizations, and to use knowledge of ancestors' history to discover insights into modern-day societies.[1]

An **historic resource** is building, structure, site, district, or object which is significant in American history, architecture, archaeology, engineering, and culture.[2]

Paleontology is the scientific study of life forms that existed in the earth's distant past as revealed though the examination of fossils of plants, animals, and other organisms. Included is the study of body "fossils", tracks (ichnites), burrows, cast-off parts, fossilized feces (coprolites), palynomorphs (tiny organic particle of a size between five and 500 micrometers), and chemical residues.[3]

Objective 7.6 and Policies 7.6.1 and 7.6.2 of the City's General Plan are referring to historic and archaeological resources not paleontological resources. As far as General Plan Program 9.7.3 and 7-6, a Phase I Cultural Resources Assessment and Paleontological Records Review (refer to Response to Comment D-49) was prepared for the proposed project that determined that the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. As a result the Draft EIR includes Mitigation Measure CUL-1 to ensure that there paleontological resources are protected. The City disagrees with the commentor in that the Draft EIR does include feasible enforceable mitigation. To ensure monitoring and enforcement, Mitigation Measure CUL-1 is included in the MMRP (Final EIR Section 4.0).

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1 http://www.newworldencyclopedia.org/entry/Archaeology, website accessed June 5, 2012.

2 http://www.paroute23.com/about_project/glossary.htm#H, website accessed June 5, 2012.

3 http://www.newworldencyclopedia.org/entry/Paleontology, website accessed June 5, 2012.

Response to Comment D-53. The import of fill (220,000 cubic yards) to the project site was considered in the evaluation of the proposed project in the Draft EIR in Sections 4.2 (Air Quality, page 4.2-20), 4.3 (Greenhouse Gas Emissions, calculated using same model as used for Air Quality), and 4.4 (Noise, page 4.4-18). The 80,000 cubic yards of fill that is currently on-site is considered the baseline (existing on-site conditions) and this fill was imported to the project site as part of a previously approved stockpile permit (page 3-3) that predated the proposed project. Traffic impacts associated with the soil import operations were not addressed because the operations would result in negligible effects on the local and regional circulation systems due to low trip generation anticipated for the haul trucks and the temporary in nature of the activity.

Response to Comment D-54. Mitigation Measure GEO-2 has been revised to eliminate any perception of vagueness. To ensure monitoring and enforcement, revised Mitigation Measure GEO-2 is included in the MMRP (Final EIR Section 4.0).
Draft EIR, Section 2.4.4 Geology and Soils, Page 2-16.

> **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be ~~reviewed and considered~~ implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties ~~to determine~~ in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Response to Comment D-55. This comment is only a statement of opinion. GHG plans, policies, and regulations are still overall vague and difficult to analyze compliance with. While VMT is a factor of GHG emissions, it is not clear how that relates to GHG plans, policies and regulations. As stated in CEQA Guidelines section 15151, "*An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*" The EIR meets the standards of adequacy of an EIR in accordance with CEQA Guidelines section 15151.

Response to Comment D-56. New development projects derive (most of) their energy from the existing energy grids (mainly electricity and natural gas), so the consumption from one individual development project cannot determine the percentage of energy production/generation from the entire energy grid, or what percentage comes from renewable sources. The achievement of renewable energy goals must be set and achieved at a regional or state level, and cannot be assigned to any individual project. The proposed project is designed to allow onsite solar (photovoltaic) electrical generation, but there is no specific end user defined yet. In addition, a number of changes have been made to the recommended Mitigation Measure 4.2.6.3A that addresses greenhouse gases and sustainability. Improvement in project operations that reduces energy consumption results in lowered GHG emissions from area power production facilities. The discussion that follows Table 4.3.B in Draft EIR Section 4.3.5.1 Greenhouse Gas Plan, Policy, and Regulation Consistency supports the EIR's conclusion of consistency.

Response to Comment D-57. The cited SCAQMD tiered thresholds are still only guidance as proposed draft thresholds and do not carry the force of law or adopted regulations. In addition, the commentor has misinterpreted the application of the 5-tier review system recommended by the SCAQMD. The cited thresholds indicate when a particular project under evaluation should move to the next stage of the evaluation (i.e., the next tier) – they are not thresholds against which to specifically determine a significant impact. In addition, as described in the Draft EIR, the greenhouse gas emissions produced by the project do not in themselves represent a project-level significant impact related to greenhouse gases. That conclusion is consistent with guidance provided by CARB and the SCAQMD. The EIR does correctly conclude that the proposed project would make a significant contribution to cumulatively considerable greenhouse gas impacts, even with implementation of the recommended mitigation, including Mitigation Measure 4.2.6.3A as revised in Responses to Comments D-38 and D-39 in this document.

Response to Comment D-58. A more precise water conservation strategy cannot be described at this point in the project development. This Mitigation Measure is included so that some sort of water conservation strategy will be included, when appropriate (i.e., prior to issuance of occupancy permits).

Response to Comment D-59. This comment is only a statement of fact, requiring no response. As there are no quantifiable reductions supplied, there is no reason not to specify these measures.

Response to Comment D-60. This comment is a statement of fact and is noted. No response is required.

Response to Comment D-61. The commentor incorrectly asserts that impacts associated with transport and storage of hazardous materials cannot be mitigated through applicable laws because the tenant is not known. The comment appears to suggest that a future tenant may not abide by applicable laws that regulate hazardous materials. The City assumes, as a reasonable and legitimate part of the CEQA process, that any future tenant of the project building is required to abide by all state and local laws that regulate the transport, use, and storage of hazardous materials. In addition, this project involves warehousing, not heavy or light industrial uses, and so the potential for onsite uses to handle, store, or transport materials that would be hazardous to public health or safety are relatively low, but would ultimately depend on the end user selected to ultimately occupy the project building.

Response to Comment D-62. The commentor states that the EIR fails to undertake an evaluation of water quality impacts beyond the cursory review done for the Environmental Assessment (i.e. Initial Study). The City disagrees with this statement. As identified in the Draft EIR, Section 2.5.6 (Hydrology and Water Quality, page 2-19 – 2-25), the analysis provides a detailed discussion regarding construction and operational activities in relation to water quality and recommends mitigation measures that would ensure that any water pollutants generated during these phases are treated appropriately. The analysis also describes in detail the proposed drainage features and drainage paths that would be constructed on the project site as well as any flooding impacts that the site would be prone to. These discussions and conclusions are based on a project-specific preliminary water quality management plan and hydrology/hydraulic analysis[1]. The water quality analysis was provided as part of the Initial Study subject to public review and comment as part of the NOP process. Based on the input received from the NOP, no additional concerns regarding water quality were identified by

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1 *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009, and *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.

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an interested member of the public, including the commentor. While the commentor opines that the evaluation of water quality impacts is cursory, the commentor does not provide any meaningful input as to how the analysis can be further evaluated. The water quality analysis included in the Initial Study and Draft EIR represents a good faith effort at full disclosure and no further response is required.

Response to Comment D-63. Section 2.5.6 (Hydrology and Water Quality) of the Draft EIR discussed potential drainage-related impacts resulting from development of the proposed project. As reflected therein, as well as the detailed preliminary Hydrologic and Hydraulic Analysis included as Appendix B-8 *(Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road,* Robert A. Bebensee, R.C.E., March 27, 2009) to the Draft EIR, development of the proposed project would result in the construction of impermeable surfaces that will alter the natural drainage of the project site.

As stated in Draft EIR page 2-24, "…storm flows generated from the northerly portion of the proposed building and truck court would be collected by a series of drop inlet catch basins. Storm water runoff generated on site would be routed to three Austin sand filters and pre-treatment hydro-dynamic clarifiers that are intended to remove and reduce the amount of oils, sediment and trash from the storm water. The treated water from these sand filters is pumped into an adjacent on-site storm drain. The on-site storm drain system has been designed to accept a full 100-year storm event and flows would ultimately be routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard that connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from the westerly side of the proposed building would be collected by a drop inlet catch basin and routed by pipe to a landscaped swale that would be located along the southerly portion of the property. In the event that the landscape swale receives excess flows, the excess flows would be then routed to a second drop inlet catch basin. From the second drop inlet catch basin, flows would continue to an off-site catch basin and ultimately be routed to the Perris Valley ADP Lateral B-3 in Indian Street, which connects to the Perris Valley Storm Drain Lateral B channel. Storm water runoff generated from the easterly side of the building would be collected by a drop inlet catch basin and route via pipe to a hydro-dynamic clarifier then to an Austin sand filter located in the southeasterly corner of the project site. In the event that the clarifier and sand filter receive excess storm flows, these excess storm flows would be routed to an off-site catch basin and ultimately routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard, which connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from would also be routed to a landscaped swale running along the southerly portion of the project site. Flows would then be routed to an Austin sand filter located near the center of the site and ultimately routed to four existing 36-inch diameter reinforced concrete pipes (RCPs) that connect to Lateral B of the Perris Valley Channel. The Austin sand filter located in the southeasterly corner of the project site would also accept stormwater flows from the project site. In the event that flows are in excess of what the sand filter can handle, the excess flows would be directed back to the southerly landscaped swale, and ultimately to an existing 30-inch diameter RCP that connects to Lateral B of the Perris Valley Channel."

The purpose of including Mitigation Measure HYD-05 was to ensure that the preliminary Hydrologic and Hydraulic Analysis was finalized by the City's Engineer and that the calculations contained in the analysis met City requirements. The Draft EIR does not improperly defer mitigation in this regard as an existing preliminary Hydrologic and Hydraulic Analysis has already been prepared for the project. Furthermore, the finalization of hydraulic calculations is a requirement of all projects in the City. Therefore, the inclusion of this requirement as Mitigation Measure HYD-05 is designed to track both the standard requirements and mitigation measures as part of the project's MMRP. Mitigation Measure HYD-05 has been revised accordingly to clarify the finalization of the Hydrologic and Hydraulic Analysis. No further response is required.

Draft EIR, Section 2.5.6 Hydrology and Water Quality Hydrology, Page. 2-24:

> To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. Although adherence to the City's drainage requirements, which includes the preparation of drainage sizing calculations, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-05** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. ~~To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified.~~ With adherence to this mitigation measure, impacts associated with this issue are less than significant.
>
> ***Mitigation Measure HYD-05:*** *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements.* ~~*submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.*~~

Response to Comment D-64. The commentor opines that the project would conflict with an applicable habitat conservation plan or natural community conservation yet does not provide any specific comment as to how the project does conflict. As stated in *CEQA Guidelines,* Section 15151, "… an evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate." The comment posed is identified as being part of the land use discussion. As identified in Draft EIR Section 2.5.7 Land Use, page 2-25 the discussion of the project's consistency with applicable habitat conservation plans is provided in Draft EIR Section 2.5.2, Biological Resources, pages 2-8 – 2-12. The applicable habitat conservation plan for the area is the Western Riverside County MSHCP.

As stated on Draft EIR Section 2.5.2, Biological Resources page. 2-9, "*The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (Athene cunicularia), five Narrow Endemic Plant Species (NEPS), and nine Criteria Area Plant Species (CAPS). A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.*"

Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site. It

is unlikely that burrowing owls would be located on site as burrowing owls tend to avoid heavily disked areas because of potential burrows occlude/collapse. However, in the event that burrowing owls are found on site, the inclusion of the Mitigation Measures BIO-1 through BIO-4 (which requires pre-construction surveys for burrowing owl), would fulfill MSHCP requirements. The fulfillment of MSHCP requirements would enable the project to be consistent with the Riverside County MSHCP.

Based on the information contained in the Draft EIR, the five Narrow Endemic Plant Species (NEPS) and nine Criteria Area Plant Species (CAPS) were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the project site lacks suitable habitat for these species due to historic agricultural activities. Because of the absence of members of the species and suitable habitat, a less than significant impact to special status plants would occur. Since the project would not impact any of the plants identified in the MSHCP, the project is consistent with this component.

The potential for agency jurisdiction of the on-site drainage ditch was assessed as part of the previously referenced Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation prepared for the project. The ditch does not meet the three-parameter test for jurisdiction (vegetation, hydrology, and soils). Therefore, the project would not impact jurisdictional waters and would be consistent with the requirements identified in the MSHCP for this component. Based on the analysis contained in the Draft EIR, the project is consistent with the MSHCP, is supported by project specific biological data and survey work, and represents a good faith effort at full disclosure. No further response is required.

Response to Comment D-65. The 3 dBA increase was not identified in the noise impact analysis as a threshold. Rather, it was stated that "audible impacts that refer to increases in noise levels noticeable to humans generally refer to a change of 3 dB or greater, since this level has been found to be barely perceptible in exterior environment;" For noise level changes that are not perceptible by the human ear, they would not cause any audible change and would therefore not result in any significant noise impacts.

Response to Comment D-66. Noise standards identified in the City's Municipal Code are used to determine if projected noise levels from the proposed on-site operations would result in any significant stationary sources noise impacts on sensitive uses in the project vicinity. Failing to comply with these noise standards would cause project operations, after project implementation, to violate the City's Municipal Code. Therefore, it is appropriate to use the City's Municipal Code noise standards to evaluate potential on-site noise-generating operations.

Response to Comment D-67. The City's noise standards in terms of the 24-hour weighted Community Noise Equivalent Level (CNEL), identified in the General Plan Noise Element, are applicable for land use planning purposes to avoid placing noise-sensitive land uses within the high noise impact zones. Use of these noise standards are adequate when proposing noise-sensitive land uses such as residences near airport, railroad tracks, or heavily traveled highways/freeways. Noise standards included in the City's Municipal Code are typically used for enforcement purposes to determine if noise associated with a stationary source would exceed or violate the City's noise standards from stationary sources. They were used in the noise impact analysis (Draft EIR Section 4.4.2.1 City of Moreno Valley General Plan Policies, page 4.4-5) to determine the potential impacts from on-site operations.

Response to Comment D-68. Use of "hard site" is appropriate in an urban area where the majority of the ground surface is paved, and most sound energy is reflected back up in the air. In suburban or rural areas where almost half of the ground surface between the traffic and the receptor location is either vacant land or planted with landscaping vegetation, the use of "soft site" is more appropriate.

Nevertheless, the choice of hard site or soft site for ground reflection only affects the potential noise level on the project site. Project-related changes would be the same under both scenarios. On off-site land uses, the 2013 with project traffic noise levels showed that project-related traffic noise level increases would be 0.8 dBA or less. This range of traffic noise level changes in an outdoor environment gradually over a time period would not be perceptible by the human ear and would not result in any significant noise impacts. As the proposed land use is not noise-sensitive, the use of soft site or hard site for noise reflection would not have any effect on the project findings.

Response to Comment D-69. The proposed project would generate approximately 2,731 vehicular trips a day, and about half of these vehicles are trucks. These project-related vehicles would be 7.5 to 15 percent of the projected 2012 cumulative traffic volumes along roadway segments that would be used by these vehicles. An increase of 7.5 to 15 percent vehicles along these roadway segments would result in an increase of approximately 0.3 to 0.6 dBA on these roads. Even though the proposed project is a distribution facility with higher truck percentage, the change in overall vehicle mix along these affected roadway segments would not be substantial. The resulting traffic noise level changes or increases on off-site land uses would remain small and less than significant. Since the proposed on-site land use is not considered noise-sensitive, and the project-related traffic noise level increases would be the same under both scenarios, this factor would not affect the findings of the noise impact analysis.

Response to Comment D-70. As stated in the Responses to Comments D-65 and D-68, project-related traffic noise level increases would be small and not perceptible by the human ear. The four study roadway segments that have noise levels that already exceed the City's noise standards, with or without the proposed project, have pre-existing conditions that are not a consequence of the proposed project, and therefore, the proposed project is not responsible for the noise level existing noise exceedance on those roadway segments.

Response to Comment D-71. The noise impact analysis for the proposed project (*Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., March 2012) evaluated the long-term operational traffic noise impact in terms of CNEL and the on-site operations noise impact comparing them to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. The project site is surrounded by vacant land which is planned for light/industrial uses and commercial/light industrial uses to the south or other existing non-noise-sensitive industrial uses to the north, east and west. The City's Municipal Code states that the noise standards shall apply "*when measured at a distance of 200 feet or more from the real property line of the source of the sound if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property*." In this case, evaluating the potential noise levels at the property line of the nearest existing noise-sensitive land uses (i.e., residences) that are at a distance of 200 feet or more would adequately determine the project's potential noise impacts. Future noise-sensitive land uses, if proposed in the vicinity of the project site, will be required to mitigate noise associated with all neighboring sources, including the proposed project.

Response to Comment D-72. As stated in the Response to Comment D-71, the project site is surrounded by vacant land that is planned for light industrial/business park in the City of Moreno Valley and to the south in the City of Perris for light industrial/commercial uses or other non-noise-sensitive land uses (refer to Figure in the Draft EIR Section 1.0 page 1-3). These land uses that are directly adjacent to the project would not be significantly affected by the project noise. Noise from on-site operations, including loading/unloading and onsite maneuvering, have been adequately evaluated at the nearest noise-sensitive land uses and no significant noise impacts were identified. Truck noise from trucks driving on public streets is not regulated by the local governments (city or county).

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Response to Comment D-73. As stated in the Response to Comment D-71, the noise impact analysis evaluated the traffic noise impact in terms of CNEL and the on-site operations were compared to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. All potential noise impact sources were identified and properly evaluated. Please refer to Appendix F (*Noise Impact Analysis VIP Moreno Valley,* LSA Associates, Inc., March 2012) of the Draft EIR for more detailed analysis and discussion on these impacts.

Response to Comment D-74. The noise levels obtained from the 1987 edition of Noise Control for Buildings and Manufacturing Plants (Bolt, Beranek & Newman, 1987) represent a conservative analysis for construction equipment. Because of technology advancement, most current day construction equipment emits lower noise levels compared to the 1987 version. In addition, the project site is surrounded by vacant land or other non-noise-sensitive land uses such as industrial uses. Noise from the on-site construction activity would not result in any significant impacts to adjacent uses (Draft EIR, Section 4.4.5.4 Long-Term Operational Noise Impacts. Page 4.4-13).

Response to Comment D-75. As demonstrated in the Responses to Comments D-65 through D-74, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction and in addition the requirement of the applicant/contractor to follow the City's Municipal Code Mitigation is provided to reduce construction impacts as well. The land uses that are directly adjacent to the project site are not noise-sensitive and would not be significantly affected by project construction noise. Potential construction noise impacts on the nearest noise-sensitive receptor locations, i.e., existing residences approximately 1,000 feet to the north of the project site, have been adequately evaluated and no significant noise impacts were identified.

It should be noted that the *Moreno Valley Municipal Code* in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

The City's Municipal Code, Section 8.14.040.E, specifies the hours of any construction within the City to occur only as follows: Monday through Friday (except for holidays that occur on weekdays), 6:00 a.m. to 8:00 p.m.; weekends and holidays (as observed by the City and described in Chapter 2.55 of the Municipal Code), 7:00 a.m. to 8:00 p.m., unless written approval is obtained from the City building official or City engineer. According to the City's Municipal Code Ordinance 8.21.050, grading permit requirements, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

In addition the Draft EIR, page 4.4-17 states "*The nearest noise-sensitive receptor locations to the project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures [Mitigation Measures 4.4.6A – 4.4.6D] have been identified to reduce the noise*

levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards."

Response to Comment D-76. As demonstrated in the Responses to Comment D-74, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction. Therefore, it is not warranted to include these additional mitigation measures, because none of them would apply to this project.

Suggested Mitigation Measure	Response
1. Temporary noise barriers must be installed during project construction.	**Not required.** As indicated in the noise impact study, there are no noise-sensitive land uses in the immediate project neighborhood and no noise barriers would be required during project construction. The proposed project will comply with all mitigation measures identified and comply with applicable federal, State, and City guidelines.
2. Where technically feasible, utilize only electrical construction equipment.	**Not required.** As evaluated in the noise impact study, practical procedures will be taken for the onsite operations. There are no noise-sensitive land uses located in the immediate neighborhood of the project site. No noise impacts would occur.
3. During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.	**Not required.** Construction equipment will be turned off when not in use. Idling for delivery vehicles will be limited to no more than 5 minutes per truck per trip per day, according to the requirements established by the California Air Resources Board.
4. Provide a "windows closed" condition requiring a means of mechanical ventilation (e.g. air conditioning) for all buildings.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operation noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
5. Provide upgraded windows with a minimum Sound Transmission Class (STC) rating of 34 for all buildings, and/or require the installation of double-paned windows.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
6. Keep new transportation facilities away from vibration sensitive areas.	**Not required, no nexus to the impact.** This comment does not apply to the project because no transportation facilities are being proposed.
7. When dealing with existing transportation facilities, obvious vibration causes, such as pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc., may be eliminated by resurfacing.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
8. Require the use of rubberized asphalt for construction of all roadways and parking areas.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
9. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures

Suggested Mitigation Measure	Response
	are required.
10. Require resurfacing of roads.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
11. Ban heavy trucks near vibration sensitive uses.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
12. Use alternate construction methods and tools to reduce construction vibrations. Examples are predrilling of pile holes, avoiding cracking and seating methods for resurfacing concrete pavements near vibration sensitive areas, using rubber tired as opposed to tracked vehicles, placing haul roads away from vibration sensitive areas.	**Not required.** There are no noise sensitive land uses in the immediate project vicinity. Noise and vibration associated with the proposed project would not result in any significant impacts to adjacent uses.
13. Scheduling construction activities (particularly pile driving) for times when it does not interfere with vibration sensitive operations (e.g. night time).	**Not required.** There are no noise sensitive land uses in the immediate project vicinity. Noise and vibration associated with the proposed project would not result in any significant impacts to adjacent uses.

Response to Comment D-77. Refer to Responses to Comments D-74 and D-76, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction. Mitigation Measure 4.4.6.1D "*During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays,"* is provided to ensure that the Municipal Code is implemented.

Response to Comment D-78. As demonstrated in the noise impact analysis, project-related traffic noise increases in the project vicinity would be small and not perceptible by the human ear (Draft EIR, Section 4.4.5.3 Long-Term Traffic Noise Impacts, page 4.4-10). Project on-site operational noise impacts were also found to be less than significant (Draft EIR Section 4.4.5.4 Long-Term Operational Noise Impacts, page 4.4-13). Since the projected 2013 traffic volumes include traffic trips from other cumulative projects in the project area, no significant project-related long term cumulative noise impacts would occur.

Response to Comment D-79. The commentor's referral to "traffic counts" is erroneous and is assumed he was referring to the "trip generation" of the project. The trip generation rates for High-Cube Warehouse were the modified National Association of Industrial and Office Properties (NAIOP) rates (based on a 2007 NAIOP letter summarizing the trip generation studies of 13 high-cube warehouses located in western Riverside County) that was approved by the City of Moreno Valley Transportation Engineering staff. The City's modified NAIOP rates are higher than the Institute of Transportation Engineers (ITE) *Trip Generation, 8th Edition* rates for High-Cube Warehouse, therefore the air pollution, greenhouse gas, and trip generation estimates for the proposed project are overstated resulting in a conservative analysis.

ITE *Trip Generation 8th Edition* is the standard used by City of Moreno Valley in determining project trip generation for new developments. When the initial version of the traffic study for the project was first prepared, the previous version, *7th Edition,* of *Trip Generation* was available. In the previous version, the high-cube warehouse category (land use 152) was not utilized because only p.m. peak hour data was available and the sample size was too small. Due to the lack of data with the high-cube warehouse rates, the City analyzed the 2007 NAIOP trip generation rate data and developed reasonable trip generation rates for high-cube warehouse reflecting a full standard deviation above the average rates disclosed in the 2007 NAIOP trip generation study. As stated above, the City's modified NAIOP rates are higher than the current ITE *Trip Generation 8th Edition* rates for high-cube warehouses. Further, the rate for High-Cube warehouse is dependent on the square footage of the building and not the number of dock doors or parking stalls.

Response to Comment D-80. The intersections analyzed in the EIR were based on discussion with City of Moreno Valley Transportation Engineering staff during the scoping process. Furthermore, intersections on Harley Knox Boulevard from Indian Street to Interstate 215 are not part of the 2010 Riverside County Congestion Management Program and were not included in the analysis. The traffic study did not include the intersection of Patterson Avenue/Harley Knox Boulevard in the analysis because project passenger vehicles and trucks will travel eastbound and westbound on Harley Knox Boulevard and would not make left- or right-hand turns to/from Patterson Avenue. For this reason, potential project impacts to the intersection were determined to be not substantial and the intersection was not included as a study intersection.

Caltrans requires analysis to a State highway facility if a project generates over 100 peak hour trips. The project generates over 100 peak hour trips at the Interstate 215/Harley Knox Boulevard interchange and was included in the Project's Traffic Impact Analysis. Project traffic at Cactus Avenue and Ramona Expressway are less than 100 peak hour trips and were not included in the Draft EIR. Based on the City of Moreno Valley Traffic Impact Analysis guidelines, a General Plan Build-out analysis was not required since the project did not propose a General Plan Amendment or Zone Change.

Response to Comment D-81. It appears the commentor is incorrectly stating that analysis of local intersections, local roadways, freeway mainline segments, and freeway merge/diverage areas as conducted in the EIR constitutes segmenting. The comment is therefore unclear and needs refinement to warrant a response.

Nonetheless, the traffic analysis conducted for the project examined project impacts on existing baseline conditions and year 2013 cumulative conditions. For the each time horizon, a.m and p.m. peak hour impacts were assessed based on a level of service analysis of local intersections, local roadways, freeway mainline segments, and freeway merge/diverage areas.

Response to Comment D-82. As stated in the Project TIA *(Traffic Study VIP Moreno Valley,* LSA Associates, Inc., April 9, 2012*)*, the payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts. The timing to use the TUMF and DIF fees is established through the capital improvement plan (CIP) overseen by the City, which uses traffic counts, trends, and review of traffic accidents to determine the project priority of the improvements. Project priority categories in the City's CIP include essential (start within 1 year), necessary (start within 1 to 3 years), desirable (start within 3 to 5 years), and deferrable (start within 5 to 10 years).

As stated in the Level of Significance After Mitigation following Mitigation Measures 4.5.6.1A and 4.5.6.1B (see page 4.5-19 of the Draft EIR), improvements to Perris Boulevard are out to bid to potential construction contractors, with construction of the improvement anticipated to finish in May of

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2013. Page 4.5-19 of the of the Draft EIR also notes that these improvements to Perris Boulevard for the existing plus project condition are consistent with the City's General Plan and are included in the County's TUMF program. The Draft EIR goes on to note that a portion of the City's DIF is allocated toward funding improvements to the City's transportation system, and the specific improvements are based on the General Plan Circulation Element. For these reasons, the Draft EIR concluded that the project's impacts to affected roadway segments (Perris Boulevard) will be mitigated through payment of the City's DIF and the County's TUMF.

As stated in the Level of Significance After Mitigation following Mitigation Measures 4.5.6.2A (see page 4.5-27 of the of the Draft EIR), the improvements defined to maintain the applicable level of service standard at local intersections and roadways in the 2013 cumulative plus project condition will be built per the City's DIF and County's TUMF programs. Payment of these fees in accordance with Mitigation Measures 4.5.6.1A and 4.5.6.1B was therefore determined to be full and complete mitigation of project impacts to roadway segments and intersections in the 2013 cumulative plus project condition. The intersections and roadway segments on Perris Boulevard and Indian Street are included in the City of Moreno Valley's CIP and are planned to be funded by DIF and TUMF. The intersections and roadway segments on Harley Knox Boulevard are included in the City of Perris' "North Perris Road and Bridge Benefit District" and are also planned to be funded by DIF and TUMF. However, the Draft EIR notes that the necessary improvements to freeway segments are outside the City's jurisdiction and therefore the City has no control over when or how these improvements will be put in place, the impacts to freeways would remain significant and unavoidable until such improvements are built.

It should also be noted that the City also uses other funding sources for future roadway improvements such as Measure "A" (Fund 125), gas tax fund (Fund 121), SCAG Article 3 (SB 821 Grant Awards), proposition 42 replacement funds (Fund 224), CDBG (Fund 285), general city capital projects fund (Fund 412), and public works general capital projects fund (Fund 414). Furthermore, the Perris Boulevard widening project that is expected to begin construction in July 2012 is anticipated to be 100% paid for by TUMF funding (CIP 2012-2013). Improvements in the City that are covered by DIF funds in the CIP 2012-2013 include Cactus Avenue EB improvements/I-215 to Veterans Way, Cactus Avenue EB improvements/Veterans Way to Heacock Street, and Day Street Widening, Heacock Street/Perris Valley Storm Drain to Cactus Avenue, and Ironwood Avenue/Perris Boulevard to Nason Street.

The commentor assumes that all cumulative projects will be built by 2013 and therefore all roadway improvements recommended in the project TIA will be required by 2013. However, the cumulative (2013) scenario analyzed in the project's TIA analysis is a scenario required by the City and doesn't represent real world conditions where most cumulative projects won't be built by 2013 and therefore all improvements won't be required.

Response to Comment D-83. Please refer to the Response to Comment D-82.

Response to Comment D-84. Please refer to the Response to Comment D-82.

Response to Comment D-85. Please refer to the Response to Comment D-82.

Response to Comment D-86. Please refer to the Response to Comment D-82.

Response to Comment D-87. The commentor appears to be suggesting that, because the proposed project exceeds SCAQMD construction and operational emission thresholds, it cannot be consistent with SCAQMD's AQMP. The purpose of the daily thresholds is to provide benchmarks against which to examine a project's short-term (construction) and long-term (operational) air quality impacts as part

of the CEQA process. The purpose of the AQMP is to provide regulation and guidance for achieving federal and state criteria attainment status in the future. The daily thresholds and the AQMP therefore serve two separate and distinct purposes. The land uses proposed by this project are consistent with the local and regional plans that form the basis for the AQMP (i.e., the City's General Plan and SCAG's Regional Comprehensive Plan and Regional Transportation Plan). Therefore, the proposed project is consistent with the AQMP. However, the SCAQMD has also established daily thresholds for construction and operational air pollutant emissions that, if exceeded, represent a significant air quality impact under CEQA. As described in the project's air quality study and the EIR Section 4.2 Air Quality, the proposed project exceeds one or more daily thresholds for both construction and operations. Therefore, the project can be consistent with the AQMP as well as exceed daily thresholds for construction and operational air pollutant emissions. Also refer to Response to Comment D-46 for a discussion on the project's consistency with the AQMP.

Response to Comment D-88. The proposed project will create jobs, providing the opportunity for City of Moreno Valley residents to find employment close to their homes. Although the quantity of commute travel reduction is virtually impossible to calculate, the project will create the potential for reduction in commuting distances for employees that reside in the City or in other municipalities near the project site. Regarding traffic impacts, see Response to Comment D-83. The City has determined that payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts.

Response to Comment D-89. The commentor opines that the goal of "diversifying the region's economy" is not satisfied by "add[ing] to the City's portfolio of industrial services." As stated in *CEQA Guidelines,* Section 15151, "… an evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate." The commentor is selective in which part of the goal is focused on and fails to take the entirety of all the economy goals into consideration. The full goal from which "diversifying the region's economy" was pulled from is as follows:

"**Goal** Promote sustained economic health through diversifying the region's economy, strengthening local self-reliance and expanding competitiveness."

The EIR does not make the assertion that the addition of the project would diversify the region's economy. Furthermore, it appears that the goal is to promote sustained economic health through a three pronged approach – diversifying the region's economy, strengthening local self-reliance, and expanding competitiveness. As stated on Draft EIR page 5-10, "…*the proposed project would add to the City's portfolio of industrial services, which would enable the City to be more self-reliant through the provision of goods and services to residents within the City. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.*"

These statements are supported by analysis contained in the Draft EIR. Specifically, the analysis contained in the Economy Chapter (Draft EIR page 5-10) identifies the number of jobs that would be created as part of the project and the balancing of the jobs to housing ratio in the City which generally would allow for the City to be more self-reliant. As identified in Table 2.C of the Draft EIR (Cumulative Projects List page 2-34), there are multiple warehousing projects within adjacent jurisdictions (e.g. City of Perris, City of Riverside, and County of Riverside). The addition of the proposed project would enable the City to offer a similar type of warehousing stock in comparison to other areas in the region.

Lastly, the commentor does not offer any specific detail as to how the analysis contained in this section is unsupported. The analysis contained in the Draft EIR represents a good faith effort at full disclosure and no further response is required.

Response to Comment D-90. The commentor states that Draft EIR fails to evaluate how the project is consistent with the Compass Growth Vision Principles. Table 5.D has been added to the EIR (Section 3.0 Errata in the Final EIR) indicating the proposed project's consistency with the Compass Growth Vision Principles. No further response is required.

Draft EIR, Section 5 5.4 Consistency With Local And Regional Plans, Page 5-12:

> ~~The proposed project is consistent with the four principles identified above. The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.~~

In addition, a new table (Table 5.D: Compass Growth Vision Report Consistency) has been added as follows.

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 1: Improve mobility for all residents. • Encourage transportation investments and land use decisions that are mutually supportive. • Locate new housing near existing jobs and new jobs near existing housing. • Promote a variety of travel choices.	The project is consistent with this principle. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial uses and would encourage a reduction of vehicle miles traveled within the City. Implementation of the project would create approximately 646 jobs. Existing housing is located approximately 1 mile to the north and 2 miles to the south of the project site. The project is consistent with this portion of Principle 1. There are a number of transit-oriented strategies that could be implemented by the proposed project to encourage alternate modes of travel, including informational strategies, incentives, and services. (Refer to Mitigation Measure 4.2.6.3A).

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 2: Foster livability in all communities. • Promote developments which provide a mix of uses. • Promote "people scaled, "walkable communities. • Support the preservation of stable, single-family neighborhoods.	The project is consistent with the applicable portions of this principle. The proposed project is a warehousing project and does not include any residential uses. Therefore, the project is not considered to be a mixed use project and this portion of Principle 2 is not applicable to the project. The project site is located in an industrial warehouse area. The project would include sidewalks so that the opportunity of being walkable within this warehouse area is possible. Therefore, the project is consistent with this portion of Principle 2. The proposed project is a warehousing project and does not include any residential uses. Therefore this portion of Principle 2 is not applicable to the project.
Principle 3: Enable prosperity for all people. • Provide in each community a variety of housing types to meet the housing needs of all income levels. • Support educational opportunities that promote balanced growth. • Ensure environmental justice regardless of race, ethnicity, or income class. • Support local and state fiscal policies that encourage balanced growth. • Encourage civic engagement.	Based on the information provided below, this principle is not applicable to the project. The proposed project is a warehousing project and does not include any residential or educational uses. Therefore this portion of Principle 3 is not applicable to the project. The project site is vacant and the project located in an area identified for industrial and commercial uses. Therefore, this issue not applicable to the project. The supporting of local and state fiscal policies and the encouragement of civic engagement is at the City level not the project level. Therefore, this portion of the principle is not applicable to the project.
Principle 4: Promote sustainability for future generations. • Focus development in urban centers and existing cities. • Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste. • Utilize "green" development techniques.	The project is consistent with this principle. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. Mitigation Measure 4.3.1.6B requires the project to implement various sustainability strategies and "green" development techniques that uses resources efficiently, eliminates pollution, and reduces waste.

Response to Comment D-91. See Response to Comment D-53. The import of fill (220,000 cubic yards) to the project site was considered in the evaluation of the air quality impacts attributable to the proposed project (Section 4.2 Air Quality, page 4.2-20) The 80,000 cubic yards of fill that is currently on-site is considered the baseline (existing on-site conditions) and this fill was imported to the project site as part of a previously approved stockpile permit (page 3-3) that predated the proposed project.

Response to Comment D-92. As noted in Response to Comment D-11, the commentor incorrectly asserts that the environmentally superior alternative meets most project objectives and must be approved instead of the proposed project. Although the City concedes that the environmentally superior alternative (reduced density) will result in reduced air pollution and GHG emissions, it bears

noting that impacts associated with these issues would remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project (see Table 6.K, page 6-31). The significant and unavoidable project impacts associated with greenhouse gas emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. However, the significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold).

The commentor mistakenly claims that the reduced intensity alternative (Alternative 2) would meet the following project objectives: "Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels" and "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources reduces impacts to air quality, global climate change, and traffic." This is due to the fact that reduced-intensity development patterns are in concept diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development. Said another way, the reduced intensity alternative would result in use of the entire project site in an inefficient manner with associated negative effects such as sprawl.

Response to Comment D-93. The commentor mistakenly claims that there is no basis for the Draft EIR statement that the reduced intensity alternative would have impacts similar to the proposed project. As shown in Table 6.K, the reduced intensity alternative (Alternative 3) would reduce impacts to air quality, global climate change, and traffic. This is due to the reduction in the air pollution emissions, greenhouse gas emissions, and trip generation attributable to the alternative linearly related to the reduction in building square footage (1,616,133 square feet versus 1,212,100 square feet). However, the significant and unavoidable impacts associated with this alternative would remain, similar to the proposed project.

Response to Comment D-94. See Response to Comment D-92.

Response to Comment D-95. See Response to Comment D-93. The significant and unavoidable air quality, global climate change, and traffic impacts associated with the reduced intensity alternative would remain, similar to the proposed project.

Response to Comment D-96. It is not clear as to what the commentor is attempting to point out. If the commentor is suggesting that an alternative be examined that couples both a reduction in development intensity and at an alternative site, the City disagrees. The purpose of the alternative site is to examine the possibility of reducing project impacts by moving it to an alternate location.

Response to Comment E-97. The commentor has attached various references. No response is required.

Letter E

SAN GORGONIO CHAPTER

4079 Mission Inn Avenue
Riverside, CA 92501
(951) 684-6203 Fax (951) 684-6172
Membership/Outings (951) 686-6112

Regional Groups Serving Riverside and San Bernardino Counties:
Big Bear, Los Serranos, Mojave, Moreno Valley, Mountains, Tahquitz.

Jeff Bradshaw
Associate Planner
P.O. Box 88005
Moreno Valley, CA 92552

June 3, 2012

RE: VIP Moreno Valley project's Draft Environmental Impact Report (DEIR).

The Sierra Club appreciates this opportunity to comment on this DEIR. Much of what you will read below was in our NOP comments, but we feel they were not adequately addressed. We hope to read your responses in the FEIR which do fully answer our comments, concerns, suggestions and questions. Most of our concerns are about Global Warming, Climate Change, Greenhouse Gas Pollution and Air Pollutant emissions. These concerns can be read below and we expect this project to do everything possible to mitigate these problems in our non-attainment area. Your NOP mentions that the consumption of electricity by this warehouse "would generate air pollutant emissions." While the Sierra Club understands that you "expect to reach LEED certified rating", we do not understand why you do not match the higher Gold LEED certification recently agreed to by the Alessandro Business Center warehouse in the City of Riverside or even the LEED Silver of Skechers. In fact your words do not guarantee anything about even reaching the lowest level of LEED certification. The City needs to require you to hire a LEED expert and then require you to become LEED certified--hopefully higher than just certified. You could pay less than $1,000 and lock in current LEED standards for your building. Through the installation of solar panels and other LEED ideas you could avoid generating air pollutants with the electricity you consume. This warehouse and all warehouses need to be required to have their roofs built to accommodate the maximum number of solar panels. You are now able to sell excess energy back and earn money as well as do right for our non-attainment area. The DEIR indicates that the "proposed project would unavoidably contribute to significant long-term cumulative air quality impacts."(p 4.2-29) The Sierra Club does not believe it is totally unavoidable. The fact you are given a cafeteria list of mitigations to chose from shows that there is more that could and should be done to protect the health of area residents. Why isn't there a requirement to exceed Title 24 by at least 25% instead of just "exceed" Title 24? (p 4.3-25) Agreeing to require 90% of your off road construction equipment meet Tier III standards would also significantly help our non-attainment city and county. Your DEIR only mentions Tier II and therefor it shows you are not serious about the health of the area's residents.

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Continuing to pave over Prime Agricultural lands as well as those of Local and State Importance must be mitigated. Having locally grown products also cuts down on the Climate Change problems mentioned above and below. Recently a developer donated $100,000 to the Riverside Land Conservancy to help mitigate for the loss of Ag Lands. The San Jacinto Basin Resource Conservation District is another entity which would use your monetary donation to mitigate the loss of important Ag lands as well as the loss of lands for raptor foraging. It is therefore incorrect to say that "no feasible mitigation is available." Please consider how your project will seriously mitigate you impacts to Agriculture. You should also make sure your parking provides ample reserved spaces for several form of cars using alternative fuels. Their parking lot also needs to be made of porous material to help with ground water recharge and to lessen run off. 7 8 9

The Sierra Club appreciates that you have the World Logistic Center on your Cumulative Project List. We, however, do not believe all of your analysis have included this massive project. The FEIR will be inadequate unless this and all other projects are part of the analysis in each area of the FEIR. I also did not see the Pro Logis project listed which would be located near the Moreno Valley Auto Mall. Since some of Moreno Valley's designated truck routes pass by schools and their playgrounds, the Sierra Club expects the FEIR to explain what requirements will be placed on the tenants to avoid this very toxic situation as well as the truckers who will deliver/pickup products for your warehouse. The FEIR needs to show the walking/bicycling routes students take to and from school as well as show how this project's diesel truck traffic will impact the health of these students. There are two schools which are only about one mile from the project as well as others which may have students impacted by VIP's toxic diesel trucks. The projects distance from homes needs to be easily understood as well as all the paths trucks could take to the warehouse. Requiring staging areas for diesel equipment to be only a couple of hundred feet from sensitive receptors is inadequate for the health of Moreno Valley Residents. How will you protect the warehouse workers from the long term health affects of breathing toxic diesel emissions throughout their workday and employment? What equipment will you make sure is electric instead of diesel or gasoline in order to lessen pollution and better protect the workers--this includes gardening equipment? The FEIR needs to explain how noise barriers used during construction and use of the warehouse could lessen impacts identified in the Initial Study. Impacts to our local streets as well as our very crowded freeways need to be explained so the average citizen will understand. The FEIR-not just appendices- needs to show the length of trips the diesel trucks will be taking when driving to and from the warehouse as well as their routes. We need to know the maximum number of tucks which will use this warehouse each workday and not just after the first year, but when the warehouse is being used to its maximum capacity during peak times of the year. Your traffic analysis is inadequate unless it includes all of SR 60 which border any part of Moreno Valley. This two and three lane roadway will be significantly affected by VIP traffic-especially when part of cumulative impacts. Decision makers have a right to know before they vote that the section of SR 60 passing through Moreno Valley will become a parking lot with significant pollution. Even your own analysis of some major intersection in our City show they will become LOS F by 2013. Simply paying into a pot of money which may not be used in the impacted part of Moreno Valley does not mitigate your traffic. 10 11 12 13 14 15 16 17 18 19 20

The land should not be disced or graded for at least six months prior to doing the Burrowing Owl survey otherwise many will believe you are just making it difficult on this special animal as well as making it more likely it will be listed as endangered. The Sierra Club believes the FEIR will 21 22

be inadequate unless our concerns and issues found throughout this letter are thoroughly addressed within the document. 22

I. THE DEIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

As a potential significant impact, the Final EIR (FEIR) must more thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code ¤¤ 21000 et seq., 14 Cal. Code Regs. ¤ 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. 23

A. THE DEIR MUST ADEQUATELY SET FORTH THE THREAT OF GREENHOUSE GAS POLLUTION AND GLOBAL WARMING

The FEIR must discuss the grave threats posed by global warming to California and the world. Current scientific consensus on climate change has now determined that the link between greenhouse gas emissions and global warming is highly certain. In California, elected leaders, through Executive Order S-03-05 and the California Global Warming Solutions Act of 2006 (AB 32), have also squarely linked greenhouse gases with global warming. 24

In order to conform to CEQA's informational mandates and properly inform the public and decision makers of the significance of the Project's contribution to greenhouse gases, the DEIR must first adequately discuss the threat posed by greenhouse gas emissions and avoid minimizing or discounting the severity of global warming's impacts. *See* Guidelines ¤ 15151. *See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* ("Laurel Heights I"), 47 Cal.3d 376, 392 (1988) (EIR is intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action."); Guidelines ¤ 15151 (requiring an FEIR be detailed, complete, and reflect a good faith effort at full disclosure). A discussion of global warming impacts need not be lengthy, but should, at a minimum, convey the magnitude of the threat posed by global warming to humans and the environment. For the City's convenience, a scientific background on global warming and the specific threats posed to California is provided below. 25 26

i. Scientific Background on Climate Change

There is no longer credible scientific dispute that the climate is warming. In its most recent assessment, the Intergovernmental Panel on Climate Change ("IPCC") concluded that "[w]arming of the climate is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting snow and ice, and rising mean sea level." (IPCC 2007a). Expressed as a global average, surface temperatures have increased by about 0.74°C over the last hundred years, with 11 of the 12 warmest years on record having occurred in the past 12 years (IPCC 2007a). In September 2007, Arctic sea ice plummeted to a record-low level not anticipated by most climate models until 2050, leading scientists to predict 27

that the Arctic could be ice-free in summer by 2030 (National Snow & Ice Data Center 2007).[1] Other observed consequences of the warming climate include sea level rise, increased frequency of droughts, floods, and heat waves and substantial increases in the duration and intensity of hurricanes (IPCC 2007a).

The IPCC now states with "very high confidence" that most of the warming observed over the past 50 years is the result of human generation of greenhouse gases, including carbon dioxide, methane, and nitrous oxide[2] (IPCC 2007a). The rapid warming observed since the 1970s has occurred in a period when the increase in greenhouse gases has dominated over all other factors (IPCC 2007a). The largest known contribution to global warming is from carbon dioxide (IPCC 2007a). Fossil fuel combustion is responsible for more than 75% of human caused carbon dioxide emissions with the remainder due to land-use change (primarily deforestation) (IPCC 2007a). The global atmospheric concentration of carbon dioxide has increased from a pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005, a level that has not been exceeded during the past 650,000 years (during which carbon dioxide concentrations remained between 180 and 300 ppm). (IPCC 2007a; Canadell et al. 2007). In 2006, carbon dioxide concentrations reached a new high of 381.2 ppm (World Metrological Organization 2007). As greenhouse gas concentrations increase, more heat reflected from the earth's surface is absorbed by these greenhouse gases and radiated back into the atmosphere and to the earth's surface.[3] Consequently, the higher the level of greenhouse gas concentrations, the larger the degree of warming experienced.

At current growth rates and continued reliance on fossil fuels, atmospheric concentrations of carbon dioxide would likely exceed 1,000 ppm by the end of the century, resulting in an average global temperature increase of more than 5°C (United Nations Foundation & Sigma XI 2007). This is equivalent to the change in temperature since the last ice age – an era in which Europe and North America was under more than one kilometer of ice (United Nations Foundation & Sigma XI 2007). The growing consensus among climate scientists is that the threshold for dangerous climate change, whereupon a potential "tipping point" is reached and ecological changes become dramatically more rapid and out of control, is estimated at a temperature increase of around 2°C from pre-industrial levels, or an atmospheric concentration of carbon dioxide of approximately 450 ppm (United Nations Foundation & Sigma XI 2007; IPCC 2007c). In 2006, Dr. James E. Hansen, Director of the NASA Goddard Institute for Space Studies, and NASA's top climate scientist, stated: "In my opinion there is no significant doubt (probability > 99%) that . . . additional global warming of 2° C would push the earth beyond the tipping point and cause dramatic climate impacts including eventual sea level rise of at least several meters, extermination of a substantial fraction of the animal and plant species on the planet, and major regional climate disruptions" (Hansen et al. 2006). More recently however, given the recent unpredicted and extreme rate of loss of arctic ice observed in 2007, Dr. Hansen

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[1] Based on the startling loss of sea ice in 2007, some scientists have predicted that "the Artic Ocean could be nearly ice-free at the end of the summer by 2012." Seth Borenstein, *Ominous Arctic Melt Worries Experts*, Associated Press, Dec. 11, 2007.

[2] *IPCC, 2007: Summary for Policymakers, in* CLIMATE CHANGE 2007: THE PHYSICAL SCIENCE BASIS, CONTRIBUTION OF WORKING GROUP I TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE at 4 (Susan Solomon et al. eds., Cambridge Univ. Press 2007) at 2-3. "Very high confidence" is defined at "at least a 9 out of 10 chance of being correct." *Id.* at 3 n.7.

[3] Greenhouse gases have a warming effect because, when solar radiation is reflected by the earth, greenhouse gases capture this thermal radiation and reradiate it back to earth, much like the effect of a common garden greenhouse resulting in the "greenhouse effect."

concluded that "the safe upper limit for atmospheric CO_2 is no more than 350 ppm" (McKibben 2007). Moreover, according to Hansen, just 10 more years of "business-as-usual" global emissions will make it difficult, if not impossible, to keep atmospheric concentrations of greenhouse gases at levels necessary to avoid a temperature increase above 2°C (Hansen et al. 2007).

Keeping the climate within the 2°C threshold requires significant reductions in the world's greenhouse gas emissions. To reach this objective, it is estimated that developed countries would have to target an emissions peak between 2012 and 2015, with 30 percent cuts by 2020 and 80 percent cuts from 1990 levels by 2050 (United Nations Foundation & Sigma XI 2007). In recognition of need for immediate action, California has committed itself though Executive Order S-3-05 and the California Global to reduce the state's emissions to 1990 levels by 2020 and by 80% reductions from 1990 levels by 2050. Ca. Health & Safety Code ¤ 38550; Cal. Executive Order S-3-05 (2005).

The costs of taking no action to reduce greenhouse gas emissions far outweigh the costs of stabilizing emissions. The Stern Review of the Economics of Climate Change, a comprehensive report commissioned by the British government, recently concluded that allowing current emissions trajectories to continue unabated would eventually cost the global economy between 5 to 20 percent of GDP each year within a decade, or up to $7 trillion, and warned that these figures should be considered conservative estimates (Stern 2006). By contrast, measures to mitigate global warming by reducing emissions were estimated to cost about one percent of global GDP each year, and could save the world up to $2.5 trillion per year (Stern 2006). The Stern Report determined that if no action is taken to control greenhouse gas emissions, each ton of CO_2 emitted causes damage worth at least $85 (Stern 2006). 27

ii. Impacts to California from Global Warming

Climate change poses enormous risks to California. Scientific literature on the impact of greenhouse gas emissions on California is well developed.[4] The California Climate Change Center ("CCCC") has evaluated the present and future impacts of climate change to California and the project area in research sponsored by the California Energy Commission and the California Environmental Protection Agency (Cayan et al. 2007). The severity of the impacts facing California is directly tied to atmospheric concentrations of greenhouse gases (Cayan et al. 2007; Hayhoe et al. 2004). According to the CCCC aggressive action to cut greenhouse gas emissions today can limit impacts, such as loss of the Sierra snow pack to 30%, while a businessas-usual approach could result in as much as a 90% loss of the snowpack by the end of the century. As aptly noted in a report commissioned by the California EPA:

Because most global warming emissions remain in the atmosphere for decades or centuries, the choices we make today will greatly influence the climate our children and grandchildren inherit. The quality of life they experience will depend on if and how rapidly California and the rest of the world reduce greenhouse gas emissions (Cayan et al. 2007).

Some of the types of impacts to California and estimated ranges of severity – in large part dependent on the extent to which emissions are reduced – are summarized as follows:

• A 30 to 90 percent reduction of the Sierra snowpack during the next 100 years, including earlier melting and runoff.

• An increase in water temperatures at least commensurate with the increase in air

[4] Additional reports issued by California agencies are available at http://www.climatechange.ca.gov, and IPCC

temperatures.
• A 6 to 30 inch rise in sea level, before increased melt rates from the dynamical properties of ice-sheet melting are taken into account.
• An increase in the intensity of storms, the amount of precipitation and the proportion of precipitation as rain versus snow.
• Profound impacts to ecosystem and species, including changes in the timing of life events, shifts in range, and community abundance shifts. Depending on the timing and interaction of these impacts, they can be catastrophic.
• A 200 to 400 percent increase in the number of heat wave days in major urban centers.
• An increase in the number of days meteorologically conducive to ozone (O_3) formation.
• A 55 percent increase in the expected risk of wildfires (Cayan et al. 2007).
By providing details as to the ranges of proposed impacts, and indicating that the higher-range of impact estimates are projected if greenhouse gas emissions continue to increase under a "business as usual" scenario, decision-makers and the public will be better informed of the magnitude of the climate crisis and the urgency with which it must be addressed. 27

Finally, the DEIR should also include a brief discussion of other laws to address climate change, including California's mandate to reduce emissions to 1990 levels by 2020 and goal of further reducing emissions to 80% below 1990 levels by 2050. Achievement of state mandated emissions reductions will be severely impeded if agencies across the state continue to approve *new* projects without incorporating measures to reduce the added emissions created by these. 28

B. The EIR the Project Must Include an Inventory and Analysis of the Project's Projected Greenhouse Gas Emissions

The first step in determining a project's greenhouse gas pollution impact is to complete a full inventory of all emissions sources. In conducting such an inventory, all phases of the proposed project must be considered. *See* 14 Cal. Code Regs. ¤ 15126. A basic requirement of CEQA is that "[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences." 14 Cal. Code Regs. ¤ 15151. The greenhouse gas inventory for a project must include a complete analysis of all of a project's substantial sources of greenhouse gas emissions, from building materials and construction emissions to operational energy use, vehicle trips, water supply and waste disposal. 29 30 31

A greenhouse gas inventory for the project must include the project's direct and indirect greenhouse gas emissions. *See* 14 Cal. Code Regs ¤ 15358(a)(1) (Indirect or secondary effects may include effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.). Consequently, a complete inventory of a project's emissions should include, at minimum, an estimate of emissions from the following: 32

• Fugitive emissions of greenhouses gases, such as methane, from the proposed project;
• Emissions during construction from vehicles and machinery;
• Manufacturing and transport of building materials;
• Electricity generation and transmission for the heating, cooling, lighting, and other energy demands of the project;
• Water supply and transportation to the project; 33

• Vehicle trips and transportation emissions generated by the project;
• Wastewater and solid waste storage or disposal, including transport where applicable; and
• Outsourced activities and contracting. 33

Methodologies are readily available to inventory the emissions from the proposed project. In its recent white paper, CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (Jan. 2008), the California Air Pollution Control Officers Association (CAPCOA) set forth methodologies for analyzing greenhouse gas pollution (CAPCOA 2008) The California Office of Planning and Research ("OPR") has also released technical guidance on the preferred approach for analyzing greenhouse gas emissions and climate change entitled "Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review" (California OPR 2008). OPR also provides references to methodologies to quantify greenhouse gas emissions. In addition to the methodologies set forth by CAPCOA and OPR, ICLEI's Clean Air/Climate Protection (CACP) software allows cities to calculate emissions reductions, track and quantify emission outputs, and develop emissions scenarios to inform the planning process.[5] As noted in the ICLEI Climate Action Handbook, "Expertise in climate science is not necessary" to conduct an emissions inventory and compare this inventory against a forecast year (ICLEI). "A wide range of government staff members, from public works to environment and facilities departments, can conduct an inventory" (ICLEI). ICLEI also provides technical assistance and training to local government using the CACP software. It is incumbent on the City to "disclose all it can" about project impacts and educate itself on methodologies that are available to measure project emissions. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm'rs ("Berkeley Jets")*, 91 Cal. App. 4th 1344, 1370 (2001). 34

As with any other project under CEQA, the baseline used for analyzing the impacts of a project is the existing on the ground environmental conditions at the time of the NOP. *See Environmental Planning & Information Council v. County of El Dorado (EPIC)*, 131 Cal.App.3d 350, 355 (1982) (effect of general plan amendment must be compared against actual environment, not assumptions in existing general plan). Accordingly, the DEIR should compare emissions from existing conditions with those that would result from the development of the project, as well as those that would occur under any proposed alternative scenarios. Because the Project envisions development over a long period, the EIR should also provide data on the trajectory for emissions in the planned community and under each proposed alternative in five-year increments. 35 36

Without a complete inventory, the DEIR cannot adequately inform the public and decision-makers about the Project's impacts. Similarly, without a complete inventory and analysis of greenhouse gas emissions that will result from the project, there is simply no way that The EIR can then adequately discuss alternatives, avoidance, and mitigation measures to reduce those impacts. 37

C. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE

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[5] ICELI's Clean Air/Climate Protection software is available at http://www.cacpsoftware.org/ ICLEI-Local Governments for Sustainability is an international association of more than 650 local governments. Cities, counties, towns and villages around the world are members of ICLEI. ICLEI's mission is to improve the global environment through local action. On the issue of global warming, for example, ICLEI provides resources, tools, peer networking, best practices, and technical assistance to help local governments measure and reduce greenhouse gas emissions in their communities.

ON THE PROJECT

California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced.

(Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). 38

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review. 39

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and 40

quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). 40

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project would significantly understate Project impacts. 41

D. THE PROJECT'S GREENHOUSE GAS IMPACTS ARE CLEARLY SIGNIFICANT

The greenhouse gas emissions generated by a project of this size and scope will have a clearly significant cumulative impact. An impact is considered significant where its "effects are individually limited but cumulatively considerable." Guidelines ¤ 15065(a)(3). Climate change is the classic example of a cumulative effects problem; emissions from numerous sources combine to create the most pressing environmental and societal problem of out time. *Ctr. for Biological Diversity*, 508 F.3d 508, 550 (9th Cir. 2007) ("the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct."); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 720 (1990) ("Perhaps the best example [of a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). While a particular project's greenhouse gas emissions represent a fraction of California's total emissions, courts have flatly rejected the notion that the incremental impact of a project is not cumulatively considerable because it is so small that it would make only a de minimis contribution to the problem as a whole. *Communities for a Better Environment v. California Resources Agency*. 103 Cal.App.4th 98, 117 (2002); see also *Kings County Farm Bureau,* 221 Cal. App. 3d at 720 ("[p]erhaps the best example of [a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). 42

In addition. there is nothing speculative about the fact that higher levels of greenhouse gas pollution will lead to greater impacts, which is why the State of California has prioritized greenhouse gas pollution reductions under AB 32. Moreover, in the analogous context of the National Environmental Policy Act (NEPA), the Ninth Circuit has already rejected the argument that "global warming is too speculative to warrant NEPA analysis." *Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, 508 F.3d at 554. 43

In addition, lack of established significance thresholds does not excuse an agency from its obligation under CEQA to determine the significance of a Project's impacts. CEQA routinely calls for an agency to evaluate impacts in the absence of thresholds or to exercise its individual discretion in determining the significance of an impact. *See, e.g., Protect the Historic Amador Waterways*, 116 Cal. App. 4th at 1111 (agency required to assess potential impact not listed in CEQA checklist). The development of significance thresholds is "encouraged" and not a prerequisite for an impact analysis. Guidelines ¤ 15064.7. Indeed, as noted in the CAPCOA white paper on CEQA and Climate Change, "[t]he absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA" (CAPCOA 2008). In fact, CEQA may require additional analysis even if a project meets an adopted standard, if other evidence indicates the project may nonetheless have a significant 44

impact. *See Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344, 1380-82 (2001). 44

As the lead agency, CEQA requires the City to determine the significance of the Project's emissions with or without established significance thresholds. Guidelines ¤ 15064. CAPCOA provides various means by which a lead agency can determine the significance of project emissions (CAPCOA 2008). Importantly, a universally adopted methodology is *not* necessary to analyze project impacts. *Berkeley Keep Jets*, 91 Cal.App.4th at 1370 ("the fact that a single methodology does not exist…requires the [respondent] to do the necessary work to educate itself about the different methodologies that *are* available.").

"The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." Guidelines ¤ 15064(b). Any determination of whether there is a fair argument that the project may have a significant impact must include the consideration of the California Global Warming Solutions Act of 2006 (AB 32), wherein the State of California recognized that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California" and required that existing levels of greenhouse gases be reduced to 1990 levels by 2020. Health & Safety Code ¤¤ 38501(a), 38550. Because AB 32 establishes that existing greenhouse gas levels are unacceptable and must be substantially reduced within a fixed timeframe, any additional emissions that contribute to existing levels frustrate California's ability to meet its ambitious and critical emissions reduction mandate. Ignoring emissions from smaller sources would be neglecting a major portion of the greenhouse gas inventory. 45

In accordance with the scientific and factual data, the City should adopt a zero significance threshold for the Project's greenhouse gas emissions. As noted by the Ninth Circuit in *Center for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*:

[W]e cannot afford to ignore even modest contributions to global warming. If global warming is the result of the cumulative contributions of myriad sources, any one modest in itself, is there not a danger of losing the forest by closing our eyes to the felling of the individual trees? 46

508 F.3d 508, 550 (9th Cir. 2007). Accordingly, the City must unequivocally consider Project emissions to be a potentially significant impact.

E. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code ¤ 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code ¤ 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will 47

actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).
To the extent that the project moves forward as planned, there are many mitigation measures the City can consider, as described below. This is not an exhaustive list and the EIR should explore these and all other feasible mitigation measures that will reduce the project's greenhouse gas emissions (CAPCOA 2008; California Office of the Attorney General 2008). 47

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Additionally, the FEIR should analyze ways of including pedestrian and bicycle only streets and plazas within the development and create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking. 48

ii. Land Use and Energy

The FEIR should consider mitigation measures that will ensure the planned community will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008). 49

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). 50

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and 51

multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals.
Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:
• Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.
• Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
• Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
• Reducing the use of pavement and impermeable surfaces;
• Requiring water re-use systems;
• Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting
• Limiting the hours of operation of outdoor lighting
• Maximizing water conservation measures in buildings and landscaping, using droughttolerant plants in lieu of turf, planting shade trees;
• Ensure that the Project is fully served by full recycling and composting services;
• Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
• Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
• Installing solar water heating systems to generate all of the Project's hot water requirements;
• Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.

51

iii. Mitigation Related to Project Construction
• Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
• Minimize, reuse, and recycle construction-related waste;
• Minimize grading, earth-moving, and other energy-intensive construction practices;
• Landscape to preserve natural vegetation and maintain watershed integrity;
• Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

52

iv. Transportation Mitigation Measures
• Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
• Create a car sharing program within the planned community;
• Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;

53

• Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission
vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
Provide a shuttle service to public transit within and beyond the planned community; • Incorporate bicycle lanes and routes into the planned community's street systems. 53

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets must be discussed in the FEIR. As demonstrated by the Office of the Attorney General offsets are a feasible CEQA mitigation measures[6] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. 54

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR must consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code ¤ 21002; Guidelines ¤¤ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo* , 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted). In analyzing the no-project alternative, the EIR must discuss the need for this project andwhether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). 55 56

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water 57

[6] The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

availability, and traffic resulting from each proposed alternative. Where is the alternative which mentions agricultural uses in total or part? The quality of this land is such that even I could become a successful farmer. The less dense alternative two is by far superior than this project if one is serious about lessening one's impact on the environment. 57 58 59

CONCLUSION

Thank you for your attention to these comments. We look forward to working with the City to assure that the FEIR conforms to the requirements of CEQA to assure that all significant impacts to the environment are fully analyzed, mitigated or avoided. I hope the FEIR will fully address the concerns found within this letter as I did not see that within the DEIR. The Sierra Club wishes to be placed on the mailing list for all future notices and documents regarding this project. Please mail all notices to Sierra Club, San Gorgonio Chapter, Moreno Valley Group, 26711 Ironwood Ave, Moreno Valley, CA. 92555. 60 61

Thank you,

George Hague
Conservation Chair
Moreno Valley Group
San Gorgonio Chapter
Sierra Club
951.924.0816

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2.12 RESPONSE TO LETTER E

Sierra Club

Response to Comment E-1. This comment suggests that the Draft EIR did not adequately address the concerns raised in their NOP response letter. The comment also requests that their concerns be addressed in the Final EIR, which they advise focuses on global warming, climate change, greenhouse gas pollution, and air pollutant emissions. Lastly, the commentor requests that the project do everything possible to mitigate these issues due to the non-attainment status of the air basin. The commentor notes that their specific issues follow in their letter.

Short-term and long-term project specific and cumulative effects of the proposed project on air quality are evaluated in Section 4.2 Air Quality pages 4.2-1 through 4.2-29 in the Draft EIR. Greenhouse gas emissions and climate change were evaluated in Section 4.3 Climate Change and Greenhouse Gas Emissions pages 4.3-1 through 4.3-27 in the Draft EIR. Where the proposed project's impacts were determined to be significant mitigation was provided to lessen those impacts. It was determined that even with the implementation of feasible mitigation measures the proposed project will have a significant and unavoidable impact on short-term construction air quality, long-term operational air quality impacts, cumulative air quality, and cumulative greenhouse gas emissions.

The concerns raised by the commentor have been responded to in Response to Comments E-1 though E-62. Any comments that were raised by the Commentor that required additions or revisions to the language in the Draft EIR are provided in Section 3.0 Errata to the Draft EIR in the Final EIR.

Response to Comment E-2. This comment states that the NOP mentions consumption of electricity by the warehouse would generate air pollutant emissions. The air quality emissions of the proposed project are analyzed in Section 4.2 Air Quality and also energy use (electricity) is analyzed in Section 4.3 Global Climate Change and Greenhouse Gas Emissions in the Draft EIR.

Response to Comment E-3. Please see Response to Comment D-8. The commentor inaccurately suggests that the project should be required to obtain a LEED Gold rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions. The process of obtaining a LEED rating is not mitigation. The specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions associated with operations of a building.

However, additional air quality related mitigation measures have been added in the Final EIR (refer to Section 3.0 Errata). Please refer to the Table contained in Response to Comment D-45 regarding operational mitigation measures that have been added. The added measures are also in the Mitigation Monitoring and Reporting Plan in Section 4.0 in the Final EIR to ensure they are implemented

Response to Comment E-4. This comment suggests that the roof of the warehouse be built to accommodate solar panels. This measure is included as part of Mitigation Measure 4.2.6.3A has been changed as follows to ensure that solar or other renewable energy source. The mitigation measure has been added in the Final EIR (refer to Section 3.0 Errata. The added measures are also in the Mitigation Monitoring and Reporting Plan in Section 4.0 in the Final EIR to ensure they are implemented

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-27

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4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City~~.~~ The following ~~Any~~ combination of design features, ~~including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~

- The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

Response to Comment E-5. This commentor opines that they disagree with the significant and unavoidable impact associated with long-term (operational) air quality impacts. This impact is related to SCAQMD's thresholds of significance. Mitigation Measures 4.2.6.1A through 4.2.6.1M and 4.2.6.3A and 4.2.6.3B set forth a comprehensive list of measures designed to reduce the quantity of air pollution emissions from project construction as well as project operations. These construction and operational mitigation measures have been supplemented in this Final EIR with the feasible mitigation measures suggested by this commentor and comments received from Johnson & Sedlack (Letter D). It bears noting that there is no readily available way to calculate the air pollution emission reductions associated with these mitigations measures and therefore show that long-term emissions cannot be reduced to below the threshold based on this technical limitation even with implementation of unlimited mitigation.

Response to Comment E-6. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. The 20% energy efficiency improvement over and above 2008 CBC building requirements has been established by air quality and climate change technicians as the project-specific energy efficiency improvement (and associated reduction in GHGs) necessary to meet the Statewide mandate of obtaining a 30% reduction in GHG emissions in comparison to 1990 levels by year 2020. In 2006, the California Legislature passed and Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act of 2006, which set a 2020 greenhouse gas emissions reduction goal into law. AB 32 requires California to reduce GHG emissions to 1990 levels (estimated at 426.6 million metric tons) by 2020 (forecast to be 600 million metric tons under "business as usual"), requiring a 30% reduction in emissions in comparison to the "business as usual" scenario. Since that time, the energy efficiency requirements contained in the 2008 and 2010 updates to the CBC now require that new buildings obtain energy efficiencies that exceed the "business as usual" scenario. For this reason, the City has determined that the appropriate performance standard to meet the statewide GHG emissions reduction goals is a 20% improvement over the 2008 CBC.

Response to Comment E-7. This comment is noted. As identified in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-5), "*Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland, 16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance*." The Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of farmland to a non-agricultural use (Section 4.1 Agriculture and Forestry Resources, page 4.1-15). The project site was historically used for agricultural operations but currently lies fallow and has been fallow for a number of years. The site was most recently used as a sod farm that ceased operating in

August 2005 and has not been in agricultural production since that time. Thus no existing agricultural operation exists onsite. The project site has not been utilized to grow agricultural products in the last seven years and it is therefore not reasonable to assume that this land is available for cultivation of crops that can be grown locally to reduce potential climate change problems as cited in Comment Letter E.

This commentor also states that a developer recently donated $100,000.00 to the Riverside Land Conservancy to help mitigate for the loss of agricultural lands but fails to appropriately cite the information and identify the basis for determining the amount of agricultural lands lost in relation to this monetary amount. The City disagrees with the commentor and relys on the Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) decision that concerned a challenge to an EIR for a project that would convert agricultural land to residential uses. Though recognizing the potential for mitigation in the form of agricultural "*conservation easements, Williamson Act preserve status, or temporary protection or conservation plans*," the EIR noted the long-term trend in agricultural land conversion in the region and concluded that mitigation was not feasible. The court upheld the City's determination regarding the feasibility of mitigation on the grounds it was supported by substantial evidence in the record. The court also examined the City and County General Plans, which acknowledged that development pressures were constraining the continued viability of agriculture and included the expansion of housing, commercial and industrial land uses. The court then determined that the project was compatible with these planning documents. The court concluded the particular circumstances surrounding the project such mitigation was infeasible and therefore was not required to be adopted. As with this project the site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required.

The trend of the reduction in agriculture in the Inland Empire is discussed in *Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire* prepared by Justin L. Adams, Ph.D. of Chang & Adams Consulting, September 2011 and *Economic Viability of Agriculture in the East Inland Empire* report prepared by CBRE Consulting, March 18, 2009. Both reports are provided in Appendices B and C to the Final EIR. This reduction in "farming" is due to pressures of the growth in the demand for housing and development and the transportation and warehousing sector; increased restrictions on water deliveries for agricultural uses after several consecutive drought seasons; higher wages in other industries in the region; strong agricultural competition from the southern Central Valley for dairies; increased regulatory pressures from air quality and local jurisdictions regarding particulate matter emissions and land use adjacency issues; and the trend in Riverside and San Bernardino Counties is for agricultural operations to continue to shift to places like Kern County regardless independent of land use policy due to the economic issues.

As stated on Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12 of the Draft EIR, "*the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the '…orderly conversion of agricultural lands.' The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development*." As described in the Draft EIR, the City's General Plan and General Plan EIR have considered and evaluated the eventual and expected conversion of agricultural activity within the City

(Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12) Therefore, the City has already anticipated the eventual conversion of all agricultural activity within the City.

As stated in the Draft EIR, mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding considerations. To be feasible, mitigation must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account the economic, environmental, legal, social, and technological factors. Identification as to the infeasibility of mitigation measures suggested by the commentor has been provided in the Draft EIR. No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development.

The potential mitigation measures identified by the City in its General Plan EIR and California Department of Conservation (CDC), which are listed in the Draft EIR (Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-11), are not considered to be feasible by the City of Moreno Valley as determined in the City's General Plan EIR. Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land. As identified in the Draft EIR, the City supports agriculture as an interim use within the City and no land is dedicated or designated for agricultural use or agricultural preservation within the City's jurisdiction. With no such dedication or designation in place at this time, the establishment of urban limits, greenbelts, and buffers would not result in permanent protection of agricultural land as none exists within the City. Areas where agriculture land use designations may exist that are outside of the City limits cannot be preserved as it is outside of the City's jurisdiction.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. The City does not have a funding source for the acquisition of farmland. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The City of Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified.

Response to Comment E-8. Refer to Response to Comment E-7.

Response to Comment E-9. Mitigation Measure 4.2.6.3A already provides for preferential parking for alternative fueled cars. This mitigation located in the Draft EIR, Section 4.2 Air Quality, pages 4.2-26, 4.2-27, and 4.2-28 reads as follows with changes proposed in Section 3.0 Errata in the Final EIR to address other commentor concerns:

> ***4.2.6.3A*** *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:*
>
> - *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
> - *Provision of preferential parking for EV and CNG vehicles.*

This comment also suggests that the parking lot be required to include porous materials for groundwater recharge. As identified in Table 1.B on page 1-34 of the Draft EIR, impacts associated with groundwater supplies were determined to be less than significant and no mitigation is required. Therefore, there would be no nexus to require this mitigation measure.

Response to Comment E-10. This comment suggests that the World Logistics Project identified as a cumulative project in the Draft EIR was not included in the analysis of the proposed project. The City acknowledges that the World Logistics Project 41,500,000 SF high cube warehouse uses (refer to Table 2.C in Section 2.7 Cumulative Projects on page 2-38 of the Draft EIR). This cumulative project was considered along with the other cumulative projects in Table 2.C in the consideration of traffic impacts on the highway mainline, air quality, greenhouse gas emissions, and loss of agricultural lands in the Draft EIR.

Response to Comment E-11. The ProLogis project is contained in the Draft EIR. It is referred to as the Eucalyptus Industrial Park, cumulative project number 67, shown in Table 2.A and Figure 2.1.

Table 2.C of the Draft EIR identifies the Eucalyptus Industrial Park as A-67, while Figure 2.1 identifies it as M-67. The project is in the City, so the table entry will be modified as follows and as indicated in Section 3.0 Errata in the Final EIR.

Draft EIR, Section 2.7 Cumulative Projects, Table 2.C, Page 34

~~A~~M-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses

Response to Comment E-12. The nearest schools to the project site are located approximately one mile to the east and northeast of the project site. Because the primary truck route between the project and I-215 will be Harley Knox Boulevard to the west, the trucks will not be passing by a school. In addition, the project is in an area of the City that has been zoned for industrial uses and the proposed project is consistent with this zoning. This sensitive receptor is a residence located at Patterson Avenue and Harley Knox Boulevard in the City of Perris. It should be noted that the entire area surrounding and adjacent to the proposed project has been previously designated and zoned by the City for future industrial uses. Similarly, the entire area surrounding and adjacent to Harley Knox Boulevard between Perris Boulevard and I-215 has been previously designated and zoned by the City of Perris for future commercial and industrial uses. This means that the single residence located

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adjacent to Harley Knox Boulevard in the study area is a legally nonconforming land use. Because this residence on Harley Knox Boulevard is a legally nonconforming use, it is highly unlikely that the residence will exist in the area in the future. Thus, in light of these factors, it is highly unlikely that the currently existing residential use will be exposed to diesel over the course of a long period of time, such as a 70 year exposure used to calculate health risks from diesel particulates.

Response to Comment E-13. The project will not impact the health of students walking or riding their bicycles to school because the majority of the residential areas are located to the east of Perris Boulevard and north and northwest and northeast of Perris Boulevard where it passes over the Perris Valley Storm Drain. This area is more than one mile north of the project site. As noted above the primary trucking route will be Harley Knox Boulevard to the west to the I-215 which does not pass by any schools.

Response to Comment E-14. See Response to Comments E-13. There are no sensitive receptors in close proximity to the project site that would be impacted during project construction or by project truck use of the local roadway system. Nonetheless, the EIR contains a measure requiring a 200 foot buffer between construction staging areas and sensitive receptors (Draft EIR Mitigation Measure 4.2.6.1A, page 4.2-21).

Response to Comment E-15. A *Health Risk Assessment (HRA) VIP Moreno Valley*, LSA Associates, Inc., March 2012 was prepared for the proposed project and included in Appendix D-2 to the Draft EIR. The HRA examined the short-term and long-term potential health effects from project-related emissions of toxic air pollutants (TAP) in the exhaust of diesel-powered delivery trucks on existing surrounding sensitive receptors, including single- and multifamily residences. Onsite workers will be protected by the requirements established by the Occupational Safety and Health Administration (OSHA) and are not considered sensitive receptors in accordance to the California Air Resources Board (CARB). The CARB defines "sensitive" land uses, as homes, medical facilities, daycare centers, schools, and playgrounds.

According to the HRA prepared for the proposed project, "*Toxic air pollution emissions associated with the project would occur from a variety of activities related to the project operations. The only significant amount of TAP known to be released from the proposed distribution facility is contained in the exhaust of project-related vehicles. While there may be other toxic air pollutants in use on site, compliance with City, SCAQMD, State, and federal handling regulations will keep those emissions below a level of significance.*

Page 13 of the HRA states, "*As evaluated in the air quality/health risk assessment, practical procedures will be taken for the onsite operations. The results of the conservative modeling are shown in Table C for carcinogenic and chronic inhalation health risks at the sensitive receptors. Even with the conservative modeling technique used (assuming that an individual stays outdoors at his or her residence 24 hours per day for 70 years, which is the State-required period of time that all HRAs must assess), the nearest sensitive receptor would be exposed to an unmitigated inhalation cancer risk of no more than 3.5 in 1 million, less than the threshold of 10 in a million. ……"The highest worker exposure occurs at the facility to the west of the project, at the corner of Indian Street and E. Oleander Avenue. The unmitigated inhalation cancer risk at that facility will be no more than 0.36 in 1 million, also less than the threshold of 10 in a million. The Chronic Hazard Index would be 0.0022, less than the threshold of 1.0. These risk levels are much higher than are actually expected to occur. No significant health risk would occur from project-related truck traffic, and no mitigation is necessary.*"

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Table C: Long-Term Health Risk Levels from Project Operations

Location	*Maximum Cancer Risk (risk per million)*	*Maximum Noncancer Risk (risk per million)*
SCAQMD Threshold	*10*	*1*
School 1	*0.11*	*0.000069*
School 2	*0.79*	*0.00050*
School 3	*0.26*	*0.00016*
Nearest Residential to the north	*6.6*	*0.0041*
Nearest Residential to the east	*5.0*	*0.0031*
Nearest Residential to the south	*1.2*	*0.00074*
Workers at facility to the west	*4.5*	*0.0029*
Significant?	***No***	***No***

Source: LSA Associates, Inc., March 2012.

Response to Comment E-16. The Draft EIR, Section 4.2 Air Quality contains the following Mitigation Measure 4.2.6.1K that provides for electric or alternative fuel construction equipment and forklifts and Section 4.3 Greenhouse Gas Emissions and Climate Change contains Mitigation Measure 4.2.6.3A which specifies electric trucks and yard trucks in Mitigation Measure 4.2.6.3A. Changes proposed to Mitigation Measure 4.2.6.1K are provided in Section 3.0 Errata in the Final EIR to address other commentor concerns. The measures are as follows:

> ***4.2.6.1K*** *Grading plans, construction specifications and bid documents shall also include the following notations:*
>
> - *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
> - Use electric construction equipment where feasible.
> - All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
>
> ***4.2.6.3A*** *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:*
>
> - *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
> - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
> - *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
> - *Use of electric (instead of diesel or gasoline-powered) yard trucks.*

Response to Comment E-17. The Draft EIR, Section 4.4.6.1 Short-Term Construction Noise Impacts page 4.4-17 states "*The nearest noise-sensitive receptor locations to the project site are*

existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures [Mitigation Measures 4.4.6A – 4.4.6D] have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards."

The noise impact analysis for the proposed project (*Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., March 2012, Appendix F to the Draft EIR) evaluated the traffic noise impact in terms of CNEL and the on-site operations noise impact comparing to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. The project site is surrounded by vacant land or other non-noise-sensitive land uses such as industrial or commercial uses. Although the City's Municipal Code states that the noise standards shall apply "when measured at a distance of 200 feet or more from the real property line of the source of the sound if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property", in this case, evaluating the potential noise levels at the property line of the nearest noise-sensitive land uses (i.e., residences) would adequately determine the project's potential noise impacts.

As indicated in the noise impact study, no noise barriers would be required during project construction nor are they required during operation of the proposed project. The proposed project will comply with all mitigation measures identified and comply with applicable federal, State, and City guidelines.

Response to Comment E-18. A Traffic Impact Analysis (*Traffic Study VIP Moreno Valley*, LSA Associates, Inc., April 9, 2012) was prepared for the proposed project that analyzed the proposed project's impacts to area roadways during construction and operation of the project. Draft EIR Section 4.5 Traffic and Circulation, pages 4.5-1 – 4.5-28 analyzed the construction and operational impacts to not only area roadways but on the freeway system as well. It was determined that the proposed project would be expected to generate 327 passenger car equivalent (PCE) trips in the a.m. peak hour, 388 PCE trips in the p.m. peak hour, and 5,052 daily PCE trips when built. It was determined that the proposed project upon build out in the year 2013 would have impacts that are cumulative resulting in exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);

- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

This is a significant impact and mitigation was provided. It is important to note that ten of the eleven intersections also operate at unsatisfactory levels of service under year 2013 cumulative without the project conditions. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a project-specific impact.

The air quality/health risk assessment has discussed the number of truck trips per day that will visit the project site. Trip length assumptions and the truck routes have also been identified in the analysis. Figure 3 of the Health Risk Assessment report (Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., March 2012) shows the location of all the truck emissions sources modeled. As described in the report; *"An approximate representation of the roadway was obtained by placing a number of volume sources at equal intervals along the roads on site and far enough off site to characterize the emissions at the sensitive receptors near the project site. For other sensitive receptors further from the project site but near the roads the trucks will travel, it is assumed that the health risk levels from the project traffic will be low compared to the total risk from all existing road traffic.*"

The Air Quality Study Table I page 26 Appendix D of the Draft EIR indicates the average trip length is 17 miles. This section of the Air Quality study is provided as follows:

5.2.1 Long-Term Project Operational Emissions

Long-term air pollutant emission impacts are those associated with stationary sources and mobile sources involving any project-related changes. The proposed project would result in a net increase in the number of employees in the project area; therefore, the proposed project would result in net increases in both stationary and mobile source emissions. The stationary source emissions would come from additional natural gas consumption for on-site buildings and electricity for the lighting in the buildings and at the parking area. The proposed project is a warehouse/distribution in the Inland Empire area of Southern California. Average truck trip length in this area has been shown to be greater than the default trip length in the CalEEMod model. Table I lists the potential origin and destination points for the truck trips that would be associated with the proposed project. The average trip length for the employee commute is assumed to be 17 mi. This is also greater than the default commute trip length included in the CalEEMod model for the Inland Empire area.

Table I: Average Truck Trips Lengths

Truck Route	*Route Length (miles)*	*Percentage of Trucks on Route*
East on State Route 60 to Basin Boundary	*30*	*10%*
Port of Los Angeles/Long Beach	*80*	*50%*
South on the I-215 to San Diego	*50*	*20%*
Inland Empire (i.e., Ontario, Mira Loma, Fontana)	*50*	*10%*
Perris Destinations	*40*	*5%*
Moreno Valley Destinations	*20*	*5%*
Average Truck Trip (54% of trips)	***61***	

Source: Project Plans

Response to Comment E-19. The trip generation for daily trucks is listed in Table 4.5.D in the Draft EIR, Section 4.5.3.1 Project Trip Generation, page 4.5-14. As shown in Table 4.5.D, the total number of daily trips (total raw trucks) is 1,475. The number of daily truck trips is based on NAIOP rates for High-Cube Warehouse that were approved by the City of Moreno Valley.

Response to Comment E-20. Freeway segment and merge/diverge analysis locations are based on Caltrans guidelines which requires analysis to a State highway facility if a project generates over 100 peak hour trips[1]. The project generates over 100 peak hour trips at the Interstate 215/Harley Knox Boulevard interchange and was included in the Draft EIR. Project traffic at freeway segments on SR-60 are less than 100 peak hour trips and were not included in the Draft EIR.

Regarding commenters opinion that payment of DIF and TUMF is inadequate mitigation, please refer to Response to Comment D-82. The payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts.

Response to Comment E-21. The commentor opines that the project site should not be disced or graded for at least six months prior to doing the burrowing owl survey. Mitigation Measures BIO-1 through BIO-4 require pre-construction surveys and establish what actions must be taken if the burrowing owl is found on-site during the pre-construction surveys that are in accordance with the Burrowing Owl Consortium 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines[2] and referred to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) survey instructions[3] to complete the pre-construction burrowing owl survey.

Response to Comment E-22. This comment states that the Final EIR will be inadequate unless the concerns and issues identified in the comment letter are addressed within the document. This comment does not raise any specific issue associated with the Draft EIR. In addition, any concerns and issues identified in the comment letter have been addressed through Responses E-1 through E-62 of the Final EIR. No further response is required.

Response to Comment E-23. Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27 provides an analysis of the proposed project's impact on greenhouse gas emissions and climate change. The analysis is based on the *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011 included as an Appendix D in the Draft EIR. Responses to Comments E-24 through E-54 include specific responses to the commentor's assertions that the Draft EIR did not thoroughly evaluate alternatives and mitigation measures that would reduce greenhouse gas emissions. Where appropriate additional mitigation measures have been add to the Section 3.0 Errata in the Final EIR.

Response to Comment E-24. The commentor opines that global warming poses a grave threat to California and the Draft EIR is obligated to discuss the threats posed by greenhouse gas emissions for the public and decision makers. Page 4.3-1 through 4.3-3 in the Draft EIR (Section 4.3 Climate Change and Greenhouse Gas Emissions) already established the existing background information related to climate change as requested in this comment.

The commenter suggests that there is consensus among scientists regarding the link between GHG and global warming. However, there is still considerable debate about the existence of anthropogenic global warming, and about the long term environmental effects of anthropogenic global warming if in fact such warming is occurring and will occur long term. (*See, e.g., U.S. Senate Minority Report; More Than 700 International Scientists Dissent Over Man-Made Global Warming Claims*; March 16, 2009.)

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1 *Guide for the Preparation of Traffic Impact Studies*, State of California Department of Transportation, December 2002, page 2.

2 http://www2.ucsc.edu/scpbrg/burrowingowls.htm.

3 http://www.tlma.co.riverside.ca.us/epd/documents/survey_protocols/burrowing_owl_survey_instructions.pdf.

This body of scientific literature argues that (i) there is no scientific consensus on the existence of anthropogenic global warming; (ii) that the Intergovernmental Panel on Climate Change (IPCC) literature is deeply flawed; (iii) that scientists and research grant funding sources have deliberatively ignored other possible explanations in global temperature variations.

In addition, quantitative data published by the State Air Resources Board and the IPPC demonstrates that even if California achieved the specified AB 32 greenhouse reduction goals, that this may have no effect on climate increases based on greenhouse gas emissions because emissions from China, Russia, Indonesia and other developing countries have and will greatly surpass the emissions of California.

Response to Comment E-25. Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27 provides an analysis of the proposed project's impact on greenhouse gas emissions and climate change. The analysis is based on the *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011 included as an Appendix D in the Draft EIR. In addition, the commentor asserts that the "ecological implications of its actions" must be discussed. Also refer to Response to Comment E-38 for an explanation on a recent court case regarding global climate change. As set forth in Response to Comment E-38, the courts have confirmed the longstanding tenant of CEQA that impacts from the environment onto a project need not be analyzed.

Response to Comment E-26. Please see Responses to Comments E-25, E-27, and E-38.

Response to Comment E-27. The commentor is providing information relating to the scientific background on climate change and global warming. See Response to Comment E-24 regarding an alternative view of greenhouse gas emissions and the effect of such emissions.

Response to Comment E-28. Section 4.3 Climate Change and Greenhouse Gas Emissions, Subsection 4.3.2 Regulatory Setting in the Draft EIR pages 4.3-7 through 4.3-11 contains a discussion on the various federal, state, local and City laws, regulations and policies concerning greenhouse gas.

Response to Comment E-29. The greenhouse gas impact study (*Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011) provided emissions from both construction and operation periods. During the construction period, emissions from both equipment exhaust and other area sources were calculated. During the operational period, emissions associated with vehicular (including automobiles and trucks) trips, water and energy usage, waste treatment, and other known sources have been calculated and identified in the study.

Response to Comment E-30. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-31. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-32. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated. If the commentor is suggesting that an exhaustive "life-cycle" inventory of the project's greenhouse gas

emissions be prepared, the State Office of Planning and Research provided guidance on this issue and clarified that a life-cycle analysis is not required.[1]

Response to Comment E-33. Please see Response to Comment E-29.All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-34. Please see the Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated. The preparer of the greenhouse gas impact study has followed the guidelines provided by the OPR and CAPCOA and has provided an adequate analysis. It is the City's opinion that it has disclosed the impacts of the proposed project adequately and mitigated the impacts of greenhouse gas emissions where applicable (Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

Response to Comment E-35. The commentor points out that existing conditions must be utilized as the environmental baseline throughout the Draft EIR. The Draft EIR does just this by calculating and presenting the air pollution and greenhouse gas emissions attributable to the proposed project. Because there is currently no land use activity on the project site, existing baseline emissions are zero. Consequently, the calculated emissions represent the emissions associated with the project.

Response to Comment E-36. The project will not be built over a long period of time. There is no phasing proposed with the development. The commentor is confused, the project is not a planned community, it is an approximately 1,616,133 square feet of distribution warehouse (refer to Draft EIR, Section 3.0 Project Description). There is no reason to evaluate the emissions of the proposed project over five year increments since the building will be built all within the same year.

Response to Comment E-37. It is the commentor's opinion that the Draft EIR does not provide a complete inventory of impacts. The Draft EIR evaluated the impacts of the project on air quality (Section 4.2) and greenhouse gas emissions and global climate change (Section 4.3). In addition a full air quality study and greenhouse gas emissions study were prepared for the proposed project and included in their entirety in the Appendix to the Draft EIR. No further response is required.

Response to Comment E-38. According to the greenhouse gas impact study (*Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011), "*Global climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other significant changes in climate (such as precipitation or wind) that last for an extended period of time. The term "global climate change" is often used interchangeably with the term "global warming," but "global climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures."* The Draft EIR did analyze the project's effects on greenhouse gas emissions which is a component of global climate change or global warming (Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

In addition, the California requires mandatory measures to be implemented on all new construction projects that consist of a wide array of green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources. The Cal Green Building Code refers to Title 24, Part 6 compliance with respect to energy efficiency; however, it encourages 15 percent energy use reduction over the required in Part 6. The Cal Green Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG

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1 *Transmittal of the Governor's Office of Planning and Research's Proposed SB97 CEQA Guidelines Amendments to the Natural Resources Agency*, California Governor's Office of Planning and Research, April 13, 2009, page 2.

emissions from the Business as Usual Scenario (California Building Code). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.

If the commentor is suggesting that the Draft EIR should analyze global warming on the proposed project there is a a recent CEQA Case *Ballona Wetlands Land Trust v. City of Los Angeles and Ballona Ecosystem Education Project v City of Los Angeles,* No.B231965 (Cal. Ct. App 2d Dist., November 9, 2011) where the opponents claimed that the EIR was inadequate because it did not analyze the effects of sea rise due to global warming on the project. The Court held that CEQA did not require the EIR to analyze this risk, concluding that "the purpose of an EIR is to identify the environmental effects of the project on the environment and not the significant effects of the environment on the project." The court reasoned: "[w]e believe that identifying the environmental effects of attracting development and people to an area is consistent with CEQA's legislative purpose and statutory requirements, but identifying the effects on the project and its users of locating the project in a particular environmental setting is neither consistent with CEQA's legislative purpose not required by CEQA statutes." Therefore an analysis of the effects of global climate change on the project is not appropriate and is not required.

Response to Comment E-39. Refer to Response to Comment E-38.

Response to Comment E-40. Refer to Response to Comment E-38.

Response to Comment E-41. As stated in Response to Comment E-38, CEQA does not require that the effects of global climate change on the project and other environmental resources must be analyzed in the EIR. CEQA does require that the proposed project's effects on greenhouse gas emissions and global climate change must be addressed. This analysis was provided in Section 4.3 Greenhouse Gas Emissions and Global Climate Change in the Draft EIR. The Draft EIR did analyze the significant effects on air quality (Section 4.2), water supply (Section 2.0), flood hazards (Section 2.0) and biological resources (Section 2.0) and provided mitigation to reduce those impacts where feasible.

Response to Comment E-42. The Draft EIR analyzed the cumulative effects of the project on greenhouse gas emissions (Section 4.3.7 Cumulative Impacts, page 4.3-26) and it was determined that "*While it is not possible to determine whether the project individually will have a significant impact on global warming or climate change, it will contribute to cumulative GHG emissions in California. Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of CEQA Guidelines Sections 15065(a)(3) and 15130. The CARB is currently in the process of designing regulations to monitor, limit, and ultimately reduce California GHG emissions but there are as yet no adopted standards for assessing the significance of cumulative impacts from projects.*

Cumulatively, the emissions from electricity production would comprise approximately 3.4 percent of the project's total CO_2e emissions. Water usage and solid waste disposal emissions comprise approximately 18 percent of the project's total CO_2e emissions while the emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO_2e emissions are primarily associated with building systems. The proposed project is required to comply with existing State and Federal regulations regarding the energy efficiency

of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy efficient than older buildings.

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable."

The Draft EIR did analyze the cumulative effects of the project on greenhouse gas emissions and determined the impacts on global climate change are considered to be significant and unavoidable.

Response to Comment E-43. To clarify, the project is not subject to NEPA and the environmental documentation that was completed is under CEQA. The findings or rulings under NEPA do not apply in this case; however, State CEQA Guidelines Section 15064(b) provides that "…the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting." The State CEQA Guidelines further indicate that even when thresholds are established, they may include "identifiable quantitative, qualitative or performance level of a particular environmental effect" (State CEQA Guidelines, Section 15064.7).

Furthermore, the Draft EIR page 4.3-26 as modified in this Final EIR, determined "*project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~* on a project specific basis *because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.*

The Draft EIR (Section 4.3) made a determination that the proposed project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases and no mitigation is required. However, it was determined that the proposed project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and mitigation was proposed to reduce these project-specific effects to less that significant (Draft EIR, page 4.3-21 – 4.3-26).

It should be noted that any GHG emissions reductions achieved locally and within the State may be offset by emissions increases in developing countries such as Brazil, Russia, India and China. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects from greenhouse gas emissions will be fully mitigated because significant impacts from greenhouse gas emissions may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan.

Response to Comment E-44. Refer to Response to Comment E-43.

Response to Comment E-45. Refer to Responses to Comments E-42 and E-43.

Response to Comment E-46. As the comment is the opinion of the commentor the City is not in the position nor is it reasonable to adopt a "zero" significance threshold. SCAQMD and other air quality

agencies agree that GHG and climate change should be assessed as a potentially significant "cumulative impact" rather than a "project-specific" impact. SCAQMD is considering the adoption of a numeric plan-level efficiency target of 6.6 MTCO2E per service population.

The intent of CEQA is to determine the significant effects of a project on the environment and provide feasible and reasonable mitigation to reduce impacts to less than significant. In instances where the impact of the project cannot be reduced to less than significant and it is determined the impact is significant and unavoidable, the Lead Agency, must adopt a Statement of Overriding Considerations that finds (1) under Public Resources Code Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the Final EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093. CEQA does have a provision as stated above that an impact can be significant and unavoidable if the City makes findings as to why it is willing to accept the significant impact; therefore, it was not CEQA's intent to not allow any tolerance for impacts on the environment as long a good faith effort is made to reduce the impacts where reasonable.

Response to Comment E-47. See Response to Comment D-8. Mitigation Measure 4.2.6.3.A (Draft EIR page 4.2-26) requires "Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:" With implementation of this measure, the building will meet a 20% reduction in energy performance standard which will render greenhouse gas emissions impacts to a less than significant level on a project-specific basis and consistent with the intention of AB32. It should be noted, however, that many new mitigation measures have been added in the Final EIR. Please refer to the Table contained in Response to Comment D-45 regarding air quality operational mitigation measures as well as indicated in Section 3.0 Errata in the Final EIR.

Response to Comment E-48. Riverside Transit Authority (RTA) has an established bus route, No. 19, which services the project area and the site. The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary. However, a bus bay has been included in the project design along the site's Perris frontage.

The commentor is erroneously confusing this project which is a distribution warehouse with a mixed use or commercial project that would have residents living within the project area. It is not appropriate to include plazas and pedestrian and bicycle only streets within the project and to create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking as suggested by the commentor. The project is not building transportation routes. The project is located on existing roadways, Perris Boulevard, Indian Street, and Grove View Road.

Response to Comment E-49. The commentor is erroneously confusing the proposed project, which is a high-cube logistics distribution warehouse, by inferring that it is a planned community with a residential component. Nonetheless, the warehouse building will be required to incorporate many green building techniques required as part of Mitigation Measures 4.2.6.3A-4.2.6.3B and 4.3.6.1A-4.3.6.1C.

Response to Comment E-50. The commentor is erroneously confusing the proposed project, which is a high-cube logistics distribution warehouse, by inferring that it is a residential project. Nonetheless,

please see the response to Comments E-29 and E-32. All known emissions during construction and operations of the proposed project have been identified and calculated (Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

Response to Comment E-51. See Response to Comments D-8 and E-47.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" in the following Table have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the greenhouse gas reduction measures suggested for inclusion by the commentor and if it is already included, if will be added mitigation as part of the Final EIR, or if will not be included and why.

Suggested Mitigation Measure	Response
1. Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.	**Incorporated.** The project description states In recognition of the trend towards Green Building, the proposed project will pursue the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. LEED is a voluntary, consensus-based standard to support and certify successful green building design, construction, and operations.
2. Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
3. Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. Reducing the use of pavement and impermeable surfaces.	**Included where appropriate.** Impermeable surfaces will be installed were appropriate but it is not feasible to use impermeable surfaces in the truck parking area since a soft permeable surface will not support the weight of a large truck.
5. Requiring water re-use systems.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1C** on page 4.3-25.
6. Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
7. Limiting the hours of operation of outdoor lighting.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
8. Maximizing water conservation measures in buildings and landscaping, using drought tolerant plants in lieu of turf, planting shade trees.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
9. Ensure that the Project is fully served by full recycling and composting services.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3B** on page 4.2-28.
10. Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Infeasible.** The site is served by public entities for wastewater and solid waste, Neither the City nor the project proponent has control over those facilities.

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Suggested Mitigation Measure	Response
11. Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
Mitigation Related to Construction	
1. Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1B** on page 4.3-25.
2. Minimize, reuse, and recycle construction-related waste.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
3. Minimize grading, earth-moving, and other energy-intensive construction practices.	**Infeasible.** The entire site must be graded to accommodate the building structure and parking lot.
4. Landscape to preserve natural vegetation and maintain watershed integrity.	**Infeasible.** The site does not contain natural/native vegetation**.**
5. Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measures 4.2.6.1B, 4.2.6.1I, and 4.2.6.1K** on pages 4.2-21- 4.2.22.
6. Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1B** on page 4.3-25.
Transportation Mitigation Measures	
1. Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
2. Create a car sharing program within the planned community;	**Not required.** The project is not a planned community. . As noted in **Mitigation Measure 4.2.6.1K**, documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs.
3. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. Provide necessary facilities and infrastructure to encourage residents to use low or zeroemission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27. The mitigation measure the commentor suggests relates to "residents". This project is a high-cube warehouse not a residential development.
5. Provide a shuttle service to public transit within and beyond the planned community.	**Not required.** The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary. However, a bus bay has been included in the project design along the site's Perris frontage.

Suggested Mitigation Measure	Response
6. Incorporate bicycle lanes and routes into the planned community's street systems.	**Not required.** Bicycle access to and from the project will take place from the adjacent streets In addition the project is not a planned community.

Response to Comment E-52. See the Table included in the Response to Comment E-51 under "Mitigation Related to Construction" Items 1-6.

Response to Comment E-53. See the Table included in the Response to Comment E-51 under "Transportation Mitigation Measures" Items 1-6.

Response to Comment E-54. The use of carbon offsets are infeasible because:

- The cited precedent is a negotiated settlement for a major oil refinery in Contra Costa County, rather than a warehouse development in Riverside County;
- The cited precedent was for the period prior to 2012;
- California has not established any generally applicable standards for requiring offsets for GHG emissions; and
- Most cities and counties in California have not required offsets for GHG emissions on projects of the scale of the proposed project. Since this is a cumulative rather than a project level impact, mitigation for the cumulative level impact will be ineffective unless it is applied to all the cumulative projects.

Using such carbon offsets to mitigate for cumulative impacts is fraught with uncertainty. As the comment implies ("… offsets purchased are real…"), but there is considerable controversy regarding whether offsets that are available today will actually mitigate this cumulative effect.

First, it requires an accurate measure of the emissions to be offset and the offsets to be provided. That calculation turns out to be riddled with uncertainty on both ends. As noted above in the example cited by the commenter, this initial offset of $7 million for the Rodeo refinery was later reduced to $4.4 million due to revised calculations of GHG emissions. The UN's Intergovernmental Panel on Climate Change found a margin of error of 10% with measuring emissions from making cement or fertilizer; 60% with the oil, gas and coal industries; and 100% with some agricultural processes.

Second, the provision of offsets requires an accurate measure of the carbon saved elsewhere. Most of the earliest offset projects involved planting trees, which naturally ingest carbon, a complex and unpredictable process which forbids accurate measurement.

Finally, the very idea of offsetting relies on what is known as additionally - evidence that a carbon reduction would not have occurred in the natural order of commercial life. For example, one of the biggest UK companies that sells offsets, Climate Care, distributed 10,000 energy-efficient light bulbs in a South African township; offered the carbon reductions as offsets; and then discovered that an energy company was distributing the same kind of light bulbs free to masses of customers, including their township, so the reduction would have happened anyway.

To accurately calculate the amount of credit for each of the above actions, the offset program must make a number of critical assumptions:

- What is the baseline of emissions for the existing facilities that would be retrofitted to reduce their energy consumption? Would they ultimately be retrofitted in any case, thus limiting the actual resulting reduction in GHG emissions?

- Is the development of the alternative energy source actually dependent on the external funding provided by the offset? Or is the alternative energy developer simply achieving another subsidy?

- How much extra energy (and GHG emissions) is required to construct the alternative energy facility? What period of time should this be amortized over? For example, the development of the California High Speed Rail Project is estimated to reduce energy consumption in the long run. However, the extra energy involved with construction is estimated to have a 40 year payback.

As such, the actual amount of mitigation provided by an offset program can be speculative, based upon the actual performance of the program.

While the above cited issues with offsets are problematic, even if they are successful, they are based upon the assumption that a 1:1 reduction in emissions will actually result in the same reduction in global CO2 values. This static analysis fails to take into account the dynamic nature of energy consumption worldwide. When energy consumption (a proxy for GHG emissions) is reduced in one location, there are powerful economic reasons to assert that the same energy consumption (GHG emissions) will simply be shifted to another location.

There is a global marketplace for fossil fuel energy based upon a market between buyers and sellers. The sellers, those who own the sources and production of fossil fuel energy, have a powerful economic interest to keep and increase their income stream from the production of fossil fuels.

To the extent that the actions cited above as potential offset measures, in combination with other conservation measures, reduce the demand for fossil fuels in the countries where they are implemented, the owners of these fossil fuel supplies will still want to preserve and enhance their income as much as possible. And there is a large unmet need (unmet as defined by consumer actions) for increased energy consumption in developing countries. For example the average annual energy consumption of a citizen of China or sub-Saharan Africa, at 4.5 metric tons, is far less than that of the average US citizen, at 20 metric tons. To the extent that the US and other countries reduce energy consumption based upon energy efficiency measures, the owners of fossil fuel resources will seek to sell the same energy, perhaps at a lower price, to the less developed countries. If the energy is sold at a lower price, then more energy would need to be sold to generate the same income, and the resulting energy consumption and GHG emissions could actually increase.

There is uncertainty regarding the efficacy, reliability and legal standing of carbon off-sets at this time. For this reason, such mitigation is considered to be infeasible.

Response to Comment E-55. The commentor is correct in stating that the EIR must contain a "*reasonable*" [emphasis added] range of alternatives to the proposed project that avoid or lessen the significant impacts to the proposed project (Pub. Res. Code §21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126.6(d)). According to CEQA Guidelines §15126.6(a) "[A]n EIR need not consider every conceivable alternative to a project. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of

reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376)."

The Draft EIR does include an analysis of a reasonable range of alternatives to the proposed project (Section 6.0 Alternatives, pages. 6-1 – 6-33) incompliance with CEQA. The Draft EIR discusses the No Project Alternative (Section 6.3.2.1) and an Off-Site Alternative (Section 6.3.2.4) as suggested by the commentor.

Response to Comment E-56. The commentor is misinterpreting the Draft EIR or has failed to understand that the proposed project is not a higher density mixed use commercial/residential project. The project analyzed in the Draft EIR is an industrial project (refer to Draft EIR Section 3.0 Project Description) which is consistent with the General Plan Designation of Business Park/Light Industrial. Zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, which is known as the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002. The entire area surrounding the project site is zoned SP 208 which has planned the area for business park and industrial uses since 1989 (23 years). The area to the south in the City of Perris is also planned for industrial and commercial uses. Clearly, the Cities of Moreno Valley and Perris have planned this area for industrial/business park and commercial uses in their respective General Plans for years. The City has already determined the appropriate lands uses for the area and conducted the appropriate CEQA review for that determination. This project implements that prior determination consistent with the existing general plan and specific plan.

If the commentor is suggesting that a high density mixed use commercial/residential project be considered as an alternative to the proposed project, the Draft EIR Section 6.3.2.3, page 6-22 does include an analysis of Alternative 3 Mixed Use Commercial Office Center. A Mixed Commercial/Residential Alternative was analyzed in Section 6.2.3 and it was determined *[t]hat the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site.*

Also refer to Response to Comment D-96.

Response to Comment E-57. The Draft EIR does analyze the various alternatives impacts on greenhouse gas emissions (Table 6.G page 6-16) biological resources, water resources including water quality and water availability(Table 6.E page 6-16) and traffic (Table 6.C page 6-15). In addition, detailed analysis for each of the alternatives is proposed in Draft EIR Sections 6.3.1.1, 6.3.1.2, 6.3.1.3 and 6.3.1.4 on pages. 6-12 – 6-31 as it related to the environmental issues listed by the commentor. An agricultural alternative was not considered because the site has been planned by the City since 1987 for industrial land uses. In addition the current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." Therefore, an agricultural use as an alternative is not a practical alternative that requires analysis. No further analysis is necessary and the comment does not change the conclusion in the Draft EIR.

Response to Comment E-58. This is the commentor's opinion and is not relevant to the analysis in the Draft EIR. However, the Draft EIR, Section 3.0 Project Description, page 3-1, states that "*The proposed project site has been used historically for agricultural purposes but currently lies fallow. It*

was most recently used as a sod farm growing that ceased operating in August 2005." The site has not been farmed over the last seven years.

Response to Comment E-59. A less dense alternative (which is to assume an alternative that considers a building of less square footage) is analyzed in the Draft EIR as Alternative 2. In this Alternative, warehouse uses would be reduced to 1,212,100 square feet on 71 acres. It was determines that Alternative 2 would be the environmentally superior alternative and it would have similar impacts as the proposed project on: agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources and recreation (Draft EIR Section 6.3.2.2 Alternative 2: Reduced Intensity , pages 6-17 – 6-22). It was concluded on page 6-21 that [*U]nder the Reduced Intensity Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the project but would remain significant and unavoidable. The decrease in warehouse uses would result in a reduction of permanent jobs that would be created. This alternative would have a reduced demand on public services and utilities and service systems. However, similar to the proposed project, the payment of fees and adherence to utility requirements would reduce these impacts to a less than significant level.*

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed project; however, long-term traffic impacts would remain significant and unavoidable. Construction-related noise would be similarly mitigated like the proposed project and would remain less than significant. Water use for this alternative would be less than the proposed project and would generate less wastewater and solid waste. Under this alternative, the proposed project objectives are met and warehouse uses would still be built, but on a smaller scale.

As stated above, the Reduced Intensity Alternative would reduce the intensity of some impacts of the proposed project. However; loss of farmland, long-term air quality, greenhouse gas emissions cumulative impacts, and long-term traffic impacts would remain significant and unavoidable. The Reduced Intensity Alternative is a reduction in actual size of the warehouse but the significant unavoidable impacts of the proposed project are not reduced to less than significant.

Additionally, the Reduced Intensity Alternative would not meet the following project objectives: "Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels" and "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources reduces impacts to air quality, global climate change, and traffic." This is due to the fact that reduced-intensity development patterns are in concept diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development. Development of the project site in such an inefficient manner would result in negative effects such as sprawl leading to increased VMT and associated air pollution and greenhouse gas emissions.

Response to Comment E-60. The City has fully responded to the commentor's concerns and comments and others who had submitted comments on the Draft EIR. The Final EIR is conformance with CEQA Guidelines §§ 15090, 15091, and 15132. In addition, the significant impacts of the proposed project have been analyzed in Section 4.1 through Section 4.5 in the Draft EIR and mitigation proposed for those impacts that were found to be significant. For those impacts for agriculture, air quality, greenhouse gas emissions, and traffic that were determined to be significant and unavoidable the City would have to adopt findings and a statement of overriding considerations

that the state the specific economic, legal, social technological, or other considerations, outweigh the significant unavoidable effects of the proposed project.

Response to Comment E-61. The City has included the Sierra Club on its mailing list for all future notices and documents regarding this project.

Response to Comment E-62. The commentor has attached various references. No response is required.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY EDMUND G. BROWN Jr. Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

June 4, 2012

Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

Notice of availability DEIR for the VIP Moreno Valley. Riv-215-PM 32.62

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is a 1,616,133 square foot warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. Located within the Moreno Valley Industrial Area Plan (SP 208) at the City's southern boundary, between Perris Boulevard and Indian Street and between Grove View Road and the Perris Valley storm channel Tentative Parcel Map No. 36162 is proposed to combine four existing parcels into a single parcel for development of the 1.6 million square warehouse facilities. 1

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Moreno Valley due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. 2

We recommend the following: however, additional comments maybe forth coming. 3

Traffic Forecasting

Appendix G- Traffic Study VIP Moreno Valley page 6, Under section "Existing Without Project Traffic Volumes" please use year 2007 for Caltrans AADT volume data which can be found online. This will keep the consistency in traffic volume projections.

Appendix G- Traffic Study VIP Moreno Valley page 7, Under section "Existing Without Project Traffic Volumes" please specify which year(s) have been used to determine the D and K factors derived from Caltrans data. 4

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 383-6908 or myself at (909) 383-4557 for assistance.

"Caltrans improves mobility across California"

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

2.14 RESPONSE TO LETTER F

California Department of Transportation, District 8

Response to Comment F-1. The commentor has accurately summarized the general aspects of the proposed project.

Response to Comment F-2. The comment is introductory and states that the California Department of Transportation (Caltrans) is the owner and operator of the State Highway System as is a "responsible agency" pursuant to Public Resources Code Section 21070 for making recommendations to offset associated traffic impacts with the proposed project.

The comment is introductory in nature and outlines Caltrans' authority and role as a commenting agency. Caltrans' introduction in this comment is noted, and no further response is required.

Response to Comment F-3. Response to Comment F-3. The project Traffic Impact Analysis used 2009 Caltrans Annual Average Daily Traffic (AADT) volume data because it was the most current data available and was comparable to the 2007 AADT. In addition, 2007 counts for the intersection analysis were used because it was determined that the volumes in 2007 were significantly higher at some locations than in 2009 and would represent the worst-case scenario.

Response to Comment F-4. The project Traffic Impact Analysis used 2009 Caltrans data for K and D factors to be consistent with the 2009 Caltrans AADT volume data that was used in the analysis.

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EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

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Paul D. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

June 4, 2012

Jeff Bradshaw, Associate Planner
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

SUBJECT: VIP Moreno Valley
Notice of Availability (NOA) of a
Draft Environmental Impact Report

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Notice of Availability (NOA) for the above referenced project. The project proposes to develop approximately 1,616,133 square feet of distribution warehouse space on an approximately 71 acre site. The single building will be constructed with 264 vertical-lift dock-high roll-up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The project is estimated to be constructed by the year 2013. Eastern Municipal Water District (EMWD) offers the following comments. 1

The subject project requires water, sewer and recycled water services from EMWD. The details of said service connection points will be further detailed in a separate document, known as EMWD's Plan of Service, which is still not yet developed by the project proponent. To that end, EMWD requires dialog with the project proponent, to develop the EMWD Plan of Service, as clarified in the attached letter. 2

Again, EMWD appreciates the opportunity to comment on this project. Please forward the Final Environmental Impact Report to the attention of Helen Stratton at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Helen Stratton at 951 928-3777, Ext. 4545, or Eli Rodriguez at Ext. 4450.

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:hs
Cc: Eli Rodriguez
Encls.

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

June 4, 2012

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Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

City Of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re. NOP of DEIR, VIP Moreno Valley, TPM 36162

Attn. Jeff Bradshaw, Associate Planner, City Of Moreno Valley

In order to receive water, sewer or recycled water service(s) from Eastern Municipal Water District (EMWD), the following information will be helpful to the project proponent:

EMWD requires beginning dialogue with the project proponent at an early stage in site design and development, via a one-hour complimentary Due Diligence meeting. To set up this meeting, the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our "New Development Process" web page, under the "Businesses" tab, at www.emwd.org. This meeting will offer the following benefits:

1. Describe EMWD's development work-flow process
2. Identify project scope and parameters
3. Preliminary, high level review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service

Following the Due Diligence meeting, to proceed with this project, a Plan Of Service (POS) will need to be developed by the developer's engineer, and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The POS process will provide the following:

1- Technical evaluation of the project's preliminary design
2- Defined facility requirements, i.e. approved POS
3- Exception: for feasibility evaluation of a purchase acquisition, only a conceptual facilities assessment may be developed.

2

If you have questions or concerns, please do not hesitate to contact me.

Sincerely,

Eli Rodriguez
New Business Development Department
(951) 928-3777 x4450
rodrigue@emwd.org

2.16 RESPONSE TO LETTER G

Eastern Municipal Water District

Response to Comment G-1. The commentor has accurately summarized the general aspects of the proposed project.

Response to Comment G-2. Eastern Municipal Water District is providing information to the City and applicant that the applicant must submit a Plan of Services prior to construction of the project. The attachment letter outlines what is required of the applicant prior to construction. The comment does not directly refer to the Draft EIR but is provided for informational purposes.

MV00170274

From: Noelle_Ronan@fws.gov [mailto:Noelle_Ronan@fws.gov]
Sent: Monday, June 04, 2012 4:00 PM
To: Jeffrey Bradshaw
Cc: CLandry@wrcrca.org; Karin_Cleary-Rose@fws.gov
Subject: VIP Moreno Valley Draft Environmental Impact Report (DEIR) [FWS-WRIV-12B0233-12CPA0244]

Mr. Bradshaw,
The City of Moreno Valley submitted the above-mentioned DEIR to identify the proposed project's direct, indirect, and cumulative environmental impacts, to discuss alternatives, and to propose mitigation measures that avoid, minimize, or offset significant environmental impacts. The Service is providing the following comments as they relate to the project's consistency with the Western Riverside County Multiple Species Conservation Plan (MSHCP).

Focused surveys for special status plants and burrowing owls were conducted on the project site in 2009. We typically prefer that surveys for sensitive species are updated (i.e., no more than 1 year old) to demonstrate that the project is consistent with the MSHCP. However; given the disturbed condition of the project site (e.g., annual disking), we acknowledge that the focused surveys for sensitive plants and burrowing owls are sufficient. 1

We appreciate the inclusion of mitigation measures (Mitigation Measure BIO-1 through BIO-4) to avoid or minimize impacts to birds protected by the Migratory Bird Treaty Act (MBTA) and burrowing owls. Mitigation Measure BIO-3 specifies that if nesting special status avian species or burrowing owls occupy an area of disturbance, no construction activity will take place within 500 feet of an active nest/burrow until it has been determined that it is no longer active and all juveniles have fledged. In addition, we recommend that a biological monitor be present to monitor the effects of construction on any active nests and to ensure that there is no encroachment into the 500 foot nest buffer zones. 2

Thank you for the opportunity to review the DEIR. If you have any questions or comments please contact me at 760-322-2070 ext. 215.

Noelle Ronan
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Palm Springs Fish and Wildlife Office
777 E. Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92262
760-322-2070 ext. 215

2.18 RESPONSE TO LETTER H

United States Fish and Wildlife Service

Response to Comment H-1. The City concurs with the United States Fish and Wildlife Service's conclusion that the site is disturbed and that updated focused surveys for sensitive plants and the burrowing owl are not necessary even if the original surveys are now 3 years old.

Response to Comment H-2. The United States Fish and Wildlife Service concurs with the mitigation in the Draft EIR for the burrowing owl and recommends that a biological monitor be present during construction to monitor any active nests to ensure that there is no encroachment into the 500 foot nest buffer zone. The City concurs with this recommendation and mitigation Measure BIO-3 has been amended as follows:

> ***Mitigation Measure BIO-3:*** *If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.*

Letter I

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

51183

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RECEIVED
JUN 06 2012
CITY OF MORENO VALLEY
Planning Division

City of Moreno Valley
Community Development Department -
Planning Division
Post Office Box 88005
Moreno Valley, California 92552-0805

Attention: JEFF BRADSHAW

Ladies and Gentlemen:

Re: PM 36162 (PA 09-0012) + PP 09-0005

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

_____ No comment.

_____ This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

_____ This project involves District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

_____ This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

_____ This project is located within the limits of the District's _____ Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

_____ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266.

✓ The Districts previous comments are still valid. 1

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

Date: 5/22/2012

c: Riverside County Planning Department
Attn: Kristi Lovelady

ATTACHED

5)

Letter I

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.floodcontrol.co.riverside.ca.us
51183_6

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

City of Moreno Valley
Community Development Department -
Planning Division
Post Office Box 88005
Moreno Valley, California 92552-0805

Attention: JEFF Bradshaw

Ladies and Gentlemen: Re: PA09-0004

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

____ No comment.

____ This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

X This project involves District Master Plan facilities. ~~The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.~~ 2

____ This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

X This project is located within the limits of the District's Perris Valley Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit. 3

X An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266. 4

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

DALE V. ANDERSON
Engineering Project Manager

Date: 03/00/09

c: Riverside County Planning Department
Attn: Kathleen Browne

J.G.

2.20 RESPONSE TO LETTER I

Riverside County Flood Control and Water Conservation District

Response to Comment I-1. The City acknowledged that the previous comments that were provided to the City during the NOP comment period are still valid and are provided in the second page of the response letter and included in Appendix A to the Draft EIR. The comments do not reflect the analysis in the Draft EIR and provide the City with facts that relate to the construction of the project and the project's responsibility to meet the Riverside County Flood Control and Water Conservation District's requirements.

Response to Comment I-2. The City acknowledges the project involves the District's Master Plan of Facilities. Refer to Response to Comment I-1.

Response to Comment I-3. The City acknowledges the project is located in the District's Perris Valley Area Drainage Plan and fees must be paid to the District by the project proponent prior to the issuance of grading permits. Refer to Response to Comment I-1.

Response to Comment I-4. The City acknowledges the project proponent is required to obtain an encroachment permit for any construction in the District's right of way or facilities. Refer to Response to Comment I-1.

MV00170279

Letter J

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

June 5, 2012

RECEIVED
JUN 11 2012
CITY OF MORENO VALLEY
Planning Division

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: PA09-0004 (Plot Plan), PA09-0012 (Tentative Parcel Map No. 36162), and P11-020 (EIR)
SCH#: 2011081084

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 4, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. J-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Letter J

Document Details Report
State Clearinghouse Data Base

SCH# 2011081084
Project Title PA09-0004 (Plot Plan), PA09-0012 (Tentative Parcel Map No. 36162), and P11-020 (EIR)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The project is generally described as a Plot Plan for development of a 1,616,133 s.f. warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 s.f. of office area in four potential office locations. Tentative Parcel Map No. 36162 is proposed to combine four existing parcels into a single parcel for development of the 1.6 million square warehouse facility.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone 951 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92552-0805

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 51' 39.5" N / 117° 13' 49.5" W
Cross Streets Southwest corner of Grove View road and Perris Boulevard
Parcel No. 316-210-071, -073, -075, and -076
Township 3S **Range** 3W **Section** 31 **Base** SBB&M

Proximity to:

Highways I-215
Airports March Air Reserve Base
Railways B.N.S.F.
Waterways Perris Valley Storm Channel - Lateral B
Schools Rancho Verde H.S.
Land Use The current General Plan designation is Business Park and the current zoning is Industrial within SP 208.

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Biological Resources; Noise; Traffic/Circulation; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 6; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 04/20/2012 **Start of Review** 04/20/2012 **End of Review** 06/04/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

2.22 RESPONSE TO LETTER J

California Governor's Office of Planning and Research, State Clearinghouse

Response to Comment J-1. The City recognizes the receipt of comments from State agencies and the State Clearinghouse's acknowledgement that it has complied with review requirements for environmental documents.

3. EIR ERRATA

Any corrections to the Draft Environmental Impact Report (EIR) text and figures generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. The Draft EIR text and figures have not been modified to reflect these EIR modifications.

These EIR errata are provided to clarify, refine, and provide supplemental information for the Starcrest Distribution Facility Project Draft EIR. Changes may be corrections or clarifications to the text and figures of the original Draft EIR. Other changes to the EIR clarify the analysis in the EIR based upon the information and concerns raised by commentors during the public review period. None of the information contained in these EIR modifications constitutes significant new information or changes to the analysis or conclusions of the Draft EIR.

The information included in this EIR erratum that resulted from the public comment process does not constitute substantial new information that requires recirculation of the Draft EIR. The California Environmental Quality Act (CEQA) Guidelines, Section 15088.5, states in part:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The changes to the Draft EIR included in these EIR modifications do not constitute "significant" new information because:

No new significant environmental impact would result from the project or from a new mitigation measure;

There is no substantial increase in the severity of an environmental impact that would result unless mitigation measures are adopted that reduce the identified significant impacts to a level of insignificance;

MV00170284

No feasible project alternative or mitigation measure considerably different from others previously analyzed has been proposed or identified that would clearly lessen the significant environmental impacts of the project; and

The Draft EIR is not fundamentally or basically inadequate or conclusory in nature such that meaningful public review and comment were precluded.

Therefore, recirculation of the Draft EIR is not required because the new information added to the EIR through these modifications clarifies or amplifies information already provided or makes insignificant modifications to the already adequate Draft EIR.

For simplicity, the EIR modifications contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by double underlining (underline) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for easy reference.

Draft EIR, Section 1.0 Executive Summary, Table 1.B: VIP Moreno Valley - Environmental Summary, pages 1-11 through 1-41

Table 1.B: VIP Moreno Valley - Environmental Summary in the Draft EIR has been updated to be consistent with changes that have been made, as a result of the responses to comments. Changes have been made to mitigation measures for air quality, biological resources, cultural resources, geology and soils, hydrology and water quality. These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
AIR QUALITY		
Construction ~~Equipment Exhaust~~ Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.	**4.2.6.1B**. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1K** Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access	Significant and unavoidable

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	• Lunch vendor services shall be ~~provided~~ permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. • Suspend use of all construction equipment operations during second stage smog alerts. **4.2.6.1N**. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. **4.2.6.1O.** All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets. **4.2.6.1P.** Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil. **4.2.6.1Q**. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. **4.2.6.1R** All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. **4.2.6.1S** Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period;	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	and d) phasing of construction activities. **4.2.6.1T** Reroute construction trucks away from congested streets and sensitive receptor areas.	
Long-Term Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NOX; - 550 pounds of CO; - 150 pounds of PM10; - 55 pounds of PM2.5; and - 150 pounds of SOX.	**4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any-combination of design features, including but not limited to the following list, may shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • ~~Buildings shall e~~Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • ~~Interior~~Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards~~ shall be installed~~, as deemed acceptable by the City. ~~Automatic~~ Use automatic devices to turn off lights when they are not needed~~ shall be implemented~~. • To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved	Significant and Unavoidable

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	surfaces such as streets and parking lots and buildings ~~shall be planted~~ at the project site. • ~~Paint~~ Use paint and a surface color palette for the project ~~shall~~ emphasizing light and off-white colors which reflect heat away from the buildings. • ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~ • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • ~~To r~~ Reduce energy demand associated with potable water conveyance~~, the project shall implement~~ using the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • ~~The project shall p~~ Provide secure, weather-protected, on-site bicycle storage/parking. • ~~The project shall p~~ Provide on-site showers (one for males and one for females). ~~L~~ Provide lockers for employees ~~shall be provided~~.	
	• ~~The project will e~~ Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	of project completion that outlines the measures implemented by the TMA, as well as contact information. • ~~The project shall p~~Provide preferential parking for carpools~~ and vanpool~~, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools ~~shall be delineated~~ on the project site plan. • ~~The project shall p~~Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations ~~shall be indicated~~ on the project building plans. • Implement compressed workweek schedules. • Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. • Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets. • Establishment and use of carpool/vanpool programs, complemented by parking fees	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	for single-occupancy vehicles. • Provision of preferential parking for EV and CNG vehicles. • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance. • Use of electric (instead of diesel or gasoline-powered) yard trucks. • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes. ~~• Lease/purchase documents shall identify that tenants are encouraged to promote the following:~~ ~~○ Implementation of compressed workweek schedules.~~ ~~○ SmartWay partnership;~~ ~~○ Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.~~ ~~○ Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater~~	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	~~carriers.~~ ~~○ Use of fleet vehicles conforming to 2010 air quality standards or better.~~ ~~○ Installation of catalytic converters on gasoline-powered equipment.~~ ~~○ Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.~~ ~~○ Establishment and use of carpool/vanpool programs, complemented by parking fees for single occupancy vehicles.~~ ~~○ Provision of preferential parking for EV and CNG vehicles.~~ ~~○ Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.~~ ~~○ Use of electric (instead of diesel or gasoline-powered) yard trucks.~~ ~~○ Use of SmartWay 1.25 rated trucks.~~	
BIOLOGICAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	**Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.	Less Than Significant
CULTURAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • ~~If too few fossil remains are found after 50 percent of the planned for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~ • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.	
GEOLOGY AND SOILS (FROM THE INITIAL STUDY [APPENDIX A])		
Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	**Mitigation Measure GEO-1:** Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report. **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	
GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE		
Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	**4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the	Less than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Use Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the 2008 California Building Code's (CBC) Title 24 energy standard by 20%, including, but not limited to, any combination of the following: • Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project: • The project applicant shall use less than 3,900 low Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.	
HYDROLOGY AND WATER QUALITY (FROM THE INITIAL STUDY [APPENDIX A])		
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	**Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements. ~~submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and~~	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	~~report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.~~	

Draft EIR, Section 2.2.4 Technical Reports, Page 2-4.

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the air quality and noise studies. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

2.2.4 Technical Reports

Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Draft EIR. The technical reports and other information included as appendices to this EIR include the following:

Appendix A: *Initial Study, NOP, and NOP Comment Letters*, August 2011.

Appendix B: Initial Study Technical Reports

- Appendix B-1: *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010.
- Appendix B-2: *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 1, 2009.
- Appendix B-3: *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 9, 2009.
- Appendix B-4: *Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 11, 2009.
    - Appendix B-5: *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California,* Michael Brandman Associates, March 22, 2007.
    - Appendix B-6: *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
    - Appendix B-7: *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.

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- Appendix B-8: *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.
- Appendix B-9: *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.
- Appendix B-10: *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

Appendix C: *LESA Modeling Worksheets*, LSA Associates, Inc., August 2011.

Appendix D-1: *Air Quality Analysis VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012

Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012.

Appendix E: *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., ~~August 2011~~ December 2011.

Appendix F: *Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012.

Appendix G: *Traffic Study VIP Moreno Valley*, LSA Associates, Inc., ~~January~~ April 9, 2012.

Draft EIR, Section 2.5.2 Biological Resources, Page. 2-9.

The last sentence in paragraph 3 has been deleted because jurisdictional delineation was prepared for the proposed project (Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009). Therefore the sentence was deleted because it was an error. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Thirty-one species in western Riverside County have special status under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). These include species that are listed as “endangered” or “threatened” under the FESA or that have been “proposed” or are “candidates” for such listing. These also include species that are listed as “endangered,” “threatened,” or “rare” under the CESA or that have been petitioned (i.e., are “candidates”) for listing. The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) provides for the long-term survival of protected and sensitive species by designating a contiguous system of habitat to be added to existing public/quasi-public lands. The Plan includes an impact fee collected by the 16 member cities and other local agencies, including the City of Moreno Valley, used to acquire these lands. Depending on the location of a private or public development project, certain biological studies may be required to comply with the MSHCP. The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (Athene cunicularia), five Narrow Endemic Plant Species (NEPS), and nine Criteria

Area Plant Species (CAPS). ~~A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.~~

Draft EIR, Section 2.5.2 Biological Resources, Page. 2-10.

Consistent with the comments provided by Letter H (Fish and Wildlife Service), the text in Draft EIR of Mitigation Measure BIO-3 is amended. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR

Mitigation Measure BIO-3: If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.

Draft EIR, Section 2.5.3 Cultural Resources, Page 2-13.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR of Mitigation Measure CUL-1 is amended. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
- ~~If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~
- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.

- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Draft EIR, Section 2.4.4 Geology and Soils, Page 2-16.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR of Mitigation Measure GEO-2 is amended for clarification purposes. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.

Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be ~~reviewed and considered~~ implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties ~~to determine~~ in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Draft EIR, Section 2.5.6 Hydrology and Water Quality Hydrology, Page. 2-24.

Mitigation Measure HYD-05 has been revised to clarify the finalization of the Hydrologic and Hydraulic Analysis. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. Although adherence to the City's drainage requirements, which includes the preparation of drainage sizing calculations, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-05** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. ~~To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified.~~ With adherence to this mitigation measure, impacts associated with this issue are less than significant.

Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements. ~~submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.~~

Draft EIR, Section 2.7 Cumulative Projects, Table 2.C, Page 34

There was a topographical error in Table 2.C of the Draft EIR indicating the incorrect map number. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

~~A~~M-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses

Draft EIR Section 4.2 Air Quality, Page 4.2-1

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the air quality, health risk assessment and traffic studies. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.2 AIR QUALITY

This section analyzes the proposed project's potential air quality impacts based on the comprehensive *Air Quality Analysis* contained in Appendix D-1 (LSA Associates, Inc. ~~December 2011~~ March 2012) and the *Health Risk Assessment* (LSA Associates, Inc. ~~December 2011~~ March 2012) contained in Appendix D-2 to this EIR. The air quality analysis evaluates potential air quality impacts and mitigation measures by examining the short-term construction and long-term operational impacts associated with the project and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. Additionally, the analysis provides a discussion of the proposed project, the physical setting of the project area, and the air quality regulatory framework. Modeled air quality levels are based upon vehicle data and project trip generation included in the project's Traffic Study (LSA Associates, Inc. ~~November 2011~~ January 2012, Appendix G of EIR) and peak turn volumes generated for the proposed project combined with emission factors from the California Air Resources Board (ARB). The evaluation was prepared in accordance with appropriate standards, utilizing procedures and methodologies in the South Coast Air Quality Management District (SCAQMD) *CEQA Air Quality Handbook* (SCAQMD 1993). Air quality data posted by the ARB and the U.S. Environmental Protection Agency (EPA) Web sites are included to document the local air quality environment.

Draft EIR Section 4.2.5.5, Operational-Acute Health Risk Impacts Page 4.2-18

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR Section 4.2.5.5, Page 4.2-18 is amended to refer the reader back to the previous section (4.2.5.4) to further substantiate the conclusions identified in Section 4.2.5.5. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. As previously identified in Section 4.2.5.4, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. Similarly ~~Therefore,~~ the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-19

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text at Draft EIR Section 4.2.6.1, Page 4.2-19 is amended to clarify that the proceeding analysis evaluates all construction emissions. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1 Construction ~~Equipment Exhaust~~ Emissions

Draft EIR Section 4.2.6.1 Construction Emissions, Table 4.2.I, Page 4.2-20.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the data in Table 4.2.I in Draft EIR Section 4.2.6.1, Page 4.2-20 is amended to correct typographical errors in the Draft EIR. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Table 4.2.I: Short-Term Regional Construction Emissions

Construction Phase	Pollutant Emissions (lbs/day)							
	ROG	NO_X	CO	SO_2	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	~~1.8~~ 11	~~0.33~~ 4.1	~~0.02~~ 0.18	~~0.32~~ 3.9
Architectural Coating	72	3.7	11	0.01	~~0.2~~ 1.8	~~2.9~~ 0.33	~~0~~ 0.02	~~2.9~~ 0.32
Paving	~~5.95.9~~ 5.9	~~3434~~ 34	22	0.03	~~329~~ 0.2	~~17~~ 2.9	~~4.4~~ 0	~~16~~ 2.9
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

Draft EIR Section 4.2.6.1, Construction Emissions Page 4.2-21.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text at Mitigation Measure 4.2.6.1B in Draft EIR Section 4.2.6.1, Page 4.2-21 is amended to clarify that clean-fuel means fuel other than diesel or gasoline. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1B. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

Draft EIR Section 4.2.6.1, Construction Emissions Page 4.2-23.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been added to Draft EIR Section 4.2.6.1, Page 4.2-23 to further reduce construction air quality impacts. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;

- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;

- Lunch vendor services shall be ~~provided~~ permitted onsite during construction to minimize the need for offsite vehicle trips;

- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

- Suspend use of all construction equipment operations during second stage smog alerts.

4.2.6.1N. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

4.2.6.1O. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.

4.2.6.1P. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.

4.2.6.1R All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.

4.2.6.1T Reroute construction trucks away from congested streets and sensitive receptor areas.

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Impact 4.2.6.1 in Draft EIR Section 4.2.6.3, Page 4.2-25 is amended to clarify the impact statement. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

> **Impact 4.2.6.3:** *Implementation of the proposed project may ~~occur~~ have the potential to exceed applicable daily thresholds for operational activities.*

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-27

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been amended and added to Draft EIR Section 4.2.6.3, Page 4.2-27 to further reduce construction air quality impacts. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~Buildings shall e~~ Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- ~~Interior~~ Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards ~~shall be installed~~, as deemed acceptable by the City. ~~Automatic~~ Use automatic devices to turn off lights when they are not needed ~~shall be implemented~~.
- To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings ~~shall be planted~~ at the project site.
- ~~Paint~~ Use paint and a surface color palette for the project ~~shall~~ emphasizing~~e~~ light and off-white colors which reflect heat away from the buildings.
- ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~
- Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.
- ~~To r~~Reduce energy demand associated with potable water conveyance~~, the project shall implement~~ using the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- ~~The project shall p~~ Provide secure, weather-protected, on-site bicycle storage/parking.
- ~~The project shall p~~ Provide on-site showers (one for males and one for females). ~~L~~Provide lockers for employees ~~shall be provided~~.

- ~~The project will e~~ Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- ~~The project shall p~~ Provide preferential parking for carpools ~~and vanpool~~, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools ~~shall be delineated~~ on the project site plan.
- ~~The project shall p~~ Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations ~~shall be indicated~~ on the project building plans.
- Implement compressed workweek schedules;
- Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.
- Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.
- Use of fleet vehicles conforming to 2010 air quality standards or better.
- Installation of catalytic converters on gasoline-powered equipment.
- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;
- Provision of preferential parking for EV and CNG vehicles;
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;
- Use of electric (instead of diesel or gasoline-powered) yard trucks;
- Use of SmartWay 1.25 rated trucks.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.
- Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.
- ~~Lease/purchase documents shall identify that tenants are encouraged to promote the following:~~
    - ~~Implementation of compressed workweek schedules.~~
    - ~~SmartWay partnership;~~

- ~~Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.~~
- ~~Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.~~
- ~~Use of fleet vehicles conforming to 2010 air quality standards or better.~~
- ~~Installation of catalytic converters on gasoline-powered equipment.~~
- ~~Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.~~
- ~~Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.~~
- ~~Provision of preferential parking for EV and CNG vehicles.~~
- ~~Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.~~
- ~~Use of electric (instead of diesel or gasoline-powered) yard trucks.~~
- ~~Use of SmartWay 1.25 rated trucks.~~

Draft EIR, Section 4.2.7.1 Short-Term Air Quality Impacts, Page 4.2-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR Section 4.2.7.1, Page 4.2-25 is amended to clarify that the short-term and long-term air quality impacts are cumulative. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. In addition, implementation of the AQMP will result in improved air quality levels in the future and full attainment of national and state ambient air quality standards, resulting in less than significant cumulative impacts from all short-term and long-term air pollution sources. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

Draft EIR Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-24 and 25

The Mitigation Measures in the Draft EIR Section 4.3.6.1, Page 4.3-24 and 25 have been clarified. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows in the office areas shall utilize window treatments for efficient energy conservation.

Draft EIR Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been added to Draft EIR Section 4.3.6.1, Page 4.2-25 to further reduce greenhouse gas emissions. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- ~~Use~~ Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- ~~Use~~ Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the 2008 California Building Code's (CBC) Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
- Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:
    - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.

- Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.

- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

Draft EIR, Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-26, Mitigation Measure 4.3.6.1C

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text for the conclusion of Impact 4.3.6.1 in Draft EIR Section 4.2.6.3, Page 4.3-16 is amended to clarify the impact statement. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:

- The project applicant shall use ~~less than 3,900~~ low Global Warming ~~Potential (GWP) hydrofluorocarbon (HCF)~~ refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment.

- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.

Level of Significance After Mitigation. The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~ on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable.

Draft EIR Section 4.4 Noise, Page 4.4-1

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the noise study. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.4 NOISE

This analysis is intended to satisfy the City's requirements for a project-specific noise impact analysis by examining the short-term and long-term noise impacts of the proposed project on sensitive uses adjacent to the proposed project site and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. This includes the potential for the proposed project to result in impacts associated with a substantial temporary and/or permanent increase in ambient noise levels in the vicinity of the project area; exposure of people to excessive noise levels, groundborne vibration, or groundborne noise levels. The analysis contained in this section is based on a comprehensive *Noise Impact Analysis* contained in Appendix E (LSA Associates, Inc., ~~December 2011~~ March 2012), which examines existing ambient noise conditions and project-related impacts.

Draft EIR, Section 5.4 Consistency With Local And Regional Plans, Page 5-12

A new table (Table 5.D: Compass Growth Vision Report Consistency) has been added as a response to a comment received on the Draft EIR. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Compass Growth Vision. The Compass Growth Vision plan provides a framework for local and regional decision-making regarding growth, transportation, land use, and economic development. The framework includes principles and a specific set of strategies intended to achieve and improve a quality of life that promotes and sustains for future generations the region's mobility, livability, and prosperity. The main objective of the Compass Growth Vision is to manage the forecast growth while improving future living conditions for all people within the SCAG area, including live, work, and play activities. The following discussion includes the principles within the Compass Growth Vision plan and their association to the proposed project.

Principle 1: Improve mobility for all residents.

Principle 2: Foster livability in all communities.

Principle 3: Enable prosperity for all people.

Principle 4: Promote sustainability for future generations.

The proposed project is consistent with the four principles identified above (refer to Table 5.D). ~~The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.~~

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 1: Improve mobility for all residents. • Encourage transportation investments and land use decisions that are mutually supportive. • Locate new housing near existing jobs and new jobs near existing housing. • Promote a variety of travel choices.	The project is consistent with this principle. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial uses and would encourage a reduction of vehicle miles traveled within the City. Implementation of the project would create approximately 646 jobs. Existing housing is located approximately 1 mile to the north and 2 miles to the south of the project site. The project is consistent with this portion of Principle 1. There are a number of transit-oriented strategies that could be implemented by the proposed project to encourage alternate modes of travel, including informational strategies, incentives, and services. (Refer to Mitigation Measure 4.2.6.3A).
Principle 2: Foster livability in all communities. • Promote developments which provide a mix of uses. • Promote "people scaled, "walkable communities. • Support the preservation of stable, single-family neighborhoods.	The project is consistent with the applicable portions of this principle. The proposed project is a warehousing project and does not include any residential uses. Therefore, the project is not considered to be a mixed use project and this portion of Principle 2 is not applicable to the project. The project site is located in an industrial warehouse area. The project would include sidewalks so that the opportunity of being walkable within this warehouse area is possible. Therefore, the project is consistent with this portion of Principle 2. The proposed project is a warehousing project and does not include any residential uses. Therefore this portion of Principle 2 is not applicable to the project.
Principle 3: Enable prosperity for all people. • Provide in each community a variety of housing types to meet the housing needs of all income levels. • Support educational opportunities that promote balanced growth. • Ensure environmental justice regardless of race, ethnicity, or income class. • Support local and state fiscal policies that	Based on the information provided below, this principle is not applicable to the project. The proposed project is a warehousing project and does not include any residential or educational uses. Therefore this portion of Principle 3 is not applicable to the project. The project site is vacant and the project located in an area identified for industrial and commercial uses. Therefore, this issue not applicable to the project. The supporting of local and state fiscal policies and the encouragement of civic engagement is at the City level not the

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
encourage balanced growth. • Encourage civic engagement.	project level. Therefore, this portion of the principle is not applicable to the project.
Principle 4: Promote sustainability for future generations. • Focus development in urban centers and existing cities. • Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste. • Utilize "green" development techniques.	The project is consistent with this principle. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. Mitigation Measure 4.3.1.6B requires the project to implement various sustainability strategies and "green" development techniques that uses resources efficiently, eliminates pollution, and reduces waste.

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

VIP Moreno Valley Project

The program has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2011081084) prepared for the project by the City of Moreno Valley.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the Initial Study and the Final EIR.

4.2 MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

MV00170315

4.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: VIP Moreno Valley Project **Applicant:** Vogel Engineers, Inc.
Date: June 2012

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
AIR QUALITY						
4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading and during grading operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

MV00170316

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.						
4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During grading	Review of construction documents and on-site inspection		Issuance of a Stop Work Order
4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

MV00170317

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
construction areas (previously graded areas inactive for ten days or more).	Planning Division					
4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1K Grading plans, construction specifications and bid documents shall	City of Moreno Valley Engineering	Prior to Grading and during	Prior to Issuance of Grading Permit	Review of construction		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction	and Building and Safety Planning Division	grading operations.		documents and on-site inspection		or Issuance of a Stop Work Order

MV00170319

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Suspend use of all construction equipment operations during second stage smog alerts.						
4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1M All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1N When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1O All streets shall be swept at least	City of Moreno	Throughout	During	On-site inspection		Issuance of a

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	Valley Engineering and Building and Safety	construction	Construction			Stop Work Order
4.2.6.1P Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1R All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1T Reroute construction trucks	City of Moreno	Prior to Grading	Prior to Issuance	Review of		Withhold

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
away from congested streets and sensitive receptor areas.	Valley Engineering and Building and Safety and Planning Division	and during grading and construction operations.	of Grading Permit	construction documents and on-site inspection		Grading Permit or Issuance of a Stop Work Order
4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to	City of Moreno Valley Building and Safety Planning Division	Prior to Construction (once)	Prior to Issuance of Building Permits	Review of building plans and on-site inspection		Withhold Building Permits

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed. • To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site. • Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings. • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • Reduce energy demand associated with potable water conveyance using						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements. • Provide on-site showers (one for males and one for females). Provide lockers for employees. • Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • Provide preferential parking for carpools, vanpools or other						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan. • Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans. • Implement compressed workweek schedules; • Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; • Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; • Provision of preferential parking for EV and CNG vehicles; • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; • Use of electric (instead of diesel or gasoline-powered) yard trucks; • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
more than three years prior to date of use or any combination of these two themes.						
4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	City of Moreno Valley Building and Safety	Prior to Construction (once)	Prior to Issuance of Building Permits and Final Site Plan Approval	Review of final site plan and building plans and on-site inspection		Withhold Building Permits
BIOLOGICAL RESOURCES						
Mitigation Measure BIO-1: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance,	City of Moreno Valley Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Submittal of Evidence that the pre-construction survey has been completed.		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Mitigation Measure BIO-3 shall apply.						
Mitigation Measure BIO-2: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Submittal of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Submittal of a report of the survey findings.		Withhold Grading Permit
Mitigation Measures BIO-3. If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit			Withhold Grading Permit
Mitigation Measure BIO-4: If active burrowing owl burrows are detected outside the breeding season, then	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that the passive relocation		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.				plan has been approved by CDFG and USFWS.		
CULTURAL RESOURCES						
Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be	City of Moreno Valley Planning Division	Prior to grading and on-going during ground disturbing activities.	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified paleontologist has been retained, and that the paleontologist(s) will be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. A report of findings shall be submitted to the City after the finalization of construction.		Withhold Grading Permit/ Issuance of a Stop Work Order

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written						

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repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources						
GEOLOGY AND SOILS						
Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and	City of Moreno Valley Planning Division Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.						
Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of grading and construction documents and on-site inspection		Withhold Grading Permit

MV00170334

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE						
4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents and on-site inspection		Withhold Building Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
runoff.						
4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents/building plans and on-site inspection		Withhold Building Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following: ○ Increase insulation such that heat transfer and thermal bridging is minimized. ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. ○ Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following: ○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.						
4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project: • The project applicant shall use low	City of Moreno Valley Building and Safety Planning Division	Prior to building permit and occupancy	Prior to issuance of occupancy permit	Review of construction documents and on-site inspection		Withhold Occupancy Permit

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Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: • Install drought tolerant plants for landscaping. • Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. • Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
HYDROLOGY AND WATER QUALITY						
Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Submittal of copy of Notice of Intent to City filed with the RWQCB		Withhold Grading Permits
Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Review and approval of SWPPP		Withhold Grading Permits

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.						
Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.						
All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.						
The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.						
Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.						
The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.						
In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
that other BMPs will provide equivalent or superior treatment either on or off site.						
Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.	City of Moreno Engineering	During grading and construction	Prior to Grading	Review of construction documents and on-site inspection		Withhold Grading Permit
Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permit	Submittal of WQMP to City for review and approval		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.						
Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permits	Submittal of evidence that all requirements are fulfilled		Withhold Grading Permit
NOISE						
4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit
4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is	City of Moreno Valley Building and Safety	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-		Withhold Grading Permit or Stop Work

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
directed away from sensitive receptors nearest to the project site.	Engineering Planning Division			site inspection		Order
4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
TRANSPORTATION						
4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of City DIF fees		Withhold Certificate of Occupancy

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	Planning Division					
4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of Riverside County TUMF fees		Withhold Certificate of Occupancy
4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	City of Moreno Valley Engineering	Once after construction	Prior to the Issuance of Occupancy Permits	Review of construction documents and on-site inspection		Withhold Occupancy Permits

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APPENDIX A:

ATTACHMENTS TO JOHNSON & SEDLACK COMMENT LETTER DATED JUNE 1, 2012

Highway Traffic Noise

Construction Noise
Handbook
RCNM Version 1.1
Special Report
Measurement
Noise Barriers
Noise Compatible Planning
Noise Effect on Wildlife
Regulation and Guidance
Tire Pavement Noise
Traffic Noise Model
Training

Contruction Noise Handbook

3.0 Effects of Construction Noise

3.1 Introduction

Construction noise in the community may not pose a health risk or damage peoples' sense of hearing, but it can adversely affect peoples' quality of life. To some degree, construction noise can be a contributing factor to the degradation of someone's health in that it can cause people to be irritated and stressed and can interrupt their ability to sleep - all of which may lead to higher blood pressure, anxiety, and feelings of animosity toward the people or agencies responsible for producing the noise.

In fact, several of the traditional definitions of "noise" (i.e. unwanted or undesirable sound) can be associated with construction noise. Construction noise can be considered to:

- be too loud;
- be impulsive;
- contain annoying pure tones;
- occur unexpectedly;
- occur at undesirable times of day; and/or
- interrupt people's activities.

Construction noise has the potential to disturb people at home in their residences, in office buildings or retail businesses, in public institutional buildings, at locations of religious services, while attending sporting events, or when on vacation.

Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

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2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
Forecast Revenues				**$ 1,096,752**	**$ 1,096,752**	**$ 1,118,687**	**$ 1,141,061**	**$ 1,163,882**	**$ 30,277,463**	**$ (25,912,959)**	**$ 64,184,922**
Carryover Revenues (As of 6/30/2011)				**$ 24,353,353**	**$ 12,846,128**	**$ 50,044**	**$ (943,137)**	**$ (916,182)**			
Availiable Revenue				**$ 25,450,105**	**$ 13,942,881**	**$ 1,168,732**	**$ 197,924**	**$ 247,700**			
Funded Expenditures		***Status****	***Phase*****								
County of Riverside											
06-CN-RCY-1103	Cajalco Rd, Alexander St to I-215 (3.280 mi. 2 to 4 lanes)	STD	PA&ED	$ 0					$ 0	$ (259,263)	$ 259,263
		PLN	ENG			$ 1,000,000			$ 1,000,000	$ -	$ 1,000,000
05-CN-RCY-1006	Pigeon Pass Rd.(Cantarini), Hidden Springs Dr to Center St.(4.213 mi. 0 to 4 lanes)	STD	PA&ED	$ (0)					$ (0)	$ (649,865)	$ 649,865
05-CN-RCY-1007	Reche Canyon Rd./Reche Vista Dr., Heacock St.to S.B.C. (4.757 mi. 2 to 4 lanes)	STD	PA&ED	$ 905,260	$ 314,000				$ 1,219,260	$ (415,050)	$ 1,634,310
		STD	ROW	$ (0)					$ (0)	$ (661,119)	$ 661,118
City of Menifee/County of Riverside											
05-CN-RCY-1003	Murrieta Rd, Ethanac Rd to McCall Blvd (1.982 mi. 2 to 4 lanes)	CPL	PA&ED	$ 0					$ 0	$ (599,406)	$ 599,406
		CPL	ENG	$ 0					$ 0	$ (398,938)	$ 398,938
05-CN-RCY-1004	Newport Road/I-215 Interchange (CFD)	STD	PA&ED	$ 1,604,317					$ 1,604,317	$ (1,234,012)	$ 2,838,329
		PLN	ENG		$ 1,440,340				$ 1,440,340	$ -	$ 1,440,340
08-SW-RCY-1128	Newport Road, Murrieta Rd to Goetz Rd North (2.06 mi. 0 to 4 lanes)	STD	CON	$ 856,511					$ 856,511	$ (3,023,489)	$ 3,880,000

TUMF WRCOG

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2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
Forecast Revenues				**$ 1,096,752**	**$ 1,096,752**	**$ 1,118,687**	**$ 1,141,061**	**$ 1,163,882**	**$ 30,277,463**	**$ (25,912,959)**	**$ 64,184,922**
Carryover Revenues (As of 6/30/2011)				**$ 24,353,353**	**$ 12,846,128**	**$ 50,044**	**$ (943,137)**	**$ (916,182)**			
Availiable Revenue				**$ 25,450,105**	**$ 13,942,881**	**$ 1,168,732**	**$ 197,924**	**$ 247,700**			
Funded Expenditures, continued											
City of Moreno Valley											
06-CN-MOR-1107	Ironwood Ave(Seg A), Heacock St to Perris Blvd. (0.980 mi. 2 to 4 lanes)	CPL	PA&ED	$ -					$ -	$ (124,000)	$ 124,000
		CPL	ENG	$ 21,378					$ 21,378	$ (232,322)	$ 253,700
		CPL	ROW	$ 176,512					$ 176,512	$ (1,480,610)	$ 1,657,122
06-CN-MOR-1113	Ironwood Ave (Seg B), Perris Blvd to Nason St. (2.130 mi. 2 to 4 lanes)	CPL	PA&ED	$ (0)					$ (0)	$ (511,833)	$ 511,833
05-CN-MOR-1012	Moreno Beach/SR-60 Interchange Phase I	CPL	PA&ED	$ 0					$ 0	$ (500,000)	$ 500,000
		PND	ENG	$ 505,141					$ 505,141	$ (2,227,339)	$ 2,732,480
		STD	ROW	$ 2,413,708	$ 1,000,000				$ 3,413,708	$ (2,212,292)	$ 5,626,000
		PLN	CON		$ 3,500,000				$ 3,500,000	$ -	$ 3,500,000
[1]05-CN-MOR-1013	Nason/SR-60 Interchange w/Bridge	CPL	PA&ED	$ -					$ -	$ (500,000)	$ 500,000
		PND	ENG	$ 138,145					$ 138,145	$ (1,243,306)	$ 1,381,451
		PND	ROW	$ 59,619					$ 59,619	$ (881)	$ 60,500
		PLN	CON	$ 133,500		$ 1,000,000	$ 1,000,000	$ 1,000,000	$ 3,133,500	$ -	$ 11,128,000
City of Perris											
05-CN-PER-1015	Evans Rd, 700' N/of Placentia Ave to Nuevo Rd.(Phasel&II) (1.655 mi. 0 to 4 lanes)	CPL	PA&ED	$ 71,132					$ 71,132	$ (60,559)	$ 131,691
		STD	ENG	$ 523,636					$ 523,636	$ (72,131)	$ 595,767
		STD	CON		$ 879,015				$ 879,015	$ (1,205,799)	$ 2,084,814
05-CN-PER-1019	Nuevo, Murrieta Rd. to Dunlap (0.979 mi. 2 to 4 lanes)	PLN	PA&ED	$ -	$ 50,000				$ 50,000	$ -	$ 50,000
05-CN-PER-1072	Ramona Expressway, I-215 to Evans Road (1.505 mi. 4 to 6 lanes)	CPL	PA&ED	$ 0					$ 0	$ (63,133)	$ 63,133
		CPL	ENG	$ (0)					$ (0)	$ (324,045)	$ 324,045
		CPL	CON	$ -	$ 199,806				$ 199,806	$ (1,742,550)	$ 1,942,356
City of Perris/ City of Menifee											
05-CN-PER-1001	Ethanac Road, Goetz Rd to I-215 (1.936 mi. 2 to 4 lanes)	PLN	PA&ED	$ -	$ 50,000				$ 50,000	$ -	$ 50,000
City of Moreno Valley/ March JPA											
05-CN-JPA-1021	Heacock Ave, Perris Valley Drain to San Michele Rd, Phase I (0.890 mi. 2 to 4 lanes)	CPL	PA&ED	$ -					$ -	$ (65,600)	$ 65,600
		CPL	ENG	$ -					$ -	$ (91,167)	$ 91,167
		CPL	ROW	$ (0)					$ (0)	$ (32,959)	$ 32,959
		STD	CON	$ 229,676					$ 229,676	$ (7,526)	$ 237,202

[1]***Nason/SR-60 CON funding in FY13/14, FY14/15, FY15/16 are illustrative only and not actual commitment.***

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Adopted February 6, 2012

2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
Forecast Revenues				$ 1,096,752	$ 1,096,752	$ 1,118,687	$ 1,141,061	$ 1,163,882	$ 30,277,463	$ (25,912,959)	$ 64,184,922
Carryover Revenues (As of 6/30/2011)				$ 24,353,353	$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)			
Availiable Revenue				$ 25,450,105	$ 13,942,881	$ 1,168,732	$ 197,924	$ 247,700			
Funded Expenditures, continued											
RCTC/City of Perris											
05-CN-PER-1018	SR-74 (4th)/I-215 Interchange	CPL	PA&ED						$ -	$ (1,050,000)	$ 1,050,000
		PND	ENG	$ 72,345					$ 72,345	$ (648,953)	$ 721,298
		PND	ROW	$ 456,429					$ 456,429	$ (1,656,847)	$ 2,113,276
		STD	CON	$ 2,229,993	$ 2,850,000				$ 5,079,993	$ (1,720,007)	$ 6,800,000
County of Riverside/City of Perris											
07-CN-PER-1120	Ramona Expressway/I-215 Interchange	STD	ENG	$ 97,000					$ 97,000	$ (897,959)	$ 994,959
		STD	CON	$ 2,000,000	$ 3,500,000				$ 5,500,000	$ -	$ 5,500,000
Reimbursements (10% of revenue)***				$ 109,675	$ 109,675	$ 111,869	$ 114,106	$ 116,388			
Total Funded Capital Expenditures				$ 12,603,977	$ 13,892,837	$ 2,111,869	$ 1,114,106	$ 1,116,388			
Total Funded Balance Carryover*				$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)	$ (868,688)			

Summary Table								
Fiscal Year	**FY11/12**	**FY12/13**	**FY13/14**	**FY14/15**	**FY15/16**	*5-Year Total Available Forecast/Cash*	*5-Year Total Programmed plus TPC*	*5-Year Balance*
Available Revenue	$ 25,450,105	$ 13,942,881	$ 1,168,732	$ 197,924	$ 247,700			
Total Funded/Obligated Expenditures	$ 12,603,977	$ 13,892,837	$ 2,111,869	$ 1,114,106	$ 1,116,388	$ 30,793,842	$ 31,902,557	$ (1,108,715)
Carryover Balance	$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)	$ (868,688)			
10% Reimbursement Tracking Summary								
Available 10% Reimbursements	$ 933,029	$ 745,401	$ 559,967	$ 376,771	$ 195,856	*5-Year Total Available*	*5-Year Total Programmed*	*5-Year Balance plus Carryover*
Programmed Reimbursements	$ 297,303	$ 297,303	$ 297,303	$ 297,303	$ 435,883	$ 1,625,094	$ -	$ 1,625,094
Reimbursement Carryover Balance	$ 635,726	$ 448,098	$ 262,664	$ 79,468	$ (240,027)			

NOTES:

Total Funded Carryover Balance does not reflect total available cash - October 29 Zone TAC approved reducing each funded phase of each funded project by 3% on TIP.
Phase: planning=PA&ED, engineering=ENG, right-of-way=ROW,construction=CON.
Status: PLN=planned, STD=started, PND=pending final invoice, CPL=completed, TER=terminated.
10% Reimbursement Reimbursement Detail Tracked on Separate Spreadsheet.
Actual Forecasts, Carryover, and Payments thru 6/30/11.
Yellow highlight = obligated funds and over-program alert.

MV00170350

Technical Support Document for Cancer Potency Factors:

Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures.

April 2009

California Environmental Protection Agency

Office of Environmental Health Hazard Assessment

Air Toxicology and Epidemiology Branch

Prepared by:

John D. Budroe, Ph.D.

James F. Collins, Ph.D.

Melanie A. Marty, Ph.D.

Andrew G. Salmon, M.A., D. Phil.

Joseph P. Brown, Ph.D.

Air Toxicology and Epidemiology Branch

and

Martha S. Sandy, Ph.D., M.P.H.

Claire D. Sherman, Ph.D.

Rajpal S. Tomar, Ph.D.

Lauren Zeise, Ph.D.

Reproductive and Cancer Hazard Assessment Branch,

Office of Environmental Health Hazard Assessment

Reviewed By

George V. Alexeeff, Ph.D., Deputy Director

Melanie A. Marty, Ph.D., Chief, Air Toxicology and Epidemiology Branch

Lauren Zeise, Ph.D., Chief, Reproductive and Cancer Hazard Assessment Branch

EXECUTIVE SUMMARY

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly) was enacted in September 1987. Under this Act, stationary sources of air pollution are required to report the types and quantities of certain substances their facilities routinely release into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks posed by those facilities, notify nearby residents of significant risks and reduce emissions from significant sources.

The Technical Support Document for Cancer Potency Factors (TSD) contains cancer unit risks and potency factors for 107 of the 201 carcinogenic substances or groups of substances for which emissions must be quantified in the Air Toxics Hot Spots program. These unit risks are used in the cancer risk assessment of facility emissions.

The purposes of this revision to the TSD is to provide updated calculation procedures used to derive the estimated unit risk and cancer potency factors, and to describe the procedures used to consider the increased susceptibility of infants and children compared to adults to carcinogens. This updates cancer risk assessment methods originally laid out in the California Department of Health Services' Guidelines for Chemical Carcinogen Risk Assessment (CDHS, 1985), and more recently summarized in the previous Hot Spots technical support document Part II (OEHHA, 2005a). Summaries of cancer potency factors and the underlying data are provided in Appendix A and B. [these did not undergo revision and are not included in this review package.]

The procedures used to consider the increased susceptibility to carcinogens of infants and children as compared to adults include the use of age-specific weighting factors in calculating cancer risks from exposures of infants, children and adolescents, to reflect their anticipated special sensitivity to carcinogens

This document is one part of the Air Toxics Hot Spots Program Risk Assessment Guidelines. The other documents originally included in the Guidelines are Part I: Technical Support Document for the Determination of Acute Toxicity Reference Exposure Levels for Airborne Toxicants; Part III: Technical Support Document for Determination of Noncancer Chronic Reference Exposure Levels; Part IV: Technical Support Document for Exposure Assessment and Stochastic Analysis; Part V: Air Toxic Hot Spots Program Risk Assessment Guidelines. As a part of the same revision process which led to production of this revised TSD on cancer potencies, the original TSDs for Acute and Chronic Reference Exposure Levels have been replaced with a new unified TSD for Acute, 8-hour and Chronic Reference Exposure Levels.

The major changes to the TSD include the following:

> Based on the OEHHA analysis of the potency by lifestage at exposure, OEHHA proposes weighting cancer risk by a factor of 10 for exposures that occur from birth to 2 years of age, and by a factor of 3 for exposures that occur from 2 years through 15 years of age. We propose to apply this weighting factor to all carcinogens, regardless of purported mechanism of action, unless chemical-specific data exist to the contrary. In cases where

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there are adequate data for a specific carcinogen of potency by age, we would use the data to make any adjustments to risk.

OEHHA proposes to use the Benchmark Dose method to compute potency factors rather than the more traditional linearized multistage model (LMS), although the LMS will still be used in some instances. The BMDL model essentially uses an empirical fit to the data (usually best with the multistage model), and then extrapolates with a straight line from the 95 % lower confidence limit of the BMD (BMDL) to zero. This method is simpler and does not assume any underlying theoretical mechanisms at the low dose range. The BMDL method results in very similar estimates of potency as the LMS method.

OEHHA will use scaling based on body weight to the ¾ power, rather than to the 2/3 power.

OEHHA's evaluations of the carcinogenicity of chemicals generally follow the guidelines laid out by IARC for identification and classification of potential human carcinogens, which are described in detail in the most recent revision of the *Preamble* to the IARC monographs series (IARC, 2006).

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PREFACE

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly) was enacted in September 1987. Under this Act, stationary sources are required to report the types and quantities of certain substances their facilities routinely release into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks posed by those facilities, notify nearby residents of significant risks and reduce emissions from significant sources.

The Technical Support Document for Cancer Potency Factors (TSD) contains cancer unit risks and potency factors for 107 of the 201 carcinogenic substances or groups of substances for which emissions must be quantified in the Air Toxics Hot Spots program. These unit risks are used in risk assessment of facility emissions. The TSD provides updated calculation procedures used to derive the estimated unit risk and cancer potency factors, and procedures to consider early-life susceptibility to carcinogens. Summaries of cancer potency factors and the underlying data are provided in Appendix A and B. [these did not undergo revision and are not included in this review package.]

In this document, OEHHA is responding to the requirements of the 1999 Children's Environmental Health Protection Act, (SB25, Escutia) by revising the procedures for derivation and application of cancer potency factors to take account of general or chemical-specific information which suggests that children may be especially susceptible to certain carcinogens (OEHHA, 2001a). The revised cancer potency derivation procedures described will not be used to impose any overall revisions of the existing cancer potencies, although they do reflect updated methods of derivation. However, individual cancer potency values will be reviewed as part of the ongoing re-evaluation of health values mandated by SB 25, and revised values will be listed in updated versions of the appendices to this document as necessary. The revisions also include the use of weighting factors in calculating cancer risks from exposures of infants, children and adolescents, to reflect their anticipated special sensitivity to carcinogens. Similar legal mandates to update risk assessment methodology and cancer potencies apply to the OEHHA program for development of Public Health Goals (PHGs) for chemicals in drinking water, and Proposition 65 No Significant Risk Levels (NSRLs). The NSRLs may also be revised to reflect concerns for children's health. Revising these numbers will require the originating program to reconsider the value in an open public process. For example, OEHHA would need to release any revised potency factors for public comment and review by the Scientific Review Panel on Toxic Air Contaminants (SRP) prior to adoption under the TAC program. The procedures for outside parties to request reevaluation of cancer potency values by the programs which originated those values are listed in Appendix G.

Appendices A and B provide previously adopted Cal/EPA values which were included in the previous version of the TSD for Cancer Potency Factors (OEHHA, 2005a). Cal/EPA values were developed under the Toxic Air Contaminant (TAC) program, the PHG program, the Proposition 65 program, or in some cases specifically for the Air Toxics Hot Spots program. All the Cal/EPA values are submitted for public comments and external peer review prior to adoption by the program of origin. In the future, new values developed by the Toxic Air

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Contaminants or Hot Spots programs or other suitable sources will be added as these are approved.

Some U.S. EPA IRIS cancer unit risk values were adopted under the previous versions of these guidelines, and these values will continue to be used unless and until revised by Cal/EPA. U.S. EPA has recently revised its cancer risk assessment guidelines (U.S. EPA, 2005a). Some of the recommended changes in methodology could result in slightly different potency values compared to those calculated by the previous methodology, although in practice a number of the recommendations (for example, the use of ¾ power of the body weight ratio rather than ⅔ power for interspecies scaling) have been available in draft versions of the revised policy for some time and appear in many more recent assessments. U.S. EPA has stated that cancer potency values listed in IRIS will not be revisited solely for the purpose of incorporating changes in cancer potency value calculation methods contained in the revised cancer risk assessment guidelines. U.S. EPA has also issued supplementary guidelines on assessing cancer risk from early-life exposure (U.S. EPA, 2005b).

OEHHA uses a toxic equivalency factor procedure for dioxin-like compounds, including polychlorinated dibenzo-*p*-dioxins, dibenzofurans and polychlorinated biphenyls (PCBs). The Toxicity Equivalency Factor scheme (TEF_{WHO-97}) developed by the World Health Organization/European Center for Environmental Health (WHO-ECEH) is used for determining cancer unit risk and potency values for these chemicals where individual congener emissions are available (Appendix C).

This document is one part of the Air Toxics Hot Spots Program Risk Assessment Guidelines. The other documents originally included in the Guidelines are Part I: Technical Support Document for the Determination of Acute Toxicity Reference Exposure Levels for Airborne Toxicants; Part III: Technical Support Document for Determination of Noncancer Chronic Reference Exposure Levels; Part IV: Technical Support Document for Exposure Assessment and Stochastic Analysis; Part V: Air Toxic Hot Spots Program Risk Assessment Guidelines. As a part of the same revision process which led to production of this revised TSD on cancer potencies, the original TSDs for Acute and Chronic Reference Exposure Levels have been replaced with a new unified TSD for Acute, 8-hour and Chronic Reference Exposure Levels.

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APPENDICES

Appendix A. A lookup table containing unit risk and cancer potency values.

Appendix B. Chemical-specific summaries of the information used to derive unit risk and cancer potency values.

Appendix C. A description of the use of toxicity equivalency factors for determining unit risk and cancer potency factors for polychlorinated dibenzo-*p*-dioxins, dibenzofurans and dioxin-like polychlorinated biphenyls.

Appendix D. A listing of Toxic Air Contaminants identified by the California Air Resources Board.

Appendix E. Descriptions of the International Agency for Research on Cancer (IARC) and U.S. Environmental Protection Agency (U.S. EPA) carcinogen classifications.

Appendix F. An asbestos quantity conversion factor for calculating asbestos concentrations expressed as 100 fibers/m^3 from asbestos concentrations expressed as $\mu g/m^3$.

Appendix G. Procedures for revisiting or delisting cancer potency factors by the program of origin.

Appendix H. Exposure routes and studies used to derive cancer unit risks and slope factors.

Appendix I. "Assessing susceptibility from early-life exposure to carcinogens": Barton *et al.*, 2005 (from *Environmental Health Perspectives)*.

Appendix J. "In Utero and Early Life Susceptibility to Carcinogens: The Derivation of Age-at-Exposure Sensitivity Measures" – conducted by OEHHA's Reproductive and Cancer Hazard Assessment Branch.

Appendix K. Additions and corrections from prior document versions.

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INTRODUCTION

The Technical Support Document (TSD) for Describing Available Cancer Potency Factors provides technical information support for the Air Toxics Hot Spots Program Risk Assessment Guidelines. The TSD consists of 12 sections:

1. The TSD introduction.
2. A description of the methodologies used to derive the unit risk and cancer potency values listed in the lookup table.
3. A lookup table containing unit risk and cancer potency values. (Appendix A)
4. Chemical-specific summaries of the information used to derive unit risk and cancer potency values. (Appendix B).
5. A description of the use of toxicity equivalency factors for determining unit risk and cancer potency factors for polychlorinated dibenzo-*p*-dioxins, dibenzofurans and dioxin-like polychlorinated biphenyls (Appendix C).
6. A listing of Toxic Air Contaminants identified by the California Air Resources Board (Appendix D).
7. Descriptions of the International Agency for Research on Cancer (IARC) and U.S. Environmental Protection Agency (U.S. EPA) carcinogen classifications (Appendix E).
8. An asbestos quantity conversion factor for calculating asbestos concentrations expressed as 100 fibers/m^3 from asbestos concentrations expressed as $\mu g/m^3$ (Appendix F).
9. Procedures for revisiting or delisting cancer potency factors by the program of origin (Appendix G).
10. Exposure routes and studies used to derive cancer unit risks and slope factors (Appendix H).
11. "Assessing susceptibility from early-life exposure to carcinogens": Barton *et al.*, 2005 (from *Environmental Health Perspectives)* (Appendix I).
12. "In Utero and Early Life Susceptibility to Carcinogens: The Derivation of Age-at-Exposure Sensitivity Measures" – conducted by OEHHA's Reproductive and Cancer Hazard Assessment Branch (Appendix J)

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SELECTION OF CANCER POTENCY VALUES

The Office of Environmental Health Hazard Assessment (OEHHA) has developed a number of cancer potencies for use in the Toxic Air Contaminants and Air Toxics Hot Spots programs. This document also provides summaries of cancer potency factors which were originally developed for other California Environmental Protection Agency (Cal/EPA) programs, or by the U.S. EPA. These were reviewed for accuracy, reliance on up-to-date data and methodology, and applicability in the context of the Air Toxics Hot Spots program. Values found appropriate were adopted after public and peer review rather than devoting the resources necessary for a full *de novo* assessment. Thus, cancer potency values (CPF) included in the Technical Support Document (TSD) for Cancer Potency Factors were from the following sources:

1. Toxic Air Contaminant documents
2. Standard Proposition 65 documents
3. U.S.EPA Integrated Risk Information Systems (Office of Health and Environmental Assessment, U.S.EPA)
4. Expedited Proposition 65 documents
5. Other OEHHA assessments , for example for the drinking water program.

All the cancer potency value sources used generally follow the recommendations of the National Research Council on cancer risk assessment (NRC, 1983, 1994). All Cal/EPA program documents undergo a process of public comment and scientific peer review prior to adoption, although the procedures used vary according to the program. The publication procedure for Toxic Air Contaminant documents includes a public comment period and review by the Scientific Review Panel on Toxic Air Contaminants (SRP) before identification of a Toxic Air Contaminant by the Air Resources Board of the California Environmental Protection Agency (Cal/EPA). Furthermore, a petition procedure is available to initiate TAC document review and revision if appropriate because of new toxicity data. Documents developed for the Air Toxics Hot Spots program similarly undergo public comment and peer review by the SRP before adoption by the Director of OEHHA. The standard Proposition 65 document adoption procedure includes a public comment and external peer review by the Proposition 65 Carcinogen Identification Committee. The expedited Proposition 65 document adoption procedure included a public comment period. Risk assessments prepared for development of Public Health Goals (PHGs) for chemicals in drinking water are subject to two public comment periods before the final versions and responses to comments are published on the OEHHA Web site. PHG documents may also receive external peer review. Documents from U.S. EPA's Integrated Risk Information System (IRIS) receive external peer review and are posted on the Internet for public viewing during the external peer review period, and any public comments submitted are considered by the originating office. Additionally, public comment may be solicited during the document posting period. Future preference for use of developed cancer potency factors/unit risks will be done on a case by case basis. Preference will be given to those assessments most relevant to inhalation exposures of the California population, to the most recent derivations using the latest data sets and scientific methodology, and to those having undergone the most open and extensive peer review process.

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CANCER RISK ASSESSMENT METHODOLOGIES

This section describes in general the methodologies used to derive the cancer unit risk and potency factors listed in this document. As noted in the Preface to this document, no new cancer unit risks or potency factors were developed for this document. All of the values contained here were previously developed in documents by Cal/EPA or U.S. EPA. Following the recommendations of the National Academy of Sciences (NRC, 1983), Cal/EPA and U.S. EPA have both used formalized cancer risk assessment guidelines, the original versions of which (California Department of Health Services, 1985; U.S. EPA, 1986) were published some time ago. Both these guidelines followed similar methodologies.

In the twenty years since these original guidelines were published there have been a number of advances in the methodology of cancer risk assessment. There have additionally been considerable advances in the quantity of data available not only from animal carcinogenesis bioassays and epidemiological studies, but also from mechanistic studies of carcinogenesis and related phenomena. Some of these advances have been incorporated into newer risk assessments by both agencies on a more or less *ad hoc* basis. There has also been an ongoing effort to provide updated risk assessment guidance documents. In 1995, U.S. EPA released for public comment the "Proposed and Interim Guidelines for Carcinogen Risk Assessment", which was the first of several drafts released for public comment. Many risk assessments appearing since then have used elements of the recommendations contained in that document, in spite of its draft status. A final version of the U.S. EPA's revised cancer risk assessment guidelines has now been released (U.S. EPA, 2005a). Although these new guidelines incorporate a number of substantial changes from their predecessors (U.S. EPA, 1986; 1995), U.S. EPA has stated that cancer potency values listed in IRIS will not be revisited solely for the purpose of incorporating changes in cancer potency value calculation methods.

Cal/EPA has not produced a revised cancer risk assessment guideline document to replace the original version (DHS, 1985). Rather, Cal/EPA has relied on incorporating new data and methodologies as these became available, and described the methods used on a case by case basis in the individual risk assessment documents where these went beyond the original guidance. However, this revision of the TSD for cancer potencies provides a convenient opportunity to summarize the current status of the methodology used by OEHHA for the air toxics programs, and also to highlight points of similarity to, and difference from, the recommendations of U.S. EPA (2005a).

In this document, OEHHA intends to follow the recommendations of the NRC (1994) in describing a set of clear and consistent principles for choosing and departing from default cancer risk assessment options. NRC identified a number of objectives that should be taken into account when considering principles for choosing and departing from default options. These include, "protecting the public health, ensuring scientific validity, minimizing serious errors in estimating risks, maximizing incentives for research, creating an orderly and predictable process, and fostering openness and trustworthiness". The OEHHA cancer risk methodologies discussed in this document are intended to generally meet those objectives cited above.

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Hazard Identification

This section will describe: 1) how weight of evidence evaluations are used in hazard evaluation; 2) guidelines for inferring causality of effect; 3) the use of human and animal carcinogenicity data, as well as supporting evidence (e.g. genetic toxicity and mechanistic data); 4) examples of carcinogen identification schemes.

Evaluation of Weight of Evidence

In evaluating the range of evidence on the toxicity and carcinogenicity of a compound, mixture or other agent, a "weight-of-evidence" approach is generally used to describe the body of evidence on whether or not exposure to the agent causes a particular effect. Under this approach, the number and quality of toxicological and epidemiological studies, as well as the consistency of study results and other sources of data on biological plausibility, are considered. Diverse and sometimes conflicting data need to be evaluated with respect to possible explanations of differing results. Consideration of methodological issues in the review of the toxicological and epidemiological literature is important in evaluating associations between exposure to an agent and animal or human health effects. This aspect of the evaluation process has received particular emphasis with respect to epidemiological data, where concerns as to the statistical and biological significance and reliability of the data and the impacts of confounding and misclassification are pressing. Such concerns are also relevant to some extent in the interpretation of animal bioassay data and mechanistic studies. Although the test animals, laboratory environment and characterization of the test agent are usually much better controlled than the equivalent parameters in an epidemiological study, the small sample size can be problematic. In addition, there are uncertainties associated with extrapolation of biological responses from test animal species to humans.

Criteria for Causality

There has been extensive discussion over the last two centuries on causal inference. This has been particularly with regard to epidemiological data, but is also relevant to interpretation of animal studies. Most epidemiologists utilize causal inference guidelines based on those proposed by Bradford Hill (1971). OEHHA has relied on these and on recommendations by IARC (2006), the Institute of Medicine (2004), the Surgeon General's Reports on Smoking (U.S. DHHS, 2004) and standard epidemiologic texts (*e.g.* Lilienfeld and Lilienfeld, 1980; Rothman and Greenland, 1998). The criteria for determination of causality used by OEHHA have been laid out in various risk assessment documents. The summary below is adapted from the Health Effects section of the document prepared to support the identification of environmental tobacco smoke (ETS) as a Toxic Air Contaminant (OEHHA, 2005b).

1. *Strength of Association.* A statistically significant strong association, which is easier to detect if there is a high relative risk, between a factor and a disease is often viewed as an important criterion for inferring causality because, all other things being equal, a strong and statistically significant association makes alternative explanations for the disease less likely. However, as discussed in Rothman and Greenland (1998), the fact that a relative risk is small in magnitude does not exclude a casual association between the risk factor

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and the outcome in question. Since it is more difficult to detect (i.e., reach statistical significance) a small magnitude risk, ~~they are~~it is just as likely to ~~be causal~~indicate causality as a larger magnitude risks.

When assessing all evidence, it is important to consider the strength of the study design (particularly controlling for confounding variables, obtaining an unbiased sample, measurement error) and the level of statistical significance (i.e., the ability to exclude a Type I [false positive] error). The power of the study to detect biologically meaningful effects (i.e., the risk of a Type II [false negative] error) is important in considering studies that do not reach traditional (i.e., P<.05) statistical significance, particularly if the biological endpoint is serious. If the outcome is serious and the study small (i.e., low power), a larger P value (e.g., P<.10) may be adequate evidence for identifying an effect.

There are a number of examples of statistically significant, small magnitude associations that are widely accepted as causal, such as causal links between air pollution and cardiovascular/pulmonary mortality and between second-hand smoke exposure and various cancers and heart disease. From a public health perspective, even a small magnitude increase in risk for a common disease can mean large numbers of people affected by the health outcome when exposure is frequent and widespread, as measured by the population attributable risk or attributable fraction. Small magnitude of association must not be confused with statistical significance, which is much more important.

2. *Consistency of Association.* If several investigations find an association between a factor and a disease across a range of populations, geographic locations, times, and under different circumstances, then the factor is more likely to be causal. Consistency argues against hypotheses that the association is caused by some other factor(s) that varies across studies. Unmeasured confounding is an unlikely explanation when the effect is observed consistently across a number of studies in different populations.

   Associations that are replicated in several studies of the same design or using different epidemiological approaches or considering different sources of exposure and in a number of geographical regions are more likely to represent a causal relationship than isolated observations from single studies (IARC, 2006). If there are inconsistent results among investigations, possible reasons are sought, such as adequacy of sample size or control group, methods used to assess exposure, or range in levels of exposure. The results of studies judged to be rigorous are emphasized over those of studies judged to be methodologically less rigorous. For example, studies with the best exposure assessment are more informative for assessing the association between ETS and breast cancer than studies with limited exposure assessment, all else being equal.

3. *Temporality.* Temporality means that the factor associated with causing the disease occurs in time prior to development of the disease. The adverse health effect should occur at a time following exposure that is consistent with the nature of the effect. For example, respiratory irritation immediately following exposure to an irritant vapor is temporally consistent, whereas ~~effects~~ irritation noted only years later may not be. On the other hand, tumors, noted immediately following exposure, might be temporally

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inconsistent with a causal relationship, but tumors arising after a latency period of months (in rodents) or years (in rodents or humans) would be temporally consistent.

4. *Coherence and Biological Plausibility.* A causal interpretation cannot conflict with what is known about the biology of the disease. The availability of experimental data or mechanistic theories consistent with epidemiological observations strengthens conclusions of causation. For example, the presence of known carcinogens in tobacco smoke supports the concept that exposure to tobacco smoke could cause increased cancer risk. Similarly, if the mechanism of action for a toxicant is consistent with development of a specific disease, then coherence and biological plausibility can be invoked. It should be noted that our understanding of the biology of disease, and therefore biological plausibility, changes in light of new information which is constantly emerging from molecular biology (including epigenetics), and from new clinical and epidemiological investigations revealing effects influenced by genetic polymorphisms, pre-existing disease, and so forth.

5. *Dose-Response.* A basic tenet of toxicology is that increasing exposure or dose generally increases the response to the toxicant. While dose-response curves vary in shape and are not necessarily always monotonic, an increased gradient of response with increased exposure makes it difficult to argue that the factor is not associated with the disease. To argue otherwise necessitates that an unknown factor varies consistently with the dose of the substance and the response under question. While increased risk with increasing levels of exposure is considered to be a strong indication of causality, absence of a graded response does not exclude a causal relationship (IARC, 2006).

   The dose-response curves for specific toxic effects may be non-monotonic. Under appropriate circumstances, where the dose response shows saturation, the effect of exposures could be nearly maximal, with any additional exposure having little or no effect. In some instances, a response is seen strongly in susceptible subpopulations, and the dose-response is masked by mixing susceptible and non-susceptible individuals in a sample. Further, there are examples of U-shaped or inverted U-shaped dose-response curves, (e.g., for endocrine disrupters) (Almstrup et al., 2002; Lehmann et al., 2004). Finally, timing of exposure during development may mask an overall increase in risk with increasing dose.

6. *Specificity.* Specificity is generally interpreted to mean that a single cause is associated with a single effect. It may be useful for determining which microorganism is responsible for a particular disease, or associating a single carcinogenic chemical with a rare and characteristic tumor (e.g., liver angiosarcoma and vinyl chloride, or mesothelioma and asbestos). However, the concept of specificity is not helpful when studying diseases that are multifactorial, or toxic substances that contain a number of individual constituents, each of which may have several effects and/or target sites.

7. *Experimental evidence.* While experiments are often conducted over a short period of time or under artificial conditions (compared to real-life exposures), experiments offer the opportunity to collect data under highly controlled conditions that allow strong causal conclusions to be drawn. Experimental data that are consistent with epidemiological

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results strongly support conclusions of causality. There are also "natural experiments" that can be studied with epidemiological methods, such as when exposure of a human population to a substance declines or ceases; if the effect attributed to that exposure decreases, then there is evidence of causality. One example of this is the drop in heart disease death and lung cancer risk after smoking cessation.

It should be noted that the causal criteria are guidelines for judging whether a causal association exists between a factor and a disease, rather than hard-and-fast rules. Lilienfeld and Lilienfeld (1980) note that "*In medicine and public health, it would appear reasonable to adopt a pragmatic concept of causality. A causal relationship would be recognized to exist whenever evidence indicates that the factors form part of the complex of circumstances that increases the probability of the occurrence of disease and that a diminution of one or more of these factors decreases the frequency of that disease. After all, the reason for determining the etiological factors of a disease is to apply this knowledge to prevent the disease.*" Rothman and Greenland (2005) discuss the complexities of causation and the use of rules and deductive methods in causal inference. They also concur with Bradford Hill and others that a determination of causality is a pragmatic conclusion rather than an absolute verdict, and advocate that these criteria should be seen as "*deductive tests of causal hypotheses*".

Data sources

Human studies: epidemiology, ecological studies and case reports

The aim of a risk assessment for the California Air Toxics programs is to determine potential impact on human health. Ideally therefore, the hazard identification would rely on studies in humans to demonstrate the nature and extent of the hazard. However, apart from clinical trials of drugs, experimental studies of toxic effects in human subjects are rarely undertaken or justifiable. Pharmacokinetic studies using doses below the threshold for any toxic effect have been undertaken for various environmental and occupational agents, but are not usually regarded as appropriate for suspected carcinogens.

The human data on carcinogens available to the risk assessor therefore mostly consist of epidemiological studies of existing occupational or environmental exposures. It is easier to draw reliable inferences in situations where both the exposures and the population are substantial and well-defined, and accessible to direct measurement rather than recall. Thus, many important findings of carcinogenicity to humans are based on analysis of occupational exposures. Problems in interpretation of occupational epidemiological data include simultaneous exposure to several different known or suspected carcinogens, imprecise quantification of exposures and confounding exposures such as active or passive tobacco smoking. The historical database of occupational data has a bias towards healthy white adult males. Thus, the hazard analysis of these studies may not accurately characterize effects on women, infants, children or the elderly, or on members of minority ethnic groups. Nevertheless, the analysis of occupational epidemiological studies, including meta-analyses, has proved an important source for unequivocal identification of human carcinogens.

Epidemiological evidence may also be obtained where a substantial segment of a general population is exposed to the material of interest in air, drinking water or food sources. Rigorous

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cohort and case-control studies may sometimes be possible, in which exposed individuals are identified, their exposure and morbidity or mortality evaluated, and compared to less exposed but otherwise similar controls. More often at least the initial investigation is a cross-sectional study, where prevalence of exposures and outcomes is compared in relatively unexposed and exposed populations. Such studies are hypothesis-generating, but are important sources of information nevertheless, and can often also justify more costly and labor-intensive follow-up cohort and/or case-control studies.

The clinical medical literature contains many case reports where a particular health outcome is reported along with unusual exposures that might have contributed to its occurrence. These reports typically describe a single patient or a small group, and have no statistical significance. They are nevertheless useful as indications of possible associations that deserve follow-up using epidemiological methods, and as supporting evidence, addressing the plausibility of associations measured in larger studies.

Animal studies

Although the observation of human disease in an exposed population can provide definitive hazard identification, adequate data of this type are not always available. More often, risk estimates have to be based on studies in experimental animals, and extrapolation of these results to predict human toxicity. The animals used are mostly rodents, typically the common laboratory strains of rat and mouse.

Rats and mice have many similarities to humans. Physiology and biochemistry are similar for all mammals, especially at the fundamental levels of xenobiotic metabolism, DNA replication and DNA repair that are of concern in identifying carcinogens. However, there are also several important differences between rodents and humans. Rodents, with a short life span, have differences in cell growth regulation compared to longer-lived species such as the human. For instance, whereas laboratory investigations have suggested that mutations in two regulatory genes (*e.g.* H-ras and p-53) are sometimes sufficient to convert a rodent cell to a tumorigenic state, many human cancers observed clinically have seven or eight such mutations. In addition, cultured normal human cells have a very stable karyotype, whereas cultured rodent cells facilely undergo tetraploidization and then aneuploidization in cell culture. Further, cultured human cells senesce and rarely undergo spontaneous immortalization (frequency is 10^{-7} or less), whereas cultured rodent cells facilely undergo immortalization at frequencies on the order of 10^{-3}. The use of genomics to study chemical carcinogenesis is relatively new, but the differences at present appear to be a matter of degree rather than kind.

Differences in regulation of cell division are another likely reason for variation between species in the site of action of a carcinogen, or its potency at a particular site. A finding of carcinogenesis in the mouse liver, for instance, is a reasonably good indicator of potential for carcinogenesis at some site in the human, but not usually in human liver (Huff, 1999). The mouse liver (and to a lesser extent that of the rat) is a common site of spontaneous tumors. It is also relatively sensitive to chemical carcinogenesis. The human liver is apparently more resistant to carcinogenesis; human liver tumors are unusual except when associated with additional predisposing disease, such as hepatitis B or alcoholic cirrhosis, or exposure to aflatoxin B1, or simultaneous exposure to hepatitis B virus and aflatoxin B1. Conversely, other

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tumor sites are more sensitive in the human than in experimental animals. Interspecies variation in site and sensitivity to carcinogenesis may also arise from differences in pharmacokinetics and metabolism, especially for carcinogens where metabolic activation or detoxification is important. This variability may cause important differences in sensitivity between individuals in a diverse population such as humans. Variability between individuals in both susceptibility and pharmacokinetics or metabolism is probably less in experimental animal strains that are bred for genetic homogeneity.

Animal carcinogenesis studies are often designed to maximize the chances of detecting a positive effect, and do not necessarily mimic realistic human exposure scenarios. Thus extrapolation from an experimentally accessible route to that of interest for a risk assessment may be necessary. Even for studies by realistic routes such as oral or inhalation, doses may be large compared to those commonly encountered in the environment, in order to counter the limitation in statistical power caused by the relatively small size of an animal experiment. Whereas the exposed population of an epidemiological study might number in the thousands, a typical animal study might have fifty individuals per exposure group. With this group size any phenomenon with an incidence of less than about 5% is likely to be undetectable. Statistically significant results may be obtained even with groups as small as ten animals per dose group, when incidence of a tumor that is rare in the controls approached 100% in a treated group. The consensus experimental design for animal carcinogenesis studies, which has evolved over the last 50 years of investigation, is represented by the protocol used by the U.S. National Toxicology Program (NTP) for studies using oral routes (diet, gavage or drinking water) or inhalation. These carcinogenesis bioassays usually involve both sexes of an experimental species, and most often two species. NTP has standardized the use of the C57BlxC3H F_1 hybrid mouse, and the Fischer 344 rat as the standard test species, although NTP has announced plans to substitute use of the Wistar Han rat for the Fisher 344 rat. There is now an extensive database of background tumor incidences, normal physiology, biochemistry, histology and anatomy for these strains, which aids in the interpretation of pathological changes observed in experiments. Nevertheless, there is enough variation in background rates of common tumors that the use of concurrent controls is essential for hazard identification or dose-response assessment. "Historical control" data are mainly used to reveal anomalous outcomes in the concurrent controls. The fact that a significantly elevated incidence of a tumor relative to the concurrent control group is within the range of historical controls at that site for the test sex and strain is not necessarily grounds for dismissing the biological significance of the finding.

Groups of fifty animals of each sex and species are used, with control groups, and several dose groups, the highest receiving the maximum tolerated dose (MTD). Recent study designs have emphasized the desirability of at least three dose levels covering a decade with "logarithmic" spacing (*i.e.* MTD, 1/2 MTD or 1/3 MTD, and 1/10 MTD). This extended design is aimed at providing better dose-response information, and may contribute important additional information, such as mechanistic insights, for the hazard identification phase.

Supporting evidence: genetic toxicity, mechanistic studies

Investigators have developed additional data sources that can support or modify the conclusions of animal carcinogenesis bioassays, and provide information on mechanisms of action of agents suspected of being carcinogenic based on epidemiological studies or animal bioassays.

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Genetic damage in exposed organisms includes both gene mutations (point or frameshift), and larger scale effects such as deletions, gene amplification, sister-chromatid exchanges, translocations and loss or duplication of segments or whole chromosomes. These genetic effects of chemical exposures are deleterious in their own right. In addition, since carcinogenesis results from somatic mutations and similar genetic alterations, agents that cause genetic damage generally have carcinogenic potential. Conversely, many known carcinogens are also known to be genotoxic, although there is also a significant class of carcinogens that are not directly genotoxic according to the usual tests. These latter agents presumably work by some other mechanism, such as methylation of tumor suppressor genes or demethylation of cellular proto-oncogenes, although recent genetic studies have shown that even tumors induced by these agents may show mutations, deletions or amplification of growth regulatory genes.

Experimental procedures to demonstrate and measure genetic toxicity may involve exposure of intact animals, and examination of genetic changes in, for example, bone marrow cells (or cells descended from these e.g. the micronucleus test, which detects remnants of chromosomal fragments in immature erythrocytes), mutations in flies (*Drosophila)*, or appearance of color spots in the coat of mice. However, many tests have employed single celled organisms or mammalian cells in culture. The best known of these tests is the *Salmonella* reverse mutation assay, popularly known as the Ames test after its inventor. This is representative of a larger class of tests for mutagenic activity in prokaryotic organisms (bacteria), which necessarily only look at gene-level mutations. Similar tests in eukaryotic microorganisms (yeasts, *Aspergillus*) and cultured mammalian cells also detect chromosomal effects. Many tests using microorganisms *in vitro* involve addition of activating enzymes (*e.g.* liver postmitochondrial supernatant – "S9") to mimic the metabolism of promutagenic chemicals *in vivo*. Another type of test examines the induction in mammalian cells of morphological transformation or anchorage-independent growth. These two chemically induced, *in vitro* changes are considered two of the many changes that fibroblastic cells must undergo on their route to neoplastic transformation (tumorigenicity). These various genetic tests contribute different information, which may be used to amplify and confirm conclusions drawn from human studies or animal bioassays, or to draw conclusions in the absence of epidemiological or bioassay data. In the latter case they have also been used in prioritizing agents for further evaluation by means of bioassays.

Carcinogen Identification schemes

Some regulatory programs, such as California's Safe Drinking Water and Toxics Enforcement Act ("Proposition 65") and various activities of the U.S. EPA, require that explicit lists of substances having the potential to act as human carcinogens be maintained. Other such lists are developed by non-regulatory research organizations, such as the U.S. National Toxicology Program and the International Agency for Research on Cancer (IARC), an international program of the World Health Organization. The California air toxics programs do not have any statutory requirement to "identify" carcinogens. The requirement instead is to identify hazardous substances as Toxic Air Contaminants, and to determine whether or not a threshold concentration, below which no adverse effects are expected, is likely to exist:

HEALTH AND SAFETY CODE, Division 26 (Air Resources), § 39660.

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(2) The evaluation shall also contain an estimate of the levels of exposure that may cause or contribute to adverse health effects. If it can be established that a threshold of adverse health effects exists, the estimate shall include both of the following factors:

(A) The exposure level below which no adverse health effects are anticipated.

(B) An ample margin of safety that accounts for the variable effects that heterogeneous human populations exposed to the substance under evaluation may experience, the uncertainties associated with the applicability of the data to human beings, and the completeness and quality of the information available on potential human exposure to the substance. In cases in which there is no threshold of significant adverse health effects, the office shall determine the range of risk to humans resulting from current or anticipated exposure to the substance.

In practice however this requirement amounts to the need to establish whether or not a substance is carcinogenic. Any such effects are clearly harmful. Whereas the great majority of non-cancer health effects of chemicals are regarded as having a threshold, the default assumption for carcinogens is that there is no threshold (as described below). OEHHA follows the guidelines laid out by IARC for identification and classification of potential human carcinogens, which are described in detail in the most recent revision of the *Preamble* to the IARC monographs series (IARC, 2006). The IARC Monograph series provides evaluations of the carcinogenicity of individual substances or commonly occurring mixtures. The evaluation guidelines used are similar to those used by other scientific or regulatory authorities, including U.S.EPA.

The data inputs to hazard identification for carcinogens are human epidemiological studies, animal bioassays, along with supporting evidence such as mechanistic and genotoxicity data and structure-activity comparisons. IARC also assembles data on the structure and identity of the agent. The list of agents considered includes specific chemicals and also complex mixtures, occupational and lifestyle factors, physical and biological agents, and other potentially carcinogenic exposures.

IARC evaluations determine the quality of evidence for both animal and human evidence as falling into one of four categories: sufficient evidence of carcinogenicity, limited evidence of carcinogenicity, inadequate evidence of carcinogenicity and evidence suggesting lack of carcinogenicity. Stringent requirements for data quality are imposed. In view of their crucial importance, these definitions are quoted directly from the *Preamble* (IARC 2006):

"(a) Carcinogenicity in humans

Sufficient evidence of carcinogenicity: The Working Group considers that a causal relationship has been established between exposure to the agent and human cancer. That is, a positive relationship has been observed between the exposure and cancer in studies in which chance, bias and confounding could be ruled out with reasonable confidence. A statement that there is *sufficient evidence* is followed by a separate sentence that identifies the target organ(s) or tissue(s) where an increased risk of cancer was observed in humans. Identification of a specific target organ or tissue does not preclude the possibility that the agent may cause cancer at other sites.

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***Limited evidence of carcinogenicity*:** A positive association has been observed between exposure to the agent and cancer for which a causal interpretation is considered by the Working Group to be credible, but chance, bias or confounding could not be ruled out with reasonable confidence.

Inadequate evidence of carcinogenicity: The available studies are of insufficient quality, consistency or statistical power to permit a conclusion regarding the presence or absence of a causal association between exposure and cancer, or no data on cancer in humans are available.

Evidence suggesting lack of carcinogenicity: There are several adequate studies covering the full range of levels of exposure that humans are known to encounter, which are mutually consistent in not showing a positive association between exposure to the agent and any studied cancer at any observed level of exposure. The results from these studies alone or combined should have narrow confidence intervals with an upper limit close to the null value (e.g. a relative risk of 1.0). Bias and confounding should be ruled out with reasonable confidence, and the studies should have an adequate length of follow-up. A conclusion of *evidence suggesting lack of carcinogenicity* is inevitably limited to the cancer sites, conditions and levels of exposure, and length of observation covered by the available studies. In addition, the possibility of a very small risk at the levels of exposure studied can never be excluded.

(b) Carcinogenicity in experimental animals

Carcinogenicity in experimental animals can be evaluated using conventional bioassays, bioassays that employ genetically modified animals, and other in-vivo bioassays that focus on one or more of the critical stages of carcinogenesis. In the absence of data from conventional long-term bioassays or from assays with neoplasia as the end-point, consistently positive results in several models that address several stages in the multistage process of carcinogenesis should be considered in evaluating the degree of evidence of carcinogenicity in experimental animals.

The evidence relevant to carcinogenicity in experimental animals is classified into one of the following categories:

***Sufficient evidence of carcinogenicity*:** The Working Group considers that a causal relationship has been established between the agent and an increased incidence of malignant neoplasms or of an appropriate combination of benign and malignant neoplasms in (a) two or more species of animals or (b) two or more independent studies in one species carried out at different times or in different laboratories or under different protocols. An increased incidence of tumours in both sexes of a single species in a well-conducted study, ideally conducted under Good Laboratory Practices, can also provide *sufficient evidence*.

A single study in one species and sex might be considered to provide *sufficient evidence of carcinogenicity* when malignant neoplasms occur to an unusual degree with regard to incidence, site, type of tumour or age at onset, or when there are strong findings of tumours at multiple sites.

***Limited evidence of carcinogenicity*:** The data suggest a carcinogenic effect but are limited for making a definitive evaluation because, e.g. (a) the evidence of carcinogenicity is

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restricted to a single experiment; (b) there are unresolved questions regarding the adequacy of the design, conduct or interpretation of the studies; (c) the agent increases the incidence only of benign neoplasms or lesions of uncertain neoplastic potential; or (d) the evidence of carcinogenicity is restricted to studies that demonstrate only promoting activity in a narrow range of tissues or organs.

***Inadequate evidence of carcinogenicity*:** The studies cannot be interpreted as showing either the presence or absence of a carcinogenic effect because of major qualitative or quantitative limitations, or no data on cancer in experimental animals are available.

***Evidence suggesting lack of carcinogenicity*:** Adequate studies involving at least two species are available which show that, within the limits of the tests used, the agent is not carcinogenic. A conclusion of *evidence suggesting lack of carcinogenicity* is inevitably limited to the species, tumour sites, age at exposure, and conditions and levels of exposure studied."

IARC utilizes the evaluations of animal and human data, along with supporting evidence including genotoxicity, structure-activity relationships, and identified mechanisms, to reach an overall evaluation of the potential for carcinogenicity in humans. The revised *Preamble* (IARC, 2006) includes a description of the data evaluation criteria for this supporting evidence, and indications as to the situations where the availability of supporting evidence may be used to modify the overall conclusion from that which would be reached on the basis of bioassay and/or epidemiological evidence alone. The overall evaluation is expressed as a numerical grouping, the categories of which are described below, as before by directly quoting IARC (2006):

"Group 1: The agent is *carcinogenic to humans*.

This category is used when there is *sufficient evidence of carcinogenicity* in humans. Exceptionally, an agent may be placed in this category when evidence of carcinogenicity in humans is less than *sufficient* but there is *sufficient evidence of carcinogenicity* in experimental animals and strong evidence in exposed humans that the agent acts through a relevant mechanism of carcinogenicity.

Group 2.

This category includes agents for which, at one extreme, the degree of evidence of carcinogenicity in humans is almost *sufficient*, as well as those for which, at the other extreme, there are no human data but for which there is evidence of carcinogenicity in experimental animals. Agents are assigned to either Group 2A (*probably carcinogenic to humans*) or Group 2B (*possibly carcinogenic to humans*) on the basis of epidemiological and experimental evidence of carcinogenicity and mechanistic and other relevant data. The terms *probably carcinogenic* and *possibly carcinogenic* have no quantitative significance and are used simply as descriptors of different levels of evidence of human carcinogenicity, with *probably carcinogenic* signifying a higher level of evidence than *possibly carcinogenic*.

Group 2A: The agent is *probably carcinogenic to humans*.

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This category is used when there is *limited evidence of carcinogenicity* in humans and *sufficient evidence of carcinogenicity* in experimental animals. In some cases, an agent may be classified in this category when there is *inadequate evidence of carcinogenicity* in humans and *sufficient evidence of carcinogenicity* in experimental animals and strong evidence that the carcinogenesis is mediated by a mechanism that also operates in humans. Exceptionally, an agent may be classified in this category solely on the basis of *limited evidence of carcinogenicity* in humans. An agent may be assigned to this category if it clearly belongs, based on mechanistic considerations, to a class of agents for which one or more members have been classified in Group 1 or Group 2A.

Group 2B: The agent is *possibly carcinogenic to humans.*

This category is used for agents for which there is *limited evidence of carcinogenicity* in humans and less than *sufficient evidence of carcinogenicity* in experimental animals. It may also be used when there is *inadequate evidence of carcinogenicity* in humans but there is *sufficient evidence of carcinogenicity* in experimental animals. In some instances, an agent for which there is *inadequate evidence of carcinogenicity* in humans and less than *sufficient evidence of carcinogenicity* in experimental animals together with supporting evidence from mechanistic and other relevant data may be placed in this group. An agent may be classified in this category solely on the basis of strong evidence from mechanistic and other relevant data.

Group 3: The agent is *not classifiable as to its carcinogenicity to humans.*

This category is used most commonly for agents for which the evidence of carcinogenicity is *inadequate* in humans and *inadequate* or *limited* in experimental animals.

Exceptionally, agents for which the evidence of carcinogenicity is *inadequate* in humans but *sufficient* in experimental animals may be placed in this category when there is strong evidence that the mechanism of carcinogenicity in experimental animals does not operate in humans.

Agents that do not fall into any other group are also placed in this category.

An evaluation in Group 3 is not a determination of non-carcinogenicity or overall safety. It often means that further research is needed, especially when exposures are widespread or the cancer data are consistent with differing interpretations.

Group 4: The agent is *probably not carcinogenic to humans.*

This category is used for agents for which there is *evidence suggesting lack of carcinogenicity* in humans and in experimental animals. In some instances, agents for which there is *inadequate evidence of carcinogenicity* in humans but *evidence suggesting lack of carcinogenicity* in experimental animals, consistently and strongly supported by a broad range of mechanistic and other relevant data, may be classified in this group."

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The IARC hazard evaluation system provides a detailed and generally accepted scheme to classify the strength of evidence as to the possible human carcinogenicity of chemicals and other agents. This includes careful consideration of mechanistic data and other supporting evidence, the evaluation of which is also important to inform selection of models or defaults used in dose response assessment, as is described below. The extended consideration of supporting evidence is in fact the primary difference between more recent versions of the guidance from IARC, and also by other organizations including U.S. EPA, and the original versions of that guidance. In fact, the basic criteria for hazard identification based on bioassay and epidemiological data have not changed substantially in other respects from earlier guidance documents, including that originally published by California (DHS, 1985). Although as noted earlier the California Air Toxics programs do not categorize identified carcinogens, it has generally been the practice to regard any agent with an IARC overall classification in Group 1 or Group 2 as a known or potential human carcinogen. This implies the selection of various policy-based default options, including absence of a threshold in the dose-response curve, unless specific data are available to indicate otherwise. The same basic identification criteria are used by OEHHA scientific staff to determine the appropriate treatment of agents not evaluated by IARC, or for which newer data or revised interpretations suggest that an earlier IARC determination is no longer appropriate.

U.S. EPA has also proposed a scheme for carcinogen hazard identification and strength of evidence classification in their recently finalized Guidelines for Carcinogen Risk Assessment (U.S. EPA, 2005). These principally differ from the IARC guidance in recommending a more extensive narrative description rather than simply a numerical identifier for the identified level of evidence, and also to some degree in the weight accorded to various types of supporting evidence. However, for most purposes they may be regarded as broadly equivalent to the scheme used by IARC, and OEHHA has chosen to cite the IARC (2006) *Preamble* as representing the most up-to-date and generally accepted guidance on this issue.

Dose Response Assessment

The dose-response phase of a cancer risk assessment aims to characterize the relationship between an applied dose of a carcinogen and the risk of tumor appearance in a human. This is usually expressed as a cancer slope factor [“potency” – in units of reciprocal dose - usually $(\text{mg/kg-body weight.day})^{-1}$ or “unit risk” – reciprocal air concentration – usually $(\mu g/m^3)^{-1}$] for the lifetime tumor risk associated with lifetime continuous exposure to the carcinogen at low doses. Cancer potency factors may also be referred to as “cancer slope factors”. (As will be described later, additional algorithms may need to be applied to determine risk for specific age groups, or at higher doses where toxicokinetic factors have significant effect.) The basic methodologies recommended in this document are similar to those described by U.S. EPA (2005a) in their Carcinogen Risk Assessment Guidelines. This document therefore refers to U.S. EPA (2005a) for explanation of detailed procedures, and will provide only a brief summary except in cases where OEHHA recommendations are different from or more explicit than those of U.S. EPA.

The following descriptions of methods for dose response assessment, and considerations in their application, apply in principle to the analysis of both animal and human (epidemiological) cancer incidence data. Indeed, the original formulation of the multistage model (Armitage and Doll, 1954) described below was developed based on human cancer incidence. Nevertheless, the

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number and quality of human cancer incidence datasets is limited. The more complex analyses have usually only been possible for animal experimental data, where the interindividual variability and the exposure conditions can be both measured and controlled. Most commonly, epidemiological studies have necessarily used a form of multivariate analysis to separate the effects of several different variables relating to exposure, demographics and behaviors (e.g. smoking). In these analyses it is usually assumed that the effect measure(s) vary linearly with the exposure: any more complex variance assumptions might exceed the power of the data to determine the required model parameters. However, there are exceptions, especially for occupational studies where the critical exposure is measured as a continuous variable (rather than just categorical) and where the effect of this exposure is substantial relative to other confounding factors. For example, OEHHA (1998) used a multistage model dealing with both exposure intensity and duration in the analysis of cancer incidence in railroad workers exposure to diesel exhaust (Garshick et al., 1988)

Interspecies Extrapolation

The procedures used to extrapolate low-dose human cancer risk from epidemiological or animal carcinogenicity data are generally health-protective in that they determine an upper confidence bound on the risk experienced by an exposed population. As statistical estimates they cannot be regarded as definite predictions of the risk faced by any one specific individual, who might for a variety of reasons, including individual exposure and susceptibility, experience a risk different from the estimate. The risk assessment procedures used aim to include the majority of variability in the general human population within the confidence bound of the estimate, although the possibility that some individuals might experience either lower or even no risk, or a considerably higher risk, cannot be excluded. Additionally, differences may exist between the characteristics of the general public and those of studied populations. For example, healthy workers, the subject of most epidemiological studies, are often found to have lower rates of morbidity and mortality than the general population (Wen et al., 1983; Monson, 1986; Rothman and Greenland, 1998). Most human data are derived from studies of largely male adult workers and risk estimates cannot take into account specific physiological factors of women, children, and older populations that may affect the potency of a carcinogen, including early age-at-exposure.

Dose-response assessment based on environmental epidemiological studies may involve evaluation of health impacts at exposure levels within the range of those measured in the study population. However, more usually the source data are studies of occupationally exposed humans or of animals, in which case the exposures in the study are likely to be much higher than those of concern for risk assessments relating to community or ambient exposures. Further, even when extrapolation from animal species to humans is not required, the general population to which the URF is applied may differ in characteristics relative to the occupational population studied. It is therefore necessary to extrapolate from the available data to the population and exposure range of concern, which is done by using a dose-response model derived from the source data. The models used fall into three main classes; mechanistically based models, empirical models and (where data are lacking to support a true data-based model) default assumptions. The factors affecting the dose-response relationships for carcinogenesis may also be divided into those relating to absorption, distribution, metabolism and excretion on the one hand (*i.e.* toxicokinetics), and those relating to the underlying dose-response characteristics of carcinogenesis at the tissue or cellular level (*i.e.* toxicodynamics). In this sense the problem of

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dose response assessment for carcinogens is similar to that for non-cancer toxic effects. The toxicokinetic models used may in fact be similar for both situations, but the toxicodynamic models are generally different.

Intraspecies Extrapolation and Inter-individual Variability

In estimating the impact of a particular level of exposure to a carcinogen on a target human population, it is necessary to consider the range of susceptibility in the target population. In the present case this is typically defined as the general population of the State of California, including of course women (some of whom are pregnant), infants and children, the elderly, the sick, and those with genetic polymorphisms or acquired differences which affect their susceptibility to carcinogens. In general it has been assumed that the upper-bound risk estimates obtained from the standard toxicodynamic models described below are sufficiently health-protective to cover the intrinsic variability of the adult human target population, in spite of the fact that these models do not explicitly address this type of variability, except in the few cases where an estimate is based on epidemiological data from a large and unselected study group (U.S. EPA, 2005a). However, various analyses (Drew et al., 1983; Barton et al., 2005; Appendix J) have suggested that this assumption is inadequate to cover the expected variability within a human population that includes infants and children. Accordingly both U.S. EPA (2005b) and this document ~~(page 30 *et seq.*)~~ now offer guidance on the use of age-specific adjustment factors to allow for the potentially greater sensitivity of infants and children to chemical carcinogenesis.

The ability to accommodate human variability with regard to the toxicokinetic factors affecting susceptibility to carcinogens varies with the level of detail used in the particular assessment. If the generic interspecies extrapolation approach based on body weight is used without any explicit toxicokinetic model then the assumption is made, as in the case of toxicodynamic variability, that the overall health-protective assumptions made are sufficient to cover the toxicokinetic variability. On the other hand if explicit models such as those referenced in the following paragraph are used, this variability may be more explicitly accommodated by using parameter values which are taken as point estimates from measured distributions of population values, or by using Monte Carlo techniques to include those distributions in the model (Bois et al., 1996; OEHHA, 1992; 2001b).

Toxicokinetic Models

Considerable literature exists showing the importance of understanding the toxicokinetics of carcinogens in understanding their mechanism of action, sites of impact and dose-response relationships. U.S. EPA (2005) in Section 3.1 refers to the importance of identifying an appropriate dose metric for the dose-response analysis. Early cancer risk assessments typically used applied dose as the dose metric, which is adequate in simple cases provided appropriate correction factors are applied for interspecies extrapolation. However, it is often observed that the uptake, metabolism and elimination of the carcinogenic substance (and/or a procarcinogen and metabolites) is non-linear, especially at the higher doses employed in experimental animal studies (Hoel *et al.*, 1983, Gaylor *et al.*, 1994). Extrapolation to lower doses where such relationships tend to linearity (Hattis, 1990) is aided by the use of toxicokinetic models. These may be relatively simple compartment models, or sophisticated "physiologically based pharmacokinetic (PBPK) models" which to a greater or lesser degree model the actual

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biochemical and physiological events of toxicokinetic importance. Applications of both types of model may be found in various risk assessment documents prepared for the Toxic Air Contaminants program (and other OEHHA risk assessments). Since the details vary widely according to the nature of the chemical and the availability of appropriate kinetic data these general guidelines will defer to those examples rather than attempt a fuller exposition here. Further analysis of the use of toxicokinetic modeling in extrapolation from animals to humans, and in accounting for interindividual variability among adult humans, infants and children is presented in the Air Toxics Hot Spots *Technical Support Document for the Derivation of Noncancer Reference Exposure Levels* (OEHHA, ~~2007: Public Review Draft~~2008). Although this refers to the use of toxicokinetic modeling in non-cancer risk assessment, the primary considerations are similar for cancer risk assessment.

Toxicodynamic Models

An early use of mechanistic analysis to support risk assessment was the development of the Armitage-Doll multistage model of dose-response for carcinogenesis. The multistage model was initially developed on theoretical grounds, and by examination of epidemiological and animal data on time to tumor incidence. Subsequent discovery of the molecular biology of proto-oncogenes has provided a basis for explaining the model in terms of actual biological events and systems (Barrett and Wiseman, 1987). This model was developed by Crump and others into the "linearized multistage model", which has been extensively used for carcinogen risk assessment. It leads to a number of partially verifiable predictions, including linearity of the dose-response relationship at low doses, which is observed for many genotoxic carcinogens. It also predicts the form of the dose-response relationship at higher doses, which generally follow a polynomial form (subject to sampling and background corrections) except where other identifiable factors such as pharmacokinetics intervene.

It has been argued that the simple linearized form of the multistage model has limitations as a description of carcinogenic mechanisms, which detract from its usefulness and generality. Cell proliferation is known to be important in the progression of cancer. It may actually be the primary mechanism of action for a few carcinogens, as opposed to the direct modification of DNA by the carcinogen or a metabolite which is assumed to cause the mutational event at each stage in the original multistage description. A cell proliferation model has been developed (Moolgavkar and Knudson, 1981), which retains the concept of an initiating mutational event (in most cases caused by interaction of the chemical with DNA, although it could also be a spontaneous mutation) as in the original multistage model, but also considers proliferation, death or terminal differentiation of both normal and initiated cells. This model is thought to better describe the biological events in carcinogenesis. However, it has not been used extensively in risk assessment because it requires many parameters that are difficult to define and measure (such as proliferation and death rates for various classes of cell). If these cannot be accurately determined, the model has too many free parameters and is not helpful in defining extrapolated values for risk assessment purposes. This highlights a general problem in using mechanistic models in carcinogen risk assessment, which is that the carcinogenesis data themselves are generally insufficient to define fully the dose response curve shape at low doses or provide much mechanistic information. The analysis is therefore supplemented with policy-based assumptions (such as the expectation of linearity at low doses) and, wherever possible, additional

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experimental measurements relating to the mechanism of action, in order to make meaningful prediction of risk from environmental exposures to humans.

Because of the difficulties in validating simplified mechanistic models such as the basic multistage model, and the additional difficulty of parameter estimation with more complex mechanistic models, the new U.S. EPA guidelines (U.S. EPA, 2005a) and some recent California risk assessments have chosen instead to use a less overtly mechanistic approach. This approach combines benchmark dose methodology (described below) with an explicit choice of the method for low-dose extrapolation, either assuming low-dose linearity or, for certain carcinogens where data indicate that this is appropriate, a "margin of exposure" or safety/uncertainty factor based approach. This benchmark method is now normally recommended for carcinogen dose response analysis, and the results generally differ little from those derived by the linearized multistage model. Although the linearized multistage method is no longer recommended as the default approach for cancer potency estimation it remains a plausible alternative in many cases, and still has useful applications, such as for time-to-tumor analyses for which benchmark methods are not yet widely available. Additionally, a considerable number of existing cancer potencies in Appendices A and B, and used in the Air Toxics Hot Spots program were derived by this method. Many of these would not be significantly different if calculated by the benchmark approach, and are unlikely to be replaced soon by newly calculated values. The linearized multistage method will therefore also be briefly described here.

Benchmark dose methodologies

The use of benchmark dose methodology has been explored by various investigators [including Gaylor et al. (1998); van Landingham et al. (2001) and Crump (1984, 1995, 2002)] as a tool for dose response extrapolation. This has been recommended in regulatory guidelines for both carcinogenic (U.S. EPA, 2005a) and non-carcinogenic (U.S. EPA, 1995) endpoints. The basic approach is to fit an arbitrary function to the observed incidence data, and to select a "point of departure" (POD) (benchmark dose) *within the range of the observed data.* From this a low dose risk estimate or assumed safe level may be obtained by extrapolation, using an assumed function (usually linear) or by application of uncertainty factors. The critical issue here is that no assumptions are made about the nature of the underlying process in fitting the data. The assumptions about the shape of the dose response curve (linear, threshold, etc.) are explicitly confined to the second step of the estimation process, and are chosen on the basis of policy, mechanistic evidence or other supporting considerations. The benchmark chosen is a point at the low end of the observable dose-response curve. Usually a dose at which the incidence of the tumor is 10% is chosen for animal studies, although lower effect levels may be appropriate for large epidemiological data sets. Because real experimental data include variability in the response of individual subjects, and measurement errors, likelihood methodology is applied in fitting the data. A lower confidence bound (usually 95%) of the effective dose (LED_{10}), rather than its maximum likelihood estimate (MLE), is used as the point of departure. This properly reflects the uncertainty in the estimate, taking a cautious interpretation of highly variable or error-prone data. It also reflects the instability of MLE values from complex curve-fitting routines, which has been recognized as a problem also with the linearized multistage model.

For cancer dose-response estimation using the benchmark dose method, either animal bioassay data or epidemiological data provide a suitable basis. In the absence of a pharmacokinetic model

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(which could provide tissue-specific dose metrics), the potency would ordinarily be based on the time-weighted average exposure during the exposure or dosing period. The model used to fit the data can be chosen from a range of available alternative quantal models, depending on which provides the best fit to the data in the observable range. In practice, the multistage polynomial fit developed for the linearized multistage model works well for most tumor data sets. Here it is being used merely as a mathematical curve-fitting tool, where the model well fits the data set, without making assumptions about its validity as a biological model of carcinogenesis.

Suitable polynomial fits and estimates of the benchmark may be obtained using U.S. EPA's BMDS software. The benchmark often used is the 95% lower confidence bound on the dose producing 10% tumor incidence. However, if data are available which include a significant dose-response at less than 10% tumor incidence, then that lower benchmark should be used (e.g. LED_{05} or LED_{01}). Other software such as Tox_Risk, which was used for the linearized multistage model, has been used successfully, although the earlier GLOBAL program and its relatives are less suitable as curve-fitting tools for benchmark dose analysis.

Since it is usually assumed in cancer risk estimation that the low-dose response relationship is linear, risk estimates and a potency value (slope factor) may be obtained by linear extrapolation from an appropriate benchmark dose. The potency is the slope of that line ($0.1/LED_{10}$). The low dose linearity assumption is a general default for any carcinogen, and it is unlikely to be altered for genotoxic carcinogens.

A calculation using the benchmark dose approach (using a polynomial model with exponents restricted to zero or positive values), and linear extrapolation from the LED_{10} to obtain a potency estimate is shown in Figure 1 (the figure was generated by the U.S. EPA's BMDS program). This is based on tumor incidence data from an actual experiment with vinyl bromide in rats (Benya *et al.*, 1982), with metabolized dose calculated by means of a pharmacokinetic model (Salmon *et al.,* 1992). The value of q_1* obtained by this calculation would then be corrected for the duration of the experiment if it had lasted for less than the standard rat lifetime, and for bodyweight and route-specific pharmacokinetic factors as described below. This is in addition to the correction for exposure duration that would be necessary if the study had not lasted for 105 weeks, and the interspecies correction, both of which are described below.

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Figure 1. Benchmark dose calculation for tumor data in rats exposed to vinyl bromide

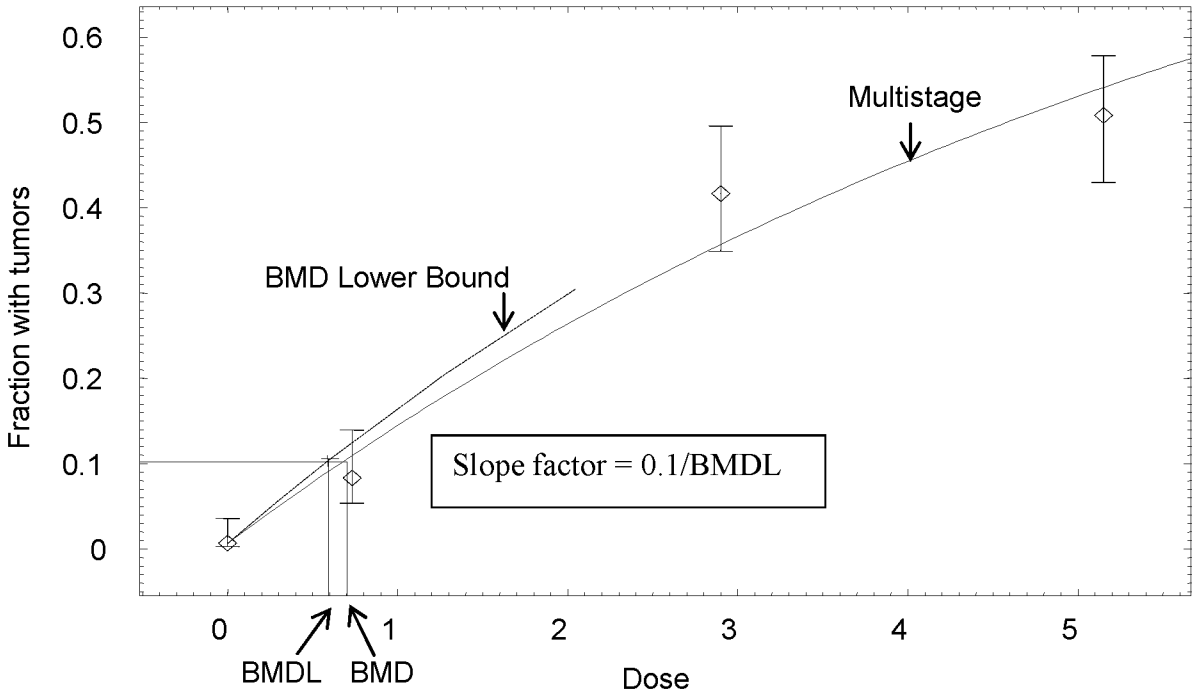

From Salmon *et al.* (1992), based on data from Benya *et al.* (1982)

Linearized Multistage Model

Quantal analyses

A "multistage" polynomial (U.S. EPA, 1986, 2005a; Anderson *et al.*, 1983), based on the mechanistic insights of the original Armitage and Doll model of cancer induction and progression, has been used extensively by U.S. EPA, OEHHA and other risk assessors to model the dose response for lifetime risk of cancer. It usually is used for analysis of animal bioassay data, although related approaches have occasionally been used with epidemiological data. In mathematical terms, the probability of dying with a tumor (P) induced by an average daily dose (d) is:

$$P(d) = 1 - \exp[-(q_0 + q_1 d + q_2 d^2 + \ldots + q_j d^j)]$$

with constraints

$$q_i \geq 0 \text{ for all i.}$$

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Equivalently, $A(d) = 1 - \exp[-(q_1 d + q_2 d^2 + \cdots + q_k d^k)]$,

where $A(d) = \dfrac{P(d) - P(0)}{1 - P(0)}$ is the extra risk over background at dose d.

The q_i model parameters are constants that can be estimated by fitting the polynomial to the data from the bioassay, *i.e.* the number of tumor bearing animals (as a fraction of the total at risk) at each dose level, including the controls. The fit is optimized using likelihood methodology, assuming that the deviations from expected values follow a χ^2 distribution, with the number of degrees of freedom (and hence the maximum number of terms allowed in the polynomial) determined by the number of points in the data set. All the coefficients of the terms are constrained to be zero or positive, so the curve is required to be straight or upward curving, with no maxima, minima or other points of inflection. In addition to the maximum likelihood estimates of the parameters, the upper 95% confidence ~~bounds~~ limits on these parameters are calculated.

The parameter q_0 represents the background lifetime incidence of the tumor. The 95% upper confidence limit of the slope factor q_1~~, or more usually its upper bound~~ (q_1^*), is termed the cancer potency. The maximum likelihood estimate (MLE) of q_1 is not usually regarded as a reliable estimate for several reasons. First, it fails to reflect the uncertainty and variability in the data which affect the value of the estimate. This is an important issue for protection of public health, which is emphasized by current regulatory guidelines. Secondly, due to the variable order of the polynomial and the effect of some terms being zero as opposed to having a small but finite value, the MLE is unstable, and may show large and unpredictable changes in response to very slight changes in the input data. It may also erratically have a zero value, even when the data imply a significant positive dose-response relationship. The MLE is not a measure of central tendency for this estimate distribution (which is always asymmetrical and often multi-peaked). For small doses, the cancer potency is the ratio of excess lifetime cancer risk to the average daily dose received. Details of the estimation procedure are given in Crump (1981) and Crump, Guess, and Deal (1977). Several software programs are available to perform the necessary calculations, including U.S. EPA's BMDS, Tox_Risk and the earlier GLOBAL programs by Crump and colleagues, and Mstage, written by Crouch (1987).

When dose is expressed in units of mg/kg-d, the potency is given in units of $(\text{mg/kg-d})^{-1}$. Likewise, when the model input is in units of concentration ($\mu g/m^3$, ppb), the potency is given in units of $\mu g/m^3)^{-1}$ pr $(\text{ppb})^{-1}$. As in the case of potencies obtained by the benchmark approach, the experiment-based potency value needs to be corrected for less-than lifetime or intermittent exposure, and extrapolated from the test species to humans. Risk calculations using potency value estimated using the linearized multistage model predict the cancer risk at low doses only, with the higher order terms of the fitted polynomial being ignored since their contribution is negligible at low doses.

Selection of Site and Tumor Type

In developing cancer potency estimates from animal data, standard practice has been to use dose-response data for the most sensitive tumor site as the basis of the estimate (CDHS, 1985). Where tumors of more than one histological type (e.g. adenomas and carcinomas) are observed at a single site, the combined incidence, i.e. proportion of animals affected with at least one tumor of

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any of the relevant types, is used for dose-response assessment. The same rules for combining tumor types are generally applied in determining statistical significance for carcinogen identification (IARC, 2006). Tumor types considered to represent different stages of progression following initiation of a common original normal cell type are combined, whereas tumor types having different cellular origins are generally not combined by this procedure. Other considerations that may influence choice of site for dose response estimation include the quality of the data (especially, the statistical impact of a high or variable rate of a particular tumor type and site in control animals), and biological relevance to humans. However, it is an important principle that, just as for the hazard identification phase, concordance of site or tumor type between animal models and human health effects may occur but is not assumed or required.

Carcinogens inducing tumors at multiple sites

For most carcinogens, the selection of the most sensitive site in the animal studies is recognized as providing a risk estimate which is appropriate to protect human health. However, for chemicals that induce tumors at multiple sites, the single-site approach may underestimate the true carcinogenic potential. For example, the overall assessment of cancer risk from cigarette smoking (U.S. DHHS, 1982) or ionizing radiation (NRC, 1990) is not based on risk at one site, such as lung cancer. Instead, total cancer risk is estimated from all the sites at which agent-induced tumors are observed (lung, bladder, leukemia, etc), combined.

For carcinogens that induce tumors at multiple sites and/or with different cell types in a particular species and sex, OEHHA derives the animal cancer potency by probabilistically summing the potencies from the different sites and/or cell types. Using the combined potency distribution takes into account the multisite tumorigenicity and provides a basis for estimating the cumulative risk of all treatment-related tumors.

The linear term (q_1) of either the multistage model or the multistage-in-dose, Weibull-in-time model is first estimated based on the dose-response data for each of the treatment-related tumor sites. Statistical distributions, rather than point estimates, are generated at each site by tracing the profile likelihood of the linear term (q_1) (Zeise et al., 1991). The distributions of q_1 for each of the treatment-related sites are then statistically summed using a Monte Carlo approach and assuming independence (Figure 2). The sum is created by adding the linear term for each tumor site, according to its distribution, through random sampling. The upper 95 percent confidence limit on the summed distribution is taken as the multisite animal cancer potency estimate (McDonald et al., 2003, McDonald and Komulainen, 2005).

OEHHA has applied this approach in several recent dose-response analyses, including that for naphthalene presented in Appendix B of this document.

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Figure 2. Addition of potency distributions for multi-site cancer potency derivations.

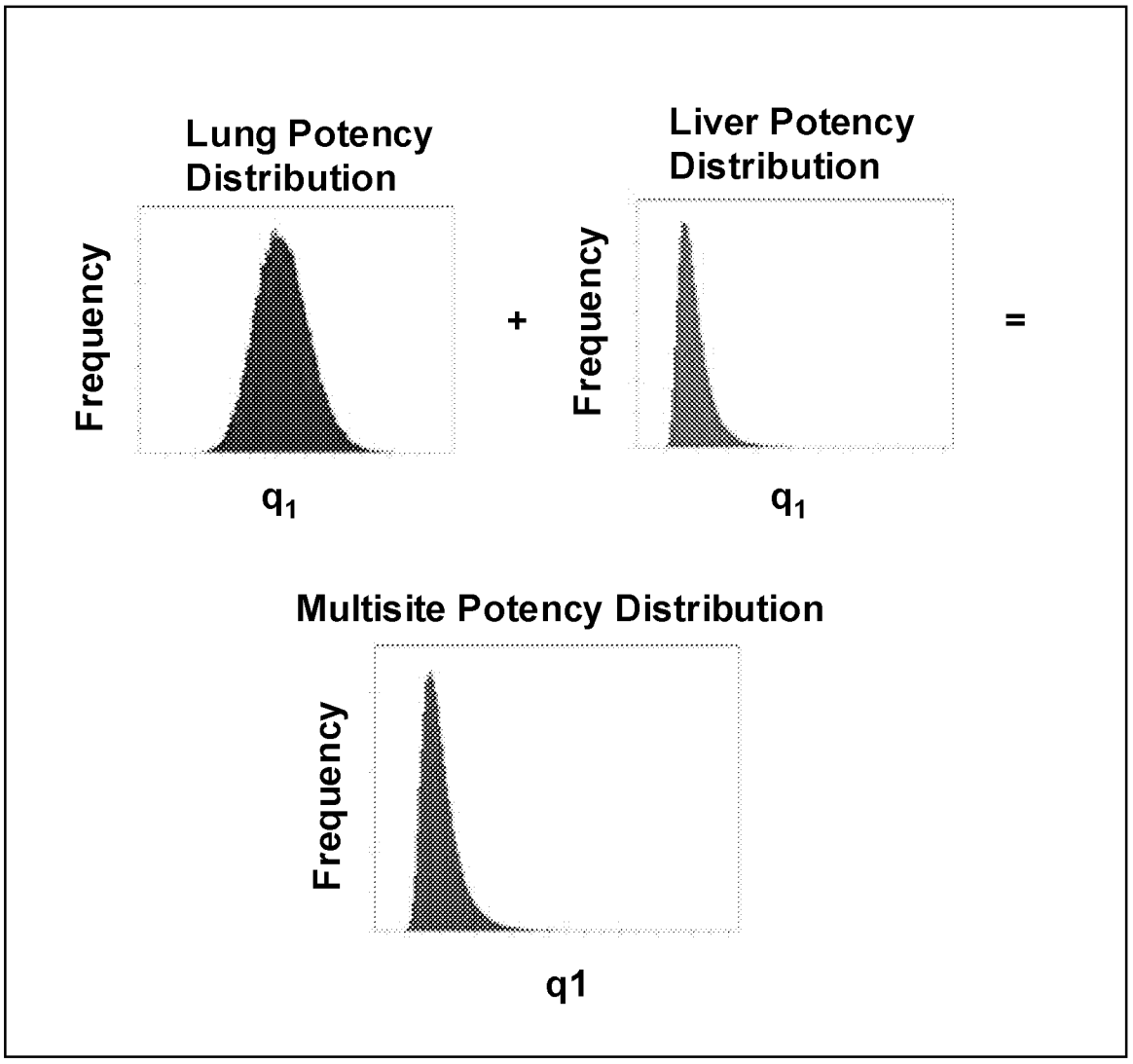

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Early-Lifestage Cancer Potency Adjustments

In recent years, there have been growing concerns regarding the exposure of children to environmental chemicals, including the possibility that they may be more susceptible than adults to injury caused by those chemicals. The California Legislature passed the Children's Environmental Health Protection Act (Senate Bill 25, Escutia; Chapter 731, Statutes of 1999; "SB 25") to help address these concerns. Under SB25, OEHHA is mandated to consider infants and children specifically, where data permit, in evaluating the health effects of Toxic Air Contaminants (TACs).

The development of cancer is one of the adverse health effects that may occur in children as a result of exposure to environmental chemicals. The document "Prioritization of Toxic Air Contaminants under the Children's Environmental Health Protection Act" (OEHHA, 2001a) noted that risks of cancer from exposures to carcinogens occurring from conception through puberty can be different than those from exposures occurring in adulthood. Exposure to a carcinogen early in life may result in a greater lifetime risk of cancer for several reasons:

1. Cancer is a multistage process and the occurrence of the first stages in childhood increases the chance that the entire process will be completed, and a cancer produced, within an individual's lifetime.
2. Tissues undergoing rapid growth and development may be especially vulnerable to carcinogenic agents. During periods of increased cell proliferation there is rapid turnover of DNA, and more opportunity for misrepair of damage (e.g., DNA breaks, crosslinks, adducts) or alterations to result in permanent changes to the DNA (e.g., mutations, altered DNA methylation) that may ultimately lead to cancer.
3. During early development, a greater proportion of the body's cells are relatively undifferentiated stem cells, and as such represent a large target population of somatic cells capable of passing along permanent changes to the DNA during future cell divisions.
4. There may be greater sensitivity to hormonal carcinogens early in life since the development of many organ systems is under hormonal control (e.g., male and female reproductive systems, thyroid control of CNS development).
5. Other factors that may play a role in increased cancer risk from exposures during critical developmental periods include differences in immunological activity, intestinal absorption, biliary and kidney excretion, blood and fat distribution, and expression of enzyme systems that activate or detoxify carcinogens.

Data in humans and animals for a variety of carcinogens suggest that exposures to such carcinogens early in life may result in a greater lifetime risk of cancer compared to exposures later in life. Examples of this effect in humans are carcinogenicity due to ionizing radiation, diethylstilbestrol (DES), chemotherapeutic agents, and tobacco smoke.
Ionizing radiation exposure carries an increased risk of cancer when exposures occur early in life compared to adult exposures for a number of tumor types. Children exposed to ionizing radiation (diagnostic X-rays) *in utero* demonstrate a larger excess of leukemia cases than

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children exposed to ionizing radiation postnatally (NRC, 1990). Exposure to radioisotopes (^{131}I, ^{137}Cs, ^{134}Cs, ^{90}Sr) as a consequence of the 1986 Chernobyl nuclear accident resulted in an elevated thyroid cancer incidence in children but not adults (Moysich, 2002). Treatment of children for Hodgkins lymphoma with both chemotherapeutic agents and irradiation has been shown to increase the risk of secondary tumors (Swerdlow et al., 2000; Franklin et al., 2006). Age at irradiation in Hodgkin's disease patients treated with radiotherapy strongly influenced the risk of developing breast cancer. The relative risk (RR) of developing breast cancer was 136 for women treated before 15 years of age, 19 for women 15-24 years of age, and 7 for those 24-29 years of age. In women above 30 years of age, the risk was not increased (Hancock *et al.*, 1993).

DES was administered to pregnant women in the 1940s-1960s for the purpose of preventing pregnancy loss. In 1970, Herbst and Scully described 7 cases of vaginal adenocarcinoma (6 cases of the clear-cell type) in women aged 15-22 years. This type of cancer is extremely rare in that age range. A follow-up epidemiological study included an additional case, and noted the fact that the mothers of 7 of the 8 patients had been treated with DES during their pregnancy (Herbst *et al.*, 1971). Reports by other investigators confirmed the association between maternal use of DES during pregnancy and the development of vaginal adenocarcinoma in their female offspring (Preston-Martin, 1989). It was observed that *in utero* DES exposure resulted in female genital tract morphological changes which correlated with both dose and duration of exposure, and those changes were not related to the maternal conditions which were the reason for the DES administration. Additionally, the risk of occurrence of those morphological changes declined with increasing gestational age at first exposure (O'Brien *et al.*, 1979; Preston-Martin, 1989). In contrast, vaginal adenocarcinoma incidence did not increase in the exposed mothers themselves, indicating an increased early-life susceptibility to the carcinogenic effects of DES.

There is evidence in the epidemiological literature indicating that exposure to tobacco smoke during puberty may increase risk of breast cancer later in life, particularly among women who are NAT2 slow deacetylators (Marcus *et al.*, 2000; Morabia *et al.*, 2000; Lash and Aschengrau, 1999). Wiencke et al. (1999) report that early age at initiation of smoking is associated with a higher level of DNA adducts in lung tissue of former-smokers with lung cancer.

It has also been observed by Smith *et al.* (2006) that human *in utero* or early childhood exposure to arsenic in drinking water results in significantly increased lung cancer incidences during adult life.

Data from animal studies provide additional examples of increased sensitivity to early life (typically postnatal and juvenile) exposures. These effects span a range of target tissues, including the liver (vinyl chloride, safrole), brain (methylnitrosourea), reproductive tract (DES, tamoxifen), and lung (urethane) (OEHHA, 2001a).

In the following sections we summarize two efforts to evaluate quantitatively the effect of lifestage at exposure on carcinogenic response in experimental animal studies. The first section provides a description of OEHHA's analysis of data on the effect of age at exposure on carcinogenic potency. (Details of this analysis are in Appendix J.) The second section describes U.S. EPA's work in this area. (We also provide the published paper in Appendix I that presents the U.S. EPA analyses.) Both analyses used extant data available in the published literature. U.S. EPA used their analysis to modify the procedures they have used to estimate cancer risk by

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weighting risk by specific factors for childhood exposures. The weighting factors are a policy choice supported by U.S. EPA's data analysis. The results of OEHHA's analysis, summarized below and described in detail in Appendix J, support the decision to modify policy to weight risk when exposure occurs during childhood. Thus, OEHHA is also proposing to weight risk when exposure occurs in childhood.

OEHHA Analysis of the Effect of Age at Exposure on Cancer Potency

The analysis of animal cancer studies which include early life exposure by the Reproductive and Cancer Hazard Assessment Branch (RCHAB) of OEHHA also supports the application of lifestage-specific cancer potency factor adjustments. This analysis is provided in detail as Appendix J of this document.

Early-in-life susceptibility to carcinogens has long been recognized by the scientific community and clinicians as a public health concern. Numerous scientific publications and symposia have addressed this issue over the years and the scientific literature contains a number of human clinical findings and epidemiological studies of early life cancer susceptibility. While there are many indications of increased human cancer susceptibility in early life, the magnitude of the impact has been difficult to gauge. Until recently risk assessment procedures have not in general addressed the issue. As described in the next section, in 2005 the U.S. EPA adopted an approach to weight carcinogens by age at exposure if they act via a mutagenic mode of action. The California legislature in 2000 directed OEHHA to assess methodologies used in addressing early-in-life risk, compile animal data to evaluate those methods, and develop methods to adequately address carcinogenic exposures to the fetus, infants, and children (Children's Environmental Health Initiative [AB 2872, Shelly]; California Health and Safety Code [HSC] section 901 [a] through [e]).

OEHHA assessed cancer risk assessment methodologies, and found that the existing risk assessment approaches did not adequately address the possibility that risk from early-in-life and adult exposures may differ. OEHHA further concluded that there was a need to address early-in-life cancer risk, and undertook studies to develop methods for doing so. Age-related cancer susceptibility data were identified from published animal cancer bioassays in which these issues were addressed. Two types of studies with early-in-life exposures were compiled. The first type are "multi-lifestage exposure studies." These studies have at least two groups exposed during different lifestages: One dose group is exposed to a chemical only during one of the following lifestages (Figure 3):

prenatal (from conception to birth),

postnatal (from birth to weaning),

juvenile (from weaning to sexual maturity).

The second dose group is exposed for some period of time at an older age, preferably during the adult lifestage, that is, after sexual maturity. This group served as the reference group. In some cases where there was no adult exposure group, animals exposed as juveniles served as the reference group. Multi-lifestage exposure studies are available for many chemicals, enabling the exploration of patterns in early-life susceptibility across chemicals.

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Figure 3. Definition of Rodent Lifestage Adopted in the OEHHA Analyses

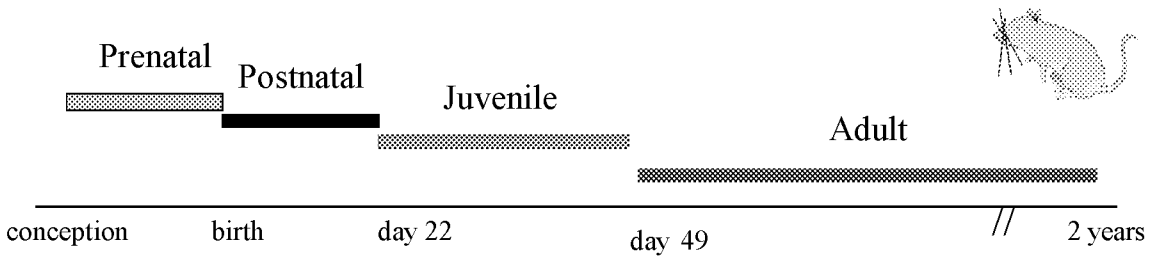

OEHHA also conducted "chemical-specific case studies" of early-life sensitivity for two carcinogens, ethyl-N-nitrosoamine (DEN) and N-ethyl-N-nitrosourea (ENU) that combine data from a number of studies. These "chemical-specific case studies" were conducted to explore the feasibility of analyzing chemical-specific data on age susceptibility from single-lifestage exposure experiments. For these chemicals, OEHHA compiled from the literature a second type of study, "single-lifestage exposure experiments." In these experiments dose groups were exposed only during a particular lifestage and, unlike the "multi-lifestage exposure studies," there was no requirement that the same study also include groups exposed during a different lifestage. Thus, single-lifestage exposure experiments were identified as being either prenatal, postnatal, juvenile, or adult exposure studies. For each of the two chemicals, there were many prenatal studies conducted that were compiled, analyzed, and grouped together. Postnatal studies from different publications were similarly compiled, analyzed and grouped together, as were juvenile studies. Adult studies were not available for either DEN or ENU, thus for both chemicals juvenile exposure studies served as the referent for prenatal studies, and for postnatal studies.

Typical cancer bioassays such as those conducted in rats and mice by NTP involve exposing animals starting at six to eight weeks of age, which is the time at which these animals reach sexual maturity (late teenagers relative to humans). The experiments are run for two years, ending when the animal is in late middle age. Thus, early and very late life exposures are not included in the typical rodent bioassay (see Figure 4). If the NTP bioassay is used as a basis for estimating cancer potency, the potency and resulting risk estimates may be too low. Thus OEHHA focused on finding studies that evaluated early in life exposures.

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Figure 4. Dosing Period for Typical Rodent Bioassays.

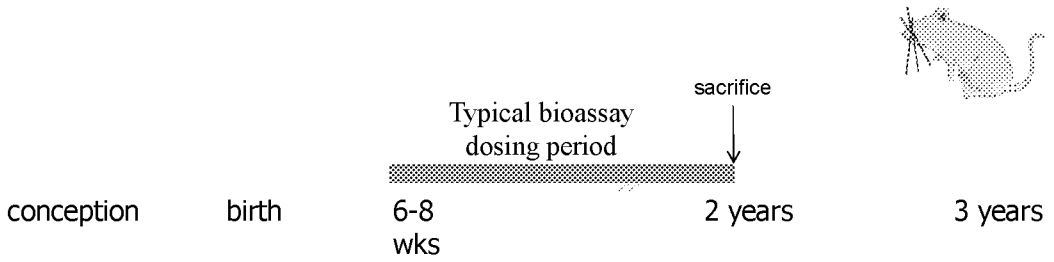

Since bioassays examining the effect of age at exposure on carcinogenesis were conducted by various investigators for different purposes, there is a great deal of variation across studies in terms of dose selection, duration of exposure, number of animals, and length of study duration. To be included in the compilation of studies with early life exposure, a study or an experimental group in a study had to meet minimum requirements.

The criteria for study inclusion are as follows:

Treated groups were exposed to a single chemical carcinogen or a single carcinogenic chemical mixture.

Study groups were not compromised by severe treatment-related non-cancer toxicity.

Overall the duration of exposure period plus observation period exceeded 40 weeks, unless animals died of tumor.

For included dose groups, the study must report age at dosing, age at sacrifice, and site-specific tumor incidence.

Each lifestage exposure treatment group has an appropriate concurrent control group, or, for rare tumors only, an appropriate historical control.

The studies were on mammals.

Each treatment and control group consists of at least ten animals, unless the conduct and design of the study was well done in all other aspects (e.g., the length of the study was sufficiently long to observe treatment-related tumors) and tumor incidence was high in treated groups and very low in controls.

Site specific tumor data were reported, not only total number of tumor bearing animals.

The test compound was administered in the diet, water, via gavage, or by intraperitoneal (i.p.), intravenous (i.v.), or subcutaneous (s.c.) injection. For dermal and subcutaneous injection studies, distal tumor findings are utilized (for dermal, other than skin tumors; for injection, non-injection site tumors).

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While studies designed to histopathologically examine tumors at multiple sites were preferred, studies that examined only a select set of organ/tissue sites were not excluded if the sites examined were known with confidence to be the only target tissues for the chemical and lifestage in question in that particular strain of animal.

Different approaches were taken to identify animal cancer studies that included groups of animals exposed during early life stages. First, MEDLINE and TOXLINE (National Library of Medicine) databases were searched using combinations of various key words for cancer (e.g., tumor(s), neoplasm(s), cancer, neoplasia, cancerous, neoplasms-chemically induced) and for early-life exposure (e.g., age, age-at-exposure, development (al), prenatal, *in utero*, gestation (al), postnatal, neonatal, juvenile, weaning, weanling, adolescent, adolescence, young). Second, the extensive compilation of bioassays in the *Survey of Compounds which have been Tested for Carcinogenic Activity*, was reviewed. This survey, formerly maintained by the National Cancer Institute as Public Health Service Publication Number 149, or PHS 149, is now available from a private source electronically as CancerChem, 2000. Third, from bibliographies from relevant published papers additional studies were identified. Finally the Single Dose Database developed by Calabrese and Blain (1999) was obtained and utilized to identify additional publications that appeared to contain potentially useful data. All of these publications were evaluated to determine if the study dosed separate groups of animals early in life and at or near adulthood. A total of 145 publications, providing data on 84 chemicals, were identified as meeting the criteria for study inclusion. A subset of these met the criteria for inclusion in the multi-lifestage exposure analysis.

Finally, for the OEHHA multi-lifestage analyses, we define "experiment" as a study component consisting of a control group as well as a treated group(s) exposed during the same lifestage (i.e., prenatal, postnatal, juvenile or adult), and using the same experimental protocol (e.g., route of exposure, strain, species, laboratory). Thus, by our definition one publication may report multiple experiments.

In the OEHHA analysis, data from studies on 23 unique carcinogens, 20 of which are considered to act via primarily genotoxic modes of action, were analyzed. Of these 20 carcinogens, 15 are thought to require metabolic activation to the ultimate carcinogenic species (Table 1~~Table 1Table 1~~). Fourteen carcinogens, including one thought to act via primarily nongenotoxic modes of action, were included in the prenatal multi-lifestage exposure studies. Eighteen carcinogens, including two thought to act via primarily nongenotoxic modes of action, were included in the postnatal multi-lifestage exposure studies. Five carcinogens were included in the juvenile multi-lifestage exposure studies. The case study chemicals, DEN and ENU, are both genotoxic. ENU is a direct acting alkylating agent, while DEN requires metabolic activation.

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Table 1. Carcinogens for which studies with multi-lifestage exposures in animal studies are available

Genotoxic carcinogens requiring metabolic activation
Benzidine
Benzo[a]pyrene
Dibutylnitrosamine
Diethylnitrosamine (DEN)
7,12-Dimethylbenz[a]anthracene (DMBA)
Dimethylnitrosamine (DMN)
Di-n-propylnitrosamine (DPN)
1 -Ethyl-nitrosobiuret
2-Hydroxypropylnitrosamine
3-Hydroxyxanthine
3-Methylcholanthrene (3-MC)
4-(Methylnitrosamino)-1-(3-pyridyl)-1-butanone (NNK)
Safrole
Urethane
Vinyl chloride
Genotoxic carcinogens not requiring metabolic activation
Butylnitrosourea
1,2-Dimethylhydrazine
Ethylnitrosourea (ENU)
Methylnitrosourea (MNU)
ß-Propiolactone
Nongenotoxic carcinogens
1,1-Bis(p-chlorophenol)-2,2,2-trichloroethane (DDT)
Diethylstilbestrol (DES)
2,3,7,8-Tetrachlorodibenzodioxin (TCDD)

Cancer Potency Estimation

Statistical methods were developed and used to analyze the data and derive measures of early-life susceptibility. These are described in detail in Appendix J. In brief, a cancer potency (the slope of the dose response curve) was developed for each of the experiments selected using the linearized multistage model. This model was chosen because of widespread use in risk assessment, and its flexibility in being able to fit many different data sets needed to evaluate the effect of lifestage-at-exposure on cancer potency. The dose metric used for the potency analyses is cumulative dose normalized to body weight. The cancer potency is thus expressed as the increase in tumor probability with increasing cumulative dose in units of mg/kg body weight.

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To take into account uncertainty in potency estimation, cancer potencies are depicted by a statistical distribution, rather than by a single, fixed value, using methods described in Appendix J. While these methods have typically been used to obtain and report the 95th percentile of the cancer slope parameter for cancer risk assessment purposes, here OEHHA utilized the full distribution of the cancer slope parameter to derive measures of early-life susceptibility to carcinogens. This was done to systematically take into account uncertainty in the analysis.

For experiments where treatment related tumors were observed at multiple sites or at the same site but arising from different cell types, slopes from these sites were statistically combined by summing across the potency distributions (assuming independence across the sites that were observed) to create an overall multisite cancer potency. It is not uncommon that a carcinogen causes more than one type of cancer or causes tumors at different sites depending on lifestage at exposure. For example, in humans tobacco smoke causes cancers of the lung, bladder, and certain other organs. This multi-site carcinogenicity is frequently observed in animal experiments as well. In order to account for this, all treatment-related tumors that were observed in a given lifestage were taken into account in estimating cancer potency from that particular experiment.

Addressing Early-Age Sensitivity in Estimating Cancer Risk: Age Sensitivity Factors

Inherent Sensitivity of Lifestages – Lifestage Potency Ratios

For this analysis, OEHHA calculates the ratio of cancer potency derived from an early lifestage exposure experiment(s) to that derived from an experiment(s) conducted in adult animals. OEHHA used the potency distributions for the individual lifestage exposures, rather than a point estimate, to derive the ratios. The lifestage cancer potency ratio is then described as a distribution and one can select specific percentiles from the distribution to better understand and bound the uncertainty (Figure 5). Of particular importance is the location of the ratio distribution in relation to the reference value of 1.0, which would mean no difference in risk from exposures at early versus adult lifestages. A lifestage cancer potency ratio distribution that primarily lies above the value of 1.0 indicates early life exposures to a carcinogen result in a stronger tumor response relative to adult exposure. Conversely, a lifestage cancer potency ratio distribution that mainly lies below the value of 1.0 indicates early life exposure to a carcinogen results in a weaker tumor response relative to adult exposure.

A lifestage potency (LP) ratio distribution was derived for each multi-lifestage study, resulting in 22 prenatal ratio distributions representing 14 unique carcinogens, 55 postnatal LP ratio distributions representing 18 unique carcinogens, and seven juvenile LP ratio distributions representing five unique carcinogens. The LP ratio distributions for a given early lifestage were combined into a single "LP ratio mixture distribution," in order to show the range of susceptibilities of that lifestage to the carcinogens studied.

LP ratio mixture distributions for a given early lifestage were developed by (1) obtaining a single LP ratio distribution for each chemical (when a chemical is represented by more than one study) and then (2) equally sampling across all chemicals. When a chemical is represented by more than one study, then the LP ratio distributions from all studies of that chemical were combined by equally sampling from each LP ratio distribution via Monte Carlo methods to obtain a single

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LP ratio distribution for that chemical. (Appendix J describes this in more detail, as well as a sensitivity analysis that included two alternative sampling methods.) Once each chemical is represented by a single LP ratio distribution, then the LP ratio mixture distribution for each early lifestage (prenatal, postnatal, and juvenile) is obtained by equally sampling across all of the chemicals via Monte Carlo methods.

Figure 5. Lifestage Potency Ratio (LPR) distribution.

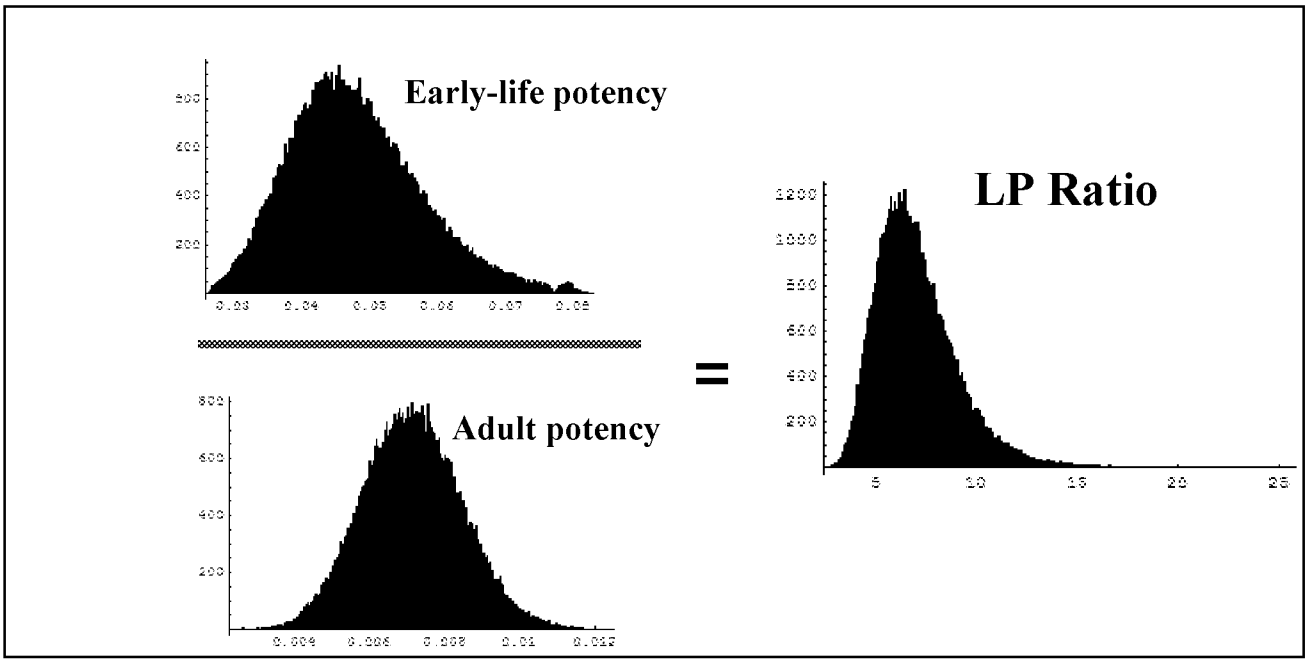

Effect of longer time period for cancer to manifest

The LP ratios described above characterize the inherent susceptibility of early lifestages to carcinogen exposure, by comparing potencies for individuals followed for similar periods of time and similarly exposed, but exposed during different lifestages. Age-specific adjustments to the cancer potency must also take into account the longer period of time that carcinogen exposure to the young has to manifest as cancer. Empirical data from studies of both humans and animals demonstrate that, for many cancers, cancer risk increases with age, or time since first exposure. While some cancers have been seen to increase by as much as the sixth power of age, a general approach taken for example by the National Toxicology Program in analyzing tumor incidences in its chronic bioassays is to assume that cancer risk increases by the third power of age. Thus, consistent with the approach used by the NTP in analyzing rodent cancer bioassay data, the longer period of time that exposed young have to develop tumors is addressed by taking into account time-of-dosing. This was done by multiplying the LP ratio by a time-of-dosing factor, to yield an age sensitivity factor (ASF). Specifically, the prenatal LP ratio is multiplied by a factor of 3.0, the postnatal LP ratio is multiplied by a factor of 2.9, and the juvenile LP ratio is multiplied by 2.7. Thus, ASFs were developed for each experiment, by first calculating the LP ratio to address inherent susceptibility of early lifestages relative to adults, and then accounting for the effect of years available to manifest a tumor following carcinogen exposure. (see Figure

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6). Note that we are not using the term "sensitivity" in the immunologic sense (e.g., sensitization), but rather are using the term more generically.

Figure 6. Issues addressed by the Age-Sensitivity Factor (ASF)

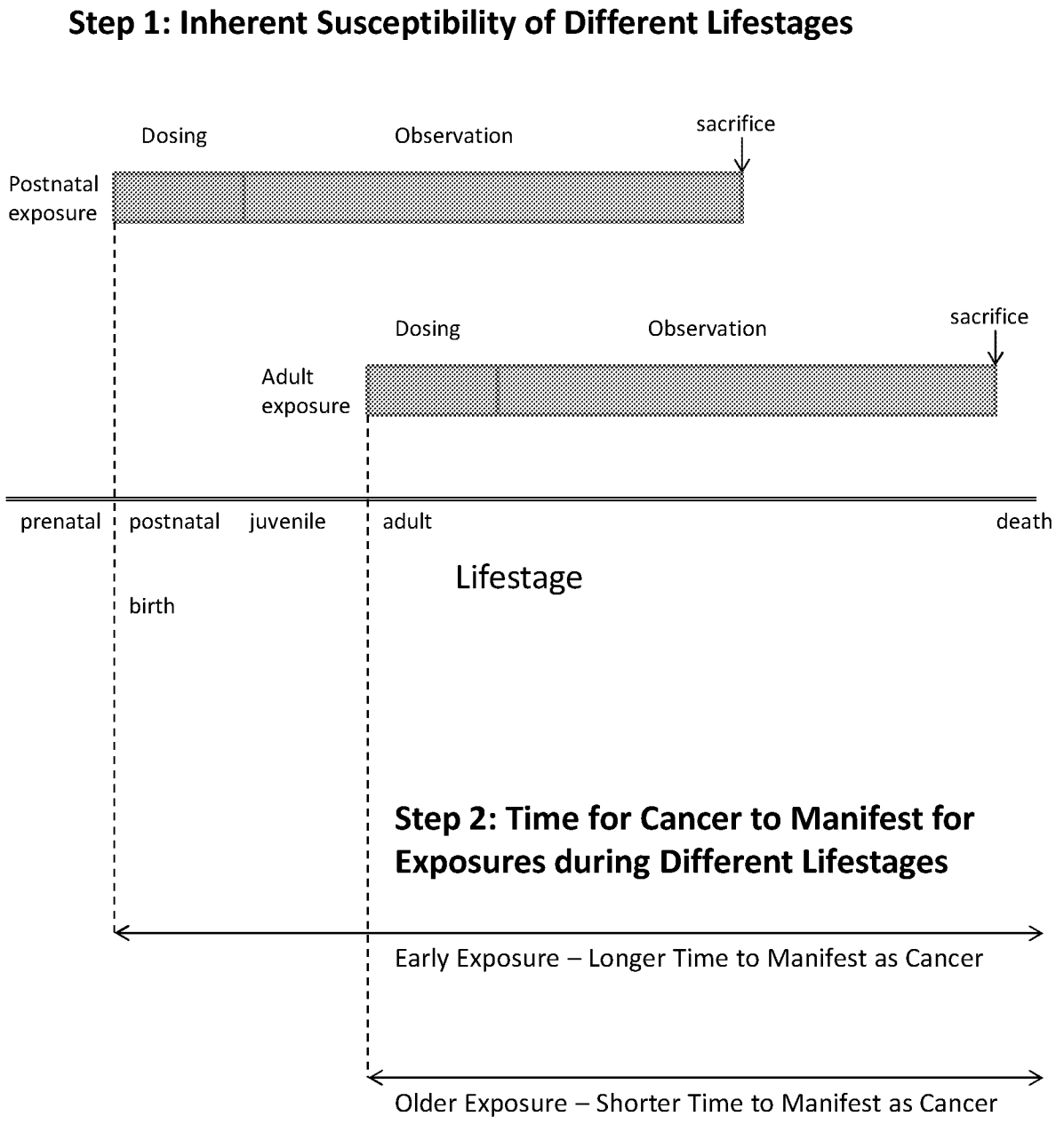

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Application of this approach for risk associated with lifetime exposures would include an ASF of less than 1 for exposures during the latter part of adult life for carcinogens that act on early stages. Therefore, the addition of this adjustment to the younger lifestages but not to the later part of the adult period could overestimate the risk of whole-life exposures. On the other hand, the 70 year "lifetime" used in estimating lifetime cancer risk does not reflect the longer lifespan of the U.S. population. Further, as noted above, the animal bioassays on which potency was based typically exclude pre-weaning dosing and sacrifice animals during their late middle-age. Use of cancer potencies calculated from standard assays can therefore understate lifetime cancer risk. The ASF calculated for carcinogens includes both inherent sensitivity of developing animals and the available time since exposure to develop cancer.

Results of OEHHA Analysis

The analyses indicate that both the prenatal and postnatal lifestages can be, but are not always, much more susceptible to developing cancer than the adult lifestage. The analyses also indicated that the ASFs for these age windows vary by chemical, gender and species.

Regarding prenatal lifestage exposure, few cases were indicative of equal inherent adult and prenatal susceptibility, with an LP ratio of unity. The LP ratio distribution was roughly bimodal, with LP ratios for several studies significantly greater than unity and several others significantly less than unity. Figure 7 below shows the ASFs from each of the prenatal multi-lifestage exposure studies, displayed as a cumulative frequency profile. The median of the prenatal ASF mixture distribution was 2.9 (see also Table 6 in Appendix J),

The modality in the prenatal LP ratio distribution was reflected in the DEN and ENU case studies, with results for DEN suggesting inherently less sensitivity than older animals from exposure *in utero*, and for ENU just the opposite. For the DEN and ENU case studies, the referent groups were juvenile rather than adult animals, and the results may have underestimated the LP ratio and ASF, to the extent that some of the apparent sensitivity for DEN and ENU in the prenatal period carries through to the juvenile period. ENU is a direct acting carcinogen that does not require metabolic activation, whereas DEN can not be metabolized to any significant extent by fetal tissues until relatively late in gestation. This may explain the lower fetal susceptibility of DEN. However, prenatal metabolic status is not the sole determinant of prenatal susceptibility; e.g., benzidine and safrole require metabolic activation and exhibit greater susceptibility from prenatal exposure.

The median of the postnatal ASF mixture distribution was 13.5 (see Table 7 in Appendix J). Figure 8 below shows the ASFs from each of the postnatal multi-lifestage exposure studies, displayed as a cumulative frequency profile. Thus, for the chemicals studied, there was generally greater susceptibility to carcinogens during the early postnatal compared to the adult period, particularly when the ASF accounts for the longer period cancer has to manifest when exposure occurs early in life. The DEN and ENU case studies also exhibited substantial extra susceptibility during the postnatal period. To summarize, for most of the carcinogens studied here, animals are inherently more sensitive in the postnatal period, as indicated by Figure 8.

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Figure 7. Prenatal ASF Cumulative Frequency Profile

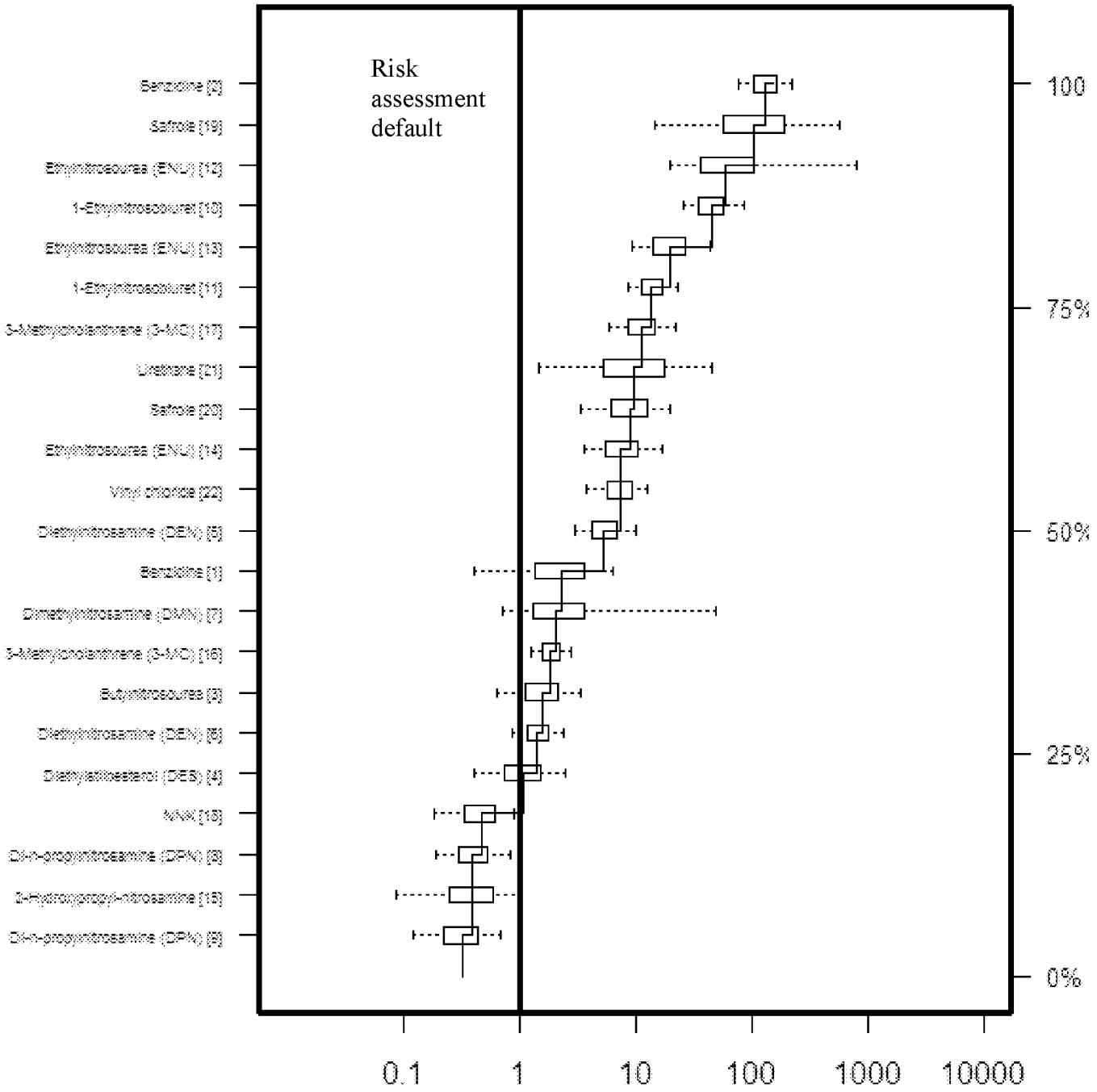

The median of the prenatal ASF mixture distribution was 2.9 (see also Table 6 in Appendix J). References are given in the legend on the next page

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Figure 7 Legend (References as in Appendix J)

1. Vesselinovitch *et al*. (1979a), mouse, B6C3F$_1$, F, day -9 to 21
2. Ibid, M, day -9 to 21
3. Zeller *et al*. (1978), rat, Sprague Dawley, M/F day -2
4. Turusov *et al*. (1992), mouse, CBA, F, day -2
5. Mohr et al. (1975), hamster, Syrian Golden, day -15 to -1
6. Mohr *et al*. (1995), hamster, Syrian Golden, F, day -3
7. Althoff *et al*. (1977), hamster, Syrian Golden, M/F, day -9 to -3
8. Ibid, day -9 to -3
9. Althoff and Grandjean (1979), hamster, Syrian Golden, F, day -9 to -3
10. Druckrey and Landschutz (1971), rat, BD IX, M/F, day -10
11. Ibid, day -3
12. Naito *et al*. (1981), rat, Wistar, day -9
13. Ibid, day -9
14. Tomatis *et al*. (1977), rat, BDVi, F, day -5
15. Althoff and Grandjean (1979), hamster, Syrian Golden, M/F, day -9 to -3
16. Tomatis *et al*. (1971), mouse, CF-1, F day -4 to -1
17. Turusov *et al*. (1973), mouse, CF-1, F, day -2
18. Anderson *et al.* (1989), mouse, C3H & B6C3 F$_1$,M/F day -8 to -4
19. Vesselnovitch *et al*. (1979a), mouse, B6C3 F$_1$, M, day -9 to -3
20. Vesselnovitch *et al*. (1979b), mouse, B6C3 F$_1$, F day -9 to -3
21. Choudari Kommineni *et al*. (1970), rat, MRC, M/F, day -4
22. Maltoni *et al*. (1981), rat, Sprague Dawley, M/F day -13 to -7

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Figure 8. Postnatal ASF Cumulative Frequency Profile

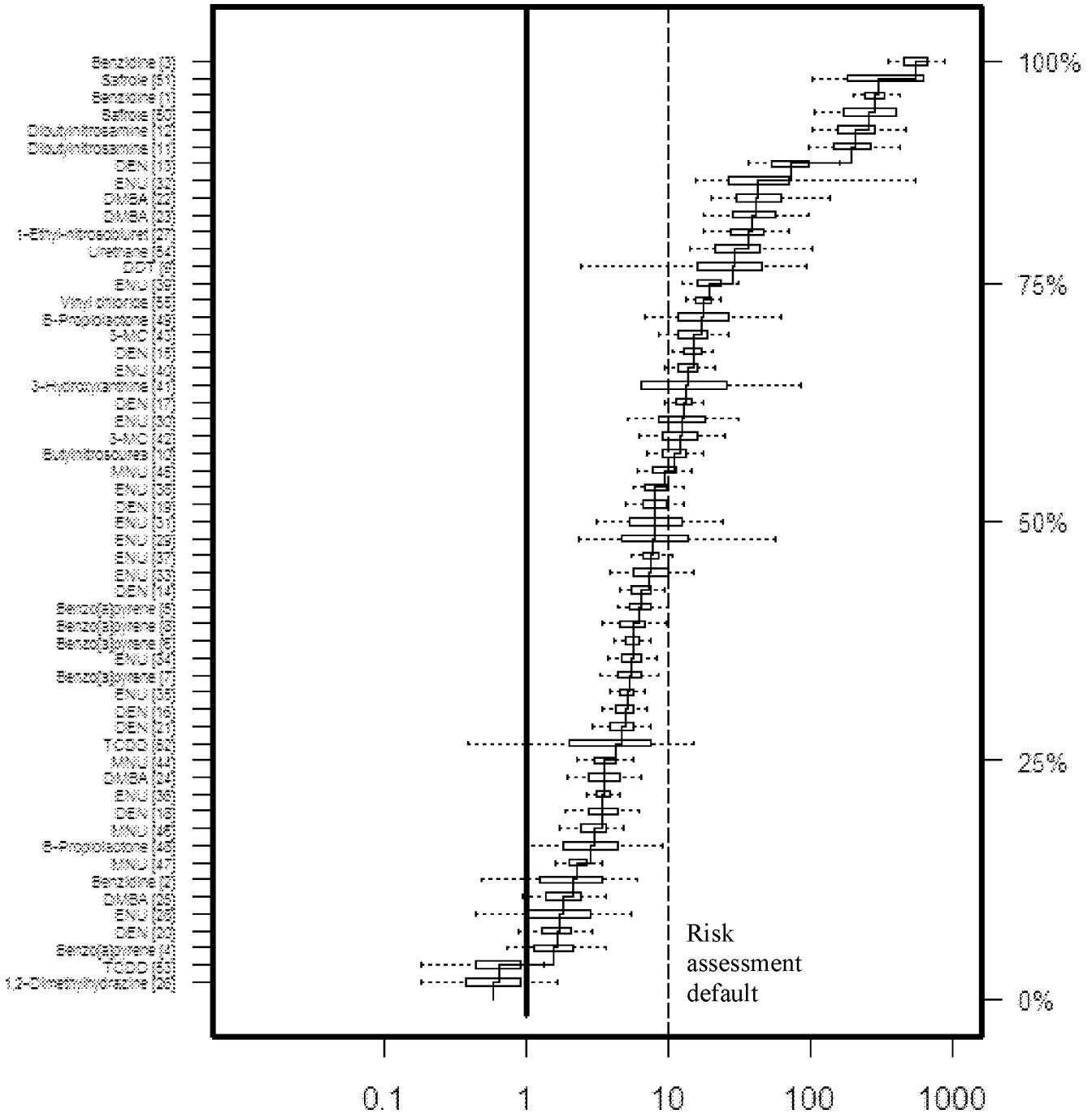

The median of the postnatal ASF mixture distribution is 13.5. The dotted line represents the default ASF for weighting risk for carcinogen exposures between birth and 2 years of age (see next section). References are given in the legend on the next page.

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Figure 8~~Figure 8Figure 8~~ Legend (References as in Appendix J)

1 Vesselinovitch *et al.* (1975b), mouse, B6C3F$_1$, M, day 7-27
2 Vesselinovitch *et al.* (1979), mouse, B6C3F$_1$, F, day 1-21
3 Ibid, M, day 1-21
4 Truhaut *et al.* (1966), mouse, swiss, M/F, day 1
5 Vesselinovitch *et al.* (1975a), mouse, B6C3F$_1$, F, day 1
6 Ibid, M, day 1
7 Ibid, C3A F$_1$, F, day 1
8 Ibid, M, day 1
9 Vesselinovitch *et al.* (1979a), mouse, B6C3F$_1$, M, day 1-28
10 Zeller *et al.* (1978), rat, Sprague Dawley, M/F, day 2
11 Wood *et al.* (1970), mouse, IF x C57, F, day 1-15
12 Ibid, M, day 1-15
13 Rao and Vesselinovitch (1973), mouse, B6C3F$_1$, M, day 15
14 Vesselinovitch *et al.* (1984), mouse, B6C3F$_1$, F, day 1
15 Ibid, M, day 1
16 Ibid, F, day 15
17 Ibid, F, day 15
18 Ibid, C3A F$_1$, F, day 1
19 Ibid, M, day 1
20 Ibid, F, day 15
21 Ibid, M, day 15
22 Meranze *et al.* (1969), rat, Fels-Wistar, F, day 10
23 Ibid, M, day 10
24 Walters (1966), mouse, BALB/c, F, day 17
25 Ibid, M, day 17
26 Martin *et al.* (1974), rat, BDIX, M/F, day 10
27 Druckrey and Landschutz (1971), rat, BDIX, M/F, day 10
28 Naito *et al.* (1985), gerbil, mongolian, F, day 1
29 Ibid, M, day 1
30 Bosch (1977), rat, WAG, F, day 8
31 Ibid, M, day 8
32 Naito *et al.* (1981), rat, Wistar, F, day 7
33 Ibid, M, day 7
34 Vesselinovitch *et al.* (1974), mouse, B6C3F$_1$, F, day 1
35 Ibid, M, day 1
36 Ibid, F, day 15
37 Ibid, M, day 15
38 Ibid, C3A F$_1$, F, day 1
39 Ibid, M, day 1
40 Ibid, M, day 15
41 Anderson *et al.* (1978), rat, Wistar, F, day 9
42 Klein (1959), mouse, A/He, F, day 8-31
43 Ibid, M, day 8-31
44 Terracini and Testa (1970), mouse, B6C3F$_1$, F, day 1
45 Ibid, M, day 1
46 Terracini *et al.* (1976), mouse, C3Hf/Dp, F, day 1
47 Ibid, M, day 1
48 Chernozemski and Warwick (1970), mouse, B6A F$_1$, F, day 9
49 Ibid, M, day 9
50 Vesselinovitch *et al.* (1979a), mouse, B6C3F$_1$, M, day 1-21
51 Vesselinovitch *et al.* (1979b), mouse, B6C3F$_1$, M, day 1-21
52 Della Porta *et al.* (1987), mouse, B6C3F$_1$, F, day 10-45
53 Ibid, M, day 10-45
54 Choudari Kommineni *et al.* (1970), rat, MRC, M/F, day 1-17
55 Maltoni *et al.* (1981), rat, Sprague Dawley, M/F, day 1-35

There were only five chemicals and seven studies, two of which were not independent, available to examine susceptibility in the juvenile period. The juvenile LP ratios indicated significantly greater susceptibility in this period for three independent studies, with the remaining studies consistent with equal inherent susceptibility to adult animals (see Figure 16 in Appendix J). Figure 9~~Figure 9Figure 9~~ below shows the ASFs from each of the juvenile multi-lifestage exposure studies, displayed as a cumulative frequency profile. The median of the juvenile ASF mixture distribution was 4.5 (see Table 8 in Appendix J) .

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Figure 9. Juvenile ASF Cumulative Frequency Profile

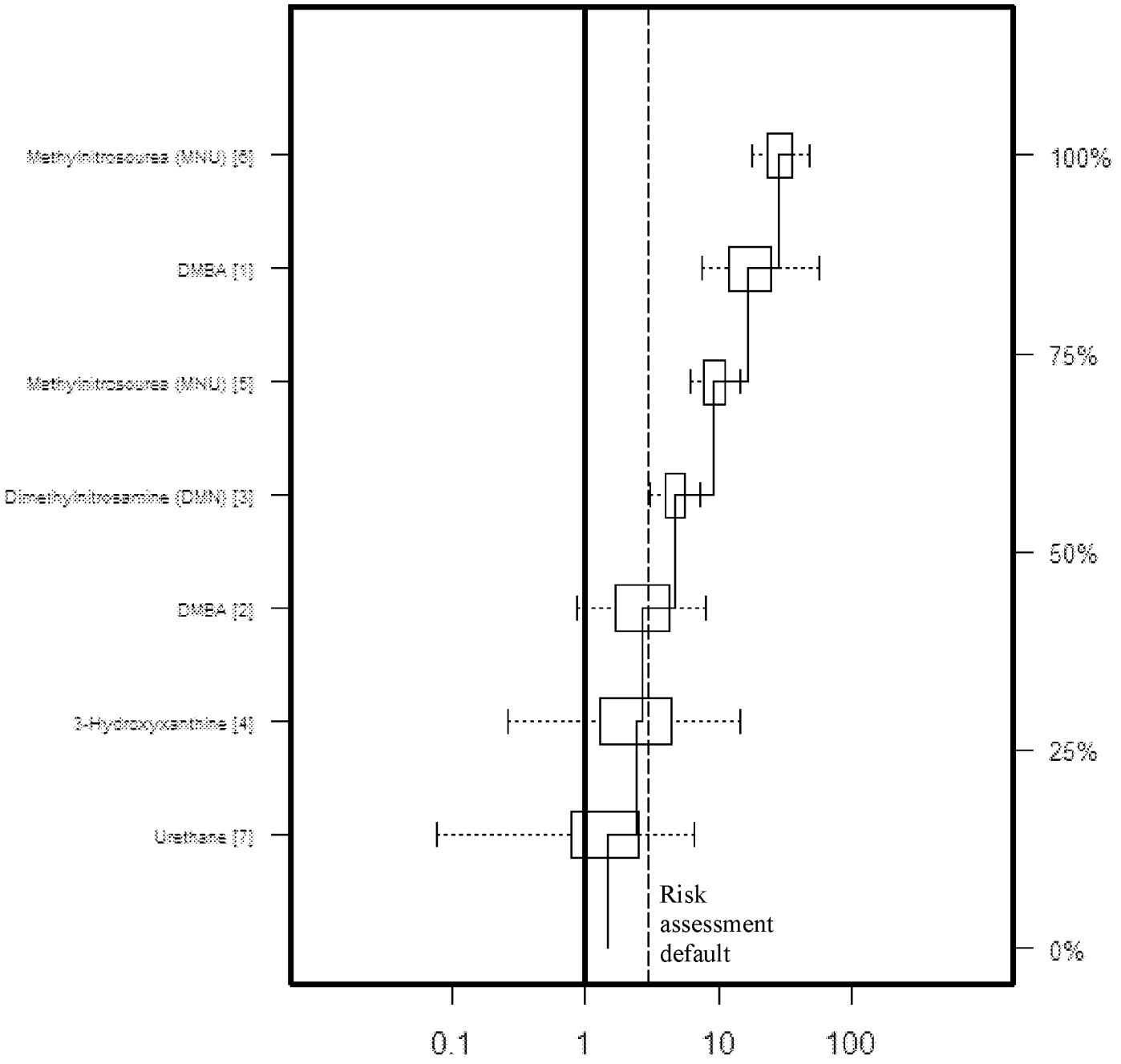

The median of the juvenile ASF mixture distribution is 4.5. The dotted line represents the default value for weighting risk from carcinogen when exposures occur between 2 and 15 years of age (see next section).

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Figure 9 Legend (References as in Appendix J)

1.Meranze *et al.* (1969), rat, Fels-Wistar, F, day 45
2. Ibid, M, day 451
3.Noronha and Goodall (1984), rat, CRL/CDF, M, day 46
4. Anderson *et al.* (1978), rat, Wistar, F, day 28
5. Grubbs *et al.* (1983), rat, Sprague Dawley, F, day 50-57
6. Ibid, M, day 50-57
7. Choudari Kommineni *et al.* (1970), rat, MRC, M/F, day 28-43

The studies that comprise the set of multi-lifestage exposure studies available for these analyses were not homogeneous. That is, they do not represent observations from the same distribution. Sensitivity analyses were conducted to test the robustness of the findings to different procedures for analyzing data and combining results. Of the methods used to combine the LC ratio distributions for underlying studies within each lifestage, the method of equally weighting studies within a chemical appeared to best represent the available data.

In calculating the ASF, to take into account the longer period of time for early carcinogen exposures to result in tumors, the hazard function was assumed to increase with the third power of age. This assumption is standard and has been borne out by a number of observations (Bailer and Portier, 1988) If the true rate of increase with age is greater than that, then the use of these ASFs may result in underestimates of the true sensitivity of these early life stages.

As the multi-lifestage exposure and case studies show, there appears to be considerable variability in age-at-exposure related susceptibility across carcinogens. There is also variability in age-at-exposure related susceptibility among studies of the same carcinogen. The sources of variability evident in the analyzed studies include timing of exposure within a given age window, and gender, strain, and species differences in tumor response. The set of studies identified and analyzed was not sufficiently robust to fully describe the variability quantitatively. This variability raises concerns that selection of the median (the 50th percentile) estimates may considerably underestimate effects for certain agents or population groups. Relatively large variability in humans in response to carcinogens is expected to be common (Finkel, 1995). On the other hand, the numbers of carcinogens represented in the available data are limited and may not be representative of the population of carcinogens to which we are exposed (e.g., greater than 500 on the Proposition 65 list alone). Thus, the size of the weighting factors used to weight risk by age at exposure is a policy decision.

Several of the carcinogens studied induced tumors at multiple sites in the same experiment, and at different sites, depending upon the lifestage during which exposure occurred. For these cases the combined multisite potency distribution referred to above was the basis for the lifestage comparison. This approach differs from other researchers investigating early vs. late in life differences who focused on tumor site-specific measures of carcinogenic activity (e.g., Barton *et al.*, 2005; Hattis *et al.*, 2004, 2005). OEHHA believes that use of combined multisite potency distributions provides a more complete approach for considering age specific differences in carcinogenic activity. However, the observation that early life is generally a period of increased susceptibility was similarly found using the tumor site-specific approach by these other researchers.

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One limitation of the approach was the focus on lifestages, without attempting to describe changes in susceptibility that occur within a lifestage. Timing of carcinogen exposure within a given age window can affect the cancer outcome. For example, experiments with 1-ethyl-1-nitroso-biuret in prenatal and adult rats showed a three-fold difference in activity between groups exposed on prenatal day -10 versus prenatal day -3. In a second example, female rats exposed early in the adult period were more than three times as sensitive to the breast cancer effects of MNU as females exposed six weeks later. In general, the adult comparison groups in the multi-lifestage exposure studies were fairly young. The extent to which this may result in an overall bias of the results presented here is unclear. Also for several cases, juvenile animals were used as the later life exposure group. In these cases the ASFs are likely underestimates of the relative sensitivity of the prenatal and postnatal lifestages, compared to that of the adult lifestage.

Excluded from the analysis were early in life studies in which the period of exposure for a specific exposure group crossed multiple lifestages. An example of results from studies of this type is provided by mouse studies for two non-genotoxic carcinogens, diphenylhydantoin (Chhabra *et al.*, 1993a) and polybrominated biphenyls (PBBs) (Chhabra *et al.*, 1993b), in which exposures began prior to conception, and continued throughout the prenatal, postnatal, and post-weaning period, up to the age of eight weeks. The data demonstrate an increased sensitivity of the early life period. Some studies that crossed multiple lifestages were included in the analyses of Barton *et al.* (2005) (Appendix I), which are consistent with the general conclusions discussed above.

Selection of Default Age-Sensitivity Factors (ASF)

Selection of appropriate values to use to weight exposures that occur early in life using default ASFs for prenatal, postnatal and juvenile exposures is complicated by the limited database of chemicals and studies available for analysis, and the broad distribution of results for different chemicals as is shown in Figure 7, Figure 8, and Figure 9~~Figure 9Figure 9~~ (see also Appendix J). In view of the variability thus shown, and the considerable uncertainty in applying conclusions from this relatively small set of chemicals to the much larger number of chemicals of concern, it is probably unreasonable to specify a default ASF with greater than half-log precision (*i.e.* values of 1, 3, 10, 30 etc.). Therefore, in the absence of chemical-specific data, OEHHA ~~will~~ proposes to apply a default ASF of 10 for ages birth to 2 years, and a factor of 3 for ages 2 through 15 years to account for potential increased sensitivity to carcinogens during childhood. A factor of 10 for postnatal exposures falls just below the median estimate of the ASF for postnatal studies. This is also the value selected by U.S. EPA; while it is consistent with the OEHHA analysis, it may underestimate risk for some chemicals. The broad distribution of observed chemical-specific sensitivity ratios clearly indicates ~~certain number of~~that there are some chemicals for which the sensitivity ratio is much larger than 10. Further research is needed to develop criteria for identifying these cases. Similarly, a factor of 3 for juvenile exposures is consistent with the range of estimates derived from the multi-lifestage exposure studies, and falls close to the median juvenile ASF estimate. It is acknowledged that there are few data available on which to base an estimate for the juvenile period. A factor of 3 adjusts for the longer time available for cancer to manifest, but may not fully account for some inherent differences in susceptibility to cancer, for example ~~those observed~~the observed susceptibility of ~~in~~ breast tissue of pubescent girls exposed to radiation. For specific carcinogens where data indicate enhanced sensitivity during lifestages other than the immediate postnatal and juvenile periods, or demonstrate ASFs

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different from the default ASFs, the chemical-specific data should be used in order to adequately protect public health.

The ASFs will be applied to all carcinogens, regardless of the theorized mode of action. While U.S. EPA currently intends to apply weighting factors only to those carcinogens with "a mutagenic mode of action"(U.S.EPA, 2005), OEHHA notes that there is evidence that early life is a susceptible time for carcinogens that are thought to act via non-mutagenic mode of action (DES is a prime example). Defining a mutagenic mode of action may be problematic if approached narrowly (ERG, 2008). Further, carcinogens may have multiple modes of action and one mode may predominant over other modes at different lifestages. The complexity of carcinogenesis argues against restricting the ASF to chemicals acting via a mutagenic mode of action.

Figure 10~~Figure 10Figure 10~~ provides a visual comparison of the ASF mixture distributions for the three early-life stages, prenatal, postnatal, and juvenile. In this figure, which is in log space, the policy choice for weighting factors of 10 for birth to age 2 years and 3 for the period of life from 2 to 15 years of age are indicated on the figure. ~~The x-axis represents the exponent (the figure is in log space).~~ It is apparent from this figure that weighting risk from exposures to carcinogens early in life is well-supported.

Figure 10. Prenatal, Postnatal, and Juvenile ASF Mixture Distributions and relation to default ASFs

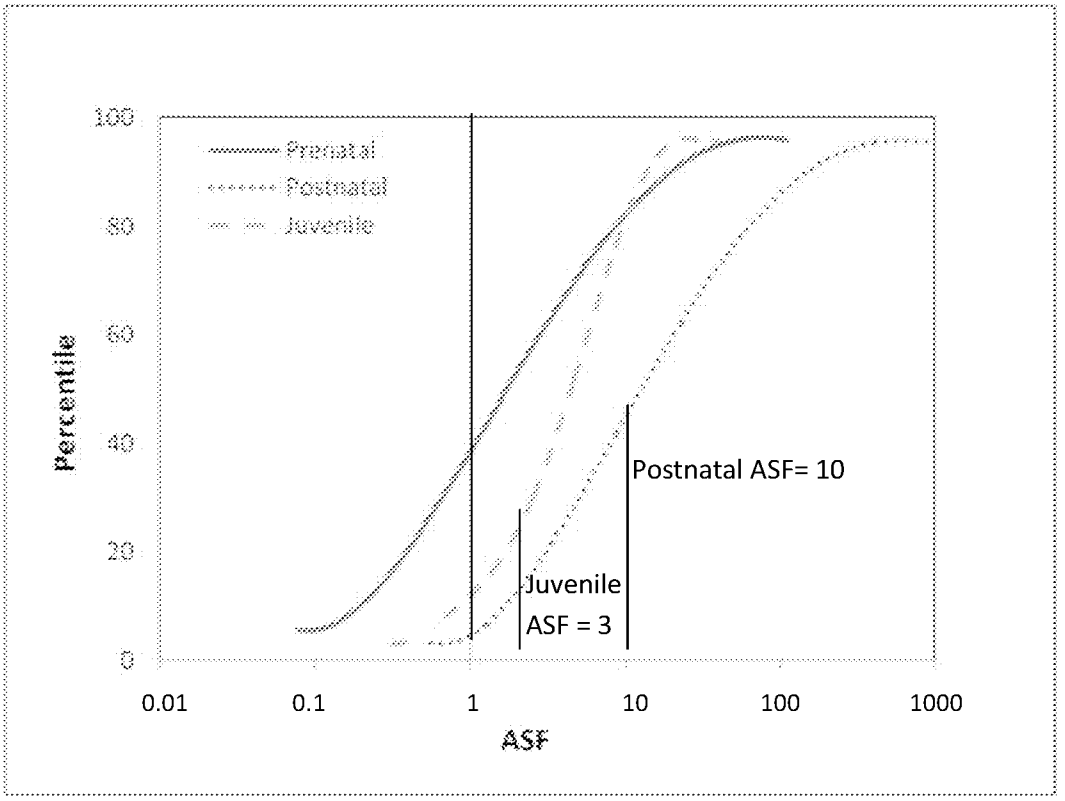

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OEHHA recognizes the limitations in the data and analyses presented, as discussed above. However, the analyses do provide some guidance on the extent risk may be over or underestimated by current approaches. While there is a great deal of variability across chemicals in the prenatal ASFs, the data indicate that the potency associated with prenatal carcinogen exposure is not zero. A factor of 3 is close to the median ASF, while a factor of 10 falls roughly at the 70th percentile of the prenatal ASF estimate. ~~This value~~An ASF could be applied as a default ~~ASF to the potency estimate~~ when calculating lifetime cancer risk in humans arising from carcinogen exposures that occur *in utero*. In view of the considerable variability in the data for different carcinogens and the limited database available for analysis, OEHHA is not ~~including~~ proposing the application of ~~this~~ a specific factor to cancer potency estimates for prenatal exposures as a default position in these Guidelines. However, given that the rodent is born at a stage of maturation similar to a third trimester fetus, it may be reasonable to include the third trimester in the potency weighting proposed for birth to age 2 years. T~~t~~he applicability of a cancer potency adjustment factor for prenatal exposure will be evaluated on a case-by-case basis, and may be used as evidence develops that supports such use. The consideration of prenatal exposures, including application of an appropriate susceptibility factor, would not make a large difference for risk estimates based on continuous lifetime exposures, due to the relatively short duration of gestation. However, risk estimates for short-term or intermittent exposures ~~might~~ would be ~~significantly~~ slightly increased by inclusion of the risks to the fetus during the prenatal period. Thus, risk may be underestimated when this lifestage is excluded from the analysis.

Age Bins for Application of ASFs

The choice of human ages to which the ASFs apply is based on toxicodynamic ~~information on functional maturation of major organ systems~~ and toxicokinetic considerations. Important toxicodynamic factors related to susceptibility to carcinogens include ~~and the concept that~~ the rate of cellular proliferation and differentiation, which is quite high during organ maturation ~~processes renders the tissue more susceptible to carcinogenesis~~. In addition, toxicokinetic differences by age are important, ~~as noted earlier,~~ due to impacts on detoxification and clearance of ~~xenobiotics~~carcinogens (see following section). ~~OEHHA's analysis of the influence of age-at-exposure on carcinogenesis broke the experimental rodent age bins~~data into age bins that we ~~termed "lifestages" into~~ including prenatal, "postnatal" (birth to weaning, about day 21) and "juvenile" (weaning to sexual maturation, or about day 22 to about day 49). Experiments were placed into the lifestage bins if exposure occurred at some time during the experimental rodent age bin. ~~The investigations of age at exposure and cancer potency used in OEHHA's analysis were all done with dissimilar protocols, and the windows of susceptibility are quite varied by chemical and organ system.~~

There is no simple way to compare the rodent age groups used in the OEHHA analysis of available data to equivalent age groups in humans. Complicating factors include variations in organ system structural and functional maturation both within and between species. Further, the rodent age bins were chosen by gross indicators of development namely birth, weaning and sexual maturation, not on the basis of known susceptibility to carcinogenesis. Thus, critical factors relating to carcinogen susceptibility by age are the focus of the choice of human age bins to which the ASFs of 10 and 3 apply, rather than an attempt at exact correlation of rodent lifestage bin with human age.

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~~The investigations of age at exposure and cancer potency used in OEHHA's analysis were~~ not conducted by standardized protocol. Further, the windows of susceptibility are quite varied by chemical and organ system, even within the lifestages defined in the OEHHA analysis. ~~Additional complications in~~ This complicates choosing a default ASF and the human age bin to which it applies ~~are associated with changes in the potency by age-at-exposure that can be large for specific chemicals~~. Examples from animal studies provided in the appendix include the chemical diethylnitrosamine (DEN). The cancer potency varied over several orders of magnitude depending on when during gestation and postnatal life the exposure occurred. While the inability to metabolize DEN in early gestation influences the carcinogenicity of the compound, it is unlikely the only explanation. Benzidine and safrole also require metabolic activation but are more potent with prenatal exposure. A three-fold difference in potency between exposure on postnatal day 3 and postnatal day 10 is noted for 1-ethyl-1-nitrosobiuret in rats. There are also human examples of extensive variation of potency by age at exposure, including radiation, DES, and chemotherapeutic agents. The diversity of responses to different agents obviously underscores uncertainty in the choice of age bins to apply the default ASFs. However, the ASFs are a ***default*** to use when you have no chemical-specific data on influence of age-at-exposure on potency in order to protect public health. There will always be specific chemical examples where the ASF for either the birth-<2 yrs or 2-<16 yrs age bin is quite a bit larger or quite a bit smaller than the default.

In the following sections, we discuss our logic in ~~choosing~~proposing age bins of birth to age <2 years, and 2 to age <16 years to which the ASFs of 10 and 3 apply, respectively, and offer risk estimate results from other possible age bins.

Toxicokinetic Factors Relevant to Age Bins

Choice of the age-bins to which the default ASFs are applied is based on our understanding of the two primary drivers of age-related sensitivity to carcinogens, namely age-related toxicokinetic factors and toxicodynamic factors. In the case of toxicokinetics, the largest postnatal differences in xenobiotic metabolic capability occur between infants and adults. As noted in OEHHA (2001) and reviewed in detail elsewhere (e.g., Cresteil et al., 1998; Ginsberg et al., 2004), hepatic drug metabolism by the cytochrome p450 family of enzymes and the Phase II conjugating enzymes undergoes a maturation process during the first few years of life. The hepatic cytochrome p450 enzymes exist in fetal isoforms at birth, and progressively change to adult isoforms at a relatively early stage of postnatal development. Thus, in humans the metabolic capability towards prototypical substrates develops over the first year of life towards adult levels. Similarly, the largest differences in metabolic capability of Phase II enzymes (conjugation of xenobiotic metabolites prior to excretion) tend to be between infants and adults. Other factors such as renal capability also are most different between neonates and adults. Thus, the first 2 years of life would encompass the increased sensitivity of early life stages due to toxicokinetic differences between early life and adulthood.

Ontogeny of cytochrome P-450 Enzymes in Humans.

Cresteil (1998) describes three groups of neonatal cytochrome P450: Cyp3A7 and Cyp4A1 present in fetal liver and active on endogenous substrates; an early neonatal group including Cyp2D6 and 2E1 which surge within hours of birth; and a later developing group, Cyp3A4,

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Cyp2Cs, and Cyp1A2. Total Cyp 3A protein, a major cytochrome p450 enzyme responsible for biotransformation of many xenobiotics, is relatively constant in neonates and adults. However, Cyp3A7 is the primary fetal form (Hakkola et al., 1998), while Cyp3A4 is the primary adult hepatic form of the 3A series. At one month there is about one-third of the Cyp3A4 activity as an adult liver (Lacroix et al., 1997; Hakkola et al., 1998). Allegaert *et al.* (2007) stated that Cyp3A4 (testosterone-6ß-hydroxylase) activity equaled or exceeded adult activity after 1 year of age. Cyp2E1, which metabolizes benzene, trichloroethylene and toluene, among others, increases gradually postnatally, reaching about one-third of adult levels by one year of age and attains adult levels by 10 years of age (Vieira et al., 1996; Cresteil, 1998). Cyp1A2, and Cyp2C9 and 2C19, the most abundant Cyp2 enzymes in adult human liver, appear in the weeks after birth, and reach 30%to 50% of adult levels at about 1 year of age (Treluyer et al., 1997; Hines and McCarver, 2002). Cyp1A1 is expressed in fetal liver where it can activate such xenobiotics as benzo[a]pyrene and aflatoxin B1 (Shimada et al., 1996), but is less important in adult liver (Hakkola et al., 1998).

Ontogeny of cytochrome P-450 Enzymes in Rodents.

Hart et al. (2009) report developmental profiles of a number of cytochrome P-450 enzymes (measured as levels of mRNA transcripts of the specific genes) in mice. They identified three groups of isoforms. Group 1 (Cyp3A16 in both sexes; Cyp3A41b in males) appeared rapidly after birth but declined to essentially zero at 15-20 days, which is the period of weaning in mice. A second group (Cyp2E1, Cyp3A11 and Cyp4A10 in both sexes; Cyp3A41b in females) also increased rapidly after birth, but reached a stable maximal level by postnatal day 5. The third group (Cyp1A2, Cyp2A4, Cyp2B10, Cyp2C29, Cyp2D22, Cyp2F2, Cyp3A13 and Cyp3A25) were expressed only at low levels until days 10 to 15, but reached high stable levels by day 20.

ElBarbry et al. (2007) examined the developmental profiles of two toxicologically significant cytochrome P-450 enzymes, Cyp1A2 and Cyp2E1 in rats. mRNA transcripts of these genes were very low postnatally, but thereafter increased to reach a peak at weaning (postnatal day 21 - 28 for rats). Immunoreactive Cyp1A2 and Cyp2E1 proteins were first detectable at postnatal day 3 and reached 50% of adult levels at weaning and adult levels at puberty. Differences in profiles between gene expression as MmRNA and appearance of specific proteins as determined by immunoassay may reflect changes in the relative importance of transcription and translation control process at various phases in development. Enzyme activities characteristic of Cyp1A2 and Cyp2E1 were found to parallel gene expression levels (ElBarbry et al., 2007) rather than immunodetectable protein levels, so there may also be issues of cross-reactivity between these two isoenzymes and others for which gene expression was not measured in these experiments.

In summary, the gene expression data in rats and mice show differences in details, but broadly resemble one another in that the main changes occur in the early postnatal period, with the major adjustments completed at or around the time of weaning, although the adult pattern may not be completely established until puberty. There do not appear to be substantive data for experimental species other than rats and mice, although the situation in humans appears similar in general outline and one may conclude that this pattern or some variant of it is a characteristic of mammalian species in general.

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Ontogeny of Phase II enzymes

Phase II conjugating enzymes are generally less active in the neonate than the adult (Milsap and Jusko, 1994). Hence, there is concern that detoxification and elimination of chemicals is slower in infants. Expression of some of the UGT enzymes matures to adult levels in two months after birth, although glucuronidation of some drugs by the UGT1A subfamily does not reach adult levels until puberty (Levy et al., 1975; Snodgrass, 1992; McCarver and Hines, 2002). Reduced glucuronidation in neonates slows the clearance of *N*-hydroxyarylamines, phenol, and benzene metabolites. Acetylation by the N-acetyltransferases and sulfation by sulfotransferases are generally somewhat comparable to adult levels, although it varies by tissue and by specific sulfotransferase (McCarver and Hines, 2002). Glutathione (GSH) sulfotransferase (GST) is present as a fetal isoform which decreases postnatally, while GST-alpha and GST-mu increase over the first few years of life to adult levels (McCarver and Hines, 2002). Epoxide hydrolase, important in detoxifying reactive epoxide metabolites, is present in neonatal liver although at much reduced activity relative to adults (McCarver and Hines, 2002).

Clearances of drugs in infants and children *vs.* adults

Several investigators have evaluated age-related drug disposition (Renwick, 1998; Renwick et al., 2000; Ginsberg et al., 2002; Hattis et al., 2003). Renwick et al. (2000) noted higher internal doses in neonates and young infants versus adults for seven drugs that are substrates for glucuronidation, one with substrate specificity for CYP1A2, and four with substrate specificity for CYP3A4 metabolism. Ginsberg et al (2002) evaluated toxicokinetic information on 45 drugs in children and adults metabolized by different cytochrome P450 pathways, Phase II conjugations, or eliminated unchanged by the kidney. These authors noted half-lives in infants 3-9-fold longer than those of adults. It was also shown that the bulk of the elevated child/adult half-life ratios occurred primarily in the 0 to 6 month age range, and that for some compounds the clearance is actually higher in the 6 month to 2 year age grouping. In evaluating the interindividual variability by age, Hattis et al (2003) note that the largest interindividual variability occurs in the youngest children, apparently due to variability in development of critical metabolism and elimination pathways. Anderson and Holford (2008) noted that a comparison of three early-life drug clearance models (surface area, allometric ¾ power and per kilogram scaling) all demonstrated an increase in clearance over the first year of life due to the maturation of metabolic capacity.

Renal elimination depends on maturity of processes related to tubular reabsorption and secretion, and glomerular filtration rates. At birth, the glomerular filtration rate (GFR) is low (2-4 ml/min), increases in the first few days (8-20 ml/min) and slowly increases to adult values in 8-12 month old infants (Plunkett et al., 1992; Kearns et al, 2003).

Newborn and young animals have less capacity to excrete chemicals into the bile than do adult animals. A number of chemicals are excreted more slowly via bile in neonates than adult rats, including ouabain, the glucuronide conjugate of sulfobromophthalein (Klaassen, 1973), and methyl mercury (Ballatori and Clarkson, 1982), resulting in a longer half-life in neonates.

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Toxicodynamic Factors Relevant to Age Bins

Important as the developmental changes in toxicokinetics are in determining sensitivity to carcinogens and other toxicants, it is likely that the toxicodynamic differences, i.e. intrinsic differences in susceptibility to carcinogenesis at the tissue or cellular level are even more influential. Changes in cell division rates and differentiation, which are thought to be important toxicodynamic determinants of susceptibility to carcinogenesis, peak in the first 2 years of life for most major organ systems. Cell division continues to accommodate growth throughout childhood and adolescence, extending in some cases even into the young adult period in both humans and experimental animals. Adolescence is an important period for organ cell division and differentiation for the mammary gland and reproductive organs.

As noted above, one of the key factors influencing susceptibility to carcinogenesis is believed to be cell division rate, which acts both by forcing error-prone repair which fixes DNA damage as mutated gene sequences (McLean et al, 1982) and by promoting expansion of mutated clones (Moolgavkar and Knudson, 1981). Actual cell division rates as a function of age are hard to determine for practical and (in the human case) ethical reasons. However, growth curves expressed as the proportional increment in body weight with time may be regarded as a reasonable although not perfect surrogate since for most tissues of the body cell size does not change markedly during growth. Both humans and rodents show remarkably high growth rates in infancy, which then drop steeply to a lower but still significant period during childhood. A growth spurt at the beginning of adolescence is noticeable in its absolute magnitude, especially in males, but does not approach the proportional growth rate seen in infancy. The time intervals proposed to reflect the period of highest sensitivity to carcinogenesis (birth to weaning, about 21 days in rodents, up to 24 months in humans) encompass the period of highest growth rate and thus is is assumed the highest cell division rates, as show in the following charts:

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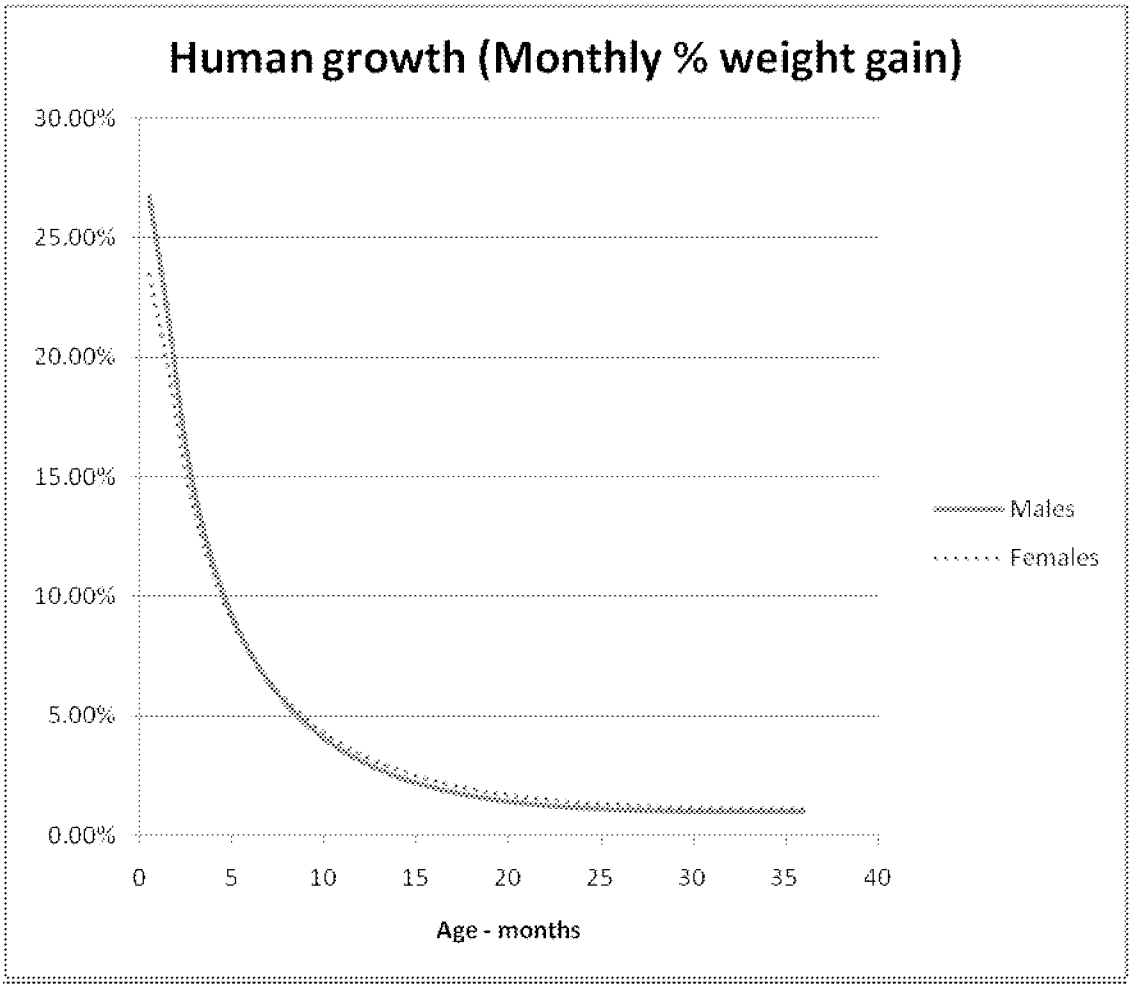

Data from CDC NHANES 2000:
http://www.cdc.gov/nchs/about/major/nhanes/growthcharts/datafiles.htm

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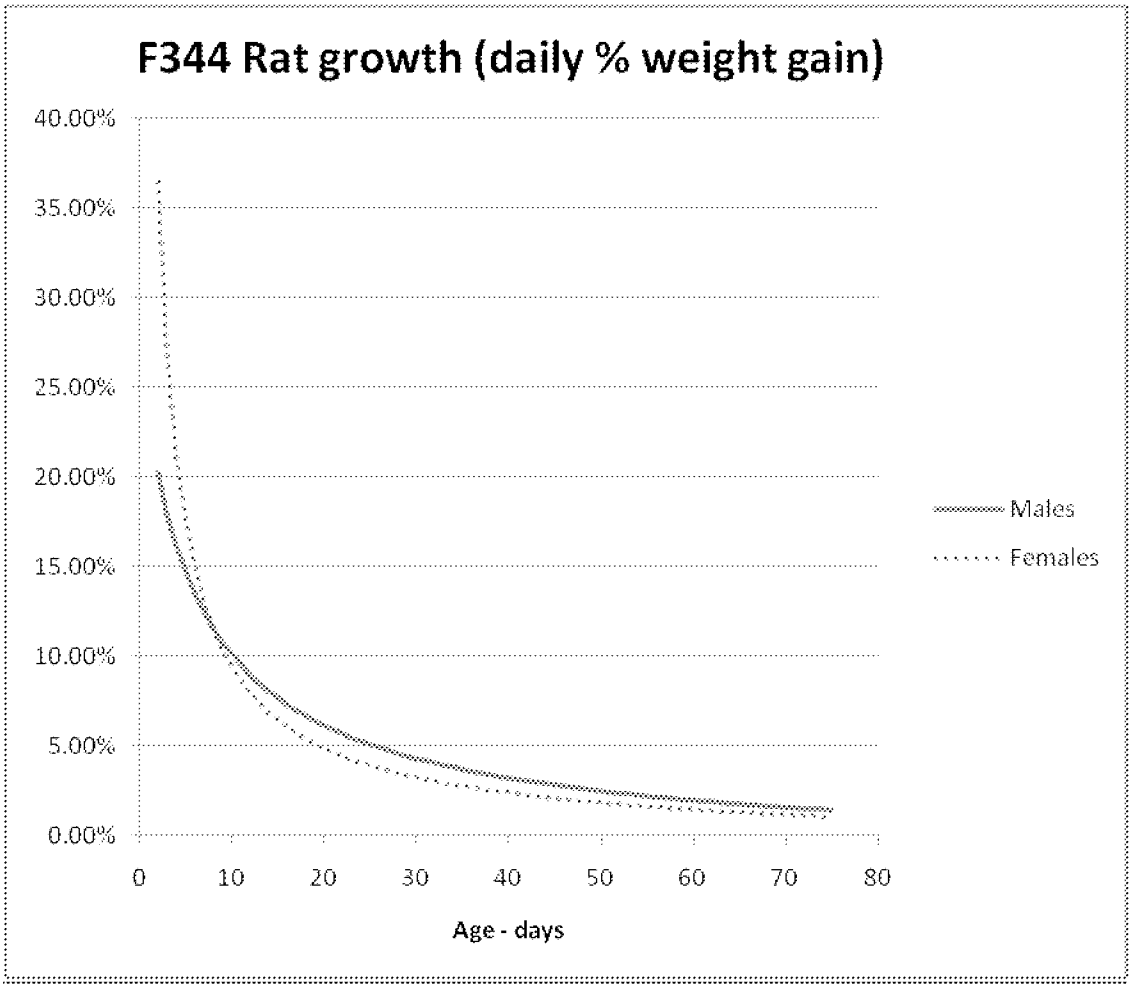

Data from Tables A3 and A4 of Appendix J

Cell division rates in adult rodents and humans are harder to relate to growth curves since at least some tissues retain active cell division as part of their ongoing functionality and repair. In humans growth in body weight slows to essentially zero at the end of adolescence (and any later increments represent tissue specific changes such as increase in muscle or adipose tissue mass rather than overall growth). On the other hand, rodents continue to increase in body size (at a modest rate compared to that seen in earlier lifestages) throughout the adult period. However, it appears reasonable to conclude from the body weight data that an essentially adult pattern of overall cell division is established by the late adolescent period (age six weeks in rodents; 16 years in humans). This clearly does not include the marked growth and increases in cell division and physiological activities seen in the reproductive system and its accessories during puberty.

Organ development

The age intervals chosen for the ASFs are generally supported by human organ system development data. Examples of supporting data are available for the lung, brain, immune system and liver. Zeltner and Burri (1987) stated that postnatal lung development consists of an alveolar stage, which lasts to about 1-1.5 years of age, and a stage of microvascular maturation, which

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exists from the first months after birth to the age of 2-3 years. Pinkerton and Joad (2006) describe alveolar proliferation as occurring most prominently in the 0-2 year age range, with alveolar expansion continuing in the 2-8 year age range. Ballinoti et al. (2008) demonstrated that addition of alveoli rather than expansion is a major mode of lung growth in infants and toddlers by measuring a constant carbon monoxide diffusion capacity to lung volume from 3 through 23 months of age. Kajekar (2007) also considered the 0-2 age range to be the primary period of alveolar development, although there is continued cellular proliferation resulting in lung growth and expansion up to approximately 18 years of age.

Rice and Barone (2000) note that most of the cell proliferation phase of human radial glia and neuronal growth is finished by 2 years of age, based on evidence in Bayer et al. (1993). They note further that numerous studies have shown actively proliferating brain regions are more susceptible to anti-mitotic agents than the same structures after active proliferation ceases. Peak brain growth as a percentage of body weight occurs at birth and around post-natal day (PND) 7-8 in humans and rats, respectively (Watson *et al.*, 2006). De Graaf-Peters and Hadders-Algra (2006) reviewed the ontogeny of the human central nervous system and found that a large amount of axon and dendrite sprouting and synapse formation and the major part of telencephalic myelination take place during the first year after birth. While the brain continues to remodel itself throughout life, cellular proliferation in the whole brain peaks by about one year of age and is relatively complete by age 2. Development of the blood-brain barrier (BBB) appears to continue in humans until approximately 6 months of age. Rat BBB functionality is essentially complete by approximately two weeks after birth (Watson *et al.*, 2006).

The immune system development occurs in stages primarily prenatally in primates and both pre- and post-natally in rodents (Dietert et al., 2000). Formation and expansion of hematopoetic stem cells is followed by expansion of lineage-specific stem cells, colonization of bone marrow and thymus, and maturation of cells to immunocompetence. In the primate, this is largely complete by 1 to 2 years of age (Holsapple et al., 2003), although establishment of immune memory develops throughout childhood and beyond. In the rodent, maturation to immunocompetence occurs postnatally from birth to about 30 days of age. In terms of carcinogenesis, perhaps one of the more important immune cells is the NK cell, thought to be responsible for immune surveillance and killing of circulating transformed cells. Based on immunohistochemistry, the principal cell lines including NK cells are present at gestation day 100 in the monkey and are at about 60% of adult values at birth (Holladay and Smialowicz, 2000).

As noted above, renal and hepatic clearance are both lower in humans at birth than in adults. Nephrogenesis is complete by 35 ~~month~~weeks gestation in humans and before birth in the mouse (but after birth in the rat). The ability to concentrate urine and the development of acid-base equilibrium ~~occur~~appear in the first few months after birth (Zoetis and Hurtt, 2003). Renal clearance of drugs, a function of a number of processes in the kidney, appears to be comparable to adults within the first few months of life (Hattis et al., 2003; Ginsberg et al., 2002) , while glomerular filtration, which rises rapidly over the first few postnatal months, is at adult values by two years of age (Zoetis and Hurtt, 2003). While complete anatomic maturity of the human liver is noted by 5 years of age (Walthall et al, 2005), liver function also appears to mature within the first year of life as seen by drug clearance studies cited above.

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Critical Windows of Susceptibility to Carcinogens

It has been shown that there are critical windows during development both pre-and postnatally where enhanced susceptibility to carcinogenesis occurs (Anderson et al, 2000). Some of these observations relate to factors affecting the incidence of cancers in childhood, resulting from prenatal or preconception mutational events. For example, prenatal exposure to ionizing radiation and DES can result in leukemia and vaginal carcinoma, respectively, in childhood. Although obviously a source of great concern, these cancers appearing during childhood are relatively rare compared to cancers appearing later in life. Thus the concern in risk assessment for early in life exposures is to address the lifetime cancer incidence as a result of these exposures, including both cancers appearing during childhood and those appearing later.

OEHHA (see Appendix J) and other investigators (U.S. EPA, 2005; Barton et al, 2005; Hattis et al., 2004) have examined the available rodent data on sensitivity to carcinogenic exposures early in life. All these investigators found substantial increases in sensitivity to carcinogens in animal studies where exposures to young animals were compared to similar exposures to adults. Hattis et al. (2004) reported maximum likelihood estimates for the ratio of carcinogenic potency during the period from birth to weaning to the adult potency of between 8.7 and 10.5, whereas Barton et al (2005) reported a weighted geometric mean of 10.4 for the ratio of juvenile (less than 6-8 weeks) to adult potency in rodents. However, the number of experiments which provide information of this type, and the carcinogenic agents which have been studied, are relatively limited. Hattis examined several different datasets and study designs, but these covered only 13 different chemicals, while Barton et al. reported analyses for six of the 18 chemicals which they examined. OEHHA's analysis included data in rodents on 23 chemicals, and found median potency ratios of 13.5 for the postnatal period (birth to day 22) and 4.5 for the juvenile period (postnatal days 22 to 49) relative to adults (day 49 to 2 years). These potency ratios include the adjustment for time to manifest tumor (e.g., age to the power of three), unlike the earlier investigations. All these investigations identified variations in the observed lifetime potency ratio depending on the type of experimental design, the sex of the animals, the time of exposure and especially between chemicals. Nevertheless these analyses, although falling far short of a comprehensive evaluation of the age dependence of carcinogenic potency for all the chemicals of interest, do show a consistent overall trend of increasing potency for exposures early in life, especially soon after birth.

An evaluation of cancer induction by ionizing radiation also provides support for the concept of enhanced sensitivity to carcinogenesis at younger ages. Various studies of this phenomenon have been undertaken in animal models, but the important point for the present discussion is that epidemiological data exist which indicate age-dependent sensitivity in humans (U.S. EPA, 1994; 1999). The most extensive data set showing age-dependent effects is that for Japanese survivors of the atomic bomb explosions at Hiroshima and Nagasaki. Analysis of these data shows linear increases in tumor incidence at a number of sites with increasing radiation dose and younger age at exposure. There are other data suggesting humans are more susceptible to chemical carcinogens when exposure occurs in childhood. These data exist for tobacco smoke (Marcus et al., 2000; Wiencke et al., 1999) and chemotherapy and radiation (Mauch et al., 1996; Swerdlow et al., 2000; Franklin et al., 2006).

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Proposed Aage bins for application of default age sensitivity factors

In developing a default science-based risk assessment policy to address this general conclusion, one key variable to define is the age interval or intervals over which age-dependent sensitivity factors should be applied. Different investigators have considered different age ranges, but in general the more sensitive period has at least been defined as including the time from birth up to mid-adolescence when the major phases of growth and hormonal change are complete. ~~This can be somewhat consistently defined in the case of laboratory rodents whose genetic and environmental factors are relatively constant: a transition point in the range of 6 to 8 weeks is generally identified as the start of adulthood. For humans there is inevitably a lot more variation in the timing of developmental landmarks. The comparison of human development with that of rodents is complicated by the fact that the various organ systems have markedly different pre-and postnatal timetables, both between species and between organ systems. Thus there is no single timeline of developmental equivalence for humans and rodents. Nevertheless there is a general similarity for all mammals.~~

It is also recognized that, apart from the dramatic prenatal developmental events, the earliest postnatal stages represent the greatest differences in physiology and biochemistry from the adult~~.~~ This reflects~~ing~~ the immaturity of many organ systems, extremely rapid growth and the incomplete maturation of various metabolic capabilities. ~~In animal studies, as reflected in the analysis of carcinogenesis by OEHHA, an important developmental milestone is generally identified at the time of weaning, which in rodents occurs at or about postnatal day 21.~~ As noted ~~earlier, the rodent age bins in OEHHA's analysis were based on gross developmental~~ milestones (birth, weaning, sexual maturity). ~~OEHHA's analysis of studies that included exposure~~ sometime between birth and weaning indicated this period as having the highest sensitivity to carcinogenesis. The data for the later juvenile period (postnatal days 22 to 49) are somewhat sparse, covering only three carcinogens and only one where there are corresponding data for both infant and juvenile lifestages. However, it appears based on the overall range of potency ratios observed for the juvenile period that sensitivity to many carcinogens is elevated in this period also, but to a lesser extent than during the first 22 days. [Hattis et al. (2005) and Barton et al. (2005) report analyses for exposures at any time during the juvenile period, i.e. up to 6-8 weeks, and do not separate by additional age bins].

Weaning is not such an obvious or consistently timed transition for humans, being subject to a wide range of cultural and economic variables. However, it is generally considered that the human infant period encompasses the first two years of life. This period includes the most rapid periods of cellular division and differentiation for the major organ systems (excluding the breast and reproductive organs). Although there is linear growth between 2 and 8 years of age, the organ development is largely although not entirely complete.

Thus, considering both the development of major organ systems and the associated differences in toxicodynamic and toxicokinetic factors, OEHHA ~~chose~~proposes to apply the postnatal ASF derived from rodent studies (birth to ~21 days) to the human age intervals of ~~1~~birth - <2years. ~~Similarly, OEHHA chose to apply the "juvenile" ASF derived from rodent studies (~22- ~49~~ days) to the human ages 2 - <16 years. This timetable was also selected by U.S. EPA (2005) in their supplemental guidance for assessing early-life susceptibility to carcinogens. They describe their choice of critical periods as follows:

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> "The adjustments described below reflect the potential for early-life exposure to make a greater contribution to cancers appearing later in life. The 10-fold adjustment represents an approximation of the weighted geometric mean tumor incidence ratio from juvenile or adult exposures in the repeated dosing studies (see Table 8). This adjustment is applied for the first 2 years of life, when toxicokinetic and toxicodynamic differences between children and adults are greatest (Ginsberg et al., 2002; Renwick, 1998). Toxicokinetic differences from adults, which are greatest at birth, resolve by approximately 6 months to 1 year, while higher growth rates extend for longer periods. The 3-fold adjustment represents an intermediate level of adjustment that is applied after 2 years of age through <16 years of age. This upper age limit represents middle adolescence following the period of rapid developmental changes in puberty and the conclusion of growth in body height in NHANES data (Hattis et al., 2005). Efforts to map the approximate start of mouse and rat bioassays (i.e., 60 days) to equivalent ages in humans ranged from 10.6 to 15.1 years (Hattis et al., 2005)."

There is general agreement that rodents are born at a maturational stage approximately equivalent to a third trimester human fetus. Thus, there is good rationale to include the third trimester of pregnancy in the age bin for application of the ASF of 10.

While there is strong evidence that growth and therefore cell proliferation rates and cell differentiation are extremely high prior to age 2, there is still residual uncertainty with respect to the cutpoint for application of the ASFs of 10 and 3. Thus, another possible approach is to move the cut point for the application of the ASF of 10 to a later age to account for this uncertainty. We present the effect on risk estimates of varying cutpoints in Tables 2 and 3.

Special consideration of puberty

In addition to the general concerns over increased sensitivity to carcinogenesis during infancy and childhood, there are specific concerns for exposure during the period when hormonal and developmental changes associated with puberty are in process, especially for carcinogens with hormonal modes of action or with impacts on the reproductive system and its accessory organs. At puberty, there is increased development of breast and reproductive organs that clearly involves rapid cellular division and differentiation. Thus, for carcinogens that induce mammary and reproductive organ cancers, puberty represents a time of increased sensitivity. As noted in the section on Selection of Default Age-Sensitivity Factors (page 48), if the risk assessor is evaluating a chemical with the potential for more than usually enhanced potency during this period, such as those which induce mammary or reproductive organ tumors (e.g., a polycyclic aromatic hydrocarbon), then the risk assessment may use a larger ASF to calculate risk from exposure during puberty. OEHHA may recommend chemical-specific ASFs for puberty to the local air quality management districts for use in the Air Toxics Hot Spots program.

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Application of ASFs in Risk Assessment

The effect of using the proposed default ASFs in calculating cancer risk over a 70 year lifetime, and for a 9 year exposure common in the Hot Spots program risk assessments is demonstrated in Table 2 and Table 3 below. Ignoring for the moment the increased exposures to carcinogens that children experience, the effect of the weighting factors is to increase the lifetime cancer risk by about 2. For risks from shorter exposures, such as the commonly used 9 year exposure scenario, OEHHA proposes to evaluate risk starting at age 0 in the surrounding general population. The weighting factors in this case increase the risk to a larger extent. Depending on the exposure scenario, the use of age-specific distributions for uptake rates for air, food and water would also increase the risk estimates significantly independent of any application of ASFs. This is because the uptake rates for all these media per unit of body weight are higher in children and, especially, infants.

Assessing risks to short-term exposures to carcinogens involves additional uncertainties. The cancer potency factors are generally based on long-term exposures. However, in reality, the local air districts in California are frequently assessing risk from short term activities related to construction, mitigation of contaminated soils, and so forth. OEHHA recommends that when assessing such shorter term projects, the districts assume a minimum of 2 years of exposure and apply the slope factors and the 10 fold ASF to such assessments. Exposure durations longer than 2 years would use the method for the remaining years as noted above.

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Table 2. Example of default ASF use for a lifetime exposure (not adjusted for age-specific exposure)

Carcinogen Potency = 1 $(mg/kg\text{-}d)^{-1}$
Exposure = 0.0001 mg/kg-d
No consideration of differences of exposure

No adjustment: Lifetime Risk = potency × dose			Risk
70 year Lifetime risk = 1 × 0.0001			**1.0×10^{-4}**

With proposed default ASF of 10 for birth to age 2 and 3 for age 2 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 2 yrs)	10	2/70	0.286×10^{-4}
R (age 2 to 16 yrs)	3	13/70	0.557×10^{-4}
R (age 16 to 70 yrs)	1	55/70	0.786×10^{-4}
70 year Lifetime Risk			**1.6×10^{-4}**

With proposed default ASF of 10 for third trimester to age 2 and 3 for ages 2 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (third trimester to age 2yrs)	10	2.25/70.25	0.320×10^{-4}
R (age 2 to age 16 yrs)	3	13/70.25	0.555×10^{-4}
R (age 16 to 70 yrs)	1	55/70.25	0.783×10^{-4}
70 year Lifetime Risk			**1.66×10^{-4}**

With proposed default ASF of 10 for birth to age 5 and 3 for the ages 5 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 5)	10	4/70	0.571×10^{-4}
R (age 5 to 16 yrs)	3	11/70	0.471×10^{-4}
R (age 16 to 70 yrs)	1	55/70	0.786×10^{-4}
70 year Lifetime Risk			**1.8×10^{-4}**

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Table 3. Example of default ASF use for a 9-year exposure

Carcinogen Potency = 1 $(mg/kg\text{-}d)^{-1}$
Exposure = 0.0001 mg/kg-d
No consideration of differences of exposure

No adjustment: Total Risk = potency × dose x fraction of lifetime		Duration	Risk
9-year Total Risk		9/70	**0.13×10^{-4}**
With default ASF of 10 for birth to age 2, and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 2 yrs)	10	2/70	0.286×10^{-4}
R (age 3 to 9 yrs)	3	7/70	0.300×10^{-4}
9 year Total Risk			**0.59×10^{-4}**
With default ASF of 10 for third trimester to age 2 and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (third trimester to age 2yrs)	10	2.25/70.25	0.325×10^{-4}
R (age 2 to 9 yrs)	3	7/70.25	0.300×10^{-4}
9 year Total Risk			**0.625×10^{-4}**
With default ASF of 10 to age 5 and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 5 yrs)	10	4/70	0.571×10^{-4}
R (age 5 to 9 yrs)	3	5/70	0.214×10^{-4}
9 year Total Risk			**0.785×10^{-4}**

U.S.EPA Analysis of the Effect of Age at Exposure on Cancer Potency

U.S. EPA addressed the potential for increased susceptibility to cancer caused by environmental chemicals when the exposure occurs during an early lifestage in "Supplemental Guidance for Assessing Susceptibility from Early-Life Exposure to Carcinogens" (U.S. EPA, 2005b) (referred to henceforth as the Supplemental Guidance). This document is intended to be a companion to the revised "Guidelines for Carcinogen Risk Assessment" (U.S. EPA, 2005a). We present a summary of their analysis, which support the policy decision to weight cancer potency and therefore risk by age-at-exposure. As previously noted, there are several methodological differences between the U.S. EPA analysis and the OEHHA analysis. Of note, in the OEHHA analysis all treatment-related tumors that were observed in a given lifestage exposure experiment were taken into account in estimating cancer potency. Thus in comparing cancer potencies

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associated with early life vs. adult exposure, OEHHA compared the total cancer risk associated with exposure during a given lifestage, rather than comparing the risk for cancers at one single site in each lifestage, as the U.S. EPA did. In addition, the age groupings are a bit different in the U.S. EPA analysis than those used by OEHHA in their analysis (described above). For example, prenatal (*in utero*) exposures were not part of the analysis performed by U.S. EPA, and that Agency's analyses did not distinguish between postnatal and juvenile exposures.

U.S. EPA oral exposure cancer risk methodology relies on estimation of the lifetime average daily dose, which can account for exposure factor differences between adults and children (e.g. eating habits and body weight). However, early lifestage susceptibility differences have not been taken into consideration when cancer potency factors were calculated. The Supplemental Guidance document focused on studies that define the potential duration and degree of increased susceptibility that may arise from early-life exposures. An analysis of those studies including a detailed description of the procedures used was published in Barton *et al.* (2005) (included as Appendix I). The criteria used to decide if a study could be included in the quantitative analysis are as follows (excerpted from U.S. EPA, 2005b):

1. Exposure groups at different post-natal ages in the same study or same laboratory, if not concurrent (to control for a large number of potential cross-laboratory experimental variables including pathological examinations),
2. Same strain/species (to eliminate strain-specific responses confounding age-dependent responses),
3. Approximately the same dose within the limits of diets and drinking water intakes that obviously can vary with age (to eliminate dose-dependent responses confounding age-dependent responses),
4. Similar latency period following exposures of different ages (to control for confounding latency period for tumor expression with age-dependent responses), arising from sacrifice at >1 year for all groups exposed at different ages, where early-life exposure can occur up to about 7 weeks. Variations of around 10 to 20% in latency period are acceptable,
5. Postnatal exposure for juvenile rats and mice at ages younger than the standard 6 to 8 week start for bioassays; prenatal (*in utero*) exposures are not part of the current analysis. Studies that have postnatal exposure were included (without adjustment) even if they also involved prenatal exposure,
6. "Adult" rats and mice exposure beginning at approximately 6 to 8 weeks old or older, i.e. comparable to the age at initiation of a standard cancer bioassay (McConnell, 1992). Studies with animals only at young ages do not provide appropriate comparisons to evaluate age-dependency of response (e.g., the many neonatal mouse cancer studies). Studies in other species were used as supporting evidence, because they are relatively rare and the determination of the appropriate comparison ages across species is not simple, and
7. Number of affected animals and total number of animals examined are available or reasonably reconstructed for control, young, and adult groups (i.e., studies reporting only percent response or not including a control group would be excluded unless a reasonable estimate of historical background for the strain was obtainable).

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Cancer potencies were estimated from a one-hit model (a restricted form of the Weibull time-to-tumor model), which estimates cumulative incidence for tumor onset. U.S. EPA (2005b) compared the estimated ratio of the cancer potency from early-life exposure to the estimated cancer potency from adult exposure. The general form of the equation for the tumor incidence at a particular dose, [P(dose)] is:

$$P(dose) = 1-[1-P(0)]\exp(-\text{cancer potency}*\text{dose})$$

where P(0) is the incidence of the tumor in controls. The ratio of juvenile to adult cancer potencies at a single site were calculated by fitting this model to the data for each age group. The model fit depended upon the design of the experiment that generated the data. Studies evaluated by U.S. EPA had two basic design types: experiments in which animals were exposed either as juveniles or as adults (with either a single or multiple dose in each period), and experiments in which exposure began either in the juvenile or in the adult period, but once started, continued through life.

The model equations for the first study type are:

$$P_A = P_0 + (1-P_0)\,(1-e^{-m_A \delta_A})$$

$$P_J = P_0 + (1-P_0)\,(1-e^{-m_A e^{\lambda} \delta_J})$$

where A and J refer to the adult and juvenile period, respectively, λ is the natural logarithm of the juvenile:adult cancer potency ratio, P_0 is the fraction of control animals with the particular tumor type being modeled, P_x is the fraction of animals exposed in age period x with the tumor, m_A is the cancer potency, and δ_x is the duration or number of exposures during age period x.

The goal of the model is to determine λ, which is the logarithm of the estimated ratio of juvenile to adult cancer potencies. This serves as a measure of potential susceptibility for early-life exposure.

For the second study type, the model equations take into account that exposures that were initiated in the juvenile period continue through the adult period. The model equations for the fraction of animals exposed only as adults with tumors in this design are the same as in the first study type, but the fraction of animals whose first exposure occurred in the juvenile period is:

$$P_J = P_0 + (1-P_0)\,(1-e^{-m_A e^{\lambda}(\delta_J - \delta_A) - m_A \delta_A})$$

δ_J includes the duration of exposure during the juvenile period and the subsequent adult period.

Parameters in these models were estimated using Bayesian methods and all inferences about the ratios were based on the marginal posterior distribution of λ. A complete description of these procedures (including the potential effect of alternative Bayesian priors that were examined) was published in Barton *et al.* (2005) (Appendix I). This method produced a posterior mean ratio of the early-life to adult cancer potency, which is an estimate of the potential susceptibility of early-life exposure to carcinogens. Ratios of greater or less than one indicate greater or less susceptibility from early-life exposure, respectively.

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U.S. EPA reviewed several hundred studies reporting information on 67 chemicals or complex mixtures that are carcinogenic via perinatal exposure. Eighteen chemicals were identified which had animal study designs involving early-life and adult exposures in the same experiment. Of those 18 chemicals, there were overlapping subsets of 11 chemicals involving repeated exposures during early postnatal and adult lifestages and 8 chemicals using acute exposures (usually single doses) at different ages. Those chemicals are listed in Table 4~~Table 4Table 4~~.

Table 4 Chemicals having animal cancer study data available with early-life and adult exposures in the same experiment.

Chemical	Study Type
Amitrole	repeat dosing
Benzidine	repeat dosing
Benzo[a]pyrene (BaP)	acute exposure
Dibenzanthracene (DBA)	acute exposure
Dichlorodiphenyltrichloroethane (DDT)	lifetime exposure, repeat dosing
Dieldrin	lifetime exposure, repeat dosing
Diethylnitrosamine (DEN)	acute exposure, lifetime exposure
Dimethylbenz[a]anthracene (DMBA)	acute exposure
Dimethylnitrosamine (DMN)	acute exposure
Diphenylhydantoin, 5,5-(DPH)	lifetime exposure, repeat dosing
Ethylnitrosourea (ENU)	acute exposure
Ethylene thiourea (ETU)	lifetime exposure, repeat dosing
3-Methylcholanthrene (3-MC)	repeat dosing
Methylnitrosourea (NMU)	acute exposure
Polybrominated biphenyls (PBBs)	lifetime exposure, repeat dosing
Safrole	lifetime exposure, repeat dosing
Urethane	acute exposure, lifetime exposure
Vinyl chloride (VC)	repeat dosing

U.S. EPA calculated the difference in susceptibility between early-life and adult exposure as the estimated ratio of cancer potency at specific sites from early-life exposure over the cancer potency from adult exposure for each of the studies that were determined qualitatively to have appropriate study designs and adequate data. The results were grouped into four categories: 1) mutagenic chemicals administered by a chronic dosing regimen to adults and repeated dosing in the early postnatal period (benzidine, diethylnitrosamine, 3-methylcholanthrene, safrole, urethane and vinyl chloride); 2) chemicals without positive mutagenicity data administered by a chronic dosing regimen to adults and repeated dosing in the early postnatal period (amitrole, dichlorodiphenyltrichloroethane (DDT), dieldrin, ethylene thiourea, diphenylhydantoin, polybrominated biphenyls); 3) mutagenic chemicals administered by an acute dosing regimen

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(benzo[*a*]pyrene, dibenzanthracene, diethylnitrosamine, dimethylbenzanthracene, dimethylnitrosamine, ethylnitrosourea, methylnitrosourea and urethane); 4) chemicals with or without positive mutagenicity data with chronic adult dosing and repeated early postnatal dosing.

The acute dosing animal cancer studies were considered qualitatively useful by U.S. EPA because they involve identical exposures with defined doses and time periods demonstrating that differential tumor incidences arise exclusively from age-dependent susceptibility. However, they were not used to derive a quantitative cancer potency factor age adjustment, primarily because most of the studies used subcutaneous or intraperitoneal injection as a route of exposure. These methods have not been considered quantitatively relevant routes of environmental exposure for human cancer risk assessment by U.S. EPA, for reasons including the fact that these routes of exposure are expected to have a partial or complete absence of first pass metabolism which could affect potency estimates. Additionally, U.S. EPA decided that cancer potency estimates are usually derived from chronic exposures, and therefore, any adjustment to those potencies should be from similar exposures.

The repeated dosing studies with mutagenic chemicals using exposures during early postnatal and adult lifestages were used to develop a quantitative cancer potency factor age adjustment. Studies with repeated early postnatal exposure were included in the analysis even if they also involved earlier maternal and/or prenatal exposure, while studies addressing only prenatal exposure were not used in the analysis. The weighted geometric mean susceptibility ratio (juvenile to adult) for repeated and lifetime exposures in this case was 10.4 (range 0.12 – 111, 42% of ratios greater than 1).

USEPA suggests the use of age-dependent-adjustment factors (ADAF) for chemicals acting through a mutagenic mode of action., based on the results of the preceding analysis, which concluded that cancer risks generally are higher from early-life exposure than from similar exposure doses and durations later in life:

1. For exposures before 2 years of age (i.e., spanning a 2-year time interval from the first day of birth until a child's second birthday), a 10-fold ADAF.

2. For exposures between 2 and <16 years of age (i.e., spanning a 14-year time interval from a child's second birthday until their sixteenth birthday), a 3-fold ADAF.

3. For exposures after turning 16 years of age, no adjustment (ADAF=1).

The ADAF of 10 used for the 0 – 2 years of age range is approximately the weighted geometric mean cancer potency ratio from juvenile versus adult exposures in the repeated dosing studies. U.S. EPA considered this period to display the greatest toxicokinetic and toxicodynamic differences between children and adults. Data were not available to calculate a specific dose-response adjustment factor for the 2 to <16-year age range, so EPA selected an ADAF of 3 because it was half the logarithmic scale difference between the 10-fold adjustment for the first two years of life and no adjustment (*i.e.*, 1-fold) for adult exposure. The ADAF of 3 represents an intermediate level of adjustment applied after 2 years of age through <16 years of age. The upper age limit (16 years of age) reflects the end of puberty and the attainment of a final body height. U.S. EPA recognizes that the use of a weighted geometric mean of the available study

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data to develop an ADAF for cancer potencies may either overestimate or underestimate the actual early-life cancer potency for specific chemicals, and therefore emphasizes in the Supplemental Guidance that chemical-specific data should be used in preference to these default adjustment factors whenever such data are available.

U.S. EPA is recommending the ADAFs described above only for mutagenic carcinogens, because the data for non-mutagenic carcinogens were considered to be too limited and the modes of action too diverse to use this as a category for which a general default adjustment factor approach can be applied. OEHHA considers this approach to be insufficiently health protective. There is no obvious reason to suppose that the toxicokinetics of non-mutagens would be systematically different from those of mutagens. It would also be inappropriate to assume by default that non-mutagenic carcinogens are assumed to need a toxicodynamic correction factor of 1. Most if not all of the factors that make individuals exposed to carcinogens during an early-lifestage potentially more susceptible than those individuals exposed during adulthood also apply to non-mutagenic carcinogen exposures (*e.g.*, rapid growth and development of target tissues, potentially greater sensitivity to hormonal carcinogens, differences in metabolism). It should also be noted that carcinogens that do not cause gene mutations may still be genotoxic by virtue of causing chromosomal damage. Additionally, many carcinogens do not have adequate data available for deciding on a specific mode of action, or do not necessarily have a single mode of action. For these reasons, OEHHA will apply the default cancer potency factor age adjustments described above to all carcinogens unless data are available which allow for the development of chemical-specific cancer potency factor age adjustments. In those cases, an agent-specific model of age dependence (based on observational or experimental data) might be used, or alternative (larger or smaller) adjustment factors and age ranges may be applied where understanding of the mechanism of action and target tissues makes this appropriate.

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Other Source Documents for Cancer Risk Assessment Guidance

As noted previously, the cancer potencies and unit risks tabulated in this technical support document have been developed by various programs over a number of years. The methods used therefore necessarily varied according to the date of the assessment and the program responsible. The following section summarizes the sources and procedures most commonly applied, and their historical context where this is apposite.

United States Environmental Protection Agency (U.S. EPA)

The U.S. EPA was one of the first regulatory agencies to develop and apply cancer risk assessment methodology. Their guidance documents and technical publications have been influential for many programs, including the California Air Toxics (Toxic Air Contaminants and Hot Spots) programs.

Guidelines for Carcinogen Risk Assessment (U.S. EPA, 1986)

Prior to the more recent guidelines updating project which, after nearly ten years of internal and public review drafts culminated in the 2005 final revision (see below), U.S. EPA carcinogen risk assessment procedures were generally as described in Anderson *et al.* (1983) and "Guidelines for Carcinogen Risk Assessment" (U.S. EPA, 1986). These methods, which are outlined below, were used to calculate the Integrated Risk Information System (IRIS) cancer potency values, some of which are cited in this document. U.S. EPA has always indicated that cancer risk estimates based on adequate human epidemiologic data are preferred if available over estimates based on animal data. Although the newer guidelines offer alternative methods for dose-response analysis of animal bioassays, and updated consideration of specific topics such as lifestage-related differences in sensitivity, and mechanism of action for some types of carcinogen, the underlying principles, and many of the specific procedures developed in these original guidelines are still applicable and in use.

U.S. EPA Calculation of Carcinogenic Potency Based on Animal Data

In extrapolating low-dose human cancer risk from animal carcinogenicity data, it is generally assumed that most agents that cause cancer also damage DNA, and that the quantal type of biological response characteristic of mutagenesis is associated with a linear non-threshold dose-response relationship. U.S. EPA stated that the risk assessments made with this model should be regarded as conservative, representing the most plausible upper limit for the risk. The mathematical expression used by U.S. EPA in the 1986 guidelines to describe the linear non-threshold dose-response relationship at low doses is the linearized multistage procedure developed by Crump (1980). This model is capable of fitting almost any monotonically increasing dose-response data, and incorporates a procedure for estimating the largest possible linear slope at low extrapolated doses that is consistent with the data at all experimental dose levels. A description of the linearized multistage procedure has been provided above (page 292928). U.S. EPA used an updated version (GLOBAL86, Howe *et al.*, 1986) of the computer program GLOBAL79 developed by Crump and Watson (1979) to calculate the point estimate and the 95% upper confidence limit of the extra risk $A(d)$.

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U.S. EPA separated tumor incidence data according to organ sites or tumor types. The incidence of benign and malignant tumors was combined whenever scientifically defensible. U.S. EPA considered this incidence combination scientifically defensible unless the benign tumors are not considered to have the potential to progress to the associated malignancies of the same histogenic origin. The primary comparison in carcinogenicity evaluation is tumor response in dosed animals as compared to contemporary matched control animals. However, U.S. EPA stated that historical control data could be used along with concurrent control data in the evaluation of carcinogenic responses, and notes that for the evaluation of rare tumors, even small tumor responses may be significant compared to historical data. If several data sets (dose and tumor incidence) are available (different animal species, strains, sexes, exposure levels, exposure routes) for a particular chemical, the data set used in the model was the set where the incidence is statistically significantly higher than the control for at least one test dose level and/or where the tumor incidence rate shows a statistically significant trend with respect to dose level. The data set generating the highest lifetime cancer risk estimate (q_1^*) was chosen where appropriate. An example of an inappropriate data set would be a set which generates an artifactually high risk estimate because of a very small number of animals used. If there are 2 or more data sets of comparable size for a particular chemical that are identical with respect to species, strain, sex and tumor sites, the geometric mean of q_1^* estimated from each of those data sets was used for risk estimation. U.S. EPA assumed that mg/surface area/day is an equivalent dose between species. Surface area was further assumed to be proportional to the 2/3 power of the weight of the animal in question. Equivalent dose was therefore computed using the following relationship:

$$\mathrm{d} = \frac{l_e * m}{L_e * W^{2/3}}$$

where L_e = experimental duration, l_e = exposure duration, m = average dose (mg/day) and W = average animal weight. Default average body weights for humans, rats and mice are 70, 0.35 and 0.03 kg, respectively.

Exposure data expressed as ppm in the diet were generally converted to mg/day using the relationship m = ppm * F * r, where ppm is parts per million of the chemical in the diet, F is the weight of the food consumed per day in kg, and r is the absorption fraction (assumed to be 1 in the absence of data indicating otherwise). The weight of food consumed, calories required, and animal surface area were generally all considered to be proportional to the 2/3 power of the animal weight, so:

$$m \quad \text{ppm} * W^{2/3} * r, \text{ or } \quad \frac{m}{rW^{2/3}} \quad \text{ppm}$$

The relationship could lead to the assumption that dietary ppm is an equivalent exposure between species. However, U.S. EPA did not believe that this assumption is justified, since the calories/kg food consumed by humans is significantly different from that consumed by laboratory animals (primarily due to differences in moisture content). An empirically derived food factor, $f = F/W$ was used, which is the fraction of a species' body weight consumed per day as food. U.S. EPA (1986) gave the f values for humans, rats and mice as 0.028, 0.05 and 0.13, respectively.

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Dietary exposures expressed as concentrations in ppm were converted to mg/surface area using the following relationship:

$$\frac{m}{r * W^{2/3}} = \frac{\text{ppm} * F}{W^{2/3}} = \frac{\text{ppm} * f * W}{W^{2/3}} = \text{ppm} * f * W^{2/3}$$

Exposures expressed as mg/kg/day ($m/Wr = s$) were converted to mg/surface area using the relationship:

$$\frac{m}{rW^{2/3}} = s * W^{2/3}$$

The calculation of dose when exposure is via inhalation was performed for cases where 1) the chemical is either a completely water-soluble gas or aerosol and is absorbed proportionally to the amount of inspired air, or 2) where the chemical is a partly water-soluble gas which reaches an equilibrium between the inspired air and body compartments. After equilibrium is attained, the rate of absorption is proportional to metabolic rate, which is proportional to the rate of oxygen consumption, which is related to surface area.

Exposure expressed as mg/day to completely water-soluble gas or aerosols can be calculated using the expression $m = I * v * r$, where I is the inspiration rate/day in m^3, v is the concentration of the chemical in air (mg/m^3), and r is the absorption fraction (assumed to be the same for all species in the absence of data to the contrary; usually 1). For humans, the default inspiration rate of 20 m^3 has been adopted. Inspiration rates for 113 g rats and 25 g mice have been reported to be 105 and 34.5 liters/day, respectively. Surface area proportionality can be used to determine inspiration rate for rats and mice of other weights; for mice, $I = 0.0345\ (W / 0.025)^{2/3}\ m^3/day$; for rats, $I = 0.105\ (W / 0.113)^{2/3}\ m^3/day$. The empirical factors for air intake/kg/day (i) for humans, rats and mice are 0.29, 0.64 and 1.3, respectively. Equivalent exposures in mg/surface area can be calculated using the relationship:

$$\frac{m}{W^{2/3}} = \frac{Ivr}{W^{2/3}} = \frac{iWvr}{W^{2/3}} = iW^{1/3}vr$$

Exposure expressed as mg/day to partly water-soluble gases is proportional to surface area and to the solubility of the gas in body fluids (expressed as an absorption coefficient r for that gas). Equivalent exposures in mg/surface area can be calculated using the relationships $m = kW^{2/3} * v * r$, and $d = m/W^{2/3} = kvr$. The further assumption is made that in the case of route-to-route extrapolations (e.g., where animal exposure is via the oral route, and human exposure is via inhalation, or vice versa), unless pharmacokinetic data to the contrary exist, absorption is equal by either exposure route.

Adjustments were made for experimental exposure durations shorter than the lifetime of the test animal; the slope q_1^* was increased by the factor $(L/L_e)^3$, where L is the normal lifespan of the experimental animal and L_e is the duration of the experiment. This assumed that if the average dose d is continued, the age-specific rate of cancer will continue to increase as a constant function of the background rate. Since age-specific rates for humans increase by at least the 2nd power of the age, and often by a considerably higher power (Doll, 1971), there is an expectation

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that the cumulative tumor rate, and therefore q_1^*, will increase by at least the 3rd power of age. If the slope q_1^* is calculated at age L_e, it would be expected that if the experiment was continued for the full lifespan L at the same average dose, the slope q_1^* would have been increased by at least $(L/L_e)^3$.

U.S. EPA Calculation of Carcinogenic Potency Based on Human Data

U.S. EPA stated that existing human epidemiologic studies with sufficiently valid exposure characterization are always used in evaluating the cancer potency of a chemical. If they showed a carcinogenic effect, the data were analyzed to provide an estimate of the linear dependence of cancer rates on lifetime cancer dose (equivalent to the factor q_1^*). If no carcinogenic effect was demonstrated and carcinogenicity had been demonstrated in animals, then it was assumed that a risk does exist, but it is smaller than could have been observed in the epidemiologic study. An upper limit of cancer incidence was calculated assuming that the true incidence is just below the level of detection in the cohort studied, which is largely determined by the cohort size. Whenever possible, human data are used in preference to animal data. In human epidemiologic studies, the response is measured as the relative risk of the exposed cohort of individuals compared to the control group. The excess risk ($R(X)$ - 1, where $R(X)$ is relative risk) was assumed to be proportional to the lifetime average exposure X, and to be the same for all ages. The carcinogenic potency is then equal to $[R(X) - 1]/X$ multiplied by the lifetime risk at that site in the general population. According to this original procedure, the confidence limit for the excess risk was not usually calculated: this decision was ascribed to the difficulty in accounting for inherent uncertainty in the exposure and cancer response data. More recent assessments have taken the opposite view and attempted to calculate and characterize this uncertainty by determining confidence limits, *inter alia*.

Guidelines for Carcinogen Risk Assessment (U.S. EPA, 2005a)

U.S. EPA revised its "Guidelines for Carcinogen Risk Assessment" (referred to henceforth as the "U.S. EPA Guidelines") in 2005. Compared to the 1986 version of this document, more emphasis is placed on establishing a "mode of action" (MOA). The following excerpt provides a definition of this term:

> "The term "mode of action" is defined as a sequence of key events and processes, starting with interaction of an agent with a cell, proceeding through operational and anatomical changes, and resulting in cancer formation. A "key event" is an empirically observable precursor step that is itself a necessary element of the mode of action or is a biologically based marker for such an element. Mode of action is contrasted with "mechanism of action," which implies a more detailed understanding and description of events, often at the molecular level, than is meant by mode of action".

Cancer risk assessments performed under the prior U.S. EPA Guidelines sometimes included a MOA description. However, the 1986 U.S. EPA Guidelines did not explicitly mandate the development of a MOA description in cancer risk assessments.

The MOA information is then used to govern how a cancer risk assessment shall proceed. Tumor incidence data sets arising from a MOA judged to be not relevant to humans are not used

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to extrapolate a cancer potency factor. If an MOA cannot be determined or is determined to have a low-dose linear dose-response and a nonmutagenic MOA, then a linear extrapolation method is used to develop a cancer potency factor. The same linear extrapolation is used for all lifestages, unless chemical specific information on lifestage or population sensitivity is available. Carcinogens that act via an MOA judged to have a nonlinear low-dose dose response are modeled using MOA data, or the RfD/RfC risk assessment method is used as a default. Adjustments for susceptible lifestages or populations are to be performed as part of the risk assessment process.

If a carcinogen is deemed to act via a mutagenic MOA, then the data from the MOA analysis is evaluated to determine if chemical-specific differences between adults and juveniles exist and can be used to develop a chemical-specific risk estimate incorporating lifestage susceptibility. If this cannot be done, then early-life susceptibility is assumed, and age-dependent adjustment factors (ADAFs) are applied as appropriate to develop risk estimates. In cases where it is not possible to develop a toxicokinetic model to perform cross-species scaling of animal tumor data sets which arise from oral exposures, the U.S. EPA Guidelines state that administered doses should be scaled from animals to humans on the basis of equivalence of $mg/kg^{3/4}$-d (milligrams of the agent normalized by the 3/4 power of body weight per day). This is a departure from the 1986 U.S. EPA guidelines, which used a 2/3 power of body weight normalization factor. Other adjustments for dose timing, duration and route are generally assumed to be handled in similar fashion to that described for the 1986 guidelines, although of course updated parameter values would be used where available.

The 2005 U.S. EPA Guidelines also use benchmark dose methodology (described above, page 27) to develop a "point-of departure" (POD) from tumor incidence data. For linear extrapolation, the POD is used to calculate a cancer potency factor, and for nonlinear extrapolation the POD is used in the calculation of a reference dose (RfD) or reference concentration (RfC).

It should be noted that none of the cancer potency factors listed in this document were obtained from U.S. EPA risk assessments performed under the 2005 U.S. EPA Guidelines. All U.S. EPA IRIS cancer potency values contained in this document were obtained from risk assessments using the 1986 U.S. EPA Guidelines.

Office of Environmental Health Hazard Assessment (OEHHA), California Environmental Protection Agency

The cancer risk assessment procedures originally used by the Office of Environmental Health Hazard Assessment (OEHHA) are outlined in "Guidelines for Chemical Carcinogen Risk Assessments and their Scientific Rationale" (referred to below as the Guidelines) (CDHS, 1985). These procedures were generally used in generating Toxic Air Contaminant (TAC) cancer potency values, standard Proposition 65 cancer potency values and Public Health Goal (PHG) cancer potency values. Expedited Proposition 65 cancer potency values depart somewhat from those procedures and are discussed separately below.

OEHHA cancer risk assessment methodology as described by CDHS (1985) generally resembled that used at that time by U.S. EPA (Anderson *et al.*, 1983; U.S. EPA, 1986). OEHHA risk

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assessment practice similarly reflects the evolution of the technical methodology (e.g. as described in U.S. EPA, 2005a) since the original guidelines were published. The basic principles and procedures described below are still considered applicable. More recent additions to OEHHA cancer risk assessment methods such as the use of benchmark dose methodologies and early-lifestage cancer potency adjustments are discussed above. The Guidelines state that both animal and human data, when available, should be part of the dose-response assessment.

OEHHA Calculation of Carcinogenic Potency Based on Animal Data

The procedures used to extrapolate low-dose human cancer risk from animal carcinogenicity data assumed that a carcinogenic change induced in a cell is transmitted to successive generations of cell descendents, and that the initial change in the cell is an alteration (e.g. mutation, rearrangement, etc.) in the cellular DNA. Non-threshold models are used to extrapolate to low-dose human cancer risk from animal carcinogenicity data.

Several models were proposed for extrapolating low-dose human cancer risk from animal carcinogenicity data in the original Guidelines. These models include the Mantel-Bryan method (log-probit model), the one-hit model, the linearized multistage procedure, the gamma multihit model, and a number of time-to-tumor models. The Guidelines stated that time-to-tumor models (i.e., a Weibull-in-time model) should be used for low-dose extrapolation in all cases where supporting data are available, particularly when survival is poor due to competing toxicity. However, the Guidelines also noted the difficulty of determining the actual response times in an experiment. Internal tumors are generally difficult to detect in live animals and their presence is usually detected only at necropsy. Additionally, use of these models often requires making the determination of whether a tumor was the cause of death, or was found only coincidentally at necropsy when death was due to other causes. Further, competing causes of death, such as chemical toxicity, may decrease the observed time-to-tumor for nonlethal cancers by allowing earlier necropsy of animals in higher dose groups. The linearized multistage (LMS) procedure was noted as being an appropriate method for dose extrapolation in most cases, with the primary exception being a situation in which sufficient empirical data are available to indicate a dose-response curve of a "quasi-threshold" type (e.g., flat for two or three dose levels, then curving sharply upwards). In this case, the LMS procedure may underestimate the number of stages and overestimate the low-dose risks. In this case, the gamma multihit model was suggested as being a potential alternative. The Mantel-Bryan model was described as having little biological basis as applied to carcinogenesis, and being likely to underestimate risks at low doses. The Guidelines stated that this model should not be used for low dose extrapolation. More recent practice has departed from these original guidelines in some respects, for instance by experimenting with cell-proliferation based models in a few cases: however the LMS model remained the preferred extrapolation model for most purposes. Some of the difficulties in achieving a satisfactory fit to tumor incidence data were found to be alleviated by application of toxicokinetic models and use of an internal rather than applied dose metric with the LMS model. This has resulted in the alternative models originally advocated (Gamma multihit, Mantel-Bryan) being mostly abandoned. As noted above (Dose-Response Assessment, page 23), the use of allegedly biologically based statistical models such as LMS has fallen from favor in recent years, and benchmark dose methodology has become the preferred method for extrapolating cancer potency values from animal cancer incidence data. However, it should also be noted that results

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generated by the LMS model and benchmark dose methodology from the same data set are often quite similar.

The 1985 Guidelines stated that both animal and human data, when available, should be part of the dose-response assessment. Although preference was given to human data when these were of adequate quality, animal studies may provide important supporting evidence. Low-dose extrapolation of human cancer risk from animal carcinogenicity data was generally based on the most sensitive site, species and study demonstrating carcinogenicity of a particular chemical, unless other evidence indicates that the data set in question is not appropriate for use. Where both benign and malignant tumors are induced at the same site and the benign tumors are considered to have the potential to progress to malignant tumors, the incidence data for both types of tumors could be combined to form the basis for risk assessment. Pharmacokinetic data on chemical metabolism, effective dose at target site, or species differences between laboratory test animals and humans were considered in dose-response assessments when available. In performing exposure scaling from animals to humans, the "surface area" correction (correcting by the 2/3 power of body weight) was used unless specific data indicates that this should not be done. The Guidelines assumed that in the absence of evidence to the contrary, chemicals that cause cancer after exposure by ingestion will also cause cancer after exposure by inhalation, and vice versa. These original proposals have continued in use with little change except that currently, TAC and PHG cancer potency factor calculations use a 3/4 power of body weight correction for interspecies scaling, in line with current U.S. EPA practice. The standard Proposition 65 cancer potency factor calculations still use a 2/3 power correction because the cancer potency calculation method is specified in regulation (California Health and Safety Code 25249.5 *et seq.*).

Cancer unit risk factors [in units of $(\mu g/m^3)^{-1}$]have been calculated from cancer potency factors [in units of $(mg/kg\text{-}day)^{-1}$] using the following relationship:

$$UR = \frac{CPF * 20\ m^3}{70\ kg\ *\ CV}$$

where UR is the cancer unit risk, CPF is the cancer potency factor, 70 kg is the reference human body weight, 20 m^3 is the reference human inspiration rate/day, and CV is the conversion factor from mg to µg (= 1000). The cancer unit risk describes the excess cancer risk associated with an inhalation exposure to a concentration of 1 $\mu g/m^3$ of a given chemical; the cancer potency factor describes the excess cancer risk associated with exposure to 1 mg of a given chemical per kilogram of body weight.

It should be noted that although this default method is still used in deriving published cancer unit risk values, for site-specific risk assessments age-appropriate distributions and percentile values are used in the current version of the Hot Spots exposure assessment document. Where exposure to children occurs (as it does in most exposures to the general population surrounding a source site) it is also necessary to apply the age-specific adjustment factors for the appropriate durations in accordance with the guidance offered above (Page 30 *et seq.*).

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OEHHA Calculation of Carcinogenic Potency Based on Human Data

Human epidemiologic studies with adequate exposure characterization are used to evaluate the cancer potency of a chemical. If they show a carcinogenic effect, the data are analyzed to provide an estimate of the linear dependence of cancer rates on lifetime cancer dose. The 1985 Guidelines stated that with continuous exposure, age-specific incidence continues to increase as a power function (e.g., t^3 or t^4) of the elapsed time since initial exposure. Lifetime risks can be estimated by applying such a power function to the observed data and extrapolating beyond the actual followup period. OEHHA has generally undertaken the calculation of study power and confidence bounds on the potency estimate as important tools to establish the credibility of the estimate obtained and in comparing this with other estimates (from other human studies or from animal data). Due to the diversity in quality and type of epidemiological data, the specific approaches used in OEHHA risk assessments based on human epidemiologic studies vary on a case by case basis rather than following explicit general guidelines. Examples of the methods used can be observed in the Toxic Air Contaminant documents (these documents are listed in Appendix D: the methods used are described in the compound summaries provided in Appendix B).

Expedited Proposition 65 Cancer Risk Assessment Methodology

Expedited cancer potency values developed for several agents listed as carcinogens under Proposition 65 (California Health and Safety Code 25249.5 *et seq.*) were derived from selected animal carcinogenicity data sets of the Carcinogenic Potency Database (CPDB) of Gold *et al.* (1984, 1986, 1987, 1989, 1990, 1997) using default procedures specified in the administrative regulations for Proposition 65 (Title 22 California Code of Regulations [CCR] 12703). OEHHA hazard assessments usually describe all relevant data on the carcinogenicity (including dose-response characteristics) of the chemical under examination, followed by an evaluation of any pharmacokinetic and mechanistic (e.g. genotoxicity) data. An evaluation of the data set for the chemical may indicate that adjustments in target dose estimates or use of a dose response model different from the default are appropriate. The procedure used to derive expedited Proposition 65 cancer potency values differs from the usual methodology in two ways. First, it relies on cancer dose response data evaluated and extracted from the original literature by Gold *et al.* Second, the choice of a linearized multistage procedure for generating cancer potency values is automatic, and pharmacokinetic adjustments are not performed. The methods used to develop expedited cancer potency values incorporate the following assumptions:

1. The dose response relationship for carcinogenic effects in the most sensitive species tested is representative of that in humans.
2. Observed experimental results can be extrapolated across species by use of the interspecies factor based on "surface area scaling."
3. The dose to the tissue giving rise to a tumor is assumed to be proportional to the administered dose.
4. The linearized multistage polynomial procedure can be used to extrapolate potency outside the range of experimental observations to yield estimates of "low" dose potency.
5. Cancer risk increases with the third power of age.

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The Carcinogenic Potency Database of Gold *et al.* (1984, 1986, 1987, 1989, 1990) contains the results of more than 4000 chronic laboratory animal experiments on 1050 chemicals by combining published literature with the results of Federal chemical testing programs (Technical Reports from the Carcinogenesis Bioassay Program of the National Cancer Institute (NCI)/National Toxicology Program (NTP) published prior to June 1987). The published literature was searched (Gold *et al.*, 1984) through the period December 1986 for carcinogenicity bioassays; the search included the Public Health Service publication "Survey of Compounds Which Have Been Tested for Carcinogenic Activity" (1948-1973 and 1978), monographs on chemical carcinogens prepared by the International Agency for Research on Cancer (IARC) and Current Contents. Also searched were Carcinogenesis Abstracts and the following journals: British Journal of Cancer, Cancer Letters, Cancer Research, Carcinogenesis, Chemosphere, Environmental Health Perspectives, European Journal of Cancer, Food and Cosmetics Toxicology, Gann, International Journal of Cancer, Journal of Cancer Research and Clinical Oncology (formerly Zeitschrift fur Krebsforschung und Klinische Onkologie), Journal of Environmental Pathology and Toxicology, Journal of Toxicology and Environmental Health, Journal of the National Cancer Institute, and Toxicology and Applied Pharmacology. Studies were included in the database if they met the following conditions:

1. The test animals were mammals.
2. Chemical exposure was started early in life (100 days of age or less for hamsters, mice and rats).
3. Route of administration was via the diet, drinking water, gavage, inhalation, intravenous injection or intraperitoneal injection.
4. The test chemical was administered alone (not in combination with other chemicals).
5. Chemical exposure was chronic (*i.e.*, duration of exposure was at least one-fourth the standard lifespan for that species), with not more than 7 days between exposures.
6. The experiment duration was at least half the standard lifespan for the species used.
7. The study design included a control group and at least 5 animals/exposure group.
8. No surgical interventions were performed.
9. Pathology data were reported for the number of animals with tumors (not total number of tumors).
10. All results reported were original data (not analysis of data reported by other authors).

Included in their data set tabulations are estimates of average doses used in the bioassay, resulting tumor incidences for each of the dose levels employed for sites where significant responses were observed, dosing period, length of study and histopathology. Average daily dose levels were calculated assuming 100% absorption. Dose calculations follow procedures similar to those of Cal/EPA and U.S. EPA; details on methods used and standard values for animal lifespans, body weights, and diet, water and air intake are listed in Gold *et al.* (1984). OEHHA (1992) reviewed the quality assurance, literature review, and control procedures used in compiling the data and found them to be sufficient for use in an expedited procedure. Cancer potency estimates were derived by applying the mathematical approach described in the section below to dose response data in the Gold *et al.* database.

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The following criteria were used for data selection:

1. Data sets with statistically significant increases in cancer incidence with dose (p 0.05) were used. (If the authors of the bioassay report considered a statistically significant result to be unrelated to the exposure to the carcinogen, the associated data set was not used.)
2. Data sets were not selected if the endpoint was specified as "all tumor-bearing animals" or results were from a combination of unrelated tissues and tumors.
3. When several studies were available, and one study stood out as being of higher quality due to numbers of dose groups, magnitude of the dose applied, duration of study, or other factors, the higher quality study was chosen as the basis for potency calculation if study results were consistent with those of the other bioassays listed.
4. When there were multiple studies of similar quality in the sensitive species, the geometric mean of potencies derived from these studies was taken. If the same experimentalists tested two sexes of the same species/strain under the same laboratory conditions, and no other adequate studies were available for that species, the data set for the more sensitive sex was selected.
5. Potency was derived from data sets that tabulate malignant tumors, combined malignant and benign tumors, or tumors that would have likely progressed to malignancy.

Cancer potency was defined as the slope of the dose response curve at low doses. Following the default approach, this slope was estimated from the dose response data collected at high doses and assumed to hold at very low doses. The Crump linearized multistage polynomial (Crump *et al.*, 1977) was fit to animal bioassay data:

$$\text{Probability of cancer} = 1 - \exp[-(q_0 + q_1 d + q_2 d^2 + \ldots)]$$

Cancer potency was estimated from the upper 95 % confidence bound on the linear coefficient q_1, which is termed q_1^*.

For a given chemical, the model was fit to a number of data sets. As discussed in the section above, the default was to select the data for the most sensitive target organ in the most sensitive species and sex, unless data indicated that this was inappropriate. Deviations from this default occur, for example, when there are several bioassays or large differences exist between potency values calculated from available data sets.

Carcinogenicity bioassays using mice and/or rats will often use an exposure duration of approximately two years. For standard risk assessments, this is the assumed lifespan for these species. Animals in experiments of shorter duration are at a lower risk of developing tumors than those in the standard bioassay; thus potency is underestimated unless an adjustment for experimental duration is made. In estimating potency, short duration of an experiment was taken into account by multiplying q_1^* by a correction factor equal to the cube of the ratio of the assumed standard lifespan of the animal to the duration of the experiment (T_e). This assumes that the cancer hazard would have increased with the third power of the age of the animals had they lived longer:

$$q_{animal} = q_1^* * (104 \text{ weeks}/T_e)^3$$

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In some cases excess mortality may occur during a bioassay, and the number of initial animals subject to late occurring tumors may be significantly reduced. In such situations, the above described procedure can, at times, significantly underestimate potency. A time-dependent model fit to individual animal data (i.e., the data set with the tumor status and time of death for each animal under study) may provide better potency estimates. When Gold *et al.* indicated that survival was poor for a selected data set, a time-dependent analysis was attempted if the required data were available in the Tox Risk (Crump *et al.*, 1991) data base. The Weibull multistage model (Weibull-in-time; multistage-in-dose) was fit to the individual animal data.

To estimate human cancer potency, q_{animal} values derived from bioassay data were multiplied by an interspecies scaling factor (K; the ratio of human body weight (bw_h) to test animal body weight (bw_a), taken to the 1/3 power (Anderson *et al.*, 1983)):

$$K = (bw_h/bw_a)^{1/3}$$

Thus, cancer potency = $q_{human} = K * q_{animal}$

Chemical-specific Descriptions of Cancer Potency Value Derivations

Unit Risk and potency values for chemicals whose cancer potency values were obtained from Toxic Air Contaminant documents, standard or expedited Proposition 65 documents, U.S. EPA's Integrated Risk Information System (IRIS) documents and Health Effects Assessment Summary Table (HEAST) entries, or from other documents prepared by OEHHA's Air Toxicology and Epidemiology Branch or Pesticide and Environmental Toxicology Branch are presented in Appendix A. Information summaries for these chemicals are presented in Appendix B.

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U.S. Department of Housing and Urban Development
Office of Community Planning and Development

The Noise Guidebook

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The Noise Guidebook

A Reference Document for
Implementing the Department of
Housing and Urban Development's
Noise Policy

Prepared By The Environmental
Planning Division,
Office of Environment and Energy

For sale by the Superintendent of Documents, U.S. Government Printing Office Washington, D.C. 20402

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Preface

Introduction

This *Noise Guidebook* has been prepared to serve as the basic reference document for all HUD field staff who are responsible for implementing the Department's noise policy. It brings together in one place all the various reports, informational papers and other items that have been put out by the Department over the past several years. It also contains several new items designed to make your job easier.

This *Guidebook* is designed to serve not only the experienced HUD staff member but also the new employee or the old employee who is new to the noise field. Because of this, the *Guidebook* contains some fairly basic background material as well as quizzes and other material specifically geared for the "learner."

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Chapter 1

Basic Overview of the Environmental Noise Problem

Introduction

Background

Definition and Scope of the Noise Problem

The air around us is constantly filled with sounds, yet most of us would probably not say we are surrounded by noise. What then is the difference between ordinary sound and what we call noise? The traditional definition of noise is that it is "unwanted sound." Sound becomes unwanted when it either interferes with our normal activities such as sleeping, conversation or recreation, when it causes actual physical harm such as hearing loss or has adverse effects on mental health. As we have become a more urbanized country and as technology has advanced, the level of sound in our environment has reached the point when it sometimes does cause interference and does cause physical and psychological harm, and thus we have developed a noise problem. (See Figure 1 for a listing of common sounds.)

The dimensions of the noise problem have grown larger and larger over the past few decades. In its 1979 Annual Report, The Council on Environmental Quality stated that "nearly half the US population is regularly exposed to levels of noise that interfere with ...normal activities" and about "1 in 10 ...are exposed to noises of duration and intensity sufficient to cause a permanent reduction in their ability to hear."

Figure 1
Common Sounds
Basic Theory: Common Sounds in Decibels (dB)

Some common, easily recognized sounds are listed below in order of increasing sound intensity levels in decibels. The sound levels shown for occupied rooms are typical general activity levels only and do *not* represent criteria for design.

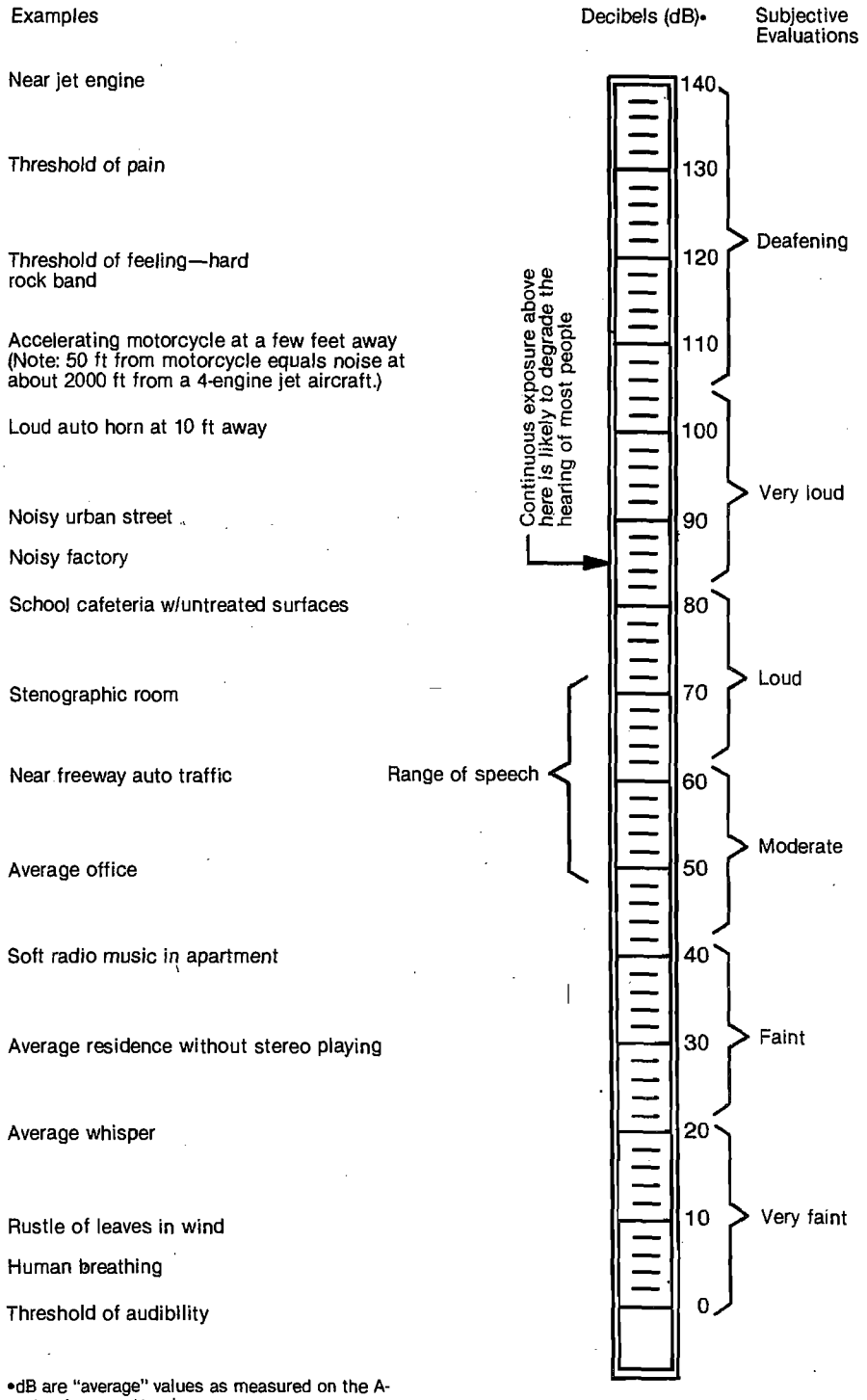

•dB are "average" values as measured on the A-scale of a sound-level meter
(From *Concepts in Architectural Acoustics:* M. David Egan, McGraw Hill, 1972.)

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The Dynamics of the Noise Problem

There are basically two types of noise problems. There is the specific, job related, occupational noise problem created by extremely loud machinery. Then there is the community noise problem where the combined effect of many individual noise sources creates an overall noise level that is unacceptable. In the following pages we will be addressing the community noise problem only.

The main contributors to a community noise problem are transportation sources such as highways, railroads and airports. These sources are the most pervasive and continuing of the noise sources within the community. Of course, at any given site, there may be other noise sources which add to the problem, sources such as jackhammers at a construction site. But in general, and for the purposes of this section, the main concern is with the transportation sources.

The dynamics of a noise problem are based on the relationship between the noise source, the person or place exposed to the noise (hereafter called the receiver) and the path the noise will travel from source to receiver.

The source generates a given amount of noise which travels along the path and arrives at the receiver. The amount of noise will be reduced to some extent as a result of how long that path is or whether there are any barriers along the path. The severity of the impact on the receiver is a function of what type of activity is taking place, whether it is indoors or outdoors, and what type of building it is in if the activity is indoors. Figure 3 contains some basic compatibility guidelines.

The impact of the noise can be altered or mitigated by changing the characteristics of any of the three elements: source, path or receiver. Later on we will look at the various mitigation measures that are possible. Our concern however will be primarily with the receiver and the path. Control of the sources themselves is the specific responsibility of agencies such as the Environmental Protection Agency (EPA) or the Federal Aviation Administration (FAA).

Figure 2
Dynamics of a Noise Problem

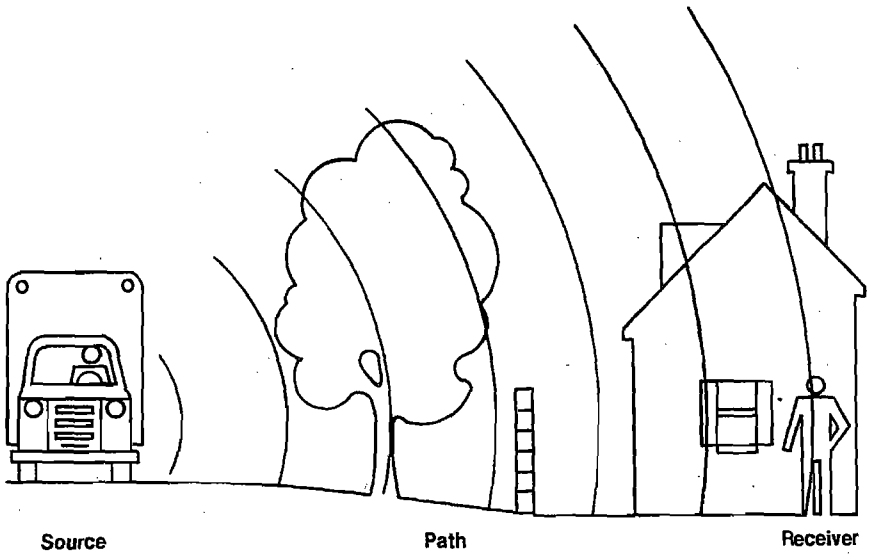

Figure 3
Land Use Compatibility Guidelines

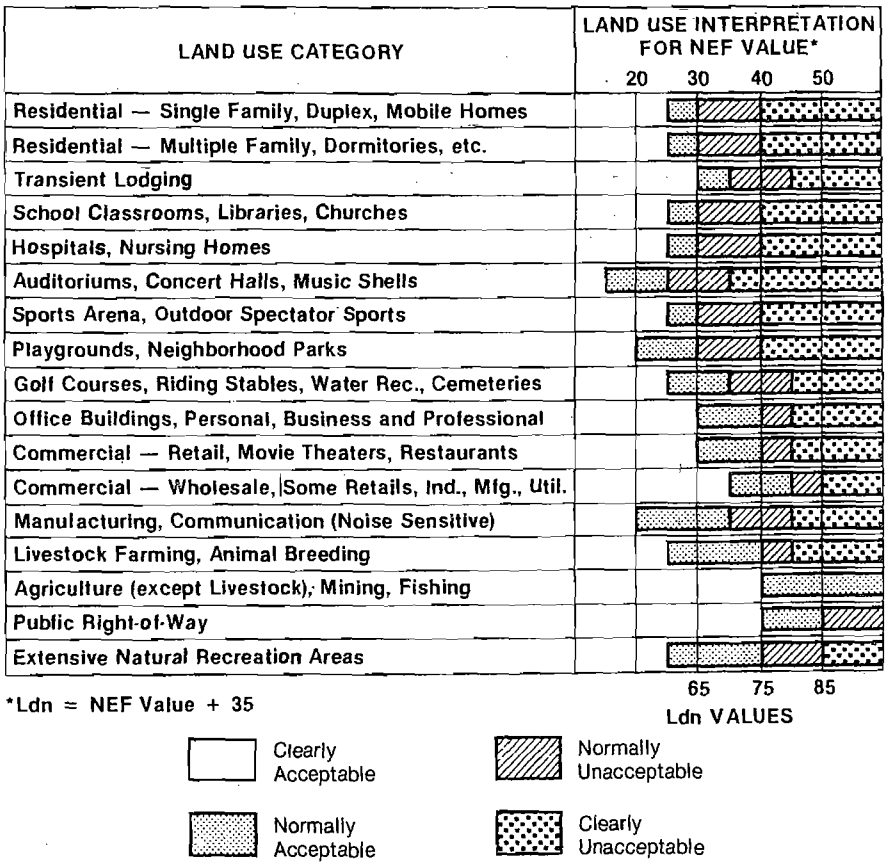

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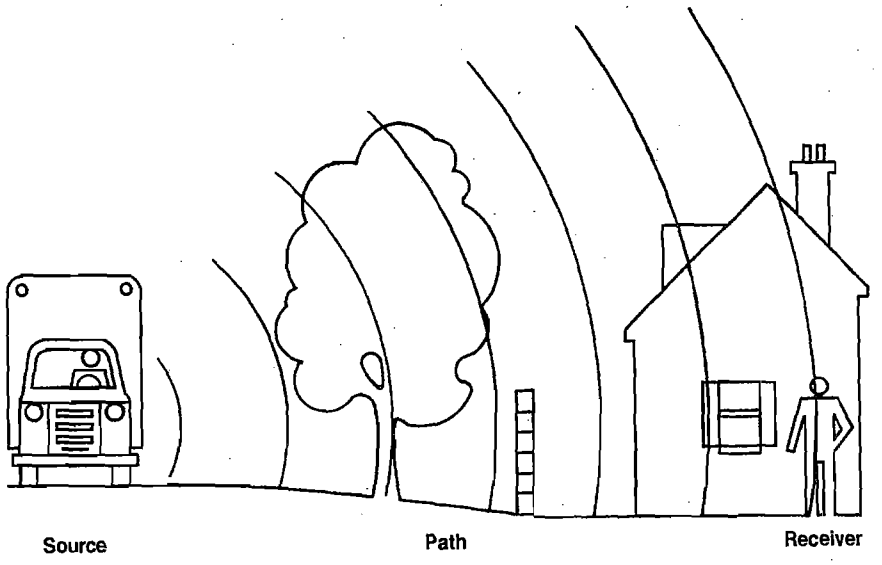

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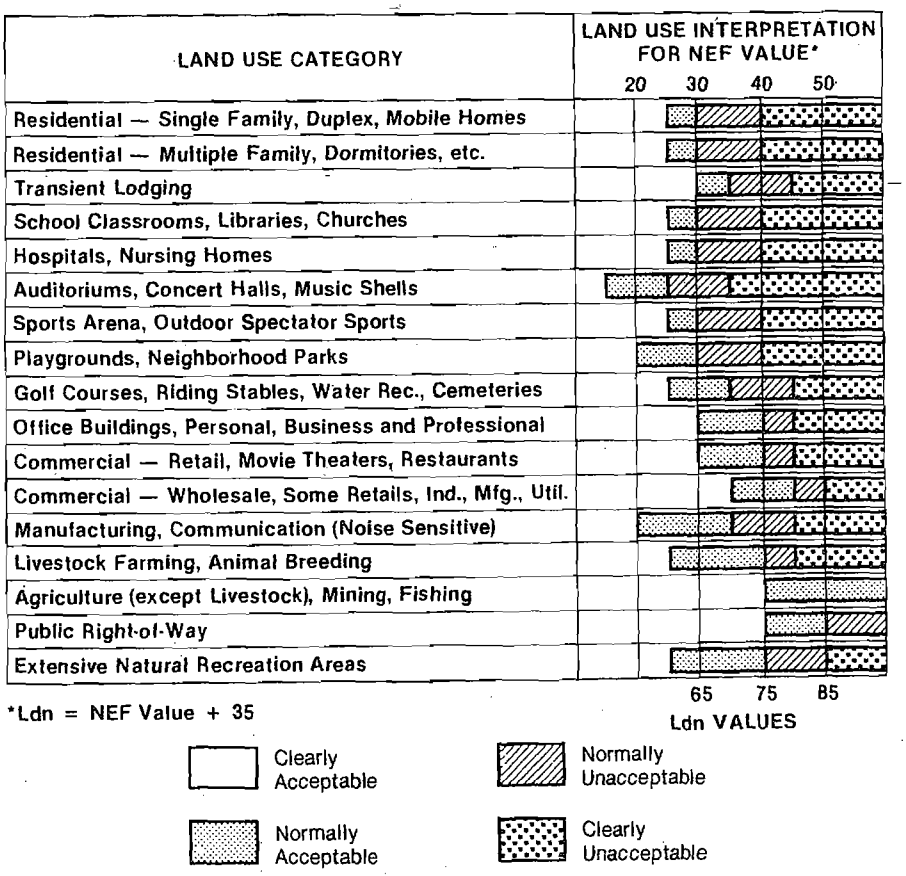

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The ideal solution to a potential problem is to reduce the noise being produced by the source. The best solution available to HUD, or the community, however, is to make sure that noise sensitive uses are located where they will not be exposed to high noise levels. The next best approach to mitigating noise impact is to attempt to reduce the amount of noise that reaches the receiver. This can be accomplished through the use of barriers such as walls or earthen berms, or combinations of both, along the noise path. If the use of barriers is not possible then the only alternative available is to provide noise reduction measures in any structures associated with the activity so that at least the interior spaces are not exposed to high noise levels. This approach is considered the least desirable because most of the land uses we are concerned about, such as residential, do have outdoor areas and activities associated with them which would remain exposed to high noise levels.

A Note on Descriptors

A key factor in the growth of our ability to evaluate and reduce noise impacts has been the development of better tools to measure and describe the noise levels generated by various sources. The development of better tools (called noise descriptors or metrics) has been particularly important for dealing with community noise problems. Many of the older descriptor systems could only be used for one or two sources such as cars and railroads, but not airplanes. Since the community noise problem very often includes noise from all these sources the lack of an adequate descriptor made it difficult to do an adequate evaluation.

The most advanced descriptor currently in general use is the day night average sound level system, abbreviated as DNL and symbolized mathematically as L_{dn}. The day night average sound level is the 24 hour average sound level, expressed in decibels, obtained after the addition of a 10 decibel penalty for sound levels which occur at night between 10 PM and 7 AM. This nighttime penalty is based on the fact that many studies have shown that people are much more disturbed by noise at night than at any other time. This is not unusual in that background noise is often much less at night and also people tend to be doing very noise sensitive things at night, such as trying to sleep.

Another feature of the DNL system that is very important is that it can be used to describe noise from all sources. Thus, using the DNL system, we can describe the total noise exposure at a site, something many other descriptor systems couldn't do.

The DNL system has been adopted by the EPA, the Department of Defense (DOD) and HUD, and more recently by the FAA, specifically for describing environmental impacts for airport actions. We expect that very soon it will be in almost universal use in the U.S.

Issues

The main issues involved in any noise analysis can be summarized briefly.

- How much noise is a site exposed to
- What types of activities are being affected and how severely
- Is it reasonable to redesign the site to relocate noise sensitive activities
- And, if not, how much protection can be provided through various attenuation measures.

Your approach to these issues will be affected in many ways by the location of the project in question. Projects in suburban or rural areas can be approached differently because the available mitigation options are greater and often the noise exposure itself is not so severe. In urban situations, however, the noise exposure is often more severe but at the same time the options for mitigation or resiting are more limited. In the urban setting innovative design and the use of advanced attenuation measures becomes critical. Fortunately our experience has shown that good design and construction can relieve or substantially reduce major noise problems.

Legal Provisions

General Legislation and Background

The Federal legislation which addresses noise issues is somewhat different from other environmental legislation. The Clean Air Act, for example, required the Environmental Protection Agency to set up actual mandatory standards for air quality which were supposed to be met by all jurisdictions. EPA even has the authority to take punitive steps against cities which are not making "reasonable further progress" towards achieving these air quality goals. There is no similar legislation that covers noise. The approach has been to tackle the noise problem at the source by controlling the amount of noise that can be emitted by the individual airplane engine or the individual jackhammer. Agencies like HUD or the Farmers Home Administration have developed regulations which are related to the overall community noise level, but they only affect their own programs and are not binding on local communities. The Veterans Administration program only relates to aircraft noise and also only affects its own programs.

The major pieces of Federal legislation related to noise include:

The Noise Control Act of 1972 directed EPA to promote an environment for all Americans free from noise that jeopardizes their health and welfare. It also included a requirement for EPA to set a criterion for noise level adequate to protect health and welfare with an adequate margin of safety but without regard to cost or feasibility.

Quiet Communities Act of 1978 amended The Noise Control Act of 1972 to encourage noise control programs at the State and community level.

Federal Aid Highway Act of 1970 established the requirement that noise control be a part of the planning and design of all federally aided highways.

Aviation Safety and Noise Abatement Act of 1979 requires FAA to develop a single system for measuring noise at airports and under certain conditions to prepare and publish noise maps.

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HUD Regulations

While the Department of Housing and Urban Development has no specific responsibility to try to reduce the noise problem at the source the way the Environmental Protection Agency and the Federal Aviation Administration do, it does have the responsibility to be aware of the noise problem and its impact on the housing environment. The most basic mandate which drives the Department's involvement with the noise issue is the Housing Act of 1949 (Public Law 81-171) which sets forth the national goal of "a decent home and suitable living environment for every American family." This goal was affirmed by the Housing and Urban Development Act of 1968 (Public Law 90-448). The Department was tasked by the Housing and Urban Development Act of 1965 (Public Law 89-117) "to determine feasible methods of reducing the economic loss and hardships suffered by homeowners as a result of the depreciation in the value of their properties following the construction of airports in the vicinity of their homes." The Noise Control Act of 1972, in addition to its specific tasking to EPA, tasked all Federal agencies to administer their programs in ways which reduce noise pollution. Finally, the Department is tasked by Federal Management Circular 75-2: *Compatible Land Uses at Federal Airfields* to make sure that its actions do not promote incompatible land uses around Federal airfields.

All of these legislative and regulatory mandates combine to create a serious requirement for the Department of Housing and Urban Development to be aware of the problem of noise and to take positive steps to protect residential and other sensitive land uses from high noise levels.

The Department of Housing and Urban Development first issued formal requirements related specifically to noise in 1971 (HUD Circular 1390.2). These requirements contained standards for exterior noise levels along with policies for approving HUD supported or assisted housing projects in high noise areas. In general the requirements established three zones: an acceptable zone where all projects could be approved, a normally unacceptable zone where mitigation measures would be required and where each project would have to be individually evaluated for approval or denial, and an unacceptable zone in which projects would not, as a rule, be approved.

In 1979, the Department issued revised regulations (24 CFR Part 51B) which kept the same basic standards but adopted new descriptor systems which were considerably advanced over those in use under the old requirements.

HUD's regulations also require that recipients of Community Development Block Grants (CDBG) and Urban Development Action Grants (UDAG) take into consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land developments are proposed in noise exposed areas. If CDBG or UDAG activities are planned in a noisy area, and HUD assistance is contemplated later for housing and/or other noise sensitive activities, the HUD standards must be met for those activities.

Project Analysis

General

While most of the analysis for noise focuses on noise sources located around the project site, there are some characteristics of the project itself that you should know about. These characteristics will help you to determine what is called the noise assessment location (NAL) for site analysis. (The NAL is a representative point (or points) on the site where significant noise exposure is expected. All distances, etc. are measured from the NAL). This information will also be helpful later in evaluating the potential for mitigating or reducing the impact of noise. All of this data should be available from preliminary plans and specifications. If not, a quick phone call to the developer/sponsor should get you all the information you need.

Data Required

- Location of outdoor noise sensitive uses relative to the noise source.
- Location of buildings containing noise sensitive activities.
- Location of other buildings, particularly ones which might serve to shield sensitive buildings or areas from the noise source.
- Design and construction features of buildings, particularly features such as use of central air conditioning which could provide noise reduction benefits by permitting windows to be kept closed.

Analysis of Site and Environs

General

The primary focus of this impact analysis is on noise sources and the primary item to be determined is the noise level created by those sources. In many instances, particularly with airports, data on the noise levels generated by the source will have already been prepared by another agency such as the airport operator, the local or State highway/transportation department or other similar agency. (Figure 4 shows typical airport noise contours.) In those cases no site or environs analysis is necessary and one can proceed directly to impact analysis. For those instances where there are no current data already prepared, the Department of Housing and Urban Development has developed a handbook called the *Noise Assessment Guidelines* which contains a detailed desk top methodology for use by individuals to determine noise impacts (see Chapter 5). Included in the handbook is a complete listing of the data about the site and its environs that are necessary to conduct an analysis. We don't want to repeat all the detailed requirements here, but the following are some of the types of information you would have to collect if you were to do your own analysis. You might note that most of the information is related to the noise sources themselves.

For the purpose of analysis, the *Noise Assessment Guidelines* require that you consider all military/civilian airports within 15 miles of the project, all significant roads within 1000 feet and basically all railroads within 3000 feet.

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Types of Data Required

- Number and type of vehicles
- Operational data:
  - speed
  - daytime/nighttime split
- Conditions where the vehicles are operated, i.e., freely flowing traffic versus stop and go, level versus hilly, welded railroad track versus bolted railroad track.

The *Noise Assessment Guidelines* contain guidance on sources for this data. Most of them are obtained from the "operator" of the transportation source. The *Guidelines* also contains model figures which can be used when actual data is unavailable. For example, if the actual number of vehicles traveling at night is not available then the *Guidelines* state that a figure of 15% should be used. Thus it is possible to make reasonably accurate noise level determinations even if some information is not available.

Determination of Impact

General

The specific procedures for determining the noise exposure levels for a site are clearly spelled out in the *Noise Assessment Guidelines*. The process is a fairly simple one in which the noise level from each source affecting the site is calculated and then combined to derive the overall exposure. If some kind of barrier exists or is proposed, the noise levels can be adjusted to reflect the mitigation provided by the barrier. The overall noise level is then compared to HUD's standards and the appropriate action, as spelled out in the regulations, is taken.

Figure 4
Noise Contours

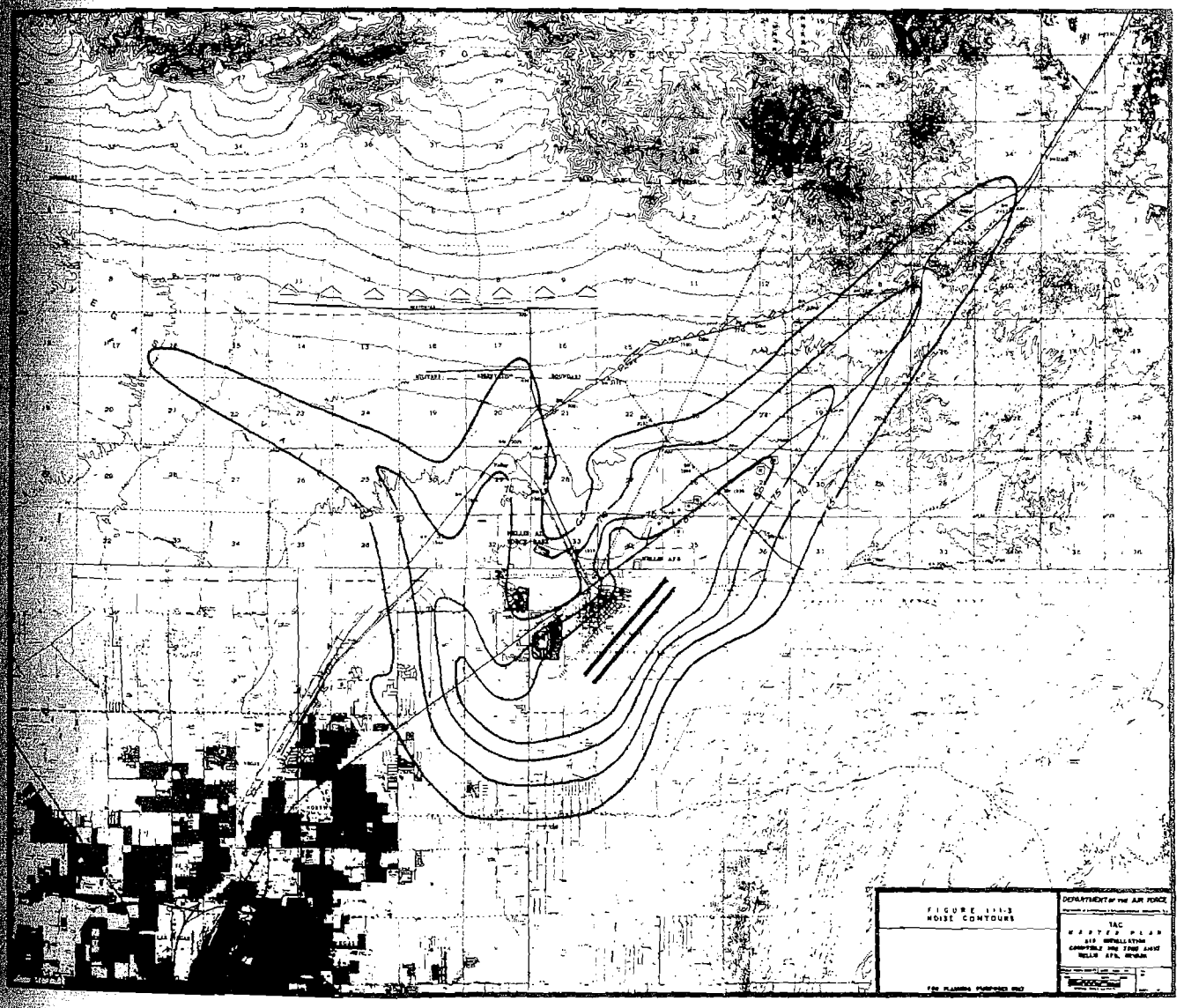

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Evaluation of Impact

HUD Regulations set forth the following exterior noise standards for new housing construction assisted or supported by the Department:

65 L_{dn} or less – Acceptable

Exceeding 65 L_{dn} but not exceeding 75 L_{dn} – Normally Unacceptable – appropriate sound attenuation measures must be provided: 5 decibels attenuation above the attenuation provided by standard construction required in 65 L_{dn} to 70 L_{dn} zone; 10 decibels additional attenuation in 70 L_{dn} to 75 L_{dn} zone.

Exceeding 75 L_{dn} – Unacceptable

HUD's regulations do not contain standards for interior noise levels. Rather a goal of 45 decibels is set forth and the attenuation requirements are geared towards achieving that goal. It is assumed that with standard construction any building will provide sufficient attenuation so that if the exterior level is 65 L_{dn} or less, the interior level will be 45 L_{dn} or less.

Once you have determined the overall noise exposure for the site you compare it to the above standards. If the overall site exposure is 65 L_{dn} or less the project is acceptable. If the exposure is between 65 L_{dn} and 75 L_{dn} you should consider alternative locations or providing adequate attenuation with the first preference, as we've noted, being for the construction of some kind of barrier to prevent noise from reaching the site. If providing adequate attenuation is impossible or impractical then the project should be considered unacceptable.

Suggested Mitigation

General Considerations

As discussed briefly earlier, there are three basic approaches for mitigating the high noise exposures. The first and best is to relocate noise sensitive uses out of the high noise area. The second is to prevent noise from reaching the noise sensitive user through some sort of barrier. And the third, and least desirable approach, is to provide attenuation for at least the interiors of any buildings located in the high noise areas.

Specific Considerations

Relocating Noise Sensitive Uses

By far the most desirable mitigation approach is to relocate noise sensitive uses out of the high noise area although. If the site is large enough it may be possible to locate non-noise sensitive uses between the source and the sensitive use, for example a parking lot might be located between a road and a park (see Figure 5). The workcharts in the *Noise Assessment Guidelines* can be used in reverse to tell you exactly how far away from the noise source you need to be.

When sites are small, very dense or when the source affects the entire site it is very difficult to mitigate by changing the site plan. Then the next option must be considered: erecting some type of barrier between the source and the receiver.

Barriers

Barriers are most effective for at or below ground level sources. They have no effect on noise from aircraft overflights and are limited in practical application with elevated sources such as elevated trains. The key to the effectiveness of a barrier is whether or not it breaks the line of sight between the source and the receiver. If a barrier does not completely break the line of sight either because it is not high enough, or not long enough then its effectiveness is greatly reduced.

Barriers can be actual walls, earthen mounds (called berms) or even other buildings. The use of other non-noise sensitive buildings as barriers is a particularly good approach in that it need not add to the cost of the project and may not create the aesthetic problem a large wall might create (see Figure 6).

Figure 5
The Audible Landscape

In cluster development, open space can be placed near the highway to reduce noise impacts on residences

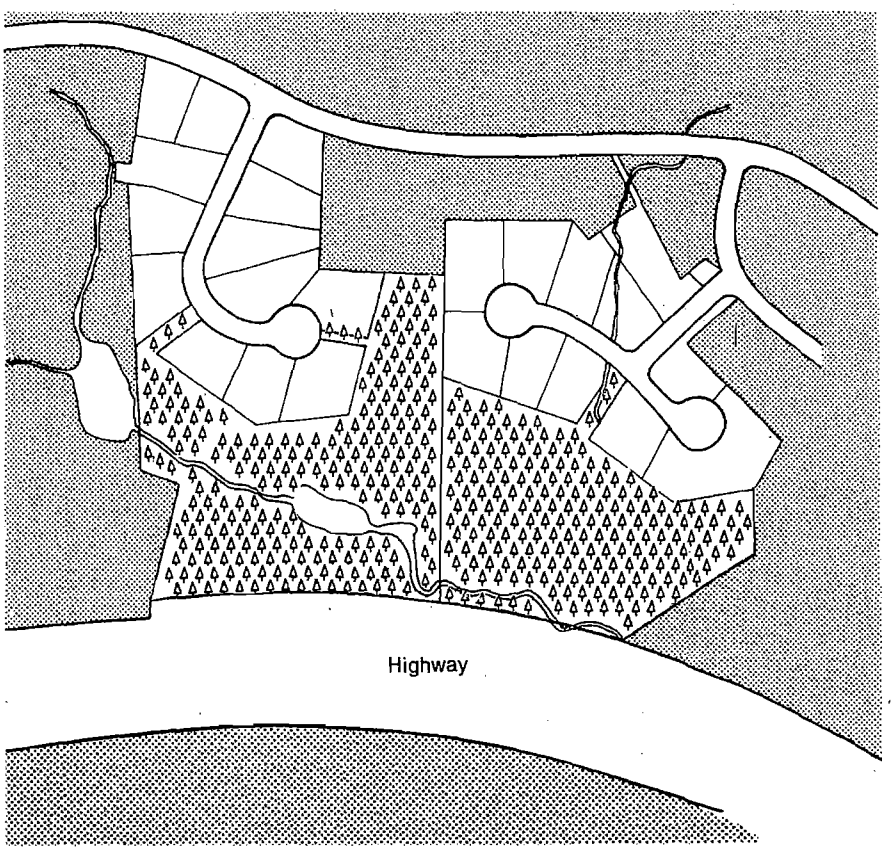

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Figure 6
The Audible Landscape

Placement of noise compatible land uses near highway in Planned Unit Development

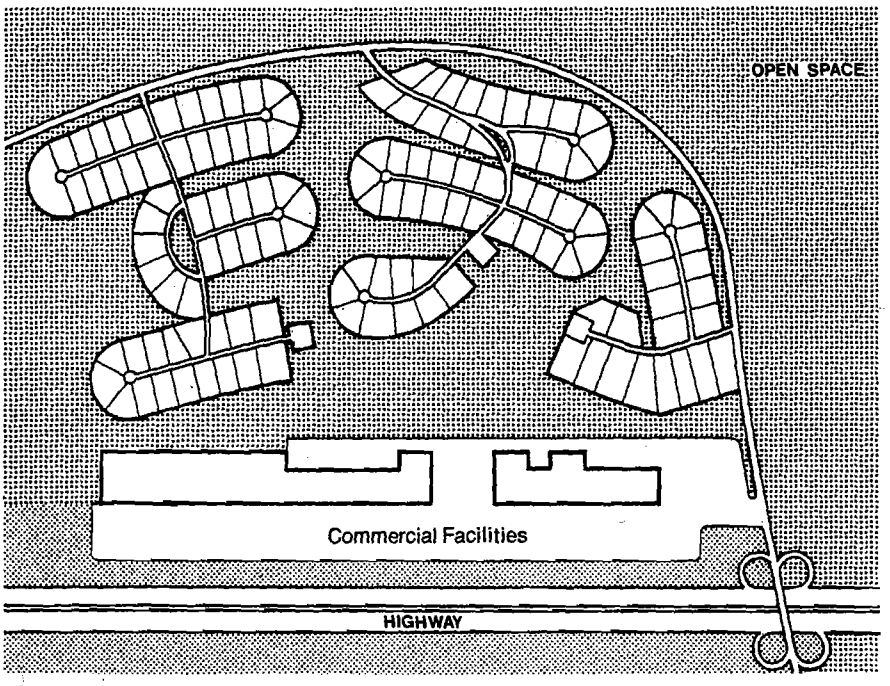

Figure 7
The Audible Landscape

Use of acoustical architectural design to reduce noise impacts on more noise sensitive living spaces

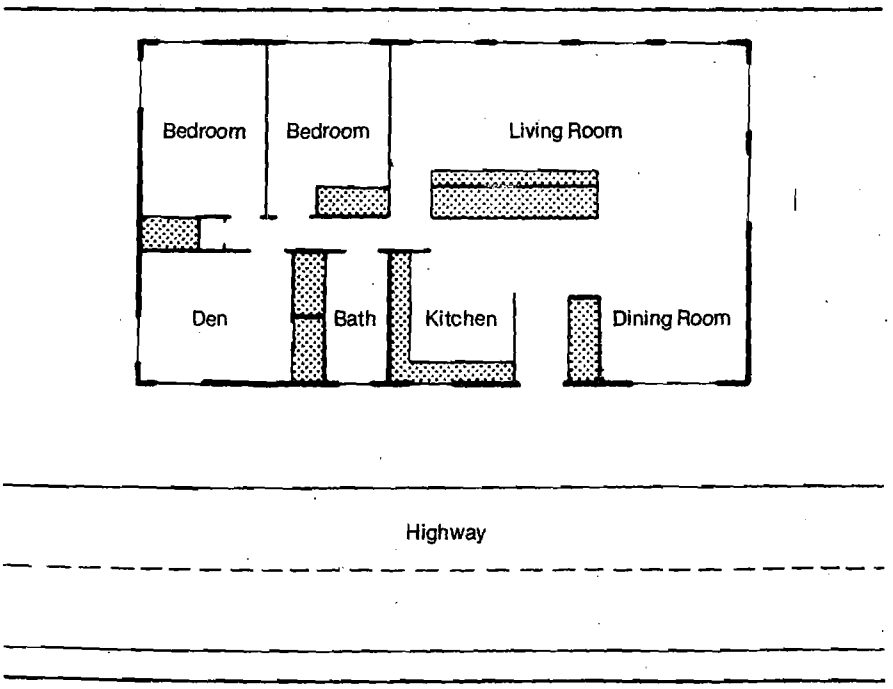

As pointed out earlier, the effectiveness of a barrier is determined in large part by its height and length. Some studies have shown that the effectiveness of a barrier can be reduced by as much as 50% if it isn't long enough. Again, the *Noise Assessment Guidelines* contain procedures for determining the effectiveness of barriers.

Incorporating Noise Attenuation Measures into the Building

If neither relocation or barriers is a reasonable noise attenuation option, the last resort is to incorporate noise attenuation measures into the buildings themselves. This is not considered the best solution because it leaves the outdoor areas, some of which may be for quiet recreation, exposed to high noise levels. But if development **must** take place and barriers are impossible, then the noise attenuation measures should be employed in building design and construction.

Without going into great technical detail, noise attenuation construction measures generally fall into four categories.

(1) Reducing the total area of windows or other acoustically weaker building elements

(2) Sealing off "leaks" around windows, doors, vents.

(3) Improving the actual sound attenuating properties of small building elements such as windows, doors, etc.

(4) Improving the actual sound attenuating properties of major building elements such as roof and wall construction.

In addition, noise attenuation in buildings can be provided by designing interior spaces so that "dead" spaces such as closets or corridors act as buffer zones (see Figure 7). And finally noise attenuation can be provided by reducing the need for open windows by providing air conditioning.

Many of the steps that would be taken to provide noise attenuation also help conserve energy. Good weatherstripping around windows and doors is one example. Another might be reducing window areas in walls if the noise source is to the north or west. Because many of these measures serve two purposes, they should not necessarily be considered a burdensome requirement but rather just good design and construction.

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Information Resources

Publications

HUD Regulation 24 CFR Part 51 Subpart B – Noise Abatement and Control.

Noise Assessment Guidelines, HUD 1983, basic technical procedural resource.

Aircraft Noise Impact, HUD 1972, a bit dated but good overview of problem.

The Audible Landscape, DOT (FHWA) 1974, an excellent discusson of mitigation measures including land use planning and building design and construction.

Information on Levels of Environmental Noise Requisite to Protect Public health and Welfare With an Adequate margin of Safety, EPA, 1974. The "levels document" that explains basis for EPA standards.

Noise Barrier Design Handbook, Federal Highway Administration 1976. Good discussion of barriers, technical but readable.

Handbook of Noise Control, 2nd edition, 1979, McGraw Hill. A basic technical handbook covering all aspects of noise for those who wish to go into the subject further.

Experts

HUD environmental officers have been trained in the use of the *Noise Assessment Guidelines* and can help you work with them. Many architects are trained in acoustics and can help in development of noise attenuation strategies.

Quiz

Questions

1. Why is noise considered "unwanted sound"?
2. What is a community noise problem?
3. What are the three main contributors to a community noise problem?
4. What are the three components of a noise problem?
5. What are two key characteristics of the day-night average sound level descriptor system?
6. What are HUD's noise standards?
7. How do HUD's standards apply to CDBG recipients?
8. What are the three general mitigation measures available to HUD and the community and in what order of preference?
9. When are barriers effective and when are they not effective?
10. Describe how the *Noise Assessment Guidelines* can be used to determine appropriate mitigation measures.

Quiz

Answers

1. because it interferes with normal activities or causes physical or psychological damage
2. a community noise problem is where the combined effect of many individual sources creates an overall noise level that is unacceptable
3. highways, railroads and aircraft
4. the source, the path, the receiver
5. it is an average sound level and it can be used for all sources
6. 65 L_{dn} or below: Acceptable
   65 to 75 L_{dn}: Normally unacceptable, noise attenuation measures required, above 75 L_{dn}: Unacceptable
7. CDBG recipients must take into consideration the standards in their planning and environmental review. If they expect to use HUD assistance later for housing or other noise sensitive activities the standards must be met for those activities.
8. 1st relocate noise sensitive uses
   2nd reduce noise reaching receiver
   3rd redesign buildings
9. barriers are effective for at or below ground level sources. Are not effective for aircraft overflights or most elevated sources
10. can be used to determine separation distance required for relocation and the height and length of barriers required

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Chapter 2

The Noise Regulation

Introduction

The basic foundation for and structure of the HUD noise program is set out in the noise regulation, 24 CFR 51B. The regulation establishes the actual standards, assigns implementation responsibilities, describes review and approval procedures, and identifies special situations which may warrant waivers of procedures or standards. Therefore, the key to your understanding and implementation of the HUD noise program is a clear understanding of the regulation.

There is no way to escape the task of sitting down and simply reading the regulations, over and over until you thoroughly understand them. We have however done two things that will help you apply the regulations. First, for quick reference, we have prepared a list of the key sections in the regulation and second we have prepared an annotated copy of the regulation.

The list of key sections was prepared to help you find the specific section you need for a specific question or issue. While the regulation itself is not really long, an index is always useful. We caution you, however, against using the index to avoid learning the regulations. The list was prepared for your convenience in applying the regulation once you have come to understand it.

We prepared the annotated regulation because, try as we might, it was impossible to anticipate all the questions, implementation problems and special situations that might arise and to address them in the regulation. So, now that we have had a few years' experience with the regulation, we have gathered together the important questions, notes, second thoughts etc. and prepared this annotated regulation. We hope it will give you further insight into what the regulation means when it is applied in the field.

Key Sections in Noise Regulation

Section	Subject
51.101(a)(2)	Application of Policy to Block Grants
51.101(a)(3)	Policy for New Construction
51.101(a)(4)	Policy for Existing Construction
51.101(a)(5)	Policy for Modernization and Rehabilitation
51.101(a)(8)	The Exterior Noise Goal
51.101(a)(9)	The Interior Noise Goal
51.102(a)	Authority to Approve Projects
51.103(a)	Identification of DNL as *The* Noise Descriptor to be Used
51.103(b)	How to Measure Loud Impulsive Noises
51.103(c)	The Noise Standards
51.104(a)	Attenuation Requirements Discussed
51.104(b)(1)	Special Approval and Environmental Review Requirements for the Normally Unacceptable Zone
51.104(b)(2)	Special Approval and Environmental Review Requirements for the Unacceptable zone
51.105(a)	Flexibility for Non-acoustic Benefits Provisions
51.106(a)	How to Tell If Existing Data on Noise Are Acceptable
51.106(a)(4)	Specific Review and Approval Procedures For Airport Noise Contours
51.106(d)	When Noise Measurements May be Used Instead of Calculated Levels
51.106(f)	When to Give Credit for Proposed Barriers

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Part 51—Environmental Criteria and Standards

Subpart A—General Provisions

Sec.
§51.1 Purpose.
§51.2 Authority.
§51.3 Responsibilities.
§51.4 Program coverage.
§51.5 Coordination with environmental clearance requirements.
§51.6 [Reserved]

Subpart B—Noise Abatement and Control
§51.100 Purpose and authority.
§51.101 General policy.
§51.102 Responsibilities.
§51.103 Criteria and standards.
§51.104 Special requirements.
§51.105 Exceptions.
§51.106 Implementation.

Appendix to Subpart B

Authority: Sec. 7(d). Department of HUD Act (42 U.S.C. 3535(d)).

Subpart B—Noise Abatement and Control

§51.100 Purpose and authority.

(a) *Purpose.* The Department of Housing and Urban Development finds that noise is a major source of environmental pollution which represents a threat to the serenity and quality of life in population centers and that noise exposure may be a cause of adverse physiological and psychological effects as well as economic losses.

It is the purpose of this Subpart to:

(1) Call attention to the threat of noise pollution;

(2) Encourage the control of noise at its source in cooperation with other Federal departments and agencies;

(3) Encourage land use patterns for housing and other noise sensitive urban needs that will provide a suitable separation between them and major noise sources;

(4) Generally prohibit HUD support for new construction of noise sensitive uses on sites having unacceptable noise exposure;

(5) Provide policy on the use of structural and other noise attenuation measures where needed; and

(6) Provide policy to guide implementation of various HUD programs.

(b) *Authority.* Specific authorities for noise abatement and control are contained in:

(1) The Noise Control Act of 1972 (Pub. L. 92-574) which directs Federal agencies to administer their programs in ways which reduce noise pollution.

(2) The Quiet Communities Act of 1978 (Pub. L. 95-609) which amended Pub. L. 92-574.

(3) The General Services Administration, Federal Management Circular 75-2: *Compatible Land Uses at Federal Airfields* prescribes the Executive Branch's general policy with respect to achieving compatible land uses on either public or privately owned property at or in the vicinity of Federal airfields.

(4) Section 1113 of the Housing and Urban Development Act of 1965 (Pub. L. 89-117) directs the Secretary "* * * to determine feasible methods of reducing the economic loss and hardships suffered by homeowners as a result of the depreciation in the value of their properties following the construction of airports in the vicinity of their homes, including a study of feasible methods of insulating such homes from the noise of aircraft."

§51.101 General policy.

(a) It is HUD's general policy to provide minimum national standards applicable to HUD programs to protect citizens against excessive noise in their communities and places of residence.

(1) *Comprehensive planning assistance.* HUD requires that grantees give adequate consideration to noise exposures and sources of noise as an integral part of the urban environment in HUD assisted comprehensive planning, as follows:

(i) Particular emphasis shall be placed on the importance of compatible land use planning in relation to airports, highways and other sources of high noise.

(ii) Applicants shall take into consideration HUD environmental standards impacting the use of land as required in 24 CFR Part 600.

(iii) Environmental studies, including noise assessments, are allowable costs.

(2) *Community Development Block Grants.* Recipients of community development block grants under the Housing and Community Development Act of 1974 (Pub. L. 93-383), as amended by the Housing and Community Development Act of 1977 (Pub. L. 95-128), must take into

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This regulation replaces HUD Circular 1390.2, Noise Abatement and Control, 1971, which is now cancelled, along with all instructions and clarifying memoranda pertaining to the circular.

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consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land development is proposed in noise exposed areas. Grant recipients shall address deviations from the standards in their environmental reviews as required in 24 CFR Part 58.

Where CDBG activities are planned in a noisy area, and HUD assistance is contemplated later for housing and/or other noise sensitive activities, the CDBG grantee risks denial of the HUD assistance unless the HUD standards are met. Environmental studies, including noise assessments, are allowable costs.

(3) *HUD support for new construction.* HUD assistance for the construction of new noise sensitive uses is prohibited generally for projects with Unacceptable noise exposures and is discouraged for projects with Normally Unacceptable noise exposure. (Standards of acceptability are contained in §51.103(c).) This policy applies to all HUD programs providing assistance, subsidy or insurance for housing, college housing, mobile home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, new communities, redevelopment or any other provision of facilities and services which are directed to make land available for housing or noise sensitive development. The policy does not apply to research demonstration projects which do not result in new construction or reconstruction, flood insurance, interstate land sales registration, or any action or emergency assistance under disaster assistance programs which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance provided that has the effect of restoring facilities substantially as they existed prior to the disaster.

(4) *HUD support for existing construction.* Noise exposure by itself will not result in the denial of HUD support for the resale and purchase of otherwise acceptable existing buildings. However, environmental noise is a marketability factor which HUD will consider in determining the amount of insurance or other assistance that may be given.

The old definition of major or substantial rehabilitation and modernization as being any project where cost is 75% or more of replacement cost no longer applies. Now the criteria contained in individual program guidance applies.

Existing construction means units which are either more than 1 year old or for which this is the second or subsequent purchaser.

(5) *HUD support of modernization and rehabilitation.* For modernization projects located in all noise exposed areas, HUD shall encourage noise attenuation features in alterations. For major or substantial rehabilitation projects in the Normally Unacceptable and Unacceptable noise zones, HUD actively shall seek to have project sponsors incorporate noise attenuation features, given the extent of the rehabilitation being undertaken and the level of exterior noise exposure. In Unacceptable noise zones, HUD shall strongly encourage conversion of noise-exposed sites to land uses compatible with the high noise levels.

(6) *Research, guidance and publications.* HUD shall maintain a continuing program designed to provide new knowledge of noise abatement and control to public and private bodies, to develop improved methods for anticipating noise encroachment, to develop noise abatement measures through land use and building construction practices, and to foster better understanding of the consequences of noise. It shall be HUD's policy to issue guidance documents periodically to assist HUD personnel in assigning an acceptability category to projects in accordance with noise exposure standards, in evaluating noise attenuation measures, and in advising local agencies about noise abatement strategies. The guidance documents shall be updated periodically in accordance with advances in the state-of-the-art.

(7) *Construction equipment, building equipment and appliances.* HUD shall encourage the use of quieter construction equipment and methods in population centers, the use of quieter equipment and appliances in buildings, and the use of appropriate noise abatement techniques in the design of residential structures with potential noise problems.

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(8) *Exterior noise goals.* It is a HUD goal that exterior noise levels do not exceed a day-night average sound level of 55 decibels. This level is recommended by the Environmental Protection Agency as a goal for outdoors in residential areas. The levels recommended by EPA are not standards and do not take into account cost or feasibility. For the purposes of this regulation and to meet other program objectives, sites with a day-night average sound level of 65 and below are acceptable and are allowable (see Standards in §51.103(c)).

(9) *Interior noise goals.* It is a HUD goal that the interior auditory environment shall not exceed a day-night average sound level of 45 decibels. Attenuation measures to meet these interior goals shall be employed where feasible. Emphasis shall be given to noise sensitive interior spaces such as bedrooms. Minimum attenuation requirements are prescribed in §51.104(a).

(10) *Acoustical privacy in multifamily buildings.* HUD shall require the use of building design and acoustical treatment to afford acoustical privacy in multifamily buildings pursuant to requirements of the Minimum Property Standards.

The Noise Control Act of 1972 required EPA to "publish information on the levels of environmental noise. . .which. . .are requisite to protect the public health and welfare with an adequate margin of safety." EPA has interpreted this to mean that the levels should not reflect technical feasibility or economic costs. "Health and welfare" is defined as being "complete physical, mental and social well-being and not merely the absence of disease and infirmity."

§51.102 Responsibilities.

(a) *Authority to approve projects.* (1) Decisions on proposed projects with acceptable noise exposures shall be delegated to the program personnel within field offices, including projects where increased noise levels are considered acceptable because of non-acoustic benefits under §51.105(a). Field office program personnel may also approve projects in normally unacceptable noise exposed areas where adequate sound attenuation is provided and where the project does not require an Environmental Impact Statement under §51.104(b).

(2) Other approvals in normally unacceptable noise exposed areas require the concurrence of the Regional Administrator.

(3) Requests for approvals of projects or portions of projects with unacceptable noise exposures shall be referred through the Regional Office to the Assistant Secretary for Community Planning and Development for approval pursuant to §51.104(b).

(4) In cases where the Regional Administrator determines that an important precedent or issue is involved, such cases shall be referred with recommendations to the Assistant Secretary for Community Planning and Development.

(b) *Surveillance of noise problem areas.* Appropriate field staff shall maintain surveillance of potential noise problem areas and advise local officials, developers, and planning groups of the unacceptability of sites because of noise exposure at the earliest possible time in the decision process. Every attempt shall be made to insure that applicants' site choices are consistent with the policy and standards contained herein.

(c) *Notice to applicants.* At the earliest possible stage, HUD program administrators shall:

(1) Determine the suitability of the acoustical environment of proposed projects;

(2) Notify applicants of any adverse or questionable situations; and

(3) Assure that prospective applicants are apprised of the standards contained herein so that future site choices will be consistent with these standards.

(d) *Technical assistance.* Technical assistance in the measurement, estimation, interpretation, or prediction of noise exposure is available from the Office of Community Planning and Development and the Office of Policy Development and Research. Field office questions shall be forwarded through the Regional Office to the Assistant Secretary for Community Planning and Development or his designee.

(e) *Interdepartmental coordination.* Regional Administrators shall foster appropriate coordination between field offices and other departments and agencies, particularly the Environmental Protection Agency, the Department of Transportation, Department of Defense representatives, and the Veterans Administration. HUD staff shall utilize the acceptability standards in commenting on the prospective impacts of transportation facilities and other noise generators in the Environmental Impact Statement review process.

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§51.103 Criteria and standards.

These standards apply to all programs as indicated in §61.101.

(a) *Measure of external noise environments.* The magnitude of the external noise environment at a site is determined by the value of the day-night average sound level produced as the result of the accumulation of noise from all sources contributing to the external noise environment at the site. Day-night average sound level, abbreviated as DNL and symbolized as L_{dn}, is the 24-hour average sound level, in decibels, obtained after addition of 10 decibels to sound levels in the night from 10 p.m. to 7 a.m. Mathematical expressions for average sound level and day-night average sound level are stated in the Appendix.

(b) *Loud impulsive sounds.* On an interim basis, when loud impulsive sounds, such as explosions or sonic booms, are experienced at a site, the day-night average sound level produced by the loud impulsive sounds alone shall have 8 decibels added to it in assessing the acceptability of the site (see Appendix). Alternatively, the C-weighted day-night average sound level (L_{Cdn}) may be used without the 8 decibel addition, as indicated in Section 51.106(a)(3).

Methods for assessing the contribution of loud impulsive sounds to day-night average sound level at a site and mathematical expressions for determining whether a sound is classed as "loud impulsive" are provided in the Appendix.

(c) *Exterior standards.* The degree of acceptability of the noise environment at a site is determined by the sound levels external to buildings or other facilities containing noise sensitive uses. The standards shall usually apply at a location 2 meters (6.5 feet) from the building housing noise sensitive activities in the direction of the predominant noise source. Where the building location is undetermined, the standards shall apply 2 meters (6.5 feet) from the building setback line nearest to the predominant noise source. The standards shall also apply at other locations where it is determined that quiet outdoor space is required in an area ancillary to the principal use on the site.

The noise environment inside a building is considered acceptable if (a) the noise environment external to the building complies with these standards, and (b) the building is constructed in a manner common to the area or, if of uncommon construction, has at least the equivalent noise attenuation characteristics.

This is because the reverberation effect of sound waves hitting the wall will increase the noise levels at the site. You won't pick this up unless you back off from the wall to measure.

Site Acceptability Standards

	Day-night average sound level (in decibels)	Special approvals and requirements
Acceptable	Not exceeding 65 dB(1)	None
Normally Unacceptable	Above 65 dB but not exceeding 75 dB	Special Approvals (2) Environmental Review (3) Attenuation (4)
Unacceptable	Above 75 dB	Special Approvals (2) Environmental Review (3) Attenuation (5)

Notes.—(1) Acceptable threshold may be shifted to 70 dB in special circumstances pursuant to Section 51.105(a)

(2) See Section 51.104(b) for requirements.

(3) See Section 51.104(b) for requirements.

(4) 5 dB additional attenuation required for sites above 65 dB but not exceeding 70 dB and 10 dB additional attenuation required for sites above 70 dB but not exceeding 75 dB. (See Section 51.104(a).)

(5) Attenuation measures to be submitted to the Assistant Secretary for CPD for approval on a case-by-case basis.

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§51.104 Special requirements.

(a) *Noise attenuation.* Noise attenuation measures are those required in addition to attenuation provided by buildings as commonly constructed in the area, and requiring open windows for ventilation. Measures that reduce external noise at a site shall be used wherever practicable in preference to the incorporation of additional noise attenuation in buildings. Building designs and construction techniques that provide more noise attenuation than typical construction may be employed also to meet the noise attenuation requirements.

(1) *Normally Unacceptable noise zone.* Approvals in this zone require a minimum of 5 decibels additional sound attenuation for buildings having noise-sensitive uses if the day-night average sound level is greater than 65 decibels but does not exceed 70 decibels, or a minimum of 10 decibels of additional sound attenuation if the day-night average sound level is greater than 70 decibels but does not exceed 75 decibels.

(2) *Unacceptable noise zone.* Noise attenuation measures require the approval of the Assistant Secretary for Community Planning and Development (See §51.104(b)(2).)

(b) *Special Approvals and Environmental Review Requirements.* Environmental clearances shall be conducted pursuant to the requirements of HUD's Departmental Policies, Responsibilities and Procedures for Protection and Enhancement of Environmental Quality (38 FR 19182 as amended) or other environmental regulations which may be issued by the Department. The Special Clearance and Environmental Impact Statement (EIS) threshold requirements are hereby modified for all projects proposed in the Normally Unacceptable and Unacceptable noise exposure zones as follows:

(1) *Normally Unacceptable noise zone.* (i) All projects located in the Normally Unacceptable Noise Zone require a Special Environmental Clearance except an EIS is required for a proposed project located in a largely undeveloped area, or where the HUD action is likely to encourage the establishment of incompatible land use in this noise zone.

Berms and barriers are our first choice because they provide protection for yards, playgrounds, etc. Since outdoor activity is often very important to residents we want to protect the outdoor areas as much as possible.

By definition a barrier must be separate from the building or area it is providing attenuation for. After all barriers are preferred because they improve exterior as well as interior levels. Non-noise sensitive buildings can, however, be used as barriers for noise sensitive buildings or exterior areas.

Assumption is that standard construction provides an average of 20 L_{dn} attenuation. At 65 L_{dn} or below this amount of attenuation would be sufficient to meet interior level of 45 L_{dn}. Additional requirements are designed to meet this goal even when exterior noise levels are higher.

Substitute Environmental Assessment (with ECO concurrence) wherever you see Special Clearance.

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(ii) When an EIS is required, the concurrence of the Regional Administrator is also required before a project can be approved. For the purposes of this paragraph, an area will be considered as largely undeveloped unless the area within a 2-mile radius of the project boundary is more than 50 percent developed for urban uses and infrastructure (particularly water and sewers) is available and has capacity to serve the project.

(iii) All other projects in the Normally Unacceptable zone require a Special Environmental Clearance, except where an EIS is required for other reasons pursuant to HUD environmental policies.

(2) *Unacceptable noise zone.* An EIS is required prior to the approval of projects with unacceptable noise exposure. Projects in or partially in an Unacceptable Noise Zone shall be submitted through the Regional Administrator to the Assistant Secretary for Community Planning and Development for approval. The Assistant Secretary may waive the EIS requirement in cases where noise is the only environmental issue and no outdoor sensitive activity will take place on the site. In such cases, a Special Environmental Clearance is required.

When the area in question is in a small community outside an SMSA and the application of the 2 mile radius rule would be unreasonable, an area can be considered largely developed if it is contiguous to existing development and infrastructure is available and has capacity to serve the project. The Assistant Secretary will review them on a case-by-case basis. In all other cases the 2 mile radius/50% rule still applies.

§51.105 Exceptions.

(a) *Flexibility for non-acoustic benefits.* Where it is determined that program objectives cannot be achieved on sites meeting the acceptability standard of 65 decibels, the Acceptable Zone may be shifted to L_{dn} 70 on a case-by-case basis if all the following conditions are satisfied:

(1) The project does not require an Environmental Impact Statement under provisions of section 104(b)(1) and noise is the only environmental issue.

(2) The project has received a Special Environmental Clearance and has received the concurrence of the Environmental Clearance Officer.

(3) The project meets other program goals to provide housing in proximity to employment, public facilities and transportation.

(4) The project is in conformance with local goals and maintains the character of the neighborhood.

(5) The project sponsor has set forth reasons, acceptable to HUD, as to why the noise attenuation measures that would normally be required for new construction in the L_{dn} 65 to L_{dn} 70 zone cannot be met.

Caution—every effort should be made to get official contours—particularly for military installations and large air carrier airports rather than trying to use the *Noise Assessment Guidelines.*

What this really means is that the 5db attenuation requirement for the 65–70 L_{dn} zone is waived. Primarily intended for urban areas where alternative sites are not available. Note that *all* conditions must be met.

(6) Other sites which are not exposed to noise above L_{dn} 65 and which meet program objectives are generally not available.

The above factors shall be documented and made part of the project file.

§51.106 Implementation.

(a) *Use of available data.* HUD field staff shall make maximum use of noise data prepared by others when such data are determined to be current and adequately projected into the future and are in terms of the following:

(1) *Sites in the vicinity of airports.* The noise environment around airports is described sometimes in terms of Noise Exposure Forecasts, abbreviated as NEF or, in the State of California, as Community Noise Equivalent Level, abbreviated as CNEL. The noise environment for sites in the vicinity of airports for which day-night average sound level data are not available may be evaluated from NEF or CNEL analyses using the following conversions to DNL:

DNL ≈ NEF + 35

DNL ≈ CNEL

(2) *Sites in the vicinity of highways.* Highway projects receiving Federal aid are subject to noise analyses under the procedures of the Federal Highway Administration.

Where such analyses are available they may be used to assess sites subject to the requirements of this standard. The Federal Highway Administration employs two alternate sound level descriptors: (a) The A-weighted sound level not exceeded more than 10 percent of the time for the highway design hour traffic flow, symbolized as L_{10}; or (b) the equivalent sound level for the design hour, symbolized as L_{eq}. The day-night average sound level may be estimated from the design hour L_{10} or L_{eq} values by the following relationships, provided heavy trucks do not exceed 10 percent of the total traffic flow in vehicles per 24 hours and the traffic flow between 10 p.m. and 7 a.m. does not exceed 15 percent of the average daily traffic flow in vehicles per 24 hours:

DNL ≈ L_{10} (design hour)—3 decibels

DNL ≈ L_{eq} (design hour) decibels

Where the auto/truck mix and time of day relationships as stated in this Section do not exist, the HUD Noise Assessment Guidelines or other noise analysis shall be used.

These requirements are very important. Be careful with design hour values.

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(3) *Sites in the vicinity of installations producing loud impulsive sounds.* Certain Department of Defense installations produce loud impulsive sounds from artillery firing and bombing practice ranges. Noise analyses for these facilities sometimes encompass sites that may be subject to the requirements of this standard. Where such analyses are available they may be used on an interim basis to establish the acceptability of sites under this standard.

The Department of Defense uses day-night average sound level based on C-weighted sound level, symbolized L_{Cdn}, for the analysis of loud impulsive sounds. Where such analyses are provided, the 8 decibel addition specified in 51.103(b), is not required, and the same numerical values of day-night average sound level used on an interim basis to determine site suitability for non-impulsive sounds apply to the L_{Cdn}.

(4) *Use of areawide acoustical data.* HUD encourages the preparation and use of areawide acoustical information, such as noise contours for airports. Where such new or revised contours become available for airports (civil or military) and military installations they shall first be referred to the Regional Office (Environmental Clearance Officer) for review, evaluation and decision on appropriateness for use by HUD. The Regional Office shall submit revised contours to the Assistant Secretary of Community Planning and Development for review, evaluation and decison whenever the area affected is changed by 20 percent or more, or whenever it is determined that the new contours will have a significant effect on HUD programs, or whenever the contours are not provided in a methodology acceptable under §51.106(a)(1) or in other cases where the Regional Office determines that Headquarters review is warranted. For other areawide acoustical data, review is required only where existing areawide data are being utilized and where such data have been changed to reflect changes in the measurement methodology or underlying noise source assumptions.

Contours for future noise levels based on new construction, mission changes etc. which become available as part of the Environmental Impact Statement process shall not be used until the NEPA process is complete and a decision on the proposed action is made.

When new or revised contours are approved, make sure all interested people in local area are informed that HUD will be using different contours. Make a special effort to inform the most active developers in area or developers who have worked with HUD before.

This is also required for noise studies for developers by consultants, whether to provide original data, or to contest existing data or a HUD analysis. It is particularly important to make sure the same traffic, vehicle or operational data were used for each study, when one study is being contested.

Requests for determination on usage of new or revised areawide data shall include the following:

(i) Maps showing old, if applicable, and new noise contours, along with brief description of data source and methodology.

(ii) Impact on existing and prospective urbanized areas and on development activity.

(iii) Impact on HUD-assisted projects currently in processing.

(iv) Impact on future HUD program activity. Where a field office has determined that immediate approval of new areawide data is necessary and warranted in limited geographic areas, the request for approval should state the circumstances warranting such approval. Actions on proposed projects shall not be undertaken while new areawide noise data are being considered for HUD use except where the proposed location is affected in the same manner under both the old and new noise data.

(b) *Site assessments.* Compliance with the standards contained in §51.103(c) shall, where necessary, be determined using noise assessment guidelines, handbooks, technical documents and procedures issued by the Department.

(c) *Variations in site noise levels.* In many instances the noise environment will vary across a site, with portions of the site being in an Acceptable noise environment and other portions in a Normally Unacceptable noise environment. The standards in §51.103(c) shall apply to the portions of a building or buildings used for residential purposes and for ancillary noise sensitive open spaces.

(d) *Noise measurements.* Where noise assessments result in a finding that the site is borderline or questionable, or is controversial, noise measurements may be performed. Where it is determined that noise measurements are required, such measurements will be conducted in accordance with methods and measurement criteria established by the Department. Locations for noise measurements will depend on the location of noise sensitive uses that are nearest to the predominant noise source (see §51.103(c)).

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(e) *Projections of noise exposure.* In addition to assessing existing exposure, future conditions should be projected. To the extent possible, noise exposure shall be projected to be representative of conditions that are expected to exist at a time at least 10 years beyond the date of the project or action under review.

When projections for airports are based on new construction or similar actions the likelihood that such major action will actually take place should be carefully evaluated. This is particularly important if local funding is required. Check to see if initial actions such as land purchases, bonds etc. been taken. If projections are just based on expanded traffic levels make sure they are reasonable for the area. Projections for smaller communities are often overly optimistic.

(f) *Reduction of site noise by use of berms and/or barriers.* If it is determined by adequate analysis that a berm and/or barrier will reduce noise at a housing site, and if the barrier is existing or there are assurances that it will be in place prior to occupancy, the environmental noise analysis for the site may reflect the benefits afforded by the berm and/or barrier.

This provision should be used with caution. Very clear and strong assurances that berms or barriers will be constructed should be obtained in writing before approval.

Again also note that by definition a barrier must be physically separate from the building or area it is providing attenuation for.

In the environmental review process under §51.104(b), the location height and design of the berm and/or barrier shall be evaluated to determine its effectiveness, and impact on design and aesthetic quality, circulation and other environmental factors.

The *Noise Assessment Guidelines* contain procedures for evaluating barrier effectiveness.

Appendix to Subpart B—definition of acoustical quantities

1. *Sound Level.* The quantity in decibels measured with an instrument satisfying requirements of American National Standard Specification for Type 1 Sound Level Meters S1.4-1971. Fast time-averaging and A-frequency-weighting are to be used, unless others are specified. The sound level meter with the A-weighting is progressively less sensitive to sounds of frequency below 1,000 hertz (cycles per second), somewhat as is the ear. With fast time averaging the sound level meter responds particularly to recent sounds almost as quickly as does the ear in judging the loudness of a sound.

(2) *Average Sound Level.* Average sound level, in decibels, is the level of the mean-square A-weighted sound pressure during the stated time period, with reference to the square of the standard reference sound pressure of 20 micropascals.

$$L_{dn} = 10 \log_{10} \left[\frac{1}{86400} \left(\int_{0000}^{0700} 10^{[L_A(t)+10]/10}\, dt + \int_{0700}^{2200} 10^{L_A(t)/10}\, dt + \int_{2200}^{2400} 10^{[L_A(t)+10]/10}\, dt \right) \right]$$

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Time t is in seconds, so the limits shown in hours and minutes are actually interpreted in seconds. $L_A(t)$ is the time varying value of A-weighted sound level, the quantity in decibels measured by an instrument satisfying requirements of American National Standard Specification for Type 1 Sound Level Meters S1.4–1971.

3. *Loud Impulsive Sounds.* When loud impulsive sounds such as sonic booms or explosions are anticipated contributors to the noise environment at a site, the contribution to day-night average sound level produced by the loud impulsive sounds shall have 8 decibels added to it in assessing the acceptability of a site.

A loud impulsive sound is defined for the purpose of this regulation as one for which:

(i) The sound is definable as a discrete event wherein the sound level increases to a maximum and then decreases in a total time interval of approximately one second or less to the ambient background level that exists without the sound; and

(ii) The maximum sound level (obtained with slow averaging time and A-weighting of a Type 1 sound level meter whose characteristics comply with ANSI S1.4–1971) exceeds the sound level prior to the onset of the event by at least 6 decibels; and

(iii) The maximum sound level obtained with fast averaging time of a sound level meter exceeds the maximum value obtained with slow averaging time by at least 4 decibels.

Issued at Washington, D.C., on July 5, 1979.

Patricia Roberts Harris,
Secretary of Housing and Urban Development.

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Quiz on the Noise Regulations

Questions

1. What is the HUD policy on support for existing constructon in high noise areas?
2. What is the definition of "major or substantial rehabilitation"?
3. What is HUD's Interior noise goal?
4. What project approval authority does the Field Office have?
5. Who approves projects in the Unacceptable Zone?
6. What noise descriptor is used to express noise levels in the regulation?
7. How are loud impulsive sounds to be evaluated?
8. At what point on a building's exterior are sound levels to be determined?
9. What is the basic assumption behind the attenuation levels required?
10. What type of attenuation measures are preferred?
11. When should building attenuation measures be considered?
12. When are EIS's required?
13. When is an area considered "largely undeveloped"?
14. What is "Flexibility for Non-Acoustic Benefits"?
15. Six conditions are listed for waiving the attenuation requirement under the Flexibility for Non-Acoustic Benefits provision, how many must be met for the waiver to be granted?
16. Who has the authority to grant the attenuation requirements waiver under the "flexibility" provision?
17. What noise descriptors other than DNL are acceptable for aircraft noise contours?
18. Who normally approves areawide noise data such as airport noise contours?
19. If a site is partially in the Unacceptable Zone and partially in the Normally Unacceptable Zone, which review and approval procedures apply?
20. When should noise measurements be used in lieu of areawide data or *Noise Assessment Guidelines* calculations?

Quiz on the Noise Regulations

Answers

1. Noise exposure can not, by itself, be the basis for denying support for resale and purchase of existing buildings. (Section 51.101(a)(4))
2. "Major or substantial rehabilitation" is defined in individual program guidance. There is no single definition. (51.101(a)(5) marginal note)
3. 45 L_{dn} (Section 51.101(a)(9))
4. projects in Acceptable Zone; also projects in Normally Unacceptable Zone provided that
   - adequate sound attenuation is provided
   - no EIS is required

   (Section 51.102(a)(1))
5. The Assistant Secretary for Community Planning and Development. (Section 51.102(A)(3) and 51.104(b))
6. The day night average sound level system (DNL). (Section 51.103(a))
7. Two ways:
   - If plain DNL levels have been calculated or measured, add a 8 decibel penalty.
   - Alternatively, the C weighted day night average sound level system (L_{Cdn}) can be used as is. (Section 51.103(b))
8. Two meters (6.5 feet) away from the building exterior, moving towards the predominant noise source. (Section 51.103(c))
9. That current construction practices provide about 20 db attenuation. Thus in a 65 L_{dn} or lower area the interior goal of 45 L_{dn} would be met with standard construction. The additional attenuation required is the increment over that provided by standard construction necessary to achieve the interior goal of 45 L_{dn}. (Section 51.104(a) marginal note)
10. Measures which reduce **exterior** noise levels. (51.104(a))
11. Only after it has been determined that berms and barriers or site redesign are not practical alternatives. (Section 51.104(a))
12. When the project is located in the Unacceptable Zone or the project is located in a largely undeveloped area and the project is in the Normally Unacceptable Zone. (Section 51.104(b))
13. When the area within a 2 mile radius of the project is less than 50% developed for urban uses and infrastructure is not in place and available to serve the project. (Section 51.104(b)(1)(ii))
14. A provision in the regulations which allows the attenuation requirements for the 65–70 L_{dn} zone to be waived. (Section 51.105(a) and marginal note)
15. All six conditions must be met. (Section 51.105(a))
16. The field office. (Section 51.102(a))
17. NEF and CNEL. (Section 51.106(a)(1))
18. The Regional Office. (Section 51.106(a)(4))
19. The review and approval procedures for projects in the Unacceptable Zone apply. (Section 51.104(b)(2))
20. Only when the noise assessment indicates that the site is on the borderline between Acceptable and Unacceptable, or when the site is controversial. (Section 51.106(d))

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Chapter 3

Major Policy and Implementation Questions Related to the Noise Regulation

As regulations are applied in the field, it is inevitable that questions will arise. It is, after all, very difficult to anticipate every situation when preparing a regulation. Sometimes the questions relate to specific and unique situations of limited interest to anyone but the office involved. Other questions, however, raise issues of more general concern. In this section we have brought together the most important and most relevant questions that have arisen since the noise regulation went into effect in August of 1979. We have used a question and answer format for your convenience.

The following are the topics included:

1. Noise projections for civil airports
2. Definition of infill for small towns
3. Areawide EIS waivers
4. Requirements for modernization and rehabilitation projects
5. Use of berms and barriers as attenuation measures
6. New and revised airport noise contours

Questions and Answers

1. How valid and useful are civil airport noise projections that show significant reductions in the amount of land exposed to high noise levels? Should we be suspicious?

Contours that show significant reductions in the area exposed to high noise levels may seem questionable, but, according to the Environmental Protection Agency, they may be quite accurate. The EPA does expect to see some significant reductions in the number of people exposed to high levels of aircraft noise over the next 15 years. In their report *Aviation Noise: The Next Twenty years*, EPA stated that they expected to see the number of people exposed to levels of 65 Ldn or greater to drop from a 1975 figure of 5,550,000 to about 2,650,000 in the year 2000. Much of this reduction would occur during the period 1980–1985 with more modest decreases thereafter. The reductions are expected to result from the Federal Aviation Administration's current noise certification requirements, even with up to 100% increases in aircraft operations. (Current certification requirements are for all new aircraft to achieve stage three noise levels and all older aircraft to achieve stage two levels by 1985. Progress has been good in meeting these requirements.)

In general then, you should not be surprised to see significant reductions in contour size if the following conditions are met:

- the decrease in size is no more than 50%;
- the increase in operations is no more than 100%; and
- FAR stage 3 aircraft, such as the B757 and B767, are included in the fleet mix, but not to the total exclusion of all other aircraft.

Assuming that the contours are otherwise technically correct, significantly smaller contours should be acceptable.

2. Many small towns aren't big enough for a project to meet the definition of infill contained in section 51.104 (b)(1)(ii). However, a project located in the heart of town can hardly be considered to be in a largely undeveloped area. Must an EIS be prepared?

Not necessarily. If the jurisdiction in which the project is located is not part of a standard metropolitan area, a project may be considered infill if it is within or contiguous to the already developed area and infrastructure (particularly water and sewer) is available and has the capacity to serve the project. It must also be clear that the project will not encourage the establishment of other incompatible land uses in the normally unacceptable noise zone.

If you believe a project meets these criteria, submit documentation to the Office of Environment and Energy for their review and determination.

3. What can we do to reduce the procedural burden when, for a variety of reasons, the Department expects to be considering a number of projects in an unacceptable noise zone? Most of the projects would probably qualify for an EIS waiver, but how can we avoid filling repetitive, individual requests?

While the number of cases where the Department would be seriously considering a number of projects exposed to unacceptable noise levels in the same jurisdiction is likely to be limited, there is an alternative to individual processing in those situations. The alternative is to issue an areawide waiver for the entire affected jurisdiction. Such a waiver can be useful when the unacceptable noise zone heavily impacts a substantially developed community with limited site alternatives. (In most cases we would expect that the noise source would be aircraft, but in very small towns it is possible that a heavily used rail line could create a large unacceptable noise zone.)

An areawide EIS waiver would, of course, have to have a more detailed environmental assessment than an individual project request, and there are other special processing steps.

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But if you have a situation where you think the Department has a good reason to expect to process a number of projects within the unacceptable noise zone, there is an alternative to individual EIS waivers. Contact the Office of Environment and Energy for details on how to request the areawide waiver.

4. What exactly are the processing requirements and general policies for modernization and rehabilitation projects? Does secton 51.104 apply to them as well as to new construction? The noise regulation is a bit confusing on this.

Yes, the noise regulation is a bit confusing on this question. We have seen several instances where field offices have mistakenly applied the provisions of Section 51.104 to modernization and rehabilitation projects. We believe that this happens because section 51.104 is not as clearly titled as it might have been. It would be better if it read "special requirements for new construction" rather than simply "special requirements".

The only parts of the regulation that apply to modernization and rehabilitation projects are sections 51.101 (a)(5) and the definitions of normally unacceptable and unacceptable noise zones contained in the table in section 51.103. None of the other proessing or policy provisions of the table or of sections 51.102 and 51.104 apply. Therefore:

- modernization and rehabilitation projects are to be processed by the field offices regardless of the noise zone.
- EIS's are not required for modernization and rehabilitation projects unless mandated by other applicable environmental regulations.

You must however continue to encourage attenuation features in modernization and rehabilitation projects, in accordance with the general policy stated in section 51.101(a)(5).

5. We know that berms and barriers are the preferred type of noise attenuation because of the protection they provide for outdoor living areas, but we need some further guidance on when they are really the best choice.

While barriers can be an effective noise attenuation technique, they must, indeed, be used with caution and common sense because they can create more problems than they solve. Very high noise barriers can create significant aesthetic and financial problems relative to the noise benefit to be achieved. Barriers can block light, hinder natural ventilation, create an unpleasant sense of being walled in, and can be very unattractive. In addition, barriers do require continuing maintenance and can be very costly to build.

It is important to remember that the noise regulation says that "measures that reduce external noise at a site shall be used **wherever practicable.**" Is it practicable to propose a 20 foot high barrier only 15 feet from the rear of a two-story building? Granted it would certainly protect the building from noise, but what about the blocked light, the reduced ventilation, the visual impact, and the cost? The purpose of a barrier is primarily to reduce the noise levels in those outdoor areas that people use. The secondary purpose is to reduce the need for structural attenuation. Therefore, the barrier should only be as high as is necessary to protect those areas. Structural attenuation should be required for the parts of the building not protected by the barrier. And if there aren't any outdoor areas where low noise levels are important, barriers shouldn't be required unless they would be more cost effective than building attenuation measures.

6. What should we be doing once we have processed new or revised aircraft noise contours and they have been approved for use?

The most important thing you can do once new or revised aircraft noise contours have been approved for use is to tell the people who are most likely to be affected by the change. If you have a newsletter that you regularly publish, that is one way to get the word out. At the very least you should specifically notify the affected jurisdictions and the builders/developers who are known to be active in the vicinity of the noise impacted areas. Make sure you notify builders and developers who have large scale projects that you have been processing in sections. Go back and check your files to find them. Even though you should have done an overall environmental review of the project at the time the first section was submitted, the approval of individual sections is dependent on the noise levels at the time that section is submitted.

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Chapter 4

Noise Attenuation

Introducton

HUD's noise policy (24 CFR 51B) clearly requires that noise attenuation measures be provided when proposed projects are to be located in high noise areas. The requirements set out in Section 51.104(a) are designed to insure that interior levels do not exceed the 45 L_{dn} level established as a goal in Section 51.101(a)(9). Thus, in effect, if the exterior noise level is 65 L_{dn} to 70 L_{dn}, 25 db of noise attenuation must be provided; if the exterior noise level is between 70 and 75 L_{dn}, then 30 db of attenuation is required. Likewise, for projects proposed for areas where noise levels exceed 75 L_{dn}, sufficient attenuaton must be provided to bring interior levels down to 45 L_{dn} or below.

There are three basic ways to provide the noise attenuation required:

1. the use of barriers or berms
2. site design
3. acoustical construction

Of these, only the first two provide any improvement in the exterior environment. Because HUD considers a quiet exterior environment to be important, we prefer the use of those measures that reduce exterior levels as well as interior levels. The use of acoustical construction by itself is, therefore, the least preferred alternative since it only affects the interior levels. While we recognize that in many cases barriers or site design cannot provide all the attenuation necessary, you should combine them with acoustical construction whenever possible.

Your responsibility as a HUD staff member is to:

- make sure the project sponsor or developer is aware of the attenuation requirements for the project.
- make the sponsor aware of the options available

and

- review attenuation proposals to make sure they are adequate.

While it is not your responsibility to provide detailed design assistance to the sponsor or developer, you should know enough about the attenuation options to give him or her a basic understanding of what must be done. In many cases, you may be able to reassure the sponsor or developer that the necessary attenuation can be achieved through the use of common construction techniques or materials. Or you may be able to point out how a simple site design change can achieve the desired result without additional cost.

The following sections are designed to provide you with the information you will need to fulfill your responsibilities. Each attenuation approach is discussed both in terms of basic concepts and in terms of what to look for in reviewing attenuation proposals. The discussion does assume that you have a working knowledge of the *Noise Assessment Gujidelines*. If you have not worked with the *Guidelines* before or not recently you may want to go back and review them, particularly the section on calculating the effects of barriers.

Barrier Noise Reduction Concepts

(The following, with some editing and with some additional graphics, is taken from the Federal Highway Administration's *Noise Barrier Design Handbook*.[1])

When no obstacles are present between [a source] and adjoining areas, sound travels by a **direct** path from the "sources"... to [the] "receivers"..., as shown in Figure 1. Introduction of a barrier between the source and receiver redistributes the sound energy into several [indirect] paths: a **diffracted** path, over the top of the barrier; a **transmitted** path, through the barrier; and a **reflected** path, directed away from the receiver. These paths are also illustrated in Figure 1.

[1] *Noise Barrier Design Handbook* US Department of Transportation, Federal Highway Administration, February 1976. (FHWA-RD-76-58).

Figure 1
Alteration of Noise Paths by a Barrier

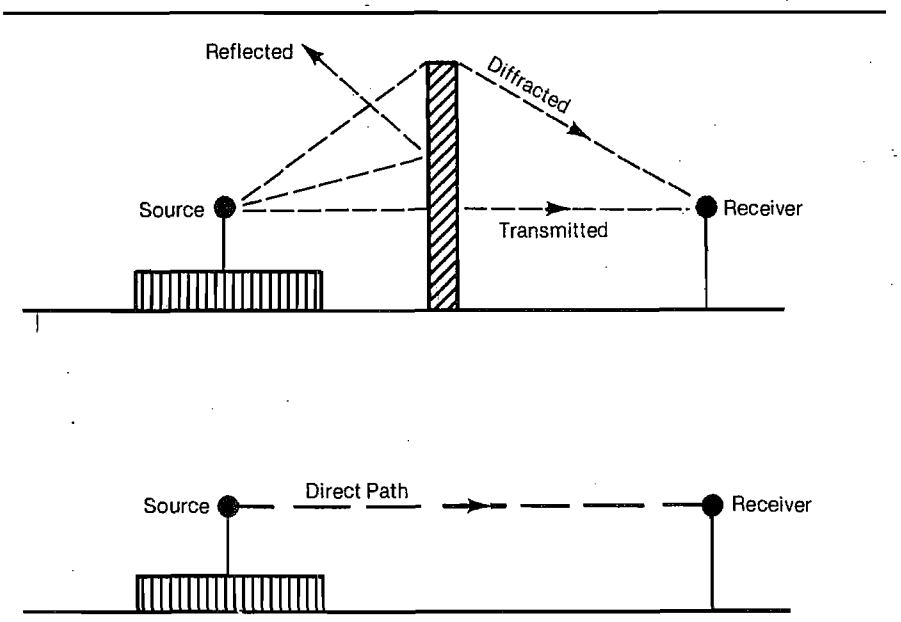

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Barrier Diffraction and Attenuation

Consider an infinitely long, infinitely massive noise barrier placed between a highway and the receiver. Figure 2 illustrates a cross-section through such a configuration. [In] this example, the only way that sound can reach the receiver is by bending over the top of the barrier; as shown in the figure. The bending of sound waves in this manner over an obstacle is known as diffraction. The area in which diffraction occurs behind the barrier is known as the "shadow zone." The straight path from the source over the top of the barrier forms the boundary of this zone.

All receivers located in the shadow zone will experience some sound attenuation; the amount of attenuation is directly related to the magnitude of the diffraction angle ϕ. As ϕ increases, the barrier attenuation increases. The angle ϕ will increase if the barrier height increases, or if the source or receiver are placed closer to the barrier. Clearly then the barrier attenuation is a function of the geometrical relationship between the source, receiver, and barrier. One way of relating these parameters to the barrier attenuation is to define the path-length difference as shown in Figure 3. This parameter is the difference in distance that the sound must travel in diffracting over the top of the barrier rather than passing directly through it.

In the preceding discussion it was assumed that the barrier was "infinite"; i.e., long enough to shield the receiver from all sound sources up and down the highway. For short barriers, the attenuation can be seriously limited by the sound from sections of highway beyond the barrier's ends, which are unshielded from the receiver, as shown in Figure 4. Similarly, when there are large gaps in the barrier (to permit access, for example), sound from the unshielded section of highway adjacent to the gap can greatly compromise barrier attenuation, especially for those receivers close to the opening.

Figure 2
Barrier Diffraction

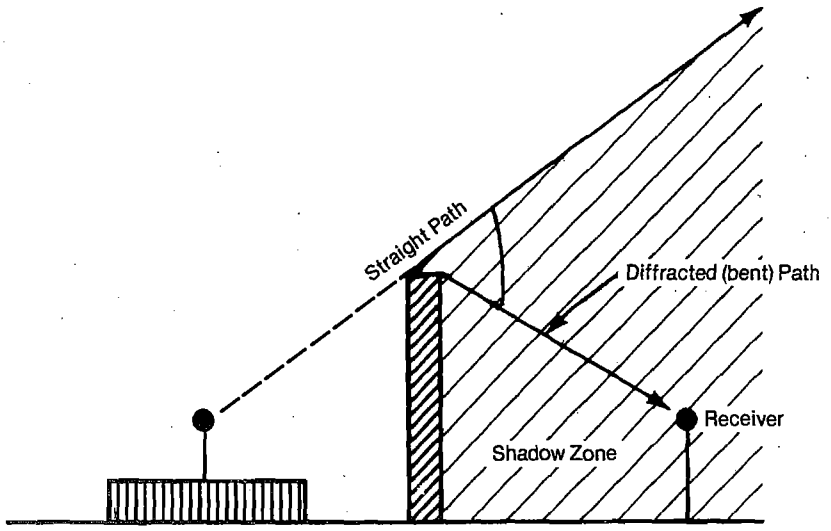

Figure 3
Path Length Difference $\delta = A + B - d$

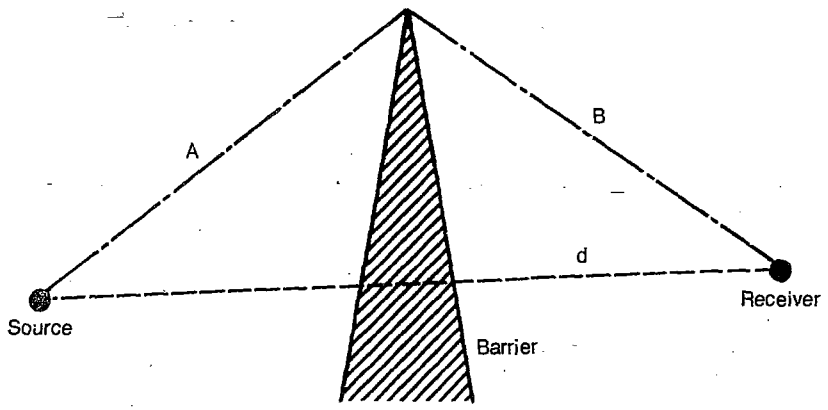

Figure 4
Short-circuit of Barrier Around Ends and Through Openings

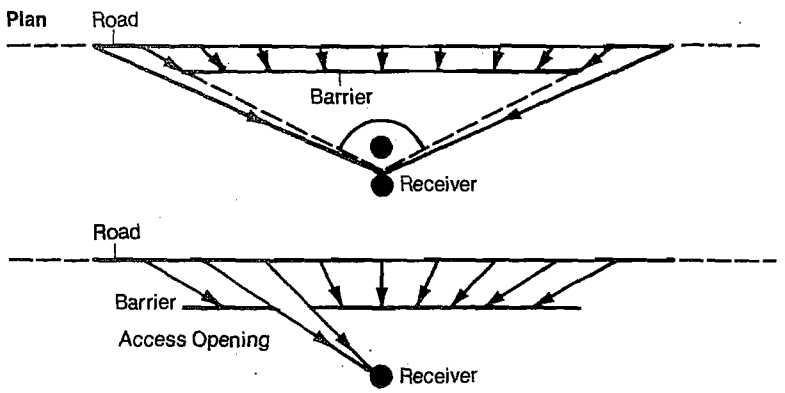

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It should be mentioned that the use of barrier walls with sloped sides (forming angles of grater than 10–15 degrees from the vertical) will also generally eliminate multiple reflections. Use of earth berms is particularly appropriate to accomplish this. Sloped barrier walls will require more material to achieve a desired height than a vertical wall, while berms will require greater right-of-way than a thin wall.

Ground Effects

Consider again the direct path of sound from the source to receiver as illustrated in Figure 1 in the absence of any obstacles. For sources and receivers located close to the ground, in addition to this direct path sound energy may reach the receiver by reflecting off the ground. When the terrain is relatively hard and flat, such a reflection will add to the noise from the direct path to increase the level at the receiver. However, when the ground is soft, there may be a phase reversal upon reflection such that the noise from the ground reflection path will destructively interfere with the noise from the direct path resulting in a significant reduction in noise levels at the receiver.

This reduction in level, known as ground-effect attenuation, is in excess of the 3 dB per doubling of distance propagation loss for a line source of noise and occurs only above soft absorptive ground (such as normal earth and most ground with vegetation). Over hard ground (such as concrete, stone and very hard-packed earth) these effects do not occur. These effects are most apparent for receivers on the ground floor, and decrease rapidly as receiver height above ground increases.

While ground absorption effects are not completely understood, it is generally believed that these effects account for the 4.5 dB per doubling of distance propagation loss observed over soft ground, as compared to the 3 dB propagation loss observed over hard ground. The implication with regard to barrier design is that placement of a barrier over soft ground between source and receiver will re-direct the sound over the top of the barrier, thus destroying the ground reflection and the additional 1.5 dB per doubling of distance attenuation. Thus, the barrier must be designed to provide more reduction than would otherwise be necessary, to compensate for the lost ground effects over absorptive ground.

Summary

(From: *Design Guide*, National Bureau of Standards[1])

In summary, the following can be said about noise barriers.

- If a barrier does not block the line-of-sight between the source and receiver, the barrier will provide little or no attenuation.
- If a barrier is constructed of a material with a surface weight density greater than 4 lb/ft^2 and there are no openings through the barrier, transmitted sound will usually be negligible.
- If there are openings totaling over 10 percent or more of the barrier area, barrier attenuation will be negligible.
- Diffracted sound is usually the most important aspect in estimating barrier attenuation.
- Reflected sound can be important for receivers on the source side of a barrier, but it normally is not a factor for receivers on the side opposite from the source. Hence reflected sound is usually not important to your building and site.
- Transmission of sound around the ends of the barrier can be critical if the barrier included angle is less than 170°.
- Barrier attenuations greater than an A-weighted sound level difference of 10 dB are difficult to obtain.
- For two or more barriers "in series," consider only the "dominant" barrier.
- Assume no attenuation for a receiver located beyond the end of a barrier.

Reviewing Barrier Proposals

An effective barrier is one which reduces the noise level behind the barrier to 65 L_{dn} or lower. If a barrier can reduce the exterior noise level to 65 L_{dn}, then standard construction techniques should be sufficient to insure an interior level of 45 L_{dn} or below. Therefore, if you determine that a proposed barrier is adequate to reduce the exterior noise level to 65 L_{dn} then no additional attenuation measures should be necessary.

[1] *Design Guide for Reducing Transportation Noise in and Around Buildings*, US Department of Commerce, National Bureau of Standards, April 1978. (Building Science Series 84)

There are four things to check when determining the adequacy of a proposed barrier:

1. Is it high enough?
2. Is it long enough?
3. Is it made of the right materials?
4. Is it properly constructed?

Is it High Enough?

In order for a barrier to be effective it must be at least high enough to break the line of sight between the source and the receiver. In the *Noise Assessment Guidelines* you will find the procedure for determining how much attenuation is provided by a barrier of a given height.

In general, barriers and berms are most effective for one and two story buildings because a relatively low barrier can often provide the attenuation needed. The height that might be required to provide attenuation for much taller buildings is often not feasible for either cost or aesthetic reasons. However, even if a barrier can not be made high enough to attenuate the upper floors of a multistory building, it may still be able to provide some protection for outdoor recreational areas. Before discarding the barrier idea check for this possibility.

If you find that the barrier as proposed is too short to be effective but the sponsor or developer tells you that he or she can not make the barrier any higher, there are some alternatives you can suggest. There are ways to get more attenuation out of each foot of overall height.

As a general rule, barriers work better the closer they are to the source. Figure 6 shows a barrier that does not block the line of sight at all when it is located next to the receiver, yet is quite tall enough when located next to the source. Thus, if the sponsor or developer can not make the barrier any taller, perhaps he or she can move it closer to the source.

Another way to get more attenuation without increasing overall barrier height is to bend the top of the barrier towards the source. Figure 7 shows a case where a barrier built perfectly straight provides 8 dB of attenuation. A barrier with the same overall height but with a 45 degree bend towards the source provides 9.5 dB of attenuation. Thus if the project sponsor or developer wants to keep the overall height of the barrier down, he or she can still increase the attenuation provided simply by bending the top.

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Figure 6
Effect of Moving the Barrier Closer to the Source

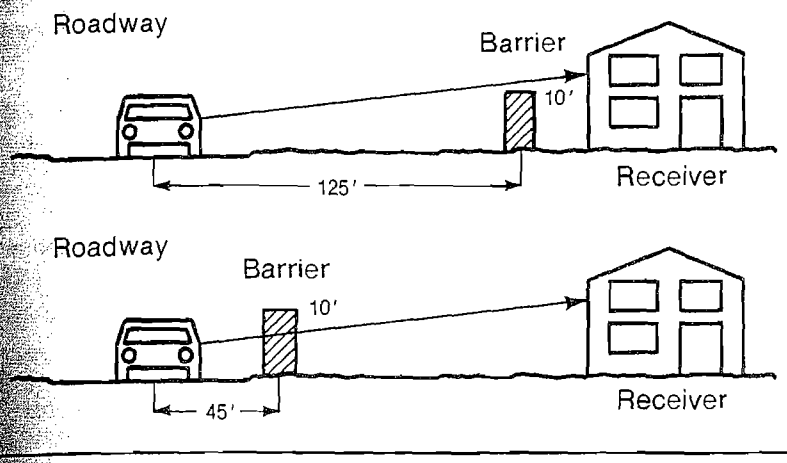

Figure 7
Effect of Bending the Top of the Barrier Towards the Source

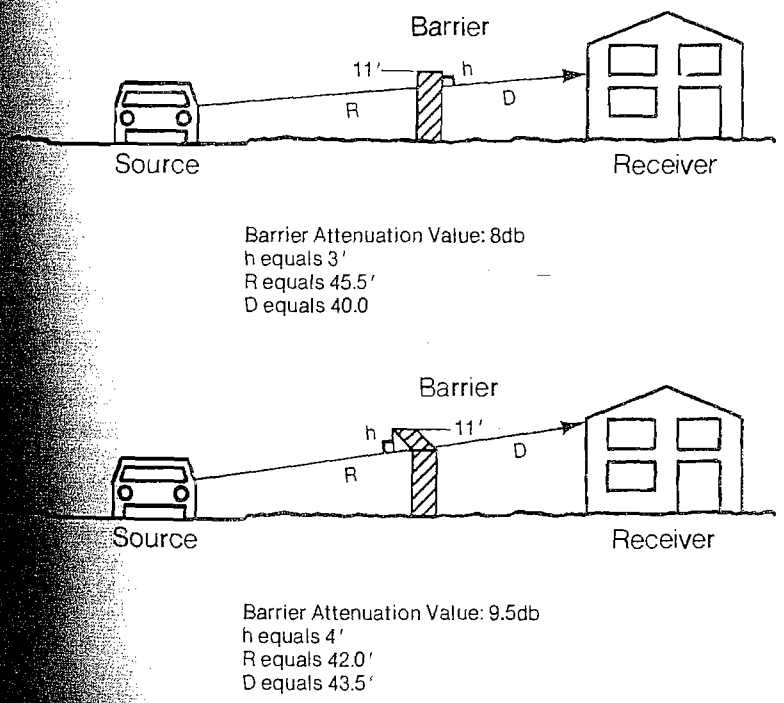

Thus, if your review of a proposed barrier shows it to be too short, but it can not be made any higher, suggest that the barrier be moved closer to the source or that it be bent at the top, or both.

Is It Long Enough?

Once you have established how much attenuation the barrier provides due to its height, you must determine if the length of the barrier compromises that attenuation level. Again, *the Noise Assessment Guidelines* contain a procedure for calculating the effect of barrier length.

If you find that the barrier is too short but that there are limitations on how long it can be made, there are, as there were with barrier heights, some recommendations you can make on how to improve the effectiveness of the barrier.

Again, if you bend the edges of the barrier, this time towards the **receiver** not the source, you will increase the effectiveness of the barrier. Figure 8 shows how much a barrier's effectiveness can be improved by bending the edges.

You can also improve the effectiveness of the barrier by moving it closer to the receiver. Figure 9 shows how much a barrier's effectiveness can be increased by moving it closer to the receiver. Now obviously, this creates a conflict with what we said earlier about moving the barrier closer to the source. Clearly each case will require a different compromise. If height is not a limiting factor but length is, you might recommend to the project sponsor or developer that the barrier be moved closer to receiver and the height increased as necessary. If the reverse is true, you would want to recommend the opposite. If both height and length are limited, then the sponsor or developer must find that optimum point where the effeciveness of both the barrier height and the barrier length is as high as possible.

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Figure 8
Effect of Bending the Edges of Barrier Towards Receiver
(Both Barriers have Potential Value of 10db)

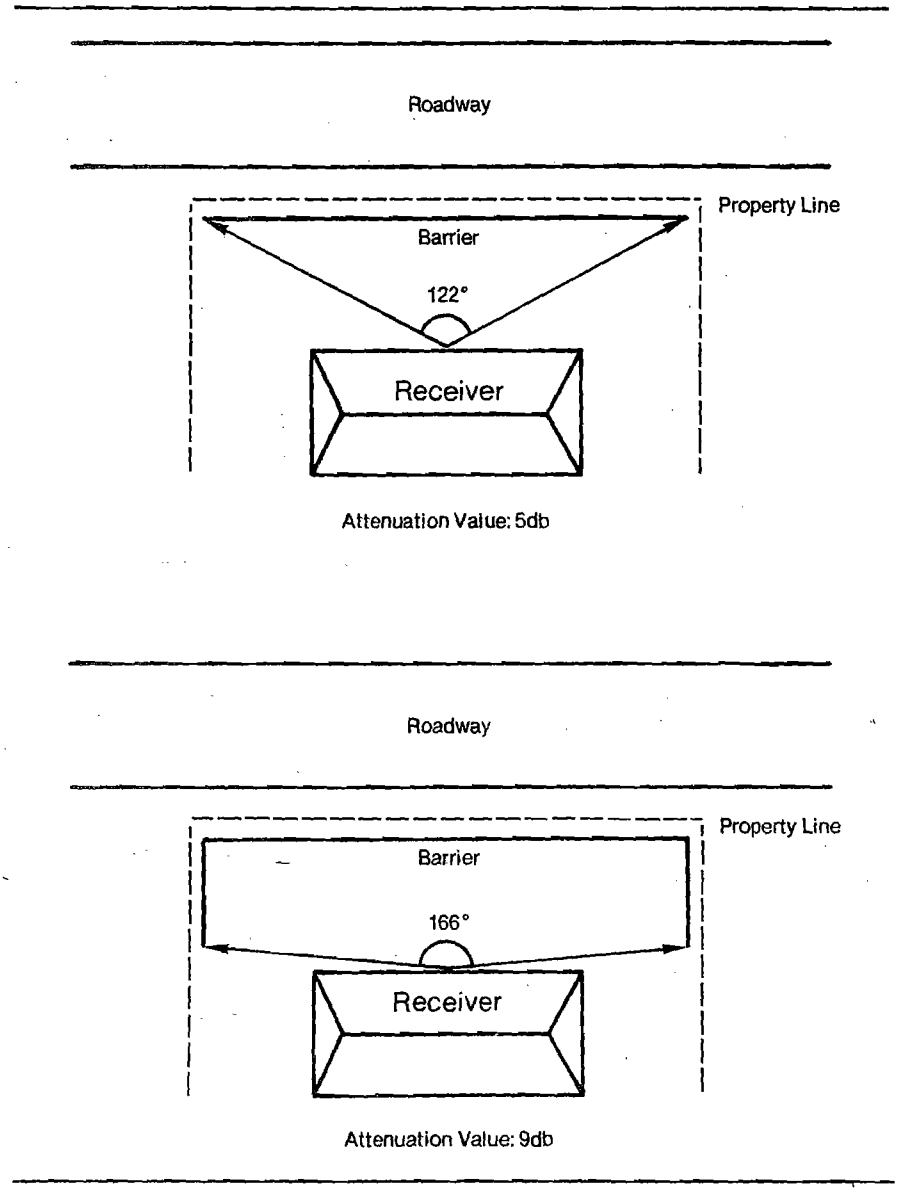

Is It Made of The Right Materials?

Even if a barrier is high enough and long enough, its effectiveness can be severely reduced if it is made up of lightweight materials that easily transmit sound waves. In the preceding section on barrier concepts we talked about how if the transmission loss value for the barrier material was not at least 10 db higher than the attenuation value of the barrier based on length and height there would be a significant reduction in the effectiveness of the barrier.

Therefore, once you have calculated the basic attenuation potential of the barrier, you must check to make sure the proper material is being used to build the barrier. Table 1 lists the transmission loss values for materials commonly used in barrier construction. Once you have found the transmission loss value for the material being used, go to Table 2. Read down the column with the transmission loss for the material at its top and across the line that has the attenuation potential for the barrier listed. Where the two intersect you will find the actual attenuation capability of the barrier.

If you find that the choice of material has severely reduced the effectiveness of the barrier, you should recommend that the sponsor or developer select another material.

Is It Properly Constructed?

Holes or openings can substantially reduce the effectiveness of a barrier. A barrier that has openings totaling 50% or more of its total area will provide no attenuation. A barrier that has openings totaling 10% of its total area has a maximum attenuation value of approximately 4db. That is 4db no matter how high, how long or how thick the barrier. So you can see that it is very important that the barrier is made of solid materials and that it is tightly constructed. In general the intended openings in a barrier should equal no more than 1% of total area and the construction specifications should require that all joints are tightly sealed.

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Figure 9
Effect of Moving Barrier Closer to Receiver

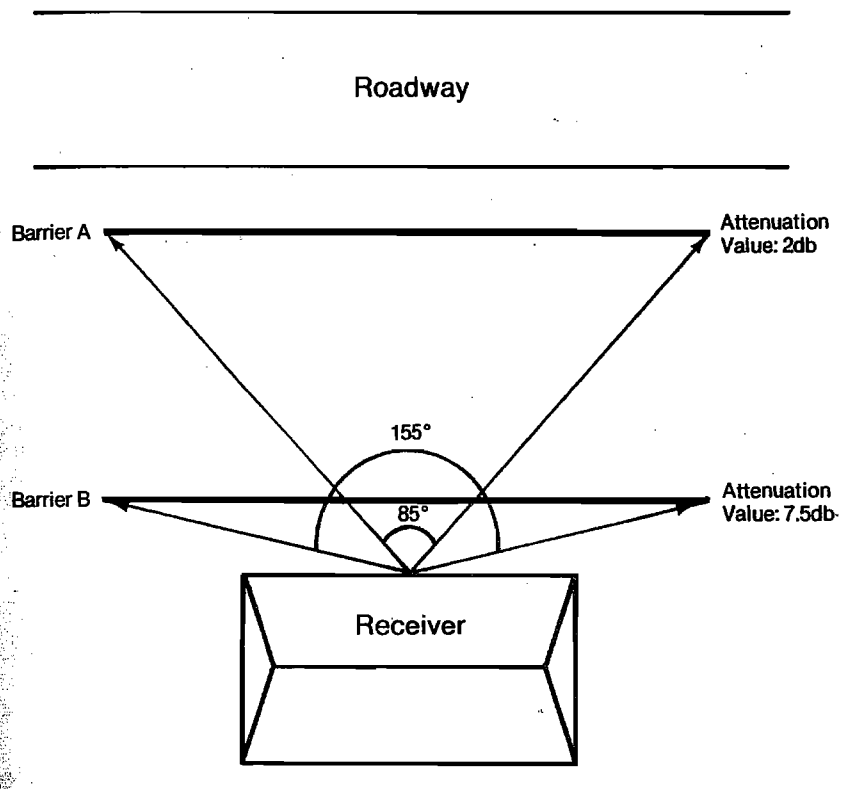

A Final Note

One thing should have become clear to you as you have been reading this section, and that is that in order for you to adequately review a project sponsor or developer's proposed barrier you must be given fairly specific information about the exact dimensions of the proposed barrier, the type and thickness of the barrier material, and the exact design of the barrier including construction specifications. Without this information you will be unable to do any more than a cursory evaluation, an evaluation that could be far from accurate. Make sure you make it clear to the developer or sponsor what you need to have.

Table 1
Transmission Loss Value for Common Barrier Materials

Material	Thickness, (Inches)	Transmission Loss, dBA (1)
Woods		
[illegible]	1/2	17
	1	20
	2	24
[illegible]	1/2	16
	1	19
	2	23
[illegible]ywood	1/2	16
	1	19
	2	23
[illegible]ker	1/2	15
	1	18
	2	22
[illegible]ywood	1/2	20
	1	23
[illegible]cle [illegible]rd	1/2	20
Metals		
[illegible]minum	1/16	23
	1/8	25
	1/4	27
	24 ga	18
	20 ga	22
	16 ga	15
	1/16	28
Concrete, Masonry, etc.		
Light Concrete	4	36
	6	39
Dense Concrete	4	40
Concrete Block	4	32
	6	36
Cinder Block (Hollow Core)	6	28
Brick	4	33
Granite	4	40
Composites		
Aluminum Faced Plywood	3/4	21-23
Aluminum Faced Particle Board	3/4	21-23
Plastic Lamina on Plywood	3/4	21-23
Plastic Lamina on Particle Board	3/4	21-23
Miscellaneous		
Glass (Safety Glass)	1/8	22
	1/4	26
Plexiglass (Shatterproof)		22-25
Masonite	1/2	20
Fiberglass/ Resin	1/8	20
Stucco on Metal Lath	1	32
Polyester with Aggregate Surface	3	20-30

[1]A-weighted TL based on generalized truck spectrum. Source: *Noise Barrier Design Handbook*, FHWA

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Table 2
Noise Reduction of a Barrier as a Function of its Transmission Loss

Designed Attenuation, dB (from height) and length)	Tramission Loss, dB of Materials				
	10	15	20	25	30
5	3.8	4.6	4.9	5.0	5.0
6	4.5	5.5	5.8	6.0	6.0
7	5.2	6.4	6.8	6.9	7.0
8	5.9	7.2	7.7	7.9	8.0
9	6.5	8.0	8.7	8.9	9.0
10	7.0	8.8	9.6	9.9	10.0
11	7.5	9.5	10.5	10.8	11.0
12	7.9	10.2	11.4	11.8	11.9
13	8.2	10.9	12.2	12.7	12.9
14	8.5	11.5	13.0	13.7	13.9
15	8.8	12.0	13.8	14.6	14.9
16	9.0	12.5	14.5	15.5	15.8
17	9.2	12.9	15.2	16.7	16.8
18	9.4	13.2	15.9	17.2	17.7
19	9.5	13.5	16.5	18.0	18.7
20	9.6	13.8	17.0	18.8	19.6

Source: *Noise Barrier Design Handbook, FHWA*

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Acoustical Site Planning Concepts

(This section, with some editing, is from *The Audible Landscape*, FHWA.[1])

The arrangement of buildings on a site can be used to minimize noise impacts. If incompatible land uses already exist, or if a noise sensitive activity is planned, acoustical site planning often provides a successful technique for noise impact reduction.

Many site planning techniques can be employed to shield a residential development from noise. These can include:

1. increasing the distance between the noise source and the receiver;
2. placing noise compatible land uses such as parking lots, maintenance facilities, and utility areas between the source and the receivers. Playgrounds and parks are not necessarily noise compatible activities.
3. locating barrier-type buildings parallel to the noise source or the highway; and
4. orienting the residences away from the noise.

The implementation of many of the above site planning techniques can be combined through the use of cluster and planned unit development techniques.

Distance

Noise can be effectively reduced by increasing the distance between a residential building and a highway. Distance itself reduces sound: doubling the distance from a noise source can reduce its intensity by as much as 3 dBA. In the case of highrise buildings, distance may be the only means, besides acoustical design and construction, of reducing noise impacts. This is because it is nearly impossible to provide physical shielding for the higher stories from adjacent noise.

Noise Compatible Land Uses as Buffers

Noise protection can be achieved by locating noise-compatible land uses between the highway and residential units. Whenever possible, compatible uses should be nearest the noise source. Figure 10 shows a proposed parking garage along two sides of a development in Boston. Both the

[1] *The Audible Landscape: A Manual for Highway Noise and Land Use*, US Department of Transportation, The Federal Highway Administration, November 1974. (GPO Stock Number: 5000-00079.)

Figure 10
Use of a Parking Garage to Shield a Residential Area

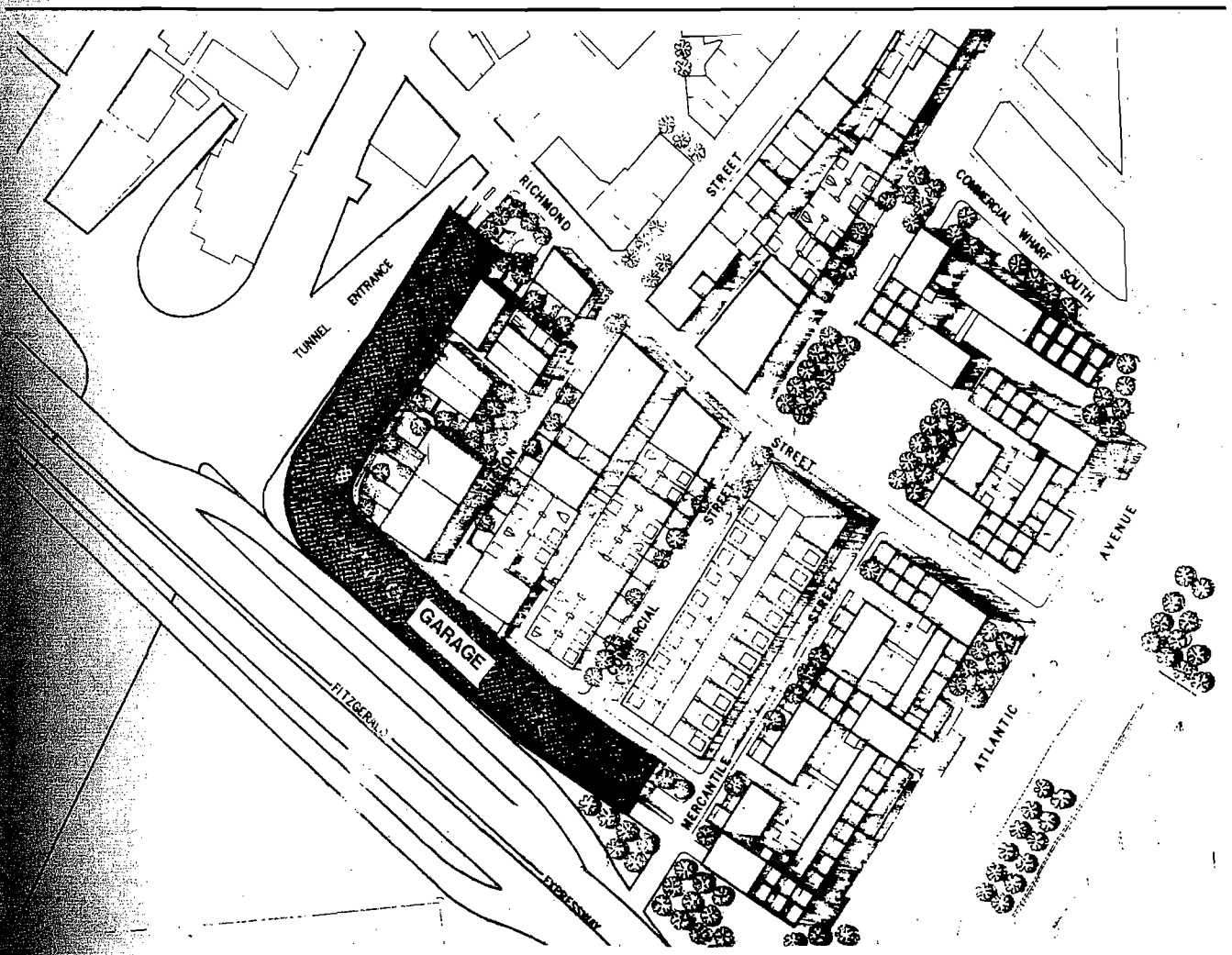

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Fitzgerald Expressway and the entrance to the Callahan Tunnel which are shown on the site plan are major and noisy traffic routes. In addition to protecting the residential development from the noise and dirt of highway traffic, the parking garage provides needed facilities for the residents.

Buildings as Noise Shields

Additional noise protection can be achieved by arranging the site plan to use buildings as noise barriers. A long building, or a row of buildings parallel to a highway can shield other more distance structures or open areas from noise.

If the building being used as a barrier is sensitive to highway noise, the building itself must first be soundproofed. This technique was used in a housing project in England where a 3,900 foot long, 18 foot wide and 45-70 foot high wall (depending on the terrain) serves as both residence and a sound shield. The wall/building will contain 387 apartments in which the kitchens and bathrooms are placed towards the noise, and the bedrooms and living rooms face away from the highway. The wall facing the highway will be soundproofed and windows, when they exist, are sealed. Substantial noise reductions are expected.

Orientation

The orientation of buildings or activities on a site affects the impact of noise, and the building or activity area may be oriented in such a way as to reduce this impact.

Noise impacts can be severe for rooms facing the roadway since they are closest to the noise source. The noise impact may also be great for rooms perpendicular to the roadway because (a) the noise pattern can be more annoying in perpendicular rooms and (b) windows on perpendicular walls do not reduce noise as effectively as those on parallel walls because of the angle of the sound. Road noise can be more annoying in perpendicular rooms because it is more extreme when it suddenly comes in and out of earshot as the traffic passes around the side of the building, rather than rising and falling in a continuous sound, as it would if the room were parallel to passing vehicles.

Whether the noise impact is greater on the perpendicular or the parallel wall will depend on the specific individual conditions. Once the most severely impacted wall or walls are determined, noise impacts may be minimized by reducing or eliminating windows from these walls.

Buildings can also be oriented on a site in such a way as to exploit the site's natural features. With reference to noise, natural topography can be exploited and buildings placed in low noise pockets if they exist. If no natural noise pockets exist, it is possible to create them by excavating pockets for buildings and piling up earth mounds between them and the noise. Such a structure would obstruct the sound paths and reduce the noise impacts on the residences.

Cluster and Planned Unit Development

A cluster subdivision is one in which the densities prescribed by the zoning ordinance are adhered to but instead of applying to each individual parcel, they are aggregated over the entire site, and the land is developed as a single entity. A planned unit development, or P.U.D., is similar but changes in land use are included, such as apartments and commercial facilities in what would otherwise be a single-family district.

From Figure 11 it can be seen how the conventional grid subdivision affords no noise protection from the adjacent highway. The first row of houses bears the full impact of the noise. In contrast, the cluster and P.U.D. techniques enable open space and commercial uses respectively to serve as noise buffers. Examples of this are shown in Figures 12 and 13. A word of caution is necessary: in a cluster development, the required open space can be located near the highway to minimize noise to the residences. However, many recreation uses are noise sensitive, and when one takes advantage of the flexibility of cluster development to minimize noise, care must be taken not to use all of the available open space in

Figure 11
Conventional Grid Subdivision

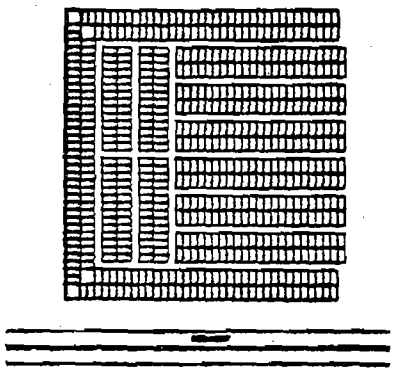

Figure 12
Placement of Noise Compatible Uses Near a Highway in a PUD

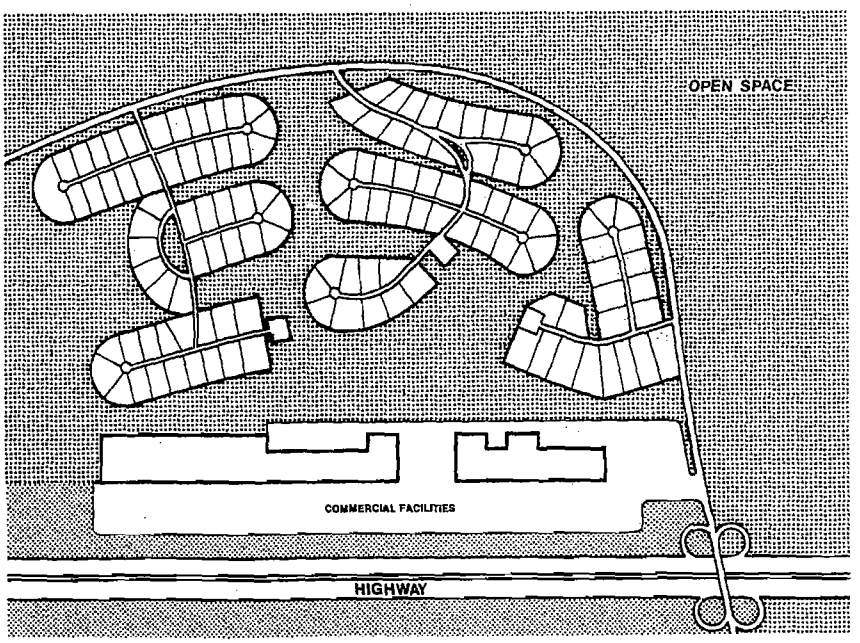

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buffer strips, thus depriving the development of a significant open space area. Where high noise levels exist, a combination of buffer strips and other techniques (such as berms and acoustical sound proofing) can be employed.

The flexibility of the cluster and planned unit development techniques allows many of the above site planning techniques to be realized and effective noise reduction achieved.

Reviewing Site Plans

There are two main things to check when reviewing site plan changes to determine if the revised site plan provides adequate attenuation for the noise sensitive uses:

1. Is the separation between the source and the receiver great enough?
2. If noise-compatible buildings are being used as barriers for other buildings, are they adequate barriers, i.e., are they long enough and are they high enough? (And, if the buildings being used as barriers contain noise sensitive activities, have the buildings been properly soundproofed.)

In order to determine whether the proposed site plan changes will provide adequate separation between the source and the receiver, you simply go back to the *Noise Assessment Guidlines* procedures. You can use the *Guidelines* both to determine if the proposed separation distance is sufficient or to determine the necessary separation distance. You should at this point check to make sure that the uses being located in the "buffer zone" between the source and the receiver are indeed noise compatible uses. If parks or playgrounds are located in the buffer zone, make sure they are not the only ones associated with the project.

To determine whether the noise compatible buildings being proposed as barriers are adequate, you simply use the procedures outlined in the preceding section. Determine whether the building is high enough to properly break the line of sight between the receiver and the source. Then determine if the building is long enough. It is not necessary to check to make sure it is made of the proper materials or that it is properly constructed since the building will be inherently thick enough not to have any problems. Again, however, if the building being proposed as a barrier contains noise sensitive uses you must first verify that it is properly soundproofed. (See the next section for guidance on acoustical construction.) If the building is not properly soundproofed then it can not be used as a barrier for other buildings.

As you review the site plan check to see that the building locations will not aggravate noise problems. Figure 14 shows how building arrangement can make the noise problem worse.

Figure 13
Open Space Placed Near a Highway in a Cluster Development

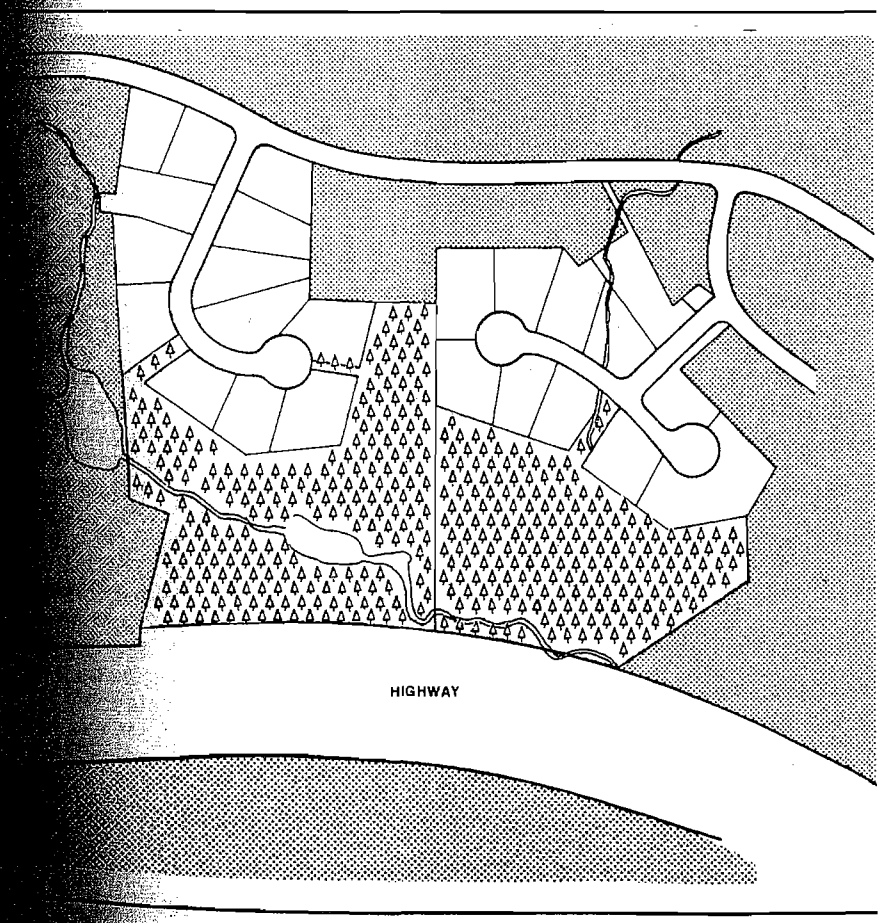

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Figure 14
Orientation of Buildings on Sites

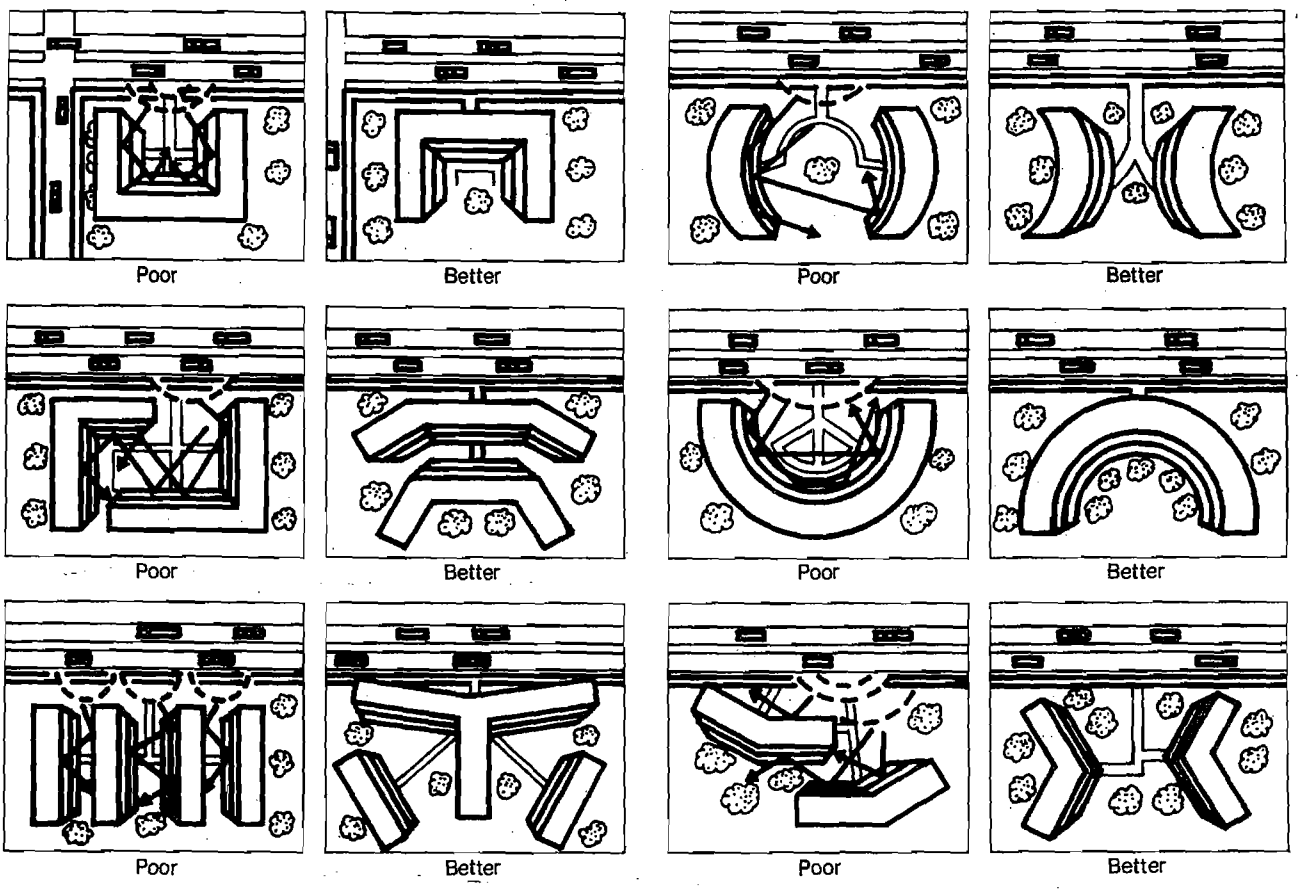

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Acoustical Construction Concepts

(This section, with some editing is taken from the *Audible Landscape, FHWA.*[1])

Noise can be intercepted as it passes through the walls, floors, windows, ceilings, and doors of a building. Examples of noise reducing materials and construction techniques are described in the pages that follow.

To compare the insulation performance of alternative constructions, the Sound Transmission Class (STC) is used as a measure of a material's ability to reduce sound. Sound Transmission Class is equal to the number of decibels a sound is reduced as it passes through a material. Thus, a high STC rating indicates a good insulating material. It takes into account the influence of different frequencies on sound transmission, but essentially the STC is the difference between the sound levels on the side of the partition where the noise originates and the side where it is received. For example, if the external noise level is 85 dB and the desired internal level is 45 dB, a partition of 40 STC is required. The Sound Transmission Class rating is the official rating endorsed by the American Society of Testing and Measurement. It can be used as a guide in determining what type of construction is needed to reduce noise.

The use of the STC rating system for transportation noise is a subject of some debate. The STC rating was originally intended primarily for use with interior partitions and relates to the "subjective impressions of the sound insulation provided against the sounds of speech, radio, television, music, and similar sources of noise in offices and dwellings."[2] However, since it remains the only widely used noise reduction rating system for materials the STC system is very often used even with transportation noise. When STC ratings are used for transportation noise you should be aware that the STC ratings may be a few dB too high. For example, the STC rating for a standard frame 2 × 4 wall with exterior siding, and sheathing and interior sheetrock may be 37 dB.[3] If rated specifically for transportation noise the dB reduction rating might drop to 34 dB.[4] All this really means, however, is that you should use the STC ratings with a bit of caution and remain aware of the possible 2-3 dB overstating that you may get with the STC rating system. Throughout this text we will be talking in terms of STC ratings for materials and assemblies.

[1] *The Audible Landscape: A Manual for Highway Noise and Land Use*, US Department of Transportation, the Federal Highway Administration, November 1974. (GPO Stock #5000-00079).

[2] *Acoustical and Thermal Performance of Exterior Residential Walls, Doors, and Windows*, US Department of Commerce, National Bureau of Standards, November 1975. (NBS Building Science Series 77) page 21.

[3] Ibid., p. 29

[4] *Design Guide for Reducing Transportation Noise In and Around Buildings*, p. 137.

Walls

Walls provide building occupants with the most protection from exterior noise. Different wall materials and designs vary greatly in their sound insulating properties. Figure 15 provides a visual summary of some ways in which the acoustical properties can be improved:

Increase the mass and stiffness of the wall. In general, the denser the wall material, the more it will reduce noise. Thus, concrete walls are better insulators than wood walls of equal thickness. Increasing the thickness of a wall is another way to increase mass and improve sound insulation. Doubling the thickness of a partition can result in as much as a 6 dB reduction in sound.[1] However, the costs of construction tend to limit the feasibility of large increases in wall mass.

The relative stiffness of the wall material can influence its sound attenuation value. Care must be taken to avoid wall constructions that can vibrate at audible frequencies and transmit exterior sounds.

[1] R. K. Cooke and P. Chrzanowski, "Transmission of Noise Through Walls and Floors," Cyril Harris, ed., Handbook of Noise Control, McGraw-Hill Book Company, Inc. (New York, 1957).

Figure 15
The Audible Landscape

Factors which influence sound attenuation of walls

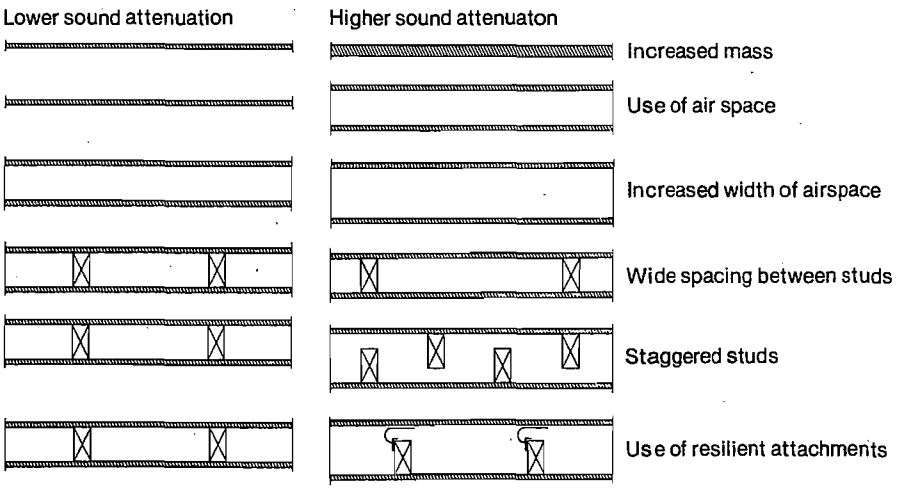

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Use cavity partitions. A cavity wall is composed of two or more layers separated by an airspace. The airspace makes the cavity wall a more effective sound insulator than a single wall of equal weight, leading to cost savings.

Increase the width of the airspace. A three inch airspace provides significant noise reduction, but increasing the spacing to six inches can reduce noise levels by an additional 5 dBA. Extremely wide airspaces are difficult to design.

Increase the spacing between studs. In a single stud wall, 24 inch stud spacing gives a 2-5 dB increase in STC over the common 16 inch spacing.[2]

Use staggered studs. Sound transmission can be reduced by attaching each stud to only one panel and alternating between the two panels.

[2]Leslie T. Doelle, Environmental Acoustics (New York, McGraw-Hill Book Company, 1972), pp. 232-233.

Use resilient materials to hold the studs and panels together. Nails severely reduce the wall's ability to reduce noise. Resilient layers such as fiber board and glass fiber board, resilient clips, and semi-resilient attachments are relatively inexpensive, simple to insert, and can raise the STC rating by 2-5 dB.[1]

Use dissimilar layers. If the layers are made of different materials and/or thickness, the sound reduction qualities of the wall are improved.[2]

Add acoustical blankets. Also known as isolation blankets, these can increase sound attenuation when placed in the airspace. Made from sound absorbing materials such as mineral or rock wool, fiberglass, hair felt or wood fibers, these can attenuate noise as much as 10 dB.[3] They are mainly effective in relatively lightweight construction.

Seal cracks and edges. If the sound insulation of a high performance wall is ever to be realized, the wall must be well sealed at the perimeter. Small holes and cracks can be devastating to the insulation value of a wall. A one-inch square hole or a 1/16 inch crack 16 inches long will reduce a 50 STC wall to 40.[4]

Figure 16 shows a sample of wall types ranging from the lowest to the highest sound insulation values.

Remember that the effectiveness of best wall construction will be substantially reduced if you permit vents, mail slots or similar openings in the walls. If vents are permitted the ducts must be specially designed and insulated to make sure noise does not reach the inside. The best approach is simply to eliminate all such openings on impacted walls.

[1]Ibid, p. 172
[2]Ibid, p. 162
[3]Doelle, p. 20
[4]United States Gypsum, Sound Control Construction, Principles and Performance (Chicago, 1972), p. 66

Figure 16
Walls

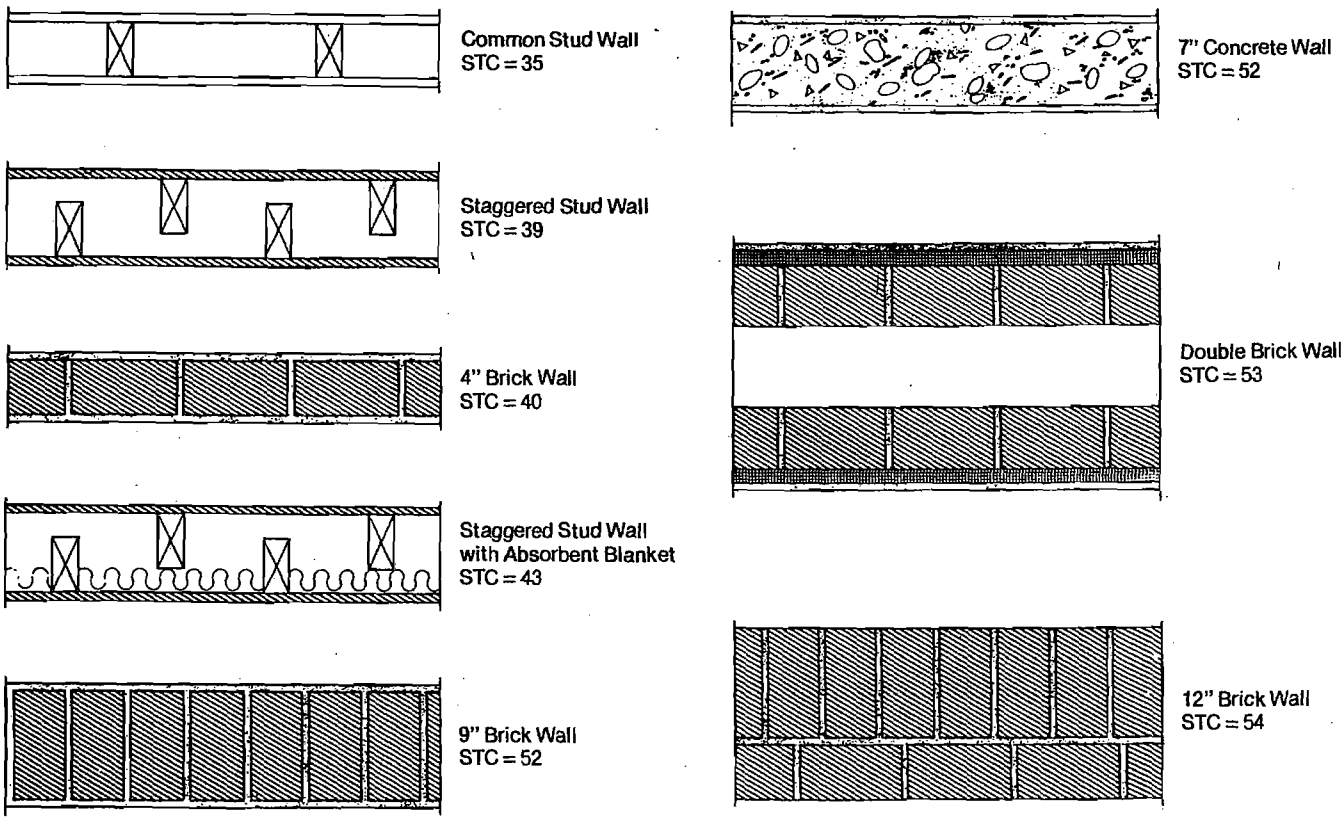

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Windows

Sound enters a building through its acoustically weakest points, and windows are one of the weakest parts of a wall. An open or weak window will severely negate the effect of a very strong wall. Whenever windows are going to be a part of the building design, they should be given acoustical consideration. Figure 17 illustrates the effects of windows on the sound transmission of walls. For example, if a wall with an STC rating of 45 contains a window with an STC rating of 26 covering 30% of its area, the overall STC of the composite partition will be 35, a reduction of 10 dB.

The following is a discussion of techniques that can be used to reduce noise in a building by means of its windows. These techniques range from a blocking of the principal paths of noise entry to a blocking of the most indirect paths.

Close windows. The first step in reducing unwanted sound is to close and seal the windows. The greatest amount of sound insulation can be achieved if windows are permanently sealed. However, openable acoustical windows have been developed which are fairly effective in reducing sound.[1] Whether or not the sealing is permanent, keeping windows closed necessitates the installation of mechanical ventilation systems. If you are dealing with single family houses and some of the windows are facing away from all noise sources, a whole house fan may be better and cheaper than air conditioning. In multifamily housing or where all windows are exposed to the noise sources you will have to go with the air conditioning. If windows must be openable, special seals are available which allow windows to be opened.[2]

Reduce window size. The smaller the windows, the greater the transmission loss of the total partition of which the window is a part. Reducing the window size is a technique that is used because (a) it precludes the cost of expensive acoustical windows, and (b) it saves money by cutting down the use of glass. The problems with this technique are (a) it is not very effective in reducing noise; e.g., reducing the proportion of window to wall size from 50% to 20% reduces noise by only 3 decibels; and (b) many building codes require a minimum window to wall size ratio.

Figure 17
STC

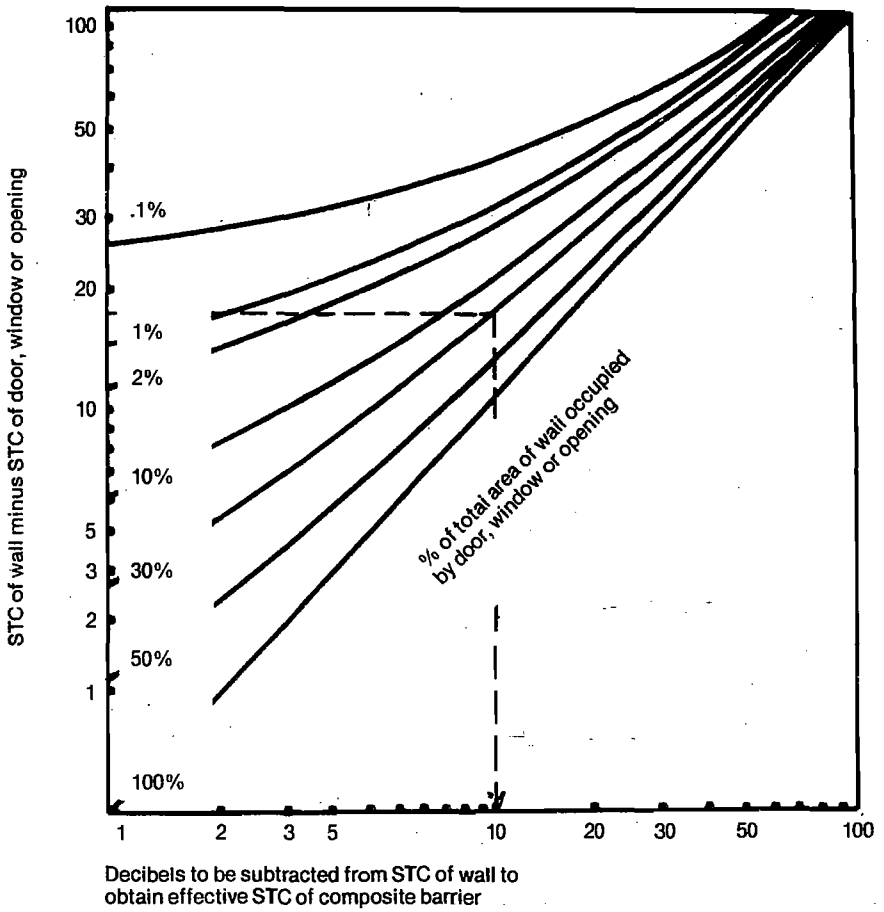

Increase glass thickness. If ordinary windows are insufficient in reducing noise impacts in spite of sealing techniques, then thicker glass can be installed. In addition, this glass can be laminated with a tough transparent plastic which is both noise and shatter resistant. Glass reduces noise by the mass principle; that is, the thicker the glass, the more noise resistant it will be. A 1/2-inch thick glass has a maximum STC rating of 35 dB compared to a 25 dB rating for ordinary 3/16 inch glass.

Instructions on use of graph

1. Subtract the STC value of the door, window or opening from the STC value of the wall.
2. Enter the vertical axis of the graph at the point that matches the value from step 1.
3. Read across to the curve that represents the percentage of the total area of the wall that is taken up by the door, window, or opening.
4. Read down to the horizontal axis.
5. Subtract the value on the horizontal axis from the original STC value of the wall. The result is the composite STC value of the wall and the door, window or opening.

[1] U.S. Department of Housing and Urban Development, A Study of Techniques to increase the Sound Insulation of Building Elements, Report No. WR 73-5, Washington, D.C., June 1973.

[2] Los Angeles Department of Airports, *Guide to the Soundproofing of Existing Homes Against Exterior Noise*. Report No. WRC 70-2, March 1970, pp. 9-11, 22-30. In this report, the function and performance of a number of operable seals are described.

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However, glass thicknesses are only practical up to a certain point, when STC increases become too insignificant to justify the cost. For example, a 1/2 inch thick glass can have an STC of 35; increasing the thickness to 3/4 inch only raises the STC to 37. However, a double glass acoustical window consisting of two 3/16 inch thick panes separated by an airspace will have an STC of 51 and can cost less than either solid window.

In addition to thickness, proper sealing is crucial to the success of the window. To prevent sound leaks, single windows can be mounted in resilient material such as rubber, cork, or felt.

Install Double-Glazed Windows. Double-glazed windows are paired panes separated by an airspace or hung in a special frame. Generally, the performance of the double-glazed window may be increased with:

- increased airspace width
- increased glass thickness
- proper use of sealings
- slightly dissimilar thicknesses of the panes
- slightly non-parallel panes

In general the airspace between the panes should not be less than 2–4 inches if an STC above 40 is desired. If this is not possible, a heavy single-glazed window can be used. The use of slightly non-parallel panes is a technique employed when extremely high sound insulation is required, such as in control rooms of television studios.

The thickness of double-glazed panes may vary from 1/8 to 1/4 inch or more per pane. Although thickness is important, the factors which most determine the noise resistance of the window is the use of sealant and the width of the airspace.

As in the case of all windows, proper sealing is extremely important. To achieve an STC above 43, double-glazed windows should be sealed permanently. If the windows must be openable, there are available special frames and sealers for openable windows which allow a maximum STC of 43.[1]

Permanently sealed double-glazed windows often require an air pressure control system to maintain a constant air pressure and minimal moisture in the airspace. Without this system, the panes may deflect, and, in extremely severe cases, pop out of the frames.

[1]Ibid.

To further insure isolation of noise between double-glazed panes, the panes could be of different thicknesses, different weights, and slightly non-parallel to each other. This prevents acoustical coupling and resonance of sound waves.

Doors

Acoustically, doors are even weaker than windows, and more difficult to treat. Any door will reduce the insulation value of the surrounding wall. The common, hollow core wood door has an STC rating of 17 dB. Taking up about 20% of the wall, this door will reduce a 48 STC wall to 24 STC. To strengthen a door against noise, the hollow core door can be replaced by a heavier solid core wood door that is well sealed[1] and is relatively inexpensive. A solid core wood door with vinyl seal around the edges and carpeting on the floor will reduce the same 48 STC wall to only 33 dB.[2] An increased sound insulation value can be achieved if gasketed stops or drop bar threshold closers are installed at the bottom edge of the door. (See Figure 18)

The alternative solution to doors is to eliminate them whenever possible from the severely impacted walls and place them in more shielded walls.

In any case no mail slots or similar openings should be allowed in exterior doors.

Roofs

Acoustical treatment of roofs is not usually necessary unless the noise is extremely severe or the noise source is passing over the building. The ordinary plaster ceiling should provide adequate sound insulation except in extremely severe cases. An acoustically weak roof which is likely to require treatment is the beamed ceiling.[3] Beamed ceilings may be modified by the addition of a layer of fiberglass or some other noise resistent material. Suspended ceilings are the most effective noise reducers but they are also the most expensive.

[1]D.E. Bishop and P.W. Hirtle, "Notes on the Sound Transmission Loss of Residential-Type Windows and Doors," Journal of the Acoustical Society of America, 43:4 (1968).

[2]U.S. Gypsum, Sound Control... p. 100.

[3]Ibid p. 15.

Figure 18

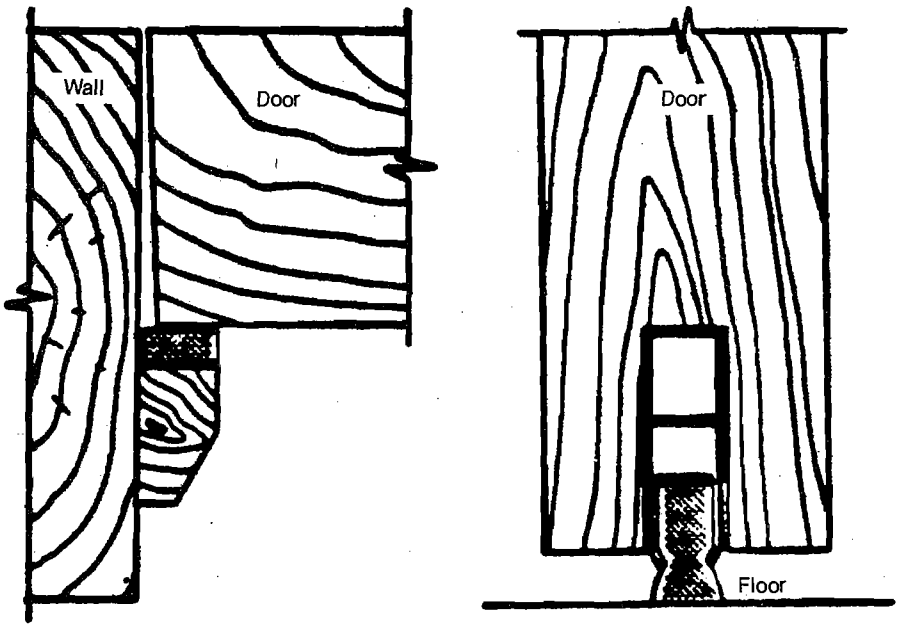

Gasketed door stop

Drop bar threshold closer

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Floors

In the case of highway noise, floors would only require acoustical treatment if the highway were passing under the building. In this case, flooring would have to provide protection against structural vibrations as well as airborne sound.

Two ways to insulate a floor from noise are to install a solid concrete slab at least 6 inches thick or install a floating floor. In general, the floating floor gives the greatest amount of sound and vibration insulation; however, it is extremely expensive. Basically, a floating floor consists of a wood or concrete slab placed over the structural slab, but separated by a resilient material. The resilient material isolates the surface slab from the structural slab and the surrounding walls.

What to Look for When Reviewing Plans

The number of possible combinations of the building materials that go into walls, ceilings, windows and doors, is, no doubt, considerably short of infinite. It is however still a very large number, large enough that it would be impossible to compile a list of all the possible combinations. Therefore, do not expect to find in this section, or anywhere else for that matter, a neat table showing the STC ratings for all the types of construction you may encounter. In fact, it is not really your responsibility to determine the precise STC ratings for the walls, ceilings, windows and doors in the projects you review. Your job is simply to review the attenuation levels claimed by the sponsor/developer and determine whether or not they are reasonable.

To enable you to perform the above described task, we have prepared a list of the most common types of construction for which we have STC ratings. By comparing the type of construction proposed to one of these "model" types you should be able to tell whether the claimed STC rating is reasonable. For example, the sponsor/developer submits a description of his building stating that a 2 × 6 stud wall with standard sheathing, insulation, wood siding, and 1/2" gypsum board achieves a STC rating of 48. You look at Table 3 and find that the closest "model" wall is a 2 × 4 stud wall with wood siding, sheathing, insulation, and 1/2" gypsum board. This wall has a STC rating of 39. An 9 dB difference is quite significant considering that the walls are really quite similar. You would probably want to go back to the developer/sponsor and ask for some supporting data that proves that the 2 × 6 wall he proposes will indeed provide 48 dB of noise attenuation.

In order to make it easier to review the attenuation levels provided by the proposed construction, we suggest that you ask the developer/sponsor to complete a form such as shown in Figure 19. Such a form will give you all the information you need in a properly organized format that will facilitate your review. You could fill in the first part and simply have the developer/sponsor fill out the second part and return it with the developer certification or other project documents.

As you will recall from the previous section, most walls provide pretty good attenuation by themselves. It is the presence of windows and doors and openings such as vents that reduces the attenuation capability of the wall. Thus, after you have determined whether the basic wall itself has a reasonable STC, you must review the impact of the windows and doors. You do this by using Figure 17. First you determine the difference between the STC ratings for the wall and the windows. You enter the vertical axis of Figure 17 with that number. You read across until you intersect the line that represents the percentage of the wall taken up by the windows. Then you read down to the horizontal axis where you wil find the value to be subtracted from the basic STC value of the wall. The resulting number is the combined STC value for the wall. If the wall also contains a door, repeat the same procedure, only start out with the modified STC rating for the wall. If the wall has doors only, then obviously you start with the basic wall STC rating. Finally you compare the number you have derived with that listed by the developer/sponsor. If they are fairly close, you need not pursue it further. If there is a substantial difference, you should ask for an explanation or documentation from the developer.

Once again, we caution you about borderline cases. If the attenuation required is 30 dB and the STC rating for the proposed construction is exactly 30 dB, you may want to ask the developer to provide even more attenuation. Remember that we discussed how the STC rating may overstate the actual attenuation provided by as much as 3 dB. If an additional 3 dB can be achieved at minimum cost, we would strongly urge that you seek it from the developer/sponsor.

Finally check to make sure the developer has provided some form of mechanical ventilation. If it's a single family house and a whole house fan is the means of ventilation being provided make sure that there are operable windows on walls which do not face the noise source(s) nor are perpendicular to the source(s). Otherwise the residents will have to open windows on the exposed wall, thus cancelling out much of the attenuation achieved.

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Table 3
STC Ratings for Typical Building Components[1]

Building Component	Description	STC Rating
Frame Wall	a. 5/8" x 10" Redwood Siding b. 1/2" Insulation Board Sheathing c. 2 x 4 studs 16" o.c. d. Fiberglass Building Insulation e. 1/2" Gypsum Board attached directly to studs	39 dB
Stucco/Frame Wall	a. 7/8" Stucco b. No. 15 felt Building Paper and 1" Wire Mesh c. 2 x 4 Studs 16" o.c. d. Fiberglass Building Insulation e. 1/2" Gypsum Board attached directly to studs	46
Brick Veneer Wall	a. Face Brick b. 1/2" Airspace with metal ties c. 3/4" Insulation Board Sheathing d. 2 x 4 Studs 16" o.c. e. Fiberglass Building Insulation f. 1/2" Gypsum Board attached directly to studs	56
Masonry Wall	a. 1" Stucco b. 8" thick Hollow Concrete Block c. 1/2" Gypsum Board attached to furring strips	49 (estimated)
Windows	Wood double hung, closed but unlocked, single glazing	23
	Aluminum sliding, latched, single glazing	24
	Wood double hung, closed but unlocked, glazed with 7/16" insulating glass	22
	Aluminum single hung, closed, glazed with 7/16" insulating glass	25
	Wood, double hung, sealed, glazed with 7/16" insulating glass with single glazed storm sash-2 1/8" separation	35
	Aluminum sliding, closed, single glazed with single glazed storm sash, 1/8" separation	22
Exterior Doors	Wood, flush solid core, with brass weather stripping	27
	Wood, flush solid core, plastic weather stripping, aluminum storm door	34
	Wood, French door, brass weather stripping	26
	Steel, flush, with urethane foam core, with magnetic weather stripping	28
Roof	Shingle Roof with attic, 1/2" gypsum wall board ceiling framed independently of roof	43 (estimated)

[1]Except as noted, all STC ratings are from: *Acoustical and Thermal Performance of Exterior Residential Walls, Doors and Windows*, National Bureau of Standards.

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Figure 19
Description of Noise Attenuation Measures
(Acoustical Construction)

Part I

Project Name _____

Location _____

Sponsor/Developer _____

Noise Level (From NAG) _____ Attenuation Required _____

Primary Noise Source(s) _____

Part II

1. For Walls (s) facing and parallel to the noise source(s) (or closest to parallel):
   a. Descripton of wall construction* _____

   _____

   b. STC rating for wall (rated for nb windows or doors): _____

   c. Description of Windows: _____

   _____

   d. STC rating for window type _____

   e. Description of doors _____

   _____

   f. STC rating for doors _____

   g. Percentage of wall (per wall, per dwelling unit) composed of windows _____ and doors _____

   h. Combined STC rating for wall component _____

2. For walls perpendicular to noise source(s):
   a. Description of wall construction* _____

   _____

   b. STC rating for wall (rated for no windows or doors) _____

   c. Description of windows _____

   _____

   d. STC rating for windows _____

   e. Description of doors _____

   _____

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f. STC rating for doors _____

g. Percentage of wall (per wall, per dwelling unit) composed of windows _____ and doors _____

h. Combined STC rating for wall component _____

3. Roofing component (if overhead attenuation is required due to aircraft noise):
   a. Description of roof construction _____

   _____

   b. STC rating (rated as if no skylights or other openings) _____

   c. Descripton of skylights or overhead windows _____

   _____

   d. STC rating for skylights or overhead windows _____

   e. Percentage of roof composed of skylights or windows (per dwelling unit) _____

   f. Percentage of roof composed of large uncapped openings such as chimneys _____

   g. Combined STC rating for roof component _____

4. Description of type of mechanical ventilation provided _____

   _____

Prepared by _____

Date: _____

*If walls contain vents or similar openings, attach a description of duct arrangement and insulation and a statement of how much the wall STC is reduced by the presence of the vent.

MV00170483

Figure 19
Description of Noise Attenuation Measures
(Acoustical Construction)

Part I

Project Name PARADISE HOMES

Location ANYTOWN

Sponsor/Developer JOAN DOE + ASSOC. INC.

Noise Level (From NAG) 73 Attenuation Required 30db

Primary Noise Source(s) HIGHWAY

Part II

1. For Walls (s) facing and parallel to the noise source(s) (or closest to parallel):
   a. Descripton of wall construction* 3/8" FIR PLYWOOD SIDING, 2x4 STUDS 16" o.c. 3½" FIBERGLASS INSULATION
   b. STC rating for wall (rated for no windows or doors): 37
   c. Description of Windows: WOOD DOUBLE HUNG, INSULATING GLASS
   d. STC rating for window type 22
   e. Description of doors WOOD, FLUSH, SOLID CORE
   f. STC rating for doors 30
   g. Percentage of wall (per wall, per dwelling unit) composed of windows 10% and doors 5%
   h. Combined STC rating for wall component 30db

2. For walls perpendicular to noise source(s):
   a. Description of wall construction* SAME AS ABOVE
   b. STC rating for wall (rated for no windows or doors) 37
   c. Description of windows SAME AS ABOVE
   d. STC rating for windows 22
   e. Description of doors NO DOORS

SAMPLE

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f. STC rating for doors —

g. Percentage of wall (per wall, per dwelling unit) composed of windows 10% and doors 0

h. Combined STC rating for wall component 30

3. Roofing component (if overhead attenuation is required due to aircraft noise):
   a. Description of roof construction N/A

   b. STC rating (rated as if no skylights or other openings)

   c. Descripton of skylights or overhead windows

   d. STC rating for skylights or overhead windows

   e. Percentage of roof composed of skylights or windows (per dwelling unit)

   f. Percentage of roof composed of large uncapped openings such as chimneys

   g. Combined STC rating for roof component

4. Description of type of mechanical ventilation provided CENTRAL AIR CONDITIONING

Prepared by

Date:

*If walls contain vents or similar openings, attach a description of duct arrangement and insulation and a statement of how much the wall STC is reduced by the presence of the vent.

SAMPLE

MV00170485

z on Noise Attenuation

stions

What are the three basic ways to ide noise attenuation?
What are the responsibilities of D personnel regarding noise enuation?
When a barrier is introduced ween a source and a receiver the nd energy is redistributed along 3 rect paths. What are these three ns?
What is "Path Length Difference" ow does it affect the attenuation provided by a barrier?
What are "Transmission Loss s?"
ow does the transmission loss of barrier material affect the ation capability of the barrier?
s a general rule, what mission loss values should you or?
you have more than one barrier en the source and the receiver amount of attenuation sed substantially?
hat are the four things to check eviewing a proposed barrier?
st 3 ways to make a barrier more e without increasing its overall

11. List 3 ways to make a barrier more effective without increasing its overall length.
12. What is the maximum percentage of the total area of a barrier that can be made up of openings without a significant loss in barrier effectiveness?
13. List 3 site planning techniques that are used to shield residential developments.
14. When are parks and playgrounds not noise compatible uses that can be employed as buffers?
15. What are the two main things to look for when reviewing site plan changes?
16. What are some of the building orientations which can aggravate noise problems?
17. What is the Sound Transmission Class (STC) rating?
18. Which is better a high STC or a low STC rating?
19. What kinds of conditions were STC ratings originally developed for?
20. What should you do when using STC ratings in a transportation noise situation?
21. List 5 ways to improve the attenuation capability of a wall.
22. Windows are one of the acoustically weakest components in a wall. List 3 ways to reduce the negative effects of windows.
23. What is the best way to reduce the effect of doors?

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Quiz on Noise Attenuation

Answers

1. a. barriers or berms
   b. site design
   c. acoustical construction
2. a. to make sure the project sponsor/developer is aware of the attenuation requirements
   b. provide sponsor/developer with an overview of available options
   c. review attenuation proposals to make sure they are adequate
3. a. A **diffracted** path over the top of the barrier
   b. A **transmitted** path through the barrier
   c. A **reflected** path away from the receiver
4. "Path Length Difference" is the difference in distance that sound must travel diffracting over the barrier rather than passing directly through it. Since sound energy decreases over distance, the greater the path length distance the greater the attenuation.
5. "Transmission Loss Values" represent the amount noise levels will be reduced when the sound waves pass through a barrier.
6. Since the attenuation provided by a barrier is a function of both the sound energy that goes over the top and the energy that goes through the barrier, if the transmission loss value is low then the effectiveness of the barrier will be greatly reduced.
7. If the transmission loss value of the barrier material is at least 10dB greater than the attenuation level provided by diffraction (i.e. barrier height) there shouldn't be any problem.
8. No. The combined effect of multiple barriers does not normally provide significantly greater attenuation than a single barrier. For design purposes, the general procedure is to assume the attenuation of the most effective barrier.
9. a. Is it high enough?
   b. Is it long enough?
   c. Is it made of the right material?
   d. Is it properly constructed?
10. a. move the barrier closer to the source
    b. bend the top of the barrier towards the source
    c. do both
11. a. move it closer to the receiver
    b. bend the ends toward the receiver
    c. do both
12. 1 percent
13. Any 3 of the below:
    a. increasing the distance between the source and the receiver
    b. placing noise compatible land uses between the source and the receiver
    c. locating barrier type buildings parallel to the source
    d. orienting residences away from the noise
14. when they are the only ones associated with the project
15. a. is the separation between the source and receiver great enough
    b. If a noise compatible building is being used as a barrier is it tall and long enough?
16. Building orientations which trap noise and cause it to reverberate off building walls. This would include shapes where a court is open to the source or where a series of buildings are arranged perpendicular to the source.
17. The STC rating is equal to the number of decibels a sound is reduced as it passes through a material.
18. A high STC rating is better.
19. The STC ratings were originally intended primarily for use with interior partitions and for noise such as speech, radios, television.
20. Recognize that the STC rating may overstate the effectiveness of the materials by 2-3db.
21. Any of the 9 below:
    a. increase the mass and stiffness of the wall
    b. use cavity partitions
    c. increase the width of the airspace
    d. increase the spacing between studs
    e. use staggered studs
    f. use resilient materials to hold the studs and finish materials together
    g. use of dissimilar layers (leaves)
    h. add acoustical blankets
    i. seal cracks and edges
22. Any of the 4 below:
    a. close the windows and provide mechanical ventilation
    b. reduce window size
    c. increase glass thickness
    d. install double glazed windows
23. Eliminate them from severely impacted walls

MV00170487

Chapter 5

Noise Assessment Guidelines

U.S. Department of Housing and Urban Development
Office of Policy Development and Research

Noise Assessment Guidelines

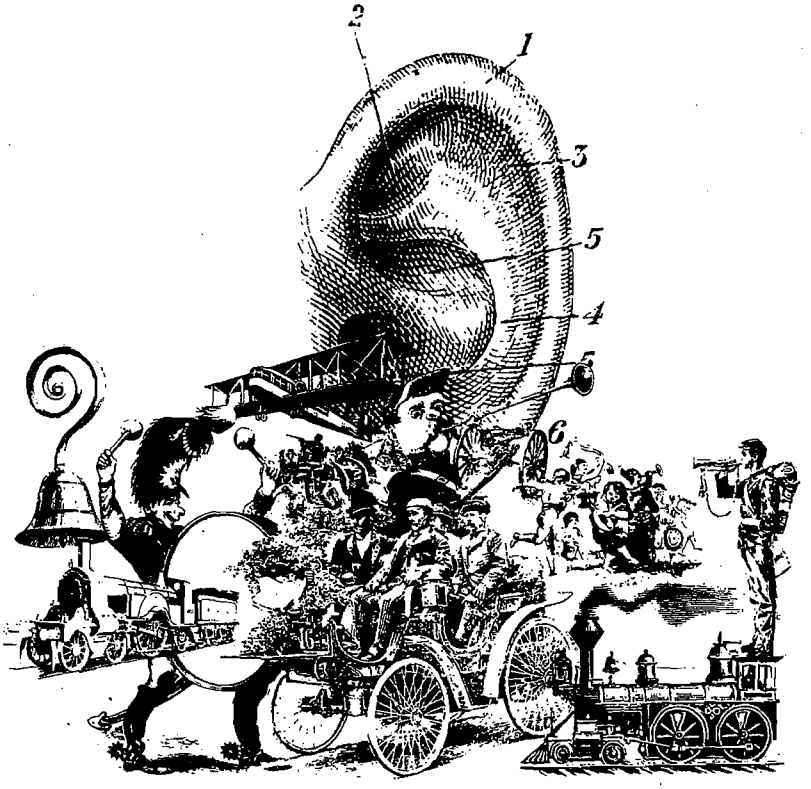

MV00170488

Noise Assessment Guidelines

MV00170489

Foreword

In choosing among alternative sites for housing, potential noise problems are prominent among the issues that must be examined. These Noise Assessment Guidelines were developed to provide HUD field staff, interested builders, developers, and local officials with an easy-to-use method of evaluating noise problems with a minimum of time and effort.

We believe that this set of tools will simplify the process of balancing the goal of environmental protection with those of efficiency and reduced housing costs. We hope you will find them useful, and invite your comments.

Benjamin F. Bobo
Acting Assistant Secretary for
Policy Development and Research

Stephen J. Bollinger
Assistant Secretary for
Community Planning and
Development

MV00170490

Preface

The Department of Housing and Urban Development, in its efforts to provide decent housing and a suitable living environment, is concerned with noise as a major source of environmental pollution and has issued Subpart B on Noise Abatement and Control to Part 51 of Title 24 of the Code of Federal Regulations.

The policy established by Subpart B embodies HUD objectives to make the assessment of the suitability of the noise environment at a site: (1) easy to perform; (2) uniformly applicable to different noise sources; and (3) as consistent as possible with the assessment policies of other Federal departments and agencies. In furtherance of these objectives, the Office of Policy Development and Research has sponsored research to provide site analysis techniques. These *Noise Assessment Guidelines* do not constitute established policy of the Department but do provide a methodology whose use is encouraged by HUD as being consistent with its objectives. The *Guidelines* provide a means for assessing separately the noise produced by airport, highway, and railroad operations, as well as the means for aggregating their combined effect on the overall noise environment at a site.

This booklet has been prepared by Bolt Beranek and Newman Inc., under Contract No. H-2243R for the U.S. Department of Housing and Urban Development. It is a revision of an earlier edition published in August 1971. With the exception of changes made by the Department, the contractor is solely responsible for the accuracy and completeness of the data and information contained herein.

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Introduction

These guidelines are presented as part of a continuing effort by the Department of Housing and Urban Development to provide decent housing and a suitable living environment for all Americans.

The procedures described here have been developed so that people without technical training will be able to assess the exposure of a housing site to present and future noise conditions. In this context, the site may hold only one small building, in which case the noise assessment is straightforward. Larger sites may hold larger buildings, or many buildings, and the noise level may be different at different parts of the site (or building). Assessments of the noise exposure should be made at representative locations around the site where significant noise is expected. These are designated as "Noise Assessment Locations," abbreviated NAL in the following text.

The only materials required are a map of the area, a ruler (straight edge), a protractor and a pencil. Worksheets and working figures are provided separately.

All of the information you need can be easily obtained – usually by telephone. For convenience, this information is listed at the beginning of each section under headings that indicate the most likely source. While you are obtaining this information, be sure to ask about any approved plans for future changes that may affect noise levels at the site – for example: land-use changes, changes in airport runway traffic, widening of roads, and so forth. In all evaluations, you should assess the condition that will have the most severe or most lasting effect on the use of the site.

Wherever possible, you should try to assess noise environments expected at least ten years in the future.

The degree of acceptability of the noise environment at a site is determined by the outdoor day-night average sound level (DNL) in decibels (dB). The assessment of site acceptability is presented first as an evaluation of the site's exposure to three major sources of noise – aircraft, roadways, and railways. These are then combined to assess the total noise at a site. Worksheets are provided at the back of these Guidelines to use in summarizing your evaluations.

The noise environment at a site will come under one of three categories:

Acceptable (DNL not exceeding 65 decibels) The noise exposure may be of some concern but common building constructions will make the indoor environment acceptable and the outdoor environment will be reasonably pleasant for recreation and play.

Normally Unacceptable (DNL above 65 but not exceeding 75 decibels) The noise exposure is significantly more severe; barriers may be necessary between the site and prominent noise sources to make the outdoor environment acceptable; special building constructions may be necessary to ensure that people indoors are sufficiently protected from outdoor noise.

Unacceptable (DNL above 75 decibels) The noise exposure at the site is so severe that the construction cost to make the indoor noise environment acceptable may be prohibitive and the outdoor environment would still be unacceptable.

When measuring the distance from the site to any noise source, measure from the source to the nearest points on the site where buildings having noise-sensitive uses are located. These points define the Noise Assessment Locations for the site. The relevant measurement location for buildings is a point 2 meters (6.5 feet) from the facade.

If at any point during the assessment the site's exposure to noise is found to be Unacceptable or Normally Unacceptable, every effort should be made to improve the condition, e.g., the location of the proposed dwellings can be changed or some shielding can be provided to block the noise from that source.

Where quiet outdoor space is desired at a site, distances should be measured from the important noise sources to the outdoor area in question and the combined noise exposure should be assessed.

Frequently, the locations of dwellings have not yet been specified at the time the noise assessment of a site is made. In these instances, distances used in the noise assessment should be measured as 2 meters less than the distance from the building setback line to the major sources of noise.

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Combining Sound Levels in Decibels

The noise environment at a site is determined by combining the contributions of different noise sources. In these Guidelines, Workcharts are provided to estimate the contribution of aircraft, automobile, truck, and train noise to the total day-night average sound level (DNL) at a site. The DNL contributions from each source are expressed in decibels and entered on Worksheet A. The combined DNL from all the sources is the DNL for the site and is the value used to determine the acceptability of the noise environment.

Sound levels in decibels *are not combined by simple addition!* The following table shows how to combine sound levels:

Table

Difference in Sound Level	Add to Larger Level
0	3.0
1	2.5
2	2.1
3	1.8
4	1.5
5	1.2
6	1.0
7	0.8
8	0.6
9	0.5
10	0.4
12	0.3
14	0.2
16	0.1
Greater than 16	0

Use the table by first finding the numerical difference in sound level between two levels being combined. Entering the table with this value, find the value to be added to the larger of the two levels, add this value to the larger level to determine the total. Where more than two levels are to be combined, use the same procedure to combine any two levels; then use this subtotal and combine it with any other level, and so on. Fractional numerical values may be interpolated from the table; however, the final result should be rounded to the nearest whole number.

ple 1: In performing a site evaluation, arate DNL values for airports, road and railroads have been listed on eet A as 56, 63, and 61 decibels. In complete the final evaluation of the se separate DNL values must be d. The difference between 63 and om the table you find that 0.8 should d to 63, for a subtotal of 63.8. The e between 63.8 and 61 is 2.8; from you interpolate that approximately d be added to 63.8 for a total of 65.7 when rounded to whole numbers. mple shows how noise from different may be Acceptable, individually, at a hen combined, the total noise en- may exceed the Acceptable DNL decibels.

MV00170494

Aircraft

Necessary Information

To evaluate a site's exposure to aircraft noise, you will need to consider all airports (civil and military) within 15 miles of the site. The information required for this evaluation is listed below under headings that indicate the most likely source. Before beginning the evaluation, you should record the following information on Worksheet B:

From the FAA Area Office or the Military Agency in charge of the airport:

- Are current DNL or NEF (Noise Exposure Forecast) contours available? Noise contours are available for almost all military airports. These contours have been developed and published as part of the Air Installation Compatible Use Zone (AICUZ) program of the Department of Defense. The contours are published normally as part of an AICUZ report. Noise contours are also available for many civil airports. When available, they are superimposed on a map with an appropriately marked scale (see Figure 1, page 4).
- Any available information about approved plans for runway changes (extensions or new runways).

From the FAA Control Tower or Airport Operations (if DNL or NEF contours are *not* available):

- The number of nighttime jet operations (10 p.m. - 7 a.m.)
- The number of daytime jet operations (7 a.m. - 10 p.m.)
- The flight paths of the major runways.
- Any available information about expected changes in airport traffic, e.g., will the number of operations increase or decrease in the next 10 or 15 years.

In making your evaluation, use the data for the heaviest air traffic condition, whether present or future.

Evaluation of Site Exposure to Aircraft Noise

If current DNL (or NEF) contours are available (as in Figure 1 page 4), locate the site on the map by referring to the marked distance scale. If there are no other noise sources in the area, you do not need to do anything else. If there are other noise sources affecting the site, you will need to find the precise DNL value so you can combine it with the other sources. Obtain the DNL at the appropriate NAL on the site by interpolation between the contours on either side of the NAL. If NEF contours are used, estimate DNL by adding 35 decibels to the NEF values. Note that contours are usually provided in 5 decibel increments. (See Example 2 on page 4.) When supersonic aircraft operations are present, DNL contours are *required* for the assessment.

If DNL or NEF contours are *not* available, the DNL at a site may be estimated in several different ways:

- An FAA Handbook (Reference 1) can be used to estimate DNL contours for sites in general aviation airport vicinities. General aviation airports exclude commercial jet transports but may include business jets.
- A handbook available from EPA (Reference 2 at the back of this Guide) can be used to calculate DNL at individual points.
- A procedure for constructing approximate DNL contours for sites near commercial jet

Figure 1
Example of DNL Contours

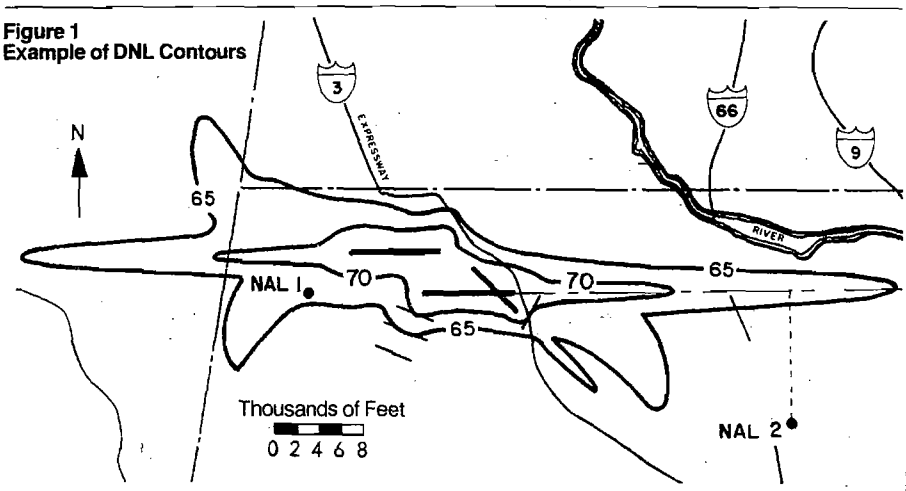

Example 2: The illustration in Figure 1 at the top of page 4 shows the NAL's on a map that has DNL contours. We find that NAL number 1 lies between the 65 and 70 dB contours and that NAL number 2 lies outside the 65 dB contour.

We find the DNL at NAL number 1 by interpolation from the distances between the NAL and the 65 and 70 dB contours.

By scaling off the map, we find that the distance from the NAL, measured perpendicularly to the contours, is 800 feet to the 65 dB contour and 2400 feet to the 70 dB contour. The distance between the 65 and 70 dB contours is 2400 + 800 =3200 feet. We find the DNL at the NAL number 1 to be 65 decibels plus 800/3200 x 5 decibels = 66.3 decibels.

Example 3: The illustration in Figure 2 at the bottom of page 5 shows an airport for which DNL or NEF contours are not available. The airport has 10 nighttime and 125 daytime jet operations.

To construct the approximate contours, we determine the effective number of operations as follows:

10 (nighttime) x 10 = 100

Add to this the actual number of daytime operations:

100 + 125 (daytime) = 225

To determine the distances A and B in relation to the runway (see Figure 3, page 5), enter the effective number of operations on the horizontal scales of the charts in Figure 3:

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airports without supersonic aircraft is as follows:

Determine the "effective" number of jet operations at the airport by first multiplying the number of nighttime jet operations by 10.

Then add the number of daytime jet operations to obtain an effective total (see Example 3, page 4).

On a map of the area showing the principal runways, mark the location of the site and, using the diagram and charts of Figure 3 on page 5, construct approximate DNL contours of 65, 70, and 75 dB for the major runways and flight paths most likely to affect the site. (see Figure 2, page 5.)

Although a site may be Acceptable for exposure to aircraft noise; exposure to other sources of noise, when combined with the aircraft noise, may make the site Unacceptable. Therefore, if necessary, values of aircraft noise exposure less than 65 dB can be estimated from Table 2. Scale the shortest distance D^2 from the NAL to the flight path, as in Figure 2. Scale the distance D^1 from the 65 dB contour to the flight path. Divide D^2 by D^1 and enter this value into the following table to find the approximate DNL at the NAL.

Table 2

D^2/D^1	DNL dB
1.00	65
1.12	64
1.26	63
1.41	62
1.58	61
1.78	60
2.00	59
2.24	58
2.51	57
2.82	56
3.16	55

Figure 3
Charts for Estimating DNL for Aircraft Operations

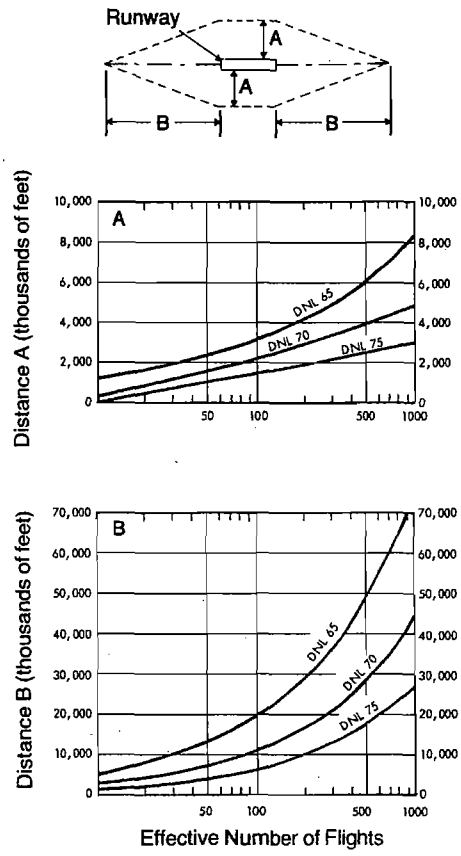

Figure 2
Example of Approximate DNL Contours for an Airport with 225 Effective Number of Operations

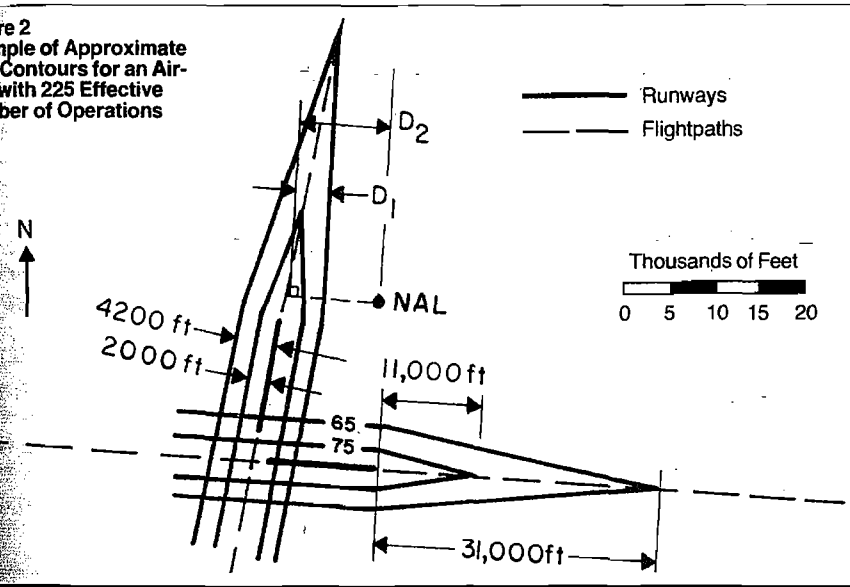

[illegible] up to the DNL curves; read across the [illegible] to the left to obtain distances A and B [illegible] the vertical scales on the charts.

[illegible] we find from Figure 3, for example, that for [illegible] effective operations, distance A is 4200 [illegible] for the 65 dB contour and 2000 feet for [illegible] 75 dB contour. Distance B is 31,000 feet [illegible] the 65 dB contour and 11,000 feet for the [illegible] dB contour.

Example 4a: The NAL shown in Figure 2 is outside the 65 dB contour. The distance D^2 from the NAL to the flight path is 9700 feet. The distance D^1 from the 65 dB contour to the flight path, measured perpendicularly from the contour, is 3700 feet. The ratio D^2/D^1 is 9700/3700 = 2.62. From Table 2 we find the DNL from the airport to be 56.6 dB. We do not know whether the site is Acceptable or not, however, since we must also assess the contribution of roadway and train noise to the total DNL at the site.

Example 4b: We observe that the perpendicular distance (D^2) from NAL number 2 (Figure 1) to the flight path is more than 3 times the distance (D^1) from the 65 dB contour to the flight path. From Table 2 we find that the contribution of the airport to the DNL at NAL number 2 is less than 55 decibels. We need not consider the airport further in accessing the noise environment at this site.

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Roadways

Necessary Information

To evaluate a site's exposure to roadway noise, you will need to consider all roads that might contribute to the site's noise environment; roads farther away than 1000 feet normally may be ignored.

Before beginning the evaluation, determine if roadway noise predictions already exist for roads near the site. Also try to obtain all available information about approved plans for roadway changes (e.g., widening existing roads or building new roads) and about expected changes in road traffic (e.g., will the traffic on this road increase or decrease in the next 10 to 15 years).

If noise predictions have been made, they should be available from the City (County) Highway or Transportation Department. If not, record the following information on page 1 of Worksheet C:

- The distances from the NAL's for the site to the near edge of the nearest lane and the far edge of the farthest lane for each road.
- Distance to stop signs.
- Road gradient, if 2 percent or greater.
- Average speed.
- The total number of automobiles for both directions during an average 24-hour day. Traffic engineers refer to this as ADT, Average Daily Traffic (or sometimes AADT, meaning Annual Average Daily Traffic).
- The number of trucks during an average 24-hour day in each direction.

If possible, separate trucks into "heavy trucks" – those weighing more than 26,000 pounds with three or more axles – and "medium trucks" – those between 10,000 and 26,000 pounds. (Each medium truck is counted as equal to 10 automobiles.) Trucks under 10,000 pounds are counted as automobiles. Count buses capable of carrying more than 15 seated passengers as "heavy" trucks – others, as "medium" trucks. If it is not possible to separate the trucks into those that are heavy and those that are not, treat *all* trucks as though they are "heavy."

Note: If the road has a gradient of 2 percent of more, record the numbers for uphill and downhill traffic separately since these figures will be needed later; otherwise, simply record the total number of trucks. Most often you will have to assume that the uphill and downhill traffic are equally split.

- The fraction of ADT that occurs during nighttime (10 p.m. to 7 a.m.). If this is unknown, assume 0.15 for both trucks and autos.

Evauation of Site Exposure to Roadway Noise

Traffic surveys show that the amount of roadway noise depends on the percentage of trucks in the total traffic volume. To account for this effect, you must evaluate automobile and truck traffic separately and then combine the results.

The noise environment at each site due to traffic noise is determined by utilizing a series of Workcharts to define the contribution of automobiles and trucks from one or more roads at that site. Each noise source yields a separate DNL value.

Workchart 1 provides a graph for assessing a site with respect to the noise from automobiles, light and medium trucks; Workchart 2 provides a similar graph for assessment of heavy truck noise. These values are combined for each road affecting the noise environment at the site to obtain the total contribution of roadway noise. Remember, the noise from aircraft and railways must also be considered before determining the suitability of this site's noise environment.

Effective Distance

Before proceeding with these separate evaluations, however, determine the "effective distance" to each road from the dwelling or outdoor residential activity (the NAL's for the site) by averaging the distances to the nearest edge of the nearest lane and to the farthest edge of the farthest lane of traffic. (See Example 5, page 6, and Figure 4, page 7.)

Note: For roads with the same number of lanes in both directions, the effective distance is the distance to the center of the roadway (or median strip, if present).

Automobile Traffic

Workchart 1 was derived with the following assumptions:

- There is line-of-sight exposure from the site to the road; i.e., there is no barrier which effectively shields the site from the noise of the road.
- There is no stop sign within 600 feet of the site; traffic lights do not count because there is usually traffic moving on one street or the other.
- The average automobile traffic speed is 55 mph.
- The nightime portion of ADT is 0.15.

If each road meets these four conditions, proceed to Workchart 1 for the evaluation. Enter the horizontal axis with the effective distance from the roadway to the NAL; draw a vertical line upward from this point. Enter the vertical axis with the effective automobile ADT; draw a horizontal line across from this point. (The "effective" automobile ADT is the sum of automobiles, light trucks, and 10 times the number of medium trucks in a 24-hour day.) Read the DNL value from Workchart 1 where the vertical and horizontal lines intersect. Record this value in column 16, Worksheet C.

But:

If any of the four conditions is different, make

Example 5: The site shown in Figure 4 is exposed to noise from three major roads: Road No. 1 has four lanes, each 12 feet wide, and a 30-foot wide median strip which accommodates a railroad track. Road No. 2 has four lanes, each 12 feet wide. Road No. 3 has six lanes, each 15 feet wide, and a median strip 30 feet wide.

The distance from NAL No. 1 to the near edge of Road No. 1 is 300 feet. The distance to the far edge of Road No. 1 is 300 feet, plus the number of lanes times the lane width, plus the width of the median strip. Thus, the distance to the farthest edge of the road is:

$$300 + (4 \times 12) = 378 \text{ ft}$$

The effective distance is

$$\frac{378 + 300}{2} = 339 \text{ ft}$$

This is the value to be entered on line 1c of Worksheet C. The effective distances from the appropriate NAL's to Road No. 2 and Road No. 3 are found by the same method.

The distances shown in Figure 4 will be used for all roadway examples in this booklet.

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Figure 4
Plan View of Site showing How Distance Should Be Measured from the Noise Assessment Location (NAL) of the Dwelling Nearest to the Source

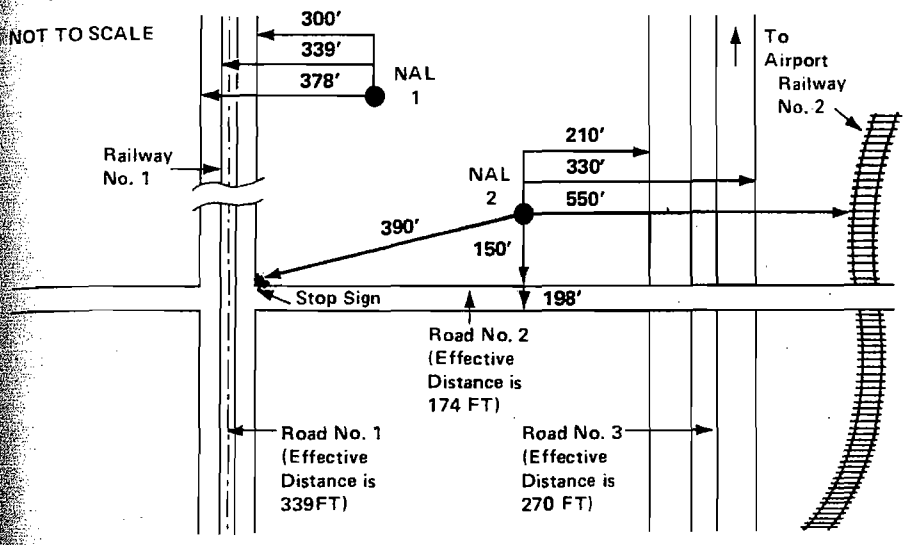

the necessary adjustments (on page 2, Worksheet C) listed below and *then* use Workchart 1 for the final evaluation.

First, a few general words about adjustments as they are applied in these Guidelines. Each Workchart has been derived for a baseline condition which is often found in practical cases. Where conditions differ from the baseline, they are accounted for by a series of one or more adjustment factors.

The adjustment factors are used as multipliers times the average number of vehicles operating during a 24-hour day. If more than one adjustment is required, it is not necessary that each be multiplied times the basic traffic flow separately; all adjustment factors are multiplied together, and them multiplied times the original traffic flow data. This will become clearer as you examine the Worksheets at the back of these Guidelines and work through the examples. After you have become familiar with the Guidelines, you will be able to work examples directly from the worksheets without referring back to the text. To simplify your work, all the adjustment factors are summarized at the back of these Guidelines.

Figure 5
Use of Workchart 1 To Evaluate Automobile Traffic Noise

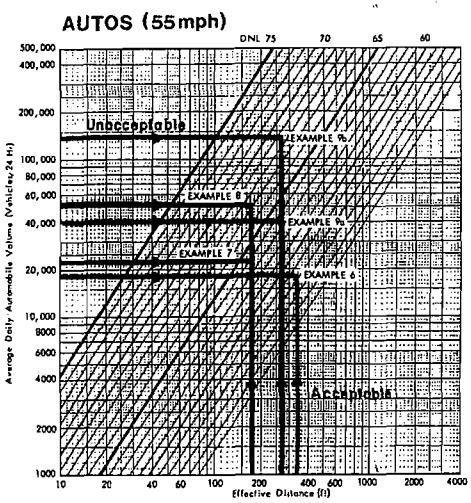

Adjustments for Automobile Traffic

Stop-and-Go Traffic:
If there is a stop sign (not a traffic signal) within 600 feet of the NAL so that the flow of traffic is completely interrupted on the road under consideration, find the stop-and-go adjustment factor for automobiles from Table 3. Enter this value in column 9 on Worksheet C.

Table 3

Distance from NAL to Stop Sign In Feet	Automobile Stop-and-Go Adjustment Factor
0	0.10
100	0.25
200	0.40
300	0.55
400	0.70
500	0.85
600	1.00

Average Traffic Speed:
If the average automobile speed is other than 55 mph, enter the appropriate adjustment from Table 4 in column 10 of Worksheet C.

Table 4

Average Traffic Speed	Auto Speed Adjustment Factor
20 (mph)	0.13
25	0.21
30	0.30
35	0.40
40	0.53
45	0.67
50	0.83
55	1.00
60	1.19
65	1.40
70	1.62

Example 6: Road No. 1 meets the four conditions that allow for an immediate evaluation. Obtaining the information necessary for this evaluation, it was found that the automobile ADT is 18,000 vehicles (Line 5c of Worksheet C). On Workchart 1 we locate on the vertical scale the point representing 18,000 and on the horizontal scale the point representing 339 feet (see Figure 5). (Note that we must estimate the location of this point.) Using a straight-edge we draw lines to connect these two values and find that the exposure to automobile noise from this road is a DNL of 58 dB, as read from the scale at the top of the graph.

Example 7: Road No. 2 has a stop sign at 390 feet from NAL No. 2. The automobile ADT is reported as being 32,500 vehicles (line 5c of Worksheet C). From Table 3 we interpolate between 300 and 400 feet to find the adjustment factor for stop-and-go traffic to be 0.69. The adjusted traffic ADT is

0.69 × 32,500 = 22,425 vehicles per day

and with an effective distance of 174 feet from NAL No. 2, we find from Workchart 1 that the approximate value of DNL is 64 dB.

Example 8: Suppose that the stop sign on Road No. 2 were replaced by a traffic signal for which no stop-and-go adjustment is made and that the ADT increases to 75,000 vehicles. In addition, assume that the average speed is 45 mph instead of 55 mph. You adjust the new automobile ADT of 75,000 vehicles by the Auto Speed Adjustment Factor from Table 4

0.67 × 75,000 = 50,250 vehicles

and at an effective distance of 174 feet find from Workchart 1 that the approximate value of DNL is 67 dB.

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Nightime Adjustment.

DNL values are affected by the proportion of traffic volume that occurs during "daytime" (7 a.m. to 10 p.m.) and "nighttime" (10 p.m. to 7 a.m.). The graph on Workchart 1 assumes that 15 percent of the total ADT occurs during nighttime. If a different proportion of the traffic occurs at night, find the appropriate nighttime adjustment factor from Table 5. Record your answer in column 11 of Worksheet C.

Table 5

Nighttime Fraction of ADT	Nighttime Adjustment Factor
0	0.43
0.01	0.46
0.02	0.50
0.05	0.62
0.10	0.81
0.15	1.00
0.20	1.19
0.25	1.38
0.30	1.57
0.35	1.77
0.40	1.96
0.45	2.15
0.50	2.34

Once you have selected all the appropriate adjustment factors and entered them on page 2 of Worksheet C, multiply all the factors together, then multiply by the automobile ADT (column 12) for 24 hours, found on page 1 of Worksheet C. The resulting adjusted ADT should be entered in column 13. This is the ADT value to be used, in conjunction with the effective distance from the NAL to the road, to find the DNL value from Workchart 1. Enter this DNL value in column 14 of Worksheet C. Remember this is the DNL from automobile (as well as light and medium truck) noise; you must still find the DNL contribution from heavy truck noise in order to obtain the total DNL produced by the roadway you are assessing.

Attenuation of Noise by Barriers:

This adjustment reduces the noise produced by automobiles and trucks on the same road. Instructions for this adjustment appear after the noise assessment for truck traffic below.

Truck Traffic

Wherever possible, separate the average daily volume of trucks into heavy trucks (more than 26,000 pounds vehicle weight and three or more axles); medium trucks (less than 26,000 pounds but greater than 10,000 pounds), light trucks (counted as if they are automobiles). You should already have accounted for medium and light trucks in your automobile evaluation. Do not forget that buses that can carry more than 15 seated passengers are counted as heavy trucks. Heavy trucks (including buses) must be analyzed separately because they have quite different noise characteristics. If it is not possible to separate the trucks into those that are heavy and those that are not, treat *all* trucks as though they are "heavy."

Workchart 2, which is used to evaluate the site's exposure to heavy truck noise, was derived with the following assumptions:

- There is line-of-sight exposure from the site to the road; i.e., there is no barrier which effectively shields the site from the road noise.
- The road gradient is less than 2 percent.
- There is no stop sign (traffic signals are permissible) within 600 feet of the site.
- The average truck traffic speed is 55 mph.
- The nighttime fraction of ADT is 0.15.

If the road meets these five conditions, proceed to Workchart 2 for an immediate evaluation of the site's exposure to heavy truck noise from that road.

But:

If any of the conditions is different, make the necessary adjustment(s) listed below and *then* use Workchart 2 for the evaluation.

Figure 6.
Use of Workchart 2 to Evaluate Heavy Truck Noise

Heavy Trucks (55 mph)

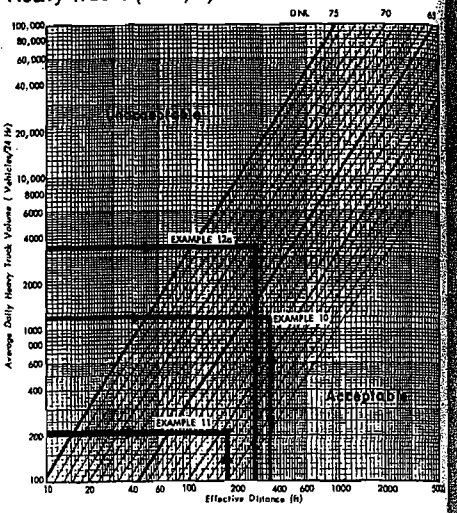

Adjustments for Heavy Trucks

Road Gradient:

If there is a gradient of 2 percent or more, find the appropriate adjustment factor, for heavy trucks going uphill only, as shown in Table 6. List this factor in column 17 of Worksheet C.

Table 6

Percent of Gradient	Adjustment Factor
2	1.4
3	1.7
4	2.0
5	2.3
6 or more	2.5

Example 9a: Road No. 3 is a limited access highway with no stop signs and the average speed is 55 mph. Current traffic data indicate an automobile ADT of 40,000 vehicles of which 15 percent occurs during nighttime hours (10 p.m. to 7 a.m.). With an effective distance of 270 feet to NAL No. 2, Workchart 1 is used to show that the DNL for existing automobile traffic is between 63 and 64 dB. Round off to 64 dB.

Example 9b: However, traffic projections estimate that in 10 years the ADT will increase to 100,000 vehicles at an average speed of 55 mph and nighttime usage will increase to 25 percent. For future traffic, you must adjust the future ADT of 100,000 for the effect of increased nighttime use. From Table 5, you find an adjustment factor of 1.38. The adjusted ADT is

$1.38 \times 100{,}000 = 138{,}000$

and at an effective distance of 270 feet you find from Workchart 1 that the DNL will increase to 69 dB; therefore, provision for extra noise control measures should be explored. We will examine in Example 13 the effect of terrain as a shielding barrier that provides sound attenuation.

Example 10: Road No. 1 on Figure 4 meets the four conditions that allow for an immediate evaluation. The ADT for heavy truck flow is 1200 vehicles. Workchart 2 shows that the exposure to truck noise from this road at an effective distance of 339 feet is a DNL of 63 dB at NAL No. 1.

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Average Traffic Speed:

Make this adjustment if the average speed differs from 55 mph. If the average truck speed differs with direction, treat the uphill and downhill traffic separately. Select the appropriate adjustment factors from Table 7 below, entering them in column 18 of Worksheet C.

Table 7

Average Traffic Speed MPH	Heavy Truck Speed Adjustment Factor
50 or less	0.81
55	1.00
60	1.17
65	1.38

Once you have found the speed adjustment factor, you can combine the uphill and downhill traffic. For uphill traffic, multiply the gradient factor times the speed adjustment factor times uphill traffic volume (truck ADT column 19) (assuming one half the total 24-hour average number of trucks unless specific information to the contrary exists), entering the product in column 20. Multiply the speed adjustment factor for downhill traffic times the downhill traffic volume (truck ADT/2 column 19). Add the values for uphill and downhill traffic, entering this sum in column 21. You may now complete the assessment of heavy truck noise without regard to uphill and downhill traffic separation.

Stop-and-Go Traffic:

If there is a stop sign (remember, not a traffic signal) within 600 feet of an NAL for the site on the road being assessed, find the adjustment factor determined according to Table 8. Enter it in Column 22 of Worksheet C.

Table 8

Heavy Truck Traffic Volume per Day	Heavy Truck Stop-and-Go Adjustment Factor
Less than 1200	1.8
1201 to 2400	2.0
2401 to 4800	2.3
4801 to 9600	2.8
9601 to 19,200	3.8
More than 19,200	4.5

Nighttime Adjustment

After all the above adjustments are made, do not forget to adjust for nighttime operations if they are not 15 percent of the total ADT, using the factors obtained from Table 5 just as for automobiles. Enter this value in column 23 of Worksheet C.

At this point, multiply the adjustment factors for nighttime and stop-and-go traffic times the heavy truck traffic volume in column 21 to find the adjusted heavy truck ADT, entering the product in column 24. Use this value and the effective distance from the NAL to the road to find the truck DNL from Workchart 2, entering your answer in column 25 of Worksheet C. If no shielding barriers are to be considered, combine the DNL from heavy trucks with the DNL from automobiles (column 14). The result is the DNL from the road being assessed and should be entered on Worksheet C.

But:

If a shielding barrier is to be considered for the site, make the analysis described below separately for automobiles and then for heavy trucks *before* combining the DNL values. This step is necessary since barriers are far more effective for automobiles than for heavy trucks. Once you have found the amount of attenuation provided by the barrier for automobiles, enter it in column 15. Find the value of barrier attenuation for heavy trucks and enter it in column 25. Subtract these attenuation values from the DNL values obtained previously (columns 14 and 24), entering the reduced DNL values in columns 16 and 27. Combine the automobile and heavy truck DNL values, reduced by the attenuation provided by the barrier, to find the final DNL produced by the roadway at the site.

Remember to combine the contributions to DNL of *all* roads that affect the noise environment at each NAL for the site to obtain the total DNL from all roadways. Enter this DNL on both Worksheet C and the summary Worksheet A.

Attenuation of Noise by Barriers

Noise barriers are useful for shielding sensitive locations from ground level noise sources. For example, a barrier may be the best way to deal with housing sites at which the noise exposure is not acceptable because of nearby roadway traffic.

A barrier may be formed by the road profile, by a solid wall or embankment, by a continuous row of noise-compatible buildings, or by the terrain itself. To be an *effective* shield, however, the barrier must block all residential levels from line of sight to the road; it must not have any gaps that would allow noise to leak through.

Some Preliminary Matters:

In evaluating noise barrier performance, you will be working with different kinds of "distances" between the sound source, the observer, and the barrier.

Actual Distance – the existing distance that would be measured using a tape measure with no corrections or adjustments. This may mean one of two things, *depending on the application;* either the:

- *slant distance* – the actual distance,

Example 11: Road No. 2 has a stop sign at 390 feet from NAL No. 2. There is also a road gradient of 4 percent. No heavy trucks are allowed on this road, but a schedule shows an average of 12 large buses pass along the road per hour between 7 a.m. and 10 p.m., although no buses are scheduled during the remaining nighttime period. The buses are equally divided in each direction along the road. (Remember large buses, those that carry over 15 seated passengers, count as heavy trucks.)

We find the ADT for the "heavy trucks" (the buses in this case) by multiplying the average number of vehicles per hour by the number of hours between 7 a.m. and 10 p.m. That is, 12 x 15 = 180, or 90 vehicles in each direction. We find from Table 6 that the gradient adjustment factor for uphill traffic is 2.0. We find the truck volume adjusted for gradient is

uphill:	*90 x 2.0 = 180*
downhill:	*= 90*
total (column 21)	*= 270 vehicles*

From Table 8, we find the adjustment factor for stop-and-go traffic to be 1.8.

We also remember that we have no buses in the nighttime period and find the factor in Table 5 on page 8 for zero nighttime operations to be 0.43.

Our final adjusted ADT is (column 24)

1.8 x 0.43 x 270 = 209 Vehicles

From Workchart 2, with an effective distance of 174 feet, we find a DNL of 59 dB.

Example 12a: Road No. 3 is a depressed highway and the profile shields all residential levels of the housing from line of sight to the traffic. The average truck speed is 50 mph. The ADT for heavy trucks is 4400 vehicles. We adjust for average speed (from Table 7)

4400 x 0.81 = 3564

and find from Workchart 2 that, with an effective distance of 270 feet, the DNL from truck noise would be 69 dB if no barrier existed. We proceed to analyze the barrier attenuation.

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measured along the line of sight between two points; or the

- *map distance* – the actual distance, measured on a horizontal plane, between the two points, as on a map or on the project plan.

For an observer high in an apartment tower, the slant distance to the road may be much longer than the map distance.

Barrier effectiveness is expressed in terms of noise attenuation in decibels (dB), determined with the aid of Workchart 6. This numerical value is subtracted from the previously calculated DNL in order to find the resultant DNL at the Noise Assessment Location.

Note: A noise barrier can be considered as a means of protecting a site from noise even if it cannot wrap around the site to shield from view practically all of the source of noise at every sensitive location on the site. It must be recognized, however, that such a barrier is much less effective than an ideal barrier. (See Workchart 7 and Step 6 below.)

Barriers of reasonable height cannot be expected to protect housing more than a few stories above ground level. Barriers will generally protect the ground and the first two or three floors, but not the higher floors. If there are to be frequently occupied balconies on the upper levels, one solution is to move the building farther from the noise source and face the sensitive areas away from the noise.

Steps to Evaluate a Barrier

1. For the observer's position, use the mid-height of the highest residential level. For the source position, use the following heights (see Figure 7):

- autos, medium trucks, railway cars – the road or railway surface height
- heavy trucks – 8 feet above the road surface
- diesel locomotives or trains using horns or whistles at grade crossings – 15 feet above the rails.

Figure 7.
Source Heights to Be Used in Roadway Barrier Designs

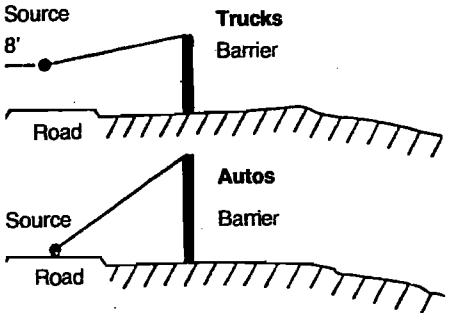

Get accurate values for the following quantities: h, the shortest distance from the barrier top to the line of sight from source to observer; R and D, the slant distances along the line of sight from the barrier to the source and observer, respectively (see Figure 8).

Figure 8.
Generalized Geometry of Acoustical Barrier

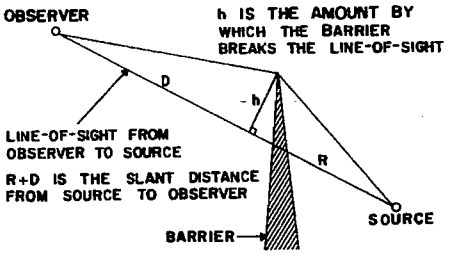

Specifically, R and D are the two segments into which h breaks the line of sight. Note that h is *not* the height of the barrier above the ground but the distance from the barrier top to the line of sight.

2. Enter at the top of Workchart 6 with the value of h on the left-hand scale; move right to intersect the curve corresponding to R (or D, whichever is *smaller*).

3. Move down to intersect the curve corresponding to the value of D/R (or R/D, whichever is *smaller*).

4. Move right to intersect the vertical scale in order to find the barrier shielding value A in decibels.

5. Interruption of the line of sight with a barrier between the noise source and an observer reduces the amount of sound attenuation provided by the ground. Find the amount of this loss B from the table on Workchart 6 by entering the table with the value of D/R. Find the barrier attenuation value S corresponding to an ideal barrier that completely hides the noise source from view by subtracting B from the value of A obtained in Step 4.

6. If the barrier exists along only a part of the road so that unshielded sections of the road would be visible from the site, the barrier is less effective than an ideal barrier. On a plan view of the site, locate the two ends of the barrier and draw lines from these points to the Noise Assessment Location. Use a protractor to measure the angle formed at the NAL by the two lines. Enter the horizontal scale of Workchart 7 with the values of this angle; read up to the curve having the value of S determined from Step 5 (interpolating if necessary); read left across to the vertical scale labeled "actual barrier performance" to find the value of FS to use for the actual barrier in question.

7. Subtract the barrier attenuation value S (or FS if adjusted for finite barrier length according to Workchart 7) from the value of DNL previously determined to reevaluate the site with the noise barrier in place.

Example 12b: (Refer to Figure 9.) Six stories are planned for the housing where the site has an elevation of 130 feet. The effective elevation for the highest story is found by multiplying the number of stories by 10 feet, adding the site elevation, and subtracting 5 feet.

$(6 \times 10) + 130 - 5 = 185$ *feet*

The barrier, which in this case is formed by the road profile, has no "height" other than the elevation of the natural terrain above the noise sources traveling on the roadway. The important dimensions are indicated in Figure 9.

Some people with a technical background will be able to fit the geometric diagram to the site situation readily, working from the project drawings and a scratch sheet.

But if you are *not* confident of your geometry, Workchart 5 gets you the values of R, D, and h from the map distances and elevations of the site. We illustrate that procedure in this example.

First, enter the elevations of the source (S), the observer (O), and the top of the barrier (H), as well as the map distances from the barrier to the source (R') and observer (D'), at the top right of Workchart 5. Then, follow the steps on that Workchart to derive the values of h, R, and D that are needed in using Workchart 6.

Entering Workchart 6 at the upper left with the value of h (5.5 feet), we move horizontally

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Figure 9.
Detail of Site Showing Measurements Necessary for a Barrier Adjustment

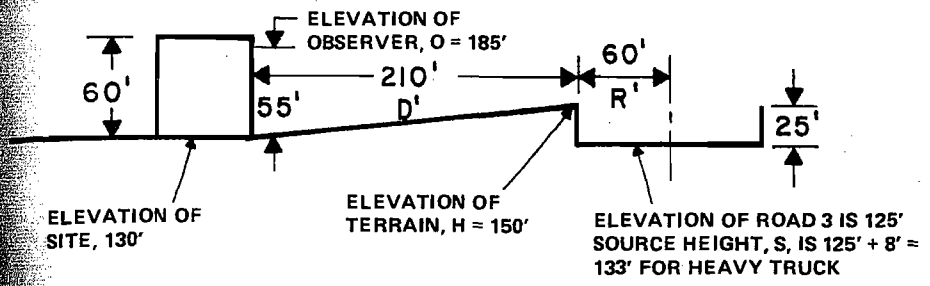

Figure 10.
Use of Workchart 5 to Determine Barrier Dimensions in Example 12b

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Enter the values for:
H = 150 R' = 60
S = 133 D' = 210
O = 185

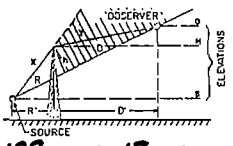

Fill out the following worksheet (all quantities are in feet):

Elevation of barrier top minus elevation of source	[11 150]	− [5 133]	= [1 17]
Elevation of observer minus elevation of source	[0 185]	− [5 133]	= [2 52]
Line distance between source and observer (R' + D')			[3 270]
Line distance between barrier and source (R')			[4 60]
Line 2 divided by line 3	[2 52]	÷ [3 270]	= [5 0.19]
Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 0.19]	× [5 0.19]	= [6 0.04]
0.4 times line 6	[0.4]	× [6 0.04]	= [7 0.016]
1.0 minus line 7	[1.0]	− [7 0.016]	= [8 0.984]
5 times line 4 (will be negative if line 2 is negative)	[5 0.19]	× [4 60]	= [9 11.4]
Line 1 minus line 9	[1 17]	− [9 11.4]	= [10 5.6]
Line 10 times line 8	[10 5.6]	× [8 0.984]	= [11 5.5] = h
Line 5 times line 10	[5 0.19]	× [10 5.6]	= [12 1.06]
Line 4 divided by line 8	[4 60]	÷ [8 0.984]	= [13 61]
Line 13 plus line 12	[13 61]	+ [12 1.06]	= [14 62] = R
Line 3 minus line 4	[3 270]	− [4 60]	= [15 210]
Line 15 divided by line 8	[15 210]	÷ [8 0.984]	= [16 213]
Line 16 minus line 12	[16 213]	− [12 1.06]	= [17 212] = D

Note: Value on line 2 may be negative, in which case the values on lines 5, 9, and 12 will be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (−y) = x−y. And subtracting a negative number is like adding: X−(−y) = x + y.

Round off R and D to nearest integer. h to one decimal place

Figure 11.
Use of Workchart 6 to Evaluate Barrier in Examples 12b, 13 and 14

Noise Barrier Workchart 6

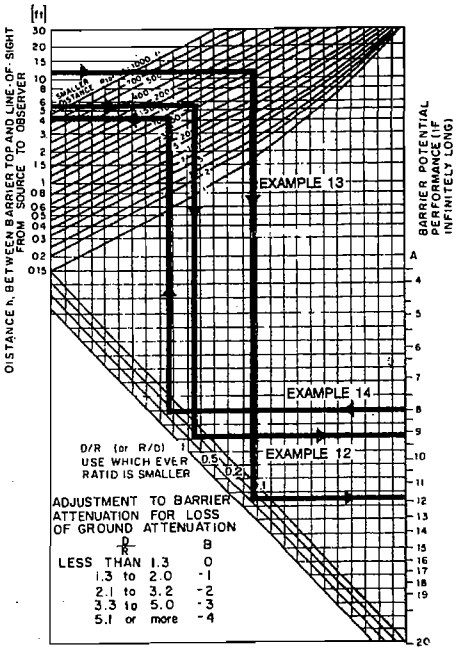

right until we meet the value of R or D, ever is smaller: in this example, R = 62 rom that point we drop vertically down- until we meet the value of R/D or D/R, ever is smaller: in this case, R/D = rom that point, move horizontally to t to find the value for A = 9 dB. Enter- table for determining loss of ground tion effect due to the barrier with a of D/R of 3.5, the reduction in tion (B) is found to be 3 dB. cting 3 dB from 9 dB provides a net tion of 6 dB. With 6 dB of attenuation, nal DNL of 69 dB (Example 12a) is to 63 dB.

Example 13: An alternative approach, which is somewhat more direct, is illustrated here for the noise of automobiles on Road No. 3.

A preliminary step is to make an accurately scaled sketch of the general geometry introduced on page 8. It must include the positions of the source (this time at the road surface), the observer, and the top of the barrier; and will show the distances h, R, and D. Such a sketch is shown superimposed on the profile of the road and its neighborhood in Figure 12.

If we carefully scale the dimensions directly from this sketch, we find the following values for h, R, and D:

R=63 feet

R/D=0.3

D=214 feet

h=11 feet

The barrier attenuation is found, by entering Workchart 6 with these values, to be A=12 dB. It is larger than that found for trucks because the noise source is lower and is, therefore, better shielded by the barrier. The loss from ground attenuation is again B=3 dB for a net attenuation of 12 - 3 = 9 dB. In Example 9b, we found that the DNL

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Figure 12.
Sketch Showing Dimensions for Example 13

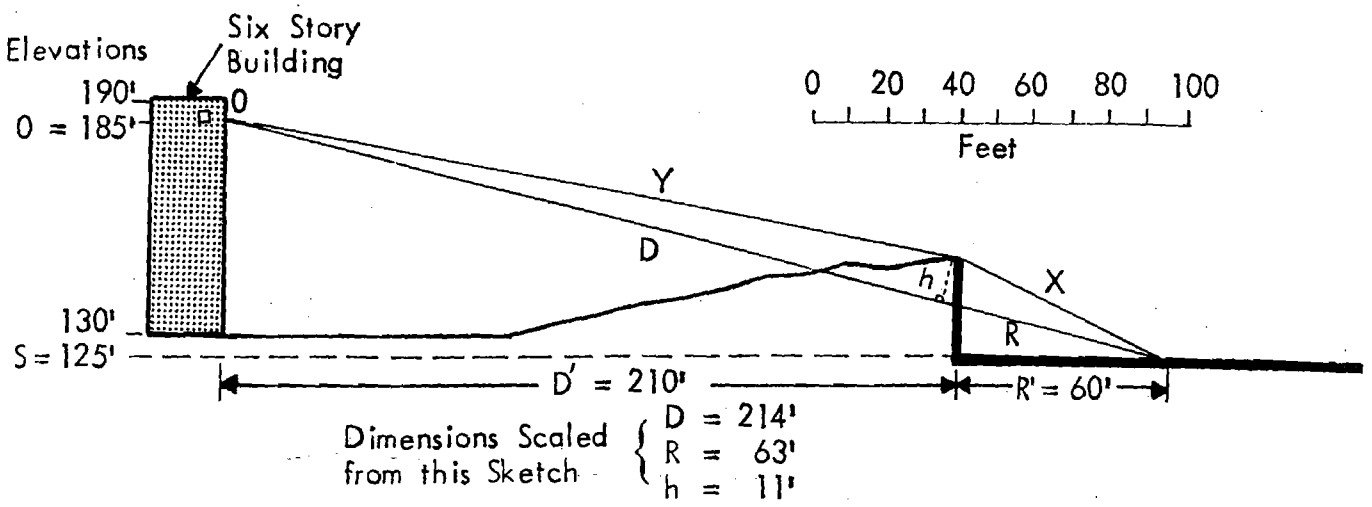

for the projected traffic volume of 100,000 vehicles per day was 69 dB if no consideration was given the shielding provided by the terrain. Subtracting the 9 dB attenuation from 69, we find the partial DNL for automobiles is 60 dB.

In order to find the combined truck and automobile noise for Road No. 3, we combine the 63 dB of truck noise with the 60 dB of automobile noise using Table 1. We find that 1.8 should be added to 63 dB, for a combined DNL of 64.8 dB, or 65 dB when rounded to the nearest whole number.

Example 14: Where no natural barrier exists, Workchart 6 can be used in reverse to estimate the height of a barrier needed to obtain a required attenuation. In example 9b we found that, without any attenuation from terrain or a barrier, the automobile traffic produced a DNL of 69 dB, and in Example 12a the heavy truck traffic produced a DNL of 69 dB. When combined, the total DNL is 72 dB. Suppose the terrain were not rising between NAL and Road No. 3, as shown in Figure 12, but instead was level between the NAL and the edge of the road, as shown in Figure 13. We want to find out how high a wall, infinite in length, would be required at the edge of the road to reduce the combined truck and automobile noise to less than 65 dB. We have found in the previous examples that a barrier of a given height will provide more attenuation for automobiles than it will for trucks. As a first step in our analysis, we will find the height of a wall that will reduce the truck noise to just below 65 dB, say 64 dB, and then find out whether the additional attenuation it provides for automobile noise will be sufficient to reduce the combined truck and automobile noise to less than 65 dB. We begin by finding the height of wall that will provide 5 dB attenuation for truck noise.

We estimate that the ratio of R/D is about the same as R'/D', the ratio of horizontal distance in Figure 13, which is equal to 0.29. Before entering Workchart 6, we find from the loss of ground attenuation table that for D/R = 3.4 we will lose 3 dB attenuation from an ideal barrier. In order to have a net attenua-

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Figure 13.
Sketch Showing Dimensions for Example 14

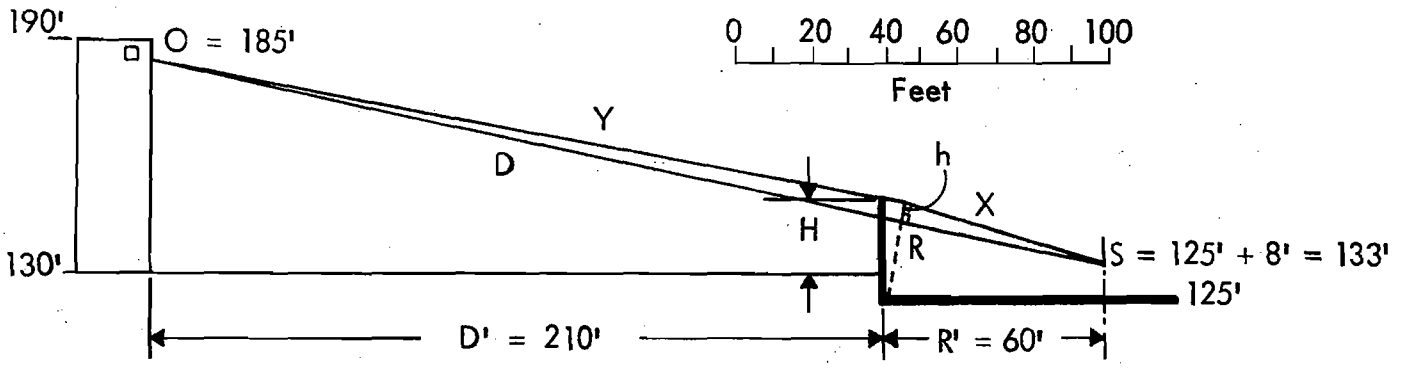

tion of 5 dB, we must have an ideal barrier that provides 5 + 3 = 8 dB attenuation.

Entering Workchart 6 on the right side scale A at 8 decibels, we move across to the diagonal lines, finding 0.29 by interpolating between the lines marked at 0.2 and 0.5. Moving directly up to a point midway between the R lines of 50 and 70, we find our estimated R of approximately 60. Moving across to the left we find that the line of sight between the observer and the truck source height must be broken by a value of h equal to 4.5 feet.

We can determine the height of the wall H in several ways. By drawing h=4.5 feet to scale on Figure 13, we can scale the total wall height H to be approximately 20 feet. Those who feel comfortable with geometry can calculate H by using the similar triangle relationships in Figure 13 to determine that H is 19.1 feet.

Now we must find how much a wall 19 feet high will attenuate automobile noise, remembering that the source height for automobiles is at the road surface elevation of 125 feet. By scaling the drawing, or by geometry, we determine that the line of sight between the observer position and the automobile source is broken by a value of h that is approximately 13 feet. Entering Workchart 6 at 13 feet we find, for R=60 feet and R/D=0.29, that the potential barrier attenuation is 12dB. We must reduce this by 3 dB for loss of ground attenuation to find the actual shielding of automobile noise to be 9 dB. The original 69 dB of automobile noise is reduced to 69 - 9 = 60 dB.

Finally, we combine the heavy truck noise, attenuated by the wall to 69 - 5 = 64 dB, with the automobile noise reduced to 60 dB, to find a combined DNL of 65.5 dB, or 66 dB when rounded upward. Remember, however, that this is for an infinite wall. Further adjustments would have to be made once the actual length was known.

13

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Necessary Information

To evaluate a site's exposure to railway noise, you will need to consider all rapid transit lines and railroads within 3000 feet of the site (except totally covered subways). The information required for this evaluation is listed below under headings that indicate the most likely source.

Before beginning the evaluation, you should record the following information on Worksheet D:

From the area map and/or the (County) Engineer:

- The distance from the appropriate NAL on the site to the center of the railway track carrying most of the traffic.

From the Supervisor of Customer Relations for the railway:

- The number of diesel trains and the number of electrified trains in both directions during an average 24-hour day.
- The fraction of trains that operate during nighttime (10 p.m. - 7 a.m.) If this is unknown, assume 0.15.
- The average number of diesel locomotives per train. If this is unknown, assume 2.
- The average number of railway cars per diesel train and per electrified train. If this is unknown, assume 50 for diesel trains and 8 for electrified trains.
- The average train speed. If this is unknown, assume 30 mph.
- Is the track made from welded or bolted rails?

From the Engineering Department of the railway:

- Is the site near a grade crossing that requires prolonged use of the train's horn or whistle? if so, where are the whistle posts located? (Whistle posts are signposts which tell the engineer to start blowing the horn or whistle. Every grade crossing has whistle posts and they are listed on the railroad's "track charts." If traffic on the track is one-way, there will be only one whistle post. The grade crossing itself is the other "whistle post."

Electrified rapid transit and commuter trains that do not use diesel engines should be treated the same as railway cars.

Note: Buildings closer than 100 feet to a railroad track are often subject to excessive vibration transmitted through the ground. Construction at such sites is discouraged.

Evaluation of Site Exposure to Railway Noise

Railway noise is produced by the combination of diesel engine noise and railway car noise. These Guidelines provide for the separate evaluation of diesel locomotives and railroad cars, and then the combination of the two, in order to obtain the DNL from trains. When rapid transit or electrified trains that do *not* use diesel engines are the only trains passing near a site go directly to the second part of the evaluation since these trains are treated in the same manner as railway cars.

Diesel Locomotives

Workchart 3 was derived with the following assumptions:

- A clear line of sight exists between the railway track and the Noise Assessment Location.
- There are two diesel locomotives per train.
- The average train speed is 30 mph.
- Nighttime operations are 0.15 of the 24-hour total.
- The site is not near a grade crossing requiring prolonged use of the train's horn or whistle.

If the situation meets these conditions, proceed to Workchart 3 for an immediate evaluation of diesel locomotive noise.

But:

If any of the conditions is different, make the necessary adjustments listed below and *then* use Workchart 3 for the evaluation.

Figure 14.
Use of Workchart 3 to Evaluate Diesel Locomotive Noise

Railroads – Diesel Locomotives

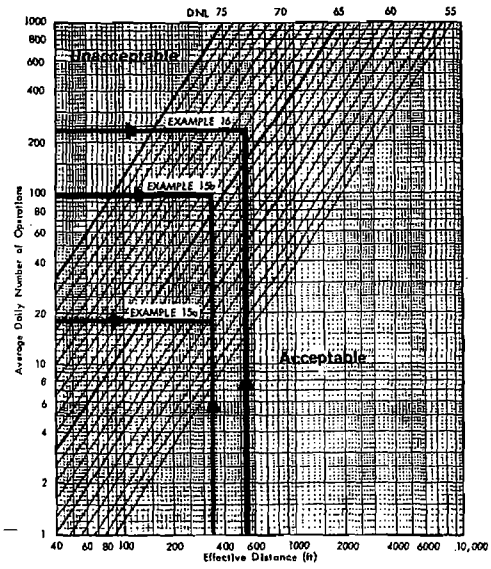

Adjustments for Diesel Locomotives

Number of Locomotives:

If the average number of diesel locomotives per train is not 2, divide the average number by 2. Enter this value in column 9 of Worksheet D.

Example 15a: The distance from NAL number 1 to Railway Number 1 is 339 feet. Two percent of the 35 daily operations occur at night; there is clear line of sight between the tracks and the NAL, and no horns or whistles are used. No information is available on train size or speed, therefore we will assume 2 engines per train and a speed of 30 mph.

Since the percentage of nighttime operations is different from 15 percent, we must adjust the actual number of daily operations, multiplying by 0.50 according to Table 5.

0.50 x 35 = 17.5 = 18

Entering Workchart 3 with 18 daily operations and a distance of 339 feet, we find that the contribution of diesel engine noise is a DNL of 59 dB (see Figure 14).

In order to find the total contribution of the trains to the total DNL, we must also find the noise level produced by the train's cars. Entering Workchart 4 (see Figure 15) with 18 daily operations and a distance of 339 feet, we find the DNL is below 50 on the chart, or more than 10 decibels lower than the noise level produced by the engines. Based on the chart for decibel addition, the combination of the noise from the engines and the cars adds less than 0.5 decibels to the DNL value for the engines alone, 59 dB.

Example 15b: Suppose that a forecast of train operations for Railway 1 indicates that there will still be 35 trains per day, but now 50 percent of the operations will occur at night, the average train will have 4 engines and 75 cars, and the average speed will be 50 mph.

We first find the contribution to DNL made by diesel locomotives by using the following adjustment factors:

- number of engines adjustment: 2
- speed adjustment: 0.60
- day/night adjustment: 2.34

We multiply these adjustments together with the number of trains:

2 X 0.60 X 2.34 X 35 = 98

Entering Workchart 3 (see Figure 14) with 98 daily operations and a distance of 339

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Average Train Speed:

If the average train speed is different from 30 mph, find the appropriate adjustment factor from Table 9 and list in column 10 of Worksheet D.

Table 9

Average Speed (mph)	Speed Adjustment Factor
10	3.00
20	1.50
30	1.00
40	0.75
50	0.60
60	0.50
70	0.43

Horns or Whistles:

If the NAL is perpendicular to any point on the track between the whistle posts for the grade crossing, enter the number 10 in column 11, Worksheet D.

Nighttime Adjustment:

Remember to adjust for nightime operations, if different from 0.15 of the total, by selecting the appropriate adjustment factor from Table 5 on page 8. Enter in column 12, Worksheet D.

Multiply the adjustment factors together, times the number of diesel trains per day (you have listed this number previously on line 2a, page 1, of Worksheet D, and should enter this number again in column 13) to obtain the adjusted number of trains per day. Enter the adjusted number of diesel trains per day in column 14. Use this value, in conjunction with the distance from the NAL to the track (line 1, page 1, of Worksheet D), to find from Workchart 3 the DNL produced by diesel locomotives. List in column 15 of Worksheet D.

Railway Cars and Rapid Transit Systems

Workchart 4 was derived with the following assumptions:

- A clear line of sight exists between the railway and the NAL.
- There are 50 cars per train.
- The average train speed is 30 mph.
- Nighttime operations are 0.15 of the 24-hour total.
- Rails are welded together.

If the situation meets these conditions, proceed to Workchart 4 for an immediate evaluation of railway car noise. Again, if any of the conditions is different, make the necessary adjustments listed below and then use Workchart 4 for the evaluation.

Figure 15.
Use of Workchart 4 to Evaluate Railway Car Noise

Railroads – Cars and Rapid Transit

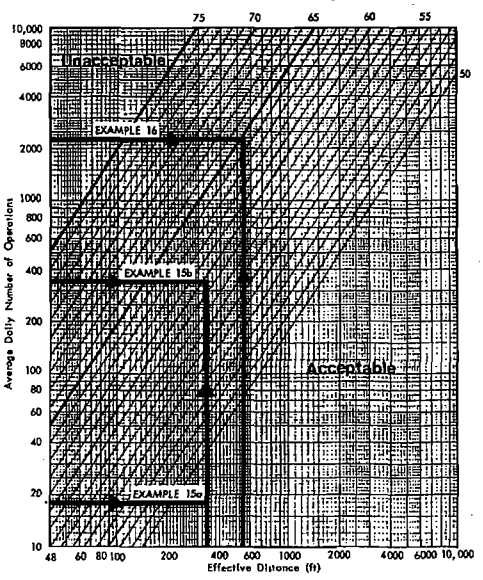

Adjustments for Railway Cars and Rapid Transit Trains

Number of Cars:

Divide the average number of cars by 50 and enter this number in column 18 of Workchart D.

Average Speed:

Make this adjustment, if the average speed is not 30 mph, by selecting the appropriate value from Table 10, entering it in column 19 of Worksheet D.

Table 10

Average Speed (mph)	Speed Adjustment Factor
10	0.11
20	0.44
30	1.00
40	1.78
50	2.78
60	4.00
70	5.44
80	7.11
90	9.00
100	11.11

Bolted Rails:

Enter the number 4 in column 20 of Worksheet D.

Nighttime Adjustment:

Enter the appropriate adjustment factor from Table 5 in column 21 of Worksheet D.

feet, we find that the site has an engine noise contribution to DNL of 66 dB.

We next obtain the adjustment factors for the noise produced by the cars:

- number of cars adjustment: 1.50
- speed adjustment: 2.78
- day/night adjustment: 2.34

Multiplying the adjustment factors times the average daily number of trains:

1.5 X 2.78 X 2.34 X 35 = 342

Entering Workchart 4 (see Figure 15) with 342 operations and a distance of 339 feet, we find the contribution of the cars to the DNL is 60 dB. Using Table 1 for combining levels, we find that the 6 dB difference between engine noise at 66 and car noise at 60 gives a combined DNL of 67 dB for these trains.

Example 16: The distance from NAL number 2 to Railroad Number 2 is 550 feet; there are 100 operations per day, of which 30 percent occur at night. A clear line of sight exists between the site and the railroad, and no horns or whistles are used nearby. An average train on this track uses 4 engines, has 100 cars, the average speed is 40 miles per hour, and the track has bolted, not welded, rails.

We first find the adjustment factors for the diesel engines:

- number of engines adjustment: 2
- speed adjustment: 0.75
- day/night adjustment: 1.57

Multiplying the adjustments together, times the number of trains:

2 X 0.75 X 1.57 X 100 = 236

Entering Workchart 3 (see Figure 14) with 236 operations at a distance of 550 feet, we find the DNL contribution from engine noise to be 67 dB.

Next we find the adjustment factors for the railroad cars:

- number of cars adjustment: 2
- speed adjustment: 1.78
- bolted track adjustment: 4
- day/night adjustment: 1.57

Multiplying the adjustments together, times the number of trains:

2 X 1.78 X 4 X 1.57 X 100 = 2236

Entering Workchart 4 (see Figure 15) with

(Continued next page)

Figure 16.
Sketch Showing Dimensions for Example 16

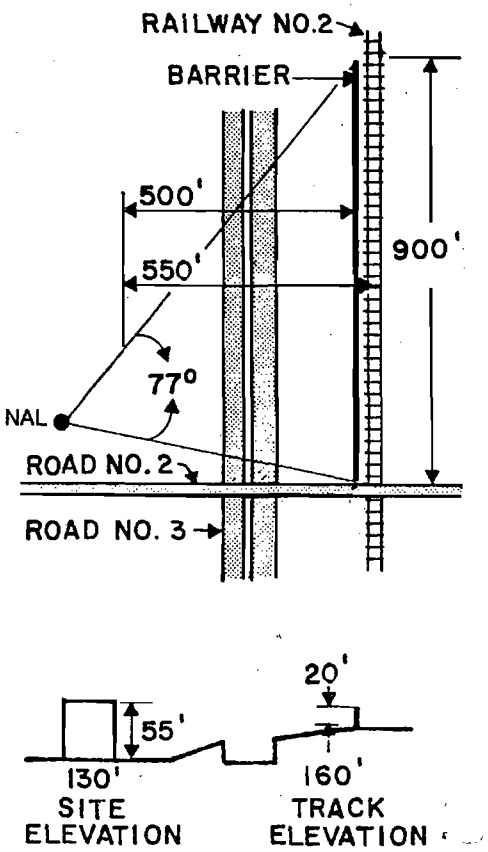

Figure 17.
Use of Workchart 6 in Example 16

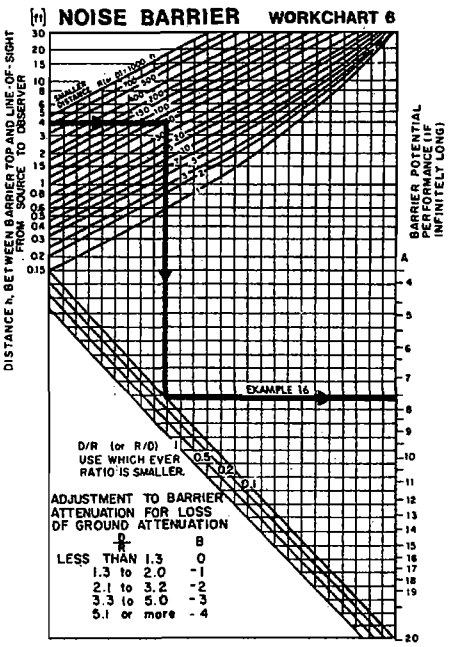

Figure 18.
Use of Workchart 7 in Example 16

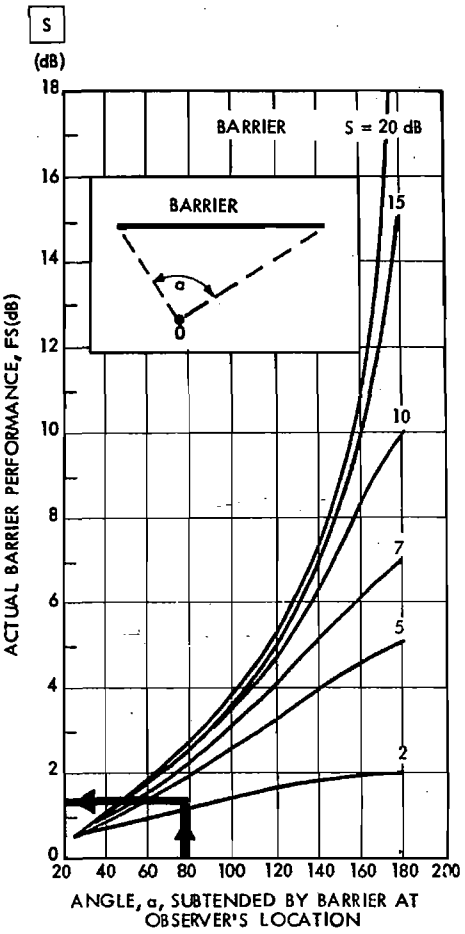

2236 operations at a distance of 550 feet, we find the DNL contribution from the railroad cars to be 65 dB. Combining the engine sound levels with the car sound levels we find the total DNL from the trains to be 69 dB.

It would be possible to erect a 20-foot noise barrier, running parallel to the track at a distance of 50 feet; it could start at Road Number 2 and run 900 feet north toward the airport, as shown in Figure 16. Both the railroad track and the ground level at the barrier location are at an elevation of 160 feet. Thus, we have the following values with which to calculate the potential reduction in engine noise (using Workchart 5). (Because the distances involved are so unequal, this situation does not lend itself to direct scaling of the distances.)

H = 180 feet (20' above the ground)

S = 175 feet (15' above the track, see page 19)

0 = 285 feet (from Example 11 in the section on roadway noise)

R' = 50 feet

D' = 500 feet

We find from Worksheet 5 that the values of R and D are no different (within the accuracy of the calculation) from R' and D', a situation that will always occur when the differences in elevation are so much smaller than the distances from the site to the noise source. The value of h is 4 feet; R/D = 0.1

We can now use these numbers to enter Workchart 6 to find the *potential* barrier performance (that is, the barrier adjustment factor that would apply in the case of an infinitely long barrier). Entering Workchart 6 at h = 4 feet, with R/D = 0.1, we find the basic attenuation of the barrier to be 7.5 dB. However, with D/R = 10, we find from the table of loss-of-ground-effect attenuation that we must subtract 4 dB from the 7.5, or a net effect of 3.5 dB. However, the situation is even worse, since the barrier is finite in length.

To find the actual attenuation for this *finite* barrier, we must first find the angle subtended by the barrier to the NAL. Referring to Figure 16, we draw lines from the NAL each end of the barrier. With

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References

1. D.E. Bishop, A.P. Hays, "Handbook for Developing Noise Exposure Contours for General Aviation Airports," FAA-AS-75-1, December 1975 (NTIS No. AD-A023429).

2. D.E. Bishop, et al., "Calculation of Day-Night Levels Resulting From Civil Aircraft Operations," BBN Report 3157 for Environmental Protection Agency, March 1976 (NTIS No. PB 266 165).

3. B.A. Kugler, D.E. Commins, W.J. Galloway, "Highway Noise – A Design Guide for Prediction and Control," NCHRP Report 174, Transportation Research Board, National Research Council, 1976.

4. T.J. Schultz, W.J. Galloway, "Noise Assessment Guidelines – Technical Background," Office of Policy Development and Research, U.S. Department of Housing and Urban Development," 1980.

5. M.A. Simpson, "Noise Barrier Design Handbook," FHWA-RD-76-58, Federal Highway Administration, February 1976 (NTIS No. PB 266 378).

a protractor we measure the angle between the two lines to be 77 degrees. Locate the curve on Workchart 7 corresponding to the potential barrier attenuation of 3.5 dB; it lies midway between the two lowest curves (see Figure 18). The point on this curve corresponding to a subtended angle of 77 degrees indicates that the actual barrier performance would be only 1.5 dB. With only 1.5 dB of attenuation, the barrier is clearly not cost-effective. In order to achieve a usable attenuation from the barrier, it would have to be extended beyond the other side of Road Number 2 to obtain a larger subtended angle. This extension, however, would still not be cost-effective unless the height of the barrier were increased substantially.

Summary of Adjustment Factors

Combination of Sound Levels

Table 1

Difference in Sound Level	Add to Larger Level
0	3.0
1	2.5
2	2.1
3	1.8
4	1.5
5	1.2
6	1.0
7	0.8
8	0.6
9	0.5
10	0.4
12	0.3
14	0.2
16	0.1
greater than 16	0.

Aircraft

Table 2 DNL Outside 65 dB Contour

D^1 = distance from 65 dB contour to flight path
D^2 = distance from site to flight path

D2 / D1	DNL dB
1.0	65
1.12	64
1.26	63
1.41	62
1.58	61
1.78	60
2.00	59
2.24	58
2.51	57
2.82	56
3.16	55

Automobile Traffic

Table 3 Stop-and-go

Distance from Site to Stop Sign feet	Automobile Stop-and-go Adjustment Factor
0	0.10
100	0.25
200	0.40
300	0.55
400	0.70
500	0.85
600	1.00

Table 4 Average Traffic Speed

Average Traffic Speed	Adjustment Factor
20 (mph)	0.13
25	0.21
30	0.30
35	0.40
40	0.53
45	0.67
50	0.83
55	1.00
60	1.19
65	1.40
70	1.62

Table 5 Nighttime (applies to all sources)

Nighttime Fraction of ADT	Nighttime Adjustment Factor
0	0.43
0.01	0.46
0.02	0.50
0.05	0.62
0.10	0.81
0.15	1.00
0.20	1.19
0.25	1.38
0.30	1.57
0.35	1.78
0.40	1.96
0.45	2.15
0.50	2.34

Medium Trucks

(less than 26,000 pounds, greater than 10,000 pounds)

Multiply adjusted automobile traffic by 10.

Heavy Trucks

Table 6 Road Gradient

Percent of Adjustment Gradient Factor	
2	1.4
3	1.7
4	2.0
5	2.2
6 or more	2.5

Table 7 Average Speed

Average Traffic Speed (mph)	Truck Speed Adjustment Factor
50 or less	0.81
55	1.00
60	1.17
65	1.38

Table 8 Stop-and-go

Heavy Truck Traffic Volume per Day	Heavy Truck Stop-and-Go Adjustment Factor
Less than 1200	1.8
1201 to 2400	2.0
2401 to 4800	2.3
4801 to 9600	2.8
9601 to 19,200	3.8
More than 19,200	4.5

Railroads - Diesel Engines

Number of Engines per Train
The number of engines divided by 2.

Table 9 Average Train Speed

Average Speed (mph)	Speed Adjustment Factor
10	3.00
20	1.50
30	1.00
40	0.75
50	0.60
60	0.50
70	0.43

Whistles or horns
Multiply number of trains by 10.

Railroads - Cars and Rapid Transit

Numbers of cars.
Number of cars per train divided by 50.

Table 10 Average Train Speed

Average Speed (mph)	Speed Adjustment Factor
10	0.11
20	0.44
30	1.00
40	1.78
50	2.78
60	4.00
70	5.44
80	7.11
90	9.00
100	11.11

Bolted Rails
Multiply number of trains by 4.

Whisties or Horns
Multiply number of trains by 100.

MV00170509

kchart 1
s (55 mph)

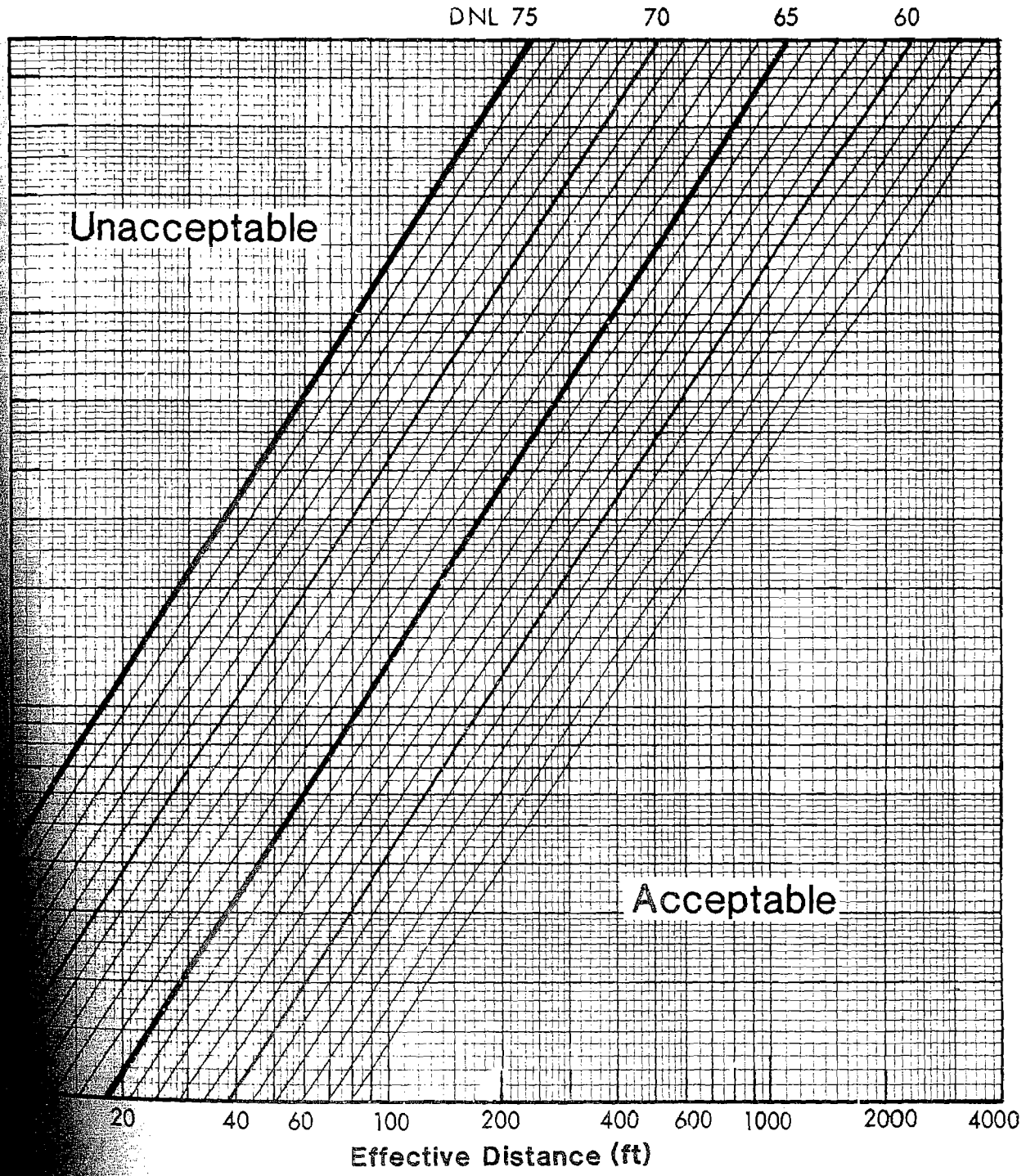

MV00170510

Workchart 2
Heavy Trucks (55 mph)

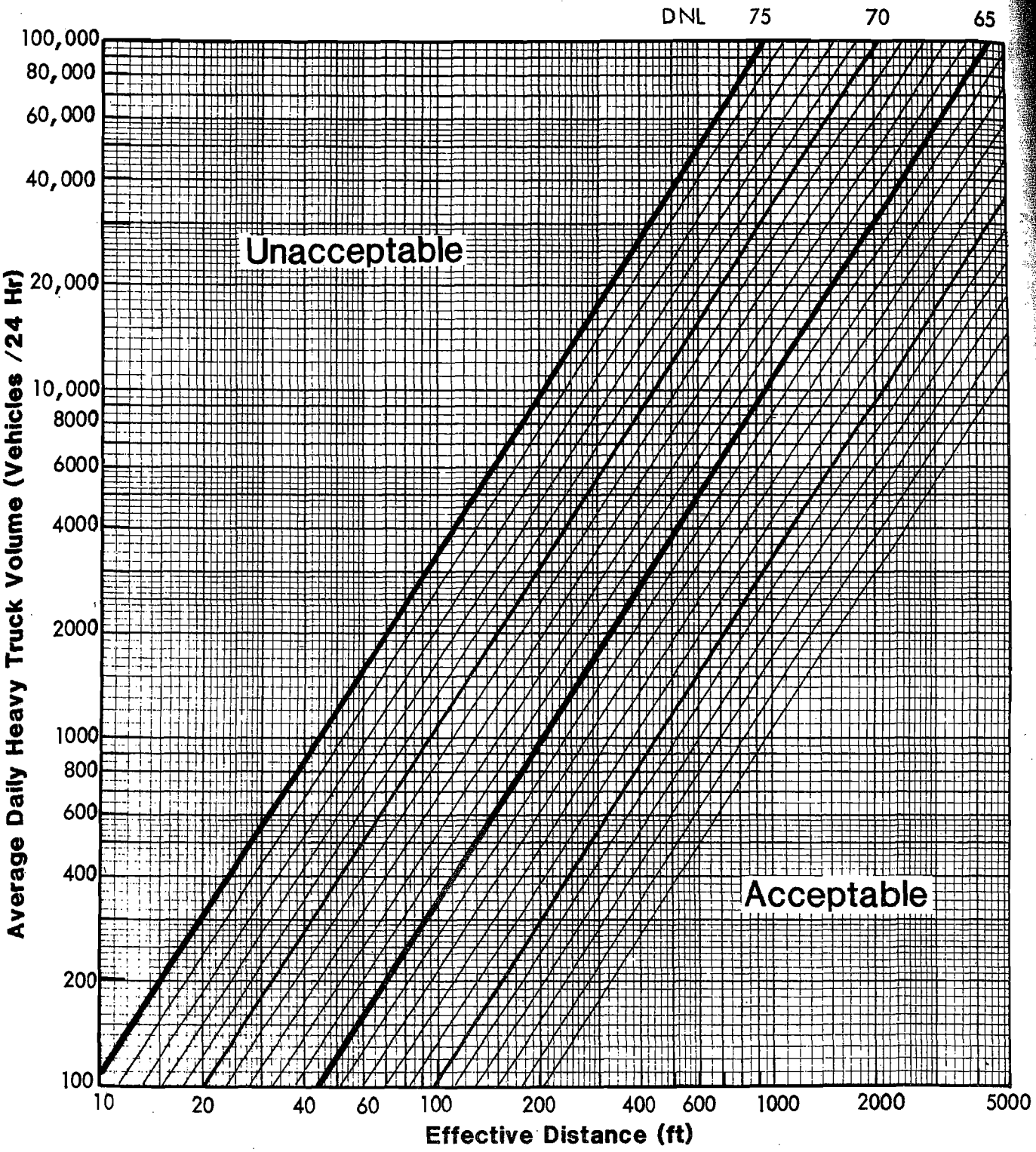

MV00170511

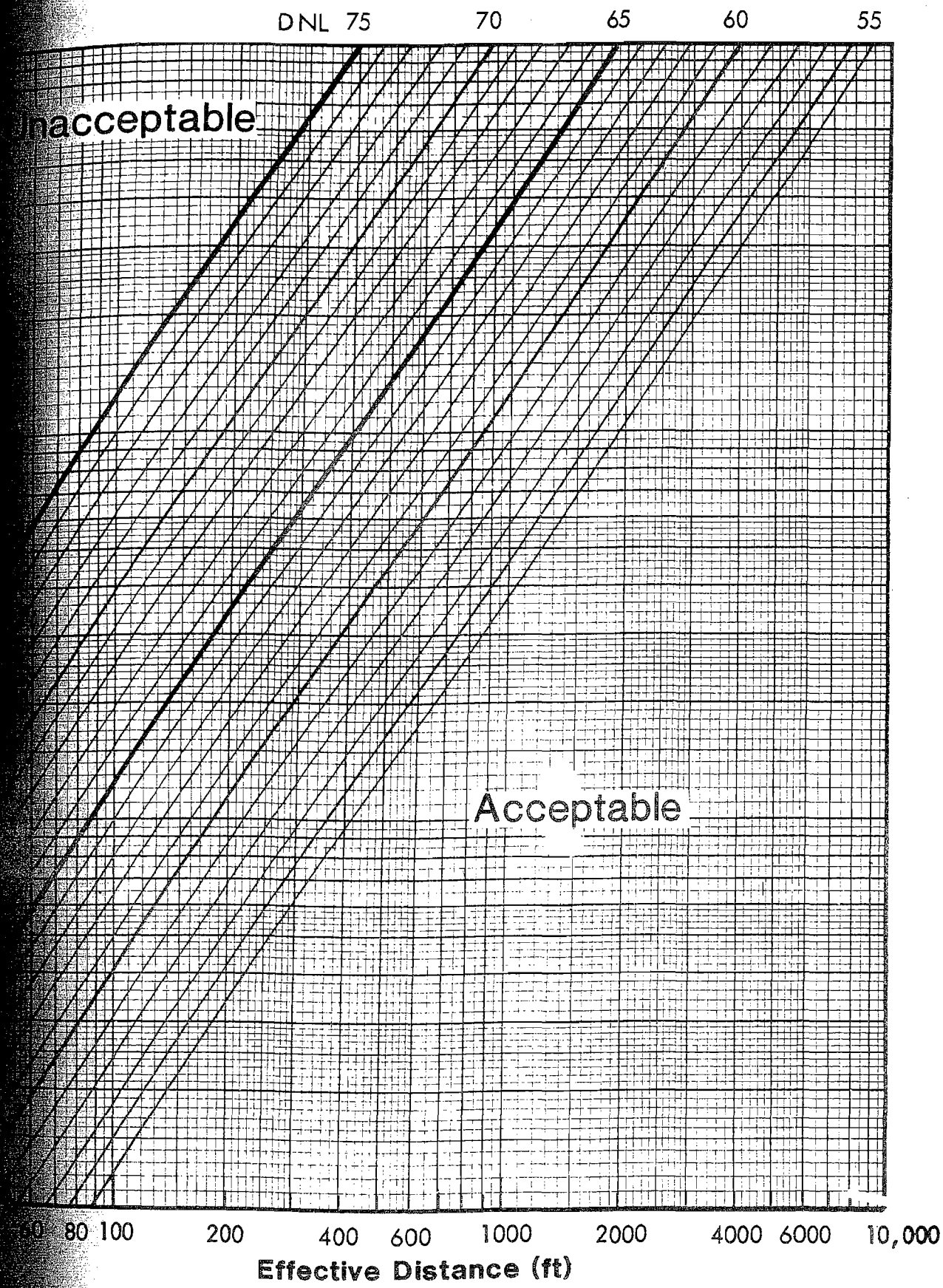

21

MV00170512

Workchart 4
Railroads - Cars and Rapid Transit

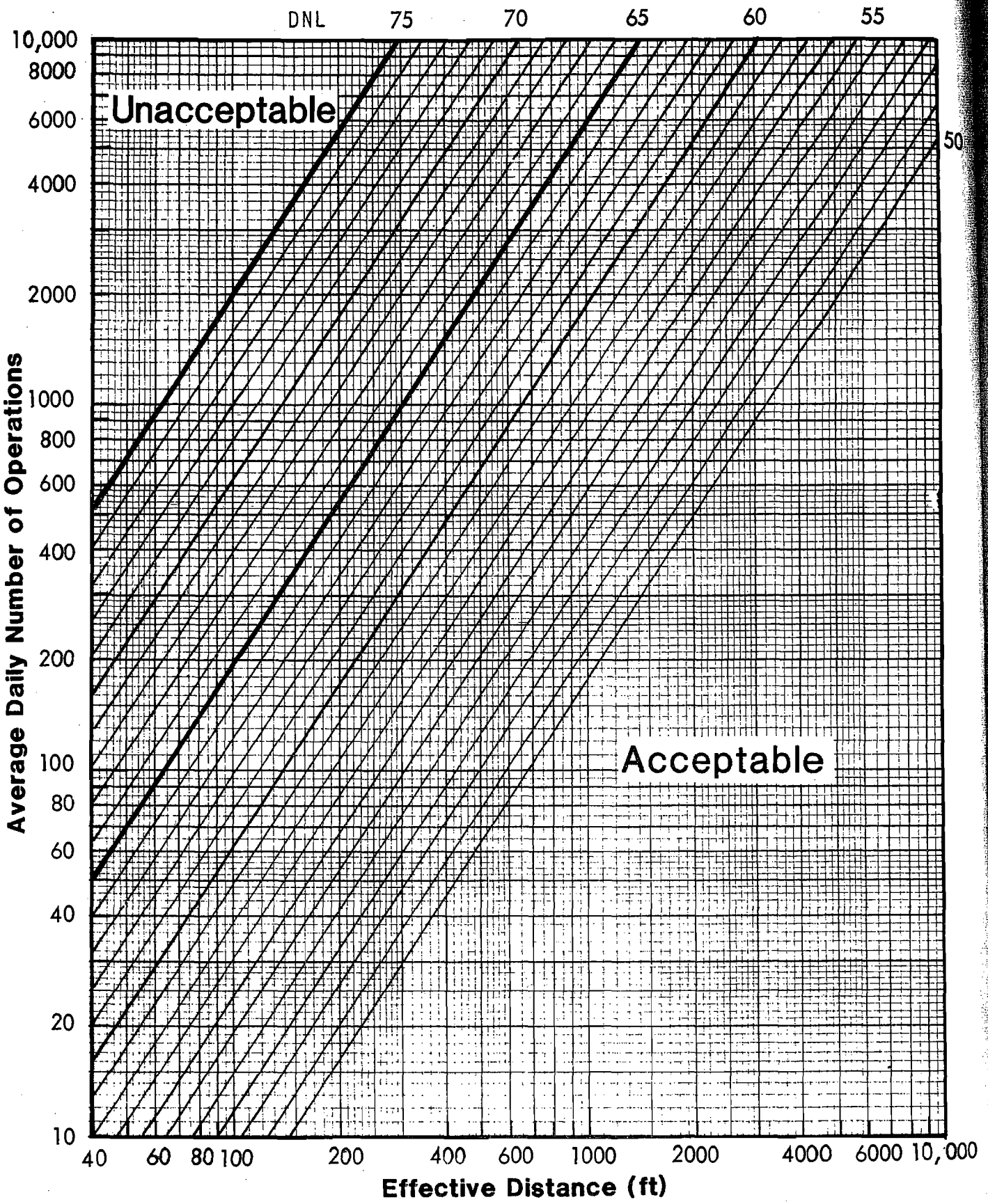

22

MV00170513

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Enter the values for:

H= _____ R'= _____

S= _____ D'= _____

O= _____

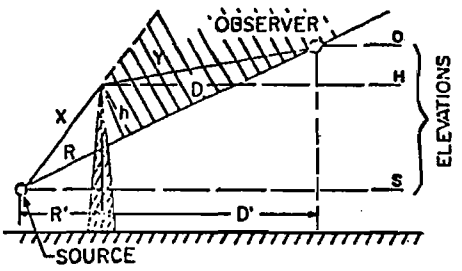

Fill out the following worksheet (all quantities are in feet):

Elevation of barrier top minus elevation of source	[H	]	−	[S	]	=	[1	]
Elevation of observer minus elevation of source	[O	]	−	[S	]	=	[2	]
Map distance between source and observer (R' + D')							[3	]
Map distance between barrier and source (R')							[4	]
Line 2 divided by line 3	[2	]	÷	[3	]	=	[5	]
Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5	]	×	[5	]	=	[6	]
40% of line 6	[	0.4]	×	[6	]	=	[7	]
One minus line 7	[	1.0]	−	[7	]	=	[8	]
Line 5 times line 4 (will be negative if line 2 is negative)	[5	]	×	[4	]	=	[9	]
Line 1 minus line 9	[1	]	−	[9	]	=	[10	]
Line 10 times line 8	[10	]	×	[8	]	=	[11	] = h
Line 5 times line 10	[5	]	×	[10	]	=	[12	]
Line 4 divided by line 8	[4	]	÷	[8	]	=	[13	]
Line 13 plus line 12	[13	]	+	[12	]	=	[14	] = R
Line 3 minus line 4	[3	]	−	[4	]	=	[15	]
Line 15 divided by line 8	[15	]	÷	[8	]	=	[16	]
Line 16 minus line 12	[16	]	−	[12	]	=	[17	] = D

If the value on line 2 may be negative, in that case so will the values on lines 5,9, and 12; it may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: $x+(-y)=x-y$. And subtracting a negative number is like adding: $x-(-y)=x+y$.

Round off R and D to nearest integer, h to one decimal place.

MV00170514

Workchart 6
Noise Barrier

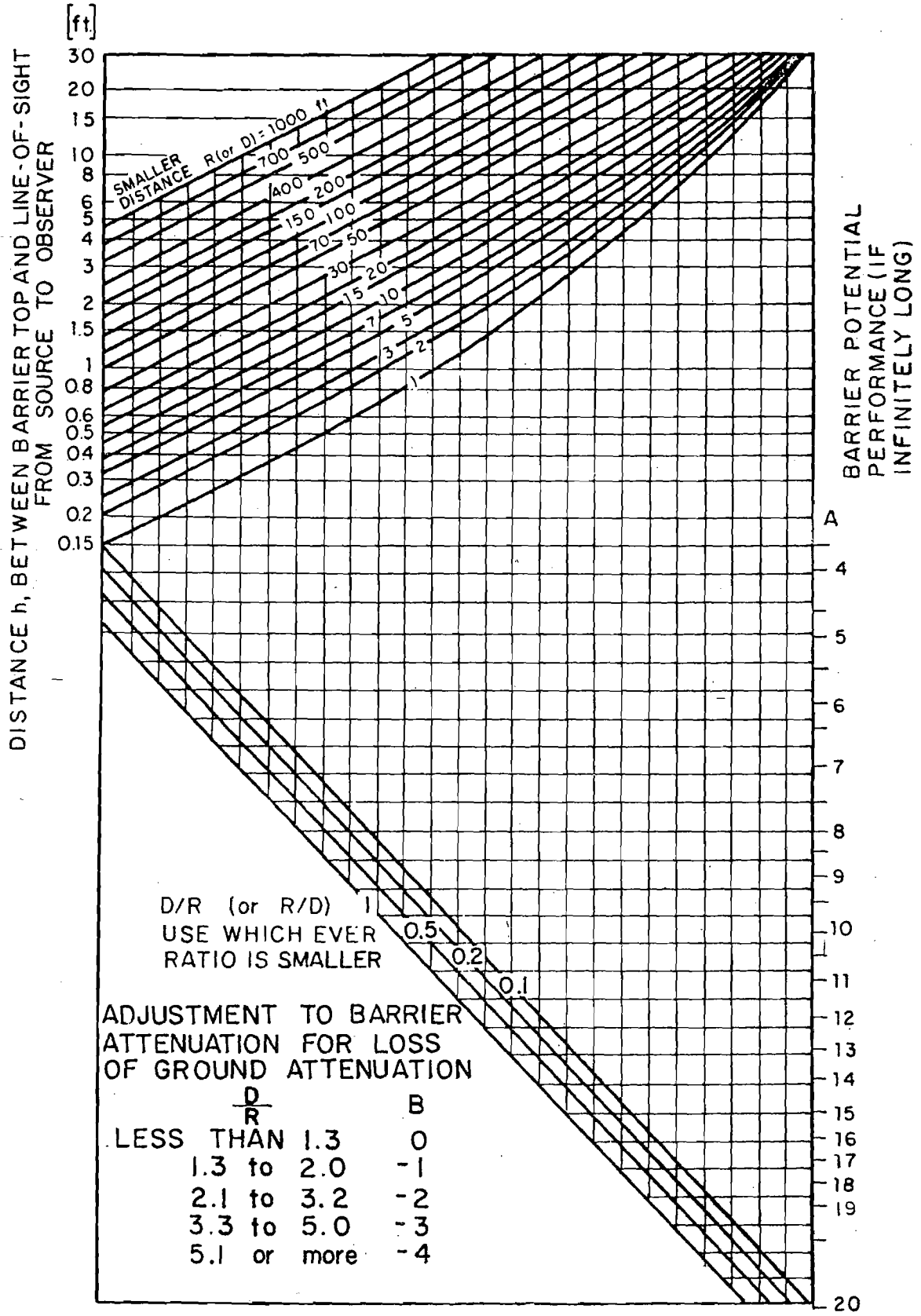

MV00170515

Workchart 7

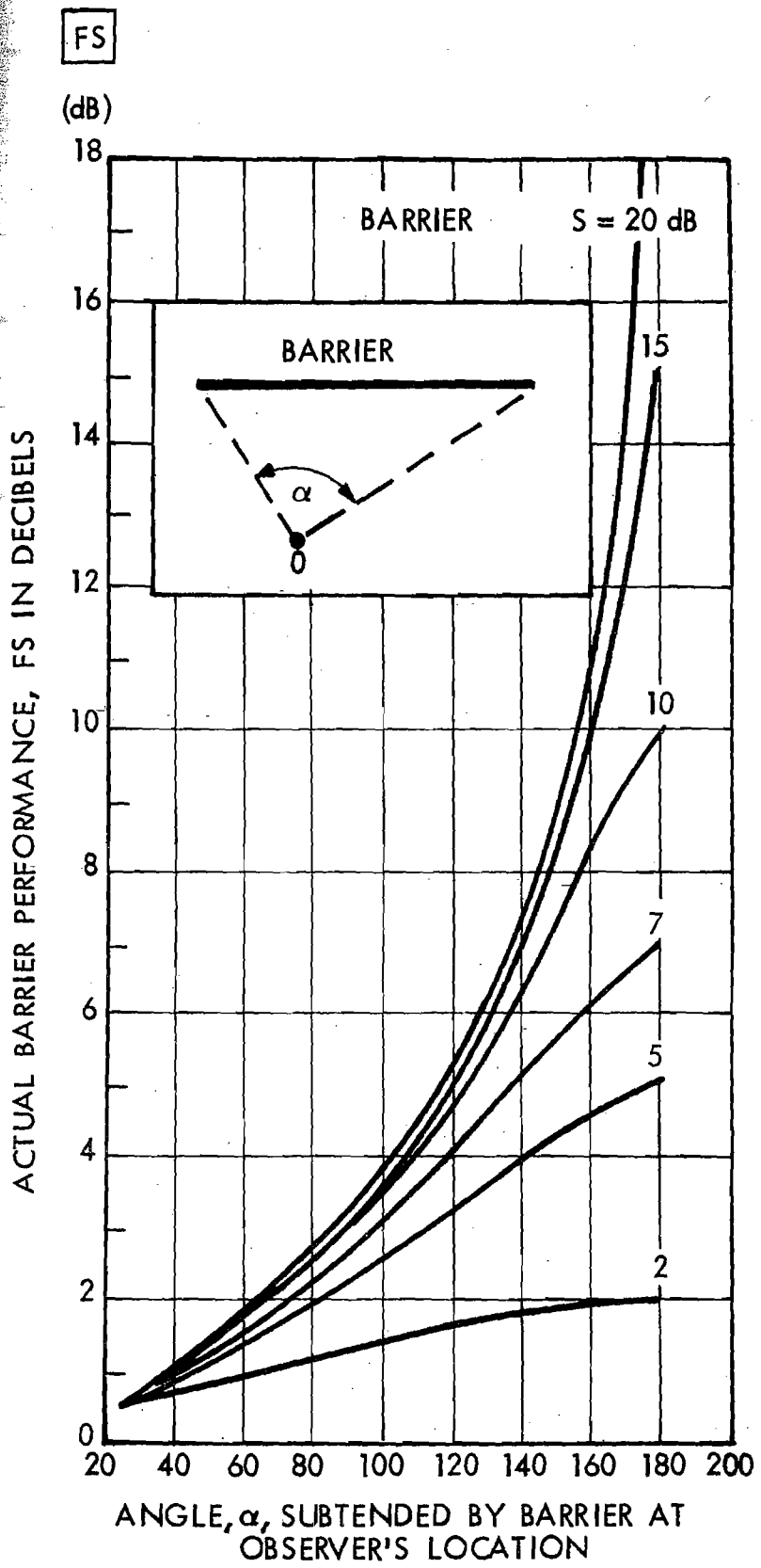

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00170516

Worksheet A
Site Evaluation

Site Location

Program

Project Name

Locality

File Number

Sponsor's Name | Phone

Street Address | City, State

	Acceptability Category	DNL	Predicted for Operations in Year
1. Roadway Noise			
2. Aircraft Noise			
3. Railway Noise			

Value of DNL for all noise sources: (see page 3 for combination procedure) _____

Final Site Evaluation (circle one)

Acceptable

Normally Unacceptable

Unacceptable

Signature _____ Date _____

Clip this worksheet to the top of a package containing Worksheets B-E and Workcharts 1-7 that are used in the site evaluations

MV00170517

List all airports within 15 miles of the site:

1. _____

2. _____

3. _____

Necessary Information:	Airport 1	Airport 2	Airport 3
1. Are DNL, NEF or CNR contours available? (yes/no)			
2. Any supersonic aircraft operations? (yes/no)			
3. Estimating approximate contours from Figure 3:			
a. number of nighttime jet operations			
b. number of daytime jet operations			
c. effective number of operations (10 times a + b)			
d. distance A for 65 dB			
70dB			
75 dB			
e. distance B for 65 dB			
70 dB			
75 dB			
4. Estimating DNL from Table 2:			
a. distance from 65 dB contour to flight path, D^1			
b. distance from NAL to flight path, D^2			
c. D^2 divided by D^1			
d. DNL			
5. Operations projected for what year?			
6. Total DNL from all airports			

Signed _____ Date _____

MV00170518

List all major roads within 1000 feet of the site:

1. _____

2. _____

3. _____

4. _____

Necessary Information	**Road 1**	**Road 2**	**Road 3**	**Road 4**
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane				
b. farthest lane				
c. average (effective distance)				
2. Distance to stop sign				
3. Road gradient in percent				
4. Average speed in mph				
a. Automobiles				
b. heavy trucks - uphill				
c. heavy trucks - downhill				
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles				
b. medium trucks				
c. effective ADT (a + (10xb))				
6. 24 hour average number of heavy trucks				
a. uphill				
b. downhill				
c. total				
7. Fraction of nighttime traffic (10 p.m. to 7 a.m.)				
8. Traffic projected for what year?				

MV00170519

Adjustments for Automobile Traffic

	9 Stop and-go Table 3		10 Average Speed Table 4		11 Night-Time Table 5		12 Auto ADT (line 5c)		13 Adjusted Auto ADT		14 DNL (Workchart 1)		15 Barrier Attenuation		16 Partial DNL
Road No. 1	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____
Road No. 2	_____	X	_____	X	_____	x	_____	=	_____		_____	–	_____	=	_____
Road No. 3	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____
Road No. 4	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6		18 Average Speed Table 7		19 Truck ADT / 2		20		21		22 Stop and-go Table 8		23 Night-Time Table 5		24 Adjusted Truck ADT		25 DNL (Work-chart 2)		26 Barrier Attn.		27 Partial DNL
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 1									Add	_____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 2									Add	_____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 3									Add	_____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 4									Add	_____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														

Combined Automobile & Heavy Truck DNL

Road No. 1 _____ Road No. 2 _____ Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads _____

Signature _____ Date _____

List All Railways within 3000 feet of the site:

1. _____

2. _____

3. _____

Necessary Information:	**Railway No. 1**	**Railway No. 2**	**Railway No. 3**
1. Distance in feet from the NAL to the railway track:	_____	_____	_____
2. Number of trains in 24 hours:			
a. *diesel*	_____	_____	_____
b. electrified	_____	_____	_____
3. Fraction of operations occuring at night (10 p.m. – 7 a.m.):	_____	_____	_____
4. Number of diesel locomotives per train:	_____	_____	_____
5. Number of rail cars per train:			
a. diesel trains	_____	_____	_____
b. electrified trains	_____	_____	_____
6. Average train speed:	_____	_____	_____
7. Is track welded or bolted?	_____	_____	_____
8. Are whistles or horns required for grade crossings?	_____	_____	_____

MV00170521

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 2	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 3	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 2	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 3	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____

Combined Locomotive and Railway Car DNL

Railway No. 1 _____ Railway No. 2 _____ Railway No. 3 _____ Total DNL for all Railways _____

Signature_____ Date_____

MV00170522

MV00170523

Chapter 6

A Workbook for the Noise Assessment Guidelines

Introduction

The following problems were prepared to give you the opportunity to practice the calculations and procedures described in the *Noise Assessment Guidelines*. Because it is so rarely used, we have not included any problems dealing with the aircraft noise procedure.

We have not reproduced the charts or tables from the *Guidelines* so you will need to have it at hand to do the problems.

Noise Assessment Guidelines Workbook

Problems

Problems 1 Through 7: Combining Sound Levels in Decibels

Calculate the Combined Sound Level for the Following Sets of Individual Levels:

1. 67 LDN
   61 LDN
   _____ Combined Level

2. 63 LDN
   63 LDN
   _____ Combined Level

3. 51 LDN
   68 LDN
   _____ Combined Level

4. 62 LDN
   65 LDN
   _____ Combined Level

5. 67 LDN
   72 LDN
   _____ Combined Level

6. 59 LDN
   63 LDN
   71 LDN
   _____ Combined Level

7. 73 LDN
   72 LDN
   61 LDN
   67 LDN
   _____ Combined Level

Problems 8 and 9: Calculating Effective Distance

Calculate the Effective Distances for the Following Roads:

8. Distance in Feet from NAL to:

Near Edge of Nearest Lane	22 Feet
Far Edge of Farthest Lane	76 Feet
Effective Distance	_____

9. Distance in Feet from NAL to:

Near Edge of Nearest Lane	60 Feet
Far Edge of Farthest Lane	84 Feet
Effective Distance	_____

Problems 10 Through 15: Adjustment Factors

List The Adjustment Factors Necessary for Each of the Following Situations and the Numerical Value for Each Adjustment Factor.

10. A Roadway Where the Road Gradient Is 1%, the Average Speed for Both Autos and Trucks Is 30 MPH and the Fraction of Nighttime Traffic is 10%.

    Adjustment Factors Needed: _____

    _____

    _____

    Value of Adjustment Factors: _____

    _____

    _____

11. A Roadway Where There Is A Stop Sign 400 Feet from the NAL. The Gradient Is 1%, the Average Speed for Autos Is 45 MPH (There Are No Trucks) and the Fraction of Nighttime Traffic Is 15%.

    Adjustment Factors Needed: _____

    _____

    _____

    Value of Adjustment Factors: _____

    _____

    _____

MV00170524

12. A Roadway Where the Road Gradient Is 2%, the Average Speed for Autos Is 50 MPH and for Trucks (Both Uphill and Downhill) Is 50 MPH and the Fraction of Nighttime Traffic Is 10%.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

13. A Railroad Where the Fraction of Operations Occurring at Night Is 30%, the Average Train Speed Is 40 MPH, the Track Is Bolted and There Are No Whistle Or Horns Required for Grade Crossings.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

14. A Railroad Where the Fraction of Operations Occurring at Night Is 5%, the Average Train Speed Is 10 MPH, the Tracks Are Welded and There Are No Whistles Or Horns Required for Grade Crossing.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

15. A Railroad Where the Fraction of Operations Occurring at Night Is 20%, the Average Train Speed Is 30 MPH, the Track Is Bolted and No Whistles or Horns Are Required for Grade Crossings.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

MV00170525

Problems 16 Through 21: Some Basic Problems

Calculate the Combined Noise Levels for Each of the Following Situations:

16. A Roadway Where the distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 310 Feet, the Distance to the Far Edge of the Farthest Lane Is 358 Feet. There Is A Stop Sign 400 Feet from the NAL. The Gradient Is 1%. The Average Number of Automobiles Is 17,000, the 24 Hour Average Number of Medium Trucks Is 1,500, the 24 Hour Average Number of Heavy Trucks Is 400 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Roadway Is _____.

17. A Site Exposed to Noise from Two Roads. For Roadway Number 1 the Distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 125 Feet, the Distance to the Far Edge of the Farthest Lane Is 233 Feet. There Is A Stop Sign 250 Feet from the NAL. The Gradient Is 3%. The Average Speed for Both Autos and Trucks Is 30 MPH.

    The 24 Hour Average Number of Autos Is 22,000, the 24 Hour Average Number of Medium Trucks Is 2,000. The 24 Hour Average Number of Heavy Trucks Is 950 Total. The Fraction of Nighttime Traffic Is 10%.

    For Roadway Number 2, the Distance to the Near Edge of the Nearest Lane Is 45 Feet, the Distance to the Far Edge of the Farthest Lane Is 93 Feet. There Is A Stop Sign 100 Feet from the NAL and the Gradient Is 1%. The Average Speed for Both Autos and Heavy Trucks Is 30 MPH. The 24 Hour Average Number of Automobiles Is 14,000, for Medium Trucks 700, and for Heavy Trucks 600 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Site Is _____

18. A Site Exposed to Noise from Two Railroads. For Railroad 1, the Distance in Feet from the NAL to the Railway Track Is 150 Feet. There Are 35 Diesel Trains Every 24 Hours, No Electrified Trains. The Fraction of Operations Occurring at Night Is 25%. There Are 3 Diesel Locomotives Per Train and 70 Cars Per Train. The Average Speed Is 30 MPH and the Track Is Bolted. No Whistles Or Horns Are Used.

    For Railroad 2, the Distance in Feet from the NAL to the Railway Track Is 310 Feet. There Are 20 Diesel and 2 Electrified Trains Each 24 Hours. The Fraction of Operations Occurring at Night Is 15%. There Are 2 Locomotives Per Diesel Train and 45 Cars for Each Diesel Train and 15 Cars Per Electrified Train. The Average Train Speed Is 40 MPH and the Track Is Bolted. No Horns Or Whistles Are Used.

    The Combined Noise Level for This Site Is _____.

19. A Site Exposed to Noise from Two Railroads. For Railroad 1, the Distance in Feet from the NAL to the Railway Track Is 75 Feet. There Are 34 Diesel Trains Every 24 Hours, No Electrified Trains. Twenty Percent of the Operations Occur at Night. There Are 5 Locomotives Per Train and 75 Cars Per Train. The Average Train Speed Is 35 MPH and the Track Is Welded. No Horns Or Whistles.

    For Railway 2, the Distance in Feet from the NAL to the Railway Track Is 120 Feet. There Are 12 Diesel Trains in 24 Hours, No Electrified Trains. Twenty-Five Percent of the Operations Occur at Night. There Are 4 Locomotives Per Train and 40 Cars Per Train. The Average Train Speed Is 20 MPH and the Track Is Bolted. No Horns Or Whistles Are Used.

    The Combined Noise Level for This Site Is _____

20. A Site Exposed to Noise from Three Roads. For Road 1, the Distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 100 Feet, to the Far Edge of the Farthest Lane, 208 Feet. There Is No Stop Sign and the Gradient Is 1%. The Average Speed for Autos Is 55 MPH. (There Are No Trucks Allowed On This Road.) The 24 Hour Average Number of Autos Is 40,000. The Fraction of Nighttime Traffic Is 15%.

    For Road 2, the Distance from the NAL to the Near Edge of the Nearest Lane Is 45 Feet, to the Far Edge of the Farthest Lane 75 Feet. There Is A Stop Sign 175 Feet from the NAL and the Road Gradient Is 4%. The average Speed for Both Autos and Trucks Is 40 MPH. The 24 Hour Average Number of Autos Is 15,000, for Medium Trucks 900 and for Heavy Trucks 320 Total. The Fraction of Nighttime Traffic Is 20%.

    For Road 3, the Distance from the NAL to the Near Edge of the Nearest Lane Is 52 Feet, to the Far Edge of the Farthest Lane 92 Feet. There Is A Stop Sign 400 Feet from the NAL and the Gradient Is 1%. The Average Speed for Both Autos and Trucks Is 25 MPH. The 24 Hour Average Number of Autos Is 5,000, for Medium Trucks 1,050 and for Heavy Trucks 175 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Site Is _____.

MV00170526

21. A Site Exposed to Noise from A Railroad. The Distance from the NAL to the Railroad Is 110 Feet. There Are 30 Diesel Trains Every 24 Hours, No Electrified Trains. Twenty Percent of the Operations Occur at Night. There Are 3 Locomotives Per Train and 50 Cars Per Train. The Average Train Speed Is 30 MPH, the Track Is Bolted and There Is A Grade Crossing Where Horns and Whistles Are Used 100 Feet from the NAL.

The Combined Noise Level at This Site Is _____.

Problems 22 Through 24: Barriers - Identifying the Values for H, R, R′, D and D′

Identify the Values for H, R, R′, D and D′ for Each of the Following Barriers:

22.

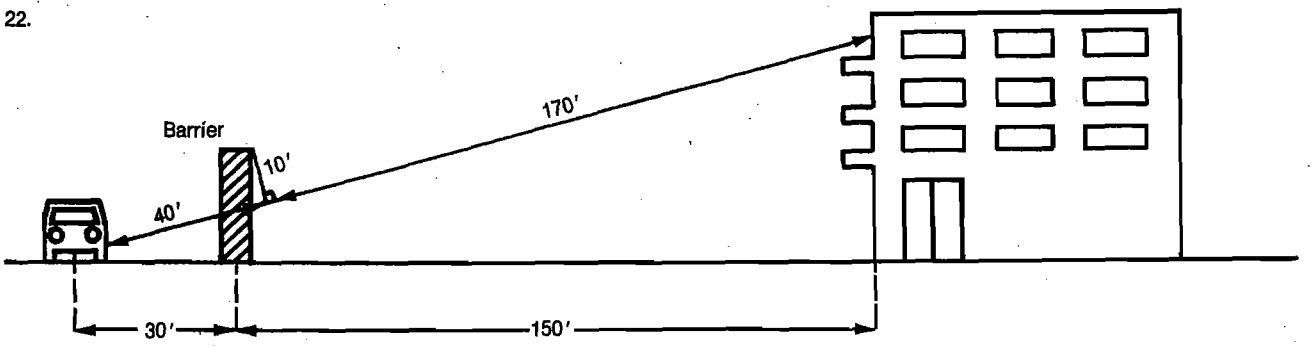

H = _____, R = _____, R′ = _____ D = _____ and D′ = _____

23.

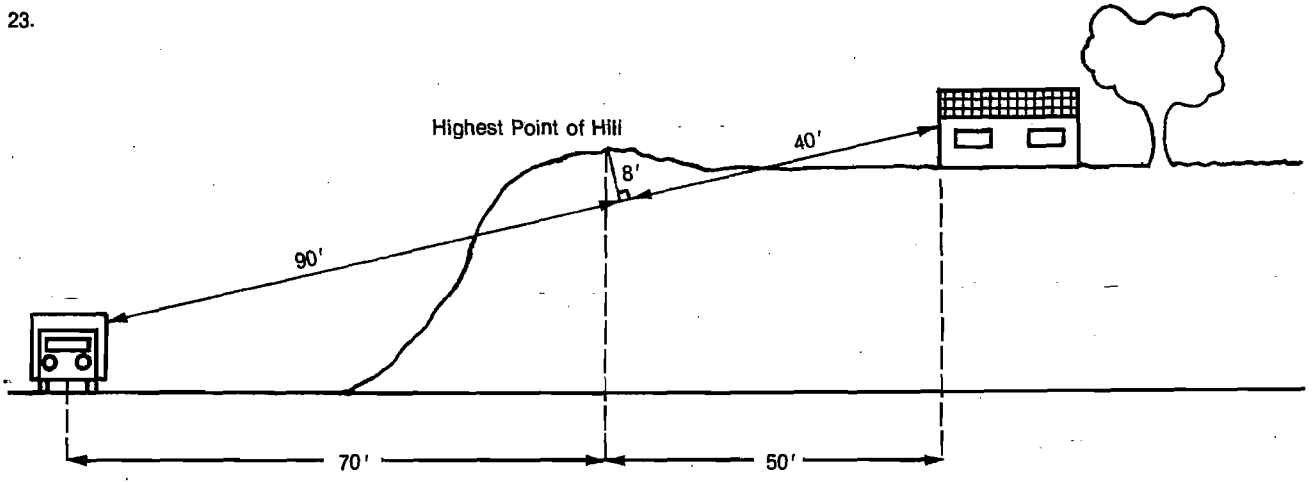

H = _____, R = _____, R′ = _____, D = _____ and D′ = _____

Barrier	40′	10′	170′	90′	70′
Highest Point of Hill	30′	150′		8′ 40′	50′

24.

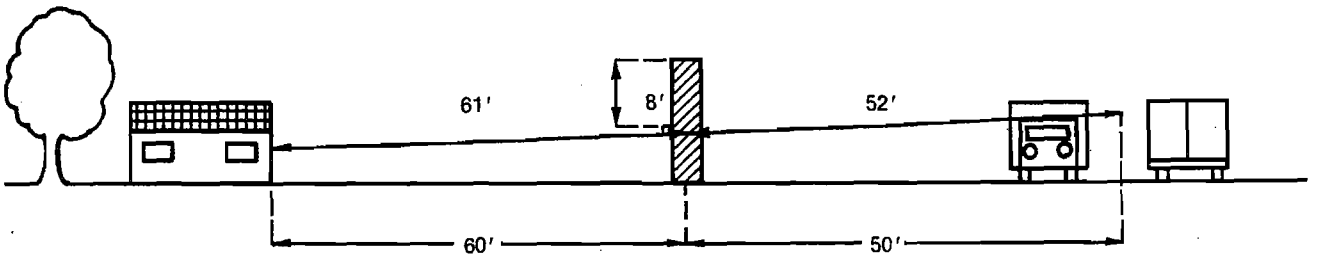

H = _____, R = _____, R′ _____, D = _____ and D′ _____

MV00170527

Problems 25 Through 27: Barrier Calculations Using Workcharts 6 and 7.

Using Workcharts 6 and 7 Only, Calculate the Noise Attenuation Provided by the Barriers Illustrated in Problems 22 Through 24. Additional Data on the Angles Subtended by the Ends of the Barriers and the NAL for Each Location Is Provided.

25. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 22. The Angle Subtended by the Ends of the Barrier and the NAL Is 150 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

26. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 23. The Angle Subtended by the Ends of the Barrier and the NAL Is 90 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

27. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 24. The Angle Subtended by the Ends of the Barrier and the NAL Is 130 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

Problems 28 Through 30: Barrier Calculations Using Workcharts 5, 6 and 7

Calculate the Attenuation Provided By the Barriers in the Following Situations. Use Workcharts 5, 6 and 7.

28. A Two Story Building Is Exposed to Noise Levels of 68 LDN from Automobiles. The Barrier Is 15 Feet High and Is Located 40 Feet from the Source and 20 Feet from the Building. The Source, Barrier, and Building Are All On Level Ground. The Angle Subtended by the Ends of the Barrier and the Noise Assessment Location Is 110 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

29. A Three Story Building Is Exposed to A Noise Level of 72 LDN from Diesel Locomotives and 60 LDN from Railroad Cars. The Barrier Is 12 Feet High and Is Located 40 Feet from the Source and 85 Feet from the Building. The Barrier and the Building Are on the Same Level, But the Track Is Depressed 25 Feet. The Angle Subtended by the Ends Of the Barrier and the NAL Is 120 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

30. A Three Story Building Is Exposed to Noise Levels of 67 LDN from Automobiles and 71 LDN from Trucks. The Barrier Is 16 Feet High and Is Located 36 Feet from the Source and 56 Feet from the Building. The Source, the Barrier and the Building Are All At the Same Level. The Angle Subtended by the Barrier Ends and the NAL Is 130 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

MV00170528

Noise Assessment Guidelines Workbook
Answers

Problem

1. 68 LDN (67-61 = 6, Add 1dB (From Table) to 67 = 68 LDN)
2. 66 LDN (63-63 = 0, Add 3dB (From Table) to 63 = 66 LDN)
3. 69 LDN (69-51 = 0, Add 0dB to 69 = 69 LDN)
4. 67 LDN (65-62 = 3, Add 1.8dB to 65, Round Off to Nearest Whole Number, 66.8 = 67 LDN)
5. 73 LDN (72-65 = 5, Add 1.2 = 73.2 = 73 LDN)
6. 72 LDN (63-59 = 4, Add 1.5 = 64.5, 71-64.5 = 6.5
Interpolate From Table: 6 = 1.0, 7 = .8
6.5 = .9) 71 + .9 = 71.9 = 72 LDN)

7. 76 LDN (67-61 = 6, Add 1.0 = 68, 72-68 = 4, Add 1.5 = 73.5, 73.5-73 = .5, Interpolate From Table, Add 2.75 = 76.25 = 76 LDN)

8. 49 Feet (76 + 22 = 98 − 2 = 49)
9. 72 Feet (84 + 60 = 144 − 2 = 72)

10. Adjustment Factors Needed: Speed and Night-Time Percentage

    Value of Factors: Speed = Autos .30
    Trucks .81
    Nighttime
    Percentage .81

    Note—You Must Have Different Speed Adjustments for Autos and Trucks.

11. Adjustment Factors Needed: Speed and Stop and Go Traffic
    Value of Factors: Speed .67
    Stop and Go .70

12. Adjustment Factors Needed: Gradient, Speed and Nighttime Percentage

    Value of Factors: Gradient 1.4
    Speed = Autos .30
    Trucks .81
    Nighttime
    Percentage .81

13. Adjustment Factors Needed: Nighttime Percentage, Speed, Bolted Track

    Value of Factors: Nighttime
    Percentage 1.57
    Speed = Engines .75
    Cars 1.78
    Bolted Track 4

    Note—You Must Have Different Speed Adjustments for Engines and Cars.

14. Adjustment Factors Needed: Nighttime Percentage and Speed

    Value of Factors: Nighttime
    Percentage .62
    Speed = Engines 3.0
    Cars .11

15. Adjustment Factors Needed: Nighttime Percentage and Bolted Track

    Value of Factors: Nighttime
    Percentage 1.19
    Bolted Track 4

MV00170529

16. Combined Noise Level = 62 LDN (If Your Answer Is Plus or Minus 1dB Its OK - Between Rounding Off and the Large Scale on the Nomographs, That's Close Enough)

Worksheet C
Roadway Noise

Page 1

Noise Assessment Guidelines

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	310			
b. furthest lane	358			
c. average (effective distance)	334			
2. Distance to stop sign	400			
3. Road gradient in percent	1%			
4. Average speed in mph				
a. Automobiles	40			
b. heavy trucks - uphill	40			
c. heavy trucks - downhill	40			
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	17000			
b. medium trucks	1500			
c. effective ADT (a + (10xb))	32000			
6. 24 hour average number of heavy trucks				
a. uphill	200			
b. downhill	200			
c. total	400			
7. Fraction of nighttime traffic (10:00 p.m. to 7:a.m.)	20%			
8. Traffic projected for what year?	—			

Worksheet C
Roadway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	.70	.53	1.19	32000	14128	57	0	57
Road No. 2								
Road No. 3								
Road No. 4								

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6	18 Average Speed Table 7	19 Truck ADT 2	20	21	22 Stop and-go Table 8	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	—	.81	200	162							
Road No. 1 Downhill		.81	200	162	Add	324	1.8	1.19	694	60	0	60
Road No. 2 Uphill											
Road No. 2 Downhill					Add						
Road No. 3 Uphill											
Road No. 3 Downhill					Add						
Road No. 4 Uphill											
Road No. 4 Downhill					Add						

Combined Automobile & Heavy Truck DNL

Road No. 1 62 Road No. 2 _____ Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads 62

Signature _____ Date _____

Workchart 1
Autos (55 mph)

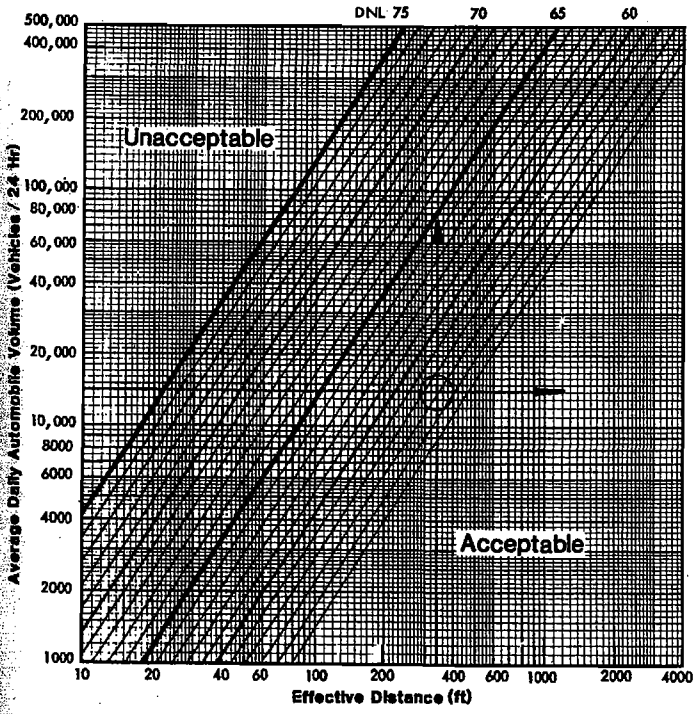

Workchart 2
Heavy Trucks (55 mph)

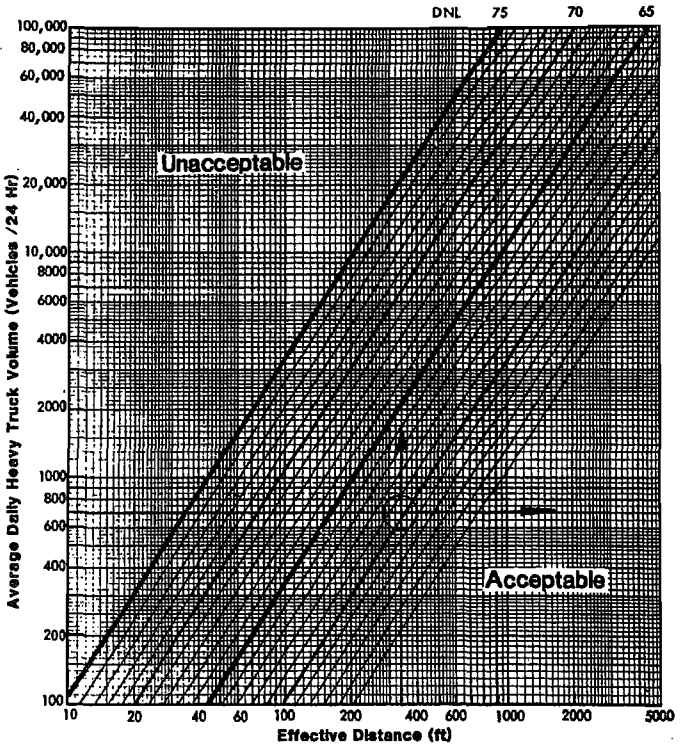

MV00170530

17. Combined Noise Level = 74 LDN (+ OR – 1 dB)

Worksheet C
Roadway Noise

Page 1

Noise Assessment Guidelines

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	125	45		
b. farthest lane	233	93		
c. average (effective distance)	179	69		
2. Distance to stop sign	250	100		
3. Road gradient in percent	3%	1%		
4. Average speed in mph				
a. Automobiles	30	30		
b. heavy trucks - uphill	30	30		
c. heavy trucks - downhill	30	30		
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	22000	14000		
b. medium trucks	2000	700		
c. effective ADT (a + (10xb))	42000	21000		
6. 24 hour average number of heavy trucks				
a. uphill	475	300		
b. downhill	475	300		
c. total	950	600		
7. Fraction of nighttime traffic (10:00 p.m. to 7:a.m.)	10%	20%		
8. Traffic projected for what year?	–	–		

Worksheet C
Roadway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	.48	x .30	x .81	x 42000	= 4899	57	– 0	= 57
Road No. 2	.25	x .30	x 1.19	x 21000	= 1874	59	– 0	= 59
Road No. 3		x	x	x	=		–	=
Road No. 4		x	x	x	=		–	=

Adjustments for Heavy Truck Traffic

	17 Gradient Table 8	18 Average Speed Table 7	19 Truck ADT (line 6)	20	21	22 Stop and-go Table 9	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Attn.	27 Partial DNL
Road No. 1 Uphill	1.7	x .81	x 475	= 654							
Road No. 1					Add 1039	x 1.8	x .81	= 1515	68	– 0	= 68
Road No. 1 Downhill	.81	x 475	= 385								
Road No. 2 Uphill	–	x .81	x 300	= 243							
Road No. 2					Add 486	x 1.8	x 1.19	= 1041	72	– 0	= 72
Road No. 2 Downhill	.81	x 300	= 243								
Road No. 3 Uphill	x	x	=								
Road No. 3					Add	x	x	=		–	=
Road No. 3 Downhill	x	x	=								
Road No. 4 Uphill	x	x	=								
Road No. 4					Add	x	x	=		–	=
Road No. 4 Downhill	x	x	=								

Combined Automobile & Heavy Truck DNL

Road No. 1 68 Road No. 2 72 Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads 74

Signature _____ Date _____

Workchart 1
Autos (55 mph)

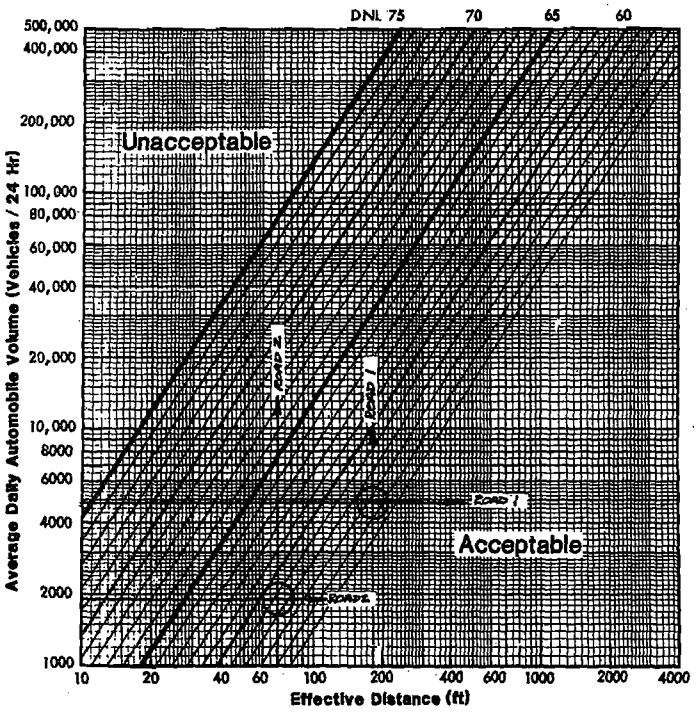

Workchart 2
Heavy Trucks (55 mph)

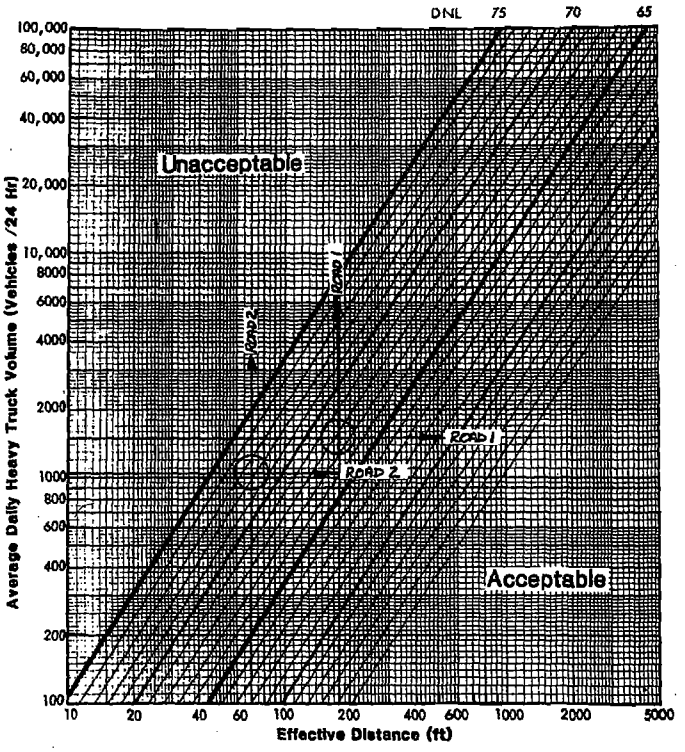

MV00170531

18. Combined Noise Level = 71 LDN

Note—In Order to Complete Column 18 for Railway #2 You Must Find the Average Number of Cars Per Train. Multiply the Number of Diesel Trains Times the Number of Cars Per Train (20 × 45 = 900). Multiply the Number of Electrified Trains Times the Number of Cars Per Train (2 × 15 = 30). Add the Two Totals Together and Divide By the Total Number of Trains (900 + 30 = 930 – 22 = 42).

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	1.5	1.0	–	1.38	35	72	70	0	72
Railway No. 2	1	.75	–	1.0	20	15	58	0	58
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	1.4	1.0	4	1.38	35	270	64	0	64
Railway No. 2	.84	1.78	4	1.38	22	182	57	0	57
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 71 Railway No. 2 61 Railway No. 3 71 Total DNL for all Railways

Signature _____ Date _____

19. Combined Noise Level = 76 LDN

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	2.5	.88	–	1.19	34	89	75	0	75
Railway No. 2	2	1.50	–	1.38	12	50	70	0	70
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	1.5	1.39	–	1.19	34	84	63	0	63
Railway No. 2	.80	.44	4	1.38	12	23	55	0	55
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 75 Railway No. 2 70 Railway No. 3 _____ Total DNL for all Railways 76

Signature _____ Date _____

MV00170532

20. Combined Noise Level = 75 LDN

Worksheet C
Roadway Noise

Page 1

Noise Assessment Guidelines

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	100	45	52	
b. farthest lane	208	75	92	
c. average (effective distance)	154	60	72	
2. Distance to stop sign	–	175	400	
3. Road gradient in percent	1%	4%	1%	
4. Average speed in mph				
a. Automobiles	55	40	25	
b. heavy trucks - uphill	55	40	25	
c. heavy trucks - downhill	55	40	25	
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	40000	15000	5000	
b. medium trucks	–	900	1050	
c. effective ADT (a + (10xb))	40000	24000	15500	
6. 24 hour average number of heavy trucks				
a. uphill	–	160	87	
b. downhill	–	160	88	
c. total	–	320	175	
7. Fraction of nighttime traffic (10:00 p.m. to 7:a.m.)	15%	20%	20%	
8. Traffic projected for what year?	–	–	–	

Worksheet C
Roadway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	0	x 1.0	x 1.0	x 40000	= 40000	67	- 0	= 67
Road No. 2	.36	x .53	x 1.19	x 24000	= 5450	65	- 0	= 65
Road No. 3	.70	x .21	x 1.19	x 15500	= 2711	60	- 0	= 60
Road No. 4		x	x	x	=		-	=

Adjustments for Heavy Truck Traffic

	17 Gradient Table 8	18 Average Speed Table 7	19 Truck ADT 2	20	21	22 Stop and-go Table 8	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	–	x –	x –	= –							
Road No. 1					Add –	x –	x –	= –	–	–	= –
Road No. 1 Downhill		–	x –	= –							
Road No. 2 Uphill	2.0	x .81	x 160	= 259							
Road No. 2					Add 389	x 1.8	x 1.19	= 833	72	- 0	= 72
Road No. 2 Downhill		.81	x 160	= 130							
Road No. 3 Uphill	1.0	x .81	x 87	= 70							
Road No. 3					Add 141	x 1.8	x 1.19	= 303	67	- 0	= 67
Road No. 3 Downhill		.81	x 88	= 71							
Road No. 4 Uphill		x	x	=							
Road No. 4					Add	x	x	=			=
Road No. 4 Downhill			x	=							

Combined Automobile & Heavy Truck DNL

Road No. 1 67 Road No. 2 73 Road No. 3 68 Road No. 4 _____ Total DNL for All Roads 75

Signature _____ Date _____

MV00170533

21. Combined Noise Level = 81 LDN

To Solve This Problem You Must Add Some More Lines to the Workchart for Engines Because the Workchart as Set up Does Not Go High Enough. There Are A Variety of Ways to Do This But One of the Easiest Is to Take A Piece of Blank Paper (A 3 x 5 Card Does Very Well) Place the Edge of the Paper Along Either the Top Or Bottom Edge of the Workchart and Mark Where the LDN Lines Fall Along the Edge of the Blank Paper. Then Once You Have Drawn Your Distance and Operations Lines on the Work Chart, You Take Your Paper with the Line Markings and Lay It along the Line for Adjusted Operations with the Mark Farthest to the Right Lined up with the 75 LDN Line. Now Just Count over until You Reach the Intersection of the Operations and Distance Lines.

Worksheet D **Page 2** **Noise Assessment Guidelines**
Railway Noise

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Atn.	17 Partial DNL
Railway No. 1	1.5	1.0	10	1.19	30	535	81	0	81
Railway No. 2									
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 60	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Atn.	26 Partial DNL
Railway No. 1	1.0	1.0	4	1.19	30	143	63	0	63
Railway No. 2									
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 81 Railway No. 2 _____ Railway No. 3 _____ Total DNL for all Railways 81

Signature _____ Date _____

Workchart 3
Railroads - Diesel Locomotives

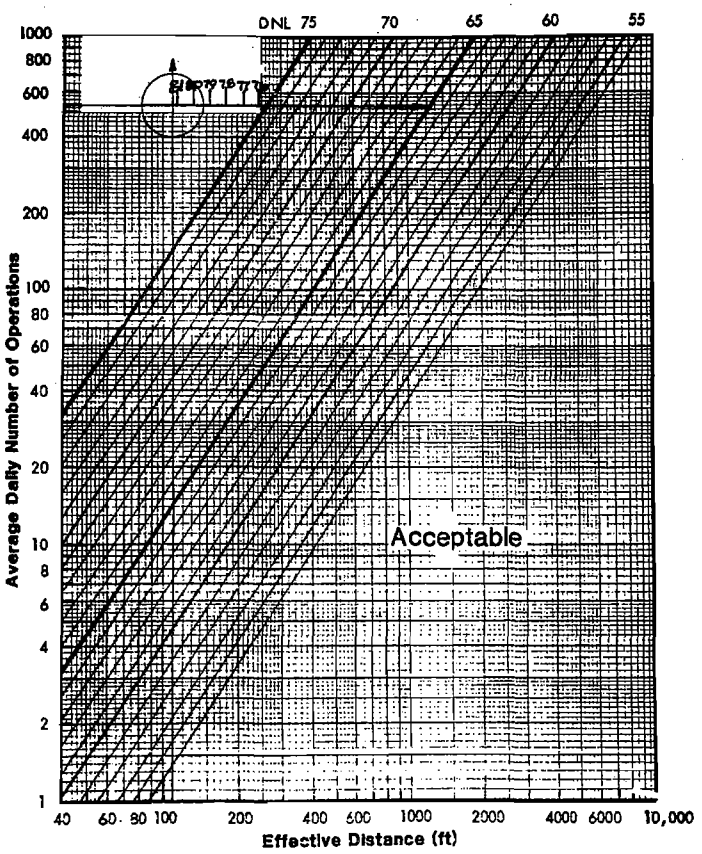

Workchart 4
Railroads - Cars and Rapid Transit

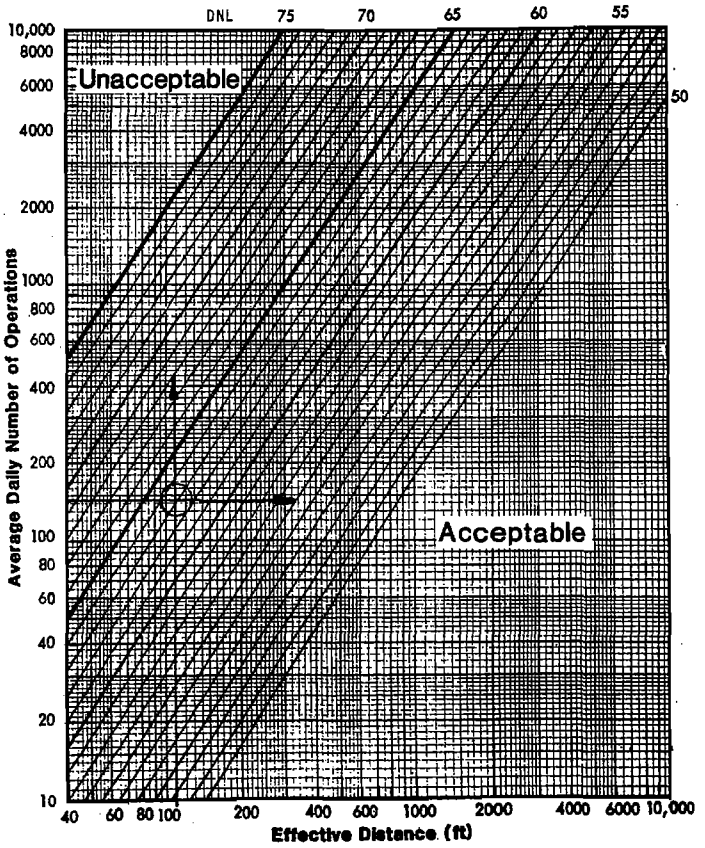

MV00170534

22. H = 10 Feet, R = 40 Feet, R′ = 30 Feet, D = 170 Feet, D′ = 150 Feet

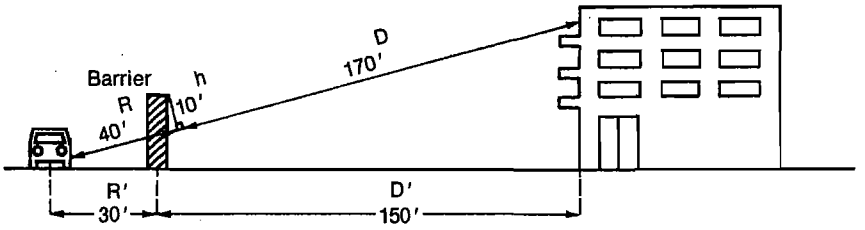

23. H = 8 Feet, R = 90 Feet, R′ = 70 Feet, D = 40 Feet, D′ = 50 Feet

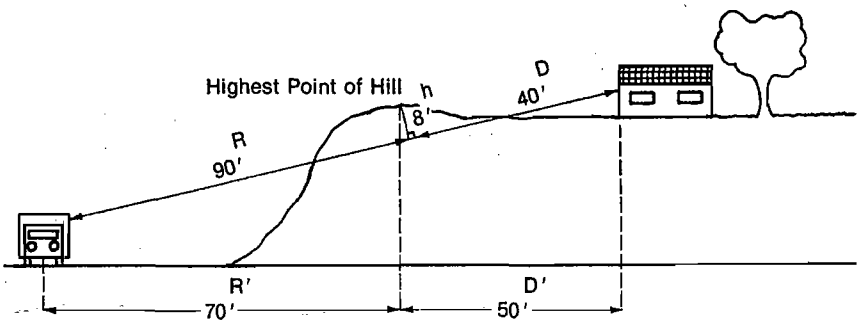

Note—The Line of Sight Line Starts Above the Road Level Because of the Trucks.

24. H = 8 Feet, R = 52 Feet, R′ = 50 Feet, D = 61 Feet, D′ = 60 Feet

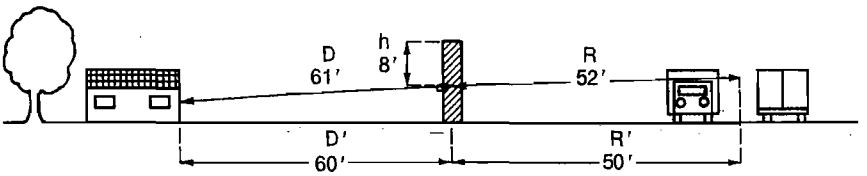

MV00170535

25. The Noise Attenuation Provided Is 7 Decibels

Workchart 6
Noise Barrier

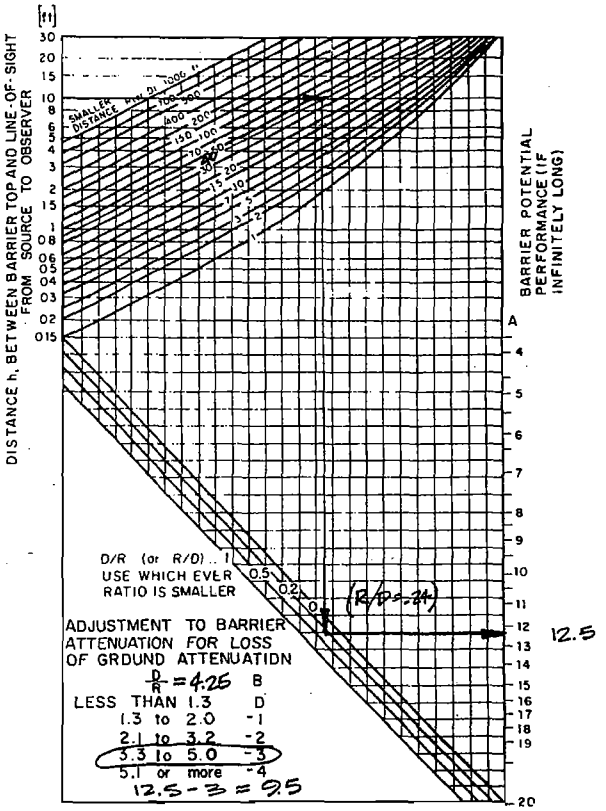

Workchart 7

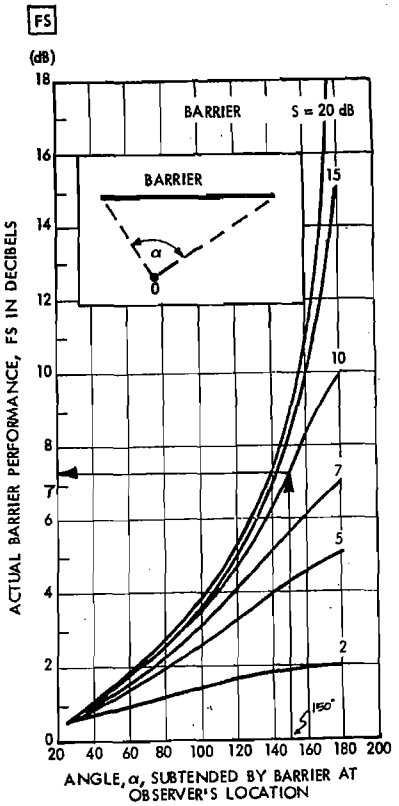

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00170536

26. The Noise Attenuation Provided Is 3 Decibels

Note—When the Curves ARe So Close Together Don't Worry About Extrapolating. In This Case You Couldn't Anyway, the 15 dB and 10 dB Curves Have Merged.

Workchart 6
Noise Barrier

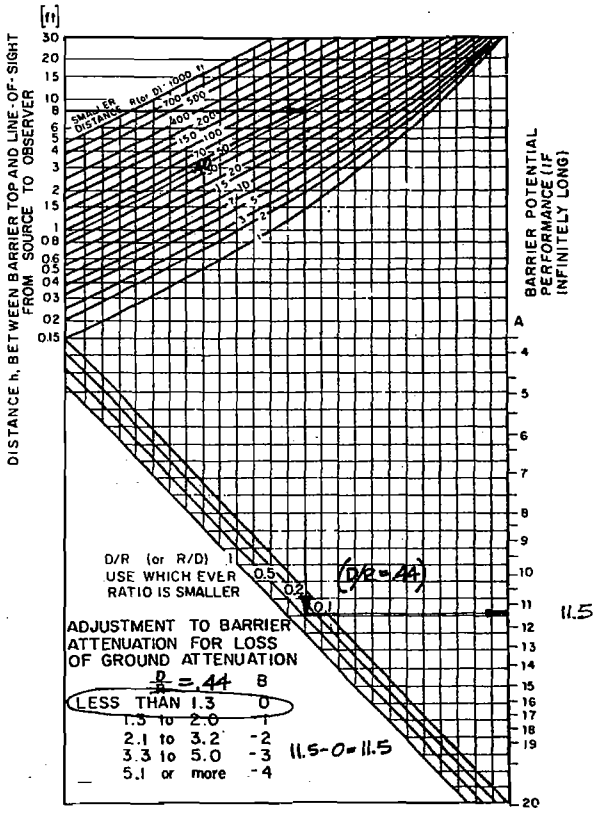

Workchart 7

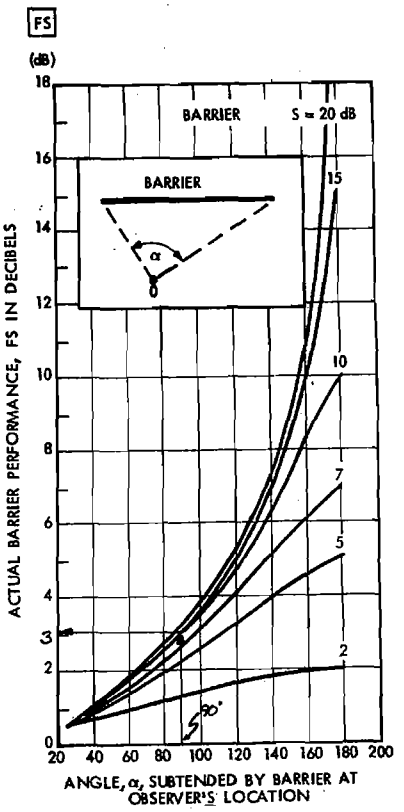

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00170537

27. The Noise Attenuation Provided Is 6 Decibels (5.5 Rounded Up)

Note—Again You Have Problems With Extrapolating—Don't Worry About Being Too Precise.

Workchart 6
Noise Barrier

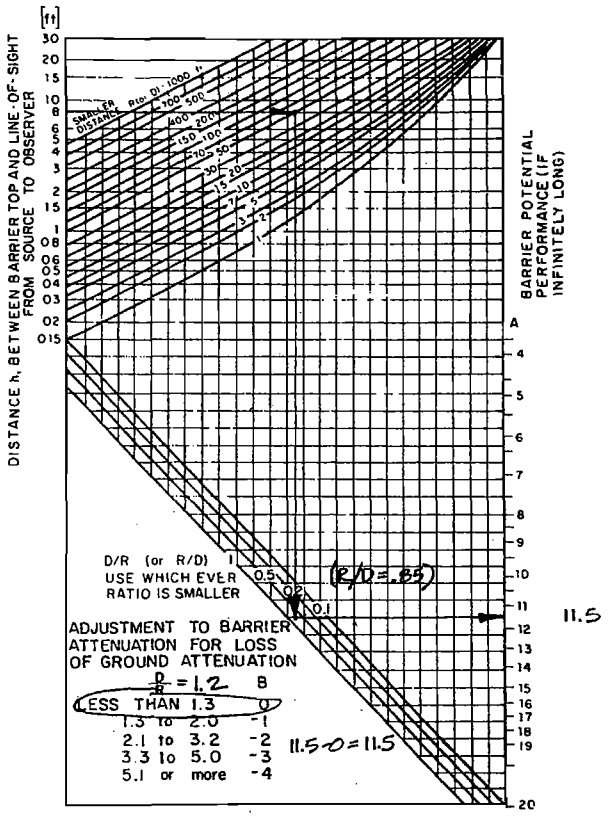

Workchart 7

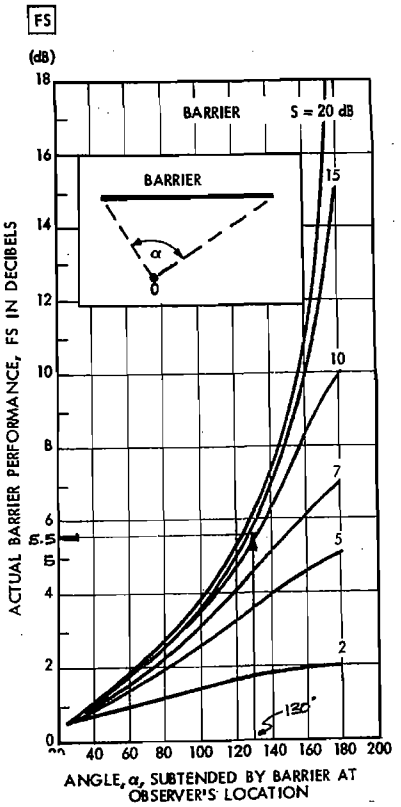

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00170538

28. The Noise Attenuation Provided by This Barrier Is 4 dB. This Is Sufficient

Note—Don't Forget That the Height of the observor Is 5′ Less Than the Total Height of the Building and the Height of the Building Is 10 Feet Times the Number of Stories. And Did You Remember to Make the Adjustment for Ground Attenuation Loss.

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 15 R′= 40

S= 0 D′= 20

O= 15

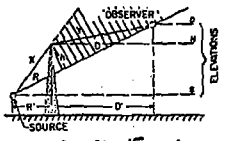

1. *Elevation of barrier top minus elevation of source*	[H 15] − [S 0]	= [1 15]		
2. Elevation of observer minus elevation of source	[O 15] − [S 0]	= [2 15]		
3. Map distance between source and observer (R′ + D′)		[3 60]		
4. Map distance between barrier and source (R′)		[4 40]		
5. Line 2 divided by line 3	[2 15] ÷ [3 60]	= [5 .25]		
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .25] × [5 .25]	= [6 .0625]		
7. 40% of line 6	[0.4] × [6 .0625]	= [7 .025]		
8. *One minus line 7*	[1.0] − [7 .025]	= [8 .975]		
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .25] × [4 40]	= [9 10]		
10. *Line 1 minus line 9*	[1 15] − [9 10]	= [10 5]		
11. Line 10 times line 8	[10 5] × [8 .975]	= [11 4.9]	= h	
12. Line 5 times line 10	[5 .25] × [10 5]	= [12 1.25]		
13. Line 4 divided by line 6	[4 40] ÷ [8 .975]	= [13 41]		
14. Line 13 plus line 12	[13 41] + [12 1.25]	= [14 42]	= R	
15. Line 3 minus line 4	[3 60] − [4 40]	= [15 20]		
16. Line 15 divided by line 8	[15 20] ÷ [8 .975]	= [16 20.5]		
17. *Line 16 minus line 12*	[16 20.5] − [12 1.25]	= [17 19]	= D	

[**Note:** the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (−y) = x−y. And subtracting a negative number is like adding: X−(−y) = x+y.)

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

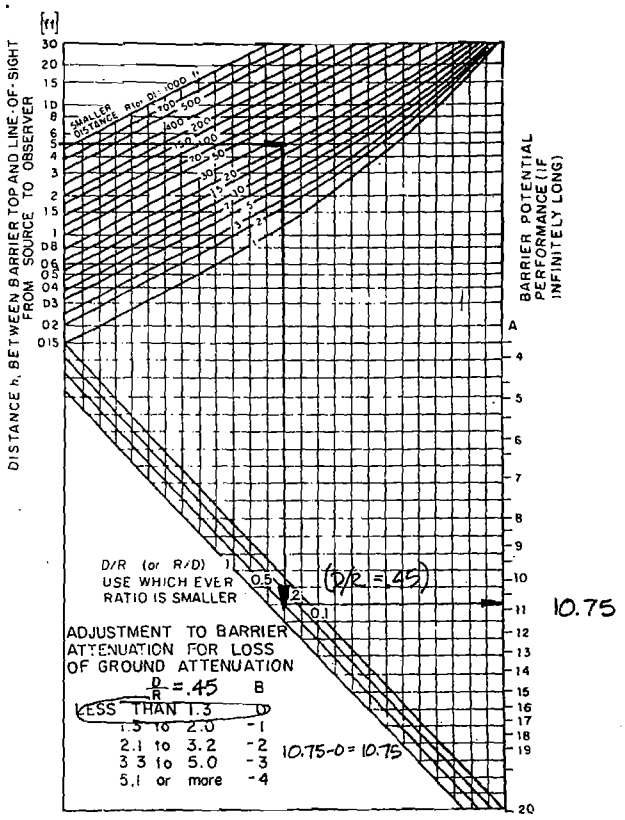

Workchart 7

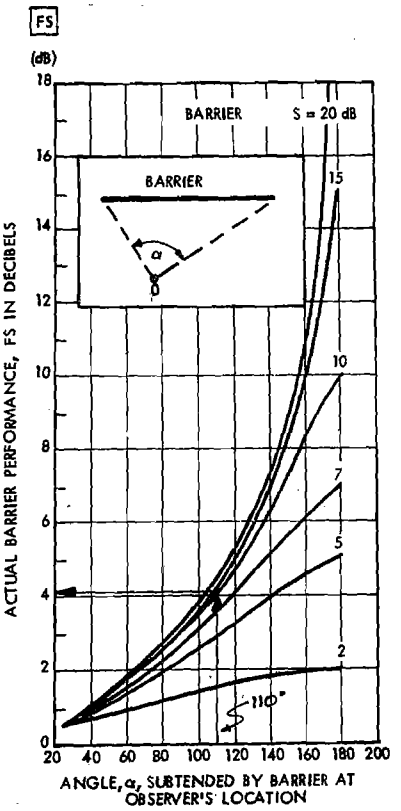

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00170539

29. The Noise Attenuation Provided by This Barrier Is Approximately 5 dB for Both the Engines and the Railroad Cars.

This Is Not Sufficient.

Note—You Were Supposed to Calculate Attenuation for Diesel Engines and Cars Separately Because the Source Heights Are Different. The Value of S for the Engines Should Have Been −10 and the Value of S for the Railroad Cars Should Have Been −25.

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 12 R'= 40

S= −10 D'= 85

O= 25

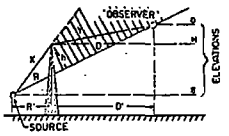

1. Elevation of barrier top minus elevation of source	[H 12] − [S −10]	= [1 22]		
2. Elevation of observer minus elevation of source	[O 25] − [S −10]	= [2 35]		
3. Map distance between source and observer (R' + D')		[3 125]		
4. Map distance between barrier and source (R')		[4 40]		
5. Line 2 divided by line 3	[2 35] ÷ [3 125]	= [5 .28]		
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .28] × [5 .28]	= [6 .08]		
7. 40% of line 6	[0.4] × [6 .08]	= [7 .03]		
8. One minus line 7	[1.0] − [7 .03]	= [8 .97]		
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .28] × [4 40]	= [9 11.2]		
10. Line 1 minus line 9	[1 22] − [9 11.2]	= [10 10.8]		
11. Line 10 times line 8	[10 10.8] × [8 .97]	= [11 10.5]	= h	
12. Line 5 times line 10	[5 .28] × [10 10.8]	= [12 3]		
13. Line 4 divided by line 8	[4 40] ÷ [8 .97]	= [13 41]		
14. Line 13 plus line 12	[13 41] + [12 3]	= [14 44]	= R	
15. Line 3 minus line 4	[3 125] − [4 40]	= [15 85]		
16. Line 15 divided by line 8	[15 85] ÷ [8 .97]	= [16 88]		
17. Line 16 minus line 12	[16 88] − [12 3]	= [17 85]	= D	

[Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 18, 14, and 17, that adding a negative number is the same as subtracting: x + (−y) = x−y. And subtracting a negative number is like adding: X−(−y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

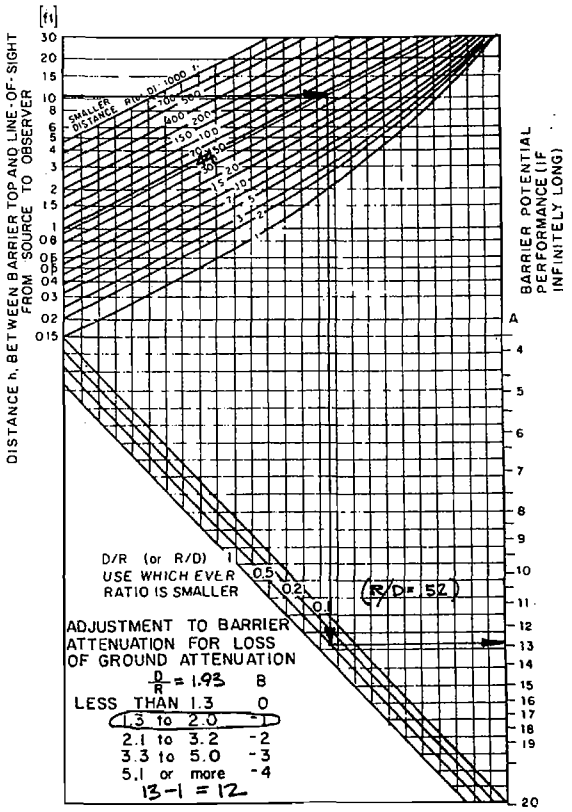

Workchart 7

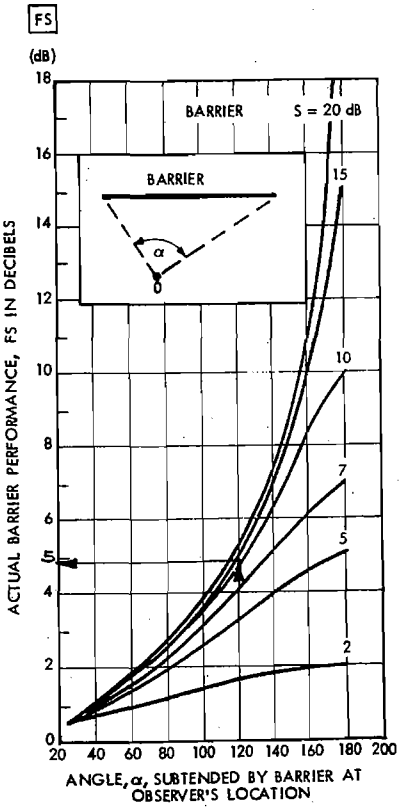

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00170540

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances.

Enter the values for:

H= 12 R'= 40

S= -25 D'= 85

O= 25

Fill out the following worksheet (all quantities are in feet):

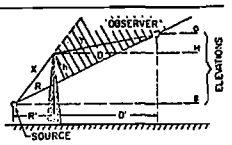

1. Elevation of barrier top minus elevation of source	[H 12] −	[S −25] =	[1 37]	
2. Elevation of observer minus elevation of source	[O 25] −	[S −25] =	[2 50]	
3. Map distance between source and observer (R' + D')			[3 125]	
4. Map distance between barrier and source (R')			[4 40]	
5. Line 2 divided by line 3	[2 50] ÷	[3 125] =	[5 .4]	
6. Square the quantity on line 5 (i.e., multiply it by itself): always positive	[5 .4] ×	[5 .4] =	[6 .16]	
7. 40% of line 6	[0.4] ×	[6 .16] =	[7 .06]	
8. One minus line 7	[1.0] −	[7 .06] =	[8 .94]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .4] ×	[4 40] =	[9 16]	
10. Line 1 minus line 9	[1 37] −	[9 16] =	[10 21]	
11. Line 10 times line 8	[10 21] ×	[8 .94] =	[11 19.7]	= h
12. Line 5 times line 10	[5 .4] ×	[10 21] =	[12 8.4]	
13. Line 4 divided by line 8	[4 40] ÷	[8 .94] =	[13 42.6]	
14. Line 13 plus line 12	[13 42.6] +	[12 8.4] =	[14 51]	= R
15. Line 3 minus line 4	[3 125] −	[4 40] =	[15 85]	
16. Line 15 divided by line 8	[15 85] ÷	[8 .94] =	[16 90.4]	
17. Line 16 minus line 12	[16 90.4] −	[12 8.4] =	[17 82]	= D

[Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

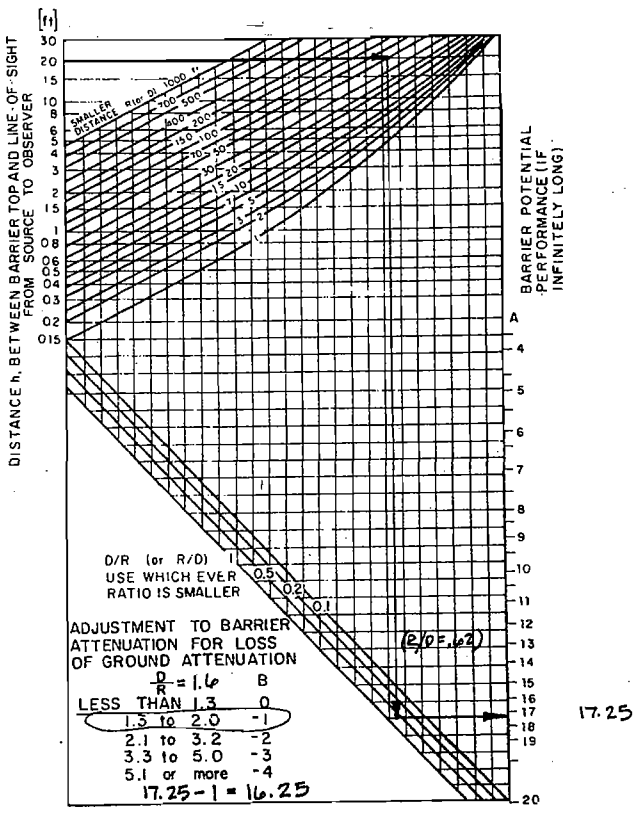

Workchart 7

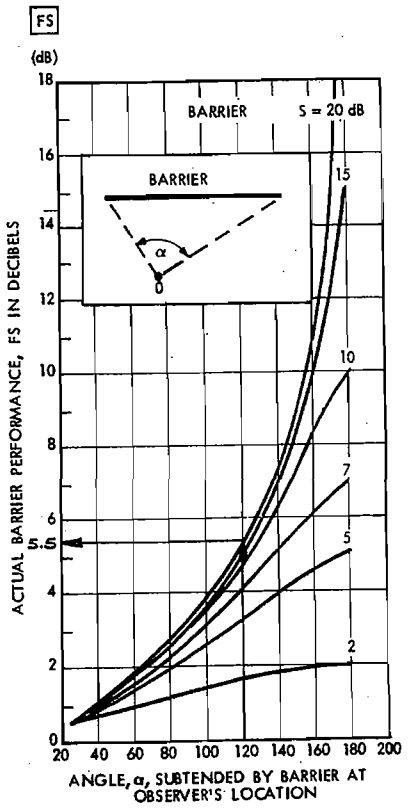

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00170541

30. The Noise Attenuation Provided by This Barrier Is 3 dB for Trucks and 5 dB for Autos. The Combined Level Resulting Is 69 LDN.

This Is Not Sufficient

Note—You Must Calculate the Barrier Effect Separately for Autos and Trucks Because the Source Height is Different. Then Recombine levels.

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 16 R'= 36

S= 0 D'= 56

O= 25

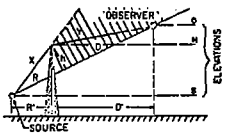

1. Elevation of barrier top minus elevation of source	[H 16	] −	[S 0	] =	[1 16	]	
2. Elevation of observer minus elevation of source	[O 25	] −	[S 0	] =	[2 25	]	
3. Map distance between source and observer (R' + D')					[3 92	]	
4. Map distance between barrier and source (R')					[4 36	]	
5. Line 2 divided by line 3	[2 25	] ÷	[3 92	] =	[5 .27	]	
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .27	] ×	[5 .27	] =	[6 .07	]	
7. 40% of line 6	[0.4	] ×	[6 .07	] =	[7 .03	]	
8. One minus line 7	[1.0	] −	[7 .03	] =	[8 .97	]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .27	] ×	[4 36	] =	[9 9.7	]	
10. Line 1 minus line 9	[1 16	] −	[9 9.7	] =	[10 6.3	]	
11. Line 10 times line 9	[10 6.3	] ×	[8 .97	] =	[11 6.1	]	= h
12. Line 5 times line 10	[5 .27	] ×	[10 6.1	] =	[12 1.7	]	
13. Line 4 divided by line 9	[4 36	] ÷	[8 .97	] =	[13 37	]	
14. Line 13 plus line 12	[13 37	] +	[12 1.7	] =	[14 39	]	= R
15. Line 3 minus line 4	[3 92	] −	[4 36	] =	[15 56	]	
16. Line 15 divided by line 9	[15 56	] ÷	[8 .97	] =	[16 58	]	
17. Line 16 minus line 12	[16 58	] −	[12 1.7	] =	[17 56	]	= D

(Note: the value on line 2 may be negative, in which case so will the values on lines 5, 9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x +(-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x+y.)

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

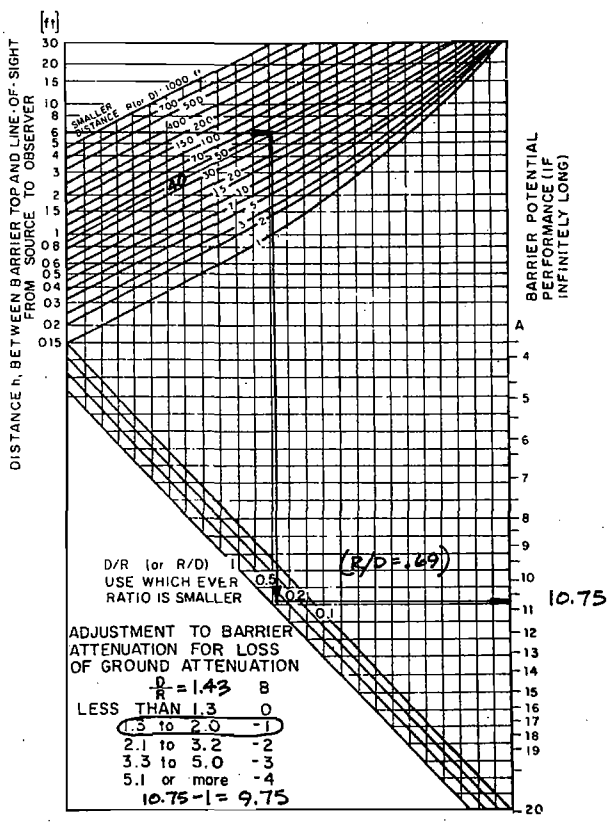

Workchart 7

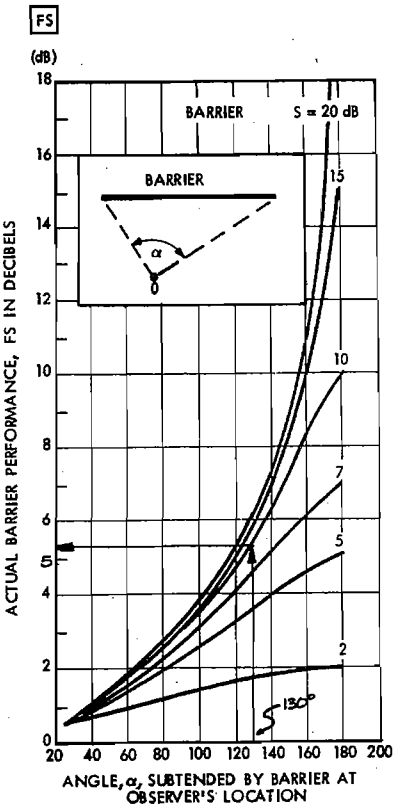

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00170542

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 16 R'= 36

S= 8 D'= 56

O= 25

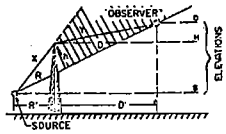

1. Elevation of barrier top minus elevation of source	[H 16] −	[S 8] =	[1 8]	
2. Elevation of observer minus elevation of source	[O 25] −	[S 8] =	[2 17]	
3. Map distance between source and observer (R' + D')			[3 92]	
4. Map distance between barrier and source (R')			[4 36]	
5. Line 2 divided by line 3	[2 17] ÷	[3 92] =	[5 .2]	
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .2] ×	[5 .2] =	[6 .04]	
7. 40% of line 6	[0.4] ×	[6 .04] =	[7 .02]	
8. One minus line 7	[1.0] −	[7 .02] =	[8 .98]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .2] ×	[4 36] =	[9 7]	
10. Line 1 minus line 9	[1 8] −	[9 7] =	[10 1]	
11. Line 10 times line 8	[10 1] ×	[8 .98] =	[11 .98]	= h
12. Line 5 times line 10	[5 .2] ×	[10 1] =	[12 .2]	
13. Line 4 divided by line 8	[4 36] ÷	[8 .98] =	[13 37]	
14. Line 13 plus line 12	[13 37] +	[12 .2] =	[14 37]	= R
15. Line 3 minus line 4	[3 92] −	[4 36] =	[15 56]	
16. Line 15 divided by line 8	[15 56] ÷	[8 .98] =	[16 57]	
17. Line 16 minus line 12	[16 57] −	[12 .2] =	[17 57]	= D

[**Note:** the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

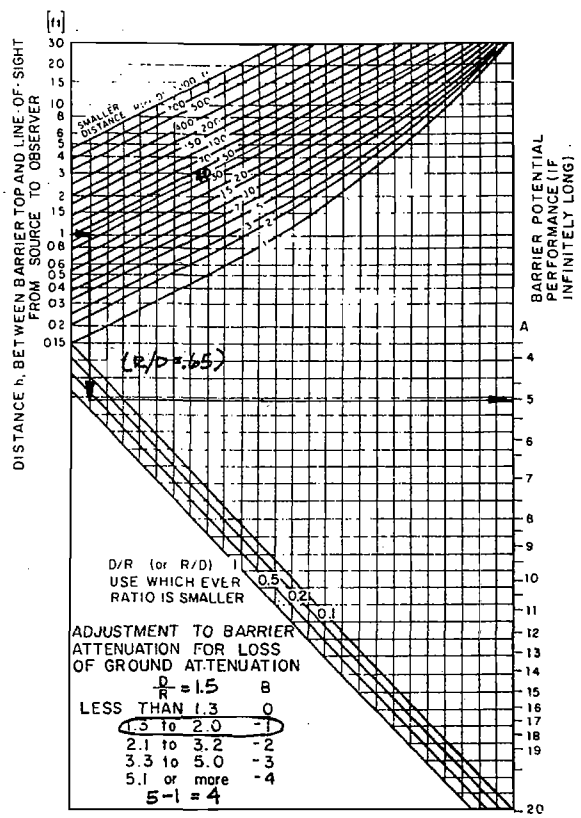

Workchart 7

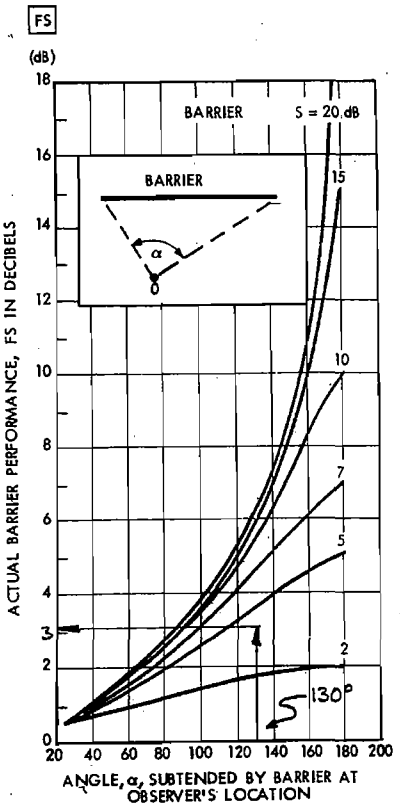

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00170543

Chapter 7

The Use of Noise Measurements

Noise Calculations Are Best For HUD Use

There are two ways to determine noise levels for a site under review: the noise can be calculated or it can be measured. While one's first reaction might well be that it would obviously be better to go out and actually measure the noise levels at the site, calculated noise levels are really much better for implementing HUD's noise policy.

Calculated noise levels are developed using mathematical models that contain a variety of assumptions about the process of noise propagation as well as data on sound levels generated by typical sources (i.e. aircraft engines, automobile tires etc.). The model can be a complex computer model or it can be a simple desktop model such as the procedures in the *Noise Assessment Guidelines*. The models can also employ a variety of noise descriptors. (See chapter 1 for a discussion of noise descriptors.) Most noise studies done for the Federal Highway Administration, for example, use either the L_{10} or the L_{eq} noise descriptor. Many aircraft noise studies use the NEF or CNEL descriptor. All of these descriptors are compatible with the L_{dn} noise descriptor system that is preferred by HUD and the HUD noise regulation contains instructions for converting all of them into L_{dn}. (sections 51.106(a)(1) and (2))

Whether produced by a sophisticated computer model or by the desktop *Noise Assessment Guidelines*, calculated noise levels are more useful for HUD needs than measured levels for two significant reasons: The first is that with noise measurements you have no good way to take into account future changes in the future noise environment. The houses we help build today are going to be around for a long time and it is very important that we determine, to the extent we can, the noise environment that will exist throughout the life of the buildings. While there are clearly limitations on how far into the future we can reasonably project traffic levels for roads, railroads and airports, we can at least look 5 to 10 years ahead. The HUD noise regulation (24 CFR 51B) requires that "to the extent possible, noise exposure shall be projected to be representative of conditions that are expected to exist at a time at least 10 years beyond the date of the project or action under review." It is very easy to make these projections if you use the *Noise Assessment Guidelines* or a computer model to determine noise levels.

The second reason why we prefer that you calculate noise levels is that through the calculation process you can use monthly or yearly data to determine traffic levels. Thus you come up with a more typical picture of conditions. With noise measurements there is always the possibility that the day or even days chosen for measurements will not be typical and that the measurements may over or understate the problem. While the conscientious measurer will try to account for any unusual conditions, it isn't always possible. So long as cost considerations limit the number of days that measurements can be taken there will always be the problem of unrepresentative data. With calculations this isn't a problem. The computer model that generates contours for airports, for example, uses an entire years data to develop the average day. Certainly the results are more likely to be representative than the results that would be derived from just a few days measurements.

When Noise Measurements Are Useful

While it is the preferred procedure to calculate noise levels, there are a few situations where the noise models might not be accurate and it might be better to rely on measurements. One instance would be when there is insufficient or inadequate traffic data. Another case might be where you have a unique physical situation that is not accounted for in whatever mathematical model is available.

Obtaining good traffic data can be difficult. You may only be able to get gross data that simply lists total vehicles without making any distinctions between trucks and automobiles. Or you may not be able to get any reliable data on the percentage of traffic between 10 pm and 7 am. While the *Noise Assessment Guidelines* do contain some assumptions that you can use when you don't have all the data you need, there may be instances when you just don't think those assumptions would accurately portray the problem.

By the same token, there are certain physical situations that mathematical models such as the *Noise Assessment Guidelines* couldn't anticipate and therefore do not reflect in their formulas. For example, the *Guidelines* say that you don't have to calculate the noise levels for underground transit lines. Well what if the line is underground but there are large air vents that reach from the belowground tunnels to the surface? A great deal of noise can reach the surface through these vents but the *Noise Assessment Guidelines* don't have any way to take it into account. You couldn't treat it as if the subway line were aboveground because it isn't really and at least some of the noise is blocked. This would be a case where a noise measurement would probably be the best way to determine the noise levels. By the same token, the guidelines do not really take into account the sometimes significant amounts of reflected noise that can occur at urban sites surrounded by tall buildings, i.e. the canyon effect.

When Not to Use Measurements

One thing noise measurements should not be used for is to confirm or refute calculated noise levels, especially computer generated aircraft contours. Our experience with both the *Noise Assessment Guidelines* and with computer noise models is that both are quite accurate if done properly. If you are convinced that the calculations were done correctly, and if you believe that the data used were good, you should strongly discourage anyone who wants to take measurements because they think that measurements are inherently more accurate than calculations. Comparing measured noise levels to calculated levels is like comparing apples and oranges. The

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calculated noise levels should include projected traffic levels, the measured ones will not. The calculated levels will be based on daily traffic counts derived by averaging months of data, the measured levels will, at best, reflect just a few days. (This is particularly true for aircraft noise contours. The day-to-day operations of an airport can vary significantly depending upon weather conditions and any one or two days worth of measurements are very likely to show different levels from those generated by a computer model employing a year of data to derive an average day.)

If you have determined that noise measurements are appropriate, you must make sure that they are done properly, otherwise the data will be useless. There are four elements to proper measurements: 1) where the measurements are taken; 2) when they are taken; 3) the type of equipment used; and 4) the actual measurement procedure.

Where measurements should be taken: The locations for noise measurements should be selected using the same criteria you would use to select a Noise Assessment Location for a *Noise Assessment Guidelines* calculation. The *Noise Assessment Guidelines* recommend that "assessments of the noise exposure should be made at representative locations around the site where significant noise is expected." Further, the *Guidelines* state that when selecting these locations you should consider those buildings containing noise sensitive uses which are closest to the predominant noise sources. Where quiet outdoor space is desired at a site, you should also select points in the outdoor area in question. Specifically, the "relevant measurement location for buildings is a point 2 meters (6.5 feet) from the facade." If there are no buildings yet the measurement point should be 2 meters from the closest point setback requirements would allow a building facade.

When measurements should be taken: Because measurements are only going to be taken for a few days at best, special care should be taken to make sure that the days selected are representative of average traffic levels. For highways, avoid both Monday and Friday, particularly before or after a holiday. In fact holiday periods, such as the Christmas/New Years season, should be avoided entirely. Highway traffic, or rather more importantly, truck traffic is likely to be down during these periods and noise levels may be significantly lower than normal. On the other hand, holiday periods are often peak travel periods for airlines and measurements taken around airports then would show unusually high noise levels.

Whoever is taking the measurements should also check to make sure that there aren't any special circumstances that might affect traffic levels. For example road construction or repair work might divert additonal traffic onto the road being measured, or divert traffic away. In both cases the noise levels measured would not be representative.

And finally, noise measurements should not be taken during extreme weather conditions both because of the possible effects on traffic levels but also because the weather conditions can exaggerate the actual noise levels.

Ideally, noise measurements should be taken over several days spread over at least a few months. But given that time and money will normally preclude this, at least make sure the one or two days you can get are as close to typical as possible.

What equipment to use: There are many sound level meters on the market which are suitable for taking noise measurements for transportation sources. They need only to meet the requirements of American National Standard Specification for Type 1 Sound Level Meters: S1.4-1971. Type 1 sound level meters are "precision" meters and provide the most accurate measurements. They are also, of course, the most expensive. Fast time-averaging and A frequency weighting are to be used. The sound level meter with the A-weighting is progressively less sensitive to sound with frequencies below 1,000 hertz, somewhat as is the ear. With fast time averaging the sound level meter responds particularly to recent sounds almost as quickly as does the ear in judging the loudness of a sound. Fast time averaging has a time constant of about 1/8 second.

While a sound level measuring system that averages decibel readouts on a short term basis such as for every minute or every hour is acceptable, it would be far better if a system that actually provides a 24 hour integrated L_{dn} readout were used. Such a system eliminates the need for calculating the L_{dn} value, an area where many inexperienced consultants go astray. These systems are more expensive however, and the consultant who doesn't do much noise work is unlikely to have one.

Measurement procedures: Detailed procedures for making sound level measurements are spelled out in the American National Standards Institute's Standard Methods ANSI S1.2-1962(R1976) *American National Standard Method for the Physical Measurement of Sound* and ANSI S1.13-1971(R1976) *American National Standard Methods for the Measurement of Sound Pressure Levels.*

Some of the basic procedures that should be followed are:

1. Measurements should normally be made over a continuous 24 hour period. If this is not possible, measurements may be made over a period of days but still must cover the entire 24 hour period. The selection of the days becomes even more critical so that they are as similar as possible. Sampling is not acceptable.
2. The sound level meter must be calibrated before each use.
3. The sound level meter should be provided with a wind screen.
4. Care should be taken to insure that there are no temporary obstructions, such as parked trucks, between the meter and the source.

The Noise Study

The noise study prepared to describe the measurement results should contain at least the following:

1. A map showing where the measurements were taken
2. A vicinity map showing the site and the major noise sources
3. A chart indicating the date, the time, and weather conditions when measurements were taken at each measurement location
4. The type of microphone used
5. Any variations from ANSI procedures
6. The results of the measurements in L_{dn} for each measurement location
7. Any unusual conditions that existed during the measurement period—i.e. construction activity, major traffic tieup, etc.
8. If an integrating sound level meter was not used, the calculations used to derive the L_{dn} value.

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Noise and Its Effects

By Dr. Alice H. Suter, Conference Consultant, Administrative Conference of the United States, November 1991

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I. Introduction

This report presents an overview of noise and its effects on people. Special emphasis is placed on developments over the past decade, both in terms of noise conditions and noise effects research. By doing so, this report should illustrate some of the reasons for concern about noise problems, which persist after the closing of EPA's Office of Noise Abatement and Control (ONAC).

Noise has a significant impact on the quality of life, and in that sense, it is a health problem in accordance with the World Health Organization's (WHO) definition of health. WHO's definition of health includes total physical and mental well-being, as well as the absence of disease. Along these lines, a 1971 WHO working group stated: "Noise must be recognized as a major threat to human well-being." (Suess, 1973)

The effects of noise are seldom catastrophic, and are often only transitory, but adverse effects can be cumulative with prolonged or repeated exposure. Although it often causes discomfort and sometimes pain, noise does not cause ears to bleed and noise-induced hearing loss usually takes years to

develop. Noise-induced hearing loss can indeed impair the quality of life, through a reduction in the ability to hear important sounds and to communicate with family and friends. Some of the other effects of noise, such as sleep disruption, the masking of speech and television, and the inability to enjoy one's property or leisure time also impair the quality of life. In addition, noise can interfere with the teaching and learning process, disrupt the performance of certain tasks, and increase the incidence of antisocial behavior. There is also some evidence that it can adversely affect general health and well-being in the same manner as chronic stress. These effects will be discussed in more detail in the paragraphs below.

II. ONAC'S Activities in Noise Effects Research and Criteria

In response to the mandates of Section 5 of the Noise Control Act of 1972, ONAC published Public Health and welfare Criteria for Noise (EPA, 1973a) and Information on Levels of Environmental Noise Requisite to Protect Public Health and welfare with an Adequate Margin of Safety (EPA, 1974a), popularly known as the "Levels Document" for obvious reasons). Also in 1973,ONAC sponsored an international conference in Yugoslavia on the effects of noise, from which voluminous proceedings there published (EPA, 1973b). All of these documents there widely distributed and, although somewhat dated, are still read and referenced today. Because a considerable amount of research in this area has been conducted over the past 2 decades, these documents would benefit from revision.

In these documents ONAC established dose-response relationships for noise and its effects, and identified safe levels of noise to prevent hearing loss and activity interference. The agency also established the day-night average noise level as a universal descriptor to be used in assessing the impact of community noise.

Section 14 of the Act directs ONAC to conduct or finance research on noise effects, including investigations of the psychological and physiological effects of noise on humans and the effects of noise on animals. Approximately 35 technical reports resulted from these efforts, as well as contractor reports and numerous articles in scientific journals.

Some of the more noteworthy examples of EPA's research program there:

- Projects involving the cardiovascular effects of noise at the University of Miami, Johns Hopkins University and the Massachusetts Institute of Technology (Peterson, et al., 1978, 1981, 1983; Hattis and Richardson,1980; Turkkan et al, 1983).
- A longitudinal study of noise exposure and hearing threshold levels in children conducted by the Fels Institute (Roche et al., 1977).
- An interagency agreement with the U.S. Air Force to study the effects of noise on hearing (e.g., Guignard, 1973; Johnson, 1973; Schori and McGatha, 1978; Suter, 1978).
- A study identifying the sound levels of speech communication in various environments (Pearsons, et al., 1977).
- Two studies at Northeastern University comparing methods for predicting the loudness and acceptability of noise (Scharf et al., 1977; Scharf and Hellman, 1979).

Although much useful information was derived from these programs, some of them there irreparably damaged by the abrupt termination of funding from ONAC that occurred in 1981 and 1982. For one example, the Johns Hopkins study of cardiovascular effects of noise on primates was terminated after testing on only one subject had been completed. For another, the longitudinal data from the Fels Institute is now of little value after a hiatus of more than a decade.

III. Physical Properties and Measurement of Sound

A. Physical Properties

Noise is often defined as unwanted sound. To gain a satisfactory understanding of the effects of noise, it would be useful to look briefly at the physical properties of sound.

Sound is the result of pressure changes in a medium (usually air), caused by vibration or turbulence. The amplitude of these pressure changes is stated in terms of sound level, and the rapidity with which these changes occur is the sound's frequency. Sound level is measured in decibels (abbreviated dB), and sound frequency is stated in terms of cycles per second, or nowadays, Hertz (abbreviated Hz). Sound level in decibels is a logarithmic rather than a linear measure of the change in pressure with respect to a reference pressure level. A small increase in decibels can represent a large increase in sound energy. Technically, an increase of 3 dB represents a doubling of sound energy, and an increase of 10 dB represents a tenfold increase. The ear, however, perceives a 10-dB increase as doubling of loudness.

Another important aspect is the duration of the sound, and the way it is distributed in time. Continuous sounds have little or no variation in time, varying sounds have differing maximum levels over a period of time, intermittent sounds are interspersed with quiet periods, and impulsive sounds are characterized by relatively high sound levels and very short durations.

The effects of noise are determined mainly by the duration and level of the noise, but they are also influenced by the frequency. Long-lasting, high-level sounds are the most damaging to hearing and generally the most annoying. High-frequency sounds tend to be more hazardous to hearing and more annoying than low-frequency sounds. The way sounds are distributed in time is also important, in that intermittent sounds appear to be somewhat less damaging to hearing than continuous sounds because of the ear's ability to regenerate during the intervening quiet periods. However, intermittent and impulsive sounds tend to be more annoying because of their unpredictability.

B. Instrumentation

The instrument for measuring noise is the basic sound level meter or a number of its derivatives, including noise dose meters (usually called dosimeters), integrating sound level meters, graphic level recorders, and community noise analyzers. Improvements in all of these instruments have taken place during the last decade. This is especially true of the computerized dosimeters and integrating meters, which can measure, compute, store, and display comprehensive data on the noise field (Earshen, 1986). These instruments are now able to measure over very wide dynamic ranges and to measure impulsive sounds with a high degree of accuracy.

C. Measurement and Descriptors

Most sound level meters and dosimeters use built-in frequency filters or "weighting networks " in the measurement process. By far the most frequently used filter is the A weighting network, which discriminates against low-frequency and very high-frequency sounds. A weighting approximates the equal-loudness response of the ear at moderate sound levels, and correlates well with both hearing damage and annoyance from noise. A weighting will be assumed throughout this report unless otherwise specified.

Composite measures of noise, such as the equivalent continuous sound level (Leq) and the day-night average sound level (DNL) incorporate A weighting, (The mathematical notation for DNL is Ldn.) these levels constitute sound energy averages over given periods of time, the DNL incorporates a 10-dB nighttime penalty from 10:00 pm to 7:00 am, meaning that events occurring during

that time are counted as 10 dB higher than they really are. A variant of the DNL that is used in California (and Europe) is the community noise equivalent level (CNEL), which incorporates a 5-dB penalty for evening noise events, as well as the 10-dB nighttime penalty (California Code of Regulations, 1990).

For more than a decade, both the DNL and the simple Leq have been used extensively for assessing the impact of aircraft/airport noise. Recently, however, communities have expressed dissatisfaction with these metrics when used to regulate noise (Wesler, 1990). Metrics that employ averaging fail to describe the disturbance arising from single events, especially low-flying aircraft, unexpected or newly occurring flights, or flights occurring in areas where solitude is at a premium. The sound exposure level (SEL), an event's sound level normalized to one second, is gaining popularity as a supplement to the DNL and the Leq for characterizing single events.

IV. Noise in America

A. Population Trends

The U.S. population has increased an average of 25 million with each census since 1950. According to the World Almanac (1991), the population in 1980 was 226 million and approximately 250 million in 1990. This reflects an increase of nearly 11 percent over the decade, or slightly more than 1 percent per year. Presently, 77 percent of the U.S. population lives in the nation's 283 designated metropolitan areas, and the rate of growth in these areas is twice that of nonmetropolitan areas (Bryant, 1991).

Not surprisingly, EPA research indicates that noise levels in communities is directly related to the population density (EPA, 1974b).[1] Because the noise in urban areas generally exceeds that of suburban and rural areas, it is not unreasonable to assume that noise in the U.S. is increasing at least in proportion to the increase in urbanization and more rapidly than the growth of the general population. In addition, noise sources appear to be multiplying at a faster pace than the population.

B. Noise Sources

Figure 1, from EPA's simplified version of the Levels Document, Protective Noise Levels, shows the range of sound levels for some common noise sources (EPA, 1978). Most leading noise sources will fall into the following categories: road traffic, aircraft, railroads, construction, industry, noise in buildings, and consumer products.

1. Road traffic noise

In its Levels Document (1974), EPA estimated that road traffic noise was the leading source of community noise. EPA's contractors found that to be true in 1981 (EPA, 1981), and there is little reason to believe otherwise today.

Truck transportation, as a convenient and economical means of moving raw materials and consumer goods from place to place, is growing at a faster pace than the general population. For example, a total[2] of 33.6 million trucks there registered in the U.S. in 1980. That number grew to 45.5 million in 1989, an increase of about 35 percent (American Trucking Assoc., 1991).

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[1] The day-night average sound level appears to be proportional to the log of population density in people per square mile (EPA.1974b).

[2] The total number of trucks registered includes personal-use as well as commercial trucks of all weight classes.

Noise from the motors and exhaust systems of large trucks provides the major portion of highway noise impact, and provides a potential noise hazard to the driver as well.[3] In addition, noise from the interaction of tires with the roadway is generated by trucks, buses, and private autos.

In the city, the main sources of traffic noise are the motors and exhaust systems of autos, smaller trucks, buses, and motorcycles. This type of noise can be augmented by narrow streets and tall buildings, which produce a "canyon" in which traffic noise reverberates.

Typical Range of Common Sounds

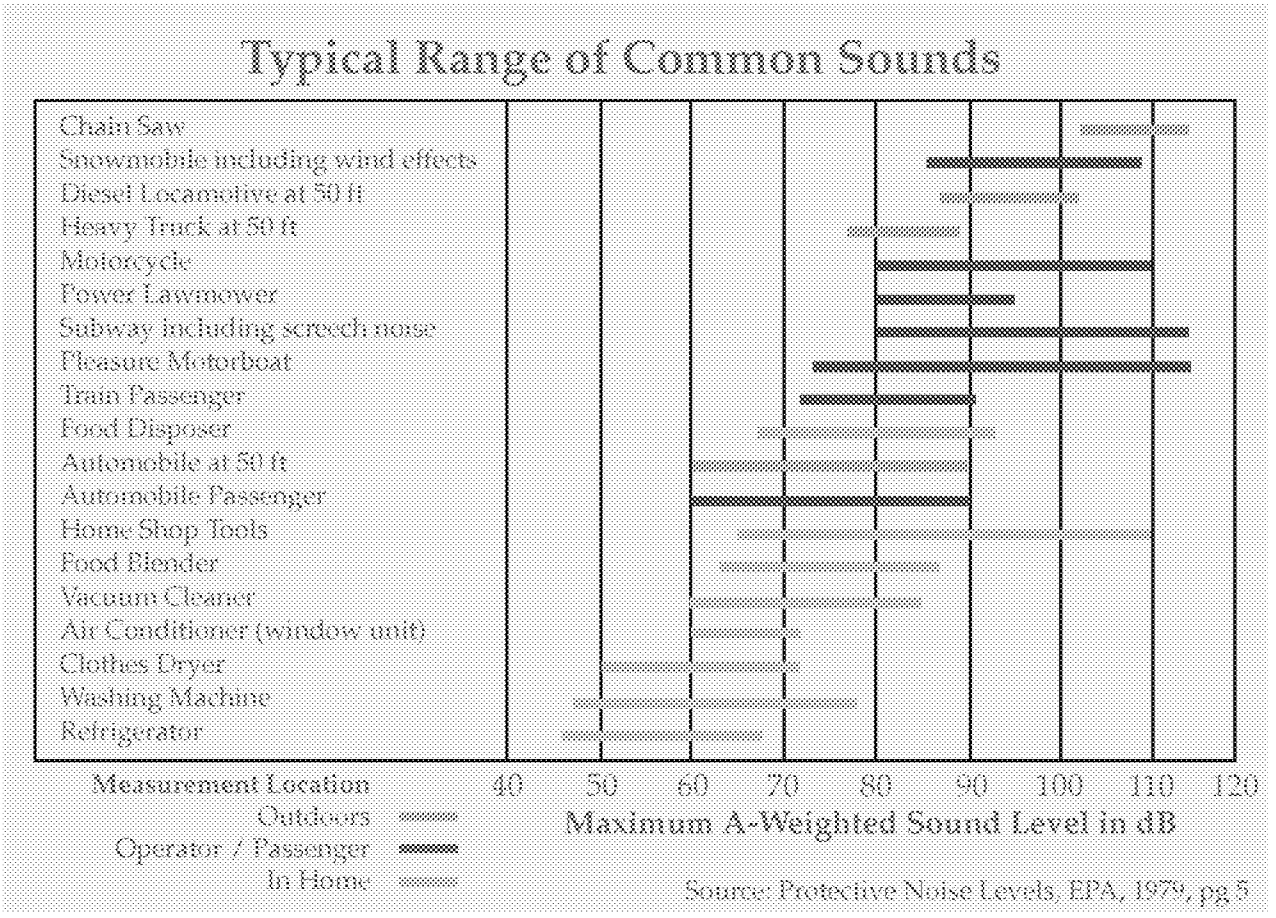

2. Aircraft noise

Air traffic also appears to be increasing more rapidly than the U.S. population. In 1980, U.S. scheduled airlines flew approximately 255.2 billion passenger miles and 5.7 billion cargo (ton) miles. By 1990, these figures there 457.9 billion and 10.6 billion, respectively (Air Transport Assoc., 1991a). This represents an increase of 79 percent in passenger mileage, and 86 percent in air height mileage. Air cargo traffic has grown particularly rapidly in the last five years, and will probably continue that trend over the next decade.

By 1989, the quieter "Stage III" airplanes comprised nearly 40 percent of the domestic fleet (Air Transport Assoc, 1991b). By the year 2004, all of the noisier Stage II aircraft must be phased out

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[3] According to Reinhart (1991) the most common complaint about truck noise is related to problems caused by tampering with the mufflers of trucks using compression brakes. About 5 percent of the heavy trucks surveyed by Reinhart and his colleagues had no functioning muffler, despite the existence of antitampering laws.

(Airport Noise and Capacity Act, 1990). This requirement should promote a quieter environment around airports, but the growth of air transportation and the pressing need for airport expansion threatens to offset the benefits of the quieter aircraft.

Nowadays, the problem of low-flying military aircraft has added a new dimension to community annoyance, as the nation seeks to improve its "nap-of-the-earth" warfare capabilities. In addition, the issue of aircraft operations over national parks, wilderness areas, and other areas previously unaffected by aircraft noise has claimed national attention over recent years (Fidell, 1990; Cantoni, 1991; Weiner, 1990; Mouat, 1990).

3. Noise from railroads

The noise from locomotive engines, horns and whistles, and switching and shunting operations in rail yards can impact neighboring communities and railroad workers. For example, rail car retarders can produce a high-frequency, high-level screech that can reach peak levels of 120 dB at a distance of 100 feet (EPA, 1974), which translates to levels as high as 138 or 140 dB at the railroad worker's ear.

Unlike truck and air transportation, however, rail transportation does not appear to be increasing. According to the Association of American Railroads, the railroad industry loaded 22.1 million freight cars in 1988, down slightly from 22.6 million in 1980 (AAR, 1991).

4. Construction noise

The noise from construction of highways, city streets, and buildings is a major contributor to the urban scene. Construction noise sources include pneumatic hammers, air compressors, bull dozers, loaders, dump trucks (and their back-up signals), and pavement breakers. The construction industry has done very well over recent years with a value-added GNP of $97.9 billion in 1977, increasing to $247.7 billion in 1989 (Dept. of Commerce, 1991), an increase of about 153 percent. The number of workers employed in construction grew from 4.3 million in 1980 to about 5.2 million in 1990, an increase of nearly 21 percent (BLS, 1991a).

5. Noise in industry

Although industrial noise is one of the less prevalent community noise problems, neighbors of noisy manufacturing plants can be disturbed by sources such as fans, motors, and compressors mounted on the outside of buildings. Interior noise can also be transmitted to the community through open windows and doors, and even through building walls. These interior noise sources have significant impacts on industrial workers, among whom noise-induced hearing loss is unfortunately common.

The size of the U.S. manufacturing industry has not grown significantly over the last decade. Although the industrial. GNP increased from $673.9 billion in 1980 to $969.6 billion in 1990 (in terms of constant dollars) (BLS, 1991b), the workforce has declined from slightly more than 20 million to about 19 million during that period (BLS, 1991c). Consequently, industrially-generated community noise is probably no greater than it was in 1980.

From the worker's perspective the industrial noise problem is still very serious. The Occupational Safety and Health Administration has cut back on the enforcement of occupational noise standards and has allowed the substitution of hearing protection devices in lieu of engineering controls in many cases (OSHA, 1986). However, it is difficult to know whether noise levels in industry are increasing or decreasing because no comprehensive survey has been performed since the 1976 survey performed by Bolt Beranek and Newman Inc. (BBN, 1976).

6. Noise in buildings

Apartment dwellers are often annoyed by noise in their homes, especially when the building is not well designed and constructed. In this case, internal building noise from plumbing, boilers, generators, air conditioners, and fans, can be audible and annoying. Improperly insulated walls and ceilings can reveal the sound of amplified music, voices, footfalls, and noisy activities from neighboring units. External noise from emergency vehicles, traffic, refuse collection, and other city noises can be a problem for urban residents, especially when windows are open or insufficiently glazed.

Wetherill (1987) reports that although the lack of soundproofing is the most frequent environmental complaint of apartment dwellers, the knowledge to solve these problems is not being applied. In fact, the quality of construction is steadily declining, and the noise problems are getting worse (Wetherill, 1991).

7. Noise from consumer products

Certain household equipment, such as vacuum cleaners and some kitchen appliances, have been and continue to be noisemakers, although their contribution to the daily noise dose is usually not very large. Added to this list would be yard maintenance equipment, such as lawn mowers and snow blowers, which can, at least, cause disharmony with one's neighbors, and pother shop tools, which can be hazardous to hearing if used for sufficient periods of time.

One example of a fairly new product is the gasoline-pothered leaf blower, with average A-weighted sound levels at the operator's position of 103.6 dB, and maximum levels of 110-112 dB (Clark, 1991). In an extensive review of nonoccupational noise exposures, Davis et al. (1985) report that the manufacturers of household devices have been reluctant to release sound level information. Consequently, it could be difficult to assess the magnitude of the problem and the extent to which noise levels are increasing or decreasing.

Residents of suburban and rural areas are sometimes disturbed by recreational noise sources, such as off-road vehicles, high-pothered motor boats, and snowmobiles. Some of these sources, such as snowmobiles, are not as noisy as they there more than a decade ago, due to attention to the problem by the manufacturers and their trade associations. Others are no less noisy, and possibly more so because noise seems to be generic to the sport. Example would be motorcycle and car racing, and events like "tractor pulls."

In fact, the allure of noisy recreational activities seems to be considerably greater now than it was a decade or so ago. The technology of sound reproduction has advancer to the point where loudspeakers can faithfully reproduce music and other sounds at levels well above 120 dB. Sporting events use giant digital "applause meters" to measure and display enthusiasm for the more popular team. The extreme in car stereo technology is now the "boom car", with sound levels exceeding 140 dB.[4] Activities like aerobic exercising and ice skating, as well as disco dancing, are accompanied by amplified music played at high sound levels. After summarizing the results of 16 studies of discotheques and rock concerts Clark (1991) reported the geometric mean of the measured sound levels as 103.4 dB. The trend in noise levels for these kinds of activities is definitely upward.

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[4] The International Auto Sound Challenge Association sponsors contests and gives the most points to contestants whom speakers produce the highest sound pressure levels, up to 140 dB. However, levels above that merit no more than 140 points.

One of the most serious sources of recreational noise is sport shooting, where peak sound pressure levels at the ear can range from about 144 dB up to more than 170 dB[5] (Odess, 1972). In his analysis of this literature, Clark (1991) cites estimates of the number of people responding positively to questions about hunting or target shooting. These estimates range from 14 percent of the general population in Scandinavia and the U.K. (Axelsson et al., 1981; Davis et al., 1985) to nearly 50 percent in the Canadian workforce (Chung et al., 1981), which Clark found to be consistent with estimates from U.S. industry. In a population of rural schoolchildren, 45 out of 47 boys and 2 out of 21 girls reported having used guns (Kramer and Wood, 1982).

A subcategory of consumer product noise that deserves mention is noisy toys. A few toys, such as firecrackers, snappers, and cap pistols have been part of the adventurous child's experience for generations. The general assumption is that these toys do not pose a hazard when used occasionally and located at a sufficient distance from the ear[6]. Nowadays, there is a large variety of noisy toys, thanks to the availability of improved technology. Many of them mimic adult noisemakers, such as amplified toy guitars, child-shed vacuum cleaners, and miniature pother saws. Some of these toys generate quite high levels of sound. For example, a baby's squeeze toy (Fay, 1991) and the battery operated siren of a toy police car have both been measured at 110 dB[7].

In a recent report on noisy toys, Leroux and Laroche (1991) cite studies showing A-weighted noise levels for a toy motor at 107 dB and a child's rattle at 99-100 dB (LNE, 1973). Current Canadian legislation limits the sound output of toys to "one hundred decibels measured at the distance that the product ordinarily would be from the ear of the child using it..." (Act, 1969), but Leroux and Laroche propose that this limit be lowered to an A-weighted level of 75 dB.

C. Numbers of People Exposed to Noise

The fact that people are variously exposed to noise is not surprising. Considering that decibels are measured on a logarithmic scale, however, the magnitude of these variations can be enormous. For example, the average noise level outside an urban apartment can be 1,000 times more intense than in a rural residential neighborhood. Fortunately, this difference will be perceived more like an eight-fold rather than a thousand-fold increase. Figure 2, from EPA's document Protective Noise Levels, shows examples of outdoor day-night average sound levels measured at various locations (EPA, 1978).

In 1974, EPA estimated that nearly 100 million Americans lived in areas where the daily average noise levels exceeded its identified safe DNL of 55 dB (EPA, 1974a). Figure 3, from EPA's Levels

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[5] A-weighted level. of these weapons would measure somewhat lower, with levels for .22 caliber rifles at about 132-139 dB and shotguns at 150-165 dB. (See Clark, 1991)

[6] Certain European studies, however, have reported as many as 1 percent to 3.7 percent of teenage children suffer hearing losses caused by impulsive noise from toys (Gjaevenes, 1967; Moe, 1966). Noise from cap guns, for example, can exceed peak sound pressure levels of 140 dB (Gjaevenes, 1966; Hodge and McCommons, 1966; Marshall and Brandt, 1973; all as cited by Leroux and Laroche,
1991).

[7] New York audiologist Thomas Fay has measured the noise levels of a variety of children's toys. In doing so he places the sound level meter's microphone quite close to the noise source (from 2 inches to 1/2 inch away), based on his observations of the children at play. (Personal communication, April 1991).

Document, shows the residential noise environment of the U.S. population as a function of the exterior DNL, with separate curves for the freeway and aircraft increments.

Examples of Outdoor Day-Night Average Sound Levels in dB Measured at Various Locations

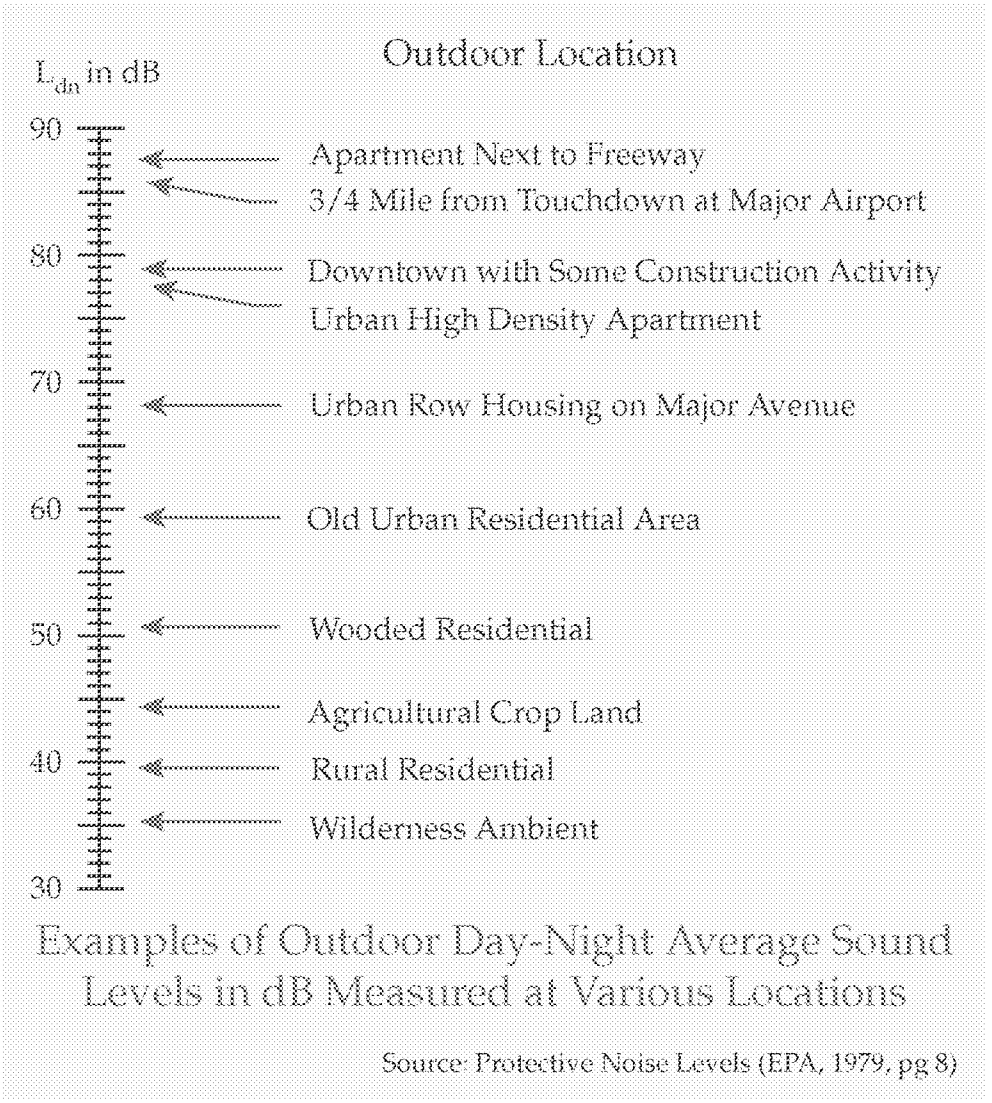

A few years later EPA contracted with the consulting firm Bolt Beranek and Newman (BBN) to develop more detailed estimates. The resulting report, Noise in America, includes a breakdown according to noise exposure source (EPA, 1981). Table I gives the estimated number of Americans exposed to traffic; aircraft, construction, rail, and industrial noise for various DNLs from 55 dB to 80 dB. The authors note that there will be some overlap among populations exposed to different sources, so the numbers across categories are not additive. The far right column represents the total estimated number of people exposed to the combined sources. Although the authors do not give an estimate for the number of people exposed above Ldn 55 dB, another authority puts it at 138 million at that time (Eldred, 1990).

These estimates do not represent the results of a national survey. Instead, the authors used data and models available to EPA and BBN at the time. Because of this, some categories of noise exposure are likely to be more accurate than others. They did, however, represent the best available esti-

mates at the time, and because no efforts have been made to update them, they are the best estimates available today.

D. Summary: Noise in America

It is safe to assume that noise in communities is increasing. Noise levels are directly related to population density, and the urban population is increasing at twice the pace of the nonurban population. In addition, the last decade has seen rapid growth in air transportation, trucking, and the construction industries, indicating that noise levels from these sources has most likely increased. The fact that some of these sources have been and continue to be quieted (especially new generations of trucks and aircraft) should mitigate this increase, but the extent of this mitigation will remain unknown until some sort of national survey is performed. Noise from construction continues to be a problem, and it appears that noise inside buildings as well as noise from recreational activities and consumer products is on the rise. Estimates of the number of people exposed to noise at various levels are now somewhat outdated.

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Residential Noise Environment of the National Population As a Function of Exterior Day-Night Average Sound Level

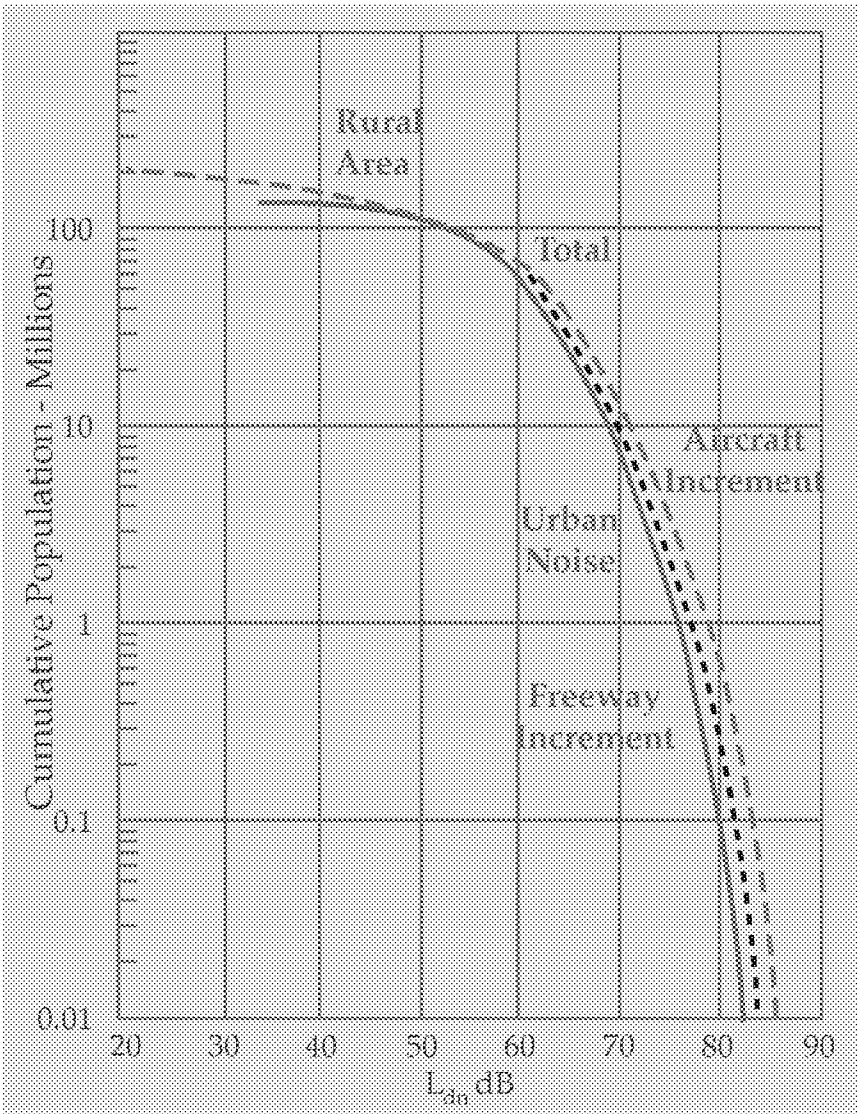

Residential Noise Environment of National Population as Function of Exterior Day-Night Average Sound Level

Source: Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (EPA, 1974a, pg 16)

Table 1: Summary of U.S. Population Exposed to Various Day-Night Average Sound Levels (or higher) From Noise Sources in the Community. (1) From Noise in America (EPA, 1981, pp. 10 and 15)

Estimated Number (in Millions) of People in Each Noise Category

DNL (dB)	Traffic	Aircraft	Construction	Rail	Industrial	Total
>80	0.1	0.1	—	—	—	0.2
>75	1.1	0.3	0.1	—	—	1.5
>70	5.7	1.3	0.6	0.8	—	8.1
>65	19.3	4.7	2.1	2.5	0.3	27.8
>60	46.6	11.5	7.7	3.5	1.9	63.6
>55	96.8	24.5	27.5	6.0	6.9	92.4*

(1) DNL values are yearly averages, outdoors
(2) Note that there is some overlap among populations exposed to different noise sources. For example, some of the 96.8 million people exposed to Ldn 55 dB and above from traffic noise are also exposed to aircraft noise.
(3) Construction estimates include both residential and nonresidential exposure.

*Distribution of total exposed to all sources starts at Ldn 58 dB since the analysis involves combining distributions exposed to 55 dB and above.

V. Effects of Noise

A. Noise-Induced Hearing Loss

Hearing loss is one of the most obvious and easily quantified effects of excessive exposure to noise. Its progression, however, is insidious, in that it usually develops slowly over a long period of time, and the impairment can reach the handicapping stage before an individual is aware of what has happened. While the losses are temporary at first, they become permanent after continued exposure, and there is no medical treatment to counteract the effect. When combined with presbycusis, hearing loss naturally occurring with the aging process, the result is a premature impairment that grows inexorably with age.

According to the U.S. Public Health Service (PHS, 1991), some 10 million of the estimated 21 million Americans with hearing impairments owe their losses to noise exposure (as cited in Carney, 1991). The study goes on to say that it is unclear whether the incidence of hearing impairment has risen in recent years because the necessary studies have not been conducted.

1. Extent of noise-induced hearing loss from environmental sources

Although the major cause of noise-induced hearing loss is occupational, substantial damage can be caused by nonoccupational sources. In addition to the frequently-blamed sources of loud music and shooting, noise-induced hearing loss has been noted in the children of farm families, presumably from the frequent use of tractors (e.g., Broste et al., 1979); general aviation pilots because of the high noise levels emitted by piston aircraft (Anon., 1982); and users of earlier generations of cordless telephones because of the placement of the ring mechanism in the earpiece (Orchik et al., 1985 and 1987).

The prevailing notion among parents is that the hearing threshold levels of children are worse than they used to be because of exposure to loud music. Actually, a recent national survey of 38,000 school children found better hearing threshold levels than 30 years ago, but blames the discrepancies on the sampling methods used in the earlier study and the conversion from an older to a nether zero reference level (Lundeen, 1991). There is, however, evidence that the hearing of some young people is being affected by noisy leisure time activities (Axelsson et al., 1987).

Loud music in particular appears to be the cause of hearing impairment and tinnitus in rock musicians. Such luminaries as Pete Townshend and Ted Nugent[8] have acquired substantial hearing losses and are now campaigning for hearing conservation (Murphy, 1989). Some studies point to a hearing hazard for attendees as well (see in Clark, 1991; Clark and Bohne, 1986; Danenberg et al.,1987).

As mentioned above, probably the greatest nonoccupational hazard to hearing comes from sport shooting. Clark (1991) cites studies of industrial workers by Chung et al. (1981), Johnson and Riffle (1982), and Prosser et al. (1988), showing significantly greater hearing losses among sport-shooters than among their nonshooting counterparts. These losses are almost always characterized by worse hearing in the left ear than the right.

The contribution from nonoccupational sources is called "sociocusis" (a contraction of "socio-acusis"). Evidence from primitive societies suggests that the absence of sociocusis explains the large differences in hearing threshold level between these populations and those of the "civilized" nations (Rosen, 1962). Sociocusis, occupational hearing loss, and presbycusis contribute in various

2. The handicap of noise-induced hearing loss

Vowel sounds tend to be low in frequency and high in sound energy, while the consonants are much higher in frequency and have considerably less amplitude. It also happens that consonants provide the primary intelligibility to speech. Because noise damages the ear's ability to perceive high-frequency sounds much earlier and more severely than the low-frequency sounds, individuals with noise-induced hearing loss are at a particular disadvantage in understanding speech.

Individuals with early noise-induced hearing loss often think that other people no longer speak dearly. They soon begin to notice that they have difficulty understanding speech when there is noise in the background, and in groups of people, and that it is hard to identify which person is talking. As the hearing loss progresses, these individuals avoid social occasions and situations where they must listen at a distance, like church and theater. The eventual result can be loneliness and isolation.

3. The study of noise-induced hearing loss

Noise damages the delicate sensory cells of the inner ear, the cochlea. This process can be studied in the laboratory by inducing temporary shifts in hearing threshold level in humans. Over recent years the preferred method of investigation is to produce temporary and permanent threshold shifts in animals, and to study the resulting physiological and anatomical changes in the cochlea, as well as shifts in hearing threshold level. The laboratory allows for strict control of noise level and

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[8] According to Nugent, who has worn an earplug in his right ear since 1967: "My left ear is there just to balance my face, because it doesn't work at all." (Murphy 1989) proportion to an individual's total hearing impairment. While the contribution of each source may be less than significant, the combination of all three can be enough to produce a handicapping condition. As longevity in the U.S. population increases, the toll of noise-induced hearing loss will become increasingly evident (Carney, 1991).

duration, but the durations are usually relatively short because of the time and expense involved. Also there is some controversy over the extent to which the results can be generalized to humans.

Much of the recent laboratory effort in noise research has focused on the structural and functional basis of noise-induced hearing loss, which has been greatly aided by the electron microscope. Investigators have identified the sensory cell's stereocilia and the rootlets which anchor them as the auditory system's most vulnerable components with respect to noise exposure (Libermnan, 1990).

Field studies of noise-exposed workers avoid the problems of species generalization, and the exposure durations can be over many decades. They are usually cross-sectional studies, however, meaning that the current hearing threshold levels are related to noise exposures that have been experienced over many years. Although the current noise measurements may be valid, their validity over prior years usually has to be assumed without benefit of precise data.

4. Risk of hearing impairment from continuous noise

The methods and results of the major field studies of continuous noise exposure conducted in the late 1960s and early 1970s remain unchallenged. Examples are the studies of Burns and Robinson (1970), Baughn (1973), Passchier-Vermeer (1968), and the U.S. National Institute for Occupational Safety and Health (NIOSH, 1973). Data from these studies have been used by various organizations to estimate the risk of hearing impairment over a working lifetime of exposure to noise. These types of studies have also been used by the EPA to estimate the hazard of nonoccupational noise (Guignard, 1973; Johnson, 1973; EPA, 1973a). The data cited above of Burns and Robinson, Baughn, and Passchier-Vermeer went into EPA's identification of a yearly average exposure level of 70 dB as the safe level, which could be experienced over a lifetime (EPA, 1974a)[9].

A new international standard (ISO, 1989), which is based mainly on the data of Passchier-Vermeer and Burns and Robinson, contains formulas for assessing the risk of noise-induced hearing impairment and handicap: using either a highly screened (for non-occupational hearing loss) or an unscreened population as a control group. The data and analyses found in these major studies have not been seriously challenged, and remain in use today.

5. Varying and intermittent noise

There has been some debate over the best rule for combining noise level and duration to assess the damaging effects of noise, especially varying and intermittent noise. This relationship is often called the doubling rate, or nowadays, the exchange rate. The EPA, as well as most other federal agencies (and most European countries, the United Kingdom, some Canadian provinces) use the equal-energy rule, which incorporates a 3-dB exchange rate. OSHA uses the 5-dB exchange rate, and the U.S. Air Force, uses 4 dB. None of these rules makes any provisions for the temporal order of sounds, although the 5-dB exchange rate supposedly represents a simplification of criteria that take a certain number of intermittencies into account.[10]

Investigations of the relationship between noise level and duration have been conducted over recent years using laboratory animals. The results have confirmed the validity of the equal energy (3-dB) rule for single exposures to continuous noise (Bohne and Pearse, 1982; Ward and Turner, 1982),

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[9] The 70-dB 24-hour average sound level can be interpreted as a 75-dB 8-hour average sound level plus an average sound level during the other 16 hours of less than 60 dB (see EPA's Levels Document, p.29, footnote d).

[10] The 5-dB rule does not necessarily provide for intermittencies because it allows uninterrupted exposures to continuous noise at high levels. See Suter 1983.

or when the exposures are broken up into 8-hour, or even 1-hour "workdays", 5 days per week, so long as the sound energy is equivalent (Ward, 1983). There is, however, some benefit to intermittent quiet periods (Ward and Turner, 1982), during which the ear can recover from small, temporary hearing losses. For this reason EPA has adjusted its identified safe level upward by 5 dB[11] since most environmental noise exposures are intermittent in nature. EPA's use of the equal-energy rule and the 5-dB adjustment have not been seriously challenged.

6. Impulse noise

The effects of impulse noise have been studied extensively over recent years, but there is less agreement on this topic than there is for continuous and intermittent noise. Although there was consensus favoring the 3-dB rule at a 1981 international meeting in England (von Gierke et al., 1981), actual dose-response relationships are still elusive. The effects of impulse noise do not always follow the 3-dB rule, in that temporal pattern, waveform, and rise time can affect the growth of hearing loss, despite constancy of sound energy (Henderson and Hamernik, 1986).

Frequency also has some bearing on the damage caused by impulse noise, in that low-frequency impulses produce significantly less damage than sounds in the mid-to-high-frequency range (Price, 1983). The ear appears to be most susceptible to impulses with peaks around 4,000 Hz (Price, 1989). Also, there may be a critical level, above which the ear is considerably more at risk because of a change in the response mechanism. On the basis of his research, Price (1981) has suggested a critical level of 145 dB, with a standard deviation of 8 dB.

7. Susceptibility

Evidence from field studies indicates that men incur more hearing loss than women from comparable noise exposures (Burns and Robinson, 1970; Berger et al., 1978; Royster et al., 1980), and that Caucasians appear to be more susceptible than Blacks to noise-induced hearing loss (Royster et al., 1980). Other factors, such as age, preexposure hearing threshold level, general health, and use of alcohol, have not yet proved to be reliable predictors of susceptibility (Ward, 1986), although

8. Interactions with other agents

Noise can interact with drugs and industrial agents to produce additive or even synergistic effects on hearing. As expected, the higher the levels of noise and the greater the dose of the other agent, the greater will be the resulting hearing loss. The ototoxic properties of certain drugs, most notably the aminoglycoside antibiotics (the "mycin" drugs), are heightened by exposure to noise. Numerous studies of kanamycin plus noise exposure have revealed additive and some synergistic results (Humes, 1984). High doses of salicylates (aspirin) accompanied by noise exposure can produce temporary hearing losses (McFadden and Plattsmier, 1983), but permanent losses do not seem to occur. Cisplatin, used in cancer chemotherapy, is known to be toxic to the auditory system, and has been shown to interact significantly with none exposure (Boettcher et al., 1989).

A variety of industrial agents, which can be potent neurotoxins, have been shown to be capable of producing hearing loss (Fechter, 1989). These agents include heavy melds, such as lead and mercury, organic solvents, such as toluene, xylene, and carbon disulfide, and an asphyxiant, carbon monoxide.

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[11] The identified safe level of 70 dB reflects the incorporation of the 5-dB adjustment there is some indication that the use of tobacco may increase susceptibility to noise-induced hearing loss (Barone, et al., 1987; Stark, et al., 1988)

9. Hearing protectors

As its first (and only) labeling regulation, EPA promulgated a regulation for labeling the attenuation of hearing protection devices (EPA, 1979). The standard required manufacturers to subject their hearing protectors to specific laboratory tests, and to publish a "Noise Reduction Rating" (NRA) on the product's package. The NRA was subsequently adopted by OSHA in its hearing conservation amendment, which required employers to use it in assessing the adequacy of hearing protectors for given noise environments (OSHA, 1981 and 1983). Recent research shows that the NRA greatly overestimates the noise reduction to be achieved by these devices in actual field use.[12] These kinds of findings have led to the formation of a new ANSI working group to investigate alternatives to the current NRA (Berger et al. 1990), and the recommendation that EPA revise its existing labeling regulation (Berger, 1991; Stewart, 1991).

10. Summary: Noise-induced hearing loss

Noise-induced hearing loss is probably the most well-defined of the effects of noise. Predictions of hearing loss from various levels of continuous and varying noise have been extensively researched and are no longer controversial. Some discussion still remains on the extent to which intermittencies ameliorate the adverse effects on hearing and the exact nature of dose-response relationships from impulse noise. It appears that some members of the population are somewhat more susceptible to noise-induced hearing loss than others, and there is a growing body of evidence that certain drugs and chemicals can enhance the auditory hazard from noise.

Although the incidence of noise-induced hearing loss from industrial populations is more extensively documented, there is growing evidence of hearing loss from leisure time activities, especially from sport shooting, but also from loud music, noisy toys, and other manifestations of our "civilized" society. Because of the increase in exposure to recreational noise, the hazard from these sources needs to be more thoroughly evaluated. Finally, the recent evidence that hearing protective devices do not perform in actual use the way laboratory tests would imply, lends support to the need for reevaluating current methods of assessing hearing protector attenuation.

B. Interference With Communication

Noise can mask important sounds and disrupt communication between individuals in a variety of settings. This process can cause anything from a slight irritation to a serious safety hazard involving an accident or even a fatality because of the failure to hear the warning sounds of imminent danger. Such warning sounds can include the approach of a rapidly moving motor vehicle, or the sound of malfunctioning machinery. For example, Aviation Safety (Anon., 1982), states that hundreds of accident reports have many "say again" exchanges between pilots and controllers, although neither side reports anything wrong with the radios.

Noise can disrupt face-to-face and telephone conversation, and the enjoyment of radio and television in the home. It can also disrupt effective communication between teachers and pupils in schools, and can cause fatigue and vocal strain in those who need to communicate in spite of the noise. Interference with communication has proved to be one of the most important components of noise-related annoyance (EPA, 1974a).

In its Levels Document, EPA determined that a yearly average day-night sound level of 45 dB would permit adequate speech communication in the home, and a DNL of 55 dB would permit

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[12] In a summary of 10 studies, Berger (1983) shows that most hearing protectors in the field provide only one-third to one-half the attenuation that they do in the laboratory.

normal communication outdoors at a distance of about 3 meters.[13] These levels also apply to hospitals and educational facilities. Higher average noise levels would be satisfactory for certain nonresidential spaces, such as commercial and industrial facilities, and inside transportation, depending on the degree to which speech communication is critical. Research over the last 20 years has expanded and refined EPA's criteria development in this area, but has not generated any major changes.

1. Prediction of speech interference

Methods of predicting the amount of speech that can be communicated in various noise backgrounds have been available for decades. Probably the most popular and respected method is the articulation index (AI) (French and Steinberg, 1947), which requires the measurement or estimation of the spectrum level of both speech and noise in 20 contiguous bands. Over the past 2 decades investigators have suggested adjustments to the AI for l13-octave bands, reverberation time, various vocal efforts, etc., and more recently for various degrees of hearing impairment (Humes, et al., 1986 and 1987).

The speech interference level (SIL) (Beranek, 1954) provides a quick method for estimating the distance at which communication can occur for different levels of vocal effort. The current method involves measuring octave-band sound pressure levels at 500, 1,000, 2,000, and 4,000 Hz and referring to a chart to determine the die potential communication distance. The basic chart has been expanded to include such parameters as a broader range of voice levels and provisions for room reverberation (Webster, 1983). Additions to both the AI and the SIL have been proposed by Lazarus (1990), who offers modifications and extensions to account for strain on the part of both talker and listener, and the wearing of hearing protectors.

Another popular method to predict speech communication in a variety of conditions, the speech transmission index (STI), has been developed by a Netherlands research group (Houtgast, 1980; Houtgast and Steeneken, 1983). The STI takes into account room volume and reverberation time, in addition to speech and none levels, and distance between talker and listener. A more recent outgrowth, the rapid speech transmission index (RASTI), represents a simplified version of the STI intended for field use, and is available in an instrument conforming to an international standard (IEC, 1987).

Finally the sound level meter's A-weighting network can be successfully used to predict speech interference levels. It is easy to use, available on virtually all sound level meters, and effective when the noise spectra are not complex.

2. Criteria for speech and warning signals

In addition to the classic work of Beranek and his colleagues (Beranek et al., 1971), Beranek has recently refined the traditional curves to account for the annoyance due to low-frequency "rumble" (Beranek, 1989). New criteria for determining acceptable background levels of noise in rooms are also offered by Lazarus (1986a, 1986b, 1987, and 1990). Lazarus includes in his criteria a variety of parameters such as: type of room, type of communication, communication distance, vocal effort, quality of speech intelligibility, AI, communication strain, listener's hearing sensitivity, and the use of hearing protectors.

Guidelines for audible warning signals have been developed by Patterson (1982). These guidelines, which there originally created for civil aircraft, there later adapted to helicopters and even station-

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[13] These levels represent EPA's identification of safe levels of environmental noise to protect the public health and welfare against all adverse effects of noise with the exception of hearing loss.

ary workplaces like hospitals (Patterson, 1985; Rood et al., 1985). Another set of guidelines for acoustic warning signals has been developed by Lazarus and Hoge (1986), and are based on the compatibility of signal type with various desired or undesired situations.

Although criteria have not yet been developed for speech recognition involving nonnative listeners, experiments by Florentine (1985) and Nabelek (1983) indicate that these individuals need more favorable listening conditions (less background noise and reverberation) than their native- language counterparts. These findings have implications for air traffic control systems.

3. The effect of hearing protectors on speech and warning signal perception

Hearing protectors attenuate both noise and the desired signal by equal amounts in a given frequency band, reducing both to levels where the ear is less likely to distort. This process often improves speech recognition when the level of background noise exceeds 80 to 90 dB. However, because hearing protectors usually provide considerably more attenuation in the high frequencies than in the low frequencies, listeners who have high-frequency hearing losses are at a disadvantage. Many speech sounds and some warning signals will be attenuated beyond the range of audibility. This is especially true of individuals whose losses exceed an average of 30 dB at the audiometric frequencies 2000, 3000, and 4000 Hz (Lindeman, 1976). A potential solution for this problem lies in some newly developed hearing protectors with flat attenuation across the frequency spectrum (Allen and Berger, 1990; Killion et. al., 1988). One type of these protectors has already become popular with orchestral musicians (Killion et al., 1988) and even some rock musicians (Cohen, 1990).

Individuals tend to speak more softly when they wear hearing protectors, and consequently, speech communication is degraded when both talker and listener wear these devices (Hoermann et al,, 1984), Hearing protectors also interfere with the localization of sounds in space, and this is especially true of the ability to localize sounds in the vertical plane while wearing ear muffs (Noble, 1981). Both ear plugs and ear muffs cause these types of problems, but it appears that they are more pronounced with ear muffs (Howell and Martin, 1975; Abel et al., 1982). These findings can have serious implications for safety in some circumstances.

4. Scholastic performance

Noise can disrupt communication in the classroom to the extent that the instructional method used in schools close to airports is sometimes nicknamed " jet pause" teaching. Cohen and Weinstein (1981) have reviewed several studies, which, after controlling for socioeconomic factors, indicate that the academic performance of children in quiet schools is better than that of children in noisy schools.

For example, elementary school children on the side of a school facing train tracks. performed more poorly on a reading achievement test than children in classrooms on the quiet side of the school (Bronzaft and McCarthy,:1975).[14] Cohen and Weinstein also discuss research showing that skills, such as auditory discrimination and reading achievement can be adversely affected when children live in noisy circumstances, even though their schools may be no noisier than average. These latter studies indicate that interference with communication in the classroom is not the only

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[14] Bronzaft reported that in 1978 the city of New York reduced the noise of the elevated train and installed acoustical insulation in the affected classrooms, providing a total reduction in the A-weighted noise level of 6 to 8 dB (Bronzaft, 1981). By 1981, there was essentially no difference. in reading achievement between students on the two sides of the school for the classroom studied.

process at work here. Possible additional explanations include adverse effects on children's information processing strategies and their feelings of personal control[15] (Cohen and Weinstein, 1981).

5. Summary: Interference with communication

Interference with speech communication and other sounds is one of the most salient components of noise-induced annoyance. The resulting disruption can constitute anything from an annoyance to a serious safety hazard, depending on the circumstance.

Research over the past 2 decades has expanded and refined methods for predicting communication interference, but has not produced any major changes. Numerous adjustments have been suggested for the AI, the SIL has been modified and refined, and a new predictive method, the STI has been added. Criteria for determining acceptable background levels in rooms have also been expanded and refined, and progress has been made on the development of effective acoustic warning signals.

It is now clear that hearing protection devices can interfere with the perception of speech and warning signals, especially when the listener is hearing impaired, both talker and listener wear the devices, and when wearers attempt to locate a signal's source.

Noise can interfere with the educational process, and the result has been dubbed "jet-pause teaching" around some of the nation's noisier airports, but railroad and traffic noise can also produce scholastic decrements.

C. Effects of Noise on Sleep

Noise is one of the most common forms of sleep disturbance, and sleep disturbance is a critical component of noise-related annoyance. A study used by EPA in preparing the Levels Document showed that sleep interference was the most frequently cited activity disrupted by surface vehicle noise (BBN, 1971). Aircraft none can also cause sleep disruption, especially in recent years with the escalation of nighttime operations by the air cargo industry. When sleep disruption becomes chronic, its adverse effects on health and well-being are well-known.

1. Assessing sleep disturbance

Noise can cause the sleeper to awaken repeatedly and to report poor sleep quality the next day, but noise can also produce reactions of which the individual is unaware. These reactions include changes from heavier to lighter stages of sleep, reductions in "rapid eye movement" (REM) sleep, increases in body movements during the night, changes in cardiovascular responses, and mood changes and performance decrements the next day. The accuracy and efficiency with which these effects are measured has been greatly assisted by the use of contemporary computers. The most popular measurement tool nowadays is electro-encephalography, but other methods, such as electrocardiography, electromyography, and electrooculography are also used, as well as clinical observation, self-assessment surveys, and accelerometry to measure the motion of the bed frame.

As a result of many years of research on the effects of noise on sleep, it is clear that intermittent and impulsive noise is more disturbing than continuous noise of equivalent energy, and that meaningful sounds are more likely to produce sleep disruption than sounds with neutral content. Also, older people are more likely to have their sleep disturbed by noise than younger people. In fact, children appear to be about 10 dB less sensitive to noise-induced sleep disruption than adults (Eberhardt, 1990). Sleep disturbance from noise tends to be greater in the early hours of the morn-

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[15] See also the discussion of noise, performance, and behavior in sections D.4, and D.5. below.

ing, when individuals spend more time in lighter sleep stages, and this is particularly true of the elderly.

2. Criteria for sleep interference

In the Levels Document EPA identified an indoor DNL of 45 dB, which translates to a nighttime average sound level of 35 dB, as necessary to protect against sleep interference. However, consensus on the levels of noise that can be tolerated without sleep disruption is incomplete at this time. In an attempt to develop a quantitative model for predicting noise-induced sleep interference, Pearsons et al., (1989) reviewed and analyzed 21 studies. However, the authors there unable to derive dose-response relationships from these studies because of large discrepancies between studies conducted in the laboratory and those conducted in the field.

In a recent review of the noise and sleep research, Griefahn (1990) recommends that the nighttime average sound level be kept below 45 dB in the sleeper's quarters. She cites research by Eberhardt (1987 and 1990; Eberhardt et al., 1987;) and Vallet et al., (1976 and 1990) showing self- reported adverse effects from continual road traffic when the average sound level is 40 dB and physiological responses at an average level of 37 dB. For intermittent road traffic noise, maximum recommended levels for single events (as opposed to average levels) range from 45 to 68 dB, depending on the investigation (Griefahn, 1990). Vallet et al. (1990), recommend maximum outside levels of 65 dB, which, of course, relies on some attenuation by the residence. Griefahn also points out that higher maximum levels can be tolerated if the ambient noise level is not very low, and that the difference between single events and the ambient level should not exceed 8 to 10 dB.

3. After-effects and habituation

Numerous recent investigations have revealed after-effects due to noisy nights. Ohrstrom (1983) found mood changes on the day following nights when the average sound level was as low as 35 dB. Adverse effects on performance, such as increased reaction time, have also been measured (Jurriens et al., 1983), and it appears that older peoples' next day performance is more adversely affected by noise than that of younger people (Griefahn and Gros, 1983).

Although people often believe they get used to nighttime noise, physiological tests point to the contrary. Studies have shown that while the subjective response improves with time, cardiovascular responses remain unchanged (Muzet, 1983). Vallet et al. (1990) conclude that habituation is not complete, even after 5 years of exposure to noise.

4. Summary: Effects of noise on sleep

Noise-induced sleep interference is one of the critical components of community annoyance. It can produce short-term adverse effects, such as mood changes and decrements in task performance the next day, with the possibility of more serious effects on health and well-being if it continues over long periods.

EPA's identified indoor DNL of 45 dB has not been seriously challenged over the past decade, but consensus in this area is lacking. One problem is that different experimenters tend to use a variety of descriptors (DNL, Leq, and maximum single-event levels) and a variety of methods for evaluating the effects (EEG, EKG, self-report, etc.). Perhaps one reason for the lack of clear-cut criteria is that this a complex area to research, requiring considerable time and expense. Another is, of course, a need for more field studies in this area.

D. Effects on Performance and Behavior

EPA did not use the literature on the effects of noise on performance and behavior in the identification of its levels of noise to protect against activity interference. One reason may have been that much of the information at that time related to the occupational setting rather than the general environment. Another may have been the complexity of the topic and the difficulty involved in identifying a single noise level that could apply to a great variety of tasks and conditions. Although these difficulties still pertain, much research has been generated in this area over recent years.[16]

Noise can cause adverse effects on task performance and behavior at work, and in nonoccupational and social settings. These effects are the subject of some controversy, however, since they do not always occur as predicted. Sometimes noise actually improves performance, and sometimes there are no measurable differences between performance in noisy and quiet conditions. The presence and degree of effects depends on a variety of intervening variables.

1. Sensory and motor effects

Experiments on the effects of noise on vision have produced conflicting results, with the suggestion of some effects on visual discrimination (Cohen, 1977). There is evidence, however, that high levels of noise can produce shifts in visual field (Parker, et al., 1976, 1978). High levels of noise can affect vestibular function, especially when the presentation to the two ears is asymmetrical, (or the level of attenuation is greater in one ear) (Harris, 1968). Impulsive or other sudden loud sounds can produce a startle response that does not completely habituate with repeated, predictable exposures (May and Rice, 1971).

2. Noise variables

Sound level is one of the most important parameters when predicting performance effects. The level of noise necessary to produce adverse effects is greatly dependent upon the type of task. Simple tasks remain unaffected at noise levels as high as 115 dB or above, while more complex tasks are disrupted at much lower levels. Until fairly recently, the level of beginning effects was thought to be around 95 dB for most conditions, but a summary of recent research (Jones, 1990) points to effects at much lower levels. Effects on serial reaction tasks have been noted for continuous noise with C-weighted noise levels of 90 dB (Jones, 1983) and for intermittent noise with C-weighted levels of around 80 dB (Lahtela et al., 1986).

Frequency and temporal characteristics also play a part. High-frequency sound is more disruptive titan low-frequency sound, and intermittent noise can affect performance more adversely titan continuous noise of equivalent energy. Aperiodic intermittencies are more likely to produce adverse effects than regular ones, and impulse noise may be even more disruptive. Again the effects are variable, depending upon task complexity and other factors.

Much of the important research in the effects of noise on performance conducted over the last decade has focused on the effects of irrelevant speech.[17] The adverse effects of irrelevant speech appear to be fairly independent of sound level, at least in the 55-95 dB range, and therefore, are not mitigated simply by attenuating them by 10 dB or so (Jones, 1990). It also appears that irrelevant speech affects processes involving memory (e.g., reasoning, mental arithmetic, and problem solving)

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[16] For a comprehensive review of the effects of noise on job performance, see Suter, 1989.

[17] The initial work was performed by Salame and Baddeley (1982, 1983, and 1987), and has been summarized by Jones (1990) at a recent conference in Stockholm.

rather than attention. With respect to reading tasks, however, meaningful speech is more disruptive than meaningless speech (Jones, 1990). These findings have significance for many modern work and school environments, where information processing and exchange is so important, especially those of the "open plan" variety.

3. Task variables

Task complexity has been identified in numerous experiments as a crucial determinant of the effects of noise on performance. Noise exposure usually leaves simple routine tasks unaffected, and can even improve performance of monotonous tasks, presumably by elevating one's level of arousal (Broadbent, 1971). Some tasks, such as tracking and jobs requiring intellectual function, can be momentarily disrupted without decrements in overall performance (Broadbent, 1979). But if the noise level is sufficiently high or if the task becomes more complex, noise will have an adverse effect. When two or more tasks must be performed simultaneously in a noisy environment, performance on the primary task usually remains unaffected, while performance on the subsidiary task deteriorates (Hockey and Hamilton, 1970; Davies and Jones, 1975; Finkleman and Glass, 1970).

4. After-effects

It seems that noise can have even greater effects after than during exposure. The most common after-effect appearing in the experimental literature is a reduced tolerance for frustration, manifested in a series of experiments as a reduction in willingness to persist in trying to solve insoluble puzzles (Glass and Singer, 1972; Percival and Loeb, 1980). This research also indicates that predictability of the noise signal greatly reduces its adverse after-effects (Glass and Singer, 1972). One study found that the type of noise also influenced the after-effect. Aircraft noise modified to produce sudden onsets and offsets resulted in a lower tolerance for frustration after the exposure than white noise that ad been similarly modified (Percival and Loeb, 1980).

5. Effects of noise on social behavior

There is an extensive literature concerning the effect of noise on social behavior, and just a few examples of this research will be discussed here. Singer et al. (1990) point out that noise has been used as a noxious stimulus in a variety of investigations because it produces the same biological and psychological effects as other stressors. In fact, they observe that the effects of noise combined with perceived control have been frequently demonstrated, and these investigations have also been extended to many other situations where the presence of control reliably moderates the effects of stress.[18]

In a frequently-cited laboratory study, Matthews and Cannon (1975) found that fewer subjects there willing to help someone who had "accidentally" dropped materials when background noise levels there 85 dB than when they there 65 dB. In a subsequent field study, the same results there demonstrated in a background of lawn mother noise, and this time the addition of a cast on the "victim's" arm enhanced helping behavior under quiet conditions, but failed to do so during the noise episodes (Matthews and Cannon, 1975). In another such experiment, Sauser et al. (1978) found that subjects recommended lower salaries for fictitious employees when exposed to A-weighted levels of office noise at 70 to 80 dB than in quiet. Broadbent (1979 and 1983) cites additional evidence suggesting that subjects will give each other increased amounts of shock and noise when they themselves are exposed to noise, and also cites evidence that noise increases anxiety levels (Broadbent, 1983).

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[18] Singer et al. (1990) cite the research of Langer and Rodin on the effects of patient control in a nursing home situation.

As mentioned above, the presence of control, or even perceived control, is one of the most important predictors of adverse behavioral effects. Subjects who perceive that they have control over the noise show significantly greater tolerance for frustration than subjects without control, even if the control is never exercised (Glass and Singer, 1972). In a recent experiment, Singer and his colleagues found that subjects who there told that they had control of an A-weighted, 103-dB noise stimulus showed significantly greater persistence on a difficult task than subjects who had no control or subjects that had control for only part of the experiment (Singer et al., 1990). This finding occurred despite the fact that the subjects with only partial control reported feelings of control no different from those with full control. To the extent that these findings can be generalized to populations living in noisy areas, this kind of research may have significant sociological implications.

6. Summary: Effects on performance and behavior

Noise can adversely affect task performance in a variety of circumstances. In the past, research in this area has focused mainly on the occupational setting, where noise levels must be sufficiently high and the task sufficiently complex for performance decrements to occur. Recent research implicates more moderate noise levels, especially when speech is the disruptive noise stimulus. Some research indicates that noise can also produce disruptive after-effects, commonly manifested as a reduced tolerance for frustration, and it appears that the presence and timing of control over the noise are critical to the prediction of after-effects. Even moderate noise levels can increase anxiety, decrease the incidence of helping behavior, and increase the risk of hostile behavior in experimental subjects. These effects may, to some extent, help explain the "dehumanization" of today's urban environment.

E. Extra-Auditory Health Effects

Noise has been implicated in the development or exacerbation of a variety of health problems, ranging from hypertension to psychosis. Some of these findings are based on carefully controlled laboratory or field research, but many others are the products of studies that have been severely criticized by the research community. In either case, obtaining valid data can be very difficult because of the myriad of intervening variables that must be controlled, such as age, selection bias, preexisting health conditions, diet, smoking habits, alcohol consumption, socioeconomic status, exposure to other agents, and environmental and social stressors. Additional difficulties lie in the interpretation of the findings, especially those involving acute effects. For example, if noise raises blood pressure on a temporary basis, will prolonged exposure produce permanent changes? In cases where these effects are permanent but slight, what are the long-term implications? These types of questions and problems have caused this particular area of noise research and criteria development to be very controversial.

1. Theoretical basis

Noise is considered a nonspecific biological stressor, eliciting a response that prepares the body . for action, sometimes referred to as the "fight or flight" response. The physiological mechanism thought to be responsible for this reaction is the stimulation by noise (via the auditory system) of the brain's reticular activating system (Cohen, 1977). Neural impulses spread from the reticular system to the higher cortex and throughout the central nervous system. Noise can, therefore, influence perceptual, motor, and cognitive behavior, and also trigger glandular, cardiovascular, and gastrointestinal changes by means of the autonomic nervous system. Evidence of these effects, however, is not easy to. come by. Despite decades of research and probably hundreds of studies, relatively little can be said with much confidence.

2. Effects on blood pressure

Probably the most attention has been directed toward cardiovascular effects, especially potential elevations in blood pressure. Many studies of the stressful effects of noise have been conducted on rodents and other laboratory animals. the advantage of these studies is that they offer a greater degree of control and it is possible to have longer exposures than with human subjects. The disadvantages are that there is difficulty generalizing to humans, especially with the smaller animals, the expense involved when larger animals are used, and the prevailing public sentiment against animal experimentation.

EPA sponsored one of the most notable animal studies of noise exposure, in which Peterson and his colleagues performed five sets of experiments on the cardiovascular effects of noise on monkeys (Peterson et al., 1978, 1981, and 1983). The stimulus consisted of A-weighted levels of workplace noise at 85 to 90 dB, and the exposures there as long as 9 months. The results showed significant elevations of both systolic and diastolic blood pressure the fact that these changes persisted long after exposure cessation argues for a chronic effect, at least in this case. Unfortunately, an attempt to replicate this experiment with another primate model was discontinued for lack of funding after only two subjects had been exposed (Turkkan, et al., 1983). Relatively few animal experiments have been conducted in this area over recent years.

With respect to laboratory investigations involving human subjects, Rehm (1983) cites six studies showing increases in blood pressure, but questions whether these effects would be permanent. In an attempt to identify more susceptible populations, Michalak et al. (1990) investigated the effects of low-flying aircraft on elderly subjects. Using recorded aircraft sounds, they found significant increases in both systolic and diastolic blood pressure after exposure to the two types of noise, with significantly greater response to the rapid-onset flyover noise. Whether or not these increases would become permanent with protracted exposure is not known.

Field studies of noise and blood pressure among workers or community residents are becoming increasingly popular, but the results are not always consistent. Rehm (1983) has reviewed 14 field studies, mostly of occupational noise exposure, and reports that the majority showed significant increases in either systolic or diastolic blood pressure, or both. Van Dijk et al. (1983), however, reports that six other studies of exposure to occupational noise found no significant differences between exposed and nonexposed groups.

Knipschild and Oudshoom (1977) avoided some of the pitfalls characteristic of epidemiological studies by examining a population near the Amsterdam airport before and after an increase in exposure to aircraft noise, and comparing it to a nonexposed population nearby. The dependent variable was the purchase of certain prescription drugs: tranquilizers, sleeping pills, antacids, and cardiovascular drugs. The investigators found that the use of these drugs in the nonnoise area was essentially stable, whereas the use of most types of these drugs in the area newly impacted by noise increased steadily over the years investigated. This increase was especially noticeable for antihypertensive drugs.

In a more recent review, van Dijk (1990) analyzed 12 cross-sectional studies, with half of them showing a positive relation between noise exposure and blood pressure, and the others no significant effects. Van Dijk criticizes these kinds of investigations for the following kinds of weaknesses: inadequate description of noise and blood pressure measurements; absence or inadequate control of intervening variables; use of hearing loss as a determinant of exposure magnitude; use of hearing. protectors; and questionable interpretation of the results. Part of the problem may be that the investigators often come from only one discipline, when, in fact, a multi-disciplinary team is needed.

Thompson and Fidell (1990) recommend the use of prospective or case-control models, rather than the more convenient cross-sectioned study, and they stress the importance of adequate sample size. They maintain that because any changes in blood pressure resulting from community noise are likely to be small, careful controls, large sample sizes, and at least 5 years of exposure to noise would be nerved to identify significant effects.

3. Effects on blood chemistry

Blood chemistry is also of interest in studies of wire exposure and the cardiovascular system. In the review cited above, Rehm (1983) reports on a series of experiments, both laboratory and field, which show increased levels of the catecholamines epinephrine and norepinephrine. Among them are the series of experiments by Ising and his colleagues (1981a, 1981b, 1981c), showing a connection between noise exposure and magnesium metabolism and humans and animals. According to Rehm, this finding suggests a possible mechanism for cardiovascular effects in that a chronic magnesium imbalance can lead to increased intracellular levels of calcium (in the heart, for instance), which, in turn, can cause vasoconstriction and increases the sensitization for catecholamines.

A large epidemiological study, the Caerphilly and Speedwell Heart Disease Study in England, holds some promise for investigating the effects of road traffic noise (Babisch and Gallacher, 1990). This study of heart disease and a variety of environmental factors uses both the cross-sectional and prospective approaches, and should continue for more than 10 years. The investigators have performed detailed noise exposure measurements. Sample sizes of more than 2000 men have been drawn from both the Caerphilly and Speedwell communities, and controls for age, socio-economic factors, family history, body weight, smoking habits, alcohol, and physical activity have been instituted. Initial results (from the cross-sectional study) indicate significant noise related elevations of serum cholesterol and glucose levels, and plasma viscosity, with an absence of significance for blood pressure or any of the other cardiovascular risk factors. The authors point out that all of the effects there slight, but even small increases, should they prove to be real, would be relevant to the public health.

4. Interactions

Several investigators have suggested that aversion to noise may be more highly correlated with health problems than the noise itself. For example, a study by Rehm (1983) found a significant correlation between noise annoyance and cardiovascular disorders. Her data also suggest that those with existing health problems are more annoyed by environmental factors, such as noise. Similarly, Rovekamp (1983) found that subjects who described themselves as sensitive to noise showed significantly greater noise-induced increases in peripheral vasoconstriction than their "normal" counterparts. Finally, a recent study . of road traffic and aircraft noise failed to show a significant increase in blood pressure resulting from noise, but did show a correlation between the presence of noise and subjective health complaints (Pulles et al.,1990). Differences in effects between noise and non-noise groups there dependent upon the subjects' perceived control over the noise, but independent of noise level.

5. Other adverse effects

Adverse health effects from noise exposure other than cardiovascular effects are even more difficult to isolate. Several studies have investigated the effects of noise on fetal development, with inconclusive results. Some have shown an indication of reduced birth weight or an increase in premature births, but the effects are usually slight, and (except in one case, McDonald et al., 1988), not statistically significant (Rehm and Jansen, 1978; Knipschild et al.., 1981).

The effects of noise on documented mental health disorders are likewise inconclusive. Rehm (1990) cites a series of studies showing increased numbers of psychoneurotic and psychosomatic complaints due to noise exposure, but whether or not these complaints lead to chronic disfunction or illness is not obvious.

6. Summary: Extra-auditory effects

As a biological stressor, noise can influence the entire physiological system. Most effects appear to be transitory, but with continued exposure some effects have been shown to be chronic in laboratory animals. Probably the strongest evidence lies in the cardiovascular effects. However, many studies show adverse effects, while many others show no significant differences between experimental and control populations.

Undoubtedly because of the lack of consistent evidence in thin area, EPA could not use data on extra-auditory health effects in its identification of safe levels of environmental noise. Instead, this subject was relegated to a brief discussion in an appendix in the Levels Document. Although considerable attention was devoted to this topic at the international conference in Yugoslavia, and some coverage was given in the 1973 Criteria Document, the evidence was far from sufficient and much too complex to enable the formulation of dose-response relationships. Later, EPA did fund some promising research in this area (Hattis and Richardson, 1980; Peterson et al., 1978, 1981, 1983; Turkkan, 1983), some of which has clearly demonstrated adverse cardiovascular effects at noise levels typical of occupational settings.

In the interim, there has been considerable European research activity in this area, but nearly 20 years later, criteria are still lacking. What is available, however, should give public policymakers as well as noise producers some reason for concern, especially in situations where those impacted by the noise have no control over or perceive they have no control over their exposures.

F. Annoyance

Annoyance is the measured outcome of a community's response to survey questions on various environmental and other factors, such as noise exposure. Although annoyance in individuals is sometimes measured in the laboratory, field evaluations of community annoyance are most useful for predicting the consequences of planned actions involving highways, airports, road traffic, railroads, or other noise sources. Factors directly affecting annoyance from noise include interference with communication and sleep disturbance, which have been discussed in earlier sections. Other less direct effects are disruption of one's peace of mind, the enjoyment of one's property, and the enjoyment of solitude. The consequences of noise-induced annoyance are privately felt dissatisfaction, publicly expressed complaints to authorities, and potential adverse health effects, as suggested above.

"Annoyance" has been the term used to describe the community's collective feelings about noise ever since the early noise surveys in the 1950s and 1960s, although some have suggested that this term tends to minimize the impact. While "aversion" or "distress" might be more appropriate descriptors, their use would make comparisons to previous research difficult. It should be clear, however, that annoyance can connote more than a slight irritation; it can mean a significant degradation in the quality of life. This represents a degradation of health in accordance with the WHO's definition of health, meaning total physical and mental well-being, as well as the absence of disease.

1. Predicting annoyance for public policy purposes

To facilitate the development of criteria and public policy, Schultz (1978) summarized and analyzed a large number of studies of community annoyance from aircraft, road traffic, and railroad noise. As

part of this effort, Schultz made several simplifying assumptions, among them that the percentage of the population determined to be "highly annoyed" would be the only parameter plotted as a function of day-night average sound level. The resulting curve portrays annoyance as independent of noise source, and it has been dubbed the Schultz curve.

Recently, Fidell et al. (1991) reanalyzed the original data used by Schultz, adding new data from it community noise surveys. The resulting function shows slightly greater annoyance in the range between DNLS of 51 dB and 72 dB, and slightly less annoyance above about a DNL of 76 dB than the original curve. In general, the two curves are fairly close, indicating that the new studies have not drastically altered the prediction of community annoyance, at least when reactions to various noise sources are plotted together. When annoyance from various noise sources is analyzed separately, however, the new data are quite revealing, as will be discussed below.

Although it has been used internationally in the formation of noise policy, the Schultz curve has been the subject of much debate (Kryter, 1982a, 1982b; Griffiths, 1983). For example, Griffiths (1983) criticizes Schultz for treating attitudinal data categorically (highly annoyed or otherwise) rather than scaling it, for failing to analyze the distribution of annoyance, for assuming a fixed threshold for noise-related annoyance, and for choosing such an extreme criterion as highly annoyed. Perhaps because of these reasons, as well as a number of others, researchers and policymakers are beginning to examine alternatives to the Schultz curve for predicting community annoyance from noise.

2. Metrics

The metrics most commonly used to describe the relationship between noise and community annoyance are the equivalent continuous sound level, and the day-night average sound level (DNL), composite ratings based on the A-weighted sound level. The DNL is used almost exclusively for airport planning in the U.S., but this practice has recently been called into question. For example, the importance of communication and relaxation in the evening hours has been recognized (in California and occasionally in Europe) by the use of the community noise equivalent level (CNEL), a metric that includes a 5-dB penalty for noises occurring between 7:00 and 10:00 pm as well as the 10-dB nighttime penalty (California Code of Regulations, 1990). In a study of the communities surrounding two French airports, residents expressed the greatest annoyance during the hours between 7:00 and 11:00 pm (Francois, 1977).

Some authorities are considering the use of the sound exposure level (SEL) for evaluating the effects of single events, such as aircraft flyovers (EPA/FAA, 1990). The importance of other parameters are also being considered, such as rise time (or onset time) as an indicator of the annoyance from low-flying military aircraft (Harris, 1989). Officials from the U.S. Forest Service report that their agency has begun to use an aircraft detectability criterion to site recreational facilities (Harrison et al., 1990).

3. Criteria

Community annoyance resulting from noise-induced activity interference was one of the most important considerations in EPA's identification of an outdoor DNL of 55 dB as the "safe" level of environmental noise (EPA, 1974a). Some years later, a Federal Inter-Agency Committee on Urban

Noise (FICUN) developed guidelines for considering noise in land-use planning and control (DOT, 1980).[19]

In its noise zone classification table, "minimal" exposures to noise there defined as DNLS below 55 dB, and between DNLS of 55 and 65 dB, the exposures there labeled "moderate." However, all of these exposures there considered "acceptable" according to land-use planning standards specified by the Department of Housing and Urban Development (HUD). No research was cited to support these conclusions. In a footnote, FICUN stated the following:

HUD, DOT and EPA recognize Ldn = 55 dB as a goal for outdoors in residential areas in protecting the public health and welfare with an adequate margin of safety (Reference: EPA "Levels" Document.) However, it is not a regulatory goal. It is a level defined by a negotiated scientific consensus without concern for economic and technological feasibility or the needs and desires of any particular community.

The Department of Transportation's Federal Aviation Administration (FAA) has adopted a DNL of 65 as the point above which residential land-use becomes "normally unacceptable." Below this level, the FAA does not require airport authorities to draw noise contours or discuss the impact of airport noise on the surrounding communities for purposes of compatibility planning or to receive grants under the Part 150 program.[20] Thus, public policy decisions, at least on the federal level, have not considered the annoyance of individuals living in the DNL 55-65 dB range.

Recent research confirms the findings of earlier investigations relied upon by the EPA, that annoyance is often generated at day-night average sound levels well below 65 dB (Fidell et al., 1985; Fidell et al., 1991; Hall et al., 1981). Figures 4 and 5 from Fidell et al. (1991) portray the responses from surveys of two mid-sized airports in California: Burbank Airport and the Orange County Airport. The percentage of respondents highly annoyed is depicted as a function of DNL, and compared to the Schultz curve. Both studies show significantly greater numbers of people highly annoyed than would have been predicted by the Schultz curve. For example, at 60 dB, as many as 70 percent of the Burbank population described themselves as highly annoyed and some 40 percent near the Orange County Airport.

Presumably because of this kind of evidence, another interagency task force has convened to discuss the extent to which day-night average sound levels below 65 dB should be taken into account in assessing the impact of aircraft/airport noise, and to examine the possible need for a single-event metric to supplement the DNL (EPA/FAA, 1990).[21]

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[19] FICUN was an ad-hoc interagency panel composed of representatives from EPA, FAA, HUD, the Department of Defense, and the Veterans Administration. In 1990 another such group, the Federal Interagency Committee on Noise (FICON) has been activated (focussing mainly on aircraft noise), but a report has not been published to date.

[20] Part 150 studies are conducted at airports where the noise generated by airport construction or expansion is potentially incompatible with the surrounding community. These studies must follow the procedure set out by Federal Aviation Regulations (FAR) Part 150.

[21] The U.S. EPA and FAA put together an intragency agreement to examine the extent to which single event analyses and information beyond the Ldn = 65 contour provide useful additions to current methods of evaluating potential airport noise impacts. Under this agreement, a contractor would identify eight existing airports and perform a quantitative analysis using existing data. No new annoyance data would be developed.

4. Sources

The sources of noise producing community annoyance are primarily aircraft, road traffic, and railroad noise, although noise from industry, construction, and within buildings can also be problematical. The leading offenders are usually aircraft and road traffic noise, although the hierarchy depends upon many factors, such as urbanization, numbers of noise events, and proximity to the sources. Recent research indicates that, despite equivalent noise levels, some sources of community noise are more annoying than others, providing further indication that the Schultz curve cannot be valid for all circumstances.

Treating annoyance from all sources with one predictive curve provokes the hoards of oversimplification. De Jong (1990a) reports that an analysis of Dutch studies carried out over the previous 15 years showed that aircraft and highway noise produced considerably more annoyance than equivalent levels of train, tramway, and urban road noise (Miedema, 1988). The divergence was particularly pronounced at high noise levels. The fact that aircraft generate more annoyance than surface transportation is portrayed dramatically in the analysis described above by Fidell et al. (1991), where annoyance related to mid-sized airports appears substantially greater than that predicted by the Schultz curve, while annoyance from urban sources, such as trains, trams, and street traffic, is considerably less than that predicted by the Schultz curve.[22] Figures 6 and 7, also from Fidell et al. (1991), depict data from British and Swedish railroad studies, showing somewhat less annoyance from these sources in relation to the Schultz curve.

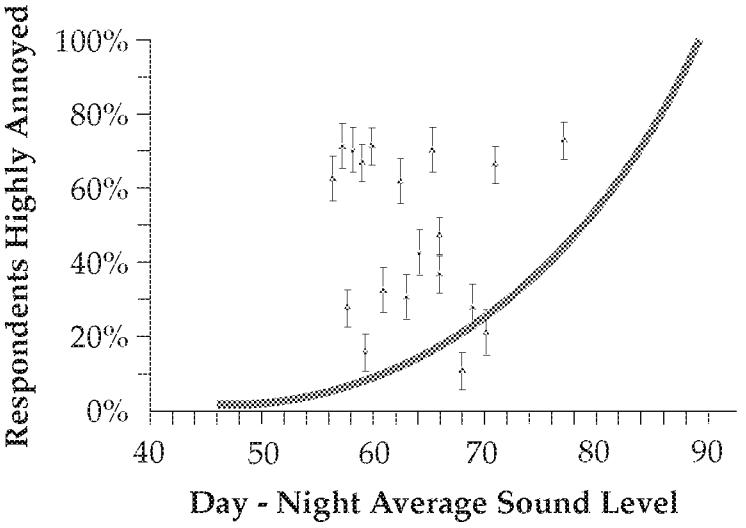

Relationship of data from Burbank Airport Study to 1978 synthesis (Schultz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. (After Fidell et al. 1991)

[22] See also Fidell et al. (1985), Hall et al. (1981), and de Jong (1990).

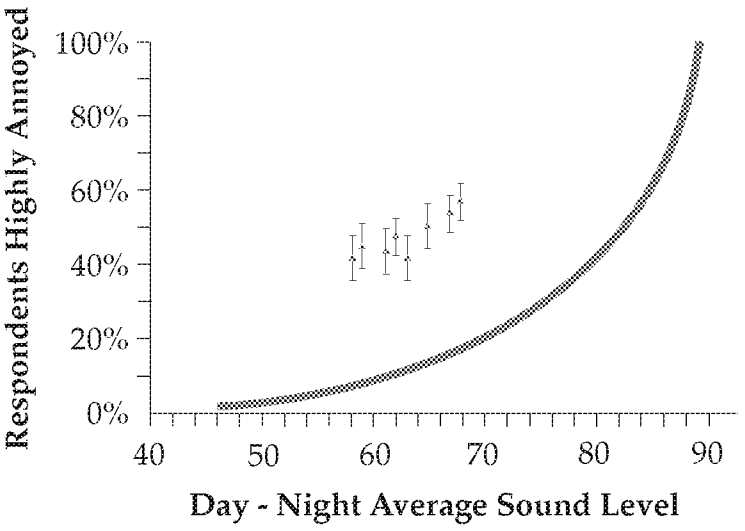

Figure 5
Relationship of data from Orange Country Airport Study to 1978 synthesis (Schultz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. (After Fidell et al., 1991).

The explanation for these source-related differences is not necessarily that aircraft noise is inherently more annoying than surface transportation noise. It may be related to differences in people's criteria for responding to various noise sources (de Jong, 1990b; Green and Fidell, 1991). Or it may be caused by differences in sensitivity which are actually biologically based.[23] Green and Fidell (1991) point out that this evidence does not discredit the predictive validity of the DNL, but suggest that communities adopt a more sensitive criterion when evaluating the impact of aircraft noise.[24]

Impulse noise also appears to be more annoying than continuous noise of equivalent energy, and various penalties have been proposed ranging from 0 dB at relatively high ambient noise levels of about 67 dB, to 10 dB at ambient levels as low as 35 dB (Rice, 1983). Vos and Smoorenburg (1983) have recommended a formula for computing the impulse noise penalty, taking into account the type of noise source, the signal level, and the ambient noise level.

As de Jong points out (1990b), most people are exposed to some combination of noise sources, posing a very complex predictive problem. Several models for predicting noise annoyance from complex sources have been proposed, but most fail to solve the difficult theoretical problems involved (de Jong cites Berglund et al., 1981, and Miedema, 1985). Among the groups working on these models are the Institute for Sound and Vibration Research in England, and the Netherlands' Organization for Applied Scientific Research, TNO.

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[23] De Jong (1990b) cites the work of Di Nisi et al. (1987) and Ising, et al.(1981b) to support this theory.

[24] Green and Fidell found a difference of 5.2 dB bettheen the noise levels at which the same percentage of people are highly annoyed by aircraft noise versus noise from surface transportation.

5. Nonacoustics variables

Although it is dear that community annoyance is positively correlated with noise exposure level, other variables also appear to be important, such as ambient noise level, time of day and year, location, and socioeconomic status. None of these other variables, however, is as powerful as the attitude of the residents surveyed. This is a good example of the fact that the human being is not a black box, where the effect is a simple consequence of the input. In a recent analysis of 280 social surveys, Fields (1990) examined 17 hypotheses as they relate to community annoyance from noise. Besides noise exposure level, the only variables Fields identified as strongly correlated with noise annoyance there the attitudinal hypotheses: (1) fear that the noise source might be a danger to the neighborhood, (2) belief that the noise is preventable, (3) awareness that non-noise problems are associated with the noise source, (4) stated sensitivity to noise, and (5) belief that the economic activity represented by the source is not important for the community.

6. Habituation

The evidence is fairly dear that so long as the stimulus remains the same, noise annoyance does not subside over time (e.g., Fields, 1990). Griffiths (1983) cites studies showing no habituation for highway noise 4 months to 2 years after the opening of new routes. De long (1990) found that annoyance in a previously surveyed community increased by 10 percent with no change in noise levels. He suggests that this increase could represent a shift of internal criteria due to increased publicity and other factors, or perhaps an increase in physiological sensitization.

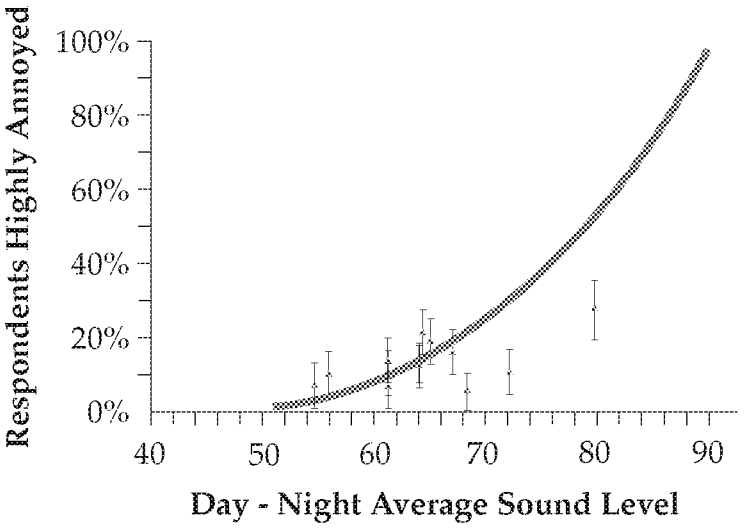

Figure 7 - Relationship of data from Swedish Railroad Study to 1978 synthesis (Schulz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. After Fidell et al, 1991).

There has been very little study of the effects of noise-related annoyance on general health, although this would appear to be a fertile field. The study mentioned in section E.4, above by Rehm (1983) suggests a relationship between annoyance and cardiovascular disorders. Likewise, another study indicates a connection between noise and subjective health complaints (Pulles, et al., 1990). De Jong (1990a) refers to the recent use in Germany of the concept of "substantial annoyance" as a

predictor of possible health damage.[25] He recommends the development of an integrated theory of noise effects "to uncover the relationships among medical, physiological, behavioral, and ecological effects of environmental noise. " (de Jong, 1990a, p.520)

8. Summary: Annoyance

Annoyance can be viewed as the expression of negative feelings resulting from interference with activities, as well as disruption of one's peace of mind and the enjoyment of one's environment. Although this reaction can run the gamut of mild irritation to extreme distress, only responses categorized as "highly annoyed" (and greater) have been used to measure the impact of noise on communities. The most respected and widely used criterion to assess community annoyance in the U.S. has been the Schultz curve, although this criterion has been the subject of heated debate. Several recent studies indicate that the Schultz curve underestimates annoyance due to aircraft noise and overestimates annoyance from the noise of urban traffic and trains, leading to the conclusion that annoyance from these categories should be assessed separately. In addition, there has been growing interest in supplementing the traditional DNL with a descriptor for single events.

EPA's Levels Document identified the outdoor level to protect against activity interference as a day-night average sound level of 55 dB. This identification was not to be construed as a standard or regulation,[26] but as information to aid states, localities, and the general public. Later, an interagency task force identified average levels between 55 and 65 dB as "acceptable" for purposes of land-use planning. The DNL 65-dB criterion, which has been applied particularly to airport noise assessments, is now being reconsidered by another interagency task force.

There is evidence that impulse noise is more annoying than continuous noise of equivalent energy, and various correction factors have been proposed to account for the difference. In addition, most people are exposed to a combination of noise sources, and models for predicting the resulting annoyance are in the formative stages.

The most important variables other than noise exposure level relate to people's attitudes about the noise, such as fear of possible danger, stated sensitivity, and the belief that the noise is preventable. Finally, it appears that noise-related annoyance does not subside over time.

VI. Conclusions

Noise has a significant impact on the quality of American life. There is no evidence that the impact has diminished in the years since ONAC was abolished. Rather, it appears that the impact is at least as great, and most probably greater, than it was 10 years ago, due to population growth, especially in urban areas, and the proliferation of certain noise sources.

A considerable amount of noise effects research has been conducted over the last decade, much of it taking place in the European nations where governmental concern about noise is greater than it is in the U.S. at this time. These studies have expanded the knowledge base and filled certain gaps. Many of them suggest important interrelationships between the various noise effects that remain largely unexplored. For example, perceived control over noise appears to decrease its adverse effects on the subsequent performance of certain tasks. The concept of control also has a bearing on annoyance from noise, as do several other nonacoustic factors. Annoyance appears to be related to

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[25] De Jong cites Jansen (1986).

[26] See Foreword, Levels Document (EPA, 1974a).

extra-auditory health effects, and chronic sleep interference, which is a component of annoyance, can have adverse effects on health and well-being.

All of these effects are, to a varying degree, stress related. Nowadays there is increasing evidence in the medical literature on the relationship between stress and illness, one which is often exacerbated by lack of control.

Cumulatively, this evidence suggests the potential for a unifying hypothesis that may well explain some of the health effects that have been observed in connection to noise exposure, but have usually been dismissed because of the absence or insufficiency of direct cause and effect relationships. Such a hypothesis, however, can only be validated by a new interdisciplinary approach, one which takes a broader and somewhat different perspective than is currently employed. This approach could very well provide the key to understanding a great deal more about the general impact of noise on society, and the extra-auditory effects in particular.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

THE HEALTH EFFECTS OF AIR POLLUTION ON CHILDREN

Fall 2000

Michael T. Kleinman, Ph.D.
Professor, Department of Community and Environmental Medicine
University of California, Irvine.

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Introduction

Air pollution has many effects on the health of both adults and children. The purpose of this article will be to examine what is known about how air pollution affects health, especially children's.

Over the past several years the incidence of a number of diseases has increased greatly. Asthma is perhaps the most important disease with an increasing incidence, but other diseases, such as allergic reactions, bronchitis and respiratory infections also have been increasing. The cause of these increases may be due at least in part to the effects of air pollution. This review will address the following questions:

1. Why are children more susceptible to the effects of air pollution than adults?
2. Which air pollutants have the greatest impact on the health of children and adults?
3. What can be done to reduce the effects of air pollution on children's health?

Why are Children More Susceptible to Air Pollution Than Adults?

In many health effects research studies, children are considered as if they were small adults. This is not really true. There are many differences between children and adults in the ways that they respond to air pollution. For example, children take in more air per unit body weight at a given level of exertion than do adults. When a child is exercising at maximum levels, such as during a soccer game or other sports event, they may take in 20 percent to 50 percent more air -- and more air pollution -- than would an adult in comparable activity.

Another important difference is that children do not necessarily respond to air pollution in the same way as adults. Adults exposed to low levels of the pollutant ozone will experience symptoms such as coughing, soreness in their chests, sore throats, and sometimes headaches. Children, on the other hand, may not feel the same symptoms, or at least they do not acknowledge them when asked by researchers. It is currently not known if children actually do not feel the symptoms or if they ignore them while preoccupied with play activities.

This probably does not mean that children are less sensitive to air pollution than adults. There are several good studies that show children to have losses in lung functions even when they don’t cough or feel discomfort. This is important because symptoms are often warning signals and can be used to trigger protective behavior. Children may not perceive these warning signals and might not reduce their activities on smoggy days.

Children also spend more time outside than adults. The average adult, except for those who work mostly outdoors, spends most of their time indoors -- at home, work, or even at the gym. Children spend more time outside, and are often outdoors during periods when air pollution is at its highest.

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The typical adult spends 85 percent to 95 percent of their time indoors, while children may spend less than 80 percent of their time indoors. Children may also exert themselves harder than adults when playing outside.

Perhaps the most important difference between adults and children is that children are growing and developing. Along with their increased body size, children's lungs are growing and changing, too.

The Lung's Important Role in Health
The lung is an extremely complex organ. While most organs in your body are made up of a few different types of cells, the lung contains more than 40 different kinds of cells. Each of these cells is important to health and maintaining the body's fitness.

Air pollution can change the cells in the lung by damaging those that are most susceptible. If the cells that are damaged are important in the development of new functional parts of the lung, then the lung may not achieve its full growth and function as a child matures to adulthood. Although very little research has been conducted to address this extremely important issue, this review will discuss the information that is available.

USC Children's Health Study
Recent results from the Children's Health Study, conducted by investigators at the University of Southern California, suggest that children with asthma are at much greater risk of increased asthma symptoms when they live in communities with higher levels of ozone and particles and participate in three or more competitive sports. Having said all this, the purpose of this review is not to discourage children or adults from normal daily activities and outdoor exercise. Exercise has very important, beneficial outcomes. Appropriate exercise and prudent exposures of children and adults should be encouraged even in an environment that may always contain some amount of air pollution.

Which Air Pollutants Have the Greatest Impact on the Health of Children and Adults?

Ozone

Ozone is one of the most important air pollutants affecting human health in regions like Southern California.

Ozone (O_3) is a molecule built of three atoms of oxygen linked together in a very energetic combination. When ozone comes into contact with a surface it rapidly releases this extra force in the form of chemical energy. When this happens in biological systems, such as the respiratory tract, this energy can cause damage to sensitive tissues in the upper and lower airways.

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Ozone formation

Because ozone forms as a product of solar energy and photochemical reactions of pollutants, it is not surprising that the highest concentrations of ozone in the atmosphere occur when sunlight is most intense. Thus, ozone generally reaches peak levels during the middle of the day in the summer months. These types of air pollution patterns are called diurnal and seasonal variations. The following graph shows that ozone levels in the San Bernardino Mountains are highest in the summer and fall, and peak in the late afternoon.

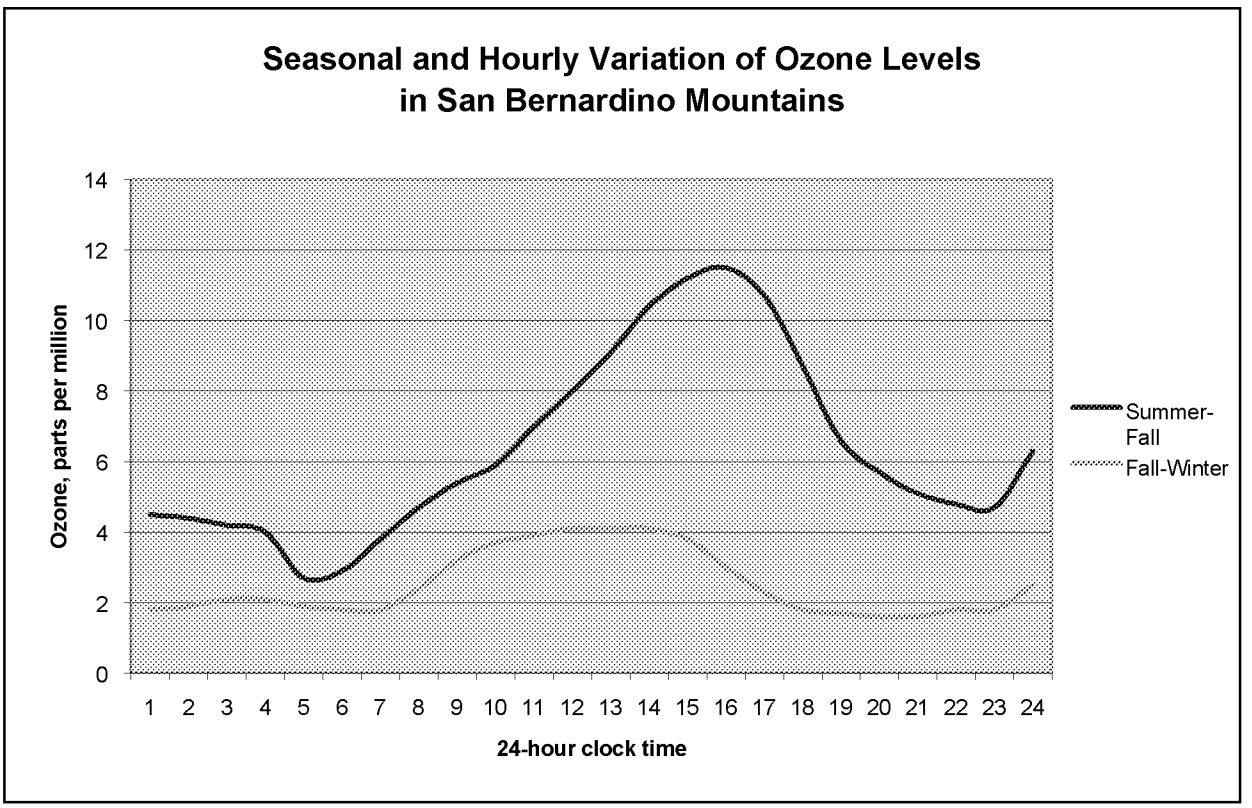

Ozone Air Quality Standards

Federal and state agencies have set air quality standards for ozone. An ozone level greater than 0.08 parts per million (ppm) averaged over eight hours is considered unhealthful. This level has been set because both laboratory and community studies have demonstrated measurable effects of ozone at or above that threshold.

The effects of ozone on people include:

- irritation of the nose and throat;
- increased mucus production and tendency to cough;
- eye irritation and headaches for some; and
- during severe episodes, chest pain and difficulty taking a deep breath without coughing.

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How Ozone Damages Lungs

What happens when you breathe air that is contaminated with ozone? Like oxygen, ozone is soluble in the fluids that line the respiratory tract. Therefore some ozone can penetrate into the gas-exchange, or alveolar, region of the deep lung.

The following photos show how ozone affects the sensitive tissue in the deep lung. The pictures are from the lungs of rats exposed to ozone in a laboratory under carefully controlled conditions. The human lung is similar --although not identical -- to the rat's lung in terms of the types of cells and the overall structure of the alveolar region.

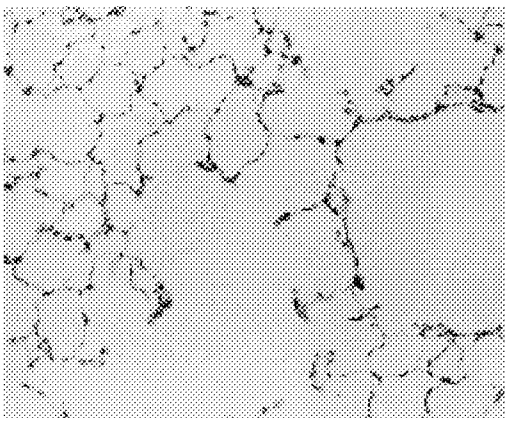

Figure 1

Figure 1 shows a magnified view of the structure of the normal gas-exchange region of the lung. It is called the gas-exchange region because oxygen inhaled from the air is transferred to the hemoglobin in blood in small blood vessels located inside the thin walls separating the alveolar air spaces.

At the same time, carbon dioxide, produced by normal metabolism and dissolved in the blood, is excreted into the air and expired when you breathe out.

The walls of a normal alveolus are very thin. There are only two layers of cells and a thin interstitial matrix separating the air in the alveolar space, or lumen, from the fluid inside the blood vessels. The cells that line the healthy alveoli are mostly very broad and very thin, and are called Type I lung cells or Type I pneumocytes. This provides a very large surface area across which gases can be efficiently transported.

Figure 2 shows the effects of breathing 0.2 ppm ozone for 4 hours. In Southern California air pollution levels can approach 0.2 ppm -- a Stage 1 ozone alert -- during the smoggiest summer days. The photo shows evidence of additional cells, called macrophages, and some material that may be fragments of ozone-injured alveolar wall cells inside the alveolar space.

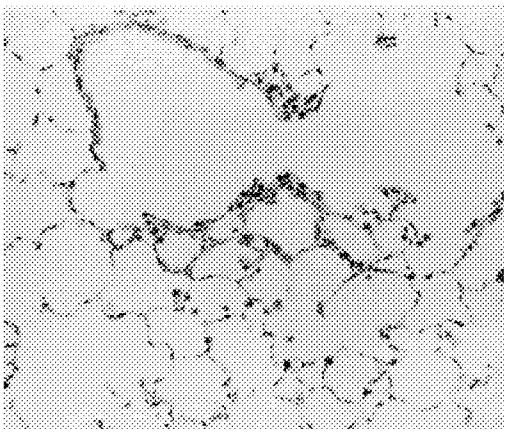

Figure 2

Macrophages are immune system cells that respond to the injury of the delicate cells that line the alveolar lumen. These macrophages play important roles in protecting the lungs from inhaled bacteria,

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fungi and viruses, and are also important in helping to repair lung tissue injury caused by inhaled pollutants.

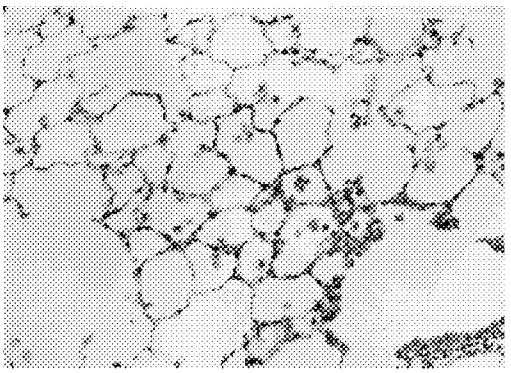

Figure 3

Figure 3 shows more extensive damage following exposure a higher concentration of ozone, 0.6 ppm. The alveolar walls are thicker and there is evidence of cells infiltrating within the walls. There are more macrophages in the alveolar spaces and the thin, Type I cells have been damaged and replaced with thicker Type II, almost cube-shaped cells that are more resistant to the toxic effects of ozone. All of these changes occurred within 48 hours after exposure. If exposure continues for more than three days, the evidence of cell injury seems to be reduced, except for the continuing presence of the Type II cells.

Is Ozone-Related Lung Damage Permanent?
People actually report that the symptoms they feel when first exposed to ozone seem to go away, even though their exposure continues.

Following ozone injury, if the lung is not exposed to ozone for approximately five to seven days, it can for the most part repair itself provided the injury is not too extensive. However, long-term studies with laboratory animals have shown that there may be residual and in some cases permanent damage. This damage might be thought of as accelerated aging of the lung. Thus, frequent exposures to ozone can cause transient damage. The lung's defenses can repair most but probably not all of that damage within a relatively short time in most healthy individuals.

Research and Air Quality Standards
Health scientists probably know more about the effects of ozone on human health than about any other pollutants. This is because ozone is pervasive in the environment. Also there are excellent methods of measuring ozone so the pollutant can be studied using epidemiological methods. The findings of these epidemiological studies can be verified using well-controlled laboratory studies with human volunteers and laboratory animals. Thousands of scientific papers on the health effects of ozone have been published and these have been critically reviewed in documents that provide the scientific basis for National and State Ambient Air Quality Standards. (Ambient refers to outdoor air.)

These so-called Criteria Documents are important because they are extensively reviewed by scientists, public agencies, industry representatives, environmental groups such as the American Lung Association and the Natural Resources Defense Council,

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and the public. National and state ambient air quality standards set the goals for healthy air quality in Southern California and across the country.

Based upon the most recent studies, it is now apparent that ozone plays an important role in causing acute health effects, such as heightening asthma symptoms and developing bronchitis symptoms.

The role of ozone in producing long-term or chronic effects is less clear, at least from the available epidemiological studies. However, laboratory animal studies suggest that there can be long-term consequences.

How to Reduce Ozone Exposure
The U.S. Environmental Protection Agency (EPA) has recommended that ozone should not exceed 0.08 ppm averaged over an 8-hr period. When ozone exceeds this level, active children and adults, those with respiratory disease such as asthma, and other people with unusual susceptibility to ozone should limit prolonged outdoor exposure.

Incidentally, personal tobacco smoking during periods of high ozone exposure doubled the risk of asthmatic individuals needing to go to the emergency room for treatment of asthma symptoms.

Carbon Monoxide

Carbon monoxide (CO), a colorless, odorless gas, is a byproduct of combustion.

When inhaled, carbon monoxide reacts very rapidly with hemoglobin in the blood, preventing uptake and transport of oxygen. Because carbon monoxide readily and firmly attaches to hemoglobin, it stays in the blood for a relatively long time. Thus, during an exposure carbon monoxide concentrations in blood can rise in a matter of minutes, then stay high for hours.

Who is Most Sensitive to the Health Effects of Carbon Monoxide?
Most of the health effects directly associated with carbon monoxide are most likely due to decreases in oxygen delivery to vital organs such as the heart and the brain.

People with heart disease may be especially sensitive to the effects of carbon monoxide. In addition, people with lung diseases that limit efficient use of inhaled oxygen, such as asthma and emphysema, may also be susceptible. Even in people without heart or lung diseases, reduced delivery of oxygen to skeletal muscles, especially during exercise, can reduce the ability to perform strenuous work.

At high levels of carbon monoxide exposure, impaired delivery of oxygen to the central nervous system can reduce the ability to respond quickly to external stimuli. After exposures that convert 5 percent to 10 percent of the circulating hemoglobin to carboxyhemoglobin (COHb), people's ability to recognize and react to flashes of light in a test system are reduced. At 10 percent to 30 percent carboxyhemoglobin, nausea,

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headaches, unconsciousness, and sometimes death can result. The severity of symptoms increases with the concentration of carboxyhemoglobin.

Air Quality Standards for Carbon Monoxide
Both the EPA and the State of California have set air quality standards for carbon monoxide based on the results of epidemiological and laboratory findings. Ambient levels of carbon monoxide should not exceed 9 ppm, when averaged over an 8-hour interval, and should not exceed 20 ppm in any one-hour period. (The USEPA has a slightly higher 1-hour standard of 35 ppm).

Sources of Carbon Monoxide
The major sources of carbon monoxide pollution are automotive exhaust and emissions from large industrial combustion sources such as electrical power plants. Because these sources produce many contaminants in addition to carbon monoxide -- such as fine particles and nitrogen oxides -- it is often difficult to isolate the health effects of ambient carbon monoxide from those of other pollutants.

In addition to carbon monoxide generated outside, there are also important indoor sources of the pollutant. The most important of these are combustion sources such as gas ovens, gas burners, water heaters, and heating systems. However, in most cases emissions from well-maintained and vented gas appliances are small.

Tobacco smoking is a more significant source of carbon monoxide. Tobacco smoke can contain very high concentrations of carbon monoxide (1,000 ppm to 50,000 ppm). Carbon monoxide levels in the homes of children whose relatives smoke tobacco products can be higher than the carbon monoxide levels outdoors.

Health Effects of Carbon Monoxide
There are hundreds of cases per year of deaths or severe illness due to carbon monoxide poisoning from faulty appliances, indoor emissions of automobile exhaust and industrial exposures. These cases show that carbon monoxide poisoning causes symptoms very similar to those of the flu. In fact, the true number of cases is not really known because many people may have been poisoned slightly and thought that they were just fighting off a cold or the flu. Thus it is very important to make sure that home appliances are well-maintained and that all combustion sources are properly vented to the outdoors.

Epidemiological studies have shown significant association between several health effects and carbon monoxide, although as mentioned earlier it is difficult to completely isolate carbon monoxide's effects from those of other air pollutants.

For example, asthmatic children in Taiwan who were exposed to high levels of traffic-related air pollution -- using carbon monoxide and nitrogen dioxide as marker compounds-- reported more respiratory symptoms than children with lower exposures.

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A study of physician office visits in London showed associations between air pollution and doctor visits for asthma and other lower respiratory disease. For children, levels of nitrogen dioxide, carbon monoxide, and sulfur dioxide were associated with increased numbers of medical consultations. However, in adults, the only consistent association was with levels of airborne particles. This suggests that children and adults might respond differently to pollution exposures.

Prenatal Effects of Carbon Monoxide

Carbon monoxide may also have prenatal effects. Pregnant women who were exposed to high levels of ambient carbon monoxide (5 ppm to 6 ppm) were at increased risk of having low birth-weight babies. It has long been known that women who smoke cigarettes during pregnancy have low birth-weight babies, but this is the first study of similar findings in women exposed to environmental carbon monoxide.

Babies exposed to carbon monoxide during the maturation of their organs may suffer permanent changes to those organs. Studies using newborn rats showed that carbon monoxide exposure could cause changes in the heart muscle tissue. This is turn could increase the severity of effects of artery constrictions when they became adults. Other animal studies have shown that long-term carbon monoxide exposure can contribute to a disease called ventricular hypertrophy, in which the cells of the heart's ventricle chambers are enlarged and possibly weakened.

Airborne Particles

Particles, including nitrates, sulfates, carbon[1] and acid aerosols[2] are a complex group of pollutants.

Unlike ozone, which has a specific chemical composition, airborne particles vary in size and composition depending on time and location. Although the components of particles may have common sources, the types and amounts of particles collected at any one time and location may be unique.

To add to the problem, gaseous pollutants including ozone, sulfur dioxide, nitrogen dioxide and carbon monoxide often are present in the atmosphere at the same time as are particles. It is not always possible to clearly differentiate between the health effects of the gases, the particles, and possibly the combination of particles and gases. This complexity presents a tremendous challenge to the scientific community and to public in trying to understand how inhaled particles affect human health.

The Challenge of Measuring Particle Pollution

Precisely measuring particulate pollution is more difficult and labor intensive than measuring gaseous pollutants such as ozone. For this reason, particle concentrations are not measured on a daily basis in most communities. Frequently, they are measured once every six days.

[1] Both elemental and organic. Elemental carbon is pure carbon from combustion sources, including diesel particulate. Organic carbon is a semi-volatile hydrocarbon from combustion and some evaporative sources.
[2] Aerosol is the scientific term used to describe particles suspended in a fluid, such as air.

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Particle samples are collected on filters that are then weighed. Particle concentrations are reported in terms of micrograms of particles per cubic meter ($\mu g/m^3$) of collected air.

Originally, the particle samples were relatively indiscriminate with respect to particle size and often contained very large particles. These large particles contributed a great deal to the weighed particle mass, but might not have been very important with respect to lung health. This is because most of the particles were too large to penetrate through the nasal and head airways to reach the lung. A more health-related sample was needed.

After a great deal of scientific consideration it was decided that particulate matter with aerodynamic diameters[3] less than or equal to 10 microns (µm) should be collected. Ambient air quality standards were developed for this material, which is called PM_{10}.

Sources of Particle Pollution

Researchers noted that the sources of relatively large-size particles (greater than 3 microns in aerodynamic diameter) were quite distinct from the sources of particles less than 1 micron in diameter.

The larger, so-called "coarse" particles are mostly produced by mechanical processes, such as automobile tire wear on the road, industrial cutting, grinding and pulverizing processes and re-suspension of particles from the ground or other surfaces by wind and human activities. The chemical composition of coarse particles may be somewhat similar to the chemical composition of soil in that area, along with industrial compounds from activities such as mining or smelting operations. The coarse fraction of urban aerosols also contains bits of plants, molds, spores and some bacteria. Thus the characteristics of the coarse particles may vary greatly in different communities.

In contrast, the smaller or so-called "fine" particles in the urban aerosol come from combustion sources, such as power plants, automobile, truck, bus and other vehicle exhaust or from the reactions that transform some of the pollutant gases into solid or liquid particles. These distinctions may be important because the current air pollution health effects literature suggests, although not with certainty, that for some key health effects the fine particles are more important than the coarse particles. These findings have led EPA to propose a new nationwide $PM_{2.5}$ standard that would reduce exposure to particles that are 2.5 microns or less in diameter.

Historic Air Pollution Disasters

Epidemiological studies have consistently associated adverse health effects with exposures to particulate air pollution. Early studies implicated particulate and sulfur dioxide pollution in the acute illnesses and premature deaths associated with extremely

[3] Aerodynamic diameter is used to define particles' size. Particle deposition on a surface, or in the lung, depends on the particle's aerodynamic and diffusion characteristics. A particle's aerodynamic characteristics depend on its density, shape, actual size, and velocity while its diffusion characteristics are functions of its size and the density of the air in which it is suspended.

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severe pollution episodes in Donora, Penn., London, and New York in the 1940s, 1950s, and 1960s. The particle levels in a four-week pollution disaster in London in 1955 were more than 50 times higher than the California standard.[4] Twenty percent of that aerosol was composed of acid sulfates -- probably sulfuric acid. The number of people hospitalized for lung or heart-related diseases was extraordinarily high, but more importantly there were more than 4,000 premature, or "excess," deaths in the London population.

Fortunately, major efforts by government agencies, the public, and industries have made it very unlikely there will ever be a similar episode in modern urban communities. However, the lessons learned from these disasters are still relevant. Despite the fact that our levels of airborne particles are much lower than those that occurred during the disasters, EPA estimates that there are still more than 6,000 excess deaths in the United States that could be associated with inhaled particles.

Health Effects of Particulate Pollution

Current ambient levels of PM_{10} -- 30 to 150 micrograms per cubic meter -- are associated with increases in the numbers of people that die daily from heart or lung failure. Most of these deaths are among the elderly. However there is a strong body of evidence that some children are also adversely affected by particulate matter.

The American Thoracic Society's Environmental and Occupational Health Assembly reviewed current health effects literature. They report that daily fluctuations in PM_{10} levels have been related to:

- acute respiratory hospital admissions in children;
- school and kindergarten absences;
- decreases in peak lung air flow rates in normal children; and
- increased medication use in children and adults with asthma.

The USC Children's Health Study suggests that children with asthma living in a community with high particle concentrations may have suppressed lung growth. After children moved into cleaner cities their lung growth returned to the normal rate, but they did not recover the lost potential growth, according to John Peters, the study's principle investigator.

It is difficult to positively assign a quantitative risk associated with particulate matter because nearly all studies of its health effects find other pollutants present that may account for some of the effects.

Part of the problem is due to the nature of the data being collected. The levels of particulate matter vary during the course of the day and peak values can be quite high. Few studies have evaluated the effect of these short-term "spikes." However, at least one epidemiological study of children with asthma suggested that changes in symptoms

[4] The California standard for particulate matter (PM_{10}) is 50 micrograms per cubic meter averaged over 24 hours

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and lung function correlate more strongly with 1-hour peaks than with 24-hour average concentrations.

Other studies, primarily with laboratory animals, suggest that the chemical composition[5] and surface areas of the particles may be more important than particle mass. Scientists are continuing to study the health effects of particles and are developing better methods for measuring the important constituents. It may be possible in the near future to more accurately assess the effects of inhaled particles on human health.

Nitrogen Oxides

Nitrogen oxides are produced during most combustion processes. Mobile sources and power plants are the major contributors in Southern California.

About 80 percent of the immediately released nitrogen oxide is in the form nitric oxide (NO). Small amounts of nitrous oxide (N_2O) are also produced. Nitrous oxide is a "greenhouse" gas that is suspected of playing an important role in global warming.

Nitric oxide reacts with oxygen in the air to produce nitrogen dioxide (NO_2). Further oxidation during the day causes the nitrogen dioxide to form nitric acid and nitrate particles. In the dark, nitrogen dioxide can react with ozone and form a very reactive free radical. The free radical then can react with organic compounds in the air to form nitrogenated organic compounds, some of which have been shown to be mutagenic and carcinogenic.

Health Effects of Nitrogen Dioxide

Nitrogen dioxide is the most important nitrogen oxide compound with respect to acute adverse health effects. Under most chemical conditions it is an oxidant, as is ozone. However, it takes about 10 times more nitrogen dioxide than ozone to cause significant lung irritation and inflammation.

Nitrogen dioxide differs from ozone in that it suppresses the immune system to a much greater degree. As discussed below, some epidemiological studies have shown that children exposed to high levels of ambient nitrogen dioxide may be at increased risk of respiratory infections. Studies with laboratory animals have indeed shown that if mice are exposed first to nitrogen dioxide and later to bacteria at a level that would not infect a healthy control animal, their normal lung defense mechanisms are suppressed and the bacteria are able to infect the host.

[5] The idea that all particles are equally toxic is not scientifically justified. There are many good examples that can be taken from studies of particles in the workplace. For example, certain types of particles that contain quartz --a natural mineral composed of silicon dioxide but with a specific crystal structure -- are very potent lung irritants. Repeated exposures to this material can lead to a serious, permanent lung disease called lung fibrosis. Other mineral particles that are fibrous, such as specific forms of asbestos, can cause lung cancer. Other particles such as titanium dioxide do not seem to cause occupational diseases.

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Average levels of nitrogen dioxide in the United States range from 0.02 to 0.04 ppm. Levels in major urban areas in Southern California may be higher, but the region has not exceeded the federal standard[6] for nitrogen dioxide since 1991.

During the 1970s, one of the first studies relating respiratory illnesses and changes in lung function to ambient nitrogen dioxide concentrations reported that children living in areas with high nitrogen dioxide concentrations had greater incidences of lung-related illness than children living in areas with lower concentrations. Since then, other epidemiological studies have suggested that children with asthma are more likely than children without asthma to have reduced lung function and symptoms of respiratory irritation, such as cough and sore throat, when outdoor average nitrogen dioxide concentrations exceed about 0.02 ppm.

Some studies also have suggested that children younger than five years old may be more severely affected by nitrogen dioxide than older children. Several epidemiological studies have suggested that for children, the most important effect of ambient exposure to nitrogen dioxide might be increased susceptibility to respiratory infections and increased severity of responses to inhaled allergens.

Although many epidemiological studies show significant associations between outdoor nitrogen dioxide concentrations and adverse health outcomes, some studies do not corroborate these effects. In part, this is because it is often difficult to fully account for the influences of indoor sources of nitrogen dioxide.

Improvements in Nitrogen Dioxide Measurements

More recent studies have used special devices, called passive dosimeters, that can be worn by children to collect nitrogen dioxide for later analysis. These measurements give epidemiologists the ability to better assess a child's total nitrogen dioxide exposure over the course of the day. These studies show that there can be a great deal of individual variation in exposures, even for children living in the same communities. Thus, it is not surprising that epidemiological studies that do not estimate a nitrogen dioxide dose may reach different conclusions.

However, laboratory studies involving controlled exposures of human volunteers and laboratory animals have demonstrated plausible effects of nitrogen dioxide on human health. For example, if one exposes rats or other animals to nitrogen dioxide, and then examines their respiratory tract tissues, it is very evident that the pollutant can cause short-term injury similar to that seen after ozone exposure.

Long-term exposures to high concentrations of nitrogen dioxide can produce chronic damage to respiratory tract tissue that resembles the lung disease emphysema.

The pollutant's suppression of immune system functions reduces the ability of the host to fight off bacterial and viral infections. Human volunteers who inhaled weakened

[6] 0.053 ppm as an annual average

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influenza virus after being exposed to nitrogen dioxide in laboratories were more susceptible to the infection than a control group that did not inhale nitrogen dioxide.

Other studies show that nitrogen dioxide decreases the body's ability to generate antibodies when challenged by pathogens, and may reduce the ability of the respiratory system to remove foreign particles such as bacteria and viruses from the lung.

Lead

People can be exposed to lead (Pb) through air, food and water. Lead is a toxic heavy metal that causes nerve damage and impairs the body's ability to make hemoglobin, leading to a form of anemia.

Sources of Lead Pollution

Large amounts of lead were emitted to the atmosphere when it was used as a gasoline additive.[7] The emitted lead could be inhaled. In addition, lead fallout from the air caused widespread contamination of soil, plants, food products, and water.

Lead is often measured in children's blood as an index of environmental exposure. Even low levels[8] of lead in the blood of children aged 6 to 7 are linked to measurable changes in intelligence quotient and certain perceptual-motor skills. Higher levels of lead exposure can also result in kidney damage and may be related to high blood pressure in adults.

Sulfur Oxides

Most manmade emissions of the gas sulfur dioxide (SO_2) come primarily from the combustion of fossil fuels such as coal, oil, and diesel fuel.

Most of the sulfur in fossil fuel is converted sulfur dioxide, but a small amount is also converted to sulfuric acid. In the atmosphere, gaseous sulfur dioxide can also be converted to sulfuric acid and sulfate-containing particles. Thus, atmospheric concentrations of sulfur dioxide are often highly associated with acidic particles, sulfuric acid particles and sulfate particle concentrations.

The current National Ambient Air Quality Standards for sulfur dioxide are 18 micrograms per cubic meter averaged annually, and 365 micrograms per cubic meter averaged over 24 hours. Southern California does not exceed the national air quality standard because its industries primarily burn low-sulfur fuels such as natural gas. Much of the sulfur oxide air pollution in Southern California is likely to be associated with diesel emissions.

[7] Lead in the form of tetraethyl lead was added to gasoline in the United States in large amounts from the 1950s until it was banned in the mid-1970s.
[8] 10 to 30 micrograms per 100 milliliters

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Sulfur dioxide is a very water-soluble gas and therefore most of the sulfur dioxide that is inhaled is absorbed in the upper respiratory tract and does not reach the lung's airways. However, the small amount of sulfur dioxide that does penetrate into the airways can provoke important health effects, primarily in individuals with asthma.

For those with asthma, even relatively short-term, low-level exposures to sulfur dioxide can result in airway constriction leading to difficulty in breathing and possibly contribute to the severity of an asthmatic attack.

A number of epidemiological studies have shown associations between ambient sulfur dioxide and rates of mortality (death) and morbidity (illness). However, because sulfur dioxide is often strongly correlated with fine particles and especially sulfate-containing particles, it is difficult to separate the effects of sulfur dioxide from those of the particle compounds.

A study in France found an increase of 2.9 visits to the emergency room for every 20 micrograms per cubic meter increase in atmospheric sulfur dioxide. The results pertained to days when the average sulfur dioxide levels were above 68 micrograms per cubic meter but below the U.S. health standard.

In London, asthma and other lower respiratory diseases in children were most significantly associated with exposures to nitrogen dioxide, carbon monoxide, and sulfur dioxide. In adults the only consistent association was with particulate matter.

Hospital admissions for children with asthma may increase by 20 percent following acute exposure to ozone peaks and possibly with sulfur dioxide. Chronic exposure to increased levels of fine particles, sulfur dioxide, and nitrogen dioxide may be associated with up to threefold increase in nonspecific respiratory symptoms. Thus, recent literature suggests that sulfur dioxide affects adults and children differently and that chronic and acute effects may also be different.

Diesel Emissions

Diesel fuel is burned to power buses, trucks, road-building equipment, trains, boats and ships and electricity-generating equipment. When diesel fuel is burned, the exhaust includes both particles and gases. Diesel emissions are important constituents of ambient air pollution.

What's in Diesel?

Diesel particles consist mainly of elemental carbon and other carbon-containing compounds. Hundreds of compounds have been identified as constituents of diesel particles. These include polycyclic aromatic hydrocarbons (PAHs) and other compounds that have been associated with tumor formation and cancer. In 1998, the California Air Resources Board designated diesel particulate a cancer-causing toxic air contaminant.

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Diesel particles are microscopic. More than 90 percent of them are less than 1 micron in diameter. Due to their minute size, diesel particles can penetrate deeply into the lung. There is evidence that once in the lung, diesel particles may stay there for a long time.

In addition to particles, diesel exhaust contains several gaseous compounds including carbon monoxide, nitrogen oxides, sulfur dioxide and organic vapors, for example formaldehyde and 1,3-butadiene. Formaldehyde and 1,3-butadiene have been classified as toxic and hazardous air pollutants. Both have been shown to cause tumors in animal studies and there is evidence that exposure to high levels of 1,3-butadiene can cause cancer in humans.

AQMD's recent landmark research project, the Multiple Air Toxics Exposure Study II, found that diesel particulate is responsible for about 70 percent of the total cancer risk from all toxic air pollution in the greater Los Angeles metropolitan area.

Diesel emissions may also be a problem for asthmatics. Some studies suggest that children with asthma who live near roadways with high amounts of diesel truck traffic have more asthma attacks and use more asthma medication.

Some human volunteers, exposed to diesel exhaust in carefully controlled laboratory studies, reported symptoms such as eye and throat irritation, coughing, phlegm production, difficulty breathing, headache, lightheadedness, nausea and perception of unpleasant odors. Another laboratory study, in which volunteers were exposed to relatively high levels of diesel particles for about an hour, showed that such exposures could cause lung inflammation.

Thus current epidemiological and laboratory evidence suggests that at typical urban concentrations, diesel exhaust may contribute significantly to the health effects of air pollution.

What Can Be Done to Reduce the Effects of Air Pollution on Children's Health?

After reviewing the literature on how children’s exposures differ from those of adults, it is evident that:

- children are outdoors more hours per day than most adults;
- they exert themselves to a greater degree while they are outside than most adults; and
- they participate in more organized activities than adults.

There are definite health benefits to having children participate in outdoor activities. However, scientific evidence also suggests that air pollution exposures can injure children’s lungs and other organs.

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Air quality information in the form of health reports and air quality advisories are now a regular part of life in California. One logical step is to reduce strenuous activities during pollution episodes and try to take advantage of those hours when airborne pollutant levels are lower.

At the public level there is a long-standing commitment to improve air quality. When you look at the air pollution levels in California today you can see that a great deal of progress has been made. There has been a cost for this progress. For instance, some products are more expensive. In return, the lower levels of pollutant exposure compared to 20 years ago should decrease the adverse effect of air pollution on the long-term health of our developing children.

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AGRICULTURAL MITIGATION POLICIES

Background

LAFCO's mission is to encourage orderly growth and development, discourage urban sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services and encourage the orderly formation of local agencies. LAFCO will consider impacts to agricultural lands along with other factors in its evaluation of proposals. LAFCO's Urban Service Area (USA) Amendment Policies discourage premature conversion of agricultural lands, guide development away from existing agricultural lands and require the development of existing vacant lands within city boundaries prior to conversion of additional agricultural lands. In those cases where LAFCO proposals involve conversion of agricultural lands, LAFCO's USA Amendment Policies require an explanation of why the inclusion of agricultural lands is necessary and how such loss will be mitigated.

Purpose of Policies

The purpose of these policies is to provide guidance to property owners, potential applicants and cities on how to address agricultural mitigation for LAFCO proposals and to provide a framework for LAFCO to evaluate and process in a consistent manner, LAFCO proposals that involve or impact agricultural lands.

General Policies

1. LAFCO recommends provision of agricultural mitigation as specified herein for all LAFCO applications that impact or result in a loss of prime agricultural lands as defined in Policy #6. Variation from these policies should be accompanied by information explaining the adequacy of the proposed mitigation.
2. LAFCO encourages cities with potential LAFCO applications involving or impacting agricultural lands to adopt citywide agricultural mitigation policies and programs that are consistent with these policies.
3. When a LAFCO proposal impacts or involves a loss of prime agricultural lands, LAFCO encourages property owners, cities and agricultural conservation agencies to work together as early in the process as possible to initiate and execute agricultural mitigation plans, in a manner that is consistent with these policies.
4. LAFCO will work with agricultural entities, the County, cities and other stakeholders to develop a program and public education materials to improve the community's understanding of the importance of agriculture in creating sustainable communities within Santa Clara County.

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5. LAFCO will review and revise these policies as necessary.

Definition of Prime Agricultural Lands

6. "Prime agricultural land" as defined in the Cortese Knox Hertzberg Act means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

    a. Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.

    b. Land that qualifies for rating 80 through 100 Storie Index Rating.

    c. Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935.

    d. Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars ($400) per acre.

    e. Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars ($400) per acre for three of the previous five calendar years.

Mitigation Recommendations

7. Proposals involving the conversion of prime agricultural lands should provide one of the following mitigations at a not less than 1:1 ratio (1 acre preserved for every acre converted) along with the payment of funds as determined by the city / agricultural conservation entity (whichever applies) to cover the costs of program administration, land management, monitoring, enforcement and maintenance of agriculture on the mitigation lands:

    a. The acquisition and transfer of ownership of agricultural land to an agricultural conservation entity for permanent protection of the agricultural land.

    b. The acquisition and transfer of agricultural conservation easements to an agricultural conservation entity for permanent protection of the agricultural land.

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c. The payment of in-lieu fees to an agricultural conservation entity that are sufficient to fully fund*:

   1. The cost of acquisition of agricultural lands or agricultural conservation easements for permanent protection, and

   2. The cost of administering, managing, monitoring and enforcing the agricultural lands or agricultural conservation easements, as well as the costs of maintaining agriculture on the mitigation lands.

   * with provisions for adjustment of in-lieu fees to reflect potential changes in land values at the time of actual payment

8. Agricultural lands or conservation easements acquired and transferred to an agricultural conservation entity should be located in Santa Clara County and be lands deemed acceptable to the city and entity.

9. The agricultural mitigation should result in preservation of land that would be:

   a. Prime agricultural land of substantially similar quality and character as measured by the Average Storie Index rating and the Land Capability Classification rating, and

   b. Located within cities' spheres of influence in an area planned/envisioned for agriculture, and

   c. That would preferably promote the definition and creation of a permanent urban/agricultural edge.

10. Because urban/non-agricultural uses affect adjacent agricultural practices and introduce development pressures on adjacent agricultural lands, LAFCO encourages cities with LAFCO proposals impacting agricultural lands to adopt measures to protect adjoining agricultural lands, to prevent their premature conversion to other uses, and to minimize potential conflicts between the proposed urban development and adjacent agricultural uses. Examples of such measures include, but are not limited to:

    a. Establishment of an agricultural buffer on the land proposed for development. The buffer's size, location and allowed uses must be sufficient to minimize conflicts between the adjacent urban and agricultural uses.

    b. Adoption of protections such as a Right to Farm Ordinance, to ensure that the new urban residents shall recognize the rights of adjacent property owners conducting agricultural operations and practices in compliance with established standards.

    c. Development of programs to promote the continued viability of surrounding agricultural land.

Agricultural Conservation Entity Qualifications

11. The agricultural conservation entity should be a city or a public or non-profit agency. LAFCO encourages consideration of agricultural conservation entities that:

    a. Are committed to preserving local agriculture and have a clear mission along with strategic goals or programs for promoting agriculture in the areas that would be preserved through mitigation,

    b. Have the legal and technical ability to hold and administer agricultural lands and agricultural conservation easements and in-lieu fees for the purposes of conserving and maintaining lands in agricultural production and preferably have an established record for doing so, and

c. Have adopted written standards, policies and practices (such as the Land Trust Alliance's "Standards and Practices") for holding and administering agricultural lands, agricultural conservation easements and in-lieu fees and are operating in compliance with those standards.

Timing and Fulfillment of Mitigation

12. LAFCO prefers that agricultural mitigation be in place at the time of LAFCO approval or as soon as possible after LAFCO approval. The mitigation (as detailed in the Plan for Mitigation) should be fulfilled no later than at the time of city's approval of the final map, or issuance of a grading permit or building permit, whichever occurs first.

13. Cities should provide LAFCO with information on how the city will ensure that the agricultural mitigation is provided at the appropriate time.

14. Cities should provide LAFCO with a report on the status of agricultural mitigation fulfillment every year following LAFCO approval of the proposal until the agricultural mitigation commitments are fulfilled.

15. The agricultural conservation entity should report annually to LAFCO on the use of the in-lieu fees until the fees have been fully expended.

Plan for Mitigation

16. A plan for agricultural mitigation that is consistent with these policies should be submitted at the time that a proposal impacting agricultural lands is filed with LAFCO. The plan for mitigation should include all of the following:

    a. An agreement between the property owner, city and agricultural conservation entity (if such an entity is involved) that commits the property owner(s) to provide the mitigation for the loss of prime agricultural lands and establishes the specifics of the mitigation. Upon LAFCO approval of the proposal, the agreement should be recorded with

the County Recorder's office against the property to be developed. The agreement should specify:

1. The type of mitigation that will be provided in order to mitigate for conversion of agricultural lands. (purchase of fee title or easement or payment of in-lieu fees)
2. The agricultural conservation entity that will be involved in holding the lands, easements, or in-lieu fees.
3. The acreage that would be preserved through mitigation and /or the amount of in-lieu fees that would be paid (with provisions to adjust fees to reflect land values at time of payment) along with the methodology adopted by the entity for calculating the in-lieu fees.
4. The location of the mitigation lands, when possible.
5. Information on the specific measures adopted by the city as encouraged in Policy #10 (mitigation for impacts to adjacent agricultural lands)
6. The time-frame within which the mitigation will be fulfilled, which should be no later than at the time of city's approval of the final map, or issuance of the grading permit or building permit, whichever occurs first.
7. The mitigation agreement is to be contingent on LAFCO approval of the proposal.

b. Applicant should provide all other supporting documents and information to demonstrate compliance with these policies.

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Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis

(Part of AIHA Journal (63) November/December 2002)

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Alice Suter
American Industrial Hygiene Association

More than one-half million construction workers are exposed to potentially hazardous levels of noise, yet federal and state Occupational Safety and Health Administration (OSHA) programs provide little incentive to protect them against noise-induced hearing loss. Construction noise regulations lack the specificity of general industry noise regulations. In addition, problems that characterize the construction industry, such as worker mobility and the large proportion of small businesses, make implementing hearing conservation measures more difficult. The apparent severity of exposure depends greatly on the measurement method, with the 3-dB exchange rate almost always showing higher average exposure levels than the 5-dB (OSHA) rule. Construction workers demonstrate hearing threshold levels that generally conform to those expected in manufacturing. The prevalence of hearing protection device (HPD) use among U.S. construction workers is very poor, partly because of perceived difficulties in hearing and understanding speech communication and warning signals. In addition, masking by noise of necessary communication and warning signals is of particular concern in construction, where recent research demonstrated the association between fatalities and the failure to hear reverse alarms. Judicial use of HPDs is of the utmost importance, along with avoiding overattenuation, selecting HPDs with uniform attenuation, and using noise-attenuating communication systems when possible. A successful hearing conservation program in British Columbia can serve as a model for the United States, with a long-standing positive safety culture, a high percentage of HPD use, improvement in average hearing threshold levels over the last decade, and a centralized record-keeping procedure, which helps solve the problem of worker mobility. However, controlling construction noise at the source is the most reliable way to protect worker hearing. US manufacturers and contractors should benefit from the activities of the

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European Community, where noise control and product labeling in construction has been carried out for more than 20 years.

Keywords: construction workers, hearing conservation, noise exposure

The fact that US construction workers are exposed to hazardous levels of noise and sustain significant hearing impairments is not news. That these impairments are at least as great as would be expected from an industrial population became evident during the 1960s and 1970s. [1,2] Estimated numbers of construction workers exposed to potentially hazardous levels of noise range from about half a million to 750,000. [3,4] In 1988 the National Institute for Occupational Safety and Health (NIOSH) recommended that the Occupational Safety and Health Administration's (OSHA's) noise regulation, including the hearing conservation provisions, be extended to construction workers as well as to other occupations not then covered. [5] A 1995 conference jointly sponsored by NIOSH and the National Hearing Conservation Association identified construction workers as an "undeserved" population. [6]

In the United States there are separate noise regulations for construction (29 CFR 1926.52 and 1926.101) and general industry (29 CFR 1910.95). The permissible exposure limits (PEL) and requirements for noise control are essentially the same, an 8- hour time-weighted average exposure level (TWA) of 90 dBA with a 5-dB exchange rate between allowable duration and noise level. Engineering or administrative controls are required to be implemented above this level, and hearing protection devices (HPDs) must be issued and worn when exposures exceed the PEL. Both regulations require hearing conservation programs (HCPs) for overexposed workers, but there are two essential differences: (1) the noise regulation for general industry requires the initiation of HCPs at an action level of 85 dBA, whereas the construction regulation does not use an action level; and (2) the general industry regulation gives detailed requirements for noise exposure monitoring, audiometric testing, (HPDs), worker training and education, and record keeping, whereas the construction regulation (1926.52) has only a general requirement for "continuing effective hearing conservation programs" above the PEL. Construction regulation 1926.101 merely mandates the use of hearing protection above the PEL and requires insert devices to be fitted or determined individually by "competent persons."

Current enforcement of these noise regulations is not rigorous, particularly in construction. Neither the noise reduction nor the hearing conservation provisions are well enforced in construction. For example, of more than 18,000 federal construction inspections during

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fiscal year 1998, only 63 inspections were conducted for the noise regulations, resulting in a total of 79 citations. [7] Lack of enforcement characterizes state as well as federal programs. Even those states that have adopted the general industry noise regulation for construction, such as the state of Washington, have failed to enforce the hearing conservation provisions.

Part of the problem has been a perceived lack of information about the noise exposures of construction workers, although several studies have been conducted over recent decades in the United States and Canada. A more salient reason for the lack of activity in this area is the impracticality of the usual approaches to HCPs in the construction arena. Mobility among construction workers, short periods of employment, and the consequent difficulty in record keeping and follow-up present daunting obstacles. This report attempts to address these issues and offer possible solutions.

NOISE EXPOSURE LEVELS OF CONSTRUCTION WORKERS

Evidence of Overexposure

Several studies conducted in the 1960s and 1970s indicated that construction workers were overexposed. In the early 1980s NIOSH estimated the numbers of workers in various occupations, including construction, exposed to noise levels above 85 dBA. [8] Table I gives the estimated percentage of workers in various construction trades exposed to noise levels above 85 dBA. Although the percentages were derived in the early 1980s, the data on numbers of employees in the various trades has been updated to 1995. [4]

TABLE I. Construction Employment Data (1995) and NIOSH Estimates (1981-1983) of Numbers Exposed at or Above 85 dBA (Adapted from Hattis [4])

SIC	Industry Description	1995 1000s Employees	NIOSH % Exposed .85 dBA A,B
152	Residential builders	609	12
154	Nonresidential builders	567	12
161	Highway and street construction	223	27
162	Other heavy construction	526	17
171	Plumbing, heating, and air conditioning	712	7
172	Painting and paper hanging	179	20
173	Electrical work	593	13

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174	Masonry, stonework, and plastering	409	8
175	Carpentry and floor laying	219	32
176	Roofing, siding, and sheet metal	208	11
177	Concrete work	248	40
179	Miscellaneous special trade contractors	548	14
Total (in 1000's)		5041	
A Percentages were rounded to the nearest integer. B Total number exposed .85 5 754,174. [4]			

The highest percentages of overexposed workers occur in highway and street construction, carpentry, and concrete work. Of the approximately 5 million construction workers in 1995, the total number exposed to noise levels of 85 dBA and above was about 754,000. Because NIOSH sampled noise levels rather than exposures, these are not TWAs, and the actual numbers would be somewhat lower when using TWA, but these numbers are useful for ranking the extent of the hazard by trade and to estimate the upper bound of the total number exposed.

Studies of Noise Exposure in Construction Workers

Recent studies have supplemented the earlier ones with noise dosimetry, providing a more precise and comprehensive picture of construction workers' exposures. Table II, containing information from Sinclair and Haflidson, [(9)] shows average daily noise exposures of construction workers by type of construction. The authors obtained samples of up to 5 hours in 27 construction projects during 1991-1992, which, due to the repetitive nature of the work, they considered representative of a full shift. They measured according to the proposed Ontario Noise Regulation, which specifies a 3-dB exchange rate. [(10)] TWA sound levels using the 3-dB exchange rate are sometimes referred to as "equivalent continuous sound levels" or L^{eq}. Of the 103 workers sampled, the average noise exposure level was approximately 99 dBA.

TABLE II. Average Noise Exposure Levels (Daily L_{eq}) by Type of Construction (Adapted from Sinclair and Haflidson [(9)])

Type of Construction	Number Samples	Average dBA [A]	Range dBA [A]
Residential	7	93	87-96

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Roads/bridges	16	93	84-100
Shop work [B]	26	95	85-104
Maintenance	2	95	91-97
ICI [C]	23	96	81-108
Sewer/water	17	99	85-108
Plant work [D]	6	101	87-106
Power station	6	108	93-113
Total	103	99	81-113

[A] Rounded to the nearest integer

[B] Shop work = work in a contractor's fabrication shop.

[C] ICI = industrial, commercial, or institutional.

[D] Plant work = work in a construction contractor's plant.

Table III, also from data gathered by Sinclair and Haflidson, [(9)] shows daily average noise exposure levels by trade, activity, or equipment. The authors caution that in many cases the samples are too small to state definitively which sectors of construction have the greatest risk, but, in their words, "the magnitude of the problem is obvious." [(p. 459)] From Table III it is clear that boiler- makers and iron workers, at least those studied here, are heavily exposed, with average exposure levels of 108 and 105 dBA, respectively. The authors concluded that pneumatic tools were largely responsible.

TABLE III. Average Noise Exposure Levels (Daily L_{eq}) by Trade, Activity, or Equipment (Adapted from Sinclair and Haflidson [(9)]))

Trade, Activity, or Equipment	Number of Samples	Average dBA [A]	Range dBA [A]
Install rebar	2	89	88-90
Carpenter	3	90	82-94
Mason	14	91	84-97
Framer	7	93	87-96
Sprinkler	6	94	86-97
Forming	5	94	87-97
Refractory	2	95	91-97
Sheet metal	17	96	85-104

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Ironworker	2	105	98-108
Boilermaker	6	108	93-113
Paver	6	90	84-92
Front-end loader	2	90	87-92
Scraper	5	90	88-91
Curb machine	3	93	86-96
Roller	2	98	93-100
Crane	3	99	95-102
Dozer	6	102	85-108
Heavy equipment	4	90	86-94
Gravel plant	4	102	88-106
Other	4	88	81-90
Total	103	99	81-113
[A] Rounded to the nearest integer			

In another Canadian study, Legris and Poulin [11] reported on the noise exposure of heavy equipment operators and laborers. The data were collected in Quebec in the late 1980s and the measurements used a 5-dB exchange rate. The average duration of the work shift was 9.5 hours with a range of 8-12 hours, and the data were normalized to an 8-hour shift. Of the 250 samples taken, 65 were from laborers and 185 from heavy equipment operators.

Table IV gives 8-hour average noise exposure levels for heavy equipment operators and laborers according to Legris and Poulin. The authors explained the variations in exposures by such factors as the location and type of muffler, amount of time the equipment was idling or under load, the power rating of the engine, and the nature of the task. Of particular importance were the presence or absence of an insulated cab and the design of the equipment. Note the 10-dB difference between insulated and noninsulated cabs and the 13-dB difference between crawler and rubber-tired cranes weighing more than 35 tons with noninsulated cabs.

TABLE IV. Average Daily Noise Exposure Levels (8-Hour TWA) of Heavy Equipment Operators and Associated Laborers in dBA (Adapted from Legris and Poulin [11])

Operator or Task	Mean TWA	SD	Range
Heavy-duty bulldozer	9	5	91-107
Vibrating road roller	97	4	91-104

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Light-duty bulldozer	96	2	93-101
Asphalt road roller	95	4	85-103
Wheel loader	94	4	87-100
Asphalt spreader	91	3	87-97
Light-duty grader	89	1	88-91
Power shovel	88	3	80-93
Laborers	90	6	78-107
Crawler crane .35 ton Noninsulated cab	97	2	93-101
Crawler crane ,35 ton			
Noninsulated cab	94	3	90-98
Insulated cab	84	3	80-89
Rubber tired cane .35 ton			
Noninsulated cab	84	5	78-90
Insulated cab	74	9	59-87
Rubber tired crane, 35 ton Insulated cab	81	4	77-87
Truck-mounted crane	79	2	76-83
Tower crane	74	2	70-76

The results of another, smaller study of operating engineers and laborers are in general agreement with those of Legris and Poulin. Greenspan et al. (12) found 8-hour TWAs ranging from about 68 to 103 dBA, with a mean TWA of 89 dBA, although five of the eight samples were above 90 dBA. The study should not be considered conclusive because of the small sample size (N58) and the wide range of exposures, but it gives a clear example of the benefits of noise reduction in machinery design. The 68-dBA exposure was achieved in a Caterpillar 980 front-end loader with an enclosed, sound insulated cab.

Data from the Worker Compensation Board of British Columbia (13) are also in general agreement with the above data, although such factors as occupations, sample sizes, and the exchange rate vary from study to study.

Several factors make it difficult to draw comparisons between these kinds of studies. First, the exchange rate has an effect, with the 3-dB exchange rate almost always producing higher exposure levels than the 5-dB exchange rate. Second, the length of the work shift, of course, increases the exposure level; and third, the amount of time each worker spends on each piece of equipment also has an effect.

Effect of the Exchange Rate

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Varying and intermittent noise environments are typical of the construction industry, unlike many manufacturing industries in which the noise is relatively continuous. Much of the construction process takes place outdoors, without the reverberant buildup typical of factories, and it is often characterized by the high-level short-duration sounds of hand tools. When noise from heavy equipment predominates, however, the sound tends to be more continuous. Thus, the differences between measurements using the 3- and the 5-dB exchange rate become more pronounced as the type of construction moves from site preparation, which involves much use of heavy equipment, to finishing work involving carpentry and the use of hand tools.

Neitzel, Seixas, and their colleagues at the University of Washington measured the noise exposure levels of 133 carpenters, laborers, ironworkers, and operating engineers with data-logging dosimeters. [14,15] They found that using the 5-dB exchange rate ("OSHA TWA"), 13% of their samples exceeded the 90-dBA criterion and 40% exceeded the 85-dBA criterion. Using the 3-dB exchange rate ("ISO-slow TWA"), 45% exceeded the 90-dBA criterion and 80% exceeded the 85-dBA criterion. These large differences, according to stage of construction, are presented graphically in Figure 1. [14] The boxes represent the range of noise exposure between the 25th and 75th centiles, the brackets show the entire range of exposures, and the horizontal lines within the boxes represent medians. One can see that the differences are larger in finish work than in site preparation and structural work. The authors found the differences to be statistically significant for both finish work and structural work, although not for site preparation.

FIGURE 1. Comparison of OSHA and NIOSH/ISO TWAs by site stage of construction. Reprinted from Neitzel et al. [14] with permission of the first author.

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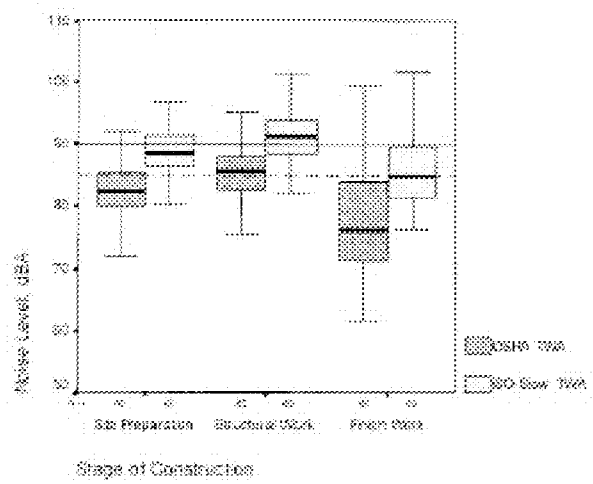

Figure 2, also from Neitzel et al., compares noise exposure levels using the 3- and 5-dB exchange rates by construction trade. The differences are smallest for the operating engineers and greatest for carpenters, but they are also substantial for ironworkers and laborers. In this case all of the differences were significant at the 0.05 level. The authors found an overall difference between the 3- and 5-dB exchange rates of about 7 dB.

FIGURE 2. Comparison of OSHA and NIOSH/ISO TWAs by trade. Reprinted from Neitzel et al. [14] with permission of the first author.

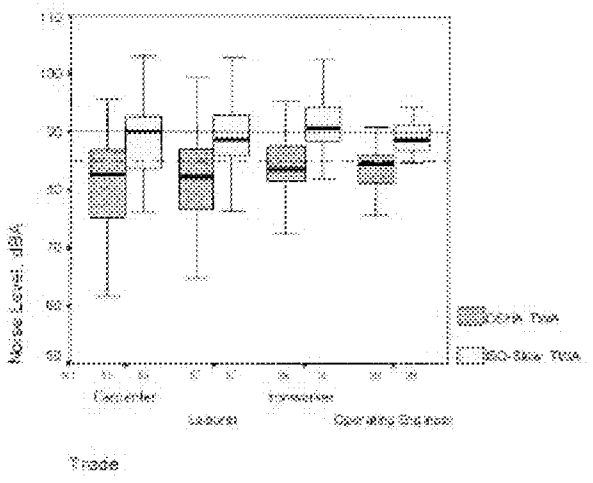

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Relative Hazard of Construction Equipment

Because construction workers often use several different pieces of equipment, Neitzel and Seixas developed a method by which the average noise contribution of the various tools and equipment could be assessed. Table V gives "1-min sound levels" of construction equipment. This term represents an average of the 1-min dosimeter readings in L_{eq} (3-dB exchange rate) that came from periods when workers reported using a particular piece of equipment. For example, there was a total of 255 min during which workers reported using an air compressor, and the median sound level, integrated during each 1-min period, was 96 dBA, with a range of 70 to 114 dBA and a standard deviation of 11.2 dBA. The large standard deviations for most pieces of equipment reflect the variations of sound levels and conditions of use.

TABLE V. Median 1-Min Sound Levels in L_{eq} by Equipment/Tool (Adapted from Neitzel et al. [14] Using Additional Data Supplied by Neitzel [16])

Tool Name	Tool Drive Type	Minutes	Median dBA	SD dBA	Range dBA
Air compressor	pneumatic	255	96	11.2	70-114
Backhoe	gasoline	1908	86	6.0	70-108
Bulldozer	gasoline	494	89	8.2	70-104
Chipping gun	pneumatic	1151	93	13.1	70-120
Chopsaw	electric	631	80	8.6	70-106
Crane	electric	3059	78	7.7	70-110
Forklift	gasoline	3727	85	5.8	62-125
Hand hammer	mechanical	4443	85	8.0	56-110
Jackhammer	pneumatic	267	104	11.4	70-112
Lejeune gun	pneumatic	390	89	8.4	70-120
Truck	gasoline	970	78	8.0	70-123
Welding torch	other	1923	84	8.9	70-118

These 1-min average noise levels do not represent noise doses or 8-hour time-weighted exposures, but they do provide a means for estimating the relative hazard of the various pieces of equipment. The reason they may be somewhat lower than measurements taken with a sound level meter is that they tend to incorporate some amount of time when the equipment is either idling or actually turned off. Although it would be useful to have data on additional types of equipment, as well as various models of the same type of equipment,

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these data show that pneumatic tools, such as jackhammers and chipping guns, pose a greater risk than those powered by other means.

Chemical and Combined Exposures

In recent years there has been a substantial increase in information on the adverse auditory effects of chemicals, especially when combined with high levels of noise. OSHA estimates nearly one million construction workers are occupationally exposed to lead, [17] a substance known to be ototoxic. [18,19] Solvents, such as toluene and xylene, have been implicated as causes of occupational hearing loss, and, particularly when combined with noise, appear to exacerbate the hazard to hearing. [20-23] In a report on construction laborers, Burkhart et al. [24] placed toluene and xylene high on the list of hazardous chemicals and physical agents in terms of estimated number of exposed workers. Until more details are known about the combined exposures of construction workers, the existing data in this area should be used as added incentive for diligence in protecting workers, both from noise and from potentially hazardous chemicals.

HEARING THRESHOLD LEVELS OF CONSTRUCTION WORKERS

Although there is not nearly as much information on hearing threshold levels of construction workers as there is on noise exposure levels, fortunately, some data do exist. Studies as early as the 1960s and 1970s pointed out the problem. LaBenz et al. [1] measured the hearing of 66 operators of earth-moving vehicles and found considerably more hearing loss than in a population not exposed to noise for all age groups. Kenney and Ayer, [2] with more sophisticated audiometric equipment, measured hearing threshold levels of 33 sheet metal construction workers who regularly used handheld power tools. They found noise-induced threshold shifts that were significant for every age group and greatly exceeded expected hearing threshold levels for the older age groups.

Ohlin [25] prepared an inventory of civilian job specialties giving the number and percentage of workers in each specialty with hearing loss, defined as hearing threshold levels (HTLs) greater than an average of 25 dB at 1000, 2000, and 3000 Hz. The list, found in Table VI, includes several jobs that are associated with construction activity.

TABLE VI. Job Specialties Showing Incidence of Hearing Loss (Adapted from Ohlin [25])

MV00170615

Job Title	No. Audiograms in Specialty	No. with Hearing Loss [A]	Percentage with Hearing Loss[A]
Crane operator	116	38	33
Welder	602	176	29
Carpenter	811	214	26
Engineering equipment operator	340	84	24
Wood worker	258	61	24
Motor vehicle operator	983	185	19
Electrician	495	92	19
[A] HTLs greater than an average of 25 dB at 1000, 2000, and 3000 Hz.			

Waitzman and Smith [(26)] performed a multivariate regression analysis based on the combined data from the Public Health Service and Health Examination Surveys of 1960-1961 and 1971- 1975. The authors divided industrial workers into three categories: construction, manufacturing/mining, and other. They found that the construction category showed the greatest amount of hearing loss for all degrees of severity and at all ages, demonstrating the magnitude of the problem in construction and indicating that the onset of noise-induced hearing loss starts early. The relative risk for blue-collar construction workers was three times that of white-collar workers. In addition, white-collar construction workers also had more hearing loss than their counterparts in other industries.

A recent study of hearing loss among 66 roofers was conducted by Schneider and Tennenbaum. [(27)] Subjects completed a questionnaire that included information on other hazards, such as exposure to vibration, fuels, thinners/solvents, paints, glues, lead, extreme heat, and extreme cold, as well as information on hypertension and shooting habits. The average age was 48 years with 20 years on the job. Subjects reported that they generally worked slightly more than half time and they wore hearing protection infrequently (2 always, 7 often, 11 sometimes, and 46 never). The only confounding variables that showed an effect were hypertension and shooting. The authors adjusted the data for shooting by using only the right ear of the 18 subjects that reported use of weapons.

Figure 3, from Schneider and Tennenbaum, [(27)] shows the average hearing threshold levels of roofers compared with the median, 90th, and 10th centiles predicted by ISO 1999 for the same age group exposed for 20 years to average levels of 85 dBA. The roofers' hearing

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threshold levels fall between the median and 10th centiles of the ISO prediction.

FIGURE 3. Average hearing threshold levels among roofers compared with those of a hypothetical 50-year-old population exposed to 85 dBA for 20 years as predicted by ISO 1999 using Annex B. Reprinted from Schneider and Tennenbaum [27] with permission of the first author.

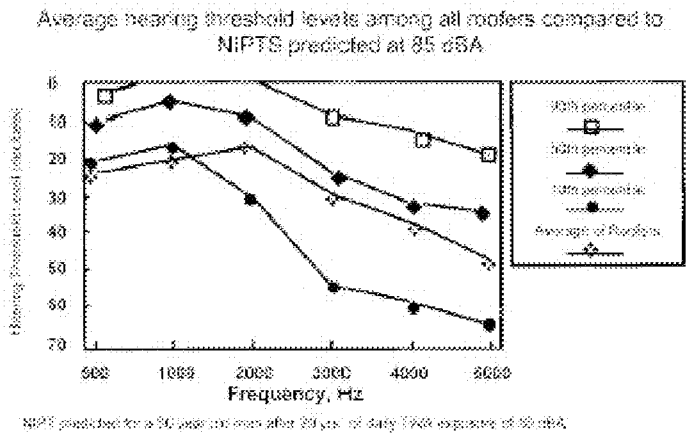

Two factors might cause these thresholds to be overestimates of the true hearing thresholds of roofers. First, the audiometric room was quiet but not soundproofed, which would be likely to produce elevated thresholds in the low and middle frequencies, although lack of soundproofing is unlikely to affect thresholds above 1000 Hz, where the major differences manifest. Secondly, a self-selection bias could occur because these subjects were volunteers at a convention. The bias could, however, work the other way in that some roofers might not volunteer because they did not want to confront the fact of hearing loss. One factor that would cause these thresholds to be underestimates is that they are part-time exposures that are compared with full-time exposures in the ISO method. Thus, to the extent that other roofers work longer hours their hearing losses could be more severe.

Figure 4, from Stephenson, [28] shows predicted compared with actual hearing threshold levels at 4000 Hz for carpenters. The data were collected by NIOSH personnel at a convention, so once again, self-selection may have introduced a bias, either to higher or lower hearing threshold levels. The results are interesting, however, because the author compares mean hearing levels of carpenters with a control group not exposed to noise (Annex A of ISO 1999 or ANSI S3.44, which comprises hearing threshold levels of an ontologically normal [highly screened] population) and to median hearing levels predicted

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by ISO 1999 (or ANSI S3.44) of persons exposed to average daily levels of 95 dBA for the same age groups. One can see that the carpenters' hearing threshold levels are considerably greater than those of the subjects not exposed to noise in all age groups, and worse than the 95-dBA populations in the older age groups. These data would indicate, to the extent that this is a representative sample, that the exposures of carpenters equal or exceed an average Leq of 95 dBA.

FIGURE 4. Predicted compared with actual hearing threshold levels at 4000 Hz for carpenters. Reprinted from Stephenson [28] with permission of the author.

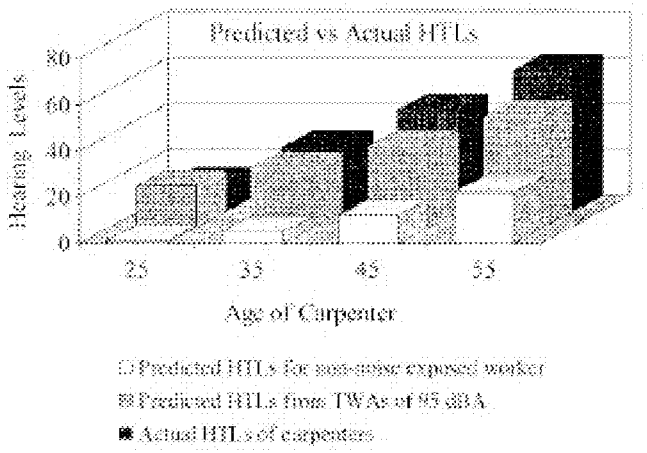

Undoubtedly, the most comprehensive HCPs for construction workers are those of the Worker's Compensation Board (WCB) in British Columbia. Figure 5, supplied by the WCB, shows HTLs of carpenters dating from 1988 and 1997. [29] These HTLs are plotted against a population from ISO 1999 Annex B (hearing threshold levels listed in Annex B of ISO 1999 [and ANSI S3.44] are for an unscreened population in an industrialized country) not exposed to noise and predictions of expected hearing threshold levels (noise-induced permanent threshold shift plus age) calculated from the measured exposures of a group of 63 carpenters in British Columbia. The carpenters' data are for the right ear and Annex B data are for the better ear, although any effect caused by this difference should be minimal. The average exposure of the measured group was an Leq of 91.3 dBA. One can see that the carpenters' HTLs were slightly worse than that of the population not exposed to noise but somewhat better than the predictions based on ISO 1999. Also, there is a slight improvement between the measured thresholds in 1997 and those from 1988 in the 6000- and 8000-Hz frequencies.

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FIGURE 5. Hearing threshold levels of British Columbia carpenters (triangles, 1988; open circles, 1997) plotted against a population not exposed to noise (closed circles) and predictions of expected hearing threshold levels due to average measured exposures of carpenters of L_{eq} 91.3 dBA (dashed line). Reprinted from Gillis and Harrison [29] with permission of the first author.

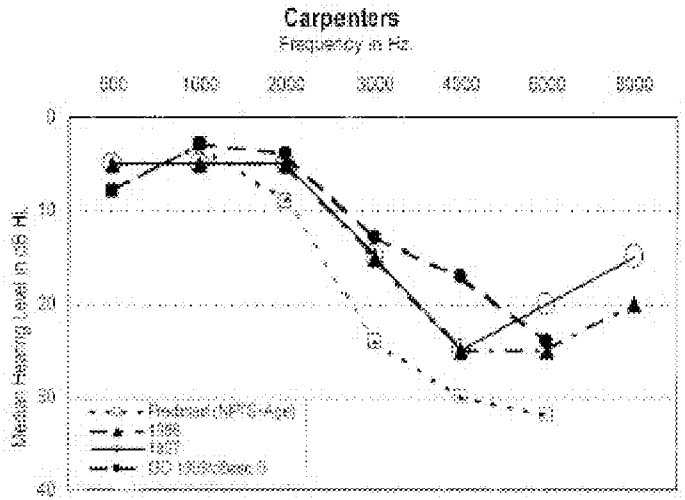

Figure 6 shows the same kind of data for equipment operators. [29] The ISO 1999 estimates of HTL are based on the measured noise exposures of 46 workers with an average L_{eq} of 91.6 dBA. Once again the 1988 HTLs are worse than those of the control population not exposed to noise and better than would be predicted according to the ISO standard. HTLs of the 1997 population, however, mimic the nonexposed curve and are substantially better than would be predicted by the average exposure level of a similar group of equipment operators. The reasons for these improvements are most likely attributable to the success of HCPs, which will be discussed further in the following sections. It is possible that some of the improvements may be due to the learning effect, an artifactual improvement in HTLs that occurs when people take several audiometric tests over a period of time. However, one cannot dispute the large differences between HTLs of these workers and the HTLs that would be predicted from their noise exposures.

FIGURE 6. Hearing threshold levels of British Columbia equipment operators (triangles, 1988; open circles, 1997) plotted against a population not exposed to noise (closed circles) and predictions of expected hearing threshold levels due to average

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measured exposures of equipment operators of L_{eq} 91.6 dBA (dashed line). Reprinted from Gillis and Harrison [29] with permission of the first author.

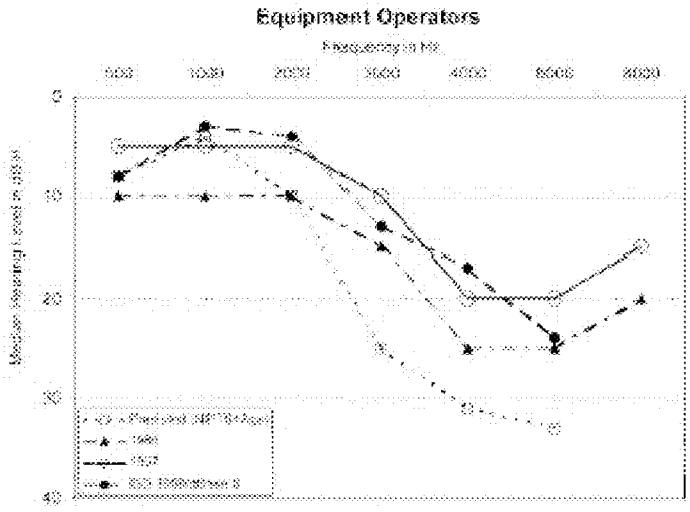

HEARING PROTECTOR USE AMONG CONSTRUCTION WORKERS

Prevalence of Use

The use of HPDs by US construction workers has been notoriously poor, although it has improved slightly in recent years. For example, a 1967 study of occupational health in California noted that HPDs were not considered practical because of heat, dust, dirt, and lack of washing and fitting facilities on job sites. [30] This attitude was probably typical of construction in the United States until fairly recently. Even today, the use of HPDs in construction is not widespread. Greenspan et al. [12] found that only one individual out of the group of operating engineers and laborers they studied used HPDs, and this individual reported that he already had a hearing loss. Most of the group was older than 50 years and most reported that HPDs interfered with communication.

Table VII gives estimated numbers of workers exposed to noise levels of 85 dBA and above in various segments of the construction industry and the reported percentage using HPDs. The numbers of exposed workers are based on NIOSH estimates from 1981-1983, updated to reflect 1995 construction employment data. [4] The percentages are based on NIOSH observations from 1981-1983. One should keep in mind that the numbers exposed include

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all of those exposed to levels, not TWAs, of 85 dBA and above. Even so, the percentage observed using HPDs is quite low, and virtually nonexistent in certain trades.

TABLE VII. Estimated Numbers of Workers Exposed at or Above 85 dBA and Percentage Using HPDs (NIOSH Percentage Estimates [1981- 1983] Using 1995 Construction Employment Data. Adapted from Hattis [(4)])

SIC	Industry Description	NIOSH Est. No. Exposed >85 dBA	Reported % Using Hearing Protection
152	Residential builders	75,500	1
154	Nonresidential builders	66,300	15
161	Highway and street construction	60,400	11
162	Other heavy construction	90,500	44
171	Plumbing, heating, and air conditioning	52,700	16
172	Painting and paper hanging	35,100	0
173	Electrical work	74,100	0
174	Masonry, stonework, and plastering	33,500	11
175	Carpentry and floor laying	70,700	0
176	Roofing, siding, and sheet metal	22,300	3
177	Concrete work	98,500	19
179	Miscellaneous special trade contractors	74,500	35
Total		754,100	avg. 15%

The information in Table VIII summarizes the prevalence of HPD use according to various studies. In their survey of operating engineers, carpenters, and plumbers/pipefitters, Lusk and her colleagues found that overall, 24% of those surveyed never used HPDs when exposed to high levels of noise, and only 5.3% always wore them when exposed. [(32)]

TABLE VIII. Summary of Prevalence of HPD Use According to Various Studies

NIOSH (NOES) (1981-1983)[A]
Highway and street construction, 11%
Carpentry and floor laying, 0%
Plumbing, heating, and air conditioning, 16%
Overall average, 15%

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Lusk et al. [31]		
Operating engineers, 49%		
Carpenters, 18%		
Plumbers/pipefitters, 32%		
Overall average, 33%		
British Columbia WCB [29]	1988	1998
Equipment operators	74%	90%
Carpenters	49%	77%
Electricians	55%	87%
Laborers	64%	64%
Truck drivers	46%	73%
Welders	76%	94%
Overall average	56%	75%

[A] Examples from Table VII

By contrast, the majority of British Columbia construction workers regularly used HPDs, even in 1988, when hearing conservation efforts were formally initiated in construction. According to Harrison, [33] British Columbia has required the use of HPDs since 1967, and a positive safety culture has existed there since the early 1970s, when hard hats and HPDs were fairly widely accepted. Enforcement of hearing conservation requirements was stepped up in the early 1970s, mainly in the forestry industry, but compliance appeared to spread into other sectors at that time. The widespread use of HPDs by 1988 is likely to be the primary reason for the better-than-expected hearing threshold levels of the carpenters and equipment operators shown in Figures 5 and 6.

Practical Considerations

The need for construction workers to communicate with each other is as great or greater than in most manufacturing industries. This is particularly true of personnel operating heavy and mobile equipment, such as loaders, dozers, and cranes, as well as personnel on the ground or in structures who need to communicate with them. Unless these workers are fitted with effective two-way or multiway communication systems, HPDs are likely to be viewed as a hindrance to communication and the perception of warning signals. This is especially true of workers who have already incurred a noise-induced hearing loss.

Most of these noise-induced hearing losses occur in the frequencies above 1000 Hz, which

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is the area most critical for the understanding of speech. Unfortunately, HPDs attenuate most effectively in this same frequency range. Consequently, spoken communication and indeed many warning signals become more difficult to perceive and understand when the person with noise-induced hearing impairment wears HPDs. There is a considerable body of research indicating that persons with noise-induced hearing loss are at an increased disadvantage in the perception of speech and warning signals when they wear HPDs. (34)

By contrast, a recent laboratory study of the effects of HPDs and hearing loss on the ability to perceive a common back-up signal indicated that persons with fairly severe losses could still detect a common reverse alarm at a signal-to-noise ratio of 0 dB. (35) These results are not definitive, however, because of the small size of the experimental population and because the subjects had no additional demands on their attention. It does suggest that even hearing-impaired persons wearing HPDs are able to perceive warning signals under certain favorable conditions.

There is also a body of research on listeners with normal hearing that shows that the use of HPDs can actually improve the perception of speech and warning signals in high-noise conditions. This is especially true when the noise is continuous. It appears that the point at which HPDs no longer provide an advantage for normal-hearing listeners is between about 80 and 90 dBA. (34)

However, much of construction noise tends to be intermittent or varying. Intermittent noise, which is typical of carpentry and finishing operations, is characterized by large differences in sound level and periodic interruptions at relatively low levels. Varying noise, which is more typical of the heavy equipment noise generated during site preparation, is characterized by ample differences between maximum and minimum levels, but low-to-moderate levels in between are present for a considerable amount of time. (36,37) Although HPDs may benefit communication during high noise periods, they are likely to be an impediment during the periods of intermittency when noise is below 80-90 dBA, and yet construction workers need to communicate and hear warning sounds during these periods.

This problem would suggest the need for HPDs that can be easily put on and taken off, such as muffs or semiaurals. There are, however, drawbacks to both of these protectors in the construction environment. First, muffs are sometimes incompatible with hard hats and safety glasses. Some muffs can be worn with the headband under the chin, but this position may be awkward. Muffs that are actually attached to the helmet are a popular alternative, but the attenuation is not always as great as with standard muffs because of difficulties in

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proper orientation and fit. The temple bars of safety glasses will often break an earmuff 's seal and attenuation will be reduced. Semiaurals may be useful as they are very easy to don and doff, but workers often find them uncomfortable and dislike the effects on the perception of their own voices due to the "occlusion effect" they sometimes generate. (38)

Interestingly, most workers in the British Columbia program, where the rate of use is highest, prefer to wear earplugs rather than earmuffs or semiaurals. In 1997, 64% of the construction workers reported using plugs, 13% used muffs, 1% used a combination of plugs and muffs, and 22% used no HPD. The use of plugs in British Columbia has greatly increased since a previous survey in 1981, and the use of muffs has decreased. (39)

Earplugs also have their disadvantages, aside from the fact that they require more time and effort to put on and take off than muffs or semiaurals. User-molded plugs, which have become by far the most popular type of plug, require clean hands to roll down and insert. The dust and dirt typical of construction sites can become imbedded in the plug and therefore a possible hygiene problem.

Localization of the sound source can be very important in construction. Workers need to be aware of warning signals, shouts from coworkers, and back-up alarms from moving vehicles. Both plugs and muffs degrade the ability to localize in the horizontal plane (left-right) and muffs have a devastating effect on localization in the vertical plane. (34,40,41) This fact has particular implications for the safety of iron workers and others who depend on communication in the up-down dimension.

It is true that hearing loss itself degrades the ability to localize (42) and to perceive speech and warning signals, (34) and one of the best ways to prevent hearing loss is the effective use of HPDs. This presents a difficult paradox because one is reluctant to generate safety problems in the effort to reduce an adverse effect on both safety and health.

The most recent noise regulation in British Columbia, which applies to construction as well as general industry, requires the posting of noise hazard areas when average exposure levels exceed 85 dBA (L_{eq}) or peak sound levels exceed 135 dBA. Employers must supply HPDs and workers must wear them in areas that have been posted. (43) This would presume that construction workers would be obliged to wear HPDs during the quiet periods and in noise levels between 80 and 90 dBA, even if they should pose a safety hazard. The regulation does state, however, that workers must wear HPDs "in accordance with instructions provided by the employer." Hopefully, employers would see fit to allow, even encourage

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workers to remove protectors when noise levels drop below about 85 dBA, but such flexibility on the part of both contractors and workers may not be easy to achieve. Employers often have the idea that bigger is better, and seek out HPDs with the most attenuation, regardless of an employee's noise environment and job needs. This practice can lead to overprotection, when too much attenuation can prevent workers from hearing sounds that are necessary to their job performance and safety. HPDs with only mild or moderate levels of attenuation can be quite adequate, as long as they are worn properly.

The British Columbia noise regulation requires certain selection criteria for HPDs, which are based on the Canadian Standards Association Standard, Z94.2-94, "Hearing Protectors" and its appendix. These criteria include communication demands on the worker as well as the worker's hearing ability and daily noise exposure. (43) The requirements should have the effect of encouraging employers not to overprotect.

In the United States the ANSI standard (S12.6) for estimating the attenuation of HPDs has recently been revised to include a subject-fit protocol (Method B) in addition to the traditional experimenter- fit method (Method A). (44) Using the new subject-fit procedure results in noise reduction ratings (NRRs) that are somewhat lower, but considerably more realistic than those derived by the earlier method, which is still printed on the HPD's package. US employers should be encouraged to use the newer Method B values whenever available, and to understand that they are more reflective of real-world use. In other words, employers should understand that hearing protector attenuation needs to be adequate but not excessive, and that overkill is a bad idea.

Regardless of whether HPDs improve or interfere with the perception and identification of warning sounds in specific cases, many construction workers believe that they will be a hindrance and therefore resist wearing them. A survey of carpenters' attitudes showed that nearly 50% believed they would be unable to hear warning sounds when wearing HPDs, and an additional 17% was unsure. (45) This problem calls not only for improved training, but an educated sensitivity on the part of those who dispense and supervise the wearing of HPDs.

Potential Solutions

Over recent decades, certain HPDs have been developed with speech communication and warning signal detection in mind. They may be classified as passive attenuators, attenuators aided by electronics, and communication systems. (For a comprehensive review of

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technology advances in HPDs, see Casali and Berger. [46])

Passive attenuation is characteristic of conventional plugs and muffs that do not use electronic systems. An example of a relatively new passive device is the Ultra 9000 (Aearo Co. Indianapolis, Ind.), a level-dependent earmuff that uses a valve system to achieve low levels of attenuation in low noise levels, with substantial attenuation in impulsive noise conditions. [47] Although this muff provides somewhat less attenuation in the low frequencies than in the middle and high frequencies, the slope between 500 and 8000 Hz is relatively flat (when worn correctly), which is desirable for speech communication. Other earmuffs without the level-dependent characteristic are currently being marketed for their communication advantages. An example is the Bilsom NST (Bacou-Dalloz Inc., Reading, Pa.), which has a relatively uniform attenuation between 250 and 6000 Hz.

Another promising development in the passive category are the ER-15 and the ER-25 plugs (Etymötic Research, Elk Grove Village, Ill.). The former provides a uniform attenuation of approximately 15 dB throughout nearly the entire frequency range, and the latter 25 dB of attenuation, although it rolls off slightly in the low frequencies. According to Killion et al., [48] the acoustics of the ER-15 plug were developed to mirror the natural response of the open ear while providing some amount of attenuation. It has become known as the "musician's earplug" because of its popularity among musicians, who require spectral "fidelity." Because its official NRR is only 7 dB, it is not appropriate for all occupational uses. The ER-25, however, does provide more attenuation, with an NRR of 16. The major drawback to these HPDs is that they must be custom molded to the user's ear, which adds considerably to the cost.

There are some conventional earplugs that attempt to achieve a flat attenuation at much lower cost. For example, Aearo's Ultratech plugs, with NRRs of 12 or 16 dB, are premolded plugs that have a slope of only 10 dB between 125 and 8000 Hz when worn correctly. Even though the NRRs of these devices are not as impressive as the 25-to-30 dB of many other HPDs, their attenuation would be sufficient for many construction activities, as long as they are inserted and worn properly.

There are two types of earmuffs that employ electronics. One uses noise cancellation to achieve attenuation. The other uses amplification to permit the passage of low and moderate levels of sound, maintaining a constant level at the ear. It then acts as a passive attenuator at high levels. An example of the latter is the Peltor Tactical 7-S (Aearo Co., Indianapolis, Ind.). This type of HPD offers promise of protection against high-level impulses

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superimposed against a background of relative quiet. [46]

Noise canceling earmuffs use electronics to generate an "antinoise" signal that reduces incoming noise levels by 20 dB or so in the low frequencies. An example of this HPD would be the ProActive 3000 muff (Noise Cancellation Technologies Inc., Stamford, Conn.), with an NRR of 21 dB assessed in the passive mode. These devices are useful mainly in environments characterized by high levels of low-frequency noise, where C-weighted levels exceed A-weighted levels by at least 10 dB. Because the electronics take up considerable room in the earcup, they cannot achieve as much passive attenuation as certain other protectors. However, they can produce a flatter attenuation curve when the active noise reduction feature is activated by boosting attenuation in the low frequencies and they can also reduce the troublesome masking properties of low-frequency noise. As of 1989, at least seven different companies had working models of active noise reduction headsets using noise cancellation technology, [49] but that number is probably lower today. Cost is a drawback, with prices ranging from $150 up to $1000 per set. [46]

It appears that there has been little laboratory or field testing of speech recognition with either type of electronically aided muffs. These HPDs may indeed be of benefit to speech communication and warning signal detection, but further evaluation is indicated before they are relied on in situations when speech communication is critical.

Communication headsets, however, have been used successfully over the years when communication at a distance is necessary. Although they cost anywhere from $200 to over $600, the expense can be more than offset by the benefits of clear and necessary communication. Noise cancellation may be used in these devices as an added benefit in the reduction of low-frequency noise, as in the Aviation Headset X (Bose Corp., Framingham, Mass.). Passive attenuating muffs may be plugged into existing radio systems, or self-contained units are also available for communication at distances of up to 2 miles. Several companies manufacture HPDs as communication headsets, with NRRs ranging from 21 to 29 dB. (50)

With the passage of the Americans with Disabilities Act in 1990, it is within reason to speculate that employers, including construction contractors, may need to provide workers who have hearing losses with HPDs that are suited to their communication needs, both in terms of spoken communication and the perception of warning signals. [51]

Clearly, the only practical, long-term solution to the many problems of hearing protector use

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in construction is noise control, both in the design and manufacture of construction equipment and at the construction work site.

AUDIOMETRIC MONITORING/ RECORD KEEPING

Audiometric testing is of little value unless serial audiograms can be compared, threshold shifts detected, and measures taken to halt the progression of noise-induced hearing loss. Single audio-grams may indicate hearing loss, but unless a series of audiograms imply an occupational cause, the process is only one of documentation rather than conservation of hearing.

Barriers to Successful Audiometric Monitoring and Record Keeping

There are several reasons why meaningful audiometric testing and the proper keeping of records are difficult in the construction industry. These include (1) mobility of construction workers, (2) the temporary and seasonal nature of employment, (3) the small size of construction companies, and (4) the prevalence of self-employment.

The Center for the Protection of Workers Rights has compiled a substantial amount of information about the construction industry and its workers from the Bureau of Labor Statistics, the Bureau of the Census, and other sources, which can illuminate these issues. (52)

Mobility. Depending on the size and nature of the project, construction workers may work for one company for only a matter of weeks or months, or up to many years. The average duration, however, is less than in the manufacturing industries. Job tenure in construction also depends on whether an employee belongs to a union. In 1993 the median job tenure in construction for union employees was 5 years and for nonunion employees, 3 years. (52, chart 20b) However, nearly 80% of construction employees are not unionized. (52, chart 14a)

Temporary and Seasonal Nature of Employment. Temporary unemployment is common among construction workers, and seasonal breaks are particularly common in the northern states. Unemployment ranges from 5 to 10% higher in construction than in the general population (52, chart 20c) and the rate of failure in construction companies has been consistently greater than in other industries as a whole. (52, chart 11a)

Small Size of Construction Companies. Small businesses are less likely to conduct

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audiometric testing, and those with 10 employees or fewer are generally exempt from record-keeping requirements. Nearly 82% of construction establishments have less than 10 employees and less than 1% have more than 100 employees. (52, chart 3c)

Prevalence of Self-Employment. Construction workers who are self-employed are less likely to be part of an employer's safety and health program, and are unlikely to have their own hearing tested. About 2 million of the estimated 5 million construction workers list themselves as self-employed, and 75% of these are unincorporated. (52)

Potential Solutions
Centralized Systems

British Columbia. The most successful HCP for construction workers is the program conducted by the Worker Compensation Board (WCB) of British Columbia. One measure of its success can be seen in the better-than-expected hearing threshold levels of construction workers and the improvements between the thresholds in 1988 and those measured in 1997. The examples given in Figures 5 and 6 are representative of all of the trades measured. (29) This program has the advantage of being centralized in the WCB, which is supported from fees taken out of the worker compensation premiums of British Columbia employers.

The program has been in effect for construction workers since 1987, when audiometric tests were initiated, and since then tests have been conducted annually. An updated noise regulation specifies a PEL of 85 dBA, a 3-dB exchange rate, a peak sound level limit of 135 dBA, and engineering controls above these limits whenever practicable. (43) Noise exposure monitoring and training and education are required at an action level of 0.5 (an L_{eq} of 82 dBA), but these latter requirements are not rigorously enforced in the construction industry. (53)

The WCB trains and certifies all technicians, who then provide audiometric testing, training, and counseling to construction workers. Audiometric information, including a medical history, is collected by the technicians on an optical-read form and scanned onto a WCB mainframe. In addition, workers carry with them a "WorkSafe" card, which contains a record of their hearing test, the date of the test, and boxes in which the technician may check whether the worker has received an explanation of the results, a fit test of hearing protection, or whether the requirement to wear HPDs has been discussed. Workers are advised to show the card at the next test in one year. The regulation requires also that the

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employer maintain, "in a manner acceptable to the board," (sec. 13.120) a record of the hearing tests for each worker as long as the worker is employed by that employer. (43)

Information about noise control and other aspects of hearing conservation is made available to employers through a WCB newsletter as well as through the technicians. Roberts (53) reports that compliance with the regulations is fairly good in heavy construction, commercial building, and road construction, but poorer in housing construction and among small-business contractors (which is not surprising). Also, because the regulation requires hearing tests "not later than 6 months after the start of employment, " (sec. 13.116) workers on short jobs are likely to be overlooked.

European Programs. Bygghälsan, the Swedish Foundation for Industrial Safety and Health in the Construction Industry, was founded in 1968. Its support was generated by assessing contractors for fees based on hours worked, and, like the British Columbia program, provided a central repository for hearing test data and other types of information. Its activities in recent years have been severely curtailed because of government cutbacks. The CPWR Chart Book, however, does contain data showing the decreased prevalence of "severe high-tone hearing loss" in Swedish construction workers between 1971-1974 and 1986-1990. (52, chart 40c)

In Germany, Arbeitsmedizinischer Dienst, state-run occupational health centers assist small companies with audiometric testing and the retention of audiometric records. (54)

Requirements of Other OSHA Regulations. Welch and Roto (55) report that of the 21 OSHA regulations requiring medical monitoring, 13 apply to construction. Both lead and asbestos have their own construction versions, although lead is, at this time, a final interim rule. The lead standard, 29 CFR 1926.62, requires a full medical examination when blood-lead or air sampling levels exceed certain criteria. The asbestos standard, 29 CFR 1926.1101, requires medical monitoring for all employees who are exposed above the PEL or an "excursion limit" for a combined total of 30 days or more per year. A medical exam must be given at least annually. It should include pulmonary function tests and may include a chest X-ray at the discretion of the physician. An exam is not required if records show that an employee has been examined within the past year.

The general industry regulation for hazardous waste operations, 29 CFR 1910.120, also requires medical examinations, and the revised respirator standard, 1910.134, requires

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physician clearance for workers to wear continuous-flow respirators. These standards also apply to construction.

Employers, including construction contractors, are required to ensure that these tests are performed and must pay for them. The problem is that the many complex characteristics of construction mentioned above (mobility, seasonal and short-term nature of the work, prevalence of self-employment, etc.) work against efficient medical monitoring programs, especially the keeping of records. OSHA's record-keeping rules, which have the same provisions for construction as for general industry, limit the requirements for short-term employment and for companies with 10 or fewer employees, except in cases of fatalities or multiple hospitalization accidents. Clearly, great numbers of construction workers are falling through the cracks.

Even for those companies that would be responsible for keeping records of medical monitoring, the question remains as to what to do when employees move on. The construction regulation for access to medical records (29 CFR 1926.33), which is identical to the general industry regulation (29 CFR 1910.1020), states that employers need not retain records after an employee's termination, but may simply give the records to the employee, provided that the employee has not worked there for more than 1 year.

But the question of effective follow-up remains open, especially in the case of audiometric testing, which is so dependent on the comparison of serial audiograms. There appears to be little experience with effective records management for construction employees for any health hazard outside of British Columbia. The one exception may be joint labor-management programs.

Joint Programs. Several of the unions whose members perform construction work have negotiated medical monitoring, testing, and training programs through the collective bargaining process. Examples of these are ironworkers, painters, carpenters, laborers, and sheet metal workers. All of these unions have centralized funds used mainly for training, but that also pay for some medical testing, such as asbestos exams, lead, and clearance for working with hazardous waste. (56)

A good example of this type of program is the MOST (Mobilization Optimization, Stabilization, and Training) program run by the boilermakers union. (57) The program covers drug, pulmonary function, and respirator fit testing, as well as safety glasses and safety training for some 20,000 boilermakers at this time, and it will soon involve 26,000 construction workers in Michigan. In addition, it is now open to all crafts in the nation. One

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of its most interesting aspects is the Employee Verification System, the ability of employers to call in to the program headquarters and obtain information on pulmonary function levels, as well as the dates on which all testing and training occurred. The program used to include full medical exams, including audiometric testing, but that segment was discontinued due to expense.

Unfortunately, there is no evidence in the United States of joint labor-management programs for construction workers that include audiometric testing and record keeping.

Even though these joint programs may be very successful, there are two principle disadvantages. First, union members are understandably reluctant to pay for medical monitoring and training when OSHA regulations have mandated these as employer responsibilities. Even though it is actually the employer who pays, workers may be reluctant to use collective bargaining to achieve benefits that are their right by law. The second and most obvious disadvantage is that 80% of the construction work force is not organized and therefore would not benefit from this type of arrangement.

There is no reason, however, why contractors could not pay into a fund for purposes of medical monitoring, including audiometric testing and record keeping, which would be managed by a public or private agency. This fund would then cover all construction workers, whether or not they were unionized.

State-Run Programs. There are, in fact, some states that have adopted OSHA's hearing conservation amendment for construction workers. For example, the State of Washington's Department of Labor and Industry is divided into a worker compensation section and an occupational safety and health section, the latter having jurisdiction over noise regulations. However, there has been virtually no enforcement or compliance with the construction noise standard, so merely adopting the federal hearing conservation standard for construction workers is not necessarily the answer unless the state is willing and able to enforce it.

It appears that the best solution would be a program like that of the WCB. Here, a centralized agency, in this case the WCB of the Province of British Columbia, not only keeps the records but trains the technicians, ensures follow-up, and provides quality control. This function could be carried out within the United States by state agencies, such as health departments.

There is a program called the Adult Blood Lead Surveillance program, funded by NIOSH

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and the Centers for Disease Control and Prevention, in which 26 states keep a register of the effects of lead and other heavy metals. These data are generally used for epidemiological purposes, but in some cases for individual follow-up. In New York, for example, all blood lead levels are sent to the State Department of Health and high levels can trigger follow-up phone calls to lead-exposed individuals. (58) In addition, some states have cancer or silicosis registries.

Although a state-run program is likely to be the most efficient solution for HCP elements such as audiometric testing and record keeping, these programs are always susceptible to the whims of state legislatures or federal funding sources. The perfect solution is elusive.

Credit-Card Type Storage Devices

Contemporary technology could make the problem of construction worker mobility somewhat more tractable. These devices, like optical cards, may be carried in one's wallet and are capable of storing considerable amounts of information. Evidently they are already being used for documenting safety training. According to Stephenson, (59) any audiometer that can communicate with a personal computer (which is a great many audiometers nowadays) can handle these devices. All that is needed is the appropriate software and a special drive. NIOSH has this capability at this time.

An example of the effective use of these "smart" cards is the program that allows travelers to cross the US/Canadian border by inserting a card encoded with the individual's fingerprint into an optical reader. According to a press release issued by Canon USA in 1995, these cards can store the equivalent of 1600 pages of text or other digital data, and they are already widely used in the health care field as a portable clinical record. (60) No doubt the technology has advanced considerably since then.

NOISE, HEARING LOSS, AND ACCIDENTS IN CONSTRUCTION

Accidents in Construction

Traditionally there has been a high rate of occupational injuries in the construction industry. Sweeney and her colleagues collected the following data from the Bureau of Labor Statistics and various other sources: (61) Construction workers represent 6.5% of the work force, but 18% of the fatal injuries occur in construction. After mining and agriculture, construction ranks third for workplace fatalities and injuries. The leading causes of

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construction fatalities include falls (31%) and transportation incidents (27%). Contact with or being struck by an object and musculoskeletal disorders account for more than 50% of all traumatic injuries. Construction workers are twice as likely as the average worker to be killed by a motor vehicle, and 40% of worker fatalities from motor vehicle accidents are pedestrians. Nearly 2000 machine-related deaths in construction occurred between 1980 and 1992 and in nearly one-third of the cases the worker was struck by a moving mobile machine. Laborers (23.5%) and operating engineers (22.6%) accounted for nearly half of the machine-related deaths.

Possible Contribution of Noise and Hearing Loss

There is little objective information linking noise exposure or hearing loss with accidents specific to construction, but common sense would suggest that many of these accidents might have been prevented had workers been able to perceive warning shouts or signals. The high incidence of fatalities from being struck by objects, of transportation incidents, and the frequency of fatal accidents from moving machines (especially with pedestrians as victims) all suggest a breakdown in communication.

Noise and hearing loss have been implicated in studies of other industries. For example, noise and hearing loss were found to be accountable for 43% of the injuries in a shipyard setting. [62] The authors considered other possible causes, such as alcohol consumption, cigarette smoking, and the use of earplugs, and found that alcohol consumption was the only significant factor besides noise and hearing loss. It appears that the authors controlled for age and job hazard.

Zwerling et al. [63] assessed the likelihood of occupational injuries in a large sample of workers drawn from the National Health Interview Survey. These workers had listed themselves as having some kind of preexisting impairment: visual or hearing impairment, back conditions, upper or lower extremity conditions, diabetes, epilepsy, and arthritis. The authors found that the highest risk of job-related injuries came from workers having sensory impairments with odds ratios for blindness of 3.21, deafness 2.19, hearing impairment 1.55, and visual impairment 1.37 (which was not statistically significant). Of the seven occupational groups studied, laborers represented about 8% of the total cohort, and approximately 36,000 in this group (13%) were construction laborers.[64] The remainder of the group included material handlers, as well as operators of various kinds of vehicles and equipment, some of whom might also be considered construction workers. The category titled laborers was one of three blue-collar categories, the others being mechanics/repairers,

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and operators/assemblers. The odds ratio for injury among laborers was 4.16, the highest of any of the groups.

Another study of a large industrial population compiled accident data from factories over a 2-year period. [65] The authors found that the frequency of accidents and illness-related absences increased with increasing noise exposure levels for both men and women. The relationship between noise exposure and accidents was significant for men but not for women. Unfortunately, it can be very difficult to control for the hazardous nature of various jobs in this kind of study, and it is possible that high levels of noise may be related to jobs that are inherently hazardous.

Reverse Alarms

In recent years there has been some attention to the questionable effectiveness of back-up alarms in mobile machinery. A study by Laroche et al. [66] demonstrated that the audibility of back-up alarms on dump trucks is compromised because of the ineffectiveness of their acoustic signals. Laroche and Lefebvre [67] traced 22 fatalities to faulty back-up alarms in the Province of Quebec over a 15-year period. Table IX provides an updated version of these data, giving the cause of each accident and comments about noise levels and the back-up alarm specific to each situation. [68]

TABLE IX. Deadly Accidents Involving Heavy Vehicles and Noise (After Laroche et al.; [69] Updated, Expanded Version Translated into English Provided by Laroche [68])

Case No.	Date of Accident	Employee	Vehicle Involved	Cause of Accident	Comments
1	08-29-91		tow truck		noise level exceeded alarm
2	06-02-88	splitter/operator (aluminum co.)	forklift	poor visibility, plus backup alarm not detected	
3	04-28-88	water system installer	dump truck (?)	backup alarm not detected	poor synchronization of maneuvers
4	09-04-87	flag person (construction site)	dump truck (10 wheeler) backup alarm:	backup alarm not detected	alarm: 90 dBA; noise from steamroller: 87

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			DAP		dBA
5	07-01-87	quality control attendant (construction site)	dump truck (10 wheeler) Kenworth 1974	backup alarm not detected	backup alarm in front of the 2 back axles and directed toward the left. alarm : 80-85 dBA; noise: 105-107 dBA
6	01-09-87	flag person (construction site)	dump truck (10 wheeler)	misjudgment by worker	alarm level greater than noise levels
7	08-08-86	marine docker	forklift	backup alarm not detected, plus driver's vision obstructed	noise: 84-96 dBA; alarm: 12 dBA
8	08-15-85	flag person (road repair)	5-ton truck backup alarm: DAP 50	backup alarm not detected, plus poor planning of operations	noise: 92 dBA; alarm: 75 dBA
9	11-21-83	shipping and receiving clerk (interior site of a pharmaceutical co.)	delivery truck	noise from truck was not detected	high noise level because of construction
10	10-06-82		loaded dump truck, Mack 76 (10 wheeler) (28,800 kg)		poor judgment or noise level same as alarm
11	09-24-82	docker (port)	road hauler	noise from hauler was not detected	high noise level, poor lighting; one-way circulation

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12	09-17-82		10 wheeler dump truck		alarm was not functioning, high noise level
13	01-20-82	general foreman (James Bay site)	loaded cement mixer (82,000 kg)	backup alarm not detected	alarm: 83 dBA at 1 ft noise: 107 dBA at 3 ft
14	11-23-81	welder (railroad)	grinder, LORAM	horn was not detected	horn: 97 dBA welding noise: 90.5 dBA
15	08-10-81		loader		lack of good work method, no backup alarm
16	12-06-78	garbage collector assistant	garbage truck	backup alarm or noise not detected (?)	surrounding noise greater than truck noise
17	08-21-78	flag person (road repair)	dump truck (10 wheeler)	backup alarm not detected	noise level greater than alarm
18	01-08-76	digger operator (Miron)	Ford 8000 dump truck (8 wheeler) (10 tons)	noise from truck was not detected	no backup alarm
19	12-29-75	flag person (snow removal)	leveler	noise from leveler was not detected	no backup alarm
20	07-08-75	flag person (steel works site)	dump truck (19 tons)	noise from truck was not detected	worker was walking with his back to the truck
21	08-14-75	crane operator	platform type tow truck	noise from truck was not detected	no backup alarm
22	07-08-75	truck driver (road repair)	dump truck (7 tons)	noise from truck was not detected, also subject was very close to the back of the truck	high noise level

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23	03-18-75	pedestrian (construction site)	dump truck	noise from truck was not detected	high noise level, no backup alarm
24	03-12-75	engineer (road excavation)	loader (2.5 tons)	noise from loader was not detected	high noise level

Laroche and Lefebvre [67] concluded that there are at least five principle causes for these types of accidents: (1) hearing loss among construction workers, (2) high noise levels on some sites, (3) worker attentional demand or complacency, (4) inadequate placement of alarms, and (5) deficient acoustic features of the alarms.

The adverse effect of hearing loss should be self-evident, as with high noise levels, because they both would degrade the ability to perceive back-up alarms as well as warning shouts. Worker at-tentional demand from complex tasks or stimuli could cause the failure not so much to hear but to attend to the warnings produced by back-up alarms (see review of this subject by Suter, Ref. 34, Chapter 4). Inattention caused by habituation also could reduce the ability to react appropriately to the sound of warning alarms.

Laroche and Lefebvre [67] reported that placement of the back-up alarm is often problematical. For example, some owners position the alarm underneath the vehicle to protect it against weather, which placement has an attenuating effect. With regard to deficient acoustic features, the authors found that most back-up alarms produce puretone signals around 1400 Hz or modulations of two neighboring sounds, 1250 and 1350 Hz. Reflections of these sound waves on the ground or diffraction by the sides of vehicles have the effect of reducing or even canceling them before reaching the listener. Within spaces of less than a few inches, Laroche and Lefebvre found variations in sound pressure level of more than 15 dB behind vehicles. Finally, the use of a pure tone in the 1500-3000 Hz range is not efficient for purposes of auditory localization. [69]

There are several reasonable solutions to these problems. First would be to prevent hearing loss through noise control, the judicial use of HPDs, and training. Second, noise levels on the construction site should be reduced through the manufacture and purchase of quieter equipment and the proper maintenance of all noise-producing equipment. Third, workers should be trained in the awareness of warning signals as well as all aspects of hearing conservation. Fourth, back-up alarms should be placed for optimal reception by the intended listener. Fifth, greater attention should be given to the workers' sound environment and sound propagation in the design of the alarm, as well as the psychoacoustics of audition.

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Laroche and Lefebvre [67] caution that back-up alarms should not emit just one pure tone because of the considerable risk of sound cancellation, but instead should produce several frequencies in the 500 to 2000 Hz range that are not harmonically related.

In optimal conditions the sound level of an alarm should exceed the background noise by 10-15 dB. However, this can pose a problem to the residents neighboring construction sites, who often complain about the noise of back-up alarms. A partial solution could be found in the form of an auto-adjusting alarm, which senses noise in the environment and adjusts its signal to a level 10 dB above that of the background noise. An example is the Starmatic 63-000 (Star Warning Systems Co., Avon, N.Y.), an auto-adjusting back-up alarm, with a range of 87-112 dB.

One final recommendation came from a safety workshop attended by laborers, and that is that personnel backing heavy vehicles should use an additional worker as a "spotter." [56] This worker is presumably in a place where the operator can see him or her, and it is important that the worker is trained and alert because Laroche and her colleagues found that the "signalman" was sometimes the one who was fatally hit. [66]

NOISE CONTROL IN CONSTRUCTION

There is a considerable amount of information available on the control of noise in the various aspects of construction, and a detailed discussion of this topic is beyond the scope of this report. A brief overview, however, would be useful. Noise control solutions include the efficient operation and maintenance of construction equipment, retrofit of existing equipment, and the design of quieter new equipment.

Feasibility

It appears that noise reduction in most construction sites and for most construction equipment is feasible. Although some tools will still require the use of HPDs for adequate protection, there is a great deal that can be done. Figure 7, from the Bureau of Mines, gives examples of how noise control could be applied to surface mining machines, several of which are used in construction. [70] Note the dramatic reductions achieved in haulage trucks, front-end loaders, and graders. Although some of these noise problems may have been mitigated in contemporary equipment, undoubtedly many have not yet been sufficiently quieted.

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FIGURE 7. Examples of how noise control may be applied to surface mining equipment, some of which is used in construction. Reprinted from Bartholomae and Parker, [70] US Bureau of Mines publication.

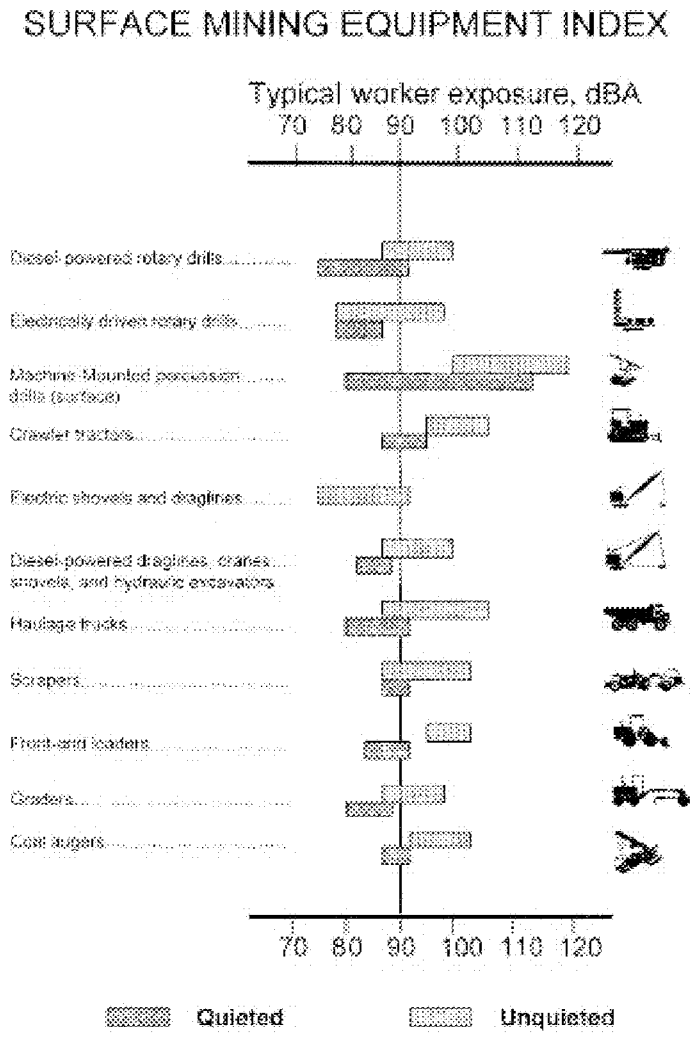

Maintenance

One of the least expensive and most rewarding noise control practices is the proper operation and maintenance of equipment. This includes keeping noisy operations away from workers who are not involved in that process, lubricating parts, keeping saw blades

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sharpened, and replacing worn bearings and other parts as needed. It also involves keeping the doors and windows of noisy vehicles closed to the extent possible to protect the operator from the engine and exhaust noise. Like any vulnerable part, noise control measures, such as gaskets and mufflers, need to be maintained and replaced when necessary to provide the desired attenuation.

Retrofit

Retrofit applications, such as those advocated in the Bureau of Mines Handbook, [70] include installing mufflers, enclosing and insulating the cabs of noisy vehicles, and enclosing parts of noisy machines. Table X, from Schneider et al. [51] lists types of construction equipment and suggested retrofit controls. The authors give references for each control measure. For example, they cite a report by the Society of Automotive Engineers, which found that changing from an inadequate to a better muffler could make a difference of 1-3 dB, and installing a muffler where one had been lacking could make a difference of 10-12 dB. [71]

TABLE X. Noise Controls for Construction Equipment (from Schneider et al. [51])

Equipment	Noise Controls
Pile driver	Enclosure, muffler
Stone cutting saw	Noise control pad with water
Handheld impact drills	Reduction of reflected sound
Circular saw blades	158 tooth angle, new tooth configuration, slotted saw blades, viscoelastic damping
Pneumatic tools	Muffler
Pavement breaker/Rock drill	Muffler, enclosure of cylinder case and front head, moil damping
Portable air compressor	Muffler, acoustic enclosures
Bulldozer	Cab-liner material, enclosure, sound absorption in canopy, sealing of all openings
Wheeled loader	Absorption of sound cooling air route
Vibratory roller	Flexible mounting for pump compartment
Joint cutter	Antivibration mounting fixtures

There may be times when retrofits yield only small improvements in noise level and HPDs

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are still necessary to prevent hearing loss. Researchers at the Mine Safety and Health Administration found that retrofit controls tend to reduce high-frequency noise more readily than low-frequency noise, often resulting in differences between C-weighted and A-weighted noise levels that exceed the nonretrofit condition, even though A-weighted levels had been reduced. (72) Although this finding should not discourage the use of retrofit measures, it does provide additional support for choosing HPDs with good low-frequency attenuation and careful training in their effective use.

Design

The most efficient and economical stage at which to control noise is in the design phase. This is true both in the design of a potentially noisy work space and in the design of equipment. For example, changes in the pathways of ductwork can reduce fan noise, (73) and changing low-frequency jet noise to high-frequency can make it easier to control. (74)

At an Environmental Protection Agency (EPA) hearing many years ago, George Diehl, an acoustical engineer with the Ingersoll-Rand Co. (Woodcliff Lake, N.J.), reported on a "whisperized" air compressor, in which the noise level had been reduced from 110 dBA to 85 dBA. (75) At that time the company was also working on noise from rock drills (pavement breakers and jackhammers), and had reduced the noise between 8 and 10 dB, while simultaneously reducing vibration. Mr. Diehl also discussed another type of demolition tool called a "hobgoblin," which was mounted on a backhoe. Because it was hydraulically operated it had no air exhaust, and therefore, the major source of noise was reduced. He reported that it could do the work of 10 to 24 regular paving breakers while producing considerably less noise. (75) It appears that this kind of push for the control of construction noise in the United States has diminished, but it continues to progress in Europe.

There is, however, an interesting innovation being developed called the Raptor (Brookhaven National Laboratory, Upton, NY), a machine that fractures concrete by firing steel nails from silencer-equipped guns. It is reported to work more rapidly than the conventional jackhammer, does not rely on an air compressor, and the noise level is projected to be below 80 dB. (76)

Resources

There are many such reports on noise control solutions in the construction industry. Some of

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them are consolidated in booklets or a series of articles. In addition to the sources cited by Schneider et al., [51] the following are some examples.

Mining Machinery Noise Control Guidelines, 1983, a Bureau of Mines Handbook. [70] This publication contains information on the noise levels of surface and underground mining equipment, some of which is used in construction, particularly in the site preparation phase of large construction projects. For each piece of equipment the booklet lists typical noise levels, along with recommended treatments, quieted noise levels, costs in dollars and labor in hours, and the availability of treatments. These descriptions include sources for commercially available noise control products and materials, technical reports on the development and demonstration of noise control treatments, and case histories.

Noise Control, Proceedings: Bureau of Mines Technology Transfer Seminars. [77] This book of proceedings contains specific articles covering some of the same types of information as above, with more text.

Constructional Noise: A Survey of Noise on Building Sites, Byggha¨lsan, Stockholm. (78) This booklet gives octave band and A-weighted noise measurement data for more than 30 examples of construction noise sources, along with information on the work operation, cause of the noise, and suggested control measures for each type of equipment or setting. Although these data are more than 25 years old, many are undoubtedly still applicable. It includes comments about controls and the need for hearing protection.

Noise Control: A Guide for Workers and Employers, US Department of Labor. [79] Although this guide pertains to general noise problems and their solutions, some of the principles of noise control also apply to construction. It was originally published by the Swedish Work Environment Fund, translated, then edited and adapted by OSHA.

"Noise Control: Principles and Practice," published in *Noise News International* between June 1994 and June 1999, form a series of 15 articles by Stig Ingemansson, the original author of the Swedish guide previously cited. [80] The articles represent an edited and updated version of the older guide.

Many papers and articles on noise control, some of which deal with construction, are available in the publications of the Institute of Noise Control Engineering, which has headquarters in Pough-keepsie, NY These include Noise Control Engineering Journal, Noise News International, and the proceedings of annual conferences, both US and international.

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In addition to the preceding suggestions, there are other publications, such as those cited by Neitzel and Seixas: [15] Alfredson and May, [81] Kessler, [82] and Mulholland and Attenborough. [83]

EPA

The Office of Noise Abatement in the US EPA, which functioned between 1972 and 1982, made significant efforts to control noise in the general environment, including construction noise. Funding for the program was terminated in 1982 by the Reagan administration, and the office was closed. However, the statutory requirements still stand because Congress has never rescinded them: the Noise Control Act of 1972 and the Quiet Community Act of 1988 (P.L. 92-574, 1972 as amended at U.S.C. 4901-4918, 1988).

Of interest in the area of construction are the regulations for medium- and heavy-duty trucks, air compressors, and regulations for the existing motor carrier fleet. These regulations are still in effect but are not being enforced. Two pieces of construction equipment, pavement breakers and rock drills, were identified as major sources of noise and set on the path toward regulation, but were "disidentified" when the program closed in 1982. The agency also considered the regulation of wheel and crawler tractor noise emission. The Noise Control Act required EPA to regulate the labeling of products that emitted or reduced noise, but EPA only promulgated one regulation in this category, the attenuation of HPDs.

A considerable amount of information about construction noise was generated by the agency, most of which is listed in EPA's *Bibliography of Noise Publications.* [84] Some titles pertaining to construction noise are listed in Appendix A. In addition, EPA has microfilmed much of the materials from the Office of Noise Abatement, and many of its contractor reports are still obtainable.

EUROPEAN STANDARDS AND DIRECTIVES

Activities of the European Community Undoubtedly the most interesting developments in noise standards and regulations are currently occurring in the European Community (EC), now known as the European Union (EU). With the economic unification of European countries, the effort to harmonize existing standards and to develop a unified approach to new standards has been taking place for nearly two decades. There are now a great many

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European standards and directives in the field of noise measurement, effects, permissible limits, and control, including some that are specific to construction.

Although publications in this area tend to use the terms "standard" and "directive" interchangeably, the word "standard" is usually applied to measurement procedures or proposals set forward by consensus groups such as the International Organization for Standardization (ISO) or the International Electrotechnical Commission (IEC). The term "directive" usually applies to an order issued by the Council of the European Community (CEC), and this order is generally mandatory for implementation by the member states of the EU.

The EU speaks in terms of the "old approach" and the "new approach" to the issuance of directives. The old approach, taken prior to 1985, applied to one product at a time and was very time-consuming. The new approach resembles enabling legislation, in that these directives apply to broad categories of products. Under the new approach, the CEN prepares nonmandatory technical specifications, the purpose of which is to assist manufacturers in the design of products so that these products will meet mandatory directives. Although the new approach was followed for directives issued in 1985 and thereafter, directives issued under the old approach still apply. Some of the old approach directives are being revised, and some new directives are still being issued under the old approach. (85)

Construction Directives

One of the earliest directives issued by the EC specified measurement methods for determining the A-weighted sound power levels of construction plants and equipment. (86) This directive was followed in 1984 by several specific directives, (85) which stipulated measurement methods and permissible sound power levels for air compressors (84/553/EEC; 85/406/EEC), tower cranes (84/ 84/534/EEC), welding generators (84/553/EEC; 85/407/ EEC), power generators (84/536/EEC; 85/408/EEC), and concrete breakers and picks (84/537/EEC; 85/409/EEC). In 1986 the EC issued a directive on hydraulic and rope-operated excavators, dozers, loaders, and excavator-loaders (86/662/EEC; 89/514/EEC). Several of these directives have been revised (indicated by the second date). Tables 3-8 in Ref. 85 present a summary of the sound power level limit values for the construction equipment listed above. The permissible sound power levels range from 100 dBA to 118 dBA, depending on size, weight, and type of equipment. (One needs to keep in mind that the sound power level can be some 25 dB greater than the sound pressure

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level at the operator's position.)

1986 Directive to Protect Workers Against Noise

In 1986 the CEC issued directive 86/188/EEC "on the protection of workers from the risks related to exposure to noise at work." (87) This directive required all employers to reduce TWA noise exposure levels (using the 3-dB exchange rate) to 90 dBA or "to the lowest level reasonably practicable, taking account of technical progress and the availability of measures to control the noise, in particular at source." (article 5-1) This means that employers must reduce noise to levels below 90 dBA whenever "reasonably practicable." (Article 5-2) Other measures, such as information and training, the provision of HPDs, and hearing testing must be instituted at an L_{eq} of 85 dBA. Those countries comprising the EC were required to have regulations that conformed to the CEC directive, or were at least as stringent, by January 1, 1990. Article 8 of the directive states that the design, building, and/ or construction of new plants must comply with the 90-dBA exposure limit, and tools or machines that expose workers to daily average levels greater than 85 dBA must provide adequate information "about the noise produced in conditions of use to be specified."

Machinery Directive

In 1989 the CEC issued the Machinery Directive, under the procedures of the new approach. (88) This directive, 89/392/EEC, requires manufacturers of a wide variety of machines, including many that are used in construction, to make noise reduction an integral part of machinery design by implementing state-of-the art design methods. (85) Manufacturers must include information on noise levels when any machinery exceeds exposure levels of 70 dBA or 130 dBC at the operator's work station, or when sound power levels exceed 85 dBA. (88) Both the sound pressure and sound power level information are to be based on durations representative of the typical work-cycle of the machine. Noise emission information must be included in the instruction handbook of the machine (for the user's benefit) and in the technical information describing the machine (for the benefit of the purchaser.)

Since the promulgation of the machinery directive, several safety standards have been issued specific to certain machines. These standards contain a description of the hazard, the safety objectives to be achieved, measures for reducing the hazards, test methods to establish compliance, and user information. Lazarus and Zimmerman (89) present a

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discussion of these standards, along with some of their limitations.

Draft standard EN 1746 gives the noise provisions that should be included in machine safety standards: the identification of a machine's main noise sources; reference to principles of low-noise design, along with examples of design for noise control; a compilation of ranges of noise emission values; and the development of information necessary for user instructions to allow for low-noise operation. The authors report that the majority of "framework" standards necessary for the preparation of machine-specific safety standards already exist for noise, but they need to be developed further and adapted to the practical problems of manufacturers and operators. For example, typical operating conditions still need to be agreed on and differences between the conditions specified in the standards and actual use need to be resolved. [89]

Labeling

Another interesting provision of the machinery directive is its requirement for compliant machinery to carry the "CE" mark. An amendment to the machinery directive gives the form in which the CE mark is to be displayed (93/68/EEC). In addition, the construction noise directive (79/113/EEC) requires manufacturers to display labels in the form of plates showing either the sound power level (L_{WA}) or sound pressure level (L_{pA}) at the operator's position. The specifications for these labels are shown in Figure 8.

FIGURE 8. Models of plates showing the sound power level (L_{WA}) and sound pressure levels (L_{pA}) at the operator's position required by the European Community's construction noise directive (79/113/EEC). Reprinted from Higginson et al. [85] with permission from Noise News International.

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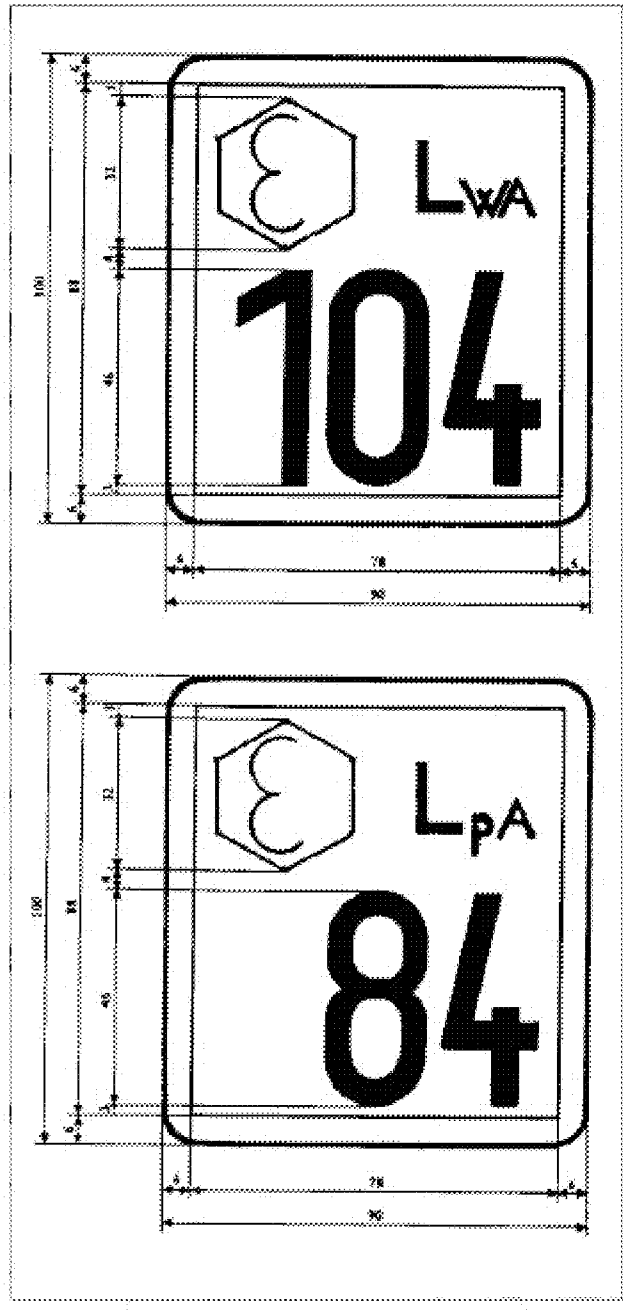

There is an ISO standard pertaining to the noise labeling of machinery and equipment, ISO 4871. (90) This standard prescribes the labeling of machines, or families of machines, with

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the A-weighted sound power level in more than one mode of operation, preferably the mode resulting in the highest value. Although the labeled sound power level may be useful for deciding which machine to purchase, it gives relatively little information on the worker's exposure in actual use.

A draft American National Standard is currently being prepared by an ANSI working group [91] that adopts the provisions of ISO 4871, with the addition of a series of annexes. Proposed Annex E gives the option of including A-weighted sound pressure levels and C-weighted peak sound pressure instead of or along with sound power levels. A proposed modification to Annex B gives examples of declarations for both sound power level and sound pressure level in the "idle" and "operating" modes. It is important to remember, however, that the operating mode means under load but not necessarily in actual working conditions, as in the case of a tool contacting a work piece.

Evaluation of Noise Limits and Labeling Requirements

The success of these programs is bound to be variable because enforcement of the EC directives is carried out by the individual member states, some of which are likely to be more zealous than others. Also, the problems raised above by Lazarus and Zimmerman have been mentioned by other researchers. Kyttala and Airo [92] found that although a majority of the handheld power tools they surveyed carried noise declarations (labels), the authors questioned whether the information provided would apply to the tools as they were being used. They found that the declared noise levels were usually lower and sometimes considerably lower than those measured in actual use.

Irmer and Fischer-Sheikh Ali [93] pointed out that the primary purpose of the machinery noise directives was to enhance the functioning of the common market by eliminating trade barriers. Thus, noise limits were set high enough so that very few products would be excluded from the market. They maintain that setting an easily achieved upper limit for construction equipment removes any pressure to produce products with lower noise emission levels. They do mention, however, that the EC has recently published a proposal on the noise emission of equipment used outdoors, which will replace existing directives and revise existing noise limits in such a way as to give a higher priority to environmental concerns like construction noise. [93,94]

INCENTIVES FOR QUIET

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Disincentives of the Last Two Decades

With the demise of EPA's Office of Noise Abatement in 1982 and along with it the regulatory program for construction equipment, the incentive for noise control has declined. This is true of equipment manufacturers as well as contractors. Some small incentive has been supplied by municipalities and local groups seeking to mitigate the noise exposure of communities, but the noise abatement capabilities of local governments were adversely impacted by the closing of the national noise office. Within the last few years there has been a rekindling of interest in environmental noise abatement, both on the national and local levels, but Congress has still not seen fit to appropriate funds for the implementation of the Noise Control Act. There are now two self-sustaining national organizations concerned with noise abatement: the Noise Pollution Clearinghouse and the League for the Hard of Hearing. There also has been considerable media attention to the problem in recent years, as well as increased interest in local ordinances throughout the nation.

Efforts to control noisy products and workplaces have been severely curtailed by OSHA's compliance directive of 1983, [(95)] which effectively raised the PEL to a TWA of 100 dBA and discouraged noise control even above that level due to extremely permissive enforcement procedures. [(96)] To the extent that manufacturers of construction equipment concerned themselves with the prospect of noise regulation from either EPA or OSHA, that incentive has disappeared.

The Blue Angel Program

Europe, however, does provide some incentive for noise reduction by the manufacturers of construction machinery, even in the United States. First, there are the directives for noise limits and labeling, with which American manufacturers must comply if they wish to sell their products on the European market. The advent of the ANSI standard on labeling of machinery for noise could possibly encourage US manufacturers to reduce product noise levels, even though the standard will not be mandatory.

The most promising development is Germany's "Blue Angel" program, which could have beneficial spillover for construction workers in the United States and which could also be used as a model in this country. The Blue Angel refers to a program for the voluntary designation of products as favorable to the environment. It was developed in Germany in 1977 and is flourishing today. The program's two main purposes are to assist customers in the choice of products and to encourage manufacturers to develop and market environmentally friendly products. Figure 9 shows the Blue Angel label with the

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environmental logo of the United Nations, the inscription "Umweltzeichen" (environmental label) above, the words "weil la ¨rmarm" (because low-noise) below, and the words "Jury Umweltzeichen" (Environmental Label Jury) underneath.

FIGURE 9. The "Blue Angel" label. Reprinted from Irmer and Fischer-Sheikh Ali [93] with permission from Noise News International.

Blue Angel awards for low-noise construction equipment were established in 1988. Irmer and Fischer-Sheikh Ali [93] reported that more than 40 companies had applied for the award with about 200 products displaying the label. Differences in sound levels between the existing noise limits in EC directives and those emitted by the Blue Angel products range from 5 to 14 dBA. In the early days of low-noise construction equipment the Federal Environmental Agency gave some financial support to interested manufacturers, but the authors report that the Blue Angel proved to be a good advertising tool and financial incentives are no longer needed.

Some local governments in Germany have given preference to Blue Angel construction products and are allowing them to be used in noise-sensitive areas, where the use of noisier products would be proscribed. Irmer and Fischer-Sheikh Ali [93] also mention that the

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number of non-German applicants is steadily increasing, with about 15% of the Blue Angel manufacturers coming from outside Germany. A 1997 publication of the German government gives an overview of construction machinery bearing the Blue Angel label. (97) The Caterpillar Co. is one of 14 manufacturers of excavators, with four types of machines displaying the Blue Angel. Their sound pressure levels range from 72 to 77 dBA. Of the 12 manufacturers of loaders, Caterpillar manufactures six models with sound pressure levels ranging from 68 to 78 dBA. Other products listed include compressors, power generators, welding generators, paver-finishers, concrete mixers, and tower cranes. Additional products and companies are undoubtedly certified today. Current information on the Blue Angel program is available at http://www.blauer-engel.de.

Buy Quiet Programs

EPA's Office of Noise Abatement and Control initiated an ambitious Buy Quiet program during the 1970s. (98) Its purpose was to leverage the multibillion dollar public sector market to buy quiet products. This would be done by organizing government purchasing cooperatives and working through professional purchasing organizations. The agency's program included the Government Services Administration, the National Institute of Governmental Purchasing, the National League of Cities, and various federal, state, and local purchasing agencies and cooperatives.

The EPA's Buy Quiet program consisted of four parts: (1) a series of conferences to develop quiet product purchase descriptions, (2) local Buy Quiet programs in which governments and purchasing cooperatives agree to buy quiet products as an ongoing activity, (3) a data bank for quiet purchasing operated by the National Institute of Governmental Purchasing, and (4) demonstrations of quiet products loaned by the EPA to local governments. Bids were evaluated on the basis of both noise level and price. In 1981, 64 governments had either committed themselves to a Buy Quiet program or were considering doing so.

EPA's Buy Quiet program had a short life because the agency was closed in 1982. At present there are no data on the number of government agencies (federal, state, or local) with these kinds of programs, but it is likely to be relatively few.

There is evidence, however, that these programs may continue in some places. Haag (99) reported that the 1987 edition of the National Fire Protection Association (NFPA) Standard on Fire Department Occupational Safety and Health Program contained noise specifications. Section A-5-8.1 stated that "new fire apparatus should provide maximum

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sound requirements that would allow members to ride in those vehicles without hearing protective devices. A maximum limit of 85 dBA without audible warning devices and 90 dBA with warning devices in operation is recommended." (99, p. F-22)

CONCLUSIONS

Approximately one-half million construction workers are exposed to hazardous levels of noise. Studies of construction workers' HTLs in the United States reflect excessive exposure, and it appears that the onset of noise-induced hearing loss starts early and continues throughout the career.

The prevalence of HPD use in the US construction industry is very poor and only recently has begun to improve. Anxiety concerning the ability to perceive and understand warning signals and communication is an important factor in resisting HPDs, and research over recent years supports the validity of this anxiety. In British Columbia, however, the use of HPDs is significantly higher than in the United States, which is related to the success of its overall HCP. Today's broad range of HPDs, with several models designed specifically to mitigate the problems of hearing and understanding communication and warning signals in noise, points toward the necessity of careful selection and fitting of HPDs.

Audiometric testing in industry is of virtually no value unless serial audiograms can be compared. The problem of audiometric record keeping is especially difficult in construction because of the mobility of construction workers and the small size of many construction companies. Some kind of centralization, such as that found in the British Columbia program, would appear to be the best solution. Credit card storage devices or "smart cards" could make audiometric record keeping considerably more efficient for mobile employees because workers could easily carry them from job to job.

Although there has been relatively little investigation into the effects of noise, hearing loss, and HPDs on accidents in the construction industry, the existing research, along with evidence from studies of other industries, demonstrates the likelihood of adverse effects in construction. There are several steps that can be taken to reduce this hazard.

Noise control is the most effective way to prevent noise-induced hearing loss in construction, and very possibly reduce the incidence of serious accidents. Although maintenance and retrofit are viable approaches, control at the design stage is most desirable. Considerable information in this area is available, although some of it may be dated.

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European standards and directives have focused attention on noise emission in European countries. These directives, which limit noise exposure and mandate labeling and provision of information, must provide some incentive to manufacturers, even though these requirements need to be made more relevant to the workplace in some cases.

Incentives for noise control on construction sites in the United States have diminished over the last two decades. The most likely reasons are the closing of EPA's Office of Noise Abatement and the issuance of OSHA's compliance directive for general industry, which effectively raised the PEL to 100 dBA. European directives may provide some incentives to US manufacturers, especially in the form of programs like Germany's Blue Angel. Governmental Buy Quiet programs could also provide some incentive for noise control.

RECOMMENDATIONS

Professionals in industrial hygiene and hearing conservation should make every effort to control excessive noise on construction sites through the purchase of quieter equipment, as well as retrofit and proper maintenance of existing equipment. These efforts would not only conserve hearing but also aid in the prevention of noise-related accidents and fatalities.

Training programs should be developed for workers and contractors that include the importance of communication in the construction workplace, the dangers of overfitting HPDs, and how to tailor HPDs to communication needs. Contractors should be warned that they may have to spend more money on HPDs than they anticipated to ensure worker safety and efficiency, as well as the prevention of noise-induced hearing loss.

Manufacturers of reverse alarms and other warning devices should be encouraged to design their products for maximum audibility in the noise conditions most typical of their use, and to be perceived and understood by workers with noise-induced hearing loss, workers wearing HPDs, and workers under varying degrees of attentional demand. Contractors should be encouraged to purchase warning devices that are suitable for the work environments for which they are intended.

Pressure should be brought to bear on OSHA to move as rapidly as possible to extend the general industry noise regulation, including its amendment for HCPs, to cover construction workers. Although sections of the regulation would need to be tailored specifically to construction, it appears that the necessary knowledge and technology are available.

The agency should also be encouraged to rescind its instruction of Nov. 8, 1983, CPL

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2-2.35 and all references to a TWA of 100 dBA in its directives and manuals. This policy was not subject to public notice and comment and provides a powerful disincentive for noise control and the conservation of workers' hearing in all industries, including construction.

Additional noise measurement data are needed on the sound levels of various types of construction equipment and various models within the same type. These data would facilitate the identification of low-noise and high-noise equipment, both for OSHA to assess the technological capabilities of the industry and for the sake of contractors who wish to purchase quieter equipment.

Consideration should be given to the identification and use of a centralized agency (or agencies) in which audiometric test results could be kept on a permanent basis.

The use of "smart cards" to store and transfer audiometric data should be further investigated.

A noise control database for the construction industry needs to be developed. It should include noise sources and levels, recommended treatments, quieted noise levels, estimated costs, and the availability of materials for treatments. The database should be made available electronically as well as on paper, and should be targeted to contractors, worker representatives, professionals in industrial hygiene and noise control, and federal and state compliance officers.

Government agencies should make financial and technical assistance available to organizations that could renew interest in Buy Quiet programs.

Organizations within the United States should obtain information about and publicize the achievements of all companies that currently display Germany's Blue Angel label for quiet equipment.

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APPENDIX A

Reports pertaining to construction noise generated by the U.S. EPA's Office of Noise Abatement and listed in the *Bibliography of Noise Publications.* [(84)]

- "Substrategy for Construction Site Noise Abatement" (1981)
- "Analysis and Abatement of Highway Construction Noise" (1981)
- "Availability of Workplace Noise Control Technology of Selected Machines" (1981) n "A Comparison of Sound Power Levels for Portable Air Compressors Based Upon Test Methodologies Adopted by U.S. EPA and the CEC" (1980)
- "Construction Noise Control Technology Initiatives" (1980)
- "Noise Technology Research Needs and the Relative Roles of the Federal Government and the Private Sector" (1979)
- "Foreign Noise Research in Machinery/Construction Equipment" (1978)
- "Federal Research, Development and Demonstration Programs: Machinery and Construction Noise" (1978)
- "Understanding Noise and Noise Control Instruction Units for Operating Engineers in

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Apprenticeship Programs" (1978)
- "Proposed Wheel and Crawler Tractor Noise Emission Regulation: Part I, Draft Environmental Impact Statement. Part II, Background Document" (1977)
- "Background Document for Portable Air Compressors" (1976)
- "Background Document for Medium and Heavy Truck Noise Emission Regulations" (1976)
- "Medium and Heavy Truck Noise Emission Standards" (1976)
- "Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances" (1971)

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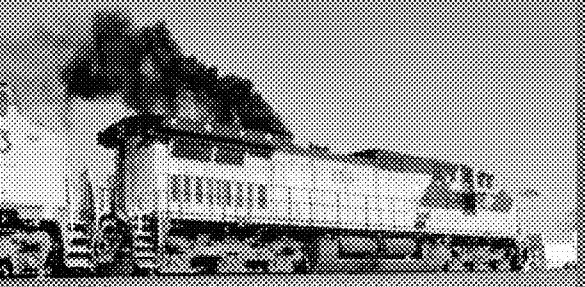

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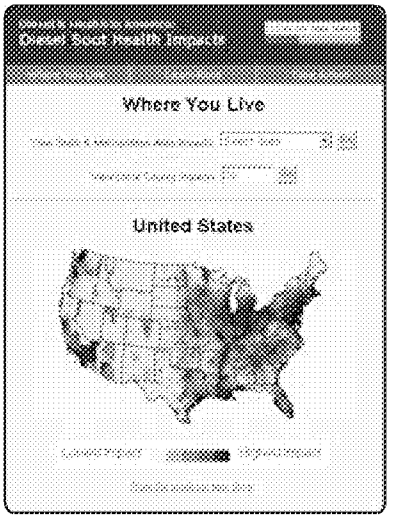

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18 Tremont Street, Suite 530, Boston, MA 02108
Tel: 617-624-0234 / Fax: 617-624-0230

Credits –

Written by: **Conrad G. Schneider**, *Advocacy Director*
and **L. Bruce Hill, Ph.D.**, *Senior Scientist*

Edited by: **Maria Padian**

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February 2005

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Foreword

Scientists have been examining relationships between air pollution and death and disease for decades but only now are we beginning to understand the impacts of one of the most toxic sources of emissions today – the diesel engine. Diesels churn out a hazardous mix of gaseous and particle pollutants. What's more, diesel exhaust is emitted at ground level – where we breathe it – by trucks and buses around us in traffic, at school and transit bus stops, and by heavy construction or agricultural equipment. Diesel exhaust contains numerous dangerous compounds, ranging from respiratory irritants to carcinogens including a host of air toxics, particulate matter, carbon monoxide and nitrogen oxides.

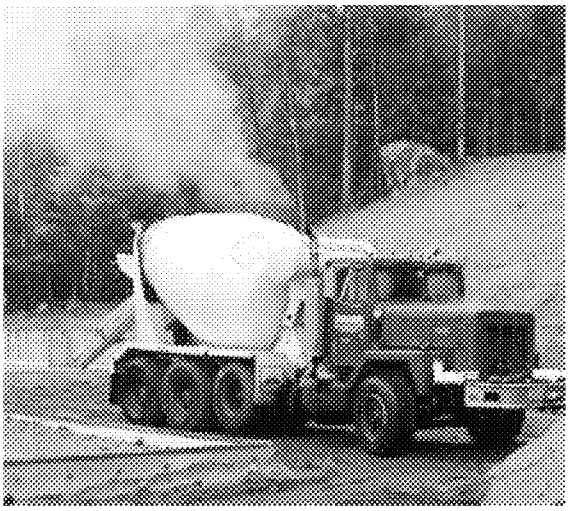

While scientists have concluded that combustion-related particulate matter from all combustion sources is associated with premature death from heart attacks and cancer, we also are finding that carbon particles from mobile sources may be particularly unhealthy. These particles adsorb other metals and toxic gases produced by diesel engines – such as cancer causing-PAH (polycyclic aromatic hydrocarbons) – onto their surfaces making them even more dangerous. Furthermore, research on personal exposures demonstrates that these small particles easily penetrate our indoor environment where they may be trapped for days when ventilation is poor.

This report presents for the first time estimates of the health toll from diesel vehicle pollution. Using methodology approved by the U.S. Environmental Protection Agency's Science Advisory Board (SAB), the analysis finds that approximately 21,000 people die prematurely each year due to particulate matter pollution from diesels. Other serious adverse health impacts include tens of thousands of heart attacks, asthma attacks, and other respiratory ailments that can lead to days missed at work and at school.

Using more highly time-resolved studies we are increasingly able to understand the inflammation mechanism by which particles can lead to atherosclerosis, heart attacks, strokes and ultimately, untimely deaths. From all we know today, we can confidently say that reducing diesel exhaust in our environment will mean improving public health, and as this report demonstrates, reducing preventable premature deaths. We do not need to wait. Technology is available today that can reduce particulate matter emissions by up to 90 percent. Now is the time to clean up our old trucks, buses, heavy equipment and locomotives to provide a cleaner future for us and our children.

Howard Frumkin, M.D., Dr.P.H., FACP, FACOEM
Professor and Chair, Department of Environmental and Occupational Health
Emory University, Rollins School of Public Health

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Executive Summary

Everyone has experienced it: getting hit right in the face by a cloud of acrid diesel smoke. Perhaps you were standing on a street corner when a bus or truck whizzed by. Or maybe you were standing at a bus stop or stuck behind a dump truck grinding up a hill. But breathing diesel exhaust isn't just unpleasant. It is hazardous to your health. In fact, health research indicates that the portion of the exhaust you can't see may be the most dangerous of all. Asthma attacks, respiratory disease, heart attacks, and even premature death – all of these are among the most serious public health problems linked to emissions from the nation's fleet of diesel vehicles. The good news is that the technology exists right now to clean up emissions from these engines, so that most of the adverse health impacts can be prevented.

Today in the U.S. more than 13 million diesel vehicles help to build our cities and towns, transport our food and goods, and take us to and from work. More than three quarters of all Americans live near intersections, bus stops, highways, bus and truck depots, or construction sites with heavy equipment – all of which are concentrated sources of diesel exhaust. In rural areas, those who live near heavy diesel agricultural equipment suffer their share of exposure to diesel as well.

The U.S. Environmental Protection Agency has issued important regulations that will require dramatic reductions in emissions from new diesel vehicles starting in 2007 – but only the new ones. These regulations, to be phased in over the next quarter century, apply only to *new* engines. What about the diesels on the road today? The lifespan of the average diesel vehicle is nearly 30 years. Many diesels are driven over a million miles. Because of this longevity, we will be left with the legacy of pollution from dirty diesel vehicles for decades to come. That is, ***unless*** we take action to reduce emissions from vehicles currently on the road. We don't have to wait. Control technologies exist right now that can significantly reduce deadly fine particle emissions from diesel vehicles, in some cases by upwards of 90 percent.

American know-how, witnessed by the success of the manufacturers of engines, control devices, and fuel refiners in developing innovative solutions for reducing diesel exhaust, provides a lifesaving opportunity we can seize today. Pollution from dirty diesels on the road now can be dramatically reduced using a combination of cleaner fuels, retrofit emission controls, rebuilt engines, engine repowerings, and accelerated purchase of new, cleaner vehicles. Unlike so many other vexing environmental issues, these affordable solutions present a highly unusual opportunity to actually address a major risk to public health and the environment. In fact, we could virtually eliminate this problem if diesel manufacturers, fleet owners, environmentalists, concerned citizens, and government regulators make the commitment to work together.

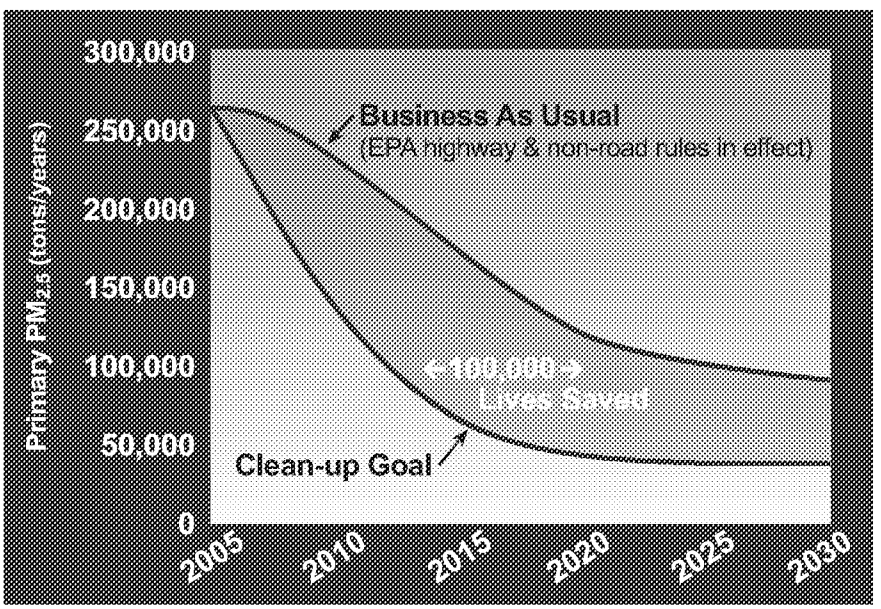

An Aggressive Program to Reduce Diesel Emissions Could Save About 100,000 Lives between Now and the Year 2030.

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What are the health impacts of these dirty diesel vehicles? What benefits will we realize if we act now to clean them up? The Clean Air Task Force commissioned Abt Associates, an highly-respected consulting firm that U.S. EPA and other agencies rely upon to assess the benefits of national air quality policies, to quantify for the first time the health impacts of fine particle air pollution from America's diesel fleet. Using this information, we were able to estimate the expected benefits – in lives saved – from an aggressive but feasible program to clean up dirty diesel buses, trucks, and heavy equipment across the U.S.

This report summarizes the findings of the Abt Associates study. It then reviews the degree to which diesel vehicles increase the level of fine particle pollution in the air we breathe, and recommends reduction measures that will save thousands of lives each year.

Key findings include:

- Reducing diesel fine particle emissions 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save nearly 100,000 lives between now and 2030. These are additional lives saved above and beyond the projected impact of EPA's new engine regulations.
- Fine particle pollution from diesels shortens the lives of nearly 21,000 people each year. This includes almost 3,000 early deaths from lung cancer.
- Tens of thousands of Americans suffer each year from asthma attacks (over 400,000), heart attacks (27,000), and respiratory problems associated with fine particles from diesel vehicles. These illnesses result in thousands of emergency room visits, hospitalizations, and lost work days. Together with the toll of premature deaths, the health damages from diesel fine particles will total $139 billion in 2010.
- Nationally, diesel exhaust poses a cancer risk that is 7.5 times higher than the *combined* total cancer risk from all other air toxics.
- In the U.S., the average lifetime nationwide cancer risk due to diesel exhaust is over 350 times greater than the level U.S. EPA considers to be "acceptable" (i.e., one cancer per million persons over 70 years).
- Residents from more than two-thirds of all U.S. counties face a cancer risk from diesel exhaust greater than 100 deaths per million population. People living in eleven urban counties face diesel cancer risks greater than 1,000 in a million – one thousand times the level EPA says is acceptable.
- People who live in metropolitan areas with a high concentration of diesel vehicles and traffic feel their impacts most acutely. The risk of lung cancer from diesel exhaust for people living in urban areas is three times that for those living in rural areas.

The vast majority of the deaths due to dirty diesels could be avoided by an aggressive program over the next 15 years to require cleanup of the nation's existing diesel fleet. Practical, affordable solutions are available that can achieve substantial reductions in diesel risk. The only thing that stands between us and dramatically healthier air is the political will to require these reductions and the funding to make it a reality.

What We Must Do to Protect Public Health from Today's Dirty Diesels.

Although the EPA has mandated the phase-in of cleaner new engines and fuels beginning in 2007 for highway vehicles and heavy equipment, EPA has limited authority to mandate emissions controls on the fleet of existing diesel vehicles. To date, EPA has adopted a "voluntary" approach. Nevertheless, in order to meet the new ambient air quality standards for fine particles, states and cities must require controls to reduce diesel emissions. Diesel cleanup is also an important next step in areas that are having difficulty meeting existing and new ambient air quality standards for ozone such as Houston and Dallas, Texas.

States can enact legislation requiring diesel cleanup as some, such as California and Texas, have already begun to do. States should also consider measures to require early engine retirement and speed fleet turnover. For vehicles like long-haul trucks, ships, and locomotives that are engaged in interstate transport, federal regulations, federal legislation, or both may be needed. Funding for such initiatives may pose a challenge for public fleets (school buses, transit vehicles, garbage trucks, etc.), so support for expanded state and federal funding to help the cleanup of fleets owned by cash-strapped states and cities will be necessary. Local and state budget writers will need a strong commitment to come up with the necessary appropriations or bonds to fund the local share.

Particle filters combined with the use of Ultra Low Sulfur Diesel (ULSD) fuel have been found to reduce diesel particles and particle-bound toxics from diesel exhaust by up to 90 percent. Under the new engine rules, ULSD will be available for highway vehicles nationwide starting in 2006. It is already available in cities in 21 states. Not all vehicles can be retrofitted with a particle filter, but there are a variety of options available for the cleanup of every vehicle regardless of make or model year.

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Cities and states should:

- Establish ambitious goals for reducing risk to their citizens by cleaning up existing diesels;
- Identify priority geographic areas and diesel "hotspots" for immediate attention;
- Adopt a package of options for reducing diesel exhaust including:
  - Retrofits accomplished by replacing mufflers with an optimal mix of filters or oxidation catalysts depending on vehicle age and type;
  - Requiring Ultra Low Sulfur Diesel and cleaner alternative fuels;
  - Closed crankcase ventilation systems to eliminate engine exhaust from penetrating the cabin of vehicles such as school and transit buses;
  - Engine rebuild and replacement requirements;
  - Truck stop electrification programs to give long-haul truckers a way to power their rigs overnight without running their engines;
  - Contract specifications requiring cleanup of trucks and construction equipment used in public works projects.
- Adopt diesel cleanup measures as federally-enforceable requirements in State Implementation Plans (SIPs) for the attainment of the fine particle and ozone air quality standards;
- Create and fund programs, such as California's "Carl Moyer" and the Texas Emission Reduction Plan (TERP) program, which provide funding for diesel equipment owners to replace or rebuild high-polluting diesel engines;
- Adopt and enforce anti-idling ordinances and legislation.

The Federal government should:

- Pass legislation providing funding for the cleanup of municipal and state fleet vehicles;
- Explore regulatory options for reducing emissions from existing interstate fleets such as long-haul trucks, shipping, and locomotives;
- Retain and enforce the tighter new engine and cleaner fuel standards for highway and non-road diesels.

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Retrofits are effective in reducing particle emissions from heavy equipment. The tractor on the left is retrofitted with a particle emissions control device.

New Findings

While numerous medical studies have linked diesel exhaust to a host of serious adverse health outcomes, no single study has yet quantified the death and disease attributable to diesel across America – until now. Researchers estimate that as many as 60,000 people in the U.S. die prematurely each year because of exposure to fine particles from all sources.[1] And some researchers believe that this figure may even underestimate the total number of particle-related deaths.[2] A reanalysis of the major particle mortality study in over 150 cities suggests that particles from motor vehicles may be more toxic than average.[3]

We know that diesel exhaust is a hazardous mixture of gases and particles including carcinogens, mutagens, respiratory irritants or inflammatory agents and other toxins that cause a range of diverse health effects. Diesel particles act like magnets for toxic organic chemicals and metals. The smallest of these particles (ultrafine particles) can penetrate deep into the lung and enter the bloodstream, carrying with them an array of toxins.[4] Diesel exhaust can contain 40 hazardous air pollutants as listed by EPA, 15 of which are listed by the International Agency for Research on cancer (IARC) as known, probable or possible human carcinogens.[5] Thousands of studies also have documented that fine particles are associated with respiratory and cardiovascular diseases and death. Additional studies have documented effects in infants and children such as Sudden Infant Death syndrome (SIDS) and retarded lung development.[6]

Now, for the first time, this report reveals the staggering toll of death and disease from diesel exhaust in our air – and the dramatic benefits of requiring the cleanup of the nation's existing diesel fleet. Abt Associates, using peer-reviewed, state-of-the-art research methodology employed by U.S. EPA in assessing the national benefits of proposed

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National Annual Diesel Fine Particle Health Impacts[7]

Annual Cases in the U.S., 2010	
Premature Deaths	21,000
Lung Cancer Deaths	3,000
Hospital Admissions	15,000
Emergency Room Visits for Asthma	15,000
Non-fatal Heart Attacks	27,000
Asthma Attacks	410,000
Chronic Bronchitis	12,000
Work Loss Days	2,400,000
Restricted Activity Days	14,000,000

rules and legislation, finds that nearly 21,000 people will die prematurely in 2010 in the U.S. as a result of exposure to fine particle emissions from mobile diesel sources (i.e., all on-and non-road engines such as highway, construction, rail, and marine engines). The average number of life-years lost by those who die prematurely from exposure to fine particles is 14 years.[8]

The deaths from diesel fine particle pollution equal or exceed the death toll from other causes commonly understood to be major public policy priorities. For instance, drunk driving causes more than 17,000 deaths per year.[9] There are more than 20,000 homicides in the U.S. each year.[10] Moreover, the approximately 15,000 premature deaths per year that could be avoided by achieving a 75 percent diesel-risk-reduction target exceed the 11,000 automobile fatalities avoided each year through the use of safety belts.[11]

The Abt Associates analysis further shows that hundreds of thousands of Americans suffer from asthma attacks, cardiac problems, and respiratory ailments associated with fine particles from diesels. These health damages result in thousands of respiratory and cardio-pulmonary related hospitalizations and emergency room visits annually as well as hundreds of thousands of lost work days each year. For instance, the study finds that diesel pollution leads to 27,000 heart attacks and 400,000 asthma attacks each year.[12]

You can find the adverse health impacts from diesel for your state, metropolitan area, and county on the web at: **www.catf.us/goto/dieselhealth**.

The risk from diesel exhaust can be virtually eliminated by the application of emissions control strategies available today. For example, an aggressive but feasible program to reduce diesel particle emissions nationwide 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save about 100,000 lives between now and 2030 – beyond those lives that will be saved under EPA's new engine regulations.[13] Indeed, in the year 2000, the State of California set a Diesel Risk Reduction goal of a 75 percent reduction in diesel risk by 2010 and 85 percent by 2020 and the California Air Resources Board over the past few years has begun to issue regulations to achieve it.[14]

Cancer Risk

CATF has calculated the national average lifetime excess cancer risk posed by diesel. We base these estimates on 1999 modeled directly-emitted diesel fine particle concentrations and by applying both the EPA range of individual risk estimates and the California Air Resources Board (CARB) diesel risk factor for lung cancer over the U.S. population.[15] Although EPA has found diesel exhaust to be a "likely" human carcinogen, EPA has not adopted a risk factor but has, instead, provided a range of lung cancer risk.[16] Based on the national average diesel particulate matter concentration, we find average lung cancer risk ranges from 12 to 1210 per million people over a 70-year lifetime using EPA's range of lung cancer risk.[17] Using the same methodology, CATF finds that, based on the single CARB risk factor, the nationwide average lifetime cancer risk posed by diesel exhaust is over 350 times greater than EPA's "acceptable" level of one cancer in a million.

For comparison, according to EPA's 1999 NATA assessment, the combined risk from all other air toxics is 48 per million.[18] Therefore, diesel exhaust presents a lung cancer risk that is 7.5 times higher than the cancer risk of all other air toxics – *combined!*[19] In addition, CATF has calculated the cancer risk posed by diesel for residents of each U.S. county. Residents of over two-thirds of U.S. counties experience a cancer risk greater than 100 in a million from diesel exhaust. Moreover, residents of eleven urban U.S. counties face a diesel cancer risk equal to 1,000 new cases of cancer in a population of one million.

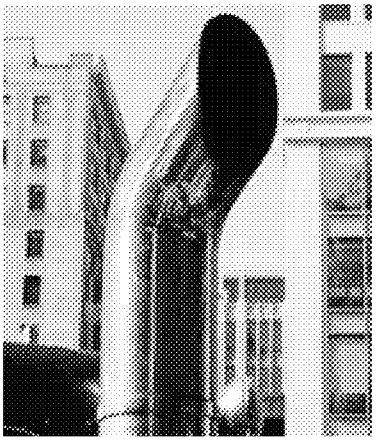

People who live in metropolitan areas with a high concentration of diesel vehicles and traffic feel their impacts

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most acutely. For example, the estimated risk of lung cancer from diesel in metropolitan areas is much higher than in areas with fewer diesels. In the rural counties we estimate a risk of 142 cancers per million based on the CARB unit risk, but three times that rate, 415 cancer per million, in urban counties. Therefore, the risk of lung cancer for people living in urban areas is three times that for those living in rural areas.[20]

You can find the community cancer risk from diesel for your state, metropolitan area, and county on the web at: **www.catf.us/goto/dieselhealth**. Personal risk varies with location and lifestyle. For example, if you live near a bus, truck, or train terminal, highway, construction site, or warehouse, or commute to work on congested roadways, your exposure may be higher than indicated by the county-wide average estimated here.

The Economic Toll of Health Effects

Respiratory distress severe enough to require a trip to the emergency room can be a terrifying experience for patients and their families. Victims of asthma attacks say that during an attack they wonder if and when their next breath will come. In addition to its serious physical and emotional costs, air pollution also takes a large monetary toll. Emergency room and hospital treatment costs can cripple a family financially, with the average stay for a respiratory ailment lasting about a week.[21] Bouts of respiratory illness and asthma attacks mean lost workdays and lost productivity. Although life is priceless, the government often monetizes loss of life when setting policies related to health and environmental protection. Using accepted valuation methodology employed by EPA in recent regulatory impact analyses, Abt Associates finds that the total monetized cost of the U.S. diesel fleet's fine particle pollution is a staggering $139 billion in 2010.

Pollution from motor vehicles, including diesels, can obscure city vistas such as illustrated in this split view of Dallas, Texas.

State and Metropolitan Area Findings

Using modeled concentrations of directly-emitted diesel fine particles throughout the lower 48 states, Abt Associates developed health impact estimates for every state and major metropolitan area in 1999, the latest year for which EPA's best emissions inventory for diesel fine particles is available.[22] Not surprisingly, heavily populated states with concentrated urban areas and significant diesel traffic fared the worst. Conversely, rural areas with a lower concentration of diesel vehicles fared much better. Similarly, metropolitan areas with large populations and heavy concentrations of diesel vehicles feel the impacts of diesel pollution most acutely.[23] In such large metropolitan areas, many hundreds of lives are shortened every year. However, because these state and metropolitan-area health estimates include only fine particles that are ***directly emitted*** from diesels – excluding any secondarily-formed particles from diesel emissions of nitrogen or sulfur oxides – they significantly understate the total adverse impact of diesel-related particles on public health.[24] Moreover, these estimates exclude any health impacts due to diesel's contribution to ozone smog.

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States: Health Impacts from Diesel Fine Particles (1999)

Rank	State	Deaths	Cancer Deaths	Heart Attacks	Asthma Attacks	Chronic Bronchitis	Work Loss Days	Restricted Activity Days
1	New York	2,332	169	3,692	51,251	1,499	318,532	1,827,525
2	California	1,784	144	2,263	49,499	1,356	292,622	1,683,642
3	Pennsylvania	1,170	103	1,660	19,021	575	110,404	643,926
4	New Jersey	880	77	1,382	17,926	535	107,364	620,975
5	Texas	879	83	1,070	25,348	664	148,394	854,045
6	Illinois	878	76	1,193	19,162	539	112,205	649,445
7	Florida	805	77	980	13,926	438	81,462	474,601
8	Ohio	769	72	1,002	14,464	422	83,963	489,355
9	Michigan	484	43	667	10,511	299	61,109	355,260
10	Massachusetts	475	43	727	9,925	289	61,842	355,473
11	Maryland	409	39	454	8,418	246	50,275	291,675
12	Indiana	369	36	483	7,372	209	42,730	249,056
13	Georgia	329	29	377	8,514	235	51,808	298,317
14	Louisiana	324	32	339	7,131	188	40,740	236,444
15	Missouri	305	28	377	5,435	157	31,476	183,033
16	North Carolina	301	29	347	6,518	189	39,589	229,591
17	Tennessee	269	26	283	5,169	150	30,870	179,656
18	Washington	248	23	308	6,201	181	37,787	218,889
19	Virginia	248	24	303	5,991	174	36,963	214,083
20	Wisconsin	226	18	320	4,789	137	27,923	162,404
21	Arizona	214	19	268	5,215	144	30,053	173,721
22	Connecticut	206	18	340	4,091	125	24,097	140,140
23	Kentucky	198	22	213	3,764	110	22,385	130,403
24	Minnesota	193	15	291	4,713	134	27,979	161,954
25	Alabama	175	16	184	3,200	92	18,646	108,961

Metro Areas: Health Impacts from Diesel Fine Particles (1999)

Metropolitan Area	Rank	Deaths	Cancer Deaths	Heart Attacks
New York, NY	1	2,729	202	4,342
Los Angeles, CA	2	918	72	1,193
Chicago, IL	3	755	65	1,021
Philadelphia, PA	4	727	69	990
Boston, MA	5	391	36	602
Houston, TX	6	356	35	444
San Francisco, CA	7	291	23	358
Miami, FL	8	288	23	358
Baltimore, MD	9	285	28	290
Detroit, MI	10	279	25	378
Pittsburgh, PA	11	237	21	340
Washington, DC	12	226	19	302
St. Louis, MO	13	217	20	263
Dallas, TX	14	205	19	258
Atlanta, GA	15	199	17	239
Tampa, FL	16	185	18	210
Phoenix, AZ	17	183	16	230
Cleveland, OH	18	180	15	232
Cincinnati, OH	19	171	18	219
Seattle, WA	20	165	15	208
San Diego, CA	21	150	13	191
Portland, OR	22	140	13	157
Minneapolis, MN	23	133	11	205
New Orleans, LA	24	128	13	131
Riverside, CA	25	123	10	142
Baton Rouge, LA	26	102	10	109
Milwaukee, WI	27	95	8	130
Columbus, OH	28	84	9	113
Indianapolis, IN	29	82	8	107
Louisville, KY	30	82	9	91
Memphis, TN	31	81	7	79
Kansas City, MO	32	79	8	109
Providence, RI	33	76	7	119
Bridgeport, CT	34	69	6	121
Beaumont, TX	35	65	7	65
Orlando, FL	36	65	7	85
Allentown, PA	37	65	5	101
Hartford, CT	38	63	5	100
Las Vegas, NV	39	62	7	71
Virginia Beach, VA	40	62	6	65

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Metro Areas: Per Capita Impacts from Diesel Fine Particles (1999)

Rank Based on Mortality Risk	MSA	Deaths per 100,000 Adults	Heart Attacks per 100,000 Adults	Cancer Risk per Million
1	Beaumont, TX	29	29	865
2	Baton Rouge, LA	27	29	992
3	New York, NY	25	40	959
4	Philadelphia, PA	22	29	658
5	Trenton, NJ	20	31	699
6	Baltimore, MD	19	19	584
7	Huntington, WV	18	18	477
8	New Orleans, LA	17	18	889
9	Pittsburgh, PA	15	22	415
10	Cincinnati, OH	15	19	504
11	Boston, MA	15	23	563
12	Chicago, IL	15	20	539
13	Mobile, AL	14	15	435
14	Longview, WA	14	15	441
15	Houston, TX	14	18	691
16	Allentown, PA	14	22	450
17	Cleveland, OH	14	18	416
18	Toledo, OH	14	17	423
19	Los Angeles, CA	14	18	633
20	Lancaster, PA	14	22	463
21	Scranton, PA	14	18	319
22	St. Louis, MO	14	17	405
23	Reading, PA	14	21	428
24	Lake Charles, LA	14	14	437
25	Springfield, OH	13	16	356
26	Portland, OR	13	14	488
27	Bridgeport, CT	13	22	494
28	Harrisburg, PA	12.	19	412
29	York, PA	12	21	460
30	Wheeling, WV	12	14	309
31	Lebanon, PA	12	19	373
32	Evansville, IN	12	15	368
33	Memphis, TN	12	12	397
34	Savannah, GA	12	13	376
35	Dayton, OH	12	16	389
36	Vineland, NJ	12	17	365
37	Tampa, FL	12	14	365
38	Louisville, KY	12	13	384
39	Sandusky, OH	12	15	345
40	Kankakee, IL	12	14	336
41	San Francisco, CA	12	14	480
42	Muncie, IN	11	14	327
43	Duluth, MN	11	14	308
44	Michigan City, IN	11	15	370
45	Salt Lake City, UT	11	14	533
46	New Haven, CT	11	18	365
47	Steubenville, OH	11	13	279
48	Milwaukee, WI	11	15	376
49	South Bend, IN	11	15	342
50	Detroit, MI	11	15	381

The Dirty Diesel Legacy

Since 1997, the U.S. EPA has promulgated major regulations that impose stringent emissions controls on new diesel vehicles, requiring tight emission standards and cleaner diesel fuel. These standards go into effect in 2007 and phase in over the next few decades. For example, the table below illustrates the progressively tighter standards for particulate matter and nitrogen oxides from trucks and buses over the next few years.

However, the emission rates of the diesel engines on the road and in use on construction sites and farms today are not affected by these rules. Considering that according to the U.S. Department of Energy the median lifetime for a heavy truck is nearly 30 years,[26] and a typical heavy duty diesel engine may power a truck for as long as one and a half million miles,[27] these vehicles will continue to pollute our air at unnecessarily high levels for years to come ***unless*** we act to clean them up now.

EPA Standards for New Trucks and Buses (g/bhphr)[25]

YEAR	NO_X	$PM_{2.5}$
1984	10.7	0.60
1991	5.0	0.25
1998	4.0	0.10
2004	2.0	0.10
2007	0.2	0.01

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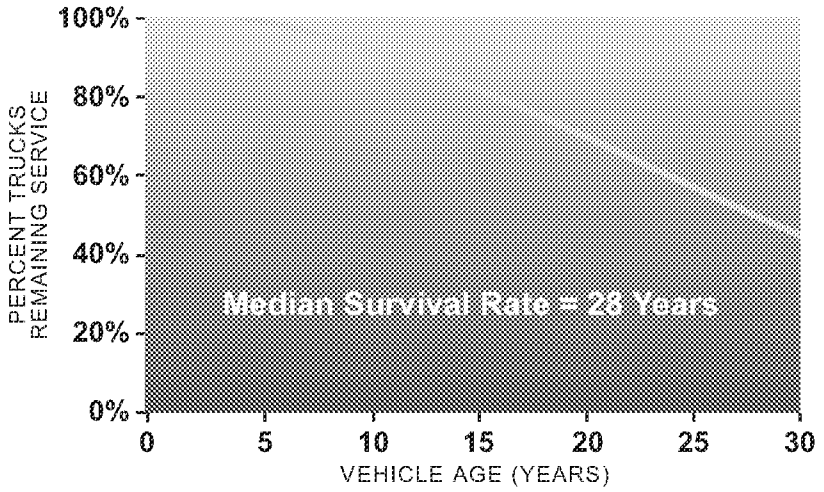

Median Heavy Truck Lifetime is Nearly 30 Years[28]

The Most Widespread Air Pollution Risk in the U.S.

There are few other sources of widespread pollution in our environment that rival diesel exhaust as an airborne toxin. America's 13 million diesel engines release a host of harmful substances including fine particles, ozone smog-forming nitrogen oxides, carbon monoxide, and a variety of toxic metals and organic gases such as formaldehyde, acrolein, and polycyclic aromatic hydrocarbons (PAH.)[29] In this report we focus on the respiratory, cardiovascular, and cancer effects of diesel fine particles only.[30]

Fine Particles are Linked to Heart Attacks, Asthma Attacks, and Stunted Lung Growth.

Fine particles have been linked to a wide variety of serious health impacts, from upper and lower respiratory ailments, such as asthma attacks and possible asthma onset, to heart attacks, stroke, and premature death, including crib death in children.[31] How risky is breathing air polluted with particles? A study published in the Journal of the American Medical Association found that living in the most polluted U.S. cities poses a risk similar to living with a smoker.[32] Based on thousands of studies compiled by EPA, federal health standards were established for fine particles in 1997.[34]

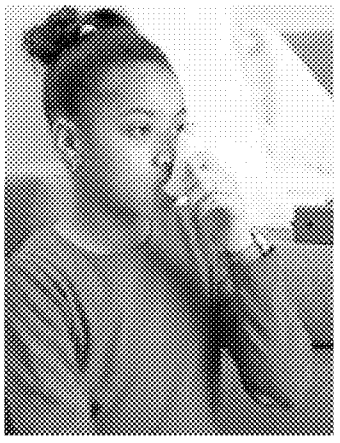

Health researchers have recently described serious health impacts of fine particles, including:

- Abnormal heart rhythms and heart attacks and atherosclerosis;[35]
- Increased incidence of stroke;[36]
- Permanent respiratory damage, characterized by fibrosis causing obstruction to airflow;[37]
- Chronic adverse effects on lung development resulting in deficits in lung function.[38]

How Particulate Matter Kills

Fine particles, known as "$PM_{2.5}$", are particles less than 2.5 microns in diameter or 1/100th the width of a human hair, so small that they are often invisible. They can be deposited deep in the lung where they can affect both the respiratory and cardiovascular systems. Researchers believe that many deaths caused by particulate matter are related to cardiovascular illness. Fine particles aggravate cardiovascular disease and trigger heart attacks by invading the bloodstream and initiating an inflammatory response, disrupting heart rate and increasing blood clotting. In a recent experimental study, diesel particles caused blood clots providing "a plausible explanation for the increase in cardiovascular morbidity and mortality accompanying urban air pollution."[33]

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Diesel Exhaust is a Likely Carcinogen that also Impairs Immune, Reproductive, and Nervous Systems.

In 1998, the Scientific Review Panel for the California Air Resources Board reviewed diesel exhaust as a toxic air contaminant and set a lifetime unit cancer risk from diesel particles at 3 in 10,000 persons for each microgram of annual average diesel exposure.[39] This is equivalent to 300 in a million excess lung cancers. In May 2002, EPA issued its Health Assessment for Diesel Exhaust which found diesel particulate matter to be a "likely" carcinogen. EPA did not settle on a unit risk factor but recommended a lifetime cancer risk range from 1 in 1,000 to 1 in 100,000.[40] The California unit risk falls within this range.[41]

> Diesel particles are carbon at their core with toxics and carcinogenic substances attached to their surfaces.

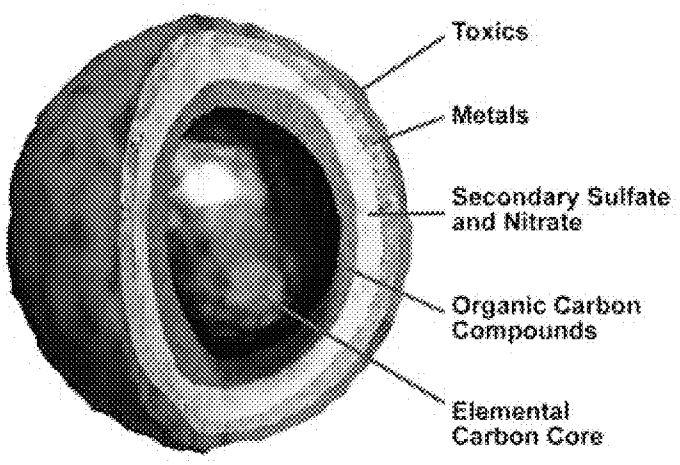

Applying California's cancer unit risk for diesel particulate matter to the national average concentration of directly-emitted diesel fine particles in 1999, results in a conservative estimate of 1,530 excess cases of lung cancer per year for 2005.[42] An American Cancer Society study of 150 metropolitan areas across the U.S published in 2002 supports the particulate matter cancer link.[43]

Other effects include:

- **Immune System Effects** – Diesel exposure is associated with numerous immune system responses in humans and animals culminating in increased allergic inflammatory responses and suppression of infection-fighting ability. These effects include disruption of chemical signals and production of antibodies, and an alteration in mobilization of infection-fighting cells.[44]
- **Reproductive, Developmental, and Endocrine Effects** – Diesel emissions have also been associated with reproductive, developmental and endocrine effects in animals. Specifically, diesel exposure has been associated in animals with decreased sperm production,[45] masculinization of rat fetuses,[46] changes in fetal development (thymus,[47] bone[48] and nervous system[49]) and endocrine disruption, i.e., production of adrenal and reproductive hormones.[50]
- **Nervous System Effects** – In addition to animal studies that have shown neurodevelopmental effects, a human study of railroad workers suggested that diesel exposure may have caused serious permanent impairment to the central nervous system.[51]

Cancer-causing Pollutants in Diesel Exhaust

Pollutant	Diesel Emissions % of all Mobile 1996[52]	EPA Carcinogen Status	Cancer Risk (per million/microgram in 70-yr life)
Formaldehyde	52%	probable	1 in a million
Acetaldehyde	59%	probable	1 in a million
Butadiene	8%	probable	2 in a million
Acrolein	50%	possible	n/a
Benzene	5%	known	2-8 in a million
Diesel Particulate Matter	77%	probable[53]	EPA: 12 to 1210 in a million; CARB: 300 in a million[54]

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Children and Seniors are at Greatest Risk

Health researchers believe that children are more susceptible than adults to the adverse health effects of air pollution for a variety of reasons.[55] For example, children are more active than adults and therefore breathe more rapidly. Children also have more lung surface area compared to their body weight and therefore they inhale more air pound-for-pound than adults do. Compared to adults, children also have higher lung volume to body size, higher respiration rates, and spend more active time in the polluted outdoor environment. Fine particles have been linked in medical studies to serious health impacts in children such as slowed lung function growth, increased emergency room visits, increased incidences of asthma and bronchitis, and crib death. Furthermore, proximity to traffic has been linked to increased prevalence of asthma respiratory infections and allergic symptoms and asthma hospitalizations in children.[56]

Seniors are another important population at risk. Studies of the impacts of fine particles on seniors in Boston and Baltimore suggest that changes in their heart rhythms and control mechanisms occur when particle levels rise. In Phoenix, daily mortality increased in

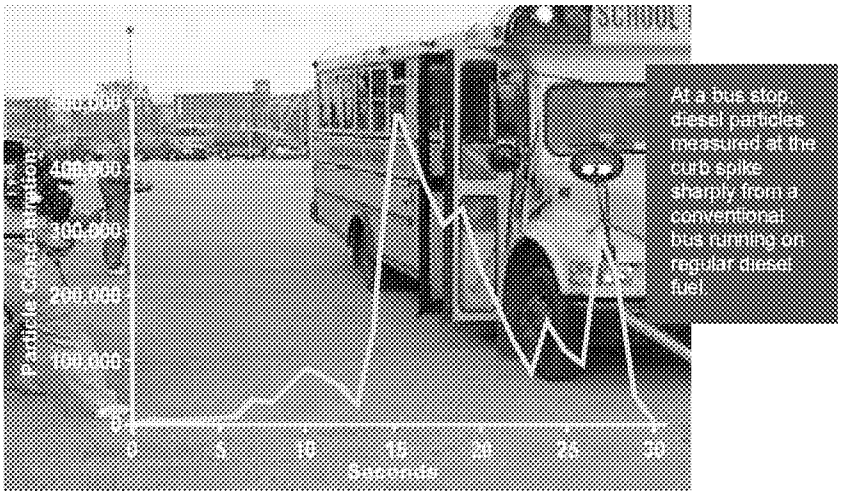

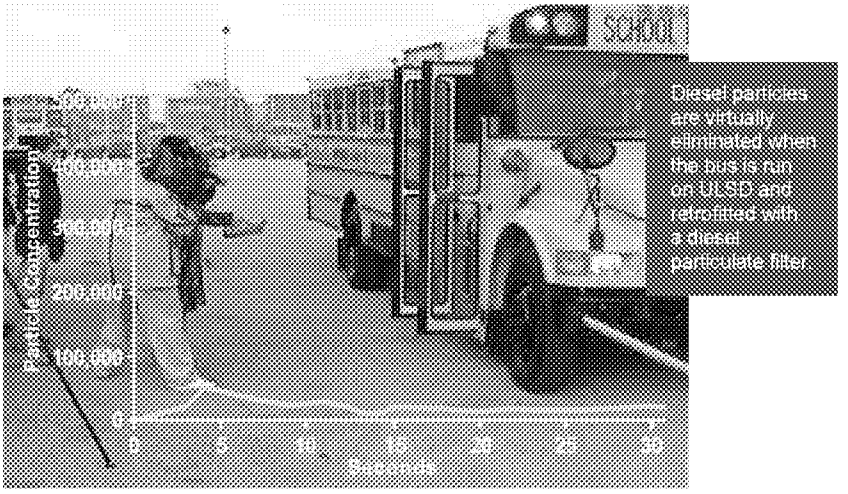

Children Exposed on School Buses

CATF Study: Cabin particulate matter eliminated with retrofit emissions controls.

Twenty four million students ride to school every day on yellow school buses that travel a total of four billion miles a year. While riding on a school bus is the safest way a student can travel to school,[57] children may be exposed to harmful pollutants, a concern since students spend an average of an hour and a half a day on school buses.[58] A recent study undertaken by Clean Air Task Force in cooperation with Purdue University investigated cabin air quality on school buses in three cities (Chicago, IL; Atlanta, GA; and Ann Arbor MI). The study found that particulate matter routinely entered the bus cabin from the tailpipe and the engine through the open front door. At some stops, particulate matter in the bus cabin exceeded levels in the outdoor air by as much as ten times. While idling or lined up in a schoolyard, rapid buildup of particulate matter in the buses also occurred. Most importantly, retrofit emissions controls worked: installation of a diesel particulate filter and the use of Ultra Low Sulfur Diesel (ULSD) fuel and a closed crankcase filtration device eliminated fine particles, ultrafine particles, black carbon and particle-bound PAH in the bus cabin. A closed crankcase filtration system by itself demonstrated major benefits and can provide immediate and low cost reductions in particulate matter levels on school buses. For a comprehensive report: **www.catf.us/goto/schoolbusreport**

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seniors with increased levels of elemental and organic carbon (typical of diesels and other motor vehicles) and fine particles. Collectively, these studies demonstrate that elevated fine particle levels put the elderly at risk and suggest a possible mechanistic link between fine particles and cardiovascular disease mortality.[59]

Today's Dirty Diesels

- **"On-road" or highway diesels** include many types of vehicles, such as municipal and commercial trucks and buses. Heavy duty highway diesels range from 8,500 lbs to those exceeding 60,000 lbs, such as 18-wheelers. Of the seven million diesels on the road today, 400,000 are school buses and 70,000 are transit buses. Highway diesels released 100,000 tons of directly-emitted fine particles in 2002, about one third of the total from diesels. Highway diesels also released 3.4 million tons of nitrogen oxides (NO_X) in 2002, which accounted for 16 percent of all NO_X emissions and half of all diesel NO_X emissions in the U.S. [60]

- **"Non-road" diesel engines and equipment** do not typically travel on roads or highways. There were approximately six million non-road diesel engines in service in 2003. Examples of these non-road diesels include construction equipment such as excavators, mining equipment and agricultural machinery. In 2002, 155,000 tons or half of all the fine particles directly emitted from diesels came from non-road engines. Non-road diesels also released 1.6 million tons of NO_X, 8 percent of all NO_X emissions and one quarter of all diesel NO_X emissions in the U.S. in 2002.[61]

- **Marine and river diesel** emissions are dominated by large commercial ships polluting our largest ocean and river port cities. Efforts to control pollution from shipping have focused on NO_X, although these engines also emit substantial quantities of fine particles. In 2002 marine diesel released 40,000 tons of directly-emitted fine particles, 13 percent of all diesel fine particles in the U.S. Marine diesels in the U.S. produced one million tons of diesel NO_X in 2002, 5 percent of all U.S. NO_X emissions and 14 percent of all diesel NO_X emissions.[62]

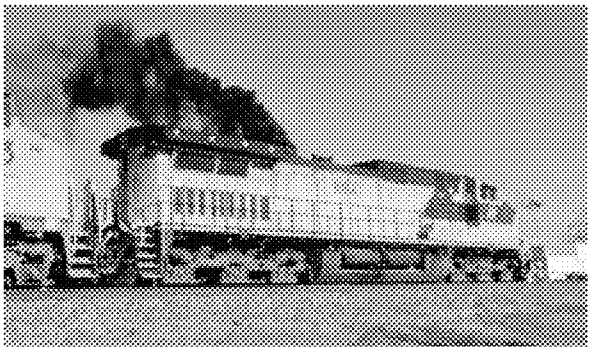

- **Locomotive diesels** account for a significant fraction of mobile source emissions in the U.S. today. In many areas, diesel trains travel through and pollute core urban and industrial areas. Diesel locomotives released 20,000 tons of directly-emitted diesel fine particles (six percent of all diesel fine particles) and 900,000 tons NO_X (13 percent of diesel NO_X). Diesel locomotives typically have a useful life of 40 years and are commonly rebuilt 5-10 times during their long service lives. For this reason, cleaning up today's locomotives is an important priority.[63]

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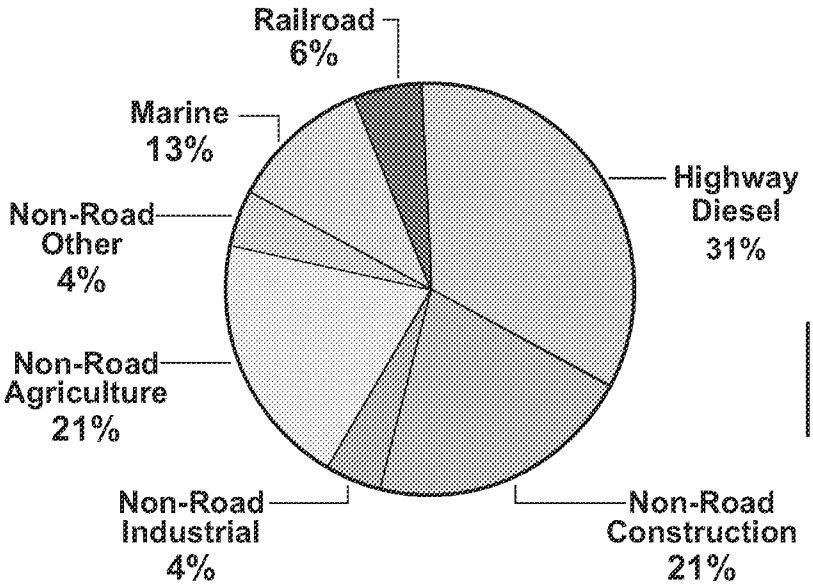

Sources of Directly-Emitted Mobile Diesel Fine Particles

Source: EPA (2004)

Diesel "Hotspots"

Diesel Exhaust is Concentrated Near Roadways and Intersections.

Unlike industrial smokestack emissions, diesel typically is emitted at ground-level in places of concentrated population in our communities along busy streets and at our places of work. We often breathe diesel exhaust where it is fresh and most toxic. While air quality modeling, such as reported in our study, estimates average exposures in a community, your individual exposure may be much greater or smaller depending on a variety of factors. For example, the distance from where you live to major roadways and the nature of your commute to work may play a role.

Exposure to diesel exhaust is highest for those who:

- **Operate or work around diesel engines** – Occupational exposures to diesel are among the highest and have been associated with increased incidence of cancer. Furthermore, a study of diesel mechanics, train crewmen, and electricians working in a closed space near diesel generators suggests that diesel exposure may have caused both airway obstruction and serious impairment to the central nervous system. The report concludes that "impaired crews may be unable to operate trains safely."[64]
- **Live or work near areas where diesel emissions are concentrated** – Ambient diesel levels are highest near highways, busy roadways, bus depots, construction sites, railroad yards, ports and inland waterways with diesel boat traffic, major bridges, tunnels, or freight warehouses. People who live or work near these

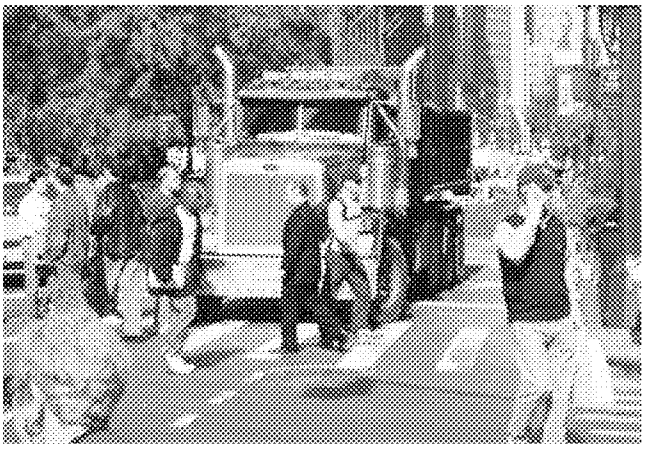

facilities face the greatest risk. Numerous recent medical studies have linked roadway proximity and traffic pollution to disease, asthma hospitalizations, and shortened life expectancy.[65] For example, a 2004 study in Ontario, Canada found increased risk of mortality from heart and lung disease in people living within 100 meters of a roadway.[66] New York City studies demonstrate that diesel trucks create air toxics hot spots at crossings, bus stops, and bus depots.[67] Rail yards can be diesel hotspots as well. For example, one study found elevated risk levels – up to 500 in a million – adjacent to a California rail yard.[68] Another study found elevated cancer risk for persons living near a ferry port.[69]

- **Regularly ride on school or transit buses, or commuter trains** – Children are exposed to elevated levels of diesel as a result of the buildup of diesel exhaust inside school buses – especially with windows closed.[70] Diesel exhaust levels on commuter trains and

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People living and working near concentrated diesel emissions such as busy roadways have the greatest exposure to diesel exhaust.

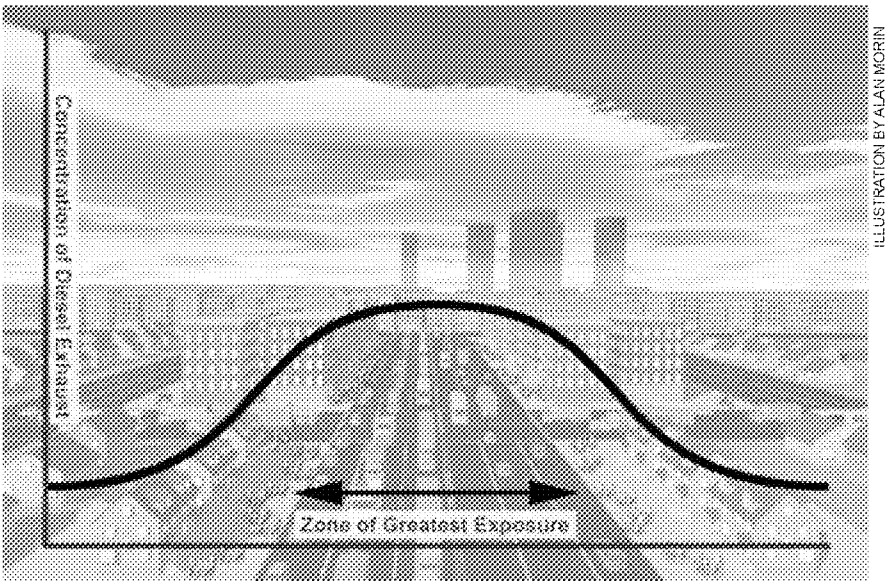

ILLUSTRATION BY ALAN MORIN

station platforms may also be high.[71]

- **Commute daily in heavy traffic** – Commuters are exposed to some of the highest diesel emissions in their cars due to pollutants released from trucks and buses on the road with them. Car occupants riding behind a diesel bus, for example, can experience extremely high levels of dangerous fine particles. Researchers in Los Angeles measured high fine particle levels (130 ug/m^3) behind an urban transit bus making numerous stops.[72] Exposures to drivers can have serious effects: a 2004 study suggests that young male state troopers experienced cardiac inflammation and heart rhythm changes from in-vehicle exposure to fine particles.[73]

Diesel exhaust from trucks and buses can be found in places we don't expect. For example it can be trapped in "urban canyons" and penetrate buildings through HVAC systems.

Exposure to diesel exhaust is also an Environmental Justice issue. Concentration of minority and low-income populations are more likely to be found in cities near diesel sources. Because these neighborhoods are exposed to some of the highest diesel exhaust levels, residents are certain to experience disproportionate health impacts.

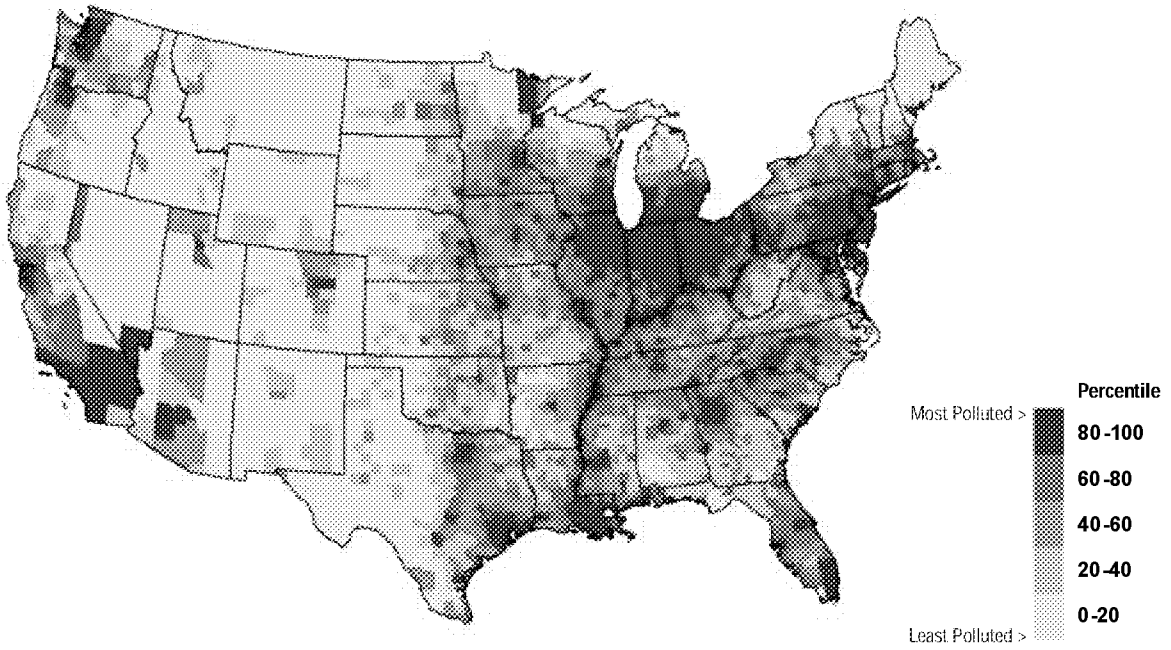

Directly-Emitted Diesel Fine Particle Concentrations by County in the U.S. (1999)

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A Solution Within Our Reach

Diesel Fine Particles Can Be Virtually Eliminated by Emission Controls Available Today.

Virtually all of the health risk posed by diesel exhaust can be eliminated through the application of emissions control strategies available today. For example, an aggressive but feasible program to reduce diesel particle emissions nationwide 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save about 100,000 lives between now and 2030 – beyond those lives that will be saved under EPA's new engine regulations.[74] Adopting this as a national goal would help states and municipalities set milestones for improvement and would be consistent with EPA's recently announced goal of retrofitting the entire U.S. fleet of diesel vehicles by 2015.[75] Indeed, California has already set a Diesel Risk Reduction goal of 75 percent 2010 and 85 percent by 2020. Over the last few years the California Air Resources Board has begun to issue regulations to achieve these goals.[76]

"Retrofit, Rebuild, Replace"

A variety of practical strategies exist to reduce diesel particle levels in America: tailpipe retrofits, clean fuels, closed crankcase filtration systems, engine rebuild and replacement requirements, emission specifications for vehicles used in public works contracts, anti-idling ordinances and legislation, truck stop electrification programs, aggressive fleet turnover policies, and more.

The most cost-effective approach to reducing diesel exhaust is likely in many cases to be the direct application of retrofit technology. Although the purchase of new, much cleaner vehicles will remain an important remedial strategy, the replacement of the entire diesel fleet is an expensive proposition that will have to be phased in over time. What's more, we can meet the challenge of reducing fine particles and related air toxics without replacing all vehicles right now. Current technology can easily remove particles from diesel exhaust. Retrofits that eliminate over 90 percent of fine particles from a heavy duty diesel bus engine typically cost $3,000-$7,500. This is a small expenditure when compared to the typical $60,000-75,000 price tag for a new school bus or $300,000 for a transit bus.[77]

Retrofits are available from many engine manufacturers. They generally are easy to install especially on highway vehicles. Nonetheless, it is important to point out that retrofits are not a "one size fits all" proposition. Retrofitting a fleet calls for careful planning and, often, a mix of strategies that will depend on the make and model year of the engines being retrofitted and funds available. For example, some heavy-duty engines lack modern electronic engine controls and are therefore are too old for some retrofit devices. Other diesel equipment simply does not have space for retrofit installation. Duty cycle is an important consideration too. Some engines do not run constantly which means that catalytic retrofit devices requiring consistent high engine temperatures do not operate as efficiently. Furthermore, some engines release pollution from crankcase ventilation in addition to the tailpipe. This calls for additional strategies. For some vehicles and model years, replacement may be the best option. As a result, fleets will need to develop individualized strategies that optimize emission reduction from their vehicles and equipment. Fortunately, this is not hard to do.

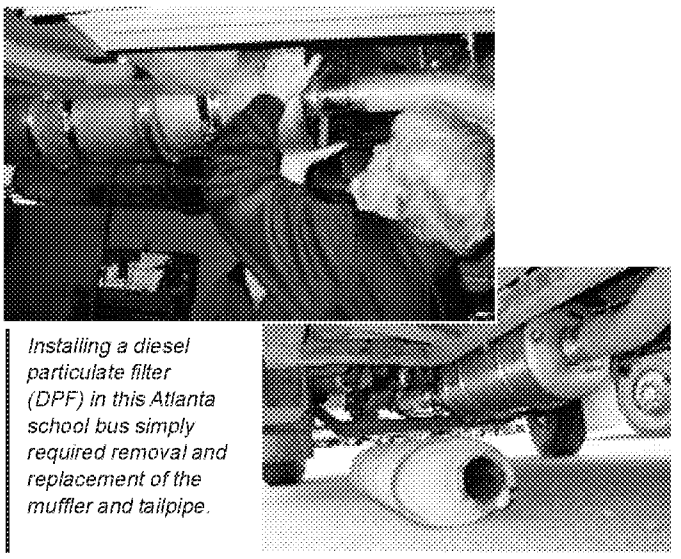

Installing a diesel particulate filter (DPF) in this Atlanta school bus simply required removal and replacement of the muffler and tailpipe.

Catalyzed diesel particulate matter filters (DPF) can reduce emissions of fine particles and adsorbed air toxics by over 90 percent. DPFs have been used in thousands of on- and non-road diesel applications. Diesel oxidation catalysts (DOCs) represent a less expensive albeit less effective option. They are smaller and therefore easier to install. EPA has verified that they can reduce total particulate matter emissions by 10-30 percent. Like the DPF, the DOC is also attached to the exhaust system. Installing one on a diesel truck or bus costs about $1,000. DOCs may be appropriate for vehicles built before 1995 that lack electronic controls and for construction equipment where there is inadequate space for a DPF to be installed. DOCs have been installed in more than 1.5 million trucks in the U.S.[78]

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Low Sulfur Diesel Fuels Are Requisite for Effective Retrofit Controls.

Diesel particulate filters require low sulfur fuels because sulfur in the fuel can foul the emission control device. Unfortunately, low sulfur fuels are not available everywhere in the U.S. today (see http://www.epa.gov/otaq/retrofit/fuelsmap.htm for the current fuel availability map). Where ULSD is available, decision makers should consider requiring installation of filters where possible. Federal regulations have established diesel fuel and additive formulation requirements for on-road vehicles, limiting fuel sulfur content to 15 ppm nationwide beginning in 2006 for use with 2007 highway vehicles. Starting in 2010, non-road equipment will be required to use ULSD.

Biodiesel is another potential low-sulfur fuel choice that can achieve modest reductions in emissions when used as a blend, or higher reductions when used at 100 percent. Biodiesel is an alternative diesel fuel made from either animal fats or plants such as soybeans.

Ultra low sulfur diesel fuel will be available nationwide mid-2006.

Cleaning up All School Buses Within a Decade

With today's emissions controls, students need not be exposed to diesel exhaust while riding to school. EPA in the summer of 2004 announced the goal of retrofitting all existing school buses with pollution controls within a decade.[79] Funding retrofits and cleaner fuel presents the greatest obstacle facing school districts. To achieve this goal, adequate funds must be appropriated by states and the federal government.

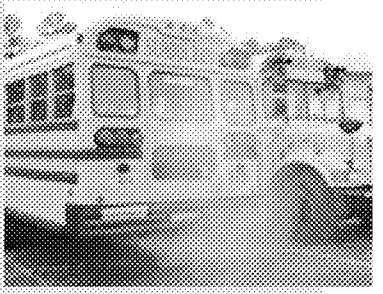

Recommendations

Cities and States Must Act to Reduce Diesel.

The fine particle pollution problem is so widespread in the U.S. about one quarter of the U.S. population resides in areas that violate the standard. EPA recently formally designated over 200 counties in "nonattainment" with the annual fine particle standard.[80] Countless additional commuters may also spend significant time in areas exceeding the standard where they work. But the rest of the country is not safe from the risk posed by diesel particles – science tells us that particle-related health impacts don't stop once the standard is achieved. Health research has shown that there are adverse health impacts from particles even at very low concentrations.[81]

Cities and states that have been designated as "nonattainment" must act now to achieve meaningful reductions in fine particles. For those areas, state implementation plans must be developed and presented to EPA for approval within three years. Controls must then be implemented and air quality standards achieved by 2010. For this reason, states and cites must start now to determine how to achieve substantial emissions reductions. With rules to reduce particles from power plants pending at EPA and expected to be finalized in the near future, diesel emissions will become the largest remaining share of the problem and the most cost-effective solution, one that largely is within the control of states and municipalities.

MA TURNPIKE AUTHORITY

Cities should adopt and enforce anti-idling ordinances.

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Cities and states should:

- Establish ambitious goals for reducing risk to their citizens by cleaning up existing diesels;
- Identify priority geographic areas and diesel "hotspots" for immediate attention;
- Adopt a package of options for reducing diesel exhaust including:
  - Retrofits accomplished by replacing mufflers with an optimal mix of filters or oxidation catalysts depending on vehicle age and type;
  - Requiring Ultra Low Sulfur Diesel and cleaner alternative fuels;
  - Closed crankcase ventilation systems to eliminate engine exhaust from penetrating the cabins of school and transit buses;
  - Engine rebuild and replacement requirements;
  - Truck stop electrification programs to give long-haul truckers a way to power their rigs overnight without running their engines;
  - Contract specifications requiring cleanup of trucks and construction equipment used in public works projects.
- Adopt diesel cleanup measures as federally-enforceable requirements in State Implementation Plans (SIPs) for the attainment of the fine particle and ozone air quality standards;
- Create and fund programs to provide money for diesel equipment owners to replace or rebuild high-polluting diesel engines;
- Adopt and enforce anti-idling ordinances and legislation.

To meet this challenge, several states and cities have begun to take action. California continues to lead the way in reducing diesel emissions: adopting stricter fine particle air quality standards, developing a statewide diesel risk reduction plan, and establishing a state program to clean up on- and non-road diesel engines ranging from garbage trucks to stationary generators.[82] When completed, the California program will regulate emissions from all existing diesels within its jurisdiction.

Trucks parked at New York Thruway rest area shut off their engines and plug into IdleAire facility for heat and electricity.

In New York, over 120,000 kids now ride a school bus that has had a retrofit kit installed to reduce diesel emissions. Under city and state law all New York City-sponsored construction projects are required to use ULSD and all heavy equipment engines at the sites must be retrofitted. Likewise, Seattle, King County, and the State of Washington have made a solid start on diesel cleanup from on- and non-road vehicles, and ships including a commitment to retrofit up to 8,000 school buses using local, state, federal, and SEP monies and buy up to 250 new diesel/electric hybrid buses. Other cities also have made a start.[83]

California and Texas have created funds – the "Carl Moyer" program in California and the Texas Emission Reduction Program (TERP) – to provide funding for diesel equipment owners to replace or rebuild high-polluting diesel engines.

NEW FLYER

Some cities are choosing Diesel Electric Hybrid buses as an alternative to conventional diesel buses.

Washington Must Support States

States and cities cannot meet the challenge of diesel pollution alone. U.S. EPA has recognized the dangers and societal costs of diesel exhaust and set tighter emission standards for new highway and non-road diesel engines and mandated the availability beginning in 2006 of Ultra Low Sulfur Diesel (ULSD) fuel nationwide. These requirements must be retained with no backsliding. In addition, EPA has set a national goal of cleaning up all of America's existing diesels by 2015 and has established a voluntary retrofit program to begin to meet it.[84] However, this challenge will only be met with an aggressive set of policies and adequate funding to ensure the goal can be accomplished.

Many states do not have the resources to clean up state and municipally-owned vehicles. They will need the support of the federal government to achieve EPA's goal.

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Federal action may also be needed to clean up transient diesel vehicles, including long-haul trucks, marine diesel shipping in U.S. ports, and locomotives that typically travel from city to city dispersing their emissions along travel corridors. Because the Clean Air Act contains limited authority for EPA to establish national diesel retrofit rules, federal legislation will ultimately be needed to establish federal requirements and funding for a national retrofit program for all diesel engines as well as these interstate diesels.

The Federal government should:

- Pass legislation providing funding for the cleanup of municipal and state fleet vehicles;
- Explore regulatory options for reducing emissions from existing interstate fleets such as long-haul trucks, shipping, and locomotives;
- Retain and enforce the tighter new engine and cleaner fuel standards for highway and non-road diesels.

Endnotes

1 Wilson, Richard and Spengler, John, eds. *Particles in Our Air: Concentrations and Health Effects* (1999) p. 212.

2 Schwartz, J.,"Air Pollution Deadlier than Previously Thought," Harvard School of Public Health, Press Release, March 2, 2000.

3 Laden, F., Neas, L., Dockery, D. and Schwartz, J., *Association of Fine Particulate Matter from Different Sources with Daily Mortality in Six U.S. Cities*, Environmental Health Perspectives, Vol. 108, No. 10, (2000) p. 941-947.

4 Nemmar, A. et al., *Passage of Inhaled Particles Into the Blood Circulation in Humans.* Circulation, Vol. 105, (2002), 411-414 ; Donaldson, Ken, et al., *Ambient Particle Inhalation and the Cardiovascular System: Potential Mechanisms*, Envir. Health Perspectives, Vol. 109, Supp. 4, Aug. 2001, p. 525.1

5 National Center for Environmental Assessment, Office of Research and Development, U.S. EPA. EPA/600/8-90/057F. May 2002. International Agency on Cancer, Monograph 46. See at: http://www-cie.iarc.fr/htdocs/monographs/vol46/46-01.htm; California Air Resources Board (1998) Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant; See also, California Environmental Protection Agency, Air Resources Board, Office of Environmental Health Hazard Assessment, April 22, 1998; CalEPA (2002). Health Assessment for Diesel Engine Exhaust;

6 American Academy of Pediatrics, Committee on Environmental Health, *Ambient Air Pollution: Health Hazards to Children*, Pediatrics, Vol 114, No. 6, (December 2004) pp. 1699-1707. Available at www.pediat rics.org. For a complete summary of studies of particulate matter and health see: EPA Air Quality Criteria for Particulate Matter, October 2004 avaialble at: http://cfpub.epa.gov/ncea/cfm/partmatt.cfm

7 Modeled health impacts of less severe acute health impacts (e.g. other than mortality, heart attacks) likely understate the full magnitude of the impacts because many cases go unreported (e.g. asthma, bronchitis self-treatment, or treatment in small clinics or private offices.) Furthermore, the U.S. does not manage a central database of national health records.

8 U.S. EPA, OAR, "Final Report to Congress on Benefits and Costs of the Clean Air Act,1970-1990," EPA 410-R-97-002, (1997) page I-23 at http://www.epa.gov/air/sect812/appen_i.pdf.

9 Mothers Against Drunk Driving online at: http://www.madd.org/stats/0,1056,1112,00.html

10 Arias, E. et al., "Deaths: Final Data for 2001," Centers for Disease Control, 52 National Vital Statistics Reports No. 3 (September 18, 2003). Available online at: http://www.cdc.gov/nchs/data/nvsr/nvsr52/nvsr52_03.pdf

11 U.S. Department of Transportation, National Highway Traffic Safety Administration *Traffic Safety Facts 2000: Occupant Protection* (Washington, D.C. 2001). Available online at: http://www.bts.gov/publications/transportation_statistics_annual_report/2001/html/chapter_06_figure_01_152_table_.html

12 This analysis is based on methodology approved by U.S. EPA's Science Advisory Board and used by EPA in the Regulatory Impact Analysis (RIA) of the non-road rule. EPA Final Regulatory Impact Analysis, "Control of Emissions from Nonroad Diesel Engines," EPA420-R-04-007. (May 2004) http://www.epa.gov/nonroad-diesel/2004fr/420r 04007.pdf. It begins with EPA emissions inventory data, models the dispersion of those emissions using the Regional Emissions Modeling System for Acid Deposition (REMSAD) air quality model, and then applies a damage function model using concentration-response relationships to estimate adverse health endpoints from modeled changes in air quality. This analysis estimates the adverse health endpoints attributable to diesel PM2.5 in the year 2010. For a summary of CATF's methodology and FAQs please go to www.catf.us/goto/dieselhealth/ and click on "learn more." For Abt Associates' ASPEN and REMSAD reports please see: www.catf.us/goto/AbtASPEN/ and www.catf.us/goto/AbtREMSAD/.

13 Estimate is based on EPA methodology described in EPA Memorandum, Bryan Hubbell to Sam Napolitano, July 2, 2001. Estimated NO_X, SO_2 and PM emissions health damages for heavy duty vehicle emissions.

14 Through only those diesel regulations promulgated to date, California will reduce diesel fine particles by 30 percent from year 2000 levels. California has announced plans to promulgate additional critical regulations in the next few years to address significant sources such as construction, agriculture, and inland shipping. California Air Resources Board (CARB) 2004a. Air Quality Almanac Emission Projections. Online at http://www.arb.ca.gov/emisinv/emsmain/emsmain.htm; California Air Resources Board (CARB). 2003a. Staff Report: Initial Statement of Reasons: Proposed Diesel Particulate Matter Control Measure for On Road Heavy-Duty Residential and Commercial Solid Waste Collection Vehicles. Sacramento, CA: California Environmental Protection Agency. California Air Resources Board (CARB) 2003b Staff Report: Initial Statement of Reasons for Proposed Rulemaking: Airborne Toxic Control Measure for Stationary Compression Ignition Engines. Sacramento, CA: California Environmental Protection Agency, Stationary Source Division Emissions Assessment Branch;. California Air Resources Board (CARB) 2003c. REVISED – Staff Report: Initial Statement of Reasons for Proposed Rulemaking: Airborne Toxic Control Measure for In-use Diesel Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate. Sacramento, CA: California Environmental Protection Agency, Stationary Source Division Emissions Assessment Branch. The Union of Concerned Scientists recently estimated the costs and benefits of achieving the CARB Diesel Risk Reduction goal. See Union of Concerned Scientists, *Sick of Soot: Reducing the Health Impacts of Diesel Pollution in California* (June 2004) available online at: http://www.ucsusa.org/clean_vehicles/trucks_ and_buses/page.cfm?pageID=1429

15 This analysis was performed by multiplying modeled ASPEN (Assessment System for Population Exposure Nationwide) 1999 county-level ambient diesel PM2.5 concentration data times: (1) the upper and lower bounds of EPA's possible diesel particulate matter cancer risk range; and (2) the California Air Resources Board diesel cancer unit risk factor. See: California Diesel Risk Reduction Plan: http://www.arb.ca.gov/diesel/documents/rrpapp.htm; EPA, Health Assessment Document for Diesel Exhaust, Office of Research and Development, EPA/600/8-90/057F (May 2002). The United States Public Interest Research Group previously used

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17 The number per million is the chance in a population of a million people who might be expected to get cancer over a 70-year lifetime. A potential cancer risk of 10 in a million means if one million people were exposed to a certain level of a pollutant or chemical there is a chance that 10 of them may develop cancer over their 70-year lifetime. This would be 10 new cases of cancer above the expected rate of cancer in the population. According to CARB the expected rate of cancer for all causes, including smoking, is about 200,000 to 250,000 chances in a million (one in four to five people).

18 For 1999 NATA national excess cancer risk from air toxics other than diesel see: Inside EPA, Inside Washington Publishers, (December 15, 2004) http://www.insideepa.com/

19 This finding is based on inhalation as the only exposure path and is limited to the thirty-three air toxics included in EPA's National Air Toxics Assessment (NATA). The relative cancer risk of diesel particulate matter is calculated as a ratio of the cancer risk of all air toxics tracked by EPA in the NATA divided by the risk of diesel particulate. We calculated the cancer risk for diesel PM in the U.S. based by applying the CARB cancer unit risk factor for diesel particulate matter to 1999 ASPEN model average national ambient concentration results for diesel PM. (Source for national toxic risk: Inside EPA, Inside Washington Publishers, December 15, 2004.)

20 According to the EPA's categorization of counties as urban or rural, the average ASPEN 1999 ambient diesel fine particle concentration is 1.3822 ug/m^3 for urban counties and 0.4730 ug/m^3 for rural counties. The overall national average is 1.2096 ug/m^3. These averages are population weighted. These averages convert (using the 0.0003 factor) to cancer risks of 415 per million urban, 142 per million rural, and 363 per million average.

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23 The new health findings provided in this report by Abt Associates are derived from average modeled estimates of ambient concentrations of diesel particulate matter for entire counties. Many people experience higher diesel exposure situations depending upon where they live and work, for example, such as working near diesel engines, living near diesel sources or commuting regularly on roadways with diesel traffic. The quantitative estimates of death and disease we provide in this report are based on average exposures only and do not represent the risks associated with high diesel exposures. Furthermore, these health findings do not include the impacts from all toxic constituents in diesel exhaust, only directly-emitted particulate matter.

24 The state and metropolitan area health effects reported here exclude those associated with secondarily-formed fine particles, i.e., particles formed from gaseous emissions through post-emission atmospheric chemical reactions. Typically, these include nitrate from nitrogen oxide emissions and sulfate from sulfur dioxide emissions. Secondarily-formed fine particles may make up as much as one-third of diesel-related particles. See Lloyd, A. C., and Cackette, T.A. (2001). Diesel engines: Environmental Impact and Control. Journal of Air and Waste Management Association, v. 51, p. 809-847, June 2001.

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77 MECA: http://www.epa.gov/otaq/retrofit/documents/meca1.pdf; CARB cost-effectiveness analysis: http://www.arb.ca.gov/regact/bus02/appf.pdf

78 MECA: http://www.meca.org/jahia/Jahia/engineName/filemanager/pid/229/dieselfact.PDF?actionreq=actionFileDownload&fileItem=213. A newly verified Diesel Oxidation Catalyst technology, called "a torturous path filter" achieves a 50 percent reduction in diesel particulate at about half the cost of a diesel particulate filter.

79 Motor Age, "EPA to Retrofit 11 Million Diesels," Advanstar Communications (August 2004). Available online at: http://www.motorage.com/motorage/article/articleDetail.jsp?id=141102. See also, http://www.epa.gov/cleanschoolbus/

80 See: http://www.epa.gov/air/oaqps/particles/designations/index.htm

81 Vedal, S., Brauer, M., White, R., and Petkau, R., (2003). Air Pollution and Daily Mortality in a City With Low Levels of Air Pollution, Environmental Health Perspectives Vol.111, No.1, (2003), pp. 45-51.

82 See: California Risk Reduction Plan at: http://www.arb.ca.gov/diesel/documents/rrpfinal.pdf

83 For more information about retrofit programs in your area see: http://www.epa.gov/otaq/retrofit/projectmap.htm

84 For more information on EPA's Voluntary Retrofit Program see: http://www.epa.gov/otaq/retrofit

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18 Tremont Street, Suite 530
Boston, MA 02108
Tel: 617-624-0234 / Fax: 617-624-0230

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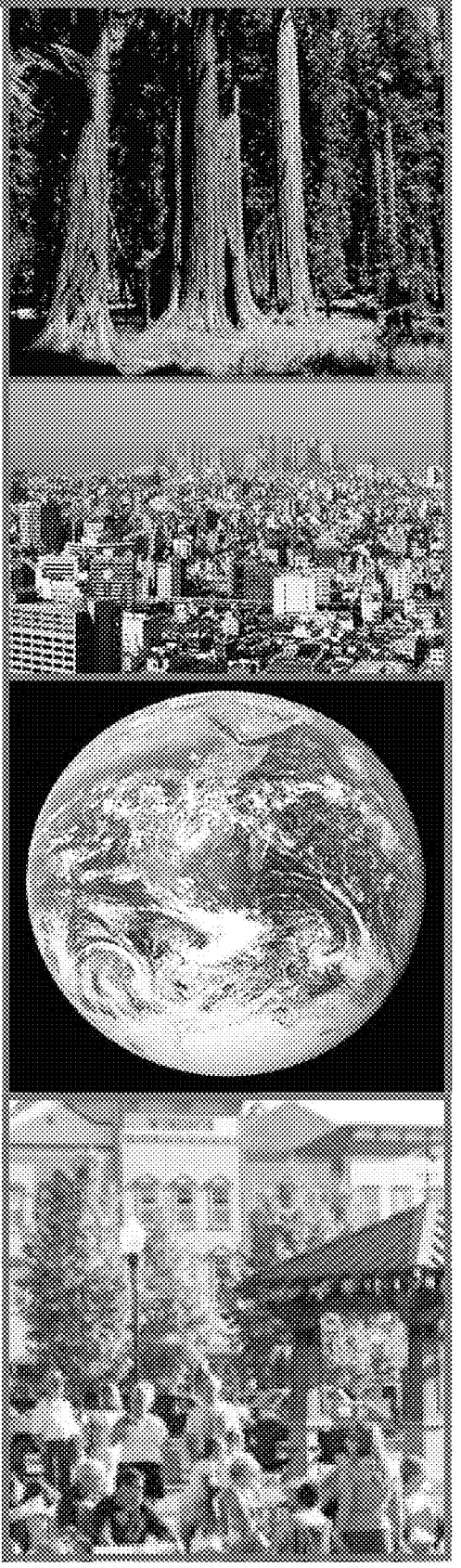

CEQA & Climate Change

Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act

January 2008

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Disclaimer

The California Air Pollution Control Officers Association (CAPCOA) has prepared this white paper consideration of evaluating and addressing greenhouse gas emissions under the California Environmental Quality Act (CEQA) to provide a common platform of information and tools to support local governments.

This paper is intended as a resource, not a guidance document. It is not intended, and should not be interpreted, to dictate the manner in which an air district or lead agency chooses to address greenhouse gas emissions in the context of its review of projects under CEQA.

This paper has been prepared at a time when California law has been recently amended by the Global Warming Solutions Act of 2006 (AB 32), and the full programmatic implications of this new law are not yet fully understood. There is also pending litigation in various state and federal courts pertaining to the issue of greenhouse gas emissions. Further, there is active federal legislation on the subject of climate change, and international agreements are being negotiated. Many legal and policy questions remain unsettled, including the requirements of CEQA in the context of greenhouse gas emissions. This paper is provided as a resource for local policy and decision makers to enable them to make the best decisions they can in the face of incomplete information during a period of change.

Finally, this white paper reviews requirements and discusses policy options, but it is not intended to provide legal advice and should not be construed as such. Questions of legal interpretation, particularly in the context of CEQA and other laws, or requests for advice should be directed to the agency's legal counsel.

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Principal Authors

Greg Tholen, BAAQMD
Dave Vintze, BAAQMD
Jean Getchell, MBUAPCD
Matt Jones, YSAQMD
Larry Robinson, SMAQMD
Ron Tan, SBCAPCD

Editor

Barbara Lee, NSAPCD

Reviewers

CAPCOA Climate Protection Committee

Barbara Lee (NSCAPCD), Chair

Larry Allen, SLOCPCD
Bobbie Bratz, SBAPCD
Karen Brooks, SLOCAPCD
Chris Brown, MCAQMD
Tom Christofk, PCAPCD
Jorge DeGuzman, SMAQMD
Mat Ehrhardt, YSAQMD
Jean Getchell, MBUAPCD
Larry Greene, SMAQMD
Henry Hilken, BAAQMD
Alan Hobbs, PCAPCD
Jim Jester, SMAQMD
Dave Jones, KCAPCD
Tom Jordan, SJVUAPCD
Tom Murphy, SBAPCD
Don Price, VCAPCD
Jean Roggenkamp, BAAQMD
Ana Sandoval, BAAQMD
Amy Taketomo, MBUAPCD
Tim Taylor, SMAQMD
Mike Villegas, VCAPCD
David Vintze, BAAQMD
Dave Warner, SJVUAPCD
Jill Whynot, SCAQMD
John Yu, CAPCOA
Mel Zeldin, CAPCOA

CAPCOA Planning Managers: CEQA & Climate Change Subcommittee

Dave Vintze (BAAQMD), Chair
Greg Tholen (BAAQMD), Project Manager

Charles Anderson, SMAQMD
Aeron Arlin Genet, SLOCAPCD
Jean Getchell, MBUAPCD
Melissa Guise, SLOCAPCD
Matt Jones, YSAQMD
Barbara Lee, NSCAPCD
Ryan Murano, NSAQMD
Tom Murphy, SBCAPCD
Susan Nakamura, SCAQMD
Larry Robinson, SMAQMD
Jean Roggenkamp, BAAQMD
Ana Sandoval, BAAQMD
Ron Tan, SBCAPCD
Brigette Tollstrup, SMAQMD
Jill Whynot, SCAQMD

External Reviewers

James Goldstene, CARB
Annmarie Mora, CARB
Terri Roberts, OPR

Proofing & Layout

Jake Toolson, CAPCOA
John Yu, CAPCOA

Contract Support

Jones & Stokes, Sacramento, CA *(analysis of non-zero threshold approaches)*
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List of Acronyms and Abbreviations

Acronym/ Abbreviation	Meaning
AB 32	Assembly Bill 32 Global Warming Solutions Act of 2006
AG	Attorney General
ARB	Air Resources Board
ASTM	American Society of Testing and Material
BAAQMD	Bay Area Air Quality Management District
BAU	Business as Usual
BEES	Building for Environmental and Economic Sustainability
Calfire	California Fire
Caltrans	California Department of Transportation
CAP	Criteria Air Pollutants
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resource Board
CAT	Climate Action Team
CCAP	Center for Clean Air Policy
CCAR	California Climate Action Registry
CDFA	California Department of Food and Agriculture
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CF	Connectivity Factor
CH_4	Methane
CIWMB	California Integrated Waste Management Board
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CNG	Compressed Natural Gas
CPUC	California Public Utilities Commission
CUFR	California Urban Forestry
DGS	Department of General Services
DOE	U.S. Department of Energy
DOF	Department of Finance
DPF	Diesel Particulate Filter
DWR	Department of Water Resources
E85	85% Ethanol
EEA	Massachusetts Executive Office of Energy and Environmental Affairs
EERE	Energy Efficiency and Renewable Energy
EIR	Environmental Impact Report
EOE	Encyclopedia of Earth
EPA	U.S. Environmental Protection Agency
ETC	Edmonton Trolley Coalition
EV	Electric Vehicles
FAR	Floor Area Ratio

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GHG	Greenhouse Gas
GGEP	Greenhouse Gas Emissions Policy
GGRP	Greenhouse Gas Reduction Plan
GP	General Plan
GWP	Global Warming Potential
IGCC	Integrated Gasification Combined Cycle
IOU	Investor Owned Utility
IPCC	International Panel on Climate Change
IT	Information Technology
ITE	Institute of Transportation Engineers
J&S	Jones & Stokes
km	Kilometer
LandGem	Landfill Gas Emissions Model
LEED	Leadership in Energy and Environmental Design
LNG	Liquefied Natural Gas
MBUAPCD	Monterey Bay Unified Air Pollution Control District
MEPA	Massachusetts Environmental Policy Act
MND	Mitigated Negative Declaration
MMT CO_2e	Million Metric Tons Carbon Dioxide Equivalent
MW	Megawatts
N_2O	Nitrous Oxide
NACAA	National Association Clean Air Agencies
ND	Negative Declaration
NEV	Neighborhood Electric Vehicle
NIST	National Institute of Standards and Technology
NO_X	Oxides of Nitrogen
NREL	National Renewable Energy Laboratory
NSCAPCD	Northern Sonoma County Air Pollution Control District
NSR	New Source Review
OPR	State Office of Planning and Research
PFC	Perfluorocarbon
PG&E	Pacific Gas & Electric
POU	Publicly Owned Utility
PM	Particulate Mater
RoadMod	Road Construction Emissions Model
ROG	Reactive Organic Gas
RPS	Renewable Portfolio Standards
RTP	Regional Transportation Plan
S-3-05	Executive Order S-3-05
SB	Senate Bill
SBCAPCD	Santa Barbara County Air Pollution Control District
SCAQMD	South Coast Air Quality Management District
SCM	Sustainable Communities Model
SIP	State Implementation Plan
SJVAPCD	San Joaquin Valley Unified Air Pollution Control District
SLOCAPCD	San Luis Obispo County Air Pollution Control District

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SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utilities District
SO_X	Sulfur Oxides
SP	Service Population
SRI	Solar Reflectance Index
SWP	State Water Project
TAC	Toxic Air Contaminants
TBD	To Be Determined
TDM	Transportation Demand Management
TMA	Transportation Management Association
THC	Total Hydrocarbon
UC	University of California
ULEV	Ultra Low Emission Vehicle
UNFCCC	United Nations Framework Convention on Climate Change
URBEMIS	Urban Emissions Model
USGBC	U.S. Green Building Council
VMT	Vehicle Miles Traveled
VTPI	Victoria Transit Policy
YSAQMD	Yolo-Solano Air Quality Management District

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Introduction

The California Environmental Quality Act (CEQA) requires that public agencies refrain from approving projects with significant adverse environmental impacts if there are feasible alternatives or mitigation measures that can substantially reduce or avoid those impacts. There is growing concern about greenhouse gas emissions[1] (GHG) and recognition of their significant adverse impacts on the world's climate and on our environment. In its most recent reports, the International Panel on Climate Change (IPCC) has called the evidence for this "unequivocal." In California, the passage of the Global Warming Solutions Act of 2006 (AB 32) recognizes the serious threat to the "economic well-being, public health, natural resources, and the environment of California" resulting from global warming. In light of our current understanding of these impacts, public agencies approving projects subject to the CEQA are facing increasing pressure to identify and address potential significant impacts due to GHG emissions. Entities acting as lead agencies in the CEQA process are looking for guidance on how to adequately address the potential climate change impacts in meeting their CEQA obligations.

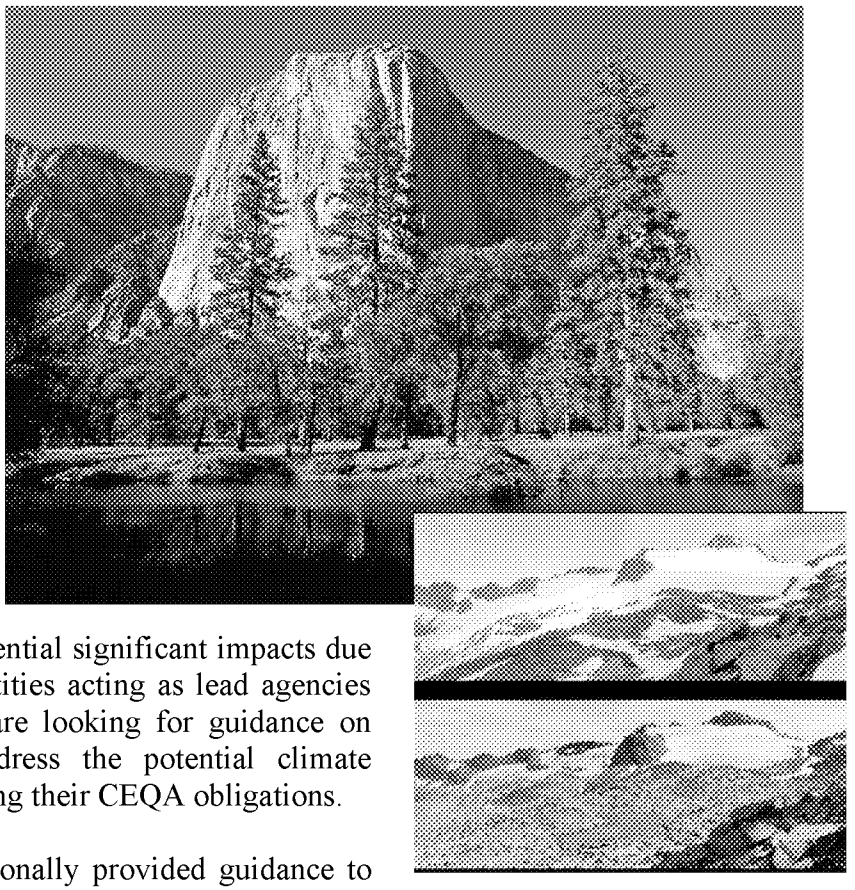

Air districts have traditionally provided guidance to local lead agencies on evaluating and addressing air pollution impacts from projects subject to CEQA. Recognizing the need for a common platform of information and tools to support decision makers as they establish policies and programs for GHG and CEQA, the California Air Pollution Control Officers Association has prepared a white paper reviewing policy choices, analytical tools, and mitigation strategies.

This paper is intended to serve as a resource for public agencies as they establish agency procedures for reviewing GHG emissions from projects under CEQA. It considers the application of thresholds and offers three alternative programmatic approaches toward

[1] Throughout this paper GHG, CO_2, CO_2e, are used interchangeably and refer generally to greenhouse gases but do not necessarily include all greenhouse gases unless otherwise specified.

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determining whether GHG emissions are significant. The paper also evaluates tools and methodologies for estimating impacts, and summarizes mitigation measures. It has been prepared with the understanding that the programs, regulations, policies, and procedures established by the California Air Resources Board (CARB) and other agencies to reduce GHG emissions may ultimately result in a different approach under CEQA than the strategies considered here. The paper is intended to provide a common platform for public agencies to ensure that GHG emissions are appropriately considered and addressed under CEQA while those programs are being developed.

Examples of Other Approaches

Many states, counties, and cities have developed policies and regulations concerning greenhouse gas emissions that seek to require or promote reductions in GHG emissions through standards for vehicle emissions, fuels, electricity production/renewables, building efficiency, and other means. A few have developed guidance and are currently considering formally requiring or recommending the analysis of greenhouse gas emissions for development projects during their associated environmental processes. Key work in this area includes:

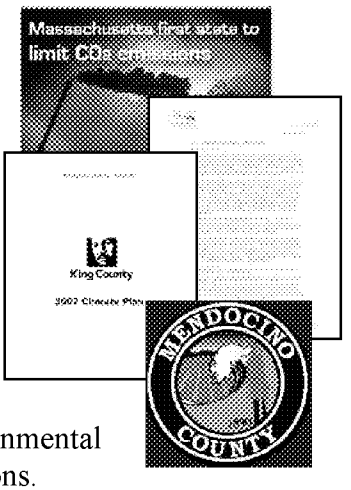

- Massachusetts Office of Energy and Environmental Affairs Greenhouse Gas Emissions Policy;
- King County, Washington, Executive Order on the Evaluation of Climate Change Impacts through the State Environmental Policy Act;
- Sacramento AQMD interim policy on addressing climate change in CEQA documents; and
- Mendocino AQMD updated guidelines for use during preparation of air quality impacts in Environmental Impact Reports (EIRs) or mitigated negative declarations.

The following paper evaluates options for lead agencies to ensure that GHG emissions are appropriately addressed as part of analyses under CEQA. It considers the use of significance thresholds, tools and methodologies for analyzing GHG emissions, and measures and strategies to avoid, reduce, or mitigate impacts.

Greenhouse Gas Significance Criteria

This white paper discusses three basic options air districts and lead agencies can pursue when contemplating the issues of CEQA thresholds for greenhouse gas emissions. This paper explores each path and discusses the benefits and disbenefits of each. The three basic paths are:

- No significance threshold for GHG emissions;

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- GHG emissions threshold set at zero; or
- GHG threshold set at a non-zero level.

Each has inherent advantages and disadvantages. Air districts and lead agencies may believe the state or national government should take the lead in identifying significance thresholds to address this global impact. Alternatively, the agency may believe it is premature or speculative to determine a clear level at which a threshold should be set. On the other hand, air districts or lead agencies may believe that every GHG emission should be scrutinized and mitigated or offset due to the cumulative nature of this impact. Setting the threshold at zero will place all discretionary projects under the CEQA microscope. Finally, an air district or lead agency may believe that some projects will not benefit from a full environmental impact report (EIR), and may believe a threshold at some level above zero is needed.

This paper explores the basis and implications of setting no threshold, setting a threshold at zero and two primary approaches for those who may choose to consider a non-zero threshold. The first approach is grounded in statute (AB 32) and executive order (EO S-3-05) and explores four possible options under this scenario. The options under this approach are variations of ways to achieve the 2020 goals of AB 32 from new development, which is estimated to be about a 30 percent reduction from business as usual.

The second approach explores a tiered threshold option. Within this option, seven variations are discussed. The concepts explored here offer both quantitative and qualitative approaches to setting a threshold as well as different metrics by which tier cut-points can be set. Variations range from setting the first tier cut-point at zero to second-tier cut-points set at defined emission levels or based on the size of a project. It should be noted that some applications of the tiered threshold approach may require inclusion in a General Plan or adoption of enabling regulations or ordinances to render them fully effective and enforceable.

Greenhouse Gas Analytical Methodologies

The white paper evaluates various analytical methods and modeling tools that can be applied to estimate the greenhouse gas emissions from different project types subject to CEQA. In addition, the suitability of the methods and tools to characterize accurately a project's emissions is discussed and the paper provides recommendations for the most appropriate methodologies and tools currently available.

The suggested methodologies are applied to residential, commercial, specific plan and general plan scenarios where GHG emissions are estimated for each example. This chapter also discusses estimating emissions from solid waste facilities, a wastewater treatment plant, construction, and air district rules and plans.

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Another methodology, a service population metric, that would measure a project's overall GHG efficiency to determine if a project is more efficient than the existing statewide average for per capita GHG emissions is explored. This methodology may be more directly correlated to a project's ability to help achieve objectives outlined in AB 32, although it relies on establishment of an efficiency-based significance threshold. The subcommittee believes this methodology may eventually be appropriate to evaluate the long-term GHG emissions from a project in the context of meeting AB 32 goals. However, this methodology will need further work and is not considered viable for the interim guidance presented in this white paper.

Greenhouse Gas Mitigation Measures

Common practice in environmental protection is first to avoid, then to minimize, and finally to compensate for impacts. When an impact cannot be mitigated on-site, off-site mitigation can be effectively implemented in several resource areas, either in the form of offsetting the same impact or preserving the resource elsewhere in the region.

This white paper describes and evaluates currently available mitigation measures based on their economic, technological and logistical feasibility, and emission reduction effectiveness. The potential for secondary impacts to air quality are also identified for each measure. A summary of current rules and regulations affecting greenhouse gas emissions and climate change is also provided.

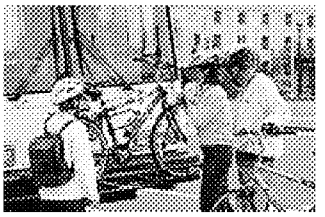

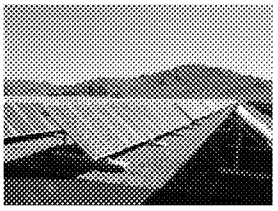

Reductions from transportation related measures (e.g., bicycle, pedestrian, transit, and parking) are explored as a single comprehensive approach to land use. Design measures that focus on enhancing alternative transportation are discussed. Mitigation measures are identified for transportation, land use/building design, mixed-use development, energy efficiency, education/social awareness and construction.

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Purpose

CEQA requires the avoidance or mitigation of significant adverse environmental impacts where there are feasible alternatives available. The contribution of GHG to climate change has been documented in the scientific community. The California Global Warming Solutions Act of 2006 (AB 32) mandates significant reductions in greenhouse gases (GHG); passage of that law has highlighted the need to consider the impacts of GHG emissions from projects that fall under the jurisdiction of the California Environmental Quality Act (CEQA). Because we have only recently come to fully recognize the potential for significant environmental impacts from GHG, most public agencies have not yet established policies and procedures to consider them under CEQA. As a result, there is great need for information and other resources to assist public agencies as they develop their programs.

Air districts have historically provided guidance to local governments on the evaluation of air pollutants under CEQA. As local concern about climate change and GHG has increased, local governments have requested guidance on incorporating analysis of these impacts into local CEQA review. The California Air Pollution Control Officers Association (CAPCOA), in coordination with the CARB, the Governor's Office of Planning and Research (OPR) and two environmental consulting firms, has harnessed the collective expertise to evaluate approaches to analyzing GHG in CEQA. The purpose of this white paper is to provide a common platform of information and tools to address climate change in CEQA analyses, including the evaluation and mitigation of GHG emissions from proposed projects and identifying significance threshold options.

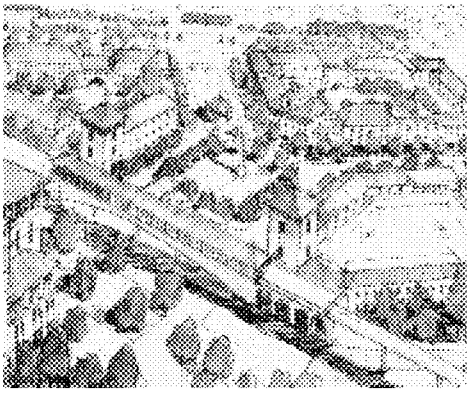

CEQA requires public agencies to ensure that potentially significant adverse environmental effects of discretionary projects are fully characterized, and avoided or mitigated where there are feasible alternatives to do so. Lead agencies have struggled with how best to identify and characterize the magnitude of the adverse effects that individual projects have on the global-scale phenomenon of climate change, even more so since Governor Schwarzenegger signed Executive Order S-3-05 and the state Legislature enacted The Global Warming Solutions Act of 2006 (AB 32). There is now a resounding call to establish procedures to analyze and mitigate greenhouse gas (GHG) emissions. The lack of established thresholds does not relieve lead agencies of their responsibility to analyze and mitigate significant impacts, so many of these agencies are seeking guidance from state and local air quality agencies. This white paper addresses issues inherent in establishing CEQA thresholds, evaluates tools, catalogues mitigation measures and provides air districts and lead agencies with options for incorporating climate change into their programs.

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Background

National and International Efforts

International and Federal legislation have been enacted to deal with climate change issues. The Montreal Protocol was originally signed in 1987 and substantially amended in 1990 and 1992. In 1988, the United Nations and the World Meteorological Organization established the IPCC to assess the scientific, technical and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation. The most recent reports of the IPCC have emphasized the scientific consensus around the evidence that real and measurable changes to the climate are occurring, that they are caused by human activity, and that significant adverse impacts on the environment, the economy, and human health and welfare are unavoidable.

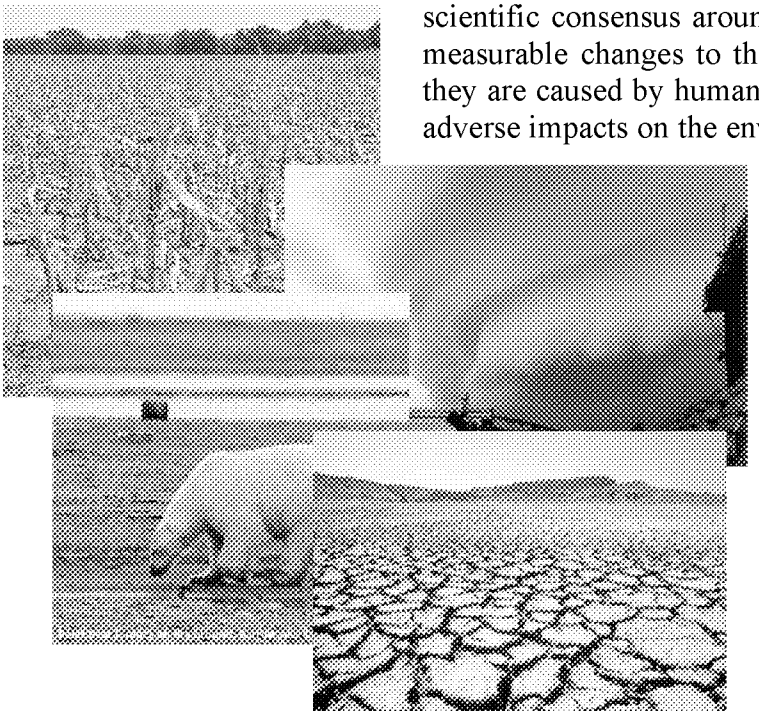

In October 1993, President Clinton announced his Climate Change Action Plan, which had a goal to return greenhouse gas emissions to 1990 levels by the year 2000. This was to be accomplished through 50 initiatives that relied on innovative voluntary partnerships between the private sector and government aimed at producing cost-effective reductions in greenhouse gas emissions. On March 21, 1994, the United States joined a number of countries around the world in signing the United Nations Framework Convention on Climate Change (UNFCCC). Under the Convention, governments agreed to gather and share information on greenhouse gas emissions, national policies, and best practices; launch national strategies for addressing greenhouse gas emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

These efforts have been largely policy oriented. In addition to the national and international efforts described above, many local jurisdictions have adopted climate change policies and programs. However, thus far little has been done to assess the significance of the affects new development projects may have on climate change.

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Executive Order S-3-05

On June 1, 2005, Governor Schwarzenegger issued Executive Order S-3-05 (S-3-05). It included the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels. To meet the targets, the Governor directed the Secretary of the California Environmental Protection Agency to coordinate with the Secretary of the Business, Transportation and Housing Agency, Secretary of the Department of Food and Agriculture, Secretary of the Resources Agency, Chairperson of the CARB, Chairperson of the Energy Commission and President of the Public Utilities Commission on development of a Climate Action Plan.

The Secretary of CalEPA leads a Climate Action Team (CAT) made up of representatives from the agencies listed above to implement global warming emission reduction programs identified in the Climate Action Plan and report on the progress made toward meeting the statewide greenhouse gas targets that were established in the Executive Order.

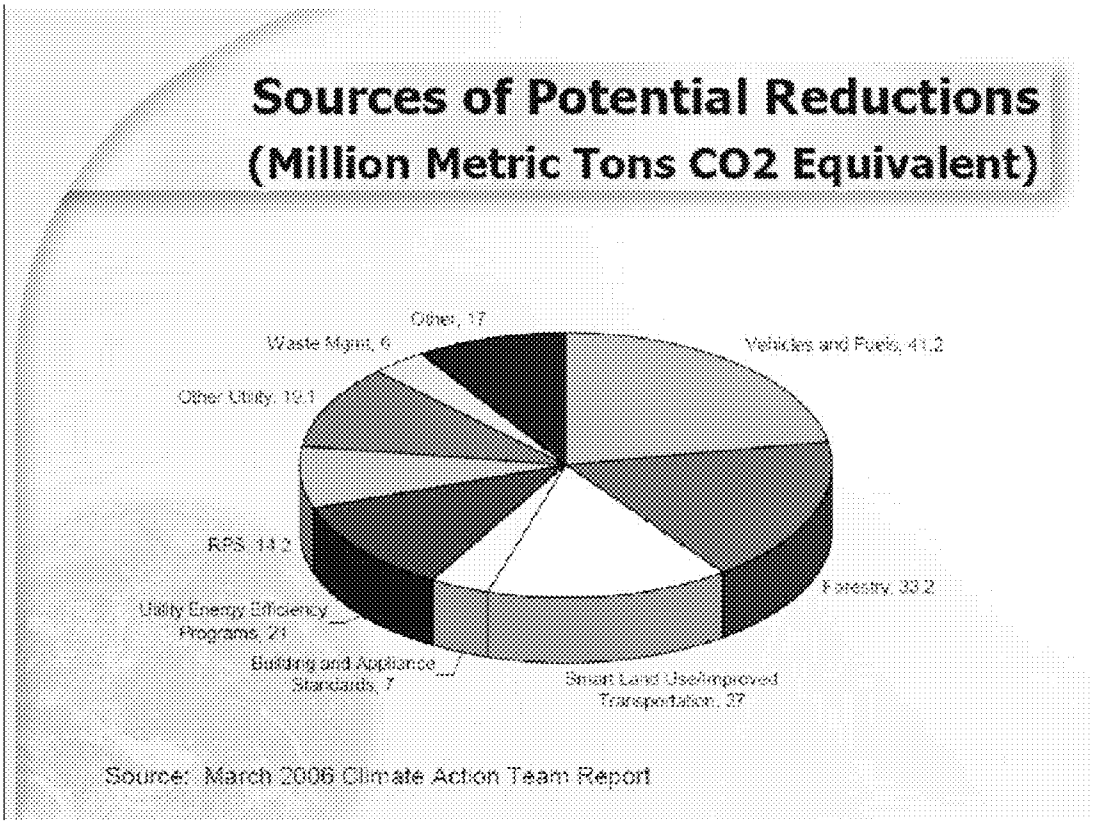

SOURCE: ARB 2007

In accord with the requirements of the Executive Order, the first report to the Governor and the Legislature was released in March 2006 and will be issued bi-annually thereafter. The CAT Report to the Governor contains recommendations and strategies to help ensure the targets in Executive Order S-3-05 are met.

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California Global Warming Solutions Act of 2006 (AB 32)

In 2006, the California State Legislature adopted the California Global Warming Solutions Act of 2006. AB 32 establishes a cap on statewide greenhouse gas emissions and sets forth the regulatory framework to achieve the corresponding reduction in statewide emissions levels. AB 32 charges the California Air Resources Board (CARB), the state agency charged with regulating statewide air quality, with implementation of the act. Under AB 32, greenhouse gases are defined as: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

The regulatory steps laid out in AB 32 require CARB to: adopt early action measures to reduce GHGs; to establish a statewide greenhouse gas emissions cap for 2020 based on 1990 emissions; to adopt mandatory reporting rules for significant source of greenhouse gases; and to adopt a scoping plan indicating how emission reductions will be achieved via regulations, market mechanisms and other actions; and to adopt the regulations needed to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gases.

AB 32 requires that by January 1, 2008, the State Board shall determine what the statewide greenhouse gas emissions inventory was in 1990, and approve a statewide greenhouse gas emissions limit that is equivalent to that level, to be achieved by 2020. While the level of 1990 GHG emissions has not yet been approved, CARB's most recent emission inventory indicates that California had annual emissions of 436 million metric tons of carbon dioxide equivalent (MMT CO_2e) in 1990 and 497 MMT CO_2e in 2004.

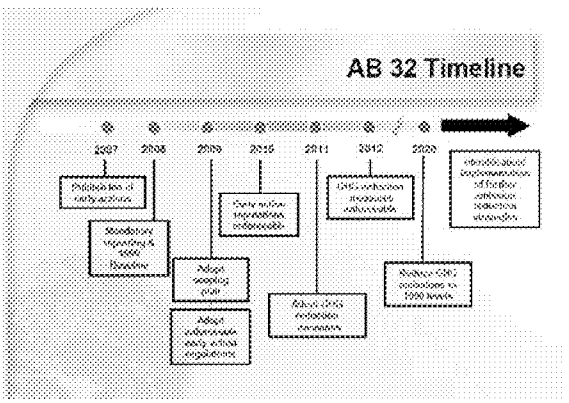

SOURCE: ARB 2007

The regulatory timeline laid out in AB 32 requires that by July 1, 2007, CARB adopt a list of discrete early action measures, or regulations, to be adopted and implemented by January 1, 2010. These actions will form part of the State's comprehensive plan for achieving greenhouse gas emission reductions. In June 2007, CARB adopted three discrete early action measures. These three new proposed regulations meet the definition of "discrete early action greenhouse gas reduction measures," which include the following: a low carbon fuel standard; reduction of HFC-134a emissions from non-professional servicing of motor vehicle air conditioning systems; and improved landfill methane capture. CARB estimates that by 2020, the reductions from those three discrete early action measures would be approximately 13-26 MMT CO_2e.

CARB evaluated over 100 possible measures identified by the CAT for inclusion in the list of discrete early action measures. On October 25, 2007 CARB gave final approval to the list of Early Action Measures, which includes nine discrete measures and 35

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additional measures, all of which are to be enforceable by January 1, 2010. AB 32 requires that by January 1, 2009, CARB adopt a scoping plan indicating how emission reductions will be achieved via regulations, market mechanisms and other actions.

Senate Bill 97

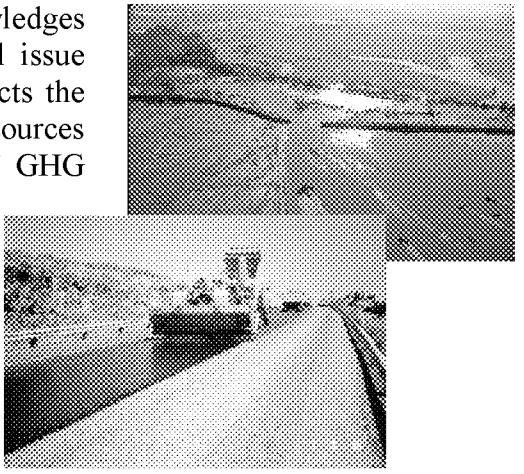

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an important environmental issue that requires analysis under CEQA. This bill directs the OPR to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, by July 1, 2009. The Resources Agency is required to certify or adopt those guidelines by January 1, 2010. This bill also protects projects funded by the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, or the Disaster Preparedness and Flood Protection Bond Act of 2006 (Proposition 1B or 1E) from claims of inadequate analysis of GHG as a legitimate cause of action. This latter provision will be repealed on January 1, 2010. Thus, this "protection" is highly limited to a handful of projects and for a short time period.

The Role of Air Districts in the CEQA Process

Air districts assume one of three roles in the CEQA process. They may be lead agencies when they are adopting regulations and air quality plans. In some instances, they can also be a lead agency when approving permits to construct or operate for applicants subject to district rules. However, in many cases where an air district permit is involved, another agency has broader permitting authority over the project and assumes the role of lead agency. In these situations, the air district becomes what is referred to as a responsible agency under CEQA. When CEQA documents are prepared for projects that do not involve discretionary approval of a district regulation, plan or permit, the air district may assume the role of a concerned or commenting agency. In this role, it is typical for air districts to comment on CEQA documents where there may be air quality-related adverse impacts, such as projects that may create significant contributions to existing violations of ambient standards, cause a violation of an ambient standard or create an exposure to toxic air contaminants or odors. In some cases, the air district may also act in an "advisory" capacity to a lead agency early on in its review of an application for a proposed development project.

A few air districts in California began developing significance thresholds for use in CEQA analyses in the late 1980's and early 1990's. By the mid-1990's most air districts had developed CEQA thresholds for air quality analyses. Many of the districts have included in their guidance the analysis of rule development and permits that may be subject to CEQA.

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What is Not Addressed in this Paper

Impacts of Climate Change to a Project

The focus of this paper is addressing adverse impacts to climate change and the ability to meet statewide GHG reduction goals caused by proposed new land development projects. CEQA also requires an assessment of significant adverse impacts a project might cause by bringing development and people into an area affected by climate change (CEQA Guidelines §15126.2). For example, an area that experiences higher average temperatures due to climate change may expose new development to more frequent exceedances and higher levels of ozone concentrations. Alternatively, a rise in sea level brought on by climate change may inundate new development locating in a low-lying area. The methodologies, mitigation and threshold approaches discussed in this paper do not specifically address the potential adverse impacts resulting from climate change that may affect a project.

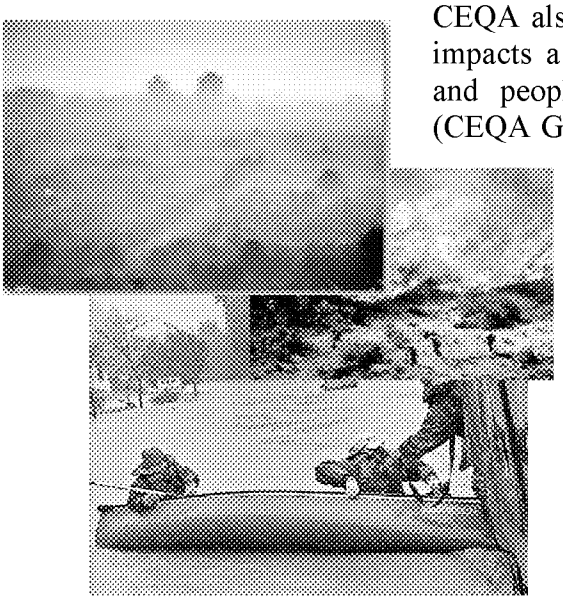

Impacts from Construction Activity

Although construction activity has been addressed in the analytical methodologies and mitigation chapters, this paper does not discuss whether any of the threshold approaches adequately addresses impacts from construction activity. More study is needed to make this assessment or to develop separate thresholds for construction activity. The focus of this paper is the long-term adverse operational impacts of land use development.

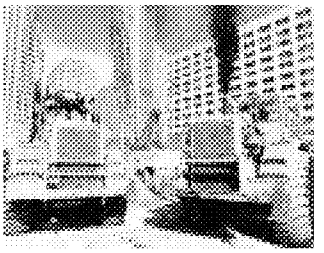

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Introduction

Any analysis of environmental impacts under CEQA includes an assessment of the nature and extent of each impact expected to result from the project to determine whether the impact will be treated as significant or less than significant. CEQA gives lead agencies discretion whether to classify a particular environmental impact as significant. "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved," ref: CEQA Guidelines §15064(b) ("Guidelines"). Ultimately, formulation of a standard of significance requires the lead agency to make a policy judgment about where the line should be drawn distinguishing adverse impacts it considers significant from those that are not deemed significant. This judgment must, however, be based on scientific information and other factual data to the extent possible (Guidelines §15064(b)).

CEQA does not require that agencies establish thresholds of significance. Guidelines §15064.7(a) encourages each public agency "…to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which normally means the effect will be determined to be less than significant."

Once such thresholds are established, an impact that complies with the applicable threshold will "normally" be found insignificant and an impact that does not comply with the applicable threshold will "normally" be found significant.

Additionally, Guidelines §15064.7(b) requires that if thresholds of significance are adopted for general use as part of the lead agency's environmental review process they must be adopted by ordinance, resolution, rule or regulation, and developed through a public review process and be supported by substantial evidence.

While many public agencies adopt regulatory standards as thresholds, the standards do not substitute for a public agency's use of careful judgment in determining significance. They also do not replace the legal standard for significance (i.e., if there is a fair argument, based on substantial evidence in light of the whole record that the project may have a significant effect, the effect should be considered significant) (Guidelines §15064(f)(1). Also see *Communities for a Better Environment v. California Resource Agency* 103 Cal. App. 4th 98 (2002)). In other words, the adoption of a regulatory standard does not create an irrebuttable presumption that impacts below the regulatory standard are less than significant.

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Summary of CEQA Thresholds at Air Districts

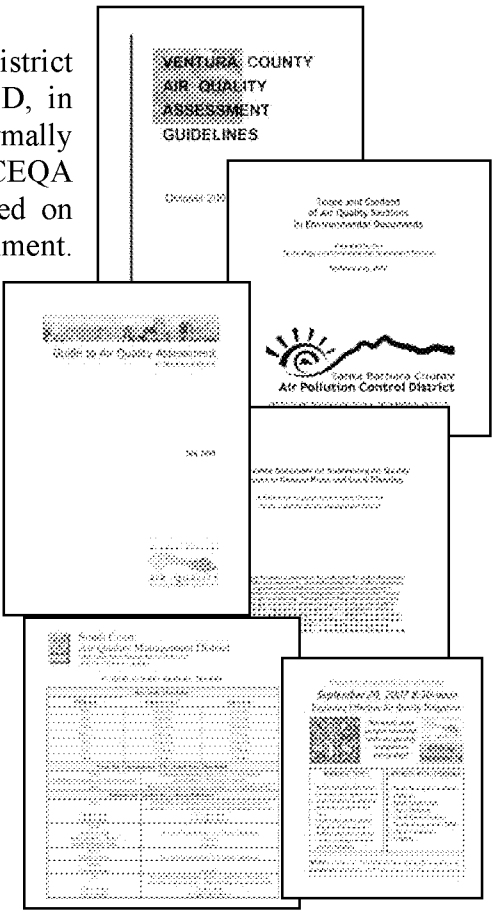

This section briefly summarizes the evolution of air district CEQA significance thresholds. Ventura County APCD, in 1980, was the first air district in California that formally adopted CEQA significance thresholds. Their first CEQA assessment document contained impact thresholds based on project type: residential, nonresidential, and government. Then, as now, the District's primary CEQA thresholds applied only to ROG and NO_x. The 1980 Guidelines did not address other air pollutants.

Santa Barbara County APCD and the Bay Area AQMD adopted thresholds in 1985. The South Coast AQMD recommended regional air quality thresholds in 1987 for CO, SO_2, NO_2, particulates, ROG, and lead. Most of the other California air districts adopted CEQA guidance and thresholds during the 1990's. Air districts have updated their thresholds and guidelines several times since they were first published.

Originally, most districts that established CEQA thresholds focused on criteria pollutants for which the district was nonattainment and the thresholds only addressed project level impacts. Updates during the 1990's began to add additional air quality impacts such as odors, toxic air contaminants and construction. Several air districts also developed thresholds for General Plans that relied on an assessment of the plan consistency with the district's air quality plans. A consistency analysis involves comparing the project's land use to that of the general plan and the population and employment increase to the forecasts underlying the assumptions used to develop the air quality plan.

Most air district thresholds for CEQA are based on the threshold for review under the New Source Review (NSR). The NSR threshold level is set by district rule and is different depending on the nonattainment classification of the air district. Areas with a less severe classification have a higher NSR trigger level while the most polluted areas have the lowest NSR trigger level. Some districts, such as Ventura County APCD, have significantly lower CEQA thresholds that are not tied to the NSR requirements. In Ventura, one set of CEQA thresholds is 25 pounds per day for all regions of Ventura County, except the Ojai Valley. The second set of CEQA thresholds was set at 5 pounds per day for the Ojai Valley.

The Sacramento Metropolitan AQMD bases its thresholds for ozone precursors on the projected land use share of emission reductions needed for attainment. The emission reductions needed to reach attainment are based on commitments made in the state implementation plan (SIP) prepared for the federal clean air act.

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CEQA Considerations in Setting Thresholds

Public agencies use significance thresholds to disclose to their constituents how they plan on evaluating and characterizing the severity of various environmental impacts that could be associated with discretionary projects that they review. Significance thresholds are also used to help identify the level of mitigation needed to reduce a potentially significant impact to a less than significant level and to determine what type of an environmental document should be prepared for a project; primarily a negative declaration, mitigated negative declaration or an environmental impact report.

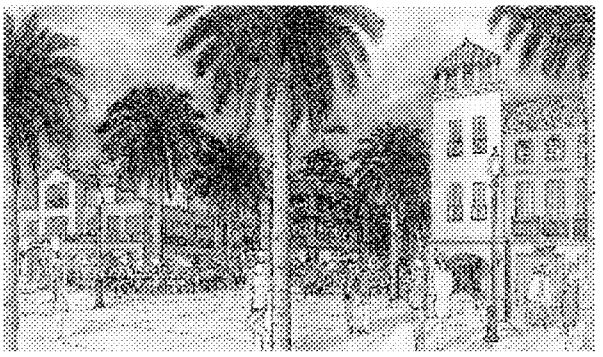

While public agencies are not required to develop significance thresholds, if they decide to develop them, they are required to adopt them by ordinance, resolution, rule or regulation through a public process. A lead agency is not restrained from adopting any significance threshold it sees as appropriate, as long as it is based on substantial evidence. CEQA Guidelines §15064.7 encourages public agencies to develop and publish significance thresholds that are identifiable, quantitative, qualitative or performance level that the agency uses in the determination of the significance of environmental effects. The courts have ruled that a "threshold of significance" for a given environmental effect is simply that level at which the lead agency finds the effects of the project to be significant.

Before an agency determines its course with regard to climate change and CEQA, it must be made clear that a threshold, or the absence of one, will not relieve a lead agency from having to prepare an EIR or legal challenges to the adequacy of an analysis leading to a conclusion, or lack of a conclusion, of significance under CEQA. CEQA has generally favored the preparation of an EIR where there is any substantial evidence to support a fair argument that a significant adverse environmental impact may occur due to a proposed project. This paper explores three alternative approaches to thresholds, including a no threshold option, a zero threshold option and a non-zero threshold option.

Fair Argument Considerations

Under the CEQA fair argument standard, an EIR must be prepared whenever it can be fairly argued, based on substantial evidence in the administrative record, that a project may have a significant adverse effect on the environment. "Substantial evidence" comprises "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (Guidelines §15384) This means that if factual information is presented to the public agency that there is a reasonable possibility the project could have

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a significant effect on the environment, an EIR is required even if the public agency has information to the contrary (Guidelines §15064 (f)).

The courts have held that the fair argument standard "establishes a low threshold for initial preparation of an EIR, which reflects a preference for resolving doubts in favor of environmental review." (*Santa Teresa Citizen Action Group v. City of San Jose* [2003] 114 Cal.App.4th 689) Although the determination of whether a fair argument exists is made by the public agency, that determination is subject to judicial scrutiny when challenged in litigation. When the question is whether an EIR should have been prepared, the court will review the administrative record for factual evidence supporting a fair argument.

The fair argument standard essentially empowers project opponents to force preparation of an EIR by introducing factual evidence into the record that asserts that the project may have a significant effect on the environment. This evidence does not need to be conclusive regarding the potential significant effect.

In 1998, the Resources Agency amended the State CEQA Guidelines to encourage the use of thresholds of significance. Guidelines §15064 (h) provided that when a project's impacts did not exceed adopted standards, the impacts were to be considered less than significant. The section went on to describe the types of adopted standards that were to be considered thresholds. Guidelines § 15064.7 provided that agencies may adopt thresholds of significance to guide their determinations of significance. Both of these sections were challenged when environmental groups sued the Resources Agency in 2000 over the amendments. The trial court concluded that §15064.7 was proper, if it was applied in the context of the fair argument standard.

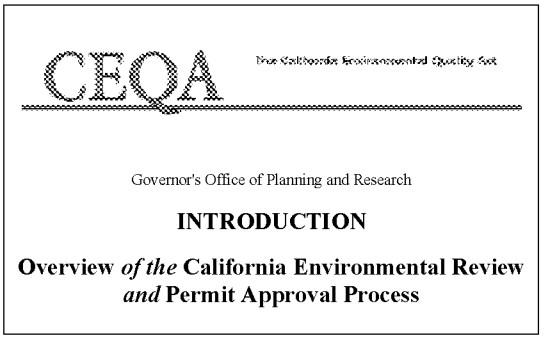

At the appellate court level, §15064(h) was invalidated. [2] Establishing a presumption that meeting an adopted standard would avoid significant impacts was "inconsistent with controlling CEQA law governing the fair argument approach." The Court of Appeal explained that requiring agencies to comply with a regulatory standard "relieves the agency of a duty it would have under the fair argument approach to look at evidence beyond the regulatory standard, or in contravention of the standard, in deciding whether an EIR must be prepared. Under the fair argument approach, any substantial evidence supporting a fair argument that a project may have a significant environmental effect would trigger the preparation of an EIR." (*Communities for a Better Environment v. California Resources Agency* [2002] 103 Cal.App.4th 98)

[2] Prior §15064(h) has been removed from the State CEQA Guidelines. Current §15064(h) discusses cumulative impacts.

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In summary, CEQA law does not require a lead agency to establish significance thresholds for GHG. CEQA guidelines encourage the development of thresholds, but the absence of an adopted threshold does not relieve the agency from the obligation to determine significance.

Defensibility of CEQA Analyses

The basic purposes of CEQA, as set out in the State CEQA Guidelines, include: (1) informing decision makers and the public about the significant environmental effects of proposed projects; (2) identifying ways to reduce or avoid those impacts; (3) requiring the implementation of feasible mitigation measures or alternatives that would reduce or avoid those impacts; and (4) requiring public agencies to disclose their reasons for approving any project that would have significant and unavoidable impacts (Guidelines §15002). CEQA is enforced through civil litigation over procedure (i.e., did the public agency follow the correct CEQA procedures?) and adequacy (i.e., has the potential for impacts been disclosed, analyzed, and mitigated to the extent feasible?).

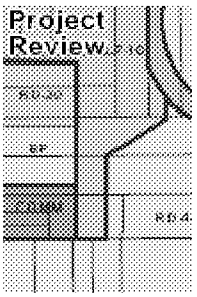

The California Supreme Court has held that CEQA is "to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Friends of Mammoth v. Board of Supervisors* [1972] 8 Cal.3d 247, 259) Within that context, the role of the courts is to weigh the facts in each case and apply their judgment. Although the court may rule on the adequacy of the CEQA work, the court is not empowered to act in the place of the public agency to approve or deny the project for which the CEQA document was prepared. Further, the court's review is limited to the evidence contained in the administrative record that was before the public agency when it acted on the project.

Putting aside the issue of CEQA procedure, the defensibility of a CEQA analysis rests on the following concerns:

- whether the public agency has sufficiently analyzed the environmental consequences to enable decision makers to make an intelligent decision;
- whether the conclusions of the public agency are supported by substantial evidence in the administrative record; and
- whether the agency has made a good faith effort at the full disclosure of significant effects.

CEQA analyses need not be perfect or exhaustive -- the depth and breadth of the analysis is limited to what is "reasonably feasible." (Guidelines §15151) At the same time, the analysis "must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed

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project." (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376)

By itself, establishment of a GHG threshold will not insulate individual CEQA analyses from challenge. Defensibility depends upon the adequacy of the analysis prepared by the lead agency and the process followed. However, the threshold can help to define the boundaries of what is a reasonable analysis by establishing when an analysis will be required and the basic scope of that analysis. The threshold would attempt to define the point at which an analysis will be required and when a level of impact becomes significant, requiring preparation of an EIR. If the threshold includes recommendations for the method or methods of analysis, it can establish the minimum level of analysis to address this issue.

Considerations in Setting Thresholds for Stationary Source Projects

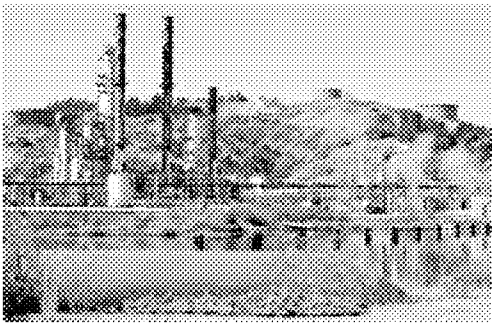

In many respects, the analysis of GHG emissions from stationary sources is much more straightforward than the analysis of land use patterns, forecasted energy consumption, and emissions from mobile sources. The reason is that, for the most part, the latter analyses depend largely on predictive models with myriad inputs and have a wider range of error. Emissions from stationary sources involve a greater reliance on mass and energy balance calculations and direct measurements of emissions from the same or similar sources. Energy demand is more directly tied to production, and even associated mobile source emissions will likely fall within narrower predictive windows.

Implementing CEQA Without a Threshold

A lead agency is not required to establish significance thresholds for GHG emissions from stationary sources. The lead agency may find that it needs more information or experience evaluating GHG from these types of projects to determine an appropriate significance threshold. As with other project types, the lead agency could conduct a project specific analysis to determine whether an environmental impact report is needed and to determine the level of mitigation that is appropriate. The agency might also rely on thresholds established for criteria pollutants as a screening method, and analyze GHG emissions (and require mitigation) from projects with emissions above the criteria pollutant thresholds. Over time, the agency could amass information and experience with specific project categories that would support establishing explicit thresholds. The lead agency may also choose to base local CEQA thresholds on state guidelines or on the category-specific reduction targets established by ARB in its scoping plan for implementing AB32. Resource constraints and other considerations associated with implementing CEQA without GHG thresholds for stationary sources would be similar to those outlined for other types of projects (see Chapter 5 – No Threshold Option).

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Implementing CEQA with Threshold of Zero

A lead agency may find that any increase in GHG emissions is potentially significant under CEQA. The resources and other considerations for implementing a threshold of zero for stationary sources are the same as those outlined for other types of projects (see Chapter 6 – Zero Threshold Option).

Implementing CEQA with a Non-Zero Threshold

A lead agency may identify one or more non-zero thresholds for significance of emissions of GHG from stationary sources. The agency could elect to rely on existing thresholds for reviewing new or modified stationary sources of GHG, if the state or local air district has established any. The agency could also apply the threshold(s) established for non-stationary sources to GHG emissions from stationary sources. Significance thresholds could also be established by ordinance, rule, or policy for a given category of stationary sources; this approach is especially conducive to a tiered threshold approach. For example, the agency could establish significance and mitigation tiers for stationary compression-ignition diesel-fueled generators. Under such an approach, the project proponent could be first required to use a lower GHG-emitting power source if feasible, and if not, to apply mitigation based on the size of the generator and other defined considerations, such as hours of operation. Certain classes of generators could be found to be insignificant under CEQA (e.g., those used for emergency stand-by power only, with a limit on the annual hours of use). As with non-stationary projects, the goal of establishing non-zero thresholds is to maximize environmental protection, while minimizing resources used. Resource and other considerations outlined for non-stationary projects are applicable here (see Chapter 7 – Non-Zero Threshold Options).

Implementing CEQA with Different Thresholds for Stationary and Non-stationary Projects

Although a lead agency may apply the same thresholds to stationary and non-stationary projects, it is not required to do so. There are, in fact, some important distinctions between the two types of projects that could support applying different thresholds. The lead agency should consider the methods used to estimate emissions. Are the estimates a "best/worst reasonable scenario" or are they based on theoretical maximum operation? How accurate are the estimates (are they based on models, simulations, emission factors, source test data, manufacturer specifications, etc.)? To what extent could emissions be reduced through regulations after the project is constructed if they were found to be greater than originally expected (i.e., is it possible to retrofit emissions control technology onto the source(s) of GHG at a later date, how long is the expected project life, etc.)? Are there emission limits or emissions control regulations (such as New Source Review) that provide certainty that emissions will be mitigated? Generally, stationary source emissions are based on maximum emissions (theoretical or allowed under law or regulation), are more accurate, and are more amenable to retrofit at a later time than non-stationary source emissions. It is also more likely that category specific

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rules or some form of NSR will apply to stationary sources than non-stationary projects. Notwithstanding, it is almost always more effective and cost-efficient to apply emission reduction technology at the design phase of a project. There are, therefore, a number of considerations that need to be evaluated and weighed before establishing thresholds – and which may support different thresholds for stationary and non-stationary projects. Furthermore, the considerations may change over time as new regulations are established and as emissions estimation techniques and control technology evolves.

Direct GHG Emissions from Stationary Sources

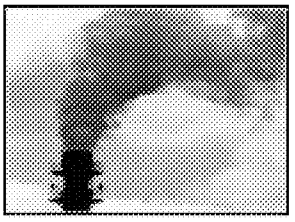

The main focus of this paper has been the consideration of projects that do not, in the main, involve stationary sources of air pollution, because stationary source projects are generally a smaller percentage of the projects seen by most local land use agencies. That said, some discussion of stationary sources is warranted. As the broader program for regulating GHG from these sources is developed, the strategies for addressing them under CEQA will likely become more refined.

The primary focus of analysis of stationary source emissions has traditionally been those pollutants that are directly emitted by the source, whether through a stack or as fugitive releases (such as leaks). CAPCOA conducted a simplified analysis of permitting activity to estimate the number of stationary source projects with potentially significant emissions of greenhouse gases that might be seen over the course of a year. This analysis looked only at stationary combustion sources (such as boilers and generators), and only considered direct emissions. A lead agency under CEQA may see a different profile of projects than the data provided here suggest, depending on what other resources are affected by projects. In addition, air districts review like-kind replacements of equipment to ensure the new equipment meets current standards, but such actions might not constitute a project for many land use agencies or other media regulators. The data does provide a useful benchmark, however, for lead agencies to assess the order of magnitude of potential stationary source projects. A similar analysis is included for non-stationary projects in Chapter 7.

Table 1: Analysis of GHG Emissions from Stationary Combustion Equipment Permits[3]

	BAAQMD	SMAQMD	SJVUAPCD	SCAQMD
Total Applications for Year	1499	778	1535	1179
Affected at threshold of:				
900 metric tons/year	26	43	63	108
10,000 metric tons/year	7	5	26	8
25,000 metric tons/year	3	1	11	4

[3] District data varies based on specific local regulations and methodologies.

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Emissions from Energy Use

In addition to the direct emissions of GHG from stationary projects, CEQA will likely need to consider the project's projected energy use. This could include an analysis of opportunities for energy efficiency, onsite clean power generation (e.g., heat/energy recovery, co-generation, geothermal, solar, or wind), and the use of dedicated power contracts as compared to the portfolio of generally available power. In some industries, water use and conservation may provide substantial GHG emissions reductions, so the CEQA analysis should consider alternatives that reduce water consumption and wastewater discharge. The stationary project may also have the opportunity to use raw or feedstock materials that have a smaller GHG footprint; material substitution should be evaluated where information is available to do so.

Emissions from Associated Mobile Sources

The stationary project will also include emissions from associated mobile sources. These will include three basic components: emissions from employee trips, emissions from delivery of raw or feedstock materials, and emissions from product transport. Employee trips can be evaluated using trip estimation as is done for non-stationary projects, and mitigations would include such measures as providing access to and incentives for use of public transportation, accessibility for bicycle and pedestrian modes of transport, employer supported car or vanpools (including policies such as guaranteed rides home, etc). Upstream and downstream emissions related to goods movement can also be estimated with available models. The evaluation will need to determine the extent of the transport chain that should be included (to ensure that all emissions in the chain have been evaluated and mitigated, but to avoid double counting). Mitigations could include direct actions by operators who own their own fleet, or could be implemented through contractual arrangements with independent carriers; again, the evaluation will need to consider how far up and down the chain mitigation is feasible and can be reasonably required.

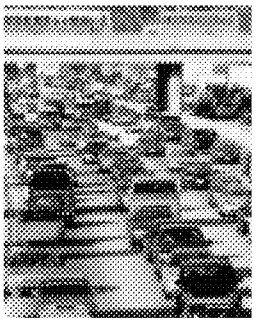

Comparing Emissions Changes Across Pollutant Categories

The potential exists for certain GHG reduction measures to increase emissions of criteria and toxic pollutants known to cause or aggravate respiratory, cardiovascular, and other health problems. For instance, GHG reduction efforts such as alternative fuels and methane digesters may create significant levels of increased pollutants that are detrimental to the health of the nearby population (e.g.; particulate matter, ozone precursors, toxic air contaminants). Such considerations should be included in any CEQA analysis of a project's environmental impacts. While there are many win-win

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strategies that can reduce both GHG and criteria/toxic pollutant emissions, when faced with situations that involve tradeoffs between the two, the more immediate public health concerns that may arise from an increase in criteria or toxic pollutant emissions should take precedence. GHG emission reductions could be achieved offsite through other mitigation programs.

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Introduction

Under state law, it is the purview of each lead agency to determine what, if any, significance thresholds will be established to guide its review of projects under CEQA. While the state does provide guidelines for implementing CEQA, the guidelines have left the decision of whether to establish thresholds (and if so, at what level) to individual lead agencies. Frequently, lead agencies consult with resource-specific agencies (such as air districts) for assistance in determining what constitutes a significant impact on that specific resource.

With the passage of AB 32, the ARB has broad authority to regulate GHG emissions as necessary to meet the emission reduction goals of the statute. This may include authority to establish emission reduction requirements for new land use projects, and may also enable them to recommend statewide thresholds for GHG under CEQA.

In developing this white paper, CAPCOA recognizes that, as the GHG reduction program evolves over time, GHG thresholds and other policies and procedures for CEQA may undergo significant revision, and that uniform statewide thresholds and procedures may be established. This paper is intended to serve as a resource for public agencies until such time that statewide guidance is established, recognizing that decisions will need to be made about GHG emissions from projects before such guidance is available. This paper is not, however, uniform statewide guidance. As stated before, it outlines several possible approaches without endorsing any one over the others.

Some air districts may choose to use this paper to support their establishment of guidance for GHG under CEQA, including thresholds. This paper does not, nor should it be construed to require a district to implement any of the approaches evaluated here. Decisions about whether to provide formal local guidance on CEQA for projects with GHG emissions, including the question of thresholds, will be made by individual district boards.

Each of the 35 air districts operates independently and has its own set of regulations and programs to address the emissions from stationary, area and mobile sources, consistent with state and federal laws, regulations, and guidelines. The independence of the districts allows specific air quality problems to be addressed on a local level. In addition, districts have also established local CEQA thresholds of significance for criteria pollutants – also to address the specific air quality problems relative to that particular district.

The overall goal of air district thresholds is to achieve and maintain health based air quality standards within their respective air basins and to reduce transport of emissions to other air basins. In establishing recommended thresholds, air districts consider the existing emission inventory of criteria pollutants and the amount of emission reductions needed to attain and maintain ambient air quality standards.

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However, unlike criteria pollutants where individual districts are characterized by varying levels of pollutant concentrations and source types, greenhouse gases (GHG) and their attendant climate change ramifications are a global problem and, therefore, may suggest a uniform approach to solutions that ensure both progress and equity.

Under SB97, the Office of Planning and Research is directed to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions through CEQA by July 1, 2009. Those guidelines may recommend thresholds. As stated, this paper is intended to provide a common platform of information and tools to support local decision makers until such time that statewide guidance or requirements are promulgated.

Local Ability to Promulgate District-Specific GHG Thresholds

One of the primary reasons behind the creation of air districts in California is the recognition that some regions within the state face more critical air pollution problems than others and, as has often been pointed out – one size does not fit all. For example, a "Serious" federal nonattainment district would need greater emission reductions than a district already in attainment – and, therefore, the more "serious" district would set its criteria pollutant CEQA thresholds of significance much lower than the air district already in attainment.

The action of GHGs is global in nature, rather than local or regional (or even statewide or national). Ultimately there may be a program that is global, or at least national in scope. That said, actions taken by a state, region, or local government can contribute to the solution of the global problem. Local governments are not barred from developing and implementing programs to address GHGs. In the context of California and CEQA, lead agencies have the primary responsibility and authority to determine the significance of a project's impacts.

Further, air districts have primary authority under state law for "control of air pollution from all sources, other than emissions from motor vehicles." (H&SC §40000) The term air contaminant or "air pollutant" is defined extremely broadly, to mean "any discharge, release, or other propagation into the atmosphere" and includes, but is not limited to, soot, carbon, fumes, gases, particulate matter, etc. Greenhouse gases and other global warming pollutants such as black carbon would certainly be included in this definition, just as the U.S. Supreme Court held in Massachusetts v. EPA that greenhouse gases were air pollutants under the federal Clean Air Act. Therefore, air districts have the primary authority to regulate global warming pollutants from nonvehicular sources. AB 32 does not change this result. Although it gives wide responsibility to CARB to regulate greenhouse gases from all sources, including nonvehicular sources, it does not preempt the districts. AB 32 specifically states That "nothing in this division shall limit or expand the existing authority of any district..."(H&SC § 38594). Thus, districts and CARB retain concurrent authority over nonvehicular source greenhouse gas emissions.

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Introduction

The CEQA statutes do not require an air district or any lead agency to establish significance thresholds under CEQA for any pollutant. While there are considerations that support the establishment of thresholds (which are discussed in other sections of this document), there is no obligation to do so.

An air district or other lead agency may elect not to establish significance thresholds for a number of reasons. The agency may believe that the global nature of the climate change problem necessitates a statewide or national framework for consideration of environmental impacts. SB 97 directs OPR to develop "guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions by July 1, 2009," and directs the California Resources Agency to certify and adopt the guidelines by June 30, 2010.

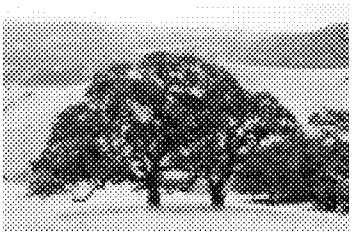

An agency may also believe there is insufficient information to support selecting one specific threshold over another. As described earlier, air districts have historically set CEQA thresholds for air pollutants in the context of the local clean air plan, or (in the case of toxic air pollutants) within the framework of a rule or policy that manages risks and exposures due to toxic pollutants. There is no current framework that would similarly manage impacts of greenhouse gas pollutants, although the CARB is directed to establish one by June 30, 2009, pursuant to AB 32. A local agency may decide to defer any consideration of thresholds until this framework is in place.

Finally, an agency may believe that the significance of a given project should be assessed on a case-by-case basis in the context of the project at the time it comes forward.

Implementing CEQA Without Significance Thresholds for GHG

The absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA. The implications of not having a threshold are different depending on the role the agency has under CEQA – whether it is acting in an advisory capacity, as a responsible agency, or as a lead agency.

Implications of No Thresholds for an Agency Acting in an Advisory Capacity

Air districts typically act in an advisory capacity to local governments in establishing the framework for environmental review of air pollution impacts under CEQA. This may include recommendations regarding significance thresholds, analytical tools to assess emissions and impacts, and mitigations for potentially significant impacts. Although districts will also address some of these issues on a project-specific basis as responsible agencies, they may provide general guidance to local governments on these issues that

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are program wide, and these are advisory (unless they have been established by regulation).

An air district that has not established significance thresholds for GHG will not provide guidance to local governments on this issue. This does not prevent the local government from establishing thresholds under its own authority. One possible result of this would be the establishment of different thresholds by cities and counties within the air district. Alternatively, the air district could advise local governments not to set thresholds and those jurisdictions may follow the air district's guidance.

It is important to note here (as has been clearly stated by the Attorney General in comments and filings) that lack of a threshold does *not* mean lack of significance. An agency may argue lack of significance for any project, but that argument would have to be carried forth on a case-by-case, project specific basis. By extension then, a decision not to establish thresholds for GHG is likely to result in a greater workload for responsible and lead agencies as they consider individual projects under CEQA.

Implications of No Thresholds for a Responsible Agency

If there are no established thresholds of significance, the significance of each project will have to be determined during the course of review. The responsible agency (e.g., the air district) will review each project referred by the lead agency. The review may be qualitative or quantitative in nature. A qualitative review would discuss the nature of GHG emissions expected and their potential effect on climate change as the district understands it. It could also include a discussion of the relative merits of alternative scenarios. A quantitative analysis would evaluate, to the extent possible, the expected GHG emissions; it would also need to evaluate their potential effect on climate change and might include corresponding analysis of alternatives. The air district, as a responsible agency, may also identify mitigation measures for the project.

The lack of established thresholds will make the determination of significance more resource intensive for each project. The district may defer to the lead agency to make this determination, however the district may be obligated, as a responsible agency, to evaluate the analysis and determination.

Implications of No Thresholds for a Lead Agency

The main impact of not having significance thresholds will be on the primary evaluation of projects by the lead agency. Without significance thresholds, the agency will have to conduct some level of analysis of every project to determine whether an environmental impact report is needed. There are three fundamental approaches to the case-by-case analysis of significance, including presumptions of significance or insignificance, or no presumption:

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1. The agency can begin with a presumption of significance and the analysis would be used to support a case-specific finding of no significance. This is similar to establishing a threshold of zero, except that here, the "threshold" is rebuttable. This approach may result in a large number of projects proceeding to preparation of an environmental impact report. Because of the attendant costs, project proponents may challenge the determination of significance, although formal challenge is less likely than attempts to influence the determination.

2. The agency can begin with a presumption of insignificance, and the analysis would be used to support a case-specific finding of significance. A presumption of insignificance could be based on the perspective that it would be speculative to attempt to identify the significance of GHG emissions from a project relative to climate change on a global scale. This approach might reduce the number of projects proceeding to preparation of environmental impact reports. It is likely to have greater success with smaller projects than larger ones, and a presumption of *insignificance* may be more likely to be challenged by project opponents.

3. It is not necessary for the lead agency to have any presumption either way. The agency could approach each project from a *tabula rasa* perspective, and have the determination of significance more broadly tied to the specific context of the project; this approach is likely to be resource intensive, and creates the greatest uncertainty for project proponents. To the extent that it results in a lead agency approving similar projects based on different determinations of significance for GHG emissions, it may be more vulnerable to challenge from either proponents or opponents of the project. Alternatively, in the absence of either thresholds or presumptions, the lead agency could use each determination of significance to build its approach in the same way that subsequent judgments define the law.

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Relevant Citations

The full text of relevant citations is in Appendix A.

Public Resources Code – §21082.2, Significant Effect on Environment; Determination; Environmental Impact Report Preparation.

State CEQA Guidelines – §15064, Determining the Significance of the Environmental Effects Caused by a Project.

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Introduction

If an air district or lead agency determines that any degree of project-related increase in GHG emissions would contribute considerably to climate change and therefore would be a significant impact, it could adopt a zero-emission threshold to identify projects that would need to reduce their emissions. A lead agency may determine that a zero-emission threshold is justified even if other experts may disagree. A lead agency is not prevented from adopting any significance threshold it sees as appropriate, as long as it is based on substantial evidence.

If the zero threshold option is chosen, all projects subject to CEQA would be required to quantify and mitigate their GHG emissions, regardless of the size of the project or the availability of GHG reduction measures available to reduce the project's emissions. Projects that could not meet the zero-emission threshold would be required to prepare environmental impact reports to disclose the unmitigable significant impact, and develop the justification for a statement of overriding consideration to be adopted by the lead agency.

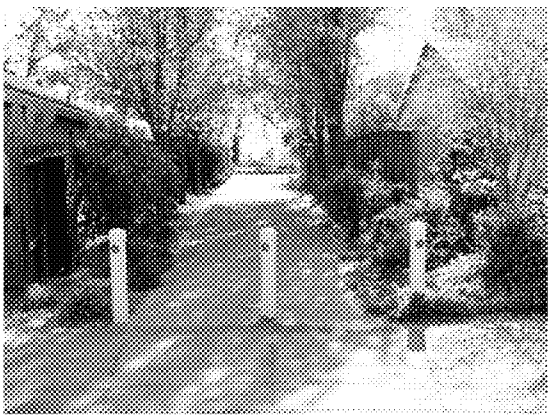

Implementing CEQA With a Zero Threshold for GHG

The scientific community overwhelmingly agrees that the earth's climate is becoming warmer, and that human activity is playing a role in climate change. Unlike other environmental impacts, climate change is a global phenomenon in that all GHG emissions generated throughout the earth contribute to it. Consequently, both large and small GHG generators cause the impact. While it may be true that many GHG sources are individually too small to make any noticeable difference to climate change, it is also true that the countless small sources around the globe combine to produce a very substantial portion of total GHG emissions.

A zero threshold approach is based on a belief that, 1) all GHG emissions contribute to global climate change and could be considered significant, and 2) not controlling emissions from smaller sources would be neglecting a major portion of the GHG inventory.

CEQA explicitly gives lead agencies the authority to choose thresholds of significance. CEQA defers to lead agency discretion when choosing thresholds. Consequently, a zero-emission threshold has merits.

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The CEQA review process for evaluating a project's impact on global climate change under the zero threshold option would involve several components. Air quality sections would be written by lead agencies to include discussions on climate change in CEQA documents, GHG emissions would be calculated, and a determination of significance would be made. The local air districts would review and comment on the climate change discussions in environmental documents. Lead agencies may then revise final EIRs to accommodate air district comments. More than likely, mitigation measures will be specified for the project, and a mitigation monitoring program will need to be put in place to ensure that these measures are being implemented.

Since CEQA requires mitigation to a less than significant level, it is conceivable that many projects subjected to a zero threshold could only be deemed less than significant with offsite reductions or the opportunity to purchase greenhouse gas emission reduction credits. GHG emission reduction credits are becoming more readily available however the quality of the credits varies considerably. High quality credits are generated by actions or projects that have clearly demonstrated emission reductions that are real, permanent, verifiable, enforceable, and not otherwise required by law or regulation. When the pre- or post-project emissions are not well quantified or cannot be independently confirmed, they are considered to be of lesser quality. Similarly, if the reductions are temporary in nature, they are also considered to be poor quality. Adoption of a zero threshold should consider the near-term availability and the quality of potential offsets.

There are also environmental justice concerns about the effects of using offsite mitigations or emission reduction credits to offset, or mitigate, the impacts of a new project. Although GHGs are global pollutants, some of them are emitted with co-pollutants that have significant near-source or regional impacts. Any time that increases in emissions at a specific site will be mitigated at a remote location or using emission reduction credits, the agency evaluating the project should ensure that it does not create disproportionate impacts.

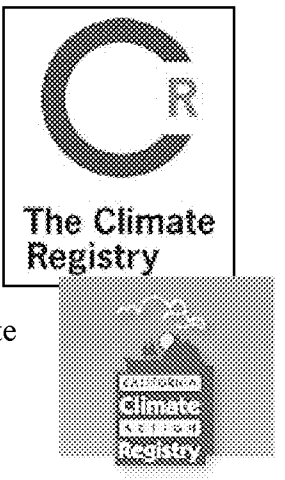

Administrative Considerations

If electing to pursue a zero threshold, an air district or lead agency should consider the administrative costs and the environmental review system capacity. Some projects that previously would have qualified for an exemption could require further substantial analysis, including preparation of a Negative Declaration (ND), a Mitigated Negative Declaration (MND) or an EIR. Moreover, the trade-offs between the volume of projects requiring review and the quality of consideration given to reviews should be considered. It may also be useful to consider whether meaningful mitigation can be achieved from smaller projects.

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Consideration of Exemptions from CEQA

A practical concern about identifying GHG emissions as a broad cumulative impact is whether the zero threshold option will preclude a lead agency from approving a large set of otherwise qualified projects utilizing a Categorical Exemption, ND, or MND. The results could be a substantial increase in the number of EIR's. This is a valid and challenging concern, particularly for any threshold approach that is based on a zero threshold for net GHG emission increases.

CEQA has specified exceptions to the use of a categorical exception. Specifically, CEQA Guidelines §15300.2 includes the following exceptions:

"(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant."

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances."

These CEQA Guidelines sections could be argued to mean that any net increase in GHG emissions would preclude the use of a categorical exemption. However, as described below, if the following can be shown, then the exceptions above could be argued not to apply:

(1) Cumulative local, regional and/or state GHG emissions are being reduced or will be reduced by adopted, funded, and feasible measures in order to meet broader state targets.

(2) Mandatory state or local GHG reduction measures would apply to the project's emissions such that broader GHG reduction goals would still be met and the project contributions would not be cumulatively considerable.

(3) Project GHG emissions are below an adopted significance threshold designed to take into account the cumulative nature of GHG emissions.

A similar argument could be made relative to the use of a ND (provided no additional mitigation (beyond existing mandates) is required to control GHG emissions) and to the use of a MND instead of an EIR. However, due to the "fair argument" standard, which is discussed in Chapter 3, caution is recommended in use of a ND or MND unless all three elements above can be fully supported through substantial evidence and there is no substantial evidence to the contrary. Establishing a significance threshold of zero is likely to preclude the use of a categorical exemption.

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Relevant Citations

The full text of relevant citations is in Appendix A.

Public Resources Code – §21004, Mitigating or Avoiding a Significant Effect; Powers of Public Agency.

State CEQA Guidelines – §15064, Determining the Significance of the Environmental Effects Caused by a Project.

State CEQA Guidelines – §15130, Discussion of Cumulative Impacts.

State CEQA Guidelines – §15064.7, Thresholds of Significance.

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Introduction

A non-zero threshold could minimize the resources spent reviewing environmental analyses that do not result in real GHG reductions or to prevent the environmental review system from being overwhelmed. The practical advantages of considering non-zero thresholds for GHG significance determinations can fit into the concept regarding whether the project's GHG emissions represent a "considerable contribution to the cumulative impact" and therefore warrant analysis.

Specifying a non-zero threshold could be construed as setting a *de minimis* value for a cumulative impact. In effect, this would be indicating that there are certain GHG emission sources that are so small that they would not contribute substantially to the global GHG budget. This could be interpreted as allowing public agencies to approve certain projects without requiring any mitigation of their GHG. Any threshold framework should include a proper context to address the *de minimis* issue. However, the CEQA Guidelines recognize that there may be a point where a project's contribution, although above zero, would not be a *considerable contribution* to the cumulative impact and, therefore, not trigger the need for a significance determination.

GHG emissions from all sources are under the purview of CARB and as such may eventually be "regulated" no matter how small. Virtually all projects will result in some direct or indirect release of GHG. However, a decision by CARB to regulate a class of sources does not necessarily mean that an individual source in that class would constitute a project with significant GHG impacts under CEQA. For example, CARB has established criteria pollutant emission standards for automobiles, but the purchase and use of a single new car is not considered a project with significant impacts under CEQA. At the same time, it is important to note that it is likely that all meaningful sources of emissions, no matter how small are likely to be considered for regulation under AB 32. It is expected that projects will have to achieve some level of GHG reduction to comply with CARB's regulations meant to implement AB 32. As such all projects will have to play a part in reducing our GHG emissions budget and no project, however small, is truly being considered *de minimis* under CARB's regulations.

This chapter evaluates a range of conceptual approaches toward developing GHG significance criteria. The air districts retained the services of J&S an environmental consulting, firm to assist with the development of a Statute and Executive Order-based threshold (Approach 1) and a tiered threshold (Approach 2) based on a prescribed list of tasks and deliverables. Time and financial constraints limited the scope and depth of this analysis, however, the work presented here may be useful in developing interim guidance while AB 32 is being implemented. J&S recognized that approaches other than those described here could be used.

As directed, J&S explored some overarching issues, such as:

- what constitutes "new" emissions?

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- how should "baseline emissions" be established?
- what is cumulatively "considerable" under CEQA?
- what is "business as usual" ? and
- should an analysis include "life-cycle" emissions?

The answers to these issues were key to evaluating each of the threshold concepts.

Approach 1 – Statute and Executive Order Approach

Thresholds could be grounded in existing mandates and their associated GHG emission reduction targets. A project would be required to meet the targets, or reduce GHG emissions to the targets, to be considered less than significant.

AB 32 and S-3-05 target the reduction of statewide emissions. It should be made clear that AB 32 and S-3-05 do not specify that the emissions reductions should be achieved through uniform reduction by geographic location or by emission source characteristics. For example, it is conceivable, although unlikely, that AB 32 goals could be achieved by new regulations that only apply to urban areas or that only apply to the transportation and/or energy sector. However, this approach to evaluating GHG under CEQA is based on the presumption that a new project must at least be consistent with AB 32 GHG emission reduction mandates.

The goal of AB 32 and S-3-05 is the significant reduction of future GHG emissions in a state that is expected to rapidly grow in both population and economic output. As such, there will have to be a significant reduction in the per capita GHG output for these goals to be met. CEQA is generally used to slow or zero the impact of new emissions, leaving the reduction of existing emission sources to be addressed by other regulatory means. With these concepts in mind, four options were identified for statute/executive order-based GHG significance thresholds and are described below.

Threshold 1.1: AB 32/S-3-05 Derived Uniform Percentage-Based Reduction. AB 32 requires the state to reduce California-wide GHG emissions to 1990 levels by 2020. Reducing greenhouse gas emission levels from 2020 to 1990 levels could require a 28 to 33 percent reduction of business-as-usual GHG emissions depending on the methodology used to determine the future emission inventories. The exact percent reduction may change slightly once CARB finalizes its 1990 and 2020 inventory estimates. In this context, business-as-usual means the emissions that would have occurred in the absence of the mandated reductions. The details of the business-as-usual scenario are established by CARB in the assumptions it uses to project what the state's GHG emissions would have been in 2020, and the difference between that level and the level that existed in 1990 constitutes the reductions that must be achieved if the mandated goals are to be met.

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This threshold approach would require a project to meet a percent reduction target based on the average reductions needed from the business-as-usual emission from all GHG sources. Using the 2020 target, this approach would require all discretionary projects to achieve a 33 percent reduction from projected business-as-usual emissions in order to be considered less than significant. A more restrictive approach would use the 2050 targets. S-3-05 seeks to reduce GHG emissions to 80 percent below 1990 levels by 2050. To reach the 2050 milestone would require an estimated 90 percent reduction (effective immediately) of business-as-usual emissions. Using this goal as the basis for a significance threshold may be more appropriate to address the long-term adverse impacts associated with global climate change. Note that AB 32 and S-3-05 set emission inventory goals at milestone years; it is unclear how California will progress to these goals in non-milestone years.

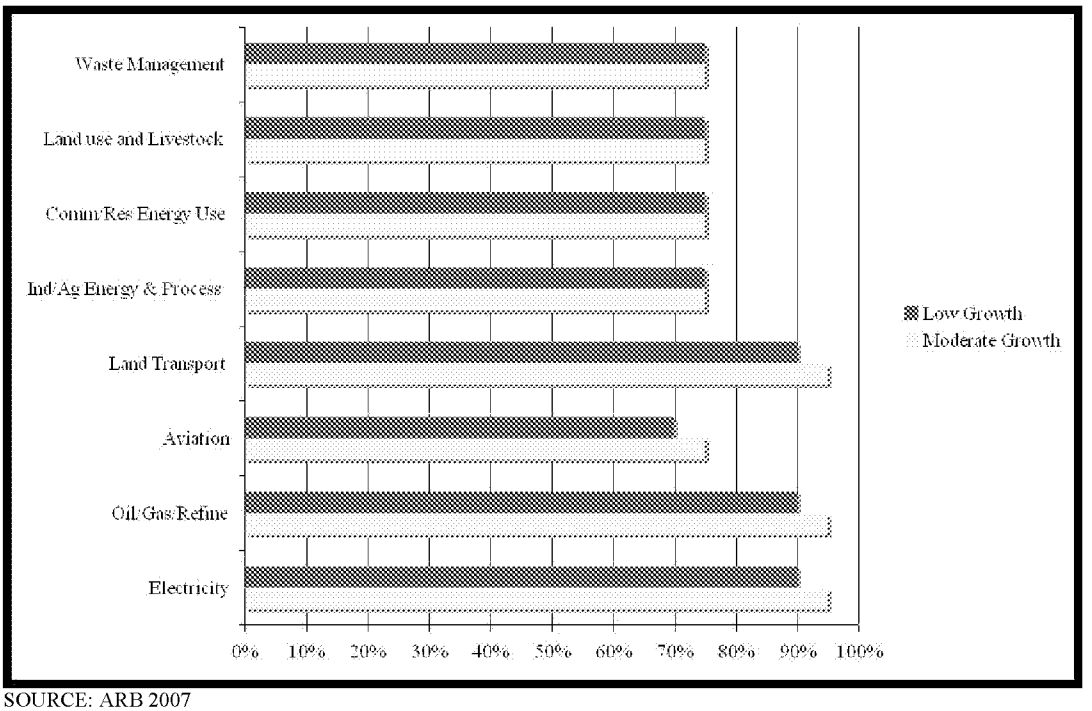

SOURCE: ARB 2007

Threshold 1.2: Uniform Percentage-Based (e.g.50%) Reduction for New Development. This threshold is based on a presumption that new development should contribute a greater percent reduction from business-as-usual because greater reductions can be achieved at lower cost from new projects than can be achieved from existing sources. This approach would establish that new development emit 50 percent less GHG emissions than business-as-usual development. This reduction rate is greater than the recommended reduction rate for meeting the Threshold 1.1 2020 target (33 percent) but is significantly less restrictive than the Threshold 1.1 2050 target reduction rate (90 percent). If a 50 percent GHG reduction were achieved from new development, existing emissions would have to be reduced by 25 to 30 percent in order to meet the 2020 emissions goal depending on the year used to determine the baseline inventory. Although this reduction goal is reasonable for achieving the 2020 goal, it would not be possible to

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reach the 2050 emissions target with this approach even if existing emissions were 100 percent controlled.

Threshold 1.3: Uniform Percentage-Based Reduction by Economic Sector. This threshold would use a discrete GHG reduction goal specific to the economic sector associated with the project. There would be specific reduction goals for each economic sector, such as residential, commercial, and industrial development. Specifying different reduction thresholds for each market sector allows selection of the best regulatory goal for each sector taking into account available control technology and costs. This approach would avoid over-regulating projects (i.e. requiring emissions to be controlled in excess of existing technology) or under-regulating projects (i.e. discouraging the use of available technology to control emissions in excess of regulations). This approach requires extensive information on the emission inventories and best available control technology for each economic sector. This data will be compiled as CARB develops its scoping plan under AB 32 and its implementing regulations; as a result, this approach will be more viable in the long term.

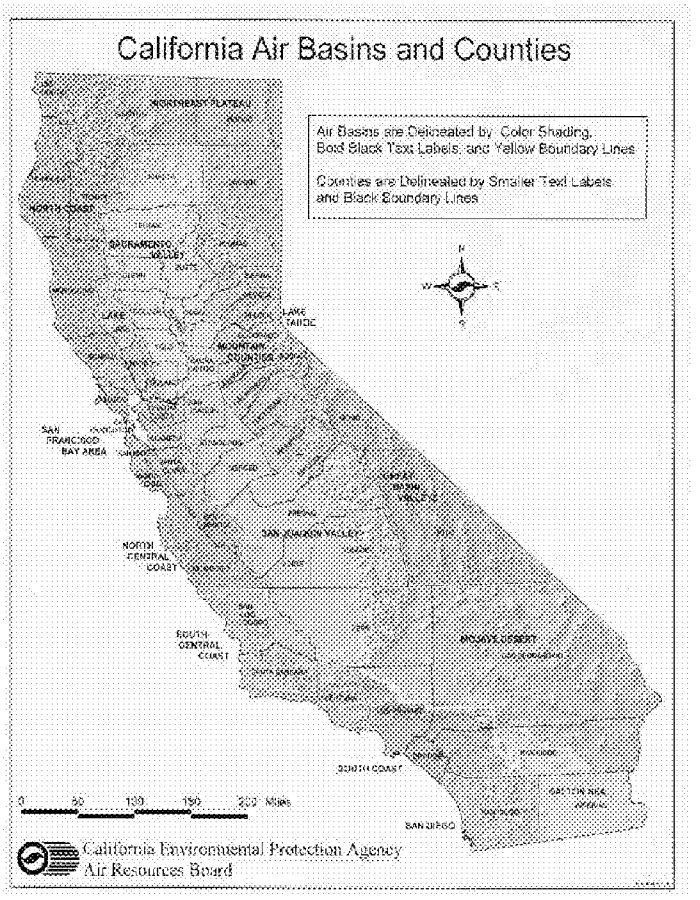

Threshold 1.4: Uniform Percentage-Based Reduction by Region. AB 32 and S-3-05 are written such that they apply to a geographic region (i.e. the entire state of California) rather than on a project or sector level. One could specify regions of the state such as the South Coast Air Basin, Sacramento Valley, or Bay Area which are required to plan (plans could be developed by regional governments, such as councils of governments) and demonstrate compliance with AB 32 and S-3-05 reduction goals at a regional level. To demonstrate that a project has less than significant emissions, one would have to show compliance with the appropriate regional GHG plan. Effectively this approach allows for analysis of GHG emissions at a landscape scale smaller than the state as a whole. Specifying regions in rough correlation to existing air basins or jurisdictional control allows for regional control of emissions and integration with regional emission reduction strategies for criteria and toxic air pollutants. Although differing GHG reduction controls for each region are possible, it is likely that all regions would be

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required to achieve 1990 emission inventories by the year 2020 and 80 percent less emissions by 2050. Threshold 1.4 is considered viable long-term significance criteria that is unlikely to be used in the short term.

Implementing CEQA Thresholds Based on Emission Reduction Targets

Characterizing Baseline and Project Emissions

While the population and economy of California is expanding, all new projects can be considered to contribute new emissions. Furthermore, GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. "Business-as-usual" is the projection of GHG emissions at a future date based on current technologies and regulatory requirements in absence of other reductions. For example to determine the future emissions from a power plant for "business-as-usual" one would multiply the projected energy throughput by the current emission factor for that throughput. If adopted regulations (such as those that may be promulgated by CARB for AB 32) dictate that power plant emissions must be reduced at some time in the future, it is appropriate to consider these regulation standards as the new business-as-usual for a future date. In effect, business-as-usual will continue to evolve as regulations manifest. Note that "business-as-usual" defines the CEQA No Project conditions, but does not necessarily form the baseline under CEQA. For instance, it is common to subtract the future traffic with and without a project to determine the future cumulative contribution of a project on traffic conditions. However, existing conditions at the time of issuance of the notice of preparation is normally the baseline.

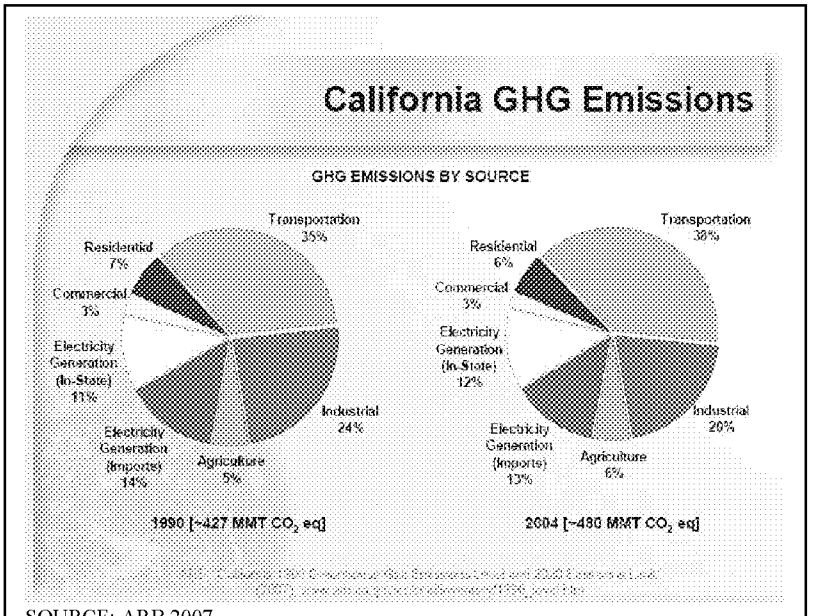

SOURCE: ARB 2007

Establishing Emission Reduction Targets

One of the obvious drawbacks to using a uniform percent reduction approach to GHG control is that it is difficult to allow for changes in the 1990 and future emission inventories estimates. To determine what emission reductions are required for new projects one would have to know accurately the 1990 budget and efficacy of other GHG promulgated regulations as a function of time. Since CARB will not outline its

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regulation strategy for several more years, it is difficult to determine accurately what the new project reductions should be in the short term. Future updates to the 1990 inventory could necessitate changes in thresholds that are based on that inventory. It is important to note that it is difficult to create near term guidance for a uniform reduction threshold strategy since it would require considerable speculation regarding the implementation and effectiveness of forthcoming CARB regulations.

Of greater importance are the assumptions used to make the projected 2020 emission inventories. Projecting future inventories over the next 15-50 years involves substantial uncertainty. Furthermore, there are likely to be federal climate change regulations and possibly additional international GHG emission treaties in the near future. To avoid such speculation, this paper defines all future emission inventories as hypothetical business-as-usual projections.

This white paper is intended to support local decisions about CEQA and GHG in the near term. During this period, it is unlikely that a threshold based on emission reduction targets would need to be changed. However, it is possible that future inventory updates will show that targets developed on the current inventory were not stringent enough, or were more stringent than was actually needed.

Approach 2 – Tiered Approach

The goal of a tiered threshold is to maximize reduction predictability while minimizing administrative burden and costs. This would be accomplished by prescribing feasible mitigation measures based on project size and type, and reserving the detailed review of an EIR for those projects of greater size and complexity. This approach may require inclusion in a General Plan, or adoption of specific rules or ordinances in order to fully and effectively implement it.

A tiered CEQA significance threshold could establish different levels at which to determine if a project would have a significant impact. The tiers could be established based on the gross GHG emission estimates for a project or could be based on the physical size and characteristics of the project. This approach would then prescribe a set of GHG mitigation strategies that would have to be incorporated into the project in order for the project to be considered less than significant.

The framework for a tiered threshold would include the following:

- disclosure of GHG emissions for all projects;
- support for city/county/regional GHG emissions reduction planning;
- creation and use of a “green list” to promote the construction of projects that have desirable GHG emission characteristics;
- a list of mitigation measures;

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- a decision tree approach to tiering; and
- quantitative or qualitative thresholds.

Decision-Tree Approach to Tiering

CEQA guidance that allows multiple methodologies to demonstrate GHG significance will facilitate the determination of significance for a broad range of projects/plans that would otherwise be difficult to address with a single non-compound methodology. Even though there could be multiple ways that a project can determine GHG significance using a decision-tree approach, only one methodology need be included in any single CEQA document prepared by the applicant. The presence of multiple methodologies to determine significance is designed to promote flexibility rather than create additional analysis overhead. Figure 1 shows a conceptual approach to significance determination using a tiered approach that shows the multiple routes to significance determination.

Figure 1 Detail Description

Figure 1 pictorially represents how an agency can determine a project's or plan's significance for CEQA analysis using the non-zero threshold methodology. The emissions associated with a project/plan are assumed to have a significant impact unless one can arrive at a less-than-significant finding by at least one of the methodologies below.

1. Demonstrate that a General Plan (GP) or Regional Plan is in Compliance with AB32

   - For most GPs or RPs this will require demonstration that projected 2020 emissions will be equal to or less than 1990 emissions.
   - GPs or RPs are expected to fully document 1990 and 2020 GHG emission inventories.
   - Projection of 2020 emissions is complicated by the fact that CARB is expected to promulgate emission reductions in the short term. Until explicit CARB regulations are in place, unmitigated GP 2020 emission inventories represent business-as-usual scenarios.
   - EIRs for GPs or RPs which demonstrate 2020 mitigated emissions are less than or equal to 1990 emissions are considered less than significant.

2. Demonstrate the Project is Exempt Based on SB 97

   - As specified in SB 97, projects that are funded under November 2006 Proposition 1B (Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act) and 1C (Disaster Preparedness and Flood Prevention Bond Act) may be exempt from analysis until January 1, 2010.

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Climate Change Significance Criteria Flow Chart

- This chart pictorially represents how an agency can determine a project's or plan's significance for CEQA analysis.
- The emissions associated with a project/plan are assumed to have a significant impact unless one can arrive at a less-than-significant finding by at least one of the methodologies below.

The Green List *(Conceptual Approach)*

- *Publish and update a list of projects and project types that are deemed a positive contribution to CA efforts to reduce GHG emissions.*
- *Consult the ARB and the AG prior to listing a project on the Green List to ensure consistency with ARB AB-32 efforts and to ensure that the Green List entries are consistent with how the AG office interprets AB-32 and GHG CEQA compliance.*
- *The Green List will be updated every 6 months or as major regulatory or legal developments unfold.*
- *Projects that are on the green list are to be considered less than significant for GHG emissions purposes.*
- *An example of a Green List entry would be a wind farm that had negligible construction emissions.*

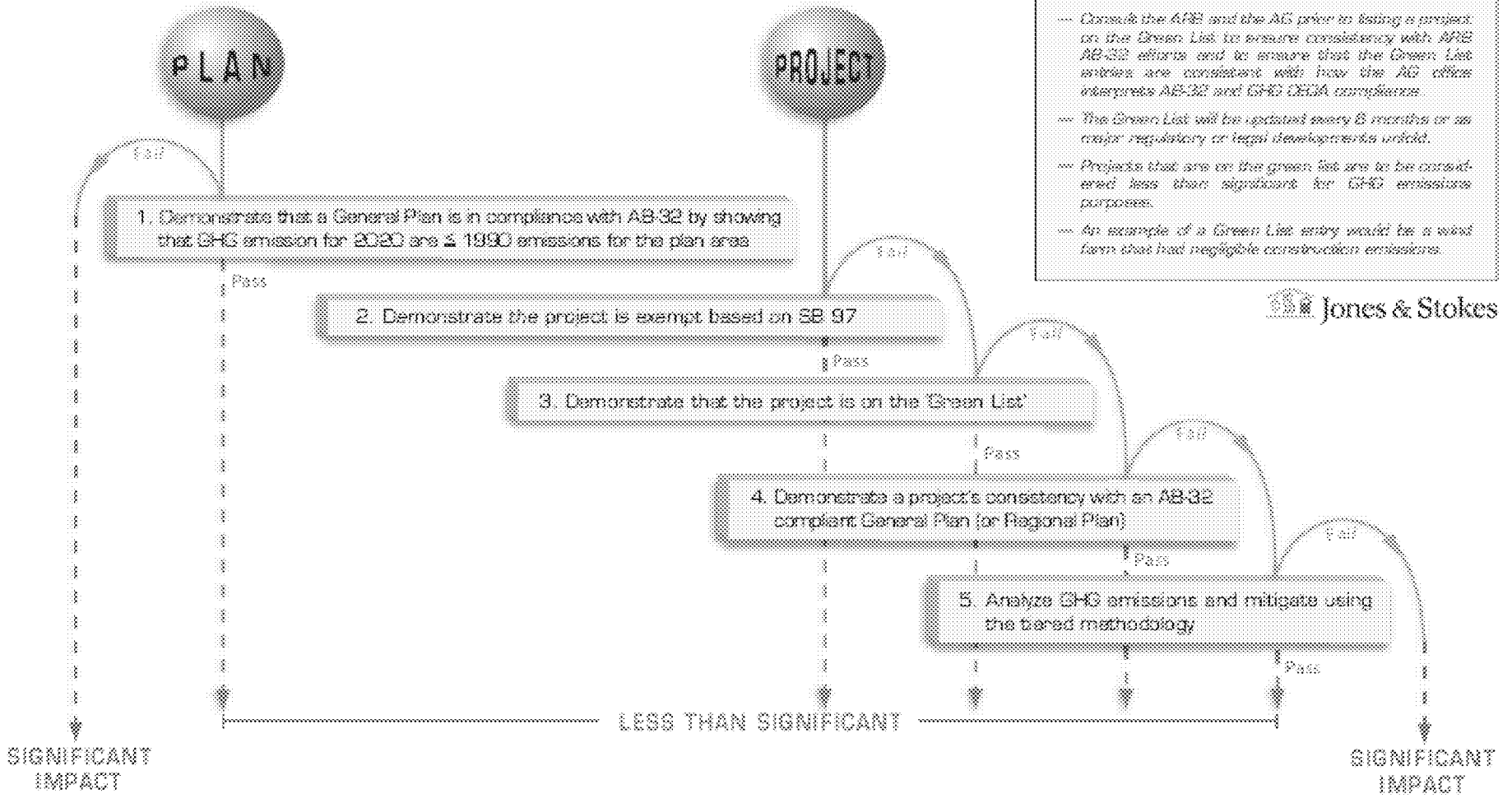

Jones & Stokes

Figure 1
Climate Change Significance Criteria Flow Chart

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- An exemption can be used in an ND, MND, or EIR to support a less than significant finding for GHG impacts.

3. Demonstrate that the Project is on the 'Green List'

- This list would include projects that are deemed a positive contribution to California efforts to reduce GHG emissions. If the project is of the type described on the Green List it is considered less than significant.
- If the Green List entry description requires mitigation for impacts other than GHG, this methodology can be used in MNDs or EIRs; if the Green List entry does not require mitigation this methodology can be used in NDs, MNDs, or EIRs.

4. Demonstrate a Project's Compliance with a General Plan

- If a project is consistent with an appropriate General Plan's Greenhouse Gas Reduction Plan (GGRP), a project can be declared less than significant.
- Note that at this time there are no known jurisdictions that have a GGRP that has been fully subject to CEQA review. While Marin County has adopted a forward-thinking GGRP and it is described in the most recent GP update, the associated EIR does not analyze the secondary environmental impacts of some of the GGRP measures such as tidal energy. While one can reference GGRPs that have not been reviewed fully in CEQA, to attempt to show a project's compliance with such a plan as evidence that the project's GHG emission contributions are less than significant may not be supported by substantial evidence that cumulative emissions are being fully addressed in the particular jurisdiction.
- Compliance with a CEQA-vetted GGRP can be cited as evidence for all CEQA documents (Categorical Exemption, ND, MND, and EIR).

5. Analyze GHG Emissions and Mitigate using the Tiered Methodology

- Guidance and mitigation methodology for various development projects (residential, commercial, industrial) are listed in the form of tiered thresholds. If a project incorporates the mitigation measures specified in the tiered threshold tables the project is considered less than significant.
- All project emissions are considered less than significant if they are less than the threshold(s).
- If the tiered approach requires mitigation, this methodology can be used in MNDs or EIRs; if the tiered approach does not require mitigation this methodology can be used in NDs, MNDs, or EIRs.

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The Green List

- The Green List would be a list of projects and project types that are deemed a positive contribution to California's efforts to reduce GHG emissions.
- If this approach is followed, it is suggested that CARB and the Attorney General (AG) are consulted prior to listing a project on the Green List to ensure consistency with CARB AB 32 efforts and to ensure that the Green List entries are consistent with how the AG office interprets AB 32 and GHG CEQA compliance.
- The Green List should be updated every 6 months or as major regulatory or legal developments unfold.
- Projects that are on the Green List are to be considered less than significant for GHG emissions purposes.
- A tentative list of potential Green List entries is presented below. Actual Green List entries should be far more specific and cover a broad range of project types and mitigation approaches. The list below is merely a proof-of-concept for the actual Green List.

    1. Wind farm for the generation of wind-powered electricity
    2. Extension of transit lines to currently developed but underserved communities
    3. Development of high-density infill projects with easily accessible mass transit
    4. Small hydroelectric power plants at existing facilities that generate 5 mw or less (as defined in Class 28 Categorical Exemption)
    5. Cogeneration plants with a capacity of 50 mw or less at existing facilities (as defined in Class 29 Cat Exemption)
    6. Increase in bus service or conversion to bus rapid transit service along an existing bus line
    7. Projects with LEED "Platinum" rating
    8. Expansion of recycling facilities within existing urban areas
    9. Recycled water projects that reduce energy consumption related to water supplies that services existing development
    10. Development of bicycle, pedestrian, or zero emission transportation infrastructure to serve existing regions

There are also several options for tiering and thresholds, as shown in Table 2 below. One could establish strictly numeric emissions thresholds and require mitigation to below the specific threshold to make a finding of less than significant. One could establish narrative emissions threshold that are based on a broader context of multiple approaches to GHG reductions and a presumption that projects of sufficiently low GHG intensity are less than significant.

In Concept 2A, a zero threshold would be applied to projects and thus only projects that result in a reduction of GHG emissions compared to baseline emissions would be less than significant absent mitigation. All projects would require quantified inventories. All projects that result in a net increase of GHG emissions would be required to mitigate their emissions to zero through direct mitigation or through fees or offsets or the impacts

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Table 2: Approach 2 Tiering Options

	Concept 2A Zero	Concept 2B Quantitative	Concept 2C Qualitative
Tier 1	Project results in a net reduction of GHG emissions *Less than Significant*	Project in compliance with an AB 32-compliant General/Regional Plan, on the Green List, or below Tier 2 threshold. Level 1 Reductions (Could include such measures as: bike parking, transit stops for planned route, Energy Star roofs, Energy Star appliances, Title 24, water use efficiency, etc.) *Less than Significant*	Project in compliance with an AB 32-compliant General/Regional Plan, on the Green List, or below Tier 2 threshold. Level 1 Reductions (See measures under 2B) *Less than Significant*
Tier 2	Project results in net increase of GHG emissions Mitigation to zero (including offsets) *Mitigated to Less than Significant*	Above Tier 2 threshold Level 2 Mitigation (Could include such measures as: Parking reduction beyond code, solar roofs, LEED Silver or Gold Certification, exceed Title 24 by 20%, TDM measures, etc.) *Mitigated to Less than Significant*	Above Tier 2 threshold Level 2 Mitigation (See measures under 2B) *Mitigated to Less than Significant*
Tier 3	Mitigation infeasible to reduce emissions to zero (e.g., cost of offsets infeasible for project or offsets not available) *Significant and Unavoidable*	Above Tier 2 threshold With Level 1, 2 Mitigation Level 3 Mitigation: (Could include such measures as: On-site renewable energy systems, LEED Platinum certification, Exceed Title 24 by 40%, required recycled water use for irrigation, zero waste/high recycling requirements, mandatory transit passes, offsets/carbon impact fees) *Mitigated to Less than Significant*	Above Tier 3 thresholds Quantify Emissions, Level 3 Mitigation (see measures under 2B), and Offsets for 90% of remainder *Significance and Unavoidable*

would be identified as significant and unavoidable. This could be highly problematic and could eliminate the ability to use categorical exemptions and negative declarations for a wide range of projects.

In Concepts 2B and 2C, the first tier of a tiered threshold includes projects that are within a jurisdiction with an adopted greenhouse gas reduction plan (GGRP) and General Plan/Regional Plan that is consistent with AB 32 (and in line with S-3-05), or are on the Green List, or are below the Tier 2 threshold. All Tier 1 projects would be required to implement mandatory reductions required due to other legal authority (Level 1 reductions) such as AB 32, Title 24, or local policies and ordinances. With Level 1

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reduction measures, qualifying Tier 1 projects would be considered less than significant without being required to demonstrate mitigation to zero.

In Concept 2B, the Tier 2 threshold would be quantitative, and quantified inventories would be required. Several quantitative threshold options are discussed below. A more comprehensive set of Level 2 mitigation would be required. If the project's emissions still exceed the Tier 2 threshold, an even more aggressive set of Level 3 mitigation measures would be required including offsets (when feasible) to reduce emissions below the Tier 2 threshold.

In Concept 2C, there would be two thresholds, a lower Tier 2 threshold (the "low bar") and a higher Tier 3 threshold (the "high bar"). The Tier 2 threshold would be the significance threshold for the purposes of CEQA and would be qualitative in terms of units (number of dwelling units, square feet of commercial space, etc.) or a per capita ratio. Projects above the Tier 2 threshold would be required to implement the comprehensive set of Level 2 mitigation. Projects below the Tier 2 threshold would not be required to quantify emissions or reductions. The Tier 3 threshold would be a threshold to distinguish the larger set of projects for which quantification of emissions would be required. Level 3 mitigation would be required and the project would be required to purchase offsets (when feasible) in the amount of 90 percent of the net emissions after application of Level 1 reductions and Level 2 and 3 mitigation. A variant on Concept 2C would be to require mandatory Level 3 mitigation without quantification and offsets.

Approach 2 Threshold Options

Seven threshold options were developed for this approach. The set of options are framed to capture different levels of new development in the CEQA process and thus allow different levels of mitigation. Options range from a zero first-tier threshold (Threshold 2.1) up to a threshold for GHG that would be equivalent to the capture level (i.e., number of units) of the current criteria pollutant thresholds used by some air districts (Threshold 2.4). The decision-based implementation approach discussed above could be used for any of these options. Table 3 below compares the results of each of the approaches discussed here.

Threshold 2.1: Zero First Tier Tiered Threshold.

This option would employ the decision tree concept and set the first tier cut-point at zero. The second tier cut-point could be one of the qualitative or quantitative thresholds discussed below. First-tier projects would be required to implement a list of very feasible and readily available mitigation measures.

Threshold 2.2: Quantitative Threshold Based on Market Capture

A single quantitative threshold was developed in order to ensure capture of 90 percent or more of likely future discretionary developments. The objective was to set the emission

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threshold low enough to capture a substantial fraction of future residential and non-residential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions.

The quantitative threshold was created by using the following steps:

- Reviewing data from four diverse cities (Los Angeles in southern California and Pleasanton, Dublin, and Livermore in northern California) on pending applications for development.

- Determining the unit (dwelling unit or square feet) threshold that would capture approximately 90 percent of the residential units or office space in the pending application lists.

- Based on the data from the four cities, the thresholds selected were 50 residential units and 30,000 square feet of commercial space.

- The GHG emissions associated with 50 single-family residential units and 30,000 square feet of office were estimated and were found to be 900 metric tons and 800 metric tons, respectively. Given the variance on individual projects, a single threshold of 900 metric tons was selected for residential and office projects.

- A 900 metric ton threshold was also selected for non-office commercial projects and industrial projects to provide equivalency for different projects in other economic sectors.

- If this threshold is preferred, it is suggested that a more robust data set be examined to increase the representativeness of the selected thresholds. At a minimum, a diverse set of at least 20 cities and/or counties from throughout the state should be examined in order to support the market capture goals of this threshold. Further, an investigation of market capture may need to be conducted for different commercial project types and for industrial projects in order to examine whether multiple quantitative emissions thresholds or different thresholds should be developed.

The 900-ton threshold corresponds to 50 residential units, which corresponds to the 84th percentile of projects in the City of Los Angeles, the 79th percentile in the City of Pleasanton, the 50th percentile in the City of Livermore and the 4th percentile in the City of Dublin. This is suggestive that the GHG reduction burden will fall on larger projects that will be a relatively small portion of overall projects within more developed central cities (Los Angeles) and suburban areas of slow growth (Pleasanton) but would be the higher portion of projects within moderately (Livermore) or more rapidly developing areas (Dublin). These conclusions are suggestive but not conclusive due to the small sample size. The proposed threshold would exclude the smallest proposed developments

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from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. While this would exclude perhaps 10 percent of new residential development, the capture of 90 percent of new residential development would establish a strong basis for demonstrating that cumulative reductions are being achieved across the state. It can certainly serve as an interim measure and could be revised if subsequent regulatory action by CARB shows that a different level or different approach altogether is called for.

The 900-ton threshold would correspond to office projects of approximately 35,000 square feet, retail projects of approximately 11,000 square feet, or supermarket space of approximately 6,300 square feet. 35,000 square feet would correspond to the 46th percentile of commercial projects in the City of Los Angeles, the 54th percentile in the City of Livermore, and the 35th percentile in the City of Dublin. However, the commercial data was not separated into office, retail, supermarket or other types, and thus the amount of capture for different commercial project types is not known. The proposed threshold would exclude smaller offices, small retail (like auto-parts stores), and small supermarkets (like convenience stores) from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA but would include many medium-scale retail and supermarket projects.

The industrial sector is less amenable to a unit-based approach given the diversity of projects within this sector. One option would be to adopt a quantitative GHG emissions threshold (900 tons) for industrial projects equivalent to that for the residential/commercial thresholds described above. Industrial emissions can result from both stationary and mobile sources. CARB estimates that their suggested reporting threshold for stationary sources of 25,000 metric tons accounts for more than 90 percent of the industrial sector GHG emissions (see Threshold 2.3 for 25,000 metric ton discussion). If the CARB rationale holds, then a 900 metric ton threshold would likely capture at least 90 percent (and likely more) of new industrial and manufacturing sources. If this approach is advanced, we suggest further examination of industrial project data to determine market capture.

This threshold would require the vast majority of new development emission sources to quantify their GHG emissions, apportion the forecast emissions to relevant source categories, and develop GHG mitigation measures to reduce their emissions.

<u>Threshold 2.3: CARB Reporting Threshold</u>

CARB has recently proposed to require mandatory reporting from cement plants, oil refineries, hydrogen plants, electric generating facilities and electric retail providers, cogeneration facilities, and stationary combustion sources emitting $\geq$ 25,000 MT CO_2e/yr. AB 32 requires CARB to adopt a regulation to require the mandatory reporting and verification of emissions. CARB issued a preliminary draft version of its proposed reporting requirements in August 2007 and estimates that it would capture 94 percent of the GHG emissions associated with stationary sources.

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This threshold would use 25,000 metric tons per year of GHG as the CEQA significance level. CARB proposed to use the 25,000 metric tons/year value as a reporting threshold, not as a CEQA significance threshold that would be used to define mitigation requirements. CARB is proposing the reporting threshold to begin to compile a statewide emission inventory, applicable only for a limited category of sources (large industrial facilities using fossil fuel combustion).

A 25,000 metric ton significance threshold would correspond to the GHG emissions of approximately 1,400 residential units, 1 million square feet of office space, 300,000 square feet of retail, and 175,000 square feet of supermarket space. This threshold would capture far less than half of new residential or commercial development.

As noted above, CARB estimates the industrial-based criteria would account for greater than 90 percent of GHG emissions emanating from stationary sources. However, industrial and manufacturing projects can also include substantial GHG emissions from mobile sources that are associated with the transportation of materials and delivery of products. When all transportation-related emissions are included, it is unknown what portion of new industrial or manufacturing projects a 25,000-ton threshold would actually capture.

An alternative would be to use a potential threshold of 10,000 metric tons considered by the Market Advisory Committee for inclusion in a Greenhouse Gas Cap and Trade System in California. A 10,000 metric ton significance threshold would correspond to the GHG emissions of approximately 550 residential units, 400,000 square feet of office space, 120,000 square feet of retail, and 70,000 square feet of supermarket space. This threshold would capture roughly half of new residential or commercial development.

Threshold 2.4: Regulated Emissions Inventory Capture

Most California air districts have developed CEQA significance thresholds for NOx and ROG emissions to try to reduce emissions of ozone precursors from proposed sources that are not subject to NSR pre-construction air quality permitting. The historical management of ozone nonattainment issues in urbanized air districts is somewhat analogous to today's concerns with greenhouse gas emissions in that regional ozone concentrations are a cumulative air quality problem caused by relatively small amounts of NOx and ROG emissions from thousands of individual sources, none of which emits enough by themselves to cause elevated ozone concentrations. Those same conditions apply to global climate change where the environmental problem is caused by emissions from a countless number of individual sources, none of which is large enough by itself to cause the problem. Because establishment of NOx/ROG emissions CEQA significance thresholds has been a well-tested mechanism to ensure that individual projects address cumulative impacts and to force individual projects to reduce emissions under CEQA, this threshold presumes the analogy of NOx/ROG emission thresholds could be used to develop similar GHG thresholds.

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The steps to develop a GHG emission threshold based on the NOx/ROG analogy were as follows:

- For each agency, define its NOx/ROG CEQA thresholds.
- For each agency, define the regional NOx/ROG emission inventory the agency is trying to regulate with its NOx/ROG thresholds.
- For each agency, calculate the percentage of the total emission inventory for NOx represented by that agency's CEQA emission threshold. That value represents the "minimum percentage of regulated inventory" for NOx.
- The current (2004) California-wide GHG emission inventory is 499 million metric tons per year of CO_2 equivalent (MMT CO_2e). Apply the typical "minimum percentage of regulated inventory" value to the statewide GHG inventory, to develop a range of analogous GHG CEQA thresholds.

The preceding methodology was applied to two different air quality districts: the Bay Area Air Quality Management District (BAAQMD), a mostly-urbanized agency within which most emissions are generated from urban areas; and the San Joaquin Valley Air Pollution Control District (SJVAPCD), which oversees emissions emanating in part from rural areas that are generated at dispersed agricultural sources and area sources. For example, in the Bay Area the NOx threshold is 15 tons/year. The total NOx inventory for 2006 was 192,000 tons/year (525 tons/day). The threshold represents 0.008 percent of the total NOx inventory. Applying that ratio to the total statewide GHG emissions inventory of 499 MMT CO_2e (2004) yields an equivalent GHG threshold of 39,000 MMT CO_2e.

The range of analogous CEQA GHG thresholds derived from those two agencies is tightly clustered, ranging from 39,000 to 46,000 tons/year. A 39,000 to 46,000 metric ton threshold would correspond to the GHG emissions of approximately 2,200 to 2,600 residential units, 1.5 to 1.8 million square feet of office space, 470,000 to 560,000 square feet of retail, and 275,000 to 320,000 square feet of supermarket space. This threshold would capture far less than half of new residential or commercial development. Similarly, this threshold would capture less of new industrial/manufacturing GHG emissions inventory than Thresholds 2.2 or 2.3.

Threshold 2.5: Unit-Based Thresholds Based on Market Capture

Unit thresholds were developed for residential and commercial developments in order to capture approximately 90 percent of future development. The objective was to set the unit thresholds low enough to capture a substantial fraction of future housing and commercial developments that will be constructed to accommodate future statewide population and job growth, while setting the unit thresholds high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions. Sector-based thresholds were created by using the same steps

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and data used to create Threshold 2.2- Quantitative Threshold Based on Market Capture above.

The distribution of pending application data suggests that the GHG reduction burden will fall on larger projects that will be a relatively small portion of overall projects within more developed central cities and suburban areas of slow growth but would be the higher portion of projects within moderately or rapidly developing areas. The proposed threshold would exclude the smallest proposed developments from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. While this would exclude perhaps 10 percent of new residential development, the capture of 90 percent of new residential development would establish a strong basis for demonstrating that cumulative reductions are being achieved across the state. It can certainly serve as an interim measure and could be revised if subsequent regulatory action by CARB shows that a different level or different approach altogether is called for.

A similar rationale can be applied to the development of a commercial threshold. Threshold 2.5 would exclude many smaller businesses from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. It should be noted that the GHG emissions of commercial projects vary substantially. For example, the carbon dioxide emissions associated with different commercial types were estimated as follows:

- 30,000 square-foot (SF) office = 800 metric tons/year CO_2
- 30,000 SF retail = 2,500 metric tons/year CO_2
- 30,000 SF supermarket = 4,300 metric tons/year CO_2

Thus, in order to assure appropriate market capture on an emissions inventory basis, it will be important to examine commercial project size by type, instead of in the aggregate (which has been done in this paper).

The industrial sector is less amenable to a unit-based approach given the diversity of projects within this sector. One option would be to use a quantitative threshold of 900 tons for industrial projects in order to provide for rough equivalency between different sectors. Industrial emissions can result from both stationary and mobile sources. However, if the CARB rationale for > 90 percent stationary source capture with a threshold of 25,000 metric tons holds, then a 900 metric ton threshold would likely capture at least 90 percent (and likely more) of new industrial sources. Further examination of unit-based industrial thresholds, such as the number of employees or manufacturing floor space or facility size, may provide support for a unit-based threshold based on market capture.

This threshold would require the vast majority of new development emission sources to quantify their GHG emissions, apportion the forecast emissions to relevant source categories, and develop GHG mitigation measures to reduce their emissions.

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Threshold 2.6. Projects of Statewide, Regional, or Areawide Significance

For this threshold, a set of qualitative, tiered CEQA thresholds would be adopted based on the definitions of "projects with statewide, regional or areawide significance" under the Guidelines for California Environmental Quality Act, CCR Title 14, Division 6, Section 15206(b).

Project sizes defined under this guideline include the following:

- Proposed residential development of more than 500 dwelling units.
- Proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
- Proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
- Proposed hotel/motel development of more than 500 rooms.
- Proposed industrial, manufacturing or processing plant or industrial park planned to house more than 1,000 persons, or encompassing more than 600,000 square feet of floor space.

These thresholds would correspond to the GHG emissions of approximately 9,000 metric tons for residential projects, 13,000 metric tons for office projects, and 41,000 metric tons for retail projects. These thresholds would capture approximately half of new residential development and substantially less than half of new commercial development. It is unknown what portion of the new industrial or manufacturing GHG inventory would be captured by this approach.

Threshold 2.7 Efficiency-Based Thresholds

For this approach, thresholds would be based on measurements of efficiency. For planning efforts, the metric could be GHG emissions per capita or per job or some combination thereof. For projects, the metric could be GHG emission per housing unit or per square foot of commercial space. In theory, one could also develop metrics for GHG emissions per dollar of gross product to measure the efficiency of the economy.

This approach is attractive because it seeks to benchmark project GHG intensity against target levels of efficiency. The thresholds would need to be set such that there is reasonably foreseeable and sufficient reductions compared to business as usual to support meeting AB 32 and S-3-05 goals in time (in combination with command and control regulations). Because this approach would require substantial data and modeling to fully develop, this is a concept considered as a potential future threshold and not appropriate

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for interim guidance in the short term. Thus, it is not evaluated in the screening evaluation in the next section.

Table 3 compares the results for each of the approaches.

Table 3: Comparison of Approach 2 Tiered Threshold Options

Threshold	GHG Emission Threshold (metric tons/year)	Future Development Captured by GHG Threshold
2.1: Zero Threshold	0 tons/year	All
2.2: Quantitative Threshold Based on Market Capture	~900 tons/year	Residential development > 50 dwelling units Office space > 36,000 ft^2 Retail space >11,000 ft^2 Supermarkets >6.300 ft^2 small, medium, large industrial
2.3: CARB GHG Mandatory Reporting Threshold OR Potential Cap and Trade Entry Level	25,000 metric tons/year OR 10,000 metric tons/year	Residential development >1,400 dwelling units OR 550 dwelling units Office space >1 million ft^2 OR 400,000 ft^2 Retail space >300,000 ft^2 OR 120,000 ft^2 Supermarkets >175,000 ft^2 OR 70,000 ft^2 medium/larger industrial
2.4: Regulated Inventory Capture	40,000 – 50,000 metric tons/year	Residential development >2,200 to 2,600 dwelling units Office space >1.5 to 1.8 million ft^2 Retail space >470,000 to 560,000 ft^2 Supermarkets >270,000 to 320,000 ft^2 medium/larger industrial
2.5: Unit-Based Threshold Based on Market Capture	Not applicable.	Residential development >50 dwelling units Commercial space >50,000 ft^2 > small, medium, large industrial (with GHG emissions > 900 tonsCO2e)
2.6: Projects of Statewide, Regional, or Areawide Significance	Not applicable.	Residential development >500 dwelling units Office space >250,000 ft^2 Retail space >500,000 ft^2 Hotels >500 units Industrial project >1,000 employees Industrial project >40 acre or 650,000 ft^2
2.7: Efficiency-Based Thresholds	TBD tons/year/person TBD tons/year/unit	Depends on the efficiency measure selected.

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Implementing CEQA With Tiered Thresholds

Several issues related to Approach 2 are addressed below:

1. *Some applications of this approach may need to be embodied in a duly approved General Plan, or in some other formal regulation or ordinance to be fully enforceable.* Because CEQA does not expressly provide that projects may be deemed insignificant based on implementation of a set of mitigations, this approach may need to be supported with specific and enforceable mechanisms adopted with due public process.

2. *How would this concept affect adoption of air district rules and regulations?* Proposed air district rules and regulations may be subject to CEQA like other projects and plans. Thus, if significance thresholds were adopted by an APCD or AQMD, then they could also apply to air district discretionary actions. If GHG emissions would be increased by a rule or regulation for another regulated pollutant, that would be a potential issue for review under CEQA.

3. *Mitigation measures may not be all-inclusive; better measures now or new future technology would make these measures obsolete.* The mandatory mitigation measures could be periodically updated to reflect current technology, feasibility, and efficiency.

4. *Total reduction may not be quantified or difficult to quantify.* CEQA only requires the adoption of feasible mitigation and thus the reduction effectiveness of required mitigation should not be in question. However, the precise reduction effectiveness may indeed be difficult to identify. As described above, if a quantitative threshold is selected as the measure of how much mitigation is mandated, then best available evidence will need to be used to estimate resultant GHG emissions with mitigation adoption. If a qualitative threshold is selected, then it may not be necessary to quantify reductions.

5. *Difficult to measure progress toward legislative program goals.* One could require reporting of project inventories to the Climate Action Registry, air district, or regional council of governments, or other suitable body. Collection of such data would allow estimates of the GHG intensity of new development over time, which could be used by CARB to monitor progress toward AB 32 goals.

6. *Measures may have adverse impacts on other programs.* The identification of mandatory mitigation will need to consider secondary environmental impacts, including those to air quality.

7. *Consideration of life-cycle emissions.* In many cases, only direct and indirect emissions may be addressed, rather than life-cycle emissions. A project applicant has traditionally been expected to only address emissions that are closely related and within the capacity of the project to control and/or influence. The long chain

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8. of economic production resulting in materials manufacture, for example, involves numerous parties, each of which in turn is responsible for the GHG emissions associated with their particular activity. However, there are situations where a lead agency could reasonably determine that a larger set of upstream and downstream emissions should be considered because they are being caused by the project and feasible alternatives and mitigation measures may exist to lessen this impact.

Approach 2 Tiered Threshold with Mandatory Mitigation

As shown in Table 2, due to the cumulative nature of GHG emissions and climate change impacts, there could be a level of mandatory reductions and/or mitigation for all projects integrated into a tiered threshold approach. In order to meet AB 32 mandates by 2020 and S-3-05 goals, there will need to be adoption of GHG reduction measures across a large portion of the existing economy and new development. As such, in an effort to support a determination under CEQA that a project has a less than considerable contribution to significant cumulative GHG emissions, mitigation could be required on a progressively more comprehensive basis depending on the level of emissions.

- Level 1 Reductions – These reduction measures would apply to all projects and would only consist of AB 32 and other local/state mandates. They would be applied to a project from other legal authority (not CEQA). Level 1 reductions could include such measures as bike parking, transit stops for planned routes, Energy Star roofs, Energy Star appliances, Title 24 compliance, water use efficiency, and other measures. All measures would have to be mandated by CARB or local regulations and ordinances.

- Level 2 Mitigation – Projects that exceed the determined threshold would be required to first implement readily available technologies and methodologies with widespread availability. Level 2 Mitigation could include such measures as: parking reduction below code minimum levels, solar roofs, LEED Silver or Gold Certification, exceed Title 24 building standards by 20 percent, Traffic Demand Management (TDM) measures, and other requirements.

- Level 3 Mitigation - If necessary to reduce emissions to the thresholds, more extensive mitigation measures that represent the top tier of feasible efficiency design would also be required. Level 3 Mitigation could include such measures as: on-site renewable energy systems, LEED Platinum certification, exceed Title 24 building requirements by 40 percent, required recycled water use for irrigation, zero waste/high recycling requirements, mandatory transit pass provision, and other measures.

- Offset Mitigation – If, after adoption of all feasible on-site mitigation, the project is still found to exceed a Tier 2 quantitative threshold, or exceed a Tier 3 qualitative threshold, or if a project cannot feasibly implement the mandatory on-site mitigation, then purchases of offsets could be used for mitigation. In the case

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of a quantitative threshold, the amount of purchase would be to offset below the Tier 2 significance threshold. In the case of a qualitative threshold, the amount of purchase could be to offset GHG emissions overall to below the lowest equivalent GHG emissions among the Tier 2 qualitative thresholds. With Threshold 2.5, this would be approximately 900 tons of GHG emissions (corresponding to 50 residential units). With Threshold 2.6, this would be approximately 9,000 tons (corresponding to 500 residential units). Alternatively, one could require purchase of offsets in the amount of a set percentage (such as 90% or 50% for example) of the residual GHG emissions (after other mitigation). As discussed earlier, any decision to include or require the use of emission reduction credits (or offsets) must consider issues of availability, quality, and environmental justice.

Substantial Evidence Supporting Different Thresholds

If a project can be shown by substantial evidence not to increase GHG emissions relative to baseline emissions, then no fair argument will be available that the project contributes considerably to a significant cumulative climate change impact.

It is more challenging to show that a project that increases GHG emissions above baseline emissions does not contribute considerably to a significant cumulative climate change impact. It is critical therefore, to establish an appropriate cumulative context, in which, although an individual project may increase GHG emissions, broader efforts will result in net GHG reductions.

Approach 1-based thresholds that by default will require an equal level of GHG reductions from the existing economy (Thresholds 1.1, 1.3, and 1.4) may be less supportable in the short run (especially before 2012) than Approach 1.2 (which requires new development to be relatively more efficient than a retrofitted existing economy). This is because, prior to 2012, there will only be limited mandatory regulations implementing AB 32 that could address the existing economy in a truly systematic way that can be relied upon to demonstrate that overall GHG reduction goals can be achieved by 2020. Approach 1.2 will still rely on substantial reductions in the existing economy but to a lesser degree.

Approach 1-based thresholds that would spread the mitigation burden across a sector (Threshold 1.3) or across a region (Threshold 1.4) will allow for tradeoffs between projects or even between municipalities. In order to demonstrate that a sector or a region is achieving net reductions overall, there would need to be feasible, funded, and mandatory requirements in place promoting an overall reduction scheme, in order for a project to result in nominal net increased GHG emissions.

Approach 2-based thresholds that capture larger portions of the new development GHG inventory (Thresholds 2.2 and 2.5) would promote growth that results in a smaller increase in GHG emissions; they may therefore be more supportable than thresholds that do not and that have a greater reliance on reductions in the existing economy (Thresholds

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2.3, 2.4, and 2.6), especially in the next three to five years. With an established cumulative context that demonstrates overall net reductions, all threshold approaches could be effective in ensuring growth and development that significantly mitigates GHG emissions growth in a manner that will allow the CARB to achieve the emission reductions necessary to meet AB 32 targets. In that respect, all of these thresholds are supported by substantial evidence.

Evaluation of Non-Zero Threshold Options

Overarching issues concerning threshold development are reviewed below. Where appropriate, different features or application of the two conceptual approaches and the various options for thresholds under each conceptual approach described above are analyzed. The screening evaluation is summarized in Tables 4 (Approach 1) and 5 (Approach 2). The summary tables rate each threshold for the issues discussed below based on the level of confidence (low, medium or high) ascribed by J&S. The confidence levels relate to whether a threshold could achieve a particular attribute, such as emission reduction effectiveness. For example, a low emission reduction effectiveness rating means the threshold is not expected to capture a relatively large portion of the new development inventory.

As described above, Threshold 2.7 is not included in this evaluation because the data to develop an efficiency-based threshold has not been reviewed at this time and because this threshold is not considered feasible as an interim approach until more detailed inventory information is available across the California economy.

<u>What is the GHG Emissions Effectiveness of Different Thresholds?</u>

Effectiveness was evaluated in terms of whether a threshold would capture a large portion of the GHG emissions inventory and thus require mitigation under CEQA to control such emissions within the larger framework of AB 32. In addition, effectiveness was also evaluated in terms of whether a threshold would require relatively more or less GHG emissions reductions from the existing economy verses new development. This is presumptive that gains from the existing economy (through retrofits, etc.) will be more difficult and inefficient relative to requirements for new development.

Approach 1-based thresholds that require equivalent reductions relative to business-as-usual (Thresholds 1.1, 1.3, and 1.4) for both the existing and new economy will be less effective than thresholds that support lower-GHG intensity new development (Approach 1.2). However, since Approach 1-based thresholds do not establish a quantitative threshold below which projects do not have to mitigate, the market capture for new development is complete.

Approach 2-based thresholds can be more or less effective at capturing substantial portions of the GHG inventory associated with new development depending on where the quantitative or qualitative thresholds are set. Lower thresholds will capture a broader range of projects and result in greater mitigation. Based on the review of project data for

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the select municipalities described in the Approach 2 section above, thresholds based on the CARB Reporting Threshold/Cap and Trade Entry Level (Threshold 2.4) or CEQA definitions of "Statewide, Regional or Areawide" projects (Threshold 2.6) will result in a limited capture of the GHG inventory. Lower quantitative or qualitative thresholds (Thresholds 2.1, 2.2 and 2.5) could result in capture of greater than 90 percent of new development.

Are the Different Thresholds Consistent with AB 32 and S-3-05?

Thresholds that require reductions compared to business-as-usual for all projects or for a large portion of new development would be consistent with regulatory mandates. In time, the required reductions will need to be adjusted from 2020 (AB 32) to 2050 (S-3-05) horizons, but conceptually broad identification of significance for projects would be consistent with both of these mandates. Thresholds that exclude a substantial portion of new development would likely not be consistent, unless it could be shown that other more effective means of GHG reductions have already been, or will be adopted, within a defined timeframe.

All Approach 1-based thresholds would be consistent with AB 32 and S-3-05 if it can be demonstrated that other regulations and programs are effective in achieving the necessary GHG reduction from the existing economy to meet the overall state goals.

Approach 2-based thresholds that include substantive parts of the new development GHG inventory (Thresholds 2.1, 2.2 and 2.5) will be more consistent with AB 32 and S-3-05 than those that do not (Thresholds 2.3, 2.4, and 2.6) unless it can be demonstrated that other regulations and programs are effective in achieving the necessary GHG reduction from the existing economy to meet the overall state goals.

What are the Uncertainties Associated with Different Thresholds?

All thresholds have medium to high uncertainties associated with them due to the uncertainty associated with the effectiveness of AB 32 implementation overall, the new character of GHG reduction strategies on a project basis, the immaturity of GHG reduction technologies or infrastructure (such as widespread biodiesel availability), and the uncertainty of GHG reduction effectiveness of certain technologies (such as scientific debate concerning the relative lifecycle GHG emissions of certain biofuels, for example).

In general, Approach 1-based thresholds have higher uncertainties than Approach 2 thresholds because they rely on a constantly changing definition of business-as-usual. Threshold 1.2, with its relatively smaller reliance on the existing economy for GHG reductions has relatively less uncertainty than other Approach 1 thresholds. Thresholds that spread mitigation more broadly (Thresholds 1.3 and 1.4) have less uncertainty by avoiding the need for every project to mitigate equally.

Approach 2 thresholds with lower quantitative (2.1 and 2.2) or qualitative (2.5) thresholds will have uncertainties associated with the ability to achieve GHG reductions

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from small to medium projects. Approach 2 thresholds with higher quantitative (2.3, 2.4) or qualitative (2.6) thresholds will have uncertainties associated with the ability to achieve relatively larger GHG reductions from the existing economy.

What are Other Advantages/Disadvantages of the Different Thresholds?

Thresholds with a single project metric (Thresholds 1.1, 1.2, 2.1, 2.2, 2.3, 2.4, 2.5, and 2.6) will be easier to apply to individual projects and more easily understood by project applicants and lead agencies broadly. Thresholds that spread mitigation across sectors (1.3) or regions (1.4), while simple in concept, will require adoption of more complicated cross-jurisdictional reduction plans or evaluation of broad sector-based trends in GHG intensity reduction over time. Approach 1 options would require all projects to quantify emissions in order to determine needed reductions relative to business-as-usual (which will change over time as described above). Concepts that are unit-based (Threshold 2.5 and 2.6) will not result in thresholds that have equal amount of GHG emissions, and thus equity issues may arise.

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Table 4: Non-Zero Threshold Evaluation Matrix – Approach 1

Approach 1	**1.1**	**1.2**	**1.3**	**1.4**
	28% - 33% Reduction from BAU by 2020 by Project	**50% Reduction from BAU by 2020 by Project**	**28% - 33% Reduction by 2020 by Sector**	**28% - 33% Reduction by 2020 by Region**
GHG Emissions Reduction Effectiveness	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.	**Medium** - Captures all new projects and has a more realistic level of reductions from the existing economy.	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.
Economic Feasibility	**Low** - Some projects will not be able to afford this level of reduction without effective market-based mechanisms like offsets.	**Low** - Some projects will not be able to afford this level of reduction without effective market-based mechanisms like offsets.	**Medium** - Sectors as a whole will be better able to achieve reductions than individual projects.	**Low** - Some regions and newly developed areas may not be able to afford this level of reduction without effective market-based mechanisms like offsets.
Technical Feasibility	**Medium** - Some projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**Low** - Relatively larger set of projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**High** - Some projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**Medium** - Some regions and newly developed areas may not be able to afford this level of reduction without effective market-based mechanisms like offsets.
Logistical Feasibility	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.
Consistency with AB-32 and S-03-05	**Medium** - Would require heavy reliance on command and control gains.	**High**	**Medium-High** - Would rely on command and control gains, but would allow sectoral flexibility.	**Medium-High** - Would rely on command and control gains, but would allow regional flexibility.
Cost Effectiveness	**Low** - Will require all types of projects to reduce the same regardless of the cost/ton of GHG reductions.	**Low** - Will require all types of projects to reduce the same regardless of the cost/ton of GHG reductions.	**Low/Medium** - Allows tradeoffs within sector between high and low cost reduction possibilities but not between sectors.	**Low/Medium** - Allows tradeoffs within region between high and low cost reduction possibilities, but not between regions.
Uncertainties	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.	**Medium/High** - BAU changes over time. Ability to limit GHG emissions from other new development will take years to demonstrate.	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.
Other Advantages	Simple/easy to explain.	Simple/easy to explain.	Spreads mitigation broadly	Spreads mitigation broadly
Other Disadvantages	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.

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Table 5: Non-Zero Threshold Evaluation Matrix – Approach 2

Approach 2	2.1	2.2	2.3	2.4	2.5	2.6
	Zero Threshold	**Quantitative (900 tons)**	**Quantitative CARB Reporting Threshold/Cap and Trade (25,000 tons/ 10,000 tons)**	**Quantitative Regulated Inventory Capture (~40,000 - 50,000 tons)**	**Qualitative Unit-Based Thresholds**	**Statewide, Regional or Areawide (CEQA Guidelines 15206(b)).**
GHG Emissions Reduction Effectiveness	**High** - Captures all sources.	**High** - Market capture at >90%. Captures diverse sources.	**Medium** - Moderate market capture.	**Low** - Low market capture.	**High** - Market capture at ~90%. Captures diverse sources; excl. smallest proj.	**Medium** - Moderate market capture. Excludes small and med. projects.
Economic Feasibility	**Low** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**High** - Large projects have greater ability to absorb cost.	**High** - Large projects have greater ability to absorb cost.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**High** - Large projects have greater ability to absorb cost.
Technical Feasibility	**Low** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be inefficient to mitigate.	**High** - Greater opportunities for multiple reduction approaches.	**High** - Greater opportunities for multiple reduction approaches.	**Medium** - Early phases will be substantial change in BAU, particularly for smaller projects may be inefficient to mitigate.	**High** - Greater opportunities for multiple reduction approaches.
Logistical Feasibility	**Low** - Unless fee or offset basis,very difficult to mitigate all projects.	**Medium** - BMPs broadly written to allow diversity; new req. will take time to integrate into new dev.	**High** - Less mitigation.	**High** - Less mitigation.	**Medium** - BMPs broadly written to allow diversity; new req. will take time to integrate into new dev.	**High** - Less mitigation.
Consistency with AB-32 and S-03-05	**High** - Market capture.	**High** - Market capture at >90%.	**Low** - Would rely on command and control success heavily.	**Low** - Would rely on command and control success heavily.	**Medium** - Need to demonstrate adequate market capture over time.	**Low** - Would rely on command and control success heavily.
Cost Effectiveness	**Low** - Will result in inefficient mitigation approaches. Efficiency will improve in time.	**Medium** - Emphasis is on new dev., req. for mitigation will result in inefficient mitigation approaches in early phases. Efficiency will improve in time.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.	**Medium** - Emphasis is on new dev.; req. for mitigation will result in inefficient mitigation approaches in early phases. Efficiency will improve in time.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.
Uncertainties	**High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects unlikely.	**Medium/High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects uncertain.	**High** - Gains from command and control likely longer to be realized.	**High** - Gains from command and control likely longer to be realized.	**Medium/High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects uncertain.	**High** - Gains from command and control likely longer to be realized.
Other Advantages	Single threshold.	Single threshold. BMPs can be updated. Greenlist can be updated.	Single threshold. Does not change CEQA processing for most projects. CARB inventory = project inv.. All projects treated same.	Single threshold. Does not change CEQA processing for most projects. Follows established SIP practice.	BMPs can be updated. Greenlist can be updated. Unit-Based thresholds can be updated.	Existing guideline. Does not change CEQA processing for most projects. Endorsed by Cal. Chapter of the APA.
Other Disadvantages	Requires all projects to quantify emissions.	Requires nearly all projects to quantify emissions.			Sectoral projects have different GHG emis. Only largest projects to quantify emis.	Sectoral projects have different GHG emissions.

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Introduction

This chapter evaluates the availability of various analytical methods and modeling tools that can be applied to estimate the greenhouse gas emissions from different project types subject to CEQA. This chapter will also provide comments on the suitability of the methods and tools to accurately characterize a projects emissions and offer recommendations for the most favorable methodologies and tools available. Some sample projects will be run through the methodologies and modeling tools to demonstrate what a typical GHG analysis might look like for a lead agency to meet its CEQA obligations. The air districts retained the services of EDAW environmental consultants to assist with this effort.

Methodologies/Modeling Tools

There are wide varieties of discretionary projects that fall under the purview of CEQA. Projects can range from simple residential developments to complex expansions of petroleum refineries to land use or transportation planning documents. It is more probably than not, that a number of different methodologies would be required by any one project to estimate its direct and indirect GHG emissions. Table 10 contains a summary of numerous modeling tools that can be used to estimate GHG emissions associated with various emission sources for numerous types of project's subject to CEQA. The table also contains information about the models availability for public use, applicability, scope, data requirements and its advantages and disadvantages for estimating GHG emissions.

In general, there is currently not one model that is capable of estimating all of a project's direct and indirect GHG emissions. However, one of the models identified in Table 9 would probably be the most consistently used model to estimate a projects direct GHG emissions based on the majority of projects reviewed in the CEQA process. The Urban Emissions Model (URBEMIS) is designed to model emissions associated with development of urban land uses. URBEMIS attempts to summarize criteria air pollutants and CO_2 emissions that would occur during construction and operation of new development. URBEMIS is publicly available and already widely used by CEQA practitioners and air districts to evaluate criteria air pollutants emissions against air district-adopted significance thresholds. URBEMIS is developed and approved for statewide use by CARB. The administrative reasons for using URBEMIS are less important than the fact that this model would ensure consistency statewide in how CO_2 emissions are modeled and reported from various project types.

One of the shortfalls of URBEMIS is that the model does not contain emission factors for GHGs other than CO_2, except for methane (CH_4) from mobile-sources, which is converted to CO_2e. This may not be a major problem since CO_2 is the most important GHG from land development projects. Although the other GHGs have a higher global warming potential, a metric used to normalize other GHGs to CO_2e, they are emitted in far fewer quantities. URBEMIS does not calculate other GHG emissions associated with

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off-site waste disposal, wastewater treatment, emissions associated with goods and services consumed by the residents and workers supported by a project. Nor does URBEMIS calculate GHGs associated with consumption of energy produced off-site. (For that matter, URBEMIS does not report criteria air pollutant emissions from these sources either).

Importantly, URBEMIS does not fully account for interaction between land uses in its estimation of mobile source operational emissions. Vehicle trip rates are defaults derived from the Institute of Transportation Engineers trip generation manuals. The trip rates are widely used and are generally considered worst-case or conservative. URBEMIS does not reflect "internalization" of trips between land uses, or in other words, the concept that a residential trip and a commercial trip are quite possibly the same trip, and, thus, URBEMIS counts the trips separately. There are some internal correction settings that the modeler can select in URBEMIS to correct for "double counting"; however, a project-specific "double-counting correction" is often not available. URBEMIS does allow the user to overwrite the default trip rates and characteristics with more project-specific data from a traffic study prepared for a project.

Residential, Commercial, Mixed-Use Type Projects/ Specific Plans

Direct Emissions

URBEMIS can be used to conduct a project-specific model run and obtain CO_2e emissions for area and mobile sources from the project, and convert to metric tons CO_2e. When a project-specific traffic study is not available, the user should consult with their local air district for guidance. Many air district staff are experienced practitioners of URBEMIS and can advise the lead agency or the modeler on how to best tailor URBEMIS default input parameters to conduct a project-specific model run. When a traffic study has been prepared for the project, the user must overwrite default trip length and trip rates in URBEMIS to match the total number of trips and vehicle miles traveled (VMT) contained in the traffic study to successfully conduct a project-specific model run. URBEMIS is recommended as a calculation tool to combine the transportation study (if available) and EMFAC emission factors for mobile-sources. Use of a project-specific traffic study gets around the main shortfall of URBEMIS: the lack of trip internalization. URBEMIS also provides the added feature of quantifying direct area-source GHG emissions.

Important steps for running URBEMIS

1. Without a traffic study prepared for the project, the user should consult with the local air district for direction on which default options should be used in the modeling exercise. Some air districts have recommendations in the CEQA guidelines.

2. If a traffic study was prepared specifically for the project, the following information must be provided:

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a. Total number of average daily vehicle trips *or* trip-generation rates by land use type per number of units; and,

b. Average VMT per residential *and* nonresidential trip.

c. The user overwrites the "Trip Rate (per day)" fields for each land use in URBEMIS such that the resultant "Total Trips" and the "Total VMT" match the number of total trips and total VMT contained in the traffic study.

d. Overwrite "Trip Length" fields for residential and nonresidential trips in UBEMIS with the project-specific lengths obtained form the traffic study.

3. Calculate results and obtain the CO_2 emissions from the URBEMIS output file (units of tons per year [TPY]).

Indirect Emissions

URBEMIS does estimate indirect emissions from landscape maintenance equipment, hot water heaters, etc. URBEMIS does not however, provide modeled emissions from indirect sources of emissions, such as those emissions that would occur off-site at utility providers associated with the project's energy demands. The California Climate Action Registry (CCAR) Protocol v.2.2 includes methodology, which could be used to quantify and disclose a project's increase in indirect GHG emissions from energy use. Some assumptions must be made for electrical demand per household or per square foot of commercial space, and would vary based on size, orientation, and various attributes of a given structure. An average rate of electrical consumption for residential uses is 7,000 kilowatt hours per year per household and 16,750 kilowatt hours per thousand square feet of commercial floor space. Commercial floor space includes offices, retail uses, warehouses, and schools. These values have been increasing steadily over the last 20 years. Energy consumption from residential uses has increased due to factors such as construction and occupation of larger homes, prices of electricity and natural gas, and increased personal income allowing residents to purchase more electronic appliances. Commercial energy consumption is linked to factors such as vacancy rates, population, and sales.

The modeler will look up the estimated energy consumption for the project's proposed land uses under year of project buildout, or use the values given in the previous paragraph for a general estimate. The CCAR Protocol contains emission factors for CO_2, CH_4, and nitrous oxide. The "CALI" region grid serves most of the State of California. If a user has information about a specific utility provider's contribution from renewable sources, the protocol contains methodology to reflect that, rather than relying on the statewide average grid. The incremental increase in energy production associated with project operation should be accounted for in the project's total GHG emissions for inclusion in the environmental document.

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The incremental increase in energy production associated with project operation should be accounted for in the project's total GHG emissions, but it should be noted that these emissions would be closely controlled by stationary-source control-based regulations and additional regulations are expected under AB 32. However, in the interest of disclosing project-generated GHG emissions and mitigating to the extent feasible, the indirect emissions from off-site electricity generation can be easily calculated for inclusion in the environmental document.

Example Project Estimates for GHG Emissions

Residential Project

Project Attributes:

- 68 detached dwelling units
- 15.9 acres
- 179 residents
- 0 jobs
- Located in unincorporated Placer County (PCAPCD jurisdiction)
- Analysis year 2009

As shown in Table 6, the project's direct GHG emissions per service population (SP) would be approximately 8 metric tons CO_2e/SP/year.

Table 6: Residential Project Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	251	Residents	179
Mobile-source emissions	1,044	Jobs	0
Indirect emissions (from CCAR Protocol)	174		
Total operational emissions	**1,469**	Service population	179
Operational emissions/SP	**8.2**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population(see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Commercial Project

Project Attributes:

- Free Standing Discount Superstore: 241 thousand square feet (ksf)
- 0 residents

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- 400 jobs
- Located in the San Joaquin Valley Air Pollution Control District's (SJVAPCD) jurisdiction
- Analysis year 2009

Table 7: Commercial Project Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	464	Residents	0
Mobile-source emissions	13,889	Jobs	400
Indirect emissions (from CCAR Protocol)	1,477		
Total operational emissions	**15,830**	Service population	400
Operational emissions/SP	**39.6**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Specific Plan

If used traditionally with default trip rates and lengths, rather than project-specific (Traffic Analysis Zone-specific) trip rates and lengths, URBEMIS does not work well for specific plan or general plan-sized projects with multiple land use types proposed. However, in all instances, projects of these sizes (several hundred or thousand acres) would be accompanied by a traffic study. Thus, for large planning-level projects, URBEMIS can be used as a calculation tool to easily obtain project-specific mobile-source emissions. The user should follow the steps discussed above; wherein he/she overwrites the default ITE trip rates for each land use type with that needed to make total VMT match that contained in the traffic study. The URBEMIS interface is a simple calculator to combine the traffic study and EMFAC emissions factors for mobile-source CO_2.

Project Attributes:

- 985 acres
- Total dwelling units: 5,634
- Commercial/Mixed Use: 429 ksf
- Educational: 2,565 ksf
- 14,648 residents
- 3,743 jobs
- Located in Sacramento County (SMAQMD jurisdiction)
- Analysis year 2009

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Table 8: Specific Plan Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	23,273	Residents	14,648
Mobile-source emissions	73,691	Jobs	3,743
Indirect emissions (from CCAR Protocol)	32,744		
Total operational emissions	**129,708**	Service population	18,391
Operational emissions/SP	**7.1**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

The specific plan example, when compared to the residential or commercial examples, illustrates the benefit of a mixed-use development when you look at CO_2e emissions per resident or job (service population) metric (see definition of service population below in discussion of Normalization/Service Population Metric). Though this particular specific plan is not an example of a true jobs/housing balance, the trend is clear: accommodating residents and jobs in a project is more efficient than residents or jobs alone.

Stationary- and Area-Source Project Types

GHG emissions from stationary or area sources that require a permit to operate from the air district also contain both direct and indirect sources of emissions. Examples of these types of sources would be fossil fuel power plants, cement plants, landfills, wastewater treatment plants, gas stations, dry cleaners and industrial boilers. All air districts have established procedures and methodologies for projects subject to air district permits to calculate their regulated pollutants. It is anticipated that these same procedures and methodologies could be extended to estimate a permitted facility's GHG calculations. For stationary and area sources that do not require air district permits, the same methodologies used for permitted sources could be used in addition to URBEMIS and CCAR GRP to calculate GHG emissions from these facilities.

Wastewater Treatment Facilities

Direct GHG emissions associated with a proposed waste water treatment plant can be calculated using AP-42 emission factors from Chapter 4.3.5 Evaporative Loss Sources: Waste Water-Greenhouse Gases and the CCAR methodology. In general, most wastewater operations recover CH_4 for energy, or use a flare to convert the CH_4 to CO_2. There are many types of wastewater treatment processes and the potential for GHG emissions from different types of plants varies substantially. There is not one standard set of emission factors that could be used to quantify GHG emissions for a state

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"average" treatment plant. Thus, research will need to be conducted on a case-by-case basis to determine the "Fraction Anaerobically Digested" which is a function of the type of treatment process. Indirect emissions from these facilities can be calculated using the CCAR energy use protocols and URBEMIS model for transportation emissions.

Solid Waste Disposal Facilities

Air districts will have emission estimate methodologies established for methane emissions at permitted landfills. In addition, EPA's Landfill Gas Emissions Model (LandGem) and the CCAR methodology could also be used to quantify GHG emissions from landfill off gassing; however, this model requires substantial detail be input. The model uses a decomposition rate equation, where the rate of decay is dependent on the quantity of waste in place and the rate of change over time. This modeling tool is free to the public, but substantial project detail about the operation of the landfill is needed to run the model. Indirect emissions from these facilities can be calculated using the CCAR energy use protocols and URBEMIS model for transportation emissions.

Construction Emissions

GHG emissions would occur during project construction, over a finite time. In addition, a project could result in the loss of GHG sequestration opportunity due primarily to the vegetation removed for construction. URBEMIS should be used to quantify the mass of CO_2 that would occur during the construction of a project for land development projects. Some construction projects would occur over an extended period (up to 20–30 years on a planning horizon for general plan buildout, or 5–10 years to construct a dam, for example). OFFROAD emission factors are contained in URBEMIS for CO_2 emissions from construction equipment. For other types of construction projects, such as roadway construction projects or levee improvement projects, SMAQMD's spreadsheet modeling tool, the Road Construction Emissions Model (RoadMod), should be used. This tool is currently being updated to include CO_2 emissions factors from OFFROAD.

The full life-cycle of GHG emissions from construction activities is not accounted for in the modeling tools available, and the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. The emissions disclosed will be from construction equipment and worker commutes during the duration of construction activities. Thus, the mass emissions in units of metric tons CO_2e/year should be reported in the environmental document as new emissions.

General Plans

In the short-term, URBEMIS can be used as a calculation tool to model GHG emissions from proposed general plans, but only if data from the traffic study is incorporated into model input. The same methodology applied above in the specific plan example applies to general plans. The CCAR GRP can be used to approximate indirect emissions from

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increased energy consumption associated with the proposed plan area. The same models and methodologies discussed previously for wastewater, water supply and solid waste would be used to estimate indirect emissions resulting from buildout of the general plan.

In the longer-term, more complex modeling tools are needed, which would integrate GHG emission sources from land use interaction, such as I-PLACE^{3}S or CTG Energetics' Sustainable Communities Custom Model attempt to do. These models are not currently available to the public and only have applicability in certain areas of the state. It is important that a tool with statewide applicability be used to allow for consistency in project treatment, consideration, and approval under CEQA.

Scenarios

At the general plan level, the baseline used for analyzing most environmental impacts of a general plan update is typically no different from the baseline for other projects. The baseline for most impacts represents the existing conditions, normally on the date the Notice of Preparation is released. Several comparative scenarios could be relevant, depending on the exact methodological approach and significance criteria used for GHG assessment:

- Existing Conditions. The GHG emissions associated with the existing, on-the-ground conditions within the planning area.

- 1990 conditions. The GHG emissions associated with the general plan area in 1990. This is relevant due to the state's AB 32 GHG emission reduction goals' benchmark year of 1990. The GHG-efficiency of 1990 development patterns could be compared to that of the general plan buildout.

- Buildout of the Existing General Plan. The GHG emissions associated with buildout of the existing general plan (without the subject update). This is the no project alternative for the purposes of general plan CEQA analysis.

- Buildout of the Updated General Plan. The GHG emissions associated with buildout of the general plan, as proposed as a part of the subject update. This would include analysis of any changes included as a part of the general plan update for the existing developed portions of the planning area. Many communities include redevelopment and revitalization strategies as a part of the general plan update. The general plan EIR can include assumptions regarding what level and type of land use change could be facilitated by infill and redevelopment. Many jurisdictions wish to provide future projects consistent with these land use change assumptions with some environmental review streamlining. In addition, many communities include transit expansions, pedestrian/bicycle pathway improvements, multi-modal facility construction, travel demand policies, energy efficiency policies, or other measures that could apply to the existing developed area, just as they may apply to any new growth

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areas. Such policies could affect the overall GHG emissions of the built out general plan area.

- Increment between Buildout of Updated General Plan and Existing General Plan Area. There are many important considerations associated with the characterization of the impact of the General Plan update. The actual GHG emissions impact could be described as the difference between buildout under the existing and proposed land use plan (No-Build Alternative). However, the courts have held that an EIR should also analyze the difference between the proposed General Plan and the existing environment (*Environmental Planning & Information Council v. County of El Dorado* (EPIC) (1982) 131 Cal.App.3d 350). At the General Plan level, over the course of buildout, some new land uses are introduced, which could potentially add operational GHG emissions and potentially remove existing sequestration potential. Some properties become vacant and are not redeveloped. Other properties become vacant and then are redeveloped. Communities cannot pretend to understand fully in advance each component of land use change. The programmatic document is the preferred method of environmental analysis. Through this programmatic framework, communities develop buildout assumptions as a part of the General Plan that are normally used as a basis of environmental analysis. For certain aspects of the impact analysis, it becomes important not just to understand how much "new stuff" could be accommodated under the updated General Plan, but also the altered interactions between both "new" and "existing" land uses within the planning area. As addressed elsewhere, there are tools available for use in understanding land use/transportation interactions at the General Plan level. Without the GHG targets established by AB 32, a simple mass comparison of existing conditions to General Plan buildout might be appropriate.

However, within the current legal context, the GHG efficiency of the updated General Plan becomes the focus of analysis. Some options in this regard include:

- Estimate the GHG emissions associated with all the land uses included within the planning area upon buildout of the General Plan using no project specific information (regional, countywide, or statewide defaults). Estimate GHG emissions using project specific information from the transportation engineer, transportation demand policies, community design elements, energy efficiency requirements, wastewater treatment and other public infrastructure design changes, and other components. Compare these two calculations. Is the second calculation reduced by the percent needed to meet AB 32 goals compared to the first calculation?

- Estimate the GHG emissions associated with the 1990 planning area and the per-capita or per-service population GHG associated with the 1990 planning area. (Many communities are establishing GHG inventories using different tools). Estimate the GHG emissions associated with buildout of the proposed General Plan update and the resulting per-capita or per-service population GHG

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emissions. Compare the two calculations. Is the General Plan buildout per-capita or per-service population level greater than the 1990 estimate?

Example General Plan Update: Proposed new growth area

Project Attributes:

- 10,050 single family dwelling units
- 652 multi-family dwelling units
- 136 acres parks
- 2,047 ksf commercial (regional shopping center)
- 2,113 ksf office
- 383 acres industrial park
- 31,293 new residents
- 4,945 new jobs
- Located in Stanislaus County (SJVAPCD jurisdiction)
- Analysis year 2025

Table 9: General Plan Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric CO_2e Tons/Year	Demographic Data	
Construction emissions	12,083*	Residents	31,293
Area-source emissions	45,708		
Mobile-source emissions	263,954	Jobs	4,945
Indirect emissions (from CCAR Protocol)	78,385		
Total operational emissions	**388,046**	Service population	36,238
Operational emissions/SP	**10.7**		

* Approximately 241,656 metric tons CO_2e total at general plan buildout (assumes 20-year buildout period). Construction emissions were not included in total operational emissions.
Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).
Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Due to the programmatic level of analysis that often occurs at the general plan level, and potential for many relevant GHG emission quantities, it could be preferable to use a qualitative approach. Such an analysis could address the presence of GHG-reducing policy language in the general plan.

Three possible tiers of approaches to addressing GHG mitigation strategies, either as general plan policy, general plan EIR mitigation measures, or both, include:

- Forward planning
- Project toolbox
- Defer to GHG reductions plan

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The three basic approaches are described below.

1. Bring reduction strategies into the plan itself. The most effective way for local jurisdictions to achieve GHG emissions reductions in the medium- and long-term is through land use and transportation policies that are built directly into the community planning document. This involves creating land use diagrams and circulation diagrams, along with corresponding descriptive standards, that enable and encourage alternatives to travel and goods movement via cars and trucks. The land use and circulation diagrams provide a general framework for a community where people can conduct their everyday business without necessarily using their cars. The overall community layout expressed as a part of the land use and circulation diagrams is accompanied by a policy and regulatory scheme designed to achieve this community layout. Impact fees, public agency spending, regulations, administrative procedures, incentives, and other techniques are designed to facilitate land use change consistent with the communities' overall vision, as expressed in policy and in the land use diagram. There are many widely used design principles that can be depicted in land use and circulation diagrams and implemented according to narrative objectives, standards, and policies:

- Connectivity. A finely-connected transportation network shortens trip lengths and creates the framework for a community where homes and destinations can be placed close in proximity and along direct routes. A hierarchical or circuitous transportation network can increase trip lengths and create obstacles for walking, bicycling, and transit access. This policy language would likely be found in the Circulation Element.

- Compactness. Compact development, by its nature, can increase the efficiency of infrastructure provision and enable travel modes other than the car. If communities can place the same level of activity in a smaller space, GHG emissions would be reduced concurrently with VMT and avoid unnecessary conversion of open space. This policy language would likely be found in the Land Use Element.

- Diversity. Multiple land use types mixed in proximity around central "nodes" of higher-activity land uses can accommodate travel through means other than a car. The character and overall design of this land use mix is, of course, different from community to community. This policy language would likely be found in the Land Use Element.

- Facilities. Pedestrian, bicycle, and public transportation improvements, planning, and programming are sometimes an afterthought. To get a more GHG-efficient mode share, safe and convenient bike lanes, pedestrian pathways, transit shelters, and other facilities are required to be planned along with the vehicular travel network. This policy language would likely be found in the Circulation Element.

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- Redevelopment. One way to avoid GHG emissions is to facilitate more efficient and economic use of the lands in already-developed portions of a community. Reinvestment in existing neighborhoods and retrofit of existing buildings is appreciably more GHG efficient than greenfield development, and can even result in a net reduction in GHG emissions. This policy language would likely be found in the Conservation or Land Use Element.

- Housing and Employment. Most communities assess current and future economic prospects along with long-range land use planning. Part of the objective for many communities is to encourage the coalescence of a labor force with locally available and appropriate job opportunities. This concept is best known as "jobs-housing balance." This policy language would likely be found in the Housing Element.

- Planning Level Versus Project Level. For transportation-related GHG emissions that local governments can mitigate through land use entitlement authority, the overall community land use strategy and the overall transportation network are the most fruitful areas of focus. The reduction capacity of project-specific mitigation measures is greatly limited if supportive land use and transportation policies are lacking at the community planning level. The regional economic context, of course, provides an important backdrop for land use and transportation policy to address GHG emissions. Within this context, the general plan is the readily available tool for local governments to establish such land use and transportation strategies. This policy language would likely be found in the Land Use and Circulation Elements.

- Shipping Mode Shift. Locate shipping-intensive land uses in areas with rail access. Some modes of shipping are more GHG-intensive than others. Rail, for example, requires only about 15 to 25 percent of the energy used by trucks to ship freight equivalent distances and involves reduced transportation-related GHG emissions. Cities and counties have little direct control over the method of shipment that any business may choose. Nevertheless, as a part of the general planning process, cities and counties can address constraints on the use of rail for transporting goods. This policy language would likely be found in the Land Use and Circulation Elements.

2. Provide a "toolbox" of strategies after the project site has been selected. In addition to the examples of design principles that are built into the community planning process, communities can offer project applicants a range of tools to reduce GHG emissions. Mitigation strategies are elaborated in detail in Chapter 9.

3. Defer to General Plan implementation measure. Develop and implement a GHG Emissions Reduction Plan. Another option for local governments would be development of an implementation measure as a part of the general plan that outlines an enforceable GHG reduction program. Perhaps the most well known example of this approach is the result of California's Attorney General settlement of the lawsuit brought against San

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Bernardino County. The County has agreed to create a 1990 GHG inventory and develop measures to reduce such emissions according to the state's overall goals. Other communities have pursued similar programs (i.e., the City of San Diego, Marin County). Along with the inventories, targets, and example reduction measures, these programs would include quantitative standards for new development; targets for reductions from retrofitting existing development; targets for government operations; fee and spending program for GHG reduction programs; monitoring and reporting; and other elements. The local government itself should serve as a model for GHG reduction plan implementation, by inventorying emissions from government operations and achieving emission reductions in accordance with the plan's standards. An optional climate change element could be added to contain goals, policies, and this implementation strategy, or this could belong in an optional air quality element.

Other Project Types

Air District Rules, Regulations and Air Quality Plans

Air district air quality plans, rules and regulations could have the potential to increase or decrease GHG emissions within their respective jurisdiction. In general, air district air quality plans, rules and regulations act to reduce ozone precursors, criteria air pollutant and toxic air contaminant emissions, which would almost always act to reduce GHG emissions simultaneously. However, this may not always be the case.

Air Quality Plans

Air districts will have to include GHG emissions analysis as part of their criteria air pollutant and toxic air contaminant air pollutant analysis when considering the adoption of air quality plans and their subsequent rules and regulations needed to implement the plans. Multiple models and methodologies will be needed to accomplish this analysis.

Regional Transportation Plans

Regional transportation plans would also need to be evaluated on a case-by-case basis to determine if a net increase or decrease in GHG emissions would occur. Complex interactions between the roadway network, operating conditions, alternative transportation availability (such as public transit, bicycle pathways, and pedestrian infrastructure), and many other independent parameters specific to a region should be considered. Regional transportation models exist to estimate vehicular emissions associated with regional transportation plans, which includes the ability to estimate GHG emissions.

Normalization/Service Population Metric

The above methodology would provide an estimate of the mass GHG emissions generated by a proposed project, which could be compared to a mass emission threshold. EDAW developed a methodology that would measure a project's overall GHG efficiency

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in order to determine if a project is more efficient than the existing statewide average for per capita GHG emissions. The following steps could be employed to estimate the GHG-"efficiency," which may be more directly correlated to the project's ability to help obtain objectives outlined in AB 32, although it relies on establishment of an efficiency-based significance threshold. The subcommittee believes this methodology may eventually be appropriate to evaluate the long-term GHG emissions from a project in the context of meeting AB 32 goals. However, this methodology will need substantially more work and is not considered viable for the interim guidance presented in this white paper.

- Divide the total operational GHG emissions by the Service Population (SP) supported by the project (where SP is defined as the sum of the number of residents and the number of jobs supported by the project). This value should be compared to that of the projected statewide GHG emissions inventory from the applicable end-use sectors (electricity generation, residential, commercial/institutional, and mobile-source) in 1990 divided by the projected statewide SP for the year 2020 (i.e., AB 32 requirements), to determine if the project would conflict with legislative goals.

    - If the project's operational GHG/SP falls below AB 32 requirements, then the project's GHG emissions are less than cumulatively considerable.

    - If the project's operational GHG/SP exceed AB 32 requirements (a substantial contribution), then the project's GHG emissions would conflict with legislative requirements, and the impact would be cumulatively considerable and mitigation would be required where feasible.

- New stationary and area sources/facilities: calculate GHG emissions using the CCAR GRP. All GHG emissions associated with new stationary or area sources should be treated as a net increase in emissions, and if deemed significant, should be mitigated where feasible.

- Road or levee construction projects or other construction-only projects: calculate GHG emissions using the RoadMod, which will be updated to contain GHG emission factors from EMFAC and OFFROAD. All construction-generated GHG emissions should be treated as a net increase, and if deemed significant, should be mitigated to the extent feasible.

- Air District rulemaking or air quality management plan-type projects should be evaluated on a case-by-case basis for secondary impacts of increased GHG emissions generation. In most cases, the types of projects that act to reduce regional air pollution simultaneously act to reduce GHG emissions, and would be beneficial, but should be evaluated for secondary effects from GHG emissions.

- Regional transportation plans should also be evaluated on a case-by-case basis for potential to either reduce or increase GHG emissions from the transportation sector. EMFAC can be utilized to determine the net change in GHG emissions

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associated with projected vehicle VMT and from operating speed changes associated with additional or alleviated congestion.

To achieve the goals of AB 32, which are tied to GHG emission rates of specific benchmark years (i.e., 1990), California would have to achieve a lower rate of emissions per unit of population and per unit of economic activity than it has now. Further, in order to accommodate future population and economic growth, the state would have to achieve an even lower rate of emissions per unit than was generated in 1990. (The goal to achieve 1990 quantities of GHG emissions by 2020 means that this will need to be accomplished in light of 30 years of population and economic growth in place beyond 1990.) Thus, future planning efforts that would not encourage new development to achieve its fair share of reductions in GHG emissions would conflict with the spirit of the policy decisions contained in AB 32, thus impeding California's ability to comply with the mandate.

Thus, if a statewide context for GHG emissions were pursued, any net increase in GHG emissions within state boundaries would be considered "new" emissions. For example, a land development project, such as a specific plan, does not necessarily create "new" emitters of GHG, but would theoretically accommodate a greater number of residents in the state. Some of the residents that move to the project could already be California residents, while some may be from out of state (or would 'take the place' of in-state residents who 'vacate' their current residences to move to the new project). Some may also be associated with new births over deaths (net population growth) in the state. The out-of-state residents would be contributing new emissions in a statewide context, but would not necessarily be generating new emissions in a global context. Given the California context established by AB 32, the project would need to accommodate an increase in population in a manner that would not inhibit the state's ability to achieve the goals of lower total mass of emissions.

The average net influx of new residents to California is approximately 1.4 percent per year (this value represents the net increase in population, including the net contribution from births and deaths). With population growth, California also anticipates economic growth. Average statewide employment has grown by approximately 1.1 percent over the last 15 years. The average percentage of population employed over the last 15 years is 46 percent. Population is expected to continue growing at a projected rate of approximately 1.5 percent per year through 2050. Long-range employment projection data is not available from the California Department of Finance (DOF) and can be extrapolated in different ways (e.g., linear extrapolation by percentage rate of change, percentage of population employed, mathematical series expansion, more complex extrapolation based on further research of demographic projections such as age distribution). Further study would be needed to refine accurate employment projections from the present to 2050. For developing this framework, employment is assumed to have a constant proportionate relationship with the state's population. The projected number of jobs is assumed to be roughly 46 percent of the projected population.

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In light of the statewide context established by California law, consistency is most important for evaluating GHG emissions from projects. Thus, URBEMIS and the CCAR GRP are the recommended tools for quantification of GHG emissions from most project types in the short term. Over the long term, more sophisticated models that integrate the relationship between GHG emissions and land use, transportation, energy, water, waste, and other resources, and have similar application statewide would have better application to the problem, but may not currently be as accessible or as easily operable. I-PLACE^{3}S and CTG Energetics' Sustainable Communities Model (SCM) are two examples of such models that contain emission factors for GHGs, which could be refined to have applicability statewide and made available to CEQA practitioners. Other models are likely to be developed, given the importance of this issue.

Short-Term and Long-Term Methodologies

The following tools can be used to quantify a project's GHG emissions until tools that are more comprehensive become available statewide:

1. Land development projects: URBEMIS 2007 v. 9.2 and the CCAR GRP v. 2.2 (short-term); further development of I-PLACE^{3}S or CTG's Sustainable Communities Model (long-term).
2. New stationary and area sources/facilities: AP-42 Chapter 4.3, LandGem v. 3.02, and/or CCAR GRP v. 2.2.
3. Road or levee construction projects or other construction-only projects: RoadMod/OFFROAD 2007.

Ideally, I-PLACE^{3}S or CTG's Sustainable Communities Model would be expanded to apply to all regions of the state. These types of models use an integrated approach, which is the best approach for reasonably approximating the emissions that result from interaction between land uses, but neither is available to the public and would create consistency problems in reporting emissions from projects across the state if these were used today. However, a similar model with statewide applicability will likely be developed due to the importance of the issue.Table 10 Summary of Modeling Tools for Estimating GHG Emissions and Project Applicability

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Table 10: Summary of Modeling Tools for GHG Emissions

Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
URBEMIS 2007	*Public domain -Download (www.urbemis.com) free of charge*	*Land development and construction projects (construction, mobile- and area-source emissions)*	*Local*	*Fairly Easy*	*Land use information, construction and operational data and assumptions (e.g., jurisdiction, acres of land use type, year of operation, etc.)*	*Mobile-source Construction & Operational CO_2 (lb/day or tons/year)*	*-Recommended for land use development and construction projects -Also recommended for net change in land use (zoning changes)*	*-Does not quantify indirect emissions from energy consumption or other GHGs (except methane from mobile-sources) -Free, available to public, and applicable statewide -Widely used for assessment of other air quality impacts*
California Climate Action Registry General Reporting Protocol v. 2.2	*Public guidance document*	*Indirect emissions from land development projects, stationary- and area-source facilities regulated under AB 32*	*State*	*Easy*	*Energy consumption*	*CO_2e (Metric tons/year)*	*-Recommended for indirect emissions from energy consumption for land use development projects, and for new stationary- or area- sources to be regulated*	*-Contains emission factors for CH_4 and N_2O in addition to CO_2 -Does not contain emission factors broken down by utility provider (statewide average grid only)*
Clean Air and Climate Projection (CACP) Software	*Public agencies (members of ICLEI, NACAA, or similar)*	*Local governments used for emissions inventories*	*Local*	*N/A*	*Energy usage, waste generation/disposal transportation*	*CO_2e (tons/year)*	*-Recommended for inventories of local government entities activities (must be a member of affiliated agency or group)*	*-Not available to public*
CTG Sustainable Communities Model	*Custom model*	*Land development*	*Regional, scalable*	*N/A*	*Land use information, operational (mobile, energy, economic, infrastructure) assumptions*	*CO_2e (tons/year)*	*-An integrated and comprehensive modeling tool, but cannot obtain*	*-Not available to public*

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Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
I-PLACE^{3}S	*Access fee through local COG* *Only available for eight California counties*	*Land use change*	*Regional, scalable*	*Fairly Easy*	*Parcel information*	*CO_2 (lb/day or tons/year)*	*-Recommended for land use development projects and land use changes* *-Especially good for general plans*	*-Not freely available to public* *-Not applicable statewide* *-Actually provides insight into land use interaction* *-Can include very specific project attributes* *-Trip rates are from behavioral survey data, instead of ITE*
EMFAC 2007	*Public domain*	*On-road mobile-sources*	*Statewide, regional*	*Fairly Easy*	*Vehicle fleet information*	*CO_2 (grams/mile)*	*-Not recommended for most projects (URBEMIS preferred)* *-Could be used for certain Air District Rulemaking applications*	*-Can compare emissions based on speed-distribution* *-Emission factors contained in URBEMIS* *-Not a stand-alone model*
OFFROAD 2007	*Public domain*	*Off-road mobile sources (construction equipment)*	*Statewide, regional*	*Fairly Easy*	*Construction fleet information*	*CO_2 (lb/day)*	*-Not recommended (URBEMIS preferred)* *-could be used for certain Air District Rulemaking applications (re: construction equipment)*	*-Emission factors contained in URBEMIS*
RoadMod (to be updated to include CO_2)	*Public domain*	*Off-road and on-road mobile sources (construction equipment and material haul trucks)*	*Statewide*	*Easy*	*Construction information*	*CO_2 (lb/day or tons/project)*	*-Recommended for construction-only projects (linear in nature; i.e., levees, roads, pipelines)*	*-To be updated to support emissions factors from OFFROAD 2007*

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Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
DTIM	*Public domain*	*On-road mobile-sources*	*Statewide, regional*	*Difficult (consists of a series of three programs and requires input files from traffic and emissions modeling)*	*-EMFAC files* *-Traffic model output files (e.g., link, interzonal, and trip end data)* *-User options file* *-Optional files*	*CO_2 (tons/year)*	*-Not recommended*	*-Not updated to support EMFAC 2007 emission factors* *-Input files include output files from regional transportation models which more accurately reflect VMT*
Southeast Climate Change Partnership Spreadsheet Model (UK)	*Public domain http://www.climatesoutheast.org.uk/*	*UK Local government/ agencies/ organizations used for emissions inventories*	*Local, county, regional*	*Fairly easy*	*Energy usage, waste generation/disposal, transportation*	*CO_2 (tonnes/year)*	*-Not recommended for use in California, but could be a valuable source for building an applicable spreadsheet model*	*-Applicability for UK, but could be updated with CA-specific emission factors*
EPA AP-42; Evaporation Loss Sources Chapter 4.3.5	*Public reference document*	*GHG emissions from waste water treatment facilities*	*Facility level*	*Easy equation; substantial research needed to use*	*Biochemical oxygen demand (BOD) loading, Fraction anaerobically digested*	*CH4 (lb/year)*	*-Recommended for Publicly owned treatment works (POTW) projects*	*-Substantial research needed to determine the "fraction anaerobically digested" parameter, which is dependent on the type of treatment plant/process*
LandGem v. 3.02	*Public domain http://www.epa.gov/ttn/catc/dir1/landgem-v302.xls*	*GHG emissions from anaerobic decomposition associated with landfills*	*Facility Level*	*Moderate*	*Solid waste processing, year of analysis, lifetime of waste in place*	*CO_2, CH_4 (Mega grams/year)*	*-Recommended for landfill emissions*	*-Emission rates change dependent on years of decomposition, waste in place rates of change.* *-Complex decomposition rate equation, but good first approximation*

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Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
CARROT	*Registry members*	*Stationary source emissions, vehicle fleet mobile sources*	*Facility level*	*Moderate*	*Facility-specific information*	*All GHGs*	*-Recommended for reporting facilities under AB 32 and for indirect emissions from energy consumption (CCAR Protocol)*	*-Estimates all GHGs and normalizes to CO_2e* *-Not publicly available*

Notes:

GHG = greenhouse gas; AB = assembly bill; CO_2e = carbon dioxide equivalent; CH_4 = methane; N_2O = nitrous oxide; COG = council of governments ; ITE = Institute of Transportation Engineers; CCAR = California Climate Action Registry

Source: Data compiled by EDAW and the California Air Pollution Control Officers Association in 2007

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Introduction

This chapter (and Appendix B) identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions that would be identified using the analytical methodologies included in this white paper. The Subcommittee retained the services of EDAW to assist with this effort. EDAW performed a global search of mitigation measures currently in practice and under study that would reduce GHG emissions.

Table 16 (Appendix B) provides a brief description of each measure along with an assessment of their feasibility (from a standpoint of economical, technological, and logistical feasibility, and emission reduction effectiveness), and identifies their potential for secondary impacts to air quality. During the global search performed, EDAW also took note of GHG reduction strategies being implemented as rules and regulation (e.g., early action items under AB 32), which are summarized in Table 18 (Appendix C). It is important to note that though compliance with such would be required by regulation for some sources, such strategies may be applicable to other project and source types.

The recurring theme that echoes throughout a majority of these measures is the shift toward New Urbanism, and research has consistently shown that implementation of Neotraditional Development techniques reduces VMT and associated emissions. The material reviewed assessed reductions from transportation-related measures (e.g., bicycle, pedestrian, transit, and parking) as a single comprehensive approach to land use. This comprehensive approach focuses on development design criteria conducive to enhancing alternate modes of transportation, including transit, walking, and bicycling. Transportation Demand Management (TDM) programs are viewed as a mechanism to implement specific measures. TDM responsibilities may include offering incentives to potential users of alternative modes of transportation and monitoring and reporting mode split changes.

The comprehensive approach makes it more difficult to assess reductions attributable to each measure. Nevertheless, there is a strong interrelationship between many of the measures, which justifies a combined approach. Consider the relationship between bike parking nonresidential, bike parking residential, endtrip facilities, and proximity to bike path/bike lane measures. In reality, these measures combined act as incentives for one individual to bike to work, while implementation of a single measure without the others reduces effectiveness.

The global nature of GHG emissions is an important feature that enables unique mitigation: abatement. When designing a project subject to CEQA, the preferred practice is first to avoid, then to minimize, and finally to compensate for impacts. Where the impact cannot be mitigated on-site, off-site mitigation is often and effectively implemented in several resource areas, either in the form of offsetting the same impact or preserving the resource elsewhere in the region. Frequently, mitigation fee programs or funds are established, where the proponent pays into the program and fees collected

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throughout the region or state are used to implement projects that, in turn, proportionately offset the impacts of the projects to the given resource. It may be more cost-effective to reduce as much GHG on-site as feasible (economically and technologically). Then the proponent would pay into a "GHG retrofit fund" to reduce equivalent GHG emissions off-site. In contrast to regional air pollutant offset programs such as the Carl Moyer Program, it matters greatly where reductions of ozone precursors occur, as ozone affects regional air quality. The GHG retrofit fund could be used to provide incentives to upgrade older buildings and make them more energy efficient. This would reduce demand on the energy sector and reduce stationary source emissions associated with utilities. This program has been successfully implemented in the United Kingdom where developments advertise "carbon neutrality." Of course, some GHG emissions occur associated with operation of the development, but the development would offset the remainder of emissions through off-site retrofit. Avoiding emissions that would otherwise continue to occur at existing development would be a unique opportunity for mitigation of GHG emissions. Reduction of GHG emissions also may have important side benefits including reduction of other forms of pollution.

Depending on the significance threshold concept adopted, projects subject to the CEQA process would either qualitatively or quantitatively identify the amount of GHG emissions associated with their project using the analytical methodologies identified in the previous chapter. The analysis would then apply the appropriate number of mitigation measures listed in Appendix B to their project to reduce their GHG emissions below the significance level. Calculating the amount of GHG emission reductions attributable to a given mitigation measure would require additional research. The examples below illustrate how a project would be mitigated using this approach.

Residential Project Example

Project Attributes:

- 68 detached dwelling units
- 15.9 acres
- Located in unincorporated Placer County PCAPCD jurisdiction)
- Assume URBEMIS defaults for a rural project in Placer County, in absence of a traffic study (This is contrary to the recommendations contained under Task 1; a traffic study is necessary to asses project-specific GHG emissions).
- Analysis year 2009

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Table 11: Residential Project Example GHG Emissions Estimates with Mitigation

URBEMIS Output (Unmitigated)	Metric Tons/Year CO_2e	URBEMIS Output (Mitigated)	Metric Tons/Year CO_2e	Percent Reduction
Area-source emissions	252	Area-source emissions	215	14.6
Mobile-source emissions	1,047	Mobile-source emissions	916	12.5
Total direct operational emissions (area + mobile)	1,299	Total operational emissions (area + mobile)	1,131	12.9

Notes:
CO_2e = carbon dioxide equivalent

Sources: Data compiled by EDAW in 2007

Using URBEMIS 2007 and assuming the project would implement the mitigation measures listed below, yearly project-generated emissions of CO_2e would be reduced by approximately 13 percent. Implementation of the following mitigation measures is assumed:

- 100 housing units within one-half-mile radius of project's center, including this project's 68 residential units;
- provision of 80 jobs in the study area;
- retail uses present with one-half-mile radius of project's center;
- 10 intersections per square mile;
- 100% of streets with sidewalks on one side;
- 50% of streets with sidewalks on both sides;
- 30% of collectors and arterials with bike lanes, or where suitable, direct parallel routes exist;
- 15% of housing units deed restricted below market rate;
- 20% energy efficiency increase beyond Title 24; and
- 100% of landscape maintenance equipment electrically powered and electrical outlets in front and rear of units.

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Example Project Methodology and Mitigation

Table 12 –Residential Projects Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	URBEMIS (EMFAC emission factors)	MM T-3→MM T-8, MM T-10→ MM T-14, MM T-16, MM T-19→ MM T-21 MM D-2→MM D-8, MM D-10→ MM D-15, MM D-17 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	URBEMIS	MM D-13→MM D-15, MM D-17 MM E-1→MM E-8, MM E-10, MM E-12→MM E-23 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	CCAR GRP & CEC	

Table 13 –Commercial Projects Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	URBEMIS (EMFAC emission factors)	MM T-1→MM T-2, MM T-4→ MM T-15, MM T-17→MM T-21 MM D-1→MM D-3, MM D-5→ MM D-6, MM D-10, MM D-12, MM D-14→MM D-17 MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	URBEMIS	MM D-14→MM D-17 MM E-1, MM E-4→MM E-13, MM E-16→MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	CCAR GRP & CEC	

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Table 14 –Specific Plans Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MM T-1→MM T-21 MM D-1→MM D-12, MM D-18→ MM D-19 MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MM D-13→MM D-19 MM E-1→MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	Short-term: CCAR GRP & CEC. Long-term: I-PLACE^{3}S/CTG SCM	

General Plans

- Include a general plan policy to reduce emissions within planning area to a level consistent with legislative requirements.
- Implementation strategies include preparation of a GHG reduction plan.
- Projects consistent with a general plan could be responsible for complying with such a policy.

Table 15 –General Plans Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors).	MS G-1 MM G-15
Mobile Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MS G-1 MS G-2→MS C-7, MS G-9, MS G-12, MS-13→MS-14, MS-16→MS-23
Area Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MS G-1 MS G-8→MS C-11, MS G-134, MS G-12, MS-15, MS-17, MS-22
Indirect Emissions		
Energy Consumption	Short-term: CCAR GRP & CEC. Long-term: I-PLACE^{3}S/CTG SCM	

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Other Project Types

Air District Rules and Regulations

Air district rules and regulations could have the potential to increase or decrease GHG emissions within the respective jurisdiction. In general, air district rules and regulations act to decrease criteria air pollutant or toxic air contaminant emissions, which would usually act to reduce GHG emissions simultaneously. However, this may not always be the case and air district rules and regulations could address emissions from a large variety of different source types. Reductions of GHG emissions associated with implementation of applicable mitigation, which could also vary greatly, would need to be evaluated on a case-by-case basis. However, once applicable mitigation measures are identified, percent reductions based on the best available research to date, such as those specified in Table 15, could be applied to determine mitigated emissions.

Air Quality Plans

Similarly to air district rules and regulations, air quality plans could have the potential to increase or decrease GHG emissions because of criteria air pollutant reduction strategies. In general, strategies implemented by air districts to reduce criteria air pollutants also act to reduce GHG emissions. However, this may not always be the case. Reductions of GHG emissions associated with implementation of applicable mitigation would need to be evaluated on a case-by-case basis. The methodology identified above for determining whether the strategies contained within the GHG reduction plan would adhere to the level specified in general plan policy could also be used to determine the reductions associated with CAP strategies.

Regional Transportation Plans

Regional transportation plans and reductions of GHG emissions associated with implementation of applicable mitigation would also need to be evaluated on a case-by-case basis to determine if a net increase or decrease in GHG emissions would occur. Complex interactions between the roadway network, operating conditions, alternative transportation availability (such as public transit, bicycle pathways, and pedestrian infrastructure), and many other independent parameters specific to a region should be considered. EMFAC 2007 can be used with VMT from the RTP to create an inventory of GHG emissions. Reductions associated with implementation of applicable measures contained in Table 16 could be accomplished by accounting for VMT reductions in the traffic model.

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Many states, counties, and cities have developed policies and regulations concerning greenhouse gas emissions that seek to require or promote reductions in GHG emissions through standards for vehicle emissions, fuels, electricity production/renewables, building efficiency, and other means. However, we could only identify three public agencies in the United States that are considering formally requiring the analysis of greenhouse gas emissions and climate change for development projects during their associated environmental processes. There may be others, but they were not identified during research conducted during preparation of this paper.

The following is a summary of those three efforts.

Commonwealth of Massachusetts - MEPA Greenhouse Gas Emissions Policy and Protocol

The Massachusetts Executive Office of Energy and Environmental Affairs (EEA) has determined that the phrase "damage to the environment" as used in the Massachusetts Environmental Policy Act (MEPA) includes the emission of greenhouse gases caused by projects subjects to MEPA Review. EEA has published a Greenhouse Gas Emissions Policy (GGEP) to fulfill the statutory obligation to take all feasible measurers to avoid, minimize or mitigate damage to the environment.

The GGEP concerns the following projects only:

- The Commonwealth or a state agency is the proponent;
- The Commonwealth or a state agency is providing financial assistance;
- The project is privately funded, but requires an Air Quality Permit from the department of Environmental Protection;
- The project is privately funded, but will generate:
    - 3,000 or more new vehicle trips per day for office projects;
    - 6,000 or more new vehicle trips per day for mixed use projects that are 25% or more office space; or
    - 10,000 or more new vehicle trips per day for other projects.

As a comparison, the trip generation amounts correspond as follows:

- 3,000 vehicle trips per day = approximately 250,000 square foot office development;
- 6,000 or more new vehicle trips per day for mixed use projects that are 25% or more office space = if 25% office space, then equivalent to approximately 130,000 square feet of office and either 100,000 square feet of retail or 450 single-family residential units or some combination thereof.
- 10,000 or more new vehicle trips per day = approximately 1,000 single family residential units or 250,000 square feet retail.

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The draft policy states it is not intended to create a numerical GHG emission limit or a numerical GHG emissions reduction target, but rather to ensure that project proponents and reviewers have considered the GHG emissions impacts of their projects and taken all feasible means and measure to reduce those impacts.

The draft policy notes that some projects within these categories will have little or no greenhouse gas emission and the policy will not apply to such projects. EEA intends to identify in the scoping certificate whether a project falls within this *de minimis* exception.

The GGEP requires qualifying projects to do the following:

- to quantify their GHG emissions;
- identify measures to minimize or mitigate such emissions;
- quantify the reduction in emissions and energy savings from mitigation.

Emissions inventories are intended to focus on carbon dioxide, but analysis of other GHGs may be required for certain projects. EEA will require analysis of direct GGH emissions and indirect (electricity and transportation) emissions. The GGEP references the protocols prepared by the World Resource Institute as guidance for inventory preparation.

The policy is still in draft form, but the comment period closed on August 10, 2007.

King County, Washington - Executive Order on the Evaluation of Climate Change Impacts through the State Environmental Policy Act (SEPA)

On June 27, 2007, the King County Executive Ron Sims directed all King County Departments, as follows:

> *"...effective September 1, 2007 to require that climate impacts, including, but not limited to those pertaining to greenhouse gases, be appropriately identified and evaluated when such Departments are acting as the lead agency in reviewing the environmental impacts of private or public proposals pursuant to the State Environmental Policy Act".*

The Executive Order does not define what a "climate impact" is. Based on statements of the County Deputy Chief of Staff[*]

- County agencies will ask project proponents to supply information on transportation, energy usage and other impacts of proposed projects using the County's existing SEPA checklist.

[*] Marten Law Group: Environmental News, August 1, 2007, "King County (WA) First in Nation to Require Climate Change Impacts to be Considered During Environmental Review of New Projects".

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- There is no current plan to require project proponents to take action to mitigate the impacts identifies.
- Development of emissions thresholds and mitigation requirements will be undertaken in connection with the County's upcoming 2008 update of its Comprehensive Plan.

Sacramento Metropolitan Air Quality Management District

The Sacramento Metropolitan Air Quality Management District released an interim guidance on addressing climate change in CEQA documents on September 6, 2007. While very general in nature, the District recommends that CEQA environmental documents include a discussion of anticipated GHG emissions during both the construction and operation phases of the project. This includes assessing the GHG emissions from projects (using readily available models) to determine whether a project may have a significant impact. If so, then the District recommends addressing all of the District's GHG mitigation measures (drawn from comments made by the California Attorney General) – with explanations on how the mitigation will be implemented or providing rationale for why a measure would be considered infeasible. The District provides assistance to agencies in their analysis of GHG emissions and the applicability of specific mitigation measures. The District's guidance can be found at: http://64.143.64.21/climatechange/ClimateChangeCEQAguidance.pdf

Mendocino Air Quality Management District – CEQA Guidelines

The Mendocino AQMD updated its "Guidelines for Use During Preparation of Air Quality Impacts in EIRs or Mitigated Negative Declarations" in May 2007. The guidelines call for preparing estimates of the increased emissions of air contaminations (including GHG) for projects.

The guidelines state that GHG emissions should be presumed to have a significant impact if CO emissions from District-approved modeling exceed either of the following:

- 80% of the level defined as significant for stationary sources in Regulation1, Rule 130 (s2) of the District (which is 550 lbs/day for CO, meaning a threshold of 440 lbs/day for CO for stationary sources); or
- levels established in District Regulation 1 Rule 130 (i2) for indirect sources (which is 690 lbs/day for CO for indirect sources).

If an average passenger vehicle emits 22 grams of CO/mile and 0.8 lb/mile of CO_2, then the 690-lb/day threshold for CO corresponds to approximately 11,400 lb/day CO_2 threshold for passenger vehicle-related emissions. If one assumes that the average passenger vehicle goes 12,500 miles/year (about 35 miles/day), then this is a threshold equivalent to about 420 vehicles. Using an average in California of about 1.77 vehicles/household, this would correspond to about 250 households/dwelling units.

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Appendix A

Relevant Citations

Citations from the Public Resources Code (Division 13, §21000 et seq.) as amended through January 1, 2005.

Public Resources Code – Section 21004, MITIGATING OR AVOIDING A SIGNIFICANT EFFECT; POWERS OF PUBLIC AGENCY:

"In mitigating or avoiding a significant effect of a project on the environment, a public agency may exercise only those express or implied powers provided by law other than this division. However, a public agency may use discretionary powers provided by such other law for the purpose of mitigating or avoiding a significant effect on the environment subject to the express or implied constraints or limitations that may be provided by law."

Public Resources Code – Section 21082.2, SIGNIFICANT EFFECT ON ENVIRONMENT; DETERMINATION; ENVIRONMENTAL IMPACT REPORT PREPARATION:

(a) The lead agency shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record.
(b) The existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment.
(c) Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.
(d) If there is substantial evidence, in light of the whole record before the lead agency, that a project may have a significant effect on the environment, an environmental impact report shall be prepared.
(e) Statements in an environmental impact report and comments with respect to an environmental impact report shall not be deemed determinative of whether the project may have a significant effect on the environment.

Citations from the Guidelines for California Environmental Quality Act, CCR, Title 14, Division 6 (§15000 et seq.) as amended through July 27, 2007.

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO= Carbon Monoxide; CO_2=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EVs/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m^2=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO_X=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SJVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=Sacramento Metropolitan Air Quality Management District; SMUD=Sacramento Municipal Utilities District; SO_x=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTPI=Victoria Transit Policy.

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State CEQA Guidelines – Section 15064, DETERMINING THE SIGNIFICANCE OF THE ENVIRONMENTAL EFFECTS CAUSED BY A PROJECT:

(a) Determining whether a project may have a significant effect plays a critical role in the CEQA process.

(1) If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, the agency shall prepare a draft EIR.

(2) When a final EIR identifies one or more significant effects, the Lead Agency and each Responsible Agency shall make a finding under Section 15091 for each significant effect and may need to make a statement of overriding considerations under Section 15093 for the project.

(b) The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.

(c) In determining whether an effect will be adverse or beneficial, the Lead Agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency. Before requiring the preparation of an EIR, the Lead Agency must still determine whether environmental change itself might be substantial.

(d) In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.

(1) A direct physical change in the environment is a physical change in the environment which is caused by and immediately related to the project. Examples of direct physical changes in the environment are the dust, noise, and traffic of heavy equipment that would result from construction of a sewage treatment plant and possible odors from operation of the plant.

(2) An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. If a direct physical change in the environment in turn causes another change in the environment, then the other change is an indirect physical change in the environment. For example, the construction of a new sewage treatment plant may facilitate population growth in the service area due to the increase in sewage treatment capacity and may lead to an increase in air pollution.

(3) An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.

(e) Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a

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project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. For example, if a project would cause overcrowding of a public facility and the overcrowding causes an adverse effect on people, the overcrowding would be regarded as a significant effect.
(f) The decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency.
(1) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment, the lead agency shall prepare an EIR (Friends of B Street v. City of Hayward (1980) 106 Cal.App.3d 988). Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect (No Oil, Inc. v. City of Los Angeles (1974) 13 Cal.3d 68).
(2) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment then a mitigated negative declaration shall be prepared.
(3) If the lead agency determines there is no substantial evidence that the project may have a significant effect on the environment, the lead agency shall prepare a negative declaration (Friends of B Street v. City of Hayward (1980) 106 Cal.App. 3d 988).
(4) The existence of public controversy over the environmental effects of a project will not require preparation of an EIR if there is no substantial evidence before the agency that the project may have a significant effect on the environment.
(5) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion support by facts.
(6) Evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.
(7) The provisions of sections 15162, 15163, and 15164 apply when the project being analyzed is a change to, or further approval for, a project for which an EIR or negative declaration was previously certified or adopted (e.g. a tentative subdivision, conditional use permit). Under case law, the fair argument standard does not apply to determinations of significance pursuant to sections 15162, 15163, and 15164.
(g) After application of the principles set forth above in Section 15064(f)(g), and in marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts

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over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.
(h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
(2) A lead agency may determine in an initial study that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. When a project might contribute to a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures set forth in a mitigated negative declaration, the initial study shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable.
(3) A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project.
(4) The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

State CEQA Guidelines – Section 15130, DISCUSSION OF CUMULATIVE IMPACTS:
(a)(3). "An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.

State CEQA Guidelines – Section 15064.7, THRESHOLDS OF SIGNIFICANCE:
"Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level

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of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant."

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Appendix B

Mitigation Measure Summary

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Transportation								
Bicycle/Pedestrian/Transit Measures								
MM T-1: Bike Parking	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	1%-5%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates combined reductions among individual measures (e.g., 2.5% reduction for all bicycle-related measures and one-quarter of 2.5% for each individual measure) (TIAX 2005, EDAW 2006, SMAQMD 2007). VTPI presents % reductions for showers and combined measures in the TDM encyclopedia (VTPI	Yes: Lockers ($1,200-$2,950, $700/bike on average), Racks ($70-$2,000, $70/bike on average).	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	Caltrans, Portland Bicycle Master Plan (City of Portland 1998), CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Nonresidential projects provide plentiful short- and long-term bicycle parking facilities to meet peak season maximum demand (e.g., one bike rack space per 20 vehicle/employee parking spaces.
MM T-2: End of Trip Facilities	LD (C, M), I, SP, TP, AQP, RR, P/Mobile		Yes	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Nonresidential projects provide "end-of-trip" facilities including showers, lockers, and changing space (e.g., four clothes lockers and one shower provided for every 80 employee parking spaces, separate facilities for each gender for projects with 160 or more employee parking spaces).
MM T-3: Bike-Parking at Multi-	LD (R, M), SP, AQP, RR,		Yes: Lockers ($1,200-	Yes (Caltrans 2005,	Yes (Caltrans	Adverse: No Beneficial:		Long-term bicycle parking is provided at apartment

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO= Carbon Monoxide; CO_2=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EVs/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m^2=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO_X=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SJVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=Sacramento Metropolitan Air Quality Management District; SMUD=Sacramento Municipal Utilities District; SO_x=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTPI=Victoria Transit Policy.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Unit Residential	P/Mobile	2007). JSA bases estimates on CCAP information (JSA 2004).	$2,950, $700/bike on average), Racks ($70-$2,000, $70/bike on average).	Dierkers et al. 2007, VTPI 2007)	2005, Dierkers et al. 2007, VTPI 2007)	CAPs, TACs		complexes or condominiums without garages (e.g., one long-term bicycle parking space for each unit without a garage). Long-term facilities shall consist of one of the following: a bicycle locker, a locked room with standard racks and access limited to bicyclists only, or a standard rack in a location that is staffed and/or monitored by video surveillance 24 hours per day.
MM T-4: Proximity to Bike Path/Bike Lanes	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile		Yes	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Entire project is located within one-half mile of an existing/planned Class I or Class II bike lane and project design includes a comparable network that connects the project uses to the existing offsite facility. Project design includes a designated bicycle route connecting all units, on-site bicycle parking facilities, offsite bicycle facilities, site entrances, and primary building entrances to existing Class I or Class II bike lane(s) within one-half mile. Bicycle route connects to all streets contiguous with project site. Bicycle route has minimum conflicts with automobile parking and circulation

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								facilities. All streets internal to the project wider than 75 feet have Class II bicycle lanes on both sides.

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO= Carbon Monoxide; CO_2=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EVs/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m^2=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO_X=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SJVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=Sacramento Metropolitan Air Quality Management District; SMUD=Sacramento Municipal Utilities District; SO_x=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTPI=Victoria Transit Policy.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-5: Pedestrian Network	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-10%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates 1% for each individual measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	The project provides a pedestrian access network that internally links all uses and connects to all existing/planned external streets and pedestrian facilities contiguous with the project site. Project design includes a designated pedestrian route interconnecting all internal uses, site entrances, primary building entrances, public facilities, and adjacent uses to existing external pedestrian facilities and streets. Route has minimal conflict with parking and automobile circulation facilities. Streets (with the exception of alleys) within the project have sidewalks on both sides. All sidewalks internal and adjacent to project site are minimum of five feet wide. All sidewalks feature vertical curbs. Pedestrian facilities and improvements such as grade separation, wider sidewalks, and traffic calming are implemented wherever feasible to minimize pedestrian barriers. All site entrances provide pedestrian access.
MM T-6: Pedestrian	LD (R, C, M), I, SP, TP,		Yes	Yes (Dierkers et al. 2007,	Yes (Dierkers et	Adverse: No Beneficial:		Site design and building placement minimize barriers to

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Barriers Minimized	AQP, RR, P/Mobile			VTPI 2007)	al. 2007, VTPI 2007)	CAPs, TACs		pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation are eliminated.
MM T-7: Bus Shelter for Existing/Planned Transit Service	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-2%/High: CCAP presents these % reductions (Dierkers et al., 2007). SMAQMD assigns from .25%-1%, depending on headway frequency (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes: $15,000-$70,000.	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, City of Calgary (City of Calgary 2004), CA air quality management and control districts, and cities/counties.	Bus or streetcar service provides headways of one hour or less for stops within one-quarter mile; project provides safe and convenient bicycle/pedestrian access to transit stop(s) and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-8: Traffic Calming	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-10%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates .25%-1.0% for each individual measure depending on percent of intersections and streets with improvements (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Project design includes pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways are designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming features. All sidewalks internal and adjacent to project site are minimum of five feet wide. All sidewalks feature vertical curbs. Roadways that converge internally within the project are routed in such a way as to avoid "skewed intersections;" which are intersections that meet at acute, rather than right, angles. Intersections internal and adjacent to the project feature one or more of the following pedestrian safety/traffic calming design techniques: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, and roundabouts or mini-circles. Streets internal and adjacent to the project feature pedestrian safety/traffic calming measures such as on-street parking, planter strips with street trees,

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								and chicanes/chokers (variations in road width to discourage high-speed travel).
Parking Measures								
MM T-9: Paid Parking (Parking Cash Out)	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a range of 1.0%-7.2%, depending on cost/day and distance to transit (TIAX 2005, EDAW 2006, SMAQMD 2007). Shoupe presents a 21% reduction [$5/day for commuters to downtown LA, with elasticity of -0.18 (e.g., if price increases 10%, then solo driving goes down by 1.8% more)] (Shoupe 2005). Urban Transit Institute	Yes: Vary by location and project size.	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Project provides employee and/or customer paid parking system. Project must have a permanent and enforceable method of maintaining user fees for all parking facilities. The facility may not provide customer or employee validations. Daily charge for parking must be equal to or greater than the cost of a transit day/monthly pass plus 20%.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		presents a range of 1%-10% reduction in trips to central city sites, and 2%-4% in suburban sites (VTPI 2007).						
MM T-10: Minimum Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a maximum of 6% (Nelson/Nygaard Consulting Associates, 2005, TIAX 2005, EDAW 2006).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007), Note that in certain areas of the state, the minimum parking required by code is greater than the peak period parking demand for most land uses. Simply meeting minimum code requirements in these areas would not result in an emissions reduction.	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, Governor's Office of Smart Growth (Annapolis, Maryland) (Zimbler), CA air quality management and control districts, and cities/counties.	Provide minimum amount of parking required. Once land uses are determined, the trip reduction factor associated with this measure can be determined by utilizing the ITE parking generation publication. The reduction in trips can be computed as shown below by the ratio of the difference of minimum parking required by code and ITE peak parking demand to ITE peak parking demand for the land uses multiplied by 50%. Percent Trip Reduction = 50 * [(min parking required by code – ITE peak parking demand)/ (ITE peak parking demand)]

MV00170800

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-11: Parking Reduction Beyond Code/Shared Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a maximum of 12% (Nelson/Nygaard, 2005, TIAX 2005, EDAW 2006).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Provide parking reduction less than code. This measure can be readily implemented through a shared parking strategy, wherein parking is utilized jointly among different land uses, buildings, and facilities in an area that experience peak parking needs at different times of day and day of the week.
MM T-12: Pedestrian Pathway Through Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-4%/Moderate: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates 0.5% reduction for this measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances.

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MV00170801

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-13: Off - Street Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-4%/Moderate: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates a range of 0.1%-1.5% for this measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Parking facilities are not adjacent to street frontage.
MM T-14: Parking Area Tree Cover	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	Annual net CO_2 reduction of 3.1 kg/m^2 canopy cover/Moderate (McPherson 2001).	Yes: $19 per new tree for CA, cost varies for maintenance, removal and replacement (McPherson 2001).	Yes	Yes	Adverse: VOCs Beneficial: CAPs, TACs	AG, State of CA Department of Justice (Goldberg 2007) and cities/counties (e.g., parking lot ordinances in Sacramento, Davis, and Los Angeles, CA).	Provide parking lot areas with 50% tree cover within 10 years of construction, in particular low emitting, low maintenance, native drought resistant trees. Reduces urban heat island effect and requirement for air conditioning, effective when combined with other measures (e.g., electrical maintenance equipment and reflective paving material).
MM T-15: Valet Bicycle Parking	LD (C, M), SP, AQP, TP, RR, P/Mobile	NA/Low	Yes	Yes	Yes: Raley Field (Sacramento, CA)	Adverse: No Beneficial: CAPs, TACs	Raley Field (Sacramento, CA).	Provide spaces for the operation of valet bicycle parking at community event "centers" such as amphitheaters, theaters, and stadiums.
MM T-16: Garage Bicycle Storage	LD (R, M), SP, AQP, TP, RR, P/Mobile	NA/Low	Yes: Less than $200/multiple bike rack.	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	City of Fairview, OR	Provide storage space in one-car garages for bicycles and bicycle trailers.

MV00170802

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-17: Preferential Parking for EVs/CNG Vehicles	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	USGBC, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Provide preferential parking space locations for EVs/CNG vehicles.
MM T-18: Reduced/No Parking Fee for EVs/CNG Vehicles	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Hotels (e.g., Argonaut in San Francisco, CA)	Provide a reduced/no parking fee for EVs/CNG vehicles.

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MV00170803

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Miscellaneous Measure								
MM T-19: TMA Membership	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-28%/High: CCAP presents a range of 3%-25% for TDMs with complementary transit and land use measures (Dierkers et al. 2007). VTPI presents a range of 6%-7% in the TDM encyclopedia (VTPI 2007). URBEMIS offers a 2%-10% range in reductions for a TDM that has 5 elements that are pedestrian and transit friendly and 1%-5% for 3 elements. SMAQMD presents a reduction of 5% (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Include permanent TMA membership and funding requirement. Funding to be provided by Community Facilities District or County Service Area or other nonrevocable funding mechanism. TDMs have been shown to reduce employee vehicle trips up to 28% with the largest reductions achieved through parking pricing and transit passes. The impact depends on the travel alternatives.
MM T-20: ULEV	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes: Higher than corresponding gasoline models.	Yes	Yes: Fueling stations might not be readily available depending on location. More than 900 E85 fueling	Adverse: No Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Use of and/or provide ULEV that are 50% cleaner than average new model cars (e.g., natural gas, ethanol, electric).

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Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					stations in the U.S., 5 in CA. Vehicles available in select regions only			
MM T-21: Flex Fuel Vehicles	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	5466.97 lb GHG/year/Low (DOE Fuel Economy)	Yes: E85 costs less than gasoline per gallon, but results in lower fuel economy.	Yes	Yes: More than 900 E85 fueling stations in the U.S., 5 in CA. Vehicles available in select regions only	Adverse: Yes Issues with the energy intensive ethanol production process (e.g., wastewater treatment requirements). Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., SJVAPCD).	Use of and/or provide vehicles that utilize gasoline/ethanol blends (e.g., E85).
Design								
Commercial & Residential Building Design Measures								
MM D-1: Office/Mixed Use Density	LD (C, M), SP, TP, AQP, RR, P/Mobile	0.05%-2%/Moderate: This range is from SMAQMD, depending	Yes	Yes (VTPI 2007)	Yes (VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties	Project provides high density office or mixed-use proximate to transit. Project must provide

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Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		on FAR and headway frequencies (Nelson/Nygaard Consulting Associates 2005, EDAW 2006, SMAQMD 2007).					(e.g., SMAQMD).	safe and convenient pedestrian and bicycle access to all transit stops within one-quarter mile.
MM D-2: Orientation to Existing/Planned Transit, Bikeway, or Pedestrian Corridor	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	0.4%-1%/Moderate: CCAP attributes a 0.5% reduction per 1% improvement in transit frequency (Dierkers et al. 2007). SMAQMD presents a range of 0.25%-5% (JSA 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007)	Yes (Dierkers et al. 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project is oriented towards existing transit, bicycle, or pedestrian corridor. Setback distance between project and existing or planned adjacent uses is minimized or nonexistent. Setback distance between different buildings on project site is minimized. Setbacks between project buildings and planned or existing sidewalks are minimized. Buildings are oriented towards existing or planned street frontage. Primary entrances to buildings are located along planned or existing public street frontage. Project provides bicycle access to any planned bicycle corridor(s). Project provides pedestrian access to any planned pedestrian corridor(s).
MM D-3: Services Operational	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	0.5%-5%/Moderate	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides on-site shops and services for employees.

MV00170806

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Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-4: Residential Density (Employ Sufficient Density for New Residential Development to Support the Use of Public Transit)	LD (R, M), SP, TP, AQP, RR, P/Mobile	1%-40%/High: #7, EPA presents a range of 32%-40% (EPA 2006). SMAQMD presents a range of 1%-12% depending on density and headway frequencies (Nelson/Nygaard Consulting Associates 2005, JSA 2005, EDAW 2006, SMAQMD 2007). Nelson/Nygaard presents a trip reduction formula: Trip Reduction = 0.6*(1-(19749*((4.814+ households per residential acre)/(4.814+7.14))^-06.39)/25914).	Yes	Yes (VTPI 2007, Holtzclaw 2007)	Yes (VTPI 2007, Holtzclaw 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides high-density residential development. Transit facilities must be within one-quarter mile of project border. Project provides safe and convenient bicycle/pedestrian access to all transit stop(s) within one-quarter mile of project border.
MM D-5: Street Grid	LD (R, C, M), I, SP, TP, AQP, RR,	1%/Moderate: SMAQMD presents this % reduction (JSA	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007,	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties	Multiple and direct street routing (grid style). This measure only applies to projects

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MV00170807

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	P/Mobile	2005, EDAW 2006, SMAQMD 2007).			VTPI 2007)		(e.g., SMAQMD).	with an internal CF >/= 0.80, and average of one-quarter mile or less between external connections along perimeter of project. [CF= # of intersections / (# of cul-de-sacs + intersections)]. Cul-de-sacs with bicycle/pedestrian through access may be considered "complete intersections" when calculating the project's internal connectivity factor. External connections are bike/pedestrian pathways and access points, or streets with safe and convenient bicycle and pedestrian access that connect the project to adjacent streets, sidewalks, and uses. If project site is adjacent to undeveloped land; streets, pathways, access points, and right-of-ways that provide for future access to adjacent uses may count for up to 50% of the external connections. Block perimeter (the sum of the measurement of the length of all block sides) is limited to no more than 1,350 feet. Streets internal to the project should connect to streets external to the project whenever possible.

MV00170808

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-6: NEV Access	LD (R, C, M), SP, TP, AQP, RR, P/Mobile	0.5%-1.5%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (Litman 1999, Sperling 1994)	Yes (Litman 1999, Sperling 1994)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Make physical development consistent with requirements for neighborhood electric vehicles. Current studies show that for most trips, NEVs do not replace gas-fueled vehicles as the primary vehicle.
MM D-7: Affordable Housing Component	LD (R, M), SP, TP, AQP, RR, P/Mobile	0.4%-6%/Moderate: SMAQMD presents this % reduction (Nelson/Nygaard Consulting Associates 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Residential development projects of five or more dwelling units provide a deed-restricted low-income housing component on-site (or as defined in the code). Developers who pay into In-Lieu Fee Programs are not considered eligible to receive credit for this measure. The award of emission reduction credit shall be based only on the proportion of affordable housing developed on-site because in-lieu programs simply induce a net increase in development. Percentage reduction shall be calculated according to the following formula:

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MV00170809

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								% reduction = % units deed-restricted below market rate housing * 0.04
MM D-8: Recharging Area	LD (R, M), SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Provide residential buildings with a "utility" room or space for recharging batteries, whether for use in a car, electric lawnmower, other electric landscaping equipment, or even batteries for small items such as flashlights.
Mixed-Use Development Measures								
MM D-9: Urban Mixed-Use	LD (M), SP, TP, AQP, RR, P/Mobile	3%-9%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Development of projects predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with functional interrelationships and a coherent physical design.
MM D-10: Suburban Mixed-Use	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	3%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Have at least three of the following on site and/or offsite within one-quarter mile: Residential Development, Retail Development, Park, Open Space, or Office.
MM D-11: Other Mixed-Use	LD (R, M), SP, TP, AQP, RR, P/Mobile	1%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	All residential units are within one-quarter mile of parks, schools or other civic uses.

MV00170810

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		2006, SMAQMD 2007).						
MM D-12: Infill Development	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	3%-30%/High: Infill development reduces vehicle trips and VMT by 3% and 20%, respectively (Fehr & Peers 2007). CCAP identifies a site level VMT reduction range of 20%-30% (Dierkers et al. 2007).	Yes	Yes (Dierkers et al. 2007)	Yes (Dierkers et al. 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project site is on a vacant infill site, redevelopment area, or brownfield or greyfield lot that is highly accessible to regional destinations, where the destinations rating of the development site (measured as the weighted average travel time to all other regional destinations) is improved by 100% when compared to an alternate greenfield site.
Miscellaneous Measures								
MM D-13: Electric Lawnmower	LD (R, M), SP, AQP, RR, P/Area	1%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Provide a complimentary electric lawnmower to each residential buyer.

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MV00170811

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-14: Enhanced Recycling/Waste Reduction, Reuse, Composting	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Low	Yes	Yes	Yes: Association with social awareness.	Adverse: No Beneficial: CAPs, TACs	CIWMB	Provide infrastructure/education that promotes the avoidance of products with excessive packaging, recycle, buying of refills, separating of food and yard waste for composting, and using rechargeable batteries.
MM D-15: LEED Certification	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Moderate	Yes: Receive tax rebates, incentives (e.g., EDAW San Diego office interior remodel cost $1,700,000 for 32,500 square feet) (USGBC 2007)	Yes	Yes: More than 700 buildings of different certifications in CA (USGBC 2007).	Adverse: No Beneficial: CAPs, TACs	USGBC, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.
MM D-16: Retro-Commissioning	LD (C, M), I, SP, AQP, RR, P/Stationary & Area	8%-10% reduction in energy usage/Moderate: (Mills et al. 2004)	Yes: Average $0.28/square feet, varies with building size (Haasl and Sharp 1999).	Yes	Yes: 27 projects underway in CA, 21 more to be completed in 2007, mostly state buildings owned by DGS (DGS 2007).	Adverse: No Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	The process ensures that all building systems perform interactively according to the contract documents, the design intent and the owner's operational needs to optimize energy performance.
MM D-17 Landscaping	LD (R, C, M), I, SP, AQP, RR,	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Alliance for the Chesapeake Bay, EPA Green Landscaping	Project shall use drought resistant native trees, trees with low emissions and high carbon

MV00170812

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	P/Stationary & Area						Resources	sequestration potential. Evergreen trees on the north and west sides afford the best protection from the setting summer sun and cold winter winds. Additional considerations include the use of deciduous trees on the south side of the house that will admit summer sun; evergreen plantings on the north side will slow cold winter winds; constructing a natural planted channel to funnel summer cooling breezes into the house. Neighborhood CCR's not requiring that front and side yards of single family homes be planted with turf grass. Vegetable gardens, bunch grass, and low-water landscaping shall also be permitted, or even encouraged.
MM D-18: Local Farmers' Market	LD (M), SP/Mobile, Stationary, &	NA/Low	Yes	Yes	Yes: Associated with social	Adverse: No Beneficial: CAPs, TACs	Cities/counties (e.g., Davis, Sacramento)	Project shall dedicate space in a centralized, accessible location for a weekly farmers' market.

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MV00170813

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	Area				choice and public awareness.			
MM D-19: Community Gardens	LD (M), SP/Mobile, Stationary, & Area	NA/Low	Yes	Yes	Yes: Associated with social choice and public awareness.	Adverse: No Beneficial: CAPs, TACs	Cities/counties (e.g., Davis)	Project shall dedicate space for community gardens.
Energy Efficiency/Building Component								
MM E-1: High-Efficiency Pumps	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Project shall use high-efficiency pumps.
MM E-2: Wood Burning Fireplaces/Stoves	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low: EDAW 2006	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project does not feature fireplaces or wood burning stoves.
MM E-3: Natural Gas Stove	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low: EDAW 2006	Yes: Cost of stove—$350 (gas) and $360 (electric) same brand, total yearly cost of $42.17 as opposed to $56.65 for electric (Saving Electricity 2006).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project features only natural gas or electric stoves in residences.

MV00170814

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-4: Energy Star Roof	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	0.5%-1%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes: 866 Energy Star labeled buildings in California (Energy Star 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project installs Energy Star labeled roof materials.
MM E-5: On-site Renewable Energy System	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	1%-3%/Moderate: SMAQMD presents this % reduction (USGBC 2002 and 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides onsite renewable energy system(s). Nonpolluting and renewable energy potential includes solar, wind, geothermal, low-impact hydro, biomass and bio-gas strategies. When applying these strategies, projects may take advantage of net metering with the local utility.

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MV00170815

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-6: Exceed Title 24	LD (R, C, M), I, GSP, AQP, RR, P/Stationary & Area	1%/Moderate: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (PG&E 2002, SMUD 2006)	Yes (PG&E 2002, SMUD 2006)	Adverse: No Beneficial: CAPs, TACs	PG&E, SMUD, CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project exceeds title 24 requirements by 20%.
MM E-7: Solar Orientation	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	0.5%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project orients 75% or more of homes and/or buildings to face either north or south (within 30° of N/S). Building design includes roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows. Trees, other landscaping features and other buildings are sited in such a way as to maximize shade in the summer and maximize solar access to walls and windows in the winter.
MM E-8: Nonroof Surfaces	LD (R, C, M), I, GSP, AQP, RR, P/Stationary & Area	1.0%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's nonroof impervious surfaces, including parking lots, walkways, plazas, etc.; OR place a minimum of 50% of parking spaces underground or covered by structured parking; OR use an open-grid pavement system (less than 50% impervious) for a minimum of

MV00170816

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								50% of the parking lot area. The mitigation measure reduces heat islands (thermal gradient differences between developed and undeveloped areas to minimize impact on microclimate and human and wildlife habitats. This measure requires the use of patented or copyright protected methodologies created by the ASTM. The SRI is a measure of the constructed surface's ability to reflect solar heat, as shown by a small rise in temperature. It is defined so that a standard black (reflectance 0.05, emittance 0.90) is "0" and a standard white (reflectance 0.80, emittance 0.90) is 100. To calculate SRI for a given material, obtain the reflectance value and emittance value for the material. SRI is calculated according to ASTM E 1980-01. Reflectance is measured

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MV00170817

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Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								according to ASTM E 903, ASTM E 1918, or ASTM C 1549. Emittance is measured according to ASTM E 408 or ASTM C 1371. Default values for some materials will be available in the LEED-NC v2.2 Reference Guide.
MM E-9: Low-Energy Cooling	LD (C, M), I, SP, AQP, RR, P/Stationary & Area	1%-10%/Low: EDAW presents this percent reduction range (EDAW 2006).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project optimizes building's thermal distribution by separating ventilation and thermal conditioning systems.
MM E-10: Green Roof	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	1.0%/Moderate: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: Increased Water Consumption Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Install a vegetated roof that covers at least 50% of roof area. The reduction assumes that a vegetated roof is installed on a least 50% of the roof area or that a combination high albedo and vegetated roof surface is installed that meets the following standard: (Area of SRI Roof/0.75)+(Area of vegetated roof/0.5) >= Total Roof Area. Water consumption reduction measures shall be considered in the design of the green roof.
MM E-11: EV Charging Facilities	LD (C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: $500-$5000/ vehicle site (PG&E 1999)	Yes	Yes: 381 facilities in CA (Clean Air Maps 2007).	Adverse: No Beneficial: CAPs, TACs	DOE, EERE, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Project installs EV charging facilities.
MM E-12:	LD (R, C, M),	NA/Low: Increasing	Yes: Light	Yes	Yes: Apply	Adverse: No		Project provides light-colored

MV00170818

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Light-Colored Paving	I, SP, AQP, RR, P/Stationary & Area	the albedo of 1,250 km of pavement by 0.25 would save cooling energy worth $15M per year.	colored aggregates and white cement are more expensive than gray cement. Certain blended cements are very light in color and may reflect similarly to white cement at an equivalent cost to normal gray cement.		natural sand or gravel colored single surface treatments to asphalt (EOE 2007).	Beneficial: CAPs, TACs		paving (e.g., increased albedo pavement).
MM E-13: Cool Roofs	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: 0.75–1.5/square feet coating (EPA 2007a)	Yes	Yes: Over 90% of the roofs in the United States are dark colored	Adverse: No Beneficial: CAPs, TACs	CEC	Project provides cool roofs. Highly reflective, highly emissive roofing materials that stay 50-60°F cooler than a normal roof under a hot summer sun. CA's Cool Savings

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO= Carbon Monoxide; CO_2=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EVs/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m^2=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO_X=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SJVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=Sacramento Metropolitan Air Quality Management District; SMUD=Sacramento Municipal Utilities District; SO_x=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTPI=Victoria Transit Policy.

MV00170819

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					(EPA 2007a).			Program provided rebates to building owners for installing roofing materials with high solar reflectance and thermal emittance. The highest rebate went to roofs on air conditioned buildings, while buildings with rooftop ducts and other nonresidential buildings were eligible for slightly less. The program aimed to reduce peak summer electricity demand and was administered by the CEC.
MM E-14: Solar Water Heaters	LD (R, M), SP, AQP, RR, P/Stationary & Area	20%–70% reduction in cooling energy needs/Moderate	Yes: $1675/20 square feet, requires a 50 gallon tank, annual operating cost of $176 (DOE 2007).	Yes	Yes: Based on solar orientation, building codes, zoning ordinances.	Adverse: No Beneficial: CAPs, TACs	Europe	Project provides solar water heaters.
MM E-15: Electric Yard Equipment Compatibility	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: $75–$250/outlet from existing circuit (Cost Helper 2007).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Project provides electrical outlets at building exterior areas.
MM E-16: Energy Efficient Appliance Standards	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: Varies for each appliance—higher capital costs, lower operating costs (Energy	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Project uses energy efficient appliances (e.g., Energy Star).

MV00170820

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			Star 2007).					
MM E-17: Green Building Materials	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low: 25-30% more efficient on average.	Yes	Yes: BEES software allows users to balance the environmental and economic performance of building products; developed by NIST (NIST 2007).	Yes	Adverse: No Beneficial: CAPs, TACs		Project uses materials which are resource efficient, recycled, with long life cycles and manufactured in an environmentally friendly way.
MM E-18: Shading Mechanisms	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: Up to $450 annual energy savings (Energy Star 2007).	Yes: Higher capital costs, lower operating and maintenance costs (Energy Star 2007).	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing shading mechanisms for windows, porch, patio and walkway overhangs.

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MV00170821

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-19: Ceiling/Whole-House Fans	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: 50% more efficient than conventional fans (Energy Star 2007).	Yes: $45-$200/fan, installation extra (Lowe's 2007).	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing ceiling/whole-house fans.
MM E-20: Programmable Thermostats	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: $100 annual savings in energy costs (Energy Star 2007).	Yes: $60/LCD display and 4 settings for typical residential use (Lowe's 2007).	Yes	Yes: Major retail stores.	Adverse: Yes, Mercury Beneficial: CAPs, TACs		Install energy-reducing programmable thermostats that automatically adjust temperature settings.
MM E-21: Passive Heating and Cooling Systems	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low	Yes: $800 (wall heaters) to $4,000+ (central systems)	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing passive heating and cooling systems (e.g., insulation and ventilation).
MM E-22: Day Lighting Systems	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low	Yes: $1,300 to $1,500 depending upon the kind of roof (Barrier 1995), installation extra.	Yes	Yes: Work well only for space near the roof of the building, little benefit in multi-floor buildings.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing day lighting systems (e.g., skylights, light shelves and interior transom windows).
MM E-23: Low-Water Use Appliances	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: Avoided water agency cost for using water-efficient kitchen pre-rinse spray valves of $65.18 per acre-foot.	Yes: Can return their cost through reduction in water consumption,	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Require the installation of low-water use appliances.

MV00170822

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			pumping, and treatment.					
MM E-24: Goods Transport by Rail	LD (C, M), I, SP, AQP, RR, P/Mobile	NA/Moderate	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	ARB Goods Movement Plan (ARB 2007)	Provide a spur at nonresidential projects to use nearby rail for goods movement.
Social Awareness/Education								
MM S-1: GHG Emissions Reductions Education	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Mobile	NA/Low	Yes	Yes	Yes: Similar programs currently exist in CA.	Adverse: No Beneficial: CAPs, TACs		Provide local governments, businesses, and residents with guidance/protocols/information on how to reduce GHG emissions (e.g., energy saving, food miles).
MM S-2: School Curriculum	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Mobile	NA/Low	Yes	Yes	Yes: Similar programs currently exist in CA.	Adverse: No Beneficial: CAPs, TACs		Include how to reduce GHG emissions (e.g., energy saving, food miles) in the school curriculum.
Construction								
MM C-1: ARB-Certified Diesel Construction Equipment	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes: Oxidation Catalysts, $1,000-	Yes	Yes	Adverse: Yes, NO_x Beneficial: CAPs, TACs	AG, EPA, ARB, and CA air quality management and pollution control districts.	Use ARB-certified diesel construction equipment. Increases CO_2 emissions when trapped CO and carbon particles

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MV00170823

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			$2,000. DPF, $5000-$10,000; installation extra (EPA 2007b).					are oxidized (Catalyst Products 2007, ETC 2007).
MM C-2: Alternative Fuel Construction Equipment	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: Yes, THC, NO_x Beneficial: CO, PM, SO_x	AG, EPA, ARB, and CA air quality management and pollution control districts.	Use alternative fuel types for construction equipment. At the tailpipe biodiesel emits 10% more CO_2 than petroleum diesel. Overall lifecycle emissions of CO_2 from 100% biodiesel are 78% lower than those of petroleum diesel (NREL 1998, EPA 2007b).
MM C-3: Local Building Materials	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes: Depends on location of building material manufacture sites.	Adverse: No Beneficial: CAPs, TACs		Use locally made building materials for construction of the project and associated infrastructure.
MM C-4: Recycle Demolished Construction Material	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Recycle/Reuse demolished construction material. Use locally made building materials for construction of the project and associated infrastructure.

MV00170824

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Miscellaneous								
MM M-1: Off-Site Mitigation Fee Program	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile & Area	NA/Moderate-High: Though there is currently no program in place, the potential for real and quantifiable reductions of GHG emissions could be high if a defensible fee program were designed.	Yes	Yes	No: Program does not exist in CA, but similar programs currently exist (e.g., Carl Moyer Program, SJVAPCD Rule 9510, SMAQMD Off-Site Construction Mitigation Fee Program).	Adverse: No Beneficial: CAPs, TACs		Provide/Pay into an off-site mitigation fee program, which focuses primarily on reducing emissions from existing development and buildings through retro-fit (e.g., increased insulation).
MM M-2: Offset Purchase	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Area	NA/Low	Yes	Yes	No: ARB has not adopted official program, but similar programs	No		Provide/purchase offsets for additional emissions by acquiring carbon credits or engaging in other market "cap and trade" systems.

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MV00170825

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					currently exist.			
Regional Transportation Plan Measures								
MM RTP-1: Dedicate High Occupancy Vehicle (HOV) lanes prior to adding capacity to existing highways.	RTP		Yes	Yes	Yes	Adverse: possible local CO Beneficial: regional CAPs, TACs	Caltrans, local government	Evaluate the trip reduction (and GHG reduction) potential of adding HOV lanes prior to adding standard lanes.
MM RTP-2: Implement toll/user fee programs prior to adding capacity to existing highways.	RTP		Yes	Yes	Yes	Adverse: possible local CO. Beneficial: regional CAPs, TACs	Caltrans	Evaluate price elasticity and associated trip reduction (and GHG reduction) potential with adding or increasing tolls prior to adding capacity to existing highways.

Note:
[1] Where LD (R, C, M) =Land Development (Residential, Commercial, Mixed-Use), I=Industrial, GP=General Plan, SP=Specific Plan, TP=Transportation Plans, AQP=Air Quality Plans, RR=Rules/Regulations, and P=Policy. It is important to note that listed project types may not be directly specific to the mitigation measure (e.g., TP, AQP, RR, and P) as such could apply to a variety of source types, especially RR and P.
[2] This score system entails ratings of high, moderate, and low that refer to the level of the measure to provide a substantive, reasonably certain (e.g., documented emission reductions with proven technologies), and long-term reduction of GHG emissions.
[3] Refers to whether the measure would provide a cost-effective reduction of GHG emissions based on available documentation.
[4] Refers to whether the measure is based on currently, readily available technology based on available documentation.
[5] Refers to whether the measure could be implemented without extraordinary effort based on available documentation.
[6] List is not meant to be all inclusive.
Source: Data complied by EDAW in 2007

MV00170826

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-1: Adopt a GHG reduction plan	GP/ Mobile, Stationary, & Area	City of San Bernardino	- Adopt GHG reduction targets for the planning area, based on the current legislation providing direction for state-wide targets, and update the plan as necessary. -The local government agency should serve as a model by inventorying its GHG emissions from agency operations, and implementing those reduction goals.
Circulation			
MS G-2: Provide for convenient and safe local travel	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Create a gridded street pattern with small block sizes. This promotes walkability through direct routing and ease of navigation. -Maintain a high level of connectivity of the roadway network. Minimize cul-de-sacs and incomplete roadway segments. -Plan and maintain an integrated, hierarchical and multi-modal system of roadways, pedestrian walks, and bicycle paths throughout the area. -Apply creative traffic management approaches to address congestion in areas with unique problems, particularly on roadways and intersections in the vicinity of schools in the morning and afternoon peak hours, and near churches, parks and community centers. -Work with adjacent jurisdictions to address the impacts of regional development patterns (e.g. residential development in surrounding communities, regional universities, employment centers, and commercial developments) on the circulation system. -Actively promote walking as a safe mode of local travel, particularly for children attending local schools. -Employ traffic calming methods such as median landscaping and provision of bike or transit lanes to slow traffic, improve roadway capacity, and address safety issues.
MS G-3: Enhance the regional transportation network and maintain effectiveness	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage the transportation authority to reduce fees for short distance trips. -Ensure that improvements to the traffic corridors do not negatively impact the operation of local roadways and land uses.

MV00170827

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	**Source Type[1]**	**Agency/Organization[2]**	**Description/Comments**
			-Cooperate with adjacent jurisdictions to maintain adequate service levels at shared intersections and to provide adequate capacity on regional routes for through traffic. -Support initiatives to provide better public transportation. Work actively to ensure that public transportation is part of every regional transportation corridor. - Coordinate the different modes of travel to enable users to transfer easily from one mode to another. -Work to provide a strong paratransit system that promotes the mobility of all residents and educate residents about local mobility choices. - Promote transit-oriented development to facilitate the use of the community's transit services.
MS G-4: Promote and support an efficient public transportation network connecting activity centers in the area to each other and the region.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Promote increased use of public transportation and support efforts to increase bus service range and frequency within the area as appropriate. -Enhance and encourage provision of attractive and appropriate transit amenities, including shaded bus stops, to encourage use of public transportation. -Encourage the school districts, private schools and other operators to coordinate local bussing and to expand ride-sharing programs. All bussing options should be fully considered before substantial roadway improvements are made in the vicinity of schools to ease congestion.
MS G-5: Establish and maintain a comprehensive system, which is safe and convenient, of pedestrian ways and bicycle routes that provide viable options to travel by automobile.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Improve area sidewalks and rights-of-way to make them efficient and appealing for walking and bicycling safely. Coordinate with adjacent jurisdictions and regional agencies to improve pedestrian and bicycle trails, facilities, signage, and amenities. -Provide safe and convenient pedestrian and bicycle connections to and from town centers, other commercial districts, office complexes, neighborhoods, schools, other major activity centers, and surrounding communities. -Work with neighboring jurisdictions to provide well-designed pedestrian and bicycle crossings of major roadways. -Promote walking throughout the community. Install sidewalks where missing and make improvements

MV00170828

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	**Source Type[1]**	**Agency/Organization[2]**	**Description/Comments**
			to existing sidewalks for accessibility purposes. Particular attention should be given to needed sidewalk improvement near schools and activity centers. -Encourage businesses or residents to sponsor street furniture and landscaped areas. - Strive to provide pedestrian pathways that are well shaded and pleasantly landscaped to encourage use. - Attract bicyclists from neighboring communities to ride their bicycles or to bring their bicycles on the train to enjoy bicycling around the community and to support local businesses. - Meet guidelines to become nationally recognized as a Bicycle-Friendly community. - Provide for an education program and stepped up code enforcement to address and minimize vegetation that degrades access along public rights-of-way. -Engage in discussions with transit providers to increase the number of bicycles that can be accommodated on buses
MS G-6: Achieve optimum use of regional rail transit.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Support regional rail and work with rail authority to expand services. - Achieve better integration of all transit options. -Work with regional transportation planning agencies to finance and provide incentives for multimodal transportation systems. - Promote activity centers and transit-oriented development projects around the transit station.
MS G-7: Expand and optimize use of local and regional bus and transit systems.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage convenient public transit service between area and airports. -Support the establishment of a local shuttle to serve commercial centers. -Promote convenient, clean, efficient, and accessible public transit that serves transit-dependent riders and attracts discretionary riders as an alternative to reliance on single-occupant automobiles.

MV00170829

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			- Empower seniors and those with physical disabilities who desire maximum personal freedom and independence of lifestyle with unimpeded access to public transportation. -Integrate transit service and amenities with surrounding land uses and buildings.
Conservation, Open Space			
MS G-8: Emphasize the importance of water conservation and maximizing the use of native, low-water landscaping.	GP/Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Reduce the amount of water used for landscaping and increase use of native and low water plants. Maximize use of native, low-water plants for landscaping of areas adjacent to sidewalks or other impermeable surfaces. -Encourage the production, distribution and use of recycled and reclaimed water for landscaping projects throughout the community, while maintaining urban runoff water quality objectives. -Promote water conservation measures, reduce urban runoff, and prevent groundwater pollution within development projects, property maintenance, area operations and all activities requiring approval. -Educate the public about the importance of water conservation and avoiding wasteful water habits. -Work with water provider in exploring water conservation programs, and encourage the water provider to offer incentives for water conservation.
MS G-9: Improve air quality within the region.	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Integrate air quality planning with area land use, economic development and transportation planning efforts. -Support programs that reduce air quality emissions related to vehicular travel. -Support alternative transportation modes and technologies, and develop bike- and pedestrian-friendly neighborhoods to reduce emissions associated with automobile use. -Encourage the use of clean fuel vehicles. -Promote the use of fuel-efficient heating and cooling equipment and other appliances, such as water

MV00170830

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces, and boiler units. - Promote the use of clean air technologies such as fuel cell technologies, renewable energy sources. UV coatings, and alternative, non-fossil fuels. -Require the planting of street trees along streets and inclusion of trees and landscaping for all development projects to help improve airshed and minimize urban heat island effects. - Encourage small businesses to utilize clean, innovative technologies to reduce air pollution. - Implement principles of green building. - Support jobs/housing balance within the community so more people can both live and work within the community. To reduce vehicle trips, encourage people to telecommute or work out of home or in local satellite offices.
MS G-10: Encourage and maximize energy conservation and identification of alternative energy sources.	GP/ Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage green building designs for new construction and renovation projects within the area. -Coordinate with regional and local energy suppliers to ensure adequate supplies of energy to meet community needs, implement energy conservation and public education programs, and identify alternative energy sources where appropriate. -Encourage building orientations and landscaping that enhance natural lighting and sun exposure. -Encourage expansion of neighborhood-level products and services and public transit opportunities throughout the area to reduce automobile use. - Incorporate the use of energy conservation strategies in area projects. - Promote energy-efficient design features, including appropriate site orientation, use of light color roofing and building materials, and use of evergreen trees and wind-break trees to reduce fuel consumption for heating and cooling.

MV00170831

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			-Explore and consider the cost/benefits of alternative fuel vehicles including hybrid, natural gas, and hydrogen powered vehicles when purchasing new vehicles. -Continue to promote the use of solar power and other energy conservation measures. - Encourage residents to consider the cost/benefits of alternative fuel vehicles. - Promote the use of different technologies that reduce use of non-renewable energy resources. -Facilitate the use of green building standards and LEED in both private and public projects. -Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, as appropriate. -Support sustainable building practices that integrate building materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction, and operation of the built environment. - Investigate the feasibility of using solar (photovoltaic) street lights instead of conventional street lights that are powered by electricity in an effort to conserve energy. - Encourage cooperation between neighboring development to facilitate on-site renewable energy supplies or combined heat and power co-generation facilities that can serve the energy demand of contiguous development.

MV00170832

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-11: Preserve unique community forests, and provide for sustainable increase and maintenance of this valuable resource.	GP/Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Develop a tree planting policy that strives to accomplish specific % shading of constructed paved and concrete surfaces within five years of construction. -Provide adequate funding to manage and maintain the existing forest, including sufficient funds for tree planting, pest control, scheduled pruning, and removal and replacement of dead trees. -Coordinate with local and regional plant experts in selecting tree species that respect the natural region in which Claremont is located, to help create a healthier, more sustainable urban forest. - Continue to plant new trees (in particular native tree species where appropriate), and work to preserve mature native trees. -Increase the awareness of the benefits of street trees and the community forest through a area wide education effort. -Encourage residents to properly care for and preserve large and beautiful trees on their own private property.
Housing			
MS G-12: Provide affordability levels to meet the needs of community residents.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage development of affordable housing opportunities throughout the community, as well as development of housing for elderly and low and moderate income households near public transportation services. -Ensure a portion of future residential development is affordable to low and very low income households.
Land Use			
MS G-13: Promote a visually-cohesive urban form and establish connections between the urban core and outlying portions of the	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Preserve the current pattern of development that encourages more intense and higher density development at the core of the community and less intense uses radiating from the central core. -Create and enhance landscaped greenway, trail and sidewalk connections between neighborhoods and to commercial areas, town centers, and parks.

MV00170833

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	**Source Type[1]**	**Agency/Organization[2]**	**Description/Comments**
community.			-Identify ways to visually identify and physically connect all portions of the community, focusing on enhanced gateways and unifying isolated and/or outlying areas with the rest of the area. -Study and create a diverse plant identity with emphasis on drought-resistant native species.
MS G-14: Provide a diverse mix of land uses to meet the future needs of all residents and the business community.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Attract a broad range of additional retail, medical, and office uses providing employment at all income levels. -Support efforts to provide beneficial civic, religious, recreational, cultural and educational opportunities and public services to the entire community. -Coordinate with public and private organizations to maximize the availability and use of parks and recreational facilities in the community. -Support development of hotel and recreational commercial land uses to provide these amenities to local residents and businesses.
MS G-15: Collaborate with providers of solid waste collection, disposal and recycling services to ensure a level of service that promotes a clean community and environment.	GP/ Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Require recycling, composting, source reduction and education efforts throughout the community, including residential, businesses, industries, and institutions, within the construction industry, and in all sponsored activities.
MS G-16: Promote construction, maintenance and active use of publicly- and privately-operated parks, recreation programs, and a community center.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Work to expand and improve community recreation amenities including parks, pedestrian trails and connections to regional trail facilities. -As a condition upon new development, require payment of park fees and/or dedication and provision of parkland, recreation facilities and/or multi-use trails that improve the public and private recreation system. -Research options or opportunities to provide necessary or desired community facilities.

MV00170834

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-17: Promote the application of sustainable development practices.	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Encourage sustainable development that incorporates green building best practices and involves the reuse of previously developed property and/or vacant sites within a built-up area. - Encourage the conservation, maintenance, and rehabilitation of the existing housing stock. -Encourage development that incorporates green building practices to conserve natural resources as part of sustainable development practices. -Avoid development of isolated residential areas in the hillsides or other areas where such development would require significant infrastructure investment, adversely impact biotic resources. - Provide land area zoned for commercial and industrial uses to support a mix of retail, office, professional, service, and manufacturing businesses.
MS G-18: Create activity nodes as important destination areas, with an emphasis on public life within the community.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide pedestrian amenities, traffic-calming features, plazas and public areas, attractive streetscapes, shade trees, lighting, and retail stores at activity nodes. -Provide for a mixture of complementary retail uses to be located together to create activity nodes to serve adjacent neighborhoods and to draw visitors from other neighborhoods and from outside the area.
MS G-19: Make roads comfortable, safe, accessible, and attractive for use day and night.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide crosswalks and sidewalks along streets that are accessible for people with disabilities and people who are physically challenged. -Provide lighting for walking and nighttime activities, where appropriate. -Provide transit shelters that are comfortable, attractive, and accommodate transit riders.
MS G-20: Maintain and expand where possible the system of neighborhood connections that attach neighborhoods to larger roadways.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Provide sidewalks where they are missing, and provide wide sidewalks where appropriate with buffers and shade so that people can walk comfortably. -Make walking comfortable at intersections through traffic-calming, landscaping, and designated crosswalks.

MV00170835

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			-Look for opportunities for connections along easements & other areas where vehicles not permitted.
MS G-21: Create distinctive places throughout the area.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide benches, streetlights, public art, and other amenities in public areas to attract pedestrian activities. -Encourage new developments to incorporate drought tolerant and native landscaping that is pedestrian friendly, attractive, and consistent with the landscaped character of area. -Encourage all new development to preserve existing mature trees. -Encourage streetscape design programs for commercial frontages that create vibrant places which support walking, bicycling, transit, and sustainable economic development. -Encourage the design and placement of buildings on lots to provide opportunities for natural systems such as solar heating and passive cooling. - Ensure that all new industrial development projects are positive additions to the community setting, provide amenities for the comfort of the employees such as outdoor seating area for breaks or lunch, and have adequate landscape buffers.
MS G-22: Reinvest in existing neighborhoods and promote infill development as a preference over new, greenfield development	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Identify all underused properties in the plan area and focus development in these opportunity sites prior to designating new growth areas for development. - Implement programs to retro-fit existing structures to make them more energy-efficient. -Encourage compact development, by placing the desired activity areas in smaller spaces.

MV00170836

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
Public Safety			
MS G-23: Promote a safe community in which residents can live, work, shop, and play.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Foster an environment of trust by ensuring non-biased policing, and by adopting policies and encouraging collaboration that creates transparency. - Facilitate traffic safety for motorists and pedestrians through proper street design and traffic monitoring.

Note:
[1] Where GP=General Plan.
[2] List is not meant to be all inclusive.
Source: Data complied by EDAW in 2007

MV00170837

Appendix C

Rule and Regulation Summary

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Low Carbon Fuel Standard	10-20 MMT CO_2e by 2020	January 1, 2010	ARB	This rule/regulation will require fuel providers (e.g., producers, importers, refiners and blenders) to ensure that the mix of fuels they sell in CA meets the statewide goal to reduce the carbon intensity of CA's transportation fuels by at least 10% by the 2020 target.	ARB Early Action Measure
Reduction of HFC-134a Emissions from Nonprofessional Servicing of Motor Vehicle Air Conditioning Systems	1-2 MMT CO_2e by 2020	January 1, 2010	ARB	This rule/regulation will restrict the use of high GWP refrigerants for nonprofessional recharging of leaky automotive air conditioning systems.	ARB Early Action Measure
Landfill Gas Recovery	2-4 MMT CO_2e by 2020	January 1, 2010	IWMB, ARB	This rule/regulation will require landfill gas recovery systems on small to medium landfills that do not have them and upgrade the requirements at landfills with existing systems to represent best capture and destruction efficiencies.	ARB Early Action Measure
Vehicle Climate Change Standards (AB 1493 Pavley, Chapter 200, Statutes of 2002)	30 MMT CO_2e by 2020	2009	ARB	This rule/regulation will require ARB to achieve the maximum feasible and cost effective reduction of GHG emissions from passenger vehicles and light-duty trucks.	ARB Early Action Measure
Reduction of PFCs from the Semiconductor Industry	0.5 MMT CO_2e by 2020	2007–2009	ARB	This rule/regulation will reduce GHG emissions by process improvements/source reduction, alternative chemicals capture and beneficial reuse, and destruction technologies	Underway or to be initiated by CAT members in 2007-2009 period

AB=Assembly Bill; ARB=California Air Resources Board; Calfire=California Fire; CA=California; Caltrans=California Department of Transportation; CAT=California Action Team; CEC=California Energy Commission; CDFA=California Department of Food and Agriculture; CH_4=Methane; CO_2=Carbon Dioxide; CPUC=California Public Utilities Commission; CUFR=California Urban Forestry; DGS=Department of General Services; DWR=Department of Water Resources; GHG=Greenhouse Gas; GWP=Global Warming Potential; IGCC= Integrated Gasification Combined Cycle; IOU= Investor-Owned Utility; IT=Information Technology; IWCB= Integrated Waste Management Board; LNG= Liquefied Natural Gas; MMT CO_2e=Million Metric Tons Carbon Dioxide Equivalent; MW=Megawatts; NA=Not Available; N_2O=Nitrous Oxide; PFC= Perfluorocompound; POU= Publicly Owned Utility; RPS= Renewable Portfolio Standards; RTP=Regional Transportation Plan SB=Senate Bill; SWP=State Water Project; TBD=To Be Determined; UC/CSU=University of California/California State University; ULEV=Ultra Low Emission Vehicle.

MV00170839

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Restrictions on High GWP Refrigerants	9 MMT CO_2e by 2020	2010	ARB	This rule/regulation will expand and enforce the national ban on release of high GWP refrigerants during appliance lifetime.	ARB Early Action Measure
Cement Manufacture	<1 MMT CO_2e per year (based on 2004 production levels)	2010	Caltrans	This rule/regulation will allow 2.5% interground limestone concrete mix in cement use.	CAT Early Action Measure
Hydrogen Fuel Standards (SB 76 of 2005)	TBD	By 2008	CDFA	This rule/regulation will develop hydrogen fuel standards for use in combustion systems and fuel cells.	CAT Early Action Measure
Regulation of GHG from Load Serving Entities (SB 1368)	15 MMT CO_2e by 2020	May 23, 2007	CEC, CPUC	This rule/regulation will establish a GHG emission performance standard for baseload generation of local publicly owned electric utilities that is no higher than the rate of emissions of GHG for combined-cycle natural gas baseload generation.	CAT Early Action Measure
Energy Efficient Building Standards	TBD	In 2008	CEC	This rule/regulation will update of Title 24 standards.	CAT Early Action Measure
Energy Efficient Appliance Standards	TBD	January 1, 2010	CEC	This rule/regulation will regulate light bulb efficiency	CAT Early Action Measure
Tire Efficiency (Chapter 8.7 Division 15 of the Public Resources Code)	<1 MMT CO_2e by 2020	January 1, 2010	CEC & IWMB	This rule/regulation will ensure that replacement tires sold in CA are at least as energy efficient, on average, as tires sold in the state as original equipment on these vehicles.	CAT Early Action Measure
New Solar Homes Partnership	TBD	January 2007	CEC	Under this rule/regulation, approved solar systems will receive incentive funds based on system performance above building standards.	CAT Early Action Measure

MV00170840

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Water Use Efficiency	1 MMT CO_2e by 2020	2010	DWR	This rule/regulation will adopt standards for projects and programs funded through water bonds that would require consideration of water use efficiency in construction and operation.	CAT Early Action Measure
State Water Project	TBD	2010	DWR	This rule/regulation will include feasible and cost effective renewable energy in the SWP's portfolio.	CAT Early Action Measure
Cleaner Energy for Water Supply	TBD	2010	DWR	Under this rule/regulation, energy supply contracts with conventional coal power plants will not be renewed.	CAT Early Action Measure
IOU Energy Efficiency Programs	4 MMT CO_2e by 2020	2010	CPUC	This rule/regulation will provide a risk/reward incentive mechanism for utilities to encourage additional investment in energy efficiency; evaluate new technologies and new measures like encouraging compact fluorescent lighting in residential and commercial buildings	CAT Early Action Measure
Solar Generation	TBD	2007–2009	DGS	3 MW of clean solar power generation implemented in CA last year, with another 1 MW coming up. The second round is anticipated to total additional 10 MW and may include UC/CSU campuses and state fairgrounds.	Underway or to be initiated by CAT members in 2007-2009 period

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MV00170841

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Transportation Efficiency	9 MMT CO_2e by 2020	2007–2009	Caltrans	This rule/regulation will reduce congestion, improve travel time in congested corridors, and promote coordinated, integrated land use.	Underway or to be initiated by CAT members in 2007-2009 period
Smart Land Use and Intelligent Transportation	10 MMT CO_2e by 2020	2007–2009	Caltrans	This rule/regulation will integrate consideration of GHG reduction measures and energy efficiency factors into RTPs, project development etc.	Underway or to be initiated by CAT members in 2007-2009 period
Cool Automobile Paints	1.2 to 2.0 MMT CO_2e by 2020	2009	ARB	Cool paints would reduce the solar heat gain in a vehicle and reduce air conditioning needs.	ARB Early Action Measure
Tire Inflation Program	TBD	2009	ARB	This rule/regulation will require tires to be checked and inflated at regular intervals to improve fuel economy.	ARB Early Action Measure
Electrification of Stationary Agricultural Engines	0.1 MMT CO_2e by 2020	2010	ARB	This rule/regulation will provide incentive funding opportunities for replacing diesel engines with electric motors.	ARB Early Action Measure
Desktop Power Management	Reduce energy use by 50%	2007–2009	DGS, ARB	This rule/regulation will provide software to reduce electricity use by desktop computers by up to 40%.	Currently deployed in DGS
Reducing CH_4 Venting/Leaking from Oil and Gas Systems (EJAC-3/ARB 2-12)	1 MMT CO_2e by 2020	2010	ARB	This rule/regulation will reduce fugitive CH_4 emissions from production, processing, transmission, and distribution of natural gas and oil.	ARB Early Action Measure
Replacement of High GWP Gases Used in Fire Protection Systems with Alternate Chemical (ARB 2-10)	0.1 MMT CO_2e by 2020	2011	ARB	This rule/regulation will require the use of lower GWP substances in fire protection systems.	ARB Early Action Measure
Contracting for Environmentally Preferable Products	NA	2007–2009	DGS	New state contracts have been or are being created for more energy and resource efficient IT goods, copiers, low mercury fluorescent lamps, the CA Gold Carpet Standard and office furniture.	Underway or to be initiated by CAT members in 2007-2009 period
Hydrogen Fuel Cells	NA	2007–2009	DGS	This rule/regulation will incorporate clean hydrogen fuel cells in stationary applications	Underway or to be initiated by CAT members in 2007-2009

MV00170842

Table 18 Rule and Regulation Summary					
Rule/Regulation	**Reduction**	**Implementation Date**	**Agency**	**Description**	**Comments**
				at State facilities and as back-up generation for emergency radio services.	period
High Performance Schools	NA	2007–2009	DGS	New guidelines adopted for energy and resource efficient schools; up to $100 million in bond money for construction of sustainable, high performance schools.	Underway or to be initiated by CAT members in 2007-2009 period
Urban Forestry	1 MMT CO_2e by 2020	2007–2009	Calfire, CUFR	This rule/regulation will provide five million additional trees in urban areas by 2020.	Underway or to be initiated by CAT members in 2007-2009 period
Fuels Management/Biomass	3 MMT CO_2e by 2020	2007–2009	Calfire	This rule/regulation will provide biomass from forest fuel treatments to existing biomass utilization facilities.	Underway or to be initiated by CAT members in 2007-2009 period
Forest Conservation and Forest Management	10 MMT CO_2e by 2020	2007–2009	Calfire, WCB	This rule/regulation will provide opportunities for carbon sequestration in Proposition 84 forest land conservation program to conserve an additional 75,000 acres of forest landscape by 2010.	Underway or to be initiated by CAT members in 2007-2009 period
Afforestation/Reforestation	2 MMT CO_2e by 2020	2007–2009	Calfire	This rule/regulation will subsidize tree planting.	Underway or to be initiated by CAT members in 2007-2009 period
Dairy Digesters	TBD	January 1, 2010	CDFA	This rule/regulation will develop a dairy digester protocol to document GHG emission reductions from these facilities.	ARB Early Action Measure

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MV00170843

Table 18 Rule and Regulation Summary					
Rule/Regulation	**Reduction**	**Implementation Date**	**Agency**	**Description**	**Comments**
Conservation Tillage and Enteric Fermentation	1 MMT CO_2e by 2020	2007–2009	CDFA	This rule/regulation will develop and implement actions to quantify and reduce enteric fermentation emissions from livestock and sequester soil carbon using cover crops and conservation tillage.	Underway or to be initiated by CAT members in 2007-2009 period
ULEV	TBD	2007–2009	DGS	A new long term commercial rental contract was released in March 2007 requiring a minimum ULEV standard for gasoline vehicles and requires alternative fuel and hybrid-electric vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Flex Fuel Vehicles	370 metric tons CO_2, 0.85 metric tons of CH_4, and 1.14 metric tons of N_2O	2007–2009	DGS	Under this rule/regulation, DGS is replacing 800 vehicles with new, more efficient vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Climate Registry	TBD	2007–2009	DGS	Benchmarking and reduction of GHG emissions for state owned buildings, leased buildings and light duty vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Municipal Utilities Electricity Sector Carbon Policy	Included in SB 1368 reductions	2007–2009	CEC, CPUC, ARB	Under this rule/regulation, GHG emissions cap policy guidelines for CA's electricity sector (IOUs and POUs).	Underway or to be initiated by CAT members in 2007-2009 period
Alternative Fuels: Nonpetroleum Fuels	TBD	2007–2009	CEC	State plan to increase the use of alternative fuels for transportation; full fuel cycle assessment.	Underway or to be initiated by CAT members in 2007-2009 period
Zero Waste/High Recycling Strategy	5 MMT CO_2e by 2020	2007–2009	IWMB	This rule/regulation will identify materials to focus on to achieve GHG reduction at the lowest possible cost; Builds on the success of 50% Statewide Recycling Goal.	Underway or to be initiated by CAT members in 2007-2009 period
Organic Materials Management	TBD	2007–2009	IWMB	This rule/regulation will develop a market incentive program to increase organics diversion to the agricultural industry.	Underway or to be initiated by CAT members in 2007-2009 period
Landfill Gas Energy	TBD	2007–2009	IWMB	Landfill Gas to Energy & LNG/biofuels	Underway or to be initiated by CAT members in 2007-2009 period

MV00170844

Table 18 Rule and Regulation Summary					
Rule/Regulation	**Reduction**	**Implementation Date**	**Agency**	**Description**	**Comments**
Target Recycling	TBD	2007–2009	IWMB	This rule/regulation will focus on industry/public sectors with high GHG components to implement targeted commodity recycling programs.	Underway or to be initiated by CAT members in 2007-2009 period
Accelerated Renewable Portfolio Standard	Included in SB 1368 reductions	2007–2009	CPUC	This rule/regulation will examine RPS long term planning and address the use of tradable renewable energy credits for RPS compliance.	Underway or to be initiated by CAT members in 2007-2009 period
CA Solar Initiative	1 MMT CO_2e by 2020	2007–2009	CPUC	Initiative to deliver 2000 MWs of clean, emissions free energy to the CA grid by 2016.	Underway or to be initiated by CAT members in 2007-2009 period
Carbon Capture and Sequestration	TBD	2007–2009	CPUC	Proposals for power plants with IGCC and/or carbon capture in the next 18 months.	Underway or to be initiated by CAT members in 2007-2009
Source: Data complied by EDAW in 2007					

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MV00170845

2011 Annual Report

Transportation Uniform Mitigation Fee Program

WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS

MV00170846

Dear Friend,

No doubt about it, crop circles are intriguing, even fascinating, to many. Are the circles the work of alien visitors? Are they a natural phenomenon? Perhaps elaborate hoaxes perpetrated by some very dedicated humans? Whatever you believe them to be, you can't deny that the topic makes for great conversation.

Farmers have reported finding strange circles in their fields for centuries. The earliest mention of a crop circle dates back to the 1500s. Observations of crop circles were sporadic until the 20th century, when circles began appearing in the 1960s and 1970s in England and the United States. By the 1990s, crop circles had become something of a tourist attraction. In 1990 alone, more than 500 circles emerged in Europe. Within the next few years, there were thousands. Visitors came from around the world to see them. They became associated with strange lights, reports of malfunctioning electronic equipment, and positive health effects on people visiting circles, suggesting that the phenomenon involves unexplained forces.

In 2003, to considerably less fanfare, a series of circles also began appearing in Western Riverside County. Unlike the mysteriousness surrounding crop circle origins, those sighted in the WRCOG subregion (see p. 46 of this Annual Report for a closer look) do not defy explanation. The concentric circles found in these pages simply show the total value of road, bridge and interchange improvements to be constructed using revenues from WRCOG's Transportation Uniform Mitigation Fee (TUMF) Program within 3, 5, and 10-mile diameters from each city center in Western Riverside County. No hoaxes. No flashy lights. No alien trails. Just fact.

WRCOG's circles demonstrate the immense ***regional value*** of the TUMF Program, the nation's largest uniform development fee program for transportation improvements. ***Regional value*** is the centerpiece of the TUMF Program, recognizing that residents and employees in all of Western Riverside County's jurisdictions utilize arterials located not just in the city in which they live and/or work, but also those in adjacent jurisdictions and beyond. Without TUMF's regional approach to funding transportation improvements, there is no way any single jurisdiction could, by itself, raise the revenues needed to construct the transportation infrastructure that will be coming their way via this Program. Developers in the City of Lake Elsinore, for example, will contribute approximately $50 million to the TUMF Program over time, yet more than $480 million in TUMF improvements are identified to be constructed within 10 miles from the City center. The circle pattern repeats itself in each of WRCOG's jurisdictions: $429 million in TUMF improvements are identified within 10 miles of Hemet's City center, $648 million from Jurupa Valley's city center, $827 million from Murrieta's City center, and so on.

When completed, the TUMF Program will construct 1,229 new lane-miles of arterials, improve 58 interchanges, construct or widen 56 bridges, construct 17 railroad grade separations, provide more than $61 million for regional transit improvements, and provide nearly $60 million for acquisition of sensitive habitat. Already, at the end of the 2010/2011 fiscal year, 46 TUMF-funded projects had been completed.

As the administrator of the TUMF Program, WRCOG is pleased to provide this 2011 TUMF Annual Report. The Report provides detailed information about the history and status of the Program, including revenues collected, projects completed and programmed, as well as the latest updates regarding which projects are to be constructed. Our goal is to provide information that will be helpful in understanding the direction and accomplishments of the TUMF Program.

Crop circles have been said to bestow health benefits to those who visit them. We can't vouch for that, but we do believe that health benefits - in the form of reduced congestion - will come to residents and employees who drive within WRCOG's circles in the future.

Rick Bishop

Rick Bishop, Executive Director
Western Riverside Council of Governments

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Cover photo: Construction underway on the Cal Oaks / I-15 Interchange Improvement Project, City of Murrieta (Photo courtesy of City of Murrieta)

MV00170849

Introduction

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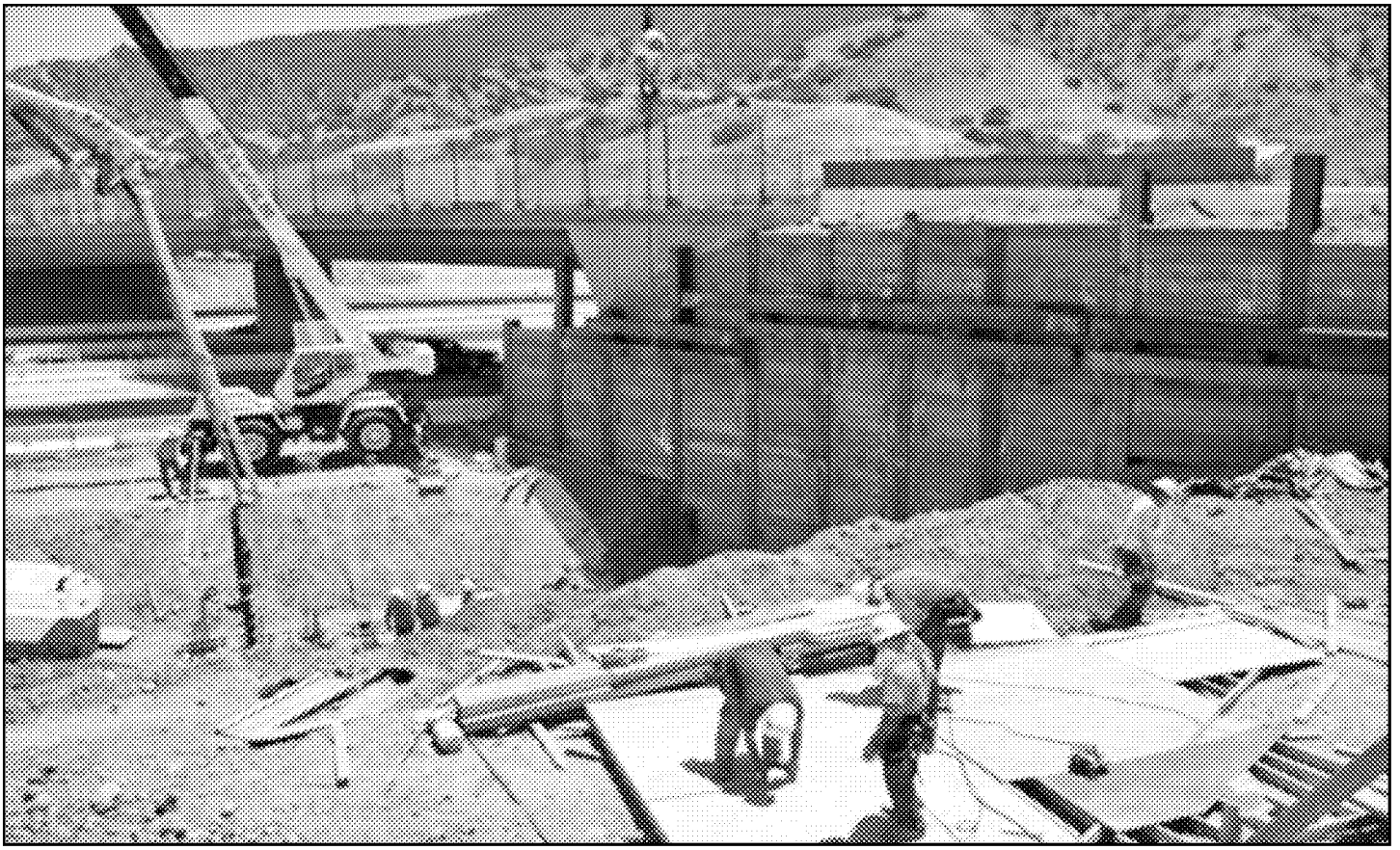

Green River Road / SR-91 Interchange construction (Photo courtesy of RCTC)

Riverside County is the fourth most populated California county, and the eleventh most populated County in the United States. Western Riverside County includes seventeen incorporated Cities and the unincorporated county, covering an area of approximately 2,100 square miles. The subregion's population is over 1.7 million people and will grow by over 700,000 between now and 2035, reaching 2.46 million residents (in 1990, Western Riverside County had approximately 869,559 people). Between 2010 and 2011, Riverside County had the highest growth rate (1.59 percent) in the state, adding over 34,000 new residents during the year.

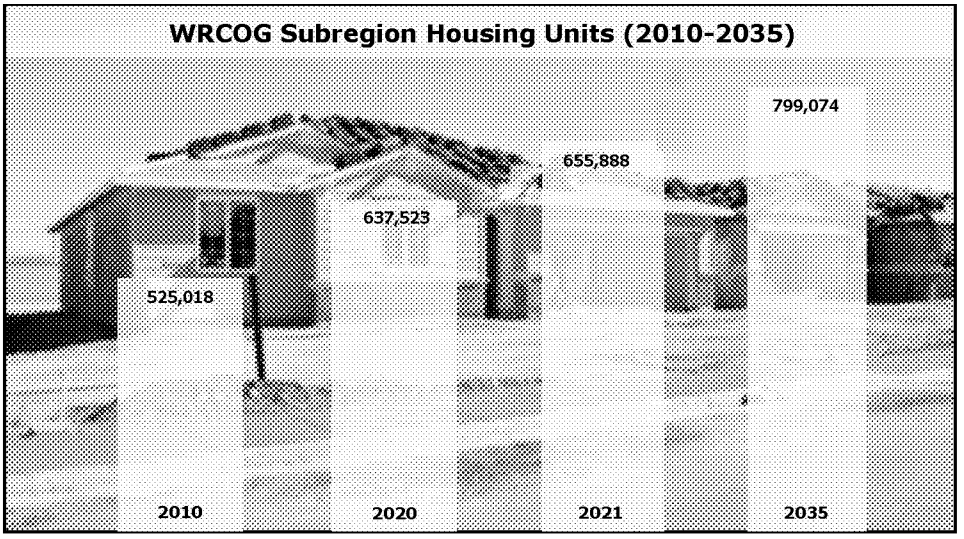

Source: Riverside County Center for Demographic Research

Along with the tremendous opportunities that growth brings comes consequences and challenges, including a heavy impact on transportation infrastructure.

Projected growth in Western Riverside County can be expected to significantly increase congestion and degrade mobility unless substantial investments are

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made in the subregion's transportation infrastructure. This challenge is especially critical for arterial highways and roadways that carry a significant number of trips between the jurisdictions within the subregion. As more jobs come to the subregion, thousands of vehicle trips that occur on the freeways as commuters travel to other counties for employment are transitioning to the subregion's arterials, which are already heavily used by current commuters.

Traditional sources of transportation improvement funding (such as the gasoline tax) will not be sufficient to fund the transportation improvements needed to serve this significant new growth. Development conditions and local Development Impact Fees (DIFs) are limited in scope, and when applied, do not provide for regional improvements necessary to accommodate new growth, as improvements are usually confined to the area immediately adjacent to the respective development. Broad-based county-level funding sources, such as Riverside County's half-cent sales tax known as Measure A, focus most expenditures for freeways, designating lesser revenue allocations for arterial roadway improvements.

As a result of growth in Western Riverside County, additional pressure will be placed on the subregion's transportation infrastructure, particularly the arterial roadways, with Vehicle Miles Traveled (VMT) estimated to increase by 55 percent, or 1.6 percent compounded annually. By 2035, 36 percent of the total VMT on the regional arterial highway system is forecast to operate on facilities at Level Of Service (LOS) E or worse. (LOS is a qualitative measure used to describe traffic flow conditions, ranging from free flow conditions at LOS A to congested conditions at LOS F.)

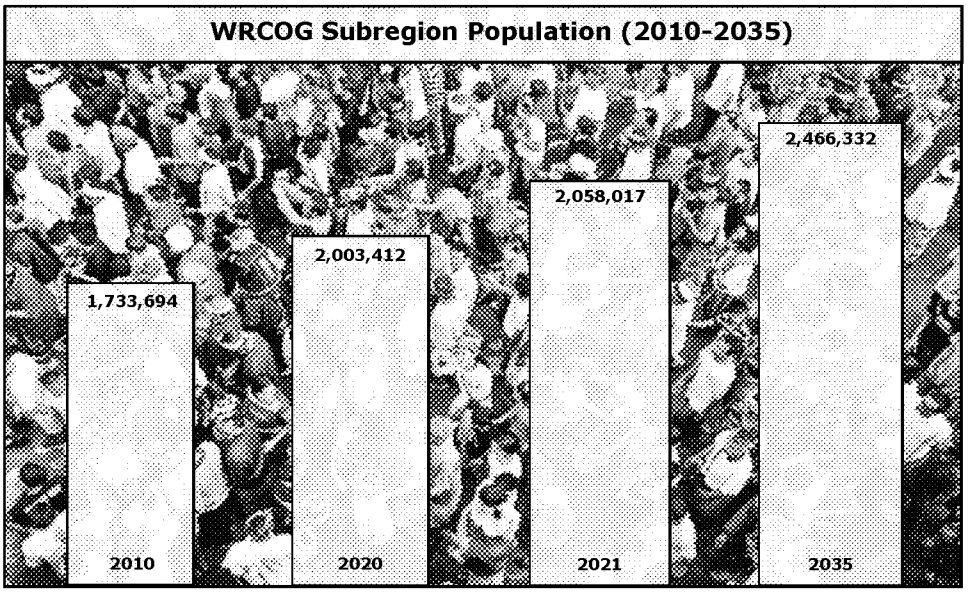

Source: Riverside County Center for Demographic Research

In 2007, the total Vehicle Hours of Delay (VHD) experienced by area motorists on arterial highways was 25.8 million hours. Without improvements to the arterial highway system, VHD will increase by more than 5.4 percent per year to 50 million VHD by 2035. The need to improve these roadways and relieve future congestion is, therefore, directly linked to the future development that generates the travel demand.

Additionally, a substantial number of future trips will be served by bus transit services within Western Riverside County, which is also a result of future development.

In August 2000, the WRCOG Executive Committee directed that the development of a consolidated uniform mitigation fee program for all of Western Riverside County be undertaken. This action was based on the desire to establish a single uniform fee program to mitigate the cumulative regional impacts of new development on the subregion's arterial highway system, rather than having multiple and potentially uncoordinated fee programs with

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varying policies, fee amounts and improvement projects. A regional transportation program was viewed as the most effective way to address the cumulative impacts of new development in the WRCOG subregion.

Corona Transit Center, City of Corona

The subregion's Public Works Directors identified a network of roads, bridges, interchanges and railroad grade separations that should be included in this Program. The network, known as the Regional System of Highways and Arterials (RSHA), represents the subregion's cumulative and seamless identification of transportation improvements needed to accommodate future growth in the subregion through 2035. The RSHA (see p. 8 of this Report) serves as the cornerstone of the TUMF Program, and provides the basis for the "Nexus Study" prepared to demonstrate the impact of future development on the subregion's RSHA, identify improvements needed to accommodate the projected growth, establish improvement costs and - ultimately - to determine the fee structure for the TUMF Program.

In order to ensure the TUMF Program's "Nexus Study" remains current, a new Nexus Study was prepared by WRCOG during the 2009/2010 fiscal year to update the TUMF Program. The updated Nexus Study continues to demonstrate the relationship between the fee collected and the proposed improvements due to new growth. Factors that reflect this relationship include the following:

- Western Riverside County is expected to continue to examine significant long-term growth.
- Continuing new growth will result in increasing congestion on arterial roadways.
- Future arterial roadway congestion is directly attributable to the cumulative regional transportation impacts of future development in Western Riverside County.
- Capacity improvements to the transportation system will be needed to mitigate the cumulative impacts of new development.
- Roads on the TUMF Network (Network) are the facilities that merit improvement through this fee Program.
- Improvements to the public transportation system will be needed to provide adequate mobility for the transit-dependent travelers and to provide an alternative to automotive travel.

The WRCOG Executive Committee approved the findings of the Nexus Study update and adopted the proposed fee structure. The fee is based on an updated growth forecast, an

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updated cost of the improvements, a revised RSHA, and the elimination of existing need since it cannot be part of the fee.

Between now and 2035, the TUMF Program is estimated to provide $4.2 billion in arterial road, bridge, intersection and interchange improvements in Western Riverside County. Once fees are collected from new development by each of WRCOG's participating jurisdictions, TUMF Program dollars are programmed by WRCOG's partner agencies to implement the TUMF Program, which includes: the jurisdictions, the Riverside Transit Agency (RTA), the March Joint Powers Authority, and the Riverside County Transportation Commission (RCTC).

These jurisdictions and agencies are responsible for prioritizing which TUMF projects will be constructed first, and also for overseeing all aspects of project development. This implementation approach allows those agencies to move quickly in developing priorities and constructing projects.

As part of the Nexus Study update, the RSHA was revised to reflect the most current transportation needs and costs for Western Riverside County. The new Network reflected several changes due to completed projects and recommendations from the WRCOG Public Works Committee (PWC) to better represent the transportation needs of Western Riverside County.

The updated Network revised the number of lane miles, interchanges, intersections and grade separations from the previous network. In addition, it eliminated the following improvements: Category 4 interchange improvements (generally ramp improvements) and Category 5

SR-79 Winchester Road / I-15 Interchange Project, City of Temecula (Photo courtesy of City of Temecula)

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interchange improvements (TUMF-to-TUMF grade separations); all costs associated with TUMF facilities as part of Communities Facilities District 93-1 in the City of Beaumont; TUMF-to-TUMF intersection improvements; and the Mid County Parkway segment from I-215 to I-15.

Van Buren Bridge over Santa Ana River (Photo courtesy of TLMA)

The updated Ntwork also reflects all completed TUMF projects, and no new projects were added, resulting in an overall RSHA reduction in cost.

A summary of improvements to the RSHA that will be provided by the TUMF Program is as follows:

- Construct 1,229 new lane miles of arterials.
- Improve 58 interchanges.
- Construct or widen 56 bridges.
- Provide more than $61 million for regional transit improvements.
- Provide nearly $60 million for acquisition of sensitive habitat.
- Construct 17 railroad grade separations.

This Annual Report provides a summary of revenues collected and expended during the 2010/2011 fiscal year. It summarizes projects that have been constructed, programmed, or are underway in accordance with adopted Transportation Improvement Programs (TIPs) for each of the Program's five zones, RCTC and RTA.

Visible evidence of Program implementation already exists, as 47 TUMF-funded projects are already built. The list of completed projects can be found in the "Projects" section (p. 45) of this Report.

The TUMF Program is administered by WRCOG, a joint powers authority consisting of the 17 cities in Western Riverside County, the County of Riverside, the Eastern Municipal Water District and Western Municipal Water District, the Riverside County Superintendent of Schools and the March JPA (a voting member on TUMF items at the Technical Advisory Committee level).

For more information regarding WRCOG, or to find more details related to the TUMF Program, please visit WRCOG's website at www.wrcog.cog.ca.us.

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When the TUMF Program was initiated in 2003, there were virtually no "shelf-ready" projects ready to be built. Development of the TUMF Network (the RSHA) by the Public Works Directors in the subregion's then 15 jurisdictions was a significant accomplishment in itself, as it meant that for the first time the subregion had a comprehensive and cohesive arterial system that recognized the region's — and not just an individuals jurisdiction's — projected growth. By not having "shelf-ready" projects (projects that had already completed necessary planning and engineering studies, had right-of-way acquired, and had secured all required permits and funding), many projects proposed by the TUMF Program had to be developed from the ground up. In the initial stages of preparing projects for the jurisdictions in each Zone, WRCOG assisted with revenue projections and individual zone-level TIP development. Now that the Zone programs are up and running, the task of building projects takes center stage.

But how long does it take to deliver a project? As jurisdictions bring forward new projects, when can these projects expect to become a reality? There are a number of steps that need to occur for a typical transportation project to be built, and it is important to understand general timelines so that expectations can be realistic regarding the pace of TUMF project implementation. The "Life Cycle of a TUMF Project" diagram below provides, in general terms, the various steps and associated timeframes for a typical TUMF project.

LIFE CYCLE OF A TUMF PROJECT

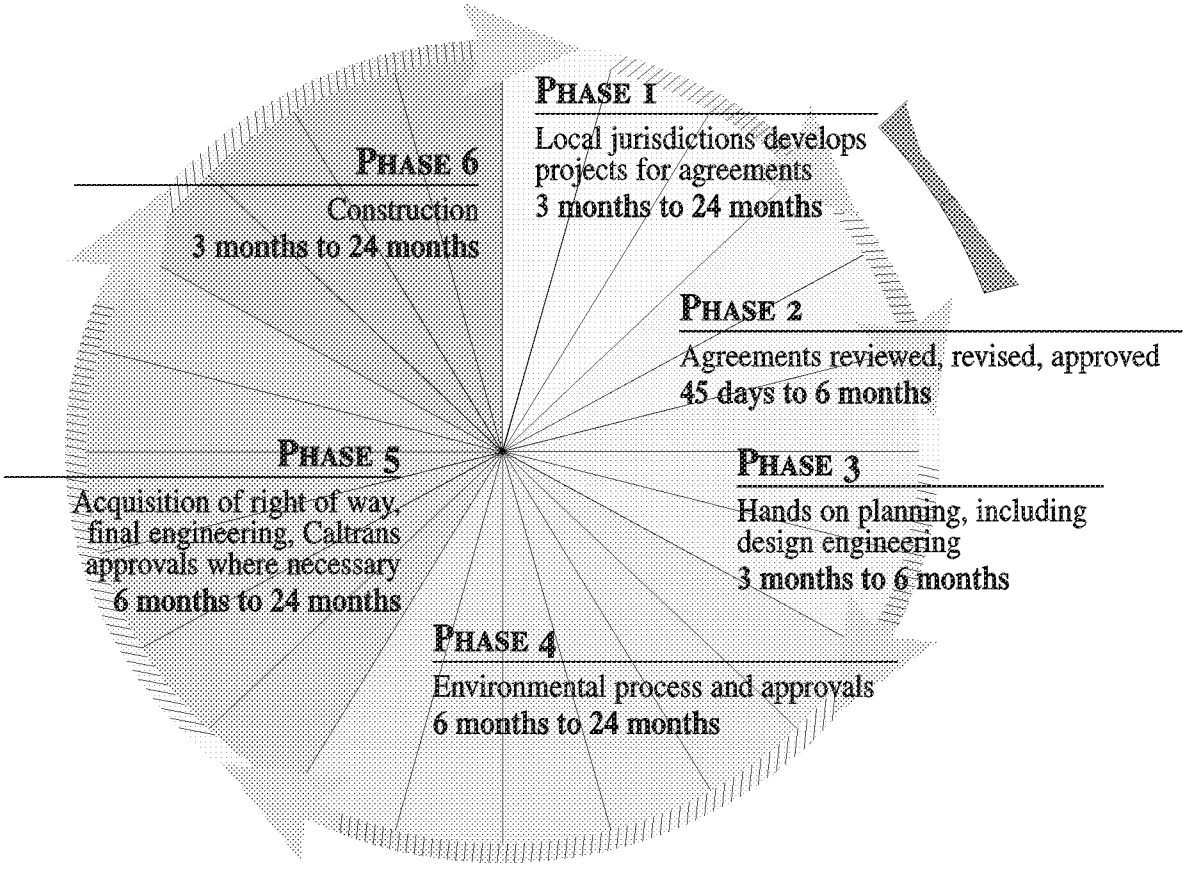

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Regional System of Highways and Arterials (RSHA)

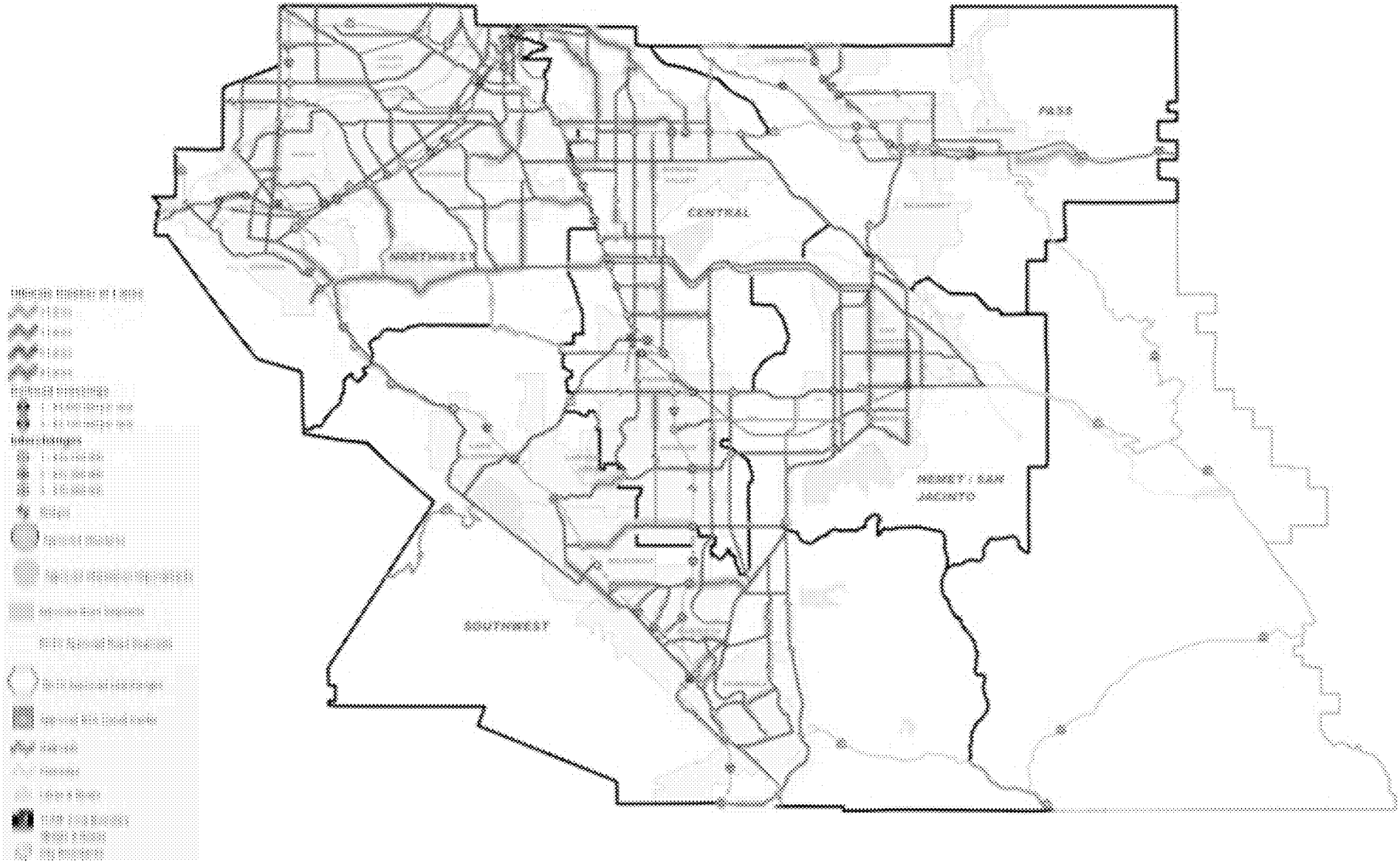

The Regional System of Highways & Arterials depicts TUMF Program improvements. A detailed listing of Program improvements can be obtained by calling WRCOG at (951) 955-7985 or by visiting WRCOG's website at www.wrcog.cog.ca.us.

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Revenue

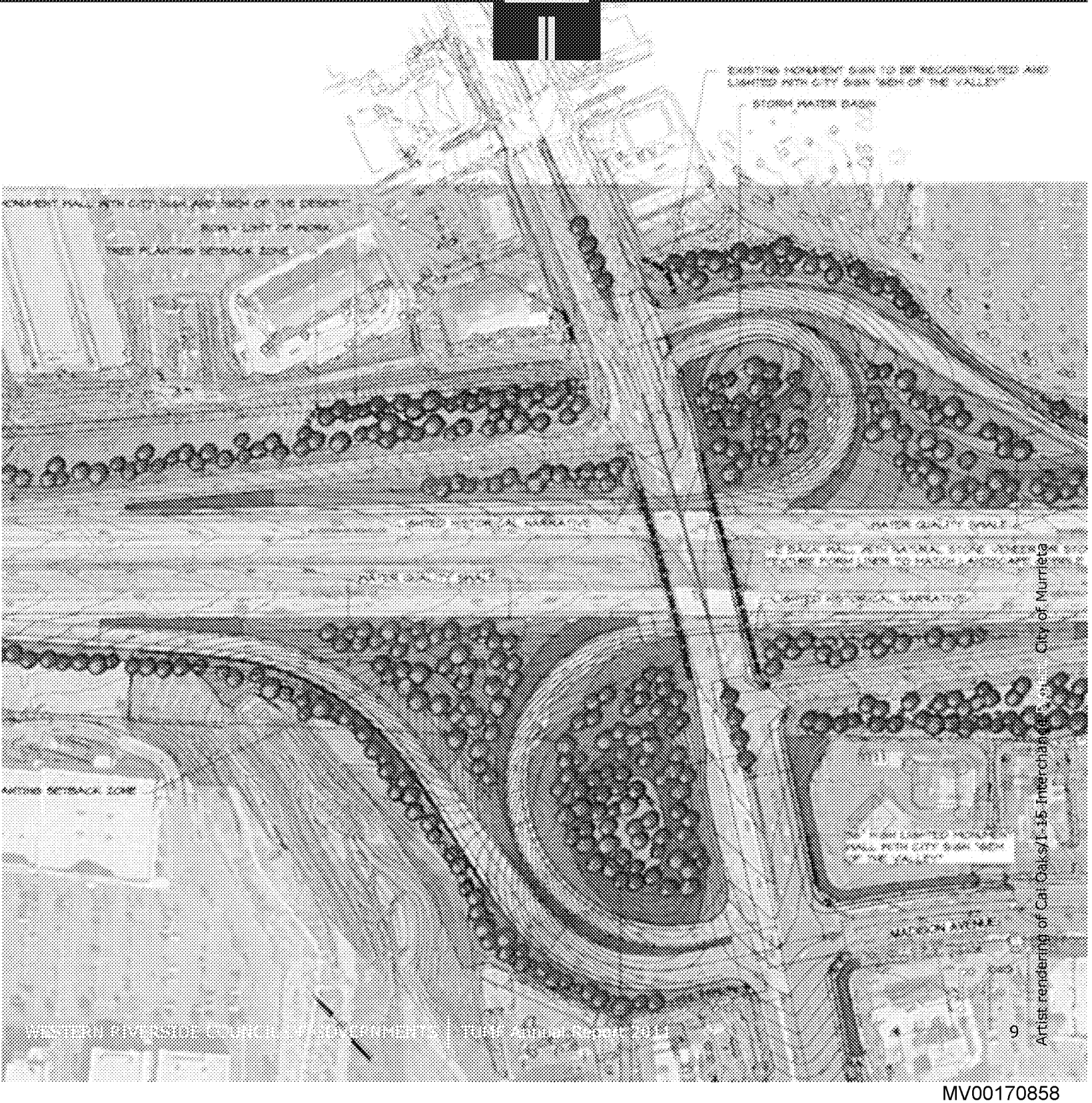

Artist rendering of Cal Oaks/I-15 Interchange, City of Murrieta

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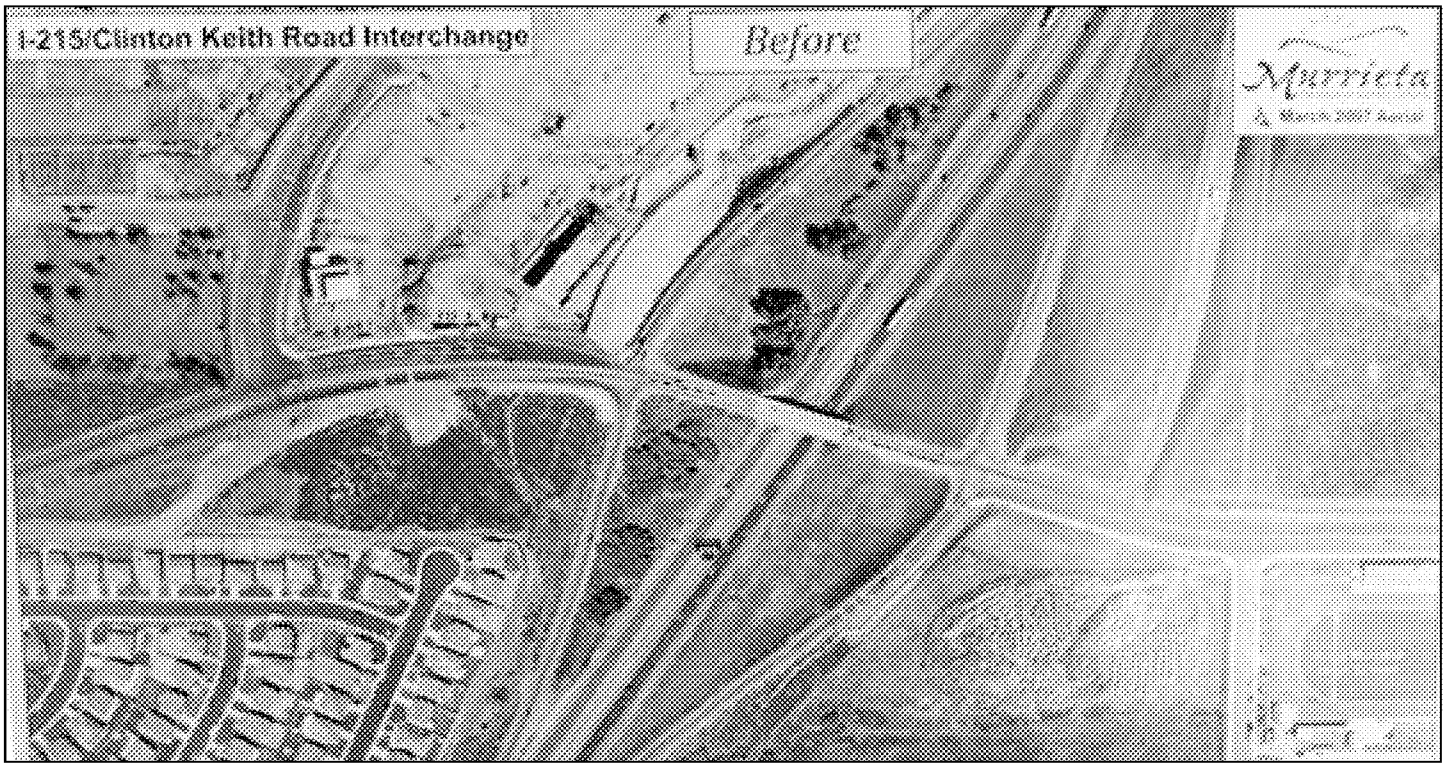

I-215 / Clinton Keith Road Interchange Project, City of Murrieta (Photo courtesy City of Murrieta)

How Does the TUMF Program Work?

AB 1600, the California Mitigation Fee Act, requires that a reasonable relationship exist between a development impact fee collected and the proposed improvements for which a fee is used. WRCOG's TUMF Program Nexus Study satisfies the requirements of AB 1600, and has two primary objectives: 1) to demonstrate the relationship between the transportation improvements needed due to new growth and the estimated cost to construct improvements; and 2) to establish the "fair share" component of the improvements for each land use category (the TUMF Program cost to be applied to different land uses based on the trip-generating characteristics that are typically associated with such uses). The TUMF Program distinguishes between transportation improvements and trip-productions in five geographic zones (Northwest, Southwest, Hemet/San Jacinto, Central, and the Pass), regional transportation improvements, and regional transit improvements.

This distinction provides maximum flexibility for programming projects. The Nexus Study identifies the percentage of collected revenues that can be allocated for zone-level improvements, regional improvements, and for transit improvements.

After administrative costs and Multiple Species Habitat Conservation Plan (MSHCP) mitigation allocations are extracted from the revenues collected, WRCOG allocates revenues as follows:

- **46.9** percent is allocated for regional improvements. These revenues are programmed by the RCTC pursuant to an agreement with WRCOG.
- **46.9** percent is allocated to the geographic zone from which the fees are collected. Project prioritization and programming are undertaken by the jurisdictions in each of the five zones.

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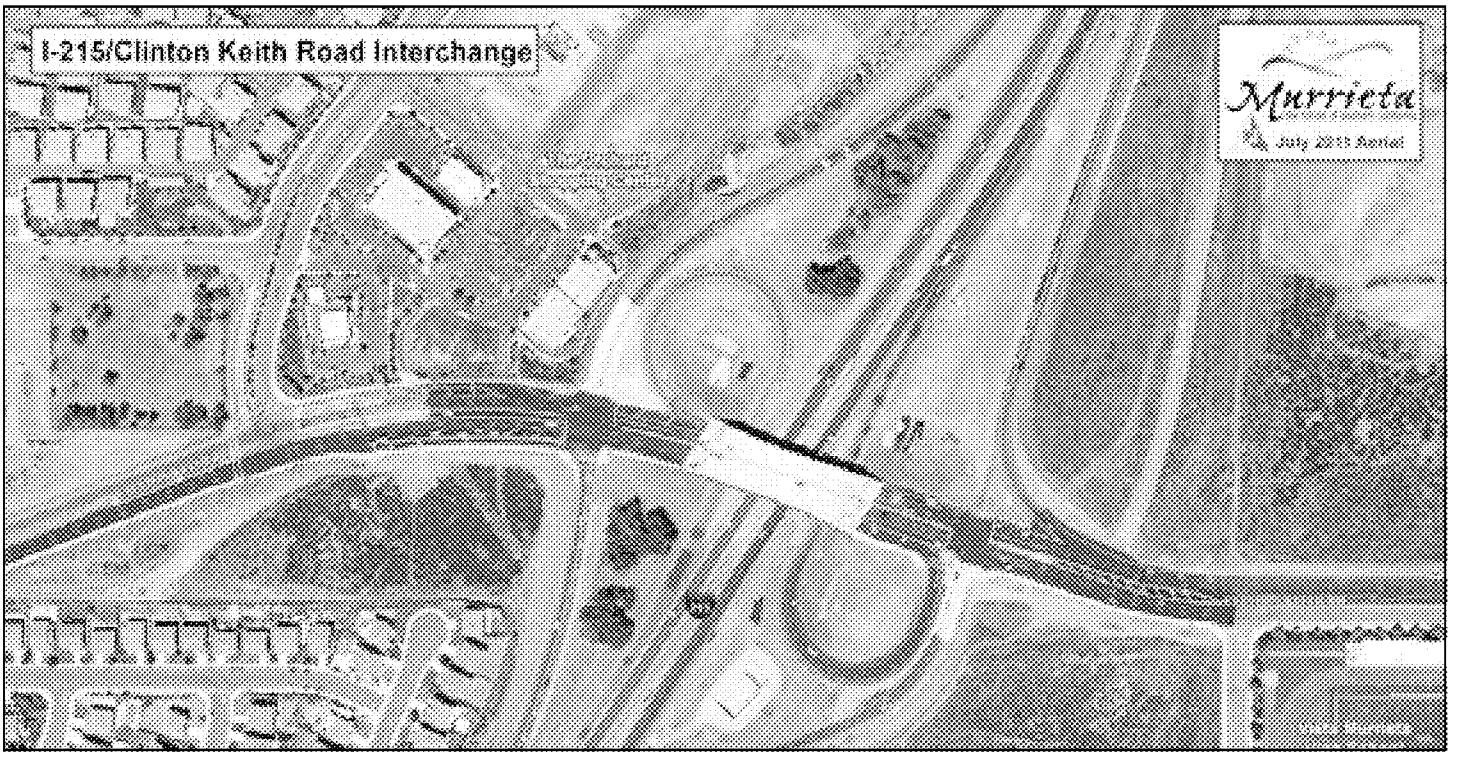

I-215 / Clinton Keith Road Interchange Project, City of Murrieta (After improvements) (Photo courtesy City of Murrieta)

- **1.7** percent is allocated for regional transit projects. WRCOG administers the funds on behalf of the RTA which prioritizes and programs capital transit projects.

As of June 30, 2011, WRCOG has received $539.9 million in revenues from the time the Program commenced (February 2003).

For Fiscal Year 2010/2011, $15.2 million in Program revenue was collected.

This report summarizes TUMF activities from July 1, 2010, to June 30, 2011. Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.

The TUMF Program collects fees from new residential and non-residential land uses.

Residential Uses

Residential uses include two categories; single-family residential and multi-family residential. A residential development with densities lower than eight units per acre is considered single-family residential for the purposes of calculating the fee. Developments with densities greater than eight units per acre are considered multi-family residential.

Non-residential Uses

Non-residential uses include three categories; industrial, retail and service commercial. The non-residential fee is based on the total square footage of the building or structure identified on the building permit and further specified and determined in WRCOG's TUMF Administrative Plan and TUMF 2005 Updated Fee Calculation Handbook Revised January 26, 2012. The applicable non-residential land use category is determined based on the predominate use of the building or structure associated with the new development and as further prescribed in the TUMF ordinances.

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Nexus Study and Temporary Fee Reductions

In October 2009, WRCOG member agencies approved an updated TUMF Program Nexus Study. The Nexus Study established the impact future development will have on the existing subregion's arterials and determined the fee structure needed to pay for infrastructure to mitigate these impacts.

The 2009 Nexus Study projected a slower, more moderate forecast than previous studies. Coupled with lower construction costs and a revised Network, fees were reduced. For example, the fee for a single-family home decreased from $9,812 to $8,873. Fees for other residential and non-residential uses were also revised pursuant to the new Nexus Study. All participating agencies adopted the 2009 Nexus Study and fee structure.

In 2009, the WRCOG Executive Committee authorized jurisdictions to temporarily reduce TUMF by 50 percent so long as they "made up" any revenue gaps through alternative funding, cost saving and in-kind matches. Fee reductions are scheduled to sunset on December 31, 2012, or possibly sooner (the Executive Committee capped the total revenue shortfall at $20 million).

Fees effective July 1, 2010 through June 30, 2011:

Single-family residential	$8,873	per unit
Multi-family residential	$6,231	per unit
Industrial	$ 1.73	per square foot
Retail	$10.49	per square foot
Service	$ 4.19	per square foot
Class A & B Office	$ 2.19	per square foot

50% reduced fee is:

Single-family residential	$4,437	per unit
Multi-family residential	$3,115	per unit
Industrial	$ 0.86	per square foot
Retail	$ 5.24	per square foot
Service	$ 2.10	per square foot
Class A & B Office	$ 1.10	per square foot

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TUMF Revenue by Jurisdiction and Zone

February 2003 through June 2011

Total Revenue: $539,996,519

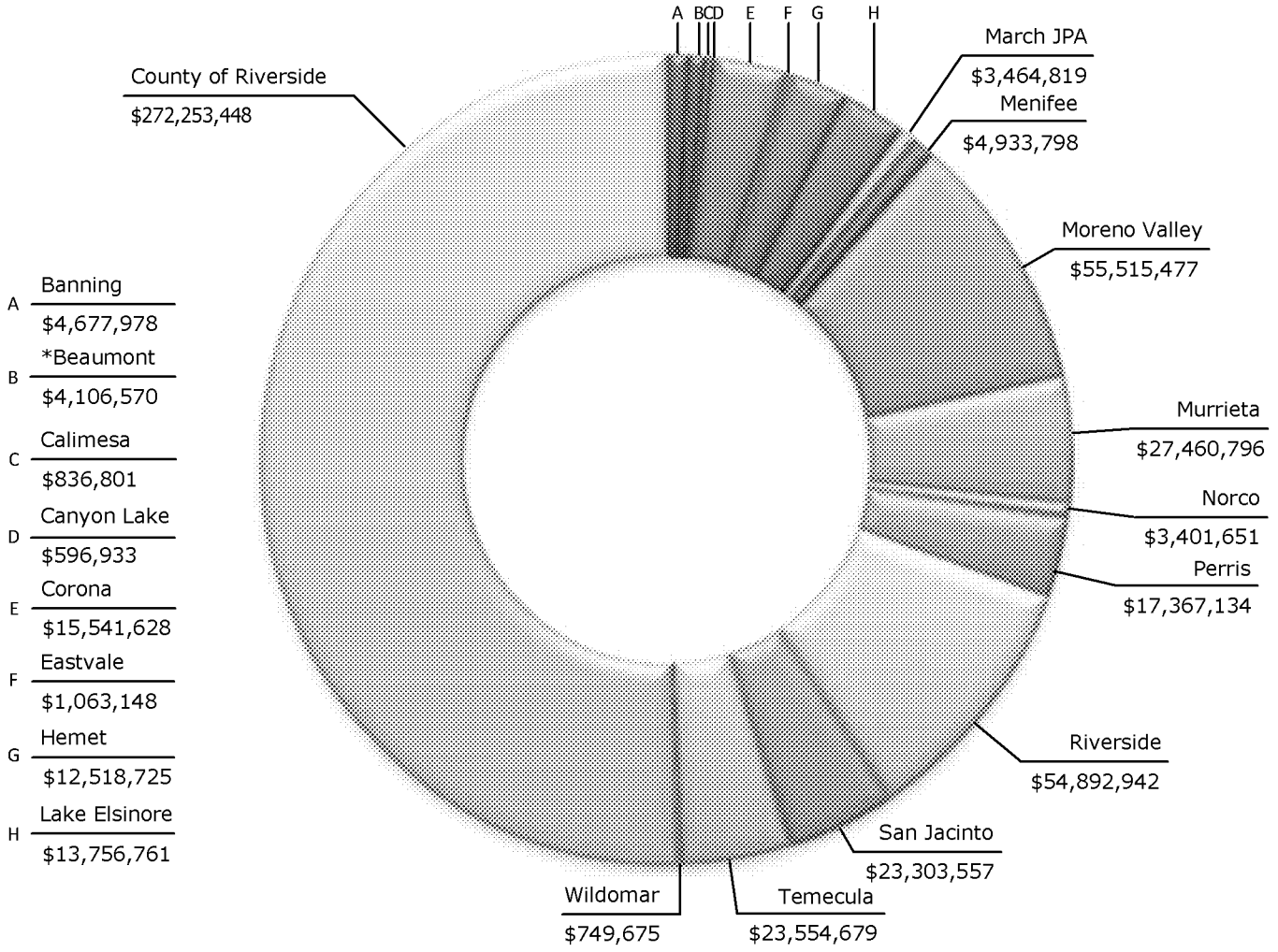

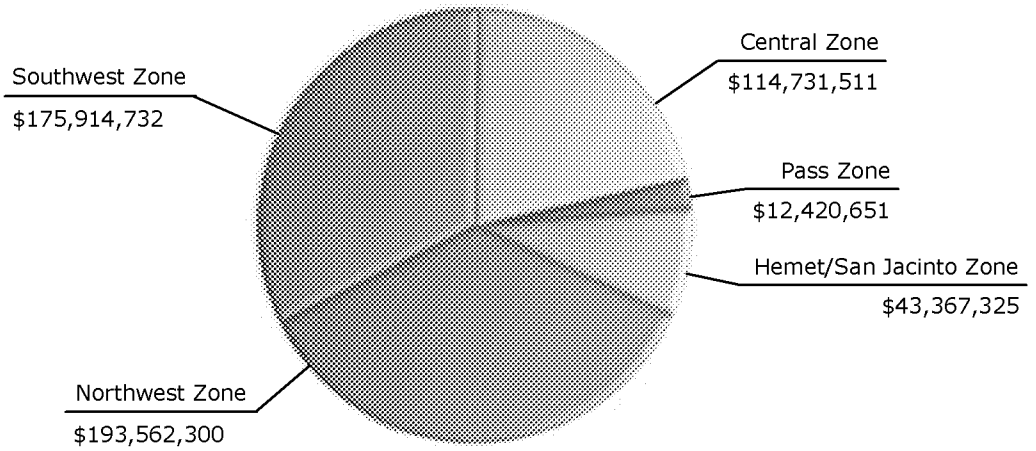

TUMF revenues are collected by each of the jurisdictions in the WRCOG subregion (17 cities and the County of Riverside unincorporated area within WRCOG's boundaries). TUMF revenues are also collected by the March Joint Powers Authority. From Program inception (February 2003) through the end of Fiscal Year 2010/2011 (June 30, 2011), a total of $539.9 million in TUMF Program revenue fees was collected.

*The City of Beaumont is no longer participating in the TUMF Program.

Actual jurisdiction revenues may vary by a dollar due to rounding.

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TUMF Revenue Breakdown By Zone and Jurisdiction (2003-2011)

Northwest Zone - $193,562,300

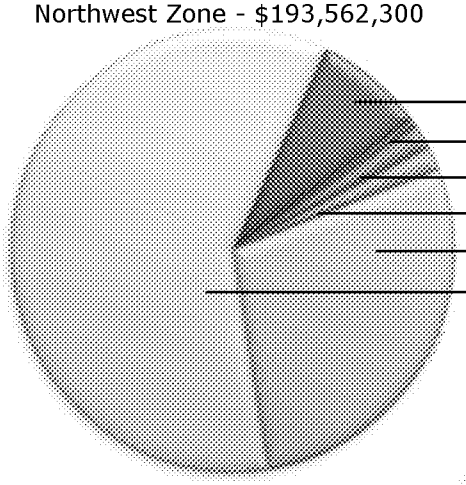

Corona	$	15,541,628
Eastvale	$	1,063,148
March JPA	$	3,464,819
Norco	$	3,401,651
Riverside	$	54,892,942
County of Riverside	$	115,198,113

Central Zone - $114,731,511

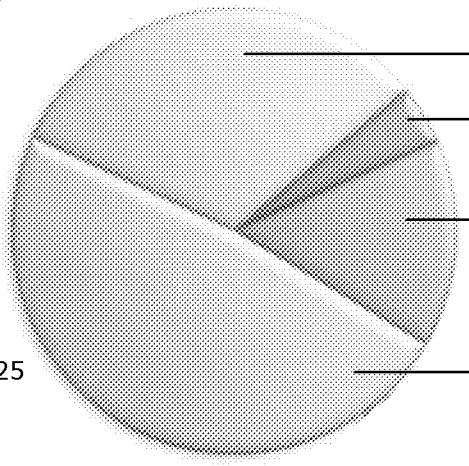

County of Riverside	$	36,915,103
Menifee	$	4,933,798
Perris	$	17,367,134
Moreno Valley	$	55,515,477

Hemet/San Jacinto Zone - $43,367,325

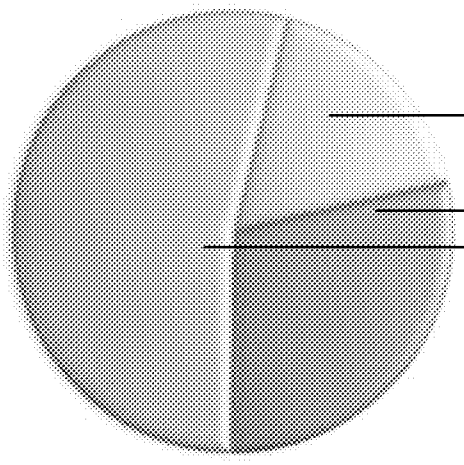

County of Riverside	$	7,545,042
Hemet	$	12,518,725
San Jacinto	$	23,303,557

Pass Zone - $12,420,651

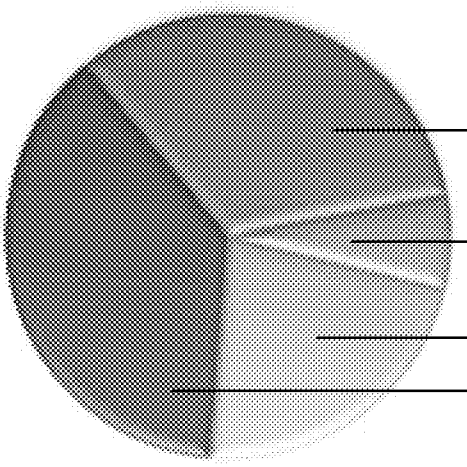

Banning	$	4,677,978
Calimesa	$	836,801
County of Riverside	$	2,799,302
*Beaumont	$	4,106,570

Southwest Zone - $175,914,732

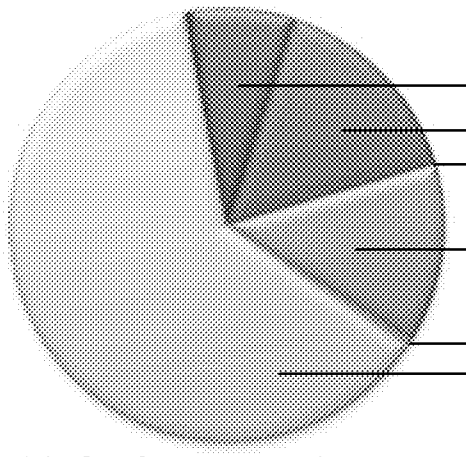

Lake Elsinore	$	13,756,761
Murrieta	$	27,460,796
Canyon Lake	$	596,933
Temecula	$	23,554,679
Wildomar	$	749,675
County of Riverside	$	109,795,888

2003-2011 Revenue Total $539,996,519

*The City of Beaumont is no longer participating in the TUMF Program. Actual jurisdiction revenues may vary by a dollar due to rounding.

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TUMF Revenues Collected by Fiscal Year

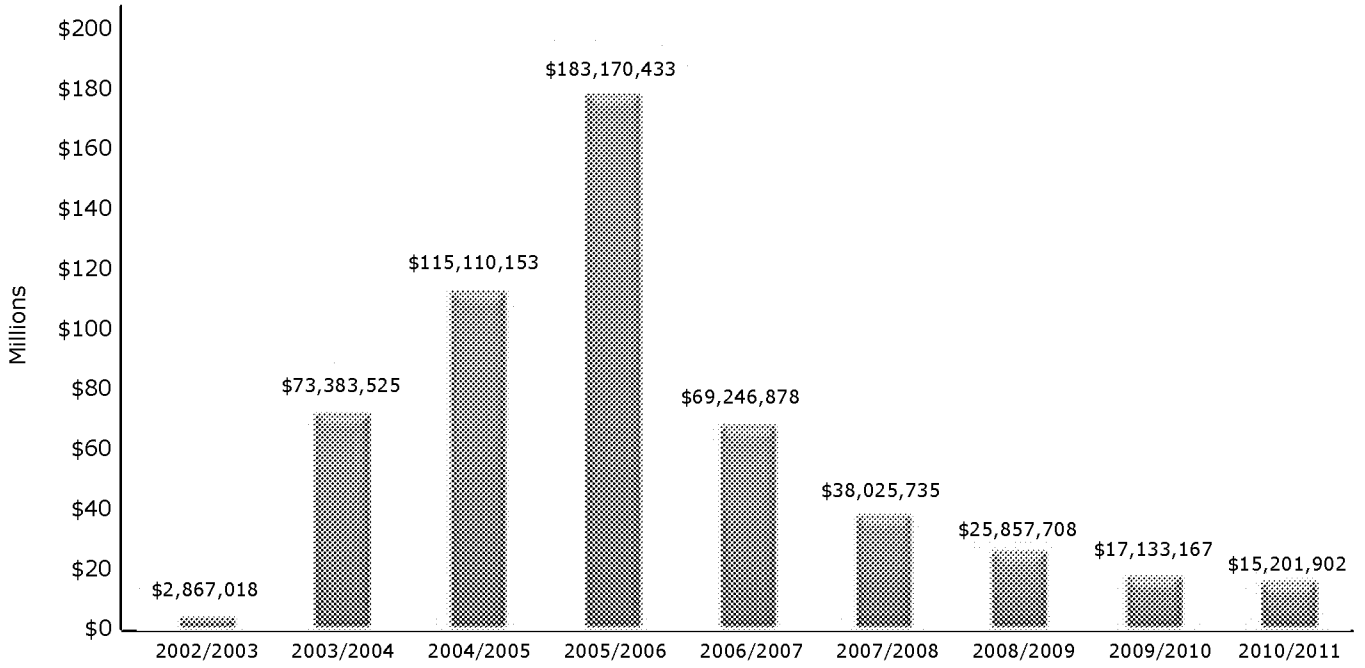

Note: In FY 2002/2003, revenues were not collected until February 2003

Total TUMF Revenue Collection (Cumulative) February 2003 through June 2011

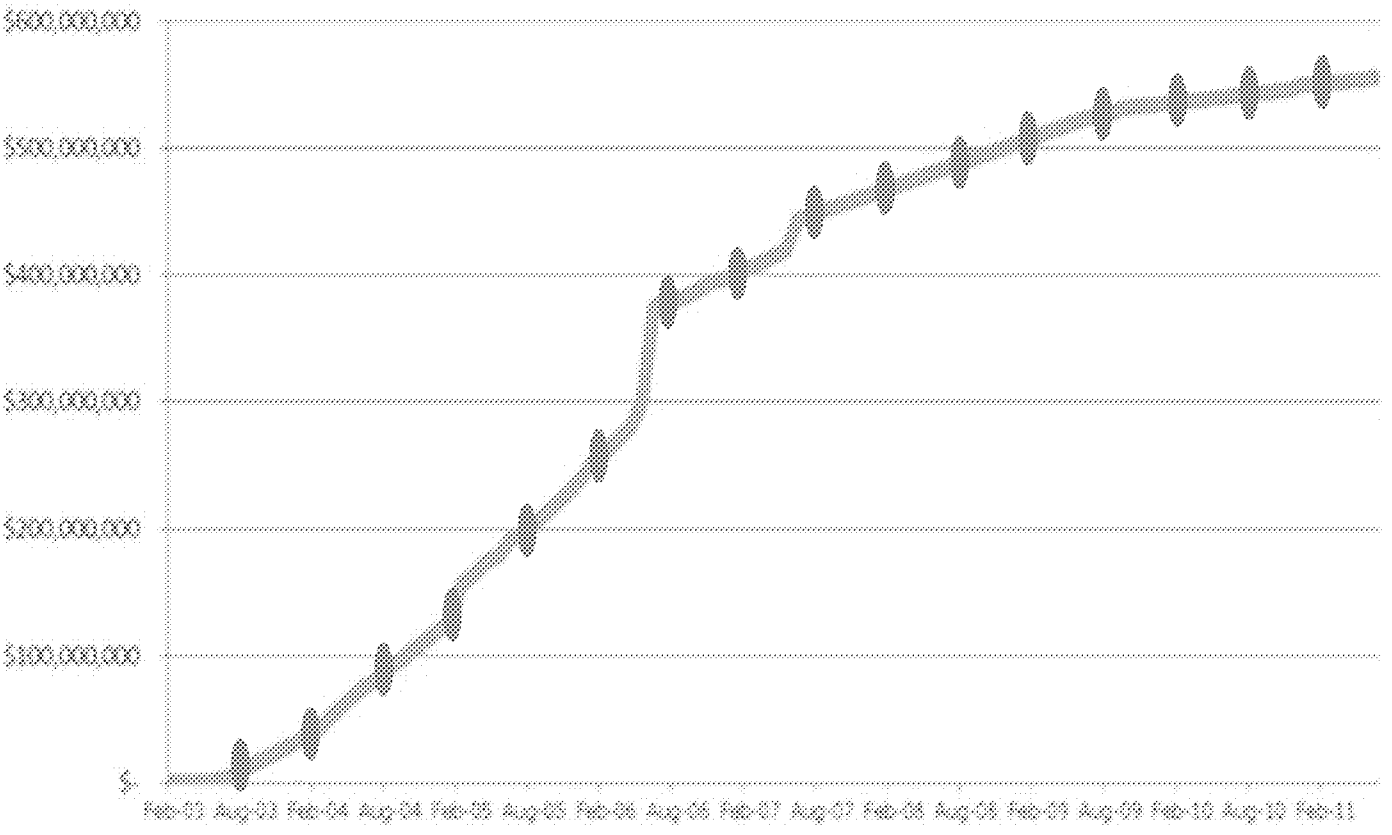

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WRCOG TUMF Revenue vs. Expenditure (Cumulative)

February 2003 through June 2011

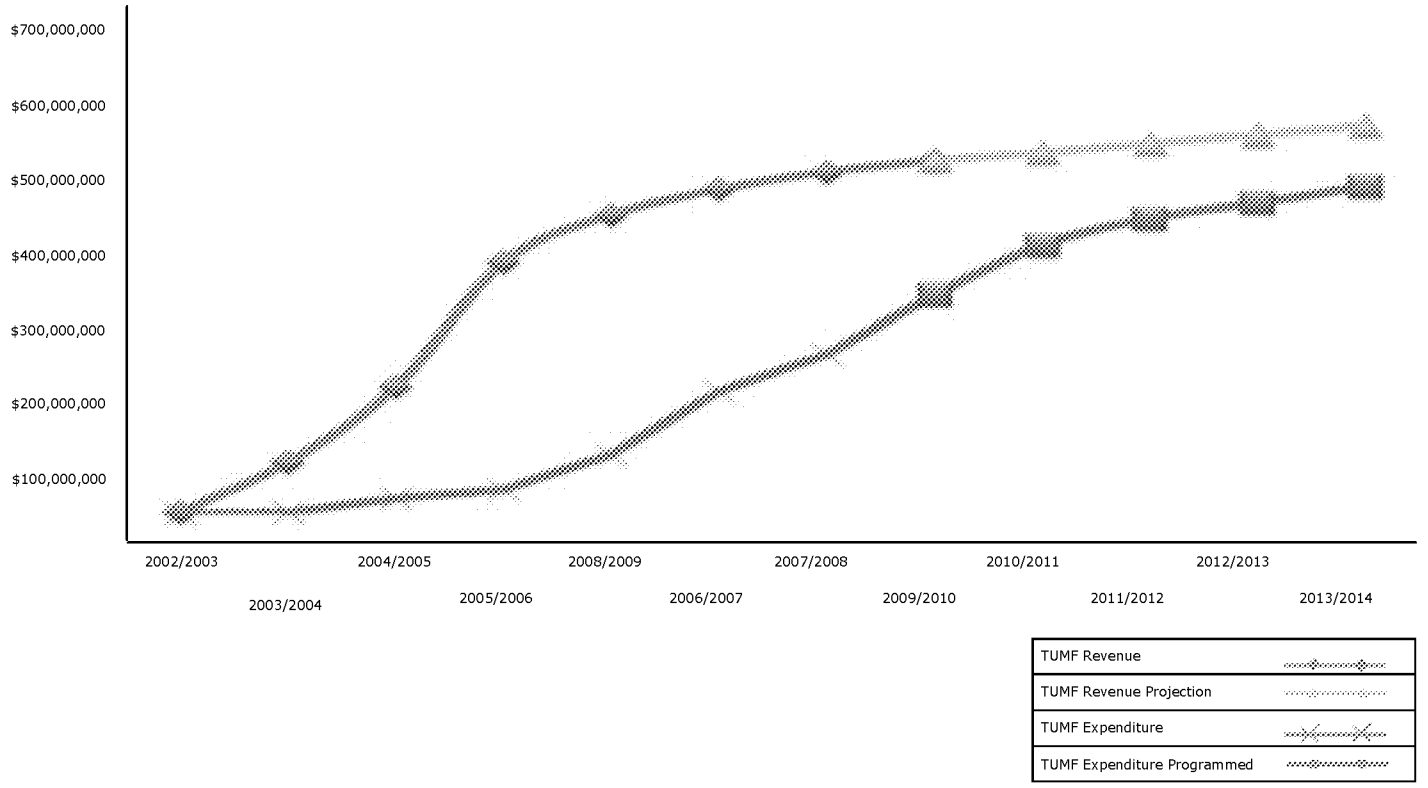

TUMF System Costs vs. Revenue Stream

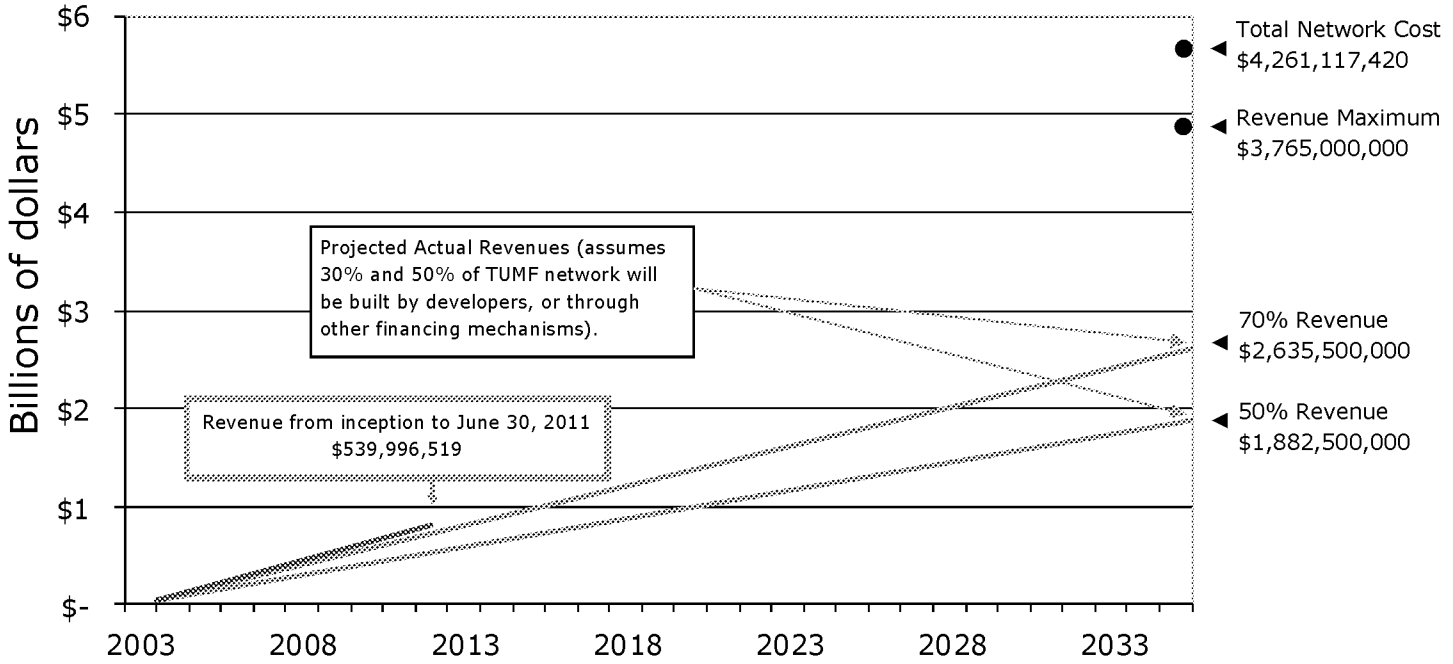

The total network cost of the Program (RSHA improvements) is $4.2 billion. Numerous elements affect the total potential revenue collected by the Program such as exemptions from TUMF due to vesting maps, development agreements, phasing of fees, and policy actions. As such, the maximum amount of fees that can be collected by the TUMF Program is approximately $3.765 billion. It is estimated that between 30% and 50% of the TUMF Network will be built by developers, or through alternative funding mechanisms such as Community Facilities Districts and Road and Bridge Benefit Districts. Actual fees to be collected, therefore, are estimated at $1.882 billion (assuming 50% of the Network is constructed by developers or through financing mechanisms in which case fees are not collected) or $2.635 billion (assuming 30% of the Network is constructed without fees collected.)

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TUMF Revenue by Jurisdiction and Zone

Fiscal Year 2010/2011 (July 1, 2010, to June 30, 2011)

Total Revenue: $15,201,902

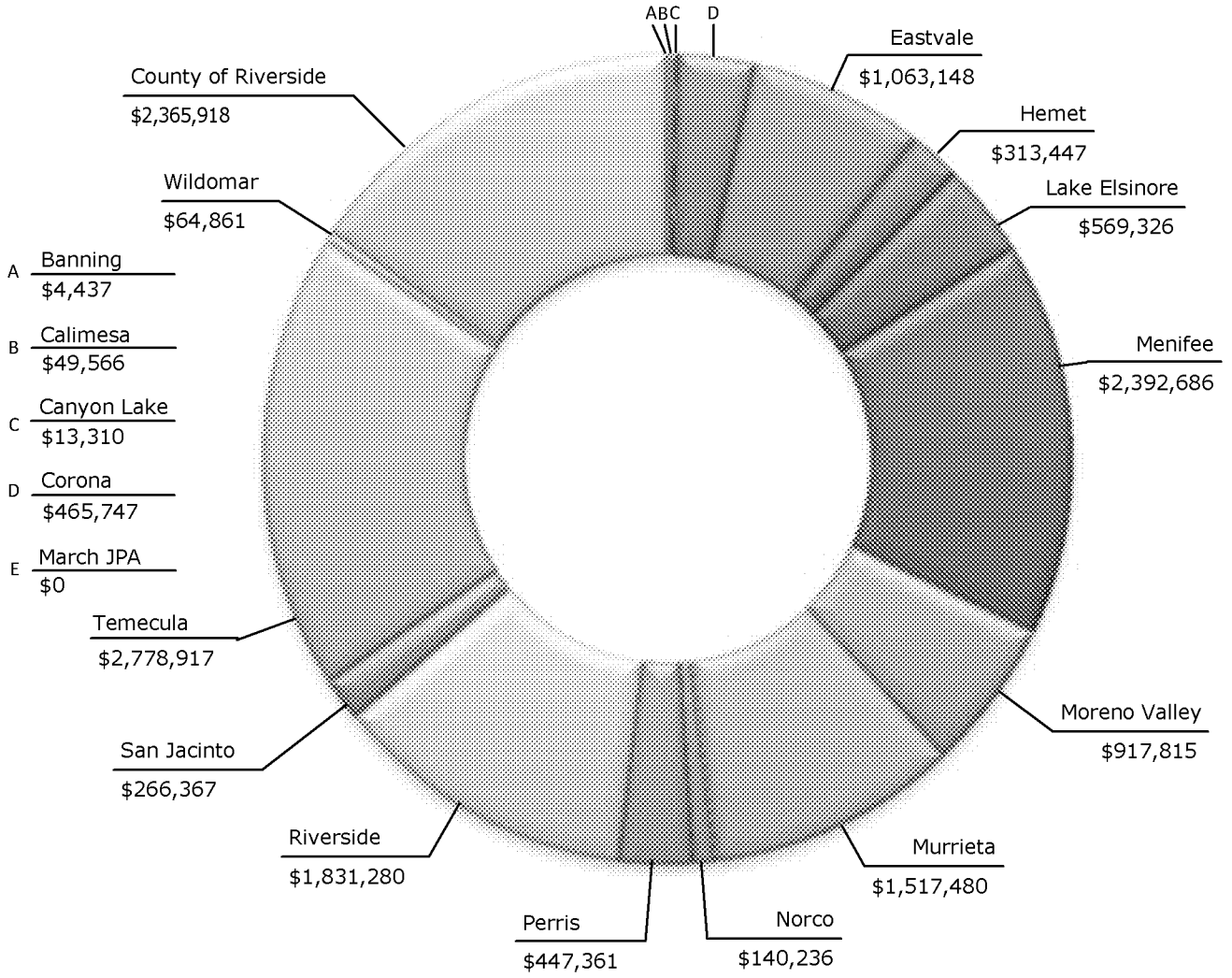

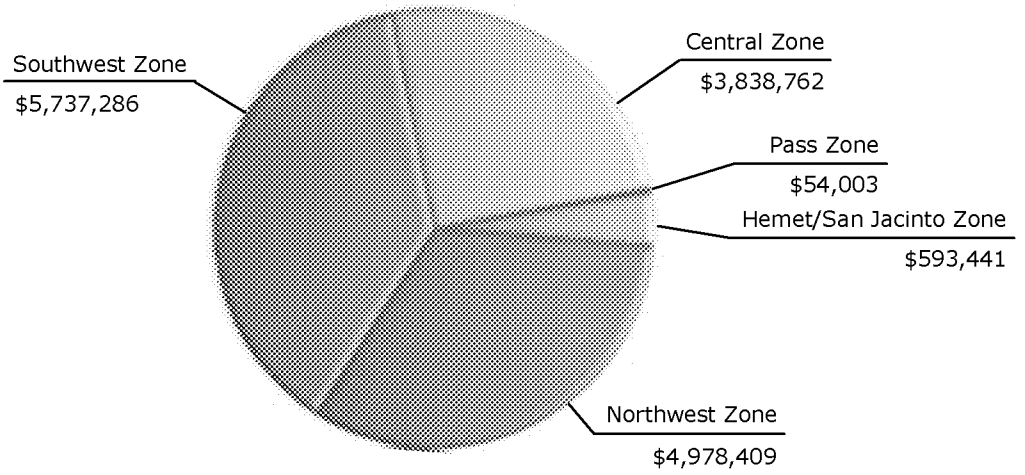

Actual jurisdiction revenues may vary by a dollar due to rounding.

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TUMF Revenue Breakdown By Zone and Jurisdiction (FY 2010/2011)

Northwest Zone - $4,978,409

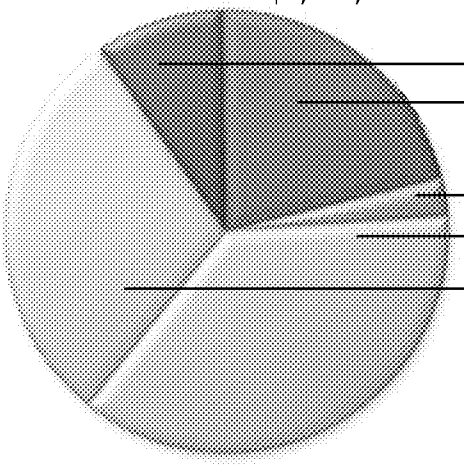

Corona	$	465,747
Eastvale	$	1,063,148
March JPA	$	0
Norco	$	140,236
Riverside	$	1,831,280
County of Riverside	$	1,477,999

Central Zone - $3,838,762

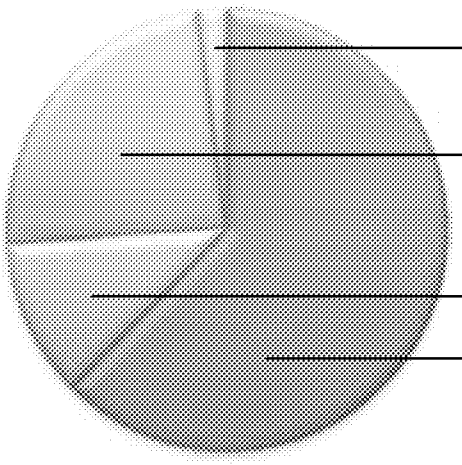

County of Riverside	$	80,900
Moreno Valley	$	917,815
Perris	$	447,361
Menifee	$	2,392,686

Hemet/San Jacinto Zone - $593,441

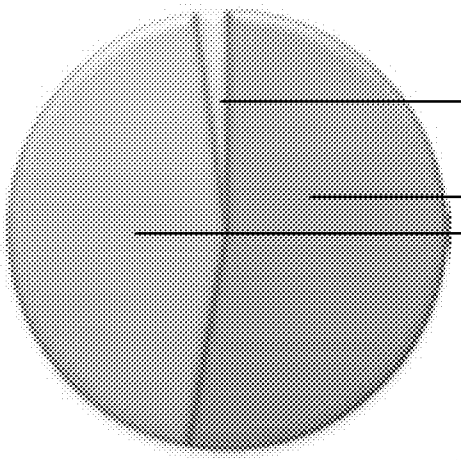

County of Riverside	$	13,627
Hemet	$	313,447
San Jacinto	$	266,367

Pass Zone - $54,003

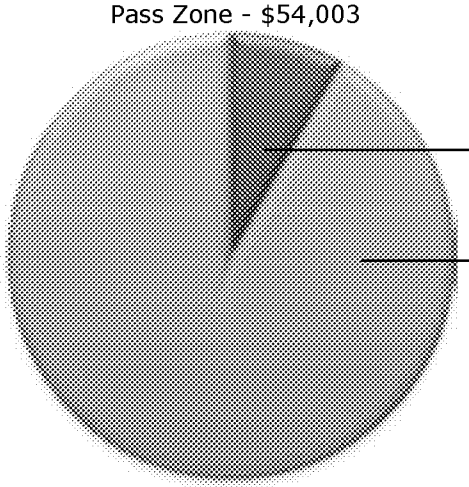

Banning	$	4,437
Calimesa	$	49,566
County of Riverside	$	0

Southwest Zone - $5,737,286

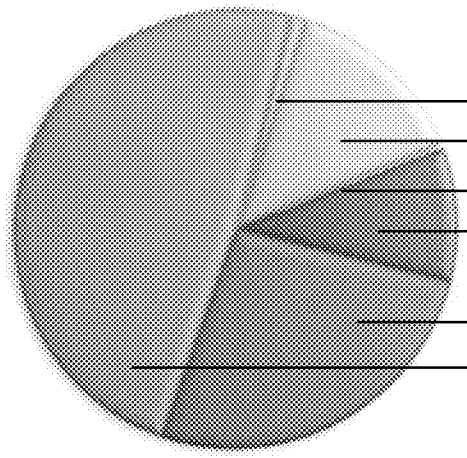

Wildomar	$	64,861
County of Riverside	$	793,392
Canyon Lake	$	13,310
Lake Elsinore	$	569,326
Murrieta	$	1,517,480
Temecula	$	2,778,917

Fiscal Year 2010/2011 Revenue Total $15,201,902

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00170867

TUMF Revenue by Land Use (2003-2011)

Total Revenue: $539,996,519

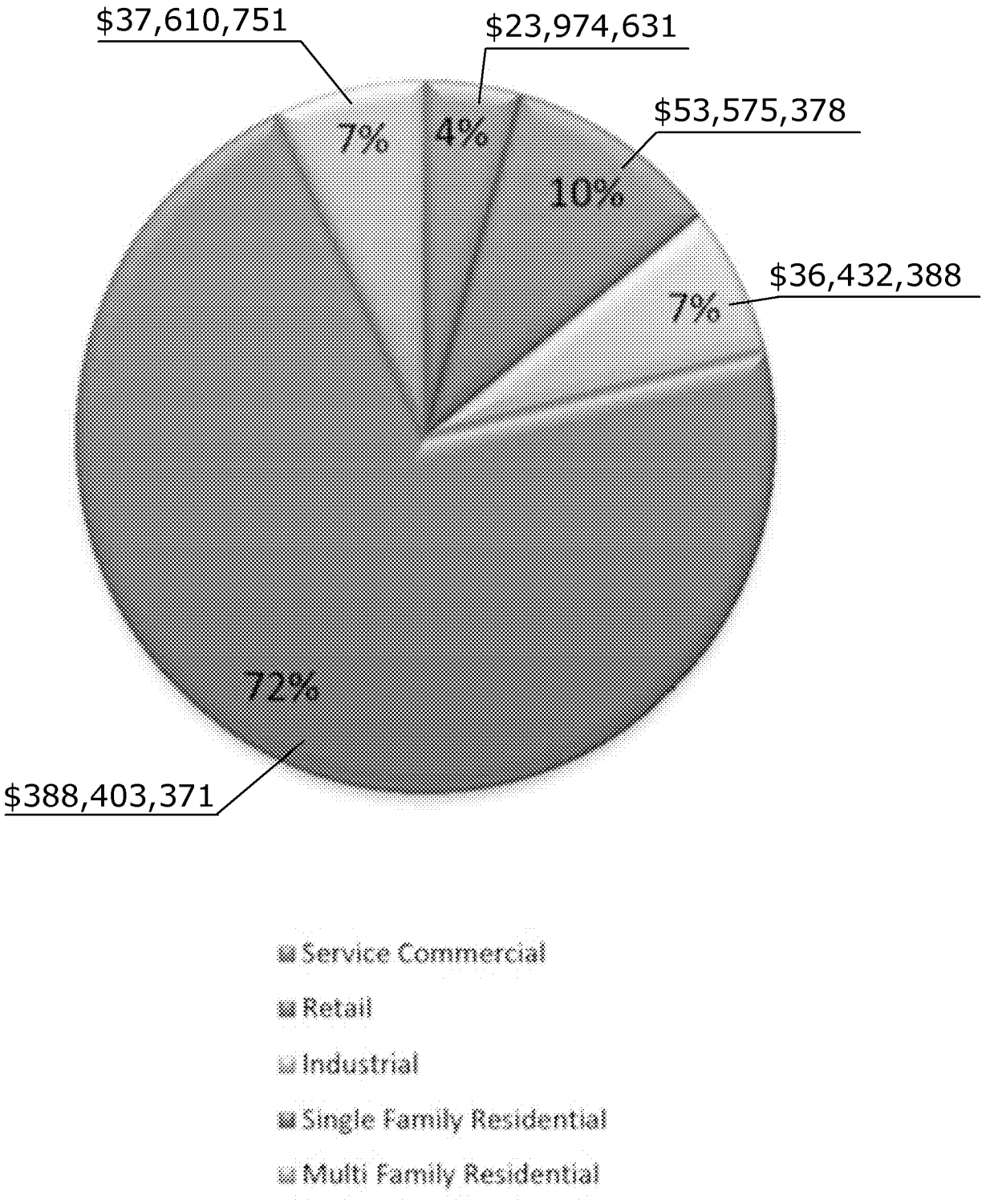

MV00170868

TUMF Revenue by Land Use (2003-2011)

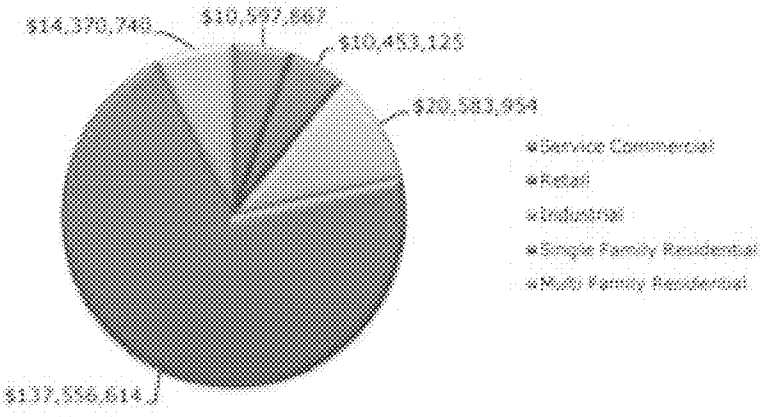

Northwest Zone

- County of Riverside unincorporated
- City of Corona
- City of Eastvale
- *City of Jurupa Valley
- City of Norco
- City of Riverside
- March Joint Powers Authority

County of Riverside

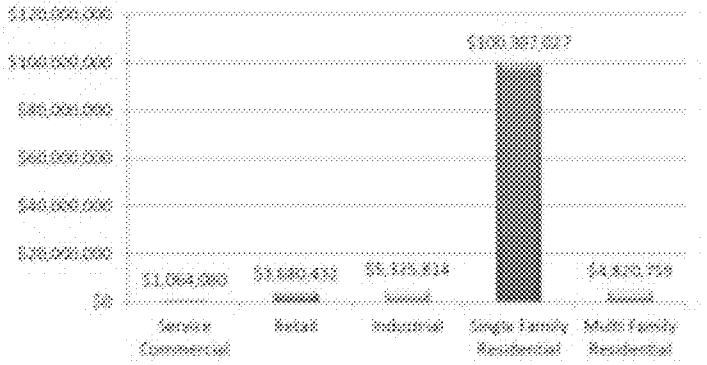

Corona

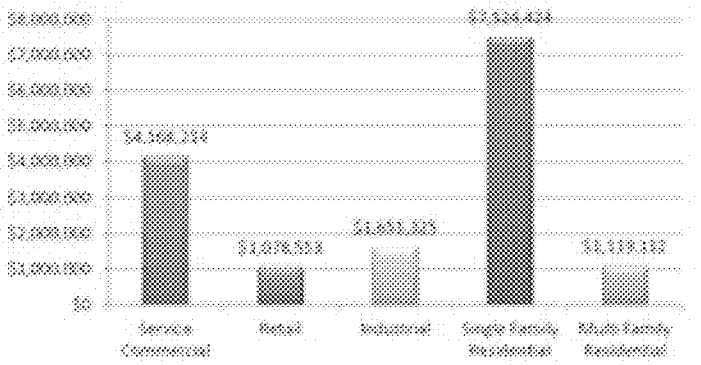

Eastvale

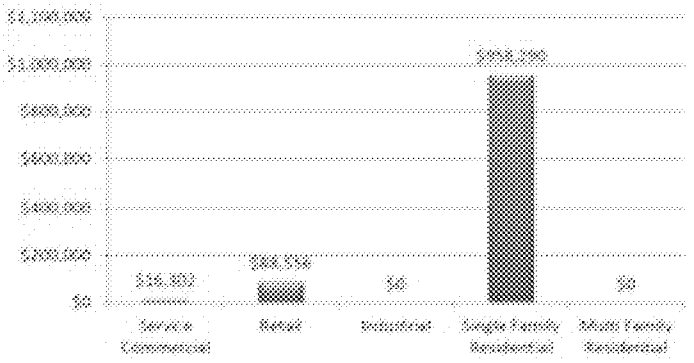

Norco

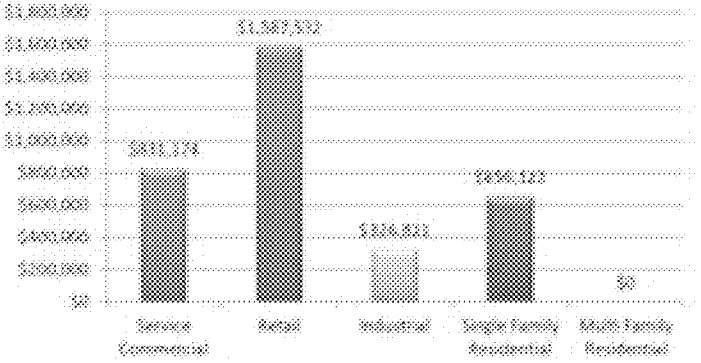

Riverside

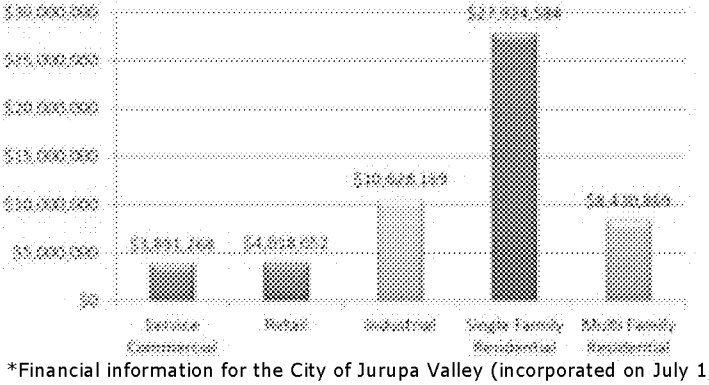

March JPA

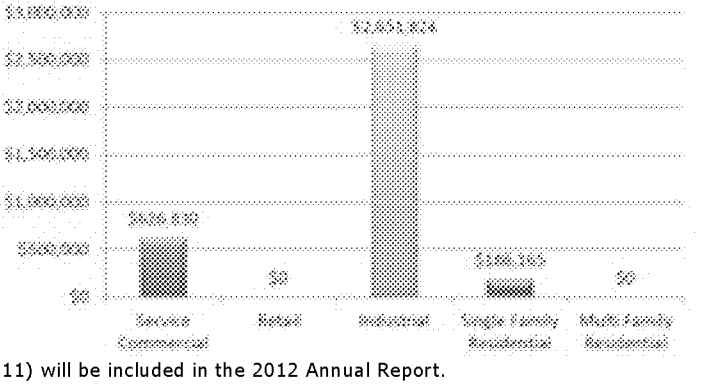

*Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.
The County of Riverside and the Cities of Corona, Eastvale, Norco, and Riverside for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00170869

TUMF Revenue by Land Use (2003-2011)

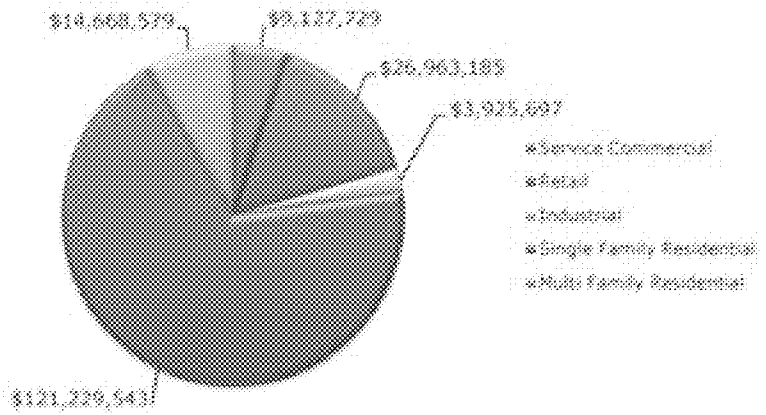

Southwest Zone

- County of Riverside unincorporated
- City of Canyon Lake
- City of Lake Elsinore
- City of Murrieta
- City of Temecula
- City of Wildomar

County of Riverside

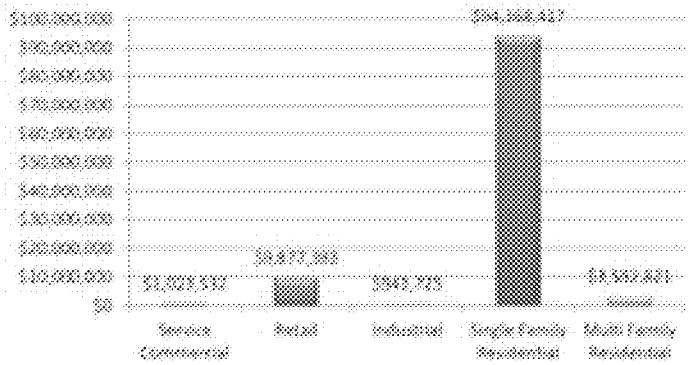

Canyon Lake

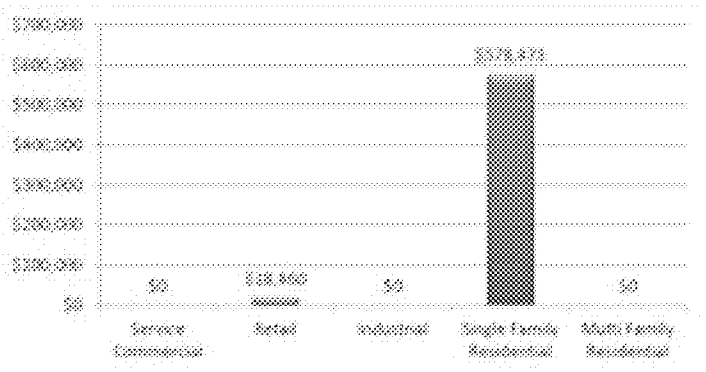

Lake Elsinore

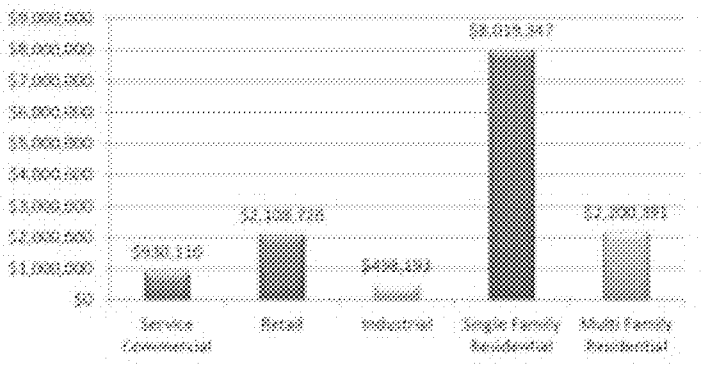

Murrieta

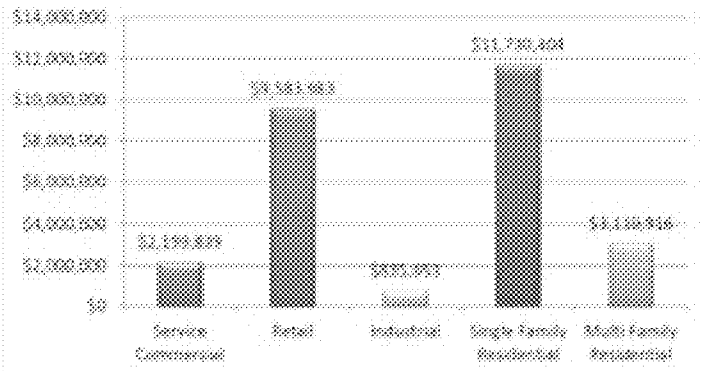

Temecula

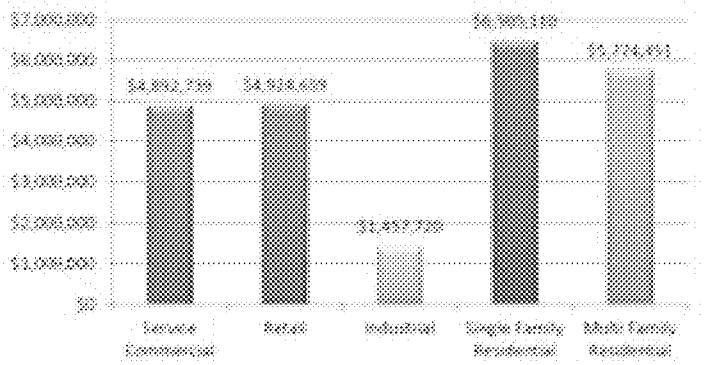

Wildomar

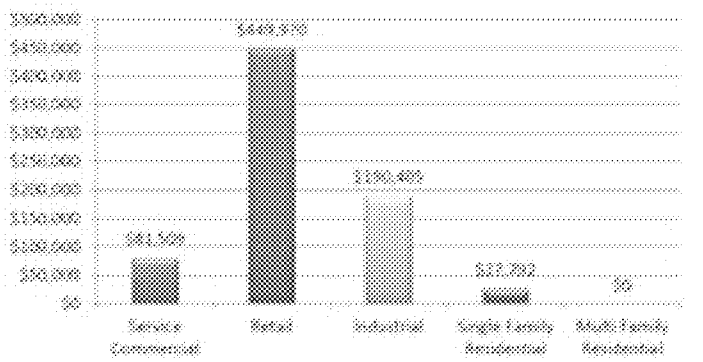

The County of Riverside for a part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00170870

TUMF Revenue by Land Use (2003-2011)

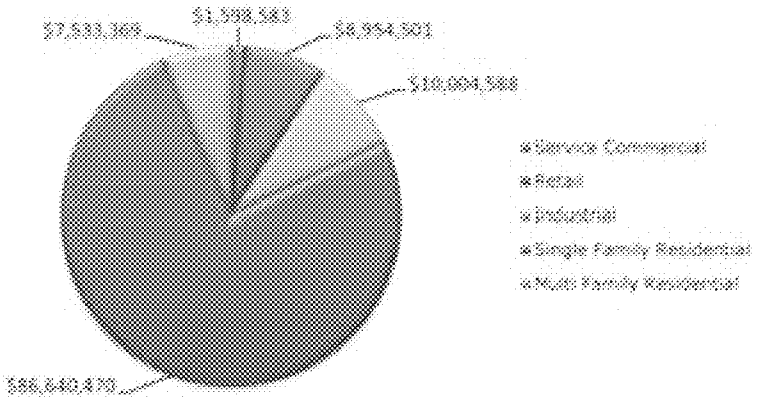

Central Zone

- County of Riverside unincorporated
- City of Menifee
- City of Moreno Valley
- City of Perris

County of Riverside

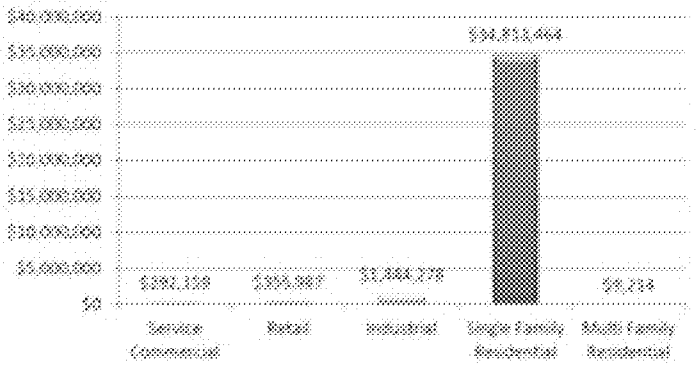

Menifee

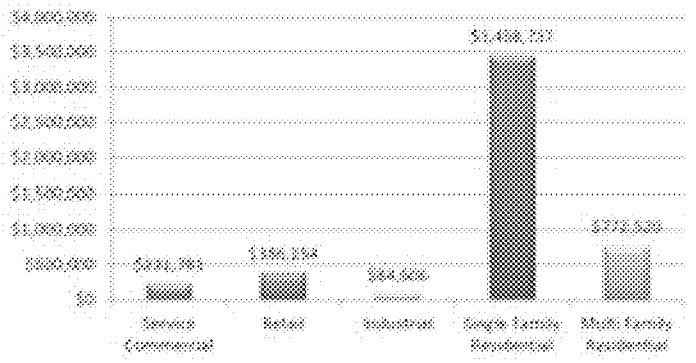

Moreno Valley

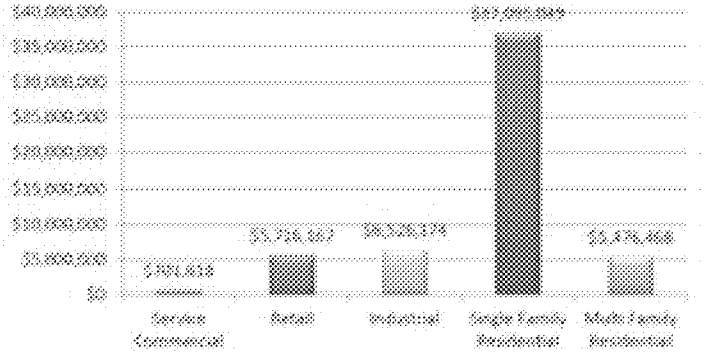

Perris

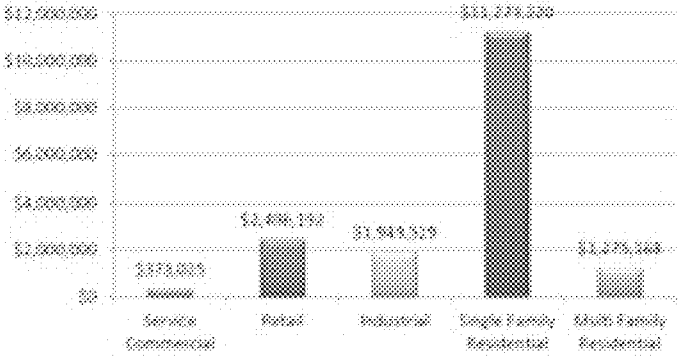

The County of Riverside and the Cities of Menifee, Moreno Valley, and Perris for all or part of this time reduced the fee by 50%. Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00170871

TUMF Revenue by Land Use (2003-2011)

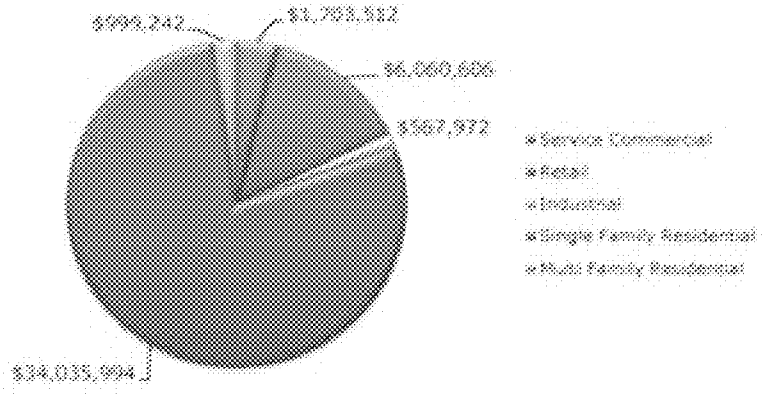

Hemet/San Jacinto Zone

- County of Riverside unincorporated
- City of Hemet
- City of San Jacinto

County of Riverside

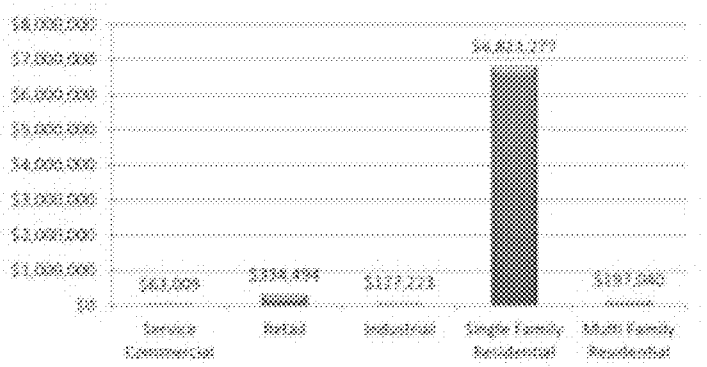

Hemet

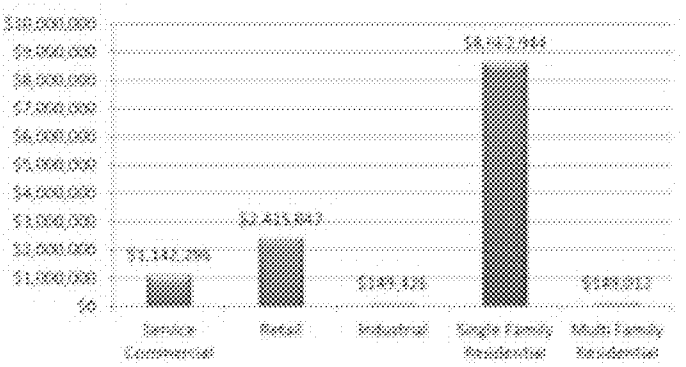

San Jacinto

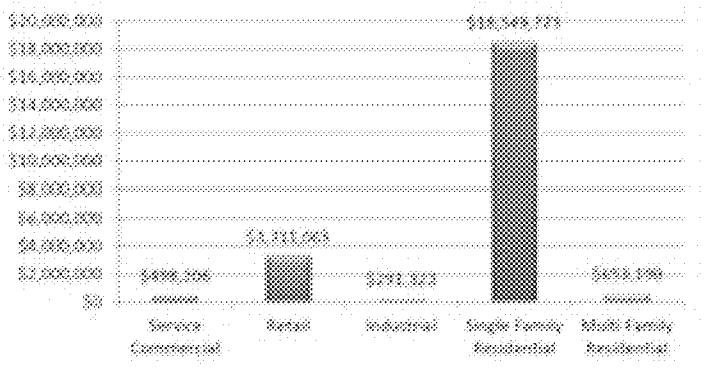

The County of Riverside and the City of San Jacinto for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00170872

TUMF Revenue by Land Use (2003-2011)

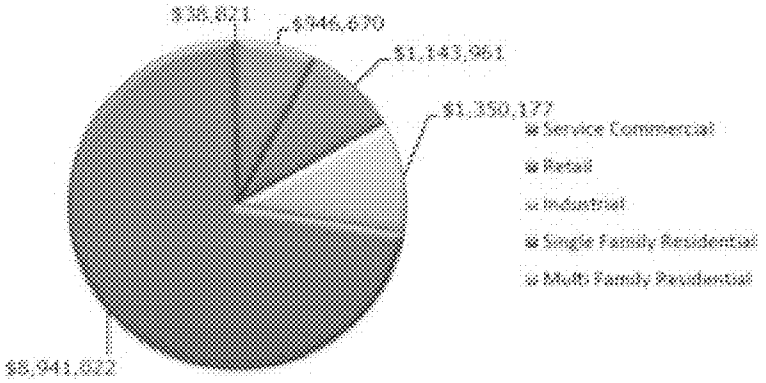

Pass Zone

- County of Riverside unincorporated
- City of Banning
- *City of Beaumont
- City of Calimesa

County of Riverside

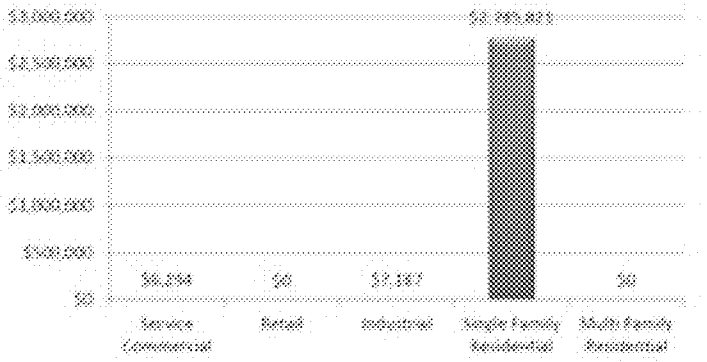

Banning

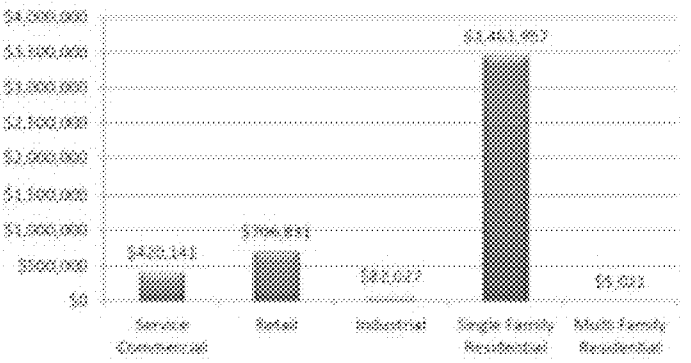

***Beaumont**

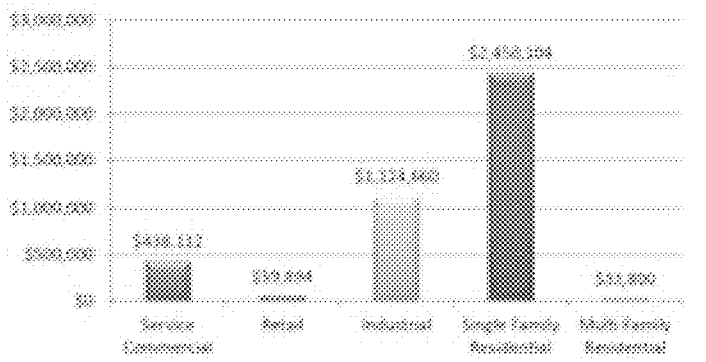

Calimesa

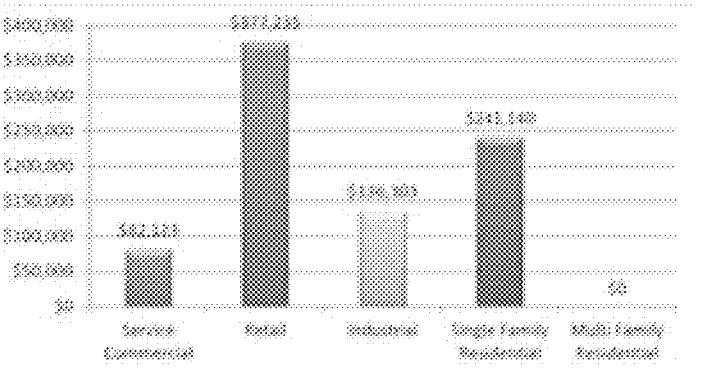

*The City of Beaumont is no longer participating in the TUMF Program.
The County of Riverside and the Cities of Banning and Calimesa for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00170873

TUMF Revenue by Land Use

Fiscal Year 2010-2011 (July 1, 2010, to June 30, 2011)

Total Revenue: $15,201,902

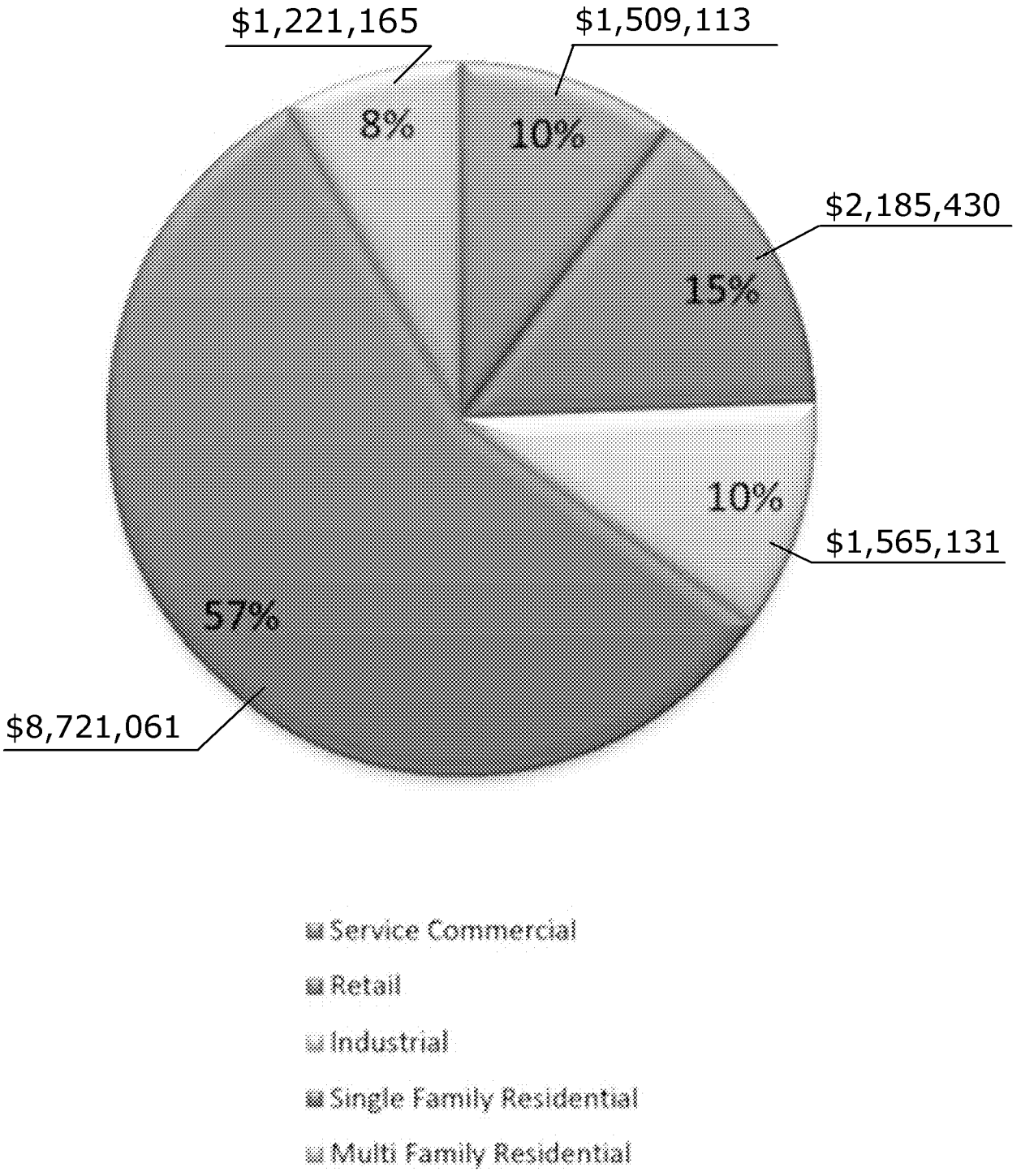

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00170874

TUMF Revenue by Land Use (FY 2010/2011)

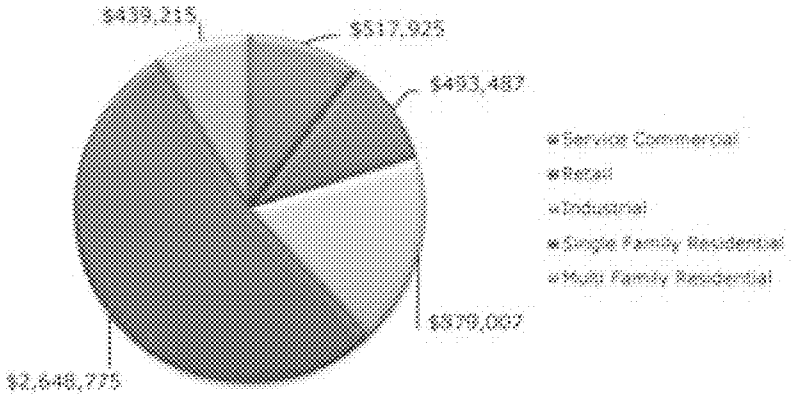

Northwest Zone

- County of Riverside unincorporated
- City of Corona
- City of Eastvale
- City of Jurupa Valley
- City of Norco
- City of Riverside
- March Joint Powers Authority

County of Riverside

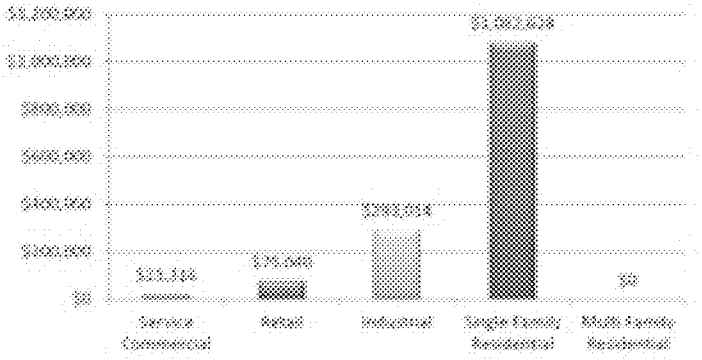

Corona

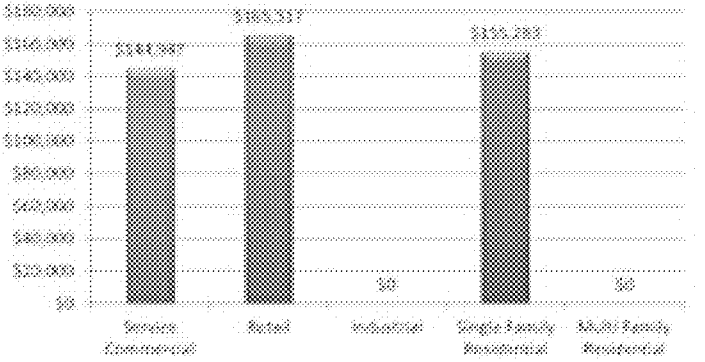

Eastvale

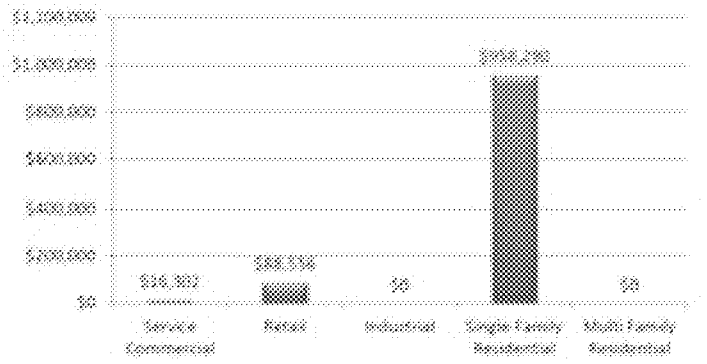

Norco

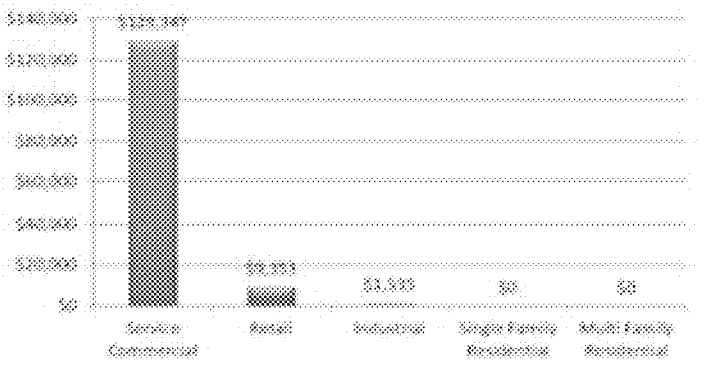

Riverside

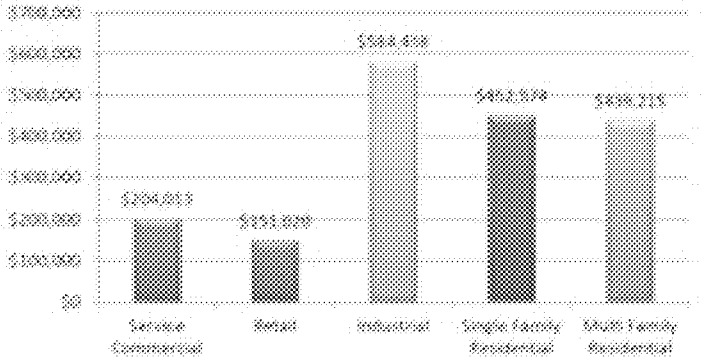

Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.

For Fiscal Year 2010/2011, the March JPA did not have any projects in final inspection and therefore did not collect or remit any TUMF dollars to WRCOG.

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00170875

TUMF Revenue by Land Use (FY 2010/2011)

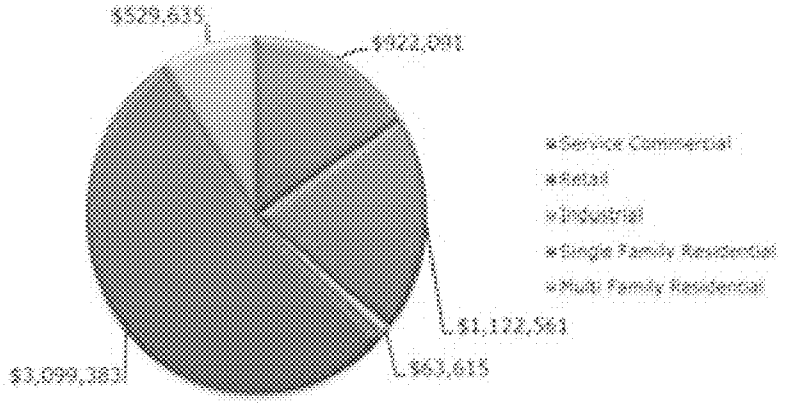

Southwest Zone

- County of Riverside unincorporated
- City of Canyon Lake
- City of Lake Elsinore
- City of Murrieta
- City of Temecula
- City of Wildomar

County of Riverside

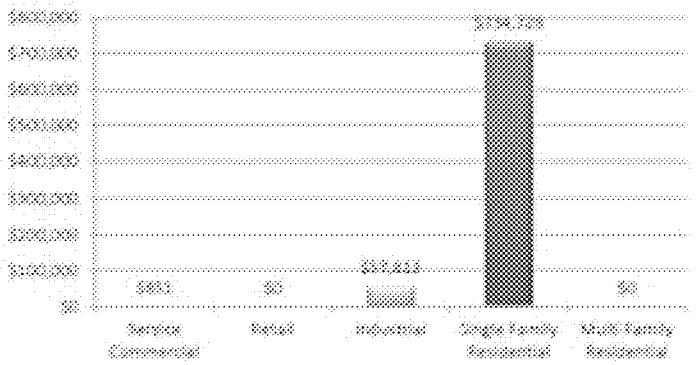

Canyon Lake

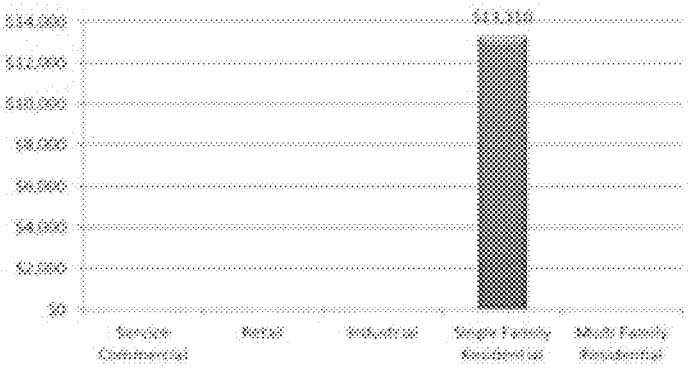

Lake Elsinore

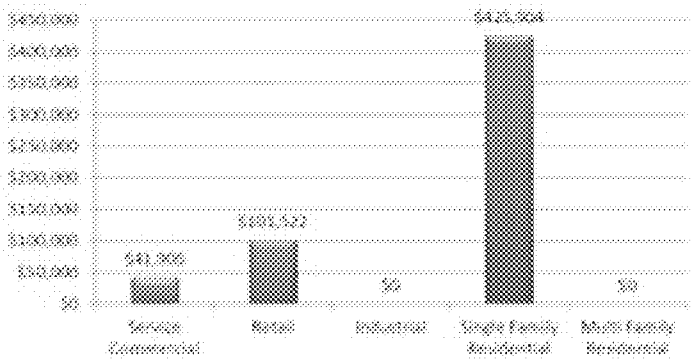

Murrieta

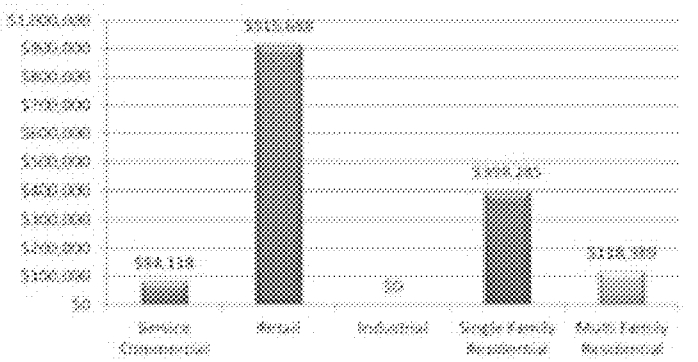

Temecula

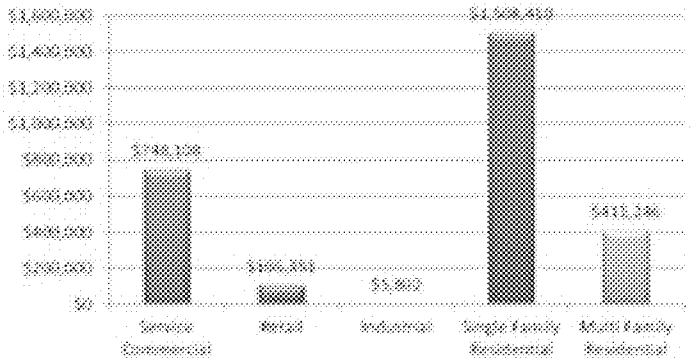

Wildomar

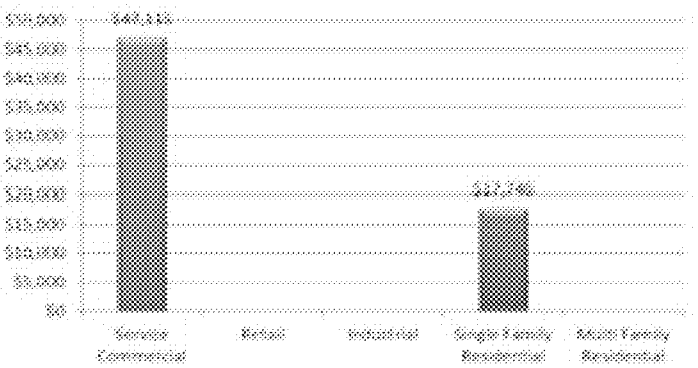

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00170876

TUMF Revenue by Land Use (FY 2010/2011)

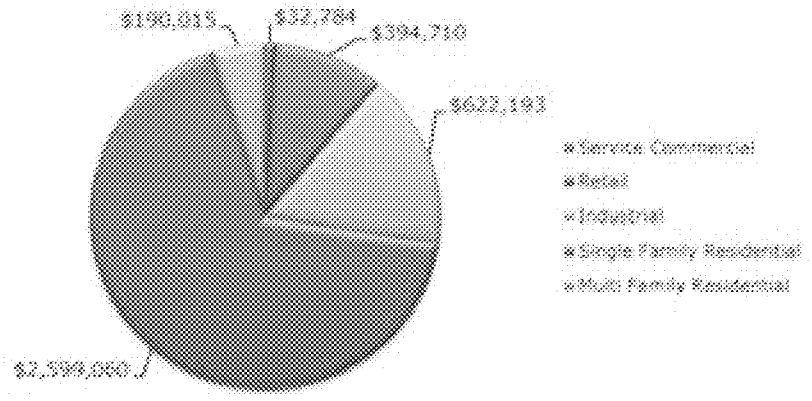

Central Zone

- County of Riverside unincorporated
- City of Menifee
- City of Moreno Valley
- City of Perris

County of Riverside

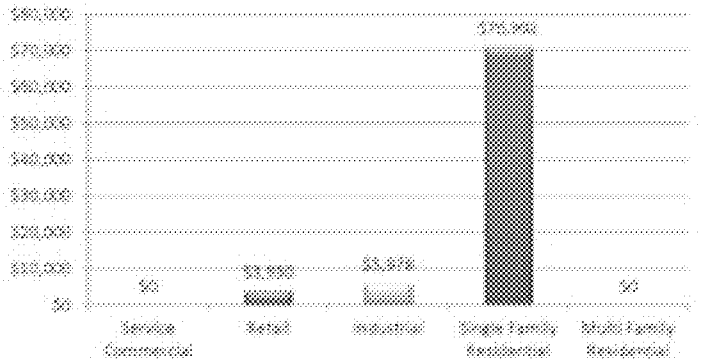

Menifee

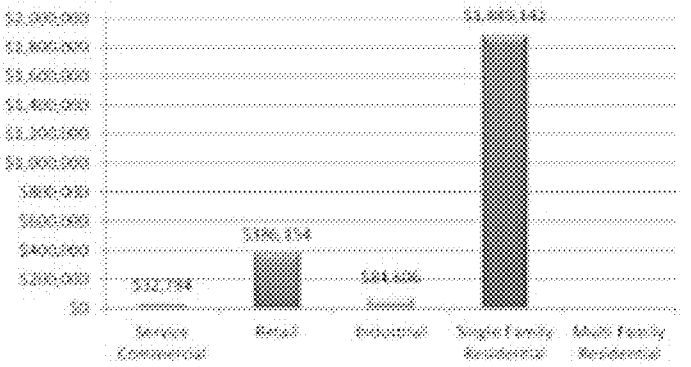

Moreno Valley

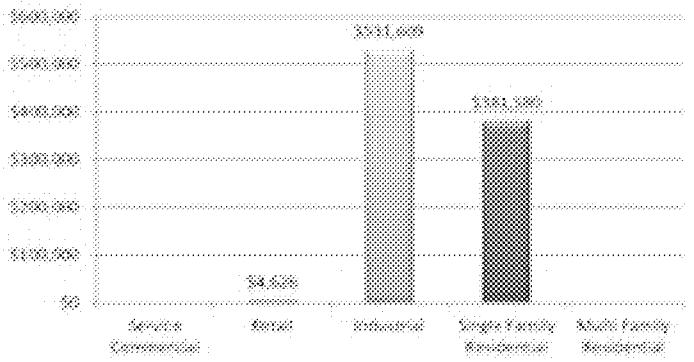

Perris

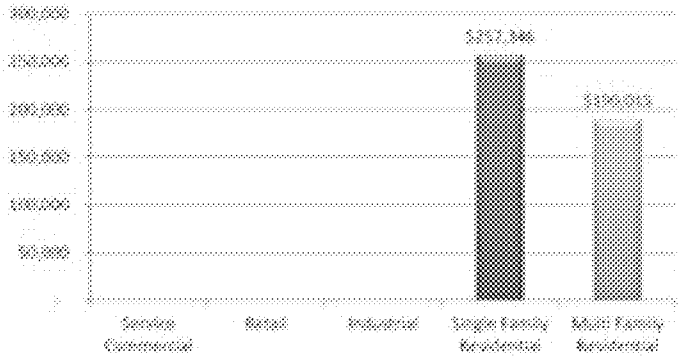

MV00170877

TUMF Revenue by Land Use (FY 2010/2011)

Hemet/San Jacinto Zone

- County of Riverside unincorporated
- City of Hemet
- City of San Jacinto

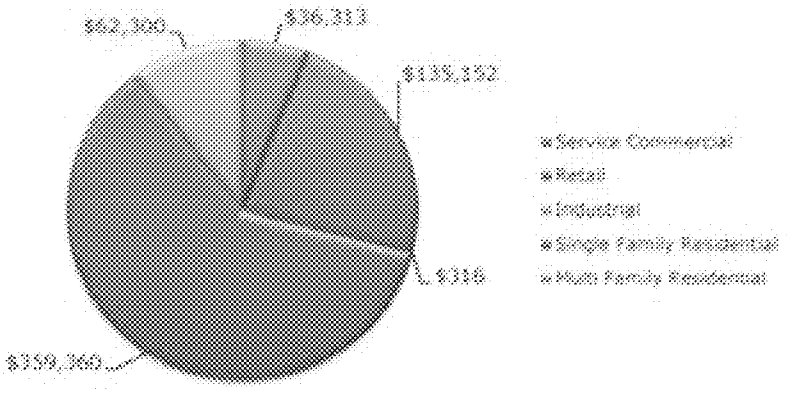

County of Riverside

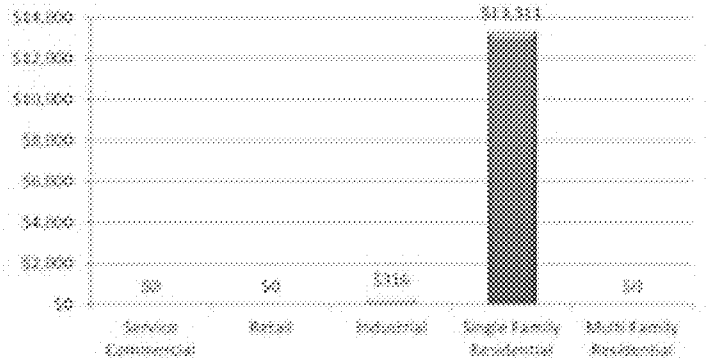

Hemet

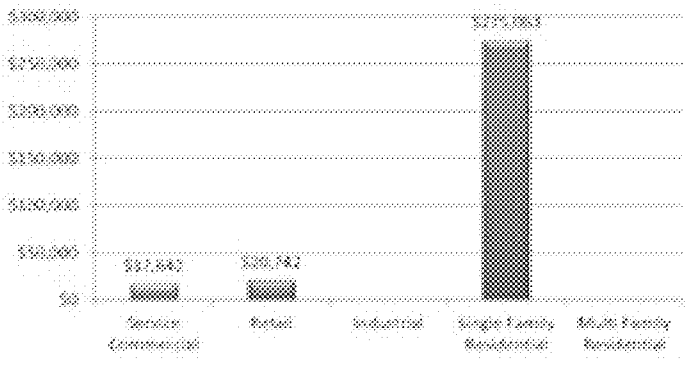

San Jacinto

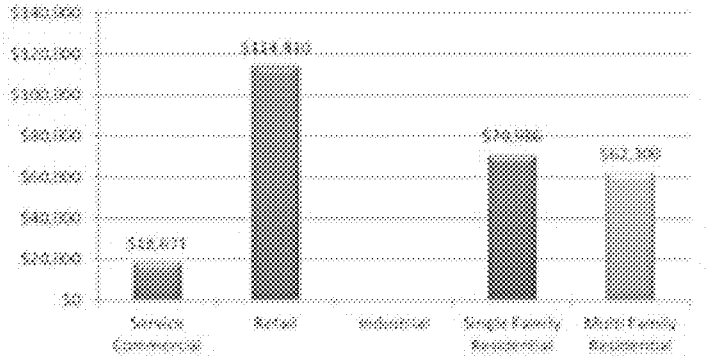

MV00170878

TUMF Revenue by Land Use (FY 2010/2011)

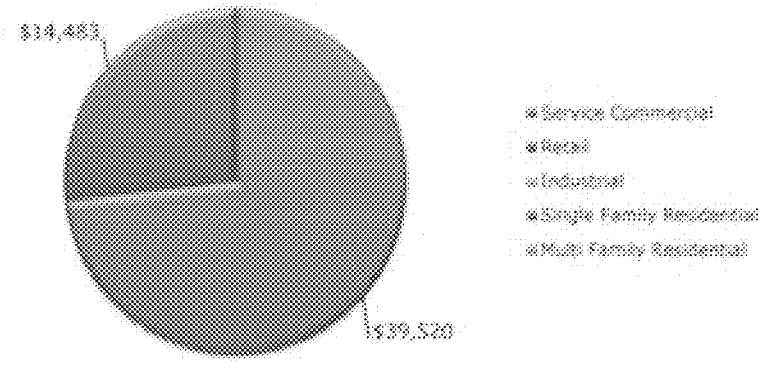

Pass Zone

- City of Banning
- City of Calimesa
- County of Riverside unincorporated

Banning

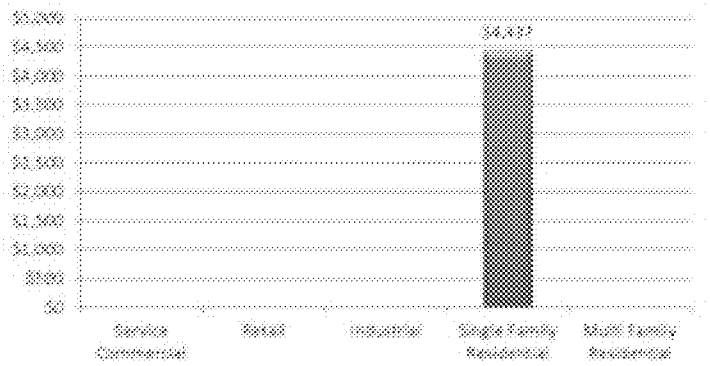

Calimesa

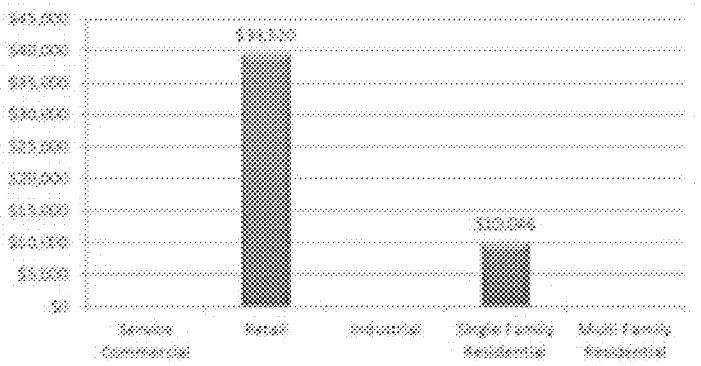

For Fiscal Year 2010/2011, the County of Riverside did not have any projects in final inspection and therefore did not collect or remit any TUMF dollars to WRCOG.

MV00170879

Projects

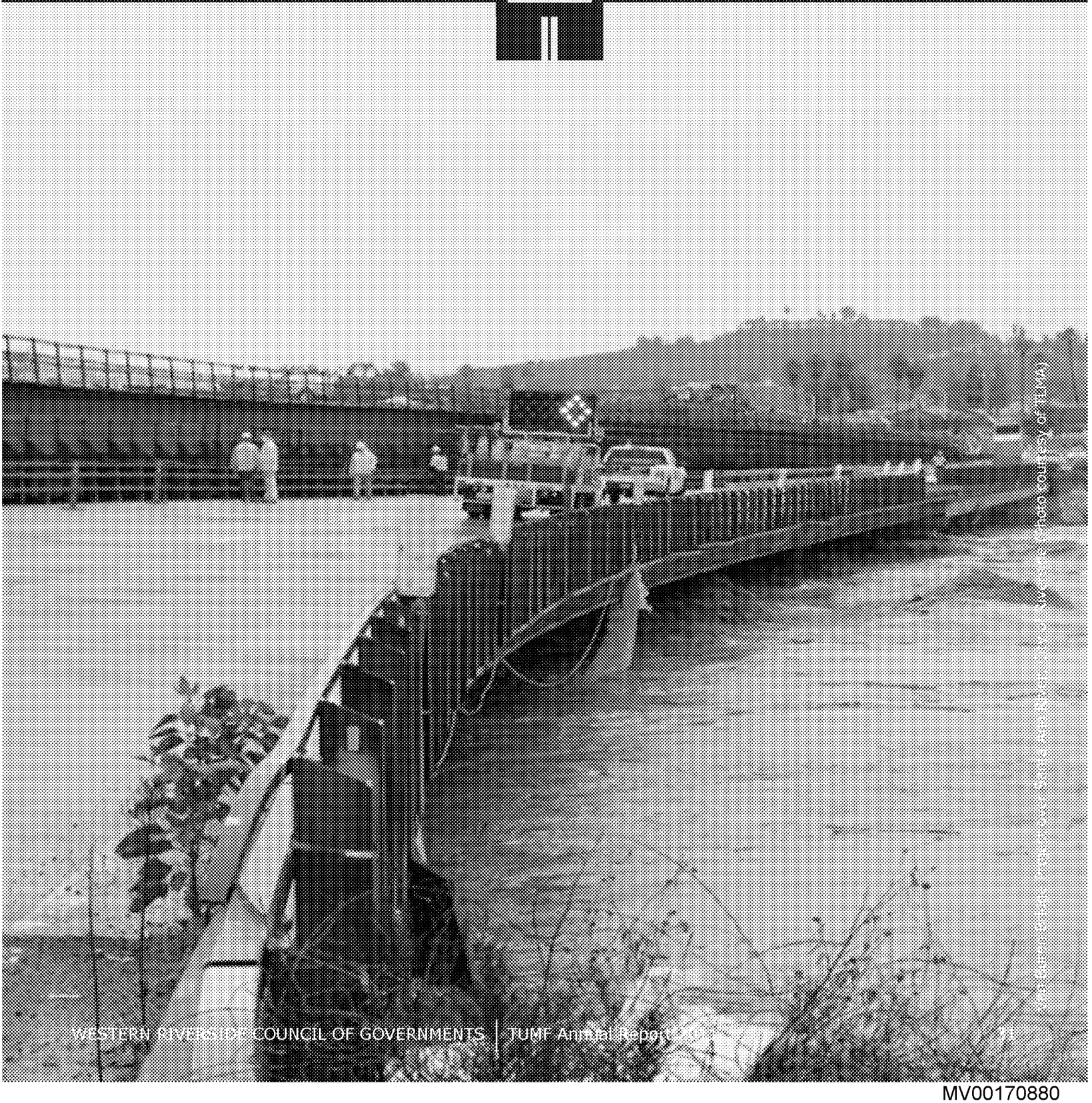

Workers at Vista Chino Preserve, Jurupa Mountains Conservation Authority

MV00170880

WRCOG's TUMF Program is first and foremost an infrastructure program. It is about building infrastructure – not collecting a fee. Constructing TUMF improvements as quickly as possible is the Program's paramount objective.

WRCOG's partners in the TUMF Program, including 18 member jurisdictions, RCTC, RTA, the March JPA, and the development community have all placed the TUMF Program as a top priority. The results of our partners' commitment to the Program is evidenced on a number of fronts. All of the agencies and jurisdictions have developed and updated TUMF project expenditure plans called Transportation Improvement Programs (TIPs) that estimate revenues from TUMF and prioritize which project improvements will be made during a five-year period. Within six months of the initiation of the Program, TIPs were being approved and work was underway to implement the nation's largest multi-jurisdictional uniform development fee program.

TUMF projects do not result just from the TIPs. Community Facilities Districts (CFDs) and Road and Bridge Benefit Districts (R&BBDs) are also used to construct TUMF improvements, and developers sometimes build TUMF facilities in lieu of paying TUMF fees. By being creative, WRCOG and its partners are working to find the fastest, most cost-effective ways to build the TUMF Network.

As of the end of Fiscal Year 2010/2011, 46 TUMF projects have been completed, 8 projects are under construction, 28 projects are in engineering or right-of-way (ROW) acquisition, and another 27 projects are in planning and environmental stages. The balance of the projects are in preliminary design and planning phases. Furthermore, of the currently programmed Zone-level TIP projects, over 40 percent of these are slated for construction during the five-year TIP period. Western Riverside County residents are seeing TUMF Program dollars at work in dozens of locations throughout the subregion.

The following pages highlight TUMF activities in each of the five zones, and for RTA and RCTC.

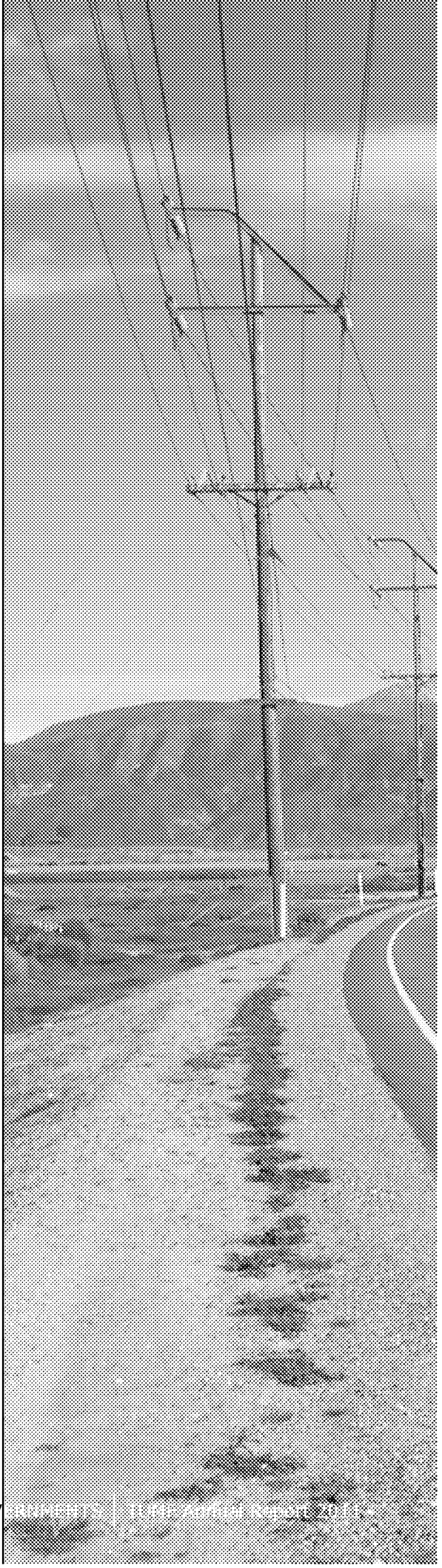

MV00170881

Sanderson Avenue, City of San Jacinto

MV00170882

Northwest Zone: Corona, Eastvale, Jurupa Valley, Norco, Riverside, County of Riverside and March JPA

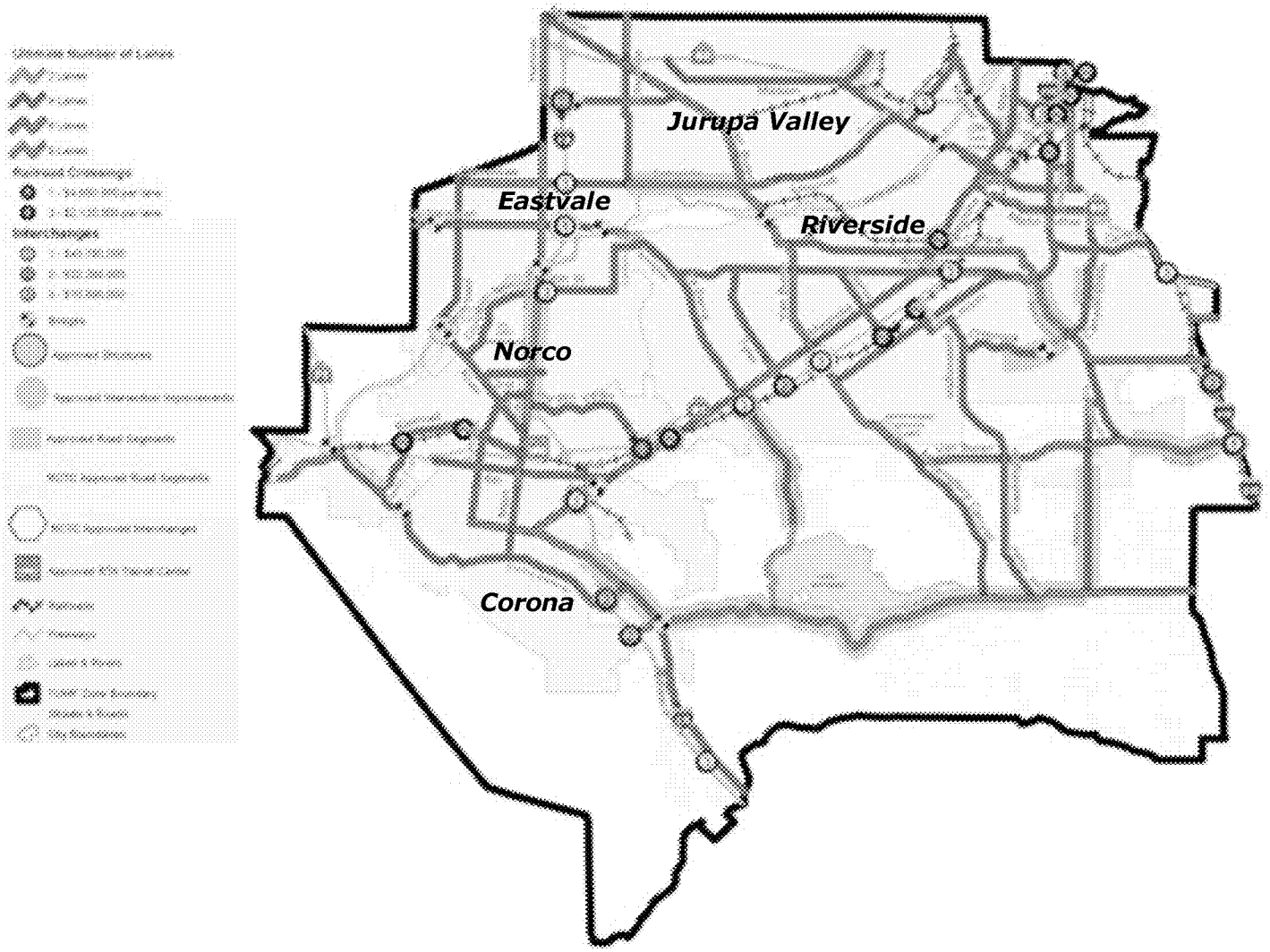

The Northwest Zone is comprised of the unincorporated County and the Cities of Corona, Eastvale, Jurupa Valley, Norco, and Riverside. The Zone covers an estimated 332.8 square miles and has a population of approximately 710,226. The Northwest Zone has 12 projects on the adopted TIP, of which 1 project is under construction, 4 projects are in engineering, 5 projects are in planning and environmental stages, and 2 projects are complete. (Note: Project data for the City of Jurupa Valley will be included in the 2012 Annual Report.)

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Northwest Zone that are underway and/or completed. These projects represent $15.3 million in TUMF investment.

Magnolia Avenue Grade Separation (City of Riverside)
This project will lower Magnolia Avenue under the Union Pacific Railroad tracks, and a two-track railroad bridge is being constructed over Magnolia Avenue. The project will also shift the alignment of Magnolia Avenue 50 feet to the west.

In addition, Beatty Drive will be widened from two to four lanes between Brockton and De Anza

MV00170883

Northwest Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				County of Riverside	Cajalco Road (La Sierra to Wood), widen 2 to 4 lanes
					Cajalco Road (Temescal Canyon Road to La Sierra), widen 2 to 4 lanes
					Limonite Avenue (I-215 ramps to van Buren), widen 2 to 4 lanes
					Magnolia Grade Separation at BNSF Railroad
					Wood Road (Cajalco to Lamacita), widen to 4 lanes
				Corona	Auto Center Underpass (Railroad to Pomona), widen 2 to 4 lanes
					McKinley Rail Underpass and Ramps, widen to 6 lanes
				City of Riverside	Sanders Grant Drive (Country Club to Via Vista), widen 2 to 4 lanes
					Magnolia Ave Grade Separation (Beatty to Brockton), widen to 4 lanes
				Norco	Hamner Avenue (Santa Ana River to Parkridge), widen 4 to 6 lanes
				South of Riverside/Alcoa JPA	Van Buren/215 Interchange

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Avenues, and new traffic signals will be installed at the intersections of Beatty Drive and Brockton, Magnolia, and De Anza Avenues. Construction started in early 2010. The project is anticipated to be completed by in 2012. The estimated project cost is $53.1 million, of which TUMF will provide $12 million.

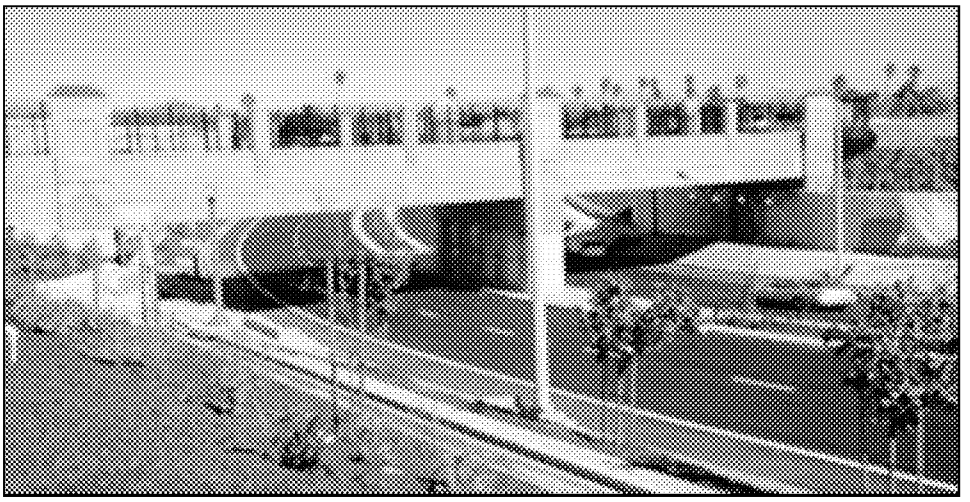

Magnolia Grade Separation Project, City of Riverside (Photo courtesy City of Riverside)

Hamner Avenue (City of Norco)

This project will widen a portion of Hamner Avenue between Santa Ana River to Parkridge Avenue from four to six lanes. The project is being completed in phases. The City recently widened Hamner Avenue from Sixth Street north to a few hundred feet south of Detroit Street.

The project's estimated cost is $8.6 million, of which TUMF has programmed $3.3 million.

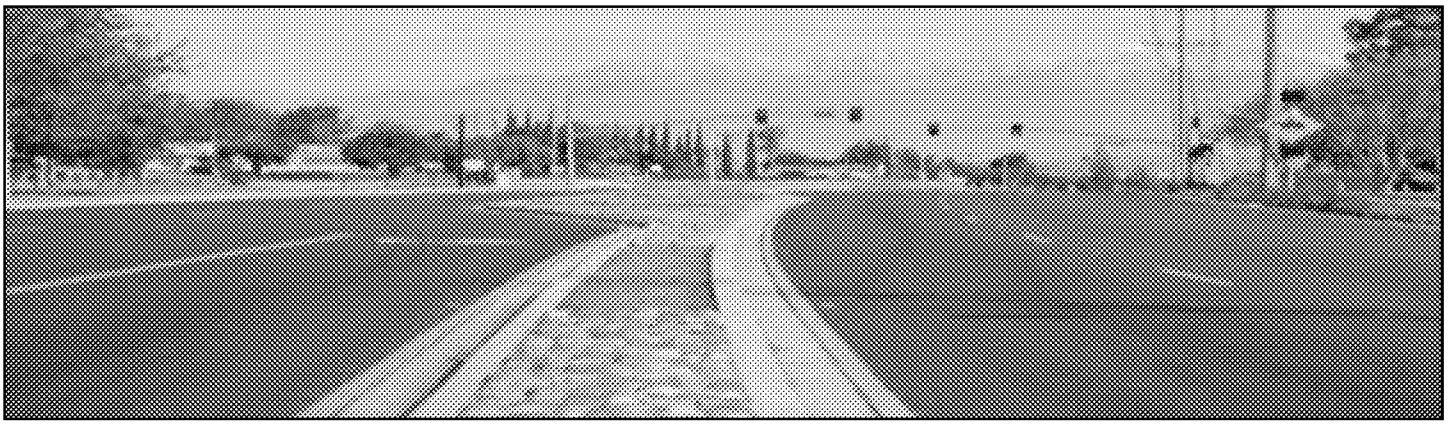

Hamner Avenue widening Project from Sixth Street to Detroit Street, City of Norco (Photo courtesy of City of Norco)

MV00170884

Southwest Zone: Canyon Lake, Lake Elsinore, Murrieta, Temecula, Wildomar, and County of Riverside

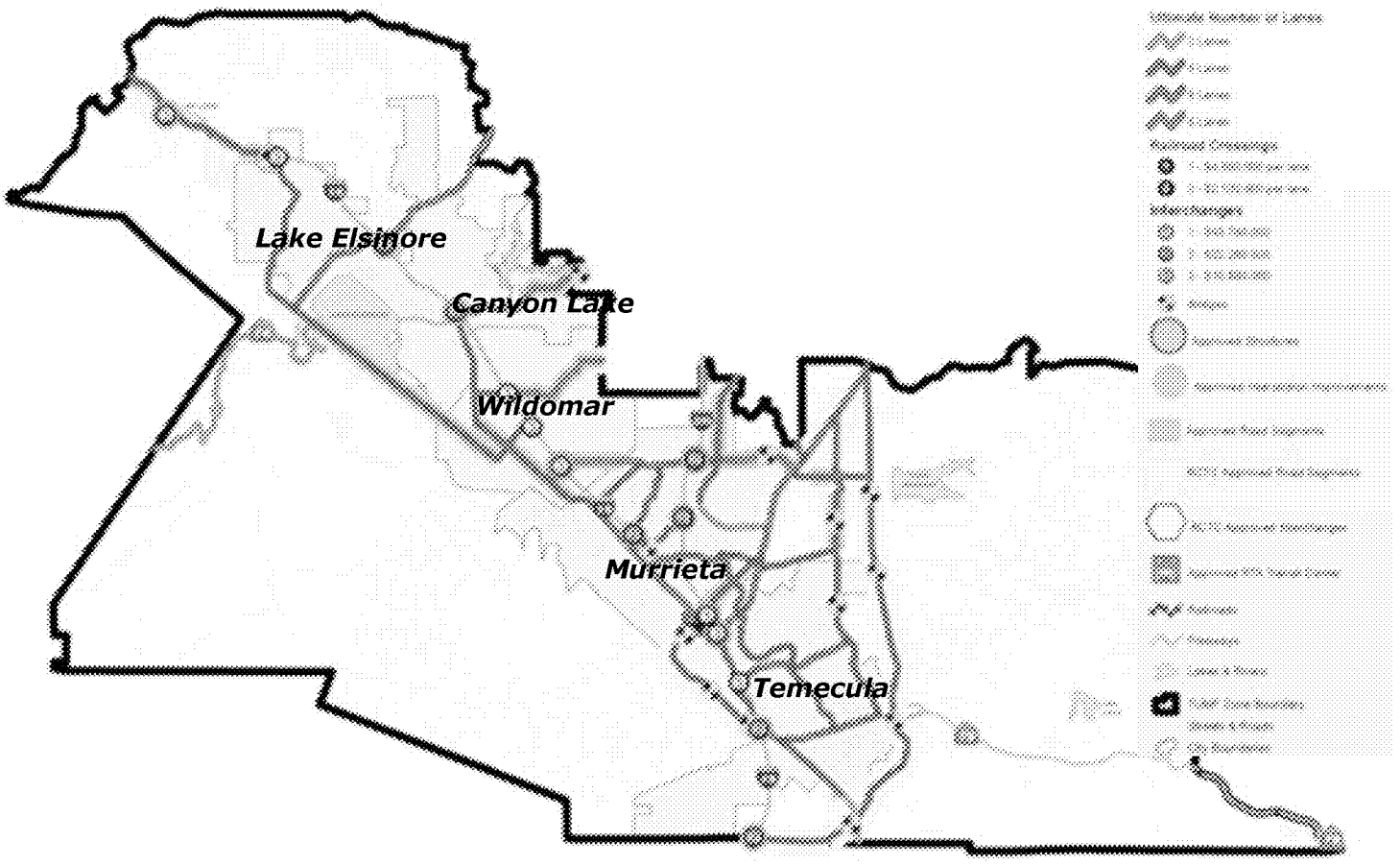

The Southwest Zone is comprised of the unincorporated County and the Cities of Canyon Lake, Lake Elsinore, Murrieta, Temecula, and Wildomar. The Zone covers an estimated 536.1 square miles and has a population of approximately 380,193.

The Southwest Zone has 16 projects on the adopted TIP, of which 1 project is under construction, 8 projects are in engineering, 3 projects are in planning and environmental stages, and 3 projects are completed. The remaining project is in the preliminary design and planning phase.

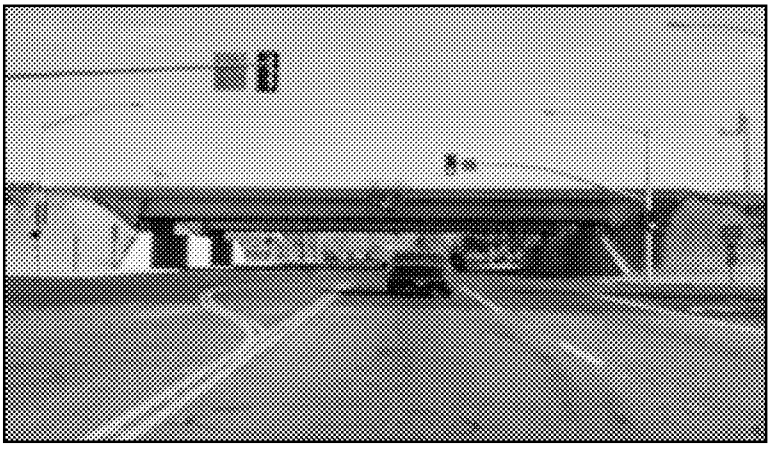

SR-74 / I-15 Interchange Project, City of Lake Elsinore (Photo courtesy of City of Lake Elsinore)

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Southwest Zone that are underway and/or completed. These projects represent $56.8 million in TUMF investment.

MV00170885

Southwest Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				City of Murrieta	Butterfield Stage Road (Auld to Murrieta Hot Springs), widen 2 to 4 lanes
					Clinton Keith Road (SR79 to I-215), widen 2 to 4 lanes
					Jefferson Street/I-215 Interchange Improvements
				Canyon Lake	Railroad Canyon Road (Goetz to City Limits)
				Murrieta	California Oaks/I-15 Interchange and widen 2 to 4 lanes from Madison to Cal Oaks
				Temecula	SR79 (Pujol to Rancho California Road), widen 2 to 4 lanes
					SR79 (Winchester/I-15 Interchange)
					French Valley Parkway/I-15 Overcrossing and Interchange
				Lake Elsinore/County of Riverside	Temescal Canyon Road (Lake - Indian Hills), widen to 4 lanes with bridge
				Wildomar	Clinton Keith Road (I-15 to Gruwell), widen 2 to 4 lanes
					Grand Avenue (SR74/Orange to Central), widen 2 to 4 lanes
					Palomar Street (Mission Trail to Jefferson), widen 2 to 4 lanes
				Valle Vista/County of Riverside	Sinclair - Ethanac Interchange

3 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.
Source: Information provided by each jurisdiction's Public Works Department

California Oaks/I-15 Interchange (City of Murrieta)

This project will widen California Oaks Road between Madison Avenue and Cal Oaks Plaza Drive to six lanes and add two loop on-ramps at the interchange. Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $26 million, of which TUMF will provide $6 million.

Clinton Keith/I-15 Interchange (City of Wildomar)

The Clinton Keith Road/I-15 Interchange is a diamond configuration with Clinton Keith Road spanning the I-15 freeway. This project will widen the bridge structure to accommodate six through lanes plus dual median left-turn lanes in each direction. The freeway ramps will be reconstructed to connect with the widened cross section of Clinton Keith Road. The project has completed design and right-of-way acquisition. Construction is anticipated to begin in early 2012. The estimated project cost is $23 million, of which TUMF will provide $9.3 million.

French Valley Parkway / I-15 Overcrossing and Interchange (City of Temecula)

This project provides for construction of a new interchange on the I-15 freeway between the existing Winchester Road interchange and the I-15/I-215 junction. The project will utilize a partial cloverleaf interchange at French Valley Parkway, with loop on-ramps and direct off-ramps in the northwest quadrants and direct on-ramps in the southwest and northwest quadrants.

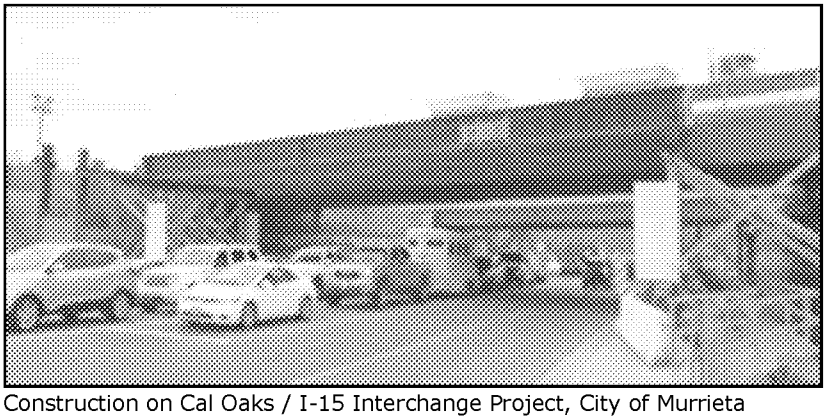
Construction on Cal Oaks / I-15 Interchange Project, City of Murrieta

The project is in the design phase with construction anticipated to begin in 2012. The estimated project cost is $192 million, of which TUMF will provide $43 million.

MV00170886

Central Zone: Menifee, Moreno Valley, Perris, and County of Riverside

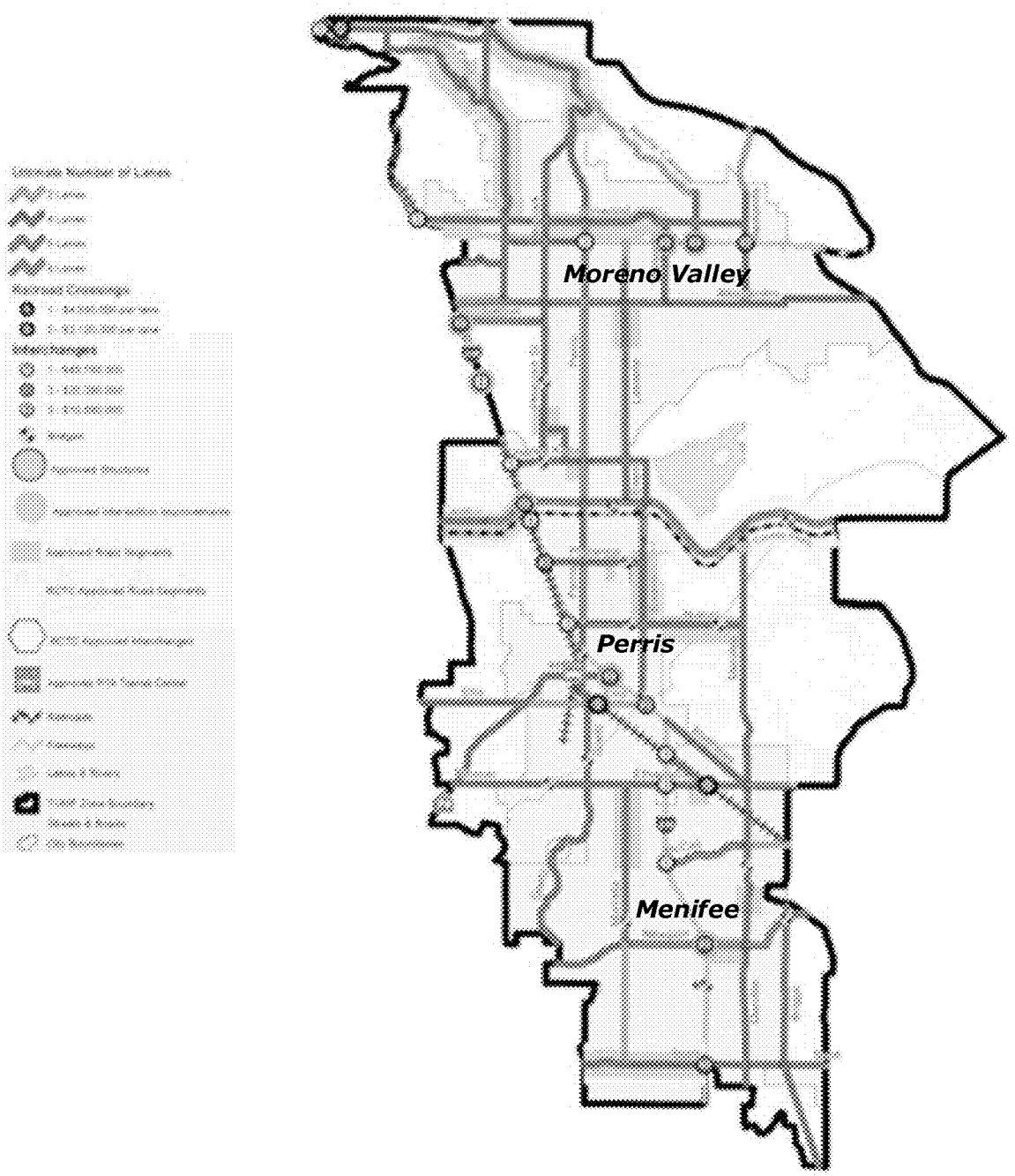

The Central Zone is comprised of the unincorporated County and the Cities of Menifee, Moreno Valley and Perris. The Zone covers an estimated 222.2 square miles and has a population of approximately 376,638. The Central Zone has 18 projects on the adopted TIP, of which 4 projects are under construction, 5 projects are in engineering, 6 projects are in planning and environmental stages, and 2 projects are completed. The remaining project is in the preliminary design and planning phases.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Central Zone that are underway and/or completed. These projects represent $21.67 million in TUMF investment.

MV00170887

Central Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				[illegible]	[illegible]
				[illegible]	[illegible]
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				[illegible]	[illegible]

2 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Nason/SR-60 Interchange (City of Moreno Valley)

The SR-60/Nason Street Overcrossing project consists of replacing the overcrossing structure, widening Nason Street overcrossing approaches and modifying the intersection.

Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $43 million, of which TUMF has programmed $13.2 million.

Ramona Expressway - Completed (City of Perris)

This project widened Ramona Expressway between Perris Boulevard and I-215, a distance of 1.4 miles, from four to six lanes.

$2.47 million in TUMF is programmed for this project, of which over $2.1 million has been reimbursed to the City for work underway.

Moreno Beach/SR-60 Interchange (City of Moreno Valley)

This project will realign the SR-60/Moreno Beach Drive freeway ramps with auxiliary lanes at the eastbound off-ramp and the westbound on-ramps. It will also replace the SR-60/Moreno Beach Drive overcrossing structure.

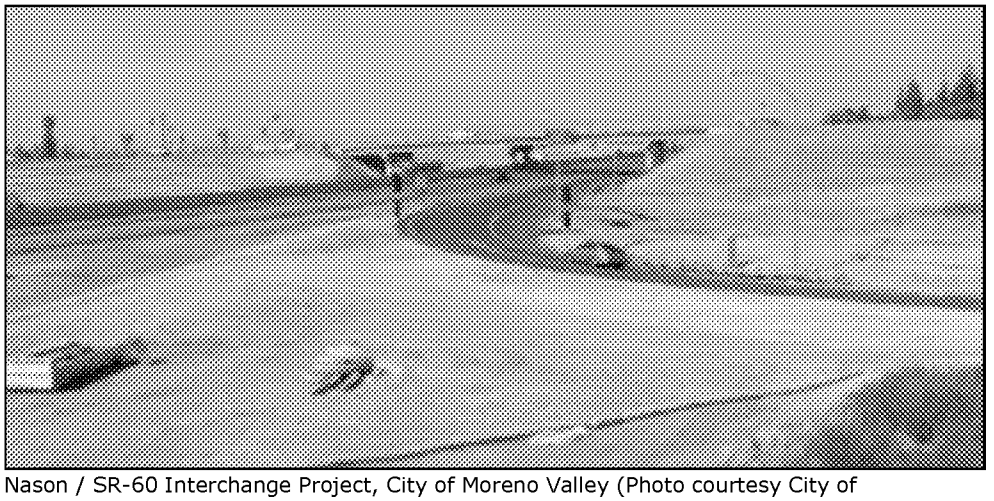

Nason / SR-60 Interchange Project, City of Moreno Valley (Photo courtesy City of Moreno Valley)

Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $43 million, of which TUMF has programmed $6 million.

MV00170888

Hemet/San Jacinto Zone: Hemet, San Jacinto and County of Riverside

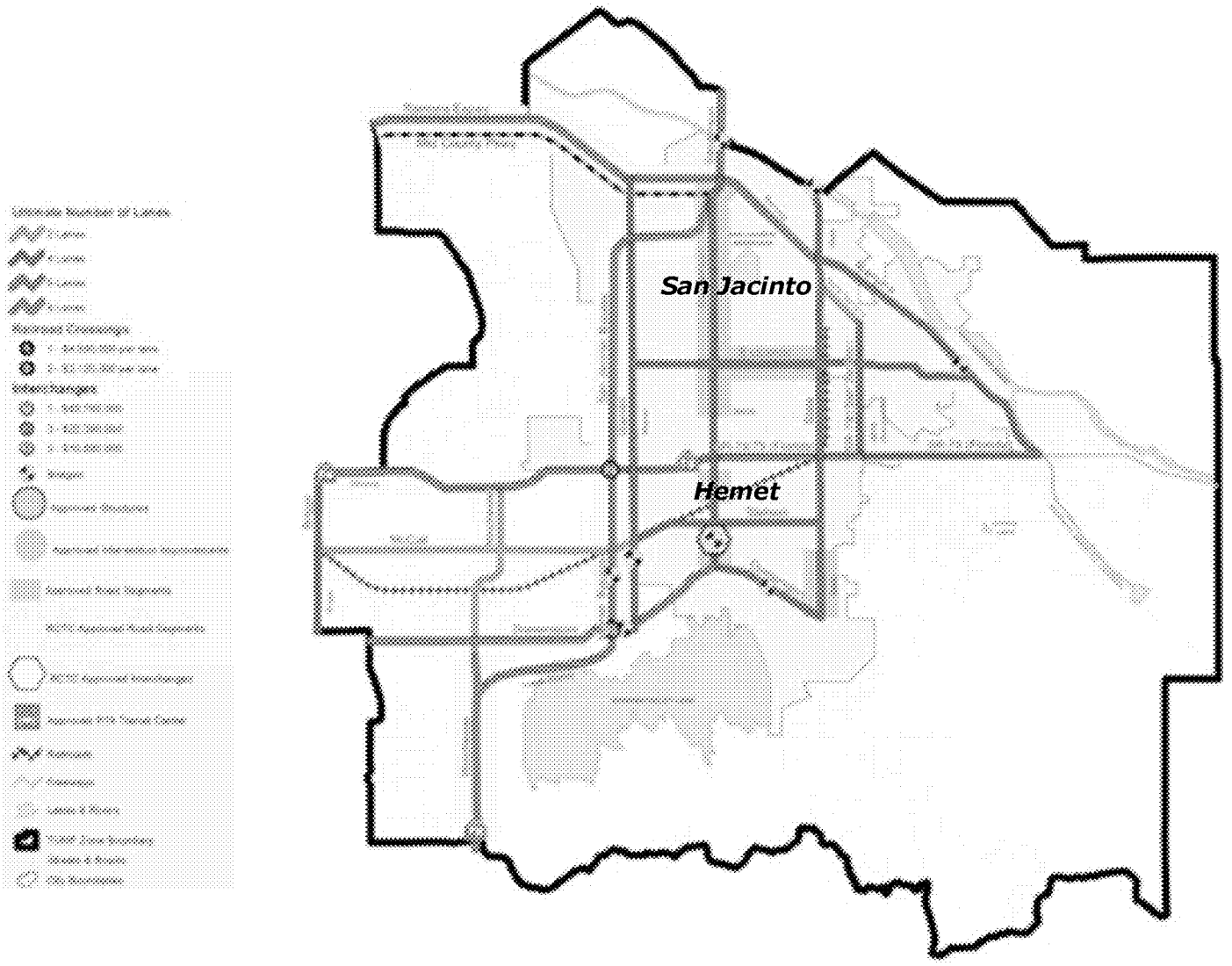

The Hemet/San Jacinto Zone is comprised of the unincorporated County and the Cities of Hemet and San Jacinto. The Zone covers an estimated 209.9 square miles and has a population of approximately 171,245. The Hemet/San Jacinto Zone has 6 projects on the adopted TIP, 1 project is in engineering, 2 projects are in planning and environmental stages, and 3 projects are completed.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Hemet/San Jacinto Zone that are underway and/or completed. These projects represent $11.1 million in TUMF investment.

Sanderson Avenue - Completed (City of San Jacinto)

This Project widened Sanderson Avenue from two to four lanes from Esplanade Avenue to Ramona Expressway for a length of 3.6 miles. The project eases congestion at the intersection of Sanderson and Ramona Expressway. The ultimate configuration of this segment will be a six -lane facility with a raised median, curb and gutter, sidewalks and a landscaped parkway. The project's cost is $7.72 million, of which TUMF has paid $7 million.

MV00170889

Hemet/San Jacinto Zone 5-Year Transportation Improvement Program

Project	Sanderson Avenue (City of Hemet)	Ramona Expressway (City of San Jacinto)
Jurisdiction	Hemet	San Jacinto, Riverside County, Caltrans
Description	Widen the west side of Sanderson Avenue from Acacia to Wentworth Avenue.	Widen Ramona Expressway from Sanderson Avenue to State Street. Widen Ramona Expressway from State Street to Main Street.

3 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Sanderson Avenue (City of Hemet)

The project will widen the west side of Sanderson Avenue from Acacia to Wentworth Avenue.

Sanderson Avenue will be widened from two to four lanes for a distance of 3,000 feet.

The project is currently in the engineering phase and is negotiating for additional right-of-way acquisition.

TUMF has programmed $1.23 million for this project, of which TUMF has reimbursed the City $1 million for work underway.

Ramona Expressway (City of San Jacinto)

This project will widen Ramona Expressway between Sanderson Avenue and Main Street in two phases. The entire project alignment from Sanderson Avenue to Main Street is currently a two-lane road.

The first phase will widen Ramona Expressway from Sanderson Avenue to State Street. This portion will widen the existing two-lane alignment to six lanes for an approximate distance of 2.45 miles.

The second phase of work will widen Ramona Expressway from State Street to Main Street. This second segment will widen the existing two-lane alignment to four lanes for a distance of approximately 2.7 miles. Construction is anticipated to begin in late 2012.

The project is estimated to cost over $8.3 million, of which TUMF has programmed $4 million.

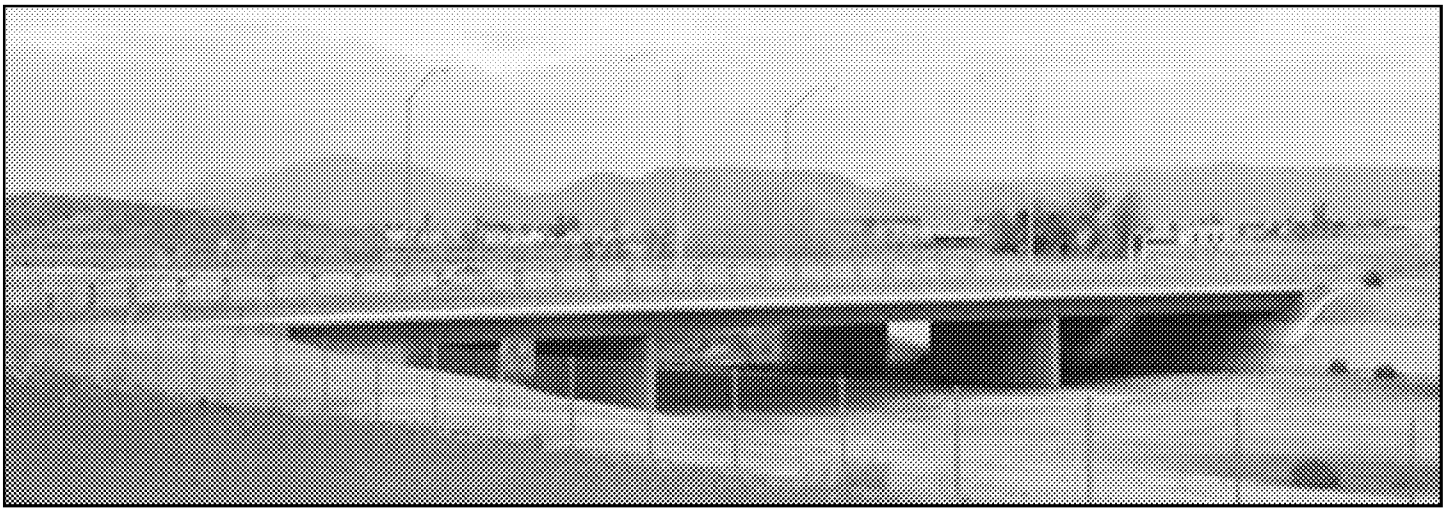

Sanderson Avenue Bridge Project over Salt Creek, City of Hemet (Photo courtesy of City of Hemet)

MV00170890

Pass Zone: Banning, Calimesa, and County of Riverside

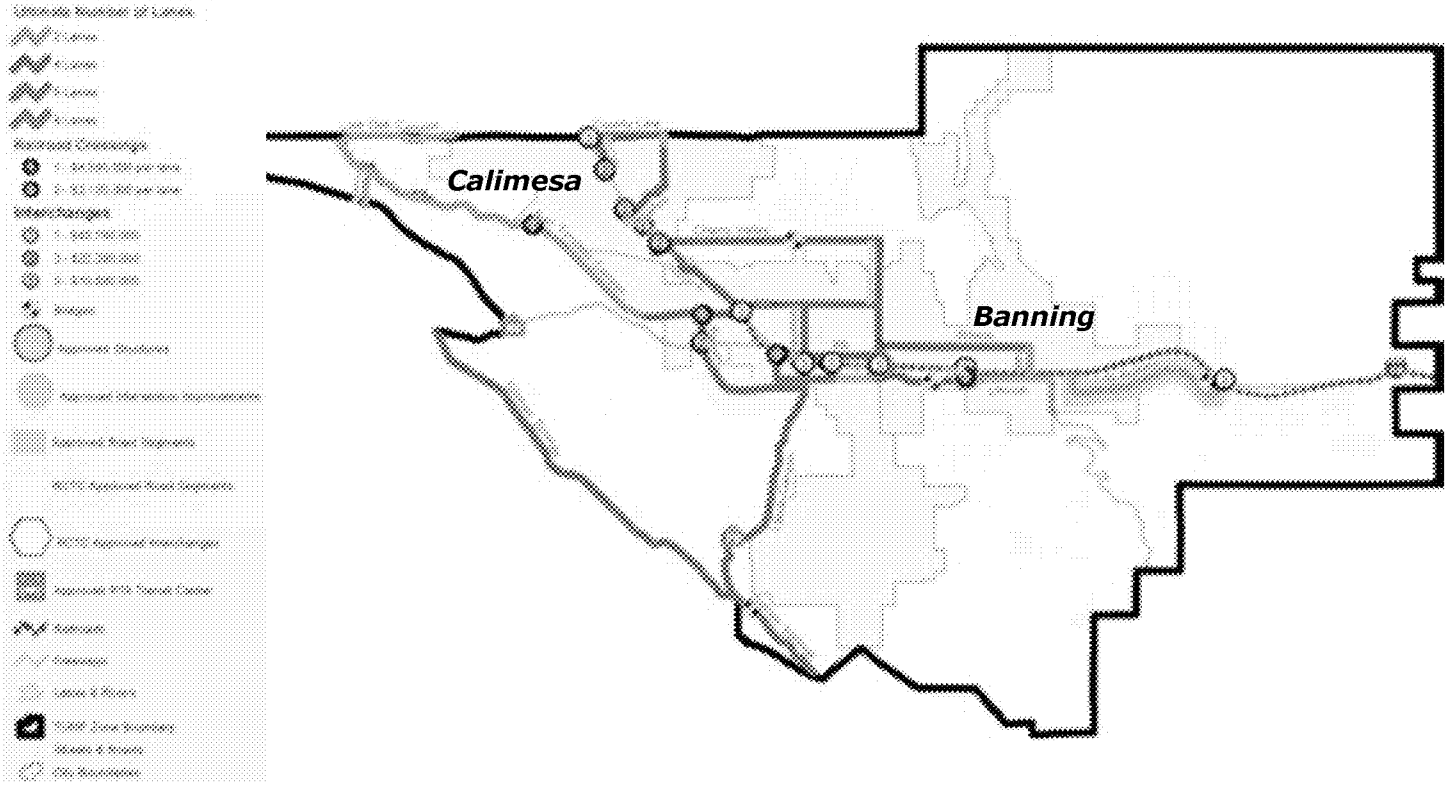

Pass Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				Banning	Sunset Avenue Grade Separation
					Highland Springs/I10 Interchange Improvements and Widening
				County of Riverside/City of Banning	I10 Bypass South & 300' Bridge (Hathaway to Fields) - widen 0 to 4 lanes

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.
Source: Information provided by each jurisdiction's Public Works Department

The Pass Zone is comprised of the unincorporated County and the Cities of Banning and Calimesa. The Zone covers an estimated 260.9 square miles and has a population of approximately 86,840. The Pass Zone has 4 projects on the adopted TIP, of which 2 projects are in engineering, 1 project is in planning and 1 project is complete.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Pass Zone that are underway and/or completed. These projects represent $3.8 million in TUMF investment.

Sunset Avenue Grade Separation (City of Banning)

This project will lower Sunset Avenue by 20 feet to construct a new underpass at the UPRR tracks, modify Sunset Avenue, and replace the I-10 bridge and the on- and off-ramps.

The project is in design with construction anticipated to begin in winter 2012. The TUMF has programmed $2.1 million for this project.

MV00170891

Riverside Transit Agency

The Riverside Transit Agency (RTA) receives TUMF funds for capital transit improvements (1.7 percent) of the total collected. RTA has 6 projects on the adopted TIP, of which 1 project is under construction, 1 project is in engineering, 1 project is in planning and environmental and 1 project is complete. The remaining 2 projects are still in the preliminary design/planning phases.

Following are projects below provide examples of projects that WRCOG has participated in with RTA that are underway and/or completed. These projects represent $3.8 million in TUMF investment.

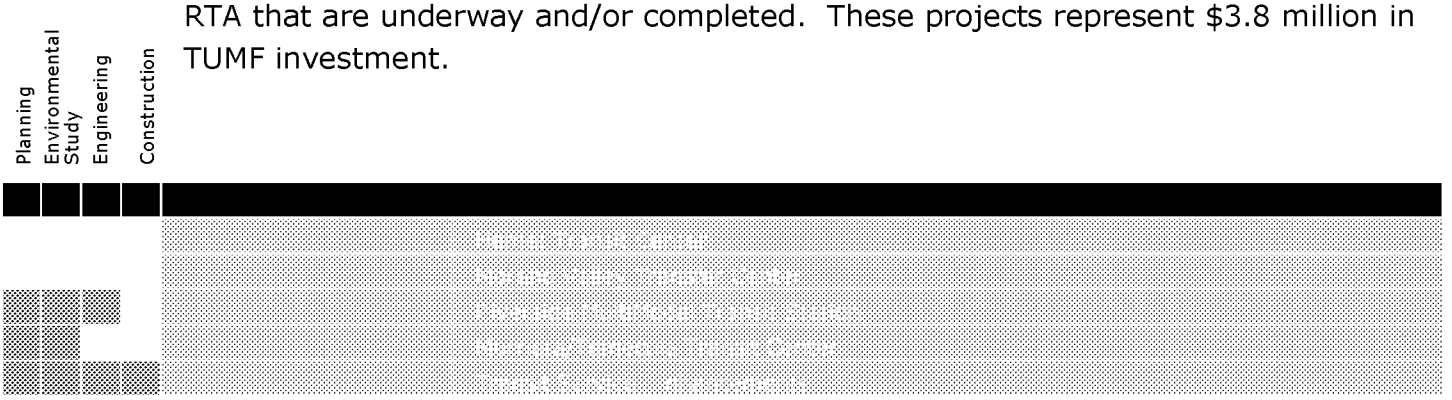

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.

Source: Information provided by the Riverside Transit Agency

I-10 Bypass Project (City of Banning) The project will construct two lanes of new roadway to support a future four-lane secondary highway between Banning and Cabazon. The scope also includes a new bridge crossing over the San Gorgonio River.

The project is in planning. The TUMF has programmed $1.7 million for this project.

Transit Service Enhancements This project will prepare plans and designs for enhancements of bus stops throughout the RTA service area in Western Riverside County. Enhancements include transit technology that will provide real-time customer information and amenities built into and around each stop for customer convenience, comfort and safety. State-of-the-art bus shelters, kiosks, and benches will be installed at selected stops within the service area.

The TUMF has programmed $3.7 million for this project.

Moreno Valley Transfer Center This project, located at Town Circle Centerpoint near Frederick Street, will expand and improve a key transfer and destination point for passengers traveling to Riverside and Perris from the Moreno Valley area.

Improvements include the addition of bus shelters, benches, RTA's Intelligent Transportation System program that relays real-time arrival information to kiosks to accommodate anticipated future growth. The TUMF has programmed $125,000 for this project.

SmartSTOP at the Corona Transit Center provides customers real-time arrival information

MV00170892

Riverside County Transportation Commission

RCTC receives 46.9 percent of the TUMF fees collected and uses these revenues for regional TUMF projects. During fiscal year 2010/2011, WRCOG transmitted over $6.5 million and over $240 million since the TUMF Program commenced. RCTC has 22 projects on the TIP, of which 1 project is under construction, 7 projects are in engineering, 9 projects are in planning and environmental stages, and 5 projects are completed. Below is a summary description of selected projects completed, under construction, or in planning phases.

Planning	Environmental Study	Engineering	Construction	
				[illegible]
				[illegible]
				[illegible]

46 Projects Completed Since 2003

Central Zone	
Menifee/County of Riverside	Newport Road (Goetz to Murrieta)- widen 0 to 4 lanes
Moreno Valley	Ironwood/Moreno Beach Intersection
	Ironwood/Nason Intersection
	Pigeon Pass Road (Climbing Rose to Hidden Springs)- widen 2 to 4 lanes
	Lasselle Street (John F ennedy to Alessandro) widen an additional northbound lane
Perris	Oleander Avenue (Perris to Indian)- widen new to 2 lanes
	Placentia Avenue Gap Closure (Redlands to Wilson)- construct 2 new lanes
	Ramona xpressway (I215 to Perris) (Phase 1) - widen 4 to 6 lanes
	Ramona xpressway (I215 to Evans Road) - widen 2 to 4 lanes
March JPA/Moreno Valley	Heacock Avenue (Perris Valley Drain to San Michele)- widen 2 to 4 lanes
Hemet/San Jacinto Zone	
Hemet	Sanderson Avenue (Stetson to Domenigoni), Salt Creek Bridge- widen 2 to 4 lanes
	Sanderson Avenue (Acacia to BNSF railroad tracks)- widen 2 to 4 lanes
	Sanderson Avenue (Menlo to splanade) widen 2 to 4 lanes
	State Street (Chambers to Domenigoni)- widen 2 to 4 with center turn-lane
San Jacinto	Sanderson Avenue (splanade to Ramona) widen 2 to 4 lanes
San Jacinto/County of Riverside	Sanderson Avenue/Ramona xpressway Intersection Improvements
County of Riverside	Newport Road (Domenigoni Parkway) Leon to SR79 - widen 0 to 6 lanes
Northwest Zone	
County of Riverside	CantuGalleano/I-15 Interchange
	Washington Street Improvements, William Lyon Homes
	La Sierra Avenue (Cleveland to l Sobrante) widen 2 to 4 lanes
	Valley Way (Sierra to Mission)- widen 2 to 4 lanes
Corona	Lincoln/SR91 Interchange
	Ontario Avenue (Compton to Rimpau)- widen 5 to 6 lanes
	Railroad Street (Buena Vista to Grand)- widen 2 to 4 lanes
	Magnolia Avenue, I15 to Sherborn Street - widen 4 to 6 lanes
	Magnolia Corridor/Magnolia/I15 Interchange
Riverside	La Sierra Avenue (Cleveland to Indiana)- widen 2 to 4 lanes
	La Sierra/SR91 Interchange
	SR60/Market Street Ramps - widen ramps and install traffic signal
	Wood/Van Buren Intersection Improvements
	Overlook Parkway except bridge (Chateau Ridge to Sandtrack)- widen 2 to 4 lanes
	Alessandro Boulevard (Arlington to Trautwein)- widen 4 to 6 lanes
	Columbia Avenue Grade Separation Overpass- widen to 4 lanes
Pass Zone	
Calimesa	Desert Lawn Drive (Palmer to Cherry Valley)- widen 2 to 4 lanes
Southwest Zone	
Lake Elsinore	SR74 Ortega/SR-74 Grand Intersection
	SR74/I-15 Interchange
Murrieta	Los Alamos/I215 Interchange
	Clinton eith Road/I215 Interchange
	Meadowlark (Clinton eith to eller) widen 2 to 4 lanes
Multimodal Transit Studies	
	Corona MultiModal Transit Terminal
	Perris Transit Center
Riverside County Transportation Commission	
	Ramona (SR79/Sanderson to West City Limits) - widen 2 to 4 lanes
	Foothill Parkway (l Cerrito)/I15 Interchange
	Van Buren Boulevard/SR91 Interchange
	Van Buren Boulevard (Andrew to Garfield)- widen 4 to 6 lanes
	Green River Road/SR91 Interchange - widen 2 to 6 lanes

The completed projects list includes projects that were completed during Fiscal Year 2010/2011 and are currently on the TIP.

MV00170894

3, 5, 10-Mile Value of TUMF Improvements from City Centers

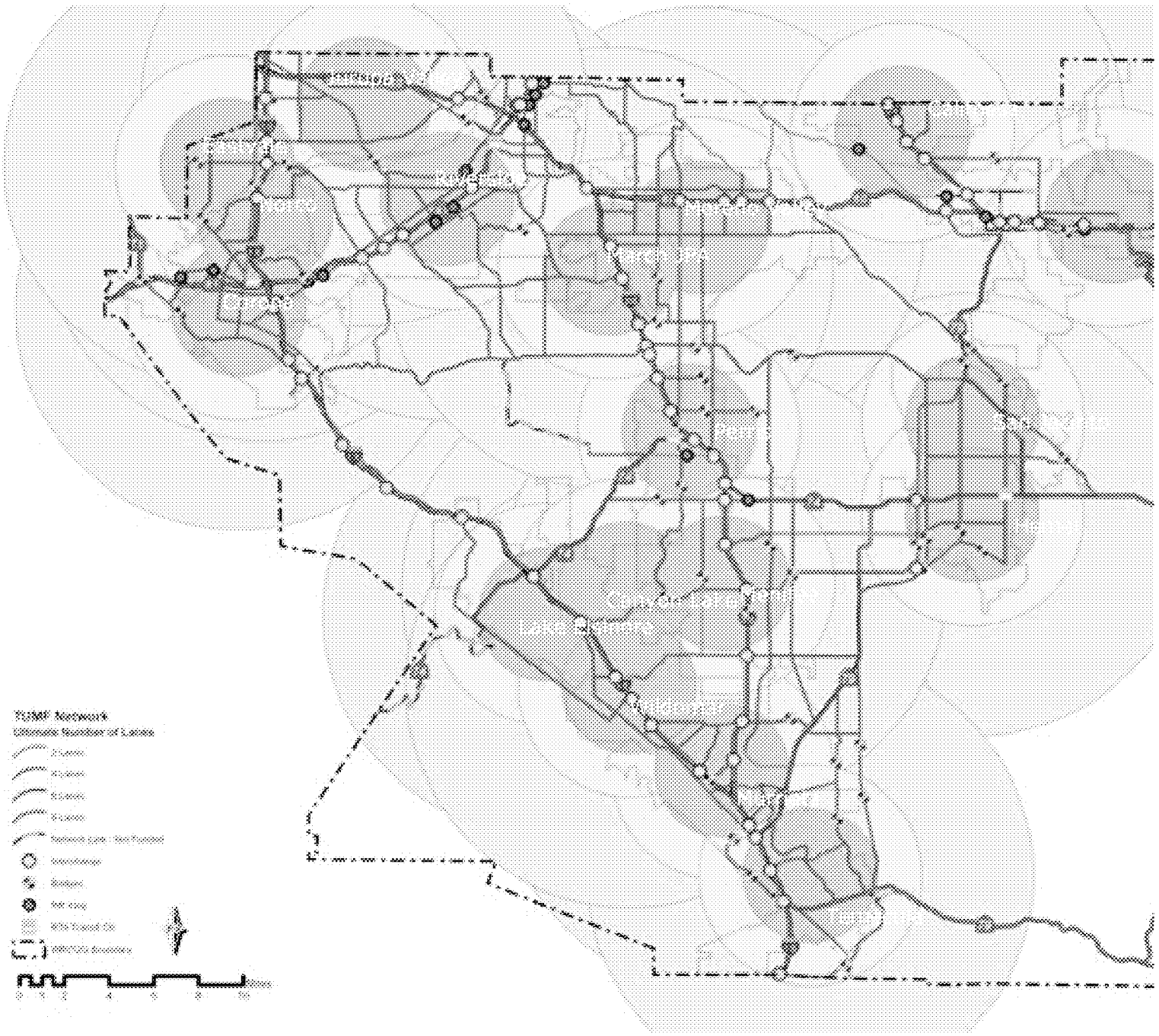

This map identifies the value of TUMF improvements within a 3, 5, and 10-mile radius from each participating City's center. The purpose of this map is to graphically depict the benefits of TUMF Program improvements that residents in cities and the unincorporated County benefit from, even when the improvements are not located specifically within that jurisdiction. This map demonstrates the regional aspect of the program and how the WRCOG TUMF participants are knitted together with TUMF improvements over the next 25 years. Maps for individual WRCOG jurisdictions can be found at our website at http://www.wrcog.cog.ca.us/content/tumf_jurisdictional_map.asp.

MV00170895

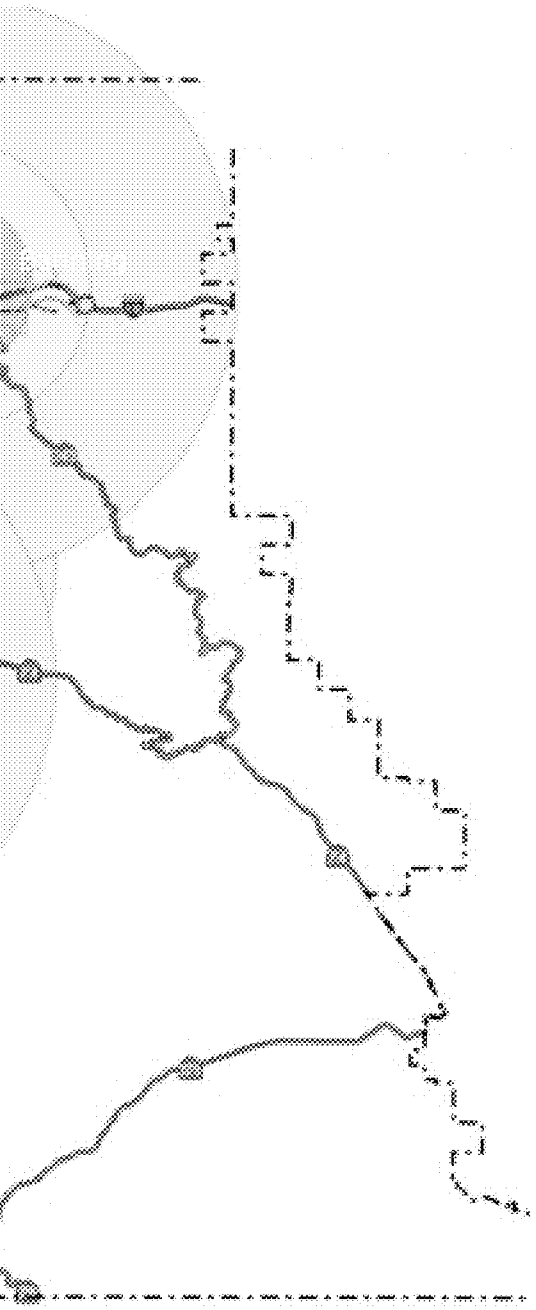

March JPA

Value of Improvements (3 miles)	$78,446,000
Value of Improvements (5 miles)	$267,153,000
Value of Improvements (10	$723,784,477
Total Value of Improvements	$1,069,383,477

City of Banning

Value of Improvements (3 miles)	$68,821,000
Value of Improvements (5 miles)	$44,861,000
Value of Improvements (10 miles)	$162,828,000
Total Value of Improvements	$276,510,000

City of Calimesa

Value of Improvements (3 miles)	$123,987,000
Value of Improvements (5 miles)	$9,066,000
Value of Improvements (10 miles)	$233,405,000
Total Value of Improvements	$366,458,000

City of Canyon Lake

Value of Improvements (3 miles)	$50,836,000
Value of Improvements (5 miles)	$160,844,000
Value of Improvements (10 miles)	$751,189,000
Total Value of Improvements	$962,869,000

City of Corona

Value of Improvements (3 miles)	$100,498,377
Value of Improvements (5 miles)	$130,275,000
Value of Improvements (10 miles)	$366,483,600
Total Value of Improvements	$597,256,977

City of Eastvale

Value of Improvements (3 miles)	$217,187,000
Value of Improvements (5 miles)	$63,071,377
Value of Improvements (10 miles)	$238,628,600
Total Value of Improvements	$518,886,977

City of Hemet

Value of Improvements (3 miles)	$95,470,765
Value of Improvements (5 miles)	$120,732,000
Value of Improvements (10 miles)	$213,166,000
Total Value of Improvements	$429,368,765

City of Lake Elsinore

Value of Improvements (3 miles)	$102,607,000
Value of Improvements (5 miles)	$32,614,000
Value of Improvements (10 miles)	$345,378,000
Total Value of Improvements	$480,599,000

City of Jurupa Valley

Value of Improvements (3 miles)	$44,118,067
Value of Improvements (5 miles)	$94,179,000
Value of Improvements (10 miles)	$509,772,159
Total Value of Improvements	$648,069,226

City of Menifee

Value of Improvements (3 miles)	$101,192,000
Value of Improvements (5 miles)	$206,284,000
Value of Improvements (10 miles)	$787,635,000
Total Value of Improvements	$1,095,111,000

City of Moreno Valley

Value of Improvements (3 miles)	$115,584,000
Value of Improvements (5 miles)	$271,761,000
Value of Improvements (10 miles)	$541,708,065
Total Value of Improvements	$875,053,065

City of Murrieta

Value of Improvements (3 miles)	$252,477,869
Value of Improvements (5 miles)	$130,801,000
Value of Improvements (10 miles)	$444,238,000
Total Value of Improvements	$827,516,869

City of Norco

Value of Improvements (3 miles)	$191,552,377
Value of Improvements (5 miles)	$122,962,000
Value of Improvements (10 miles)	$296,472,067
Total Value of Improvements	$610,986,444

City of Perris

Value of Improvements (3 miles)	$178,386,000
Value of Improvements (5 miles)	$249,545,000
Value of Improvements (10 miles)	$535,907,200
Total Value of Improvements	$963,838,200

City of Riverside

Value of Improvements (3 miles)	$104,806,525
Value of Improvements (5 miles)	$136,409,540
Value of Improvements (10 miles)	$632,501,444
Total Value of Improvements	$873,717,509

City of San Jacinto

Value of Improvements (3 miles)	$176,414,000
Value of Improvements (5 miles)	$42,473,659
Value of Improvements (10 miles)	$197,959,000
Total Value of Improvements	$416,846,659

City of Temecula

Value of Improvements (3 miles)	$95,937,000
Value of Improvements (5 miles)	$153,859,869
Value of Improvements (10 miles)	$320,535,000
Total Value of Improvements	$570,331,869

City of Wildomar

Value of Improvements (3 miles)	$116,577,000
Value of Improvements (5 miles)	$119,213,000
Value of Improvements (10 miles)	$588,424,869
Total Value of Improvements	$824,214,869

MV00170896

Westport Road looking west from the vicinity of Nassau Road and Skyview Drive (Looking)

MV00170897

MV00170898

Program Participants

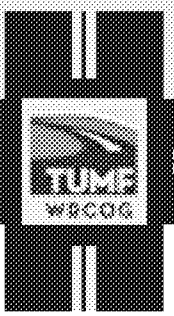

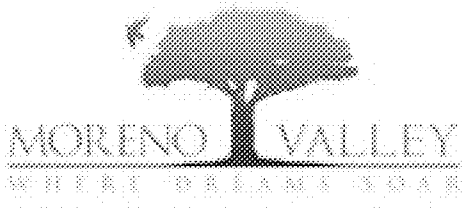

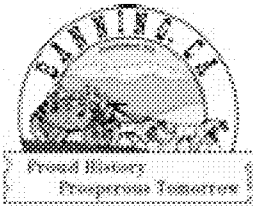

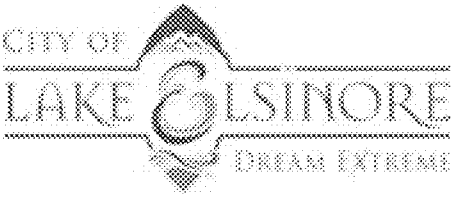

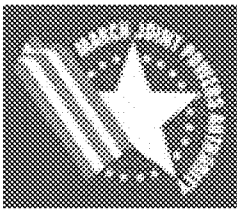

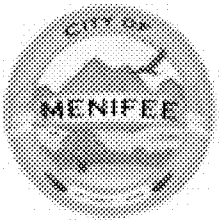

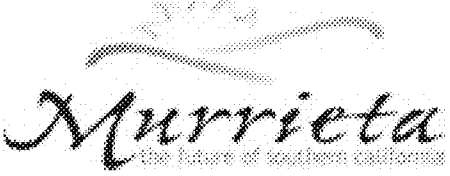

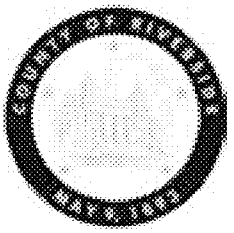

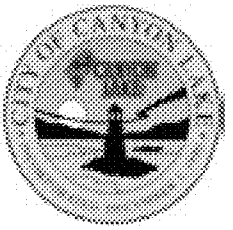

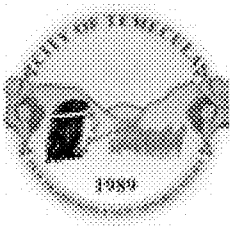

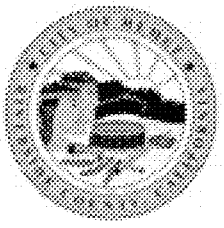

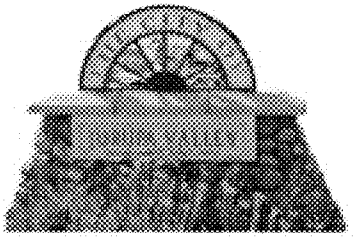

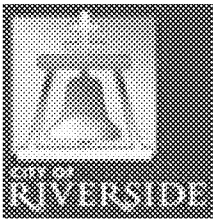

Report Contributors

Management Team

Rick Bishop
Executive Director
bishop@wrcog.cog.ca.us

Ruthanne Taylor Berger
Deputy Executive Director
berger@wrcog.cog.ca.us

Ernie Reyna
Chief Financial Officer
reyna@wrcog.cog.ca.us

Project Team

Donna Dean
Program Manager
dean@wrcog.cog.ca.us

Alex Serena
Staff Analyst
serena@wrcog.cog.ca.us

Sherri Cruz
Staff Analyst
cruz@wrcog.cog.ca.us

Connie Cardenas
Staff Analyst
cardenas@wrcog.cog.ca.us

Lupe T. Lotman
Executive Assistant
lotman@wrcog.cog.ca.us

4080 Lemon Street, 3rd Floor, MS 1032
Riverside, CA 92501
P: (951) 955-7985
F: (951) 787-7991
www.wrcog.cog.ca.us

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Highway Traffic Noise

Construction Noise
Handbook
RCNM Version 1.1
Special Report
Measurement
Noise Barriers
Noise Compatible Planning
Noise Effect on Wildlife
Regulation and Guidance
Tire Pavement Noise
Traffic Noise Models
Training

Contruction Noise Handbook

9.0 Construction Equipment Noise Levels and Ranges

9.1 Equipment Type Inventory and Related Emission Levels

Noise levels generated by individual pieces of construction equipment and specific construction operations form the basis for the prediction of construction-related noise levels. A variety of information exists related to sound emissions related to such equipment and operations. This data transcends the period beginning in the 1970s thru 2006. This information exists for both stationary and mobile sources and for steady, intermittent, and impulse type generators of noise.

Stationary equipment consists of equipment that generates noise from one general area and includes items such as pumps, generators, compressors, etc. These types of equipment operate at a constant noise level under normal operation and are classified as non-impact equipment. Other types of stationary equipment such as pile drivers, jackhammers, pavement breakers, blasting operations, etc., produce variable and sporadic noise levels and often produce impact-type noises. Impact equipment is equipment that generates impulsive noise, where impulsive noise is defined as noise of short duration (generally less than one second), high intensity, abrupt onset, rapid decay, and often rapidly changing spectral composition. For impact equipment, the noise is produced by the impact of a mass on a surface, typically repeating over time.

Mobile equipment such as dozers, scrapers, graders, etc., may operate in a cyclic fashion in which a period of full power is followed by a period of reduced power. Other equipment such as compressors, although generally considered to be stationary when operating, can be readily relocated to another location for the next operation.

9.2 Sources of Information

Construction-related equipment and operation noise level data may be provided by numerous sources, including suppliers, manufacturers, agencies, organizations, etc. Some information is included in this document, and many web-based links are given for equipment manufacturers.

9.3 Specifics of Construction Equipment and Operation Noise Inventories

Details included in each specific inventory of construction equipment and operation noise emission levels are often variable in terms of how data is represented. Some inventories include ranges of noise levels while others present single numbers for each equipment type. Others provide levels for specific models of each type of construction equipment. Often, different noise descriptors are used, such as L_{Aeq}, L_{max}, L_{10}, sound power level, etc. As such, the array of data does not readily lend itself to being combined into a single table or easily compared. As such, this Handbook attempts to summarize a variety of such inventories and provide links to each, thereby providing the reader with a variety of sources from which to choose the appropriate levels for use in his or her respective analysis.

9.4 Summaries of Referenced Inventories

Included below are examples of several inventories of construction-related noise emission values. These and additional inventories are included on the companion CD-ROM.

Equipment and operation noise levels in this inventory are expressed in terms of L_{max} noise levels and are accompanied by a usage factor value. They have been recently updated and are based on extensive measurements taken in conjunction with the Central Artery/Tunnel (CA/T) Project. Table 9.1 summarizes the equipment noise emissions database used by the CA/T Project. While these values represent the "default" values for use in the RCNM, user-defined equipment and corresponding noise levels can be added.

Table 9.1 RCNM Default Noise Emission Reference Levels and Usage Factors.

Equipment Description	Impact Device?	Acoustical Usage Factor (%)	Spec. 721.560 L_{max} @ 50 feet (dBA, slow)	Actual Measured L_{max} @ 50 feet (dBA, slow) (Samples Averaged)	Number of Actual Data Samples (Count)
All Other Equipment > 5 HP	No	50	85	N/A	0
Auger Drill Rig	No	20	85	84	36
Backhoe	No	40	80	78	372
Bar Bender	No	20	80	N/A	0
Blasting	Yes	N/A	94	N/A	0

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Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

MV00170902

Boring Jack Power Unit	No	50	80	83	1
Chain Saw	No	20	85	84	46
Clam Shovel (dropping)	Yes	20	93	87	4
Compactor (ground)	No	20	80	83	57
Compressor (air)	No	40	80	78	18
Concrete Batch Plant	No	15	83	N/A	0
Concrete Mixer Truck	No	40	85	79	40
Concrete Pump Truck	No	20	82	81	30
Concrete Saw	No	20	90	90	55
Crane	No	16	85	81	405
Dozer	No	40	85	82	55
Drill Rig Truck	No	20	84	79	22
Drum Mixer	No	50	80	80	1
Dump Truck	No	40	84	76	31
Excavator	No	40	85	81	170
Flat Bed Truck	No	40	84	74	4
Front End Loader	No	40	80	79	96
Generator	No	50	82	81	19
Generator (<25KVA, VMS Signs)	No	50	70	73	74
Gradall	No	40	85	83	70
Grader	No	40	85	N/A	0
Grapple (on backhoe)	No	40	85	87	1
Horizontal Boring Hydraulic Jack	No	25	80	82	6
Hydra Break Ram	Yes	10	90	N/A	0
Impact Pile Driver	Yes	20	95	101	11
Jackhammer	Yes	20	85	89	133
Man Lift	No	20	85	75	23
Mounted Impact Hammer (hoe ram)	Yes	20	90	90	212
Pavement Scarifier	No	20	85	90	2
Paver	No	50	85	77	9
Pickup Truck	No	40	55	75	1
Pneumatic Tools	No	50	85	85	90
Pumps	No	50	77	81	17
Refrigerator Unit	No	100	82	73	3
Rivit Buster/Chipping Gun	Yes	20	85	79	19

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MV00170903

Rock Drill	No	20	85	81	3
Roller	No	20	85	80	16
Sand Blasting (single nozzle)	No	20	85	96	9
Scraper	No	40	85	84	12
Sheers (on backhoe)	No	40	85	96	5
Slurry Plant	No	100	78	78	1
Slurry Trenching Machine	No	50	82	80	75
Soil Mix Drill Rig	No	50	80	N/A	0
Tractor	No	40	84	N/A	0
Vacuum Excavator (Vac-Truck)	No	40	85	85	149
Vacuum Street Sweeper	No	10	80	82	19
Ventilation Fan	No	100	85	79	13
Vibrating Hopper	No	50	85	87	1
Vibratory Concrete Mixer	No	20	80	80	1
Vibratory Pile Driver	No	20	95	101	44
Warning Horn	No	5	85	83	12
Welder/Torch	No	40	73	74	5

For each generic type of equipment listed in Table 9.1, the following information is provided:

- an indication as to whether or not the equipment is an impact device;
- the acoustical usage factor to assume for modeling purposes;
- the specification "Spec" limit for each piece of equipment expressed as an L_{max} level in dBA "slow" at a reference distance of 50 foot from the loudest side of the equipment;
- the measured "Actual" emission level at 50 feet for each piece of equipment based on hundreds of emission measurements performed on CA/T work sites; and
- the number of samples that were averaged together to compute the "Actual" emission level.

A comparison of the "Spec" emission limits against the "Actual" emission levels reveals that the Spec limits were set, in general, to realistically obtainable noise levels based on the equipment used by contractors on the CA/T Project. When measured in the field, some equipment such as pile drivers, sand blasting, demolition shears, and pumps tended to exceed their applicable emission limit. As such, these noisy devices needed to have some form of noise mitigation in place in order to comply with the Spec emission limits. Other equipment, such as clamshell shovels, concrete mixer trucks, truck-mounted drill rigs, man-lifts, chipping guns, ventilation fans, pavers, dump trucks, and flatbed trucks, easily complied. Therefore, the Spec emission limits for these devices could have been reduced somewhat further. It is recommended that the user review the RCNM User's Guide contained in Appendix A for detailed guidance regarding application of values contained in Table 9.1.

Appendix A of the 1977 Handbook provides tables of construction equipment noise levels and ranges. The majority of the data were provided by the American Road Builders Association. These data were taken during a 1973 survey in which member contractors were asked to secure readings of noise exposure to operators of various types of equipment. Additionally, the contractors were asked to take readings at 50 feet from the machinery. These 50-foot peak readings are provided in Tables 9.2 through 9.8. Though the data were produced under varying conditions and degrees of expertise, the values are relatively consistent.

Table 9.2 Construction Equipment Noise Levels Based on Limited Data Samples - Cranes.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Northwestern	80D	77	Within 15m 1958 mod
Northwestern	8	84	Within 15m 1940 mod
Northwestern	6	72	Within 15m 1965 mod
American	7260	82	Within 15m 1967 mod

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American	599	76	Within 15m 1969 mod
American	5299	70	Within 15m 1972 mod
American	4210	82	Within 15m 1968 mod
Buck Eye	45C	79	Within 15m 1972 mod
Buck Eye	308	74	Within 15m 1968 mod
Buck Eye	30B	73	Within 15m 1965 mod
Buck Eye	30B	70	Within 15m 1959 mod
Link Belt	LS98	76	Within 15m 1956 mod
Manitowoc	4000	94	Within 15m 1956 mod
Grove	RF59	82	Within 15m 1973 mod
Koehr	605	76	Within 15m 1967 mod
Koehr	435	86	Within 15m 1969 mod
Koehr	405	84	Within 15m 1969 mod

Table 9.3 Construction Equipment Noise Levels Based on Limited Data Samples - Backhoes.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Link Belt	4000	92	Within 15m 1971 mod
John Deere	609A	85	Within 15m 1971 mod
Case	680C	74	Within 15m 1973 mod
Drott	40 yr.	82	Within 15m 1971 mod
Koehr	1066	81 & 84	Within 15m 2 tested

Table 9.4 Construction Equipment Noise Levels Based on Limited Data Samples - Front Loaders.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	980	84	Within 15m 1972 mod
Caterpillar	977K	79	Within 15m 1969 mod
Caterpillar	977	87	Within 15m 1971 mod
Caterpillar	977	94	Within 15m 1967 mod
Caterpillar	966C	84	Within 15m 1973 mod
Caterpillar	966C	85	Within 15m 1972 mod
Caterpillar	966	81	Within 15m 1972 mod
Caterpillar	966	77	Within 15m 1972 mod
Caterpillar	966	85	Within 15m 1966 mod
Caterpillar	955L	90	Within 15m ;1973 mod
Caterpillar	955K	79	Within 15m 1969 mod
Caterpillar	955H	94	Within 15m 1963 mod
Caterpillar	950	78 & 80	Within 15m 1972 mod
Caterpillar	950	75	Within 15m 1968 mod
Caterpillar	950	88	Within 15m 1967 mod
Caterpillar	950	86	Within 15m 1965 mod
Caterpillar	944A	80	Within 15m 1965 mod
Caterpillar	850	82	Within 15m 1968 mod
Michigan	75B	90	Within 15m 1969 mod

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Michigan	475A	96	Within 15m 1967 mod
Michigan	275	85	Within 15m 1971 mod
Michigan	125	87	Within 15m 1967 mod
Hough	65	82	Within 15m 1971 mod
Hough	60	91	Within 15m 1961 mod
Hough	400B	94	Within 15m 1961 mod
Hough	H90	86	Within 15m 1961 mod
Trojan	3000	85	Within 15m 1956 mod
Trojan	RT	82	Within 15m 1965 mod
Payloader	H50	85	Within 15m 1963 mod

Table 9.5 Construction Equipment Noise Levels Based on Limited Data Samples - Dozers.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	D5	83	Within 15m 1967 mod
Caterpillar	D6	85	Within 15m 1967 mod
Caterpillar	D6	86	Within 15m 1964 mod
Caterpillar	D6	81	Within 15m 1967 mod
Caterpillar	D6B	83	Within 15m 1967 mod
Caterpillar	D6C	82	Within 15m 1962 mod
Caterpillar	D7	85	Within 15m 1956 mod
Caterpillar	D7	86	Within 15m 1969 mod
Caterpillar	D7	84	Within 15m 1969 mod
Caterpillar	D7	78	Within 15m 1970 mod
Caterpillar	D7	78	Within 15m 1972 mod
Caterpillar	D7E	86	Within 15m 1965 mod
Caterpillar	D7E	78	Within 15m 1970 mod
Caterpillar	D7E	84	Within 15m 1973 mod
Caterpillar	D7F	80	Within 15m 1972 mod
Caterpillar	D8	92	Within 15m 1954 mod
Caterpillar	D8	95	Within 15m 1968 mod
Caterpillar	D8	86	Within 15m 1972 mod
Caterpillar	D8H	88	Within 15m 1966 mod
Caterpillar	D8H	82	Within 15m 1972 mod
Caterpillar	D9	85	Within 15m 1972 mod
Caterpillar	D9	94	Within 15m 1972 mod
Caterpillar	D9	90	Within 15m 1963 mod
Caterpillar	D9	87	Within 15m 1965 mod
Caterpillar	D9	90	Within 15m 1965 mod
Caterpillar	D9	88	Within 15m 1968 mod
Caterpillar	D9	92	Within 15m 1972 mod
Caterpillar	D9G	85	Within 15m 1965 mod
Allis Chambers	HD41	93	Within 15m 1970 mod

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International	TD15	79	Within 15m 1970 mod
International	TD20	87	Within 15m 1970 mod
International	TD25	90	Within 15m 1972 mod
International	TD8	83	Within 15m 1970 mod
Case	1150	82	Within 15m 1972 mod
John Deer	350B	77	Within 15m 1971 mod
John Deer	450B	65	Within 15m 1972 mod
Terex	8230	70	Within 15m 1972 mod
Terex	8240	93	Within 15m 1969 mod
Michigan	280	85	Within 15m 1961 mod
Michigan	280	90	Within 15m 1962 mod
Caterpillar	824	90	Within 15m 1968 mod

Table 9.6 Construction Equipment Noise Levels Based on Limited Data Samples - Graders.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	16	91	Within 15m 1969 mod
Caterpillar	16	86	Within 15m 1968 mod
Caterpillar	140	83	Within 15m 1970 mod
Caterpillar	14E	84	Within 15m 1972 mod
Caterpillar	14E	85	Within 15m 1971 mod
Caterpillar	14C	85	Within 15m 1971 mod
Caterpillar	14B	84	Within 15m 1967 mod
Caterpillar	12F	82	Within 15m 1961-72 mod
Caterpillar	12F	72-92	Within 15m 1961-72 mod
Caterpillar	12E	81.3	Within 15m 1959-67 mod
Caterpillar	12E	80-83	Within 15m 1959-67 mod
Caterpillar	12	84.7	Within 15m 1960-67 mod
Caterpillar	12	82-88	Within 15m 1960-67 mod
Gallon	T500	84	Within 15m 1964 mod
Allis Chambers		87	Within 15m 1964 mod

Table 9.7 Construction Equipment Noise Levels Based on Limited Data Samples - Scrapers.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	660	92	Within 15m
Caterpillar	641B	85	Within 15m 1972 mod
Caterpillar	641B	86	Within 15m 1972 mod
Caterpillar	641	80 & 84	Within 15m 1972 mod
Caterpillar	641	83 & 89	Within 15m 1965 mod
Caterpillar	637	87	Within 15m 1971 mod
Caterpillar	633	87	Within 15m 1972 mod
Caterpillar	631C	89	Within 15m 1973 mod
Caterpillar	631C	83	Within 15m 1972 mod
Caterpillar	631B	94	Within 15m 1969 mod

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Caterpillar	631B	84-87	Within 15m 1968 mod
Caterpillar		85 avg.	Within 15m 1968 mod
Caterpillar	621	90	Within 15m 1970 mod
Caterpillar	621	86	Within 15m 1967 mod
Caterpillar	613	76	Within 15m 1972 mod
Terex	TS24	87	Within 15m 1972 mod
Terex	TS24	84-91	
Terex	TS24	82	Within 15m 1971 mod
Terex	TS24	81-83	Within 15m 1971 mod
Terex	TS24	94	Within 15m 1966 mod
Terex	TS24	92-98	Within 15m 1966 mod
Terex	TS24	94.7	Within 15m 1963 mod
Terex	TS24	94-95	Within 15m 1963 mod
Terex	TS14	82	Within 15m 1969 mod
Terex	S35E	84	Within 15m 1971 mod

Table 9.8 Noise Levels of Standard Compressors.

Manufacturer	Model	Silenced or Standard	Type Eng.	Type Comp.	Test Avg. Cond. (cfm.psi)	Avg. Cond. Noise Lev. (cfm.psi) (dBA) at 7m*
Atlas	ST-48	Standard	Diesel	Reciprocal	160,100	83.6
Atlas	ST-95	Standard	Diesel	Reciprocal	330,105	80.2
Atlas	VSS-170Dd	Silenced	Diesel	Reciprocal	170,850	70.2
Atlas	VT-85M	Standard	Gas	Reciprocal	85,100	81.4
Atlas	VS-85Dd	Silenced	Gas	Reciprocal	85,100	75.5
Atlas	VSS-125Dd	Silenced	Diesel	Reciprocal	125,100	70.1
Atlas	STS-35Dd	Silenced	Diesel	Reciprocal	125,100	73.5
Atlas	VSS-170Dd	Silenced	Diesel	Reciprocal	170,100	
Gardner-Denver	SPWDA/2	Silenced	Diesel	Rotary-Screw	1200,000	73.3
Gardner-Denver	SPQDA/2	Silenced	Diesel	Rotary-Screw	750,000	78.2
Gardner-Denver	SPHGC	Silenced	Gas	Rotary-Screw	185,000	77.1
Ingersoll-Rand	DXL 1200	Standard	Diesel	Rotary-Screw	1200,125	92.6
Ingersoll-Rand	DXL 1200 (doors open)	Standard	Diesel	Rotary-Screw	1200,125	
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	76.0
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.1
Ingersoll-Rand	DXLCU1050	Standard	Diesel	Rotary-Screw	1050,125	90.2
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.3
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.0
Ingersoll-Rand	DXL 900	Standard	Diesel	Rotary-Screw	900,125	89.9
Ingersoll-Rand	DXL 750	Standard	Diesel	Rotary-Screw	750,125	87.7
Jaeger	A	Standard	Gas	Rotary-Screw	175,100	88.2

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Jaeger	A(doors open)	Standard	Gas	Rotary-Screw	175,100	
Jaeger	E	Standard	Gas	Vane	85,100	81.5
Jaeger	E(doors open)	Standard	Gas	Vane	85,100	
Worthington	60 G/2Qt	Silenced	Gas	Vane	160,100	74.2
Worthington	750-QTEX	Silenced	Diesel	Rotary-Screw	750,100	74.7

*Data taken from EPA Report - EPA 550/9-76-004.

9.4.3 FTA Noise and Vibration Assessment Procedure

Chapter 12 of the FTA Transit Noise and Vibration Guidance Handbook discusses construction noise evaluation methodology and contains the noise emission levels for construction equipment displayed in Table 9.9.

Table 9.9 FTA Construction Equipment Noise Emission Levels.

Equipment	Typical Noise Level (dBA) 50 ft from Source*
Air Compressor	81
Backhoe	80
Ballast Equalizer	82
Ballast Tamper	83
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane Derrick	88
Crane Mobile	83
Dozer	85
Generator	81
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	85
Paver	89
Pile Driver (Impact)	101
Pile Driver (Sonic)	96
Pneumatic Tool	85
Pump	76
Rail Saw	90
Rock Drill	98
Roller	74
Saw	76
Scarifier	83
Scraper	89
Shovel	82
Spike Driver	77
Tie Cutter	84

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Tie Handler	80
Tie Inserter	85
Truck	88

*Table based on EPA Report, measured data from railroad construction equipment taken during Northeast Corridor improvement project and other measured data.

9.5 Links to Equipment Manufacturers

Table 9.10 contains web-based links to manufacturers of construction equipment. While few of these links contain noise-related data associated with the equipment, they provide descriptions and/or specifications related to the equipment, as well as sources for possibly obtaining additional information related to the equipment. Information in this table is by no means all-inclusive and does not represent any type of endorsement of the manufacturers, suppliers, or equipment. Users are hereby advised that the referenced websites may have certain restrictions, copyrights, etc., associated with any use of data contained therein.

Table 9.10 Equipment Manufacturers and Websites.

Equipment	Manufacturer	Website Address
Arrow Boards		
	North Star	http://northstar-traffic.com/index.cfm?SC=14&PT=1
	Trafcom	http://www.trafcon.com
	Allmand	http://www.allmand.com/MB%20AB%20page.htm
Articulated Trucks		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=196
	Hitachi	http://www.hitachi-c-m.com/global/products/articulate/index.html
	Terex	http://www.terex.com/main.php
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/articulatedhaulers/
Asphalt Saws		
	Allied	http://www.alliedcp.com/products/rotocut.asp
Augers - See Drills / Augers		
Backhoes - See Loaders/Backhoes		
Boring Equipment - See Pile Drivers/Boring Equipment		
Compaction Equipment		
	Allied	http://www.alliedcp.com/products/compactor.asp
Compressors		
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5714,00.html
	Compair	http://www.compair.com/Products/Portable_Compressors.aspx
Concrete and Asphalt Batch/Mixing Plants and Equipment		
	Con-E-Co	http://www.con-e-co.com/products.cfm
	Terex	http://www.terex.com/main.php
	Gunter & Zimmerman	http://www.guntert.com/concrete_mobilebatching.asp
	Rex Con	http://www.rexcon.com
Concrete Breakers/ Hydraulic Hammers/Hydraulic Breakers		
	Drillman	http://www.drillmanindia.com/concrete-breaker.html
	Hydro Khan	http:/www.sangi.co.kr/english/e_product1_2.php
	Stanley	http://www.stanley-hydraulic-tools.com/Hand%20Held/NoAmbreakers.htm

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	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/breakers.htm
Concrete Chain Saws		
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/concrete-saws.htm
Concrete Core Drilling Machines		
	Multiquip	http://www.multiquip.com/multiquip/318_ENU_HTML.htm
Concrete Cutters		
	Vermeer	http://www.vermeermfg.com/vcom/TrenchingEquipment/Line.jsp?PrdlnID=3618
Concrete/Material Pumps		
	Multiquip	http://www.multiquip.com/multiquip/309_ENU_HTML.htm
	Reed	http://www.reedpumps.com/
Concrete Mixer Trucks		
	Oshkosh	http://www.oshkoshtruck.com/concrete/products~overview~home.cfm
	London	http://www.lmi.ca/mixers.cfm
	Terex/Advance	http://www.advancemixer.com
Concrete Saws		
	Multiquip	http://www.multiquip.com/multiquip/315_ENU_HTML.htm
	Diamond Core Cut	http://www.diamondproducts.com/dp_home.htm
Concrete Screeds		
	Multiquip	http://www.multiquip.com/multiquip/317_ENU_HTML.htm
Concrete Vibrators		
	Multiquip	http://www.multiquip.com/multiquip/313_ENU_HTML.htm
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5722,00.html
Cranes		
	Malcolm Drilling	www.malcolmdrilling.com
	Link-Belt	http://www.linkbelt.com/lit/products/frameproducthome.htm
	Casagrande	http://www.casagrandegroup.com
	Liebherr	http://www.liebherr.com/em/en/35381.asp
	Terex	http://www.terex.com/main.php
Crawler Tractors - See Dozers/Crawler Tractors		
Crushing and Screening Equipment		
	Cedarapids	http://www.cedarapids.com/crushscr.htm
	Hitachi	http://www.hitachi-c-m.com/
	Komatsu	http://www.komatsu.com/ce/products/mobile_crushers.html
	Terex	http://www.terex.com/main.php
Crushers/Pulverizers		
	Hydro Khan	http://www.sangi.co.kr/english/e_product3.php
Cutoff Saws		
	Multiquip	http://www.multiquip.com/multiquip/309_ENU_HTML.htm
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/cutoff%20saw.htm
Dozers/CrawlerTractors		

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	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/crawlers/deere_dozer_selection.html
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=2
	Komatsu	http://www.komatsu.com/ce/products/crawler_dozers.html
Dewatering Pumps		
	Multiquip	http://www.multiquip.com/multiquip/371_ENU_HTML.htm
Drills / Augers		
	Malcolm Drilling	www.malcolmdrilling.com
	Casagrande	www.casagrandegroup.com
	Soilmec	http://www.soilmec.com/_vti_g1_techno.aspx?rpstry=4_
	Terex	http://www.terex.com/main.php
Excavators		
	Hitachi	http://www.hitachi-c-m.com/global/products/excavator/index.html
	Caterpiller	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/compactexcavators/
		http://www.volvo.com/constructionequipment/na/en-us/products/wheeledexcavators/
		http://www.volvo.com/constructionequipment/na/en-us/products/crawlerexcavators/
	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/excavators/deere_excavator_selection.html
	Liebherr	http://www.liebherr.com/em/en/18891.asp
	Soilmec	http://www.soilmec.com/_vti_g1_t02.aspx?rpstry=29_
	Gehl	http://www.gehl.com
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=216
	Komatsu	http://www.komatsu.com/ce/products/crawler_excavators.html
		http://www.komatsu.com/ce/products/wheel_excavators.html
	Terex	http://www.terex.com/main.php
	Link-Belt	http://www.lbxco.com/lx_series.asp
	Gradall	http://www.gradall.com/
	Badger Daylighting	http://www.badgerinc.com/
Fork Lifts - See Lifts / Variable Reach Fork Lifts/ Material Handlers		
Generators		
	Terex	http://www.terex.com/main.php
	Multiquip	http://www.multiquip.com/multiquip/212_ENU_HTML.htm
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5714,00.html
	Baldor	http://www.baldor.com/products/generators/ts.asp
Graders		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=190
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/MotorGraders/
	Komatsu	http://www.komatsu.com/ce/products/motor_graders.html
	Terex	http

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Hand Compaction Equipment		
	Terex	http://www.terex.com/main.php
	Multiquip	http://www.multiquip.com/multiquip/56_ENU_HTML.htm
Hydraulic Hammers/Hydraulic Breakers - See Concrete Breakers/ Hydraulic Hammers/Hydraulic Breakers		
Jackhammers - See Rock Drilling Equipment/Jackhammers		
Lifts / Variable Reach Fork Lifts/ Material Handlers		
	Genie Lift	www.genielift.com
	Sky Track	www.kirby-smith.com/
	Ingersol-Rand	www.ingersollrand.com
	Terex	http://www.terex.com/main.php
	Roadtec	http://www.roadtec.com/www/docs/102/mtv-material-transfer-vehicle/
Light Towers		
	Baldor	http://www.baldor.com/products/generators/mlt.asp
	Multiquip	http://www.multiquip.com/multiquip/293_ENU_HTML.htm
	Allmand	http://www.allmand.com/Night%20Lite%20Pro%20page.htm
Loaders/Backhoes		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=54
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/backhoeloaders/
	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/backhoes/deere_backhoe_selection.html
	Komatsu	http://www.komatsu.com/ce/products/backhoe_loaders.html
Material Handlers - See Lifts / Variable Reach Fork Lifts/ Material Handlers		
Milling Machines		
	Wirtgen	http://www.wirtgenamerica.com/us/
Mining Trucks - See Rigid Dump Trucks/Mining Trucks		
Pans - See Scrapers/Pans		
Pavers/Paving Equipment		
	Caterpillar/ Barber Greene	http://www.cat.com/cda/layout?m=37840&x=7
	Rosco	http://www.leeboy.com/rosco/
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478
	Gehl	http://www.gehl.com/const/prodpg_ap.html
	Leeboy	http://www.leeboy.com/leeboy/
	Terex	http://www.terex.com/main.php
	Ingersoll-Rand	http://www.road-development.irco.com/Default.aspx?MenuItemID=12
	Vogele	http://www.vogeleamerica.com/noflash.html
	GOMACO	http://www.gomaco.com/index.html
	Roadtec	http://www.roadtec.com
Pile Drivers/Boring Equipment		
	Soilmec	http://www.soilmec.com/_vti_g1_t09.aspx?rpstry=29_
	Leffer	http://www.leffer.com/bme.html

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	Bauer	http://www.bauer.de/en/maschinenbau/produkte/drehbohrgeraete/bg_reihe/usbg15h.htm
Pipelayers/Trenchers		
	Liebherr	http://www.liebherr.com/em/en/18908.asp
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=28&archived=1
	Vermeer	http://www.vermeermfg.com/vcom/TrenchingEquipment/trenching-equipment.htm
	Ditchwitch	http://www.ditchwitch.com/dwcom/Product/ProductView/115
	Eagle	http://www.guntert.com/trenchers_home.asp
Profilers - See Roadway Planers/Profilers		
Rammers		
	Multiquip	http://www.multiquip.com/multiquip/56_ENU_HTML.htm
Rebar Benders/Cutters		
	Multiquip	http://www.multiquip.com/multiquip/1316_ENU_HTML.htm
Recyclers - See Stabilizers/Recyclers		
Rigid Dump Trucks/Mining Trucks		
	Hitachi	http://www.hitachi-c-m.com/global/products/rigid/index.html
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Liebherr	http://www.liebherr.com/em/en/18898.asp
	Komatsu	http://www.komatsu.com/ce/products/dump_trucks.html
	Terex	http://www.terex.com/main.php
Roadway Planers/Profilers		
	Terex	http://www.terex.com/main.php
	Roadtec	http://www.roadtec.com/products/cold_planers/default.htm
Rock Drilling Equipment/Jackhammers		
	Drillman	http://www.drillmanindia.com/rock-drilling-machine.html
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5721,00.html
	Allied	http://www.alliedcp.com/products/hammers.asp
Rollers - See Tampers/Rollers		
Scrapers/Pans		
	Terex	http://www.terex.com/main.php
Screening Equipment - See Crushing and Screening Equipment		
Slabbuster		
	Allied	http://www.alliedcp.com/products/slabbuster.asp
Slip Form Pavers		
	Huron	http://www.huronmanufacturing.com/
	Guntert & Zimmerman	http://www.guntert.com/concreteSlipformPavers.asp
Stabilizers/Recyclers		
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478

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	Komatsu	http://www.komatsu.com/ce/products/mobile_crushers.html
	Terex	http://www.terex.com/main.php
	Wirtgen	http://www.wirtgenamerica.com/us/
	Roadtec	http://www.roadtec.com
Sweepers		
	Elgin	http://www.elginsweeper.com
	Johnston	http://www.johnstonsweepers.com/
Tampers/ Rollers		
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478
	Komatsu	http://www.komatsu.com/ce/products/vibratory_rollers.html
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/tamper.htm
	Multiquip	http://www.multiquip.com/multiquip/181_ENU_HTML.htm
	Ingersoll-Rand	http://www.road-development.irco.com/Default.aspx?MenuItemID=15
Trenchers - See Pipelayers/Trenchers		
Trucks - See Articulated Trucks, Concrete Mixer Trucks, Rigid Dump Trucks/Mining Trucks		
Vacuum Units		
	Advanced Recycling Systems	www.arsrecycling.com/
	Vacmasters	http://www.vacmasters.com/airsystm.htm
	Vector	http://www.vector-vacuums.com/
Variable Message Signs		
	Allmand	http://www.allmand.com/MB%20only%20page.htm
	North Star	http://northstar-traffic.com/index.cfm?SC=13&PT=1
	Trafcom	http://www.trafcon.com
	Daktronics	http://www.daktronics.com/vms_prod/dak_vms_products.cfm
Vibratory Rammers		
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
Welders/Welding Equipment		
	Airgas	www.airgas.com
	Multiquip	http://www.multiquip.com/multiquip/408_ENU_HTML.htm
	Miller	http://www.millerwelds.com/products/
	Lincoln	http://www.mylincolnelectric.com/Catalog /equipmentseries.asp?browse=101|400|
Wheel Loaders		
	Hitachi	http://www.hitachi-c-m.com/global/products/loader/index.html
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=30
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products /wheelloaders/
	Terex	http://www.terex.com/main.php
	Komatsu	http://www.komatsu.com/ce/products/wheel_loaders.html
	TCM	http://www.tcmglobal.net/products/main02.html

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Federal Highway Administration

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Highway Traffic Noise

Construction Noise
Handbook
RCNM Version 1.1
Special Report
Measurement
Noise Barriers
Noise Compatible Planning
Noise Effect on Wildlife
Regulation and Guidance
Tire Pavement Noise
Traffic Noise Model
Training

Contruction Noise Handbook

4.0 Construction Noise Criteria and Descriptors

4.1 Criteria

Construction noise levels may be evaluated in terms of human response and considered in the assessment of effects on wildlife and other non-human species. Noise levels and criteria are expressed in English, metric, or both conventions, depending upon the geographic area or the policies of the controlling agency. Typically, the English convention is used mostly in the United States, with the metric convention used in Canada and other countries.

While the issue of construction noise must be addressed as part of the planning of any transportation project, there are no standardized criteria on the federal level for assessing construction noise impacts related to transportation projects. Where project-specific construction noise criteria have been developed by individual agencies or municipalities, they typically consider the following factors which form the fundamentals for defining construction noise impact:

- Difference between existing noise levels prior to construction startup and expected noise levels during construction: This takes into account specific construction operations and/or individual pieces of equipment.
- Absolute level of expected construction noise: This may constitute the combined levels of all equipment and operations at a given time or be specifically related to the absolute noise level of a specific operation and/or piece of equipment.
- Adjacent land uses: Consideration of this factor provides an indicator of the degree of sensitivity that may be expected and will likely have a major effect on the operational time restraints and the noise level increases tolerated. For example, residential areas may typically have a restriction on night operations and possibly a noise level restriction during the day. Industrial areas may have no restrictions at all, and offices may or may not have a restriction on the noise levels during the day, with possibly no restriction for night operations. Examples of absolute and relative construction noise level criteria are provided in Table 7.1.
- Duration of construction/operation: The duration of high noise levels may play a significant role in how a noise impact is perceived and/or mitigated. If the levels are of a brief nature, possibly only occurring once or twice during the project, the perceived impact could be quite different than that associated with a constant noise source. Similarly, any related noise mitigation techniques employed could be substantially different in terms of type and/or duration of application.

4.1.1.1 United States

While noise impact and abatement criteria have been established for the operation of transportation facilities in the United States, standardized criteria have not yet been established related to noise associated with the construction of such facilities. However, since the publication of the original 1977 Report[ref001], additional guidance has been disseminated (through agencies such as FHWA and FTA) and analysis tools developed to better address construction noise. For example, the FTA Transit Noise and Vibration Impact Assessment document[ref014] presents guidelines that "can be considered reasonable criteria for assessment" of construction noise impacts. In addition, a number of agencies, municipalities, and other entities have developed procedures for addressing construction noise impacts and implementing related noise mitigation for their areas of jurisdiction or on a project-specific basis.

In some instances, local entities may have developed noise ordinances that contain restrictions associated with construction noise levels. Noise practitioners and others involved in the project development process are encouraged to become familiar with such ordinances and their relationship to other State and/or municipal ordinances. In certain instances, the State jurisdiction may supersede any local noise ordinances.

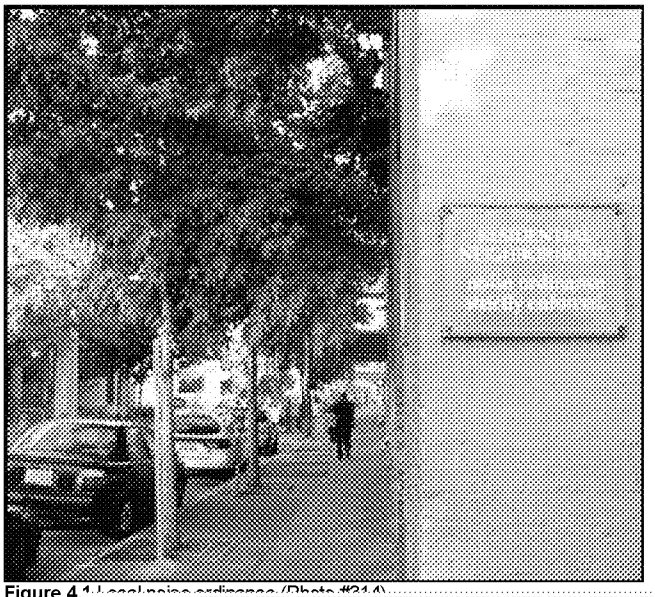

Figure 4.1 Local noise ordinance (Photo #314)

Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

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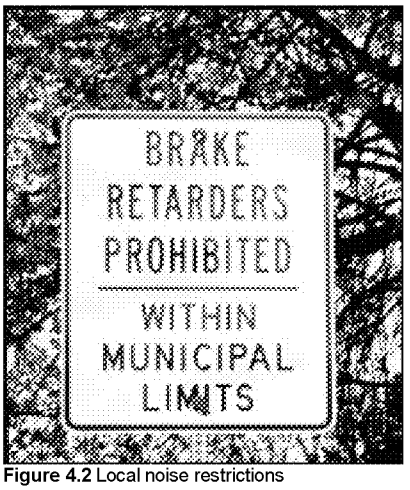

Figure 4.2 Local noise restrictions (Photo #1206)

Noise restrictions may also be imposed by local and/or State authorities to deal with specific activities or operations. An example is the growing practice of restricting the use of engine compression brakes on heavy trucks in residential areas.

Noise restrictions may also be applied within the workplace associated with employee/worker exposure to noise levels over varying durations. These criteria have been established by OSHA. However, such criteria are typically not relevant or applicable to the transportation-related project construction noise levels experienced by people residing or working in areas adjacent to such projects. As such, they are not discussed within this Handbook.

Construction noise criteria within the United States vary considerably in terms of both scope and specificity and can be broadly categorized as follows, in order of complexity:

No criteria specified;

Qualitative criteria, e.g. "Noise levels shall not cause a disturbance";

- Relative criteria, e.g. "Noise levels shall not exceed existing (or ambient, or background) noise levels by more than x dB";
- Absolute criteria, e.g. "Maximum noise levels shall not exceed xx dB";
- Criteria containing a combination absolute and relative noise level limits; and
- Combinations of the above criteria elements with additional restrictions placed on time periods and types of land uses or activities.

An example of more complex criteria is that associated with the Central Artery/Tunnel Project in Boston, MA. Data related to these criteria are discussed in Reference 023 and illustrated in Table 7.1 of this Handbook. This project established criteria that include both L_{10} and L_{max} absolute noise level limits for defined noise sensitive locations (residences, institutions, hotels, etc.) for daytime, evening, and nighttime periods. In addition, the criteria established maximum noise level increases relative to established baseline noise levels. Relative and absolute noise level limits were also established for commercial and industrial areas.

From the standpoint of construction noise criteria, the intent of this Handbook is not to address all State and local noise ordinances and/or criteria, but rather, to address the approaches and techniques that may be contained in such criteria. As such, the discussions contained within this Handbook are meant to provide a summary of considerations related to all aspects of construction noise. The reader is encouraged to refer to specific references in Table 10.1 for more detailed information on noise criteria and other factors related to construction noise.

4.1.1.2 Canada

Similar to the United States, no standardized Canadian criteria exist related to transportation project construction noise. Where project-specific analysis techniques have been employed to address and/or mitigate construction-related noise and its impacts, such methods have been similar to those employed in the United States. Examples of such efforts may be found in References 010 and 019.

4.1.1.3 Other International

While an exhaustive survey of international criteria was not conducted, several criteria are discussed here for informational use only. More specifics may be found by accessing the relative links found in the Reference Database in Chapter 10.

- The Official Journal of the European Communities' Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000[ref017] establishes legislation dictating specific noise levels for individual pieces of construction equipment. It also contains specifics related to the measurement locations and equipment operating conditions relative to the testing of individual pieces of equipment.
- The Australian EPA's Environmental Noise Control Manual[ref015] establishes the following criteria which officers may specify related to construction noise:
  - For a construction period of four (4) weeks or less, the maximum L_{10} noise level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background noise level by more than 20 dBA;
  - For a construction period greater than four (4) weeks, the maximum L_{10} noise level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background noise level by more than 10 dBA;
  - Construction limited to 0700 to 1800 time period on Monday through Friday;
  - Construction limited on Saturdays to 0700 to 1300 time period if inaudible on residential premises; otherwise, 0800 to 1300;
  - No construction work may take place on Sundays or public holidays; and
  - All possible steps should be taken to silence construction site equipment. It is particularly important that silenced equipment should be used on road or rail works where 24-hour operation is necessary.

4.2 Descriptors

While it is not the intent of this Handbook to establish criteria for evaluating construction noise impacts, it is important to stress that reasonable and defensible noise descriptors must be used to describe construction noise levels. The following are important elements related to selecting a workable noise descriptor for use in measuring and analyzing construction noise:

- Suitable for practical measuring methods;
- Accounts for temporal variations in equipm
- Accounts for temporal variations in overall s

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- Suitable for prediction modeling;
- Suitable for combining noise levels from various source types; and
- Relative to subjective responses.

The descriptor most commonly chosen for use is the A-weighted equivalent sound level (energy basis), L_{Aeq}. In many cases, the time average period applied to the L_{Aeq} value is one hour (designated L_{Aeq1h}). For certain projects and operations, the time period over which the L_{Aeq} is applied may need to be examined on a case-by-case basis. For several major construction projects in the United States and Canada, the L_{10} (applied generally during daytime periods) and L_{max} (applied for specific equipment and/or nighttime operations) descriptors have been used over varying time periods.

The L_{dn} descriptor has been used to assess annoyance and community reaction to construction noise. L_{dn} is an L_{Aeq}-based descriptor that applies a 10 dBA penalty to nighttime noise levels.

The L_{Aeq}-based and L_{10}-based descriptors satisfy the first four elements listed above. The L_{Aeq} satisfies the fifth element and may also satisfy the sixth element (relative to subjective responses). However, the L_{Aeq}, L_{10}, and L_{max} descriptors may not be suited for determining responses by some aquatic wildlife (where using an un-weighted sound pressure level may be more suitable) or for owls (where use of a different weighting category such as dBO or a descriptor such as SEL may be more suitable to account for effects such as air blasts associated with blasting). More detailed information related to these specific conditions might be found in documents listed in Section 3.2.6 of this document.

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Figure 3.1 Construction in residential area (Photo #924)

Figure 3.2 Construction in business district (Photo #714)

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Figure 3.3 Construction in vicinity of sporting event venue (Photo #718)

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Figure 3.4 Construction in paradise (Photo #1033)

While construction noise can be unwelcome during nighttime periods in residential areas when people are trying to sleep, it can be equally unwelcome during the daytime in commercial areas if it interferes with peoples' ability to conduct business. In short, construction noise has the potential to disturb people 24 hours a day, 7 days a week. If not properly addressed, specific public concerns related to a project could result in actions affecting the progress and/or cost of a project.

There is nothing particularly unique about construction noise - it's a fluctuation in air pressure oscillating above and below atmospheric pressure that is produced by construction equipment or activities with sufficient magnitude (loudness) and within a certain frequency range (audible spectrum) such that human beings can hear it - just like any other noise. Being a physical parameter, it can be measured, quantified, modeled, predicted, and in certain instances, abated to some degree.

Noise from construction-related activities can also affect non-human species such as aquatic life and land and airborne animals in a variety of ways. The non-human category includes domestic, farm-based, and creatures living in the wild. In assessing the effects of noise on non-humans, it is essential that noise analysts closely coordinate with qualified biologists in the assessment and mitigation of noise impacts.

Issues related to vibration may also be raised during project development. This is particularly true when blasting operations occur. There are no FHWA requirements directed specifically to traffic-induced or construction-related vibration. Most studies that State DOTs have done to assess the impact of operational traffic-induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings, although levels may be such as to cause various degrees of annoyance. Analysis of construction-related vibration effects is beyond the scope of this Handbook.

The intent of this Handbook is not to provide det
information regarding specific effects of constru

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3.2 Types of Effects

Physical effects related to humans are probably most applicable to the operators of construction equipment as opposed to people residing adjacent to construction projects. An exception to this would be unique situations such as scuba diving or swimming activities occurring in the vicinity of a water-based pile driving or blasting operation. The potential for hearing loss or physical damage to the human hearing mechanism is protected by Occupational Safety and Health Administration (OSHA) criteria, and as such, is not discussed herein. While resulting in the potential to annoy or disturb humans, construction noise is typically not a danger to people's hearing.

Knowledge related to the physical effects of construction noise on non-human species such as land-based animals, birds, and owls is limited. It is recognized that aquatic mammals and fish can be physically damaged by water-born sound and vibration waves caused by construction activities such as underwater blasting and pile driving. In lieu of detailed discussions within this Handbook of the variety of specialized studies related to the physical effects of construction noise on such species, references to such studies are provided in a list at the end of this chapter.

Loud noises from construction activities can create situations where people cannot effectively communicate, as documented in Tables 3.1 and 3.2. While such situations may be merely an annoyance or inconvenience in certain situations, they could be construed as a safety issue if such noises prevent people from hearing important local noises such as approaching traffic, emergency warning devices, alerts from other people, etc.

Noise from construction activities can affect humans, land-based animals, aquatic wildlife, and airborne wildlife in a variety of ways. Humans are most affected in terms of sleep deprivation and the carrying on of normal daily activities such as watching television, listening to the radio, recreational activities, and activities requiring concentration, such as reading. Special activities such as those associated with churches, schools, and libraries can also be negatively affected by construction noise. Water-based activities such as scuba diving, swimming, and boating can also be affected.

While non-humans are most likely annoyed by construction noise, there is little known about the related effects. However, the annoyance of noise on humans has been studied for some time and is documented in a 1974 EPA report commonly referred to as the "Levels Document"[ref033]. It is complementary to the 1979 EPA document, "Protective Noise Levels"[ref052].

A variety of studies have attempted to quantify the effects of noise on humans. An example is provided in the following table contained in the "Levels Document" referred to above. Note that all noise levels referred to in the "Levels Document" are A-weighted.

Table 3.1 Summary of Human Effects in Terms of Speech Communication, Community Reactions, Annoyance, and Attitude toward Area Associated with an Outdoor Day/Night Sound Level of 55 dB re 20 Micropascals.

Type of Effect	Magnitude of Effect
Speech - Indoors	100% sentence intelligibility (average) with a 5 dB margin of safety
Speech - Outdoors	100% sentence intelligibility (average) at 0.35 meters
	99% sentence intelligibility (average) at 1.0 meters
	95% sentence intelligibility (average) at 3.5 meters
Average Community Reaction	None evident; 7 dB below level of significant "complaints and threats of legal action" and at least 16 dB below "vigorous action" (attitudes and other non-level related factors may affect this result)
Complaints	1% dependent on attitude and other non-level related factors
Annoyance	1% dependent on attitude and other non-level related factors
Attitude Toward Area	Noise essentially the least important of various factors

Table 3.2. Steady A-weighted Sound Levels that Allow Communication with 95 Percent Sentence Intelligibility over Various Distances Outdoors for Different Voice Levels.

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Communication Distance (meters)	0.5	1	2	3	4	5
Normal Voice (dB)	72	66	60	56	54	52
Raised Voice (dB)	78	72	66	62	60	58

The effects of construction-related noise on non-humans are less understood and probably most related to mating, nesting, migration, and feeding activities. While data on such effects is limited as compared with information on humans, some research is available[ref031 and ref032].

For a more detailed discussion of the general effects of noise on wildlife and other non-human species, the reader is directed to references dealing with the following:

- Effects on wildlife and other animals: ref031 and ref032;
- Effects on marine mammals: ref102;
- Effects on fish: ref030, ref035, ref046, ref054, ref060, and ref061; and
- Effects on owls: research underway as of the publication date of this Handbook by Washington State DOT (WSDOT); when available, any published reports will be available through the WSDOT webpage (see Table 10.1).

In determining noise impacts and possible mitigation measures for construction projects involving non-human species, noise analysts should closely coordinate with qualified biologists.

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APPENDIX B

OVERVIEW OF LEGAL RESTRAINTS ON AGRICULTURAL LAND MITIGATION PROGRAMS

OVERVIEW OF LEGAL RESTRAINTS ON AGRICULTURAL LAND MITIGATION PROGRAMS*

Prepared for Department of Conservation
Division of Land Resource Protection
Brown Bag Discussion on CEQA and Mitigation as a Tool for Preserving Farmland and Our Agricultural Economy

February 16, 2011

Osha R. Meserve
Soluri Meserve, A Law Corporation
1822 21st St.
Sacramento, CA 95811
(916) 455-7300
osha@semlawyers.com

* Disclaimer: These materials are for informational purposes only and do not substitute for legal advice regarding the particular facts of a given matter.

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I. INTRODUCTION

This paper explores the possible legal impediments to in-kind and fee-based agricultural mitigation programs that may be adopted by local agencies. A review of applicable legal restraints on such programs indicates that they are generally permissible when properly drafted. In light of the high rate of conversion of agricultural lands in California, local agencies that have not yet adopted such programs should consider doing so. In the interim, review of projects under the California Environmental Quality Act ("CEQA"),[1] can also lead to the adoption of legally defensible mitigation requirements, though mitigation may not always be required.

II. LEGISLATIVE POLICIES REGARDING PROTECTION OF AGRICULTURAL LAND

The California Legislature has directly addressed conservation of agricultural land in legislative policy statements. In CEQA, the Williamson Act,[2] and the California Farmland Conservancy Program Act,[3] the Legislature emphasizes the importance of agricultural land to the State. Moreover, the Williamson Act and the California Farmland Conservancy Program are specifically dedicated to preserving farmland throughout California.[4] The statutes indicate that the State of California values agricultural land, and the protection of farmland is a statewide priority.

A. CEQA

In 1993, the California State Legislature added a requirement to CEQA that the Resources Agency create an appendix to the CEQA Guidelines ("CEQA Guidelines").[5] The Legislature required that this appendix propose methods to analyze significant effects on the environment from conversion of agricultural land.[6] The findings for this statutory requirement state that:

(a) Agriculture is the State's leading industry and is important to the State's economy.

---

[1]/ Pub. Resources Code, § 21000 et seq.
[2]/ Gov. Code, § 51200 et seq.
[3]/ Pub. Resources Code, § 10200 et seq.
[4]/ Pub. Resources Code, § 21000 et seq., Gov. Code, § 51200 et seq., Pub. Resources Code, § 10200 et seq.
[5]/ Pub. Resources Code, § 21095.
[6]/ *Ibid.*

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(b) The continued productivity of agricultural lands in California is important in maintaining a healthy agricultural economy.

(c) The conversion of agricultural lands to nonagricultural use threatens the long-term health of the State's agricultural industry.[7]

In response to this mandate, the Resources Agency added Appendix G to the CEQA Guidelines.[8] Appendix G suggests that when analyzing impacts on agricultural resources, an agency might assess the type of farmland that a project would convert (i.e. "prime" farmland or farmland of statewide importance).[9] It also recommends that an agency consider whether a proposed project would involve other changes in the environment that could result in the conversion of farmland to non-agricultural use.[10]

B. Williamson Act

In its findings for the Williamson Act, the California Legislature stated:

> That the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and is necessary not only to the maintenance of the agricultural economy of the state, but also for the assurance of adequate, healthful and nutritious food for future residents of this state and nation.[11]

The Legislature further asserted:

> That in a rapidly urbanizing society, agricultural lands have a definite public value as open space, and the preservation in agricultural production of such lands, the use of which may be limited under the provisions of this chapter, constitutes an important physical, social, esthetic and economic asset to existing or pending urban or metropolitan developments.[12]

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[7]/ Section 1 of Stats. 1993, c. 812 (SB 850).
[8]/ 14 CCR, § 15000 et seq.
[9]/ *Id.* at Appendix G.
[10]/ *Ibid.*
[11]/ Gov. Code, § 51220, subd. (a).
[12]/ Gov. Code, § 51220, subd. (d).

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C. California Farmland Conservancy Program Act

In the California Farmland Conservancy Program Act, the California Legislature again emphasized the importance of agricultural land to the State:

> The agricultural lands of the state contribute substantially to the state, national, and world food supply and are a vital part of the state's economy. Agricultural lands near urban areas that are maintained in productive agricultural use are a significant part of California's agricultural heritage. These lands contribute to the economic betterment of local areas and the entire state and are an important source of food, fiber, and other agricultural products. Conserving these lands is necessary due to increasing development pressures and the effects of urbanization on farmlands close to cities. The long-term conservation of agricultural land is necessary to safeguard an adequate supply of agricultural land and to balance the increasing development pressures around urban areas.[13]

III. STATUS OF AGRICULTURAL MITIGATION REQUIREMENTS IN THE CENTRAL VALLEY

A handful of local jurisdictions presently require some form of mitigation for the loss of agricultural land. For example, the City of Davis has instituted a 2:1 mitigation requirement for changes to farmland.[14] Developers may satisfy this requirement either through the dedication of a farmland conservation easement or payment of in-lieu fees.[15]

Yolo County, San Joaquin County, the City of Stockton, and City of Brentwood have also established similar programs.[16] These ordinances generally allow developers to satisfy farmland mitigation requirements by granting a farmland conservation easement, or by paying in-lieu fees sufficient to purchase an easement and pay for administrative costs.[17] These ordinances require 1:1 mitigation for the loss of agricultural land.[18] The

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[13]/ Pub. Resources Code, § 10201, subds. (a)-(d).
[14]/ City of Davis Mun. Code, § 40A.03.030: www.cityofdavis.org/cmo/citycode/ (as of July 19, 2007).
[15]/ *Id.* at subd. (b)(1).
[16]/ Yolo County Code, § 8-2.2416: http://www.yolocounty.org/CountyCode/Title08.pdf (as of July 19, 2007); City of Stockton Administrative Guidelines, § I.A.6; Ordinance Code of San Joaquin County, § 9-1080 et seq.; Brentwood Mun. Code, §§ 17.730.010 et seq.: http://www.ci.brentwood.ca.us/boards/aarg/enterprise/ord683.cfm (as of February 11, 2011).
[17]/ The applicable mitigation fees were calculated according to nexus studies.
[18]/ *Ibid.*

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Brentwood ordinance also allows for transfer of agricultural credits from certain areas to satisfy the mitigation requirement.[19]

The Cities of Lathrop, Manteca, and Tracy have also adopted agricultural mitigation fee programs in their Municipal Codes.[20] These programs, rather than specify the amount of the fee to be charged, authorize each respective City Council to "calculate the amount of the fee in an implementing resolution."[21] Moreover, the regulations require the Cities to enact such fees by resolution, and to identify specific findings to satisfy the requirements of the Mitigation Fee Act.[22]

Furthermore, some settlement agreements entered into during the CEQA and project approval process have resulted in imposition of mitigation for agricultural land conversion. For example, two CEQA-related settlement agreements in the City of Lodi included farmland mitigation requirements for major development projects despite the lack of a local mitigation ordinance.[23] In these agreements, the developer agreed to obtain permanent agricultural easements, at a minimum 1:1 ratio.[24] One of the agreements specified that the compensatory easement(s) must be located within 15 miles of the project site, while the other agreement required only that the mitigation property be located within San Joaquin County.

In another example, developers entered into a settlement agreement with the Sierra Club after a CEQA lawsuit was filed.[25] In this agreement, the developers agreed to contribute funds to assist in creating a land trust organization.[26] Moreover, the developer agreed to provide 1:1 mitigation of all lands removed from agricultural use through development fees.[27]

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[19]/ Brentwood Mun. Code, §§ 17.730.040, 17.730.070.

[20]/ City of Lathrop Mun. Code, Chapter 3.40; City of Manteca Mun. Code, Chapter 13.42, City of Tracy Mun. Code, Chapter 13.26.

[21]/ City of Lathrop Mun. Code, § 3.40.060; City of Manteca Mun. Code, § 13.42.060; City of Tracy Mun. Code, § 13.28.060; see also City of Brentwood Mun. Code, § 17.730.040, subd. (2) (providing option of payment of in-lieu fee).

[22]/ *Id.* Gov. Code, § 66000 et seq.

[23]/ These agreements pertained to (1) the Reynolds Ranch project, a mixed use project proposed by the San Joaquin Valley Land Company and, (2) two large residential subdivisions proposed by FCB Homes ("Westside" and "Southwest Gateway").

[24]/ Westside Agreement at p. 2; Southwest Gateway Agreement at p. 2; Reynolds Ranch Agreement at p. 2.

[25]/ Agreement to Settle Litigation Regarding River Islands at Lathrop (2003).

[26]/ *Ibid.*

[27]/ *Ibid.*

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Finally, there have been legal challenges related to agricultural mitigation programs. On May 25, 2007, the Building Industry Association of the Delta ("BIA") filed a lawsuit against the City of Stockton in the Superior Court of California for the County of San Joaquin.[28] The lawsuit challenged the City of Stockton's agricultural land mitigation program and in-lieu fees, which were adopted in 2007. BIA's complaint included a number of the potential arguments challenging in-lieu fees and agricultural land mitigation. BIA alleged that the City of Stockton's in-lieu fee was facially invalid because, among other claims, it: (1) was excessive and violates the California Mitigation Fee Act; (2) constituted an invalid requirement for payment of a fee or dedication of easement prior to the final map under Government Code sections 66007 and 66410 et seq.; (3) constituted an invalid exaction both under constitutional nexus and rough proportionality tests, and due to its failure to comply with CEQA; (4) was an authorized special tax in violation of Propositions 13 and 218; and (5) violated equal protection and due process rights under the United States and California Constitutions.

A decision was issued in February 2009, upholding the City's agricultural mitigation program. The court's ruling noted that the City had adopted detailed findings in support of the in-lieu fee program, which were consistent with the studies and analyses in the record of decision for the program. The court also found that the City had the authority to adopt the fee program under its plenary police power. Moreover, the program was entitled to a presumption of constitutionality. With respect to the Mitigation Fee Act claims, the court found: (1) that the in-lieu easement requirement was not a fee within the meaning of the Act; (2) the in-lieu fee is selected at certain developers' option, and is not imposed; (3) no "public facilities" would be funded; (4) the challenge to the fee was not ripe prior to having been applied to a particular project; and (5) even if the act applied it would survive challenge under the applcable deferential standard. With respect to the Proposition 13 and 218 claims, the court found that the in-lieu fees were not taxes because they are voluntarily chosen by developers. Moreover, the fees do not exceed the cost of mitigating the impacts caused by the project. The court also found that the restrictions in Civil Code section 815.3, subdivision (b) were inapplicable and that the 1:1 mitigation ratio was amply supported in the record.

The events described above indicate that mitigation for agricultural land is becoming more prevalent in the Central Valley. Where lead agencies do not directly require agricultural mitigation through their development codes or through the CEQA process, mitigation for farmland conversion may occur as a result of settlement negotiations between community groups, developers and local agencies. These

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[28]/ *BIA v. City of Stockton* (Super. Court San Joaquin County, 2007, No. CV032651).

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developments show both that preserving agricultural land is important to California communities and that agricultural mitigation is feasible for developers.

IV. POTENTIAL LEGAL ISSUES RELATED TO AGRICULTURAL MITIGATION REQUREMENTS

In many instances, courts have upheld in-lieu fees and other exactions.[29] However, for an exaction to be valid: (1) the public agency must have the legal authority to impose the exaction; (2) the agency must properly exercise its authority when imposing the exaction; and (3) a reasonable relationship must exist between the imposed exaction and the public needs created by the development.[30] In addition, there may be other limitations that the agency must overcome.[31]

A. Authority to Impose Exactions – The Police Power

Cities and counties may impose exactions under the general police power granted in Article XI, Section 7 of the California Constitution.[32] The police power is the right of a local government to protect the public health, safety, and welfare of its residents.[33] Land use regulations, including exactions, are within an agency's police power as long as they are reasonably related to the public welfare.[34] This authority is "as broad as the

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[29]/ 2 Longtin, Longtin's California Land Use (2nd ed. 1987), § 8.02[2], p. 722 (hereafter 2 Longtin).

[30]/ See 2 Longtin at § 8.04, p. 780.

[31]/ Potential limitations include statutory restrictions, such as Propositions 13, 62, and 218, and the Mitigation Fee Act. Recently filed lawsuits, including *A.G. Spanos Construction, Inc. v. City of Stockton* and *BIA v. City of Stockton*, have alleged that agricultural mitigation fees did not comply with the Subdivision Map Act. Although these claims may be valid in specific situations, they likely will not arise often in relation to agricultural mitigation programs. Thus, though agencies must ensure that the requirements of the Subdivision Map Act are met, this issue is not addressed further in this memorandum.

[32]/ See, e.g., *Candid Enters., Inc. v. Grossmont Union High School Dist.* (1985) 39 Cal.3d 878, 885 (*Candid Enters.*); *Griffin Development Co. v. City of Oxnard* (1985) 39 Cal.3d 256; *Trent Meredith, Inc. v. City of Oxnard* (1981) 114 Cal.App.3d 317, 325; *Scroging v. Kovatch* (1976) 64 Cal.App.3d 54, 57; *Associated Homebuilders, Inc. v. City of Livermore* (1976) 18 Cal.3d 582. The California Constitution confers on local governments the power to "make and enforce within [their] limits all local police, sanitary and other ordinances and regulations not in conflict with general laws."

[33]/ See *Berman v. Parker* (1954) 348 U.S. 26, 32-33.

[34]/ See *Associated Home Builders, Inc. v. City of Livermore* (1976) 18 Cal.3d 582, 600-601.

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police power exercisable by the Legislature itself."[35] Thus, cities and counties have broad authority to impose exactions on development.

Though public agencies have general authority to impose exactions, many potential limitations exist that may limit the imposition of agricultural mitigation fees. Such exactions must: (1) meet nexus and rough proportionality tests and comply with equal protection and due process requirements under the United States Constitution; (2) be exempt from or comply with the requirements of Propositions 13, 62, and 218; (3) meet the requirements under the Mitigation Fee Act; and (4) be consistent with local General and Specific Plans. These requirements are described in detail below.

B. United States Constitution

1. Nexus and Rough Proportionality

Known as the "Takings Clause," the Fifth Amendment of the United States Constitution prohibits the taking of private land for public use without just compensation.[36] According to the Court in *Armstrong v. United States* (1960) 364 U.S. 40, as quoted in *Dolan v. City of Tigard* (1994) 512 U.S. 374, 384 (Dolan), the principal purpose of the Takings Clause is "to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole." Exactions may be considered unconstitutional takings if they do not meet the "reasonable relationship nexus" test, as set out in *Dolan* and *Nollan v. California Coastal Commission* (1987) 483 U.S. 825 (Nollan). In order for an exaction to be valid: (1) the legislation must serve a legitimate governmental purpose, and (2) the means used to achieve the objective must substantially advance the intended purpose.[37]

a) *Nollan v. California Coastal Commission*

The *Nollan* case described the "nexus" requirement for exactions. In *Nollan*, the California Coastal Commission ("Commission") granted a permit to the Nollan family to construct a home on their coastal property, on the condition that they grant an access easement for the public to use their beach.[38] The Supreme Court found the requirement unconstitutional because of the insufficient nexus between the public burden created by

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[35]/ *Candid Enters.*, *supra*, 39 Cal.3d at p. 885.
[36]/ "[N]or shall private property be taken for public use, without just compensation." U.S. Const., 5th Amend.
[37]/ See 2 Longtin, Longtin's California Land Use (2007 Update), § 8.22, p. 652 (hereafter 2 Longtin Update).
[38]/ *Nollan*, *supra*, 483 U.S. at p. 828.

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the proposed construction and the permit condition required by the Commission.[39] According to the Court, "unless the permit condition serves the same governmental purpose as the development ban, the building restriction is not a valid regulation of land use but an out-and-out plan of extortion."[40] Thus, in order for an exaction to be valid, the type of condition imposed must address the same type of impact caused by the new development.[41]

b) *Dolan v. City of Tigard*

In *Dolan*, the Supreme Court further clarified the *Nollan* nexus test for an unconstitutional taking. The City of Tigard approved a building permit for Dolan to redevelop a retail site, on the condition that she donates a portion of her property for flood control and traffic improvements.[42] The Court found that there was a legitimate public purpose in flood control and traffic improvements.[43] Unlike in *Nollan*, the Court also found a nexus between the public purpose and the permit requirement that Dolan donate a portion of her property.[44] However, the Court established an additional step to Takings Clause analysis, and analyzed whether the "required dedication [was] related both in nature and extent to the impact of the proposed development."[45] Known as the "rough proportionality" test, the public agency imposing the requirement must make an individualized determination that this element is met.[46] In *Dolan*, the Court found that the City did not make such a determination, and therefore remanded the matter to the City for further proceedings.[47]

c) *Ehrlich v. City of Culver City*

The Supreme Court of California addressed the validity of development or impact fee conditions in *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854 (*Ehrlich*). In *Ehrlich*, the court decided whether the requirement to pay a monetary fee as a condition of a permit triggers the application of the nexus and rough proportionality tests in *Nollan* and *Dolan*. The court held that:

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[39]/ *Id.* at p. 841.
[40]/ *Id.* at p. 837.
[41]/ See 2 Longtin Update, § 8.22[2], p. 654.
[42]/ *Dolan* at p. 377.
[43]/ *Id.* at p. 387.
[44]/ *Ibid.*
[45]/ *Id.* at p. 391.
[46]/ *Ibid.*
[47]/ *Id.* at p. 396.

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> If a condition is imposed pursuant to an ordinance or rule of general applicability . . . the condition is constitutionally permissible unless the landowner meets his or her burden of proving that the condition either does not substantially advance a legitimate governmental purpose or deprives the landowner of any economically viable use of the land.[48]

Thus, if a condition is adjudicatively imposed on an individual basis, the government must meet the heightened requirements of *Nollan* and *Dolan*.[49] To the extent an agricultural mitigation program proposal is imposed legislatively, however, it would not need to meet the nexus and rough proportionality tests of *Nollan* and *Dolan*.[50]

2. Equal Protection and Due Process

The Fourteenth Amendment of the United States Constitution ("Fourteenth Amendment") requires that a local government regulation may not deprive a person of equal protection of the laws.[51] In the context of land use, equal protection does not necessarily require uniform treatment. Instead, an agency must be able to demonstrate that a regulation has a rational relationship to a legitimate government interest.[52] The agency need only demonstrate some plausible reason for the classification in the regulation.[53] It is relatively simple for agencies to meet this test, and courts have generally rejected equal protection claims in the land use context.[54]

The Fourteenth Amendment also requires that a local government regulation or action may not deprive a person of life, liberty or property without due process of law.[55] Under Fourteenth Amendment case law, an agency's exercise of power must: (1) bear a rational relationship to a legitimate government interest, and (2) not be unreasonable or

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[48]/ *Ehrlich*, *supra*, 12 Cal. 4th at p. 906.
[49]/ *Id.* For example, conditions in individual land use agreements created between local agencies and developers generally constitute "ad hoc" requirements, and therefore must meet the tests of *Nollan* and *Dolan*.
[50]/ Adjudicative determinations are those that are decided on an individual basis. Legislative determinations, on the other hand, apply to large classes of people
[51]/ See also Cal. Const., art. I, § 7.
[52]/ See 1 Longtin, Longtin's California Land Use (2007 Update), § 1.32[2], p. 35 (hereafter "1 Longtin Update"); see also, *Nordlinger v. Hahn* (1992) 505 U.S. 1.
[53]/ See *Id.*
[54]/ See 1 Longtin Update, § 1.32[2], p. 36.
[55]/ See also Cal. Const., art. I, § 7.

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arbitrary.[56] Like with equal protection, courts almost always rule in favor of public agencies in due process challenges.[57]

3. Effect of the United States Constitution on Mitigation Programs

Though the nexus and rough proportionality tests from *Nollan* and *Dolan* may apply to fee exactions, farmland mitigation fees that are imposed through legislation rather than adjudication likely will not be subject to scrutiny under these standards. "It is clear that . . . so long as cities base development conditions on general legislative determinations, the conditions will almost always be within the police power."[58] However, it is important to note that regardless of whether a fee is imposed legislatively or adjudicatively, such exactions must meet nexus requirements under the Mitigation Fee Act. (See section IV.D.1, *post.*)

Similarly, equal protection and due process claims under the Constitution likely do not provide barriers to mitigation programs. The agency must be able to demonstrate that a regulation bears a rational relationship to a legitimate governmental interest, and that the regulation is not arbitrary. In the land use context, these requirements are straightforward, and courts generally defer to the discretion of public agencies.

C. California Constitution

1. Proposition 13, Proposition 62, and Proposition 218

Proposition 13 ("Prop 13"), passed in 1978, added Article XIII A to the California Constitution.[59] Article XIII A requires a two-thirds vote of the electorate for implementation of any local special tax. In 1986, voters approved Proposition 62 ("Prop 62"), which "close[d] loopholes" in Prop 13. This measure established that all taxes must be classified as either "special taxes" or "general taxes."[60]

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[56]/ See 1 Longtin Update, § 1.31[1], p. 27. Note that the "rational relationship" test is easy to satisfy; where a rational relationship is at least fairly debatable, the court must uphold the action. *Nelson v. City of Selma* (9th Cir. 1989) 881 F.2d 836, 839.
[57]/ See 1 Longtin Update, § 1.31[2], p. 27.
[58]/ See Curtin & Talbert, Curtin's California Land Use and Planning Law (21st ed. 2001) Exactions, pp. 252-255 (hereafter "Curtin").
[59]/ See *Howard Jarvis Taxpayers Ass'n v. City of Riverside* (1999) 73 Cal.App.4th 679 (overview of Prop 13).
[60]/ See Longtin Update at § 8.25[2], p. 663.

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Development fees exacted in return for building permits or other governmental privileges are generally not "special taxes" under Article XIII A. A fee is not a special tax when it does not exceed the reasonable cost of providing the service for which the fee is charged, and it is not reasonably related to the type of activity on which it is based. Thus, so long as a fee meets these requirements, it is not subject to the requirements of Prop 13.[61] Moreover, Prop 62 did not impose any additional limitations on local government's authority to implement "special assessments," "fees," or "charges." Thus, Prop 62 does not typically affect development fees.

Proposition 218 ("Prop 218"), approved by voters in 1996, added Articles XIII C and D to the California Constitution. Prop 218 requires voter approval of all new increases in local general taxes, assessments, and certain fees and charges.[62] Under Prop 218, "fees" or "charges" are defined as "any levy other than an ad valorem tax, a special assessment, or an assessment, imposed by an agency on a parcel or a person as an incident of property ownership, including user fees or charges for a property related service."[63] "Property related service" is defined as "a public service having a direct relationship to property ownership." However, "incident of property ownership" is not defined.

Prop 218 states that it does not affect laws existing prior to July 1, 1997, related to the imposition of fees or charges as a condition of property development. Furthermore, development fees that do not fall under the definition of "fees" or "charges" under Prop 218 generally need not meet the requirements of the Proposition.[64]

2. Effect of California Constitution on Agricultural Mitigation Requirements

Mitigation requirements likely do not need to meet the requirements of Props 13 and 62. So long as an agency's fee requirement does not exceed the reasonable cost of

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[61]/ See, e.g., *Sinclair Paint Co. v. State Board of Equalization* (1997) 64 Cal.Rptr.2d 447; *Shapell Industries, Inc. v. Governing Board* (1992) 1 Cal.App.4th 218, 240; *California Bldg. Industry Assn. v. Governing Bd.* (1988) 206 Cal.App.3d 212, 235-237; *Beaumont Investors v. Beaumont-Cherry Valley Water Dist.* (1985) 165 Cal.App.3d 227, 235-238; *Trent Meredith, Inc. v. City of Oxnard* (1981) 114 Cal.App.3d 317, 325-328; *Mills v. County of Trinity* (1980) 108 Cal.App.3d 656, 661-663; *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854, 898.

[62]/ See Longtin Update at § 8.25[3], p. 664.

[63]/ Cal. Const., art. XIIID, § 2(e).

[64]/ For example, in a 1997 opinion, the Attorney General ruled that water charges were not subject to Prop 218 because they were based on water usage, and not imposed as an "incident of property ownership." (80 Ops.Cal.Atty.Gen. 183 (1997).)

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providing the service or facility for which the fee is imposed, and it is reasonably related to the type of activity on which it is based, the fee will not be subject to these requirements.[65]

Although Prop 218 clearly does not apply to fee impositions existing prior to July 1, 1997, the law may apply to new development fee exactions that are related to property ownership. Under Prop 218, such regulations must be approved by a majority vote of the local electorate.[66] Agricultural mitigation fees are typically based on development, and are not an incident of property ownership. Thus, such exactions would not be subject to the requirements of Prop 218.[67]

D. State Laws

1. Mitigation Fee Act

The Mitigation Fee Act, passed by California voters in 1987, establishes requirements for the imposition of fees on a project.[68] The Mitigation Fee Act would not apply to in-kind mitigation requirements.[69] Thus, the Mitigation Fee Act would only apply to in-lieu fee programs.

The agency imposing a fee as a condition of approval of a development project must comply with four specific requirements:

(1) Identify the purpose of the fee;
(2) Identify the use to which the fee is to be put;

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[65]/ Mitigation requirements for the development of farmland to implement agricultural easements may not constitute a "service" or "facility" in the first place. If this is the case, Propositions 13 and 62 may not apply at all to such exactions.
[66]/ See Curtin, at p. 272.
[67]/ For example, in *Richmond v. Shasta Community Services District* (2004) 32 Cal.4th 409, 426, the California Supreme Court held that an increase of a water service connection fee charged to new users is not subject to Proposition 218 because it is not a property-related fee. The court stated that the water connection charges were not imposed simply by virtue of property ownership, but instead, as an incident of the voluntary act of the property owner in applying for a water service connection. The fees for connection to the system therefore were not imposed as "an incident of property ownership" and were not subject to Proposition 218.
[68]/ Gov. Code, § 66000 et. seq.
[69]/ "'Fee' means a monetary exaction other than a tax or special assessment…that is charged by a local agency to the applicant in connection with approval of a development project." Gov. Code, § 66000, subd. (b) (italics added).

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(3) Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed; and

(4) Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

Moreover, the agency must be able to demonstrate a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development.[70] The fee cannot include costs attributable to existing deficiencies in public facilities.[71] Fees or exactions "shall not exceed the estimated reasonable cost of providing the service or facility for which the fee or exaction is imposed."[72] A local agency cannot require the payment of fees until the final inspection of the development.[73] And finally, "the fee shall not be levied, collected, or imposed for general revenue purposes."[74]

An agricultural mitigation fee that meets these requirements would not violate the Mitigation Fee Act.[75]

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[70]/ Mitigation Fee Act, § 66001, subd. (b). Note that it is unclear whether an agricultural easement would be considered a "public facility" under the Mitigation Fee Act. Mitigation Fee Act, § 66000, subd. (a) defines "public facilities" as including: "public improvements, public services, and community amenities." Agricultural conservation easements typically do not provide public access, though they do provide a benefit to the public.

[71]/ *Id.* at subd. (g).

[72]/ *Id.* at § 66005.

[73]/ *Id.* at § 66007. According to the trial court ruling in the *Stockton* case, the adopted mitgation program did not violate this provision (nor § 66001) because fundamentally it was not a fee program. Instead, the program was "a land use regulation that requires developers of agricultural lands to obtain an in-kind easement preserving an equal amount of other agricultural lands." Payment of the fee is not required; rather, developers were provided an option of paying a fee in certain limited circumstances. (See Statement of Decision dated March 5, 2009 in *BIA v. City of Stockton* (Super. Court San Joaquin County, 2007, No. CV032651). No appeal was filed in this case.

[74]/ *Id.* at § 66008.

[75] / See also *San Mateo County Coastal Landowners' Ass'n v. County of San Mateo* (1995) 38 Cal. App. 4th 523, 551 ("Clearly, the county has ample authority to require dedication of agricultural and open space easements under several provisions of law.").

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2. CEQA

CEQA requires that significant impacts must be mitigated through feasible mitigation measures. According to CEQA, such mitigation includes:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.
(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the line of the action.
(e) Compensating for the impact by replacing or providing substitute resources or environments.

(CEQA Guidelines, § 15370.)

To date, the issue of whether a city or county may impose mitigation under CEQA for the loss of agricultural land is not discussed in a published appellate opinion. However, case law demonstrates that courts and agencies alike have assumed that cities and counties have such authority. Moreover, only a handful of California appellate decisions have addressed whether a city or county must impose such measures under certain circumstances. These cases generally indicate that mitigation for agricultural loss, under the specific circumstances, was not a requirement under CEQA.

a) Published Case Law

Defend the Bay v. City of Irvine (2004) 119 Cal.App.4th 1261 (*Defend the Bay*) is one of only two published decisions to address the issue of mitigation for the loss of agricultural lands. The Fourth District Court of Appeal considered both offsite and onsite preservation as a means for mitigation for the loss of farmland in the context of an Environmental Impact Report ("EIR") prepared for a mixed use development project. The court ultimately agreed with the defendant agency that it was not feasible to mitigate the impact of developing agricultural land.[76] Because agriculture in the area was not feasible in the long-term, and because on-site preservation would reduce development and therefore "impede the City from achieving its General Plan goals and objectives," the court ruled that the City did not need to require mitigation for the project.[77]

[76]/ *Id.* at p. 1269-1270.
[77]/ *Ibid.*

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Also from the Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) concerned a challenge to an EIR for a project that would convert agricultural land to residential uses. Though recognizing the potential for mitigation in the form of agricultural "*conservation easements, Williamson Act preserve status, or temporary protection or conservation plans*," the EIR noted the long-term trend in agricultural land conversion in the region and concluded that mitigation was not feasible.[78] The court upheld the City's determination regarding the feasibility of mitigation on the grounds it was supported by substantial evidence in the record.[79] The court also examined the City and County General Plans, which acknowledged that development pressures were constraining the continued viability of agriculture and included the expansion of housing, commercial and industrial land uses.[80] The court then determined that the project was compatible with these planning documents.[81]

Notably, the opinions in both *Defend the Bay* and *Cherry Valley* did not conclude that, as a matter of law, agricultural easements are never a feasible form of mitigation for the loss of farmland. Instead, these cases concluded that in the particular circumstances surrounding the project, such mitigation was infeasible and therefore was not required to be adopted.

b) Unpublished Case Law

Opinions of any California Court of Appeal or superior court appellate division that are not certified for publication or ordered published cannot be cited or relied on by a court or a party in any other action.[82] There are three unpublished cases addressing agricultural impacts; these cases cannot be relied upon as legal precedent. However, they do provide some insight into potential arguments that may arise in relation to mitigation for the loss of agricultural land, and possible reasoning of the courts.

In *County of Santa Cruz v. City of San Jose* (2003) WL No. 1566913 (*County of Santa Cruz*), the Appellate Court for the Sixth District ruled that CEQA does not require the adoption of mitigation measures for the loss of agricultural land in every Environmental Impact Report ("EIR"). The appellants argued that the EIR for a large-scale development project was insufficient because the City of San Jose ("City") failed to

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[78] / *Id.* at pp. 349-350.
[79] / *Id.* at p. 350.
[80]/ *Id. at p. 353.*
[81]/ *Ibid.*
[82]/ Cal. Rules of Court, rule 8.1115(a).

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require mitigation for the project's significant impact on the loss of open space and agricultural lands.[83] However, the City argued and the court agreed that the purchase of easements or fee title over off-site agricultural lands would not offset the loss of agricultural land caused by the project. According to the City, there would still be a net reduction in the total amount of land suitable for agricultural use that is available for such use.[84] Further, the court recognized that the City's General Plan did not recognize the protection of agricultural land, and instead stated that "it is the City's policy that land designated for development in the General Plan should be developed in the General Plan."[85] Thus, the court ruled that San Jose had acted within its prerogative in deciding not to require agricultural mitigation measures.[86]

In *Friends of the Kangaroo Rat v. California Department of Corrections* (2003) WL No. F040956 (*Kangaroo Rat*) the Fifth District Court of Appeal ruled similarly to the court in County of Santa Cruz.[87] The court held that a subsequent EIR for a prison construction project was adequate even though it did not require any mitigation for the loss of farmland due to the project. As in County of Santa Cruz, the court agreed with the defendants that the loss of farmland could not be mitigated because any attempts at mitigation would not create new farmland, nor would they compensate for the loss of farmland incurred by the project.[88] The court discussed the definition of "mitigation" from the CEQA Guidelines, and stated that "the creation of an agricultural easement does not appear to fall into any of these five categories."[89]

In a 2004 decision, the Third District Court of Appeal explicitly disagreed with *Kangaroo Rat* and supported the theory that, in the context of CEQA, measures should be applied to mitigate for the loss of agricultural land due to development. In *South County Citizens for Responsible Growth v. City of Elk Grove* (2004) WL No. 219789 (Cal.App.3 Dist.) (*South County Citizens*), also unpublished, the court ruled that mitigation of agricultural losses must be addressed in CEQA documents, and conservation fees and easements can potentially mitigate for the loss of agricultural land.

The court decided whether the City of Elk Grove ("City") was required to include mitigation measures in its EIR for the Lent Ranch Marketplace Development Project

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[83]/ *County of Santa Cruz*, at p. 29.
[84]/ *Id.* at p. *30.
[85]/ *Id.* at p. *31.
[86]/ *Id.* at p. *31.
[87]/ Note that *Kangaroo Rat* was initially published, but the California Supreme Court later de-published the decision.
[88]/ *Id.* at p. 565.
[89]/ *Id.* at p. 566.

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("Project").[90] In its EIR, the City concluded that the conversion of farmland from the Project constituted a significant environmental effect.[91] However, the City also concluded in the EIR that no feasible mitigation measure to offset the loss of farmland existed.[92] The City argued that because it was not possible to create or manufacture new farmland, or to reduce the specific loss of farmland converted to urban use through the project, it did not need to impose mitigation measures to offset these losses.[93] Further, the City argued that because it had not conducted a nexus study and did not have a City or County ordinance imposing agricultural mitigation fees, it could not impose such requirements at all.[94]

The Third District Court of Appeal ruled against the City and held that conservation fees can in fact mitigate for the loss of agricultural lands.[95] According to the court, conservation fees and easements can diminish development pressures created by the conversion of farmland, and can help to preserve against the danger of the domino effect created by projects.[96] Thus, the City prepared an addendum to its EIR addressing mitigation for the loss of agricultural land.

3. Conservation Easement Act

The Conservation Easement Act enables a city, county, district, or nonprofit organization to acquire perpetual easements for the conservation of agricultural land and open space, or for historic preservation. (Civ. Code, §§ 815-816.) Under Civil Code section 815.3, a local government entity may not "condition the issuance of an entitlement for use on the applicant's granting of a conservation easement."

Building Industry Association of Central California v. County of Stanislaus, et al. (2010) 190 Cal. App. 4th 582 (*County of Stanislaus*) addresses whether Civil Code section 815.3, subdivision (b) applies to agricultural conservation easements mandated by a city or county's General Plan policies. In the *County of Stanislaus* case, the BIA challenged the Farmland Mitigation Program ("FMP") adopted as an update to the Agricultural Element of the County's General Plan. The General Plan update included specific mitigation requirements for the conversion of agricultural land to residential development via the FMP. Specifically, the FMP required the County to condition

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[90]/ *Id.* at p. *1.
[91]/ *Id.* at p. *3.
[92]/ *Ibid.*
[93]/ *Ibid.*
[94]/ *Id.* at p. *4.
[95]/ *Id.* at p. *8.
[96]/ *Id.* at p. *8.

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discretionary projects converting agricultural land to residential development with the requirement that the agricultural land be replaced at a 1:1 ratio with agricultural land of equal quality located within the County. FMP Guidelines were also considered and adopted. The FMP Guidelines furthermore specified that for a project of 20 acres or more, farmland mitigation must be satisfied by direct acquisition of a permanent agricultural conservation easement, but for a project of less than 20 acres, the County can authorize the payment of an in-lieu mitigation fee.

The BIA challenged the FMP on the grounds that: (1) the County failed to identify its legal authority for mandating the dedication of permanent conservation easements pursuant to its General Plan; (2) there is no reasonable relationship between the requirements of the FMP and the adverse public impacts resulting from agricultural conversion (police power argument); and (3) conservation easements must be voluntary and thus, cannot be required by policies like the FMP.

With respect to the police power argument, the Court held that the BIA had the burden at trial of demonstrating the invalidity of the FMP (not the County's burden to prove the FMP valid), which it did not sufficiently do. Additionally, the court held that the FMP requirements clearly bear a reasonable relationship to the loss of farmland to residential development citing to the goals and policies in the County's agricultural element. The court clarified that "to meet the reasonable relationship standard it is not necessary to fully offset the loss." Reasoning that land use regulation is a function of local government pursuant to the police power, the court also held that, "the trial court [] erred in concluding that the FMP was not authorized by the County's police power."

Finally, and most importantly, the Court held that Civil Code section 815.3, subdivision (b) did not invalidate the FMP. In considering this issue of first impression, the court sided with the County reasoning that the FMP did not violate the statute's prohibition against conditioning the issuance of an approval on the grant of a conservation easement because the applicant and/or developer was not required to grant the easement. "Rather, the FMP allows the applicant to arrange for a third party to voluntarily convey an easement to a land trust or the County." The court's reasoning appeared to be that a developer has a choice to develop or not, and if the developer chooses to develop, that voluntary choice may come with a price (e.g., the permanent protection of one acre of farmland for every acre of farmland developed).

4. Effect of State Laws on Agricultural Mitigation Requirements

The Mitigation Fee Act, CEQA and the Conservation Easement Act do not preclude a jurisdiction from requiring mitigation for impacts to agricultural land. Where

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local governments impose in-kind mitigation requirements rather than fee requirements, the Mitigation Fee Act does not apply. However, when the Mitigation Fee Act is applicable, such as when agencies impose fee requirements to mitigate for the loss of agricultural land, regulations must comply with the requirements of the Act.

Under CEQA, local governments generally have the authority to require mitigation for significant impacts to agricultural lands.[97] As outlined above, courts that have addressed agricultural mitigation programs under CEQA have considered whether such mitigation is necessary, and not whether it is permissible. Furthermore, no challenge of the imposition of agricultural mitigation in the CEQA context has resulted in a published opinion. Moreover, CEQA case law demonstrates that where there is a solid basis in local planning documents, including General and Specific Plans, the courts are more likely to uphold agricultural mitigation programs.

Last, the purpose of the Conservation Easement Act is to voluntarily convey conservation easements to qualified entities to conserve open spaces and other environmental values. Civil Code section 815.3 prohibits jurisdictions from requiring an involuntary conveyance of a conservation easement. Where a landowner chooses to develop a property within a jurisdiction that requires converted farmland to be mitigated with placement of easements on other property, however, this requirement not run afoul of this prohibition.

E. Local Laws

1. Planning and Zoning Law

City and county zoning ordinances and land use decisions must be consistent with General and Specific Plans.[98] Thus, local jurisdictions can justify exactions on the basis that they are necessary to assure consistency with adopted General and Specific Plans.[99] Thus, when development fees and dedication requirements are judicially attacked, many local governments now rely on General and Specific Plans to support their decisions.[100]

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[97]/ Under CEQA, mitigation measures must meet the essential nexus and rough proportionality tests of *Nollan* and *Dolan*. (CEQA Guidelines, § 15126.4, subd. (a)(4).)

[98]/ Gov. Code, §§ 65860 and 65910; see also, *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 570.

[99]/ See, e.g., 58 Ops.Cal.Atty.Gen. 41 (1975), as cited in Longtin § 8.14, p. 787; see also, *J.W. Jones Cos. v. City of San Diego* (1984) 157 Cal.App.3d 745.

[100]/ See *Curtin*, *supra*, at pp. 27, 259.

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2. Effect of Local Laws on Agricultural Mitigation Requirements

Planning and zoning law provides jurisdictions an opportunity to implement mitigation programs to protect agricultural land. If cities and counties clearly emphasize the importance of farmland in their General and Specific Plans, and include specific programs to protect agricultural land, subsequent regulations to preserve agricultural land should be defensible.

IV. CONCLUSIONS AND RECOMMENDATIONS

A. Legality of Fee and In-Kind Mitigation Requirements

Local agencies have the general authority to implement in-kind and fee mitigation requirements under the police power of the California Constitution.[101] Moreover, the California Legislature's support of and emphasis on agricultural preservation provides a backdrop by which agencies can implement these regulations. However, it is necessary for agencies to ensure compliance with requirements under the United States and California Constitutions, the Mitigation Fee Act, CEQA, the Conservation Easement Act and planning and zoning laws.

1. In-Kind Mitigation Requirements

Because in-kind mitigation requirements do not involve monetary fees, they generally will not trigger Propositions 13, 62 or 218, or the Mitigation Fee Act. Moreover, so long as they are applied legislatively, in-kind mitigation requirements need not meet the nexus and rough proportionality tests under Nollan and Dolan. To comply with Civil Code section 815.3, though a particular landowner may be required to *arrange* for the grant of compensatory easements, the landowner may not be required to actually *grant* a conservation easement.

Under the Equal Protection and Due Process clauses of the United States and California Constitutions, mitigation requirements must bear a rational relationship to a legitimate government interest. Such regulations also cannot be arbitrary. To support the assertion that the protection of agricultural land is a legitimate interest, agencies can also point to their own General and Specific Plans and the State Legislature's statements. As outlined above, courts generally hold in favor of local agencies on this issue in the land use context. As long as in-kind mitigation programs satisfy these requirements, agencies have the legal authority to impose such regulations.

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[101]/ Cal. Const., art. XI, § 7.

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2. In-Lieu Fee Mitigation Requirements

In-lieu fee requirements, in addition to meeting the requirements under Due Process and Equal Protection as outlined above, must either be exempt from or comply with Props 13, 62 and 218. They also must comply with the Mitigation Fee Act.

In order to qualify as exempt from Propositions 13 and 62, a development fee must not exceed the reasonable cost of providing the service for which the fee is charged. Furthermore, the fee must be reasonably related to the type of activity on which it is based. Also, because mitigation fees are not imposed incident of property ownership, such exactions need not meet the requirements under Prop 218.

Under the Mitigation Fee Act, an agency imposing a fee must: (1) identify the purpose of the fee; (2) identify the use to which the fee is to be put; (3) determine that there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed; (4) determine that there is a reasonable relationship between the need for the public facility and type of development project on which the fee is imposed; and (5) determine that there is a reasonable relationship between the amount of the fee and the cost of the public facility attributable to development.

B. Recommendations to Provide a Foundation for and Implement Fee and In-Kind Mitigation Requirements

1. Incorporate Policies and Programs Related to Preservation of Agricultural Land in General and Specific Plans

As demonstrated in the CEQA cases outlined above, courts generally defer to city and county General Plans. Moreover, the General Plan is considered the "constitution for development," and all land use approvals must be consistent with such plans.[102] Thus, agencies can use policies in their General Plans to support implementation of dedication and fee requirements for preserving agricultural land. Jurisdictions should incorporate policies into General and Specific Plans that emphasize the need for permanent preservation of agricultural land. Such policies should specifically support the use of conservation easements for mitigation for the loss of farmland.

[102]/ See *J.W. Jones Cos. v. City of San Diego* (1984) 157 Cal.App.3d 745, 749.

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2. Conduct Nexus Studies

Particularly if implementing a fee program, local agencies should conduct nexus studies. Such studies should analyze and demonstrate an adequate nexus between the mitigation requirement and the impacts of the project, thus providing support for the nexus requirements of *Nollan* and *Dolan* and the Mitigation Fee Act. Such studies should also substantiate the selected mitigation ratio.

3. Include Findings That Demonstrate Compliance

When public agencies adopt mitigation programs, they should also adopt findings that demonstrate compliance with each applicable legal requirement.

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APPENDIX C

ASSESSING THE ECONOMIC AND MARKET TRENDS AFFECTING AGRICULTURE IN THE WESTERN INLAND EMPIRE

Appendix L: Agriculture

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Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire

Prepared by:
Justin L. Adams, Ph.D.

Chang & Adams Consulting

September 2011

About Chang & Adams Consulting:
Chang & Adams Consulting is Sacramento's premier management consulting firm, operating at the intersection of the public and private sectors. We are professional economists who routinely advise clients on market and business trends so that they may assess and understand the environment in which they are operating. We specialize in applying cutting-edge quantitative analyses to help frame and solve public policy and business strategy issues. We advise a range of clients, including government agencies, non-profit organizations, campaigns for initiatives and candidates, and Fortune 1000 companies. We provide them with the analytical insight to shape their strategic direction, improve their operations, and develop sound policies. Copies of resumes of our principals are attached to this report as Appendix A.

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Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire
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Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire (Key Findings)

- The Inland Empire makes up a small part of California's agriculture industry. In 2009, the value of all agricultural production in Riverside and San Bernardino Counties totaled $1.4 billion, compared with $41.4 billion of agricultural production in California as a whole. Additionally, each of the ten most productive agricultural counties in California produces more than Riverside and San Bernardino combined.

- Agriculture is also small compared to other industries in the Inland Empire. The Natural Resources and Mining sector, which is comprised mostly of the agriculture industry, made up 1 percent of the regional economy that year. The largest sectors were Financial Activities (23 percent), Trade (18 percent), and Education and Health Services (11 percent).

- Agriculture is also in decline in the Inland Empire. Between 2006 and 2010, three of the top five agricultural products in Riverside County (nursery stock, milk, and table grapes) decreased in production value or remained flat. Similarly, three of the top five agricultural products in San Bernardino County (cattle and calves, replacement heifers, and trees/shrubs) also have decreased in value and are expected to continue to decrease in value as agricultural operators relocate from the Riverside and San Bernardino Counties in general to places such as Kern County and in some instances out of state.

- The decline in agriculture can be attributed to five key factors:
  - Growth in the demand for housing and development following the 2007 market collapse: After the market collapse in 2007, home prices have stabilized to 2002-2003 prices and monthly home sales have increased since 2009.
  - Growth in the transportation and warehousing sector: Over 40 percent of all goods imported into the United States enter through the Ports of Los Angeles and Long Beach, and most of these goods pass through the Inland Empire for distribution. After declining from 2006 through 2009, imports are rising to near-record levels again.
  - Increased restrictions on water deliveries for agricultural uses after several consecutive drought seasons: Drought conditions led to water allocation cutbacks from both the State Water Project and local water sources, driving the cost of water up across the region as well as limiting access.
  - Higher wages in other industries in the region: Trade, transportation, and construction industries have all seen significant growth in the region and offer higher annual salaries than agriculture for the same skilled and semi-skilled labor.
  - Strong agricultural competition from the southern Central Valley for dairies: The Valley offers cheaper land, a greater number of support industries for agriculture, a larger

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agricultural employment base, and cheaper labor for the dairy industry, as well as agriculture in general.

- Increased regulatory pressures from air quality and local jurisdictions regarding particulate matter emissions and land use adjacency issues.
- The trend in Riverside and San Bernardino Counties is for agricultural operations to continue to shift to places like Kern County regardless independent of land use policy due to the economic issues set forth in this report.

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Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire

1. Introduction

The Inland Empire region of Southern California generally consists of Riverside and San Bernardino Counties, and is located just east of Los Angeles. The two counties encompass more than 4.2 million people. Figure 1.1 below shows the general geography of the region.

Figure 1.1
The Inland Empire

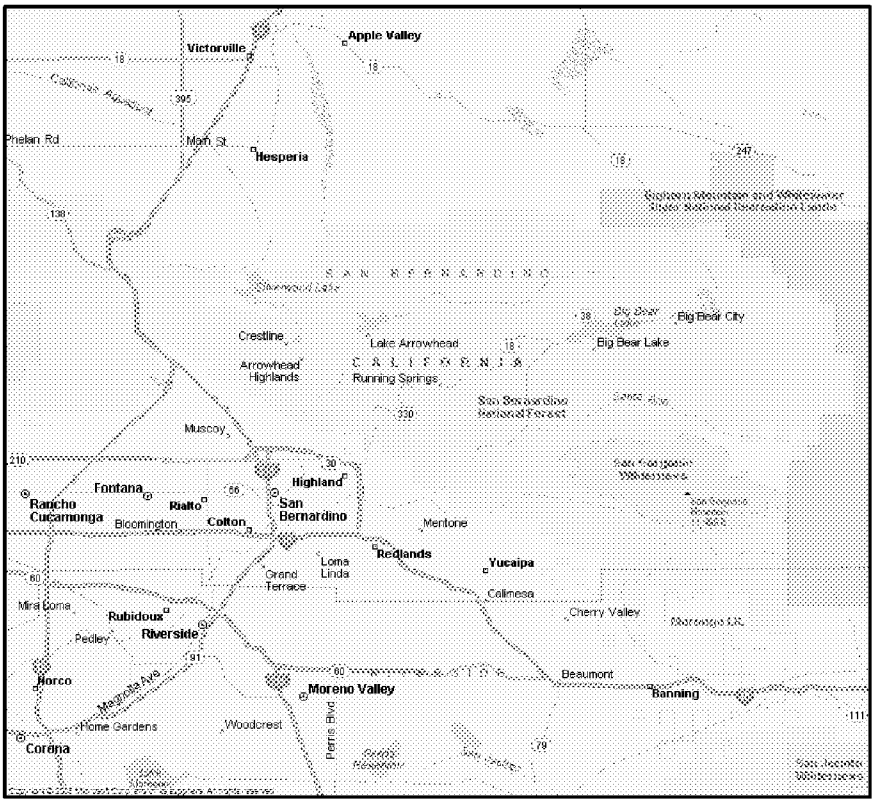

Compared to the rest of the state, the Inland Empire makes up only a small part of California's agriculture industry. In 2009, the value of all agricultural production in Riverside and San Bernardino totaled $1.4 billion. Agricultural production includes crop production, such as for food grains, feed crops, cotton, oil crops, fruits and tree nuts, and vegetables, and livestock production, including meat animals, dairy products, poultry, and eggs.

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Table 1.1
Agricultural Production in California and Inland Empire

Geographic Region	Agricultural Production, 2009 (% of State)	Agricultural Employment, 2007 (% of State)
Riverside/San Bernardino	$1.4 Billion (3.3%)	16,800 (4.3%)
California	$41.4 Billion (100%)	386,400 (100%)

SOURCES: California Department of Food and Agriculture, "County Rank by Gross Value of Agricultural Production, 2008–2009," California Agricultural Resource Directory 2010-2011; California Statistical Abstract, "Wage and Salary Employees in Agricultural Establishments by Areas in California, 1995 to 2007," 2008

By comparison, the value of all agricultural production in California in 2009 was $41.4 billion. The Inland Empire represented just 3.3 percent of this total.

The distribution of employment in the agriculture industry resembles that of production value. In 2007, Riverside and San Bernardino Counties had 16,800 workers in the agriculture industry. This represented 4.3 percent of the 386,000 Californians employed in agriculture that year.

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2. Agricultural Production in the Inland Empire is Small

Compared to other individual counties across the state, both Riverside and San Bernardino Counties produce significantly smaller agricultural output. Each of the ten most productive agricultural counties in California produces more than both counties combined.

Table 2.1
Top California Counties by Value of Agricultural Production, 2009

Rank	County	Total Value ($000)	Leading Commodities
1	Fresno	$5,372,009	Grapes, Tomatoes, Poultry, Almonds, Cattle & Calves
2	Tulare	$4,046,355	Milk, Oranges, Grapes, Cattle & Calves, Corn
3	Monterey	$4,033,718	Lettuce, Strawberries, Nursery, Broccoli, Grapes
4	Kern	$3,606,356	Grapes, Milk, Vegetables, Almonds, Pistachios
5	Merced	$2,460,474	Milk, Chickens, Almonds, Cattle & Calves, Sweet Potatoes
6	Stanislaus	$2,310,071	Milk, Almonds, Chickens, Cattle & Calves, Tomatoes
7	San Joaquin	$2,000,474	Grapes, Milk, Cherries, Tomatoes, Walnuts
8	Ventura	$1,621,575	Strawberries, Nursery Stock, Celery, Raspberries, Lemons
9	San Diego	$1,548,124	Woody Ornamentals, Flowers & Foliage, Bedding Plants, Avocados, Tomatoes
10	Imperial	$1,452,970	Lettuce, Cattle, Wheat, Alfalfa, Broccoli
13	Riverside	$1,015,755	Nursery Stock, Milk, Eggs, Table Grapes, Hay
25	San Bernardino	$355,379	Milk, Eggs, Cattle & Calves, Alfalfa, Replacement Heifers

SOURCE: California Department of Food and Agriculture, "County Rank by Gross Value of Agricultural Production, 2008–2009," California Agricultural Resource Directory 2010-2011

The largest California county by agricultural production in 2009 was Fresno. The county produced nearly $5.4 billion in agricultural commodities, including grapes, tomatoes, poultry and almonds, while the tenth largest California county in 2009 was Imperial, producing almost $1.5 billion in agricultural commodities, primarily through lettuce, cattle, wheat, alfalfa, and broccoli.

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By contrast, Riverside was the 13th largest agricultural producer, generating $1.0 billion in commodities such as nursery stock, milk, eggs, table grapes, and hay, and San Bernardino was the 25th largest agricultural producer, with $355 million in products including milk, eggs, cattle and calves, alfalfa, and replacement heifers. Together, Riverside and San Bernardino Counties produced nearly $1.4 billion in commodities, but still less than Imperial County.

Agriculture is also small compared to other industries in the Inland Empire region. The largest industrial sectors in the Riverside-San Bernardino-Ontario Metropolitan Statistical Area in 2009 were Financial Activities, Trade, and Education and Health Services. These represented 23 percent, 18 percent, and 11 percent of the Inland Empire's economic activity, respectively, as seen in Figure 2.1.

Figure 2.1
Shares of Private GDP for Riverside-San Bernardino-Ontario, 2009

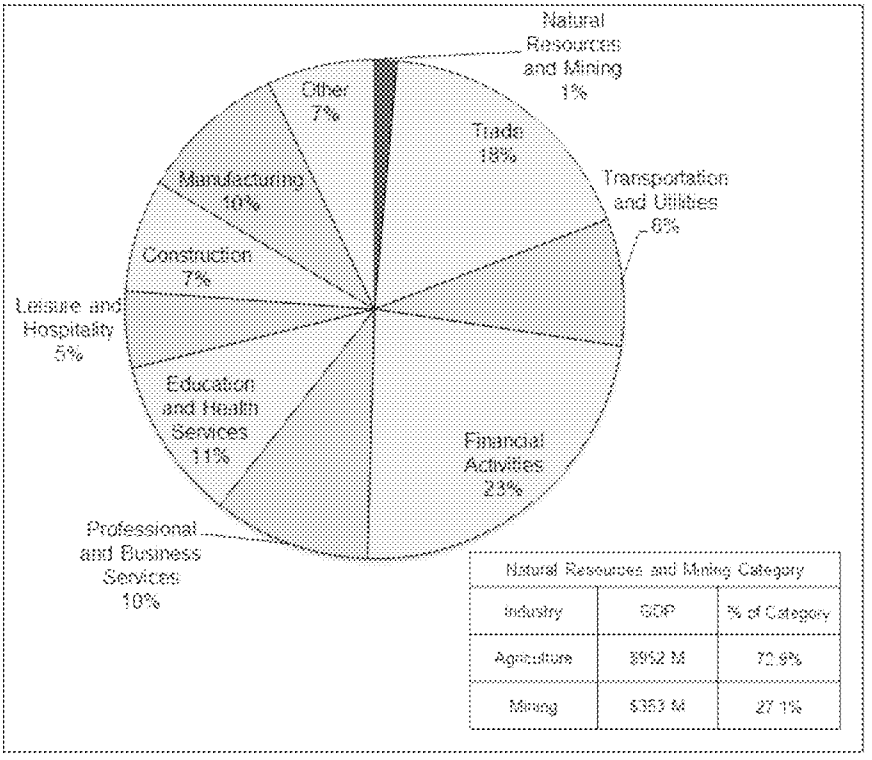

SOURCE: Bureau of Economic Analysis, U.S. Department of Commerce, "Gross Domestic Product by Metropolitan Statistical Area, Riverside-San Bernardino-Ontario 2009," accessed August 2011 (http://www.bea.gov/iTable/iTable.cfm?reqid=70&step=1&isuri=1&acrdn=2)

By contrast, the Natural Resources and Mining sector made up 1 percent of the regional economy that year. This sector includes both the agriculture and mining industries. In fact, given that the agriculture industry comprises about 73 percent of the sector, then in essence agriculture currently makes up about seven-tenths of 1 percent of the Inland Empire's economy.

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3. Agriculture in the Inland Empire Continues to Decline

Both Riverside and San Bernardino Counties have seen declines in production for some of their top agricultural products since 2006. Three of the top five agricultural products in Riverside County have decreased in production value or remained flat since 2006 as seen in Figure 3.1. From 2006 to 2010, the top five agricultural products in Riverside County by combined value were nursery stock, milk, table grapes, eggs, and bell peppers.

Figure 3.1
Riverside County Leading Agricultural Values (Top 5 Products)

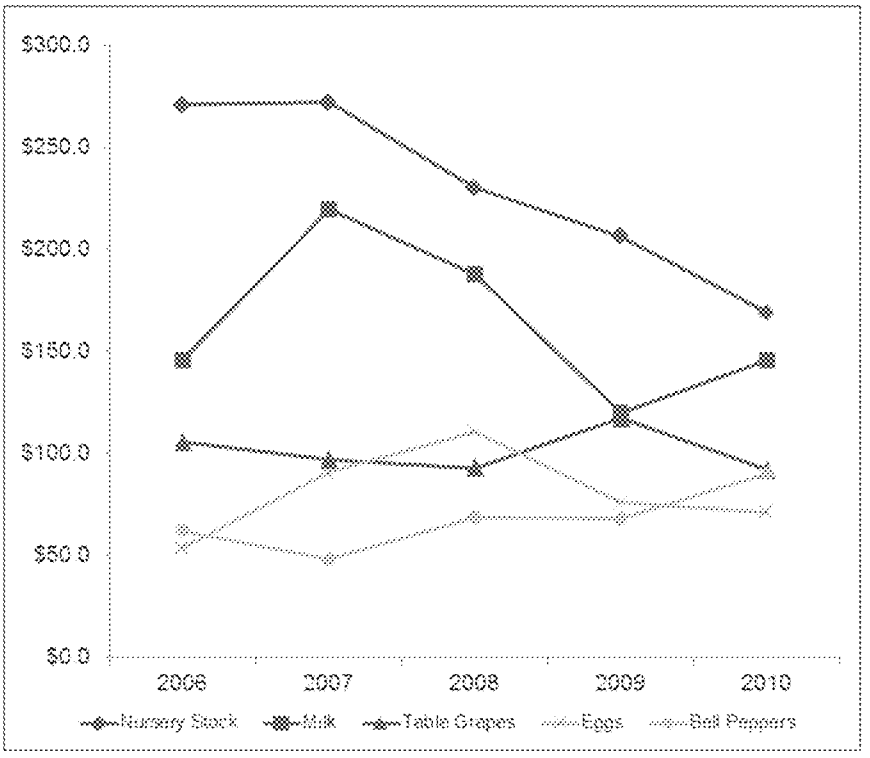

SOURCE: Agricultural Commissioner's Office, County of Riverside, Riverside County Annual Production Report, Assorted Years

Over this five-year time period, three of these agricultural products declined in value in the County or remained flat: nursery stock dropped from $270 million in production value to under $170 million; after a brief run-up, milk production began and ended at $145 million; and table grapes declined in production value from over $105 million to around $92 million. Although eggs and bell peppers did experience higher production values over the five-year period, these are less valuable agricultural products.

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Figure 3.2
San Bernardino County Leading Agricultural Values (Top 5 Products)

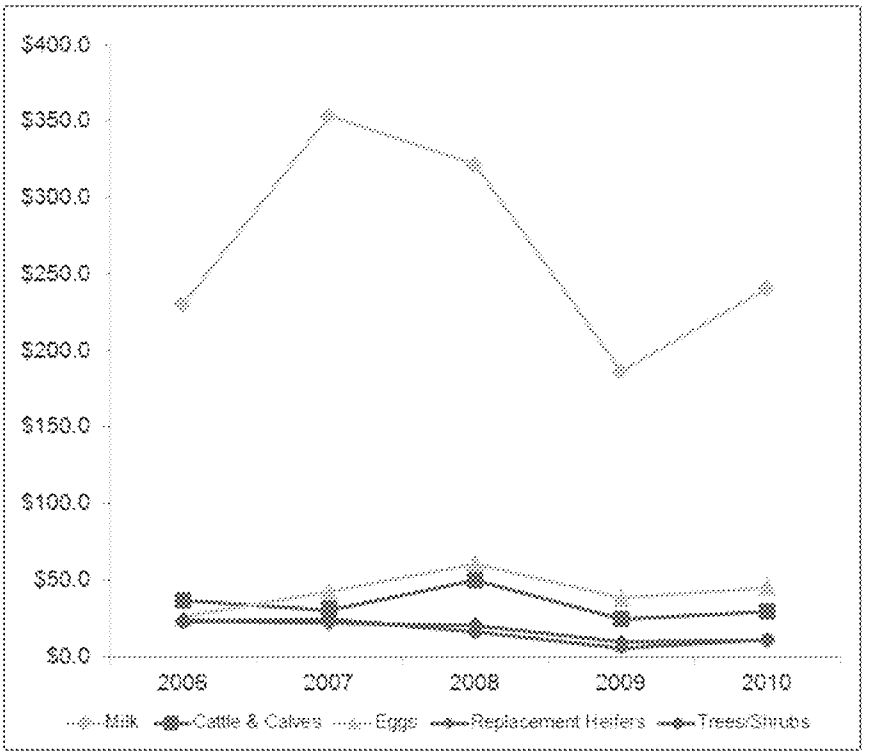

SOURCE: Department of Agriculture/Weights and Measures, County of San Bernardino, Crop and Livestock Report, Assorted Years

Though San Bernardino did not face as significant losses as Riverside, it has still seen falling revenues. Since 2006, three of the top five agricultural products in San Bernardino County have decreased in value, seen in Figure 3.2. From 2006 to 2010, the top five agricultural products in San Bernardino County by combined value were milk, cattle and calves, eggs, replacement heifers, and trees/shrubs.

Over this five-year time period, three of these agricultural products declined in value in the County: the production value of cattle and calves decreased by nearly $7 million; replacement heifers lost over half of their production value, with a drop from $24.2 million to $10.4 million; and trees and shrubs lost nearly half of their production value, declining from $22.8 million to $11.5 million. Additionally, there was little growth in milk production (just over $10 million) in the county despite it being the top product, and eggs also saw higher production by about $19 million over the five years.

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4. Five Major Barriers Limit the Inland Empire's Agriculture Industry

With the agriculture industry continuing to decline in the Inland Empire, five major barriers to the industry were identified. These barriers center on pressures from competing industries, environmental concerns, and operations costs:

- Growth in Demand for Housing and Development
- Growth in Trade and Transportation Sectors
- Increased Restrictions on Water
- Higher Wages in Other Industries
- Strong Agricultural Competition from Central Valley

4.1. Growth in Demand for Housing and Development

The Inland Empire generally boasts relatively inexpensive land values compared to other regions of California, such as the coastal counties, making the Inland Empire attractive to developers looking to build residential and commercial property. Beyond this, the return of home prices in the region to more traditional levels has also spurred additional investment in land purchases and developments.

The Inland Empire region saw robust demand for housing during the previous decade, as reflected by significant increases in median home prices between 2002-03 and 2006 to record highs for the region. Much of these gains were erased with the market collapse of 2007, however, with home prices returning to levels last seen in 2002 and 2003. But some analysts believe that the housing market in the region has finally begun to stabilize given that home and land prices are beginning to inch higher. Whittlesey Doyle, a land brokerage firm based in Irvine, stated that a number of recent land deals to homebuilders in the Inland Empire indicate that the market is rebounding.[1]

[1] Wesley G. Hughes, "Land buyers back in game," Inland Valley Daily Bulletin, December 6, 2010.

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Figure 4.1
Inland Empire Median Home Sales Price, July 2000-July 2011

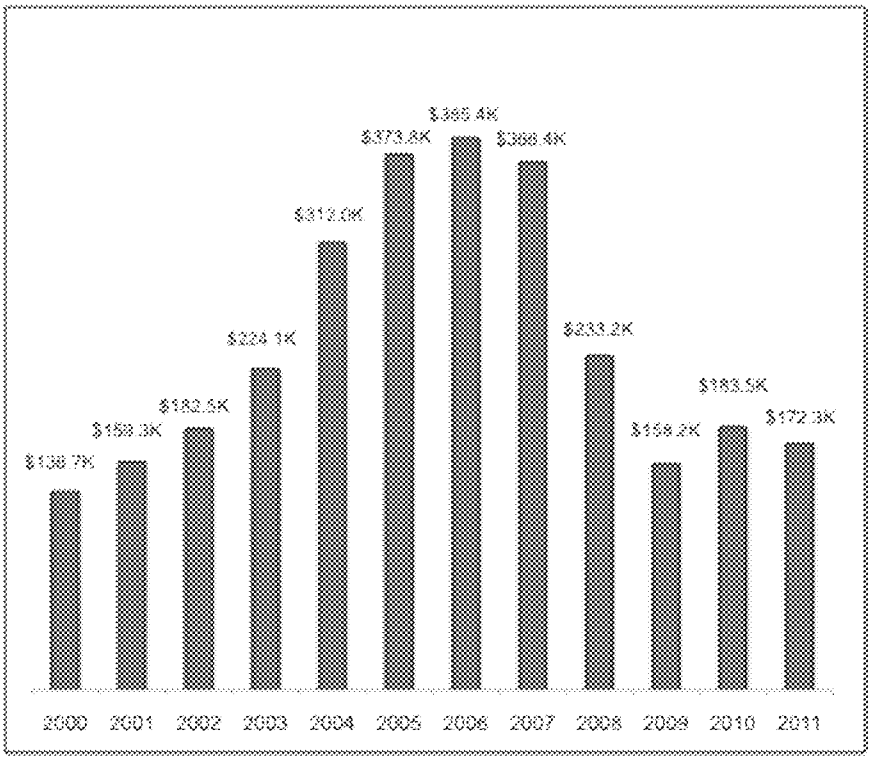

SOURCE: California Association of REALTORS, "Median Prices of Existing Detached Homes, Historical Data"

As shown in Figure 4.1, the median home sales price in the Inland Empire was just over $385,000 at the peak of the real estate market in 2006. When the market dropped to its low in 2009, the median sales price had fallen 59 percent to just over $158,000. Though prices have fallen significantly since 2007, the median price actually began to increase in 2010 to over $183,000. While there has been some retrenchment in prices this year, they still remain above $172,000.

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Figure 4.2
Monthly Home Sales

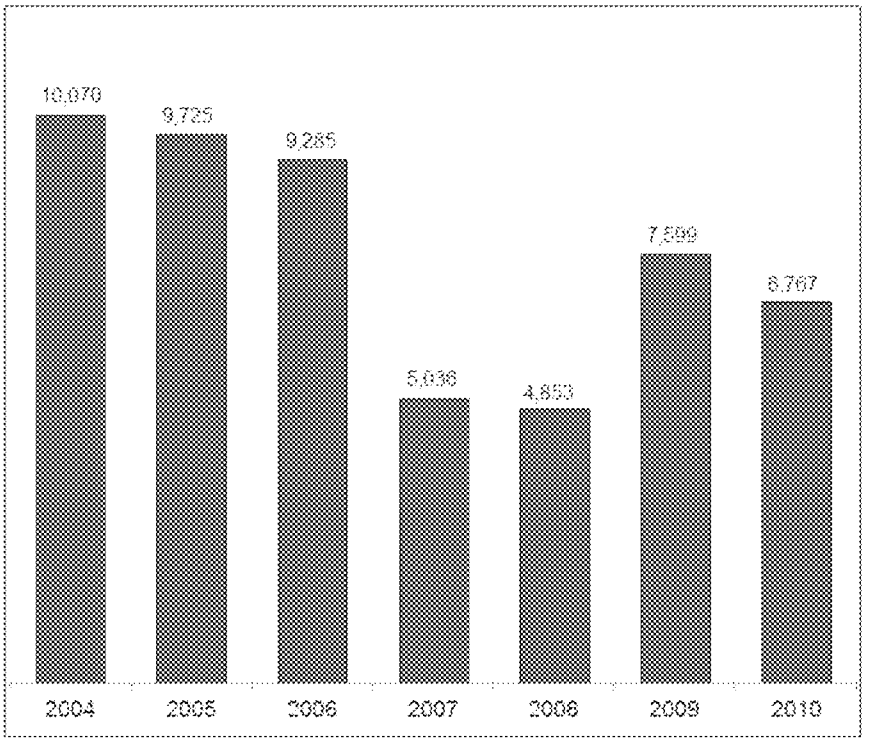

SOURCE: DataQuick Information Systems, "Southland Home Sales," 2004-2010

Correspondingly, monthly home sales have tapered off from their peak in 2004, as illustrated in Figure 4.2. As home prices have decreased, there has been an increase in monthly home sales in the region. Though sales remain off of their historic highs, monthly home sales indicate that consumers are buying properties again and driving some growth in the market.

With home prices stabilizing and home sales returning, newspaper accounts and anecdotal evidence suggest that several large homebuilders have indicated that they have begun purchasing more land and restarting stalled home developments across the region.

4.2. Growth in Trade and Transportation Sectors

On the commercial front, the agriculture industry faces increasing competition from trade and transportation, two of the largest industrial sectors in the Inland Empire. Transportation, warehousing, and other goods movement industries are strong in the region because of their proximity to the Ports of Los Angeles and Long Beach and because of the abundance of relatively inexpensive land for distribution centers and transportation hubs.

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Figure 4.3
Flow of Imported Containers, Los Angeles-Long Beach Ports

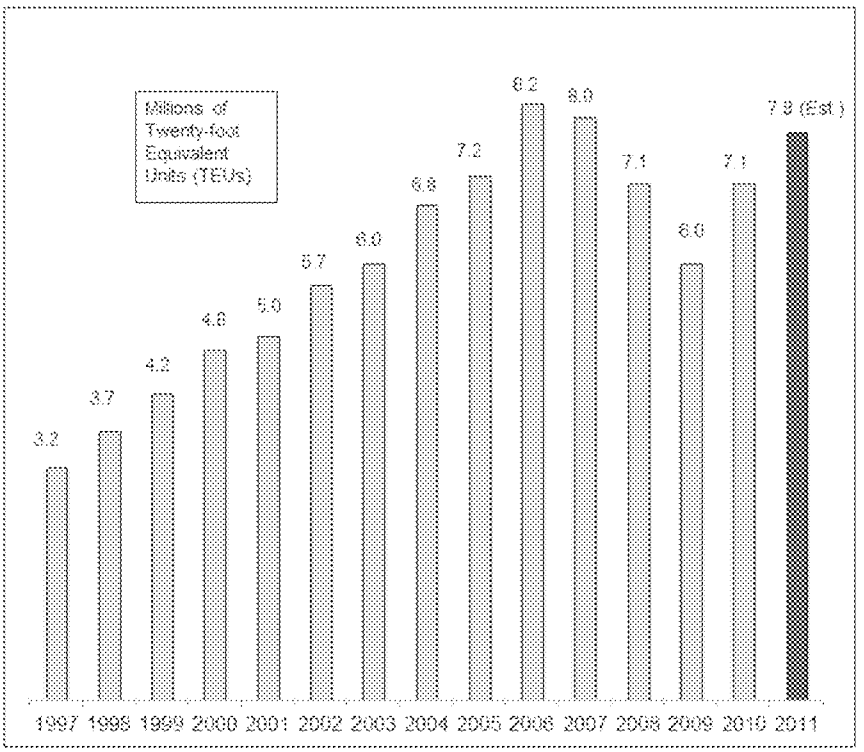

SOURCE: Husing, John, Inland Empire 2011… Start of the Recovery?, Economics & Politics, Inc., April 2011

Over 40 percent of all goods imported into the United States enter through the Ports of Los Angeles and Long Beach, and most of these goods pass through the Inland Empire for distribution. The Burlington Northern Santa Fe (BNSF) Railway has an intermodal railroad yard located in San Bernardino, for example. The Union Pacific Railroad has its main switching yard in Colton as well.

And as shown in Figure 4.3, imports into the Ports of Los Angeles and Long Beach have begun to rebound from the recent recession. Imports as measured by Twenty-foot Equivalent Unit (TEU) containers steadily increased between 1997 and 2006 from 3.2 million TEUs to 8.2 million TEUs. With the recession, imports dropped in 2009 to 6.0 million – the same level as seen in 2003. But as a sign that economic activity is returning to California and the United States, imports into the Ports of Los Angeles and Long Beach increased to 7.1 million TEUs in 2010 and are projected to reach 7.8 million TEUs in 2011. These represent near-record levels of goods movement in the region.

4.3. Increased Restrictions on Water

The State Water Project was constructed in the 1950s and 1960s to provide most of California, particularly Southern California, with a stable statewide water resource to

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augment local sources. Currently, the State Water Project provides supplemental water to approximately 25 million Californians and about 750,000 acres of irrigated farmland. Each year, its contracting water agencies make water allocation requests and the state Department of Water Resources plans the initial allocation percentage. Over the course of the year, these allocations can be increased to adjust for wet years, or rolled back in cases of drought.

California faced severe drought conditions for most of the latter-half of the previous decade, however. These conditions necessitated reduced water allocations to the Inland Empire through the State Water Project, and hindered farms and dairies' ability to extract water from their nearby groundwater basins and reservoirs.

Figure 4.4
State Water Project Allocations to Inland Empire Water Districts

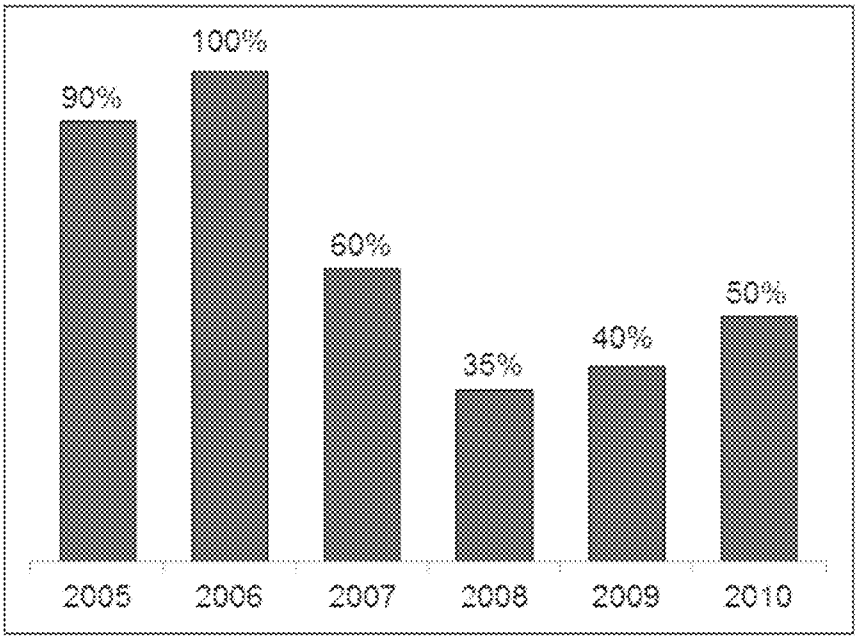

SOURCE: California Department of Water Resources, Notice to State Water Project Contractors, 2005-2010

As illustrated in Figure 4.4, drought conditions following 2006 led to a decrease in State Water Project allocations across California between 2007 and 2010. The drought was so severe that in 2008 only 35 percent of water allocations were provided. Last year the allocation was only 50 percent. A wet 2011 combined with heavy snowpacks promises to increase allocations, however much of the damage to the agriculture industry has already occurred considering that the operating costs to the Inland Empire's agriculture industry have been severely impacted by the water restrictions.

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Additionally, water extractions from the San Bernardino Basin have also steadily declined over the previous decade. This is shown in Figure 4.5 below. As the secondary water resource for the region, groundwater and reservoir stores backfill losses to agriculture from the State Water Project. Restrictions on forced groundwater recharge and environmental regulations have also decreased the amount of water extracted from these sources, even in drought seasons.

Figure 4.5
Water Extractions from the San Bernardino Basin

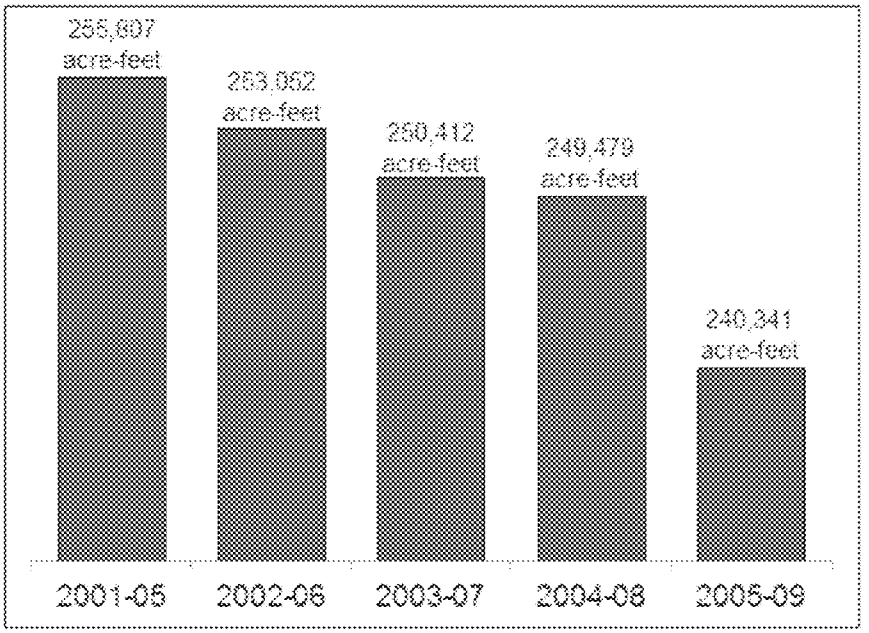

SOURCE: Western-San Bernardino Watermaster, "Annual Report of the Western-San Bernardino Watermaster," Calendar Year 2010

With respect to agriculture, water restrictions adversely impact the industry in a couple of ways. First, they limit the amount of water available for crops and livestock, requiring farmers and ranchers to reduce the size of their production and thus negatively impacting their revenue, according to Gregg Warren, vice president of American AgCredit[2]. Additionally, farmers and ranchers' costs rise as well since the inputs obtained from associated agricultural industries, such as feed, become more scarce and therefore more expensive.

[2] Chris Sieroty, "Inland Farmers Facing Several Threats," The Business Press (Riverside, CA), March 23, 2009.

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4.4. Higher Wages in Other Industries

Improved economic conditions have brought a resurgence of housing and other industries such as trade and transportation in the Inland Empire. This resurgence has resulted in more job opportunities that provide higher salary options for skilled and semi-skilled labor.

Figure 4.6
Occupations in the Inland Empire

Occupation	Estimated Employment, 2010	Mean Annual Salary, 2010
Construction and Extraction	51,850	$48,720
Office and Administrative Support	195,850	$33,900
Sales and Related Occupations	121,510	$32,860
Transportation and Material Moving	108,130	$32,400
Personal Care and Service	31,190	$24,370
Farming, Fishing, and Forestry	58,402	$21,400
Food Preparation and Serving Related Occupations	111,450	$21,310

SOURCE: U.S. Department of Labor, "Occupational Employment Statistics, May 2010, Riverside-San Bernardino-Ontario, CA, " accessed August 2011 (http://www.bls.gov/oes/current/oes_40140.htm)

As shown in Figure 4.6, agriculture competes with a number of other higher-paying industries for hired labor. Compared to other skilled and semi-skilled employment, agricultural salaries lag behind most of their counterparts across the region. Construction jobs, for example, have highest mean salary of the group at $48,720 a year. Additionally, three of the four largest occupations in the Inland Empire – office and administrative support, sales and related occupations, and transportation and material moving – all provide higher mean salaries for employees with semi-skilled or low-skilled backgrounds. In fact the third-largest occupation, food preparation and serving, had a mean annual salary only $90 below that of agriculture.

Jack King, of the California Farm Bureau Federation, pointed out that even agricultural wages increases were not enough to draw an adequate amount of agricultural workers. He

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stated that even with raises, the soft market will only allow agriculture to make limited raises.[3]

It should be noted that the farming employment figure does not take into account family labor and other non-paid employment. That said, the total employment and mean annual salary for agriculture do not compare favorably to other equivalent employment opportunities in the region, particularly as the agricultural industry continues to decline relative to other industries such as transportation and construction.

4.5. Strong Agricultural Competition from Central Valley

The fifth barrier involves competition with the southern Central Valley for agricultural production, particularly with respect to the dairy industry. The dairy industry comprises the production of milk, meat, and feed, such as alfalfa and hay. Milk is the largest agricultural product for San Bernardino County, and it is the second largest in Riverside County. As shown in Figure 4.7 below, dairy and nursery production accounts for approximately 45.4 percent of all agricultural production in the Inland Empire. In fact, dairy alone accounts for approximately one-third of all agriculture in the region.

Figure 4.7
Agriculture in the Region

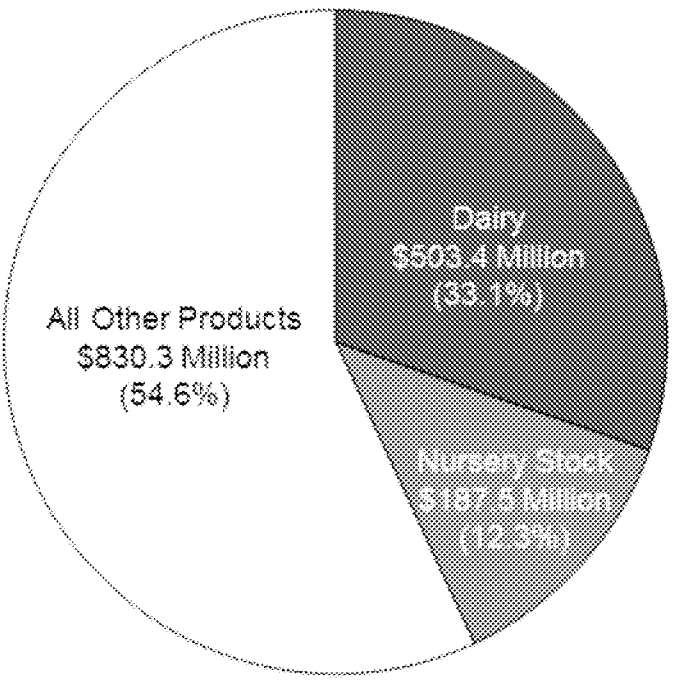

SOURCE: Department of Agriculture/Weights and Measures, County of San Bernardino, Crop and Livestock Report, Assorted Years; Agricultural Commissioner's Office, County of Riverside, Riverside County Annual Production Report, Assorted Years

[3] Andrew Silva, "Lack of laborers leaves crops to rot," Inland Valley Daily Bulletin (Ontario, CA), December 13, 2006.

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Bill Van Leeuwen, a dairy farmer from the region, has expressed surprise at the speed with which the milk industry is leaving the Inland Empire for places such as the Central Valley.[4]

The Central Valley produces milk more cheaply than the Inland Empire does. In the Southern California region (consisting of San Luis Obispo, Santa Barbara, San Bernardino, Los Angeles, Riverside, Imperial and San Diego counties), the average total investment per cow is $274 more than in the Southern Central Valley (consisting of Fresno, Tulare, Kings and Kern counties). The average total investment per cow takes into account all expenses, capital costs, and operating costs for every cow on the dairy. This is shown in Figure 4.8 below.

Moreover, dairy production in the Central Valley is far larger than that in the Inland Empire. The total number of milk cows in Tulare County alone (502,395) more than quadruples the number in the Southern California region. This is also shown in Figure 4.8 below.

Figure 4.8
Total Dairy Costs, 2010

	Southern California	**Southern Central Valley**
Average Total Investment per Cow	$2,993	$2,719
Total Cows	119,805 (San Bernardino and Riverside)	983,954
Hourly Wage, All Hired Labor	$16.23	$13.78

SOURCE: California Department of Food and Agriculture, "California Dairy Statistics," 2010 Data; California Department of Food and Agriculture, "Cost of Production" 2010 Annual Report

Additionally, hourly wages are roughly $2.50 higher in the Southern California region than the Central Valley. The cheaper costs to operate in the Southern Central Valley can make a significant difference in the bottom line of dairy producers. In fact, there has been anecdotal evidence of dairy ranchers selling land in the Inland Empire and using those profits to open or expand dairy operations in the Central Valley.

[4] Jerry Hirsch, "Dairies Moving Out of Inland Empire," Los Angeles Times, January 9, 2006.

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5. Conclusion

Our analysis shows that agriculture is small compared to other industries in the Inland Empire – Riverside and San Bernardino Counties – and is continuing to decline in importance in the region. We identify a number of systemic and regional economic factors that create significant economic barriers to the continued viability of agriculture in the Inland Empire. These barriers include the growth in demand for housing and development; the growth in the trade and transportation sectors; increased restrictions on water; higher wages in other industries; and strong agricultural competition from the Central Valley.

It should be pointed out that the decline of agriculture in the Inland Empire and the barriers to its viability are independent of any land use policies pursued by Riverside and San Bernardino Counties. That is, the market forces affecting agricultural production in Riverside and San Bernardino Counties will continue to shrink the industry in the future regardless of potential local efforts to preserve agricultural production through land use policies or other similar measures.

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JUSTIN L. ADAMS, PH.D.
Director
Chang & Adams Consulting

PROFILE: A seasoned political economist who brings a combination of practical and theoretical expertise in public policy as well as fiscal and economic analysis. Over 12 years of experience as a consultant and an executive in state government. A Ph.D. with deep knowledge of economics, political science, game theory, and public policy. Familiarity with techniques for surveying and analyzing large data sets, including regression analysis.

PROFESSIONAL EXPERIENCE:

07/09 – present **Chang & Adams Consulting** Sacramento, CA
Director
- Provide economic analysis and strategy consulting to Fortune 1000 companies at the intersection of the public- and private-sectors. Provide policy, economic, and public finance analysis as well as operations consulting for government agencies and not-for-profit organizations.

10/07 – 06/09 **Forward Observer, Inc.** Sacramento, CA
Director of Economics
- Led the economics business unit of a political and public policy consulting firm. Oversaw the development of all of the firm's fiscal and economic studies, approved their analytical methodologies, and testified in front of the Legislative Analyst's Office.

08/01 – 09/07 **The RAND Corporation** Santa Monica, CA
Associate Economist
- Specialized in research and analysis focusing on domestic and international economic development, defense economics, and the economics of public-sector organizations. Projects included performance-based logistics and information technology consulting for the U.S. Army; purchasing and supply management best practices for the U.S. Air Force; and, the design of a viable economy for an independent Palestinian state. Developed growth accounting models and other economic frameworks to guide the analyses, and supplemented these analyses with surveys and insights drawn from expert interviews and background research.

06/96 – 09/97 **California Department of Transportation** Sacramento, CA
Special Assistant to the Chief Deputy Director
- Supported the COO of a $6 billion, 17,000-person organization. Managed Caltrans' $200 million Administrative Program, providing accounting, personnel, information technology and facilities services to the entire department. Led cross-functional team in reorganization of Caltrans' administrative service units. Collaborated on executive-level teams to spin off Equipment Service Center, streamline Caltrans, and protect California's infrastructure.

03/95 – 05/96 **California Department of Housing and Community Development** Sacramento, CA
Assistant for Policy Development
- A member of the Department's executive staff. Analyzed the fiscal and economic impact to California of state and federal legislation affecting housing. Authored policy white papers on homelessness and departmental reorganization.

08/94 – 02/95 **California Office of the Governor** Sacramento, CA
Staff Economist
- Analyzed the fiscal and economic impact to California of federal appropriations, clean air regulations, and natural disasters.

EDUCATION: **Stanford University Graduate School of Business** Stanford, CA
Ph.D., Business. Specialization in Political Economics
Dissertation: *Expertise vs. Control in the U.S. Congress*

Stanford University Stanford, CA
A.M., Political Science

Stanford University Stanford, CA
A.B., Economics and Political Science

FELLOWSHIPS AND AWARDS:

1998-99	Public Affairs Fellow, Hoover Institution on War, Revolution and Peace	Stanford, CA
1990-94	Stanford Graduate School of Business Fellowship	Stanford, CA
1990	National Science Foundation Minority Graduate Fellow, Economics	Stanford, CA

ANDREW J. CHANG
Managing Director
Chang & Adams Consulting

PROFILE: Seventeen years of experience working with both high-level executives and operations staff on sensitive issues under tight deadlines in both the private and public sectors. Eight years strategy and operations consulting experience with emphasis on customer analysis and market entry strategies. Twelve years public policy development and implementation experience in California State government. Extensive experience working with a broad array of stakeholders to design, implement and monitor organizational initiatives.

PROFESSIONAL EXPERIENCE:

07/09 – present **Chang & Adams Consulting** Sacramento, CA
Managing Director
- Provide business intelligence and strategy consulting to Fortune 1000 companies with an emphasis on private sector interaction with government. Private sector specialization in assessing and identifying new market opportunities and developing strategies to enter new markets. Public sector emphasis on public policy, economic and public finance analysis and operations management consulting.

04/07 – 07/09 **Forward Observer, Inc.** Sacramento, CA
Vice President
- Provide business intelligence and strategy consulting to Fortune 1000 companies to support market entry initiatives. Provide business-political risk and due diligence assessment for investment companies. Conduct fiscal, economic and public policy assessments.

08/04 – 04/07 **California Department of General Services** Sacramento, CA
Chief Deputy Director
- Chief Financial and Operations Officer of a state department with $1 billion annual operating budget, thirteen business units and 4,000 employees. Oversaw the state's procurement and real estate operations. Also responsible for the state's telecommunications, automobile fleet, printing, warehousing, insurance and school construction operations.
- Special assignment to the Governor's Office to serve as chief staff economist for the Governor's Council of Economic Advisors. Facilitated Council meetings, prepared written briefings for the Governor on policy issues for consideration and assisted Council members with original research to present at the Council meetings.
- Special assignment to the California Department of Corrections and Rehabilitation to assess the agencies procurement operations and develop recommendations to improve procedures and operations.

06/00 – 08/04 **A.T. Kearney, Inc.** San Francisco, CA
Senior/Engagement Manager (06/02 – 08/04)
- Lead teams to develop strategies for new lines of business for a Fortune 1000 technology company, a national consumer products consortium and an international consumer products retail company.
- Lead teams to develop strategies to both acquire and sell technology services, R&D and manufacturing business units.
- Analytic and modeling methods subject matter expert. Finance and Accounting business processes subject matter expert.

Associate Management Consultant (06/00 – 06/02)
- Conduct research and develop recommendations for various clients in the high technology and consumer products industries.

12/98 – 02/00 **MGT of America, Inc.** Sacramento, CA
Senior Management Consultant
- Implemented studies to improve finances and operations for Cleveland Unified School District, Florida State University and the California Resources Agency.

10/95 – 12/98 **California State and Consumer Services Agency** Sacramento, CA
Assistant Secretary for Policy and Operations
- Executive of a government agency with an annual operating budget of $1.3 billion, twelve departments and over 14,000 employees.
- Under supervision of the Secretary, guided agency and department policies, budgets and strategic plans.

05/95 – 10/95 **Personal Staff of Governor Pete Wilson** Sacramento, CA
Chief Economist/Deputy Issues Director
- Managed the development of national tax, trade, environment, agriculture and crime policies for Governor Pete Wilson's presidential campaign.

09/93 – 05/95 **California Office of the Governor** Sacramento, CA
Deputy Chief Economist
- Lead research teams to assess the economic and fiscal impact of tax, economic development, health care and immigration policies.

EDUCATION: **University of Michigan** Ann Arbor, MI
Master of Business Administration Essentials (1 of 30 A.T. Kearney consultants selected globally to participate in a tailored executive MBA program.)

Georgetown University Washington, DC
Master of Public Policy

University of California Berkeley, CA
Bachelor of Arts

CBRE CONSULTING

CBRE
CB RICHARD ELLIS

355 South Grand Avenue, Suite 1200
Los Angeles, CA 90071-1549

T 213 613 3750
F 213 613 3780
www.cbre.com

January 19, 2009

Dana Whitmer
Vice President
Sares Regis Group
18802 Bardeen Avenue
Irvine, CA 92612

Re: Economic Viability of Agriculture in the West Inland Empire

Dear Mr. Whitmer:

Per your request CBRE Consulting has examined the economic and market trends affecting agriculture operations throughout California, with particular attention to the specific challenges relative to the communities of Chino and Ontario in the western Inland Empire.

Founded in 1978 as Sedway Group, CBRE Consulting is a nationally recognized full-service real estate and urban economics consulting firm with offices in Los Angeles and San Francisco. CBRE brings a multi-disciplined approach to property evaluation of all major land use types. CBRE specializes in real estate market analysis, economic development studies for residential, commercial and industrial projects throughout California and the western United States.

BACKGROUND

The Inland Empire once held the largest concentration of dairies in the world, with most of them in the Chino/Ontario basin. This region is now facing tremendous urbanization and development pressures. According to the San Bernardino County General Plan, the agricultural land is continually declining. According to the State of California, Department of Conservation, the County lost 47,000 cares of farmland from 1990 through 2002. Riverside County lost 50,000 acres in prime farmland over the same period.

For this analysis, CBRE performed an extensive internet/literature search relative to the economics of agricultural and dairy farming to understand the economic and other challenges to continued agriculture uses in the Inland Empire. CBRE also gathered relevant demographic, real estate and other economic data to illustrate historic and projected land use trends near Chino and the western Inland Empire.

There are many factors which demonstrate the infeasibility of agriculture production in Western Inland Empire, resulting in many dairy operators moving to Kern County.

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- Urbanization in the Inland Empire, resulting in dramatically increasing land prices,
- Higher water and labor costs;
- Environmental regulation (insects, odors, ground water contamination and solid waste removal) and,
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

1. **Increasing Land Values**
   Due to competing land uses, land prices have increased dramatically in the area in excess of $300,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of the Ontario Sphere of Influence General Plan in 1998, which provided for significant residential and commercial development, encouraged the farmers to sell their land and relocate.

2. **Conflicts between Urban Neighbors and Dairy Farms**
   The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

3. **Increasingly Stringent Environmental Regulations**
   The Region 8 Water Board, which encompasses Chino/Ontario, was among the first to develop environmental regulations to control dairy operations, with increasing restrictions imposed in 1994, 1999 and 2004, as the proximity of urban neighborhoods, contamination of ground water and air pollution started raised more concerns.

4. **Competition from Central Valley**
   The dairy farmers in the Chino basin face stiff competition from the farmers in the Central Valley because of "high operating costs, including high feed costs and the cost of manure disposal" (Ontario Sphere of Influence General Plan, which is hereby incorporated by reference).

   A study published in Agriculture and Resource Economics Review in 2008 demonstrated the effect of environmental regulations over time and the growth in dairy industries, attributed to the cheap land and relatively weak regulations in the Central Valley.

   According to CDFA, milk production has declined by 55 percent in San Bernardino County between 2003 and 2007, while production increased by 88 percent in Kern County.

   Figures 1 and 2 on the following page show trends in the number of milk cows in the Central Valley (Region 5) as compared to the loss in Region 8 from 1980 to 2008.

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Figure: 1
Milk Cows in Counties of Region 5 Central Valley

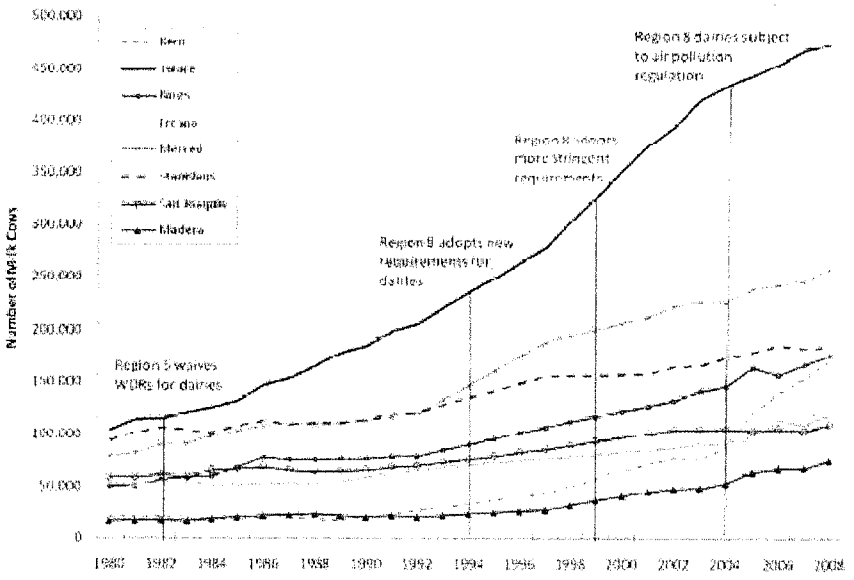

Source: Steeringer and Hogle, 2008

Figure: 2
Milk Cows in Region 8 – Inland Empire

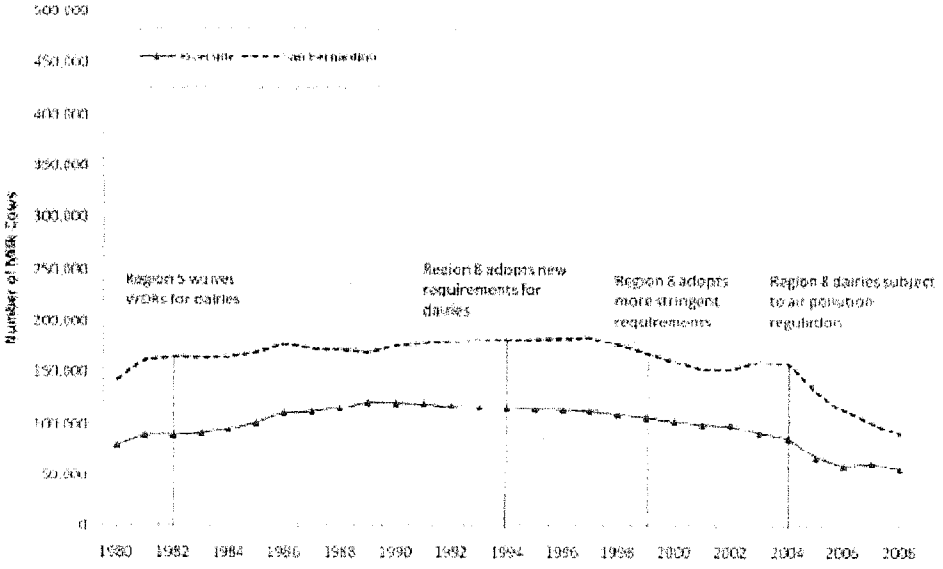

Source: Steeringer and Hogle, 2008

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The Central Valley farmers also face few development pressures as compared to the Chino area and they benefit from diverse farm economy, which is no longer present in the Chino basin. For example, the farmers use dairy waste to fertilize their own crops or of the neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

5. Operating Costs

According to the CDFA, production costs in dairy industry have risen by 50 percent since 2002 in California, putting more pressure on dairy farmers to cut other costs. Figure 3 below shows the growth in cost of production per CWT from 2002 to 3rd quarter 2008.

Figure 3
Cost of Production in the California Dairy Industry

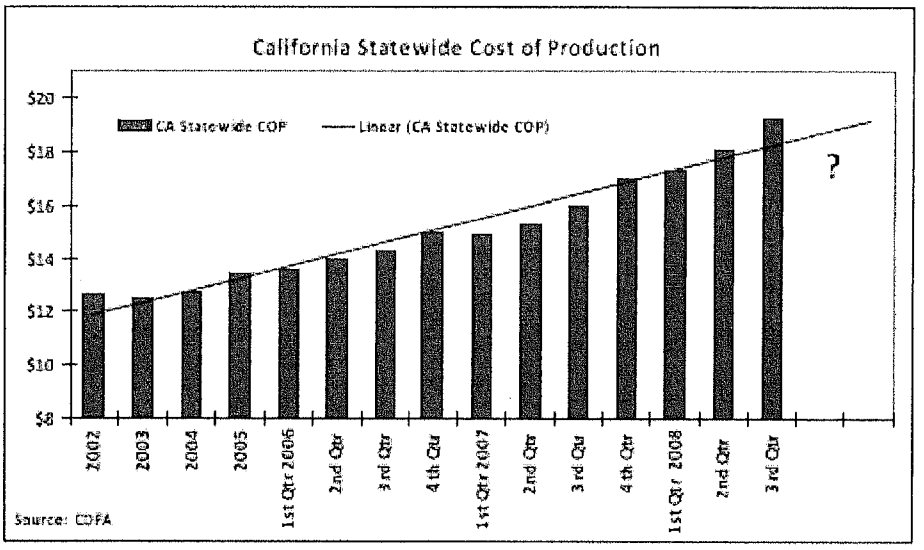

Source: California Department of Food and Agriculture, 2008

Labor Costs

There is a shortage of labor in the dairy industry. Many agricultural workers are looking for higher paying jobs in non-agricultural industries according to the CDFA, which makes it difficult for the dairy farmers to compete for labor and leads to increased labor costs.

The issue of immigration and compliance also leads to labor problems. As shown in Figure 4 there is significant difference in labor costs in the different milk-producing regions of California. In the chart, South Valley represents the counties of the Central Valley composed of Fresno, Kings, Tulare and Kern County. Overall labor costs are 25 percent higher in the Southern California region as compared to the statewide average.

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Figure 4 – Labor Costs, 2007

Labor Costs	North Coast	North Valley	South Valley	Southern California	2007 State Average
Per Hired Milker					
Hourly Cash Wage	$8.77	$10.29	$9.82	$12.38	$10.02
Hourly Perquisites (1)	1.84	2.24	0.95	1.49	1.40
Hourly Wage (2)	12.53	14.60	12.67	16.52	13.40
Per Hired Labor					
Hourly Cash Wage	8.87	10.88	11.36	13.79	11.18
Hourly Perquisites (1)	1.58	2.49	1.44	1.52	1.86
Hourly Wage (2)	12.40	15.56	14.94	18.18	15.21
Per All Hired					
Hourly Cash Wage	8.81	10.55	10.37	12.89	10.47
Hourly Wage (2)	12.48	15.03	13.48	17.12	14.10

(1) Includes Fair Market Value For Housing Supplied By Employer, Health Insurance, Meat, Etc.
(2) Includes Cash Wages, Perquisites, and Employment Taxes Paid by Employer

Source: *Cost of production, 2007, California Department of Food and Agriculture (CDFA)*

Water and Feed Costs
The San Bernardino County General Plan indicates that increasing cost of water is another reason for the conversion of agricultural land into other uses. Dairying itself does not need as much water, but increasing cost and lower supply of water affects the feed supply for dairy. Dairy producers rely on alfalfa produced in the state as the source for their feed supply. If production of alfalfa is curtailed, the dairy farmers will incur high costs in getting the feed from outside the area.

Waste Disposal Costs
It is estimated that the cows in Chino corrals[1] produce 500,000 tons of manure every year. With nearby farmland, encroached by urbanization, the cost of waste disposal increases, as distances to where the waste can be disposed increases, as well as the frequency of disposal that is required. As a result many farmers need to hire professional corral cleaners, which increases costs by up to $50,000 a year.

Commercial/Industrial and Residential Development Trends

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino County. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Chino, there have been almost 4,000 new housing units

[1] An enclosure for confining livestock

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built since 2000, with median housing prices tripling by 2007 (still more than doubling after the dramatic 2008 market declines).

Industrial development in the West Inland Empire region has seen similar growth with inventory increasing by 40 percent, or 75 million square feet since 2000. In Chino the growth has been over 50 percent, with 13 million square feet built in past eight years.

As a result of these trends, average land prices in the Inland Empire have increased to over $300,000 per acre, which compares to Kern County land values of less than $50,000 per acre

See Appendix Exhibits A-1 through A-6 for detailed trends in Chino/Inland Empire population, employment, residential building permits, home prices, industrial markets and land prices. Exhibit A-7 illustrates land sales in Kern County over the past three years.

Conclusion

Agriculture is being been significantly impacted by numerous economic, political and regulatory factors. As a result over 100,000 acres of farmland has been taken out of service since 1990 and is being redeveloped for residential, commercial and industrial uses. With massively lower land costs and less regulation, dairy operators have been steadily moving out of the Inland Empire towards Central Valley, Barstow and Kern County.

Continued agricultural operations are not financially feasible in western San Bernardino County. Agricultural operations of all types will continue to decline as a result of the economic forces at work impacting land owners. Agricultural operator's business decisions to cease production in western San Bernardino County will continue to occur regardless of land use decisions made by local agencies. In other words, land designated for agricultural use has little impact on the continued declining agricultural trends in western San Bernardino County.

Respectfully submitted,

Thomas R. Jirovsky
Senior Managing Director

Attachment

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Exhibit A-1:

POPULATION, HOUSEHOLD & EMPLOYMENT TRENDS

City of Chino and Inland Empire Region, 1990 - 2028

	1990	2000	2008	2013	2018	2023	2028	
City of Chino								
Population	59,542	67,159	80,840	87,171	95,363	103,310	110,925	
Households	15,591	17,302	20,037	22,439	25,267	28,129	31,011	
Employment (1)	--	34,055	40,083	43,601	46,369	49,176	52,014	
Inland Empire								
Population	2,588,793	3,254,821	4,170,780	4,412,362	4,860,408	5,288,378	5,694,330	
Households	866,804	1,034,812	1,297,214	1,408,835	1,589,394	1,770,540	1,951,244	
Employment (1)	--	1,121,464	1,403,755	1,622,181	1,837,011	2,055,234	2,276,332	
Growth - #		**1990-2000**	**2000-08**	**2008-13**	**2013-18**	**2018-23**	**2023-28**	**2008-28 Total**
City of Chino								
Population		7,617	13,681	6,331	8,192	7,947	7,615	30,085
Households		1,711	2,735	2,402	2,828	2,862	2,882	10,974
Employment (1)		--	6,028	3,518	2,769	2,806	2,838	11,931
Inland Empire								
Population		666,028	915,959	241,582	448,046	427,970	405,952	1,523,550
Households		168,008	262,402	111,621	180,559	181,147	180,704	654,030
Employment (1)		--	282,291	218,426	214,830	218,223	221,097	872,577
Growth - % CAGR		**1990-2000**	**2000-08**	**2008-13**	**2013-18**	**2018-23**	**2023-28**	**2008-28**
City of Chino								
Population		1.2%	2.3%	1.5%	1.8%	1.6%	1.4%	1.6%
Households		1.0%	1.9%	2.3%	2.4%	2.2%	2.0%	2.2%
Employment (1)		--	2.1%	1.7%	1.2%	1.2%	1.1%	1.3%
Inland Empire								
Population		2.3%	3.1%	1.1%	2.0%	1.7%	1.5%	1.6%
Households		1.8%	2.9%	1.7%	2.4%	2.2%	2.0%	2.1%
Employment (1)		--	2.8%	2.9%	2.5%	2.3%	2.1%	2.4%

Sources: Southern California Association of Governments (SCAG); Claritas; and CBRE Consulting

(1) Daytime employment data available from the year 2000.

(2) Projections based on forecast growth rates in population, households and employment according to SCAG.

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Exhibit A-2:
RESIDENT EMPLOYMENT TRENDS BY INDUSTRY & OCCUPATION
US Census, 1990 and 2000

	City of Chino, California					Inland Empire Region, CA				
	1990		2000		Change	1990		2000		Change
	#	%	#	%	('90-'00)	#	%	#	%	('90-'00)
RESIDENT EMPLOYMENT BY INDUSTRY										
Agriculture, forestry, and fisheries	**995**	*4.0%*	**378**	*1.4%*	**-62.0%**	**36,314**	*3.4%*	**18,997**	*1.5%*	**-47.7%**
Construction	2,172	*8.6%*	1,904	*7.1%*	-12.3%	109,894	*10.2%*	105,268	*8.3%*	-4.2%
Manufacturing	5,062	*20.1%*	4,660	*17.3%*	-7.9%	161,282	*14.9%*	157,003	*12.4%*	-2.7%
Transportation, Communication & Utilities	1,921	*7.6%*	1,907	*7.1%*	-0.7%	79,357	*7.4%*	78,459	*6.2%*	-1.1%
Wholesale trade	1,148	*4.6%*	1,355	*5.0%*	18.0%	44,018	*4.1%*	48,574	*3.8%*	10.4%
Retail trade	4,324	*17.2%*	3,360	*12.5%*	-22.3%	191,714	*17.8%*	160,926	*12.7%*	-16.1%
Finance, insurance, and real estate	1,811	*7.2%*	1,772	*6.6%*	-2.2%	68,174	*6.3%*	71,208	*5.6%*	4.5%
Services	6,404	*25.4%*	10,402	*38.6%*	62.4%	333,481	*30.9%*	557,909	*44.1%*	67.3%
Public administration	1,344	*5.3%*	1,243	*4.6%*	-7.5%	55,394	*5.1%*	65,784	*5.2%*	18.8%
RESIDENT EMPLOYMENT BY OCCUPATION										
Managerial & professional specialty	5,777	*22.9%*	7,702	*28.5%*	33.3%	253,002	*23.4%*	353,835	*28.0%*	39.9%
Technical, sales, & administrative support	8,655	*34.4%*	7,920	*29.4%*	-8.5%	338,842	*31.4%*	343,542	*27.2%*	1.4%
Service occupations, excl. Farming	6,098	*24.2%*	3,649	*13.5%*	-40.2%	297,318	*27.5%*	210,174	*16.6%*	-29.3%
Farming, forestry, & fishing	**825**	*3.3%*	**230**	*0.9%*	**-72.1%**	**31,593**	*2.9%*	**12,539**	*1.0%*	**-60.3%**
Operators, fabricators, & laborers	3,826	*15.2%*	7,480	*27.7%*	95.5%	158,873	*14.7%*	344,038	*27.2%*	116.5%

Sources: US Census 1990 and 2000; and, CBRE Consulting

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Exhibit A-3:

RESIDENTIAL BUILDING PERMIT TRENDS

City of Chino and Inland Empire, 2003 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008 YTD (1)	Total
CITY OF CHINO											
Number of Units											
Single Family	208	97	213	290	133	461	548	1,530	270	233	3,983
2-4 Units	2	0	0	6	0	6	3	2	10	11	40
Over 5 Units	0	0	0	0	0	46	0	0	5	0	51
Total	**210**	**97**	**213**	**296**	**133**	**513**	**551**	**1,532**	**285**	**244**	**4,074**
INLAND EMPIRE											
Number of Units											
Single Family	18,776	18,824	23,588	29,876	35,965	43,029	43,911	33,001	15,807	5,723	268,500
2-4 Units	154	169	335	323	719	1,085	971	943	717	218	5,634
Over 5 Units	1,730	2,198	3,486	2,103	5,568	7,206	3,887	3,609	3,346	2,667	35,800
Total	**20,660**	**21,191**	**27,409**	**32,302**	**42,252**	**51,320**	**48,769**	**37,553**	**19,870**	**8,608**	**309,934**

Source: US Census Bureau; and CBRE Consulting

(1) Year-to-date figures are through November.

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Exhibit A-4:

SINGLE FAMILY DETACHED AND CONDOMINIUM RESALES AND MEDIAN PRICES

1999 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	CAGR (1) 1999-2007	2008 YTD (2)
CITY OF CHINO											
Single Family Detached											
Number of Sales	771	742	734	824	807	812	892	638	383	-8.4%	390
Median Price	$165,000	$180,000	$200,000	$245,000	$293,000	$393,000	$468,000	$510,000	$493,000	14.7%	$348,828
Median Price per Sq. Ft.	$107	$117	$130	$150	$186	$242	$282	$316	$299	13.7%	$205
Condominium											
Number of Sales	176	177	249	227	270	297	249	199	114	-5.3%	75
Median Price	$89,000	$101,000	$213,000	$139,000	$172,000	$257,000	$350,000	$360,000	$349,000	18.6%	$220,000
INLAND EMPIRE (3)											
Single Family Detached											
Number of Sales	53,616	53,280	53,402	60,923	66,117	71,107	77,105	57,655	34,418	-5.4%	47,428
Median Price	$114,093	$127,093	$147,072	$169,301	$209,463	$279,000	$351,000	$384,000	$371,000	15.9%	$237,000
Median Price per Sq. Ft.	$80	$89	$100	$114	$139	$183	$225	$243	$219	13.4%	$129
Condominium											
Number of Sales	7,907	8,241	7,523	9,135	9,556	10,125	9,208	6,234	4,526	-6.7%	3,818
Median Price	$110,654	$125,616	$134,856	$156,656	$185,689	$246,000	$305,000	$324,000	$309,000	13.7%	$235,000

Source: DataQuick; and CBRE Consulting

(1) CAGR is the Compounded attached product.
(2) Through November of 2008.
(3) Counties of Riverside and San Bernardino.

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Exhibit A-5:

INDUSTRIAL MARKET TRENDS (Including Manufacturing, Warehouse/Distribution and Flex/R&D Space)

All Industrial Space, 2000 - 2008

Annual Trend by Market Area	SUPPLY				DEMAND				LEASE RATE ($/SF/Yr.) (1,2)
	Inventory Bldgs.	Inventory GLA (SF)	Vacancy Rate % (1)	SF Delivered	Availability Rate % (1)	Total Deals	Total SF Leased	SF Net Absorption	
CITY OF CHINO									
2000	700	26,193,974	6.3%	1,324,718	6.2%	48	2,837,298	2,066,088	$4.22
2001	740	29,556,952	9.1%	3,356,978	7.0%	69	3,992,191	1,143,131	4.23
2002	746	30,987,160	9.5%	1,430,208	6.7%	62	1,837,843	2,333,176	4.22
2003	759	31,808,016	6.9%	840,856	5.3%	70	3,269,765	1,233,039	4.28
2004	810	34,244,597	5.8%	2,436,581	4.8%	58	2,298,219	2,646,719	4.05
2005	839	35,806,075	6.0%	1,561,478	3.2%	49	4,086,926	1,408,611	4.37
2006	890	36,983,611	4.1%	1,177,536	3.2%	90	2,519,670	1,741,256	4.89
2007	920	37,807,715	3.5%	824,104	1.9%	79	3,439,874	1,253,582	5.27
2008	940	39,388,723	3.8%	1,532,073	3.0%	92	1,272,884	236,914	5.62
Total				**14,484,532**		617	25,554,670	14,062,516	
INLAND EMPIRE - WEST									
2000	4,525	182,350,197	7.0%	11,832,057	6.0%	327	20,719,392	11,652,452	$4.33
2001	4,647	196,559,678	9.1%	14,229,605	7.0%	386	16,767,690	7,590,465	4.10
2002	4,733	205,652,089	9.7%	9,112,241	8.0%	449	14,359,710	10,426,034	4.07
2003	4,846	212,236,879	8.1%	6,616,190	6.9%	420	17,009,833	8,889,859	4.10
2004	5,020	221,351,863	6.7%	9,114,984	5.1%	520	15,696,199	11,621,860	4.16
2005	5,193	231,106,533	5.9%	9,754,670	4.1%	428	17,533,422	9,322,643	4.37
2006	5,354	241,718,326	6.6%	10,693,858	5.2%	556	14,797,337	7,318,331	4.76
2007	5,517	247,095,120	4.9%	5,357,915	3.5%	492	18,765,295	10,781,364	5.28
2008	5,605	256,069,663	7.0%	8,902,188	6.3%	656	12,466,952	(807,685)	5.50
Total				**85,613,708**		4,234	148,115,830	76,795,323	

Sources: Costar Group Inc., 2008; and, CBRE Consulting

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Exhibit A-6:

LAND SALES IN THE CITY OF CHINO

5+ Acres' Land Sales, 2005 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address	Property Name	Land Improvements	Zoning	Acres	Land SF	Sale Date	Sale Price	$/Acre
1	8649 Merrill Ave	Land			83.5	3,635,082	11/30/2006	$36,050,400	$432,000
2	8711 Pine Ave	Single Family Residence Site	Previously developed lot	LDR, Chino	51.3	2,233,321	4/17/2006	14,242,000	277,784
3	Bickmore Ave	Warehouse/distribution Site	Raw land	M2, Chino	33.2	1,444,014	10/4/2005	14,229,525	429,247
4	7851 Bickmore Ave	H & R Westra Dairy Land	Raw land	N/Av, Chino	27.7	1,206,612	6/30/2006	6,248,000	225,560
5	4619 Eucalyptus Ave	26.67 acres		C	26.7	1,161,745	11/9/2006	6,774,500	254,012
6	Riverside Dr	Single Family Residence Site	Not Available	N/Av, Chino	23.6	1,028,016	3/29/2006	4,250,000	180,085
7	Mountain Ave	M2 Zoned Acreage	Raw land	M2, Chino	19.1	832,919	11/4/2005	1,102,000	57,632
8	7850 Bickmore Ave	Mdr Zoned Land	None	MDR, Chino	18.8	817,246	10/5/2005	6,097,000	324,976
9	Kimball Ave	Lewis Preserve	Finished lot	PD, Chino	18.8	817,185	7/15/2005	11,300,000	602,346
10	4500 Chino Hills Pky	The Village At Chino Walk	Raw land	CO, Chino	12.8	558,439	2/10/2006	7,889,000	615,367
11	13945 Ramona Ave	Planned Industrial Development Site	Fully Improved Lot	M2, Chino	9.0	392,911	11/3/2005	935,000	103,659
12	7.19 Acres Mountain Ave				7.2	313,196	9/4/2007	725,000	100,835
13	15757 Mountain Ave				6.2	270,072	10/12/2006	5,075,000	818,548
14	Kimball Ave	58 Lot Condominums Site	Raw land	RD8, Chino	6.1	266,587	7/22/2005	7,431,000	1,214,217
15	12594 Roswell Ave		Previously developed lot	RD-20M	4.9	214,315	7/22/2005	1,100,000	223,577
16	13116-13142 Norton Ave	Residential Zoned Acreage		RS-1, SB County	4.8	211,004	9/19/2006	1,625,000	335,468
							Land Sales Avg.:		**$353,718**
							Land Sales Median:		**$301,380**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information as reported by the Costar Group are presented.

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Exhibit A-7:

LAND SALES IN KERN COUNTY

Commercial, Industrial and Residential Land Sales, 2005 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address in City of Chino	City	Property Name/Land Imp.	Zoning	Acres	Land SF	Sale Date	Sale Price	$/Acre
1	SE Elmo Hwy @ Elmo Hwy & Browning Rd	Mc Farland	Falcon Heights		135.0	5,880,600	11/15/2007	$2,142,000	$15,867
2	Pacheco Rd	Bakersfield	Vacant Land 67.57 Acres	M-3, Bakersfield	67.6	2,943,349	10/10/2008	2,500,000	36,999
3	1234 Willow Springs Rd	Mojave			40.0	1,742,400	12/19/2008	128,000	3,200
4	Scofield Rd	Wasco	Wasco Valley Rose - vacant land		40.0	1,742,400	9/29/2006	1,999,582	49,990
5	Mojave Tropical Rd	Rosamond			40.0	1,742,400	6/7/2007	335,000	8,375
6	NW Hanawalt Ave @ Hanawalt & Mast Ave	Mc Farland	Sierra Springs		38.2	1,665,655	11/15/2007	599,000	15,665
7	16701 Brimhall Rd	Bakersfield		E-1 RS, Bakersfield	35.0	1,524,164	12/7/2007	2,000,000	57,159
8	17174 Highway 14	Mojave		M-2	34.4	1,496,286	2/22/2008	550,000	16,012
9	4057-4061 Industrial Pky	Lebec	Tejon Industrial Complex - Bldg. U.C.		23.8	1,034,550	7/1/2008	2,500,000	105,263
10	College Heights Blvd @ Kendall Avenue	Ridgecrest	Villas at College Heights		22.7	988,812	3/22/2007	2,300,000	101,322
11	Stockdale Hwy @ Heath	Bakersfield		Commercial	20.0	871,200	5/1/2007	3,600,000	180,000
12	Archibald Ave	Maricopa	Parcel 4		20.0	871,200	4/20/2007	165,000	8,250
13	Johnson Rd @ Driver	Bakersfield		A-1	20.0	871,200	9/11/2007	1,000,000	50,000
14	Wheeler Ridge Rd @ Creekside Dr.	Arvin	Wheeler Ridge Site		19.5	847,242	11/17/2008	379,990	19,537
15	132 White Ln	Bakersfield	3 Buildings apx 2,555 SF	Light Industrial	15.5	673,002	11/28/2007	1,300,000	84,142
16	Avenue A & 120th W	Rosamond	no zoning restrictions		14.5	631,620	1/24/2007	125,000	8,621
17	Henry Rd	Taft		M-2	14.3	620,730	2/5/2008	505,000	35,439
18	NWC McCutchen & Gosford Rd	Bakersfield		C2	10.0	435,600	6/15/2007	2,275,000	227,500
19	Compagnoni St	Bakersfield			10.0	435,600	9/21/2007	650,000	65,000
20	Mercedes Blvd	California City	10 Acres	R2.5	10.0	435,600	5/4/2007	25,000	2,500
21	Redrock Randsburg Rd	North Edwards	Vacant Land-10 Acres		10.0	435,600	5/26/2006	20,000	2,000
22	Eucalyptus Dr (2 Properties)	Bakersfield	Multi-Property Sale		9.6	418,176	11/9/2007	980,000	102,083
23	5901 Mills Rd	Bakersfield	Mills Road Land		8.8	381,150	9/12/2007	820,000	93,714
24	S China Lake Blvd @ Bowmen Ave.	Ridgecrest	NEC of S. China Lake @ Bowman	GC, Ridgecrest	6.9	302,306	7/3/2008	1,500,000	216,139
25	1245 Kern St	Taft			6.4	279,655	8/31/2007	200,000	31,153
26	N Norma St @ West Ward Avenue	Ridgecrest		R-2	6.0	259,618	10/4/2006	420,000	70,470
27	W Day Ave @ Airport Drive	Bakersfield			5.8	250,470	10/4/2007	1,300,000	226,087
				Residential Land Sales Avg.:					**$44,347**
				Residential Land Sales Median:					**$49,990**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information as reported by the Costar Group are presented.

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355 South Grand Avenue, Suite 1200
Los Angeles, CA 90071-1549

T 213 613 3750
F 213 613 3780
www.cbre.com

March 18, 2009

Matt Englhard
Regional Development Officer
First Industrial Realty Trust, Inc.
114 Pacifica, Suite 220
Irvine, CA 92618

Re: Economic Viability of Agriculture in the East Inland Empire

Dear Mr. Englhard:

Per your request CBRE Consulting has examined the economic and market trends affecting agriculture operations throughout California, with particular attention to the specific challenges relative to the communities of Perris and Sun City in eastern Riverside County area of the Inland Empire.

Founded in 1978 as Sedway Group, CBRE Consulting is a nationally recognized full-service real estate and urban economics consulting firm with offices in Los Angeles and San Francisco. CBRE brings a multi-disciplined approach to property evaluation of all major land use types. CBRE specializes in real estate market analysis, economic development studies for residential, commercial and industrial projects throughout California and the western United States.

BACKGROUND

The Inland Empire once held the largest concentration of dairies and supporting agriculture (e.g., alfalfa farming) in the world. This region is now facing tremendous urbanization and development pressures. The agricultural land is continually declining in the Inland Empire. According to the State of California, Department of Conservation, Riverside County lost 50,000 acres of farmland from 1990 through 2002. San Bernardino County lost 47,000 acres in prime farmland over the same period.

For this analysis, CBRE performed an extensive internet/literature search relative to the economics of agricultural and dairy farming to understand the economic and other challenges to continued agriculture uses in the Inland Empire. CBRE also gathered relevant demographic, real estate and other economic data to illustrate historic and projected land use trends near Perris and the eastern Inland Empire.

There are many factors which demonstrate the infeasibility of agriculture production in Eastern Inland Empire, resulting in many dairy operators and supporting agricultural operations moving to Kern County.

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- Urbanization in the Inland Empire, resulting in dramatically increasing land prices,
- Higher water and labor costs;
- Environmental regulation (insects, odors, ground water contamination and solid waste removal) and,
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

1. **Increasing Land Values**
   Due to competing land uses, land prices have increased dramatically in the area in excess of $250,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of various General Plans in the Inland Empire emphasizing significant residential and commercial development have also encouraged the farmers to sell their land and relocate.

2. **Conflicts between Urban Neighbors and Dairy Farms**
   The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

3. **Increasingly Stringent Environmental Regulations**
   The Region 8 Water Board, which encompasses Perris, was among the first to develop environmental regulations to control dairy operations, with increasing restrictions imposed in 1994, 1999 and 2004, as the proximity of urban neighborhoods, contamination of ground water and air pollution started raised more concerns.

4. **Competition from Central Valley**
   The dairy farmers in the Inland Empire face stiff competition from the farmers in the Central Valley because of high operating costs, including high feed costs and the cost of manure disposal.

   A study published in Agriculture and Resource Economics Review in 2008 demonstrated the effect of environmental regulations over time and the growth in dairy industries, attributed to the cheap land and relatively weak regulations in the Central Valley.

   According to CDFA, milk production has declined by approximately 45 percent in Riverside County between 2002 and 2007, while production increased by 88 percent in Kern County.

   Figures 1 and 2 on the following page show trends in the number of milk cows in the Central Valley (Region 5) as compared to the loss in Region 8 from 1980 to 2008.

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Figure: 1
Milk Cows in Counties of Region 5 Central Valley

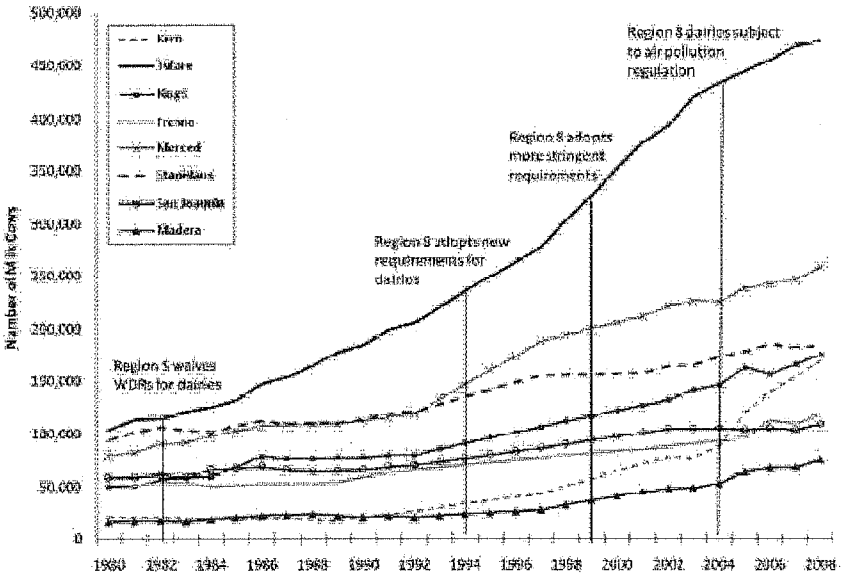

Source: Steeringer and Hogle, 2008

Figure: 2
Milk Cows in Region 8 – Inland Empire

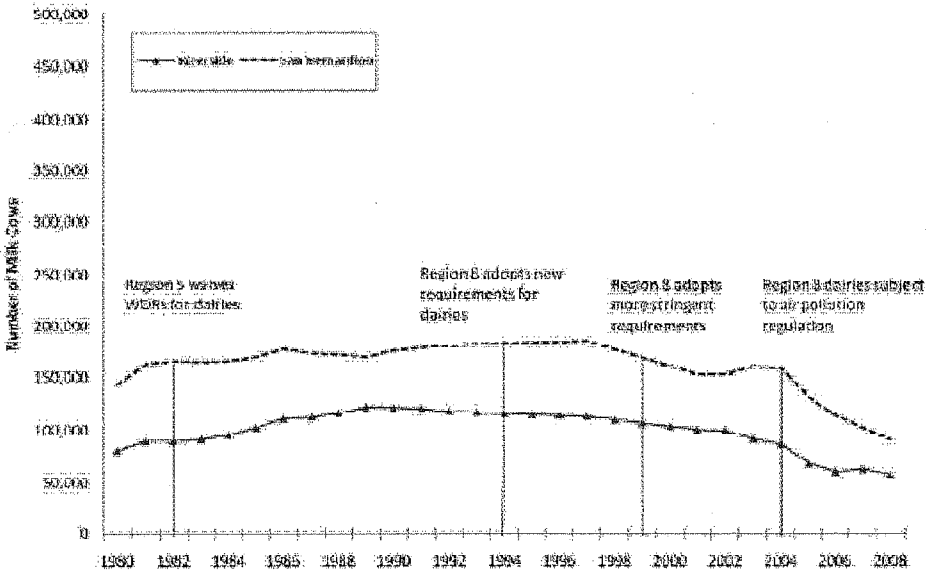

Source: Steeringer and Hogle, 2008

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The Central Valley farmers also face few development pressures as compared to the Inland Empire and they benefit from diverse farm economy. For example, the farmers use dairy waste to fertilize their own crops or of the neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

5. Operating Costs

According to the CDFA, production costs in dairy industry have risen by 50 percent since 2002 in California, putting more pressure on dairy farmers to cut other costs. Figure 3 below shows the growth in cost of production per CWT from 2002 to 3rd quarter 2008.

Figure 3
Cost of Production in the California Dairy Industry

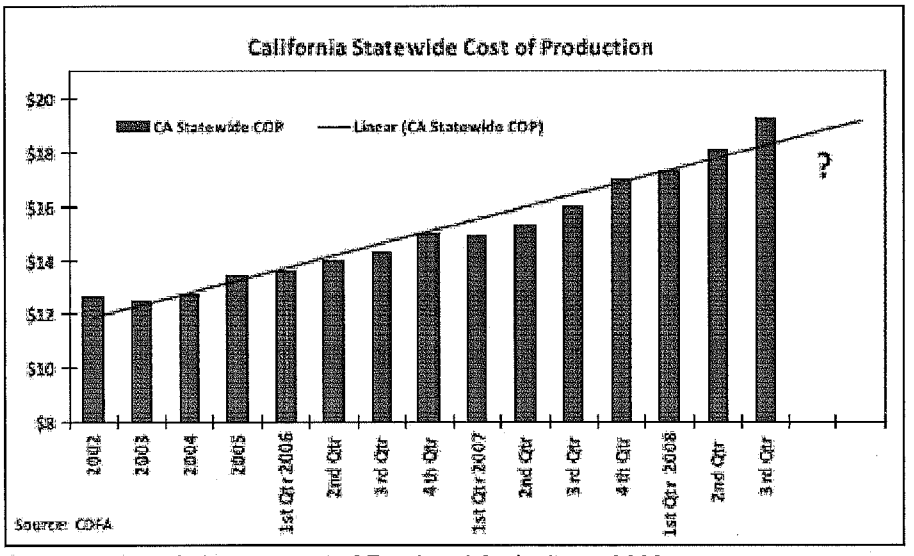

Source: California Department of Food and Agriculture, 2008

Labor Costs

There is a shortage of labor in the dairy industry. Many agricultural workers are looking for higher paying jobs in non-agricultural industries according to the CDFA, which makes it difficult for the dairy farmers to compete for labor and leads to increased labor costs.

The issue of immigration and compliance also leads to labor problems. As shown in Figure 4 there is significant difference in labor costs in the different milk-producing regions of California. In the chart, South Valley represents the counties of the Central Valley composed of Fresno, Kings, Tulare and Kern County. Overall labor costs are 25 percent higher in the Southern California region as compared to the statewide average.

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Figure 4 – Labor Costs, 2007

Labor Costs	North Coast	North Valley	South Valley	Southern California	2007 State Average
Per Hired Milker					
Hourly Cash Wage	$8.77	$10.29	$9.82	$12.38	$10.02
Hourly Perquisites (1)	1.84	2.24	0.95	1.49	1.40
Hourly Wage (2)	12.53	14.60	12.67	16.52	13.40
Per Hired Labor					
Hourly Cash Wage	8.87	10.88	11.36	13.79	11.18
Hourly Perquisites (1)	1.58	2.49	1.44	1.52	1.86
Hourly Wage (2)	12.40	15.56	14.94	18.18	15.21
Per All Hired					
Hourly Cash Wage	8.81	10.55	10.37	12.89	10.47
Hourly Wage (2)	12.48	15.03	13.48	17.12	14.10

(1) Includes Fair Market Value For Housing Supplied By Employer, Health Insurance, Meat, Etc.
(2) Includes Cash Wages, Perquisites, and Employment Taxes Paid by Employer

Source: *Cost of production, 2007, California Department of Food and Agriculture (CDFA)*

Water and Feed Costs
Increasing cost of water is another reason for the conversion of agricultural land into other uses. Dairying itself does not need as much water, but increasing cost and lower supply of water affects the feed supply for dairy. Dairy producers rely on alfalfa produced in the state as the source for their feed supply. If production of alfalfa is curtailed, the dairy farmers will incur high costs in getting the feed from outside the area.

Waste Disposal Costs
The livestock at dairy farms produce significant tonnage of manure every year. With nearby farmland, encroached by urbanization, the cost of waste disposal increases, as distances to where the waste can be disposed increases, as well as the frequency of disposal that is required. As a result many farmers need to hire professional corral cleaners, which increases costs by up to $50,000 a year.

Commercial/Industrial and Residential Development Trends

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino County. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Perris, there have been almost 4,500 new housing units built since 2000, with median housing prices more than tripling by 2007, and still nearly doubling after the dramatic 2008 market declines.

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Industrial development in the East Inland Empire region has seen similar growth with inventory increasing by 60 percent, or 92 million square feet since 2000. In Perris the growth has been nearly 100 percent, with 5 million square feet built in past eight years.

As a result of these trends, average land prices in the Inland Empire have increased to over $250,000 per acre, which compares to Kern County land values of less than $50,000 per acre

See Appendix Exhibits A-1 through A-6 for detailed trends in Perris/Inland Empire population, employment, residential building permits, home prices, industrial markets and land prices. Exhibit A-7 illustrates land sales in Kern County over the past three years.

Conclusion

Agriculture is being been significantly impacted by numerous economic, political and regulatory factors. As a result over 100,000 acres of farmland has been taken out of service since 1990 and is being redeveloped for residential, commercial and industrial uses. With lower land costs and less regulation, dairy operators and supporting agricultural uses such as dry farming and alfalfa production have been steadily moving out of the Inland Empire towards Central Valley, Barstow and Kern County.

Continued agricultural operations are not financially feasible in the Perris/eastern Riverside County region. Agricultural operations of all types will continue to decline as a result of the economic forces at work impacting land owners. Agricultural operator's business decisions to cease production will continue to occur regardless of land use decisions made by local agencies. In other words, land designated for agricultural use has little impact on the continued declining agricultural trends in Perris/eastern Riverside County.

Respectfully submitted,

Thomas R. Jirovsky
Senior Managing Director

Attachment

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Exhibit A-1:

POPULATION, HOUSEHOLD & EMPLOYMENT TRENDS

City of Perris and Inland Empire Region, 1990 - 2029

	1990	2000	2009	2014	2019	2024	2029	
City of Perris								
Population	22,202	36,189	54,592	62,440	69,956	77,175	83,601	
Households	6,848	9,652	14,160	16,300	18,032	19,808	21,616	
Employment (1)	--	11,715	17,332	19,042	20,108	22,194	24,810	
Inland Empire								
Population	2,588,793	3,254,821	4,170,780	4,505,315	4,950,365	5,373,155	5,774,903	
Households	866,804	1,034,812	1,297,214	1,445,415	1,626,549	1,807,342	1,988,035	
Employment (1)	--	1,121,464	1,450,397	1,665,604	1,881,342	2,099,942	2,321,648	
Growth - #		**1990-00**	**2000-09**	**2009-14**	**2014-19**	**2019-24**	**2024-29**	**2009-29 Total**
City of Perris								
Population		13,987	18,403	7,848	7,516	7,219	6,426	29,009
Households		2,804	4,508	2,140	1,732	1,776	1,808	7,456
Employment (1)		--	5,617	1,710	1,066	2,086	2,616	7,478
Inland Empire								
Population		666,028	915,959	334,535	445,050	422,791	401,748	1,604,123
Households		168,008	262,402	148,201	181,134	180,793	180,693	690,821
Employment (1)		--	328,933	215,207	215,738	218,600	221,706	871,251
Growth - % CAGR		**1990-00**	**2000-09**	**2009-14**	**2014-19**	**2019-24**	**2024-29**	**2009-29**
City of Perris								
Population		5.0%	4.7%	2.7%	2.3%	2.0%	1.6%	2.2%
Households		3.5%	4.4%	2.9%	2.0%	1.9%	1.8%	2.1%
Employment (1)		--	4.4%	1.9%	1.1%	2.0%	2.3%	1.8%
Inland Empire								
Population		2.3%	2.8%	1.6%	1.9%	1.7%	1.5%	1.6%
Households		1.8%	2.5%	2.2%	2.4%	2.1%	1.9%	2.2%
Employment (1)		--	2.9%	2.8%	2.5%	2.2%	2.0%	2.4%

Sources: Southern California Association of Governments (SCAG); Claritas; and CBRE Consulting

(1) Daytime employment data available from the year 2000.

(2) Projections based on forecast growth rates in population, households and employment according to SCAG.

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Exhibit A-2:

RESIDENT EMPLOYMENT TRENDS BY INDUSTRY & OCCUPATION

US Census, 1990 and 2000

	City of Perris, California					Inland Empire Region, CA				
	1990		2000		Change	1990		2000		Change
	#	%	#	%	('90-'00)	#	%	#	%	('90-'00)
RESIDENT EMPLOYMENT BY INDUSTRY										
Agriculture, forestry, and fisheries	**389**	*5.0%*	**97**	*0.8%*	**-75.1%**	**36,314**	*3.4%*	**18,997**	*1.5%*	**-47.7%**
Construction	965	*12.4%*	1,352	*11.3%*	40.1%	109,894	*10.2%*	105,268	*8.3%*	-4.2%
Manufacturing	1,668	*21.4%*	2,233	*18.7%*	33.9%	161,282	*14.9%*	157,003	*12.4%*	-2.7%
Transportation, Communication & Utilities	484	*6.2%*	634	*5.3%*	31.0%	79,357	*7.4%*	78,459	*6.2%*	-1.1%
Wholesale trade	242	*3.1%*	474	*4.0%*	95.9%	44,018	*4.1%*	48,574	*3.8%*	10.4%
Retail trade	1,274	*16.3%*	1,563	*13.1%*	22.7%	191,714	*17.8%*	160,926	*12.7%*	-16.1%
Finance, insurance, and real estate	400	*5.1%*	408	*3.4%*	2.0%	68,174	*6.3%*	71,208	*5.6%*	4.5%
Services	2,019	*25.9%*	4,653	*39.0%*	130.5%	333,481	*30.9%*	557,909	*44.1%*	67.3%
Public administration	357	*4.6%*	520	*4.4%*	45.7%	55,394	*5.1%*	65,784	*5.2%*	18.8%
RESIDENT EMPLOYMENT BY OCCUPATION										
Managerial & professional specialty	1,357	*17.4%*	2,110	*17.7%*	55.5%	253,002	*23.4%*	353,835	*28.0%*	39.9%
Technical, sales, & administrative support	2,042	*26.2%*	2,967	*24.9%*	45.3%	338,842	*31.4%*	343,542	*27.2%*	1.4%
Service occupations, excl. Farming	2,327	*29.8%*	2,071	*17.4%*	-11.0%	297,318	*27.5%*	210,174	*16.6%*	-29.3%
Farming, forestry, & fishing	**345**	*4.4%*	**52**	*0.4%*	**-84.9%**	**31,593**	*2.9%*	**12,539**	*1.0%*	**-60.3%**
Operators, fabricators, & laborers	1,727	*22.1%*	4,734	*39.7%*	174.1%	158,873	*14.7%*	344,038	*27.2%*	116.5%

Sources: US Census 1990 and 2000; and, CBRE Consulting

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Exhibit A-3:

RESIDENTIAL BUILDING PERMIT TRENDS

City of Perris and Inland Empire, 10-Year Trends

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total
CITY OF PERRIS											
Number of Units											
Single Family	186	9	145	492	1,269	1,573	1,746	812	599	107	6,938
2-4 Units	4	8	0	0	0	0	0	0	0	0	12
Over 5 Units	76	62	0	186	0	0	0	0	96	0	420
Total	**266**	**79**	**145**	**678**	**1,269**	**1,573**	**1,746**	**812**	**695**	**107**	**7,370**
INLAND EMPIRE											
Number of Units											
Single Family	18,776	18,824	23,588	29,876	35,965	43,029	43,911	33,001	15,807	5,723	268,500
2-4 Units	154	169	335	323	719	1,085	971	943	717	218	5,634
Over 5 Units	1,730	2,198	3,486	2,103	5,568	7,206	3,887	3,609	3,346	2,667	35,800
Total	**20,660**	**21,191**	**27,409**	**32,302**	**42,252**	**51,320**	**48,769**	**37,553**	**19,870**	**8,608**	**309,934**

Source: US Census Bureau; and CBRE Consulting

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Exhibit A-4:
SINGLE FAMILY DETACHED AND CONDOMINIUM RESALES AND MEDIAN PRICES
1999 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	CAGR(1) 1999-2008
CITY OF PERRIS											
Single Family Detached											
Number of Sales	1,042	970	919	976	1,069	1,166	1,657	1,466	638	1,670	5.4%
Median Price	$81,246	$94,597	$116,899	$133,884	$170,564	$241,973	$326,336	$372,010	$348,354	$183,635	9.5%
Median Price per Sq. Ft.	$62	$72	$87	$101	$126	$178	$224	$240	$207	$96	5.1%
Condominium											
Number of Sales	0	0	0	0	1	0	0	0	0	6	n.a.
Median Price	$0	$0	$0	$0	$140	$0	$0	$0	$0	$138	n.a.
INLAND EMPIRE (2)											
Single Family Detached											
Number of Sales	53,616	53,280	53,402	60,923	66,117	71,107	77,105	57,655	34,418	53,947	0.1%
Median Price	$114,093	$127,093	$147,072	$169,301	$209,463	$279,000	$351,000	$384,000	$371,000	$231,000	8.2%
Median Price per Sq. Ft.	$80	$89	$100	$114	$139	$183	$225	$243	$219	$125	5.0%
Condominium											
Number of Sales	7,907	8,241	7,523	9,135	9,556	10,125	9,208	6,234	4,526	4,095	-7.1%
Median Price	$110,654	$125,616	$134,856	$156,656	$185,689	$246,000	$305,000	$324,000	$309,000	$220,000	7.9%

Source: DataQuick; and CBRE Consulting

(1) CAGR is the Compounded annual growth rate.
(2) Counties of Riverside and San Bernardino.

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Exhibit A-5:

INDUSTRIAL MARKET TRENDS (Including Manufacturing, Warehouse/ Distribution and Flex/ R&D Space)

All Industrial Space, 2000 - 2008

Annual Trend by Market Area	SUPPLY				DEMAND				LEASE RATE ($/SF/Yr.) (1,2)
	Inventory Bldgs.	Inventory GLA (SF)	Vacancy Rate % (1)	SF Delivered	Availability Rate % (1)	Total Deals	Total SF Leased	SF Net Absorption	
CITY OF PERRIS SUB-MARKET									
2000	141	5,373,641	0.6%	38,110	0.6%	1	1,272,500	51,860	$4.88
2001	146	7,076,631	1.7%	1,702,990	1.6%	1	20,350	1,606,362	5.64
2002	146	7,076,631	2.1%	0	1.4%	2	115,960	5,509	4.68
2003	147	7,125,503	2.2%	48,872	2.2%	2	65,303	28,429	5.11
2004	150	7,381,220	1.0%	255,717	0.7%	0	17,800	367,551	n.a.
2005	153	7,595,862	0.9%	214,642	0.9%	2	2,500	165,460	n.a.
2006	157	7,663,213	1.3%	67,351	1.3%	3	3,458	4,173	5.72
2007	175	9,666,032	8.8%	2,002,819	8.7%	5	1,760,642	1,768,468	7.08
2008	206	10,458,307	11.1%	792,275	11.1%	13	38,674	(339,813)	6.74
Total				**5,122,776**		29	3,297,187	3,657,999	
INLAND EMPIRE - EAST MARKET									
2000	5,002	150,133,588	3.9%	6,630,360	3.6%	312	10,892,596	7,668,578	$6.50
2001	5,076	157,202,306	3.9%	7,068,718	3.1%	355	7,684,689	6,501,787	4.68
2002	5,182	161,820,506	4.3%	4,582,653	3.8%	404	6,636,531	2,394,637	4.57
2003	5,269	167,822,636	5.0%	6,098,659	4.3%	387	9,055,454	5,240,209	4.59
2004	5,470	176,211,830	4.6%	8,389,194	3.1%	500	8,017,923	9,626,436	4.98
2005	5,725	188,313,075	4.6%	12,120,753	3.6%	470	7,611,452	8,938,859	5.01
2006	6,055	208,029,558	7.5%	19,691,663	5.7%	545	13,195,412	13,006,436	5.90
2007	6,291	226,876,355	8.4%	18,563,797	7.5%	624	17,026,809	16,405,909	6.28
2008	6,541	242,869,862	13.0%	15,234,949	12.0%	996	12,632,717	1,932,294	5.71
Total				**98,380,746**		4,593	92,753,583	71,715,145	

Sources: Costar Group Inc., 2008; and, CBRE Consulting

(1) The sub-market is defined as a 5-mile radius from the City Hall and includes the entire City of Perris.

(2) Inland Empire East market, which comprises the City of Perris per Costar definition, also includes the Coachella Valley, Corona, East San Bernardino, Riverside, South Riverside and Outlying San Bernardino sub-markets.

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Exhibit A-6:

LAND SALES IN THE CITY OF PERRIS SUB-MARKET

5+ Acres Land Sales, 2006 - 2009

	Property Location		Property Characteristics					Sales Characteristics		
#	Address	Property Name	Land Improvements	Type	Zoning	Acres	Land SF	Sale Date	Sale Price	$/Acre
1	Lukens Ln			Commercial	M3	36.7	1,599,087	9/21/2007	$500,000	$13,620
2	Nuevo Rd @ I-215	Nuevo & A St.		Commercial		6.0	261,360	7/27/2007	1,833,000	305,500
3	Dawson Rd @ San Jacinto			Commercial	RR	14.4	628,570	6/13/2007	1,734,000	120,166
4	Ethanac Rd @ McPherson r	5.0 Acres		Commercial	Commercial Commuity	5.0	217,800	5/17/2007	1,250,000	250,000
5	Nuevo Rd @ I-215	Nuevo & A St.		Commercial		6.0	261,360	5/10/2007	653,400	108,900
6	Morgan St	Hold For Development Site	Raw land	Commercial	CC, Perris	6.2	268,329	2/7/2007	1,895,000	307,631
7	9.24 acres Nuevo Rd	Vacant Land	None	Commercial	LI	9.2	402,494	1/24/2007	1,600,000	173,160
8	Old Nuevo Rd @ Perris Blvd		None	Commercial	C1	7.8	341,510	1/2/2007	4,960,000	632,654
9	23040 Rider St			Commercial		7.3	318,423	12/7/2006	875,000	119,699
10	Palomar Rd @ McLaughlin Rd			Commercial		18.2	794,098	11/15/2006	1,700,000	93,253
11	23641 Placentia Ave	Zoned Acreage	Not Available	Commercial	RR	9.5	412,077	9/5/2006	900,000	95,138
12	Redlands Ave	Sp Zoned Acreage	Raw land	Commercial	SP, Perris	20.7	901,774	8/25/2006	3,500,000	169,067
13	Citrus Ave	CC Zoned Acreage	Raw land	Commercial	CC, Perris	38.4	1,670,765	6/29/2006	7,087,000	184,771
14	Cajalco Rd	Acreage	Raw land	Commercial	N/Av, Riverside Co.	13.3	580,219	6/14/2006	2,800,000	210,210
15	23772 Water St	Indacochea Sheep Farm	Not Available	Commercial	N/Av	9.7	420,354	6/6/2006	1,650,000	170,984
16	28067 State Highway 74	Rr Zoned Acreage	Raw land	Commercial	RR, Riverside Co.	5.2	227,383	5/23/2006	1,275,000	244,253
17	Markham St	Unknown Site	Raw land	Commercial	A102, Riverside	9.7	422,967	3/3/2006	1,150,000	118,435
								Commercial Average:		**$158,336**
								Commercial Median:		**$170,984**
18	Mountain Ave	Future Cemex Location		Industrial	GI	5.0	218,235	12/5/2008	1,819,837	363,242
19	355 W Markham St	22.25 acres		Industrial	RA	22.4	977,050	5/20/2008	5,446,960	242,843
20	24390 Nuevo Rd		None	Industrial	IP	6.0	261,360	11/8/2007	1,090,000	181,667
21	Rider St @ Redlands Ave	17.1 Acres		Industrial	M1, RA	17.1	744,876	6/26/2007	3,550,000	207,602
22	Webster Ave @ Morgan St	6.0-Acres Vacant Land		Industrial		6.0	261,360	3/9/2007	1,895,000	315,833
23	24345 Citrus Ave	First Park Nuevo Rd Phase I	None	Industrial	M-H	16.2	707,414	3/9/2007	6,366,730	392,040
24	23121 Cajalco Rd	6.91 ac		Industrial	MSC	6.9	300,999	11/20/2006	2,521,500	364,907
25	Mountain Ave	Finished Land Parcels		Industrial	GI	19.2	838,094	10/4/2006	4,350,000	226,092
26	Cajalco Expy @ 215 Freew	10.42 Acre Industrial Park Site		Industrial	M-SC, Riverside	10.4	453,895	9/13/2006	2,500,000	239,923
27	24475 Markham St	Planned Industrial Development Site	Previously developed lot	Industrial	LI, Perris	9.1	396,901	7/18/2006	2,778,000	304,886
28	Ramona Expy	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	9.2	399,880	7/12/2006	1,999,500	217,811
29	Indian Ave	Planned Industrial Development Site	Raw land	Industrial	MSC, Perris	8.4	366,661	6/30/2006	2,099,500	249,424
30	Perry St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	9.1	396,901	6/30/2006	1,954,000	214,452
31	4244 Perry St	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	18.2	793,798	6/30/2006	5,562,000	305,217
32	24392 Nance St	Auto Salvage Yard Site	Raw land	Industrial	GI, Perris	9.1	395,960	6/14/2006	2,079,000	228,713
33	Perry St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	8.8	384,634	6/9/2006	2,308,000	261,382
34	Markham St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	9.1	396,901	5/31/2006	2,600,000	285,351
35	Harvill Ave	M-Sc Zoned Acreage	Raw land	Industrial	L1	20.8	903,870	5/9/2006	3,358,500	161,855
36	Mapes Rd	Gi Zoned Acreage	Raw land	Industrial	GI, Perris	5.9	258,746	5/8/2006	1,113,000	187,374
37	Rider St	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	16.3	709,592	3/15/2006	3,550,000	217,925
								Industrial Average:		**$252,529**
								Industrial Median:		**241,383**

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Exhibit A-6: ..... Continued.....

LAND SALES IN THE CITY OF PERRIS SUB-MARKET

5+ Acres' Land Sales, 2006 - 2009

	Property Location		Property Characteristics					Sales Characteristics		
#	Address	Property Name	Land Improvements	Type	Zoning	Acres	Land SF	Sale Date	Sale Price	$/ Acre
38	Barnett Rd @ McLughlin Road			Residential	RR	42.3	1,842,587	11/14/2006	4,600,000	108,747
39	Evans Rd			Residential		12.8	558,874	9/27/2006	885,000	68,979
40	Evans Rd	R6000 Zoned Acreage	Raw land	Residential	R6000	12.8	558,874	8/25/2006	885,500	69,018
41	Nuevo Rd	A1 Zoned Acreage	Not Available	Residential	CC & R14	29.8	1,298,523	5/24/2006	2,700,000	90,574
42	Dockery Ln	Residential Zoned Acreage	Raw land	Residential	N/Av, Perris	6.0	259,617	4/19/2006	1,050,000	176,175
43	Dockery Ln	Residential Zoned Acreage	Raw land	Residential	N/Av, Perris	9.7	420,789	4/19/2006	1,750,000	181,160
								Residential Average:		**$104,687**
								Residential Median:		**99,660**
								All Land Sales Average:		**$186,228**
								All Land Sales Median:		**210,210**

Sources: Costar Group Inc., 2009; and, CBRE Consulting

(1) The sub-market is defined as a 5-mile radius from the City Hall and includes the entire City of Perris.

(2) The above is not an exhaustive list of sales. Only those sales greater than 5 and up to 50 acres in size with complete sale price information as reported by the Costar Group are presented.

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Exhibit A-7:

LAND SALES IN KERN COUNTY

Commercial, Industrial and Residential Land Sales, 2006 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address in City of Chino	City	Property Name/Land Imp.	Zoning	Acres	Land SF	Sale Date	Sale Price	$/Acre
1	SE Elmo Hwy @ Elmo Hwy & Browning Rd	Mc Farland	Falcon Heights		135.0	5,880,600	11/15/2007	$2,142,000	$15,867
2	Pacheco Rd	Bakersfield	Vacant Land 67.57 Acres	M-3, Bakersfield	67.6	2,943,349	10/10/2008	2,500,000	36,999
3	1234 Willow Springs Rd	Mojave			40.0	1,742,400	12/19/2008	128,000	3,200
4	Scofield Rd	Wasco	Wasco Valley Rose - vacant land		40.0	1,742,400	9/29/2006	1,999,582	49,990
5	Mojave Tropical Rd	Rosamond			40.0	1,742,400	6/7/2007	335,000	8,375
6	NW Hanawalt Ave @ Hanawalt & Mast Ave	Mc Farland	Sierra Springs		38.2	1,665,655	11/15/2007	599,000	15,665
7	16701 Brimhall Rd	Bakersfield		E-1 RS, Bakersfield	35.0	1,524,164	12/7/2007	2,000,000	57,159
8	17174 Highway 14	Mojave		M-2	34.4	1,496,286	2/22/2008	550,000	16,012
9	4057-4061 Industrial Pky	Lebec	Tejon Industrial Complex - Bldg. U.C.		23.8	1,034,550	7/1/2008	2,500,000	105,263
10	College Heights Blvd @ Kendall Avenue	Ridgecrest	Villas at College Heights		22.7	988,812	3/22/2007	2,300,000	101,322
11	Stockdale Hwy @ Heath	Bakersfield		Commercial	20.0	871,200	5/1/2007	3,600,000	180,000
12	Archibald Ave	Maricopa	Parcel 4		20.0	871,200	4/20/2007	165,000	8,250
13	Johnson Rd @ Driver	Bakersfield		A-1	20.0	871,200	9/11/2007	1,000,000	50,000
14	Wheeler Ridge Rd @ Creekside Dr.	Arvin	Wheeler Ridge Site		19.5	847,242	11/17/2008	379,990	19,537
15	132 White Ln	Bakersfield	3 Buildings apx 2,555 SF	Light Industrial	15.5	673,002	11/28/2007	1,300,000	84,142
16	Avenue A & 120th W	Rosamond	no zoning restrictions		14.5	631,620	1/24/2007	125,000	8,621
17	Henry Rd	Taft		M-2	14.3	620,730	2/5/2008	505,000	35,439
18	NWC McCutchen & Gosford Rd	Bakersfield		C2	10.0	435,600	6/15/2007	2,275,000	227,500
19	Compagnoni St	Bakersfield			10.0	435,600	9/21/2007	650,000	65,000
20	Mercedes Blvd	California City	10 Acres	R2.5	10.0	435,600	5/4/2007	25,000	2,500
21	Redrock Randsburg Rd	North Edwards	Vacant Land-10 Acres		10.0	435,600	5/26/2006	20,000	2,000
22	Eucalyptus Dr (2 Properties)	Bakersfield	Multi-Property Sale		9.6	418,176	11/9/2007	980,000	102,083
23	5901 Mills Rd	Bakersfield	Mills Road Land		8.8	381,150	9/12/2007	820,000	93,714
24	S China Lake Blvd @ Bowmen Ave.	Ridgecrest	NEC of S. China Lake @ Bowman	GC, Ridgecrest	6.9	302,306	7/3/2008	1,500,000	216,139
25	1245 Kern St	Taft			6.4	279,655	8/31/2007	200,000	31,153
26	N Norma St @ West Ward Avenue	Ridgecrest		R-2	6.0	259,618	10/4/2006	420,000	70,470
27	W Day Ave @ Airport Drive	Bakersfield			5.8	250,470	10/4/2007	1,300,000	226,087
				Land Sales Avg.:					**$44,347**
				Land Sales Median:					**$49,990**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information, as reported by the Costar Group, are presented.

MV00171005

DRAFT

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY
STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

LSA

April 18, 2012

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DRAFT

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY
STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

Lead Agency:

City of Moreno Valley Community and Economic Development Department
Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552
Attn: Jeff Bradshaw, Associate Planner
(951) 413-3224

Prepared by:

LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, California 92507
(951) 781-9310

LSA Project No. VOG1001

LSA

April 18, 2012

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- B-3: Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 9, 2009.
- B-4: Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 11, 2009.
- B-5: Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California, Michael Brandman Associates, March 22, 2007.

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B-6: Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007.

B-7: Phase I Environmental for the Evaluation of Potentially Hazardous Materials, Centec Engineering, February 23, 2007.

B-8: Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., March 27, 2009.

B-9: Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., July 24, 2009.

B-10: Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004, Eastern Municipal Water District, January 20, 2010.

C: LESA Modeling Worksheets and Agriculture Viability Report

C-1: LESA Modeling Worksheets, LSA Associates, Inc., August 2011.

C-2: Economic Viability of Agriculture in the East Inland Empire, CB Richard Ellis, March 18, 2009.

D: Air Quality Reports

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D-2: Health Risk Assessment VIP Moreno Valley, LSA Associates, Inc., March 2012.

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1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

The Draft Environmental Impact Report (EIR) (State of California Clearinghouse No. 2011081084) for the VIP Moreno Valley Project (proposed project or project) has been prepared by LSA Associates, Inc. on behalf of the City of Moreno Valley (City) to: 1) identify the proposed project's impacts on the environment; 2) to discuss alternatives to the proposed project; and 3) to propose mitigation measures that will offset, minimize or otherwise avoid significant environmental impacts. This EIR has been prepared in accordance with the *California Environmental Quality Act*[1] and Sections 15120 through 15131 and 15161 of the *Guidelines for California Environmental Quality Act,*[2] both of which regulate the preparation of EIRs. Based on the potential impacts of the proposed project, including cumulative impacts, and the comments received during the public review of the Initial Study (IS) and public scoping meeting, the City determined that an EIR should be prepared to analyze potential impacts of the proposed project with respect to the following environmental issues:

- Agricultural and Forest Resources;
- Air Quality;
- Greenhouse Gas Emissions and Global Climate Change;
- Noise; and
- Traffic and Circulation.

These five environmental issues are individually addressed in Section 4.0 (Environmental Analysis). Based on the analysis provided in the IS (contained in Appendix A) for the proposed project, all impacts associated with the following eight environmental issues were determined to be "Effects Not Found to be Significant" according to §15128 of the *CEQA Guidelines* and are not addressed in detail in Section 4 of this EIR:

- Aesthetics
- Hazards and Hazardous Materials
- Land Use/Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities/Services Systems

Based on the analysis provided in the IS (contained in Appendix A) for the proposed project, all impacts associated with the following four environmental issues were determined to be less than significant with implementation of mitigation measures. These topics are not addressed in detail in Section 4 of this EIR but the mitigation measures will be contained in the mitigation monitoring and reporting plan to ensure that the measures are implemented:

- Biological Resources
- Cultural Resources
- Geology and Soils
- Hydrology/Water Quality

[1] *California Environmental Quality Act*, as of January 1, 2011, §§21000–21177, Public Resources Code, State of California.
[2] *Guidelines for California Environmental Quality Act*, as of January 1, 2011, §§15000–15387, California Code of Regulations, Title 14, Chapter 3, State of California.

Additional discussion of these issues is provided in Section 2.0 of this EIR and the IS prepared for the proposed project.

1.2 PROPOSED PROJECT

The project site is located in the City of Moreno Valley, Riverside County (Figure 1.1). The approximately 71-acre site is generally located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary.

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. See Figure 1.2.

Site and building design attributes for the proposed project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

Green building designs typically exhibit the following features:

- More natural ventilation or, at least, a mixture of natural ventilation and air conditioning, and/or increased fresh air via the mechanical ventilation system.
- Narrow plan forms, often within the 15m limits of natural ventilation and daylight access, the corollary of which is less 'deep' space in the middle, which users dislike.
- Better utilization of daylight.
- More user controls for windows, blinds, lights and ventilators. This can mean that needs (like thermal comfort) are met more quickly even though the conditions may only be 'good enough'. Users preferred rapid response when things go wrong or need changing, and will tolerate conditions which are reasonable.
- Higher floor to ceiling heights, which helps, e.g., with daylight penetration.
- More open plan workspaces (usually desks) close to or next to windows.

1.3 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

The EIR discusses impacts that would occur to on-site and off-site uses as a result of implementation of the proposed project. This EIR also includes proposed mitigation measures that have been identified to reduce or avoid significant effects that would result from the construction and operation of the proposed on-site uses. *CEQA Guidelines* Section 15123(b)(2) requires that areas of controversy known to the Lead Agency (City of Moreno Valley) be stated in the EIR summary. The following discussion identifies issues raised by other agencies and the public during the 30-day public comment period of the Initial Study (IS) and Notice of Preparation (NOP), as well as comments received during the public scoping meeting that was held for the proposed project at the City of Moreno Valley City Council Chambers on September 19, 2011, at 6:00 p.m.

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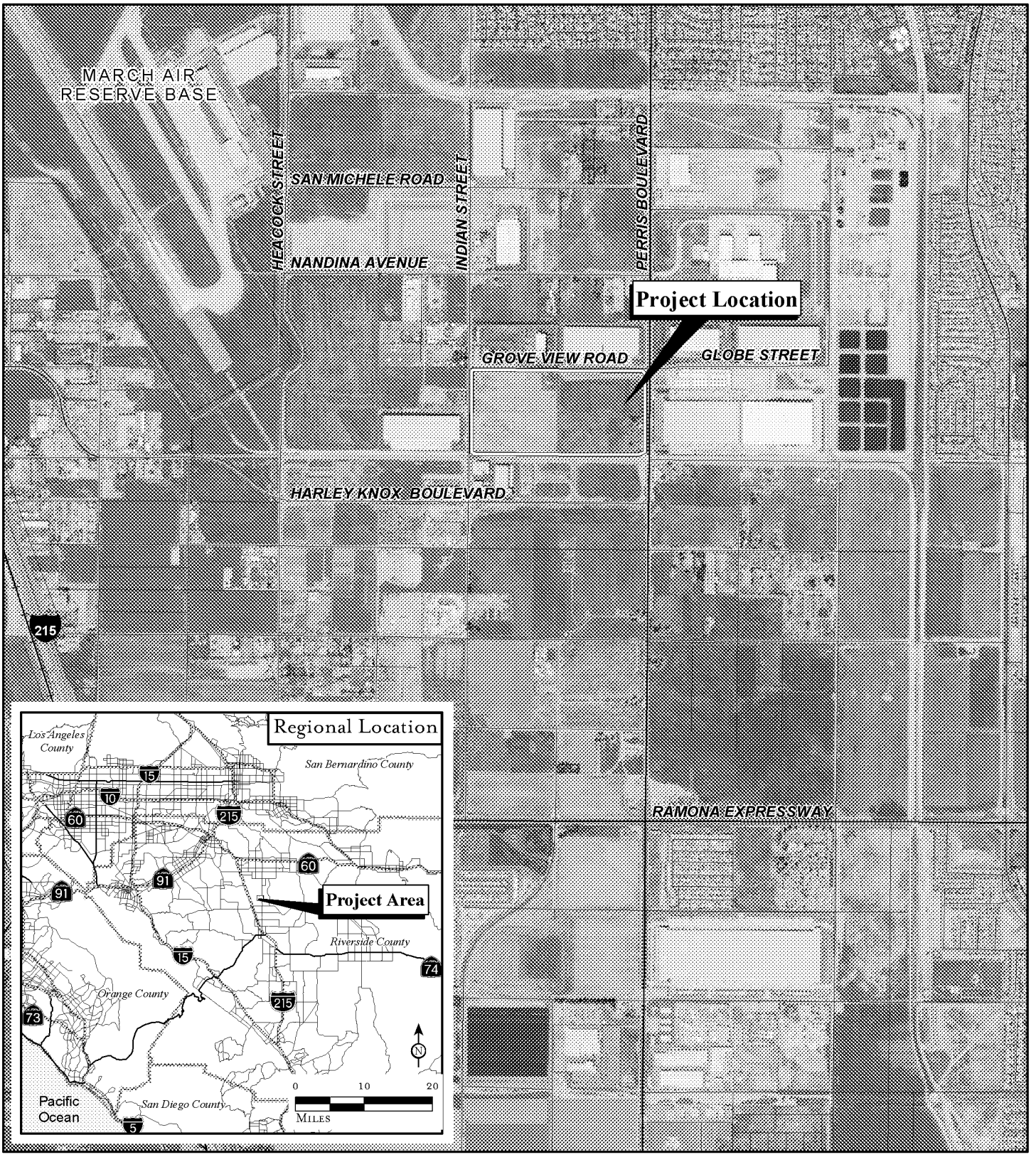

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FIGURE 1.1

N

0 1,000 2,000

Feet

SOURCE: AirPhotoUSA, 2008; Thomas Bros., 2009

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VIP Moreno Valley
Environmental Impact Report

Regional and Project Location

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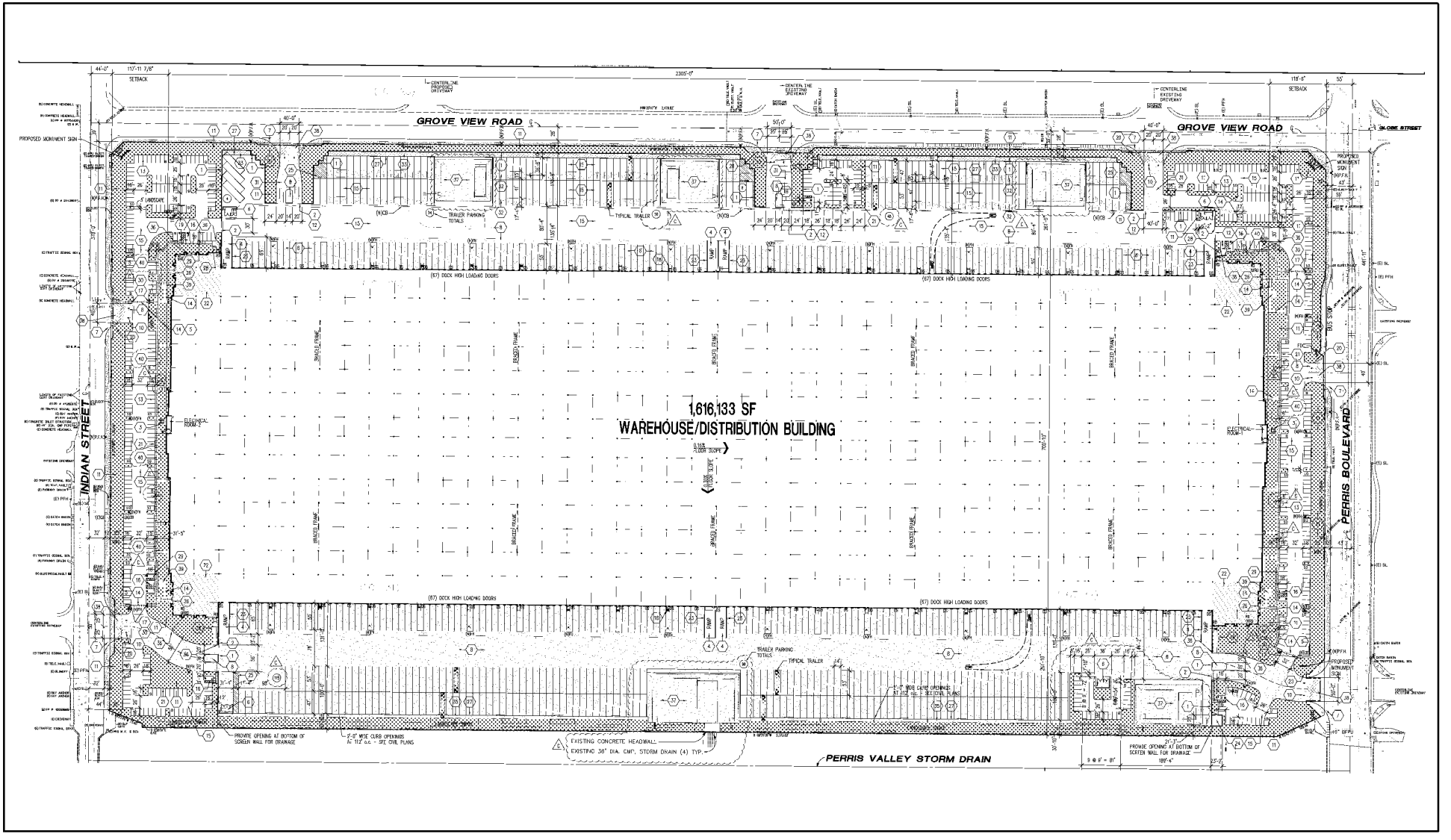

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FIGURE 1.2

0 150 300

FEET

SOURCE: RKZ, Inc., 2009

VIP Moreno Valley
Environmental Impact Report

Site Plan

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1.3.1 Notice of Preparation

The objective of distributing a Notice of Preparation (NOP) is to solicit public comment in order to identify and determine the full range and scope of issues of concern so that these issues might be fully examined in the EIR. An IS was distributed in tandem with the NOP. The NOP was distributed to the State Clearinghouse, as well as to the organizations and persons considered likely to be interested in the project and its potential impacts. Comments received regarding the NOP were used to help identify impacts that could result from implementation of the proposed project. An NOP for the Draft EIR was distributed to state, regional, and local agencies on August 26, 2011, for a 30-day review period ending on September 26, 2011.

The IS, NOP, distribution list, Notice of Public Scoping Meeting, and response letters are included in Appendix A of the Draft EIR. As of the close of the 30-day NOP public review period, 12 responses to the NOP had been received. Table 1.A summarizes the comments received regarding the NOP.

Table 1.A: Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments	Addressed in EIR Section
State of California Governor's Office of Planning and Research	August 25, 2011	Explanation of Notice of Preparation procedures.	Not applicable
Native American Heritage Commission	August 26, 2011	Explanation of SB18 Consultation Process (e.g. sacred lands file search and associated mitigation measures)	Not applicable
California Department of Transportation – District 8	August 30, 2011	Recommendation of coordination with Caltrans District 8 for project's local traffic and circulation impacts. Identifies concern regarding potential impacts to I-215 ramps and interchange in the project area.	4.5
South Coast Air Quality Management District	September 7, 2011	Request to discuss air pollutant emissions for construction and operational phases; calculation of $PM_{2.5}$ emissions using $PM_{2.5}$ significance thresholds; calculation of localized significance thresholds; and inclusion of a mobile source health risk assessment.	4.5
Southern California Association of Governments	September 7, 2011	Request to include a project consistency analysis with SCAG's Regional Transportation Plan and Compass Growth Visioning goals and policies.	5.0
Riverside County Flood Control and Water Conservation District	September 8, 2011	Explanation of the payment of drainage fees associated with the District's Perris Valley Area Drainage Plan, the obtainment of an encroachment permit (if applicable) for any construction related activities occurring within District right of way or facilities.	Not applicable
Department of Toxic Substances Control	September 14, 2011	Request for the EIR to take a look at hazardous materials databases run by regulatory agencies and the inclusion of mitigation measures for any recommended remediation efforts in the EIR.	Initial Study (Appendix A)

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Table 1.A: Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments	Addressed in EIR Section
California Department of Fish and Game	September 19, 2011	Request to include discussion on MSHCP consistency, impacts to red-tailed hawk, American kestrel, associated common bird species, the side-blotched lizard, the western fence lizard, and desert cottontail. Also request for information on any loss of jurisdictional waters, vernal pools and development into areas with native habitat values.	Initial Study (Appendix A) and Biological Resources Study (Appendix B-)
City of Riverside	September 23, 2011	Request to include information on number of projected employees, evaluation of projected local and regional traffic impacts to existing transportation systems and networks in the area.	4.5 and 5.0
Eastern Municipal Water District	September 23, 2011	Disclosure that EMWD intends to construct additional recycled water facilities immediately north of its existing facility on Trumble Road in Perris with the excavated soil temporarily stockpiled and available to others for use as fill. Letter also requests that the project initiate the New Development process with EMWD.	Not applicable
Sierra Club – San Gorgonio Chapter	September 25, 2011	Request for information to be included in EIR involving LEED certification levels, mitigation for agricultural lands, providing amenities encouraging the use of alternative modes of transportation, truck routes, global climate change, projected greenhouse gas emissions, and a reasonable range of alternatives.	Initial Study (Appendix A); 4.1; 4.3; 4.3; 6.0
City of Perris	September 26, 2011	Request for the EIR to include information regarding impacts to I-215/Harely Knox Boulevard Interchange, Indian Avenue, Perris Boulevard, and other roadways within the project area. Request to identify mitigation for impacted intersections in the EIR.	4.5

Note: All NOP response letters (along with the Initial Study) are included in Appendix A of the Draft EIR.

1.3.2 Public Scoping Meeting

In compliance with *State CEQA Guidelines*, the City of Moreno Valley has taken steps to maximize opportunities for individuals, parties, and agencies to participate in the environmental process. During circulation of the NOP, various federal, state, regional, and local government agencies, and other interested parties were contacted to solicit comments and to inform the public of the proposed project. A public scoping meeting was held to solicit public comment on direction and scope of the analysis necessary for the Draft EIR. The public scoping meeting was held on September 19, 2011, at 6:00 p.m., at the City of Moreno Valley City Council Chambers, Moreno Valley California. Copies of the IS, NOP, and the conceptual site plan were available to the public for review. City staff, the project applicant, and the EIR consultant (LSA Associates, Inc.) were present to provide information regarding the project and collect public comment. Two members from the public attended the scoping meeting.

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1.4 ALTERNATIVES TO THE PROPOSED PROJECT

In compliance with *CEQA Guidelines* (Section 15126.6), an EIR must describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project objectives, and would avoid or substantially lessen significant effects of the project. The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives. An EIR must evaluate a "No Project" alternative in order to allow decision-makers to compare the effect of approving the project to the effect of not approving the project. A more detailed description of each project alternative as well as an analysis of the potential environmental impacts associated with the construction and operation of each is provided in Section 6.0.

1.4.1 No Project Alternative

Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The project site's zoning designation is currently Specific Plan 208 – Moreno Valley Industrial Area Plan. The project site is currently designated by the General Plan for Business Park/Light Industrial uses. Given the goals and objectives of the City of Moreno Valley, it is highly reasonable in the event the proposed project were not approved that the site would be developed with some type of industrial park uses. For analysis purposes, it is assumed that the No Project Alternative would be developed with approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial on 8 acres.

1.4.2 Reduced Intensity Alternative

With the intent of avoiding or substantially reducing significant impacts created by the project traffic, air quality, and noise, the City has considered a Reduced Intensity Warehouse Alternative. This alternative includes one warehouse building covering approximately 1,212,100 square feet. Under this alternative, the proposed warehouse uses would represent a net decrease of approximately 25 percent (400,000 square feet) as compared to the proposed project.

1.4.3 Commercial Center (Mixed Commercial/Office) Alternative

The Commercial Center Alternative would result in the development of commercial service and office uses on the project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.[1]

[1] Square footage is based on a 50 percent development of the project site.

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1.4.4 Off-Site Location Alternative

This alternative would result in the development of approximately 1,616,133 square feet of warehouse uses on approximately 70 acres. The alternative project site identified by the City is bounded by Krameria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is currently zoned SP 208 I and is designated BP in the City's General Plan, identical to the proposed project. Since the proposed uses are consistent with the uses identified for the off-site location, no zone change or General Plan Amendment would be required.

1.5 IMPACTS, MITIGATION, AND LEVEL OF IMPACTS SUMMARY TABLE

Table 1.B provides a summary of the proposed project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures.

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
AESTHETICS (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project Have a substantial adverse effect on a scenic vista?	Less than significant impact. No mitigation is required.	Less Than Significant
Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact. No mitigation is required.	Not applicable - No Impact
Substantially degrade the existing visual character or quality of the site and its surroundings?	Less than significant impact. No mitigation is required.	Less Than Significant
Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact. No mitigation is required.	Less Than Significant
4.1 AGRICULTURAL RESOURCES		
Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project result in the loss of forest land or conversion of forest land to non-forest uses?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the proposed project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable
Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable
Cumulative Impacts: The cumulative area for agricultural resource impacts is Riverside County. No local or regional program to mitigate for the cumulative impacts to agricultural resources is available. Because agricultural	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
land, including Prime Farmland is a finite resource, and because neither the City of Moreno Valley nor the County of Riverside maintains a program to offset agricultural resource impacts, the conversion of the project site to warehouse uses, in conjunction with planned and future development in the City and region, would contribute to a further reduction in the amount of land available for agricultural uses. This reduction in agricultural land represents a significant impact.		
4.2 AIR QUALITY		
Would the project conflict with or obstruct implementation of the applicable air quality plan?	No impact. No mitigation is required.	Not applicable - No Impact
Would the proposed project create objectionable odors affecting a substantial number of people?	Less than significant impact. No mitigation is required.	Less Than Significant
Long-Term Microscale (CO Hot Spot) Emissions: Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation? For CO, the applicable thresholds are: - California State one-hour CO standard of 20.0 ppm; - California State eight-hour CO standard of 9.0 ppm.	No impact. No mitigation is required.	Not applicable - No Impact
Localized Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operation, the applicable localized daily thresholds are: - 12,083 pounds per day of CO; - 585 pounds per day of NO_X; - 32 pounds per day of PM_{10}; and - 14 pounds per day of $PM_{2.5}$.	Less than significant impact. No mitigation is required.	Less Than Significant
Operational-Acute and Operational–Chronic Health Risk Impacts: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Construction Equipment Exhaust Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.	Significant Impact. Mitigation is required. **4.2.6.1A** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1B** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1C** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1D** All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. **4.2.6.1E** The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning,	Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	afternoon, and after work is done for the day. **4.2.6.1F** The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes. **4.2.6.1G** Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more). **4.2.6.1H** The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law). **4.2.6.1I** The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less). **4.2.6.1J** If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be provided onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. **4.2.6.1L** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues. **4.2.6.1M** All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations. These measures shall be enforced by the on-site facilities manager (or equivalent).	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Localized Construction Emissions: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?	Significant Impact. Mitigation is required. Implement **Mitigation Measures 4.2.6.1A** through **4.2.6.1M.** There is no feasible mitigation over and above those measures prescribed by Rule 403 and Mitigation Measures 4.2.6.1A through 4.2.6.1M.	Significant and Unavoidable
Long-Term Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NO_X; - 550 pounds of CO; - 150 pounds of PM_{10}; - 55 pounds of $PM_{2.5}$; and - 150 pounds of SO_X.	Significant Impact. Mitigation is required. **4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. Any combination of design features including but not limited to the following list may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City.	Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation

	Automatic devices to turn off lights when they are not needed shall be implemented.
	• To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.
	• Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
	• All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.
	• To reduce energy demand associated with potable water conveyance, the project shall implement the following:
	  ○ Landscaping palette emphasizing drought-tolerant plants;
	  ○ Use of water-efficient irrigation techniques; and,
	  ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
	• The project shall provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
	• The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.
	• The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • The project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan. • The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans. • Lease/purchase documents shall identify that tenants are encouraged to promote the following: ○ Implementation of compressed workweek schedules; ○ SmartWay partnership; ○ Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	○ Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. ○ Use of fleet vehicles conforming to 2010 air quality standards or better. ○ Installation of catalytic converters on gasoline-powered equipment. ○ Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; ○ Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; ○ Provision of preferential parking for EV and CNG vehicles; ○ Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; ○ Use of electric (instead of diesel or gasoline-powered) yard trucks; ○ Use of SmartWay 1.25 rated trucks. **4.2.6.3B** The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Cumulative Impacts: The cumulative area for air quality impacts is the Basin. The project would contribute criteria pollutants to the area during project construction. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulatively significant air quality impacts. The Basin is in nonattainment for PM10 and ozone at the present time; therefore, the construction and operation of the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed project would unavoidably contribute to significant cumulative air quality impacts.	Significant unavoidable. The project-specific measures will help reduce project-related air pollutants, however, no feasible mitigation is available to reduce cumulative air quality impacts to a less than significant level.	Significant and Unavoidable
BIOLOGICAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply. **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply. **Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.	
Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Wildlife Service?	Less than significant impact. No mitigation is required.	Less Than Significant
Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact. No mitigation is required.	Less Than Significant
Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less than significant impact. No mitigation is required.	Less Than Significant
Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or	No impact. No mitigation is required.	Not applicable - No Impact

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
ordinance?		
CULTURAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	Less than significant impact. No mitigation is required.	Less Than Significant
Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than significant impact. No mitigation is required.	Less Than Significant
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.	
Disturb any human remains, including those interred outside of formal cemeteries?	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
GEOLOGY AND SOILS (FROM THE INITIAL STUDY [APPENDIX A])		
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	No impact. No mitigation is required.	Not applicable - No Impact
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (ii) Strong seismic ground shaking?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (iii) Seismic-related ground failure, including liquefaction?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (iv) Landslides?	No impact. No mitigation is required.	Not applicable - No Impact
Result in substantial soil erosion or the loss of topsoil?	Less than significant impact. No mitigation is required.	Less Than Significant
Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure GEO-1:** Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.	
Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure GEO-2:** Prior the issuance of	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	
Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No impact. No mitigation is required.	Not applicable - No Impact
4.3 GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE		
Would the proposed project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	Less than significant. No mitigation is required.	Less Than Significant
Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant Impact. Mitigation is required. Previously referenced **Mitigation Measures 4.2.6.3A** and **4.2.6.3B** will reduce project greenhouse gas emissions. **4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Use locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the California Building Code's (CBC) Title 24 energy	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	standard, including, but not limited to, any combination of the following: ○ Increase insulation such that heat transfer and thermal bridging is minimized. ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. ○ Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project: • The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	[CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: ○ Install drought tolerant plants for landscaping. ○ Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. ○ Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.	
Cumulative Greenhouse Gas Emissions and Climate Change: Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of *CEQA Guidelines* Sections 15065(a)(3) and 15130.	Significant impact. Mitigation is required. **Mitigation Measures 4.2.6.3A** and **4.3.6.3.B**. **Mitigation Measures 4.3.6.1A** through **4.3.6.1.C**.	Significant and Unavoidable. Given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
HAZARDS AND HAZARDOUS MATERIALS (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No impact. No mitigation is required.	Not applicable - No Impact
Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	Less than significant impact. No mitigation is required.	Less Than Significant
For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	No impact. No mitigation is required.	Not applicable - No Impact
Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Less than significant impact. No mitigation is required.	Less Than Significant
HYDROLOGY AND WATER QUALITY (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project: Violate any water quality standards or waste discharge requirements?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure HYD-01:** Prior to grading plan approval and the issuance of a grading permit by the	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner that would result in flooding on site or off site? Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? Otherwise substantially degrade water quality?	City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities. **Mitigation Measure HYD-02:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: • Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP. • Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas. • All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	from the site. Stockpiles will be surrounded by silt fences. • The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance. • Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. • The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site. **Mitigation Measure HYD-03:** Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board. **Mitigation Measure HYD-04:** Prior to grading plan	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.	
Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	Less than significant impact. No mitigation is required.	Less Than Significant
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.	Less Than Significant
Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	No impact. No mitigation is required.	Not applicable - No Impact
Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	No impact. No mitigation is required.	Not applicable - No Impact
Expose people or structures to inundation by seiche, tsunami, or mudflow?	Less than significant impact. No mitigation is required.	Less Than Significant
LAND USE (FROM THE INITIAL STUDY [APPENDIX A])		
Physically divide an established community?	No impact. No mitigation is required.	Not applicable - No Impact
Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant impact. No mitigation is required.	Less Than Significant
Conflict with any applicable habitat conservation plan or natural community conservation plan?	Potentially Significant Impact Unless Mitigation Incorporated. Implementation of **Mitigation Measures BIO-1 through BIO-4**	Less Than Significant
MINERAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No impact. No mitigation is required.	Not applicable - No Impact
Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No impact. No mitigation is required.	Not applicable - No Impact
4.4 NOISE		
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, results in exposure of people residing or working in the project area to excessive noise levels.	No impact. No mitigation is required.	Not applicable - No Impact
For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.	No impact. No mitigation is required.	Not applicable - No Impact
Would the project result in exposure of persons to or generation of excessive groundborne vibration or	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
groundborne noise levels?		
Long-Term Traffic Noise Impacts: Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Less than significant impact. No mitigation is required.	Less Than Significant
Long-Term Operational Noise Impacts: Would the project cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies?	Less than significant impact. No mitigation is required	Less Than Significant
Short-Term Construction Noise Impacts: Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Significant impact. Mitigation is required. **4.9.6.1A** During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. **4.9.6.1B** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site. **4.9.6.1C** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction. **4.9.6.1D** During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Cumulative Noise Impacts: It is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, However, in the event that adjacent properties are developed at the same time as the proposed project, implementation of the required mitigation at each development site would reduce the cumulative impacts of the proposed project to less than significant levels. The increases over existing traffic volume are attributable to cumulative development projects in the project vicinity and region. Cumulative noise impacts associated with roadway noise have been addressed based on the projected future traffic volumes. Comparing cumulative noise levels that would occur both with and without the project, the proposed project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. Therefore, the proposed project's contribution to cumulative noise impacts at sensitive uses would not be significant.	No Impact. No mitigation is required.	Less Than Significant
POPULATION AND HOUSING (FROM THE INITIAL STUDY [APPENDIX A])		
Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less than significant impact. No mitigation is required.	Less Than Significant
Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	No Impact. No mitigation is required.	Not applicable - No Impact
Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	No Impact. No mitigation is required.	Not applicable - No Impact
PUBLIC SERVICES (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
performance objectives for any of the public services: A) Fire Protection		
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: B) Police Protection	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: C) Schools	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: D) Parks	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: E) Other Public Facilities	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
RECREATION (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
4.5 TRANSPORTATION		
Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project result in inadequate emergency access?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<u>Existing Plus Project Intersection, Roadway Segment, and Freeway Segment Impacts</u>: Significant impact. Mitigation is required. **4.5.6.1A.** Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	Intersections and Roadway Segments: Less Than Significant Freeway Segments: Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.	
Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	Opening Year 2013 Cumulative With Project Conditions Project Intersection, Roadway Segment, and Freeway Segment Impacts: Significant impact. Mitigation is required. **4.5.6.2A.** Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	Intersections and Roadway Segments: Less Than Significant Freeway Segments: Significant and Unavoidable
Cumulative Impacts: With the development of the proposed project and the cumulative projects, ten intersections and four roadway segments would require improvements in order to maintain the City's LOS standard. The LOS analysis for freeway segments and ramp merge/diverge areas indicates that three freeway segments and ramp merge/diverge areas would operate at unsatisfactory levels of service with the development of proposed project and cumulative projects.	Significant impact. Mitigation is required. **Mitigation Measures 4.5.6.1A, 4.5.6.1B** and **4.5.6.2A.**	The roadway and intersection improvements are consistent with the City's General Plan and are included in the County's TUMF program, with the exception of Indian Street/South Project Driveway which would be constructed entirely by the project applicant. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element. For these reasons, the project's impacts to affected roadway segments will be mitigated

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
		through payment of the City's DIF and the County's TUMF resulting in a less than significant impact. Improvements to affected freeway segments and ramp merge/diverge areas are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.
UTILITIES AND SERVICE SYSTEMS (FROM THE INITIAL STUDY [APPENDIX A])		
Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Less than significant impact. No mitigation is required.	Less Than Significant
Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Less than significant impact. No mitigation is required.	Less Than Significant
Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	Less than significant impact. No mitigation is required.	Less Than Significant
Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Less than significant impact. No mitigation is required.	Less Than Significant
Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant impact. No mitigation is required.	Less Than Significant
Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Less than significant impact. No mitigation is required.	Less Than Significant
Comply with federal, state, and local statues and regulations related to solid waste?	Less than significant impact. No mitigation is required.	Less Than Significant

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2.0 INTRODUCTION AND PURPOSE

This section of the Draft EIR describes the purpose and type of EIR, the intended uses of the EIR, documents incorporated by reference, and the process and procedures governing the preparation of the environmental document. Included in this section is a discussion of issues determined to be less than significant. This section also identifies topic areas of discussion and analysis in the Draft EIR and provides an outline of the document format.

2.1 DOCUMENT FORMAT

To assist the reader's review of the document, the following describes the format of this EIR.

Section 1.0 *Executive Summary* provides a summary of the EIR document and (in Table 1.B) the proposed project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures.

Section 2.0 *Introduction and Purpose* provides a discussion of the EIR's purpose, focus, legal requirements, and an outline of the document's format and content.

Section 3.0 *Project Description* provides a detailed description of the proposed project, discretionary actions required to implement the project, and objectives of the proposed project.

Section 4.0 *Existing Setting, Impacts, and Mitigation Measures* evaluates the impacts associated with the proposed project. This section is organized by issue area and follows the following framework:

- *Existing Setting*. Information in the existing setting contains a discussion of the local and regional environment conditions (environmental and man-made) in existence at the time the NOP was circulated for public review. Existing setting information provides the reader with the "baseline" from which future impacts are analyzed, and provides a standard against which to measure these impacts.
- *Existing Policies and Regulations.* Regulatory requirements and policies (federal, state, and local) applicable to the issue area are summarized.
- *Methodology.* Identification of methods and techniques utilized for analysis.
- *Thresholds of Significance*. Determinations regarding the significance of potential impacts resulting from implementation of the proposed project are provided. These thresholds represent the criteria used in this EIR to determine whether identified impacts are significant.
- *Impacts*. Potential impacts are identified based on implementation of the proposed project. An analysis of potential impacts of the proposed project is presented in this section. This discussion focuses on the impacts of implementation of the proposed project, and includes potential short-term/long-term and direct/indirect project impacts, and consistency with applicable planning documents or regulations.
    - *Mitigation Measures*. The measures proposed to mitigate any potential impacts of the proposed project.
    - *Level of Significance after Mitigation.* Discussion that provides a conclusion as to whether implementation of the mitigation measures will reduce the project-related and cumulative impacts to a level that is less than significant.

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- *Cumulative Impacts.* This discussion focuses on the potential environmental effect of the proposed project combined with the effects of reasonably foreseeable development within the project study area.

Section 5.0 *Additional Topics Required by CEQA* contains discussions of additional topics required by CEQA, including unavoidable effects of the proposed project, growth inducement, and significant irreversible environmental changes.

Section 6.0 *Alternatives* contains discussion of alternatives to development of the proposed project. As intended by CEQA, sufficient information about each alternative is included to provide meaningful evaluation, analysis, and comparison with the proposed project. This section also evaluates the proposed effects of the No Project Alternative and identifies the environmentally superior alternative.

Sections 7.0–9.0 Contain listings of organizations and persons consulted in preparation of the EIR, references cited, a list of the EIR preparers, and acronyms used in the document.

The *Appendices* contain a copy of the NOP, NOP mailing list, NOP comment letters and responses, public scoping meeting information, technical reports, and other relevant correspondence received during the course of the analysis of the proposed project.

2.2 PURPOSE OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

Approval of the proposed project requires the following discretionary actions by the City:

- Certification of the Project EIR;
- Approval of a Tentative Parcel Map; and
- Approval of the Development Plan Review.

Because of these discretionary actions to be considered by the City, CEQA requires that the proposed project be reviewed to determine the environmental effects that would result if the project is approved and implemented. The City is the Lead Agency and has the responsibility for preparing and certifying this EIR prior to consideration of the proposed project. The City has the authority to make decisions regarding discretionary actions relating to implementation of the proposed project. Ministerial actions include approval of a Preliminary Water Quality Management Plan (P-WQMP) and Final WQMP (F-WQMP), Grading Plans, and Improvement Plans.

The objective of the Draft EIR is to inform City decision-makers, representatives of other affected/responsible agencies, the public, and other interested parties of the potential environmental consequences that may be associated with the approval and implementation of the proposed project. The Draft EIR also examines various alternatives to the proposed project and describes potential impacts relating to a variety of environmental issues and methods in which these impacts would be mitigated or avoided. This Draft EIR has been prepared in accordance with CEQA, California Public Resources Code Section 21000 *et seq.*; the *Guidelines for California Environmental Quality Act* (California Code of Regulations, Title 14, Chapter 3); and the rules, regulations, and procedures for implementing CEQA as adopted by the City.

2.2.1 Purpose of the California Environmental Quality Act

According to Section 15002 of *CEQA Guidelines*, the basic purposes of CEQA are to:

- Inform government decision-makers and the public about the potential significant environmental effects of proposed activities;

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- Identify ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governing agency finds the changes to be feasible; and
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

2.2.2 Intended Use of This EIR

The City, as the Lead Agency, has the responsibility for reviewing and approving the project-related actions. Under contract to the City and as permitted under *CEQA Guidelines* (§ 15084[d-e]), LSA Associates, Inc. (LSA), an independent environmental consulting firm, has prepared the Draft EIR. Prior to certification, this EIR must be subjected to the City's independent review and analysis. The information and conclusions must represent the City's independent judgment. This Draft EIR has been prepared utilizing information from City planning and environmental documents, applicant-provided technical studies; and other publicly available data. This Draft EIR is intended to provide the City with relevant information to use in considering approval of the proposed project by the City, and will serve as an informational document to assess the environmental effects of the proposed project and mitigation measures recommended to avoid or minimize identified significant impacts. As a public disclosure document, the Draft EIR has been made available to public agencies and the public for review prior to the City's consideration of the discretionary actions required for project approval.

2.2.3 Incorporated Documents

CEQA *Guidelines* (§ 15150) permits the incorporation by reference of all or portions of other documents that are generally available to the public. Any documents incorporated by reference are to be made available to the public for inspection at a public place or public building and CEQA requires that the EIR state where the incorporated documents will be made available for public inspection. The following documents have been incorporated by reference:

- *City of Moreno Valley General Plan*, adopted June 11, 2006.
- *City of Moreno Valley General Plan Final Environmental Impact Report*, July 2006.

Information from these documents relates to the condition of the natural and built environment; the type and level of services provided; City objectives, goals, and policies; thresholds for the evaluation of potential environmental impacts; and mitigation measures incorporated into the analysis contained in this Draft EIR. All of the project-related documents are available for review at the following locations:

City of Moreno Valley
Community Development Department
Planning Division
14177 Frederick Street
Moreno Valley, California 92553
(951) 413-3206
e-mail: jeffreyb@moval.com
Hours:
Monday through Thursday: 7:30 a.m. to 5:30 p.m.
Friday: closed

Moreno Valley Main Library
25480 Alessandro Boulevard
Moreno Valley, California 92553
(951) 413-3880
Hours:
Monday–Thursday: 9:00 a.m. to 8:00 p.m.
Saturday: 9:00 a.m. to 5:00 p.m.
Friday and Sunday: closed

The Draft EIR and technical studies is available online at the City's website: http://www.moval.org.

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2.2.4 Technical Reports

Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Draft EIR. The technical reports and other information included as appendices to this EIR include the following:

- Appendix A: *Initial Study, NOP, and NOP Comment Letters*, August 2011.
- Appendix B: Initial Study Technical Reports
    - Appendix B-1: *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010.
    - Appendix B-2: *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 1, 2009.
    - Appendix B-3: *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 9, 2009.
    - Appendix B-4: *Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 11, 2009.
    - Appendix B-5: *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Bouldevard Project, Moreno Valley, Riverside County, California,* Michael Brandman Associates, March 22, 2007.
    - Appendix B-6: *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
    - Appendix B-7: *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.
    - Appendix B-8: *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.
    - Appendix B-9: *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.
    - Appendix B-10: *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.
- Appendix C: *LESA Modeling Worksheets*, LSA Associates, Inc., August 2011.
- Appendix D-1: *Air Quality Analysis VIP Moreno Valley*, LSA Associates, Inc., August 2011.
- Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., August 2011.
- Appendix E: *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., August 2011.
- Appendix F: *Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., August 2011.

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- Appendix G: *Traffic Study VIP Moreno Valley*, LSA Associates, Inc., January 2012.

In addition to these technical studies, this Draft EIR includes the Initial Study, NOP, Distribution List, and public responses to the NOP, which are included as Appendix A.

2.3 PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

This Draft EIR will be distributed to responsible and trustee agencies, other affected agencies, and interested parties. Additionally, in accordance with Public Resources Code 21092(b)(3), the Draft EIR will be provided to all parties who have previously requested copies. Notice of Completion and Availability of the Draft EIR will be distributed as required by CEQA. During the 45-day public review period, the Draft EIR and technical appendices will be made available for review.

Written comments regarding this Draft EIR should be addressed to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley, Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92553
Phone: (951) 413-3224
e-mail: jeffreyb@moval.com

After the 45-day public review period, written responses to all significant environmental issues raised will be prepared. These responses will be available for review for a minimum of 10 days prior to the public hearing before the Planning Commission, at which time the certification of the Final EIR will be considered. The Final EIR, which includes the Draft EIR, the public comments and responses to the Draft EIR, and findings will be included as part of the environmental record for consideration by the City decision-makers.

2.3.1 Initial Study and Notice of Preparation

The City formally initiated the environmental process with circulation of an NOP, which it sent to responsible agencies and interested individuals for a 30-day review period from August 26 to September 26, 2011. At the close of the public review period, the City had received 12 letters on the NOP. Summaries of the comments received during the NOP comment period have been previously identified in Section 1.3.1 of this Draft EIR. The NOP and the responses to the NOP from agencies and individuals are included in Appendix A of this EIR.

2.3.2 Public Scoping Meeting

A public scoping meeting was held to solicit public comment as to the scope of the EIR. This meeting was held on September 19, 2011, at 6:00 p.m. at the City of Moreno Valley City Council Chambers. Other than City staff and the EIR consultant, two members of the public attended and only one question was asked regarding the location of the project's soil export site.

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2.4 POTENTIAL SIGNIFICANT IMPACTS OF THE PROPOSED PROJECT DISCUSSED IN THE EIR

As identified in the NOP, this Draft EIR includes an analysis of potential environmental effects associated with the following issues:

- Agricultural and Forest Resources
- Air Quality
- Greenhouse Gases and Global Climate Change
- Noise
- Transportation

2.5 EFFECTS FOUND NOT TO BE SIGNIFICANT

As required under CEQA (§ 15128), an EIR is to contain a statement supporting the Lead Agency's determination that some of the possible effects of a project are not significant and, therefore, are not discussed in detail in the EIR. The City has determined that potential impacts related to the following issue areas are either no impact, less than significant, or less than significant with implementation of mitigation measures (as indicated in the Initial Study (Appendix A). Mitigation that is identified for issues that were determined to be less than significant with the implementation of mitigation measures will be identified in the Mitigation Monitoring Plan that will be attached to the Final EIR and adopted by the City. The discussion below addresses each significance threshold as indicated in Appendix G of the CEQA Guidelines to make it clear to the reader which impacts are no impact, less than significant and less than significant with the implementation of mitigation measures.

2.5.1 Aesthetics

Would the project:

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. According to the Moreno Valley General Plan EIR, much of the existing development within the planning area is limited to the flat valley floor, preserving the views of the largely undeveloped surrounding hillsides. Existing urbanized development consists of residential, business park, commercial, office, and public uses, with single-family residential uses comprising the great majority of urbanized land. Non-residential urban uses are concentrated along major transportation corridors and around the joint civilian and military use March Air Reserve Base. The proposed project is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Although the General Plan identifies major scenic resources (i.e., surrounding mountains, San Jacinto/Hemet Valley, buildings, landscaping, and signs) in Moreno Valley as being visible from SR-60, the project would not affect views of these major scenic resources. In addition, the proposed project is consistent with development envisioned in the General Plan and Specific Plan 208, and based on the narrow definition of what constitutes a scenic vista as described in the City's General Plan EIR,[1] the potential impact to scenic vistas would be less than significant

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The proposed project is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity.[2] As noted in the discussion above, the City's General Plan identifies major scenic resources as being visible from SR-60 and the project would not affect views of these major scenic resources. In addition, the proposed site does not contain rock outcroppings,

[1] *Figure 5.11-1 Major Scenic Resources*, City of Moreno Valley General Plan Final Program EIR, July 2006.
[2] Caltrans California Scenic Highway Program, http://www.dot.ca.gov/hq/LandArch/scenic/cahisys.htm, website accessed June 8, 2011.

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historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. As no impact to an identified scenic resource within a state scenic highway would result from development of the proposed on-site uses, no impact associated with this issue would occur.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. Visual impacts associated with changes to the general character of the *project site (e.g., loss of open area), the components of the visual settings (e.g., landscaping and* architectural elements), and the visual compatibility between proposed site uses and adjacent land uses would occur. The significance of visual impacts is inherently subjective as individuals respond differently to changes in the visual characteristics of an area. The project site is currently undeveloped with existing warehousing and industrial uses to the north, east, and west. Implementation of the proposed project would result in the construction and operation of approximately 1,616,133 square feet of warehouse distribution uses with associated parking areas, landscaping, and roadway infrastructure within approximately 71 acres. Therefore, development of the proposed project would change the character of the project site from open space to a more urbanized setting. The change in the character of the site would constitute an alteration of the existing visual character of the project site.

The proposed project features a variety of architectural elements including façade accents such as corner treatments and roof trim. The project would also provide variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation creates shadow lines at various times of the day. The proposed landscaping would replace the scattered weedy vegetation with a consistent and integrated vegetation palette. Landscaping on site would be provided in accordance with City Municipal Code Chapter 9.17, which requires the installation of landscaping on site and the planting of one tree for every 30 linear feet of building dimension that is visible from the parking lot or public right-of-way. The proposed project would also be required to install landscape and irrigation and provide screen walls to block view of activity in truck court. Additionally, the proposed project would include the installation of water-efficient landscaping throughout the development with landscaping proposed along the project perimeter, internal drives, and throughout the on-site parking areas. The City's Municipal Code (Section 19.05 and Table 9.05.040-8) establishes the number, location, height, and style of signage permitted within industrial zones. The submittal and approval of signs are required for all development in the City; therefore, it is reasonable to conclude that any on-site signs are internally compatible and consistent with the City's current signage standards. Adherence to City requirements would result in a less than significant level.

Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The proposed project would replace the existing vacant parcel with development that is visually compatible with existing development in the vicinity as well as the proposed future urbanization of the area through the use of architectural elements, landscaping, and project design. In addition, the proposed project would be designed and constructed per applicable City Municipal Code and General Plan standards. Therefore, because no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings is anticipated to result from the proposed project, no significant impact related to this issue would occur.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Currently, there are no sources of light or glare on the project site. Existing sources of light and glare from surrounding areas include streetlights, exterior lighting from the nearby warehouse buildings, and vehicle headlights from motorists driving along Perris

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Boulevard. Development of the project site would introduce a new source of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings. It is anticipated that the materials utilized in the construction of the proposed lighting fixtures would be generally similar to those utilized in nearby warehouse uses within the City. Lighting within loading areas will be directed downward so as to not project lighting into the sky.

Exterior surfaces of the concrete tilt-up structure would be finished with a combination of architectural coatings, trim, glazing, and other building materials such as concrete and brushed metal. The proposed project is not expected to significantly increase the amount of daytime glare in the project area. All development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses. Therefore, impacts associated with this issue are less than significant

2.5.2 Biological Resources

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Potentially Significant Unless Mitigation Incorporated. The following discussion is based in part on the *General Habitat Assessment*[1] prepared for the proposed project, including focused burrowing owl, special status plant, and wetland determination studies contained in its appendices. Biological resources surveys were conducted on the project site in February, May, June, and July 2007, and August and October 2009.

The proposed project site was last used for agricultural purposes in 2005 and currently lies fallow. The site is disked annually to reduce weed growth and fire hazards. Portions of the site have also been scraped by earthmoving equipment associated with adjacent development, roadway work, construction equipment staging, and stockpiling. Non-native, ornamental trees are located in the southeast portion of the site. Four small depressions created by construction activities are located on the eastern edge of the site. A north-south ditch is located through the center of the site.

In general, the existing condition on site is characterized as a regularly disked field that supports little to no standing vegetation. Ruderal (weedy) herbs and grasses occupy portions of the site perimeter, the ditch, and depressions. Ruderal, invasive species observed on the site included Palmer's amaranthus (*Amaranthus palmeri*), Russian thistle (*Salsola tragus*), pigweed (*Chenopoium album*), cheeseweed (*Malva parviflora*), foxtail chess (*Bromus madritensis*), ripgut grass (*Bromus diandrus*), barely (*Hordeum murinum*), common sow thistle (*Sonchus oleraceus*), prickly lettuce (*Lactuca serriola*), five-hook bassia (*bassia hysopifolila*), knotweed (*Polygonum arenastrum*), and short-pod mustard (*Hirschfeldia incana*). Ornamental trees include gum tree (*Eucalyptus* sp.), pine (*Pinus* sp.), and Peruvian pepper (*Schinus molle*). Native plant species present on the site include common sunflower (*Helianthus annuus*), Rancher's fireweed (*Amsinckia menziesii*), California-aster (*Lessingia filaginifolia*), horseweed (*Conyza canadensis*), a few mule fat (*Baccharis salicifolia*), and one broom baccharis (*Baccharis sarothroides*). The ditch supports many of the ruderal species cited above as well as scattered nightshade (*Solanum* sp.), pineapple weed (*Chamomilla suaveolens*), dog

[1] *General Habitat Assessment, 71-acre Site, APNs 316-210-071, -073, -075, -076*, Ecological Sciences, Inc. August 1, 2010.

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mayweed (*Anthemis cotula*), curly dock (*Rumex crispus*), tarplant (*Centromadia pungens* ssp. *pungens*), willow-herb (*Epilobium ciliatum*), salt heliotrope (*Heliotropium curassavicum*), fleabane (*Conyza bonariensis*), thistle (*Cirsium* sp.), Rancher's fireweed, decaying stalks of cattails (*Typha latifolia*), one willow (*Salix* sp.), and invasive salt cedar (*Tamarix* sp.). The four depressions are dominated by brome grasses, filaree (*Erodium cicutarium*), mustards (*Brassica/Hirschfeldia* sp.), Russian thistle, Bermuda grass (*Cynodon dactylon*), aster, mayweed, telegraph weed (*Heterotheca grandiflora*), common sunflower, Australian saltbush (*Atriplex semibaccata*), fleabane, and nettle-leaved goosefoot (*Chenopoium murale*).

Birds observed on the site included the red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), Brewer's blackbird (*Euphagus cyanocephalus*), European starling (*Sturnus vulgaris*), rock dove (*Columbia livia*), Say's phoebe (*Sayornis saya*), northern mockingbird (*Mimus polyglottos*), western kingbird (*Tyrannus verticalis*), western meadowlark (*Sturnella neglecta*), morning dove (*Zenaida macroura*), house finch (*Carpodacus mexicanus*), and house sparrow (*Passer domesticus*). Reptiles observed on the site included the side-blotched lizard (*Uta stansburiana*) and western fence lizard (*Sceloporus occidentialis*). Mammals observed on the site included the California ground squirrel (*Spermophilus beecheyi*), desert cottontail (*Sylvilagus audubonii*), and pocket gopher (*Thomomys bottae*).

Thirty-one species in western Riverside County have special status under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). These include species that are listed as "endangered" or "threatened" under the FESA or that have been "proposed" or are "candidates" for such listing. These also include species that are listed as "endangered," "threatened," or "rare" under the CESA or that have been petitioned (i.e., are "candidates") for listing. The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) provides for the long-term survival of protected and sensitive species by designating a contiguous system of habitat to be added to existing public/quasi-public lands. The Plan includes an impact fee collected by the 16 member cities and other local agencies, including the City of Moreno Valley, used to acquire these lands. Depending on the location of a private or public development project, certain biological studies may be required to comply with the MSHCP. The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (*Athene cunicularia*), five Narrow Endemic Plant Species (NEPS), and nine Criteria Area Plant Species (CAPS). A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.

Species Status Avian and Burrowing Owl Species

Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site. Due to intensive disking that had occurred on site, only a few marginally suitable potential burrows were identified. Although burrowing owl is known to occur on land that has been disturbed, it tends to avoid heavily disked areas because potential burrows occlude/collapse. However, burrowing owls, and other native bird species protected under the Migratory Bird Treaty Act (MBTA), are very mobile and opportunistic species that can occupy a site. For this reason, **Mitigation Measures BIO-1** through **BIO-4** requiring pre-construction surveys will be implemented to reduce impacts to nesting birds and burrowing owl.

- **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further

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mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.

- **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.
- **Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.
- **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.

Implementation of the above-listed mitigation measures would reduce impacts to burrowing owl and special status avian species to a less than significant level.

Special Status Plant Species

The five NEPS and nine CAPS were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the project site lacks suitable habitat for these species due to historic agricultural activities. Nonetheless, focused surveys were conducted to cover the four depressed areas and the ditch. No special status plants were observed during the focused surveys. Because of the absence of members of the species and suitable habitat, a less than significant impact to special status plants would occur.

b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Wildlife Service?

Less than Significant Impact. Assessment of the MSHCP objectives associated with Riparian/Riverine Areas, Vernal Pools, and Fairy Shrimp is required because of the presence of the four depressions on the eastern project boundary and the ditch that runs north-south through the center of the site. This assessment was included in the *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation* prepared for the project.[1] No evidence of a natural stream course, riparian area, or vernal pool was observed during the February 2007 general site survey. Subsequent field survey in October 2009 identified mud cracks in the four depressions along the eastern project boundary. In 2007, this area had been recently scraped as part of the City's Perris Boulevard widening project. As part of the biological resources assessment for the roadway widening project, dry season fairy shrimp surveys yielded the presence of the common Lindahl's (versatile) fairy shrimp (*Branchinecta lindahli*), which is a non-listed species. The City mitigated impacts to the vernal pool by purchasing mitigation bank credits toward an off-site wetland mitigation bank. Complete mitigation of impacts to these vernal pools has been satisfied. No further analysis of this issue in the EIR is required.

[1] Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, Ecological Sciences, Inc., November 1, 2009.

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As stated in the jurisdictional survey report, water does not appear to remain in the ditch long enough to support wetland hydrology and extensive hydrophytic vegetation. The drainage ditch was created approximately 20 years ago in order to receive off-site drainage flows from the property to the north. That property and Grove View Road were developed last year, and drainage from the property to the north now flows into a storm drain located in Grove View Road. The ditch no longer accepts off-site flows and now only accepts minimal amounts of drainage from on-site sheet flow. In accordance with the MSHCP definition of a wetland habitat or a natural stream, the ditch was artificially created for the purposes of drainage and is therefore not defined as a wetland habitat or an altered natural stream course. For this reason, the proposed project would have a less than significant impact on riparian/riverine areas, vernal pools, and fairy shrimp.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less than Significant Impact. The potential for agency jurisdiction of the on-site drainage ditch was assessed as part of the previously referenced *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation* prepared for the project. The ditch does not meet the three-parameter test for jurisdiction (vegetation, hydrology, and soils). The jurisdictional survey report notes the ditch contains only one riparian indicator species, a willow tree. The ditch is not part of a remnant blue line stream or connected upstream or downstream from a known natural stream or modified natural drainage way. Soil samples at three locations indicated a lack of hydric soils. The proposed project would have a less than significant impact on protected wetlands.

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact. Habitat fragmentation occurs when a proposed action results in a single, unified habitat area being divided into two or more areas, such that the division isolates the two new areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of the habitat to another or from one habitat type to another. An example is the fragmentation of habitats within and around clustered residential development. Habitat fragmentation may occur when a portion of one or more habitats is converted into another habitat, as when scrub habitats are converted into annual grassland habitat because of frequent burning.

Upon completion, implementation of the MSHCP will create an interconnected link of natural habitat areas by utilizing existing public and quasi-public areas and acquiring additional areas to establish this interconnected link of natural habitats using fees collected by the member agencies as private land is developed. The resulting habitat areas will result in the protection of sensitive and special status species, partly through the interconnected habitat areas. Because the proposed project is not covered by a proposed or existing Core or Linkage as identified in the MSHCP, development of the site will not impede wildlife movement. The project site is not in proximity to any known wildlife corridors. Intervening development (industrial uses) and roadways adjacent to the project site separate the project site from surrounding areas. These features already restrict wildlife movement in the project vicinity. Due to the disturbed condition of the project site, the nature of adjacent development, and the intervening presence of roadways and infrastructure, development of the proposed project would not result in significant habitat fragmentation or substantially affect established wildlife corridors or wildlife movement. Therefore a less than significant impact associated with this issue would occur.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

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No Impact. City policies or ordinances identified in the General Plan protecting biological resources include mitigation of impacts to riparian areas or other natural sensitive communities (Policy 7.4.1), preservation of natural drainage courses in their natural hydrological state (Policy 7.4.3), and City fulfillment of obligations set forth within any agreements and permits related to MSHCP implementation (Policy 7.4.5). Adherence to Policy 7.4.5 was discussed previously in response to Questions a), b), and d) above.

The drainage ditch running north-south through the center of the project site does not contain the vegetation, hydrology, or soils characteristics associated with a wetland or natural drainage. As previously identified, the ditch is not considered a riparian area and therefore the project would not conflict with the City's polices to protect natural drainages and sensitive communities. Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources and a less than significant impact would occur.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?

Potentially Significant Impact Unless Mitigation Incorporated. See responses to Questions a), b), and d) above. The proposed project is located within the boundaries of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the MSHCP, a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in western Riverside County. The project is not within any MSHCP Criteria Areas or Public/Quasi-Public Land. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR HCP will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the MSHCP. The fee is currently $6,597 per acre.

2.5.3 Cultural Resources

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Less than Significant Impact. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the site contains a historic site and a historic isolate, which were recorded and evaluated for significance in accordance with CEQA. Based on the study, it was determined that the historic resource and historic isolate were not considered to be significant. Consequently, construction and grading of the proposed project site will not affect significant historic resources, resulting in a less than significant impact.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less than Significant Impact. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the site has a low potential for containing archeological resources due to the lack of such resources previously discovered in the surrounding area and the disturbed nature of the project site. Consequently, construction and grading of the proposed project site will have a low probability of damaging archeological resources. Impacts to archeological resources are considered to be less than significant.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact Unless Mitigation Incorporated. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the

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site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources are the fossilized biotic remains of ancient environments valued for the information they yield about the history of the earth and its past ecological settings. These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the proposed project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. **Mitigation Measure CUL-1** has been identified to reduce the significance of paleontological resource impacts.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
- If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.
- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.
- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Adherence to this measure would reduce impacts to paleontological resources to a less than significant level.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact. No evidence is in place to suggest the project site has been used for human burials.[1] The California Health and Safety Code states that if human remains are discovered on site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition.[2] Disposition of the human remains should occur in the manner provided in §

[1] *Chapter 5.10 Cultural Resources*, City of Moreno Valley General Plan Final EIR, July 2006.
[2] Division 7, *Dead Bodies;* Chapter 2, *General Provisions*, § 7050.5, California Health and Safety Code.

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5097.98 of the Public Resources Code. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. As adherence to State regulations is required for all development, no mitigation is required in the unlikely event that human remains were discovered on the site. Therefore, impacts associated with the discovery of human remains would be less than significant.

2.5.4 Geology and Soils

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

   (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

   No Impact. The proposed project site is not located within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. The nearest faults are those that form the San Jacinto Fault Zone,[1] located approximately 7.0 miles from the project site. As such, the potential for fault ground rupture at the site is considered low; therefore, no impact related to this issue would occur

   (ii) Strong seismic ground shaking?

   Less Than Significant Impact. Like all of Southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. The maximum event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2.[2] The maximum credible earthquake (MCE) is generally less than or equal to design levels as defined by the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Adherence to the UBC and the California Building Code standards would ensure potential ground shaking impacts are reduced to a less than significant level.

   (iii) Seismic-related ground failure, including liquefaction?

   Less Than Significant Impact. Liquefaction is a phenomenon that occurs when strong earthquake shaking causes soils to collapse from a sudden loss of cohesion and undergo a transformation from a solid to a liquefied state. Factors influencing a site's potential for liquefaction include area seismicity, the type and characteristics of on-site soils, and the level of groundwater. Liquefaction typically occurs in areas where groundwater is shallower than approximately 30 feet, and where there is the presence of loose, sandy soils. According to the City's General Plan, liquefaction is not considered to be a local hazard since groundwater levels in Moreno Valley are far below the surface.[3] The project's geotechnical analysis[4] indicates that the depth of groundwater within the project vicinity is in excess of 100 feet. The proposed project site is not located in an area identified as being prone to liquefaction. The potential for earthquake-induced liquefaction within

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1 California Geological Survey, 2002 and 2005.
2 *Table 5.6-1 Potential Earthquake Scenarios for Moreno Valley*, Moreno Valley General Plan Final Program EIR, July 2006.
3 *Chapter 6 Safety*, City of Moreno Valley General Plan, July 11, 2006.
4 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

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the proposed project is considered very low.[1] Because liquefaction at the project site is considered to be very low, a less than significant impact related to liquefaction would occur

(iv) Landslides?

No Impact. Landslides are rock, earth, or debris flows on slopes as a result of gravity. They occur on any terrain given the right conditions of soil, moisture, and the angle of slope and are triggered by rains, floods, earthquakes, and other natural causes as well as human-made causes, such as grading, terrain cutting and filling, excessive development.[2] The topography of the site is generally flat with a gentle slope from east to west and does not present any significant topographical features that would result in any landslide occurrences. No landslide impact would result from the development of the proposed on-site uses.

(b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Based on a review of the Soil Survey, Western Riverside Area, California,[3] the proposed project site is mapped as containing Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2). The erosion hazard for EnA, EpA, GyA, and RaA soils is slight, while EwB, EyB, and Tp2 soils have a slight to moderate erosion hazard. ReC2 soils have a moderate erosion hazard. Development would require the movement of on-site soils and the import of fill material. Prior to the issuance of grading permits, the project proponent would be required to prepare and submit detailed grading plans for the project site. These plans must be prepared in conformance with applicable standards of the City's Grading Ordinance.

Development of the site would involve more than one acre; therefore, the proposed project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) would also be required to address erosion and discharge impacts associated with the proposed on-site grading. In addition to preparation of an SWPPP, new development projects submitted to the City would be required to submit a project-specific Water Quality Management Plan (WQMP). The WQMP would identify measures to treat and/or limit the entry of contaminants into the storm drain system. The WQMP is required to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan.

As soils covering the majority of the project site have a slight to moderate erosion hazard potential, imported fill material would be approved by a soils engineering firm, and because the project would be required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, and prepare an SWPPP, construction and operational, impacts associated with soil erosion hazards are less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Potentially Significant Impact Unless Mitigation Incorporated. The project's geotechnical analysis[4] performed in-place density tests, which revealed that soil shrinkage that may occur would be approximately 10 percent to 15 percent due to excavation and recompaction. This is based on the assumption that the fill would be compacted to 90 percent of the dry density per ASTM standards. As a result subsidence is estimated at 0.2 feet due to earthwork operations. Impacts are considered potentially significant and mitigation measures are required. The geotechnical analysis determined that there is no potential for landslides or liquefaction. Additionally, potential impacts related to lateral

1 *Figure 5.6-2 Seismic Hazards*, Moreno Valley General Plan Final Program EIR, July 2006.
2 American Planning Association Research, http://www.planning.org/landslides/docs/whatare.html, October 2007.
3 Soil Survey Geographic database (SSURGO)/Soil Data Mart, 2003.
4 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

spreading would be reduced to less than significant level through adherence to the UBC.The following mitigation measure would reduce potential impacts associated with unstable soils to a less than significant level.

Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Potentially Significant Impact Unless Mitigation Incorporated. Expansive soils generally have a significant amount of clay particles, which can give up water (shrink) or take on water (swell). The change in volume exerts stress on buildings and other loads placed on these soils. The extent of shrink/swell is influenced by the amount and kind of clay in the soil. The occurrence of these soils is often associated with geologic units having marginal stability. The distribution of expansive soils can be widely dispersed, and they can occur in hillside areas as well as low-lying alluvial basins.

As discussed above, soils on site include Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2).[1] As detailed in the project's geotechnical analysis,[2] expansive soils were observed on the project site. Exploratory trenches revealed the existing earth materials on site to consist of a disturbed soil/fill and natural soil. A fill/disturbed natural soil classifying as a brown, sandy to clayey silt to a silty sand was encountered across the site and ranged in depth from 1 foot to 1½ feet. These soils were noted to be soft to loose and damp. An undisturbed alluvium soil classifying as a brown sandy to clayey silt to a silty sand was encountered beneath the disturbed top soils and fill. These native soils were noted to be firm to stiff, medium dense to dense, and moist.

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1 Soil Survey Geographic database (SSURGO)/Soil Data Mart, November 23, 1998.

2 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

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Development of the proposed project site would be required to adhere to UBC and City design and engineering standards. However, because expansive soils are present on site, impacts associated with this issue are potentially significant and mitigation measures are required. The following mitigation measure would reduce potential impacts associated with expansive soils to a less than significant level.

Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The proposed project would connect to the existing sanitary sewer system. Because septic or alternative waste disposal systems would not be utilized, no impact related to this issue would occur.

2.5.5 Hazards and Hazardous Materials

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The proposed project would result in the construction of industrial uses. Potentially hazardous materials such as fuel, paint products, lubricants, solvents, and cleaning products may be used and/or stored on site during the construction and/or occupancy of the proposed industrial facilities. The transport, use, and storage of hazardous materials during the construction and operation of the site would be conducted in accordance with all applicable state and federal laws. Compliance with all applicable laws and regulations would reduce the potential impact associated with the routine transport, use, storage, or disposal of hazardous materials to a less than significant level.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

Less Than Significant Impact. Exposure to hazardous materials during the construction and operation of the proposed on-site uses would result from (1) the improper handling or use of hazardous substances; (2) transportation accident; or (3) an unforeseen event (e.g., fire, flood, or earthquake). The severity of any such exposure is dependent upon the type, amount, and characteristic of the hazardous material involved; the timing, location, and nature of the event; and the sensitivity of the individual or environment affected.

The transport, storage, and handling of hazardous material is governed by existing local, state, and federal regulations, including applicable sections of the California Code of Regulations. In Moreno Valley, the Riverside County Community Health Agency, Department of Environmental Health is the local agency that has been certified by the California Environmental Protection Agency (CalEPA) to implement and ensure compliance with six state environmental and emergency programs. These programs include Hazardous Materials Business Plan/Emergency Response Plan, Hazardous Waste/Tiered Permitting, Underground Storage Tanks, Aboveground Storage Tanks, California

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Accidental Release Program, and the Uniform Fire Code Hazardous Materials Management Plan and Hazardous Material Inventory Statements. The Riverside County Community Health Agency, Department of Environmental Health, as the local agency charged with implementing these programs, will provide permitting, inspections, and enforcement with the required regulations. Hazardous wastes produced on site are subject to requirements associated with accumulation time limits, proper storage locations and containers, and proper labeling. Additionally, for removal of hazardous waste from the site, hazardous waste generators are required to use a certified hazardous waste transportation company, which must ship hazardous waste to a permitted facility for treatment, storage, recycling, or disposal.

As with any operation in which hazardous materials are utilized, any on-site activity involving hazardous substances must adhere to applicable local, state, and federal safety standards, ordinances, or regulations. Businesses engaged in the use, storage, or transport of hazardous substances are monitored by various local (e.g., Riverside County Fire Department) and State (e.g., Department of Toxic Substance Control) entities. Compliance with applicable regulations will ensure impacts associated with the use, transport, storage, and sale of hazardous materials will be less than significant.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The nearest existing school to the project site is Rancho Verde High school, which is located at 17750 Lasselle Street, approximately 1.0 mile to the east and El Potrero Elementary School at 16820 Via Pamplona Drive located approximately 1.0 mile to the northeast. There are no proposed schools located within a quarter mile of the project site. In the absence of an existing or proposed school within a quarter mile of the project site, no impact would occur.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. The Department of Toxic Substance Control (DTSC), which designates the sites for the Hazardous Waste and Substance Site (Cortese) List, does not indicate any underground storage tanks, hazardous waste generators, landfills, or other potentially hazardous materials located on the site.[1] The project site and adjacent sites were not listed in any of the databases searched, including the Cortese list. Although past agricultural activity, which included the use of pesticides, was occurring as recent as 2005, the Phase I Site Assessment concluded that common practices in the application of these pesticides, including the ordinarily limited quantities in which they are applied and limited lifespan of these materials, no significant environmental concerns remain on the site from the past use of these materials. The proposed project site is not noted on public records reviewed in the Phase I Site Assessment as a known source of hazardous materials contamination. As such, impacts are less than significant.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

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[1] *Phase I Environmental Assessment for the Evaluation of Potentially Hazardous Materials for Approximately 75 Acres Between Indian Avenue and Perris Boulevard, North of the Perris Valley Storm Drain, Moreno Valley, California 92551*, Centec Engineering, Inc., February 23, 2007/

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Less Than Significant Impact. The nearest airport, March Reserve Base Airport, is located approximately 0.5 mile northwest of the proposed project site. The proposed project is located outside of the Accident Potential Zones (APZ) of the March Air Reserve Base Air Installation Compatibility Use Zone Study.[1] The proposed uses and building structure are therefore compatible with the permitted uses and building structure height restrictions for the March Reserve Base. The proposed project is also consistent with the permitted uses and building height restrictions contained in Specific Plan 208. No other airport exists within the City of Moreno Valley. The development of the proposed project uses would not result in a safety hazard to persons residing or working in the project area. A less than significant impact would occur.

g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed project is consistent with the General Plan Circulation Element and Specific Plan 208. The proposed project would be required to design, construct, and maintain structures, roadways, and facilities in accordance with applicable standards associated with vehicular access, resulting in the provision of adequate vehicular access that would provide for adequate emergency access and evacuation. Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures would reduce potential impacts related to this issue to a less than significant level.

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less Than Significant Impact. The project site is not located within a Fire Hazard Area or within an area susceptible to wildfires identified by the City of Moreno Valley.[2] Areas surrounding the project site consist of urban, built, and open space. Because of lack of abundant vegetation and the moderate amount of development within the vicinity of the project site, on-site and adjacent areas do not have the capability to support a wildfire. Because of the low probability that the project site would be subject or susceptible to wildland fires, no significant impact related to this issue would occur.

2.5.6 Hydrology and Water Quality

Would the project:

a) Violate any water quality standards or waste discharge requirements?

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner that would result in flooding on site or off site?

e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

Potentially Significant Impact Unless Mitigation Incorporated. Development of the project site is in excess of one acre; therefore, the project is required to obtain coverage under an NPDES permit, which includes the submittal of a Notice of Intent (NOI) application to the State Water Resources

[1] Air Installation Compatibility Use Zone Study for March Air Reserve Base, August, 2005. http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf. Accessed June 8, 2011.

[2] *Figure 5.5-2 Floodplains and Fire Hazard Areas,* City of Moreno Valley General Plan Final Program EIR, July 2006.

Control Board (SWRCB), the receipt of a Waste Discharge Identification Number (WDID) from SWRCB, and the preparation of an SWPPP for construction discharges. During the construction period, the project would use a series of Best Management Practices (BMPs) to reduce erosion and sedimentation. These measures may include the use of gravel bags, silt fences, hay bales, check dams, hydroseed, and soil binders. The construction contractor would be required to operate and maintain these controls throughout the duration of on-site activities. In addition, the construction contractor would be required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the RWQCB.

The implementation of NPDES permits ensures that the state's mandatory standards for the maintenance of clean water and the federal minimums are met. Coverage with the permit would prevent sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. An SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES permit. The SWPPP is intended to facilitate a process whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed to prevent or control the discharge of pollutants in stormwater runoff.

The construction and grading phases of the project site would require the disturbance of surface soils and removal of existing vegetative cover. During the construction period, grading and excavation activities would result in exposure of soil to storm runoff, potentially causing erosion and sediment in runoff. If not managed through BMPs, the runoff could cause erosion and increased sedimentation in local drainage ways. By volume, sediment is the principal component in most storm runoff. Sediments also transport substances such as nutrients, hydrocarbons, and trace metals, which are conveyed to the receiving waters. The potential for chemical releases is present at most construction sites in the form of fuels, solvents, glues, paints, and other building construction materials. Once released, substances such as fuels, oils, paints, and solvents could be transported to nearby surface waterways and/or to groundwater in stormwater runoff, wash water, and dust control water, potentially reducing the quality of the receiving waters and potentially result in impairment of downstream water sources.

The NPDES permit program was established under Section 402 of the Clean Water Act, which prohibits the unauthorized discharge of pollutants, including municipal, commercial, and industrial wastewater discharges. An NPDES permit would generally specify an acceptable level of a pollutant or pollutant parameter in a discharge (for example, a certain level of bacteria). The permittee may choose which technologies to use to achieve that level. Some permits, however, do contain certain generic BMPs. Table 2.A lists BMPs for runoff control, sediment control, erosion control, and housekeeping that may be used during the construction and operations phases of the proposed project.

Table 2.A: General Best Management Practices

Runoff Control	Sediment Control	Erosion Control	Good Housekeeping
• Minimize clearing • Preserve natural vegetation • Stabilize drainage ways	• Install perimeter controls • Install sediment trapping devices • Inlet protection	• Stabilize exposed soils • Protect steep slopes • Complete construction in phases	• Create waste collection area • Put lids on containers • Clean up spills immediately

Source: National Pollutant Discharge Elimination System, Construction Site Storm Water Runoff Control, http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm, website accessed June 8, 2011. More detailed Best Management Practices are available at this web site.

Adherence to NPDES requirements is required of all development within the City. Incorporation of **Mitigation Measures HYD-01** through **HYD-03** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. On-site grading activities and the development of the proposed on-site uses would increase the potential for the erosion of soils. However, adherence to the BMPs identified by the above mitigation measures would reduce impacts associated with short-

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term (construction) stormwater discharges during project construction. Therefore, impacts associated with this issue are reduced to a less than significant level.

The proposed project would result in the conversion of existing on-site permeable surfaces to impermeable surfaces, thereby altering the current drainage pattern. Upon development of the proposed on-site uses, storm runoff from the roadways, parking lots, and buildings may carry a variety of pollutants. As identified in the Preliminary WQMP[1] prepared for the proposed project, expected pollutants are trash, debris, oil, and grease. Potential pollutants of concern include organic compounds (specifically solvents), metals, sediment/turbidity, nutrients, oxygen-demanding substances, and pesticides if landscaping or open area exists on the project site. Since the parking area is greater than 5,000 square feet, expected pollutants from parking lots include organic compounds (specifically petroleum hydrocarbons), trash, debris, oil, grease, and metals. Potential pollutants of concern associated with parking areas greater than 5,000 square feet include sediment/turbidity, nutrients, oxygen-demanding substances, pesticides, and bacteria and viruses (bacterial indicators are routinely detected in pavement runoff).

The site's "first flush" storm runoff will be directed to five (5) Austin sand filters at appropriate locations of the site. Hydro-dynamic clarifiers, equipped with oil absorptive and/or screening devices will be placed upstream of the filters where appropriate to provide initial removal of trash, debris, and sediment. Three (3) of the storage areas of these filters will be lined with concrete to prevent recontamination of sediment. The fourth Austin sand filter located at the south property line opposite the center of the building will accept flows from a flat gradient, landscaped swale, which is intended to allow sediment to drop out of suspension prior to being treated by that Austin sand filter. The fifth Austin sand filter will utilize a combination of both approaches (clarifier and settling). Once the required treatment quantities have been captured, bypass designs will allow the excess runoff to be discharged into adjacent off-site storm drain facilities. The design will not incorporate infiltration due to excessively low percolation rates.

The storm water for the proposed project will discharge into existing storm drains located in Perris Boulevard (Perris Valley ADP Lateral B-1) and Indian Street (Perris Valley ADP Lateral B-3), as well as directly into the Perris Valley Storm Drain Lateral B channel. From the Perris Boulevard and Indian Street storm drains, the storm water will be discharged into the Perris Valley Storm Drain Lateral B channel and on to the proximate receiving water, which is Reach 3 of the San Jacinto River. This water body segment flows into Canyon Lake, Reach 1 of the San Jacinto River, and Lake Elsinore. Both Canyon Lake and Lake Elsinore are on the Federal 303(d) list of Impaired Water Bodies. Downstream receiving waters include Reach 3 of the Santa Ana River, Reach 2 of the Santa Ana River, Reach 1 of the Santa Ana River, and the Pacific Ocean. The waters on this list do not meet Water Quality Standards associated with Beneficial Uses for the listed water bodies. Canyon Lake is impaired for nutrients and pathogens, Lake Elsinore is impaired for nutrients, organic enrichment/low dissolved oxygen, sedimentation/siltation, and unknown toxicity. Santa Ana River is impaired for pathogens. Lake Elsinore is considered a closed system and is not discharged regularly. Only during severe storm events do flood waters discharge into Temescal Creek.

The implementation of the identified treatment controls is planned to further supplement the pollution prevention and source control measures by treating the water to remove pollutants before it is released from the project site. Basins constructed on the site would be anticipated to function as extended detention basins. The proposed project also includes the use of vegetated swales and sand filters, which would filter runoff coming from the project site. The use of the detention basins, vegetated swales, and sand filters has a medium-to-high removal efficiency for the pollutants that are anticipated to occur on the project site.

Although adherence to the Riverside County Storm Water Clean Water Protection Program, which includes the preparation of a WQMP, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-04** is designed to track both standard requirements and mitigation measures as part of the project's MMRP.

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[1] *Preliminary Water Quality Management Plan for VIP Moreno Valley, Robert* A. Bebensee, R.C.E, July 24, 2009.

The proposed project would incorporate on-site drainage that would have hydrodynamic infrastructure components that would meet the City's, as well as the County's, water quality and flow requirements. Through the use of site design BMPs, source control BMPs (e.g., street and parking lot sweeping and vacuuming), and treatment control BMPs (e.g., extended detention basins, sand filters and catch basin drain inserts), the resulting pollutant loads coming from the proposed project would be reduced, thereby ultimately reducing pollutants discharged from urban stormwater runoff to surface water bodies. Because adherence to the requirements of the NPDES permit, which include implementation of the BMPs outlined in the WQMP, would be required by the City during the operation of the proposed project, potential water quality impacts resulting from stormwater and urban runoff would be reduced to a less than significant level.

Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.

Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:

- Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.
- The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.
- Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.
- The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.

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Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less Than Significant Impact. The availability of groundwater and issues involving the adequacy of recharge capability are regional in nature. The Groundwater Management Act[1] (AB 3030) provides a systematic procedure for an existing local agency to develop a groundwater management plan. AB 3030 allows a local agency whose service includes a groundwater basin that is not already subject to groundwater management pursuant to law or court order to adopt and implement a groundwater management plan and includes plans to mitigate overdraft conditions, control brackish water, and to monitor and replenish groundwater. There are currently few domestic uses for groundwater in the area as the City primarily relies upon imported water from the Eastern Municipal Water District (EMWD).[2] Water sources for the EMWD include imported water purchased from the Metropolitan Water District (Metropolitan), groundwater sources, and recycled water from the EMWD's five regional water reclamation facilities. Approximately 75 percent of the EMWD's water is imported from Metropolitan, with the remaining 25 percent supplied by groundwater wells.[3] Groundwater supplies are drawn from the EMWD wells located in the Hemet, San Jacinto, Moreno Valley, Perris Valley, and Murrieta areas.

The EMWD adopted the West San Jacinto Groundwater Basin Management Plan (Plan) in June 1995. The Plan serves to protect the interests of existing groundwater producers and to provide a framework for new water supply projects within the 256-square mile Management Plan area. This Plan encompasses more than 164,200 acres and includes the groundwater management zones, as well as essentially non-water bearing areas such as the Lakeview Mountains, the Bernasconi Hills around Lake Perris, the Double Butte area near Winchester, and areas in the extreme northern, western, and southern portions of the EMWD.[4]

Based on the Water Supply Assessment (WSA) prepared for the proposed project, water demand for the proposed on-site uses would total 49,805 gpd or 55.8 AFY.[5] The proposed project would obtain water service from the EMWD. It is anticipated that the proposed project would primarily utilize imported water purchased from Metropolitan. This imported water would be supplemented by local groundwater sources. The implementation of the existing West San Jacinto Groundwater Basin Management Plan would ensure that local groundwater resources are conserved and groundwater overdraft does not occur. Because this plan is in place, it is reasonable to conclude that the proposed project would not substantially deplete groundwater supplies in the area.

The proposed project would not interfere with groundwater recharge as the project site is not identified as a groundwater recharge area. The development of the proposed project would reduce the amount of pervious surfaces that could facilitate percolation on site. However, the proposed project would consist of other project design features such as sand filters that would be designed to offset the conversion of pervious surfaces to impervious surfaces. Because project design features

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1 Sections 10750–10756 of the California Water Code.
2 *Section 5.7 Hydrology/Water Quality, Moreno Valley General Plan Final Program EIR*, City of Moreno Valley, July 2006.
3 EMWD History and Mission, http://www.emwd.org/emwd/history_water.html, Eastern Municipal Water District, web site accessed June 8, 2011.
4 *West San Jacinto Groundwater Basin Management Plan* 2006 Annual Report, Eastern Municipal Water District, June 2007.
5 Table 7- Project Demand, *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

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would be sized to accommodate increased flows on site, it is anticipated that the amount of water percolated on site would be similar to existing conditions. Therefore, the proposed project would not interfere with groundwater recharge activities. Impacts associated with this issue are less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?

Potentially Significant Impact Unless Mitigation Incorporated. As identified in the preliminary hydrology report[1] prepared for the proposed project, storm flows generated from the northerly portion of the proposed building and truck court would be collected by a series of drop inlet catch basins. Storm water runoff generated on site would be routed to three Austin sand filters and pre-treatment hydro-dynamic clarifiers that are intended to remove and reduce the amount of oils, sediment and trash from the storm water. The treated water from these sand filters is pumped into an adjacent on-site storm drain. The on-site storm drain system has been designed to accept a full 100-year storm event and flows would ultimately be routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard that connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from the westerly side of the proposed building would be collected by a drop inlet catch basin and routed by pipe to a landscaped swale that would be located along the southerly portion of the property. In the event that the landscape swale receives excess flows, the excess flows would be then routed to a second drop inlet catch basin. From the second drop inlet catch basin, flows would continue to an off-site catch basin and ultimately be routed to the Perris Valley ADP Lateral B-3 in Indian Street, which connects to the Perris Valley Storm Drain Lateral B channel. Storm water runoff generated from the easterly side of the building would be collected by a drop inlet catch basin and route via pipe to a hydro-dynamic clarifier then to an Austin sand filter located in the southeasterly corner of the project site. In the event that the clarifier and sand filter receive excess storm flows, these excess storm flows would be routed to an off-site catch basin and ultimately routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard, which connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from would also be routed to a landscaped swale running along the southerly portion of the project site. Flows would then be routed to an Austin sand filter located near the center of the site and ultimately routed to four existing 36-inch diameter reinforced concrete pipes (RCPs) that connect to Lateral B of the Perris Valley Channel. The Austin sand filter located in the southeasterly corner of the project site would also accept stormwater flows from the project site. In the event that flows are in excess of what the sand filter can handle, the excess flows would be directed back to the southerly landscaped swale, and ultimately to an existing 30-inch diameter RCP that connects to Lateral B of the Perris Valley Channel.

To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified. With adherence to this mitigation measure, impacts associated with this issue are less than significant.

Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical

[1] *Preliminary Hydrology Report and Hydraulic Analysis for APA09-0004 VIP Moreno Valley,* Robert A. Bebensee, R.C.E, March 27, 2009.

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investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.

g) Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The project does not include a residential component; therefore, it would not place housing within a 100-year flood hazard area, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map. No impact related to this issue is anticipated to occur with the implementation of the proposed project.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Less Than Significant Impact. Flooding in the City of Moreno Valley could result from intense storms resulting in rapid runoff. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identify areas subject to flooding during the 100-year storm.[1] Based on these FIRM maps, the project site does not fall within a 100-year flood zone.[2] The proposed project is industrial in nature and the implementation of the proposed project would not result in the placement of structures within a 100-year floodplain. Because the project site does not lie within a 100-year floodplain, impacts related to this issue are less than significant.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. The nearest dam to the project site is the Lake Perris Dam located approximately 1.6 miles east of the project site. The project site is not identified as being located within the City's mapped inundation area;[3] therefore, the proposed project would not result in the exposure of people or structures to risk of loss, injury, or death involving flooding as a result of failure of the Lake Perris Dam. No impacts related to this issue would occur.

j) Expose people or structures to inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. A tsunami is a series of waves generated in a body of water by a pulsating or abrupt disturbance that vertically displaces water. Inundation of the proposed project's site by a tsunami is highly unlikely as the project site is approximately 40 miles northeast of the Pacific Ocean. Seiches are oscillations in enclosed bodies of water that are caused by a number of factors, most often wind or seismic activity. The nearest water feature is Lake Perris approximately 1.5 miles east of the project site. Any seiche-related events would likely be of a lesser extent than the failure of the Lake Perris Dam. Therefore, although the proposed project site is located near Lake Perris, seiche-related flooding is not anticipated to occur on site[4] because the proposed site outside of the Lake Perris Dam inundation zone. The project site is not located within an area that is susceptible to mudslide. For these reasons, a less than significant impact associated with this issue would occur.

2.5.7 Land Use

Would the project:

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1 The term "100-year" is a measure of the size of the flood, not how often it occurs. The "100-year flood" is a flooding event that has a one percent chance of occurring in any given year.
2 FEMA DFIRM Flood Data, 2008.
3 *Figure 5.5-2 Floodplains and Fire Hazard Areas*, City of Moreno Valley General Plan Final Program EIR. July 2006.
4 *Figure 5.5-2 Floodplains and Fire Hazard Areas*, City of Moreno Valley General Plan Final Program EIR. July 2006.

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a) Physically divide an established community?

No Impact. As previously stated, the project site is currently undeveloped and is a fallow field. There are no structures existing on site. The Perris Valley Storm Drain Lateral B forms the southern boundary of the site and is also the City's southern limits. Adjacent land uses include primarily vacant land to the south across the Perris Valley Storm Drain Lateral B intermixed with warehouse uses, vacant land and an industrial warehouse use to the west, and industrial and warehouse uses to the north and east. Existing homes are located at the northwest corner of Indian Street and Gove View Road and an existing plant nursery is located at the southeast corner of Perris Boulevard and the Perris Valley Storm Drain Lateral B channel. There are no other residential uses in the vicinity of the proposed project site. The site would not be located within or divide an existing neighborhood, nor would it introduce a barrier between residential uses.

b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. The applicable land use plans governing the proposed project site are the City of Moreno Valley General Plan (Moreno Valley 2006) and the Moreno Valley Industrial Area Specific Plan 208 (Moreno Valley 2002). Other applicable regional plans developed by the Southern California Association of Governments (SCAG) include the Regional Comprehensive Plan [SCAG 2008b: (RCP)], and Regional Transportation Plan [SCAG 2008a: (RTP)]. The existing General Plan land use designation underlying the proposed project site is Business Park/Industrial with an existing Zoning designation of Industrial per Specific Plan 208, with supporting commercial permitted at the Perris Boulevard/Grove View Road intersection. The proposed warehouse use is consistent with the City's General Plan land use designation as well as the Zoning identified in Specific Plan 208. Consistency with existing General Plan land use designation and Zoning designations ensure compatibility with the City of Moreno Valley General Plan Goals and Policies.

Other applicable land use plans underlying the proposed project site include the March Air Reserve Base AICUZ Study) and the Southern California Association of Governments Regional Comprehensive Plan and Regional Transportation Plan.

As described in the City's General Plan Final EIR,[1] the three proposed General Plan Alternatives would result in the development of land surrounding the March Air Reserve Base. Based on the allowable uses identified in the AICUZ, the proposed development under any of the three General Plan Alternatives would be consistent with the AICUZ guidelines for land uses within the areas most susceptible to air crashes. The project is outside of the APZ crash zones identified in the AICUZ, but is within the noise contours. Because the proposed project is consistent with the existing General Plan, the proposed project would be consistent with the AICUZ. No significant land use impact would occur.

The SCAG has prepared the 2008 RCP to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the region. The RCP is a major advisory plan prepared by the SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance.

The RCP's overall goal is to reinvigorate the region's economy, avoid social and economic inequities and the geographical dislocation of communities, and to maintain the region's quality of life. The document is described as a regional policy framework for future land use decisions in the SCAG area that respects the need for strong local control, but that also recognizes the importance of regional comprehensive planning for issues of regional significance.

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[1] *Moreno Valley General Plan Final EIR*, City of Moreno Valley, July 2006.

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Formulation of the RCP is based on input from local jurisdictions based on what is contained within their respective General Plans. The proposed project is consistent with the City's existing General Plan. As such, implementation of the proposed project would not result in unanticipated growth documented in the RCP. Impacts are less than significant.

The 2008 RTP adopted by the SCAG in May 2008 contains a set of existing socioeconomic projections used as the basis for the SCAG's transportation planning efforts. They include projections of population, housing, and employment at the regional, county, sub-regional, jurisdictional, Census tract, and transportation analysis zone levels. The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections.

The proposed project is consistent with the RTP in that it would be required to adhere to the City of Moreno Valley's General Plan and the City's Industrial Area Plan. The General Plan and Industrial Area Plan contain goals and policies that aim to minimize traffic congestion, provide adequate transportation facilities, and require development to pay its share of costs. The goals and policies identified in the City's General Plan and Industrial Area Plan resemble those of the RTP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Furthermore, the project will be consistent with the General Plan and Industrial Area Plan and, since the General Plan and Industrial Area Plan is required to be consistent with the RTP, it is reasonable to infer that the project is consistent with policies set forth in the RTP.
Impacts are less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Refer to the discussion on the Western Riverside County MSHCP in Section 2.5.2.

2.5.8 Mineral Resources

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. There are no identified Mineral Resource Zones (MRZ) located with the General Plan Study Area.[1] The project site has been historically been utilized for agricultural production and does not harbor any known mineral resource. Implementation of the proposed project would not result in the loss of availability of a known mineral resource. No impact related to this issue would occur.

2.5.9 Population and Housing

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

[1] *Section 5.14 Mineral Resources*, City of Moreno Valley General Plan EIR, July 2006.

Less Than Significant Impact. The California Department of Finance (DOF) estimates the City's population at 195,216 persons as of January 1, 2011.[1] As detailed in Table 2.B, SCAG projections estimate the population of the City, the County of Riverside, and the SCAG region would continue to grow.

Table 2.B: Local and Regional Population, Housing, and Employment Projections

	2015	2020	2025	2030	2035
Population					
City of Moreno Valley	206,657	220,390	234,410	246,804	258,350
Riverside County	2,509,330	2,809,003	3,089,999	3,343,777	3,596,680
SCAG *	20,465,819	21,468,934	22,395,124	23,255,378	2,4057,292
Housing					
City of Moreno Valley	55,407	60,025	64,699	69,353	72,977
Riverside County	811,486	913,207	1,008,909	1,097,950	1,183,097
SCAG	6,474,074	6,840,331	7,156,635	7,449,484	7,710,716
Employment					
City of Moreno Valley	49,414	61,974	71,359	80,667	91,642
Riverside County	911,381	1,042,145	1,168,769	1,295,487	1,413,522
SCAG	8,811,402	9,183,026	9,546,782	9,913,372	10,287,122

*Includes Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties.
Source: *Regional Transportation Plan Growth Forecast by City*, Southern California Association of Governments, adopted April 1, 2008.

The SCAG projects the City's population would grow to 206,657 persons by the year 2015 and 258,350 persons by the year 2035. The proposed project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space[2]. The extent to which new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. The construction of the proposed project would create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the project area; therefore, construction of the proposed project would not generate a permanent increase in population within the project area. Utilizing 1 employee per 2,500 square feet of warehousing space, the proposed project is expected to employ 646 people.[3] As most of the new employment opportunities are anticipated to be filled by existing local area residents, a large influx of new residents to the City is not anticipated. Additionally, the project would not directly affect population growth as compared with new residential development, because it is not creating homes. While the proposed project would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Infrastructure, including roads, sewers, water, and electricity, already exists around the project site. These impacts are considered less than significant.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

1 E-5 Population and Housing Estimates, for Cities, Counties, and the State, 2010–2011, with 2010 Benchmark, State of California Department of Finance, http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/documents/E-5_2011_Internet_Version.xls, May 2011, website accessed June 7, 2011.

2 Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.

3 1 employee per 2,500 square feet, 1,616,133 sf ÷ 2,500 sf = 646 employees.

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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed project site consists of undeveloped land with no residential structures located within the project limits. Therefore, no displacement of housing or residents would occur and construction of replacement housing is not required.

2.5.10 Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire Protection

Less Than Significant Impact. The City of Moreno Valley contracts with the Riverside County Fire Department to provide fire protection, fire prevention, and emergency services to its residents. The fire station nearest the project site is Station No. 65 (Kennedy Park Fire Station), located at 1511 Indian Street, 3.0 miles north of the proposed project site. The proximity of Station No. 65 to the project site is sufficient to meet the City's General Plan performance standard requiring a response time of five minutes or less. As with any new development, the proposed project would increase the need for fire protection services within the City. While the proposed project would increase the need for fire protection, it would not require the construction of new fire facilities to maintain acceptable service ratios, response times, or other performance objectives. The proposed project would be required to adhere to all standards and conditions required by the City and the Riverside County Fire Department including, but not limited to, restrictions on project design, the imposition of construction standards, and including the payment of impact fees. Adherence to these standards would reduce potential impacts related to the provision of fire protection services and the need for the construction of new facilities which would result in adverse physical impacts to a less than significant level.

b) Police Protection

Less Than Significant Impact. The City of Moreno Valley contracts police services from the Riverside County Sheriff's Department. The Moreno Valley Police Department (MVPD) operates out of the Central Police Station, located at 22850 Calle San Juan de Los Lagos. The MVPD has 143 authorized sworn personnel and 45.5 authorized civilian personnel.[1] As with any new development, the proposed project would increase the need for police protection services within the City. The proposed project would be required to adhere to all standards and conditions required by the City and the MVPD, including the payment of impact fees. Adherence to conditions and standards identified by the City and the MVPD are required of all development within the City. While the proposed project would increase the need for police protection, it would not require the construction of new facilities to maintain acceptable service ratios, response times, or other performance objectives. The proposed project would result in a less than significant impact, and no additional mitigation is required. With adherence to City and MVPD requirements, no need for the construction of police facilities which would result adverse physical impacts would occur.

c) Schools

Less Than Significant Impact. The proposed project site is located within the Moreno Valley Unified School District (MVUSD). The proposed project does not include the construction of residential

[1] *Section 5.13 Public Services and Utilities*, The City of Moreno Valley General Plan Final EIR, July 2006.

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dwelling units. There is a potential for the employees to move within the vicinity of the project; however, it is not anticipated that the growth would significantly impact existing school services or facilities.

Per California Government Code (§ 65995[h]), "The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts … on the provision of adequate school facilities." MVUSD requires the payment of 47 cents per square foot of industrial development.[1] With the payment of required fees and with no additional students generated from the proposed project, no significant impacts related to the provision of school services would occur. Upon payment of required fees, a less than significant impact to school services and/or facilities would occur. In the absence of a significant impact, the construction of new facilities that would result in a significant environmental impact would not occur.

d) Parks

*No Impact***.** The project does not include recreational facilities. Neighborhood or regional parks are not associated with industrial projects; therefore, there will be no impacts associated on these facilities from the proposed project.

e) Other Public Facilities

Less Than Significant Impact. The proposed project is an industrial project and, as a result, would not cause in an increase in population resulting in a significant impact on other public facilities such as libraries and hospital services. The local library serving the City is the Moreno Valley Public Library located at 25480 Alessandro Boulevard approximately 4.0 miles north of the project site. The nearest health service facility is the Moreno Valley Community Hospital located at 27300 Iris Avenue in the City of Moreno Valley approximately 3.5 miles northeast of the project site. The proposed project does not include a residential component and would not contribute to a direct increase in population. As there is no direct increase in population resulting from the proposed project, no new significant demand on library or medical facilities would occur. In the absence of a significant impact, the construction of new facilities that would result in a significant environmental impact would not occur.

All on-site access, parking areas, utilities, and structures would be maintained by the project applicant or operator of the proposed facility. Maintenance of public facilities and infrastructure would not be significantly altered by the development of the proposed project. The proposed project would not add any significant new public facilities that would require maintenance. In addition, the project proponent would be required to pay all developmental fees required by the City of Moreno Valley. Additionally, as with any industrial operation, the proposed project would provide revenue to the City in the form of fees, property taxes, etc. It is anticipated that the payment of such monies would offset any increased maintenance burden associated the development of the project site; therefore, potential impacts associated with this issue are anticipated to be less than significant.

2.5.11 Recreation

Would the project:

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. The proposed project does not include a residential component and is unlikely to significantly increase local or regional populations; therefore, the proposed project would not cause a significant increase in the use of existing neighborhood or regional parks or other

[1] *School Developer Impact Fees*, Moreno Valley Unified School District, http://www.mvusd.net/, website accessed June 7, 2011.

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recreational facilities in the area. Impacts associated with this issue are considered less than significant.

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact. The proposed project would result in the construction and operation of a warehouse distribution facility. Implementation of the proposed project does not include the construction or expansion of recreational facilities. Therefore, no impacts associated with this issue would occur.

2.5.12 Utilities and Service Systems

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. The proposed project would be required to comply with the applicable waste discharge prohibitions and water quality objectives established by the Santa Ana RWQCB. The project proponent would also be required to satisfy City and EMWD requirements related to the payment of fees and/or the provision of wastewater conveyance features, and installation and maintenance prior to the issuance of building permits. Adherence to requirements included in the NPDES permit, SWPPP, WQMP, and EMWD wastewater conveyance standards would reduce potential wastewater quality impacts to a less than significant level.

b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. Wastewater flows from the proposed project site would be handled by the EMWD and would be conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF) located in the southwestern portion of the City. Current capacity at this facility is 16 million gallons per day (mgd) with an existing average inflow of approximately 11.2 mgd per day.[1] The MVRWRF will ultimately be expanded to accommodate 41 mgd. Under current conditions, the average daily surplus treatment capacity is approximately 4.5 mgd. Generally, water use and wastewater flows are related in that wastewater is generated from indoor water uses. For industrial uses, typical wastewater generation factors are 1,700 gallons per day (gpd) for every acre of gross industrial uses.[2] Based on this generation factor, up to 63,070 gallons (0.063 mgd) of wastewater would be generated from the project site.[3] The additional wastewater treatment demand of 0.063 mgd resulting from development of the proposed project totals approximately 1.4 percent of current surplus treatment capacity. Because the amount of wastewater generated would be within the existing surplus treatment capacity, the proposed project would not require the construction of a new water or wastewater treatment facilities or expansion of existing facilities, which could cause

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1 Eastern Municipal Water District Moreno Valley Regional Water Reclamation Facility. http://www.emwd.org/news/Insights/insights_moval.pdf, accessed June 7, 2011.

2 *Table 1 – EMWD System Design and Loading Criteria – Average Daily* Flow, Eastern Municipal Water District Sanitary Sewer System Planning & Design Principle Guidelines Criteria, September 2006.

3 1,616,133 square feet of warehouse uses ÷ 43,560 square feet/acre = 37.10 acres of warehouse uses; 1,700 gallons per acre of industrial use per day × 37.10 acres = 63,070 gallons per day (0.19 acre-foot) or 0.063 million gallons per day (mgd).

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significant environmental effects; and impacts related to this issue would be considered less than significant.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. There is existing storm drain infrastructure in the vicinity of the proposed project that is capable of accommodating most existing storm water flows. Approvals of drainage features/improvements are made through the plan check process. As part of this process, all project-related drainage features would be required to meet the City's Public Works Division and RCFCWCD standards. The installation of project-related storm drain systems would occur within an existing urbanized area and the on-site storm drain system would be designed, installed, and maintained per Public Works Division and RCFCWCD standards. Because the project would be required to design and install drainage systems according to standards and provisions set forth by the City of Moreno Valley and RCFCWCD, impacts related to this issue are anticipated to be less than significant.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less Than Significant Impact. There has been a shift in the water demand patterns in the last 15 years, as a residential market has replaced an agricultural market. Metropolitan, based on the IRP update and IRPSIM[1] model, has stated that with the addition of all water supplies existing and planned, it would have the ability to meet all of its member agencies' projected supplemental demand through 2030 even under a repeat of a worst drought scenario and with a reduction in deliveries from the SWP as imported sources of water will be supplemented by an increase in desalination of brackish groundwater, recycled water use, and water use efficiency. Based on this assertion, the EMWD has stated in the WSA prepared for the project it is able to meet an increased demand for water over the next 20 years, even during drought conditions. This is based on continued commitment to conservation programs, additional water recycling, and continued development of local water resources.

To develop the projections used in the WSA, EMWD used a development-tracking database that assesses future water demands for specific projects. EMWD uses this database to help plan for future water supply and infrastructure needs by monitoring new projects through various stages of development. Changes in density and land use are also tracked in this database for planning purposes. The supply for dry years is driven by demand. Demand increases slightly (less than 2%) during dry years, primarily due to the increased demand in winter for landscaping or agricultural water, and can be decreased up to 10 percent due to conservation as dry periods are extended. Neither groundwater production nor recycled water deliveries are expected to increase or decrease significantly during dry years. For water shortages and interruptions, the plans and policies outlined in the Regional Urban Water Master Plan (RUWMP) will be implemented.

Based on the WSA conducted for the proposed project, water demand for the proposed on-site uses would total 49,805 gpd or 55.8 acre-feet per year (AFY). Based on the information contained in the WSA for the project site and the assurance that MWD is engaged in a planning process that will ensure a reliable long-term water supply for its member agencies, EMWD has determined that it will be able to provide adequate water supply to meet the potable water demand for the project in addition to existing and future users. Impacts are less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

[1] IRPSIM is a sophisticated water supply and demand-balancing model that utilizes 77 sequential hydrologies to determine variations in supply and demand due to changes in weather conditions.

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Less Than Significant Impact. Solid waste collection is a "demand-responsive" service and current service levels can be expanded and funded through user fees without difficulty. Based on a solid waste generation of approximately 3.6 pounds per employee per day,[1] and 646 employees estimated for the project (See Population and Housing, Checklist Response 12a), the proposed on-site warehouse uses, in their entirety would generate approximately 2,326 pounds (1.16 tons) of waste per day.[2] Solid waste from the proposed project would be hauled by Waste Management of Inland Valley[3] and transferred to the Badlands Landfill, located to the northeast of the City's limits. The Badlands Sanitary Landfill has a daily permitted throughput of 4,000 tons per day, a remaining capacity of 14,730,025 cubic yards, and an estimated closure date of 2024.[4] Average daily throughput as of 2010 is estimated at 1,667 tons/day.[5] Current surplus capacity totals 2,333 tons/day. The volume of solid waste generated by the proposed project per day represents 0.029 percent of the current permitted throughput and 0.049 percent of the current surplus capacity at the Badlands Sanitary Landfill. As adequate daily surplus capacity exists at the receiving landfill, development of the proposed project would not significantly affect current operations or the expected lifetime of the landfill serving the project area. No significant solid waste disposal impact would occur.

g) Comply with federal, state, and local statues and regulations related to solid waste?

Less Than Significant Impact. The proposed project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, state, and federal solid waste disposal standards, thereby ensuring that the solid waste stream to the Badlands Sanitary Landfill is reduced in accordance with existing regulations. Impacts are considered less than significant.

2.6 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) will be prepared to comply with the requirements of State law (Public Resources Code, Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts or reduce impacts to a less than significant level. The MMRP is intended to ensure compliance with mitigation measures during implementation of the proposed project. The MMRP will be adopted by the Planning Commission concurrent with certification of the Final EIR for the proposed project.

2.7 CUMULATIVE PROJECTS

Substantial changes are anticipated to occur as the result of population and employment as well as the development of other projects in the City and region. *CEQA Guidelines* (Section 15130) require that an EIR include a discussion of the potential cumulative impacts of a proposed project. Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period of time. The *CEQA Guidelines*, state:

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1 Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008
2 646 employees × 3.6 lbs per employee per day = 2,326 lbs per day or 1.16 tons per day.
3 Trash service in the City of Moreno Valley is mandatory and Waste Management of Inland Valley is the only solid waste service provider.
4 *Badlands Sanitary Landfill Facility/Site Summary Details*, CalRecycle, http://www.calrecycle.ca.gov/profiles/Facility/Landfill/LFProfile1.asp?COID=33&FACID=33-AA-0006, website accessed on June 8, 2011.
5 Communication with Ryan Ross, Riverside County Waste Management Department, June 6, 2011.

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(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The cumulative baseline for this project includes past, present, and probable future projects, which are either approved or being considered for approval, or anticipated to be submitted for consideration, including projects in the design phase or under construction. In determining the cumulative impacts of a proposed project with other area projects, an EIR may either consider a list of past, present, and probable future projects, or it may consider a summary of projections method or a combination of both.[1] This EIR utilizes the list method.

Information was collected and compiled from the Cities of Moreno Valley, Riverside, Perris, and Riverside County. The list of cumulative projects is based on project lists provided by staff from the City of Moreno Valley.[2] The project listings provided by the cities identify projects for which applications either have been submitted or are "foreseeable." As noted by the respective development reports, some of the identified applications are "inactive," "on-hold," or pending Planning Commission approval. It is not possible to determine with a reasonable level of certainty which or how many of the projects listed on the respective development inventories will complete the entitlement process and be issued permits for construction and occupancy; therefore, the figures cited represent a conservative scenario of what may be developed and interact with the project site. Because of market demands, demographic and economic conditions, and local development trends, it is reasonable to conclude that the number and amount of uses developed may vary from the total potential cumulative development identified in Table 2.C. The list of cumulative projects is illustrated in Figure 2.1.

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-1	First Industrial Realty Trust (PA06-0152, PA06-0153)	NEC Heacock St. and Nandina Ave.	1,183,000 SF of high cube warehouse uses
M-2	Moreno Valley Industrial Park (PA07-0035, PA07-0039)	Northeast corner of Heacock Street and Iris Avenue	205,000 SF of light industrial uses; 410,000 SF of high cube warehouse uses
M-3	Indian Business Park (PA07-0079)	Southwest corner of Indian Street/Iris Avenue	1,560,000 SF of high cube warehouse uses
M-4	Komar Investments	NEC of Heacock Street and San Michele Road	2,057,000 SF of high cube warehouse uses
M-5	Ivan Devries (PA06-0017)	Northeast corner of Perris Boulevard and Edwin Road	569,000 SF of industrial park uses
M-6	TM34748 (PA06-185, PA06-184, PA06-0183)	Southeast corner of Heacock Street and Gentian Avenue	135 single family homes
M-7	San Michele Logistics Center (PA07-0166)	North side of Nandina Avenue west of Perris Boulevard	866,000 SF of high cube warehouse uses

1 State *CEQA Guidelines*, Section 15130(b) (1).
2 Input from Jeff Bradshaw, City of Moreno Valley Community Development – Planning Division, dated April 2011.

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Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-8	TM 33810 (PA05-0089)	South of Iris Avenue between Indian Street and Emma Lane	16 single family homes
M-9	TM 34151 (PA05-0174)	East of Indian Street and north of Krameria Street	37 single family homes
M-10	TM 32716 (PA05-0148)	East of Indian Street, north of Perris Valley Channel	57 single family homes
M-11	TM 32917 (PA04-0051)	NEC of Lasselle Street and Krameria Street	227 condominiums
M-12	P05-0113	Northwest corner of Markham Street and Perris Boulevard	1,743,000 SF of high cube warehouse uses
M-13	Oakmont I (P05-0192)	Southwest corner of Markham Street and Perris Boulevard	698,000 SF of high cube warehouse uses
M-14	P05-0477	Northwest corner of Markham Street and Redlands Avenue	462,000 SF of high cube warehouse uses
M-15	P06-0425	North of Nance Street and west of Indian Street	6,300 SF of light industrial uses
M-16	P07-09-0018	NEC of Heacock Street and Nance St.	170,000 SF of warehousing uses
M-17	Oakmont II (P07-07-0029)	North of Ramona Expressway between Heacock Street and Indian Street	1,600,000 SF of high cube warehouse uses
M-18	TR 32707	Southeast corner of Harley Knox Boulevard and Evans Road	137 single family homes
M-19	TR 34716	Northwest corner of Markham Street and Redlands Avenue	318 single family homes
M-20	Ridge II	Northeast corner of Rider Street and Indian Street	2,000,000 SF of high cube warehouse uses
M-21	Jordan Distribution	Northeast corner of Rider Street and Redlands Avenue	378,000 SF of high cube warehouse uses
M-22	Aiere	Northwest corner of Rider Street and Redlands Avenue.	642,000 SF of high cube warehouse uses
M-23	Starcrest (08-11-0005, 08-11-0006)	Southeast corner of Ramona Expressway and Webster Street	454,000 SF of high cube warehouse uses
M-24	—	Northeast corner of Indian Street and Markham Street	189,000 SF of high cube warehouse uses

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Table 2.C: Cumulative Project List

Map No	Project	Location	Type
P-25	Stratford Ranch Industrial	NEC of Redlands Avenue and Perry Street (extended)	1,725,411 SF of high-cube warehouse uses
M-26	Rados Distribution Center	Northeast corner of Webster Avenue and Rider Street	1,191,000 SF of high cube warehouse uses
M-27	Ridge I (P 05-07-0493)	South of Ramona Expressway between Perris Boulevard and Indian Street	700,000 SF of high cube warehouse uses
M-28	—	North of Rider Street between Perris Boulevard and Redlands Avenue	40,000 SF of warehousing uses
M-29	IDS II	SWC of Redlands Avenue and Rider Street	350,000 SF of high cube warehousing uses
M-30	—	Northeast of Indian Avenue and San Michele Road	408,000 SF of light industrial uses
M-31	—	Northeast of Perris Boulevard and San Michele Road	681,000 SF of light industrial uses
M-32	—	Southwest of Perris Boulevard and Nandina Avenue	482,000 SF of high cube warehouse uses
M-33	—	Northwest of Indian Avenue and Harley Knox Boulevard	360,000 SF of light industrial uses
A-34	March Lifecare Specific Plan	SWC Heacock & Cactus	190,000 SF medical offices, 210,000 SF commercial retail, 200,000 SF research & education, 50 hospital beds, 660 beds institutional residential
A-35	Airport Master Plan	March ARB	559,000 SF airport use
C-36	Majestic Freeway Business Center (SP 341, PP 20699, PP21027, PP21552)	West of 215, south of Nandina, north of Cajalco	6,200,000 SF high-cube warehouse
M-37	Oleander Business Park	West of I-215 at Harley Knox Boulevard	1,206,710 SF of warehousing
M-38	Cemex Materials	24365 Nandina Ave (west of Indian St.)	Concrete batch plant on 5 ac
M-39	06-0411	East of Patterson Avenue, south of Nandina, north of Harley Know	Concrete batch plant, 400 SF office, 1,600 SF maintenance shop
M-40	Pierce Hardy Limited Partnership (PA06-0014)	SEC Heacock St. & Nandina Ave.	67,000 SF retail lumber yard complex
P-41	P05-0302	South of Markham St., east of I-215	900 SF office

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Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-42	March Business Center (PA11-0001)(P11-004)(PA11-0007)(PA11-0002, -0003, -0004, -0005, -0006)	SE corner of Heacock Street and Iris Avenue	Business center totaling 1,484,407 SF of building space on 75 acres.
C-43	Ramona Metrolink Station	NEC Cajalco and Harvill	Light rail station; 300 parking spaces
M-44	Centrepointe Buildings 8 and 9 (PA04-0063)	SEC Heacock St. & Alessandro Blvd.	361,384 SF general light industrial
M-45	Komar Cactus Plaza (PA08-0047, PA08-0048, PA08-0049, PA08-0050, PA08-0051, PA08-0052)	N side of Cactus Ave. & W of Elsworth St.	110 hotel rooms, 8,000 SF fast food w/drive thru, 42,400 SF commercial
M-46	MV Centerpointe Business Ctr. (PA07-0147, PA07-0157)	NEC Cactus Ave. & Frederick St.	353,859 SF warehousing
M-47	Centerpointe Business Park (PA08-0002, PA08-0003)	Corner of Brodiaea Ave & Graham St.	391,231 SF warehousing
M-48	Centerpointe Business Park (PA08-0093)	Corner of Heacock St. and Brodiaea Ave.	99,988 SF light industrial
M-49	Highland Fairview Corporate Park (PA07-0088, PA07-0089, PA07-0090, PA07-0091)	Immediately south of Hwy 60, between Redlands Blvd. and Theodore St.	2,620,000 SF industrial warehouse/commercial
M-50	Alessandro and Laselle - Winco Foods (PA08-0079, PA08-0080, PA08-0081)	NEC of Alessandro Blvd. and Laselle St.	110,240 SF shopping center (anchored by 95.440 TSF WinCo Foods)
M-51	Yoon Byun (PA09-0031)	NEC Alessandro and Graham	5,044 SF retail center w/ convenience store, restaurant and carwash
M-52	Classic Opportunities Group/Optiflex - Moreno Valley Medical Plaza (PA09-0033, PA09-0034, PA09-0035, PA09-0036, PA09-0037, PA09-0038, PA09-0039, PA09-0019, PA09-0020)	East side of Nason, south of Brodiaea Ave.	311,633 SF commercial medical plaza
M-53	TM 32505 (PA05-0017)	SWC Bay Avenue & Morrison Street	72 detached single-family units
M-54	TM 33417 (PA05-0142)	NWC Perris Blvd. & Delphinium Ave	60 condominiums
M-55	TM 33607 (PA06-0096)	NEC Perris Blvd. & Delphinium Ave	52 condominiums
M-56	TM 34988 (PA06-0141)	NEC Perris Blvd. & Brodiaea	251 townhomes
M-57	TM 34216 (PA05-0193)	NEC of Kitching and Alessandro	40 condominiums
M-58	TM 34681 (PA06-0052)	South of Alessandro, west of Lasselle	49 townhomes
M-59	Moreno Valley Medical Campus	North side of Iris Ave., west of Moreno Valley Community Hospital	75,000 SF medical office complex
M-60	Overton Moore Properties (PA08-0072)	NWC Cactus Ave. & Frederick St.	520,000 SF high-cube warehouse

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Table 2.C: Cumulative Project List

Map No	Project	Location	Type
R-61	Alessandro Business Park (P07-1028)	North of Alessandro, west of I-215 frontage road	652,018 SF general light industrial
R-62	P06-1408	East of I-215, north of Gateway Dr.	73,500 SF office
P-63	Harvest Landing Specific Plan	East of I-215, south of Placentia, west of Perris Blvd, north of Nuevo	1860 single family dwelling units, 1,306,582 SF multiple use business park
C-64	Amstar/Kaliber Development (PP 22925)	South of Alessandro Blvd, west of I-215 Frontage Road	258,102 SF office, 409,312 SF warehousing, 42,222 SF general light industrial, 10,000 SF retail
A-65	Alessandro Metrolink Station	South of Alessandro, east of Frontage Road	Light rail station; 300 parking spaces
A-66	Meridian Business Park	North West of 215, south of Alessandro	5,985,000 SF industrial park
A-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses
A-68	West Ridge Commerce Center	West of Redlands Boulevard, south of SR-60	937,260 SF of high cube warehouse uses
A-69	World Logistics Center	East of Redlands Avenue, south of SR-60	41,500,000 SF high cube warehouse uses
A-70	Perris Valley Commerce Center Specific Plan	3,500 acres in north Perris	Various Light Industrial, business park, and commercial uses

Notes: NWC = northwest corner; SWC = southwest corner; NEC = northeast corner; SEC = southeast corner; SF=square feet
Sources: City of Moreno Valley, August 2011

The cumulative analyses are provided following the discussion of the individual impacts associated with the proposed project in Section 4.0. For example, the cumulative impact for air quality is provided in Section 4.1, and so forth. Depending on the issue discussed, the area addressed in the cumulative analysis varies. For example, because of the cumulative nature of regional air quality emissions, the cumulative area for air quality impacts would encompass the South Coast Air Basin; while the cumulative area associated with noise would be limited to areas in the proximity of the project site. Because of the nature of the various cumulative discussions, the consideration of all the cumulative projects in every cumulative analysis is not warranted.

The traffic study is based on existing count data taken in 2007. For this reason, projects that were approved subsequent to 2011 were added to the background trip generation in the TIA. These are listed as cumulative projects 1 through 44 in Table 2.C and Figure 2.1.

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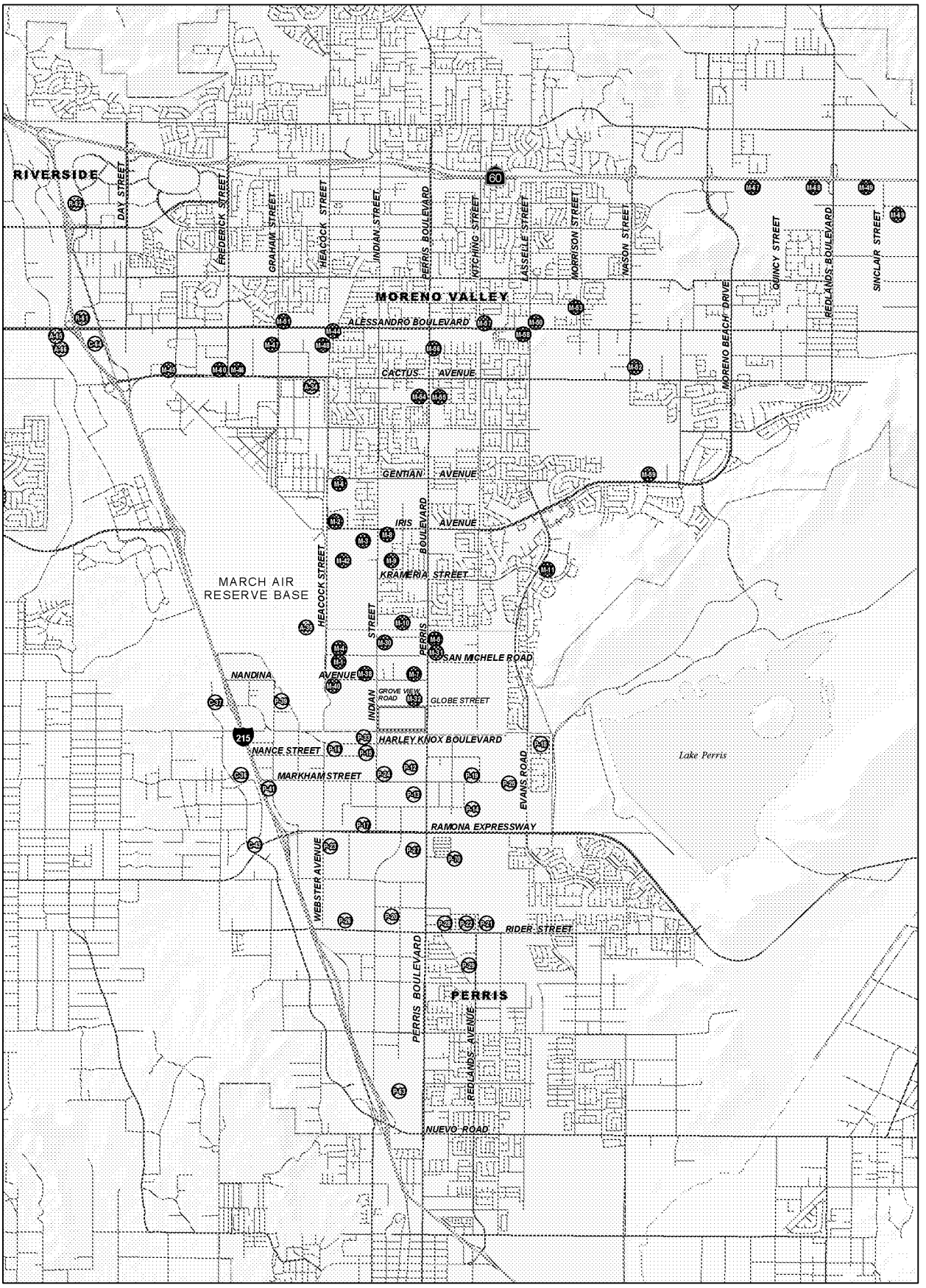

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FIGURE 2.1

Cumulative Projects

- Proposed Project Location
- City Boundaries
- City of Moreno Valley
- City of Perris
- City of Riverside
- County of Riverside
- March JPA

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VIP Moreno Valley
Environmental Impact Report

Cumulative Project Locations

SOURCE: City of Moreno Valley, August 2011; Riverside County, 2011
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3.0 PROJECT DESCRIPTION

The project description is provided in this section of the EIR in conformance with *CEQA Guidelines* §15124. It discusses the geographic setting, project location, project setting, City of Moreno Valley General Plan and zoning designations, project characteristics, discretionary actions, and project objectives. The project description is used as the basis for analysis in Section 4.0 of the EIR.

3.1 GEOGRAPHIC SETTING

As illustrated in previously referenced Figure1.1, the proposed project is located within the southwestern portion of the City of Moreno Valley, in Riverside County, California, east of Interstate 215 (I-215) and south of State Route 60 (SR-60). The City is located within the Perris Block geologic unit, which in turn lies within the Peninsular Ranges Geomorphic Province of southern California. The Peninsular Ranges Geomorphic province is characterized by a series of north westerly trending mountain ranges extending from the coast of California eastward into the California desert and south to the tip of Baja California. The Perris Block is bounded on the northeast by the San Jacinto Fault, on the north by the Cucamonga Fault and the San Gabriel Mountains, and on the southwest by the Elsinore Fault and the Santa Ana Mountains. The City of Perris borders Moreno Valley to the south and the City of Riverside to the west, with unincorporated areas of Riverside County bordering the City to the north and east. The Box Springs Mountains border the City to the north.

3.2 PROJECT LOCATION

The project site consists of four parcels (APNs 316-210-71, 316-210-73, 316-210-75, and 316-210-76) totaling approximately 71 net acres located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary. The site is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the project site.

3.3 PROJECT SETTING

The project site is relatively level, descending gradually from northwest to southeast, at an elevation ranging from approximately 1,465 to 1,461 feet above sea level. On-site soils consist of disturbed top soil/fill and natural soils, classified as brown clayey silts to silty sands.

The project vicinity is characterized by a mix of developed and undeveloped properties, as can be seen in previously referenced Figure 1.1. Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north, industrial/warehouse and undeveloped property to the south, industrial/warehouses and a self storage facility to the east, and warehouses, vehicle storage, residences, and undeveloped property to the west.

The proposed project site has been used historically for agricultural purposes but currently lies fallow. It was most recently used as a sod farm growing that ceased operating in August 2005. Within the past two years, the proposed Project site has received approximately 80,000 cubic yards of fill as part of an approved stockpile permit previously issued by the City. The major roads that provide access to the project are Perris Boulevard, Indian Street, Grove View Street, and Harley Knox Boulevard, with the nearest I-215 interchanges at Harley Knox Boulevard and Ramona Expressway.

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3.4 CITY OF MORENO VALLEY GENERAL PLAN AND ZONING DESIGNATIONS

A review of the Cities of Moreno Valley and Perris General Plans reveals the site and surrounding area is designated Business Park/Light Industrial to the north, east and west in the City of Moreno Valley (City) and Light Industrial and Community Commercial south of the Lateral B channel in Perris. Similarly, zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, which is known as the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002.

As illustrated in Figure 3.1, SP 208 encompasses approximately 1,540 acres in the southwest portion of the City covering an "L" shaped area. South of Mariposa Avenue/Lateral A channel, the SP area is bordered by City of Perris to the south, the Perris Valley Storm drain to the east, and Heacock Street to the west. North of Mariposa Avenue/Lateral A channel, the SP is bordered by Indian Street to the east, Heacock Street to the west, and Iris Avenue to the north. The SP also includes the area north of Iris Street bordered by Gentian Avenue to the north, Indian Street to the east, and Heacock Street to the west. SP 208 functions as the zoning for the applicable planning area, defining permitted uses and establishing design guidelines.

The proposed project site as well as the surrounding areas are planned for industrial development per SP 208. The SP also permits supporting commercial land uses at key intersections in its planning area, including the intersection of Perris Boulevard and Grove View Road. Zoning for the area to the south across the Lateral B channel in Perris is Light Industrial and Community Commercial. Table 3.A provides a summary of existing on-site and adjacent land use, zoning, and General Plan designations. Figure 3.2 illustrates existing on-site and adjacent General Plan Land use designations and zoning for the site.

Table 3.A: On-Site and Adjacent Land Use Designations

Location	Current Land Uses	General Plan Land Uses	Zoning Designations
On-site	Vacant/Fallow	Business Park/Light Industrial	SP 208
North	industrial	Business Park/Light Industrial	SP 208
South[1]	industrial and vacant	Community Commercial and Light Industrial	Light Industrial and Community Commercial
East	industrial	Business Park/Light Industrial	SP 208
West	industrial and vacant	Business Park/Light Industrial	SP 208

[1] Land use, General Plan, and Zoning information shown is in the City of Perris.
Sources: City of Moreno Valley General Plan Land Use Map, adopted August 2010; City of Moreno Valley Zoning, accessed April 7, 2011; City of Perris General Plan Land Use Map, approved February 2008; City of Perris Zoning February 2009.

3.5 PROJECT CHARACTERISTICS

The proposed project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space on an approximately 71 acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 truck trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. Previously referenced Figure 1.2 provides a conceptual site plan for the proposed project.

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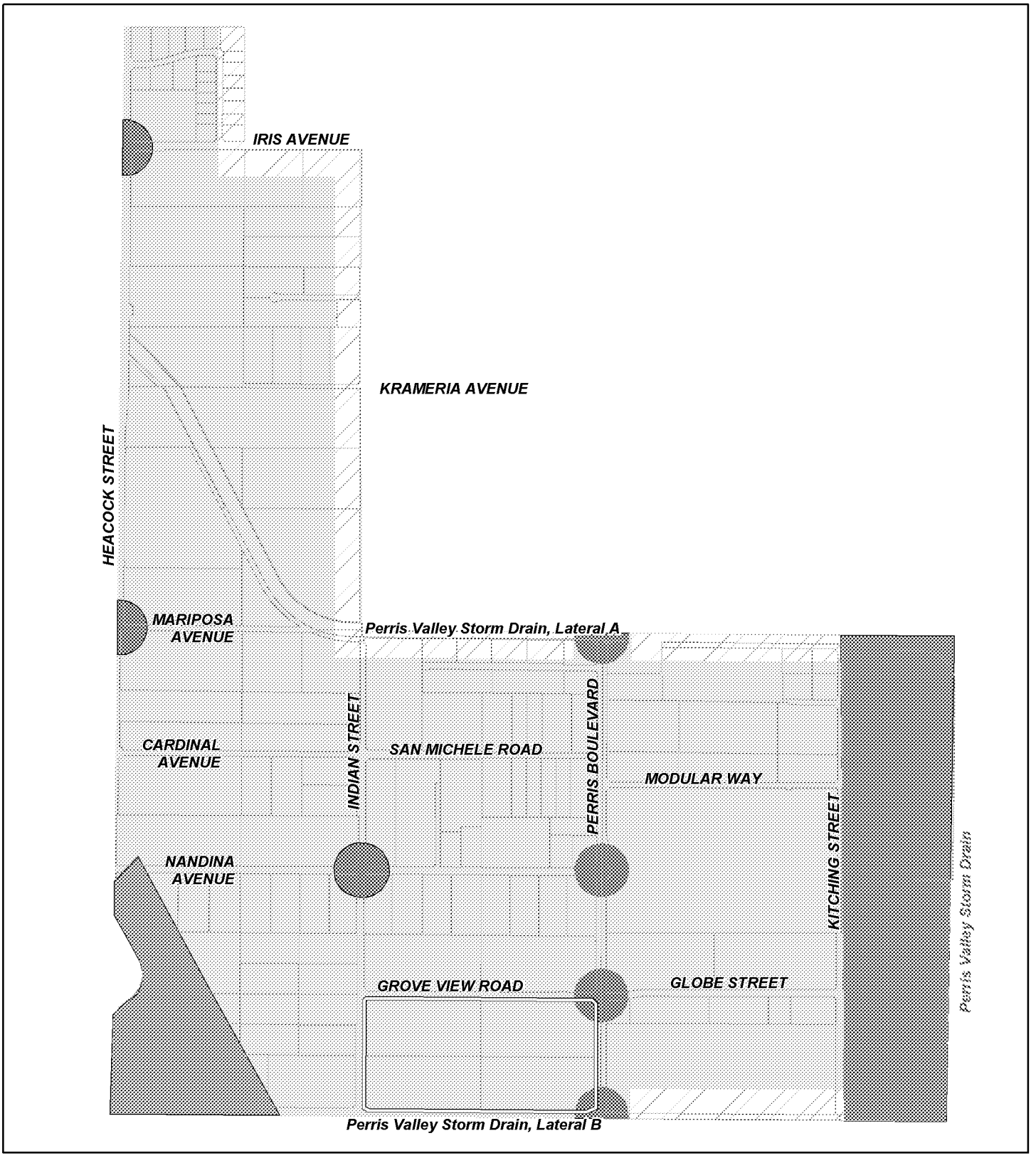

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Project Boundary

Moreno Valley Industrial Area Plan Boundary
Industrial
Public
Clear Zone
Commercial (Industrial/Business Support)
300' Residential Buffer

FIGURE 3.1

VIP Moreno Valley
Environmental Impact Report

Moreno Valley Industrial Area Plan Boundaries (SP 208)

SOURCE: City of Moreno Valley (Specific Plan 208), 2002.

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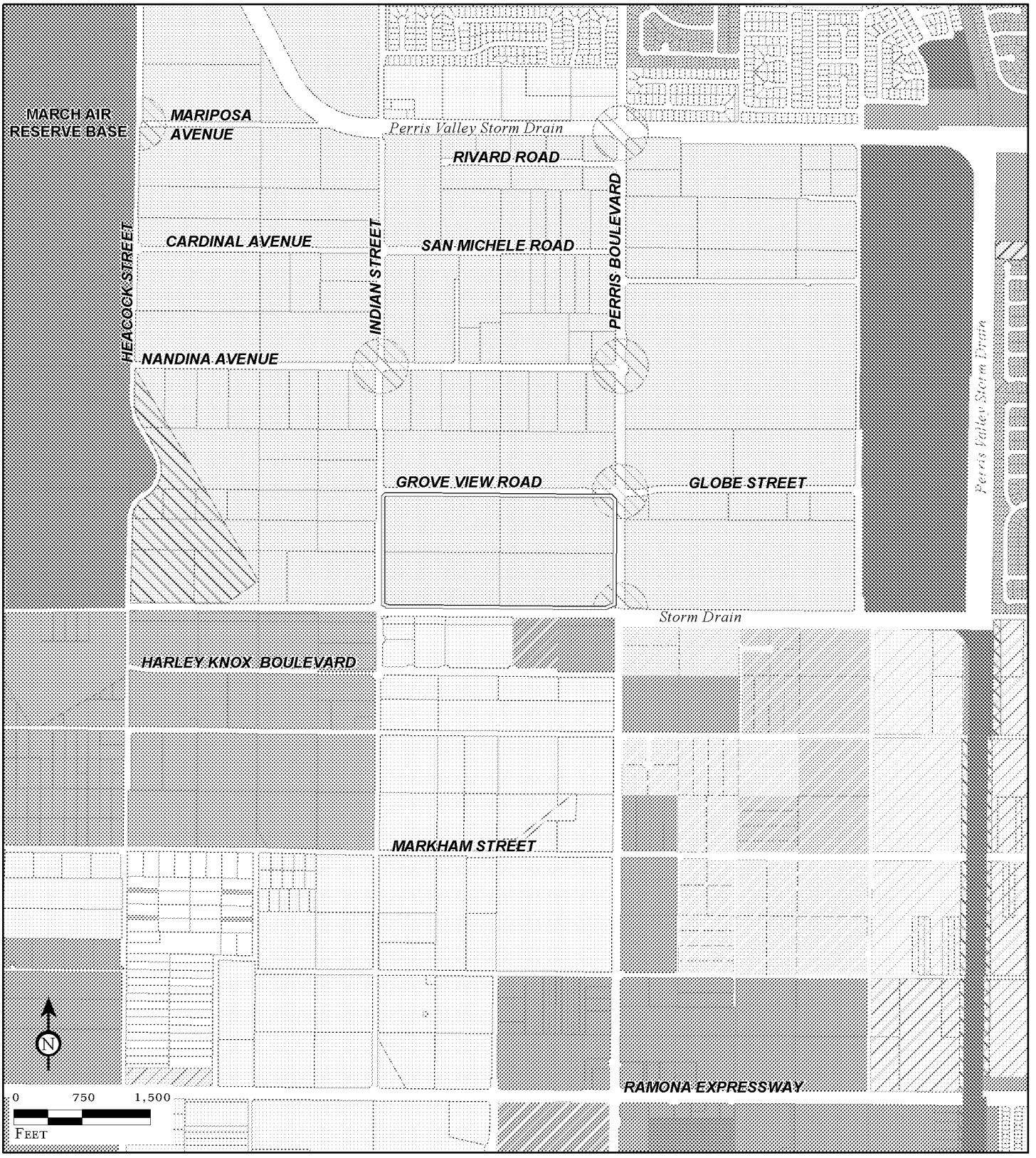

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Project Boundary

Zoning

- Public Facilities
- NC - Neighborhood Commercial
- Commercial
- SP - Specific Plan
- LI - Light Industrial
- A1 - Light Agriculture
- OS - Open Space
- R - 6,000 - Residential
- R - 10,000

General Plan - Land Use

- March Air Reserve Base
- BP - Business Park
- CC - Community Commercial
- GI - General Industrial
- LI - Light Industrial
- MFR - 14
- NC - Neighborhood Commercial
- OS - Parks/Recreational/Natural Open Space
- P - Public/Semi-Public Facilities/Utilities
- Residential: Max. 5 du/ac
- R - 6000
- Residential: Max. 10 du/ac
- Residential: Max. 15 du/ac
- R - 20,000
- SP

SOURCE: City of Moreno Valley Land Use Map, August 12, 2010; City of Perris - General Plan, February 19, 2009; City of Moreno Valley - Zoning, April 20, 2011; City of Perris - Zoning, February 19, 2009.

FIGURE 3.2

VIP Moreno Valley
Environmental Impact Report

Existing General Plan Land Use Designations and Zoning

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The proposed project features a variety of architectural elements including façade accents such as corner treatments and roof trim (refer to Figure 3.3). The project would also provide variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation creates shadow lines at various times of the day.

Access to the project site will be provided via two driveways on Indian Street, three driveways on Grove View Road, and two driveways on Perris Boulevard. The northern driveway on Perris Boulevard will be for passenger vehicle and emergency access only. The southern driveway on Perris Boulevard will align with the existing signalized intersection at the Ross Distribution Warehouse entrance. The north project driveway on Indian Street will be for passenger vehicle and emergency access only; all other driveways will be used by both passenger vehicles and trucks. The proposed project is anticipated to be constructed by the year 2013.

The proposed project will function as a trucking distribution hub for several types of items. Goods imported from the ports of California as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in and out of state locations, thus benefiting both local and interstate commerce.

Due to the project site's topography and drainage requirements, approximately 220,000 additional cubic yards of fill will be required. The specific location of the fill import site is not known at this time. It is reasonable to estimate that the fill will be obtained from a site located within 10 miles of the proposed project in order to reduce import hauling costs, consistent with soil import/export hauling distances for projects in Moreno Valley.

In addition to construction of required street frontage improvements on Indian Street, Perris Boulevard, and Grove View Road, the proposed project includes construction of necessary infrastructure to provide water, sewer, phone, cable, natural gas, and electricity service. Drainage will be handled by a system of on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features. All utilities hook ups are immediately available, with no off-site improvement required.

Site and building design attributes for the proposed project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

Green building designs typically exhibit the following features:

- More natural ventilation or, at least, a mixture of natural ventilation and air conditioning, and/or increased fresh air via the mechanical ventilation system.
- Narrow plan forms, often within the 15m limits of natural ventilation and daylight access, the corollary of which is less 'deep' space in the middle, which users dislike.
- Better utilization of daylight.
- More user controls for windows, blinds, lights, and ventilators. This can mean that needs (like thermal comfort) are met more quickly even though the conditions may only be 'good enough'. Users preferred rapid response when things go wrong or need changing, and will tolerate conditions which are reasonable.
- Higher floor to ceiling heights, which helps, e.g., with daylight penetration.
- More open plan workspaces (usually desks) close to or next to windows.

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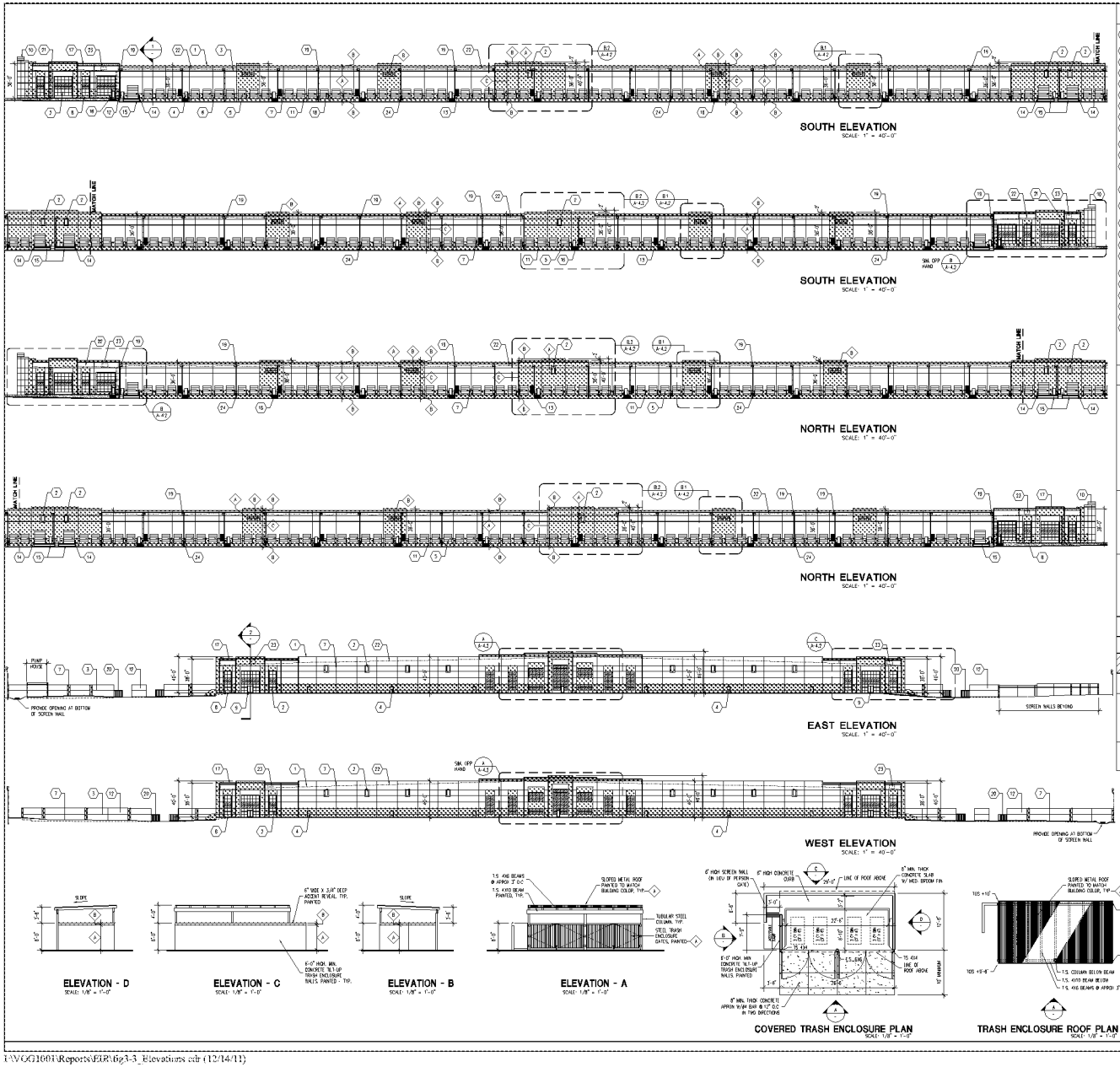

KEYNOTES

1. SMOOTH FINISH CONCRETE TILT-UP PANEL PAINTED PER THE EXTERIOR COLOR SCHEDULE.
2. GLAZING – SEE GLAZING NOTES BELOW
3. 2" WIDE x 3/4" DEEP HORIZONTAL REVEAL. PAINTED. TYPICAL
4. HOLLOW CORE METAL DOOR PAINT TO MATCH BUILDING COLOR
5. METAL VERTICAL LIFT DOOR PAINT TO MATCH BUILDING COLOR
6. 5'-0" HIGH STEEL PLATE JAMB GUARD PAINT TO MATCH BUILDING COLOR.
7. PANEL JOINT
8. 3/4" CHAMFER REVEAL WITH RECESSED AREA. PAINTED ACCENT COLOR
9. FULLY TEMPERED GLASS AT STOREFRONT FLOOR LEVEL AROUND DOORS TO WITHIN 36" INCLUDING THE DOOR.
10. LINE OF BUILDING PARAPET BEYOND
11. RUBBER DOOR BUMPERS.
12. CONCRETE TILT-UP SCREEN WALL PAINTED TO MATCH BUILDING COLOR (VARIES IN HEIGHT BASED ON GRADES) SEE SCREEN WALL ELEVATIONS SHEETS A-5 & A-6
13. 4" WIDE x 8" HIGH LOUVERS FOR MAKE-UP AIR. PAINTED TO MATCH BUILDING
14. 42" HIGH TRUCK RAMP WALL ABOVE HIGH SIDE OF FINISH GRADE. PAINTED TO MATCH BUILDING
15. CONCRETE TRUCK RAMP
16. CONCRETE STAIRS WITH CONCRETE TILT UP GUARDRAILS. PAINTED
17. DECORATIVE 1 1/2" DEEP BY 24" HIGH REVEAL AT TOP OF PANEL. PAINTED.
18. 6" x 20" TEMPERED VISION LITE WITH TYPE "D" NEOPRENE GASKET. MOUNTED AT 4'-0" A.F.F.
19. GALVANIZED METAL DOWNSPOUT & OVERFLOW SCUPPER WITH SHIELD – PAINTED
20. 8'-0" HIGH TUBULAR STEEL ROLLING GATE – PAINTED EPOXY GLOSS BLACK
21. INTERIOR ROOF DRAIN AND INTERIOR OVERFLOW PIPES
22. ROOF LINE
23. FUTURE HVAC EQUIPMENT TO BE SCREENED FROM VIEW BY THE PARAPET
24. DOWNSPOUT PROTECTION – BENT STEEL PLATE. PAINTED TO MATCH BLDG. COLOR

GLAZING NOTES

INSULATED VISION GLAZING (DUAL PANE):

- EXTERIOR PANE: 1/4" THICK VISTEON VOPSAIUX GREEN 2000R (REFLECTIVE)
- INTERIOR PANE: 1/4" THICK CLEAR LOW-E #2 BY PPG
- SHADING COEFFICIENT: 0.31
  WINTER U-FACTOR: 0.47
  SOLAR HEAT GAIN COEFFICIENT: 0.26
- 2" x 4 1/2" FULLY CAPTURED OFFSET GLAZING SYSTEM AS MANUFACTURED BY ARCADIA ALUMINUM PRODUCTS OR EQUAL. CLEAR ANODIZED CLASS-1 FINISH

RECESSED GLAZING:

- GLASS PANE: 1/4" THICK VISTEON VOPSAIUX GREEN 2000R (REFLECTIVE)
- SHADING COEFFICIENT: 0.43
- FRONT GLAZED SILICONE BUTT JOINT SET IN CLEAR ANODIZED ALUMINUM FRAMES.
- HEAT STRENGTHENED SPANDREL GLASS

NOTE:

1. VISION GLASS SHALL BE TEMPERED AT LOCATIONS REQUIRED PER CODE AND PER KEY NOTE #9 THIS SHEET.
2. ALL STOREFRONT CONSTRUCTION, GLASS, METAL ATTACHMENTS, JAMBS, SILLS AND LINTELS SHALL BE DESIGNED TO WITHSTAND 90 MPH MINIMUM WIND LOADS PER CBC CHAPTER 16, TABLE 16-G

GLAZING LEGEND

T = TEMPERED VISION GLASS – SEE GLAZING NOTES ABOVE

= AT HATCHED AREAS, USE 1/4" HEAT STRENGTHENED GREEN 2000R SPANDREL GLASS SET IN 4" RECESSED (U.N.O.) CONCRETE PER STRUCTURAL PLANS.

EXTERIOR COLORS

A	DUNN EDWARDS #DE6143 "ALMOND LATTE"	(FIELD)
B	DUNN EDWARDS #DE6145 "ROCKY RIDGE"	(BASE / CAP)
C	DUNN EDWARDS #DE6172 "BUNGALOW TAUPE"	(ACCENT)

NOTE:

1. WALL HEIGHTS ARE PRELIMINARY AND SUBJECT TO CHANGE PENDING THE STRUCTURAL ENGINEERS REVIEW

RKZ, INC.
9620 DOVE AVENUE SUITE 200
TUSTIN, CALIFORNIA 92780
PH: 714.730.1160 FAX: 714.730.1850
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
3010 PARKED TRESORO
WALNUT, CA 91789-2701
PHONE: 909 598-2917
FAX: 909 598-2917

VIP MORENO VALLEY

XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY, CA

2	PLANNING DEPT COPY 07-08-04
1	PLANNING DEPT COPY 04-05-04
REVISIONS	
CONSTR.	
BID	
PLAN CHECK	
DRAWN	05-12-03
JOB NO.	03-25
SHEET NAME	EXTERIOR ELEVATIONS
SHEET NO.	A-4.1
OF	SHEETS

PROJECT #PA03-0004 & PA03-0012

LSA FIGURE 3.3

VIP Moreno Valley
Environmental Impact Report
Building Elevations

I:\VOG1001\Reports\EIR\fig3-3_Elevations.cdr (12/14/11)

SOURCE: RKZ, Inc., 2011

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- More care taken in design of achieving comfortable conditions, especially in summertime. Examples of green building features include

Sustainable commercial buildings have been described to have the following building elements:

- Site which optimizes the building orientation, the natural lighting, shading, and ventilation it can capture.
- The building fabrics and materials use low embodied energy materials; use of recycled materials; and the use of high performance material.
- The building has efficient operational and maintenance costs.
- The building is efficient with the use of energy and water managed through a Building Management System. For example, use of photovoltaic array on its roof or façade; rainwater collection and storage tanks.

In recognition of the trend towards Green Building, the proposed project will pursue the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. LEED is a voluntary, consensus-based standard to support and certify successful green building design, construction, and operations. LEED programs evaluate the complete life cycle of projects and associated buildings through design, construction, and operations. The Core & Shell rating system is for designers, builders, developers, and new building owners of new core and shell construction where the tenants and needs for inside the building are not known. The rating system covers the base building elements including the structure, building envelope, and HVAC system.

Projects seeking LEED compliance are given points for compliance with specific concepts promoting green building. The points rating for a project increases as the number of policies that the project complies with increases. A point scale is applied and projects are rated on this scale. The scale is broken down into four levels, LEED Certified, Silver, Gold, and Platinum, with Platinum being the highest attainable certification available for a given project. The proposed project will incorporate Green Building concepts and is expected to reach the LEED “Certified” rating.

3.6 PROJECT OBJECTIVES

The purpose of the proposed project is to provide a new facility specializing in warehouse distribution services. Upon development, the proposed project will achieve the following:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area’s close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;

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- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

3.7 REQUIRED PERMITS AND DISCRETIONARY ACTIONS

The following discretionary actions are anticipated to be taken by the City of Moreno Valley as part of the proposed project:

- Tentative Parcel Map approval (TPM 36162);
- Certification of Environmental Impact Report; and
- Site Plan approval.

Other non-discretionary actions anticipated to be taken by the City at the Staff level as part of the proposed project include the following:

- Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction. Approval of a Water Quality Management Plan (WQMP) to mitigate for post-construction runoff flows.
- Issuance of a Grading permit that requires approval of a grading plan, approval of the final drainage study, approval of the Final WQMP, obtaining an NOI and WDID number, and satisfying those conditions of approval required prior to grading.
- Issuance of an Encroachment permit for any construction work done in any City-controlled right-of-way. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.
- Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits.

Approvals and permits required by other agencies include:

- A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that downstream water quality is not worsened;
- Approval of water and sewer improvement plans by the Eastern Municipal Water District.

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- Approval from the City and Riverside County Flood Control and Water Conservation District to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions.

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4.0 ENVIRONMENTAL IMPACT EVALUATION

As stated previously, there are five environmental topic areas that are analyzed in this EIR with respect to the proposed project. These topics are:

4.1 Agricultural Resources

4.2 Air Quality

4.3 Climate Change and Greenhouse Gas Emissions

4.4 Noise

4.5 Transportation and Traffic

Within each subsection described in Section 4.0, the following information is presented relative to each environmental issue described:

- Description of the existing setting as it relates to the specific environmental issue;
- A summary of policies and regulations relevant to the specific environmental issue;
- Identification of the thresholds of significance;
- Evaluation of project-specific impacts and a determination of significance based on identified threshold levels;
- Identification of mitigation measures;
- A determination of the level of significance after mitigation measures are implemented; and
- Cumulative impacts.

The following environmental analysis provided in Sections 4.1 through 4.5 focuses on changes in the existing physical environment and identifies direct and indirect and short-term and long-term significant effects associated with the proposed project. The cumulative impacts for each of the proposed project components are analyzed within the discussion of each component for each threshold.

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4.1 AGRICULTURE AND FORESTRY RESOURCES

This chapter discusses agricultural and forest resource impacts attributable to the proposed project. It describes existing agricultural resources, respective State farmland classifications for the project site, and existing forest resources. This chapter focuses on discussions involving applicable State, regional, and local policies regarding agricultural and forest resources and the conversion of farmland and forest to non-agricultural and non-forest uses. This section is based in part on the following reference documents:

- *A Guide to the Farmland Mapping and Monitoring Program*, California Department of Conservation, Division of Land Resources Protection, 2004 Edition.
- *California Land Evaluation and Site Assessment Model, Instruction Manual*, California Department of Conservation, Office of Land Conservation, 1997.
- *City of Moreno Valley General Plan*, City of Moreno Valley, July 2006.
- *City of Moreno Valley General Plan Final Environmental Impact Report*, P & D Consultants, July 2006.
- *Economic Viability of Agriculture in the East Inland Empire,* CB Richard Ellis, March 18, 2009.
- *Riverside County Land Use Conversions, 1998–2008*, California Department of Conservation, Division of Land Resources Protection.
- *Riverside County 2009 Agricultural Production Report, 2009.*
- *Soil Survey Western Riverside County Area, California*, United States Department of Agriculture, November 1971.

The California Land Evaluation and Site Assessment (LESA) Model worksheets prepared for the proposed project are included as Appendix B to this EIR.

4.1.1 Existing Setting

4.1.1.1 Agricultural Resources

As described in the City's General Plan (July 2006), land used for agricultural production is generally concentrated in the eastern portion of the City. Farmland within the City at the time of the preparation of the General Plan was most often used for grazing, citrus orchards, and potato and dryland farming.[1] However, in recent years the City and region have faced and still face urbanization and development pressures contributing to the decline of agricultural uses in the project area and region. Of the land in the City that is utilized for agricultural use, few parcels are owner-operated with the majority of the properties being leased for agricultural use. Many agricultural fields within the City have been out of production for a number of years and are dominated by disturbed ruderal (weedy) vegetation. This condition is also true of the proposed project site. Various forms of disturbance related to agricultural uses include frequent disking, pesticide application, and irrigation. The project vicinity is characterized by a mix of developed and undeveloped properties, as can be seen in previously referenced Figure 1.1. Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north; industrial/warehouse and undeveloped property to the south; industrial/warehouses and a self storage facility to the east; and warehouses, vehicle storage, residences, and undeveloped property to the west. Active agricultural operations (alfalfa) take place on properties located to the southwest of the project site, west of Indian Street and south of Harley Knox Boulevard.

[1] *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.

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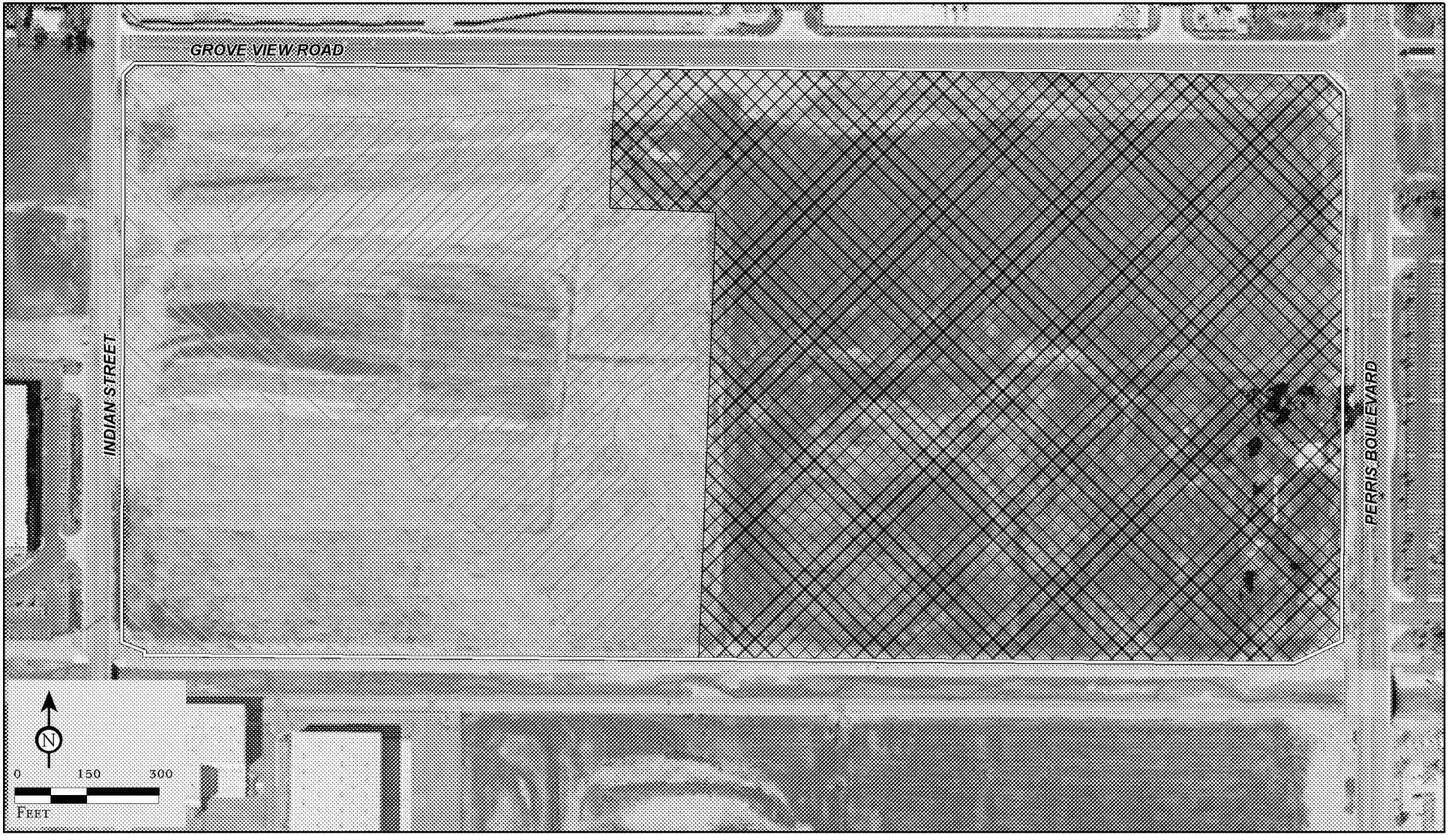

LSA

FIGURE 4.1.1

Project Boundary

State Designated Farmland

Farmland of Local Importance

Farmland of Statewide Importance

Prime Farmland

SOURCE: ESRI World Imagery: Aerials Express, 2010; Farmland Mapping and Monitoring Program, 2008.

VIP Moreno Valley
Environmental Impact Report

State Designated Farmland

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The proposed project site has been used historically for agricultural purposes but currently lies fallow and has been fallow for a number of years. It was most recently used as a sod farm that ceased operating in August 2005 and has not been in agricultural production since that time. Within the City, approximately 1,639 acres are designated as Prime Farmland.[1] As illustrated in Figure 4.1.1, the project site is identified as Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland,[2] 16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance.

4.1.1.2 Forestry Resources

Based on data from the Fire and Resource Assessment Program, Riverside County does not have land set aside for timber production.[3] In addition, no land is currently identified as suitable for timber sale production in Southern California. Therefore, there are currently no areas within the City designated for timber production. Harvesting of trees may occur to meet wildlife, fuel, watershed, or other needs.[4]

4.1.1.3 General Plan and Zoning Designations

The City of Moreno Valley's General Plan policies support agriculture as an interim use. No land in the City is dedicated for agricultural use. The site and surrounding area is designated Business Park/Light Industrial to the north, east and west in the City and Light Industrial and Community Commercial south of the Lateral B channel in Perris. Similarly, zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002, and encompasses approximately 1,540 acres in the southwest portion of the City covering an L-shaped area. SP 208 functions as the zoning for the applicable planning area, defining permitted uses and establishing design guidelines. The proposed project site, as well as the surrounding areas, is planned for industrial development per SP 208. The SP also permits supporting commercial land uses at key intersections in its planning area, including the intersection of Perris Boulevard and Grove View Road. Zoning for the area to the south across the Lateral B channel in Perris is Light Industrial and Community Commercial.

4.1.2 Existing Policies and Regulations

The preservation of agricultural activities and soils has been an explicit goal of the United States Department of Agriculture (USDA) and California Department of Conservation (CDC). Agricultural soils are limited non-renewable resources that are usually confined to particular locations; however, not all agricultural activities occur on soils suitable for agriculture and not all soils highly suited for farming are used for crop production. Generally, policies implemented to preserve agriculture are aimed at either protection of agricultural areas or the protection of the soils most suitable for agricultural production.

4.1.2.1 Federal Regulations

Federal regulations, such as the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA) and National Forest Management Act of 1976 (NFMA), authorize long-range planning by the

1 *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.
2 Important Farmland Map Riverside County, Farmland Mapping and Monitoring Program, 2004.
3 *Table 7 Timberland Production Zone (TPZ) acreage by Site Class in California as of 2000–2001*, Timberland Site Class on Private Lands Zoned for Timber Production, Fire and Resource Assessment Program, Department of Forestry and Fire Protection, http://frap.cdf.ca.gov/publications/Timberland_Site_Class_on_Private_Lands_Zoned_for_Timber_Production.pdf.
4 *Vegetation Management Standards, Land Management Plan Part 3 Design Criteria for the Southern California National Forests, Angeles National Forest, Cleveland National Forest, Los Padres National Forest, San Bernardino National Forest*, United States Department of Agriculture Forest Service, September 2005.

United States Forest Service (USFS) to ensure the future supply of forest resources, as well as to provide for the management of renewable resources on national forest lands.

4.1.2.2 State Regulations

State Designated Farmland. The California Government Code (Section 65570) requires the collection and reporting of agricultural land use acreage and conversion by June 30 of each even-numbered year. Utilizing data from the USDA Natural Resource Conservation Service (NRCS) soil survey and current land use information, the CDC and the Farmland Mapping and Monitoring Program (FMMP)[1] compile important farmland maps for each county within the State. Farmland maps and statistics are produced biannually using a process that integrates aerial photo interpretation, field mapping, and a computerized mapping system. These maps delineate land use in eight mapping categories (and one overlay category) and represent an inventory of agricultural soil resources within each county. The categories of land delineated on these maps include:

- **Prime Farmland:** Land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods.
- **Farmland of Statewide Importance:** Land that is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to hold and store moisture.
- **Unique Farmland:** Land of lesser-quality soils used to produce specific high economic value crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. It is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Examples of Unique Farmland crops include oranges, olives, avocados, rice, grape, and cut flowers.
- **Farmland of Local Importance:** Land of importance to the local agricultural economy, as determined by each county's board of supervisors and local advisory committees, e.g., dairies, dry land farming, aquaculture, and uncultivated areas with soils qualifying for Prime Farmland and Farmland of Statewide Importance. Farmland of Local Importance in Riverside County is defined[2] as:
    - Lands with soils that would be classified as Prime and Statewide Farmland but lack available irrigation water.
    - Lands planted with dryland crops of barley, oats, and wheat.
    - Lands producing major crops for Riverside County but that are not listed as Unique crops. These crops are identified as returning one million or more dollars on the 1980 Riverside County Agriculture Crop Report. Crops identified are permanent pasture (irrigated), summer squash, okra, eggplant, radishes, and watermelons.
    - Dairylands, including corrals, pasture, milking facilities, and hay and manure storage areas if accompanied with permanent pasture or hayland of 10 acres or more.
    - Lands identified by city or county ordinance as Agricultural Zones or Contracts, which includes Riverside City "Proposition R" lands.
    - Lands planted to jojoba, which are under cultivation and are of producing age.

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[1] A Guide to the Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resources Protection, 2004 Edition.

[2] *Farmland of Local Importance, Local Definitions,* http://www.conservation.ca.gov/dlrp/fmmp/Documents/Local_definitions_00.pdf, website accessed February 16, 2011.

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- **Grazing Land:** Land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock.
- **Urban and Built-Up Land:** Land used for residential, industrial, commercial, construction, institutional, public administrative purposes such as railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities also are included in this category.
- **Other Land:** Land not included in any of the other mapping categories. Common examples include low-density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres.
- **Water:** Water areas with an extent of at least 40 acres.
- **Land Committed to Nonagricultural Use:** This optional designation is an overlay to the standard farmland categories and represents existing farmland and grazing land and vacant areas that have a permanent commitment for development. Examples of Land Committed to Nonagricultural Use would include an area undergoing permanent infrastructure installation or for which bonds or assessments have been issued for public utilities. Such lands represent planning areas where there are commitments for future nonagricultural developments that are not reversible by a simple majority vote by a city council or board of supervisors.

California Land Conservation Act (Williamson Act). The California Land Conservation Act of 1965, also referred to as the Williamson Act, is a non-mandated State program administered by counties and cities for the preservation of agricultural land. This program enables local governments to enter into contracts with private landowners to restrict specific parcels of land to agricultural or related open space use.

Participation in the program is voluntary on the part of both landowners and local governments. Participation is implemented through the establishment of Agricultural Preserves and the execution of Williamson Act contracts. Individual property owners enter into a contract that restricts or prohibits development of their properties to non-agricultural uses during the term of the contract in return for lower property taxes. Initially signed for a minimum ten-year period, the contracts are automatically renewed each year for a successive minimum ten-year period unless a notice of non-renewal is filed, or a contract cancellation is approved by the local government. In the City of Moreno Valley, currently there is no land currently under a Williamson Act contract.[1]

State regulations, such as the Forest Taxation Reform Act of 1976 and the Z'berg-Nejedly Forest Practice Act of 1973–California Forest Practice Act, provide for the preservation of forest lands from encroachment by other incompatible land uses and provide for oversight of the management of forest practices and forest resources in California. As no forest or timber resources are located within the project site, no further discussion of these State regulations is warranted.

4.1.2.3 Local Policies

The City of Moreno Valley General Plan recognizes the high demand for land and housing and development in the region and that many of the current agricultural operations in the City are "interim uses" or uses that will ultimately be converted to urban uses. The following objective pertains to agriculture and is applicable to the proposed project.

[1] *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.

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Parks, Recreation, and Open Space Element

Objective 4.1 Retain agricultural open space as long as agricultural activities can be economically conducted, and are desired by agricultural interests (with some agriculture retained in long-term use), and provide for an orderly transition of agricultural lands to other urban and rural uses.

To support this objective, the City identifies policies to encourage grazing and crop production as a compatible part of a rural residential atmosphere. Additionally, where practical, the City plans to incorporate existing groves into the design of future development projects. These groves can help retain the agricultural character of the area as well as provide a buffer between different land uses.[1]

4.1.3 Methodology

Important Farmland maps for Riverside County and the City were reviewed to determine whether the proposed project site contains or consists of Prime, Unique, or Statewide Important farmland. Second, the analysis evaluates the current General Plan land use designations and zoning applicable to the site to determine the existence of any conflicts between the proposed project and any potential existing agricultural general plan and zoning designations applicable to the site.

To quantify a development project's potential impacts on agricultural resources, the CDC has developed the California Agriculture LESA Model, a method of rating the relative quality of land resources and potential impacts to agricultural resources. The LESA Model is intended to provide lead agencies with a methodology to identify potentially significant impacts that may result from agricultural land conversions.

The LESA Model uses six different factors (two based on soil resource quality and four based on on-site and adjacent land characteristics) to develop a weighted score that identifies the significance of potential impacts to agricultural resources. The Land Evaluation (LE) scoring utilizes two soil factors. The Land Capability Classification (LCC) indicates the suitability of soils for most kinds of crops, and the risk of damage when they are used in agriculture, while the Storie Index provides a numeric rating (0–100) of the relative degree of suitability or value of a given soil for intensive agriculture. The Site Assessment (SA) scoring considers the size of the site to be converted, water supply restrictions in drought and non-drought years, and the presence (or absence) of adjacent agricultural, habitat, or parkland uses.

By assessing and weighing a variety of soil, water, and land use characteristics, it is possible that the conversion of a large parcel containing poor soils and with limited access to water would not result in a significant impact, while the conversion of a much smaller well-watered parcel with quality soils could be considered significant. To ensure potential impacts to adjacent agricultural activities are appropriately considered, the LESA model requires an examination of land use on all parcels within a Zone of Influence (ZOI) that extends a minimum 0.25 mile from the boundary of the site. For any site evaluated using the LESA model, the factors are rated, weighed, and combined, resulting in a single numeric score that becomes the basis for determining a project's potential significance.[2]

This EIR utilizes the LESA model as one of the analytical tools by which to assess the proposed project's impacts on agricultural conversion. Appendix G of the CEQA Guidelines states as follows:

> "In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland."

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1 *City of Moreno Valley General Plan*, City of Moreno Valley, July 2006.
2 California Land Evaluation and Site Assessment Model, Instruction Manual, State of California Department of Conservation, Office of Land Conservation, 1997.

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Further, as stated above, the LESA model was specifically created by the CDC in order to provide "specific guidance concerning how agencies should address farmland conversion impacts."[1] Because of its use of localized inputs as part of the model, the LESA model is generally considered the preferred methodological tool by which to assess the significance of a proposed project's impacts related to agricultural resources.

4.1.4 Thresholds of Significance

Appendix G of the State CEQA Guidelines recognizes the following significance thresholds related to agricultural resources. Based on these significance thresholds, potential impacts to agricultural resources could be considered significant if the proposed project:

- Conflicts with existing zoning for agricultural use, or a Williamson Act contract;
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?
- Result in the loss of forest land or conversion of forest land to non-forest use?
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?
- Converted Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; and/or

4.1.5 No Impact/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.1.5.1 Conflict with existing zoning or a Williamson Act Contract

Threshold	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local government to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space uses. In return, landowners receive property tax assessments much lower than normal because they are based upon farming and open space uses as opposed to full market value. The purpose of the Williamson Act is to encourage property owners to continue to farm their land and to prevent the premature conversion of farmland to urban uses. The project site is not located within a Williamson Act contract area;[2] therefore, no impact would result from implementation of the project.

It should be noted that the Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. The uses proposed for the project site are consistent with the existing

1 California Agricultural Land Evaluation and Site Assessment Model, Instruction Manual, 1987, p. 3.
2 Williamson Act Geographic Information Systems data, Riverside County, 2006.

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underlying General Plan and Zoning designations. The project site is not zoned for agricultural uses. No impact would occur and no mitigation is required.

4.1.5.2 Conflict with/Loss of Existing Forest Land or Timberland Zoning

Threshold	Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? Would the project result in the loss of forest land or conversion of forest land to non-forest uses?

The project site is currently vacant and fallow although it was previously utilized for sod farming up until August 2005. As previously identified, no forest or timberland resources are located within the project site nor is the project site zoned for forest land or timberland. Implementation of the proposed project would not require any rezoning or General Plan Amendments as the proposed uses are consistent with the existing underlying General Plan land use designation and zoning designation. The proposed project would not conflict with existing forest zoning, cause rezoning of forest land, or result in the loss or conversion of forest lands to non-forest uses as no such resources exist in the City. No impacts associated with this issue would occur and no mitigation is required.

4.1.6 Significant Impacts

4.1.6.1 Conversion of State Designated Farmland

Threshold	Would the proposed project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?

As discussed above, the CDC, as part of the FMMP process, publishes a Farmland Conversion Report every two years. This report documents land use conversion by acreage for each county in the State. The amount of Prime Farmland inventoried in Riverside County during the last countywide survey of farmland (2008) totaled 122,936 acres. The amount of Farmland of Statewide Importance totaled 44,651 acres. The amount of Farmland of Local Importance totaled 229,157 acres. The most recent data are for the 2006–2008 survey period, during which Riverside County experienced a net loss of 5,569 acres of Prime Farmland, 2,265 acres of Farmland of Statewide Importance, and 2,050 acres of Farmland of Local Importance.[1]

As previously stated, approximately 16.89 acres of the proposed project site are designated as Prime Farmland, 16.23 acres are designated as Farmland of Statewide Importance, and 38.69 acres are designated as Farmland of Local Importance. The conversion of the 16.89 acres of on-site Prime Farmland would be equivalent to 0.03 percent of the total loss of Prime Farmland in the County during this period. Similarly, the conversion of the 16.23 acres of on-site Farmland of Statewide Importance would be equivalent to 0.07 percent of the total loss of Farmland of Statewide Importance in the County during this period. The conversion of the 38.69 acres of on-site Farmland of Local Importance would be equivalent to 1.89 percent of the total loss of Farmland of Local Importance in the County during this period. Because Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance are considered to be a finite resource, its conversion to a non-agricultural use is a significant impact.

[1] Table A-25 Riverside County 2006–2008 Land use Conversion, Farmland Mapping and Monitoring Program, California Department of Conservation Division of Land Resource Protection, http://redirect.conservation.ca.gov/dlrp/fmmp/pubs/2006-2008/conversion_tables/rivcon08.xls; website accessed August 17, 2011.

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Demographic increases, coupled with the availability of developable land and the rising cost of water, increasingly exert pressure on the owners/operators of agricultural operations to sell and/or convert agricultural lands to non-agricultural uses. The CDC has identified potential "conservation tools" available to mitigate for the loss of agricultural land. These include the purchase of agricultural conservation easements; transfer of development rights; acquisition of farmland by the city or county; mitigation banking; the establishment of "urban limits," greenbelts, and buffers; the payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements; and planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.[1]

Various techniques and programs have been utilized in selected areas of the State to mitigate for the loss of State-designated Farmland and/or to ensure the continued economic viability of agricultural operations. The City of Davis requires the granting of a farmland conservation easement or other conservation mechanism for twice the amount of agricultural land being converted to a non-agricultural uses; or the payment of in-lieu fees based upon a two-to-one mitigation requirement.[2] In its "Agricultural Lands Conversion Ordinance," Yolo County requires a one-to-one replacement of converted agricultural lands, either through the granting of a conservation easement, or payment of in-lieu fees. Generally, mitigation lands are required to have similar soil quality, water supply adequacy, and should be in relative proximity to the lands being converted.[3]

The CDC's California Farmland Conservancy Program (CFCP) seeks to encourage the long-term, private stewardship of agricultural lands through the voluntary use of agricultural conservation easements. Implementation of conservation easements is typically achieved either through (1) the outright purchase of easements or (2) the donation of mitigation fees to a local, regional, or statewide organization whose purpose includes the acquisition and stewardship of conservation easements. Additional agricultural conservation easements have been funded by various entities without the use of CFCP funds. While the amount of CFCP grants varies depending on location, farmland type, and size, CFCP grants to conservancy agencies made to offset the cost of purchasing agricultural conservation easements has averaged approximately $3,000 per acre statewide.[4]

The City does not maintain a program for mitigating impacts resulting from the conversion of farmland. Because State-designated Farmland is a finite resource, the loss of 16.89 acres of on-site Prime Farmland, 16.23 acres of Farmland of Statewide Importance, and 38.69 acres of Farmland of Local Importance is significant. While the proposed project would result in the conversion of State-designated Farmland, development of this site and the surrounding area is consistent with the long-term vision of the City as outlined SP 208 and in the General Plan. While the Moreno Valley General Plan policies support agriculture as an interim use, no land in the City is designated for agricultural preservation.

The City of Moreno Valley General Plan EIR discusses impacts related to agriculture in the City as well as potential mitigation. Potential mitigation measures exist that would reduce the impact related to the loss of agricultural resources within the City. These potential mitigation measures include:

- Enrolling productive agricultural land, not presently under contract, under a Williamson Act Contract;
- Providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development;
- Protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights;

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1 Discussion Paper, Agricultural Land Conservation Tools, California Department of Conservation.
2 Chapter 40 (Right to Farm and Farmland Preservation), City of Davis Municipal Code.
3 Yolo County General Plan Agricultural Element, November 2002.
4 http://www.consrv.ca.gov/dlrp/cfcp/stories/easement_projects.htm, site accessed August 17, 2011.

- Purchasing conservation easements on existing agricultural land to ensure that the land is never converted to urban uses; and
- Donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.[1]

Mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding considerations. To be feasible, mitigation must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account the economic, environmental, legal, social, and technological factors.[2]

While the City of Moreno Valley General Plan EIR identifies potential mitigation measures for impacts to agricultural resources, such mitigation measures have deemed infeasible. No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development. However, the project would permanently remove State-designated Farmland, and thus is considered a significant impact on agricultural resources.

Based on input from the Riverside County Farm Bureau, the major reason why farming appears to be no longer profitable in the Moreno Valley area is due to the high cost of water, which represents over a third (38%) of the estimated cost for farming. As property values and water costs (at domestic rates) increase due to suburbanization, no crop that can be grown in this area would yield enough revenue to make farming profitable. Dry farming continues to be economical in this area only because there are no costs for water or installing/maintaining irrigation equipment. However, most of the local farming has been and is continuing to move out to the Coachella Valley as it is the only way to continue making a profit. Additionally, as documented in the *Economic Viability of Agriculture in the East Inland Empire,*[3] which examines the economic and market trends affecting agriculture operations throughout California, the following factors demonstrate the infeasibility of agricultural production in the Eastern Inland Empire:

- Urbanization in the Inland Empire, resulting in dramatically increasing land prices;
- Higher water and labor costs;
- Environmental regulation (e.g., insects, odors, groundwater contamination, and solid waste removal); and
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

As summarized in the *Economic Viability of Agriculture in the East Inland Empire,* due to competing land uses, land prices have increased dramatically in the area in excess of $250,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of various General Plans in the Inland Empire emphasizing significant residential and commercial development has also encouraged the farmers to sell their land and relocate.

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1 Moreno Valley General Plan Final Program EIR, July 2006.
2 CEQA Guidelines, Sections 15126.4 and 15364.
3 *Viability of Agriculture in the East Inland Empire*, CB Richard Ellis, March 18, 2009.

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The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

Central Valley farmers also face few development pressures as compared to the Inland Empire and they benefit from a diverse farm economy. For example, the farmers use dairy waste to fertilize their own crops or of their neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino Counties. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Moreno Valley, there have been over 14,000 new housing units built since 2000.[1]

Industrial development in the Inland Empire region has seen similar growth with inventory increasing by 60 percent, or 92 million square feet since 2000. As a result of these trends, average land prices in the Inland Empire have increased to over $250,000 per acre, which compares to Kern County land values of less than $50,000 per acre.

Mitigation Measures. The potential mitigation measures identified by the City listed previously are not considered to be feasible by the City of Moreno Valley. Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. The City does have the ability to encourage property owners to participate in Williamson Act programs; however, this is expected to result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. The land would then be available to be developed with urban uses.

Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified.

[1] *State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2010, with 2000 Benchmark. Sacramento, California, May 2010.*

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Level of Impact after Mitigation. Since the mitigation measures discussed are not consistent with the objectives of the Moreno Valley General Plan and are not economically feasible, no mitigation measures are proposed and impacts related to this issue remain significant and unavoidable.

4.1.6.2 Conversion of Farmland to a Non-Agricultural Use

Threshold	Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

The proposed project would result in the development of industrial uses on land that has historically been utilized for sod production; however, no active agricultural operation has occurred on the site since August of 2005. Approximately 16.89 acres of the proposed project site are designated as Prime Farmland, 16.23 acres are designated as Farmland of Statewide Importance, and 36.69 acres are designated as Farmland of Local Importance. The conversion of the project site to a non-agricultural use is a result of various economic and demographic factors. As previously noted, increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion.

To further evaluate the proposed project's impacts on agricultural resources, an analysis was completed utilizing the DOC's LESA Model. The LESA model is one of the analytical tools by which to assess the proposed project's impacts on agricultural conversion. Appendix G of the CEQA Guidelines states: "In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland." Further, as stated above, the LESA model was specifically created by the CDC in order to provide "specific guidance concerning how agencies should address farmland conversion impacts." Because of its use of localized input as part of the model, the LESA model is generally considered the preferred methodological tool by which to assess the significance of a proposed project's impacts on agricultural resources.

The LESA model is a method to rate the relative quality of land resources and potential impacts to agricultural resources using six different factors (two based on soil resource quality, and four based on on-site and adjacent resources) to develop a weighted score used to identify the significance of potential impacts to agricultural resources. For a given project, the factors are rated, weighted, and combined, resulting in a single numeric score, which becomes the basis for making a determination of a project's potential significance.[1] The resulting LESA score for the project site is provided in Table 4.1.A while the scoring threshold is provided in Table 4.1.B.

Table 4.1.A: Land Evaluation and Site Assessment Model Score

Factor Name	Factor Rating (0–100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
Land Evaluation					
1. Land Capabilities	83.6	×	0.25	=	20.90
2. Storie Index Rating	71.93	×	0.25	=	17.98
Land Evaluation (LE) Subscore					**38.88**
Site Assessment					
1. Project Size	80	×	0.15	=	12.00
2. Water Resources Available	90	×	0.15	=	13.50

[1] *California Land Evaluation and Site Assessment Model, Instruction Manual*, State of California Department of Conservation, Office of Land Conservation, 1997.

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Table 4.1.A: Land Evaluation and Site Assessment Model Score

Factor Name	Factor Rating (0–100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
3. Surrounding Agriculture	0	×	0.15	=	0
4. Protected Resource Lands	0	×	0.15	=	0
Site Assessment (SA) Subscore					**25.50**
TOTAL LESA SCORE (LE+SA)					**64.38**

Table 4.1.B: LESA Model Scoring Threshold

Total LESA Score	Scoring Decision
0–39 Points	Not Considered Significant
40–59 Points	Considered Significant only if LE and SA subscores are each greater than or equal to 20 points
60–79 Points	Considered Significant unless either LE or SA subscore is less than 20 points
80–100 Points	Considered Significant

As identified in Table 4.1.A, the proposed project's LESA score is 64.38. As indicated in Table 4.1.B, a LESA score of 64.38 is considered significant. Therefore, the proposed project would result in a significant impact to agricultural resources.

Currently, property southwest of the project site (south of Lateral B or the Perris Valley Storm Drain and west of Indian Street) is utilized for agriculture. While the proposed project will result in the construction and operation of industrial uses, it would not preclude the continuation of agricultural uses on adjacent properties, in the event the property owners elected to do so. Whether or not adjacent agricultural land is developed relies on several factors including market demand, availability of property, profitability of the agricultural use, and the landowner's interest in continuing farming. While the operation of industrial uses would increase development pressure on adjacent agricultural properties, conversion of the adjacent agricultural properties is reasonably foreseeable.

The project does not include design features that would prevent the existing agricultural operations in the area from continuing. The project would convert land that was previously used for agriculture and the development of the proposed project may contribute to the conversion of adjacent lands. However, the project is a logical extension of development in the City and does not create leapfrog development or islands of agricultural land that would be difficult to farm. The City recognizes development pressures within the City, and that these pressures will increase as the City continues to build out.

Additionally, while the project would not directly cause the conversion of adjacent agricultural land to non-agricultural uses, it would contribute to development pressure within the City that could potentially lead to the conversion of agricultural land off site. This is a significant impact requiring mitigation. However, as stated in Section 4.1.6.1, no feasible mitigation for the loss of agricultural land within the City of Moreno Valley exists; infeasibility is based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly thus resulting an inability to make farming profitable.

As with impacts associated with the conversion of State-designated Farmland, no feasible mitigation is available to mitigate for the direct impacts associated with the conversion of farmland, as previously discussed in Section 4.1.6.1. While the City has identified that the conversion of agricultural land under its jurisdiction is an eventual outcome of current and future growth, the impacts associated with this issue remain significant and unavoidable.

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4.1.7 Cumulative Impacts

The cumulative area for agricultural resource impacts is Riverside County. As with the project-related impacts to Prime Farmland and Farmland of Statewide Importance, no local or regional program to mitigate for the cumulative impacts to agricultural resources is available. As stated previously, the City does not maintain a General Plan or zoning designation for agricultural uses and there are no project-level feasible mitigation measures that would help reduce cumulative impacts. During the last reporting period (2006–2008), 6,540 acres of Prime Farmland, 2,366 acres of Farmland of Statewide Importance, and 8,873 acres of Farmland of Local Importance were converted to other uses. The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance is a finite resource, the conversion of approximately 71 acres to industrial uses, combined with planned and future development in the City and region, represents a significant cumulative impact to agricultural operations and resources.

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4.2 AIR QUALITY

This section analyzes the proposed project's potential air quality impacts based on the comprehensive *Air Quality Analysis* contained in Appendix D-1 (LSA Associates, Inc. December 2011) and the *Health Risk Assessment* (LSA Associates, Inc. December 2011) contained in Appendix D-2 to this EIR. The air quality analysis evaluates potential air quality impacts and mitigation measures by examining the short-term construction and long-term operational impacts associated with the project and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. Additionally, the analysis provides a discussion of the proposed project, the physical setting of the project area, and the air quality regulatory framework. Modeled air quality levels are based upon vehicle data and project trip generation included in the project's Traffic Study (LSA Associates, Inc. November 2011, Appendix G of EIR) and peak turn volumes generated for the proposed project combined with emission factors from the California Air Resources Board (ARB). The evaluation was prepared in accordance with appropriate standards, utilizing procedures and methodologies in the South Coast Air Quality Management District (SCAQMD) *CEQA Air Quality Handbook* (SCAQMD 1993). Air quality data posted by the ARB and the U.S. Environmental Protection Agency (EPA) Web sites are included to document the local air quality environment.

4.2.1 Existing Setting

The project site is located in the South Coast Air Basin (Basin), a geographic area that encompasses the coastal plain and connecting broad inland valleys and low hills. The Pacific Ocean forms the southwestern border of the Basin, with mountain ranges forming the remainder of the border. The Basin includes Orange County and the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County. The Basin is under the jurisdiction of the SCAQMD.

4.2.1.1 Climate and Meteorology

Air quality in the project area is not only affected by various emission sources (mobile, industry, etc.), but also by atmospheric conditions such as wind speed, wind direction, temperature, rainfall, and amount of sunshine. The combination of topography, low mixing height, abundant sunshine, and emissions from the second largest urban area in the United States combine to give the Basin the worst air pollution problem in the nation.

Winds in the Basin are predominantly of relatively low velocities, averaging about 4.0 miles per hour (mph). These low average wind speeds, together with a persistent temperature inversion, limit the vertical dispersion of air pollutants throughout the Basin. Strong, dry, north or northeasterly winds, known as Santa Ana winds, occur during the fall and winter months, dispersing air contaminants, and these conditions tend to last for several days at a time.

During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino Counties. In the winter, the greatest pollution problems are carbon monoxide (CO) and oxides of nitrogen (NO_X), because of extremely low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and the brighter sunshine combine to cause a reaction between hydrocarbons and NO_X to form photochemical smog.

4.2.1.2 Regional Air Quality

Both the State of California and the Federal government have established health-based ambient air quality standards (AAQS) for six air pollutants:

- Carbon monoxide (CO)
- Ozone (O_3)

- Lead (Pb)
- Nitrogen dioxide (NO_2)
- Particulate matter with a diameter of 10 microns or less (PM_{10})
- Sulfur dioxide (SO_2)

Federal standards for 8-hour ozone and for fine particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) have also been adopted. In addition, the State has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety and are listed in Table 4.2.A.

In addition to setting out AAQS, the State has established a set of episode criteria for O_3, CO, NO_2, SO_2, and PM_{10}. These episode criteria refer to periods of short-term exposure to air pollutants that threaten public health. Health effects are progressively more severe as pollutant levels increase from Stage One to Stage Three. An alert level is that concentration of pollutants at which initial stage control actions are to begin. An alert will be declared when any one of the pollutant alert levels is reached at any monitoring site and meteorological conditions are such that the pollutant concentrations can be expected to remain at these levels for 12 or more hours or to increase; or, in the case of oxidants, the situation is likely to recur within the next 24 hours unless control actions are taken. At times, meteorological conditions are so adverse to pollutant dispersion that concentrations of ozone exceed the State air quality standard by as much as a factor of three. The California Air Resources Board (CARB) has defined Episode Levels of ozone air pollution as follows:

- **Health Advisory Levels** occur when hourly ozone concentrations equal or exceed 0.15 parts per million (ppm). At this level, residents are advised to avoid prolonged, vigorous outdoor exercise, and persons with respiratory or coronary disease should avoid exercise.
- **Stage 1 Episodes** occur when hourly ozone concentrations equal or exceed 0.20 ppm. At these times, persons with respiratory or coronary artery disease should be notified to take precautions against exposure and should stay indoors as much as possible. Schools are also notified to advise against strenuous physical activity for their students. To this end, schools are in regular communication with the SCAQMD.
- **Stage 2 Episodes** occur when hourly ozone concentrations equal or exceed 0.35 ppm. The SCAQMD requires industry to take prompt actions to reduce emissions at those times. No Stage 2 episodes occurred between 1989 and 1992.
- **Stage 3 Episodes** occur when hourly ozone concentrations equal or exceed 0.50 ppm. The last Stage 3 episode occurred in the Basin in 1974.

Pollutant alert levels:

- O_3: 392 micrograms per cubic meter ($\mu g/m^3$) (0.20 ppm), 1-hour average.
- CO: 17 milligrams per cubic meter (mg/m^3) (15 ppm), 8-hour average.
- NO_2: 1,130 $\mu g/m^3$ (0.6 ppm) 1-hour average; 282 $\mu g/m^3$ (0.15 ppm) 24-hour average.
- SO_2: 800 $\mu g/m^3$ (0.3 ppm), 24-hour average.
- Particulates, measured as PM_{10}: 350 $\mu g/m^3$, 24-hour average.

Health effects are progressively more severe as pollutant levels increase from Stage 1 to Stage 3. These health effects will not occur unless the standards are exceeded by a large margin or for a prolonged period of time. Among the pollutants, O_3 and particulate matter ($PM_{2.5}$ and PM_{10}) are considered regional pollutants, while the others have more localized effects. Table 4.2.B lists the health effects of these criteria pollutants and their potential sources.

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Table 4.2.A: Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]		
		Concentration[3]	Method[4]	Primary[3,5]	Secondary[3,6]	Method[7]
Ozone (O_3)	1-Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8-Hour	0.070 ppm (137 µg/m^3)		0.075 ppm (147 µg/m^3)		
Respirable Particulate Matter (PM_{10})	24-Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter ($PM_{2.5}$)	24-Hour	No Separate State Standard		35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	15.0 µg/m^3		
Carbon Monoxide (CO)	8-Hour	9.0 ppm (10 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m^3)	None	Non-Dispersive Infrared Photometry (NDIR)
	1-Hour	20 ppm (23 mg/m^3)		35 ppm(40 mg/m^3)		
	8-Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	—
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	Gas Phase Chemiluminescence	53 ppb (100 µg/m^3) (see footnote 8)	Same as Primary Standard	Gas Phase Chemiluminescence
	1-Hour	0.18 ppm (339 µg/m^3)		100 ppb (188 µg/m^3) (see footnote 8)	None	
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	—	Ultraviolet Fluorescence		—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	24-Hour	0.04 ppm (105 µg/m^3)			—	
	3-Hour	—		—	0.5 ppm (1300 µg/m^3)	
	1-Hour	0.25 ppm (655 µg/m^3)		75 ppb (196 µg/m^3) (see footnote 9)	—	
Lead[10]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High-Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3	Same as Primary Standard	
	Rolling 3-Month Average[9]	—		0.15 µg/m^3		
Visibility-Reducing Particles	8-Hour	Extinction coefficient of 0.23 per kilometer - visibility of ten miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.		No Federal Standards		
Sulfates	24-Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1-Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[9]	24-Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

Footnotes

1 California standards for ozone; carbon monoxide (except Lake Tahoe); sulfur dioxide (1- and 24-hour); nitrogen dioxide; suspended particulate matter - PM_{10}, $PM_{2.5}$ and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2 National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth-highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current federal policies.

3 Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4 Any equivalent procedure which can be shown to the satisfaction of ARB to give equivalent results at or near the level of the air quality standard may be used.

5 National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6 National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7 Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.

8 To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100 ppm (effective January 22, 2010). Note that the EPA standards are in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national standards to the California standards the units can be converted from ppb to ppm. In this case, the national standards of 53 ppb and 100 ppb are identical to 0.053 ppm and 0.100 ppm, respectively.

9 On June 2, 2010, the U.S. EPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. EPA also proposed a new automated Federal Reference Method (FRM) using the ultraviolet technology, but will retain the older pararosaniline methods until the new FRM have adequately permeated State monitoring networks. The EPA also revoked both the existing 24-hour SO_2 standard of 0.14 ppm and the annual primary SO_2 standard of 0.030 ppm, effective August 23, 2010. The secondary SO_2 standard was not revised at that time; however, the secondary standard is undergoing a separate review by EPA. Note that the new standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the new primary national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

10 The ARB has identified lead and vinyl chloride as "toxic air contaminants" with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

11 National lead standard, rolling 3-month average: final rule signed October 15, 2008.

°C = degrees Celsius
EPA = United States Environmental Protection Agency
g/m^3 = micrograms per cubic meter
mg/m^3 = milligrams per cubic meter
ppm = parts per million

Source: California Air Resources Board, September 8, 2010.

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Table 4.2.B: Summary of Health Effects of the Major Criteria Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O_3)	▪ Atmospheric reaction of organic gases with nitrogen oxides in the presence of sunlight.	▪ Breathing difficulty. ▪ Lung tissue damage. ▪ Damage to rubber and some plastics.
Nitrogen Dioxide (NO_2)	▪ Motor vehicle exhaust. ▪ Heavy construction equipment exhaust. ▪ Farming equipment exhaust. ▪ Residential heating.	▪ Lung irritation and damage. ▪ Formation of acid rain.
Carbon Monoxide (CO)	▪ Motor vehicle exhaust. ▪ Heavy construction equipment exhaust. ▪ Farming equipment exhaust. ▪ Residential heating.	▪ Reduced tolerance for exercise. ▪ Impairment of mental function. ▪ Impairment of fetal development. ▪ Death at high levels of exposure. ▪ Aggravation of some heart diseases (angina).
Suspended Particulate Matter ($PM_{2.5}$ and PM_{10})	▪ Motor vehicle exhaust ($PM_{2.5}$). ▪ Equipment and industrial sources ($PM_{2.5}$). ▪ Residential and agricultural burning ($PM_{2.5}$ and PM_{10}). ▪ Atmospheric chemical reactions ($PM_{2.5}$ and PM_{10}). ▪ Road dust (PM_{10}). ▪ Windblown dust (Agriculture [PM_{10}]) ▪ Construction (Fireplaces [PM_{10}])	▪ Reduced lung function. ▪ Aggravation of the effects of gaseous pollutants. ▪ Aggravation of respiratory and cardiorespiratory diseases. ▪ Increased cough and chest discomfort. ▪ Soiling. ▪ Reduced visibility.
Sulfur Dioxide (SO_2)	▪ Coal/oil- burning power plants. ▪ Industries, refineries, and diesel engines.	▪ Increased lung disease. ▪ Breathing problems for asthmatics. ▪ Formation of acid rain.
Lead (Pb)	▪ Metal smelters. ▪ Resource recovery. ▪ Leaded gasoline. ▪ Deterioration of lead paint.	▪ Learning disabilities. ▪ Brain and kidney damage.

Source: California Air Resources Board 2009 (http://www.arb.ca.gov/research/health/fs/fs2/fs2.htm).

Table 4.2.C: Attainment Status of Criteria Pollutants in the South Coast Air Basin

Pollutant	State	Federal
O_3 1-hour	Nonattainment	N/A
O_3 8-hour	Nonattainment	Extreme Nonattainment
PM_{10}	Nonattainment	Serious Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Attainment/Maintenance
NO_2	Nonattainment	Attainment/Maintenance
SO_2	Attainment	Attainment
Pb	Attainment (except Los Angeles County)	Attainment (except Los Angeles County)
All others	Attainment/Unclassified	Attainment/Unclassified

Unclassified designation: a pollutant that is designated unclassified if the data are incomplete and do not support a designation of attainment or nonattainment.
Attainment designation: a pollutant is designated attainment if the State standard for that pollutant was not violated at any site in the area during a 3-year period.
Nonattainment: a pollutant is designated nonattainment if there was at least one violation at any site in the area during a 3-year period.
Source: California Air Resources Board website: www.arb.ca.gov/desig/desig.htm, 2010.

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Indirect sources of pollution are generated when minor sources collectively emit a substantial amount of pollution. Examples of this would be the motor vehicles at intersections, malls, and on highways. The California Clean Air Act (CCAA) provides the SCAQMD with the authority to manage transportation activities at indirect sources. The SCAQMD also regulates stationary sources of pollution throughout its jurisdictional area. Direct emissions from motor vehicles are regulated by the CARB.

4.2.1.3 Air Pollution Constituents and Attainment Status

The CARB has many responsibilities with respect to air quality, including the following:

- Coordinates and oversees State and Federal air pollution control programs in California;
- Oversees activities of local air quality management agencies (e.g., the SCAQMD);
- Responsible for incorporating air quality management plans for local air basins into a State Implementation Plan (SIP) for EPA approval; and
- Maintains air quality monitoring stations throughout the State in conjunction with local air districts.

Data collected at these stations are used by the CARB to classify air basins as “attainment” or “nonattainment” with respect to each pollutant and to monitor progress in attaining air quality standards. The State is divided geographically into 15 air basins for the purpose of managing the air resources of the State on a regional basis. An air basin generally has similar meteorological and geographic conditions throughout. Significant authority for air quality control within them has been given to local air districts that regulate stationary source emissions and develop local nonattainment plans. Table 4.2.C (previous page) identifies the attainment status for the criteria pollutants in the Basin.

4.2.1.4 Local Air Quality

The SCAQMD, together with the CARB, maintains ambient air quality monitoring stations in the Basin. The air quality monitoring station closest to the project site is the Perris station. This station monitors ozone and PM_{10}. The air quality monitoring station closest to the site monitoring the rest of the criteria pollutants is the Riverside-Rubidoux station. This monitoring data for SO_2 has been omitted as attainment is regularly met for this pollutant within the Basin. These stations characterize the air quality representative of the ambient air quality in the project area.[1] The ambient air quality data in Table 4.2.D identify that CO and NO_2 levels are consistently below the relevant State and Federal standards in the project vicinity. O_3, PM_{10}, and $PM_{2.5}$ levels all exceed State and/or Federal standards regularly.

Table 4.2.D: Ambient Air Quality Monitored in the Project Vicinity

Pollutant	Standard	2008	2009	2010
Carbon Monoxide (CO) (Riverside-Rubidoux data)				
Maximum 1-hr concentration (ppm)		2.7	2.7	2.0
Number of days exceeded:	State: > 20 ppm	0	0	0
	Federal: > 35 ppm	0	0	0
Maximum 8-hr concentration (ppm)		1.86	1.85	1.20
Number of days exceeded:	State: ≥ 9.0 ppm	0	0	0
	Federal: ≥ 9.0 ppm	0	0	0

[1] Air quality data, 2008-2010; EPA and CARB websites.

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Table 4.2.D: Ambient Air Quality Monitored in the Project Vicinity

Pollutant	Standard	2008	2009	2010
Ozone (O_3) (Perris Station Data)				
Maximum 1-hr concentration (ppm)		0.142	0.125	0.122
Number of days exceeded:	State: > 0.09 ppm	65	53	46
Maximum 8-hr concentration (ppm)		0.115	0.109	0.108
Number of days exceeded:	State: > 0.07 ppm	94	88	77
	Federal: > 0.075 ppm	77[1]	67	50
Coarse Particulates (PM_{10}) (Perris Station data)				
Maximum 24-hr concentration (µg/m^3)		87	76	48
Number of days exceeded:	State: > 50 µg/m^3	8	6	0
	Federal: > 150 µg/m^3	0	0	0
Annual arithmetic mean concentration (µg/m^3)		29.6	34.8	28.0
Exceeded for the year	State: > 20 µg/m^3	Yes	Yes	Yes
Fine Particulates ($PM_{2.5}$) (Riverside-Rubidoux data)				
Maximum 24-hr concentration (µg/m^3)		57.6	54.4	ND
Number of days exceeded:	Federal: > 35 µg/m^3	13[3]	13	ND
Annual arithmetic mean (µg/m^3)		16.3	15.2	ND
Exceeded for the year	State: > 12 µg/m^3	Yes	Yes	ND
	Federal: > 15 µg/m^3	Yes	Yes	ND
Nitrogen Dioxide (NO_2) (Riverside-Rubidoux data)				
Maximum 1-hr concentration (ppm)		0.092	0.078	0.052
Number of days exceeded:	State: > 0.18 ppm	0	0	0
Annual arithmetic mean concentration (ppm)		0.019	0.017	ND
Exceeded for the year	State: > 0.030 ppm	No	No	ND
	Federal: > 0.053 ppm	No	No	ND
Sulfur Dioxide (SO_2) (Riverside-Rubidoux data)				
Maximum 24-hr concentration (ppm)		0.003	0.003	0.002
Number of days exceeded:	State: > 0.04 ppm	0	0	0
	Federal: > 0.14 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.000	0.001	ND
Exceeded for the year:	Federal: > 0.030 ppm	No	No	ND

[1] The exceedances of the federal 8-hour O3 standard are based on the old 0.08 ppm standard. In April 2008, the EPA revised the standard to 0.075 ppm.
[2] No data available.
[3] The exceedances of the federal 24-hour PM2.5 standard are based on the old 65 µg/m3 standard. In 2006, the EPA revised the standard to 35 µg/m3.
µg/m3 = micrograms per cubic meter
ARB = California Air Resources Board
EPA = United States Environmental Protection Agency
ppm = parts per million
Source: South Coast AQMD (www.aqmd.gov).

4.2.1.5 Sensitive Land Uses in the Project Vicinity

Sensitive receptors include residences, schools, medical offices, convalescent facilities, and similar uses that are sensitive to air pollutants. The nearest existing sensitive receptors in the vicinity of the proposed project site are rural residential residences located approximately 1,000 feet (ft) to the north

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along Nandina Avenue. There are also nonconforming residences within commercial and industrial zoned property approximately 0.5 mile southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

4.2.1.6 Existing Project Area Emissions

The project site is currently vacant, and therefore does not generate emissions. Existing air quality conditions at the proposed project site reflect ambient monitored conditions as presented at the previously referenced Table 4.2.D.

4.2.2 Policies and Regulations

4.2.2.1 Federal Regulations

Clean Air Act. Pursuant to the Federal Clean Air Act (CAA) of 1970, the EPA established national ambient air quality standards (NAAQS). The NAAQS were established for six major pollutants, termed "criteria" pollutants. Criteria pollutants are defined as those pollutants for which the Federal and State governments have established ambient air quality standards, or criteria, for outdoor concentrations in order to protect public health.

The EPA established new national air quality standards for ground-level O_3 and $PM_{2.5}$ in 1997. On May 14, 1999, the Court of Appeals for the District of Columbia Circuit issued a decision ruling that the CAA, as applied in setting the new public health standards for O_3 and particulate matter, was unconstitutional as an improper delegation of legislative authority to the EPA. On February 27, 2001, the U.S. Supreme Court upheld the way that the government sets air quality standards under the CAA. The Court unanimously rejected industry arguments that the EPA must consider financial cost as well as health benefits in writing standards. The Justices also rejected arguments that the EPA took too much lawmaking power from Congress when it set tougher standards for O_3 and soot in 1997. Nevertheless, the Court threw out the EPA's policy for implementing new O_3 rules, stating that the EPA ignored a section of the law that restricts its authority to enforce such rules.

In April 2003, the EPA was cleared by the White House Office of Management and Budget (OMB) to implement the eight-hour ground-level O_3 standard. The EPA issued the proposed rule implementing the eight-hour O_3 standard in April 2003. The EPA completed final eight-hour nonattainment status on April 15, 2004. The EPA issued the final $PM_{2.5}$ implementation rule in fall 2004. The EPA issued final designations on December 14, 2004.

Effective January 22, 2010, the EPA strengthened the standard for NO_2 by setting a new 1-hour standard at the level of 100 parts per billion (ppb). This standard defines the maximum allowable concentration anywhere in an area and will protect against adverse health effects associated with short-term exposure to NO_2. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 100 ppb. On January 25, 2010 the EPA issued the final rule setting the one-hour maximum standard for NO_2 at 100 ppb. The agency retained the annual standard of 53 ppb.

Additionally, effective June 2, 2010, the EPA revised the primary standard for SO_2 by establishing a new 1-hour standard at a level of 75 ppb. The EPA revoked the two existing primary standards of 140 ppb evaluated over 24-hours, and 30 ppb evaluated over an entire year as they would not provide additional public health protection given a 1-hour standard at 75 ppb. To attain this standard, the 3-year average of the 99th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 75 ppb.

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4.2.2.2 State Regulations

Mulford-Carrell Act. The State began to set California Ambient Air Quality Standards (CAAQS) in 1969 under the mandate of the Mulford-Carrell Act. The CAAQS are generally more stringent than the NAAQS. In addition to the six criteria pollutants covered by the NAAQS, there are CAAQS for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles.

Originally, there were no attainment deadlines for CAAQS; however, the CCAA of 1988 provided a time frame and a planning structure to promote their attainment. The CCAA required nonattainment areas in the State to prepare attainment plans and proposed to classify each such area on the basis of the submitted plan, as follows: moderate, if CAAQS attainment could not occur before December 31, 1994; serious, if CAAQS attainment could not occur before December 31, 1997; and severe, if CAAQS attainment could not be conclusively demonstrated at all. The attainment plans are required to achieve a minimum 5 percent annual reduction in the emissions of nonattainment pollutants unless all feasible measures have been implemented. The EPA has designated the Southern California Association of Governments (SCAG) as the Metropolitan Planning Organization (MPO) responsible for ensuring compliance with the requirements of the CAA for the Basin.

4.2.2.3 Regional Regulations

Lewis Air Quality Management Act. The 1976 Lewis Air Quality Management Act established the SCAQMD and other air districts throughout the State. The Federal CAA Amendments of 1977 required that each state adopt an implementation plan outlining pollution control measures to attain the Federal standards in nonattainment areas of the state.

The CARB is responsible for incorporating air quality management plans for local air basins into an SIP for EPA approval. Significant authority for air quality control within them has been given to local air districts that regulate stationary source emissions and develop local nonattainment plans.

Regional Air Quality Management Plan (AQMP). The SCAQMD and the SCAG are responsible for formulating and implementing the AQMP, which has a 20-year horizon for the Basin. The SCAQMD and SCAG must update the AQMP every three years. The current regional air quality plan is the Final 2007 Air Quality Management Plan (AQMP) adopted by the SCAQMD on June 1, 2007.

The Final 2007 AQMP proposes attainment demonstration of the Federal $PM_{2.5}$ standards through a more focused control of sulfur oxides (SO_X), directly-emitted $PM_{2.5}$, and nitrogen oxides (NO_X) supplemented with volatile organic compounds (VOC) by 2015. The 8-hour ozone control strategy builds upon the $PM_{2.5}$ strategy, augmented with additional NO_X and VOC reductions to meet the standard by 2024 assuming a bump-up[1] is obtained.

The Final 2007 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve Federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin that are under District jurisdiction. This Final Plan also addresses several Federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools. This Final Plan builds upon the approaches taken in the 2003 AQMP for the

[1] A “bump-up” is a voluntary reclassification of a nonattainment area to a higher classification allowing for an extension of an attainment deadline.

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Basin for the attainment of the Federal ozone air quality standard.[1] The Basin is currently a Federal and State nonattainment area for PM_{10}, $PM_{2.5}$, and ozone.

4.2.3.4 Local Policies

City of Moreno Valley General Plan Policies. Chapter 9 of the City's General Plan defines goals and policies related to air quality within the City of Moreno Valley. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Objective 6.7 Reduce mobile and stationary source air pollutant emissions.

- **Policy 6.7.1** Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.
- **Policy 6.7.2** Encourage the financing and construction of park and ride facilities.
- **Policy 6.7.4** Locate heavy industrial and extraction facilities away from residential areas and sensitive receptors.
- **Policy 6.7.5** Require grading activities to comply with South Coast Air Quality Management District's Rule 403 regarding the control of fugitive dust.
- **Policy 6.7.6** Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.

4.2.3 Methodology

The *Air Quality Analysis*[2] evaluated the air quality impacts associated with the development of the proposed project. Evaluation of air quality impacts associated with the proposed project includes the following:

- Determine the short-term construction air quality impacts based on SCAQMD emissions thresholds;
- Determine the long-term air quality impacts, including vehicular traffic, on both on-site and off-site air quality sensitive uses based on SCAQMD emissions thresholds; and
- Determine the required mitigation measures to reduce short-term and long-term on-site air quality impacts from all sources.

Air quality in the project area would be affected by long-term air pollutant emissions from stationary sources and mobile sources related to the proposed project. On February 3, 2011, the SCAQMD released the California Emissions Estimator Model (CalEEMod). The purpose of this new model is to more accurately calculate air quality and greenhouse gas (GHG) emissions from direct and indirect sources and quantify applicable air quality and GHG reduction achieved from mitigation measures. The latest version of CalEEMod was utilized to predict these project-related air quality impacts.

Construction-related emissions are expected from construction activities such as rough grading, infrastructure construction, asphalt paving, building construction, architectural coatings, and construction workers commuting. This estimate represents the "worst-case" scenario as construction equipment emissions would decrease with time due to technological advancements. Construction emissions for construction worker vehicles traveling to and from the project site, in addition to vendor trips (construction materials delivered to the project site) were also accounted for in the analysis. Localized air quality in the project area would be affected by both heavy-duty construction equipment

1 *Final 2007 Air Quality Management Plan*, South Coast Air Quality Management District, June 1, 2007.
2 *VIP Moreno Valley Air Quality Analysis*, LSA Associates, Inc., December 2011.

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usage on site as well as local traffic due to the equipment delivery and construction worker commuting. The SCAQMD CEQA methodology[1] was used to analyze the criteria pollutant emissions from these activities.

Air quality in the project area would be affected by long-term air emissions from stationary sources and mobile sources related to the proposed project. The CalEEMod model was used to predict these project-related long-term impacts. Localized air quality impacts (i.e., CO concentrations [CO hot spots]) in the project area would be affected by increased traffic flow due to the proposed project. The Caltrans CALINE4 model and the CARB EMFAC 2007 model were used to assess the project's impact on the local CO concentrations.

SCAQMD has developed Local Significance Threshold (LST) methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State AAQS and are developed based on the ambient concentrations of that pollutant for each source receptor area. SCAQMD's current guidelines, *Final Localized Significance Threshold Methodology* (June 2003), were adhered to in the assessment of air quality impacts for the proposed project. The LST mass rate look-up tables were used to determine whether the daily emissions for the proposed construction activities could result in significant localized air quality impacts. The emissions of concern from construction activities are NOx, CO, PM_{10}, and $PM_{2.5}$ combustion emissions from construction equipment and fugitive PM_{10} dust from construction site preparation activities.

4.2.4 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, air quality impacts would occur if the proposed project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; and/or
- Create objectionable odors affecting a substantial number of people.

In addition to the Federal and State AAQS, there are daily emissions thresholds for construction and operation of a proposed project in the Basin. The Basin is administered by the SCAQMD, and guidelines and emissions thresholds established by the SCAQMD in its *CEQA Air Quality Handbook*[2] are used in this analysis. It should be noted that the emissions thresholds were established based on the attainment status of the air basin with regard to air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety (EPA), these emissions thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

1 *CEQA Air Quality Handbook*, April 1993.
2 *CEQA Air Quality Handbook*, April 1993.

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4.2.4.1 Thresholds for Construction Emissions

The following CEQA significance thresholds for construction emissions have been established by the SCAQMD for the Basin:

- 75 pounds per day of reactive organic compounds (ROC).
- 100 pounds per day of NO_X.
- 550 pounds per day of CO.
- 150 pounds per day of PM_{10}.
- 150 pounds per day of SO_X.
- 55 pounds per day of $PM_{2.5}$.

Projects in the Basin with construction-related emissions that exceed any of the emission thresholds are considered to be significant under CEQA.

4.2.4.2 Thresholds for Operational Emissions

Projects with operation-related emissions that exceed any of the emission thresholds listed below are considered significant under the SCAQMD guidelines.

- 55 pounds per day of ROC.
- 55 pounds per day of NO_X.
- 550 pounds per day of CO.
- 150 pounds per day of PM_{10}.
- 150 pounds per day of SO_X.
- 55 pounds per day of $PM_{2.5}$.

4.2.4.3 Federal 1 Hour NO_2 Standard

On January 22, 2010, the EPA revised the primary nitrogen dioxide (NO_2) NAAQS in order to provide requisite protection of public health. Specifically, the EPA established a new 1-hour standard at a level of 100 ppb (188.68 $\mu g/m^3$), based on the 3-year average of the annual 98th percentile of the daily maximum 1-hour concentrations (form of the standard), in addition to the existing annual secondary standard (100 $\mu g/m^3$). EPA has also established requirements for a NO_2 monitoring network that will include monitors at locations where maximum NO_2 concentrations are expected to occur, including within 50 meters of major roadways, as well as monitors sited to measure the area-wide NO_2 concentrations that occur more broadly across communities.

The effective date of the new 1-hour standard was 60 days after the final rule was published in the Federal Register. The final rule was published in the Federal Register on February 9, 2010 with an effective date of April 12, 2010.

4.2.4.4 Air Pollutant Standards for CO with Localized Effects

The significance of localized project impacts under CEQA depends on whether ambient CO levels in the vicinity of the project are above or below State and Federal CO standards (previously referenced Table 4.2.A). If ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient

levels already exceed a State or Federal standard, project emissions are considered significant if they increase one-hour CO concentrations by 1.0 ppm[1] or more or eight-hour CO concentrations by 0.45 ppm or more. The Basin meets State and Federal attainment standards for CO; therefore, the proposed project would have a significant CO impact if project emissions result in an exceedance of State or Federal one-hour or eight-hour standard. The following emission concentration standards for CO, based on the SCAQMD *CEQA Air Quality Handbook* (1993), apply to the proposed project:

- California State one-hour CO standard of 20.0 ppm.
- California State eight-hour CO standard of 9.0 ppm.

4.2.4.5 Localized Significance Thresholds

The SCAQMD published its *Final Localized Significance Threshold Methodology* in June 2003, revised July 2008) and Final –Methodology to Calculate Particulate Matter (PM) 2.5 and $PM_{2.5}$ Significance Thresholds (October 2006), recommending that all air quality analyses include an assessment of both construction and operational impacts on the air quality of nearby sensitive receptors. LSTs represent the maximum emissions from a project site that are not expected to result in an exceedance of the national or State AAQS. LSTs are based on the ambient concentrations of that pollutant within the project Source Receptor Area (SRA) and the distance to the nearest sensitive receptor. For this project, the appropriate SRA for the LST is the Perris Valley (SRA 24).

In the case of CO and NO_2, if ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient levels already exceed a State or federal standard, then project emissions are considered significant if they increase ambient concentrations by a measurable amount. This would apply to PM_{10} and $PM_{2.5}$, both of which are non-attainment pollutants. For these two, the significance criteria are the pollutant concentration thresholds presented in SCAQMD Rules 403 and 1301. The Rule 403 threshold of 10.4 µg/m3 applies to construction emissions (and may apply to operational emissions at aggregate handling facilities). The Rule 1301 threshold of 2.5 $\mu g/m^3$ applies to non-aggregate handling operational activities.

To avoid the need for every air quality analysis to perform air dispersion modeling, the SCAQMD performed air dispersion modeling for a range of construction sites less than or equal to 5 acres (ac) in size and created look-up tables that correlate pollutant emissions rates with project size to screen out projects that are unlikely to generate enough emissions to result in a locally significant concentration of any criteria pollutant. These look-up tables can also be used as screening criteria for larger projects to determine whether or not dispersion modeling may be required.

Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to adverse air quality. The nearest existing sensitive receptors are approximately 300 meters (m) (1,000 ft) away from the project site.

Following the SCAQMD LST methodology, for sites larger than 5 ac, dispersion modeling needs to be conducted. Because the project site encompasses approximately 71 ac, the localized significance for project air emissions is determined by performing dispersion modeling to see if the pollutant concentrations would exceed the ambient air quality standards, or for particulate matter, if the pollutant concentrations would exceed thresholds presented in SCAQMD Rules 403 and 1301.

For operational emissions, the localized significance for a project larger than 5 ac can be determined by performing the screening-level analysis before using the dispersion modeling because the screening-level analysis is more conservative, and if no exceedance of the screening-level thresholds

[1] ppm = parts per million.

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is identified, then the chance of operational LST exceeding concentration standards is small. Therefore, for a conservative approach, the LST screening thresholds for 5 ac are used in this analysis for operational emissions. Since the project is not an aggregate handling facility, operational LSTs are assessed with the SCAQMD screening thresholds. Therefore, the following emissions thresholds apply during project operations:

- 585 lbs/day of NO_X
- 12,083 lbs/day of CO
- 32 lbs/day of PM_{10}
- 14 lbs/day of $PM_{2.5}$

4.2.4.6 Diesel Exhaust Health Risk Thresholds

For pollutants without defined significance standards or air contaminants not covered by the standard criteria cited above, the definition of substantial pollutant concentrations varies. For toxic air contaminants (TAC), "substantial" is taken to mean that the individual cancer risk exceeds a threshold considered to be a prudent risk management level. If best available control technology for toxics (T-BACT) has been applied, the individual cancer risk to the maximum exposed individual (MEI) must not exceed 10 in 1 million if an impact is to be considered less than significant.

The following limits for maximum individual cancer risk (MICR), cancer burden and non-cancer acute and chronic hazard indices (HI) from project emissions of TACs have been established for the Basin:

- **MICR and Cancer Burden.** MICR is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to TACs over a period of 70 years for residential and 40 years for worker receptor locations. The MICR calculations include multipathway consideration, when applicable. Cancer burden is the estimated increase in the occurrence of cancer cases in a population subject to a MICR of greater than or equal to one in one million (1.0×10^{-6}) resulting from exposure to TACs.

  The total increase in MICR that is the sum of the calculated MICR values for all TACs emitted from the project will not result in any of the following:

  (A) An increased MICR greater than 10 in 1 million (1.0×10^{-5}) at any receptor location (assumes the project will be constructed with T-BACT); or

  (B) A cancer burden greater than 0.5.

- **Chronic HI.** This is the ratio of the estimated long-term level of exposure to a TAC for a potential maximally exposed individual to its chronic reference exposure level. The chronic HI calculations include multipathway consideration, when applicable.

  The cumulative increase in total chronic HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

- **Acute HI.** This is the ratio of the estimated maximum one-hour concentration of a TAC for a potential maximally exposed individual to its acute reference exposure level.

  The cumulative increase in total acute HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

4.2.5 Less than Significant Impacts

The following impacts were determined to be less than significant. For each of the following issues either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

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4.2.5.1 Air Quality Plan Management Plan Consistency

Threshold	Would the proposed project conflict with or obstruct implementation of the applicable air quality plan?

The current regional air quality management plan is the *Final 2007 Air Quality Management Plan* adopted by the SCAQMD on June 1, 2007. The Final 2007 AQMP proposes attainment demonstration of the Federal $PM_{2.5}$ standards through a more focused control of SO_X, directly-emitted $PM_{2.5}$, and NO_X supplemented with VOC by 2015. The 8-hour ozone control strategy builds upon the $PM_{2.5}$ strategy, augmented with additional NO_X and VOC reductions to meet the standard by 2024 assuming a bump-up[1] is obtained.

The Final 2007 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve Federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin that are under SCAQMD jurisdiction. This AQMP also addresses several Federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools. This AQMP builds upon the approaches taken in the 2003 AQMP for the Basin for the attainment of the Federal ozone air quality standard.[2] The Basin is currently a Federal and State nonattainment area for PM_{10}, $PM_{2.5}$, and ozone.

To assess the environmental impacts as a result of new development accurately, environmental pollution and population growth are projected by the SCAQMD in the AQMP for future scenarios. The AQMP projections are based, in part, on the growth forecasts and General Plans from cities and counties located in the Basin. As the Growth Management Chapter of the SCAG's Regional Comprehensive Plan and Guide (RCPG) forms the basis of the land use and transportation control portions of the AQMP, projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter are considered consistent with the AQMP growth projections. A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the air quality plans. It fulfills the CEQA goal of fully informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Only new or amended General Plan elements, Specific Plans, and significantly unique projects need to undergo a consistency review due to the air quality plan strategy being based on projections from local General Plans. Projects that propose general plan amendments and changes of zone may increase the intensity of use and/or result in higher traffic volumes, thereby resulting in increased stationary area source emissions and/or vehicle source emissions when compared to the AQMP assumptions.

Another measurement tool in determining consistency with the AQMP is to determine how a project accommodates the expected increase in population or employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT) both within the project and the community in which it is located, and consequently the minimization of air pollutant emissions, that aspect of the project is consistent with the AQMP. The proposed project site is located in an urbanizing area of the City of Moreno Valley west of Perris Boulevard, which accommodates traffic in the area. In addition, the proposed uses would be within short travel distance of existing homes and commercial areas in the local vicinity. The proposed project would add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community.

Implementation of the proposed project would not require a General Plan Amendment and zone change that would change the General Plan designations and zoning designations of the project site.

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1 A "bump-up" is a voluntary reclassification of a nonattainment area to a higher classification allowing for an extension of an attainment deadline.

2 *Final 2007 Air Quality Management Plan,* South Coast Air Quality Management District, June 1, 2007.

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Since the proposed project would not require a General Plan Amendment, the project has been considered in preparation of the General Plan and therefore is consistent with the AQMP; therefore, no significant impact would occur and no mitigation measures are required.

4.2.5.2 Odors

Threshold	Would the proposed project create objectionable odors affecting a substantial number of people?

SCAQMD Rule 402 dictates that air discharged from any source shall not cause injury, nuisance, or annoyance to the health, safety, or comfort of the public. With the exception of short-term construction-related odors (e.g., equipment exhaust, paint, and asphalt odors), the proposed uses that would be developed on the proposed site do not include uses that are generally considered to generate offensive odors (e.g., agricultural uses, wastewater treatment plants, or landfills). While the application of architectural coatings and installation of asphalt may generate odors, these odors are temporary and not likely to be noticeable beyond the project boundaries. SCAQMD Rules 1108 and 1113 identify standards regarding the application of asphalt and architectural coatings, respectively.

SCAQMD Rule 1108 sets limitations on ROG (reactive organic gases), which are similar to and for the purposes of this EIR equivalent to and therefore interchangeable with volatile organic compounds (VOC) content in asphalt. This rule is applicable to any person who supplies, sells, offers for sale, or manufactures any asphalt materials for use in the Basin. Rule 1113 of the SCAQMD deals with the selling and application of architectural coatings. Rule 1113 is applicable to any person who supplies, sells, offers for sale, or manufactures any architectural coating for use in the Basin that is intended to be applied to buildings, pavements, or curbs. This rule is also applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of VOC emissions allowed for all types of architectural coatings, along with a time table for tightening the emissions standards in the future. Compliance with Rule 1113 means that architectural coatings used during construction would have VOC emissions that comply with these limits.

Adherence to applicable provisions of these rules is standard for all development within the Basin. In addition, conditions for the design of waste storage areas on the proposed site would be established through the permit process to ensure enclosures are appropriately designed and maintained to prevent the proliferation of odors. Solid waste generated by the proposed on-site uses will be collected by a contracted waste hauler, ensuring that any odors resulting from on-site uses would be adequately managed. Therefore, impacts associated with this issue would be less than significant and no mitigation is required.

4.2.5.3 Long-Term Microscale (CO Hot Spot) Emissions

Threshold	Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation? For CO, the applicable thresholds are: - California State one-hour CO standard of 20.0 ppm; and - California State eight-hour CO standard of 9.0 ppm.

Vehicular trips associated with the implementation of the proposed project would contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase in local areas as a result of the proposed project. The primary mobile source pollutant of local concern is CO, which is a direct

function of vehicle idling time and, thus, traffic flow conditions. CO transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. However, under certain extreme meteorological conditions, CO concentrations proximate to a congested roadway or intersection may reach unhealthful levels affecting local sensitive receptors (residents, schoolchildren, etc). High CO concentrations are typically associated with roadways or intersections operating at unacceptable levels of service or with very high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. As identified in Table 4.2.E, ambient CO levels monitored at the Riverside – Rubidoux Station, the closest station with complete monitored CO data, showed a highest recorded 1-hour concentration of 2.7 ppm (State standard is 20 ppm) and a highest 8-hour concentration of 1.9 ppm (State standard is 9 ppm) during the past 3 years.

The highest CO concentrations would normally occur during peak traffic hours; hence, CO impacts calculated under peak traffic conditions represent a worst-case analysis. Based on the Traffic Study,[1] CO hotspot analyses were conducted for future cumulative conditions. The impact on local CO levels was assessed with the CARB-approved CALINE4 air quality model, which allows microscale CO concentrations to be estimated along roadway corridors or near intersections. This model is designed to identify localized concentrations of CO, often termed "hot spots."

The proposed project would have a significant CO impact if project emissions increase 1-hour CO concentrations by 1.0 ppm or more. Similarly, the proposed project would also have a significant CO impact if project emissions increase 8-hour CO concentrations by 0.45 ppm or more. Existing (2008) and opening year (2013) scenarios were evaluated for traffic impacts from the proposed project. It is anticipated that emissions in the future years, including CO, would decrease with advances in technology. The highest one-hour CO concentrations for intersections within the project vicinity are identified in Table 4.2.E.

Table 4.2.E: One-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest One-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	1-Hr
Existing Year (2011)	4.0	NA [2]	No
Opening Year (2013)	5.1	5.1	No

1 The one-hour CO State standard is 20 ppm.
2 NA = not applicable.
Source: *Air Quality Analysis*, LSA Associates, Inc. December 2011.

As identified in Table 4.2.E, the highest one-hour CO concentration experienced at any of the intersections in the project vicinity would not exceed the one hour CO State standard of 20 ppm. Based on the *Air Quality Analysis* prepared for the proposed project, the proposed project would contribute, at most, a 0.2 ppm increase to the one-hour CO concentrations for all scenarios. This is below the 1.0 ppm increase threshold. The highest eight-hour CO concentrations for intersections within the project vicinity are identified in Table 4.2.F.

Table 4.2.F: Eight-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest Eight-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	8-Hr
Existing Year (2011)	2.8	NA [2]	No

1 *Traffic Study VIP Moreno Valley,* LSA Associates, Inc., November 2011.

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Table 4.2.F: Eight-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest Eight-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	8-Hr
Opening Year (2013)	3.5	3.5	No

[1] The eight-hour CO State standard is 35 ppm.
[2] NA = not applicable.
Source: *Air Quality Analysis*, LSA Associates, Inc. December 2011.

As identified in Table 4.2.F, the highest eight-hour CO concentration experienced at any of the intersections in the project vicinity would not exceed the eight-hour CO state standard of 35 ppm. Based on the Air Quality Analysis prepared for the proposed project, the proposed project would contribute, at most, a 0.2 ppm increase to the eight-hour CO concentrations for all scenarios. This is below the 0.45 ppm increase threshold. Since the proposed project would not exceed the one-hour or eight-hour CO concentration standards, it is reasonable to conclude that no CO hot spots would occur. Therefore, the proposed project would not have a significant impact on local air quality for CO and no mitigation measures would be required.

4.2.5.4 Localized Operational Emissions

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operation, the applicable localized daily thresholds are: - 12,083 pounds per day of CO; - 585 pounds per day of NO_X; - 32 pounds per day of PM_{10}; and - 14 pounds per day of $PM_{2.5}$.

As previously stated, the SCAQMD has developed an LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. These emission levels have been developed based on the ambient concentrations of that pollutant for each source receptor area. Table 4.2.G summarizes the results of the modeled localized emissions during the operational phase of the project.

Table 4.2.G: Modeled Localized Operation Impacts (lbs/day)

Emissions Sources	NO_x	CO	PM_{10}	$PM_{2.5}$
On-site emissions	50	42	8.5	2.1
LST Thresholds	**550**	**11,302**	**126**	**53**
Significant?	**No**	**No**	**No**	**No**

Source: LSA Associates, Inc., December 2011.

The SCAQMD LST threshold for NO_X is designed to ensure that the NO_2 concentrations from project construction emissions added to the ambient NO_2 concentrations are below the State ambient air quality standards (AAQS) of 180 ppb. The emissions rate of NO_X at 97 lbs/day is approximately 18 percent of the LST threshold of 550 lbs/day. Since the federal NO_2 AAQS of 100 ppb is approximately 55 percent of the State NO_2 AAQS of 180 ppb, the construction emissions of NO_X will not result in an exceedance of the federal NO_2 AAQS.

As identified in Table 4.2.G, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not

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have a significant impact on localized operational pollutant levels and no mitigation measures would be required.

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. Therefore, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

4.2.5.6 Operational-Chronic Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations? For Maximum Individual Cancer Risk, the applicable thresholds are: • An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or For non-cancer chronic hazard indices (HI); the applicable threshold is: • A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

A screening level health risk assessment was performed for the operational emissions associated with the proposed project based on the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* guidance. The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with state and federal handling regulations will bring emissions to below a level of significance. Due to the lack of data, precise evaluation of vehicle exhaust impacts is not feasible; however, based on the limited amount of TAC from vehicle exhaust associated with the project operations in relation to background levels, the impact is not expected to be significant.

The nearest existing sensitive receptors are rural residential units located approximately 1,000 feet (ft) to the north along Nandina Avenue. There are also nonconforming residential dwelling units within commercial and industrial uses on property zoned commercial or industrial approximately 0.5 mi southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue. The workers at the nearby commercial and industrial facilities are also considered. Sensitive receptors were placed in a general grid extending in all directions to characterize the risk level surrounding the project site. Meteorological data from the Moreno Valley area were utilized to

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represent the conditions at the project site. Table 4.2.H provides the results of the operational related health risk assessment conducted.

Table 4.2.H: Operational-Related Health Risk Assessment Results (risk per million)

Location	Maximum Cancer Risk	Maximum Noncancer Risk
School 1	0.11	0.000069
School 2	0.79	0.00050
School 3	0.26	0.00016
Nearest Residential to the north	6.6	0.0041
Nearest Residential to the east	5.0	0.0031
Nearest Residential to the south	1.2	0.00074
Workers at facility to the west	4.5	0.0029
SCAQMD Threshold	**10**	**1**
Significant?	**No**	**No**

Source: LSA Associates, March 2012.

As identified in Table 4.2.H, the nearest residences would experience a cancer risk of 6.6 in 1 million, which is below the 10 in 1 million threshold. The nearest residences would also experience a chronic hazard index of 0.0041, which is below the 1.0 threshold. The peak off-site worker cancer risk level is 4.5 in a million, which is also below the 10 in 1 million threshold. Chronic hazard index for the peak off-site worker would be 0.0029, which is below the 1.0 threshold. Since the operational phase of the proposed project would not exceed any of the operational related health risk assessment thresholds, a less than significant impact would occur and no mitigation is required.

4.2.6 Significant Impacts

The following impacts were determined to be potentially significant. In each of the following issues, mitigation measures have been recommended to reduce the significance of the identified impacts.

4.2.6.1 Construction Equipment Exhaust Emissions

Impact 4.2.6.1: *Construction of the proposed project has the potential to exceed applicable daily thresholds that may affect sensitive receptors.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.

Grading and other construction activities produce combustion emissions from various sources such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions during these construction activities will vary daily as construction activity levels change. The use of construction

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equipment on site would result in localized exhaust emissions. Activity during peak grading days typically generates a greater amount of air pollutants than other project construction activity.

While the actual details of the future construction schedule are not known, it is expected that project construction would occur in four phases: 1) rough grading which includes mass site grading; 2) infrastructure construction which includes underground construction, curb, gutter, sidewalk, subgrade preparation, drop rock, and paving activities; 3) asphalt paving; and 4) building construction and painting. Appendix D-1 of this EIR includes details of the emission factors and other assumptions.

Projected emissions resulting from grading and construction activities for the proposed project are identified in Table 4.2.I, which identifies the estimated maximum daily construction emissions over the course of project construction.

Table 4.2.I: Short-Term Regional Construction Emissions

	Pollutant Emissions (lbs/day)							
Construction Phase	**ROG**	**NO_X**	**CO**	**SO_2**	**Fugitive PM_{10}**	**Exhaust PM_{10}**	**Fugitive $PM_{2.5}$**	**Exhaust $PM_{2.5}$**
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	1.8	0.33	0.02	0.32
Architectural Coating	72	3.7	11	0.01	0.2	2.9	0	2.9
Paving	5.95.9	3434	22	0.03	329	17	4.4	16
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

The construction emissions estimates summarized in Table 4.2.I are based on the assumed construction scenario described in the *Air Quality Analysis* prepared for the proposed project. Using emission factors from the SCAQMD *CEQA Air Quality Handbook* and the ARB EMFAC2007 model, Table 4.2.I indicates that construction emissions of criteria pollutants would exceed the SCAQMD daily emission thresholds for ROG from architectural coating, NO_X from diesel exhaust and fugitive PM_{10} during the site preparation and grading phases. It should be noted that site preparation and grading emissions are projected to be higher due to an estimated 220,000 cy of soil import by haul trucks. Although construction of the structure uses different types of equipment on site than during grading periods, similarities do exist in terms of equipment exhaust emissions and fugitive dust emissions. While it is anticipated that total emissions during construction would be below the peak grading day emissions presented in Table 4.2.I, construction emissions of ROG, NOx and PM_{10} would still exceed the SCAQMD daily threshold. This is a significant impact requiring mitigation.

Fugitive dust emissions are generally associated with land clearing and exposure of soils to the air and wind, and cut-and-fill grading operations. Dust generated during construction varies substantially on a project-by-project basis, depending on the level of activity, the specific operations, and weather conditions at the time of construction. Fugitive dust emissions can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors. The proposed project will be required to comply with SCAQMD Rules

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402 and 403 to control fugitive dust. There are a number of feasible control measures that can be reasonably implemented to significantly reduce PM_{10} emissions from construction.

As identified in Table 4.2.I, fugitive dust emissions (i.e., PM_{10}) during the anticipated peak construction day for the proposed project would exceed SCAQMD daily construction thresholds.

The proposed project is required to comply with regional rules that assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires implementation of dust-suppression techniques to prevent fugitive dust from creating a nuisance off site. SCAQMD Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rule 403 are summarized below. Implementation of these dust suppression techniques can reduce the fugitive dust generation (and thus the PM_{10} component). Compliance with these rules would reduce impacts on nearby sensitive receptors. The applicable Rule 403 measures are as follows:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce fugitive dust haul road emissions.

As previously discussed, SCAQMD Rule 1113 regulates the sale and application of architectural coatings. Rule 1113 is applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of ROG or VOC emissions allowed for all types of architectural coatings. Compliance with Rule 1113 means that architectural coatings used during construction would have ROG or VOC emissions that comply with these limits.

Mitigation Measures. To facilitate monitoring and compliance, applicable SCAQMD regulatory requirements are restated in the following mitigation. These measures shall be incorporated in all project plans, specifications, and contract documents. Typical mitigation measures identified to reduce the level of emissions of ROG, NO_X, and PM_{10} include the following:

4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract

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specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.

4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).

4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High-pressure injectors shall be provided on diesel construction equipment where feasible;

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- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be provided on site during construction to minimize the need for off-site vehicle trips; and
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.2.6.1M All project entrances shall be posted with signs which state:

- Truck drivers shall turn off engines when not in use;
- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and
- Telephone numbers of the building facilities manager and CARB, to report violations.

These measures shall be enforced by the on-site facilities manager (or equivalent).

Level of Significance After Mitigation. The implementation of CARB Tier 2 Certified or better equipment would reduce PM_{10} and $PM_{2.5}$ emissions that would otherwise result from off-road equipment in use (e.g., dozers, motor graders, loaders, and excavators); however, emissions of PM_{10} would still exceed established SCAQMD thresholds during construction. It is not possible to quantify the reduction in the amount of NO_x emissions that may occur. During project construction, it is not known specifically what type of on-site equipment will be used (e.g., gasoline- or diesel-powered) therefore, no additional reduction in NO_x emissions were taken. No other feasible mitigation measures have been identified to reduce the construction emissions of NO_x or PM_{10} to a less than significant level. Project-related construction emissions of NO_x and PM_{10} would continue to exceed thresholds. Although implementation of standard Rule 1113 measures will reduce ROG/VOC emissions during application of architectural coatings to 72 pounds per day, which is less than the 75 pounds per day threshold of significance, ROG/VOC emissions are estimated to reach 90 pounds per day due to construction phase overlap. In the absence of feasible mitigation to reduce the proposed project's emission of ROG, NO_x, and PM_{10} to below SCAQMD thresholds, potential air quality impacts resulting from exhaust from construction equipment will remain significant and unavoidable.

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4.2.6.2 Localized Construction Emissions

Impact 4.2.6.2: *Construction of the proposed project has the potential to exceed localized daily thresholds that may affect sensitive receptors.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For short-term construction, the applicable localized daily thresholds are: - 11,302 pounds per day of CO; - 550 pounds per day of NO_X; - 126 pounds per day of PM_{10}; and - 53 pounds per day of $PM_{2.5}$.

The SCAQMD has developed an LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State ambient air quality standard. These emission levels have been developed based on the ambient concentrations of that pollutant for each source receptor area. The emissions of concern from construction activities are NO_X and CO combustion emissions from construction equipment and fugitive PM_{10} and $PM_{2.5}$ dust from construction site preparation activities.

Table 4.2.J summarizes the results of the modeled localized emissions during peak construction activity. LSTs for the project area as calculated using AERMOD air dispersion modeling and following the SCAQMD LST methodology. The concentration increases shown in Table 4.2.J occur at the sensitive receptors are approximately 300 meters (m) (1,000 ft) from the project site. The LST dispersion analysis details and calculations are included in the Appendix to the Air Quality Study (Appendix D-1).

Table 4.2.J: Modeled Localized Construction Impacts

Pollutant	AAQS	Ambient Concentration	Threshold	Maximum Concentration Increase	Over/(Under)	Adverse Concentration
CO (1-hour)	20 ppm	2.7 ppm	17.3 ppm	3 ppm	(14.3 ppm)	No
CO (8-hour)	9.0 ppm	1.9 ppm	7.1 ppm	1.8 ppm	(5.3 ppm)	No
NO_2 (1-hour)	0.18 ppm	0.092 ppm	0.088 ppm	0.55 ppm	0.46	**Yes**
NO_2 (annual)	0.03 ppm	0.019 ppm	0.011 ppm	0.014 ppm	0.003	No
PM_{10} (24-hour)[a]			10.4 µg/m3	85 µg/m3	74.6 µg/m3	**Yes**
PM_{10} (annual)[a]			1.0 µg/m3	0 µg/m3	(1 µg/m3)	No
$PM_{2.5}$ (24-hour)[a]			10.4 µg/m3	80 µg/m3	69.6 µg/m3	**Yes**

Source: LSA Associates, Inc., March 2012.
a. Since both PM_{10} and $PM_{2.5}$ are in nonattainment, the thresholds are not based on AAQS exceedance, but rather a violation of SCAQMD Rule 403.
AAQS = ambient air quality standards
CO = carbon monoxide
µg/m3 = microgram of pollutant per cubic meter of air
NO2 = nitrogen dioxide
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ppm = parts per million
SCAQMD = South Coast Air Quality Management District

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The SCAQMD LST threshold for NO_X is designed to insure that the NO_2 concentrations from project construction emissions added to the ambient NO2 concentrations are below the State AAQS of 180ppb. The emissions rate of NO_X at 97 lbs/day is approximately 18 percent of the LST threshold of 550 lbs/day. Since the federal NO_2 AAQS of 100 ppb is approximately 55 percent of the State NO_2 AAQS of 180 ppb, the construction emissions of NO_X will not result in an exceedance of the federal NO_2 AAQS.

Mitigation Measures. Typical mitigation measures identified to reduce the level of emissions of NOx and PM_{10} have been identified above as **Mitigation Measures 4.2.6.1A** through **4.6.1.M.** The project will also be required to comply with SCAQMD Rule 402 and 403.

Level of Significance After Mitigation. The implementation of CARB Tier 2 Certified or better equipment would reduce PM_{10} and $PM_{2.5}$ emissions that would otherwise result from off-road equipment in use (e.g., dozers, motor graders, loaders, and excavators); however, emissions of PM_{10} would still exceed established SCAQMD thresholds during construction. It is not possible to quantify the reduction in the amount of NO_x emissions that may occur. During project construction, it is not known specifically what type of on-site equipment will be used (e.g., gasoline- or diesel-powered) therefore, no additional reduction in NO_x emissions were taken. No other feasible mitigation measures have been identified to reduce the construction emissions of NO_x or PM_{10} to a less than significant level. Project-related construction emissions of NO_x and PM_{10} would continue to exceed thresholds. In the absence of feasible mitigation to reduce the proposed project's emission of NO_x and PM_{10} to below SCAQMD thresholds, potential air quality impacts resulting from exhaust from construction equipment will remain significant and unavoidable.

4.2.6.3 Long-Term Operational Emissions

Impact 4.2.6.3: *Implementation of the proposed project may occur have the potential to exceed applicable daily thresholds for operational activities.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NO_X; - 550 pounds of CO; - 150 pounds of PM_{10}; - 55 pounds of $PM_{2.5}$; and - 150 pounds of SO_X.

Long-term air pollutant emission impacts that would result from the proposed project are those associated with stationary sources and mobile sources involving any project-related change (e.g., emissions from landscape maintenance activities and other facility maintenance operations and the use of motor vehicles by project-generated traffic). The analysis assesses the mobile source emissions generated by vehicles driving to and from the proposed land uses, as well as area source emissions generated by project maintenance operations. Projected emissions resulting from operational activities of the proposed project are identified in Table 4.2.K.

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Table 4.2.K: Summary of Operational Emissions

Source	Pollutant Emissions, lbs/day					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source Emissions[1]	33	0	0	0	0	0
Energy Source Emissions[2]	0.1	0.93	0.78	0.01	0.07	0.07
Mobile Emissions[3]	110	990	830	1.5	170	42
Maximum Daily Emissions	**143**	**990**	**830**	**1.5**	**170**	**42**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Significant?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**No**

Notes:
1 = Includes emissions of landscape maintenance equipment, consumer products, and architectural coatings emissions.
2 = Includes emissions of natural gas consumption.
3 = Includes emissions of vehicle emissions and fugitive dust related to vehicular traffic.

CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
VOC = volatile organic compounds
SO_X = sulfur oxides

Source: LSA Associates, Inc., December 2011.

As identified in Table 4.2.K, operational emissions for the proposed project would exceed SCAQMD daily operational thresholds for ROG, NO_X, CO, and PM_{10}. Therefore, project-related long-term air quality impacts for ROG, NO_X, CO, and PM_{10} would be significant and mitigation measures are required.

Mitigation Measures. The following measures have been identified to reduce operational emissions of ROG, NO_X, CO, and PM_{10}:

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.
- To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.

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- Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
- All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.
- To reduce energy demand associated with potable water conveyance, the project shall implement the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- The project shall provide secure, weather-protected, on-site bicycle storage/parking.
- The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.
- The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- The project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.
- The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.
- Lease/purchase documents shall identify that tenants are encouraged to promote the following:
  - Implementation of compressed workweek schedules.
  - SmartWay partnership;
  - Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.
  - Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.
  - Use of fleet vehicles conforming to 2010 air quality standards or better.
  - Installation of catalytic converters on gasoline-powered equipment.

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- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.
- Provision of preferential parking for EV and CNG vehicles.
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.
- Use of electric (instead of diesel or gasoline-powered) yard trucks.
- Use of SmartWay 1.25 rated trucks.

4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.

It is important to note that in addition to the operational activity mitigation measures identified above, the proposed project would incorporate physical attributes and operational programs that will act to generally reduce operational-source pollutant emissions including GHG emissions. These project characteristics are identified in Section 4.3 (Climate Change and Greenhouse Gas Emissions) of this EIR.

Level of Significance after Mitigation. Even with implementation of the identified mitigation measure, it is not possible to quantify the reduction in the amount of ROG, NO_X, CO, and PM_{10} emissions that may occur with the operation of the proposed project. Despite implementation of mitigation measures, emissions of ROG, NO_X, CO, and PM_{10} would still exceed SCAQMD significance thresholds resulting in a significant and unavoidable operational air quality impact.

4.2.7 Cumulative Impacts

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

4.2.7.2 CO Hot Spot Impacts

As identified in Section 4.2.5.3, no significant CO hot spot impacts would occur. It is anticipated that CO emissions in the future will decrease with advances in technology. As previously identified, background concentrations in future years are anticipated to continue to decrease as the concerted effort to improve regional air quality progresses. Therefore, CO concentrations in the future years would generally be lower than existing conditions. Based on the analysis, because no CO hot spot

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impacts would occur, it is reasonable to assume that a less than significant cumulative CO impact would occur.

4.2.7.3 Long-Term Regional Air Quality Impacts

Previously identified Table 4.2.K indicates that the long-term operation of the project would contribute to long-term regional air pollutants despite implementation of mitigation measures. The Basin is in nonattainment for NO_X, PM_{10}, $PM_{2.5}$, and ozone at the present time; therefore, the operation of the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed project would unavoidably contribute to significant long-term cumulative air quality impacts.

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4.3 CLIMATE CHANGE AND GREENHOUSE GAS EMISSIONS

This section analyzes the proposed project's potential climate impacts based on the comprehensive *Greenhouse Gas Emissions and Global Climate Change Study* (LSA Associates, Inc. December 2011) contained in Appendix E to this EIR. This section provides a discussion of global climate change, existing regulations pertaining to global climate change, and an analysis of greenhouse gas (GHG) emissions associated with the proposed project. This analysis examines the short-term construction and long-term operational impacts and evaluates the effectiveness of measures incorporated as part of the project design.

4.3.1 Existing Setting

4.3.1.1 Global Climate Change

Global climate change is the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. The Earth's average near-surface atmospheric temperature rose 0.6 ± 0.2 degrees Celsius (°C) (1.1 ± 0.4°F) in the 20th century. Climate change refers to any significant change in measures of climate such as temperature, precipitation, or wind, lasting for decades or longer (Environmental Protection Agency [EPA], 2007). Climate change may result from:

- Natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun;
- Natural processes within the climate system (e.g., changes in ocean circulation); and/or
- Human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and the land surface (e.g., deforestation, reforestation, urbanization, and desertification).

Human activities, such as fossil fuel combustion and land use changes release carbon dioxide (CO_2) and other compounds, cumulatively termed greenhouse gases (GHGs). GHGs are effective in trapping infrared radiation that otherwise would have escaped the atmosphere, thereby warming the atmosphere, the oceans, and earth's surface (EPA, 2007). The prevailing scientific opinion on climate change is that "most of the warming observed over the last 50 years is attributable to human activities."[1] The increased amounts of CO_2 and other GHGs are the primary causes of the human-induced component of warming.

GHGs are present in the atmosphere naturally, released by natural sources, or formed from secondary reactions taking place in the atmosphere. They include CO_2, methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). In the last 200 years, substantial quantities of GHGs have been released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, enhancing the natural greenhouse effect, which is believed to be causing global warming. While human-made GHGs include CO_2, CH_4, and N_2O, some (like chlorofluorocarbons [CFCs]) are completely new to the atmosphere.

Natural sources of CO_2 include the respiration (breathing) of humans and animals and evaporation from the oceans. Together, these natural sources release approximately 150 billion tonnes[2] of CO_2 each year, far outweighing the 7 billion tonnes of human-made emissions from fossil fuel burning, waste incineration, deforestation, and cement manufacture. Nevertheless, natural removal processes such as photosynthesis by land- and ocean-dwelling plant species cannot keep pace with this extra input of human-made CO_2, and consequently the gas is building up in the atmosphere.[3]

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1 Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2007: The Physical Science Basis*, http://www.ipcc.ch.

2 A tonne means a ton in the metric unit system; it is also called a metric ton. A tonne is 1,000 kilograms, or approximately 2,204 pounds.

3 Enviropedia, http://www.enviropedia.org.uk/Global_Warming/Emissions.php.

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Methane is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, termites, and oceans. Human-made sources include the mining and burning of fossil fuels; digestive processes in ruminant animals such as cattle; rice paddies; and the burying of waste in landfills. Total annual emissions of CH_4 are approximately 500 million tonnes, with human-made emissions accounting for the majority. As for CO_2, the major removal process of atmospheric CH_4—chemical breakdown in the atmosphere—cannot keep pace with source emissions, and CH_4 concentrations in the atmosphere are increasing.

Worldwide emissions of GHGs in 2008 were 30.1 billion metric tons of carbon dioxide equivalent (CO_2E).[1] It is important to note that the global emissions inventory data are not all from the same year and may vary depending on the source of the emissions inventory data.[2] Emissions from the top five countries and the European Union accounted for approximately 55 percent of the total global GHG emissions, according to the most recently available data. The United States was the number two producer of GHG emissions. The primary GHG emitted by human activities in the United States was CO_2, representing approximately 84 percent of total GHG emissions. CO_2 from fossil fuel combustion, the largest source of GHG emissions, accounted for approximately 80 percent of the GHG emissions.[3]

In 2009, the United States emitted approximately 6.6 billion metric tons of CO_2e or approximately 25 tons per year (tpy) per person. Of the six major sectors nationwide (electric power industry, transportation, industry, agriculture, commercial, residential) the electric power industry and transportation sectors combined account for approximately 62 percent of the GHG emissions; the majority of the electrical power industry and all of the transportation emissions are generated from direct fossil fuel combustion. Between 1990 and 2006, total United States GHG emissions rose approximately 14.7 percent.[4]

The California ARB is responsible for developing the California Greenhouse Gas Emission Inventory. This inventory estimates the amount of GHGs emitted to and removed from the atmosphere by human activities within the State of California and supports the Assembly Bill (AB) 32 Climate Change Program. The California ARB's current GHG emission inventory covers the years 1990-2008 and is based on fuel use, equipment activity, industrial processes, and other relevant data (e.g., housing, landfill activity, agricultural lands).

According to California ARB emission inventory estimates, California emitted approximately 478 million metric tons of CO_2e emissions in 2008.[5] The year 2008 saw a small decrease in statewide GHG emissions, driven by a noticeable drop in on-road transportation emissions. 2008 also reflects the beginning of the economic recession and fuel price spikes. As the economy recovers, GHG emissions are likely to rise again without other mitigation actions. California's gross emissions of GHG increased 4.3 percent from 458 million metric tons of CO_2e in 2000 to 477.7 million in 2008, with a maximum of 483.9 million in 2004.

During the same period, California's population grew by 11.8 percent from 34.1 to 38.1 million people, and GHG emissions per person decreased from 13.4 to 12.5 metric tons of CO_2e per person. The California ARB estimates that transportation was the source of approximately 36 percent of the State's GHG emissions in 2008, followed by electricity generation at 21 percent. Other sources of GHG emissions were industrial sources at 10 percent, residential and commercial activities at 9 percent, agriculture at 5 percent, and recycling and waste at 2 percent.

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1 United Nations, *The Millennium Development Goals Report 2011,* http://unstats.un.org/unsd/default.htm, accessed July 26, 2011.

2 US Environmental Protection Agency, "Inventory of US Greenhouse Gas Emissions and Sinks 1990–2006," http://www.epa.gov/climatechange/emissions/usinventoryreport.html, 2008.

3 Ibid.

4 U.S. Environmental Protection Agency (EPA). 2011. *Inventory of U.S. Greenhouse Gas Emissions And Sinks: 1990–2009*. http://www.epa.gov/climatechange/emissions/usinventoryreport.html. Accessed July 2011.

5 California ARB, Greenhouse Gas Inventory Data - 2000 to 2008. http://www.arb.ca.gov/cc/inventory/data/data.htm. Accessed July 2011.

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The California ARB staff has projected statewide unregulated GHG emissions for the year 2020, which represent the emissions that would be expected to occur in the absence of any GHG reduction actions, will be 596 million metric tons (MMT) of CO_2e. GHG emissions from the transportation and electricity sectors as a whole are expected to increase, but remain at approximately 38 percent and 23 percent of total CO_2e emissions, respectively. The industrial sector consists of large stationary sources of GHG emissions and the percentage of the total 2020 emissions is projected to be 17 percent of total CO_2e emissions. The remaining sources of GHG emissions in 2020 are high global warming potential gases at 8 percent, residential and commercial activities at 8 percent, agriculture at 5 percent, and recycling and waste at 1 percent.

4.3.1.2 Effects of Global Climate Change

Effects from global climate change may arise from temperature increases, climate-sensitive diseases, extreme weather events, and air quality. There may be direct temperature effects through increases in average temperature leading to more extreme heat waves and less extreme cold spells. Those living in warmer climates are likely to experience more stress and heat-related problems. Heat-related problems include heat rash and heat stroke. In addition, climate-sensitive diseases may increase, such as those spread by mosquitoes and other disease-carrying insects. Such diseases include malaria, dengue fever, yellow fever, and encephalitis. Extreme events such as flooding and hurricanes can displace people and agriculture. Global warming may also contribute to air quality problems from increased frequency of smog and particulate air pollution. Table 4.3.A lists greenhouse gases, the effects of each greenhouse gas, and sources for each of the greenhouse gases.

Additionally, according to the 2006 California Climate Action Team (CAT) Report,[1] the following climate change effects, which are based on trends established by the United Nations Intergovernmental Panel on Climate Change (IPCC), can be expected in California over the course of the next century:

- A diminishing Sierra snowpack declining by 70 percent to 90 percent, threatening the State's water supply;
- Increasing temperatures from 8 to 10.4 degrees Fahrenheit under the higher emission scenarios, leading to a 25 percent to 35 percent increase in the number of days ozone pollution levels are exceeded in most urban areas;
- Increased vulnerability of forests due to forest fires, pest infestation, and increased temperatures;
- Increased electricity demand, particularly in the hot summer months; and
- Increased ground-level ozone formation due to higher reaction rates of ozone precursors.

4.3.1.3 Existing Greenhouse Gas Emissions

The project site is currently vacant, and therefore does not generate emissions.

[1] California Environmental Protection Agency, *Climate Action Team Report to Governor Schwarzenegger and the Legislature*, March 2006.

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Table 4.3.A: Greenhouse Gas Properties, Effects, and Sources

Constituent	Description and Physical Properties	Health Effects	Sources
Water Vapor	Water vapor (H_2O) is the most abundant, important, and variable greenhouse gas in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization.	There are no health effects from water vapor. When some pollutants come in contact with water vapor, they can dissolve and then the water vapor can be a transport mechanism to enter the human body.	The main source of water vapor is evaporation from the oceans (approximately 85%). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves.
Carbon Dioxide	Carbon dioxide (CO_2) is an odorless, colorless natural greenhouse gas.	Outdoor levels of carbon dioxide are not high enough to result in negative health effects.	Carbon dioxide is emitted from natural and anthropocentric (human) sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic out gassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood.
Methane	Methane (CH_4) is an extremely effective absorber of radiation, though its atmospheric concentration is less than carbon dioxide and its lifetime in the atmosphere is brief (10–12 years) compared to other greenhouse gases.	There are no health effects from methane.	Methane has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other anthropocentric sources include fossil-fuel combustion and biomass burning.
Nitrous Oxide	Nitrous oxide (N_2O), also known as laughing gas, is a colorless greenhouse gas.	Nitrous oxide can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses it is harmless. In some cases, heavy and extended use can cause Olney's Lesions (brain damage).	Concentrations of nitrous oxide also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 ppb. Nitrous oxide is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant, e.g., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars.
Chloro-fluorocarbons	Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface).	In confirmed indoor locations, working with CFC-113 or other CFCs is thought to have resulted in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.	CFCs have no natural source, but were first synthesized in 1928. They were used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and was extremely successful, so much so that levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CECs will remain in the atmosphere for over 100 years.
Hydro-fluorocarbons	Hydrofluorocarbons (HFCs) are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the greenhouse gases, they are one of three groups with the highest global warming potential. Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant.	None.	HFCs are man made for applications such as automobile air conditioners and refrigerants.
Per-fluorocarbons	Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6).	None.	The two main sources of PFCs are primary aluminum production and semiconductor manufacture.
Sulfur Hexafluoride	Sulfur hexafluoride (SF_6) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated, 23,900. Concentrations in the 1990's were about 4 ppt.	In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.	Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.
Aerosols	Aerosols are particles emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light. Cloud formation can also be affected by aerosols.	Similar health effects associated with particulate matter.	Sulfate aerosols are emitted when fuel containing sulfur is burned. Another source of aerosols (in the form of black carbon or soot) is the result of incomplete combustion or the incomplete burning of fossil fuels. Although particulate matter regulation has been lowering aerosol concentrations in the United States, global concentrations are likely increasing as a result of other sources around the world.

Source: LSA Associates, August 2011

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4.3.2 Regulatory Setting

4.3.2.1 Federal Regulations/Standards

Energy Policy and Conservation Act. The Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the U.S. would meet certain fuel economy goals. Through this Act, Congress established the first fuel economy standards for on-road motor vehicles in the U.S. Pursuant to the Act, the National Highway Traffic and Safety Administration (NHTSA), which is part of the U.S. Department of Transportation (USDOT), is responsible for establishing additional vehicle standards and for revising existing standards. Since 1990, the fuel economy standard for new passenger cars has been 27.5 miles per gallon (mpg). Since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 mpg. The Corporate Average Fuel Economy (CAFE) program, administered by the Environmental Protection Agency (EPA), was created to determine vehicle manufacturers' compliance with the fuel economy standards. The EPA calculates a CAFE value for each manufacturer based on city and highway fuel economy test results and vehicle sales. Based on the information generated under the CAFE program, the USDOT is authorized to assess penalties for noncompliance.

Energy Policy Act of 1992. The Energy Policy Act (EPAct) of 1992 was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct requires certain Federal, State, and local governments and private fleets to purchase a percentage of light-duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are also included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

Energy Policy Act of 2005. The Energy Policy Act of 2005 includes provisions for renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a Federal purchase requirement for renewable energy.

Federal Regulation of Climate Change. Climate change and GHG reduction are also concerns at the Federal level; however, at this time, no Federal legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. California, in conjunction with several environmental organizations and several other states, sued to force the EPA to regulate GHG as a pollutant under the Clean Air Act (*Massachusetts vs. Environmental Protection Agency et al.*, 549 U.S. 497 (2007). The court ruled that GHG does fit within the Clean Air Act's definition of a pollutant, and that the EPA does have the authority to regulate GHG. Despite the Supreme Court ruling, there are no promulgated Federal regulations to date limiting GHG emissions.

On December 7, 2009, the EPA Administrator signed two distinct findings regarding greenhouse gases under Section 202(a) of the Clean Air Act:

- *Endangerment Finding:* The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases—carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6)—in the atmosphere threaten the public health and welfare of current and future generations.
- *Cause or Contribute Finding:* The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

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These findings do not themselves impose any requirements on industry or other entities. However, this action is a prerequisite to finalizing the EPA's proposed greenhouse gas emission standards for light-duty vehicles, which were jointly proposed by EPA and the Department of Transportation's National Highway Safety Administration on September 15, 2009.[1]

4.3.2.2 State Regulations/Standards

California Code of Regulations Title 24, Part 6. Enacted in 1978, this part of the California Code established energy efficiency standards for residential and nonresidential buildings in response to a legislative mandate to reduce California's energy consumption. These standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The most recent standards were adopted and went into effect January 1, 2010.[2] Such standards include the provision of cool roofs, demand control ventilation, skylights for day-lighting in buildings, thermal breaks for metal building roofs, and lighting power limits. These standards are expected to reduce the growth in electricity use of residential and non-residential buildings. Continual updates to Title 24 along with the State's implementation of AB 1493 and SB 1368 will have a major impact on the State's attainment of the AB 32 goals.

California Code of Regulations Title 24, Part 11. This part of the California Code is known as the California Green Building Standards Code (CALGreen Code) and was enacted to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts with positive environmental impacts and through encouragement of sustainable construction practices. The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). This update to Part 11 of Title 24 of the California Code of Regulations was effective January 1, 2011.

California Code of Regulations Titles 14 and 27. These parts of the California Code require energy efficient practices as part of solid and hazardous waste handling and disposal.

Assembly Bill 4420 (AB 4420). The State of California has been studying the impacts of climate change since 1988, when AB 4420 was approved. This legislation directed the California Energy Commission (CEC), in consultation with the CARB and other agencies, to study the implications of global warming on California's environment, economy, and water supply. The CEC was also directed to prepare and maintain the State's inventory of GHG emissions.

Assembly Bill 1493 (AB 1493). In 2002, Governor Grey Davis signed AB 1493 which required the CARB to develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty truck and other vehicles determined by the CARB to be vehicles whose primary use is noncommercial personal transportation in the State."

Executive Order S-3-05. Executive Order S-3-05 was signed by Governor Schwarzenegger in 2005 proclaiming California is vulnerable to the impacts of climate change. It states that increased temperatures could reduce the Sierra Nevada's snowpack, worsen California's air quality problems, and potentially cause a rise in sea levels. The Executive Order establishes total GHG emission

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1 http://www.epa.gov/climatechange/endangerment.html.

2 *Nonresidential Compliance Manual for California's 2008 Energy Efficiency Standards*, California Energy Commission, effective January 1, 2010, http://www.energy.ca.gov/title24/2008standards/index.html, website accessed on March 4, 2010.

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targets including emissions reductions to the 2000 level by 2010, and the 1990 level by 2020, and to 80 percent below the 1990 level by 2050.

Assembly Bill 32 (AB 32). In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 directs the CARB to implement regulations for a cap on sources or categories of sources of GHG emissions. The bill requires that the CARB develop regulations to reduce emissions with an enforcement mechanism to ensure that the reductions are achieved, and to disclose how it arrives at the cap. It also includes conditions to ensure businesses and consumers are not unfairly affected by reductions.

AB 32 requires the CARB to:

- Adopt a list of discrete early action measures by July 1, 2007, that can be implemented before January 1, 2010;
- Establish a statewide GHG emissions cap for 2020 based on 1990 emissions and adopt mandatory reporting rules for significant sources of GHG by January 1, 2008;
- Indicate how emission reductions will be achieved from significant GHG sources via regulations, market mechanisms and other actions by January 1, 2009; and
- Adopt regulations by January 1, 2011, to achieve the maximum technologically feasible and cost-effective reductions in GHG, including provisions for using both market mechanisms and alternative compliance mechanisms.

AB 32 codifies Executive Order S-3-05's[1] year 2020 goal by requiring that statewide GHG emissions be reduced to 1990 levels by the year 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be implemented no later than January 1, 2012. To effectively implement the cap, AB 32 directs the CARB to develop appropriate regulations and establish a mandatory reporting system to track and monitor global warming emissions levels.

Senate Bill 1368 (SB 1368). In September 2006, Governor Arnold Schwarzenegger signed Senate Bill 1368, which calls for the adoption of a GHG performance standard for in-State and imported electricity generators to mitigate climate change. On January 25, 2007, the California Public Utilities Commission adopted an interim GHG emissions performance standard. This standard is a facility-based emissions standard requiring all new long-term commitments for baseload generation to serve California consumers with power plants that have emissions no greater than a combined cycle gas turbine plant. The established level is 1,100 pounds of CO_2 per megawatt-hour.

Executive Order S-01-07. Executive Order S-01-07 was signed by Governor Schwarzenegger on January 18, 2007 mandating a statewide goal to reduce the carbon intensity of California's transportation fuel by at least ten percent by 2020. The order also requires that a California specific Low Carbon Fuel Standard be established for transportation fuels.

Senate Bill 97 (SB 97). Senate Bill 97 was approved on August 25, 2007, to address GHG analysis under CEQA. This legislation mandates that the Office of Planning and Research (OPR) prepare and submit guidelines to the California Resource Agency (CRA) for the mitigation of GHG emissions and their effects by July 1, 2009, and their adoption by January 1, 2010. This legislation does not provide for any guidance for non-exempted projects in the interim period between the passage of SB 97 and the adoption of guidelines by the OPR.

[1] Executive Order S-3-05 establishes greenhouse gas emission reduction targets for California.

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As directed by SB 97, the Natural Resources Agency adopted Amendments to the CEQA Guidelines for greenhouse gas emissions on December 30, 2009. On February 16, 2010, the Office of Administrative Law approved the Amendments, and filed them with the Secretary of State for inclusion in the California Code of Regulations. The Amendments became effective on March 18, 2010. Proposed changes to the guidelines included new questions in Appendix G regarding Greenhouse Gas Emissions and major changes to the Transportation/Traffic checklist questions (Appendix A-3, CEQA Guidelines changes).

Senate Bill 375. SB 375 was signed into law on October 1, 2008. SB 375 provides emissions-reduction goals around which regions can plan, integrating disjointed planning activities, and provides incentives for local governments and developers to follow new conscientiously planned growth patterns.

Senate Bill 1078 (SB 1078), Senate Bill 107 (SB 107), Executive Order S-14-08, and Senate Bill X1-2 (SB X1-2). Established in 2002 SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. Established in 2006, SB 107 (Chapter 464, Statutes of 2006) accelerated this requirement to the year 2010. In November 2008 Governor Schwarzenegger signed Executive Order S-14-08, which expanded the State's renewable energy standard from 20 percent to 33 percent by the year 2020. In an effort to codify the 33 percent by 2020 goal, SB X1-2 was signed by Governor Edmund G. Brown Jr. in April 2011 preempting the California Air Resources Boards' 33 percent Renewable Electricity Standard which applies to all electricity retailers in the State including publicly owned utilities (POUs), investor-owned utilities, electricity service providers, and community choice aggregators. All of these entities must adopt the new goals of 20 percent of retails sales from renewables by the end of 2013, 25 percent by the end of 2016, and the 33 percent requirement being met by the end of 2020.

4.3.2.3 Regional Regulations

As stated above, SB 375 took effect in 2009 and required regional municipal planning organizations to develop regional land use plans that demonstrate how the regions will achieve compliance with the GHG reduction goals of AB 32. Cities located within these regions are then required, in turn, to update their General Plans in accordance with the regional plans. Non-compliance with SB 375 will result in transportation funds being withheld from the regional and/or local agency. To date, the regional municipal planning organization for Riverside County (the Western Riverside Council of Governments, or WRCOG) has not adopted a regional plan that is in compliance with SB 375.

4.3.2.4 City of Moreno Valley General Plan Policies

Although the City of Moreno Valley General Plan does not include any specific GHG or climate change policies or goals, a number of the goals, objectives, policies, and programs identified in the air quality (Chapter 6 – Safety) and energy (Chapter 7 – Conservation) elements will result in an indirect reduction in GHG emissions through reductions in vehicle trips, vehicle miles traveled, and energy use. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Air Quality Chapter:

Objective 6.6: Promote land use patterns that reduce daily automotive trips and reduce trip distance for work, shopping, school, and recreation.

> **Policy 6.6.1:** Provide sites for new neighborhood commercial facilities within close proximity to the residential areas they serve.

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Policy 6.6.2: Provide multi-family residential development sites in close proximity to neighborhood commercial centers in order to encourage pedestrian instead of vehicular travel.

Policy 6.6.3: Locate neighborhood parks in close proximity to the appropriate concentration of residents in order to encourage pedestrian and bicycle travel to local recreation areas.

Objective 6.7: Reduce mobile and stationary source air pollution emissions.

Policy 6.7.1: Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.

Policy 6.7.2: Encourage the financing and construction of park-and-ride facilities.

Policy 6.7.3: Encourage express transit service from Moreno Valley to the greater metropolitan areas of Riverside, San Bernardino, Orange, and Los Angeles Counties.

Policy 6.7.4: Locate heavy industrial and extraction facilities away from residential areas and sensitive receptors.

Policy 6.7.5: Require grading activities to comply with the South Coast Air Quality Management District's (SCAQMD) Rule 403 regarding the control of fugitive dust.

Policy 6.7.6: Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.

Conservation Chapter

Energy Objective 7.5: Encourage efficient use of energy resources.

Policy 7.5.1: Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand.

Policy 7.5.2: Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles.

Policy 7.5.3: Locate areas planned for commercial, industrial and multiple family density residential development within areas of high transit potential and access.

Policy 7.5.4: Encourage efficient energy usage in all city public buildings.

Policy 7.5.5: Encourage the use of solar power and other renewable energy systems.

4.3.3 Methodology

Bearing in mind that CEQA does not require "perfection" but instead "adequacy, completeness, and a good faith effort at full disclosure," the analysis is based on methodologies and information available at the time this EIR was prepared. Estimation of GHG emissions in the future does not account for changes in technology that may reduce such emissions; therefore, the estimates are based on past performance and represent a scenario that is worse than that which is likely to be encountered. Additionally, as explained in greater detail below, many uncertainties exist regarding the precise relationship between specific levels of GHG emissions and the ultimate impact on global climate. Significant uncertainties also exist regarding the reduction potential of mitigation strategies. Thus,

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while information is presented below to assist the public and the City's decision-makers in understanding the project's potential contribution to global climate change impacts, the information available to the City is not sufficiently detailed to allow a direct comparison between particular project characteristics and particular climate change impacts, nor between any particular proposed mitigation measure and any reduction in climate change impacts.

The recommended approach for GHG analysis included in the State of California Office of Planning and Research's (OPR's) June 2008 release is to: (1) identify and quantify GHG emissions, (2) assess the significance of the impact on climate change, and (3) if significant, identify alternatives and/or mitigation measures to reduce the impact below a level of significance.[1] Neither the CEQA statute nor Guidelines prescribe quantitative thresholds of significance or a particular methodology for performing an impact analysis; as with most environmental topics, significance criteria are left to the judgment and discretion of the lead agency.

The June 2008 OPR guidance provides some additional direction regarding planning documents as follows: "CEQA can be a more effective tool for GHG emissions analysis and mitigation if it is supported and supplemented by sound development policies and practices that will reduce GHG emissions on a broad planning scale and that can provide the basis for a programmatic approach to project-specific CEQA analysis and mitigation. For local government lead agencies, adoption of general plan policies and certification of general plan EIRs that analyze broad jurisdiction-wide impacts of GHG emissions can be part of an effective strategy for addressing cumulative impacts and for streamlining later project-specific CEQA reviews."

Pursuant to SB 97, the OPR is in the process of developing guidelines for analysis of the effects of GHG emissions. As part of this process, the OPR has asked CARB technical staff to recommend Statewide interim thresholds of significance for GHGs. The CARB released a preliminary draft staff proposal in October 2008 that included initial suggestions for significance criteria related to industrial, commercial, and residential projects.

In March 2010, *CEQA Guidelines* amendments were adopted and include the following direction regarding determination of significant impacts from GHG emissions (Section 15064.4):

(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in Section 15064. A lead agency should make a good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

  (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; or

  (2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency may consider the following when assessing the significance of impacts from greenhouse gas emissions on the environment:

  (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.

  (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

[1] State of California, 2008. Governor's Office of Planning and Research. *CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review*. June 19.

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(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

CEQA Guidelines Section 15064(b) provides that the "determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, states that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting."

On February 3, 2011 the SCAQMD released the California Emissions Estimator Model (CalEEMod) Emissions Inventory Model. The purpose of this new model is to more accurately calculate air quality and GHG emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. The latest version of CalEEMod was utilized to calculate GHG emissions from the following source categories: construction, area, energy, mobile, waste, and water.

In addition, on September 28, 2010, the SCAQMD proposed the following draft-tiered interim GHG significance threshold for development projects:

Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA. If the project qualifies for an exemption, no further action is required. If the project does not qualify for an exemption, then it would move to the next tier.

Tier 2 consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing consistency determination requirements in CEQA Guidelines Sections 15064(h)(3), 15125(d), or 15152(a). The GHG reduction plan must, at a minimum, comply with AB 32 GHG reduction goals; include an emissions inventory agreed upon by either ARB or the SCAQMD, have been analyzed under CEQA and have a certified Final CEQA document, and have monitoring and enforcement components. If the proposed project is consistent with the qualifying local GHG reduction plan, it is not significant for GHG emissions. If the project is not consistent with a local GHG reduction plan, there is no approved plan, or the GHG reduction plan does not include all of the components described above, the project would move to Tier 3.

Tier 3 establishes a screening significance threshold level to determine significance using a 90 percent GHG emission capture rate. The 90 percent capture rate GHG significance screening level in Tier 3 for stationary sources was derived using the following methodology. Using the SCAQMD's Annual Emission Reporting (AER) Program, the reported annual natural gas consumption for 1,297 permitted facilities for 2006 through 2007 was compiled and the facilities were rank-ordered to estimate the 90th percentile of the cumulative natural gas usage for all permitted facilities. Approximately 10 percent of facilities evaluated comprise more than 90 percent of the total natural gas consumption, which corresponds to 10,000 metric tons of CO_2 equivalent emissions per year ($MTCO_2e/yr$) (the majority of combustion emissions comprise CO_2). SCAQMD suggested the following GHG screening thresholds: Industrial (when SCAQMD is the Lead Agency): 10,000 tpy CO_2e; Residential: 3,500 tpy CO_2e; Commercial: 1,400 tpy CO_2e; Mixed-use: 3,000 tpy CO_2e. If a project's GHG emissions exceed the GHG screening threshold, the project would move to Tier 4.

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Tier 4 establishes a decision tree approach that includes compliance options for projects that have incorporated design features into the project and/or implement GHG mitigation measures. For 2020, the Efficiency Target (2020 Targets) are as follows:

- 4.8 mt CO_2e per SP for project level threshold (land use emissions only) and total residual emissions not to exceed 25,000 million tons per year (mty) CO_2e
- 6.6 mt CO_2e per SP for plan level threshold (all sectors)

For 2035, the Efficiency Target (2035 Targets) are as follows:

- 3.0 mt CO_2e per SP for project level threshold
- 4.1 mt CO_2e per SP for plan level threshold

If a project fails to meet any of these emissions efficiency targets, the project would move to Tier 5.

Tier 5 would require projects that implement off-site GHG mitigation that includes purchasing offsets to reduce GHG emission impacts to purchase sufficient offsets for the life of the project (30 years) to reduce GHG emissions to less than the applicable GHG screening threshold level.

This analysis analyzes whether the project's GHG emissions should be considered cumulatively significant based on the following:

- Hinder attainment of the State's goals of reducing GHG emissions to 1990 levels by 2020, as stated in the Global Warming Solutions Act of 2006. A project may be considered to help attainment of the State's goals by being consistent with an adopted Statewide 2020 GHG emissions limit or the plans, programs, and regulations adopted to implement the Global Warming Solutions Act of 2006.
- Fail to achieve increased energy efficiency or reduce overall GHG emissions from an existing facility.
- Significantly increase the consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.

The analysis uses compliance with AB 32, considered a "previously approved mitigation program," as set forth in the CEQA Guidelines §15064(h)(3), to determine if the project's incremental contribution of GHGs is a cumulatively considerable contribution to global climate change. The OPR's proposed draft amendment to Section 15064.7 of the CEQA Guidelines reinforces the use of this approach. CEQA Guideline Section 15064(h)(3) states three main conditions that a plan must meet to be sufficient for use as a basis for determining significance of GHG emissions. The plan must:

1. Be "a previously approved plan or mitigation program";
2. Provide "specific requirements that will avoid or substantially lessen the cumulative problem"; and
3. Be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.

AB 32 meets conditions one and three provided above. Accordingly, in addition to determining whether the project's GHG emissions exceed the SCAQMD's interim industrial section stationary source threshold, to determine the significance of the project GHG emission impact on climate change, consistency or inconsistency with the reduction targets in AB 32 is also evaluated. To do so, project features that implement specific reduction measures identified in the rules and regulations that implement AB 32 were evaluated.

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4.3.4 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, climate change/greenhouse gas emissions impacts would occur if the proposed project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
- Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Global climate change may result in significant adverse effects to the environment that will be experienced worldwide, with some specific effects observed in California. AB 32 requires statewide GHG emissions reductions to 1990 levels by 2020. Although these statewide reductions are now mandated by law, no generally applicable GHG emission threshold has yet been established.

State CEQA Guidelines Section 15064(b) provides that "…the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting." The *State CEQA Guidelines* further indicate that even when thresholds are established, they may include "identifiable quantitative, qualitative or performance level of a particular environmental effect" (*State CEQA Guidelines*, Section 15064.7).

Some policymakers and regulators suggest that a zero emissions threshold would be appropriate when evaluating GHGs and their potential effect on climate change. Such a rule appears inconsistent with the State's approach to mitigation of climate change impacts. AB 32 does not prohibit all new GHG emissions; rather, it requires a reduction in Statewide emissions to a given level. Thus, AB 32 recognizes that GHG emissions will continue to occur; increases will result from certain activities, but reductions must occur elsewhere.

Individual projects incrementally contribute toward the potential for global climate change on a cumulative basis in concert with all other past, present, and probable future projects. While individual projects are unlikely to measurably affect global climate change, each of these projects incrementally contributes toward the potential for global climate change on a cumulative basis, in concert with all other past, present, and probable future projects. This analysis analyzes whether the project's emissions should be considered cumulatively significant.

In order to evaluate the significance of a proposed project's environmental impacts related to GHG emissions, it is necessary to identify quantitative or qualitative thresholds which, if exceeded, would constitute a finding of significance. As previously described, while project-related GHG emissions can be estimated the direct impact of such emissions on climate change and global warming cannot be determined on the basis of available science. There is no evidence at this time that the proposed project would directly affect global climate change. SCAQMD has adopted a quantitative GHG emission significance threshold to assess direct impacts from industrial projects where SCAQMD is the lead agency. SCAQMD and other air quality agencies agree that GHG and climate change should be assessed as a potentially significant cumulative impact rather than a project-specific impact. SCAQMD is considering the adoption of a numeric plan-level efficiency target of 6.6 $MTCO_2E$ per service population.

Currently, there is no adopted threshold of significance for determining the cumulative significance of a project's GHG emissions on global climate change. In the most recent IPCC Assessment Report (IPCC 2007b, Synthesis Report), the IPCC acknowledges that man-made warming and sea level rise would continue for centuries due to the time scales associated with climate processes and feedback even if GHG concentration were to be stabilized. The IPCC further found that both past and future man-made CO_2 emissions will continue to contribute to warming and sea level rise for more than a

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millennium, due to the time scales required for the removal of CO_2 from the atmosphere. Furthermore, the IPCC assessment noted that the definition of what is a danger man-made interference with the climate system and, consequently, the limits to be set for policy purposes are complex tasks that can only be partially based on science, as such definitions inherently involve normative judgments (IPCC 2007b – Working Group III).

Based on the information presented above, for the purpose of this analysis implementation of the proposed project may have a significant adverse impact on GHG emissions if it would result in any of the following:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment based on any applicable threshold of significance.
- Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

4.3.5 Less than Significant Impacts

The following impacts were determined to be less than significant. For each of the following issues either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards and policies would reduce potential impacts to a less than significant level.

4.3.5.1 Greenhouse Gas Plan, Policy, Regulation Consistency

Threshold	Would the proposed project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

The CAT and the CARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "Report to Governor Schwarzenegger and the Legislature," the CARB's 2007 "Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California," and the CARB's "Climate Change Proposed Scoping Plan: a Framework for Change."

The reports identify strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05 and AB 32 (i.e., 29 percent below existing "business as usual" emissions) that are applicable to proposed project. Table 4.3.B presents the applicable Recommended Actions (qualitative measures) identified to date by CARB in its Climate Change Proposed Scoping Plan and whether or not the proposed project is consistent with the applicable Recommended Actions.

Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
T-1	Transportation	Pavley I and II – Light-Duty Vehicle GHG Standards	Yes	No
T-2	Transportation	Low Carbon Fuel Standard (Discrete Early Action)	Yes	No
T-3	Transportation	Regional Transportation-Related GHG Targets	Yes	No
T-4	Transportation	Vehicle Efficiency Measures	Yes	No
T-5	Transportation	Ship Electrification at Ports (Discrete Early Action)	No	No

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Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
T-6	Transportation	Goods-movement Efficiency Measures	No	No
T-7	Transportation	Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure – Aerodynamic Efficiency (Discrete Early Action)	No	No
T-8	Transportation	Medium and Heavy-Duty Vehicle Hybridization	No	No
T-9	Transportation	High Speed Rail	No	No
E-1	Electricity and Natural Gas	Increased Utility Energy Efficiency Programs. More Stringent Building and Appliance Standards	Yes	No
E-2	Electricity and Natural Gas	Increased Combined Heat and Power Use by 30,000 GWh	No	No
E-3	Electricity and Natural Gas	Renewable Portfolio Standard	No	No
E-4	Electricity and Natural Gas	Million Solar Roofs	No	No
CR-1	Electricity and Natural Gas	Energy Efficiency	No	No
CR-2	Electricity and Natural Gas	Solar Water Heating	No	No
GB-1	Green Buildings	Green Buildings	Yes	No
W-1	Water	Water Use Efficiency	Yes	No
W-2	Water	Water Recycling	No	No
W-3	Water	Water System Energy Efficiency	No	No
W-4	Water	Reuse Urban Runoff	No	No
W-5	Water	Increase Renewable Energy Production	No	No
W-6	Water	Public Goods Charge (Water)	No	No
I-1	Industry	Energy Efficiency and Co=Benefits Audits for Large Industrial Sources	No	No
I-2	Industry	Oil and Gas Extraction GHG Emission Reduction	No	No
I-3	Industry	GHG Leak Reduction from Oil and Gas Transmission	No	No
I-4	Industry	Refinery Flare Recovery Process Improvements	No	No
I-5	Industry	Removal of Methane Exemption from Existing Refinery Regulations	No	No
RW-1	Recycling and Waste Management	Landfill Methane Control (Discrete Early Action)	No	No
RW-2	Recycling and Waste Management	Additional Reduction in Landfill Methane – Capture Improvements	No	No

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Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
RW-3	Recycling and Waste Management	High Recycling/Zero Waste	No	No
F-1	Forestry	Sustainable Forest Target	No	No
H-1	High Global Warming Potential Gases	Motor Vehicle Air Conditioning Systems (Discrete Early Action)	No	No
H-2	High Global Warming Potential Gases	SF_6 Limits in Non-Utility and Non-Semiconductor Manufacturing (Discrete Early Action)	No	No
H-3	High Global Warming Potential Gases	Reduction in Perfluorocarbons in Semiconductor Manufacturing (Discrete Early Action)	No	No
H-4	High Global Warming Potential Gases	Limit High GWP Use in Consumer Products (Discrete Early Action, Adopted June 2008)	No	No
H-5	High Global Warming Potential Gases	High GWP Reduction from Mobile Sources	No	No
H-6	High Global Warming Potential Gases	High GWP Reductions from Stationary Sources	No	No
H-7	High Global Warming Potential Gases	Mitigation Fee on High GWP Gases	No	No
A-1	Agriculture	Methane Capture at Large Dairies	No	No

Source: LSA Associates, Inc., December 2011.

As identified in Table 4.3.B, of the 39 Recommended Actions, the applicable Recommended Actions are those that are within the Transportation, Electricity and Natural Gas, Green Buildings, and Water sectors.

Applicable Recommended Actions in the Transportation sector include Actions T-1 through T-4. Action T-1 involves improvements to light-duty vehicle technology for the purposes of reducing GHG emissions through focusing on legislating improved controls for vehicle manufacturers. This Action would not generally be considered applicable to the proposed project; however, vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action. Action T-2 involves implementation of a low carbon fuel standard. In order to reduce the carbon intensity of transportation fuels, CARB is developing a Low Carbon Fuel Standard (LCFS), which would reduce the carbon intensity of California's transportation fuels by at least ten percent by 2020 as called for by Governor Schwarzenegger in Executive Order S-01-07. While implementation of this standard is not within the purview of a development project, a land use such as that proposed under the proposed project would be a substantial consumer of fuels for its vehicle fleet. Vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action.

Action T-3 addresses regional transportation targets for reducing GHG emissions. The intent of the proposed project is to reduce vehicle miles travelled within the region by reducing trip lengths and providing a sustainable community. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial

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uses and would encourage a reduction of vehicle miles traveled within the City. Action T-4 concerns vehicle efficiency measures such as the promotion of sustainable tire practices. CARB is pursuing a regulation to ensure that tires are properly inflated when vehicles are serviced. In addition, the California Energy Commission in consultation with the California Integrated Waste Management Board is developing an efficient tire program focusing first on data gathering and outreach, then on potential adoption of minimum fuel-efficient tire standards, and on the development of consumer information requirements for replacing tires. While implementation of this standard is not within the purview of a development project, a land use such as that proposed under the proposed project would be a contributor of vehicle miles travelled. Vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action.

Applicable Recommended Actions in the Energy and Natural Gas sector includes Action E-1. Action E-1, together with Action GB-1 (Green Building), aims to reduce electricity demand by increased efficiency of Utility Energy Programs and adoption of more stringent building and appliance standards. Elements of this action include encouraging construction of zero net energy (ZNE) buildings and implementation of passive solar design. In addition to employing on-site electricity generation, a ZNE building must either replace natural gas with renewable energy for space and water heating, or compensate for natural gas use by generating surplus electricity for sale on the State's electricity grid. The proposed project is required to comply with the 2008 Title 24 Energy Efficiency Standards and applicable Green Building Standards; therefore, the proposed project would not conflict with these Actions.

Applicable Recommended Actions in the Water sector includes Action W-1. Action W-1, Water Use Efficiency, involves the reduction in the energy consumption used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. The proposed project would install water-efficient fixtures and appliances and would not conflict with this Action.

GHG emissions reduction strategies were also set forth in the 2006 Climate Action Team (CAT) Report, and the strategies included in the CAT Report that apply to the project are contained in Table 4.3.C, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. The strategies listed in Table 4.3.C are addressed as either part of the project, required mitigation measures, or requirements under local or State ordinances.

Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
Mandatory Code	
California Green Building Code. The Cal Green Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG emissions from the Business as Usual Scenario (California Building Code). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.	**Compliant.** The project would be required to adhere to the nonresidential mandatory measures as required by the Cal Green Code.
Energy Efficiency Measures	
Energy Efficiency. Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned	**Compliant with Mitigation Incorporated.** The proposed project will comply with the updated Title 24 standards, including the new 2010 California Building Code (CBC), for building construction if any building interior improvements are required. In addition, the project would be required to comply with the requirements of Minimization Measure GCC-1,

Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
utilities).	identified later, including measures to incorporate energy efficient building design features.
Renewables Portfolio Standard. Achieve a 33 percent renewable energy mix statewide.	
Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	
Water Conservation and Efficiency Measures	
Water Use Efficiency. Continue efficiency programs and use cleaner energy sources to move and treat water. Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	**Compliant with Mitigation Incorporated.** The project would be required to comply with the requirements of Minimization Measure GCC-1, identified later, including measures to increase water use efficiency.
Solid Waste Reduction Measures	
Increase Waste Diversion, Composting, and Commercial Recycling, and Move Toward Zero-Waste. Increase waste diversion from landfills beyond the 50 percent mandate to provide for additional recovery of recyclable materials. Composting and commercial recycling could have substantial GHG reduction benefits. In the long term, zero waste policies that would require manufacturers to design products to be fully recyclable may be necessary.	**Compliant with Mitigation Incorporated.** Data available from the California Integrated Waste Management Board (CIWMB) indicates that the City of Moreno Valley has not achieved the 50 percent diversion rate. The proposed project would be required to comply with Mitigation Measure **4.3.6.1B**, identified later, including measures to increase solid waste diversion and recycling.
Transportation and Motor Vehicle Measures	
Vehicle Climate Change Standards. AB 1493 (Pavley) required the State to develop and adopt regulations that achieve the maximum feasible and cost effective reduction of GHG emissions from passenger vehicles and light-duty trucks. Regulations were adopted by the ARB in September 2004.	**Compliant.** The project does not involve the manufacture of vehicles. However, vehicles that are purchased and used within the project site would comply with any vehicle and fuel standards that the ARB adopts.
Light-Duty Vehicle Efficiency Measures. Implement additional measures that could reduce light-duty GHG emissions. For example, measures to ensure that tires are properly inflated can both reduce GHG emissions and improve fuel efficiency.	
Adopt Heavy- and Medium-Duty Fuel and Engine Efficiency Measures. Regulations to require retrofits to improve the fuel efficiency of heavy-duty trucks that could include devices that reduce aerodynamic drag and rolling resistance. This measure could also include hybridization of and increased engine efficiency of vehicles.	
Low Carbon Fuel Standard. ARB identified this measure as a Discrete Early Action Measure. This measure would reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020.	
Regional Transportation-Related Greenhouse Gas Targets. Develop regional GHG emissions reduction targets for passenger vehicles. Local governments will play a significant role in the regional planning process to reach passenger vehicle GHG emissions reduction	**Compliant.** Specific regional emission targets for transportation emissions do not directly apply to this project; regional GHG reduction target development is outside the scope of this project. The project will comply with any plans developed by the City.

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Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
targets. Local governments have the ability to directly influence both the siting and design of new residential and commercial developments in a way that reduces GHGs associated with vehicle travel.	
Measures to Reduce High Global Warming Potential (GWP) Gases. ARB has identified Discrete Early Action measures to reduce GHG emissions from the refrigerants used in car air conditioners, semiconductor manufacturing, and consumer products. ARB has also identified potential reduction opportunities for future commercial and industrial refrigeration, changing the refrigerants used in auto air conditioning systems, and ensuring that existing car air conditioning systems do not leak.	**Compliant.** New products used or serviced on the project site (after implementation of the reduction of GHG gases) would comply with future ARB rules and regulations.

Source: LSA Associates, Inc., December 2011.
AB = Assembly Bill
ARB = California Air Resources Board
GHG = greenhouse gas

As previously identified, implementation of the proposed project could result in the development an approximately 1,616,133 square foot distribution warehouse. The proposed project includes a variety of physical attributes and operational programs that would generally contribute to a reduction in operational-source pollutant emissions including GHG emissions. As identified in Table 4.3.C, future development that would occur under the proposed project would be consistent with greenhouse gas emission reduction strategies and policies. The project would implement appropriate GHG reduction strategies and would ensure that it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. In addition, the project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the project. Therefore, the proposed project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions. Impacts are considered less than significant.

4.3.6 Significant Impacts

The following impact was determined to be potentially significant and mitigation measures have been recommended to reduce the significance of the identified impact.

4.3.6.1 Greenhouse Gas Emissions

Impact 4.3.6.1: *Implementation of the proposed project may have the potential to emit GHG emissions in excess of interim thresholds.*

Threshold	Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Future development that could occur within the proposed project site could generate GHG emissions during construction and operation activities. It is anticipated that the majority of energy consumption (and associated generation of GHG emissions) would occur during the project's operation (as opposed to its construction). Typically, more than 80 percent of the total energy consumption takes place during the use of buildings and less than 20 percent is consumed during construction.[1] As of

[1] United Nations Environment Programme (UNEP), 2007. *Buildings and Climate Change: Status, Challenges and Opportunities*, Paris, France.

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yet, there is no study that quantitatively assesses all of the GHG emissions associated with each phase of the construction and use of an individual development.

The following activities are associated with the proposed project and could directly or indirectly contribute to the generation of GHG emissions:

- **Removal of Vegetation:** The net removal of vegetation for construction results in a loss of the carbon sequestration in plants. However, planting of additional vegetation would result in additional carbon sequestration and would lower the carbon footprint of the project.
- **Construction Activities:** During construction of the project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment.
- **Gas, Electric, and Water Use:** Natural gas use results in the emissions of two GHGs: CH_4 (the major component of natural gas) and CO_2 from the combustion of natural gas. Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California's water conveyance system is energy-intensive. Preliminary estimates indicate that the total energy used to pump and treat this water exceeds 6.5 percent of the total electricity used in the State per year.[1]
- **Solid Waste Disposal:** Solid waste generated by the project could contribute to GHG emissions in a variety of ways. Landfilling and other methods of disposal use energy for transporting and managing the waste, and they produce additional GHGs to varying degrees. Landfilling, the most common waste management practice, results in the release of CH_4 from the anaerobic decomposition of organic materials. CH_4 is 25 times more potent than CO_2. However, landfill CH_4 can also be a source of energy. In addition, many materials in landfills do not decompose fully, and the carbon that remains is sequestered in the landfill and not released into the atmosphere.
- **Motor Vehicle Use:** Transportation associated with the proposed project would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips.

The proposed project was analyzed for the potential construction of the project's proposed land uses, water, sewer, and drainage infrastructure, and roadways. Implementation of the proposed project would result in the development of a 1,616,133 square foot distribution warehouse building. Table 4.3.D provides the GHG emissions that could be generated during construction activities on the project site.

Table 4.3.D: Short-Term Regional GHG Construction Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day					
	Bio-CO_2	NBio-CO_2	Total -CO_2	CH_4	N_2O	CO_2e
Site Preparation	0	56,000	56,000	2.4	0	56,000
Grading	0	38,000	38,000	1.9	0	38,000
Building Construction	0	19,000	19,000	1.1	0	19,000
Architectural Coating	0	3,100	3,100	0.51	0	3,100
Paving	0	1,700	1,700	0.12	0	1,700

Bio-CO_2 = biologically generated CO_2
CH_4 = methane
CO_2 = carbon dioxide
NBio-CO_2 = non-biologically generated CO_2
CO_2e = carbon dioxide equivalent
N_2O = nitrous oxide
Source: LSA Associates, Inc., December 2011.

[1] California Energy Commission (CEC), 2004. *Water Energy Use in California* (online information sheet) Sacramento, CA, August 24. Website: energy.ca.gov/pier/iaw/industry/water.html. Accessed July 24, 2007.

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GHG emissions that could be generated on the proposed project site would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related vehicular trips and stationary source emissions, such as natural gas used for heating. Preliminary guidance from OPR and recent letters from the Attorney General critical of CEQA documents that have taken different approaches indicate that lead agencies should calculate, or estimate, emissions from vehicular traffic, energy consumption, water conveyance and treatment, waste generation, and construction activities. The calculation presented below in Table 4.3.E, includes operational emissions in terms of CO_2 and annual carbon dioxide equivalent (CO_2e) GHG emissions from increased energy consumption, water usage, solid waste disposal, and estimated GHG emissions from vehicular traffic that could result from the development of the project site. Calculations and model run sheets for greenhouse gas emissions are provided in Appendix D of this EIR.

Table 4.3.E: Long-Term Regional GHG Operational Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day					
	Bio-CO_2	NBio-CO_2	Total - CO_2	CH_4	N_2O	CO_2e
Construction emissions amortized over 30 years	0	95	95	0.0063	0	95
Area	0	0	0	0	0	0
Energy	0	1,500	1,500	0.06	0.03	1,500
Mobile	0	34,000	34,000	1.1	0	34,000
Waste	3,500	0	3,500	210	0	7,900
Water	0	63	63	0.25	0.01	71
Total Project Emissions	**3,500**	**35,658**	**39,158**	**211.47**	**0.04**	**43,566**

Bio-CO_2 = biologically generated CO_2
CH_4 = methane
CO_2 = carbon dioxide
Source: LSA Associates, Inc., July 2011.
NBio-CO_2 = non-biologically generated CO_2
CO_2e = carbon dioxide equivalent
N_2O = nitrous oxide

As identified in Table 4.3.E, the proposed project would produce approximately 44,000 metric tpy of CO_2e, which is 0.044 $MMTCO_2e$/yr. This includes the short-term construction emissions amortized over 30 years, as directed by the SCAQMD. As a comparison, the existing emissions from the entire Southern California Association of Governments (SCAG) region are estimated to be approximately 176.79 $MMTCO_2e$/yr and approximately 478 $MMTCO_2e$/yr for the entire State.

Area sources of GHG emissions include carpet systems, resilient flooring, composite wood, consumer products, and landscaping. The project would not result in measurably increased GHG emissions from area sources due to the anticipated light use of consumer products and landscaping.

Buildings represent 39 percent of the United States' primary energy usage and 70 percent of electricity consumption. The proposed project would increase the demand for electricity and natural gas due to the increased building area. The project would indirectly result in increased GHG emissions from off-site electricity generation at power plants and on-site natural gas consumption (1,500 metric tons of CO_2e/year).

Mobile sources (vehicle trips and associated miles traveled) are the largest source of GHG emissions in California and represent approximately 38 percent of annual CO_2 emissions generated in the State. Like most land use development projects, vehicle miles traveled (VMT) is the most direct indicator of CO_2 emissions from the proposed project, and associated CO_2 emissions function as the best indicator of total GHG emissions. The emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and federal governments and are outside the control of the City.

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The proposed project would also generate solid waste during the operation phase of the project. The project would indirectly result in increased GHG emissions from solid waste treatment at treatment plants (7,900 metric tons of CO_2e/year).

Water-related energy use consumes 19 percent of California's electricity every year. Energy use and related GHG emissions are based on electricity used for water supply and conveyance, water treatment, water distribution, and wastewater treatment (1.3 metric tons of CO_2e/year). The project would comply with provisions of the California Green Building Code and would install water efficient fixtures such that it would experience reduction of indoor potable water use by 20 percent from what is required in the California Buildings Standards Code. In addition, the outdoor water use would be monitored by irrigation controls as prescribed in the Cal Green Building Code. The project would indirectly result in increased GHG emissions from water transport and treatment (71 metric tons of CO_2e/year).

The project will comply with existing State and federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which will reduce the project's electricity demand compared to older buildings. The warehouse building will be built in compliance with the new 2010 California Building Code (CBC) to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices.

Comparing the proposed project to the SCAQMD tiered interim GHG significance criteria; it is not exempt as described in Tier 1. Considering the Tier 2 criteria, the levels of GHG emissions shown in Table 4.3.E, at approximately 0.009 percent of the State GHG emissions, are unlikely to result in GHG emission levels that would substantially conflict with implementation of the GHG reduction goals under AB 32 or other State regulations. The CAT and the ARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "*Report to Governor Schwarzenegger and the Legislature*," ARB's 2007 "*Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California,*" and ARB's "*Climate Change Proposed Scoping Plan: a Framework for Change.*"

The reports identify strategies to reduce California's emissions to the levels proposed in EO S-3-05 and AB 32 that are applicable to the proposed project. The Proposed Scoping Plan is the most recent document, and the strategies included in the Scoping Plan that apply to the project are contained in Table 4.3.C, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. Thus, this project complies with Tier 2 of the SCAQMD tiered interim GHG significance thresholds.

With implementation of these strategies/measures, the project's contribution to cumulative GHG emissions would be reduced. In order to ensure that the proposed project complies with and would not conflict with or impede the implementation of reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor, **Mitigation Measures 4.3.6.1A** through **4.3.6.1C** will be implemented. Many of the individual elements of this measure are already included as part of the proposed project or are required as part of project specific mitigation measures.

Mitigation Measures. Previously referenced **Mitigation Measures 4.2.6.3A** and **4.2.6.3B** were introduced to reduce project air pollution emissions. These measures will also reduce the project's greenhouse gas emissions. To ensure that the proposed project's emissions of GHG are reduced to a less than significant level, the following additional mitigation measures shall be implemented.

4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans

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as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows shall utilize window treatments for efficient energy conservation.
- Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.
- Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority.
- Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- Use locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- Use "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following:
    - Increase insulation such that heat transfer and thermal bridging is minimized.
    - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
    - Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.

4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:

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- The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment.
- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows.
- Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
  - Install drought tolerant plants for landscaping.
  - Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.
  - Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.
- Provide employee education about reducing waste and available recycling services.

Level of Significance After Mitigation. The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant and less than cumulatively considerable because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.

4.3.7 Cumulative Impacts

Given the findings of AB 32, of SB 97, and the requirements of CEQA, the Lead Agency must determine whether a project will or will not have a cumulatively considerable contribution. Due to the lack of guidance for determining the significance of cumulative impacts to climate change from projects, and out of an overabundance of caution, the project has been evaluated to determine whether emissions of greenhouse gases have been minimized to the extent feasible with current technology and measures.

While it is not possible to determine whether the project individually will have a significant impact on global warming or climate change, it will contribute to cumulative GHG emissions in California. Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of *CEQA Guidelines* Sections 15065(a)(3) and 15130. The CARB is currently in the process of designing

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regulations to monitor, limit, and ultimately reduce California GHG emissions but there are as yet no adopted standards for assessing the significance of cumulative impacts from projects.

Cumulatively, the emissions from electricity production would comprise approximately 3.4 percent of the project's total CO_2e emissions. Water usage and solid waste disposal emissions comprise approximately 18 percent of the project's total CO_2e emissions while the emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO_2e emissions are primarily associated with building systems. The proposed project is required to comply with existing State and Federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy efficient than older buildings.

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.

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4.4 NOISE

This analysis is intended to satisfy the City's requirements for a project-specific noise impact analysis by examining the short-term and long-term noise impacts of the proposed project on sensitive uses adjacent to the proposed project site and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. This includes the potential for the proposed project to result in impacts associated with a substantial temporary and/or permanent increase in ambient noise levels in the vicinity of the project area; exposure of people to excessive noise levels, groundborne vibration, or groundborne noise levels. The analysis contained in this section is based on a comprehensive *Noise Impact Analysis* contained in Appendix E (LSA Associates, Inc., December 2011), which examines existing ambient noise conditions and project-related impacts.

4.4.1 Existing Setting

4.4.1.1 Background

Characteristics of Sound. Noise is usually defined as unwanted sound; it consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep. To the human ear, sound has two significant characteristics: pitch and loudness. Pitch is generally an annoyance, while loudness can affect our ability to hear. The analysis of a project's noise impact defines the noise environment of the project area in terms of sound intensity and its effect on adjacent sensitive land uses.

Measurement of Sound. There are many ways to rate sound for various time periods. An appropriate rating of ambient noise[1] affecting humans accounts for the annoying effects of sound by penalizing noises that occur during quiet periods of time, such as late night/early morning, through weighted averaging metric. Single-event or peak noises are measured by a simple peak noise measurement. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} and community noise equivalent level (CNEL) or the day-night average level (L_{dn}) based on A-weighted decibels (dBA). CNEL is the time varying noise over a 24-hour period, with a five dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and a 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening hours. CNEL and L_{dn} are within one dBA of each other and are normally exchangeable.

Other noise rating scales of importance when assessing the annoyance factor include the maximum noise level (L_{max}), which is the highest exponential time averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak operating conditions and addresses the annoying aspects of intermittent noise. It is often used together with another noise scale, or noise standards in terms of percentile noise levels, in noise ordinances for enforcement purposes. For example, the L_{10} noise level represents the noise level exceeded 10 percent of the time during a stated period. The L_{50} noise level represents the median noise level. Half the time the noise level exceeds this level, and half the time it is less than this level. The L_{90} noise level represents the noise level exceeded 90 percent of the time and is considered the background noise level during a monitoring period. For a relatively constant noise source, the L_{eq} and L_{50} are approximately the same. Table 4.4.A defines noise measurements that are typically used in noise analyses.

[1] Ambient noise is the totality of noise in a given place and time; usually a composite of sounds from varying sources at varying distances. Ambient sounds generally range from 30 dBA (very quiet) to 100 dBA (very loud).

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Table 4.4.A: Noise Measurement Definitions

Unit of Measurement		Description
dB	Decibel	Units for measuring the volume of sound, decibels are measured on a logarithmic scale, representing points on a sharply rising curve. For example, 10 decibels are 10 times more intense than one decibel and 20 decibels are 100 times more intense. A 10-decibel increase in sound level is perceived by the human ear as a doubling of the loudness of the sound.
dBA	A-Weighted Decibel	A sound pressure level that has been weighted to quantitatively reduce the effect of the high and low frequency noise. It was designed to approximate the response of the human ear to sound.
CNEL	Community Noise Equivalent Level	The CNEL value represents noise as measured by an A-weighted sound level. The metric includes a 4.8-decibel penalty during relaxation hours (7 p.m. to 10 p.m.) and a 10-decibel penalty for sleeping hours (10 p.m. to 7 a.m.). CNEL is similar to L_{dn} (which does not include the evening penalty).
L_{dn}	Day-Night Average Noise	The 24-hour average sound level, expressed in a single decibel rating, for the period from midnight to midnight obtained after the addition of a 10.0-decibel penalty to sound levels for the periods between 10 p.m. and 7 a.m.
L_{eq}	Equivalent Noise Level	Total sound energy of time-varying noise over a sample period.
L_{01}, L_{10}, L_{25}, L_{50}, L_{90}	Percentile Noise Exceedance Levels	The fast A-weighted noise levels that are equaled or exceeded by a fluctuating sound level 1 percent, 10 percent, 25 percent, 50 percent, and 90 percent of a stated time period.
L_{max}	Maximum Noise Level	L_{max} is the highest exponential time-averaged sound level that occurs during a stated time period. It reflects peak operating conditions and addresses the annoying aspects of intermittent noise.

Sound levels are generated from a source and their decibel level decreases as the distance from that source increases. Table 4.4.B describes attenuation levels of various types of noise sources.

Table 4.4.B: Attenuation Levels and Type of Noise Sources

Decrease in Sound for Each Doubling of Distance	Type of Noise Source	Description/Example
6.0 decibels	Single-point source	Stationary equipment
4.5 decibels	Line source	Highway traffic or railroad operations in a relatively flat environment with absorptive vegetation
3.0 decibels	Line source	Highway traffic or railroad operations in a hard site environment

Source: LSA Associates, Inc., *Noise Analysis*, *Moreno Valley Eucalyptus*, June 2008.

Definition of Noise. Noise impacts can be described in three categories:

- Audible (3.0 dB or greater);
- Potentially audible (between 1.0 and 3.0 dB); and
- Inaudible (less than 1.0 dB).

Audible noises are increases in noise levels noticeable to humans and generally refer to a change of 3.0 dB or greater, because this level has been found to be barely perceptible in exterior environments. Potentially audible refers to a change in the noise level between 1.0 and 3.0 dB, which is noticeable only in laboratory environments. Changes in noise levels of less than 1.0 dB are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are

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considered potentially significant. Therefore, a 3 dBA increase in long-term noise levels above existing ambient noise levels is used as a threshold of significant change in this noise analysis.

Fundamentals of Groundborne Vibration. Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable. However, without the effects associated with the shaking of a building, there is less adverse reaction. Building vibration may be perceived by the occupants as motion of building surfaces, rattling of items on shelves or hanging on walls, or as a low-frequency rumbling noise. Building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during construction or mining. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by up to 10 decibels. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with groundborne vibration and noise from these sources are usually localized to within about 100 feet of the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet, as described in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment (FTA, May 2006). When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible.

Factors that influence groundborne vibration and noise include the following:

- Vibration Source: vehicle suspension, wheel types and condition, track/roadway surface, track support system, speed, transit structure, and depth of vibration source.
- Vibration Path: soil type, rock layers, soil layering, depth to water table, and frost depth.
- Vibration Receiver: foundation type, building construction, and acoustical absorption.

Among the factors listed above, there are significant differences in the vibration characteristics when the source is underground versus at ground surface. In addition, soil conditions are known to have a strong influence on the levels of groundborne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock. Vibration propagation is more efficient in stiff clay soils than in loose sandy soils, and shallow rock seems to concentrate the vibration energy close to the surface and can result in groundborne vibration problems at a great distance from the track. Factors such as layering of the soil and depth to water table can have significant effects on the propagation of groundborne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils.

4.4.1.2 Sensitive Land Uses in the Project Vicinity

Certain land uses are considered more sensitive to noise than others. Examples include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project boundary. There are also residential uses approximately 0.77 mile (mi) southwest of the project site on the south side of Harley Knox/Oleander Avenue between Heacock Street and Patterson Avenue.

Existing Noise Environment. The project site is currently vacant land. The primary existing noise sources in the project area are transportation facilities. Primary transportation noise sources include vehicular traffic along Indian Street and Perris Boulevard. Aircraft operations from March Air Reserve

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Base to the northwest of the project site contribute to high intermittent single-event noise levels. Based on the *Citizen's Brochure for the 452nd Air Mobility Wing Air Installation Compatible Use Zone Study* (AICUZ) for the March Air Reserve Base (August 2005), the project site is located outside of the 60 dBA CNEL noise contour from March Air Reserve Base.

Existing Traffic Noise Modeling. To document the existing environment, the Federal Highway Administration (FHWA) highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry[1] to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The noise impact analysis was conducted using the existing traffic volumes provided in the *Traffic Study* prepared for the proposed project (LSA Associates, Inc., December 2011). In addition, unlike the urban area where the ground is filled with pavement, the project site is located in a rural/suburban area where there is vacant land around the project vicinity. Empirical data show that such environment is best analyzed with the soft site propagation for noise. The traffic noise modeling in this noise study uses 4.5 dBA per doubling of the distance for the soft site sound propagation from a line source. The modeled 24-hour CNEL levels are identified in Table 4.4.C. The resultant noise levels are weighted and summed over 24-hour periods to determine the CNEL values. The primary existing noise sources in the project area are transportation facilities. Dominant noise sources at the project site are vehicle traffic from Indian Street and Perris Boulevard. Traffic noise in the project vicinity ranges from low (Nandina Avenue) to moderate (Indian Street and Oleander Avenue) to high (Perris Boulevard). As shown in Table 4.4.C, existing traffic noise along these roadway segments range from low to moderate to high.

Table 4.4.C: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	13,800	54	111	237	68.4
Perris Blvd. between Iris Ave. and Krameria Ave.	15,400	58	119	255	68.8
Perris Blvd. between Krameria Ave. and Nandina Ave.	15,200	57	118	253	68.8
Perris Blvd. between Nandina Ave. and Grove View Rd.	15,000	57	117	251	68.7
Perris Blvd. between Grove View Rd. and Oleander Ave.	15,500	58	120	256	68.9
Indian Ave. between Nandina Ave. and Grove View Rd.	5,600	< 50	51	109	64.4
Indian Ave. between Grove View Rd. and Oleander Ave.	5,600	< 50	51	109	64.4
Oleander Ave. west of I-15 Ramps	6,000	< 50	63	136	65.8
Oleander Ave. between I-15 Ramps and Indian Ave.	9,200	< 50	84	181	67.7
Oleander Ave. between Indian Ave. and Perris Blvd.	4,400	< 50	52	111	64.5

[1] Roadway geometry is defined as the lane configuration (number of through lanes and turn lanes) of two intersecting roads.

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Table 4.4.C: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Nandina Ave. between Indian Ave. and Perris Blvd.	590	< 50	< 50	< 50	54.6

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis,* City of Moreno Valley. LSA Associates, Inc. December 2011.

4.4.2 Existing Policies and Regulations

The applicable noise standards governing the project site are the criteria in the City of Moreno Valley General Plan Noise Element and Municipal Code (Noise Ordinance). The City's Noise Element of the General Plan is based on the County of Riverside Land Use Compatibility Chart for Community Noise and is adopted by reference. In addition, standards identified in the *California Noise Insulation Standards*[1] and the *State of California Vehicular Code*[2] are included below. The following sections list the General Plan policies and State standards relevant to noise for the proposed project.

4.4.2.1 City of Moreno Valley General Plan Policies

Chapter 9 of the *City of Moreno Valley General Plan*[3] defines goals, objectives, policies, and action items related to noise conditions in the City. The specific policies related to noise that are relevant to the proposed project are as follows:

Objective 2.5 Promote a mix of industrial uses which provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley with the establishment of industrial activities that have good access to the regional transportation system, accommodate the personal needs of workers and business visitors; and which meets the service needs of local businesses.

Policy 2.5.3 Screen manufacturing and industrial uses where necessary to reduce glare, noise, dust, vibrations and unsightly views.

Objective 6.3 Provide noise compatible land use relationships by establishing noise standards utilized for design and siting purposes.

Policy 6.3.6 Building shall be limited in areas of sensitive receptors.

Objective 6.4 Review noise issues during the planning process and require noise attenuation measures to minimize acoustic impacts to existing and future surrounding land uses.

Policy 6.4.1 Site, landscape and architectural design features shall be encouraged to mitigate noise impacts for new developments, with a preference for noise barriers that avoid freeway sound barrier walls.

Objective 6.5 Minimize noise impacts from significant noise generators such as, but not limited to, motor vehicles, trains, aircraft, commercial, industrial, construction, and other activities.

1 California Code of Regulations, Title 24, Part 2, §3501, *California Noise Insulation Standards.*
2 Governor's Office of Planning and Research, *State of California General Plan Guidelines*, October 2003, pages 249 and 250.
3 *City of Moreno Valley General Plan*, City of Moreno Valley, adopted by City Council Resolution No. 2006-83, July 11, 2006.

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Policy 6.5.1 New commercial and industrial activities (including the placement of mechanical equipment) shall be evaluated and designed to mitigate noise impacts on adjacent uses.

Policy 6.5.2 Construction activities shall be operated in a manner that limits noise impacts on surrounding uses.

The City's General Plan, Section 6.4, states that acceptable residential exterior noise standards are within 60–65 dBA CNEL, and acceptable residential interior noise standard is 45 dBA CNEL.

Moreno Valley Municipal Code. The *Moreno Valley Municipal Code*[1] describes the noise standards within the City. It states that noise will be measured with a sound level meter that meets the standards of the American National Standards Institute (ANSI) Section I.4-1983. All measurements of sound will be made by qualified officials of the City who are designated by the City Manager or designee to operate the apparatus used to make the measurements.

In addition, the following standards are listed in the *Moreno Valley Municipal Code* in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

The City's Municipal Code, Section 8.14.040.E, specifies the hours of any construction within the City to occur only as follows: Monday through Friday (except for holidays that occur on weekdays), 6:00 a.m. to 8:00 p.m.; weekends and holidays (as observed by the City and described in Chapter 2.55 of the Municipal Code), 7:00 a.m. to 8:00 p.m., unless written approval is obtained from the City building official or City engineer. According to the City's Municipal Code ordinance 8.21.050, grading permit requirements, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

The City's Municipal Code, Section 9.10.140, specifies that all commercial and industrial uses shall be operated so that noise created by any loudspeaker, bells, gongs, buzzers, or other noise attenuation or attracting devices shall not exceed 55 dBA at any one time beyond the boundaries of the property.

Chapter 11.80.030 of the City's Municipal Code also states:

> *Based on statistics from the Center for Disease Control and Prevention and the National Institute for Occupational Safety and Health, Table 1 and Table 1-A specify sound level limits which, if exceeded, will have a high probability of producing permanent hearing loss in anyone in the area where the sound levels are being exceeded. No sound shall be permitted within the City which exceeds the parameters set forth in Table 11.80.030-1* [Table 4.4.D] *and 11.80.030-1-A* [Table 4.4.E] *of this chapter.*
>
> *No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any nonimpulsive sound which exceeds the limits set forth for the source land use category (as defined in Section 11.80.020) in Table 11.80.030-2* [Table 4.4.F] *when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance.*

[1] *Moreno Valley Municipal Code*, City of Moreno Valley, current through Ordinance 761 and the February 2008 code supplement.

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The following uses and activities shall be exempt from the sound level regulations except the maximum sound levels provided in Tables 11.80.030-1 [Table 4.4.D] *and 11.80.030-1A* [Table 4.4.E]*:*

1. *Sounds resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of an emergency.*
2. *Sounds resulting from emergency work as defined in Section 11.80.020.*
3. *Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations and air traffic control instruction used pursuant to and within the duly adopted federal air regulations; and any aircraft operating under technical difficulties in any kind of distress, under emergency orders or air traffic control, or being operated pursuant to and subsequent to the declaration of an emergency under federal air regulations.*
4. *All sounds coming from the normal operations of interstate motor and rail carriers, to the extent that local regulation of sound levels of such vehicles has been preempted by the Noise Control Act of 1972 (42 U.S.C. § 4901 et seq.) or other applicable federal laws or regulations.*
5. *Sounds from the operation of motor vehicles, to the extent they are regulated by the California Vehicle Code.*
6. *Any constitutionally protected noncommercial speech or expression conducted within or upon any public right-of-way, public space or other publicly owned property constituting an open or a designated public forum in compliance with any applicable reasonable time, place and manner restriction on such speech or expression or otherwise pursuant to legal authority.*
7. *Sounds produced at otherwise lawful and permitted city-sponsored events, organized sporting events, school assemblies, school playground activities, by permitted fireworks, and by permitted parades on public right-of-way, public space, or other publicly owned property.*
8. *An event for which a temporary use permit or special event permit has been issued under other provisions of this code, where the provision of Section 11.80.010 are met, the permit granted expressly grants an exemption from specific standards contained in this chapter, and the permittee and all persons under the permitttee's reasonable control actually comply with all conditions of such permit. Violation of any condition of such permit related to sound or sound equipment shall be in violation of this chapter and punishable as such.*

Table 4.4.D: Maximum Continuous Sound Levels*

Duration Per Day Continuous Hours	Sound Level (dBA)
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.5	110
0.25	115

* When the daily sound exposure is composed of two or more periods of sound exposure at different levels, the combined effect of all such periods shall constitute a violation of this section if the sum of the percentage of allowed period of sound exposure at each level exceeds 100 percent.

Source: Chapter 11.80.030 Table 11.80.030-1, City of Moreno Valley Municipal Code, City of Moreno Valley.

Table 4.4.E: Maximum Impulsive Sound Levels

Number of Repetitions Per 24-Hour Period	Sound Level (dBA)
1	145
10	135
100	125

Source: Chapter 11.80.030 Table 11.80.030-1A, City of Moreno Valley Municipal Code, City of Moreno Valley.

Table 4.4.F: Maximum Sound Levels (in dBA) for Source Land Uses

Residential		Commercial	
Daytime	Nighttime	Daytime	Nighttime
60	55	65	60

Source: Chapter 11.80.030 Table 11.80.030-2, City of Moreno Valley Municipal Code, City of Moreno Valley.

4.4.2.2 State of California Vehicular Code

Recent studies have shown that the most objectionable feature of traffic noise is the sound produced by vehicles equipped with illegal or faulty exhaust systems. In addition, such vehicles are often operated in a manner that causes tire squeal and excessively loud exhaust noise. A number of California State vehicle noise regulations can be enforced by local authorities as well as the California Highway Patrol. These include § 23130, § 23130.5, § 27150, and § 38275 of the California Vehicle Code, as well as excessive speed laws, which may be applied to curtail traffic noise:

- § 23130 and § 23130.5 establish maximum noise emission limits for the operation of all motor vehicles at any time under any conditions of grade, load, acceleration, or deceleration.
- § 27150 requires motor vehicles to be equipped with an adequate muffler to prevent excessive noise.
- § 38275 requires off-highway motor vehicles to be equipped with an adequate muffler to prevent excessive noise.

The California Highway Patrol and the Department of Health Services (through local health departments) are available to aid local authorities in code enforcement and training pursuant to proper vehicle sound level measurements.

4.4.3 Methodology

Evaluation of noise impacts associated with the proposed project includes the following:

- Determination of the short-term construction noise impacts on off-site noise-sensitive uses;
- Determination of the long-term noise impacts, including vehicular traffic and stationary noise sources, on on-site and off-site noise-sensitive uses; and
- Determination of the required mitigation measures to reduce long-term noise impacts from all sources.

The proposed project includes the construction and operation of an approximately 1.6 million square-foot distribution warehouse. The noise analysis considers the noise effects of the warehouse distribution development on the existing residential development (sensitive receptors) in the vicinity of the proposed project site. The applicable noise standards governing the project site are the criteria in the City of Moreno Valley's *Noise Element of the General Plan* and *Municipal Code*.

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4.4.4 Thresholds of Significance

A project would have a significant effect on the environment related to noise if it would substantially increase the ambient noise levels for adjoining areas or if it would conflict with adopted environmental plans and goals of the community in which it is located.

The applicable noise standards governing the project site are the criteria that are contained within the Noise Element of the *City of Moreno Valley General Plan* and the *Moreno Valley Municipal Code*. For this project, a noise impact is considered significant if the project would result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the *City of Moreno Valley General Plan*, *Moreno Valley Municipal Code*, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;
- A substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels; and/or
- For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The standards within the *City of Moreno Valley General Plan* and *Moreno Valley Municipal Code* determine the acceptable noise environment for proposed project and its vicinity. The standards are as follows:

- Ensure through the design review process that exterior noise levels at commercial and industrial areas do not exceed 75 dBA CNEL.
- Consider the following uses noise-sensitive and discourage them in areas where exterior noise levels exceed 65 dBA CNEL unless measures are implemented that reduce the noise exposure below this level: single- and multiple-family residential uses, group homes, hospitals, schools and other learning institutions, and parks and open space areas where quiet is a basis for use.

4.4.5 No Impact/Less than Significant Impacts

The following impacts have been identified as having a less than significant impact or no impact on the environment with implementation of the proposed project.

4.4.5.1 Airport Noise Impacts

Threshold	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, results in exposure of people residing or working in the project area to excessive noise levels. For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The nearest airport is the March Air Reserve Base, which is located approximately 0.75 mile northwest of the project site. The proposed project is not identified as being within the noise or safety

contours delineated for the March Air Reserve Base Airport.[1] While the proposed project is located within two miles of a public airport, the proposed project would not have the potential to expose people working on the project site to excessive noise levels from airport operations as the project site is located outside of the noise and safety contours of March Air Reserve Base. A less than significant impact would occur with implementation of the proposed project. Additionally, the proposed project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue would occur and no mitigation is required.

4.4.5.2 Groundborne Vibration Impacts

Threshold:	Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable but without the accompanying effects (e.g., shaking of a building). Groundborne vibration is measured in terms of the velocity of the vibration oscillations. When groundborne vibration exceeds 0.1 inch per second (in/sec), it is generally perceived as annoying to building occupants. The degree of annoyance is dependent upon type of land use, individual sensitivity to vibration, and the frequency of the vibration events. Typically, vibration levels must exceed 0.2 in/sec before building damage occurs. Problems with groundborne vibration and noise are usually localized to areas within about 100 feet from the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet.

The project site is not located near steel-wheeled trains. Additionally, roadways in the project area are either paved or would be paved and would not result in traffic driving over rough roads. Construction activities for the project site do not include blasting or pile driving. The primary vibratory source during the construction of the proposed project would be large bulldozers. Based on published data, typical bulldozer activities generate an approximate vibration level of 0.089 in/sec at a distance of 25 feet. At the distance of the nearest residence to the project boundary (approximately 1,000 feet) the estimated vibration level would not be discernable. While heavy-duty earthmoving equipment would be used during the construction phase of the project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs. Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required.

4.4.5.3 Long-Term Traffic Noise Impacts

Threshold	Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Only audible changes in existing ambient or background noise levels are considered potentially significant. It takes doubling of the traffic volume to have a 3 dB increase in traffic noise. Therefore, a 3 dBA increase in long-term noise levels above existing ambient noise levels is used as a threshold of significant change in this noise analysis.

The FHWA highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions. The noise impact analysis was conducted using the future traffic

[1] *Figure 5.4-1 March Reserve Air Base Noise Impact Area*, City of Moreno Valley General Plan EIR, July 2006.

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volumes provided in the *Traffic Study* (LSA Associates, Inc., December 2011). In addition, unlike the urban area where the ground is filled with pavement, the project site is located in a rural/suburban area where there is vacant land around the project vicinity. Empirical data show that such environment is best analyzed with the soft site propagation for noise. The traffic noise modeling in this noise study uses 4.5 dBA per doubling of the distance for the soft site sound propagation from a line source. The future Year (2013) with and without project scenarios average daily traffic (ADT) volumes on roadway segments in the project vicinity were used to conduct the traffic noise modeling. The existing ADT volumes in the area were taken from the *Traffic Study* prepared for the proposed project. The modeled 24-hour CNEL levels are presented in Tables 4.4.G and 4.4.H for the Opening (2013) Year scenarios. Standard vehicle mix for Southern California streets was used in this analysis. Background traffic volumes at study area intersections for Year 2013 Without Project Traffic scenario represent the existing (2008) conditions plus the ambient growth that is expected to occur by the time the proposed project is built. Ambient growth considers increasing the existing (2008) volumes by 10.4 percent (or 2% per year compounded over five years). Traffic volumes for the Opening Year (2013) With Project Traffic scenario considers the addition of traffic generated by the proposed project to the Year 2013 Without Project conditions. Traffic volumes for the Opening Year (2013) Cumulative Without Project Traffic scenario were developed from information concerning approved and pending projects in the project vicinity obtained from the City of Moreno Valley and added to the Year 2013 Without Project Traffic volumes. Traffic volumes for the Opening Year (2013) Cumulative With Project Traffic scenario considers the addition of traffic generated by the proposed project to the Year 2013 Cumulative Without Project Traffic volumes. Noise levels presented in Tables 4.4.G and 4.4.H represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn.

Table 4.4.G: Year 2013 Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,200	88	186	399	71.8
Perris Blvd. between Iris Ave. and Krameria Ave.	34,600	96	203	437	72.4
Perris Blvd. between Krameria Ave. and Nandina Ave.	35,400	97	206	443	72.5
Perris Blvd. between Nandina Ave. and Grove View Rd.	35,500	97	207	444	72.5
Perris Blvd. between Grove View Rd. and Oleander Ave.	36,000	98	209	448	72.5
Indian Ave. between Nandina Ave. and Grove View Rd.	11,800	< 50	83	179	67.6
Indian Ave. between Grove View Rd. and Oleander Ave.	11,800	< 50	83	179	67.6
Oleander Ave. west of I-15 Ramps	8,400	< 50	79	170	67.3
Oleander Ave. between I-15 Ramps and Indian Ave.	25,900	78	167	360	72.2

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Table 4.4.G: Year 2013 Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Oleander Ave. between Indian Ave. and Perris Blvd.	18,200	62	132	285	70.6
Nandina Ave. between Indian Ave. and Perris Blvd.	2,900	< 50	< 50	70	61.5

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA= A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis*, City of Moreno Valley. LSA Associates, Inc. December 2011.

Table 4.4.H: Year 2013 With Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane	Increase CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,800	89	188	404	71.8	0.0
Perris Blvd. between Iris Ave. and Krameria Ave.	35,300	97	206	443	72.4	0.0
Perris Blvd. between Krameria Ave. and Nandina Ave.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Nandina Ave. and Grove View Rd.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Grove View Rd. and Oleander Ave.	36,600	99	211	453	72.6	0.1
Indian Ave. between Nandina Ave. and Grove View Rd.	13,000	< 50	89	191	68.0	0.4
Indian Ave. between Grove View Rd. and Oleander Ave.	13,900	< 50	93	200	68.3	0.7
Oleander Ave. west of I-15 Ramps	8,500	< 50	80	172	67.3	0.0
Oleander Ave. between I-15 Ramps and Indian Ave.	27,500	81	174	375	72.4	0.2
Oleander Ave. between Indian Ave. and Perris Blvd.	18,200	62	132	285	70.6	0.0
Nandina Ave. between Indian Ave. and Perris Blvd.	3,500	< 50	< 50	80	62.3	0.8

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Table 4.4.H: Year 2013 With Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane	Increase CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,800	89	188	404	71.8	0.0
Perris Blvd. between Iris Ave. and Krameria Ave.	35,300	97	206	443	72.4	0.0
Perris Blvd. between Krameria Ave. and Nandina Ave.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Nandina Ave. and Grove View Rd.	36,100	98	209	449	72.5	0.0

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA= A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis,* City of Moreno Valley. LSA Associates, Inc. December 2011.

As presented in Table 4.4.G (2013 with Project), project-related traffic noise level increases would be 0.8 dBA or less along all roadway segments analyzed. Noise level increases within this range are small and are not perceptible by the human ear. Therefore, no significant traffic noise impacts would occur to off-site land uses with implementation of the proposed project. Table 4.4.G also shows that the proposed warehouse distribution center uses are not impacted by the 75 dBA CNEL noise contour from Indian Street (within 50 feet of the roadway centerline), Oleander Avenue (within 50 feet of the roadway centerline), or Perris Boulevard (98 feet from the roadway centerline). Therefore, noise levels at the on-site uses are below the City's 75 dBA CNEL noise standard for industrial uses. No significant noise impacts to on-site industrial uses would occur and no mitigation measures are required.

4.4.5.4 Long-Term Operational Noise Impacts

Threshold:	Would the project cause exposure of persons to or generation of noise levels in excess of standards established in the *City of Moreno Valley General Plan, Moreno Valley Municipal Code*, or applicable standards of other agencies?

Potential long-term stationary noise impacts would primarily be associated with operations at the proposed warehouse distribution center. The proposed on-site warehouse distribution center would generate noise from truck delivery, loading/unloading activities at the loading areas, and other noise-producing activities within the parking lot. These activities are potential point sources of noise that could affect noise-sensitive receptors adjacent to the loading areas and parking lots, such as the existing residential uses to the north of the project site.

The project site is adjacent to Perris Boulevard to the east, Indian Street to the west, Grove View Road to the north and the Perris Valley Storm Drain Lateral B forms the southern boundary of the project site. Other warehouse distribution uses are located on adjacent properties to the west, north, and east. The remaining parcels adjacent to the project site are vacant. The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project boundary. There are also nonconforming residential

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dwelling units within commercial and industrial uses on property zoned for commercial or industrial uses approximately 0.5 mile southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

As indicated in the project's site plan (Figure 1.2), the proposed warehouse distribution use has loading docks on the north and south sides of the building, approximately 1,000 feet from the existing residences to the north. Noise associated with loading/unloading activities would potentially affect these existing residential uses. Other on-site, noise-producing activities may include traffic and activity within the parking lot (load talking, horn blowing, vehicle door slamming, truck idling, etc.).

As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dBA reduction in the noise level for each doubling of distance from a single-point source of noise, such as an idling truck, to the noise-sensitive receptor of concern. Although individual activity may generate relatively high and intermittent noise, when added to the typically lower ambient noise and averaged over a longer period of time, the cumulative noise level would be much lower and would be considered a less than significant impact.

Based on the preliminary site plan, the shortest distance (approximately 1,000 feet) from the existing residences to the nearest loading/unloading areas on the project site would result in a 26 dBA[1] noise attenuation (compared to the levels at 50 feet).

Truck Delivery and Loading and Unloading Noise. Delivery trucks for the proposed on-site warehouse distribution uses would result in a maximum noise similar to noise readings from loading and unloading activities for other warehouse distribution projects, which generates a noise level of approximately 75 dBA L_{max} at 50 feet and is used in this analysis. Based on the foregoing discussion, distance divergence of 1,000 feet provides 26 dBA noise attenuation; thus, loading/unloading noise at the proposed uses would be reduced to below 49 dBA L_{max}[2] at ground level of the nearest existing residences north of the project site. Based on the City's Municipal Code, Chapter 11.80.030, when measured at 200 feet or more from the real property line of the source of the sound (if the sound occurs on privately owned property as is the case here), the exterior noise standard is 60 dBA L_{max} during the day (8:00 a.m. to 10:00 p.m.) and 55 dBA L_{max} during the night (10:01 p.m. to 7:59 a.m.) for residential uses. This level of maximum noise levels is below the City's residential exterior noise standards of 60 dBA L_{max} during the day (8:00 a.m. to 10:00 p.m.) and the 55 dBA L_{max} standard during the night (10:01 p.m. to 7:59 a.m.). Although the typical truck unloading process takes an average of 15 to 20 minutes, this maximum intermittent noise level occurs in a much shorter period of time and would amount to less than a few minutes. This level of noise would be below the most stringent noise standard (55 dBA maximum noise standard at any time). Therefore, noise associated with loading and unloading activities at the loading areas associated with the proposed warehouse distribution uses would not result in noise levels exceeding the noise standards at the nearest residences to the north. Loading/unloading activities would not result in a significant noise impact at the nearest existing off-site residential uses and no mitigation is required.

Parking Lot Activity. Representative parking lot activities, such as conversing, doors slamming, engine startup, and slow-moving vehicles would generate approximately 60 to 70 dBA L_{max} at 50 feet. This level of noise is lower than that of the truck delivery and loading/unloading activities. With the noise attenuation effect from distance divergence (26 dBA noise attenuation) to the proposed on-site

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1 Based on the sound pressure level equation of L = 20 Log (Distance / Reference Distance); where L is the sound level (in dBA), the value of 20 is 20 µPa (Pascal) root mean squared or 20 units of pressure (usually considered the threshold of hearing), multiplied by the logarithm of the distance divided by the reference distance, thus (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02).

2 75 dBA L_{max} – 26 dBA L_{max} = 49 dBA L_{max}.

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warehouse buildings, noise levels in the parking lots of the proposed warehouse distribution uses would be below 44 dBA L_{max} and would not be significant; therefore, no mitigation is required.

Heating, Ventilating, and Air Conditioning Equipment Noise. The proposed project would have rooftop heating, ventilating, and air conditioning (HVAC) equipment, as well as ground floor garbage compactors. Although no final design is available at this time for the type and location of the rooftop mechanical units, based on noise measurements conducted at a similar use, rooftop HVAC units generate noise levels of approximately 62 dBA at 50 feet. The closest noise-sensitive land uses are existing residences which are located approximately 1,000 feet to the north from the nearest potential on-site rooftop HVAC equipment location. With the effect of distance divergence, noise generated by HVAC equipment would be reduced by 26 dBA[1] at the closest residences when compared with the noise level measured at 50 feet. Additionally, the roof edge (parapet) creates a noise barrier that reduces noise levels from rooftop HVAC units by an additional 3 to 5 dBA or more for ground floor receptors. Because of the attenuation achieved, nearest residences located to the north of the project site would be exposed to an exterior noise level of 33 dBA L_{max}[2] or lower. This range of noise levels is substantially lower than traffic noise on roadways in the project vicinity and the truck movement and loading/unloading noise. Therefore, because the City's exterior noise standard of 60 dBA L_{dn}/CNEL for HVAC equipment in residential district (Planning and Zoning Code, Chapter 9.03.040) would not be exceeded at the nearest sensitive noise receptors, no significant noise impact resulting from the operation of rooftop HVAC equipment would occur and no mitigation is required.

Garbage Compactor Noise. Garbage compactors generate approximately 70 dBA L_{max} at 6 feet. It is assumed that two garbage compactors would be located at the loading docks on the north side of the proposed buildings nearest to the existing residences. These compactors would be located approximately 1,000 feet from the nearest residences located to the north of the project site. This distance provides approximately 44 dBA[3] in noise attenuation when compared to noise levels measured at 6 feet. With the effect of distance divergence, noise generated by garbage compactors would be reduced to 26 dBA L_{max}[4] or lower at the closest residences. Because the City's exterior noise standard of 60 dBA L_{max} during the day and 55 dBA L_{max} during the night would not be exceeded, no significant noise impacts from the on-site garbage compactors would occur. In the absence of any significant impact, no mitigation is required.

Other Potential On-Site Operational Noise Sources. It is anticipated that the proposed uses would have some sort of speaker system at the truck loading docks. As stated previously, the closest loading docks to the residential areas to the north are approximately 1,000 feet from these existing residences to the north. Typical loud speakers generate a sound level of 75 dBA L_{max} at 50 feet. With the distance attenuation of 26 dBA the speaker noise at the nearest residences will be at or below 49 dBA L_{max}[5]. This range of maximum noise levels is lower than the City's nighttime exterior noise standards of 55 dBA L_{max}[6] standard. Therefore, noise associated with loading dock speakers at the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast and no mitigation measures are required.

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1 log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02)

2 HVAC equipment generates a noise level of approximately 62 dBA L_{max} at 50 feet. Accounting for distance divergence (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02) and shielding (minimum of 3 dBA), 62 dBA L_{max} – 26 dBA L_{max} – 3 dBA L_{max} = 33 dBA L_{max}.

3 log [1,000 ft ÷ 6 ft] = 2.222; 2.222 × 20 = 44.44.

4 Garbage compactors generate a noise level of approximately 70 dBA L_{max} at 6 feet. Accounting for distance divergence (log [1,000 ft ÷ 6 ft] = 2.222; 2.222 × 20 = 44.44), 70 dBA L_{max} – 44 dBA L_{max} = 26 dBA L_{max}.

5 75 dBA L_{max} – 26 dBA L_{max}= 49 dBA L_{max}.

6 *Chapter 11.80.030 City of Moreno Valley Municipal Code*, City of Moreno Valley.

Interior Noise. The typical maximum allowable interior noise levels for residential uses are 45 dBA between 10:01 p.m. and 7:59 a.m. and 50 dBA between 8:00 a.m. and 10:00 p.m.[1] Typical southern California homes with windows open would achieve up to 12 dBA in exterior to interior noise reduction. When windows are closed, the noise attenuation increases to 24 dBA. Additionally, distance divergence of 1,000 feet provides 26 dBA of noise attenuation. Interior noise levels at the nearest residential homes to the north, attributable to loading/unloading activities from the nearest on-site loading areas, would be reduced to 37 dBA L_{max} with windows open[2] and to 25 dBA L_{max} with windows closed.[3] This range of noise level is compatible with or lower than typical household activity noise. Therefore, no significant interior noise impacts for the nearest sensitive receptors would occur and no mitigation is required.

4.4.6 Significant Impacts

4.4.6.1 Short-Term Construction Noise Impacts

Impact 4.4.6.1. *Noise levels from grading and other construction activities for the proposed project may range up to 65 dBA at the closest residences north of the project site for very limited times when construction occurs near the project's boundary. Construction-related noise impacts from the proposed project would be potentially significant.*

Threshold:	Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Two types of short-term noise impacts could occur during the construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. There would be a relatively high single-event noise exposure potential at a maximum level of 87 dBA L_{max} with trucks passing at 50 feet. However, the projected construction traffic would be small when compared with the existing traffic volumes on Indian Avenue, Perris Boulevard, and other affected streets. Furthermore, the proposed project's truck traffic will not travel on roadways adjacent to the existing residences as Nandina Avenue does not provide access to the project site. Therefore, short-term construction-related worker commutes and equipment transport noise impacts would be less than significant and no mitigation is required.

The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the project site. Construction is completed in discrete steps, each of which has its own mix of equipment, and consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site, and therefore, the noise levels surrounding the site as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 4.4.I lists typical construction equipment noise levels recommended for noise-impact assessments, based on a distance of 50 feet between the equipment and a noise receptor. Typical noise levels range up to 91 dBA L_{max} at 50 feet during the noisiest construction phases. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction

1 *Model Community Noise Control Ordinance*, State of California, Department of Health, Office of Noise Control, 1977.

2 The loudest noise-generating use would come from loading/unloading activities. As previously identified, loading/unloading activities generate a noise level of approximately 75 dBA L_{max} at 50 feet. Accounting for distance divergence (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02); 75 dBA L_{max} – 26 dBA L_{max} – 12 dBA L_{max} = 37 dBA L_{max}.

3 75 dBA L_{max} – 26 dBA L_{max} – 24 dBA L_{max} = 25 dBA L_{max}.

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equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings.

Table 4.4.I: Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Range of Maximum Sound Levels Measured (dBA at 50 feet)	Suggested Maximum Sound Levels for Analysis (dBA at 50 feet)
Pile Drivers, 12,000 to 18,000 ft-lb/blow	81 to 96	93
Rock Drills	83 to 99	96
Jack Hammers	75 to 85	82
Pneumatic Tools	78 to 88	85
Pumps	74 to 84	80
Dozers	77 to 90	85
Tractors	83 to 91	80
Scrapers	83 to 94	87
Haul Trucks	79 to 86	88
Cranes	71 to 87	82
Portable Generators	75 to 82	80
Rollers	77 to 82	80
Front-End Loaders	77 to 90	86
Hydraulic Backhoe	81 to 90	86
Hydraulic Excavators	81 to 90	86
Graders	79 to 89	86
Air Compressors	76 to 89	86
Trucks	81 to 87	86

Source: Noise Control for Buildings and Manufacturing Plants, Bolt, Beranek & Newman, 1987

Construction of the proposed project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. Based on the information in Table 4.4.I, the maximum noise level generated by each scraper on the proposed project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA L_{max} at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations to the project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on Sundays and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to

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reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

Mitigation Measures. The following measures would reduce short-term construction-related noise impacts associated with the proposed project:

4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.

4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.

4.4.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays.

Level of Significance after Mitigation. With adherence to the City's designated construction hours and with implementation of the proposed mitigation measures, potential short-term construction noise impacts would be reduced below the level of significance.

4.4.7 Cumulative Impacts

The cumulative area for noise impacts is the City of Moreno Valley. Cumulative projects are identified in Chapter 2.0, Table 2.A and Figure 2.1. Implementation of the proposed project would result in the introduction of new noise sources and levels. Construction crew commutes and the transport of construction equipment, materials, and fill to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. Secondary sources of noise would include noise generated during excavation, grading, and building erection on the project site. The net increase in project site noise levels generated by these activities and other sources has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance. Although it is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, it is unlikely that adjacent properties will be developed at the same time as the proposed project. However, in the unlikely event that adjacent properties are developed at the same time as the proposed project, implementation of the stated mitigation measures would render the cumulative impacts of the proposed project to less than significant levels. The noise analysis contained in this section also provides an assessment of on-site operational noise level impacts onto adjacent sensitive uses, both existing and future. Additionally, on-site operational noises are individual noise occurrences and are not additive in nature.

Cumulative traffic volumes were developed from the addition of traffic generated by approved and pending projects to opening year with project traffic volumes. Cumulative noise impacts associated with roadway noise have been addressed based on the cumulative traffic volumes. The increases over existing traffic volumes are attributable to cumulative development projects in the project vicinity and region. As indicated, the cumulative roadway noise (with project) assessment concludes that

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noise levels along all roadway segments analyzed would not exceed baseline noise levels by 3 dBA or more. Comparing cumulative noise levels that would occur both with and without the project, the proposed project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. As indicated, the future roadway noise assessment concludes that there will be no significant roadway noise impacts associated with cumulative project conditions. Therefore, there are no projects that would, in combination with the proposed project, produce significant noise impacts to sensitive land uses from on-site operational noise. Thus, no significant cumulative noise impacts would occur after implementation of the proposed mitigation measures.

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4.5 TRANSPORTATION AND TRAFFIC

This section analyzes the potential traffic and circulation impacts of the proposed project based on the *Traffic Study*,[1] which is included in its entirety as Appendix G to this EIR. This section examines the project's traffic impacts on the existing baseline and opening year (2013) cumulative traffic scenarios.

4.5.1 Existing Setting

4.5.1.1 Existing Traffic Controls and Intersection Geometrics

An inventory of the existing study area street system was conducted by LSA Associates, Inc. Existing study area locations are illustrated in Figure 4.5.1 and consist of 6 project driveways, and12 off-site intersections (for a total of 18 study area intersections), and 6 adjacent roadway segments. The northern driveway on Perris Boulevard will be for emergency access only and therefore has not been evaluated in this analysis. In the project vicinity, existing Perris Boulevard is a divided six-lane arterial roadway and Indian Street is a divided major arterial roadway. In addition, for informational purposes and disclosure to California Department of Transportation (Caltrans), the 7 freeway segments along Interstate 215 (I-215) in the project vicinity were analyzed.

Study area intersections include the following:

- I-215 Southbound Ramps/Harley Knox Boulevard;
- I-215 Northbound Ramps/Harley Knox Boulevard;
- Indian Street/Nandina Avenue;
- Indian Street/Grove View Road;
- Indian Street/North Project Driveway;
- Indian Street/South Project Driveway;
- Indian Street/Harley Knox Boulevard;
- Perris Boulevard/Gentian Avenue;
- Perris Boulevard/Iris Avenue;
- Perris Boulevard/Krameria Avenue;
- Perris Boulevard/Nandina Avenue;
- Perris Boulevard/Grove View Road-Globe Street;
- Perris Boulevard/North Project Driveway;
- Perris Boulevard/South Project Driveway;
- Perris Boulevard/Harley Knox Boulevard;
- West Project Driveway/Grove View Road;
- Main Project Driveway/Grove View Road; and
- East Project Driveway/Grove View Road.

[1] *Traffic Study, VIP Moreno Valley, City of Moreno Valley, Riverside County, California*, prepared for Vogel Engineers, Inc., LSA Associates, Inc., April 2012.

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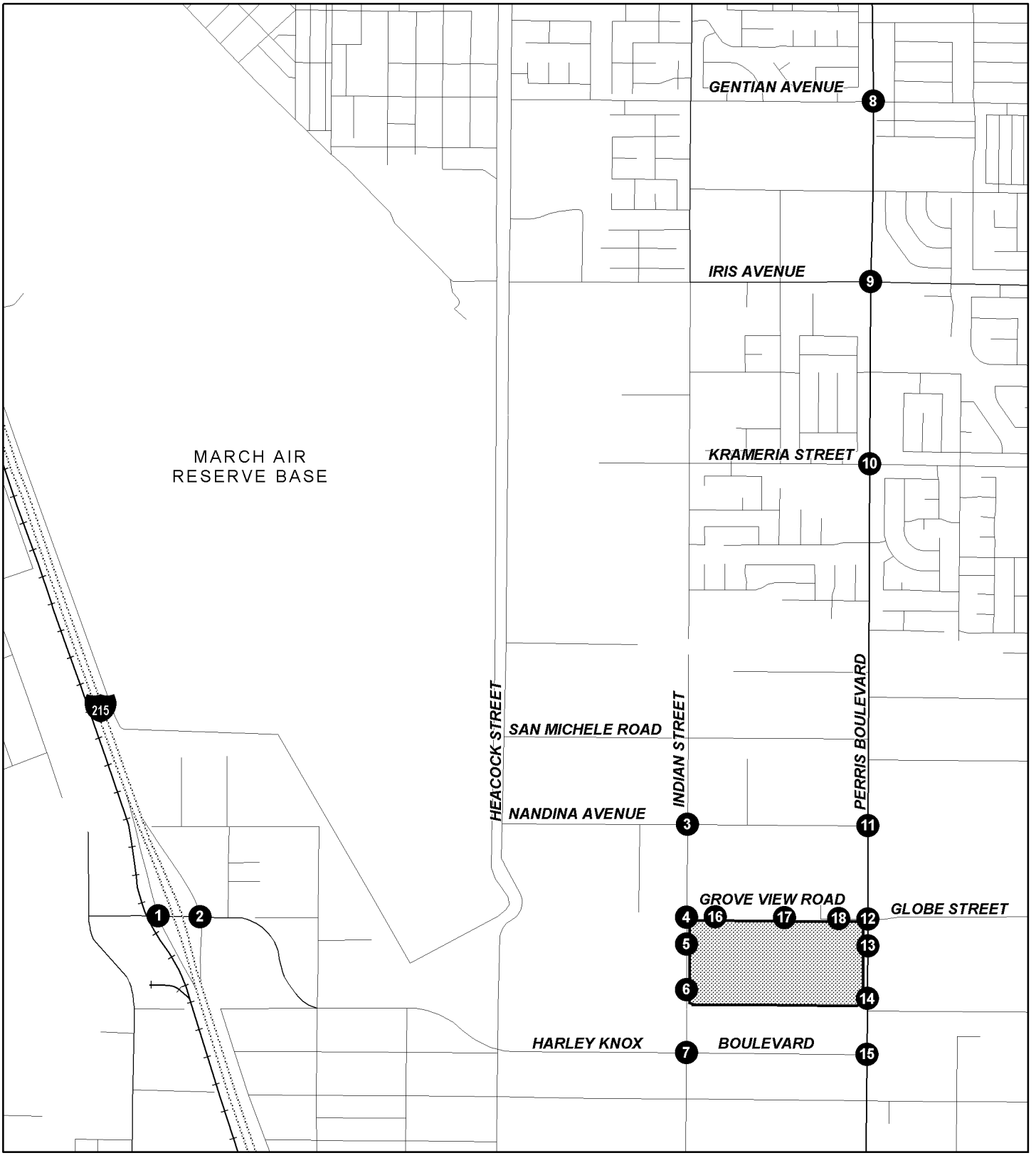

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FIGURE 4.5.1

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FEET

Project Location

Study Area Intersections

SOURCE: Thomas Bros., 2009

VIP Moreno Valley
Environmental Impact Report

Study Area Intersections

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Study area roadway segments include the following:

- Nandina Avenue west of Indian Avenue;
- Harley Knox Boulevard west of Indian Avenue;
- Indian Street north of Grove View Road;
- Indian Street south of the south project driveway;
- Perris Boulevard north of Grove View Road; and
- Perris Boulevard south of the south project driveway.

Study area freeway segments include the following:

- Freeway segment north of Harley Knox Boulevard;
- Harley Knox Boulevard On-Ramp (merge area) at Northbound I-215;
- Freeway segment between Harley Knox Boulevard Ramps;
- Harley Knox Boulevard Off-Ramp (diverge area) at Northbound I-215;
- Freeway segment south of Harley Knox Boulevard;
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215; and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215.

4.5.1.2 Existing Baseline Traffic Volumes

Existing traffic conditions for the study area intersections are based on a.m. and p.m. peak hour intersection turning movement counts collected by Counts Unlimited, Inc. in December 2007, with the exception of the intersection of Perris Boulevard/South Project Driveway. The intersection of Perris Boulevard/South Project Driveway was counted in May 2009 to document traffic from the Ross distribution center driveway, and was adjusted to reflect year 2007 conditions by matching the south leg approach and departure volumes with the north leg of Perris Boulevard/Harley Knox Boulevard. Count sheets are contained in the Traffic Study, included as Appendix G of this EIR. Since it has been four years since the 2007 counts, traffic counts were conducted for 3 locations near the project in 2011. However, since the 2011 counts were found to be lower than the 2007 counts due to reduced vehicular travel arguably caused by the current economic conditions, the 2007 counts were maintained to present a conservative approach for existing baseline traffic conditions. A comparison of the 2007 counts to the 2011 counts is included in Appendix G of this EIR.

Existing daily traffic volumes for the 6 study area roadway segments are based on daily counts collected by Counts Unlimited, Inc. in June 2009. For the 7 freeway segments, existing freeway segment bidirectional volumes are derived from the Annual Average Daily Traffic (AADT) volume data published by Caltrans in 2009.

Vehicle classification counts were conducted at the intersections of I-215 Southbound Ramps/Harley Knox Boulevard, I-215 Northbound Ramps/Harley Knox Boulevard, Indian Street/Nandina Avenue, Indian Street/Harley Knox Boulevard, Perris Boulevard/Gentian Avenue, Perris Boulevard/South Project Driveway, and Perris Boulevard/Harley Knox Boulevard. Based on recommendation from the City of Moreno Valley, Passenger Car Equivalent (PCE) volumes at these locations were computed using a PCE factor of 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with 4 or more axles. The percentage of trucks at intersections where classification counts were not conducted was determined based on percentage of trucks and average truck PCE at the nearest intersection with

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classification counts. Detailed volume development worksheets are included in the Traffic Study (Appendix G).

The peak hour volumes for freeway segments are derived from a percentage of the bidirectional AADT known as the K factor multiplied by the percentage of peak hour travel in the peak direction known as the D factor. Based on Caltrans data, 7.9 percent (K factor) of AADT occurs in the a.m. peak hour with 63.3 percent (D factor) of the total traffic traveling southbound and 36.7 percent in the northbound direction. In addition, 7.4 percent of AADT occurs in the p.m. peak hour with 56.3 percent of the total traffic traveling southbound and 43.7 percent in the northbound direction.

4.5.1.3 Existing Intersection Levels of Service

Traffic Level of Service Definitions. Level of service (LOS) will be referred to frequently in this section. Roadway operations and the relationship between capacity and traffic volumes are generally expressed in LOS, which are defined using the letter grades A through F (Table 4.5.A) and reflect the reality that conditions rapidly deteriorate as traffic approaches a thoroughfare's absolute capacity.

LOS was used in the traffic study to determine adequate operation of each of the study intersections. These intersections were selected based on the City of Moreno Valley Public Works Department staff recommendations. The distribution of project trips was developed in consultation with City staff by examining the location of the proposed project trips in relation to the surrounding residential areas, as well as the regional roadway network, which follows current practice. The freeway segments on I-215 are under the jurisdiction of Caltrans; all study intersections on Harley Knox Boulevard are under the jurisdiction of the City of Perris; and all other study intersections are under the jurisdiction of the City of Moreno Valley.

Table 4.5.A: Traffic Level of Service (LOS) Definitions

LOS	Description
A	No approach phase is fully utilized by traffic and no vehicle waits longer than one red indication. The approach appears quite open, turns are made easily, and nearly all drivers find freedom of operation.
B	This service level represents stable operation, where an occasional approach phase is fully utilized and a substantial number approach full use. Many drivers begin to feel restricted within platoons of vehicles.
C	This level still represents stable operating conditions. Occasionally drivers may have to wait through more than one red signal indication, and backups may develop behind turning vehicles. Most drivers feel somewhat restricted, but not objectionably so.
D	This level encompasses a zone of increasing restriction approaching instability at the intersection. Delays to approaching vehicles may be substantial during short peaks within the peak period; however, enough cycles with lower demand occur to permit periodic clearance of developing queues, thus preventing excessive backups.
E	Capacity occurs at the upper end of this service level. It represents the most vehicles that any particular intersection approach can accommodate. Full utilization of every signal cycle is seldom attained no matter how great the demand.
F	This level describes forced flow operations at low speeds, where volumes exceed capacity. These conditions usually result from queues of vehicles backing up from a restriction downstream. Speeds are reduced substantially and stoppages may occur for short or long periods of time due to the congestion. In the extreme case, both speed and volume can drop to zero.

Source: *Highway Capacity Manual*, *Special Report 209*, Transportation Research Board, Washington, DC, 1985.

4.5.1.4 Level of Service Standards

Intersections on Harley Knox Boulevard are under the jurisdiction of the City of Perris, and all other study intersections are under the jurisdiction of the City of Moreno Valley. The City of Moreno Valley's

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standard for peak hour intersection LOS and roadway segment LOS is either LOS C or LOS D, depending on the LOS defined for that roadway in the General Plan Circulation Element. The standard of LOS D applies to all City intersections and roadways analyzed in the traffic study conducted for the proposed project. The intersection and roadway level of service standard for the City of Perris is D. Caltrans considers acceptable LOS to be between LOS C and LOS D for all intersections under its jurisdiction; therefore, all signalized ramp terminus intersections on I-15 must operate with a weighted average delay of 45 seconds or less (representing the midpoint of the delay range for LOS D). If project traffic contributes to an existing or cumulative unsatisfactory LOS, it is considered a significant cumulative impact. Therefore, recommendation of circulation improvements is required for all intersections operating at LOS E or F. Any intersection operating below the relevant jurisdiction's level of service is considered an impact requiring mitigation. Table 4.5.B summarizes the level of service criteria for unsignalized and signalized intersections.

Table 4.5.B: Level of Service Criteria for Unsignalized and Signalized Intersections

Level of Service	Unsignalized Intersection Average Delay per Vehicle (seconds)	Signalized Intersection Average Delay per Vehicle (seconds)
A	≤ 10	≤ 10
B	> 10 and ≤ 15	> 10 and ≤ 20
C	> 15 and ≤ 25	> 20 and ≤ 35
D	> 25 and ≤ 35	> 35 and ≤ 55
E	> 35 and ≤ 50	> 55 and ≤ 80
F	> 50	> 80

Source: Transportation Research Board, *2000 Highway Capacity Manual*, *Intersection Level of Service Criteria*, December 2000.

As previously stated, the freeway segments on I-215 are under the jurisdiction of Caltrans. The level of service standard for freeway segments is LOS E. Any freeway segment operating below the level of service standard E is considered an impact requiring mitigation.

4.5.1.5 Baseline and Cumulative Traffic Scenarios

Existing baseline and cumulative peak hour traffic operations have been evaluated for both the a.m. and p.m. peak hours of traffic at the study area intersections. A level of service analysis was conducted to evaluate existing baseline and cumulative a.m. and p.m. peak hour traffic operations at the study area intersections. LOS is discussed in the following paragraphs for these two traffic analysis scenarios against which project impacts are compared:

- Existing setting baseline without the project; and,
- Opening year (2013) cumulative without the project.

Existing Setting Baseline. Existing traffic volumes at study area intersections are based on peak hour intersection turn movement counts. An intersection level of service analysis was conducted for existing conditions to determine current circulation system performance. As identified in Table 4.5.C, all study area intersections are currently operating at a satisfactory level of service (LOS D) or better.

A roadway segment level of service analysis was conducted for existing without project conditions to determine current roadway performance. Table 4.5.C summarizes the level of service analysis results. As shown in Table 4.5.C, the following roadway segments operate at unsatisfactory levels of service:

- Perris Boulevard north of Grove View Road (southbound); and

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- Perris Boulevard south of South Project Driveway (northbound and southbound).

Table 4.5.C also summarizes the existing without project levels of service for freeway segments and ramp merge/diverge areas. As shown in Table 4.5.C, the following freeway segments and ramp merge/diverge areas operate at unsatisfactory levels of service:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

Opening Year (2013) Cumulative Without the Project. For the opening year (2013) cumulative scenario, information concerning approved and pending projects in the project vicinity was obtained from the City of Moreno Valley, City of Perris, County of Riverside, and March JPA and added to the year 2013 traffic volumes. From this information, 44 projects were identified that would interact with the proposed project and have potential impacts at the study intersections under year 2013 conditions. Trip generation for the approved and pending projects were calculated based on the rates published in the ITE *Trip Generation,* 8th Edition. As identified in Table 4.5.C, the following nine intersections were forecast to operate at unsatisfactory levels of service in opening year 2013 cumulative without the project:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

A roadway segment level of service analysis was conducted for the year 2013 cumulative without project conditions to determine projected roadway performance. Table 4.5.C summarizes the level of service analysis results. As shown in Table 4.5.C, the following three roadway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Table 4.5.C also summarizes the year 2013 cumulative without project levels of service for freeway segments and ramp merge/diverge areas and shows that the following freeway segments and ramp merge/diverge areas are projected to operate at unsatisfactory levels of service:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

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Table 4.5.C: Baseline and Cumulative Levels of Service Without Project

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing		Opening Year (2013) Cumulative	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	C	B	**F**	**F**
Indian Street/Nandina Avenue	Signal	C	C	C	D
Indian Street/Grove View Road	TWSC	B	B	B	B
Indian Street/North Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Indian Street/South Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Indian Street/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Perris Boulevard/Gentian Avenue	Signal	B	C	**F**	**F**
Perris Boulevard/Iris Avenue	Signal	**D**	**C**	**F**	**F**
Perris Boulevard/Krameria Avenue	Signal	C	**C**	**F**	**F**
Perris Boulevard/Nandina Avenue	Signal	B	B	**F**	**F**
Perris Boulevard/Grove View Road	Signal	B	B	**F**	**F**
Perris Boulevard/North Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Perris Boulevard/South Project Driveway	Signal	A	A	**F**	**F**
Perris Boulevard/Harley Knox Boulevard	Signal	**B**	**B**	**F**	**F**
West Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
Center Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
East Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	A	B	F	F
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	A	A	E	F
Perris Boulevard north of Grove View Road	NA	A	F	C	F
Perris Boulevard south of South Project Driveway	NA	F	F	F	F

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Table 4.5.C: Baseline and Cumulative Levels of Service Without Project

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing		Opening Year (2013) Cumulative	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	B	C	C
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F	E
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F	D	F	F
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F	D	F	D
South of Harley Knox Boulevard	Basic	D	D	F	D

Shaded = Exceeds LOS standard; TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California,* LSA Associates, Inc., April 2012, Appendix G of this EIR.

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4.5.2 Existing Policies and Regulations

The City of Moreno Valley's current General Plan was approved in July 2006. Goals and policies extracted from the Circulation Element are included in the current General Plan. The specific policies and recommendations of implementation of the General Plan that are relevant to the proposed project are as follows:

Circulation Element

Objective 5.1 Create a safe, efficient, and neighborhood-friendly street system.

Policy 5.1.1 Plan access and circulation of each development project to accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.

Policy 5.1.2 Plan the circulation system to reduce conflicts between vehicular, pedestrian and bicycle traffic.

Policy 5.1.3 Require adequate off-street parking for all developments.

Policy 5.1.4 Driveway placement shall be designed for safety and to enhance circulation wherever possible.

Policy 5.1.5 Incorporate American Disability Act (ADA) and Title 24 requirements in roadway improvements as appropriate.

Policy 5.1.6 Design new developments to provide opportunity for access and circulation to future adjacent developments.

Objective 5.3 Maintain Level of Service (LOS) C on roadway links, wherever possible, and LOS D in the vicinity of SR 60 and high employment centers.

Policy 5.3.1 Obtain right-of-way and construct roadways in accordance with the designation shown on the General Plan Circulation Element Map and the City street improvement standards.

Policy 5.3.5 Ensure that new development pays a fair-share cost to provide local and regional transportation improvements and to mitigate cumulative traffic impacts. For this purpose, require new developments to participate in Transportation Uniform Mitigation Fee (TUMF), the Development Impact Fee Program (DIF), and any other applicable transportation fee programs and benefit assessment districts.

Policy 5.3.6 Where new developments would increase traffic flows beyond the LOS C (or LOS D, where applicable), require appropriate and feasible mitigation measures as a condition of approval. Such measures may include extra right-of-way and improvements to accommodate left-turn and right-turn lanes at intersections, or other improvements.

Policy 5.3.7 Provide consideration to projects that have overriding regional or local benefits that would be desirable even though the LOS standards cannot be met. These projects would be required to analyze traffic impacts and mitigate such impacts to the extent that it is deemed feasible.

Objective 5.5 Maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways.

Policy 5.5.3 Prohibit points of access from conflicting with other existing or planned access points. Require points of access to roadways to be separated sufficiently to maintain capacity, efficiency, and safety of the traffic flow.

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Policy 5.5.4 Wherever possible, minimize the frequency of access points along streets by the consolidation of access points between adjacent properties on all circulation element streets, excluding collectors.

Policy 5.5.5 Design streets and intersections in accordance with the Moreno Valley Municipal Code.

Policy 5.5.8 Whenever possible, require private and public land developments to provide on-site and off-site improvements necessary to mitigate any development-generated circulation impacts. A review of each proposed land development project shall be undertaken to identify project impacts to the circulation system. The City may require developers to provide traffic impact studies prepared by qualified professionals to identify the impacts of a development.

Policy 5.5.9 Design curves and grades to permit safe movement of vehicular traffic per applicable Caltrans and Moreno Valley standards.

Policy 5.5.10 Provide adequate sight distances for safe vehicular movement at all intersections and driveways.

Objective 5.8 Encourage development of an efficient public transportation system for the entire community.

Policy 5.8.4 Ensure that all new developments make adequate provision for bus stops and turnout areas for both public transit and school bus service.

Objective 5.11 Eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians.

Policy 5.11.2 Driveways shall be designed to avoid conflicts with pedestrian and bicycle travel.

Program 5-1 Periodically review current traffic volumes, traffic collision data, and the pattern of urban development to coordinate, program, and as necessary revise the planning and prioritization of road improvements.

Program 5-6 Conduct studies of specified arterial segments to determine if any additional improvements will be needed to maintain an acceptable LOS at General Plan build-out. Generally, these segments will be studied as new developments are proposed in their vicinity. Measures will be identified that are consistent with the Circulation Element designation of these roadway segments, such as additional turn lanes at intersections, signal optimization by coordination and enhanced phasing, and travel demand management measures. The study of specified arterial segments will be required to identify measures to maintain an acceptable LOS at General Plan build-out for at least one of the reasons discussed below:

(a) Segments will need improvement, but their ultimate volumes slightly exceed design capabilities.

(b) Segments will need improvements but require inter-jurisdictional coordination.

(c) Segments would require significant encroachment on existing adjacent development if built out to their Circulation Element designations.

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Program 5-13 Implement Transportation Demand Management (TDM) strategies that reduce congestion in the peak travel hours. Examples include carpooling, telecommuting, and flexible work hours.

City of Moreno Valley Development Impact Fee Program

The City of Moreno Valley has a development impact fee (DIF) program that is used to collect fees from new residential, commercial, and industrial development for funding roadways and intersections to accommodate City growth as identified in the City's General Plan Circulation Element. The City of Moreno Valley updated its DIF program in February 2008 in response to the City's General Plan update, which occurred in 2006. Adoption of the updated DIF program has been deferred. The DIF program was updated to include new roadway segments and intersections necessary to accommodate future growth and to ensure that the identified street improvements would operate at or above the City's LOS performance threshold. The DIF program includes facilities that are not part of improvements identified and covered by the TUMF program. Therefore, the pairing of regional and local fee programs provides a more comprehensive funding and implementation plan to ensure an adequate circulation system. Under the City's DIF program, the City may grant to developers a credit against specific components of fees when those developers construct certain improvements identified in the list of improvements funded by the DIF program.

After the City's DIF fees are collected, they are placed in a separate account. The timing to use the DIF fees is established through periodic capital improvement programs, which are overseen by the City's Public Works Department. The City's DIF program establishes a mechanism to fund design and construction of General Plan roadways. The City uses citywide traffic counts, traffic trends, and a review of traffic accidents to determine the timing of the improvements listed in its capital improvement facilities list. The City also uses these data to prioritize the timing of improvements listed on the facilities list.

Transportation Uniform Mitigation Fee Program

The Transportation Uniform Mitigation Fee (TUMF) program, which is administered by the Western Riverside Council of Governments (WRCOG), is based upon a regional Nexus Study completed in early 2003 and updated in 2006. The update addresses major changes in right-of-way acquisition and improvement cost factors. The TUMF identifies a network of roadways needed to accommodate growth through 2030. This program ensures that development pays its fair share and that funding is in place for construction of facilities needed to maintain the requisite levels of service and is critical to mobility in the region. The TUMF is implemented in every jurisdiction in Western Riverside County.

TUMF fees are imposed on new residential, industrial, and commercial development through application of the TUMF fee ordinance and fees are generally collected at the building permit stage. After the TUMF fees are collected, they are placed in a separate interest-bearing account pursuant to the requirements of Government Code sections 66000 et seq. The TUMF funds both local and regional projects. Local projects receive about 48 percent of all funds, are programmed into five localized zones, and fund the construction of localized projects that are proposed by the affected local jurisdictions within each zone.

4.5.3 Methodology

Evaluation of traffic and circulation impacts associated with the proposed project includes the following:

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4.5.3.1 Project Trip Generation

The project trip generation is based on the City of Moreno Valley trip rates for High-Cube warehousing as derived from the NAIOP trip generation study (2006). Based on discussion with the City, the vehicle splits for Truck Terminal from the City of Fontana's *Truck Trip Generation Study* were used to convert project trips into PCE trips.

Table 4.5.D shows the calculation of the project trip generation. As shown in Table 4.5.D, the project is expected to generate 327 PCE trips in the a.m. peak hour, 388 PCE trips in the p.m. peak hour, and 5,052 daily PCE trips.

Table 4.5.D: Project Trip Generation

Vehicle Type	A.M. Peak Hour			P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Passenger Cars	45	37	82	23	74	97	1,256
Truck Trips (total raw trucks)	45	50	95	74	39	113	1,475
2-axle (PCE)	8	9	17	12	8	20	249
3-axle (PCE)	22	26	48	38	20	58	760
4+-axle (PCE)	87	93	180	141	72	213	2,787
Total Trips (PCE)[1]	**162**	**165**	**327**	**214**	**174**	**388**	**5,052**

Notes: PCE = Passenger Car Equivalent.
Total a.m. peak hour, p.m. peak hour and daily rates from modified NAIOP rates for High-Cube Warehousing as approved by the City of Moreno Valley.
All trip generation rates converted to car and truck trips using vehicle mix and enter/exit splits for Truck Terminal from Fontana Truck Trip Generation Study.
Truck trips converted to PCEs based on the SANBAG PCE values.
[1] Total Trips (PCE) = Passenger Cars + PCE Truck Trips.

The concept of PCEs accounts for the larger impact of trucks on traffic operations. It does so by assigning each type of truck a PCE factor that represents the number of passenger vehicles that could travel through an intersection in the same time that a particular type of truck could. PCE volumes for study area locations were computed using a PCE factor of 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with 4 or more axles, which are values recommended by the City of Moreno Valley. For example, in this report, trucks with four or more axles have been assigned a PCE factor of 3.0, indicating that three passenger vehicles could travel through an intersection in the same amount of time required for a single truck with four or more axles; therefore, the impacts and mitigations identified in this EIR incorporate the impact of trucks on intersection operations.

4.5.3.2 Trip Distribution and Assignment

Trip distribution patterns were estimated by examining the location of the project in relation to the regional roadway network and adjoining land uses and through consultation with City staff. Trip distribution was developed separately for passenger vehicles and trucks. Trip distribution for roadway segments was developed using a similar methodology.

The project trip generation was applied to the trip distribution patterns for the proposed project to develop trip assignments for new project trips. Trip assignment for roadway segments was developed by applying the project daily trip generation to the roadway segment distribution.

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4.5.4 Thresholds of Significance

In the Initial Study[1] for this project, it was concluded that the proposed project could create potentially significant traffic impacts associated with the following CEQA traffic impact thresholds of significance if the project would:

- *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit.*

  (A significant traffic impact would occur if the project would cause a decrease from a standard LOS to a less than standard LOS at a study intersection based on a peak hour analysis.)

  - City of Moreno Valley LOS C or LOS D, depending on the LOS defined for that roadway in the General Plan Circulation Element, and
  - California Department of Transportation LOS standard is LOS D.
- *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.*
- *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.*

The Initial Study also concluded that the project would not impact or would create a less than significant impact associated with the following CEQA traffic impact thresholds:

- *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*
- *Result in inadequate emergency access.*
- *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease performance or safety of such facilities.*

4.5.5 No Impact/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.5.5.1 Design Features or Incompatible Uses

Threshold	Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway

[1] *Initial Study, VIP Moreno Valley, City of Moreno Valley, Riverside County, California*, prepared by LSA Associates, Inc., July 25, 2011 (see Appendix A).

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improvements in and around the project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to site access requirements.

The final design of all roadways and intersections within the project site access would be reviewed by a licensed professional civil engineer to ensure adequate safety when traveling to and from the project site. The proposed project does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City of Moreno Valley consistent with the City's Circulation Element Objectives 5.1 (create a safe, efficient, and neighborhood-friendly street system), 5.5 (maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways), and 5.11 (eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians) and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required.

4.5.5.2 Inadequate Emergency Access

Threshold	Would the proposed project result in inadequate emergency access?

The developers of the proposed project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Construction activities, which may temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. The proposed project design would be submitted to and approved by the City's Fire and Police Departments prior the issuance of building permits. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required.

4.5.5.3 Alternative Transportation

Threshold	Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The Riverside Transit Agency (RTA) has numerous bus routes that serve the City of Moreno Valley and bus service in the project area is via Route 19. Route 19 provides service along Perris Boulevard and provides a bus stop along Perris Boulevard north of Lateral B of the Perris Valley Storm Drain adjacent to the project site, at the intersection of Perris Boulevard and Nandina Avenue approximately one quarter mile north of the site, at the intersection of Perris Boulevard and E. Nance Street approximately one quarter mile south of the project site, at the intersection of Perris Boulevard and Markham Street approximately one half mile south of the project site, and at the intersection of Perris Boulevard and Ramona Expressway, approximately 1.0 mile south of the project site. RTA provides service along Perris Boulevard and provides service directly to the project site. The City also provides a multi-use trail system as part of the City's Master Plan of Trails. These trails provide for recreational and non-motorized travel throughout the City. The City's *Master Plan of Trails Map*[1] does not identify any existing or proposed trails in the vicinity of the project site.

The design of the proposed project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation, including but not limited to pedestrian pathways and sidewalks consistent with the City's Circulation Element Objective 5.8 (encourage development of an efficient public transportation system for the entire community). Through the City's project review process, policies, plans, and/or programs supporting alternative

[1] *Master Plan Trails Map*, City of Moreno Valley, print date October 26, 2010.

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transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur as a result of the proposed project and no mitigation is required.

4.5.5.4 Air Traffic Patterns

Threshold	Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Airport facilities within the vicinity of the project site include the March Air Field, which is part of the March Air Reserve Base (MARB). The proposed project site is located approximately 0.75 mile east of March Air Field. The MARB encompasses approximately 6,500 acres of the Air Force Reserve's 452nd Air Mobility Wing, which provides host base support for numerous tenant active military units. It is also the home of 4th Air Force and multiple units of the California Air National Guard. When March Air Force Base (March AFB) was converted from an active duty base to a Reserve Base in 1996, the decision resulted in approximately 4,400 acres of property and facilities being declared surplus and available for disposal actions, as well as joint use of the airfield. With the realignment of March AFB, the MARB Redevelopment Project Area was established. The MARB Redevelopment Project Area includes the entire 6,500-acre former active duty base area, and approximately 450 acres adjacent to the base in the industrial area of the City of Moreno Valley.

To implement the MARB Redevelopment Project Area and to facilitate the transition of a portion of the MARB from military to civilian uses, the March Joint Powers Authority (March JPA), consisting of the County of Riverside and the Cities of Moreno Valley, Perris, and Riverside, was formed. The March JPA along with the U.S. Air Force pursued the establishment of March Air Field as a joint use airport.

The Air Force defines a "joint use airport" as one where the facilities which are owned and operated by the Air Force are made available for use by civil aviation. A joint use agreement between these parties was executed May 7, 1997, along with land leases for over 300 acres as the civilian airport name March Inland Port (MIP). Under the agreement, the civilian (March JPA) and the military (AFRC) entities share essential aviation facilities such as the control towers and runways, as well as maintenance of facilities, under this joint use arrangement. Under the provisions of the Joint Use Agreement, the MIP is the civilian facility that is managed and operated by the MIP Airport Authority (MIPAA). The MIP includes air cargo operations such as the March Global Port, a 350-acre commercial air cargo and distribution center.

The Department of the Defense (Air Force) completed an Air Installation Compatible Use Zone (AICUZ) study for MARB in 1998. The AICUZ study was designed and is intended to aid in the development of compatible land uses in non-government areas surrounding military airfields to protect public safety and health. The study established three zones based on potential crash patterns: a Clear Zone and two Accident Potential Zones (APZ). The Clear Zone reaches from along the extended runway centerline to a distance of 3,000 feet, APZ 1 extends from 3,000 feet to 8,000 feet, and APZ II extends from 8,000 feet to 15,000 feet. According to the AICUZ, outside of the Clear Zone and APZs “the risk of aircraft accidents is not significant enough to warrant special consideration in land use planning.” The proposed project site is not located within a Clear Zone, APZ 1, or APZ 2 for MARB as designated by the Air Force 2005 AICUZ Study.

In addition to the AICUZ, Airport Influence Area boundaries around MARB have been adopted by County of Riverside Airport Land Use Commission (ALUC) in its Airport Land Use Plan (ALUP). The project site is approximately 0.75 mile east of the March Air Field and is entirely within Airport Influence Area II. As part of the standard process for development within Airport Influence Areas for MARB, proposed projects are required to be reviewed by the ALUC for consistency with the ALUP.

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As a standard condition imposed during ALUC reviews, developments located within the boundaries of Influence Area III are required to provide avigation easements. To ensure consistency with the ALUC recommendations is maintained, avigation easements will be required as part of a condition of approval for the project site. Development that would occur within Airport Influence II of MIP would not include any features that would alter air traffic patterns or the level of air traffic at the MIP; therefore, a less than significant air traffic safety impact would occur and no mitigation is required.

4.5.6 Significant Impacts

4.5.6.1 Existing Plus Project Intersection, Roadway Segment, and Freeway Segment Impacts.

Threshold	Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Impact 4.5.6.1: *Two roadway segments and three freeway segments are forecast to exceed satisfactory levels of service in the existing plus project conditions creating a significant impact.*

The existing plus project levels of service for the study area intersections are summarized in Table 4.5.E. All study area intersections operate at a satisfactory level of service. No intersection level of service impacts would occur and no mitigation is required.

The existing plus project levels of service for the study area roadway segments are also summarized in Table 4.5.E. As shown in Table 4.5.E, the following roadway segments are projected to operate at unsatisfactory levels of service:

- Perris Boulevard north of Grove View Road (southbound); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

This is a significant impact and mitigation is required. It should be noted that these roadway segments also operate at unsatisfactory levels of service under existing without project conditions.

The existing plus project levels of service for the study area freeway segments are also summarized in Table 4.5.E. As shown in Table 4.5.E, the following freeway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

This is a significant impact and mitigation is required. It should be noted that these two freeway segments also operate at unsatisfactory levels of service under existing without project conditions.

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Mitigation Measures. To ensure existing plus project local traffic impacts are reduced to a less than significant level, the following mitigation measures shall be implemented.

4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.

4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.,

Level of Significant After Mitigation. As identified in Table 4.5.E, all study intersections are forecast to operate at acceptable levels of service in the existing plus project scenario. The two deficient roadway segments on Perris Boulevard were previously identified as deficient in the pre-project scenario; therefore, the project contributes to these existing deficiencies. Payment of the City's DIF and transportation TUMF fees as set forth in **Mitigation Measures 4.5.6.1A** and **4.5.6.1A** will provide full and complete mitigation of the project's impact on the local and regional roadway and intersection circulation system. The improvements to Perris Boulevard identified in the traffic study prepared for the project are consistent with the City's General Plan and are included in the County's TUMF program. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element. For these reasons, the project's impacts to affected roadway segments will be mitigated through payment of the City's DIF and the County's TUMF.

The City is currently in the process of implementing a Capital Improvement Project to widen Perris Boulevard from Cactus Avenue south to city limits. The improvement project will widen Perris Boulevard to a six-lane street section, consistent with the General Plan. Construction is scheduled to start in the summer of 2012 and end in May 2013. The widening will encompass the improvements defined in the project traffic study for two segments of Perris Boulevard. The resultant levels of service with implementation of the identified improvements are presented in Table 4.5.F.

Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with the two freeway segments (Harley Knox Boulevard Southbound I-215 Off-Ramp diverge area; and Harley Knox Boulevard Southbound I-215 On-Ramp merge area) would remain significant and unavoidable until such improvements are constructed.

4.5.6.2 Opening Year 2013 Cumulative With Project Conditions Intersection, Roadway Segment, and Freeway Segment Impacts

Impact 4.5.6.2: *Eleven intersections, four roadway segments, and four freeway segments are forecast to exceed satisfactory levels of service in the year 2013 cumulative plus project conditions, creating a significant impact.*

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Table 4.5.E: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Indian Street/Nandina Avenue	Signal	C	C	C	D
Indian Street/Grove View Road	TWSC	B	B	B	C
Indian Street/North Project Driveway	TWSC	B	B	C	C
Indian Street/South Project Driveway	TWSC	B	C	D	**E**
Indian Street/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Perris Boulevard/Gentian Avenue	Signal	B	C	**F**	**F**
Perris Boulevard/Iris Avenue	Signal	D	C	F	F
Perris Boulevard/Krameria Avenue	Signal	C	C	**F**	**F**
Perris Boulevard/Nandina Avenue	Signal	B	B	**F**	**F**
Perris Boulevard/Grove View Road	Signal	B	B	**F**	**F**
Perris Boulevard/North Project Driveway	TWSC	A	A	A	A
Perris Boulevard/South Project Driveway	Signal	B	A	**F**	**F**
Perris Boulevard/Harley Knox Boulevard	Signal	B	B	**F**	**F**
West Project Driveway/Grove View Road	TWSC	A	A	A	A
Center Project Driveway/Grove View Road	TWSC	A	A	A	A
East Project Driveway/Grove View Road	TWSC	A	A	A	A
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	B	D	F	F
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	B	B	F	F
Perris Boulevard north of Grove View Road	NA	A	F	C	F
Perris Boulevard south of South Project Driveway	NA	F	F	F	F

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Table 4.5.E: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	C	C	C
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F	E
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F	D	F	F
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F	D	F	D
South of Harley Knox Boulevard	Basic	E	D	F	D

Shaded = Exceeds LOS standard; **Bold** = Queue exceeds the available storage capacity (based on the 95th percentile queue length); TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California*, LSA Associates, Inc., April 2012, Appendix G of this EIR.

Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	NA	NA	C	D
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	NA	NA	C	C
Indian Street/Nandina Avenue	Signal	NA	NA	C	D
Indian Street/Grove View Road	TWSC	NA	NA	B	C

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Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Indian Street/North Project Driveway	TWSC	NA	NA	C	C
Indian Street/South Project Driveway	TWSC	NA	NA	C	C
Indian Street/Harley Knox Boulevard	Signal	NA	NA	D	D
Perris Boulevard/Gentian Avenue	Signal	NA	NA	B	B
Perris Boulevard/Iris Avenue	Signal	NA	NA	D	D
Perris Boulevard/Krameria Avenue	Signal	NA	NA	D	D
Perris Boulevard/Nandina Avenue	Signal	NA	NA	C	C
Perris Boulevard/Grove View Road	Signal	NA	NA	A	B
Perris Boulevard/North Project Driveway	TWSC	NA	NA	A	A
Perris Boulevard/South Project Driveway	Signal	NA	NA	A	A
Perris Boulevard/Harley Knox Boulevard	Signal	NA	NA	D	D
West Project Driveway/Grove View Road	TWSC	NA	NA	A	A
Center Project Driveway/Grove View Road	TWSC	NA	NA	A	A
East Project Driveway/Grove View Road	TWSC	NA	NA	A	A
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	B	D	D	E
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	B	B	B	B
Perris Boulevard north of Grove View Road	NA	A	A	C	C
Perris Boulevard south of South Project Driveway	NA	A	A	D	D
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	C	C	C

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Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F	E
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F	D	F	F
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F	D	F	D
South of Harley Knox Boulevard	Basic	E	D	F	D

Shaded = Exceeds LOS standard; **Bold** = Queue exceeds the available storage capacity (based on the 95th percentile queue length); TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California*, LSA Associates, Inc., April 2012, Appendix G of this EIR.

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Threshold	Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Opening year (2013) cumulative with project conditions considers the addition of traffic generated by the proposed project to opening year (2013) cumulative without project conditions. As previously noted, the opening year (2013) cumulative scenario was developed using traffic volumes that would be generated by approved and pending projects in the project vicinity and year 2013 traffic volumes. Additionally, projects currently included in the City's CIP and planned for construction by 2013 have been considered as complete. An intersection LOS analysis was conducted to determine opening year (2013) cumulative intersection performance. As identified in Table 4.5.E, the addition of project traffic to the opening year (2013) cumulative scenario would result in conditions exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

This is a significant impact and mitigation is required. It is important to note that ten of the eleven intersections also operate at unsatisfactory levels of service under year 2013 cumulative without project conditions. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a project-specific impact.

A roadway segment level of service analysis was conducted for the year 2013 cumulative with project condition to determine projected roadway performance. Table 4.5.E summarizes the level of service analysis results. As shown in Table 4.5.E, the following four roadway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and

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- Perris Boulevard south of South Project Driveway (northbound and southbound).

This is a significant impact and mitigation is required. It is important to note that these roadway segments also operate at unsatisfactory levels of service under year 2013 cumulative without project conditions.

Previously referenced Table 4.5.E summarizes the year 2013 cumulative with project levels of service for freeway segments and ramp merge/diverge areas. As shown in Table 4.5.E, the following freeway segments and ramp merge/diverge areas operate at unsatisfactory levels of service:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. and p.m. peak hours);
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour); and
- Freeway segment south of Harley Knox Boulevard (a.m. peak hour).

This is a significant impact and mitigation is required. It should be noted that these freeway segments also operate at unsatisfactory levels of service under year 2013 without project conditions.

Mitigation Measures. To ensure cumulative plus project traffic impacts are reduced to a less than significant level, previously referenced **Mitigation Measures 4.5.6.1A** and **4.5.6.1B** and the following mitigation measure shall be implemented.

4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.

- Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

Level of Significance After Mitigation. As described in detail in Section 4.5.1.4, the level of service performance standards used in this EIR are as follows:

- Freeway mainline lanes: LOS E.
- Harley Knox Boulevard intersections with the I-215 ramps: mid LOS D.
- All other intersections and roadway segments: LOS D.

Based in these performance standards, a significant project-specific traffic impact would occur if the project would cause a decrease from a standard LOS to a less than standard LOS based on a study area intersection, roadway segment, freeway mainline lane, or freeway merge/diverge analysis. A significant cumulative traffic impact would occur if the project contributes traffic toward those facilities operating at less than standard LOS in the pre-project condition. As described above in the preceding discussion, all of the intersection, roadway, and freeway mainline traffic impacts identified for the year 2013 cumulative with project condition were also affected in the year 2013 cumulative without project condition. For this reason, all of the impacts identified for the 2013 cumulative with project scenario are cumulative in nature.

The following intersection and roadway improvements were identified in the traffic study performed for the proposed project in order to maintain or improve the operational level of service of the street

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system in the vicinity of the project site. The list shows the incremental improvement at each intersection or roadway segment required to mitigate the cumulative impacts. It is anticipated that the improvements required to maintain or to improve the level of service operations of transportation facilities affected by the project will be constructed through the City's DIF as supplemented by the County's TUMF program. The project will participate with these programs as part of previously referenced **Mitigation Measures 4.5.6.1A** and **4.5.6.1B**. The list of improvements is as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard: Restripe the left-most westbound through lane as a left-turn lane. Restripe the off-ramp to provide two left-turn lanes and a shared through/right-turn lane. This improvement is part of the TUMF program.
- I-215 Northbound Ramps/Harley Knox Boulevard: Restripe the northbound shared through/left-turn lane as a shared left-turn/through/right-turn lane. Add an eastbound free right-turn lane. This improvement is part of the TUMF program.
- Indian Street/Harley Knox Boulevard: Add an eastbound through lane. Provide overlap phasing for the southbound right-turn lane. These improvements are consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.
- Perris Boulevard/Gentian Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Iris Avenue: Add a second westbound left-turn lane and an eastbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Krameria Avenue: Add two southbound through lanes, a northbound through lane, and a northbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Nandina Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Grove View Road: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/South Project Driveway: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of City DIF and TUMF programs.
- Perris Boulevard/Harley Knox Boulevard: Add two southbound through lanes, one northbound through lane, a second eastbound left-turn lane, and overlap phasing for the southbound right-turn lane. These improvements are part of the TUMF program.
- Harley Knox Boulevard west of Indian Street: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.
- Indian Street south of South Project Driveway: Widen to a four-lane Undivided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City of Moreno Valley DIF and TUMF programs.
- Perris Boulevard north of Grove View Road: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City's DIF and TUMF programs.

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- Perris Boulevard south of South Project Driveway: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley and City of Perris General Plan Circulation Elements. This improvement is part of the City of Moreno Valley DIF and County TUMF programs.

With implementation of the above mitigation measures, all intersections and roadway segments would operate at the applicable performance standard or better during peak hours for 2013 cumulative with project conditions as shown in Table 4.5.F, resulting in a less than significant impact.

With implementation of **Mitigation Measures 4.5.6.1A** and **4.5.6.1B**, the project will contribute toward future roadway improvements to maintain the City of Moreno Valley and Perris LOS standards on city arterials and collectors. Because the CMP LOS standard is LOS E (and in some cases LOS F for intersections already at LOS F when the CMP network was adopted), the project will contribute toward maintenance of intersection LOS exceeding the CMP LOS standard. Therefore, the project will be consistent with the CMP.

Improvements to the four affected freeway mainline segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

4.5.7 Cumulative Impacts

Cumulative impacts refer to incremental effects of an individual project when viewed in connection with the effects of past projects, current projects, and probable future projects. Cumulative projects are identified in Chapter 2, Table 2.A and Figure 2.1. Cumulative impacts associated with traffic volumes are determined based on a sum of existing traffic volumes, projected growth from an ambient growth rate, and traffic volumes from approved and pending projects in the area, and project traffic. Cumulative analysis forecasts that, with the development of the proposed project and the cumulative projects, eleven intersections would require improvements in order to maintain the City's LOS standard of D. Those intersections are as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

Additionally, with the development of the proposed project and the cumulative projects, four roadway segments would require improvements in order to maintain the City's LOS standard of D. Those roadway segments are as follows:

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- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Although the suggested improvements are consistent with the City's General Plan, the project will be responsible for contributing its fair share toward the funding of the future improvements via payment of the City's DIF and County TUMF programs. The affected intersections and roadways are covered by either the City's DIF or County TUMF programs. As part of its Capital Improvement program, the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents.

Because TUMF provides a mechanism for collecting fees from all development projects in the area that would contribute traffic to the existing roadway network, fees for the improvements to the impacted freeway intersections would be collected. Therefore, it is anticipated that since these freeway intersection improvements are programmed into the TUMF program, such improvements would be constructed in the future, the future improvements would accommodate future year traffic levels analyzed in the future year traffic scenario (Opening Year 2013 Cumulative Plus Project), resulting in a less than significant cumulative impact.

Access improvements to the project site are the responsibility of the project applicant and would be constructed during site development. These improvements would be constructed at the following study area intersections: Indian Street/Grove View Road; Indian street/ North Project Driveway; Indian Street/South Project Driveway; Perris Boulevard/North Project Driveway; West Project Driveway/Grove View Road; Center Project Driveway/Grove View Road; and East Project Driveway Grove View Road. Because these improvements would be constructed prior to the project opening and would function at a satisfactory level of service under the cumulative scenario (refer to Table 4.5.E), no significant cumulative impact would occur at these intersections.

Improvements to the four affected freeway mainline segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

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5.0 ADDITIONAL TOPICS REQUIRED BY CEQA

Section 15126 of the *CEQA Guidelines* requires that all aspects of a project must be considered when evaluating its impacts on the environment, including planning, acquisition, development, and operation. As part of this analysis, the EIR must also identify (1) significant environmental effects of the proposed project, (2) significant environmental effects that cannot be avoided if the proposed project is implemented, (3) significant irreversible environmental changes that would result from implementation of the proposed project, and (4) growth inducing impact of the proposed project.

5.1 SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

Table 5.A illustrates the significant unavoidable impacts anticipated to result from the proposed project, even with implementation of the project-specific mitigation measures identified in the Section 4.0 analysis.

Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Agricultural Resources	Conversion of State Designated Farmland	No mechanism for the mitigation of impacts to Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Therefore, impacts associated with the conversion of farmland remain significant and unavoidable.
Agricultural Resources	Conversion to a Non-agricultural Use	No feasible mitigation is available to mitigate for the direct impacts associated with the conversion of land previously utilized for agricultural uses. Therefore, impacts associated with the conversion of farmland to a non-agricultural use remain significant and unavoidable.
Agricultural Resources	Cumulative Agricultural Resources	The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the conversion of agricultural lands to non-agricultural uses. Therefore, cumulative impacts to agricultural resources would remain significant and unavoidable.
Air Quality	Construction Air Pollutant Emissions	Construction activities would result in exceedance of SCAQMD threshold for ROG, NOx, and $PM_{2.5}$. Even after application of mitigation measures, estimated air pollutant emissions during construction activities would remain significant and unavoidable for ROG, NOx, and $PM_{2.5}$.
Air Quality	Operational Air Pollutant Emissions	Operational activities would result in exceedance of SCAQMD thresholds for ROG, NOx, CO, and PM_{10}.No feasible mitigation is available. Estimated air pollutant emissions during operation of the project will remain significant and unavoidable for ROG, NOx, CO, and PM_{10}.
Air Quality	Cumulative Pollutant Air Emissions	The Basin is in nonattainment for PM_{10} and ozone at the present time. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the existing nonattainment status. Therefore, the proposed project would exacerbate nonattainment of air quality standards within the SCAQMD and contribute to adverse cumulative air quality impacts.

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Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Greenhouse Gas Emissions and Climate Change	Cumulative GHG Emissions	The proposed project will produce greenhouse gases (GHG) during construction and operation of the proposed warehouse and related truck trips. Given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.
Transportation	Existing Year (2007) with Project Level of Service	Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.
Transportation	Opening Year (2013) Cumulative with Project Level of Service	Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, cumulative impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE CAUSED BY THE PROPOSED PROJECT SHOULD IT BE IMPLEMENTED

Section 15126(c) of the *CEQA Guidelines* mandates that the EIR must address any significant irreversible environmental changes which would be involved in the proposed action should it be implemented. An impact would fall into this category if it resulted in any of the following:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or
- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Determining whether the proposed project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The project site is generally fallow agricultural land with the site historically used for sod farming operations. However, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the proposed project would permanently alter the site by converting predominantly agricultural uses to urban uses. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the proposed project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is justified in supporting the City's planned use of the site and is not expected to negatively impact the availability of these resources.

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In addition, this industrial warehouse project, in concert with the other built or approved industrial warehouse projects, will fundamentally change the character and land use pattern of this portion of the City. Many of the project-specific impacts are addressed, as outlined above, but the change in the use of the land from agricultural to industrial represents a substantial irreversible change for this area. However, this is an intended change a verified by the City's General Plan land use designations and zoning for the area.

5.3 GROWTH INDUCEMENT

CEQA Guidelines, Section 15126.2(d) requires the *discussion of the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.* Examples of growth inducing actions include establishing a major new employment opportunity. Projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively, would also be considered growth inducing. The potential for growth inducement from a project is evaluated in four ways according to CEQA Guidelines Section 15126.2(d):

Would the proposed project induce substantial population growth in the area?

The extent to which the new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. Construction of the proposed project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the project area; therefore, construction of the proposed project will not generate a permanent increase in population within the project area. As previously identified, the proposed project is expected to employ 646 people.

The California Department of Finance (DOF) estimates the City's current (2011) population at 195,216 persons.[1] SCAG projections estimate the population of the City, western Riverside County (Western Riverside Council of Governments [WRCOG]), and southern California (Southern California Association of Governments [SCAG]) will continue to grow. SCAG projects the City's population will grow to 206,657 persons by the year 2015 and 258,350 persons by the year 2035 (Table 5.B).

Table 5.B: Population, Housing, and Employment Forecasts

	2015	2025	2035
Population			
City of Moreno Valley	206,657	234,410	258,350
WRCOG	1,918,962	2,262,992	2,550,867
SCAG	20,465,830	22,395,121	24,057,286
Households			
City of Moreno Valley	55,407	64,699	72,977
WRCOG	609,219	727,622	828,547
SCAG	6,474,074	7,156,645	7,710,722
Employment			
City of Moreno Valley	49,414	71,359	91,642
WRCOG	691,260	901,163	1,098,233
SCAG	8,811,406	9,546,773	10,287,125

Source: SCAG Comments on the NOP for Vogel Industrial Park Moreno Valley Project [120110103], letter dated September 7, 2011.

[1] State of California, Department of Finance, *E-5 Population Estimates for Cities, Counties and the State, 2010-2011, with 2010 Benchmark.* Sacramento, California, May 2011.

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The jobs-to-housing ratio measures the extent to which job opportunities in a given geographic area are sufficient to meet the employment needs of area residents. This ratio identifies the number of jobs available in a given region compared to the number of housing units in the same region. For example, a region with a jobs-to-housing factor of 1.5 would indicate that 1.5 jobs exist for every housing unit within that region. The standard used for comparison is the jobs-to-housing ratio of the SCAG region, which is 1.36 jobs for every household. This standard is used because most residents of the region are employed somewhere in the SCAG region. A City or sub-region with a jobs-to-housing ratio lower than the overall standard would be considered a "jobs poor" area, indicating that many of the residents must commute to places of employment outside the sub-area. The current and potential jobs/housing ratios for the City, WRCOG, and SCAG are identified in Table 5.C.

Table 5.C: Projected Future Jobs/Housing Ratios

	2015 Jobs/Housing Ratio	2035 Jobs/Housing Ratio
City	0.89	1.25
Riverside County	1.13	1.32
SCAG	1.36	1.33

The 2015 projected jobs-to-housing ratios for the City, sub-region, and region are 0.89, 1.13, and 1.36, respectively. The 2035 future jobs-to-housing ratios for the City, sub-region, and region are 1.25, 1.32, and 1.33, respectively. These ratios indicate that both Western Riverside County and the City of Moreno Valley are "jobs poor" because the jobs-to-housing ratios are below the Southern California region (as defined by SCAG). Given the fact that the City and the WRCOG are considered to be jobs-poor regions, and the City is currently experiencing high rates of unemployment, it is expected that the short-term construction jobs and long-term jobs created by the proposed project will be filled by current local residents. Therefore, there would be little migration to the area and, consequently, little effect on local population size. Because of the population of the City and the employment base, even if a large number of people were to relocate to the area because of employment opportunities created within the project area, no significant effect on the size of the local population would occur.

Would the proposed project have an effect on undeveloped land that may not be designated on any general plan for urban development, but would nonetheless experience increased growth pressure due to the presence of the project?

The area surrounding the project site is governed by the City of Moreno Valley General Plan and the area is guided by Specific Plan 208. Specific Plan 208 guides land use within the project area to ensure that new development and redevelopment is implemented consistent with the land use policies, controls, and standards contained in Specific Plan 208. Any development of remaining undeveloped land adjacent to the project site would require its own discretionary approvals and is not reliant on the proposed project. However, development of the project site may lead to indirect growth in the Specific Plan area by making available the extension of infrastructure such as water, sewer, drainage, etc. This growth has been planned for and is guided by Specific Plan 208.

Would the proposed project substantially alter the planned location distribution, density, or growth rate of the population of an area?

The proposed project would occur within an area currently designated for industrial uses. The proposed project would not require a General Plan Amendment nor does it require a change in the underlying zoning designation. In addition, the project reflects the City of Moreno Valley's vision for the area and is consistent with Specific Plan 208. Land uses surrounding the project site would be in conformance with the City's General Plan and Specific Plan 208. Impacts to population and housing

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are less than significant; see Section 13 *Population and Housing* of the Initial Study (Appendix A of this EIR).

Would the proposed project have an affect by removing constraints, thereby facilitating the construction of previously approved projects?

The proposed project would not eliminate a constraint for development of an approved project within the City of Moreno Valley. There are no projects in the City of Moreno Valley or surrounding cities that have been approved but are conditioned or dependent on additional improvements at the project site. Specific Plan 208 guides land uses surrounding the project site to ensure compatibility between existing operations and adjacent surrounding development. Additionally, the proposed project would not add capacity to urban services or infrastructure that would be utilized by other project proponents in the surrounding area.

Would the proposed project influence redevelopment of areas at a higher intensity than already exists?

The proposed project would not result in any significant pressure to redevelop the area around the project site at a higher density. As previously stated, the development of remaining undeveloped land adjacent to the project site is independent and not reliant on the proposed project. Therefore, implementation of the proposed project would not result in redevelopment of adjacent lands at a higher intensity than already prescribed in the City of Moreno Valley's General Plan and Specific Plan 208.

5.4 CONSISTENCY WITH LOCAL AND REGIONAL PLANS

Section 15125 (d) of the CEQA Guidelines requires EIRs to "…discuss any inconsistencies between the proposed project and applicable general plans and regional plans." The objective of such a discussion is to find ways to modify the project, if warranted, to reduce any identified inconsistencies with relevant plans and policies. Pursuant to Section 15125 (d), the following discussion includes an evaluation of the consistency of the proposed project with the goals and policies of relevant adopted local and regional plans.

Regional Plans

South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan. The California Air Resources Board (CARB) coordinates and oversees both State and federal air quality control programs. The CARB's primary functions include establishing and updating the California ambient air quality standards, monitoring existing air quality, controlling emissions from mobile sources, and developing the State Implementation Plan (SIP). The SIP is the state's overall air quality control strategy for both mobile and stationary sources. Control programs for these sources are carried out at the regional or county level.

As identified in Section 4.2 (Air Quality) of this EIR, the project site is located within the SCAQMD. The SCAQMD encompasses Orange County and the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County and is responsible for air pollution control programs and regulations within the air basin. The current regional air quality plan is the 2007 Air Quality Management Plan (AQMP) adopted by the SCAQMD on June 1, 2007. The 2007 AQMP employs the most up-to-date science and analytical tools and incorporates a comprehensive strategy aimed at controlling pollution from all sources, including stationary sources, on-road and off-road mobile sources, and area sources. The 2007 AQMP also updates the attainment demonstration for the standards for ozone and PM_{10}, and proposes attainment demonstration with a more focused control of sulfur oxides, directly-emitted $PM_{2.5}$, nitrogen oxides, and volatile organic compounds by 2015.

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Section 4.2 (Air Quality) of the EIR examines the proposed project's consistency with the adopted AQMP. The development scenario proposed is within the scope of what would be allowed under the current General Plan land use designation (General Industrial and Specific Plan) and is consistent with the uses permitted under the proposed General Industrial zoning designation. Implementation of the proposed project would not require a General Plan Amendment and Zone Change that would change the General Plan designations and zoning designations of the project site. Since the proposed project would not require a General Plan Amendment, the project has been considered in preparation of the General Plan and therefore is consistent with the AQMP.

Southern California Association of Governments (SCAG), Regional Comprehensive Plan (RCP), Regional Transportation Plan (RTP), and Compass Growth Vision (Compass). The SCAG (the designated metropolitan planning organization [MPO] for the Counties of Ventura, Orange, San Bernardino, Riverside, Imperial, and Los Angeles) is federally mandated to develop plans for transportation, growth management, hazardous waste management, and air quality. With its members and other regional planning entities, SCAG has prepared the 2008 Regional Comprehensive Plan (RCP) to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the region. The RCP is a major advisory plan prepared by the SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance.

The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. It also includes goals and outcomes to measure progress toward a more sustainable region. The RCP includes nine chapters, each based on specific areas of planning or resource management. Each of the nine chapters contains goals, policies, implementation, and strategies to achieve the SCAG's overall goals of improving the standard of living for all; improving the quality of life for all; and enhancing equity and access to government. Local governments are required to use the RCP as the basis for their own plans and are required to discuss the consistency of projects of "regional significance" with the RCP.

Regional Comprehensive Plan. The RCP's overall goal is to reinvigorate the region's economy, avoid social and economic inequities and the geographical dislocation of communities, and to maintain the region's quality of life. The document is described as a regional policy framework for future land use decisions in the SCAG area that respects the need for strong local control, but that also recognizes the importance of regional comprehensive planning for issues of regional significance. The RCP is laid out much like a General Plan and organizes recommended policies into nine chapters. The highlight of each chapter is the regional strategy that addresses the RCP's vision for that resource area. As such, each chapter includes three levels of recommendations for the region:

- **Goals.** Each goal will help define how sustainability is defined for that resource area.
- **Outcomes.** These focus on quantitative targets that define progress toward meeting the RCP's Goals. Where possible, they are clearly defined (e.g., a 20% reduction in greenhouse gas emissions from 2007 levels), capable of being monitored with existing or reasonably foreseeable resources, and have a strong link to sustainability goals.
- **Action Plan.** This critical part of the RCP lays out a comprehensive implementation strategy that recommends how the region can systematically move to meet the RCP's quantitative Outcomes and achieve its Goals, Guiding Principles, and Vision. Each Action Plan contains:
    - **Constrained Policies.** This includes a series of recommended near-term, feasible policies that stakeholders should consider for implementation. For example, the RCP calls on the

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SCAG to adopt policies that reflect its role as a planning agency, council of governments, and metropolitan planning organization. The RCP also recommends voluntary policies for consideration by local governments and other key stakeholders.

- **Strategic Initiatives.** This encompasses longer-term strategies that require significant effort to implement but are necessary to achieve the RCP's desired Goals and Outcomes. For example, identifying technological breakthroughs that can reduce air pollution from the transportation sector requires both commitment and time. Most of these initiatives are not constrained and will require political will, enabling legislation, new funding sources, and other key developments to become a reality. In most cases, this tier of strategies is the key to achieving the region's sustainability Goals and Outcomes.

Other policies contained within the 2008 RCP were either not applicable to the proposed project or are directed at the SCAG and actions that the SCAG would undertake at the regional level that would not pertain directly to the proposed project. Policies within the 2008 RCP that are applicable to the proposed project were identified and are discussed below.

Land Use and Housing Chapter

Goal *Focusing growth in existing and emerging centers and along major transportation corridors.*

Consistent. The proposed project site is currently underdeveloped and consists of undeveloped land. Regional access to the City and project area is provided from I-215, which runs north-south. In addition, Perris Boulevard, which is adjacent to the project site, is a fully-paved road with existing water and sewage facilities. The development of the proposed project would occur in an area where commercial, residential, and industrial development already exists, is under construction, or has been previously approved. The existing roadway system and infrastructure surrounding the project site will be utilized to the maximum extent possible. As required, the proposed project will install improvements and/or pay necessary fees to facilitate the continuation of satisfactory operation. The proposed project is consistent with this SCAG policy in that it exists along a major transportation corridor of the City and will be connecting to the existing utilities underlying Perris Boulevard.

Goal *Targeting growth in housing, employment and commercial development within walking distance of existing and planned transit stations.*

Consistent. The proposed project would comply with all City development policies, standards, and programs pertaining to supporting alternative modes of transportation included in the General Plan Circulation Element. In addition, the proposed project is located within an urbanizing area of the City. As provided in the inventory of cumulative projects (Table 2.A and Figure 2.1), the approved and planned development in the project area includes residential, commercial, and industrial uses. As such, the project site is in an area which is developing with projects that have already been approved and constructed, or in the various stages of the planning process. Because the project site is located adjacent to existing RTA routes, the proposed project would be accessible to existing transit systems. Future bus stops will be located per RTA recommendations in the proximity of the project site. As the project site is located in an area where commercial, residential, and industrial uses are planned or approved, and because the project site is readily accessible from I-215 and from existing RTA bus routes, the proposed project would be consistent with this SCAG Policy.

Policy LU-6.2 *Developers and local governments should integrate green building measures into project design and zoning such as those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program.*

Consistent. Table 4.3.C of the Climate Change and Greenhouse Gas Emissions Section summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. In addition, the proposed project will pursue the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. This is anticipated to be achieved with

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the incorporation of Green Building concepts and the project is expected to reach the LEED "Certified" rating. Therefore, the proposed project is consistent with this SCAG policy.

Open Space and Habitat Chapter

Policy OSC-8 *Local governments should encourage patterns of urban development and land use, which reduce costs on infrastructure and make better use of existing facilities.*

Consistent. The proposed project will be developed in areas that are presently served by various existing water, sewer, storm drainage, electrical, natural gas, and transportation services. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The supply of electricity and natural gas is demand-responsive and the project proponent would be required to meet the service requirements of these utility providers. By maximizing the use of existing facilities, the costs of expanding infrastructure would be minimized. Because the proposed project would be located in close proximity to existing industrial, commercial and residential structures requiring a similar type of infrastructure, it is consistent with this growth management policy.

Water Chapter

Policy WA-11 *Developers and local governments should encourage urban development and land uses to make greater use of existing and upgraded facilities prior to incurring new infrastructure costs.*

Consistent. Existing industrial development is located in the immediate vicinity of the project site where infrastructure for water, sewer, storm drainage, electrical, natural gas, and transportation facilities currently exist. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The availability of this infrastructure would reduce the cost to public agencies that would provide services to the project area. The proposed project would be developed in an area where such infrastructure is accessible. Furthermore, the project applicant would pay all applicable development fees for the necessary infrastructure and public service improvements, including those associated with water, sewer, drainage, roadways, fire, and police; therefore, the proposed project is consistent with this policy.

Energy Chapter

Policy EN-9 *Local governments should include energy analyses in environmental documentation and general plans with the goal of conserving energy through the wise and efficient use of energy. For any identified energy impacts, appropriate mitigation measures should be developed and monitored. The SCAG recommends the use of Appendix F, Energy Conservation, of the California Environmental Quality Act.*

Consistent. An analysis of energy use has been provided in Section 4.3 (Climate Change and Greenhouse Gas Emissions) of this EIR. The analysis includes strategies that have the goal of conserving energy and efficient energy usage. Therefore, the proposed project is consistent with this policy.

Policy EN-10 *Developers and local governments should integrate green building measures into project design and zoning such as those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program. Energy-saving measures that should be explored for new and remodeled buildings include:*

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- *Using energy-efficient materials in building design, construction, rehabilitation, and retrofit.*
- *Encouraging new development to exceed Title 24 energy efficiency requirements.*
- *Developing Cool Communities measures including tree planting and light-colored roofs. These measures focus on reducing ambient heat, which reduces energy consumption related to air conditioning and other cooling equipment.*
- *Utilizing efficient commercial/residential space and water heaters. This could include the advertisement of existing and/or development of additional incentives for energy-efficient appliance purchases to reduce excess energy use and save money. Federal tax incentives are provided online at http://www.energystar.gov/index.cfm?c=Products.pr_tax_credits.*
- *Encouraging landscaping that requires no additional irrigation; utilizing native, drought-tolerant plants can reduce water usage up to 60 percent compared to traditional lawns.*
- *Encouraging combined heating and cooling (CHC), also known as cogeneration, in all buildings.*
- *Encouraging neighborhood energy systems, which allow communities to generate their own electricity.*
- *Orienting streets and buildings for best solar access.*
- *Encouraging buildings to obtain at least 20 percent of their electric load from renewable energy.*

Consistent. The strategies listed in Section 4.2 and Section 4.3 of this EIR are considered to be air pollution and greenhouse gas emission reduction strategies, which include green building measures. These strategies are either part of the project, required mitigation measures, or requirements under local or State ordinances. Since the project would implement these strategies into project design and operation, the project would be consistent with this SCAG policy.

Solid Waste Chapter

Policy SW-14 *Developers and local governments should integrate green building measures into project design and zoning including, but not limited to, those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program. Construction reduction measures to be explored for new and remodeled buildings include:*

- *Reuse and minimization of construction and demolition (C&D) debris and diversion of C&D waste from landfills to recycling facilities.*
- *An ordinance that requires the inclusion of a waste management plan that promotes maximum C&D diversion.*
- *Source reduction through (1) use of building materials that are more durable and easier to repair and maintain, (2) design to generate less scrap material through dimensional planning, (3) increased recycled content, (4) use of reclaimed building materials, and (5) use of structural materials in a dual role as finish material (e.g., stained concrete flooring, unfinished ceilings).*
- *Reuse of existing building structure and shell in renovation projects.*

Building lifetime waste reduction measures that should be explored for new and remodeled buildings include:

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- *Development of indoor recycling program and space;*
- *Design for deconstruction; and*
- *Design for flexibility through use of moveable walls, raised floors, modular furniture, moveable task lighting, and other reusable components.*

Consistent. The strategies listed in Section 4.2 and 4.3 of this EIR are considered to be air pollution and greenhouse gas emission reduction strategies, which include green building measures. These strategies are either part of the project, required mitigation measures, or requirements under local or State ordinances. With implementation of these strategies/measures, the project would be consistent with this SCAG policy.

Transportation Chapter

Goal *A more efficient transportation system that reduces and better manages vehicle activity.*

Consistent. The proposed project would result in the development of employment opportunities in close proximity to housing. In addition, the project proposes sidewalks and landscaping treatments to provide for pedestrian access throughout the project site. The type of uses proposed and their proximity to each other allow for increased pedestrian and bicycle activity, limiting the need for vehicle travel. Therefore, this project is consistent with this transportation goal.

Security and Emergency Preparedness Chapter

Goal *Ensure transportation safety, security, and reliability for all people and goods in the region.*

Consistent. The proposed project is consistent with this goal in that the proposed project would be required to adhere to the City of Moreno Valley's General Plan. The General Plan contains goals and policies which aim to provide adequate and reliable transportation facilities. The goals and policies identified in the City's General Plan resemble those of the RCP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Since the proposed project is consistent with the General Plan, the proposed project is consistent with this policy.

Economy Chapter

Goal *Enable business to be profitable and competitive (locally, regionally, nationally, and internationally).*

Consistent. The proposed project would add to the City's portfolio of industrial services. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.

Goal *Promote sustained economic health through diversifying the region's economy, strengthening local self-reliance and expanding competitiveness.*

Consistent. As previously stated, the proposed project would add to the City's portfolio of industrial services, which would enable the City to be more self-reliant through the provision of goods and services to residents within the City. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.

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Goal *Ensure a healthy, flourishing economy that provides sufficient employment opportunities to decrease poverty and meet the basic needs of all the people who participate in our economy by promoting education and workforce training policies that give residents an opportunity to compete for the full range of jobs available with good wages and benefits.*

Consistent. The proposed project is a warehousing project which would provide additional employment opportunities in the community. In addition, the proposed project would meet the basic needs of those who participate in the economy through the use of training in the workforce. Therefore, the proposed project is consistent with this policy.

Outcome *Increase job growth to add three million jobs to the regional economy by 2035.*

Consistent. The proposed project would result in additional jobs in the City, which would contribute to job growth in the regional economy. Therefore, the proposed project is consistent with this policy.

Outcome *Increase the region's economic vitality and attractiveness by focusing housing and job additions in urban centers, employment centers, and transportation corridors, such that there will be a minimum of 35 percent of the region's household growth and 32 percent of employment growth in these areas from their levels in 2005 by 2035.*

Consistent. As previously identified, development of the proposed on-site uses would increase the number of jobs in the City by approximately 646 positions. The SCAG regional forecasts indicate an increase in employment in the City of Moreno Valley from approximately 50,432 jobs in 2010 to 55,407 jobs in 2015. A similar job trend forecast is predicted for western Riverside County from approximately 588,523 jobs in 2010 to 609,219 jobs in 2015. Compared to the broader SCAG region, the City is "jobs poor." A city or sub-region with a jobs-to-housing ratio lower than the overall standard would be considered a "jobs poor" area, indicating that many of the residents must commute to places of employment outside the sub-area. Since the proposed project would add jobs to a "jobs poor" region, the proposed project would increase the region's economic vitality and attractiveness by job additions in urban centers and along transportation corridors. Therefore, the proposed project is consistent with this SCAG policy.

Regional Transportation Plan (RTP). SCAG is currently in the process of preparing the 2012 RTP. Therefore, the most recent RTP adopted by SCAG is the 2008 RTP. The 2008 RTP, adopted by the SCAG in May 2008, contains a set of existing socioeconomic projections used as the basis for the SCAG's transportation planning efforts. They include projections of population, housing, and employment at the regional, county, sub-regional, jurisdictional, Census tract, and transportation analysis zone levels. The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections. Goals established within the RTP include the following:

- Maximize mobility and accessibility for all people and goods in the region (discussed in Section 4.5: Traffic and Circulation);
- Ensure travel safety and reliability for all people and goods in the region (discussed in Section 4.5: Traffic and Circulation);
- Preserve and ensure a sustainable regional transportation system (discussed in Section 4.5: Traffic and Circulation);
- Maximize the productivity of our transportation system (discussed in Section 4.5: Traffic and Circulation);
- Protect the environment, improve air quality, and promote energy efficiency (discussed in Section 4.2: Air Quality);

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- Encourage land use and growth patterns that complement our transportation investments and improve the cost-effectiveness of expenditures (discussed in Section 4.5: Traffic and Transportation); and
- Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies (discussed in Section 4.5: Traffic and Transportation).

The proposed project is consistent with the RTP such that the proposed project would be required to adhere to the City of Moreno Valley's General Plan. The General Plan contains goals and policies that aim to minimize traffic congestion, provide adequate transportation facilities, and require development to pay its share of costs. The goals and policies identified in the City's General Plan resemble those of the RTP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Furthermore, the project shall be consistent with the General Plan and, since the General Plan shall be consistent with the RTP, it is reasonable to infer that the project is consistent with policies set forth in the RTP.

Compass Growth Vision. The Compass Growth Vision plan provides a framework for local and regional decision-making regarding growth, transportation, land use, and economic development. The framework includes principles and a specific set of strategies intended to achieve and improve a quality of life that promotes and sustains for future generations the region's mobility, livability, and prosperity. The main objective of the Compass Growth Vision is to manage the forecast growth while improving future living conditions for all people within the SCAG area, including live, work, and play activities. The following discussion includes the principles within the Compass Growth Vision plan and their association to the proposed project.

- ***Principle 1:*** Improve mobility for all residents.
- ***Principle 2:*** Foster livability in all communities.
- ***Principle 3:*** Enable prosperity for all people.
- ***Principle 4:*** Promote sustainability for future generations.

The proposed project is consistent with the four principles identified above. The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.

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6.0 ALTERNATIVES

6.1 INTRODUCTION

An EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment. In compliance with *CEQA Guidelines* Section 15126.6(a), this Draft EIR must also describe "a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (*CEQA Guidelines* Section 15126.6(b)). The discussion of project alternatives must "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." An EIR must evaluate a "No Project" alternative in order to allow decision-makers to compare the effect of approving the project to the effect of not approving the project.

The City, acting as the CEQA Lead Agency, is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. The range of alternatives addressed in an EIR is governed by a "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. Of the alternatives considered, the EIR need examine in detail only those the Lead Agency determines could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. Per *CEQA Guidelines* Section 15364, "feasible" has been defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

6.1.1 Summary of the Proposed Project

The proposed project consists of the development of approximately 1,616,133 square feet of warehouse distribution uses, necessary parking, and associated site improvements on an approximately 71-acre site. The proposed Project would consist of one building which would be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 truck trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. The proposed Project is consistent with the General Plan designation of Business Park/Light Industrial and zoning for the site of industrial/business park uses which is governed by Specific Plan (SP) 208 (Moreno Valley Industrial Area Plan).

Access to the proposed Project site will be provided via two driveways on Indian Street, three driveways on Grove View Road, and two driveways on Perris Boulevard. The northern driveway on Perris Boulevard will be for passenger vehicle and emergency access only. The southern driveway on Perris Boulevard will align with the existing signalized intersection at the Ross Distribution Warehouse entrance. The north Project driveway on Indian Street will be for passenger vehicle and emergency access only; all other driveways will be used by both passenger vehicles and trucks. The proposed Project is anticipated to be constructed by the year 2013.

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The proposed Project will function as a trucking distribution hub for several types of items. Goods imported from the ports of California as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in and out of state locations, thus benefiting both local and interstate commerce.

Within the past two years, the proposed Project site has received approximately 80,000 cubic yards of fill as part of an approved stockpile permit previously issued by the City. Due to the Project site's topography and drainage requirements, approximately 220,000 additional cubic yards of fill will be required. Analysis of the proposed Project's impacts is based on 220,000 cubic yards of imported fill required to complete the Project. It is reasonable to estimate that the fill may be obtained from a site located within 10 miles of the proposed Project in order to reduce import hauling costs, consistent with typical soil import/export hauling distances for projects in Moreno Valley.

In addition to construction of required street frontage improvements on Indian Street, Perris Boulevard, and Grove View Road, the Project includes construction of necessary infrastructure to provide water, sewer, phone, cable, natural gas, and electricity service. Drainage will be handled by a system of on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features.

Site and building design attributes for the proposed Project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

6.1.2 Project Objectives

The purpose of the proposed project is to provide a new facility that specializes in warehouse distribution services. Upon development, the proposed project will achieve the following:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources;

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- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

6.1.3 Summary of Proposed Project Significant Impacts

The analysis provided in Section 4.0 determined that, despite the implementation of mitigation measures, significant environmental impacts would result from the construction and operation of the proposed on-site uses. To satisfactorily provide the CEQA-mandated alternatives analysis, the alternatives considered must reduce any of the following project-related significant impact(s):

- Conversion of agricultural land and agricultural uses to urban land and urban uses;
- Emissions of NO_X and PM_{10} during construction operations;
- Long-term emissions of ROG, NO_X, CO, and PM_{10} resulting from increased vehicular trips and operation of the proposed on-site uses;
- Project contributions to cumulatively considerable greenhouse gas emissions;
- Impacts to level of service at roadway segments and freeway segments in the existing plus project condition (2007); and,
- Impacts to level of service at intersections, roadway segments, and freeway segments in the cumulative opening year (2013).

6.2 ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD FOR ANALYSIS

In determining an appropriate range of alternatives to be evaluated in the EIR, three possible alternatives were considered and rejected because they could not accomplish the basic objectives of the project as listed above or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated project objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the proposed project is to provide for and expand employment and revenue opportunities within the City of Moreno Valley. The proposed project would expand employment options in a location that is convenient to existing and future City residents and augment the City's economic base. The following three development scenarios were considered and rejected as potential alternatives to implementation of the proposed project:

- No Build Alternative;
- Residential Alternative; and
- Mixed Commercial/Residential Alternative.

Based on Section 15126.6 of the *CEQA Guidelines*, the following alternatives were rejected based on the criteria of not feasibly attaining most of the basic objectives of the project while reducing or

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avoiding any of the significant effects of the proposed project. The reason or reasons for not selecting each of the rejected alternatives are discussed below.

6.2.1 No Build Alternative

Under the No Build Alternative, no development would take place within the project limits. No ground-disturbing activities would take place, nor would any form of structure or facility be erected. Impacts associated with this alternative, when compared to the proposed project, would not occur. In the absence of development, no impacts would occur and this alternative would be the environmentally superior alternative. However, disallowing development of the site, as suggested by this alternative, would not fulfill the primary objectives of the proposed project. Retention of the project site in its current condition would not expand employment opportunities to residents of the City. Retaining the site in its current undeveloped condition would not generate the revenue (e.g., property tax) that could augment the City's current revenue stream. Therefore, the No Build Alternative was rejected from further consideration in the EIR.

6.2.2 Residential Alternative

The Residential Alternative consists of the development of the 71-acre project site with approximately 355 single-family units[1] based on the City's R5 zone. The R5 zone was utilized as this is the zoning designation of the nearest residential uses to the north along Perris Boulevard north of the Perris Valley Storm Drain channel. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and Industrial Area Plan (SP208 I) zoning designation to a residential R5 designation. Furthermore, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. Since the Residential Alternative consists only of residential uses, employment-generating opportunities would not occur aside from temporary construction work, which would be filled predominantly by those already residing in the area. The project's full potential to utilize the area's close proximity to various freeways and transportation corridors would not be realized as only residential uses would occur under the Residential Alternative. Additionally, the development of the entire 71-acre project site under this alternative would result in the placement of the residential uses adjacent to a major transportation corridor alongside SP208 I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site. A discussion of existing zoning for the entire project has been analyzed under Alternative 1: No Project.

6.2.3 Mixed Commercial/Residential Alternative

The Mixed Commercial/Residential Alternative would include the development of the 71-acre project site with approximately 690,000 square feet[2] of Community Commercial[3] uses and 532 multiple-family units.[4] A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial

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1 Based on assumption that the site is rezoned R5, which allows up to 5 dwelling units per acre; 71 acres × 5 dwelling units per acre = 355 dwelling units.

2 The City's Municipal Code does not identify maximum lot coverage for Community Commercial uses; therefore, this figure assumes an approximately 25 percent lot coverage which is representative of similarly sized commercial uses in the region.

3 Community Commercial zones allow for the development of a variety of business, retail, personal, and related or similar services.

4 Based on assumption that half of the site is rezoned R15, which allows up to 15 dwelling units per acre; 35.5 acres × 15 dwelling units per acre = 532 dwelling units.

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(BP) General Plan designation and SP208 I zoning designation to a residential designation and commercial designation. Additionally, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. These land use changes would produce additional environmental impacts not created by the proposed project. While the commercial component of this Alternative would utilize the project site's close proximity to nearby transportation corridors, the development of the remainder of the site with residential uses would not provide the varied employment and service uses and revenue associated with the proposed project. The development of approximately half of the project site under this alternative with residential uses would result in the placement of the residential uses adjacent to a major transportation corridor alongside SP208 I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. The residential component of this alternative would produce demand for public services that would exceed the amount of municipal revenues it would generate, and there would be little to no employment opportunities created. Therefore, the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site.

6.3 ALTERNATIVES ANALYSIS

Table 6.A summarizes the four alternatives have been identified and evaluated to provide decision-makers with a reasonable range of alternatives that would eliminate or reduce the impacts of the project. Factors considered in selecting the alternatives include site suitability, availability of infrastructure, other plans or regulatory limitations, economic viability, and whether the project proponent can reasonably acquire, control, or otherwise have access to the alternative site. An EIR need not consider an alternative whose impact cannot be reasonably ascertained and whose implementation is remote or speculative. In accordance with *CEQA Guidelines*, the alternatives considered in this EIR include those that 1) could accomplish most of the basic objectives of the project, 2) are reasonably feasible given the nature of the project and surrounding land uses, and 3) could avoid or substantially lessen one or more of the significant effects of the project.

Table 6.A: Summary of Analyzed Alternatives

Project Alternative	Alternative Description
Alternative 1 (No Project)	No change in General Plan designation or zoning of project site would occur. The project site would be developed with existing zoning resulting in the construction of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial on 8 acres.
Alternative 2 (Reduced Intensity)	Total warehouse uses would be reduced to 1,212,100 square feet on 71 acres.
Alternative 3 (Commercial Center [Mixed Retail/Office])	General Plan and zoning designations for the site would be amended to accommodate the business and professional offices. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.

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Table 6.A: Summary of Analyzed Alternatives

Project Alternative	Alternative Description
Alternative 4 (Off-Site)	Warehouse distribution uses consisting of 1,616,133 square feet on 70.3 acres bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.3 miles northwest of the project site. No zone change or General Plan Amendment would be required. The applicant does not have control of this property.

Source: LSA Associates, Inc. 2011

Figure 6.1 illustrates the development scenarios have been identified as potential alternatives to implementation of the proposed project.

6.3.1 Environmental Impact Issues that are Generally Similar to the Proposed Project

Eight of the seventeen environmental issues for all the alternatives considered would result in a similar level of impact when compared to the project. Rather than repeat a discussion of these non-significant impacts under each alternative, a summary of these impacts is analyzed below.

- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Mineral Resources
- Recreation

The level of impact associated with these topics would be similar if developed as proposed by the project or if developed with any of the alternatives. Where impacts related to any of these issues do differ among project alternatives, an appropriate discussion is provided for the respective alternative.

6.3.1.1 Agriculture and Forestry Resources

Development of any of the alternatives, with the exception of the Off-Site Alternative, would have similar agricultural- and forestry-related impacts. Section 4.1 of the EIR concluded that there are no forest resources located within the City limits. As such, no impacts to forest resources would occur with implementation of any of the alternatives, including the Off-Site Alternative. The Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. No property within the City limits is located within a Williamson Act contract area. As such, no impacts related to Williamson Act land would occur with implementation of any of the alternatives, including the Off-Site Alternative. As identified in Sections 4.1.6.1 and 4.1.6.2 of the EIR, the development of the project site with urban uses would result in the conversion of State-designated Farmland (Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance). Because no feasible mitigation measure is available to fully mitigate for the loss of State-designated Farmland, impacts associated with development of any of the on-site alternatives would remain significant and unavoidable. Therefore, compared with the proposed project, all on-site alternatives would have a significant and unavoidable impact on agricultural resources. A separate discussion for State-Designated Farmland impacts at the off-site location is provided in Section 6.3.2.4.

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FIGURE 6.1

Proposed Project Location

Alternate Site

N

0 750 1,500

FEET

VIP Moreno Valley
Environmental Impact Report

Alternative Site Location

SOURCE: Thomas Bros., 2009

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6.3.1.2 Biological Resources

All build alternatives would require site development resulting in the grading of the entire project site. No plant species listed by the State and/or Federal government as endangered or threatened was identified on-site during the field reconnaissance. Based on the *General Habitat Assessment* [1] prepared for the proposed project site, no evidence of a natural stream course, riparian area, or vernal pool was observed during the field reconnaissance. No impacts to endangered or threatened species would occur with implementation of all on-site alternatives. No impacts to riparian habitat, other sensitive natural communities[2], or federally-protected wetlands would occur with implementation of all on-site alternatives.[3]

While the project site is located within the Western Riverside County MSHCP, the project site is not within any MSHCP criteria cell or habitat linkage.[4] Furthermore, the project site is not located within an MSHCP mammal or amphibian survey area. The project site is within the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) Fee Area, but is not within a Stephen's Kangaroo Rat Core Area. Focused surveys for SKR are not required for this project because the project lies within the SKR Fee Area; therefore, under the SKR HCP, only payment of a local mitigation fee is required.

The *General Habitat Assessment* concluded that the project site lacks suitable habitat to support special status plant species and no special status plant species observed on-site. However, the proposed project has the potential to affect one non-listed sensitive species, the burrowing owl. Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site.[5] Due to intensive disking that had occurred on site, only a few marginally suitable potential burrows were identified. Although burrowing owl is known to occur on land that has been disturbed, it tends to avoid heavily disked areas because potential burrows occlude/collapse. However, burrowing owls, and other native bird species protected under the Migratory Bird Treaty Act (MBTA), are very mobile and opportunistic species that can occupy a site. Adherence to identified **Mitigation Measures BIO-1** through **BIO-4** (refer to Section 2.5.2) would reduce impacts to a less than significant level. As was identified for the proposed project, these alternatives would produce less than significant impacts to biological resources with the adherence to identified mitigation measures. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.3 Cultural Resources

Development of any of the identified build alternatives, including the off-site alternative, would result in extensive ground-disturbing activities affecting the entire project site and off-site location, and similar paleontological impacts would be anticipated when compared to the proposed project. The *Phase I Cultural Resources Assessment and Paleontological Records Review*[6] prepared for the proposed project concluded that while the site contains a historic site and historic isolate, which were recorded and evaluated in accordance with CEQA, these historic resources were determined to be less than significant. The report also concluded that the project site has a low probability for containing archaeological resources and due to the disturbed nature of the site, impacts to archaeological resources would be less than significant. While no such resources have previously

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1 *General Habitat Assessment,* 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., August 1, 2010.

2 *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species,* 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 9, 2009.

3 *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation,* 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009.

4 *Western Riverside County Multiple Species Habitat Conservation Plan, Volume I, Part I*, Dudek & Associates, June 17, 2003.

5 *Focused Western Burrowing Owl Survey,* 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 11, 2009.

6 *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California,* Michael Brandman Associates, March 22, 2007. ,

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been detected within the project limits, activities undertaken for all alternatives (as with the proposed project) could encounter previously undetected paleontological resources. Adherence to the paleontological **Mitigation Measure CUL-1** (refer to Section 2.5.3) identified for the proposed project in the Initial Study (Appendix A of this EIR) would reduce impacts to less than significant. Compared with the proposed project, no greater impact would occur with any of the build alternatives.

6.3.1.4 Geology and Soils

Development of any of the on-site build alternatives would have similar geologic and soil-related impacts. The project site is not located in the vicinity of an active fault. Like all of southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. However, the maximum credible earthquake event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2. This earthquake event is less than or equal to design levels as defined by the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Development of the proposed project site would be required to adhere to UBC, the California Building Code, and City design and engineering standards. Impacts associated with this issue would be considered less than significant. The geotechnical analysis prepared for the proposed project concluded that the project site is not susceptible to seismic-related ground failure including liquefaction and landslides. Potential soil erosion impacts that may occur with development on the project site would be less than significant as all development within the City is required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, and prepare an SWPPP, construction and operational, impacts associated with soil erosion hazards are less than significant.

The geotechnical analysis prepared for the proposed project[1] did indicate that on-site soils are potentially unstable. Adherence to **Mitigation Measure GEO-1** (refer to Section 2.5.4) would reduce impacts related to unstable soils to a less than significant level. Additionally, the geotechnical analysis also determined the presence of expansive soils on-site. Adherence to **Mitigation Measure GEO-2** (refer to Section 2.5.4) would reduce impacts related to expansive soils to a less than significant level. Compared with the proposed project, no greater impact would occur with any of the on-site build alternatives. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.5 Hazards/Hazardous Materials

Development of the any of the on-site build alternatives would still result in the on-site handling of hazardous substances, both during project construction and operation. It is assumed that, like any current use, these substances would continue to be applied in accordance with applicable local, state, and federal standards. There are no existing or proposed schools within a quarter mile of the proposed project site and the site is not identified on the DTSC's hazardous materials sites[2]. Air traffic related hazards would not occur at the proposed project site as the project site is not located within the safety hazard zones of March Air Reserve Base. Furthermore, the project site is not located within a Fire Hazard Area or within an area susceptible to wildfires identified by the City of Moreno Valley. With the adherence to existing hazardous materials regulations, impacts associated with hazards and hazardous materials under any of the on-site build alternatives would remain less than significant. A separate discussion for the off-site location is provided in Section 6.3.2.4.

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1 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

2 *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.

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6.3.1.6 Hydrology and Water Quality

As with the proposed project, the development of any of the on-site alternatives would require the modification of the existing on-site pattern of drainage and would require the installation of drainage improvements that may include on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features[1]. While the extent of the impermeable surfaces (parking area) required under each alternative is reduced from that required for the proposed project, the environmental impact of these improvements would be similar. All local, state, and federal policies and regulations pertaining to surface water and groundwater resources would remain in effect under these alternatives. Sedimentation and erosion from any on-site development has the potential to affect water quality. Similar to the proposed project, the construction of any on-site use would be required to follow applicable NPDES requirements, including the preparation of and adherence to a SWPPP and BMPs.[2] These requirements have been incorporated as **Mitigation Measures HYD-01** through **HYD-03** (refer to Section 2.5.6). As with the proposed project, runoff from paved surfaces, especially during a "first-flush" event, may be contaminated by a mixture of sediment, debris, and other contaminants. A standard condition with any such development would be preparation and implementation of a Water Quality Management Plan, which would effectively mitigate post-construction water quality impacts from the developed area. This requirement has been incorporated as **Mitigation Measure HYD-04** (refer to Section 2.5.6). All on-site alternatives would not interfere with groundwater recharge as the project site is not identified as a groundwater recharge area. To reduce the on-site flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. This requirement to reduce on-site flows to below or equal to pre-development conditions is incorporated as **Mitigation Measure HYD-05** (refer to Section 2.5.6). The project site is not located within a flood zone and the project site is not susceptible to mudslides, tsunamis, seiches, or flooding as a result of dam or levee failure. Similar to the proposed project, potential impacts related to hydrology and water quality would be less than significant for all on-site alternatives. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.7 Mineral Resources

The City of Moreno Valley General Plan does not identify the project site as a locally important mineral resource recovery site as there are no identified Mineral Resource Zones located with the City of Moreno Valley. Development of the project site or off-site location with any build alternatives would not result in the loss of or reduce the availability of mineral resources or the resource base from which they would be derived. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

6.3.1.8 Recreation

As with the proposed project, none of the build alternatives would include a residential component and potential jobs generated by the build alternatives would be filled predominantly by people already residing in the City because Moreno Valley is jobs poor. Therefore, there would be no increase in existing population and no increase in demand for park and recreation facilities resulting from development of Alternatives 2, 3, and 4. Because no increase in demand for recreational facilities would occur, impacts associated with recreation for any of the build alternatives would be similar in magnitude as the proposed project. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

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1 *Preliminary Hydrology Report and Hydraulic Analysis for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.

2 *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.

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6.3.2 Description and Impact Analysis of Alternatives

The following discussion compares the impacts of each alternative with the impacts of the proposed project, as detailed in Section 4.0 of this EIR. A conclusion is provided as to whether each alternative would result in one of the following:

- Reduction or elimination of the impact;
- A greater impact than the project;
- The same impact as the project; or
- A new impact in addition to the impacts of the proposed project impacts.

6.3.2.1 Alternative 1: No Project

Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The project site is currently zoned Industrial Specific Plan 208 (SP208 I). The project site is currently designated by the General Plan for Business Park/Light Industrial (BP). Given the goals and objectives of the City of Moreno Valley, it is highly reasonable in the event the proposed project were not approved, the site would be developed with some type of business park and/or industrial use. For analysis purposes, it is assumed that the No Project Alternative would result in the development of approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. The commercial service component of this alternative would be located along the frontage of Perris Boulevard while the industrial warehouse uses would occupy the remaining portion of the site.

Impact Analysis. Nine environmental issues would have impacts similar to those identified for the proposed project. These include the following:

- Aesthetics
- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Land Use;
- Mineral Resources; and
- Recreation.

Impacts associated with these topics would be similar to the proposed project because development of the site under the No Project Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Air Quality. The No Project Alternative would require site grading and construction similar to that required of the proposed project. As identified in Section 4.2 of this EIR, short-term construction emission impacts associated with construction activities on the project site were mitigated to a less than significant impact with the exception of NO_X and PM_{10}. Since the No Project Alternative would require that the same amount of land be graded, the alternative would require similar grading and construction activities on site. Therefore, it is reasonable to anticipate that short-term construction

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emission impacts would also be less than significant for all criteria pollutants, with the exception of NO_X and PM_{10}, under this alternative. Air quality impacts associated with NO_X and PM_{10} would significant and unavoidable with this alternative, similar to what was identified for the proposed project.

Under the No Project Alternative, the site would be developed with 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. Based on these land uses, the No Project Alternative would generate approximately 6,738 daily vehicle trips and 572 p.m. peak hour trips (see Table 6.B).

The volume of each operational pollutant emitted during operation of this alternative would be correspondingly increased due to an increase of total daily vehicle trips. However, the traffic increase under the proposed project did not contribute to CO concentrations in excess of the state or federal standards. It is anticipated that this alternative would not exceed the state or federal one-hour and eight-hour standards. Because no CO hot spots would occur, the alternative would not have a significant impact on local air quality for CO. The long-term air quality impacts resulting from this alternative would still contribute criteria pollutants to an air basin that is in nonattainment for these criteria pollutants, similar to the proposed project. As identified in Table 6.B, long-term operational air pollutant emissions associated with the No Project Alternative would exceed SCAQMD emissions thresholds for CO, ROC, and NO_X, and reduced to less than significant for PM_{10}, and $PM_{2.5}$.

Table 6.B: Alternative 1 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 1	596	112	593	0.8	85	22
Net Change	-234	-31	-397	-0.7	-85	-20
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 1 exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**No**	**No**

Source: LSA Associates, Inc., October 2011.

When compared with the proposed project, air quality impacts associated with the No Project Alternative would be correspondingly increased in magnitude. Similar to the proposed project, the generation of these emissions would still result in a cumulative contribution of air pollutants in a nonattainment basin; therefore, impacts remain significant and unavoidable.

Hazards and Hazardous Materials. Development of the No Project Alternative would still result in the on-site handling of hazardous substances, both during project construction and operation. It is reasonable to assume that, like any current use, these substances would continue to be applied in accordance with applicable local, state, and federal standards. However, the No Project Alternative would result in the development of commercial service uses, which may include but is not limited to, gas stations and food service uses. These types of uses use and transport additional potentially hazardous materials not accounted for in the analysis of the proposed project. Because the No Project Alternative results in the development of commercial service uses, impacts associated with the transport or use of hazardous materials or potential upsets or accidents would be increased in magnitude due to the increased quantities of hazardous materials that would be present on site. However, with the adherence to existing hazardous materials regulations, impacts associated with hazards and hazardous materials under the No Project Alternative would remain less than significant.

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Noise. The No Project Alternative would result in the construction of warehouse distribution and commercial service uses. As identified in Section 4.4 of this EIR, short-term construction noise impacts associated with the development of the project site were mitigated to a less than significant impact. Since the No Project Alternative would require similar site development during construction, short-term construction noise impacts would also be less than significant and similar in magnitude compared to the proposed project. The increase in project-related traffic under the No Project Alternative would result in an incremental increase in traffic noise. When compared to the proposed project, noise impacts associated with the No Project Alternative would be increased in magnitude. However, impacts would remain less than significant as some noise would still be generated under this alternative.

Population and Housing. The No Project Alternative would result in the development of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres. Construction of the development envisioned under this alternative would create temporary construction jobs; however, these jobs would be likely filled by people already residing within the City. Utilizing an employment factor of one employee for every 629 square feet of service space,[1] the No Project Alternative is anticipated to generate approximately 286 commercial service jobs.[2] an employment factor of one employee for every 2,500 square feet of warehousing space,[3] the No Project Alternative is anticipated to generate approximately 568 warehousing jobs.[4] While additional jobs would be generated by the introduction of commercial service uses (addition of 286 jobs), the reduction in warehousing space would result in less warehousing jobs as the proposed project (reduction of 78). When this alternative is compared to the proposed project, the number of new jobs in the City would be a 32 percent increase over the proposed project.

The No Project Alternative would result in a greater amount of jobs created due to the development of commercial service uses. However, a large influx of new residents to the City is not anticipated due to the nature of the jobs generated by this alternative. The project would not directly affect population growth as compared with new residential development, because it is not creating homes. While the proposed project would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Population and housing impacts under this alternative would be similar in magnitude when compared to the proposed project. Therefore, impacts associated with this issue would remain less than significant.

Public Services. The No Project Alternative would result in the development of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres within the project site. Similar to the proposed project, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be similar in magnitude as no residential uses (impacts to schools and parks) are proposed under this alternative. Like the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

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1 *Table IIB Average Number Employee per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc, October 2001.

2 Utilizing 1 employee/629 square feet of service use × 180,000 square feet of service use = 286 jobs.

3 *Table IIB Average Number Employee per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc, October 2001.

4 1 employee/2,500 square feet of warehousing use × 1,420,000 square feet of service use = 568 jobs.

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Traffic. As indicated in Table 6.C, the No Project Alternative would generate approximately 6,738 daily vehicle trips and 572 p.m. peak hour trips. Compared to the proposed project, the No Project Alternative, which assumes development of existing zoning uses, would result in an increase of 33.4 percent of daily traffic trips. It is reasonable to assume that an increase of 33.4 percent in traffic trips would increase traffic on local roadways and intersections The increase in traffic may cause an existing intersection or roadway segment to operate at a deficient LOS. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under Alternative 1 would become operational. Therefore, when compared to the proposed project, traffic impacts would be greater due to the additional trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Table 6.C: Comparison of Average Daily and P.M. Peak Hour Trips

Type of Development	PM Peak Hour	Average Daily Trips
Proposed Project	388	5,052
Alternative 1 (No Project)	572	6,738
Alternative 2 (Reduced Intensity)	291	3,791
Alternative 3 (Commercial Center)	2,113	18,065
Alternative 4 (Off-Site Location)	388	5,052

Source: *ITE Trip Generation Handbook, 7th Edition*, LSA Associates, Inc., October 2011.

Utilities and Service Systems. Existing utility infrastructure for stormwater and wastewater is present in adjacent roadways or parcels. Like the proposed project, the applicant would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCFCWCD. As indicated in Table 6.D, the No Project Alternative would generate approximately 109,420 gallons of wastewater per day, which is approximately 73.5 percent more than the amount of wastewater that would be generated by the proposed project. However, similar to the proposed project, development under this alternative would be required to pay infrastructure fees and obtain approval from the wastewater treatment provider that would ensure there is excess capacity for the wastewater that would be generated by the proposed development. Therefore, impacts related to wastewater and wastewater treatment would remain less than significant when compared to the proposed project.

Table 6.D: Comparison of Average Wastewater Generation

Type of Development	Gallons per day (gpd)
Proposed Project	63,070
Alternative 1 (No Project)	109,420
Alternative 2 (Reduced Intensity)	47,260
Alternative 3 (Commercial Center)	456,000
Alternative 4 (Off-Site Location)	63,070

Wastewater Factor Source: *Sewage Generation Rates*, Draft CEQA Thresholds Guide, 2006.

The development of the service commercial and industrial warehouse uses associated with this alternative would also require the installation of water supply infrastructure to serve the project site. As indicated in Table 6.E, the No Project Alternative would require approximately 31,020 gallons of water per day, which is a 37.7 percent reduction than what would be required by the proposed project. When compared to the proposed project, water usage demands would be reduced in magnitude. As identified for the proposed project, EMWD has indicated that it has water available to

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serve the proposed project[1]. Therefore, it is reasonable to conclude that water would be available for development proposed for the No Project Alternative.

Like the proposed project, the No Project Alternative would also generate solid waste. As identified in Table 6.F, this alternative would generate 805 tons of solid waste per year, which is 89.9 percent more than what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be increased in magnitude. However, similar to the proposed project, development under the No Project Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant.

Table 6.E: Comparison of Average Water Use

Type of Development	Gallons per day (gpd)
Proposed Project	49,805
Alternative 1 (No Project)	31,020
Alternative 2 (Reduced Intensity)	37,354
Alternative 3 (Commercial Center)	140,000
Alternative 4 (Off-Site Location)	49,805

Water Use Factor Source: *Water Supply Assessment* Eastern Municipal Water District, January 20, 2010.

Table 6.F: Comparison of Average Solid Waste Generation

Type of Development	Tons per year (tons/yr)
Proposed Project	424
Alternative 1 (No Project)	805
Alternative 2 (Reduced Intensity)	319
Alternative 3 (Commercial Center)	3,648
Alternative 4 (Off-Site Location)	424

Solid Waste Factor Source: *Estimated Solid Waste Generation Rates*, California Integrated Waste Management Board, http://www.ciwmb.ca.gov/WASTECHAR/WasteGenRates/Commercial.htm, website accessed October 4, 2011.

Global Climate Change. GHG emissions associated with the No Project Alternative are correspondingly increased as the No Project Alternative would increase the number of daily trips made to the site. In addition, the No Project Alternative would decrease the amount of water utilized and wastewater generated. As identified in Table 6.G, the No Project Alternative would generate 20,600 tons of carbon (CO_2), 0.77 ton of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent[2] (Tg/yr CO_2 Eq.) for the No Project Alternative would be 0.02 Tg/yr CO_2 Eq., which is approximately 33 percent less than what was identified for the proposed project.

Table 6.G: Comparison of Greenhouse Gas Emissions

Alternatives	Greenhouse Gas Emissions (tons/yr)			Total CO_2 equivalent (Tg/yr CO_2 Eq.)*
	CO_2	CH_4	N_2O	
Proposed Project	39,000	1.3	0.004	0.03
Alternative 1 (No Project)	20,600	0.77	0.004	0.02

1 *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

2 Carbon dioxide equivalent (CO_2 Eq.) is an internationally accepted measure that expresses the amount of other greenhouse gases (e.g., methane and nitrous oxide) in terms of the amount of carbon dioxide (CO_2). The CO_2 Eq. measure is used as a way to measure the warming potential of a greenhouse gas as compared to CO_2, which has the highest global warming potential.

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Table 6.G: Comparison of Greenhouse Gas Emissions

Alternatives	Greenhouse Gas Emissions (tons/yr)			Total CO_2 equivalent (Tg/yr CO_2 Eq.)*
	CO_2	CH_4	N_2O	
Alternative 2 (Reduced Intensity)	12,200	0.45	0.004	0.01
Alternative 3 (Commercial Center)	49,000	1.9	0.005	0.04
Alternative 4 (Off-Site Location)	39,000	1.3	0.004	0.03

* Tg/yr CO_2 Eq. = teragrams or one million metric tons per year; this denotation is the standard metric unit utilized worldwide.
Source: LSA Associates, Inc. October 2011 and Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., August 2011 (Appendix E).

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, air quality operational emissions, and increased traffic operations on local roadways and at local intersections. Because this alternative would have a greater amount of traffic, the amount of operational emissions would be greater in magnitude. Because there are no feasible mitigation measures to reduce the cumulative impacts associated with long-term operational air pollutant emissions and increased traffic, long-term air quality and traffic impacts would remain significant and unavoidable. The No Project Alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable.

Conclusion. Under the No Project Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be greater than the proposed project and would remain significant and unavoidable. Under this alternative, population and housing impacts would be similar in magnitude as no residential uses are proposed and the associated increases in employment are accounted for in the City General Plan and other applicable local and regional plans.

The development of the No Project Alternative would have similar demands on public services and recreation facilities. The payment of fees and adherence to development requirements would reduce these impacts to a less than significant level. Water supply is expected to be available as water demand is reduced and water demand was determined to be available for the proposed project. Because of the increase in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater that what was identified for the proposed project; therefore, long-term traffic impacts would remain significant and unavoidable. Although traffic-related noise would be greater in magnitude, noise impacts would be similarly mitigated like the proposed project and would remain less than significant. Under this alternative, many of the proposed project objectives would be met as warehouse uses would be built. Development of this alternative would provide new employment opportunities for residents of Moreno Valley.

6.3.2.2 Alternative 2: Reduced Intensity

With the intent of avoiding or substantially reducing significant impacts created by the project traffic, air quality, and noise, the City has considered a Reduced Intensity Warehouse Alternative. This alternative includes one warehouse building covering approximately 1,212,100 square feet. Under this alternative, the proposed warehouse uses would represent a net decrease of approximately 25 percent compared to the proposed project. The existing BP General Plan designation and SP208 I zoning would be retained.

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Impact Analysis. Nine environmental issues would have similar impacts as for the proposed project. These include the following:

- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use;
- Mineral Resources; and
- Recreation.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Reduced Intensity Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Aesthetics. The proposed project site is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Proposed development envisioned under the Reduced Intensity Alternative would be consistent with development envisioned in the General Plan and Specific Plan 208. The project site is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity. The City's General Plan identifies major scenic resources as being visible from SR-60 and the development of the project site would not affect views of these major scenic resources. In addition, the project site does not contain rock outcroppings, historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Similar to the proposed project, prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. Development that may occur on the project site would be required to adhere to City requirements for site development, similar to the proposed project. Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The installation of on-site lighting to accommodate nighttime activities and for safety purposes would be required for this alternative, similar to the proposed project. Development of the warehouse uses envisioned under this alternative would be required to comply with design standards, such as lighting, setbacks, building height, lot dimensions, and maximum lot coverage contained in the City of Moreno Valley Municipal Code. While the total amount of square footage is reduced under the Reduced Intensity Alternative, site development would occur in a similar manner as the proposed project and would be required to adhere to the underlying development standards. Therefore, impacts associated with aesthetics for the Reduced Intensity Alternative are similar in magnitude to what was identified for the proposed project. Like the proposed project, impacts associated with this issue would be less than significant.

Air Quality. Because the amount of land to be graded with Alternative 2 would be equal to that of the proposed project, a similar mix of equipment as the proposed project would operate during earthmoving activities. The entire site will be graded and require import of soil to raise the building for drainage purposes. Therefore, construction emissions from the development of Alternative 2 would be similar to the proposed project, which is significant and unavoidable for NO_X and PM_{10}. Under this alternative, average daily traffic volumes would be reduced by 25 percent in comparison with the proposed project. As indicated in Table 6.H, the volume of each operational pollutant emitted during

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operation of this alternative would be correspondingly reduced. However, unlike the proposed project, operational emissions for CO, and PM_{10} would not exceed daily SCAQMD thresholds. NOx and ROC operational emissions will exceed daily SCAQMD thresholds which is similar to the proposed project. Application of Leadership in Energy and Environmental Design (LEED) standards and green building design principles could reduce emissions from building operations such as heating and cooling; however, such standards and principles would not reduce emissions to below SCAQMD thresholds.

Table 6.H: Alternative 2 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 2	323	69	333	0.5	50	13
Net Change	-507	-74	-657	-1.0	-120	-29
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 2 exceeds thresholds?	**No**	**Yes**	**Yes**	**No**	**No**	**No**

Source: LSA Associates, Inc., August 2011.

Although operational air quality emissions would be reduced when compared to the proposed project during operations only, impacts would remain significant and unavoidable as there are no feasible mitigation measures identified that would reduce emissions to below the SCAQMD threshold for ROC and NO_X.

Noise. Under the proposed project, construction-related noise impacts were reduced to a less than significant level through the implementation of mitigation measures. Under this alternative, a similar amount of land would be disturbed; therefore, noise impacts associated with the construction of this alternative would be similar to those identified under the proposed project. With the implementation of mitigation identified for the proposed project, the short-term construction-related noise impacts associated with this alternative would remain less than significant, as identified for the proposed project. As with the proposed project, Alternative 2 would have truck deliveries and noise that would be generated during loading/unloading, trash compacting, and truck movements. Additionally, there would be noise associated with parking lot activities. These operational-related noise impacts associated with this alternative would remain less than significant, as identified for the proposed project.

The reduction in project-related traffic under this alternative would result in a decrease in long-term traffic noise due to a reduction of daily traffic trips to the project site. Under the proposed project, the increase in future traffic noise along local roadway segments would not increase beyond the threshold of perception. Under this alternative, future increases in traffic-related noise would not be above the threshold of perception due to a decreased contribution of future traffic volumes. When compared to the proposed project, this alternative's contribution to future traffic noise would be reduced, thereby reducing overall mobile source noise impacts within the area. When compared to the proposed project, operational noise associated with the Reduced Intensity Alternative would result in a less than significant impact, as identified for the proposed project.

Population and Housing. This alternative would result in the development of 1,212,100 square feet of warehouse uses. Utilizing an employment factor of one employee for every 2,500 square feet of warehouse space,[1] the Reduced Intensity Alternative is anticipated to generate approximately 485

[1] Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.

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employment opportunities.[1] Since warehouse jobs do not require skills that would require a specialized workforce that may not reside in the City, it is anticipated that these warehouse jobs would be filled predominately by persons already residing in the area. Therefore, no population increase would occur with the development of these warehouse jobs. When this alternative is compared to the proposed project, the number of new jobs would be 25 percent less than the proposed project. Similar to the proposed project, impacts related to population and housing would remain less than significant as this alternative would continue the existing development trend envisioned by the City.

Public Services. Compared to the proposed project, this alternative would result in a reduction of approximately 25 percent of proposed warehouse uses as compared to the proposed project. Similar to the proposed project, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be similar in magnitude as no residential uses (impacts to schools and parks) are proposed under this alternative. Like the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

Traffic. Based on trip generation rates published in *ITE Trip Generation Handbook, 7th Edition*, this alternative would generate approximately 3,791 daily vehicle trips, which is approximately 25 percent less than what was identified for the proposed project. With a 25 percent reduction in daily trips, it is reasonable to conclude that traffic volumes on local roadways and intersections would be reduced under this alternative. Although the volume of traffic is reduced under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under Alternative 2 would become operational. Therefore, when compared to the proposed project, traffic impacts would be lessened due to the reduced trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Utilities and Service Systems. Existing utility infrastructure for stormwater and wastewater are present in adjacent roadways or parcels. Like the proposed project, development under this alternative would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCFCWCD. As indicated in previously identified Table 6.D, this alternative would generate approximately 47,260 gallons of wastewater per day, which is a 25 percent decrease in wastewater than would be generated by the proposed project. When compared to the proposed project, this alternative's demands on wastewater treatment and capacity at existing wastewater treatment facilities would be reduced in magnitude. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

[1] 1 employee/2,500 square feet of warehouse use × 1,212,100 square feet of warehouse use = 485 warehouse jobs.

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The development of the warehouse uses associated with this alternative would also require the installation of water supply infrastructure. However, as previously indicated in Table 6.E, this alternative would require approximately 37,354 gallons of water per day, which is an approximately 25 percent decrease from that required by the proposed project. When compared to the proposed project, water usage demands would be reduced. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor that water is available to serve the development. Since this alternative would utilize less water than the proposed project and since water supply for the proposed project is available, it is reasonable to conclude that if this alternative was built instead of the proposed project, adequate water would be available. Therefore, impacts related to water usage and water treatment/conveyance facilities would remain less than significant, similar to the proposed project.

Like the proposed project, the Reduced Intensity Alternative would also generate solid waste. As previously identified in Table 6.F, this alternative would generate 319 tons of solid waste per year, which is an approximately 25 percent decrease to what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be reduced in magnitude. However, similar to the proposed project, development under the Reduced Intensity Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts would remain less than significant.

Global Climate Change. GHG emissions under this alternative are correspondingly reduced as traffic trips are reduced. As previously identified in Table 6.G, this alternative would generate 12,200 tons of carbon (CO_2), 0.45 ton of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.01 Tg/yr CO_2 Eq., which is 67 percent less than the 0.03 Tg/yr CO_2 Eq. that would result from the operation of the proposed project.

Cumulative Impacts. Similar to the proposed project, the Reduced Intensity Alternative would contribute to the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. Although the amount of operational air pollutant emissions and traffic would be reduced in magnitude, because there are no feasible mitigation measures to reduce long-term air pollutant operational emissions and increased traffic, cumulative impacts would remain significant and unavoidable.

As with the proposed project, the Reduced Intensity Alternative would also be consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs to reduce GHGs, the Reduced Intensity Alternative GHG emission contribution would result in a cumulative impact regarding global climate change. The cumulative impacts of the Reduced Intensity Alternative as with the proposed project on global climate change are considered to be significant and unavoidable.

This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable.

Conclusion. Under the Reduced Intensity Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the project but would remain significant and unavoidable. The decrease in warehouse uses would result in a reduction of permanent jobs that

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would be created. This alternative would have a reduced demand on public services and utilities and service systems. However, similar to the proposed project, the payment of fees and adherence to utility requirements would reduce these impacts to a less than significant level.

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed project; however, long-term traffic impacts would remain significant and unavoidable. Construction-related noise would be similarly mitigated like the proposed project and would remain less than significant. Water use for this alternative would be less than the proposed project and would generate less wastewater and solid waste. Under this alternative, the proposed project objectives are met and warehouse uses would still be built, but on a smaller scale.

6.3.2.3 Alternative 3: Commercial Center (Mixed Commercial/Office)

The Commercial Center Alternative would result in the development of commercial service and office uses on the project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.[1]

Impact Analysis. Eight environmental issues would have similar impacts as for the proposed project. These include the following:

- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning; and,
- Mineral Resources.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Commercial Center Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Aesthetics. The proposed project site is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Proposed development envisioned under the Commercial Center Alternative would be consistent with development permitted for the site in the General Plan and Specific Plan 208. The project site is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity. The City's General Plan identifies major scenic resources as being visible from SR-60 and the development of the project site would not affect views of these major

[1] Square footage is based on a 50 percent development of the project site.

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scenic resources. In addition, the project site does not contain rock outcroppings, historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Similar to the proposed project, prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. Development that may occur on the project site would be required to adhere to City requirements for site development, similar to the proposed project. Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The installation of on-site lighting to accommodate nighttime activities and for safety purposes would be required for this alternative, similar to the proposed project. Development of the warehouse uses envisioned under this alternative would be required to comply with design standards, such as lighting, setbacks, building height, lot dimensions, and maximum lot coverage contained in the City of Moreno Valley Municipal Code. While the visual character of the development proposed under the Commercial Center Alternative would differ from that of the proposed project, the development that may occur would be required to adhere to site development standards in accordance with the underlying land use designation. It is expected that the visual character of the Commercial Center Alternative would be compatible with existing and future adjacent development. Therefore, impacts associated with aesthetics for the Commercial Center Alternative are similar in magnitude to what was identified for the proposed project. Like the proposed project, impacts associated with this issue would be less than significant.

Air Quality. Since the amount of land to be developed under this alternative would equal that developed under the proposed project, it is reasonable that a similar mix of equipment would operate during earthmoving and construction activities. As with the proposed project, peak daily construction emissions would be similar, which is significant and unavoidable for NO_X and PM_{10}. Although SCAQMD regulations and project-specific mitigation measures would reduce the amount of construction emissions, impacts associated with construction emissions for NO_X and PM_{10} remain significant and unavoidable.

As previously identified in Table 6.C, the Commercial Center Alternative would generate approximately 18,065 daily vehicle trips, which is more than the trips associated with the proposed project. Because the total number of trips is increased, the volume of each operational pollutants emitted during operation of this alternative would also be correspondingly increased. As indicated in Table 6.I, operational emissions would continue to exceed SCAQMD significance thresholds for ROG, NO_X, CO, and PM_{10} as identified for the proposed project.

Table 6.I: Alternative 3 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 3	1,368	218	1,391	1.9	201	51
Net Change	+537	+75	+401	+0.4	+31	+9
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 3 exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**No**

Source: LSA Associates, Inc., October 2011

When this alternative is compared to the proposed project, impacts to air quality would be increased in magnitude. The volume of pollutants emitted would be increased and the long-term air quality impacts resulting from this alternative, as with the proposed project, would continue to be significant and unavoidable.

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Noise. The extent and duration of construction activities for this alternative are anticipated to be similar to those of the proposed project. Therefore, construction noise resulting from the construction of this mix of uses would be generally similar to the proposed project. Development of this alternative would require the implementation of mitigation measures to reduce construction noise impacts to a less than significant level. Compared with the proposed project, the short-term noise impacts resulting from project construction and stationary noise impacts associated with the operation of the commercial/office uses would be similar and remain less than significant with mitigation incorporated.

The increase in project-related traffic for this alternative would result in an incremental increase in traffic noise. This alternative's contribution to future traffic noise would result in more trips on the road, which increases the overall mobile source noise impact as compared to the proposed project. Parking lot noise and mechanical ventilation noise would still occur under this alternative and noise from the loading docks would still be present as the alternative includes a commercial component. However, the uses envisioned under this alternative would increase the number (i.e., more commercial/office buildings) and extent of noise sources but would still have noise approaching levels identified for the proposed project. When compared to the proposed project, operational noise impacts would be similar.

Population and Housing. The Commercial Center Alternative would result in the development of approximately 760,000 square feet of commercial service uses and 760,000 square feet of office uses. Commercial service jobs are likely to be filled by persons already residing in the area. However, unlike commercial jobs, which can often be filled by most working adults, office jobs under this alternative may require the employment of persons in specialized fields, which may not include persons already living in the area. Persons from outside of the area may be required to relocate to Moreno Valley to fill positions for office uses, resulting in a population increase in the City. To analyze a worst-case scenario, it is assumed that 50 percent of the office jobs would be filled by people who are not living in the area. Utilizing employment factors of one employee for every 629 square feet of commercial use[1] and one employee for every 481 square feet of office uses, this alternative would create up to 2,788 jobs (1,208 commercial jobs and 1,580 office jobs).

When this alternative is compared to the proposed project, the number of new residents would be greater than that identified for the proposed project as the proposed project would not result in population growth. However, this alternative would not directly affect population growth as compared with new residential development, because it is not creating homes. While development under this alternative would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Infrastructure, including roads, sewers, water, and electricity, already exists around the project site. Impacts related to population and housing would remain less than significant as this alternative would continue the existing development trend envisioned by the City.

Public Services. As discussed above, the Commercial Center Alternative could result in population increase within the City. Because of the population increase associated with this alternative that would occur within the project limits, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be greater in magnitude than what was identified for the proposed project. However, similar to the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project,

[1] *Table IIB, Average Number of Employees per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc., October 2001.

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impacts associated with public services would remain less than significant with the payment of development impact fees.

Recreation. As previously discussed, the Commercial Center Alternative could result in population increase within the City. Because of the population increase associated with this alternative that would occur within the project limits, demands on recreational facilities would be greater in magnitude than what was identified for the proposed project. However, similar to the proposed project, development under this alternative would require payment of development impact fees for recreation facilities. The payment of development impact fees would offset any impacts to these recreational facilities that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with recreation would remain less than significant with the payment of development impact fees.

Traffic. As identified in Table 6.C, this alternative would generate approximately 18,065 daily vehicle trips. In comparison to the proposed project, this alternative would result in a 257.6 percent increase in daily traffic. With an increase in daily traffic, an increase in volumes on nearby roads and intersections would occur and be greater in magnitude when compared to the proposed project. With the increase in traffic under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under this alternative would become operational. Therefore, when compared to the proposed project, traffic impacts would be greater due to the additional trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Utilities and Service Systems. Similar to the proposed project, development under the Commercial Center Alternative would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCFCWCD. As indicated in previously identified Table 6.D, this alternative would generate approximately 456,000 gallons of wastewater per day, which is a 623.0 percent increase over what the proposed project would generate. When compared to the proposed project, wastewater treatment demand would be increased in magnitude as more wastewater would be generated under this alternative. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

The development of the commercial and office uses associated with this alternative would also require the installation of water supply infrastructure to serve the project site. The Water Supply Assessment indicated that adequate water supply exists and is forecast to be available in the future to accommodate the proposed project. As previously indicated in Table 6.E, the Commercial Center Alternative would require approximately 140,000 gallons of water per day, which is 181.1 percent greater than what would be required by the proposed project. When compared to the proposed project, therefore, water usage demands for this Alternative would be greater. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor (EMWD) that water is available to serve the development. In the event that the amount of water required for this alternative is available, impacts associated with this issue would be less than significant. However, in the event that water is not available for the alternative, a new and significant impact associated with this issue would occur.

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Like the proposed project, the Commercial Center Alternative would also generate solid waste. As previously identified in Table 6.F, this alternative would generate 3,648 tons of solid waste per year, which is 760.4 percent more than what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be increased in magnitude. However, similar to the proposed project, development under the Commercial Center Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant.

Global Climate Change. GHG emissions are correspondingly increased as the Commercial Center Alternative would increase the number of daily trips made to the site. As previously identified in Table 6.G, the Commercial Center Alternative would generate 49,000 tons of carbon (CO_2), 1.9 tons of methane (CH_4), and 0.005 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.04 Tg/yr CO_2 Eq., which is approximately 33 percent more than what was identified for the proposed project.

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic levels would be greater when compared to the proposed project. In addition, there are no mitigation measures that would reduce long-term air quality operational impacts to below SCAQMD threshold standard and no mitigation measures that would reduce impacts associated with increased traffic in the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable like the proposed project.

Conclusion. Under the Commercial Center Alternative, impacts related to short-term construction emissions would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude when compared to the project and would remain significant and unavoidable. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the proposed project. Long-term traffic impacts would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the proposed project and would remain less than significant.

This alternative would result in the development of office uses that would generate permanent jobs, which may require workers who are not current residents of the City. The proposed office uses would increase the total number of people that would be added to the City's population. This alternative would have greater demands on public services and recreation. However, the payment of fees would reduce these impacts to a less than significant level. This alternative would increase the amount of water utilized and increase the amount of wastewater and solid waste that would be generated on site. Similar to the proposed project, adherence to wastewater and solid waste requirements would reduce these impacts to a less than significant level. In the event that water is not available for development envisioned under this alternative, impacts to water resources would be significant and avoidable. Under this alternative, some of the proposed project objectives are not met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley.

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6.3.2.4 Alternative 4: Off-Site Location

This alternative would result in the same intensity of development of approximately 1,616,133 square feet of warehouse uses on approximately 70.3 acres. The alternative project site identified by the City is bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.0 miles northwest of the project site and is within the same Industrial Area Specific Plan as the proposed project. This alternative off-site property is not owned or under the control of the applicant. The off-site location is currently zoned SP 208 I and is designated BP in the City's General Plan, identical to the proposed project, as properties within the existing Specific Plan 208 area within the City is planned for industrial development and contains properties comparable in size. The Specific Plan 208 area provides for business park, mixed use, light industry, and heavy industry districts on approximately 1,500 acres in southwestern Moreno Valley. Since the proposed uses are consistent with the uses identified for the off-site location, no zone change or General Plan Amendment would be required. Development of this site would not require soil import, inherently reducing impacts form air pollution emissions during construction.

Impact Analysis. Nine environmental issues would have similar impacts as the proposed project. These include the following:

- Cultural Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Land Use and Planning;
- Mineral Resources
- Population and Housing;
- Public Services;
- Recreation; and
- Utilities and Service Systems.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Off-site Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be analyzed separately under this alternative.

Aesthetics. The Off-Site Location Alternative would consist of similar warehouse structures and uses as the proposed project, just on a different project site. With the off-site location, surrounding views would include similar industrial uses, March Air Reserve Base, single-family residential uses, and vacant land. Under this alternative, development of the project site would still be required to comply with design standards contained in the City's Development Code such as setbacks, building height, lot dimensions, and maximum lot size. No significant visual resource has been identified within the limits of the alternative project site. Similar to the proposed project, this alternative would change the existing character of the site, replacing the current open space with developed uses. Like the proposed project, the warehouse uses would still require the installation and operation of parking and building lighting. Adherence to the City's lighting standards would reduce the significance of any impact associated with the generation of light or glare to a less than significant level. This alternative site is not identified as being within an area that would have scenic resources. Development of the alternative would result in a less than significant impact on aesthetics, similar to that identified for the proposed project.

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Agriculture and Forestry Resources. Development of the off-site location would include the development of 70.3 acres with warehousing uses. As identified by the California Department of Conservation Farmland Mapping and Monitoring Program, the off-site location is identified as Farmland of Local Importance.[1] Similar to the proposed project, the off-site location is not under a Williamson Act contract. The total amount of farmland that would be converted to urban uses under the Off-Site Location Alternative would be similar when compared to the amount of farmland that would be converted under the proposed project. Similar to the proposed project, the off-site location is located in an area that has been developed with urban uses and is still in the process of developing with more urban uses. Unlike the proposed project, development that may occur on the off-site location would only result in the conversion of Farmland of Local Importance while the proposed project would result in the conversion of Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Therefore, the potential for additional agricultural lands to be converted to urban uses would be similar in magnitude when compared to the proposed project. Since there are no mitigation measures to fully mitigate for the loss of farmland to urban development, impacts remain significant and avoidable, similar to the proposed project.

Air Quality. Under the Off-Site Location Alternative, the total amount of land to be graded would be approximately the same as the off-site location consists of approximately 70.3 acres. It is anticipated that a similar mix of equipment would operate during earthmoving and construction activities on the project site. Therefore, construction emissions from the development of Alternative 4 would be similar to the proposed project, which is significant and unavoidable for NO_X and PM_{10}. Although SCAQMD regulations and project-specific mitigation measures would reduce the amount of construction emissions, impacts associated with construction emissions for NO_X and PM_{10} remain significant and unavoidable.

Implementation of the Off-Site Alternative would result in the development of the same amount of warehouse space (1,616,133 square feet) as the proposed project. Since the Off-Site Location Alternative would have the same amount of square footage as the proposed project, it is reasonable to conclude that the Off-Site Location Alternative would generate the same amount of traffic. As previously indicated in Table 6.C, this alternative would generate approximately 5,052 daily vehicle trips. As identified in Table 6.J, the volume of each operational pollutant emitted during operation of this alternative would be similar to that identified for the proposed project.

Table 6.J: Alternative 4 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 5	830	143	990	1.5	170	42
Net Change	0	0	0	0	0	0
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 4 exceeds thresholds?	**No**	**Yes**	**Yes**	**No**	**Yes**	**No**

Source: LSA Associates, Inc., October 2011.

Although the off-site location would be located on a different site, CO hot spot conditions are anticipated to be similar to the proposed project as the off-site location is in close proximity to the project site. Because traffic associated with this alternative would be similar to what was identified for the proposed project, CO concentrations at local intersections would not be anticipated to exceed the state or federal one-hour and eight-hour standards. No CO hot spots would occur, and the proposed project would not have a significant impact on local air quality for CO. When the Off-Site Location

[1] *Farmland Mapping and Monitoring Program 2008*, California Department of Conservation Division of Land Resources, ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/riv08_west.pdf, website accessed October 5, 2011.

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Alternative is compared to the proposed project, impacts to air quality would be similar. Although the volume of pollutants emitted would be similar during the operational phase of the project, the long-term air quality impacts resulting from this alternative would still contribute criteria pollutants to a non-attainment air basin. Therefore, long-term air quality impacts associated with this alternative would continue to be significant and unavoidable, similar to the proposed project.

Biological Resources. The Off-Site Location Alternative would require site development in a similar manner as would be required for the proposed project. Although no site-specific surveys have been conducted for the off-site location, it is anticipated that biological communities present at the off-site location would be similar to biological communities present at the proposed project location. However, the potential exists for sensitive species to be present at the off-site location. While the presence of sensitive species on the alternative site cannot be confirmed without a biological survey, if sensitive species were absent from the Off-Site Location Alternative project site, biological resource impacts would be similar to the proposed project. However, if sensitive species are present at the off-site location, impacts to biological resources resulting from development of this alternative would be mitigated based on existing biological protocols or surveys that are required for such species. As identified for the proposed project, mitigation to address potential impacts to the sensitive species would also be required. When compared to the proposed project, this alternative would result in a similar impact on biological resources.

Hazards and Hazardous Materials. The off-site location is not identified on a list of hazardous waste generators or hazardous waste handlers.[1] While the presence of hazardous materials cannot be confirmed for the off-site location without a site-specific survey, because the off-site location has been utilized for agricultural production and because of the surrounding vacant land, it is anticipated that hazards materials that could be found on site would be similar to what was identified for the proposed project. Because this alternative includes warehouse uses similar to the proposed project, development under this alternative would still result in the on-site handling of hazardous substances, both during project construction and during operations.

The off-site location would be located within the MARB Safety Zone Area 2.[2] MARB Safety Zone Area 2 limits residential development to one dwelling unit per 2.5 acres and allows agricultural, industrial, and commercial uses. Although the off-site location is within MARB Safety Zone Area 2, the type of development that would occur under this alternative would be consistent with the development allowed in Safety Zone Area 2. Therefore, airport hazards associated with this alternative would be less than significant. The off-site location is located approximately one mile from an existing school (El Potrero Elementary School to the east). However, because the same regulations and standards associated with hazards and hazardous materials would apply under this alternative, impacts associated with the Off-Site Location Alternative would remain less than significant; similar to what was identified for the proposed project.

Noise. The nearest sensitive receptors to the off-site location would be an existing single family residential development across Iris Avenue, immediately adjacent to the northeast of the off-site location's northeastern boundary. The distance between the off-site location and the nearest sensitive receptor is closer than the distance between the proposed project site boundary and its nearest sensitive receptor is adjacent. Although the type of noise generated by the construction of the Off-Site Location Alternative is anticipated to similar to that of the proposed project, the noise experienced at the closest sensitive receptor would be increased due to a closer distance. No significant noise-

1 *EnviroStor Database*, Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public/, website accessed September 30, 2011.

2 *March Air Reserve Base Safety Zone Map*, http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf, website accessed September 30, 2011.

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related impact was identified with the construction or operation of the proposed project. Noise generated from construction operations, parking lots, loading areas, truck deliveries, and building machinery with this alternative would be increased to that identified for the proposed project. Traffic related noise is anticipated to be similar to the proposed project as the Off-Site Location Alternative would generate the same amount of daily vehicle trips. When compared to the proposed project, noise impacts would be greater in magnitude and would remain less than significant with mitigation.

Traffic. As identified in Table 6.C, this alternative would generate approximately 5,052 daily trips which is the same number that would occur with the proposed project. With the level of traffic remaining the same, volumes on nearby roads and intersections would be similar in magnitude when compared to the proposed project. However, despite the volume of traffic remaining the same, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under the Off-Site Location Alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under this alternative would become operational. Therefore, when compared to the proposed project, traffic-related impacts would be the same ad the proposed project and would remain significant and unavoidable.

Global Climate Change. GHG emissions are the same as the proposed project as the Off-Site Alternative is the proposed project on a nearby site in the City. As previously identified in Table 6.G, the Off-Site Location Alternative would generate 39,000 tons of carbon (CO_2), 1.3 tons of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.03 Tg/yr CO_2 Eq., which is the same amount that the proposed project would generate.

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic generated by the Off-Site Location Alternative would be similar to the proposed project, only on a different site. Similar to the proposed project, there are no mitigation measures that would reduce long-term air quality operational impacts to below SCAQMD threshold standard. Additionally, there are no mitigation measures that would reduce impacts associated with increased traffic in the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the alternative site, resulting in a loss of farmland. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable similar to the proposed project.

Conclusion. With the Off-Site Location Alternative, impacts related to air quality and traffic impacts would be similar to those identified with the proposed project. Short-term construction and long-term air quality operational impacts under this alternative would remain significant and unavoidable and would result in similar conditions as identified for the proposed project. Additionally, due to adjacent sensitive receptors, potential impacts to these receptors would be greater in magnitude when compared to the proposed project. Similarly, noise impacts would be greater in magnitude due to the adjacent sensitive receptors. Operational traffic would result in increased traffic on existing roadways and may impact existing intersection's level of service within the area. This alternative would require

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the same amount of water as the proposed project and would generate the same amount of wastewater and solid waste when compared to the proposed project. Similar to the proposed project, adherence to utility requirements would reduce these impacts to a less than significant level.

6.4 COMPARISON OF PROJECT ALTERNATIVES

The following discussion compares the impacts of each alternative with the impacts of the proposed project, as detailed in Section 4.0 of this EIR. Table 6.K compares the impacts of the alternatives with those of the proposed project. This table identifies whether the alternative results in (1) a reduction of the impact; (2) a greater impact than the project; or (3) the same impact as the project.

Table 6.K: Comparison of Alternatives to the Proposed Project

Environmental Issue	Proposed Project	Alternative 1: No Project	Alternative 2: Reduced Intensity	Alternative 3: Commercial Center	Alternative4: Off-Site Location
Aesthetics	LTS	=	=	=	=
Agricultural Resources	SIG	=	=	=	← SIG
Air Quality	SIG	→ SIG	← SIG	→ SIG	=
Biological Resources	LTS/mit	=	=	=	=
Cultural Resources	LTS/mit	=	=	=	=
Geology and Soils	LTS.mit	=	=	=	=
Global Climate Change	SIG	← SIG	← SIG	→ SIG	=
Hazards and Hazardous Materials	LTS/mit	=	=	=	=
Hydrology and Water Quality	LTS/mit	=	=	=	=
Land Use and Planning	LTS	=	=	=	=
Mineral Resources	NI	=	=	=	=
Noise	LTS/mit	=	=	=	→
Population and Housing	LTS	=	=	=	=
Public Services	LTS	=	=	→	=
Recreation and Parks	LTS	=	=	=	=
Transportation and Traffic	SIG	→SIG	← SIG	→ SIG	=
Utilities and Service Systems	LTS	=	=	=	=

Proposed Project
NI: No Impact
LTS: Less than Significant Impact
LTS/mit: Less than Significant Impact with Mitigation
SIG: Significant Impact with or without Mitigation
Project Alternatives
= Compared with the proposed project, no change in the significance of impact will occur.
→ Compared with the proposed project, the significance of the impact is increased.
← Compared with the proposed project, the significance of the impact is reduced.
+ Compared with the proposed project, a new impact has been identified.
←SIG Compared with the proposed project, the volume or extent of the impact is reduced, yet still significant.

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6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

As detailed in Table 6.K, Alternative 2 (Reduced Intensity Alternative) reduces the severity of project-related air quality impacts. Though reduced, long-term air quality impacts would remain significant after mitigation for this alternative for NOx. In a similar manner, Alternative 2 would reduce the volume of daily traffic trips when compared to the proposed project; however, such impacts would remain significant and unavoidable until roadway improvements are completed. And, Alternative 2 would reduce the quantity of greenhouse gas emission when compared to the proposed project; however, impacts to Global Climate Change would remain significant and unavoidable. While Alternative 4 reduces impacts associated with the proposed project related to agricultural resources, impacts would still remain significant. Additionally, Alternative 4 would result in greater impacts related to air quality, hazards and hazardous materials, and noise. Impacts related to air quality would remain significant similar to the proposed project; however, impacts related to hazards and hazardous materials and noise would remain less than significant and less than significant with mitigation, respectively. The remaining environmental issues would ultimately be similar to the proposed project through adherence to existing standards and mitigation measures.

CEQA (*CEQA Guidelines Section 15126.6 (e[2])* requires that the environmentally superior alternative be identified in the EIR. Based on the analysis in this section and the summary contained in Table 6.K, Alternative 2, the Reduced Intensity Alternative, is the environmentally superior alternative. The amount of development under this alternative would be reduced when compared to the proposed project; however, the Alternative 2 would not satisfy several of the project objectives shown in Table 6.L.

Table 6.L: Comparison of Alternative 2 to the Proposed Project Objectives

Project Objectives	Reasons Why Alternative 2 Satisfies the Project Objectives
Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities	**Meets Objective**
Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses	**Meets Objective**
Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors.	**Meets Objective**
Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner.	**Meets Objective**
Encourage new development consistent with the capacity and municipal service capabilities.	**Meets Objective**
Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels.	**Does not meet objective.**
Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale.	**Meets Objective**
Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County	**Meets Objective**
Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources	**Does not meet objective**
Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site.	**Meets Objective**
Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements.	**Meets Objective**

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Table 6.L: Comparison of Alternative 2 to the Proposed Project Objectives

Project Objectives	Reasons Why Alternative 2 Satisfies the Project Objectives
Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead.	**Meets Objective**
Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.	**Meets Objective**

Because the Reduced Intensity Alternative allows the development of warehouse uses and the provision of new employment opportunities, it meets many of the City's stated project objectives, while at the same time reduces the impacts associated with the proposed project. Therefore, the Reduced Intensity Alternative has been determined to be the environmentally superior alternative. However, because of the location of the Alternative site and the lower industrial density, the Alternative fails to meet several objectives related to location and density efficiencies.

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8.0 LIST OF PREPARERS

8.1 CITY OF MORENO VALLEY

[TO BE PROVIDED]

8.2 LSA ASSOCIATES, INC.

8.2.1 Environmental Impact Report

Lynn Calvert-Hayes, AICP..... Principal in Charge
Ray Hussey, AICP..... Associate (Project Manager)
Kelly Czechowski..... Senior Environmental Planner
David Atwater ..... Environmental Planner
Steven Dong ..... Technical Editor
Nancy Hasegawa..... Word Processor
Margaret Gooding..... Graphics/GIS Specialist
Lori Ufondu ..... Document Production

8.2.2 Traffic Study

Meghan Macias ..... Principal in Charge
Sandipan Bhattacharjee ..... Associate
Robert Aguirre ..... Transportation Planner

8.2.3 Air Quality Analysis

Tony Chung, Ph.D. ..... Principal in Charge
Ronald Brugger..... Senior Air Quality Specialist

8.2.4 Greenhouse Gas Emissions Study

Tony Chung, Ph.D. ..... Principal in Charge
Ronald Brugger..... Senior Air Quality Specialist

8.2.6 Noise Impact Analysis

Tony Chung, Ph.D. ..... Principal

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9.0 ACRONYMS AND ABBREVIATIONS

$\mu g/m^3$	micrograms per cubic meter
AADT	Annual Average Daily Traffic
AAQS	ambient air quality standards
AB	Assembly Bill
ADT	Average Daily Traffic
AER	Annual Emission Reporting
AFV	alternative fuel vehicle
AFY	acre-feet per year
AICUZ	Air Installation Compatible Use Zone
ALUC	Airport Land Use Commission
ALUP	Airport Land Use Plan
ANSI	American National Standards Institute
APN	Assessor's Parcel Number
APZ	Accident Potential Zone
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
Basin	South Coast Air Basin
BMPs	Best Management Practices
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFÉ	Corporate Average Fuel Economy
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CAPS	Criteria Area Plant Species
CARB	California Air Resources Board
CAT	Climate Action Team
CBSC	California Building Standards Commission
CCAA	California Clean Air Act
CDC	California Department of Conservation
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFCP	California Farmland Conservancy Program
CFCs	Chlorofluorocarbons
CH_4	methane
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO_2E	carbon dioxide equivalent
CRA	California Resource Agency

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dBA	A-weighted decibels
DIF	Development Impact Fee
DOF	Department of Finance
DTSC	Department of Toxic Substance Control
EIR	Environmental Impact Report
EMWD	Eastern Municipal Water District
EPA	U.S. Environmental Protection Agency
EPAct	Energy Policy Act
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
ft	Feet
FTA	Federal Transit Administration
F-WQMP	Final Water Quality Management Plan
GHG	greenhouse gas
gpd	gallons per day
GWP	Global Warming Potential
HCP	Habitat Conservation Plan
HFCs	Hydrofluorocarbons
HI	Hazard Indices
HVAC	Heating, Ventilating, And Air Conditioning
I-215	Interstate 215
IPCC	Intergovernmental Panel on Climate Change
IS	Initial Study
JPA	Joint Powers Authority
LCC	Land Capability Classification
L_{dn}	Day-Night Average Noise Level
LE	Land Evaluation
LEED	Leadership in Energy and Environmental Design
L_{eq}	Equivalent Continuous Sound Level
LESA	Land Evaluation and Site Assessment
L_{max}	Maximum Noise Level
LOS	Level of Service
LSA	LSA Associates, Inc.
LST	Local Significance Threshold
MARB	March Air Reserve Base
MBTA	Migratory Bird Treaty Act
MCE	maximum credible earthquake
MEI	Maximum Exposed Individual
Metropolitan	Metropolitan Water District
mg/m^3	milligrams per cubic meter
mgd	million gallons per day

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MICR	Maximum Individual Cancer Risk
MIP	March Inland Port
MIPAA	MIP Airport Authority
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
mpg	miles per gallon
mph	miles per hour
MPO	Metropolitan Planning Organization
MRZ	Mineral Resource Zone
MSHCP	Western Riverside County Multiple Species Habitat Conservation Plan
mty	million tons per year
MVPD	Moreno Valley Police Department
MVRWRF	Moreno Valley Regional Water Reclamation Facility
MVUSD	Moreno Valley Unified School District
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NEPS	Narrow Endemic Plant Species
NFMA	National Forest Management Act of 1976
NHTSA	National Highway Traffic and Safety Administration
NO_2	Nitrogen dioxide
NOI	Notice of Intent
NOP	Notice of Preparation
NO_X	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
O_3	Ozone
OMB	Office of Management and Budget
OPR	Office of Planning and Research
Pb	Lead
PCE	Passenger Car Equivalent
PFCs	Perfluorocarbons
PM	Particulate Matter
PM_{10}	Particulate matter with a diameter of 10 microns or less
$PM_{2.5}$	Fine particulate matter less than 2.5 microns in diameter
POU	Publicly Owned Utility
ppb	parts per billion
ppm	parts per million
P-WQMP	Preliminary Water Quality Management Plan
RCP	reinforced concrete pipe
RCP	Regional Comprehensive Plan
RCPG	Regional Comprehensive Plan and Guide
ROC	reactive organic compounds
ROG	reactive organic gases
RPA	Resources Planning Act of 1974

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RTA	Riverside Transit Agency
RTP	Regional Transportation Plan
RUWMP	Regional Urban Water Master Plan
RWQCB	Regional Water Quality Control Board
SA	Site Assessment
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SF_6	sulfur hexafluoride
SIP	State Implementation Plan
SKR	Stephens' Kangaroo Rat
SKR HCP	Stephens' Kangaroo Rat Habitat Conservation Plan
SO_2	Sulfur dioxide
SO_X	sulfur oxides
SP	Specific Plan
SR-60	State Route 60
SRA	Source Receptor Area
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
T-BACT	Best Available Control Technology for Toxics
TDM	Transportation Demand Management
TPM	Tentative Parcel Map
tpy	tons per year
TUMF	Transportation Uniform Mitigation Fee
UBC	Uniform Building Code
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USFS	United States Forest Service
VMT	Vehicle Miles Traveled
VOC	volatile organic compounds
WDID	Waste Discharge Identification Number
WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WSA	Water Supply Assessment
ZNE	Zero Net Energy
ZOI	Zone of Influence

MV00171287

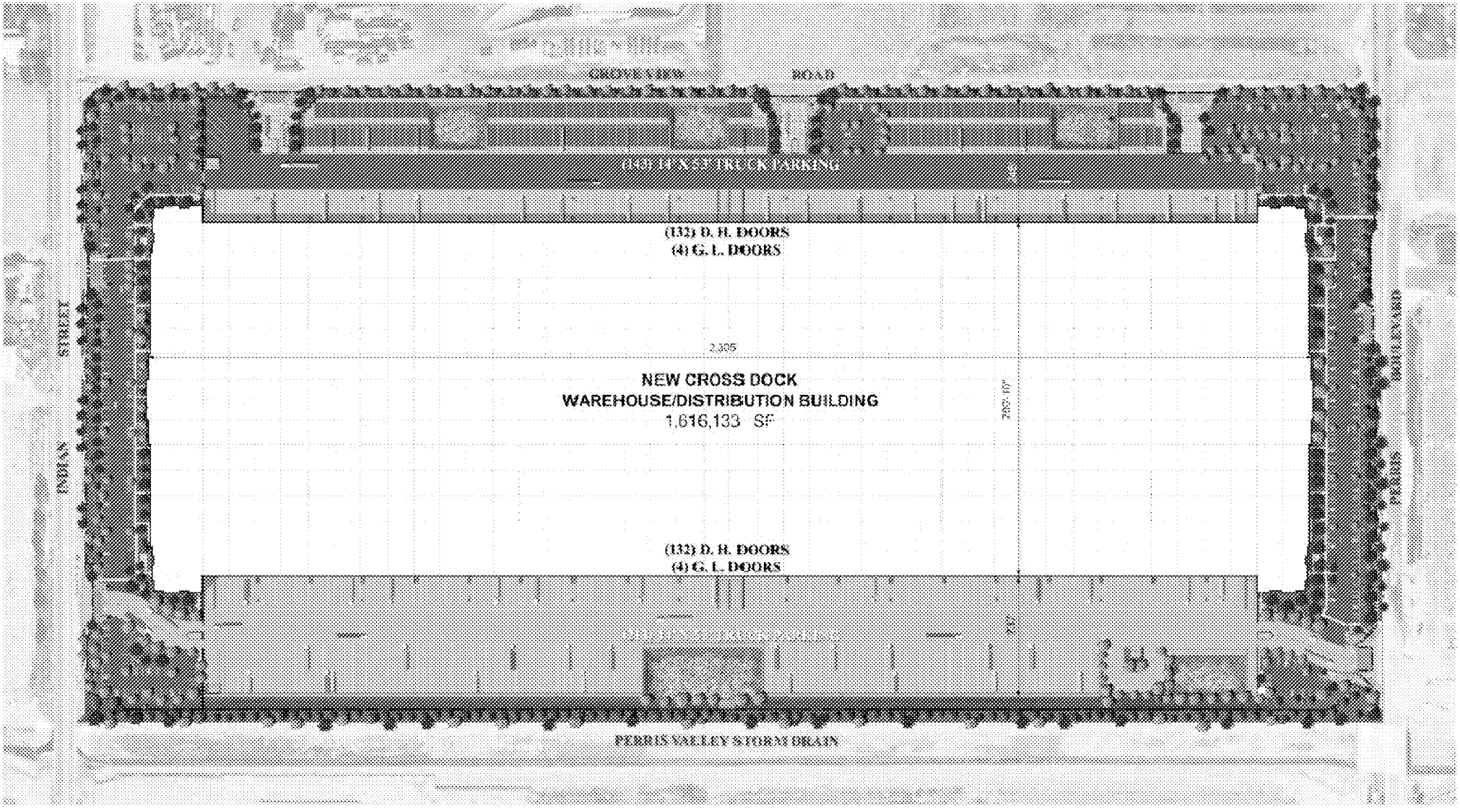

VIP MORENO VALLEY

ATTACHMENT 6

MV00171288

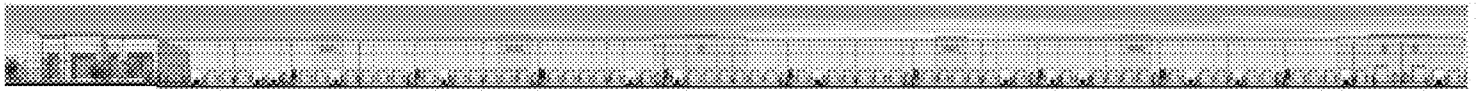

SOUTH ELEVATION (WEST SIDE)

SOUTH ELEVATION (EAST SIDE)

NORTH ELEVATION (EAST SIDE)

NORTH ELEVATION (WEST SIDE)

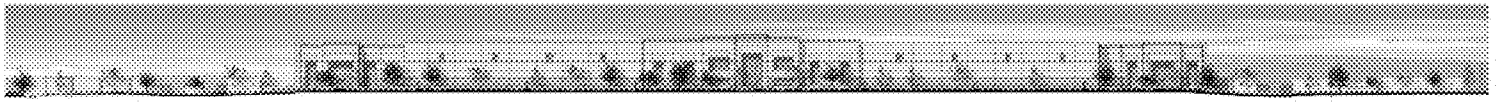

EAST ELEVATION

WEST ELEVATION

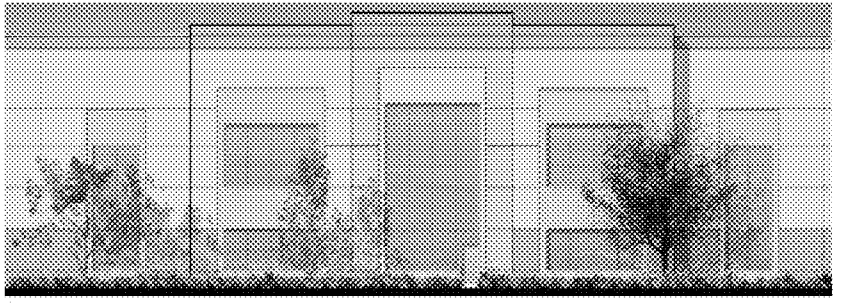

ENLARGED PARTIAL EAST ELEVATION

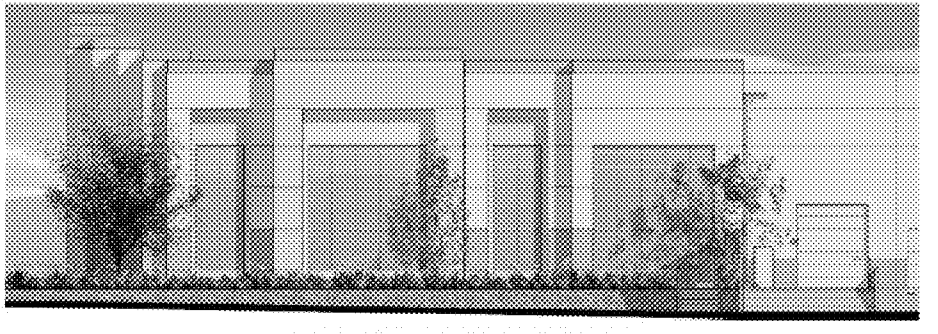

ENLARGED PARTIAL NORTH ELEVATION

VIP

VTP MORENO VALLEY

ATTACHMENT 7

MV00171289

VIP MORENO VALLEY

PERRIS BLVD. AND INDIAN STREET
MORENO VALLEY, CALIFORNIA
RKZ JOB # 06-28 JUNE 18, 2012

1" INSULATED DUAL PANE GLAZING
(AT OFFICE VISION WINDOWS ONLY)

EXTERIOR PANE:
1/4" THICK PILKINGTON EVERGREEN – LOW-E #2
INTERIOR PANE:
1/4" THICK CLEAR

CLEAR ANODIZED ALUMINUM FRAME

A DUNN EDWARDS – DE6143
"ALMOND LATTE"

B DUNN EDWARDS – DE6145
"ROCKY RIDGE"

C DUNN EDWARDS – DE6172
"BUNGALOW TAUPE"

VOGEL ENGINEERS, INC.
900 PASEO TESORO, WALNUT, CALIFORNIA 91789-2791

EXTERIOR COLOR BOARD

TEL (909) 598-7088 FAX (909) 598-2791

rkz architects, inc.

0828-Color-board-061313.dwg / 06.18.12 / 14:55

ATTACHMENT 8

MV00171290

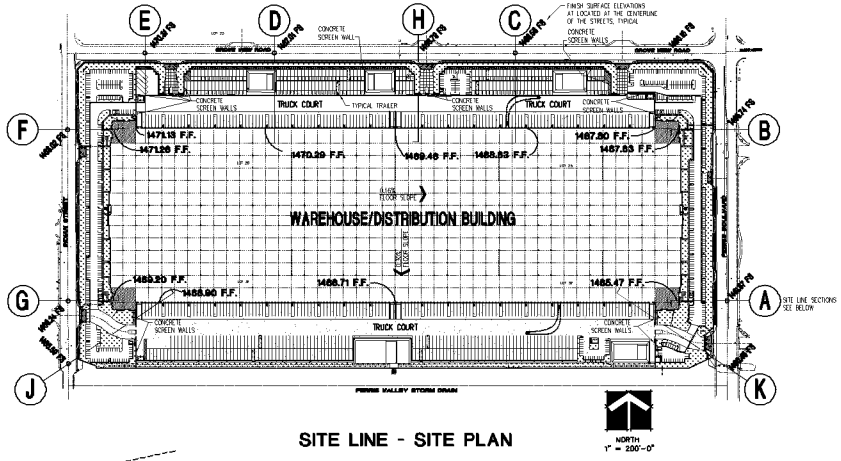

SITE LINE - SITE PLAN

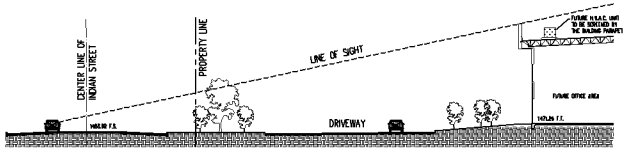

SECTION - F

SCALE : 1" = 20'-0"

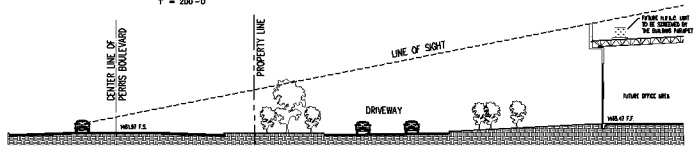

SECTION - A

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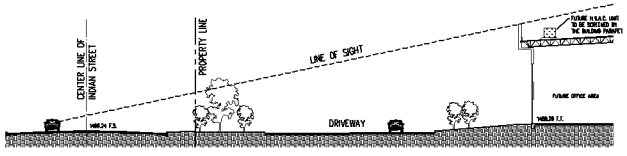

SECTION - G

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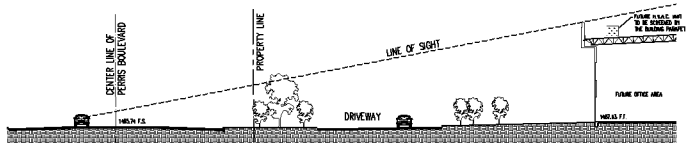

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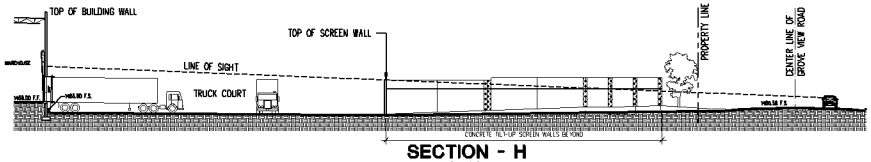

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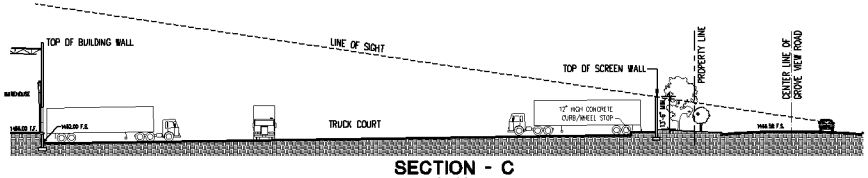

SECTION - C

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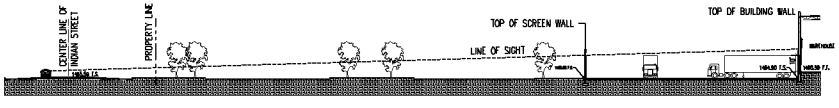

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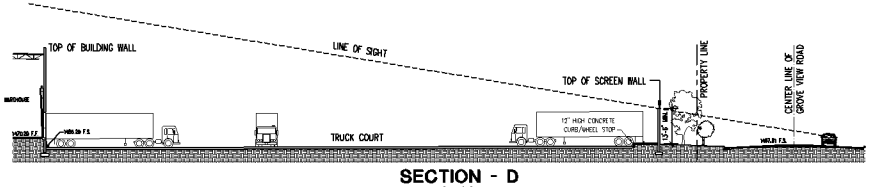

SECTION - D

SCALE : 1" = 20'-0"

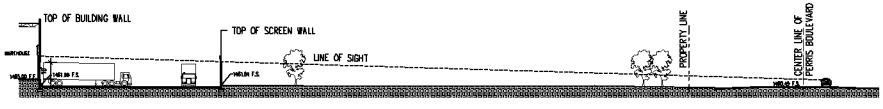

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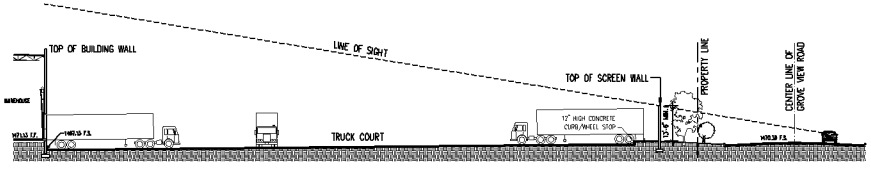

SECTION - E

SCALE : 1" = 20'-0"

rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH. 714.731.1140 FAX: 714.731.1080
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY

17777 PERRIS BOULEVARD
17700 INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26

SHEET NAME
SITE LINE
SITE PLAN &
SECTIONS

SHEET NO.
A-7
OF SHEETS

PROJECT #PA09-0004 & PA09-0012

08SHA3.dwg / 07.02.12 / 13:39

MV00171291

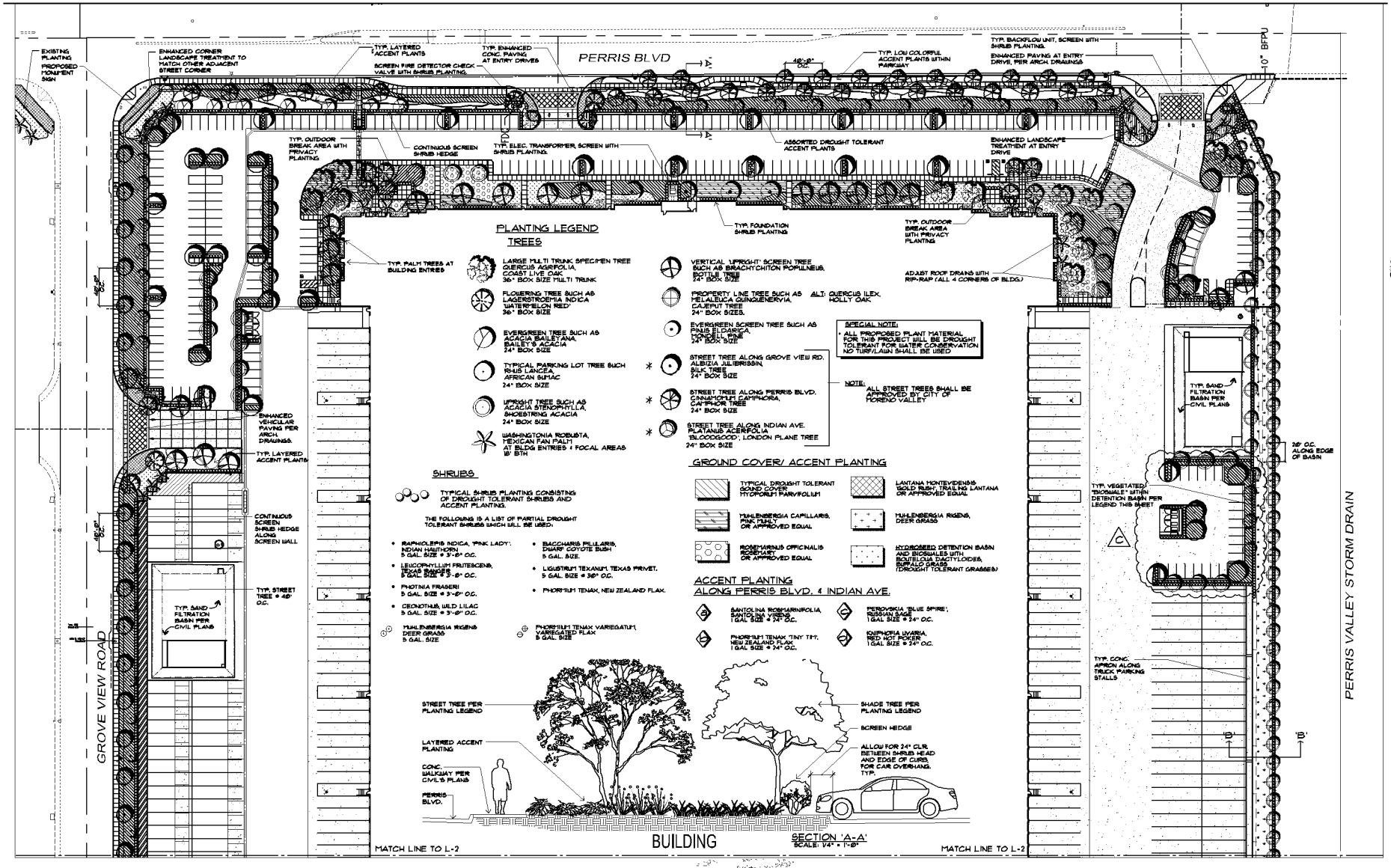

PLANTING LEGEND

TREES

- LARGE MULTI TRUNK SPECIMEN TREE QUERCUS AGRIFOLIA, COAST LIVE OAK 36" BOX SIZE MULTI TRUNK
- FLOWERING TREE SUCH AS LAGERSTROEMIA INDICA 'WATERMELON RED' 36" BOX SIZE
- EVERGREEN TREE SUCH AS ACACIA BAILEYANA, BAILEY'S ACACIA 24" BOX SIZE
- TYPICAL PARKING LOT TREE SUCH RHUS LANCEA, AFRICAN SUMAC 24" BOX SIZE
- UPRIGHT TREE SUCH AS ACACIA STENOPHYLLA, SHOESTRING ACACIA 24" BOX SIZE
- WASHINGTONIA ROBUSTA, 'MEXICAN FAN PALM' AT BLDG ENTRIES + FOCAL AREAS 18' BTH
- VERTICAL 'UPRIGHT' SCREEN TREE SUCH AS BRACHYCHITON POPULNEUS, BOTTLE TREE 24" BOX SIZE
- PROPERTY LINE TREE SUCH AS MELALEUCA QUINQUENERVIA, CAJEPUT TREE 24" BOX SIZES. ALT: QUERCUS ILEX, HOLLY OAK
- EVERGREEN SCREEN TREE SUCH AS PINUS ELDARICA, CANARY PINE 24" BOX SIZE
- STREET TREE ALONG GROVE VIEW RD. ALBIZIA JULIBRISSIN, SILK TREE 24" BOX SIZE
- STREET TREE ALONG PERRIS BLVD. CINNAMOMUM CAMPHORA, CAMPHOR TREE 24" BOX SIZE
- STREET TREE ALONG INDIAN AVE. PLATANUS ACERFOLIA 'BLOODGOOD', LONDON PLANE TREE 24" BOX SIZE

NOTE: ALL STREET TREES SHALL BE APPROVED BY CITY OF MORENO VALLEY

SPECIAL NOTE:
* ALL PROPOSED PLANT MATERIAL FOR THIS PROJECT WILL BE DROUGHT TOLERANT FOR WATER CONSERVATION. NO TURF/LAWN SHALL BE USED

SHRUBS

TYPICAL SHRUB PLANTING CONSISTING OF DROUGHT TOLERANT SHRUBS AND ACCENT PLANTING.

THE FOLLOWING IS A LIST OF PARTIAL DROUGHT TOLERANT SHRUBS WHICH WILL BE USED:

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- LEUCOPHYLLUM FRUTESCENS, TEXAS RANGER 5 GAL. SIZE @ 3'-0" O.C.
- PHOTINIA FRASERI 5 GAL. SIZE @ 3'-0" O.C.
- CEONOTHUS, WILD LILAC 5 GAL. SIZE @ 3'-0" O.C.
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- BACCHARIS PILULARIS, DWARF COYOTE BUSH 5 GAL. SIZE.
- LIGUSTRUM TEXANUM, TEXAS PRIVET. 5 GAL. SIZE @ 36" O.C.
- PHORMIUM TENAX, NEW ZEALAND FLAX.
- PHORMIUM TENAX VARIEGATUM, VARIEGATED FLAX 5 GAL. SIZE

GROUND COVER/ ACCENT PLANTING

- TYPICAL DROUGHT TOLERANT GOUND COVER HYPOPUM PARVIFOLIUM
- MUHLENBERGIA CAPILLARIS, 'PINK MULY', OR APPROVED EQUAL
- ROSEMARINUS OFFICINALIS ROSEMARY, OR APPROVED EQUAL
- LANTANA MONTEVIDENSIS 'GOLD RUSH', TRAILING LANTANA OR APPROVED EQUAL
- MUHLENBERGIA RIGENS, DEER GRASS
- HYDROSEED DETENTION BASIN AND BIOSWALES WITH BOUTELOUA DACTYLOIDES, BUFFALO GRASS (DROUGHT TOLERANT GRASSES)

ACCENT PLANTING ALONG PERRIS BLVD. & INDIAN AVE.

- SANTOLINA ROSMARINIFOLIA, SANTOLINA VIRENS 1 GAL SIZE @ 24" O.C.
- PHORMIUM TENAX 'TINY TIM', NEW ZEALAND FLAX 1 GAL SIZE @ 24" O.C.
- PEROVSKIA 'BLUE SPIRE', RUSSIAN SAGE 1 GAL SIZE @ 24" O.C.
- EUPHORBIA WARIA, RED HOT POKER 1 GAL SIZE @ 24" O.C.

WATER CONSERVATION STATEMENT

THE IRRIGATION SYSTEM WILL BE DESIGNED UTILIZING 'STATE OF THE ART' IRRIGATION EQUIPMENT SUCH AS 'MULTIPLE START TYPES FOR CONTROLLERS, 'RAIN SHUT OFF' DEVICE @ CONTROLLERS, PRESSURE REGULATING MASTER VALVE + LOW FLOW IRRIGATION SPRAY/ROTOR + BUBBLER HEADS UTILIZING PC SCREENS THROUGHOUT.

THIS LANDSCAPE DESIGN GROUPS PLANTS WITH SIMILAR WATER NEEDS TOGETHER INTO TWO DISTINCT HYDROZONES OF LOW/MODERATE AND HIGH AREAS. THE HIGH WATER USE HYDROZONES ARE COMPRISED OF TURF AND ANNUAL COLOR AND ARE LIMITED WITHIN THE OVERALL SQUARE FOOTAGE OF THE SITE. THE LOW HYDROZONE, WHICH IS MADE UP OF DROUGHT TOLERANT PLANT SPECIES COMPRISES OVER 75% OF THE TOTAL LANDSCAPE AREA. THE IRRIGATION SYSTEM HAS BEEN DESIGNED TO GROUP SIMILAR HYDROZONES WITHIN THE SAME IRRIGATION VALVE. IN ADDITION A MINIMUM OF 2" LAYER OF MULCH IS USED OVER THE ENTIRE SHRUB AREAS TO RETAIN SOIL MOISTURE.

THE PROJECT WILL BE DESIGNED WITH LOW ROTOR/OR BUBBLER IRRIGATION SYSTEMS WHENEVER POSSIBLE

* ALL IRRIGATION SHALL COMPLY WITH EASTERN MUNICIPAL WATER DISTRICT. (E.M.W.D.)

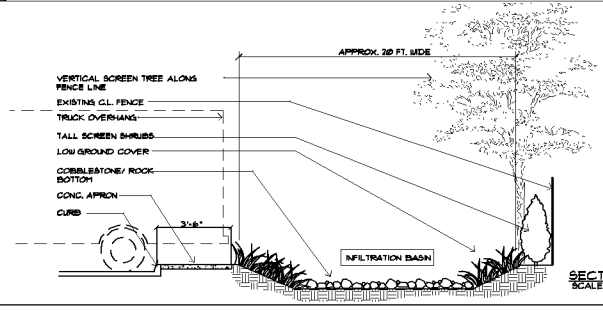

ATTACHMENT 10

NORTH

0' 40' 80' 120' 160'
SCALE: 1" = 40'-0"

DIG ALERT
DIAL TOLL FREE
1-800-227-2600
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

ARCHITECTURE LAND PLANNING
rkz
RKZ, INC.
3000 BOW AVENUE SUITE 110
TUSTIN, CALIFORNIA 92780
714/ 731-1140 FAX: 714/ 731-1090
www.rkzinc.com

SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
LARC 2 BOX 317
TEL: 909-337-8005
FAX: 909-337-8004
MORENO VALLEY, CA 92552
REGISTERED LANDSCAPE ARCHITECT
NO. 2078
SIGNATURE
DATE
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91785-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA.

1-26-09
UP DATED 6-2-09
UP DATED 7-14-09
2-25-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-04-08 LR
JOB NO. 06-28
SHEET NAME
CONCEPTUAL LANDSCAPE PLAN
SHEET NO.
L-1
OF SHEETS
PROJECT # P07-050

MV00171292

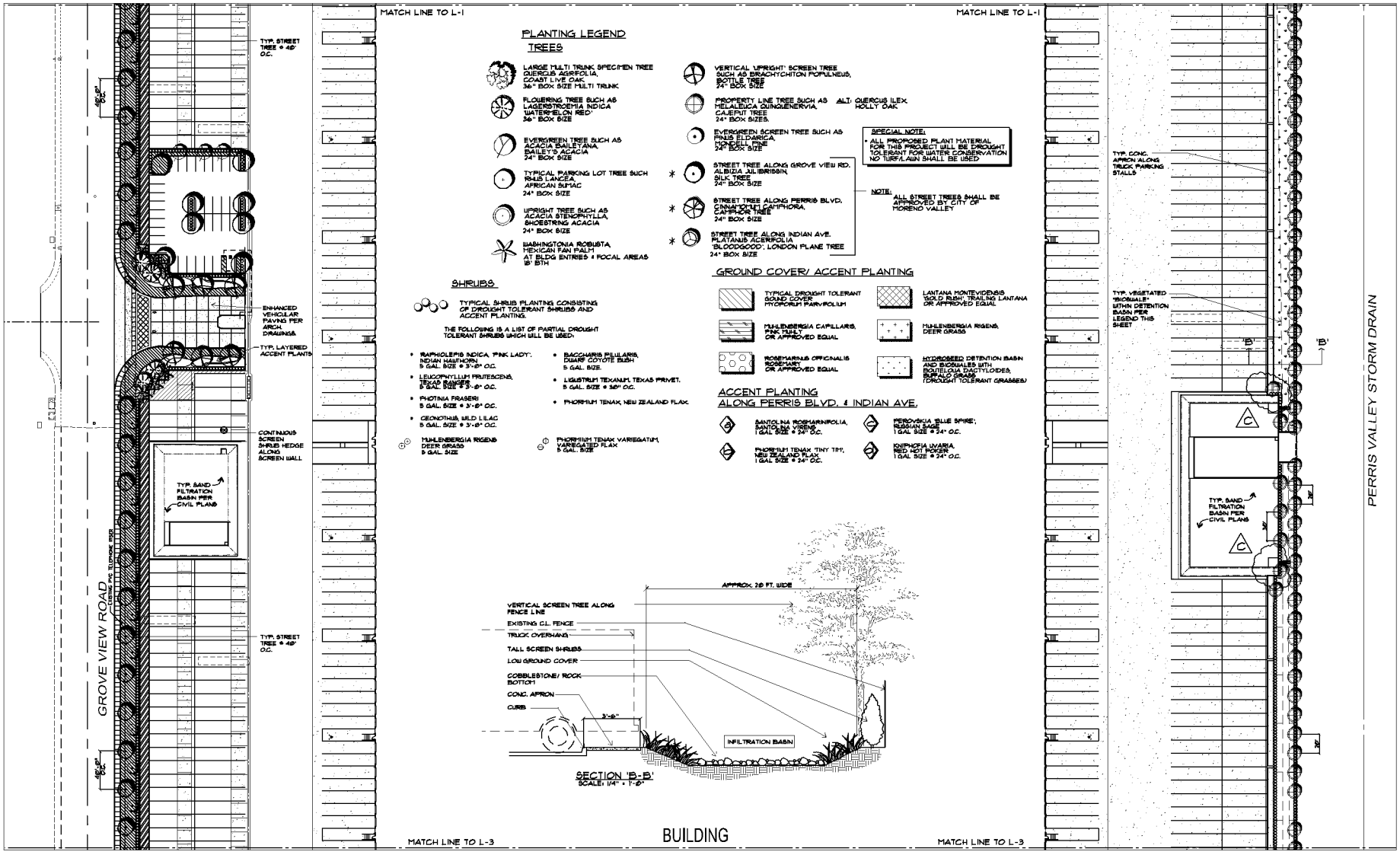

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0' 40' 80' 120' 160'
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SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
P.O. BOX 3157
LAKE ARROWHEAD, CA 92352
FX: 909-337-8855
TE: 909-337-8884
REGISTERED LANDSCAPE ARCHITECT
NO. 2078
SIGNATURE
DATE
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91785-2791
PHONE: 909 598-7065
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VIP MORENO VALLEY

XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

1-26-99
UP DATED 5-0-99
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2-25-99 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-04-98 LR
JOB NO. 06-28
SHEET NAME

CONCEPTUAL LANDSCAPE PLAN

SHEET NO.
L-2
OF SHEETS

PROJECT # P07-050

MV00171293

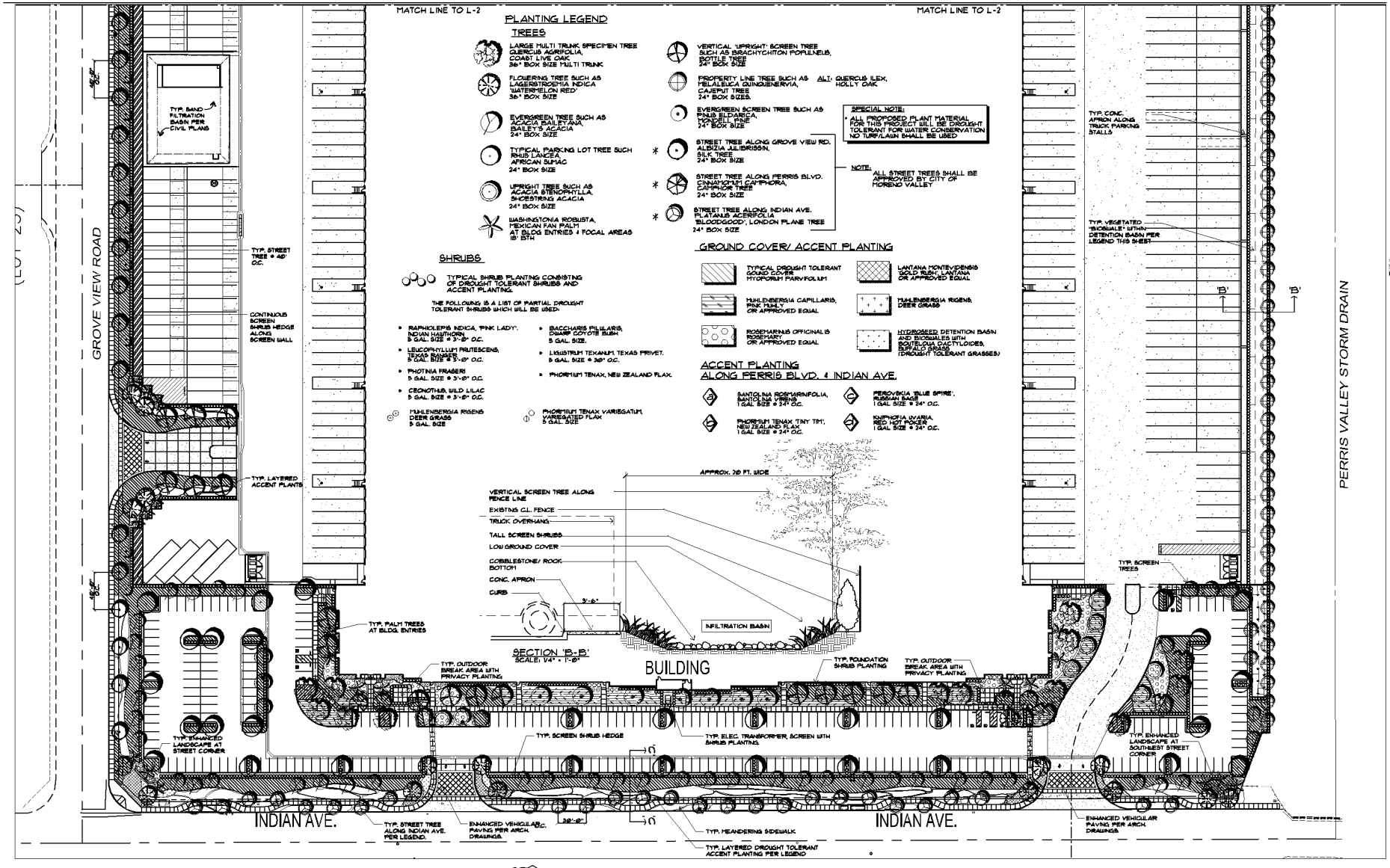

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- SANTOLINA ROSMARINIFOLIA, SANTOLINA VIRENS 1 GAL. SIZE @ 24" O.C.
- PEROVSKIA 'BLUE SPIRE', RUSSIAN SAGE 1 GAL. SIZE @ 24" O.C.
- PHORMIUM TENAX 'TINY TIM', NEW ZEALAND FLAX 1 GAL. SIZE @ 24" O.C.
- KNIPHOFIA UVARIA, RED HOT POKER 1 GAL. SIZE @ 24" O.C.

WATER CONSERVATION STATEMENT

THE IRRIGATION SYSTEM WILL BE DESIGNED UTILIZING 'STATE OF THE ART' IRRIGATION EQUIPMENT SUCH AS MULTIPLE START TIMES FOR CONTROLLERS, 'RAIN SHUT OFF' DEVICE @ CONTROLLERS, PRESSURE REGULATING MASTER VALVE & LOW FLOW IRRIGATION SPRAY/ROTOR & BUBBLER HEADS UTILIZING PC SCREENS THROUGHOUT.

THIS LANDSCAPE DESIGN GROUPS PLANTS WITH SIMILAR WATER NEEDS TOGETHER INTO TWO DISTINCT HYDROZONES OF LOW/MODERATE AND HIGH AREAS. THE HIGH WATER USE HYDROZONES ARE COMPRISED OF TURF AND ANNUAL COLOR AND ARE LIMITED WITHIN THE OVERALL SQUARE FOOTAGE OF THE SITE. THE LOW HYDROZONE, WHICH IS MADE UP OF DROUGHT TOLERANT PLANT SPECIES COMPRISES OVER 75% OF THE TOTAL LANDSCAPE AREA. THE IRRIGATION SYSTEM HAS BEEN DESIGNED TO GROUP SIMILAR HYDROZONES WITHIN THE SAME IRRIGATION VALVE. IN ADDITION A MINIMUM OF 3" LAYER OF MULCH IS USED OVER THE ENTIRE SHRUB AREAS TO RETAIN SOIL MOISTURE.

THE PROJECT WILL BE DESIGNED WITH LOW ROTOR/OR BUBBLER IRRIGATION SYSTEMS WHENEVER POSSIBLE

* ALL IRRIGATION SHALL COMPLY WITH EASTERN MUNICIPAL WATER DISTRICT. (E.M.W.D.)

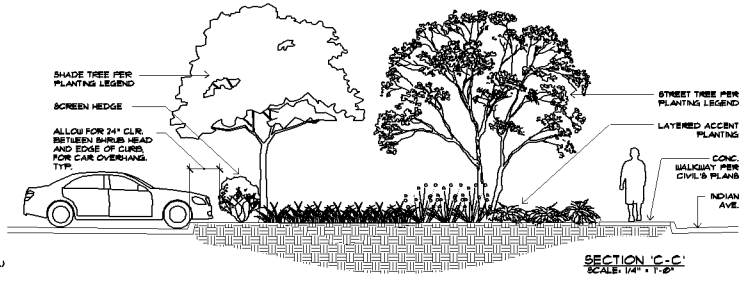

SECTION 'C-C'
SCALE: 1/4" = 1'-0"

DIG ALERT
DIAL TOLL FREE
1-800-227-2600
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

ARCHITECTURE URBAN PLANNING
rkz
RKZ, INC.
8006 DOW AVENUE, SUITE 110
TUSTIN, CALIFORNIA 92780
714/ 731-1160 FAX: 714/ 731-1580
www.rkzinc.com

SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
P.O. BOX 2154
LAKE ELSINORE, CA 92532
TEL: 909-537-0186
FX: 909-537-0884
REGISTERED LANDSCAPE ARCHITECT
NO. 2078
SIGNATURE
DATE
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

1-28-09
UP DATED 5-2-09
UP DATED 6-02-09
7-09-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-01-08 LR
JOB NO. 08-28
SHEET NAME
CONCEPTUAL LANDSCAPE PLAN
SHEET NO.
L-3
OF SHEETS
PROJECT # PD7-050

MV00171294

TENTATIVE
PARCEL MAP NO. 36162

TPM 36162

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SECTION 31, TOWNSHIP 3 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN

BEING A SUBDIVISION OF LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

ACCESSOR'S PARCEL NUMBERS 316-210-071, 073, 075 & 076

DATE OF PREPARATION:
MAY, 2009

NUMBER OF PARCELS:
1 PARCEL

AREA:
80.80 ACRES GROSS
71.11 ACRES NET
(NET ACRES EXCLUDES PROPOSED OFFERS OF DEDICATION FOR STREET RIGHT-OF-WAY)

ZONING :
THE PROJECT SITE IS LOCATED WITHIN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP #208). THE MAJORITY OF THE PROJECT SITE IS ZONED INDUSTRIAL (I) WITH THE NORTHEAST AND SOUTHEAST CORNERS OF THE SITE BEING ZONED INDUSTRIAL SUPPORT AREAS (ISA). DEVELOPMENT OF THE PROPOSED WAREHOUSE DISTRIBUTION FACILITY IS PERMITTED WITHIN BOTH THE I AND ISA ZONES.
(EXISTING AND PROPOSED)

EXISTING USE:
VACANT

PROPOSED USE:
WAREHOUSE/DISTRIBUTION FACILITY

OWNER AND APPLICANT :
VOGEL ENGINEERS, INC., A CALIFORNIA CORPORATION
ATTENTION: WILLIAM D. VOGEL
300 PASEO TESORO
WALNUT, CA 91789
(909) 598-7065

MAP PREPARED BY :
ROBERT A. BEBENSEE, R.C.E.
R.C.E. NO 22877
453 NORTH CENTRAL AVENUE
UPLAND, CA 91786
(909) 946-1122

FLOOD ZONE:
THE PROPERTY INDICATED HEREON LIES WITHIN FLOOD ZONE "X" (SHADED) AS STATED BY FLOOD INSURANCE RATE MAP, MAP NO. 06065C1430G, PANEL 1430 OF 3805, EFFECTIVE DATE AUGUST 28, 2008. PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, WHICH RECITES ZONE "X" (SHADED) AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

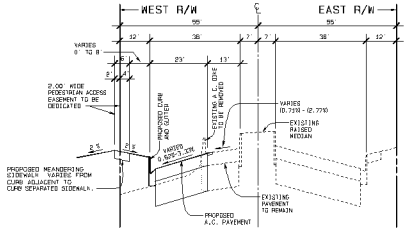

TYPICAL SECTION
PERRIS BOULEVARD
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

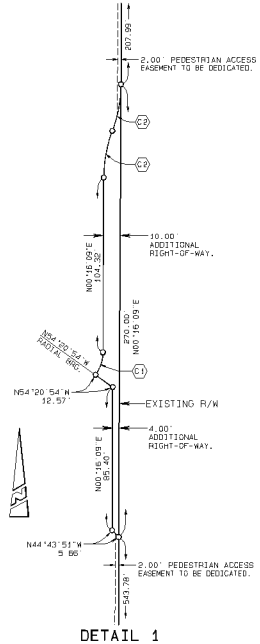

DETAIL 1
SCALE 1" = 30'

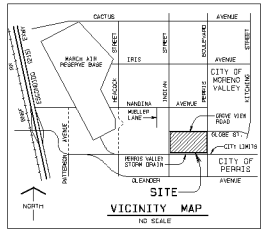

VICINITY MAP
NO SCALE

UTILITY COMPANIES	EMERGENCY NUMBERS
THE GAS COMPANY	1-800-427-2200
SO. CALIF. EDISON	1-800-684-8123
MORENO VALLEY ELECTRIC UTILITY	1-877-811-8700
VERIZON TELEPHONE (COMMERCIAL)	1-800-483-5000
TIME WARNER CABLE	(888) 892-2253
CITY OF MORENO VALLEY	(951) 413-3110
EASTERN MUNICIPAL WATER DIST.	(951) 928-3777
WASTE MANAGEMENT OF THE INLAND VALLEY	(800) 423-9986

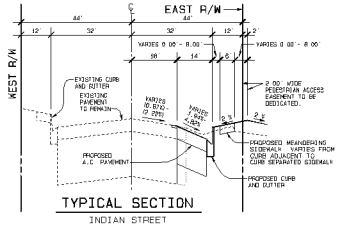

TYPICAL SECTION
INDIAN STREET
LOT 31 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

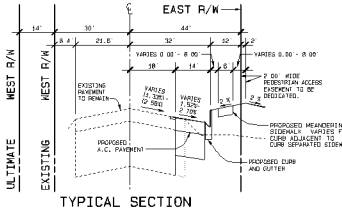

TYPICAL SECTION
INDIAN STREET
LOT 26 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

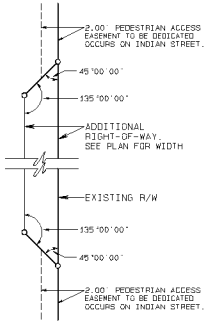

GENERAL DETAIL
NO SCALE

BASIS OF BEARING AND NOTES

THE CENTERLINE OF GROVE VIEW ROAD WAS TAKEN AS HAVING A BEARING OF N89°30'47"W PER PARCEL MAP NO. 32961, RECORDED IN BOOK 217 OF PARCEL MAPS, PAGES 98 AND 99, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

● INDICATES MONUMENT FOUND AS NOTED.
○ INDICATES MONUMENT TO BE SET.
( ) INDICATES RECORD INFORMATION PER M.B. 8/21.
< > INDICATES RECORD INFORMATION PER INST. NO. 2006-0592780, O.R.
[ ] INDICATES RECORD INFORMATION PER P.M.B. 217/98-99.
{ } INDICATES RECORD INFORMATION PER P.M.B. 226/54-57.
R.C.F.C.& W.C.D. INDICATES RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT.
8"S INDICATES EXISTING SEWER LINE
24" SD INDICATES EXISTING STORM DRAIN LINE
10" W INDICATES EXISTING WATER LINE
—(483)— INDICATES EXISTING CONTOUR ELEVATION

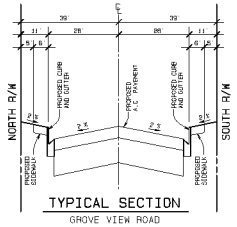

TYPICAL SECTION
GROVE VIEW ROAD
LOT 26 FRONTAGE
CURRENTLY UNDER CONSTRUCTION
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

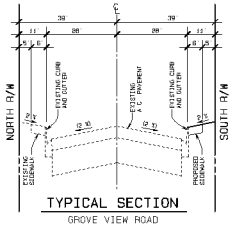

TYPICAL SECTION
GROVE VIEW ROAD
LOT 25 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

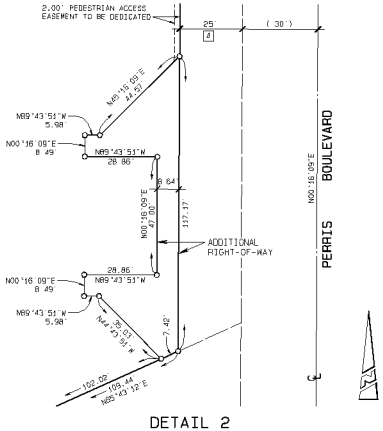

DETAIL 2
SCALE : 1" = 20'

EASEMENTS

1 — INDICATES 30' WIDE EASEMENT FOR CONSTRUCTION AND MAINTAINING A TEMPORARY DRAINAGE FACILITY PURPOSES GRANTED TO MORENO VALLEY DISPOSAL, INC. IN DOCUMENT ENTITLED "GRANT OF EASEMENT AND MAINTENANCE AGREEMENT", RECORDED JUNE 19, 1989 AS INSTRUMENT NO. 1989-261780, O.R.

2 — INDICATES CENTERLINE OF EASEMENT, WIDTH UNDISCLOSED, FOR POLE LINES, CONDUITS, UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES GRANTED TO CALIFORNIA ELECTRIC POWER COMPANY IN DOCUMENT RECORDED APRIL 7, 1955 IN BOOK 1719, PAGE 200, O.R.

3 — INDICATES 25' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR PUBLIC HIGHWAY PURPOSES, INCLUDING PUBLIC UTILITY AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "EASEMENT DEED" RECORDED NOVEMBER 22, 2005 AS INSTRUMENT NO. 2005-0969613, O.R.

4 — INDICATES 25' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR PUBLIC HIGHWAY PURPOSES, INCLUDING PUBLIC UTILITY AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "EASEMENT DEED" RECORDED NOVEMBER 22, 2005 AS INSTRUMENT NO. 2005-0969614, O.R.

5 — INDICATES 14' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR HIGHWAY PURPOSES, UTILITIES AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "OFFER OF DEDICATION" RECORDED JANUARY 24, 2006 AS INSTRUMENT NO. 2006-0052906, O.R.

6 — INDICATES PERPETUAL EASEMENT AND RIGHT OF WAY FOR HIGHWAY PURPOSES, UTILITIES AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "GRANT OF EASEMENT" RECORDED AUGUST 11, 2006 AS INSTRUMENT NO. 2006-0592780, O.R.

ATTACHMENT 11

REVIEW BY CITY STAFF		
OFFICE	INITIAL	DATE
PRINCIPAL ENGINEER		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
PARKS AND RECREATION		
LAND DEVELOPMENT		

BENCH MARK
RIVERSIDE COUNTY FLOOD CONTROL BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED RIV CO SURVEYOR M-31 WEST APRIL 1986 FLUSH AT S.E. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF LIMB LOCATED AT THE CROSSING OF PERRIS BLVD AND RIV CO FLOOD CONTROL CHANNEL, BEARING LATERAL "A" 41.41 FT. WEST OF THE CENTERLINE OF PERRIS BLVD AND 4.5 FT. EAST OF CONCRETE BRIDGE BARRIER. ELEVATION. 1474.614

MARK	DATE	INITIAL	DESCRIPTION	REC	APPR	DATE
		E.O.R.	REVISION			

ENGINEER OF RECORD'S SEAL
REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 Exp 12-31-09 CIVIL STATE OF CALIFORNIA

PREPARED BY.
ROBERT A. BEBENSEE, R.C.E.
453 North Central Avenue
Upland CA 91786
(909) 946-1122

ROBERT A. BEBENSEE
R.C.E #22877 (EXP. 12/31/2009)
DATE

SHEET 1 NO. 2

PLOT DATE 05-07-09 JOB NO. 08-9005

MV00171295

TENTATIVE PARCEL MAP NO. 36162

TPM 36162

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SECTION 31, TOWNSHIP 3 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN

BEING A SUBDIVISION OF LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

ACCESSOR'S PARCEL NUMBERS 316-210-071, 073, 075 & 076

DEMOLITION NOTE:
EXISTING ON-SITE STRUCTURES/FEATURES, TREES, EXCLUSIVE OF PROPERTY LINE FENCING AND GROVE VIEW ROAD ELECTRICAL STRUCTURES AND CONDUITS TO BE REMOVED FROM THE SITE TO AN AUTHORIZED DISPOSAL AREA.

EASEMENTS	RECORDATION INFORMATION
1	INST. NO 1989-201780, O.R
2	BOOK 1719, PAGE 200, O.R.
3	INST. NO. 2005-0969613, O.R.
4	INST NO. 2005-0969614 O.R.
5	INST. NO. 2006-0052906, O.R.
6	INST. NO. 2006-0592780, O.R.

SEE SHEET 1 OF 2 FOR PLOTTED EASEMENT DESCRIPTIONS.

LINE DATA

LINE	BEARING	DISTANCE	DESCRIPTION
L1	N89°51'12"W	124.95	RECORD PER INST. NO 2004-0139951, O.R.
L2	N89°31'09"W	124.95	FIELD CALCULATED
L3	N65°43'11"E	136.93	RECORD PER INST. NO 2004-0139951, O.R.
L4	N65°43'12"E	138.93	FIELD CALCULATED
L5	S00°16'09"W	57.35	RECORD PER INST. NO 2004-0139951, O.R.
L6	S00°16'09"W	57.35	FIELD CALCULATED
L7	N00°17'54"E	43.02	RECORD PER INST. NO 2004-0198595, O.R.
L8	N00°17'48"E	43.02	FIELD CALCULATED
L9	S89°05'05"E	99.10	RECORD PER INST. NO 2004-0198595, O.R.
L10	S89°05'00"E	99.10	FIELD CALCULATED
L11	S00°28'47"W	8.42	RECORD PER INST. NO 2004-0198595, O.R.
L12	S00°28'51"W	8.42	FIELD CALCULATED
L13	N89°31'12"W	92.72	RECORD PER INST. NO 2004-0198595, O.R.
L14	N89°31'09"W	92.72	FIELD CALCULATED
L15	S00°16'30"W	213.41	RECORD PER INST. NO 2005-0592780, O.R.
L16	S00°16'09"W	213.41	FIELD CALCULATED
L17	N89°43'30"W	25.00	RECORD PER INST. NO 2005-0592780, O.R.
L18	N89°43'51"W	25.00'	FIELD CALCULATED

LINE DATA

LINE	BEARING	DISTANCE	DESCRIPTION
L10	N00°16'30"E	235.64	RECORD PER INST. NO 2005-0592780, O.R.
L11	N00°16'09"E	135.65	FIELD CALCULATED
L12	N43°52'20"W	54.35	RECORD PER INST. NO 2005-0592780, O.R.
L13	N43°52'30"W	54.35	FIELD CALCULATED
L14	S44°38'49"W	34.41	RECORD PER INST. NO 2005-0592780, O.R.
L15	S44°38'14"W	34.41	FIELD CALCULATED
L16	N00°17'23"E	63.89	RECORD PER INST. NO. 2006-0592780, O.R.
L17	N00°17'48"E	63.89	FIELD CALCULATED
L18	N45°16'09"E	44.57	
L19	N89°43'51"W	5.98	
L18	N00°16'09"E	8.49	
L17	N89°43'51"W	5.98	
L18	N44°43'51"W	35.03	
L19	N89°43'12"E	7.42	
L20	N65°43'12"E	502.02	
L21	N89°43'51"W	28.86	
L22	N00°16'09"E	47.00	
L23	N89°43'51"W	28.86	
L24	N00°16'09"E	8.49	

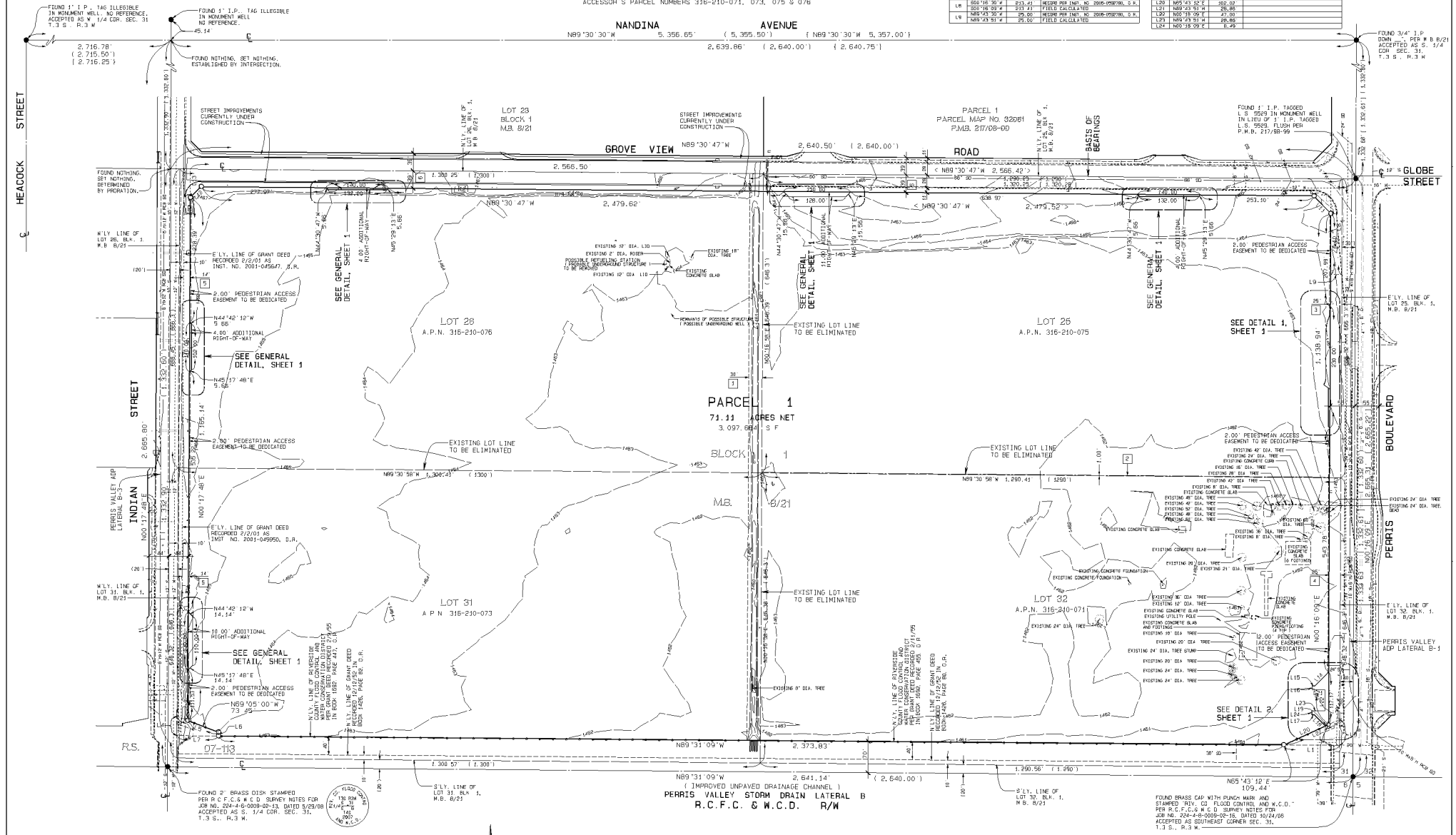

CURVE DATA

C	Δ	R	L	T	DESCRIPTION
C1	75°22'57"	23.00	14.20	7.34	FIELD CALCULATED
C2	20°21'51"	80.00'	28.43'	14.37'	FIELD CALCULATED

SCALE : 1" = 80'

GRAPHIC SCALE 1" = 80'

REVIEW BY CITY STAFF	INITIAL	DATE
OFFICE		
PRINCIPAL ENGINEER		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
PARKS AND RECREATION		
LAND DEVELOPMENT		

BENCH MARK
RIVERSIDE COUNTY FLOOD CONTROL
BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED R.I.V. CO. SURVEYOR M-31 HEIGHT APRIL 1966 FLUSH AT S.E. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF LIMB LOCATED AT THE CROSSING OF PERRIS BLVD AND R.I.V. CO. FLOOD CONTROL CHANNEL PERRIS LATERAL "A" 41 FT. WEST OF THE CENTERLINE OF PERRIS BLVD AND 4.5 FT. EAST OF CONCRETE BRIDGE BARRIER. ELEVATION. 1474.614

MARK	DATE	INITIAL	DESCRIPTION	REC	APPR	DATE
		E.O.R.	REVISION			

ENGINEER OF RECORD'S SEAL
REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22677 EXP 10-31-09 CIVIL STATE OF CALIFORNIA

PREPARED BY:
ROBERT A. BEBENSEE, R.C.E.
453 North Central Avenue
Upland CA 91786
(909) 946-1122

ROBERT A. BEBENSEE
R.C.E #22677 EXP. 10/31/2009
DATE

SHEET 2 OF 2

PLOT DATE 05-07-09 JOB NO. 08-9005

MV00171296

DATE OF PREPARATION:
DECEMBER, 2009

LEGAL DESCRIPTION:
LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA

ACCESSOR'S PARCEL NUMBERS:
316-210-071, 073, 075 & 076

AREA:
80.80 ACRES GROSS
71.11 ACRES NET
(NET ACRES EXCLUDES PROPOSED OFFERS OF DEDICATION FOR STREET RIGHT-OF-WAY)

ZONING :
THE PROJECT SITE IS LOCATED WITHIN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP #208). THE MAJORITY OF THE PROJECT SITE IS ZONED INDUSTRIAL (I) WITH THE NORTHEAST AND SOUTHEAST CORNERS OF THE SITE BEING ZONED INDUSTRIAL SUPPORT AREAS (ISA). DEVELOPMENT OF THE PROPOSED WAREHOUSE DISTRIBUTION FACILITY IS PERMITTED WITHIN BOTH THE I AND ISA ZONES.
(EXISTING AND PROPOSED)

EXISTING USE:
VACANT

PROPOSED USE:
WAREHOUSE/DISTRIBUTION FACILITY

OWNER AND APPLICANT :
VOGEL ENGINEERS, INC., A CALIFORNIA CORPORATION
ATTENTION: WILLIAM D. VOGEL
300 PASEO TESORO
WALNUT, CA. 91789
(909) 598-7065

MAP PREPARED BY :
ROBERT A. BEBENSEE, R.C.E
R.C.E. NO. 22877, EXP. 12-31-11
453 NORTH CENTRAL AVENUE
UPLAND, CA 91786
(909) 946-1122

FLOOD ZONE:
THE PROPERTY INDICATED HEREON LIES WITHIN FLOOD ZONE "X" (SHADED) AS STATED BY FLOOD INSURANCE RATE MAP, MAP NO. 06065C1305G, PANEL 1430 OF 3805, EFFECTIVE DATE AUGUST 28, 2008. PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, WHICH RECITES ZONE "X" (SHADED) AS AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE" AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD

AUTOMOBILE PARKING NOTES:
1. AUTOMOBILE PARKING STALLS TO BE 9 FEET WIDE AND 18 FEET MINIMUM LONG. PAVED.
2. 12" WIDE CONCRETE STEP TO BE CONSTRUCTED AT PARKING STALLS PARALLEL AND ADJACENT TO LANDSCAPE AREAS.

TRAILER PARKING NOTES:
1. TRAILER PARKING STALLS TO BE 14 FEET WIDE AND 53 FEET LONG.
2. SECONDARY TRAILER PARKING STALLS TO HAVE 8 FEET OVERHANG.

SURFACE STORAGE/SAND FILTER FACILITY NOTE:
SURFACE STORAGE/SAND FILTER FACILITIES SIZED TO HOLD AND PROCESS BMP VOLUMES.

BENCH MARK:
RIVERSIDE COUNTY FLOOD CONTROL
BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED RIV. CO. SURVEYOR M-31 RESET APRIL 1996. FLUSH AT S.W. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF CURB LOCATED AT THE CROSSING OF PERRIS BLVD. AND RIV. CO. FLOOD CONTROL CHANNEL (PERRIS LATERAL "A") 43 FEET WEST OF THE CENTERLINE OF PERRIS BOULEVARD AND 4.5 FEET EAST OF CONCRETE BRIDGE BARRIER
ELEVATION = 1474.674

LEGEND
A.C. ASPHALT CONCRETE
B.M. BOTTOM OF RISER
B.V.C. BEGIN VERTICAL CURVE
C.F. CURB FACE
CML/CWC CEMENT MORTAR LINED/ CEMENT MORTAR COATED
D.S. DOWN SPOUT
E.G. EXISTING GRADE
EMWD EASTERN MUNICIPAL WATER DISTRICT
E.V.C. END VERTICAL CURVE
F.D.C. FIRE DEPARTMENT CONNECTION
F.F. FINISH FLOOR
F.G. FINISH GRADE
F.H. FIRE HYDRANT
FL FLOW LINE
F.S. FINISH SURFACE
F.W. Indicates ON-SITE FIRE WATER LINE.
G.B. GRADE BREAK
H.G.L. HYDRAULIC GRADE LINE
H.P. HIGH POINT
I.C.B. IRRIGATION CONTROL BOX
I.C.V. IRRIGATION CONTROL VALVE
INV. INVERT
LAT. LATERAL
MVU MORENO VALLEY ELECTRIC UTILITY
N.P.A.T. NO PARKING AT ANY TIME SIGN
P.A. PLANTER AREA
P.C.C. PORTLAND CONCRETE CEMENT
P.I. POINT OF INTERSECTION
P.I.V. POST INDICATOR VALVE
PL PROPERTY LINE
P.L.L. PARKING LOT LIGHT
R.D. ROOF DRAIN
RCB REINFORCED CONCRETE BOX
R.C.F.C. & W.C.D. RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
R/W RIGHT OF WAY
S.C.O. SEWER CLEANOUT
SD STORM DRAIN
S.D. MH STORM DRAIN MANHOLE
S.L.P.B. STREET LIGHT PULL BOX
S. MH. SANITARY SEWER MANHOLE
T.B.M. TEMPORARY BENCH MARK
T.C. TOP OF CURB
T.C.B. TOP CATCH BASIN
T.CO. TOP OF CLEANOUT
T.D. TOP OF A.C. DIKE
T.G. TOP OF GRATE
T.L. TOP OF LANDING
T.MW. TOP OF HEADWALL
T.M.H. TOP OF MANHOLE
T.R. TOP OF RISER
TRANS. Indicates TRANSFORMER PAD LOCATION PER ARCHITECTURAL PLANS
T.S. TOP OF STEP
T.W. TOP OF WALL
W.M. WATER METER
W.V. WATER VALVE
EXISTING DECIDUOUS TREE
EXISTING EVERGREEN TREE
EXISTING PALM TREE
EXISTING STREET LIGHT
PROPOSED STREET LIGHT
1460 Indicates EXISTING CONTOUR ELEVATION
1460 Indicates PROPOSED CONTOUR ELEVATION
Indicates CUT/FILL DAYLIGHT LINE
(XX.XX) Indicates EXISTING ELEVATION
8" Indicates EXISTING GAS MAIN
16" S Indicates EXISTING SEWER MAIN
24" SD Indicates EXISTING STORM DRAIN LINE
4" T Indicates EXISTING TELEPHONE LINE
39" W Indicates EXISTING WATER MAIN

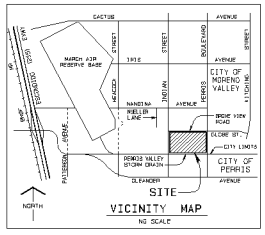

VICINITY MAP
NO SCALE

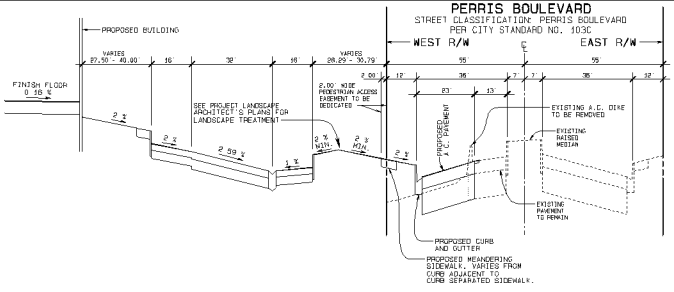

SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

SECTION A

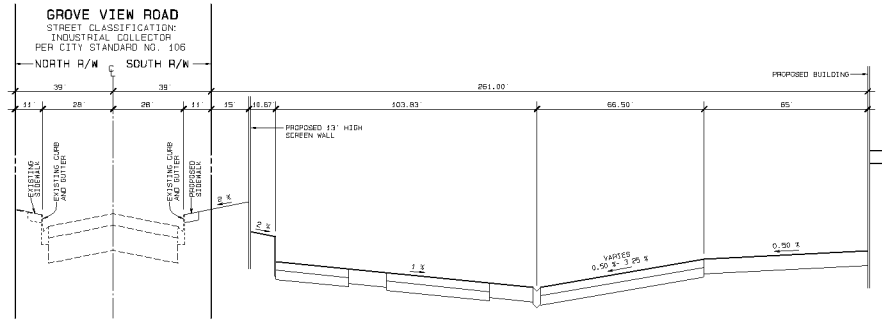

SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

SECTION B

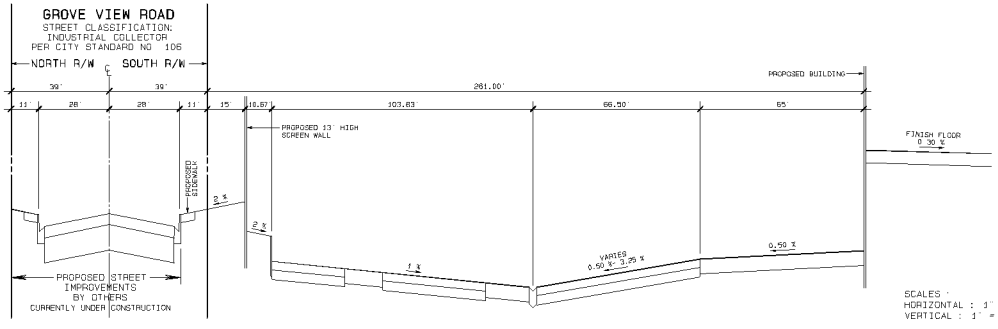

SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

SECTION C

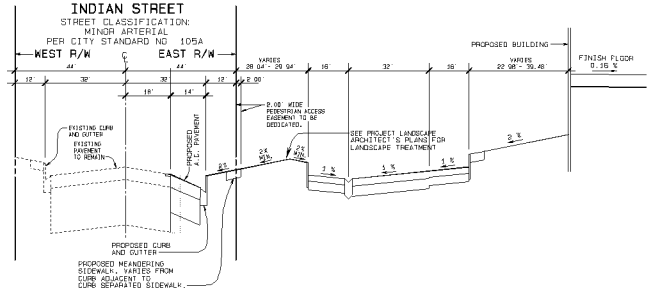

SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

SECTION D

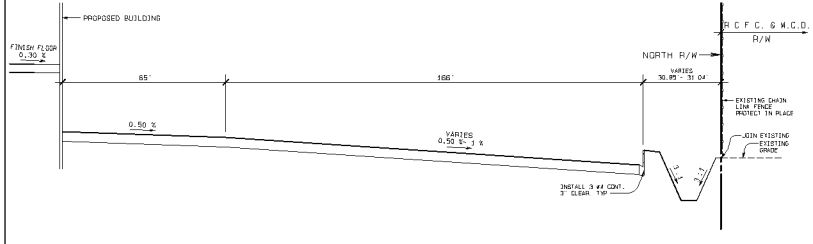

SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 3'

SECTION E

DEMOLITION NOTE:
EXISTING ON-SITE STRUCTURES/FEATURES, TREES, EXCLUSIVE OF PROPERTY LINE FENCING AND GROVE VIEW ROAD ELECTRICAL STRUCTURES AND CONDUITS TO BE REMOVED FROM THE SITE TO AN AUTHORIZED DISPOSAL AREA. FIELD LOCATED ELECTRICAL VAULTS, ADJACENT TO PERRIS BOULEVARD AND INDIAN STREET, TO REMAIN AND BE PROTECTED DURING CONSTRUCTION.

MINIMUM GRAIDIENTS:
A.C. PAVEMENT: 1%
P.C.C.: 0.50%

EARTHWORK QUANTITY ESTIMATE:
CUT- 45,951 CU. YDS. FILL- 342,815 CU. YDS.

THE ABOVE QUANTITIES DO NOT REFLECT ANY SHRINKAGE, SWELLING, SUBSIDENCE, OVER EXCAVATION OR ANY SPECIAL CONDITIONS THAT MAY BE SPECIFIED IN THE PRELIMINARY SOILS REPORT AND ARE FOR REFERENCE AND FEE PURPOSES ONLY. SINCE THE ENGINEER CANNOT CONTROL THAT EXACT METHOD OR MEANS USED BY THE CONTRACTOR DURING GRADING OPERATIONS, NOR CAN THE ENGINEER GUARANTEE THE EXACT SOIL CONDITION OVER THE ENTIRE SITE, THE ENGINEER ASSUMES NO RESPONSIBILITY FOR FINAL EARTHWORK QUANTITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING HIS OWN EARTHWORK QUANTITIES FOR BIDDING, CONTRACT, AND CONSTRUCTION PURPOSES. IF IT APPEARS THERE WILL BE AN EXCESS OR SHORTAGE OF MATERIAL, THE CONTRACTOR MAY NOTIFY THE ENGINEER TO DETERMINE IF POSSIBLE GRADE ADJUSTMENTS CAN BE MADE TO ALLEVIATE SAID MATERIAL EXCESS OR SHORTAGE.

ATTACHMENT 12

UTILITY COMPANIES	EMERGENCY NUMBERS
THE GAS COMPANY	1-800-427-2200
SO. CALIF. EDISON	1-800-684-8123
MORENO VALLEY ELECTRIC UTILITY	1-877-811-8700
VERIZON TELEPHONE (COMMERCIAL)	1-800-483-5000
TIME WARNER CABLE	(888) 892-2253
CITY OF MORENO VALLEY	(951) 413-3110
EASTERN MUNICIPAL WATER DIST.	(951) 928-3777
WASTE MANAGEMENT OF THE INLAND VALLEY	(800) 423-9986

SHEET INDEX

SHEET 1 OF 5 TITLE SHEET - TYPICAL SECTIONS
SHEET 2-5 OF 5 CONCEPTUAL GRADING PLAN

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp 12-31-11) CIVIL STATE OF CALIFORNIA

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09				
		REVISED		APPROVED	

CITY OF MORENO VALLEY
CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, R.C.E. 453 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	R.C.E. 22877 Robert A. Bebensee Exp. 12-31-11	SHEET 1 OF 5
DATE	FILE NO.	

MV00171297

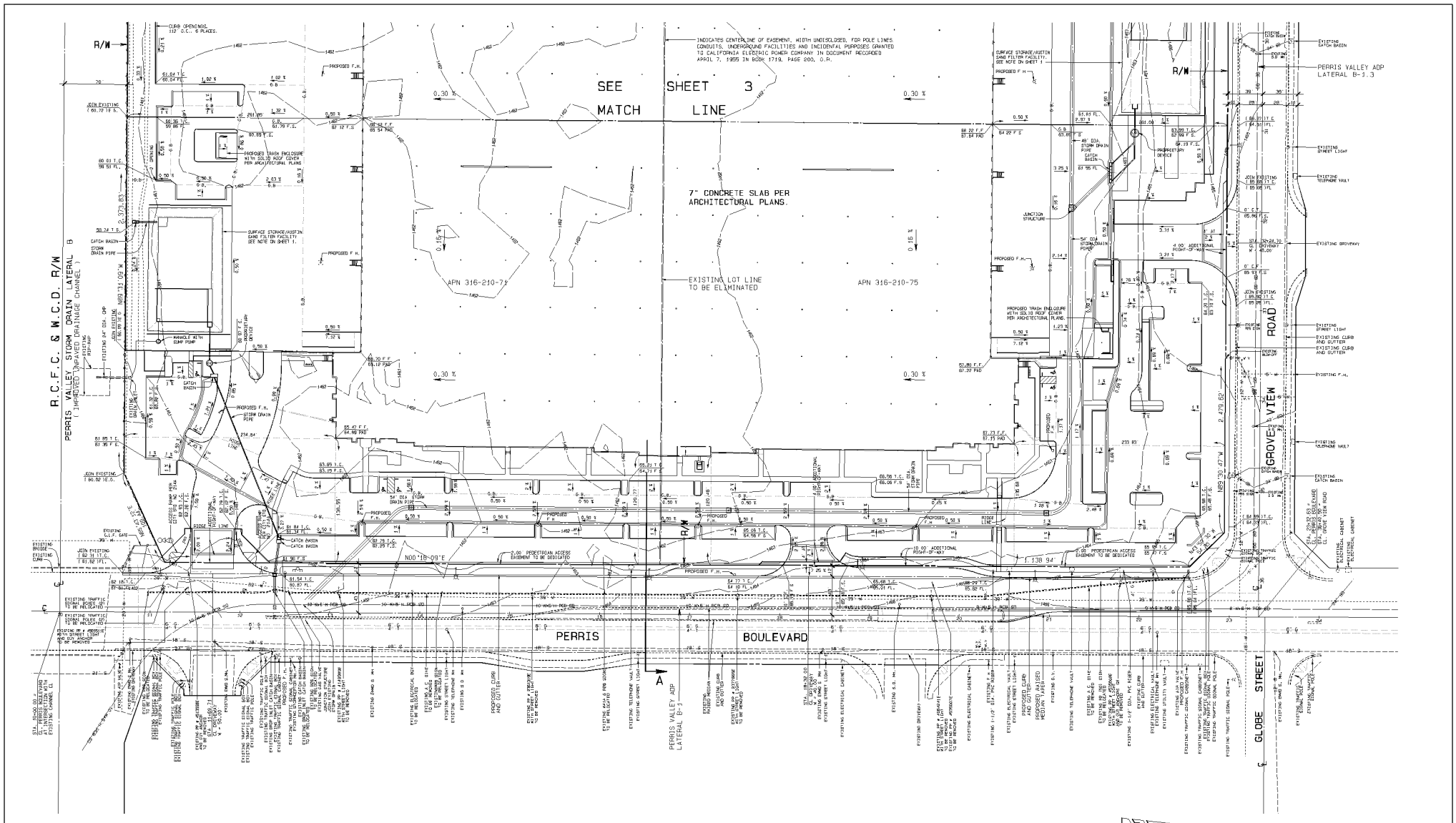

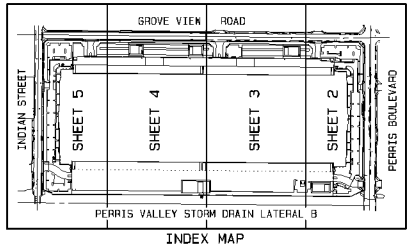

INDEX MAP

SCALE : 1" = 300'

GRAPHIC SCALE 1" = 40'

40 20 0 40 80 120

NOT FOR CONSTRUCTION
FOR PLAN REVIEW ONLY 12/22/09

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. C.E. 1551 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	Robert A. Bebensee R.C.E. 22877 Exp. 12-31-11	SHEET 2 OF 5
DATE	FILE NO.	

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp. 12-31-11) CIVIL STATE OF CALIFORNIA

MV00171298

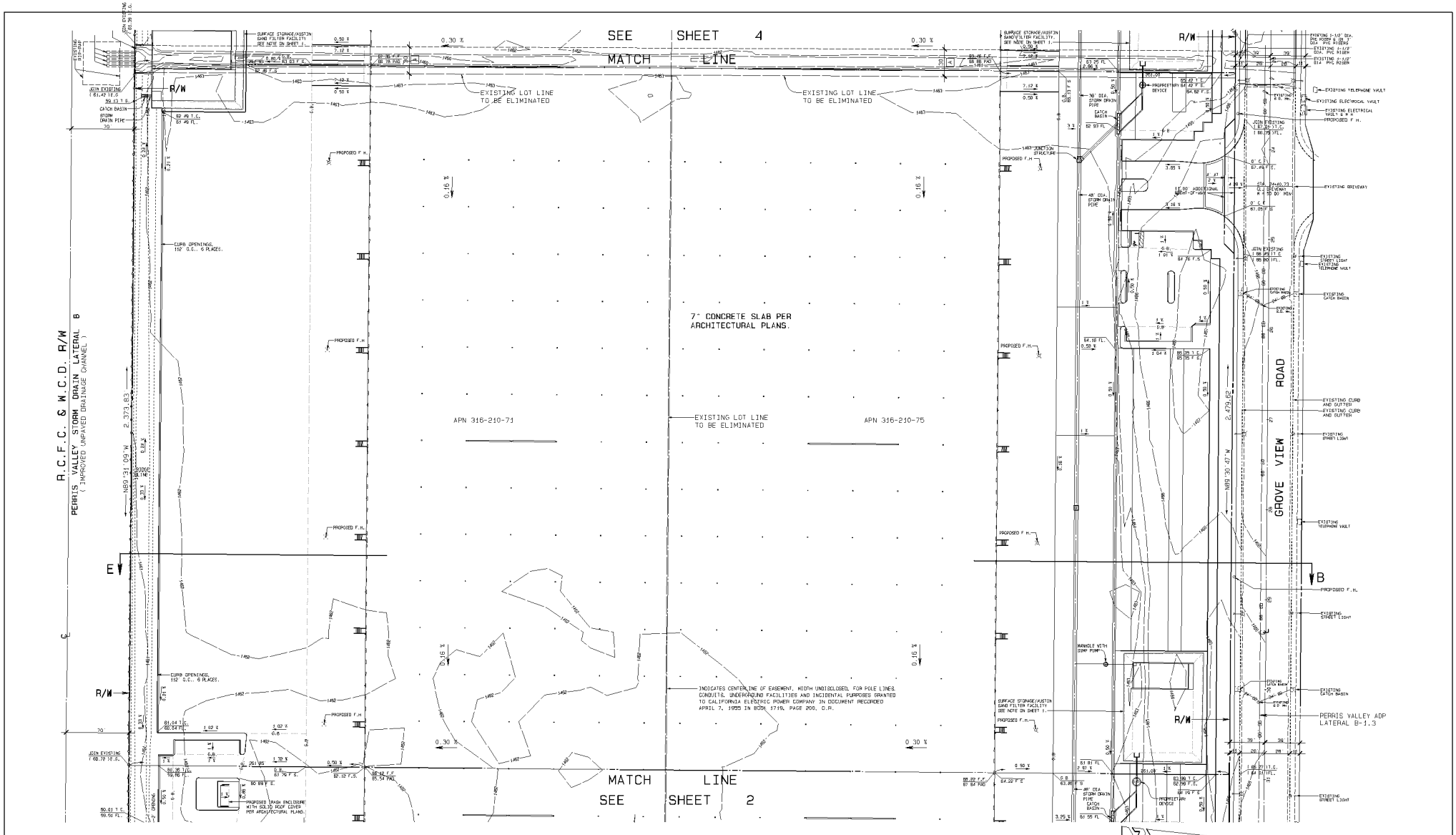

EASEMENTS

A — INDICATES 30' WIDE EASEMENT FOR CONSTRUCTION AND MAINTAINING A TEMPORARY DRAINAGE FACILITY PURPOSES GRANTED TO MORENO VALLEY DISPOSAL, INC. IN DOCUMENT ENTITLED "GRANT OF EASEMENT AND MAINTENANCE AGREEMENT", RECORDED JUNE 19, 1989 AS INSTRUMENT NO. 1989-201760, O.R.

THE EASEMENT GRANTED HEREUNDER SHALL CONTINUE IN EFFECT UNTIL SUCH TIME AS GRANTEE SHALL BE ABLE TO DISCHARGE STORM WATER FROM GRANTEE'S PROPERTY INTO A STORM DRAIN THAT IS PART OF THE PUBLIC STORM DRAIN SYSTEM CONSTRUCTED TO SERVE THE AREA IN WHICH GRANTEE'S PROPERTY IS LOCATED. AT SUCH TIME AND UPON REQUEST OF GRANTOR, THIS EASEMENT SHALL AUTOMATICALLY TERMINATE, AND GRANTEE COVENANTS AND AGREES TO REMOVE THE FACILITY AND ALL OTHER IMPROVEMENTS PLACED BY GRANTEE IN THE EASEMENT AREA AND TO REPAIR AND RESTORE THE EASEMENT AREA, AS FAR AS PRACTICABLE, TO ITS CONDITION EXISTING AS OF THE DATE OF THIS AGREEMENT, AND TO QUITCLAIM ITS RIGHTS UNDER THIS AGREEMENT.

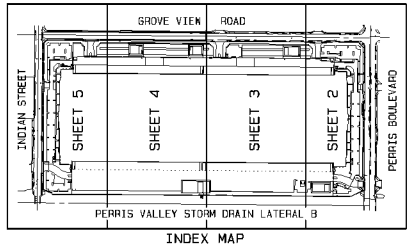

INDEX MAP

SCALE : 1" = 300'

	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09			
MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. 853 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	Robert A. Bebensee R.C.E. 22877 Exp. 12-31-12	SHEET 3 OF 5
DATE	FILE NO.	

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 Exp. 12-31-12 CIVIL STATE OF CALIFORNIA

MV00171299

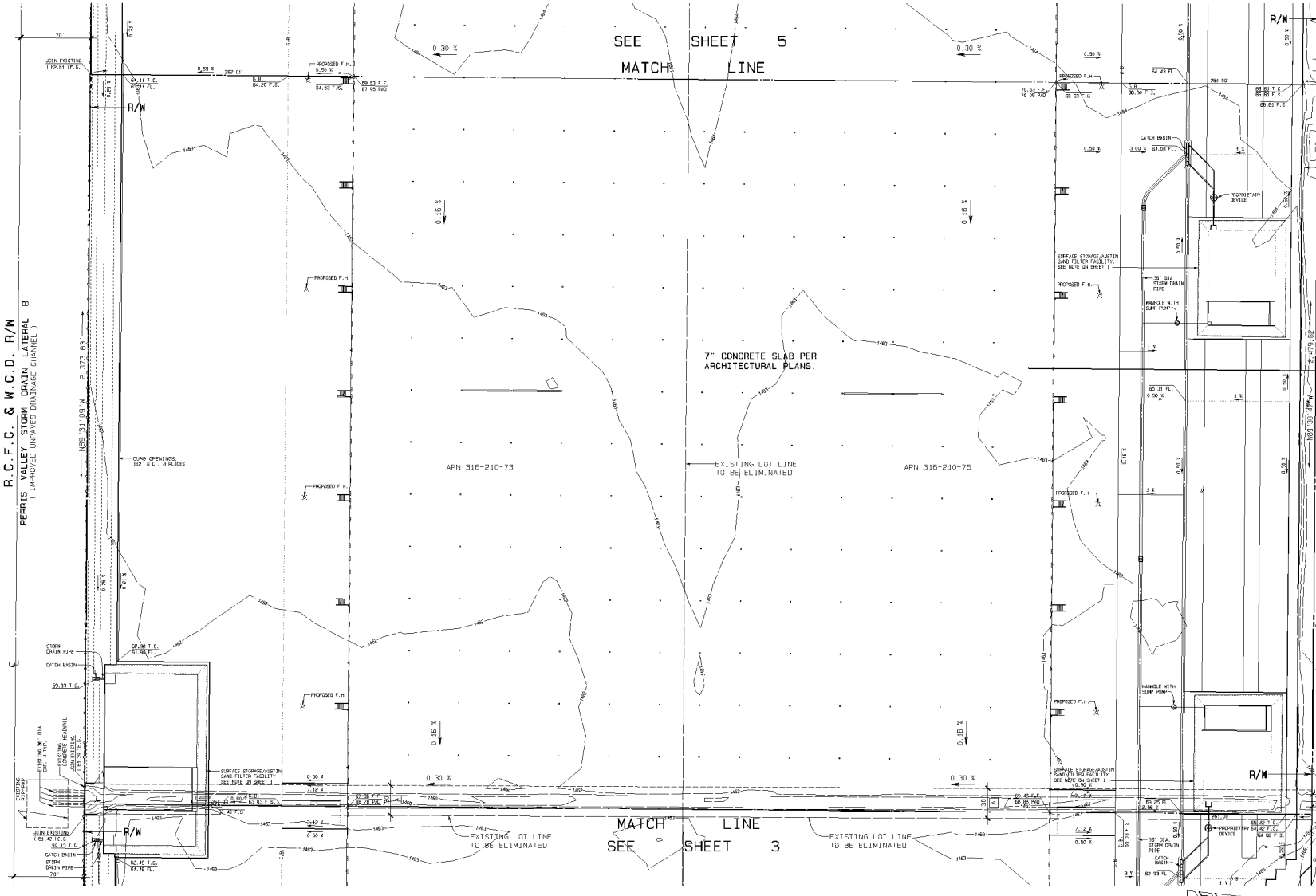

EASEMENTS

A — INDICATES 30' WIDE EASEMENT FOR CONSTRUCTION AND MAINTAINING A TEMPORARY DRAINAGE FACILITY PURPOSES GRANTED TO MORENO VALLEY DISPOSAL, INC. IN DOCUMENT ENTITLED "GRANT OF EASEMENT AND MAINTENANCE AGREEMENT", RECORDED JUNE 19, 1989 AS INSTRUMENT NO. 1989-201780, O.R.

THE EASEMENT GRANTED HEREUNDER SHALL CONTINUE IN EFFECT UNTIL SUCH TIME AS GRANTEE SHALL BE ABLE TO DISCHARGE STORM WATER FROM GRANTEE'S PROPERTY INTO A STORM DRAIN THAT IS PART OF THE PUBLIC STORM DRAIN SYSTEM CONSTRUCTED TO SERVE THE AREA IN WHICH GRANTEE'S PROPERTY IS LOCATED. AT SUCH TIME AND UPON REQUEST OF GRANTOR, THIS EASEMENT SHALL AUTOMATICALLY TERMINATE, AND GRANTEE COVENANTS AND AGREES TO REMOVE THE FACILITY AND ALL OTHER IMPROVEMENTS PLACED BY GRANTEE IN THE EASEMENT AREA AND TO REPAIR AND RESTORE THE EASEMENT AREA, AS FAR AS PRACTICABLE, TO ITS CONDITION EXISTING AS OF THE DATE OF THIS AGREEMENT, AND TO QUITCLAIM ITS RIGHTS UNDER THIS AGREEMENT.

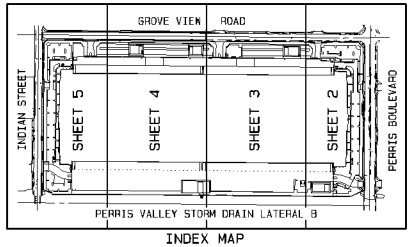

INDEX MAP
SCALE : 1" = 300'

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp 12-31-11) CIVIL STATE OF CALIFORNIA

	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09			
MARK	DESCRIPTION	INITIAL DATE REVISED	INITIAL DATE APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. C.E. #53 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.	R.C.E. 22877 Exp. 12-31-11	JOB NO. 061606
CHECKED	Robert A. Bebensee	SHEET 4 OF 5
DATE	FILE NO.	

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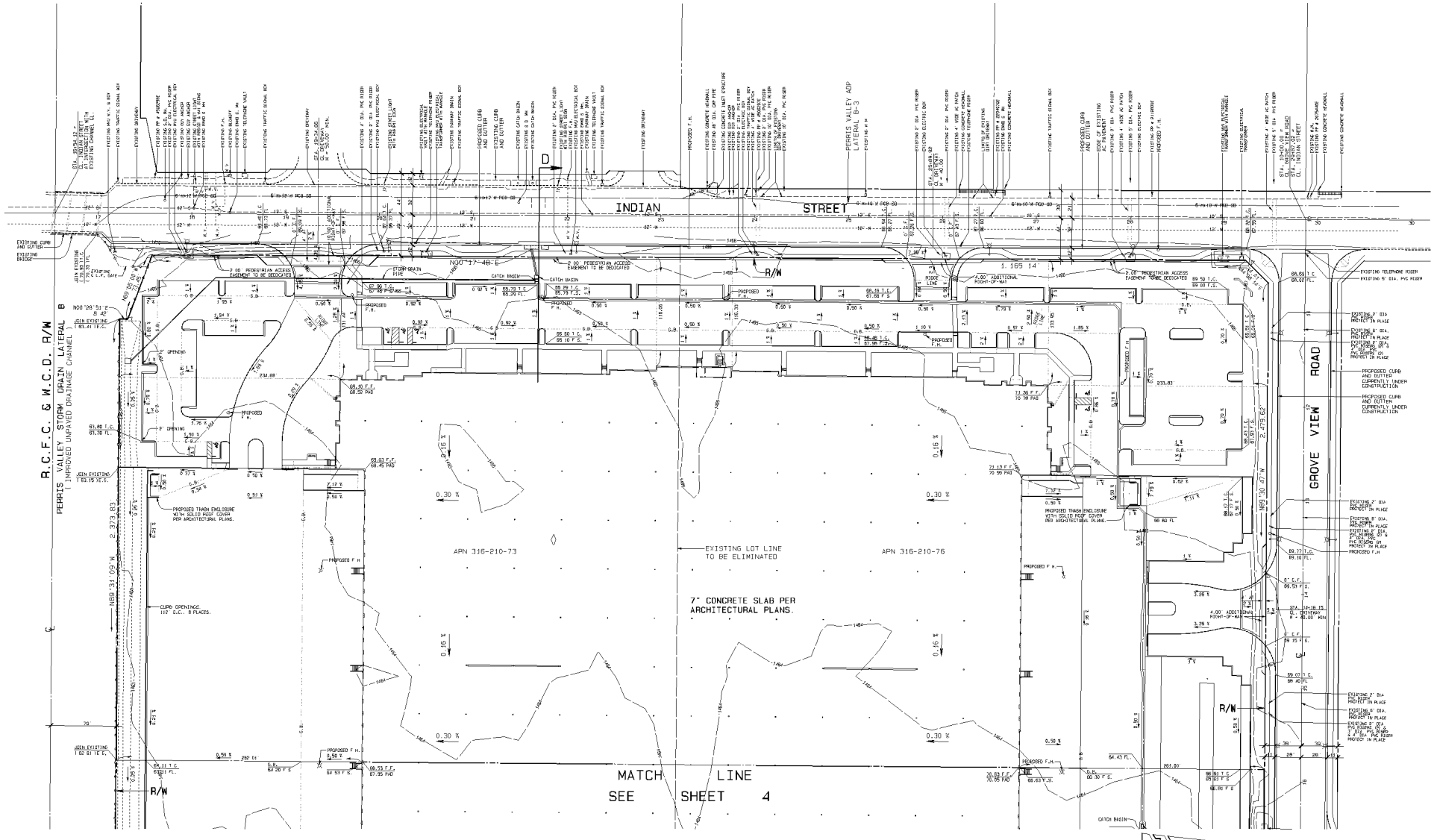

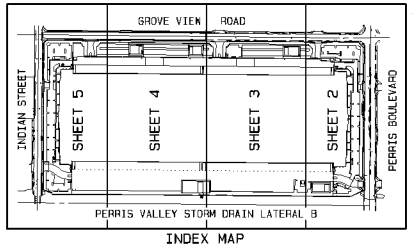

INDEX MAP

SCALE : 1" = 300'

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09				
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. C.E. 853 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	Robert A. Bebensee R.C.E. 22877 Exp. 12-31-11	SHEET 5 OF 5
DATE	FILE NO.	

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp. 12-31-11) CIVIL STATE OF CALIFORNIA

MV00171301

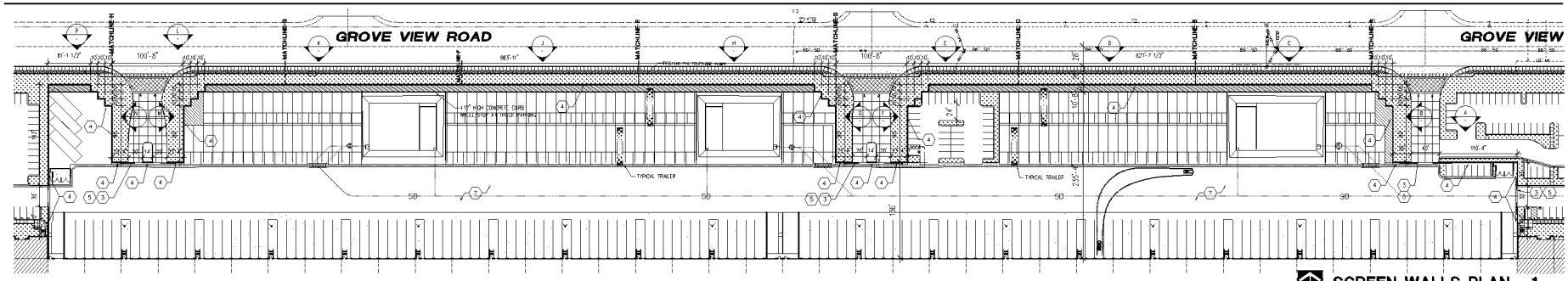

SCREEN WALLS PLAN - 1

SCALE: 1" = 60'-0"

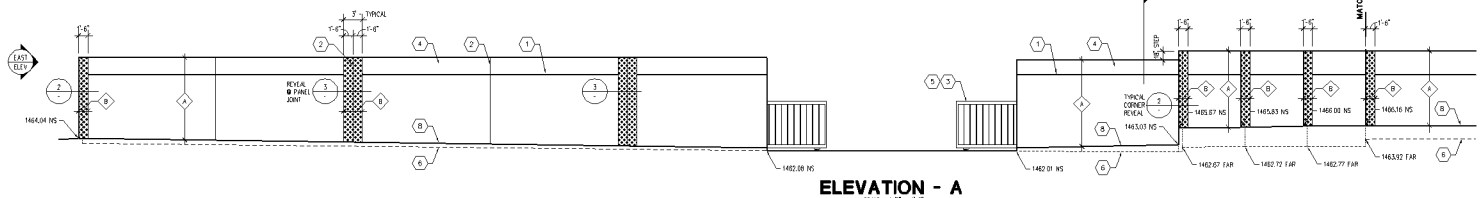

ELEVATION - A

SCALE 1/8" = 1'-0"

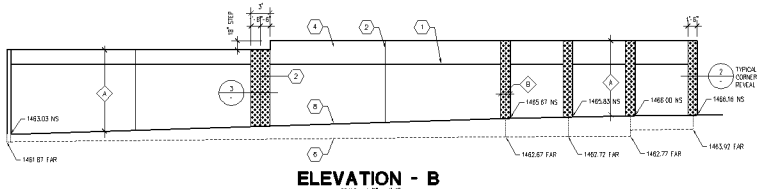

ELEVATION - B

SCALE 1/8" = 1'-0"

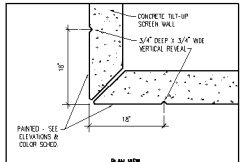

CORNER REVEAL DETAIL - 2

N.T.S.

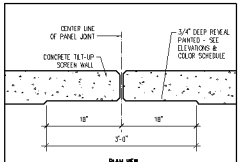

REVEAL DETAIL - 3

N.T.S.

KEYNOTES:

1. 2 IN. WIDE X 3/4 IN. DEEP REVEAL. PAINTED; TYPICAL
2. PANEL JOINT
3. TUBULAR STEEL ROLLING GATES – SEE SEE NOTE BELOW
4. CONCRETE TILT UP SCREEN WALL, HEIGHTS VARY DUE TO GRADES – REFER TO CIVIL PLANS
5. GATE IN OPEN POSITION
6. FAR-SIDE (FAR) GRADE OR FINISH SURFACE – SEE CE-PLANS
7. A.C. PAVING – SEE CE- PLANS
8. NEAR-SIDE (NS) GRADE OR FINISH SURFACE – SEE CE-PLANS

EXTERIOR COLORS:

- A DUNN EDWARDS #DE6143 "ALMOND LATTE" ..... (FIELD)
- B DUNN EDWARDS #DE6145 "ROCKY RIDGE" (BASE / CAP)

GATES AND FENCES NOTES:

- 8-FOOT HIGH MINIMUM STEEL ROLLING GATES AND ITS HARDWARE, MANUALLY OR ELECTRICALLY OPERATED SHALL BE DESIGNED TO WITHSTAND 90 MPH WIND LOADS IN THE OPEN AND CLOSED POSITION.
- THE STEEL ROLLING GATES CONTRACTOR SHALL SUBMIT SHOP DRAWINGS AND STRUCTURAL CALCULATIONS SIGNED BY A LICENSED CALIFORNIA STRUCTURAL ENGINEER FOR THE ENTIRE GATE OPERATION, TO THE APPROVAL OF THE BUILDING, FIRE AND PLANNING DEPARTMENTS AND OBTAIN THE REQUIRED PERMIT PRIOR TO START ANY WORK IN THE FIELD.
- PROVIDE FIRE DEPT. APPROVED 'KNOX-LOCKS' AS REQUIRED.
- THESE SAME NOTES APPLY TO THE TUBULAR STEEL AND CHAIN-LINK FENCES.
- ROLLING GATES TO BE ELECTRICALLY OPERATED AT LOCATIONS WHERE THE CITY REQUIRES THEM TO BE SELF CLOSING.
- RKZ INC. IS NOT RESPONSIBLE IN ANY WAY FOR THE GATES, AND FENCES DESIGN AND CONSTRUCTION AND OPERATION. INFORMATION FOUND TO HAVE EFFECT ON THESE CONSTRUCTION DOCUMENTS SHALL BE CONSIDERED CONCEPTUAL ONLY.

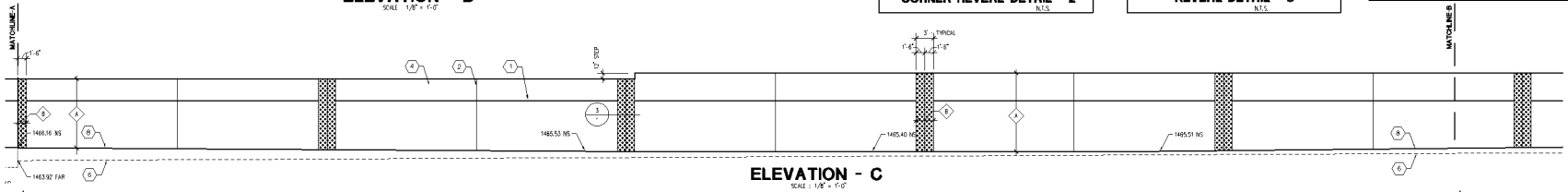

ELEVATION - C

SCALE : 1/8" = 1'-0"

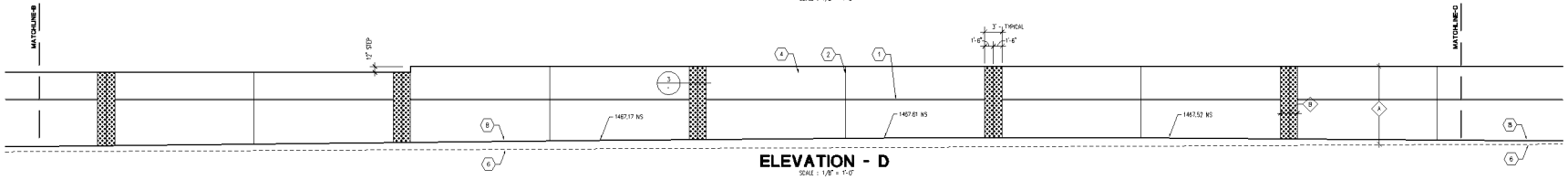

ELEVATION - D

SCALE : 1/8" = 1'-0"

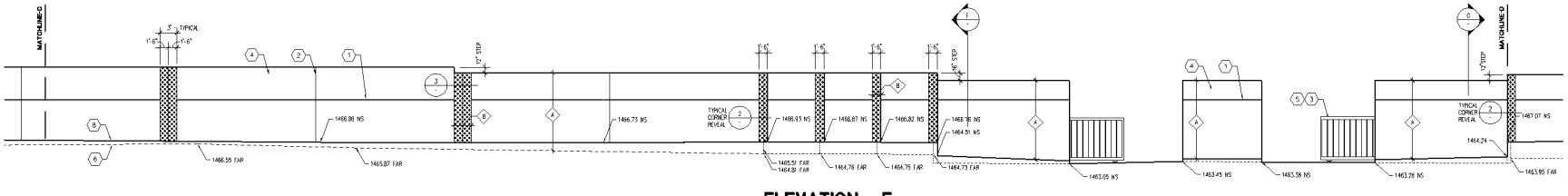

ELEVATION - E

SCALE : 1/8" = 1'-0"

ATTACHMENT 13

rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH: 714.731.1140 FAX: 714.731.1080
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
17777 PERRIS BOULEVARD
17700 INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26
SHEET NAME
SCREEN WALL PLANS AND ELEVATIONS
SHEET NO.
A-5
OF SHEETS

08-26A5.dwg / 07.02.12 / 15:37

PROJECT #PA09-0004 & PA09-0012

MV00171302

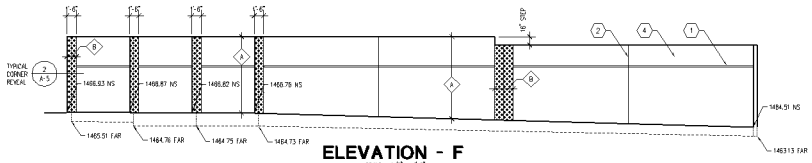

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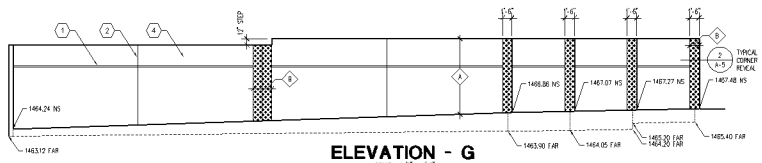

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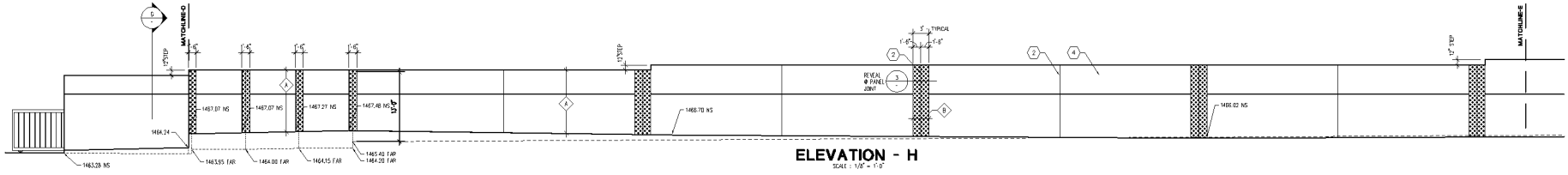

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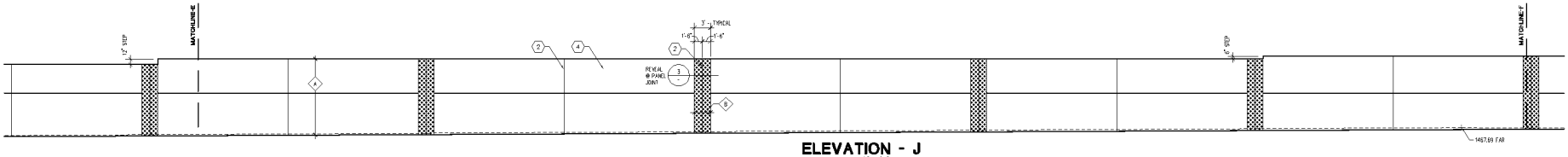

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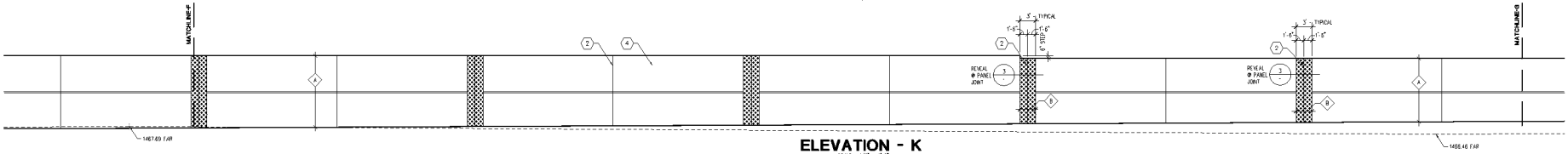

ELEVATION - K

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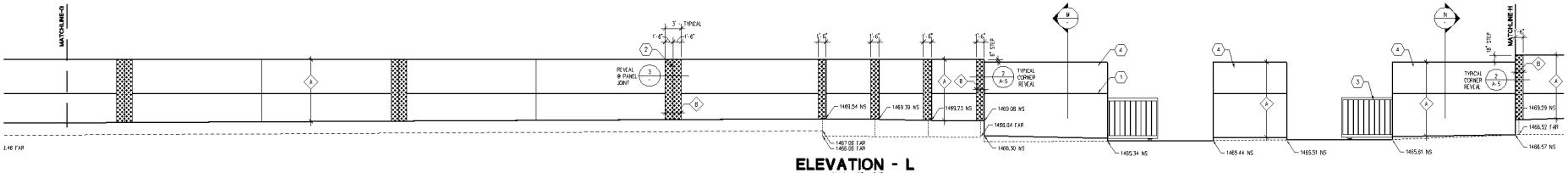

ELEVATION - L

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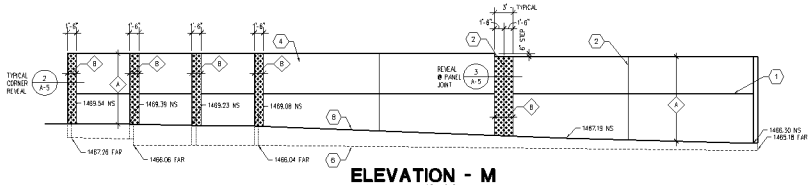

ELEVATION - M

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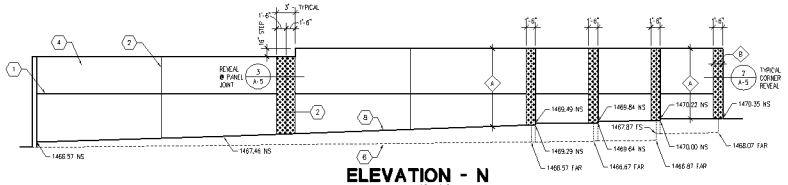

ELEVATION - N

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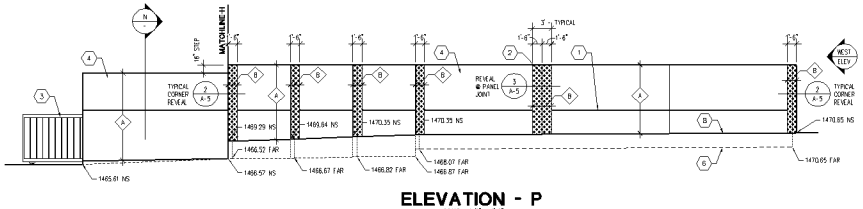

ELEVATION - P

SCALE : 1/8" = 1'-0"

EXTERIOR COLORS:		KEYNOTES:
A DUNN EDWARDS #DE6143 "ALMOND LATTE"	(FIELD)	1 2 IN WIDE X 3/4 IN. DEEP REVEAL, PAINTED TYPICAL
B DUNN EDWARDS #DE6145 "ROCKY RIDGE"	(BASE / CAP)	2 PANEL JOINT
		3 TUBULAR STEEL ROLLING GATES
		4 CONCRETE TILT UP SCREEN WALL, HEIGHTS VARY DUE TO GRADES
		5 GATE IN OPEN POSITION
		6 FAR-SIDE GRADE OR FINISH SURFACE - SEE CE-PLANS
		7 A.C. PAVING - SEE CE- PLANS
		8 NEAR-SIDE GRADE OR FINISH SURFACE - SEE CE-PLANS

rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH. 714.731.1140 FAX: 714.731.1080
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY

17777 PERRIS BOULEVARD
17700 INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26

SHEET NAME
SCREEN WALL PLANS AND ELEVATIONS

SHEET NO.
A-6
OF SHEETS

08-26A5Z.dwg / 07.02.12 / 15:38

PROJECT #PA09-0004 & PA09-0012

MV00171303

VIP Moreno Valley Project

Legend

- Highways
- Parcels
- Roads
- March Installation Area
- Waterbodies
- Sphere of Influence
- Ortho Photography

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside

Powered By GeoSmart.net

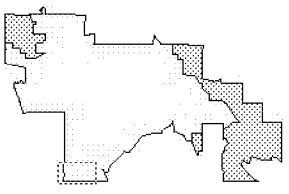

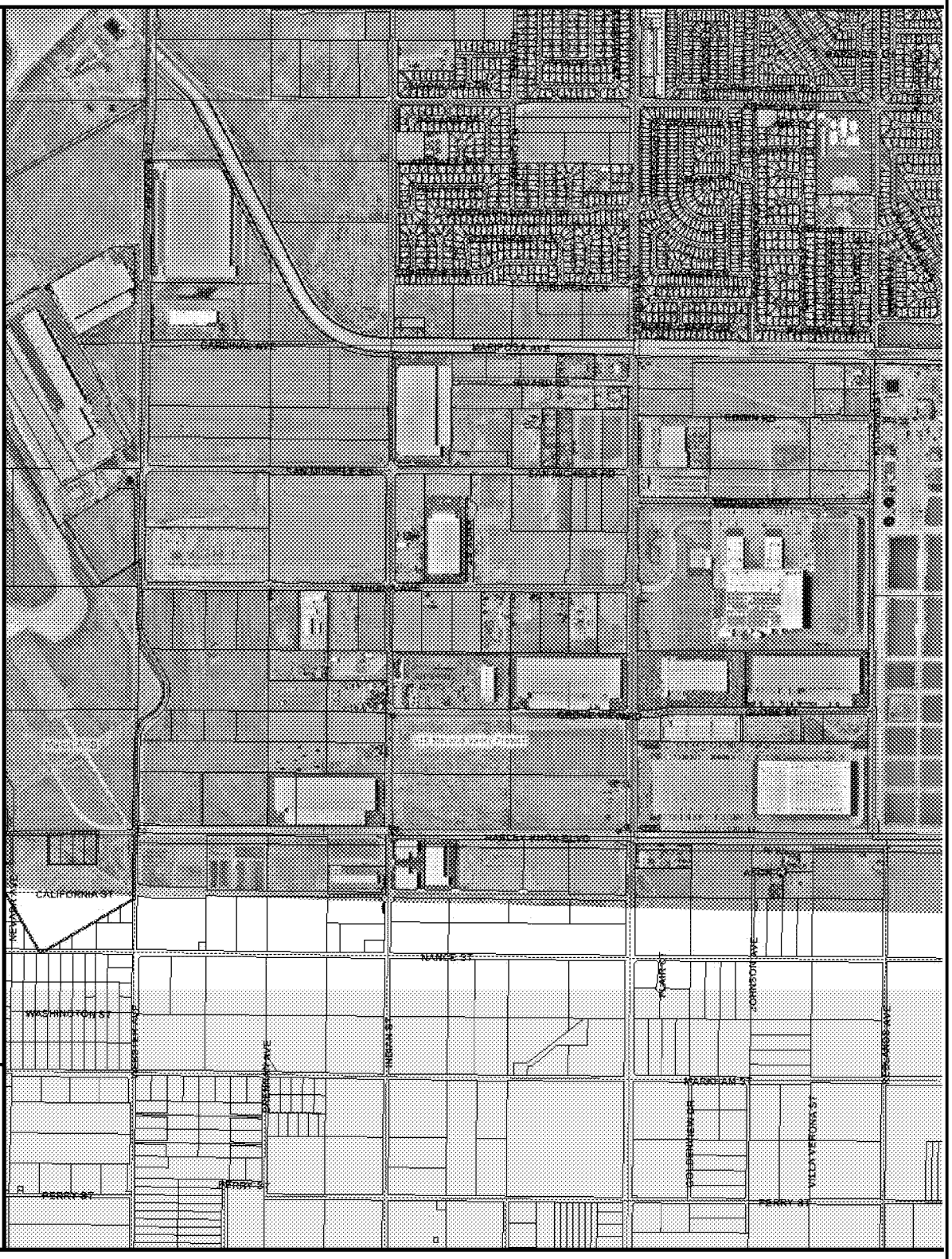

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY
WHERE DREAMS TOUR

ATTACHMENT 14

PLANNING COMMISSION STAFF REPORT

Case:	PA11-0013
Date:	July 12, 2012
Applicant:	City of Moreno Valley
Representative:	N/A
Location:	Citywide
Proposal:	Modify Title 9 of the Municipal Code for energy efficiency measures equal to and above current 2011 California Green Building Code standards necessary to adopt Reach Codes, including the modification of Section 9.05.040, "Industrial Site Development Standards", Section 9.17.030 "Landscape and Irrigation Design", Section 9.11.040 "Off Street Parking Requirements", Section 9.03.040 "Residential Site Development Standards, Section 8.80.020 "Waste Diversion Requirements" and 8.80.030 Waste Management Plan".
Recommendation:	Recommend approval to City Council

SUMMARY

City Staff is proposing to modify specific sections of Title 9 of the Municipal Code to achieve energy savings in excess of current State Building Code requirements ("Reach Codes") in accord with the Southern California Edison Company (SCE) Grant. The specific proposals include orientation of residential buildings, landscape design, carpool/ vanpool parking, solar energy and other items associated with energy efficiency at and above current codes and ordinances citywide.

BACKGROUND

A Long Term Strategic Plan was adopted in 2008 by the California Public Utilities Commission (CPUC), the California Air Resources Board, and the state's utilities. Various Public Resources Code sections establish a process which allows local adoption of energy conservation measures that are more stringent than the statewide standards. As a part of the Plan, the statement of work calls for the development of reach codes.

A Reach Code must achieve a higher level of energy efficiency than would otherwise result from complying with Title 24, including the mandatory requirements of 2011 California Green Building Code. Various efforts of achieving the "reach" beyond the 2011 Code include consideration of adopting performance measures based on a percentage reduction in energy usage beyond what is currently required by Title 24, and the consideration of adopting other prescriptive or individual local mandatory measures that are identified primarily as CALGreen Tier I or II measures. Measures would either involve amendments to the Uniform Electrical, Plumbing and Energy Codes or warrant amendments to current planning and zoning provisions within the Municipal Code.

There are a number of reasons why the City is proposing to adopt Reach Codes at this time. Additional energy efficiency through Reach Codes will assist in achieving the minimum 15% savings by the year 2020 related to mandates or requirements in the California Long Term Energy Efficiency Strategic Plan and AB 32. The additional energy efficiency above Title 24 would also assist to implement a policy of the proposed City Climate Action Strategy/Greenhouse Gas Analysis to facilitate the implementation of energy efficiency design of structures 10% beyond current Title 24 standards and the overall California goal of reaching zero net energy for residential structures by 2020.

In order to better ensure the cost-effectiveness of this task, City staff reviewed and assessed reach codes and related resources of municipalities and organizations throughout Southern California. Staff reviewed a large number of "reach" ordinances and narrowed down the list to focus on those that are most relevant to Moreno Valley's economic and climatic conditions. The following criteria were considered in the review process:

- Consideration of local municipalities with similar climate zones, and/or demographics.

- A thorough evaluation of mandatory requirements of CALGreen as well as Tier 1 and Tier 2 measures will be needed to determine the approach to reach codes that would be most appropriate for the City of Moreno Valley.

- Comparison of various approaches to implementing CALGreen and green ordinances among the identified sample of cities.

- Justification for adopting a percentage of energy savings over Title 24 when other surrounding cities have not yet adopted such codes.

After reviewing the ordinances of several cities in California that have developed Reach Codes, staff chose the cities of Simi Valley, Chula Vista, and West Sacramento for focused study. All or a portion of each city has similar climatic conditions being located several miles inland from the coast such as the City of Moreno Valley, with justification for the cost effectiveness of the established "Reach Codes" made through the Climate Zone 10 which also includes Moreno Valley.

Reach Codes, or those codes proposed for greater energy efficiency, will ultimately include modified language for both Municipal Codes and other building related codes. Staff is presenting the Title 9 or Municipal Code items for Planning Commission's review and recommendation to City Council. Various electrical, plumbing and energy related codes are under the direct purview of the City Council and do not require Planning Commission review. For the Planning Commission's information, the Building related measures include the following items:

Residential Local Mandatory Measures – Electrical, Plumbing and Energy Code items

- Provide a minimum of one-inch conduit from electrical service equipment for the future installation of a photovoltaic (PV) system.

- Kitchen faucets to limit water consumption to 1.5 gallons per minute.

- Space on roof surface and penetrations through roof surface are provided for future solar installation.

- A radiant roof barrier to be installed, with roofing materials to include a 3 year old solar reflectance or thermal emittance.

Non-residential Local Mandatory Measures – Electrical, Plumbing and Energy Code items

- Conduit to be installed from the building roof or eave to a location within the building identified as suitable for future installation of a charge controller (regulator) and inverter for future solar.

- Use of cool roofing materials having solar reflectance and thermal emittance with specific Solar Reflectance Index values.

Incentives will be available for some of the local mandatory measure proposed. According to Moreno Valley Utilities staff, an updated Solar Rebate program was approved by City Council on June 12th. The program will include rebates for residential and small commercial and performance standards for large commercial solar. The solar rebate program will be adjusted every year, to coincide with other Municipal Utility rebate programs, and available budget constraints. Plans are also underway to start an appliance rebate program, which will allow rebates for energy star appliances. Incentives for cool roofing materials are also being considered. The Building Division has also indicated that a building fee incentive may be available for allowing for future installation of solar on a building.

Staff originally proposed performance standards for consideration, where the builder or developer would be required to include building energy efficiency measures to achieve 10% energy efficiency above current Title 24 requirements for new residential projects, 15% percent energy efficiency above current Title 24 standards for new non-residential projects, and 5% energy efficiency above current Title 24 standards for residential and non residential building additions and retrofits. These or greater percentages were included in the city ordinances reviewed by staff. Based on subsequent outreach conducted with the development community, including residential, industrial and commercial developers conducting business in Moreno Valley and the Building Industry Association of Southern California - Riverside County Chapter representing area residential developers, staff has modified the original direction and intensity of Reach Codes. Based upon the concerns of the building community and the current fragile state of the local economy that has curtailed development, staff has decided to drop all references to performance standards and mandatory percentages to provide additional energy efficiency above current Title 24 Building Code standards.

PROJECT DESCRIPTION

Project

The following are various Reach Code items staff is proposing to be incorporated into the Municipal Code to ensure energy efficiency at and in most cases beyond standards included in the current 2011 Green Building Code:

Residential Local Mandatory Measures – Title 9 Items

- In all residential districts allowing single-family homes, new tracts containing five (5) or more lots shall require fifty (50) percent of the structures to orient buildings to optimize the use of solar energy with the long side of the house oriented within thirty (30) degrees south. Landscape design to include turf limit of 25%, utilizing 75% native California or drought tolerant plantings,

providing hydrozones and restoring native vegetation to areas disrupted by construction where appropriate.

- Construction waste generated at the site shall be diverted to recycle or salvage in compliance with at least a 75% reduction.

- Each appliance provided by the builder meets Energy Star requirements if an Energy Star designation is applicable for the appliance.

- Space on roof surface and penetrations through roof surface are provided for future solar installation.

The first bullet-point above provides for future energy efficiency measures to be included in single-family residential structures. Placement of structures on lots with the long side of the house oriented within thirty (30) degrees south will allow for maximum afternoon sunlight for greater feasibility of future solar systems and in turn will allow for a reduction of energy consumption. This provides a more specific standard to implement the existing State requirement to maximize solar orientation of new residential tracts.

The second bullet-point item above takes the recently approved drought tolerant landscape ordinance one step further to require the remaining 75% of the non-sod areas to include either drought tolerant or California native landscape, while reducing the need for water consumption. The current landscape ordinance already limits turf areas to 25%.

The third bullet-point item and the 75% reduction of construction wastes, is consistent with AB341, a bill passed last year that created a State wide policy goal to divert 75% of construction waste by the year 2020.

Although the fourth bullet-point item appears to be building related, the Building Code would not regulate Energy Star equipment. The item is proposed to be included in the Municipal Code with the limitation that only kitchen related appliances would be required to meet Energy Star standards.

The fifth bullet-point item will be addressed in two codes, the Municipal Code for providing the space necessary on the roof for future installation of solar and the Energy Code for the penetrations necessary through the roof surface for future solar.

Non-Residential Local Mandatory Measures – Title 9 Items

- Eight (8) percent of all required parking shall be designated for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles.

- Landscape design to include turf limit of 25%, utilizing 75% native California or drought tolerant landscape.

- Construction waste generated at the site is diverted to recycle or salvage in compliance with at least a 75% reduction.

- For all new industrial and warehouse structures at or above 300,000 square feet in floor area, the project shall install a photovoltaic array (solar panels) or other source of renewable generation on-site or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

The first bullet-point item under Non-Residential Measures for carpool and vanpool vehicle parking is a mandatory measure within the current 2011 California Green Building Code Standards. As the item is not included within Title 9 of the Municipal Code at this time, it must be adopted through this code amendment to ensure consistency with the 2011 green building code standards currently in place.

The second and third bullet-point items above are consistent with residential measures suggested and allow for reduction of construction wastes and water consumption.

The fourth bullet-point item is the only measure recommended that is not included in the 2011 Green Building standards. The standard however is consistent with measures included for some of the recently approved large high cube industrial warehouse uses in the City including the Skechers warehouse facility within Highland Fairview Corporate Park and the Ridge Property Trust project located in the eastern section of the City. Alternative energy credits or systems providing a similar reduction in grid energy use would be considered to meet this requirement. The ultimate goal of the measure is to reduce energy consumption and corresponding environmental impact of industrial uses.

Staff originally included a provision under the local mandatory measures where Gutter and downspout systems were proposed to be installed to route water at least five (5) feet away from the foundation or connect to landscape drains which discharge to a dry well, sump, bioswale, rainwater capture system or other approved on-site location. As this item was not considered an energy efficiency measure to reduce energy consumption, it was removed from the proposal by staff.

A majority of the items utilized above were included in the Climate Zone 10 Energy Cost-Effectiveness Study and are the most cost effective measures available from the 2011 California Green Building Code.

REVIEW PROCESS

Internal staff subcommittee meetings were conducted on a monthly basis at the outset of the Reach Code effort to determine which local mandatory measures would be most productive and recommended to Planning Commission and City Council. A total of six

(6) in-house meetings were conducted with the subcommittee that included representatives from the Planning Division, Building Division and Moreno Valley Utilities. Other additional meetings with individual divisions were included as needed. Some of the items discussed in the meetings included which prescriptive measures and percentages within performance measures to consider for residential and non-residential development and if incentives would be provided by Moreno Valley Utilities for any of the prescriptive measures proposed.

On April 3, 2012, the Planning Division provided the item for discussion purposes at the City Council Study Session meeting. The meeting included a joint discussion of the item with City Council members and Planning Commissioners. At the meeting, the subject was reviewed somewhat favorably by the City Council and Planning Commission, however it was agreed that public outreach was to be provided to the development community to gauge possible concerns with the proposed approach.

Outreach was conducted with the Building Industry both in a meeting session and with individual developers and the Local Building Industry Association representing the residential building community. On May 10, 2012, staff attended the Economic Development Subcommittee Developer Workshop to provide a presentation on Reach Codes. On hand at the meeting were developers from the industrial, commercial and residential community. Additional outreach was conducted at the Environmental and Cultural Preservation Board on May 14, 2012, at a public forum meeting on June 7, 2012, and at an additional Planning Commission Study Session on June 28, 2012. From the outreach meetings and correspondence conducted with the development community, staff has significantly modified the original direction of the Reach Code effort. As referenced in an earlier section of the report, due to specific concerns from the development community and the continued fragile state of the economy, staff has reduced the intensity of Reach Codes to include only a reduced set of local mandatory measures for consideration. As recommended by the development community, all references to Performance standards and specific percentages of energy efficiency above current Title 24 standards have been dropped and are no longer being considered. This includes the elimination of performance standards related to new residential and non-residential developments as well as to additions and retrofits to residential and non-residential buildings.

The Planning Commission will have the opportunity to recommend approval or denial of the proposed Reach Code effort to the City Council. If Planning Commission chooses not to recommend approval, the one mandatory item in the 2011 Green Building Code referencing parking for carpool and vanpool vehicles would still need to be forwarded to the City Council to ensure consistency with the adopted currently adopted green building code standards.

ENVIRONMENTAL

The proposed Municipal Code amendments for Reach Codes are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines in that there is no possibility that the proposed activity may have the potential for a significant negative impact upon the environment.

NOTIFICATION

Public notice for this public hearing was published in the local newspaper as a 1/8 page ad. In addition, staff sent notices of the meeting to representatives of the building industry who attended a previous Developer's Workshop meeting regarding Reach Codes. This included notification of the meeting and hearing to the local Building Industry Association (BIA) representing Riverside County and a representative of the Sierra Club who attended a previous City Council/Planning Commission workshop.

REVIEW AGENCY COMMENTS

As the amendment of the Municipal Code items for Reach Codes are citywide and do not include a building project, the item was not transmitted for review.

STAFF RECOMMENDATION

That the Planning Commission **APPROVE** Resolution No. 2012-13 and thereby **RECOMMEND** that the City Council:

1. **RECOGNIZE** that the proposed Municipal Code Amendments are exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Sections 15061 of the CEQA Guidelines; and,

2. **APPROVE** PA11-0013 to amend the Municipal Code to include various Municipal Code modifications and additions to allow for the adoption of Reach Codes (Attachment 2).

Prepared by:

Mark Gross, AICP
Senior Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Climate Zone 10 Energy Cost-Effectiveness Study
3. Planning Commission Resolution No. 2012-13.
4. Strikeout/Underline version of the proposed Municipal Code Amendment

NOTICE
OF
PLANNING COMMISSION
PUBLIC HEARING

THE PLANNING COMMISSION WILL CONSIDER AN AMENDMENT (PA11-0013) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE TITLE 9 TO ADD ENERGY EFFICIENCY MEASURES EQUAL TO AND ABOVE THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS ("REACH CODES"), INCLUDING MODIFICATION OF SECTION 9.05.040 "INDUSTRIAL SITE DEVELOPMENT STANDARDS, SECTION 9.17.030, "LANDSCAPE AND IRRIGATION DESIGN, SECTION 9.11.040 "OFF STREET PARKING REQUIRMENTS", SECTION 9.03.040 "RESIDENTIAL SITE DEVELOPMENT STANDARDS", SECTION 8.80.020 "WASTE DIVERSION REQUIRMENTS, AND SECTION 8.80.030, "WASTE MANAGEMENT PLAN"

The amendment would modify current Municipal Code Title 9 provisions for orientation of residential tract buildings, landscape design, carpool/ vanpool parking, solar energy and items associated with energy efficiency and Reach Codes citywide.

The Planning Commission may consider any appropriate modifications or alternatives to the amendment or environmental determination. The amendment is exempt under California Environmental Quality Act Guidelines Section 15061 in that there is no possibility that the proposed activity may have potential for a significant impact upon the environment.

Any person interested in the proposed project may contact Mark Gross at (951) 413-3215 or at the Community and Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the following meeting date:

Thursday, July 12, 2012
7:00 P.M.
City Council Chamber
14177 Frederick Street.
Moreno Valley, CA 92552-0805

ATTACHMENT 1

CA Statewide Codes and Standards Program
Title 24 Local Energy Efficiency Ordinances

Title:
Climate Zone 10
Energy Cost-Effectiveness Study

Prepared for:
Ron Gorman
Program Manager
EE Codes and Standards
The Sempra Utilities
213.244.5366
Email ragorman@semprautilities.com

Prepared by:
Michael Gabel
Gabel Associates, LLC
510.428.0803
Email: mike@gabelenergy.com

Last Modified: November 1, 2010

ATTACHMENT 2

LEGAL NOTICE

This report was prepared by The Sempra Utilities and funded by the California utility customers under the auspices of the California Public Utilities Commission.

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1.0 Executive Summary

2.0 Methodology and Assumptions

3.0 Minimum Compliance with 2008 Standards

4.0 Incremental Cost for Exceeding 2008 Standards by 15%

5.0 Cost Effectiveness Determination

1.0 Executive Summary

Public Resources Code Section 25402.1(h)2 and Section 10-106 of the Building Energy Efficiency Standards (Standards) establish a process which allows local adoption of energy standards that are more stringent than the statewide Standards. This process allows local governments to adopt and enforce energy standards before the statewide Standards effective date, require additional energy conservation measures, and/or set more stringent energy budgets. Because these energy standards "reach" beyond the minimum requirements of Title 24, Part 6 of the California Building Code, they are commonly referred to as Reach Codes when adopted as a collective set by a local jurisdiction.

The process for adopting a Reach Code requires that local governments apply to the California Energy Commission (CEC) for approval. The applicant jurisdiction must document the supporting analysis for determining that the proposed Reach Code Standards will save more energy than the current statewide Standards. The applicant jurisdiction must also prepare a **Cost Effectiveness Study** that provides the basis of the local government's determination that the proposed Reach Code Standards are cost-effective. Once the CEC staff has verified that the local Reach Code Standards will require buildings to use no more energy than the current statewide Standards and that the documentation requirements in Section 10-106 are met, the application is brought before the full California Energy Commission for approval.

This Cost Effectiveness Study was prepared for Climate Zone 10 which encompasses many cities and towns such as Alpine, Chino Hills, Corona, Cucamonga, El Cajon, Escondido, Hemet, Loma Linda, Ontario, Riverside, San Bernardino, San Jacinto, San Marcos, Temecula and Upland (see Appendix "A" for list of local jurisdictions). The 2008 Building Energy Efficiency Standards, effective January 1, 2010, have been used as the baseline used in calculating the energy performance of efficiency measures summarized in this study.

MV00171318

2.0 Methodology and Assumptions

The energy performance impacts of exceeding the performance requirements of the 2008 Title 24 Building Energy Efficiency Standar ds have been evaluated in Climate Zone 10 using the following residential and nonresidential prototypical building types:

Small Single Family House 2-story 2,025 sf	**Large Single Family House** 2-story 4,500 sf
Low-rise Multi-family Apartments 8 dwelling units/2-story 8,442 sf	**High-rise Multi-family Apartments** 40 dwelling units/4-story 36,800 sf
Low-rise Office Building 1-story 10,580 sf	**High-rise Office Building** 5-story 52,900 sf

Methodology

The methodology used in the case studies is based on a design process for each of the proposed prototypical building types t hat first meets the minimum requirements and then exceeds the 2008 Standar ds by 15%. The process includes the following major stages:

Stage 1: Minimum Compliance with 2008 Standards:

Each prototype building design is test ed for minimum compliance with the 2008 Standards, and the mix of energy measures are adjusted us ing common construction options so the building first just meets the Standards. The set of energy measures chosen represent a reasonable combination wh ich reflects how designers, builders and developers are likely to achieve a specified level of performance using a relatively low first incremental (additional) cost.

Stage 2: Incremental Cost for Exceeding 2008 Standards by 15%:

Starting with that set of meas ures which is minimally compliant with the 2008 Standards, various energy measures are upgraded so t hat the building just exceeds the 2008 Standards by 15%. The design choices by the consultant authoring this study are based on many years of experienc e with architects, builders, mechanical engineers; and general knowledge of the relative acceptanc e and preferences of many measures, as well as their incremental co sts. This approach tends to reflect how building energy performance is typically evaluated for code compliance and how it's used to select design energy efficiency measures. Note that lowest simple payback with respect to building site energy is not the primary focus of selecting measures; but rather the requisite reduction of Title 24 Time Dependent Valuation (TDV) energy at a reasonable incremental cost consistent with other non-monetary but important design considerations. A minimum and

MV00171319

maximum range of incremental costs of added energy efficiency measures is established by a variety of research means. A construction cost estimator, Building Advisory LLC, was contracted to conduct research to obtain current measure cost information for several energy measures; and Gabel Associates performed its own additional research to establish first cost data.

Stage 3 Cost Effectiveness Determination:

Energy savings in kWh and therms is calculated from the Title 24 simulation results to establish the annual energy cost savings and CO2-equivalent reductions in greenhouse gases. A simple payback analysis in years is calculated by dividing the incremental cost for exceeding the 2008 Standards by the estimated annual energy cost savings.

Assumptions

Annual Energy Cost Savings

1. Annual site electricity (kWh) and natural gas (therms) saved for low-rise residential buildings are calculated using the state- approved energy compliance software for the 2008 Building Energy Efficiency Standards, Micropas 8; and for high-rise residential and nonresidential buildings using the state-approved 2008 energy compliance software EnergyPro v5.0.

2. Average residential utility rates of $0.159/kWh for electricity and $0.94/therm for natural gas in current constant dollars; nonresidential rates are time-of-use rate schedules modeled explicitly in the DOE-2.1E computer simulation: Southern California Edison GS-1 schedule for electricity and Southern California Gas GN-10 schedule for natural gas.

3. No change (i.e., no inflation or deflation) of utility rates in constant dollars

4. No increase in summer temperatures from global climate change

Simple Payback Analysis

1. No external cost of global climate change -- and corresponding value of additional investment in energy efficiency and CO_2 reduction – is included.

2. The cost of money (e.g., opportunity cost) invested in the incremental cost of energy efficiency measures is not included.

MV00171320

3.0 Minimum Compliance with 2008 Standards

The following energy design descriptions of t he following building prototypes just meet the 2008 Standards in Climate Zone 10.

Small Single Family House

- 2,025 square feet
- 2-story
- 20.2% glazing/floor area ratio

Energy Efficiency Measures
R-30 Roof w/ Radiant Barrier
R-13 Walls
R-19 Raised Floor over Garage/Open at 2nd Floor
R-0 Slab on Grade
Low E2 Vinyl Windows, U=0.36, SHGC=0.30
Furnace: 80% AFUE
Air Conditioner: 13 SEER, 11 EER (HERS)
Air Conditioner: Refrigerant Charge (HERS)
R-6 Attic Ducts
50 Gallon Gas Water Heater: EF=0.60

Large Single Family House

- 4,500 square feet
- 2-story
- 22.0% glazing/floor area ratio

Energy Efficiency Measures
R-38 Roof w/ Radiant Barrier
R-13 Walls
R-19 Raised Floor
Low E2 Vinyl Windows, U=0.36, SHGC=0.30
(2) Furnaces: 80% AFUE
(2) Air Conditioners: 13 SEER, 11 EER (HERS)
(2) Air Conditioners: Refrigerant Charge (HERS)
R-6 Attic Ducts
Reduced Duct Leakage/Testing (HERS)
(2) 50 Gallon Gas Water Heaters: EF=0.61

MV00171321

Low-rise Multi-family Apartments

- 8,442 square feet
- 8 units/2-story
- 12.5% glazing/floor area ratio

Energy Efficiency Measures
R-38 Roof w/ Radiant Barrier
R-13 Walls
R-0 Slab on Grade
Low E2 Vinyl Windows, U=0.36, SHGC=0.30
(8) Furnaces: 80% AFUE
(8) Air Conditioner: 13 SEER, 11 EER (HERS)
(8) Air Conditioners: Refrigerant Charge (HERS)
R-8 Attic Ducts
(8) 40 Gallon Gas Water Heaters: EF=0.63

High-rise Multifamily Apartments

- 36,800 sf,
- 40 units
- 4-story
- Window to Wall Ratio = 35.2%

Energy Efficiency Measures to Meet Title 24
R-19 under Metal Deck + R-4 (1" rigid); with Cool Roof, Aged Reflectance = 0.55, Thermal Emmittance = 0.75
R-19 in Metal Frame Walls
R-4 (1.25" K-13 spray-on) Raised Slab over parking garage
Dual Metal Windows: default U-factor=0.79, SHGC=0.79
4-pipe fan coil, 84% AFUE boiler, 80-ton scroll air cooled chiller 0.79 KW/ton
Central DHW boiler: 84% AFUE and recirculating system w/ timer-temperature controls

MV00171322

Low-rise Office Building

- Single Story
- 10,580 sf,
- Window to Wall Ratio = 37.1%

Energy Efficiency Measures to Meet Title 24
R-19 under Metal Deck + R-5 (1" rigid); with Cool Roof, Aged Reflectance = 0.55, Emmittance = 0.75
R-19 in Metal Frame Walls
R-0 (un-insulated) slab-on-grade 1st floor
Metal windows: Glazing COG=0.30, COG SHGC=0.38
Lighting = 0.858 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; (24) 18w recessed CFLs no lighting controls. Small Offices: (48) 2-lamp T8 fixtures; (40) 18w recessed CFLs, on/off lighting controls. Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.
(3) 10-ton DX units EER=11.0; 80% AFUE furnaces; standard efficiency fan motors; fixed temp. integrated air economizers
R-6 duct insulation w/ ducts on roof, HERS verified duct leakage
(1) Tank Gas Water Heaters EF=0.575

MV00171323

High-rise Office Building

- 5-story
- 52,900 sf,
- Window to Wall Ratio = 39.4%

Energy Efficiency Measures to Meet Title 24
R-19 under Metal Deck + R-5 (1" rigid); with Cool Roof Reflectance = 0.55, Emmittance = 0.75
R-19 in Metal Frame Walls
R-0 (un-insulated) slab-on-grade 1st floor
Metal windows: COG U=0.30, COG SHGC=0.38
Lighting = 0.858 w/sf: Open Office Areas: (300) 2-lamp T8 fixtures @58w each; no lighting controls; (120) 18w recessed CFLs no lighting controls. Small Offices: (280) 2-lamp T8 fixtures on/off lighting controls; (200) 18w recessed CFLs no on/off lighting controls. Support Areas: (160) 18w recessed CFLs no lighting controls; (240) 13w CFL wall sconces; no lighting controls.
(5) 35-ton Packaged VAV EER=10.0; 81% TE furnaces; standard efficiency variable speed fan motors; Fixed temp. air economizers; 20% VAV boxes, reheat on perimeter zones with hot water using 90% AFUE boiler
R-6 duct insulation w/ ducts in conditioned
Boiler 90% AFUE

MV00171324

3.0 Incremental Cost to Exceed 2008 Standards by 15%

The following tables list the energy feat ures and/or equipment included in the 2008 Standards base design, the e fficient measure options, and an estimate of the incremental cost for each measure included **to improve the building performance to use 15% less TDV energy than the corresponding Title 24 base case design**.

Small Single Family House

- 2,025 square feet
- 2-story
- 20.2% glazing/floor area ratio

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 2,025 SF, Option 1 **2025 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 Roof w/ Radiant Barrier (from R-30 w/Radiant Barrier): 1,443 sf @ 0.25 to 0.35/sf	Downgrade	$ (505)	$ (361)	$ (433)
R-19 Walls (from R-13): 2,550 sf @$0.31 to $0.54/sf	Upgrade	$ 791	$ 1,377	$ 1,084
R-19 Raised Floor over Garage/Open at 2nd Floor	-	$ -	$ -	$ -
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
Furnace: 80% AFUE	-	$ -	$ -	$ -
Air Conditioner: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-4.2 Attic Ducts (from R-6)	Downgrade	$ (325)	$ (225)	$ (275)
Reduced Duct Leakage/Testing (HERS)	Upgrade	$ 300	$ 600	$ 450
50 Gallon Gas Water Heater: EF=0.59 (from EF=0.60)	Downgrade	$ (100)	$ (50)	$ (75)
Total Incremental Cost of Energy Efficiency Measures:		**$ 160**	**$ 1,341**	**$ 751**
Total Incremental Cost per Square Foot:		**$ 0.08**	**$ 0.66**	**$ 0.37**

MV00171325

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 2,025 SF, Option 2 **2025 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-38 Roof w/ Radiant Barrier (from R-30 w/Radiant Barrier): 1,443 sf @ 0.15 to 0.20/sf	Upgrade	$ 216	$ 289	$ 253
R-21 Walls (from R-13): 2,550 sf @ $0.45 to $0.70/sf	Upgrade	$ 1,148	$ 1,785	$ 1,466
R-19 Raised Floor over Garage/Open at 2nd Floor	-	$ -	$ -	$ -
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
Furnace: 80% AFUE	-	$ -	$ -	$ -
Air Conditioner: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-6 Attic Ducts	-	$ -	$ -	$ -
50 Gallon Gas Water Heater: EF=0.59 (from EF=0.60)	Downgrade	$ (100)	$ (50)	$ (75)
Total Incremental Cost of Energy Efficiency Measures:		**$ 1,264**	**$ 2,024**	**$ 1,644**
Total Incremental Cost per Square Foot:		**$ 0.62**	**$ 1.00**	**$ 0.81**

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 2,025 SF, Option 3 **2025 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-38 Roof w/ Radiant Barrier (from R-30 w/Radiant Barrier): 1,443 sf @ 0.15 to 0.20/sf	Upgrade	$ 216	$ 289	$ 253
R-13 Walls		$ -	$ -	$ -
R-19 Raised Floor over Garage/Open at 2nd Floor	-	$ -	$ -	$ -
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
Furnace: 80% AFUE	-	$ -	$ -	$ -
Air Conditioning: 15 SEER, 12 EER (HERS) (from 13 SEER, 11 EER)	Upgrade	$ 500	$ 1,500	$ 1,000
Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-8 Attic Ducts (from R-6)	Upgrade	$ 225	$ 325	$ 275
Reduced Duct Leakage/Testing (HERS)	Upgrade	$ 300	$ 600	$ 450
50 Gallon Gas Water Heater: EF=0.61(from EF=0.60)	Upgrade	$ 50	$ 100	$ 75
Total Incremental Cost of Energy Efficiency Measures:		**$ 1,291**	**$ 2,814**	**$ 2,053**
Total Incremental Cost per Square Foot:		**$ 0.64**	**$ 1.39**	**$ 1.01**

MV00171326

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 2,025 SF, Option 4 **2025 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate Min	Max	Avg
R-38 Roof w/ Radiant Barrier (from R-30 w/Radiant Barrier): 1,443 sf @ 0.15 to 0.20/sf	Upgrade	$ 216	$ 289	$ 253
R-15 Walls (from R-13): 2,550 sf @$0.14 to $0.18/sf	Upgrade	$ 357	$ 459	$ 408
R-30 Raised Floor over Garage/Open at 2nd Floor (from R-19): 448 sf @ $0.25 to $0.35	Upgrade	$ 112	$ 157	$ 134
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
Furnace: 80% AFUE	-	$ -	$ -	$ -
Air Conditioner: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-8 Attic Ducts (from R-6)	Upgrade	$ 225	$ 325	$ 275
Reduced Duct Leakage/Testing (HERS)	Upgrade	$ 300	$ 600	$ 450
50 Gallon Gas Water Heater: EF=0.62 (from EF=0.60)	Upgrade	$ 100	$ 200	$ 150
Total Incremental Cost of Energy Efficiency Measures:		**$ 1,310**	**$ 2,029**	**$ 1,670**
Total Incremental Cost per Square Foot:		**$ 0.65**	**$ 1.00**	**$ 0.82**

Large Single Family House

- 4,500 square feet
- 2-story
- 22.0% glazing/floor area ratio

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 4,500 SF, Option 1 **4500 sf** **Climate Zone 10**

Energy Efficiency Measures	Change	Incremental Cost Estimate		
R-38 Roof w/ Radiant Barrier	-	$ -	$ -	$ -
R-19 Walls (from R-13): 2,518 sf @ $0.31 to $0.54/sf	Upgrade	$ 781	$ 1,360	$ 1,070
R-19 Raised Floor	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
(2) Furnaces: 80% AFUE	-	$ -	$ -	$ -
(2) Air Conditioners: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
(2) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-6 Attic Ducts	-	$ -	$ -	$ -
Reduced Duct Leakage/Testing (HERS)	-	$ -	$ -	$ -
(2) Instantaneous Gas Water Heaters: RE=0.80 (from 50 Gal Gas: EF=0.61)	Upgrade	$ 1,900	$ 3,200	$ 2,550
Pipe Insulation	Upgrade	$ 300	$ 400	$ 350
Total Incremental Cost of Energy Efficiency Measures:		**$ 2,981**	**$ 4,960**	**$ 3,970**
Total Incremental Cost per Square Foot:		**$ 0.66**	**$ 1.10**	**$ 0.88**

MV00171327

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 4,500 SF, Option 2 **4500 sf** **Climate Zone 10**

Energy Efficiency Measures	Change	Incremental Cost Estimate		
R-38 Roof w/ Radiant Barrier	-	$ -	$ -	$ -
R-21 Walls (from R-13): 2,518 sf @ $0.45 to $0.70/sf	Upgrade	$ 1,133	$ 1,763	$ 1,448
R-30 Raised Floor (from R-19): 2,700 sf @ $0.25 to $0.35	Upgrade	$ 675	$ 945	$ 810
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
(2) Furnaces: 92% AFUE (from 80% AFUE)	Upgrade	$ 1,000	$ 2,400	$ 1,700
(2) Air Conditioners: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
(2) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-8 Attic Ducts (from R-6)	Upgrade	$ 450	$ 650	$ 550
Reduced Duct Leakage/Testing (HERS)	-	$ -	$ -	$ -
(2) 50 Gallon Gas Water Heaters: EF=0.63 (from EF=0.61)	Upgrade	$ 100	$ 300	$ 200
Total Incremental Cost of Energy Efficiency Measures:		**$ 3,358**	**$ 6,058**	**$ 4,708**
Total Incremental Cost per Square Foot:		**$ 0.75**	**$ 1.35**	**$ 1.05**

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 4,500 SF, Option 3 **4500 sf** **Climate Zone 10**

Energy Efficiency Measures	Change	Incremental Cost Estimate		
R-38 Roof w/ Radiant Barrier	-	$ -	$ -	$ -
R-19 Walls (from R-13): 2,518 sf @ $0.31 to $0.54/sf	Upgrade	$ 781	$ 1,360	$ 1,070
R-19 Raised Floor	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
(2) Furnaces: 80% AFUE	-	$ -	$ -	$ -
(2) Air Conditioners: 15 SEER, 12 EER (HERS) (from 13 SEER, 11 EER)	Upgrade	$ 1,000	$ 3,000	$ 2,000
(2) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-8 Attic Ducts (from R-6)	Upgrade	$ 450	$ 650	$ 550
Reduced Duct Leakage/Testing (HERS)	-	$ -	$ -	$ -
(2) 50 Gallon Gas Water Heaters: EF=0.62 (from EF=0.61)	Upgrade	$ 100	$ 200	$ 150
Total Incremental Cost of Energy Efficiency Measures:		**$ 2,331**	**$ 5,210**	**$ 3,770**
Total Incremental Cost per Square Foot:		**$ 0.52**	**$ 1.16**	**$ 0.84**

MV00171328

Low-rise Multi-family Apartments

- 8,442 square feet
- 8 units/2-story
- 12.5% glazing/floor area ratio

Incremental Cost Estimate to Exceed Title 24 by 15%

Multi-Family Prototype: 8,442 SF, Option 1 **8442 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-30 Roof w/ Radiant Barrier (from R-38 w/Radiant Barrier): 4,221 sf @ $0.15 to $0.20/sf	Downgrade	$ (844)	$ (633)	$ (739)
R-19 Walls (from R-13): 10,146 sf @ $0.31 to $0.54/sf	Upgrade	$ 3,145	$ 5,479	$ 4,312
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
(8) Furnaces: 80% AFUE	-	$ -	$ -	$ -
(8) Air Conditioners: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
(8) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
Reduced Duct Leakage/Testing (HERS)	Upgrade	$ 2,400	$ 4,800	$ 3,600
R-4.2 Attic Ducts (from R-8)	Downgrade	$ (3,000)	$ (2,000)	$ (2,500)
(8) 40 Gallon Gas Water Heaters: EF=0.62 (from EF=0.63)	Downgrade	$ (400)	$ -	$ (200)
Total Incremental Cost of Energy Efficiency Measures:		**$ 1,301**	**$ 7,646**	**$ 4,473**
Total Incremental Cost per Square Foot:		**$ 0.15**	**$ 0.91**	**$ 0.53**

Incremental Cost Estimate to Exceed Title 24 by 15%

Multi-Family Prototype: 8,442 SF, Option 2 **8442 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-30 Roof w/ Radiant Barrier (from R-38 w/Radiant Barrier): 4,221 sf @ $0.15 to $0.20/sf	Downgrade	$ (844)	$ (633)	$ (739)
R-21 Walls (from R-13): 10,146 sf @ $0.45 to $0.70/sf	Upgrade	$ 4,566	$ 7,102	$ 5,834
R-0 Slab on Grade	-	$ -	$ -	$ -
Super Low E Vinyl Windows, U=0.36, SHGC=0.23 (from Low E2, U=0.36, SHGC=0.30): 1055 sf @ $1.40 - $1.75 / sf	Upgrade	$ 1,477	$ 1,846	$ 1,662
(8) Furnaces: 80% AFUE	-	$ -	$ -	$ -
(8) Air Conditioners: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
(8) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-6 Attic Ducts (from R-8)	Downgrade	$ (1,600)	$ (1,000)	$ (1,300)
(8) 40 Gallon Gas Water Heaters: EF=0.63	-	$ -	$ -	$ -
Total Incremental Cost of Energy Efficiency Measures:		**$ 3,599**	**$ 7,315**	**$ 5,457**
Total Incremental Cost per Square Foot:		**$ 0.43**	**$ 0.87**	**$ 0.65**

MV00171329

Incremental Cost Estimate to Exceed Title 24 by 15%
Multi-Family Prototype: 8,442 SF, Option 3 **8442 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 Roof w/ Radiant Barrier (from R-38 w/Radiant Barrier): 4,221 sf @ 0.30 to 0.45/sf	Downgrade	$ (1,899)	$ (1,266)	$ (1,583)
R-21 Walls (from R-13): 10,146 sf @ $0.45 to $0.70/sf	Upgrade	$ 4,566	$ 7,102	$ 5,834
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
(8) Furnaces: 80% AFUE	-	$ -	$ -	$ -
(8) Air Conditioners: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
(8) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
Reduced Duct Leakage/Testing (HERS)	Upgrade	$ 2,400	$ 4,800	$ 3,600
R-4.2 Attic Ducts (from R-8)	Downgrade	$ (3,000)	$ (2,000)	$ (2,500)
(8) 40 Gallon Gas Water Heaters: EF=0.61 (from EF=0.63)	Downgrade	$ (1,200)	$ (400)	$ (800)
Total Incremental Cost of Energy Efficiency Measures:		**$ 866**	**$ 8,236**	**$ 4,551**
Total Incremental Cost per Square Foot:		**$ 0.10**	**$ 0.98**	**$ 0.54**

High-rise Multifamily Apartments

- 36,800 sf,
- 40 units/4-story
- Window to Wall Ratio = 35.2%

Incremental Cost Estimate to Exceed Title 24 by 15%
High-rise Residential Prototype: 36,800 SF, Option 1 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 under Metal Deck + **R-5** (1" rigid); w/ Cool Roof Aged **Reflectance = 0.81, Emittance = 0.89**; 9,200 sf @ $0.50 to $0.70/sf	Upgrade	$ 4,600	$ 6,440	$ 5,520
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-4 (1.25" K-13 spray-on) Raised Slab over parking garage	-	$ -	$ -	$ -
Dual Metal Windows: **COG U-factor=0.3, COG SHGC=0.27;** 6,240 sf @ $2.50 to $4.00/sf	Upgrade	$ 15,600	$ 24,960	$ 20,280
4-pipe fan coil, 84% AFUE boiler, 80-ton scroll air cooled chiller 0.79 KW/ton	-	$ -	$ -	$ -
Central DHW boiler: 84% AFUE and recirculating system w/ timer-temperature controls	-	$ -	$ -	$ -
Total Incremental Cost of Energy Efficiency Measures:		**$ 20,200**	**$ 31,400**	**$ 25,800**
Total Incremental Cost per Square Foot:		**$ 0.55**	**$ 0.85**	**$ 0.70**

MV00171330

Incremental Cost Estimate to Exceed Title 24 by 15%
High-rise Residential Prototype: 36,800 SF, Option 2 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 under Metal Deck + R-4 (1" rigid); with Cool Roof, Aged Reflectance = 0.55, Emmittance = 0.75	-	$ -	$ -	$ -
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-4 (1.25" K-13 spray-on) Raised Slab over parking garage	-	$ -	$ -	$ -
Dual Metal Windows: **COG U-factor=0.3, COG SHGC=0.38;** 6,240 sf @ $2.00 to $3.50/sf	Upgrade	$ 12,480	$ 21,840	$ 17,160
4-pipe fan coil, **90% AFUE boiler,** 80-ton scroll air cooled chiller 0.79 KW/ton	Upgrade	$ 1,250	$ 2,000	$ 1,625
Central DHW boiler: **90% AFUE** and recirculating system w/ timer-temperature controls	Upgrade	$ 1,250	$ 2,000	$ 1,625
Total Incremental Cost of Energy Efficiency Measures:		**$ 14,980**	**$ 25,840**	**$ 20,410**
Total Incremental Cost per Square Foot:		**$ 0.41**	**$ 0.70**	**$ 0.55**

Incremental Cost Estimate to Exceed Title 24 by 15%
High-rise Residential Prototype: 36,800 SF, Option 3 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 Metal Roof w/ **R-10 (2")** rigid insulation; no Cool Roof; 9,200 sf @ $0.75 - $1.00/sf	Up/Downgrad	$ 6,900	$ 9,200	$ 8,050
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-4 (1.25" K-13 spray-on) Raised Slab over parking garage	-	$ -	$ -	$ -
Dual Metal Windows: **COG U-factor=0.3, COG SHGC=0.38;** 6,240 sf @ $2.00 to $3.50/sf	Upgrade	$ 12,480	$ 21,840	$ 17,160
4-pipe fan coil, **94% AFUE boiler,** 80-ton scroll air cooled chiller 0.79 KW/ton	Upgrade	$ 2,000	$ 3,000	$ 2,500
Central DHW boiler: **94% AFUE** and recirculating system w/ timer-temperature controls	Upgrade	$ 2,000	$ 3,000	$ 2,500
Total Incremental Cost of Energy Efficiency Measures:		**$ 23,380**	**$ 37,040**	**$ 30,210**
Total Incremental Cost per Square Foot:		**$ 0.64**	**$ 1.01**	**$ 0.82**

MV00171331

Low-rise Office Building

- Single Story
- 10,580 sf,
- Window to Wall Ratio = 37.1%

Incremental Cost Estimate to Exceed Title 24 by 15%

Nonresidential Prototype: 10,580 SF, Option 1 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate Min	Max	Avg
R-19 under Metal Deck + **R-10 (2" rigid)**; Cool Roof **Reflectance=0.81, Emittance=0.89**; 10,580 sf @ $1.10 to $1.50/sf	Upgrade	$ 11,638	$ 15,870	$ 13,754
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	$ -	$ -	$ -
Metal windows: COG U=0.30, **COG SHGC=0.31;** 3,200 sf @ $0.50 to $1.00/sf	Upgrade	$ 1,600	$ 3,200	$ 2,400
Lighting = 0.858 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; (24) 18w recessed CFLs no lighting controls. Small Offices: (48) 2-lamp T8 fixtures; (40) 18w recessed CFLs, on/off lighting controls. Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.	-	$ -	$ -	$ -
(3) 10-ton DX units EER=11.0; 80% AFUE furnaces; standard efficiency fan motors; fixed temp. integrated air economizers, **Cycle on at night with DDC and DCV**	Upgrade	$ 1,200	$ 3,000	$ 2,100
R-6 duct insulation w/ ducts on roof, HERS verified duct leakage	-	$ -	$ -	$ -
(1) Gas Tank Water Heater EF=0.575	-	$ -	$ -	$ -
Total Incremental Cost of Energy Efficiency Measures:		**$ 14,438**	**$ 22,070**	**$ 18,254**
Total Incremental Cost per Square Foot:		**$ 1.36**	**$ 2.09**	**$ 1.73**

MV00171332

Incremental Cost Estimate to Exceed Title 24 by 15%

Nonresidential Prototype: 10,580 SF, Option 2 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate Min	Max	Avg
R-19 under Metal Deck + **R-10 (2" rigid)**; Cool Roof Reflectance =**0.81, Emittance = 0.89**; 10,580 sf @ $1.10 to $1.50/sf	Upgrade	$ 11,638	$ 15,870	$ 13,754
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	$ -	$ -	$ -
Metal windows: COG U=0.30, **COG SHGC=0.31;** 3,200 sf @ $0.50 to $1.00/sf	Upgrade	$ 1,600	$ 3,200	$ 2,400
Lighting = 0.783 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; no lighting controls; (24) 18w recessed CFLs. Small Offices: (56) 2-lamp T8 fixtures, **(28) multi-level ocupancy sensors on T8s @ $75 to $100 each;**; (40) 18w recessed CFLs Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.	Upgrade	$ 2,100	$ 2,800	$ 2,450
(3) 10-ton DX units EER=11.0; 80% AFUE furnaces; standard efficiency fan motors; fixed temp. integrated air economizers, **Cycle on at night**	Upgrade	$ 300	$ 600	$ 450
R-6 duct insulation w/ ducts on roof, HERS verified duct leakage	-	$ -	$ -	$ -
(1) Gas Tank Water Heater EF=0.575	-	$ -	$ -	$ -
Total Incremental Cost of Energy Efficiency Measures:		**$ 15,638**	**$ 22,470**	**$ 19,054**
Total Incremental Cost per Square Foot:		**$ 1.48**	**$ 2.12**	**$ 1.80**

MV00171333

Incremental Cost Estimate to Exceed Title 24 by 15%

Nonresidential Prototype: 10,580 SF, Option 3 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 under Metal Deck + **R-10 (2" rigid)**; Cool Roof Reflectance =**0.81, Emittance = 0.89**; 10,580 sf @ $1.10 to $1.50/sf	Upgrade	$ 11,638	$ 15,870	$ 13,754
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	$ -	$ -	$ -
Metal windows: COG U=0.30, COG SHGC=0.38;	-	$ -	$ -	$ -
Lighting = 0.694 w/sf: Open Office Areas: **(28) 74w 2-lamp T8 fixtures**; no lighting controls; (24) 18w recessed CFLs. Small Offices: (56) 2-lamp T8 fixtures, **(28) multi-level occupancy sensors on T8s @ $75 to $100 each;**; (40) 18w recessed CFLs on/off lighting controls**.** Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.	Upgrade	$ 948	$ 1,520	$ 1,234
(3) 10-ton DX units EER=11.0; 80% AFUE furnaces; standard efficiency fan motors; fixed temp. integrated air economizers, **Cycle on at night**	Upgrade	$ 300	$ 600	$ 450
R-6 duct insulation w/ ducts on roof, HERS verified duct leakage	-	$ -	$ -	$ -
(1)Tank Gas Water Heaters EF=0.575	-	$ -	$ -	$ -
Total Incremental Cost of Energy Efficiency Measures:		**$ 12,886**	**$ 17,990**	**$ 15,438**
Total Incremental Cost per Square Foot:		**$ 1.22**	**$ 1.70**	**$ 1.46**

MV00171334

High-rise Office Building

- 5-story
- 52,900 sf,
- Window to Wall Ratio = 39.4%

Incremental Cost Estimate to Exceed Title 24 by 15%
Nonresidential Prototype: 52,900 SF, Option 1 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate Min	Max	Avg
R-19 under Metal Deck + **R-10 (2" rigid)**; Cool Roof Reflectance =0.55, Emittance = 0.75; 10,580 sf @ $0.75 to $1.00/sf	Upgrade	$ 7,935	$ 10,580	$ 9,258
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	$ -	$ -	$ -
Metal windows: COG U=0.30, **COG SHGC=0.31**; 12,000 sf @ $1.00 to $1.50/sf	Upgrade	$ 12,000	$ 18,000	$ 15,000
Lighting = 0.65 w/sf: Open Office Areas: **(160) HO 2-lamp T8 fixtures @74w each**; no lighting controls; (120) 18w recessed CFLs no lighting controls. Small Offices: (280) 2-lamp T8 fixtures **multi-level occupancy sensors on T8s @ $75 to $100 each**; (200) 18w recessed CFLs on/off lighting controls. Support Areas: (160) 18w recessed CFLs no lighting controls; (240) 13w CFL wall sconces; no lighting controls.	Upgrade	$ 4,740	$ 7,600	$ 6,170
(5) 35-ton Packaged VAV EER=10.0; 81% TE furnaces; **Premium** efficiency variable speed fan motors; Fixed temp. air economizers; 20% VAV boxes, reheat on perimeter zones with hot water using **98% AFUE** boiler, **Cycle on at night** (full boiler cost listed below)	Upgrade	$ 3,500	$ 6,500	$ 5,000
R-6 duct insulation w/ ducts in conditioned	-	$ -	$ -	$ -
Boiler **98% AFUE with variable speed pump**	Upgrade	$ 6,500	$ 12,000	$ 9,250
Total Incremental Cost of Energy Efficiency Measures:		**$ 34,675**	**$ 54,680**	**$ 44,678**
Total Incremental Cost per Square Foot:		**$ 0.66**	**$ 1.03**	**$ 0.84**

MV00171335

Incremental Cost Estimate to Exceed Title 24 by 15%

Nonresidential Prototype: 52,900 SF, Option 2 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 under Metal Deck + **R-10 (2" rigid)**; Cool Roof Reflectance =0.55, Emittance = 0.75; 10,580 sf @ $0.75 to $1.00/sf	Upgrade	$ 7,935	$ 10,580	$ 9,258
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	$ -	$ -	$ -
Metal windows: COG U=0.30, **COG SHGC=0.31**; 12,000 sf @ $1.00 to $1.50/sf	Upgrade	$ 12,000	$ 18,000	$ 15,000
Lighting = 0.65 w/sf: Open Office Areas: **(160) HO 2-lamp T8 fixtures @74w each**; no lighting controls; (120) 18w recessed CFLs no lighting controls. Small Offices: (280) 2-lamp T8 fixtures **multi-level occupancy sensors on T8s @ $75 to $100 each**; (200) 18w recessed CFLs on/off lighting controls. Support Areas: (160) 18w recessed CFLs no lighting controls; (240) 13w CFL wall sconces; no lighting controls.	Upgrade	$ 4,740	$ 7,600	$ 6,170
(5) 35-ton Packaged VAV EER=10.0; 81% TE furnaces; **premium** efficiency variable speed fan motors; Fixed temp. air economizers; **15% VAV boxes**, reheat on perimeter zones with hot water using 90% AFUE boiler, **Cycle on at night**	Upgrade	$ 4,816	$ 7,945	$ 6,381
R-6 duct insulation w/ ducts in conditioned	-	$ -	$ -	$ -
Boiler 90% AFUE **with variable speed pump**	Upgrade	$ 1,500	$ 2,000	$ 1,750
Total Incremental Cost of Energy Efficiency Measures:		**$ 30,991**	**$ 46,125**	**$ 38,558**
Total Incremental Cost per Square Foot:		**$ 0.59**	**$ 0.87**	**$ 0.73**

MV00171336

5.0 Cost Effectiveness Determination

Regardless of the building design, occ upancy profile and number of stories, the incremental improvement in overall annual energy performance of buildings in exceeding the 2008 Standards is determined to be cost-effe ctive. However, each building's overall design, occupancy type and specific design c hoices may allow for a large range of incremental costs for exceeding 2008 Standards , estimated annual energy cost savings, and subsequent payback period.

Small Single Family

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
2,025 sf (Option 1)	501	49	$751	$126	6.0
2,025 sf (Option 2)	514	48	$1,644	$127	13.0
2,025 sf (Option 3)	544	39	$2,053	$123	16.7
2,025 sf (Option 4)	457	56	$1,670	$125	13.3
Averages:	504	48	$1,529	$125	12.2

Annual Reduction in CO2-equivalent: ***786 lb./building-year***
0.39 lb./sq.ft.-year

Large Single Family

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
4,500 sf (Option 1)	440	149	$3,971	$210	18.9
4,500 sf (Option 2)	659	105	$4,708	$203	23.1
4,500 sf (Option 3)	945	50	$3,771	$197	19.1
Averages:	681	101	$4,150	$204	20.4

Annual Reduction in CO2-equivalent: ***1,486 lb./building-year***
0.33 lb./sq.ft.-year

Low-rise Multi-family Apartments

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
8-Unit, 8,442 sf (Option 1)	2153	170	$4,474	$502	8.9
8-Unit, 8,442 sf (Option 2)	2466	126	$5,457	$511	10.7
8-Unit, 8,442 sf (Option 3)	2211	145	$4,551	$488	9.3
Averages:	2277	147	$4,827	$500	9.6

Annual Reduction in CO2-equivalent: ***2,736 lb./building-year***
0.32 lb./sq.ft.-year

MV00171337

High-rise Multi-family Apartments

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
36,800 sf (Option 1)	23041	-840	$25,800	$2,874	9.0
36,800 sf (Option 2)	17637	-59	$20,410	$2,749	7.4
36,800 sf (Option 3)	13528	709	$30,210	$2,816	10.7
Averages:	18069	-63	$25,473	$2,813	9.0

Annual Reduction in CO2-equivalent: 7,394 lb./building-year
0.20 lb./sq.ft.-year

Low-rise Office Building

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
10,580 sf (Option 1)	6234	75	$18,254	$1,493	12.2
10,580 sf (Option 2)	8437	-44	$19,054	$1,863	10.2
10,580 sf (Option 3)	8554	-7	$15,438	$1,894	8.2
Averages:	7742	8	$17,582	$1,750	10.2

Annual Reduction in CO2-equivalent: 3,577 lb./building-year
0.34 lb./sq.ft.-year

High-rise Office Building

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
52,900 sf (Option 1)	18232	-927	$44,678	$1,653	27.0
52,900 sf (Option 2)	12347	-195	$38,558	$3,266	11.8
Averages:	15290	-561	$41,618	$2,460	19.4

Annual Reduction in CO2-equivalent: 350 lb./building-year
0.01 lb./sq.ft.-year

MV00171338

Climate Zone 10 Cities

1 Aguanga
2 Alberhill
3 Alpine
4 Alta Loma
5 Arlington
6 Barona
7 Barrett
8 Barrett
9 Beaumont
10 Bloomington
11 Bonsall
12 Bostonia
13 Calimesa
14 Camp Pendleton
15 Canyon Lake
16 Casa de Oro, Mount
17 Cherry Valley
18 Chino
19 Chino Hills
20 Colton
21 Corona
22 Cucamonga
23 De Luz
24 Del Dios
25 Devore
26 Dulzura
27 East Hemet
28 East Highlands
29 Edgemont
30 El Cajon
31 Elsinore
32 Encanto
33 Escondido
34 Fallbrook
35 Fernbrook
36 Fontana
37 Gillman Hot Springs
38 Glen Avon
39 Grand Terrace
40 Harbinson Canyon
41 Hemet
42 Henshaw Dam
43 Highgrove
44 Highland
45 Home Gardens
46 Homeland
47 Jamul
48 Lake Elsinore
49 Lake Mathews
50 Lake Perris
51 Lakeland Village
52 Lakeside
53 Lakeview
54 Loert Otay Reservoir
55 Loma Linda
56 Los Serranos
57 March A.F.B.
58 Margarita Peak
59 Mentone
60 Mira Loma
61 Montclair
62 Moreno Valley
63 Murrieta
64 Muscoy
65 Norco
66 Norton AFB
67 Nuevo
68 Ontario
69 Pala
70 Pauma Valley
71 Pedley
72 Perris
73 Poway Valley
74 Prado Flood Control Basin
75 Quail Valley
76 Railroad Canyon Reservoir
77 Rainbow
78 Ramona
79 Rancho Bernardo
80 Rancho Cucamonga

Only a portion located within Climate Zone 10

MV00171339

Climate Zone 10 Cities (continued)

81 Rancho San Diego
82 Redlands
83 Rialto
84 Riverside
85 Romoland
86 Rubidoux
87 Sage
88 San Bernardino
89 San Diego
90 San Jacinto
91 San Jacinto River
92 San Marcos
93 San Mateo Canyon
94 San Onofre Canyon
95 San Pasqual
96 San Timoteo Canyon
97 San Vicente Reservoir
98 San Ysidro Mountains
99 Santee
100 Spring Valley
101 Sun City
102 Suncrest
103 Sunnymead
104 Sweetwater Reservoir
105 Temecula
106 Temescal Wash
107 Upland
108 Valle Vista
109 Valley Center
110 Wildomar
111 Winchester
112 Woodcrest
113 Yucaipa

Only a portion located within Climate Zone 10

MV00171340

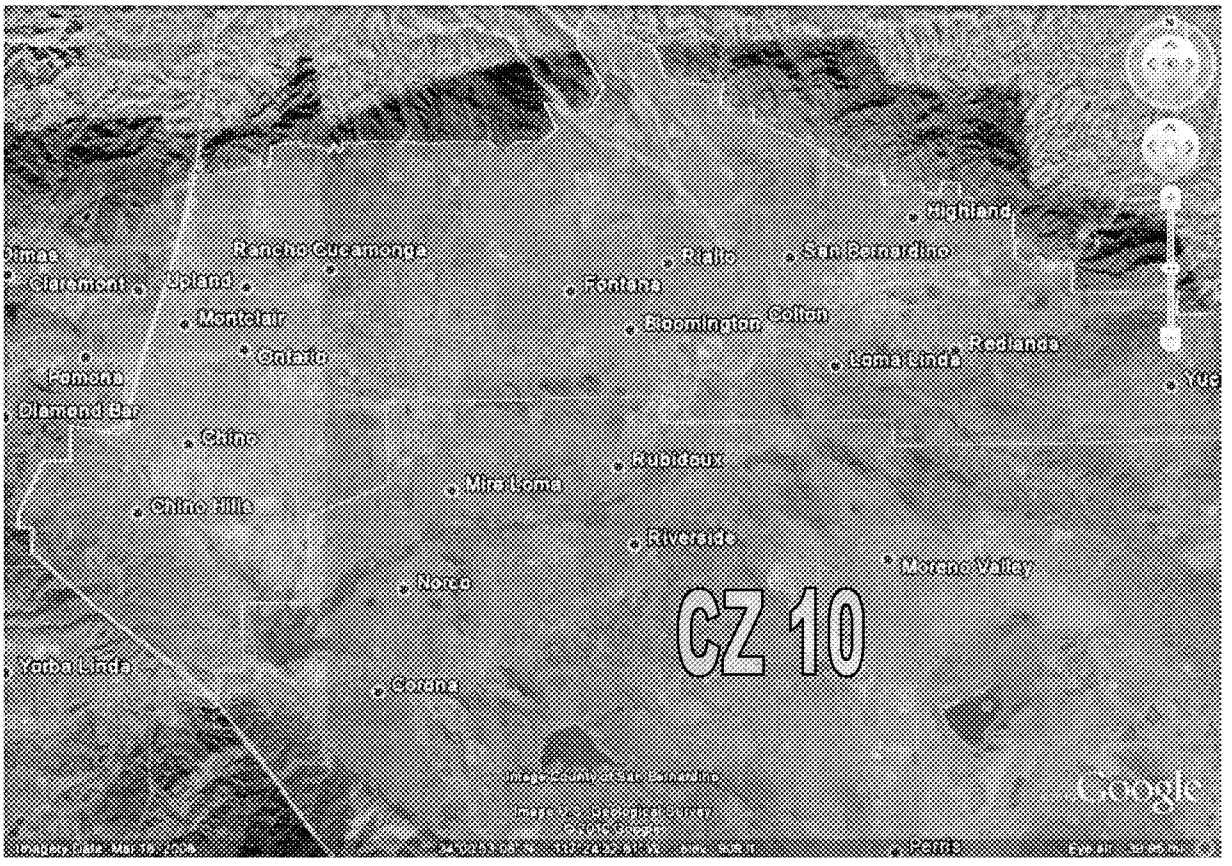
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Rancho Cucamonga
Bryn
San Bernardino
Chino
Chino Hills
Upland
Fontana
Montclair
Bloomington
Colton
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Redlands
Loma Linda
Diamond Bar
Chino
Rialto
Mira Loma
Chino Hills
Riverside
Moreno Valley
Norco
CZ 10
Yorba Linda
Corona
Google

Moreno Valley
Norco
Corona
San Jacinto
Perris
Hemet
Sun City
CZ 10
Lake Elsinore
Wildomar
Murrieta
Google

MV00171341

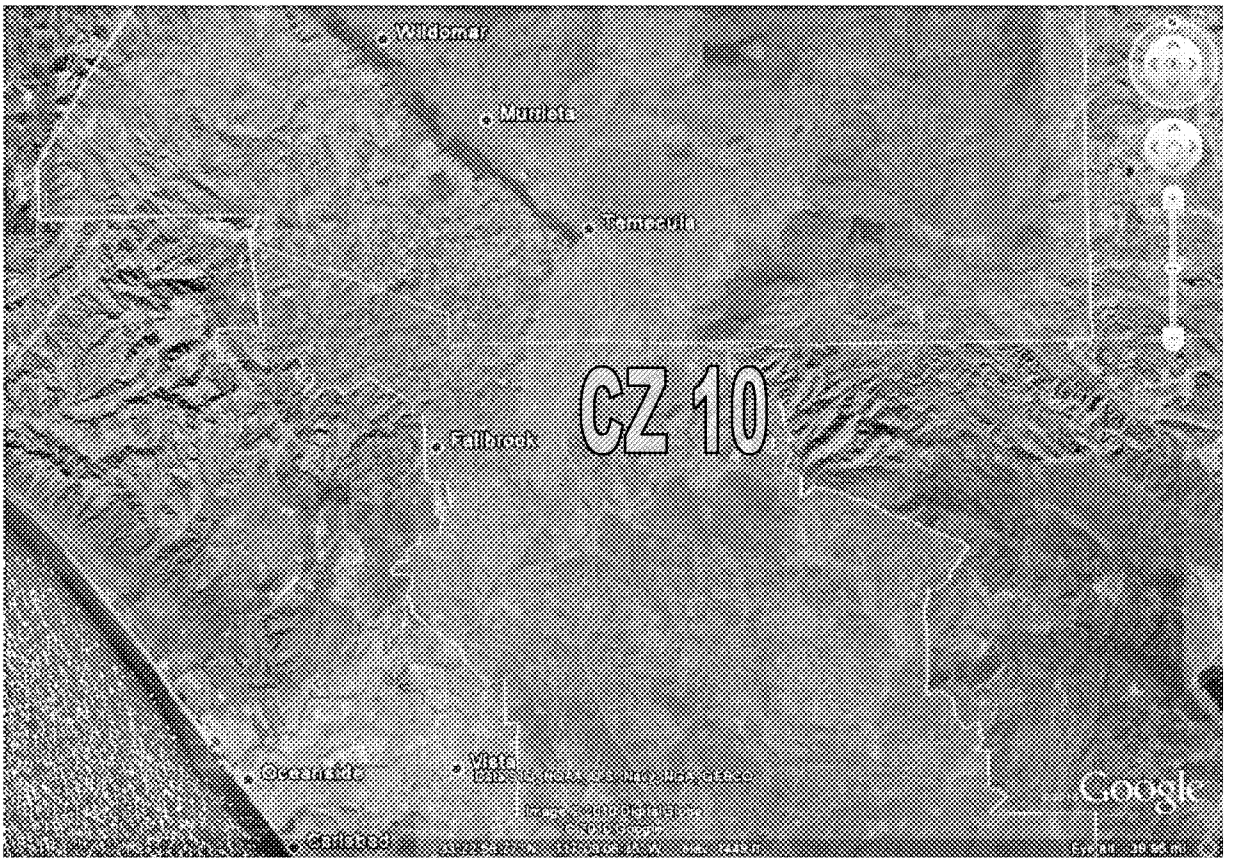

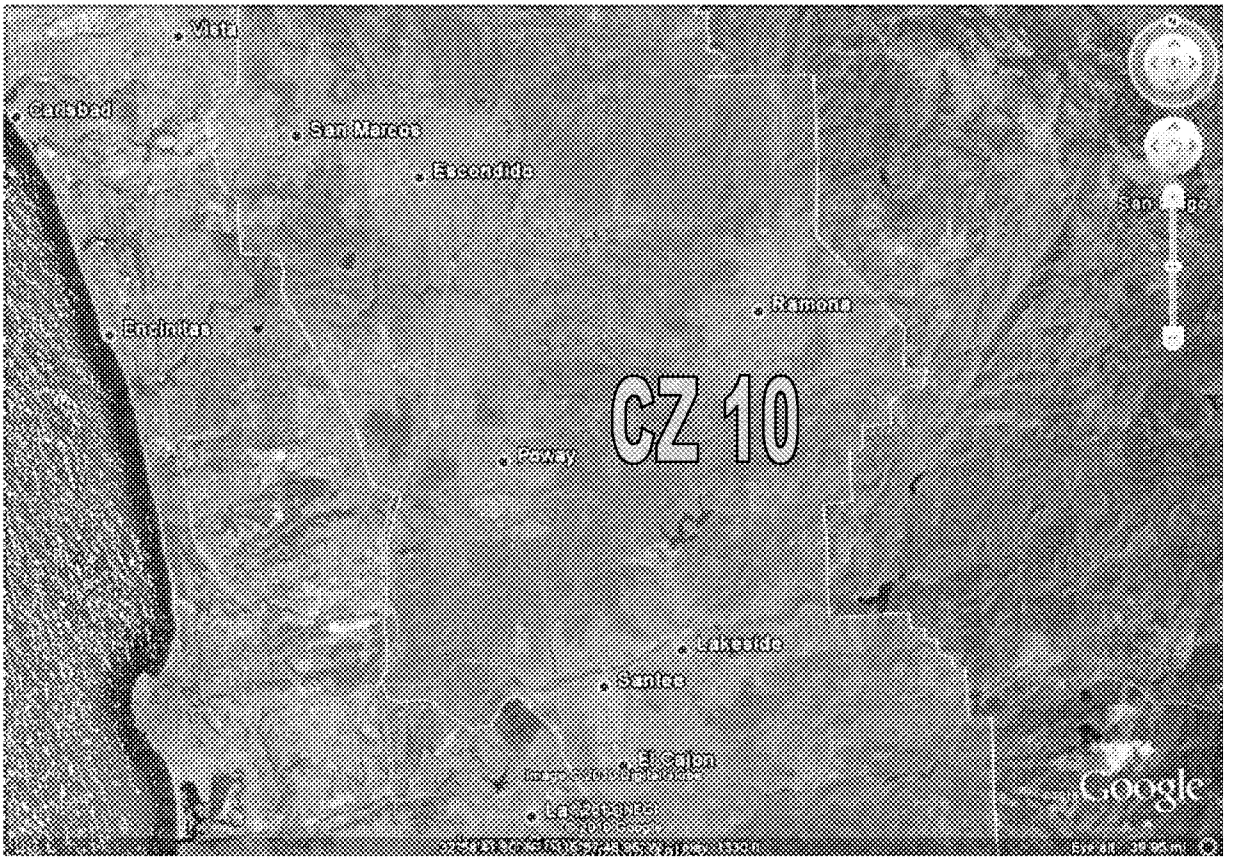

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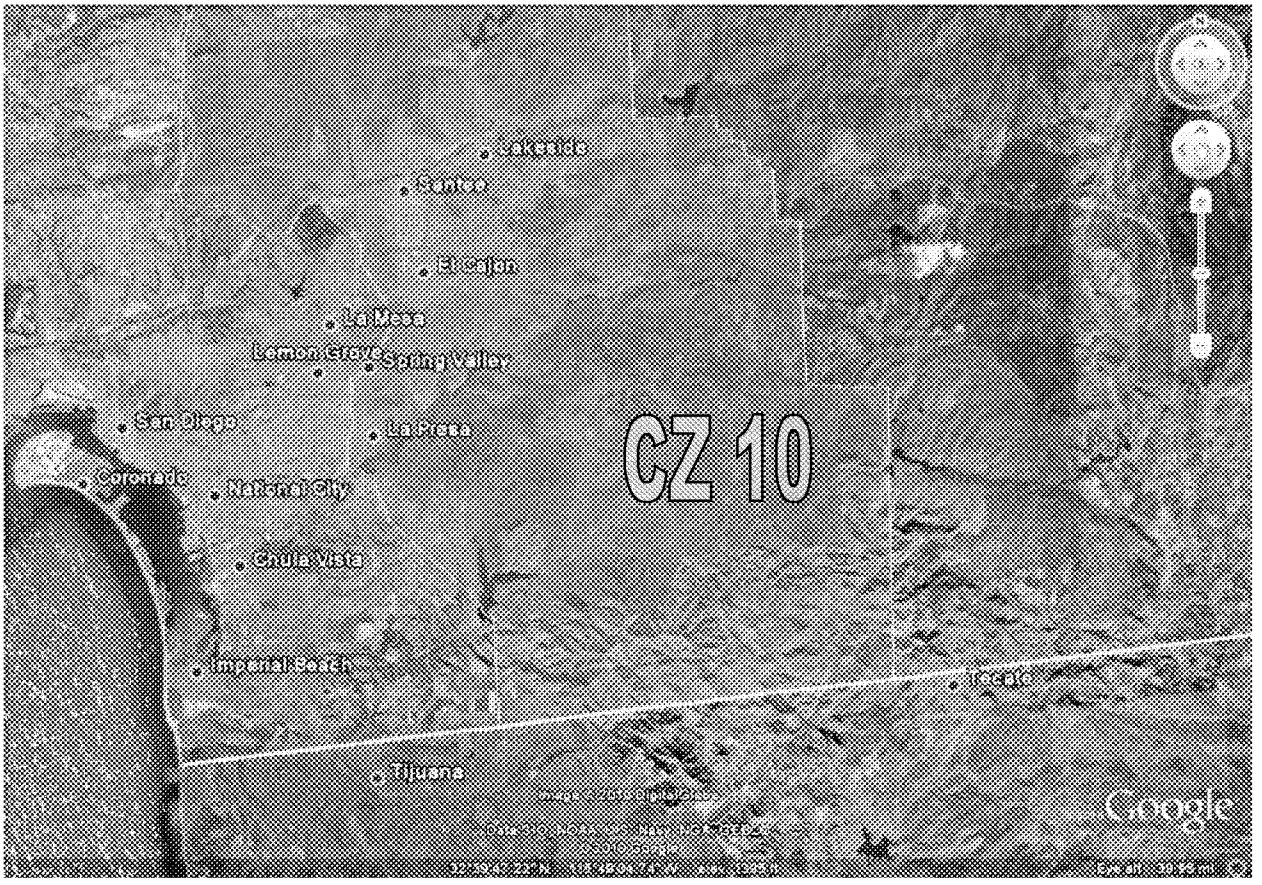

MV00171343

PLANNING COMMISSION RESOLUTION NO. 2012-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA RECOMMENDING APPROVAL OF PA11-0013 (REACH CODES) TO THE CITY COUNCIL, AMENDING TITLE 9 OF THE MORENO VALLEY MUNICIPAL CODE, TO INCLUDE LOCAL MANDATORY MEASURES TO PROVIDE ENERGY EFFICIENCY EQUAL TO AND ABOVE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS INCLUDING MODIFICATION OF SECTION 9.05.040 "INDUSTRIAL SITE DEVELOPMENT STANDARDS", SECTION 9.17.030, LANDSCAPE AND IRRIGATION DESIGN", SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS", SECTION 9.03.040, "RESIDENTIAL SITE DEVELOPMENT STANDARDS" SECTION 8.80.020, "DIVERSION REQUIRMENTS", AND SECTION 9.80.030, "WASTE MANAGEMENT PLAN"

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA11-0013, as described in the title of this Resolution.

WHEREAS, on July 12, 2012, the Planning Commission of the City of Moreno Valley held a public hearing to consider the application.

WHEREAS, when an Ordinance is forwarded to the City Council, it will require buildings to consume no more energy than is permitted by Title 24 Part 6.", while Title 24 Part 6 will still be enforced.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

ATTACHMENT 3

MV00171344

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on July 12, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modifications to the Municipal Code are consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The citywide energy efficiency project consists of modifications to existing Municipal Code standards related to Reach Codes, or those codes that reach higher than current standards. The purpose of modifying the codes is to provide local mandatory measures, or those measures that provide energy efficiency above current Title 24 or 2011 Green Building Code standards Numerous sections of the Municipal Code will be modified regarding industrial site development standards, landscape and irrigation design, off street parking requirements, residential site development standards and the addition of performance standards for water capture and construction recycling. All of the proposed modifications included within the Municipal Code amendment are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan. Specific General Plan goals and objectives within the General Plan in relation to the effort or reducing energy consumption, Goal 2.5 of the General Plan stresses maintenance of systems for water supply, wastewater collection and energy distribution which are capable of meeting present and future needs of all residential, commercial and industrial customers within the City of Moreno Valley and Objective 2.13, Policy 2.13.4, encourages installation of advance technologies and infrastructure including solar energy.

2. **Conformance with Zoning Regulations –** The proposed modifications to the Municipal Code comply with all applicable zoning and other regulations.

   FACT: The primary purpose of modifying current Municipal Code items related to industrial site development standards, landscape and irrigation design, off street parking requirements, residential site development standards and the addition of performance standards for water capture and construction recycling is to obtain future energy efficiency

MV00171345

related to reach codes, which provide energy efficiency above current Title 24 or 2011 Green Building Code standards. The amendments and newly established language within the Municipal Code are consistent with applicable zoning standards, all other regulations within the Code and are internally consistent with the purpose and intent of Title 9. The amendments are also internally compatible with other regulations established within the Moreno Valley Development Code.

3. **Health, Safety and Welfare –** The proposed modifications to the Municipal Code will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The modification and enhancement of existing Municipal Code standards creates a positive environment for the development of Moreno Valley's future by providing energy efficiency in development and design to reduce energy costs and environmental impacts as well as achieving maintenance of systems for water supply, wastewater collection and energy distribution which are capable of meeting present and future needs of all residential, commercial and industrial customers within the City of Moreno Valley. Pursuant to Section 15061 of the CEQA Guidelines, the project meets requirements for project exemption, as there is no possibility that the modification of existing Municipal Codes related to present and future energy efficiency may have a significant effect on the environmental, while the activity in this case would not be subject to CEQA requirements. The proposed amendment also does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions.

BE IT FURTHER RESOLVED that the Planning Commission **APPROVES** Resolution No. 2012-13, recommending that the City Council recognize that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines and amend Title 9 of the Municipal Code for energy efficiency measures above current 2011 California Green Building Code standards necessary to adopt Reach Codes, including the modification of Section 9.05.040, "Industrial Site Development Standards", Section 9.17.030 "Landscape and Irrigation Design", Section 9.11.040 "Off Street Parking Requirements", Section 9.03.040 "Residential Site Development Standards" and the addition of language for Construction Recycling in Sections 8.80.020 "Diversion Requirements", and 8.80.030 Waste Management Plan".

MV00171346

APPROVED this ____ day of _____, 2012.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

MV00171347

9.17.090 Commercial, industrial, public and quasi-public development.

A. All required setback areas, exclusive of required walkways and driveways shall be landscaped. Landscape areas consist predominately of plant materials, except for necessary walks and fences/walls. Gated and screened storage areas may be exempted from this landscape requirement per approval of the community development director.

B. A landscape buffer shall be provided on a nonresidential site when adjacent to residential uses to provide visual relief to the nonresidential side. Plant materials shall be selected so that at maturity (within ten (10) years), intermittent visual obstruction with no unobstructed openings greater than five feet in horizontal distance remain.

C. In addition to the required street trees, trees shall be planted at the equivalent of one tree per thirty (30) linear feet of building dimension that is visible from the parking lot or public right-of-way. Trees may be massed for pleasing aesthetic effects. The creation of plaza or paseo areas is encouraged, including the use of pervious surface areas that reduce water run off. Such areas should incorporate focal points such as water features or specimen trees and establish a social gathering place with such elements as tables, benches, and seating walls.

D. Additional parking lot trees shall be provided at one tree per thirty (30) linear feet of parking lot adjacent to the interior property.

E. Project entry drives shall incorporate enhanced landscaping (size and variety of vegetation) and pavement.

F. Projects with frontage abutting arterial streets shall be required to construct parkways in conformance with city standard engineering plans unless otherwise approved by the community development director.

G. Turf is limited to gathering areas only. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

H. <u>A minimum seventy-five (75) percent of the site shall include drought tolerant landscape species or native California species. The plant palette provided in the County of Riverside Guide to Friendly Landscaping is recommended to identify plants which can be used to establish an aesthetically pleasing and water efficient landscape.</u>

ATTACHMENT 4

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in subsection B, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP/LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1] See Special Site Development Standards Section 9.05.040(B)(9) for unique separation requirements for structures greater than 50,000 square feet in building area.
* Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this title.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than fifty thousand (50,000) square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be two hundred fifty (250) feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 830 § 3.1, 2011;

Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2, 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359, 1992)

11. For all new industrial and warehouse structures at or above 300,000 square feet in floor area, the project shall install a photovoltaic array (solar panels) or other source of renewable generation on-site or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

9.17.030 Landscape and irrigation design standards.

A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside's Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Eastern Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

Projects shall be designed to capture and retain storm water onsite to improve water use efficiency and water quality. The use of reclaimed water is encouraged. Contact Eastern Municipal Water District for availability.

B. Plan Design Standards. The following design standards are required on all landscape plan submittals:

1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.

2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) square feet of landscaped area, except custom homes or projects designed in-house by the public works department or parks and community services department, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All nonresidential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.

3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the city. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.

4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the city.

5. Landscape shall include drought-tolerant plants and water conservation principles.

6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).

7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.

8. Trash enclosures are screened with at least three feet of landscaping on three sides.

9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.

10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the city.

11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org.) No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.

12. Water budgets that meet Eastern Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Eastern Municipal Water District.

13. Water budgets are subject to approval by Eastern Municipal Water District. The city of Moreno Valley will cooperate with Eastern Municipal Water District in monitoring to the extent practicable.

14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations and Eastern Municipal Water District. Landscape plans submitted shall meet this standard.

15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.

2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.

3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.

4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.

5. High quality artificial turf is allowed as an element of a project landscape.

6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.

3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.

4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the city.

5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.

6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.

7. <u>A minimum seventy-five (75) percent of the site shall include drought tolerant landscape species or native California species.</u> The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.

E. Trees.

1. Trees shall be planted in a manner, which maximizes the shading of paved areas, outdoor seating, and both south- and west-facing windows.

2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.

3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.

4. All landscape plans shall indicate mature tree canopy diameters.

5. All mature tree canopies in parking lots shall be pruned and maintained to maximize shade potential and ensure healthy, maximum growth. Topping of trees shall be avoided.

6. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.

7. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.

8. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.

9. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.

10. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.

F. Irrigation.

1. All planted landscape areas shall be provided with an approved "smart" automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and/or soil moisture sensing devices. Watering during the rain shall be avoided.

2. Drip, bubbler-type and rotor sprays or stream roter sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type.)

3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.

4. Reduced pressure backflow preventers are required on all irrigation systems.

5. No fixed risers are permitted, unless otherwise approved by the community development director.

6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.

7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.

8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9. Eastern Municipal Water District will calculate the annual maximum allowable water budget (AMAWB) for customers requesting a new account. The proposed landscape must meet the AMAWB requirements prior to meter release. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

9.11.040 Off-street parking requirements.

A. Automobile Parking Requirements. Off-street automobile parking shall be provided in accordance with the requirements of this chapter. The following tables set forth the required off-street parking requirements and certain notations for various residential, commercial, industrial, public and quasi-public uses. Parking provided above required off-street must be constructed with permeable surfaces and/or enhanced landscaped retention and absorption areas:

Table 9.11.040A-12

Off-Street Parking Requirements

Use	Requirement	Covered Parking	Notes
Residential Uses			
Single-family	2/unit	Within an enclosed garage	
Second units	2/unit	Carport or garage	
Duplex	2/unit	Within an enclosed garage	
3 or more units Studio 1 bedroom 2 bedrooms 3+ bedrooms	 1.25/unit 1.5/unit 2.0/unit 2.5/unit	 1 covered/unit 1 covered/unit 1 covered/unit 2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard.
Senior housing			
Studio 1 bedroom	1.0/unit 1.25/unit	1 covered/unit 1 covered/unit	Guest parking is required for all units

2+ bedrooms	1.5/unit	1 covered/unit	at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.
Mobile home parks	2.5/unit		Tandem spaces may be used to meet resident parking requirements.
Residential care homes	Parking requirements shall be determined by the community development director subject to an approved parking study.		

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Commercial Uses	**Requirement**	**Notes**
Nail salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	
College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum.
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	

Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	
Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12

Off-Street Parking Requirements

Use	Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door.
Research and development	1/350 sq. ft. of gross floor area	

Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	This is in addition to the loading parking stall already provided at the dock door.

Table 9.11.040D-12

Off-Street Parking Requirements

Use	Requirement	Notes
Public and Quasi-Public Uses		
Libraries, museums and galleries	1/300 sq. ft. of gross floor area	
Public utility facilities without an office on-site	2/employee on the largest shift + 1/company vehicle	A minimum of 2 spaces shall be required.
Auditorium, places of public assembly and places of worship	1/3 fixed seats or 1/35 sq. ft. of gross floor area of the assembly area or 1 space for every 4.5 lineal feet of benches/pews, whichever is greater	
Government offices	To be determined by a parking study approved by the community development director	

B. Schedule of Accessible Parking Requirements. The following requirements for accessible parking are intended to be consis-tent with the state requirements. Any conflict-

ing provisions or future changes in state or federal requirements shall preempt the standards for provision of accessible parking spaces contained in this title.

1. Accessible parking for residential uses shall be provided at a rate of one space for each dwelling unit that is designed for accessibility and occupancy by the disabled, unless an adjustment is allowed, based on a parking study approved by the community development director.

2. Accessible parking for outpatient units and facilities providing medical care and other services for persons with mobility impairments shall be provided at a rate of ten (10) percent of the total number of parking spaces provided serving such outpatient unit or facility. Accessible parking for units and facilities that specialize in treatment or services for persons with mobility impairments shall be provided at a rate of twenty (20) percent of the total number of parking spaces provided serving each such unit or facility.

3. Accessible parking spaces for other uses shall be provided at the following rates:

No. of Automobile Spaces Provided	**No. of Accessible Spaces Provided**
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2 percent of total spaces
1,001 and over	20 plus 1 for each 100 spaces or fraction thereof over 1,001

4. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum of eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

5. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Such space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

6. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

7. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this subsection (B)(7) would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

8. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083% gradient) in any direction.

9. Notwithstanding the off-street parking requirements of subsection A of this section, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

10. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone, as described herein. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.2, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 670 § 3.1 (part), 2004; Ord. 557 §§ 2.2, 2.3, 2000; Ord. 520 § 1.14, 1997; Ord. 475 § 1.4 (part), 1995; Ord. 405 §§ 1.8, 1.13, 1993; Ord. 402 §§ 1.1, 1.2, 1993; Ord. 359, 1992)

C. Low Emitting Fuel Efficient Carpool/Vanpool Vehicle Parking

1. Eight (8) percent of all required non-residential parking shall be designated for any combination of low-emitting, fuel efficient and carpool /vanpool vehicles.

9.17.080 Multifamily residential development.

A. A minimum of thirty-five (35) percent of the site area, exclusive of private patio and yard areas, shall be landscaped. Required setback areas and outdoor recreation areas may be counted towards this minimum, but not public rights-of-way. Landscape areas consist predominately of plant materials, except for necessary walks and fences/walls. The use of permeable surfaces is recommended for walks and patios to reduce water run-off.

B. Trees shall be positioned such that trees are planted to shade paved areas and west- and south-facing windows for energy-efficient savings; coniferous or nonwinter deciduous trees are kept away from south-facing windows in order to allow for heat gain during winter months. The larger sized trees should be placed at entries and accent areas.

C. Turf shall be limited and installed in useable gathering areas only with a maximum of twenty-five (25) percent. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

D. A minimum seventy-five (75) percent of the site shall include drought tolerant landscape species or native California species. The plant palette provided in the County of Riverside Guide to Friendly Landscaping is recommended to identify plants which can be used to establish an aesthetically pleasing and water efficient landscape.

9.03.040 Residential site development standards.

The following standards shall apply to land and permitted or conditionally permitted buildings and structures located within the herein described residential districts. The standards stated herein are not intended to prevent more restrictive private site development standards contained in the covenants, conditions and restrictions or other private consensual restrictions imposed on any property or dwelling unit. However, in no case shall private deed or other property restrictions be applied or recognized so as to permit a lesser standard than the minimum standards established in this title or to otherwise revise the standards established by this title.

A. Rural Residential Requirements.

1. Slope-Density-Natural Area Relationship. The maximum density (du/ac) and the minimum percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.

a. Slope-Density-Natural Area Table 9.03.040-4.

Slope Class	Allowable Density (DU/Acre)	Amount of Open Space Required
Greater than 25%	0.05 (1 du/20 ac)	60%
15.1% to 25%	0.10 (1 du/10 ac)	50%
10% to 15%	0.20 (1 du/5 ac)	35%
Less than 10%	0.40 (1 du/2.5 ac)	n/a

b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The slope analysis shall be certified by a qualified civil engineer or licensed surveyor.

c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the ten (10) to fifteen (15) percent slope class and five acres falls within the 15.1 percent to twenty-five (25) percent slope class, then the total permitted yield shall be two dwelling units (10 ac x 0.10 du/ac plus 5 ac x 0.20 du/ac).

2. Minimum Lot Size. Minimum lot size shall be one dwelling unit per 2.5 acres within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, minimum lot size within the rural residential district may be reduced to twenty thousand (20,000) square feet, or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means

approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.

3. Subdivision Design and Future Land Divisions.

a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.

b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.

4. Building Height. Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.

5. Setbacks and Other Site Development Criteria. Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	**Standards**
Under 40,000 s.f.	R2 district standards
40,000 s.f. or greater	R1 district standards

6. Grading within the rural residential district shall be performed as described under the hillside residential requirements, subsection (B)(6) of this section.

B. Hillside Residential Requirements.

1. Slope-Density-Natural Area Relationship. The maximum density (du/ac) and the percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.

a. Slope-Density-Natural Area Table 9.03.040-5.

Slope Class	Allowable Density (DU/Acre)	Minimum Amount of Open Space Required
Greater than 25%	0.10 (1 du/10 ac)	60%
15.1% to 25%	0.25 (1 du/4 ac)	50%
10% to 15%	0.50 (1 du/2 ac)	35%
Less than 10%	1.00 (1 du/ac)	n/a

b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The community development director may require the slope analysis to be certified by a qualified civil engineer or licensed surveyor.

c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the 15.1 percent to twenty-five (25) percent slope class and five acres falls within the greater than twenty-five (25) percent slope class, then the total permitted yield shall be three dwelling units (10 ac x 0.25 du/ac plus 5 ac x 0.10 du/ac).

2. Minimum Lot Size. Minimum lot size shall be one acre within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, the lot size within the hillside residential district may be reduced to ten thousand (10,000) square feet or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.

3. Subdivision Design and Future Land Divisions.

a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.

b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division

so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.

4. Building Height. Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.

5. Setbacks and Other Site Development Criteria. Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	**Standards**
Less than 20,000 s.f.	R-3 district standards
20,000 s.f. to 40,000 s.f.	R-2 district standards
40,000 s.f. or greater	R-1 district standards

6. Grading of any site shall be minimized and shall conform to the provisions contained in the city of Moreno Valley design guidelines, Ch. 9.16, under Applications for hillside development, Article IV, Sections 9.16.170 through 9.16.230 of this title, and the following standards:

Slope Class	**Standards**
15.1—25%	Padded building sites may be allowed, but maximum use of custom foundations and split level designs shall be employed to reduce the need for large padded building areas.
Above 25%	Mass grading is not permitted. Special hillside architectural and design techniques are expected in order to conform to the natural landform. Homes constructed on lots within this terrain shall use custom, multiple-level foundations.
For all areas	All graded areas shall be protected from wind and water erosion through acceptable slope stabilization methods such as planting, walls or jute netting.

C. Slope Calculations. For the purposes of this section, the following method will be used to determine slope.

1. "Slope" is defined as the relationship between the change in elevation (rise) of the land and the horizontal distance (run) over which that change in elevation occurs. The percent of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by one hundred (100).

2. a. For the purpose of determining the amount and location of land falling into each slope category, the applicant shall submit to the community development department, at the time of application, a base topographic map of the subject site prepared and signed by a registered civil engineer or licensed land surveyor. Such a map shall have a scale of not less than one inch to two hundred (200) feet and a contour interval of not more than ten (10) feet.

b. This base topographic map shall include all adjoining properties within three hundred (300) feet of the site boundaries. Slope bands in the range of less than ten (10) percent, ten (10) to fifteen (15) percent, fifteen (15) to twenty-five (25) percent, and greater than twenty-five (25) percent shall be delineated on the topographic map. The map shall be accompanied by a tabulation of the land area in each slope category specified in acres. The exact method for computing the percent slope and area by percent slope category is to be sufficiently described and presented so that a review can readily be made.

3. Slope Mapping Method.

a. The percent slope of any particular piece of land shall be plotted on the map as described in this subsection.

b. In preparing a slope map, those portions of ravines, ridges and terraces of less

area generally sloping at twenty-five (25) percent slope or greater, shall be regarded as part of the bordering twenty-five (25) percent slope or greater band.

D. General Residential Requirements. The following tables sets forth minimum site development standards for residential development projects in the specified residential districts. In addition, projects must comply with the special development standards enumerated in this section, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and standards.

Figure 9.03.040-1
Residential Lot Information

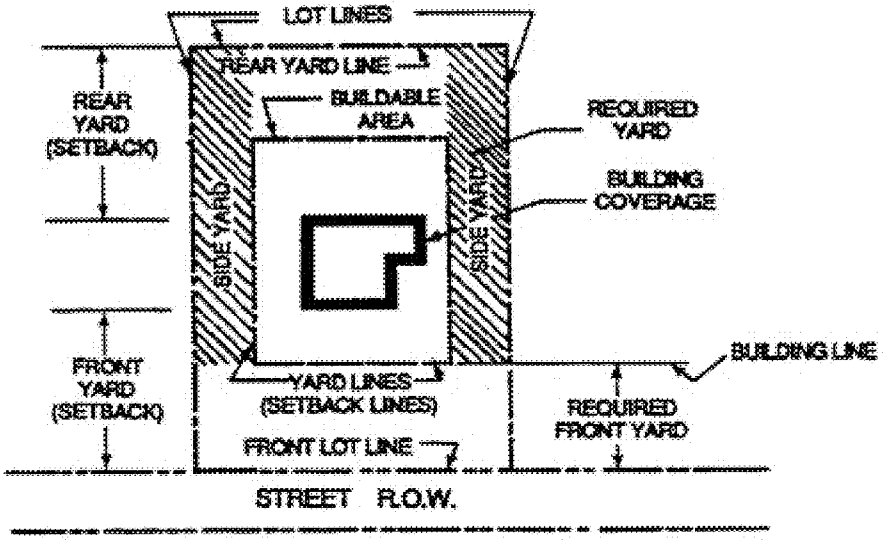

Figure 9.03.040-2
Residential Yard Descriptions

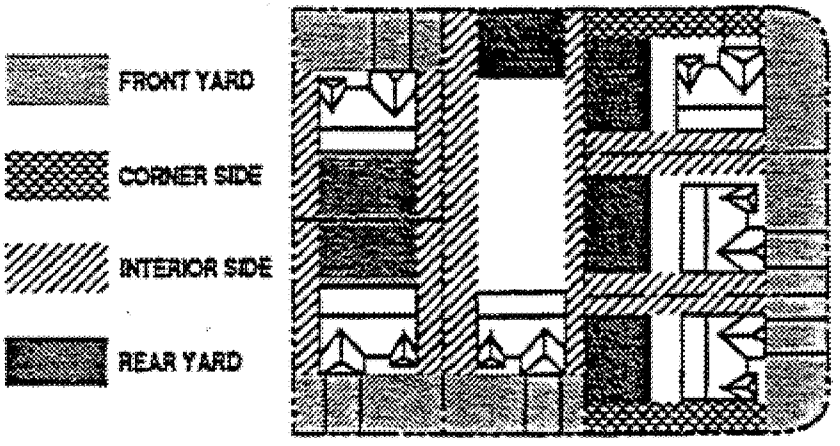

Table 9.03.040-6

Residential Site Development Standards

Single-Family Standards

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

Notes to Residential Site Development Standards Table 9.03.040-6.

1. Combined interior side yard setbacks of twenty (20) feet shall be provided with a minimum of five feet on one side.

2. Combined interior side yard setbacks of fifteen (15) feet shall be provided with a minimum of five feet on one side.

3. In the RS10 district the minimum street side setback shall be ten (10) feet. The interior side setback shall be five feet, except in the case of zero lot line developments with houses placed on an interior side lot line. When a house is placed on an interior side lot line, the other minimum side yard setback shall be ten (10) feet. Where applicable, an easement at least five feet in width shall be provided along the common lot line. The easement shall guarantee the right to use and occupy the easement for a roof overhang(s), stormwater drainage and for building maintenance and repair.

Table 9.03.040-7

Residential Site Development Standards

Multifamily Standards

Requirement	**R10**	**R15**	**R20**	**R30**
1. Maximum density (DUs*/net acre)	10	15	20	30
2. Minimum lot size (net area in sq. ft.)	1 acre	1 acre	1 acre	1 acre
3. Minimum lot width in feet	200	200	200	200
4. Minimum lot depth in feet	175	175	175	175
5. Minimum front yard setback, in feet	20	25	30	30
6. Minimum side yard setback, in feet Interior side yard Street side yard	 10 20	 10 20	 10 20	 10 feet plus 2 feet for every 5 feet in height over 30 feet 20
Requirement	**R10**	**R15**	**R20**	**R30**
7. Minimum rear yard setback, in ft.	15	20	25	10 feet plus 2 for every 5 feet in height over 30 feet
8. Maximum lot coverage	40%	45%	50%	50%
9. Maximum building and structure height, in feet	50 feet			
10. Minimum dwelling size (sq. ft.)	See Note 1			
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	20	20	20
12. Floor area ratio	.75	.75	.75	1.0

* The term "DUs" means dwelling units.

Note to Residential Site Development Standards Table 9.03.040-7.

1. Minimum dwelling sizes in multiple-family projects shall be as follows:

a. One bedroom: four hundred fifty (450) square feet;

b. Two bedroom: eight hundred (800) square feet;

c. Three bedroom: one thousand (1,000) square feet.

E. Special Single-Family Residential Development Standards.

1. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.

2. In the R5 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.

3. In the RS10 district, driveways and fire hydrants shall be designed and located to maximize on-street parking opportunities in front of each residence.

4. Within the RS10 district, small lot single-family subdivisions on less than fifteen (15) gross acres shall provide landscaping and decorative walls along the street side of corner lots and at least two of the following amenities throughout the project:

a. Front porches;

b. Automatic garage door openers;

c. Electronic security systems.

5. Within the RS10 district, small lot single-family subdivisions on fifteen (15) gross acres or more shall include usable common open space encompassing a minimum of ten (10) percent of each development. Usable common open space does not include individually owned lots, parking areas, nor vehicular rights-of-way. Usable common open space is open space and/or recreational amenities under joint (common) ownership, including, but not necessarily limited to, landscaped areas, trails, playgrounds,

tennis courts, swimming pools and recreational buildings. A homeowners' association shall be established to provide continual maintenance of the commonly owned facilities.

6. For all developments within the R5 land use district, a buffer of lots held to the development standards of the R3 land use district shall be included for all portions of a subdivision located adjacent to lower density single-family residential land use districts, including the R1, R2, RA-2, and RR zones.

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

8. In all residential districts allowing single family homes, kitchen appliances provided by the builder shall meet Energy Star requirements if an Energy Star designation is applicable for the appliance.

9. Space on the roof and penetrations through the roof surface shall be provided for future solar installation .

10. In all residential districts allowing single-family homes, new tracts containing five (5) or more lots shall require fifty (50) percent of the structures to orient buildings to optimize the use of solar energy with the long side of the house oriented within thirty (30) degrees south.

F. Special Multiple-Family Residential Development Standards.

1. In the R10, R15, R20 and R30 districts, buildings exceeding one story in height shall maintain a minimum building setback of fifty (50) feet from any single-family district. Any single-story building within the R10, R15, R20 or R30 district shall maintain a minimum setback of twenty (20) feet from any single-family district.

2. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

4. In the RS10, R10, R15, R20 and R30 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.

5. In the RS10, R10, R15, R20 and R30 districts, a minimum of thirty-five (35) percent of the net site area, exclusive of private patio and yard areas, shall be landscaped. Turf shall not exceed fifty (50) percent of this area. Required setback areas and outdoor recreation areas may be counted toward this minimum. Landscaping shall consist predominately of plant materials to include water efficient native plants, except for necessary walks and fences. Landscape areas shall be designed to promote water retention and allow runoff from impervious surfaces. Hardscape areas are recommended to be constructed with pervious surfaces where feasible to reduce run off.

6. Where a multiple-family project abuts property in a single-family district, a decorative masonry wall at least six feet in height and screening landscaping within a planter of at least five-foot interior width shall be erected and maintained between such uses and the single-family district. Decorative walls composed of block, brick, stone, stucco-treated masonry or concrete panels are acceptable. The community development director may approve alternative materials, provided that the materials are decorative and comparable to masonry walls or concrete panels in durability and ability to attenuate light and sound.

7. Parking for each use shall comply with the requirements of Chapter 9.11 of this title.

8. In the R30 District, Landscape Trees. One tree per twenty (20) linear feet of building dimension for the portions of building visible from parking lot or ROW and one tree per twenty (20) linear feet of perimeter planter areas.

9. In the R30 district, for a development of three acres or greater, up to sixty (60) percent of the units may be in buildings with three or four stories, fifty (50) feet maximum height subject to planning commission approval.

Table 9.03.040-8

Designation	Minimum Density*	Maximum Density
R10	8 units/acre	10 units/acre
R15	12 units/acre	15 units/acre
R20	16 units/acre	20 units/acre
R30	24 units/acre	30 units/acre

* Eighty (80) percent of allowable density must be achieved by all multiple-family residential developments.

10. Space on the roof and penetrations through the roof surface shall be provided for future solar installation.

G. General Multiple-Family Guidelines.

1. Opposing garages or carports should be turned to avoid the monotony of alley-like parking corridors.

2. Parking areas should be staggered and landscaped to add visual interest, and opportunities for accent treatments.

3. Parking spaces within multifamily areas shall be located within two hundred fifty (250) feet of the dwellings they serve.

4. Multifamily parking lots shall be limited to two double aisles of cars to help reduce expanses of paving. Parking lots shall provide openings in curbs to convey surface drainage into landscape areas for water quality, retention and absorption.

5. Open parking areas should be clustered and treated as landscaped plazas and courts.

6. Landscaping shall be used around the perimeter of the lot, as well as within the lot, reducing paved area and providing for a more pedestrian oriented site.

7. No more than four units for a two-story structure should be served by one entry.

8. Each multiple-family unit shall have at least one hundred and fifty (150) square feet of private open space per downstairs unit and a minimum of one hundred (100) square feet of private open space per upstairs unit. Private open space may consist of a fenced yard area, patio or balcony. Fenced yards and patios shall have a minimum dimension of at least eight feet. Balconies shall be at least five feet deep.

9. Common open space at a minimum of three hundred (300) square feet per each residential dwelling in the project is required.

10. Individual units should have a porch or porch-like space at the front door.

11. Trash enclosures shall be located to provide a maximum walking distance of two hundred fifty (250) feet from the units they serve.

12. Trash enclosures shall include solid roofs and be designed to be compatible with the project's architecture.

13. Trash enclosures shall not be located on dead end drive aisles, unless adequate turnaround is provided for collection vehicles.

14. There shall be at least one double-bin trash enclosure for every forty-eight (48) residential units.

15. Mail boxes should be located at various places on the site and treated to match the building's architecture, avoiding the institutional and monumental "gang box" appearance, while conforming to post office guidelines.

16. Drive aisles should be curved and should incorporate landscaping and paving treatments to reduce vehicle speed. Landscaping treatments may include pinched planters and a mix of canopy and vertical trees. Paving treatments may include interlocking paver bands or etchings across drives. Speed bumps or Botts' dots are not an acceptable alternative.

17. Freestanding structures, like gazebos or pergolas, should be located to define activity areas at pathway intersections or in secluded landscape areas.

18. Drive aisles shall be at least twenty-four (24) feet wide for two-way traffic and shall be at least twenty (20) feet wide for one-way traffic.

19. Buffer setbacks and landscaping shall be provided along all property lines. Buffers may also be appropriate within the complex, separating recreational areas from units and limiting lines of sight between balconies and into parking areas.

20. Multiple-family projects warrant special design considerations, including:

a. Intimate, shaded outdoor seating areas;

b. A network of pathways, providing interesting walking experiences;

c. Gentle slopes for outdoor pathways and ramps to entry doors and between floors;

d. Convenient and attractive access to transit, including portecocheres, information kiosks, seating areas and water elements;

e. Security;

f. Direct ambulance access (senior housing projects);

g. Parking close to units;

h. Elevators (senior housing projects).

21. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest.

22. Multifamily units shall be clustered to minimize grading and to help maintain the natural landscape.

23. Multifamily projects shall be designed for the needs of the intended residents. For example, children's needs would require open space, tot lots, handrails, and enclosed yards on ground floor units. Disabled or elderly needs would require ramps, parking close to units, minimum and gradual elevation changes and elevators.

24. Architectural features should be used to increase privacy from nearby units and common or public spaces.

25. Roof forms should be mixed and combined to vary the perception of building height, to differentiate units and to add interest to building mass. The long, straight roofline of a single gable is not permitted.

26. A diagram of the complex showing the location of the viewer and the building designations shall be positioned at each visitor entrance of a multiple-family development.

27. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest. (Ord. 826 § 3.2, 2011; Ord. 808 §§

2.2—2.2.3, 2010; Ord. 797 §§ 2.4, 2.4.2—4, 2009; Ord. 773 § 3, 2008; Ord. 757 §§ 2.7, 2.72, 2008; Ord. 757 §§ 2.7, 2.7.2, 2008; Ord. 726 § 4.3, 2006; Ord. 698 § 3.1(c), 2005; Ord. 694 § 1.1 (part), 2005; Ord. 616 §§ 2.2.1, 2.2.2, 2003; Ord. 604 § 2.3, 2002; Ord. 520 § 1.9, 1997; Ord. 475 § 1.4, (part), 1995; Ord. 468 §§ 1.4, 1.5, 1995; Ord. 461 § 1.1, 1995; Ord. 386 § 1.13, 1993; Ord. 359, 1992)

9.17.070 Single-family residential development.

A. Plans for landscape construction or reconstruction of existing single-family units, custom homes and model home complexes are subject to review by the planning division to ensure:

1. Conformance with prevailing building design guidelines, with pleasing visual aesthetics and water efficient design.

2. Use of xeriscape landscaping.

3. Use of approved landscape materials.

4. Use of approved "smart irrigation" controllers.

5. Irrigation systems minimize overspray onto structures or hard surfaces such as sidewalks, driveways and walls/fences.

6. The front yard area have a maximum of twenty-five (25) percent turf with the remaining yard planted with shrubs, groundcovers and required trees. Turf should be planted in gathering areas only. Pavement and other solid surfaces shall not cover more than half of the required front yard setback. Pervious pavement/surfaces are recommended to reduce water run-off.

7. New and existing single-family front yard setbacks include front and street side yard landscaping consisting predominantly of plant materials including shrubs, groundcovers and required trees, except for necessary walks, drives and fences, not including weeds, as defined in Municipal Code Chapter 6.04, or concrete/hardscape materials.

8. Groundcover should be used to absorb run-off from rain or irrigation.

9. Reduction of hardscape/paving, incorporating permeable surfaces to reduce run-off.

10. <u>A minimum seventy-five (75) percent of the site shall include drought tolerant landscape species or native California species.</u> The plant palette provided in the County of Riverside Guide to Friendly Landscaping is recommended to identify plants which can be used to establish an aesthetically pleasing and water efficient landscape.

B. Model homes are provided by a developer as examples of the housing product for sale within the subject tract. A xeriscape planting concept with a turfless front yard is incorporated for at least one of the models. The concept must be used in at least twenty-five (25) percent of the production units. Promotional information on xeriscape-planting concepts is made available for prospective homebuyers.

C. For parking lot, walls, screening and other landscape requirements, see applicable sections of the title. (Ord. 826 § 3.7, 2011; Ord. 817 § 3.7, 2010; Ord. 786 § 2, 2009)

8.80.020 Diversion requirements.

A. Diversion Requirement.

1. Demolition and Remodeling Debris. It is required that at least ~~fifty (50)~~ seventy-Five (75) percent of waste tonnage from construction, demolition, and remodeling debris shall be diverted from the landfill. Demolition and remodeling projects must submit an acceptable waste management plan (WMP) as outlined in this chapter for approval prior to commencing the project.

2. New Construction (Residential, Commercial, and Industrial). It is required that the franchise hauler be used to assist in the design of a construction site management plan to divert cardboard, wood, pallets, and other recyclable materials from the site. The franchise hauler will be required to present an agreeable plan to the city staff and to report the amount of tonnage by material that has been recycled from each job site.

a. The franchise hauler will make its best effort to divert any and all recyclable materials by at least ~~fifty (50)~~ seventy-five (75) percent of waste tonnage to increase diversion on new residential, commercial, and industrial sites.

b. The franchise hauler will work with city staff to design an economically feasible collection system for the builder that increases diversion from construction sites and conforms to other city development requirements.

B. Diversion Requirement Exemption.

1. Application. If an applicant for a covered project experiences unique circumstances that the applicant believes make it infeasible to comply with the diversion requirements, the applicant may apply for a diversion requirement exemption at the time that he or she submits the WMP required under Section 8.80.030 of this chapter.

2. Meeting with Compliance Official. The compliance official shall review the information supplied by the applicant and may meet with the applicant to discuss possible ways of meeting the diversion requirement. Upon request of the jurisdiction, the compliance official may request that staff from the city of Moreno Valley attend this meeting. Based on the information supplied by the applicant and, if applicable, the city of Moreno Valley, the compliance official shall determine whether it is possible for the applicant to meet the diversion requirement.

3. Granting of Exemption. If the compliance official determines that it is infeasible for the applicant to meet the diversion requirements due to unique circumstances, he or she shall determine the maximum feasible diversion rate for waste materials to be generated and shall indicate the new diversion requirement the applicant shall be required to meet, and will inform the applicant, in writing, of the new requirement. The Applicant shall then have twenty-one (21) days to resubmit another WMP, which is in compliance with the new diversion requirement. If the applicant fails

to resubmit, or if the resubmitted WMP does not comply with Section 8.80.030 of this chapter, the compliance official shall deny the WMP in accordance with Section 8.80.030.

C. Threshold. Every project shall be made available for deconstruction, salvage, and recovery prior to demolition. It shall be the responsibility of the applicant to recover the maximum feasible amount of salvageable designated recyclables and reusable materials prior to demolition. Recovered and salvaged designated recyclable and reusable material from every project shall qualify to be counted in meeting diversion requirements of Section 8.80.020(B) of this chapter. Recovered or salvaged designated recyclables and reusable materials may be given away or sold on the premises, or may be removed to reuse facilities for storage or sale. (Ord. 706 § 3.2 (part), 2006)

8.80.030 Waste management plan.

A. Waste Management Plan Submittal Requirements. Prior to permit issuance, every applicant shall submit a properly completed "waste management plan" (WMP) to the compliance official, in a form prescribed by that official, as a portion of the building or demolition permit process. The completed WMP shall contain the following:

1. The estimated volume or weight of project waste to be generated by material type;

2. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling;

3. The vendor(s) that the applicant proposes to use to haul the materials;

4. Facility(s) the materials will be hauled to, and their expected diversion rates;

5. Estimated volume or weight of construction and demolition debris that will be landfilled.

Because actual material weights are not available in this stage, estimates are used. In estimating the volume or weight of materials as identified in the WMP, the applicant shall use the standardized conversion rates approved by the city of Moreno Valley for this purpose. Approval of the WMP as complete and accurate shall be a condition precedent to the issuance of any building or demolition permit. If the maximum volume or weight of such materials that can be feasibly diverted via reuse or recycling, as estimated using city-approved standardized conversion rates, is less than the required diversion requirements, applicant must submit information that supports the lower projected diversion rate, or the WMP shall be deemed incomplete.

B. Waste Management Plan Approval. No building or demolition permit shall be issued for any covered project unless and until the compliance official has approved the WMP. Approval shall not be required, however, where emergency demolition is required to protect public health or safety. The compliance official shall only approve a WMP if he or she determines that all of the following conditions have been met:

1. The WMP provides all of the information set forth in this section.

2. The WMP indicates that at least ~~fifty (50)~~ <u>seventy-five (75)</u> percent of all construction and demolition debris generated by the project shall be diverted (or new diversion goal set in accordance with the applicant's approved diversion exemption request).

C. Waste Management Plan Nonapproval. If the compliance official determines that the WMP is incomplete or fails to indicate that at least ~~fifty (50)~~ <u>seventy-</u>

five percent of all construction and demolition waste material generated by the project will by reused or recycled, he or she shall either:

1. Return the WMP to the applicant marked "Denied," including a statement of reasons, which shall then immediately stop processing the building or demolition permit application, or

2. Return the WMP to the applicant marked "Further Explanation Required."

D. Waste Management Plan Exemptions. A waste management plan shall not be required for the following:

1. If the franchise hauler is used exclusively for debris/recycling removal from the site on a covered project. The franchise hauler shall submit a tonnage report to the city to verify the disposal and/or recycling tonnage collected from the site prior to the project completion;

2. New residential construction projects of one unit only;

3. Residential alterations of one unit only, except as noted in "4" below;

4. Roofing projects that do not include tear-off of existing roof;

5. Work for which only plumbing, electrical, or mechanical permits are required;

6. Seismic tie-down projects;

7. The installation or replacement of shelves;

8. Installation of pre-fabricated patio enclosures and covers where no foundation or other structural building modifications are required;

9. Installation of swimming pools and spas, provided that the exemption shall only apply to the area to be excavated for the installation of the pool or spa and the area for the pad for the pool/spa equipment that does not exceed three thousand (3000) square feet, and shall not apply to any related construction or alterations necessary for any other equipment or accessories, nor to any other portion of the project.

10. Installation of pre-fabricated accessories such as signs or antennas where no structural building modifications are required. (Ord. 706 § 3.2 (part), 2006)

PLANNING COMMISSIONERS

RAY L. BAKER
Chair

GEORGE SALAS, JR.
Vice-Chair

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Commissioner

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Commissioner

CARLOS RAMIREZ
Commissioner

MELI VAN NATTA
Commissioner

PLANNING COMMISSION AGENDA

July 12, 2012

PLANNING COMMISSION MEETING – 7:00 P.M.

CITY OF MORENO VALLEY
City Hall Council Chambers
14177 Frederick Street
Moreno Valley, California 92553

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE MEETING

(ON DISPLAY AT THE REAR OF THE ROOM)

COMMENTS BY ANY MEMBER OF THE PUBLIC ON ANY MATTER WHICH IS NOT LISTED ON THE AGENDA AND WHICH IS WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMISSION

The City of Moreno Valley complies with the Americans with Disabilities Act of 1990. If you need special assistance to participate in this meeting, please contact Mel Alonzo, ADA Coordinator at (951) 413-3027 at least 48 hours prior to the meeting. The 48-hour notification will enable the City to make arrangements to ensure accessibility to this meeting.

MV00171386

NON-PUBLIC HEARING ITEMS

APPROVAL OF MINUTES

PUBLIC HEARING ITEMS

1. Case Number: P11-090, PA09-0004, and PA09-0022

Case Description: Plot Plan and Tentative Parcel Map 36162 for development of a 1.6 million square foot warehouse facility on approximately 80 acres. Certification of an Environmental Impact Report is required for approval of this project.

Case Type: Environmental Impact Report, Plot Plan for a 1.6 million square foot warehouse, and Tentative Parcel Map 36162

Applicant: Vogel Engineers, Inc.

Owner: Vogel Engineers, Inc.

Representative: RKZ, Inc.

Location: The project is located within the Moreno Valley Industrial Area Plan (SP 208) at the City's southern boundary, between Perris Boulevard and Indian Street and between Grove View Road and the Perris Valley storm channel.

Proposal: The project is generally described as a Plot Plan (PA09-0004) for development of a 1,616,133 square foot warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. Tentative Parcel Map No. 36162 (PA09-0012) is proposed to combine four existing parcels into a single parcel for development of the 1.6 million square warehouse distribution facility. Certification of an Environmental Impact Report is required for approval of this project.

Case Planner: Jeff Bradshaw

1. **APPROVE** Resolution No. 2012-16 and thereby: **CERTIFY** that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and,

2. **APPROVE** Resolution No. 2012-17 and thereby: **APPROVE** PA09-0004 (Plot Plan) and PA09-0012 (Tentative Parcel Map

MV00171387

36162), subject to the attached conditions of approval included as Exhibits A and B.

2. Case Number: PA11-0013
Case Description: Modify specific sections of the Municipal Code necessary to adopt Reach Codes.
Case Type: Development Code Amendments
Applicant: City of Moreno Valley
Owner: Same as above
Representative: Same as above
Location: Citywide
Proposal: Modify Title 9 of the Municipal Code for energy efficiency measures equal to and above current 2011 California Green Building Code standards necessary to adopt Reach Codes, including the modification of Section 9.05.040, "Industrial Site Development Standards", Section 9.17.030 "Landscape and Irrigation Design", Section 9.11.040 "Off Street Parking Requirements", Section 9.03.040 "Residential Site Development Standards, Section 8.80.020 "Waste Diversion Requirements" and Section 8.80.030 Waste Management Plan".
Case Planner: Mark Gross

Recommendation: **APPROVE** Resolution No. 2012-13 and thereby **RECOMMEND** that the City Council:

1. **RECOGNIZE** that the proposed Municipal Code Amendments are exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Sections 15061 of the CEQA Guidelines; and,

2. **APPROVE** PA11-0013 to amend the Municipal Code to include various Municipal Code modifications and additions to allow for the adoption of Reach Codes (Attachment 2).

OTHER BUSINESS

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

MV00171388

ADJOURNMENT

MV00171389

PLANNING COMMISSION
STAFF REPORT

Case:	PA09-0004 – Plot Plan PA09-0012 – Tentative Parcel Map No. 36162 P11-020 – Environmental Impact Report
Date:	July 12, 20112
Applicant:	Vogel Engineers, Inc.
Representative:	RKZ, Inc.
Location:	South side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary, in the Moreno Valley Industrial Area Plan (SP 208),
Proposal:	Plot Plan for a 1,616,133 square foot warehouse distribution building to be developed on approximately 80 acres. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. Tentative Parcel Map No. 36162 proposes to combine four existing parcels into a single 80 acre parcel for development of the project. An Environmental Impact Report has been prepared for the project.
Recommendation:	Approval

SUMMARY

This project proposes the development of a 1,616,133 square foot warehouse facility on approximately 80 acres. The project also requires approval of a tentative parcel map, and certification of a Final Environmental Impact Report (EIR).

MV00171390

PROJECT DESCRIPTION

The applicant, Vogel Engineers, Inc. has submitted three applications for development of the VIP Moreno Valley Project, which include a plot plan, a tentative parcel map, and an EIR, in order to develop a 1,616,133 square foot warehouse facility on an approximate 80 acre site (Assessor's Parcel Numbers 316-210-071, -073, -075 and -076) located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

Plot Plan

The Plot Plan is for a 1,616,133 square foot warehouse distribution facility. The warehouse facility is a permitted use in the Industrial zone of the Moreno Valley Industrial Area Plan (SP #208). The east and west elevations of the building are set back 125 from the property line along Perris Boulevard and Indian Street while the truck courts on the north elevation is set back 271 feet from the property line along Grove View Road and the south truck court is set back 261 feet from the Perris Valley Storm Channel.

The warehouse facility includes 268 loading docks with roll-up doors, truck staging and parking areas for 368 trailers within the enclosed truck court, two office areas and 589 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for trucks (1 per loading dock) and meets the employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations of the building. The truck courts are screened by perimeter concrete tilt-up walls on the north, east and west. A chain link fence with slats shall be provided along the project's southern property line to screen the truck loading and parking area from the Perris Valley Storm Channel, as permitted by the Specific Plan.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover, shrubs and trees. The project's Perris Boulevard, Indian Street and Grove View Road will be developed with standard curb, gutter, parkway, and sidewalk.

Tentative Parcel Map

Tentative Parcel Map No. 36162 is proposed to combine the four parcels located within the project site into a single parcel of approximately 80 acres, as well as provide all required street dedications and utility easements.

Site

The project site is currently vacant, consisting of gently sloping land that has been used historically for agricultural purposes but currently lies fallow. It was most recently used as a sod farm that ceased operating in August 2005. The major roads that provide access to the project site are Perris Boulevard, Indian Street, Grove View Street, and Harley Knox Boulevard, with the nearest I-215 interchanges at Harley Knox Boulevard and the Ramona Expressway.

Surrounding Area

The project is located in an area of predominately industrial land uses within the Moreno Valley Industrial Area Plan (SP #208). Land uses to the north include a Waste Management facility and a 426,700 square foot warehouse building. Land uses to the west include the 360,440 square foot i-Herb warehouse building, approximately 20 acres of vacant Industrial zoned land and a site currently used for container storage.

Further to the west is the southern approach to the runways at March Air Reserve Base. Land uses to the east include a ministorage facility, the approximately 255,000 square foot Masonite Door factory, and the approximate 1.2 million square foot Ross Dress For Less distribution facility.

The project site is located at the southerly City limits with a mixture of vacant Industrial zoned land and developed distribution land uses within the City of Perris on the south side of the Perris Valley Storm Drain.

Access

Access to the project site will be provided via two driveways on Indian Street, three driveways on Grove View Road, and two driveways on Perris Boulevard. The northern driveway on Perris Boulevard will be for passenger vehicle and emergency access only. The southern driveway on Perris Boulevard will align with the existing signalized intersection at the Ross Distribution Warehouse entrance. The north project driveway on Indian Street will be for passenger vehicle and emergency access only; all other driveways will be used by both passenger vehicles and trucks. The project is anticipated to be constructed by the year 2013.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code and the Moreno Valley Industrial Area Plan (SP #208).

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the north elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 9.5% of the site. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Plot Plan for the warehouse facility.

Upon review at PRSC in March 2009, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required environmental and technical studies.

Subsequent PRSC reviews occurred in June and December 2009. The project then went inactive for a period of time.

In 2011, the applicant began working again with the City to address potential environmental concerns. Project technical studies were updated and staff determined that an environmental impact report was required pursuant to the California Environmental Quality Act (CEQA). An application for an environmental impact report was subsequently submitted.

Upon review of a final draft of the site plan and completion of the draft Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2012.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was prepared, with the public comment period beginning on August 26, 2011 and ending on September 26, 2011. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on September 19, 2011.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant LSA Associates, Inc. and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on April 20, 2012, and ending on June 4, 2012.

The Draft EIR was sent to all required State and local agencies and numerous interested parties on April 19, 2012, as well as to the City's Environmental and Historical Preservation Board. Eight comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the eight comments received during the 45 day review period are included in the Response to Comments. Comment letters were received after the comment period from Eastern Municipal Water District (EMWD) and from the State Clearinghouse. These letters did not include comments on the project but were instead sent in recognition of the receipt of the Draft EIR. Responses to these letters were also provided and are included in the Final EIR.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on June 29, 2012, to allow for their review prior to Planning Commission hearing, to meet the notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on agricultural resources, air quality, climate change, and traffic. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to agricultural resources, air quality, climate change and traffic cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions and Global Climate Change, Hydrology and Water Quality, Noise, and Traffic and Circulation. All other environmental effects evaluated in the EIR are considered to be less than significant without mitigation. With mitigation, anticipated impacts to Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality and Noise are anticipated to be below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project. Before the proposed project can be acted upon, the Planning Commission will need to review the final environmental document and either certify or reject the EIR and project Mitigation Monitoring Program.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	February 25, 2009	No Issues
South Coast Air Quality District	February 25, 2009	Request to review AQ study
March Air Reserve Base	March 3, 2009	Verify project site and AICUZ
Riverside County Flood Control	March 12, 2009	District Master Plan Facilities
March JPA	March 18, 2009	AICUZ & Avigation Easement

Staff has coordinated with the responsible agencies listed above and where applicable, conditions of approval have been included to address concerns from the responding agencies.

MV00171396

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. **APPROVE** Resolution No. 2012-016 **and CERTIFY** that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Resolution No. 2012-17 **APPROVING** Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the attached conditions of approval included as Exhibits A and B.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2012-16
   Exhibit A – Statement of Overriding Considerations
   Exhibit B – Mitigation Monitoring Program
3. Planning Commission Resolution No. 2012-17
   Exhibit A - Plot Plan Conditions of Approval
   Exhibit B – Parcel Map Conditions of Approval
4. Final EIR
5. Draft EIR
6. Color Site Plan
7. Color Elevations
8. Color and Materials Board
9. Sight Line Exhibit
10. Conceptual Landscape Plan
11. Tentative Parcel Map 36162
12. Preliminary Grading Plan
13. Screenwall and Elevations
14. Aerial Photograph

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

CASE: PA09-0004 – Plot Plan
PA09-0012 – Tentative Parcel Map No. 36162
P11-020 – Environmental Impact Report

APPLICANT: Vogel Engineers, Inc.

OWNER: Vogel Engineers, Inc.

REPRESENTATIVE: RKZ, Inc.

LOCATION: Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

PROPOSAL: Plot Plan for a 1,616,133 square foot warehouse distribution building to be developed on approximately 80 acres. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. The project is located at the City's southern boundary on the north side of the Perris storm channel. Water quality features include five sandfilter basins and an infiltration swale. Tentative Parcel Map No. 36162 proposes to combine four existing parcels into a single 80 acre parcel for development of the project. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 4

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.

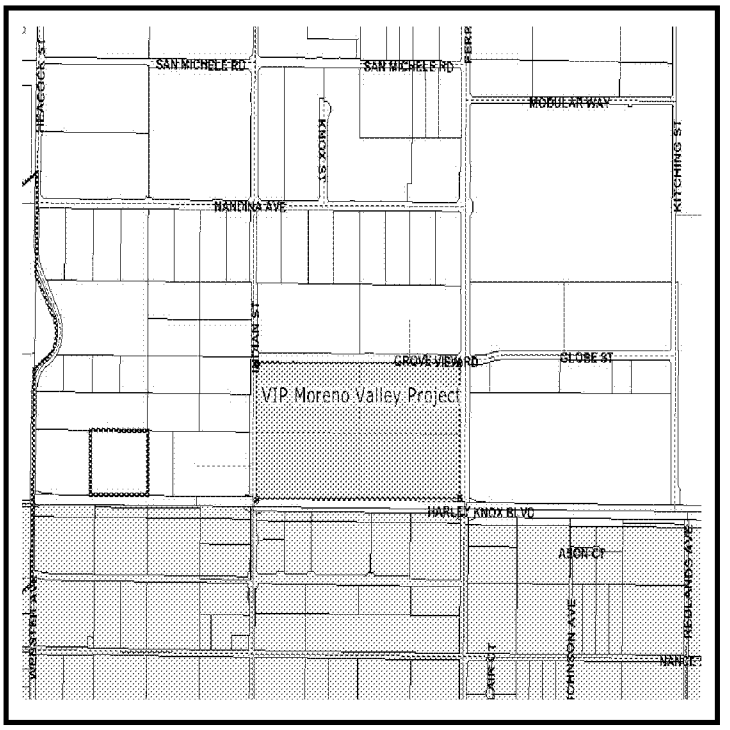

LOCATION N ↑

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 12, 2012 at 7:00 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

MV00171398

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MV00171399

RESOLUTION NO. 2012-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P11-020), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE VIP MORENO VALLEY PROJECT, GENERALLY LOCATED IN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP 208), ON THE SOUTH SIDE OF GROVE VIEW ROAD BETWEEN PERRIS BOULEVARD AND INDIAN STREET AT THE CITY'S SOUTHERN BOUNDARY.

WHEREAS, on July 12, 2012, the Planning Commission of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 1,616,133 square foot distribution warehouse facility on approximately 80 acres. The warehouse building includes 268 dock doors and and 44,000 square feet of office area in four potential office locations. The project is located at the City's southern boundary on the north side of the Perris storm channel. Water quality features include five sandfilter basins and an infiltration swale. Tentative Parcel Map No. 36162 proposes to combine four existing parcels into a single 80 acre parcel for development of the project;

WHEREAS, the project includes applications for a plot plan (PA09-0004) and a tentative parcel map (PA09-0012). All the applications are related but shall not be approved unless the Environmental Impact Report (P11-020) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on April 20, 2012, while the review period ended on June 4, 2012. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on June 29, 2012, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

WHEREAS, on July 12, 2012, the Planning Commission held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2012, the Planning Commission reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed VIP Moreno Valley Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

ATTACHMENT 2

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the Final EIR includes a review of potential impacts associated with the implementation of the VIP Moreno Valley Project, including, but not limited to agricultural resources, air quality, climate change and traffic;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the Final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the Planning Commission of the City of Moreno Valley does hereby resolve as follows:

1. The Planning Commission certifies that the Final Environmental Impact Report (EIR) for the VIP Moreno Valley Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the Planning Commission reviewed and considered the information contained in the Final EIR and that the Final EIR reflects the City's independent judgment and analysis; and

2. The Planning Commission hereby adopts the Findings and Statement of Overriding Considerations regarding the Final EIR for the VIP Moreno Valley Project, attached hereto as Exhibit A; and

3. The Planning Commission hereby approves the Mitigation Monitoring Program for the Final EIR for the proposed VIP Moreno Valley Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this 12th day of July, 2012.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

Facts, Findings and Statement of Overriding Considerations
Regarding the Environmental Effects and the Approval of the
VIP Moreno Valley Project
(State Clearinghouse No. 2011081084)

I. INTRODUCTION

The Planning Commission of Moreno Valley (this "Commission"), in certifying the EIR for the VIP Moreno Valley Project and approving Tentative Parcel Map 36162 and a Site Plan authorizing the construction of up to approximately 1,616,133 square feet of distribution warehouse space (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Commission, including the EIR. This Commission adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Commission.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the southwest portion of the City of Moreno Valley. The Project site consists of four parcels totaling approximately 71 net acres located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary. The site is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the Project site.

The Project site is currently vacant, consisting of gently sloping land that has been used historically for agricultural purposes but currently lies fallow. It was most recently used as a sod farm that ceased operating in August 2005. The major roads that provide access to the Project site are Perris Boulevard, Indian Street, Grove View Road, and Harley Knox Boulevard, with the nearest I-215 interchanges at Harley Knox Boulevard and Ramona Expressway.

2. Project Description

The proposed Project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space on an approximately 71 acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 truck trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses.

The Project site is currently designated Business Park/Light Industrial in the City's General Plan. The site is zoned Industrial (I) in the Moreno Valley Industrial Area Plan (SP 208), which was originally adopted in 1989, and amended in 2001 and 2002. The proposed high-cube logistics warehouse project is consistent with the existing General Plan land use and zoning for the site.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- Tentative Parcel Map approval (PM 36162);
- Certification of the Project EIR
- Approval of the Site Plan Review

Other non-discretionary actions

- Approval of a Storm Water Pollution Prevention Plan (SWPPP)

- Approval of a Water Quality Management Plan (WQMP)
- Issuance of a Grading permit, final drainage study, Final WQMP, and obtaining an NOI and WDID number.
- Issuance of an Encroachment permit
- Issuance of a Building permit

Approvals and permits required by other agencies include:

- A National Pollutant Discharge Elimination System (NPDES) permit
- Approval of water and sewer improvement plans by the Eastern Municipal Water District.
- Approval from the City and Riverside County Flood Control and Water Conservation District to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities
- Encourage industrial development and minimize conflicts with the surrounding existing uses
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors
- Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner
- Encourage new development consistent with the capacity and municipal service capabilities

- Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years ahead
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On August 26, 2011, the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would

be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.

- On September 19, 2011, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.

- The NOP public review period ran for 30 days, from August 26, 2011 to September 26, 2011. Written comments on the NOP were received from 12 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: Air Quality, Alternatives Analysis, Biological Resources, Cultural Resources/Sacred Sites, Greenhouse Gas Emissions/Global Climate Change, Hazardous Materials/Contamination, Traffic, and Water Availability and Quality.

- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information, analysis, and mitigation to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Aesthetics; (2) Biological Resources; (3) Cultural Resources; (4) Geology and Soils; (5) Hazards and Hazardous Materials; (6) Hydrology and Water Quality; (7) Land Use Planning; (8) Mineral Resources; (9) Population/Housing; (10) Public Services; (11) Recreation; and, (12) Utilities and Service Systems.

- On April 20, 2012, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended June 4, 2012.

- The City received a total of seven (7) comment letters from public agencies; one (1) from a community organization; and two (2) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.

- On June 28, 2012 in accordance with *Public Resources Code* Section 21092.5, the City provided written responses to public agencies that commented on the DEIR.

- On June 29, 2012, Notice of the Planning Commission hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.

- On July 12, 20012, this Commission held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Commission certified the EIR, adopted these Facts, Findings and the Statement of Overriding Considerations, and the further recommendations in the Staff Report, and approved the Project, including the PM 36162 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of LSA Associates, Inc. to prepare the EIR for the Project. LSA Associates has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Michael Brandman Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The Planning Commission has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c) (3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended

mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Commission's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 2.0 and 2.0 of the DEIR and Section 3.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 2.0 of the FEIR.

The EIR evaluated five major environmental categories for potential impacts including Agricultural Resources, Air Quality, Climate Change and GHGs, Noise, and Transportation. Both Project-specific and cumulative impacts were evaluated. Of these five major environmental categories, this Commission concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Commission.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley Planning Commission hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. Agricultural Resources

a. Conflict with existing zoning or a Williamson Act Contract

Potential Significant Impact: Whether the Project would conflict with existing zoning for agricultural use, or a Williamson Act contract.

Findings: Potential impacts of the Project related to conflicts with existing zoning or a Williamson Act Contract are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to existing zoning or Williamson Act will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: As identified in section 4.1 of the DEIR, the Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. The uses proposed for the Project site are consistent with the existing underlying General Plan and Zoning designations. The Project site is not zoned for agricultural uses. No impact would occur and no mitigation is required.

b. Conflict with/Loss of Existing Forest Land or Timberland Zoning

Potential Significant Impact: Whether the Project would conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)), and whether the Project would result in the loss of forest land or conversion of forest land to non-forest uses.

Findings: Potential impacts of the Project related to conflict with/loss of existing forest land or timberland zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record

before us, this Commission finds that no significant impacts related to loss of forest or timberland will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Section 4.1 identifies no forest or timberland resources located within the Project site nor is the Project site zoned for forest land or timberland. Implementation of the proposed Project would not require any rezoning or General Plan Amendments as the proposed uses are consistent with the existing underlying General Plan land use designation and zoning designation. The proposed Project would not conflict with existing forest zoning, cause rezoning of forest land, or result in the loss or conversion of forest lands to non-forest uses as no such resources exist in the City. No impacts associated with this issue would occur and no mitigation is required.

2. Air Quality

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD"s regional threshold criteria (DEIR, pg. 4.2-26), these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent

of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.2-14 to 4.2-15) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required. (DEIR, pg. 4.2-15)

c. Long-Term Microscale (CO Hot Spot) Emissions

Potential Significant Impact: Whether the proposed Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation. For CO, the applicable thresholds are:

- California State one-hour CO standard of 20.0 ppm; and

- California State eight-hour CO standard of 9.0 ppm.

Findings: Potential impacts of the Project related to long-term microscale emissions are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts related to long-term microscale emissions and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the highest one-hour CO concentration experienced at any of the intersections in the Project vicinity would not exceed the one hour CO State standard of 20 ppm. Based on the *Air Quality Analysis* prepared for the proposed Project, the proposed Project would contribute, at most, a 0.2 ppm increase to the one-hour CO concentrations for all scenarios. This is below the 1.0 ppm increase threshold. Also the highest eight-hour CO concentration experienced at any of the intersections in the Project vicinity would not exceed the eight-hour CO state standard of 35 ppm. Based on the Air Quality Analysis prepared for the proposed Project, the proposed Project would contribute, at most, a 0.2 ppm increase to the eight-hour CO concentrations for all scenarios. This is below the 0.45 ppm increase threshold. Since the proposed Project would not exceed the one-hour or eight-hour CO concentration standards, it is reasonable to conclude that no CO hot spots would occur. Therefore, the proposed Project would not have a significant impact on local air quality for CO and no mitigation measures would be required. (DEIR, pgs. 4.2-15 to 4.2-17)

d. Localized Operational Emissions

Potential Significant Impact: Whether the proposed Project would violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants.

For long-term operation, the applicable localized daily thresholds are:

- 12,083 pounds per day of CO;
- 585 pounds per day of NOX;
- 32 pounds per day of PM10; and
- 14 pounds per day of PM2.5.

Findings: Potential impacts of the Project related to localized operational emissions are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that

development of the Project will not result in significant impacts related to localized operational emissions and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the operational emissions rates of NO_X, CO, PM_{10}, and $PM_{2.5}$ are less than 10 percent of the LST thresholds for the applicable pollutant. None of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed Project. Therefore, the proposed Project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. (DEIR, pgs. 4.2-15 to 4.2-17)

e. Operational-Acute Health Risk

Potential Significant Impact: Whether the proposed Project would expose sensitive receptors to substantial pollutant concentrations.

Findings: Potential impacts of the Project related to operational-acute health risks are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts related to operational-acute health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. Therefore, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required. (DEIR, pg. 4.2-18)

f. Operational-Chronic Health Risk

Potential Significant Impact: Whether the proposed Project would expose sensitive receptors to substantial pollutant concentrations.

For Maximum Individual Cancer Risk, the applicable thresholds are:

- An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or

For non-cancer chronic hazard indices (HI); the applicable threshold is:

- A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

Findings: Potential impacts of the Project related to operational-chronic health risks are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts related to operational-chronic health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, a screening level health risk assessment was performed for the operational emissions associated with the proposed Project based on the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* guidance. The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with state and federal handling regulations will bring emissions to below a level of significance. The nearest residences would experience a cancer risk of 6.6 in 1 million, which is below the 10 in 1 million threshold. The nearest residences would also experience a chronic hazard index of 0.0041, which is below the 1.0 threshold. The peak off-site worker cancer risk level is 4.5 in a million, which is also below the 10 in 1 million threshold. Chronic hazard index for the peak off-site worker would be 0.0029, which is below the 1.0 threshold. Since the operational phase of the proposed Project would not exceed any of the operational related health risk assessment thresholds, a less than significant impact would occur and no mitigation is required. (EIR, pgs. 4.2-18 to 4.2-19)

3. Climate Change and Greenhouse Gas Emissions

a. Greenhouse Gas Plan, Policy, Regulation Consistency

Potential Significant Impact: Whether the proposed Project would conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to greenhouse gas plan, policy, and regulation consistency are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Commission finds that development of the Project will not result in significant impacts related to greenhouse gas plan, policy, or regulation consistency and, therefore, no mitigation is required.

Facts in Support of the Findings: The proposed Project would implement appropriate GHG reduction strategies and would ensure that it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. In addition, the Project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the Project. Therefore, the proposed Project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions resulting in a less than significant impact. (DEIR, pgs. 4.3-16 to 4.2-21)

4. Noise

a. Airport Noise

Potential Significant Impacts: Whether a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would results in exposure of people residing or working in the project area to excessive noise levels. Or if a project within the vicinity of a private airstrip, would expose people residing or working in the project area to excessive noise levels.

Findings: Potential impacts of the Project relating to airport noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to airport noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the nearest airport is the March Air Reserve Base, which is located approximately 0.75 mile northwest of the Project site. The proposed Project is not identified as being within the noise or safety contours delineated for the March Air Reserve Base Airport. While the proposed Project is located within two miles of a public airport, the proposed Project would not have the potential to expose people working on the Project site to excessive noise levels from airport operations as the Project site is located outside of the noise and safety contours of March Air Reserve Base. A less than significant impact would occur with implementation of the proposed Project. Additionally, the proposed Project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue would occur and no mitigation is required. (DEIR, pgs. 4.4-9 to 4.4-10)

b. Ground-Borne Vibrations

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. The Project site is not located near steel-wheeled trains. Additionally, roadways in the project area are either paved or would be paved and would not result in traffic driving over rough roads. Construction activities for the project site do not include blasting or pile driving. The primary vibratory source during the construction of the proposed Project would be large bulldozers. Based on published data, typical bulldozer activities generate an approximate vibration level of 0.089 in/sec at a distance of 25 feet. At the distance of the nearest residence to the project boundary (approximately 1,000 feet) the estimated vibration level would not be discernible. While heavy-duty earthmoving equipment would be used during the construction phase of the project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs. Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required. (DEIR, pg. 4.4-10)

c. Long-Term Traffic Noise

Potential Significant Impact: Whether the project would result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Findings: Potential impacts of the Project related to long-term noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to long-term noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, project-related traffic noise level increases would be 0.8 dBA or less along all roadway segments analyzed. Noise level increases within this range are small and are not perceptible by the human ear. Therefore, no significant traffic noise impacts would occur to off-site land uses with implementation of the proposed Project. Also the proposed warehouse distribution center uses are not impacted by the 75 dBA CNEL noise contour from Indian Street (within 50 feet of the roadway centerline), Oleander Avenue (within 50 feet of the roadway centerline), or Perris Boulevard (98 feet from the roadway centerline). Therefore, noise levels at the on-site uses are below the City's 75 dBA CNEL noise standard for industrial uses. No significant noise impacts to on-site industrial uses would occur and no mitigation measures are required. (DEIR, pgs. 4.4-10 to 4.4-13)

d. Long-Term Operational Noise

Potential Significant Impact: Whether the project would cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies.

Findings: Potential impacts of the Project related to long-term operational noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to long-term operational noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project boundary. There are also nonconforming residential dwelling units within commercial and industrial uses on property zoned for commercial or industrial uses approximately 0.5 mile

southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

The warehouse distribution use has loading docks on the north and south sides of the building, approximately 1,000 feet from the existing residences to the north. Noise associated with loading/unloading activities would potentially affect these existing residential uses. Other on-site, noise-producing activities may include traffic and activity within the parking lot (load talking, horn blowing, vehicle door slamming, truck idling, etc.). Although individual activity may generate relatively high and intermittent noise, when added to the typically lower ambient noise and averaged over a longer period of time, the cumulative noise level would be much lower and would be considered a less than significant impact. (DEIR, pg. 4.4-14)

The project would have rooftop heating, ventilating, and air conditioning (HVAC) equipment, as well as ground floor garbage compactors. Rooftop HVAC units generate noise levels of approximately 62 dBA at 50 feet. The closest noise-sensitive land uses are existing residences which are located approximately 1,000 feet to the north from the nearest potential on-site rooftop HVAC equipment location. With the effect of distance divergence, noise generated by HVAC equipment would be reduced by 26 dBA at the closest residences when compared with the noise level measured at 50 feet. Additionally, the roof edge (parapet) creates a noise barrier that reduces noise levels from rooftop HVAC units by an additional 3 to 5 dBA or more for ground floor receptors. Because of the attenuation achieved, nearest residences located to the north of the project site would be exposed to an exterior noise level of 33 dBA L_{max} or lower. This range of noise levels is substantially lower than traffic noise on roadways in the project vicinity and the truck movement and loading/unloading noise. Therefore, because the City's exterior noise standard of 60 dBA L_{dn}/CNEL for HVAC equipment in residential district (Planning and Zoning Code, Chapter 9.03.040) would not be exceeded at the nearest sensitive noise receptors, no significant noise impact resulting from the operation of rooftop HVAC equipment would occur and no mitigation is required. (DEIR, pg. 4.4-15)

Garbage compactors generate approximately 70 dBA L_{max} at 6 feet. With the effect of distance divergence, noise generated by garbage compactors would be reduced to 26 dBA L_{max} or lower at the closest residences. Because the City's exterior noise standard of 60 dBA L_{max} during the day and 55 dBA L_{max} during the night would not be exceeded, no significant noise impacts from the on-site garbage compactors would occur. In the absence of any significant impact, no mitigation is required. (DEIR, pg. 4.4-15)

It is anticipated that the proposed uses would have some sort of speaker system at the truck loading docks. Typical loud speakers generate a sound level of 75 dBA L_{max} at 50 feet. With the distance attenuation of 26 dBA the speaker noise at the nearest residences will be at or below 49 dBA L_{max}. This range of maximum noise levels is lower than the City's nighttime exterior noise standards of 55 dBA L_{max} standard. Therefore, noise associated with loading dock speakers at the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast and no mitigation measures are required. (DEIR, pg. 4.4-15)

The typical maximum allowable interior noise levels for residential uses are 45 dBA between 10:01 p.m. and 7:59 a.m. and 50 dBA between 8:00 a.m. and 10:00 p.m. Typical southern California homes with windows open would achieve up to 12 dBA in exterior to interior noise reduction. When windows are closed, the noise attenuation increases to 24 dBA. Additionally, distance divergence of 1,000 feet provides 26 dBA of noise attenuation. Interior noise levels at the nearest residential homes to the north, attributable to loading/unloading activities from the nearest on-site loading areas, would be reduced to 37 dBA L_{max} with windows open and to 25 dBA L_{max} with windows closed. This range of noise level is compatible with or lower than typical household activity noise. Therefore, no significant interior noise impacts for the nearest sensitive receptors would occur and no mitigation is required. (DEIR, pg. 4.4-16)

5. Transportation

a. Design Features or Incompatible Uses

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Findings: Potential impacts of the Project related to design features or incompatible uses are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to the design features or incompatible uses will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and

around the Project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to site access requirements.

The final design of all roadways and intersections within the Project site access would be reviewed by a licensed professional civil engineer to ensure adequate safety when traveling to and from the Project site. The proposed Project does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City of Moreno Valley consistent with the City's Circulation Element Objectives 5.1 (create a safe, efficient, and neighborhood-friendly street system), 5.5 (maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways), and 5.11 (eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians) and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required. (DEIR, pgs. 4.4-15 to 4.4-16)

b. Inadequate Emergency Access

Potential Significant Impact: Whether the proposed Project would result in inadequate emergency access.

Findings: Potential impacts of the Project related to inadequate emergency access are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to inadequate emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the developers of the proposed Project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Construction activities, which may temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. The proposed Project design would be submitted to and approved by the City's Fire and Police Departments prior the issuance of building permits. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required. (DEIR, pg. 4.4-16)

c. Alternative Transportation

Potential Significant Impact: Whether the proposed Project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the design of the Project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation, including but not limited to pedestrian pathways and sidewalks consistent with the City's Circulation Element Objective 5.8 (encourage development of an efficient public transportation system for the entire community). Through the City's project review process, policies, plans, and/or programs supporting alternative transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur as a result of the proposed Project and no mitigation is required. (DEIR, pgs. 4.4-16 to 4.4-17)

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Commission finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, airport facilities within the vicinity of the Project site include the March Air Field, which is part of the March Air Reserve Base (MARB). The Project site is located approximately 0.75 mile east of March Air Field and is entirely within Airport Influence Area II. As part of the standard process for development within Airport Influence Areas for MARB, proposed Projects are required to be reviewed by the ALUC for consistency with the ALUP. As a standard condition imposed during ALUC reviews, developments located within the boundaries of Influence Area III are required to provide avigation easements. To

ensure consistency with the ALUC recommendations is maintained, avigation easements will be required as part of a condition of approval for the Project site. Development that would occur within Airport Influence II of MIP would not include any features that would alter air traffic patterns or the level of air traffic at the MIP; therefore, a less than significant air traffic safety impact would occur and no mitigation is required. (DEIR, pgs. 4.4-17 to 4.4-18)

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including biological resources, paleontological resources, geology and soils, hydrology and water quality, noise (short-term construction), and transportation (local intersections and roadways) were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Commission hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Commission. Specific findings of this Commission for each category of such impacts are set forth in detail below.

1. Biological Resources

a. Adverse Effects to Sensitive or Special Status Species

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on candidate, sensitive, or special status species.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts to sensitive or special status species to less than significant:

Mitigation Measure BIO-1: *No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, Mitigation Measure BIO-3 shall apply.*

Mitigation Measure BIO-2: *No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in Mitigation Measure BIO-1. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, Mitigation Measures BIO-3 and BIO-4 shall apply.*

Mitigation Measure BIO-3: *If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.*

Mitigation Measure BIO-4: *If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.*

Facts in Support of the Finding: According to Section 2.5.2 of the DEIR, the site is characterized as a regularly disked field that supports little to no standing vegetation and is not located within a Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Criteria Area. However, the site is located in an area that requires habitat assessments for burrowing owl, five Narrow Endemic Plant Species, and nine Criteria Area Plant Species in accordance with the MSHCP. During the habitat assessment surveys and focused surveys no sign of burrowing owls were observed. The Project site is not an optimal habitat for burrowing owl, but because burrowing owls have been known to occur on land that has been disturbed and is considered a mobile and opportunistic species, **Mitigation Measures BIO-1 through BIO-4** were taken to reduce the potential impact to less than significant. The five NEPS and nine CAPS were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the Project site lacks suitable habitat for these species due to historic agricultural activities. Nonetheless, focused surveys were conducted to cover the four depressed areas and the ditch. No special status plants were observed during the focused surveys. Because of the absence of members of the species and suitable habitat, a less than significant impact to other special status plants would occur. (DEIR, pg. 2-9)

2. <u>Cultural Resources</u>

a. Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on significant fossil resources.

Finding: Implementation of the following mitigation measures will reduce the impact to unique paleontological resources and site or unique geological features to less than significant:

Mitigation Measure CUL-1: *Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:*

- *Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*

- *Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.*

- *If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.*

- *Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.*
- *Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.*
- *Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.*

Facts in Support of the Finding: Based on the paleontological resources analysis contained in Section 2.5.3 of the DEIR, the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the proposed Project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. **Mitigation Measure CUL-1** has been identified to reduce the significance of paleontological resource impacts. Adherence to this measure would reduce impacts to paleontological resources to a less than significant level. (DEIR, pgs. 2-12 to 2-13)

3. <u>Geology and Soils</u>

a. Unstable Soils

Potential Significant Impact: The EIR evaluated and concluded that the Project site could experience soil shrinkage during excavation and recompaction.

Finding: Implementation of the following mitigation measures will reduce the potential impact of lateral spreading, subsidence, and collapse to less than significant:

Mitigation Measure GEO-1: *Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.*

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be

placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

Facts in Support of the Finding: Section 2.5.4 of the DEIR included a geotechnical analysis that performed in-place soil density tests, which revealed that soil shrinkage that may occur would be approximately 10 percent to 15 percent due to excavation and recompaction. This is based on the assumption that the fill would be compacted to 90 percent of the dry density per ASTM standards. As a result subsidence is estimated at 0.2 feet due to earthwork operations. Impacts are considered potentially significant and mitigation measures are required. The geotechnical analysis determined that there is no potential for landslides or liquefaction. Additionally, potential impacts related to lateral spreading would be reduced to less than significant level through adherence to the UBC. **Mitigation Measure GEO-1** would reduce potential impacts associated with unstable soils to a less than significant level. (DEIR, pgs. 2-15 to 2-16)

b. Expansive Soils

Potential Significant Impact: The EIR evaluated and concluded that expansive soils could occur.

Finding: Implementation of the following mitigation measures will reduce to potential impact of expansive soils to less than significant:

Mitigation Measure GEO-2: *Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.*

Facts in Support of the Finding: According to Section 2.5.4 of the DEIR, soils on site include Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine

sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2). As detailed in the Project's geotechnical analysis, expansive soils were observed on the Project site. Exploratory trenches revealed the existing earth materials on site to consist of a disturbed soil/fill and natural soil. A fill/disturbed natural soil classifying as a brown, sandy to clayey silt to a silty sand was encountered across the site and ranged in depth from 1 foot to 1½ feet. These soils were noted to be soft to loose and damp. An undisturbed alluvium soil classifying as a brown sandy to clayey silt to a silty sand was encountered beneath the disturbed top soils and fill. These native soils were noted to be firm to stiff, medium dense to dense, and moist. Development of the proposed Project site would be required to adhere to UBC and City design and engineering standards. However, because expansive soils are present on site, impacts associated with this issue are potentially significant and mitigation measures are required. **Mitigation Measure GEO-2** would reduce potential impacts associated with expansive soils to a less than significant level. (DEIR, pgs. 2-16 to 2-17)

4. Hydrology and Water Quality

a. Water Quality Standards and Waste Discharge Requirements

Potential Significant Impact: The EIR evaluated and concluded that the Project could violate water quality or waste discharge requirements, substantially increase the rate of surface runoff causing flooding, create substantial additional sources of polluted runoff, or otherwise substantially degrade water quality.

Finding: Implementation of the following mitigation measures will reduce the potential impacts related to compliance with water quality standards and waste discharge requirements to less than significant:

Mitigation Measure HYD-01: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.*

Mitigation Measure HYD-02: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water*

Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:

- *Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.*
- *Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.*
- *All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.*
- *The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.*
- *Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.*
- *The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.*

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

Mitigation Measure HYD-03: *Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:*

- *The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.*

Mitigation Measure HYD-04: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.*

Facts in Support of the Finding: According to Section 2.5.6 of the DEIR, development of the Project is required to obtain coverage under an NPDES permit, which includes the submittal of a Notice of Intent (NOI) application to the State Water Resources Control Board (SWRCB), the receipt of a Waste Discharge Identification Number (WDID) from SWRCB, and the preparation of an SWPPP for construction wastewater discharges. During the construction period, the Project would use a series of Best Management Practices (BMPs) to reduce erosion and sedimentation. These measures may include the use of gravel bags, silt fences, hay bales, check dams, hydroseed, and soil binders. The construction contractor would be required to operate and maintain these controls throughout the duration of on-site activities. In addition, the construction contractor would be

required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the RWQCB. Adherence to **Mitigation Measures HYD-01 through HYD-04** will ensure that these practices and measures take place and would reduce the potential impacts related to compliance with water quality standards and waste discharge requirements to less than significant. (DEIR, pgs. 2-19 to 2-24)

b. Erosion

Potential Significant Impact: The EIR evaluated and concluded that the Project could significantly alter drainage patterns that would result in erosion or siltation.

Finding: Implementation of the following mitigation measures will reduce the potential impacts to less than significant:

Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed Project site are less than or equal to pre-development flows.

Facts in Support of the Finding: According to Section 2.5.6 of the DEIR, the majority of storm flows associated with the Project will be collected by a series of drop inlet catch basins. While the increase in impervious surfaces attributable to the proposed Project would contribute to a greater volume and higher velocity of storm water flows, the proposed Project's drainage system would accept and accommodate runoff that would result from Project construction at or below pre-Project conditions. Therefore, the post-development flows generated on the Project site would not exceed the capacity of the planned storm water drainage systems. To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified. With adherence to this mitigation measure, impacts associated with effects on existing drainage patterns are reduced to less than significant. (DEIR, pgs. 2-24 to 2-25)

5. Noise

a. Short-Term Construction Noise

Potential Significant Impact: The EIR evaluated and concluded that noise levels from grading and other construction activities for the proposed Project may range up to 65 dBA at the closest residences north of the Project site for very limited times when construction occurs near the Project's boundary. Construction-related noise impacts from the proposed Project would be potentially significant.

Finding: Implementation of the following mitigation measures will reduce potential short-term construction noise impacts to less than significant:

4.4.6.1A *During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.*

4.4.6.1B *The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.*

4.4.6.1C *The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.*

4.4.6.1D *During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays.*

Facts in Support of the Finding: According to Section 4.4 of the DEIR, two types of short-term noise impacts could occur during the construction of the Project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed Project would incrementally increase noise levels on access roads leading to the site. The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the

Project site. Construction of the proposed Project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings. The maximum noise level generated by each scraper on the proposed Project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA Lmax at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations to the Project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on Sundays and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

With adherence to the City's designated construction hours and with implementation of the proposed mitigation measures, potential short-term construction noise impacts would be reduced below the level of significance. (DEIR, pgs. 4.4-16 to 4.4-18)

6. Transportation

a. Existing Plus Project Roadway Segments

Potential Significant Impact: The EIR evaluated and concluded that two roadway segments are forecasted to exceed satisfactory levels of service in the existing plus project conditions.

Finding: Implementation of the following mitigation measures will reduce project-specific roadway segment impacts to less than significant:

4.5.6.1A. *Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.*

4.5.6.1B. *Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.*

Facts in Support of the Finding: According to Section 4.5 of the DEIR, Perris Boulevard north of Grove View Road (southbound); and Perris Boulevard south of South Project Driveway (northbound and southbound) are projected to operate at unsatisfactory levels of service. The DEIR determined that this roadway currently operates at unsatisfactory levels of service without the projected conditions. The City is currently in the process of implementing a Capital Improvement Project to widen Perris Boulevard from Cactus Avenue south to city limits. The improvement project will widen Perris Boulevard to a six-lane street section, consistent with the General Plan. Construction is scheduled to start in the summer of 2012 and end in May 2013. The widening will encompass the improvements defined in the DEIR to improve operations of the roadway to the City's level of service standard and mitigate the proposed Project's contribution to the impact. With implementation of the City's improvements to Perris Boulevard and implementation of Mitigation Measures 4.5.6.1A

and 4.5.6.1B requiring that the Project applicant pay traffic impact fees, project-specific impacts will be reduced to less than significant levels. (DEIR, pgs. 4.4-18 to 4.4-19)

b. Year 2013 Cumulative With Project Conditions Intersection and Roadway Segments

Potential Significant Impact: The EIR evaluated and concluded that eleven intersections and four roadway segments are forecasted to exceed satisfactory levels of service in the year 2013 cumulative plus project conditions.

Finding: Implementation of the following mitigation measures will reduce the Project's contribution to cumulatively considerable intersection and roadway segment impacts to a less than significant level:

4.5.6.2A. *Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.*

Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

Facts in Support of the Finding: According to Section 4.5 of the DEIR, an intersection and roadway segment level of service analysis was conducted for the year 2013 cumulative with project condition to determine the Project's contribution to cumulative traffic impacts to local intersections and roadway segments. As identified in Table 4.5.E in the DEIR, the addition of Project traffic to the year 2013 cumulative scenario would result in conditions exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);

- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

The project contributes to the failure to meet the level of service standard at ten of the eleven intersections resulting in a significant cumulative impact. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a project-specific impact because the need for the intersection is exclusively for project access.

As identified in Table 4.5.E in the DEIR, the addition of Project traffic to the year 2013 cumulative scenario would result in conditions exceeding the established LOS standard at the following roadway segments:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Section 4.5 of the DEIR identifies the improvements necessary to maintain the level of service standard at the intersections and roadways impacted in the year 2013 plus project condition. The roadway and intersection improvements are consistent with the City's General Plan and DIF program and are included in the County's TUMF program. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element.

The following improvements were identified in the DEIR to maintain or improve the operational level of service of the impacted intersections and roadways. The improvements required to maintain or to improve the level of service operations of transportation facilities affected by the project will be constructed through the City's DIF as supplemented by the County's TUMF program. The project will participate with these programs as part of **Mitigation Measures 4.5.6.1A and 4.5.6.1B**. The list of improvements is as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard: Restripe the left-most westbound through lane as a left-turn lane. Restripe the off-ramp to provide two left-turn lanes and a shared through/right-turn lane. This improvement is part of the TUMF program.

- I-215 Northbound Ramps/Harley Knox Boulevard: Restripe the northbound shared through/left-turn lane as a shared left-turn/through/right-turn lane. Add an eastbound free right-turn lane. This improvement is part of the TUMF program.

- Indian Street/Harley Knox Boulevard: Add an eastbound through lane. Provide overlap phasing for the southbound right-turn lane. These improvements are consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.

- Perris Boulevard/Gentian Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. Perris Boulevard/Iris Avenue: Add a second westbound left-turn lane and an eastbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Krameria Avenue: Add two southbound through lanes, a northbound through lane, and a northbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Nandina Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Grove View Road: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/South This improvement is part of the City DIF and County TUMF programs.

- Project Driveway: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of City DIF and TUMF programs.

- Perris Boulevard/Harley Knox Boulevard: Add two southbound through lanes, one northbound through lane, a second eastbound left-turn lane, and overlap phasing for the southbound right-turn lane. These improvements are part of the TUMF program.

- Harley Knox Boulevard west of Indian Street: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.

- Indian Street south of South Project Driveway: Widen to a four-lane Undivided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City of Moreno Valley DIF and TUMF programs.

- Perris Boulevard north of Grove View Road: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City's DIF and TUMF programs.

- Perris Boulevard south of South Project Driveway: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley and City of Perris General Plan Circulation Elements. This improvement is part of the City of Moreno Valley DIF and County TUMF programs.

With implementation of these improvements, all intersections and roadway segments would operate at the applicable performance standard or better during peak hours for year 2013 cumulative with project conditions resulting in a less than significant impact.

The project will contribute toward these future intersection and roadway improvements to maintain the applicable level of service standard through payment of frees required as part of the DIF and TUMF programs. As part of its Capital Improvement Program (CIP), the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents. The CIP projects are funded by a variety of sources including the County TUMF program and the City's DIF program and general fund. (DEIR, pgs. 4.4-19 to 4.4-28)

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley Planning Commission finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: agricultural resources (individually and cumulative), air quality (individually and cumulative), cumulative climate change and greenhouse gas emissions, transportation (and cumulative). In accordance with CEQA Guidelines Section 15092(b)(2), the Planning Commission of the City of Moreno Valley cannot approve the Project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. <u>Agricultural Resources (Individual and Cumulative Impacts)</u>

a. Conversion of State Designated Farmland

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could impact 16.89 acres of Prime Farmland, 16.23 acres of Farmland of Local Importance, and 38.69 acres of Farmland of Local Importance.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level

of less than significant. Accordingly, Project-related impacts to state designated farmland will remain significant and unavoidable.

Facts in Support of the Finding: Section 4.1 of the DEIR identifies several potential agricultural conservation measures contained in the City's General Plan that include: enrolling productive agricultural land into a Williamson Act Contract; providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development; protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights; purchasing conservation easements on existing agricultural land to ensure that the land is never converted to urban uses; and donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

The potential agricultural conservation measures identified in the DEIR are not considered to be feasible by the City for the following reasons:

Williamson Act Contracts: Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. In addition, Williamson Act contracts will result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends.

Protecting Existing Agricultural Operations: Providing protection for ongoing agricultural activities from new developments, such as buffers between agricultural operations and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties, will not permanently protect agricultural land.

Transfer of Development Rights, Conservation Easements, or Agricultural Conservation Bank: The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." For this reason, the City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The existing and

continued reduction in productive agricultural operations within the City is produced by several factors including; urbanization in the City and Inland Empire resulting in dramatically increasing land prices; high water and labor costs; environmental regulation (e.g., insects, odors, groundwater contamination, and solid waste removal); and competition from Kern County and the Central Valley with lower land costs and reduced regulations. (DEIR, pgs. 4.1-10 to 4.1-14)

The City has determined that these measures are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified.

b. Conversion of Farmland to a Non-Agricultural Use

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would result in the development of industrial uses on land that has historically been utilized for sod production.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts from the conversion of farmland to a non-agricultural use will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the DEIR, the Project site has historically been in agricultural production and was most recently used to grow sod, and the sod production ceased operations in in August 2005 and has not been in agricultural production since that time. The conversion of the Project site to a non-agricultural use is a result of various economic and demographic factors. Increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion. A LESA model was also used to evaluate the site. It was determined that the Project LESA score is 64.38, which is considered significant. The Project does not include design features that would prevent the existing agricultural operations in the area from continuing. The Project would convert land that was previously used for agriculture and the development of the proposed Project may contribute to the conversion of adjacent lands. However, the Project is a logical extension of development in the City and does not create leapfrog development or islands of agricultural land that would be difficult to farm. The City recognizes development pressures within the City, and that these pressures will increase as the City continues to build out. Additionally, while the Project would not directly cause the conversion of adjacent agricultural land to non-agricultural uses because in has lied fallow for seven years, it would contribute to development pressure within the City that could potentially lead to the conversion of

agricultural land off site. However, as stated in the previous discussion of these Findings regarding the conversion of state designated farmland, the City has determined the agricultural conservation measures identified by the City are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified. (DEIR, pgs. 4.1-10 to 4.1-15)

c. Cumulative Agricultural Resource Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would have a significant cumulative impact on agricultural resources in Riverside County.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to cumulative state designated farmland will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the DEIR, the Project-related impacts to Farmland of Statewide Importance and the conversion of agricultural land to a non-agricultural use cannot be mitigated through a local or regional program to mitigate impacts to agricultural resources. As stated previously, the City does not maintain a General Plan or zoning designation for agricultural uses and there are no Project-level feasible mitigation measures that would help reduce cumulative impacts. During the last reporting period (2006–2008), 6,540 acres of Prime Farmland, 2,366 acres of Farmland of Statewide Importance, and 8,873 acres of Farmland of Local Importance were converted to other uses. The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance is a finite resource, the conversion of approximately 71 acres to industrial uses, combined with planned and future development in the City and region, represents a significant cumulative impact to agricultural operations and resources. (DEIR, pg. 4.1-16) As stated in the previous discussion of these Findings regarding the conversion of state designated farmland and conversion of agricultural land to a non-agricultu8rla use, the City has determined the agricultural conservation measures identified by the City are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified

2. Air Quality (Project-Specific and Cumulative Impact)

a. Short-Term Construction Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Commission finds that **Mitigation Measures 4.2.6.1A through 4.2.6.1T** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Commission finds that even with application of the following mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.2.6.1A *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed Project construction documents, which shall be reviewed by the City.*

4.2.6.1B *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators. Contract specifications shall be included in the proposed Project construction documents, which shall be reviewed by the City.*

4.2.6.1C *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed Project construction documents, which shall be reviewed by the City.*

4.2.6.1D *All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*

4.2.6.1E *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*

4.2.6.1F *The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.*

4.2.6.1G *Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).*

4.2.6.1H *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).*

4.2.6.1I *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.2.6.1J *If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.*

4.2.6.1K *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*

- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High-pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch vendor services shall be permitted on site during construction to minimize the need for off-site vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered; and*

- *Suspend use of all construction equipment operations during second stage smog alerts.*

4.2.6.1L *Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*

4.2.6.1M *All project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

4.2.6.1N *When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.*

4.2.6.1O *All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.*

4.2.6.1P *Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.*

4.2.6.1Q *Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*

4.2.6.1R *All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.*

4.2.6.1S *Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of*

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.

4.2.6.1T *Reroute construction trucks away from congested streets and sensitive receptor areas.*

These measures shall be enforced by the on-site facilities manager (or equivalent.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.2.6.1A through 4.2.6.1T, Project construction activities would temporarily exceed SCAQMD regional and localized emissions thresholds for oxides of nitrogen (NO_x) and particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.2-I and 4.2-J) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.2-19 through 4.2-25).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed applicable daily thresholds for operational activities.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Commission finds that Mitigation Measures 4.2.6.3A and 4.2.6.3B is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Commission finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

4.2.6.3A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill*

this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- *Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.*
- *Increase in insulation such that heat transfer and thermal bridging is minimized.*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.*
- *Incorporate dual-paned or other energy efficient windows.*
- *Incorporate energy efficient space heating and cooling equipment.*
- *Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed.*
- *To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site.*
- *Use paint and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings.*
- *Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.*
- *Reduce energy demand associated with potable water conveyance using the following:*
    - *Landscaping palette emphasizing drought-tolerant plants;*
    - *Use of water-efficient irrigation techniques; and,*
    - *U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.*
- *Provide secure, weather-protected, on-site bicycle storage/parking.*

- *Provide on-site showers (one for males and one for females). Lockers for employees shall be provided.*
- *Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.*
- *Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.*
- *Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.*
- *Implement compressed workweek schedules.*
- *Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*

- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks;*
- *Use of SmartWay 1.25 rated trucks.*
- *Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.*
- *Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*

4.2.6.3B *The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.2.6.3A and 4.2.6.3B, Project operational activities will exceed SCAQMD daily emissions thresholds for ROG, NO_x, CO, and PM_{10}. (DEIR Table 4.2.K) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.2-26 to 4.2.28)

c. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts cumulative air quality impacts will remain significant and unavoidable.

Facts in Support of the Finding: Included in Section 4.2 of the DEIR, Table 4.2.K indicates that the long-term operation of the Project would contribute to long-term regional air pollutants despite implementation of mitigation measures. The Basin is in nonattainment for NO_X, PM_{10}, $PM_{2.5}$, and ozone at the present time; therefore, the operation of the proposed Project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed Project would unavoidably contribute to significant long-term cumulative air quality impacts. (DEIR, pg. 4.2-29)

3. <u>Climate Change and Greenhouse Gas</u>

a. Cumulative Impacts of Climate Change and Greenhouse Gas

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have a cumulative impact related to climate change and greenhouse gas emissions.

Finding: Based on the entire record before us, this Commission finds that the Project's impacts related to climate change and greenhouse gas emissions is potentially significant but will be reduced to the extent feasible through mitigation measures. The Commission finds that **Mitigation Measures 4.3.6.1A and 4.3.6.1C** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Commission finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

Facts in Support of the Finding: According to Section 4.3 of the DEIR, the Project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05.

However, the proposed Project's GHG emission contribution would result in a cumulative impact regarding climate change and greenhouse gas emissions and the cumulative impacts of the proposed Project on climate change and greenhouse gas emissions are considered to be significant and unavoidable. (DEIR, pgs. 4.3-21 4.3-27)

4. Transportation

a. Existing Plus Project and Cumulative Plus Project Freeway Segments and Freeway Merge/Diverge Areas

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would contribute to two freeway merge/diverge areas failing to maintain the level of service standard in the existing plus project condition. The EIR evaluated and concluded that the Project would contribute to four freeway segments and merge diverge areas failing to maintain the level of service standard in the year 2013 plus project condition.

Finding: Based on the entire record before us, this Commission finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to freeway segments will remain significant and unavoidable.

Facts in Support of the Finding: As indicated in Section 4.5 of the DEIR, the following two freeway segments are projected to operate at unsatisfactory levels of service in the existing plus project analysis:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

The following four freeway segments and freeway merge/diverge areas are projected to operate at unsatisfactory levels of service in the cumulative year 2013 plus project analysis:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. and p.m. peak hours);
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour); and

- Freeway segment south of Harley Knox Boulevard (a.m. peak hour).

Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed. (DEIR, pgs. 4.5-18 4.5-28)

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed four alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. The No Project Alternative, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed yet the site would be developed in a similar manner to the proposed Project and consistent with existing zoning for the site. A Reduced Intensity Alternative, a Commercial Center (mixed retail/office) Alternative, and an Off-site Alternative were also selected for analysis. CEQA requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Commission is evaluating the alternatives.

1. Alternative 1 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Specific Plan 208 zoning designation, consisting of an underlying land use of Business Park/Industrial. To allow for quantified comparison of potential impacts, the No Project Alternative was assumed to result in the development of approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. The commercial service component of this alternative would be located along the frontage of Perris Boulevard while the industrial warehouse uses would occupy the remaining portion of the site. (DEIR, pg. 6-12)

Impacts: The No Build Alternative, as referenced in Section 6.0 of the DEIR, would result in similar impacts when compared to the proposed Project. Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Aesthetics; Williamson Act Contracts/Agricultural Zoning and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use; Mineral Resources; Noise; Population and Housing; Public Services; Recreation and Parks; and Utilities and Service Systems. The Project's significant and unavoidable agricultural impacts, air quality impacts, climate change and GHG impacts, and transportation impacts would also occur in the same manner as the proposed project. However, under the No Build Alternative, potential air quality, climate change, and traffic/transportation impacts would be greater than the proposed project because of the higher trip generation potential of the commercial uses.

Objectives: Under the No Build Alternative, the subject site would develop in a similar manner as the proposed Project, and most of the Project Objectives would be achieved. However, the objectives specifically oriented towards warehouse and industrial uses would be met at a reduced level due to the commercial component included in this Alternative.

Finding: Under the No Build Alternative, the project site would be developed with approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres. This Alternative would result in the same significant and unavoidable impacts associated with agricultural resources, air quality, climate change and greenhouse gases, and traffic that have been identified within the DEIR. However, potential air quality, climate change, and traffic/transportation impacts would be greater than the proposed project because of the higher trip generation potential of the commercial uses. Because the No Build Alternative results in an increase in potential significant and unavoidable impacts in comparison to the proposed Project, the Planning Commission hereby rejects the No Build Alternative.

2. Alternative 2 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for air pollution and greenhouse gas emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent but at a reduced level. Implementation of the Reduced Intensity Alternative would

yield approximately 1,212,100 square feet of development, a reduction of approximately 25 percent or approximately 434,033 square feet, when compared to the approximately 1,616,133 square-foot Project analyzed in the EIR.

Impacts: Under the Reduced Intensity Alternative, impacts related to agricultural resources would be similar to the proposed Project as the same amount of land would be disturbed. Similarly, impacts related to short-term construction-related air quality would be similar to the proposed Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed Project; however, long-term traffic impacts to state freeway segments and merge/diverge areas would remain significant and unavoidable. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the Project but would remain significant and unavoidable. Impacts associated with the generation of greenhouse gas emissions would also be reduced proportionate to the reduction in building area in comparison to the proposed project, but would remain significant and unavoidable.

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project.

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 25 percent (or 434,033 square feet) would be realized as compared to the Project. The Planning Commission hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable agricultural resources impacts, construction and operational air quality impacts, and cumulative greenhouse gas impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the Planning Commission rejects the Reduced

Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The Planning Commission also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the Planning Commission's rejection of this alternative.

3. Alternative 3—Commercial Center (Mixed Commercial/Office)

Description: As identified in Section 6.0 of the DEIR, the Commercial Center Alternative would result in the development of commercial service and office uses on the Project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.

Impacts: As identified in Section 6.0 of the DEIR, the Commercial Center Alternative would result in similar impacts for the following eight environmental issues: Agriculture and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; and Mineral Resources. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the proposed Project. Long-term traffic impacts to state freeway mainline segments and merge/diverge areas would remain significant and unavoidable. Under the Commercial Center Alternative, impacts related to short-term construction emissions would be similar to the proposed Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude because of the increase in vehicle trips when compared to the Project and would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the proposed Project and would remain less than significant.

Objectives: Under this alternative, some of the proposed Project objectives are not met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley, but not within the industrial employment sector.

Findings: Under the Commercial Center Alternative, development of commercial service and office uses would occur. This Alternative would have similar impacts that have been identified within the DEIR. However, the Commercial Center Alternative would result in an increase in trip generation in comparison to the proposed Project, and would result in an increase in the severity of the significant and unavoidable impacts to construction and operational air pollution emissions, climate change and greenhouse gas emission, and traffic. The Planning Commission finds that the Commercial Center Alternative would fulfill some but not all of the Project Objectives. Moreno Valley residents would have more opportunities for employment but a warehouse would not be built. Because the Commercial Center Alternative will not fulfill the primary objective of the Project and the severity of significant and unavoidable impacts would be increased in comparison to the proposed Project, the Commission hereby rejects the Commercial Center Alternative.

4. Alternative 4—Off-Site Location

Description: As identified in Section 6.0 of the DEIR, this alternative would result in the same intensity of development of approximately 1,616,133 square feet of warehouse uses on approximately 70.3 acres. The alternative Project site identified by the City is bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.0 miles northwest of the Project site and is within the same Industrial Area Specific Plan as the proposed Project. This alternative off-site property is not owned or under the control of the applicant. The off-site location is currently zoned SP 208 I and is designated Business Park in the City's General Plan, identical to the proposed Project development of this site would not require soil import, inherently reducing impacts form air pollution emissions during construction.

Impacts: Section 6.0 of the DEIR, identifies nine environmental issues that would have similar impacts as the proposed Project. These issues are: Cultural Resources; Geology and Soils; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Population and Housing; Public Services; Recreation; and Utilities and Service Systems. With the Off-Site Location Alternative, impacts related to air quality and traffic impacts would be similar to those identified with the

proposed Project. Short-term construction and long-term air quality operational and climate change/greenhouse gas emissions impacts under this alternative would remain significant and unavoidable and would result in similar conditions as identified for the proposed Project. Additionally, due to adjacent sensitive receptors, potential impacts to these receptors would be greater in magnitude when compared to the proposed Project. Similarly, noise impacts would be greater in magnitude due to the adjacent sensitive receptors. Operational traffic would result in increased traffic on vanity roadways and may impact different intersection and roadways in comparison to the proposed Project. Under this Alternative, impacts to agricultural resources would be eliminated.

Objectives: The Off-Site Alternative would meet most of the Project objectives. The location of the Off-Site Alternative further north of Harley Knox Boulevard would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system.

Finding: Under the Off-Site Alternative, development of the warehouse would occur in a different location. This Alternative would have similar impacts that have been identified within the DEIR. And most of the objectives of the proposed Project would be met, would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system. The Commission finds that the Off-Site Alternative would have similar impacts to all environmental issues except for agriculture because this Alternative would eliminate the significant and unavoidable impacts to agricultural resources.. Because the Off-Site Alternative will not substantially reduce the environmental impact of the Project and it would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system, the Commission hereby rejects the Off-Site Alternative.

5. Alternatives Considered and Rejected

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 6-3 through 6-5) Three possible alternatives were considered and rejected because they could not accomplish the basic objectives of the Project or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated project objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the proposed Project is to provide for and expand employment and revenue opportunities within the City

of Moreno Valley. The proposed Project would expand employment options in a location that is convenient to existing transportation corridors, convenient to existing and future City residents and would augment the City's economic base. The following provides and discussion of the three development scenarios that were considered and rejected as potential alternatives to implementation of the proposed Project based on Section 15126.6 of the *CEQA Guidelines* because they did not feasibly attaining most of the basic objectives of the Project while reducing or avoiding any of the significant effects of the proposed Project:

- No Build Alternative: No development would take place within the Project limits and no impacts would occur. However, disallowing development of the site, as suggested by this alternative, would not fulfill the primary objectives of the proposed Project and the site would likely be developed in accordance with existing zoning should the Project not move forward. Retention of the project site in its current condition would not expand employment opportunities to residents of the City. Retaining the site in its current undeveloped condition would not generate the revenue (e.g., property tax) that could augment the City's current revenue stream. Therefore, the No Build Alternative was rejected from further consideration in the EIR.

- Residential Alternative: The Residential Alternative would develop the 71-acre project site with approximately 355 single-family units based on the City's R5 zone. The R5 zone was utilized as this is the zoning designation of the nearest residential uses to the north along Perris Boulevard and north of the Perris Valley Storm Drain channel. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and Industrial Area Plan (SP208 I) zoning designation to a residential R5 designation. Furthermore, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. Since the Residential Alternative consists only of residential uses, employment-generating opportunities would not occur aside from temporary construction work, which would be filled predominantly by those already residing in the area. The residential uses would produce demand for public services that would exceed the amount of municipal revenues it would generate. The project's full potential to utilize the area's close proximity to various freeways and transportation corridors would not be realized as only residential uses would occur under the Residential Alternative. Additionally, the development of the entire 71-acre project site under this alternative would

result in the placement of the residential uses within an area planned for industrial uses which could result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City employment generating objectives for development of the Project site.

- Mixed Commercial/Residential Alternative: The Mixed Commercial/Residential Alternative would develop the 71-acre project site with approximately 690,000 square feet of Community Commercial uses and 532 multiple-family units. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and SP208 I zoning designation to a residential designation and commercial designation. Additionally, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. While the commercial component of this Alternative would utilize the project site's close proximity to nearby transportation corridors, the development of the remainder of the site with residential uses would not provide the varied employment and service uses and revenue associated with the proposed project. The development of approximately half of the project site under this alternative with residential uses would result in the placement of the residential uses adjacent to SP208 I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. The residential component of this alternative would produce demand for public services that would exceed the amount of municipal revenues it would generate, and there would be little to no employment opportunities created. Therefore, the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City employment generating objectives for development of the project site.

6. Environmentally Superior Alternative

As explained by Section 6.0 in the DEIR, Alternative 2 (Reduced Intensity Alternative) reduces the severity of Project related air quality impacts. However, long-term air quality impacts, would remain significant after mitigation for this alternative for ROG, NO_x, PM_{10} and $PM_{2.5}$. In a similar manner, Alternative 2 would reduce the volume of daily traffic trips when compared to the proposed Project; however, such impacts to state freeway mainline segments and merge/diverge areas would remain significant and unavoidable until freeway improvements are completed by the state. Alternative 2 would also reduce the quantity of greenhouse gas emission when compared to the proposed Project; however, impacts to Climate Change would remain significant and unavoidable. The remaining environmental issues would ultimately be similar to the proposed Project through adherence to existing standards and mitigation measures. Based on the analysis in Section 6.0 and the summary contained in Table 6.K, Alternative 2, the Reduced Intensity Alternative, is the environmentally superior alternative. The amount of development under this alternative would be reduced when compared to the proposed Project; however, the Alternative 2 would not satisfy several of the Project objectives because it would reduce the level at which it meets the employment generating Project objectives. Because the Reduced Intensity Alternative allows the development of warehouse uses and the provision of new employment opportunities, it meets many of the City's stated Project objectives, while at the same time reduces the impacts associated with the proposed Project. However, because of the lower industrial density, the Alternative fails to meet several key employment generating objectives related to density efficiencies in the same manner as the proposed Project.

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

Section 5.0 of the DEIR identifies the extent to which the new jobs created by a Project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. Construction of the proposed Project will create short-term construction jobs. Due to the existing high unemployment levels that exist in the City, the potential exists for these short-term positions to be filled by workers who, for the most part, reside in the City or neighboring

communities to the Project area. Therefore, construction of the proposed Project will not generate a permanent increase in population within the Project area.

As previously identified, the proposed Project is expected to employ 646 people. These full-time positions are also anticipated to be filled by workers who, for the most part, reside in the Project area due to high unemployment levels that exist in the City. Operations of the proposed Project will not generate a permanent increase in population within the Project area.

The area surrounding the Project site is governed by the City of Moreno Valley General Plan and the area is guided by Specific Plan 208. Specific Plan 208 guides land use within the Project area to ensure that new development and redevelopment is implemented consistent with the land use policies, controls, and standards contained in Specific Plan 208. Any development of remaining undeveloped land adjacent to the Project site would require its own discretionary approvals and is not reliant on the proposed Project. However, development of the Project site may lead to indirect growth in the Specific Plan area by making available the extension of infrastructure such as water, sewer, drainage, etc. This growth has been planned for and is guided by Specific Plan 208.

The proposed Project would occur within an area currently designated for industrial uses. The proposed Project would not require a General Plan Amendment nor does it require a change in the underlying zoning designation. In addition, the Project reflects the City of Moreno Valley's vision for the area and is consistent with Specific Plan 208. Land uses surrounding the Project site would be in conformance with the City's General Plan and Specific Plan 208. Impacts to population and housing are less than significant; see Section 13 Population and Housing of the Initial Study (Appendix A of the DEIR).

The proposed Project would not eliminate a constraint for development of an approved Project within the City of Moreno Valley. There are no projects in the City of Moreno Valley or surrounding cities that have been approved but are conditioned or dependent on additional improvements at the Project site. Specific Plan 208 guides land uses surrounding the Project site to ensure compatibility between existing operations and adjacent surrounding development. Additionally, the proposed Project would not add capacity to urban services or infrastructure that would be utilized by other project proponents in the surrounding area.

The proposed Project would not result in any significant pressure to redevelop the area around the Project site at a higher density. As previously stated, the development of remaining

undeveloped land adjacent to the Project site is independent and not reliant on the proposed Project. Therefore, implementation of the proposed Project would not result in redevelopment of adjacent lands at a higher intensity than already prescribed in the City of Moreno Valley's General Plan and Specific Plan 208.

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project does not trigger any of the conditions cited in Guidelines §15127. Nonetheless, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or

- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Determining whether the proposed project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The project site is generally fallow agricultural land with the site historically used for sod farming operations. However, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the proposed project would permanently alter the site by converting predominantly agricultural uses to urban uses. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the proposed project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is justified in supporting the City's planned use of the site and is not expected to negatively impact the availability of these resources.

In addition, this industrial warehouse project, in concert with the other built or approved industrial warehouse projects, will fundamentally change the character and land use pattern of this portion of the City. Many of the project-specific impacts are addressed, as outlined above, but the change in the use of the land from agricultural to industrial represents a substantial irreversible change for this area. However, this is an intended change a verified by the City's General Plan land use designations and zoning for the area. (DEIR pgs. 5-2 and 5-3)

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley Planning Commission adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Agricultural Impacts—Conversion of State Designated Farmland;

2. Agricultural Impacts—Conversion to a Non-Agricultural Use; and

3. Cumulative Agricultural Impacts

4. Air Quality Impact—Construction Air Pollutant Emissions;

5. Air Quality Impact—Operational Air Pollutant Emissions; and

6. Cumulative Air Pollutant Emissions.

7. Climate Change and GHG Emissions —

8. Transportation—Existing and Cumulative Impacts to State Freeway Segments and Freeway Merge/Diverge Areas

The Moreno Valley Planning Commission hereby declares that, pursuant to CEQA Guidelines Section 15093, the Planning Commission has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The Planning Commission hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(C) herein.

The Planning Commission hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The Planning Commission hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this Planning Commission finds outweigh the unmitigated impacts.

The Planning Commission further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this Planning Commission finds outweigh any environmental benefits of the alternatives or the other alternatives do not substantively reduce the severity of unavoidable and significant impacts.

The Planning Commission hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the Planning Commission has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with SP 208, municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Commission finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the Project have been identified in the Draft EIR, the Final EIR and public testimony. This Commission also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Commission has identified economic and social benefits and important policy objectives, Section V above, which result from implementing the Project. The Commission has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Commission finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered „acceptable."""

The Planning Commission hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The Planning Commission finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley Planning Commission finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the Planning Commission.

The Planning Commission declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the Planning Commission after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies, amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The Planning Commission hereby certifies the EIR based on the following findings and conclusions:

A. Findings

1. CEQA Compliance

As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the Findings and supporting documentation. The Planning Commission determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The Planning Commission finds that the EIR was prepared in compliance with CEQA and that the Planning Commission complied with CEQA"s procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the Planning Commission. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(C) of these Findings: Agricultural Impacts—Conversion of State Designated Farmland; Agricultural Impacts—Conversion to a Non-Agricultural Use; Cumulative Agricultural Impacts; Air Quality Impact—Construction Air Pollutant Emissions; Air Quality Impact—Operational Air Pollutant Emissions; Cumulative Air Pollutant Emissions; Climate Change and GHG Emissions; Transportation—Existing Year (2007) with Project Level of Service; and Transportation—Existing and Cumulative Impacts to State Freeway Segments and Freeway Merge/Diverge Areas.

The Planning Commission has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the Planning Commission determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the

EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(C) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

VII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the Planning Commission hereby adopts, as conditions of approval of the Project, the Mitigation Monitoring and Reporting Plan (MMRP) set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

VIP Moreno Valley Project

The program has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2011081084) prepared for the project by the City of Moreno Valley.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the Initial Study and the Final EIR.

4.2 MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

EXHIBIT B

4.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: VIP Moreno Valley Project **Applicant:** Vogel Engineers, Inc.

Date: June 2012

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
AIR QUALITY						
4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading and during grading operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents,	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

MV00171473

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
which shall be reviewed by the City.						
4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During grading	Review of construction documents and on-site inspection		Issuance of a Stop Work Order
4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1H The contractor shall minimize	City of Moreno	Throughout	During	On-site inspection		Issuance of a

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Valley Engineering and Building and Safety	construction	Construction			Stop Work Order
4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading and during grading operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order

MV00171475

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment						

MV00171476

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. • Suspend use of all construction equipment operations during second stage smog alerts.						
4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

MV00171477

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.						
4.2.6.1M All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1N When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1O All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1P Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

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4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1R All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1T Reroute construction trucks away from congested streets and sensitive receptor areas.	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy	City of Moreno Valley Building and Safety Planning Division	Prior to Construction (once)	Prior to Issuance of Building Permits	Review of building plans and on-site inspection		Withhold Building Permits

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed. • To the extent that they are compatible with landscaping guidelines established by the City,						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site. • Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings. • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • Reduce energy demand associated with potable water conveyance using the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements. • Provide on-site showers (one for males and one for females). Provide lockers for employees.						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan. • Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans. • Implement compressed workweek schedules; • Achieve at least 20% per year (as a percentage of previous percentage,						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. • Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; • Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; • Provision of preferential parking for EV and CNG vehicles; • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; • Use of electric (instead of diesel or gasoline-powered) yard trucks; • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.						
4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	City of Moreno Valley Building and Safety	Prior to Construction (once)	Prior to Issuance of Building Permits and Final Site Plan Approval	Review of final site plan and building plans and on-site inspection		Withhold Building Permits
BIOLOGICAL RESOURCES						
Mitigation Measure BIO-1: No more than 72 hours prior to initiation of ground-	City of Moreno Valley Planning	Prior to Grading	Prior to Issuance of Grading Permit	Submittal of Evidence that the		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.	Division			pre-construction survey has been completed.		
Mitigation Measure BIO-2: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Submittal of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Submittal of a report of the survey findings.		Withhold Grading Permit
Mitigation Measures BIO-3. If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit			Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.						
Mitigation Measure BIO-4: If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that the passive relocation plan has been approved by CDFG and USFWS.		Withhold Grading Permit
CULTURAL RESOURCES						
Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:	City of Moreno Valley Planning Division	Prior to grading and on-going during ground disturbing activities.	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified paleontologist has been retained, and that the paleontologist(s) will be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. A report of findings		Withhold Grading Permit/ Issuance of a Stop Work Order

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.				shall be submitted to the City after the finalization of construction.		

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources						
GEOLOGY AND SOILS						
Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered,	City of Moreno Valley Planning Division Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.						
Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of grading and construction documents and on-site inspection		Withhold Grading Permit
GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE						
4.3.6.1A Prior to the issuance of building	City of Moreno	Prior to	Prior to issuance	Review of		Withhold

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.	Valley Building and Safety Planning Division	construction	of building permits	construction documents and on-site inspection		Building Permit
4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno	City of Moreno Valley Building and Safety	Prior to construction	Prior to issuance of building permits	Review of construction documents/building		Withhold Building Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Valley that the following measures have been be incorporated into the design and construction of the project: • Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following: ○ Increase insulation such that heat transfer and thermal	Planning Division			plans and on-site inspection		

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
bridging is minimized. ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. ○ Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following: ○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install efficient lighting and lighting control systems. Use daylight as an						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.						
4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project: • The project applicant shall use low Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.	City of Moreno Valley Building and Safety Planning Division	Prior to building permit and occupancy	Prior to issuance of occupancy permit	Review of construction documents and on-site inspection		Withhold Occupancy Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: • Install drought tolerant plants for landscaping. • Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. • Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.						
HYDROLOGY AND WATER QUALITY						
Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Submittal of copy of Notice of Intent to City filed with the RWQCB		Withhold Grading Permits

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
construction activities.						
Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP. Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Review and approval of SWPPP		Withhold Grading Permits

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences. The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance. Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.						
Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on	City of Moreno Engineering	During grading and construction	Prior to Grading	Review of construction documents and on-site inspection		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.						
Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permit	Submittal of WQMP to City for review and approval		Withhold Grading Permit
Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permits	Submittal of evidence that all requirements are fulfilled		Withhold Grading Permit

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the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.						
NOISE						
4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit
4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1D During all project site construction activities, the construction contractor shall limit all construction-	City of Moreno Valley Building and Safety	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-		Withhold Grading Permit or Stop Work

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	Engineering Planning Division			site inspection		Order
TRANSPORTATION						
4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	City of Moreno Valley Building and Safety Engineering Planning Division	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of City DIF fees		Withhold Certificate of Occupancy
4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of Riverside County TUMF fees		Withhold Certificate of Occupancy

MV00171500

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
County of Riverside TUMF Program.						
4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	City of Moreno Valley Engineering	Once after construction	Prior to the Issuance of Occupancy Permits	Review of construction documents and on-site inspection		Withhold Occupancy Permits

MV00171502

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MV00171503

RESOLUTION NO. 2012-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING APPLICATION NO'S. PA09-0004 (PLOT PLAN FOR A 1,616,133 SQUARE FOOT WAREHOUSE), AND PA09-0012 (TENTATIVE PARECEL MAP NO. 36162).

Section 1:

WHEREAS, Vogel Engineers, Inc., has filed an application for the approval of PA09-0004, a plot plan for a 1,616,133 square foot warehouse distribution facility on 80 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on July 12, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

ATTACHMENT 3

FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities. Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is currently zoned Industrial. The proposed use will comply with all applicable zoning regulations and the requirements of the Moreno Valley Industrial Area Plan (SP #208). The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 1,616,133 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

   Land uses to the north include a Waste Management facility and a 426,700 square foot warehouse building. Land uses to the west include the 360,440 square foot i-Herb warehouse building, approximately 20 acres of vacant Industrial zoned land and a site currently used for container storage. Further to the west is the southern approach to the runways at March Air Reserve Base. Land uses to the east include a ministorage facility, the

approximately 255,000 square foot Masonite Door factory, and the approximate 1.2 million square foot Ross Dress For Less distribution facility.

The project site is located at the southerly City limits with a mixture of vacant Industrial zoned land and developed distribution land uses within the City of Perris on the south side of the Perris Valley Storm Drain.

The proposed warehouse distribution facility is a permitted use in the project site's Industrial zone. As designed and conditioned the project is compatible with existing and proposed land uses in the vicinity.

Section 2:

WHEREAS, the applicant, Vogel Engineers, Inc., has filed an application for the approval of PA09-0012 or Tentative Parcel Map No. 36162 to combine the existing four parcels located within the project site into a single 80 acre.

WHEREAS, on July 12, 2012, the Planning Commission of the City of Moreno Valley held a public hearing to consider the subject applications and the environmental documentation prepared for the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on July 12, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General and Specific Plans –** That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing four parcels located within the project site into a single 80 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. **Design Conformance with General and Specific Plans –** That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. **Physically Suitable for Proposed Development –** That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary. Land uses to the north include a Waste Management facility and a 426,700 square foot warehouse building. Land uses to the west include the 360,440 square foot i-Herb warehouse building, approximately 20 acres of vacant Industrial zoned land and a site currently used for container storage. Further to the west is the southern approach to the runways at March Air Reserve Base. Land uses to the east include a ministorage facility, the approximately 255,000 square foot Masonite Door factory, and the approximate 1.2 million square foot Ross Dress For Less distribution facility.

   The project site is located at the southerly City limits with a mixture of vacant Industrial zoned land and developed distribution land uses within the City of Perris on the south side of the Perris Valley Storm Drain.

   Overall, the project site is well suited for future development of industrial land uses.

4. **Physically Suitable for Proposed Density –** That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Perris Boulevard, Indian Street and Grove View Road. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. **Protection of Fish or Wildlife Habitat –** That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. **Health, Safety and Welfare –** That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. **Easements –** That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. **Consistent with Applicable City Ordinances –** That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. **Passive or Natural Heating and Cooling –** That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

   FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. **Regional Housing –** That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

    FACT: The project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

Section 3:

FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. **FEES**

   Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

   Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal

Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097 and PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

Section 4:

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2012-17:

1. **APPROVING** PA09-0004 (Plot Plan), subject to the attached conditions of approval included as Exhibit A; and

2. **APPROVING** PA09-0012 (Tentative Parcel Map No. 36162), subject to the attached conditions of approval included as Exhibit B.

APPROVED this 12th day of July, 2012.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

Attachments

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA09-0004 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 316-210-071, -073, -075 and -076

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA09-0004 is subject to certification of an Environmental Impact Report by the City of Moreno Valley.

P2. Plot Plan PA09-0004 has been approved for development of a 1,616,133 square foot warehouse distribution facility, to be built on a 80 acre site within Assessor's Parcel Numbers 316-210-071, -073, -075 and -076. The facility includes 268 dock doors and 44,000 square feet of office. Required parking for this use equates to a total of 589 employee/visitor parking spaces and 368 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36162 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision M	

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Perris Boulevard, Indian Street and Grove View Road.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA09-0004 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be

"land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P26. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P27. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P28. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P29. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative treatment for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P30. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P31. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P32. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

P33. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:

- **A. A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C. A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Perris Boulevard, Indian Street and Grove View Road.**
- **D. An 8 foot tall chain link fence with slats is required along the southern property line along the Riverside County Flood Control maintenance road.**

<u>Prior to Issuance of Building Permits</u>

P34. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P35. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P36. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P37. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P38. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. **Street trees planted at 40 feet on center spacing shall be provided along the site's Perris Boulevard, Indian Street and Grove View Road frontages.**

J. **Along property boundaries visible from the public view and accessible to the general public, trees shall be planted at a rate of one tree per 30 linear feet of the interior property line. Tree clusters may satisfy this requirement.**

K. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits, a final map for Tentative Parcel Map No. 36162 (PA09-0012) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the public rights of way.

MITIGATION MEASURES

Air Quality

P54. **4.2.6.1A** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P55. **4.2.6.1B** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P56. **4.2.6.1C** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P57. **4.2.6.1D** All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

P58. **4.2.6.1E** The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.

P59. **4.2.6.1F** The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

P60. **4.2.6.1G** Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).

P61. **4.2.6.1H** The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P62. **4.2.6.1I** The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P63. **4.2.6.1J** If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

P64. **4.2.6.1K** Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours.

- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips;
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
- Suspend use of all construction equipment operations during second stage smog alerts.

P65. **4.2.6.1L** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P66. **4.2.6.1M** All project entrances shall be posted with signs which state:

- Truck drivers shall turn off engines when not in use;
- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and
- Telephone numbers of the building facilities manager and CARB, to report violations.

P67. **4.2.6.1N** When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

P68. **4.2.6.1O** All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are

carried to adjacent streets.

P69. **4.2.6.1P** Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

P70. **4.2.6.1Q.** Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.

P71. **4.2.6.1R** All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

P72. **4.2.6.1S** Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.

P73. **4.2.6.1T** Reroute construction trucks away from congested streets and sensitive receptor areas.

P74. **4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed.

- To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site.
- Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings.
- Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.
- Reduce energy demand associated with potable water conveyance using the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
- Provide on-site showers (one for males and one for females). Provide lockers for employees.
- Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.
- Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.
- Implement compressed workweek schedules;
- Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.
- Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it

reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.

- Use of fleet vehicles conforming to 2010 air quality standards or better.
- Installation of catalytic converters on gasoline-powered equipment.
- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;
- Provision of preferential parking for EV and CNG vehicles;
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;
- Use of electric (instead of diesel or gasoline-powered) yard trucks;
- Use of SmartWay 1.25 rated trucks.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.
- Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.

P75. **4.2.6.3B** The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.

Biological Resources

P76. **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.

P77. **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in

Mitigation Measure BIO-1. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.

P78. **Mitigation Measures BIO-3.** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.

P79. **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.

Cultural Resources

P80. **Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.

- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.
- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources

Geology and Soils

P81. **Mitigation Measure GEO-1:** Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.

P82. **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Greenhouse Gases and Global Climate Change

P83. **4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows in the office areas shall utilize window treatments for efficient energy conservation.
- Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.
- Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority.
- Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.

P84. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.

- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
  - Increase insulation such that heat transfer and thermal bridging is minimized.
  - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
  - Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:
  - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.
  - Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.
- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

P85. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project:

- The project applicant shall use low Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment.
- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.

- Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
- Install drought tolerant plants for landscaping.
- Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.
- Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.
- Provide employee education about reducing waste and available recycling services.

Hydrology and Water Quality

P86. **Mitigation Measure HYD-01:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.

P87. **Mitigation Measure HYD-02:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:

Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.

Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.

All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.

The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.

Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.

The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

P88. **Mitigation Measure HYD-03:** Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.

P89. **Mitigation Measure HYD-04:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.

P90. **Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.

Noise

P91. **4.4.6.1A** During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

P92. **4.4.6.1B** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.

P93. **4.4.6.1C** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.

P94. **4.9.6.1D** During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

Transportation

P95. **4.5.6.1A.** Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.

P96. **4.5.6.1B.** Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.

P97. **4.5.6.2A.** Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.

Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Please complete and return attached fire flow letter.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless

fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F18. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F19. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F21. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F22. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F23. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F24. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F25. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F26. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F27. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F28. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F29. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F30. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F31. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F32. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F33. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F34. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F35. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date:	02/24/2009	**Address:**	
Case Number:	PA09-0004	**A.P.N.:**	316-210-071, 073, 075, 076

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 4000 G.P.M. for duration of 4-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/ Developer: _____

By: _____ **Date:** _____

Title: _____

WATER AGENCY APPROVAL

Name of Agency: _____

Address: _____

Telephone: _____ **Date:** _____

By: _____ **Title:** _____

NOTE: **THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.**

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD3. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD8. (G) Prior to occupancy, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Indian Street** improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD9. (G) Prior to occupancy, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Perris Boulevard** improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on

mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD11. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD12. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD13. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD14. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control

Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD21. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

<u>Prior to Map Approval or Recordation</u>

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD29. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD30. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD31. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD32. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD33. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

LD34. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be

allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD35. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD36. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD37. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD38. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD39. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD40. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD41. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD42. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD43. (BP) Prior to issuance of a building permit, if the project involves a non-residential subdivision, the map shall be recorded.

LD44. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD45. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD46. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD47. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD48. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of

the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
   i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
   ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD53. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

LD54. Prior to parcel map approval, the map shall show the following:

a. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on Perris Boulevard, Indian Street, and Grove View Road.

b. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along Perris Boulevard and Indian Street.

c. The appropriate additional right-of-way required for a bus turn-out on Perris Boulevard as depicted on the approved project plans and as conditioned by the City's Transportation Department.

d. Corner cutback right-of-way dedications per City Standard 208 at the southeast corner of Indian Street and Grove View Road and the southwest corner of Perris Boulevard and Grove View Road.

LD55. Prior to parcel map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Perris Boulevard, Divided Arterial, City Standard 103C (110-foot RW / 86-foot CC) shall be constructed to half-width plus an additional 18 feet east of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Indian Street, Minor Arterial, Modified City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 18 feet west of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. Grove View Road, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet north of the centerline, along the entire project's north frontage. Additional right-of-way dedications at driveway approaches along the project's north property line, shall be shown on the parcel map.. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite, streetlights, pedestrian ramps, dry and wet utilities.

d. Driveway approaches shall be constructed per City Standard No. 118C or as modified as shown on the project plans. The parcel map shall show an additional 4-foot minimum right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Certain project entrance(s) may be required to be constructed as a public street intersection.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City

Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD56. Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show all driveway approaches to be constructed per City Standard Plan 118C modified, as accepted by the City. There shall be 4-foot minimum wide pedestrian sidewalk area at 2% maximum behind the conventional right-of-way. A minimum 4-foot pedestrian right-of-way dedication shall be made on the final parcel map PM 35672.

LD57. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD58. Prior to precise grading plan approval, the grading plan shall show that the lowest finished floor elevation is a minimum of one foot above the base flood elevation.

LD59. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD60. Prior to occupancy, the developer shall obtain an encroachment permit from Riverside County Flood Control & Water Conservation District in order to connect proposed onsite storm drain to the Perris Valley Channel Lateral B.

LD61. Prior to occupancy, the developer shall make a good faith effort to cause Riverside County Flood Control & Water Conservation District to dedicate additional public street right-of-way on Indian Street and Perris Boulevard along their property frontage between the project's south property line and the bridges.

LD62. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code.

LD63. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens

(bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD64. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site.

LD65. The Applicant has proposed to incorporate the use of vegetated swales, hydrodynamic separators, and sand filters. Final design details of the treatment control BMPs must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD66. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD67. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA09-0004**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD5. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special

Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD6. (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Perris Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or

b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD7. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD8. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD9. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works

Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD10. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD11. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD12. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Perris Boulevard is classified as a Divided Arterial (110'RW/86'CC) per City Standard Plan No. 103C. The sidewalk shall be curb-separated. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE3. Indian Street is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Grove View Road is designated as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE5. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE11 as well as Indian Street for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE6. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE7. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE9. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design Perris Boulevard to include a bus bay per City Standard Plan No. 121 in the southbound direction, south of Grove View Road. The bus bay may be designed to serve as a combination right turn lane/bus bay to the satisfaction of the City Engineer.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection/traffic signal at Perris Boulevard and the South Project Driveway to provide the following (at a minimum):

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

NOTE: The curb return radii on the northwest/southwest corners shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design and modify the intersection of Perris Boulevard at Grove View Road to include a 200' northbound left turn lane with raised median. This modification may include relocation of the traffic detector loops and other traffic signal modifications.

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersections:

- **Perris Boulevard at South Project Driveway (signal modifications).**
- **Perris Boulevard at Grove View Road (signal modifications).**

TE14. (BP) Prior to issuance of a building permit, the project applicant shall make a fair-share contribution in the amount of $45,150 to the City of Moreno Valley for the construction of a traffic signal at Perris Boulevard and Suburban Lane. As this traffic signal is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance shall be provided with the following, or as approved by the City Traffic Engineer:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic.
b) Appropriate signing and striping.

All of these features must be kept in working order.

TE17. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal modifications identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE18. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE10, TE11, and TE12 per the approved plans.

TE19. (CO) Prior to the issuance of a certificate of occupancy for the project, driveway access at the following locations will be installed as follows:

- **North Perris Boulevard Driveway: Right-in, right-out access by means of a raised median.**
- **South Perris Boulevard Driveway: Full access by means of a traffic signal.**
- **Grove View Road Driveways: Full access.**
- **Indian Street Driveways: Full access.**

NOTE: All truck driveways shall have curb return radii of 50 feet.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE20. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA09-0004 & PA09-0012; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This Project is **subject** to a Reimbursement Agreement. The Project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the Project. The developer shall be responsible to pay to the City of Moreno Valley the sum of **$423,150.00** for this electrical distribution infrastructure prior to the issuance of building permits.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36162
ASSESSOR'S PARCEL NUMBERS: 316-210-071, -073, -075 and -076

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36162 is approved for the purposes of re-configuring the existing four parcels located within the project site and creating a single 80 acre parcel.

P2. Development within Tentative Parcel Map No. 36162 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This project shall comply with the project mitigation measures listed in the conditions of approval for PA09-0004 and the mitigation monitoring program for the VIP Moreno Valley Project.

P4. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

EXHIBIT B

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision M	

P5. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P6. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P7. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P8. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P10. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P11. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P12. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P13. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P14. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative treatments for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P15. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P16. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl pre-construction survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P17. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Please complete and return attached fire flow letter.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F18. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F19. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F21. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F22. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F23. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F24. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F25. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by

the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F26. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F27. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F28. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F29. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F30. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F31. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F32. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F33. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F34. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F35. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date: 02/24/2009 **Address:**

Case Number: PA09-0004 **A.P.N.:** 316-210-071, 073, 075, 076

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 4000 G.P.M. for duration of 4-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/ Developer:

By: **Date:**

Title:

WATER AGENCY APPROVAL

Name of Agency:

Address:

Telephone: **Date:**

By: **Title:**

NOTE: **THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.**

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD3. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.
(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD8. (G) Prior to occupancy, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Indian Street** improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD9. (G) Prior to occupancy, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Perris Boulevard** improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the

TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD11. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD12. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD13. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality

treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD14. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP

shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD21. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

<u>Prior to Map Approval or Recordation</u>

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division

for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD29. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD30. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD31. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD32. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD33. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

LD34. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD35. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD36. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD37. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD38. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the

developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD39. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD40. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD41. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD42. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD43. (BP) Prior to issuance of a building permit, if the project involves a non-residential subdivision, the map shall be recorded.

LD44. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD45. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD46. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal,

rocks, soils, concrete and other material that normally results from land clearing.

b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD47. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD48. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
   i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
   ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD53. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

LD54. Prior to parcel map approval, the map shall show the following:

a. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on Perris Boulevard, Indian Street, and Grove View Road.

b. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along Perris Boulevard and Indian Street.

c. The appropriate additional right-of-way required for a bus turn-out on Perris Boulevard as depicted on the approved project plans and as conditioned by the City's Transportation Department.

d. Corner cutback right-of-way dedications per City Standard 208 at the southeast corner of Indian Street and Grove View Road and the southwest corner of Perris Boulevard and Grove View Road.

LD55. Prior to parcel map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Perris Boulevard, Divided Arterial, City Standard 103C (110-foot RW / 86-foot CC) shall be constructed to half-width plus an additional 18 feet east of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Indian Street, Minor Arterial, Modified City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 18 feet west of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of,

but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. Grove View Road, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet north of the centerline, along the entire project's north frontage. Additional right-of-way dedications at driveway approaches along the project's north property line, shall be shown on the parcel map.. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite, streetlights, pedestrian ramps, dry and wet utilities.

d. Driveway approaches shall be constructed per City Standard No. 118C or as modified as shown on the project plans. The parcel map shall show an additional 4-foot minimum right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Certain project entrance(s) may be required to be constructed as a public street intersection.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD56. Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show all driveway approaches to be constructed per City Standard Plan 118C modified, as accepted by the City. There shall be 4-foot minimum wide pedestrian sidewalk area at 2% maximum behind the conventional right-of-way. A minimum 4-foot pedestrian right-of-way dedication shall be made on the final parcel map PM 35672.

LD57. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD58. Prior to precise grading plan approval, the grading plan shall show that the lowest finished floor elevation is a minimum of one foot above the base flood elevation.

LD59. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD60. Prior to occupancy, the developer shall obtain an encroachment permit from Riverside County Flood Control & Water Conservation District in order to connect proposed onsite storm drain to the Perris Valley Channel Lateral B.

LD61. Prior to occupancy, the developer shall make a good faith effort to cause Riverside County Flood Control & Water Conservation District to dedicate additional public street right-of-way on Indian Street and Perris Boulevard along their property frontage between the project's south property line and the bridges.

LD62. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code.

LD63. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD64. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site.

LD65. The Applicant has proposed to incorporate the use of vegetated swales, hydrodynamic separators, and sand filters. Final design details of the treatment control BMPs must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document.

The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD66. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD67. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA09-0004**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD5. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance

with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD6. (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Perris Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or

b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD7. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD8. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD9. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD10. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD11. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD12. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Perris Boulevard is classified as a Divided Arterial (110'RW/86'CC) per City Standard Plan No. 103C. The sidewalk shall be curb-separated. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE3. Indian Street is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Grove View Road is designated as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE5. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE11 as well as Indian Street for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE6. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE7. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE9. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design Perris Boulevard to include a bus bay per City Standard

Plan No. 121 in the southbound direction, south of Grove View Road. The bus bay may be designed to serve as a combination right turn lane/bus bay to the satisfaction of the City Engineer.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection/traffic signal at Perris Boulevard and the South Project Driveway to provide the following (at a minimum):

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

NOTE: The curb return radii on the northwest/southwest corners shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design and modify the intersection of Perris Boulevard at Grove View Road to include a 200' northbound left turn lane with raised median. This modification may include relocation of the traffic detector loops and other traffic signal modifications.

<u>PRIOR TO BUILDING PERMIT</u>

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersections:

- **Perris Boulevard at South Project Driveway (signal modifications).**
- **Perris Boulevard at Grove View Road (signal modifications).**

TE14. (BP) Prior to issuance of a building permit, the project applicant shall make a fair-share contribution in the amount of $45,150 to the City of Moreno Valley for the construction of a traffic signal at Perris Boulevard and Suburban Lane. As this traffic signal is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation.

<u>PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance shall be provided with the following, or as approved by the City Traffic Engineer:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic.
b) Appropriate signing and striping.

All of these features must be kept in working order.

TE17. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal modifications identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE18. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE10, TE11, and TE12 per the approved plans.

TE19. (CO) Prior to the issuance of a certificate of occupancy for the project, driveway access at the following locations will be installed as follows:

- **North Perris Boulevard Driveway: Right-in, right-out access by means of a raised median.**
- **South Perris Boulevard Driveway: Full access by means of a traffic signal.**
- **Grove View Road Driveways: Full access.**
- **Indian Street Driveways: Full access.**

NOTE: All truck driveways shall have curb return radii of 50 feet.

<u>PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM</u>

TE20. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA09-0004 & PA09-0012; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up"

facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This Project is **subject** to a Reimbursement Agreement. The Project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the Project. The developer shall be responsible to pay to the City of Moreno Valley the sum of **$423,150.00** for this electrical distribution infrastructure prior to the issuance of building permits.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

Final

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY

STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

LSA

June 27, 2012

MV00171596

Final

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY

STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

Lead Agency:

City of Moreno Valley Community and Economic Development Department
Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552
Attn: Jeff Bradshaw, Associate Planner
(951) 413-3224

Prepared by:

LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, California 92507
(951) 781-9310

LSA Project No. VOG1001

LSA

June 27, 2012

MV00171597

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Appendix C Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire

1. INTRODUCTION

The Final Environmental Impact Report (EIR) for the proposed VIP Moreno Valley project is composed of the Draft EIR State Clearinghouse No. 2011081084 and Appendices; the Response to Comments; and the Findings, Statement of Overriding Considerations, Staff Reports, and Resolutions. Specifically, this document portion of the EIR includes the Comments and Responses volume of the Final EIR, EIR modifications or errata, and the Mitigation Monitoring and Reporting Program (MMRP). The purpose of this document is to respond to all comments received by the City of Moreno Valley (City) regarding the environmental information and analyses contained in the Draft EIR. Additionally, any corrections to the text and figures of the Draft EIR, generated either from responses to comments or independently by the City, are stated in this volume of the Final EIR. The Draft EIR text has not been modified to reflect these clarifications.

1.1 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters, Section 3.of this document contains corrections and errata to the Draft EIR. Section 4.0 contains the Mitigation Monitoring and Reporting Plan, which includes additional measures developed as a part of this Final EIR.

1.2 PUBLIC REVIEW OF THE DRAFT EIR

As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) of the Draft EIR State Clearinghouse No. 2011081084 for the VIP Moreno Valley project was filed with the State Clearinghouse on April 20, 2012 and the Notice of Availability (NOA) of the Draft EIR was filed with the Riverside County Clerk on April 20, 2012

The Draft EIR was circulated for public review for a period of 45 days, from April 20, 2012 to June 4, 2012. Copies of the Draft EIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the Draft EIR were also made available for public review at the City Planning Department, at one area library, and on the internet.

A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter was received from a citizen group and two letters from individuals. All ten letters have been responded to within this document. Comments that address environmental issues are thoroughly responded to in Section 2.0.

1.3 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley, Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92553
Phone: (951) 413-3224
e-mail: jeffreyb@moval.com

1.4 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.4.1 Project Location

The project site is located in the City of Moreno Valley, Riverside County. The approximately 71-acre site is generally located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary.

1.4.2 Proposed Project

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses.

1.4.3 Project Objectives

The purpose of the proposed project is to provide a new facility specializing in warehouse distribution services. Upon development, the proposed project will achieve the following:

Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;

Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;

Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;

Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner;

Encourage new development consistent with the capacity and municipal service capabilities;

Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;

Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;

Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;

Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;

Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;

Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;

Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and

Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

1.4.4 Required Permits and Discretionary Actions

The following discretionary actions are anticipated to be taken by the City of Moreno Valley as part of the proposed project:

Tentative Parcel Map approval (TPM 36162);

Certification of Environmental Impact Report; and

Site Plan approval.

Other non-discretionary actions anticipated to be taken by the City at the Staff level as part of the proposed project include the following:

Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction. Approval of a Water Quality Management Plan (WQMP) to mitigate for post-construction runoff flows.

Issuance of a Grading permit that requires approval of a grading plan, approval of the final drainage study, approval of the Final WQMP, obtaining an NOI and WDID number, and satisfying those conditions of approval required prior to grading.

Issuance of an Encroachment permit for any construction work done in any City-controlled right-of-way. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.

Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits.

Approvals and permits required by other agencies include:

A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that downstream water quality is not worsened.

Approval of water and sewer improvement plans by the Eastern Municipal Water District.

Approval from the City and Riverside County Flood Control and Water Conservation District to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions.

2. RESPONSE TO COMMENTS

A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter was received from a citizen group and two letters from individuals. All ten letters have been responded to within this document. Comments that address environmental concerns have been thoroughly addressed. Comments that (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise environmental issues; or (3) do request the incorporation of additional information not relevant to environmental issues do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines.

Section 15088 of the State CEQA Guidelines, Evaluation of and Response to Comments, states:

a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.

b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

c) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:

   1. Revise the text in the body of the EIR; or
   2. Include marginal notes showing that the information is revised in the responses to comments.

Information provided in this volume of the Final EIR clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

An Errata to the EIR (Section 3.0) has been prepared to make minor corrections and clarifications to the Draft EIR as a result of City review and comments received during the public review period. Therefore, this Response to Comments document, along with the Errata is included as part of the Final EIR for consideration by the Planning Commission prior to a vote to certify the Final EIR.

2.1 LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING ON THE DRAFT EIR

The persons, organizations, and public agencies that submitted comments regarding the Draft EIR through June 4, 2012, are listed below. A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter

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was received from a citizen group and two letters from individuals. Each comment letter received is indexed with a number below.

Comment Letters Received Regarding the Draft EIR

A **California Native American Heritage Commission (May 14, 2012)**
Dave Singleton, Program Analyst

B **California Department of Fish and Game (May 21, 2012)**
Jeff Brandt, Senior Environmental Specialist

C **Gerald M. Budlong (May 31, 2012)**

D **Johnson & Sedlack (June 1, 2012)**
Ray Johnson, AICP, Esq.

E **Sierra Club, San Gorgonio Chapter (June 3, 2012)**
George Hague, Conservation Chair
Moreno Valley Chapter

F **California Department of Transportation, District 8 (June 4, 2012)**
Daniel Kopulsky, Office Chief
Community Planning/IGR-CEQA

G **Eastern Municipal Water District (June 4, 2012)**
Joseph B. Lewis
Director of Engineering Services

H **United States Fish and Wildfire Service (e-mail June 4, 2012)**
Nicole Ronan, Fish and Wildfire Service

I **Riverside County Flood Control and Water Conservation District**
Mekbib Degaga, Engineering Project Manager

J **California Governor's Office of Planning and Research, State Clearinghouse**
Scott Morgan, Director State Clearinghouse

2.2 FORMAT OF RESPONSES TO COMMENTS

Aside from the courtesy statements, introductions, and closings, individual comments within the body of each letter have been identified and numbered. A copy of each comment letter and the City's responses are included in this section. Brackets delineating the individual comments and an alphanumeric identifier have been added to the right margin of the letter. Responses to each comment identified are included on the page(s) following each comment letter. Responses to comments were sent to the agencies that provided comments.

In the process of responding to the comments, there were minor revisions to the Environmental Impact Report. None of the comments or responses constitutes "significant new information" (*CEQA Guidelines* Section 15073.5) that would require recirculation of the Environmental Impact Report.

MV00171604

Letter A

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

May 11, 2012

RECEIVED
MAY 14 2012
CITY OF MORENO VALLEY
Planning Division

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley Community & Economic Development Department
14177 Frederick Street
Moreno Valley, CA 92552

Re: SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the **"VIP Moreno Valley Project – PA09-0004 (plot Plan) PA09-0012 (TPM 36162) P11-020 (EIR);"** located in the City of Moreno Valley; Riverside, California.

Dear Mr. Bradshaw:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. 1

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. 2 The NAHC did conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE) with the following results: Native American cultural resources were not found within the APE. However, the absence of archaeological resources does not preclude their existence at the subsurface level and may be exposed during construction activity. 3

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r). 4

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. 5

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources. 5

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.' 6

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity. 7

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'. 8

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects. 9

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a). 10

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Riverside County
May 11, 2012

Los Coyotes Band of Mission Indians
Shane Chapparosa, Chairman
P.O. Box 189 Cahuilla
Warner , CA 92086
(760) 782-0711
(760) 782-2701 - FAX

Soboba Band of Mission Indians
Scott Cozaet, Chairperson; Attn: Carrie Garcia
P.O. Box 487 Luiseno
San Jacinto , CA 92581
carrieg@soboba-nsn.gov
(951) 654-2765
(951) 654-4198 - Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(949) 488-3294 - FAX
(530) 354-5876 - cell

San Manuel Band of Mission Indians
James Ramos, Chairperson
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the VIP Moreno Valley Project; located in the City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside County
May 11, 2012

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

William J. Pink
48310 Pechanga Road Luiseno
Temecula , CA 92592
wjpink@hotmail.com
(909) 936-1216
Prefers e-mail contact

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the VIP Moreno Valley Project; located in the City of Moreno Valley; Riverside County, California.

2.4 RESPONSE TO LETTER A

California Native American Heritage Commission

Response to Comment A-1. The comment is introductory and states that the Native American Heritage Commission (NAHC) is the State "trustee agency" pursuant to Public Resources Code Section 21070 for the protection and preservation of the State's Native American resources. The comment also states that the letter contains state and federal statutes relating to Native American historic properties of religious and cultural significance.

The comment is introductory in nature and outlines the NAHC's authority and role as a commenting agency. The NAHC's introduction in this comment is noted, and no further response is required.

Response to Comment A-2. The comment states that CEQA requires that any project that causes a substantial adverse change in the significance of a historical resource, which includes archaeological resources, is a "significant effect" requiring the preparation of an EIR. A Draft EIR was prepared for the proposed project and circulated for public review on April 20, 2012. Based on the *Phase I Cultural Resources Assessment and Paleontological Records Review* prepared for the proposed project, the site contains a historic site and a historic isolate, which were recorded and evaluated for significance in accordance with CEQA. Based on the study, it was determined that the historic resource and historic isolate were not considered to be significant. Consequently, construction and grading of the proposed project site will not affect significant historic resources, resulting in a less than significant impact.

Response to Comment A-3. The comment states that the NAHC Sacred Lands File (SLF) search found that no Native American cultural resources were identified within the project area. Similarly, the Draft EIR determined that there were no cultural resources (historic or prehistoric) identified on the project site as a result of records searches or during on site reconnaissance. The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

Response to Comment A-4. The comment states that NAHC Sacred Sites are confidential and exempt from the Public Records Act pursuant to California Government Code Section 6254. The City acknowledges the sensitivity and confidentiality of the information contained in the cultural resources report. No records maps have been made public nor will they be made public in association with the City's consideration of the proposed project.

Response to Comment A-5. The comment states that pursuant to California Public Resources Code Section 5097.95, the NAHC requests that pertinent project information be provided to Native American consulting parties, and that Native American consultation is a matter of environmental justice. The comment letter states that early consultation with Native American Tribes in the area of the project site is the best way to avoid unanticipated discoveries once a project is underway. The letter includes a list of Native American contacts and recommends obtaining their recommendations concerning the proposed project.

Appendix B-5 of the Draft EIR contains the Phase I Cultural Resource Assessment and Paleontological Records Review, (Michael Brandman Associate., March 27, 2012) prepared for the proposed project in which Native American consultation was conducted. On February 15, 2007, Michael Brandman Associates sent a letter to the NAHC in an effort to determine whether any sacred sites were listed on the Scared Lands Files for this area of Moreno Valley containing the project site.

In response to the Sacred Land Record Search request, the NAHC identified fourteen Native American contacts that may have knowledge of cultural resources in the project area.

Letters dated February 28, 2007, were sent by MBA to the fourteen Native American contacts provided by the NAHC. The letters notified the parties of the proposed project and requested that the tribes respond with information concerning cultural resources that might be affected.

Response to Comment A-6. The comment states that consultation with Tribes and interested Native American consulting parties on the NAHC list should be conducted in compliance with the requirements of federal National Environmental Policy Act (NEPA), Sections 106 and 4(f) of the National Historic Preservation Act, and the Native American Grave Protection and Repatriation Act (NAGPRA), as appropriate.

The project is not a federal undertaking as defined under Section 106 of the National Historic Preservation Act (NHPA) or 36 Code of Federal Regulations (CFR) Part 800 regulations implementing Section 106. The project does not use federal funds and will not require any federal permits. Therefore, the project does not fall under the regulatory oversight of Section 106. The project is not a federal transportation project, so it also does not fall under the jurisdiction of Section 4(f) of the Department of Transportation Act of 1966. Finally, since there is no federal involvement in the project, the requirements of NAGPRA do not apply.

As described in Response to Comment A-5, above, the City conducted consultation with fourteen local tribes and interested Native American individuals for the project. Consultation included providing those parties with pertinent project and location information.

Response to Comment A-7. The comment states that historic properties of religious and cultural significance are confidential and protected by California Government Code Section 6254. The comment further states that the confidentiality of such resources may also be protected by section 304 of the NHPA. The City acknowledges the sensitivity and confidentiality of any identified resources. The SLF and any associated records maps are not for public distribution. In addition, because the project is not a federal undertaking, it is not regulated under Section 304 of the NHPA.

Response to Comment A-8. The comment identifies State laws regarding the accidental discovery of human remains. In in the unlikely event that human remains are encountered during project grading, the County Coroner and the City Planning Division would be notified immediately, and no further disturbance would occur until the County Coroner makes a determination of origin and disposition. If the remains are determined to be Native American, the County Coroner would notify the NAHC, which will determine and notify the most likely descendant (MLD). Implementation of state law reduces potential impacts related to the discovery of human remains on the proposed project site to a less than significant level, and no additional mitigation is required.

Response to Comment A-9. The comment states that effective consultation, in the opinion of the NAHC, is the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors. The City agrees that effective consultation is desired. The City has reached out to Native American tribes through the consultation process (as detailed in the Draft EIR in Appendix B-5).The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

Response to Comment A-10. The comment states that the NAHC recommends avoidance when a project would damage or destroy Native American cultural resources. The comment further states that documentation and data recovery of such resources is required pursuant to the CEQA

Guidelines. Based on the *Phase I Cultural Resources Assessment and Paleontological Records Review* prepared for the proposed project, the site has a low potential for containing archeological resources due to the lack of such resources previously discovered in the surrounding area and the disturbed nature of the project site. Consequently, construction and grading of the proposed project site will have a low probability of damaging archeological resources. Impacts to archeological resources are considered to be less than significant.

State of California -The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
1416 9th Street
Sacramento, CA 95814
http://www.dfg.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

May 16, 2012

RECEIVED
MAY 21 2012
CITY OF MORENO VALLEY
Planning Division

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92551

Subject: Draft Environmental Impact Report for the VIP Moreno Valley Project
City of Moreno Valley, Riverside County -- SCH #2011081084

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report for the VIP Moreno Valley Project. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections §711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section §15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section §15381), such as a Lake and Streambed Alteration Agreement (California Fish and Game Code Sections §1600 et seq.) and/or a Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (Fish and Game Code Sections 2080 and 2080.1).

The proposed Project consists of the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on a 71-acre site. The Project is located in the City of Moreno Valley and is bounded on the west by Indian Street, on the east by Perris Boulevard, on the north by Grove View Road and on the south by the Perris Valley Storm Drain. The March Air Reserve Base and the Interstate-215 (I-215) are located in the vicinity to the west. The site has been used for dryland farming and is disked. There is vegetation (mostly non-native) on the periphery of the site but the major part of the site is disked.

Western Riverside Multiple Species Habitat Conservation Plan (MSHCP)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the Natural Community Conservation Plan Program (NCCP Program). On June 22, 2004, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section §2800, et seq., of the California Fish and Game Code. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. The City of Moreno Valley is the Lead Agency and is signatory to the 1

Conserving California's Wildlife Since 1870

Implementing agreement of the MSHCP. Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the DEIR discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements.

The Project is located in the Reche Canyon/Badlands Area Plan but does not contain any Criteria Cells and the site is not necessary for reserve assembly. MSHCP policies and procedures that apply to the proposed Project include Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP section 6.1.2 pp 6-20; "Riparian/Riverine and Vernal Pool Policy"), Protection of Narrow Endemic Plant Species (MSHCP section 6.1.3 pp 6-28; "NEPPSA"), and Additional Survey Needs and Procedures (MSHCP section 6.3.2, Additional Survey Needs and Procedures). 1

A) Special Survey Areas

The Project is located within the survey area for the western burrowing owl (WBO). WBO is a State Species of Special Concern and is a species subject to the Migratory Bird Treaty Act (MBTA). Focused surveys for the WBO were conducted in 2009. The results of the focused surveys indicate that there were no direct observations or sign of the WBO. 2

B) Protection of Narrow Endemic Plant Species

Plant species requiring habitat assessments include: San Diego ambrosia, many-stemmed dudleya, spreading navarretia, California Orcutt grass, Wrights trichocoronis, Coulter's goldfields, Davidson's saltscale, little mousetail, mud nama, Parish's brittlescale, round-leaved filaree, San Jacinto Valley crownscale, smooth tarplant, and threat-leaved brodiaea. Focused NEPS and Criteria Area surveys were conducted in 2009. The 2009 surveys determined that the NEPS and Criteria Area Plants have a low potential for occurrence because of the absence of suitable habitat and the disking of the site. The DEIR conclusions are supported by the surveys for the Perris Boulevard Widening Project. 3

C) Riparian/Riverine Areas, Vernal Pools, and Fairy Shrimp

A narrow, north-south trending agricultural drainage ditch bisects the center of the site and terminates at a culvert entering the Perris Valley Storm Drain. The document states that the "drainage ditch" does not meet the requirements of this MSHCP policy. The Department reserves the right to determine whether the on-site channel is jurisdictional. 4

<u>Impacts to the species</u>

The biological report states that the only vegetation on the site is located on the periphery because of ongoing disking and consists primarily of non-native plants. Wildlife on the site includes: red-tailed hawk, American kestrel, common raven, American crow, Brewer's blackbird, Say's phoebe, western kingbird, western meadowlark, mourning dove, side-blotched lizard, western fence lizard, California ground squirrel, desert cottontail and pocket gopher. 5

Proposed mitigation

Impacts to wildlife are covered by the MSHCP and the mitigation requirements in the MSHCP. The DEIR states that preconstruction surveys will be conducted for WBO and nesting birds. If WBO are found on the site the Resource Conservation Agency and the Department should be notified to determine whether additional mitigation measures are required. 6

Department Concerns

The Department reserves the right to determine whether the channel on site is subject to Section 1600 *et seq.* in the Fish and Game Code. A Determination of Biologically Equivalent or Superior Preservation (DBESP) alternative is not required, according to the DEIR. The Department needs to be notified prior to commencement of grading if bird nests or burrowing owl are identified in pre-construction surveys. In addition, a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) may be required. No mitigation has been provided for the loss of this channel. 7

Lake and Streambed Alteration Agreement

Although the proposed Project is within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is not subject to Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, a Lake and Streambed Alteration Agreement Notification may still be required by the Department should the site contain jurisdictional waters. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2.

A routine delineation was conducted in 2009 and the consultants determined that there were no jurisdictional wetlands or streams on the site. However, the Department retains the right to determine whether the resources on site are jurisdictional waters and subject to the Lake and Streambed Alteration Agreement program. A new streambed jurisdictional delineation needs to be conducted to determine whether the channel (i.e., "drainage ditch") conveys water across the site, particularly during the rainy season, and how many linear feet or acres comprise the channel. 8

The Department recommends submitting a notification early on, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924 or go to http://www.dfg.ca.gov/habcon/1600/forms.html. 9

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. Permit negotiations conducted after and outside of the CEQA process are not CEQA-compliant because they deprive the public and agencies of their right to know what project impacts are and how they are being mitigated (CEQA Section 15002). 10

The Department opposes the elimination of ephemeral, intermittent and perennial stream channels, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays: 11

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

Please refer to section 15370 of the CEQA guidelines for the definition of mitigation. If the project does not include the criteria listed above, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources.

We recommend that the Department's concerns be addressed in the Final Environmental Impact Report.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: State Clearinghouse

2.6 RESPONSE TO LETTER B

California Department of Fish and Game

Response to Comment B-1. The commentor accurately summarizes both the CEQA requirement for an analysis of the proposed project's consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the MSHCP policies and procedures applicable to the proposed project.

Response to Comment B-2. The commentor accurately summarizes both the MSHCP requirement for a burrowing owl survey and that the surveys conducted for the project showed no burrowing owl sign or observations.

Response to Comment B-3. The commentor accurately summarizes both the MSHCP requirement for survey of narrow endemic plant species and that the surveys conducted for the project determined there is a low potential for occurrence of the species due to lack of suitable habitat and disking of the site. The commentor also notes these conclusions are consistent with the surveys conducted for the Perris Boulevard Widening Project (which is a City of Moreno Valley capital improvement project) and not related to the VIP Moreno Valley Project.

Response to Comment B-4. The commentor notes the Draft EIR statement that the agricultural ditch running north-south across the center of the site is not jurisdictional and indicates CDFG reserves the right to determine whether the on-site ditch is jurisdictional. As stated in the Draft EIR (pages 2-10 and 2-11), the ditch no longer contains the characteristics of jurisdictional waters. This is due to the construction of Grove View Road and storm drains on the north side of the site, resulting in the elimination of an abundant supply of off-site water flow from the north onto the site. Because the ditch no longer carries the abundant supply off-site water flow, it no longer supports the one riparian species (willow) that exists in the ditch. This condition has become even more evident over the past several years, resulting in no jurisdictional waters on the site.

Response to Comment B-5. The commentor accurately summarizes the vegetation and wildlife observed on the site.

Response to Comment B-6. The commentor accurately summarizes the Draft EIR mitigation measure prescribing preconstruction surveys for burrowing owl and nesting birds, and requests that the Regional Conservation Authority and CDFG be contacted should burrowing owl be found on the site in order to determine the need for additional mitigation. This is standard operating procedure, and the project proponent's biological consultant will comply.

Response to Comment B-7. The commentor identifies CDFG's concerns which are summarized as follows: 1) Regarding the on-site ditch that runs north-south through the center of the project site, CDFG states that they reserve the right to determine whether the site is jurisdictional, and if so, a Section 1600 permit would be required for the loss of the on-site ditch; and 2) CDFG requests that they be notified prior to grading activities if bird nests or burrowing owls or observed during the pre-construction surveys required as part of Mitigation Measures BIO-1 through BIO-4.

Response to Comment B-8. The commentor notes that CDFG's criteria for determining jurisdictional waters are more comprehensive than the MSHCP criteria and requests that a new jurisdictional delineation be conducted.. As stated in the Response to Comment B-4, the Draft EIR has already identified that the on-site ditch no longer accepts off-site water flows during storm events because off-site flows now are conveyed to a storm drain located in Grove View Road. The eastern section of Grove View Road between Perris Boulevard and Indian Street was constructed in 2007 while the

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western section was constructed in 2009 as part of the two warehouse projects located across the street and north of the proposed project. The conditions observed in the 2009 jurisdictional delineation prepared by Ecological Sciences are still valid, and in fact, the lack of jurisdictional waters has become more obvious due to the lack of off-site water conveyance.

Response to Comment B-9. The commentor provides contact information regarding submittals for Section 1600 permit. Refer to Responses to Comments B-4 and B-9. The project contains no jurisdictional waters, a Section 1600 Streambed Alteration Agreement is not required, and this information is therefore not applicable.

Response to Comment B-10. Refer to Responses to Comments B-4, B-9, and B-10.

Response to Comment B-11. Refer to Responses to Comments B-4, B-9, and B-10.

Letter C

RECEIVED
MAY 3 1 2012
CITY OF MORENO VALLEY
Planning Division

Gerald M. Budlong
24821 Metric Drive
Moreno Valley, CA 92557
May 31, 2012

Subject: Proposed VIP Moreno Valley Distribution Center DEIR

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
14177 Frederick Street, Moreno Valley City Hall
Moreno Valley, CA 92553

Dear Mr. Bradshaw:

The proposed VIP Moreno Valley Distribution Center project is consistent with the present specific plan as well as the superseded Oleander Specific Plan of the Moreno Valley General Plan and the zoning ordinance. My opinion of this industrial site concerning prime farmland, remains the same since 1989. The land has been designated as industrial in the specific plans and the zoning ordinance. The land has not met the state definition of prime farmland for the last 20 years or more due to the lack of acreage remaining of the land designated prime farmland on the state map. Viable crops grown on prime farmland have not been commercially possible for quite some time. Much of the site is already developed into industrial uses. 1

My only concern of the subject DEIR is the omission of groundwater levels and associated adverse impacts such as liquefaction. Why are high groundwater levels and liquefaction issues missing from this EIR?

The environmental cleanup program, called the Installation Restoration Program (IRP),at March Field, incorporating the former March AFB and present March ARB, has monitored the groundwater levels on and off base since the start of this program in the late 1980s. The groundwater levels have been rising an average of one to two feet annually. To date local groundwater levels are as high as 10 feet or less from the ground surface. Projects such as the new MWD water pipeline parallel to I-215 and near the March Field Museum has undergone high groundwater conditions which has prevented completion of approximately 400 linear yards of the project. A new bidding process inviting contractors with expertise in high groundwater conditions was initiated. The Air Force is concerned that the high groundwater conditions may adversely impact foundations at the base. The Air Force is concerned about potential adverse impacts from liquefaction in the event of a future earthquake. It was reported at the April 2012 March Field IRP Board meeting, that underground cement utility vaults at the former DHL airfreight building was experiencing flooding. I inquired whether the flooding was caused by high groundwater conditions. Staff promised they will make inquiries and report back at the October IRP meeting. 2

Are the building foundations for the proposed project engineered for high groundwater level conditions and potential liquefaction events from major earthquakes? 3

Sincerely,

Gerald M. Budlong

Gerald M. Budlong.

2.8 RESPONSE TO LETTER C

Gerald M. Budlong

Response to Comment C-1. The City appreciates the comments provided on the proposed project regarding the project being consistent with the City's General Plan and zoning code as well as comments on prime farmland and the area not being viable for farming since 1989. The comments are part of the public record and will be forwarded to the City's decision makers for their consideration prior to approving the project and certifying the EIR.

Response to Comment C-2. Appendix B-6 of the Draft EIR contains the *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California (*NorCal Engineering, May 7, 2007) prepared for the proposed project. The geotechnical investigation consisted of forty (40) subsurface exploratory trenches by a backhoe to depths ranging 5-15 feet below current elevations. The report stated "no ground water was encountered in any of the trenches (page 2). This study indicated that the groundwater levels are greater than 100 feet below the surface and the site has a low potential for liquefaction (page 5). The Draft EIR also provided this information in Section 2.5.4 Geology and Soils, page 2-14 which states *"Liquefaction typically occurs in areas where groundwater is shallower than approximately 30 feet, and where there is the presence of loose, sandy soils. According to the City's General Plan, liquefaction is not considered to be a local hazard since groundwater levels in Moreno Valley are far below the surface.*[1] *The project's geotechnical analysis*[2] *indicates that the depth of groundwater within the project vicinity is in excess of 100 feet. The proposed project site is not located in an area identified as being prone to liquefaction. The potential for earthquake-induced liquefaction within the proposed project is considered very low.*[3] *Because liquefaction at the project site is considered to be very low, a less than significant impact related to liquefaction would occur."*

Response to Comment C-3. The proposed project will be built per the City's and State's building code requirements and those contained in the geotechnical study prepared for the proposed project. The building code includes provisions for seismic safety.

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1 *Chapter 6 Safety*, City of Moreno Valley General Plan, July 11, 2006.
2 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
3 *Figure 5.6-2 Seismic Hazards*, Moreno Valley General Plan Final Program EIR, July 2006.

Letter D

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Carl T. Sedlack, Esq. Retired

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

June 1, 2012

VIA EMAIL

Jeff Bradshaw
Associate Planner
City of Moreno Valley, Planning Division
Community & Economic Development Dept.
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92553
(951) 413-3224
jeffreyb@moval.com

RE: Moreno Valley Vogel Industrial Park (VIP) Draft Environmental Impact Report Comments

Greetings:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Livable Moreno Valley, I hereby submit these comments on the Moreno Valley VIP Draft Environmental Impact Report (DEIR). (PA09-0004, PA09-0012, TPM No. 36162)

Project Summary:

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. See Figure 1.2. 1

The project is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the project site. Residences are located to the west of the site.

General Comments:

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document. 2

Unfortunately, the Draft EIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. On top of these inadequacies, the Draft EIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. Moreover, the EIR evaluates only impacts to Agricultural and Forest Resources, Air Quality, Greenhouse Gas Emissions and Global Climate Change, Noise, and Traffic. The EIR determines, without basis in CEQA, to *not* evaluate in detail impacts which *are potentially significant* but which will be mitigated below a level of significance, including impacts to Biological Resources, Cultural Resources, Geology and Soils, and Hydrology and Water Quality. While effects determined not be significant need not be discussed in detail in the EIR, effects which may be significant must be evaluated, and then the mitigation measures or alternatives which would reduce or avoid that effect must be described. (Public Res. C. § 21002.1(a), (e); State CEQA Guidelines § 15128, 15126, 15123) The EIR fails as an informational document by failing to analyze and evaluate **all potentially significant environmental effects of the project,** relying instead on the cursory evaluation performed for the environmental assessment. By failing to provide information on the potentially significant effects of the project that can be mitigated below a level of significance, the EIR fails as an informational document. The findings are also not supported by substantial evidence in the record, but rather only by the baseless conclusions cited in the EIR. 3 4

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. For instance, the EIR fails to require *any* mitigation for the project's significant impacts to agricultural resources. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. 5 6

For instance, several "alternatives" listed in the EIR will not satisfy the actual mitigation required, while other mitigation measures merely require the incorporation of writings, not actions. 7

The Moreno Valley VIP project purports to be a "green project" that is environmentally forward thinking; this is simply not the case, and in fact, the Moreno Valley VIP industrial building will be the *least* green building constructed in Moreno Valley in the past 3 years. The EIR provides examples of typical green building features, but fails to require each of those features for this project. The project only requires LEED certification and does not explain why requiring a gold or platinum LEED certification is infeasible, despite having significant air quality and greenhouse gas impacts. 8

Correspondingly, while most of the project's environmental effects will be a result of its use as a distribution center and corresponding traffic and air quality impacts, not the effects of the warehouse building itself, little if any mitigation is required to reduce these impacts. Regarding traffic effects, the EIR relies heavily on TUMF and DIF programs and concludes that significant effects will be either immediately or promptly reduced by these programs. To the contrary, a significant amount of the streets impacted are not currently planned or funded for improvements, and given the underfunding of these programs are unlikely to see any improvement in the near term. The EIR accordingly understates the traffic and air quality impacts of the project and fails to require all feasible mitigation. 9 10

The EIR also fails to make adequate findings, based on substantial evidence, that the environmentally superior alternative is infeasible. In fact, the environmentally superior alternative satisfies most, if not all project objectives and significant reduces project impacts, particularly with regards to air quality in an area known to have some of the worst air quality in the nation. At the least, the environmentally superior alternative must be implemented in lieu of the project. 11

Further shortcomings of the EIR are detailed below.

Aesthetics

The finding of less than significant impact is not supported regarding lighting. The EIR acknowledges that the project will create a new source of substantial light, but fails to discuss this impact on nighttime views. 12

Agricultural Resources

The project will result in a significant and unmitigated individual and cumulative impact to agricultural resources by converting ***Prime Farmland, Unique Farmland, and Farmland of Statewide Importance***, to non-agricultural use; and would involve other changes in the existing environment which would result in the conversion of Farmland to non-agricultural use. 13

Specifically, the project site is entirely identified as Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Loss of State Designated Farmland as a result of this project is a significant impact, and accounts for a substantial percent of farmland conversion for Riverside County. The project site's Land Evaluation and Site Assessment score further demonstrates a significant impact from the conversion of quality land and agricultural resources. 14

The EIR plays down the effect of development and operation of industrial uses in increasing development pressure on adjacent agricultural properties. The EIR does not disclose the predicted impacts on properties adjacent to the project site or along the truck routes used to access the project site, as well as city wide impacts. 15

No mitigation is required to reduce the significant adverse impacts of this project to agriculture. While the EIR identifies many mitigation measures that may be implemented, it fails to require any mitigation. The fact that the General Plan EIR found mitigation to be infeasible on a citywide scale does not mean that project level mitigation here is infeasible.

Mitigation measures identified by the CDC to reduce agricultural impacts include:

- The purchase of agricultural conservation easements;
- Transfer of development rights;
- Acquisition of farmland by the city or county;
- mitigation banking;
- the establishment of "urban limits," greenbelts, and buffers;
- the payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements;
- and planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development. 16

While the measures regarding planning have been determined to be infeasible by the City, ***the EIR does not provide evidence to support the finding of infeasibility with regard to the purchase or transfer of development rights, conservation easements, or donation of funds to assist in the preservation of agricultural lands.*** The conclusion of the EIR that these measures for mitigation of agricultural land are contrary to the City's vision and therefore not feasible is unsupported. The purchase of conservation easements must be required as mitigation barring evidence of infeasibility. The purchase of a permanent agricultural conservation easement of land of at least 2:1 of equal quality must be required to mitigate for impacts from the direct and growth inducing/cumulative loss of agricultural land by either the outright purchase of easements or donation of mitigation fees to a local, regional, or statewide organization that provides for acquisition and stewardship of agricultural conservation easements. Such mitigation is not found to be infeasible. 17

Air Quality

The project will result in significant and unavoidable impacts to air quality during construction and operation. 18

Several of the construction air quality impact "mitigation measures" are required by law, and therefore do not qualify as "mitigation." 19

Existing air quality in the project vicinity generally exceeds state and federal air quality standards for Ozone, Coarse Particulate Matter (PM10), Fine Particulate Matter (PM2.5) for the year. The nearest sensitive receptors to the project are rural residences located approximately 1,000ft north of the project site and 0.5 miles southwest of the project site. 20

The EIR fails to disclose all Moreno Valley General Plan Policies relevant to air pollutant emissions. Such omitted policies and objectives include:

- Ultimate Goal VII: achieve a community which "Emphasizes public health and safety…" 21
- Goal 6.1: "To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property."
- Objective 7.5 "Encourage efficient use of energy resources."
- Policies 7.5.1; 7.5.2; 7.5.5 regarding energy efficiency.

The EIR finds that the project would, "add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community." This potential may not be recognized and is unsupported by evidence in the record and are countered by recent projects within Moreno Valley. For instance, the Sketchers project nearby likewise promised job opportunities for local Moreno Valley workers. However, when all was said and done the facility resulted in a net job loss, and most employees were transferred from Ontario, increasing vehicle miles travelled. (*See, "Moreno Valley: Sketchers' warehouse has caused net job loss,"* The Press Enterprise, Jack Katzanek, February 1, 2012. < http://www.pe.com/business/business-headlines/20120201-moreno-valley-skechers-warehouse-has-caused-net-job-loss.ece>) 22

The project use will also be truck distribution; hence despite any local employment at the warehouse, the project will not minimize VMT and will not minimize air pollutant emissions consistent with the AQMP, but will instead drastically increase mobile source emissions. In fact, the focus of the AQMP is to attain PM 2.5 standards, which this project will specifically add to through the use of diesel trucks. (See AQMP 4-1.)The finding that the project is consistent with the AQMP is entirely unsupported. 23

Health Risks

The EIR finds that the project will have less than significant operational-acute health risk impacts on the basis that, "studies …have not provided sufficient information to establish a short-term non-cancer health risk guidance value for respiratory impacts." This ignores entirely the threshold of significance which asks "Would the proposed project expose sensitive receptors to substantial pollutant concentrations?" and does not necessarily require a health risk guidance value. 24

Operational-Chronic Health Risk Impacts are determined to be less than significant. It is unclear 25

from the EIR that levels at the sensitive receptors of Table 4.2.H were measured, as the EIR states, "Sensitive receptors were placed in a general grid extending in all directions to characterize the risk level surrounding the project site." In the immediate vicinity of the project site are residences, the Rancho Verde High School (one mile to the east of the project site), and El Potrero Elementary School (one mile to the northeast of the project). The EIR does not demonstrate that impacts at these and other locations were evaluated, particularly given the increased susceptibility of infants, children, and the elderly to health impacts from diesel PM. 25

Moreover, the HRA accounts only for the cancer risk and temporary respiratory impacts caused by this project. In addition to the risk of cancer, diesel PM is known to cause immune system effects; reproductive, developmental, and endocrine effects; nervous system effects; and lung health problems, as recognized by the County in the General Plan. Immune system effects include increased allergic inflammatory responses and suppression of infection fighting ability. Diesel PM has also been associated with reproductive effects such as decreased sperm production, changes in fetal development, low birth weight and other impacts. Diesel PM exposure may also cause impairment to the central nervous system. (*The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>; *See also, Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf>) 26

SCAQMD has stated with regards to the health effects from diesel PM:

> "Diesel particles consist mainly of elemental carbon and other carbon-containing compounds… Diesel particles are microscopic…Due to their minute size, diesel particles can penetrate deeply into the lung. There is evidence that once in the lung, diesel particles may stay there for a long time.
>
> In addition to particles, diesel exhaust contains several gaseous compounds including carbon monoxide, nitrogen oxides, sulfur dioxide and organic vapors, for example formaldehyde and 1,3-butadiene. Formaldehyde and 1,3-butadiene have been classified as toxic and hazardous air pollutants. Both have been shown to cause tumors in animal studies and there is evidence that exposure to high levels of 1,3-butadiene can cause cancer in humans…
>
> Diesel emissions may also be a problem for asthmatics. Some studies suggest that children with asthma who live near roadways with high amounts of diesel truck traffic have more asthma attacks and use more asthma medication.
>
> Some human volunteers, exposed to diesel exhaust in carefully controlled laboratory studies, reported symptoms such as eye and throat irritation, coughing, phlegm production, difficulty breathing, headache, lightheadedness, nausea and perception of unpleasant odors. Another laboratory study, in which volunteers were exposed to relatively high levels of diesel particles for about an hour, showed that such exposures could cause lung inflammation." (*The Health Effects of Air Pollution on Children, supra*; *See also, Mira Loma Commerce Center EIR No. 450, Air Quality, Section 4.*) 27

Furthermore, infants, children, and the elderly are more susceptible to diesel PM and its associated health impacts. Given this project's close proximity to two schools, the Rancho Verde High school (1 mile east) and El Potrero Elementary School (1 mile northeast) this increased susceptibility is extremely relevant. With regards to infants and children, increased susceptibility to TACs and diesel PM exists for a variety of reasons. Children are generally more active than adults, have higher respiration rates, and inhale more pollutants deeper into the lung. Children also have more lung surface area in proportion to their body size and inhale more air pound for pound when compared to adults, taking in 20 to 50 percent more air and associated air pollutants than adults. When compared to adults, children spend more active time outdoors in polluted air environments and exert themselves harder than adults when playing outside. Importantly, this exposure to high pollutant levels in children occurs while their lungs are still developing, and therefore has more severe impacts on this sensitive group. (*The Health Effects of Air Pollution on Children, supra.*) 28

This increased susceptibility to air pollutant emissions for children has resulted in the California EPA Office of Environmental Health Hazard Assessment ("OEHHA") weighting cancer risk by a factor of 10 for exposures to carcinogens from birth to two years old, and by a factor of 3 for exposures from 2 years old to 15 years old. (*Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>) It is unclear that these increased risks were accounted for in the EIR. Additionally, recent studies conducted by SCAQMD's Brain and Lung Tumor and Air Pollution Foundation have found a specific connection between exposure to diesel PM and brain cancer in children. (Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>) 29

In addition to an increased risk of cancer, the effects of diesel PM on children include slowed lung function and growth, increased emergency room visits, increased incidences of asthma and bronchitis, crib death, asthma respiratory infections, allergic symptoms, and asthma hospitalizations. (*Diesel and Health in America: the Lingering Threat*, *supra.*)

This project will contribute to an already dire TAC situation in Riverside County. The Riverside County Planning Commission recently considered GPA 1096, an amendment to the General Plan to add a Healthy Communities Element which seeks to reduce hazardous air quality impacts to environmental and human health. The Healthy Communities Element of the General Plan was approved in view of the following significant health impacts resulting from already poor air quality in Riverside County: 30

- ***Asthma-Related Hospitalizations***: In 2005, the greatest percentage of asthma-related hospitalizations were among those under age 18 (38%) followed by those over 65 (19%). Blacks experienced the greatest rate of hospitalizations in 2005 at 225.7 per 100,000 population, versus 99.5 and 81.2 for Hispanics and whites, respectively. 31
- ***Risk of Cancer from Diesel Soot and Other Toxic Air Pollutants: Whereas the regional risk of cancer from diesel soot and other toxic air pollutants dropped by 8 percent between 1998 and 2005, the cancer risk in Riverside County increased by 2 percent.*** 32

- Poor air quality costs Riverside and San Bernardino around ***$6.3 billion annually*** in health care expenses.
- 19% of private schools, 11% of public schools, an 21% of licensed child care centers in Riverside County are located within a quarter (1/4) mile of a major highway.
- Around 350,000 Riverside County residents live within a half (1/2) mile of a major highway, including about 40,000 children under age 5.
- Five schools in Riverside County rank in the 10th percentile for air quality, meaning that 90 percent of the schools in the country had better air. Twenty-five schools ranked in the 50th percentile or below. 32

Recognizing these present and unacceptable consequences of air pollution to the health of Riverside's residents, particularly children and the elderly, the County General Plan and recently approved Healthy Communities Element have adopted General Plan policies pertinent to this project.

Construction Impacts

The EIR erroneously categorizes construction impacts as "Construction Equipment Exhaust Emissions." While some construction air quality impacts arise from construction equipment exhaust, other emissions exceed the threshold of significance from architectural coatings (ROG), paving, and fugitive dust during site preparation and grading, including the importations of 220,000cy of soil (NOx and PM10). 33

Table 4.2.1 relies on construction phasing not required of the project. For example, paving will result in 3434lbs/day of NOX emissions, 34 times the SCAQMD threshold. However, the EIR finds that, on a "Peak Day," NOX emissions will be only 390 lbs/day. This reduction is unsupported. Also, paving emissions for ROG are unclear (5.95.9?), but divide into 90 lbs/day on a peak day. Hence, while the EIR correctly finds that construction air quality impacts are significant and require mitigation, it fails to disclose the severity of that impact. Additional mitigation measures are also feasible to further reduce construction air quality emissions including the following:

1. Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.
2. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (eg. Install wheel shakers, wheel washers, and limit site access.) 34
3. All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
4. Pave all construction roads.
5. Pave all construction access roads at least 100 feet on to the site from the main road.
6. Limit fugitive dust sources to 20 percent opacity.
7. Require a dust control plan for earthmoving operations.
8. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of

the container shall be maintained.

9. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.
10. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
11. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
12. Extend grading period sufficiently to reduce air quality impacts below a level of significance.
13. The simultaneous disturbance of the site shall be limited to five acres per day.
14. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
15. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.
16. Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.
17. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period. 34
18. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*
19. Develop a trip reduction plan to achieve a 1.5 AVR for construction employees
20. Require high pressure injectors on diesel construction equipment.*
21. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.*
22. Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.*
23. Utilize only CARB certified equipment for construction activities.*
24. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.*
25. Restrict engine size of construction equipment to the minimum practical size.*
26. Use electric construction equipment where technically feasible.*
27. Substitute gasoline-powered for diesel-powered construction equipment.*
28. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
29. Use methanol-fueled pile drivers.*
30. Install catalytic converters on gasoline-powered equipment.*
31. Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel

formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

32. Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.*
33. All forklifts shall be electric or natural gas powered.*
34. Suspend use of all construction equipment operations during second stage smog alerts.*
35. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
36. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
37. Reroute construction trucks away from congested streets and sensitive receptor areas.*
38. Configure construction parking to minimize traffic interference.*
39. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
40. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
41. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
42. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
43. Require the use of Zero-VOC paints, coatings, and solvents.

(* Would reduce impacts to GHGs as well) 34

Mitigation measure (MM) 4.2.6.1B is uncertain and vague, requiring that contractors "utilize power sources…" This should be amended to read that contractors shall utilize electricity from power poles rather than temporary diesel or gasoline power generators. It is further unclear what is considered to be a "clean-fuel." 35

MM 4.2.6.1C requires that, during construction, contractors utilize Tier II equipment. This measure does not go far enough. At least Tier III equipment is feasible and must be required where such equipment is available. 36

MM 4.2.6.1K does not require any mitigation, only that "construction specifications and bid documents" include "notations." This language must specify that: "the following mitigation shall be required to be implanted and, to ensure implementation, included in grading plans, construction specifications, and bid documents…" Several of the mitigation measures recommended above are included in this section but are not required of the project due to this language. 37

MM 4.2.6.3A does not go far enough. The EIR does not demonstrate that implementation of all of the design features mentioned would be infeasible. Each of these measures must be required. 38

Furthermore, it is misleading. Title 24 deals with building energy efficiency, so SmartWay partnerships and other mitigation measures concerning mobile emissions and vehicle standards will not be required to be implemented. ***As most of this project's operational emissions will be derived from mobile sources, and no mitigation measures pertain to reducing these emissions, the mitigation required of this project does not incorporate all feasible mitigation***. The measures under the bullet "Lease purchase documents shall identify that tenants are encouraged to promote the following" should simply be *required* mitigation for the project unless shown to be infeasible. 39

Operational Emissions 40

Impact 4.2.6.3 is unclear.

The Operational Emissions generated by this project are substantial. For instance, the project's NOX emissions will be 990 lbs/day, 18 times the threshold of significance of a 55lb/day increase; CO emissions will well exceed the threshold of significance at 830 lbs/day, one and a half times the threshold of significance of 550; ROG emissions of 143 lbs/day are 2.6 times the 55 lb threshold, and PM10 well exceeds the 150lbs/day threshold at 170lbs/day. (Note: the rounding of emissions downward where such totals are, for instance, 990.93 for NOx, but this number is rounded down to 990, fails to disseminate the *maximum* daily emissions caused by this project.) 41

The mitigation measures adopted to reduce operational emissions fail to reduce mobile emissions, by far the main source of this project's operational emission. (*See,* Table 4.2.K) The project's non-mobile source operational emissions are essentially limited to ROG emissions, yet the mitigation measures focus on the energy efficiency of the building. (e.g. MM 4.2.6.3A) 42

MM 4.2.6.3A does not go far enough and is misleading. All this mitigation measure requires is that the project's building energy efficiency exceed Title 24 by 20 percent. This mitigation does not in any way require the implementation of each of the alternatives listed below. Moreover, as Title 24 deals with building energy efficiency, SmartWay partnerships and other mitigation measures concerning mobile emissions and vehicle standards **will not be required to be implemented in order to satisfy the actual requirement of this mitigation**. The listing of alternatives to satisfy this mitigation measure is misleading and causes the EIR to fail as an informational document. 43

The EIR does not demonstrate that requiring that the project implement each of the alternatives listed at MM 4.2.6.3A is infeasible. Each of these alternatives must be required of the project. 44

With regards to operational mobile source emissions, most of this project's operational emissions will be derived from mobile sources, and no mitigation measures directly pertain to reducing these emissions. ***The mitigation required of this project to reduce operational air quality impacts does not incorporate all feasible mitigation*** as it fails to require the mitigation listed at MM 4.2.6.3A under the bullet "Lease purchase documents shall identify that tenants are encouraged to promote the following" yet does not find such mitigation to be infeasible. These measures must simply be *required* mitigation for the project as these measures will actually 45

reduce the project's mobile source operational emissions. Likewise, as discussed above, each of the other alternatives listed at MM4.2.6.3 is feasible and must be required of this project.

The following mitigation measures are feasible and must be required of this project:

1. The operator of the primary facilities shall become SmartWay Partner.*
2. The Project shall meet SmartWay 1.25 ratings.*
3. The project shall use only freight companies that meet SmartWay 1.25 ratings.*
4. (ALTERNATIVELY from 2,3 above) The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
6. All fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.* 45
8. Install catalytic converters on gasoline-powered equipment.*
9. Where diesel powered vehicles are necessary, require the use of alternative diesel fuels. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
10. Electrical powered equipment should be utilized in-lieu of gasoline-powered engines where technically feasible.*
11. Utilize electrical equipment for landscape maintenance.*
12. All forklifts shall be electric or natural gas powered.*
13. Utilize electric yard trucks.*
14. Prohibit idling of trucks for periods exceeding three minutes.*

15. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
16. Charge reduced or no parking fee for EVs and CNG vehicles.*
17. Install EV charging facilities for a minimum of 10% of all parking spaces.*
18. Install a CNG fueling facility.*
19. Provide preferential parking locations for EVs and CNG vehicles.*
20. Implement parking fee for single-occupancy vehicle commuters.*
21. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
22. Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.*
23. Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.*
24. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.*
25. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.*
26. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.* — 45
27. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*
28. Provide a complimentary cordless electric lawnmower to each residential buyer.
29. Implement parking cash-out program for non-driving employees.*
30. Require each user to establish a carpool/vanpool program.*
31. Create a car sharing program within the planned community.*
32. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.*
33. Provide preferential parking for carpool/vanpool vehicles.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Provide secure, weather-protected bicycle parking for employees.*
36. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
37. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
38. Provide showers and lockers for employees bicycling or walking to work.*
39. Short-term bicycle parking for retail customers and other non-commute trips.*
40. Connect bicycle lanes/paths to city-wide network.*
41. Design and locate buildings to facilitate transit access, e.g., locate building entrances near

transit stops, eliminate building setbacks, etc.*

42. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
43. Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents.
44. Provide shuttle service to food service establishments/commercial areas.*
45. Provide shuttle service to transit stations/multimodal centers.*
46. Provide on-site child care or contribute to off-site child care within walking distance.*
47. Implement a compressed workweek schedule.*
48. Implement home-based telecommunicating program, alternate work schedules, and satellite work centers.*
49. All buildings shall be constructed to LEED Platinum standards.*
50. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.*
51. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.*
52. Install an ozone destruction catalyst on all air conditioning systems.*
53. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project. *
54. Purchase only green/ renewable power from the electric company.*
55. Install solar water heating systems to generate all hot water requirements.*

45

Cumulative Impacts

The finding of less than significant short-term cumulative impacts is unsupported by evidence in the record. The EIR finds that project individual construction emissions will be significant, and that other projects construction simultaneously will result in short term pollutant impacts. However, the EIR then states that because each project will have to comply with SCAQMD measures such cumulative impact is less than significant. This conclusion is unsupported by the EIR or any reasoning. In fact, here compliance with SCAQMD measures did not reduce short-term air quality impacts below a level of significance, and the presumption that it would for other area projects and the cumulative impact is completely unsupported by any evidence.

The project will result in significant and unmitigated cumulative operational impacts, yet not all feasible mitigation was adopted to reduce this impact. As discussed above, additional mitigation measures must be implemented to reduce operational impacts.

46

Biological Resources

The EIR finds that impacts to biological resources will be less than significant with mitigation based on outdated and limited surveys. The EIR therefore fails as an informational document.

47

Cultural Resources

The EIR finds that impacts to cultural resources would be less than significant with mitigation with regards to paleontological resource or unique geologic feature. The project site has a "high

48

potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits." The finding of less than significant impacts with mitigation is unsupported as the mitigation required for this potentially significant impact is deficient and fails to incorporate all feasible mitigation. 48

First, MM Cul-1 provides for discontinuing monitoring if "the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached." This mitigation measure is impermissibly vague as it fails to state what portion of the site must be excavated to maximum depth before this determination of "no evidence" is made. 49

Second, a qualified paleontological monitor may only "salvage fossils" or temporarily halt or divert equipment to remove large specimens while avoiding construction delays. This salvage of fossils fails to account for the potential importance associated with the placement of those fossils across the site or any study or documentation of the specimens at the site. The salvaging will also likely result in the loss of many paleontological resources as the purpose of the mitigation is demonstrated by this method to be, primarily, to "avoid construction delays" and not to avoid damaging paleontological resources. 50

MM Cul-1 also uses the qualification: "If too few fossil remains are found…"; this is impermissibly vague. There is no quantification of "too few" or objective way to determine whether this has occurred. 51

Overall, the mitigation required for archaeological resources fails to reduce impacts below a level of significance through vagueness and inherent deficiencies. Salvaging fossils also fails to further Objective 7.6 of the General Plan to "Identify and preserve Moreno Valley's unique historical and archaeological resources for future generations." The mitigation and potential impacts conflict with Policy 7.6.1 and 7.6.2 will not ensure that the archaeological resources are preserved or mitigated. It is also unclear from the EIR whether Conservation Element Programs, General Plan 9.7.3, program 7-6 has been incorporated where such program requires: "In areas where archaeological or paleontological resources are known or reasonably expected to exist, based upon the citywide survey conducted by the UCR Archaeological Research Unit, incorporate the recommendations and determinations of that report to reduce potential impacts to levels of insignificance." The EIR therefore fails to require all feasible mitigation, ensure enforceable mitigation, and fails as an informational document. 52

Geology and Soils

The project will require excavation, fill, and recompaction. The project description states that approximately 220,000 cubic yards of additional fill will be required. It is unclear whether the EIR considered impacts from the import of fill, such as traffic and air quality impacts from truck trips to and from the project site to the fill import site, an unknown location at this time. Some 80,000 cy of fill has already been imported to the site, yet the impacts from this fill dirt have 53

been segregated from the remainder for the project. Again, project impacts have been underestimated and improperly segmented. 53

The project is also located on a geologic unit or soil that is unstable as soil shrinkage and expansion may occur. The mitigation for expansive soils, MM Geo-2 is deferred and vague. Specifically, such mitigation requires that the project proponent "inform" engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the geotechnical analysis and that such guidelines "shall be reviewed and considered." The guidelines must be required of the project in order for such mitigation to certain and enforceable. 54

GHGs

The EIR finds that the project is consistent with GHG plans, policies, and regulations. The reasoning behind several of these findings is unsupported. For instance with regards to transportation, as discussed above, the project is unlikely does not reduce VMT. 55

Compliance with GHG reduction strategies is also unsupported. For instance, the EIR fails to delineate how an energy efficient building features support achieving a 33 percent renewable energy mix statewide, unless the building will be reliant on renewable energy. Similarly, the EIR fails to show how the project is compliant with engine efficiency measures where the project does not require the use of fuel efficient trucks. 56

There is no GHG reduction plan as part of the City of Moreno Valley's General Plan, hence Tier 2 SCAQMD criteria are improperly applied. Tier 2 criteria is intended for a plan that may be part of a local general plan, for example. Comparing the impacts from this project to statewide emissions in order to find such emissions to be less than significant is improper.

Tier 3 is more properly applied to the industrial project at hand. The screening level for Tier 3 per the December 5, 2008 the SCAQMD Governing Board adoption of interim GHG significance thresholds is less than 10,000 MTCO2eq/yr. CARB's threshold for the same is less than 7,000MTCO2eq/yr and meets construction and transportation performance standards. Applying these interim thresholds to this project, the project is far in exceedence with emissions in the range of 44,000 MTCO2eq/yr. The finding that the project will have a less than significant individual impact on GHGs and climate change is unsupported in light of the interim numerical thresholds established for industrial projects by SCAQMD and ARB, and these omissions cause the EIR to fail as an informational document. Notably, the GHG appendix E delineates these standards at page 22 (from 2010), but they are neither applied nor mentioned in the EIR. 57

The mitigation measure requiring the devising of a comprehensive water conservation strategy is vague and defers mitigation. There is no requirement that the alternatives listed be incorporated 58

or that the conservation strategy meet any performance standards. 58

Mitigation measure 4.3.6.1A is not mitigation, but a requirement of the California Code of Regulations. 59

Notwithstanding the above deficiencies, the EIR finds cumulative GHG impacts of the project to be significant and unavoidable. 60

Hazards and HazMat

The EIR finds, based on no substantial evidence, that this impact is less than significant. The EIR explains that "potentially hazardous materials…may be used and/or stored on site during the construction and/or occupancy of the proposed industrial facilities." As the tenant of the proposed industrial building is unknown, this impact should be considered potentially significant. Compliance with applicable laws does not necessarily reduce this impact below a level of significance. 61

Hydrology and Water Quality

The project will have a significant impact to water quality which will be mitigated below a level of significance, yet the EIR fails to undertake an evaluation of this impact beyond the cursory review done for the Environmental Assessment. 62

The project will alter the existing drainage onsite. Mitigation Measure Hyd-05 improperly defers mitigation as the EIR fails to provide any reason why the grading plan and/or drainage report cannot be presently prepared but, instead, must be deferred. Deferred mitigation is only permissible where, for practical reasons, it is not feasible to prescribe specific mitigation measures in the EIR. (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 94.) This caveat is not demonstrated here, and a grading plan and drainage report must be contemporaneously prepared for the EIR. 63

Land Use

The project will conflict with an applicable habitat conservation plan or natural community conservation plan. It is unclear how MM Bio-1 through MM Bio-4 will reduce this impact below a level of significance. The EIR thereby fails as an informational document and impacts to land use should be considered significant and unmitigated. 64

Noise

The EIR arbitrarily creates a threshold for significance for noise of a 3dbA increase, stating that only this level of increase is considered potentially significant and that a 3 dbA change is used as a threshold of significance. This 3dbA change is ***not*** a threshold of significance adopted by the City of Moreno Valley. (Guidelines § 15064.7) Furthermore, the statement that only audible 65

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changes in existing ambient or background noise levels are considered potentially significant is unsupported except by further conclusory statements. 65

The EIR also relies on the City's Municipal Code with regards to prohibited acts and noise disturbances. These figures too are not a threshold of significance and are not noise standards adopted by the City. Rather, they represent punishable acts and violations of the law. Exemptions from sound regulations likewise refer to punishable sound violations and not noise standards adopted by the City. 66

The noise standards adopted by the City are described in the General Plan, Section 6.4, which states that acceptable residential exterior noise standards are within 60-65 CNEL, and interior at 45 dbA CNEL. The City's municipal code sets limits for a noise disturbance as well at the limits of Table 4.4.F, at Residential 60 dBA daytime, 55 dBA nighttime; Commercial 65 dBA daytime, 60dBA nighttime. 67

The EIR states that the noise analysis was done using "the soft site propagation for noise" on the basis that the ground is not pavement in the project vicinity. However, the site itself will be paved, in addition to the roads that vehicles will travel to and from the site. Other uses surrounding the site are also paved and include industrial/warehouse uses to the north, industrial/warehouse and undeveloped property to the south, industrial/warehouse and a self-storage facility to the east, and warehouses, vehicle storage, residences, and undeveloped property to the west. While these uses are interspersed with vacant uses, agricultural and undeveloped land in the project vicinity is zoned for development and will be hastened towards that end through the development of this project and surrounding areas. Overall, the use of soft site analysis is unsupported by the EIR, and noise levels are likely to be much higher than those predicted by the EIR. 68

The noise study relies on a standard vehicle mix to determine traffic noise. This is unsupported given the locale and proposed project use as a distribution facility. 69

The EIR find that the project will increase traffic noise at 5 study roadway segments where four of these segments already exceed the level of significance for noise. This must be considered a significant impact as the project will result in an increase in ambient noise and such noise levels are and will be unacceptable at off-site land uses. 70

The project will also cause exposure and generation of noise levels in excess of General Plan and Municipal Code standards for construction and operation noise. The EIR wrongly looks at noise impacts at the nearest residence, where the proper measure is to look at noise generation at the property line. 71

The EIR concludes that loading and unloading will be "intermittent" and therefore less than significant. However, the warehouse will be a distribution warehouse, with trucks coming and 72

going, loading and unloading throughout the day. Accordingly, as noise levels will be 75 dBA at 50 feet, the noise impact is significant. 72

The EIR finds long-term traffic and operational noise impacts to be less than significant. However, the entire discussion in the EIR regarding noise is very conclusory and fails to provide any sources for the figures relied upon. 73

The Construction noise analysis is fatally flawed, as the source for typical construction equipment noise is quite outdated, from 1987. It is impossible that construction noise sources from 1987 have not been altered in 25 years. The EIR fails as an informational document by failing to rely on contemporary studies and data. The noise exposure during construction will be much greater than predicted by the EIR. (*See,* attached "Construction Noise Handbook," Chapters 3, 4, and 9, Federal Highway Administration, August 2006, <http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm>; and" Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis," Electronic Library of Construction Occupational Safety and Health, November/December 2002.) Nonetheless, the EIR concludes that noise levels during construction will be up to 91 dBA at 50 feet. 74

The project will have a significant impact from construction noise that is said to be mitigated below a level of significance. However, as discussed above, such mitigation may not be sufficient after analysis based on contemporary studies. Furthermore, the EIR relies on noise occurring between the hours required by the City. This is not mitigation but the law. 75

As it is uncertain that mitigation will reduce project impacts below a level of significance, the following additional mitigation must be required of the project: 76

1. Temporary noise barriers must be installed during project construction.
2. Where technically feasible, utilize only electrical construction equipment
3. During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.
4. Provide a "windows closed" condition requiring a means of mechanical ventilation (e.g. air conditioning) for all buildings.
5. Provide upgraded windows with a minimum Sound Transmission Class (STC) rating of 34 for all buildings, and/or require the installation of double-paned windows.
6. Keep new transportation facilities away from vibration sensitive areas.
7. When dealing with existing transportation facilities, obvious vibration causes, such as pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc., may be eliminated by resurfacing.
8. Require the use of rubberized asphalt for construction of all roadways and parking areas.
9. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.
10. Require resurfacing of roads.

11. Ban heavy trucks near vibration sensitive uses.
12. Use alternate construction methods and tools to reduce construction vibrations. Examples are predrilling of pile holes, avoiding cracking and seating methods for resurfacing concrete pavements near vibration sensitive areas, using rubber tired as opposed to tracked vehicles, placing haul roads away from vibration sensitive areas. 76
13. Scheduling construction activities (particularly pile driving) for times when it does not interfere with vibration sensitive operations (e.g. night time).

Mitigation Measure 4.9.6.1D does not mitigate for noise impacts during construction hours. 77

Cumulative noise impacts were found to be "No Impact." This conclusion is unsupported. The discussion of cumulative traffic noise impacts is unsupported. 78

Transportation

Traffic counts from the project are low given the project's 264 dock doors, parking for 368 trucks and trailers, and parking for 589 passenger vehicles. 79

The EIR fails to study many intersections that will be impacted by the project, particularly along Harley Knox Boulevard en route to I-215. Also, no freeway connection to the north was evaluated at Cactus, and no evaluation of impacts to the south to the Ramona Expressway was conducted. The EIR fails as an informational document by failing to study impacts to these intersections. The EIR also fails to look at future traffic impacts. 80

The EIR attempts to minimize the project's significant and unmitigated traffic impacts by segregating impacts to existing versus 2013 and local intersections and roadways versus freeway segments. 81

The project will result in significant and unmitigated cumulative traffic impacts, resulting in less 10 intersections and 4 roadway segments operating as below the City's LOS standard. Additionally, 3 freeway segments and ramp merge/diverge areas would operate at unsatisfactory levels of service. Despite these impacts, the project does not require any additional mitigation at these intersections or roadways beyond contribution to the DIF and TUMF. 82

The EIR finds that impacts to intersections and roadway segments within the DIF and TUMF programs will be reduced below a level of significance despite the fact that many of these improvements are not yet funded and will likely not be funded for some time. Mitigation is therefore uncertain and deferred. It appears that the only improvement currently planned is widening of Perris Boulevard, to be completed in May 2013. Nonetheless, the EIR finds that impacts based on Opening year 2013 plus project will be mitigated to less than significant at all significantly impacted roadway segments and intersections other than the I-215 segments and ramps. The fact that an improvement is part of the DIF or TUMF program does not ensure that it will soon be planned or funded, and surely does not ensure that it will be planned, funded, and 83

built by 2013 to reduce impacts to less than significant. 83

In fact, the roadways reliant on TUMF funds are not presently scheduled for improvement nor are the improvements funded. (*See, e.g., 2011 Annual Report, Transportation Uniform Mitigation Fee Program,* Western Riverside Council of Governments, "Five Year Transportation Improvement Program," <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>, p.39, *See, also,* <http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf> [detailing funded expenditures in the Central Zone]) Furthermore, TUMF improvements can take up to 9 years to become a reality from a local jurisdiction developing a project to completion of construction. (*2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra,* p.7) Project prioritization, programming, and allocation of funds may also be a barrier to improvements on the roadways impacted by this project. (*2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra,* p.10) The EIR's conclusion that project transportation impacts on local roadways and intersections is less than significant after mitigation is simply not supported by evidence and the realities of these fair share programs. 84

With regards to DIF funding, the EIR even states that, "As part of its Capital Improvement program, the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents." The finding of less than significant impact after mitigation at these impacted intersections and roadway segments is therefore unsupported as such reduction to a level below significance may not occur in the short-term, long-term, or ever if these roadways are not given priority. 85

Mitigation requiring direct funding and completion of improvements at impacted roadways and intersections must be required of the project unless demonstrated to be infeasible. As the project currently stands, not all feasible mitigation has been required of this project to reduce traffic related impacts below a level of significance, and mitigation is uncertain and deferred. 86

Consistency with Local and Regional Plans

The EIR finds that the project is consistent with the SCAQMD AQMP, however the EIR previously found that the project failed to meet SCAQMD's requirements with regard to air quality control for mobile sources and construction emissions. 87

Consistency with the Transportation chapter of the 2008 RCP is unsupported. The statement that the proposed project will "limit[] the need for vehicle travel" and therefore satisfy the goal of "A more efficient transportation system that reduces and better manages vehicle activity" is erroneous. As discussed above, the project will have significant and unmitigated traffic impacts, and reliance on the TUMF and DIF programs provides for uncertain mitigation for traffic impacts. 88

Consistency with the Economy Chapter is likewise unsupported by the EIR. The Goal of 89

"diversifying the region's economy" is not satisfied by "add[ing] to the City's portfolio of industrial services." Said another way, the project will add more industrial services to already existing/proposed industrial services, the opposite of diversifying the region's economy. 89

The EIR finds that the project is consistent with the Compass Growth Vision Principles, yet fails to evaluate how the project is consistent with these principles. The evaluation provides is generalized and fails to discuss how the project is, in fact, consistent with principles 1, 2, and 4 re: improving mobility, fostering livability, and promoting sustainability for future generations. The finding of inconsistency is unsupported by the EIR and, again, the EIR fails as an informational document. 90

Segmentation

The project site has already received 80,000 cubic yards of fill of the total 300,000 cubic yards required onsite. The impact from this fill importation was segmented from the project as a whole. Such importation, upon evaluation in the EIR, would likely push the project construction impacts further above several threshold of significance and would likely lead to the exceedance of PM2.5, among perhaps others. 91

Alternatives

Where there is an environmentally superior alternative that significantly decreases the significant impacts of the Project then that alternative must be approved rather than the Project if that alternative is feasible, even if the alternative would impede to some degree the attainment of the project objectives, or would be more costly. [(PRC§ 21002; *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 597, State CEQA Guidelines § 15126.6(b)]

In this case, both the no project alternative and the reduced intensity alternative would reduce impacts when compared with the project. The reduced intensity alternative would reduce several impacts below a threshold of significance when compared to the proposed project. The reduced intensity alternative would also satisfy most of the project objectives. Accordingly the reduced intensity alternative must be approved over the project. 92

The EIR undermines the reduced intensity alternative by claiming that impacts would be similar; this claim is entirely unsupported by the facts and figures provided in comparison. For instance, with regards to traffic impacts, the EIR finds that impacts to roadways and intersections would be reduces. The EIR then, however, finds that the impact "would be similar." The EIR also finds that the reduced intensity alternative fails to satisfy several project objectives; these findings are likewise unsupported by the evidence. For instance, the EIR states that the reduced intensity alternative fails to meet the objective of clustering industrial warehouses near efficient access points. However, the reduced intensity alternative does not move the project. Nonetheless, the reduced intensity alternative substantially reduces impacts and meets most 93 94 95

project objectives. Accordingly, it must be approved rather than the project. 95

Lastly, the final line of the environmentally superior alternative pertains to an alternative site. There is no discussion of an alternative site with regards to the reduced intensity alternative. The EIR is misleading and fails as an informational document by claiming that the reduced intensity alternative fails to meet objectives related to location because of an alternative site. 96

Conclusion

Thank you for your consideration of these comments and the attached and/or referenced material.

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

Attachments and Electronic Citations

(1) Western Riverside Council of Governments, *2011 Annual Report, Transportation Uniform Mitigation Fee Program,* <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>

(2) Western Riverside Council of Governments, *Funded Expenditures in the Central Zone,* <http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf.>

(3) The Press Enterprise, Jack Katzanek (February 1, 2012) *"Moreno Valley: Sketchers' warehouse has caused net job loss,"* <http://www.pe.com/business/business-headlines/20120201-moreno-valley-skechers-warehouse-has-caused-net-job-loss.ece>

(4) *The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>

(5) *Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf> 97

(6) Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>

(7) *Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>

(8) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

(9) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapters 3, 4, and 9* <http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm>

(10) Electronic Library of Construction Occupational Safety and Health (November/December 2002) *Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis.*

(11) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(12) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects*. 97

RAYMOND W. JOHNSON, Esq., AICP LEED GA
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Thirty years subdivision design: residential, commercial and industrial
- Thirty years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

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General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

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- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals
- Member, U.S. Green Building Council, LEED GA

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants. 97

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co. 97
Lee's Summit, MO 6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO 9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.
Project Coordinator 6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

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2.10 RESPONSE TO LETTER D

Johnson & Sedlack

Response to Comment D-1. The commentor has accurately summarized the general aspects of the proposed project. No further response is necessary.

Response to Comment D-2. The City agrees that the major tenent of CEQA is that it is a disclosure process; therefore, your letter along with all the other comments and responses will be forwarded to the City decision makers for their consideration in the review of the EIR. No further response is necessary.

Response to Comment D-3. The commentor's opinions on the quality of the environmental assessment that was done will be forwarded to the decision-makers for their consideration. The City disagrees with the commentor's generalized assertions regarding the adequacy of the VIP Moreno Valley Draft EIR. The comment that the conclusions in the EIR are not based in fact is erroneous. The Draft EIR is based on the findings of technical studies that were prepared for the project that were included in their entirety in the appendices to the Draft EIR. Those studies are:

- General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., August 1, 2010.
- Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009.
- Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 9, 2009.
- Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 11, 2009.
- Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California, Michael Brandman Associates, March 22, 2007.
- Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007.
- Phase I Environmental for the Evaluation of Potentially Hazardous Materials, Centec Engineering, February 23, 2007.
- Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., March 27, 2009.
- Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., July 24, 2009.
- Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004, Eastern Municipal Water District, January 20, 2010.
- LESA Modeling Worksheets, LSA Associates, Inc., August 2011.
- Air Quality Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.
- Health Risk Assessment VIP Moreno Valley, LSA Associates, Inc., March 2012.

- Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., December 2011.
- Noise Impact Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.
- Traffic Study VIP Moreno Valley, LSA Associates, Inc., April 9, 2012.

The Initial Study that was prepared for the proposed project determined that impacts on biological resources, cultural resources, geology, and hydrology and water quality would be less than significant with the implementation of mitigation not potentially significant requiring further analysis in an EIR. Those specific mitigation measures are identified in the Initial Study, Section 2.0 of the EIR and are also included in the Mitigation Monitoring and Reporting Plan (MMRP) attached to the Final EIR. The City formally initiated the environmental process with circulation of an NOP along with the Initial Study , which it sent to responsible agencies and interested individuals for a 30-day review period from August 26 to September 26, 2011. At the close of the public review period, the City had received 12 letters on the NOP. The NOP disclosed that an EIR would be prepared and the issues that would be addressed are agricultural and forest resources, air quality, greenhouse gases and global climate change, noise and transportation. None of the responses to the NOP asked that biological resources, cultural resources, geology, and hydrology and water quality be evaluated in the EIR. As a result the City is not concealing information from the public on the significance of impacts.

Response to Comment D-4. The City respectfully disagrees with the commentor's opinion that the findings in the EIR are not supported by substantial evidence. (also refer to Response to Comment D-3).

Response to Comment D-5. As appropriate, a portion of the mitigation measures suggested by the commentor (refer to Response to Comment D-45) have been incorporated in the Final EIR to further reduce impacts but these mitigation measures do not change the conclusions or analysis in the Draft EIR. All mitigation measures that are in the Draft EIR and mitigation added as a result of responses to D-45, D-34 and E-51 through D– 53 have been included in the MMRP (Section 4.0 of the Final EIR) to ensure that they are being implemented.

Response to Comment D-6. It is the commentor's opinion that the mitigation measures in the EIR are vague, uncertain, and unenforceable and are not based in fact nor does the commentor provide any examples. As detailed in the following responses, appropriate and enforceable mitigation of the project's significant individual and cumulative impacts have been identified in the Draft EIR.

Response to Comment D-7. It is not clear as to what the commentor is referring to in stating "several "alternatives" listed in the EIR will not satisfy the actual mitigation required, while other mitigation measures merely require the incorporation of writings, not actions."

The alternatives (Section 6.0 of the Draft EIR) are in compliance with *CEQA Guidelines* Section 15126.6(a), where the Draft EIR describes "a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (*CEQA Guidelines* Section 15126.6(b)). The discussion of project alternatives must "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." The alternatives are to "substantially lessen the significant effects of the project", not to satisfy the actual mitigation required.

It is not clear by what the commentor means as to the mitigation measures "merely require incorporation of writings" and no examples were provided by the commentor to clarify the meaning of the statement.

Response to Comment D-8. The commentor inaccurately suggests that the project should be required to obtain a LEED gold or platinum rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions impacts. The process of obtaining a LEED rating of any level (LEED ratings levels are Certified, Silver, Gold, and Platinum, with Platinum being the highest) is not mitigation. However, the specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. As stated in Mitigation Measure 4.2.6.3.A (Draft EIR page 4.2-26): *"Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:"* With implementation of this measure, the building will meet the 20% performance standard which will render greenhouse gas emissions impacts to a less than significant level on a project-specific basis.

Regarding air quality impacts, many of the suggested mitigation measures have been added in the Final EIR, are incorporated in the Draft EIR already, or were determined to be infeasible. For a list of those mitigation measures please refer to the Tables contained in Response to Comments D-34 regarding construction mitigation measures and D-45 regarding operational mitigation measures.

For clarification purposes, the Level of Significance After Mitigation conclusion regarding the project-specific impact associated with climate change and greenhouse gas emissions that appears on page 4.3-26 has been modified as shown below and as indicated in Section 3.0 Errata in the Final EIR:

Draft EIR, Section 4.3.6.1 Greenhouse Gas Emissions, Page 4.3-26

> **Level of Significance After Mitigation.** The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~ on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable.

Response to Comment D-9. Please see Response to Comment D-8. In addition, a portion of the air quality mitigation measures suggested by the commentor have been incorporated to further reduce air quality and impacts. Please refer to the Table contained in Response to Comment D-45. However, these mitigation measures do not change the conclusions or analysis in the Draft EIR.

Response to Comment D-10. The commentor incorrectly asserts that the project's traffic impacts are not fully mitigated through contribution to TUMF and DIF. As elaborated in Responses to Comments D-82 through D-85, the project's payment of these fees will result in full and complete mitigation.

Response to Comment D-11. The commentor incorrectly asserts that the environmentally superior alternative meets most project objectives and must be approved instead of the proposed project. Although the environmentally superior alternative (reduced density) will result in reduced air pollution and GHG emissions, impacts associated with these issues would remain significant and unavoidable for air quality, greenhouse gas emissions, and traffic in the same manner as the proposed project (see Draft EIR Section 6.4 Comparison of Project Alternatives, Table 6.K, page 6-31). Also refer to Responses to Comments D-92 through D-95 for further elaboration on this subject.

Response to Comment D-12. While the Draft EIR does acknowledge that "*Development of the project site would introduce a new source of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings*" the Draft EIR does not state that the project would result in the introduction of a substantial new source of light as asserted by the commentor. The Draft EIR includes an analysis of potential light and glare impacts that may occur as a result of project implementation.

As noted in the Draft EIR, "*project-related lighting impacts were determined to be less than significant because all development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses. Therefore, impacts associated with this issue are less than significant and no mitigation is required.*"

Response to Comment D-13. The commentor misidentifies the existing farmland designations on-site. As detailed in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-5), "*Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland,*[1] *16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance.*" No Unique Farmland exists on-site. Additionally, the Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of farmland to a non-agricultural use (Draft EIR Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-14).

Response to Comment D-14. The comment is noted. As described in Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-10 of the Draft EIR, "*The conversion of the 16.89 acres of on-site Prime Farmland would be equivalent to 0.03 percent of the total loss of Prime Farmland in the County during this period. Similarly, the conversion of the 16.23 acres of on-site Farmland of Statewide Importance would be equivalent to 0.07 percent of the total loss of Farmland of Statewide Importance in the County during this period. The conversion of the 38.69 acres of on-site Farmland of Local Importance would be equivalent to 1.89 percent of the total loss of Farmland of Local Importance in the County during this period.*" This level of conversion expressed in percentages that would occur with project implementation over the course of a two-year reporting period for the County

[1] Important Farmland Map Riverside County, Farmland Mapping and Monitoring Program, 2004.

does not represent a substantial conversion of farmland within the County. Furthermore, the Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of on-site farmland to a non-agricultural use (Draft EIR, Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-14).

Response to Comment D-15. There are no agricultural land uses designated or zoned adjacent to the proposed project site. As described in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-1), "*Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north; industrial/warehouse and undeveloped property to the south; industrial/warehouses and a self-storage facility to the east; and warehouses, vehicle storage, residences, and undeveloped property to the west. Active agricultural operations (alfalfa) take place on properties located to the southwest of the project site, west of Indian Street and south of Harley Knox Boulevard*". The active agricultural uses identified in the Draft EIR are approximately 1,000 feet away.

The Draft EIR does not play down the effect of on-site development on adjacent agricultural uses or on properties along truck routes or citywide. As identified in the Draft EIR (Section, 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12), "*the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the '…orderly conversion of agricultural lands.' The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development.*" As described in the Draft EIR, the City's General Plan and General Plan EIR have considered and evaluated the eventual and expected conversion of agricultural activity within the City. The City has already anticipated the eventual conversion of all agricultural activity within the City.

Furthermore, to predict potential impacts of the conversion of active agricultural operations that are occurring citywide as a result of the implementation of the proposed project is speculative and outside the scope of the Draft EIR and CEQA. Agricultural activity within the City is an interim use until such time a development proposal is submitted for a particular project, which cannot be predicted.

Response to Comment D-16. The potential mitigation measures identified in this comment are not considered to be feasible by the City of Moreno Valley as determined in the City's General Plan EIR. As identified in the Draft EIR (Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-13), "*Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. The City does have the ability to encourage property owners to participate in Williamson Act programs; however, this is expected to result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. The land would then be available to be developed with urban uses.*

Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified."

The Table below contains the suggested mitigation measures by the commentor. The responses determine whether the Draft EIR contains the mitigation measure, if the mitigation will be added mitigation as part of the Final EIR, or if it will not be included and why.

Suggested Mitigation Measure	Response
1. The purchase of agricultural conservation easements;	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*)
2. Transfer of development rights;	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable.
3. Acquisition of farmland by the city or county;	**Economically infeasible**. Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations.
4. Mitigation banking;	**Economically infeasible**. Neither the City of Moreno Valley or the County have a mechanism in place for mitigation banking. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. In addition, there is not any agricultural zoned land in the City for the City or County to purchase.

Suggested Mitigation Measure	Response
5. The establishment of "urban limits," greenbelts, and buffers;	**Not sufficient.** Will not result in permanent protection of agricultural lands. There is no mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations.
6. The payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements;	**Economically infeasible**. Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See (Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) In addition, there is not any agricultural zoned land in the City for the City or County to purchase and there is no existing fee program for farm land in the City.
7. Planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. In addition the project is an industrial project which the site is planned for in the City's General Plan since 1987. In addition, this is not a residential project. The proposed mitigation is not applicable. The project won't promote "leapfrog" development since the area surrounding the project site is developed.

Response to Comment D-17. Please refer to Response to Comment D-16.

Response to Comment D-18. This comment is noted. The commentor has correctly identified potential air quality impacts of the proposed project. The Draft EIR also identifies the same significant and unavoidable air quality impacts as occurring during construction and operation of the project (Draft EIR Section 4.2 Air Quality, pages 4.3-23, 4.2-25 and 4.3-28 through 4.3-29).

Response to Comment D-19. The Draft EIR Section 4.2 Air Quality includes a discussion of the applicable SCAQMD regional rules that are required of all development within the South Coast Air Basin as well as project-specific mitigation measures. The Draft EIR distinguishes between measures that are required by rules enforced by the SCAQMD and proposed mitigation measures identified to reduce potential impacts. The Draft EIR then presents data reflecting the anticipated reduction of emissions achieved as a result of both rules enforced by the SCAQMD and project-specific mitigation measures. The Draft EIR includes text on page 4.2-21 stating, "*To facilitate monitoring and compliance, applicable SCAQMD regulatory requirements are restated in the following mitigation. These measures shall be incorporated in all project plans, specifications, and contract documents.*" No further discussion is required.

Response to Comment D-20. This comment is noted. The commentor has correctly identified existing ambient air quality conditions in the project vicinity and the location of the nearest sensitive receptors. The Draft EIR Section 4.2 Air Quality, Table 4.2.D page 4.2-5 and page 4.2-6 (Section 4.2.1.5 Sensitive Land Uses in the Project Vicinity) also identifies the same ambient air quality conditions and locations of the nearest sensitive receptors.

Response to Comment D-21. The Draft EIR Section 4.2.3.4 Local Policies, page 4.2-9, includes a discussion of the City's General Plan and the policies relevant to air quality. The goals, objectives, and policies cited by the commentor are in portions of the General Plan that deal with public safety and energy conservation, but are included here to address the comment:

Ultimate Goal VII: Emphasizes public health and safety, including, but not limited to, police, fire, emergency and animal services and protection from floods and other hazards.

> *Response:* Section 2.5.10 of the Draft EIR addressed public health and safety relative to the cited public services, and Section 2.5.12 of the Draft EIR addressed utilities including energy use (i.e., the wise use of energy is considered energy conservation). The Draft EIR evaluated these issues and determined that the proposed project would not have significant impacts related to public health and safety (public services) and energy use/conservation with implementation of the project as proposed with the recommended mitigation. Therefore, the proposed project is consistent with this goal.

Goal 6.1: To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property.

> *Response:* Section 4.2 of the Draft EIR addresses health impacts related to air quality (i.e., health risk assessment), Section 2.5.5 of the Draft EIR addresses hazards and hazardous materials, Section 2.5.4 of the Draft EIR addresses geotechnical hazards, and Section 2.5.6 addresses water-related hazards. The EIR concluded that these impacts would be less than significant based on the design of the project and implementation of recommended mitigation measures except for specific daily thresholds for construction and operational air pollutants.
>
> NOTE: The project's consistency with Objective 7.5 and Policies 7.5.1, 7.5.2, and 7.5.5 regarding energy efficiency is included in Chapter 4.3 Climate Change and Greenhouse Gases, which begins on Draft EIR page 4.3-1. However, the following information is provided for the reader's convenience.

OBJECTIVE 7.5: ENCOURAGE EFFICIENT USE OF ENERGY RESOURCES.

> *Response:* Section 2.5.12 of the Draft EIR examines the project's use of energy resources such as electricity and natural gas and concludes that the potential impacts will be less than significant after compliance with the State's new "Green Building Code" (Title 24) including strict energy conservation requirements. In addition, Mitigation Measure 4.2.6.3A (under Air Quality) also addresses energy conservation.

Policy 7.5.1: Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand.

> *Response:* Sections 2.5.12 (Utilities) and 4.2 (Air Quality) of the Draft EIR addresses the design of the project relative to wise energy use (i.e., energy conservation) and determined that impacts in this regard would be less than significant with implementation of the state Green Building Code as well as implementation of Mitigation Measures 4.2.6.3A.

Policy 7.5.2: Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles.

> *Response:* The proposed project does implement the recommended improvements related to private development in this policy (i.e., bicycle racks, pedestrian access).

Policy 7.5.5: Encourage the use of solar power and other renewable energy systems.

Response: The proposed project does not have a specific end user at this point, but the building design will allow for future installation of solar photovoltaic and solar hot water heating for the office area.

Summary. As stated in section 15002 of the CEQA Guidelines, the basic purposes of CEQA are to 1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities; 2) Identify ways that environmental damage can be avoided or significant reduced; 3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternative or mitigation measures when the governmental agency find the changes to be feasible; and 4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved. While the suggested goals are not cited in the Draft EIR for reasons stated previously, this Draft EIR meets the basic purposes of CEQA and adequately discloses potential project-related effects to human health and the environment within Sections 4.2 Air Quality (beginning on page 4.2-1), 4.3 Climate Change and Greenhouse Gases (beginning on page 4.3-1), 4.4 Noise (beginning on page 4.4-1), and 4.5 Transportation (beginning on page 4.5-1).
Based on project design, compliance with existing regulations and implementation of the recommended mitigation measures protects public health and safety and achieves responsible energy conservation to the extent required by the lead agency under CEQA. Therefore, the proposed project is consistent with these General Plan goals, objectives, and policies.

Response to Comment D-22. Since there is no specific end user identified at this time, it is not known if employees will be relocated from another facility. It should be noted that even relocation of an existing use from elsewhere in the region still benefits the local economy. The relocation of employees may have an indirect employment impact in other jurisdictions but an overall neutral effect on the region (likely the jobs would still stay within the region). It is speculative to predict such employment changes since the end user is not known at this time. The cited online article makes no assertion that vehicle miles travelled (VMT) were increased due to an employee transfer and the commentor provides no evidence that this was the case in that example. The context of the analysis the commentor is commenting on relates to the project's consistency with the Air Quality Management Plan (AQMP) and how the project may accommodate the expected increase in population and employment in the City. The project is consistent with existing General Plan and Zoning designations and therefore it is reasonable to assume that given the proximity of existing homes and existing commercial uses in the area coupled with the City's existing low jobs-to-housing ratio (i.e., below the existing SCAG jobs-to-housing ratio), the project has the potential to minimize the VMT within the community.

Response to Comment D-23. The Draft EIR does not find that the project will minimize VMT compared to a "typical" large industrial/warehouse type project. However, this project provides the opportunity for a reduction in employee-related VMT because the proposed project will create jobs and provide the opportunity for City of Moreno Valley residents to find employment close to their homes. Because of the high unemployment levels in the City of Moreno Valley, this potential is real. However, the commute travel reduction is virtually impossible to calculate. Nonetheless, the project will create the potential for reduction in commuting distances for employees that reside in the City or in other municipalities near the project site.

Response to Comment D-24. The conclusion referenced in this comment is based on the previous assessment of localized operational impacts to sensitive receptors (Section 4.2.5.4). Because the project would not result in any exceedances of localized operational emissions thresholds,

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operational acute health risk impacts are expected to be less than significant. Additional language has been added to Section 4.2.5.5 of the Section 3.0 Errata Final EIR to refer the reader back to the previous Section 4.2.5.4 to clarify this point.

Draft EIR Section 4.2.5.5, Operational-Acute Health Risk Impacts Page 4.2-18

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. As previously identified in Section 4.2.5.4, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. Similarly ~~Therefore~~, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

Response to Comment D-25. The HRA analysis provided in the Draft EIR Section 4.2.5.5 Operational-Acute Health Risk Impacts, page 4.2-18, evaluated the health risk levels at all locations within the area covered by the receptor grid which covers the area surrounding the project and extends out to beyond where the project contribution to ambient air quality is measurable. As stated in the technical Health Risk Analysis (HRA) prepared for the project: Receptors were placed at a grid approximately five by five miles to characterize the regional risk levels and at locations of all identified sensitive receptors" (see page 12 of the HRA contained in Appendix D-2 of the Draft EIR). Within the accuracy of the air dispersion model, using a grid of receptors to allow the display of area-wide distributions and wind effects is a much better indication of predicted pollutant concentrations than only placing a single receptor at a location of interest. This is in accordance with SCAQMD HRA methodology. Furthermore, the HRA considers a worst-case scenario (i.e., health risks at the nearest receptors); therefore, it can be expected that health risks at locations further away would be less than that at the nearest receptors.

Response to Comment D-26. This comment is noted. The HRA analysis provided in the Draft EIR Section 4.2.5.5 Operational-Acute Health Risk Impacts and Section 4.2.5.6 Operational-Chronic Health Risk Impacts, page 4.2-18 includes all health risks for which there are accepted analysis methods. The health effects described in the comment do not have methodologies to support inclusion.

Response to Comment D-27. This commentor is stating the facts on diesel emissions provided by the SCAQMD and is noted. No response is required.

Response to Comment D-28. This comment is a statement of fact and is noted. No response is required.

Response to Comment D-29. The HRA analysis provided in the Draft EIR, Section 4.2.5.6 Operational-Chronic Health Risk Impacts, page 4.2-18 accounted for the health risks to all the populations affected by the predicted emissions from the project operations including children. In addition the Draft EIR, Section 4.2.1.5 Sensitive Land Uses in the Project Vicinity, page 4.2-6 identifies those sensitive receptors in the area of the proposed project that are sensitive to air pollutants, which includes residences, schools, medical offices, convalescent facilities, and similar uses. The susceptibility of various portions of the population, including infants and children as well as older people are all considered and analyzed, which includes diesel emissions, in both the air quality and HRA sections of the Draft EIR (Sections 4.2 and 4.3, respectively).

Response to Comment D-30. This comment is a statement of fact and is noted. The City of Moreno Valley General Plan is the governing body for the proposed project not the Riverside County General Plan. Consistency of the project with the Riverside General Plan is not required.

Response to Comment D-31. This comment is a statement of fact and is noted. The commentor does not provide a reference for the statement and there is confusion as to how the bullet item relates to the analysis in the Draft EIR. No response is required.

Response to Comment D-32. This comment is a statement of fact and is noted. The commentor does not provide a reference for the statement and there is confusion as to how the bullet item relates to the analysis in the Draft EIR. The proposed project and the respective HRA prepared for the project and summarized in the Draft EIR, complies with the City of Moreno Valley General Plan policies. The City of Moreno Valley General Plan is the governing body for the proposed project not the Riverside County General Plan. Consistency of the project with the Riverside County General Plan is not required.

Response to Comment D-33. The section title has been changed to reflect that the analysis considers all construction emissions and the change is provided in Section 3.0 Errata in the Final EIR.

Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-19

4.2.6.1 Construction ~~Equipment~~ Emissions

Response to Comment D-34. The data shown in Table 4.2.I of the Draft EIR contains typographical errors; however, Table G: Short-Term Regional Construction Emissions in the Air Quality report (Appendix D-1) in the Draft EIR is correct. The 5.95.9 lbs/day of ROG is a typographical error; the actual emission value is 5.9. The 3434 lbs/day of NO_x is also a typographical error; the actual emission value is 34 lbs/day (see Draft EIR Appendix D-1, Air Quality Study). The numbers in Table 4.2.1 under Fugitive Dust PM_{10}, Exhaust PM_{10}, Fugitive $PM_{2.5}$ and Exhaust $PM_{2.5}$ are also typographical errors and now match the table in the Air Quality Report in Appendix D-1inthe Draft EIR. The amendments to Table 4.2.1 do not change the analysis or the conclusions in the Section 4.2 Air Quality in the Draft EIR. The changes to Table 4.2.I have been included in Section 3.0 Errata in the Final EIR.

Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-20.

Table 4.2.I: Short-Term Regional Construction Emissions

Construction Phase	Pollutant Emissions (lbs/day)							
	ROG	NO_X	CO	SO_2	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	~~1.8~~ 11	~~0.33~~ 4.1	~~0.02~~ 0.18	~~0.32~~ 3.9
Architectural Coating	72	3.7	11	0.01	~~0.2~~ 1.8	~~2.9~~ 0.33	~~0~~ 0.02	~~2.9~~ 0.32
Paving	5.95~~.9~~	34~~34~~	22	0.03	~~329~~ 0.2	~~17~~ 2.9	~~4.4~~ 0	~~16~~ 2.9
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the mitigation measures suggested for inclusion by the commentor and if it is already included in the Draft EIR, if will be added mitigation as part of the Final EIR, or if will not be included and why.

Suggested Mitigation Measure	Response
1. Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
2. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (eg. Install wheel shakers, wheel washers, and limit site access.)	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
3. All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1R** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
4. Pave all construction roads.	**Not Included**. All roads surrounding the site are already paved. This suggested mitigation measure is not warranted.
5. Pave all construction access roads at least 100 feet on to the site from the main road.	**Not Included.** This suggested mitigation measure is not included in Section 4.2 Air Quality of the Draft EIR because it is impractical to pave construction roads onsite. It is infeasible and ineffective to pave roads within the site as the

Suggested Mitigation Measure	Response
	entire site will be graded to process the 220,000 cubic yards of fill to be imported. Such temporary pavement would present unnecessary obstacles and would be destroyed in the process of construction. Paving construction roads within construction areas unnecessarily increase VOC generation, with little or no discernible reduction in other air pollutant emissions. Fugitive dust control is already addressed by **Mitigation Measures 4.2.6.1E** and **4.2.6.1F**.
6. Limit fugitive dust sources to 20 percent opacity.	**Not Included.** The context of this suggested mitigation measure is unclear. It is not feasible to limit fugitive dust *sources* to 20 percent opacity. It is inferred that the commentor is suggesting that fugitive dust *emissions* should be limited to 20 percent opacity consistent with SCAQMD Rule 403. SCAQMD Rule 403 is a regional requirement required of all development within its jurisdiction; therefore, the project is required to adhere to this requirement.
7. Require a dust control plan for earthmoving operations.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** and **4.2.6.1L** on page 4.2-23.
8. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-24) of the Air Quality Section as **Mitigation Measure 4.2.6.1N** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
9. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1O** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
10. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
11. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
12. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Not Included.** This suggested mitigation measure is not included in Section 4.2 Air Quality of the Draft EIR because extending the grading period would not likely achieve a level of reduction great enough to reduce air quality impacts during the grading phase. In fact, extending the grading period would result in an increase in worker vehicle and construction equipment-related emissions, increasing the severity of the impact. In addition, the same quantity of fugitive dust would be emitted to the air basin under this suggestion and impacts associated with regional emissions would not be reduced. Also refer to the response to #13 below.
13. The simultaneous disturbance of the site shall be limited to five acres per day.	**Not Included.** As noted in the CalEEMod manual, "*In order to properly grade a piece of land multiple passes with equipment may be required. The acres is based on the*

Suggested Mitigation Measure	Response
	equipment list and days in grading or site preparation phase according to the anticipated maximum number of acres a given piece of equipment can pass over in an 8-hour workday. The equipment specific grading rates are given in the table below as determined by SCAQMD in consultation with building estimator references." Thus, the CalEEMod calculates a total grading disturbed area many times the size of the project site based on the idea that there are multiple graders, dozers, scrapers, etc. making multiple passes during any one day. This suggested measure to limit simultaneous disturbance of the site to 5 acres per day would not change the results of the air quality modeling and projected air emissions identified in the Draft EIR and in fact may increase emissions due to the grading inefficiencies created by this restriction. By grading a smaller area it prolongs the grading process and releases dust and vehicular emissions (grading construction workers going back and forth to the site over a greater period of time and grading equipment moving around the site) into the air basin over a longer period of time. By grading five acres a day of a minimum grading of 7 days based on a 71 acre site at 10 acres a day the grading would be prolonged to 14 days. There are also logistical considerations getting construction equipment and people back and forth to the site. In addition, there are no sensitive receptors located in close proximity to the project site that would be affected by the dust.
14. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1P** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
15. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measures 4.2.6.1E** and **4.2.6.1G** on page 4.2-22.
16. Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.	**Not Included.** It is not clear what is being suggested by this measure. Trackout (i.e., dirt deposition) is addressed through adherence to **Mitigation Measure 4.1.6.1K**.
17. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1D** on page 4.2-22. While **Mitigation Measure 4.2.6.1D** does not specify the formulation of a high wind response plan as suggested, this mitigation measures requires that clearing, grading, earthmoving, or excavation activities cease upon 25 mph winds or greater. This requirement in combination with other dust control measures outlined in the Draft EIR will accomplish the intent of the suggested mitigation measures stated here.
18. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1S** and summarized in the Errata Section of the Final EIR to include a similar requirement regarding

Suggested Mitigation Measure	Response
large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	scheduling truck trips during non-peak hours as suggested. Approval of a truck haul route is already required prior to grading permit approval. commentor
19. Develop a trip reduction plan to achieve a 1.5 AVR for construction employees	**Not Included.** This suggested mitigation measure is not feasible because construction of this type typically requires a large number of small contractors rather than one large contractor such as for large public works projects. Having multiple small contractors means that workers come from many areas and do not work for the same company, therefore, making efforts to coordinate their carpooling ineffective and infeasible. As noted in **Mitigation Measure 4.2.6.1K**, documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs. In addition, it should be noted that California Public Health and Safety Code Section 40717.9 states that a "public agency shall not require an employer to implement an employee trip reduction program unless the program is expressly required by federal law and the elimination of the program will result in the imposition of federal sanctions, including, but not limited to, the loss of federal funds for transportation purposes."
20. Require high pressure injectors on diesel construction equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
21. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.	**Not Included. Mitigation Measure 4.2.6.1C** which requires CARB Tier II Certified equipment or better (page 4.2-21) is identified in the Draft EIR. Where feasible, CARB Tier II Certified equipment or better will be used during construction of the project. The suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
22. Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.	**Not Included. Mitigation Measure 4.2.6.1C** which requires CARB Tier II Certified equipment or better (page 4.2-21) is identified in the Draft EIR. Where feasible, CARB Tier II Certified equipment or better will be used during construction of the project. infeasible because of CARB off-road regulation changes approved in 2011 making exhaust retrofits of particulate traps no longer mandatory that requiring their use is not feasible.
23. Utilize only CARB certified equipment for construction activities.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1C** on page 4.2-21.
24. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1M** on page 4.2-23.
25. Restrict engine size of construction	**Included.** This suggested mitigation measure is already

Suggested Mitigation Measure	Response
equipment to the minimum practical size.	included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
26. Use electric construction equipment where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
27. Substitute gasoline-powered for diesel-powered construction equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
28. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
29. Use methanol-fueled pile drivers.	**Not Included.** Project construction does not require use of pile drivers.
30. Install catalytic converters on gasoline-powered equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-23.
31. Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM_{10} and NO_x reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NO_x and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Not Included.** It has been determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Additionally, SCAQMD has previously confirmed that PuriNox is not expected to be commercially available in the foreseeable future. Thus, the suggested mitigation measure is not capable of being accomplished in a successful manner within a reasonable period of time because PuriNox is not available commercially. In addition, the requirement to use alternative diesel fuel depends on the availability of such fuel which according to the SCAQMD is not available.
32. Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
33. All forklifts shall be electric or natural gas powered.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
34. Suspend use of all construction equipment operations during second stage smog alerts.	**Incorporated.** As noted on the SCAQMD website (http://www.aqmd.gov/aqmd/index.html), the Basin has not experienced a Stage II smog alert since the 1980's. This is due to cleaner burning fuels in vehicles and more stringent rules BY AQMD regarding PM_{10} and $PM_{2.5}$. While the occurrence of a Stage II smog alert cannot be predicted. It is reasonable to assume that a Stage II smog alert would not occur during the construction phase of this project. However, as precaution the mitigation measure has been added to the Errata Section of the Final EIR as a bullet item under **Mitigation Measure 4.2.6.1K.**
35. Provide temporary traffic controls such as a	**Incorporated.** Additional text has been added to Section

Suggested Mitigation Measure	Response
flag person, during all phases of construction to maintain smooth traffic flow.	4.2.6.1 (page 4.2-24) of the Air Quality Section as **Mitigation Measure 4.2.6.1Q** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
36. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Not Included.** The project site is bounded by Perris Boulevard to the east, Grove View Road to the north, Indian Street to the west, and Perris Valley Storm Channel (PVSC Lateral D unimproved service road) to the south. Perris Boulevard and Grove View Road are improved with curb and gutter on lanes adjacent to the project site, while Indian Street contains a strip of unimproved right-of-way adjacent to the project site. Perris Boulevard contains a raise center median, so left-turn access to/from the site is not possible. Access onto the project site is readily available along Grove View Road and Indian Street. Grove View Road is a low-volume street containing a center two-way left turn lane and already contains adequate provisions for truck access to the site. It is anticipated that the truck haul route permit will require that trucks access the site via Gove View Road.
37. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1T** and summarized in the Errata Section of the Final EIR as suggested. Approval of a truck haul route is already required prior to grading permit approval.
38. Configure construction parking to minimize traffic interference.	**Not Included.** The project site is bounded by Perris Boulevard to the east, Grove View Road to the north, Indian Street to the west, and Oleander Avenue (PVSC Lateral D unimproved service road). Perris Boulevard and Grove View Road are improved with curb and gutter on lanes adjacent to the project site, while Indian Street contains a strip of unimproved right-of-way adjacent to the project site. Access onto the project site is readily available along Perris Boulevard, Grove View Road and Indian Street. Construction parking is expected to be onsite at the discretion of the construction contractor to facilitate construction of the site.
39. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
40. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
41. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Not Included.** This suggested measure is counterproductive to the suggested measures identified in row 40 above and **Mitigation Measure 4.2.6.1K**. In addition, construction workers tend bring their own lunch because they take a limited lunch break. For this reason, the suggested measure will result in additional vehicular emission as compared to without the suggested measure. Thus, this suggested measure is not warranted.
42. Provide shuttle service to transit stations/multimodal centers for the	**Not included. .** This mitigation measure is not practical since the nearest multimodal center is in downtown Riverside

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Suggested Mitigation Measure	Response
construction crew.	located 14.5 miles northwest of the project site. In addition, the Riverside Transit Authority (RTA) has an established bus route, No. 19, which services the project area and the site. The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary.
43. Require the use of Zero-VOC paints, coatings, and solvents.	**Included.** To the extent feasible, this suggested mitigation measure is partially included (low-VOC vs. zero-VOC) in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1J** on page 4.2-23 in accordance with SCAQMD Rule 1113.

~~* Would reduce impacts to GHGs as well~~

Response to Comment D-35. The language in Mitigation Measure 4.2.6.1.B in the Draft EIR is as specific as is possible, while still allowing the possibility that the construction contractor can implement it. Requiring the project contractor to utilize electricity from power poles may result in infeasibility if power poles do not exist on-site. Clean-fuel is fuel other than diesel or gasoline. Clarification of the term "clean-fuel" has been incorporated into the Final EIR.

Draft EIR Section 4.2.6.1 Construction Equipment Exhaust Emissions Page 4.2-21.

> **4.2.6.1B**. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

Response to Comment D-36. The air quality analysis of construction shows that there will be exceedances of ROG, NO_X and PM_{10}. Tier III applies to equipment produced from 2006 to 2008. As of 2012, equipment produced since 2006 are becoming more readily available, but not to the extent that requiring their use is considered feasible mitigation. Tier II specifications result in a substantial reduction in PM_{10} and $PM_{2.5}$ (62.5% to 72.5%, depending on horsepower) over Tier I equipment, which is the basis of the mitigation measure. Tier III specifications are identical to Tier II for PM_{10} and $PM_{2.5}$, thus requiring this more stringent mitigation would have no benefit to the reduction in PM_{10} and $PM_{2.5}$ and was not required.

Response to Comment D-37. Mitigation Measure 4.2.6.1.K as written in the Draft EIR requires that the listed measures be included in "grading plans, construction specifications and bid documents". Once in these documents, they become requirements, enforceable by the City or other regulatory agencies. However, the wording of this and similar measures will be reworded to strengthen the implementation requirement of each measure.

Response to Comment D-38. Although the exact effects of the measures listed are not fully quantifiable at this time, the language of the measure will be changed to require implementation of all the listed design features, rather than a future combination of features, as shown below:

Draft EIR Section 4.2.6.3 Long-Term Operational Emissions, Page 4.2-26.

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent which is considered sufficient by CARB and the SCAQMD to achieve the AB 32 conservation goals for 2020. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any~~ combination of design features, ~~including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: *(note: the list of design features remains the same except for changes outlined in Response D-39 below)*

Changes to this mitigation measure are provided in Section 3.0 Errata of the Final EIR.

The significant impact that these mitigation measures apply to are almost entirely from mobile sources. The emissions exceed the thresholds by up to 1,700%. There are no feasible mitigation measures available to reduce these emissions to anywhere close to the thresholds, therefore; 20% was proposed by the project as a good-faith effort to make a meaningful reduction.

Response to Comment D-39. The only agencies that have any control over the production of vehicles used with this project, and therefore the emissions controls installed on those vehicles, is the California Air Resources Board and the United States EPA. The indirect control the City has over vehicle operations associated with land use decisions cannot not have a substantial effect on the project's air quality impact as the vehicle emissions of concern are from trucks traveling throughout the Air Basin, far outside the City limits.

Response to Comment D-40. Impact 4.2.6.3 is the air quality impact from operational emissions of the project to the regional air quality. This impact statement includes a typographical error and Section 3.0 Errata of the Final EIR incorporates the amended language to clarify the impact statement.

Draft EIR Section 4.2.6.3 Long-Term Operational Emissions, Page 4.2-25.

> **Impact 4.2.6.3:** *Implementation of the proposed project may ~~occur~~ have the potential to exceed applicable daily thresholds for operational activities.*

Response to Comment D-41. This comment reiterates the conclusions presented in the Draft EIR. The rounding of the results is entirely appropriate. It is not inaccurate to report that emissions would be 990.93 lbs/day when all that can really be reported is that the peak emissions could be anywhere between 970 and 990 lbs/day and will be far less for most of the time.

Response to Comment D-42. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39. In addition, the mitigation measures focus on the only project emissions that the project has any ability to reduce.

Response to Comment D-43. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39.

Response to Comment D-44. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39.

Response to Comment D-45. It is not feasible to mandate mitigation on equipment that is controlled by the State and federal governments. As the EIR is only for the construction of the project and the operator has not been identified, the EIR can only specify mitigation that can be implemented by the builder. At the time the operator is known, it is at the City's discretion to impose operating parameters to the operator of the facility.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the operational emissions mitigation measures suggested for inclusion by the commentor. If the measure is included in the Draft EIR the response indicates "included". If the mitigation is being added as part of the Final EIR the response indicates "incorporated", or if the measure is not included the response discusses why the Final EIR does not contain the measure.

Suggested Mitigation Measure	Response
1. The operator of the primary facilities shall become SmartWay Partner.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
2. The Project shall meet SmartWay 1.25 ratings.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
3. The project shall use only freight companies that meet SmartWay 1.25 ratings.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. (ALTERNATIVELY from 2,3 above) The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
5. The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
6. All fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
7. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration	**Incorporated.** Similar language has been added to Section 4.2.6.3 (page 4.2-27) of the Air Quality Section under **Mitigation Measure 4.2.6.3A** and summarized in

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Suggested Mitigation Measure	Response
units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.	the Errata Section of the Final EIR to include a portion of the suggested requirement.
8. Install catalytic converters on gasoline-powered equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-23.
9. Where diesel powered vehicles are necessary, require the use of alternative diesel fuels. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Not Included.** It has been determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Additionally, SCAQMD has previously confirmed that PuriNox is not expected to be commercially available in the foreseeable future. Thus, the suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is therefore infeasible. Heavy duty trucks using other types of alternative fuels are not yet widely available on the market at this time. In addition, there is no specific end user at this time, and a future user may already have a truck fleet that would make implementation of alternative fuel vehicles economically infeasible. As alternative fuel trucks become more widely available (e.g., compressed or liquefied natural gas) and are required in higher numbers at the SoCal ports, it is likely that project trucks will utilize alternative fuels.
10. Electrical powered equipment should be utilized in-lieu of gasoline-powered engines where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
11. Utilize electrical equipment for landscape maintenance.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
12. All forklifts shall be electric or natural gas powered.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
13. Utilize electric yard trucks.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
14. Prohibit idling of trucks for periods exceeding three minutes.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1M** on page 4.2-23.
15. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.

Suggested Mitigation Measure	Response
16. Charge reduced or no parking fee for EVs and CNG vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28. While **Mitigation Measure 4.2.6.3A** does not specify reduce or no parking fees for these vehicles, it does specify the "provision of preferential parking."
17. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Included.** To the extent feasible, a similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
18. Install a CNG fueling facility.	**Not Included.** The facility will not be able to take advantage of alternative fuel trucks as outlined previously in Item 9. The number of trucks this project would support does not justify the additional cost of installing a CNG fueling facility, and would likely be only one end user so the cost of such a facility could not be shared among a larger group of industrial users. Therefore, this measure is infeasible.
19. Provide preferential parking locations for EVs and CNG vehicles.*	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
20. Implement parking fee for single-occupancy vehicle commuters.	**Included.** To the extent feasible, a similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
21. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26.
22. Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.	**Incorporated.** The suggested measure to plant low-ozone forming potential trees and shrubs has been added to the project mitigation under **Mitigation Measure 4.3.6.1B**.
23. Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.	**Incorporated.**. The suggested measure to plant low-ozone forming potential trees and shrubs has been added to the project mitigation under **Mitigation Measure 4.3.6.1B**.
24. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.	**Not Included** The suggested mitigation measure to orient buildings north or south is not applicable to a warehouse building due to the size and shape of the project site and the resulting size and orientation of the proposed industrial building.
25. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.	**A Portion of the Measure is Included.** Tree shading of parking areas is a requirement of all projects and is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26. Grass paving is not practical in the City's climate and to date not accepted by the Fire Prevention Bureau

Suggested Mitigation Measure	Response
	in addition heavy trucks cannot park on a grass surface.
26. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.	**Incorporated.** The suggested mitigation measure has been added to reduce air quality emissions as a bulleted item to **Mitigation Measure 4.2.6.3A**.
27. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.	**Incorporated.** The suggested mitigation measure has been added to reduce greenhouse gas emissions as a bulleted item to **Mitigation Measure 4.2.6.3A**.
28. Provide a complimentary cordless electric lawnmower to each residential buyer.	**Not Included.** As stated, the suggested mitigation measure applies to home buyers and is therefore inappropriate.
29. Implement parking cash-out program for non-driving employees.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
30. Require each user to establish a carpool/vanpool program.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
31. Create a car sharing program within the planned community.	**Not Included.** The suggested mitigation measure applies to a planned community and is therefore inappropriate.
32. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.*	**Not Included.** The suggested mitigation measure applies to a residential neighborhood and is therefore inappropriate.
33. Provide preferential parking for carpool/vanpool vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
35. Provide secure, weather-protected bicycle parking for employees.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
36. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Not Included.** Pedestrian access to and from the project will take place from the adjacent streets on associated sidewalks that are already provided in the area.
37. Provide direct safe, direct bicycle access to adjacent bicycle routes.	**Not Included.** Bicycle access from the project will take place to and from the project site on the adjacent streets which already exist in the project area.
38. Provide showers and lockers for employees	**Included.** This suggested mitigation measure is already

Suggested Mitigation Measure	Response
bicycling or walking to work.	included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
39. Short-term bicycle parking for retail customers and other non-commute trips.	**Not Included.** As stated, the suggested mitigation measure applies to a retail uses and is therefore inappropriate.
40. Connect bicycle lanes/paths to city-wide network.	**Not Included.** The suggested mitigation measure applies citywide bicycle planning, and is therefore inapplicable.
41. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.	**Included as a Part of Site Design**. The project site design includes a bus bay along the site's Perris frontage.
42. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Included as a Part of Site Design.** The project site design includes a bus bay along the site's Perris frontage.
43. Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents.	**Incorporated** The suggested mitigation measure has been incorporated as suggested in the Errata to the Final EIR as a bullet to **Mitigation Measure 4.2.6.3A**.
44. Provide shuttle service to food service establishments/commercial areas.	**Not Included.** Warehouse workers tend bring their own lunch because they take a limited lunch break. For this reason, the suggested measure will result in additional vehicular emission as compared to without the suggested measure. Thus, this suggested measure is not warranted.
45. Provide shuttle service to transit stations/multimodal centers.	**Not Included.** The suggested mitigation measure has not been included. The project site design includes a bus bay along the site's Perris frontage. In addition
46. Provide on-site child care or contribute to off-site child care within walking distance.	**Not Included.** The suggested mitigation measure applies to areas with high number of employment and is therefore inapplicable.
47. Implement a compressed workweek schedule.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.
48. Implement home-based telecommunicating program, alternate work schedules, and satellite work centers.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.
49. All buildings shall be constructed to LEED Platinum standards.	**Not Included.** The process of obtaining a LEED rating of any level (LEED ratings levels are Certified, Silver, Gold, and Platinum, with Platinum being the highest) is not mitigation. However, the specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency.
50. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.

Suggested Mitigation Measure	Response
51. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.	**Included.** A similar mitigation measure is provided in **Mitigation Measure 4.2.6.3A** in the Final EIR Errata. It reads as follows: "The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs."
52. Install an ozone destruction catalyst on all air conditioning systems.	**Not Included.** The suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
53. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project.	**Not Included.** The suggested mitigation measure includes implementing carbon offsets in an amount equivalent to 100% of all project mobile source greenhouse gas emission. See Response to Comment E-54. This suggested mitigation measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
54. Purchase only green/ renewable power from the electric company.	**Included.** A similar mitigation measure is provided in **Mitigation Measure 4.2.6.3A** in the Final EIR Errata. It reads as follows: "The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs."
55. Install solar water heating systems to generate all hot water requirements.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26.

Response to Comment D-46. As indicated in the Draft EIR (Section 4.2.5.1, Air Quality Plan Management Plan Consistency, pages 4.2-14 and 4.2-15), the project is consistent with the City's General Plan and zoning. Therefore, regional planning agencies, including SCAG and the SCAQMD, have already accounted for future industrial use on the proposed project site as part of the land use projections contained in the AQMP and other regional planning documents/programs (i.e., Regional Transportation Plan, etc). Implementation of the AQMP and the modified project-related mitigation measures will help to improve air quality levels in the future. Since the proposed project will contribute to full attainment of national and state ambient air quality standards, future cumulative impacts associated with the proposed and cumulative projects will not make a significant contribution to cumulatively considerable air quality impacts in the region. For clarification purposes, Section 4.2.7.1 Short-Term Air Quality Impacts on page 4.2-25 of the Draft EIR has been modified as shown below and as indicated in Section 3.0 Errata in the Final EIR:

Draft EIR, Section 4.2.7.1 Short-Term Air Quality Impacts, Page 4.2-25

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. In addition, implementation of the AQMP will result in improved air quality levels in the future and full attainment of national and state ambient air quality standards, resulting in less than significant cumulative impacts from all short-term and long-term air pollution sources. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

Response to Comment D-47. The commentor states that the biological report that was prepared for the project is outdated and limited in survey coverage, concluding that the EIR fails as an informational document. As indicated in *CEQA Guidelines*, Section 15151, "… an EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. … The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."

The August 2010 biological report *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010, referenced in August 2011 Initial Study and the April 2012 Draft EIR is one of several biological studies that have been conducted on the project site and vicinity. While the August 2010 Initial Study and April 2012 Draft EIR incorporated portions of the 2007 biological resource reports (refer to Response to Comment D-3 for a list of all biological technical reports) in describing site conditions, the environmental documents also included substantial additional biological survey data that was collected subsequent to the 2007 biological reports. In fact, additional surveys for burrowing owl, special status plant species, and wetland determination were conducted on the project site by the applicant's biologist in August 2009 and covered the entire project site. This data was revisited in August 2010 and confirmed as still valid. Biological survey reports often have a limited window within which the stated conclusions are considered valid. However, it must be emphasized that the conditions described in the various biological resource reports were verified and updated where necessary during the environmental process. Therefore, contrary to the commentor's opinion, the collective body of survey data for the project site is current, which accounts for the identification and full disclosure of any biological resources of concern on the project site.

2.7.1.1 **Response to Comment D-48.** The Draft EIR (Section 2.5 Effects Found Not to be Significant, 2.5.3 Cultural Resources, pages 2-12 – 2-13) did find that the proposed project would have a less than significant impact on paleontological resources (fossils) with the implementation of Mitigation Measure CUL-1. This determination was based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project. In that study it was determined that the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources are the fossilized biotic remains of ancient environments valued for the information they yield about the history of the earth and its past ecological settings.

These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the proposed project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. Mitigation Measure CUL-1 has been identified to reduce the significance of paleontological resource impacts.

Response to Comment D-49. The commentor is correct the mitigation measure does state that there would be a discontinuation of monitoring once maximum depth of excavation is met. If there is no excavation of soils there would not be disturbance of fossils (if they are on-site); therefore, why would monitoring be required. It is not the intent of CEQA to excavate the entire site below 4 feet in the case of this project to find fossils if they are there. If construction excavation is only going to a maximum depth of 10 feet and no fossils are found 10 feet below ground surface it can be assumed that the fossils are not within the first 10 feet below ground surface. With the deletion, the monitoring will continue below 4 feet. For clarification purposes that sentence of the Mitigation Measure CUL-1 has been deleted as indicated in Section 3.0 Errata in the Final EIR.

Draft EIR, Section 2.5.3 Cultural Resources, Page 2-13.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
  - ~~If too few fossil remains are found after 50 percent of the planned for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~
  - Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
  - Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.

- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Response to Comment D-50. The City disagrees with the commentor. Mitigation Measure CUL-1 clearly states **"...***Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates and identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage."* Paleontologists are professional scientists and their salvaging efforts would not destroy fossils. The paleontologist's intent and that of the mitigation measure is for construction to stop so the paleontologist can recover the fossil(s) to identify and curate specimens into a professional, fully accredited museum repository with permanent retrievable storage.

Response to Comment D-51. In response to the commentor's comment that portion of Mitigation Measure CUL-1 has been deleted, refer to Response to Comment D-49.

Response to Comment D-52. There is an inherent misunderstanding as to the meaning of archeological and historic resources verses paleontological resources the definition of which is a follows:

Archaeology studies "human cultures" through the recovery, documentation, and analysis of material remains and environmental data, including architecture, artifacts, biofacts, human remains, and landscapes. The main goal of archaeology is to create the most thorough understanding of how and why both historical and prehistoric people lived, to understand the evolution of human society and civilizations, and to use knowledge of ancestors' history to discover insights into modern-day societies.[1]

An **historic resource** is building, structure, site, district, or object which is significant in American history, architecture, archaeology, engineering, and culture.[2]

Paleontology is the scientific study of life forms that existed in the earth's distant past as revealed though the examination of fossils of plants, animals, and other organisms. Included is the study of body "fossils", tracks (ichnites), burrows, cast-off parts, fossilized feces (coprolites), palynomorphs (tiny organic particle of a size between five and 500 micrometers), and chemical residues.[3]

Objective 7.6 and Policies 7.6.1 and 7.6.2 of the City's General Plan are referring to historic and archaeological resources not paleontological resources. As far as General Plan Program 9.7.3 and 7-6, a Phase I Cultural Resources Assessment and Paleontological Records Review (refer to Response to Comment D-49) was prepared for the proposed project that determined that the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. As a result the Draft EIR includes Mitigation Measure CUL-1 to ensure that there paleontological resources are protected. The City disagrees with the commentor in that the Draft EIR does include feasible enforceable mitigation. To ensure monitoring and enforcement, Mitigation Measure CUL-1 is included in the MMRP (Final EIR Section 4.0).

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1 http://www.newworldencyclopedia.org/entry/Archaeology, website accessed June 5, 2012.

2 http://www.paroute23.com/about_project/glossary.htm#H, website accessed June 5, 2012.

3 http://www.newworldencyclopedia.org/entry/Paleontology, website accessed June 5, 2012.

Response to Comment D-53. The import of fill (220,000 cubic yards) to the project site was considered in the evaluation of the proposed project in the Draft EIR in Sections 4.2 (Air Quality, page 4.2-20), 4.3 (Greenhouse Gas Emissions, calculated using same model as used for Air Quality), and 4.4 (Noise, page 4.4-18). The 80,000 cubic yards of fill that is currently on-site is considered the baseline (existing on-site conditions) and this fill was imported to the project site as part of a previously approved stockpile permit (page 3-3) that predated the proposed project. Traffic impacts associated with the soil import operations were not addressed because the operations would result in negligible effects on the local and regional circulation systems due to low trip generation anticipated for the haul trucks and the temporary in nature of the activity.

Response to Comment D-54. Mitigation Measure GEO-2 has been revised to eliminate any perception of vagueness. To ensure monitoring and enforcement, revised Mitigation Measure GEO-2 is included in the MMRP (Final EIR Section 4.0).
Draft EIR, Section 2.4.4 Geology and Soils, Page 2-16.

> **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be ~~reviewed and considered~~ implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties ~~to determine~~ in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Response to Comment D-55. This comment is only a statement of opinion. GHG plans, policies, and regulations are still overall vague and difficult to analyze compliance with. While VMT is a factor of GHG emissions, it is not clear how that relates to GHG plans, policies and regulations. As stated in CEQA Guidelines section 15151, "*An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*" The EIR meets the standards of adequacy of an EIR in accordance with CEQA Guidelines section 15151.

Response to Comment D-56. New development projects derive (most of) their energy from the existing energy grids (mainly electricity and natural gas), so the consumption from one individual development project cannot determine the percentage of energy production/generation from the entire energy grid, or what percentage comes from renewable sources. The achievement of renewable energy goals must be set and achieved at a regional or state level, and cannot be assigned to any individual project. The proposed project is designed to allow onsite solar (photovoltaic) electrical generation, but there is no specific end user defined yet. In addition, a number of changes have been made to the recommended Mitigation Measure 4.2.6.3A that addresses greenhouse gases and sustainability. Improvement in project operations that reduces energy consumption results in lowered GHG emissions from area power production facilities. The discussion that follows Table 4.3.B in Draft EIR Section 4.3.5.1 Greenhouse Gas Plan, Policy, and Regulation Consistency supports the EIR's conclusion of consistency.

Response to Comment D-57. The cited SCAQMD tiered thresholds are still only guidance as proposed draft thresholds and do not carry the force of law or adopted regulations. In addition, the commentor has misinterpreted the application of the 5-tier review system recommended by the SCAQMD. The cited thresholds indicate when a particular project under evaluation should move to the next stage of the evaluation (i.e., the next tier) – they are not thresholds against which to specifically determine a significant impact. In addition, as described in the Draft EIR, the greenhouse gas emissions produced by the project do not in themselves represent a project-level significant impact related to greenhouse gases. That conclusion is consistent with guidance provided by CARB and the SCAQMD. The EIR does correctly conclude that the proposed project would make a significant contribution to cumulatively considerable greenhouse gas impacts, even with implementation of the recommended mitigation, including Mitigation Measure 4.2.6.3A as revised in Responses to Comments D-38 and D-39 in this document.

Response to Comment D-58. A more precise water conservation strategy cannot be described at this point in the project development. This Mitigation Measure is included so that some sort of water conservation strategy will be included, when appropriate (i.e., prior to issuance of occupancy permits).

Response to Comment D-59. This comment is only a statement of fact, requiring no response. As there are no quantifiable reductions supplied, there is no reason not to specify these measures.

Response to Comment D-60. This comment is a statement of fact and is noted. No response is required.

Response to Comment D-61. The commentor incorrectly asserts that impacts associated with transport and storage of hazardous materials cannot be mitigated through applicable laws because the tenant is not known. The comment appears to suggest that a future tenant may not abide by applicable laws that regulate hazardous materials. The City assumes, as a reasonable and legitimate part of the CEQA process, that any future tenant of the project building is required to abide by all state and local laws that regulate the transport, use, and storage of hazardous materials. In addition, this project involves warehousing, not heavy or light industrial uses, and so the potential for onsite uses to handle, store, or transport materials that would be hazardous to public health or safety are relatively low, but would ultimately depend on the end user selected to ultimately occupy the project building.

Response to Comment D-62. The commentor states that the EIR fails to undertake an evaluation of water quality impacts beyond the cursory review done for the Environmental Assessment (i.e. Initial Study). The City disagrees with this statement. As identified in the Draft EIR, Section 2.5.6 (Hydrology and Water Quality, page 2-19 – 2-25), the analysis provides a detailed discussion regarding construction and operational activities in relation to water quality and recommends mitigation measures that would ensure that any water pollutants generated during these phases are treated appropriately. The analysis also describes in detail the proposed drainage features and drainage paths that would be constructed on the project site as well as any flooding impacts that the site would be prone to. These discussions and conclusions are based on a project-specific preliminary water quality management plan and hydrology/hydraulic analysis[1]. The water quality analysis was provided as part of the Initial Study subject to public review and comment as part of the NOP process. Based on the input received from the NOP, no additional concerns regarding water quality were identified by

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1 *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009, and *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.

an interested member of the public, including the commentor. While the commentor opines that the evaluation of water quality impacts is cursory, the commentor does not provide any meaningful input as to how the analysis can be further evaluated. The water quality analysis included in the Initial Study and Draft EIR represents a good faith effort at full disclosure and no further response is required.

Response to Comment D-63. Section 2.5.6 (Hydrology and Water Quality) of the Draft EIR discussed potential drainage-related impacts resulting from development of the proposed project. As reflected therein, as well as the detailed preliminary Hydrologic and Hydraulic Analysis included as Appendix B-8 *(Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road,* Robert A. Bebensee, R.C.E., March 27, 2009) to the Draft EIR, development of the proposed project would result in the construction of impermeable surfaces that will alter the natural drainage of the project site.

As stated in Draft EIR page 2-24, "…storm flows generated from the northerly portion of the proposed building and truck court would be collected by a series of drop inlet catch basins. Storm water runoff generated on site would be routed to three Austin sand filters and pre-treatment hydro-dynamic clarifiers that are intended to remove and reduce the amount of oils, sediment and trash from the storm water. The treated water from these sand filters is pumped into an adjacent on-site storm drain. The on-site storm drain system has been designed to accept a full 100-year storm event and flows would ultimately be routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard that connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from the westerly side of the proposed building would be collected by a drop inlet catch basin and routed by pipe to a landscaped swale that would be located along the southerly portion of the property. In the event that the landscape swale receives excess flows, the excess flows would be then routed to a second drop inlet catch basin. From the second drop inlet catch basin, flows would continue to an off-site catch basin and ultimately be routed to the Perris Valley ADP Lateral B-3 in Indian Street, which connects to the Perris Valley Storm Drain Lateral B channel. Storm water runoff generated from the easterly side of the building would be collected by a drop inlet catch basin and route via pipe to a hydro-dynamic clarifier then to an Austin sand filter located in the southeasterly corner of the project site. In the event that the clarifier and sand filter receive excess storm flows, these excess storm flows would be routed to an off-site catch basin and ultimately routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard, which connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from would also be routed to a landscaped swale running along the southerly portion of the project site. Flows would then be routed to an Austin sand filter located near the center of the site and ultimately routed to four existing 36-inch diameter reinforced concrete pipes (RCPs) that connect to Lateral B of the Perris Valley Channel. The Austin sand filter located in the southeasterly corner of the project site would also accept stormwater flows from the project site. In the event that flows are in excess of what the sand filter can handle, the excess flows would be directed back to the southerly landscaped swale, and ultimately to an existing 30-inch diameter RCP that connects to Lateral B of the Perris Valley Channel."

The purpose of including Mitigation Measure HYD-05 was to ensure that the preliminary Hydrologic and Hydraulic Analysis was finalized by the City's Engineer and that the calculations contained in the analysis met City requirements. The Draft EIR does not improperly defer mitigation in this regard as an existing preliminary Hydrologic and Hydraulic Analysis has already been prepared for the project. Furthermore, the finalization of hydraulic calculations is a requirement of all projects in the City. Therefore, the inclusion of this requirement as Mitigation Measure HYD-05 is designed to track both the standard requirements and mitigation measures as part of the project's MMRP. Mitigation Measure HYD-05 has been revised accordingly to clarify the finalization of the Hydrologic and Hydraulic Analysis. No further response is required.

Draft EIR, Section 2.5.6 Hydrology and Water Quality Hydrology, Page. 2-24:

> To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. Although adherence to the City's drainage requirements, which includes the preparation of drainage sizing calculations, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-05** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. ~~To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified.~~ With adherence to this mitigation measure, impacts associated with this issue are less than significant.
>
> ***Mitigation Measure HYD-05:*** *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements.* ~~*submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.*~~

Response to Comment D-64. The commentor opines that the project would conflict with an applicable habitat conservation plan or natural community conservation yet does not provide any specific comment as to how the project does conflict. As stated in *CEQA Guidelines,* Section 15151, "… an evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate." The comment posed is identified as being part of the land use discussion. As identified in Draft EIR Section 2.5.7 Land Use, page 2-25 the discussion of the project's consistency with applicable habitat conservation plans is provided in Draft EIR Section 2.5.2, Biological Resources, pages 2-8 – 2-12. The applicable habitat conservation plan for the area is the Western Riverside County MSHCP.

As stated on Draft EIR Section 2.5.2, Biological Resources page. 2-9, "*The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (Athene cunicularia), five Narrow Endemic Plant Species (NEPS), and nine Criteria Area Plant Species (CAPS). A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.*"

Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site. It

is unlikely that burrowing owls would be located on site as burrowing owls tend to avoid heavily disked areas because of potential burrows occlude/collapse. However, in the event that burrowing owls are found on site, the inclusion of the Mitigation Measures BIO-1 through BIO-4 (which requires pre-construction surveys for burrowing owl), would fulfill MSHCP requirements. The fulfillment of MSHCP requirements would enable the project to be consistent with the Riverside County MSHCP.

Based on the information contained in the Draft EIR, the five Narrow Endemic Plant Species (NEPS) and nine Criteria Area Plant Species (CAPS) were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the project site lacks suitable habitat for these species due to historic agricultural activities. Because of the absence of members of the species and suitable habitat, a less than significant impact to special status plants would occur. Since the project would not impact any of the plants identified in the MSHCP, the project is consistent with this component.

The potential for agency jurisdiction of the on-site drainage ditch was assessed as part of the previously referenced Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation prepared for the project. The ditch does not meet the three-parameter test for jurisdiction (vegetation, hydrology, and soils). Therefore, the project would not impact jurisdictional waters and would be consistent with the requirements identified in the MSHCP for this component. Based on the analysis contained in the Draft EIR, the project is consistent with the MSHCP, is supported by project specific biological data and survey work, and represents a good faith effort at full disclosure. No further response is required.

Response to Comment D-65. The 3 dBA increase was not identified in the noise impact analysis as a threshold. Rather, it was stated that "audible impacts that refer to increases in noise levels noticeable to humans generally refer to a change of 3 dB or greater, since this level has been found to be barely perceptible in exterior environment;" For noise level changes that are not perceptible by the human ear, they would not cause any audible change and would therefore not result in any significant noise impacts.

Response to Comment D-66. Noise standards identified in the City's Municipal Code are used to determine if projected noise levels from the proposed on-site operations would result in any significant stationary sources noise impacts on sensitive uses in the project vicinity. Failing to comply with these noise standards would cause project operations, after project implementation, to violate the City's Municipal Code. Therefore, it is appropriate to use the City's Municipal Code noise standards to evaluate potential on-site noise-generating operations.

Response to Comment D-67. The City's noise standards in terms of the 24-hour weighted Community Noise Equivalent Level (CNEL), identified in the General Plan Noise Element, are applicable for land use planning purposes to avoid placing noise-sensitive land uses within the high noise impact zones. Use of these noise standards are adequate when proposing noise-sensitive land uses such as residences near airport, railroad tracks, or heavily traveled highways/freeways. Noise standards included in the City's Municipal Code are typically used for enforcement purposes to determine if noise associated with a stationary source would exceed or violate the City's noise standards from stationary sources. They were used in the noise impact analysis (Draft EIR Section 4.4.2.1 City of Moreno Valley General Plan Policies, page 4.4-5) to determine the potential impacts from on-site operations.

Response to Comment D-68. Use of "hard site" is appropriate in an urban area where the majority of the ground surface is paved, and most sound energy is reflected back up in the air. In suburban or rural areas where almost half of the ground surface between the traffic and the receptor location is either vacant land or planted with landscaping vegetation, the use of "soft site" is more appropriate.

Nevertheless, the choice of hard site or soft site for ground reflection only affects the potential noise level on the project site. Project-related changes would be the same under both scenarios. On off-site land uses, the 2013 with project traffic noise levels showed that project-related traffic noise level increases would be 0.8 dBA or less. This range of traffic noise level changes in an outdoor environment gradually over a time period would not be perceptible by the human ear and would not result in any significant noise impacts. As the proposed land use is not noise-sensitive, the use of soft site or hard site for noise reflection would not have any effect on the project findings.

Response to Comment D-69. The proposed project would generate approximately 2,731 vehicular trips a day, and about half of these vehicles are trucks. These project-related vehicles would be 7.5 to 15 percent of the projected 2012 cumulative traffic volumes along roadway segments that would be used by these vehicles. An increase of 7.5 to 15 percent vehicles along these roadway segments would result in an increase of approximately 0.3 to 0.6 dBA on these roads. Even though the proposed project is a distribution facility with higher truck percentage, the change in overall vehicle mix along these affected roadway segments would not be substantial. The resulting traffic noise level changes or increases on off-site land uses would remain small and less than significant. Since the proposed on-site land use is not considered noise-sensitive, and the project-related traffic noise level increases would be the same under both scenarios, this factor would not affect the findings of the noise impact analysis.

Response to Comment D-70. As stated in the Responses to Comments D-65 and D-68, project-related traffic noise level increases would be small and not perceptible by the human ear. The four study roadway segments that have noise levels that already exceed the City's noise standards, with or without the proposed project, have pre-existing conditions that are not a consequence of the proposed project, and therefore, the proposed project is not responsible for the noise level existing noise exceedance on those roadway segments.

Response to Comment D-71. The noise impact analysis for the proposed project (*Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., March 2012) evaluated the long-term operational traffic noise impact in terms of CNEL and the on-site operations noise impact comparing them to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. The project site is surrounded by vacant land which is planned for light/industrial uses and commercial/light industrial uses to the south or other existing non-noise-sensitive industrial uses to the north, east and west. The City's Municipal Code states that the noise standards shall apply "*when measured at a distance of 200 feet or more from the real property line of the source of the sound if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property*." In this case, evaluating the potential noise levels at the property line of the nearest existing noise-sensitive land uses (i.e., residences) that are at a distance of 200 feet or more would adequately determine the project's potential noise impacts. Future noise-sensitive land uses, if proposed in the vicinity of the project site, will be required to mitigate noise associated with all neighboring sources, including the proposed project.

Response to Comment D-72. As stated in the Response to Comment D-71, the project site is surrounded by vacant land that is planned for light industrial/business park in the City of Moreno Valley and to the south in the City of Perris for light industrial/commercial uses or other non-noise-sensitive land uses (refer to Figure in the Draft EIR Section 1.0 page 1-3). These land uses that are directly adjacent to the project would not be significantly affected by the project noise. Noise from on-site operations, including loading/unloading and onsite maneuvering, have been adequately evaluated at the nearest noise-sensitive land uses and no significant noise impacts were identified. Truck noise from trucks driving on public streets is not regulated by the local governments (city or county).

Response to Comment D-73. As stated in the Response to Comment D-71, the noise impact analysis evaluated the traffic noise impact in terms of CNEL and the on-site operations were compared to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. All potential noise impact sources were identified and properly evaluated. Please refer to Appendix F (*Noise Impact Analysis VIP Moreno Valley,* LSA Associates, Inc., March 2012) of the Draft EIR for more detailed analysis and discussion on these impacts.

Response to Comment D-74. The noise levels obtained from the 1987 edition of Noise Control for Buildings and Manufacturing Plants (Bolt, Beranek & Newman, 1987) represent a conservative analysis for construction equipment. Because of technology advancement, most current day construction equipment emits lower noise levels compared to the 1987 version. In addition, the project site is surrounded by vacant land or other non-noise-sensitive land uses such as industrial uses. Noise from the on-site construction activity would not result in any significant impacts to adjacent uses (Draft EIR, Section 4.4.5.4 Long-Term Operational Noise Impacts. Page 4.4-13).

Response to Comment D-75. As demonstrated in the Responses to Comments D-65 through D-74, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction and in addition the requirement of the applicant/contractor to follow the City's Municipal Code Mitigation is provided to reduce construction impacts as well. The land uses that are directly adjacent to the project site are not noise-sensitive and would not be significantly affected by project construction noise. Potential construction noise impacts on the nearest noise-sensitive receptor locations, i.e., existing residences approximately 1,000 feet to the north of the project site, have been adequately evaluated and no significant noise impacts were identified.

It should be noted that the *Moreno Valley Municipal Code* in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

The City's Municipal Code, Section 8.14.040.E, specifies the hours of any construction within the City to occur only as follows: Monday through Friday (except for holidays that occur on weekdays), 6:00 a.m. to 8:00 p.m.; weekends and holidays (as observed by the City and described in Chapter 2.55 of the Municipal Code), 7:00 a.m. to 8:00 p.m., unless written approval is obtained from the City building official or City engineer. According to the City's Municipal Code Ordinance 8.21.050, grading permit requirements, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

In addition the Draft EIR, page 4.4-17 states "*The nearest noise-sensitive receptor locations to the project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures [Mitigation Measures 4.4.6A – 4.4.6D] have been identified to reduce the noise*

levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards."

Response to Comment D-76. As demonstrated in the Responses to Comment D-74, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction. Therefore, it is not warranted to include these additional mitigation measures, because none of them would apply to this project.

Suggested Mitigation Measure	Response
1. Temporary noise barriers must be installed during project construction.	**Not required.** As indicated in the noise impact study, there are no noise-sensitive land uses in the immediate project neighborhood and no noise barriers would be required during project construction. The proposed project will comply with all mitigation measures identified and comply with applicable federal, State, and City guidelines.
2. Where technically feasible, utilize only electrical construction equipment.	**Not required.** As evaluated in the noise impact study, practical procedures will be taken for the onsite operations. There are no noise-sensitive land uses located in the immediate neighborhood of the project site. No noise impacts would occur.
3. During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.	**Not required.** Construction equipment will be turned off when not in use. Idling for delivery vehicles will be limited to no more than 5 minutes per truck per trip per day, according to the requirements established by the California Air Resources Board.
4. Provide a "windows closed" condition requiring a means of mechanical ventilation (e.g. air conditioning) for all buildings.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operation noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
5. Provide upgraded windows with a minimum Sound Transmission Class (STC) rating of 34 for all buildings, and/or require the installation of double-paned windows.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
6. Keep new transportation facilities away from vibration sensitive areas.	**Not required, no nexus to the impact.** This comment does not apply to the project because no transportation facilities are being proposed.
7. When dealing with existing transportation facilities, obvious vibration causes, such as pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc., may be eliminated by resurfacing.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
8. Require the use of rubberized asphalt for construction of all roadways and parking areas.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
9. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures

Suggested Mitigation Measure	Response
	are required.
10. Require resurfacing of roads.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
11. Ban heavy trucks near vibration sensitive uses.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
12. Use alternate construction methods and tools to reduce construction vibrations. Examples are predrilling of pile holes, avoiding cracking and seating methods for resurfacing concrete pavements near vibration sensitive areas, using rubber tired as opposed to tracked vehicles, placing haul roads away from vibration sensitive areas.	**Not required.** There are no noise sensitive land uses in the immediate project vicinity. Noise and vibration associated with the proposed project would not result in any significant impacts to adjacent uses.
13. Scheduling construction activities (particularly pile driving) for times when it does not interfere with vibration sensitive operations (e.g. night time).	**Not required.** There are no noise sensitive land uses in the immediate project vicinity. Noise and vibration associated with the proposed project would not result in any significant impacts to adjacent uses.

Response to Comment D-77. Refer to Responses to Comments D-74 and D-76, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction. Mitigation Measure 4.4.6.1D "*During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays,"* is provided to ensure that the Municipal Code is implemented.

Response to Comment D-78. As demonstrated in the noise impact analysis, project-related traffic noise increases in the project vicinity would be small and not perceptible by the human ear (Draft EIR, Section 4.4.5.3 Long-Term Traffic Noise Impacts, page 4.4-10). Project on-site operational noise impacts were also found to be less than significant (Draft EIR Section 4.4.5.4 Long-Term Operational Noise Impacts, page 4.4-13). Since the projected 2013 traffic volumes include traffic trips from other cumulative projects in the project area, no significant project-related long term cumulative noise impacts would occur.

Response to Comment D-79. The commentor's referral to "traffic counts" is erroneous and is assumed he was referring to the "trip generation" of the project. The trip generation rates for High-Cube Warehouse were the modified National Association of Industrial and Office Properties (NAIOP) rates (based on a 2007 NAIOP letter summarizing the trip generation studies of 13 high-cube warehouses located in western Riverside County) that was approved by the City of Moreno Valley Transportation Engineering staff. The City's modified NAIOP rates are higher than the Institute of Transportation Engineers (ITE) *Trip Generation, 8th Edition* rates for High-Cube Warehouse, therefore the air pollution, greenhouse gas, and trip generation estimates for the proposed project are overstated resulting in a conservative analysis.

ITE *Trip Generation 8th Edition* is the standard used by City of Moreno Valley in determining project trip generation for new developments. When the initial version of the traffic study for the project was first prepared, the previous version, *7th Edition,* of *Trip Generation* was available. In the previous version, the high-cube warehouse category (land use 152) was not utilized because only p.m. peak hour data was available and the sample size was too small. Due to the lack of data with the high-cube warehouse rates, the City analyzed the 2007 NAIOP trip generation rate data and developed reasonable trip generation rates for high-cube warehouse reflecting a full standard deviation above the average rates disclosed in the 2007 NAIOP trip generation study. As stated above, the City's modified NAIOP rates are higher than the current ITE *Trip Generation 8th Edition* rates for high-cube warehouses. Further, the rate for High-Cube warehouse is dependent on the square footage of the building and not the number of dock doors or parking stalls.

Response to Comment D-80. The intersections analyzed in the EIR were based on discussion with City of Moreno Valley Transportation Engineering staff during the scoping process. Furthermore, intersections on Harley Knox Boulevard from Indian Street to Interstate 215 are not part of the 2010 Riverside County Congestion Management Program and were not included in the analysis. The traffic study did not include the intersection of Patterson Avenue/Harley Knox Boulevard in the analysis because project passenger vehicles and trucks will travel eastbound and westbound on Harley Knox Boulevard and would not make left- or right-hand turns to/from Patterson Avenue. For this reason, potential project impacts to the intersection were determined to be not substantial and the intersection was not included as a study intersection.

Caltrans requires analysis to a State highway facility if a project generates over 100 peak hour trips. The project generates over 100 peak hour trips at the Interstate 215/Harley Knox Boulevard interchange and was included in the Project's Traffic Impact Analysis. Project traffic at Cactus Avenue and Ramona Expressway are less than 100 peak hour trips and were not included in the Draft EIR. Based on the City of Moreno Valley Traffic Impact Analysis guidelines, a General Plan Build-out analysis was not required since the project did not propose a General Plan Amendment or Zone Change.

Response to Comment D-81. It appears the commentor is incorrectly stating that analysis of local intersections, local roadways, freeway mainline segments, and freeway merge/diverage areas as conducted in the EIR constitutes segmenting. The comment is therefore unclear and needs refinement to warrant a response.

Nonetheless, the traffic analysis conducted for the project examined project impacts on existing baseline conditions and year 2013 cumulative conditions. For the each time horizon, a.m and p.m. peak hour impacts were assessed based on a level of service analysis of local intersections, local roadways, freeway mainline segments, and freeway merge/diverage areas.

Response to Comment D-82. As stated in the Project TIA *(Traffic Study VIP Moreno Valley,* LSA Associates, Inc., April 9, 2012*)*, the payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts. The timing to use the TUMF and DIF fees is established through the capital improvement plan (CIP) overseen by the City, which uses traffic counts, trends, and review of traffic accidents to determine the project priority of the improvements. Project priority categories in the City's CIP include essential (start within 1 year), necessary (start within 1 to 3 years), desirable (start within 3 to 5 years), and deferrable (start within 5 to 10 years).

As stated in the Level of Significance After Mitigation following Mitigation Measures 4.5.6.1A and 4.5.6.1B (see page 4.5-19 of the Draft EIR), improvements to Perris Boulevard are out to bid to potential construction contractors, with construction of the improvement anticipated to finish in May of

2013. Page 4.5-19 of the of the Draft EIR also notes that these improvements to Perris Boulevard for the existing plus project condition are consistent with the City's General Plan and are included in the County's TUMF program. The Draft EIR goes on to note that a portion of the City's DIF is allocated toward funding improvements to the City's transportation system, and the specific improvements are based on the General Plan Circulation Element. For these reasons, the Draft EIR concluded that the project's impacts to affected roadway segments (Perris Boulevard) will be mitigated through payment of the City's DIF and the County's TUMF.

As stated in the Level of Significance After Mitigation following Mitigation Measures 4.5.6.2A (see page 4.5-27 of the of the Draft EIR), the improvements defined to maintain the applicable level of service standard at local intersections and roadways in the 2013 cumulative plus project condition will be built per the City's DIF and County's TUMF programs. Payment of these fees in accordance with Mitigation Measures 4.5.6.1A and 4.5.6.1B was therefore determined to be full and complete mitigation of project impacts to roadway segments and intersections in the 2013 cumulative plus project condition. The intersections and roadway segments on Perris Boulevard and Indian Street are included in the City of Moreno Valley's CIP and are planned to be funded by DIF and TUMF. The intersections and roadway segments on Harley Knox Boulevard are included in the City of Perris' "North Perris Road and Bridge Benefit District" and are also planned to be funded by DIF and TUMF. However, the Draft EIR notes that the necessary improvements to freeway segments are outside the City's jurisdiction and therefore the City has no control over when or how these improvements will be put in place, the impacts to freeways would remain significant and unavoidable until such improvements are built.

It should also be noted that the City also uses other funding sources for future roadway improvements such as Measure "A" (Fund 125), gas tax fund (Fund 121), SCAG Article 3 (SB 821 Grant Awards), proposition 42 replacement funds (Fund 224), CDBG (Fund 285), general city capital projects fund (Fund 412), and public works general capital projects fund (Fund 414). Furthermore, the Perris Boulevard widening project that is expected to begin construction in July 2012 is anticipated to be 100% paid for by TUMF funding (CIP 2012-2013). Improvements in the City that are covered by DIF funds in the CIP 2012-2013 include Cactus Avenue EB improvements/I-215 to Veterans Way, Cactus Avenue EB improvements/Veterans Way to Heacock Street, and Day Street Widening, Heacock Street/Perris Valley Storm Drain to Cactus Avenue, and Ironwood Avenue/Perris Boulevard to Nason Street.

The commentor assumes that all cumulative projects will be built by 2013 and therefore all roadway improvements recommended in the project TIA will be required by 2013. However, the cumulative (2013) scenario analyzed in the project's TIA analysis is a scenario required by the City and doesn't represent real world conditions where most cumulative projects won't be built by 2013 and therefore all improvements won't be required.

Response to Comment D-83. Please refer to the Response to Comment D-82.

Response to Comment D-84. Please refer to the Response to Comment D-82.

Response to Comment D-85. Please refer to the Response to Comment D-82.

Response to Comment D-86. Please refer to the Response to Comment D-82.

Response to Comment D-87. The commentor appears to be suggesting that, because the proposed project exceeds SCAQMD construction and operational emission thresholds, it cannot be consistent with SCAQMD's AQMP. The purpose of the daily thresholds is to provide benchmarks against which to examine a project's short-term (construction) and long-term (operational) air quality impacts as part

of the CEQA process. The purpose of the AQMP is to provide regulation and guidance for achieving federal and state criteria attainment status in the future. The daily thresholds and the AQMP therefore serve two separate and distinct purposes. The land uses proposed by this project are consistent with the local and regional plans that form the basis for the AQMP (i.e., the City's General Plan and SCAG's Regional Comprehensive Plan and Regional Transportation Plan). Therefore, the proposed project is consistent with the AQMP. However, the SCAQMD has also established daily thresholds for construction and operational air pollutant emissions that, if exceeded, represent a significant air quality impact under CEQA. As described in the project's air quality study and the EIR Section 4.2 Air Quality, the proposed project exceeds one or more daily thresholds for both construction and operations. Therefore, the project can be consistent with the AQMP as well as exceed daily thresholds for construction and operational air pollutant emissions. Also refer to Response to Comment D-46 for a discussion on the project's consistency with the AQMP.

Response to Comment D-88. The proposed project will create jobs, providing the opportunity for City of Moreno Valley residents to find employment close to their homes. Although the quantity of commute travel reduction is virtually impossible to calculate, the project will create the potential for reduction in commuting distances for employees that reside in the City or in other municipalities near the project site. Regarding traffic impacts, see Response to Comment D-83. The City has determined that payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts.

Response to Comment D-89. The commentor opines that the goal of "diversifying the region's economy" is not satisfied by "add[ing] to the City's portfolio of industrial services." As stated in *CEQA Guidelines,* Section 15151, "… an evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate." The commentor is selective in which part of the goal is focused on and fails to take the entirety of all the economy goals into consideration. The full goal from which "diversifying the region's economy" was pulled from is as follows:

"**Goal** Promote sustained economic health through diversifying the region's economy, strengthening local self-reliance and expanding competitiveness."

The EIR does not make the assertion that the addition of the project would diversify the region's economy. Furthermore, it appears that the goal is to promote sustained economic health through a three pronged approach – diversifying the region's economy, strengthening local self-reliance, and expanding competitiveness. As stated on Draft EIR page 5-10, "…*the proposed project would add to the City's portfolio of industrial services, which would enable the City to be more self-reliant through the provision of goods and services to residents within the City. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.*"

These statements are supported by analysis contained in the Draft EIR. Specifically, the analysis contained in the Economy Chapter (Draft EIR page 5-10) identifies the number of jobs that would be created as part of the project and the balancing of the jobs to housing ratio in the City which generally would allow for the City to be more self-reliant. As identified in Table 2.C of the Draft EIR (Cumulative Projects List page 2-34), there are multiple warehousing projects within adjacent jurisdictions (e.g. City of Perris, City of Riverside, and County of Riverside). The addition of the proposed project would enable the City to offer a similar type of warehousing stock in comparison to other areas in the region.

Lastly, the commentor does not offer any specific detail as to how the analysis contained in this section is unsupported. The analysis contained in the Draft EIR represents a good faith effort at full disclosure and no further response is required.

Response to Comment D-90. The commentor states that Draft EIR fails to evaluate how the project is consistent with the Compass Growth Vision Principles. Table 5.D has been added to the EIR (Section 3.0 Errata in the Final EIR) indicating the proposed project's consistency with the Compass Growth Vision Principles. No further response is required.

Draft EIR, Section 5 5.4 Consistency With Local And Regional Plans, Page 5-12:

> ~~The proposed project is consistent with the four principles identified above. The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.~~

In addition, a new table (Table 5.D: Compass Growth Vision Report Consistency) has been added as follows.

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 1: Improve mobility for all residents. • Encourage transportation investments and land use decisions that are mutually supportive. • Locate new housing near existing jobs and new jobs near existing housing. • Promote a variety of travel choices.	The project is consistent with this principle. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial uses and would encourage a reduction of vehicle miles traveled within the City. Implementation of the project would create approximately 646 jobs. Existing housing is located approximately 1 mile to the north and 2 miles to the south of the project site. The project is consistent with this portion of Principle 1. There are a number of transit-oriented strategies that could be implemented by the proposed project to encourage alternate modes of travel, including informational strategies, incentives, and services. (Refer to Mitigation Measure 4.2.6.3A).

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 2: Foster livability in all communities. • Promote developments which provide a mix of uses. • Promote "people scaled, "walkable communities. • Support the preservation of stable, single-family neighborhoods.	The project is consistent with the applicable portions of this principle. The proposed project is a warehousing project and does not include any residential uses. Therefore, the project is not considered to be a mixed use project and this portion of Principle 2 is not applicable to the project. The project site is located in an industrial warehouse area. The project would include sidewalks so that the opportunity of being walkable within this warehouse area is possible. Therefore, the project is consistent with this portion of Principle 2. The proposed project is a warehousing project and does not include any residential uses. Therefore this portion of Principle 2 is not applicable to the project.
Principle 3: Enable prosperity for all people. • Provide in each community a variety of housing types to meet the housing needs of all income levels. • Support educational opportunities that promote balanced growth. • Ensure environmental justice regardless of race, ethnicity, or income class. • Support local and state fiscal policies that encourage balanced growth. • Encourage civic engagement.	Based on the information provided below, this principle is not applicable to the project. The proposed project is a warehousing project and does not include any residential or educational uses. Therefore this portion of Principle 3 is not applicable to the project. The project site is vacant and the project located in an area identified for industrial and commercial uses. Therefore, this issue not applicable to the project. The supporting of local and state fiscal policies and the encouragement of civic engagement is at the City level not the project level. Therefore, this portion of the principle is not applicable to the project.
Principle 4: Promote sustainability for future generations. • Focus development in urban centers and existing cities. • Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste. • Utilize "green" development techniques.	The project is consistent with this principle. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. Mitigation Measure 4.3.1.6B requires the project to implement various sustainability strategies and "green" development techniques that uses resources efficiently, eliminates pollution, and reduces waste.

Response to Comment D-91. See Response to Comment D-53. The import of fill (220,000 cubic yards) to the project site was considered in the evaluation of the air quality impacts attributable to the proposed project (Section 4.2 Air Quality, page 4.2-20) The 80,000 cubic yards of fill that is currently on-site is considered the baseline (existing on-site conditions) and this fill was imported to the project site as part of a previously approved stockpile permit (page 3-3) that predated the proposed project.

Response to Comment D-92. As noted in Response to Comment D-11, the commentor incorrectly asserts that the environmentally superior alternative meets most project objectives and must be approved instead of the proposed project. Although the City concedes that the environmentally superior alternative (reduced density) will result in reduced air pollution and GHG emissions, it bears

noting that impacts associated with these issues would remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project (see Table 6.K, page 6-31). The significant and unavoidable project impacts associated with greenhouse gas emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. However, the significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold).

The commentor mistakenly claims that the reduced intensity alternative (Alternative 2) would meet the following project objectives: "Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels" and "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources reduces impacts to air quality, global climate change, and traffic." This is due to the fact that reduced-intensity development patterns are in concept diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development. Said another way, the reduced intensity alternative would result in use of the entire project site in an inefficient manner with associated negative effects such as sprawl.

Response to Comment D-93. The commentor mistakenly claims that there is no basis for the Draft EIR statement that the reduced intensity alternative would have impacts similar to the proposed project. As shown in Table 6.K, the reduced intensity alternative (Alternative 3) would reduce impacts to air quality, global climate change, and traffic. This is due to the reduction in the air pollution emissions, greenhouse gas emissions, and trip generation attributable to the alternative linearly related to the reduction in building square footage (1,616,133 square feet versus 1,212,100 square feet). However, the significant and unavoidable impacts associated with this alternative would remain, similar to the proposed project.

Response to Comment D-94. See Response to Comment D-92.

Response to Comment D-95. See Response to Comment D-93. The significant and unavoidable air quality, global climate change, and traffic impacts associated with the reduced intensity alternative would remain, similar to the proposed project.

Response to Comment D-96. It is not clear as to what the commentor is attempting to point out. If the commentor is suggesting that an alternative be examined that couples both a reduction in development intensity and at an alternative site, the City disagrees. The purpose of the alternative site is to examine the possibility of reducing project impacts by moving it to an alternate location.

Response to Comment E-97. The commentor has attached various references. No response is required.

SAN GORGONIO CHAPTER

4079 Mission Inn Avenue
Riverside, CA 92501
(951) 684-6203 Fax (951) 684-6172
Membership/Outings (951) 686-6112

Regional Groups Serving Riverside and San Bernardino Counties:
Big Bear, Los Serranos, Mojave, Moreno Valley, Mountains, Tahquitz.

Jeff Bradshaw
Associate Planner
P.O. Box 88005
Moreno Valley, CA 92552

June 3, 2012

RE: VIP Moreno Valley project's Draft Environmental Impact Report (DEIR).

The Sierra Club appreciates this opportunity to comment on this DEIR. Much of what you will read below was in our NOP comments, but we feel they were not adequately addressed. We hope to read your responses in the FEIR which do fully answer our comments, concerns, suggestions and questions. Most of our concerns are about Global Warming, Climate Change, Greenhouse Gas Pollution and Air Pollutant emissions. These concerns can be read below and we expect this project to do everything possible to mitigate these problems in our non-attainment area. Your NOP mentions that the consumption of electricity by this warehouse "would generate air pollutant emissions." While the Sierra Club understands that you "expect to reach LEED certified rating", we do not understand why you do not match the higher Gold LEED certification recently agreed to by the Alessandro Business Center warehouse in the City of Riverside or even the LEED Silver of Skechers. In fact your words do not guarantee anything about even reaching the lowest level of LEED certification. The City needs to require you to hire a LEED expert and then require you to become LEED certified--hopefully higher than just certified. You could pay less than $1,000 and lock in current LEED standards for your building. Through the installation of solar panels and other LEED ideas you could avoid generating air pollutants with the electricity you consume. This warehouse and all warehouses need to be required to have their roofs built to accommodate the maximum number of solar panels. You are now able to sell excess energy back and earn money as well as do right for our non-attainment area. The DEIR indicates that the "proposed project would unavoidably contribute to significant long-term cumulative air quality impacts."(p 4.2-29) The Sierra Club does not believe it is totally unavoidable. The fact you are given a cafeteria list of mitigations to chose from shows that there is more that could and should be done to protect the health of area residents. Why isn't there a requirement to exceed Title 24 by at least 25% instead of just "exceed" Title 24? (p 4.3-25) Agreeing to require 90% of your off road construction equipment meet Tier III standards would also significantly help our non-attainment city and county. Your DEIR only mentions Tier II and therefor it shows you are not serious about the health of the area's residents.

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Continuing to pave over Prime Agricultural lands as well as those of Local and State Importance must be mitigated. Having locally grown products also cuts down on the Climate Change problems mentioned above and below. Recently a developer donated $100,000 to the Riverside Land Conservancy to help mitigate for the loss of Ag Lands. The San Jacinto Basin Resource Conservation District is another entity which would use your monetary donation to mitigate the loss of important Ag lands as well as the loss of lands for raptor foraging. It is therefore incorrect to say that "no feasible mitigation is available." Please consider how your project will seriously mitigate you impacts to Agriculture. You should also make sure your parking provides ample reserved spaces for several form of cars using alternative fuels. Their parking lot also needs to be made of porous material to help with ground water recharge and to lessen run off. 7 8 9

The Sierra Club appreciates that you have the World Logistic Center on your Cumulative Project List. We, however, do not believe all of your analysis have included this massive project. The FEIR will be inadequate unless this and all other projects are part of the analysis in each area of the FEIR. I also did not see the Pro Logis project listed which would be located near the Moreno Valley Auto Mall. Since some of Moreno Valley's designated truck routes pass by schools and their playgrounds, the Sierra Club expects the FEIR to explain what requirements will be placed on the tenants to avoid this very toxic situation as well as the truckers who will deliver/pickup products for your warehouse. The FEIR needs to show the walking/bicycling routes students take to and from school as well as show how this project's diesel truck traffic will impact the health of these students. There are two schools which are only about one mile from the project as well as others which may have students impacted by VIP's toxic diesel trucks. The projects distance from homes needs to be easily understood as well as all the paths trucks could take to the warehouse. Requiring staging areas for diesel equipment to be only a couple of hundred feet from sensitive receptors is inadequate for the health of Moreno Valley Residents. How will you protect the warehouse workers from the long term health affects of breathing toxic diesel emissions throughout their workday and employment? What equipment will you make sure is electric instead of diesel or gasoline in order to lessen pollution and better protect the workers--this includes gardening equipment? The FEIR needs to explain how noise barriers used during construction and use of the warehouse could lessen impacts identified in the Initial Study. Impacts to our local streets as well as our very crowded freeways need to be explained so the average citizen will understand. The FEIR-not just appendices- needs to show the length of trips the diesel trucks will be taking when driving to and from the warehouse as well as their routes. We need to know the maximum number of tucks which will use this warehouse each workday and not just after the first year, but when the warehouse is being used to its maximum capacity during peak times of the year. Your traffic analysis is inadequate unless it includes all of SR 60 which border any part of Moreno Valley. This two and three lane roadway will be significantly affected by VIP traffic-especially when part of cumulative impacts. Decision makers have a right to know before they vote that the section of SR 60 passing through Moreno Valley will become a parking lot with significant pollution. Even your own analysis of some major intersection in our City show they will become LOS F by 2013. Simply paying into a pot of money which may not be used in the impacted part of Moreno Valley does not mitigate your traffic. 10 11 12 13 14 15 16 17 18 19 20

The land should not be disced or graded for at least six months prior to doing the Burrowing Owl survey otherwise many will believe you are just making it difficult on this special animal as well as making it more likely it will be listed as endangered. The Sierra Club believes the FEIR will 21 22

be inadequate unless our concerns and issues found throughout this letter are thoroughly addressed within the document. 22

I. THE DEIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

As a potential significant impact, the Final EIR (FEIR) must more thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code ¤¤ 21000 et seq., 14 Cal. Code Regs. ¤ 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. 23

A. THE DEIR MUST ADEQUATELY SET FORTH THE THREAT OF GREENHOUSE GAS POLLUTION AND GLOBAL WARMING

The FEIR must discuss the grave threats posed by global warming to California and the world. Current scientific consensus on climate change has now determined that the link between greenhouse gas emissions and global warming is highly certain. In California, elected leaders, through Executive Order S-03-05 and the California Global Warming Solutions Act of 2006 (AB 32), have also squarely linked greenhouse gases with global warming. 24

In order to conform to CEQA's informational mandates and properly inform the public and decision makers of the significance of the Project's contribution to greenhouse gases, the DEIR must first adequately discuss the threat posed by greenhouse gas emissions and avoid minimizing or discounting the severity of global warming's impacts. *See* Guidelines ¤ 15151. *See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* ("Laurel Heights I"), 47 Cal.3d 376, 392 (1988) (EIR is intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action."); Guidelines ¤ 15151 (requiring an FEIR be detailed, complete, and reflect a good faith effort at full disclosure). A discussion of global warming impacts need not be lengthy, but should, at a minimum, convey the magnitude of the threat posed by global warming to humans and the environment. For the City's convenience, a scientific background on global warming and the specific threats posed to California is provided below. 25 26

i. Scientific Background on Climate Change

There is no longer credible scientific dispute that the climate is warming. In its most recent assessment, the Intergovernmental Panel on Climate Change ("IPCC") concluded that "[w]arming of the climate is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting snow and ice, and rising mean sea level." (IPCC 2007a). Expressed as a global average, surface temperatures have increased by about 0.74°C over the last hundred years, with 11 of the 12 warmest years on record having occurred in the past 12 years (IPCC 2007a). In September 2007, Arctic sea ice plummeted to a record-low level not anticipated by most climate models until 2050, leading scientists to predict 27

that the Arctic could be ice-free in summer by 2030 (National Snow & Ice Data Center 2007).[1] Other observed consequences of the warming climate include sea level rise, increased frequency of droughts, floods, and heat waves and substantial increases in the duration and intensity of hurricanes (IPCC 2007a).

The IPCC now states with "very high confidence" that most of the warming observed over the past 50 years is the result of human generation of greenhouse gases, including carbon dioxide, methane, and nitrous oxide[2] (IPCC 2007a). The rapid warming observed since the 1970s has occurred in a period when the increase in greenhouse gases has dominated over all other factors (IPCC 2007a). The largest known contribution to global warming is from carbon dioxide (IPCC 2007a). Fossil fuel combustion is responsible for more than 75% of human caused carbon dioxide emissions with the remainder due to land-use change (primarily deforestation) (IPCC 2007a). The global atmospheric concentration of carbon dioxide has increased from a pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005, a level that has not been exceeded during the past 650,000 years (during which carbon dioxide concentrations remained between 180 and 300 ppm). (IPCC 2007a; Canadell et al. 2007). In 2006, carbon dioxide concentrations reached a new high of 381.2 ppm (World Metrological Organization 2007). As greenhouse gas concentrations increase, more heat reflected from the earth's surface is absorbed by these greenhouse gases and radiated back into the atmosphere and to the earth's surface.[3] Consequently, the higher the level of greenhouse gas concentrations, the larger the degree of warming experienced. 27

At current growth rates and continued reliance on fossil fuels, atmospheric concentrations of carbon dioxide would likely exceed 1,000 ppm by the end of the century, resulting in an average global temperature increase of more than 5°C (United Nations Foundation & Sigma XI 2007). This is equivalent to the change in temperature since the last ice age – an era in which Europe and North America was under more than one kilometer of ice (United Nations Foundation & Sigma XI 2007). The growing consensus among climate scientists is that the threshold for dangerous climate change, whereupon a potential "tipping point" is reached and ecological changes become dramatically more rapid and out of control, is estimated at a temperature increase of around 2°C from pre-industrial levels, or an atmospheric concentration of carbon dioxide of approximately 450 ppm (United Nations Foundation & Sigma XI 2007; IPCC 2007c). In 2006, Dr. James E. Hansen, Director of the NASA Goddard Institute for Space Studies, and NASA's top climate scientist, stated: "In my opinion there is no significant doubt (probability > 99%) that . . . additional global warming of 2° C would push the earth beyond the tipping point and cause dramatic climate impacts including eventual sea level rise of at least several meters, extermination of a substantial fraction of the animal and plant species on the planet, and major regional climate disruptions" (Hansen et al. 2006). More recently however, given the recent unpredicted and extreme rate of loss of arctic ice observed in 2007, Dr. Hansen

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[1] Based on the startling loss of sea ice in 2007, some scientists have predicted that "the Artic Ocean could be nearly ice-free at the end of the summer by 2012." Seth Borenstein, *Ominous Arctic Melt Worries Experts*, Associated Press, Dec. 11, 2007.

[2] *IPCC, 2007: Summary for Policymakers, in* CLIMATE CHANGE 2007: THE PHYSICAL SCIENCE BASIS, CONTRIBUTION OF WORKING GROUP I TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE at 4 (Susan Solomon et al. eds., Cambridge Univ. Press 2007) at 2-3. "Very high confidence" is defined at "at least a 9 out of 10 chance of being correct." *Id.* at 3 n.7.

[3] Greenhouse gases have a warming effect because, when solar radiation is reflected by the earth, greenhouse gases capture this thermal radiation and reradiate it back to earth, much like the effect of a common garden greenhouse resulting in the "greenhouse effect."

concluded that "the safe upper limit for atmospheric CO_2 is no more than 350 ppm" (McKibben 2007). Moreover, according to Hansen, just 10 more years of "business-as-usual" global emissions will make it difficult, if not impossible, to keep atmospheric concentrations of greenhouse gases at levels necessary to avoid a temperature increase above 2°C (Hansen et al. 2007).

Keeping the climate within the 2°C threshold requires significant reductions in the world's greenhouse gas emissions. To reach this objective, it is estimated that developed countries would have to target an emissions peak between 2012 and 2015, with 30 percent cuts by 2020 and 80 percent cuts from 1990 levels by 2050 (United Nations Foundation & Sigma XI 2007). In recognition of need for immediate action, California has committed itself though Executive Order S-3-05 and the California Global to reduce the state's emissions to 1990 levels by 2020 and by 80% reductions from 1990 levels by 2050. Ca. Health & Safety Code ¤ 38550; Cal. Executive Order S-3-05 (2005).

The costs of taking no action to reduce greenhouse gas emissions far outweigh the costs of stabilizing emissions. The Stern Review of the Economics of Climate Change, a comprehensive report commissioned by the British government, recently concluded that allowing current emissions trajectories to continue unabated would eventually cost the global economy between 5 to 20 percent of GDP each year within a decade, or up to $7 trillion, and warned that these figures should be considered conservative estimates (Stern 2006). By contrast, measures to mitigate global warming by reducing emissions were estimated to cost about one percent of global GDP each year, and could save the world up to $2.5 trillion per year (Stern 2006). The Stern Report determined that if no action is taken to control greenhouse gas emissions, each ton of CO_2 emitted causes damage worth at least $85 (Stern 2006). 27

ii. Impacts to California from Global Warming

Climate change poses enormous risks to California. Scientific literature on the impact of greenhouse gas emissions on California is well developed.[4] The California Climate Change Center ("CCCC") has evaluated the present and future impacts of climate change to California and the project area in research sponsored by the California Energy Commission and the California Environmental Protection Agency (Cayan et al. 2007). The severity of the impacts facing California is directly tied to atmospheric concentrations of greenhouse gases (Cayan et al. 2007; Hayhoe et al. 2004). According to the CCCC aggressive action to cut greenhouse gas emissions today can limit impacts, such as loss of the Sierra snow pack to 30%, while a businessas-usual approach could result in as much as a 90% loss of the snowpack by the end of the century. As aptly noted in a report commissioned by the California EPA:

Because most global warming emissions remain in the atmosphere for decades or centuries, the choices we make today will greatly influence the climate our children and grandchildren inherit. The quality of life they experience will depend on if and how rapidly California and the rest of the world reduce greenhouse gas emissions (Cayan et al. 2007).

Some of the types of impacts to California and estimated ranges of severity – in large part dependent on the extent to which emissions are reduced – are summarized as follows:

• A 30 to 90 percent reduction of the Sierra snowpack during the next 100 years, including earlier melting and runoff.

• An increase in water temperatures at least commensurate with the increase in air

[4] Additional reports issued by California agencies are available at http://www.climatechange.ca.gov, and IPCC

temperatures.
• A 6 to 30 inch rise in sea level, before increased melt rates from the dynamical properties of ice-sheet melting are taken into account.
• An increase in the intensity of storms, the amount of precipitation and the proportion of precipitation as rain versus snow.
• Profound impacts to ecosystem and species, including changes in the timing of life events, shifts in range, and community abundance shifts. Depending on the timing and interaction of these impacts, they can be catastrophic.
• A 200 to 400 percent increase in the number of heat wave days in major urban centers.
• An increase in the number of days meteorologically conducive to ozone (O_3) formation.
• A 55 percent increase in the expected risk of wildfires (Cayan et al. 2007).
By providing details as to the ranges of proposed impacts, and indicating that the higher-range of impact estimates are projected if greenhouse gas emissions continue to increase under a "business as usual" scenario, decision-makers and the public will be better informed of the magnitude of the climate crisis and the urgency with which it must be addressed. 27
Finally, the DEIR should also include a brief discussion of other laws to address climate change, including California's mandate to reduce emissions to 1990 levels by 2020 and goal of further reducing emissions to 80% below 1990 levels by 2050. Achievement of state mandated emissions reductions will be severely impeded if agencies across the state continue to approve *new* projects without incorporating measures to reduce the added emissions created by these. 28

B. The EIR the Project Must Include an Inventory and Analysis of the Project's Projected Greenhouse Gas Emissions

The first step in determining a project's greenhouse gas pollution impact is to complete a full inventory of all emissions sources. In conducting such an inventory, all phases of the proposed project must be considered. *See* 14 Cal. Code Regs. ¤ 15126. A basic requirement of CEQA is that "[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences." 14 Cal. Code Regs. ¤ 15151. The greenhouse gas inventory for a project must include a complete analysis of all of a project's substantial sources of greenhouse gas emissions, from building materials and construction emissions to operational energy use, vehicle trips, water supply and waste disposal. 29 30 31
A greenhouse gas inventory for the project must include the project's direct and indirect greenhouse gas emissions. *See* 14 Cal. Code Regs ¤ 15358(a)(1) (Indirect or secondary effects may include effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.). Consequently, a complete inventory of a project's emissions should include, at minimum, an estimate of emissions from the following: 32
• Fugitive emissions of greenhouses gases, such as methane, from the proposed project;
• Emissions during construction from vehicles and machinery;
• Manufacturing and transport of building materials;
• Electricity generation and transmission for the heating, cooling, lighting, and other energy demands of the project;
• Water supply and transportation to the project; 33

• Vehicle trips and transportation emissions generated by the project;
• Wastewater and solid waste storage or disposal, including transport where applicable; and
• Outsourced activities and contracting. 33

Methodologies are readily available to inventory the emissions from the proposed project. In its recent white paper, CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (Jan. 2008), the California Air Pollution Control Officers Association (CAPCOA) set forth methodologies for analyzing greenhouse gas pollution (CAPCOA 2008) The California Office of Planning and Research ("OPR") has also released technical guidance on the preferred approach for analyzing greenhouse gas emissions and climate change entitled "Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review" (California OPR 2008). OPR also provides references to methodologies to quantify greenhouse gas emissions. In addition to the methodologies set forth by CAPCOA and OPR, ICLEI's Clean Air/Climate Protection (CACP) software allows cities to calculate emissions reductions, track and quantify emission outputs, and develop emissions scenarios to inform the planning process.[5] As noted in the ICLEI Climate Action Handbook, "Expertise in climate science is not necessary" to conduct an emissions inventory and compare this inventory against a forecast year (ICLEI). "A wide range of government staff members, from public works to environment and facilities departments, can conduct an inventory" (ICLEI). ICLEI also provides technical assistance and training to local government using the CACP software. It is incumbent on the City to "disclose all it can" about project impacts and educate itself on methodologies that are available to measure project emissions. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm'rs ("Berkeley Jets")*, 91 Cal. App. 4th 1344, 1370 (2001). 34

As with any other project under CEQA, the baseline used for analyzing the impacts of a project is the existing on the ground environmental conditions at the time of the NOP. *See Environmental Planning & Information Council v. County of El Dorado (EPIC)*, 131 Cal.App.3d 350, 355 (1982) (effect of general plan amendment must be compared against actual environment, not assumptions in existing general plan). Accordingly, the DEIR should compare emissions from existing conditions with those that would result from the development of the project, as well as those that would occur under any proposed alternative scenarios. Because the Project envisions development over a long period, the EIR should also provide data on the trajectory for emissions in the planned community and under each proposed alternative in five-year increments. 35 36

Without a complete inventory, the DEIR cannot adequately inform the public and decision-makers about the Project's impacts. Similarly, without a complete inventory and analysis of greenhouse gas emissions that will result from the project, there is simply no way that The EIR can then adequately discuss alternatives, avoidance, and mitigation measures to reduce those impacts. 37

C. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE

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[5] ICELI's Clean Air/Climate Protection software is available at http://www.cacpsoftware.org/ ICLEI-Local Governments for Sustainability is an international association of more than 650 local governments. Cities, counties, towns and villages around the world are members of ICLEI. ICLEI's mission is to improve the global environment through local action. On the issue of global warming, for example, ICLEI provides resources, tools, peer networking, best practices, and technical assistance to help local governments measure and reduce greenhouse gas emissions in their communities.

ON THE PROJECT

California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced.

(Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). 38

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review. 39

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and 40

quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). 40

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project would significantly understate Project impacts. 41

D. THE PROJECT'S GREENHOUSE GAS IMPACTS ARE CLEARLY SIGNIFICANT

The greenhouse gas emissions generated by a project of this size and scope will have a clearly significant cumulative impact. An impact is considered significant where its "effects are individually limited but cumulatively considerable." Guidelines ¤ 15065(a)(3). Climate change is the classic example of a cumulative effects problem; emissions from numerous sources combine to create the most pressing environmental and societal problem of out time. *Ctr. for Biological Diversity*, 508 F.3d 508, 550 (9th Cir. 2007) ("the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct."); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 720 (1990) ("Perhaps the best example [of a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). While a particular project's greenhouse gas emissions represent a fraction of California's total emissions, courts have flatly rejected the notion that the incremental impact of a project is not cumulatively considerable because it is so small that it would make only a de minimis contribution to the problem as a whole. *Communities for a Better Environment v. California Resources Agency*. 103 Cal.App.4th 98, 117 (2002); see also *Kings County Farm Bureau,* 221 Cal. App. 3d at 720 ("[p]erhaps the best example of [a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). 42

In addition. there is nothing speculative about the fact that higher levels of greenhouse gas pollution will lead to greater impacts, which is why the State of California has prioritized greenhouse gas pollution reductions under AB 32. Moreover, in the analogous context of the National Environmental Policy Act (NEPA), the Ninth Circuit has already rejected the argument that "global warming is too speculative to warrant NEPA analysis." *Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, 508 F.3d at 554. 43

In addition, lack of established significance thresholds does not excuse an agency from its obligation under CEQA to determine the significance of a Project's impacts. CEQA routinely calls for an agency to evaluate impacts in the absence of thresholds or to exercise its individual discretion in determining the significance of an impact. *See, e.g., Protect the Historic Amador Waterways*, 116 Cal. App. 4th at 1111 (agency required to assess potential impact not listed in CEQA checklist). The development of significance thresholds is "encouraged" and not a prerequisite for an impact analysis. Guidelines ¤ 15064.7. Indeed, as noted in the CAPCOA white paper on CEQA and Climate Change, "[t]he absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA" (CAPCOA 2008). In fact, CEQA may require additional analysis even if a project meets an adopted standard, if other evidence indicates the project may nonetheless have a significant 44

impact. *See Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344, 1380-82 (2001). 44

As the lead agency, CEQA requires the City to determine the significance of the Project's emissions with or without established significance thresholds. Guidelines ¤ 15064. CAPCOA provides various means by which a lead agency can determine the significance of project emissions (CAPCOA 2008). Importantly, a universally adopted methodology is *not* necessary to analyze project impacts. *Berkeley Keep Jets*, 91 Cal.App.4th at 1370 ("the fact that a single methodology does not exist…requires the [respondent] to do the necessary work to educate itself about the different methodologies that *are* available.").

"The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." Guidelines ¤ 15064(b). Any determination of whether there is a fair argument that the project may have a significant impact must include the consideration of the California Global Warming Solutions Act of 2006 (AB 32), wherein the State of California recognized that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California" and required that existing levels of greenhouse gases be reduced to 1990 levels by 2020. Health & Safety Code ¤¤ 38501(a), 38550. Because AB 32 establishes that existing greenhouse gas levels are unacceptable and must be substantially reduced within a fixed timeframe, any additional emissions that contribute to existing levels frustrate California's ability to meet its ambitious and critical emissions reduction mandate. Ignoring emissions from smaller sources would be neglecting a major portion of the greenhouse gas inventory. 45

In accordance with the scientific and factual data, the City should adopt a zero significance threshold for the Project's greenhouse gas emissions. As noted by the Ninth Circuit in *Center for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*:

[W]e cannot afford to ignore even modest contributions to global warming. If global warming is the result of the cumulative contributions of myriad sources, any one modest in itself, is there not a danger of losing the forest by closing our eyes to the felling of the individual trees? 46

508 F.3d 508, 550 (9th Cir. 2007). Accordingly, the City must unequivocally consider Project emissions to be a potentially significant impact.

E. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code ¤ 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code ¤ 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will 47

actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).
To the extent that the project moves forward as planned, there are many mitigation measures the City can consider, as described below. This is not an exhaustive list and the EIR should explore these and all other feasible mitigation measures that will reduce the project's greenhouse gas emissions (CAPCOA 2008; California Office of the Attorney General 2008). 47

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Additionally, the FEIR should analyze ways of including pedestrian and bicycle only streets and plazas within the development and create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking. 48

ii. Land Use and Energy

The FEIR should consider mitigation measures that will ensure the planned community will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008). 49

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). 50

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and 51

multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals.
Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:
• Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.
• Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
• Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc. 51
• Reducing the use of pavement and impermeable surfaces;
• Requiring water re-use systems;
• Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting
• Limiting the hours of operation of outdoor lighting
• Maximizing water conservation measures in buildings and landscaping, using droughttolerant plants in lieu of turf, planting shade trees;
• Ensure that the Project is fully served by full recycling and composting services;
• Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
• Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
• Installing solar water heating systems to generate all of the Project's hot water requirements;
• Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.

iii. Mitigation Related to Project Construction
• Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
• Minimize, reuse, and recycle construction-related waste; 52
• Minimize grading, earth-moving, and other energy-intensive construction practices;
• Landscape to preserve natural vegetation and maintain watershed integrity;
• Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

iv. Transportation Mitigation Measures
• Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
• Create a car sharing program within the planned community; 53
• Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;

• Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission
vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
Provide a shuttle service to public transit within and beyond the planned community; • Incorporate bicycle lanes and routes into the planned community's street systems. 53

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets must be discussed in the FEIR. As demonstrated by the Office of the Attorney General offsets are a feasible CEQA mitigation measures[6] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. 54

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR must consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code ¤ 21002; Guidelines ¤¤ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo* , 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted). In analyzing the no-project alternative, the EIR must discuss the need for this project andwhether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). 55 56

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water 57

[6] The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

availability, and traffic resulting from each proposed alternative. Where is the alternative which mentions agricultural uses in total or part? The quality of this land is such that even I could become a successful farmer. The less dense alternative two is by far superior than this project if one is serious about lessening one's impact on the environment. 57 58 59

CONCLUSION

Thank you for your attention to these comments. We look forward to working with the City to assure that the FEIR conforms to the requirements of CEQA to assure that all significant impacts to the environment are fully analyzed, mitigated or avoided. I hope the FEIR will fully address the concerns found within this letter as I did not see that within the DEIR. The Sierra Club wishes to be placed on the mailing list for all future notices and documents regarding this project. Please mail all notices to Sierra Club, San Gorgonio Chapter, Moreno Valley Group, 26711 Ironwood Ave, Moreno Valley, CA. 92555. 60 61

Thank you,

George Hague
Conservation Chair
Moreno Valley Group
San Gorgonio Chapter
Sierra Club
951.924.0816

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2.12 RESPONSE TO LETTER E

Sierra Club

Response to Comment E-1. This comment suggests that the Draft EIR did not adequately address the concerns raised in their NOP response letter. The comment also requests that their concerns be addressed in the Final EIR, which they advise focuses on global warming, climate change, greenhouse gas pollution, and air pollutant emissions. Lastly, the commentor requests that the project do everything possible to mitigate these issues due to the non-attainment status of the air basin. The commentor notes that their specific issues follow in their letter.

Short-term and long-term project specific and cumulative effects of the proposed project on air quality are evaluated in Section 4.2 Air Quality pages 4.2-1 through 4.2-29 in the Draft EIR. Greenhouse gas emissions and climate change were evaluated in Section 4.3 Climate Change and Greenhouse Gas Emissions pages 4.3-1 through 4.3-27 in the Draft EIR. Where the proposed project's impacts were determined to be significant mitigation was provided to lessen those impacts. It was determined that even with the implementation of feasible mitigation measures the proposed project will have a significant and unavoidable impact on short-term construction air quality, long-term operational air quality impacts, cumulative air quality, and cumulative greenhouse gas emissions.

The concerns raised by the commentor have been responded to in Response to Comments E-1 though E-62. Any comments that were raised by the Commentor that required additions or revisions to the language in the Draft EIR are provided in Section 3.0 Errata to the Draft EIR in the Final EIR.

Response to Comment E-2. This comment states that the NOP mentions consumption of electricity by the warehouse would generate air pollutant emissions. The air quality emissions of the proposed project are analyzed in Section 4.2 Air Quality and also energy use (electricity) is analyzed in Section 4.3 Global Climate Change and Greenhouse Gas Emissions in the Draft EIR.

Response to Comment E-3. Please see Response to Comment D-8. The commentor inaccurately suggests that the project should be required to obtain a LEED Gold rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions. The process of obtaining a LEED rating is not mitigation. The specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions associated with operations of a building.

However, additional air quality related mitigation measures have been added in the Final EIR (refer to Section 3.0 Errata). Please refer to the Table contained in Response to Comment D-45 regarding operational mitigation measures that have been added. The added measures are also in the Mitigation Monitoring and Reporting Plan in Section 4.0 in the Final EIR to ensure they are implemented

Response to Comment E-4. This comment suggests that the roof of the warehouse be built to accommodate solar panels. This measure is included as part of Mitigation Measure 4.2.6.3A has been changed as follows to ensure that solar or other renewable energy source. The mitigation measure has been added in the Final EIR (refer to Section 3.0 Errata. The added measures are also in the Mitigation Monitoring and Reporting Plan in Section 4.0 in the Final EIR to ensure they are implemented

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-27

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City~~.~~ The following ~~Any~~ combination of design features, ~~including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~

- The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

Response to Comment E-5. This commentor opines that they disagree with the significant and unavoidable impact associated with long-term (operational) air quality impacts. This impact is related to SCAQMD's thresholds of significance. Mitigation Measures 4.2.6.1A through 4.2.6.1M and 4.2.6.3A and 4.2.6.3B set forth a comprehensive list of measures designed to reduce the quantity of air pollution emissions from project construction as well as project operations. These construction and operational mitigation measures have been supplemented in this Final EIR with the feasible mitigation measures suggested by this commentor and comments received from Johnson & Sedlack (Letter D). It bears noting that there is no readily available way to calculate the air pollution emission reductions associated with these mitigations measures and therefore show that long-term emissions cannot be reduced to below the threshold based on this technical limitation even with implementation of unlimited mitigation.

Response to Comment E-6. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. The 20% energy efficiency improvement over and above 2008 CBC building requirements has been established by air quality and climate change technicians as the project-specific energy efficiency improvement (and associated reduction in GHGs) necessary to meet the Statewide mandate of obtaining a 30% reduction in GHG emissions in comparison to 1990 levels by year 2020. In 2006, the California Legislature passed and Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act of 2006, which set a 2020 greenhouse gas emissions reduction goal into law. AB 32 requires California to reduce GHG emissions to 1990 levels (estimated at 426.6 million metric tons) by 2020 (forecast to be 600 million metric tons under "business as usual"), requiring a 30% reduction in emissions in comparison to the "business as usual" scenario. Since that time, the energy efficiency requirements contained in the 2008 and 2010 updates to the CBC now require that new buildings obtain energy efficiencies that exceed the "business as usual" scenario. For this reason, the City has determined that the appropriate performance standard to meet the statewide GHG emissions reduction goals is a 20% improvement over the 2008 CBC.

Response to Comment E-7. This comment is noted. As identified in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-5), "*Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland, 16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance*." The Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of farmland to a non-agricultural use (Section 4.1 Agriculture and Forestry Resources, page 4.1-15). The project site was historically used for agricultural operations but currently lies fallow and has been fallow for a number of years. The site was most recently used as a sod farm that ceased operating in

August 2005 and has not been in agricultural production since that time. Thus no existing agricultural operation exists onsite. The project site has not been utilized to grow agricultural products in the last seven years and it is therefore not reasonable to assume that this land is available for cultivation of crops that can be grown locally to reduce potential climate change problems as cited in Comment Letter E.

This commentor also states that a developer recently donated $100,000.00 to the Riverside Land Conservancy to help mitigate for the loss of agricultural lands but fails to appropriately cite the information and identify the basis for determining the amount of agricultural lands lost in relation to this monetary amount. The City disagrees with the commentor and relys on the Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) decision that concerned a challenge to an EIR for a project that would convert agricultural land to residential uses. Though recognizing the potential for mitigation in the form of agricultural "*conservation easements, Williamson Act preserve status, or temporary protection or conservation plans*," the EIR noted the long-term trend in agricultural land conversion in the region and concluded that mitigation was not feasible. The court upheld the City's determination regarding the feasibility of mitigation on the grounds it was supported by substantial evidence in the record. The court also examined the City and County General Plans, which acknowledged that development pressures were constraining the continued viability of agriculture and included the expansion of housing, commercial and industrial land uses. The court then determined that the project was compatible with these planning documents. The court concluded the particular circumstances surrounding the project such mitigation was infeasible and therefore was not required to be adopted. As with this project the site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required.

The trend of the reduction in agriculture in the Inland Empire is discussed in *Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire* prepared by Justin L. Adams, Ph.D. of Chang & Adams Consulting, September 2011 and *Economic Viability of Agriculture in the East Inland Empire* report prepared by CBRE Consulting, March 18, 2009. Both reports are provided in Appendices B and C to the Final EIR. This reduction in "farming" is due to pressures of the growth in the demand for housing and development and the transportation and warehousing sector; increased restrictions on water deliveries for agricultural uses after several consecutive drought seasons; higher wages in other industries in the region; strong agricultural competition from the southern Central Valley for dairies; increased regulatory pressures from air quality and local jurisdictions regarding particulate matter emissions and land use adjacency issues; and the trend in Riverside and San Bernardino Counties is for agricultural operations to continue to shift to places like Kern County regardless independent of land use policy due to the economic issues.

As stated on Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12 of the Draft EIR, "*the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the '…orderly conversion of agricultural lands.' The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development*." As described in the Draft EIR, the City's General Plan and General Plan EIR have considered and evaluated the eventual and expected conversion of agricultural activity within the City

(Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12) Therefore, the City has already anticipated the eventual conversion of all agricultural activity within the City.

As stated in the Draft EIR, mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding considerations. To be feasible, mitigation must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account the economic, environmental, legal, social, and technological factors. Identification as to the infeasibility of mitigation measures suggested by the commentor has been provided in the Draft EIR. No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development.

The potential mitigation measures identified by the City in its General Plan EIR and California Department of Conservation (CDC), which are listed in the Draft EIR (Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-11), are not considered to be feasible by the City of Moreno Valley as determined in the City's General Plan EIR. Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land. As identified in the Draft EIR, the City supports agriculture as an interim use within the City and no land is dedicated or designated for agricultural use or agricultural preservation within the City's jurisdiction. With no such dedication or designation in place at this time, the establishment of urban limits, greenbelts, and buffers would not result in permanent protection of agricultural land as none exists within the City. Areas where agriculture land use designations may exist that are outside of the City limits cannot be preserved as it is outside of the City's jurisdiction.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. The City does not have a funding source for the acquisition of farmland. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The City of Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified.

Response to Comment E-8. Refer to Response to Comment E-7.

Response to Comment E-9. Mitigation Measure 4.2.6.3A already provides for preferential parking for alternative fueled cars. This mitigation located in the Draft EIR, Section 4.2 Air Quality, pages 4.2-26, 4.2-27, and 4.2-28 reads as follows with changes proposed in Section 3.0 Errata in the Final EIR to address other commentor concerns:

> ***4.2.6.3A*** *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:*
>
> - *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
> - *Provision of preferential parking for EV and CNG vehicles.*

This comment also suggests that the parking lot be required to include porous materials for groundwater recharge. As identified in Table 1.B on page 1-34 of the Draft EIR, impacts associated with groundwater supplies were determined to be less than significant and no mitigation is required. Therefore, there would be no nexus to require this mitigation measure.

Response to Comment E-10. This comment suggests that the World Logistics Project identified as a cumulative project in the Draft EIR was not included in the analysis of the proposed project. The City acknowledges that the World Logistics Project 41,500,000 SF high cube warehouse uses (refer to Table 2.C in Section 2.7 Cumulative Projects on page 2-38 of the Draft EIR). This cumulative project was considered along with the other cumulative projects in Table 2.C in the consideration of traffic impacts on the highway mainline, air quality, greenhouse gas emissions, and loss of agricultural lands in the Draft EIR.

Response to Comment E-11. The ProLogis project is contained in the Draft EIR. It is referred to as the Eucalyptus Industrial Park, cumulative project number 67, shown in Table 2.A and Figure 2.1.

Table 2.C of the Draft EIR identifies the Eucalyptus Industrial Park as A-67, while Figure 2.1 identifies it as M-67. The project is in the City, so the table entry will be modified as follows and as indicated in Section 3.0 Errata in the Final EIR.

Draft EIR, Section 2.7 Cumulative Projects, Table 2.C, Page 34

~~A~~M-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses

Response to Comment E-12. The nearest schools to the project site are located approximately one mile to the east and northeast of the project site. Because the primary truck route between the project and I-215 will be Harley Knox Boulevard to the west, the trucks will not be passing by a school. In addition, the project is in an area of the City that has been zoned for industrial uses and the proposed project is consistent with this zoning. This sensitive receptor is a residence located at Patterson Avenue and Harley Knox Boulevard in the City of Perris. It should be noted that the entire area surrounding and adjacent to the proposed project has been previously designated and zoned by the City for future industrial uses. Similarly, the entire area surrounding and adjacent to Harley Knox Boulevard between Perris Boulevard and I-215 has been previously designated and zoned by the City of Perris for future commercial and industrial uses. This means that the single residence located

adjacent to Harley Knox Boulevard in the study area is a legally nonconforming land use. Because this residence on Harley Knox Boulevard is a legally nonconforming use, it is highly unlikely that the residence will exist in the area in the future. Thus, in light of these factors, it is highly unlikely that the currently existing residential use will be exposed to diesel over the course of a long period of time, such as a 70 year exposure used to calculate health risks from diesel particulates.

Response to Comment E-13. The project will not impact the health of students walking or riding their bicycles to school because the majority of the residential areas are located to the east of Perris Boulevard and north and northwest and northeast of Perris Boulevard where it passes over the Perris Valley Storm Drain. This area is more than one mile north of the project site. As noted above the primary trucking route will be Harley Knox Boulevard to the west to the I-215 which does not pass by any schools.

Response to Comment E-14. See Response to Comments E-13. There are no sensitive receptors in close proximity to the project site that would be impacted during project construction or by project truck use of the local roadway system. Nonetheless, the EIR contains a measure requiring a 200 foot buffer between construction staging areas and sensitive receptors (Draft EIR Mitigation Measure 4.2.6.1A, page 4.2-21).

Response to Comment E-15. A *Health Risk Assessment (HRA) VIP Moreno Valley*, LSA Associates, Inc., March 2012 was prepared for the proposed project and included in Appendix D-2 to the Draft EIR. The HRA examined the short-term and long-term potential health effects from project-related emissions of toxic air pollutants (TAP) in the exhaust of diesel-powered delivery trucks on existing surrounding sensitive receptors, including single- and multifamily residences. Onsite workers will be protected by the requirements established by the Occupational Safety and Health Administration (OSHA) and are not considered sensitive receptors in accordance to the California Air Resources Board (CARB). The CARB defines "sensitive" land uses, as homes, medical facilities, daycare centers, schools, and playgrounds.

According to the HRA prepared for the proposed project, "*Toxic air pollution emissions associated with the project would occur from a variety of activities related to the project operations. The only significant amount of TAP known to be released from the proposed distribution facility is contained in the exhaust of project-related vehicles. While there may be other toxic air pollutants in use on site, compliance with City, SCAQMD, State, and federal handling regulations will keep those emissions below a level of significance.*

Page 13 of the HRA states, "*As evaluated in the air quality/health risk assessment, practical procedures will be taken for the onsite operations. The results of the conservative modeling are shown in Table C for carcinogenic and chronic inhalation health risks at the sensitive receptors. Even with the conservative modeling technique used (assuming that an individual stays outdoors at his or her residence 24 hours per day for 70 years, which is the State-required period of time that all HRAs must assess), the nearest sensitive receptor would be exposed to an unmitigated inhalation cancer risk of no more than 3.5 in 1 million, less than the threshold of 10 in a million. ……"The highest worker exposure occurs at the facility to the west of the project, at the corner of Indian Street and E. Oleander Avenue. The unmitigated inhalation cancer risk at that facility will be no more than 0.36 in 1 million, also less than the threshold of 10 in a million. The Chronic Hazard Index would be 0.0022, less than the threshold of 1.0. These risk levels are much higher than are actually expected to occur. No significant health risk would occur from project-related truck traffic, and no mitigation is necessary.*"

Table C: Long-Term Health Risk Levels from Project Operations

Location	*Maximum Cancer Risk (risk per million)*	*Maximum Noncancer Risk (risk per million)*
SCAQMD Threshold	*10*	*1*
School 1	*0.11*	*0.000069*
School 2	*0.79*	*0.00050*
School 3	*0.26*	*0.00016*
Nearest Residential to the north	*6.6*	*0.0041*
Nearest Residential to the east	*5.0*	*0.0031*
Nearest Residential to the south	*1.2*	*0.00074*
Workers at facility to the west	*4.5*	*0.0029*
Significant?	***No***	***No***

Source: LSA Associates, Inc., March 2012.

Response to Comment E-16. The Draft EIR, Section 4.2 Air Quality contains the following Mitigation Measure 4.2.6.1K that provides for electric or alternative fuel construction equipment and forklifts and Section 4.3 Greenhouse Gas Emissions and Climate Change contains Mitigation Measure 4.2.6.3A which specifies electric trucks and yard trucks in Mitigation Measure 4.2.6.3A. Changes proposed to Mitigation Measure 4.2.6.1K are provided in Section 3.0 Errata in the Final EIR to address other commentor concerns. The measures are as follows:

> ***4.2.6.1K*** *Grading plans, construction specifications and bid documents shall also include the following notations:*
>
> - *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
> - Use electric construction equipment where feasible.
> - All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
>
> ***4.2.6.3A*** *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:*
>
> - *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
> - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
> - *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
> - *Use of electric (instead of diesel or gasoline-powered) yard trucks.*

Response to Comment E-17. The Draft EIR, Section 4.4.6.1 Short-Term Construction Noise Impacts page 4.4-17 states "*The nearest noise-sensitive receptor locations to the project site are*

existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures [Mitigation Measures 4.4.6A – 4.4.6D] have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards."

The noise impact analysis for the proposed project (*Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., March 2012, Appendix F to the Draft EIR) evaluated the traffic noise impact in terms of CNEL and the on-site operations noise impact comparing to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. The project site is surrounded by vacant land or other non-noise-sensitive land uses such as industrial or commercial uses. Although the City's Municipal Code states that the noise standards shall apply "when measured at a distance of 200 feet or more from the real property line of the source of the sound if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property", in this case, evaluating the potential noise levels at the property line of the nearest noise-sensitive land uses (i.e., residences) would adequately determine the project's potential noise impacts.

As indicated in the noise impact study, no noise barriers would be required during project construction nor are they required during operation of the proposed project. The proposed project will comply with all mitigation measures identified and comply with applicable federal, State, and City guidelines.

Response to Comment E-18. A Traffic Impact Analysis (*Traffic Study VIP Moreno Valley*, LSA Associates, Inc., April 9, 2012) was prepared for the proposed project that analyzed the proposed project's impacts to area roadways during construction and operation of the project. Draft EIR Section 4.5 Traffic and Circulation, pages 4.5-1 – 4.5-28 analyzed the construction and operational impacts to not only area roadways but on the freeway system as well. It was determined that the proposed project would be expected to generate 327 passenger car equivalent (PCE) trips in the a.m. peak hour, 388 PCE trips in the p.m. peak hour, and 5,052 daily PCE trips when built. It was determined that the proposed project upon build out in the year 2013 would have impacts that are cumulative resulting in exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);

- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

This is a significant impact and mitigation was provided. It is important to note that ten of the eleven intersections also operate at unsatisfactory levels of service under year 2013 cumulative without the project conditions. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a project-specific impact.

The air quality/health risk assessment has discussed the number of truck trips per day that will visit the project site. Trip length assumptions and the truck routes have also been identified in the analysis. Figure 3 of the Health Risk Assessment report (Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., March 2012) shows the location of all the truck emissions sources modeled. As described in the report; *"An approximate representation of the roadway was obtained by placing a number of volume sources at equal intervals along the roads on site and far enough off site to characterize the emissions at the sensitive receptors near the project site. For other sensitive receptors further from the project site but near the roads the trucks will travel, it is assumed that the health risk levels from the project traffic will be low compared to the total risk from all existing road traffic.*"

The Air Quality Study Table I page 26 Appendix D of the Draft EIR indicates the average trip length is 17 miles. This section of the Air Quality study is provided as follows:

5.2.1 Long-Term Project Operational Emissions

Long-term air pollutant emission impacts are those associated with stationary sources and mobile sources involving any project-related changes. The proposed project would result in a net increase in the number of employees in the project area; therefore, the proposed project would result in net increases in both stationary and mobile source emissions. The stationary source emissions would come from additional natural gas consumption for on-site buildings and electricity for the lighting in the buildings and at the parking area. The proposed project is a warehouse/distribution in the Inland Empire area of Southern California. Average truck trip length in this area has been shown to be greater than the default trip length in the CalEEMod model. Table I lists the potential origin and destination points for the truck trips that would be associated with the proposed project. The average trip length for the employee commute is assumed to be 17 mi. This is also greater than the default commute trip length included in the CalEEMod model for the Inland Empire area.

Table I: Average Truck Trips Lengths

Truck Route	*Route Length (miles)*	*Percentage of Trucks on Route*
East on State Route 60 to Basin Boundary	*30*	*10%*
Port of Los Angeles/Long Beach	*80*	*50%*
South on the I-215 to San Diego	*50*	*20%*
Inland Empire (i.e., Ontario, Mira Loma, Fontana)	*50*	*10%*
Perris Destinations	*40*	*5%*
Moreno Valley Destinations	*20*	*5%*
Average Truck Trip (54% of trips)	***61***	

Source: Project Plans

Response to Comment E-19. The trip generation for daily trucks is listed in Table 4.5.D in the Draft EIR, Section 4.5.3.1 Project Trip Generation, page 4.5-14. As shown in Table 4.5.D, the total number of daily trips (total raw trucks) is 1,475. The number of daily truck trips is based on NAIOP rates for High-Cube Warehouse that were approved by the City of Moreno Valley.

Response to Comment E-20. Freeway segment and merge/diverge analysis locations are based on Caltrans guidelines which requires analysis to a State highway facility if a project generates over 100 peak hour trips[1]. The project generates over 100 peak hour trips at the Interstate 215/Harley Knox Boulevard interchange and was included in the Draft EIR. Project traffic at freeway segments on SR-60 are less than 100 peak hour trips and were not included in the Draft EIR.

Regarding commenters opinion that payment of DIF and TUMF is inadequate mitigation, please refer to Response to Comment D-82. The payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts.

Response to Comment E-21. The commentor opines that the project site should not be disced or graded for at least six months prior to doing the burrowing owl survey. Mitigation Measures BIO-1 through BIO-4 require pre-construction surveys and establish what actions must be taken if the burrowing owl is found on-site during the pre-construction surveys that are in accordance with the Burrowing Owl Consortium 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines[2] and referred to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) survey instructions[3] to complete the pre-construction burrowing owl survey.

Response to Comment E-22. This comment states that the Final EIR will be inadequate unless the concerns and issues identified in the comment letter are addressed within the document. This comment does not raise any specific issue associated with the Draft EIR. In addition, any concerns and issues identified in the comment letter have been addressed through Responses E-1 through E-62 of the Final EIR. No further response is required.

Response to Comment E-23. Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27 provides an analysis of the proposed project's impact on greenhouse gas emissions and climate change. The analysis is based on the *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011 included as an Appendix D in the Draft EIR. Responses to Comments E-24 through E-54 include specific responses to the commentor's assertions that the Draft EIR did not thoroughly evaluate alternatives and mitigation measures that would reduce greenhouse gas emissions. Where appropriate additional mitigation measures have been add to the Section 3.0 Errata in the Final EIR.

Response to Comment E-24. The commentor opines that global warming poses a grave threat to California and the Draft EIR is obligated to discuss the threats posed by greenhouse gas emissions for the public and decision makers. Page 4.3-1 through 4.3-3 in the Draft EIR (Section 4.3 Climate Change and Greenhouse Gas Emissions) already established the existing background information related to climate change as requested in this comment.

The commenter suggests that there is consensus among scientists regarding the link between GHG and global warming. However, there is still considerable debate about the existence of anthropogenic global warming, and about the long term environmental effects of anthropogenic global warming if in fact such warming is occurring and will occur long term. (*See, e.g., U.S. Senate Minority Report; More Than 700 International Scientists Dissent Over Man-Made Global Warming Claims*; March 16, 2009.)

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1 *Guide for the Preparation of Traffic Impact Studies*, State of California Department of Transportation, December 2002, page 2.

2 http://www2.ucsc.edu/scpbrg/burrowingowls.htm.

3 http://www.tlma.co.riverside.ca.us/epd/documents/survey_protocols/burrowing_owl_survey_instructions.pdf.

This body of scientific literature argues that (i) there is no scientific consensus on the existence of anthropogenic global warming; (ii) that the Intergovernmental Panel on Climate Change (IPCC) literature is deeply flawed; (iii) that scientists and research grant funding sources have deliberatively ignored other possible explanations in global temperature variations.

In addition, quantitative data published by the State Air Resources Board and the IPPC demonstrates that even if California achieved the specified AB 32 greenhouse reduction goals, that this may have no effect on climate increases based on greenhouse gas emissions because emissions from China, Russia, Indonesia and other developing countries have and will greatly surpass the emissions of California.

Response to Comment E-25. Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27 provides an analysis of the proposed project's impact on greenhouse gas emissions and climate change. The analysis is based on the *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011 included as an Appendix D in the Draft EIR. In addition, the commentor asserts that the "ecological implications of its actions" must be discussed. Also refer to Response to Comment E-38 for an explanation on a recent court case regarding global climate change. As set forth in Response to Comment E-38, the courts have confirmed the longstanding tenant of CEQA that impacts from the environment onto a project need not be analyzed.

Response to Comment E-26. Please see Responses to Comments E-25, E-27, and E-38.

Response to Comment E-27. The commentor is providing information relating to the scientific background on climate change and global warming. See Response to Comment E-24 regarding an alternative view of greenhouse gas emissions and the effect of such emissions.

Response to Comment E-28. Section 4.3 Climate Change and Greenhouse Gas Emissions, Subsection 4.3.2 Regulatory Setting in the Draft EIR pages 4.3-7 through 4.3-11 contains a discussion on the various federal, state, local and City laws, regulations and policies concerning greenhouse gas.

Response to Comment E-29. The greenhouse gas impact study (*Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011) provided emissions from both construction and operation periods. During the construction period, emissions from both equipment exhaust and other area sources were calculated. During the operational period, emissions associated with vehicular (including automobiles and trucks) trips, water and energy usage, waste treatment, and other known sources have been calculated and identified in the study.

Response to Comment E-30. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-31. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-32. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated. If the commentor is suggesting that an exhaustive "life-cycle" inventory of the project's greenhouse gas

emissions be prepared, the State Office of Planning and Research provided guidance on this issue and clarified that a life-cycle analysis is not required.[1]

Response to Comment E-33. Please see Response to Comment E-29.All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-34. Please see the Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated. The preparer of the greenhouse gas impact study has followed the guidelines provided by the OPR and CAPCOA and has provided an adequate analysis. It is the City's opinion that it has disclosed the impacts of the proposed project adequately and mitigated the impacts of greenhouse gas emissions where applicable (Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

Response to Comment E-35. The commentor points out that existing conditions must be utilized as the environmental baseline throughout the Draft EIR. The Draft EIR does just this by calculating and presenting the air pollution and greenhouse gas emissions attributable to the proposed project. Because there is currently no land use activity on the project site, existing baseline emissions are zero. Consequently, the calculated emissions represent the emissions associated with the project.

Response to Comment E-36. The project will not be built over a long period of time. There is no phasing proposed with the development. The commentor is confused, the project is not a planned community, it is an approximately 1,616,133 square feet of distribution warehouse (refer to Draft EIR, Section 3.0 Project Description). There is no reason to evaluate the emissions of the proposed project over five year increments since the building will be built all within the same year.

Response to Comment E-37. It is the commentor's opinion that the Draft EIR does not provide a complete inventory of impacts. The Draft EIR evaluated the impacts of the project on air quality (Section 4.2) and greenhouse gas emissions and global climate change (Section 4.3). In addition a full air quality study and greenhouse gas emissions study were prepared for the proposed project and included in their entirety in the Appendix to the Draft EIR. No further response is required.

Response to Comment E-38. According to the greenhouse gas impact study (*Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011), "*Global climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other significant changes in climate (such as precipitation or wind) that last for an extended period of time. The term "global climate change" is often used interchangeably with the term "global warming," but "global climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures."* The Draft EIR did analyze the project's effects on greenhouse gas emissions which is a component of global climate change or global warming (Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

In addition, the California requires mandatory measures to be implemented on all new construction projects that consist of a wide array of green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources. The Cal Green Building Code refers to Title 24, Part 6 compliance with respect to energy efficiency; however, it encourages 15 percent energy use reduction over the required in Part 6. The Cal Green Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG

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[1] *Transmittal of the Governor's Office of Planning and Research's Proposed SB97 CEQA Guidelines Amendments to the Natural Resources Agency*, California Governor's Office of Planning and Research, April 13, 2009, page 2.

emissions from the Business as Usual Scenario (California Building Code). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.

If the commentor is suggesting that the Draft EIR should analyze global warming on the proposed project there is a a recent CEQA Case *Ballona Wetlands Land Trust v. City of Los Angeles and Ballona Ecosystem Education Project v City of Los Angeles,* No.B231965 (Cal. Ct. App 2d Dist., November 9, 2011) where the opponents claimed that the EIR was inadequate because it did not analyze the effects of sea rise due to global warming on the project. The Court held that CEQA did not require the EIR to analyze this risk, concluding that "the purpose of an EIR is to identify the environmental effects of the project on the environment and not the significant effects of the environment on the project." The court reasoned: "[w]e believe that identifying the environmental effects of attracting development and people to an area is consistent with CEQA's legislative purpose and statutory requirements, but identifying the effects on the project and its users of locating the project in a particular environmental setting is neither consistent with CEQA's legislative purpose not required by CEQA statutes." Therefore an analysis of the effects of global climate change on the project is not appropriate and is not required.

Response to Comment E-39. Refer to Response to Comment E-38.

Response to Comment E-40. Refer to Response to Comment E-38.

Response to Comment E-41. As stated in Response to Comment E-38, CEQA does not require that the effects of global climate change on the project and other environmental resources must be analyzed in the EIR. CEQA does require that the proposed project's effects on greenhouse gas emissions and global climate change must be addressed. This analysis was provided in Section 4.3 Greenhouse Gas Emissions and Global Climate Change in the Draft EIR. The Draft EIR did analyze the significant effects on air quality (Section 4.2), water supply (Section 2.0), flood hazards (Section 2.0) and biological resources (Section 2.0) and provided mitigation to reduce those impacts where feasible.

Response to Comment E-42. The Draft EIR analyzed the cumulative effects of the project on greenhouse gas emissions (Section 4.3.7 Cumulative Impacts, page 4.3-26) and it was determined that "*While it is not possible to determine whether the project individually will have a significant impact on global warming or climate change, it will contribute to cumulative GHG emissions in California. Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of CEQA Guidelines Sections 15065(a)(3) and 15130. The CARB is currently in the process of designing regulations to monitor, limit, and ultimately reduce California GHG emissions but there are as yet no adopted standards for assessing the significance of cumulative impacts from projects.*

Cumulatively, the emissions from electricity production would comprise approximately 3.4 percent of the project's total CO_2e emissions. Water usage and solid waste disposal emissions comprise approximately 18 percent of the project's total CO_2e emissions while the emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO_2e emissions are primarily associated with building systems. The proposed project is required to comply with existing State and Federal regulations regarding the energy efficiency

of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy efficient than older buildings.

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable."

The Draft EIR did analyze the cumulative effects of the project on greenhouse gas emissions and determined the impacts on global climate change are considered to be significant and unavoidable.

Response to Comment E-43. To clarify, the project is not subject to NEPA and the environmental documentation that was completed is under CEQA. The findings or rulings under NEPA do not apply in this case; however, State CEQA Guidelines Section 15064(b) provides that "…the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting." The State CEQA Guidelines further indicate that even when thresholds are established, they may include "identifiable quantitative, qualitative or performance level of a particular environmental effect" (State CEQA Guidelines, Section 15064.7).

Furthermore, the Draft EIR page 4.3-26 as modified in this Final EIR, determined "*project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~* <u>on a project specific basis</u> *because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.*

The Draft EIR (Section 4.3) made a determination that the proposed project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases and no mitigation is required. However, it was determined that the proposed project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and mitigation was proposed to reduce these project-specific effects to less that significant (Draft EIR, page 4.3-21 – 4.3-26).

It should be noted that any GHG emissions reductions achieved locally and within the State may be offset by emissions increases in developing countries such as Brazil, Russia, India and China. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects from greenhouse gas emissions will be fully mitigated because significant impacts from greenhouse gas emissions may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan.

Response to Comment E-44. Refer to Response to Comment E-43.

Response to Comment E-45. Refer to Responses to Comments E-42 and E-43.

Response to Comment E-46. As the comment is the opinion of the commentor the City is not in the position nor is it reasonable to adopt a "zero" significance threshold. SCAQMD and other air quality

agencies agree that GHG and climate change should be assessed as a potentially significant "cumulative impact" rather than a "project-specific" impact. SCAQMD is considering the adoption of a numeric plan-level efficiency target of 6.6 MTCO2E per service population.

The intent of CEQA is to determine the significant effects of a project on the environment and provide feasible and reasonable mitigation to reduce impacts to less than significant. In instances where the impact of the project cannot be reduced to less than significant and it is determined the impact is significant and unavoidable, the Lead Agency, must adopt a Statement of Overriding Considerations that finds (1) under Public Resources Code Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the Final EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093. CEQA does have a provision as stated above that an impact can be significant and unavoidable if the City makes findings as to why it is willing to accept the significant impact; therefore, it was not CEQA's intent to not allow any tolerance for impacts on the environment as long a good faith effort is made to reduce the impacts where reasonable.

Response to Comment E-47. See Response to Comment D-8. Mitigation Measure 4.2.6.3.A (Draft EIR page 4.2-26) requires "Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:" With implementation of this measure, the building will meet a 20% reduction in energy performance standard which will render greenhouse gas emissions impacts to a less than significant level on a project-specific basis and consistent with the intention of AB32. It should be noted, however, that many new mitigation measures have been added in the Final EIR. Please refer to the Table contained in Response to Comment D-45 regarding air quality operational mitigation measures as well as indicated in Section 3.0 Errata in the Final EIR.

Response to Comment E-48. Riverside Transit Authority (RTA) has an established bus route, No. 19, which services the project area and the site. The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary. However, a bus bay has been included in the project design along the site's Perris frontage.

The commentor is erroneously confusing this project which is a distribution warehouse with a mixed use or commercial project that would have residents living within the project area. It is not appropriate to include plazas and pedestrian and bicycle only streets within the project and to create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking as suggested by the commentor. The project is not building transportation routes. The project is located on existing roadways, Perris Boulevard, Indian Street, and Grove View Road.

Response to Comment E-49. The commentor is erroneously confusing the proposed project, which is a high-cube logistics distribution warehouse, by inferring that it is a planned community with a residential component. Nonetheless, the warehouse building will be required to incorporate many green building techniques required as part of Mitigation Measures 4.2.6.3A-4.2.6.3B and 4.3.6.1A-4.3.6.1C.

Response to Comment E-50. The commentor is erroneously confusing the proposed project, which is a high-cube logistics distribution warehouse, by inferring that it is a residential project. Nonetheless,

please see the response to Comments E-29 and E-32. All known emissions during construction and operations of the proposed project have been identified and calculated (Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

Response to Comment E-51. See Response to Comments D-8 and E-47.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" in the following Table have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the greenhouse gas reduction measures suggested for inclusion by the commentor and if it is already included, if will be added mitigation as part of the Final EIR, or if will not be included and why.

Suggested Mitigation Measure	Response
1. Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.	**Incorporated.** The project description states In recognition of the trend towards Green Building, the proposed project will pursue the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. LEED is a voluntary, consensus-based standard to support and certify successful green building design, construction, and operations.
2. Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
3. Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. Reducing the use of pavement and impermeable surfaces.	**Included where appropriate.** Impermeable surfaces will be installed were appropriate but it is not feasible to use impermeable surfaces in the truck parking area since a soft permeable surface will not support the weight of a large truck.
5. Requiring water re-use systems.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1C** on page 4.3-25.
6. Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
7. Limiting the hours of operation of outdoor lighting.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
8. Maximizing water conservation measures in buildings and landscaping, using drought tolerant plants in lieu of turf, planting shade trees.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
9. Ensure that the Project is fully served by full recycling and composting services.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3B** on page 4.2-28.
10. Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Infeasible.** The site is served by public entities for wastewater and solid waste, Neither the City nor the project proponent has control over those facilities.

Suggested Mitigation Measure	Response
11. Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
Mitigation Related to Construction	
1. Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1B** on page 4.3-25.
2. Minimize, reuse, and recycle construction-related waste.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
3. Minimize grading, earth-moving, and other energy-intensive construction practices.	**Infeasible.** The entire site must be graded to accommodate the building structure and parking lot.
4. Landscape to preserve natural vegetation and maintain watershed integrity.	**Infeasible.** The site does not contain natural/native vegetation**.**
5. Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measures 4.2.6.1B, 4.2.6.1I, and 4.2.6.1K** on pages 4.2-21- 4.2.22.
6. Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1B** on page 4.3-25.
Transportation Mitigation Measures	
1. Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
2. Create a car sharing program within the planned community;	**Not required.** The project is not a planned community. . As noted in **Mitigation Measure 4.2.6.1K**, documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs.
3. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. Provide necessary facilities and infrastructure to encourage residents to use low or zeroemission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27. The mitigation measure the commentor suggests relates to "residents". This project is a high-cube warehouse not a residential development.
5. Provide a shuttle service to public transit within and beyond the planned community.	**Not required.** The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary. However, a bus bay has been included in the project design along the site's Perris frontage.

Suggested Mitigation Measure	Response
6. Incorporate bicycle lanes and routes into the planned community's street systems.	**Not required.** Bicycle access to and from the project will take place from the adjacent streets In addition the project is not a planned community.

Response to Comment E-52. See the Table included in the Response to Comment E-51 under "Mitigation Related to Construction" Items 1-6.

Response to Comment E-53. See the Table included in the Response to Comment E-51 under "Transportation Mitigation Measures" Items 1-6.

Response to Comment E-54. The use of carbon offsets are infeasible because:

- The cited precedent is a negotiated settlement for a major oil refinery in Contra Costa County, rather than a warehouse development in Riverside County;
- The cited precedent was for the period prior to 2012;
- California has not established any generally applicable standards for requiring offsets for GHG emissions; and
- Most cities and counties in California have not required offsets for GHG emissions on projects of the scale of the proposed project. Since this is a cumulative rather than a project level impact, mitigation for the cumulative level impact will be ineffective unless it is applied to all the cumulative projects.

Using such carbon offsets to mitigate for cumulative impacts is fraught with uncertainty. As the comment implies ("… offsets purchased are real…"), but there is considerable controversy regarding whether offsets that are available today will actually mitigate this cumulative effect.

First, it requires an accurate measure of the emissions to be offset and the offsets to be provided. That calculation turns out to be riddled with uncertainty on both ends. As noted above in the example cited by the commenter, this initial offset of $7 million for the Rodeo refinery was later reduced to $4.4 million due to revised calculations of GHG emissions. The UN's Intergovernmental Panel on Climate Change found a margin of error of 10% with measuring emissions from making cement or fertilizer; 60% with the oil, gas and coal industries; and 100% with some agricultural processes.

Second, the provision of offsets requires an accurate measure of the carbon saved elsewhere. Most of the earliest offset projects involved planting trees, which naturally ingest carbon, a complex and unpredictable process which forbids accurate measurement.

Finally, the very idea of offsetting relies on what is known as additionally - evidence that a carbon reduction would not have occurred in the natural order of commercial life. For example, one of the biggest UK companies that sells offsets, Climate Care, distributed 10,000 energy-efficient light bulbs in a South African township; offered the carbon reductions as offsets; and then discovered that an energy company was distributing the same kind of light bulbs free to masses of customers, including their township, so the reduction would have happened anyway.

To accurately calculate the amount of credit for each of the above actions, the offset program must make a number of critical assumptions:

- What is the baseline of emissions for the existing facilities that would be retrofitted to reduce their energy consumption? Would they ultimately be retrofitted in any case, thus limiting the actual resulting reduction in GHG emissions?

- Is the development of the alternative energy source actually dependent on the external funding provided by the offset? Or is the alternative energy developer simply achieving another subsidy?

- How much extra energy (and GHG emissions) is required to construct the alternative energy facility? What period of time should this be amortized over? For example, the development of the California High Speed Rail Project is estimated to reduce energy consumption in the long run. However, the extra energy involved with construction is estimated to have a 40 year payback.

As such, the actual amount of mitigation provided by an offset program can be speculative, based upon the actual performance of the program.

While the above cited issues with offsets are problematic, even if they are successful, they are based upon the assumption that a 1:1 reduction in emissions will actually result in the same reduction in global CO2 values. This static analysis fails to take into account the dynamic nature of energy consumption worldwide. When energy consumption (a proxy for GHG emissions) is reduced in one location, there are powerful economic reasons to assert that the same energy consumption (GHG emissions) will simply be shifted to another location.

There is a global marketplace for fossil fuel energy based upon a market between buyers and sellers. The sellers, those who own the sources and production of fossil fuel energy, have a powerful economic interest to keep and increase their income stream from the production of fossil fuels.

To the extent that the actions cited above as potential offset measures, in combination with other conservation measures, reduce the demand for fossil fuels in the countries where they are implemented, the owners of these fossil fuel supplies will still want to preserve and enhance their income as much as possible. And there is a large unmet need (unmet as defined by consumer actions) for increased energy consumption in developing countries. For example the average annual energy consumption of a citizen of China or sub-Saharan Africa, at 4.5 metric tons, is far less than that of the average US citizen, at 20 metric tons. To the extent that the US and other countries reduce energy consumption based upon energy efficiency measures, the owners of fossil fuel resources will seek to sell the same energy, perhaps at a lower price, to the less developed countries. If the energy is sold at a lower price, then more energy would need to be sold to generate the same income, and the resulting energy consumption and GHG emissions could actually increase.

There is uncertainty regarding the efficacy, reliability and legal standing of carbon off-sets at this time. For this reason, such mitigation is considered to be infeasible.

Response to Comment E-55. The commentor is correct in stating that the EIR must contain a "*reasonable*" [emphasis added] range of alternatives to the proposed project that avoid or lessen the significant impacts to the proposed project (Pub. Res. Code §21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126.6(d)). According to CEQA Guidelines §15126.6(a) "[A]n EIR need not consider every conceivable alternative to a project. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of

reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376)."

The Draft EIR does include an analysis of a reasonable range of alternatives to the proposed project (Section 6.0 Alternatives, pages. 6-1 – 6-33) incompliance with CEQA. The Draft EIR discusses the No Project Alternative (Section 6.3.2.1) and an Off-Site Alternative (Section 6.3.2.4) as suggested by the commentor.

Response to Comment E-56. The commentor is misinterpreting the Draft EIR or has failed to understand that the proposed project is not a higher density mixed use commercial/residential project. The project analyzed in the Draft EIR is an industrial project (refer to Draft EIR Section 3.0 Project Description) which is consistent with the General Plan Designation of Business Park/Light Industrial. Zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, which is known as the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002. The entire area surrounding the project site is zoned SP 208 which has planned the area for business park and industrial uses since 1989 (23 years). The area to the south in the City of Perris is also planned for industrial and commercial uses. Clearly, the Cities of Moreno Valley and Perris have planned this area for industrial/business park and commercial uses in their respective General Plans for years. The City has already determined the appropriate lands uses for the area and conducted the appropriate CEQA review for that determination. This project implements that prior determination consistent with the existing general plan and specific plan.

If the commentor is suggesting that a high density mixed use commercial/residential project be considered as an alternative to the proposed project, the Draft EIR Section 6.3.2.3, page 6-22 does include an analysis of Alternative 3 Mixed Use Commercial Office Center. A Mixed Commercial/Residential Alternative was analyzed in Section 6.2.3 and it was determined *[t]hat the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site.*

Also refer to Response to Comment D-96.

Response to Comment E-57. The Draft EIR does analyze the various alternatives impacts on greenhouse gas emissions (Table 6.G page 6-16) biological resources, water resources including water quality and water availability(Table 6.E page 6-16) and traffic (Table 6.C page 6-15). In addition, detailed analysis for each of the alternatives is proposed in Draft EIR Sections 6.3.1.1, 6.3.1.2, 6.3.1.3 and 6.3.1.4 on pages. 6-12 – 6-31 as it related to the environmental issues listed by the commentor. An agricultural alternative was not considered because the site has been planned by the City since 1987 for industrial land uses. In addition the current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." Therefore, an agricultural use as an alternative is not a practical alternative that requires analysis. No further analysis is necessary and the comment does not change the conclusion in the Draft EIR.

Response to Comment E-58. This is the commentor's opinion and is not relevant to the analysis in the Draft EIR. However, the Draft EIR, Section 3.0 Project Description, page 3-1, states that "*The proposed project site has been used historically for agricultural purposes but currently lies fallow. It*

was most recently used as a sod farm growing that ceased operating in August 2005." The site has not been farmed over the last seven years.

Response to Comment E-59. A less dense alternative (which is to assume an alternative that considers a building of less square footage) is analyzed in the Draft EIR as Alternative 2. In this Alternative, warehouse uses would be reduced to 1,212,100 square feet on 71 acres. It was determines that Alternative 2 would be the environmentally superior alternative and it would have similar impacts as the proposed project on: agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources and recreation (Draft EIR Section 6.3.2.2 Alternative 2: Reduced Intensity , pages 6-17 – 6-22). It was concluded on page 6-21 that [*U]nder the Reduced Intensity Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the project but would remain significant and unavoidable. The decrease in warehouse uses would result in a reduction of permanent jobs that would be created. This alternative would have a reduced demand on public services and utilities and service systems. However, similar to the proposed project, the payment of fees and adherence to utility requirements would reduce these impacts to a less than significant level.*

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed project; however, long-term traffic impacts would remain significant and unavoidable. Construction-related noise would be similarly mitigated like the proposed project and would remain less than significant. Water use for this alternative would be less than the proposed project and would generate less wastewater and solid waste. Under this alternative, the proposed project objectives are met and warehouse uses would still be built, but on a smaller scale.

As stated above, the Reduced Intensity Alternative would reduce the intensity of some impacts of the proposed project. However; loss of farmland, long-term air quality, greenhouse gas emissions cumulative impacts, and long-term traffic impacts would remain significant and unavoidable. The Reduced Intensity Alternative is a reduction in actual size of the warehouse but the significant unavoidable impacts of the proposed project are not reduced to less than significant.

Additionally, the Reduced Intensity Alternative would not meet the following project objectives: "Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels" and "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources reduces impacts to air quality, global climate change, and traffic." This is due to the fact that reduced-intensity development patterns are in concept diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development. Development of the project site in such an inefficient manner would result in negative effects such as sprawl leading to increased VMT and associated air pollution and greenhouse gas emissions.

Response to Comment E-60. The City has fully responded to the commentor's concerns and comments and others who had submitted comments on the Draft EIR. The Final EIR is conformance with CEQA Guidelines §§ 15090, 15091, and 15132. In addition, the significant impacts of the proposed project have been analyzed in Section 4.1 through Section 4.5 in the Draft EIR and mitigation proposed for those impacts that were found to be significant. For those impacts for agriculture, air quality, greenhouse gas emissions, and traffic that were determined to be significant and unavoidable the City would have to adopt findings and a statement of overriding considerations

that the state the specific economic, legal, social technological, or other considerations, outweigh the significant unavoidable effects of the proposed project.

Response to Comment E-61. The City has included the Sierra Club on its mailing list for all future notices and documents regarding this project.

Response to Comment E-62. The commentor has attached various references. No response is required.

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

June 4, 2012

Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

Notice of availability DEIR for the VIP Moreno Valley. Riv-215-PM 32.62

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is a 1,616,133 square foot warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. Located within the Moreno Valley Industrial Area Plan (SP 208) at the City's southern boundary, between Perris Boulevard and Indian Street and between Grove View Road and the Perris Valley storm channel Tentative Parcel Map No. 36162 is proposed to combine four existing parcels into a single parcel for development of the 1.6 million square warehouse facilities. 1

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Moreno Valley due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. 2

We recommend the following: however, additional comments maybe forth coming. 3

Traffic Forecasting

Appendix G- Traffic Study VIP Moreno Valley page 6, Under section "Existing Without Project Traffic Volumes" please use year 2007 for Caltrans AADT volume data which can be found online. This will keep the consistency in traffic volume projections.

Appendix G- Traffic Study VIP Moreno Valley page 7, Under section "Existing Without Project Traffic Volumes" please specify which year(s) have been used to determine the D and K factors derived from Caltrans data. 4

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 383-6908 or myself at (909) 383-4557 for assistance.

"Caltrans improves mobility across California"

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

2.14 RESPONSE TO LETTER F

California Department of Transportation, District 8

Response to Comment F-1. The commentor has accurately summarized the general aspects of the proposed project.

Response to Comment F-2. The comment is introductory and states that the California Department of Transportation (Caltrans) is the owner and operator of the State Highway System as is a "responsible agency" pursuant to Public Resources Code Section 21070 for making recommendations to offset associated traffic impacts with the proposed project.

The comment is introductory in nature and outlines Caltrans' authority and role as a commenting agency. Caltrans' introduction in this comment is noted, and no further response is required.

Response to Comment F-3. Response to Comment F-3. The project Traffic Impact Analysis used 2009 Caltrans Annual Average Daily Traffic (AADT) volume data because it was the most current data available and was comparable to the 2007 AADT. In addition, 2007 counts for the intersection analysis were used because it was determined that the volumes in 2007 were significantly higher at some locations than in 2009 and would represent the worst-case scenario.

Response to Comment F-4. The project Traffic Impact Analysis used 2009 Caltrans data for K and D factors to be consistent with the 2009 Caltrans AADT volume data that was used in the analysis.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

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Paul D. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

June 4, 2012

Jeff Bradshaw, Associate Planner
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

SUBJECT: VIP Moreno Valley
Notice of Availability (NOA) of a
Draft Environmental Impact Report

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Notice of Availability (NOA) for the above referenced project. The project proposes to develop approximately 1,616,133 square feet of distribution warehouse space on an approximately 71 acre site. The single building will be constructed with 264 vertical-lift dock-high roll-up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The project is estimated to be constructed by the year 2013. Eastern Municipal Water District (EMWD) offers the following comments. 1

The subject project requires water, sewer and recycled water services from EMWD. The details of said service connection points will be further detailed in a separate document, known as EMWD's Plan of Service, which is still not yet developed by the project proponent. To that end, EMWD requires dialog with the project proponent, to develop the EMWD Plan of Service, as clarified in the attached letter. 2

Again, EMWD appreciates the opportunity to comment on this project. Please forward the Final Environmental Impact Report to the attention of Helen Stratton at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Helen Stratton at 951 928-3777, Ext. 4545, or Eli Rodriguez at Ext. 4450.

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:hs
Cc: Eli Rodriguez
Encls.

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

June 4, 2012

Board of Directors

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Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

City Of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re. NOP of DEIR, VIP Moreno Valley, TPM 36162

Attn. Jeff Bradshaw, Associate Planner, City Of Moreno Valley

In order to receive water, sewer or recycled water service(s) from Eastern Municipal Water District (EMWD), the following information will be helpful to the project proponent:

EMWD requires beginning dialogue with the project proponent at an early stage in site design and development, via a one-hour complimentary Due Diligence meeting. To set up this meeting, the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our "New Development Process" web page, under the "Businesses" tab, at www.emwd.org. This meeting will offer the following benefits:

1. Describe EMWD's development work-flow process
2. Identify project scope and parameters
3. Preliminary, high level review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service

Following the Due Diligence meeting, to proceed with this project, a Plan Of Service (POS) will need to be developed by the developer's engineer, and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The POS process will provide the following:

1- Technical evaluation of the project's preliminary design
2- Defined facility requirements, i.e. approved POS
3- Exception: for feasibility evaluation of a purchase acquisition, only a conceptual facilities assessment may be developed.

2

If you have questions or concerns, please do not hesitate to contact me.

Sincerely,

Eli Rodriguez
New Business Development Department
(951) 928-3777 x4450
rodrigue@emwd.org

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

2.16 RESPONSE TO LETTER G

Eastern Municipal Water District

Response to Comment G-1. The commentor has accurately summarized the general aspects of the proposed project.

Response to Comment G-2. Eastern Municipal Water District is providing information to the City and applicant that the applicant must submit a Plan of Services prior to construction of the project. The attachment letter outlines what is required of the applicant prior to construction. The comment does not directly refer to the Draft EIR but is provided for informational purposes.

From: Noelle_Ronan@fws.gov [mailto:Noelle_Ronan@fws.gov]
Sent: Monday, June 04, 2012 4:00 PM
To: Jeffrey Bradshaw
Cc: CLandry@wrcrca.org; Karin_Cleary-Rose@fws.gov
Subject: VIP Moreno Valley Draft Environmental Impact Report (DEIR) [FWS-WRIV-12B0233-12CPA0244]

Mr. Bradshaw,
The City of Moreno Valley submitted the above-mentioned DEIR to identify the proposed project's direct, indirect, and cumulative environmental impacts, to discuss alternatives, and to propose mitigation measures that avoid, minimize, or offset significant environmental impacts. The Service is providing the following comments as they relate to the project's consistency with the Western Riverside County Multiple Species Conservation Plan (MSHCP).

Focused surveys for special status plants and burrowing owls were conducted on the project site in 2009. We typically prefer that surveys for sensitive species are updated (i.e., no more than 1 year old) to demonstrate that the project is consistent with the MSHCP. However; given the disturbed condition of the project site (e.g., annual disking), we acknowledge that the focused surveys for sensitive plants and burrowing owls are sufficient. 1

We appreciate the inclusion of mitigation measures (Mitigation Measure BIO-1 through BIO-4) to avoid or minimize impacts to birds protected by the Migratory Bird Treaty Act (MBTA) and burrowing owls. Mitigation Measure BIO-3 specifies that if nesting special status avian species or burrowing owls occupy an area of disturbance, no construction activity will take place within 500 feet of an active nest/burrow until it has been determined that it is no longer active and all juveniles have fledged. In addition, we recommend that a biological monitor be present to monitor the effects of construction on any active nests and to ensure that there is no encroachment into the 500 foot nest buffer zones. 2

Thank you for the opportunity to review the DEIR. If you have any questions or comments please contact me at 760-322-2070 ext. 215.

Noelle Ronan
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Palm Springs Fish and Wildlife Office
777 E. Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92262
760-322-2070 ext. 215

2.18 RESPONSE TO LETTER H

United States Fish and Wildlife Service

Response to Comment H-1. The City concurs with the United States Fish and Wildlife Service's conclusion that the site is disturbed and that updated focused surveys for sensitive plants and the burrowing owl are not necessary even if the original surveys are now 3 years old.

Response to Comment H-2. The United States Fish and Wildlife Service concurs with the mitigation in the Draft EIR for the burrowing owl and recommends that a biological monitor be present during construction to monitor any active nests to ensure that there is no encroachment into the 500 foot nest buffer zone. The City concurs with this recommendation and mitigation Measure BIO-3 has been amended as follows:

> ***Mitigation Measure BIO-3:*** *If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.*

MV00171739

Letter I

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

51183

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RECEIVED
JUN 06 2012
CITY OF MORENO VALLEY
Planning Division

City of Moreno Valley
Community Development Department -
Planning Division
Post Office Box 88005
Moreno Valley, California 92552-0805

Attention: JEFF BRADSHAW

Ladies and Gentlemen: Re: PM 36162 (PA 09-0012) + PP 09-0005

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

____ No comment.

____ This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

____ This project involves District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

____ This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

____ This project is located within the limits of the District's _____ Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

____ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266.

✓ The Districts previous comments are still valid. 1

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

Date: 5/22/2012

c: Riverside County Planning Department
Attn: Kristi Lovelady

ATTACHED

MV00171740

Letter I

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.floodcontrol.co.riverside.ca.us
51183_6

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

City of Moreno Valley
Community Development Department -
Planning Division
Post Office Box 88005
Moreno Valley, California 92552-0805

Attention: JEFF Bradshaw

Ladies and Gentlemen: Re: PA09-0004

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

____ No comment.

____ This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

X This project involves District Master Plan facilities. ~~The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.~~ 2

____ This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

X This project is located within the limits of the District's Perris Valley Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit. 3

X An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266. 4

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

DALE V. ANDERSON
Engineering Project Manager

Date: 03/00/09

c: Riverside County Planning Department
Attn: Kathleen Browne

J.G.

MV00171741

2.20 RESPONSE TO LETTER I

Riverside County Flood Control and Water Conservation District

Response to Comment I-1. The City acknowledged that the previous comments that were provided to the City during the NOP comment period are still valid and are provided in the second page of the response letter and included in Appendix A to the Draft EIR. The comments do not reflect the analysis in the Draft EIR and provide the City with facts that relate to the construction of the project and the project's responsibility to meet the Riverside County Flood Control and Water Conservation District's requirements.

Response to Comment I-2. The City acknowledges the project involves the District's Master Plan of Facilities. Refer to Response to Comment I-1.

Response to Comment I-3. The City acknowledges the project is located in the District's Perris Valley Area Drainage Plan and fees must be paid to the District by the project proponent prior to the issuance of grading permits. Refer to Response to Comment I-1.

Response to Comment I-4. The City acknowledges the project proponent is required to obtain an encroachment permit for any construction in the District's right of way or facilities. Refer to Response to Comment I-1.

Letter J

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

June 5, 2012

RECEIVED
JUN 11 2012
CITY OF MORENO VALLEY
Planning Division

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: PA09-0004 (Plot Plan), PA09-0012 (Tentative Parcel Map No. 36162), and P11-020 (EIR)
SCH#: 2011081084

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 4, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. J-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Letter J

Document Details Report
State Clearinghouse Data Base

SCH# 2011081084
Project Title PA09-0004 (Plot Plan), PA09-0012 (Tentative Parcel Map No. 36162), and P11-020 (EIR)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The project is generally described as a Plot Plan for development of a 1,616,133 s.f. warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 s.f. of office area in four potential office locations. Tentative Parcel Map No. 36162 is proposed to combine four existing parcels into a single parcel for development of the 1.6 million square warehouse facility.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone 951 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92552-0805

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 51' 39.5" N / 117° 13' 49.5" W
Cross Streets Southwest corner of Grove View road and Perris Boulevard
Parcel No. 316-210-071, -073, -075, and -076
Township 3S **Range** 3W **Section** 31 **Base** SBB&M

Proximity to:

Highways I-215
Airports March Air Reserve Base
Railways B.N.S.F.
Waterways Perris Valley Storm Channel - Lateral B
Schools Rancho Verde H.S.
Land Use The current General Plan designation is Business Park and the current zoning is Industrial within SP 208.

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Biological Resources; Noise; Traffic/Circulation; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 6; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 04/20/2012 **Start of Review** 04/20/2012 **End of Review** 06/04/2012

Note: Blanks in data fields result from ir nt information provided by lead agency.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

2.22 RESPONSE TO LETTER J

California Governor's Office of Planning and Research, State Clearinghouse

Response to Comment J-1. The City recognizes the receipt of comments from State agencies and the State Clearinghouse's acknowledgement that it has complied with review requirements for environmental documents.

3. EIR ERRATA

Any corrections to the Draft Environmental Impact Report (EIR) text and figures generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. The Draft EIR text and figures have not been modified to reflect these EIR modifications.

These EIR errata are provided to clarify, refine, and provide supplemental information for the Starcrest Distribution Facility Project Draft EIR. Changes may be corrections or clarifications to the text and figures of the original Draft EIR. Other changes to the EIR clarify the analysis in the EIR based upon the information and concerns raised by commentors during the public review period. None of the information contained in these EIR modifications constitutes significant new information or changes to the analysis or conclusions of the Draft EIR.

The information included in this EIR erratum that resulted from the public comment process does not constitute substantial new information that requires recirculation of the Draft EIR. The California Environmental Quality Act (CEQA) Guidelines, Section 15088.5, states in part:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The changes to the Draft EIR included in these EIR modifications do not constitute "significant" new information because:

No new significant environmental impact would result from the project or from a new mitigation measure;

There is no substantial increase in the severity of an environmental impact that would result unless mitigation measures are adopted that reduce the identified significant impacts to a level of insignificance;

No feasible project alternative or mitigation measure considerably different from others previously analyzed has been proposed or identified that would clearly lessen the significant environmental impacts of the project; and

The Draft EIR is not fundamentally or basically inadequate or conclusory in nature such that meaningful public review and comment were precluded.

Therefore, recirculation of the Draft EIR is not required because the new information added to the EIR through these modifications clarifies or amplifies information already provided or makes insignificant modifications to the already adequate Draft EIR.

For simplicity, the EIR modifications contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by double underlining (underline) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for easy reference.

Draft EIR, Section 1.0 Executive Summary, Table 1.B: VIP Moreno Valley - Environmental Summary, pages 1-11 through 1-41

Table 1.B: VIP Moreno Valley - Environmental Summary in the Draft EIR has been updated to be consistent with changes that have been made, as a result of the responses to comments. Changes have been made to mitigation measures for air quality, biological resources, cultural resources, geology and soils, hydrology and water quality. These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
AIR QUALITY		
Construction ~~Equipment Exhaust~~ Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.	**4.2.6.1B**. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1K** Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access	Significant and unavoidable

MV00171748

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;	

MV00171749

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	• Lunch vendor services shall be ~~provided~~ permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. • Suspend use of all construction equipment operations during second stage smog alerts. **4.2.6.1N**. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. **4.2.6.1O.** All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets. **4.2.6.1P.** Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil. **4.2.6.1Q**. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. **4.2.6.1R** All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. **4.2.6.1S** Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period;	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	and d) phasing of construction activities. **4.2.6.1T** Reroute construction trucks away from congested streets and sensitive receptor areas.	
Long-Term Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NOX; - 550 pounds of CO; - 150 pounds of PM10; - 55 pounds of PM2.5; and - 150 pounds of SOX.	**4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any-combination of design features, including but not limited to the following list, may shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • ~~Buildings shall e~~Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • ~~Interior~~Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards~~ shall be installed~~, as deemed acceptable by the City. ~~Automatic~~ Use automatic devices to turn off lights when they are not needed~~ shall be implemented~~. • To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved	Significant and Unavoidable

MV00171751

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	surfaces such as streets and parking lots and buildings ~~shall be planted~~ at the project site. • ~~Paint~~ Use paint and a surface color palette for the project ~~shall~~ emphasizing light and off-white colors which reflect heat away from the buildings. • ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~ • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • ~~To r~~ Reduce energy demand associated with potable water conveyance~~, the project shall implement~~ using the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • ~~The project shall p~~ Provide secure, weather-protected, on-site bicycle storage/parking. • ~~The project shall p~~ Provide on-site showers (one for males and one for females). ~~L~~ Provide lockers for employees ~~shall be provided~~. • ~~The project will e~~ Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months	

MV00171752

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	of project completion that outlines the measures implemented by the TMA, as well as contact information. • ~~The project shall p~~Provide preferential parking for carpools~~ and vanpool~~, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools ~~shall be delineated~~ on the project site plan. • ~~The project shall p~~Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations ~~shall be indicated~~ on the project building plans. • Implement compressed workweek schedules. • Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. • Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets. • Establishment and use of carpool/vanpool programs, complemented by parking fees	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	for single-occupancy vehicles. • Provision of preferential parking for EV and CNG vehicles. • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance. • Use of electric (instead of diesel or gasoline-powered) yard trucks. • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes. ~~• Lease/purchase documents shall identify that tenants are encouraged to promote the following:~~ ~~○ Implementation of compressed workweek schedules.~~ ~~○ SmartWay partnership;~~ ~~○ Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.~~ ~~○ Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater~~	

MV00171754

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	~~carriers.~~ ~~○ Use of fleet vehicles conforming to 2010 air quality standards or better.~~ ~~○ Installation of catalytic converters on gasoline-powered equipment.~~ ~~○ Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.~~ ~~○ Establishment and use of carpool/vanpool programs, complemented by parking fees for single occupancy vehicles.~~ ~~○ Provision of preferential parking for EV and CNG vehicles.~~ ~~○ Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.~~ ~~○ Use of electric (instead of diesel or gasoline-powered) yard trucks.~~ ~~○ Use of SmartWay 1.25 rated trucks.~~	
BIOLOGICAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	**Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.	Less Than Significant
CULTURAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • ~~If too few fossil remains are found after 50 percent of the planned for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~ • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement	

MV00171756

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.	
GEOLOGY AND SOILS (FROM THE INITIAL STUDY [APPENDIX A])		
Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	**Mitigation Measure GEO-1:** Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report. **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	
GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE		
Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	**4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the	Less than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Use Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the 2008 California Building Code's (CBC) Title 24 energy standard by 20%, including, but not limited to, any combination of the following: • Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project: • The project applicant shall use less than 3,900 low Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.	
HYDROLOGY AND WATER QUALITY (FROM THE INITIAL STUDY [APPENDIX A])		
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	**Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements. ~~submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and~~	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	~~report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.~~	

Draft EIR, Section 2.2.4 Technical Reports, Page 2-4.

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the air quality and noise studies. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

2.2.4 Technical Reports

Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Draft EIR. The technical reports and other information included as appendices to this EIR include the following:

Appendix A: *Initial Study, NOP, and NOP Comment Letters*, August 2011.

Appendix B: Initial Study Technical Reports

- Appendix B-1: *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010.
- Appendix B-2: *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 1, 2009.
- Appendix B-3: *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 9, 2009.
- Appendix B-4: *Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 11, 2009.
  - Appendix B-5: *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California,* Michael Brandman Associates, March 22, 2007.
  - Appendix B-6: *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
  - Appendix B-7: *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.

- Appendix B-8: *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.
- Appendix B-9: *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.
- Appendix B-10: *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

Appendix C: *LESA Modeling Worksheets*, LSA Associates, Inc., August 2011.

Appendix D-1: *Air Quality Analysis VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012

Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012.

Appendix E: *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., ~~August 2011~~ December 2011.

Appendix F: *Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012.

Appendix G: *Traffic Study VIP Moreno Valley*, LSA Associates, Inc., ~~January~~ April 9, 2012.

Draft EIR, Section 2.5.2 Biological Resources, Page. 2-9.

The last sentence in paragraph 3 has been deleted because jurisdictional delineation was prepared for the proposed project (Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009). Therefore the sentence was deleted because it was an error. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Thirty-one species in western Riverside County have special status under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). These include species that are listed as “endangered” or “threatened” under the FESA or that have been “proposed” or are “candidates” for such listing. These also include species that are listed as “endangered,” “threatened,” or “rare” under the CESA or that have been petitioned (i.e., are “candidates”) for listing. The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) provides for the long-term survival of protected and sensitive species by designating a contiguous system of habitat to be added to existing public/quasi-public lands. The Plan includes an impact fee collected by the 16 member cities and other local agencies, including the City of Moreno Valley, used to acquire these lands. Depending on the location of a private or public development project, certain biological studies may be required to comply with the MSHCP. The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (Athene cunicularia), five Narrow Endemic Plant Species (NEPS), and nine Criteria

Area Plant Species (CAPS). ~~A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.~~

Draft EIR, Section 2.5.2 Biological Resources, Page. 2-10.

Consistent with the comments provided by Letter H (Fish and Wildlife Service), the text in Draft EIR of Mitigation Measure BIO-3 is amended. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR

Mitigation Measure BIO-3: If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.

Draft EIR, Section 2.5.3 Cultural Resources, Page 2-13.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR of Mitigation Measure CUL-1 is amended. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
- ~~If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~
- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.

- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Draft EIR, Section 2.4.4 Geology and Soils, Page 2-16.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR of Mitigation Measure GEO-2 is amended for clarification purposes. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.

Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be ~~reviewed and considered~~ implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties ~~to determine~~ in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Draft EIR, Section 2.5.6 Hydrology and Water Quality Hydrology, Page. 2-24.

Mitigation Measure HYD-05 has been revised to clarify the finalization of the Hydrologic and Hydraulic Analysis. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. Although adherence to the City's drainage requirements, which includes the preparation of drainage sizing calculations, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-05** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. ~~To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified.~~ With adherence to this mitigation measure, impacts associated with this issue are less than significant.

Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements. ~~submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.~~

Draft EIR, Section 2.7 Cumulative Projects, Table 2.C, Page 34

There was a topographical error in Table 2.C of the Draft EIR indicating the incorrect map number. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

~~A~~M-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses

Draft EIR Section 4.2 Air Quality, Page 4.2-1

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the air quality, health risk assessment and traffic studies. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.2 AIR QUALITY

This section analyzes the proposed project's potential air quality impacts based on the comprehensive *Air Quality Analysis* contained in Appendix D-1 (LSA Associates, Inc. ~~December 2011~~ March 2012) and the *Health Risk Assessment* (LSA Associates, Inc. ~~December 2011~~ March 2012) contained in Appendix D-2 to this EIR. The air quality analysis evaluates potential air quality impacts and mitigation measures by examining the short-term construction and long-term operational impacts associated with the project and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. Additionally, the analysis provides a discussion of the proposed project, the physical setting of the project area, and the air quality regulatory framework. Modeled air quality levels are based upon vehicle data and project trip generation included in the project's Traffic Study (LSA Associates, Inc. ~~November 2011~~ January 2012, Appendix G of EIR) and peak turn volumes generated for the proposed project combined with emission factors from the California Air Resources Board (ARB). The evaluation was prepared in accordance with appropriate standards, utilizing procedures and methodologies in the South Coast Air Quality Management District (SCAQMD) *CEQA Air Quality Handbook* (SCAQMD 1993). Air quality data posted by the ARB and the U.S. Environmental Protection Agency (EPA) Web sites are included to document the local air quality environment.

Draft EIR Section 4.2.5.5, Operational-Acute Health Risk Impacts Page 4.2-18

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR Section 4.2.5.5, Page 4.2-18 is amended to refer the reader back to the previous section (4.2.5.4) to further substantiate the conclusions identified in Section 4.2.5.5. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. As previously identified in Section 4.2.5.4, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. Similarly ~~Therefore,~~ the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-19

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text at Draft EIR Section 4.2.6.1, Page 4.2-19 is amended to clarify that the proceeding analysis evaluates all construction emissions. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1 Construction ~~Equipment Exhaust~~ Emissions

Draft EIR Section 4.2.6.1 Construction Emissions, Table 4.2.I, Page 4.2-20.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the data in Table 4.2.I in Draft EIR Section 4.2.6.1, Page 4.2-20 is amended to correct typographical errors in the Draft EIR. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Table 4.2.I: Short-Term Regional Construction Emissions

Construction Phase	Pollutant Emissions (lbs/day)							
	ROG	NO_X	CO	SO_2	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	~~1.8~~ 11	~~0.33~~ 4.1	~~0.02~~ 0.18	~~0.32~~ 3.9
Architectural Coating	72	3.7	11	0.01	~~0.2~~ 1.8	~~2.9~~ 0.33	~~0~~ 0.02	~~2.9~~ 0.32
Paving	~~5.95.9~~ 5.9	~~3434~~ 34	22	0.03	~~329~~ 0.2	~~17~~ 2.9	~~4.4~~ 0	~~16~~ 2.9
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

Draft EIR Section 4.2.6.1, Construction Emissions Page 4.2-21.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text at Mitigation Measure 4.2.6.1B in Draft EIR Section 4.2.6.1, Page 4.2-21 is amended to clarify that clean-fuel means fuel other than diesel or gasoline. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1B. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

Draft EIR Section 4.2.6.1, Construction Emissions Page 4.2-23.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been added to Draft EIR Section 4.2.6.1, Page 4.2-23 to further reduce construction air quality impacts. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;

- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;

- Lunch vendor services shall be ~~provided~~ permitted onsite during construction to minimize the need for offsite vehicle trips;

- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

- Suspend use of all construction equipment operations during second stage smog alerts.

4.2.6.1N. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

4.2.6.1O. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.

4.2.6.1P. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.

4.2.6.1R All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.

4.2.6.1T Reroute construction trucks away from congested streets and sensitive receptor areas.

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Impact 4.2.6.1 in Draft EIR Section 4.2.6.3, Page 4.2-25 is amended to clarify the impact statement. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

> **Impact 4.2.6.3:** *Implementation of the proposed project may ~~occur~~ have the potential to exceed applicable daily thresholds for operational activities.*

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-27

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been amended and added to Draft EIR Section 4.2.6.3, Page 4.2-27 to further reduce construction air quality impacts. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~Buildings shall e~~ Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- ~~Interior~~ Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards ~~shall be installed~~, as deemed acceptable by the City. ~~Automatic~~ Use automatic devices to turn off lights when they are not needed ~~shall be implemented~~.
- To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings ~~shall be planted~~ at the project site.
- ~~Paint~~ Use paint and a surface color palette for the project ~~shall~~ emphasizing~~e~~ light and off-white colors which reflect heat away from the buildings.
- ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~
- Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.
- ~~To r~~Reduce energy demand associated with potable water conveyance~~, the project shall implement~~ using the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- ~~The project shall p~~ Provide secure, weather-protected, on-site bicycle storage/parking.
- ~~The project shall p~~ Provide on-site showers (one for males and one for females). ~~L~~Provide lockers for employees ~~shall be provided~~.

- ~~The project will e~~ Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- ~~The project shall p~~ Provide preferential parking for carpools ~~and vanpool~~, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools ~~shall be delineated~~ on the project site plan.
- ~~The project shall p~~ Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations ~~shall be indicated~~ on the project building plans.
- Implement compressed workweek schedules;
- Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.
- Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.
- Use of fleet vehicles conforming to 2010 air quality standards or better.
- Installation of catalytic converters on gasoline-powered equipment.
- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;
- Provision of preferential parking for EV and CNG vehicles;
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;
- Use of electric (instead of diesel or gasoline-powered) yard trucks;
- Use of SmartWay 1.25 rated trucks.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.
- Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.
- ~~Lease/purchase documents shall identify that tenants are encouraged to promote the following:~~
    - ~~Implementation of compressed workweek schedules.~~
    - ~~SmartWay partnership;~~

- ~~Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.~~
- ~~Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.~~
- ~~Use of fleet vehicles conforming to 2010 air quality standards or better.~~
- ~~Installation of catalytic converters on gasoline-powered equipment.~~
- ~~Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.~~
- ~~Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.~~
- ~~Provision of preferential parking for EV and CNG vehicles.~~
- ~~Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.~~
- ~~Use of electric (instead of diesel or gasoline-powered) yard trucks.~~
- ~~Use of SmartWay 1.25 rated trucks.~~

Draft EIR, Section 4.2.7.1 Short-Term Air Quality Impacts, Page 4.2-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR Section 4.2.7.1, Page 4.2-25 is amended to clarify that the short-term and long-term air quality impacts are cumulative. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. In addition, implementation of the AQMP will result in improved air quality levels in the future and full attainment of national and state ambient air quality standards, resulting in less than significant cumulative impacts from all short-term and long-term air pollution sources. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

Draft EIR Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-24 and 25

The Mitigation Measures in the Draft EIR Section 4.3.6.1, Page 4.3-24 and 25 have been clarified. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows in the office areas shall utilize window treatments for efficient energy conservation.

Draft EIR Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been added to Draft EIR Section 4.3.6.1, Page 4.2-25 to further reduce greenhouse gas emissions. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- ~~Use~~ Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- ~~Use~~ Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the 2008 California Building Code's (CBC) Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
- Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:
    - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.

- Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.

- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

Draft EIR, Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-26, Mitigation Measure 4.3.6.1C

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text for the conclusion of Impact 4.3.6.1 in Draft EIR Section 4.2.6.3, Page 4.3-16 is amended to clarify the impact statement. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:

- The project applicant shall use ~~less than 3,900~~ low Global Warming ~~Potential (GWP) hydrofluorocarbon (HCF)~~ refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment.

- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.

Level of Significance After Mitigation. The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~ on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable.

Draft EIR Section 4.4 Noise, Page 4.4-1

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the noise study. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.4 NOISE

This analysis is intended to satisfy the City's requirements for a project-specific noise impact analysis by examining the short-term and long-term noise impacts of the proposed project on sensitive uses adjacent to the proposed project site and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. This includes the potential for the proposed project to result in impacts associated with a substantial temporary and/or permanent increase in ambient noise levels in the vicinity of the project area; exposure of people to excessive noise levels, groundborne vibration, or groundborne noise levels. The analysis contained in this section is based on a comprehensive *Noise Impact Analysis* contained in Appendix E (LSA Associates, Inc., ~~December 2011~~ March 2012), which examines existing ambient noise conditions and project-related impacts.

Draft EIR, Section 5.4 Consistency With Local And Regional Plans, Page 5-12

A new table (Table 5.D: Compass Growth Vision Report Consistency) has been added as a response to a comment received on the Draft EIR. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Compass Growth Vision. The Compass Growth Vision plan provides a framework for local and regional decision-making regarding growth, transportation, land use, and economic development. The framework includes principles and a specific set of strategies intended to achieve and improve a quality of life that promotes and sustains for future generations the region's mobility, livability, and prosperity. The main objective of the Compass Growth Vision is to manage the forecast growth while improving future living conditions for all people within the SCAG area, including live, work, and play activities. The following discussion includes the principles within the Compass Growth Vision plan and their association to the proposed project.

Principle 1: Improve mobility for all residents.

Principle 2: Foster livability in all communities.

Principle 3: Enable prosperity for all people.

Principle 4: Promote sustainability for future generations.

The proposed project is consistent with the four principles identified above (refer to Table 5.D). ~~The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.~~

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 1: Improve mobility for all residents. • Encourage transportation investments and land use decisions that are mutually supportive. • Locate new housing near existing jobs and new jobs near existing housing. • Promote a variety of travel choices.	The project is consistent with this principle. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial uses and would encourage a reduction of vehicle miles traveled within the City. Implementation of the project would create approximately 646 jobs. Existing housing is located approximately 1 mile to the north and 2 miles to the south of the project site. The project is consistent with this portion of Principle 1. There are a number of transit-oriented strategies that could be implemented by the proposed project to encourage alternate modes of travel, including informational strategies, incentives, and services. (Refer to Mitigation Measure 4.2.6.3A).
Principle 2: Foster livability in all communities. • Promote developments which provide a mix of uses. • Promote "people scaled, "walkable communities. • Support the preservation of stable, single-family neighborhoods.	The project is consistent with the applicable portions of this principle. The proposed project is a warehousing project and does not include any residential uses. Therefore, the project is not considered to be a mixed use project and this portion of Principle 2 is not applicable to the project. The project site is located in an industrial warehouse area. The project would include sidewalks so that the opportunity of being walkable within this warehouse area is possible. Therefore, the project is consistent with this portion of Principle 2. The proposed project is a warehousing project and does not include any residential uses. Therefore this portion of Principle 2 is not applicable to the project.
Principle 3: Enable prosperity for all people. • Provide in each community a variety of housing types to meet the housing needs of all income levels. • Support educational opportunities that promote balanced growth. • Ensure environmental justice regardless of race, ethnicity, or income class. • Support local and state fiscal policies that	Based on the information provided below, this principle is not applicable to the project. The proposed project is a warehousing project and does not include any residential or educational uses. Therefore this portion of Principle 3 is not applicable to the project. The project site is vacant and the project located in an area identified for industrial and commercial uses. Therefore, this issue not applicable to the project. The supporting of local and state fiscal policies and the encouragement of civic engagement is at the City level not the

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
encourage balanced growth. • Encourage civic engagement.	project level. Therefore, this portion of the principle is not applicable to the project.
Principle 4: Promote sustainability for future generations. • Focus development in urban centers and existing cities. • Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste. • Utilize "green" development techniques.	The project is consistent with this principle. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. Mitigation Measure 4.3.1.6B requires the project to implement various sustainability strategies and "green" development techniques that uses resources efficiently, eliminates pollution, and reduces waste.

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4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

VIP Moreno Valley Project

The program has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2011081084) prepared for the project by the City of Moreno Valley.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the Initial Study and the Final EIR.

4.2 MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

4.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: VIP Moreno Valley Project **Applicant:** Vogel Engineers, Inc.
Date: June 2012

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
AIR QUALITY						
4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading and during grading operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.						
4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During grading	Review of construction documents and on-site inspection		Issuance of a Stop Work Order
4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
construction areas (previously graded areas inactive for ten days or more).	Planning Division					
4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1K Grading plans, construction specifications and bid documents shall	City of Moreno Valley Engineering	Prior to Grading and during	Prior to Issuance of Grading Permit	Review of construction		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction	and Building and Safety Planning Division	grading operations.		documents and on-site inspection		or Issuance of a Stop Work Order

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Suspend use of all construction equipment operations during second stage smog alerts.						
4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1M All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1N When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1O All streets shall be swept at least	City of Moreno	Throughout	During	On-site inspection		Issuance of a

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	Valley Engineering and Building and Safety	construction	Construction			Stop Work Order
4.2.6.1P Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1R All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1T Reroute construction trucks	City of Moreno	Prior to Grading	Prior to Issuance	Review of		Withhold

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
away from congested streets and sensitive receptor areas.	Valley Engineering and Building and Safety and Planning Division	and during grading and construction operations.	of Grading Permit	construction documents and on-site inspection		Grading Permit or Issuance of a Stop Work Order
4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to	City of Moreno Valley Building and Safety Planning Division	Prior to Construction (once)	Prior to Issuance of Building Permits	Review of building plans and on-site inspection		Withhold Building Permits

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed. • To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site. • Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings. • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • Reduce energy demand associated with potable water conveyance using						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements. • Provide on-site showers (one for males and one for females). Provide lockers for employees. • Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • Provide preferential parking for carpools, vanpools or other						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan. • Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans. • Implement compressed workweek schedules; • Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; • Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; • Provision of preferential parking for EV and CNG vehicles; • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; • Use of electric (instead of diesel or gasoline-powered) yard trucks; • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
more than three years prior to date of use or any combination of these two themes.						
4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	City of Moreno Valley Building and Safety	Prior to Construction (once)	Prior to Issuance of Building Permits and Final Site Plan Approval	Review of final site plan and building plans and on-site inspection		Withhold Building Permits
BIOLOGICAL RESOURCES						
Mitigation Measure BIO-1: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance,	City of Moreno Valley Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Submittal of Evidence that the pre-construction survey has been completed.		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Mitigation Measure BIO-3 shall apply.						
Mitigation Measure BIO-2: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Submittal of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Submittal of a report of the survey findings.		Withhold Grading Permit
Mitigation Measures BIO-3. If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit			Withhold Grading Permit
Mitigation Measure BIO-4: If active burrowing owl burrows are detected outside the breeding season, then	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that the passive relocation		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.				plan has been approved by CDFG and USFWS.		
CULTURAL RESOURCES						
Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be	City of Moreno Valley Planning Division	Prior to grading and on-going during ground disturbing activities.	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified paleontologist has been retained, and that the paleontologist(s) will be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. A report of findings shall be submitted to the City after the finalization of construction.		Withhold Grading Permit/ Issuance of a Stop Work Order

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources						
GEOLOGY AND SOILS						
Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and	City of Moreno Valley Planning Division Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.						
Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of grading and construction documents and on-site inspection		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE						
4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents and on-site inspection		Withhold Building Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
runoff.						
4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents/building plans and on-site inspection		Withhold Building Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following: ○ Increase insulation such that heat transfer and thermal bridging is minimized. ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. ○ Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following: ○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.						
4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project: • The project applicant shall use low	City of Moreno Valley Building and Safety Planning Division	Prior to building permit and occupancy	Prior to issuance of occupancy permit	Review of construction documents and on-site inspection		Withhold Occupancy Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: • Install drought tolerant plants for landscaping. • Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. • Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.						

MV00171802

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
HYDROLOGY AND WATER QUALITY						
Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Submittal of copy of Notice of Intent to City filed with the RWQCB		Withhold Grading Permits
Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Review and approval of SWPPP		Withhold Grading Permits

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.						
Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.						
All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.						
The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.						
Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.						
The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.						
In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
that other BMPs will provide equivalent or superior treatment either on or off site.						
Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.	City of Moreno Engineering	During grading and construction	Prior to Grading	Review of construction documents and on-site inspection		Withhold Grading Permit
Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permit	Submittal of WQMP to City for review and approval		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.						
Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permits	Submittal of evidence that all requirements are fulfilled		Withhold Grading Permit
NOISE						
4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit
4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is	City of Moreno Valley Building and Safety	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-		Withhold Grading Permit or Stop Work

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
directed away from sensitive receptors nearest to the project site.	Engineering Planning Division			site inspection		Order
4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
TRANSPORTATION						
4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of City DIF fees		Withhold Certificate of Occupancy

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	Planning Division					
4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of Riverside County TUMF fees		Withhold Certificate of Occupancy
4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	City of Moreno Valley Engineering	Once after construction	Prior to the Issuance of Occupancy Permits	Review of construction documents and on-site inspection		Withhold Occupancy Permits

MV00171808

APPENDIX A:

ATTACHMENTS TO JOHNSON & SEDLACK COMMENT LETTER DATED JUNE 1, 2012

Highway Traffic Noise

Construction Noise
Handbook
RCNM Version 1.1
Special Report
Measurement
Noise Barriers
Noise Compatible Planning
Noise Effect on Wildlife
Regulation and Guidance
Tire Pavement Noise
Traffic Noise Model
Training

Contruction Noise Handbook

3.0 Effects of Construction Noise

3.1 Introduction

Construction noise in the community may not pose a health risk or damage peoples' sense of hearing, but it can adversely affect peoples' quality of life. To some degree, construction noise can be a contributing factor to the degradation of someone's health in that it can cause people to be irritated and stressed and can interrupt their ability to sleep - all of which may lead to higher blood pressure, anxiety, and feelings of animosity toward the people or agencies responsible for producing the noise.

In fact, several of the traditional definitions of "noise" (i.e. unwanted or undesirable sound) can be associated with construction noise. Construction noise can be considered to:

- be too loud;
- be impulsive;
- contain annoying pure tones;
- occur unexpectedly;
- occur at undesirable times of day; and/or
- interrupt people's activities.

Construction noise has the potential to disturb people at home in their residences, in office buildings or retail businesses, in public institutional buildings, at locations of religious services, while attending sporting events, or when on vacation.

Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
Forecast Revenues				**$ 1,096,752**	**$ 1,096,752**	**$ 1,118,687**	**$ 1,141,061**	**$ 1,163,882**	**$ 30,277,463**	**$ (25,912,959)**	**$ 64,184,922**
Carryover Revenues (As of 6/30/2011)				**$ 24,353,353**	**$ 12,846,128**	**$ 50,044**	**$ (943,137)**	**$ (916,182)**			
Availiable Revenue				**$ 25,450,105**	**$ 13,942,881**	**$ 1,168,732**	**$ 197,924**	**$ 247,700**			
Funded Expenditures		***Status****	***Phase*****								
County of Riverside											
06-CN-RCY-1103	Cajalco Rd, Alexander St to I-215 (3.280 mi. 2 to 4 lanes)	STD	PA&ED	$ 0					$ 0	$ (259,263)	$ 259,263
		PLN	ENG			$ 1,000,000			$ 1,000,000	$ -	$ 1,000,000
05-CN-RCY-1006	Pigeon Pass Rd.(Cantarini), Hidden Springs Dr to Center St.(4.213 mi. 0 to 4 lanes)	STD	PA&ED	$ (0)					$ (0)	$ (649,865)	$ 649,865
05-CN-RCY-1007	Reche Canyon Rd./Reche Vista Dr., Heacock St.to S.B.C. (4.757 mi. 2 to 4 lanes)	STD	PA&ED	$ 905,260	$ 314,000				$ 1,219,260	$ (415,050)	$ 1,634,310
		STD	ROW	$ (0)					$ (0)	$ (661,119)	$ 661,118
City of Menifee/County of Riverside											
[illegible]-CN-RCY-1003	Murrieta Rd, Ethanac Rd to McCall Blvd (1.982 mi. 2 to 4 lanes)	CPL	PA&ED	$ 0					$ 0	$ (599,406)	$ 599,406
		CPL	ENG	$ 0					$ 0	$ (398,938)	$ 398,938
-CN-RCY-1004	Newport Road/I-215 Interchange (CFD)	STD	PA&ED	$ 1,604,317					$ 1,604,317	$ (1,234,012)	$ 2,838,329
		PLN	ENG		$ 1,440,340				$ 1,440,340	$ -	$ 1,440,340
08-SW-RCY-1128	Newport Road, Murrieta Rd to Goetz Rd North (2.06 mi. 0 to 4 lanes)	STD	CON	$ 856,511					$ 856,511	$ (3,023,489)	$ 3,880,000

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2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
Forecast Revenues				**$ 1,096,752**	**$ 1,096,752**	**$ 1,118,687**	**$ 1,141,061**	**$ 1,163,882**	**$ 30,277,463**	**$ (25,912,959)**	**$ 64,184,922**
Carryover Revenues (As of 6/30/2011)				**$ 24,353,353**	**$ 12,846,128**	**$ 50,044**	**$ (943,137)**	**$ (916,182)**			
Availiable Revenue				**$ 25,450,105**	**$ 13,942,881**	**$ 1,168,732**	**$ 197,924**	**$ 247,700**			
Funded Expenditures, continued											
City of Moreno Valley											
06-CN-MOR-1107	Ironwood Ave(Seg A), Heacock St to Perris Blvd. (0.980 mi. 2 to 4 lanes)	CPL	PA&ED	$ -					$ -	$ (124,000)	$ 124,000
		CPL	ENG	$ 21,378					$ 21,378	$ (232,322)	$ 253,700
		CPL	ROW	$ 176,512					$ 176,512	$ (1,480,610)	$ 1,657,122
06-CN-MOR-1113	Ironwood Ave (Seg B), Perris Blvd to Nason St. (2.130 mi. 2 to 4 lanes)	CPL	PA&ED	$ (0)					$ (0)	$ (511,833)	$ 511,833
05-CN-MOR-1012	Moreno Beach/SR-60 Interchange Phase I	CPL	PA&ED	$ 0					$ 0	$ (500,000)	$ 500,000
		PND	ENG	$ 505,141					$ 505,141	$ (2,227,339)	$ 2,732,480
		STD	ROW	$ 2,413,708	$ 1,000,000				$ 3,413,708	$ (2,212,292)	$ 5,626,000
		PLN	CON		$ 3,500,000				$ 3,500,000	$ -	$ 3,500,000
5-CN-MOR-1013	Nason/SR-60 Interchange w/Bridge	CPL	PA&ED	$ -					$ -	$ (500,000)	$ 500,000
		PND	ENG	$ 138,145					$ 138,145	$ (1,243,306)	$ 1,381,451
		PND	ROW	$ 59,619					$ 59,619	$ (881)	$ 60,500
		PLN	CON	$ 133,500		$ 1,000,000	$ 1,000,000	$ 1,000,000	$ 3,133,500	$ -	$ 11,128,000
ity of Perris											
05-CN-PER-1015	Evans Rd, 700' N/of Placentia Ave to Nuevo Rd.(Phasel&II) (1.655 mi. 0 to 4 lanes)	CPL	PA&ED	$ 71,132					$ 71,132	$ (60,559)	$ 131,691
		STD	ENG	$ 523,636					$ 523,636	$ (72,131)	$ 595,767
		STD	CON		$ 879,015				$ 879,015	$ (1,205,799)	$ 2,084,814
05-CN-PER-1019	Nuevo, Murrieta Rd. to Dunlap (0.979 mi. 2 to 4 lanes)	PLN	PA&ED	$ -	$ 50,000				$ 50,000	$ -	$ 50,000
05-CN-PER-1072	Ramona Expressway, I-215 to Evans Road (1.505 mi. 4 to 6 lanes)	CPL	PA&ED	$ 0					$ 0	$ (63,133)	$ 63,133
		CPL	ENG	$ (0)					$ (0)	$ (324,045)	$ 324,045
		CPL	CON	$ -	$ 199,806				$ 199,806	$ (1,742,550)	$ 1,942,356
City of Perris/ City of Menifee											
05-CN-PER-1001	Ethanac Road, Goetz Rd to I-215 (1.936 mi. 2 to 4 lanes)	PLN	PA&ED	$ -	$ 50,000				$ 50,000	$ -	$ 50,000
City of Moreno Valley/ March JPA											
05-CN-JPA-1021	Heacock Ave, Perris Valley Drain to San Michele Rd, Phase I (0.890 mi. 2 to 4 lanes)	CPL	PA&ED	$ -					$ -	$ (65,600)	$ 65,600
		CPL	ENG	$ -					$ -	$ (91,167)	$ 91,167
		CPL	ROW	$ (0)					$ (0)	$ (32,959)	$ 32,959
		STD	CON	$ 229,676					$ 229,676	$ (7,526)	$ 237,202

[1] ***Nason/SR-60 CON funding in FY13/14, FY14/15, FY15/16 are illustrative only and not actual commitment.***

MV00171812

2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
Forecast Revenues				$ 1,096,752	$ 1,096,752	$ 1,118,687	$ 1,141,061	$ 1,163,882	$ 30,277,463	$ (25,912,959)	$ 64,184,922
Carryover Revenues (As of 6/30/2011)				$ 24,353,353	$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)			
Availiable Revenue				$ 25,450,105	$ 13,942,881	$ 1,168,732	$ 197,924	$ 247,700			
Funded Expenditures, continued											
RCTC/City of Perris											
05-CN-PER-1018	SR-74 (4th)/I-215 Interchange	CPL	PA&ED						$ -	$ (1,050,000)	$ 1,050,000
		PND	ENG	$ 72,345					$ 72,345	$ (648,953)	$ 721,298
		PND	ROW	$ 456,429					$ 456,429	$ (1,656,847)	$ 2,113,276
		STD	CON	$ 2,229,993	$ 2,850,000				$ 5,079,993	$ (1,720,007)	$ 6,800,000
County of Riverside/City of Perris											
07-CN-PER-1120	Ramona Expressway/I-215 Interchange	STD	ENG	$ 97,000					$ 97,000	$ (897,959)	$ 994,959
		STD	CON	$ 2,000,000	$ 3,500,000				$ 5,500,000	$ -	$ 5,500,000
Reimbursements (10% of revenue)***				$ 109,675	$ 109,675	$ 111,869	$ 114,106	$ 116,388			
Total Funded Capital Expenditures				$ 12,603,977	$ 13,892,837	$ 2,111,869	$ 1,114,106	$ 1,116,388			
Total Funded Balance Carryover*				$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)	$ (868,688)			

Summary Table								
Fiscal Year	**FY11/12**	**FY12/13**	**FY13/14**	**FY14/15**	**FY15/16**	*5-Year Total Available Forecast Cash*	*5-Year Total Programmed plus TPC*	*5-Year Balance*
Available Revenue	$ 25,450,105	$ 13,942,881	$ 1,168,732	$ 197,924	$ 247,700			
Total Funded/Obligated Expenditures	$ 12,603,977	$ 13,892,837	$ 2,111,869	$ 1,114,106	$ 1,116,388	$ 30,793,842	$ 31,902,557	$ (1,108,715)
Carryover Balance	$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)	$ (868,688)			
10% Reimbursement Tracking Summary								
Available 10% Reimbursements	$ 933,029	$ 745,401	$ 559,967	$ 376,771	$ 195,856	*5-Year Total Available*	*5-Year Total Programmed*	*5-Year Balance plus Carryover*
Programmed Reimbursements	$ 297,303	$ 297,303	$ 297,303	$ 297,303	$ 435,883	$ 1,625,094	$ -	$ 1,625,094
Reimbursement Carryover Balance	$ 635,726	$ 448,098	$ 262,664	$ 79,468	$ (240,027)			

NOTES:

Total Funded Carryover Balance does not reflect total available cash - October 29 Zone TAC approved reducing each funded phase of each funded project by 3% on TIP.
Phase: planning=PA&ED, engineering=ENG, right-of-way=ROW,construction=CON.
Status: PLN=planned, STD=started, PND=pending final invoice, CPL=completed, TER=terminated.
10% Reimbursement Reimbursement Detail Tracked on Separate Spreadsheet.
Actual Forecasts, Carryover, and Payments thru 6/30/11.
Yellow highlight = obligated funds and over-program alert.

MV00171813

Technical Support Document for Cancer Potency Factors:

Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures.

April 2009

California Environmental Protection Agency

Office of Environmental Health Hazard Assessment

Air Toxicology and Epidemiology Branch

MV00171814

Prepared by:

John D. Budroe, Ph.D.

James F. Collins, Ph.D.

Melanie A. Marty, Ph.D.

Andrew G. Salmon, M.A., D. Phil.

Joseph P. Brown, Ph.D.

Air Toxicology and Epidemiology Branch

and

Martha S. Sandy, Ph.D., M.P.H.

Claire D. Sherman, Ph.D.

Rajpal S. Tomar, Ph.D.

Lauren Zeise, Ph.D.

Reproductive and Cancer Hazard Assessment Branch,

Office of Environmental Health Hazard Assessment

Reviewed By

George V. Alexeeff, Ph.D., Deputy Director

Melanie A. Marty, Ph.D., Chief, Air Toxicology and Epidemiology Branch

Lauren Zeise, Ph.D., Chief, Reproductive and Cancer Hazard Assessment Branch

MV00171815

EXECUTIVE SUMMARY

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly) was enacted in September 1987. Under this Act, stationary sources of air pollution are required to report the types and quantities of certain substances their facilities routinely release into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks posed by those facilities, notify nearby residents of significant risks and reduce emissions from significant sources.

The Technical Support Document for Cancer Potency Factors (TSD) contains cancer unit risks and potency factors for 107 of the 201 carcinogenic substances or groups of substances for which emissions must be quantified in the Air Toxics Hot Spots program. These unit risks are used in the cancer risk assessment of facility emissions.

The purposes of this revision to the TSD is to provide updated calculation procedures used to derive the estimated unit risk and cancer potency factors, and to describe the procedures used to consider the increased susceptibility of infants and children compared to adults to carcinogens. This updates cancer risk assessment methods originally laid out in the California Department of Health Services' Guidelines for Chemical Carcinogen Risk Assessment (CDHS, 1985), and more recently summarized in the previous Hot Spots technical support document Part II (OEHHA, 2005a). Summaries of cancer potency factors and the underlying data are provided in Appendix A and B. [these did not undergo revision and are not included in this review package.]

The procedures used to consider the increased susceptibility to carcinogens of infants and children as compared to adults include the use of age-specific weighting factors in calculating cancer risks from exposures of infants, children and adolescents, to reflect their anticipated special sensitivity to carcinogens

This document is one part of the Air Toxics Hot Spots Program Risk Assessment Guidelines. The other documents originally included in the Guidelines are Part I: Technical Support Document for the Determination of Acute Toxicity Reference Exposure Levels for Airborne Toxicants; Part III: Technical Support Document for Determination of Noncancer Chronic Reference Exposure Levels; Part IV: Technical Support Document for Exposure Assessment and Stochastic Analysis; Part V: Air Toxic Hot Spots Program Risk Assessment Guidelines. As a part of the same revision process which led to production of this revised TSD on cancer potencies, the original TSDs for Acute and Chronic Reference Exposure Levels have been replaced with a new unified TSD for Acute, 8-hour and Chronic Reference Exposure Levels.

The major changes to the TSD include the following:

- Based on the OEHHA analysis of the potency by lifestage at exposure, OEHHA proposes weighting cancer risk by a factor of 10 for exposures that occur from birth to 2 years of age, and by a factor of 3 for exposures that occur from 2 years through 15 years of age. We propose to apply this weighting factor to all carcinogens, regardless of purported mechanism of action, unless chemical-specific data exist to the contrary. In cases where

there are adequate data for a specific carcinogen of potency by age, we would use the data to make any adjustments to risk.

- OEHHA proposes to use the Benchmark Dose method to compute potency factors rather than the more traditional linearized multistage model (LMS), although the LMS will still be used in some instances. The BMDL model essentially uses an empirical fit to the data (usually best with the multistage model), and then extrapolates with a straight line from the 95 % lower confidence limit of the BMD (BMDL) to zero. This method is simpler and does not assume any underlying theoretical mechanisms at the low dose range. The BMDL method results in very similar estimates of potency as the LMS method.

- OEHHA will use scaling based on body weight to the ¾ power, rather than to the 2/3 power.

- OEHHA's evaluations of the carcinogenicity of chemicals generally follow the guidelines laid out by IARC for identification and classification of potential human carcinogens, which are described in detail in the most recent revision of the *Preamble* to the IARC monographs series (IARC, 2006).

PREFACE

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly) was enacted in September 1987. Under this Act, stationary sources are required to report the types and quantities of certain substances their facilities routinely release into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks posed by those facilities, notify nearby residents of significant risks and reduce emissions from significant sources.

The Technical Support Document for Cancer Potency Factors (TSD) contains cancer unit risks and potency factors for 107 of the 201 carcinogenic substances or groups of substances for which emissions must be quantified in the Air Toxics Hot Spots program. These unit risks are used in risk assessment of facility emissions. The TSD provides updated calculation procedures used to derive the estimated unit risk and cancer potency factors, and procedures to consider early-life susceptibility to carcinogens. Summaries of cancer potency factors and the underlying data are provided in Appendix A and B. [these did not undergo revision and are not included in this review package.]

In this document, OEHHA is responding to the requirements of the 1999 Children's Environmental Health Protection Act, (SB25, Escutia) by revising the procedures for derivation and application of cancer potency factors to take account of general or chemical-specific information which suggests that children may be especially susceptible to certain carcinogens (OEHHA, 2001a). The revised cancer potency derivation procedures described will not be used to impose any overall revisions of the existing cancer potencies, although they do reflect updated methods of derivation. However, individual cancer potency values will be reviewed as part of the ongoing re-evaluation of health values mandated by SB 25, and revised values will be listed in updated versions of the appendices to this document as necessary. The revisions also include the use of weighting factors in calculating cancer risks from exposures of infants, children and adolescents, to reflect their anticipated special sensitivity to carcinogens. Similar legal mandates to update risk assessment methodology and cancer potencies apply to the OEHHA program for development of Public Health Goals (PHGs) for chemicals in drinking water, and Proposition 65 No Significant Risk Levels (NSRLs). The NSRLs may also be revised to reflect concerns for children's health. Revising these numbers will require the originating program to reconsider the value in an open public process. For example, OEHHA would need to release any revised potency factors for public comment and review by the Scientific Review Panel on Toxic Air Contaminants (SRP) prior to adoption under the TAC program. The procedures for outside parties to request reevaluation of cancer potency values by the programs which originated those values are listed in Appendix G.

Appendices A and B provide previously adopted Cal/EPA values which were included in the previous version of the TSD for Cancer Potency Factors (OEHHA, 2005a). Cal/EPA values were developed under the Toxic Air Contaminant (TAC) program, the PHG program, the Proposition 65 program, or in some cases specifically for the Air Toxics Hot Spots program. All the Cal/EPA values are submitted for public comments and external peer review prior to adoption by the program of origin. In the future, new values developed by the Toxic Air

Contaminants or Hot Spots programs or other suitable sources will be added as these are approved.

Some U.S. EPA IRIS cancer unit risk values were adopted under the previous versions of these guidelines, and these values will continue to be used unless and until revised by Cal/EPA. U.S. EPA has recently revised its cancer risk assessment guidelines (U.S. EPA, 2005a). Some of the recommended changes in methodology could result in slightly different potency values compared to those calculated by the previous methodology, although in practice a number of the recommendations (for example, the use of ¾ power of the body weight ratio rather than ⅔ power for interspecies scaling) have been available in draft versions of the revised policy for some time and appear in many more recent assessments. U.S. EPA has stated that cancer potency values listed in IRIS will not be revisited solely for the purpose of incorporating changes in cancer potency value calculation methods contained in the revised cancer risk assessment guidelines. U.S. EPA has also issued supplementary guidelines on assessing cancer risk from early-life exposure (U.S. EPA, 2005b).

OEHHA uses a toxic equivalency factor procedure for dioxin-like compounds, including polychlorinated dibenzo-*p*-dioxins, dibenzofurans and polychlorinated biphenyls (PCBs). The Toxicity Equivalency Factor scheme (TEF_{WHO-97}) developed by the World Health Organization/European Center for Environmental Health (WHO-ECEH) is used for determining cancer unit risk and potency values for these chemicals where individual congener emissions are available (Appendix C).

This document is one part of the Air Toxics Hot Spots Program Risk Assessment Guidelines. The other documents originally included in the Guidelines are Part I: Technical Support Document for the Determination of Acute Toxicity Reference Exposure Levels for Airborne Toxicants; Part III: Technical Support Document for Determination of Noncancer Chronic Reference Exposure Levels; Part IV: Technical Support Document for Exposure Assessment and Stochastic Analysis; Part V: Air Toxic Hot Spots Program Risk Assessment Guidelines. As a part of the same revision process which led to production of this revised TSD on cancer potencies, the original TSDs for Acute and Chronic Reference Exposure Levels have been replaced with a new unified TSD for Acute, 8-hour and Chronic Reference Exposure Levels.

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APPENDICES

Appendix A. A lookup table containing unit risk and cancer potency values.

Appendix B. Chemical-specific summaries of the information used to derive unit risk and cancer potency values.

Appendix C. A description of the use of toxicity equivalency factors for determining unit risk and cancer potency factors for polychlorinated dibenzo-*p*-dioxins, dibenzofurans and dioxin-like polychlorinated biphenyls.

Appendix D. A listing of Toxic Air Contaminants identified by the California Air Resources Board.

Appendix E. Descriptions of the International Agency for Research on Cancer (IARC) and U.S. Environmental Protection Agency (U.S. EPA) carcinogen classifications.

Appendix F. An asbestos quantity conversion factor for calculating asbestos concentrations expressed as 100 fibers/m^3 from asbestos concentrations expressed as $\mu g/m^3$.

Appendix G. Procedures for revisiting or delisting cancer potency factors by the program of origin.

Appendix H. Exposure routes and studies used to derive cancer unit risks and slope factors.

Appendix I. "Assessing susceptibility from early-life exposure to carcinogens": Barton *et al.*, 2005 (from *Environmental Health Perspectives)*.

Appendix J. "In Utero and Early Life Susceptibility to Carcinogens: The Derivation of Age-at-Exposure Sensitivity Measures" – conducted by OEHHA's Reproductive and Cancer Hazard Assessment Branch.

Appendix K. Additions and corrections from prior document versions.

INTRODUCTION

The Technical Support Document (TSD) for Describing Available Cancer Potency Factors provides technical information support for the Air Toxics Hot Spots Program Risk Assessment Guidelines. The TSD consists of 12 sections:

1. The TSD introduction.
2. A description of the methodologies used to derive the unit risk and cancer potency values listed in the lookup table.
3. A lookup table containing unit risk and cancer potency values. (Appendix A)
4. Chemical-specific summaries of the information used to derive unit risk and cancer potency values. (Appendix B).
5. A description of the use of toxicity equivalency factors for determining unit risk and cancer potency factors for polychlorinated dibenzo-*p*-dioxins, dibenzofurans and dioxin-like polychlorinated biphenyls (Appendix C).
6. A listing of Toxic Air Contaminants identified by the California Air Resources Board (Appendix D).
7. Descriptions of the International Agency for Research on Cancer (IARC) and U.S. Environmental Protection Agency (U.S. EPA) carcinogen classifications (Appendix E).
8. An asbestos quantity conversion factor for calculating asbestos concentrations expressed as 100 fibers/m^3 from asbestos concentrations expressed as $\mu g/m^3$ (Appendix F).
9. Procedures for revisiting or delisting cancer potency factors by the program of origin (Appendix G).
10. Exposure routes and studies used to derive cancer unit risks and slope factors (Appendix H).
11. "Assessing susceptibility from early-life exposure to carcinogens": Barton *et al.*, 2005 (from *Environmental Health Perspectives)* (Appendix I).
12. "In Utero and Early Life Susceptibility to Carcinogens: The Derivation of Age-at-Exposure Sensitivity Measures" – conducted by OEHHA's Reproductive and Cancer Hazard Assessment Branch (Appendix J)

SELECTION OF CANCER POTENCY VALUES

The Office of Environmental Health Hazard Assessment (OEHHA) has developed a number of cancer potencies for use in the Toxic Air Contaminants and Air Toxics Hot Spots programs. This document also provides summaries of cancer potency factors which were originally developed for other California Environmental Protection Agency (Cal/EPA) programs, or by the U.S. EPA. These were reviewed for accuracy, reliance on up-to-date data and methodology, and applicability in the context of the Air Toxics Hot Spots program. Values found appropriate were adopted after public and peer review rather than devoting the resources necessary for a full *de novo* assessment. Thus, cancer potency values (CPF) included in the Technical Support Document (TSD) for Cancer Potency Factors were from the following sources:

1. Toxic Air Contaminant documents
2. Standard Proposition 65 documents
3. U.S.EPA Integrated Risk Information Systems (Office of Health and Environmental Assessment, U.S.EPA)
4. Expedited Proposition 65 documents
5. Other OEHHA assessments , for example for the drinking water program.

All the cancer potency value sources used generally follow the recommendations of the National Research Council on cancer risk assessment (NRC, 1983, 1994). All Cal/EPA program documents undergo a process of public comment and scientific peer review prior to adoption, although the procedures used vary according to the program. The publication procedure for Toxic Air Contaminant documents includes a public comment period and review by the Scientific Review Panel on Toxic Air Contaminants (SRP) before identification of a Toxic Air Contaminant by the Air Resources Board of the California Environmental Protection Agency (Cal/EPA). Furthermore, a petition procedure is available to initiate TAC document review and revision if appropriate because of new toxicity data. Documents developed for the Air Toxics Hot Spots program similarly undergo public comment and peer review by the SRP before adoption by the Director of OEHHA. The standard Proposition 65 document adoption procedure includes a public comment and external peer review by the Proposition 65 Carcinogen Identification Committee. The expedited Proposition 65 document adoption procedure included a public comment period. Risk assessments prepared for development of Public Health Goals (PHGs) for chemicals in drinking water are subject to two public comment periods before the final versions and responses to comments are published on the OEHHA Web site. PHG documents may also receive external peer review. Documents from U.S. EPA's Integrated Risk Information System (IRIS) receive external peer review and are posted on the Internet for public viewing during the external peer review period, and any public comments submitted are considered by the originating office. Additionally, public comment may be solicited during the document posting period. Future preference for use of developed cancer potency factors/unit risks will be done on a case by case basis. Preference will be given to those assessments most relevant to inhalation exposures of the California population, to the most recent derivations using the latest data sets and scientific methodology, and to those having undergone the most open and extensive peer review process.

CANCER RISK ASSESSMENT METHODOLOGIES

This section describes in general the methodologies used to derive the cancer unit risk and potency factors listed in this document. As noted in the Preface to this document, no new cancer unit risks or potency factors were developed for this document. All of the values contained here were previously developed in documents by Cal/EPA or U.S. EPA. Following the recommendations of the National Academy of Sciences (NRC, 1983), Cal/EPA and U.S. EPA have both used formalized cancer risk assessment guidelines, the original versions of which (California Department of Health Services, 1985; U.S. EPA, 1986) were published some time ago. Both these guidelines followed similar methodologies.

In the twenty years since these original guidelines were published there have been a number of advances in the methodology of cancer risk assessment. There have additionally been considerable advances in the quantity of data available not only from animal carcinogenesis bioassays and epidemiological studies, but also from mechanistic studies of carcinogenesis and related phenomena. Some of these advances have been incorporated into newer risk assessments by both agencies on a more or less *ad hoc* basis. There has also been an ongoing effort to provide updated risk assessment guidance documents. In 1995, U.S. EPA released for public comment the "Proposed and Interim Guidelines for Carcinogen Risk Assessment", which was the first of several drafts released for public comment. Many risk assessments appearing since then have used elements of the recommendations contained in that document, in spite of its draft status. A final version of the U.S. EPA's revised cancer risk assessment guidelines has now been released (U.S. EPA, 2005a). Although these new guidelines incorporate a number of substantial changes from their predecessors (U.S. EPA, 1986; 1995), U.S. EPA has stated that cancer potency values listed in IRIS will not be revisited solely for the purpose of incorporating changes in cancer potency value calculation methods.

Cal/EPA has not produced a revised cancer risk assessment guideline document to replace the original version (DHS, 1985). Rather, Cal/EPA has relied on incorporating new data and methodologies as these became available, and described the methods used on a case by case basis in the individual risk assessment documents where these went beyond the original guidance. However, this revision of the TSD for cancer potencies provides a convenient opportunity to summarize the current status of the methodology used by OEHHA for the air toxics programs, and also to highlight points of similarity to, and difference from, the recommendations of U.S. EPA (2005a).

In this document, OEHHA intends to follow the recommendations of the NRC (1994) in describing a set of clear and consistent principles for choosing and departing from default cancer risk assessment options. NRC identified a number of objectives that should be taken into account when considering principles for choosing and departing from default options. These include, "protecting the public health, ensuring scientific validity, minimizing serious errors in estimating risks, maximizing incentives for research, creating an orderly and predictable process, and fostering openness and trustworthiness". The OEHHA cancer risk methodologies discussed in this document are intended to generally meet those objectives cited above.

Hazard Identification

This section will describe: 1) how weight of evidence evaluations are used in hazard evaluation; 2) guidelines for inferring causality of effect; 3) the use of human and animal carcinogenicity data, as well as supporting evidence (e.g. genetic toxicity and mechanistic data); 4) examples of carcinogen identification schemes.

Evaluation of Weight of Evidence

In evaluating the range of evidence on the toxicity and carcinogenicity of a compound, mixture or other agent, a "weight-of-evidence" approach is generally used to describe the body of evidence on whether or not exposure to the agent causes a particular effect. Under this approach, the number and quality of toxicological and epidemiological studies, as well as the consistency of study results and other sources of data on biological plausibility, are considered. Diverse and sometimes conflicting data need to be evaluated with respect to possible explanations of differing results. Consideration of methodological issues in the review of the toxicological and epidemiological literature is important in evaluating associations between exposure to an agent and animal or human health effects. This aspect of the evaluation process has received particular emphasis with respect to epidemiological data, where concerns as to the statistical and biological significance and reliability of the data and the impacts of confounding and misclassification are pressing. Such concerns are also relevant to some extent in the interpretation of animal bioassay data and mechanistic studies. Although the test animals, laboratory environment and characterization of the test agent are usually much better controlled than the equivalent parameters in an epidemiological study, the small sample size can be problematic. In addition, there are uncertainties associated with extrapolation of biological responses from test animal species to humans.

Criteria for Causality

There has been extensive discussion over the last two centuries on causal inference. This has been particularly with regard to epidemiological data, but is also relevant to interpretation of animal studies. Most epidemiologists utilize causal inference guidelines based on those proposed by Bradford Hill (1971). OEHHA has relied on these and on recommendations by IARC (2006), the Institute of Medicine (2004), the Surgeon General's Reports on Smoking (U.S. DHHS, 2004) and standard epidemiologic texts (*e.g.* Lilienfeld and Lilienfeld, 1980; Rothman and Greenland, 1998). The criteria for determination of causality used by OEHHA have been laid out in various risk assessment documents. The summary below is adapted from the Health Effects section of the document prepared to support the identification of environmental tobacco smoke (ETS) as a Toxic Air Contaminant (OEHHA, 2005b).

1. *Strength of Association.* A statistically significant strong association, which is easier to detect if there is a high relative risk, between a factor and a disease is often viewed as an important criterion for inferring causality because, all other things being equal, a strong and statistically significant association makes alternative explanations for the disease less likely. However, as discussed in Rothman and Greenland (1998), the fact that a relative risk is small in magnitude does not exclude a casual association between the risk factor

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and the outcome in question. Since it is more difficult to detect (i.e., reach statistical significance) a small magnitude risk, ~~they are~~it is just as likely to ~~be causal~~indicate causality as a larger magnitude risks.

When assessing all evidence, it is important to consider the strength of the study design (particularly controlling for confounding variables, obtaining an unbiased sample, measurement error) and the level of statistical significance (i.e., the ability to exclude a Type I [false positive] error). The power of the study to detect biologically meaningful effects (i.e., the risk of a Type II [false negative] error) is important in considering studies that do not reach traditional (i.e., P<.05) statistical significance, particularly if the biological endpoint is serious. If the outcome is serious and the study small (i.e., low power), a larger P value (e.g., P<.10) may be adequate evidence for identifying an effect.

There are a number of examples of statistically significant, small magnitude associations that are widely accepted as causal, such as causal links between air pollution and cardiovascular/pulmonary mortality and between second-hand smoke exposure and various cancers and heart disease. From a public health perspective, even a small magnitude increase in risk for a common disease can mean large numbers of people affected by the health outcome when exposure is frequent and widespread, as measured by the population attributable risk or attributable fraction. Small magnitude of association must not be confused with statistical significance, which is much more important.

2. *Consistency of Association.* If several investigations find an association between a factor and a disease across a range of populations, geographic locations, times, and under different circumstances, then the factor is more likely to be causal. Consistency argues against hypotheses that the association is caused by some other factor(s) that varies across studies. Unmeasured confounding is an unlikely explanation when the effect is observed consistently across a number of studies in different populations.

   Associations that are replicated in several studies of the same design or using different epidemiological approaches or considering different sources of exposure and in a number of geographical regions are more likely to represent a causal relationship than isolated observations from single studies (IARC, 2006). If there are inconsistent results among investigations, possible reasons are sought, such as adequacy of sample size or control group, methods used to assess exposure, or range in levels of exposure. The results of studies judged to be rigorous are emphasized over those of studies judged to be methodologically less rigorous. For example, studies with the best exposure assessment are more informative for assessing the association between ETS and breast cancer than studies with limited exposure assessment, all else being equal.

3. *Temporality.* Temporality means that the factor associated with causing the disease occurs in time prior to development of the disease. The adverse health effect should occur at a time following exposure that is consistent with the nature of the effect. For example, respiratory irritation immediately following exposure to an irritant vapor is temporally consistent, whereas ~~effects~~ irritation noted only years later may not be. On the other hand, tumors, noted immediately following exposure, might be temporally

inconsistent with a causal relationship, but tumors arising after a latency period of months (in rodents) or years (in rodents or humans) would be temporally consistent.

4. *Coherence and Biological Plausibility.* A causal interpretation cannot conflict with what is known about the biology of the disease. The availability of experimental data or mechanistic theories consistent with epidemiological observations strengthens conclusions of causation. For example, the presence of known carcinogens in tobacco smoke supports the concept that exposure to tobacco smoke could cause increased cancer risk. Similarly, if the mechanism of action for a toxicant is consistent with development of a specific disease, then coherence and biological plausibility can be invoked. It should be noted that our understanding of the biology of disease, and therefore biological plausibility, changes in light of new information which is constantly emerging from molecular biology (including epigenetics), and from new clinical and epidemiological investigations revealing effects influenced by genetic polymorphisms, pre-existing disease, and so forth.

5. *Dose-Response.* A basic tenet of toxicology is that increasing exposure or dose generally increases the response to the toxicant. While dose-response curves vary in shape and are not necessarily always monotonic, an increased gradient of response with increased exposure makes it difficult to argue that the factor is not associated with the disease. To argue otherwise necessitates that an unknown factor varies consistently with the dose of the substance and the response under question. While increased risk with increasing levels of exposure is considered to be a strong indication of causality, absence of a graded response does not exclude a causal relationship (IARC, 2006).

   The dose-response curves for specific toxic effects may be non-monotonic. Under appropriate circumstances, where the dose response shows saturation, the effect of exposures could be nearly maximal, with any additional exposure having little or no effect. In some instances, a response is seen strongly in susceptible subpopulations, and the dose-response is masked by mixing susceptible and non-susceptible individuals in a sample. Further, there are examples of U-shaped or inverted U-shaped dose-response curves, (e.g., for endocrine disrupters) (Almstrup et al., 2002; Lehmann et al., 2004). Finally, timing of exposure during development may mask an overall increase in risk with increasing dose.

6. *Specificity.* Specificity is generally interpreted to mean that a single cause is associated with a single effect. It may be useful for determining which microorganism is responsible for a particular disease, or associating a single carcinogenic chemical with a rare and characteristic tumor (e.g., liver angiosarcoma and vinyl chloride, or mesothelioma and asbestos). However, the concept of specificity is not helpful when studying diseases that are multifactorial, or toxic substances that contain a number of individual constituents, each of which may have several effects and/or target sites.

7. *Experimental evidence.* While experiments are often conducted over a short period of time or under artificial conditions (compared to real-life exposures), experiments offer the opportunity to collect data under highly controlled conditions that allow strong causal conclusions to be drawn. Experimental data that are consistent with epidemiological

results strongly support conclusions of causality. There are also "natural experiments" that can be studied with epidemiological methods, such as when exposure of a human population to a substance declines or ceases; if the effect attributed to that exposure decreases, then there is evidence of causality. One example of this is the drop in heart disease death and lung cancer risk after smoking cessation.

It should be noted that the causal criteria are guidelines for judging whether a causal association exists between a factor and a disease, rather than hard-and-fast rules. Lilienfeld and Lilienfeld (1980) note that "*In medicine and public health, it would appear reasonable to adopt a pragmatic concept of causality. A causal relationship would be recognized to exist whenever evidence indicates that the factors form part of the complex of circumstances that increases the probability of the occurrence of disease and that a diminution of one or more of these factors decreases the frequency of that disease. After all, the reason for determining the etiological factors of a disease is to apply this knowledge to prevent the disease.*" Rothman and Greenland (2005) discuss the complexities of causation and the use of rules and deductive methods in causal inference. They also concur with Bradford Hill and others that a determination of causality is a pragmatic conclusion rather than an absolute verdict, and advocate that these criteria should be seen as "*deductive tests of causal hypotheses*".

Data sources

Human studies: epidemiology, ecological studies and case reports

The aim of a risk assessment for the California Air Toxics programs is to determine potential impact on human health. Ideally therefore, the hazard identification would rely on studies in humans to demonstrate the nature and extent of the hazard. However, apart from clinical trials of drugs, experimental studies of toxic effects in human subjects are rarely undertaken or justifiable. Pharmacokinetic studies using doses below the threshold for any toxic effect have been undertaken for various environmental and occupational agents, but are not usually regarded as appropriate for suspected carcinogens.

The human data on carcinogens available to the risk assessor therefore mostly consist of epidemiological studies of existing occupational or environmental exposures. It is easier to draw reliable inferences in situations where both the exposures and the population are substantial and well-defined, and accessible to direct measurement rather than recall. Thus, many important findings of carcinogenicity to humans are based on analysis of occupational exposures. Problems in interpretation of occupational epidemiological data include simultaneous exposure to several different known or suspected carcinogens, imprecise quantification of exposures and confounding exposures such as active or passive tobacco smoking. The historical database of occupational data has a bias towards healthy white adult males. Thus, the hazard analysis of these studies may not accurately characterize effects on women, infants, children or the elderly, or on members of minority ethnic groups. Nevertheless, the analysis of occupational epidemiological studies, including meta-analyses, has proved an important source for unequivocal identification of human carcinogens.

Epidemiological evidence may also be obtained where a substantial segment of a general population is exposed to the material of interest in air, drinking water or food sources. Rigorous

cohort and case-control studies may sometimes be possible, in which exposed individuals are identified, their exposure and morbidity or mortality evaluated, and compared to less exposed but otherwise similar controls. More often at least the initial investigation is a cross-sectional study, where prevalence of exposures and outcomes is compared in relatively unexposed and exposed populations. Such studies are hypothesis-generating, but are important sources of information nevertheless, and can often also justify more costly and labor-intensive follow-up cohort and/or case-control studies.

The clinical medical literature contains many case reports where a particular health outcome is reported along with unusual exposures that might have contributed to its occurrence. These reports typically describe a single patient or a small group, and have no statistical significance. They are nevertheless useful as indications of possible associations that deserve follow-up using epidemiological methods, and as supporting evidence, addressing the plausibility of associations measured in larger studies.

Animal studies

Although the observation of human disease in an exposed population can provide definitive hazard identification, adequate data of this type are not always available. More often, risk estimates have to be based on studies in experimental animals, and extrapolation of these results to predict human toxicity. The animals used are mostly rodents, typically the common laboratory strains of rat and mouse.

Rats and mice have many similarities to humans. Physiology and biochemistry are similar for all mammals, especially at the fundamental levels of xenobiotic metabolism, DNA replication and DNA repair that are of concern in identifying carcinogens. However, there are also several important differences between rodents and humans. Rodents, with a short life span, have differences in cell growth regulation compared to longer-lived species such as the human. For instance, whereas laboratory investigations have suggested that mutations in two regulatory genes (*e.g.* H-ras and p-53) are sometimes sufficient to convert a rodent cell to a tumorigenic state, many human cancers observed clinically have seven or eight such mutations. In addition, cultured normal human cells have a very stable karyotype, whereas cultured rodent cells facilely undergo tetraploidization and then aneuploidization in cell culture. Further, cultured human cells senesce and rarely undergo spontaneous immortalization (frequency is 10^{-7} or less), whereas cultured rodent cells facilely undergo immortalization at frequencies on the order of 10^{-3}. The use of genomics to study chemical carcinogenesis is relatively new, but the differences at present appear to be a matter of degree rather than kind.

Differences in regulation of cell division are another likely reason for variation between species in the site of action of a carcinogen, or its potency at a particular site. A finding of carcinogenesis in the mouse liver, for instance, is a reasonably good indicator of potential for carcinogenesis at some site in the human, but not usually in human liver (Huff, 1999). The mouse liver (and to a lesser extent that of the rat) is a common site of spontaneous tumors. It is also relatively sensitive to chemical carcinogenesis. The human liver is apparently more resistant to carcinogenesis; human liver tumors are unusual except when associated with additional predisposing disease, such as hepatitis B or alcoholic cirrhosis, or exposure to aflatoxin B1, or simultaneous exposure to hepatitis B virus and aflatoxin B1. Conversely, other

tumor sites are more sensitive in the human than in experimental animals. Interspecies variation in site and sensitivity to carcinogenesis may also arise from differences in pharmacokinetics and metabolism, especially for carcinogens where metabolic activation or detoxification is important. This variability may cause important differences in sensitivity between individuals in a diverse population such as humans. Variability between individuals in both susceptibility and pharmacokinetics or metabolism is probably less in experimental animal strains that are bred for genetic homogeneity.

Animal carcinogenesis studies are often designed to maximize the chances of detecting a positive effect, and do not necessarily mimic realistic human exposure scenarios. Thus extrapolation from an experimentally accessible route to that of interest for a risk assessment may be necessary. Even for studies by realistic routes such as oral or inhalation, doses may be large compared to those commonly encountered in the environment, in order to counter the limitation in statistical power caused by the relatively small size of an animal experiment. Whereas the exposed population of an epidemiological study might number in the thousands, a typical animal study might have fifty individuals per exposure group. With this group size any phenomenon with an incidence of less than about 5% is likely to be undetectable. Statistically significant results may be obtained even with groups as small as ten animals per dose group, when incidence of a tumor that is rare in the controls approached 100% in a treated group. The consensus experimental design for animal carcinogenesis studies, which has evolved over the last 50 years of investigation, is represented by the protocol used by the U.S. National Toxicology Program (NTP) for studies using oral routes (diet, gavage or drinking water) or inhalation. These carcinogenesis bioassays usually involve both sexes of an experimental species, and most often two species. NTP has standardized the use of the C57BlxC3H F_1 hybrid mouse, and the Fischer 344 rat as the standard test species, although NTP has announced plans to substitute use of the Wistar Han rat for the Fisher 344 rat. There is now an extensive database of background tumor incidences, normal physiology, biochemistry, histology and anatomy for these strains, which aids in the interpretation of pathological changes observed in experiments. Nevertheless, there is enough variation in background rates of common tumors that the use of concurrent controls is essential for hazard identification or dose-response assessment. "Historical control" data are mainly used to reveal anomalous outcomes in the concurrent controls. The fact that a significantly elevated incidence of a tumor relative to the concurrent control group is within the range of historical controls at that site for the test sex and strain is not necessarily grounds for dismissing the biological significance of the finding.

Groups of fifty animals of each sex and species are used, with control groups, and several dose groups, the highest receiving the maximum tolerated dose (MTD). Recent study designs have emphasized the desirability of at least three dose levels covering a decade with "logarithmic" spacing (*i.e.* MTD, 1/2 MTD or 1/3 MTD, and 1/10 MTD). This extended design is aimed at providing better dose-response information, and may contribute important additional information, such as mechanistic insights, for the hazard identification phase.

Supporting evidence: genetic toxicity, mechanistic studies

Investigators have developed additional data sources that can support or modify the conclusions of animal carcinogenesis bioassays, and provide information on mechanisms of action of agents suspected of being carcinogenic based on epidemiological studies or animal bioassays.

Genetic damage in exposed organisms includes both gene mutations (point or frameshift), and larger scale effects such as deletions, gene amplification, sister-chromatid exchanges, translocations and loss or duplication of segments or whole chromosomes. These genetic effects of chemical exposures are deleterious in their own right. In addition, since carcinogenesis results from somatic mutations and similar genetic alterations, agents that cause genetic damage generally have carcinogenic potential. Conversely, many known carcinogens are also known to be genotoxic, although there is also a significant class of carcinogens that are not directly genotoxic according to the usual tests. These latter agents presumably work by some other mechanism, such as methylation of tumor suppressor genes or demethylation of cellular proto-oncogenes, although recent genetic studies have shown that even tumors induced by these agents may show mutations, deletions or amplification of growth regulatory genes.

Experimental procedures to demonstrate and measure genetic toxicity may involve exposure of intact animals, and examination of genetic changes in, for example, bone marrow cells (or cells descended from these e.g. the micronucleus test, which detects remnants of chromosomal fragments in immature erythrocytes), mutations in flies (*Drosophila)*, or appearance of color spots in the coat of mice. However, many tests have employed single celled organisms or mammalian cells in culture. The best known of these tests is the *Salmonella* reverse mutation assay, popularly known as the Ames test after its inventor. This is representative of a larger class of tests for mutagenic activity in prokaryotic organisms (bacteria), which necessarily only look at gene-level mutations. Similar tests in eukaryotic microorganisms (yeasts, *Aspergillus*) and cultured mammalian cells also detect chromosomal effects. Many tests using microorganisms *in vitro* involve addition of activating enzymes (*e.g.* liver postmitochondrial supernatant – "S9") to mimic the metabolism of promutagenic chemicals *in vivo*. Another type of test examines the induction in mammalian cells of morphological transformation or anchorage-independent growth. These two chemically induced, *in vitro* changes are considered two of the many changes that fibroblastic cells must undergo on their route to neoplastic transformation (tumorigenicity). These various genetic tests contribute different information, which may be used to amplify and confirm conclusions drawn from human studies or animal bioassays, or to draw conclusions in the absence of epidemiological or bioassay data. In the latter case they have also been used in prioritizing agents for further evaluation by means of bioassays.

Carcinogen Identification schemes

Some regulatory programs, such as California's Safe Drinking Water and Toxics Enforcement Act ("Proposition 65") and various activities of the U.S. EPA, require that explicit lists of substances having the potential to act as human carcinogens be maintained. Other such lists are developed by non-regulatory research organizations, such as the U.S. National Toxicology Program and the International Agency for Research on Cancer (IARC), an international program of the World Health Organization. The California air toxics programs do not have any statutory requirement to "identify" carcinogens. The requirement instead is to identify hazardous substances as Toxic Air Contaminants, and to determine whether or not a threshold concentration, below which no adverse effects are expected, is likely to exist:

HEALTH AND SAFETY CODE, Division 26 (Air Resources), § 39660.

(2) The evaluation shall also contain an estimate of the levels of exposure that may cause or contribute to adverse health effects. If it can be established that a threshold of adverse health effects exists, the estimate shall include both of the following factors:

(A) The exposure level below which no adverse health effects are anticipated.

(B) An ample margin of safety that accounts for the variable effects that heterogeneous human populations exposed to the substance under evaluation may experience, the uncertainties associated with the applicability of the data to human beings, and the completeness and quality of the information available on potential human exposure to the substance. In cases in which there is no threshold of significant adverse health effects, the office shall determine the range of risk to humans resulting from current or anticipated exposure to the substance.

In practice however this requirement amounts to the need to establish whether or not a substance is carcinogenic. Any such effects are clearly harmful. Whereas the great majority of non-cancer health effects of chemicals are regarded as having a threshold, the default assumption for carcinogens is that there is no threshold (as described below). OEHHA follows the guidelines laid out by IARC for identification and classification of potential human carcinogens, which are described in detail in the most recent revision of the *Preamble* to the IARC monographs series (IARC, 2006). The IARC Monograph series provides evaluations of the carcinogenicity of individual substances or commonly occurring mixtures. The evaluation guidelines used are similar to those used by other scientific or regulatory authorities, including U.S.EPA.

The data inputs to hazard identification for carcinogens are human epidemiological studies, animal bioassays, along with supporting evidence such as mechanistic and genotoxicity data and structure-activity comparisons. IARC also assembles data on the structure and identity of the agent. The list of agents considered includes specific chemicals and also complex mixtures, occupational and lifestyle factors, physical and biological agents, and other potentially carcinogenic exposures.

IARC evaluations determine the quality of evidence for both animal and human evidence as falling into one of four categories: sufficient evidence of carcinogenicity, limited evidence of carcinogenicity, inadequate evidence of carcinogenicity and evidence suggesting lack of carcinogenicity. Stringent requirements for data quality are imposed. In view of their crucial importance, these definitions are quoted directly from the *Preamble* (IARC 2006):

"(a) Carcinogenicity in humans

Sufficient evidence of carcinogenicity: The Working Group considers that a causal relationship has been established between exposure to the agent and human cancer. That is, a positive relationship has been observed between the exposure and cancer in studies in which chance, bias and confounding could be ruled out with reasonable confidence. A statement that there is *sufficient evidence* is followed by a separate sentence that identifies the target organ(s) or tissue(s) where an increased risk of cancer was observed in humans. Identification of a specific target organ or tissue does not preclude the possibility that the agent may cause cancer at other sites.

***Limited evidence of carcinogenicity*:** A positive association has been observed between exposure to the agent and cancer for which a causal interpretation is considered by the Working Group to be credible, but chance, bias or confounding could not be ruled out with reasonable confidence.

Inadequate evidence of carcinogenicity: The available studies are of insufficient quality, consistency or statistical power to permit a conclusion regarding the presence or absence of a causal association between exposure and cancer, or no data on cancer in humans are available.

Evidence suggesting lack of carcinogenicity: There are several adequate studies covering the full range of levels of exposure that humans are known to encounter, which are mutually consistent in not showing a positive association between exposure to the agent and any studied cancer at any observed level of exposure. The results from these studies alone or combined should have narrow confidence intervals with an upper limit close to the null value (e.g. a relative risk of 1.0). Bias and confounding should be ruled out with reasonable confidence, and the studies should have an adequate length of follow-up. A conclusion of *evidence suggesting lack of carcinogenicity* is inevitably limited to the cancer sites, conditions and levels of exposure, and length of observation covered by the available studies. In addition, the possibility of a very small risk at the levels of exposure studied can never be excluded.

(b) Carcinogenicity in experimental animals

Carcinogenicity in experimental animals can be evaluated using conventional bioassays, bioassays that employ genetically modified animals, and other in-vivo bioassays that focus on one or more of the critical stages of carcinogenesis. In the absence of data from conventional long-term bioassays or from assays with neoplasia as the end-point, consistently positive results in several models that address several stages in the multistage process of carcinogenesis should be considered in evaluating the degree of evidence of carcinogenicity in experimental animals.

The evidence relevant to carcinogenicity in experimental animals is classified into one of the following categories:

***Sufficient evidence of carcinogenicity*:** The Working Group considers that a causal relationship has been established between the agent and an increased incidence of malignant neoplasms or of an appropriate combination of benign and malignant neoplasms in (a) two or more species of animals or (b) two or more independent studies in one species carried out at different times or in different laboratories or under different protocols. An increased incidence of tumours in both sexes of a single species in a well-conducted study, ideally conducted under Good Laboratory Practices, can also provide *sufficient evidence*.

A single study in one species and sex might be considered to provide *sufficient evidence of carcinogenicity* when malignant neoplasms occur to an unusual degree with regard to incidence, site, type of tumour or age at onset, or when there are strong findings of tumours at multiple sites.

***Limited evidence of carcinogenicity*:** The data suggest a carcinogenic effect but are limited for making a definitive evaluation because, e.g. (a) the evidence of carcinogenicity is

restricted to a single experiment; (b) there are unresolved questions regarding the adequacy of the design, conduct or interpretation of the studies; (c) the agent increases the incidence only of benign neoplasms or lesions of uncertain neoplastic potential; or (d) the evidence of carcinogenicity is restricted to studies that demonstrate only promoting activity in a narrow range of tissues or organs.

***Inadequate evidence of carcinogenicity*:** The studies cannot be interpreted as showing either the presence or absence of a carcinogenic effect because of major qualitative or quantitative limitations, or no data on cancer in experimental animals are available.

***Evidence suggesting lack of carcinogenicity*:** Adequate studies involving at least two species are available which show that, within the limits of the tests used, the agent is not carcinogenic. A conclusion of *evidence suggesting lack of carcinogenicity* is inevitably limited to the species, tumour sites, age at exposure, and conditions and levels of exposure studied."

IARC utilizes the evaluations of animal and human data, along with supporting evidence including genotoxicity, structure-activity relationships, and identified mechanisms, to reach an overall evaluation of the potential for carcinogenicity in humans. The revised *Preamble* (IARC, 2006) includes a description of the data evaluation criteria for this supporting evidence, and indications as to the situations where the availability of supporting evidence may be used to modify the overall conclusion from that which would be reached on the basis of bioassay and/or epidemiological evidence alone. The overall evaluation is expressed as a numerical grouping, the categories of which are described below, as before by directly quoting IARC (2006):

"Group 1: The agent is *carcinogenic to humans*.

This category is used when there is *sufficient evidence of carcinogenicity* in humans. Exceptionally, an agent may be placed in this category when evidence of carcinogenicity in humans is less than *sufficient* but there is *sufficient evidence of carcinogenicity* in experimental animals and strong evidence in exposed humans that the agent acts through a relevant mechanism of carcinogenicity.

Group 2.

This category includes agents for which, at one extreme, the degree of evidence of carcinogenicity in humans is almost *sufficient*, as well as those for which, at the other extreme, there are no human data but for which there is evidence of carcinogenicity in experimental animals. Agents are assigned to either Group 2A (*probably carcinogenic to humans*) or Group 2B (*possibly carcinogenic to humans*) on the basis of epidemiological and experimental evidence of carcinogenicity and mechanistic and other relevant data. The terms *probably carcinogenic* and *possibly carcinogenic* have no quantitative significance and are used simply as descriptors of different levels of evidence of human carcinogenicity, with *probably carcinogenic* signifying a higher level of evidence than *possibly carcinogenic*.

Group 2A: The agent is *probably carcinogenic to humans*.

This category is used when there is *limited evidence of carcinogenicity* in humans and *sufficient evidence of carcinogenicity* in experimental animals. In some cases, an agent may be classified in this category when there is *inadequate evidence of carcinogenicity* in humans and *sufficient evidence of carcinogenicity* in experimental animals and strong evidence that the carcinogenesis is mediated by a mechanism that also operates in humans. Exceptionally, an agent may be classified in this category solely on the basis of *limited evidence of carcinogenicity* in humans. An agent may be assigned to this category if it clearly belongs, based on mechanistic considerations, to a class of agents for which one or more members have been classified in Group 1 or Group 2A.

Group 2B: The agent is *possibly carcinogenic to humans.*

This category is used for agents for which there is *limited evidence of carcinogenicity* in humans and less than *sufficient evidence of carcinogenicity* in experimental animals. It may also be used when there is *inadequate evidence of carcinogenicity* in humans but there is *sufficient evidence of carcinogenicity* in experimental animals. In some instances, an agent for which there is *inadequate evidence of carcinogenicity* in humans and less than *sufficient evidence of carcinogenicity* in experimental animals together with supporting evidence from mechanistic and other relevant data may be placed in this group. An agent may be classified in this category solely on the basis of strong evidence from mechanistic and other relevant data.

Group 3: The agent is *not classifiable as to its carcinogenicity to humans.*

This category is used most commonly for agents for which the evidence of carcinogenicity is *inadequate* in humans and *inadequate* or *limited* in experimental animals.

Exceptionally, agents for which the evidence of carcinogenicity is *inadequate* in humans but *sufficient* in experimental animals may be placed in this category when there is strong evidence that the mechanism of carcinogenicity in experimental animals does not operate in humans.

Agents that do not fall into any other group are also placed in this category.

An evaluation in Group 3 is not a determination of non-carcinogenicity or overall safety. It often means that further research is needed, especially when exposures are widespread or the cancer data are consistent with differing interpretations.

Group 4: The agent is *probably not carcinogenic to humans.*

This category is used for agents for which there is *evidence suggesting lack of carcinogenicity* in humans and in experimental animals. In some instances, agents for which there is *inadequate evidence of carcinogenicity* in humans but *evidence suggesting lack of carcinogenicity* in experimental animals, consistently and strongly supported by a broad range of mechanistic and other relevant data, may be classified in this group."

The IARC hazard evaluation system provides a detailed and generally accepted scheme to classify the strength of evidence as to the possible human carcinogenicity of chemicals and other agents. This includes careful consideration of mechanistic data and other supporting evidence, the evaluation of which is also important to inform selection of models or defaults used in dose response assessment, as is described below. The extended consideration of supporting evidence is in fact the primary difference between more recent versions of the guidance from IARC, and also by other organizations including U.S. EPA, and the original versions of that guidance. In fact, the basic criteria for hazard identification based on bioassay and epidemiological data have not changed substantially in other respects from earlier guidance documents, including that originally published by California (DHS, 1985). Although as noted earlier the California Air Toxics programs do not categorize identified carcinogens, it has generally been the practice to regard any agent with an IARC overall classification in Group 1 or Group 2 as a known or potential human carcinogen. This implies the selection of various policy-based default options, including absence of a threshold in the dose-response curve, unless specific data are available to indicate otherwise. The same basic identification criteria are used by OEHHA scientific staff to determine the appropriate treatment of agents not evaluated by IARC, or for which newer data or revised interpretations suggest that an earlier IARC determination is no longer appropriate.

U.S. EPA has also proposed a scheme for carcinogen hazard identification and strength of evidence classification in their recently finalized Guidelines for Carcinogen Risk Assessment (U.S. EPA, 2005). These principally differ from the IARC guidance in recommending a more extensive narrative description rather than simply a numerical identifier for the identified level of evidence, and also to some degree in the weight accorded to various types of supporting evidence. However, for most purposes they may be regarded as broadly equivalent to the scheme used by IARC, and OEHHA has chosen to cite the IARC (2006) *Preamble* as representing the most up-to-date and generally accepted guidance on this issue.

Dose Response Assessment

The dose-response phase of a cancer risk assessment aims to characterize the relationship between an applied dose of a carcinogen and the risk of tumor appearance in a human. This is usually expressed as a cancer slope factor ["potency" – in units of reciprocal dose - usually $(\text{mg/kg-body weight.day})^{-1}$ or "unit risk" – reciprocal air concentration – usually $(\mu g/m^3)^{-1}$] for the lifetime tumor risk associated with lifetime continuous exposure to the carcinogen at low doses. Cancer potency factors may also be referred to as "cancer slope factors". (As will be described later, additional algorithms may need to be applied to determine risk for specific age groups, or at higher doses where toxicokinetic factors have significant effect.) The basic methodologies recommended in this document are similar to those described by U.S. EPA (2005a) in their Carcinogen Risk Assessment Guidelines. This document therefore refers to U.S. EPA (2005a) for explanation of detailed procedures, and will provide only a brief summary except in cases where OEHHA recommendations are different from or more explicit than those of U.S. EPA.

The following descriptions of methods for dose response assessment, and considerations in their application, apply in principle to the analysis of both animal and human (epidemiological) cancer incidence data. Indeed, the original formulation of the multistage model (Armitage and Doll, 1954) described below was developed based on human cancer incidence. Nevertheless, the

number and quality of human cancer incidence datasets is limited. The more complex analyses have usually only been possible for animal experimental data, where the interindividual variability and the exposure conditions can be both measured and controlled. Most commonly, epidemiological studies have necessarily used a form of multivariate analysis to separate the effects of several different variables relating to exposure, demographics and behaviors (e.g. smoking). In these analyses it is usually assumed that the effect measure(s) vary linearly with the exposure: any more complex variance assumptions might exceed the power of the data to determine the required model parameters. However, there are exceptions, especially for occupational studies where the critical exposure is measured as a continuous variable (rather than just categorical) and where the effect of this exposure is substantial relative to other confounding factors. For example, OEHHA (1998) used a multistage model dealing with both exposure intensity and duration in the analysis of cancer incidence in railroad workers exposure to diesel exhaust (Garshick et al., 1988)

Interspecies Extrapolation

The procedures used to extrapolate low-dose human cancer risk from epidemiological or animal carcinogenicity data are generally health-protective in that they determine an upper confidence bound on the risk experienced by an exposed population. As statistical estimates they cannot be regarded as definite predictions of the risk faced by any one specific individual, who might for a variety of reasons, including individual exposure and susceptibility, experience a risk different from the estimate. The risk assessment procedures used aim to include the majority of variability in the general human population within the confidence bound of the estimate, although the possibility that some individuals might experience either lower or even no risk, or a considerably higher risk, cannot be excluded. Additionally, differences may exist between the characteristics of the general public and those of studied populations. For example, healthy workers, the subject of most epidemiological studies, are often found to have lower rates of morbidity and mortality than the general population (Wen et al., 1983; Monson, 1986; Rothman and Greenland, 1998). Most human data are derived from studies of largely male adult workers and risk estimates cannot take into account specific physiological factors of women, children, and older populations that may affect the potency of a carcinogen, including early age-at-exposure.

Dose-response assessment based on environmental epidemiological studies may involve evaluation of health impacts at exposure levels within the range of those measured in the study population. However, more usually the source data are studies of occupationally exposed humans or of animals, in which case the exposures in the study are likely to be much higher than those of concern for risk assessments relating to community or ambient exposures. Further, even when extrapolation from animal species to humans is not required, the general population to which the URF is applied may differ in characteristics relative to the occupational population studied. It is therefore necessary to extrapolate from the available data to the population and exposure range of concern, which is done by using a dose-response model derived from the source data. The models used fall into three main classes; mechanistically based models, empirical models and (where data are lacking to support a true data-based model) default assumptions. The factors affecting the dose-response relationships for carcinogenesis may also be divided into those relating to absorption, distribution, metabolism and excretion on the one hand (*i.e.* toxicokinetics), and those relating to the underlying dose-response characteristics of carcinogenesis at the tissue or cellular level (*i.e.* toxicodynamics). In this sense the problem of

dose response assessment for carcinogens is similar to that for non-cancer toxic effects. The toxicokinetic models used may in fact be similar for both situations, but the toxicodynamic models are generally different.

Intraspecies Extrapolation and Inter-individual Variability

In estimating the impact of a particular level of exposure to a carcinogen on a target human population, it is necessary to consider the range of susceptibility in the target population. In the present case this is typically defined as the general population of the State of California, including of course women (some of whom are pregnant), infants and children, the elderly, the sick, and those with genetic polymorphisms or acquired differences which affect their susceptibility to carcinogens. In general it has been assumed that the upper-bound risk estimates obtained from the standard toxicodynamic models described below are sufficiently health-protective to cover the intrinsic variability of the adult human target population, in spite of the fact that these models do not explicitly address this type of variability, except in the few cases where an estimate is based on epidemiological data from a large and unselected study group (U.S. EPA, 2005a). However, various analyses (Drew et al., 1983; Barton et al., 2005; Appendix J) have suggested that this assumption is inadequate to cover the expected variability within a human population that includes infants and children. Accordingly both U.S. EPA (2005b) and this document ~~(page 30 *et seq.*)~~ now offer guidance on the use of age-specific adjustment factors to allow for the potentially greater sensitivity of infants and children to chemical carcinogenesis.

The ability to accommodate human variability with regard to the toxicokinetic factors affecting susceptibility to carcinogens varies with the level of detail used in the particular assessment. If the generic interspecies extrapolation approach based on body weight is used without any explicit toxicokinetic model then the assumption is made, as in the case of toxicodynamic variability, that the overall health-protective assumptions made are sufficient to cover the toxicokinetic variability. On the other hand if explicit models such as those referenced in the following paragraph are used, this variability may be more explicitly accommodated by using parameter values which are taken as point estimates from measured distributions of population values, or by using Monte Carlo techniques to include those distributions in the model (Bois et al., 1996; OEHHA, 1992; 2001b).

Toxicokinetic Models

Considerable literature exists showing the importance of understanding the toxicokinetics of carcinogens in understanding their mechanism of action, sites of impact and dose-response relationships. U.S. EPA (2005) in Section 3.1 refers to the importance of identifying an appropriate dose metric for the dose-response analysis. Early cancer risk assessments typically used applied dose as the dose metric, which is adequate in simple cases provided appropriate correction factors are applied for interspecies extrapolation. However, it is often observed that the uptake, metabolism and elimination of the carcinogenic substance (and/or a procarcinogen and metabolites) is non-linear, especially at the higher doses employed in experimental animal studies (Hoel *et al.*, 1983, Gaylor *et al.*, 1994). Extrapolation to lower doses where such relationships tend to linearity (Hattis, 1990) is aided by the use of toxicokinetic models. These may be relatively simple compartment models, or sophisticated "physiologically based pharmacokinetic (PBPK) models" which to a greater or lesser degree model the actual

biochemical and physiological events of toxicokinetic importance. Applications of both types of model may be found in various risk assessment documents prepared for the Toxic Air Contaminants program (and other OEHHA risk assessments). Since the details vary widely according to the nature of the chemical and the availability of appropriate kinetic data these general guidelines will defer to those examples rather than attempt a fuller exposition here. Further analysis of the use of toxicokinetic modeling in extrapolation from animals to humans, and in accounting for interindividual variability among adult humans, infants and children is presented in the Air Toxics Hot Spots *Technical Support Document for the Derivation of Noncancer Reference Exposure Levels* (OEHHA, ~~2007: Public Review Draft~~2008). Although this refers to the use of toxicokinetic modeling in non-cancer risk assessment, the primary considerations are similar for cancer risk assessment.

Toxicodynamic Models

An early use of mechanistic analysis to support risk assessment was the development of the Armitage-Doll multistage model of dose-response for carcinogenesis. The multistage model was initially developed on theoretical grounds, and by examination of epidemiological and animal data on time to tumor incidence. Subsequent discovery of the molecular biology of proto-oncogenes has provided a basis for explaining the model in terms of actual biological events and systems (Barrett and Wiseman, 1987). This model was developed by Crump and others into the "linearized multistage model", which has been extensively used for carcinogen risk assessment. It leads to a number of partially verifiable predictions, including linearity of the dose-response relationship at low doses, which is observed for many genotoxic carcinogens. It also predicts the form of the dose-response relationship at higher doses, which generally follow a polynomial form (subject to sampling and background corrections) except where other identifiable factors such as pharmacokinetics intervene.

It has been argued that the simple linearized form of the multistage model has limitations as a description of carcinogenic mechanisms, which detract from its usefulness and generality. Cell proliferation is known to be important in the progression of cancer. It may actually be the primary mechanism of action for a few carcinogens, as opposed to the direct modification of DNA by the carcinogen or a metabolite which is assumed to cause the mutational event at each stage in the original multistage description. A cell proliferation model has been developed (Moolgavkar and Knudson, 1981), which retains the concept of an initiating mutational event (in most cases caused by interaction of the chemical with DNA, although it could also be a spontaneous mutation) as in the original multistage model, but also considers proliferation, death or terminal differentiation of both normal and initiated cells. This model is thought to better describe the biological events in carcinogenesis. However, it has not been used extensively in risk assessment because it requires many parameters that are difficult to define and measure (such as proliferation and death rates for various classes of cell). If these cannot be accurately determined, the model has too many free parameters and is not helpful in defining extrapolated values for risk assessment purposes. This highlights a general problem in using mechanistic models in carcinogen risk assessment, which is that the carcinogenesis data themselves are generally insufficient to define fully the dose response curve shape at low doses or provide much mechanistic information. The analysis is therefore supplemented with policy-based assumptions (such as the expectation of linearity at low doses) and, wherever possible, additional

experimental measurements relating to the mechanism of action, in order to make meaningful prediction of risk from environmental exposures to humans.

Because of the difficulties in validating simplified mechanistic models such as the basic multistage model, and the additional difficulty of parameter estimation with more complex mechanistic models, the new U.S. EPA guidelines (U.S. EPA, 2005a) and some recent California risk assessments have chosen instead to use a less overtly mechanistic approach. This approach combines benchmark dose methodology (described below) with an explicit choice of the method for low-dose extrapolation, either assuming low-dose linearity or, for certain carcinogens where data indicate that this is appropriate, a "margin of exposure" or safety/uncertainty factor based approach. This benchmark method is now normally recommended for carcinogen dose response analysis, and the results generally differ little from those derived by the linearized multistage model. Although the linearized multistage method is no longer recommended as the default approach for cancer potency estimation it remains a plausible alternative in many cases, and still has useful applications, such as for time-to-tumor analyses for which benchmark methods are not yet widely available. Additionally, a considerable number of existing cancer potencies in Appendices A and B, and used in the Air Toxics Hot Spots program were derived by this method. Many of these would not be significantly different if calculated by the benchmark approach, and are unlikely to be replaced soon by newly calculated values. The linearized multistage method will therefore also be briefly described here.

Benchmark dose methodologies

The use of benchmark dose methodology has been explored by various investigators [including Gaylor et al. (1998); van Landingham et al. (2001) and Crump (1984, 1995, 2002)] as a tool for dose response extrapolation. This has been recommended in regulatory guidelines for both carcinogenic (U.S. EPA, 2005a) and non-carcinogenic (U.S. EPA, 1995) endpoints. The basic approach is to fit an arbitrary function to the observed incidence data, and to select a "point of departure" (POD) (benchmark dose) *within the range of the observed data.* From this a low dose risk estimate or assumed safe level may be obtained by extrapolation, using an assumed function (usually linear) or by application of uncertainty factors. The critical issue here is that no assumptions are made about the nature of the underlying process in fitting the data. The assumptions about the shape of the dose response curve (linear, threshold, etc.) are explicitly confined to the second step of the estimation process, and are chosen on the basis of policy, mechanistic evidence or other supporting considerations. The benchmark chosen is a point at the low end of the observable dose-response curve. Usually a dose at which the incidence of the tumor is 10% is chosen for animal studies, although lower effect levels may be appropriate for large epidemiological data sets. Because real experimental data include variability in the response of individual subjects, and measurement errors, likelihood methodology is applied in fitting the data. A lower confidence bound (usually 95%) of the effective dose (LED_{10}), rather than its maximum likelihood estimate (MLE), is used as the point of departure. This properly reflects the uncertainty in the estimate, taking a cautious interpretation of highly variable or error-prone data. It also reflects the instability of MLE values from complex curve-fitting routines, which has been recognized as a problem also with the linearized multistage model.

For cancer dose-response estimation using the benchmark dose method, either animal bioassay data or epidemiological data provide a suitable basis. In the absence of a pharmacokinetic model

(which could provide tissue-specific dose metrics), the potency would ordinarily be based on the time-weighted average exposure during the exposure or dosing period. The model used to fit the data can be chosen from a range of available alternative quantal models, depending on which provides the best fit to the data in the observable range. In practice, the multistage polynomial fit developed for the linearized multistage model works well for most tumor data sets. Here it is being used merely as a mathematical curve-fitting tool, where the model well fits the data set, without making assumptions about its validity as a biological model of carcinogenesis.

Suitable polynomial fits and estimates of the benchmark may be obtained using U.S. EPA's BMDS software. The benchmark often used is the 95% lower confidence bound on the dose producing 10% tumor incidence. However, if data are available which include a significant dose-response at less than 10% tumor incidence, then that lower benchmark should be used (e.g. LED_{05} or LED_{01}). Other software such as Tox_Risk, which was used for the linearized multistage model, has been used successfully, although the earlier GLOBAL program and its relatives are less suitable as curve-fitting tools for benchmark dose analysis.

Since it is usually assumed in cancer risk estimation that the low-dose response relationship is linear, risk estimates and a potency value (slope factor) may be obtained by linear extrapolation from an appropriate benchmark dose. The potency is the slope of that line ($0.1/LED_{10}$). The low dose linearity assumption is a general default for any carcinogen, and it is unlikely to be altered for genotoxic carcinogens.

A calculation using the benchmark dose approach (using a polynomial model with exponents restricted to zero or positive values), and linear extrapolation from the LED_{10} to obtain a potency estimate is shown in Figure 1 (the figure was generated by the U.S. EPA's BMDS program). This is based on tumor incidence data from an actual experiment with vinyl bromide in rats (Benya *et al.*, 1982), with metabolized dose calculated by means of a pharmacokinetic model (Salmon *et al.,* 1992). The value of q_1* obtained by this calculation would then be corrected for the duration of the experiment if it had lasted for less than the standard rat lifetime, and for bodyweight and route-specific pharmacokinetic factors as described below. This is in addition to the correction for exposure duration that would be necessary if the study had not lasted for 105 weeks, and the interspecies correction, both of which are described below.

Figure 1. Benchmark dose calculation for tumor data in rats exposed to vinyl bromide

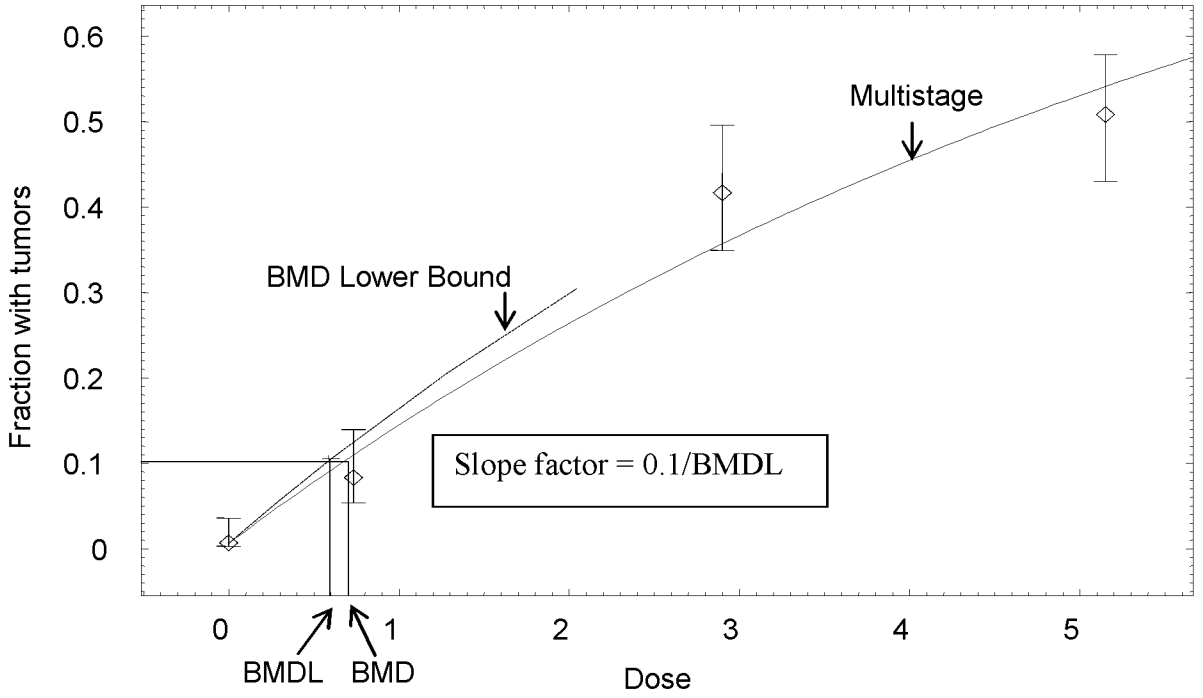

From Salmon *et al.* (1992), based on data from Benya *et al.* (1982)

Linearized Multistage Model

Quantal analyses

A "multistage" polynomial (U.S. EPA, 1986, 2005a; Anderson *et al.*, 1983), based on the mechanistic insights of the original Armitage and Doll model of cancer induction and progression, has been used extensively by U.S. EPA, OEHHA and other risk assessors to model the dose response for lifetime risk of cancer. It usually is used for analysis of animal bioassay data, although related approaches have occasionally been used with epidemiological data. In mathematical terms, the probability of dying with a tumor (P) induced by an average daily dose (d) is:

$$P(d) = 1 - \exp[-(q_0 + q_1 d + q_2 d^2 + \ldots + q_j d^j)]$$

with constraints

$$q_i \geq 0 \text{ for all i.}$$

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Equivalently, $A(d) = 1 - \exp[-(q_1 d + q_2 d^2 + \cdots + q_k d^k)]$,

where $A(d) = \dfrac{P(d) - P(0)}{1 - P(0)}$ is the extra risk over background at dose d.

The q_i model parameters are constants that can be estimated by fitting the polynomial to the data from the bioassay, *i.e.* the number of tumor bearing animals (as a fraction of the total at risk) at each dose level, including the controls. The fit is optimized using likelihood methodology, assuming that the deviations from expected values follow a χ^2 distribution, with the number of degrees of freedom (and hence the maximum number of terms allowed in the polynomial) determined by the number of points in the data set. All the coefficients of the terms are constrained to be zero or positive, so the curve is required to be straight or upward curving, with no maxima, minima or other points of inflection. In addition to the maximum likelihood estimates of the parameters, the upper 95% confidence ~~bounds~~ limits on these parameters are calculated.

The parameter q_0 represents the background lifetime incidence of the tumor. The 95% upper confidence limit of the slope factor q_1~~, or more usually its upper bound~~ (q_1^*), is termed the cancer potency. The maximum likelihood estimate (MLE) of q_1 is not usually regarded as a reliable estimate for several reasons. First, it fails to reflect the uncertainty and variability in the data which affect the value of the estimate. This is an important issue for protection of public health, which is emphasized by current regulatory guidelines. Secondly, due to the variable order of the polynomial and the effect of some terms being zero as opposed to having a small but finite value, the MLE is unstable, and may show large and unpredictable changes in response to very slight changes in the input data. It may also erratically have a zero value, even when the data imply a significant positive dose-response relationship. The MLE is not a measure of central tendency for this estimate distribution (which is always asymmetrical and often multi-peaked). For small doses, the cancer potency is the ratio of excess lifetime cancer risk to the average daily dose received. Details of the estimation procedure are given in Crump (1981) and Crump, Guess, and Deal (1977). Several software programs are available to perform the necessary calculations, including U.S. EPA's BMDS, Tox_Risk and the earlier GLOBAL programs by Crump and colleagues, and Mstage, written by Crouch (1987).

When dose is expressed in units of mg/kg-d, the potency is given in units of $(\text{mg/kg-d})^{-1}$. Likewise, when the model input is in units of concentration ($\mu g/m^3$, ppb), the potency is given in units of $\mu g/m^3)^{-1}$ pr $(\text{ppb})^{-1}$. As in the case of potencies obtained by the benchmark approach, the experiment-based potency value needs to be corrected for less-than lifetime or intermittent exposure, and extrapolated from the test species to humans. Risk calculations using potency value estimated using the linearized multistage model predict the cancer risk at low doses only, with the higher order terms of the fitted polynomial being ignored since their contribution is negligible at low doses.

Selection of Site and Tumor Type

In developing cancer potency estimates from animal data, standard practice has been to use dose-response data for the most sensitive tumor site as the basis of the estimate (CDHS, 1985). Where tumors of more than one histological type (e.g. adenomas and carcinomas) are observed at a single site, the combined incidence, i.e. proportion of animals affected with at least one tumor of

any of the relevant types, is used for dose-response assessment. The same rules for combining tumor types are generally applied in determining statistical significance for carcinogen identification (IARC, 2006). Tumor types considered to represent different stages of progression following initiation of a common original normal cell type are combined, whereas tumor types having different cellular origins are generally not combined by this procedure. Other considerations that may influence choice of site for dose response estimation include the quality of the data (especially, the statistical impact of a high or variable rate of a particular tumor type and site in control animals), and biological relevance to humans. However, it is an important principle that, just as for the hazard identification phase, concordance of site or tumor type between animal models and human health effects may occur but is not assumed or required.

Carcinogens inducing tumors at multiple sites

For most carcinogens, the selection of the most sensitive site in the animal studies is recognized as providing a risk estimate which is appropriate to protect human health. However, for chemicals that induce tumors at multiple sites, the single-site approach may underestimate the true carcinogenic potential. For example, the overall assessment of cancer risk from cigarette smoking (U.S. DHHS, 1982) or ionizing radiation (NRC, 1990) is not based on risk at one site, such as lung cancer. Instead, total cancer risk is estimated from all the sites at which agent-induced tumors are observed (lung, bladder, leukemia, etc), combined.

For carcinogens that induce tumors at multiple sites and/or with different cell types in a particular species and sex, OEHHA derives the animal cancer potency by probabilistically summing the potencies from the different sites and/or cell types. Using the combined potency distribution takes into account the multisite tumorigenicity and provides a basis for estimating the cumulative risk of all treatment-related tumors.

The linear term (q_1) of either the multistage model or the multistage-in-dose, Weibull-in-time model is first estimated based on the dose-response data for each of the treatment-related tumor sites. Statistical distributions, rather than point estimates, are generated at each site by tracing the profile likelihood of the linear term (q_1) (Zeise et al., 1991). The distributions of q_1 for each of the treatment-related sites are then statistically summed using a Monte Carlo approach and assuming independence (Figure 2). The sum is created by adding the linear term for each tumor site, according to its distribution, through random sampling. The upper 95 percent confidence limit on the summed distribution is taken as the multisite animal cancer potency estimate (McDonald et al., 2003, McDonald and Komulainen, 2005).

OEHHA has applied this approach in several recent dose-response analyses, including that for naphthalene presented in Appendix B of this document.

Figure 2. Addition of potency distributions for multi-site cancer potency derivations.

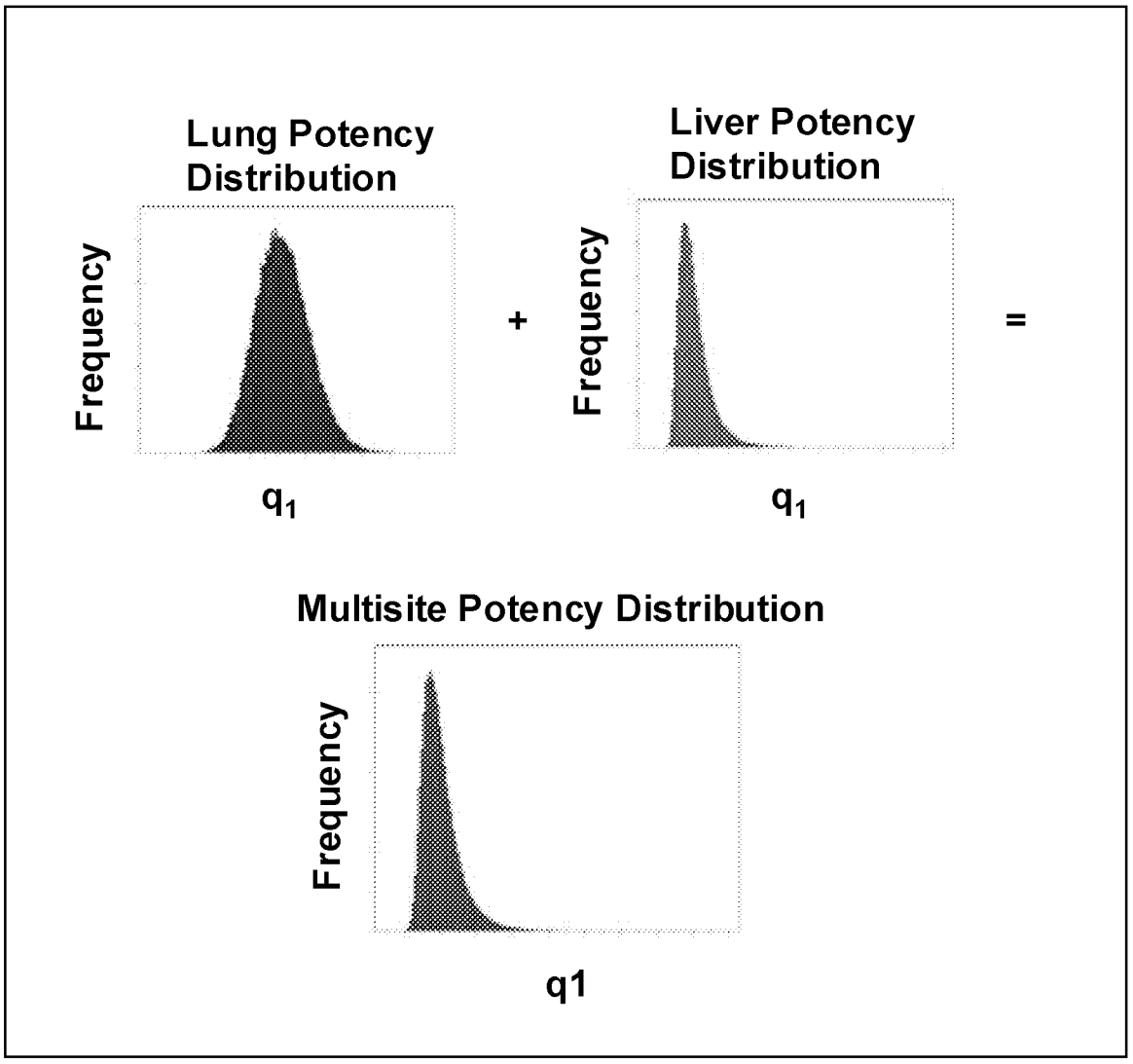

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Early-Lifestage Cancer Potency Adjustments

In recent years, there have been growing concerns regarding the exposure of children to environmental chemicals, including the possibility that they may be more susceptible than adults to injury caused by those chemicals. The California Legislature passed the Children's Environmental Health Protection Act (Senate Bill 25, Escutia; Chapter 731, Statutes of 1999; "SB 25") to help address these concerns. Under SB25, OEHHA is mandated to consider infants and children specifically, where data permit, in evaluating the health effects of Toxic Air Contaminants (TACs).

The development of cancer is one of the adverse health effects that may occur in children as a result of exposure to environmental chemicals. The document "Prioritization of Toxic Air Contaminants under the Children's Environmental Health Protection Act" (OEHHA, 2001a) noted that risks of cancer from exposures to carcinogens occurring from conception through puberty can be different than those from exposures occurring in adulthood. Exposure to a carcinogen early in life may result in a greater lifetime risk of cancer for several reasons:

1. Cancer is a multistage process and the occurrence of the first stages in childhood increases the chance that the entire process will be completed, and a cancer produced, within an individual's lifetime.
2. Tissues undergoing rapid growth and development may be especially vulnerable to carcinogenic agents. During periods of increased cell proliferation there is rapid turnover of DNA, and more opportunity for misrepair of damage (e.g., DNA breaks, crosslinks, adducts) or alterations to result in permanent changes to the DNA (e.g., mutations, altered DNA methylation) that may ultimately lead to cancer.
3. During early development, a greater proportion of the body's cells are relatively undifferentiated stem cells, and as such represent a large target population of somatic cells capable of passing along permanent changes to the DNA during future cell divisions.
4. There may be greater sensitivity to hormonal carcinogens early in life since the development of many organ systems is under hormonal control (e.g., male and female reproductive systems, thyroid control of CNS development).
5. Other factors that may play a role in increased cancer risk from exposures during critical developmental periods include differences in immunological activity, intestinal absorption, biliary and kidney excretion, blood and fat distribution, and expression of enzyme systems that activate or detoxify carcinogens.

Data in humans and animals for a variety of carcinogens suggest that exposures to such carcinogens early in life may result in a greater lifetime risk of cancer compared to exposures later in life. Examples of this effect in humans are carcinogenicity due to ionizing radiation, diethylstilbestrol (DES), chemotherapeutic agents, and tobacco smoke.
Ionizing radiation exposure carries an increased risk of cancer when exposures occur early in life compared to adult exposures for a number of tumor types. Children exposed to ionizing radiation (diagnostic X-rays) *in utero* demonstrate a larger excess of leukemia cases than

children exposed to ionizing radiation postnatally (NRC, 1990). Exposure to radioisotopes (^{131}I, ^{137}Cs, ^{134}Cs, ^{90}Sr) as a consequence of the 1986 Chernobyl nuclear accident resulted in an elevated thyroid cancer incidence in children but not adults (Moysich, 2002). Treatment of children for Hodgkins lymphoma with both chemotherapeutic agents and irradiation has been shown to increase the risk of secondary tumors (Swerdlow et al., 2000; Franklin et al., 2006). Age at irradiation in Hodgkin's disease patients treated with radiotherapy strongly influenced the risk of developing breast cancer. The relative risk (RR) of developing breast cancer was 136 for women treated before 15 years of age, 19 for women 15-24 years of age, and 7 for those 24-29 years of age. In women above 30 years of age, the risk was not increased (Hancock *et al.*, 1993).

DES was administered to pregnant women in the 1940s-1960s for the purpose of preventing pregnancy loss. In 1970, Herbst and Scully described 7 cases of vaginal adenocarcinoma (6 cases of the clear-cell type) in women aged 15-22 years. This type of cancer is extremely rare in that age range. A follow-up epidemiological study included an additional case, and noted the fact that the mothers of 7 of the 8 patients had been treated with DES during their pregnancy (Herbst *et al.*, 1971). Reports by other investigators confirmed the association between maternal use of DES during pregnancy and the development of vaginal adenocarcinoma in their female offspring (Preston-Martin, 1989). It was observed that *in utero* DES exposure resulted in female genital tract morphological changes which correlated with both dose and duration of exposure, and those changes were not related to the maternal conditions which were the reason for the DES administration. Additionally, the risk of occurrence of those morphological changes declined with increasing gestational age at first exposure (O'Brien *et al.*, 1979; Preston-Martin, 1989). In contrast, vaginal adenocarcinoma incidence did not increase in the exposed mothers themselves, indicating an increased early-life susceptibility to the carcinogenic effects of DES.

There is evidence in the epidemiological literature indicating that exposure to tobacco smoke during puberty may increase risk of breast cancer later in life, particularly among women who are NAT2 slow deacetylators (Marcus *et al.*, 2000; Morabia *et al.*, 2000; Lash and Aschengrau, 1999). Wiencke et al. (1999) report that early age at initiation of smoking is associated with a higher level of DNA adducts in lung tissue of former-smokers with lung cancer.

It has also been observed by Smith *et al.* (2006) that human *in utero* or early childhood exposure to arsenic in drinking water results in significantly increased lung cancer incidences during adult life.

Data from animal studies provide additional examples of increased sensitivity to early life (typically postnatal and juvenile) exposures. These effects span a range of target tissues, including the liver (vinyl chloride, safrole), brain (methylnitrosourea), reproductive tract (DES, tamoxifen), and lung (urethane) (OEHHA, 2001a).

In the following sections we summarize two efforts to evaluate quantitatively the effect of lifestage at exposure on carcinogenic response in experimental animal studies. The first section provides a description of OEHHA's analysis of data on the effect of age at exposure on carcinogenic potency. (Details of this analysis are in Appendix J.) The second section describes U.S. EPA's work in this area. (We also provide the published paper in Appendix I that presents the U.S. EPA analyses.) Both analyses used extant data available in the published literature. U.S. EPA used their analysis to modify the procedures they have used to estimate cancer risk by

weighting risk by specific factors for childhood exposures. The weighting factors are a policy choice supported by U.S. EPA's data analysis. The results of OEHHA's analysis, summarized below and described in detail in Appendix J, support the decision to modify policy to weight risk when exposure occurs during childhood. Thus, OEHHA is also proposing to weight risk when exposure occurs in childhood.

OEHHA Analysis of the Effect of Age at Exposure on Cancer Potency

The analysis of animal cancer studies which include early life exposure by the Reproductive and Cancer Hazard Assessment Branch (RCHAB) of OEHHA also supports the application of lifestage-specific cancer potency factor adjustments. This analysis is provided in detail as Appendix J of this document.

Early-in-life susceptibility to carcinogens has long been recognized by the scientific community and clinicians as a public health concern. Numerous scientific publications and symposia have addressed this issue over the years and the scientific literature contains a number of human clinical findings and epidemiological studies of early life cancer susceptibility. While there are many indications of increased human cancer susceptibility in early life, the magnitude of the impact has been difficult to gauge. Until recently risk assessment procedures have not in general addressed the issue. As described in the next section, in 2005 the U.S. EPA adopted an approach to weight carcinogens by age at exposure if they act via a mutagenic mode of action. The California legislature in 2000 directed OEHHA to assess methodologies used in addressing early-in-life risk, compile animal data to evaluate those methods, and develop methods to adequately address carcinogenic exposures to the fetus, infants, and children (Children's Environmental Health Initiative [AB 2872, Shelly]; California Health and Safety Code [HSC] section 901 [a] through [e]).

OEHHA assessed cancer risk assessment methodologies, and found that the existing risk assessment approaches did not adequately address the possibility that risk from early-in-life and adult exposures may differ. OEHHA further concluded that there was a need to address early-in-life cancer risk, and undertook studies to develop methods for doing so. Age-related cancer susceptibility data were identified from published animal cancer bioassays in which these issues were addressed. Two types of studies with early-in-life exposures were compiled. The first type are "multi-lifestage exposure studies." These studies have at least two groups exposed during different lifestages: One dose group is exposed to a chemical only during one of the following lifestages (Figure 3):

- prenatal (from conception to birth),
- postnatal (from birth to weaning),
- juvenile (from weaning to sexual maturity).

The second dose group is exposed for some period of time at an older age, preferably during the adult lifestage, that is, after sexual maturity. This group served as the reference group. In some cases where there was no adult exposure group, animals exposed as juveniles served as the reference group. Multi-lifestage exposure studies are available for many chemicals, enabling the exploration of patterns in early-life susceptibility across chemicals.

Figure 3. Definition of Rodent Lifestage Adopted in the OEHHA Analyses

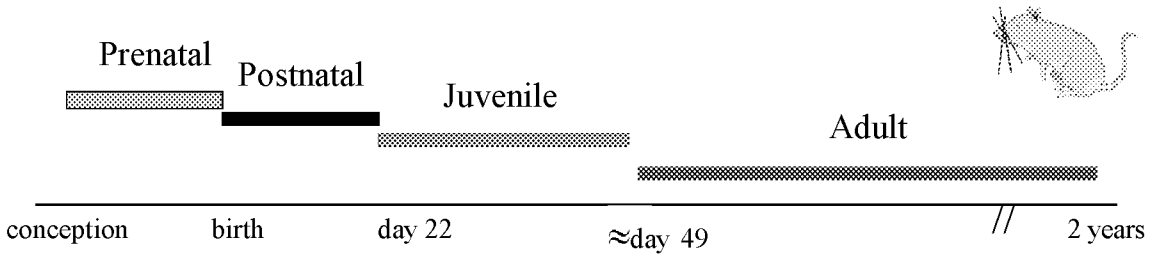

OEHHA also conducted "chemical-specific case studies" of early-life sensitivity for two carcinogens, ethyl-N-nitrosoamine (DEN) and N-ethyl-N-nitrosourea (ENU) that combine data from a number of studies. These "chemical-specific case studies" were conducted to explore the feasibility of analyzing chemical-specific data on age susceptibility from single-lifestage exposure experiments. For these chemicals, OEHHA compiled from the literature a second type of study, "single-lifestage exposure experiments." In these experiments dose groups were exposed only during a particular lifestage and, unlike the "multi-lifestage exposure studies," there was no requirement that the same study also include groups exposed during a different lifestage. Thus, single-lifestage exposure experiments were identified as being either prenatal, postnatal, juvenile, or adult exposure studies. For each of the two chemicals, there were many prenatal studies conducted that were compiled, analyzed, and grouped together. Postnatal studies from different publications were similarly compiled, analyzed and grouped together, as were juvenile studies. Adult studies were not available for either DEN or ENU, thus for both chemicals juvenile exposure studies served as the referent for prenatal studies, and for postnatal studies.

Typical cancer bioassays such as those conducted in rats and mice by NTP involve exposing animals starting at six to eight weeks of age, which is the time at which these animals reach sexual maturity (late teenagers relative to humans). The experiments are run for two years, ending when the animal is in late middle age. Thus, early and very late life exposures are not included in the typical rodent bioassay (see Figure 4). If the NTP bioassay is used as a basis for estimating cancer potency, the potency and resulting risk estimates may be too low. Thus OEHHA focused on finding studies that evaluated early in life exposures.

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Figure 4. Dosing Period for Typical Rodent Bioassays.

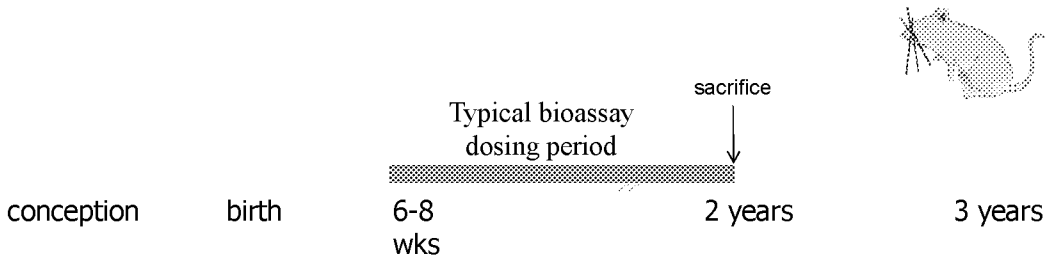

Since bioassays examining the effect of age at exposure on carcinogenesis were conducted by various investigators for different purposes, there is a great deal of variation across studies in terms of dose selection, duration of exposure, number of animals, and length of study duration. To be included in the compilation of studies with early life exposure, a study or an experimental group in a study had to meet minimum requirements.

The criteria for study inclusion are as follows:

- Treated groups were exposed to a single chemical carcinogen or a single carcinogenic chemical mixture.
- Study groups were not compromised by severe treatment-related non-cancer toxicity.
- Overall the duration of exposure period plus observation period exceeded 40 weeks, unless animals died of tumor.
- For included dose groups, the study must report age at dosing, age at sacrifice, and site-specific tumor incidence.
- Each lifestage exposure treatment group has an appropriate concurrent control group, or, for rare tumors only, an appropriate historical control.
- The studies were on mammals.
- Each treatment and control group consists of at least ten animals, unless the conduct and design of the study was well done in all other aspects (e.g., the length of the study was sufficiently long to observe treatment-related tumors) and tumor incidence was high in treated groups and very low in controls.
- Site specific tumor data were reported, not only total number of tumor bearing animals.
- The test compound was administered in the diet, water, via gavage, or by intraperitoneal (i.p.), intravenous (i.v.), or subcutaneous (s.c.) injection. For dermal and subcutaneous injection studies, distal tumor findings are utilized (for dermal, other than skin tumors; for injection, non-injection site tumors).

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- While studies designed to histopathologically examine tumors at multiple sites were preferred, studies that examined only a select set of organ/tissue sites were not excluded if the sites examined were known with confidence to be the only target tissues for the chemical and lifestage in question in that particular strain of animal.

Different approaches were taken to identify animal cancer studies that included groups of animals exposed during early life stages. First, MEDLINE and TOXLINE (National Library of Medicine) databases were searched using combinations of various key words for cancer (e.g., tumor(s), neoplasm(s), cancer, neoplasia, cancerous, neoplasms-chemically induced) and for early-life exposure (e.g., age, age-at-exposure, development (al), prenatal, *in utero*, gestation (al), postnatal, neonatal, juvenile, weaning, weanling, adolescent, adolescence, young). Second, the extensive compilation of bioassays in the *Survey of Compounds which have been Tested for Carcinogenic Activity*, was reviewed. This survey, formerly maintained by the National Cancer Institute as Public Health Service Publication Number 149, or PHS 149, is now available from a private source electronically as CancerChem, 2000. Third, from bibliographies from relevant published papers additional studies were identified. Finally the Single Dose Database developed by Calabrese and Blain (1999) was obtained and utilized to identify additional publications that appeared to contain potentially useful data. All of these publications were evaluated to determine if the study dosed separate groups of animals early in life and at or near adulthood. A total of 145 publications, providing data on 84 chemicals, were identified as meeting the criteria for study inclusion. A subset of these met the criteria for inclusion in the multi-lifestage exposure analysis.

Finally, for the OEHHA multi-lifestage analyses, we define "experiment" as a study component consisting of a control group as well as a treated group(s) exposed during the same lifestage (i.e., prenatal, postnatal, juvenile or adult), and using the same experimental protocol (e.g., route of exposure, strain, species, laboratory). Thus, by our definition one publication may report multiple experiments.

In the OEHHA analysis, data from studies on 23 unique carcinogens, 20 of which are considered to act via primarily genotoxic modes of action, were analyzed. Of these 20 carcinogens, 15 are thought to require metabolic activation to the ultimate carcinogenic species (Table 1~~Table 1Table 1~~). Fourteen carcinogens, including one thought to act via primarily nongenotoxic modes of action, were included in the prenatal multi-lifestage exposure studies. Eighteen carcinogens, including two thought to act via primarily nongenotoxic modes of action, were included in the postnatal multi-lifestage exposure studies. Five carcinogens were included in the juvenile multi-lifestage exposure studies. The case study chemicals, DEN and ENU, are both genotoxic. ENU is a direct acting alkylating agent, while DEN requires metabolic activation.

Table 1. Carcinogens for which studies with multi-lifestage exposures in animal studies are available

Genotoxic carcinogens requiring metabolic activation
Benzidine
Benzo[a]pyrene
Dibutylnitrosamine
Diethylnitrosamine (DEN)
7,12-Dimethylbenz[a]anthracene (DMBA)
Dimethylnitrosamine (DMN)
Di-n-propylnitrosamine (DPN)
1 -Ethyl-nitrosobiuret
2-Hydroxypropylnitrosamine
3-Hydroxyxanthine
3-Methylcholanthrene (3-MC)
4-(Methylnitrosamino)-1-(3-pyridyl)-1-butanone (NNK)
Safrole
Urethane
Vinyl chloride
Genotoxic carcinogens not requiring metabolic activation
Butylnitrosourea
1,2-Dimethylhydrazine
Ethylnitrosourea (ENU)
Methylnitrosourea (MNU)
ß-Propiolactone
Nongenotoxic carcinogens
1,1-Bis(p-chlorophenol)-2,2,2-trichloroethane (DDT)
Diethylstilbestrol (DES)
2,3,7,8-Tetrachlorodibenzodioxin (TCDD)

Cancer Potency Estimation

Statistical methods were developed and used to analyze the data and derive measures of early-life susceptibility. These are described in detail in Appendix J. In brief, a cancer potency (the slope of the dose response curve) was developed for each of the experiments selected using the linearized multistage model. This model was chosen because of widespread use in risk assessment, and its flexibility in being able to fit many different data sets needed to evaluate the effect of lifestage-at-exposure on cancer potency. The dose metric used for the potency analyses is cumulative dose normalized to body weight. The cancer potency is thus expressed as the increase in tumor probability with increasing cumulative dose in units of mg/kg body weight.

To take into account uncertainty in potency estimation, cancer potencies are depicted by a statistical distribution, rather than by a single, fixed value, using methods described in Appendix J. While these methods have typically been used to obtain and report the 95th percentile of the cancer slope parameter for cancer risk assessment purposes, here OEHHA utilized the full distribution of the cancer slope parameter to derive measures of early-life susceptibility to carcinogens. This was done to systematically take into account uncertainty in the analysis.

For experiments where treatment related tumors were observed at multiple sites or at the same site but arising from different cell types, slopes from these sites were statistically combined by summing across the potency distributions (assuming independence across the sites that were observed) to create an overall multisite cancer potency. It is not uncommon that a carcinogen causes more than one type of cancer or causes tumors at different sites depending on lifestage at exposure. For example, in humans tobacco smoke causes cancers of the lung, bladder, and certain other organs. This multi-site carcinogenicity is frequently observed in animal experiments as well. In order to account for this, all treatment-related tumors that were observed in a given lifestage were taken into account in estimating cancer potency from that particular experiment.

Addressing Early-Age Sensitivity in Estimating Cancer Risk: Age Sensitivity Factors

Inherent Sensitivity of Lifestages – Lifestage Potency Ratios

For this analysis, OEHHA calculates the ratio of cancer potency derived from an early lifestage exposure experiment(s) to that derived from an experiment(s) conducted in adult animals. OEHHA used the potency distributions for the individual lifestage exposures, rather than a point estimate, to derive the ratios. The lifestage cancer potency ratio is then described as a distribution and one can select specific percentiles from the distribution to better understand and bound the uncertainty (Figure 5). Of particular importance is the location of the ratio distribution in relation to the reference value of 1.0, which would mean no difference in risk from exposures at early versus adult lifestages. A lifestage cancer potency ratio distribution that primarily lies above the value of 1.0 indicates early life exposures to a carcinogen result in a stronger tumor response relative to adult exposure. Conversely, a lifestage cancer potency ratio distribution that mainly lies below the value of 1.0 indicates early life exposure to a carcinogen results in a weaker tumor response relative to adult exposure.

A lifestage potency (LP) ratio distribution was derived for each multi-lifestage study, resulting in 22 prenatal ratio distributions representing 14 unique carcinogens, 55 postnatal LP ratio distributions representing 18 unique carcinogens, and seven juvenile LP ratio distributions representing five unique carcinogens. The LP ratio distributions for a given early lifestage were combined into a single "LP ratio mixture distribution," in order to show the range of susceptibilities of that lifestage to the carcinogens studied.

LP ratio mixture distributions for a given early lifestage were developed by (1) obtaining a single LP ratio distribution for each chemical (when a chemical is represented by more than one study) and then (2) equally sampling across all chemicals. When a chemical is represented by more than one study, then the LP ratio distributions from all studies of that chemical were combined by equally sampling from each LP ratio distribution via Monte Carlo methods to obtain a single

LP ratio distribution for that chemical. (Appendix J describes this in more detail, as well as a sensitivity analysis that included two alternative sampling methods.) Once each chemical is represented by a single LP ratio distribution, then the LP ratio mixture distribution for each early lifestage (prenatal, postnatal, and juvenile) is obtained by equally sampling across all of the chemicals via Monte Carlo methods.

Figure 5. Lifestage Potency Ratio (LPR) distribution.

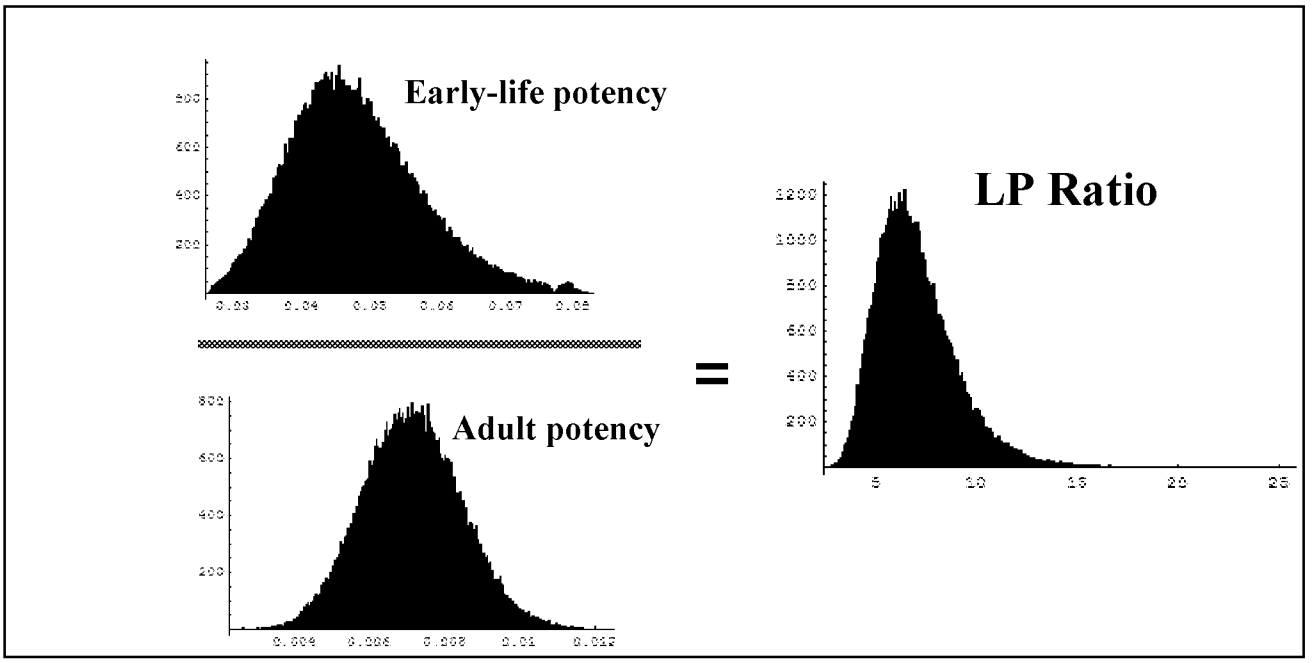

Effect of longer time period for cancer to manifest

The LP ratios described above characterize the inherent susceptibility of early lifestages to carcinogen exposure, by comparing potencies for individuals followed for similar periods of time and similarly exposed, but exposed during different lifestages. Age-specific adjustments to the cancer potency must also take into account the longer period of time that carcinogen exposure to the young has to manifest as cancer. Empirical data from studies of both humans and animals demonstrate that, for many cancers, cancer risk increases with age, or time since first exposure. While some cancers have been seen to increase by as much as the sixth power of age, a general approach taken for example by the National Toxicology Program in analyzing tumor incidences in its chronic bioassays is to assume that cancer risk increases by the third power of age. Thus, consistent with the approach used by the NTP in analyzing rodent cancer bioassay data, the longer period of time that exposed young have to develop tumors is addressed by taking into account time-of-dosing. This was done by multiplying the LP ratio by a time-of-dosing factor, to yield an age sensitivity factor (ASF). Specifically, the prenatal LP ratio is multiplied by a factor of 3.0, the postnatal LP ratio is multiplied by a factor of 2.9, and the juvenile LP ratio is multiplied by 2.7. Thus, ASFs were developed for each experiment, by first calculating the LP ratio to address inherent susceptibility of early lifestages relative to adults, and then accounting for the effect of years available to manifest a tumor following carcinogen exposure. (see Figure

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6). Note that we are not using the term "sensitivity" in the immunologic sense (e.g., sensitization), but rather are using the term more generically.

Figure 6. Issues addressed by the Age-Sensitivity Factor (ASF)

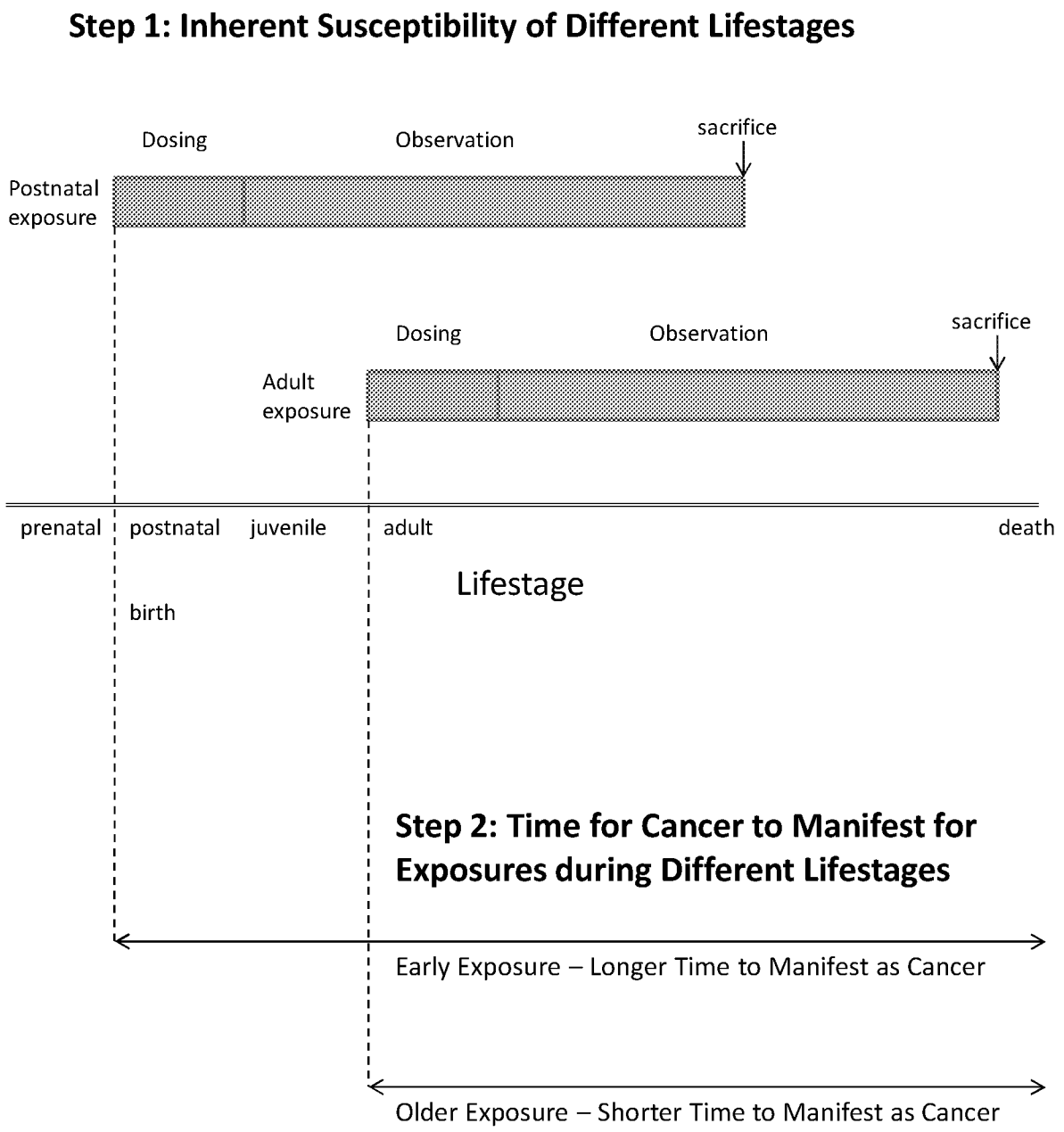

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Application of this approach for risk associated with lifetime exposures would include an ASF of less than 1 for exposures during the latter part of adult life for carcinogens that act on early stages. Therefore, the addition of this adjustment to the younger lifestages but not to the later part of the adult period could overestimate the risk of whole-life exposures. On the other hand, the 70 year "lifetime" used in estimating lifetime cancer risk does not reflect the longer lifespan of the U.S. population. Further, as noted above, the animal bioassays on which potency was based typically exclude pre-weaning dosing and sacrifice animals during their late middle-age. Use of cancer potencies calculated from standard assays can therefore understate lifetime cancer risk. The ASF calculated for carcinogens includes both inherent sensitivity of developing animals and the available time since exposure to develop cancer.

Results of OEHHA Analysis

The analyses indicate that both the prenatal and postnatal lifestages can be, but are not always, much more susceptible to developing cancer than the adult lifestage. The analyses also indicated that the ASFs for these age windows vary by chemical, gender and species.

Regarding prenatal lifestage exposure, few cases were indicative of equal inherent adult and prenatal susceptibility, with an LP ratio of unity. The LP ratio distribution was roughly bimodal, with LP ratios for several studies significantly greater than unity and several others significantly less than unity. Figure 7 below shows the ASFs from each of the prenatal multi-lifestage exposure studies, displayed as a cumulative frequency profile. The median of the prenatal ASF mixture distribution was 2.9 (see also Table 6 in Appendix J),

The modality in the prenatal LP ratio distribution was reflected in the DEN and ENU case studies, with results for DEN suggesting inherently less sensitivity than older animals from exposure *in utero*, and for ENU just the opposite. For the DEN and ENU case studies, the referent groups were juvenile rather than adult animals, and the results may have underestimated the LP ratio and ASF, to the extent that some of the apparent sensitivity for DEN and ENU in the prenatal period carries through to the juvenile period. ENU is a direct acting carcinogen that does not require metabolic activation, whereas DEN can not be metabolized to any significant extent by fetal tissues until relatively late in gestation. This may explain the lower fetal susceptibility of DEN. However, prenatal metabolic status is not the sole determinant of prenatal susceptibility; e.g., benzidine and safrole require metabolic activation and exhibit greater susceptibility from prenatal exposure.

The median of the postnatal ASF mixture distribution was 13.5 (see Table 7 in Appendix J). Figure 8 below shows the ASFs from each of the postnatal multi-lifestage exposure studies, displayed as a cumulative frequency profile. Thus, for the chemicals studied, there was generally greater susceptibility to carcinogens during the early postnatal compared to the adult period, particularly when the ASF accounts for the longer period cancer has to manifest when exposure occurs early in life. The DEN and ENU case studies also exhibited substantial extra susceptibility during the postnatal period. To summarize, for most of the carcinogens studied here, animals are inherently more sensitive in the postnatal period, as indicated by Figure 8.

Figure 7. Prenatal ASF Cumulative Frequency Profile

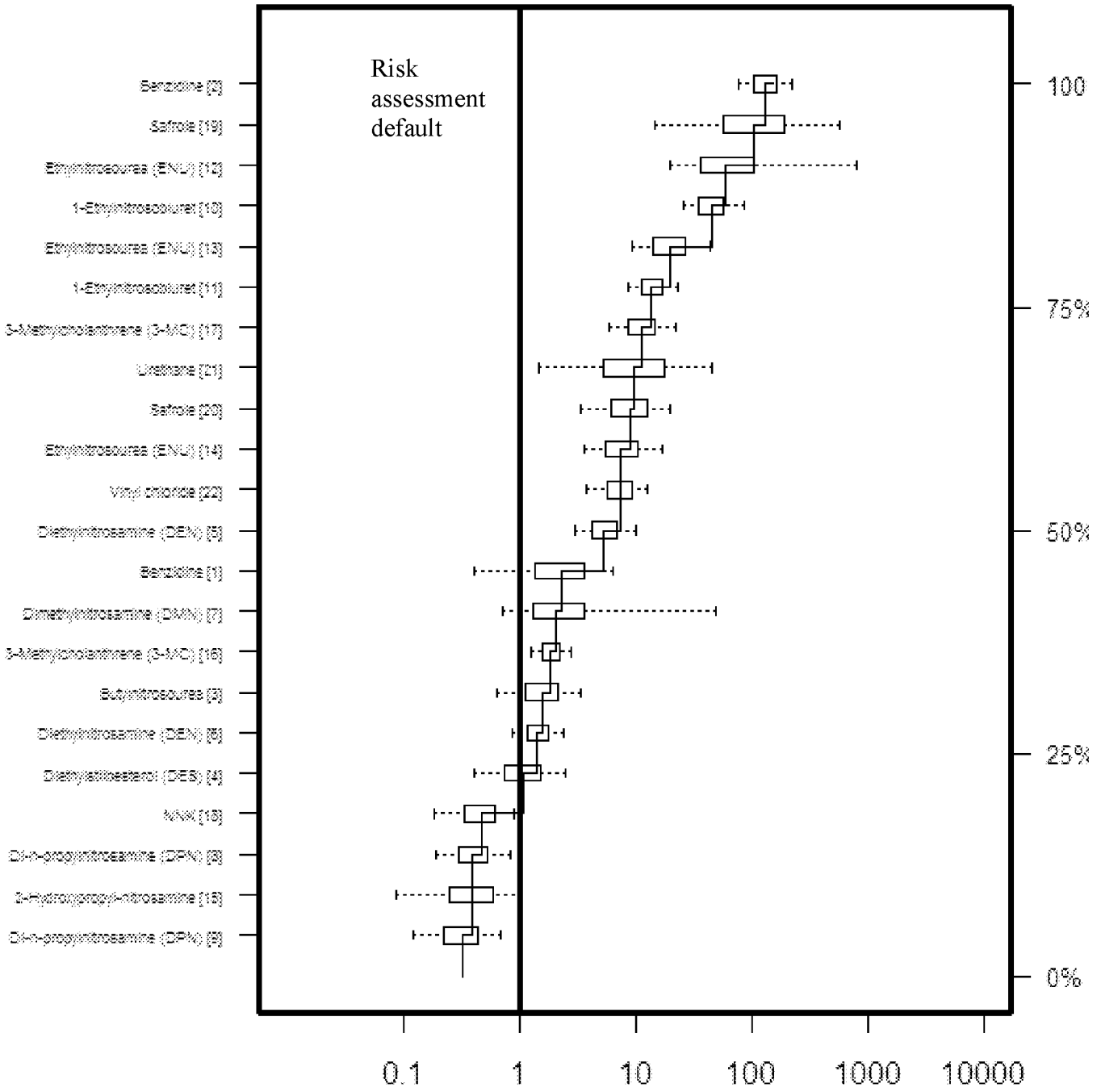

The median of the prenatal ASF mixture distribution was 2.9 (see also Table 6 in Appendix J). References are given in the legend on the next page

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Figure 7 Legend (References as in Appendix J)

1. Vesselinovitch *et al*. (1979a), mouse, B6C3F$_1$, F, day -9 to 21
2. Ibid, M, day -9 to 21
3. Zeller *et al*. (1978), rat, Sprague Dawley, M/F day -2
4. Turusov *et al*. (1992), mouse, CBA, F, day -2
5. Mohr et al. (1975), hamster, Syrian Golden, day -15 to -1
6. Mohr *et al*. (1995), hamster, Syrian Golden, F, day -3
7. Althoff *et al*. (1977), hamster, Syrian Golden, M/F, day -9 to -3
8. Ibid, day -9 to -3
9. Althoff and Grandjean (1979), hamster, Syrian Golden, F, day -9 to -3
10. Druckrey and Landschutz (1971), rat, BD IX, M/F, day -10
11. Ibid, day -3
12. Naito *et al*. (1981), rat, Wistar, day -9
13. Ibid, day -9
14. Tomatis *et al*. (1977), rat, BDVi, F, day -5
15. Althoff and Grandjean (1979), hamster, Syrian Golden, M/F, day -9 to -3
16. Tomatis *et al*. (1971), mouse, CF-1, F day -4 to -1
17. Turusov *et al*. (1973), mouse, CF-1, F, day -2
18. Anderson *et al.* (1989), mouse, C3H & B6C3 F$_1$,M/F day -8 to -4
19. Vesselnovitch *et al*. (1979a), mouse, B6C3 F$_1$, M, day -9 to -3
20. Vesselnovitch *et al*. (1979b), mouse, B6C3 F$_1$, F day -9 to -3
21. Choudari Kommineni *et al*. (1970), rat, MRC, M/F, day -4
22. Maltoni *et al*. (1981), rat, Sprague Dawley, M/F day -13 to -7

Figure 8. Postnatal ASF Cumulative Frequency Profile

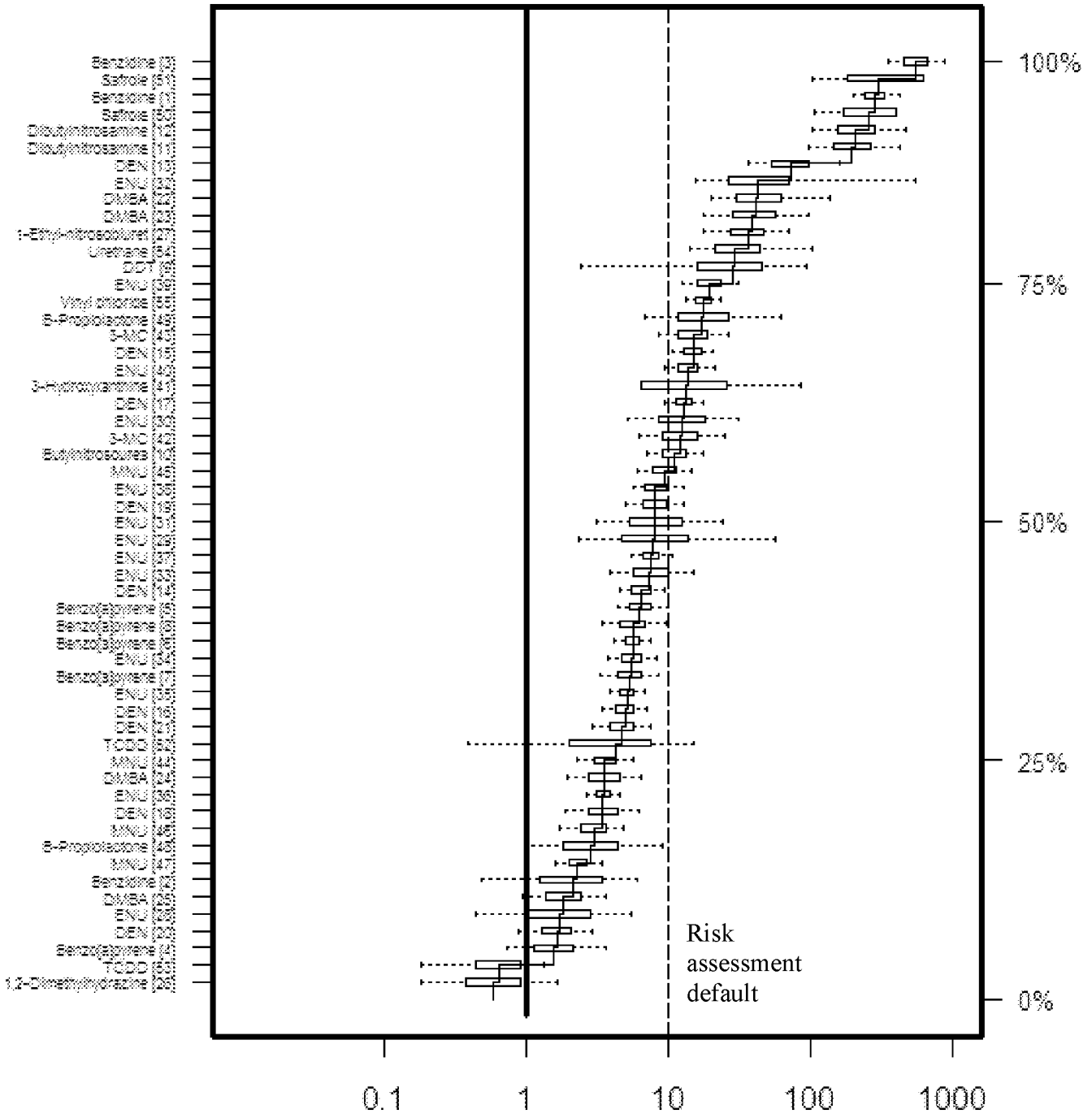

The median of the postnatal ASF mixture distribution is 13.5. The dotted line represents the default ASF for weighting risk for carcinogen exposures between birth and 2 years of age (see next section). References are given in the legend on the next page.

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Figure 8~~Figure 8Figure 8~~ Legend (References as in Appendix J)

1 Vesselinovitch *et al.* (1975b), mouse, B6C3F$_1$, M, day 7-27
2 Vesselinovitch *et al.* (1979), mouse, B6C3F$_1$, F, day 1-21
3 Ibid, M, day 1-21
4 Truhaut *et al.* (1966), mouse, swiss, M/F, day 1
5 Vesselinovitch *et al.* (1975a), mouse, B6C3F$_1$, F, day 1
6 Ibid, M, day 1
7 Ibid, C3A F$_1$, F, day 1
8 Ibid, M, day 1
9 Vesselinovitch *et al.* (1979a), mouse, B6C3F$_1$, M, day 1-28
10 Zeller *et al.* (1978), rat, Sprague Dawley, M/F, day 2
11 Wood *et al.* (1970), mouse, IF x C57, F, day 1-15
12 Ibid, M, day 1-15
13 Rao and Vesselinovitch (1973), mouse, B6C3F$_1$, M, day 15
14 Vesselinovitch *et al.* (1984), mouse, B6C3F$_1$, F, day 1
15 Ibid, M, day 1
16 Ibid, F, day 15
17 Ibid, F, day 15
18 Ibid, C3A F$_1$, F, day 1
19 Ibid, M, day 1
20 Ibid, F, day 15
21 Ibid, M, day 15
22 Meranze *et al.* (1969), rat, Fels-Wistar, F, day 10
23 Ibid, M, day 10
24 Walters (1966), mouse, BALB/c, F, day 17
25 Ibid, M, day 17
26 Martin *et al.* (1974), rat, BDIX, M/F, day 10
27 Druckrey and Landschutz (1971), rat, BDIX, M/F, day 10
28 Naito *et al.* (1985), gerbil, mongolian, F, day 1
29 Ibid, M, day 1
30 Bosch (1977), rat, WAG, F, day 8
31 Ibid, M, day 8
32 Naito *et al.* (1981), rat, Wistar, F, day 7
33 Ibid, M, day 7
34 Vesselinovitch *et al.* (1974), mouse, B6C3F$_1$, F, day 1
35 Ibid, M, day 1
36 Ibid, F, day 15
37 Ibid, M, day 15
38 Ibid, C3A F$_1$, F, day 1
39 Ibid, M, day 1
40 Ibid, M, day 15
41 Anderson *et al.* (1978), rat, Wistar, F, day 9
42 Klein (1959), mouse, A/He, F, day 8-31
43 Ibid, M, day 8-31
44 Terracini and Testa (1970), mouse, B6C3F$_1$, F, day 1
45 Ibid, M, day 1
46 Terracini *et al.* (1976), mouse, C3Hf/Dp, F, day 1
47 Ibid, M, day 1
48 Chernozemski and Warwick (1970), mouse, B6A F$_1$, F, day 9
49 Ibid, M, day 9
50 Vesselinovitch *et al.* (1979a), mouse, B6C3F$_1$, M, day 1-21
51 Vesselinovitch *et al.* (1979b), mouse, B6C3F$_1$, M, day 1-21
52 Della Porta *et al.* (1987), mouse, B6C3F$_1$, F, day 10-45
53 Ibid, M, day 10-45
54 Choudari Kommineni *et al.* (1970), rat, MRC, M/F, day 1-17
55 Maltoni *et al.* (1981), rat, Sprague Dawley, M/F, day 1-35

There were only five chemicals and seven studies, two of which were not independent, available to examine susceptibility in the juvenile period. The juvenile LP ratios indicated significantly greater susceptibility in this period for three independent studies, with the remaining studies consistent with equal inherent susceptibility to adult animals (see Figure 16 in Appendix J). Figure 9~~Figure 9Figure 9~~ below shows the ASFs from each of the juvenile multi-lifestage exposure studies, displayed as a cumulative frequency profile. The median of the juvenile ASF mixture distribution was 4.5 (see Table 8 in Appendix J) .

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Figure 9. Juvenile ASF Cumulative Frequency Profile

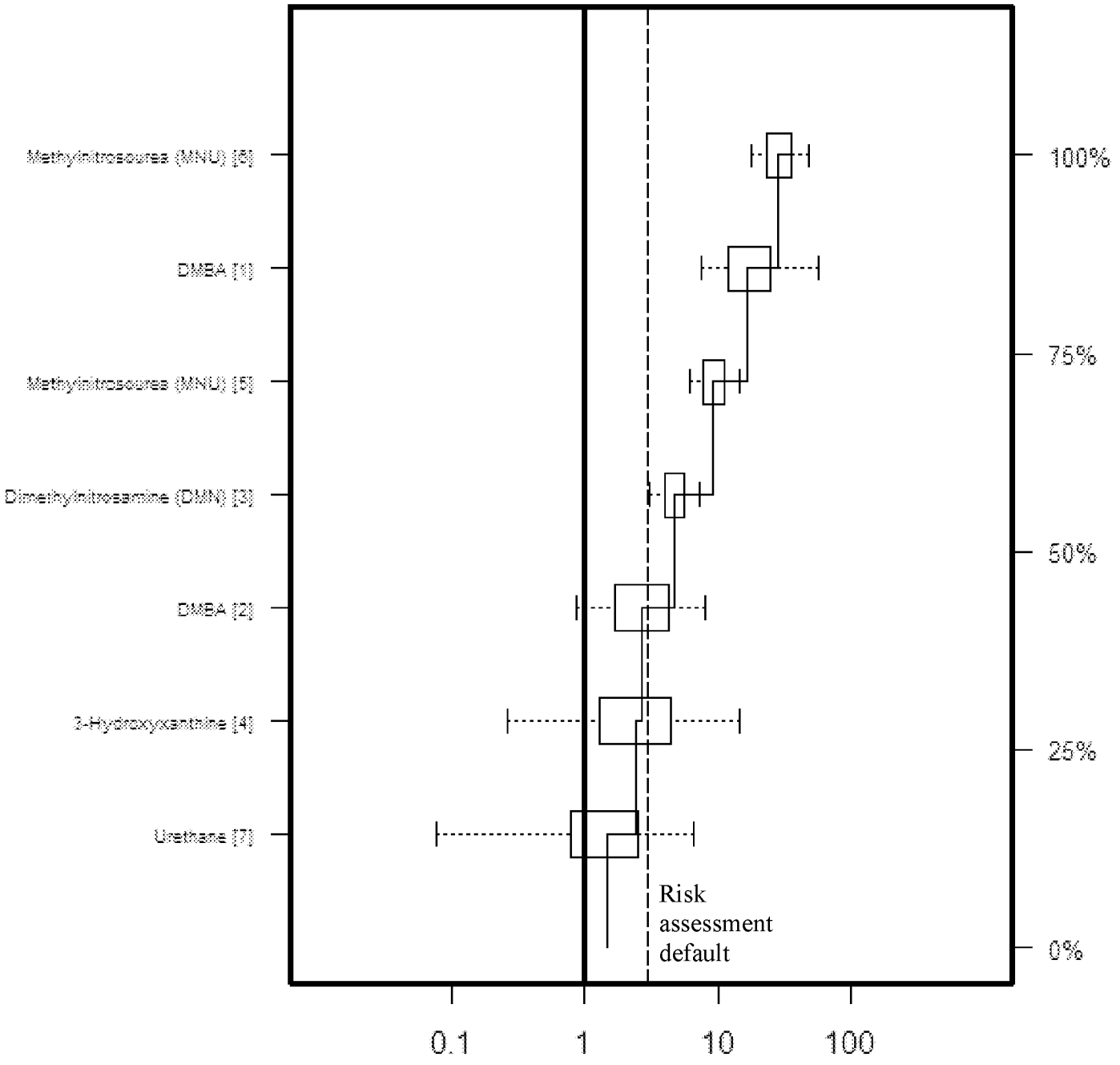

The median of the juvenile ASF mixture distribution is 4.5. The dotted line represents the default value for weighting risk from carcinogen when exposures occur between 2 and 15 years of age (see next section).

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Figure 9 Legend (References as in Appendix J)

1.Meranze *et al.* (1969), rat, Fels-Wistar, F, day 45
2. Ibid, M, day 451
3.Noronha and Goodall (1984), rat, CRL/CDF, M, day 46
4. Anderson *et al.* (1978), rat, Wistar, F, day 28
5. Grubbs *et al.* (1983), rat, Sprague Dawley, F, day 50-57
6. Ibid, M, day 50-57
7. Choudari Kommineni *et al.* (1970), rat, MRC, M/F, day 28-43

The studies that comprise the set of multi-lifestage exposure studies available for these analyses were not homogeneous. That is, they do not represent observations from the same distribution. Sensitivity analyses were conducted to test the robustness of the findings to different procedures for analyzing data and combining results. Of the methods used to combine the LC ratio distributions for underlying studies within each lifestage, the method of equally weighting studies within a chemical appeared to best represent the available data.

In calculating the ASF, to take into account the longer period of time for early carcinogen exposures to result in tumors, the hazard function was assumed to increase with the third power of age. This assumption is standard and has been borne out by a number of observations (Bailer and Portier, 1988) If the true rate of increase with age is greater than that, then the use of these ASFs may result in underestimates of the true sensitivity of these early life stages.

As the multi-lifestage exposure and case studies show, there appears to be considerable variability in age-at-exposure related susceptibility across carcinogens. There is also variability in age-at-exposure related susceptibility among studies of the same carcinogen. The sources of variability evident in the analyzed studies include timing of exposure within a given age window, and gender, strain, and species differences in tumor response. The set of studies identified and analyzed was not sufficiently robust to fully describe the variability quantitatively. This variability raises concerns that selection of the median (the 50th percentile) estimates may considerably underestimate effects for certain agents or population groups. Relatively large variability in humans in response to carcinogens is expected to be common (Finkel, 1995). On the other hand, the numbers of carcinogens represented in the available data are limited and may not be representative of the population of carcinogens to which we are exposed (e.g., greater than 500 on the Proposition 65 list alone). Thus, the size of the weighting factors used to weight risk by age at exposure is a policy decision.

Several of the carcinogens studied induced tumors at multiple sites in the same experiment, and at different sites, depending upon the lifestage during which exposure occurred. For these cases the combined multisite potency distribution referred to above was the basis for the lifestage comparison. This approach differs from other researchers investigating early vs. late in life differences who focused on tumor site-specific measures of carcinogenic activity (e.g., Barton *et al.*, 2005; Hattis *et al.*, 2004, 2005). OEHHA believes that use of combined multisite potency distributions provides a more complete approach for considering age specific differences in carcinogenic activity. However, the observation that early life is generally a period of increased susceptibility was similarly found using the tumor site-specific approach by these other researchers.

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One limitation of the approach was the focus on lifestages, without attempting to describe changes in susceptibility that occur within a lifestage. Timing of carcinogen exposure within a given age window can affect the cancer outcome. For example, experiments with 1-ethyl-1-nitroso-biuret in prenatal and adult rats showed a three-fold difference in activity between groups exposed on prenatal day -10 versus prenatal day -3. In a second example, female rats exposed early in the adult period were more than three times as sensitive to the breast cancer effects of MNU as females exposed six weeks later. In general, the adult comparison groups in the multi-lifestage exposure studies were fairly young. The extent to which this may result in an overall bias of the results presented here is unclear. Also for several cases, juvenile animals were used as the later life exposure group. In these cases the ASFs are likely underestimates of the relative sensitivity of the prenatal and postnatal lifestages, compared to that of the adult lifestage.

Excluded from the analysis were early in life studies in which the period of exposure for a specific exposure group crossed multiple lifestages. An example of results from studies of this type is provided by mouse studies for two non-genotoxic carcinogens, diphenylhydantoin (Chhabra *et al.*, 1993a) and polybrominated biphenyls (PBBs) (Chhabra *et al.*, 1993b), in which exposures began prior to conception, and continued throughout the prenatal, postnatal, and post-weaning period, up to the age of eight weeks. The data demonstrate an increased sensitivity of the early life period. Some studies that crossed multiple lifestages were included in the analyses of Barton *et al.* (2005) (Appendix I), which are consistent with the general conclusions discussed above.

Selection of Default Age-Sensitivity Factors (ASF)

Selection of appropriate values to use to weight exposures that occur early in life using default ASFs for prenatal, postnatal and juvenile exposures is complicated by the limited database of chemicals and studies available for analysis, and the broad distribution of results for different chemicals as is shown in Figure 7, Figure 8, and Figure 9~~Figure 9Figure 9~~ (see also Appendix J). In view of the variability thus shown, and the considerable uncertainty in applying conclusions from this relatively small set of chemicals to the much larger number of chemicals of concern, it is probably unreasonable to specify a default ASF with greater than half-log precision (*i.e.* values of 1, 3, 10, 30 etc.). Therefore, in the absence of chemical-specific data, OEHHA ~~will~~ proposes to apply a default ASF of 10 for ages birth to 2 years, and a factor of 3 for ages 2 through 15 years to account for potential increased sensitivity to carcinogens during childhood. A factor of 10 for postnatal exposures falls just below the median estimate of the ASF for postnatal studies. This is also the value selected by U.S. EPA; while it is consistent with the OEHHA analysis, it may underestimate risk for some chemicals. The broad distribution of observed chemical-specific sensitivity ratios clearly indicates ~~certain number of~~that there are some chemicals for which the sensitivity ratio is much larger than 10. Further research is needed to develop criteria for identifying these cases. Similarly, a factor of 3 for juvenile exposures is consistent with the range of estimates derived from the multi-lifestage exposure studies, and falls close to the median juvenile ASF estimate. It is acknowledged that there are few data available on which to base an estimate for the juvenile period. A factor of 3 adjusts for the longer time available for cancer to manifest, but may not fully account for some inherent differences in susceptibility to cancer, for example ~~those observed~~the observed susceptibility of ~~in~~ breast tissue of pubescent girls exposed to radiation. For specific carcinogens where data indicate enhanced sensitivity during lifestages other than the immediate postnatal and juvenile periods, or demonstrate ASFs

different from the default ASFs, the chemical-specific data should be used in order to adequately protect public health.

The ASFs will be applied to all carcinogens, regardless of the theorized mode of action. While U.S. EPA currently intends to apply weighting factors only to those carcinogens with "a mutagenic mode of action"(U.S.EPA, 2005), OEHHA notes that there is evidence that early life is a susceptible time for carcinogens that are thought to act via non-mutagenic mode of action (DES is a prime example). Defining a mutagenic mode of action may be problematic if approached narrowly (ERG, 2008). Further, carcinogens may have multiple modes of action and one mode may predominant over other modes at different lifestages. The complexity of carcinogenesis argues against restricting the ASF to chemicals acting via a mutagenic mode of action.

Figure 10~~Figure 10Figure 10~~ provides a visual comparison of the ASF mixture distributions for the three early-life stages, prenatal, postnatal, and juvenile. In this figure, which is in log space, the policy choice for weighting factors of 10 for birth to age 2 years and 3 for the period of life from 2 to 15 years of age are indicated on the figure. ~~The x-axis represents the exponent (the figure is in log space).~~ It is apparent from this figure that weighting risk from exposures to carcinogens early in life is well-supported.

Figure 10. Prenatal, Postnatal, and Juvenile ASF Mixture Distributions and relation to default ASFs

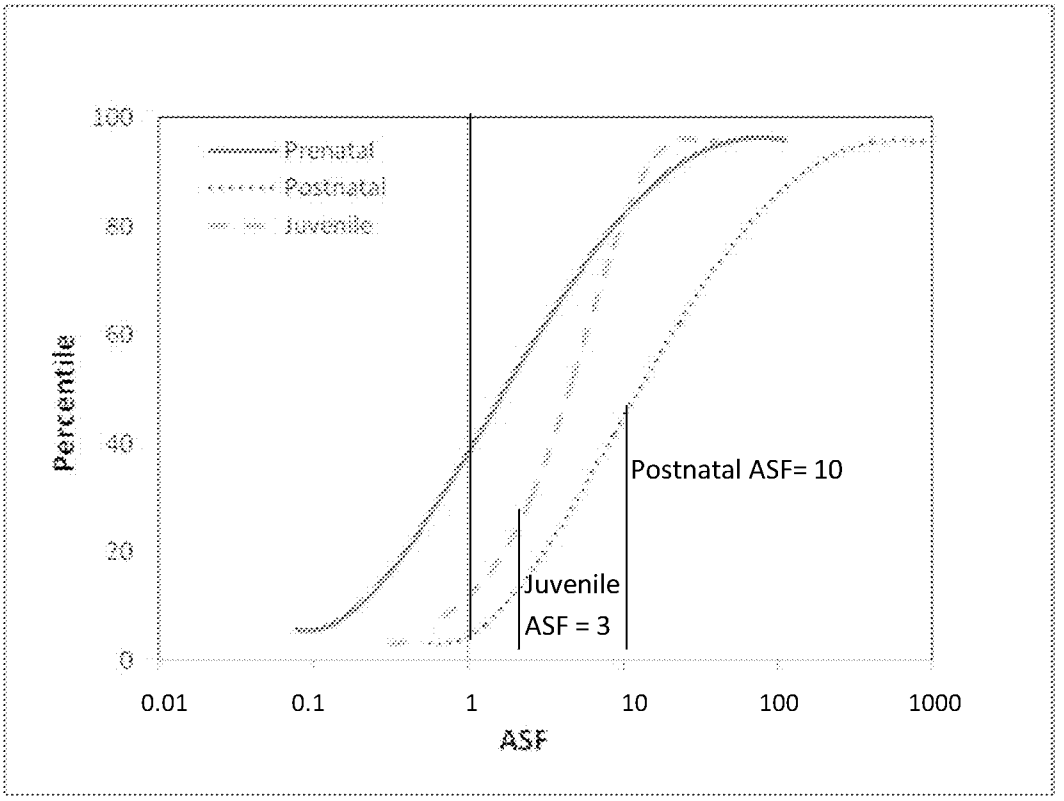

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OEHHA recognizes the limitations in the data and analyses presented, as discussed above. However, the analyses do provide some guidance on the extent risk may be over or underestimated by current approaches. While there is a great deal of variability across chemicals in the prenatal ASFs, the data indicate that the potency associated with prenatal carcinogen exposure is not zero. A factor of 3 is close to the median ASF, while a factor of 10 falls roughly at the 70th percentile of the prenatal ASF estimate. ~~This value~~An ASF could be applied as a default ~~ASF to the potency estimate~~ when calculating lifetime cancer risk in humans arising from carcinogen exposures that occur *in utero*. In view of the considerable variability in the data for different carcinogens and the limited database available for analysis, OEHHA is not ~~including~~ proposing the application of ~~this~~ a specific factor to cancer potency estimates for prenatal exposures as a default position in these Guidelines. However, given that the rodent is born at a stage of maturation similar to a third trimester fetus, it may be reasonable to include the third trimester in the potency weighting proposed for birth to age 2 years. ~~T~~the applicability of a cancer potency adjustment factor for prenatal exposure will be evaluated on a case-by-case basis, and may be used as evidence develops that supports such use. The consideration of prenatal exposures, including application of an appropriate susceptibility factor, would not make a large difference for risk estimates based on continuous lifetime exposures, due to the relatively short duration of gestation. However, risk estimates for short-term or intermittent exposures ~~might~~ would be ~~significantly~~ slightly increased by inclusion of the risks to the fetus during the prenatal period. Thus, risk may be underestimated when this lifestage is excluded from the analysis.

Age Bins for Application of ASFs

The choice of human ages to which the ASFs apply is based on toxicodynamic ~~information on functional maturation of major organ systems~~ and toxicokinetic considerations. Important toxicodynamic factors related to susceptibility to carcinogens include ~~and the concept that~~ the rate of cellular proliferation and differentiation, which is quite high during organ maturation ~~processes renders the tissue more susceptible to carcinogenesis~~. In addition, toxicokinetic differences by age are important, ~~as noted earlier,~~ due to impacts on detoxification and clearance of ~~xenobiotics~~carcinogens (see following section). ~~OEHHA's analysis of the influence of age-at-exposure on carcinogenesis broke the experimental rodent age bins~~data into age bins that we ~~termed "lifestages" into~~ including prenatal, "postnatal" (birth to weaning, about day 21) and "juvenile" (weaning to sexual maturation, or about day 22 to about day 49). Experiments were placed into the lifestage bins if exposure occurred at some time during the experimental rodent age bin. ~~The investigations of age at exposure and cancer potency used in OEHHA's analysis were all done with dissimilar protocols, and the windows of susceptibility are quite varied by chemical and organ system.~~

There is no simple way to compare the rodent age groups used in the OEHHA analysis of available data to equivalent age groups in humans. Complicating factors include variations in organ system structural and functional maturation both within and between species. Further, the rodent age bins were chosen by gross indicators of development namely birth, weaning and sexual maturation, not on the basis of known susceptibility to carcinogenesis. Thus, critical factors relating to carcinogen susceptibility by age are the focus of the choice of human age bins to which the ASFs of 10 and 3 apply, rather than an attempt at exact correlation of rodent lifestage bin with human age.

~~The investigations of age at exposure and cancer potency used in OEHHA's analysis were~~ not conducted by standardized protocol. Further, the windows of susceptibility are quite varied by chemical and organ system, even within the lifestages defined in the OEHHA analysis. ~~Additional complications in~~ This complicates choosing a default ASF and the human age bin to which it applies ~~are associated with changes in the potency by age-at-exposure that can be large for specific chemicals~~. Examples from animal studies provided in the appendix include the chemical diethylnitrosamine (DEN). The cancer potency varied over several orders of magnitude depending on when during gestation and postnatal life the exposure occurred. While the inability to metabolize DEN in early gestation influences the carcinogenicity of the compound, it is unlikely the only explanation. Benzidine and safrole also require metabolic activation but are more potent with prenatal exposure. A three-fold difference in potency between exposure on postnatal day 3 and postnatal day 10 is noted for 1-ethyl-1-nitrosobiuret in rats. There are also human examples of extensive variation of potency by age at exposure, including radiation, DES, and chemotherapeutic agents. The diversity of responses to different agents obviously underscores uncertainty in the choice of age bins to apply the default ASFs. However, the ASFs are a ***default*** to use when you have no chemical-specific data on influence of age-at-exposure on potency in order to protect public health. There will always be specific chemical examples where the ASF for either the birth-<2 yrs or 2-<16 yrs age bin is quite a bit larger or quite a bit smaller than the default.

In the following sections, we discuss our logic in ~~choosing~~proposing age bins of birth to age <2 years, and 2 to age <16 years to which the ASFs of 10 and 3 apply, respectively, and offer risk estimate results from other possible age bins.

Toxicokinetic Factors Relevant to Age Bins

Choice of the age-bins to which the default ASFs are applied is based on our understanding of the two primary drivers of age-related sensitivity to carcinogens, namely age-related toxicokinetic factors and toxicodynamic factors. In the case of toxicokinetics, the largest postnatal differences in xenobiotic metabolic capability occur between infants and adults. As noted in OEHHA (2001) and reviewed in detail elsewhere (e.g., Cresteil et al., 1998; Ginsberg et al., 2004), hepatic drug metabolism by the cytochrome p450 family of enzymes and the Phase II conjugating enzymes undergoes a maturation process during the first few years of life. The hepatic cytochrome p450 enzymes exist in fetal isoforms at birth, and progressively change to adult isoforms at a relatively early stage of postnatal development. Thus, in humans the metabolic capability towards prototypical substrates develops over the first year of life towards adult levels. Similarly, the largest differences in metabolic capability of Phase II enzymes (conjugation of xenobiotic metabolites prior to excretion) tend to be between infants and adults. Other factors such as renal capability also are most different between neonates and adults. Thus, the first 2 years of life would encompass the increased sensitivity of early life stages due to toxicokinetic differences between early life and adulthood.

Ontogeny of cytochrome P-450 Enzymes in Humans.

Cresteil (1998) describes three groups of neonatal cytochrome P450: Cyp3A7 and Cyp4A1 present in fetal liver and active on endogenous substrates; an early neonatal group including Cyp2D6 and 2E1 which surge within hours of birth; and a later developing group, Cyp3A4,

Cyp2Cs, and Cyp1A2. Total Cyp 3A protein, a major cytochrome p450 enzyme responsible for biotransformation of many xenobiotics, is relatively constant in neonates and adults. However, Cyp3A7 is the primary fetal form (Hakkola et al., 1998), while Cyp3A4 is the primary adult hepatic form of the 3A series. At one month there is about one-third of the Cyp3A4 activity as an adult liver (Lacroix et al., 1997; Hakkola et al., 1998). Allegaert *et al.* (2007) stated that Cyp3A4 (testosterone-6ß-hydroxylase) activity equaled or exceeded adult activity after 1 year of age. Cyp2E1, which metabolizes benzene, trichloroethylene and toluene, among others, increases gradually postnatally, reaching about one-third of adult levels by one year of age and attains adult levels by 10 years of age (Vieira et al., 1996; Cresteil, 1998). Cyp1A2, and Cyp2C9 and 2C19, the most abundant Cyp2 enzymes in adult human liver, appear in the weeks after birth, and reach 30%to 50% of adult levels at about 1 year of age (Treluyer et al., 1997; Hines and McCarver, 2002). Cyp1A1 is expressed in fetal liver where it can activate such xenobiotics as benzo[a]pyrene and aflatoxin B1 (Shimada et al., 1996), but is less important in adult liver (Hakkola et al., 1998).

Ontogeny of cytochrome P-450 Enzymes in Rodents.

Hart et al. (2009) report developmental profiles of a number of cytochrome P-450 enzymes (measured as levels of mRNA transcripts of the specific genes) in mice. They identified three groups of isoforms. Group 1 (Cyp3A16 in both sexes; Cyp3A41b in males) appeared rapidly after birth but declined to essentially zero at 15-20 days, which is the period of weaning in mice. A second group (Cyp2E1, Cyp3A11 and Cyp4A10 in both sexes; Cyp3A41b in females) also increased rapidly after birth, but reached a stable maximal level by postnatal day 5. The third group (Cyp1A2, Cyp2A4, Cyp2B10, Cyp2C29, Cyp2D22, Cyp2F2, Cyp3A13 and Cyp3A25) were expressed only at low levels until days 10 to 15, but reached high stable levels by day 20.

ElBarbry et al. (2007) examined the developmental profiles of two toxicologically significant cytochrome P-450 enzymes, Cyp1A2 and Cyp2E1 in rats. mRNA transcripts of these genes were very low postnatally, but thereafter increased to reach a peak at weaning (postnatal day 21 - 28 for rats). Immunoreactive Cyp1A2 and Cyp2E1 proteins were first detectable at postnatal day 3 and reached 50% of adult levels at weaning and adult levels at puberty. Differences in profiles between gene expression as MmRNA and appearance of specific proteins as determined by immunoassay may reflect changes in the relative importance of transcription and translation control process at various phases in development. Enzyme activities characteristic of Cyp1A2 and Cyp2E1 were found to parallel gene expression levels (ElBarbry et al., 2007) rather than immunodetectable protein levels, so there may also be issues of cross-reactivity between these two isoenzymes and others for which gene expression was not measured in these experiments.

In summary, the gene expression data in rats and mice show differences in details, but broadly resemble one another in that the main changes occur in the early postnatal period, with the major adjustments completed at or around the time of weaning, although the adult pattern may not be completely established until puberty. There do not appear to be substantive data for experimental species other than rats and mice, although the situation in humans appears similar in general outline and one may conclude that this pattern or some variant of it is a characteristic of mammalian species in general.

Ontogeny of Phase II enzymes

Phase II conjugating enzymes are generally less active in the neonate than the adult (Milsap and Jusko, 1994). Hence, there is concern that detoxification and elimination of chemicals is slower in infants. Expression of some of the UGT enzymes matures to adult levels in two months after birth, although glucuronidation of some drugs by the UGT1A subfamily does not reach adult levels until puberty (Levy et al., 1975; Snodgrass, 1992; McCarver and Hines, 2002). Reduced glucuronidation in neonates slows the clearance of *N*-hydroxyarylamines, phenol, and benzene metabolites. Acetylation by the N-acetyltransferases and sulfation by sulfotransferases are generally somewhat comparable to adult levels, although it varies by tissue and by specific sulfotransferase (McCarver and Hines, 2002). Glutathione (GSH) sulfotransferase (GST) is present as a fetal isoform which decreases postnatally, while GST-alpha and GST-mu increase over the first few years of life to adult levels (McCarver and Hines, 2002). Epoxide hydrolase, important in detoxifying reactive epoxide metabolites, is present in neonatal liver although at much reduced activity relative to adults (McCarver and Hines, 2002).

Clearances of drugs in infants and children *vs.* adults

Several investigators have evaluated age-related drug disposition (Renwick, 1998; Renwick et al., 2000; Ginsberg et al., 2002; Hattis et al., 2003). Renwick et al. (2000) noted higher internal doses in neonates and young infants versus adults for seven drugs that are substrates for glucuronidation, one with substrate specificity for CYP1A2, and four with substrate specificity for CYP3A4 metabolism. Ginsberg et al (2002) evaluated toxicokinetic information on 45 drugs in children and adults metabolized by different cytochrome P450 pathways, Phase II conjugations, or eliminated unchanged by the kidney. These authors noted half-lives in infants 3-9-fold longer than those of adults. It was also shown that the bulk of the elevated child/adult half-life ratios occurred primarily in the 0 to 6 month age range, and that for some compounds the clearance is actually higher in the 6 month to 2 year age grouping. In evaluating the interindividual variability by age, Hattis et al (2003) note that the largest interindividual variability occurs in the youngest children, apparently due to variability in development of critical metabolism and elimination pathways. Anderson and Holford (2008) noted that a comparison of three early-life drug clearance models (surface area, allometric ¾ power and per kilogram scaling) all demonstrated an increase in clearance over the first year of life due to the maturation of metabolic capacity.

Renal elimination depends on maturity of processes related to tubular reabsorption and secretion, and glomerular filtration rates. At birth, the glomerular filtration rate (GFR) is low (2-4 ml/min), increases in the first few days (8-20 ml/min) and slowly increases to adult values in 8-12 month old infants (Plunkett et al., 1992; Kearns et al, 2003).

Newborn and young animals have less capacity to excrete chemicals into the bile than do adult animals. A number of chemicals are excreted more slowly via bile in neonates than adult rats, including ouabain, the glucuronide conjugate of sulfobromophthalein (Klaassen, 1973), and methyl mercury (Ballatori and Clarkson, 1982), resulting in a longer half-life in neonates.

Toxicodynamic Factors Relevant to Age Bins

Important as the developmental changes in toxicokinetics are in determining sensitivity to carcinogens and other toxicants, it is likely that the toxicodynamic differences, i.e. intrinsic differences in susceptibility to carcinogenesis at the tissue or cellular level are even more influential. Changes in cell division rates and differentiation, which are thought to be important toxicodynamic determinants of susceptibility to carcinogenesis, peak in the first 2 years of life for most major organ systems. Cell division continues to accommodate growth throughout childhood and adolescence, extending in some cases even into the young adult period in both humans and experimental animals. Adolescence is an important period for organ cell division and differentiation for the mammary gland and reproductive organs.

As noted above, one of the key factors influencing susceptibility to carcinogenesis is believed to be cell division rate, which acts both by forcing error-prone repair which fixes DNA damage as mutated gene sequences (McLean et al, 1982) and by promoting expansion of mutated clones (Moolgavkar and Knudson, 1981). Actual cell division rates as a function of age are hard to determine for practical and (in the human case) ethical reasons. However, growth curves expressed as the proportional increment in body weight with time may be regarded as a reasonable although not perfect surrogate since for most tissues of the body cell size does not change markedly during growth. Both humans and rodents show remarkably high growth rates in infancy, which then drop steeply to a lower but still significant period during childhood. A growth spurt at the beginning of adolescence is noticeable in its absolute magnitude, especially in males, but does not approach the proportional growth rate seen in infancy. The time intervals proposed to reflect the period of highest sensitivity to carcinogenesis (birth to weaning, about 21 days in rodents, up to 24 months in humans) encompass the period of highest growth rate and thus is is assumed the highest cell division rates, as show in the following charts:

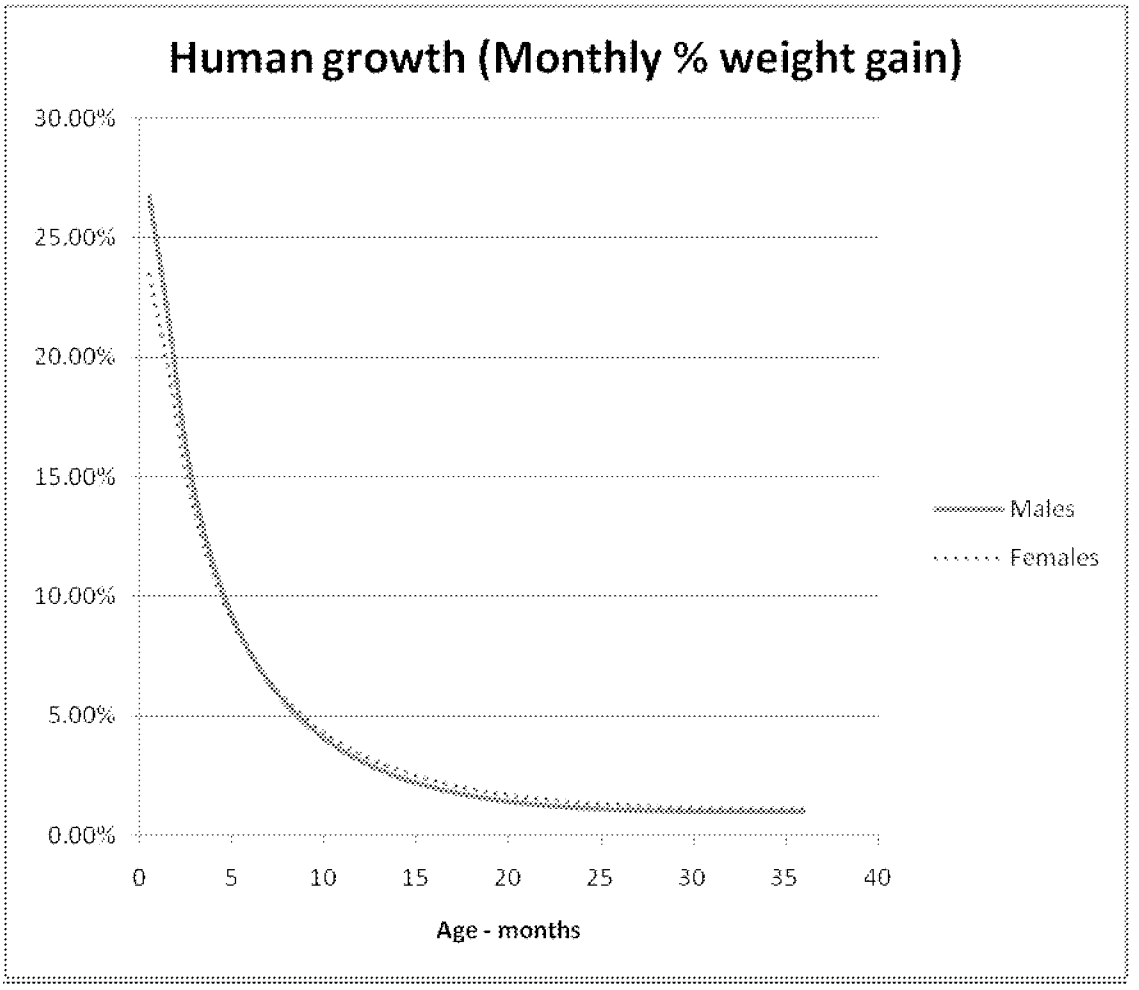

Data from CDC NHANES 2000:
http://www.cdc.gov/nchs/about/major/nhanes/growthcharts/datafiles.htm

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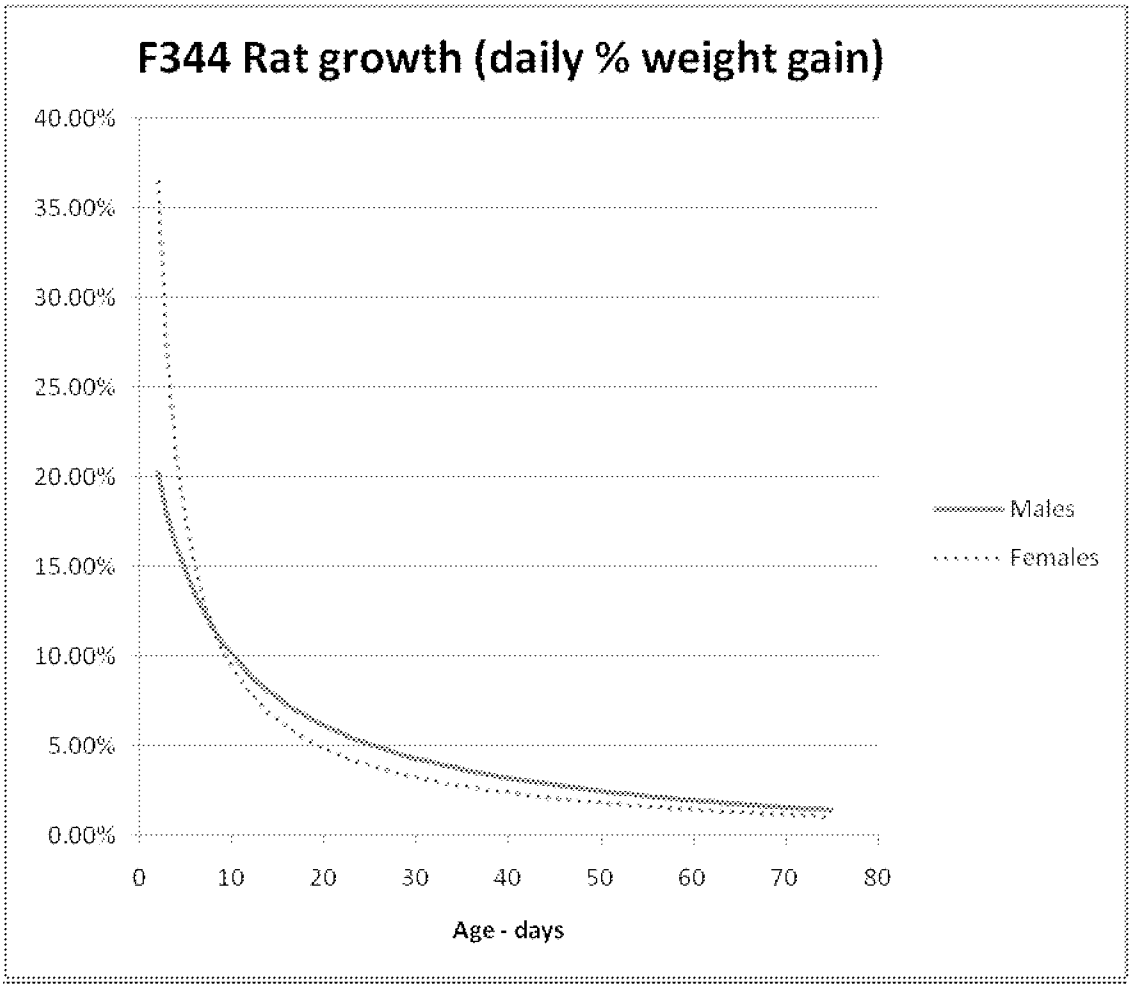

Data from Tables A3 and A4 of Appendix J

Cell division rates in adult rodents and humans are harder to relate to growth curves since at least some tissues retain active cell division as part of their ongoing functionality and repair. In humans growth in body weight slows to essentially zero at the end of adolescence (and any later increments represent tissue specific changes such as increase in muscle or adipose tissue mass rather than overall growth). On the other hand, rodents continue to increase in body size (at a modest rate compared to that seen in earlier lifestages) throughout the adult period. However, it appears reasonable to conclude from the body weight data that an essentially adult pattern of overall cell division is established by the late adolescent period (age six weeks in rodents; 16 years in humans). This clearly does not include the marked growth and increases in cell division and physiological activities seen in the reproductive system and its accessories during puberty.

Organ development

The age intervals chosen for the ASFs are generally supported by human organ system development data. Examples of supporting data are available for the lung, brain, immune system and liver. Zeltner and Burri (1987) stated that postnatal lung development consists of an alveolar stage, which lasts to about 1-1.5 years of age, and a stage of microvascular maturation, which

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exists from the first months after birth to the age of 2-3 years. Pinkerton and Joad (2006) describe alveolar proliferation as occurring most prominently in the 0-2 year age range, with alveolar expansion continuing in the 2-8 year age range. Ballinoti et al. (2008) demonstrated that addition of alveoli rather than expansion is a major mode of lung growth in infants and toddlers by measuring a constant carbon monoxide diffusion capacity to lung volume from 3 through 23 months of age. Kajekar (2007) also considered the 0-2 age range to be the primary period of alveolar development, although there is continued cellular proliferation resulting in lung growth and expansion up to approximately 18 years of age.

Rice and Barone (2000) note that most of the cell proliferation phase of human radial glia and neuronal growth is finished by 2 years of age, based on evidence in Bayer et al. (1993). They note further that numerous studies have shown actively proliferating brain regions are more susceptible to anti-mitotic agents than the same structures after active proliferation ceases. Peak brain growth as a percentage of body weight occurs at birth and around post-natal day (PND) 7-8 in humans and rats, respectively (Watson *et al.*, 2006). De Graaf-Peters and Hadders-Algra (2006) reviewed the ontogeny of the human central nervous system and found that a large amount of axon and dendrite sprouting and synapse formation and the major part of telencephalic myelination take place during the first year after birth. While the brain continues to remodel itself throughout life, cellular proliferation in the whole brain peaks by about one year of age and is relatively complete by age 2. Development of the blood-brain barrier (BBB) appears to continue in humans until approximately 6 months of age. Rat BBB functionality is essentially complete by approximately two weeks after birth (Watson *et al.*, 2006).

The immune system development occurs in stages primarily prenatally in primates and both pre- and post-natally in rodents (Dietert et al., 2000). Formation and expansion of hematopoetic stem cells is followed by expansion of lineage-specific stem cells, colonization of bone marrow and thymus, and maturation of cells to immunocompetence. In the primate, this is largely complete by 1 to 2 years of age (Holsapple et al., 2003), although establishment of immune memory develops throughout childhood and beyond. In the rodent, maturation to immunocompetence occurs postnatally from birth to about 30 days of age. In terms of carcinogenesis, perhaps one of the more important immune cells is the NK cell, thought to be responsible for immune surveillance and killing of circulating transformed cells. Based on immunohistochemistry, the principal cell lines including NK cells are present at gestation day 100 in the monkey and are at about 60% of adult values at birth (Holladay and Smialowicz, 2000).

As noted above, renal and hepatic clearance are both lower in humans at birth than in adults. Nephrogenesis is complete by 35 ~~month~~weeks gestation in humans and before birth in the mouse (but after birth in the rat). The ability to concentrate urine and the development of acid-base equilibrium ~~occur~~appear in the first few months after birth (Zoetis and Hurtt, 2003). Renal clearance of drugs, a function of a number of processes in the kidney, appears to be comparable to adults within the first few months of life (Hattis et al., 2003; Ginsberg et al., 2002) , while glomerular filtration, which rises rapidly over the first few postnatal months, is at adult values by two years of age (Zoetis and Hurtt, 2003). While complete anatomic maturity of the human liver is noted by 5 years of age (Walthall et al, 2005), liver function also appears to mature within the first year of life as seen by drug clearance studies cited above.

Critical Windows of Susceptibility to Carcinogens

It has been shown that there are critical windows during development both pre-and postnatally where enhanced susceptibility to carcinogenesis occurs (Anderson et al, 2000). Some of these observations relate to factors affecting the incidence of cancers in childhood, resulting from prenatal or preconception mutational events. For example, prenatal exposure to ionizing radiation and DES can result in leukemia and vaginal carcinoma, respectively, in childhood. Although obviously a source of great concern, these cancers appearing during childhood are relatively rare compared to cancers appearing later in life. Thus the concern in risk assessment for early in life exposures is to address the lifetime cancer incidence as a result of these exposures, including both cancers appearing during childhood and those appearing later.

OEHHA (see Appendix J) and other investigators (U.S. EPA, 2005; Barton et al, 2005; Hattis et al., 2004) have examined the available rodent data on sensitivity to carcinogenic exposures early in life. All these investigators found substantial increases in sensitivity to carcinogens in animal studies where exposures to young animals were compared to similar exposures to adults. Hattis et al. (2004) reported maximum likelihood estimates for the ratio of carcinogenic potency during the period from birth to weaning to the adult potency of between 8.7 and 10.5, whereas Barton et al (2005) reported a weighted geometric mean of 10.4 for the ratio of juvenile (less than 6-8 weeks) to adult potency in rodents. However, the number of experiments which provide information of this type, and the carcinogenic agents which have been studied, are relatively limited. Hattis examined several different datasets and study designs, but these covered only 13 different chemicals, while Barton et al. reported analyses for six of the 18 chemicals which they examined. OEHHA's analysis included data in rodents on 23 chemicals, and found median potency ratios of 13.5 for the postnatal period (birth to day 22) and 4.5 for the juvenile period (postnatal days 22 to 49) relative to adults (day 49 to 2 years). These potency ratios include the adjustment for time to manifest tumor (e.g., age to the power of three), unlike the earlier investigations. All these investigations identified variations in the observed lifetime potency ratio depending on the type of experimental design, the sex of the animals, the time of exposure and especially between chemicals. Nevertheless these analyses, although falling far short of a comprehensive evaluation of the age dependence of carcinogenic potency for all the chemicals of interest, do show a consistent overall trend of increasing potency for exposures early in life, especially soon after birth.

An evaluation of cancer induction by ionizing radiation also provides support for the concept of enhanced sensitivity to carcinogenesis at younger ages. Various studies of this phenomenon have been undertaken in animal models, but the important point for the present discussion is that epidemiological data exist which indicate age-dependent sensitivity in humans (U.S. EPA, 1994; 1999). The most extensive data set showing age-dependent effects is that for Japanese survivors of the atomic bomb explosions at Hiroshima and Nagasaki. Analysis of these data shows linear increases in tumor incidence at a number of sites with increasing radiation dose and younger age at exposure. There are other data suggesting humans are more susceptible to chemical carcinogens when exposure occurs in childhood. These data exist for tobacco smoke (Marcus et al., 2000; Wiencke et al., 1999) and chemotherapy and radiation (Mauch et al., 1996; Swerdlow et al., 2000; Franklin et al., 2006).

Proposed Aage bins for application of default age sensitivity factors

In developing a default science-based risk assessment policy to address this general conclusion, one key variable to define is the age interval or intervals over which age-dependent sensitivity factors should be applied. Different investigators have considered different age ranges, but in general the more sensitive period has at least been defined as including the time from birth up to mid-adolescence when the major phases of growth and hormonal change are complete. This can be somewhat consistently defined in the case of laboratory rodents whose genetic and environmental factors are relatively constant: a transition point in the range of 6 to 8 weeks is generally identified as the start of adulthood. For humans there is inevitably a lot more variation in the timing of developmental landmarks. The comparison of human development with that of rodents is complicated by the fact that the various organ systems have markedly different pre-and postnatal timetables, both between species and between organ systems. Thus there is no single timeline of developmental equivalence for humans and rodents. Nevertheless there is a general similarity for all mammals.

It is also recognized that, apart from the dramatic prenatal developmental events, the earliest postnatal stages represent the greatest differences in physiology and biochemistry from the adult. This reflectsing the immaturity of many organ systems, extremely rapid growth and the incomplete maturation of various metabolic capabilities. In animal studies, as reflected in the analysis of carcinogenesis by OEHHA, an important developmental milestone is generally identified at the time of weaning, which in rodents occurs at or about postnatal day 21.As noted earlier, the rodent age bins in OEHHA's analysis were based on gross developmental milestones (birth, weaning, sexual maturity). OEHHA's analysis of studies that included exposure sometime between birth and weaning indicated this period as having the highest sensitivity to carcinogenesis. The data for the later juvenile period (postnatal days 22 to 49) are somewhat sparse, covering only three carcinogens and only one where there are corresponding data for both infant and juvenile lifestages. However, it appears based on the overall range of potency ratios observed for the juvenile period that sensitivity to many carcinogens is elevated in this period also, but to a lesser extent than during the first 22 days. [Hattis et al. (2005) and Barton et al. (2005) report analyses for exposures at any time during the juvenile period, i.e. up to 6-8 weeks, and do not separate by additional age bins].

Weaning is not such an obvious or consistently timed transition for humans, being subject to a wide range of cultural and economic variables. However, it is generally considered that the human infant period encompasses the first two years of life. This period includes the most rapid periods of cellular division and differentiation for the major organ systems (excluding the breast and reproductive organs). Although there is linear growth between 2 and 8 years of age, the organ development is largely although not entirely complete.

Thus, considering both the development of major organ systems and the associated differences in toxicodynamic and toxicokinetic factors, OEHHA choseproposes to apply the postnatal ASF derived from rodent studies (birth to ~21 days) to the human age intervals of 1birth - <2years. Similarly, OEHHA chose to apply the "juvenile" ASF derived from rodent studies (~22- ~49 days) to the human ages 2 - <16 years. This timetable was also selected by U.S. EPA (2005) in their supplemental guidance for assessing early-life susceptibility to carcinogens. They describe their choice of critical periods as follows:

> "The adjustments described below reflect the potential for early-life exposure to make a greater contribution to cancers appearing later in life. The 10-fold adjustment represents an approximation of the weighted geometric mean tumor incidence ratio from juvenile or adult exposures in the repeated dosing studies (see Table 8). This adjustment is applied for the first 2 years of life, when toxicokinetic and toxicodynamic differences between children and adults are greatest (Ginsberg et al., 2002; Renwick, 1998). Toxicokinetic differences from adults, which are greatest at birth, resolve by approximately 6 months to 1 year, while higher growth rates extend for longer periods. The 3-fold adjustment represents an intermediate level of adjustment that is applied after 2 years of age through <16 years of age. This upper age limit represents middle adolescence following the period of rapid developmental changes in puberty and the conclusion of growth in body height in NHANES data (Hattis et al., 2005). Efforts to map the approximate start of mouse and rat bioassays (i.e., 60 days) to equivalent ages in humans ranged from 10.6 to 15.1 years (Hattis et al., 2005)."

There is general agreement that rodents are born at a maturational stage approximately equivalent to a third trimester human fetus. Thus, there is good rationale to include the third trimester of pregnancy in the age bin for application of the ASF of 10.

While there is strong evidence that growth and therefore cell proliferation rates and cell differentiation are extremely high prior to age 2, there is still residual uncertainty with respect to the cutpoint for application of the ASFs of 10 and 3. Thus, another possible approach is to move the cut point for the application of the ASF of 10 to a later age to account for this uncertainty. We present the effect on risk estimates of varying cutpoints in Tables 2 and 3.

Special consideration of puberty

In addition to the general concerns over increased sensitivity to carcinogenesis during infancy and childhood, there are specific concerns for exposure during the period when hormonal and developmental changes associated with puberty are in process, especially for carcinogens with hormonal modes of action or with impacts on the reproductive system and its accessory organs. At puberty, there is increased development of breast and reproductive organs that clearly involves rapid cellular division and differentiation. Thus, for carcinogens that induce mammary and reproductive organ cancers, puberty represents a time of increased sensitivity. As noted in the section on Selection of Default Age-Sensitivity Factors (page 48), if the risk assessor is evaluating a chemical with the potential for more than usually enhanced potency during this period, such as those which induce mammary or reproductive organ tumors (e.g., a polycyclic aromatic hydrocarbon), then the risk assessment may use a larger ASF to calculate risk from exposure during puberty. OEHHA may recommend chemical-specific ASFs for puberty to the local air quality management districts for use in the Air Toxics Hot Spots program.

Application of ASFs in Risk Assessment

The effect of using the proposed default ASFs in calculating cancer risk over a 70 year lifetime, and for a 9 year exposure common in the Hot Spots program risk assessments is demonstrated in Table 2 and Table 3 below. Ignoring for the moment the increased exposures to carcinogens that children experience, the effect of the weighting factors is to increase the lifetime cancer risk by about 2. For risks from shorter exposures, such as the commonly used 9 year exposure scenario, OEHHA proposes to evaluate risk starting at age 0 in the surrounding general population. The weighting factors in this case increase the risk to a larger extent. Depending on the exposure scenario, the use of age-specific distributions for uptake rates for air, food and water would also increase the risk estimates significantly independent of any application of ASFs. This is because the uptake rates for all these media per unit of body weight are higher in children and, especially, infants.

Assessing risks to short-term exposures to carcinogens involves additional uncertainties. The cancer potency factors are generally based on long-term exposures. However, in reality, the local air districts in California are frequently assessing risk from short term activities related to construction, mitigation of contaminated soils, and so forth. OEHHA recommends that when assessing such shorter term projects, the districts assume a minimum of 2 years of exposure and apply the slope factors and the 10 fold ASF to such assessments. Exposure durations longer than 2 years would use the method for the remaining years as noted above.

Table 2. Example of default ASF use for a lifetime exposure (not adjusted for age-specific exposure)

Carcinogen Potency = 1 $(mg/kg\text{-}d)^{-1}$
Exposure = 0.0001 mg/kg-d
No consideration of differences of exposure

No adjustment: Lifetime Risk = potency × dose			Risk
70 year Lifetime risk = 1 × 0.0001			**1.0×10^{-4}**

With proposed default ASF of 10 for birth to age 2 and 3 for age 2 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 2 yrs)	10	2/70	0.286×10^{-4}
R (age 2 to 16 yrs)	3	13/70	0.557×10^{-4}
R (age 16 to 70 yrs)	1	55/70	0.786×10^{-4}
70 year Lifetime Risk			**1.6×10^{-4}**

With proposed default ASF of 10 for third trimester to age 2 and 3 for ages 2 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (third trimester to age 2yrs)	10	2.25/70.25	0.320×10^{-4}
R (age 2 to age 16 yrs)	3	13/70.25	0.555×10^{-4}
R (age 16 to 70 yrs)	1	55/70.25	0.783×10^{-4}
70 year Lifetime Risk			**1.66×10^{-4}**

With proposed default ASF of 10 for birth to age 5 and 3 for the ages 5 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 5)	10	4/70	0.571×10^{-4}
R (age 5 to 16 yrs)	3	11/70	0.471×10^{-4}
R (age 16 to 70 yrs)	1	55/70	0.786×10^{-4}
70 year Lifetime Risk			**1.8×10^{-4}**

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Table 3. Example of default ASF use for a 9-year exposure

Carcinogen Potency = 1 $(mg/kg\text{-}d)^{-1}$
Exposure = 0.0001 mg/kg-d
No consideration of differences of exposure

No adjustment: Total Risk = potency × dose x fraction of lifetime		Duration	Risk
9-year Total Risk		9/70	**0.13×10^{-4}**
With default ASF of 10 for birth to age 2, and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 2 yrs)	10	2/70	0.286×10^{-4}
R (age 3 to 9 yrs)	3	7/70	0.300×10^{-4}
9 year Total Risk			**0.59×10^{-4}**
With default ASF of 10 for third trimester to age 2 and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (third trimester to age 2yrs)	10	2.25/70.25	0.325×10^{-4}
R (age 2 to 9 yrs)	3	7/70.25	0.300×10^{-4}
9 year Total Risk			**0.625×10^{-4}**
With default ASF of 10 to age 5 and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 5 yrs)	10	4/70	0.571×10^{-4}
R (age 5 to 9 yrs)	3	5/70	0.214×10^{-4}
9 year Total Risk			**0.785×10^{-4}**

U.S.EPA Analysis of the Effect of Age at Exposure on Cancer Potency

U.S. EPA addressed the potential for increased susceptibility to cancer caused by environmental chemicals when the exposure occurs during an early lifestage in "Supplemental Guidance for Assessing Susceptibility from Early-Life Exposure to Carcinogens" (U.S. EPA, 2005b) (referred to henceforth as the Supplemental Guidance). This document is intended to be a companion to the revised "Guidelines for Carcinogen Risk Assessment" (U.S. EPA, 2005a). We present a summary of their analysis, which support the policy decision to weight cancer potency and therefore risk by age-at-exposure. As previously noted, there are several methodological differences between the U.S. EPA analysis and the OEHHA analysis. Of note, in the OEHHA analysis all treatment-related tumors that were observed in a given lifestage exposure experiment were taken into account in estimating cancer potency. Thus in comparing cancer potencies

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associated with early life vs. adult exposure, OEHHA compared the total cancer risk associated with exposure during a given lifestage, rather than comparing the risk for cancers at one single site in each lifestage, as the U.S. EPA did. In addition, the age groupings are a bit different in the U.S. EPA analysis than those used by OEHHA in their analysis (described above). For example, prenatal (*in utero*) exposures were not part of the analysis performed by U.S. EPA, and that Agency's analyses did not distinguish between postnatal and juvenile exposures.

U.S. EPA oral exposure cancer risk methodology relies on estimation of the lifetime average daily dose, which can account for exposure factor differences between adults and children (e.g. eating habits and body weight). However, early lifestage susceptibility differences have not been taken into consideration when cancer potency factors were calculated. The Supplemental Guidance document focused on studies that define the potential duration and degree of increased susceptibility that may arise from early-life exposures. An analysis of those studies including a detailed description of the procedures used was published in Barton *et al.* (2005) (included as Appendix I). The criteria used to decide if a study could be included in the quantitative analysis are as follows (excerpted from U.S. EPA, 2005b):

1. Exposure groups at different post-natal ages in the same study or same laboratory, if not concurrent (to control for a large number of potential cross-laboratory experimental variables including pathological examinations),
2. Same strain/species (to eliminate strain-specific responses confounding age-dependent responses),
3. Approximately the same dose within the limits of diets and drinking water intakes that obviously can vary with age (to eliminate dose-dependent responses confounding age-dependent responses),
4. Similar latency period following exposures of different ages (to control for confounding latency period for tumor expression with age-dependent responses), arising from sacrifice at >1 year for all groups exposed at different ages, where early-life exposure can occur up to about 7 weeks. Variations of around 10 to 20% in latency period are acceptable,
5. Postnatal exposure for juvenile rats and mice at ages younger than the standard 6 to 8 week start for bioassays; prenatal (*in utero*) exposures are not part of the current analysis. Studies that have postnatal exposure were included (without adjustment) even if they also involved prenatal exposure,
6. "Adult" rats and mice exposure beginning at approximately 6 to 8 weeks old or older, i.e. comparable to the age at initiation of a standard cancer bioassay (McConnell, 1992). Studies with animals only at young ages do not provide appropriate comparisons to evaluate age-dependency of response (e.g., the many neonatal mouse cancer studies). Studies in other species were used as supporting evidence, because they are relatively rare and the determination of the appropriate comparison ages across species is not simple, and
7. Number of affected animals and total number of animals examined are available or reasonably reconstructed for control, young, and adult groups (i.e., studies reporting only percent response or not including a control group would be excluded unless a reasonable estimate of historical background for the strain was obtainable).

Cancer potencies were estimated from a one-hit model (a restricted form of the Weibull time-to-tumor model), which estimates cumulative incidence for tumor onset. U.S. EPA (2005b) compared the estimated ratio of the cancer potency from early-life exposure to the estimated cancer potency from adult exposure. The general form of the equation for the tumor incidence at a particular dose, [P(dose)] is:

$$P(dose) = 1-[1-P(0)]\exp(-\text{cancer potency}*\text{dose})$$

where P(0) is the incidence of the tumor in controls. The ratio of juvenile to adult cancer potencies at a single site were calculated by fitting this model to the data for each age group. The model fit depended upon the design of the experiment that generated the data. Studies evaluated by U.S. EPA had two basic design types: experiments in which animals were exposed either as juveniles or as adults (with either a single or multiple dose in each period), and experiments in which exposure began either in the juvenile or in the adult period, but once started, continued through life.

The model equations for the first study type are:

$$P_A = P_0 + (1-P_0)\,(1-e^{-m_A \delta_A})$$

$$P_J = P_0 + (1-P_0)\,(1-e^{-m_A e^{\lambda} \delta_J})$$

where A and J refer to the adult and juvenile period, respectively, λ is the natural logarithm of the juvenile:adult cancer potency ratio, P_0 is the fraction of control animals with the particular tumor type being modeled, P_x is the fraction of animals exposed in age period x with the tumor, m_A is the cancer potency, and δ_x is the duration or number of exposures during age period x.

The goal of the model is to determine λ, which is the logarithm of the estimated ratio of juvenile to adult cancer potencies. This serves as a measure of potential susceptibility for early-life exposure.

For the second study type, the model equations take into account that exposures that were initiated in the juvenile period continue through the adult period. The model equations for the fraction of animals exposed only as adults with tumors in this design are the same as in the first study type, but the fraction of animals whose first exposure occurred in the juvenile period is:

$$P_J = P_0 + (1-P_0)\,(1-e^{-m_A e^{\lambda}(\delta_J - \delta_A) - m_A \delta_A})$$

δ_J includes the duration of exposure during the juvenile period and the subsequent adult period.

Parameters in these models were estimated using Bayesian methods and all inferences about the ratios were based on the marginal posterior distribution of λ. A complete description of these procedures (including the potential effect of alternative Bayesian priors that were examined) was published in Barton *et al.* (2005) (Appendix I). This method produced a posterior mean ratio of the early-life to adult cancer potency, which is an estimate of the potential susceptibility of early-life exposure to carcinogens. Ratios of greater or less than one indicate greater or less susceptibility from early-life exposure, respectively.

U.S. EPA reviewed several hundred studies reporting information on 67 chemicals or complex mixtures that are carcinogenic via perinatal exposure. Eighteen chemicals were identified which had animal study designs involving early-life and adult exposures in the same experiment. Of those 18 chemicals, there were overlapping subsets of 11 chemicals involving repeated exposures during early postnatal and adult lifestages and 8 chemicals using acute exposures (usually single doses) at different ages. Those chemicals are listed in Table 4~~Table 4Table 4~~.

Table 4 Chemicals having animal cancer study data available with early-life and adult exposures in the same experiment.

Chemical	Study Type
Amitrole	repeat dosing
Benzidine	repeat dosing
Benzo[a]pyrene (BaP)	acute exposure
Dibenzanthracene (DBA)	acute exposure
Dichlorodiphenyltrichloroethane (DDT)	lifetime exposure, repeat dosing
Dieldrin	lifetime exposure, repeat dosing
Diethylnitrosamine (DEN)	acute exposure, lifetime exposure
Dimethylbenz[a]anthracene (DMBA)	acute exposure
Dimethylnitrosamine (DMN)	acute exposure
Diphenylhydantoin, 5,5-(DPH)	lifetime exposure, repeat dosing
Ethylnitrosourea (ENU)	acute exposure
Ethylene thiourea (ETU)	lifetime exposure, repeat dosing
3-Methylcholanthrene (3-MC)	repeat dosing
Methylnitrosourea (NMU)	acute exposure
Polybrominated biphenyls (PBBs)	lifetime exposure, repeat dosing
Safrole	lifetime exposure, repeat dosing
Urethane	acute exposure, lifetime exposure
Vinyl chloride (VC)	repeat dosing

U.S. EPA calculated the difference in susceptibility between early-life and adult exposure as the estimated ratio of cancer potency at specific sites from early-life exposure over the cancer potency from adult exposure for each of the studies that were determined qualitatively to have appropriate study designs and adequate data. The results were grouped into four categories: 1) mutagenic chemicals administered by a chronic dosing regimen to adults and repeated dosing in the early postnatal period (benzidine, diethylnitrosamine, 3-methylcholanthrene, safrole, urethane and vinyl chloride); 2) chemicals without positive mutagenicity data administered by a chronic dosing regimen to adults and repeated dosing in the early postnatal period (amitrole, dichlorodiphenyltrichloroethane (DDT), dieldrin, ethylene thiourea, diphenylhydantoin, polybrominated biphenyls); 3) mutagenic chemicals administered by an acute dosing regimen

(benzo[*a*]pyrene, dibenzanthracene, diethylnitrosamine, dimethylbenzanthracene, dimethylnitrosamine, ethylnitrosourea, methylnitrosourea and urethane); 4) chemicals with or without positive mutagenicity data with chronic adult dosing and repeated early postnatal dosing.

The acute dosing animal cancer studies were considered qualitatively useful by U.S. EPA because they involve identical exposures with defined doses and time periods demonstrating that differential tumor incidences arise exclusively from age-dependent susceptibility. However, they were not used to derive a quantitative cancer potency factor age adjustment, primarily because most of the studies used subcutaneous or intraperitoneal injection as a route of exposure. These methods have not been considered quantitatively relevant routes of environmental exposure for human cancer risk assessment by U.S. EPA, for reasons including the fact that these routes of exposure are expected to have a partial or complete absence of first pass metabolism which could affect potency estimates. Additionally, U.S. EPA decided that cancer potency estimates are usually derived from chronic exposures, and therefore, any adjustment to those potencies should be from similar exposures.

The repeated dosing studies with mutagenic chemicals using exposures during early postnatal and adult lifestages were used to develop a quantitative cancer potency factor age adjustment. Studies with repeated early postnatal exposure were included in the analysis even if they also involved earlier maternal and/or prenatal exposure, while studies addressing only prenatal exposure were not used in the analysis. The weighted geometric mean susceptibility ratio (juvenile to adult) for repeated and lifetime exposures in this case was 10.4 (range 0.12 – 111, 42% of ratios greater than 1).

USEPA suggests the use of age-dependent-adjustment factors (ADAF) for chemicals acting through a mutagenic mode of action., based on the results of the preceding analysis, which concluded that cancer risks generally are higher from early-life exposure than from similar exposure doses and durations later in life:

1. For exposures before 2 years of age (i.e., spanning a 2-year time interval from the first day of birth until a child's second birthday), a 10-fold ADAF.

2. For exposures between 2 and <16 years of age (i.e., spanning a 14-year time interval from a child's second birthday until their sixteenth birthday), a 3-fold ADAF.

3. For exposures after turning 16 years of age, no adjustment (ADAF=1).

The ADAF of 10 used for the 0 – 2 years of age range is approximately the weighted geometric mean cancer potency ratio from juvenile versus adult exposures in the repeated dosing studies. U.S. EPA considered this period to display the greatest toxicokinetic and toxicodynamic differences between children and adults. Data were not available to calculate a specific dose-response adjustment factor for the 2 to <16-year age range, so EPA selected an ADAF of 3 because it was half the logarithmic scale difference between the 10-fold adjustment for the first two years of life and no adjustment (*i.e.*, 1-fold) for adult exposure. The ADAF of 3 represents an intermediate level of adjustment applied after 2 years of age through <16 years of age. The upper age limit (16 years of age) reflects the end of puberty and the attainment of a final body height. U.S. EPA recognizes that the use of a weighted geometric mean of the available study

data to develop an ADAF for cancer potencies may either overestimate or underestimate the actual early-life cancer potency for specific chemicals, and therefore emphasizes in the Supplemental Guidance that chemical-specific data should be used in preference to these default adjustment factors whenever such data are available.

U.S. EPA is recommending the ADAFs described above only for mutagenic carcinogens, because the data for non-mutagenic carcinogens were considered to be too limited and the modes of action too diverse to use this as a category for which a general default adjustment factor approach can be applied. OEHHA considers this approach to be insufficiently health protective. There is no obvious reason to suppose that the toxicokinetics of non-mutagens would be systematically different from those of mutagens. It would also be inappropriate to assume by default that non-mutagenic carcinogens are assumed to need a toxicodynamic correction factor of 1. Most if not all of the factors that make individuals exposed to carcinogens during an early-lifestage potentially more susceptible than those individuals exposed during adulthood also apply to non-mutagenic carcinogen exposures (*e.g.*, rapid growth and development of target tissues, potentially greater sensitivity to hormonal carcinogens, differences in metabolism). It should also be noted that carcinogens that do not cause gene mutations may still be genotoxic by virtue of causing chromosomal damage. Additionally, many carcinogens do not have adequate data available for deciding on a specific mode of action, or do not necessarily have a single mode of action. For these reasons, OEHHA will apply the default cancer potency factor age adjustments described above to all carcinogens unless data are available which allow for the development of chemical-specific cancer potency factor age adjustments. In those cases, an agent-specific model of age dependence (based on observational or experimental data) might be used, or alternative (larger or smaller) adjustment factors and age ranges may be applied where understanding of the mechanism of action and target tissues makes this appropriate.

Other Source Documents for Cancer Risk Assessment Guidance

As noted previously, the cancer potencies and unit risks tabulated in this technical support document have been developed by various programs over a number of years. The methods used therefore necessarily varied according to the date of the assessment and the program responsible. The following section summarizes the sources and procedures most commonly applied, and their historical context where this is apposite.

United States Environmental Protection Agency (U.S. EPA)

The U.S. EPA was one of the first regulatory agencies to develop and apply cancer risk assessment methodology. Their guidance documents and technical publications have been influential for many programs, including the California Air Toxics (Toxic Air Contaminants and Hot Spots) programs.

Guidelines for Carcinogen Risk Assessment (U.S. EPA, 1986)

Prior to the more recent guidelines updating project which, after nearly ten years of internal and public review drafts culminated in the 2005 final revision (see below), U.S. EPA carcinogen risk assessment procedures were generally as described in Anderson *et al.* (1983) and "Guidelines for Carcinogen Risk Assessment" (U.S. EPA, 1986). These methods, which are outlined below, were used to calculate the Integrated Risk Information System (IRIS) cancer potency values, some of which are cited in this document. U.S. EPA has always indicated that cancer risk estimates based on adequate human epidemiologic data are preferred if available over estimates based on animal data. Although the newer guidelines offer alternative methods for dose-response analysis of animal bioassays, and updated consideration of specific topics such as lifestage-related differences in sensitivity, and mechanism of action for some types of carcinogen, the underlying principles, and many of the specific procedures developed in these original guidelines are still applicable and in use.

U.S. EPA Calculation of Carcinogenic Potency Based on Animal Data

In extrapolating low-dose human cancer risk from animal carcinogenicity data, it is generally assumed that most agents that cause cancer also damage DNA, and that the quantal type of biological response characteristic of mutagenesis is associated with a linear non-threshold dose-response relationship. U.S. EPA stated that the risk assessments made with this model should be regarded as conservative, representing the most plausible upper limit for the risk. The mathematical expression used by U.S. EPA in the 1986 guidelines to describe the linear non-threshold dose-response relationship at low doses is the linearized multistage procedure developed by Crump (1980). This model is capable of fitting almost any monotonically increasing dose-response data, and incorporates a procedure for estimating the largest possible linear slope at low extrapolated doses that is consistent with the data at all experimental dose levels. A description of the linearized multistage procedure has been provided above (page 292928). U.S. EPA used an updated version (GLOBAL86, Howe *et al.*, 1986) of the computer program GLOBAL79 developed by Crump and Watson (1979) to calculate the point estimate and the 95% upper confidence limit of the extra risk $A(d)$.

U.S. EPA separated tumor incidence data according to organ sites or tumor types. The incidence of benign and malignant tumors was combined whenever scientifically defensible. U.S. EPA considered this incidence combination scientifically defensible unless the benign tumors are not considered to have the potential to progress to the associated malignancies of the same histogenic origin. The primary comparison in carcinogenicity evaluation is tumor response in dosed animals as compared to contemporary matched control animals. However, U.S. EPA stated that historical control data could be used along with concurrent control data in the evaluation of carcinogenic responses, and notes that for the evaluation of rare tumors, even small tumor responses may be significant compared to historical data. If several data sets (dose and tumor incidence) are available (different animal species, strains, sexes, exposure levels, exposure routes) for a particular chemical, the data set used in the model was the set where the incidence is statistically significantly higher than the control for at least one test dose level and/or where the tumor incidence rate shows a statistically significant trend with respect to dose level. The data set generating the highest lifetime cancer risk estimate (q_1^*) was chosen where appropriate. An example of an inappropriate data set would be a set which generates an artifactually high risk estimate because of a very small number of animals used. If there are 2 or more data sets of comparable size for a particular chemical that are identical with respect to species, strain, sex and tumor sites, the geometric mean of q_1^* estimated from each of those data sets was used for risk estimation. U.S. EPA assumed that mg/surface area/day is an equivalent dose between species. Surface area was further assumed to be proportional to the 2/3 power of the weight of the animal in question. Equivalent dose was therefore computed using the following relationship:

$$\mathrm{d} = \frac{l_e * m}{L_e * W^{2/3}}$$

where L_e = experimental duration, l_e = exposure duration, m = average dose (mg/day) and W = average animal weight. Default average body weights for humans, rats and mice are 70, 0.35 and 0.03 kg, respectively.

Exposure data expressed as ppm in the diet were generally converted to mg/day using the relationship m = ppm * F * r, where ppm is parts per million of the chemical in the diet, F is the weight of the food consumed per day in kg, and r is the absorption fraction (assumed to be 1 in the absence of data indicating otherwise). The weight of food consumed, calories required, and animal surface area were generally all considered to be proportional to the 2/3 power of the animal weight, so:

$$m \propto \text{ppm} * W^{2/3} * r, \text{ or } \quad \frac{m}{rW^{2/3}} \propto \text{ppm}$$

The relationship could lead to the assumption that dietary ppm is an equivalent exposure between species. However, U.S. EPA did not believe that this assumption is justified, since the calories/kg food consumed by humans is significantly different from that consumed by laboratory animals (primarily due to differences in moisture content). An empirically derived food factor, $f = F/W$ was used, which is the fraction of a species' body weight consumed per day as food. U.S. EPA (1986) gave the f values for humans, rats and mice as 0.028, 0.05 and 0.13, respectively.

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Dietary exposures expressed as concentrations in ppm were converted to mg/surface area using the following relationship:

$$\frac{m}{r * W^{2/3}} = \frac{\text{ppm} * F}{W^{2/3}} = \frac{\text{ppm} * f * W}{W^{2/3}} = \text{ppm} * f * W^{2/3}$$

Exposures expressed as mg/kg/day ($m/Wr = s$) were converted to mg/surface area using the relationship:

$$\frac{m}{rW^{2/3}} = s * W^{2/3}$$

The calculation of dose when exposure is via inhalation was performed for cases where 1) the chemical is either a completely water-soluble gas or aerosol and is absorbed proportionally to the amount of inspired air, or 2) where the chemical is a partly water-soluble gas which reaches an equilibrium between the inspired air and body compartments. After equilibrium is attained, the rate of absorption is proportional to metabolic rate, which is proportional to the rate of oxygen consumption, which is related to surface area.

Exposure expressed as mg/day to completely water-soluble gas or aerosols can be calculated using the expression $m = I * v * r$, where I is the inspiration rate/day in m^3, v is the concentration of the chemical in air (mg/m^3), and r is the absorption fraction (assumed to be the same for all species in the absence of data to the contrary; usually 1). For humans, the default inspiration rate of 20 m^3 has been adopted. Inspiration rates for 113 g rats and 25 g mice have been reported to be 105 and 34.5 liters/day, respectively. Surface area proportionality can be used to determine inspiration rate for rats and mice of other weights; for mice, $I = 0.0345\ (W / 0.025)^{2/3}\ m^3/day$; for rats, $I = 0.105\ (W / 0.113)^{2/3}\ m^3/day$. The empirical factors for air intake/kg/day (i) for humans, rats and mice are 0.29, 0.64 and 1.3, respectively. Equivalent exposures in mg/surface area can be calculated using the relationship:

$$\frac{m}{W^{2/3}} = \frac{Ivr}{W^{2/3}} = \frac{iWvr}{W^{2/3}} = iW^{1/3}vr$$

Exposure expressed as mg/day to partly water-soluble gases is proportional to surface area and to the solubility of the gas in body fluids (expressed as an absorption coefficient r for that gas). Equivalent exposures in mg/surface area can be calculated using the relationships $m = kW^{2/3} * v * r$, and $d = m/W^{2/3} = kvr$. The further assumption is made that in the case of route-to-route extrapolations (e.g., where animal exposure is via the oral route, and human exposure is via inhalation, or vice versa), unless pharmacokinetic data to the contrary exist, absorption is equal by either exposure route.

Adjustments were made for experimental exposure durations shorter than the lifetime of the test animal; the slope q_1^* was increased by the factor $(L/L_e)^3$, where L is the normal lifespan of the experimental animal and L_e is the duration of the experiment. This assumed that if the average dose d is continued, the age-specific rate of cancer will continue to increase as a constant function of the background rate. Since age-specific rates for humans increase by at least the 2nd power of the age, and often by a considerably higher power (Doll, 1971), there is an expectation

that the cumulative tumor rate, and therefore q_1^*, will increase by at least the 3rd power of age. If the slope q_1^* is calculated at age L_e, it would be expected that if the experiment was continued for the full lifespan L at the same average dose, the slope q_1^* would have been increased by at least $(L/L_e)^3$.

U.S. EPA Calculation of Carcinogenic Potency Based on Human Data

U.S. EPA stated that existing human epidemiologic studies with sufficiently valid exposure characterization are always used in evaluating the cancer potency of a chemical. If they showed a carcinogenic effect, the data were analyzed to provide an estimate of the linear dependence of cancer rates on lifetime cancer dose (equivalent to the factor q_1^*). If no carcinogenic effect was demonstrated and carcinogenicity had been demonstrated in animals, then it was assumed that a risk does exist, but it is smaller than could have been observed in the epidemiologic study. An upper limit of cancer incidence was calculated assuming that the true incidence is just below the level of detection in the cohort studied, which is largely determined by the cohort size. Whenever possible, human data are used in preference to animal data. In human epidemiologic studies, the response is measured as the relative risk of the exposed cohort of individuals compared to the control group. The excess risk ($R(X)$ - 1, where $R(X)$ is relative risk) was assumed to be proportional to the lifetime average exposure X, and to be the same for all ages. The carcinogenic potency is then equal to $[R(X) - 1]/X$ multiplied by the lifetime risk at that site in the general population. According to this original procedure, the confidence limit for the excess risk was not usually calculated: this decision was ascribed to the difficulty in accounting for inherent uncertainty in the exposure and cancer response data. More recent assessments have taken the opposite view and attempted to calculate and characterize this uncertainty by determining confidence limits, *inter alia*.

Guidelines for Carcinogen Risk Assessment (U.S. EPA, 2005a)

U.S. EPA revised its "Guidelines for Carcinogen Risk Assessment" (referred to henceforth as the "U.S. EPA Guidelines") in 2005. Compared to the 1986 version of this document, more emphasis is placed on establishing a "mode of action" (MOA). The following excerpt provides a definition of this term:

> "The term "mode of action" is defined as a sequence of key events and processes, starting with interaction of an agent with a cell, proceeding through operational and anatomical changes, and resulting in cancer formation. A "key event" is an empirically observable precursor step that is itself a necessary element of the mode of action or is a biologically based marker for such an element. Mode of action is contrasted with "mechanism of action," which implies a more detailed understanding and description of events, often at the molecular level, than is meant by mode of action".

Cancer risk assessments performed under the prior U.S. EPA Guidelines sometimes included a MOA description. However, the 1986 U.S. EPA Guidelines did not explicitly mandate the development of a MOA description in cancer risk assessments.

The MOA information is then used to govern how a cancer risk assessment shall proceed. Tumor incidence data sets arising from a MOA judged to be not relevant to humans are not used

to extrapolate a cancer potency factor. If an MOA cannot be determined or is determined to have a low-dose linear dose-response and a nonmutagenic MOA, then a linear extrapolation method is used to develop a cancer potency factor. The same linear extrapolation is used for all lifestages, unless chemical specific information on lifestage or population sensitivity is available. Carcinogens that act via an MOA judged to have a nonlinear low-dose dose response are modeled using MOA data, or the RfD/RfC risk assessment method is used as a default. Adjustments for susceptible lifestages or populations are to be performed as part of the risk assessment process.

If a carcinogen is deemed to act via a mutagenic MOA, then the data from the MOA analysis is evaluated to determine if chemical-specific differences between adults and juveniles exist and can be used to develop a chemical-specific risk estimate incorporating lifestage susceptibility. If this cannot be done, then early-life susceptibility is assumed, and age-dependent adjustment factors (ADAFs) are applied as appropriate to develop risk estimates. In cases where it is not possible to develop a toxicokinetic model to perform cross-species scaling of animal tumor data sets which arise from oral exposures, the U.S. EPA Guidelines state that administered doses should be scaled from animals to humans on the basis of equivalence of $mg/kg^{3/4}$-d (milligrams of the agent normalized by the 3/4 power of body weight per day). This is a departure from the 1986 U.S. EPA guidelines, which used a 2/3 power of body weight normalization factor. Other adjustments for dose timing, duration and route are generally assumed to be handled in similar fashion to that described for the 1986 guidelines, although of course updated parameter values would be used where available.

The 2005 U.S. EPA Guidelines also use benchmark dose methodology (described above, page 27) to develop a "point-of departure" (POD) from tumor incidence data. For linear extrapolation, the POD is used to calculate a cancer potency factor, and for nonlinear extrapolation the POD is used in the calculation of a reference dose (RfD) or reference concentration (RfC).

It should be noted that none of the cancer potency factors listed in this document were obtained from U.S. EPA risk assessments performed under the 2005 U.S. EPA Guidelines. All U.S. EPA IRIS cancer potency values contained in this document were obtained from risk assessments using the 1986 U.S. EPA Guidelines.

Office of Environmental Health Hazard Assessment (OEHHA), California Environmental Protection Agency

The cancer risk assessment procedures originally used by the Office of Environmental Health Hazard Assessment (OEHHA) are outlined in "Guidelines for Chemical Carcinogen Risk Assessments and their Scientific Rationale" (referred to below as the Guidelines) (CDHS, 1985). These procedures were generally used in generating Toxic Air Contaminant (TAC) cancer potency values, standard Proposition 65 cancer potency values and Public Health Goal (PHG) cancer potency values. Expedited Proposition 65 cancer potency values depart somewhat from those procedures and are discussed separately below.

OEHHA cancer risk assessment methodology as described by CDHS (1985) generally resembled that used at that time by U.S. EPA (Anderson *et al.*, 1983; U.S. EPA, 1986). OEHHA risk

assessment practice similarly reflects the evolution of the technical methodology (e.g. as described in U.S. EPA, 2005a) since the original guidelines were published. The basic principles and procedures described below are still considered applicable. More recent additions to OEHHA cancer risk assessment methods such as the use of benchmark dose methodologies and early-lifestage cancer potency adjustments are discussed above. The Guidelines state that both animal and human data, when available, should be part of the dose-response assessment.

OEHHA Calculation of Carcinogenic Potency Based on Animal Data

The procedures used to extrapolate low-dose human cancer risk from animal carcinogenicity data assumed that a carcinogenic change induced in a cell is transmitted to successive generations of cell descendents, and that the initial change in the cell is an alteration (e.g. mutation, rearrangement, etc.) in the cellular DNA. Non-threshold models are used to extrapolate to low-dose human cancer risk from animal carcinogenicity data.

Several models were proposed for extrapolating low-dose human cancer risk from animal carcinogenicity data in the original Guidelines. These models include the Mantel-Bryan method (log-probit model), the one-hit model, the linearized multistage procedure, the gamma multihit model, and a number of time-to-tumor models. The Guidelines stated that time-to-tumor models (i.e., a Weibull-in-time model) should be used for low-dose extrapolation in all cases where supporting data are available, particularly when survival is poor due to competing toxicity. However, the Guidelines also noted the difficulty of determining the actual response times in an experiment. Internal tumors are generally difficult to detect in live animals and their presence is usually detected only at necropsy. Additionally, use of these models often requires making the determination of whether a tumor was the cause of death, or was found only coincidentally at necropsy when death was due to other causes. Further, competing causes of death, such as chemical toxicity, may decrease the observed time-to-tumor for nonlethal cancers by allowing earlier necropsy of animals in higher dose groups. The linearized multistage (LMS) procedure was noted as being an appropriate method for dose extrapolation in most cases, with the primary exception being a situation in which sufficient empirical data are available to indicate a dose-response curve of a "quasi-threshold" type (e.g., flat for two or three dose levels, then curving sharply upwards). In this case, the LMS procedure may underestimate the number of stages and overestimate the low-dose risks. In this case, the gamma multihit model was suggested as being a potential alternative. The Mantel-Bryan model was described as having little biological basis as applied to carcinogenesis, and being likely to underestimate risks at low doses. The Guidelines stated that this model should not be used for low dose extrapolation. More recent practice has departed from these original guidelines in some respects, for instance by experimenting with cell-proliferation based models in a few cases: however the LMS model remained the preferred extrapolation model for most purposes. Some of the difficulties in achieving a satisfactory fit to tumor incidence data were found to be alleviated by application of toxicokinetic models and use of an internal rather than applied dose metric with the LMS model. This has resulted in the alternative models originally advocated (Gamma multihit, Mantel-Bryan) being mostly abandoned. As noted above (Dose-Response Assessment, page 23), the use of allegedly biologically based statistical models such as LMS has fallen from favor in recent years, and benchmark dose methodology has become the preferred method for extrapolating cancer potency values from animal cancer incidence data. However, it should also be noted that results

generated by the LMS model and benchmark dose methodology from the same data set are often quite similar.

The 1985 Guidelines stated that both animal and human data, when available, should be part of the dose-response assessment. Although preference was given to human data when these were of adequate quality, animal studies may provide important supporting evidence. Low-dose extrapolation of human cancer risk from animal carcinogenicity data was generally based on the most sensitive site, species and study demonstrating carcinogenicity of a particular chemical, unless other evidence indicates that the data set in question is not appropriate for use. Where both benign and malignant tumors are induced at the same site and the benign tumors are considered to have the potential to progress to malignant tumors, the incidence data for both types of tumors could be combined to form the basis for risk assessment. Pharmacokinetic data on chemical metabolism, effective dose at target site, or species differences between laboratory test animals and humans were considered in dose-response assessments when available. In performing exposure scaling from animals to humans, the "surface area" correction (correcting by the 2/3 power of body weight) was used unless specific data indicates that this should not be done. The Guidelines assumed that in the absence of evidence to the contrary, chemicals that cause cancer after exposure by ingestion will also cause cancer after exposure by inhalation, and vice versa. These original proposals have continued in use with little change except that currently, TAC and PHG cancer potency factor calculations use a 3/4 power of body weight correction for interspecies scaling, in line with current U.S. EPA practice. The standard Proposition 65 cancer potency factor calculations still use a 2/3 power correction because the cancer potency calculation method is specified in regulation (California Health and Safety Code 25249.5 *et seq.*).

Cancer unit risk factors [in units of $(\mu g/m^3)^{-1}$]have been calculated from cancer potency factors [in units of $(mg/kg\text{-}day)^{-1}$] using the following relationship:

$$UR = \frac{CPF * 20\ m^3}{70\ kg\ *\ CV}$$

where UR is the cancer unit risk, CPF is the cancer potency factor, 70 kg is the reference human body weight, 20 m^3 is the reference human inspiration rate/day, and CV is the conversion factor from mg to µg (= 1000). The cancer unit risk describes the excess cancer risk associated with an inhalation exposure to a concentration of 1 $\mu g/m^3$ of a given chemical; the cancer potency factor describes the excess cancer risk associated with exposure to 1 mg of a given chemical per kilogram of body weight.

It should be noted that although this default method is still used in deriving published cancer unit risk values, for site-specific risk assessments age-appropriate distributions and percentile values are used in the current version of the Hot Spots exposure assessment document. Where exposure to children occurs (as it does in most exposures to the general population surrounding a source site) it is also necessary to apply the age-specific adjustment factors for the appropriate durations in accordance with the guidance offered above (Page 30 *et seq.*).

OEHHA Calculation of Carcinogenic Potency Based on Human Data

Human epidemiologic studies with adequate exposure characterization are used to evaluate the cancer potency of a chemical. If they show a carcinogenic effect, the data are analyzed to provide an estimate of the linear dependence of cancer rates on lifetime cancer dose. The 1985 Guidelines stated that with continuous exposure, age-specific incidence continues to increase as a power function (e.g., t^3 or t^4) of the elapsed time since initial exposure. Lifetime risks can be estimated by applying such a power function to the observed data and extrapolating beyond the actual followup period. OEHHA has generally undertaken the calculation of study power and confidence bounds on the potency estimate as important tools to establish the credibility of the estimate obtained and in comparing this with other estimates (from other human studies or from animal data). Due to the diversity in quality and type of epidemiological data, the specific approaches used in OEHHA risk assessments based on human epidemiologic studies vary on a case by case basis rather than following explicit general guidelines. Examples of the methods used can be observed in the Toxic Air Contaminant documents (these documents are listed in Appendix D: the methods used are described in the compound summaries provided in Appendix B).

Expedited Proposition 65 Cancer Risk Assessment Methodology

Expedited cancer potency values developed for several agents listed as carcinogens under Proposition 65 (California Health and Safety Code 25249.5 *et seq.*) were derived from selected animal carcinogenicity data sets of the Carcinogenic Potency Database (CPDB) of Gold *et al.* (1984, 1986, 1987, 1989, 1990, 1997) using default procedures specified in the administrative regulations for Proposition 65 (Title 22 California Code of Regulations [CCR] 12703). OEHHA hazard assessments usually describe all relevant data on the carcinogenicity (including dose-response characteristics) of the chemical under examination, followed by an evaluation of any pharmacokinetic and mechanistic (e.g. genotoxicity) data. An evaluation of the data set for the chemical may indicate that adjustments in target dose estimates or use of a dose response model different from the default are appropriate. The procedure used to derive expedited Proposition 65 cancer potency values differs from the usual methodology in two ways. First, it relies on cancer dose response data evaluated and extracted from the original literature by Gold *et al.* Second, the choice of a linearized multistage procedure for generating cancer potency values is automatic, and pharmacokinetic adjustments are not performed. The methods used to develop expedited cancer potency values incorporate the following assumptions:

1. The dose response relationship for carcinogenic effects in the most sensitive species tested is representative of that in humans.
2. Observed experimental results can be extrapolated across species by use of the interspecies factor based on "surface area scaling."
3. The dose to the tissue giving rise to a tumor is assumed to be proportional to the administered dose.
4. The linearized multistage polynomial procedure can be used to extrapolate potency outside the range of experimental observations to yield estimates of "low" dose potency.
5. Cancer risk increases with the third power of age.

The Carcinogenic Potency Database of Gold *et al.* (1984, 1986, 1987, 1989, 1990) contains the results of more than 4000 chronic laboratory animal experiments on 1050 chemicals by combining published literature with the results of Federal chemical testing programs (Technical Reports from the Carcinogenesis Bioassay Program of the National Cancer Institute (NCI)/National Toxicology Program (NTP) published prior to June 1987). The published literature was searched (Gold *et al.*, 1984) through the period December 1986 for carcinogenicity bioassays; the search included the Public Health Service publication "Survey of Compounds Which Have Been Tested for Carcinogenic Activity" (1948-1973 and 1978), monographs on chemical carcinogens prepared by the International Agency for Research on Cancer (IARC) and Current Contents. Also searched were Carcinogenesis Abstracts and the following journals: British Journal of Cancer, Cancer Letters, Cancer Research, Carcinogenesis, Chemosphere, Environmental Health Perspectives, European Journal of Cancer, Food and Cosmetics Toxicology, Gann, International Journal of Cancer, Journal of Cancer Research and Clinical Oncology (formerly Zeitschrift fur Krebsforschung und Klinische Onkologie), Journal of Environmental Pathology and Toxicology, Journal of Toxicology and Environmental Health, Journal of the National Cancer Institute, and Toxicology and Applied Pharmacology. Studies were included in the database if they met the following conditions:

1. The test animals were mammals.
2. Chemical exposure was started early in life (100 days of age or less for hamsters, mice and rats).
3. Route of administration was via the diet, drinking water, gavage, inhalation, intravenous injection or intraperitoneal injection.
4. The test chemical was administered alone (not in combination with other chemicals).
5. Chemical exposure was chronic (*i.e.*, duration of exposure was at least one-fourth the standard lifespan for that species), with not more than 7 days between exposures.
6. The experiment duration was at least half the standard lifespan for the species used.
7. The study design included a control group and at least 5 animals/exposure group.
8. No surgical interventions were performed.
9. Pathology data were reported for the number of animals with tumors (not total number of tumors).
10. All results reported were original data (not analysis of data reported by other authors).

Included in their data set tabulations are estimates of average doses used in the bioassay, resulting tumor incidences for each of the dose levels employed for sites where significant responses were observed, dosing period, length of study and histopathology. Average daily dose levels were calculated assuming 100% absorption. Dose calculations follow procedures similar to those of Cal/EPA and U.S. EPA; details on methods used and standard values for animal lifespans, body weights, and diet, water and air intake are listed in Gold *et al.* (1984). OEHHA (1992) reviewed the quality assurance, literature review, and control procedures used in compiling the data and found them to be sufficient for use in an expedited procedure. Cancer potency estimates were derived by applying the mathematical approach described in the section below to dose response data in the Gold *et al.* database.

The following criteria were used for data selection:

1. Data sets with statistically significant increases in cancer incidence with dose ($p \leq 0.05$) were used. (If the authors of the bioassay report considered a statistically significant result to be unrelated to the exposure to the carcinogen, the associated data set was not used.)
2. Data sets were not selected if the endpoint was specified as "all tumor-bearing animals" or results were from a combination of unrelated tissues and tumors.
3. When several studies were available, and one study stood out as being of higher quality due to numbers of dose groups, magnitude of the dose applied, duration of study, or other factors, the higher quality study was chosen as the basis for potency calculation if study results were consistent with those of the other bioassays listed.
4. When there were multiple studies of similar quality in the sensitive species, the geometric mean of potencies derived from these studies was taken. If the same experimentalists tested two sexes of the same species/strain under the same laboratory conditions, and no other adequate studies were available for that species, the data set for the more sensitive sex was selected.
5. Potency was derived from data sets that tabulate malignant tumors, combined malignant and benign tumors, or tumors that would have likely progressed to malignancy.

Cancer potency was defined as the slope of the dose response curve at low doses. Following the default approach, this slope was estimated from the dose response data collected at high doses and assumed to hold at very low doses. The Crump linearized multistage polynomial (Crump *et al.*, 1977) was fit to animal bioassay data:

$$\text{Probability of cancer} = 1 - \exp[-(q_0 + q_1 d + q_2 d^2 + \ldots)]$$

Cancer potency was estimated from the upper 95 % confidence bound on the linear coefficient q_1, which is termed q_1^*.

For a given chemical, the model was fit to a number of data sets. As discussed in the section above, the default was to select the data for the most sensitive target organ in the most sensitive species and sex, unless data indicated that this was inappropriate. Deviations from this default occur, for example, when there are several bioassays or large differences exist between potency values calculated from available data sets.

Carcinogenicity bioassays using mice and/or rats will often use an exposure duration of approximately two years. For standard risk assessments, this is the assumed lifespan for these species. Animals in experiments of shorter duration are at a lower risk of developing tumors than those in the standard bioassay; thus potency is underestimated unless an adjustment for experimental duration is made. In estimating potency, short duration of an experiment was taken into account by multiplying q_1^* by a correction factor equal to the cube of the ratio of the assumed standard lifespan of the animal to the duration of the experiment (T_e). This assumes that the cancer hazard would have increased with the third power of the age of the animals had they lived longer:

$$q_{animal} = q_1^* * (104 \text{ weeks}/T_e)^3$$

In some cases excess mortality may occur during a bioassay, and the number of initial animals subject to late occurring tumors may be significantly reduced. In such situations, the above described procedure can, at times, significantly underestimate potency. A time-dependent model fit to individual animal data (i.e., the data set with the tumor status and time of death for each animal under study) may provide better potency estimates. When Gold *et al.* indicated that survival was poor for a selected data set, a time-dependent analysis was attempted if the required data were available in the Tox Risk (Crump *et al.*, 1991) data base. The Weibull multistage model (Weibull-in-time; multistage-in-dose) was fit to the individual animal data.

To estimate human cancer potency, q_{animal} values derived from bioassay data were multiplied by an interspecies scaling factor (K; the ratio of human body weight (bw_h) to test animal body weight (bw_a), taken to the 1/3 power (Anderson *et al.*, 1983)):

$$K = (bw_h/bw_a)^{1/3}$$

Thus, cancer potency = $q_{human} = K * q_{animal}$

Chemical-specific Descriptions of Cancer Potency Value Derivations

Unit Risk and potency values for chemicals whose cancer potency values were obtained from Toxic Air Contaminant documents, standard or expedited Proposition 65 documents, U.S. EPA's Integrated Risk Information System (IRIS) documents and Health Effects Assessment Summary Table (HEAST) entries, or from other documents prepared by OEHHA's Air Toxicology and Epidemiology Branch or Pesticide and Environmental Toxicology Branch are presented in Appendix A. Information summaries for these chemicals are presented in Appendix B.

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U.S. Department of Housing and Urban Development
Office of Community Planning and Development

The Noise Guidebook

MV00171904

The Noise Guidebook

A Reference Document for Implementing the Department of Housing and Urban Development's Noise Policy

Prepared By The Environmental Planning Division,
Office of Environment and Energy

For sale by the Superintendent of Documents, U.S. Government Printing Office Washington, D.C. 20402

Preface

Introduction

This *Noise Guidebook* has been prepared to serve as the basic reference document for all HUD field staff who are responsible for implementing the Department's noise policy. It brings together in one place all the various reports, informational papers and other items that have been put out by the Department over the past several years. It also contains several new items designed to make your job easier.

This *Guidebook* is designed to serve not only the experienced HUD staff member but also the new employee or the old employee who is new to the noise field. Because of this, the *Guidebook* contains some fairly basic background material as well as quizzes and other material specifically geared for the "learner."

Chapter 1

Basic Overview of the Environmental Noise Problem

Introduction

Background

Definition and Scope of the Noise Problem

The air around us is constantly filled with sounds, yet most of us would probably not say we are surrounded by noise. What then is the difference between ordinary sound and what we call noise? The traditional definition of noise is that it is "unwanted sound." Sound becomes unwanted when it either interferes with our normal activities such as sleeping, conversation or recreation, when it causes actual physical harm such as hearing loss or has adverse effects on mental health. As we have become a more urbanized country and as technology has advanced, the level of sound in our environment has reached the point when it sometimes does cause interference and does cause physical and psychological harm, and thus we have developed a noise problem. (See Figure 1 for a listing of common sounds.)

The dimensions of the noise problem have grown larger and larger over the past few decades. In its 1979 Annual Report, The Council on Environmental Quality stated that "nearly half the US population is regularly exposed to levels of noise that interfere with ...normal activities" and about "1 in 10 ...are exposed to noises of duration and intensity sufficient to cause a permanent reduction in their ability to hear."

Figure 1
Common Sounds
Basic Theory: Common Sounds in Decibels (dB)

Some common, easily recognized sounds are listed below in order of increasing sound intensity levels in decibels. The sound levels shown for occupied rooms are typical general activity levels only and do *not* represent criteria for design.

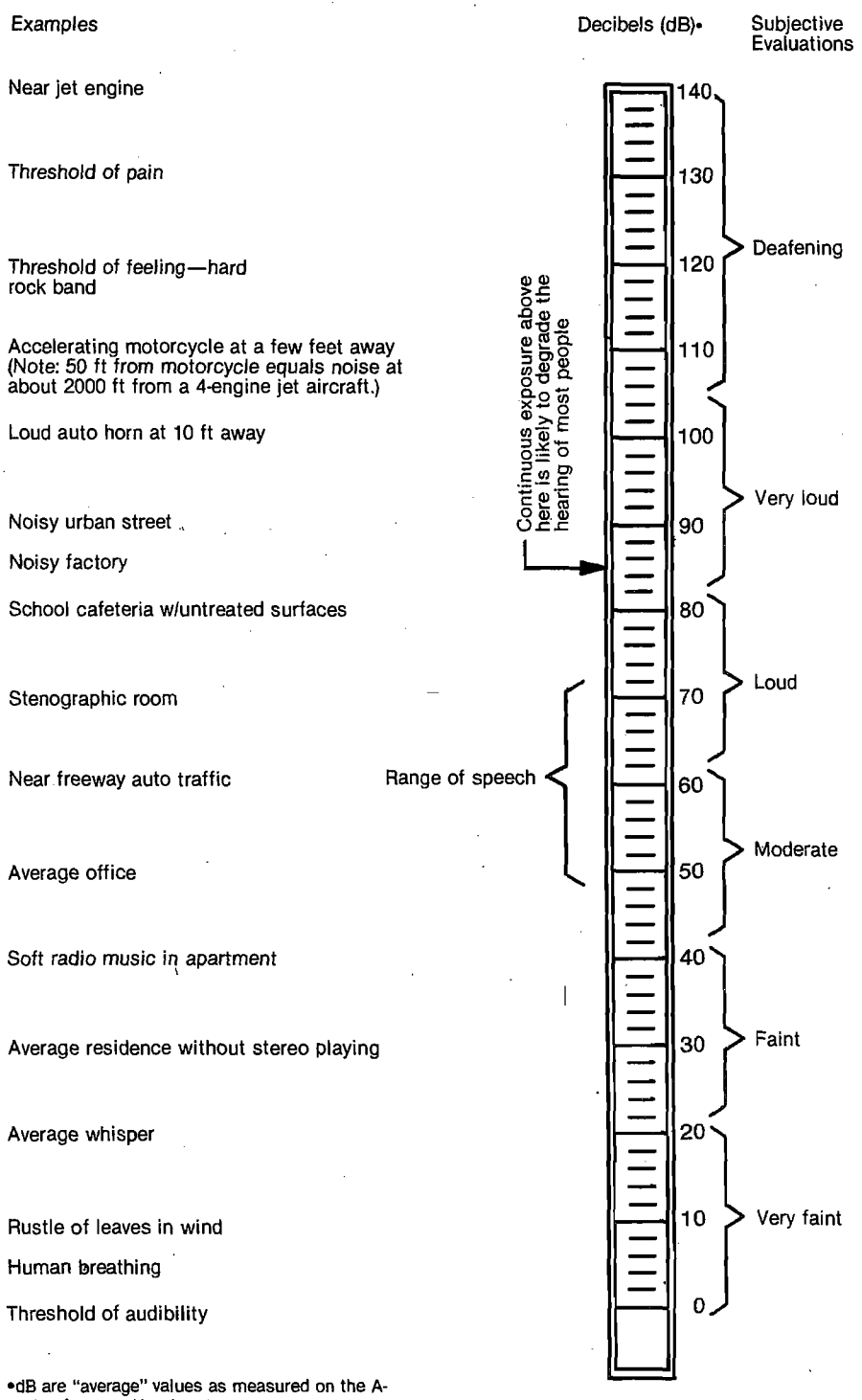

•dB are "average" values as measured on the A-scale of a sound-level meter
(From *Concepts in Architectural Acoustics:* M. David Egan, McGraw Hill, 1972.)

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The Dynamics of the Noise Problem

There are basically two types of noise problems. There is the specific, job related, occupational noise problem created by extremely loud machinery. Then there is the community noise problem where the combined effect of many individual noise sources creates an overall noise level that is unacceptable. In the following pages we will be addressing the community noise problem only.

The main contributors to a community noise problem are transportation sources such as highways, railroads and airports. These sources are the most pervasive and continuing of the noise sources within the community. Of course, at any given site, there may be other noise sources which add to the problem, sources such as jackhammers at a construction site. But in general, and for the purposes of this section, the main concern is with the transportation sources.

The dynamics of a noise problem are based on the relationship between the noise source, the person or place exposed to the noise (hereafter called the receiver) and the path the noise will travel from source to receiver.

The source generates a given amount of noise which travels along the path and arrives at the receiver. The amount of noise will be reduced to some extent as a result of how long that path is or whether there are any barriers along the path. The severity of the impact on the receiver is a function of what type of activity is taking place, whether it is indoors or outdoors, and what type of building it is in if the activity is indoors. Figure 3 contains some basic compatibility guidelines.

The impact of the noise can be altered or mitigated by changing the characteristics of any of the three elements: source, path or receiver. Later on we will look at the various mitigation measures that are possible. Our concern however will be primarily with the receiver and the path. Control of the sources themselves is the specific responsibility of agencies such as the Environmental Protection Agency (EPA) or the Federal Aviation Administration (FAA).

Figure 2
Dynamics of a Noise Problem

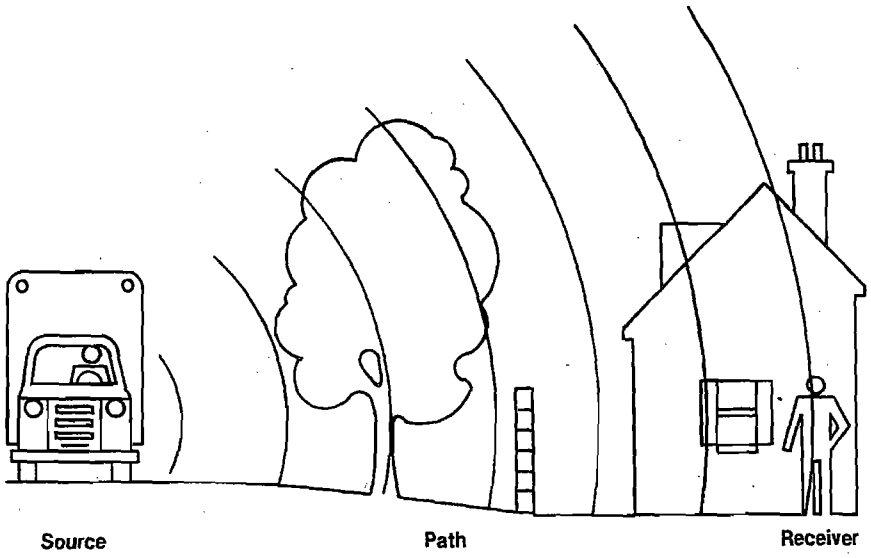

Figure 3
Land Use Compatibility Guidelines

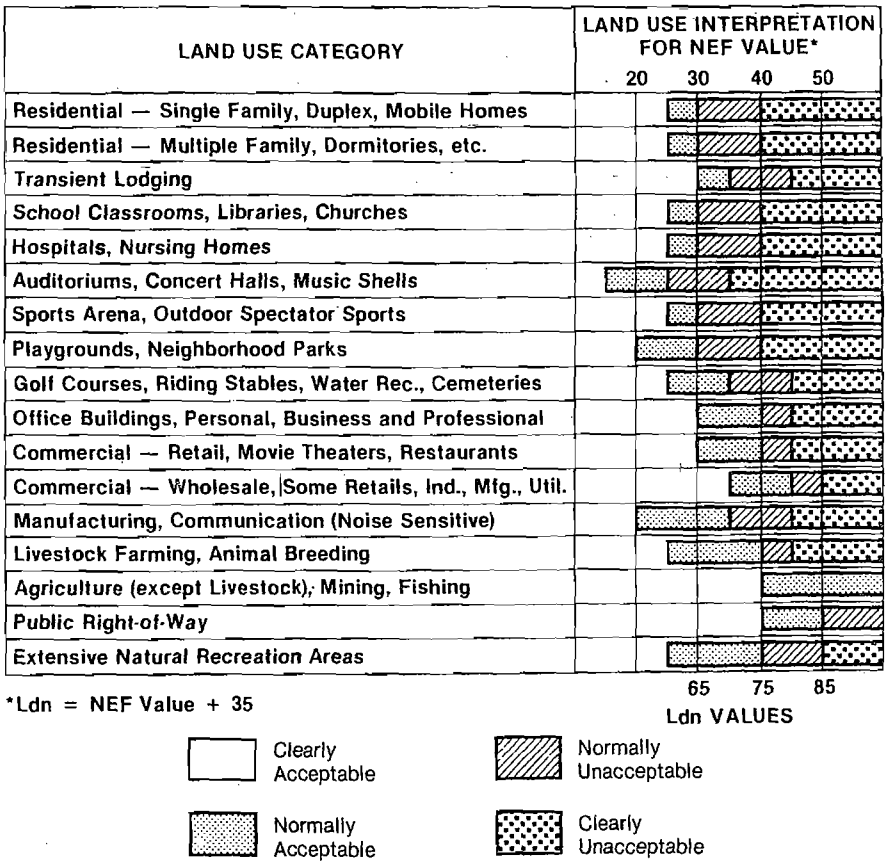

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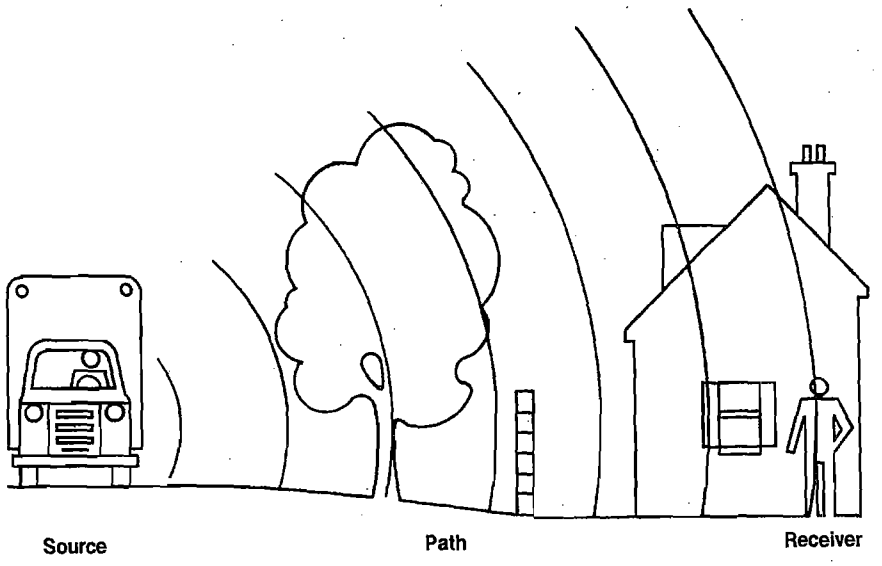

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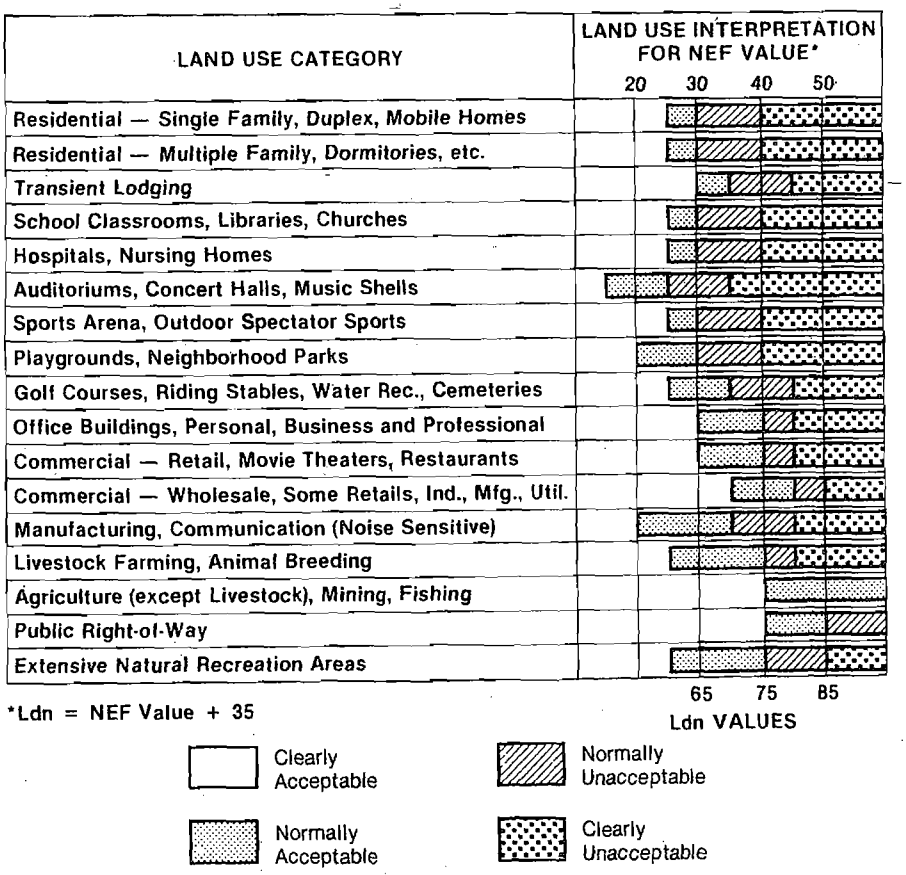

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The ideal solution to a potential problem is to reduce the noise being produced by the source. The best solution available to HUD, or the community, however, is to make sure that noise sensitive uses are located where they will not be exposed to high noise levels. The next best approach to mitigating noise impact is to attempt to reduce the amount of noise that reaches the receiver. This can be accomplished through the use of barriers such as walls or earthen berms, or combinations of both, along the noise path. If the use of barriers is not possible then the only alternative available is to provide noise reduction measures in any structures associated with the activity so that at least the interior spaces are not exposed to high noise levels. This approach is considered the least desirable because most of the land uses we are concerned about, such as residential, do have outdoor areas and activities associated with them which would remain exposed to high noise levels.

A Note on Descriptors

A key factor in the growth of our ability to evaluate and reduce noise impacts has been the development of better tools to measure and describe the noise levels generated by various sources. The development of better tools (called noise descriptors or metrics) has been particularly important for dealing with community noise problems. Many of the older descriptor systems could only be used for one or two sources such as cars and railroads, but not airplanes. Since the community noise problem very often includes noise from all these sources the lack of an adequate descriptor made it difficult to do an adequate evaluation.

The most advanced descriptor currently in general use is the day night average sound level system, abbreviated as DNL and symbolized mathematically as L_{dn}. The day night average sound level is the 24 hour average sound level, expressed in decibels, obtained after the addition of a 10 decibel penalty for sound levels which occur at night between 10 PM and 7 AM. This nighttime penalty is based on the fact that many studies have shown that people are much more disturbed by noise at night than at any other time. This is not unusual in that background noise is often much less at night and also people tend to be doing very noise sensitive things at night, such as trying to sleep.

Another feature of the DNL system that is very important is that it can be used to describe noise from all sources. Thus, using the DNL system, we can describe the total noise exposure at a site, something many other descriptor systems couldn't do.

The DNL system has been adopted by the EPA, the Department of Defense (DOD) and HUD, and more recently by the FAA, specifically for describing environmental impacts for airport actions. We expect that very soon it will be in almost universal use in the U.S.

Issues

The main issues involved in any noise analysis can be summarized briefly.

- How much noise is a site exposed to
- What types of activities are being affected and how severely
- Is it reasonable to redesign the site to relocate noise sensitive activities
- And, if not, how much protection can be provided through various attenuation measures.

Your approach to these issues will be affected in many ways by the location of the project in question. Projects in suburban or rural areas can be approached differently because the available mitigation options are greater and often the noise exposure itself is not so severe. In urban situations, however, the noise exposure is often more severe but at the same time the options for mitigation or resiting are more limited. In the urban setting innovative design and the use of advanced attenuation measures becomes critical. Fortunately our experience has shown that good design and construction can relieve or substantially reduce major noise problems.

Legal Provisions

General Legislation and Background

The Federal legislation which addresses noise issues is somewhat different from other environmental legislation. The Clean Air Act, for example, required the Environmental Protection Agency to set up actual mandatory standards for air quality which were supposed to be met by all jurisdictions. EPA even has the authority to take punitive steps against cities which are not making "reasonable further progress" towards achieving these air quality goals. There is no similar legislation that covers noise. The approach has been to tackle the noise problem at the source by controlling the amount of noise that can be emitted by the individual airplane engine or the individual jackhammer. Agencies like HUD or the Farmers Home Administration have developed regulations which are related to the overall community noise level, but they only affect their own programs and are not binding on local communities. The Veterans Administration program only relates to aircraft noise and also only affects its own programs.

The major pieces of Federal legislation related to noise include:

The Noise Control Act of 1972 directed EPA to promote an environment for all Americans free from noise that jeopardizes their health and welfare. It also included a requirement for EPA to set a criterion for noise level adequate to protect health and welfare with an adequate margin of safety but without regard to cost or feasibility.

Quiet Communities Act of 1978 amended The Noise Control Act of 1972 to encourage noise control programs at the State and community level.

Federal Aid Highway Act of 1970 established the requirement that noise control be a part of the planning and design of all federally aided highways.

Aviation Safety and Noise Abatement Act of 1979 requires FAA to develop a single system for measuring noise at airports and under certain conditions to prepare and publish noise maps.

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HUD Regulations

While the Department of Housing and Urban Development has no specific responsibility to try to reduce the noise problem at the source the way the Environmental Protection Agency and the Federal Aviation Administration do, it does have the responsibility to be aware of the noise problem and its impact on the housing environment. The most basic mandate which drives the Department's involvement with the noise issue is the Housing Act of 1949 (Public Law 81-171) which sets forth the national goal of "a decent home and suitable living environment for every American family." This goal was affirmed by the Housing and Urban Development Act of 1968 (Public Law 90-448). The Department was tasked by the Housing and Urban Development Act of 1965 (Public Law 89-117) "to determine feasible methods of reducing the economic loss and hardships suffered by homeowners as a result of the depreciation in the value of their properties following the construction of airports in the vicinity of their homes." The Noise Control Act of 1972, in addition to its specific tasking to EPA, tasked all Federal agencies to administer their programs in ways which reduce noise pollution. Finally, the Department is tasked by Federal Management Circular 75-2: *Compatible Land Uses at Federal Airfields* to make sure that its actions do not promote incompatible land uses around Federal airfields.

All of these legislative and regulatory mandates combine to create a serious requirement for the Department of Housing and Urban Development to be aware of the problem of noise and to take positive steps to protect residential and other sensitive land uses from high noise levels.

The Department of Housing and Urban Development first issued formal requirements related specifically to noise in 1971 (HUD Circular 1390.2). These requirements contained standards for exterior noise levels along with policies for approving HUD supported or assisted housing projects in high noise areas. In general the requirements established three zones: an acceptable zone where all projects could be approved, a normally unacceptable zone where mitigation measures would be required and where each project would have to be individually evaluated for approval or denial, and an unacceptable zone in which projects would not, as a rule, be approved.

In 1979, the Department issued revised regulations (24 CFR Part 51B) which kept the same basic standards but adopted new descriptor systems which were considerably advanced over those in use under the old requirements.

HUD's regulations also require that recipients of Community Development Block Grants (CDBG) and Urban Development Action Grants (UDAG) take into consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land developments are proposed in noise exposed areas. If CDBG or UDAG activities are planned in a noisy area, and HUD assistance is contemplated later for housing and/or other noise sensitive activities, the HUD standards must be met for those activities.

Project Analysis

General

While most of the analysis for noise focuses on noise sources located around the project site, there are some characteristics of the project itself that you should know about. These characteristics will help you to determine what is called the noise assessment location (NAL) for site analysis. (The NAL is a representative point (or points) on the site where significant noise exposure is expected. All distances, etc. are measured from the NAL). This information will also be helpful later in evaluating the potential for mitigating or reducing the impact of noise. All of this data should be available from preliminary plans and specifications. If not, a quick phone call to the developer/sponsor should get you all the information you need.

Data Required

- Location of outdoor noise sensitive uses relative to the noise source.
- Location of buildings containing noise sensitive activities.
- Location of other buildings, particularly ones which might serve to shield sensitive buildings or areas from the noise source.
- Design and construction features of buildings, particularly features such as use of central air conditioning which could provide noise reduction benefits by permitting windows to be kept closed.

Analysis of Site and Environs

General

The primary focus of this impact analysis is on noise sources and the primary item to be determined is the noise level created by those sources. In many instances, particularly with airports, data on the noise levels generated by the source will have already been prepared by another agency such as the airport operator, the local or State highway/transportation department or other similar agency. (Figure 4 shows typical airport noise contours.) In those cases no site or environs analysis is necessary and one can proceed directly to impact analysis. For those instances where there are no current data already prepared, the Department of Housing and Urban Development has developed a handbook called the *Noise Assessment Guidelines* which contains a detailed desk top methodology for use by individuals to determine noise impacts (see Chapter 5). Included in the handbook is a complete listing of the data about the site and its environs that are necessary to conduct an analysis. We don't want to repeat all the detailed requirements here, but the following are some of the types of information you would have to collect if you were to do your own analysis. You might note that most of the information is related to the noise sources themselves.

For the purpose of analysis, the *Noise Assessment Guidelines* require that you consider all military/civilian airports within 15 miles of the project, all significant roads within 1000 feet and basically all railroads within 3000 feet.

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Types of Data Required

- Number and type of vehicles
- Operational data:
  - speed
  - daytime/nighttime split
  - conditions where the vehicles are operated, i.e., freely flowing traffic versus stop and go, level versus hilly, welded railroad track versus bolted railroad track.

The *Noise Assessment Guidelines* contain guidance on sources for this data. Most of them are obtained from the "operator" of the transportation source. The *Guidelines* also contains model figures which can be used when actual data is unavailable. For example, if the actual number of vehicles traveling at night is not available then the *Guidelines* state that a figure of 15% should be used. Thus it is possible to make reasonably accurate noise level determinations even if some information is not available.

Determination of Impact

General

The specific procedures for determining the noise exposure levels for a site are clearly spelled out in the *Noise Assessment Guidelines*. The process is a fairly simple one in which the noise level from each source affecting the site is calculated and then combined to derive the overall exposure. If some kind of barrier exists or is proposed, the noise levels can be adjusted to reflect the mitigation provided by the barrier. The overall noise level is then compared to HUD's standards and the appropriate action, as spelled out in the regulations, is taken.

Figure 4
Noise Contours

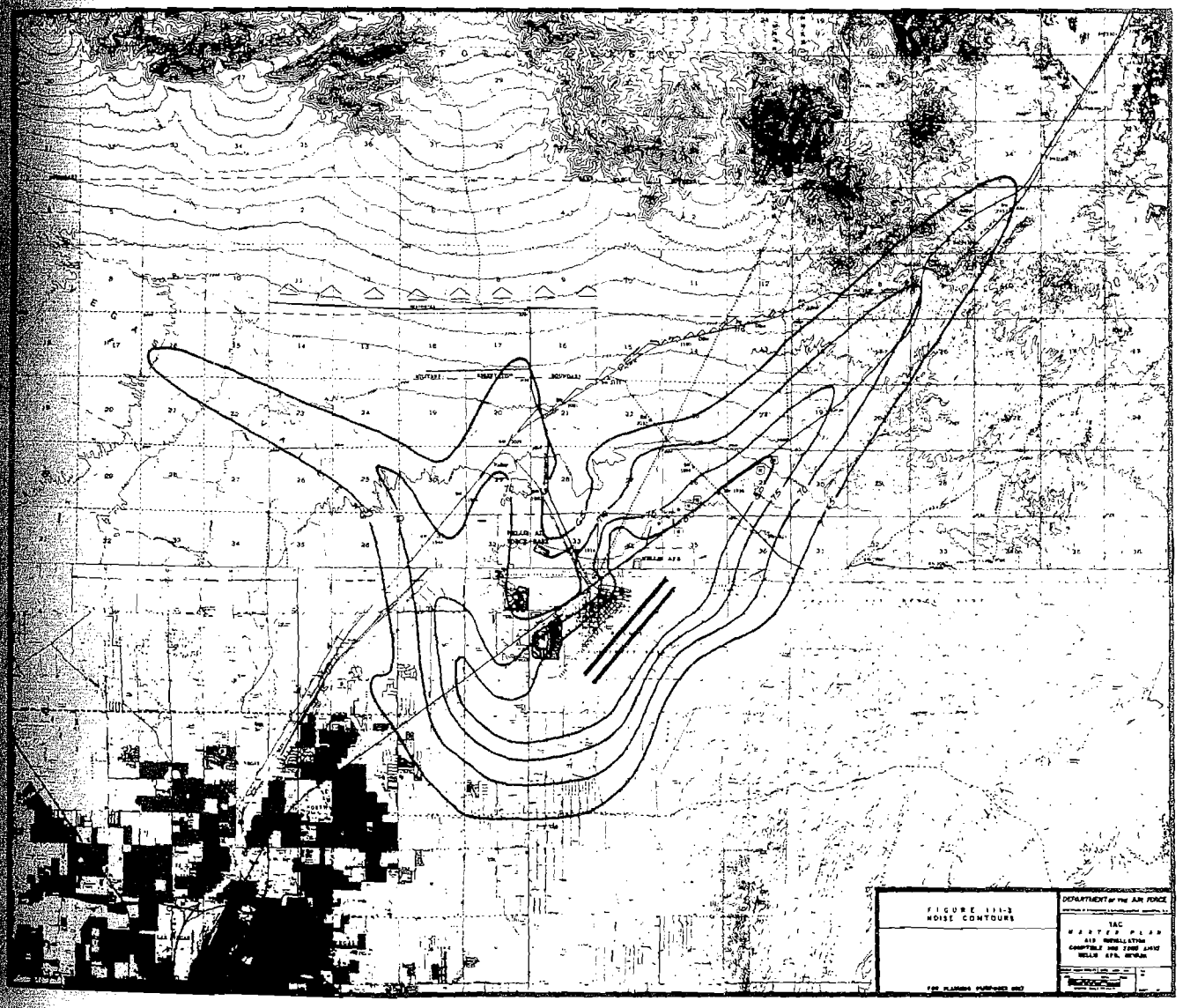

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Evaluation of Impact

HUD Regulations set forth the following exterior noise standards for new housing construction assisted or supported by the Department:

65 L_{dn} or less - Acceptable

Exceeding 65 L_{dn} but not exceeding 75 L_{dn} - Normally Unacceptable - appropriate sound attenuation measures must be provided: 5 decibels attenuation above the attenuation provided by standard construction required in 65 L_{dn} to 70 L_{dn} zone; 10 decibels additional attenuation in 70 L_{dn} to 75 L_{dn} zone.

Exceeding 75 L_{dn} - Unacceptable

HUD's regulations do not contain standards for interior noise levels. Rather a goal of 45 decibels is set forth and the attenuation requirements are geared towards achieving that goal. It is assumed that with standard construction any building will provide sufficient attenuation so that if the exterior level is 65 L_{dn} or less, the interior level will be 45 L_{dn} or less.

Once you have determined the overall noise exposure for the site you compare it to the above standards. If the overall site exposure is 65 L_{dn} or less the project is acceptable. If the exposure is between 65 L_{dn} and 75 L_{dn} you should consider alternative locations or providing adequate attenuation with the first preference, as we've noted, being for the construction of some kind of barrier to prevent noise from reaching the site. If providing adequate attenuation is impossible or impractical then the project should be considered unacceptable.

Suggested Mitigation

General Considerations

As discussed briefly earlier, there are three basic approaches for mitigating the high noise exposures. The first and best is to relocate noise sensitive uses out of the high noise area. The second is to prevent noise from reaching the noise sensitive user through some sort of barrier. And the third, and least desirable approach, is to provide attenuation for at least the interiors of any buildings located in the high noise areas.

Specific Considerations

Relocating Noise Sensitive Uses

By far the most desirable mitigation approach is to relocate noise sensitive uses out of the high noise area although. If the site is large enough it may be possible to locate non-noise sensitive uses between the source and the sensitive use, for example a parking lot might be located between a road and a park (see Figure 5). The workcharts in the *Noise Assessment Guidelines* can be used in reverse to tell you exactly how far away from the noise source you need to be.

When sites are small, very dense or when the source affects the entire site it is very difficult to mitigate by changing the site plan. Then the next option must be considered: erecting some type of barrier between the source and the receiver.

Barriers

Barriers are most effective for at or below ground level sources. They have no effect on noise from aircraft overflights and are limited in practical application with elevated sources such as elevated trains. The key to the effectiveness of a barrier is whether or not it breaks the line of sight between the source and the receiver. If a barrier does not completely break the line of sight either because it is not high enough, or not long enough then its effectiveness is greatly reduced.

Barriers can be actual walls, earthen mounds (called berms) or even other buildings. The use of other non-noise sensitive buildings as barriers is a particularly good approach in that it need not add to the cost of the project and may not create the aesthetic problem a large wall might create (see Figure 6).

Figure 5
The Audible Landscape

In cluster development, open space can be placed near the highway to reduce noise impacts on residences

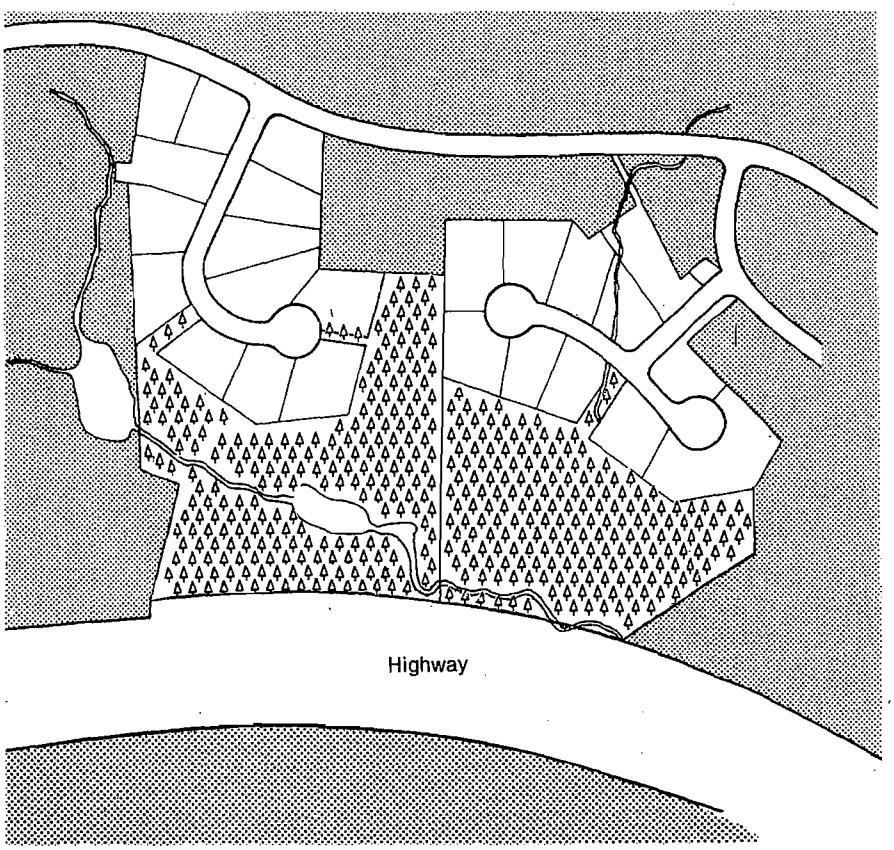

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Figure 6
The Audible Landscape

Placement of noise compatible land uses near highway in Planned Unit Development

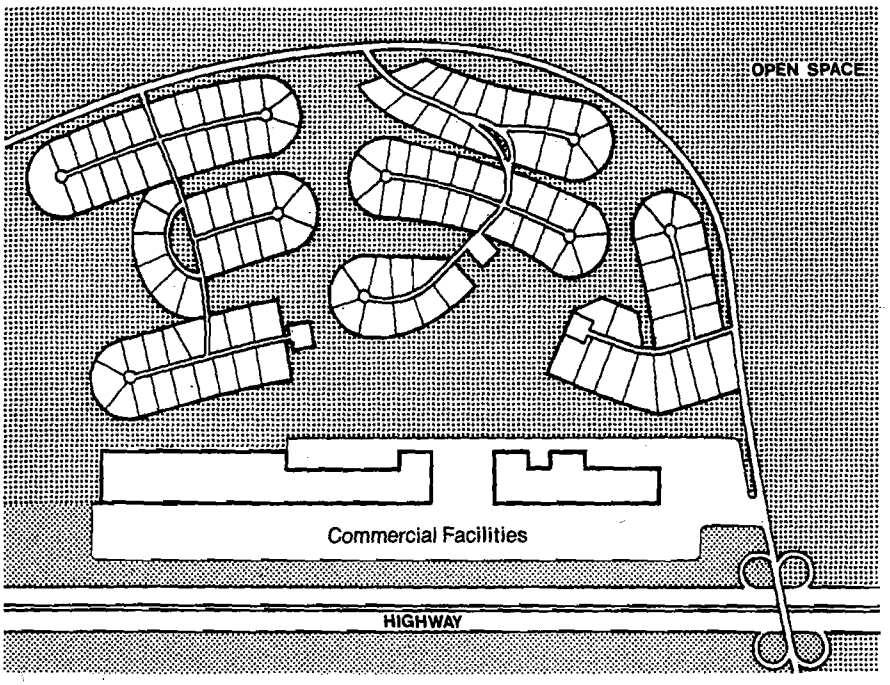

Figure 7
The Audible Landscape

Use of acoustical architectural design to reduce noise impacts on more noise sensitive living spaces

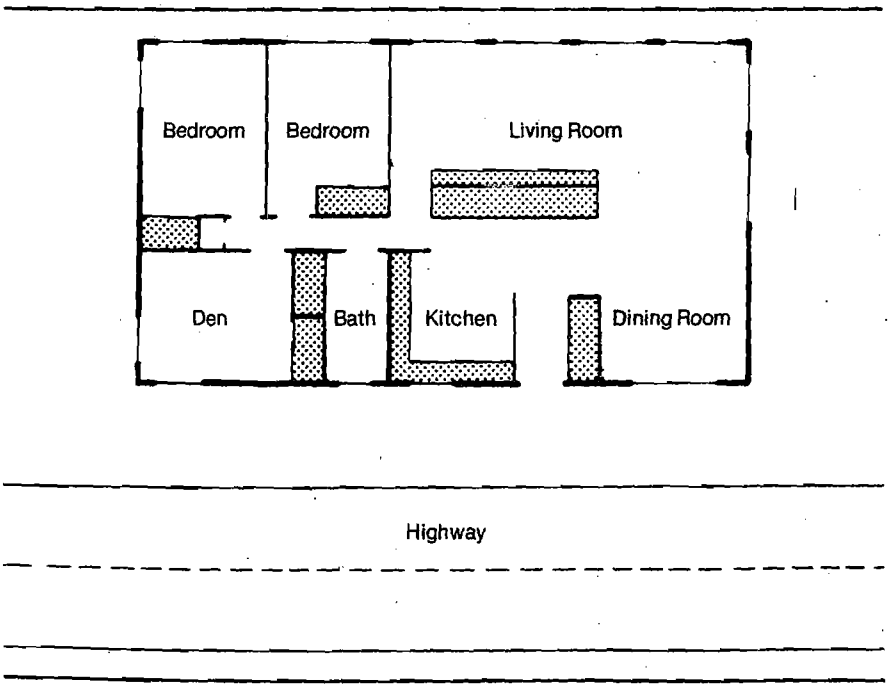

As pointed out earlier, the effectiveness of a barrier is determined in large part by its height and length. Some studies have shown that the effectiveness of a barrier can be reduced by as much as 50% if it isn't long enough. Again, the *Noise Assessment Guidelines* contain procedures for determining the effectiveness of barriers.

Incorporating Noise Attenuation Measures into the Building

If neither relocation or barriers is a reasonable noise attenuation option, the last resort is to incorporate noise attenuation measures into the buildings themselves. This is not considered the best solution because it leaves the outdoor areas, some of which may be for quiet recreation, exposed to high noise levels. But if development **must** take place and barriers are impossible, then the noise attenuation measures should be employed in building design and construction.

Without going into great technical detail, noise attenuation construction measures generally fall into four categories.

(1) Reducing the total area of windows or other acoustically weaker building elements

(2) Sealing off "leaks" around windows, doors, vents.

(3) Improving the actual sound attenuating properties of small building elements such as windows, doors, etc.

(4) Improving the actual sound attenuating properties of major building elements such as roof and wall construction.

In addition, noise attenuation in buildings can be provided by designing interior spaces so that "dead" spaces such as closets or corridors act as buffer zones (see Figure 7). And finally noise attenuation can be provided by reducing the need for open windows by providing air conditioning.

Many of the steps that would be taken to provide noise attenuation also help conserve energy. Good weatherstripping around windows and doors is one example. Another might be reducing window areas in walls if the noise source is to the north or west. Because many of these measures serve two purposes, they should not necessarily be considered a burdensome requirement but rather just good design and construction.

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Information Resources

Publications

HUD Regulation 24 CFR Part 51 Subpart B – Noise Abatement and Control.

Noise Assessment Guidelines, HUD 1983, basic technical procedural resource.

Aircraft Noise Impact, HUD 1972, a bit dated but good overview of problem.

The Audible Landscape, DOT (FHWA) 1974, an excellent discusson of mitigation measures including land use planning and building design and construction.

Information on Levels of Environmental Noise Requisite to Protect Public health and Welfare With an Adequate margin of Safety, EPA, 1974. The "levels document" that explains basis for EPA standards.

Noise Barrier Design Handbook, Federal Highway Administration 1976. Good discussion of barriers, technical but readable.

Handbook of Noise Control, 2nd edition, 1979, McGraw Hill. A basic technical handbook covering all aspects of noise for those who wish to go into the subject further.

Experts

HUD environmental officers have been trained in the use of the *Noise Assessment Guidelines* and can help you work with them. Many architects are trained in acoustics and can help in development of noise attenuation strategies.

Quiz

Questions

1. Why is noise considered "unwanted sound"?
2. What is a community noise problem?
3. What are the three main contributors to a community noise problem?
4. What are the three components of a noise problem?
5. What are two key characteristics of the day-night average sound level descriptor system?
6. What are HUD's noise standards?
7. How do HUD's standards apply to CDBG recipients?
8. What are the three general mitigation measures available to HUD and the community and in what order of preference?
9. When are barriers effective and when are they not effective?
10. Describe how the *Noise Assessment Guidelines* can be used to determine appropriate mitigation measures.

Quiz

Answers

1. because it interferes with normal activities or causes physical or psychological damage
2. a community noise problem is where the combined effect of many individual sources creates an overall noise level that is unacceptable
3. highways, railroads and aircraft
4. the source, the path, the receiver
5. it is an average sound level and it can be used for all sources
6. 65 L_{dn} or below: Acceptable
   65 to 75 L_{dn}: Normally unacceptable, noise attenuation measures required, above 75 L_{dn}: Unacceptable
7. CDBG recipients must take into consideration the standards in their planning and environmental review. If they expect to use HUD assistance later for housing or other noise sensitive activities the standards must be met for those activities.
8. 1st relocate noise sensitive uses
   2nd reduce noise reaching receiver
   3rd redesign buildings
9. barriers are effective for at or below ground level sources. Are not effective for aircraft overflights or most elevated sources
10. can be used to determine separation distance required for relocation and the height and length of barriers required

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Chapter 2

The Noise Regulation

Introduction

The basic foundation for and structure of the HUD noise program is set out in the noise regulation, 24 CFR 51B. The regulation establishes the actual standards, assigns implementation responsibilities, describes review and approval procedures, and identifies special situations which may warrant waivers of procedures or standards. Therefore, the key to your understanding and implementation of the HUD noise program is a clear understanding of the regulation.

There is no way to escape the task of sitting down and simply reading the regulations, over and over until you thoroughly understand them. We have however done two things that will help you apply the regulations. First, for quick reference, we have prepared a list of the key sections in the regulation and second we have prepared an annotated copy of the regulation.

The list of key sections was prepared to help you find the specific section you need for a specific question or issue. While the regulation itself is not really long, an index is always useful. We caution you, however, against using the index to avoid learning the regulations. The list was prepared for your convenience in applying the regulation once you have come to understand it.

We prepared the annotated regulation because, try as we might, it was impossible to anticipate all the questions, implementation problems and special situations that might arise and to address them in the regulation. So, now that we have had a few years' experience with the regulation, we have gathered together the important questions, notes, second thoughts etc. and prepared this annotated regulation. We hope it will give you further insight into what the regulation means when it is applied in the field.

Key Sections in Noise Regulation

Section	Subject
51.101(a)(2)	Application of Policy to Block Grants
51.101(a)(3)	Policy for New Construction
51.101(a)(4)	Policy for Existing Construction
51.101(a)(5)	Policy for Modernization and Rehabilitation
51.101(a)(8)	The Exterior Noise Goal
51.101(a)(9)	The Interior Noise Goal
51.102(a)	Authority to Approve Projects
51.103(a)	Identification of DNL as *The* Noise Descriptor to be Used
51.103(b)	How to Measure Loud Impulsive Noises
51.103(c)	The Noise Standards
51.104(a)	Attenuation Requirements Discussed
51.104(b)(1)	Special Approval and Environmental Review Requirements for the Normally Unacceptable Zone
51.104(b)(2)	Special Approval and Environmental Review Requirements for the Unacceptable zone
51.105(a)	Flexibility for Non-acoustic Benefits Provisions
51.106(a)	How to Tell If Existing Data on Noise Are Acceptable
51.106(a)(4)	Specific Review and Approval Procedures For Airport Noise Contours
51.106(d)	When Noise Measurements May be Used Instead of Calculated Levels
51.106(f)	When to Give Credit for Proposed Barriers

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Part 51—Environmental Criteria and Standards

Subpart A—General Provisions

Sec.
§51.1 Purpose.
§51.2 Authority.
§51.3 Responsibilities.
§51.4 Program coverage.
§51.5 Coordination with environmental clearance requirements.
§51.6 [Reserved]

Subpart B—Noise Abatement and Control
§51.100 Purpose and authority.
§51.101 General policy.
§51.102 Responsibilities.
§51.103 Criteria and standards.
§51.104 Special requirements.
§51.105 Exceptions.
§51.106 Implementation.

Appendix to Subpart B

Authority: Sec. 7(d). Department of HUD Act (42 U.S.C. 3535(d)).

Subpart B—Noise Abatement and Control

§51.100 Purpose and authority.

(a) *Purpose.* The Department of Housing and Urban Development finds that noise is a major source of environmental pollution which represents a threat to the serenity and quality of life in population centers and that noise exposure may be a cause of adverse physiological and psychological effects as well as economic losses.

It is the purpose of this Subpart to:

(1) Call attention to the threat of noise pollution;

(2) Encourage the control of noise at its source in cooperation with other Federal departments and agencies;

(3) Encourage land use patterns for housing and other noise sensitive urban needs that will provide a suitable separation between them and major noise sources;

(4) Generally prohibit HUD support for new construction of noise sensitive uses on sites having unacceptable noise exposure;

(5) Provide policy on the use of structural and other noise attenuation measures where needed; and

(6) Provide policy to guide implementation of various HUD programs.

(b) *Authority.* Specific authorities for noise abatement and control are contained in:

(1) The Noise Control Act of 1972 (Pub. L. 92-574) which directs Federal agencies to administer their programs in ways which reduce noise pollution.

(2) The Quiet Communities Act of 1978 (Pub. L. 95-609) which amended Pub. L. 92-574.

(3) The General Services Administration, Federal Management Circular 75-2: *Compatible Land Uses at Federal Airfields* prescribes the Executive Branch's general policy with respect to achieving compatible land uses on either public or privately owned property at or in the vicinity of Federal airfields.

(4) Section 1113 of the Housing and Urban Development Act of 1965 (Pub. L. 89-117) directs the Secretary "* * * to determine feasible methods of reducing the economic loss and hardships suffered by homeowners as a result of the depreciation in the value of their properties following the construction of airports in the vicnity of their homes, including a study of feasible methods of insulating such homes from the noise of aircraft."

§51.101 General policy.

(a) It is HUD's general policy to provide minimum national standards applicable to HUD programs to protect citizens against excessive noise in their communities and places of residence.

(1) *Comprehensive planning assistance.* HUD requires that grantees give adequate consideration to noise exposures and sources of noise as an integral part of the urban environment in HUD assisted comprehensive planning, as follows:

(i) Particular emphasis shall be placed on the importance of compatible land use planning in relation to airports, highways and other sources of high noise.

(ii) Applicants shall take into consideration HUD environmental standards impacting the use of land as required in 24 CFR Part 600.

(iii) Environmental studies, including noise assessments, are allowable costs.

(2) *Community Development Block Grants.* Recipients of community development block grants under the Housing and Community Development Act of 1974 (Pub. L. 93-383), as amended by the Housing and Community Development Act of 1977 (Pub. L. 95-128), must take into

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This regulation replaces HUD Circular 1390.2, Noise Abatement and Control, 1971, which is now cancelled, along with all instructions and clarifying memoranda pertaining to the circular.

consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land development is proposed in noise exposed areas. Grant recipients shall address deviations from the standards in their environmental reviews as required in 24 CFR Part 58.

Where CDBG activities are planned in a noisy area, and HUD assistance is contemplated later for housing and/or other noise sensitive activities, the CDBG grantee risks denial of the HUD assistance unless the HUD standards are met. Environmental studies, including noise assessments, are allowable costs.

(3) *HUD support for new construction.* HUD assistance for the construction of new noise sensitive uses is prohibited generally for projects with Unacceptable noise exposures and is discouraged for projects with Normally Unacceptable noise exposure. (Standards of acceptability are contained in §51.103(c).) This policy applies to all HUD programs providing assistance, subsidy or insurance for housing, college housing, mobile home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, new communities, redevelopment or any other provision of facilities and services which are directed to make land available for housing or noise sensitive development. The policy does not apply to research demonstration projects which do not result in new construction or reconstruction, flood insurance, interstate land sales registration, or any action or emergency assistance under disaster assistance programs which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance provided that has the effect of restoring facilities substantially as they existed prior to the disaster.

(4) *HUD support for existing construction.* Noise exposure by itself will not result in the denial of HUD support for the resale and purchase of otherwise acceptable existing buildings. However, environmental noise is a marketability factor which HUD will consider in determining the amount of insurance or other assistance that may be given.

Existing construction means units which are either more than 1 year old or for which this is the second or subsequent purchaser.

The old definition of major or substantial rehabilitation and modernization as being any project where cost is 75% or more of replacement cost no longer applies. Now the criteria contained in individual program guidance applies.

(5) *HUD support of modernization and rehabilitation.* For modernization projects located in all noise exposed areas, HUD shall encourage noise attenuation features in alterations. For major or substantial rehabilitation projects in the Normally Unacceptable and Unacceptable noise zones, HUD actively shall seek to have project sponsors incorporate noise attenuation features, given the extent of the rehabilitation being undertaken and the level of exterior noise exposure. In Unacceptable noise zones, HUD shall strongly encourage conversion of noise-exposed sites to land uses compatible with the high noise levels.

(6) *Research, guidance and publications.* HUD shall maintain a continuing program designed to provide new knowledge of noise abatement and control to public and private bodies, to develop improved methods for anticipating noise encroachment, to develop noise abatement measures through land use and building construction practices, and to foster better understanding of the consequences of noise. It shall be HUD's policy to issue guidance documents periodically to assist HUD personnel in assigning an acceptability category to projects in accordance with noise exposure standards, in evaluating noise attenuation measures, and in advising local agencies about noise abatement strategies. The guidance documents shall be updated periodically in accordance with advances in the state-of-the-art.

(7) *Construction equipment, building equipment and appliances.* HUD shall encourage the use of quieter construction equipment and methods in population centers, the use of quieter equipment and appliances in buildings, and the use of appropriate noise abatement techniques in the design of residential structures with potential noise problems.

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(8) *Exterior noise goals.* It is a HUD goal that exterior noise levels do not exceed a day-night average sound level of 55 decibels. This level is recommended by the Environmental Protection Agency as a goal for outdoors in residential areas. The levels recommended by EPA are not standards and do not take into account cost or feasibility. For the purposes of this regulation and to meet other program objectives, sites with a day-night average sound level of 65 and below are acceptable and are allowable (see Standards in §51.103(c)).

(9) *Interior noise goals.* It is a HUD goal that the interior auditory environment shall not exceed a day-night average sound level of 45 decibels. Attenuation measures to meet these interior goals shall be employed where feasible. Emphasis shall be given to noise sensitive interior spaces such as bedrooms. Minimum attenuation requirements are prescribed in §51.104(a).

(10) *Acoustical privacy in multifamily buildings.* HUD shall require the use of building design and acoustical treatment to afford acoustical privacy in multifamily buildings pursuant to requirements of the Minimum Property Standards.

§51.102 Responsibilities.

(a) *Authority to approve projects.* (1) Decisions on proposed projects with acceptable noise exposures shall be delegated to the program personnel within field offices, including projects where increased noise levels are considered acceptable because of non-acoustic benefits under §51.105(a). Field office program personnel may also approve projects in normally unacceptable noise exposed areas where adequate sound attenuation is provided and where the project does not require an Environmental Impact Statement under §51.104(b).

(2) Other approvals in normally unacceptable noise exposed areas require the concurrence of the Regional Administrator.

(3) Requests for approvals of projects or portions of projects with unacceptable noise exposures shall be referred through the Regional Office to the Assistant Secretary for Community Planning and Development for approval pursuant to §51.104(b).

The Noise Control Act of 1972 required EPA to "publish information on the levels of environmental noise. . .which. . .are requisite to protect the public health and welfare with an adequate margin of safety." EPA has interpreted this to mean that the levels should not reflect technical feasibility or economic costs. "Health and welfare" is defined as being "complete physical, mental and social well-being and not merely the absence of disease and infirmity."

(4) In cases where the Regional Administrator determines that an important precedent or issue is involved, such cases shall be referred with recommendations to the Assistant Secretary for Community Planning and Development.

(b) *Surveillance of noise problem areas.* Appropriate field staff shall maintain surveillance of potential noise problem areas and advise local officials, developers, and planning groups of the unacceptability of sites because of noise exposure at the earliest possible time in the decision process. Every attempt shall be made to insure that applicants' site choices are consistent with the policy and standards contained herein.

(c) *Notice to applicants.* At the earliest possible stage, HUD program administrators shall:

(1) Determine the suitability of the acoustical environment of proposed projects;

(2) Notify applicants of any adverse or questionable situations; and

(3) Assure that prospective applicants are apprised of the standards contained herein so that future site choices will be consistent with these standards.

(d) *Technical assistance.* Technical assistance in the measurement, estimation, interpretation, or prediction of noise exposure is available from the Office of Community Planning and Development and the Office of Policy Development and Research. Field office questions shall be forwarded through the Regional Office to the Assistant Secretary for Community Planning and Development or his designee.

(e) *Interdepartmental coordination.* Regional Administrators shall foster appropriate coordination between field offices and other departments and agencies, particularly the Environmental Protection Agency, the Department of Transportation, Department of Defense representatives, and the Veterans Administration. HUD staff shall utilize the acceptability standards in commenting on the prospective impacts of transportation facilities and other noise generators in the Environmental Impact Statement review process.

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§51.103 Criteria and standards.

These standards apply to all programs as indicated in §61.101.

(a) *Measure of external noise environments.* The magnitude of the external noise environment at a site is determined by the value of the day-night average sound level produced as the result of the accumulation of noise from all sources contributing to the external noise environment at the site. Day-night average sound level, abbreviated as DNL and symbolized as L_{dn}, is the 24-hour average sound level, in decibels, obtained after addition of 10 decibels to sound levels in the night from 10 p.m. to 7 a.m. Mathematical expressions for average sound level and day-night average sound level are stated in the Appendix.

(b) *Loud impulsive sounds.* On an interim basis, when loud impulsive sounds, such as explosions or sonic booms, are experienced at a site, the day-night average sound level produced by the loud impulsive sounds alone shall have 8 decibels added to it in assessing the acceptability of the site (see Appendix). Alternatively, the C-weighted day-night average sound level (L_{Cdn}) may be used without the 8 decibel addition, as indicated in Section 51.106(a)(3).

Methods for assessing the contribution of loud impulsive sounds to day-night average sound level at a site and mathematical expressions for determining whether a sound is classed as "loud impulsive" are provided in the Appendix.

(c) *Exterior standards.* The degree of acceptability of the noise environment at a site is determined by the sound levels external to buildings or other facilities containing noise sensitive uses. The standards shall usually apply at a location 2 meters (6.5 feet) from the building housing noise sensitive activities in the direction of the predominant noise source. Where the building location is undetermined, the standards shall apply 2 meters (6.5 feet) from the building setback line nearest to the predominant noise source. The standards shall also apply at other locations where it is determined that quiet outdoor space is required in an area ancillary to the principal use on the site.

The noise environment inside a building is considered acceptable if (a) the noise environment external to the building complies with these standards, and (b) the building is constructed in a manner common to the area or, if of uncommon construction, has at least the equivalent noise attenuation characteristics.

This is because the reverberation effect of sound waves hitting the wall will increase the noise levels at the site. You won't pick this up unless you back off from the wall to measure.

Site Acceptability Standards

	Day-night average sound level (in decibels)	Special approvals and requirements
Acceptable	Not exceeding 65 dB(1)	None
Normally Unacceptable	Above 65 dB but not exceeding 75 dB	Special Approvals (2) Environmental Review (3) Attenuation (4)
Unacceptable	Above 75 dB	Special Approvals (2) Environmental Review (3) Attenuation (5)

Notes.—(1) Acceptable threshold may be shifted to 70 dB in special circumstances pursuant to Section 51.105(a)

(2) See Section 51.104(b) for requirements.

(3) See Section 51.104(b) for requirements.

(4) 5 dB additional attenuation required for sites above 65 dB but not exceeding 70 dB and 10 dB additional attenuation required for sites above 70 dB but not exceeding 75 dB. (See Section 51.104(a).)

(5) Attenuation measures to be submitted to the Assistant Secretary for CPD for approval on a case-by-case basis.

§51.104 Special requirements.

(a) *Noise attenuation.* Noise attenuation measures are those required in addition to attenuation provided by buildings as commonly constructed in the area, and requiring open windows for ventilation. Measures that reduce external noise at a site shall be used wherever practicable in preference to the incorporation of additional noise attenuation in buildings. Building designs and construction techniques that provide more noise attenuation than typical construction may be employed also to meet the noise attenuation requirements.

(1) *Normally Unacceptable noise zone.* Approvals in this zone require a minimum of 5 decibels additional sound attenuation for buildings having noise-sensitive uses if the day-night average sound level is greater than 65 decibels but does not exceed 70 decibels, or a minimum of 10 decibels of additional sound attenuation if the day-night average sound level is greater than 70 decibels but does not exceed 75 decibels.

(2) *Unacceptable noise zone.* Noise attenuation measures require the approval of the Assistant Secretary for Community Planning and Development (See §51.104(b)(2).)

(b) *Special Approvals and Environmental Review Requirements.* Environmental clearances shall be conducted pursuant to the requirements of HUD's Departmental Policies, Responsibilities and Procedures for Protection and Enhancement of Environmental Quality (38 FR 19182 as amended) or other environmental regulations which may be issued by the Department. The Special Clearance and Environmental Impact Statement (EIS) threshold requirements are hereby modified for all projects proposed in the Normally Unacceptable and Unacceptable noise exposure zones as follows:

(1) *Normally Unacceptable noise zone.* (i) All projects located in the Normally Unacceptable Noise Zone require a Special Environmental Clearance except an EIS is required for a proposed project located in a largely undeveloped area, or where the HUD action is likely to encourage the establishment of incompatible land use in this noise zone.

Berms and barriers are our first choice because they provide protection for yards, playgrounds, etc. Since outdoor activity is often very important to residents we want to protect the outdoor areas as much as possible.

By definition a barrier must be separate from the building or area it is providing attenuation for. After all barriers are preferred because they improve exterior as well as interior levels. Non-noise sensitive buildings can, however, be used as barriers for noise sensitive buildings or exterior areas.

Assumption is that standard construction provides an average of 20 L_{dn} attenuation. At 65 L_{dn} or below this amount of attenuation would be sufficient to meet interior level of 45 L_{dn}. Additional requirements are designed to meet this goal even when exterior noise levels are higher.

Substitute Environmental Assessment (with ECO concurrence) wherever you see Special Clearance.

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(ii) When an EIS is required, the concurrence of the Regional Administrator is also required before a project can be approved. For the purposes of this paragraph, an area will be considered as largely undeveloped unless the area within a 2-mile radius of the project boundary is more than 50 percent developed for urban uses and infrastructure (particularly water and sewers) is available and has capacity to serve the project.

(iii) All other projects in the Normally Unacceptable zone require a Special Environmental Clearance, except where an EIS is required for other reasons pursuant to HUD environmental policies.

(2) *Unacceptable noise zone.* An EIS is required prior to the approval of projects with unacceptable noise exposure. Projects in or partially in an Unacceptable Noise Zone shall be submitted through the Regional Administrator to the Assistant Secretary for Community Planning and Development for approval. The Assistant Secretary may waive the EIS requirement in cases where noise is the only environmental issue and no outdoor sensitive activity will take place on the site. In such cases, a Special Environmental Clearance is required.

When the area in question is in a small community outside an SMSA and the application of the 2 mile radius rule would be unreasonable, an area can be considered largely developed if it is contiguous to existing development and infrastructure is available and has capacity to serve the project. The Assistant Secretary will review them on a case-by-case basis. In all other cases the 2 mile radius/50% rule still applies.

§51.105 Exceptions.

(a) *Flexibility for non-acoustic benefits.* Where it is determined that program objectives cannot be achieved on sites meeting the acceptability standard of 65 decibels, the Acceptable Zone may be shifted to L_{dn} 70 on a case-by-case basis if all the following conditions are satisfied:

(1) The project does not require an Environmental Impact Statement under provisions of section 104(b)(1) and noise is the only environmental issue.

(2) The project has received a Special Environmental Clearance and has received the concurrence of the Environmental Clearance Officer.

(3) The project meets other program goals to provide housing in proximity to employment, public facilities and transportation.

(4) The project is in conformance with local goals and maintains the character of the neighborhood.

(5) The project sponsor has set forth reasons, acceptable to HUD, as to why the noise attenuation measures that would normally be required for new construction in the L_{dn} 65 to L_{dn} 70 zone cannot be met.

What this really means is that the 5db attenuation requirement for the 65–70 L_{dn} zone is waived. Primarily intended for urban areas where alternative sites are not available. Note that *all* conditions must be met.

(6) Other sites which are not exposed to noise above L_{dn} 65 and which meet program objectives are generally not available.

The above factors shall be documented and made part of the project file.

§51.106 Implementation.

(a) *Use of available data.* HUD field staff shall make maximum use of noise data prepared by others when such data are determined to be current and adequately projected into the future and are in terms of the following:

(1) *Sites in the vicinity of airports.* The noise environment around airports is described sometimes in terms of Noise Exposure Forecasts, abbreviated as NEF or, in the State of California, as Community Noise Equivalent Level, abbreviated as CNEL. The noise environment for sites in the vicinity of airports for which day-night average sound level data are not available may be evaluated from NEF or CNEL analyses using the following conversions to DNL:

$DNL \approx NEF + 35$

$DNL \approx CNEL$

Caution—every effort should be made to get official contours—particularly for military installations and large air carrier airports rather than trying to use the *Noise Assessment Guidelines.*

(2) *Sites in the vicinity of highways.* Highway projects receiving Federal aid are subject to noise analyses under the procedures of the Federal Highway Administration.

Where such analyses are available they may be used to assess sites subject to the requirements of this standard. The Federal Highway Administration employs two alternate sound level descriptors: (a) The A-weighted sound level not exceeded more than 10 percent of the time for the highway design hour traffic flow, symbolized as L_{10}; or (b) the equivalent sound level for the design hour, symbolized as L_{eq}. The day-night average sound level may be estimated from the design hour L_{10} or L_{eq} values by the following relationships, provided heavy trucks do not exceed 10 percent of the total traffic flow in vehicles per 24 hours and the traffic flow between 10 p.m. and 7 a.m. does not exceed 15 percent of the average daily traffic flow in vehicles per 24 hours:

$DNL \approx L_{10}$ (design hour)—3 decibels

$DNL \approx L_{eq}$ (design hour) decibels

These requirements are very important. Be careful with design hour values.

Where the auto/truck mix and time of day relationships as stated in this Section do not exist, the HUD Noise Assessment Guidelines or other noise analysis shall be used.

(3) *Sites in the vicinity of installations producing loud impulsive sounds.* Certain Department of Defense installations produce loud impulsive sounds from artillery firing and bombing practice ranges. Noise analyses for these facilities sometimes encompass sites that may be subject to the requirements of this standard. Where such analyses are available they may be used on an interim basis to establish the acceptability of sites under this standard.

The Department of Defense uses day-night average sound level based on C-weighted sound level, symbolized L_{Cdn}, for the analysis of loud impulsive sounds. Where such analyses are provided, the 8 decibel addition specified in 51.103(b), is not required, and the same numerical values of day-night average sound level used on an interim basis to determine site suitability for non-impulsive sounds apply to the L_{Cdn}.

(4) *Use of areawide acoustical data.* HUD encourages the preparation and use of areawide acoustical information, such as noise contours for airports. Where such new or revised contours become available for airports (civil or military) and military installations they shall first be referred to the Regional Office (Environmental Clearance Officer) for review, evaluation and decision on appropriateness for use by HUD. The Regional Office shall submit revised contours to the Assistant Secretary of Community Planning and Development for review, evaluation and decison whenever the area affected is changed by 20 percent or more, or whenever it is determined that the new contours will have a significant effect on HUD programs, or whenever the contours are not provided in a methodology acceptable under §51.106(a)(1) or in other cases where the Regional Office determines that Headquarters review is warranted. For other areawide acoustical data, review is required only where existing areawide data are being utilized and where such data have been changed to reflect changes in the measurement methodology or underlying noise source assumptions.

Contours for future noise levels based on new construction, mission changes etc. which become available as part of the Environmental Impact Statement process shall not be used until the NEPA process is complete and a decision on the proposed action is made.

When new or revised contours are approved, make sure all interested people in local area are informed that HUD will be using different contours. Make a special effort to inform the most active developers in area or developers who have worked with HUD before.

This is also required for noise studies for developers by consultants, whether to provide original data, or to contest existing data or a HUD analysis. It is particularly important to make sure the same traffic, vehicle or operational data were used for each study, when one study is being contested.

Requests for determination on usage of new or revised areawide data shall include the following:

(i) Maps showing old, if applicable, and new noise contours, along with brief description of data source and methodology.

(ii) Impact on existing and prospective urbanized areas and on development activity.

(iii) Impact on HUD-assisted projects currently in processing.

(iv) Impact on future HUD program activity. Where a field office has determined that immediate approval of new areawide data is necessary and warranted in limited geographic areas, the request for approval should state the circumstances warranting such approval. Actions on proposed projects shall not be undertaken while new areawide noise data are being considered for HUD use except where the proposed location is affected in the same manner under both the old and new noise data.

(b) *Site assessments.* Compliance with the standards contained in §51.103(c) shall, where necessary, be determined using noise assessment guidelines, handbooks, technical documents and procedures issued by the Department.

(c) *Variations in site noise levels.* In many instances the noise environment will vary across a site, with portions of the site being in an Acceptable noise environment and other portions in a Normally Unacceptable noise environment. The standards in §51.103(c) shall apply to the portions of a building or buildings used for residential purposes and for ancillary noise sensitive open spaces.

(d) *Noise measurements.* Where noise assessments result in a finding that the site is borderline or questionable, or is controversial, noise measurements may be performed. Where it is determined that noise measurements are required, such measurements will be conducted in accordance with methods and measurement criteria established by the Department. Locations for noise measurements will depend on the location of noise sensitive uses that are nearest to the predominant noise source (see §51.103(c)).

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(e) *Projections of noise exposure.* In addition to assessing existing exposure, future conditions should be projected. To the extent possible, noise exposure shall be projected to be representative of conditions that are expected to exist at a time at least 10 years beyond the date of the project or action under review.

When projections for airports are based on new construction or similar actions the likelihood that such major action will actually take place should be carefully evaluated. This is particularly important if local funding is required. Check to see if initial actions such as land purchases, bonds etc. been taken. If projections are just based on expanded traffic levels make sure they are reasonable for the area. Projections for smaller communities are often overly optimistic.

(f) *Reduction of site noise by use of berms and/or barriers.* If it is determined by adequate analysis that a berm and/or barrier will reduce noise at a housing site, and if the barrier is existing or there are assurances that it will be in place prior to occupancy, the environmental noise analysis for the site may reflect the benefits afforded by the berm and/or barrier.

This provision should be used with caution. Very clear and strong assurances that berms or barriers will be constructed should be obtained in writing before approval.

Again also note that by definition a barrier must be physically separate from the building or area it is providing attenuation for.

The *Noise Assessment Guidelines* contain procedures for evaluating barrier effectiveness.

In the environmental review process under §51.104(b), the location height and design of the berm and/or barrier shall be evaluated to determine its effectiveness, and impact on design and aesthetic quality, circulation and other environmental factors.

Appendix to Subpart B—definition of acoustical quantities

1. *Sound Level.* The quantity in decibels measured with an instrument satisfying requirements of American National Standard Specification for Type 1 Sound Level Meters S1.4–1971. Fast time-averaging and A-frequency-weighting are to be used, unless others are specified. The sound level meter with the A-weighting is progressively less sensitive to sounds of frequency below 1,000 hertz (cycles per second), somewhat as is the ear. With fast time averaging the sound level meter responds particularly to recent sounds almost as quickly as does the ear in judging the loudness of a sound.

(2) *Average Sound Level.* Average sound level, in decibels, is the level of the mean-square A-weighted sound pressure during the stated time period, with reference to the square of the standard reference sound pressure of 20 micropascals.

$$L_{dn} = 10 \log_{10} \left[\frac{1}{86400} \left(\int_{0000}^{0700} 10^{[L_A(t)+10]/10}\, dt + \int_{0700}^{2200} 10^{L_A(t)/10}\, dt + \int_{2200}^{2400} 10^{[L_A(t)+10]/10}\, dt \right) \right]$$

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Time t is in seconds, so the limits shown in hours and minutes are actually interpreted in seconds. $L_A(t)$ is the time varying value of A-weighted sound level, the quantity in decibels measured by an instrument satisfying requirements of American National Standard Specification for Type 1 Sound Level Meters S1.4–1971.

3. *Loud Impulsive Sounds.* When loud impulsive sounds such as sonic booms or explosions are anticipated contributors to the noise environment at a site, the contribution to day-night average sound level produced by the loud impulsive sounds shall have 8 decibels added to it in assessing the acceptability of a site.

A loud impulsive sound is defined for the purpose of this regulation as one for which:

(i) The sound is definable as a discrete event wherein the sound level increases to a maximum and then decreases in a total time interval of approximately one second or less to the ambient background level that exists without the sound; and

(ii) The maximum sound level (obtained with slow averaging time and A-weighting of a Type 1 sound level meter whose characteristics comply with ANSI S1.4–1971) exceeds the sound level prior to the onset of the event by at least 6 decibels; and

(iii) The maximum sound level obtained with fast averaging time of a sound level meter exceeds the maximum value obtained with slow averaging time by at least 4 decibels.

Issued at Washington, D.C., on July 5, 1979.

Patricia Roberts Harris,
Secretary of Housing and Urban Development.

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Quiz on the Noise Regulations

Questions

1. What is the HUD policy on support for existing constructon in high noise areas?
2. What is the definition of "major or substantial rehabilitation"?
3. What is HUD's Interior noise goal?
4. What project approval authority does the Field Office have?
5. Who approves projects in the Unacceptable Zone?
6. What noise descriptor is used to express noise levels in the regulation?
7. How are loud impulsive sounds to be evaluated?
8. At what point on a building's exterior are sound levels to be determined?
9. What is the basic assumption behind the attenuation levels required?
10. What type of attenuation measures are preferred?
11. When should building attenuation measures be considered?
12. When are EIS's required?
13. When is an area considered "largely undeveloped"?
14. What is "Flexibility for Non-Acoustic Benefits"?
15. Six conditions are listed for waiving the attenuation requirement under the Flexibility for Non-Acoustic Benefits provision, how many must be met for the waiver to be granted?
16. Who has the authority to grant the attenuation requirements waiver under the "flexibility" provision?
17. What noise descriptors other than DNL are acceptable for aircraft noise contours?
18. Who normally approves areawide noise data such as airport noise contours?
19. If a site is partially in the Unacceptable Zone and partially in the Normally Unacceptable Zone, which review and approval procedures apply?
20. When should noise measurements be used in lieu of areawide data or *Noise Assessment Guidelines* calculations?

Quiz on the Noise Regulations

Answers

1. Noise exposure can not, by itself, be the basis for denying support for resale and purchase of existing buildings. (Section 51.101(a)(4))
2. "Major or substantial rehabilitation" is defined in individual program guidance. There is no single definition. (51.101(a)(5) marginal note)
3. 45 L_{dn} (Section 51.101(a)(9))
4. projects in Acceptable Zone; also projects in Normally Unacceptable Zone provided that
• adequate sound attenuation is provided
• no EIS is required (Section 51.102(a)(1))
5. The Assistant Secretary for Community Planning and Development. (Section 51.102(A)(3) and 51.104(b))
6. The day night average sound level system (DNL). (Section 51.103(a))
7. Two ways:
• If plain DNL levels have been calculated or measured, add a 8 decibel penalty.
• Alternatively, the C weighted day night average sound level system (L_{Cdn}) can be used as is. (Section 51.103(b))
8. Two meters (6.5 feet) away from the building exterior, moving towards the predominant noise source. (Section 51.103(c))
9. That current construction practices provide about 20 db attenuation. Thus in a 65 L_{dn} or lower area the interior goal of 45 L_{dn} would be met with standard construction. The additional attenuation required is the increment over that provided by standard construction necessary to achieve the interior goal of 45 L_{dn}. (Section 51.104(a) marginal note)
10. Measures which reduce **exterior** noise levels. (51.104(a))
11. Only after it has been determined that berms and barriers or site redesign are not practical alternatives. (Section 51.104(a))
12. When the project is located in the Unacceptable Zone or the project is located in a largely undeveloped area and the project is in the Normally Unacceptable Zone. (Section 51.104(b))
13. When the area within a 2 mile radius of the project is less than 50% developed for urban uses and infrastructure is not in place and available to serve the project. (Section 51.104(b)(1)(ii))
14. A provision in the regulations which allows the attenuation requirements for the 65–70 L_{dn} zone to be waived. (Section 51.105(a) and marginal note)
15. All six conditions must be met. (Section 51.105(a))
16. The field office. (Section 51.102(a))
17. NEF and CNEL. (Section 51.106(a)(1))
18. The Regional Office. (Section 51.106(a)(4))
19. The review and approval procedures for projects in the Unacceptable Zone apply. (Section 51.104(b)(2))
20. Only when the noise assessment indicates that the site is on the borderline between Acceptable and Unacceptable, or when the site is controversial. (Section 51.106(d))

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Chapter 3

Major Policy and Implementation Questions Related to the Noise Regulation

As regulations are applied in the field, it is inevitable that questions will arise. It is, after all, very difficult to anticipate every situation when preparing a regulation. Sometimes the questions relate to specific and unique situations of limited interest to anyone but the office involved. Other questions, however, raise issues of more general concern. In this section we have brought together the most important and most relevant questions that have arisen since the noise regulation went into effect in August of 1979. We have used a question and answer format for your convenience.

The following are the topics included:

1. Noise projections for civil airports
2. Definition of infill for small towns
3. Areawide EIS waivers
4. Requirements for modernization and rehabilitation projects
5. Use of berms and barriers as attenuation measures
6. New and revised airport noise contours

Questions and Answers

1. How valid and useful are civil airport noise projections that show significant reductions in the amount of land exposed to high noise levels? Should we be suspicious?

Contours that show significant reductions in the area exposed to high noise levels may seem questionable, but, according to the Environmental Protection Agency, they may be quite accurate. The EPA does expect to see some significant reductions in the number of people exposed to high levels of aircraft noise over the next 15 years. In their report *Aviation Noise: The Next Twenty years*, EPA stated that they expected to see the number of people exposed to levels of 65 Ldn or greater to drop from a 1975 figure of 5,550,000 to about 2,650,000 in the year 2000. Much of this reduction would occur during the period 1980–1985 with more modest decreases thereafter. The reductions are expected to result from the Federal Aviation Administration's current noise certification requirements, even with up to 100% increases in aircraft operations. (Current certification requirements are for all new aircraft to achieve stage three noise levels and all older aircraft to achieve stage two levels by 1985. Progress has been good in meeting these requirements.)

In general then, you should not be surprised to see significant reductions in contour size if the following conditions are met:

- the decrease in size is no more than 50%;
- the increase in operations is no more than 100%; and
- FAR stage 3 aircraft, such as the B757 and B767, are included in the fleet mix, but not to the total exclusion of all other aircraft.

Assuming that the contours are otherwise technically correct, significantly smaller contours should be acceptable.

2. Many small towns aren't big enough for a project to meet the definition of infill contained in section 51.104 (b)(1)(ii). However, a project located in the heart of town can hardly be considered to be in a largely undeveloped area. Must an EIS be prepared?

Not necessarily. If the jurisdiction in which the project is located is not part of a standard metropolitan area, a project may be considered infill if it is within or contiguous to the already developed area and infrastructure (particularly water and sewer) is available and has the capacity to serve the project. It must also be clear that the project will not encourage the establishment of other incompatible land uses in the normally unacceptable noise zone.

If you believe a project meets these criteria, submit documentation to the Office of Environment and Energy for their review and determination.

3. What can we do to reduce the procedural burden when, for a variety of reasons, the Department expects to be considering a number of projects in an unacceptable noise zone? Most of the projects would probably qualify for an EIS waiver, but how can we avoid filling repetitive, individual requests?

While the number of cases where the Department would be seriously considering a number of projects exposed to unacceptable noise levels in the same jurisdiction is likely to be limited, there is an alternative to individual processing in those situations. The alternative is to issue an areawide waiver for the entire affected jurisdiction. Such a waiver can be useful when the unacceptable noise zone heavily impacts a substantially developed community with limited site alternatives. (In most cases we would expect that the noise source would be aircraft, but in very small towns it is possible that a heavily used rail line could create a large unacceptable noise zone.)

An areawide EIS waiver would, of course, have to have a more detailed environmental assessment than an individual project request, and there are other special processing steps.

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But if you have a situation where you think the Department has a good reason to expect to process a number of projects within the unacceptable noise zone, there is an alternative to individual EIS waivers. Contact the Office of Environment and Energy for details on how to request the areawide waiver.

4. What exactly are the processing requirements and general policies for modernization and rehabilitation projects? Does secton 51.104 apply to them as well as to new construction? The noise regulation is a bit confusing on this.

Yes, the noise regulation is a bit confusing on this question. We have seen several instances where field offices have mistakenly applied the provisions of Section 51.104 to modernization and rehabilitation projects. We believe that this happens because section 51.104 is not as clearly titled as it might have been. It would be better if it read "special requirements for new construction" rather than simply "special requirements".

The only parts of the regulation that apply to modernization and rehabilitation projects are sections 51.101 (a)(5) and the definitions of normally unacceptable and unacceptable noise zones contained in the table in section 51.103. None of the other proessing or policy provisions of the table or of sections 51.102 and 51.104 apply. Therefore:

- modernization and rehabilitation projects are to be processed by the field offices regardless of the noise zone.
- EIS's are not required for modernization and rehabilitation projects unless mandated by other applicable environmental regulations.

You must however continue to encourage attenuation features in modernization and rehabilitation projects, in accordance with the general policy stated in section 51.101(a)(5).

5. We know that berms and barriers are the preferred type of noise attenuation because of the protection they provide for outdoor living areas, but we need some further guidance on when they are really the best choice.

While barriers can be an effective noise attenuation technique, they must, indeed, be used with caution and common sense because they can create more problems than they solve. Very high noise barriers can create significant aesthetic and financial problems relative to the noise benefit to be achieved. Barriers can block light, hinder natural ventilation, create an unpleasant sense of being walled in, and can be very unattractive. In addition, barriers do require continuing maintenance and can be very costly to build.

It is important to remember that the noise regulation says that "measures that reduce external noise at a site shall be used **wherever practicable.**" Is it practicable to propose a 20 foot high barrier only 15 feet from the rear of a two-story building? Granted it would certainly protect the building from noise, but what about the blocked light, the reduced ventilation, the visual impact, and the cost? The purpose of a barrier is primarily to reduce the noise levels in those outdoor areas that people use. The secondary purpose is to reduce the need for structural attenuation. Therefore, the barrier should only be as high as is necessary to protect those areas. Structural attenuation should be required for the parts of the building not protected by the barrier. And if there aren't any outdoor areas where low noise levels are important, barriers shouldn't be required unless they would be more cost effective than building attenuation measures.

6. What should we be doing once we have processed new or revised aircraft noise contours and they have been approved for use?

The most important thing you can do once new or revised aircraft noise contours have been approved for use is to tell the people who are most likely to be affected by the change. If you have a newsletter that you regularly publish, that is one way to get the word out. At the very least you should specifically notify the affected jurisdictions and the builders/developers who are known to be active in the vicinity of the noise impacted areas. Make sure you notify builders and developers who have large scale projects that you have been processing in sections. Go back and check your files to find them. Even though you should have done an overall environmental review of the project at the time the first section was submitted, the approval of individual sections is dependent on the noise levels at the time that section is submitted.

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Chapter 4

Noise Attenuation

Introducton

HUD's noise policy (24 CFR 51B) clearly requires that noise attenuation measures be provided when proposed projects are to be located in high noise areas. The requirements set out in Section 51.104(a) are designed to insure that interior levels do not exceed the 45 L_{dn} level established as a goal in Section 51.101(a)(9). Thus, in effect, if the exterior noise level is 65 L_{dn} to 70 L_{dn}, 25 db of noise attenuation must be provided; if the exterior noise level is between 70 and 75 L_{dn}, then 30 db of attenuation is required. Likewise, for projects proposed for areas where noise levels exceed 75 L_{dn}, sufficient attenuaton must be provided to bring interior levels down to 45 L_{dn} or below.

There are three basic ways to provide the noise attenuation required:

1. the use of barriers or berms
2. site design
3. acoustical construction

Of these, only the first two provide any improvement in the exterior environment. Because HUD considers a quiet exterior environment to be important, we prefer the use of those measures that reduce exterior levels as well as interior levels. The use of acoustical construction by itself is, therefore, the least preferred alternative since it only affects the interior levels. While we recognize that in many cases barriers or site design cannot provide all the attenuation necessary, you should combine them with acoustical construction whenever possible.

Your responsibility as a HUD staff member is to:

- make sure the project sponsor or developer is aware of the attenuation requirements for the project.
- make the sponsor aware of the options available

and

- review attenuation proposals to make sure they are adequate.

While it is not your responsibility to provide detailed design assistance to the sponsor or developer, you should know enough about the attenuation options to give him or her a basic understanding of what must be done. In many cases, you may be able to reassure the sponsor or developer that the necessary attenuation can be achieved through the use of common construction techniques or materials. Or you may be able to point out how a simple site design change can achieve the desired result without additional cost.

The following sections are designed to provide you with the information you will need to fulfill your responsibilities. Each attenuation approach is discussed both in terms of basic concepts and in terms of what to look for in reviewing attenuation proposals. The discussion does assume that you have a working knowledge of the *Noise Assessment Gujidelines*. If you have not worked with the *Guidelines* before or not recently you may want to go back and review them, particularly the section on calculating the effects of barriers.

Barrier Noise Reduction Concepts

(The following, with some editing and with some additional graphics, is taken from the Federal Highway Administration's *Noise Barrier Design Handbook*.[1])

When no obstacles are present between [a source] and adjoining areas, sound travels by a **direct** path from the "sources"... to [the] "receivers"..., as shown in Figure 1. Introduction of a barrier between the source and receiver redistributes the sound energy into several [indirect] paths: a **diffracted** path, over the top of the barrier; a **transmitted** path, through the barrier; and a **reflected** path, directed away from the receiver. These paths are also illustrated in Figure 1.

[1] *Noise Barrier Design Handbook* US Department of Transportation, Federal Highway Administration, February 1976. (FHWA-RD-76-58).

Figure 1
Alteration of Noise Paths by a Barrier

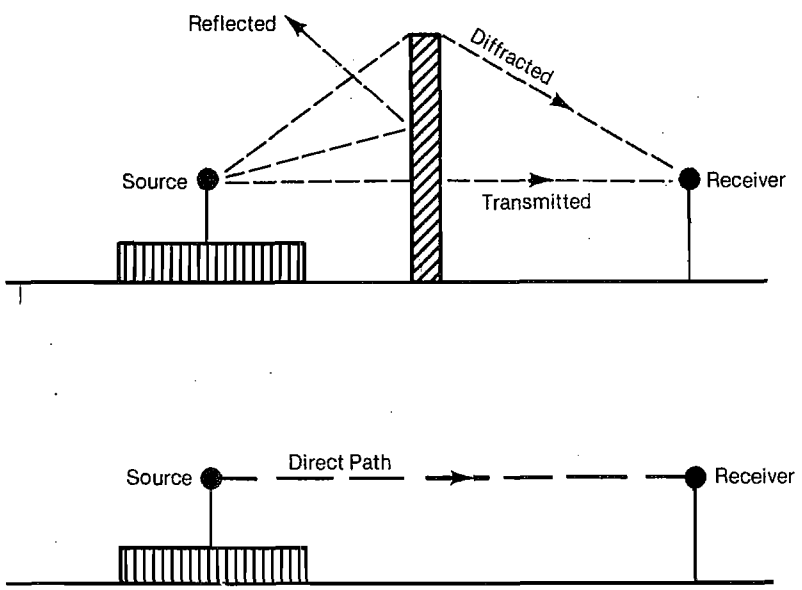

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Barrier Diffraction and Attenuation

Consider an infinitely long, infinitely massive noise barrier placed between a highway and the receiver. Figure 2 illustrates a cross-section through such a configuration. [In] this example, the only way that sound can reach the receiver is by bending over the top of the barrier; as shown in the figure. The bending of sound waves in this manner over an obstacle is known as diffraction. The area in which diffraction occurs behind the barrier is known as the "shadow zone." The straight path from the source over the top of the barrier forms the boundary of this zone.

All receivers located in the shadow zone will experience some sound attenuation; the amount of attenuation is directly related to the magnitude of the diffraction angle ϕ. As ϕ increases, the barrier attenuation increases. The angle ϕ will increase if the barrier height increases, or if the source or receiver are placed closer to the barrier. Clearly then the barrier attenuation is a function of the geometrical relationship between the source, receiver, and barrier. One way of relating these parameters to the barrier attenuation is to define the path-length difference as shown in Figure 3. This parameter is the difference in distance that the sound must travel in diffracting over the top of the barrier rather than passing directly through it.

In the preceding discussion it was assumed that the barrier was "infinite"; i.e., long enough to shield the receiver from all sound sources up and down the highway. For short barriers, the attenuation can be seriously limited by the sound from sections of highway beyond the barrier's ends, which are unshielded from the receiver, as shown in Figure 4. Similarly, when there are large gaps in the barrier (to permit access, for example), sound from the unshielded section of highway adjacent to the gap can greatly compromise barrier attenuation, especially for those receivers close to the opening.

Figure 2
Barrier Diffraction

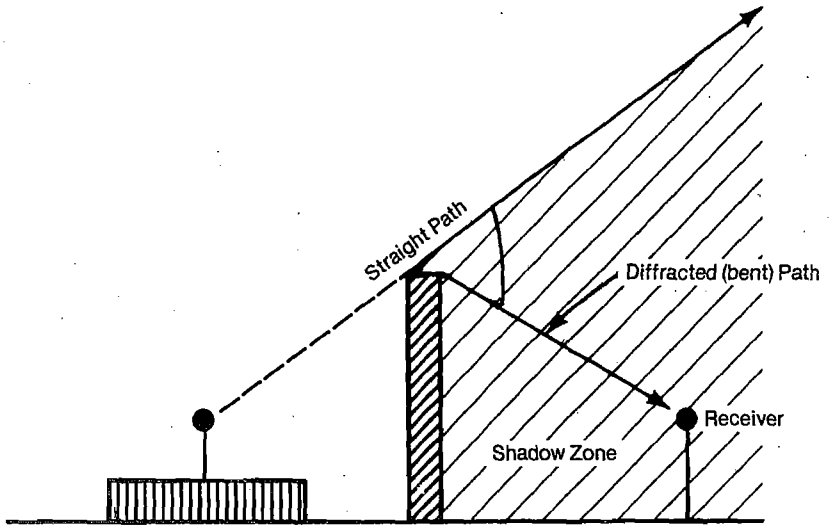

Figure 3
Path Length Difference $\delta = A + B - d$

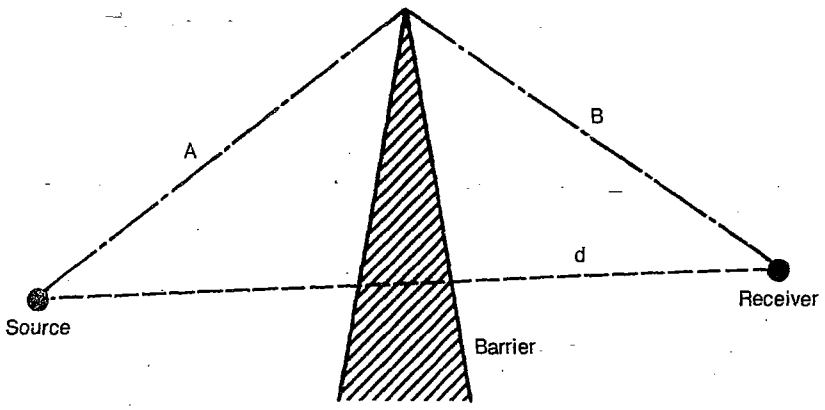

Figure 4
Short-circuit of Barrier Around Ends and Through Openings

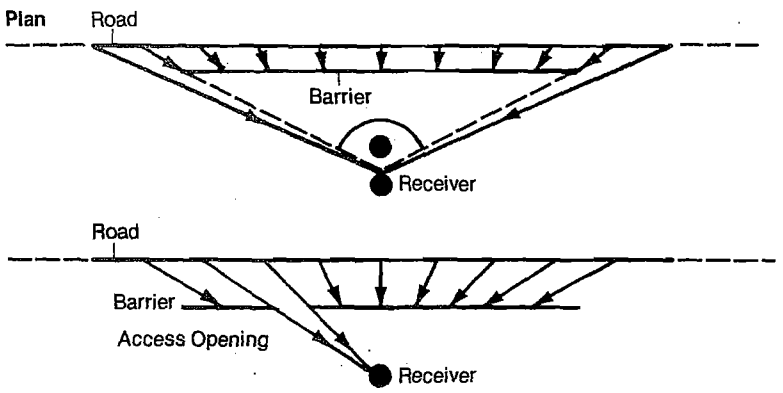

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It should be mentioned that the use of barrier walls with sloped sides (forming angles of grater than 10–15 degrees from the vertical) will also generally eliminate multiple reflections. Use of earth berms is particularly appropriate to accomplish this. Sloped barrier walls will require more material to achieve a desired height than a vertical wall, while berms will require greater right-of-way than a thin wall.

Ground Effects

Consider again the direct path of sound from the source to receiver as illustrated in Figure 1 in the absence of any obstacles. For sources and receivers located close to the ground, in addition to this direct path sound energy may reach the receiver by reflecting off the ground. When the terrain is relatively hard and flat, such a reflection will add to the noise from the direct path to increase the level at the receiver. However, when the ground is soft, there may be a phase reversal upon reflection such that the noise from the ground reflection path will destructively interfere with the noise from the direct path resulting in a significant reduction in noise levels at the receiver.

This reduction in level, known as ground-effect attenuation, is in excess of the 3 dB per doubling of distance propagation loss for a line source of noise and occurs only above soft absorptive ground (such as normal earth and most ground with vegetation). Over hard ground (such as concrete, stone and very hard-packed earth) these effects do not occur. These effects are most apparent for receivers on the ground floor, and decrease rapidly as receiver height above ground increases.

While ground absorption effects are not completely understood, it is generally believed that these effects account for the 4.5 dB per doubling of distance propagation loss observed over soft ground, as compared to the 3 dB propagation loss observed over hard ground. The implication with regard to barrier design is that placement of a barrier over soft ground between source and receiver will re-direct the sound over the top of the barrier, thus destroying the ground reflection and the additional 1.5 dB per doubling of distance attenuation. Thus, the barrier must be designed to provide more reduction than would otherwise be necessary, to compensate for the lost ground effects over absorptive ground.

Summary

(From: *Design Guide*, National Bureau of Standards[1])

In summary, the following can be said about noise barriers.

- If a barrier does not block the line-of-sight between the source and receiver, the barrier will provide little or no attenuation.
- If a barrier is constructed of a material with a surface weight density greater than 4 lb/ft^2 and there are no openings through the barrier, transmitted sound will usually be negligible.
- If there are openings totaling over 10 percent or more of the barrier area, barrier attenuation will be negligible.
- Diffracted sound is usually the most important aspect in estimating barrier attenuation.
- Reflected sound can be important for receivers on the source side of a barrier, but it normally is not a factor for receivers on the side opposite from the source. Hence reflected sound is usually not important to your building and site.
- Transmission of sound around the ends of the barrier can be critical if the barrier included angle is less than 170°.
- Barrier attenuations greater than an A-weighted sound level difference of 10 dB are difficult to obtain.
- For two or more barriers "in series," consider only the "dominant" barrier.
- Assume no attenuation for a receiver located beyond the end of a barrier.

Reviewing Barrier Proposals

An effective barrier is one which reduces the noise level behind the barrier to 65 L_{dn} or lower. If a barrier can reduce the exterior noise level to 65 L_{dn}, then standard construction techniques should be sufficient to insure an interior level of 45 L_{dn} or below. Therefore, if you determine that a proposed barrier is adequate to reduce the exterior noise level to 65 L_{dn} then no additional attenuation measures should be necessary.

[1] *Design Guide for Reducing Transportation Noise in and Around Buildings*, US Department of Commerce, National Bureau of Standards, April 1978. (Building Science Series 84)

There are four things to check when determining the adequacy of a proposed barrier:

1. Is it high enough?
2. Is it long enough?
3. Is it made of the right materials?
4. Is it properly constructed?

Is it High Enough?

In order for a barrier to be effective it must be at least high enough to break the line of sight between the source and the receiver. In the *Noise Assessment Guidelines* you will find the procedure for determining how much attenuation is provided by a barrier of a given height.

In general, barriers and berms are most effective for one and two story buildings because a relatively low barrier can often provide the attenuation needed. The height that might be required to provide attenuation for much taller buildings is often not feasible for either cost or aesthetic reasons. However, even if a barrier can not be made high enough to attenuate the upper floors of a multistory building, it may still be able to provide some protection for outdoor recreational areas. Before discarding the barrier idea check for this possibility.

If you find that the barrier as proposed is too short to be effective but the sponsor or developer tells you that he or she can not make the barrier any higher, there are some alternatives you can suggest. There are ways to get more attenuation out of each foot of overall height.

As a general rule, barriers work better the closer they are to the source. Figure 6 shows a barrier that does not block the line of sight at all when it is located next to the receiver, yet is quite tall enough when located next to the source. Thus, if the sponsor or developer can not make the barrier any taller, perhaps he or she can move it closer to the source.

Another way to get more attenuation without increasing overall barrier height is to bend the top of the barrier towards the source. Figure 7 shows a case where a barrier built perfectly straight provides 8 dB of attenuation. A barrier with the same overall height but with a 45 degree bend towards the source provides 9.5 dB of attenuation. Thus if the project sponsor or developer wants to keep the overall height of the barrier down, he or she can still increase the attenuation provided simply by bending the top.

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Figure 6
Effect of Moving the Barrier Closer to the Source

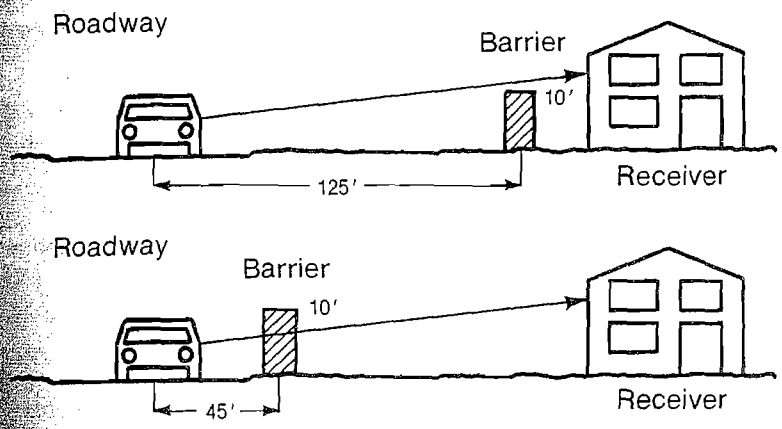

Figure 7
Effect of Bending the Top of the Barrier Towards the Source

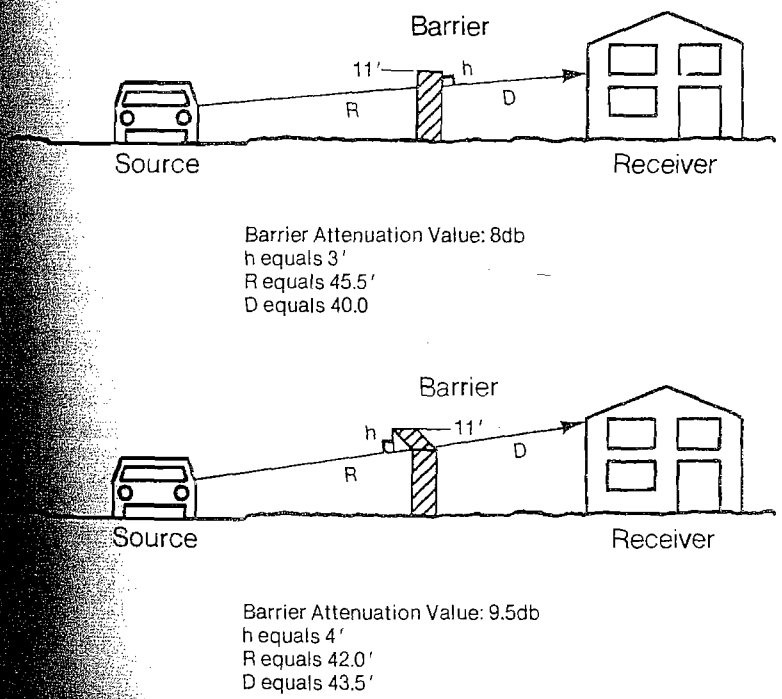

Thus, if your review of a proposed barrier shows it to be too short, but it can not be made any higher, suggest that the barrier be moved closer to the source or that it be bent at the top, or both.

Is It Long Enough?

Once you have established how much attenuation the barrier provides due to its height, you must determine if the length of the barrier compromises that attenuation level. Again, *the Noise Assessment Guidelines* contain a procedure for calculating the effect of barrier length.

If you find that the barrier is too short but that there are limitations on how long it can be made, there are, as there were with barrier heights, some recommendations you can make on how to improve the effectiveness of the barrier.

Again, if you bend the edges of the barrier, this time towards the **receiver** not the source, you will increase the effectiveness of the barrier. Figure 8 shows how much a barrier's effectiveness can be improved by bending the edges.

You can also improve the effectiveness of the barrier by moving it closer to the receiver. Figure 9 shows how much a barrier's effectiveness can be increased by moving it closer to the receiver. Now obviously, this creates a conflict with what we said earlier about moving the barrier closer to the source. Clearly each case will require a different compromise. If height is not a limiting factor but length is, you might recommend to the project sponsor or developer that the barrier be moved closer to receiver and the height increased as necessary. If the reverse is true, you would want to recommend the opposite. If both height and length are limited, then the sponsor or developer must find that optimum point where the effeciveness of both the barrier height and the barrier length is as high as possible.

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Figure 8
Effect of Bending the Edges of Barrier Towards Receiver
(Both Barriers have Potential Value of 10db)

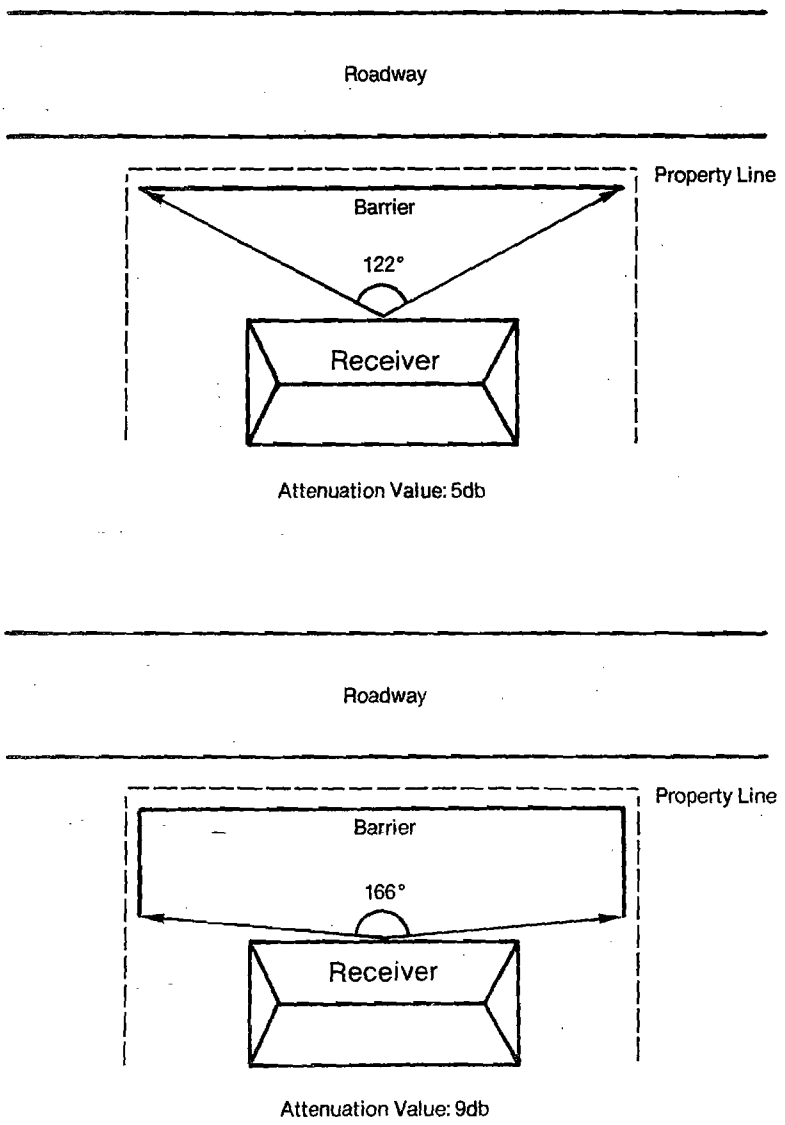

Is It Made of The Right Materials?

Even if a barrier is high enough and long enough, its effectiveness can be severely reduced if it is made up of lightweight materials that easily transmit sound waves. In the preceding section on barrier concepts we talked about how if the transmission loss value for the barrier material was not at least 10 db higher than the attenuation value of the barrier based on length and height there would be a significant reduction in the effectiveness of the barrier.

Therefore, once you have calculated the basic attenuation potential of the barrier, you must check to make sure the proper material is being used to build the barrier. Table 1 lists the transmission loss values for materials commonly used in barrier construction. Once you have found the transmission loss value for the material being used, go to Table 2. Read down the column with the transmission loss for the material at its top and across the line that has the attenuation potential for the barrier listed. Where the two intersect you will find the actual attenuation capability of the barrier.

If you find that the choice of material has severely reduced the effectiveness of the barrier, you should recommend that the sponsor or developer select another material.

Is It Properly Constructed?

Holes or openings can substantially reduce the effectiveness of a barrier. A barrier that has openings totaling 50% or more of its total area will provide no attenuation. A barrier that has openings totaling 10% of its total area has a maximum attenuation value of approximately 4db. That is 4db no matter how high, how long or how thick the barrier. So you can see that it is very important that the barrier is made of solid materials and that it is tightly constructed. In general the intended openings in a barrier should equal no more than 1% of total area and the construction specifications should require that all joints are tightly sealed.

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Figure 9
Effect of Moving Barrier Closer to Receiver

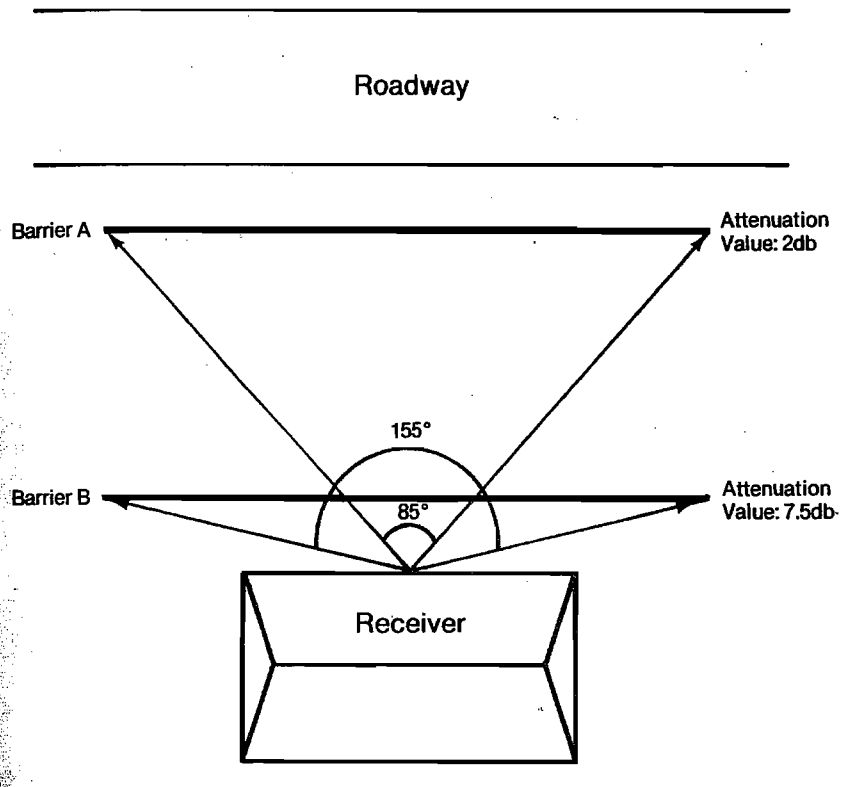

A Final Note

One thing should have become clear to you as you have been reading this section, and that is that in order for you to adequately review a project sponsor or developer's proposed barrier you must be given fairly specific information about the exact dimensions of the proposed barrier, the type and thickness of the barrier material, and the exact design of the barrier including construction specifications. Without this information you will be unable to do any more than a cursory evaluation, an evaluation that could be far from accurate. Make sure you make it clear to the developer or sponsor what you need to have.

Table 1
Transmission Loss Value for Common Barrier Materials

Material	Thickness, (Inches)	Transmission Loss, dBA (1)
Woods		
[illegible]	1/2	17
	1	20
	2	24
[illegible]	1/2	16
	1	19
	2	23
[illegible]ywood	1/2	16
	1	19
	2	23
[illegible]ber	1/2	15
	1	18
	2	22
[illegible]ywood	1/2	20
	1	23
[illegible]cle [illegible]rd	1/2	20
Metals		
[illegible]minum	1/16	23
	1/8	25
	1/4	27
	24 ga	18
	20 ga	22
	16 ga	15
	1/16	28
Concrete, Masonry, etc.		
Light Concrete	4	36
	6	39
Dense Concrete	4	40
Concrete Block	4	32
	6	36
Cinder Block (Hollow Core)	6	28
Brick	4	33
Granite	4	40
Composites		
Aluminum Faced Plywood	3/4	21-23
Aluminum Faced Particle Board	3/4	21-23
Plastic Lamina on Plywood	3/4	21-23
Plastic Lamina on Particle Board	3/4	21-23
Miscellaneous		
Glass (Safety Glass)	1/8	22
	1/4	26
Plexiglass (Shatterproof)		22-25
Masonite	1/2	20
Fiberglass/ Resin	1/8	20
Stucco on Metal Lath	1	32
Polyester with Aggregate Surface	3	20-30

[1]A-weighted TL based on generalized truck spectrum. Source: *Noise Barrier Design Handbook*, FHWA

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Table 2
Noise Reduction of a Barrier as a Function of its Transmission Loss

Designed Attenuation, dB (from height) and length)	Tramission Loss, dB of Materials				
	10	15	20	25	30
5	3.8	4.6	4.9	5.0	5.0
6	4.5	5.5	5.8	6.0	6.0
7	5.2	6.4	6.8	6.9	7.0
8	5.9	7.2	7.7	7.9	8.0
9	6.5	8.0	8.7	8.9	9.0
10	7.0	8.8	9.6	9.9	10.0
11	7.5	9.5	10.5	10.8	11.0
12	7.9	10.2	11.4	11.8	11.9
13	8.2	10.9	12.2	12.7	12.9
14	8.5	11.5	13.0	13.7	13.9
15	8.8	12.0	13.8	14.6	14.9
16	9.0	12.5	14.5	15.5	15.8
17	9.2	12.9	15.2	16.7	16.8
18	9.4	13.2	15.9	17.2	17.7
19	9.5	13.5	16.5	18.0	18.7
20	9.6	13.8	17.0	18.8	19.6

Source: *Noise Barrier Design Handbook, FHWA*

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Acoustical Site Planning Concepts

(This section, with some editing, is from *The Audible Landscape*, FHWA.[1])

The arrangement of buildings on a site can be used to minimize noise impacts. If incompatible land uses already exist, or if a noise sensitive activity is planned, acoustical site planning often provides a successful technique for noise impact reduction.

Many site planning techniques can be employed to shield a residential development from noise. These can include:

1. increasing the distance between the noise source and the receiver;
2. placing noise compatible land uses such as parking lots, maintenance facilities, and utility areas between the source and the receivers. Playgrounds and parks are not necessarily noise compatible activities.
3. locating barrier-type buildings parallel to the noise source or the highway; and
4. orienting the residences away from the noise.

The implementation of many of the above site planning techniques can be combined through the use of cluster and planned unit development techniques.

Distance

Noise can be effectively reduced by increasing the distance between a residential building and a highway. Distance itself reduces sound: doubling the distance from a noise source can reduce its intensity by as much as 3 dBA. In the case of highrise buildings, distance may be the only means, besides acoustical design and construction, of reducing noise impacts. This is because it is nearly impossible to provide physical shielding for the higher stories from adjacent noise.

Noise Compatible Land Uses as Buffers

Noise protection can be achieved by locating noise-compatible land uses between the highway and residential units. Whenever possible, compatible uses should be nearest the noise source. Figure 10 shows a proposed parking garage along two sides of a development in Boston. Both the

[1] *The Audible Landscape: A Manual for Highway Noise and Land Use*, US Department of Transportation, The Federal Highway Administration, November 1974. (GPO Stock Number: 5000-00079.)

Figure 10
Use of a Parking Garage to Shield a Residential Area

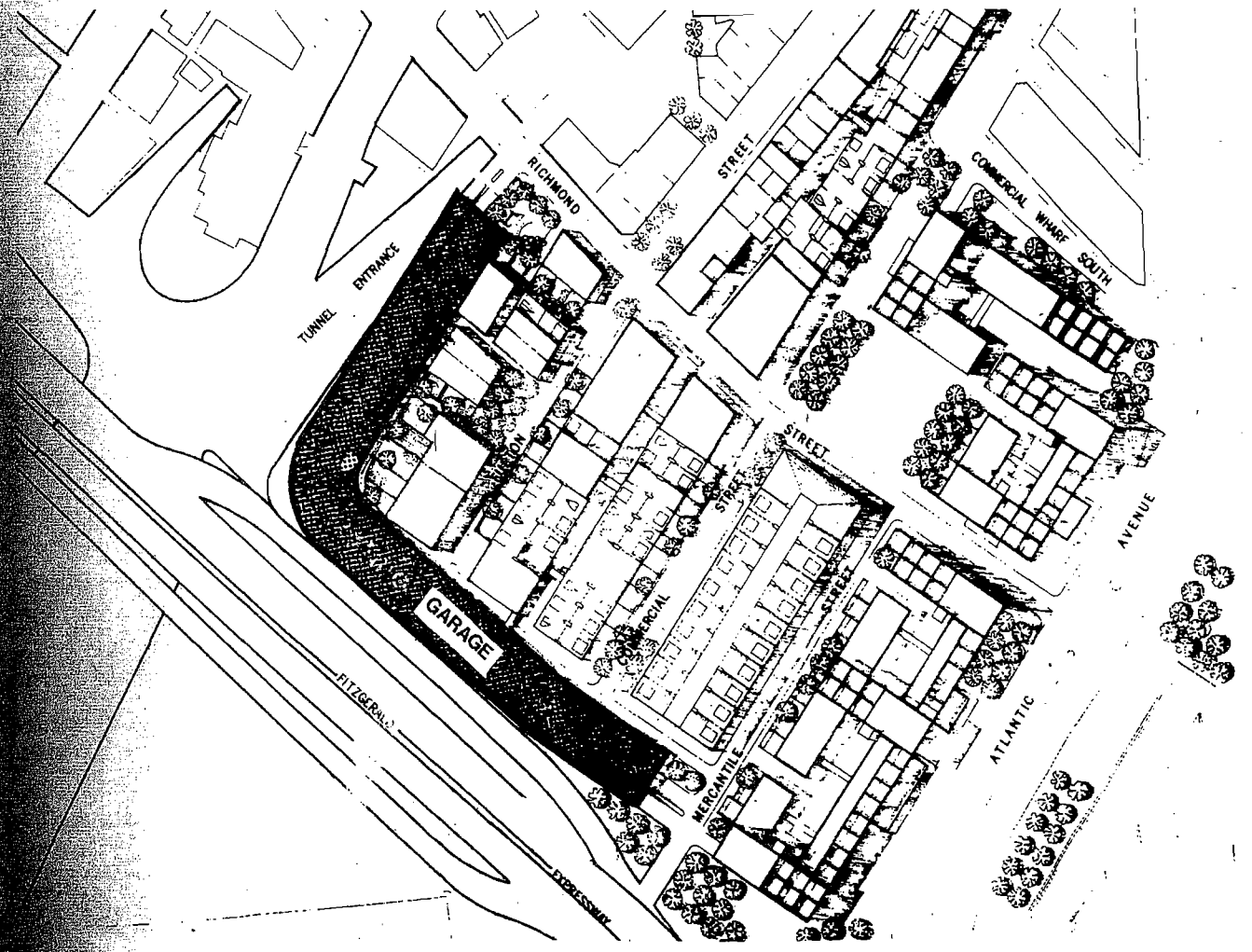

Fitzgerald Expressway and the entrance to the Callahan Tunnel which are shown on the site plan are major and noisy traffic routes. In addition to protecting the residential development from the noise and dirt of highway traffic, the parking garage provides needed facilities for the residents.

Buildings as Noise Shields

Additional noise protection can be achieved by arranging the site plan to use buildings as noise barriers. A long building, or a row of buildings parallel to a highway can shield other more distance structures or open areas from noise.

If the building being used as a barrier is sensitive to highway noise, the building itself must first be soundproofed. This technique was used in a housing project in England where a 3,900 foot long, 18 foot wide and 45-70 foot high wall (depending on the terrain) serves as both residence and a sound shield. The wall/building will contain 387 apartments in which the kitchens and bathrooms are placed towards the noise, and the bedrooms and living rooms face away from the highway. The wall facing the highway will be soundproofed and windows, when they exist, are sealed. Substantial noise reductions are expected.

Orientation

The orientation of buildings or activities on a site affects the impact of noise, and the building or activity area may be oriented in such a way as to reduce this impact.

Noise impacts can be severe for rooms facing the roadway since they are closest to the noise source. The noise impact may also be great for rooms perpendicular to the roadway because (a) the noise pattern can be more annoying in perpendicular rooms and (b) windows on perpendicular walls do not reduce noise as effectively as those on parallel walls because of the angle of the sound. Road noise can be more annoying in perpendicular rooms because it is more extreme when it suddenly comes in and out of earshot as the traffic passes around the side of the building, rather than rising and falling in a continuous sound, as it would if the room were parallel to passing vehicles.

Whether the noise impact is greater on the perpendicular or the parallel wall will depend on the specific individual conditions. Once the most severely impacted wall or walls are determined, noise impacts may be minimized by reducing or eliminating windows from these walls.

Buildings can also be oriented on a site in such a way as to exploit the site's natural features. With reference to noise, natural topography can be exploited and buildings placed in low noise pockets if they exist. If no natural noise pockets exist, it is possible to create them by excavating pockets for buildings and piling up earth mounds between them and the noise. Such a structure would obstruct the sound paths and reduce the noise impacts on the residences.

Cluster and Planned Unit Development

A cluster subdivision is one in which the densities prescribed by the zoning ordinance are adhered to but instead of applying to each individual parcel, they are aggregated over the entire site, and the land is developed as a single entity. A planned unit development, or P.U.D., is similar but changes in land use are included, such as apartments and commercial facilities in what would otherwise be a single-family district.

From Figure 11 it can be seen how the conventional grid subdivision affords no noise protection from the adjacent highway. The first row of houses bears the full impact of the noise. In contrast, the cluster and P.U.D. techniques enable open space and commercial uses respectively to serve as noise buffers. Examples of this are shown in Figures 12 and 13. A word of caution is necessary: in a cluster development, the required open space can be located near the highway to minimize noise to the residences. However, many recreation uses are noise sensitive, and when one takes advantage of the flexibility of cluster development to minimize noise, care must be taken not to use all of the available open space in

Figure 11
Conventional Grid Subdivision

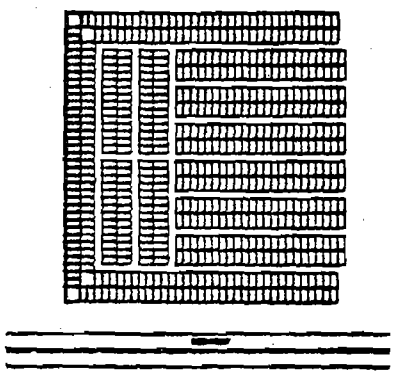

Figure 12
Placement of Noise Compatible Uses Near a Highway in a PUD

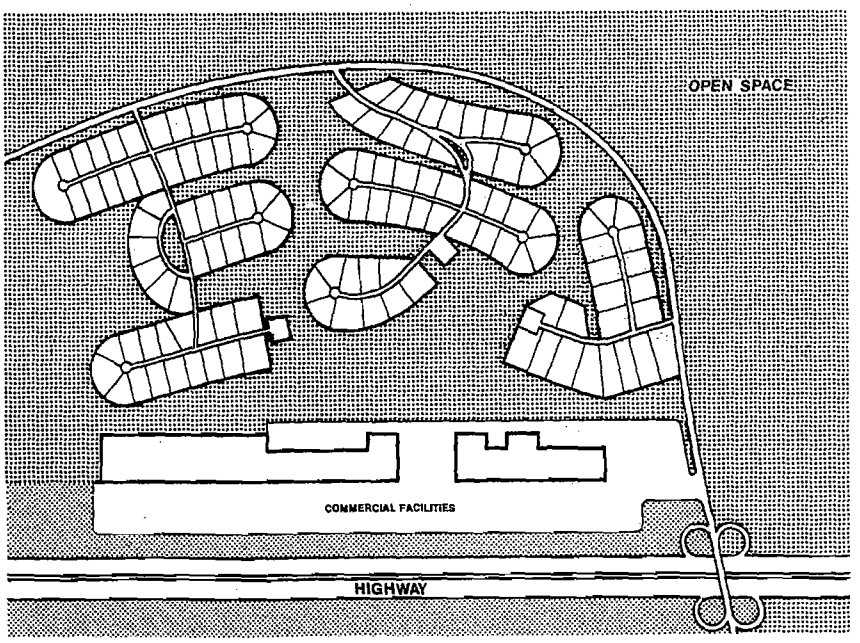

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buffer strips, thus depriving the development of a significant open space area. Where high noise levels exist, a combination of buffer strips and other techniques (such as berms and acoustical sound proofing) can be employed.

The flexibility of the cluster and planned unit development techniques allows many of the above site planning techniques to be realized and effective noise reduction achieved.

Reviewing Site Plans

There are two main things to check when reviewing site plan changes to determine if the revised site plan provides adequate attenuation for the noise sensitive uses:

1. Is the separation between the source and the receiver great enough?
2. If noise-compatible buildings are being used as barriers for other buildings, are they adequate barriers, i.e., are they long enough and are they high enough? (And, if the buildings being used as barriers contain noise sensitive activities, have the buildings been properly soundproofed.)

In order to determine whether the proposed site plan changes will provide adequate separation between the source and the receiver, you simply go back to the *Noise Assessment Guidlines* procedures. You can use the *Guidelines* both to determine if the proposed separation distance is sufficient or to determine the necessary separation distance. You should at this point check to make sure that the uses being located in the "buffer zone" between the source and the receiver are indeed noise compatible uses. If parks or playgrounds are located in the buffer zone, make sure they are not the only ones associated with the project.

To determine whether the noise compatible buildings being proposed as barriers are adequate, you simply use the procedures outlined in the preceding section. Determine whether the building is high enough to properly break the line of sight between the receiver and the source. Then determine if the building is long enough. It is not necessary to check to make sure it is made of the proper materials or that it is properly constructed since the building will be inherently thick enough not to have any problems. Again, however, if the building being proposed as a barrier contains noise sensitive uses you must first verify that it is properly soundproofed. (See the next section for guidance on acoustical construction.) If the building is not properly soundproofed then it can not be used as a barrier for other buildings.

As you review the site plan check to see that the building locations will not aggravate noise problems. Figure 14 shows how building arrangement can make the noise problem worse.

Figure 13
Open Space Placed Near a Highway in a Cluster Development

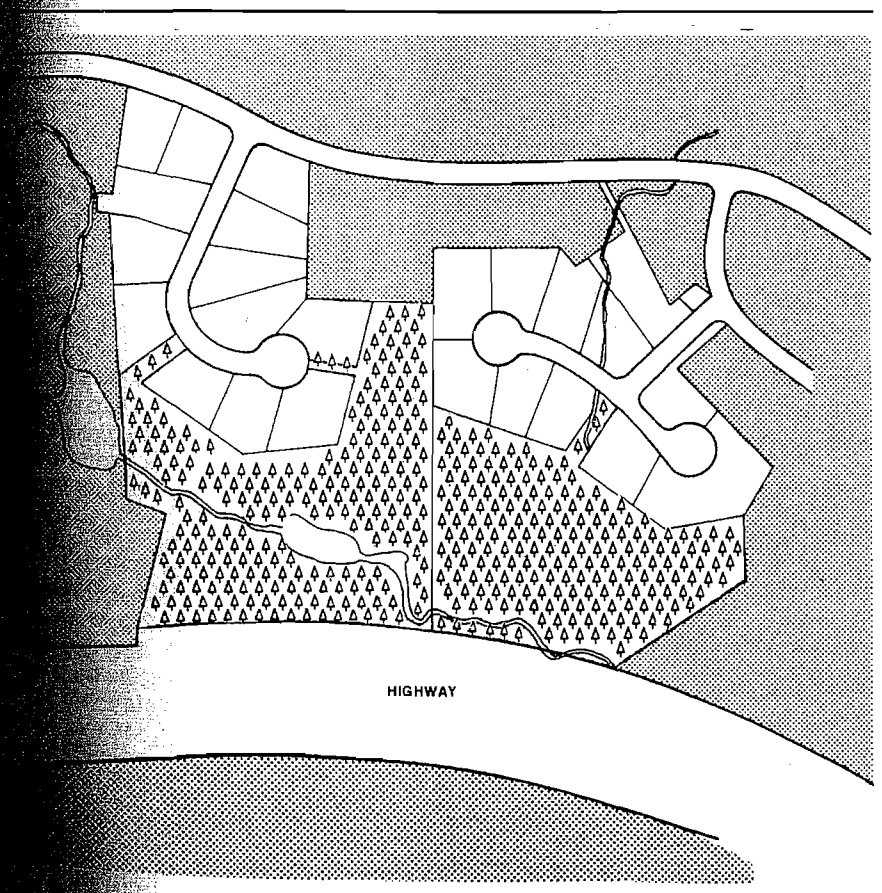

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Figure 14
Orientation of Buildings on Sites

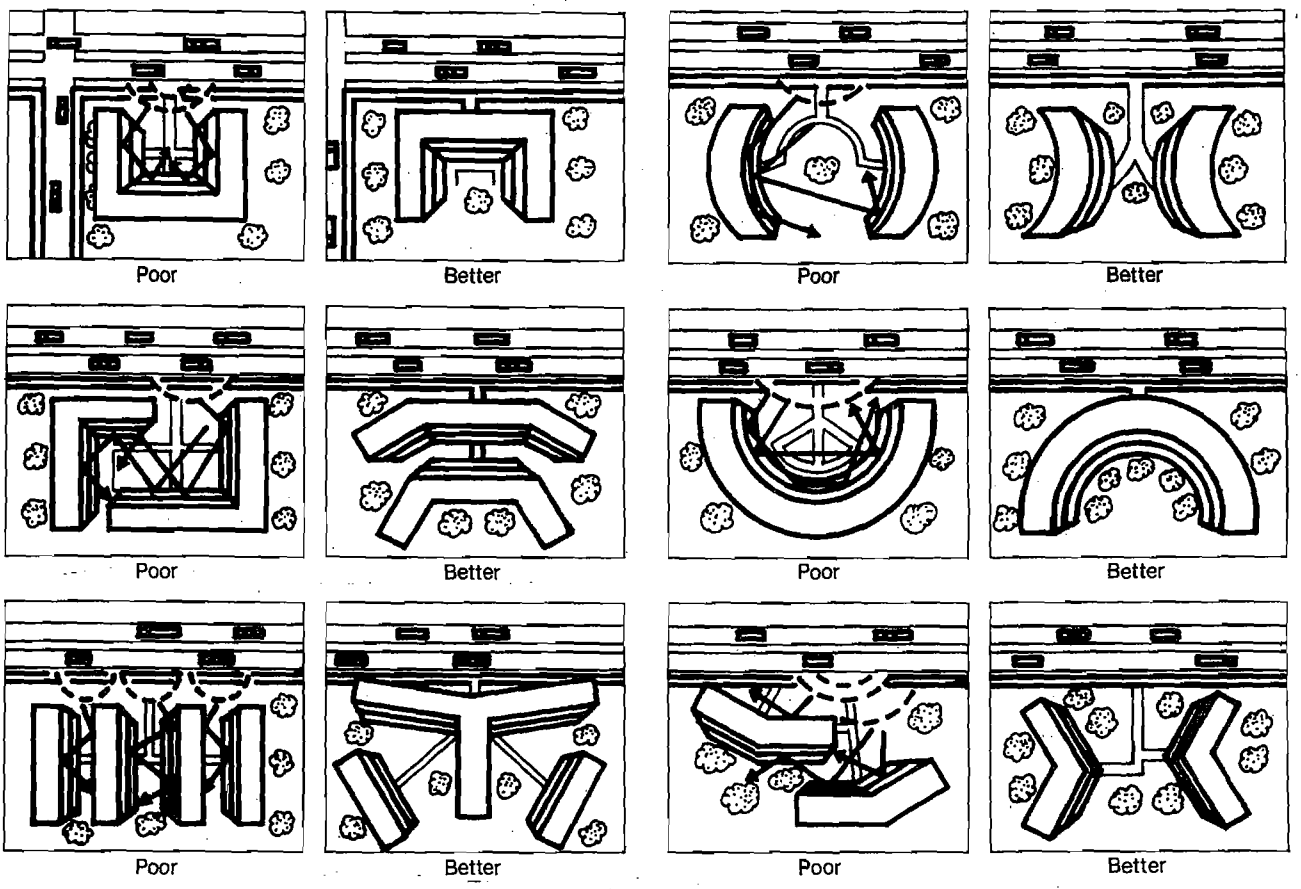

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Acoustical Construction Concepts

(This section, with some editing is taken from the *Audible Landscape, FHWA.*[1])

Noise can be intercepted as it passes through the walls, floors, windows, ceilings, and doors of a building. Examples of noise reducing materials and construction techniques are described in the pages that follow.

To compare the insulation performance of alternative constructions, the Sound Transmission Class (STC) is used as a measure of a material's ability to reduce sound. Sound Transmission Class is equal to the number of decibels a sound is reduced as it passes through a material. Thus, a high STC rating indicates a good insulating material. It takes into account the influence of different frequencies on sound transmission, but essentially the STC is the difference between the sound levels on the side of the partition where the noise originates and the side where it is received. For example, if the external noise level is 85 dB and the desired internal level is 45 dB, a partition of 40 STC is required. The Sound Transmission Class rating is the official rating endorsed by the American Society of Testing and Measurement. It can be used as a guide in determining what type of construction is needed to reduce noise.

The use of the STC rating system for transportation noise is a subject of some debate. The STC rating was originally intended primarily for use with interior partitions and relates to the "subjective impressions of the sound insulation provided against the sounds of speech, radio, television, music, and similar sources of noise in offices and dwellings."[2] However, since it remains the only widely used noise reduction rating system for materials the STC system is very often used even with transportation noise. When STC ratings are used for transportation noise you should be aware that the STC ratings may be a few dB too high. For example, the STC rating for a standard frame 2 x 4 wall with exterior siding, and sheathing and interior sheetrock may be 37 dB.[3] If rated specifically for transportation noise the dB reduction rating might drop to 34 dB.[4] All this really means, however, is that you should use the STC ratings with a bit of caution and remain aware of the possible 2-3 dB overstating that you may get with the STC rating system. Throughout this text we will be talking in terms of STC ratings for materials and assemblies.

[1] *The Audible Landscape: A Manual for Highway Noise and Land Use*, US Department of Transportation, the Federal Highway Administration, November 1974. (GPO Stock #5000-00079).

[2] *Acoustical and Thermal Performance of Exterior Residential Walls, Doors, and Windows*, US Department of Commerce, National Bureau of Standards, November 1975. (NBS Building Science Series 77) page 21.

[3] Ibid., p. 29

[4] *Design Guide for Reducing Transportation Noise In and Around Buildings*, p. 137.

Walls

Walls provide building occupants with the most protection from exterior noise. Different wall materials and designs vary greatly in their sound insulating properties. Figure 15 provides a visual summary of some ways in which the acoustical properties can be improved:

Increase the mass and stiffness of the wall. In general, the denser the wall material, the more it will reduce noise. Thus, concrete walls are better insulators than wood walls of equal thickness. Increasing the thickness of a wall is another way to increase mass and improve sound insulation. Doubling the thickness of a partition can result in as much as a 6 dB reduction in sound.[1] However, the costs of construction tend to limit the feasibility of large increases in wall mass.

The relative stiffness of the wall material can influence its sound attenuation value. Care must be taken to avoid wall constructions that can vibrate at audible frequencies and transmit exterior sounds.

[1] R. K. Cooke and P. Chrzanowski, "Transmission of Noise Through Walls and Floors," Cyril Harris, ed., Handbook of Noise Control, McGraw-Hill Book Company, Inc. (New York, 1957).

Figure 15
The Audible Landscape

Factors which influence sound attenuation of walls

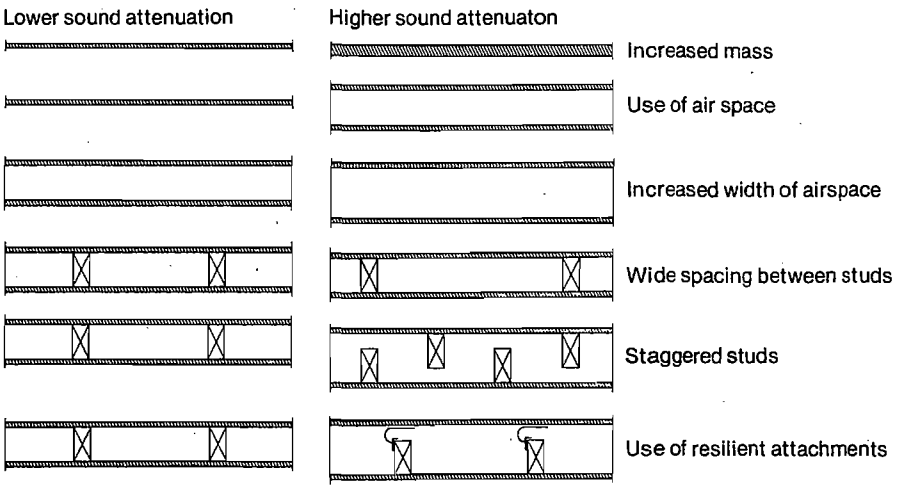

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Use cavity partitions. A cavity wall is composed of two or more layers separated by an airspace. The airspace makes the cavity wall a more effective sound insulator than a single wall of equal weight, leading to cost savings.

Increase the width of the airspace. A three inch airspace provides significant noise reduction, but increasing the spacing to six inches can reduce noise levels by an additional 5 dBA. Extremely wide airspaces are difficult to design.

Increase the spacing between studs. In a single stud wall, 24 inch stud spacing gives a 2-5 dB increase in STC over the common 16 inch spacing.[2]

Use staggered studs. Sound transmission can be reduced by attaching each stud to only one panel and alternating between the two panels.

[2]Leslie T. Doelle, Environmental Acoustics (New York, McGraw-Hill Book Company, 1972), pp. 232-233.

Use resilient materials to hold the studs and panels together. Nails severely reduce the wall's ability to reduce noise. Resilient layers such as fiber board and glass fiber board, resilient clips, and semi-resilient attachments are relatively inexpensive, simple to insert, and can raise the STC rating by 2-5 dB.[1]

Use dissimilar layers. If the layers are made of different materials and/or thickness, the sound reduction qualities of the wall are improved.[2]

Add acoustical blankets. Also known as isolation blankets, these can increase sound attenuation when placed in the airspace. Made from sound absorbing materials such as mineral or rock wool, fiberglass, hair felt or wood fibers, these can attenuate noise as much as 10 dB.[3] They are mainly effective in relatively lightweight construction.

Seal cracks and edges. If the sound insulation of a high performance wall is ever to be realized, the wall must be well sealed at the perimeter. Small holes and cracks can be devastating to the insulation value of a wall. A one-inch square hole or a 1/16 inch crack 16 inches long will reduce a 50 STC wall to 40.[4]

Figure 16 shows a sample of wall types ranging from the lowest to the highest sound insulation values.

Remember that the effectiveness of best wall construction will be substantially reduced if you permit vents, mail slots or similar openings in the walls. If vents are permitted the ducts must be specially designed and insulated to make sure noise does not reach the inside. The best approach is simply to eliminate all such openings on impacted walls.

[1]Ibid, p. 172
[2]Ibid, p. 162
[3]Doelle, p. 20
[4]United States Gypsum, Sound Control Construction, Principles and Performance (Chicago, 1972), p. 66

Figure 16
Walls

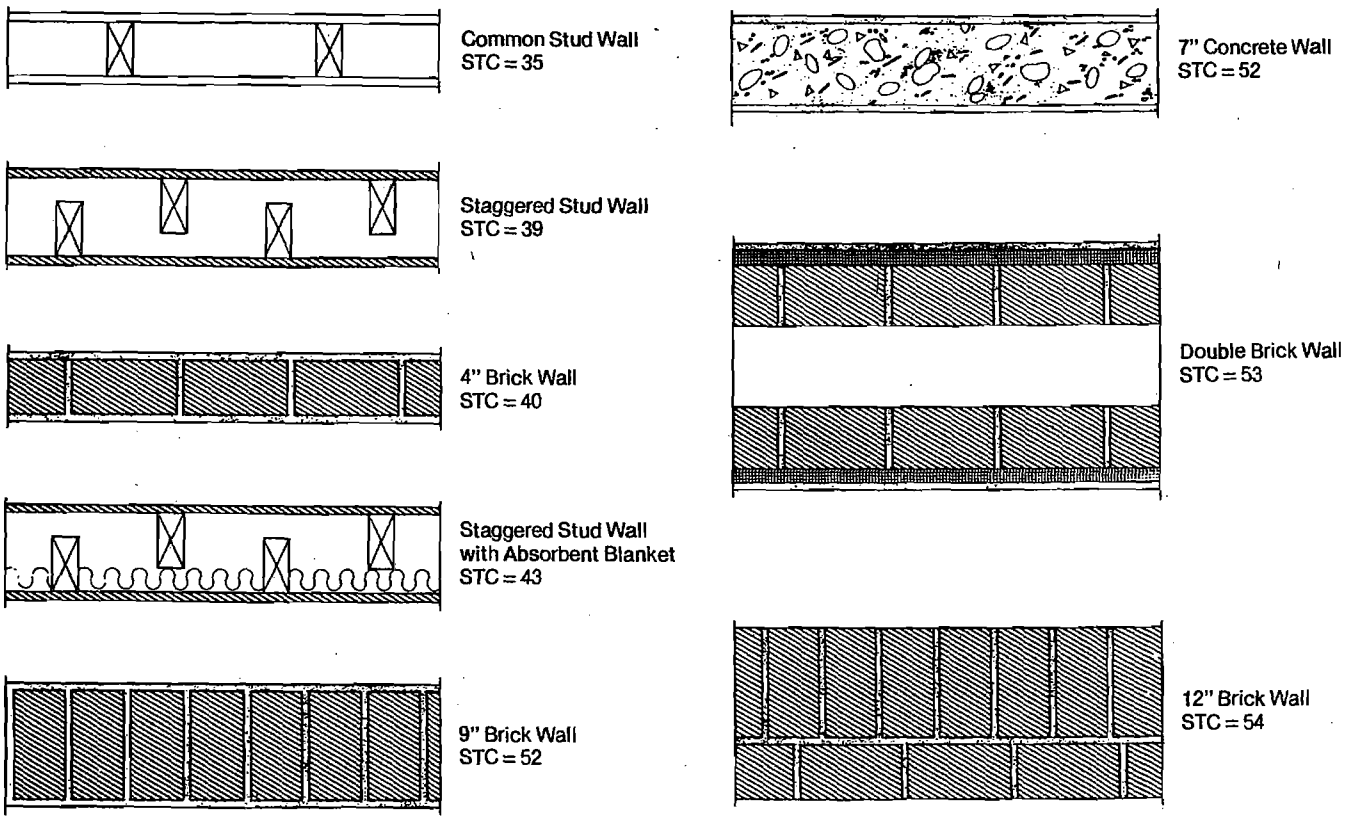

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Windows

Sound enters a building through its acoustically weakest points, and windows are one of the weakest parts of a wall. An open or weak window will severely negate the effect of a very strong wall. Whenever windows are going to be a part of the building design, they should be given acoustical consideration. Figure 17 illustrates the effects of windows on the sound transmission of walls. For example, if a wall with an STC rating of 45 contains a window with an STC rating of 26 covering 30% of its area, the overall STC of the composite partition will be 35, a reduction of 10 dB.

The following is a discussion of techniques that can be used to reduce noise in a building by means of its windows. These techniques range from a blocking of the principal paths of noise entry to a blocking of the most indirect paths.

Close windows. The first step in reducing unwanted sound is to close and seal the windows. The greatest amount of sound insulation can be achieved if windows are permanently sealed. However, openable acoustical windows have been developed which are fairly effective in reducing sound.[1] Whether or not the sealing is permanent, keeping windows closed necessitates the installation of mechanical ventilation systems. If you are dealing with single family houses and some of the windows are facing away from all noise sources, a whole house fan may be better and cheaper than air conditioning. In multifamily housing or where all windows are exposed to the noise sources you will have to go with the air conditioning. If windows must be openable, special seals are available which allow windows to be opened.[2]

Reduce window size. The smaller the windows, the greater the transmission loss of the total partition of which the window is a part. Reducing the window size is a technique that is used because (a) it precludes the cost of expensive acoustical windows, and (b) it saves money by cutting down the use of glass. The problems with this technique are (a) it is not very effective in reducing noise; e.g., reducing the proportion of window to wall size from 50% to 20% reduces noise by only 3 decibels; and (b) many building codes require a minimum window to wall size ratio.

Figure 17
STC

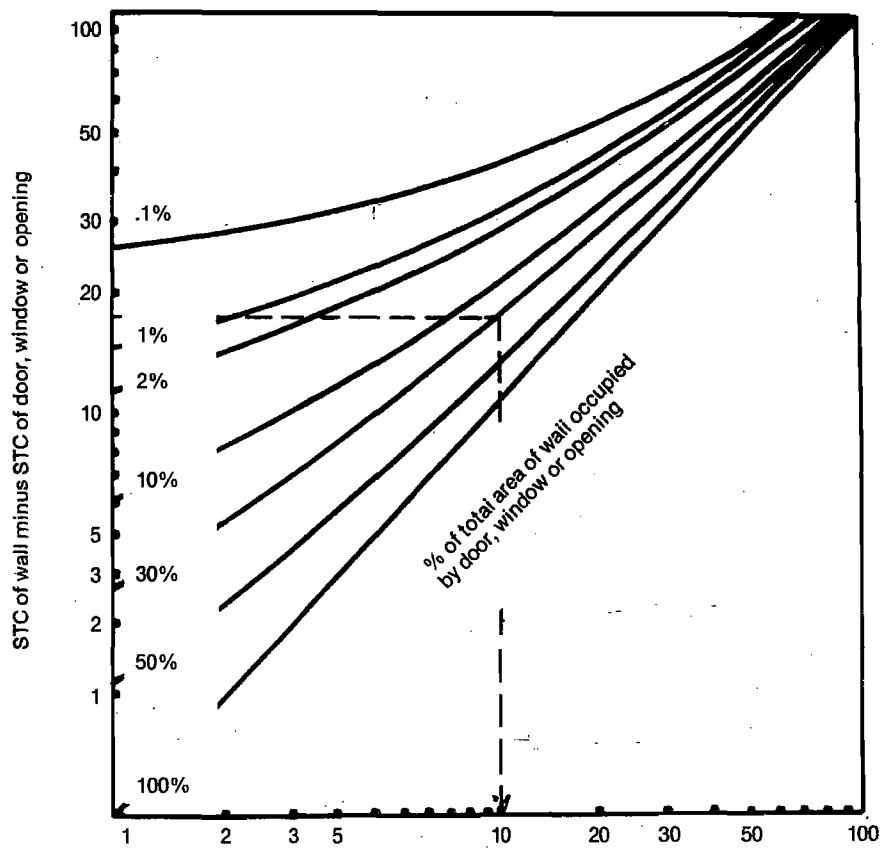

Decibels to be subtracted from STC of wall to obtain effective STC of composite barrier

Increase glass thickness. If ordinary windows are insufficient in reducing noise impacts in spite of sealing techniques, then thicker glass can be installed. In addition, this glass can be laminated with a tough transparent plastic which is both noise and shatter resistant. Glass reduces noise by the mass principle; that is, the thicker the glass, the more noise resistant it will be. A 1/2-inch thick glass has a maximum STC rating of 35 dB compared to a 25 dB rating for ordinary 3/16 inch glass.

Instructions on use of graph

1. Subtract the STC value of the door, window or opening from the STC value of the wall.
2. Enter the vertical axis of the graph at the point that matches the value from step 1.
3. Read across to the curve that represents the percentage of the total area of the wall that is taken up by the door, window, or opening.
4. Read down to the horizontal axis.
5. Subtract the value on the horizontal axis from the original STC value of the wall. The result is the composite STC value of the wall and the door, window or opening.

[1] U.S. Department of Housing and Urban Development, A Study of Techniques to increase the Sound Insulation of Building Elements, Report No. WR 73-5, Washington, D.C., June 1973.

[2] Los Angeles Department of Airports, *Guide to the Soundproofing of Existing Homes Against Exterior Noise.* Report No. WRC 70-2, March 1970, pp. 9-11, 22-30. In this report, the function and performance of a number of operable seals are described.

However, glass thicknesses are only practical up to a certain point, when STC increases become too insignificant to justify the cost. For example, a 1/2 inch thick glass can have an STC of 35; increasing the thickness to 3/4 inch only raises the STC to 37. However, a double glass acoustical window consisting of two 3/16 inch thick panes separated by an airspace will have an STC of 51 and can cost less than either solid window.

In addition to thickness, proper sealing is crucial to the success of the window. To prevent sound leaks, single windows can be mounted in resilient material such as rubber, cork, or felt.

Install Double-Glazed Windows. Double-glazed windows are paired panes separated by an airspace or hung in a special frame. Generally, the performance of the double-glazed window may be increased with:

- increased airspace width
- increased glass thickness
- proper use of sealings
- slightly dissimilar thicknesses of the panes
- slightly non-parallel panes

In general the airspace between the panes should not be less than 2–4 inches if an STC above 40 is desired. If this is not possible, a heavy single-glazed window can be used. The use of slightly non-parallel panes is a technique employed when extremely high sound insulation is required, such as in control rooms of television studios.

The thickness of double-glazed panes may vary from 1/8 to 1/4 inch or more per pane. Although thickness is important, the factors which most determine the noise resistance of the window is the use of sealant and the width of the airspace.

As in the case of all windows, proper sealing is extremely important. To achieve an STC above 43, double-glazed windows should be sealed permanently. If the windows must be openable, there are available special frames and sealers for openable windows which allow a maximum STC of 43.[1]

Permanently sealed double-glazed windows often require an air pressure control system to maintain a constant air pressure and minimal moisture in the airspace. Without this system, the panes may deflect, and, in extremely severe cases, pop out of the frames.

[1]Ibid.

To further insure isolation of noise between double-glazed panes, the panes could be of different thicknesses, different weights, and slightly non-parallel to each other. This prevents acoustical coupling and resonance of sound waves.

Doors

Acoustically, doors are even weaker than windows, and more difficult to treat. Any door will reduce the insulation value of the surrounding wall. The common, hollow core wood door has an STC rating of 17 dB. Taking up about 20% of the wall, this door will reduce a 48 STC wall to 24 STC. To strengthen a door against noise, the hollow core door can be replaced by a heavier solid core wood door that is well sealed[1] and is relatively inexpensive. A solid core wood door with vinyl seal around the edges and carpeting on the floor will reduce the same 48 STC wall to only 33 dB.[2] An increased sound insulation value can be achieved if gasketed stops or drop bar threshold closers are installed at the bottom edge of the door. (See Figure 18)

The alternative solution to doors is to eliminate them whenever possible from the severely impacted walls and place them in more shielded walls.

In any case no mail slots or similar openings should be allowed in exterior doors.

Roofs

Acoustical treatment of roofs is not usually necessary unless the noise is extremely severe or the noise source is passing over the building. The ordinary plaster ceiling should provide adequate sound insulation except in extremely severe cases. An acoustically weak roof which is likely to require treatment is the beamed ceiling.[3] Beamed ceilings may be modified by the addition of a layer of fiberglass or some other noise resistent material. Suspended ceilings are the most effective noise reducers but they are also the most expensive.

[1]D.E. Bishop and P.W. Hirtle, "Notes on the Sound Transmission Loss of Residential-Type Windows and Doors," Journal of the Acoustical Society of America, 43:4 (1968).

[2]U.S. Gypsum, Sound Control... p. 100.

[3]Ibid p. 15.

Figure 18

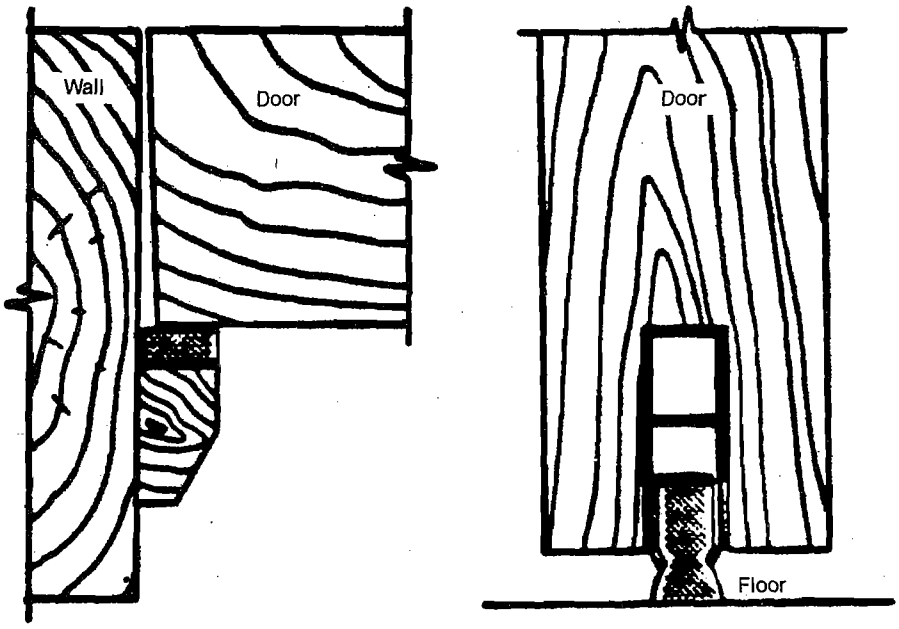

Gasketed door stop

Drop bar threshold closer

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Floors

In the case of highway noise, floors would only require acoustical treatment if the highway were passing under the building. In this case, flooring would have to provide protection against structural vibrations as well as airborne sound.

Two ways to insulate a floor from noise are to install a solid concrete slab at least 6 inches thick or install a floating floor. In general, the floating floor gives the greatest amount of sound and vibration insulation; however, it is extremely expensive. Basically, a floating floor consists of a wood or concrete slab placed over the structural slab, but separated by a resilient material. The resilient material isolates the surface slab from the structural slab and the surrounding walls.

What to Look for When Reviewing Plans

The number of possible combinations of the building materials that go into walls, ceilings, windows and doors, is, no doubt, considerably short of infinite. It is however still a very large number, large enough that it would be impossible to compile a list of all the possible combinations. Therefore, do not expect to find in this section, or anywhere else for that matter, a neat table showing the STC ratings for all the types of construction you may encounter. In fact, it is not really your responsibility to determine the precise STC ratings for the walls, ceilings, windows and doors in the projects you review. Your job is simply to review the attenuation levels claimed by the sponsor/developer and determine whether or not they are reasonable.

To enable you to perform the above described task, we have prepared a list of the most common types of construction for which we have STC ratings. By comparing the type of construction proposed to one of these "model" types you should be able to tell whether the claimed STC rating is reasonable. For example, the sponsor/developer submits a description of his building stating that a 2 × 6 stud wall with standard sheathing, insulation, wood siding, and 1/2" gypsum board achieves a STC rating of 48. You look at Table 3 and find that the closest "model" wall is a 2 × 4 stud wall with wood siding, sheathing, insulation, and 1/2" gypsum board. This wall has a STC rating of 39. An 9 dB difference is quite significant considering that the walls are really quite similar. You would probably want to go back to the developer/sponsor and ask for some supporting data that proves that the 2 × 6 wall he proposes will indeed provide 48 dB of noise attenuation.

In order to make it easier to review the attenuation levels provided by the proposed construction, we suggest that you ask the developer/sponsor to complete a form such as shown in Figure 19. Such a form will give you all the information you need in a properly organized format that will facilitate your review. You could fill in the first part and simply have the developer/sponsor fill out the second part and return it with the developer certification or other project documents.

As you will recall from the previous section, most walls provide pretty good attenuation by themselves. It is the presence of windows and doors and openings such as vents that reduces the attenuation capability of the wall. Thus, after you have determined whether the basic wall itself has a reasonable STC, you must review the impact of the windows and doors. You do this by using Figure 17. First you determine the difference between the STC ratings for the wall and the windows. You enter the vertical axis of Figure 17 with that number. You read across until you intersect the line that represents the percentage of the wall taken up by the windows. Then you read down to the horizontal axis where you wil find the value to be subtracted from the basic STC value of the wall. The resulting number is the combined STC value for the wall. If the wall also contains a door, repeat the same procedure, only start out with the modified STC rating for the wall. If the wall has doors only, then obviously you start with the basic wall STC rating. Finally you compare the number you have derived with that listed by the developer/sponsor. If they are fairly close, you need not pursue it further. If there is a substantial difference, you should ask for an explanation or documentation from the developer.

Once again, we caution you about borderline cases. If the attenuation required is 30 dB and the STC rating for the proposed construction is exactly 30 dB, you may want to ask the developer to provide even more attenuation. Remember that we discussed how the STC rating may overstate the actual attenuation provided by as much as 3 dB. If an additional 3 dB can be achieved at minimum cost, we would strongly urge that you seek it from the developer/sponsor.

Finally check to make sure the developer has provided some form of mechanical ventilation. If it's a single family house and a whole house fan is the means of ventilation being provided make sure that there are operable windows on walls which do not face the noise source(s) nor are perpendicular to the source(s). Otherwise the residents will have to open windows on the exposed wall, thus cancelling out much of the attenuation achieved.

Table 3
STC Ratings for Typical Building Components[1]

Building Component	Description	STC Rating
Frame Wall	a. 5/8" x 10" Redwood Siding b. 1/2" Insulation Board Sheathing c. 2 x 4 studs 16" o.c. d. Fiberglass Building Insulation e. 1/2" Gypsum Board attached directly to studs	39 dB
Stucco/Frame Wall	a. 7/8" Stucco b. No. 15 felt Building Paper and 1" Wire Mesh c. 2 x 4 Studs 16" o.c. d. Fiberglass Building Insulation e. 1/2" Gypsum Board attached directly to studs	46
Brick Veneer Wall	a. Face Brick b. 1/2" Airspace with metal ties c. 3/4" Insulation Board Sheathing d. 2 x 4 Studs 16" o.c. e. Fiberglass Building Insulation f. 1/2" Gypsum Board attached directly to studs	56
Masonry Wall	a. 1" Stucco b. 8" thick Hollow Concrete Block c. 1/2" Gypsum Board attached to furring strips	49 (estimated)
Windows	Wood double hung, closed but unlocked, single glazing	23
	Aluminum sliding, latched, single glazing	24
	Wood double hung, closed but unlocked, glazed with 7/16" insulating glass	22
	Aluminum single hung, closed, glazed with 7/16" insulating glass	25
	Wood, double hung, sealed, glazed with 7/16" insulating glass with single glazed storm sash–2 1/8" separation	35
	Aluminum sliding, closed, single glazed with single glazed storm sash, 1/8" separation	22
Exterior Doors	Wood, flush solid core, with brass weather stripping	27
	Wood, flush solid core, plastic weather stripping, aluminum storm door	34
	Wood, French door, brass weather stripping	26
	Steel, flush, with urethane foam core, with magnetic weather stripping	28
Roof	Shingle Roof with attic, 1/2" gypsum wall board ceiling framed independently of roof	43 (estimated)

[1]Except as noted, all STC ratings are from: *Acoustical and Thermal Performance of Exterior Residential Walls, Doors and Windows*, National Bureau of Standards.

Figure 19
Description of Noise Attenuation Measures
(Acoustical Construction)

Part I

Project Name _____

Location _____

Sponsor/Developer _____

Noise Level (From NAG) _____ Attenuation Required _____

Primary Noise Source(s) _____

Part II

1. For Walls (s) facing and parallel to the noise source(s) (or closest to parallel):
   a. Descripton of wall construction* _____

   _____

   b. STC rating for wall (rated for no windows or doors): _____

   c. Description of Windows: _____

   _____

   d. STC rating for window type _____

   e. Description of doors _____

   _____

   f. STC rating for doors _____

   g. Percentage of wall (per wall, per dwelling unit) composed of windows _____ and doors _____

   h. Combined STC rating for wall component _____

2. For walls perpendicular to noise source(s):
   a. Description of wall construction* _____

   _____

   b. STC rating for wall (rated for no windows or doors) _____

   c. Description of windows _____

   _____

   d. STC rating for windows _____

   e. Description of doors _____

   _____

f. STC rating for doors _____

g. Percentage of wall (per wall, per dwelling unit) composed of windows _____ and doors _____

h. Combined STC rating for wall component _____

3. Roofing component (if overhead attenuation is required due to aircraft noise):
   a. Description of roof construction _____

   _____

   b. STC rating (rated as if no skylights or other openings) _____

   c. Descripton of skylights or overhead windows _____

   _____

   d. STC rating for skylights or overhead windows _____

   e. Percentage of roof composed of skylights or windows (per dwelling unit) _____

   f. Percentage of roof composed of large uncapped openings such as chimneys _____

   g. Combined STC rating for roof component _____

4. Description of type of mechanical ventilation provided _____

   _____

Prepared by _____

Date: _____

*If walls contain vents or similar openings, attach a description of duct arrangement and insulation and a statement of how much the wall STC is reduced by the presence of the vent.

Figure 19
Description of Noise Attenuation Measures
(Acoustical Construction)

Part I

Project Name PARADISE HOMES

Location ANYTOWN

Sponsor/Developer JOAN DOE + ASSOC. INC.

Noise Level (From NAG) 73 Attenuation Required 30db

Primary Noise Source(s) HIGHWAY

Part II

1. For Walls (s) facing and parallel to the noise source(s) (or closest to parallel):
   a. Descripton of wall construction* 3/8" FIR PLYWOOD SIDING, 2x4 STUDS 16" o.c. 3½" FIBERGLASS INSULATION
   b. STC rating for wall (rated for no windows or doors): 37
   c. Description of Windows: WOOD DOUBLE HUNG, INSULATING GLASS
   d. STC rating for window type 22
   e. Description of doors WOOD, FLUSH, SOLID CORE
   f. STC rating for doors 30
   g. Percentage of wall (per wall, per dwelling unit) composed of windows 10% and doors 5%
   h. Combined STC rating for wall component 30db

2. For walls perpendicular to noise source(s):
   a. Description of wall construction* SAME AS ABOVE
   b. STC rating for wall (rated for no windows or doors) 37
   c. Description of windows SAME AS ABOVE
   d. STC rating for windows 22
   e. Description of doors NO DOORS

SAMPLE

f. STC rating for doors —

g. Percentage of wall (per wall, per dwelling unit) composed of windows 10% and doors 0

h. Combined STC rating for wall component 30

3. Roofing component (if overhead attenuation is required due to aircraft noise):
   a. Description of roof construction N/A

   b. STC rating (rated as if no skylights or other openings) _____

   c. Descripton of skylights or overhead windows _____

   d. STC rating for skylights or overhead windows _____

   e. Percentage of roof composed of skylights or windows (per dwelling unit) _____

   f. Percentage of roof composed of large uncapped openings such as chimneys _____

   g. Combined STC rating for roof component _____

4. Description of type of mechanical ventilation provided CENTRAL AIR CONDITIONING

Prepared by _____

Date: _____

*If walls contain vents or similar openings, attach a description of duct arrangement and insulation and a statement of how much the wall STC is reduced by the presence of the vent.

SAMPLE

z on Noise Attenuation

stions

What are the three basic ways to ide noise attenuation?
What are the responsibilities of personnel regarding noise enuation?
When a barrier is introduced ween a source and a receiver the nd energy is redistributed along 3 rect paths. What are these three s?
What is "Path Length Difference" ow does it affect the attenuation provided by a barrier?
hat are "Transmission Loss s?"
ow does the transmission loss of barrier material affect the ation capability of the barrier?
s a general rule, what mission loss values should you or?
you have more than one barrier en the source and the receiver amount of attenuation sed substantially?
hat are the four things to check eviewing a proposed barrier?
st 3 ways to make a barrier more e without increasing its overall

11. List 3 ways to make a barrier more effective without increasing its overall length.
12. What is the maximum percentage of the total area of a barrier that can be made up of openings without a significant loss in barrier effectiveness?
13. List 3 site planning techniques that are used to shield residential developments.
14. When are parks and playgrounds not noise compatible uses that can be employed as buffers?
15. What are the two main things to look for when reviewing site plan changes?
16. What are some of the building orientations which can aggravate noise problems?
17. What is the Sound Transmission Class (STC) rating?
18. Which is better a high STC or a low STC rating?
19. What kinds of conditions were STC ratings originally developed for?
20. What should you do when using STC ratings in a transportation noise situation?
21. List 5 ways to improve the attenuation capability of a wall.
22. Windows are one of the acoustically weakest components in a wall. List 3 ways to reduce the negative effects of windows.
23. What is the best way to reduce the effect of doors?

Quiz on Noise Attenuation

Answers

1. a. barriers or berms
   b. site design
   c. acoustical construction
2. a. to make sure the project sponsor/developer is aware of the attenuation requirements
   b. provide sponsor/developer with an overview of available options
   c. review attenuation proposals to make sure they are adequate
3. a. A **diffracted** path over the top of the barrier
   b. A **transmitted** path through the barrier
   c. A **reflected** path away from the receiver
4. "Path Length Difference" is the difference in distance that sound must travel diffracting over the barrier rather than passing directly through it. Since sound energy decreases over distance, the greater the path length distance the greater the attenuation.
5. "Transmission Loss Values" represent the amount noise levels will be reduced when the sound waves pass through a barrier.
6. Since the attenuation provided by a barrier is a function of both the sound energy that goes over the top **and** the energy that goes through the barrier, if the transmission loss value is low then the effectiveness of the barrier will be greatly reduced.
7. If the transmission loss value of the barrier material is at least 10dB greater than the attenuation level provided by diffraction (i.e. barrier height) there shouldn't be any problem.
8. No. The combined effect of multiple barriers does not normally provide significantly greater attenuation than a single barrier. For design purposes, the general procedure is to assume the attenuation of the most effective barrier.
9. a. Is it high enough?
   b. Is it long enough?
   c. Is it made of the right material?
   d. Is it properly constructed?
10. a. move the barrier closer to the source
    b. bend the top of the barrier towards the source
    c. do both
11. a. move it closer to the receiver
    b. bend the ends toward the receiver
    c. do both
12. 1 percent
13. Any 3 of the below:
    a. increasing the distance between the source and the receiver
    b. placing noise compatible land uses between the source and the receiver
    c. locating barrier type buildings parallel to the source
    d. orienting residences away from the noise
14. when they are the only ones associated with the project
15. a. is the separation between the source and receiver great enough
    b. If a noise compatible building is being used as a barrier is it tall and long enough?
16. Building orientations which trap noise and cause it to reverberate off building walls. This would include shapes where a court is open to the source or where a series of buildings are arranged perpendicular to the source.
17. The STC rating is equal to the number of decibels a sound is reduced as it passes through a material.
18. A high STC rating is better.
19. The STC ratings were originally intended primarily for use with interior partitions and for noise such as speech, radios, television.
20. Recognize that the STC rating may overstate the effectiveness of the materials by 2-3db.
21. Any of the 9 below:
    a. increase the mass and stiffness of the wall
    b. use cavity partitions
    c. increase the width of the airspace
    d. increase the spacing between studs
    e. use staggered studs
    f. use resilient materials to hold the studs and finish materials together
    g. use of dissimilar layers (leaves)
    h. add acoustical blankets
    i. seal cracks and edges
22. Any of the 4 below:
    a. close the windows and provide mechanical ventilation
    b. reduce window size
    c. increase glass thickness
    d. install double glazed windows
23. Eliminate them from severely impacted walls

MV00171950

Chapter 5

Noise Assessment Guidelines

U.S. Department of Housing and Urban Development
Office of Policy Development and Research

Noise Assessment Guidelines

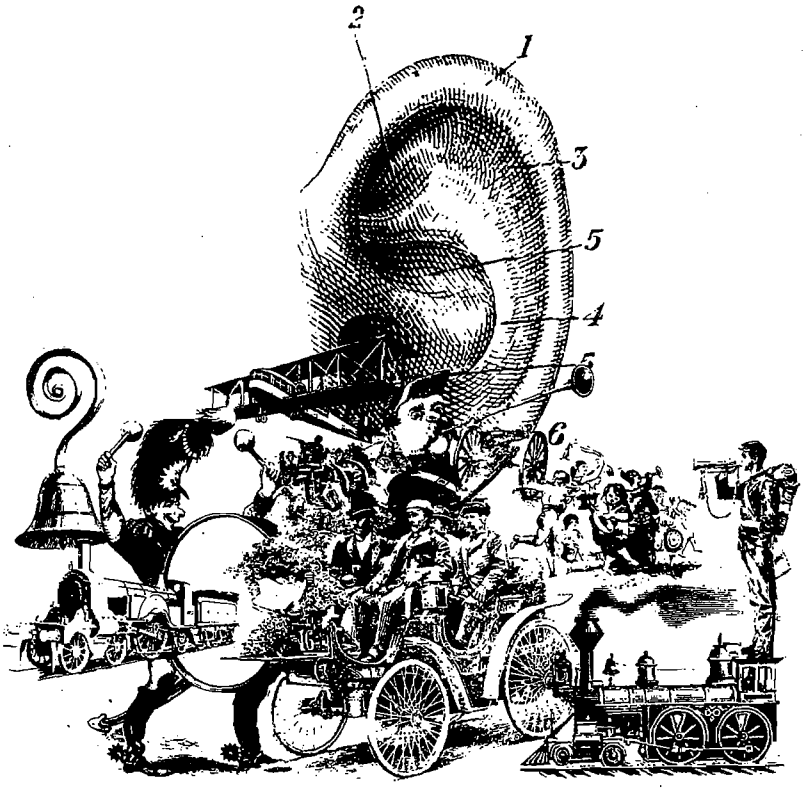

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Noise Assessment Guidelines

MV00171952

Foreword

In choosing among alternative sites for housing, potential noise problems are prominent among the issues that must be examined. These Noise Assessment Guidelines were developed to provide HUD field staff, interested builders, developers, and local officials with an easy-to-use method of evaluating noise problems with a minimum of time and effort.

We believe that this set of tools will simplify the process of balancing the goal of environmental protection with those of efficiency and reduced housing costs. We hope you will find them useful, and invite your comments.

Benjamin F. Bobo
Acting Assistant Secretary for
Policy Development and Research

Stephen J. Bollinger
Assistant Secretary for
Community Planning and
Development

Preface

The Department of Housing and Urban Development, in its efforts to provide decent housing and a suitable living environment, is concerned with noise as a major source of environmental pollution and has issued Subpart B on Noise Abatement and Control to Part 51 of Title 24 of the Code of Federal Regulations.

The policy established by Subpart B embodies HUD objectives to make the assessment of the suitability of the noise environment at a site: (1) easy to perform; (2) uniformly applicable to different noise sources; and (3) as consistent as possible with the assessment policies of other Federal departments and agencies. In furtherance of these objectives, the Office of Policy Development and Research has sponsored research to provide site analysis techniques. These *Noise Assessment Guidelines* do not constitute established policy of the Department but do provide a methodology whose use is encouraged by HUD as being consistent with its objectives. The *Guidelines* provide a means for assessing separately the noise produced by airport, highway, and railroad operations, as well as the means for aggregating their combined effect on the overall noise environment at a site.

This booklet has been prepared by Bolt Beranek and Newman Inc., under Contract No. H-2243R for the U.S. Department of Housing and Urban Development. It is a revision of an earlier edition published in August 1971. With the exception of changes made by the Department, the contractor is solely responsible for the accuracy and completeness of the data and information contained herein.

MV00171954

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Introduction

These guidelines are presented as part of a continuing effort by the Department of Housing and Urban Development to provide decent housing and a suitable living environment for all Americans.

The procedures described here have been developed so that people without technical training will be able to assess the exposure of a housing site to present and future noise conditions. In this context, the site may hold only one small building, in which case the noise assessment is straightforward. Larger sites may hold larger buildings, or many buildings, and the noise level may be different at different parts of the site (or building). Assessments of the noise exposure should be made at representative locations around the site where significant noise is expected. These are designated as "Noise Assessment Locations," abbreviated NAL in the following text.

The only materials required are a map of the area, a ruler (straight edge), a protractor and a pencil. Worksheets and working figures are provided separately.

All of the information you need can be easily obtained – usually by telephone. For convenience, this information is listed at the beginning of each section under headings that indicate the most likely source. While you are obtaining this information, be sure to ask about any approved plans for future changes that may affect noise levels at the site – for example: land-use changes, changes in airport runway traffic, widening of roads, and so forth. In all evaluations, you should assess the condition that will have the most severe or most lasting effect on the use of the site.

Wherever possible, you should try to assess noise environments expected at least ten years in the future.

The degree of acceptability of the noise environment at a site is determined by the outdoor day-night average sound level (DNL) in decibels (dB). The assessment of site acceptability is presented first as an evaluation of the site's exposure to three major sources of noise – aircraft, roadways, and railways. These are then combined to assess the total noise at a site. Worksheets are provided at the back of these Guidelines to use in summarizing your evaluations.

The noise environment at a site will come under one of three categories:

Acceptable (DNL not exceeding 65 decibels) The noise exposure may be of some concern but common building constructions will make the indoor environment acceptable and the outdoor environment will be reasonably pleasant for recreation and play.

Normally Unacceptable (DNL above 65 but not exceeding 75 decibels) The noise exposure is significantly more severe; barriers may be necessary between the site and prominent noise sources to make the outdoor environment acceptable; special building constructions may be necessary to ensure that people indoors are sufficiently protected from outdoor noise.

Unacceptable (DNL above 75 decibels) The noise exposure at the site is so severe that the construction cost to make the indoor noise environment acceptable may be prohibitive and the outdoor environment would still be unacceptable.

When measuring the distance from the site to any noise source, measure from the source to the nearest points on the site where buildings having noise-sensitive uses are located. These points define the Noise Assessment Locations for the site. The relevant measurement location for buildings is a point 2 meters (6.5 feet) from the facade.

If at any point during the assessment the site's exposure to noise is found to be Unacceptable or Normally Unacceptable, every effort should be made to improve the condition, e.g., the location of the proposed dwellings can be changed or some shielding can be provided to block the noise from that source.

Where quiet outdoor space is desired at a site, distances should be measured from the important noise sources to the outdoor area in question and the combined noise exposure should be assessed.

Frequently, the locations of dwellings have not yet been specified at the time the noise assessment of a site is made. In these instances, distances used in the noise assessment should be measured as 2 meters less than the distance from the building setback line to the major sources of noise.

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Combining Sound Levels in Decibels

The noise environment at a site is determined by combining the contributions of different noise sources. In these Guidelines, Workcharts are provided to estimate the contribution of aircraft, automobile, truck, and train noise to the total day-night average sound level (DNL) at a site. The DNL contributions from each source are expressed in decibels and entered on Worksheet A. The combined DNL from all the sources is the DNL for the site and is the value used to determine the acceptability of the noise environment.

Sound levels in decibels *are not combined by simple addition!* The following table shows how to combine sound levels:

Table

Difference in Sound Level	Add to Larger Level
0	3.0
1	2.5
2	2.1
3	1.8
4	1.5
5	1.2
6	1.0
7	0.8
8	0.6
9	0.5
10	0.4
12	0.3
14	0.2
16	0.1
Greater than 16	0

Use the table by first finding the numerical difference in sound level between two levels being combined. Entering the table with this value, find the value to be added to the larger of the two levels, add this value to the larger level to determine the total. Where more than two levels are to be combined, use the same procedure to combine any two levels; then use this subtotal and combine it with any other level, and so on. Fractional numerical values may be interpolated from the table; however, the final result should be rounded to the nearest whole number.

Example 1: In performing a site evaluation, separate DNL values for airports, road and railroads have been listed on Sheet A as 56, 63, and 61 decibels. In complete the final evaluation of the be separate DNL values must be d. The difference between 63 and om the table you find that 0.8 should to 63, for a subtotal of 63.8. The e between 63.8 and 61 is 2.8; from you interpolate that approximately be added to 63.8 for a total of 65.7 when rounded to whole numbers. mple shows how noise from different may be Acceptable, individually, at a hen combined, the total noise en- may exceed the Acceptable DNL decibels.

MV00171957

Aircraft

Necessary Information

To evaluate a site's exposure to aircraft noise, you will need to consider all airports (civil and military) within 15 miles of the site. The information required for this evaluation is listed below under headings that indicate the most likely source. Before beginning the evaluation, you should record the following information on Worksheet B:

From the FAA Area Office or the Military Agency in charge of the airport:

- Are current DNL or NEF (Noise Exposure Forecast) contours available? Noise contours are available for almost all military airports. These contours have been developed and published as part of the Air Installation Compatible Use Zone (AICUZ) program of the Department of Defense. The contours are published normally as part of an AICUZ report. Noise contours are also available for many civil airports. When available, they are superimposed on a map with an appropriately marked scale (see Figure 1, page 4).
- Any available information about approved plans for runway changes (extensions or new runways).

From the FAA Control Tower or Airport Operations (if DNL or NEF contours are *not* available):

- The number of nighttime jet operations (10 p.m. - 7 a.m.)
- The number of daytime jet operations (7 a.m. - 10 p.m.)
- The flight paths of the major runways.
- Any available information about expected changes in airport traffic, e.g., will the number of operations increase or decrease in the next 10 or 15 years.

In making your evaluation, use the data for the heaviest air traffic condition, whether present or future.

Evaluation of Site Exposure to Aircraft Noise

If current DNL (or NEF) contours are available (as in Figure 1 page 4), locate the site on the map by referring to the marked distance scale. If there are no other noise sources in the area, you do not need to do anything else. If there are other noise sources affecting the site, you will need to find the precise DNL value so you can combine it with the other sources. Obtain the DNL at the appropriate NAL on the site by interpolation between the contours on either side of the NAL. If NEF contours are used, estimate DNL by adding 35 decibels to the NEF values. Note that contours are usually provided in 5 decibel increments. (See Example 2 on page 4.) When supersonic aircraft operations are present, DNL contours are *required* for the assessment.

If DNL or NEF contours are *not* available, the DNL at a site may be estimated in several different ways:

- An FAA Handbook (Reference 1) can be used to estimate DNL contours for sites in general aviation airport vicinities. General aviation airports exclude commercial jet transports but may include business jets.
- A handbook available from EPA (Reference 2 at the back of this Guide) can be used to calculate DNL at individual points.
- A procedure for constructing approximate DNL contours for sites near commercial jet

Figure 1
Example of DNL Contours

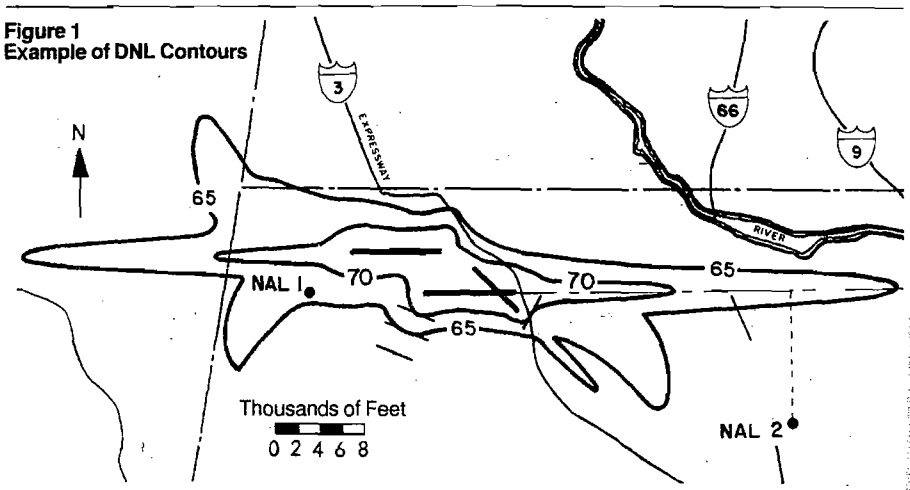

Example 2: The illustration in Figure 1 at the top of page 4 shows the NAL's on a map that has DNL contours. We find that NAL number 1 lies between the 65 and 70 dB contours and that NAL number 2 lies outside the 65 dB contour.

We find the DNL at NAL number 1 by interpolation from the distances between the NAL and the 65 and 70 dB contours.

By scaling off the map, we find that the distance from the NAL, measured perpendicularly to the contours, is 800 feet to the 65 dB contour and 2400 feet to the 70 dB contour. The distance between the 65 and 70 dB contours is 2400 + 800 =3200 feet. We find the DNL at the NAL number 1 to be 65 decibels plus 800/3200 x 5 decibels = 66.3 decibels.

Example 3: The illustration in Figure 2 at the bottom of page 5 shows an airport for which DNL or NEF contours are not available. The airport has 10 nighttime and 125 daytime jet operations.

To construct the approximate contours, we determine the effective number of operations as follows:

10 (nighttime) x 10 = 100

Add to this the actual number of daytime operations:

100 + 125 (daytime) = 225

To determine the distances A and B in relation to the runway (see Figure 3, page 5), enter the effective number of operations on the horizontal scales of the charts in Figure 3:

MV00171958

airports without supersonic aircraft is as follows:

Determine the "effective" number of jet operations at the airport by first multiplying the number of nighttime jet operations by 10.

Then add the number of daytime jet operations to obtain an effective total (see Example 3, page 4).

On a map of the area showing the principal runways, mark the location of the site and, using the diagram and charts of Figure 3 on page 5, construct approximate DNL contours of 65, 70, and 75 dB for the major runways and flight paths most likely to affect the site. (see Figure 2, page 5.)

Although a site may be Acceptable for exposure to aircraft noise; exposure to other sources of noise, when combined with the aircraft noise, may make the site Unacceptable. Therefore, if necessary, values of aircraft noise exposure less than 65 dB can be estimated from Table 2. Scale the shortest distance D^2 from the NAL to the flight path, as in Figure 2. Scale the distance D^1 from the 65 dB contour to the flight path. Divide D^2 by D^1 and enter this value into the following table to find the approximate DNL at the NAL.

Table 2

$D2/D1$	DNL dB
1.00	65
1.12	64
1.26	63
1.41	62
1.58	61
1.78	60
2.00	59
2.24	58
2.51	57
2.82	56
3.16	55

Figure 3
Charts for Estimating DNL for Aircraft Operations

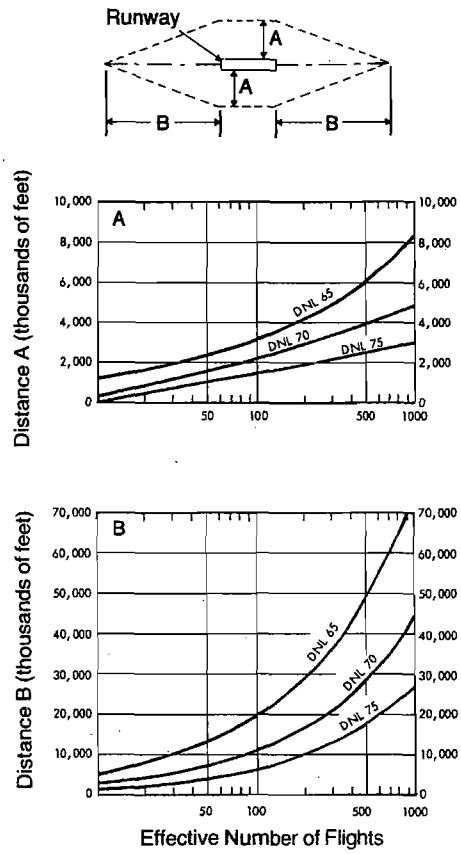

Figure 2
Example of Approximate DNL Contours for an Airport with 225 Effective Number of Operations

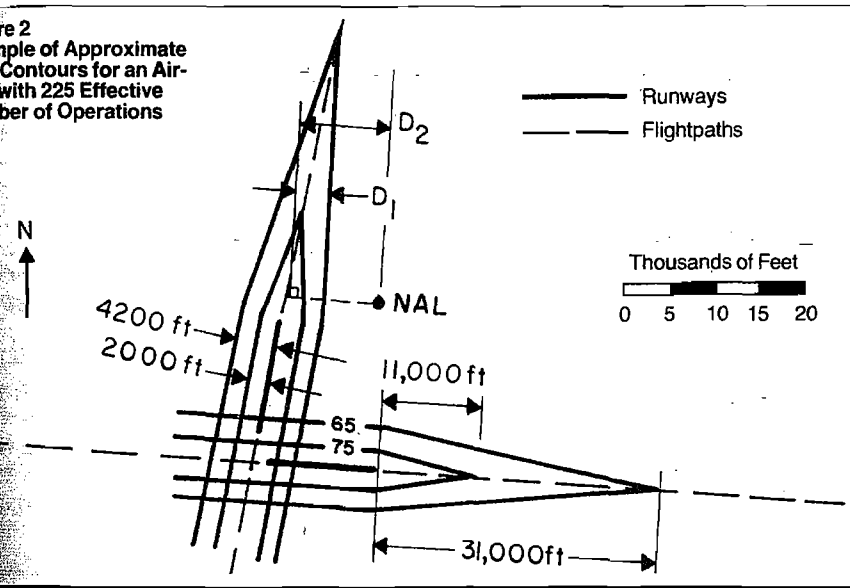

[illegible] up to the DNL curves; read across the [illegible] to the left to obtain distances A and B [illegible] the vertical scales on the charts.

[illegible] we find from Figure 3, for example, that for [illegible] effective operations, distance A is 4200 [illegible] for the 65 dB contour and 2000 feet for [illegible] 75 dB contour. Distance B is 31,000 feet [illegible] the 65 dB contour and 11,000 feet for the [illegible] dB contour.

Example 4a: The NAL shown in Figure 2 is outside the 65 dB contour. The distance D^2 from the NAL to the flight path is 9700 feet. The distance D^1 from the 65 dB contour to the flight path, measured perpendicularly from the contour, is 3700 feet. The ratio D^2/D^1 is 9700/3700 = 2.62. From Table 2 we find the DNL from the airport to be 56.6 dB. We do not know whether the site is Acceptable or not, however, since we must also assess the contribution of roadway and train noise to the total DNL at the site.

Example 4b: We observe that the perpendicular distance (D^2) from NAL number 2 (Figure 1) to the flight path is more than 3 times the distance (D^1) from the 65 dB contour to the flight path. From Table 2 we find that the contribution of the airport to the DNL at NAL number 2 is less than 55 decibels. We need not consider the airport further in accessing the noise environment at this site.

MV00171959

Roadways

Necessary Information

To evaluate a site's exposure to roadway noise, you will need to consider all roads that might contribute to the site's noise environment; roads farther away than 1000 feet normally may be ignored.

Before beginning the evaluation, determine if roadway noise predictions already exist for roads near the site. Also try to obtain all available information about approved plans for roadway changes (e.g., widening existing roads or building new roads) and about expected changes in road traffic (e.g., will the traffic on this road increase or decrease in the next 10 to 15 years).

If noise predictions have been made, they should be available from the City (County) Highway or Transportation Department. If not, record the following information on page 1 of Worksheet C:

- The distances from the NAL's for the site to the near edge of the nearest lane and the far edge of the farthest lane for each road.
- Distance to stop signs.
- Road gradient, if 2 percent or greater.
- Average speed.
- The total number of automobiles for both directions during an average 24-hour day. Traffic engineers refer to this as ADT, Average Daily Traffic (or sometimes AADT, meaning Annual Average Daily Traffic).
- The number of trucks during an average 24-hour day in each direction.

If possible, separate trucks into "heavy trucks" – those weighing more than 26,000 pounds with three or more axles – and "medium trucks" – those between 10,000 and 26,000 pounds. (Each medium truck is counted as equal to 10 automobiles.) Trucks under 10,000 pounds are counted as automobiles. Count buses capable of carrying more than 15 seated passengers as "heavy" trucks – others, as "medium" trucks. If it is not possible to separate the trucks into those that are heavy and those that are not, treat *all* trucks as though they are "heavy."

Note: *If the road has a gradient of 2 percent of more, record the numbers for uphill and downhill traffic separately since these figures will be needed later; otherwise, simply record the total number of trucks. Most often you will have to assume that the uphill and downhill traffic are equally split.*

- The fraction of ADT that occurs during nighttime (10 p.m. to 7 a.m.). If this is unknown, assume 0.15 for both trucks and autos.

Evauation of Site Exposure to Roadway Noise

Traffic surveys show that the amount of roadway noise depends on the percentage of trucks in the total traffic volume. To account for this effect, you must evaluate automobile and truck traffic separately and then combine the results.

The noise environment at each site due to traffic noise is determined by utilizing a series of Workcharts to define the contribution of automobiles and trucks from one or more roads at that site. Each noise source yields a separate DNL value.

Workchart 1 provides a graph for assessing a site with respect to the noise from automobiles, light and medium trucks; Workchart 2 provides a similar graph for assessment of heavy truck noise. These values are combined for each road affecting the noise environment at the site to obtain the total contribution of roadway noise. Remember, the noise from aircraft and railways must also be considered before determining the suitability of this site's noise environment.

Effective Distance

Before proceeding with these separate evaluations, however, determine the "effective distance" to each road from the dwelling or outdoor residential activity (the NAL's for the site) by averaging the distances to the nearest edge of the nearest lane and to the farthest edge of the farthest lane of traffic. (See Example 5, page 6, and Figure 4, page 7.)

Note: For roads with the same number of lanes in both directions, the effective distance is the distance to the center of the roadway (or median strip, if present).

Automobile Traffic

Workchart 1 was derived with the following assumptions:

- There is line-of-sight exposure from the site to the road; i.e., there is no barrier which effectively shields the site from the noise of the road.
- There is no stop sign within 600 feet of the site; traffic lights do not count because there is usually traffic moving on one street or the other.
- The average automobile traffic speed is 55 mph.
- The nightime portion of ADT is 0.15.

If each road meets these four conditions, proceed to Workchart 1 for the evaluation. Enter the horizontal axis with the effective distance from the roadway to the NAL; draw a vertical line upward from this point. Enter the vertical axis with the effective automobile ADT; draw a horizontal line across from this point. (The "effective" automobile ADT is the sum of automobiles, light trucks, and 10 times the number of medium trucks in a 24-hour day.) Read the DNL value from Workchart 1 where the vertical and horizontal lines intersect. Record this value in column 16, Worksheet C.

But:

If any of the four conditions is different, make

Example 5: The site shown in Figure 4 is exposed to noise from three major roads: Road No. 1 has four lanes, each 12 feet wide, and a 30-foot wide median strip which accommodates a railroad track. Road No. 2 has four lanes, each 12 feet wide. Road No. 3 has six lanes, each 15 feet wide, and a median strip 30 feet wide.

The distance from NAL No. 1 to the near edge of Road No. 1 is 300 feet. The distance to the far edge of Road No. 1 is 300 feet, plus the number of lanes times the lane width, plus the width of the median strip. Thus, the distance to the farthest edge of the road is:

$$300 + (4 \times 12) = 378 \text{ ft}$$

The effective distance is

$$\frac{378 + 300}{2} = 339 \text{ ft}$$

This is the value to be entered on line 1c of Worksheet C. The effective distances from the appropriate NAL's to Road No. 2 and Road No. 3 are found by the same method.

The distances shown in Figure 4 will be used for all roadway examples in this booklet.

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Figure 4
Plan View of Site showing How Distance Should Be Measured from the Noise Assessment Location (NAL) of the Dwelling Nearest to the Source

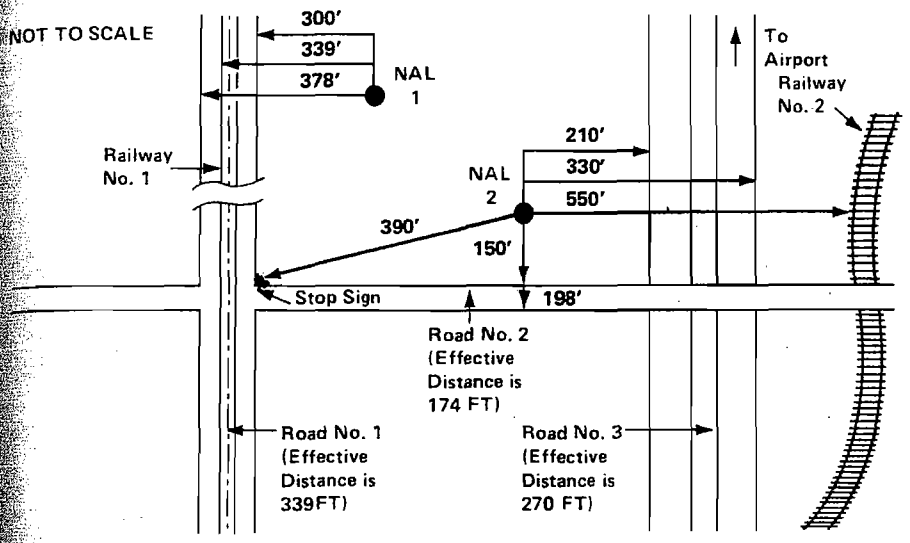

the necessary adjustments (on page 2, Worksheet C) listed below and *then* use Workchart 1 for the final evaluation.

First, a few general words about adjustments as they are applied in these Guidelines. Each Workchart has been derived for a baseline condition which is often found in practical cases. Where conditions differ from the baseline, they are accounted for by a series of one or more adjustment factors.

The adjustment factors are used as multipliers times the average number of vehicles operating during a 24-hour day. If more than one adjustment is required, it is not necessary that each be multiplied times the basic traffic flow separately; all adjustment factors are multiplied together, and them multiplied times the original traffic flow data. This will become clearer as you examine the Worksheets at the back of these Guidelines and work through the examples. After you have become familiar with the Guidelines, you will be able to work examples directly from the worksheets without referring back to the text. To simplify your work, all the adjustment factors are summarized at the back of these Guidelines.

Figure 5
Use of Workchart 1 To Evaluate Automobile Traffic Noise

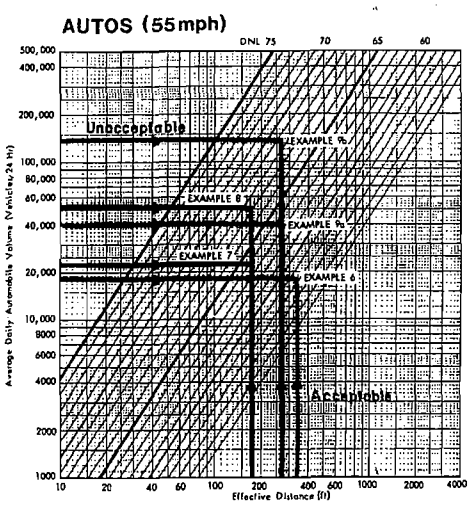

Adjustments for Automobile Traffic

Stop-and-Go Traffic:
If there is a stop sign (not a traffic signal) within 600 feet of the NAL so that the flow of traffic is completely interrupted on the road under consideration, find the stop-and-go adjustment factor for automobiles from Table 3. Enter this value in column 9 on Worksheet C.

Table 3

Distance from NAL to Stop Sign In Feet	Automobile Stop-and-Go Adjustment Factor
0	0.10
100	0.25
200	0.40
300	0.55
400	0.70
500	0.85
600	1.00

Average Traffic Speed:
If the average automobile speed is other than 55 mph, enter the appropriate adjustment from Table 4 in column 10 of Worksheet C.

Table 4

Average Traffic Speed	Auto Speed Adjustment Factor
20 (mph)	0.13
25	0.21
30	0.30
35	0.40
40	0.53
45	0.67
50	0.83
55	1.00
60	1.19
65	1.40
70	1.62

Example 6: Road No. 1 meets the four conditions that allow for an immediate evaluation. Obtaining the information necessary for the evaluation, it was found that the automobile ADT is 18,000 vehicles (Line 5c of Worksheet C). On Workchart 1 we locate on the vertical scale the point representing 18,000 and on the horizontal scale the point representing 339 feet (see Figure 5). (Note that we must estimate the location of this point.) Using a straight-edge we draw lines to connect these two values and find that the [illegible] exposure to automobile noise from this [illegible] is a DNL of 58 dB, as read from the scale [illegible] the top of the graph.

Example 7: Road No. 2 has a stop sign at 390 feet from NAL No. 2. The automobile ADT is reported as being 32,500 vehicles (line 5c of Worksheet C). From Table 3 we interpolate between 300 and 400 feet to find the adjustment factor for stop-and-go traffic to be 0.69. The adjusted traffic ADT is

0.69 × 32,500 = 22,425 vehicles per day

and with an effective distance of 174 feet from NAL No. 2, we find from Workchart 1 that the approximate value of DNL is 64 dB.

Example 8: Suppose that the stop sign on Road No. 2 were replaced by a traffic signal for which no stop-and-go adjustment is made and that the ADT increases to 75,000 vehicles. In addition, assume that the average speed is 45 mph instead of 55 mph. You adjust the new automobile ADT of 75,000 vehicles by the Auto Speed Adjustment Factor from Table 4

0.67 × 75,000 = 50,250 vehicles

and at an effective distance of 174 feet find from Workchart 1 that the approximate value of DNL is 67 dB.

Nightime Adjustment.

DNL values are affected by the proportion of traffic volume that occurs during "daytime" (7 a.m. to 10 p.m.) and "nighttime" (10 p.m. to 7 a.m.). The graph on Workchart 1 assumes that 15 percent of the total ADT occurs during nighttime. If a different proportion of the traffic occurs at night, find the appropriate nighttime adjustment factor from Table 5. Record your answer in column 11 of Worksheet C.

Table 5

Nighttime Fraction of ADT	Nighttime Adjustment Factor
0	0.43
0.01	0.46
0.02	0.50
0.05	0.62
0.10	0.81
0.15	1.00
0.20	1.19
0.25	1.38
0.30	1.57
0.35	1.77
0.40	1.96
0.45	2.15
0.50	2.34

Once you have selected all the appropriate adjustment factors and entered them on page 2 of Worksheet C, multiply all the factors together, then multiply by the automobile ADT (column 12) for 24 hours, found on page 1 of Worksheet C. The resulting adjusted ADT should be entered in column 13. This is the ADT value to be used, in conjunction with the effective distance from the NAL to the road, to find the DNL value from Workchart 1. Enter this DNL value in column 14 of Worksheet C. Remember this is the DNL from automobile (as well as light and medium truck) noise; you must still find the DNL contribution from heavy truck noise in order to obtain the total DNL produced by the roadway you are assessing.

Attenuation of Noise by Barriers:

This adjustment reduces the noise produced by automobiles and trucks on the same road. Instructions for this adjustment appear after the noise assessment for truck traffic below.

Truck Traffic

Wherever possible, separate the average daily volume of trucks into heavy trucks (more than 26,000 pounds vehicle weight and three or more axles); medium trucks (less than 26,000 pounds but greater than 10,000 pounds), light trucks (counted as if they are automobiles). You should already have accounted for medium and light trucks in your automobile evaluation. Do not forget that buses that can carry more than 15 seated passengers are counted as heavy trucks. Heavy trucks (including buses) must be analyzed separately because they have quite different noise characteristics. If it is not possible to separate the trucks into those that are heavy and those that are not, treat *all* trucks as though they are "heavy."

Workchart 2, which is used to evaluate the site's exposure to heavy truck noise, was derived with the following assumptions:

- There is line-of-sight exposure from the site to the road; i.e., there is no barrier which effectively shields the site from the road noise.
- The road gradient is less than 2 percent.
- There is no stop sign (traffic signals are permissible) within 600 feet of the site.
- The average truck traffic speed is 55 mph.
- The nighttime fraction of ADT is 0.15.

If the road meets these five conditions, proceed to Workchart 2 for an immediate evaluation of the site's exposure to heavy truck noise from that road.

But:

If any of the conditions is different, make the necessary adjustment(s) listed below and *then* use Workchart 2 for the evaluation.

Figure 6.
Use of Workchart 2 to Evaluate Heavy Truck Noise

Heavy Trucks (55 mph)

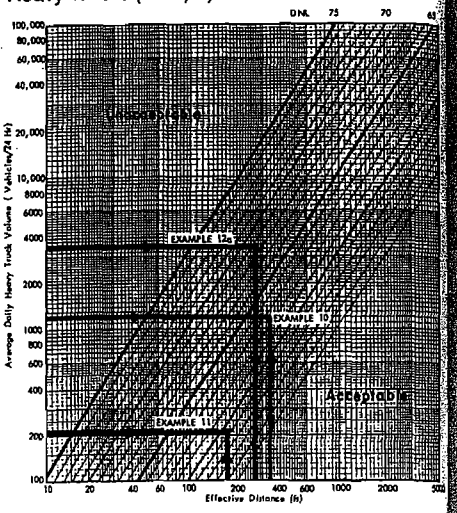

Adjustments for Heavy Trucks

Road Gradient:

If there is a gradient of 2 percent or more, find the appropriate adjustment factor, for heavy trucks going uphill only, as shown in Table 6. List this factor in column 17 of Worksheet C.

Table 6

Percent of Gradient	Adjustment Factor
2	1.4
3	1.7
4	2.0
5	2.3
6 or more	2.5

Example 9a: Road No. 3 is a limited access highway with no stop signs and the average speed is 55 mph. Current traffic data indicate an automobile ADT of 40,000 vehicles of which 15 percent occurs during nighttime hours (10 p.m. to 7 a.m.). With an effective distance of 270 feet to NAL No. 2, Workchart 1 is used to show that the DNL for existing automobile traffic is between 63 and 64 dB. Round off to 64 dB.

Example 9b: However, traffic projections estimate that in 10 years the ADT will increase to 100,000 vehicles at an average speed of 55 mph and nighttime usage will increase to 25 percent. For future traffic, you must adjust the future ADT of 100,000 for the effect of increased nighttime use. From Table 5, you find an adjustment factor of 1.38. The adjusted ADT is

$$1.38 \times 100{,}000 = 138{,}000$$

and at an effective distance of 270 feet you find from Workchart 1 that the DNL will increase to 69 dB; therefore, provision for extra noise control measures should be explored. We will examine in Example 13 the effect of terrain as a shielding barrier that provides sound attenuation.

Example 10: Road No. 1 on Figure 4 meets the four conditions that allow for an immediate evaluation. The ADT for heavy truck flow is 1200 vehicles. Workchart 2 shows that the exposure to truck noise from this road at an effective distance of 339 feet is a DNL of 63 dB at NAL No. 1.

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Average Traffic Speed:

Make this adjustment if the average speed differs from 55 mph. If the average truck speed differs with direction, treat the uphill and downhill traffic separately. Select the appropriate adjustment factors from Table 7 below, entering them in column 18 of Worksheet C.

Table 7

Average Traffic Speed MPH	Heavy Truck Speed Adjustment Factor
50 or less	0.81
55	1.00
60	1.17
65	1.38

Once you have found the speed adjustment factor, you can combine the uphill and downhill traffic. For uphill traffic, multiply the gradient factor times the speed adjustment factor times uphill traffic volume (truck ADT column 19) (assuming one half the total 24-hour average number of trucks unless specific information to the contrary exists), entering the product in column 20. Multiply the speed adjustment factor for downhill traffic times the downhill traffic volume (truck ADT/2 column 19). Add the values for uphill and downhill traffic, entering this sum in column 21. You may now complete the assessment of heavy truck noise without regard to uphill and downhill traffic separation.

Stop-and-Go Traffic:

If there is a stop sign (remember, not a traffic signal) within 600 feet of an NAL for the site on the road being assessed, find the adjustment factor determined according to Table 8. Enter it in Column 22 of Worksheet C.

Table 8

Heavy Truck Traffic Volume per Day	Heavy Truck Stop-and-Go Adjustment Factor
Less than 1200	1.8
1201 to 2400	2.0
2401 to 4800	2.3
4801 to 9600	2.8
9601 to 19,200	3.8
More than 19,200	4.5

Nighttime Adjustment

After all the above adjustments are made, do not forget to adjust for nighttime operations if they are not 15 percent of the total ADT, using the factors obtained from Table 5 just as for automobiles. Enter this value in column 23 of Worksheet C.

At this point, multiply the adjustment factors for nighttime and stop-and-go traffic times the heavy truck traffic volume in column 21 to find the adjusted heavy truck ADT, entering the product in column 24. Use this value and the effective distance from the NAL to the road to find the truck DNL from Workchart 2, entering your answer in column 25 of Worksheet C. If no shielding barriers are to be considered, combine the DNL from heavy trucks with the DNL from automobiles (column 14). The result is the DNL from the road being assessed and should be entered on Worksheet C.

But:

If a shielding barrier is to be considered for the site, make the analysis described below separately for automobiles and then for heavy trucks *before* combining the DNL values. This step is necessary since barriers are far more effective for automobiles than for heavy trucks. Once you have found the amount of attenuation provided by the barrier for automobiles, enter it in column 15. Find the value of barrier attenuation for heavy trucks and enter it in column 25. Subtract these attenuation values from the DNL values obtained previously (columns 14 and 24), entering the reduced DNL values in columns 16 and 27. Combine the automobile and heavy truck DNL values, reduced by the attenuation provided by the barrier, to find the final DNL produced by the roadway at the site.

Remember to combine the contributions to DNL of *all* roads that affect the noise environment at each NAL for the site to obtain the total DNL from all roadways. Enter this DNL on both Worksheet C and the summary Worksheet A.

Attenuation of Noise by Barriers

Noise barriers are useful for shielding sensitive locations from ground level noise sources. For example, a barrier may be the best way to deal with housing sites at which the noise exposure is not acceptable because of nearby roadway traffic.

A barrier may be formed by the road profile, by a solid wall or embankment, by a continuous row of noise-compatible buildings, or by the terrain itself. To be an *effective* shield, however, the barrier must block all residential levels from line of sight to the road; it must not have any gaps that would allow noise to leak through.

Some Preliminary Matters:

In evaluating noise barrier performance, you will be working with different kinds of "distances" between the sound source, the observer, and the barrier.

Actual Distance – the existing distance that would be measured using a tape measure with no corrections or adjustments. This may mean one of two things, *depending on the application;* either the:

- *slant distance* – the actual distance,

Example 11: Road No. 2 has a stop sign at 390 feet from NAL No. 2. There is also a road gradient of 4 percent. No heavy trucks are allowed on this road, but a schedule shows an average of 12 large buses pass along the road per hour between 7 a.m. and 10 p.m., although no buses are scheduled during the remaining nighttime period. The buses are equally divided in each direction along the road. (Remember large buses, those that carry over 15 seated passengers, count as heavy trucks.)

We find the ADT for the "heavy trucks" (the buses in this case) by multiplying the average number of vehicles per hour by the number of hours between 7 a.m. and 10 p.m. That is, 12 x 15 = 180, or 90 vehicles in each direction. We find from Table 6 that the gradient adjustment factor for uphill traffic is 2.0. We find the truck volume adjusted for gradient is

uphill:	*90 x 2.0 = 180*
downhill:	*= 90*
total (column 21)	*= 270 vehicles*

From Table 8, we find the adjustment factor for stop-and-go traffic to be 1.8.

We also remember that we have no buses in the nighttime period and find the factor in Table 5 on page 8 for zero nighttime operations to be 0.43.

Our final adjusted ADT is (column 24)

1.8 x 0.43 x 270 = 209 Vehicles

From Workchart 2, with an effective distance of 174 feet, we find a DNL of 59 dB.

Example 12a: Road No. 3 is a depressed highway and the profile shields all residential levels of the housing from line of sight to the traffic. The average truck speed is 50 mph. The ADT for heavy trucks is 4400 vehicles. We adjust for average speed (from Table 7)

4400 x 0.81 = 3564

and find from Workchart 2 that, with an effective distance of 270 feet, the DNL from truck noise would be 69 dB if no barrier existed. We proceed to analyze the barrier attenuation.

measured along the line of sight between two points; or the

- *map distance* – the actual distance, measured on a horizontal plane, between the two points, as on a map or on the project plan.

For an observer high in an apartment tower, the slant distance to the road may be much longer than the map distance.

Barrier effectiveness is expressed in terms of noise attenuation in decibels (dB), determined with the aid of Workchart 6. This numerical value is subtracted from the previously calculated DNL in order to find the resultant DNL at the Noise Assessment Location.

Note: A noise barrier can be considered as a means of protecting a site from noise even if it cannot wrap around the site to shield from view practically all of the source of noise at every sensitive location on the site. It must be recognized, however, that such a barrier is much less effective than an ideal barrier. (See Workchart 7 and Step 6 below.)

Barriers of reasonable height cannot be expected to protect housing more than a few stories above ground level. Barriers will generally protect the ground and the first two or three floors, but not the higher floors. If there are to be frequently occupied balconies on the upper levels, one solution is to move the building farther from the noise source and face the sensitive areas away from the noise.

Steps to Evaluate a Barrier

1. For the observer's position, use the mid-height of the highest residential level. For the source position, use the following heights (see Figure 7):

- autos, medium trucks, railway cars – the road or railway surface height
- heavy trucks – 8 feet above the road surface
- diesel locomotives or trains using horns or whistles at grade crossings – 15 feet above the rails.

Figure 7.
Source Heights to Be Used in Roadway Barrier Designs

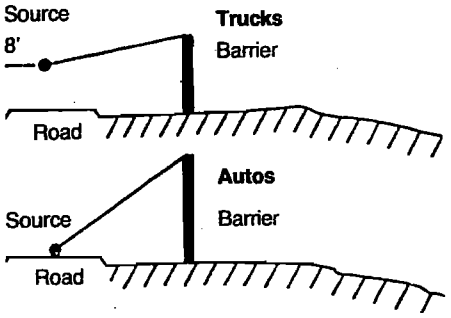

Get accurate values for the following quantities: h, the shortest distance from the barrier top to the line of sight from source to observer; R and D, the slant distances along the line of sight from the barrier to the source and observer, respectively (see Figure 8).

Figure 8.
Generalized Geometry of Acoustical Barrier

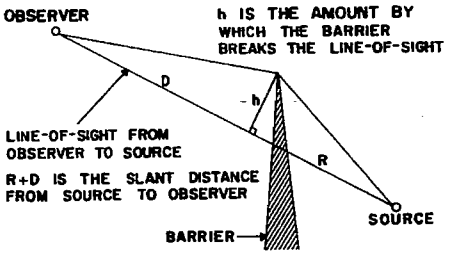

Specifically, R and D are the two segments into which h breaks the line of sight. Note that h is *not* the height of the barrier above the ground but the distance from the barrier top to the line of sight.

2. Enter at the top of Workchart 6 with the value of h on the left-hand scale; move right to intersect the curve corresponding to R (or D, whichever is *smaller*).

3. Move down to intersect the curve corresponding to the value of D/R (or R/D, whichever is *smaller*).

4. Move right to intersect the vertical scale in order to find the barrier shielding value A in decibels.

5. Interruption of the line of sight with a barrier between the noise source and an observer reduces the amount of sound attenuation provided by the ground. Find the amount of this loss B from the table on Workchart 6 by entering the table with the value of D/R. Find the barrier attenuation value S corresponding to an ideal barrier that completely hides the noise source from view by subtracting B from the value of A obtained in Step 4.

6. If the barrier exists along only a part of the road so that unshielded sections of the road would be visible from the site, the barrier is less effective than an ideal barrier. On a plan view of the site, locate the two ends of the barrier and draw lines from these points to the Noise Assessment Location. Use a protractor to measure the angle formed at the NAL by the two lines. Enter the horizontal scale of Workchart 7 with the values of this angle; read up to the curve having the value of S determined from Step 5 (interpolating if necessary); read left across to the vertical scale labeled "actual barrier performance" to find the value of FS to use for the actual barrier in question.

7. Subtract the barrier attenuation value S (or FS if adjusted for finite barrier length according to Workchart 7) from the value of DNL previously determined to reevaluate the site with the noise barrier in place.

Example 12b: (Refer to Figure 9.) Six stories are planned for the housing where the site has an elevation of 130 feet. The effective elevation for the highest story is found by multiplying the number of stories by 10 feet, adding the site elevation, and subtracting 5 feet.

$(6 \times 10) + 130 - 5 = 185$ *feet*

The barrier, which in this case is formed by the road profile, has no "height" other than the elevation of the natural terrain above the noise sources traveling on the roadway. The important dimensions are indicated in Figure 9.

Some people with a technical background will be able to fit the geometric diagram to the site situation readily, working from the project drawings and a scratch sheet.

But if you are *not* confident of your geometry, Workchart 5 gets you the values of R, D, and h from the map distances and elevations of the site. We illustrate that procedure in this example.

First, enter the elevations of the source (S), the observer (O), and the top of the barrier (H), as well as the map distances from the barrier to the source (R') and observer (D'), at the top right of Workchart 5. Then, follow the steps on that Workchart to derive the values of h, R, and D that are needed in using Workchart 6.

Entering Workchart 6 at the upper left with the value of h (5.5 feet), we move horizontally

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Figure 9.
Detail of Site Showing Measurements Necessary for a Barrier Adjustment

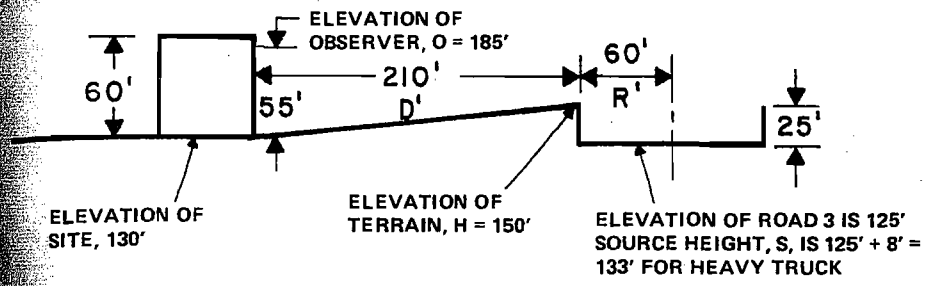

Figure 10.
Use of Workchart 5 to Determine Barrier Dimensions in Example 12b

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Enter the values for:

H= 150 R'= 60
S= 133 D'= 210
O= 185

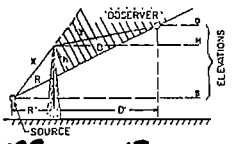

Fill out the following worksheet (all quantities are in feet):

Elevation of barrier top minus elevation of source	[11 150] − [5 133]	= [1 17]	
Elevation of observer minus elevation of source	[0 185] − [5 133]	= [2 52]	
Total distance between source and observer (R' + D')		[3 270]	
Total distance between barrier and source (R')		[4 60]	
Line 2 divided by line 3	[2 52] ÷ [3 270]	= [5 0.19]	
Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 0.19] × [5 0.19]	= [6 0.04]	
0.4 times line 6	[0.4] × [6 0.04]	= [7 0.016]	
1.0 minus line 7	[1.0] − [7 0.016]	= [8 0.984]	
9.5 times line 4 (will be negative if line 2 is negative)	[5 0.19] × [4 60]	= [9 11.4]	
Line 1 minus line 9	[1 17] − [9 11.4]	= [10 5.6]	
Line 10 times line 8	[10 5.6] × [8 0.984]	= [11 5.5]	= h
0.19 times line 10	[5 0.19] × [10 5.6]	= [12 1.06]	
Line 4 divided by line 8	[4 60] ÷ [8 0.984]	= [13 61]	
Line 13 plus line 12	[13 61] + [12 1.06]	= [14 62]	= R
Line 3 minus line 4	[3 270] − [4 60]	= [15 210]	
Line 15 divided by line 8	[15 210] ÷ [8 0.984]	= [16 213]	
Line 16 minus line 12	[16 213] − [12 1.06]	= [17 212]	= D

Value on line 2 may be negative, in which case the values on lines 5, 9, and 12 will be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x + y.

Round off R and D to nearest integer, h to one decimal place

Figure 11.
Use of Workchart 6 to Evaluate Barrier in Examples 12b, 13 and 14

Noise Barrier Workchart 6

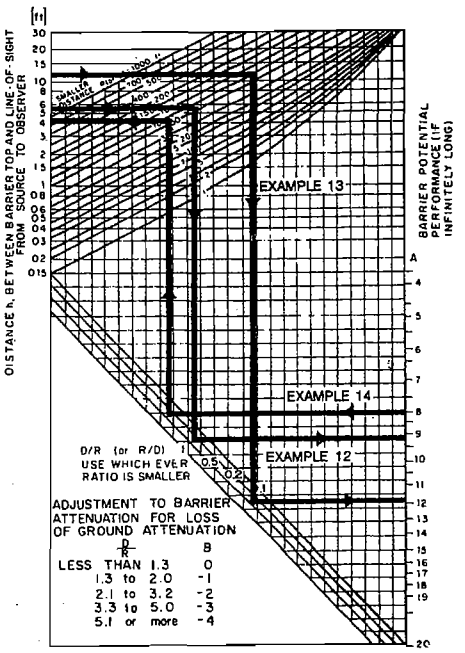

right until we meet the value of R or D, ever is smaller: in this example, R = 62 From that point we drop vertically down- until we meet the value of R/D or D/R, ever is smaller: in this case, R/D = From that point, move horizontally to to find the value for A = 9 dB. Enter- able for determining loss of ground tion effect due to the barrier with a D/R of 3.5, the reduction in tion (B) is found to be 3 dB. cting 3 dB from 9 dB provides a net tion of 6 dB. With 6 dB of attenuation, al DNL of 69 dB (Example 12a) is to 63 dB.

Example 13: An alternative approach, which is somewhat more direct, is illustrated here for the noise of automobiles on Road No. 3.

A preliminary step is to make an accurately scaled sketch of the general geometry introduced on page 8. It must include the positions of the source (this time at the road surface), the observer, and the top of the barrier; and will show the distances h, R, and D. Such a sketch is shown superimposed on the profile of the road and its neighborhood in Figure 12.

If we carefully scale the dimensions directly from this sketch, we find the following values for h, R, and D:

R=63 feet

R/D=0.3

D=214 feet

h=11 feet

The barrier attenuation is found, by entering Workchart 6 with these values, to be A=12 dB. It is larger than that found for trucks because the noise source is lower and is, therefore, better shielded by the barrier. The loss from ground attenuation is again B=3 dB for a net attenuation of 12 - 3 = 9 dB. In Example 9b, we found that the DNL

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Figure 12.
Sketch Showing Dimensions for Example 13

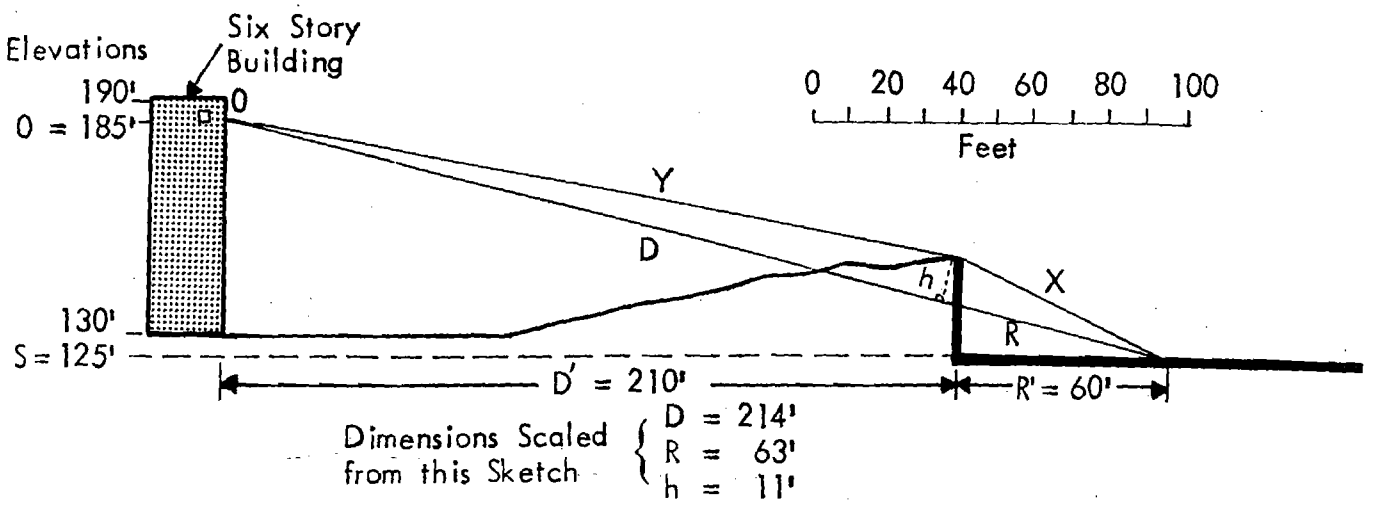

for the projected traffic volume of 100,000 vehicles per day was 69 dB if no consideration was given the shielding provided by the terrain. Subtracting the 9 dB attenuation from 69, we find the partial DNL for automobiles is 60 dB.

In order to find the combined truck and automobile noise for Road No. 3, we combine the 63 dB of truck noise with the 60 dB of automobile noise using Table 1. We find that 1.8 should be added to 63 dB, for a combined DNL of 64.8 dB, or 65 dB when rounded to the nearest whole number.

Example 14: Where no natural barrier exists, Workchart 6 can be used in reverse to estimate the height of a barrier needed to obtain a required attenuation. In example 9b we found that, without any attenuation from terrain or a barrier, the automobile traffic produced a DNL of 69 dB, and in Example 12a the heavy truck traffic produced a DNL of 69 dB. When combined, the total DNL is 72 dB. Suppose the terrain were not rising between NAL and Road No. 3, as shown in Figure 12, but instead was level between the NAL and the edge of the road, as shown in Figure 13. We want to find out how high a wall, infinite in length, would be required at the edge of the road to reduce the combined truck and automobile noise to less than 65 dB. We have found in the previous examples that a barrier of a given height will provide more attenuation for automobiles than it will for trucks. As a first step in our analysis, we will find the height of a wall that will reduce the truck noise to just below 65 dB, say 64 dB, and then find out whether the additional attenuation it provides for automobile noise will be sufficient to reduce the combined truck and automobile noise to less than 65 dB. We begin by finding the height of wall that will provide 5 dB attenuation for truck noise.

We estimate that the ratio of R/D is about the same as R'/D', the ratio of horizontal distance in Figure 13, which is equal to 0.29. Before entering Workchart 6, we find from the loss of ground attenuation table that for D/R = 3.4 we will lose 3 dB attenuation from an ideal barrier. In order to have a net attenua-

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Figure 13.
Sketch Showing Dimensions for Example 14

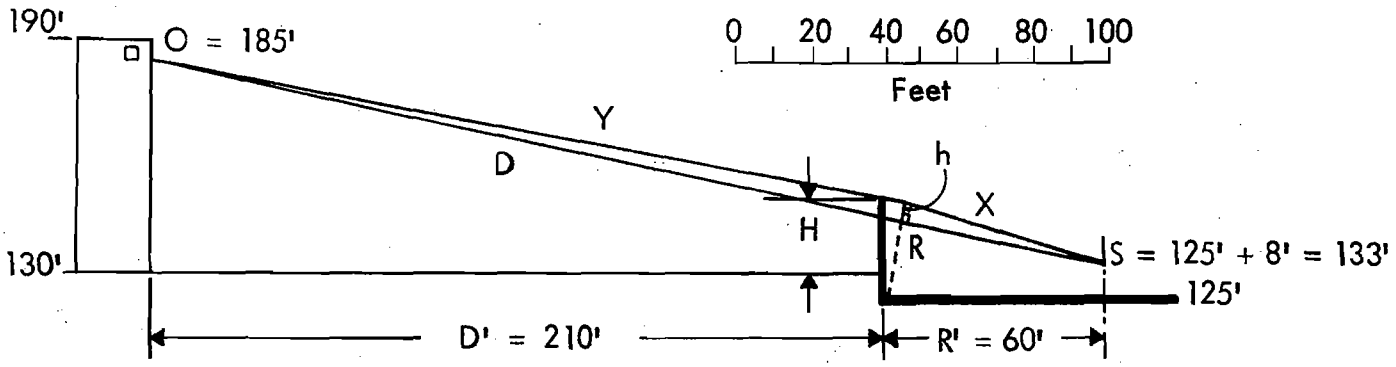

tion of 5 dB, we must have an ideal barrier that provides 5 + 3 = 8 dB attenuation.

Entering Workchart 6 on the right side scale A at 8 decibels, we move across to the diagonal lines, finding 0.29 by interpolating between the lines marked at 0.2 and 0.5. Moving directly up to a point midway between the R lines of 50 and 70, we find our estimated R of approximately 60. Moving across to the left we find that the line of sight between the observer and the truck source height must be broken by a value of h equal to 4.5 feet.

We can determine the height of the wall H in several ways. By drawing h=4.5 feet to scale on Figure 13, we can scale the total wall height H to be approximately 20 feet. Those who feel comfortable with geometry can calculate H by using the similar triangle relationships in Figure 13 to determine that H is 19.1 feet.

Now we must find how much a wall 19 feet high will attenuate automobile noise, remembering that the source height for automobiles is at the road surface elevation of 125 feet. By scaling the drawing, or by geometry, we determine that the line of sight between the observer position and the automobile source is broken by a value of h that is approximately 13 feet. Entering Workchart 6 at 13 feet we find, for R=60 feet and R/D=0.29, that the potential barrier attenuation is 12dB. We must reduce this by 3 dB for loss of ground attenuation to find the actual shielding of automobile noise to be 9 dB. The original 69 dB of automobile noise is reduced to 69 - 9 = 60 dB.

Finally, we combine the heavy truck noise, attenuated by the wall to 69 - 5 = 64 dB, with the automobile noise reduced to 60 dB, to find a combined DNL of 65.5 dB, or 66 dB when rounded upward. Remember, however, that this is for an infinite wall. Further adjustments would have to be made once the actual length was known.

Necessary Information

To evaluate a site's exposure to railway noise, you will need to consider all rapid transit lines and railroads within 3000 feet of the site (except totally covered subways). The information required for this evaluation is listed below under headings that indicate the most likely source.

Before beginning the evaluation, you should record the following information on Worksheet D:

From the area map and/or the (County) Engineer:

- The distance from the appropriate NAL on the site to the center of the railway track carrying most of the traffic.

From the Supervisor of Customer Relations for the railway:

- The number of diesel trains and the number of electrified trains in both directions during an average 24-hour day.
- The fraction of trains that operate during nighttime (10 p.m. - 7 a.m.) If this is unknown, assume 0.15.
- The average number of diesel locomotives per train. If this is unknown, assume 2.
- The average number of railway cars per diesel train and per electrified train. If this is unknown, assume 50 for diesel trains and 8 for electrified trains.
- The average train speed. If this is unknown, assume 30 mph.
- Is the track made from welded or bolted rails?

From the Engineering Department of the railway:

- Is the site near a grade crossing that requires prolonged use of the train's horn or whistle? if so, where are the whistle posts located? (Whistle posts are signposts which tell the engineer to start blowing the horn or whistle. Every grade crossing has whistle posts and they are listed on the railroad's "track charts." If traffic on the track is one-way, there will be only one whistle post. The grade crossing itself is the other "whistle post."

Electrified rapid transit and commuter trains that do not use diesel engines should be treated the same as railway cars.

Note: Buildings closer than 100 feet to a railroad track are often subject to excessive vibration transmitted through the ground. Construction at such sites is discouraged.

Evaluation of Site Exposure to Railway Noise

Railway noise is produced by the combination of diesel engine noise and railway car noise. These Guidelines provide for the separate evaluation of diesel locomotives and railroad cars, and then the combination of the two, in order to obtain the DNL from trains. When rapid transit or electrified trains that do *not* use diesel engines are the only trains passing near a site go directly to the second part of the evaluation since these trains are treated in the same manner as railway cars.

Diesel Locomotives

Workchart 3 was derived with the following assumptions:

- A clear line of sight exists between the railway track and the Noise Assessment Location.
- There are two diesel locomotives per train.
- The average train speed is 30 mph.
- Nighttime operations are 0.15 of the 24-hour total.
- The site is not near a grade crossing requiring prolonged use of the train's horn or whistle.

If the situation meets these conditions, proceed to Workchart 3 for an immediate evaluation of diesel locomotive noise.

But:

If any of the conditions is different, make the necessary adjustments listed below and *then* use Workchart 3 for the evaluation.

Figure 14.
Use of Workchart 3 to Evaluate Diesel Locomotive Noise

Railroads – Diesel Locomotives

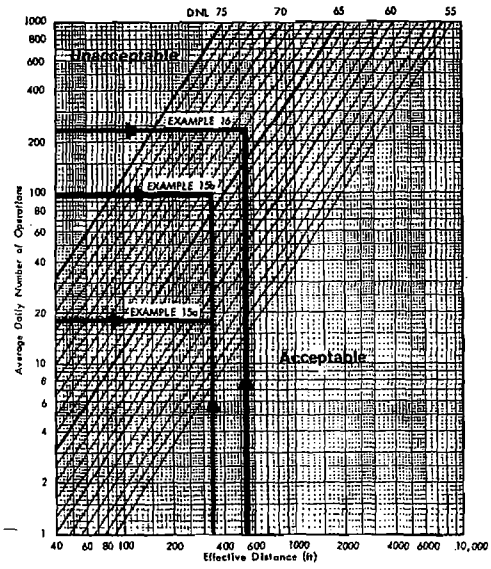

Adjustments for Diesel Locomotives

Number of Locomotives:

If the average number of diesel locomotives per train is not 2, divide the average number by 2. Enter this value in column 9 of Worksheet D.

Example 15a: The distance from NAL number 1 to Railway Number 1 is 339 feet. Two percent of the 35 daily operations occur at night; there is clear line of sight between the tracks and the NAL, and no horns or whistles are used. No information is available on train size or speed, therefore we will assume 2 engines per train and a speed of 30 mph.

Since the percentage of nighttime operations is different from 15 percent, we must adjust the actual number of daily operations, multiplying by 0.50 according to Table 5.

0.50 x 35 = 17.5 = 18

Entering Workchart 3 with 18 daily operations and a distance of 339 feet, we find that the contribution of diesel engine noise is a DNL of 59 dB (see Figure 14).

In order to find the total contribution of the trains to the total DNL, we must also find the noise level produced by the train's cars. Entering Workchart 4 (see Figure 15) with 18 daily operations and a distance of 339 feet, we find the DNL is below 50 on the chart, or more than 10 decibels lower than the noise level produced by the engines. Based on the chart for decibel addition, the combination of the noise from the engines and the cars adds less than 0.5 decibels to the DNL value for the engines alone, 59 dB.

Example 15b: Suppose that a forecast of train operations for Railway 1 indicates that there will still be 35 trains per day, but now 50 percent of the operations will occur at night, the average train will have 4 engines and 75 cars, and the average speed will be 50 mph.

We first find the contribution to DNL made by diesel locomotives by using the following adjustment factors:

- number of engines adjustment: 2
- speed adjustment: 0.60
- day/night adjustment: 2.34

We multiply these adjustments together with the number of trains:

2 X 0.60 X 2.34 X 35 = 98

Entering Workchart 3 (see Figure 14) with 98 daily operations and a distance of 339

Average Train Speed:

If the average train speed is different from 30 mph, find the appropriate adjustment factor from Table 9 and list in column 10 of Worksheet D.

Table 9

Average Speed (mph)	Speed Adjustment Factor
10	3.00
20	1.50
30	1.00
40	0.75
50	0.60
60	0.50
70	0.43

Horns or Whistles:

If the NAL is perpendicular to any point on the track between the whistle posts for the grade crossing, enter the number 10 in column 11, Worksheet D.

Nighttime Adjustment:

Remember to adjust for nightime operations, if different from 0.15 of the total, by selecting the appropriate adjustment factor from Table 5 on page 8. Enter in column 12, Worksheet D.

Multiply the adjustment factors together, times the number of diesel trains per day (you have listed this number previously on line 2a, page 1, of Worksheet D, and should enter this number again in column 13) to obtain the adjusted number of trains per day. Enter the adjusted number of diesel trains per day in column 14. Use this value, in conjunction with the distance from the NAL to the track (line 1, page 1, of Worksheet D), to find from Workchart 3 the DNL produced by diesel locomotives. List in column 15 of Worksheet D.

Railway Cars and Rapid Transit Systems

Workchart 4 was derived with the following assumptions:

- A clear line of sight exists between the railway and the NAL.
- There are 50 cars per train.
- The average train speed is 30 mph.
- Nighttime operations are 0.15 of the 24-hour total.
- Rails are welded together.

If the situation meets these conditions, proceed to Workchart 4 for an immediate evaluation of railway car noise. Again, if any of the conditions is different, make the necessary adjustments listed below and then use Workchart 4 for the evaluation.

Figure 15.
Use of Workchart 4 to Evaluate Railway Car Noise

Railroads – Cars and Rapid Transit

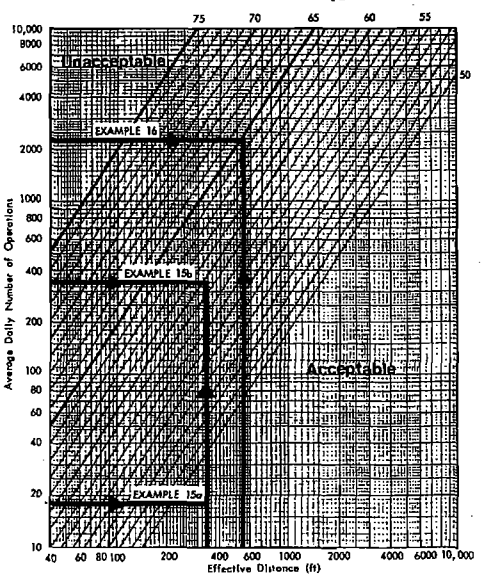

Adjustments for Railway Cars and Rapid Transit Trains

Number of Cars:

Divide the average number of cars by 50 and enter this number in column 18 of Workchart D.

Average Speed:

Make this adjustment, if the average speed is not 30 mph, by selecting the appropriate value from Table 10, entering it in column 19 of Worksheet D.

Table 10

Average Speed (mph)	Speed Adjustment Factor
10	0.11
20	0.44
30	1.00
40	1.78
50	2.78
60	4.00
70	5.44
80	7.11
90	9.00
100	11.11

Bolted Rails:

Enter the number 4 in column 20 of Worksheet D.

Nighttime Adjustment:

Enter the appropriate adjustment factor from Table 5 in column 21 of Worksheet D.

feet, we find that the site has an engine noise contribution to DNL of 66 dB.

We next obtain the adjustment factors for the noise produced by the cars:

- number of cars adjustment: 1.50
- speed adjustment: 2.78
- day/night adjustment: 2.34

Multiplying the adjustment factors times the average daily number of trains:

1.5 X 2.78 X 2.34 X 35 = 342

Entering Workchart 4 (see Figure 15) with 342 operations and a distance of 339 feet, we find the contribution of the cars to the DNL is 60 dB. Using Table 1 for combining levels, we find that the 6 dB difference between engine noise at 66 and car noise at 60 gives a combined DNL of 67 dB for these trains.

Example 16: The distance from NAL number 2 to Railroad Number 2 is 550 feet; there are 100 operations per day, of which 30 percent occur at night. A clear line of sight exists between the site and the railroad, and no horns or whistles are used nearby. An average train on this track uses 4 engines, has 100 cars, the average speed is 40 miles per hour, and the track has bolted, not welded, rails.

We first find the adjustment factors for the diesel engines:

- number of engines adjustment: 2
- speed adjustment: 0.75
- day/night adjustment: 1.57

Multiplying the adjustments together, times the number of trains:

2 X 0.75 X 1.57 X 100 = 236

Entering Workchart 3 (see Figure 14) with 236 operations at a distance of 550 feet, we find the DNL contribution from engine noise to be 67 dB.

Next we find the adjustment factors for the railroad cars:

- number of cars adjustment: 2
- speed adjustment: 1.78
- bolted track adjustment: 4
- day/night adjustment: 1.57

Multiplying the adjustments together, times the number of trains:

2 X 1.78 X 4 X 1.57 X 100 = 2236

Entering Workchart 4 (see Figure 15) with

(Continued next page)

Figure 16.
Sketch Showing Dimensions for Example 16

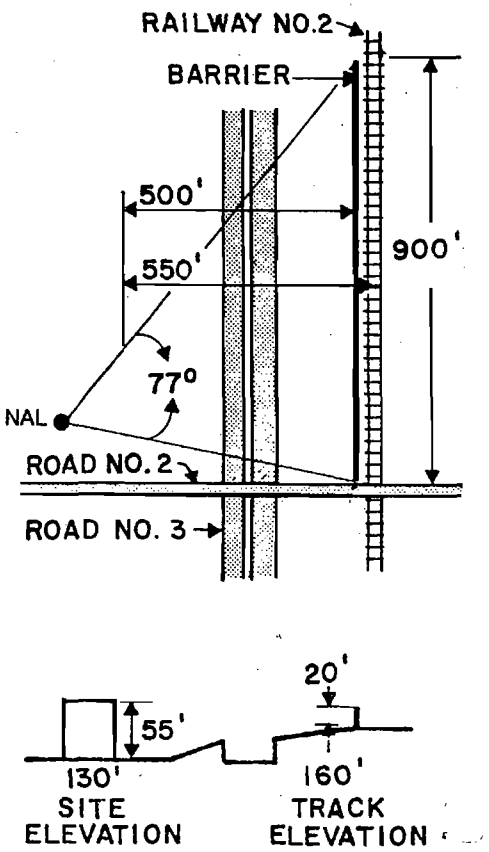

Figure 17.
Use of Workchart 6 in Example 16

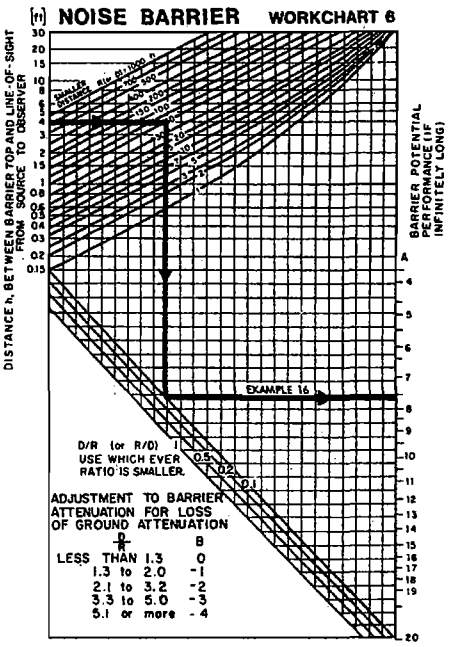

Figure 18.
Use of Workchart 7 in Example 16

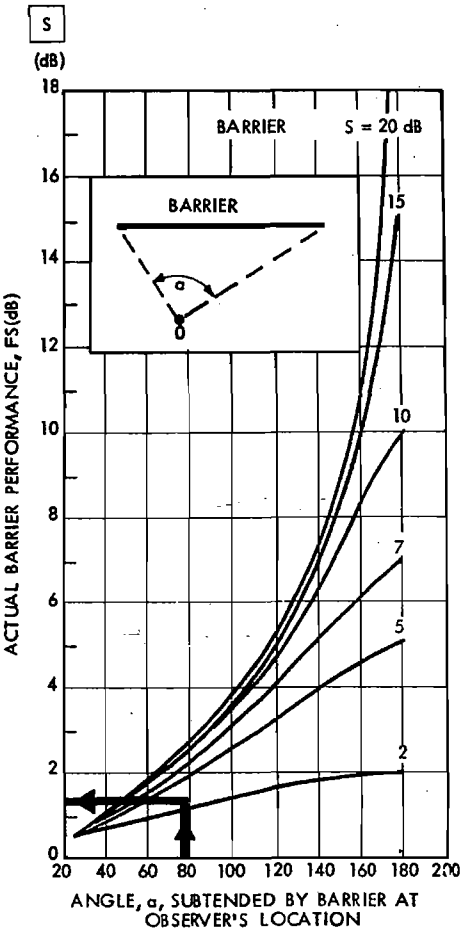

2236 operations at a distance of 550 feet, we find the DNL contribution from the railroad cars to be 65 dB. Combining the engine sound levels with the car sound levels we find the total DNL from the trains to be 69 dB.

It would be possible to erect a 20-foot noise barrier, running parallel to the track at a distance of 50 feet; it could start at Road Number 2 and run 900 feet north toward the airport, as shown in Figure 16. Both the railroad track and the ground level at the barrier location are at an elevation of 160 feet. Thus, we have the following values with which to calculate the potential reduction in engine noise (using Workchart 5). (Because the distances involved are so unequal, this situation does not lend itself to direct scaling of the distances.)

H = 180 feet (20' above the ground)

S = 175 feet (15' above the track, see page 19)

0 = 285 feet (from Example 11 in the section on roadway noise)

R' = 50 feet

D' = 500 feet

We find from Worksheet 5 that the values of R and D are no different (within the accuracy of the calculation) from R' and D', a situation that will always occur when the differences in elevation are so much smaller than the distances from the site to the noise source. The value of h is 4 feet; R/D = 0.1

We can now use these numbers to enter Workchart 6 to find the *potential* barrier performance (that is, the barrier adjustment factor that would apply in the case of an infinitely long barrier). Entering Workchart 6 at h = 4 feet, with R/D = 0.1, we find the basic attenuation of the barrier to be 7.5 dB. However, with D/R = 10, we find from the table of loss-of-ground-effect attenuation that we must subtract 4 dB from the 7.5, or a net effect of 3.5 dB. However, the situation is even worse, since the barrier is finite in length.

To find the actual attenuation for this *finite* barrier, we must first find the angle subtended by the barrier to the NAL. Referring to Figure 16, we draw lines from the NAL each end of the barrier. With

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References

1. D.E. Bishop, A.P. Hays, "Handbook for Developing Noise Exposure Contours for General Aviation Airports," FAA-AS-75-1, December 1975 (NTIS No. AD-A023429).

2. D.E. Bishop, et al., "Calculation of Day-Night Levels Resulting From Civil Aircraft Operations," BBN Report 3157 for Environmental Protection Agency, March 1976 (NTIS No. PB 266 165).

3. B.A. Kugler, D.E. Commins, W.J. Galloway, "Highway Noise – A Design Guide for Prediction and Control," NCHRP Report 174, Transportation Research Board, National Research Council, 1976.

4. T.J. Schultz, W.J. Galloway, "Noise Assessment Guidelines – Technical Background," Office of Policy Development and Research, U.S. Department of Housing and Urban Development," 1980.

5. M.A. Simpson, "Noise Barrier Design Handbook," FHWA-RD-76-58, Federal Highway Administration, February 1976 (NTIS No. PB 266 378).

a protractor we measure the angle between the two lines to be 77 degrees. Locate the curve on Workchart 7 corresponding to the potential barrier attenuation of 3.5 dB; it lies midway between the two lowest curves (see Figure 18). The point on this curve corresponding to a subtended angle of 77 degrees indicates that the actual barrier performance would be only 1.5 dB. With only 1.5 dB of attenuation, the barrier is clearly not cost-effective. In order to achieve a usable attenuation from the barrier, it would have to be extended beyond the other side of Road Number 2 to obtain a larger subtended angle. This extension, however, would still not be cost-effective unless the height of the barrier were increased substantially.

Summary of Adjustment Factors

Combination of Sound Levels

Table 1

Difference in Sound Level	Add to Larger Level
0	3.0
1	2.5
2	2.1
3	1.8
4	1.5
5	1.2
6	1.0
7	0.8
8	0.6
9	0.5
10	0.4
12	0.3
14	0.2
16	0.1
greater than 16	0.

Aircraft

Table 2 DNL Outside 65 dB Contour

D^1 = distance from 65 dB contour to flight path
D^2 = distance from site to flight path

D2 / D1	DNL dB
1.0	65
1.12	64
1.26	63
1.41	62
1.58	61
1.78	60
2.00	59
2.24	58
2.51	57
2.82	56
3.16	55

Automobile Traffic

Table 3 Stop-and-go

Distance from Site to Stop Sign feet	Automobile Stop-and-go Adjustment Factor
0	0.10
100	0.25
200	0.40
300	0.55
400	0.70
500	0.85
600	1.00

Table 4 Average Traffic Speed

Average Traffic Speed	Adjustment Factor
20 (mph)	0.13
25	0.21
30	0.30
35	0.40
40	0.53
45	0.67
50	0.83
55	1.00
60	1.19
65	1.40
70	1.62

Table 5 Nighttime (applies to all sources)

Nighttime Fraction of ADT	Nighttime Adjustment Factor
0	0.43
0.01	0.46
0.02	0.50
0.05	0.62
0.10	0.81
0.15	1.00
0.20	1.19
0.25	1.38
0.30	1.57
0.35	1.78
0.40	1.96
0.45	2.15
0.50	2.34

Medium Trucks

(less than 26,000 pounds, greater than 10,000 pounds)

Multiply adjusted automobile traffic by 10.

Heavy Trucks

Table 6 Road Gradient

Percent of Adjustment Gradient Factor	
2	1.4
3	1.7
4	2.0
5	2.2
6 or more	2.5

Table 7 Average Speed

Average Traffic Speed (mph)	Truck Speed Adjustment Factor
50 or less	0.81
55	1.00
60	1.17
65	1.38

Table 8 Stop-and-go

Heavy Truck Traffic Volume per Day	Heavy Truck Stop-and-Go Adjustment Factor
Less than 1200	1.8
1201 to 2400	2.0
2401 to 4800	2.3
4801 to 9600	2.8
9601 to 19,200	3.8
More than 19,200	4.5

Railroads - Diesel Engines

Number of Engines per Train
The number of engines divided by 2.

Table 9 Average Train Speed

Average Speed (mph)	Speed Adjustment Factor
10	3.00
20	1.50
30	1.00
40	0.75
50	0.60
60	0.50
70	0.43

Whistles or horns
Multiply number of trains by 10.

Railroads - Cars and Rapid Transit

Numbers of cars.
Number of cars per train divided by 50.

Table 10 Average Train Speed

Average Speed (mph)	Speed Adjustment Factor
10	0.11
20	0.44
30	1.00
40	1.78
50	2.78
60	4.00
70	5.44
80	7.11
90	9.00
100	11.11

Bolted Rails
Multiply number of trains by 4.

Whistles or Horns
Multiply number of trains by 100.

kchart 1
os (55 mph)

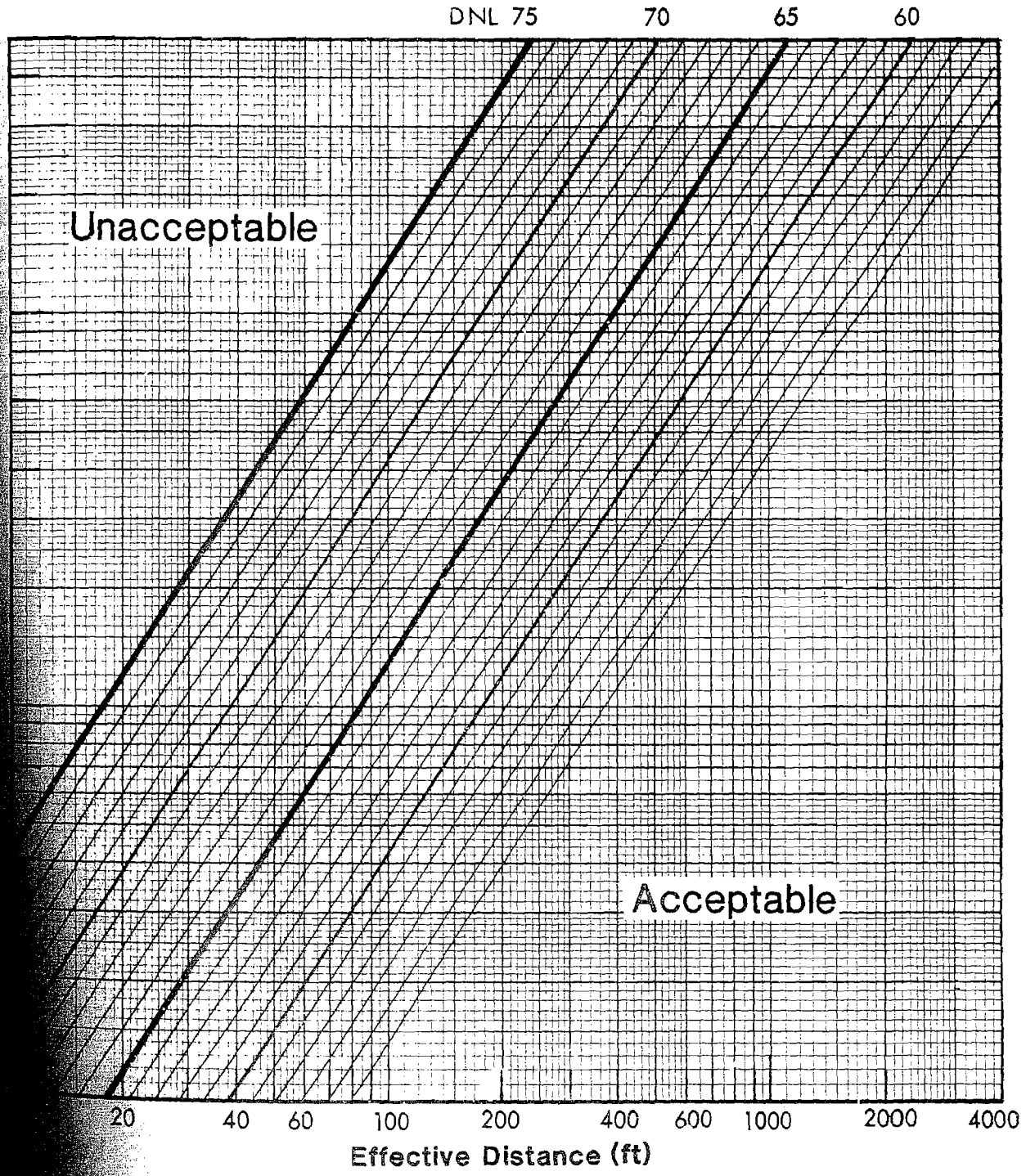

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Workchart 2
Heavy Trucks (55 mph)

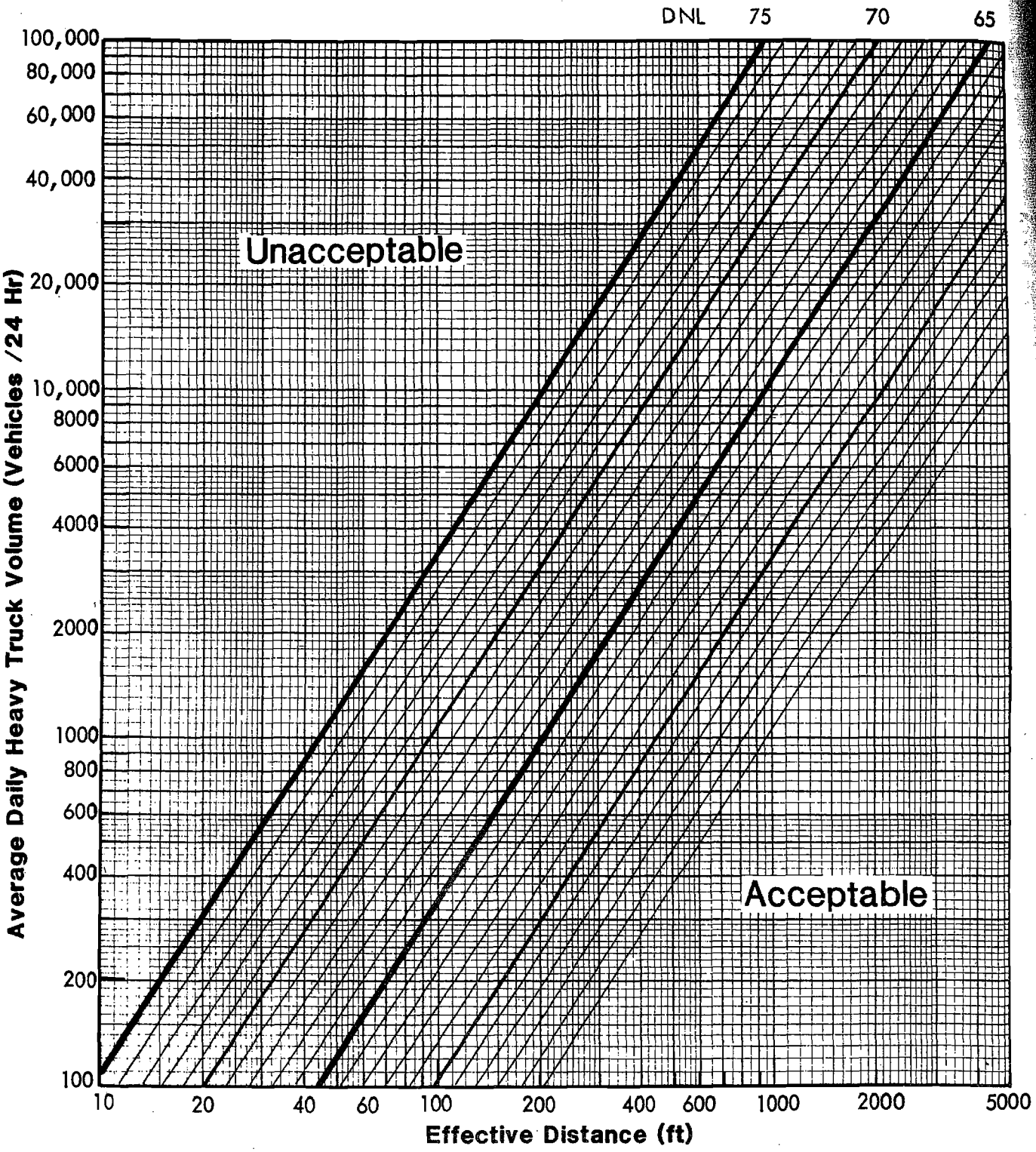

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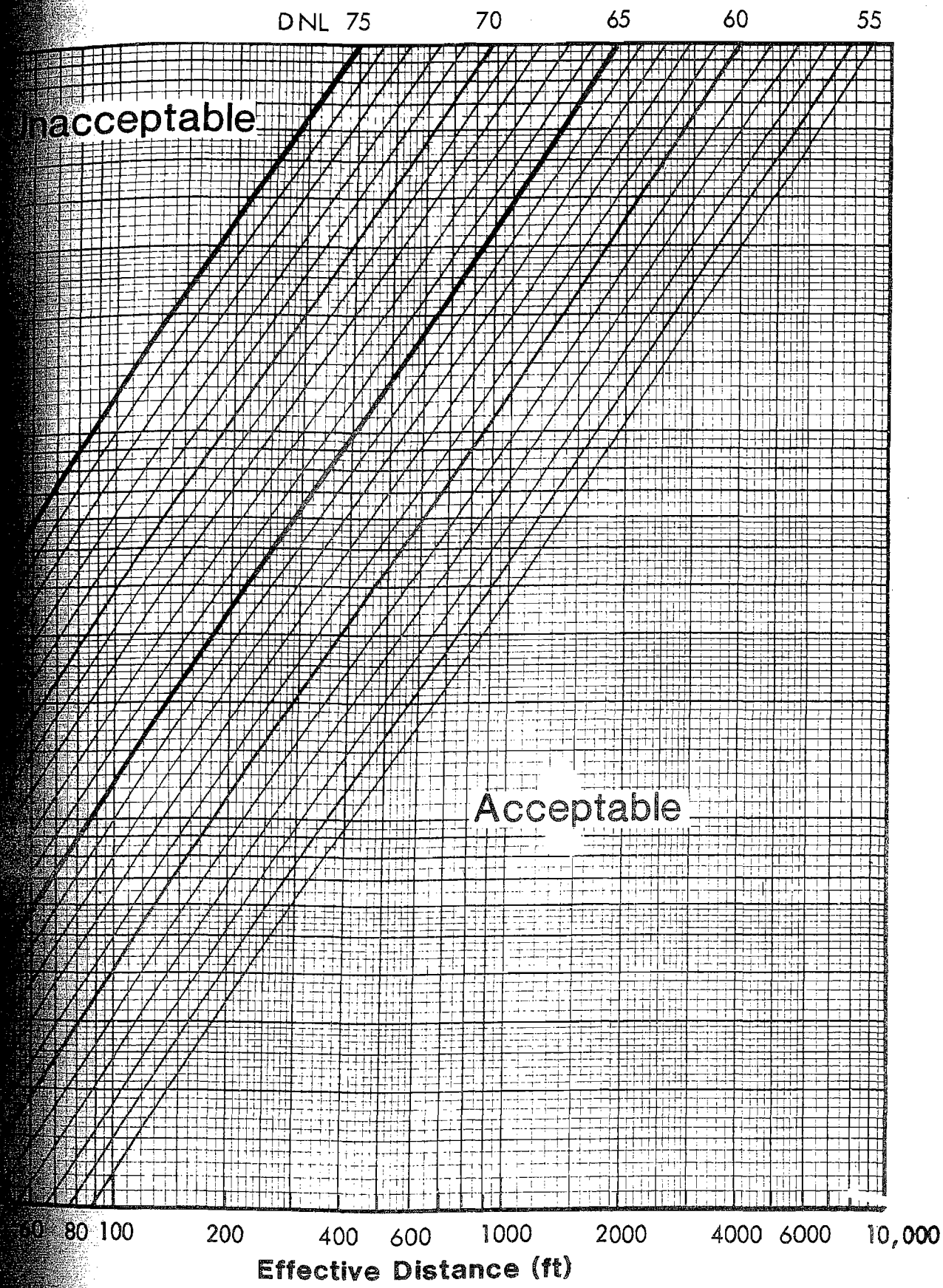
DNL 75
70
65
60
55
Unacceptable
Acceptable
60 80 100
200
400
600
1000
2000
4000
6000
10,000
Effective Distance (ft)

21

Workchart 4
Railroads - Cars and Rapid Transit

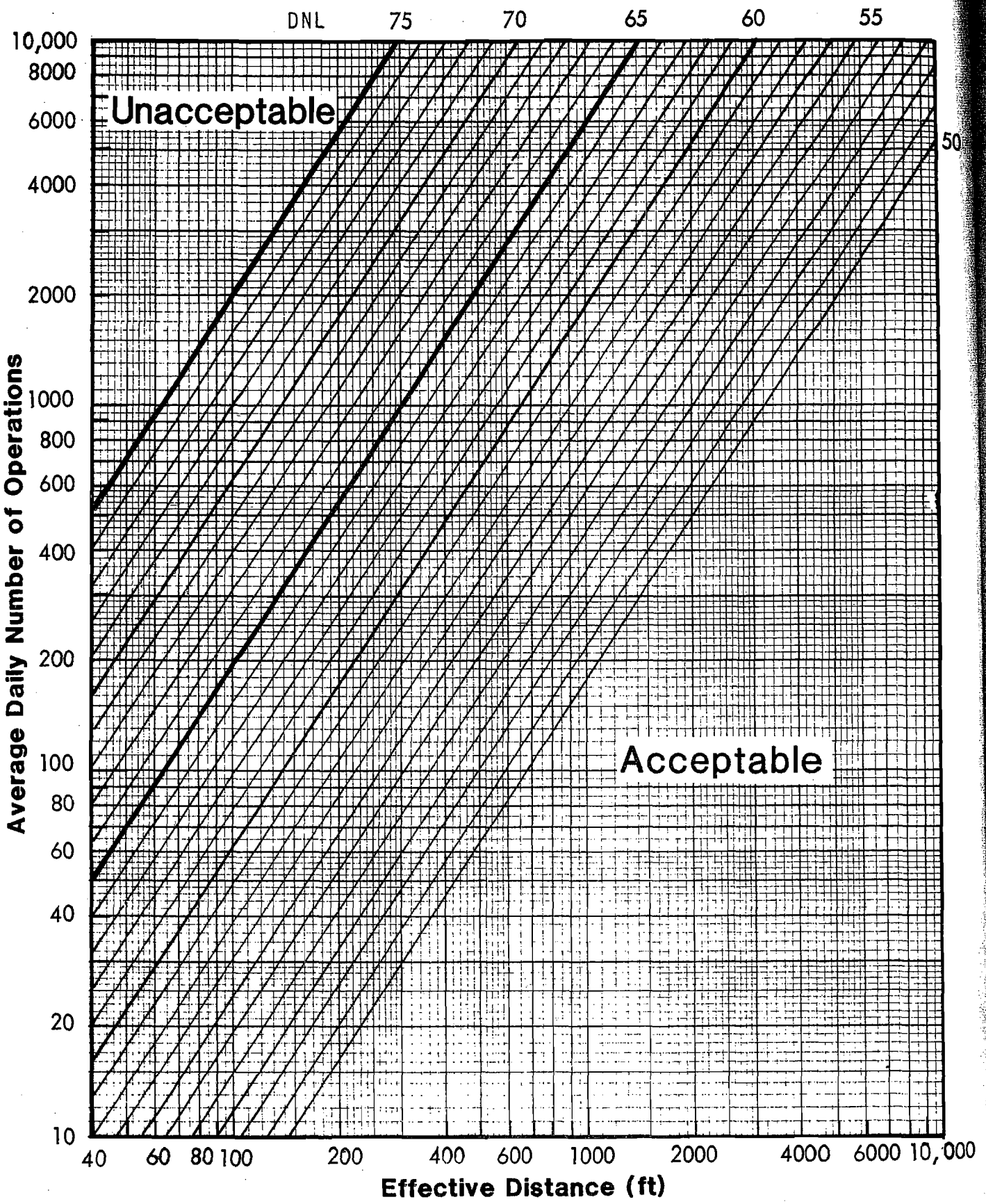

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Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= _____ R'= _____

S= _____ D'= _____

O= _____

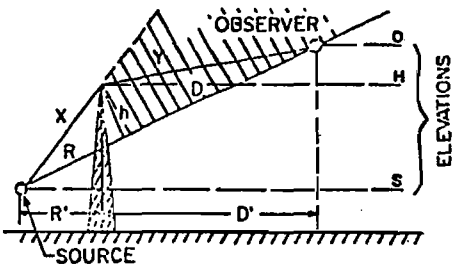

Elevation of barrier top minus elevation of source	[H	]	−	[S	]	=	[1	]
Elevation of observer minus elevation of source	[O	]	−	[S	]	=	[2	]
Map distance between source and observer (R' + D')							[3	]
Map distance between barrier and source (R')							[4	]
Line 2 divided by line 3	[2	]	÷	[3	]	=	[5	]
Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5	]	×	[5	]	=	[6	]
40% of line 6	[	0.4]	×	[6	]	=	[7	]
One minus line 7	[	1.0]	−	[7	]	=	[8	]
Line 5 times line 4 (will be negative if line 2 is negative)	[5	]	×	[4	]	=	[9	]
Line 1 minus line 9	[1	]	−	[9	]	=	[10	]
Line 10 times line 8	[10	]	×	[8	]	=	[11	] = h
Line 5 times line 10	[5	]	×	[10	]	=	[12	]
Line 4 divided by line 8	[4	]	÷	[8	]	=	[13	]
Line 13 plus line 12	[13	]	+	[12	]	=	[14	] = R
Line 3 minus line 4	[3	]	−	[4	]	=	[15	]
Line 15 divided by line 8	[15	]	÷	[8	]	=	[16	]
Line 16 minus line 12	[16	]	−	[12	]	=	[17	] = D

If the value on line 2 may be negative, in this case so will the values on lines 5,9, and 12; it may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: $x+(-y)=x-y$. And subtracting a negative number is like adding: $x-(-y)=x+y$.

Round off R and D to nearest integer, h to one decimal place.

MV00171977

Workchart 6
Noise Barrier

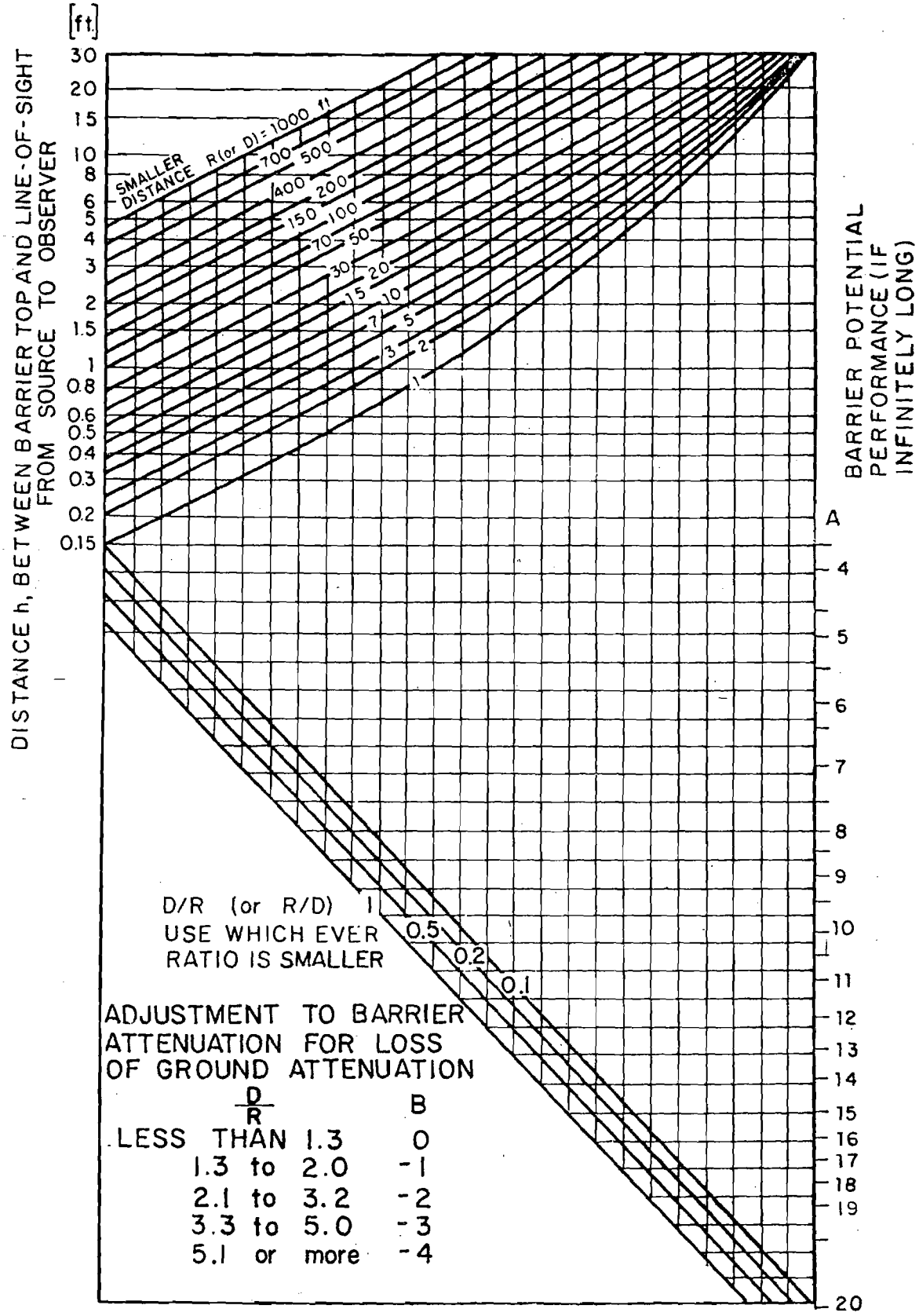

MV00171978

Workchart 7

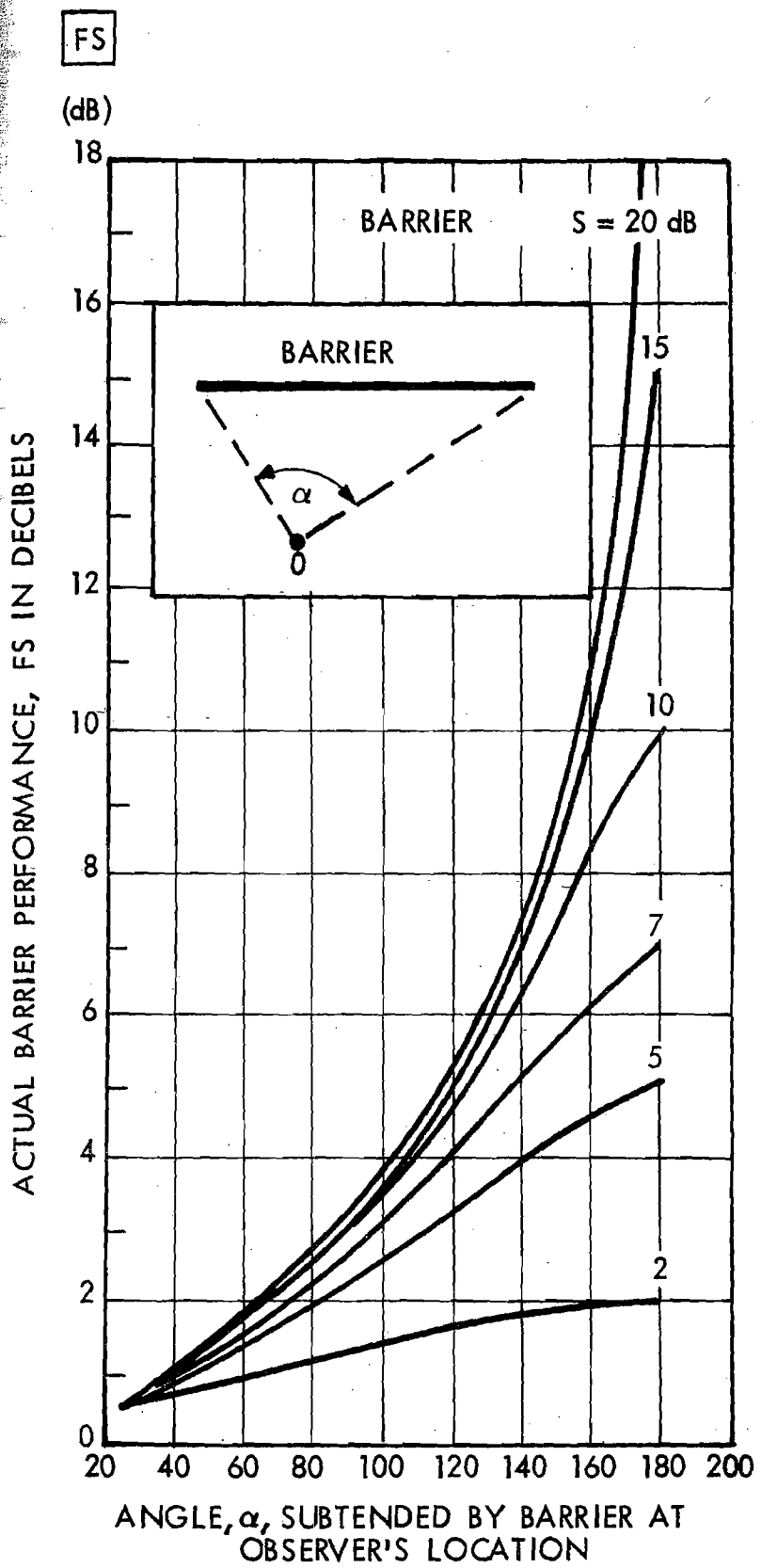

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00171979

Worksheet A
Site Evaluation

Site Location

Program

Project Name

Locality

File Number

Sponsor's Name | Phone

Street Address | City, State

	Acceptability Category	DNL	Predicted for Operations in Year
1. Roadway Noise			
2. Aircraft Noise			
3. Railway Noise			

Value of DNL for all noise sources: (see page 3 for combination procedure) _____

Final Site Evaluation (circle one)

Acceptable

Normally Unacceptable

Unacceptable

Signature _____ Date _____

Clip this worksheet to the top of a package containing Worksheets B-E and Workcharts 1-7 that are used in the site evaluations

List all airports within 15 miles of the site:

1. _____

2. _____

3. _____

Necessary Information:	**Airport 1**	**Airport 2**	**Airport 3**
1. Are DNL, NEF or CNR contours available? (yes/no)			
2. Any supersonic aircraft operations? (yes/no)			
3. Estimating approximate contours from Figure 3:			
a. number of nighttime jet operations			
b. number of daytime jet operations			
c. effective number of operations (10 times a + b)			
d. distance A for 65 dB			
70dB			
75 dB			
e. distance B for 65 dB			
70 dB			
75 dB			
4. Estimating DNL from Table 2:			
a. distance from 65 dB contour to flight path, D^1			
b. distance from NAL to flight path, D^2			
c. D^2 divided by D^1			
d. DNL			
5. Operations projected for what year?			
6. Total DNL from all airports			

Signed _____ Date _____

List all major roads within 1000 feet of the site:

1. _____

2. _____

3. _____

4. _____

Necessary information	**Road 1**	**Road 2**	**Road 3**	**Road 4**
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane				
b. farthest lane				
c. average (effective distance)				
2. Distance to stop sign				
3. Road gradient in percent				
4. Average speed in mph				
a. Automobiles				
b. heavy trucks - uphill				
c. heavy trucks - downhill				
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles				
b. medium trucks				
c. effective ADT (a + (10xb))				
6. 24 hour average number of heavy trucks				
a. uphill				
b. downhill				
c. total				
7. Fraction of nighttime traffic (10 p.m. to 7 a.m.)				
8. Traffic projected for what year?				

Adjustments for Automobile Traffic

	9 Stop and-go Table 3		10 Average Speed Table 4		11 Night-Time Table 5		12 Auto ADT (line 5c)		13 Adjusted Auto ADT		14 DNL (Workchart 1)		15 Barrier Attenuation		16 Partial DNL
Road No. 1	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____
Road No. 2	_____	X	_____	X	_____	x	_____	=	_____		_____	–	_____	=	_____
Road No. 3	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____
Road No. 4	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6		18 Average Speed Table 7		19 Truck ADT / 2		20		21		22 Stop and-go Table 8		23 Night-Time Table 5		24 Adjusted Truck ADT		25 DNL (Work-chart 2)		26 Barrier Attn.		27 Partial DNL
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 1									Add	____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 2									Add	____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 3									Add	____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 4									Add	____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														

Combined Automobile & Heavy Truck DNL

Road No. 1 _____ Road No. 2 _____ Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads _____

Signature _____ Date _____

List All Railways within 3000 feet of the site:

1. _____

2. _____

3. _____

Necessary Information:	**Railway No. 1**	**Railway No. 2**	**Railway No. 3**
1. Distance in feet from the NAL to the railway track:	_____	_____	_____
2. Number of trains in 24 hours:			
a. diesel	_____	_____	_____
b. electrified	_____	_____	_____
3. Fraction of operations occuring at night (10 p.m. – 7 a.m.):	_____	_____	_____
4. Number of diesel locomotives per train:	_____	_____	_____
5. Number of rail cars per train:			
a. diesel trains	_____	_____	_____
b. electrified trains	_____	_____	_____
6. Average train speed:	_____	_____	_____
7. Is track welded or bolted?	_____	_____	_____
8. Are whistles or horns required for grade crossings?	_____	_____	_____

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 2	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 3	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 2	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 3	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____

Combined Locomotive and Railway Car DNL

Railway No. 1 _____ Railway No. 2 _____ Railway No. 3 _____ Total DNL for all Railways _____

Signature_____ Date_____

MV00171986

Chapter 6

A Workbook for the Noise Assessment Guidelines

Introduction

The following problems were prepared to give you the opportunity to practice the calculations and procedures described in the *Noise Assessment Guidelines*. Because it is so rarely used, we have not included any problems dealing with the aircraft noise procedure.

We have not reproduced the charts or tables from the *Guidelines* so you will need to have it at hand to do the problems.

Noise Assessment Guidelines Workbook

Problems

Problems 1 Through 7: Combining Sound Levels in Decibels

Calculate the Combined Sound Level for the Following Sets of Individual Levels:

1. 67 LDN
   61 LDN
   _____ Combined Level

2. 63 LDN
   63 LDN
   _____ Combined Level

3. 51 LDN
   68 LDN
   _____ Combined Level

4. 62 LDN
   65 LDN
   _____ Combined Level

5. 67 LDN
   72 LDN
   _____ Combined Level

6. 59 LDN
   63 LDN
   71 LDN
   _____ Combined Level

7. 73 LDN
   72 LDN
   61 LDN
   67 LDN
   _____ Combined Level

Problems 8 and 9: Calculating Effective Distance

Calculate the Effective Distances for the Following Roads:

8. Distance in Feet from NAL to:

Near Edge of Nearest Lane	22 Feet
Far Edge of Farthest Lane	76 Feet
Effective Distance	_____

9. Distance in Feet from NAL to:

Near Edge of Nearest Lane	60 Feet
Far Edge of Farthest Lane	84 Feet
Effective Distance	_____

Problems 10 Through 15: Adjustment Factors

List The Adjustment Factors Necessary for Each of the Following Situations and the Numerical Value for Each Adjustment Factor.

10. A Roadway Where the Road Gradient Is 1%, the Average Speed for Both Autos and Trucks Is 30 MPH and the Fraction of Nighttime Traffic is 10%.

    Adjustment Factors Needed: _____

    _____

    _____

    Value of Adjustment Factors: _____

    _____

    _____

11. A Roadway Where There Is A Stop Sign 400 Feet from the NAL. The Gradient Is 1%, the Average Speed for Autos Is 45 MPH (There Are No Trucks) and the Fraction of Nighttime Traffic Is 15%.

    Adjustment Factors Needed: _____

    _____

    _____

    Value of Adjustment Factors: _____

    _____

    _____

MV00171987

12. A Roadway Where the Road Gradient Is 2%, the Average Speed for Autos Is 50 MPH and for Trucks (Both Uphill and Downhill) Is 50 MPH and the Fraction of Nighttime Traffic Is 10%.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

13. A Railroad Where the Fraction of Operations Occurring at Night Is 30%, the Average Train Speed Is 40 MPH, the Track Is Bolted and There Are No Whistle Or Horns Required for Grade Crossings.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

14. A Railroad Where the Fraction of Operations Occurring at Night Is 5%, the Average Train Speed Is 10 MPH, the Tracks Are Welded and There Are No Whistles Or Horns Required for Grade Crossing.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

15. A Railroad Where the Fraction of Operations Occurring at Night Is 20%, the Average Train Speed Is 30 MPH, the Track Is Bolted and No Whistles or Horns Are Required for Grade Crossings.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

Problems 16 Through 21: Some Basic Problems

Calculate the Combined Noise Levels for Each of the Following Situations:

16. A Roadway Where the distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 310 Feet, the Distance to the Far Edge of the Farthest Lane Is 358 Feet. There Is A Stop Sign 400 Feet from the NAL. The Gradient Is 1%. The Average Number of Automobiles Is 17,000, the 24 Hour Average Number of Medium Trucks Is 1,500, the 24 Hour Average Number of Heavy Trucks Is 400 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Roadway Is _____.

17. A Site Exposed to Noise from Two Roads. For Roadway Number 1 the Distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 125 Feet, the Distance to the Far Edge of the Farthest Lane Is 233 Feet. There Is A Stop Sign 250 Feet from the NAL. The Gradient Is 3%. The Average Speed for Both Autos and Trucks Is 30 MPH.

    The 24 Hour Average Number of Autos Is 22,000, the 24 Hour Average Number of Medium Trucks Is 2,000. The 24 Hour Average Number of Heavy Trucks Is 950 Total. The Fraction of Nighttime Traffic Is 10%.

    For Roadway Number 2, the Distance to the Near Edge of the Nearest Lane Is 45 Feet, the Distance to the Far Edge of the Farthest Lane Is 93 Feet. There Is A Stop Sign 100 Feet from the NAL and the Gradient Is 1%. The Average Speed for Both Autos and Heavy Trucks Is 30 MPH. The 24 Hour Average Number of Automobiles Is 14,000, for Medium Trucks 700, and for Heavy Trucks 600 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Site Is _____

18. A Site Exposed to Noise from Two Railroads. For Railroad 1, the Distance in Feet from the NAL to the Railway Track Is 150 Feet. There Are 35 Diesel Trains Every 24 Hours, No Electrified Trains. The Fraction of Operations Occurring at Night Is 25%. There Are 3 Diesel Locomotives Per Train and 70 Cars Per Train. The Average Speed Is 30 MPH and the Track Is Bolted. No Whistles Or Horns Are Used.

    For Railroad 2, the Distance in Feet from the NAL to the Railway Track Is 310 Feet. There Are 20 Diesel and 2 Electrified Trains Each 24 Hours. The Fraction of Operations Occurring at Night Is 15%. There Are 2 Locomotives Per Diesel Train and 45 Cars for Each Diesel Train and 15 Cars Per Electrified Train. The Average Train Speed Is 40 MPH and the Track Is Bolted. No Horns Or Whistles Are Used.

    The Combined Noise Level for This Site Is _____.

19. A Site Exposed to Noise from Two Railroads. For Railroad 1, the Distance in Feet from the NAL to the Railway Track Is 75 Feet. There Are 34 Diesel Trains Every 24 Hours, No Electrified Trains. Twenty Percent of the Operations Occur at Night. There Are 5 Locomotives Per Train and 75 Cars Per Train. The Average Train Speed Is 35 MPH and the Track Is Welded. No Horns Or Whistles.

    For Railway 2, the Distance in Feet from the NAL to the Railway Track Is 120 Feet. There Are 12 Diesel Trains in 24 Hours, No Electrified Trains. Twenty-Five Percent of the Operations Occur at Night. There Are 4 Locomotives Per Train and 40 Cars Per Train. The Average Train Speed Is 20 MPH and the Track Is Bolted. No Horns Or Whistles Are Used.

    The Combined Noise Level for This Site Is _____

20. A Site Exposed to Noise from Three Roads. For Road 1, the Distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 100 Feet, to the Far Edge of the Farthest Lane, 208 Feet. There Is No Stop Sign and the Gradient Is 1%. The Average Speed for Autos Is 55 MPH. (There Are No Trucks Allowed On This Road.) The 24 Hour Average Number of Autos Is 40,000. The Fraction of Nighttime Traffic Is 15%.

    For Road 2, the Distance from the NAL to the Near Edge of the Nearest Lane Is 45 Feet, to the Far Edge of the Farthest Lane 75 Feet. There Is A Stop Sign 175 Feet from the NAL and the Road Gradient Is 4%. The average Speed for Both Autos and Trucks Is 40 MPH. The 24 Hour Average Number of Autos Is 15,000, for Medium Trucks 900 and for Heavy Trucks 320 Total. The Fraction of Nighttime Traffic Is 20%.

    For Road 3, the Distance from the NAL to the Near Edge of the Nearest Lane Is 52 Feet, to the Far Edge of the Farthest Lane 92 Feet. There Is A Stop Sign 400 Feet from the NAL and the Gradient Is 1%. The Average Speed for Both Autos and Trucks Is 25 MPH. The 24 Hour Average Number of Autos Is 5,000, for Medium Trucks 1,050 and for Heavy Trucks 175 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Site Is _____.

21. A Site Exposed to Noise from A Railroad. The Distance from the NAL to the Railroad Is 110 Feet. There Are 30 Diesel Trains Every 24 Hours, No Electrified Trains. Twenty Percent of the Operations Occur at Night. There Are 3 Locomotives Per Train and 50 Cars Per Train. The Average Train Speed Is 30 MPH, the Track Is Bolted and There Is A Grade Crossing Where Horns and Whistles Are Used 100 Feet from the NAL.

The Combined Noise Level at This Site Is _____.

Problems 22 Through 24: Barriers - Identifying the Values for H, R, R′, D and D′

Identify the Values for H, R, R′, D and D′ for Each of the Following Barriers:

22.

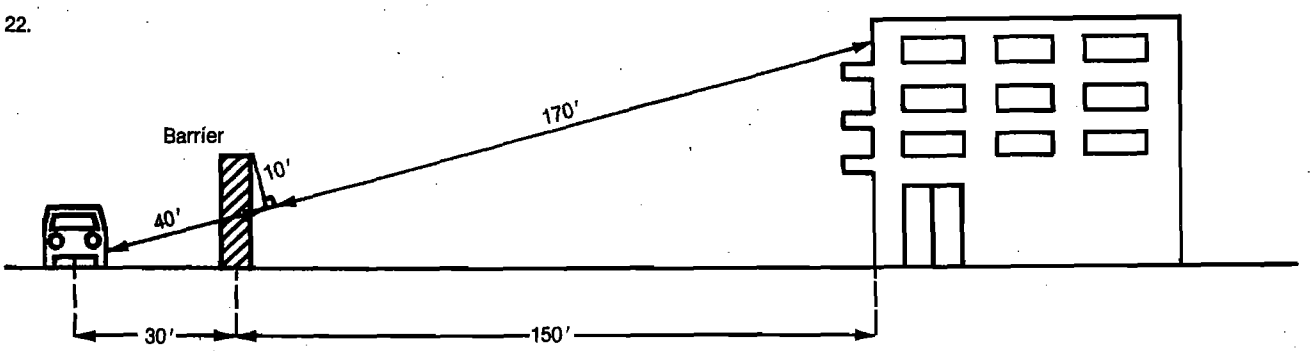

H = _____, R = _____, R′ = _____ D = _____ and D′ = _____

23.

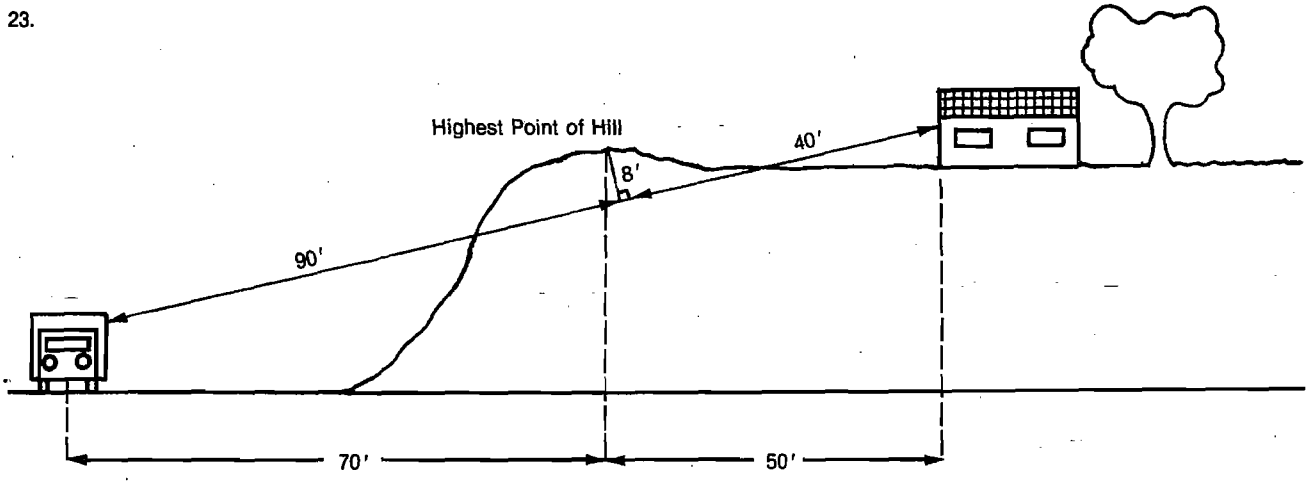

H = _____, R = _____, R′ = _____, D = _____ and D′ = _____

Barrier	40′	10′	170′	90′	70′
Highest Point of Hill	30′	150′		8′ 40′	50′

24.

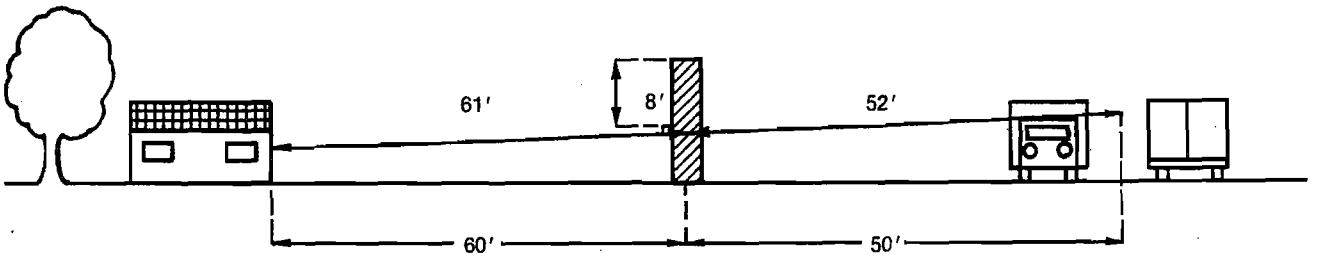

H = _____, R = _____, R′ _____, D = _____ and D′ _____

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Problems 25 Through 27: Barrier Calculations Using Workcharts 6 and 7.

Using Workcharts 6 and 7 Only, Calculate the Noise Attenuation Provided by the Barriers Illustrated in Problems 22 Through 24. Additional Data on the Angles Subtended by the Ends of the Barriers and the NAL for Each Location Is Provided.

25. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 22. The Angle Subtended by the Ends of the Barrier and the NAL Is 150 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

26. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 23. The Angle Subtended by the Ends of the Barrier and the NAL Is 90 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

27. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 24. The Angle Subtended by the Ends of the Barrier and the NAL Is 130 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

Problems 28 Through 30: Barrier Calculations Using Workcharts 5, 6 and 7

Calculate the Attenuation Provided By the Barriers in the Following Situations. Use Workcharts 5, 6 and 7.

28. A Two Story Building Is Exposed to Noise Levels of 68 LDN from Automobiles. The Barrier Is 15 Feet High and Is Located 40 Feet from the Source and 20 Feet from the Building. The Source, Barrier, and Building Are All On Level Ground. The Angle Subtended by the Ends of the Barrier and the Noise Assessment Location Is 110 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

29. A Three Story Building Is Exposed to A Noise Level of 72 LDN from Diesel Locomotives and 60 LDN from Railroad Cars. The Barrier Is 12 Feet High and Is Located 40 Feet from the Source and 85 Feet from the Building. The Barrier and the Building Are on the Same Level, But the Track Is Depressed 25 Feet. The Angle Subtended by the Ends Of the Barrier and the NAL Is 120 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

30. A Three Story Building Is Exposed to Noise Levels of 67 LDN from Automobiles and 71 LDN from Trucks. The Barrier Is 16 Feet High and Is Located 36 Feet from the Source and 56 Feet from the Building. The Source, the Barrier and the Building Are All At the Same Level. The Angle Subtended by the Barrier Ends and the NAL Is 130 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

Noise Assessment Guidelines Workbook
Answers

Problem

1. 68 LDN (67-61 = 6, Add 1dB (From Table) to 67 = 68 LDN)
2. 66 LDN (63-63 = 0, Add 3dB (From Table) to 63 = 66 LDN)
3. 69 LDN (69-51 = 0, Add 0dB to 69 = 69 LDN)
4. 67 LDN (65-62 = 3, Add 1.8dB to 65, Round Off to Nearest Whole Number, 66.8 = 67 LDN)
5. 73 LDN (72-65 = 5, Add 1.2 = 73.2 = 73 LDN)
6. 72 LDN (63-59 = 4, Add 1.5 = 64.5, 71-64.5 = 6.5
Interpolate From Table: 6 = 1.0, 7 = .8
6.5 = .9) 71 + .9 = 71.9 = 72 LDN)

7. 76 LDN (67-61 = 6, Add 1.0 = 68, 72-68 = 4, Add 1.5 = 73.5, 73.5-73 = .5, Interpolate From Table, Add 2.75 = 76.25 = 76 LDN)

8. 49 Feet (76 + 22 = 98 – 2 = 49)
9. 72 Feet (84 + 60 = 144 – 2 = 72)

10. Adjustment Factors Needed: Speed and Night-Time Percentage

    Value of Factors: Speed = Autos .30
    Trucks .81
    Nighttime
    Percentage .81

    Note—You Must Have Different Speed Adjustments for Autos and Trucks.

11. Adjustment Factors Needed: Speed and Stop and Go Traffic
    Value of Factors: Speed .67
    Stop and Go .70

12. Adjustment Factors Needed: Gradient, Speed and Nighttime Percentage

    Value of Factors: Gradient 1.4
    Speed = Autos .30
    Trucks .81
    Nighttime
    Percentage .81

13. Adjustment Factors Needed: Nighttime Percentage, Speed, Bolted Track

    Value of Factors: Nighttime
    Percentage 1.57
    Speed = Engines .75
    Cars 1.78
    Bolted Track 4

    Note—You Must Have Different Speed Adjustments for Engines and Cars.

14. Adjustment Factors Needed: Nighttime Percentage and Speed

    Value of Factors: Nighttime
    Percentage .62
    Speed = Engines 3.0
    Cars .11

15. Adjustment Factors Needed: Nighttime Percentage and Bolted Track

    Value of Factors: Nighttime
    Percentage 1.19
    Bolted Track 4

16. Combined Noise Level = 62 LDN (If Your Answer Is Plus or Minus 1dB Its OK - Between Rounding Off and the Large Scale on the Nomographs, That's Close Enough)

Worksheet C
Roadway Noise — **Page 1** — **Noise Assessment Guidelines**

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	310			
b. farthest lane	358			
c. average (effective distance)	334			
2. Distance to stop sign	400			
3. Road gradient in percent	1%			
4. Average speed in mph				
a. Automobiles	40			
b. heavy trucks - uphill	40			
c. heavy trucks - downhill	40			
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	17000			
b. medium trucks	1500			
c. effective ADT (a + (10xb))	32000			
6. 24 hour average number of heavy trucks				
a. uphill	200			
b. downhill	200			
c. total	400			
7. Fraction of nighttime traffic (10:00 p.m. to 7:a.m.)	20%			
8. Traffic projected for what year?	—			

Worksheet C
Roadway Noise — **Page 2** — **Noise Assessment Guidelines**

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	.70	x .53	x 1.19	x 32000	.14128	57	- 0	= 57
Road No. 2		x	x	x	=		-	=
Road No. 3		x	x	x	=		-	=
Road No. 4		x	x	x	=		-	=

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6	18 Average Speed Table 7	19 Truck ADT 2	20	21	22 Stop and-go Table 8	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	—	x .81	x 200	= 162							
Road No. 1					Add 324	x 1.8	x 1.19	= 694	60	- 0	= 60
Road No. 1 Downhill		.81	x 200	= 162							
Road No. 2 Uphill		x	x	=							
Road No. 2					Add	x	x	=		-	=
Road No. 2 Downhill			x	=							
Road No. 3 Uphill		x	x	=							
Road No. 3					Add	x	x	=		-	=
Road No. 3 Downhill			x	=							
Road No. 4 Uphill		x	x	=							
Road No. 4					Add	x	x	=		-	=
Road No. 4 Downhill			x	=							

Combined Automobile & Heavy Truck DNL

Road No. 1 62 Road No. 2 _____ Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads 62

Signature _____ Date _____

Workchart 1
Autos (55 mph)

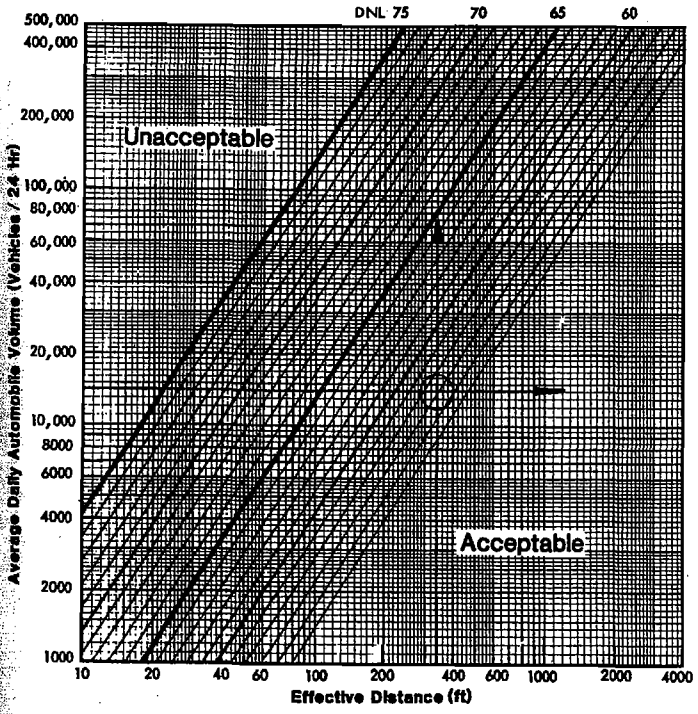

Workchart 2
Heavy Trucks (55 mph)

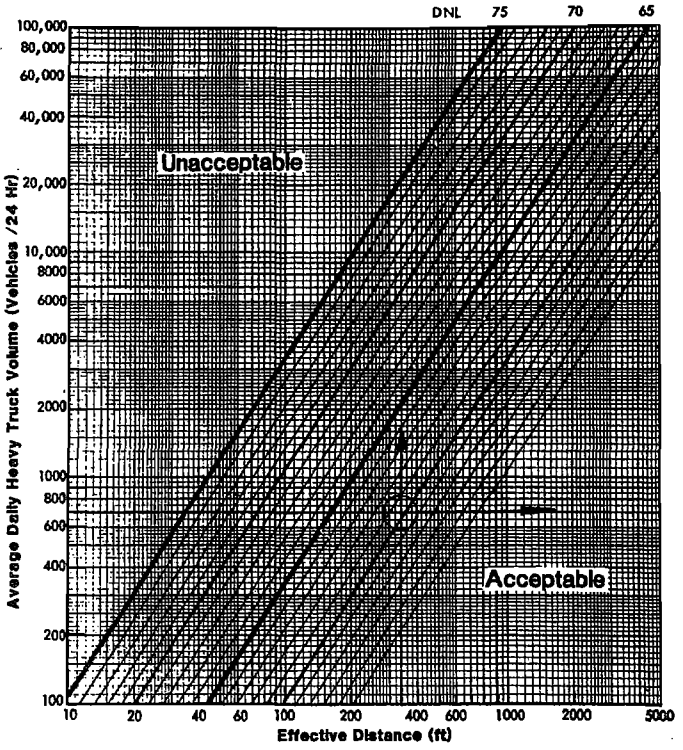

17. Combined Noise Level = 74 LDN (+ OR – 1 dB)

Worksheet C
Roadway Noise

Page 1

Noise Assessment Guidelines

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	125	45		
b. farthest lane	233	93		
c. average (effective distance)	179	69		
2. Distance to stop sign	250	100		
3. Road gradient in percent	3%	1%		
4. Average speed in mph				
a. Automobiles	30	30		
b. heavy trucks - uphill	30	30		
c. heavy trucks - downhill	30	30		
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	22000	14000		
b. medium trucks	2000	700		
c. effective ADT (a + (10xb))	42000	21000		
6. 24 hour average number of heavy trucks				
a. uphill	475	300		
b. downhill	475	300		
c. total	950	600		
7. Fraction of nighttime traffic (10:00 p.m. to 7:a.m.)	10%	20%		
8. Traffic projected for what year?	–	–		

Worksheet C
Roadway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	.48	x .30	x .81	x 42000	= 4899	57	- 0	= 57
Road No. 2	.25	x .30	x 1.19	x 21000	= 1874	59	- 0	= 59
Road No. 3		x	x	x	=		-	=
Road No. 4		x	x	x	=		-	=

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6	18 Average Speed Table 7	19 Truck ADT ÷ 2	20	21	22 Stop and-go Table 8	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	1.7	x .81	x 475	= 654							
Road No. 1					Add 1039	x 1.8	x .81	= 1515	68	- 0	= 68
Road No. 1 Downhill	.81	x 475	= 385								
Road No. 2 Uphill	–	x .81	x 300	= 243							
Road No. 2					Add 486	x 1.8	x 1.19	= 1041	72	- 0	= 72
Road No. 2 Downhill	.81	x 300	= 243								
Road No. 3 Uphill		x	x	=							
Road No. 3					Add	x	x	=		-	=
Road No. 3 Downhill		x	=								
Road No. 4 Uphill		x	x	=							
Road No. 4					Add	x	x	=		-	=
Road No. 4 Downhill		x	=								

Combined Automobile & Heavy Truck DNL

Road No. 1 68 Road No. 2 72 Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads 74

Signature _____ Date _____

Workchart 1
Autos (55 mph)

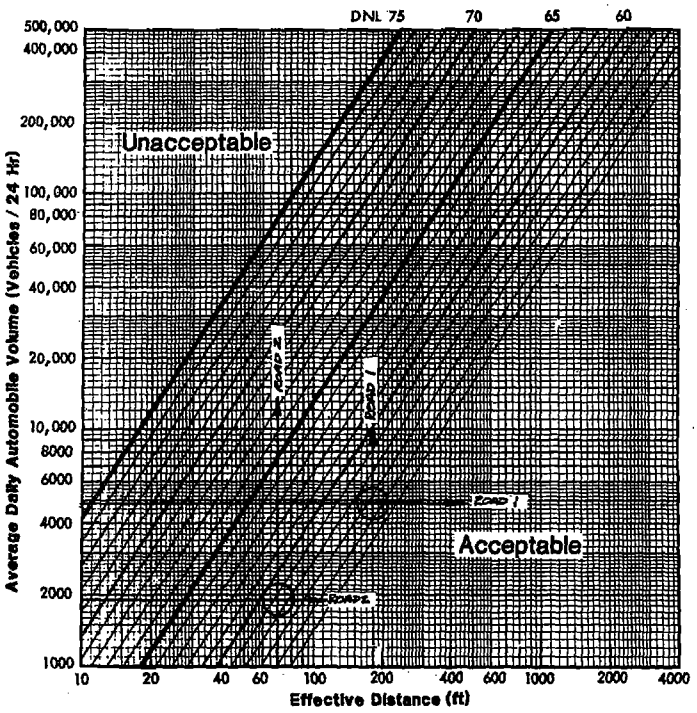

Workchart 2
Heavy Trucks (55 mph)

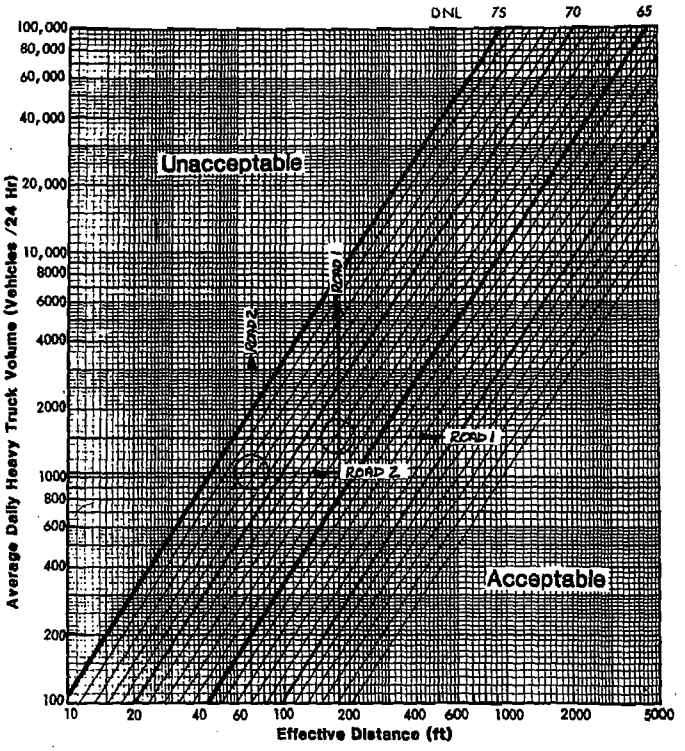

18. Combined Noise Level = 71 LDN

Note—In Order to Complete Column 18 for Railway #2 You Must Find the Average Number of Cars Per Train. Multiply the Number of Diesel Trains Times the Number of Cars Per Train (20 × 45 = 900). Multiply the Number of Electrified Trains Times the Number of Cars Per Train (2 × 15 = 30). Add the Two Totals Together and Divide By the Total Number of Trains (900 + 30 = 930 – 22 = 42).

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	1.5	1.0	–	1.38	35	72	70	0	72
Railway No. 2	1	.75	–	1.0	20	15	58	0	58
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	1.4	1.0	4	1.38	35	270	64	0	64
Railway No. 2	.84	1.78	4	1.38	22	182	57	0	57
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 71 Railway No. 2 61 Railway No. 3 71 Total DNL for all Railways

Signature _____ Date _____

19. Combined Noise Level = 76 LDN

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	2.5	.88	–	1.19	34	89	75	0	75
Railway No. 2	2	1.50	–	1.38	12	50	70	0	70
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	1.5	1.39	–	1.19	34	84	63	0	63
Railway No. 2	.80	.44	4	1.38	12	23	55	0	55
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 75 Railway No. 2 70 Railway No. 3 _____ Total DNL for all Railways 76

Signature _____ Date _____

20. Combined Noise Level = 75 LDN

Worksheet C
Roadway Noise

Page 1

Noise Assessment Guidelines

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	100	45	52	
b. farthest lane	208	75	92	
c. average (effective distance)	154	60	72	
2. Distance to stop sign	–	175	400	
3. Road gradient in percent	1%	4%	1%	
4. Average speed in mph				
a. Automobiles	55	40	25	
b. heavy trucks - uphill	55	40	25	
c. heavy trucks - downhill	55	40	25	
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	40000	15000	5000	
b. medium trucks	–	900	1050	
c. effective ADT (a + (10xb))	40000	24000	15500	
6. 24 hour average number of heavy trucks				
a. uphill	–	160	87	
b. downhill	–	160	88	
c. total	–	320	175	
7. Fraction of nighttime traffic (10:00 p.m. to 7: a.m.)	15%	20%	20%	
8. Traffic projected for what year?	–	–	–	

Worksheet C
Roadway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	0	1.0	1.0	40000	40000	67	0	67
Road No. 2	.36	.53	1.19	24000	5450	65	0	65
Road No. 3	.70	.21	1.19	15500	2711	60	0	60
Road No. 4								

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6	18 Average Speed Table 7	19 Truck ADT 2	20	21	22 Stop and-go Table 8	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	–	–	–								
Road No. 1 Downhill	–	–	–								
Road No. 1 Add						–	–	–	–	–	–
Road No. 2 Uphill	2.0	.81	160	259							
Road No. 2 Downhill		.81	160	130							
Road No. 2 Add					389	1.8	1.19	833	72	0	72
Road No. 3 Uphill	1.0	.81	87	70							
Road No. 3 Downhill		.81	88	71							
Road No. 3 Add					141	1.8	1.19	303	67	0	67
Road No. 4 Uphill											
Road No. 4 Downhill											
Road No. 4 Add											

Combined Automobile & Heavy Truck DNL

Road No. 1 67 Road No. 2 73 Road No. 3 68 Road No. 4 _____ Total DNL for All Roads 75

Signature _____ Date _____

21. Combined Noise Level = 81 LDN

To Solve This Problem You Must Add Some More Lines to the Workchart for Engines Because the Workchart as Set up Does Not Go High Enough. There Are A Variety of Ways to Do This But One of the Easiest Is to Take A Piece of Blank Paper (A 3 x 5 Card Does Very Well) Place the Edge of the Paper Along Either the Top Or Bottom Edge of the Workchart and Mark Where the LDN Lines Fall Along the Edge of the Blank Paper. Then Once You Have Drawn Your Distance and Operations Lines on the Work Chart, You Take Your Paper with the Line Markings and Lay It along the Line for Adjusted Operations with the Mark Farthest to the Right Lined up with the 75 LDN Line. Now Just Count over until You Reach the Intersection of the Operations and Distance Lines.

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Atn.	17 Partial DNL
Railway No. 1	1.5	1.0	10	1.19	30	535	81	0	81
Railway No. 2									
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 60	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Atn.	26 Partial DNL
Railway No. 1	1.0	1.0	4	1.19	30	143	63	0	63
Railway No. 2									
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 81 Railway No. 2 _____ Railway No. 3 _____ Total DNL for all Railways 81

Signature _____ Date _____

Workchart 3
Railroads - Diesel Locomotives

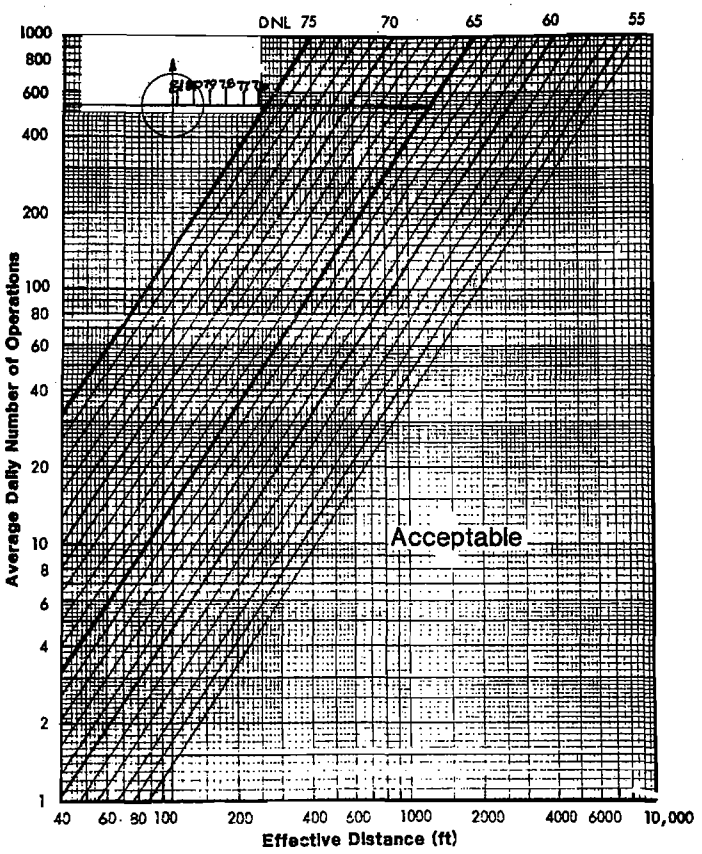

Workchart 4
Railroads - Cars and Rapid Transit

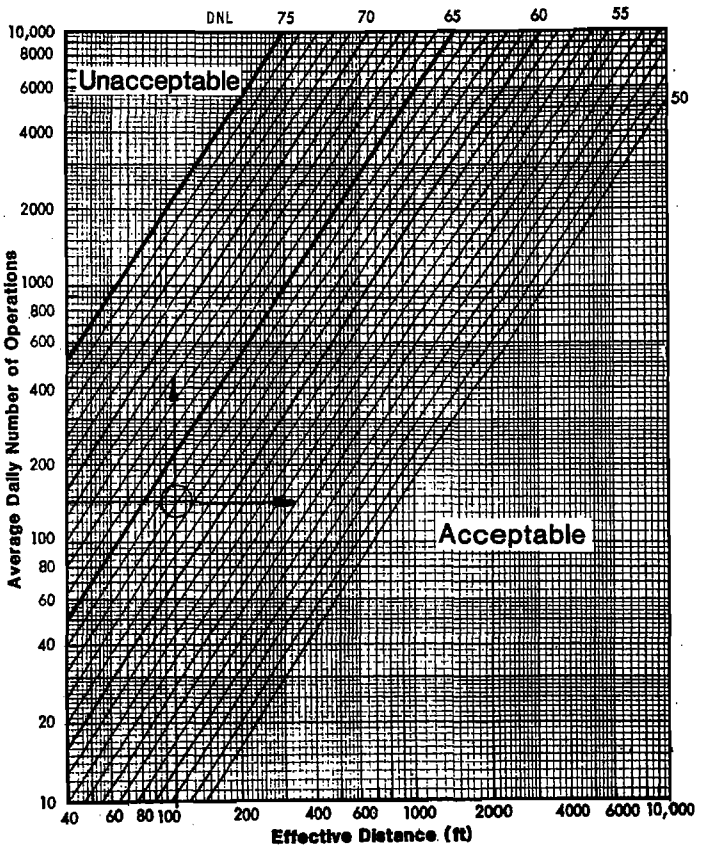

22. H = 10 Feet, R = 40 Feet, R′ = 30 Feet, D = 170 Feet, D′ = 150 Feet

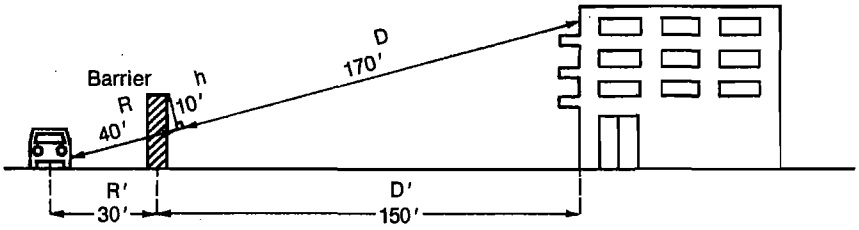

23. H = 8 Feet, R = 90 Feet, R′ = 70 Feet, D = 40 Feet, D′ = 50 Feet

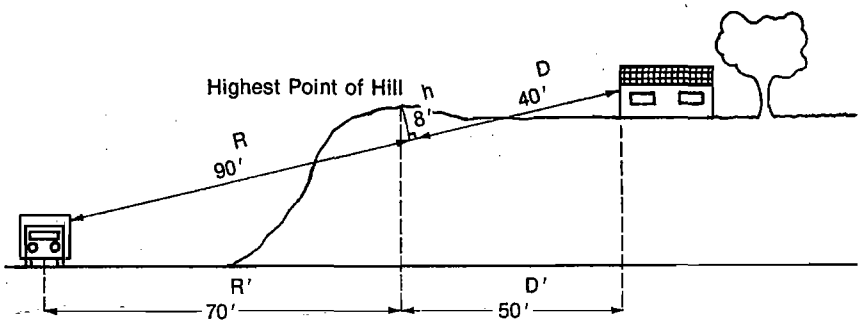

Note—The Line of Sight Line Starts Above the Road Level Because of the Trucks.

24. H = 8 Feet, R = 52 Feet, R′ = 50 Feet, D = 61 Feet, D′ = 60 Feet

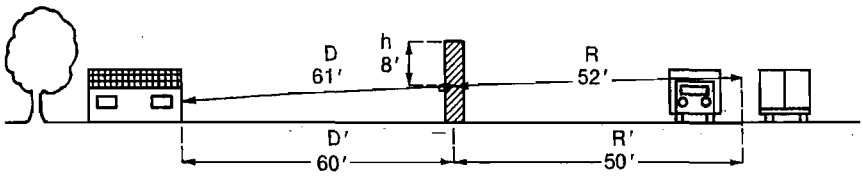

25. The Noise Attenuation Provided Is 7 Decibels

Workchart 6
Noise Barrier

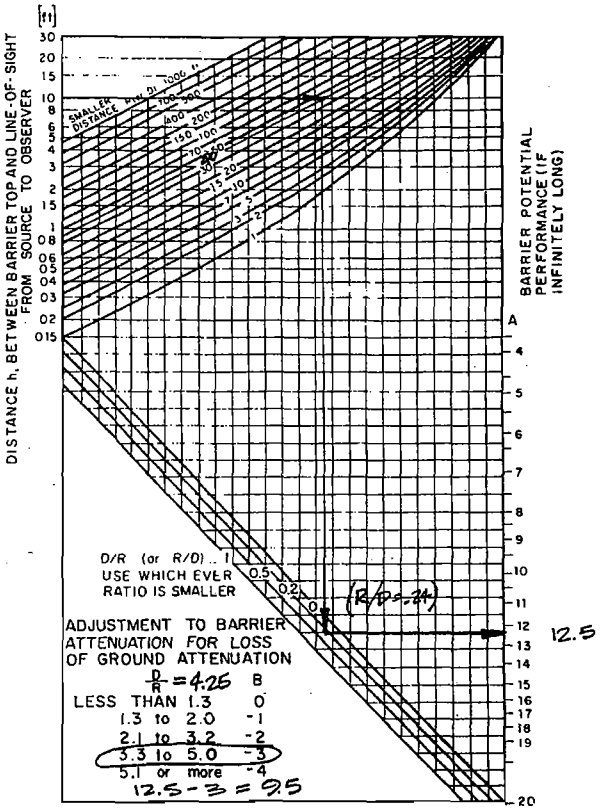

Workchart 7

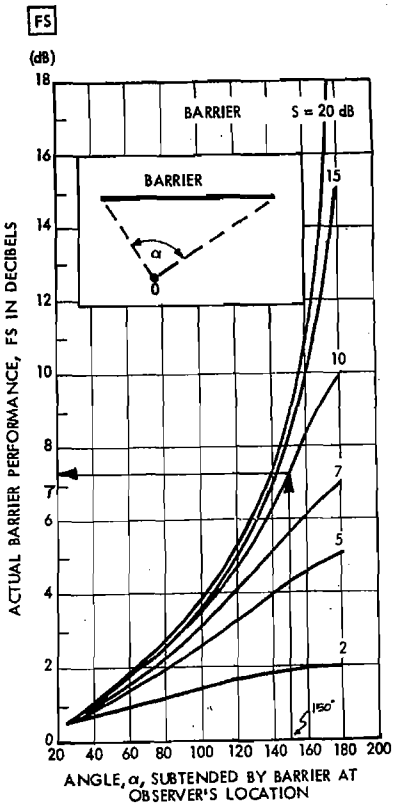

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

26. The Noise Attenuation Provided Is 3 Decibels

Note—When the Curves ARe So Close Together Don't Worry About Extrapolating. In This Case You Couldn't Anyway, the 15 dB and 10 dB Curves Have Merged.

Workchart 6
Noise Barrier

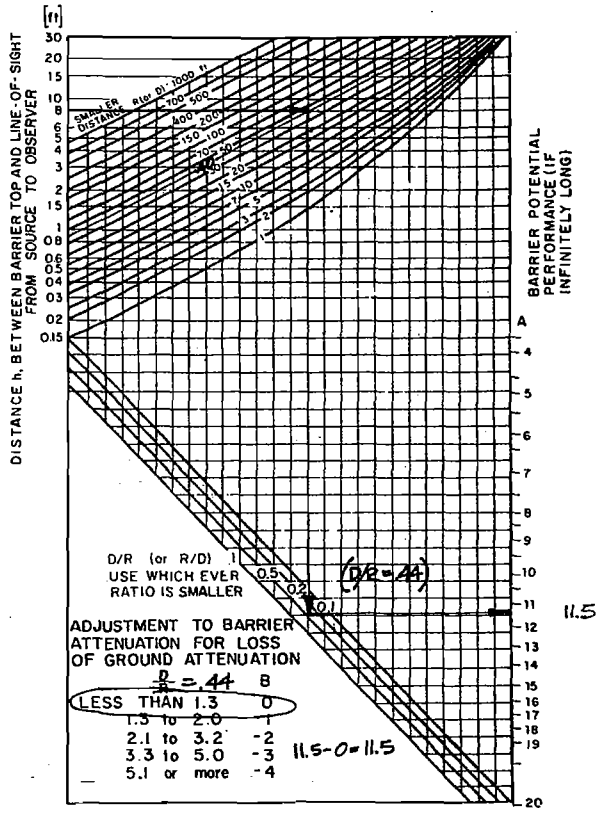

Workchart 7

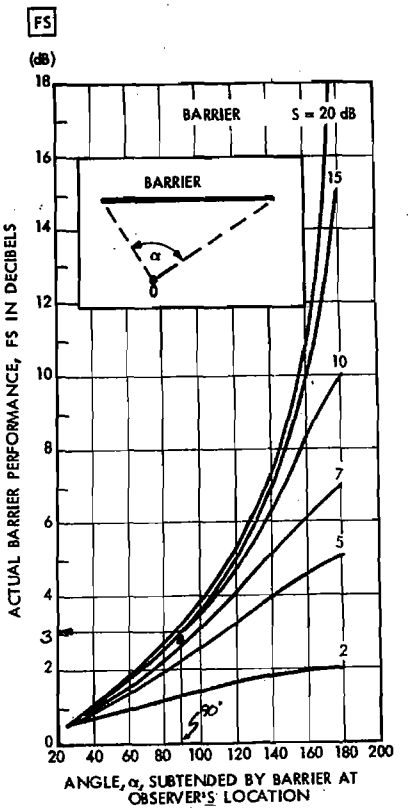

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00172000

27. The Noise Attenuation Provided Is 6 Decibels (5.5 Rounded Up)

Note—Again You Have Problems With Extrapolating—Don't Worry About Being Too Precise.

Workchart 6
Noise Barrier

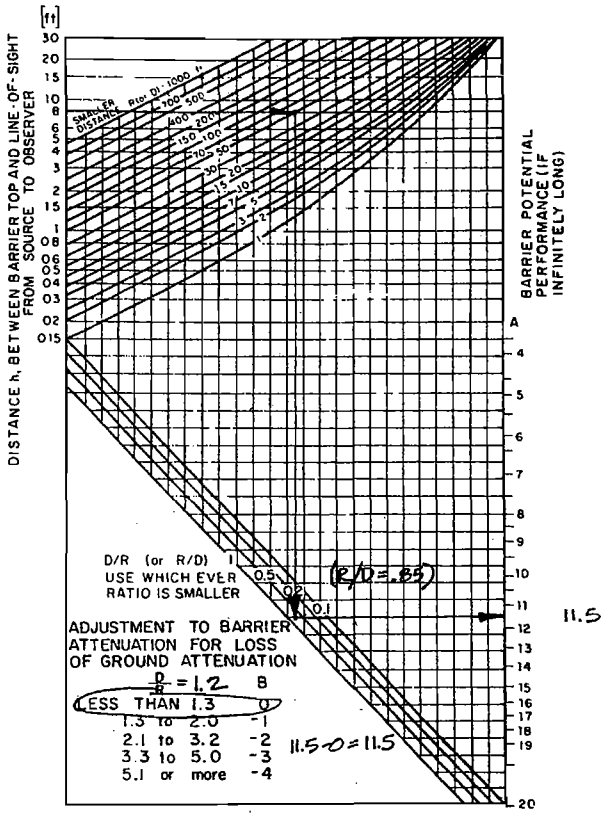

Workchart 7

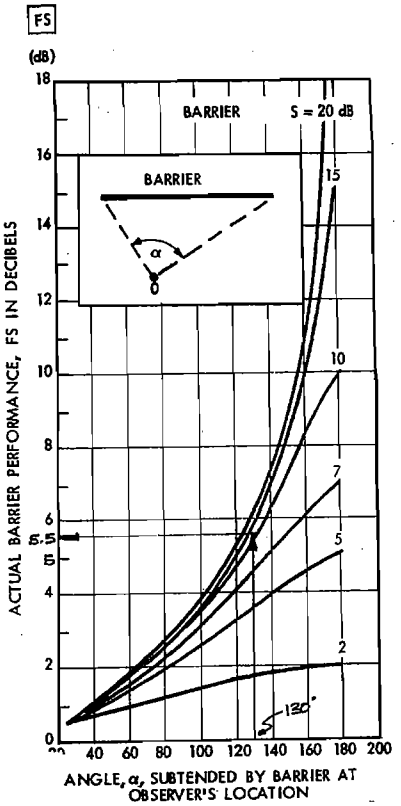

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

28. The Noise Attenuation Provided by This Barrier Is 4 dB. This Is Sufficient

Note—Don't Forget That the Height of the observor Is 5′ Less Than the Total Height of the Building and the Height of the Building Is 10 Feet Times the Number of Stories. And Did You Remember to Make the Adjustment for Ground Attenuation Loss.

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Enter the values for:

H= 15 R'= 40
S= 0 D'= 20
O= 15

Fill out the following worksheet (all quantities are in feet):

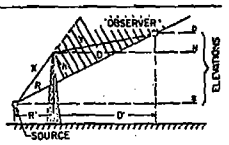

1. *Elevation of barrier top minus elevation of source*	[H 15] −	[S 0] =	[1 15]	
2. Elevation of observer minus elevation of source	[O 15] −	[S 0] =	[2 15]	
3. Map distance between source and observer (R′ + D′)			[3 60]	
4. Map distance between barrier and source (R′)			[4 40]	
5. Line 2 divided by line 3	[2 15] ÷	[3 60] =	[5 .25]	
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .25] ×	[5 .25] =	[6 .0625]	
7. 40% of line 6	[0.4] ×	[6 .0625] =	[7 .025]	
8. *One minus line 7*	[1.0] −	[7 .025] =	[8 .975]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .25] ×	[4 40] =	[9 10]	
10. *Line 1 minus line 9*	[1 15] −	[9 10] =	[10 5]	
11. Line 10 times line 8	[10 5] ×	[8 .975] =	[11 4.9]	= h
12. Line 5 times line 10	[5 .25] ×	[10 5] =	[12 1.25]	
13. Line 4 divided by line 8	[4 40] ÷	[8 .975] =	[13 41]	
14. Line 13 plus line 12	[13 41] +	[12 1.25] =	[14 42]	= R
15. Line 3 minus line 4	[3 60] −	[4 40] =	[15 20]	
16. Line 15 divided by line 8	[15 20] ÷	[8 .975] =	[16 20.5]	
17. *Line 16 minus line 12*	[16 20.5] −	[12 1.25] =	[17 19]	= D

[Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (−y) = x−y. And subtracting a negative number is like adding: X−(−y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

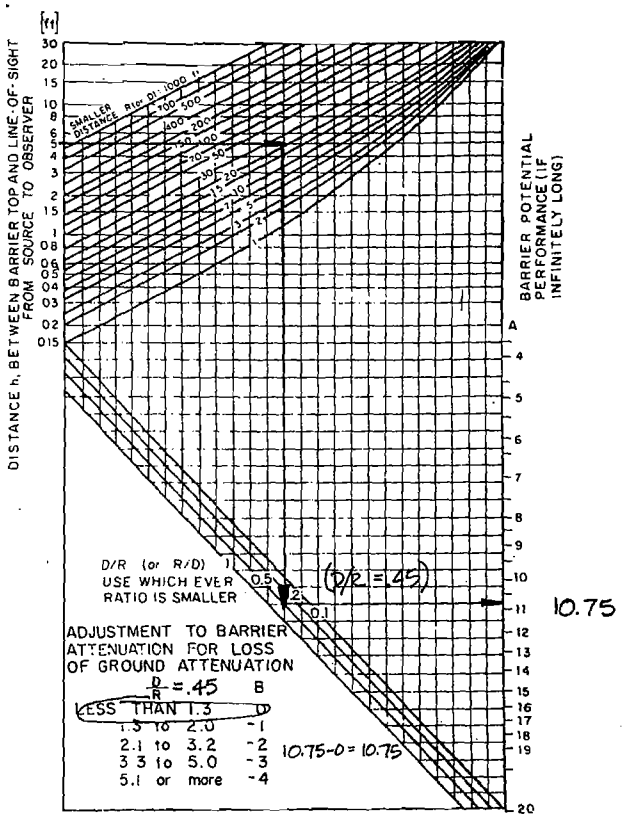

Workchart 7

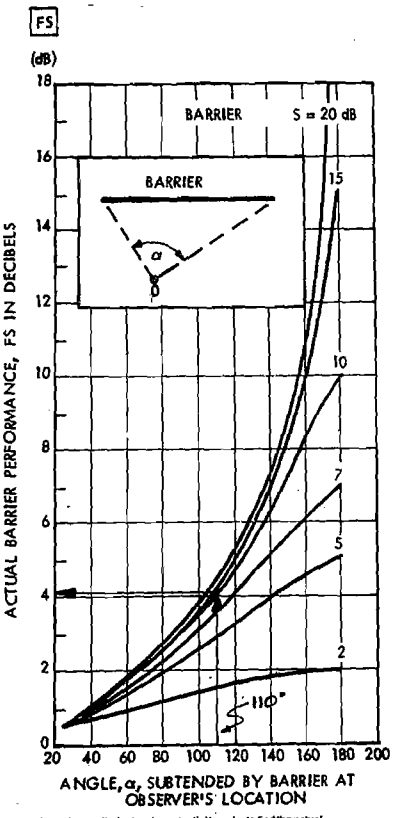

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

29. The Noise Attenuation Provided by This Barrier Is Approximately 5 dB for Both the Engines and the Railroad Cars.

This Is Not Sufficient.

Note—You Were Supposed to Calculate Attenuation for Diesel Engines and Cars Separately Because the Source Heights Are Different. The Value of S for the Engines Should Have Been −10 and the Value of S for the Railroad Cars Should Have Been −25.

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 12 R'= 40

S= −10 D'= 85

O= 25

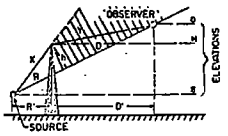

1. Elevation of barrier top minus elevation of source	[H 12] −	[S −10] =	[1 22]	
2. Elevation of observer minus elevation of source	[O 25] −	[S −10] =	[2 35]	
3. Map distance between source and observer (R' + D')			[3 125]	
4. Map distance between barrier and source (R')			[4 40]	
5. Line 2 divided by line 3	[2 35] ÷	[3 125] =	[5 .28]	
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .28] ×	[5 .28] =	[6 .08]	
7. 40% of line 6	[0.4] ×	[6 .08] =	[7 .03]	
8. One minus line 7	[1.0] −	[7 .03] =	[8 .97]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .28] ×	[4 40] =	[9 11.2]	
10. Line 1 minus line 9	[1 22] −	[9 11.2] =	[10 10.8]	
11. Line 10 times line 8	[10 10.8] ×	[8 .97] =	[11 10.5]	= h
12. Line 5 times line 10	[5 .28] ×	[10 10.8] =	[12 3]	
13. Line 4 divided by line 8	[4 40] ÷	[8 .97] =	[13 41]	
14. Line 13 plus line 12	[13 41] +	[12 3] =	[14 44]	= R
15. Line 3 minus line 4	[3 125] −	[4 40] =	[15 85]	
16. Line 15 divided by line 8	[15 85] ÷	[8 .97] =	[16 88]	
17. Line 16 minus line 12	[16 88] −	[12 3] =	[17 85]	= D

[Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (−y) = x−y. And subtracting a negative number is like adding: X−(−y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

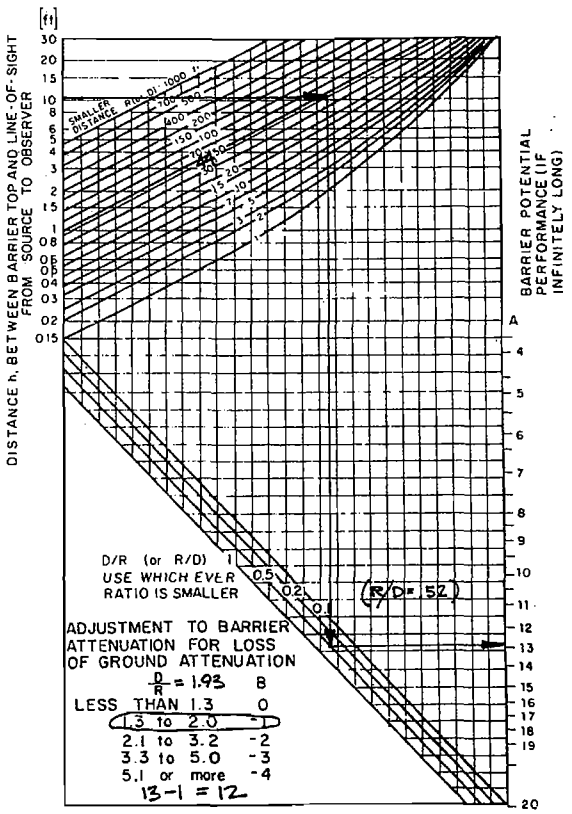

Workchart 7

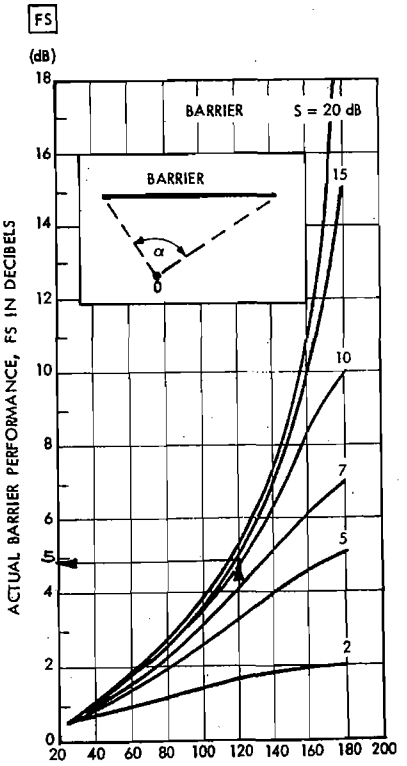

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Enter the values for:

H= 12 R'= 40

S= -25 D'= 85

O= 25

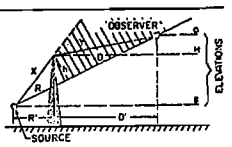

Fill out the following worksheet (all quantities are in feet):

1. Elevation of barrier top minus elevation of source	[H 12] −	[S −25] =	[1 37]	
2. Elevation of observer minus elevation of source	[O 25] −	[S −25] =	[2 50]	
3. Map distance between source and observer (R' + D')			[3 125]	
4. Map distance between barrier and source (R')			[4 40]	
5. Line 2 divided by line 3	[2 50] ÷	[3 125] =	[5 .4]	
6. Square the quantity on line 5 (i.e., multiply it by itself): always positive	[5 .4] ×	[5 .4] =	[6 .16]	
7. 40% of line 6	[0.4] ×	[6 .16] =	[7 .06]	
8. One minus line 7	[1.0] −	[7 .06] =	[8 .94]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .4] ×	[4 40] =	[9 16]	
10. Line 1 minus line 9	[1 37] −	[9 16] =	[10 21]	
11. Line 10 times line 8	[10 21] ×	[8 .94] =	[11 19.7]	= h
12. Line 5 times line 10	[5 .4] ×	[10 21] =	[12 8.4]	
13. Line 4 divided by line 8	[4 40] ÷	[8 .94] =	[13 42.6]	
14. Line 13 plus line 12	[13 42.6] +	[12 8.4] =	[14 51]	= R
15. Line 3 minus line 4	[3 125] −	[4 40] =	[15 85]	
16. Line 15 divided by line 6	[15 85] ÷	[8 .94] =	[16 90.4]	
17. Line 16 minus line 12	[16 90.4] −	[12 8.4] =	[17 82]	= D

[Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y)=x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

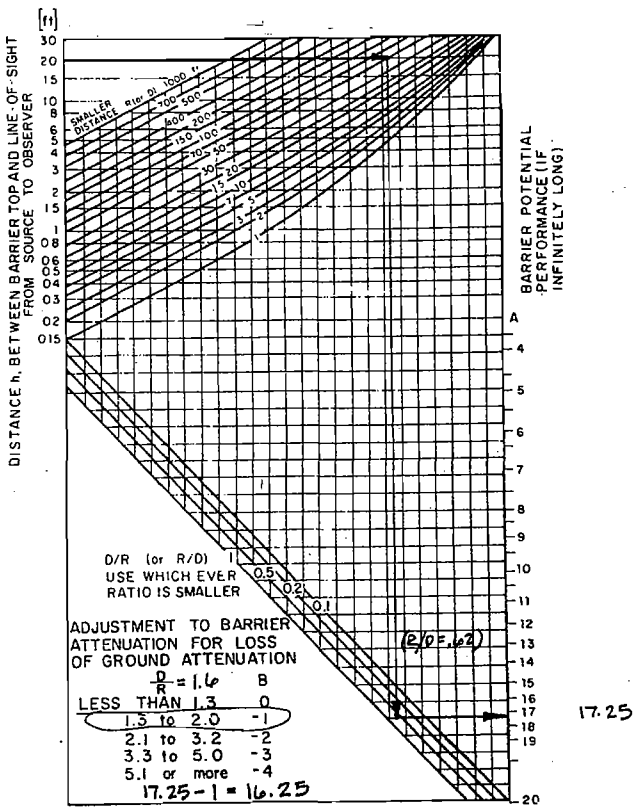

Workchart 7

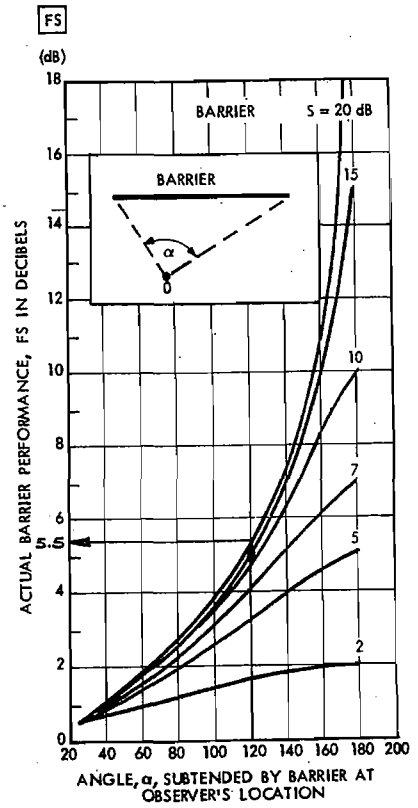

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

30. The Noise Attenuation Provided by This Barrier Is 3 dB for Trucks and 5 dB for Autos. The Combined Level Resulting Is 69 LDN.

This Is Not Sufficient

Note—You Must Calculate the Barrier Effect Separately for Autos and Trucks Because the Source Height is Different. Then Recombine levels.

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 16 R'= 36

S= 0 D'= 56

O= 25

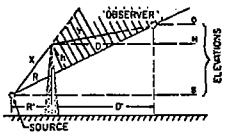

1. Elevation of barrier top minus elevation of source	[H 16] − [S 0]	= [1 16]		
2. Elevation of observer minus elevation of source	[O 25] − [S 0]	= [2 25]		
3. Map distance between source and observer (R' + D')		[3 92]		
4. Map distance between barrier and source (R')		[4 36]		
5. Line 2 divided by line 3	[2 25] ÷ [3 92]	= [5 .27]		
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .27] × [5 .27]	= [6 .07]		
7. 40% of line 6	[0.4] × [6 .07]	= [7 .03]		
8. One minus line 7	[1.0] − [7 .03]	= [8 .97]		
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .27] × [4 36]	= [9 9.7]		
10. Line 1 minus line 9	[1 16] − [9 9.7]	= [10 6.3]		
11. Line 10 times line 8	[10 6.3] × [8 .97]	= [11 6.1]	= h	
12. Line 5 times line 10	[5 .27] × [10 6.1]	= [12 1.7]		
13. Line 4 divided by line 8	[4 36] ÷ [8 .97]	= [13 37]		
14. Line 13 plus line 12	[13 37] + [12 1.7]	= [14 39]	= R	
15. Line 3 minus line 4	[3 92] − [4 36]	= [15 56]		
16. Line 15 divided by line 8	[15 56] ÷ [8 .97]	= [16 58]		
17. Line 16 minus line 12	[16 58] − [12 1.7]	= [17 56]	= D	

(Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x +(-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x+y.)

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

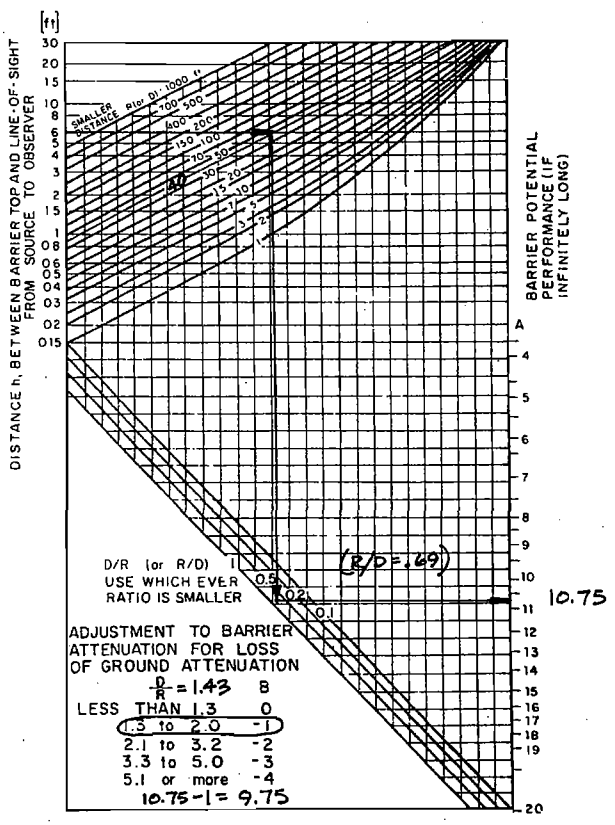

Workchart 7

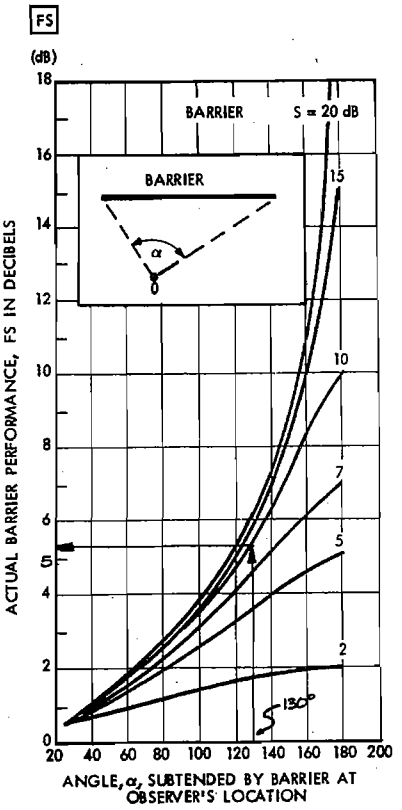

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 16 R'= 36

S= 8 D'= 56

O= 25

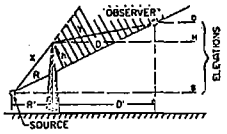

1. Elevation of barrier top minus elevation of source	[H 16] −	[S 8] =	[1 8]	
2. Elevation of observer minus elevation of source	[O 25] −	[S 8] =	[2 17]	
3. Map distance between source and observer (R' + D')			[3 92]	
4. Map distance between barrier and source (R')			[4 36]	
5. Line 2 divided by line 3	[2 17] ÷	[3 92] =	[5 .2]	
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .2] ×	[5 .2] =	[6 .04]	
7. 40% of line 6	[0.4] ×	[6 .04] =	[7 .02]	
8. One minus line 7	[1.0] −	[7 .02] =	[8 .98]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .2] ×	[4 36] =	[9 7]	
10. Line 1 minus line 9	[1 8] −	[9 7] =	[10 1]	
11. Line 10 times line 8	[10 1] ×	[8 .98] =	[11 .98]	= h
12. Line 5 times line 10	[5 .2] ×	[10 1] =	[12 .2]	
13. Line 4 divided by line 8	[4 36] ÷	[8 .98] =	[13 37]	
14. Line 13 plus line 12	[13 37] +	[12 .2] =	[14 37]	= R
15. Line 3 minus line 4	[3 92] −	[4 36] =	[15 56]	
16. Line 15 divided by line 8	[15 56] ÷	[8 .98] =	[16 57]	
17. Line 16 minus line 12	[16 57] −	[12 .2] =	[17 57]	= D

[**Note:** the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

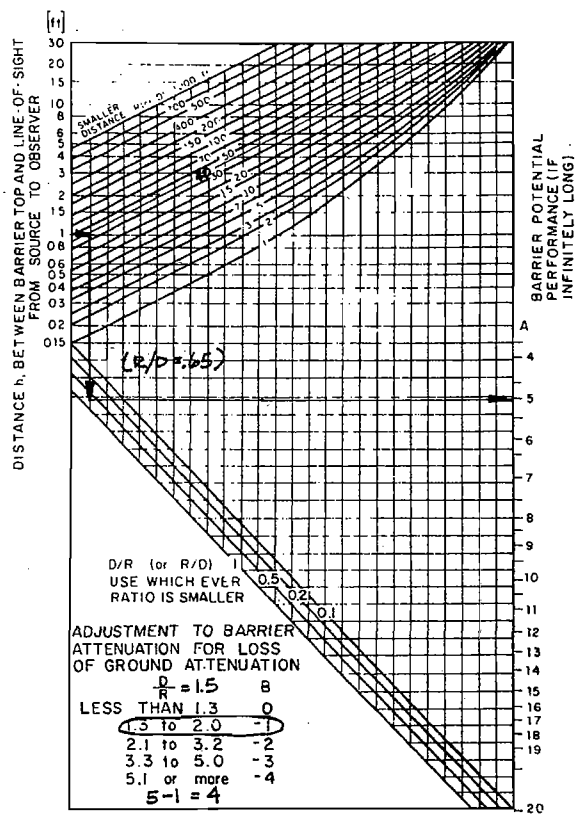

Workchart 7

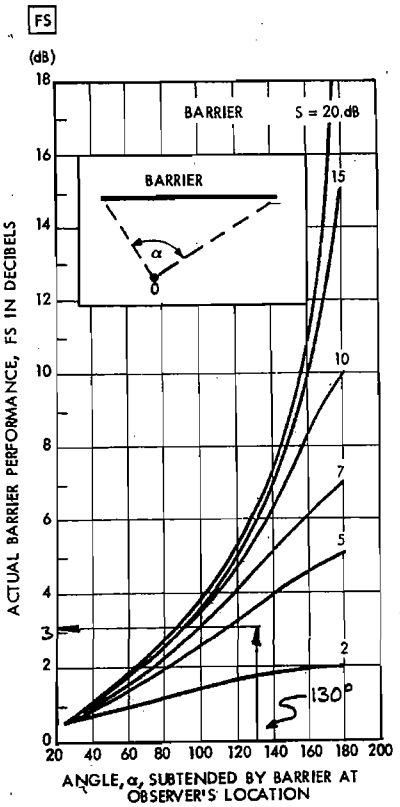

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

Chapter 7

The Use of Noise Measurements

Noise Calculations Are Best For HUD Use

There are two ways to determine noise levels for a site under review: the noise can be calculated or it can be measured. While one's first reaction might well be that it would obviously be better to go out and actually measure the noise levels at the site, calculated noise levels are really much better for implementing HUD's noise policy.

Calculated noise levels are developed using mathematical models that contain a variety of assumptions about the process of noise propagation as well as data on sound levels generated by typical sources (i.e. aircraft engines, automobile tires etc.). The model can be a complex computer model or it can be a simple desktop model such as the procedures in the *Noise Assessment Guidelines*. The models can also employ a variety of noise descriptors. (See chapter 1 for a discussion of noise descriptors.) Most noise studies done for the Federal Highway Administration, for example, use either the L_{10} or the L_{eq} noise descriptor. Many aircraft noise studies use the NEF or CNEL descriptor. All of these descriptors are compatible with the L_{dn} noise descriptor system that is preferred by HUD and the HUD noise regulation contains instructions for converting all of them into L_{dn}. (sections 51.106(a)(1) and (2))

Whether produced by a sophisticated computer model or by the desktop *Noise Assessment Guidelines*, calculated noise levels are more useful for HUD needs than measured levels for two significant reasons: The first is that with noise measurements you have no good way to take into account future changes in the future noise environment. The houses we help build today are going to be around for a long time and it is very important that we determine, to the extent we can, the noise environment that will exist throughout the life of the buildings. While there are clearly limitations on how far into the future we can reasonably project traffic levels for roads, railroads and airports, we can at least look 5 to 10 years ahead. The HUD noise regulation (24 CFR 51B) requires that "to the extent possible, noise exposure shall be projected to be representative of conditions that are expected to exist at a time at least 10 years beyond the date of the project or action under review." It is very easy to make these projections if you use the *Noise Assessment Guidelines* or a computer model to determine noise levels.

The second reason why we prefer that you calculate noise levels is that through the calculation process you can use monthly or yearly data to determine traffic levels. Thus you come up with a more typical picture of conditions. With noise measurements there is always the possibility that the day or even days chosen for measurements will not be typical and that the measurements may over or understate the problem. While the conscientious measurer will try to account for any unusual conditions, it isn't always possible. So long as cost considerations limit the number of days that measurements can be taken there will always be the problem of unrepresentative data. With calculations this isn't a problem. The computer model that generates contours for airports, for example, uses an entire years data to develop the average day. Certainly the results are more likely to be representative than the results that would be derived from just a few days measurements.

When Noise Measurements Are Useful

While it is the preferred procedure to calculate noise levels, there are a few situations where the noise models might not be accurate and it might be better to rely on measurements. One instance would be when there is insufficient or inadequate traffic data. Another case might be where you have a unique physical situation that is not accounted for in whatever mathematical model is available.

Obtaining good traffic data can be difficult. You may only be able to get gross data that simply lists total vehicles without making any distinctions between trucks and automobiles. Or you may not be able to get any reliable data on the percentage of traffic between 10 pm and 7 am. While the *Noise Assessment Guidelines* do contain some assumptions that you can use when you don't have all the data you need, there may be instances when you just don't think those assumptions would accurately portray the problem.

By the same token, there are certain physical situations that mathematical models such as the *Noise Assessment Guidelines* couldn't anticipate and therefore do not reflect in their formulas. For example, the *Guidelines* say that you don't have to calculate the noise levels for underground transit lines. Well what if the line is underground but there are large air vents that reach from the belowground tunnels to the surface? A great deal of noise can reach the surface through these vents but the *Noise Assessment Guidelines* don't have any way to take it into account. You couldn't treat it as if the subway line were aboveground because it isn't really and at least some of the noise is blocked. This would be a case where a noise measurement would probably be the best way to determine the noise levels. By the same token, the guidelines do not really take into account the sometimes significant amounts of reflected noise that can occur at urban sites surrounded by tall buildings, i.e. the canyon effect.

When Not to Use Measurements

One thing noise measurements should not be used for is to confirm or refute calculated noise levels, especially computer generated aircraft contours. Our experience with both the *Noise Assessment Guidelines* and with computer noise models is that both are quite accurate if done properly. If you are convinced that the calculations were done correctly, and if you believe that the data used were good, you should strongly discourage anyone who wants to take measurements because they think that measurements are inherently more accurate than calculations. Comparing measured noise levels to calculated levels is like comparing apples and oranges. The

calculated noise levels should include projected traffic levels, the measured ones will not. The calculated levels will be based on daily traffic counts derived by averaging months of data, the measured levels will, at best, reflect just a few days. (This is particularly true for aircraft noise contours. The day-to-day operations of an airport can vary significantly depending upon weather conditions and any one or two days worth of measurements are very likely to show different levels from those generated by a computer model employing a year of data to derive an average day.)

If you have determined that noise measurements are appropriate, you must make sure that they are done properly, otherwise the data will be useless. There are four elements to proper measurements: 1) where the measurements are taken; 2) when they are taken; 3) the type of equipment used; and 4) the actual measurement procedure.

Where measurements should be taken: The locations for noise measurements should be selected using the same criteria you would use to select a Noise Assessment Location for a *Noise Assessment Guidelines* calculation. The *Noise Assessment Guidelines* recommend that "assessments of the noise exposure should be made at representative locations around the site where significant noise is expected." Further, the *Guidelines* state that when selecting these locations you should consider those buildings containing noise sensitive uses which are closest to the predominant noise sources. Where quiet outdoor space is desired at a site, you should also select points in the outdoor area in question. Specifically, the "relevant measurement location for buildings is a point 2 meters (6.5 feet) from the facade." If there are no buildings yet the measurement point should be 2 meters from the closest point setback requirements would allow a building facade.

When measurements should be taken: Because measurements are only going to be taken for a few days at best, special care should be taken to make sure that the days selected are representative of average traffic levels. For highways, avoid both Monday and Friday, particularly before or after a holiday. In fact holiday periods, such as the Christmas/New Years season, should be avoided entirely. Highway traffic, or rather more importantly, truck traffic is likely to be down during these periods and noise levels may be significantly lower than normal. On the other hand, holiday periods are often peak travel periods for airlines and measurements taken around airports then would show unusually high noise levels.

Whoever is taking the measurements should also check to make sure that there aren't any special circumstances that might affect traffic levels. For example road construction or repair work might divert additonal traffic onto the road being measured, or divert traffic away. In both cases the noise levels measured would not be representative.

And finally, noise measurements should not be taken during extreme weather conditions both because of the possible effects on traffic levels but also because the weather conditions can exaggerate the actual noise levels.

Ideally, noise measurements should be taken over several days spread over at least a few months. But given that time and money will normally preclude this, at least make sure the one or two days you can get are as close to typical as possible.

What equipment to use: There are many sound level meters on the market which are suitable for taking noise measurements for transportation sources. They need only to meet the requirements of American National Standard Specification for Type 1 Sound Level Meters: S1.4-1971. Type 1 sound level meters are "precision" meters and provide the most accurate measurements. They are also, of course, the most expensive. Fast time-averaging and A frequency weighting are to be used. The sound level meter with the A-weighting is progressively less sensitive to sound with frequencies below 1,000 hertz, somewhat as is the ear. With fast time averaging the sound level meter responds particularly to recent sounds almost as quickly as does the ear in judging the loudness of a sound. Fast time averaging has a time constant of about 1/8 second.

While a sound level measuring system that averages decibel readouts on a short term basis such as for every minute or every hour is acceptable, it would be far better if a system that actually provides a 24 hour integrated L_{dn} readout were used. Such a system eliminates the need for calculating the L_{dn} value, an area where many inexperienced consultants go astray. These systems are more expensive however, and the consultant who doesn't do much noise work is unlikely to have one.

Measurement procedures: Detailed procedures for making sound level measurements are spelled out in the American National Standards Institute's Standard Methods ANSI S1.2-1962(R1976) *American National Standard Method for the Physical Measurement of Sound* and ANSI S1.13-1971(R1976) *American National Standard Methods for the Measurement of Sound Pressure Levels.*

Some of the basic procedures that should be followed are:

1. Measurements should normally be made over a continuous 24 hour period. If this is not possible, measurements may be made over a period of days but still must cover the entire 24 hour period. The selection of the days becomes even more critical so that they are as similar as possible. Sampling is not acceptable.
2. The sound level meter must be calibrated before each use.
3. The sound level meter should be provided with a wind screen.
4. Care should be taken to insure that there are no temporary obstructions, such as parked trucks, between the meter and the source.

The Noise Study

The noise study prepared to describe the measurement results should contain at least the following:

1. A map showing where the measurements were taken
2. A vicinity map showing the site and the major noise sources
3. A chart indicating the date, the time, and weather conditions when measurements were taken at each measurement location
4. The type of microphone used
5. Any variations from ANSI procedures
6. The results of the measurements in L_{dn} for each measurement location
7. Any unusual conditions that existed during the measurement period—i.e. construction activity, major traffic tieup, etc.
8. If an integrating sound level meter was not used, the calculations used to derive the L_{dn} value.

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Noise and Its Effects

By Dr. Alice H. Suter, Conference Consultant, Administrative Conference of the United States, November 1991

This report was prepared for the consideration of the Administrative Conference of the United States. The views expressed are those of the author and do not necessarily reflect those of the members of the Conference or its committees except where formal recommendations of the Conference are cited.

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I. Introduction

This report presents an overview of noise and its effects on people. Special emphasis is placed on developments over the past decade, both in terms of noise conditions and noise effects research. By doing so, this report should illustrate some of the reasons for concern about noise problems, which persist after the closing of EPA's Office of Noise Abatement and Control (ONAC).

Noise has a significant impact on the quality of life, and in that sense, it is a health problem in accordance with the World Health Organization's (WHO) definition of health. WHO's definition of health includes total physical and mental well-being, as well as the absence of disease. Along these lines, a 1971 WHO working group stated: "Noise must be recognized as a major threat to human well-being." (Suess, 1973)

The effects of noise are seldom catastrophic, and are often only transitory, but adverse effects can be cumulative with prolonged or repeated exposure. Although it often causes discomfort and sometimes pain, noise does not cause ears to bleed and noise-induced hearing loss usually takes years to

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develop. Noise-induced hearing loss can indeed impair the quality of life, through a reduction in the ability to hear important sounds and to communicate with family and friends. Some of the other effects of noise, such as sleep disruption, the masking of speech and television, and the inability to enjoy one's property or leisure time also impair the quality of life. In addition, noise can interfere with the teaching and learning process, disrupt the performance of certain tasks, and increase the incidence of antisocial behavior. There is also some evidence that it can adversely affect general health and well-being in the same manner as chronic stress. These effects will be discussed in more detail in the paragraphs below.

II. ONAC'S Activities in Noise Effects Research and Criteria

In response to the mandates of Section 5 of the Noise Control Act of 1972, ONAC published Public Health and welfare Criteria for Noise (EPA, 1973a) and Information on Levels of Environmental Noise Requisite to Protect Public Health and welfare with an Adequate Margin of Safety (EPA, 1974a), popularly known as the "Levels Document" for obvious reasons). Also in 1973,ONAC sponsored an international conference in Yugoslavia on the effects of noise, from which voluminous proceedings there published (EPA, 1973b). All of these documents there widely distributed and, although somewhat dated, are still read and referenced today. Because a considerable amount of research in this area has been conducted over the past 2 decades, these documents would benefit from revision.

In these documents ONAC established dose-response relationships for noise and its effects, and identified safe levels of noise to prevent hearing loss and activity interference. The agency also established the day-night average noise level as a universal descriptor to be used in assessing the impact of community noise.

Section 14 of the Act directs ONAC to conduct or finance research on noise effects, including investigations of the psychological and physiological effects of noise on humans and the effects of noise on animals. Approximately 35 technical reports resulted from these efforts, as well as contractor reports and numerous articles in scientific journals.

Some of the more noteworthy examples of EPA's research program there:

- Projects involving the cardiovascular effects of noise at the University of Miami, Johns Hopkins University and the Massachusetts Institute of Technology (Peterson, et al., 1978, 1981, 1983; Hattis and Richardson,1980; Turkkan et al, 1983).
- A longitudinal study of noise exposure and hearing threshold levels in children conducted by the Fels Institute (Roche et al., 1977).
- An interagency agreement with the U.S. Air Force to study the effects of noise on hearing (e.g., Guignard, 1973; Johnson, 1973; Schori and McGatha, 1978; Suter, 1978).
- A study identifying the sound levels of speech communication in various environments (Pearsons, et al., 1977).
- Two studies at Northeastern University comparing methods for predicting the loudness and acceptability of noise (Scharf et al., 1977; Scharf and Hellman, 1979).

Although much useful information was derived from these programs, some of them there irreparably damaged by the abrupt termination of funding from ONAC that occurred in 1981 and 1982. For one example, the Johns Hopkins study of cardiovascular effects of noise on primates was terminated after testing on only one subject had been completed. For another, the longitudinal data from the Fels Institute is now of little value after a hiatus of more than a decade.

MV00172013

III. Physical Properties and Measurement of Sound

A. Physical Properties

Noise is often defined as unwanted sound. To gain a satisfactory understanding of the effects of noise, it would be useful to look briefly at the physical properties of sound.

Sound is the result of pressure changes in a medium (usually air), caused by vibration or turbulence. The amplitude of these pressure changes is stated in terms of sound level, and the rapidity with which these changes occur is the sound's frequency. Sound level is measured in decibels (abbreviated dB), and sound frequency is stated in terms of cycles per second, or nowadays, Hertz (abbreviated Hz). Sound level in decibels is a logarithmic rather than a linear measure of the change in pressure with respect to a reference pressure level. A small increase in decibels can represent a large increase in sound energy. Technically, an increase of 3 dB represents a doubling of sound energy, and an increase of 10 dB represents a tenfold increase. The ear, however, perceives a 10-dB increase as doubling of loudness.

Another important aspect is the duration of the sound, and the way it is distributed in time. Continuous sounds have little or no variation in time, varying sounds have differing maximum levels over a period of time, intermittent sounds are interspersed with quiet periods, and impulsive sounds are characterized by relatively high sound levels and very short durations.

The effects of noise are determined mainly by the duration and level of the noise, but they are also influenced by the frequency. Long-lasting, high-level sounds are the most damaging to hearing and generally the most annoying. High-frequency sounds tend to be more hazardous to hearing and more annoying than low-frequency sounds. The way sounds are distributed in time is also important, in that intermittent sounds appear to be somewhat less damaging to hearing than continuous sounds because of the ear's ability to regenerate during the intervening quiet periods. However, intermittent and impulsive sounds tend to be more annoying because of their unpredictability.

B. Instrumentation

The instrument for measuring noise is the basic sound level meter or a number of its derivatives, including noise dose meters (usually called dosimeters), integrating sound level meters, graphic level recorders, and community noise analyzers. Improvements in all of these instruments have taken place during the last decade. This is especially true of the computerized dosimeters and integrating meters, which can measure, compute, store, and display comprehensive data on the noise field (Earshen, 1986). These instruments are now able to measure over very wide dynamic ranges and to measure impulsive sounds with a high degree of accuracy.

C. Measurement and Descriptors

Most sound level meters and dosimeters use built-in frequency filters or "weighting networks " in the measurement process. By far the most frequently used filter is the A weighting network, which discriminates against low-frequency and very high-frequency sounds. A weighting approximates the equal-loudness response of the ear at moderate sound levels, and correlates well with both hearing damage and annoyance from noise. A weighting will be assumed throughout this report unless otherwise specified.

Composite measures of noise, such as the equivalent continuous sound level (Leq) and the day-night average sound level (DNL) incorporate A weighting, (The mathematical notation for DNL is Ldn.) these levels constitute sound energy averages over given periods of time, the DNL incorporates a 10-dB nighttime penalty from 10:00 pm to 7:00 am, meaning that events occurring during

MV00172014

that time are counted as 10 dB higher than they really are. A variant of the DNL that is used in California (and Europe) is the community noise equivalent level (CNEL), which incorporates a 5-dB penalty for evening noise events, as well as the 10-dB nighttime penalty (California Code of Regulations, 1990).

For more than a decade, both the DNL and the simple Leq have been used extensively for assessing the impact of aircraft/airport noise. Recently, however, communities have expressed dissatisfaction with these metrics when used to regulate noise (Wesler, 1990). Metrics that employ averaging fail to describe the disturbance arising from single events, especially low-flying aircraft, unexpected or newly occurring flights, or flights occurring in areas where solitude is at a premium. The sound exposure level (SEL), an event's sound level normalized to one second, is gaining popularity as a supplement to the DNL and the Leq for characterizing single events.

IV. Noise in America

A. Population Trends

The U.S. population has increased an average of 25 million with each census since 1950. According to the World Almanac (1991), the population in 1980 was 226 million and approximately 250 million in 1990. This reflects an increase of nearly 11 percent over the decade, or slightly more than 1 percent per year. Presently, 77 percent of the U.S. population lives in the nation's 283 designated metropolitan areas, and the rate of growth in these areas is twice that of nonmetropolitan areas (Bryant, 1991).

Not surprisingly, EPA research indicates that noise levels in communities is directly related to the population density (EPA, 1974b).[1] Because the noise in urban areas generally exceeds that of suburban and rural areas, it is not unreasonable to assume that noise in the U.S. is increasing at least in proportion to the increase in urbanization and more rapidly than the growth of the general population. In addition, noise sources appear to be multiplying at a faster pace than the population.

B. Noise Sources

Figure 1, from EPA's simplified version of the Levels Document, Protective Noise Levels, shows the range of sound levels for some common noise sources (EPA, 1978). Most leading noise sources will fall into the following categories: road traffic, aircraft, railroads, construction, industry, noise in buildings, and consumer products.

1. Road traffic noise

In its Levels Document (1974), EPA estimated that road traffic noise was the leading source of community noise. EPA's contractors found that to be true in 1981 (EPA, 1981), and there is little reason to believe otherwise today.

Truck transportation, as a convenient and economical means of moving raw materials and consumer goods from place to place, is growing at a faster pace than the general population. For example, a total[2] of 33.6 million trucks there registered in the U.S. in 1980. That number grew to 45.5 million in 1989, an increase of about 35 percent (American Trucking Assoc., 1991).

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[1] The day-night average sound level appears to be proportional to the log of population density in people per square mile (EPA.1974b).

[2] The total number of trucks registered includes personal-use as well as commercial trucks of all weight classes.

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Noise from the motors and exhaust systems of large trucks provides the major portion of highway noise impact, and provides a potential noise hazard to the driver as well.[3] In addition, noise from the interaction of tires with the roadway is generated by trucks, buses, and private autos.

In the city, the main sources of traffic noise are the motors and exhaust systems of autos, smaller trucks, buses, and motorcycles. This type of noise can be augmented by narrow streets and tall buildings, which produce a "canyon" in which traffic noise reverberates.

Typical Range of Common Sounds

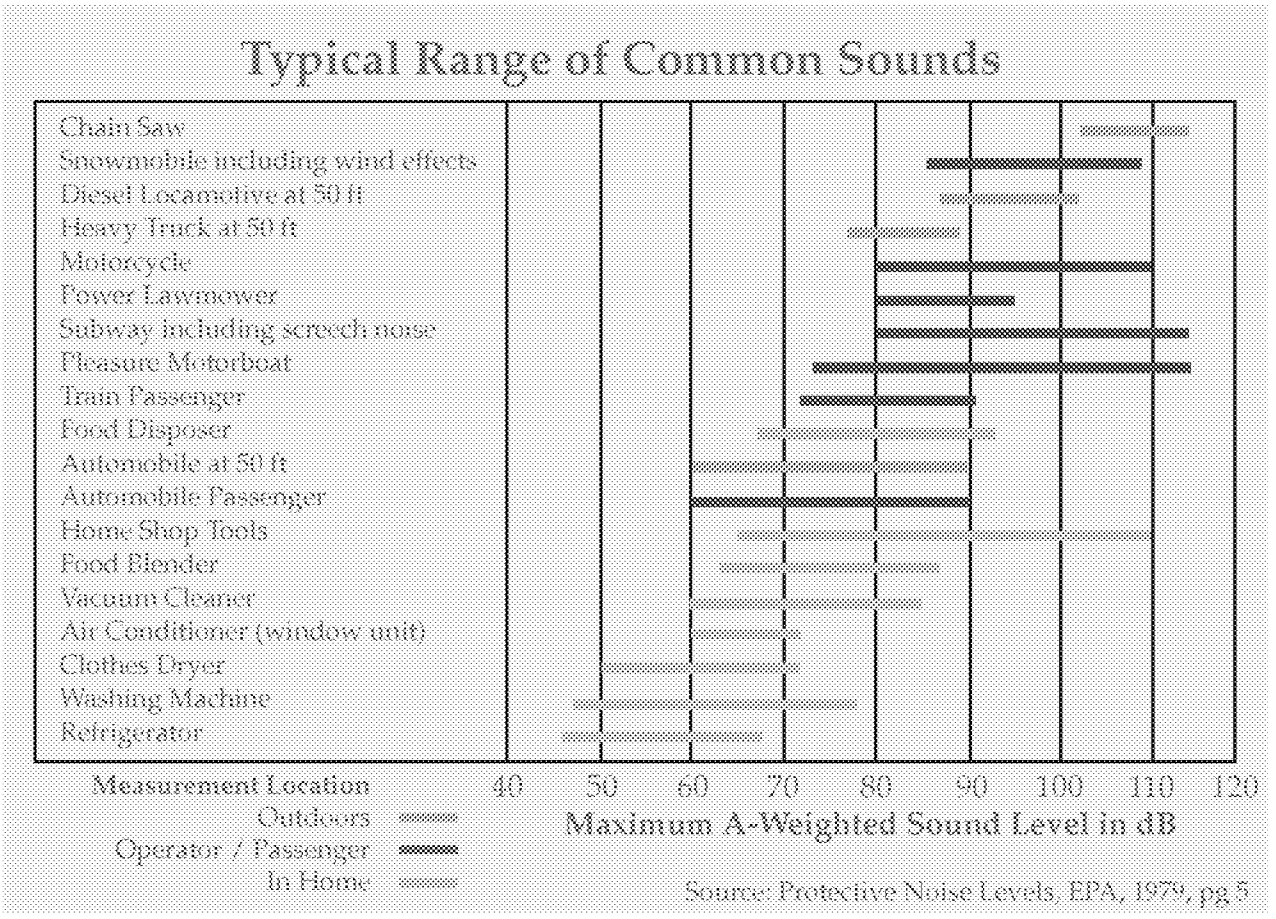

2. Aircraft noise

Air traffic also appears to be increasing more rapidly than the U.S. population. In 1980, U.S. scheduled airlines flew approximately 255.2 billion passenger miles and 5.7 billion cargo (ton) miles. By 1990, these figures there 457.9 billion and 10.6 billion, respectively (Air Transport Assoc., 1991a). This represents an increase of 79 percent in passenger mileage, and 86 percent in air height mileage. Air cargo traffic has grown particularly rapidly in the last five years, and will probably continue that trend over the next decade.

By 1989, the quieter "Stage III" airplanes comprised nearly 40 percent of the domestic fleet (Air Transport Assoc, 1991b). By the year 2004, all of the noisier Stage II aircraft must be phased out

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[3] According to Reinhart (1991) the most common complaint about truck noise is related to problems caused by tampering with the mufflers of trucks using compression brakes. About 5 percent of the heavy trucks surveyed by Reinhart and his colleagues had no functioning muffler, despite the existence of antitampering laws.

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(Airport Noise and Capacity Act, 1990). This requirement should promote a quieter environment around airports, but the growth of air transportation and the pressing need for airport expansion threatens to offset the benefits of the quieter aircraft.

Nowadays, the problem of low-flying military aircraft has added a new dimension to community annoyance, as the nation seeks to improve its "nap-of-the-earth" warfare capabilities. In addition, the issue of aircraft operations over national parks, wilderness areas, and other areas previously unaffected by aircraft noise has claimed national attention over recent years (Fidell, 1990; Cantoni, 1991; Weiner, 1990; Mouat, 1990).

3. Noise from railroads

The noise from locomotive engines, horns and whistles, and switching and shunting operations in rail yards can impact neighboring communities and railroad workers. For example, rail car retarders can produce a high-frequency, high-level screech that can reach peak levels of 120 dB at a distance of 100 feet (EPA, 1974), which translates to levels as high as 138 or 140 dB at the railroad worker's ear.

Unlike truck and air transportation, however, rail transportation does not appear to be increasing. According to the Association of American Railroads, the railroad industry loaded 22.1 million freight cars in 1988, down slightly from 22.6 million in 1980 (AAR, 1991).

4. Construction noise

The noise from construction of highways, city streets, and buildings is a major contributor to the urban scene. Construction noise sources include pneumatic hammers, air compressors, bull dozers, loaders, dump trucks (and their back-up signals), and pavement breakers. The construction industry has done very well over recent years with a value-added GNP of $97.9 billion in 1977, increasing to $247.7 billion in 1989 (Dept. of Commerce, 1991), an increase of about 153 percent. The number of workers employed in construction grew from 4.3 million in 1980 to about 5.2 million in 1990, an increase of nearly 21 percent (BLS, 1991a).

5. Noise in industry

Although industrial noise is one of the less prevalent community noise problems, neighbors of noisy manufacturing plants can be disturbed by sources such as fans, motors, and compressors mounted on the outside of buildings. Interior noise can also be transmitted to the community through open windows and doors, and even through building walls. These interior noise sources have significant impacts on industrial workers, among whom noise-induced hearing loss is unfortunately common.

The size of the U.S. manufacturing industry has not grown significantly over the last decade. Although the industrial. GNP increased from $673.9 billion in 1980 to $969.6 billion in 1990 (in terms of constant dollars) (BLS, 1991b), the workforce has declined from slightly more than 20 million to about 19 million during that period (BLS, 1991c). Consequently, industrially-generated community noise is probably no greater than it was in 1980.

From the worker's perspective the industrial noise problem is still very serious. The Occupational Safety and Health Administration has cut back on the enforcement of occupational noise standards and has allowed the substitution of hearing protection devices in lieu of engineering controls in many cases (OSHA, 1986). However, it is difficult to know whether noise levels in industry are increasing or decreasing because no comprehensive survey has been performed since the 1976 survey performed by Bolt Beranek and Newman Inc. (BBN, 1976).

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6. Noise in buildings

Apartment dwellers are often annoyed by noise in their homes, especially when the building is not well designed and constructed. In this case, internal building noise from plumbing, boilers, generators, air conditioners, and fans, can be audible and annoying. Improperly insulated walls and ceilings can reveal the sound of amplified music, voices, footfalls, and noisy activities from neighboring units. External noise from emergency vehicles, traffic, refuse collection, and other city noises can be a problem for urban residents, especially when windows are open or insufficiently glazed.

Wetherill (1987) reports that although the lack of soundproofing is the most frequent environmental complaint of apartment dwellers, the knowledge to solve these problems is not being applied. In fact, the quality of construction is steadily declining, and the noise problems are getting worse (Wetherill, 1991).

7. Noise from consumer products

Certain household equipment, such as vacuum cleaners and some kitchen appliances, have been and continue to be noisemakers, although their contribution to the daily noise dose is usually not very large. Added to this list would be yard maintenance equipment, such as lawn mowers and snow blowers, which can, at least, cause disharmony with one's neighbors, and pother shop tools, which can be hazardous to hearing if used for sufficient periods of time.

One example of a fairly new product is the gasoline-pothered leaf blower, with average A-weighted sound levels at the operator's position of 103.6 dB, and maximum levels of 110-112 dB (Clark, 1991). In an extensive review of nonoccupational noise exposures, Davis et al. (1985) report that the manufacturers of household devices have been reluctant to release sound level information. Consequently, it could be difficult to assess the magnitude of the problem and the extent to which noise levels are increasing or decreasing.

Residents of suburban and rural areas are sometimes disturbed by recreational noise sources, such as off-road vehicles, high-pothered motor boats, and snowmobiles. Some of these sources, such as snowmobiles, are not as noisy as they there more than a decade ago, due to attention to the problem by the manufacturers and their trade associations. Others are no less noisy, and possibly more so because noise seems to be generic to the sport. Example would be motorcycle and car racing, and events like "tractor pulls."

In fact, the allure of noisy recreational activities seems to be considerably greater now than it was a decade or so ago. The technology of sound reproduction has advancer to the point where loudspeakers can faithfully reproduce music and other sounds at levels well above 120 dB. Sporting events use giant digital "applause meters" to measure and display enthusiasm for the more popular team. The extreme in car stereo technology is now the "boom car", with sound levels exceeding 140 dB.[4] Activities like aerobic exercising and ice skating, as well as disco dancing, are accompanied by amplified music played at high sound levels. After summarizing the results of 16 studies of discotheques and rock concerts Clark (1991) reported the geometric mean of the measured sound levels as 103.4 dB. The trend in noise levels for these kinds of activities is definitely upward.

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[4] The International Auto Sound Challenge Association sponsors contests and gives the most points to contestants whom speakers produce the highest sound pressure levels, up to 140 dB. However, levels above that merit no more than 140 points.

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One of the most serious sources of recreational noise is sport shooting, where peak sound pressure levels at the ear can range from about 144 dB up to more than 170 dB[5] (Odess, 1972). In his analysis of this literature, Clark (1991) cites estimates of the number of people responding positively to questions about hunting or target shooting. These estimates range from 14 percent of the general population in Scandinavia and the U.K. (Axelsson et al., 1981; Davis et al., 1985) to nearly 50 percent in the Canadian workforce (Chung et al., 1981), which Clark found to be consistent with estimates from U.S. industry. In a population of rural schoolchildren, 45 out of 47 boys and 2 out of 21 girls reported having used guns (Kramer and Wood, 1982).

A subcategory of consumer product noise that deserves mention is noisy toys. A few toys, such as firecrackers, snappers, and cap pistols have been part of the adventurous child's experience for generations. The general assumption is that these toys do not pose a hazard when used occasionally and located at a sufficient distance from the ear[6]. Nowadays, there is a large variety of noisy toys, thanks to the availability of improved technology. Many of them mimic adult noisemakers, such as amplified toy guitars, child-shed vacuum cleaners, and miniature pother saws. Some of these toys generate quite high levels of sound. For example, a baby's squeeze toy (Fay, 1991) and the battery operated siren of a toy police car have both been measured at 110 dB[7].

In a recent report on noisy toys, Leroux and Laroche (1991) cite studies showing A-weighted noise levels for a toy motor at 107 dB and a child's rattle at 99-100 dB (LNE, 1973). Current Canadian legislation limits the sound output of toys to "one hundred decibels measured at the distance that the product ordinarily would be from the ear of the child using it..." (Act, 1969), but Leroux and Laroche propose that this limit be lowered to an A-weighted level of 75 dB.

C. Numbers of People Exposed to Noise

The fact that people are variously exposed to noise is not surprising. Considering that decibels are measured on a logarithmic scale, however, the magnitude of these variations can be enormous. For example, the average noise level outside an urban apartment can be 1,000 times more intense than in a rural residential neighborhood. Fortunately, this difference will be perceived more like an eight-fold rather than a thousand-fold increase. Figure 2, from EPA's document Protective Noise Levels, shows examples of outdoor day-night average sound levels measured at various locations (EPA, 1978).

In 1974, EPA estimated that nearly 100 million Americans lived in areas where the daily average noise levels exceeded its identified safe DNL of 55 dB (EPA, 1974a). Figure 3, from EPA's Levels

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[5] A-weighted level. of these weapons would measure somewhat lower, with levels for .22 caliber rifles at about 132-139 dB and shotguns at 150-165 dB. (See Clark, 1991)

[6] Certain European studies, however, have reported as many as 1 percent to 3.7 percent of teenage children suffer hearing losses caused by impulsive noise from toys (Gjaevenes, 1967; Moe, 1966). Noise from cap guns, for example, can exceed peak sound pressure levels of 140 dB (Gjaevenes, 1966; Hodge and McCommons, 1966; Marshall and Brandt, 1973; all as cited by Leroux and Laroche,
1991).

[7] New York audiologist Thomas Fay has measured the noise levels of a variety of children's toys. In doing so he places the sound level meter's microphone quite close to the noise source (from 2 inches to 1/2 inch away), based on his observations of the children at play. (Personal communication, April 1991).

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Document, shows the residential noise environment of the U.S. population as a function of the exterior DNL, with separate curves for the freeway and aircraft increments.

Examples of Outdoor Day-Night Average Sound Levels in dB Measured at Various Locations

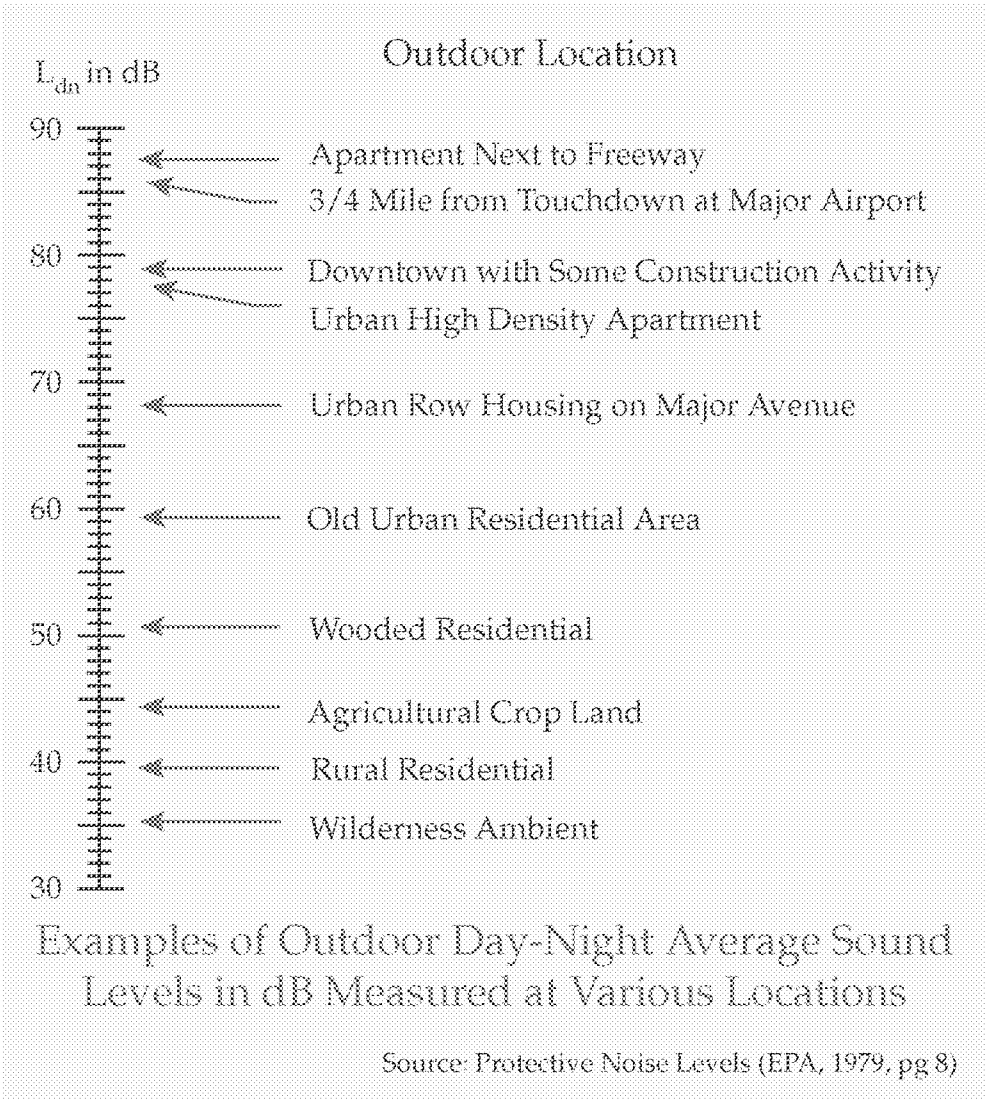

A few years later EPA contracted with the consulting firm Bolt Beranek and Newman (BBN) to develop more detailed estimates. The resulting report, Noise in America, includes a breakdown according to noise exposure source (EPA, 1981). Table I gives the estimated number of Americans exposed to traffic; aircraft, construction, rail, and industrial noise for various DNLs from 55 dB to 80 dB. The authors note that there will be some overlap among populations exposed to different sources, so the numbers across categories are not additive. The far right column represents the total estimated number of people exposed to the combined sources. Although the authors do not give an estimate for the number of people exposed above Ldn 55 dB, another authority puts it at 138 million at that time (Eldred, 1990).

These estimates do not represent the results of a national survey. Instead, the authors used data and models available to EPA and BBN at the time. Because of this, some categories of noise exposure are likely to be more accurate than others. They did, however, represent the best available esti-

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mates at the time, and because no efforts have been made to update them, they are the best estimates available today.

D. Summary: Noise in America

It is safe to assume that noise in communities is increasing. Noise levels are directly related to population density, and the urban population is increasing at twice the pace of the nonurban population. In addition, the last decade has seen rapid growth in air transportation, trucking, and the construction industries, indicating that noise levels from these sources has most likely increased. The fact that some of these sources have been and continue to be quieted (especially new generations of trucks and aircraft) should mitigate this increase, but the extent of this mitigation will remain unknown until some sort of national survey is performed. Noise from construction continues to be a problem, and it appears that noise inside buildings as well as noise from recreational activities and consumer products is on the rise. Estimates of the number of people exposed to noise at various levels are now somewhat outdated.

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Residential Noise Environment of the National Population As a Function of Exterior Day-Night Average Sound Level

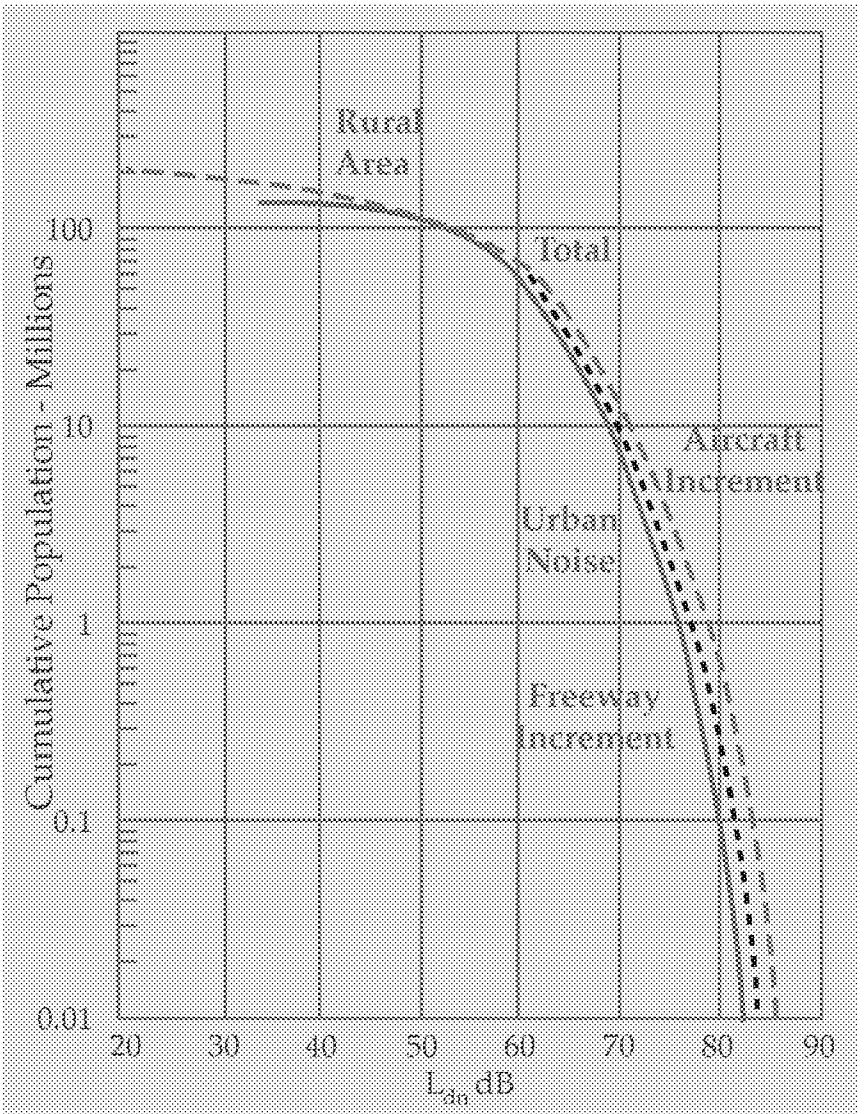

Residential Noise Environment of National Population as Function of Exterior Day-Night Average Sound Level

Source: Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (EPA, 1974a, pg 16)

Table 1: Summary of U.S. Population Exposed to Various Day-Night Average Sound Levels (or higher) From Noise Sources in the Community. (1) From Noise in America (EPA, 1981, pp. 10 and 15)

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Estimated Number (in Millions) of People in Each Noise Category

DNL (dB)	Traffic	Aircraft	Construction	Rail	Industrial	Total
>80	0.1	0.1	—	—	—	0.2
>75	1.1	0.3	0.1	—	—	1.5
>70	5.7	1.3	0.6	0.8	—	8.1
>65	19.3	4.7	2.1	2.5	0.3	27.8
>60	46.6	11.5	7.7	3.5	1.9	63.6
>55	96.8	24.5	27.5	6.0	6.9	92.4*

(1) DNL values are yearly averages, outdoors
(2) Note that there is some overlap among populations exposed to different noise sources. For example, some of the 96.8 million people exposed to Ldn 55 dB and above from traffic noise are also exposed to aircraft noise.
(3) Construction estimates include both residential and nonresidential exposure.

*Distribution of total exposed to all sources starts at Ldn 58 dB since the analysis involves combining distributions exposed to 55 dB and above.

V. Effects of Noise

A. Noise-Induced Hearing Loss

Hearing loss is one of the most obvious and easily quantified effects of excessive exposure to noise. Its progression, however, is insidious, in that it usually develops slowly over a long period of time, and the impairment can reach the handicapping stage before an individual is aware of what has happened. While the losses are temporary at first, they become permanent after continued exposure, and there is no medical treatment to counteract the effect. When combined with presbycusis, hearing loss naturally occurring with the aging process, the result is a premature impairment that grows inexorably with age.

According to the U.S. Public Health Service (PHS, 1991), some 10 million of the estimated 21 million Americans with hearing impairments owe their losses to noise exposure (as cited in Carney, 1991). The study goes on to say that it is unclear whether the incidence of hearing impairment has risen in recent years because the necessary studies have not been conducted.

1. Extent of noise-induced hearing loss from environmental sources

Although the major cause of noise-induced hearing loss is occupational, substantial damage can be caused by nonoccupational sources. In addition to the frequently-blamed sources of loud music and shooting, noise-induced hearing loss has been noted in the children of farm families, presumably from the frequent use of tractors (e.g., Broste et al., 1979); general aviation pilots because of the high noise levels emitted by piston aircraft (Anon., 1982); and users of earlier generations of cordless telephones because of the placement of the ring mechanism in the earpiece (Orchik et al., 1985 and 1987).

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The prevailing notion among parents is that the hearing threshold levels of children are worse than they used to be because of exposure to loud music. Actually, a recent national survey of 38,000 school children found better hearing threshold levels than 30 years ago, but blames the discrepancies on the sampling methods used in the earlier study and the conversion from an older to a nether zero reference level (Lundeen, 1991). There is, however, evidence that the hearing of some young people is being affected by noisy leisure time activities (Axelsson et al., 1987).

Loud music in particular appears to be the cause of hearing impairment and tinnitus in rock musicians. Such luminaries as Pete Townshend and Ted Nugent[8] have acquired substantial hearing losses and are now campaigning for hearing conservation (Murphy, 1989). Some studies point to a hearing hazard for attendees as well (see in Clark, 1991; Clark and Bohne, 1986; Danenberg et al.,1987).

As mentioned above, probably the greatest nonoccupational hazard to hearing comes from sport shooting. Clark (1991) cites studies of industrial workers by Chung et al. (1981), Johnson and Riffle (1982), and Prosser et al. (1988), showing significantly greater hearing losses among sport-shooters than among their nonshooting counterparts. These losses are almost always characterized by worse hearing in the left ear than the right.

The contribution from nonoccupational sources is called "sociocusis" (a contraction of "socio-acusis"). Evidence from primitive societies suggests that the absence of sociocusis explains the large differences in hearing threshold level between these populations and those of the "civilized" nations (Rosen, 1962). Sociocusis, occupational hearing loss, and presbycusis contribute in various

2. The handicap of noise-induced hearing loss

Vowel sounds tend to be low in frequency and high in sound energy, while the consonants are much higher in frequency and have considerably less amplitude. It also happens that consonants provide the primary intelligibility to speech. Because noise damages the ear's ability to perceive high-frequency sounds much earlier and more severely than the low-frequency sounds, individuals with noise-induced hearing loss are at a particular disadvantage in understanding speech.

Individuals with early noise-induced hearing loss often think that other people no longer speak dearly. They soon begin to notice that they have difficulty understanding speech when there is noise in the background, and in groups of people, and that it is hard to identify which person is talking. As the hearing loss progresses, these individuals avoid social occasions and situations where they must listen at a distance, like church and theater. The eventual result can be loneliness and isolation.

3. The study of noise-induced hearing loss

Noise damages the delicate sensory cells of the inner ear, the cochlea. This process can be studied in the laboratory by inducing temporary shifts in hearing threshold level in humans. Over recent years the preferred method of investigation is to produce temporary and permanent threshold shifts in animals, and to study the resulting physiological and anatomical changes in the cochlea, as well as shifts in hearing threshold level. The laboratory allows for strict control of noise level and

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[8] According to Nugent, who has worn an earplug in his right ear since 1967: "My left ear is there just to balance my face, because it doesn't work at all." (Murphy 1989) proportion to an individual's total hearing impairment. While the contribution of each source may be less than significant, the combination of all three can be enough to produce a handicapping condition. As longevity in the U.S. population increases, the toll of noise-induced hearing loss will become increasingly evident (Carney, 1991).

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duration, but the durations are usually relatively short because of the time and expense involved. Also there is some controversy over the extent to which the results can be generalized to humans.

Much of the recent laboratory effort in noise research has focused on the structural and functional basis of noise-induced hearing loss, which has been greatly aided by the electron microscope. Investigators have identified the sensory cell's stereocilia and the rootlets which anchor them as the auditory system's most vulnerable components with respect to noise exposure (Libermnan, 1990).

Field studies of noise-exposed workers avoid the problems of species generalization, and the exposure durations can be over many decades. They are usually cross-sectional studies, however, meaning that the current hearing threshold levels are related to noise exposures that have been experienced over many years. Although the current noise measurements may be valid, their validity over prior years usually has to be assumed without benefit of precise data.

4. Risk of hearing impairment from continuous noise

The methods and results of the major field studies of continuous noise exposure conducted in the late 1960s and early 1970s remain unchallenged. Examples are the studies of Burns and Robinson (1970), Baughn (1973), Passchier-Vermeer (1968), and the U.S. National Institute for Occupational Safety and Health (NIOSH, 1973). Data from these studies have been used by various organizations to estimate the risk of hearing impairment over a working lifetime of exposure to noise. These types of studies have also been used by the EPA to estimate the hazard of nonoccupational noise (Guignard, 1973; Johnson, 1973; EPA, 1973a). The data cited above of Burns and Robinson, Baughn, and Passchier-Vermeer went into EPA's identification of a yearly average exposure level of 70 dB as the safe level, which could be experienced over a lifetime (EPA, 1974a)[9].

A new international standard (ISO, 1989), which is based mainly on the data of Passchier-Vermeer and Burns and Robinson, contains formulas for assessing the risk of noise-induced hearing impairment and handicap: using either a highly screened (for non-occupational hearing loss) or an unscreened population as a control group. The data and analyses found in these major studies have not been seriously challenged, and remain in use today.

5. Varying and intermittent noise

There has been some debate over the best rule for combining noise level and duration to assess the damaging effects of noise, especially varying and intermittent noise. This relationship is often called the doubling rate, or nowadays, the exchange rate. The EPA, as well as most other federal agencies (and most European countries, the United Kingdom, some Canadian provinces) use the equal-energy rule, which incorporates a 3-dB exchange rate. OSHA uses the 5-dB exchange rate, and the U.S. Air Force, uses 4 dB. None of these rules makes any provisions for the temporal order of sounds, although the 5-dB exchange rate supposedly represents a simplification of criteria that take a certain number of intermittencies into account.[10]

Investigations of the relationship between noise level and duration have been conducted over recent years using laboratory animals. The results have confirmed the validity of the equal energy (3-dB) rule for single exposures to continuous noise (Bohne and Pearse, 1982; Ward and Turner, 1982),

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[9] The 70-dB 24-hour average sound level can be interpreted as a 75-dB 8-hour average sound level plus an average sound level during the other 16 hours of less than 60 dB (see EPA's Levels Document, p.29, footnote d).

[10] The 5-dB rule does not necessarily provide for intermittencies because it allows uninterrupted exposures to continuous noise at high levels. See Suter 1983.

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or when the exposures are broken up into 8-hour, or even 1-hour "workdays", 5 days per week, so long as the sound energy is equivalent (Ward, 1983). There is, however, some benefit to intermittent quiet periods (Ward and Turner, 1982), during which the ear can recover from small, temporary hearing losses. For this reason EPA has adjusted its identified safe level upward by 5 dB[11] since most environmental noise exposures are intermittent in nature. EPA's use of the equal-energy rule and the 5-dB adjustment have not been seriously challenged.

6. Impulse noise

The effects of impulse noise have been studied extensively over recent years, but there is less agreement on this topic than there is for continuous and intermittent noise. Although there was consensus favoring the 3-dB rule at a 1981 international meeting in England (von Gierke et al., 1981), actual dose-response relationships are still elusive. The effects of impulse noise do not always follow the 3-dB rule, in that temporal pattern, waveform, and rise time can affect the growth of hearing loss, despite constancy of sound energy (Henderson and Hamernik, 1986).

Frequency also has some bearing on the damage caused by impulse noise, in that low-frequency impulses produce significantly less damage than sounds in the mid-to-high-frequency range (Price, 1983). The ear appears to be most susceptible to impulses with peaks around 4,000 Hz (Price, 1989). Also, there may be a critical level, above which the ear is considerably more at risk because of a change in the response mechanism. On the basis of his research, Price (1981) has suggested a critical level of 145 dB, with a standard deviation of 8 dB.

7. Susceptibility

Evidence from field studies indicates that men incur more hearing loss than women from comparable noise exposures (Burns and Robinson, 1970; Berger et al., 1978; Royster et al., 1980), and that Caucasians appear to be more susceptible than Blacks to noise-induced hearing loss (Royster et al., 1980). Other factors, such as age, preexposure hearing threshold level, general health, and use of alcohol, have not yet proved to be reliable predictors of susceptibility (Ward, 1986), although

8. Interactions with other agents

Noise can interact with drugs and industrial agents to produce additive or even synergistic effects on hearing. As expected, the higher the levels of noise and the greater the dose of the other agent, the greater will be the resulting hearing loss. The ototoxic properties of certain drugs, most notably the aminoglycoside antibiotics (the "mycin" drugs), are heightened by exposure to noise. Numerous studies of kanamycin plus noise exposure have revealed additive and some synergistic results (Humes, 1984). High doses of salicylates (aspirin) accompanied by noise exposure can produce temporary hearing losses (McFadden and Plattsmier, 1983), but permanent losses do not seem to occur. Cisplatin, used in cancer chemotherapy, is known to be toxic to the auditory system, and has been shown to interact significantly with none exposure (Boettcher et al., 1989).

A variety of industrial agents, which can be potent neurotoxins, have been shown to be capable of producing hearing loss (Fechter, 1989). These agents include heavy melds, such as lead and mercury, organic solvents, such as toluene, xylene, and carbon disulfide, and an asphyxiant, carbon monoxide.

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[11] The identified safe level of 70 dB reflects the incorporation of the 5-dB adjustment there is some indication that the use of tobacco may increase susceptibility to noise-induced hearing loss (Barone, et al., 1987; Stark, et al., 1988)

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9. Hearing protectors

As its first (and only) labeling regulation, EPA promulgated a regulation for labeling the attenuation of hearing protection devices (EPA, 1979). The standard required manufacturers to subject their hearing protectors to specific laboratory tests, and to publish a "Noise Reduction Rating" (NRA) on the product's package. The NRA was subsequently adopted by OSHA in its hearing conservation amendment, which required employers to use it in assessing the adequacy of hearing protectors for given noise environments (OSHA, 1981 and 1983). Recent research shows that the NRA greatly overestimates the noise reduction to be achieved by these devices in actual field use.[12] These kinds of findings have led to the formation of a new ANSI working group to investigate alternatives to the current NRA (Berger et al. 1990), and the recommendation that EPA revise its existing labeling regulation (Berger, 1991; Stewart, 1991).

10. Summary: Noise-induced hearing loss

Noise-induced hearing loss is probably the most well-defined of the effects of noise. Predictions of hearing loss from various levels of continuous and varying noise have been extensively researched and are no longer controversial. Some discussion still remains on the extent to which intermittencies ameliorate the adverse effects on hearing and the exact nature of dose-response relationships from impulse noise. It appears that some members of the population are somewhat more susceptible to noise-induced hearing loss than others, and there is a growing body of evidence that certain drugs and chemicals can enhance the auditory hazard from noise.

Although the incidence of noise-induced hearing loss from industrial populations is more extensively documented, there is growing evidence of hearing loss from leisure time activities, especially from sport shooting, but also from loud music, noisy toys, and other manifestations of our "civilized" society. Because of the increase in exposure to recreational noise, the hazard from these sources needs to be more thoroughly evaluated. Finally, the recent evidence that hearing protective devices do not perform in actual use the way laboratory tests would imply, lends support to the need for reevaluating current methods of assessing hearing protector attenuation.

B. Interference With Communication

Noise can mask important sounds and disrupt communication between individuals in a variety of settings. This process can cause anything from a slight irritation to a serious safety hazard involving an accident or even a fatality because of the failure to hear the warning sounds of imminent danger. Such warning sounds can include the approach of a rapidly moving motor vehicle, or the sound of malfunctioning machinery. For example, Aviation Safety (Anon., 1982), states that hundreds of accident reports have many "say again" exchanges between pilots and controllers, although neither side reports anything wrong with the radios.

Noise can disrupt face-to-face and telephone conversation, and the enjoyment of radio and television in the home. It can also disrupt effective communication between teachers and pupils in schools, and can cause fatigue and vocal strain in those who need to communicate in spite of the noise. Interference with communication has proved to be one of the most important components of noise-related annoyance (EPA, 1974a).

In its Levels Document, EPA determined that a yearly average day-night sound level of 45 dB would permit adequate speech communication in the home, and a DNL of 55 dB would permit

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[12] In a summary of 10 studies, Berger (1983) shows that most hearing protectors in the field provide only one-third to one-half the attenuation that they do in the laboratory.

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normal communication outdoors at a distance of about 3 meters.[13] These levels also apply to hospitals and educational facilities. Higher average noise levels would be satisfactory for certain nonresidential spaces, such as commercial and industrial facilities, and inside transportation, depending on the degree to which speech communication is critical. Research over the last 20 years has expanded and refined EPA's criteria development in this area, but has not generated any major changes.

1. Prediction of speech interference

Methods of predicting the amount of speech that can be communicated in various noise backgrounds have been available for decades. Probably the most popular and respected method is the articulation index (AI) (French and Steinberg, 1947), which requires the measurement or estimation of the spectrum level of both speech and noise in 20 contiguous bands. Over the past 2 decades investigators have suggested adjustments to the AI for l13-octave bands, reverberation time, various vocal efforts, etc., and more recently for various degrees of hearing impairment (Humes, et al., 1986 and 1987).

The speech interference level (SIL) (Beranek, 1954) provides a quick method for estimating the distance at which communication can occur for different levels of vocal effort. The current method involves measuring octave-band sound pressure levels at 500, 1,000, 2,000, and 4,000 Hz and referring to a chart to determine the die potential communication distance. The basic chart has been expanded to include such parameters as a broader range of voice levels and provisions for room reverberation (Webster, 1983). Additions to both the AI and the SIL have been proposed by Lazarus (1990), who offers modifications and extensions to account for strain on the part of both talker and listener, and the wearing of hearing protectors.

Another popular method to predict speech communication in a variety of conditions, the speech transmission index (STI), has been developed by a Netherlands research group (Houtgast, 1980; Houtgast and Steeneken, 1983). The STI takes into account room volume and reverberation time, in addition to speech and none levels, and distance between talker and listener. A more recent outgrowth, the rapid speech transmission index (RASTI), represents a simplified version of the STI intended for field use, and is available in an instrument conforming to an international standard (IEC, 1987).

Finally the sound level meter's A-weighting network can be successfully used to predict speech interference levels. It is easy to use, available on virtually all sound level meters, and effective when the noise spectra are not complex.

2. Criteria for speech and warning signals

In addition to the classic work of Beranek and his colleagues (Beranek et al., 1971), Beranek has recently refined the traditional curves to account for the annoyance due to low-frequency "rumble" (Beranek, 1989). New criteria for determining acceptable background levels of noise in rooms are also offered by Lazarus (1986a, 1986b, 1987, and 1990). Lazarus includes in his criteria a variety of parameters such as: type of room, type of communication, communication distance, vocal effort, quality of speech intelligibility, AI, communication strain, listener's hearing sensitivity, and the use of hearing protectors.

Guidelines for audible warning signals have been developed by Patterson (1982). These guidelines, which there originally created for civil aircraft, there later adapted to helicopters and even station-

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[13] These levels represent EPA's identification of safe levels of environmental noise to protect the public health and welfare against all adverse effects of noise with the exception of hearing loss.

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ary workplaces like hospitals (Patterson, 1985; Rood et al., 1985). Another set of guidelines for acoustic warning signals has been developed by Lazarus and Hoge (1986), and are based on the compatibility of signal type with various desired or undesired situations.

Although criteria have not yet been developed for speech recognition involving nonnative listeners, experiments by Florentine (1985) and Nabelek (1983) indicate that these individuals need more favorable listening conditions (less background noise and reverberation) than their native- language counterparts. These findings have implications for air traffic control systems.

3. The effect of hearing protectors on speech and warning signal perception

Hearing protectors attenuate both noise and the desired signal by equal amounts in a given frequency band, reducing both to levels where the ear is less likely to distort. This process often improves speech recognition when the level of background noise exceeds 80 to 90 dB. However, because hearing protectors usually provide considerably more attenuation in the high frequencies than in the low frequencies, listeners who have high-frequency hearing losses are at a disadvantage. Many speech sounds and some warning signals will be attenuated beyond the range of audibility. This is especially true of individuals whose losses exceed an average of 30 dB at the audiometric frequencies 2000, 3000, and 4000 Hz (Lindeman, 1976). A potential solution for this problem lies in some newly developed hearing protectors with flat attenuation across the frequency spectrum (Allen and Berger, 1990; Killion et. al., 1988). One type of these protectors has already become popular with orchestral musicians (Killion et al., 1988) and even some rock musicians (Cohen, 1990).

Individuals tend to speak more softly when they wear hearing protectors, and consequently, speech communication is degraded when both talker and listener wear these devices (Hoermann et al,, 1984), Hearing protectors also interfere with the localization of sounds in space, and this is especially true of the ability to localize sounds in the vertical plane while wearing ear muffs (Noble, 1981). Both ear plugs and ear muffs cause these types of problems, but it appears that they are more pronounced with ear muffs (Howell and Martin, 1975; Abel et al., 1982). These findings can have serious implications for safety in some circumstances.

4. Scholastic performance

Noise can disrupt communication in the classroom to the extent that the instructional method used in schools close to airports is sometimes nicknamed " jet pause" teaching. Cohen and Weinstein (1981) have reviewed several studies, which, after controlling for socioeconomic factors, indicate that the academic performance of children in quiet schools is better than that of children in noisy schools.

For example, elementary school children on the side of a school facing train tracks. performed more poorly on a reading achievement test than children in classrooms on the quiet side of the school (Bronzaft and McCarthy,:1975).[14] Cohen and Weinstein also discuss research showing that skills, such as auditory discrimination and reading achievement can be adversely affected when children live in noisy circumstances, even though their schools may be no noisier than average. These latter studies indicate that interference with communication in the classroom is not the only

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[14] Bronzaft reported that in 1978 the city of New York reduced the noise of the elevated train and installed acoustical insulation in the affected classrooms, providing a total reduction in the A-weighted noise level of 6 to 8 dB (Bronzaft, 1981). By 1981, there was essentially no difference. in reading achievement between students on the two sides of the school for the classroom studied.

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process at work here. Possible additional explanations include adverse effects on children's information processing strategies and their feelings of personal control[15] (Cohen and Weinstein, 1981).

5. Summary: Interference with communication

Interference with speech communication and other sounds is one of the most salient components of noise-induced annoyance. The resulting disruption can constitute anything from an annoyance to a serious safety hazard, depending on the circumstance.

Research over the past 2 decades has expanded and refined methods for predicting communication interference, but has not produced any major changes. Numerous adjustments have been suggested for the AI, the SIL has been modified and refined, and a new predictive method, the STI has been added. Criteria for determining acceptable background levels in rooms have also been expanded and refined, and progress has been made on the development of effective acoustic warning signals.

It is now clear that hearing protection devices can interfere with the perception of speech and warning signals, especially when the listener is hearing impaired, both talker and listener wear the devices, and when wearers attempt to locate a signal's source.

Noise can interfere with the educational process, and the result has been dubbed "jet-pause teaching" around some of the nation's noisier airports, but railroad and traffic noise can also produce scholastic decrements.

C. Effects of Noise on Sleep

Noise is one of the most common forms of sleep disturbance, and sleep disturbance is a critical component of noise-related annoyance. A study used by EPA in preparing the Levels Document showed that sleep interference was the most frequently cited activity disrupted by surface vehicle noise (BBN, 1971). Aircraft none can also cause sleep disruption, especially in recent years with the escalation of nighttime operations by the air cargo industry. When sleep disruption becomes chronic, its adverse effects on health and well-being are well-known.

1. Assessing sleep disturbance

Noise can cause the sleeper to awaken repeatedly and to report poor sleep quality the next day, but noise can also produce reactions of which the individual is unaware. These reactions include changes from heavier to lighter stages of sleep, reductions in "rapid eye movement" (REM) sleep, increases in body movements during the night, changes in cardiovascular responses, and mood changes and performance decrements the next day. The accuracy and efficiency with which these effects are measured has been greatly assisted by the use of contemporary computers. The most popular measurement tool nowadays is electro-encephalography, but other methods, such as electrocardiography, electromyography, and electrooculography are also used, as well as clinical observation, self-assessment surveys, and accelerometry to measure the motion of the bed frame.

As a result of many years of research on the effects of noise on sleep, it is clear that intermittent and impulsive noise is more disturbing than continuous noise of equivalent energy, and that meaningful sounds are more likely to produce sleep disruption than sounds with neutral content. Also, older people are more likely to have their sleep disturbed by noise than younger people. In fact, children appear to be about 10 dB less sensitive to noise-induced sleep disruption than adults (Eberhardt, 1990). Sleep disturbance from noise tends to be greater in the early hours of the morn-

[15] See also the discussion of noise, performance, and behavior in sections D.4, and D.5. below.

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ing, when individuals spend more time in lighter sleep stages, and this is particularly true of the elderly.

2. Criteria for sleep interference

In the Levels Document EPA identified an indoor DNL of 45 dB, which translates to a nighttime average sound level of 35 dB, as necessary to protect against sleep interference. However, consensus on the levels of noise that can be tolerated without sleep disruption is incomplete at this time. In an attempt to develop a quantitative model for predicting noise-induced sleep interference, Pearsons et al., (1989) reviewed and analyzed 21 studies. However, the authors there unable to derive dose-response relationships from these studies because of large discrepancies between studies conducted in the laboratory and those conducted in the field.

In a recent review of the noise and sleep research, Griefahn (1990) recommends that the nighttime average sound level be kept below 45 dB in the sleeper's quarters. She cites research by Eberhardt (1987 and 1990; Eberhardt et al., 1987;) and Vallet et al., (1976 and 1990) showing self- reported adverse effects from continual road traffic when the average sound level is 40 dB and physiological responses at an average level of 37 dB. For intermittent road traffic noise, maximum recommended levels for single events (as opposed to average levels) range from 45 to 68 dB, depending on the investigation (Griefahn, 1990). Vallet et al. (1990), recommend maximum outside levels of 65 dB, which, of course, relies on some attenuation by the residence. Griefahn also points out that higher maximum levels can be tolerated if the ambient noise level is not very low, and that the difference between single events and the ambient level should not exceed 8 to 10 dB.

3. After-effects and habituation

Numerous recent investigations have revealed after-effects due to noisy nights. Ohrstrom (1983) found mood changes on the day following nights when the average sound level was as low as 35 dB. Adverse effects on performance, such as increased reaction time, have also been measured (Jurriens et al., 1983), and it appears that older peoples' next day performance is more adversely affected by noise than that of younger people (Griefahn and Gros, 1983).

Although people often believe they get used to nighttime noise, physiological tests point to the contrary. Studies have shown that while the subjective response improves with time, cardiovascular responses remain unchanged (Muzet, 1983). Vallet et al. (1990) conclude that habituation is not complete, even after 5 years of exposure to noise.

4. Summary: Effects of noise on sleep

Noise-induced sleep interference is one of the critical components of community annoyance. It can produce short-term adverse effects, such as mood changes and decrements in task performance the next day, with the possibility of more serious effects on health and well-being if it continues over long periods.

EPA's identified indoor DNL of 45 dB has not been seriously challenged over the past decade, but consensus in this area is lacking. One problem is that different experimenters tend to use a variety of descriptors (DNL, Leq, and maximum single-event levels) and a variety of methods for evaluating the effects (EEG, EKG, self-report, etc.). Perhaps one reason for the lack of clear-cut criteria is that this a complex area to research, requiring considerable time and expense. Another is, of course, a need for more field studies in this area.

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D. Effects on Performance and Behavior

EPA did not use the literature on the effects of noise on performance and behavior in the identification of its levels of noise to protect against activity interference. One reason may have been that much of the information at that time related to the occupational setting rather than the general environment. Another may have been the complexity of the topic and the difficulty involved in identifying a single noise level that could apply to a great variety of tasks and conditions. Although these difficulties still pertain, much research has been generated in this area over recent years.[16]

Noise can cause adverse effects on task performance and behavior at work, and in nonoccupational and social settings. These effects are the subject of some controversy, however, since they do not always occur as predicted. Sometimes noise actually improves performance, and sometimes there are no measurable differences between performance in noisy and quiet conditions. The presence and degree of effects depends on a variety of intervening variables.

1. Sensory and motor effects

Experiments on the effects of noise on vision have produced conflicting results, with the suggestion of some effects on visual discrimination (Cohen, 1977). There is evidence, however, that high levels of noise can produce shifts in visual field (Parker, et al., 1976, 1978). High levels of noise can affect vestibular function, especially when the presentation to the two ears is asymmetrical, (or the level of attenuation is greater in one ear) (Harris, 1968). Impulsive or other sudden loud sounds can produce a startle response that does not completely habituate with repeated, predictable exposures (May and Rice, 1971).

2. Noise variables

Sound level is one of the most important parameters when predicting performance effects. The level of noise necessary to produce adverse effects is greatly dependent upon the type of task. Simple tasks remain unaffected at noise levels as high as 115 dB or above, while more complex tasks are disrupted at much lower levels. Until fairly recently, the level of beginning effects was thought to be around 95 dB for most conditions, but a summary of recent research (Jones, 1990) points to effects at much lower levels. Effects on serial reaction tasks have been noted for continuous noise with C-weighted noise levels of 90 dB (Jones, 1983) and for intermittent noise with C-weighted levels of around 80 dB (Lahtela et al., 1986).

Frequency and temporal characteristics also play a part. High-frequency sound is more disruptive titan low-frequency sound, and intermittent noise can affect performance more adversely titan continuous noise of equivalent energy. Aperiodic intermittencies are more likely to produce adverse effects than regular ones, and impulse noise may be even more disruptive. Again the effects are variable, depending upon task complexity and other factors.

Much of the important research in the effects of noise on performance conducted over the last decade has focused on the effects of irrelevant speech.[17] The adverse effects of irrelevant speech appear to be fairly independent of sound level, at least in the 55-95 dB range, and therefore, are not mitigated simply by attenuating them by 10 dB or so (Jones, 1990). It also appears that irrelevant speech affects processes involving memory (e.g., reasoning, mental arithmetic, and problem solving)

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[16] For a comprehensive review of the effects of noise on job performance, see Suter, 1989.

[17] The initial work was performed by Salame and Baddeley (1982, 1983, and 1987), and has been summarized by Jones (1990) at a recent conference in Stockholm.

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rather than attention. With respect to reading tasks, however, meaningful speech is more disruptive than meaningless speech (Jones, 1990). These findings have significance for many modern work and school environments, where information processing and exchange is so important, especially those of the "open plan" variety.

3. Task variables

Task complexity has been identified in numerous experiments as a crucial determinant of the effects of noise on performance. Noise exposure usually leaves simple routine tasks unaffected, and can even improve performance of monotonous tasks, presumably by elevating one's level of arousal (Broadbent, 1971). Some tasks, such as tracking and jobs requiring intellectual function, can be momentarily disrupted without decrements in overall performance (Broadbent, 1979). But if the noise level is sufficiently high or if the task becomes more complex, noise will have an adverse effect. When two or more tasks must be performed simultaneously in a noisy environment, performance on the primary task usually remains unaffected, while performance on the subsidiary task deteriorates (Hockey and Hamilton, 1970; Davies and Jones, 1975; Finkleman and Glass, 1970).

4. After-effects

It seems that noise can have even greater effects after than during exposure. The most common after-effect appearing in the experimental literature is a reduced tolerance for frustration, manifested in a series of experiments as a reduction in willingness to persist in trying to solve insoluble puzzles (Glass and Singer, 1972; Percival and Loeb, 1980). This research also indicates that predictability of the noise signal greatly reduces its adverse after-effects (Glass and Singer, 1972). One study found that the type of noise also influenced the after-effect. Aircraft noise modified to produce sudden onsets and offsets resulted in a lower tolerance for frustration after the exposure than white noise that ad been similarly modified (Percival and Loeb, 1980).

5. Effects of noise on social behavior

There is an extensive literature concerning the effect of noise on social behavior, and just a few examples of this research will be discussed here. Singer et al. (1990) point out that noise has been used as a noxious stimulus in a variety of investigations because it produces the same biological and psychological effects as other stressors. In fact, they observe that the effects of noise combined with perceived control have been frequently demonstrated, and these investigations have also been extended to many other situations where the presence of control reliably moderates the effects of stress.[18]

In a frequently-cited laboratory study, Matthews and Cannon (1975) found that fewer subjects there willing to help someone who had "accidentally" dropped materials when background noise levels there 85 dB than when they there 65 dB. In a subsequent field study, the same results there demonstrated in a background of lawn mother noise, and this time the addition of a cast on the "victim's" arm enhanced helping behavior under quiet conditions, but failed to do so during the noise episodes (Matthews and Cannon, 1975). In another such experiment, Sauser et al. (1978) found that subjects recommended lower salaries for fictitious employees when exposed to A-weighted levels of office noise at 70 to 80 dB than in quiet. Broadbent (1979 and 1983) cites additional evidence suggesting that subjects will give each other increased amounts of shock and noise when they themselves are exposed to noise, and also cites evidence that noise increases anxiety levels (Broadbent, 1983).

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[18] Singer et al. (1990) cite the research of Langer and Rodin on the effects of patient control in a nursing home situation.

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As mentioned above, the presence of control, or even perceived control, is one of the most important predictors of adverse behavioral effects. Subjects who perceive that they have control over the noise show significantly greater tolerance for frustration than subjects without control, even if the control is never exercised (Glass and Singer, 1972). In a recent experiment, Singer and his colleagues found that subjects who there told that they had control of an A-weighted, 103-dB noise stimulus showed significantly greater persistence on a difficult task than subjects who had no control or subjects that had control for only part of the experiment (Singer et al., 1990). This finding occurred despite the fact that the subjects with only partial control reported feelings of control no different from those with full control. To the extent that these findings can be generalized to populations living in noisy areas, this kind of research may have significant sociological implications.

6. Summary: Effects on performance and behavior

Noise can adversely affect task performance in a variety of circumstances. In the past, research in this area has focused mainly on the occupational setting, where noise levels must be sufficiently high and the task sufficiently complex for performance decrements to occur. Recent research implicates more moderate noise levels, especially when speech is the disruptive noise stimulus. Some research indicates that noise can also produce disruptive after-effects, commonly manifested as a reduced tolerance for frustration, and it appears that the presence and timing of control over the noise are critical to the prediction of after-effects. Even moderate noise levels can increase anxiety, decrease the incidence of helping behavior, and increase the risk of hostile behavior in experimental subjects. These effects may, to some extent, help explain the "dehumanization" of today's urban environment.

E. Extra-Auditory Health Effects

Noise has been implicated in the development or exacerbation of a variety of health problems, ranging from hypertension to psychosis. Some of these findings are based on carefully controlled laboratory or field research, but many others are the products of studies that have been severely criticized by the research community. In either case, obtaining valid data can be very difficult because of the myriad of intervening variables that must be controlled, such as age, selection bias, preexisting health conditions, diet, smoking habits, alcohol consumption, socioeconomic status, exposure to other agents, and environmental and social stressors. Additional difficulties lie in the interpretation of the findings, especially those involving acute effects. For example, if noise raises blood pressure on a temporary basis, will prolonged exposure produce permanent changes? In cases where these effects are permanent but slight, what are the long-term implications? These types of questions and problems have caused this particular area of noise research and criteria development to be very controversial.

1. Theoretical basis

Noise is considered a nonspecific biological stressor, eliciting a response that prepares the body . for action, sometimes referred to as the "fight or flight" response. The physiological mechanism thought to be responsible for this reaction is the stimulation by noise (via the auditory system) of the brain's reticular activating system (Cohen, 1977). Neural impulses spread from the reticular system to the higher cortex and throughout the central nervous system. Noise can, therefore, influence perceptual, motor, and cognitive behavior, and also trigger glandular, cardiovascular, and gastrointestinal changes by means of the autonomic nervous system. Evidence of these effects, however, is not easy to. come by. Despite decades of research and probably hundreds of studies, relatively little can be said with much confidence.

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2. Effects on blood pressure

Probably the most attention has been directed toward cardiovascular effects, especially potential elevations in blood pressure. Many studies of the stressful effects of noise have been conducted on rodents and other laboratory animals. the advantage of these studies is that they offer a greater degree of control and it is possible to have longer exposures than with human subjects. The disadvantages are that there is difficulty generalizing to humans, especially with the smaller animals, the expense involved when larger animals are used, and the prevailing public sentiment against animal experimentation.

EPA sponsored one of the most notable animal studies of noise exposure, in which Peterson and his colleagues performed five sets of experiments on the cardiovascular effects of noise on monkeys (Peterson et al., 1978, 1981, and 1983). The stimulus consisted of A-weighted levels of workplace noise at 85 to 90 dB, and the exposures there as long as 9 months. The results showed significant elevations of both systolic and diastolic blood pressure the fact that these changes persisted long after exposure cessation argues for a chronic effect, at least in this case. Unfortunately, an attempt to replicate this experiment with another primate model was discontinued for lack of funding after only two subjects had been exposed (Turkkan, et al., 1983). Relatively few animal experiments have been conducted in this area over recent years.

With respect to laboratory investigations involving human subjects, Rehm (1983) cites six studies showing increases in blood pressure, but questions whether these effects would be permanent. In an attempt to identify more susceptible populations, Michalak et al. (1990) investigated the effects of low-flying aircraft on elderly subjects. Using recorded aircraft sounds, they found significant increases in both systolic and diastolic blood pressure after exposure to the two types of noise, with significantly greater response to the rapid-onset flyover noise. Whether or not these increases would become permanent with protracted exposure is not known.

Field studies of noise and blood pressure among workers or community residents are becoming increasingly popular, but the results are not always consistent. Rehm (1983) has reviewed 14 field studies, mostly of occupational noise exposure, and reports that the majority showed significant increases in either systolic or diastolic blood pressure, or both. Van Dijk et al. (1983), however, reports that six other studies of exposure to occupational noise found no significant differences between exposed and nonexposed groups.

Knipschild and Oudshoom (1977) avoided some of the pitfalls characteristic of epidemiological studies by examining a population near the Amsterdam airport before and after an increase in exposure to aircraft noise, and comparing it to a nonexposed population nearby. The dependent variable was the purchase of certain prescription drugs: tranquilizers, sleeping pills, antacids, and cardiovascular drugs. The investigators found that the use of these drugs in the nonnoise area was essentially stable, whereas the use of most types of these drugs in the area newly impacted by noise increased steadily over the years investigated. This increase was especially noticeable for antihypertensive drugs.

In a more recent review, van Dijk (1990) analyzed 12 cross-sectional studies, with half of them showing a positive relation between noise exposure and blood pressure, and the others no significant effects. Van Dijk criticizes these kinds of investigations for the following kinds of weaknesses: inadequate description of noise and blood pressure measurements; absence or inadequate control of intervening variables; use of hearing loss as a determinant of exposure magnitude; use of hearing. protectors; and questionable interpretation of the results. Part of the problem may be that the investigators often come from only one discipline, when, in fact, a multi-disciplinary team is needed.

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Thompson and Fidell (1990) recommend the use of prospective or case-control models, rather than the more convenient cross-sectioned study, and they stress the importance of adequate sample size. They maintain that because any changes in blood pressure resulting from community noise are likely to be small, careful controls, large sample sizes, and at least 5 years of exposure to noise would be nerved to identify significant effects.

3. Effects on blood chemistry

Blood chemistry is also of interest in studies of wire exposure and the cardiovascular system. In the review cited above, Rehm (1983) reports on a series of experiments, both laboratory and field, which show increased levels of the catecholamines epinephrine and norepinephrine. Among them are the series of experiments by Ising and his colleagues (1981a, 1981b, 1981c), showing a connection between noise exposure and magnesium metabolism and humans and animals. According to Rehm, this finding suggests a possible mechanism for cardiovascular effects in that a chronic magnesium imbalance can lead to increased intracellular levels of calcium (in the heart, for instance), which, in turn, can cause vasoconstriction and increases the sensitization for catecholamines.

A large epidemiological study, the Caerphilly and Speedwell Heart Disease Study in England, holds some promise for investigating the effects of road traffic noise (Babisch and Gallacher, 1990). This study of heart disease and a variety of environmental factors uses both the cross-sectional and prospective approaches, and should continue for more than 10 years. The investigators have performed detailed noise exposure measurements. Sample sizes of more than 2000 men have been drawn from both the Caerphilly and Speedwell communities, and controls for age, socio-economic factors, family history, body weight, smoking habits, alcohol, and physical activity have been instituted. Initial results (from the cross-sectional study) indicate significant noise related elevations of serum cholesterol and glucose levels, and plasma viscosity, with an absence of significance for blood pressure or any of the other cardiovascular risk factors. The authors point out that all of the effects there slight, but even small increases, should they prove to be real, would be relevant to the public health.

4. Interactions

Several investigators have suggested that aversion to noise may be more highly correlated with health problems than the noise itself. For example, a study by Rehm (1983) found a significant correlation between noise annoyance and cardiovascular disorders. Her data also suggest that those with existing health problems are more annoyed by environmental factors, such as noise. Similarly, Rovekamp (1983) found that subjects who described themselves as sensitive to noise showed significantly greater noise-induced increases in peripheral vasoconstriction than their "normal" counterparts. Finally, a recent study . of road traffic and aircraft noise failed to show a significant increase in blood pressure resulting from noise, but did show a correlation between the presence of noise and subjective health complaints (Pulles et al.,1990). Differences in effects between noise and non-noise groups there dependent upon the subjects' perceived control over the noise, but independent of noise level.

5. Other adverse effects

Adverse health effects from noise exposure other than cardiovascular effects are even more difficult to isolate. Several studies have investigated the effects of noise on fetal development, with inconclusive results. Some have shown an indication of reduced birth weight or an increase in premature births, but the effects are usually slight, and (except in one case, McDonald et al., 1988), not statistically significant (Rehm and Jansen, 1978; Knipschild et al.., 1981).

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The effects of noise on documented mental health disorders are likewise inconclusive. Rehm (1990) cites a series of studies showing increased numbers of psychoneurotic and psychosomatic complaints due to noise exposure, but whether or not these complaints lead to chronic disfunction or illness is not obvious.

6. Summary: Extra-auditory effects

As a biological stressor, noise can influence the entire physiological system. Most effects appear to be transitory, but with continued exposure some effects have been shown to be chronic in laboratory animals. Probably the strongest evidence lies in the cardiovascular effects. However, many studies show adverse effects, while many others show no significant differences between experimental and control populations.

Undoubtedly because of the lack of consistent evidence in thin area, EPA could not use data on extra-auditory health effects in its identification of safe levels of environmental noise. Instead, this subject was relegated to a brief discussion in an appendix in the Levels Document. Although considerable attention was devoted to this topic at the international conference in Yugoslavia, and some coverage was given in the 1973 Criteria Document, the evidence was far from sufficient and much too complex to enable the formulation of dose-response relationships. Later, EPA did fund some promising research in this area (Hattis and Richardson, 1980; Peterson et al., 1978, 1981, 1983; Turkkan, 1983), some of which has clearly demonstrated adverse cardiovascular effects at noise levels typical of occupational settings.

In the interim, there has been considerable European research activity in this area, but nearly 20 years later, criteria are still lacking. What is available, however, should give public policymakers as well as noise producers some reason for concern, especially in situations where those impacted by the noise have no control over or perceive they have no control over their exposures.

F. Annoyance

Annoyance is the measured outcome of a community's response to survey questions on various environmental and other factors, such as noise exposure. Although annoyance in individuals is sometimes measured in the laboratory, field evaluations of community annoyance are most useful for predicting the consequences of planned actions involving highways, airports, road traffic, railroads, or other noise sources. Factors directly affecting annoyance from noise include interference with communication and sleep disturbance, which have been discussed in earlier sections. Other less direct effects are disruption of one's peace of mind, the enjoyment of one's property, and the enjoyment of solitude. The consequences of noise-induced annoyance are privately felt dissatisfaction, publicly expressed complaints to authorities, and potential adverse health effects, as suggested above.

"Annoyance" has been the term used to describe the community's collective feelings about noise ever since the early noise surveys in the 1950s and 1960s, although some have suggested that this term tends to minimize the impact. While "aversion" or "distress" might be more appropriate descriptors, their use would make comparisons to previous research difficult. It should be clear, however, that annoyance can connote more than a slight irritation; it can mean a significant degradation in the quality of life. This represents a degradation of health in accordance with the WHO's definition of health, meaning total physical and mental well-being, as well as the absence of disease.

1. Predicting annoyance for public policy purposes

To facilitate the development of criteria and public policy, Schultz (1978) summarized and analyzed a large number of studies of community annoyance from aircraft, road traffic, and railroad noise. As

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part of this effort, Schultz made several simplifying assumptions, among them that the percentage of the population determined to be "highly annoyed" would be the only parameter plotted as a function of day-night average sound level. The resulting curve portrays annoyance as independent of noise source, and it has been dubbed the Schultz curve.

Recently, Fidell et al. (1991) reanalyzed the original data used by Schultz, adding new data from it community noise surveys. The resulting function shows slightly greater annoyance in the range between DNLS of 51 dB and 72 dB, and slightly less annoyance above about a DNL of 76 dB than the original curve. In general, the two curves are fairly close, indicating that the new studies have not drastically altered the prediction of community annoyance, at least when reactions to various noise sources are plotted together. When annoyance from various noise sources is analyzed separately, however, the new data are quite revealing, as will be discussed below.

Although it has been used internationally in the formation of noise policy, the Schultz curve has been the subject of much debate (Kryter, 1982a, 1982b; Griffiths, 1983). For example, Griffiths (1983) criticizes Schultz for treating attitudinal data categorically (highly annoyed or otherwise) rather than scaling it, for failing to analyze the distribution of annoyance, for assuming a fixed threshold for noise-related annoyance, and for choosing such an extreme criterion as highly annoyed. Perhaps because of these reasons, as well as a number of others, researchers and policymakers are beginning to examine alternatives to the Schultz curve for predicting community annoyance from noise.

2. Metrics

The metrics most commonly used to describe the relationship between noise and community annoyance are the equivalent continuous sound level, and the day-night average sound level (DNL), composite ratings based on the A-weighted sound level. The DNL is used almost exclusively for airport planning in the U.S., but this practice has recently been called into question. For example, the importance of communication and relaxation in the evening hours has been recognized (in California and occasionally in Europe) by the use of the community noise equivalent level (CNEL), a metric that includes a 5-dB penalty for noises occurring between 7:00 and 10:00 pm as well as the 10-dB nighttime penalty (California Code of Regulations, 1990). In a study of the communities surrounding two French airports, residents expressed the greatest annoyance during the hours between 7:00 and 11:00 pm (Francois, 1977).

Some authorities are considering the use of the sound exposure level (SEL) for evaluating the effects of single events, such as aircraft flyovers (EPA/FAA, 1990). The importance of other parameters are also being considered, such as rise time (or onset time) as an indicator of the annoyance from low-flying military aircraft (Harris, 1989). Officials from the U.S. Forest Service report that their agency has begun to use an aircraft detectability criterion to site recreational facilities (Harrison et al., 1990).

3. Criteria

Community annoyance resulting from noise-induced activity interference was one of the most important considerations in EPA's identification of an outdoor DNL of 55 dB as the "safe" level of environmental noise (EPA, 1974a). Some years later, a Federal Inter-Agency Committee on Urban

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Noise (FICUN) developed guidelines for considering noise in land-use planning and control (DOT, 1980).[19]

In its noise zone classification table, "minimal" exposures to noise there defined as DNLS below 55 dB, and between DNLS of 55 and 65 dB, the exposures there labeled "moderate." However, all of these exposures there considered "acceptable" according to land-use planning standards specified by the Department of Housing and Urban Development (HUD). No research was cited to support these conclusions. In a footnote, FICUN stated the following:

HUD, DOT and EPA recognize Ldn = 55 dB as a goal for outdoors in residential areas in protecting the public health and welfare with an adequate margin of safety (Reference: EPA "Levels" Document.) However, it is not a regulatory goal. It is a level defined by a negotiated scientific consensus without concern for economic and technological feasibility or the needs and desires of any particular community.

The Department of Transportation's Federal Aviation Administration (FAA) has adopted a DNL of 65 as the point above which residential land-use becomes "normally unacceptable." Below this level, the FAA does not require airport authorities to draw noise contours or discuss the impact of airport noise on the surrounding communities for purposes of compatibility planning or to receive grants under the Part 150 program.[20] Thus, public policy decisions, at least on the federal level, have not considered the annoyance of individuals living in the DNL 55-65 dB range.

Recent research confirms the findings of earlier investigations relied upon by the EPA, that annoyance is often generated at day-night average sound levels well below 65 dB (Fidell et al., 1985; Fidell et al., 1991; Hall et al., 1981). Figures 4 and 5 from Fidell et al. (1991) portray the responses from surveys of two mid-sized airports in California: Burbank Airport and the Orange County Airport. The percentage of respondents highly annoyed is depicted as a function of DNL, and compared to the Schultz curve. Both studies show significantly greater numbers of people highly annoyed than would have been predicted by the Schultz curve. For example, at 60 dB, as many as 70 percent of the Burbank population described themselves as highly annoyed and some 40 percent near the Orange County Airport.

Presumably because of this kind of evidence, another interagency task force has convened to discuss the extent to which day-night average sound levels below 65 dB should be taken into account in assessing the impact of aircraft/airport noise, and to examine the possible need for a single-event metric to supplement the DNL (EPA/FAA, 1990).[21]

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[19] FICUN was an ad-hoc interagency panel composed of representatives from EPA, FAA, HUD, the Department of Defense, and the Veterans Administration. In 1990 another such group, the Federal Interagency Committee on Noise (FICON) has been activated (focussing mainly on aircraft noise), but a report has not been published to date.

[20] Part 150 studies are conducted at airports where the noise generated by airport construction or expansion is potentially incompatible with the surrounding community. These studies must follow the procedure set out by Federal Aviation Regulations (FAR) Part 150.

[21] The U.S. EPA and FAA put together an intragency agreement to examine the extent to which single event analyses and information beyond the Ldn = 65 contour provide useful additions to current methods of evaluating potential airport noise impacts. Under this agreement, a contractor would identify eight existing airports and perform a quantitative analysis using existing data. No new annoyance data would be developed.

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4. Sources

The sources of noise producing community annoyance are primarily aircraft, road traffic, and railroad noise, although noise from industry, construction, and within buildings can also be problematical. The leading offenders are usually aircraft and road traffic noise, although the hierarchy depends upon many factors, such as urbanization, numbers of noise events, and proximity to the sources. Recent research indicates that, despite equivalent noise levels, some sources of community noise are more annoying than others, providing further indication that the Schultz curve cannot be valid for all circumstances.

Treating annoyance from all sources with one predictive curve provokes the hoards of oversimplification. De Jong (1990a) reports that an analysis of Dutch studies carried out over the previous 15 years showed that aircraft and highway noise produced considerably more annoyance than equivalent levels of train, tramway, and urban road noise (Miedema, 1988). The divergence was particularly pronounced at high noise levels. The fact that aircraft generate more annoyance than surface transportation is portrayed dramatically in the analysis described above by Fidell et al. (1991), where annoyance related to mid-sized airports appears substantially greater than that predicted by the Schultz curve, while annoyance from urban sources, such as trains, trams, and street traffic, is considerably less than that predicted by the Schultz curve.[22] Figures 6 and 7, also from Fidell et al. (1991), depict data from British and Swedish railroad studies, showing somewhat less annoyance from these sources in relation to the Schultz curve.

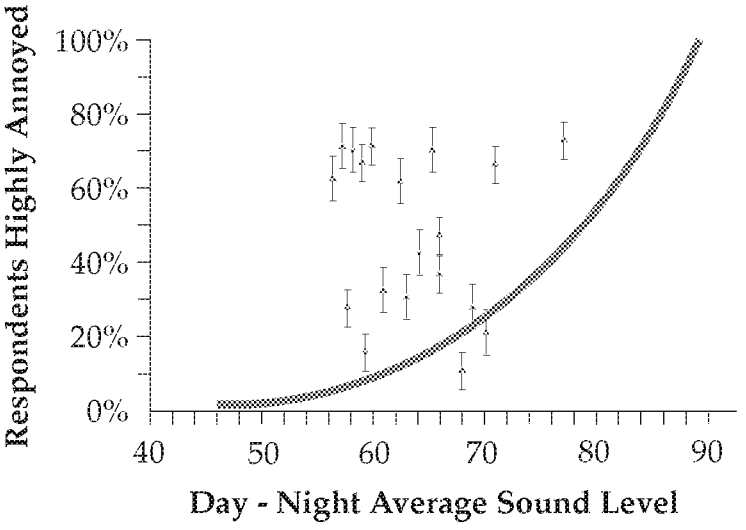

Relationship of data from Burbank Airport Study to 1978 synthesis (Schultz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. (After Fidell et al. 1991)

[22] See also Fidell et al. (1985), Hall et al. (1981), and de Jong (1990).

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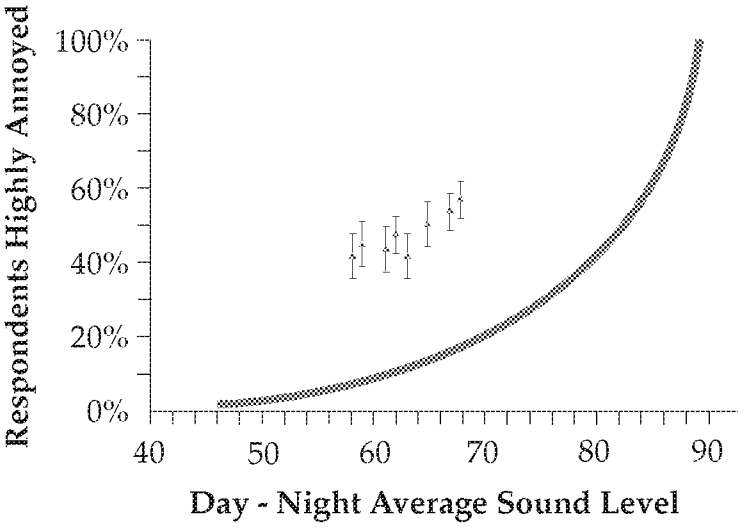

Figure 5
Relationship of data from Orange Country Airport Study to 1978 synthesis (Schultz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. (After Fidell et al., 1991).

The explanation for these source-related differences is not necessarily that aircraft noise is inherently more annoying than surface transportation noise. It may be related to differences in people's criteria for responding to various noise sources (de Jong, 1990b; Green and Fidell, 1991). Or it may be caused by differences in sensitivity which are actually biologically based.[23] Green and Fidell (1991) point out that this evidence does not discredit the predictive validity of the DNL, but suggest that communities adopt a more sensitive criterion when evaluating the impact of aircraft noise.[24]

Impulse noise also appears to be more annoying than continuous noise of equivalent energy, and various penalties have been proposed ranging from 0 dB at relatively high ambient noise levels of about 67 dB, to 10 dB at ambient levels as low as 35 dB (Rice, 1983). Vos and Smoorenburg (1983) have recommended a formula for computing the impulse noise penalty, taking into account the type of noise source, the signal level, and the ambient noise level.

As de Jong points out (1990b), most people are exposed to some combination of noise sources, posing a very complex predictive problem. Several models for predicting noise annoyance from complex sources have been proposed, but most fail to solve the difficult theoretical problems involved (de Jong cites Berglund et al., 1981, and Miedema, 1985). Among the groups working on these models are the Institute for Sound and Vibration Research in England, and the Netherlands' Organization for Applied Scientific Research, TNO.

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[23] De Jong (1990b) cites the work of Di Nisi et al. (1987) and Ising, et al.(1981b) to support this theory.

[24] Green and Fidell found a difference of 5.2 dB bettheen the noise levels at which the same percentage of people are highly annoyed by aircraft noise versus noise from surface transportation.

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5. Nonacoustics variables

Although it is dear that community annoyance is positively correlated with noise exposure level, other variables also appear to be important, such as ambient noise level, time of day and year, location, and socioeconomic status. None of these other variables, however, is as powerful as the attitude of the residents surveyed. This is a good example of the fact that the human being is not a black box, where the effect is a simple consequence of the input. In a recent analysis of 280 social surveys, Fields (1990) examined 17 hypotheses as they relate to community annoyance from noise. Besides noise exposure level, the only variables Fields identified as strongly correlated with noise annoyance there the attitudinal hypotheses: (1) fear that the noise source might be a danger to the neighborhood, (2) belief that the noise is preventable, (3) awareness that non-noise problems are associated with the noise source, (4) stated sensitivity to noise, and (5) belief that the economic activity represented by the source is not important for the community.

6. Habituation

The evidence is fairly dear that so long as the stimulus remains the same, noise annoyance does not subside over time (e.g., Fields, 1990). Griffiths (1983) cites studies showing no habituation for highway noise 4 months to 2 years after the opening of new routes. De long (1990) found that annoyance in a previously surveyed community increased by 10 percent with no change in noise levels. He suggests that this increase could represent a shift of internal criteria due to increased publicity and other factors, or perhaps an increase in physiological sensitization.

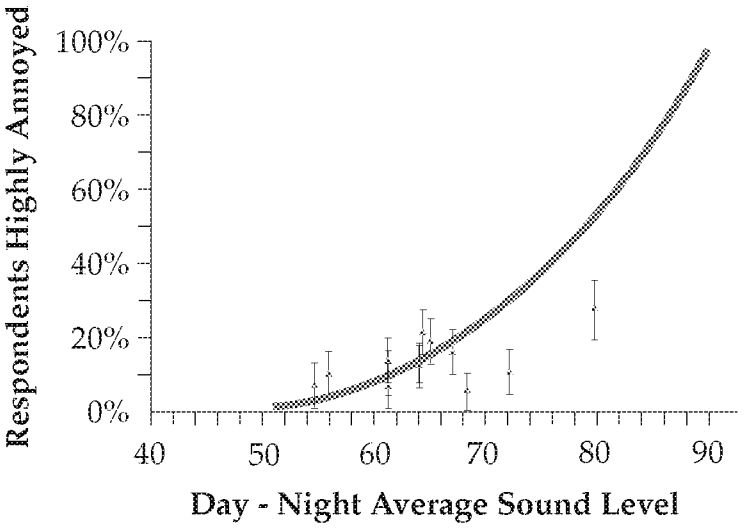

Figure 7 - Relationship of data from Swedish Railroad Study to 1978 synthesis (Schulz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. After Fidell et al, 1991).

There has been very little study of the effects of noise-related annoyance on general health, although this would appear to be a fertile field. The study mentioned in section E.4, above by Rehm (1983) suggests a relationship between annoyance and cardiovascular disorders. Likewise, another study indicates a connection between noise and subjective health complaints (Pulles, et al., 1990). De Jong (1990a) refers to the recent use in Germany of the concept of "substantial annoyance" as a

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predictor of possible health damage.[25] He recommends the development of an integrated theory of noise effects "to uncover the relationships among medical, physiological, behavioral, and ecological effects of environmental noise. " (de Jong, 1990a, p.520)

8. Summary: Annoyance

Annoyance can be viewed as the expression of negative feelings resulting from interference with activities, as well as disruption of one's peace of mind and the enjoyment of one's environment. Although this reaction can run the gamut of mild irritation to extreme distress, only responses categorized as "highly annoyed" (and greater) have been used to measure the impact of noise on communities. The most respected and widely used criterion to assess community annoyance in the U.S. has been the Schultz curve, although this criterion has been the subject of heated debate. Several recent studies indicate that the Schultz curve underestimates annoyance due to aircraft noise and overestimates annoyance from the noise of urban traffic and trains, leading to the conclusion that annoyance from these categories should be assessed separately. In addition, there has been growing interest in supplementing the traditional DNL with a descriptor for single events.

EPA's Levels Document identified the outdoor level to protect against activity interference as a day-night average sound level of 55 dB. This identification was not to be construed as a standard or regulation,[26] but as information to aid states, localities, and the general public. Later, an interagency task force identified average levels between 55 and 65 dB as "acceptable" for purposes of land-use planning. The DNL 65-dB criterion, which has been applied particularly to airport noise assessments, is now being reconsidered by another interagency task force.

There is evidence that impulse noise is more annoying than continuous noise of equivalent energy, and various correction factors have been proposed to account for the difference. In addition, most people are exposed to a combination of noise sources, and models for predicting the resulting annoyance are in the formative stages.

The most important variables other than noise exposure level relate to people's attitudes about the noise, such as fear of possible danger, stated sensitivity, and the belief that the noise is preventable. Finally, it appears that noise-related annoyance does not subside over time.

VI. Conclusions

Noise has a significant impact on the quality of American life. There is no evidence that the impact has diminished in the years since ONAC was abolished. Rather, it appears that the impact is at least as great, and most probably greater, than it was 10 years ago, due to population growth, especially in urban areas, and the proliferation of certain noise sources.

A considerable amount of noise effects research has been conducted over the last decade, much of it taking place in the European nations where governmental concern about noise is greater than it is in the U.S. at this time. These studies have expanded the knowledge base and filled certain gaps. Many of them suggest important interrelationships between the various noise effects that remain largely unexplored. For example, perceived control over noise appears to decrease its adverse effects on the subsequent performance of certain tasks. The concept of control also has a bearing on annoyance from noise, as do several other nonacoustic factors. Annoyance appears to be related to

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[25] De Jong cites Jansen (1986).

[26] See Foreword, Levels Document (EPA, 1974a).

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extra-auditory health effects, and chronic sleep interference, which is a component of annoyance, can have adverse effects on health and well-being.

All of these effects are, to a varying degree, stress related. Nowadays there is increasing evidence in the medical literature on the relationship between stress and illness, one which is often exacerbated by lack of control.

Cumulatively, this evidence suggests the potential for a unifying hypothesis that may well explain some of the health effects that have been observed in connection to noise exposure, but have usually been dismissed because of the absence or insufficiency of direct cause and effect relationships. Such a hypothesis, however, can only be validated by a new interdisciplinary approach, one which takes a broader and somewhat different perspective than is currently employed. This approach could very well provide the key to understanding a great deal more about the general impact of noise on society, and the extra-auditory effects in particular.

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SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

THE HEALTH EFFECTS OF AIR POLLUTION ON CHILDREN

Fall 2000

Michael T. Kleinman, Ph.D.
Professor, Department of Community and Environmental Medicine
University of California, Irvine.

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Introduction

Air pollution has many effects on the health of both adults and children. The purpose of this article will be to examine what is known about how air pollution affects health, especially children's.

Over the past several years the incidence of a number of diseases has increased greatly. Asthma is perhaps the most important disease with an increasing incidence, but other diseases, such as allergic reactions, bronchitis and respiratory infections also have been increasing. The cause of these increases may be due at least in part to the effects of air pollution. This review will address the following questions:

1. Why are children more susceptible to the effects of air pollution than adults?
2. Which air pollutants have the greatest impact on the health of children and adults?
3. What can be done to reduce the effects of air pollution on children's health?

Why are Children More Susceptible to Air Pollution Than Adults?

In many health effects research studies, children are considered as if they were small adults. This is not really true. There are many differences between children and adults in the ways that they respond to air pollution. For example, children take in more air per unit body weight at a given level of exertion than do adults. When a child is exercising at maximum levels, such as during a soccer game or other sports event, they may take in 20 percent to 50 percent more air -- and more air pollution -- than would an adult in comparable activity.

Another important difference is that children do not necessarily respond to air pollution in the same way as adults. Adults exposed to low levels of the pollutant ozone will experience symptoms such as coughing, soreness in their chests, sore throats, and sometimes headaches. Children, on the other hand, may not feel the same symptoms, or at least they do not acknowledge them when asked by researchers. It is currently not known if children actually do not feel the symptoms or if they ignore them while preoccupied with play activities.

This probably does not mean that children are less sensitive to air pollution than adults. There are several good studies that show children to have losses in lung functions even when they don’t cough or feel discomfort. This is important because symptoms are often warning signals and can be used to trigger protective behavior. Children may not perceive these warning signals and might not reduce their activities on smoggy days.

Children also spend more time outside than adults. The average adult, except for those who work mostly outdoors, spends most of their time indoors -- at home, work, or even at the gym. Children spend more time outside, and are often outdoors during periods when air pollution is at its highest.

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The typical adult spends 85 percent to 95 percent of their time indoors, while children may spend less than 80 percent of their time indoors. Children may also exert themselves harder than adults when playing outside.

Perhaps the most important difference between adults and children is that children are growing and developing. Along with their increased body size, children's lungs are growing and changing, too.

The Lung's Important Role in Health
The lung is an extremely complex organ. While most organs in your body are made up of a few different types of cells, the lung contains more than 40 different kinds of cells. Each of these cells is important to health and maintaining the body's fitness.

Air pollution can change the cells in the lung by damaging those that are most susceptible. If the cells that are damaged are important in the development of new functional parts of the lung, then the lung may not achieve its full growth and function as a child matures to adulthood. Although very little research has been conducted to address this extremely important issue, this review will discuss the information that is available.

USC Children's Health Study
Recent results from the Children's Health Study, conducted by investigators at the University of Southern California, suggest that children with asthma are at much greater risk of increased asthma symptoms when they live in communities with higher levels of ozone and particles and participate in three or more competitive sports. Having said all this, the purpose of this review is not to discourage children or adults from normal daily activities and outdoor exercise. Exercise has very important, beneficial outcomes. Appropriate exercise and prudent exposures of children and adults should be encouraged even in an environment that may always contain some amount of air pollution.

Which Air Pollutants Have the Greatest Impact on the Health of Children and Adults?

Ozone

Ozone is one of the most important air pollutants affecting human health in regions like Southern California.

Ozone (O_3) is a molecule built of three atoms of oxygen linked together in a very energetic combination. When ozone comes into contact with a surface it rapidly releases this extra force in the form of chemical energy. When this happens in biological systems, such as the respiratory tract, this energy can cause damage to sensitive tissues in the upper and lower airways.

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Ozone formation

Because ozone forms as a product of solar energy and photochemical reactions of pollutants, it is not surprising that the highest concentrations of ozone in the atmosphere occur when sunlight is most intense. Thus, ozone generally reaches peak levels during the middle of the day in the summer months. These types of air pollution patterns are called diurnal and seasonal variations. The following graph shows that ozone levels in the San Bernardino Mountains are highest in the summer and fall, and peak in the late afternoon.

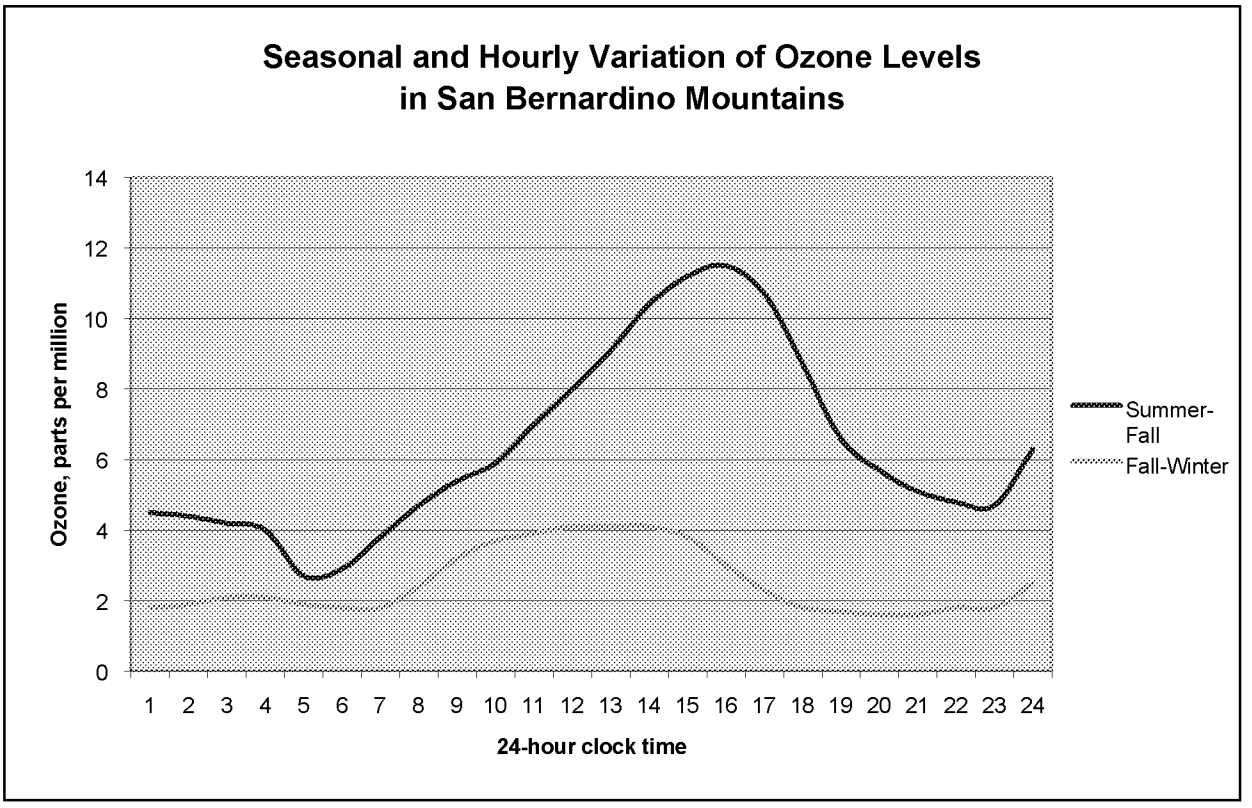

Ozone Air Quality Standards

Federal and state agencies have set air quality standards for ozone. An ozone level greater than 0.08 parts per million (ppm) averaged over eight hours is considered unhealthful. This level has been set because both laboratory and community studies have demonstrated measurable effects of ozone at or above that threshold.

The effects of ozone on people include:

- irritation of the nose and throat;
- increased mucus production and tendency to cough;
- eye irritation and headaches for some; and
- during severe episodes, chest pain and difficulty taking a deep breath without coughing.

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How Ozone Damages Lungs

What happens when you breathe air that is contaminated with ozone? Like oxygen, ozone is soluble in the fluids that line the respiratory tract. Therefore some ozone can penetrate into the gas-exchange, or alveolar, region of the deep lung.

The following photos show how ozone affects the sensitive tissue in the deep lung. The pictures are from the lungs of rats exposed to ozone in a laboratory under carefully controlled conditions. The human lung is similar --although not identical -- to the rat's lung in terms of the types of cells and the overall structure of the alveolar region.

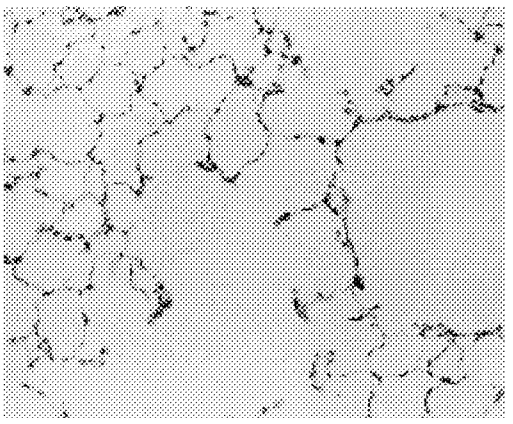

Figure 1

Figure 1 shows a magnified view of the structure of the normal gas-exchange region of the lung. It is called the gas-exchange region because oxygen inhaled from the air is transferred to the hemoglobin in blood in small blood vessels located inside the thin walls separating the alveolar air spaces.

At the same time, carbon dioxide, produced by normal metabolism and dissolved in the blood, is excreted into the air and expired when you breathe out.

The walls of a normal alveolus are very thin. There are only two layers of cells and a thin interstitial matrix separating the air in the alveolar space, or lumen, from the fluid inside the blood vessels. The cells that line the healthy alveoli are mostly very broad and very thin, and are called Type I lung cells or Type I pneumocytes. This provides a very large surface area across which gases can be efficiently transported.

Figure 2 shows the effects of breathing 0.2 ppm ozone for 4 hours. In Southern California air pollution levels can approach 0.2 ppm -- a Stage 1 ozone alert -- during the smoggiest summer days. The photo shows evidence of additional cells, called macrophages, and some material that may be fragments of ozone-injured alveolar wall cells inside the alveolar space.

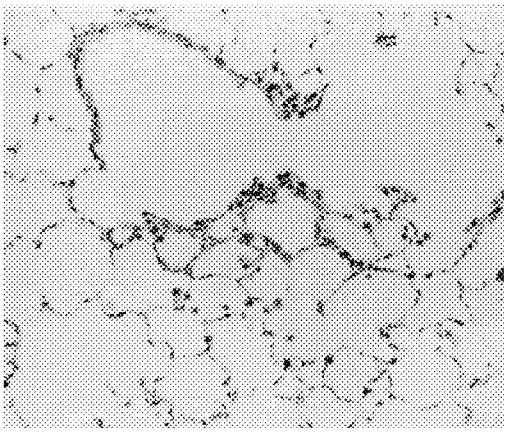

Figure 2

Macrophages are immune system cells that respond to the injury of the delicate cells that line the alveolar lumen. These macrophages play important roles in protecting the lungs from inhaled bacteria,

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fungi and viruses, and are also important in helping to repair lung tissue injury caused by inhaled pollutants.

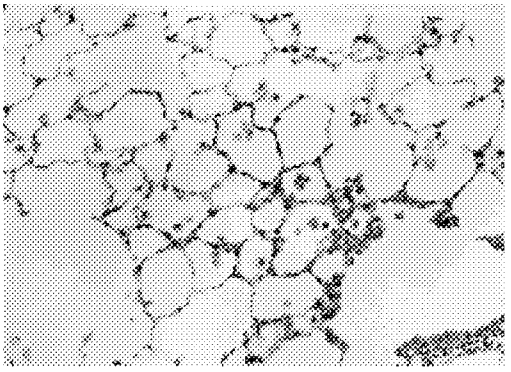

Figure 3

Figure 3 shows more extensive damage following exposure a higher concentration of ozone, 0.6 ppm. The alveolar walls are thicker and there is evidence of cells infiltrating within the walls. There are more macrophages in the alveolar spaces and the thin, Type I cells have been damaged and replaced with thicker Type II, almost cube-shaped cells that are more resistant to the toxic effects of ozone. All of these changes occurred within 48 hours after exposure. If exposure continues for more than three days, the evidence of cell injury seems to be reduced, except for the continuing presence of the Type II cells.

Is Ozone-Related Lung Damage Permanent?
People actually report that the symptoms they feel when first exposed to ozone seem to go away, even though their exposure continues.

Following ozone injury, if the lung is not exposed to ozone for approximately five to seven days, it can for the most part repair itself provided the injury is not too extensive. However, long-term studies with laboratory animals have shown that there may be residual and in some cases permanent damage. This damage might be thought of as accelerated aging of the lung. Thus, frequent exposures to ozone can cause transient damage. The lung's defenses can repair most but probably not all of that damage within a relatively short time in most healthy individuals.

Research and Air Quality Standards
Health scientists probably know more about the effects of ozone on human health than about any other pollutants. This is because ozone is pervasive in the environment. Also there are excellent methods of measuring ozone so the pollutant can be studied using epidemiological methods. The findings of these epidemiological studies can be verified using well-controlled laboratory studies with human volunteers and laboratory animals. Thousands of scientific papers on the health effects of ozone have been published and these have been critically reviewed in documents that provide the scientific basis for National and State Ambient Air Quality Standards. (Ambient refers to outdoor air.)

These so-called Criteria Documents are important because they are extensively reviewed by scientists, public agencies, industry representatives, environmental groups such as the American Lung Association and the Natural Resources Defense Council,

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and the public. National and state ambient air quality standards set the goals for healthy air quality in Southern California and across the country.

Based upon the most recent studies, it is now apparent that ozone plays an important role in causing acute health effects, such as heightening asthma symptoms and developing bronchitis symptoms.

The role of ozone in producing long-term or chronic effects is less clear, at least from the available epidemiological studies. However, laboratory animal studies suggest that there can be long-term consequences.

How to Reduce Ozone Exposure
The U.S. Environmental Protection Agency (EPA) has recommended that ozone should not exceed 0.08 ppm averaged over an 8-hr period. When ozone exceeds this level, active children and adults, those with respiratory disease such as asthma, and other people with unusual susceptibility to ozone should limit prolonged outdoor exposure.

Incidentally, personal tobacco smoking during periods of high ozone exposure doubled the risk of asthmatic individuals needing to go to the emergency room for treatment of asthma symptoms.

Carbon Monoxide

Carbon monoxide (CO), a colorless, odorless gas, is a byproduct of combustion.

When inhaled, carbon monoxide reacts very rapidly with hemoglobin in the blood, preventing uptake and transport of oxygen. Because carbon monoxide readily and firmly attaches to hemoglobin, it stays in the blood for a relatively long time. Thus, during an exposure carbon monoxide concentrations in blood can rise in a matter of minutes, then stay high for hours.

Who is Most Sensitive to the Health Effects of Carbon Monoxide?
Most of the health effects directly associated with carbon monoxide are most likely due to decreases in oxygen delivery to vital organs such as the heart and the brain.

People with heart disease may be especially sensitive to the effects of carbon monoxide. In addition, people with lung diseases that limit efficient use of inhaled oxygen, such as asthma and emphysema, may also be susceptible. Even in people without heart or lung diseases, reduced delivery of oxygen to skeletal muscles, especially during exercise, can reduce the ability to perform strenuous work.

At high levels of carbon monoxide exposure, impaired delivery of oxygen to the central nervous system can reduce the ability to respond quickly to external stimuli. After exposures that convert 5 percent to 10 percent of the circulating hemoglobin to carboxyhemoglobin (COHb), people's ability to recognize and react to flashes of light in a test system are reduced. At 10 percent to 30 percent carboxyhemoglobin, nausea,

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headaches, unconsciousness, and sometimes death can result. The severity of symptoms increases with the concentration of carboxyhemoglobin.

Air Quality Standards for Carbon Monoxide
Both the EPA and the State of California have set air quality standards for carbon monoxide based on the results of epidemiological and laboratory findings. Ambient levels of carbon monoxide should not exceed 9 ppm, when averaged over an 8-hour interval, and should not exceed 20 ppm in any one-hour period. (The USEPA has a slightly higher 1-hour standard of 35 ppm).

Sources of Carbon Monoxide
The major sources of carbon monoxide pollution are automotive exhaust and emissions from large industrial combustion sources such as electrical power plants. Because these sources produce many contaminants in addition to carbon monoxide -- such as fine particles and nitrogen oxides -- it is often difficult to isolate the health effects of ambient carbon monoxide from those of other pollutants.

In addition to carbon monoxide generated outside, there are also important indoor sources of the pollutant. The most important of these are combustion sources such as gas ovens, gas burners, water heaters, and heating systems. However, in most cases emissions from well-maintained and vented gas appliances are small.

Tobacco smoking is a more significant source of carbon monoxide. Tobacco smoke can contain very high concentrations of carbon monoxide (1,000 ppm to 50,000 ppm). Carbon monoxide levels in the homes of children whose relatives smoke tobacco products can be higher than the carbon monoxide levels outdoors.

Health Effects of Carbon Monoxide
There are hundreds of cases per year of deaths or severe illness due to carbon monoxide poisoning from faulty appliances, indoor emissions of automobile exhaust and industrial exposures. These cases show that carbon monoxide poisoning causes symptoms very similar to those of the flu. In fact, the true number of cases is not really known because many people may have been poisoned slightly and thought that they were just fighting off a cold or the flu. Thus it is very important to make sure that home appliances are well-maintained and that all combustion sources are properly vented to the outdoors.

Epidemiological studies have shown significant association between several health effects and carbon monoxide, although as mentioned earlier it is difficult to completely isolate carbon monoxide's effects from those of other air pollutants.

For example, asthmatic children in Taiwan who were exposed to high levels of traffic-related air pollution -- using carbon monoxide and nitrogen dioxide as marker compounds-- reported more respiratory symptoms than children with lower exposures.

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A study of physician office visits in London showed associations between air pollution and doctor visits for asthma and other lower respiratory disease. For children, levels of nitrogen dioxide, carbon monoxide, and sulfur dioxide were associated with increased numbers of medical consultations. However, in adults, the only consistent association was with levels of airborne particles. This suggests that children and adults might respond differently to pollution exposures.

Prenatal Effects of Carbon Monoxide

Carbon monoxide may also have prenatal effects. Pregnant women who were exposed to high levels of ambient carbon monoxide (5 ppm to 6 ppm) were at increased risk of having low birth-weight babies. It has long been known that women who smoke cigarettes during pregnancy have low birth-weight babies, but this is the first study of similar findings in women exposed to environmental carbon monoxide.

Babies exposed to carbon monoxide during the maturation of their organs may suffer permanent changes to those organs. Studies using newborn rats showed that carbon monoxide exposure could cause changes in the heart muscle tissue. This is turn could increase the severity of effects of artery constrictions when they became adults. Other animal studies have shown that long-term carbon monoxide exposure can contribute to a disease called ventricular hypertrophy, in which the cells of the heart's ventricle chambers are enlarged and possibly weakened.

Airborne Particles

Particles, including nitrates, sulfates, carbon[1] and acid aerosols[2] are a complex group of pollutants.

Unlike ozone, which has a specific chemical composition, airborne particles vary in size and composition depending on time and location. Although the components of particles may have common sources, the types and amounts of particles collected at any one time and location may be unique.

To add to the problem, gaseous pollutants including ozone, sulfur dioxide, nitrogen dioxide and carbon monoxide often are present in the atmosphere at the same time as are particles. It is not always possible to clearly differentiate between the health effects of the gases, the particles, and possibly the combination of particles and gases. This complexity presents a tremendous challenge to the scientific community and to public in trying to understand how inhaled particles affect human health.

The Challenge of Measuring Particle Pollution

Precisely measuring particulate pollution is more difficult and labor intensive than measuring gaseous pollutants such as ozone. For this reason, particle concentrations are not measured on a daily basis in most communities. Frequently, they are measured once every six days.

[1] Both elemental and organic. Elemental carbon is pure carbon from combustion sources, including diesel particulate. Organic carbon is a semi-volatile hydrocarbon from combustion and some evaporative sources.
[2] Aerosol is the scientific term used to describe particles suspended in a fluid, such as air.

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Particle samples are collected on filters that are then weighed. Particle concentrations are reported in terms of micrograms of particles per cubic meter ($\mu g/m^3$) of collected air.

Originally, the particle samples were relatively indiscriminate with respect to particle size and often contained very large particles. These large particles contributed a great deal to the weighed particle mass, but might not have been very important with respect to lung health. This is because most of the particles were too large to penetrate through the nasal and head airways to reach the lung. A more health-related sample was needed.

After a great deal of scientific consideration it was decided that particulate matter with aerodynamic diameters[3] less than or equal to 10 microns (µm) should be collected. Ambient air quality standards were developed for this material, which is called PM_{10}.

Sources of Particle Pollution

Researchers noted that the sources of relatively large-size particles (greater than 3 microns in aerodynamic diameter) were quite distinct from the sources of particles less than 1 micron in diameter.

The larger, so-called "coarse" particles are mostly produced by mechanical processes, such as automobile tire wear on the road, industrial cutting, grinding and pulverizing processes and re-suspension of particles from the ground or other surfaces by wind and human activities. The chemical composition of coarse particles may be somewhat similar to the chemical composition of soil in that area, along with industrial compounds from activities such as mining or smelting operations. The coarse fraction of urban aerosols also contains bits of plants, molds, spores and some bacteria. Thus the characteristics of the coarse particles may vary greatly in different communities.

In contrast, the smaller or so-called "fine" particles in the urban aerosol come from combustion sources, such as power plants, automobile, truck, bus and other vehicle exhaust or from the reactions that transform some of the pollutant gases into solid or liquid particles. These distinctions may be important because the current air pollution health effects literature suggests, although not with certainty, that for some key health effects the fine particles are more important than the coarse particles. These findings have led EPA to propose a new nationwide $PM_{2.5}$ standard that would reduce exposure to particles that are 2.5 microns or less in diameter.

Historic Air Pollution Disasters

Epidemiological studies have consistently associated adverse health effects with exposures to particulate air pollution. Early studies implicated particulate and sulfur dioxide pollution in the acute illnesses and premature deaths associated with extremely

[3] Aerodynamic diameter is used to define particles' size. Particle deposition on a surface, or in the lung, depends on the particle's aerodynamic and diffusion characteristics. A particle's aerodynamic characteristics depend on its density, shape, actual size, and velocity while its diffusion characteristics are functions of its size and the density of the air in which it is suspended.

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severe pollution episodes in Donora, Penn., London, and New York in the 1940s, 1950s, and 1960s. The particle levels in a four-week pollution disaster in London in 1955 were more than 50 times higher than the California standard.[4] Twenty percent of that aerosol was composed of acid sulfates -- probably sulfuric acid. The number of people hospitalized for lung or heart-related diseases was extraordinarily high, but more importantly there were more than 4,000 premature, or "excess," deaths in the London population.

Fortunately, major efforts by government agencies, the public, and industries have made it very unlikely there will ever be a similar episode in modern urban communities. However, the lessons learned from these disasters are still relevant. Despite the fact that our levels of airborne particles are much lower than those that occurred during the disasters, EPA estimates that there are still more than 6,000 excess deaths in the United States that could be associated with inhaled particles.

Health Effects of Particulate Pollution

Current ambient levels of PM_{10} -- 30 to 150 micrograms per cubic meter -- are associated with increases in the numbers of people that die daily from heart or lung failure. Most of these deaths are among the elderly. However there is a strong body of evidence that some children are also adversely affected by particulate matter.

The American Thoracic Society's Environmental and Occupational Health Assembly reviewed current health effects literature. They report that daily fluctuations in PM_{10} levels have been related to:

- acute respiratory hospital admissions in children;
- school and kindergarten absences;
- decreases in peak lung air flow rates in normal children; and
- increased medication use in children and adults with asthma.

The USC Children's Health Study suggests that children with asthma living in a community with high particle concentrations may have suppressed lung growth. After children moved into cleaner cities their lung growth returned to the normal rate, but they did not recover the lost potential growth, according to John Peters, the study's principle investigator.

It is difficult to positively assign a quantitative risk associated with particulate matter because nearly all studies of its health effects find other pollutants present that may account for some of the effects.

Part of the problem is due to the nature of the data being collected. The levels of particulate matter vary during the course of the day and peak values can be quite high. Few studies have evaluated the effect of these short-term "spikes." However, at least one epidemiological study of children with asthma suggested that changes in symptoms

[4] The California standard for particulate matter (PM_{10}) is 50 micrograms per cubic meter averaged over 24 hours

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and lung function correlate more strongly with 1-hour peaks than with 24-hour average concentrations.

Other studies, primarily with laboratory animals, suggest that the chemical composition[5] and surface areas of the particles may be more important than particle mass. Scientists are continuing to study the health effects of particles and are developing better methods for measuring the important constituents. It may be possible in the near future to more accurately assess the effects of inhaled particles on human health.

Nitrogen Oxides

Nitrogen oxides are produced during most combustion processes. Mobile sources and power plants are the major contributors in Southern California.

About 80 percent of the immediately released nitrogen oxide is in the form nitric oxide (NO). Small amounts of nitrous oxide (N_2O) are also produced. Nitrous oxide is a "greenhouse" gas that is suspected of playing an important role in global warming.

Nitric oxide reacts with oxygen in the air to produce nitrogen dioxide (NO_2). Further oxidation during the day causes the nitrogen dioxide to form nitric acid and nitrate particles. In the dark, nitrogen dioxide can react with ozone and form a very reactive free radical. The free radical then can react with organic compounds in the air to form nitrogenated organic compounds, some of which have been shown to be mutagenic and carcinogenic.

Health Effects of Nitrogen Dioxide

Nitrogen dioxide is the most important nitrogen oxide compound with respect to acute adverse health effects. Under most chemical conditions it is an oxidant, as is ozone. However, it takes about 10 times more nitrogen dioxide than ozone to cause significant lung irritation and inflammation.

Nitrogen dioxide differs from ozone in that it suppresses the immune system to a much greater degree. As discussed below, some epidemiological studies have shown that children exposed to high levels of ambient nitrogen dioxide may be at increased risk of respiratory infections. Studies with laboratory animals have indeed shown that if mice are exposed first to nitrogen dioxide and later to bacteria at a level that would not infect a healthy control animal, their normal lung defense mechanisms are suppressed and the bacteria are able to infect the host.

[5] The idea that all particles are equally toxic is not scientifically justified. There are many good examples that can be taken from studies of particles in the workplace. For example, certain types of particles that contain quartz --a natural mineral composed of silicon dioxide but with a specific crystal structure -- are very potent lung irritants. Repeated exposures to this material can lead to a serious, permanent lung disease called lung fibrosis. Other mineral particles that are fibrous, such as specific forms of asbestos, can cause lung cancer. Other particles such as titanium dioxide do not seem to cause occupational diseases.

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Average levels of nitrogen dioxide in the United States range from 0.02 to 0.04 ppm. Levels in major urban areas in Southern California may be higher, but the region has not exceeded the federal standard[6] for nitrogen dioxide since 1991.

During the 1970s, one of the first studies relating respiratory illnesses and changes in lung function to ambient nitrogen dioxide concentrations reported that children living in areas with high nitrogen dioxide concentrations had greater incidences of lung-related illness than children living in areas with lower concentrations. Since then, other epidemiological studies have suggested that children with asthma are more likely than children without asthma to have reduced lung function and symptoms of respiratory irritation, such as cough and sore throat, when outdoor average nitrogen dioxide concentrations exceed about 0.02 ppm.

Some studies also have suggested that children younger than five years old may be more severely affected by nitrogen dioxide than older children. Several epidemiological studies have suggested that for children, the most important effect of ambient exposure to nitrogen dioxide might be increased susceptibility to respiratory infections and increased severity of responses to inhaled allergens.

Although many epidemiological studies show significant associations between outdoor nitrogen dioxide concentrations and adverse health outcomes, some studies do not corroborate these effects. In part, this is because it is often difficult to fully account for the influences of indoor sources of nitrogen dioxide.

Improvements in Nitrogen Dioxide Measurements

More recent studies have used special devices, called passive dosimeters, that can be worn by children to collect nitrogen dioxide for later analysis. These measurements give epidemiologists the ability to better assess a child's total nitrogen dioxide exposure over the course of the day. These studies show that there can be a great deal of individual variation in exposures, even for children living in the same communities. Thus, it is not surprising that epidemiological studies that do not estimate a nitrogen dioxide dose may reach different conclusions.

However, laboratory studies involving controlled exposures of human volunteers and laboratory animals have demonstrated plausible effects of nitrogen dioxide on human health. For example, if one exposes rats or other animals to nitrogen dioxide, and then examines their respiratory tract tissues, it is very evident that the pollutant can cause short-term injury similar to that seen after ozone exposure.

Long-term exposures to high concentrations of nitrogen dioxide can produce chronic damage to respiratory tract tissue that resembles the lung disease emphysema.

The pollutant's suppression of immune system functions reduces the ability of the host to fight off bacterial and viral infections. Human volunteers who inhaled weakened

[6] 0.053 ppm as an annual average

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influenza virus after being exposed to nitrogen dioxide in laboratories were more susceptible to the infection than a control group that did not inhale nitrogen dioxide.

Other studies show that nitrogen dioxide decreases the body's ability to generate antibodies when challenged by pathogens, and may reduce the ability of the respiratory system to remove foreign particles such as bacteria and viruses from the lung.

Lead

People can be exposed to lead (Pb) through air, food and water. Lead is a toxic heavy metal that causes nerve damage and impairs the body's ability to make hemoglobin, leading to a form of anemia.

Sources of Lead Pollution

Large amounts of lead were emitted to the atmosphere when it was used as a gasoline additive.[7] The emitted lead could be inhaled. In addition, lead fallout from the air caused widespread contamination of soil, plants, food products, and water.

Lead is often measured in children's blood as an index of environmental exposure. Even low levels[8] of lead in the blood of children aged 6 to 7 are linked to measurable changes in intelligence quotient and certain perceptual-motor skills. Higher levels of lead exposure can also result in kidney damage and may be related to high blood pressure in adults.

Sulfur Oxides

Most manmade emissions of the gas sulfur dioxide (SO_2) come primarily from the combustion of fossil fuels such as coal, oil, and diesel fuel.

Most of the sulfur in fossil fuel is converted sulfur dioxide, but a small amount is also converted to sulfuric acid. In the atmosphere, gaseous sulfur dioxide can also be converted to sulfuric acid and sulfate-containing particles. Thus, atmospheric concentrations of sulfur dioxide are often highly associated with acidic particles, sulfuric acid particles and sulfate particle concentrations.

The current National Ambient Air Quality Standards for sulfur dioxide are 18 micrograms per cubic meter averaged annually, and 365 micrograms per cubic meter averaged over 24 hours. Southern California does not exceed the national air quality standard because its industries primarily burn low-sulfur fuels such as natural gas. Much of the sulfur oxide air pollution in Southern California is likely to be associated with diesel emissions.

[7] Lead in the form of tetraethyl lead was added to gasoline in the United States in large amounts from the 1950s until it was banned in the mid-1970s.
[8] 10 to 30 micrograms per 100 milliliters

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Sulfur dioxide is a very water-soluble gas and therefore most of the sulfur dioxide that is inhaled is absorbed in the upper respiratory tract and does not reach the lung's airways. However, the small amount of sulfur dioxide that does penetrate into the airways can provoke important health effects, primarily in individuals with asthma.

For those with asthma, even relatively short-term, low-level exposures to sulfur dioxide can result in airway constriction leading to difficulty in breathing and possibly contribute to the severity of an asthmatic attack.

A number of epidemiological studies have shown associations between ambient sulfur dioxide and rates of mortality (death) and morbidity (illness). However, because sulfur dioxide is often strongly correlated with fine particles and especially sulfate-containing particles, it is difficult to separate the effects of sulfur dioxide from those of the particle compounds.

A study in France found an increase of 2.9 visits to the emergency room for every 20 micrograms per cubic meter increase in atmospheric sulfur dioxide. The results pertained to days when the average sulfur dioxide levels were above 68 micrograms per cubic meter but below the U.S. health standard.

In London, asthma and other lower respiratory diseases in children were most significantly associated with exposures to nitrogen dioxide, carbon monoxide, and sulfur dioxide. In adults the only consistent association was with particulate matter.

Hospital admissions for children with asthma may increase by 20 percent following acute exposure to ozone peaks and possibly with sulfur dioxide. Chronic exposure to increased levels of fine particles, sulfur dioxide, and nitrogen dioxide may be associated with up to threefold increase in nonspecific respiratory symptoms. Thus, recent literature suggests that sulfur dioxide affects adults and children differently and that chronic and acute effects may also be different.

Diesel Emissions

Diesel fuel is burned to power buses, trucks, road-building equipment, trains, boats and ships and electricity-generating equipment. When diesel fuel is burned, the exhaust includes both particles and gases. Diesel emissions are important constituents of ambient air pollution.

What's in Diesel?

Diesel particles consist mainly of elemental carbon and other carbon-containing compounds. Hundreds of compounds have been identified as constituents of diesel particles. These include polycyclic aromatic hydrocarbons (PAHs) and other compounds that have been associated with tumor formation and cancer. In 1998, the California Air Resources Board designated diesel particulate a cancer-causing toxic air contaminant.

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Diesel particles are microscopic. More than 90 percent of them are less than 1 micron in diameter. Due to their minute size, diesel particles can penetrate deeply into the lung. There is evidence that once in the lung, diesel particles may stay there for a long time.

In addition to particles, diesel exhaust contains several gaseous compounds including carbon monoxide, nitrogen oxides, sulfur dioxide and organic vapors, for example formaldehyde and 1,3-butadiene. Formaldehyde and 1,3-butadiene have been classified as toxic and hazardous air pollutants. Both have been shown to cause tumors in animal studies and there is evidence that exposure to high levels of 1,3-butadiene can cause cancer in humans.

AQMD's recent landmark research project, the Multiple Air Toxics Exposure Study II, found that diesel particulate is responsible for about 70 percent of the total cancer risk from all toxic air pollution in the greater Los Angeles metropolitan area.

Diesel emissions may also be a problem for asthmatics. Some studies suggest that children with asthma who live near roadways with high amounts of diesel truck traffic have more asthma attacks and use more asthma medication.

Some human volunteers, exposed to diesel exhaust in carefully controlled laboratory studies, reported symptoms such as eye and throat irritation, coughing, phlegm production, difficulty breathing, headache, lightheadedness, nausea and perception of unpleasant odors. Another laboratory study, in which volunteers were exposed to relatively high levels of diesel particles for about an hour, showed that such exposures could cause lung inflammation.

Thus current epidemiological and laboratory evidence suggests that at typical urban concentrations, diesel exhaust may contribute significantly to the health effects of air pollution.

What Can Be Done to Reduce the Effects of Air Pollution on Children's Health?

After reviewing the literature on how children’s exposures differ from those of adults, it is evident that:

- children are outdoors more hours per day than most adults;
- they exert themselves to a greater degree while they are outside than most adults; and
- they participate in more organized activities than adults.

There are definite health benefits to having children participate in outdoor activities. However, scientific evidence also suggests that air pollution exposures can injure children’s lungs and other organs.

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Air quality information in the form of health reports and air quality advisories are now a regular part of life in California. One logical step is to reduce strenuous activities during pollution episodes and try to take advantage of those hours when airborne pollutant levels are lower.

At the public level there is a long-standing commitment to improve air quality. When you look at the air pollution levels in California today you can see that a great deal of progress has been made. There has been a cost for this progress. For instance, some products are more expensive. In return, the lower levels of pollutant exposure compared to 20 years ago should decrease the adverse effect of air pollution on the long-term health of our developing children.

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AGRICULTURAL MITIGATION POLICIES

Background

LAFCO's mission is to encourage orderly growth and development, discourage urban sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services and encourage the orderly formation of local agencies. LAFCO will consider impacts to agricultural lands along with other factors in its evaluation of proposals. LAFCO's Urban Service Area (USA) Amendment Policies discourage premature conversion of agricultural lands, guide development away from existing agricultural lands and require the development of existing vacant lands within city boundaries prior to conversion of additional agricultural lands. In those cases where LAFCO proposals involve conversion of agricultural lands, LAFCO's USA Amendment Policies require an explanation of why the inclusion of agricultural lands is necessary and how such loss will be mitigated.

Purpose of Policies

The purpose of these policies is to provide guidance to property owners, potential applicants and cities on how to address agricultural mitigation for LAFCO proposals and to provide a framework for LAFCO to evaluate and process in a consistent manner, LAFCO proposals that involve or impact agricultural lands.

General Policies

1. LAFCO recommends provision of agricultural mitigation as specified herein for all LAFCO applications that impact or result in a loss of prime agricultural lands as defined in Policy #6. Variation from these policies should be accompanied by information explaining the adequacy of the proposed mitigation.
2. LAFCO encourages cities with potential LAFCO applications involving or impacting agricultural lands to adopt citywide agricultural mitigation policies and programs that are consistent with these policies.
3. When a LAFCO proposal impacts or involves a loss of prime agricultural lands, LAFCO encourages property owners, cities and agricultural conservation agencies to work together as early in the process as possible to initiate and execute agricultural mitigation plans, in a manner that is consistent with these policies.
4. LAFCO will work with agricultural entities, the County, cities and other stakeholders to develop a program and public education materials to improve the community's understanding of the importance of agriculture in creating sustainable communities within Santa Clara County.

5. LAFCO will review and revise these policies as necessary.

Definition of Prime Agricultural Lands

6. "Prime agricultural land" as defined in the Cortese Knox Hertzberg Act means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

    a. Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.

    b. Land that qualifies for rating 80 through 100 Storie Index Rating.

    c. Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935.

    d. Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars ($400) per acre.

    e. Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars ($400) per acre for three of the previous five calendar years.

Mitigation Recommendations

7. Proposals involving the conversion of prime agricultural lands should provide one of the following mitigations at a not less than 1:1 ratio (1 acre preserved for every acre converted) along with the payment of funds as determined by the city / agricultural conservation entity (whichever applies) to cover the costs of program administration, land management, monitoring, enforcement and maintenance of agriculture on the mitigation lands:

    a. The acquisition and transfer of ownership of agricultural land to an agricultural conservation entity for permanent protection of the agricultural land.

    b. The acquisition and transfer of agricultural conservation easements to an agricultural conservation entity for permanent protection of the agricultural land.

c. The payment of in-lieu fees to an agricultural conservation entity that are sufficient to fully fund*:

   1. The cost of acquisition of agricultural lands or agricultural conservation easements for permanent protection, and

   2. The cost of administering, managing, monitoring and enforcing the agricultural lands or agricultural conservation easements, as well as the costs of maintaining agriculture on the mitigation lands.

   * with provisions for adjustment of in-lieu fees to reflect potential changes in land values at the time of actual payment

8. Agricultural lands or conservation easements acquired and transferred to an agricultural conservation entity should be located in Santa Clara County and be lands deemed acceptable to the city and entity.

9. The agricultural mitigation should result in preservation of land that would be:

   a. Prime agricultural land of substantially similar quality and character as measured by the Average Storie Index rating and the Land Capability Classification rating, and

   b. Located within cities' spheres of influence in an area planned/envisioned for agriculture, and

   c. That would preferably promote the definition and creation of a permanent urban/agricultural edge.

10. Because urban/non-agricultural uses affect adjacent agricultural practices and introduce development pressures on adjacent agricultural lands, LAFCO encourages cities with LAFCO proposals impacting agricultural lands to adopt measures to protect adjoining agricultural lands, to prevent their premature conversion to other uses, and to minimize potential conflicts between the proposed urban development and adjacent agricultural uses. Examples of such measures include, but are not limited to:

    a. Establishment of an agricultural buffer on the land proposed for development. The buffer's size, location and allowed uses must be sufficient to minimize conflicts between the adjacent urban and agricultural uses.

    b. Adoption of protections such as a Right to Farm Ordinance, to ensure that the new urban residents shall recognize the rights of adjacent property owners conducting agricultural operations and practices in compliance with established standards.

    c. Development of programs to promote the continued viability of surrounding agricultural land.

Agricultural Conservation Entity Qualifications

11. The agricultural conservation entity should be a city or a public or non-profit agency. LAFCO encourages consideration of agricultural conservation entities that:

    a. Are committed to preserving local agriculture and have a clear mission along with strategic goals or programs for promoting agriculture in the areas that would be preserved through mitigation,

    b. Have the legal and technical ability to hold and administer agricultural lands and agricultural conservation easements and in-lieu fees for the purposes of conserving and maintaining lands in agricultural production and preferably have an established record for doing so, and

c. Have adopted written standards, policies and practices (such as the Land Trust Alliance's "Standards and Practices") for holding and administering agricultural lands, agricultural conservation easements and in-lieu fees and are operating in compliance with those standards.

Timing and Fulfillment of Mitigation

12. LAFCO prefers that agricultural mitigation be in place at the time of LAFCO approval or as soon as possible after LAFCO approval. The mitigation (as detailed in the Plan for Mitigation) should be fulfilled no later than at the time of city's approval of the final map, or issuance of a grading permit or building permit, whichever occurs first.

13. Cities should provide LAFCO with information on how the city will ensure that the agricultural mitigation is provided at the appropriate time.

14. Cities should provide LAFCO with a report on the status of agricultural mitigation fulfillment every year following LAFCO approval of the proposal until the agricultural mitigation commitments are fulfilled.

15. The agricultural conservation entity should report annually to LAFCO on the use of the in-lieu fees until the fees have been fully expended.

Plan for Mitigation

16. A plan for agricultural mitigation that is consistent with these policies should be submitted at the time that a proposal impacting agricultural lands is filed with LAFCO. The plan for mitigation should include all of the following:

    a. An agreement between the property owner, city and agricultural conservation entity (if such an entity is involved) that commits the property owner(s) to provide the mitigation for the loss of prime agricultural lands and establishes the specifics of the mitigation. Upon LAFCO approval of the proposal, the agreement should be recorded with

the County Recorder's office against the property to be developed. The agreement should specify:

1. The type of mitigation that will be provided in order to mitigate for conversion of agricultural lands. (purchase of fee title or easement or payment of in-lieu fees)
2. The agricultural conservation entity that will be involved in holding the lands, easements, or in-lieu fees.
3. The acreage that would be preserved through mitigation and /or the amount of in-lieu fees that would be paid (with provisions to adjust fees to reflect land values at time of payment) along with the methodology adopted by the entity for calculating the in-lieu fees.
4. The location of the mitigation lands, when possible.
5. Information on the specific measures adopted by the city as encouraged in Policy #10 (mitigation for impacts to adjacent agricultural lands)
6. The time-frame within which the mitigation will be fulfilled, which should be no later than at the time of city's approval of the final map, or issuance of the grading permit or building permit, whichever occurs first.
7. The mitigation agreement is to be contingent on LAFCO approval of the proposal.

b. Applicant should provide all other supporting documents and information to demonstrate compliance with these policies.

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Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis

(Part of AIHA Journal (63) November/December 2002)

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Alice Suter
American Industrial Hygiene Association

More than one-half million construction workers are exposed to potentially hazardous levels of noise, yet federal and state Occupational Safety and Health Administration (OSHA) programs provide little incentive to protect them against noise-induced hearing loss. Construction noise regulations lack the specificity of general industry noise regulations. In addition, problems that characterize the construction industry, such as worker mobility and the large proportion of small businesses, make implementing hearing conservation measures more difficult. The apparent severity of exposure depends greatly on the measurement method, with the 3-dB exchange rate almost always showing higher average exposure levels than the 5-dB (OSHA) rule. Construction workers demonstrate hearing threshold levels that generally conform to those expected in manufacturing. The prevalence of hearing protection device (HPD) use among U.S. construction workers is very poor, partly because of perceived difficulties in hearing and understanding speech communication and warning signals. In addition, masking by noise of necessary communication and warning signals is of particular concern in construction, where recent research demonstrated the association between fatalities and the failure to hear reverse alarms. Judicial use of HPDs is of the utmost importance, along with avoiding overattenuation, selecting HPDs with uniform attenuation, and using noise-attenuating communication systems when possible. A successful hearing conservation program in British Columbia can serve as a model for the United States, with a long-standing positive safety culture, a high percentage of HPD use, improvement in average hearing threshold levels over the last decade, and a centralized record-keeping procedure, which helps solve the problem of worker mobility. However, controlling construction noise at the source is the most reliable way to protect worker hearing. US manufacturers and contractors should benefit from the activities of the

European Community, where noise control and product labeling in construction has been carried out for more than 20 years.

Keywords: construction workers, hearing conservation, noise exposure

The fact that US construction workers are exposed to hazardous levels of noise and sustain significant hearing impairments is not news. That these impairments are at least as great as would be expected from an industrial population became evident during the 1960s and 1970s. [1,2] Estimated numbers of construction workers exposed to potentially hazardous levels of noise range from about half a million to 750,000. [3,4] In 1988 the National Institute for Occupational Safety and Health (NIOSH) recommended that the Occupational Safety and Health Administration's (OSHA's) noise regulation, including the hearing conservation provisions, be extended to construction workers as well as to other occupations not then covered. [5] A 1995 conference jointly sponsored by NIOSH and the National Hearing Conservation Association identified construction workers as an "undeserved" population. [6]

In the United States there are separate noise regulations for construction (29 CFR 1926.52 and 1926.101) and general industry (29 CFR 1910.95). The permissible exposure limits (PEL) and requirements for noise control are essentially the same, an 8- hour time-weighted average exposure level (TWA) of 90 dBA with a 5-dB exchange rate between allowable duration and noise level. Engineering or administrative controls are required to be implemented above this level, and hearing protection devices (HPDs) must be issued and worn when exposures exceed the PEL. Both regulations require hearing conservation programs (HCPs) for overexposed workers, but there are two essential differences: (1) the noise regulation for general industry requires the initiation of HCPs at an action level of 85 dBA, whereas the construction regulation does not use an action level; and (2) the general industry regulation gives detailed requirements for noise exposure monitoring, audiometric testing, (HPDs), worker training and education, and record keeping, whereas the construction regulation (1926.52) has only a general requirement for "continuing effective hearing conservation programs" above the PEL. Construction regulation 1926.101 merely mandates the use of hearing protection above the PEL and requires insert devices to be fitted or determined individually by "competent persons."

Current enforcement of these noise regulations is not rigorous, particularly in construction. Neither the noise reduction nor the hearing conservation provisions are well enforced in construction. For example, of more than 18,000 federal construction inspections during

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fiscal year 1998, only 63 inspections were conducted for the noise regulations, resulting in a total of 79 citations. [7] Lack of enforcement characterizes state as well as federal programs. Even those states that have adopted the general industry noise regulation for construction, such as the state of Washington, have failed to enforce the hearing conservation provisions.

Part of the problem has been a perceived lack of information about the noise exposures of construction workers, although several studies have been conducted over recent decades in the United States and Canada. A more salient reason for the lack of activity in this area is the impracticality of the usual approaches to HCPs in the construction arena. Mobility among construction workers, short periods of employment, and the consequent difficulty in record keeping and follow-up present daunting obstacles. This report attempts to address these issues and offer possible solutions.

NOISE EXPOSURE LEVELS OF CONSTRUCTION WORKERS

Evidence of Overexposure

Several studies conducted in the 1960s and 1970s indicated that construction workers were overexposed. In the early 1980s NIOSH estimated the numbers of workers in various occupations, including construction, exposed to noise levels above 85 dBA. [8] Table I gives the estimated percentage of workers in various construction trades exposed to noise levels above 85 dBA. Although the percentages were derived in the early 1980s, the data on numbers of employees in the various trades has been updated to 1995. [4]

TABLE I. Construction Employment Data (1995) and NIOSH Estimates (1981-1983) of Numbers Exposed at or Above 85 dBA (Adapted from Hattis [4])

SIC	Industry Description	1995 1000s Employees	NIOSH % Exposed .85 dBA A,B
152	Residential builders	609	12
154	Nonresidential builders	567	12
161	Highway and street construction	223	27
162	Other heavy construction	526	17
171	Plumbing, heating, and air conditioning	712	7
172	Painting and paper hanging	179	20
173	Electrical work	593	13

174	Masonry, stonework, and plastering	409	8
175	Carpentry and floor laying	219	32
176	Roofing, siding, and sheet metal	208	11
177	Concrete work	248	40
179	Miscellaneous special trade contractors	548	14
Total (in 1000's)		5041	
A Percentages were rounded to the nearest integer.			
B Total number exposed .85 5 754,174. [4]			

The highest percentages of overexposed workers occur in highway and street construction, carpentry, and concrete work. Of the approximately 5 million construction workers in 1995, the total number exposed to noise levels of 85 dBA and above was about 754,000. Because NIOSH sampled noise levels rather than exposures, these are not TWAs, and the actual numbers would be somewhat lower when using TWA, but these numbers are useful for ranking the extent of the hazard by trade and to estimate the upper bound of the total number exposed.

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Studies of Noise Exposure in Construction Workers

Recent studies have supplemented the earlier ones with noise dosimetry, providing a more precise and comprehensive picture of construction workers' exposures. Table II, containing information from Sinclair and Haflidson, [(9)] shows average daily noise exposures of construction workers by type of construction. The authors obtained samples of up to 5 hours in 27 construction projects during 1991-1992, which, due to the repetitive nature of the work, they considered representative of a full shift. They measured according to the proposed Ontario Noise Regulation, which specifies a 3-dB exchange rate. [(10)] TWA sound levels using the 3-dB exchange rate are sometimes referred to as "equivalent continuous sound levels" or L^{eq}. Of the 103 workers sampled, the average noise exposure level was approximately 99 dBA.

TABLE II. Average Noise Exposure Levels (Daily L_{eq}) by Type of Construction (Adapted from Sinclair and Haflidson [(9)])

Type of Construction	Number Samples	Average dBA [A]	Range dBA [A]
Residential	7	93	87-96

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Roads/bridges	16	93	84-100
Shop work [B]	26	95	85-104
Maintenance	2	95	91-97
ICI [C]	23	96	81-108
Sewer/water	17	99	85-108
Plant work [D]	6	101	87-106
Power station	6	108	93-113
Total	103	99	81-113

[A] Rounded to the nearest integer

[B] Shop work = work in a contractor's fabrication shop.

[C] ICI = industrial, commercial, or institutional.

[D] Plant work = work in a construction contractor's plant.

Table III, also from data gathered by Sinclair and Haflidson, [9] shows daily average noise exposure levels by trade, activity, or equipment. The authors caution that in many cases the samples are too small to state definitively which sectors of construction have the greatest risk, but, in their words, "the magnitude of the problem is obvious." [p. 459] From Table III it is clear that boiler- makers and iron workers, at least those studied here, are heavily exposed, with average exposure levels of 108 and 105 dBA, respectively. The authors concluded that pneumatic tools were largely responsible.

TABLE III. Average Noise Exposure Levels (Daily L_{eq}) by Trade, Activity, or Equipment (Adapted from Sinclair and Haflidson [9]))

Trade, Activity, or Equipment	Number of Samples	Average dBA [A]	Range dBA [A]
Install rebar	2	89	88-90
Carpenter	3	90	82-94
Mason	14	91	84-97
Framer	7	93	87-96
Sprinkler	6	94	86-97
Forming	5	94	87-97
Refractory	2	95	91-97
Sheet metal	17	96	85-104

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Ironworker	2	105	98-108
Boilermaker	6	108	93-113
Paver	6	90	84-92
Front-end loader	2	90	87-92
Scraper	5	90	88-91
Curb machine	3	93	86-96
Roller	2	98	93-100
Crane	3	99	95-102
Dozer	6	102	85-108
Heavy equipment	4	90	86-94
Gravel plant	4	102	88-106
Other	4	88	81-90
Total	103	99	81-113
[A] Rounded to the nearest integer			

In another Canadian study, Legris and Poulin [11] reported on the noise exposure of heavy equipment operators and laborers. The data were collected in Quebec in the late 1980s and the measurements used a 5-dB exchange rate. The average duration of the work shift was 9.5 hours with a range of 8-12 hours, and the data were normalized to an 8-hour shift. Of the 250 samples taken, 65 were from laborers and 185 from heavy equipment operators.

Table IV gives 8-hour average noise exposure levels for heavy equipment operators and laborers according to Legris and Poulin. The authors explained the variations in exposures by such factors as the location and type of muffler, amount of time the equipment was idling or under load, the power rating of the engine, and the nature of the task. Of particular importance were the presence or absence of an insulated cab and the design of the equipment. Note the 10-dB difference between insulated and noninsulated cabs and the 13-dB difference between crawler and rubber-tired cranes weighing more than 35 tons with noninsulated cabs.

TABLE IV. Average Daily Noise Exposure Levels (8-Hour TWA) of Heavy Equipment Operators and Associated Laborers in dBA (Adapted from Legris and Poulin [11])

Operator or Task	Mean TWA	SD	Range
Heavy-duty bulldozer	9	5	91-107
Vibrating road roller	97	4	91-104

Light-duty bulldozer	96	2	93-101
Asphalt road roller	95	4	85-103
Wheel loader	94	4	87-100
Asphalt spreader	91	3	87-97
Light-duty grader	89	1	88-91
Power shovel	88	3	80-93
Laborers	90	6	78-107
Crawler crane .35 ton Noninsulated cab	97	2	93-101
Crawler crane ,35 ton			
Noninsulated cab	94	3	90-98
Insulated cab	84	3	80-89
Rubber tired cane .35 ton			
Noninsulated cab	84	5	78-90
Insulated cab	74	9	59-87
Rubber tired crane, 35 ton Insulated cab	81	4	77-87
Truck-mounted crane	79	2	76-83
Tower crane	74	2	70-76

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The results of another, smaller study of operating engineers and laborers are in general agreement with those of Legris and Poulin. Greenspan et al. (12) found 8-hour TWAs ranging from about 68 to 103 dBA, with a mean TWA of 89 dBA, although five of the eight samples were above 90 dBA. The study should not be considered conclusive because of the small sample size (N58) and the wide range of exposures, but it gives a clear example of the benefits of noise reduction in machinery design. The 68-dBA exposure was achieved in a Caterpillar 980 front-end loader with an enclosed, sound insulated cab.

Data from the Worker Compensation Board of British Columbia (13) are also in general agreement with the above data, although such factors as occupations, sample sizes, and the exchange rate vary from study to study.

Several factors make it difficult to draw comparisons between these kinds of studies. First, the exchange rate has an effect, with the 3-dB exchange rate almost always producing higher exposure levels than the 5-dB exchange rate. Second, the length of the work shift, of course, increases the exposure level; and third, the amount of time each worker spends on each piece of equipment also has an effect.

Effect of the Exchange Rate

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Varying and intermittent noise environments are typical of the construction industry, unlike many manufacturing industries in which the noise is relatively continuous. Much of the construction process takes place outdoors, without the reverberant buildup typical of factories, and it is often characterized by the high-level short-duration sounds of hand tools. When noise from heavy equipment predominates, however, the sound tends to be more continuous. Thus, the differences between measurements using the 3- and the 5-dB exchange rate become more pronounced as the type of construction moves from site preparation, which involves much use of heavy equipment, to finishing work involving carpentry and the use of hand tools.

Neitzel, Seixas, and their colleagues at the University of Washington measured the noise exposure levels of 133 carpenters, laborers, ironworkers, and operating engineers with data-logging dosimeters. [14,15] They found that using the 5-dB exchange rate ("OSHA TWA"), 13% of their samples exceeded the 90-dBA criterion and 40% exceeded the 85-dBA criterion. Using the 3-dB exchange rate ("ISO-slow TWA"), 45% exceeded the 90-dBA criterion and 80% exceeded the 85-dBA criterion. These large differences, according to stage of construction, are presented graphically in Figure 1. [14] The boxes represent the range of noise exposure between the 25th and 75th centiles, the brackets show the entire range of exposures, and the horizontal lines within the boxes represent medians. One can see that the differences are larger in finish work than in site preparation and structural work. The authors found the differences to be statistically significant for both finish work and structural work, although not for site preparation.

FIGURE 1. Comparison of OSHA and NIOSH/ISO TWAs by site stage of construction. Reprinted from Neitzel et al. [14] with permission of the first author.

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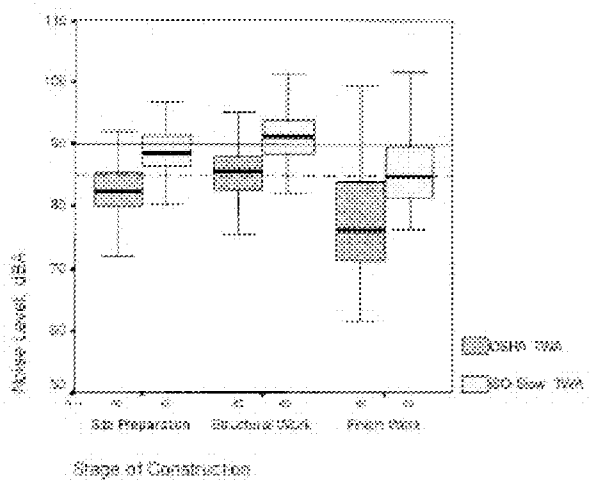

Figure 2, also from Neitzel et al., compares noise exposure levels using the 3- and 5-dB exchange rates by construction trade. The differences are smallest for the operating engineers and greatest for carpenters, but they are also substantial for ironworkers and laborers. In this case all of the differences were significant at the 0.05 level. The authors found an overall difference between the 3- and 5-dB exchange rates of about 7 dB.

FIGURE 2. Comparison of OSHA and NIOSH/ISO TWAs by trade. Reprinted from Neitzel et al. [14] with permission of the first author.

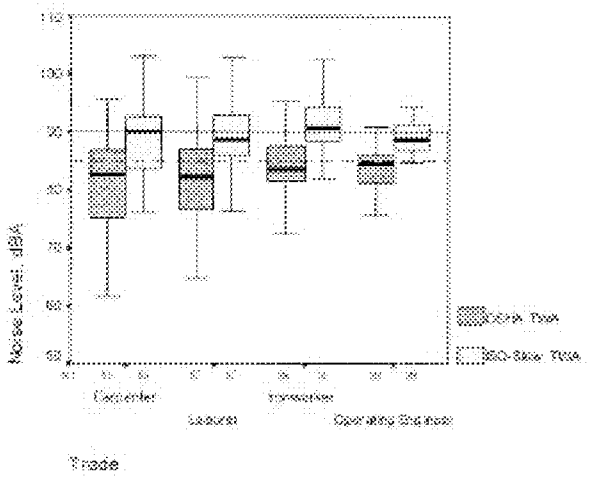

Relative Hazard of Construction Equipment

Because construction workers often use several different pieces of equipment, Neitzel and Seixas developed a method by which the average noise contribution of the various tools and equipment could be assessed. Table V gives "1-min sound levels" of construction equipment. This term represents an average of the 1-min dosimeter readings in L_{eq} (3-dB exchange rate) that came from periods when workers reported using a particular piece of equipment. For example, there was a total of 255 min during which workers reported using an air compressor, and the median sound level, integrated during each 1-min period, was 96 dBA, with a range of 70 to 114 dBA and a standard deviation of 11.2 dBA. The large standard deviations for most pieces of equipment reflect the variations of sound levels and conditions of use.

TABLE V. Median 1-Min Sound Levels in L_{eq} by Equipment/Tool (Adapted from Neitzel et al. [14] Using Additional Data Supplied by Neitzel [16])

Tool Name	Tool Drive Type	Minutes	Median dBA	SD dBA	Range dBA
Air compressor	pneumatic	255	96	11.2	70-114
Backhoe	gasoline	1908	86	6.0	70-108
Bulldozer	gasoline	494	89	8.2	70-104
Chipping gun	pneumatic	1151	93	13.1	70-120
Chopsaw	electric	631	80	8.6	70-106
Crane	electric	3059	78	7.7	70-110
Forklift	gasoline	3727	85	5.8	62-125
Hand hammer	mechanical	4443	85	8.0	56-110
Jackhammer	pneumatic	267	104	11.4	70-112
Lejeune gun	pneumatic	390	89	8.4	70-120
Truck	gasoline	970	78	8.0	70-123
Welding torch	other	1923	84	8.9	70-118

These 1-min average noise levels do not represent noise doses or 8-hour time-weighted exposures, but they do provide a means for estimating the relative hazard of the various pieces of equipment. The reason they may be somewhat lower than measurements taken with a sound level meter is that they tend to incorporate some amount of time when the equipment is either idling or actually turned off. Although it would be useful to have data on additional types of equipment, as well as various models of the same type of equipment,

these data show that pneumatic tools, such as jackhammers and chipping guns, pose a greater risk than those powered by other means.

Chemical and Combined Exposures

In recent years there has been a substantial increase in information on the adverse auditory effects of chemicals, especially when combined with high levels of noise. OSHA estimates nearly one million construction workers are occupationally exposed to lead, [17] a substance known to be ototoxic. [18,19] Solvents, such as toluene and xylene, have been implicated as causes of occupational hearing loss, and, particularly when combined with noise, appear to exacerbate the hazard to hearing. [20-23] In a report on construction laborers, Burkhart et al. [24] placed toluene and xylene high on the list of hazardous chemicals and physical agents in terms of estimated number of exposed workers. Until more details are known about the combined exposures of construction workers, the existing data in this area should be used as added incentive for diligence in protecting workers, both from noise and from potentially hazardous chemicals.

HEARING THRESHOLD LEVELS OF CONSTRUCTION WORKERS

Although there is not nearly as much information on hearing threshold levels of construction workers as there is on noise exposure levels, fortunately, some data do exist. Studies as early as the 1960s and 1970s pointed out the problem. LaBenz et al. [1] measured the hearing of 66 operators of earth-moving vehicles and found considerably more hearing loss than in a population not exposed to noise for all age groups. Kenney and Ayer, [2] with more sophisticated audiometric equipment, measured hearing threshold levels of 33 sheet metal construction workers who regularly used handheld power tools. They found noise-induced threshold shifts that were significant for every age group and greatly exceeded expected hearing threshold levels for the older age groups.

Ohlin [25] prepared an inventory of civilian job specialties giving the number and percentage of workers in each specialty with hearing loss, defined as hearing threshold levels (HTLs) greater than an average of 25 dB at 1000, 2000, and 3000 Hz. The list, found in Table VI, includes several jobs that are associated with construction activity.

TABLE VI. Job Specialties Showing Incidence of Hearing Loss (Adapted from Ohlin [25])

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Job Title	No. Audiograms in Specialty	No. with Hearing Loss [A]	Percentage with Hearing Loss[A]
Crane operator	116	38	33
Welder	602	176	29
Carpenter	811	214	26
Engineering equipment operator	340	84	24
Wood worker	258	61	24
Motor vehicle operator	983	185	19
Electrician	495	92	19
[A] HTLs greater than an average of 25 dB at 1000, 2000, and 3000 Hz.			

Waitzman and Smith [(26)] performed a multivariate regression analysis based on the combined data from the Public Health Service and Health Examination Surveys of 1960-1961 and 1971- 1975. The authors divided industrial workers into three categories: construction, manufacturing/mining, and other. They found that the construction category showed the greatest amount of hearing loss for all degrees of severity and at all ages, demonstrating the magnitude of the problem in construction and indicating that the onset of noise-induced hearing loss starts early. The relative risk for blue-collar construction workers was three times that of white-collar workers. In addition, white-collar construction workers also had more hearing loss than their counterparts in other industries.

A recent study of hearing loss among 66 roofers was conducted by Schneider and Tennenbaum. [(27)] Subjects completed a questionnaire that included information on other hazards, such as exposure to vibration, fuels, thinners/solvents, paints, glues, lead, extreme heat, and extreme cold, as well as information on hypertension and shooting habits. The average age was 48 years with 20 years on the job. Subjects reported that they generally worked slightly more than half time and they wore hearing protection infrequently (2 always, 7 often, 11 sometimes, and 46 never). The only confounding variables that showed an effect were hypertension and shooting. The authors adjusted the data for shooting by using only the right ear of the 18 subjects that reported use of weapons.

Figure 3, from Schneider and Tennenbaum, [(27)] shows the average hearing threshold levels of roofers compared with the median, 90th, and 10th centiles predicted by ISO 1999 for the same age group exposed for 20 years to average levels of 85 dBA. The roofers' hearing

threshold levels fall between the median and 10th centiles of the ISO prediction.

FIGURE 3. Average hearing threshold levels among roofers compared with those of a hypothetical 50-year-old population exposed to 85 dBA for 20 years as predicted by ISO 1999 using Annex B. Reprinted from Schneider and Tennenbaum [27] with permission of the first author.

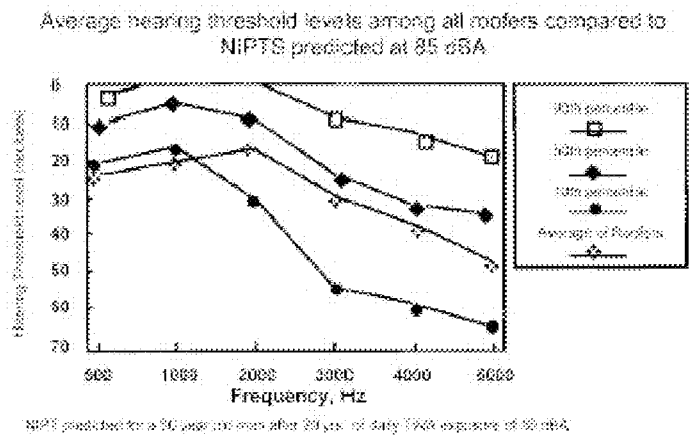

Two factors might cause these thresholds to be overestimates of the true hearing thresholds of roofers. First, the audiometric room was quiet but not soundproofed, which would be likely to produce elevated thresholds in the low and middle frequencies, although lack of soundproofing is unlikely to affect thresholds above 1000 Hz, where the major differences manifest. Secondly, a self-selection bias could occur because these subjects were volunteers at a convention. The bias could, however, work the other way in that some roofers might not volunteer because they did not want to confront the fact of hearing loss. One factor that would cause these thresholds to be underestimates is that they are part-time exposures that are compared with full-time exposures in the ISO method. Thus, to the extent that other roofers work longer hours their hearing losses could be more severe.

Figure 4, from Stephenson, [28] shows predicted compared with actual hearing threshold levels at 4000 Hz for carpenters. The data were collected by NIOSH personnel at a convention, so once again, self-selection may have introduced a bias, either to higher or lower hearing threshold levels. The results are interesting, however, because the author compares mean hearing levels of carpenters with a control group not exposed to noise (Annex A of ISO 1999 or ANSI S3.44, which comprises hearing threshold levels of an ontologically normal [highly screened] population) and to median hearing levels predicted

by ISO 1999 (or ANSI S3.44) of persons exposed to average daily levels of 95 dBA for the same age groups. One can see that the carpenters' hearing threshold levels are considerably greater than those of the subjects not exposed to noise in all age groups, and worse than the 95-dBA populations in the older age groups. These data would indicate, to the extent that this is a representative sample, that the exposures of carpenters equal or exceed an average Leq of 95 dBA.

FIGURE 4. Predicted compared with actual hearing threshold levels at 4000 Hz for carpenters. Reprinted from Stephenson [28] with permission of the author.

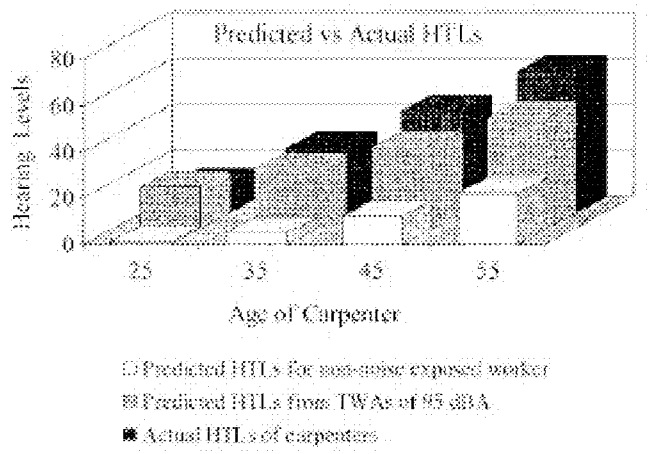

Undoubtedly, the most comprehensive HCPs for construction workers are those of the Worker's Compensation Board (WCB) in British Columbia. Figure 5, supplied by the WCB, shows HTLs of carpenters dating from 1988 and 1997. [29] These HTLs are plotted against a population from ISO 1999 Annex B (hearing threshold levels listed in Annex B of ISO 1999 [and ANSI S3.44] are for an unscreened population in an industrialized country) not exposed to noise and predictions of expected hearing threshold levels (noise-induced permanent threshold shift plus age) calculated from the measured exposures of a group of 63 carpenters in British Columbia. The carpenters' data are for the right ear and Annex B data are for the better ear, although any effect caused by this difference should be minimal. The average exposure of the measured group was an Leq of 91.3 dBA. One can see that the carpenters' HTLs were slightly worse than that of the population not exposed to noise but somewhat better than the predictions based on ISO 1999. Also, there is a slight improvement between the measured thresholds in 1997 and those from 1988 in the 6000- and 8000-Hz frequencies.

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FIGURE 5. Hearing threshold levels of British Columbia carpenters (triangles, 1988; open circles, 1997) plotted against a population not exposed to noise (closed circles) and predictions of expected hearing threshold levels due to average measured exposures of carpenters of L_{eq} 91.3 dBA (dashed line). Reprinted from Gillis and Harrison [29] with permission of the first author.

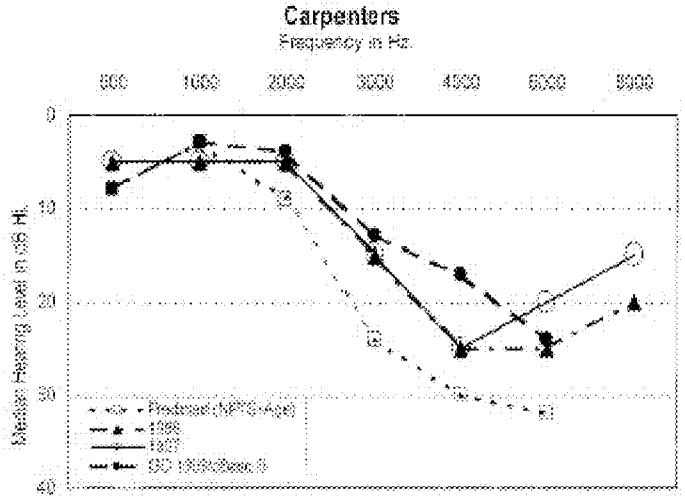

Figure 6 shows the same kind of data for equipment operators. [29] The ISO 1999 estimates of HTL are based on the measured noise exposures of 46 workers with an average L_{eq} of 91.6 dBA. Once again the 1988 HTLs are worse than those of the control population not exposed to noise and better than would be predicted according to the ISO standard. HTLs of the 1997 population, however, mimic the nonexposed curve and are substantially better than would be predicted by the average exposure level of a similar group of equipment operators. The reasons for these improvements are most likely attributable to the success of HCPs, which will be discussed further in the following sections. It is possible that some of the improvements may be due to the learning effect, an artifactual improvement in HTLs that occurs when people take several audiometric tests over a period of time. However, one cannot dispute the large differences between HTLs of these workers and the HTLs that would be predicted from their noise exposures.

FIGURE 6. Hearing threshold levels of British Columbia equipment operators (triangles, 1988; open circles, 1997) plotted against a population not exposed to noise (closed circles) and predictions of expected hearing threshold levels due to average

measured exposures of equipment operators of L_{eq} 91.6 dBA (dashed line). Reprinted from Gillis and Harrison [29] with permission of the first author.

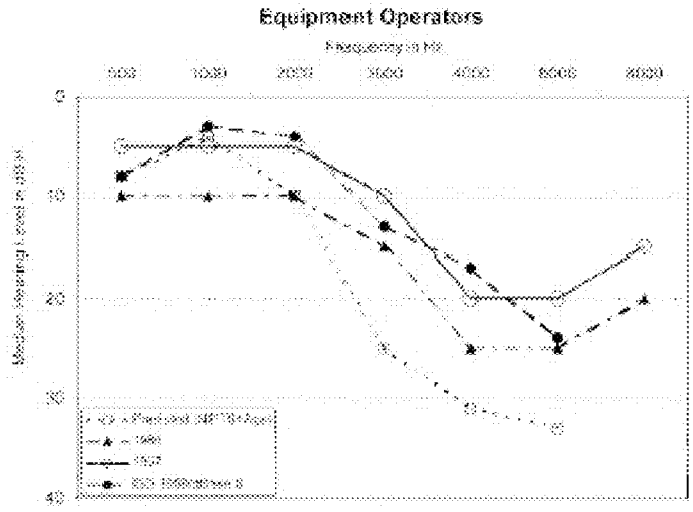

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HEARING PROTECTOR USE AMONG CONSTRUCTION WORKERS

Prevalence of Use

The use of HPDs by US construction workers has been notoriously poor, although it has improved slightly in recent years. For example, a 1967 study of occupational health in California noted that HPDs were not considered practical because of heat, dust, dirt, and lack of washing and fitting facilities on job sites. [30] This attitude was probably typical of construction in the United States until fairly recently. Even today, the use of HPDs in construction is not widespread. Greenspan et al. [12] found that only one individual out of the group of operating engineers and laborers they studied used HPDs, and this individual reported that he already had a hearing loss. Most of the group was older than 50 years and most reported that HPDs interfered with communication.

Table VII gives estimated numbers of workers exposed to noise levels of 85 dBA and above in various segments of the construction industry and the reported percentage using HPDs. The numbers of exposed workers are based on NIOSH estimates from 1981-1983, updated to reflect 1995 construction employment data. [4] The percentages are based on NIOSH observations from 1981-1983. One should keep in mind that the numbers exposed include

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all of those exposed to levels, not TWAs, of 85 dBA and above. Even so, the percentage observed using HPDs is quite low, and virtually nonexistent in certain trades.

TABLE VII. Estimated Numbers of Workers Exposed at or Above 85 dBA and Percentage Using HPDs (NIOSH Percentage Estimates [1981- 1983] Using 1995 Construction Employment Data. Adapted from Hattis [4])

SIC	Industry Description	NIOSH Est. No. Exposed >85 dBA	Reported % Using Hearing Protection
152	Residential builders	75,500	1
154	Nonresidential builders	66,300	15
161	Highway and street construction	60,400	11
162	Other heavy construction	90,500	44
171	Plumbing, heating, and air conditioning	52,700	16
172	Painting and paper hanging	35,100	0
173	Electrical work	74,100	0
174	Masonry, stonework, and plastering	33,500	11
175	Carpentry and floor laying	70,700	0
176	Roofing, siding, and sheet metal	22,300	3
177	Concrete work	98,500	19
179	Miscellaneous special trade contractors	74,500	35
Total		754,100	avg. 15%

The information in Table VIII summarizes the prevalence of HPD use according to various studies. In their survey of operating engineers, carpenters, and plumbers/pipefitters, Lusk and her colleagues found that overall, 24% of those surveyed never used HPDs when exposed to high levels of noise, and only 5.3% always wore them when exposed. [32]

TABLE VIII. Summary of Prevalence of HPD Use According to Various Studies

NIOSH (NOES) (1981-1983)[A]
Highway and street construction, 11%
Carpentry and floor laying, 0%
Plumbing, heating, and air conditioning, 16%
Overall average, 15%

Lusk et al. [31]		
Operating engineers, 49%		
Carpenters, 18%		
Plumbers/pipefitters, 32%		
Overall average, 33%		
British Columbia WCB [29]	1988	1998
Equipment operators	74%	90%
Carpenters	49%	77%
Electricians	55%	87%
Laborers	64%	64%
Truck drivers	46%	73%
Welders	76%	94%
Overall average	56%	75%

[A] Examples from Table VII

By contrast, the majority of British Columbia construction workers regularly used HPDs, even in 1988, when hearing conservation efforts were formally initiated in construction. According to Harrison, [33] British Columbia has required the use of HPDs since 1967, and a positive safety culture has existed there since the early 1970s, when hard hats and HPDs were fairly widely accepted. Enforcement of hearing conservation requirements was stepped up in the early 1970s, mainly in the forestry industry, but compliance appeared to spread into other sectors at that time. The widespread use of HPDs by 1988 is likely to be the primary reason for the better-than-expected hearing threshold levels of the carpenters and equipment operators shown in Figures 5 and 6.

Practical Considerations

The need for construction workers to communicate with each other is as great or greater than in most manufacturing industries. This is particularly true of personnel operating heavy and mobile equipment, such as loaders, dozers, and cranes, as well as personnel on the ground or in structures who need to communicate with them. Unless these workers are fitted with effective two-way or multiway communication systems, HPDs are likely to be viewed as a hindrance to communication and the perception of warning signals. This is especially true of workers who have already incurred a noise-induced hearing loss.

Most of these noise-induced hearing losses occur in the frequencies above 1000 Hz, which

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is the area most critical for the understanding of speech. Unfortunately, HPDs attenuate most effectively in this same frequency range. Consequently, spoken communication and indeed many warning signals become more difficult to perceive and understand when the person with noise-induced hearing impairment wears HPDs. There is a considerable body of research indicating that persons with noise-induced hearing loss are at an increased disadvantage in the perception of speech and warning signals when they wear HPDs. (34)

By contrast, a recent laboratory study of the effects of HPDs and hearing loss on the ability to perceive a common back-up signal indicated that persons with fairly severe losses could still detect a common reverse alarm at a signal-to-noise ratio of 0 dB. (35) These results are not definitive, however, because of the small size of the experimental population and because the subjects had no additional demands on their attention. It does suggest that even hearing-impaired persons wearing HPDs are able to perceive warning signals under certain favorable conditions.

There is also a body of research on listeners with normal hearing that shows that the use of HPDs can actually improve the perception of speech and warning signals in high-noise conditions. This is especially true when the noise is continuous. It appears that the point at which HPDs no longer provide an advantage for normal-hearing listeners is between about 80 and 90 dBA. (34)

However, much of construction noise tends to be intermittent or varying. Intermittent noise, which is typical of carpentry and finishing operations, is characterized by large differences in sound level and periodic interruptions at relatively low levels. Varying noise, which is more typical of the heavy equipment noise generated during site preparation, is characterized by ample differences between maximum and minimum levels, but low-to-moderate levels in between are present for a considerable amount of time. (36,37) Although HPDs may benefit communication during high noise periods, they are likely to be an impediment during the periods of intermittency when noise is below 80-90 dBA, and yet construction workers need to communicate and hear warning sounds during these periods.

This problem would suggest the need for HPDs that can be easily put on and taken off, such as muffs or semiaurals. There are, however, drawbacks to both of these protectors in the construction environment. First, muffs are sometimes incompatible with hard hats and safety glasses. Some muffs can be worn with the headband under the chin, but this position may be awkward. Muffs that are actually attached to the helmet are a popular alternative, but the attenuation is not always as great as with standard muffs because of difficulties in

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proper orientation and fit. The temple bars of safety glasses will often break an earmuff 's seal and attenuation will be reduced. Semiaurals may be useful as they are very easy to don and doff, but workers often find them uncomfortable and dislike the effects on the perception of their own voices due to the "occlusion effect" they sometimes generate. (38)

Interestingly, most workers in the British Columbia program, where the rate of use is highest, prefer to wear earplugs rather than earmuffs or semiaurals. In 1997, 64% of the construction workers reported using plugs, 13% used muffs, 1% used a combination of plugs and muffs, and 22% used no HPD. The use of plugs in British Columbia has greatly increased since a previous survey in 1981, and the use of muffs has decreased. (39)

Earplugs also have their disadvantages, aside from the fact that they require more time and effort to put on and take off than muffs or semiaurals. User-molded plugs, which have become by far the most popular type of plug, require clean hands to roll down and insert. The dust and dirt typical of construction sites can become imbedded in the plug and therefore a possible hygiene problem.

Localization of the sound source can be very important in construction. Workers need to be aware of warning signals, shouts from coworkers, and back-up alarms from moving vehicles. Both plugs and muffs degrade the ability to localize in the horizontal plane (left-right) and muffs have a devastating effect on localization in the vertical plane. (34,40,41) This fact has particular implications for the safety of iron workers and others who depend on communication in the up-down dimension.

It is true that hearing loss itself degrades the ability to localize (42) and to perceive speech and warning signals, (34) and one of the best ways to prevent hearing loss is the effective use of HPDs. This presents a difficult paradox because one is reluctant to generate safety problems in the effort to reduce an adverse effect on both safety and health.

The most recent noise regulation in British Columbia, which applies to construction as well as general industry, requires the posting of noise hazard areas when average exposure levels exceed 85 dBA (L_{eq}) or peak sound levels exceed 135 dBA. Employers must supply HPDs and workers must wear them in areas that have been posted. (43) This would presume that construction workers would be obliged to wear HPDs during the quiet periods and in noise levels between 80 and 90 dBA, even if they should pose a safety hazard. The regulation does state, however, that workers must wear HPDs "in accordance with instructions provided by the employer." Hopefully, employers would see fit to allow, even encourage

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workers to remove protectors when noise levels drop below about 85 dBA, but such flexibility on the part of both contractors and workers may not be easy to achieve. Employers often have the idea that bigger is better, and seek out HPDs with the most attenuation, regardless of an employee's noise environment and job needs. This practice can lead to overprotection, when too much attenuation can prevent workers from hearing sounds that are necessary to their job performance and safety. HPDs with only mild or moderate levels of attenuation can be quite adequate, as long as they are worn properly.

The British Columbia noise regulation requires certain selection criteria for HPDs, which are based on the Canadian Standards Association Standard, Z94.2-94, "Hearing Protectors" and its appendix. These criteria include communication demands on the worker as well as the worker's hearing ability and daily noise exposure. (43) The requirements should have the effect of encouraging employers not to overprotect.

In the United States the ANSI standard (S12.6) for estimating the attenuation of HPDs has recently been revised to include a subject-fit protocol (Method B) in addition to the traditional experimenter- fit method (Method A). (44) Using the new subject-fit procedure results in noise reduction ratings (NRRs) that are somewhat lower, but considerably more realistic than those derived by the earlier method, which is still printed on the HPD's package. US employers should be encouraged to use the newer Method B values whenever available, and to understand that they are more reflective of real-world use. In other words, employers should understand that hearing protector attenuation needs to be adequate but not excessive, and that overkill is a bad idea.

Regardless of whether HPDs improve or interfere with the perception and identification of warning sounds in specific cases, many construction workers believe that they will be a hindrance and therefore resist wearing them. A survey of carpenters' attitudes showed that nearly 50% believed they would be unable to hear warning sounds when wearing HPDs, and an additional 17% was unsure. (45) This problem calls not only for improved training, but an educated sensitivity on the part of those who dispense and supervise the wearing of HPDs.

Potential Solutions

Over recent decades, certain HPDs have been developed with speech communication and warning signal detection in mind. They may be classified as passive attenuators, attenuators aided by electronics, and communication systems. (For a comprehensive review of

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technology advances in HPDs, see Casali and Berger. [46])

Passive attenuation is characteristic of conventional plugs and muffs that do not use electronic systems. An example of a relatively new passive device is the Ultra 9000 (Aearo Co. Indianapolis, Ind.), a level-dependent earmuff that uses a valve system to achieve low levels of attenuation in low noise levels, with substantial attenuation in impulsive noise conditions. [47] Although this muff provides somewhat less attenuation in the low frequencies than in the middle and high frequencies, the slope between 500 and 8000 Hz is relatively flat (when worn correctly), which is desirable for speech communication. Other earmuffs without the level-dependent characteristic are currently being marketed for their communication advantages. An example is the Bilsom NST (Bacou-Dalloz Inc., Reading, Pa.), which has a relatively uniform attenuation between 250 and 6000 Hz.

Another promising development in the passive category are the ER-15 and the ER-25 plugs (Etymötic Research, Elk Grove Village, Ill.). The former provides a uniform attenuation of approximately 15 dB throughout nearly the entire frequency range, and the latter 25 dB of attenuation, although it rolls off slightly in the low frequencies. According to Killion et al., [48] the acoustics of the ER-15 plug were developed to mirror the natural response of the open ear while providing some amount of attenuation. It has become known as the "musician's earplug" because of its popularity among musicians, who require spectral "fidelity." Because its official NRR is only 7 dB, it is not appropriate for all occupational uses. The ER-25, however, does provide more attenuation, with an NRR of 16. The major drawback to these HPDs is that they must be custom molded to the user's ear, which adds considerably to the cost.

There are some conventional earplugs that attempt to achieve a flat attenuation at much lower cost. For example, Aearo's Ultratech plugs, with NRRs of 12 or 16 dB, are premolded plugs that have a slope of only 10 dB between 125 and 8000 Hz when worn correctly. Even though the NRRs of these devices are not as impressive as the 25-to-30 dB of many other HPDs, their attenuation would be sufficient for many construction activities, as long as they are inserted and worn properly.

There are two types of earmuffs that employ electronics. One uses noise cancellation to achieve attenuation. The other uses amplification to permit the passage of low and moderate levels of sound, maintaining a constant level at the ear. It then acts as a passive attenuator at high levels. An example of the latter is the Peltor Tactical 7-S (Aearo Co., Indianapolis, Ind.). This type of HPD offers promise of protection against high-level impulses

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superimposed against a background of relative quiet. [46]

Noise canceling earmuffs use electronics to generate an "antinoise" signal that reduces incoming noise levels by 20 dB or so in the low frequencies. An example of this HPD would be the ProActive 3000 muff (Noise Cancellation Technologies Inc., Stamford, Conn.), with an NRR of 21 dB assessed in the passive mode. These devices are useful mainly in environments characterized by high levels of low-frequency noise, where C-weighted levels exceed A-weighted levels by at least 10 dB. Because the electronics take up considerable room in the earcup, they cannot achieve as much passive attenuation as certain other protectors. However, they can produce a flatter attenuation curve when the active noise reduction feature is activated by boosting attenuation in the low frequencies and they can also reduce the troublesome masking properties of low-frequency noise. As of 1989, at least seven different companies had working models of active noise reduction headsets using noise cancellation technology, [49] but that number is probably lower today. Cost is a drawback, with prices ranging from $150 up to $1000 per set. [46]

It appears that there has been little laboratory or field testing of speech recognition with either type of electronically aided muffs. These HPDs may indeed be of benefit to speech communication and warning signal detection, but further evaluation is indicated before they are relied on in situations when speech communication is critical.

Communication headsets, however, have been used successfully over the years when communication at a distance is necessary. Although they cost anywhere from $200 to over $600, the expense can be more than offset by the benefits of clear and necessary communication. Noise cancellation may be used in these devices as an added benefit in the reduction of low-frequency noise, as in the Aviation Headset X (Bose Corp., Framingham, Mass.). Passive attenuating muffs may be plugged into existing radio systems, or self-contained units are also available for communication at distances of up to 2 miles. Several companies manufacture HPDs as communication headsets, with NRRs ranging from 21 to 29 dB. (50)

With the passage of the Americans with Disabilities Act in 1990, it is within reason to speculate that employers, including construction contractors, may need to provide workers who have hearing losses with HPDs that are suited to their communication needs, both in terms of spoken communication and the perception of warning signals. [51]

Clearly, the only practical, long-term solution to the many problems of hearing protector use

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in construction is noise control, both in the design and manufacture of construction equipment and at the construction work site.

AUDIOMETRIC MONITORING/ RECORD KEEPING

Audiometric testing is of little value unless serial audiograms can be compared, threshold shifts detected, and measures taken to halt the progression of noise-induced hearing loss. Single audio-grams may indicate hearing loss, but unless a series of audiograms imply an occupational cause, the process is only one of documentation rather than conservation of hearing.

Barriers to Successful Audiometric Monitoring and Record Keeping

There are several reasons why meaningful audiometric testing and the proper keeping of records are difficult in the construction industry. These include (1) mobility of construction workers, (2) the temporary and seasonal nature of employment, (3) the small size of construction companies, and (4) the prevalence of self-employment.

The Center for the Protection of Workers Rights has compiled a substantial amount of information about the construction industry and its workers from the Bureau of Labor Statistics, the Bureau of the Census, and other sources, which can illuminate these issues. (52)

Mobility. Depending on the size and nature of the project, construction workers may work for one company for only a matter of weeks or months, or up to many years. The average duration, however, is less than in the manufacturing industries. Job tenure in construction also depends on whether an employee belongs to a union. In 1993 the median job tenure in construction for union employees was 5 years and for nonunion employees, 3 years. (52, chart 20b) However, nearly 80% of construction employees are not unionized. (52, chart 14a)

Temporary and Seasonal Nature of Employment. Temporary unemployment is common among construction workers, and seasonal breaks are particularly common in the northern states. Unemployment ranges from 5 to 10% higher in construction than in the general population (52, chart 20c) and the rate of failure in construction companies has been consistently greater than in other industries as a whole. (52, chart 11a)

Small Size of Construction Companies. Small businesses are less likely to conduct

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audiometric testing, and those with 10 employees or fewer are generally exempt from record-keeping requirements. Nearly 82% of construction establishments have less than 10 employees and less than 1% have more than 100 employees. (52, chart 3c)

Prevalence of Self-Employment. Construction workers who are self-employed are less likely to be part of an employer's safety and health program, and are unlikely to have their own hearing tested. About 2 million of the estimated 5 million construction workers list themselves as self-employed, and 75% of these are unincorporated. (52)

Potential Solutions
Centralized Systems

British Columbia. The most successful HCP for construction workers is the program conducted by the Worker Compensation Board (WCB) of British Columbia. One measure of its success can be seen in the better-than-expected hearing threshold levels of construction workers and the improvements between the thresholds in 1988 and those measured in 1997. The examples given in Figures 5 and 6 are representative of all of the trades measured. (29) This program has the advantage of being centralized in the WCB, which is supported from fees taken out of the worker compensation premiums of British Columbia employers.

The program has been in effect for construction workers since 1987, when audiometric tests were initiated, and since then tests have been conducted annually. An updated noise regulation specifies a PEL of 85 dBA, a 3-dB exchange rate, a peak sound level limit of 135 dBA, and engineering controls above these limits whenever practicable. (43) Noise exposure monitoring and training and education are required at an action level of 0.5 (an L_{eq} of 82 dBA), but these latter requirements are not rigorously enforced in the construction industry. (53)

The WCB trains and certifies all technicians, who then provide audiometric testing, training, and counseling to construction workers. Audiometric information, including a medical history, is collected by the technicians on an optical-read form and scanned onto a WCB mainframe. In addition, workers carry with them a "WorkSafe" card, which contains a record of their hearing test, the date of the test, and boxes in which the technician may check whether the worker has received an explanation of the results, a fit test of hearing protection, or whether the requirement to wear HPDs has been discussed. Workers are advised to show the card at the next test in one year. The regulation requires also that the

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employer maintain, "in a manner acceptable to the board," (sec. 13.120) a record of the hearing tests for each worker as long as the worker is employed by that employer. (43)

Information about noise control and other aspects of hearing conservation is made available to employers through a WCB newsletter as well as through the technicians. Roberts (53) reports that compliance with the regulations is fairly good in heavy construction, commercial building, and road construction, but poorer in housing construction and among small-business contractors (which is not surprising). Also, because the regulation requires hearing tests "not later than 6 months after the start of employment, " (sec. 13.116) workers on short jobs are likely to be overlooked.

European Programs. Bygghälsan, the Swedish Foundation for Industrial Safety and Health in the Construction Industry, was founded in 1968. Its support was generated by assessing contractors for fees based on hours worked, and, like the British Columbia program, provided a central repository for hearing test data and other types of information. Its activities in recent years have been severely curtailed because of government cutbacks. The CPWR Chart Book, however, does contain data showing the decreased prevalence of "severe high-tone hearing loss" in Swedish construction workers between 1971-1974 and 1986-1990. (52, chart 40c)

In Germany, Arbeitsmedizinischer Dienst, state-run occupational health centers assist small companies with audiometric testing and the retention of audiometric records. (54)

Requirements of Other OSHA Regulations. Welch and Roto (55) report that of the 21 OSHA regulations requiring medical monitoring, 13 apply to construction. Both lead and asbestos have their own construction versions, although lead is, at this time, a final interim rule. The lead standard, 29 CFR 1926.62, requires a full medical examination when blood-lead or air sampling levels exceed certain criteria. The asbestos standard, 29 CFR 1926.1101, requires medical monitoring for all employees who are exposed above the PEL or an "excursion limit" for a combined total of 30 days or more per year. A medical exam must be given at least annually. It should include pulmonary function tests and may include a chest X-ray at the discretion of the physician. An exam is not required if records show that an employee has been examined within the past year.

The general industry regulation for hazardous waste operations, 29 CFR 1910.120, also requires medical examinations, and the revised respirator standard, 1910.134, requires

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physician clearance for workers to wear continuous-flow respirators. These standards also apply to construction.

Employers, including construction contractors, are required to ensure that these tests are performed and must pay for them. The problem is that the many complex characteristics of construction mentioned above (mobility, seasonal and short-term nature of the work, prevalence of self-employment, etc.) work against efficient medical monitoring programs, especially the keeping of records. OSHA's record-keeping rules, which have the same provisions for construction as for general industry, limit the requirements for short-term employment and for companies with 10 or fewer employees, except in cases of fatalities or multiple hospitalization accidents. Clearly, great numbers of construction workers are falling through the cracks.

Even for those companies that would be responsible for keeping records of medical monitoring, the question remains as to what to do when employees move on. The construction regulation for access to medical records (29 CFR 1926.33), which is identical to the general industry regulation (29 CFR 1910.1020), states that employers need not retain records after an employee's termination, but may simply give the records to the employee, provided that the employee has not worked there for more than 1 year.

But the question of effective follow-up remains open, especially in the case of audiometric testing, which is so dependent on the comparison of serial audiograms. There appears to be little experience with effective records management for construction employees for any health hazard outside of British Columbia. The one exception may be joint labor-management programs.

Joint Programs. Several of the unions whose members perform construction work have negotiated medical monitoring, testing, and training programs through the collective bargaining process. Examples of these are ironworkers, painters, carpenters, laborers, and sheet metal workers. All of these unions have centralized funds used mainly for training, but that also pay for some medical testing, such as asbestos exams, lead, and clearance for working with hazardous waste. (56)

A good example of this type of program is the MOST (Mobilization Optimization, Stabilization, and Training) program run by the boilermakers union. (57) The program covers drug, pulmonary function, and respirator fit testing, as well as safety glasses and safety training for some 20,000 boilermakers at this time, and it will soon involve 26,000 construction workers in Michigan. In addition, it is now open to all crafts in the nation. One

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of its most interesting aspects is the Employee Verification System, the ability of employers to call in to the program headquarters and obtain information on pulmonary function levels, as well as the dates on which all testing and training occurred. The program used to include full medical exams, including audiometric testing, but that segment was discontinued due to expense.

Unfortunately, there is no evidence in the United States of joint labor-management programs for construction workers that include audiometric testing and record keeping.

Even though these joint programs may be very successful, there are two principle disadvantages. First, union members are understandably reluctant to pay for medical monitoring and training when OSHA regulations have mandated these as employer responsibilities. Even though it is actually the employer who pays, workers may be reluctant to use collective bargaining to achieve benefits that are their right by law. The second and most obvious disadvantage is that 80% of the construction work force is not organized and therefore would not benefit from this type of arrangement.

There is no reason, however, why contractors could not pay into a fund for purposes of medical monitoring, including audiometric testing and record keeping, which would be managed by a public or private agency. This fund would then cover all construction workers, whether or not they were unionized.

State-Run Programs. There are, in fact, some states that have adopted OSHA's hearing conservation amendment for construction workers. For example, the State of Washington's Department of Labor and Industry is divided into a worker compensation section and an occupational safety and health section, the latter having jurisdiction over noise regulations. However, there has been virtually no enforcement or compliance with the construction noise standard, so merely adopting the federal hearing conservation standard for construction workers is not necessarily the answer unless the state is willing and able to enforce it.

It appears that the best solution would be a program like that of the WCB. Here, a centralized agency, in this case the WCB of the Province of British Columbia, not only keeps the records but trains the technicians, ensures follow-up, and provides quality control. This function could be carried out within the United States by state agencies, such as health departments.

There is a program called the Adult Blood Lead Surveillance program, funded by NIOSH

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and the Centers for Disease Control and Prevention, in which 26 states keep a register of the effects of lead and other heavy metals. These data are generally used for epidemiological purposes, but in some cases for individual follow-up. In New York, for example, all blood lead levels are sent to the State Department of Health and high levels can trigger follow-up phone calls to lead-exposed individuals. (58) In addition, some states have cancer or silicosis registries.

Although a state-run program is likely to be the most efficient solution for HCP elements such as audiometric testing and record keeping, these programs are always susceptible to the whims of state legislatures or federal funding sources. The perfect solution is elusive.

Credit-Card Type Storage Devices

Contemporary technology could make the problem of construction worker mobility somewhat more tractable. These devices, like optical cards, may be carried in one's wallet and are capable of storing considerable amounts of information. Evidently they are already being used for documenting safety training. According to Stephenson, (59) any audiometer that can communicate with a personal computer (which is a great many audiometers nowadays) can handle these devices. All that is needed is the appropriate software and a special drive. NIOSH has this capability at this time.

An example of the effective use of these "smart" cards is the program that allows travelers to cross the US/Canadian border by inserting a card encoded with the individual's fingerprint into an optical reader. According to a press release issued by Canon USA in 1995, these cards can store the equivalent of 1600 pages of text or other digital data, and they are already widely used in the health care field as a portable clinical record. (60) No doubt the technology has advanced considerably since then.

NOISE, HEARING LOSS, AND ACCIDENTS IN CONSTRUCTION

Accidents in Construction

Traditionally there has been a high rate of occupational injuries in the construction industry. Sweeney and her colleagues collected the following data from the Bureau of Labor Statistics and various other sources: (61) Construction workers represent 6.5% of the work force, but 18% of the fatal injuries occur in construction. After mining and agriculture, construction ranks third for workplace fatalities and injuries. The leading causes of

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construction fatalities include falls (31%) and transportation incidents (27%). Contact with or being struck by an object and musculoskeletal disorders account for more than 50% of all traumatic injuries. Construction workers are twice as likely as the average worker to be killed by a motor vehicle, and 40% of worker fatalities from motor vehicle accidents are pedestrians. Nearly 2000 machine-related deaths in construction occurred between 1980 and 1992 and in nearly one-third of the cases the worker was struck by a moving mobile machine. Laborers (23.5%) and operating engineers (22.6%) accounted for nearly half of the machine-related deaths.

Possible Contribution of Noise and Hearing Loss

There is little objective information linking noise exposure or hearing loss with accidents specific to construction, but common sense would suggest that many of these accidents might have been prevented had workers been able to perceive warning shouts or signals. The high incidence of fatalities from being struck by objects, of transportation incidents, and the frequency of fatal accidents from moving machines (especially with pedestrians as victims) all suggest a breakdown in communication.

Noise and hearing loss have been implicated in studies of other industries. For example, noise and hearing loss were found to be accountable for 43% of the injuries in a shipyard setting. [62] The authors considered other possible causes, such as alcohol consumption, cigarette smoking, and the use of earplugs, and found that alcohol consumption was the only significant factor besides noise and hearing loss. It appears that the authors controlled for age and job hazard.

Zwerling et al. [63] assessed the likelihood of occupational injuries in a large sample of workers drawn from the National Health Interview Survey. These workers had listed themselves as having some kind of preexisting impairment: visual or hearing impairment, back conditions, upper or lower extremity conditions, diabetes, epilepsy, and arthritis. The authors found that the highest risk of job-related injuries came from workers having sensory impairments with odds ratios for blindness of 3.21, deafness 2.19, hearing impairment 1.55, and visual impairment 1.37 (which was not statistically significant). Of the seven occupational groups studied, laborers represented about 8% of the total cohort, and approximately 36,000 in this group (13%) were construction laborers.[64] The remainder of the group included material handlers, as well as operators of various kinds of vehicles and equipment, some of whom might also be considered construction workers. The category titled laborers was one of three blue-collar categories, the others being mechanics/repairers,

and operators/assemblers. The odds ratio for injury among laborers was 4.16, the highest of any of the groups.

Another study of a large industrial population compiled accident data from factories over a 2-year period. [65] The authors found that the frequency of accidents and illness-related absences increased with increasing noise exposure levels for both men and women. The relationship between noise exposure and accidents was significant for men but not for women. Unfortunately, it can be very difficult to control for the hazardous nature of various jobs in this kind of study, and it is possible that high levels of noise may be related to jobs that are inherently hazardous.

Reverse Alarms

In recent years there has been some attention to the questionable effectiveness of back-up alarms in mobile machinery. A study by Laroche et al. [66] demonstrated that the audibility of back-up alarms on dump trucks is compromised because of the ineffectiveness of their acoustic signals. Laroche and Lefebvre [67] traced 22 fatalities to faulty back-up alarms in the Province of Quebec over a 15-year period. Table IX provides an updated version of these data, giving the cause of each accident and comments about noise levels and the back-up alarm specific to each situation. [68]

TABLE IX. Deadly Accidents Involving Heavy Vehicles and Noise (After Laroche et al.; [69] Updated, Expanded Version Translated into English Provided by Laroche [68])

Case No.	Date of Accident	Employee	Vehicle Involved	Cause of Accident	Comments
1	08-29-91		tow truck		noise level exceeded alarm
2	06-02-88	splitter/operator (aluminum co.)	forklift	poor visibility, plus backup alarm not detected	
3	04-28-88	water system installer	dump truck (?)	backup alarm not detected	poor synchronization of maneuvers
4	09-04-87	flag person (construction site)	dump truck (10 wheeler) backup alarm:	backup alarm not detected	alarm: 90 dBA; noise from steamroller: 87

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			DAP		dBA
5	07-01-87	quality control attendant (construction site)	dump truck (10 wheeler) Kenworth 1974	backup alarm not detected	backup alarm in front of the 2 back axles and directed toward the left. alarm : 80-85 dBA; noise: 105-107 dBA
6	01-09-87	flag person (construction site)	dump truck (10 wheeler)	misjudgment by worker	alarm level greater than noise levels
7	08-08-86	marine docker	forklift	backup alarm not detected, plus driver's vision obstructed	noise: 84-96 dBA; alarm: 12 dBA
8	08-15-85	flag person (road repair)	5-ton truck backup alarm: DAP 50	backup alarm not detected, plus poor planning of operations	noise: 92 dBA; alarm: 75 dBA
9	11-21-83	shipping and receiving clerk (interior site of a pharmaceutical co.)	delivery truck	noise from truck was not detected	high noise level because of construction
10	10-06-82		loaded dump truck, Mack 76 (10 wheeler) (28,800 kg)		poor judgment or noise level same as alarm
11	09-24-82	docker (port)	road hauler	noise from hauler was not detected	high noise level, poor lighting; one-way circulation

12	09-17-82		10 wheeler dump truck		alarm was not functioning, high noise level
13	01-20-82	general foreman (James Bay site)	loaded cement mixer (82,000 kg)	backup alarm not detected	alarm: 83 dBA at 1 ft noise: 107 dBA at 3 ft
14	11-23-81	welder (railroad)	grinder, LORAM	horn was not detected	horn: 97 dBA welding noise: 90.5 dBA
15	08-10-81		loader		lack of good work method, no backup alarm
16	12-06-78	garbage collector assistant	garbage truck	backup alarm or noise not detected (?)	surrounding noise greater than truck noise
17	08-21-78	flag person (road repair)	dump truck (10 wheeler)	backup alarm not detected	noise level greater than alarm
18	01-08-76	digger operator (Miron)	Ford 8000 dump truck (8 wheeler) (10 tons)	noise from truck was not detected	no backup alarm
19	12-29-75	flag person (snow removal)	leveler	noise from leveler was not detected	no backup alarm
20	07-08-75	flag person (steel works site)	dump truck (19 tons)	noise from truck was not detected	worker was walking with his back to the truck
21	08-14-75	crane operator	platform type tow truck	noise from truck was not detected	no backup alarm
22	07-08-75	truck driver (road repair)	dump truck (7 tons)	noise from truck was not detected, also subject was very close to the back of the truck	high noise level

23	03-18-75	pedestrian (construction site)	dump truck	noise from truck was not detected	high noise level, no backup alarm
24	03-12-75	engineer (road excavation)	loader (2.5 tons)	noise from loader was not detected	high noise level

Laroche and Lefebvre [67] concluded that there are at least five principle causes for these types of accidents: (1) hearing loss among construction workers, (2) high noise levels on some sites, (3) worker attentional demand or complacency, (4) inadequate placement of alarms, and (5) deficient acoustic features of the alarms.

The adverse effect of hearing loss should be self-evident, as with high noise levels, because they both would degrade the ability to perceive back-up alarms as well as warning shouts. Worker at-tentional demand from complex tasks or stimuli could cause the failure not so much to hear but to attend to the warnings produced by back-up alarms (see review of this subject by Suter, Ref. 34, Chapter 4). Inattention caused by habituation also could reduce the ability to react appropriately to the sound of warning alarms.

Laroche and Lefebvre [67] reported that placement of the back-up alarm is often problematical. For example, some owners position the alarm underneath the vehicle to protect it against weather, which placement has an attenuating effect. With regard to deficient acoustic features, the authors found that most back-up alarms produce puretone signals around 1400 Hz or modulations of two neighboring sounds, 1250 and 1350 Hz. Reflections of these sound waves on the ground or diffraction by the sides of vehicles have the effect of reducing or even canceling them before reaching the listener. Within spaces of less than a few inches, Laroche and Lefebvre found variations in sound pressure level of more than 15 dB behind vehicles. Finally, the use of a pure tone in the 1500-3000 Hz range is not efficient for purposes of auditory localization. [69]

There are several reasonable solutions to these problems. First would be to prevent hearing loss through noise control, the judicial use of HPDs, and training. Second, noise levels on the construction site should be reduced through the manufacture and purchase of quieter equipment and the proper maintenance of all noise-producing equipment. Third, workers should be trained in the awareness of warning signals as well as all aspects of hearing conservation. Fourth, back-up alarms should be placed for optimal reception by the intended listener. Fifth, greater attention should be given to the workers' sound environment and sound propagation in the design of the alarm, as well as the psychoacoustics of audition.

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Laroche and Lefebvre [67] caution that back-up alarms should not emit just one pure tone because of the considerable risk of sound cancellation, but instead should produce several frequencies in the 500 to 2000 Hz range that are not harmonically related.

In optimal conditions the sound level of an alarm should exceed the background noise by 10-15 dB. However, this can pose a problem to the residents neighboring construction sites, who often complain about the noise of back-up alarms. A partial solution could be found in the form of an auto-adjusting alarm, which senses noise in the environment and adjusts its signal to a level 10 dB above that of the background noise. An example is the Starmatic 63-000 (Star Warning Systems Co., Avon, N.Y.), an auto-adjusting back-up alarm, with a range of 87-112 dB.

One final recommendation came from a safety workshop attended by laborers, and that is that personnel backing heavy vehicles should use an additional worker as a "spotter." [56] This worker is presumably in a place where the operator can see him or her, and it is important that the worker is trained and alert because Laroche and her colleagues found that the "signalman" was sometimes the one who was fatally hit. [66]

NOISE CONTROL IN CONSTRUCTION

There is a considerable amount of information available on the control of noise in the various aspects of construction, and a detailed discussion of this topic is beyond the scope of this report. A brief overview, however, would be useful. Noise control solutions include the efficient operation and maintenance of construction equipment, retrofit of existing equipment, and the design of quieter new equipment.

Feasibility

It appears that noise reduction in most construction sites and for most construction equipment is feasible. Although some tools will still require the use of HPDs for adequate protection, there is a great deal that can be done. Figure 7, from the Bureau of Mines, gives examples of how noise control could be applied to surface mining machines, several of which are used in construction. [70] Note the dramatic reductions achieved in haulage trucks, front-end loaders, and graders. Although some of these noise problems may have been mitigated in contemporary equipment, undoubtedly many have not yet been sufficiently quieted.

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FIGURE 7. Examples of how noise control may be applied to surface mining equipment, some of which is used in construction. Reprinted from Bartholomae and Parker, [70] US Bureau of Mines publication.

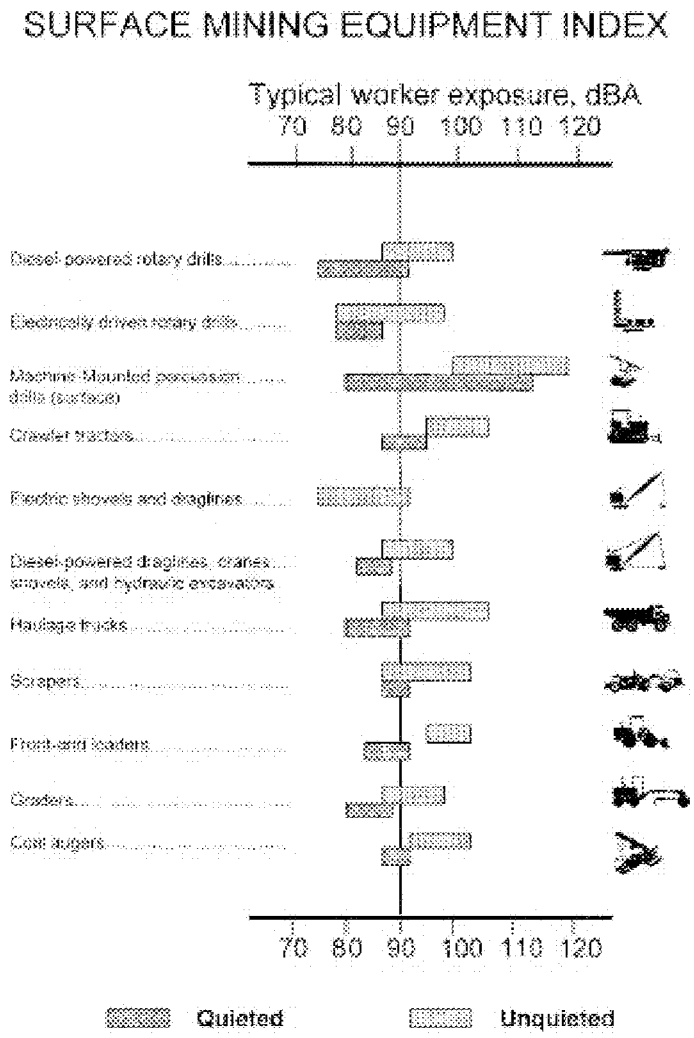

Maintenance

One of the least expensive and most rewarding noise control practices is the proper operation and maintenance of equipment. This includes keeping noisy operations away from workers who are not involved in that process, lubricating parts, keeping saw blades

sharpened, and replacing worn bearings and other parts as needed. It also involves keeping the doors and windows of noisy vehicles closed to the extent possible to protect the operator from the engine and exhaust noise. Like any vulnerable part, noise control measures, such as gaskets and mufflers, need to be maintained and replaced when necessary to provide the desired attenuation.

Retrofit

Retrofit applications, such as those advocated in the Bureau of Mines Handbook, [70] include installing mufflers, enclosing and insulating the cabs of noisy vehicles, and enclosing parts of noisy machines. Table X, from Schneider et al. [51] lists types of construction equipment and suggested retrofit controls. The authors give references for each control measure. For example, they cite a report by the Society of Automotive Engineers, which found that changing from an inadequate to a better muffler could make a difference of 1-3 dB, and installing a muffler where one had been lacking could make a difference of 10-12 dB. [71]

TABLE X. Noise Controls for Construction Equipment (from Schneider et al. [51])

Equipment	Noise Controls
Pile driver	Enclosure, muffler
Stone cutting saw	Noise control pad with water
Handheld impact drills	Reduction of reflected sound
Circular saw blades	158 tooth angle, new tooth configuration, slotted saw blades, viscoelastic damping
Pneumatic tools	Muffler
Pavement breaker/Rock drill	Muffler, enclosure of cylinder case and front head, moil damping
Portable air compressor	Muffler, acoustic enclosures
Bulldozer	Cab-liner material, enclosure, sound absorption in canopy, sealing of all openings
Wheeled loader	Absorption of sound cooling air route
Vibratory roller	Flexible mounting for pump compartment
Joint cutter	Antivibration mounting fixtures

There may be times when retrofits yield only small improvements in noise level and HPDs

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are still necessary to prevent hearing loss. Researchers at the Mine Safety and Health Administration found that retrofit controls tend to reduce high-frequency noise more readily than low-frequency noise, often resulting in differences between C-weighted and A-weighted noise levels that exceed the nonretrofit condition, even though A-weighted levels had been reduced. (72) Although this finding should not discourage the use of retrofit measures, it does provide additional support for choosing HPDs with good low-frequency attenuation and careful training in their effective use.

Design

The most efficient and economical stage at which to control noise is in the design phase. This is true both in the design of a potentially noisy work space and in the design of equipment. For example, changes in the pathways of ductwork can reduce fan noise, (73) and changing low-frequency jet noise to high-frequency can make it easier to control. (74)

At an Environmental Protection Agency (EPA) hearing many years ago, George Diehl, an acoustical engineer with the Ingersoll-Rand Co. (Woodcliff Lake, N.J.), reported on a "whisperized" air compressor, in which the noise level had been reduced from 110 dBA to 85 dBA. (75) At that time the company was also working on noise from rock drills (pavement breakers and jackhammers), and had reduced the noise between 8 and 10 dB, while simultaneously reducing vibration. Mr. Diehl also discussed another type of demolition tool called a "hobgoblin," which was mounted on a backhoe. Because it was hydraulically operated it had no air exhaust, and therefore, the major source of noise was reduced. He reported that it could do the work of 10 to 24 regular paving breakers while producing considerably less noise. (75) It appears that this kind of push for the control of construction noise in the United States has diminished, but it continues to progress in Europe.

There is, however, an interesting innovation being developed called the Raptor (Brookhaven National Laboratory, Upton, NY), a machine that fractures concrete by firing steel nails from silencer-equipped guns. It is reported to work more rapidly than the conventional jackhammer, does not rely on an air compressor, and the noise level is projected to be below 80 dB. (76)

Resources

There are many such reports on noise control solutions in the construction industry. Some of

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them are consolidated in booklets or a series of articles. In addition to the sources cited by Schneider et al., [51] the following are some examples.

Mining Machinery Noise Control Guidelines, 1983, a Bureau of Mines Handbook. [70] This publication contains information on the noise levels of surface and underground mining equipment, some of which is used in construction, particularly in the site preparation phase of large construction projects. For each piece of equipment the booklet lists typical noise levels, along with recommended treatments, quieted noise levels, costs in dollars and labor in hours, and the availability of treatments. These descriptions include sources for commercially available noise control products and materials, technical reports on the development and demonstration of noise control treatments, and case histories.

Noise Control, Proceedings: Bureau of Mines Technology Transfer Seminars. [77] This book of proceedings contains specific articles covering some of the same types of information as above, with more text.

Constructional Noise: A Survey of Noise on Building Sites, Byggha¨lsan, Stockholm. (78) This booklet gives octave band and A-weighted noise measurement data for more than 30 examples of construction noise sources, along with information on the work operation, cause of the noise, and suggested control measures for each type of equipment or setting. Although these data are more than 25 years old, many are undoubtedly still applicable. It includes comments about controls and the need for hearing protection.

Noise Control: A Guide for Workers and Employers, US Department of Labor. [79] Although this guide pertains to general noise problems and their solutions, some of the principles of noise control also apply to construction. It was originally published by the Swedish Work Environment Fund, translated, then edited and adapted by OSHA.

"Noise Control: Principles and Practice," published in *Noise News International* between June 1994 and June 1999, form a series of 15 articles by Stig Ingemansson, the original author of the Swedish guide previously cited. [80] The articles represent an edited and updated version of the older guide.

Many papers and articles on noise control, some of which deal with construction, are available in the publications of the Institute of Noise Control Engineering, which has headquarters in Pough-keepsie, NY These include Noise Control Engineering Journal, Noise News International, and the proceedings of annual conferences, both US and international.

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In addition to the preceding suggestions, there are other publications, such as those cited by Neitzel and Seixas: [15] Alfredson and May, [81] Kessler, [82] and Mulholland and Attenborough. [83]

EPA

The Office of Noise Abatement in the US EPA, which functioned between 1972 and 1982, made significant efforts to control noise in the general environment, including construction noise. Funding for the program was terminated in 1982 by the Reagan administration, and the office was closed. However, the statutory requirements still stand because Congress has never rescinded them: the Noise Control Act of 1972 and the Quiet Community Act of 1988 (P.L. 92-574, 1972 as amended at U.S.C. 4901-4918, 1988).

Of interest in the area of construction are the regulations for medium- and heavy-duty trucks, air compressors, and regulations for the existing motor carrier fleet. These regulations are still in effect but are not being enforced. Two pieces of construction equipment, pavement breakers and rock drills, were identified as major sources of noise and set on the path toward regulation, but were "disidentified" when the program closed in 1982. The agency also considered the regulation of wheel and crawler tractor noise emission. The Noise Control Act required EPA to regulate the labeling of products that emitted or reduced noise, but EPA only promulgated one regulation in this category, the attenuation of HPDs.

A considerable amount of information about construction noise was generated by the agency, most of which is listed in EPA's *Bibliography of Noise Publications.* [84] Some titles pertaining to construction noise are listed in Appendix A. In addition, EPA has microfilmed much of the materials from the Office of Noise Abatement, and many of its contractor reports are still obtainable.

EUROPEAN STANDARDS AND DIRECTIVES

Activities of the European Community Undoubtedly the most interesting developments in noise standards and regulations are currently occurring in the European Community (EC), now known as the European Union (EU). With the economic unification of European countries, the effort to harmonize existing standards and to develop a unified approach to new standards has been taking place for nearly two decades. There are now a great many

European standards and directives in the field of noise measurement, effects, permissible limits, and control, including some that are specific to construction.

Although publications in this area tend to use the terms "standard" and "directive" interchangeably, the word "standard" is usually applied to measurement procedures or proposals set forward by consensus groups such as the International Organization for Standardization (ISO) or the International Electrotechnical Commission (IEC). The term "directive" usually applies to an order issued by the Council of the European Community (CEC), and this order is generally mandatory for implementation by the member states of the EU.

The EU speaks in terms of the "old approach" and the "new approach" to the issuance of directives. The old approach, taken prior to 1985, applied to one product at a time and was very time-consuming. The new approach resembles enabling legislation, in that these directives apply to broad categories of products. Under the new approach, the CEN prepares nonmandatory technical specifications, the purpose of which is to assist manufacturers in the design of products so that these products will meet mandatory directives. Although the new approach was followed for directives issued in 1985 and thereafter, directives issued under the old approach still apply. Some of the old approach directives are being revised, and some new directives are still being issued under the old approach. (85)

Construction Directives

One of the earliest directives issued by the EC specified measurement methods for determining the A-weighted sound power levels of construction plants and equipment. (86) This directive was followed in 1984 by several specific directives, (85) which stipulated measurement methods and permissible sound power levels for air compressors (84/553/EEC; 85/406/EEC), tower cranes (84/ 84/534/EEC), welding generators (84/553/EEC; 85/407/ EEC), power generators (84/536/EEC; 85/408/EEC), and concrete breakers and picks (84/537/EEC; 85/409/EEC). In 1986 the EC issued a directive on hydraulic and rope-operated excavators, dozers, loaders, and excavator-loaders (86/662/EEC; 89/514/EEC). Several of these directives have been revised (indicated by the second date). Tables 3-8 in Ref. 85 present a summary of the sound power level limit values for the construction equipment listed above. The permissible sound power levels range from 100 dBA to 118 dBA, depending on size, weight, and type of equipment. (One needs to keep in mind that the sound power level can be some 25 dB greater than the sound pressure

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level at the operator's position.)

1986 Directive to Protect Workers Against Noise

In 1986 the CEC issued directive 86/188/EEC "on the protection of workers from the risks related to exposure to noise at work." (87) This directive required all employers to reduce TWA noise exposure levels (using the 3-dB exchange rate) to 90 dBA or "to the lowest level reasonably practicable, taking account of technical progress and the availability of measures to control the noise, in particular at source." (article 5-1) This means that employers must reduce noise to levels below 90 dBA whenever "reasonably practicable." (Article 5-2) Other measures, such as information and training, the provision of HPDs, and hearing testing must be instituted at an L_{eq} of 85 dBA. Those countries comprising the EC were required to have regulations that conformed to the CEC directive, or were at least as stringent, by January 1, 1990. Article 8 of the directive states that the design, building, and/ or construction of new plants must comply with the 90-dBA exposure limit, and tools or machines that expose workers to daily average levels greater than 85 dBA must provide adequate information "about the noise produced in conditions of use to be specified."

Machinery Directive

In 1989 the CEC issued the Machinery Directive, under the procedures of the new approach. (88) This directive, 89/392/EEC, requires manufacturers of a wide variety of machines, including many that are used in construction, to make noise reduction an integral part of machinery design by implementing state-of-the art design methods. (85) Manufacturers must include information on noise levels when any machinery exceeds exposure levels of 70 dBA or 130 dBC at the operator's work station, or when sound power levels exceed 85 dBA. (88) Both the sound pressure and sound power level information are to be based on durations representative of the typical work-cycle of the machine. Noise emission information must be included in the instruction handbook of the machine (for the user's benefit) and in the technical information describing the machine (for the benefit of the purchaser.)

Since the promulgation of the machinery directive, several safety standards have been issued specific to certain machines. These standards contain a description of the hazard, the safety objectives to be achieved, measures for reducing the hazards, test methods to establish compliance, and user information. Lazarus and Zimmerman (89) present a

discussion of these standards, along with some of their limitations.

Draft standard EN 1746 gives the noise provisions that should be included in machine safety standards: the identification of a machine's main noise sources; reference to principles of low-noise design, along with examples of design for noise control; a compilation of ranges of noise emission values; and the development of information necessary for user instructions to allow for low-noise operation. The authors report that the majority of "framework" standards necessary for the preparation of machine-specific safety standards already exist for noise, but they need to be developed further and adapted to the practical problems of manufacturers and operators. For example, typical operating conditions still need to be agreed on and differences between the conditions specified in the standards and actual use need to be resolved. [89]

Labeling

Another interesting provision of the machinery directive is its requirement for compliant machinery to carry the "CE" mark. An amendment to the machinery directive gives the form in which the CE mark is to be displayed (93/68/EEC). In addition, the construction noise directive (79/113/EEC) requires manufacturers to display labels in the form of plates showing either the sound power level (L_{WA}) or sound pressure level (L_{pA}) at the operator's position. The specifications for these labels are shown in Figure 8.

FIGURE 8. Models of plates showing the sound power level (L_{WA}) and sound pressure levels (L_{pA}) at the operator's position required by the European Community's construction noise directive (79/113/EEC). Reprinted from Higginson et al. [85] with permission from Noise News International.

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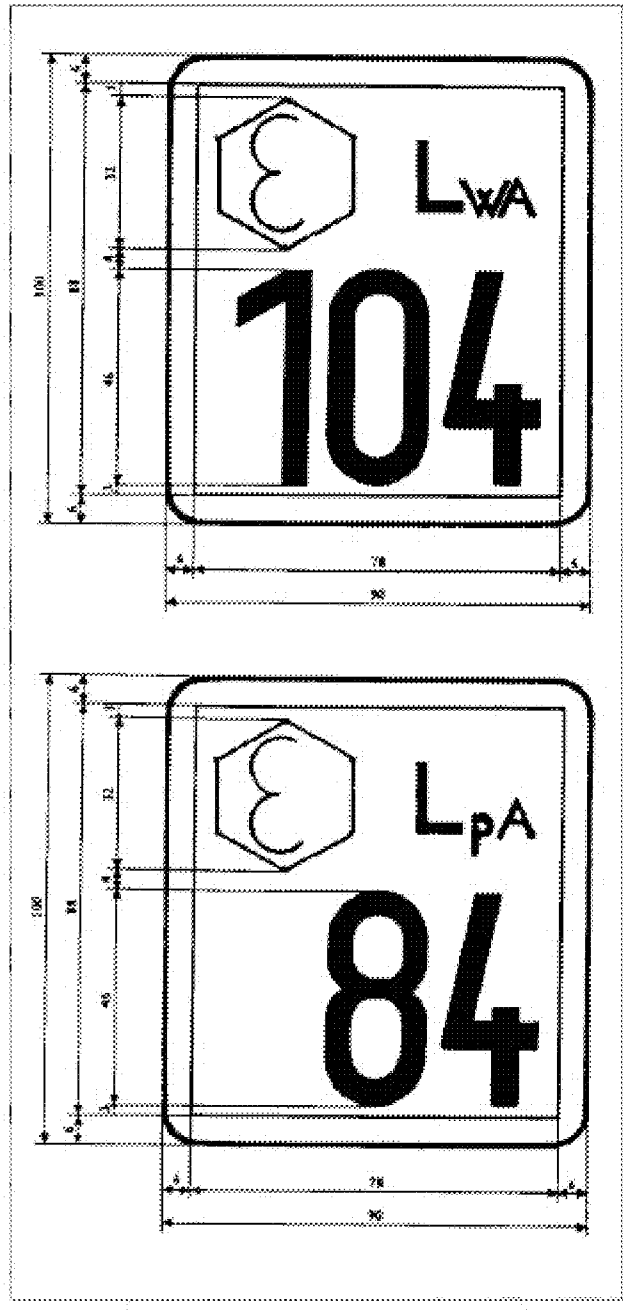

There is an ISO standard pertaining to the noise labeling of machinery and equipment, ISO 4871. (90) This standard prescribes the labeling of machines, or families of machines, with

the A-weighted sound power level in more than one mode of operation, preferably the mode resulting in the highest value. Although the labeled sound power level may be useful for deciding which machine to purchase, it gives relatively little information on the worker's exposure in actual use.

A draft American National Standard is currently being prepared by an ANSI working group [91] that adopts the provisions of ISO 4871, with the addition of a series of annexes. Proposed Annex E gives the option of including A-weighted sound pressure levels and C-weighted peak sound pressure instead of or along with sound power levels. A proposed modification to Annex B gives examples of declarations for both sound power level and sound pressure level in the "idle" and "operating" modes. It is important to remember, however, that the operating mode means under load but not necessarily in actual working conditions, as in the case of a tool contacting a work piece.

Evaluation of Noise Limits and Labeling Requirements

The success of these programs is bound to be variable because enforcement of the EC directives is carried out by the individual member states, some of which are likely to be more zealous than others. Also, the problems raised above by Lazarus and Zimmerman have been mentioned by other researchers. Kyttala and Airo [92] found that although a majority of the handheld power tools they surveyed carried noise declarations (labels), the authors questioned whether the information provided would apply to the tools as they were being used. They found that the declared noise levels were usually lower and sometimes considerably lower than those measured in actual use.

Irmer and Fischer-Sheikh Ali [93] pointed out that the primary purpose of the machinery noise directives was to enhance the functioning of the common market by eliminating trade barriers. Thus, noise limits were set high enough so that very few products would be excluded from the market. They maintain that setting an easily achieved upper limit for construction equipment removes any pressure to produce products with lower noise emission levels. They do mention, however, that the EC has recently published a proposal on the noise emission of equipment used outdoors, which will replace existing directives and revise existing noise limits in such a way as to give a higher priority to environmental concerns like construction noise. [93,94]

INCENTIVES FOR QUIET

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Disincentives of the Last Two Decades

With the demise of EPA's Office of Noise Abatement in 1982 and along with it the regulatory program for construction equipment, the incentive for noise control has declined. This is true of equipment manufacturers as well as contractors. Some small incentive has been supplied by municipalities and local groups seeking to mitigate the noise exposure of communities, but the noise abatement capabilities of local governments were adversely impacted by the closing of the national noise office. Within the last few years there has been a rekindling of interest in environmental noise abatement, both on the national and local levels, but Congress has still not seen fit to appropriate funds for the implementation of the Noise Control Act. There are now two self-sustaining national organizations concerned with noise abatement: the Noise Pollution Clearinghouse and the League for the Hard of Hearing. There also has been considerable media attention to the problem in recent years, as well as increased interest in local ordinances throughout the nation.

Efforts to control noisy products and workplaces have been severely curtailed by OSHA's compliance directive of 1983, [95] which effectively raised the PEL to a TWA of 100 dBA and discouraged noise control even above that level due to extremely permissive enforcement procedures. [96] To the extent that manufacturers of construction equipment concerned themselves with the prospect of noise regulation from either EPA or OSHA, that incentive has disappeared.

The Blue Angel Program

Europe, however, does provide some incentive for noise reduction by the manufacturers of construction machinery, even in the United States. First, there are the directives for noise limits and labeling, with which American manufacturers must comply if they wish to sell their products on the European market. The advent of the ANSI standard on labeling of machinery for noise could possibly encourage US manufacturers to reduce product noise levels, even though the standard will not be mandatory.

The most promising development is Germany's "Blue Angel" program, which could have beneficial spillover for construction workers in the United States and which could also be used as a model in this country. The Blue Angel refers to a program for the voluntary designation of products as favorable to the environment. It was developed in Germany in 1977 and is flourishing today. The program's two main purposes are to assist customers in the choice of products and to encourage manufacturers to develop and market environmentally friendly products. Figure 9 shows the Blue Angel label with the

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environmental logo of the United Nations, the inscription "Umweltzeichen" (environmental label) above, the words "weil la ¨rmarm" (because low-noise) below, and the words "Jury Umweltzeichen" (Environmental Label Jury) underneath.

FIGURE 9. The "Blue Angel" label. Reprinted from Irmer and Fischer-Sheikh Ali [93] with permission from Noise News International.

Blue Angel awards for low-noise construction equipment were established in 1988. Irmer and Fischer-Sheikh Ali [93] reported that more than 40 companies had applied for the award with about 200 products displaying the label. Differences in sound levels between the existing noise limits in EC directives and those emitted by the Blue Angel products range from 5 to 14 dBA. In the early days of low-noise construction equipment the Federal Environmental Agency gave some financial support to interested manufacturers, but the authors report that the Blue Angel proved to be a good advertising tool and financial incentives are no longer needed.

Some local governments in Germany have given preference to Blue Angel construction products and are allowing them to be used in noise-sensitive areas, where the use of noisier products would be proscribed. Irmer and Fischer-Sheikh Ali [93] also mention that the

number of non-German applicants is steadily increasing, with about 15% of the Blue Angel manufacturers coming from outside Germany. A 1997 publication of the German government gives an overview of construction machinery bearing the Blue Angel label. (97) The Caterpillar Co. is one of 14 manufacturers of excavators, with four types of machines displaying the Blue Angel. Their sound pressure levels range from 72 to 77 dBA. Of the 12 manufacturers of loaders, Caterpillar manufactures six models with sound pressure levels ranging from 68 to 78 dBA. Other products listed include compressors, power generators, welding generators, paver-finishers, concrete mixers, and tower cranes. Additional products and companies are undoubtedly certified today. Current information on the Blue Angel program is available at http://www.blauer-engel.de.

Buy Quiet Programs

EPA's Office of Noise Abatement and Control initiated an ambitious Buy Quiet program during the 1970s. (98) Its purpose was to leverage the multibillion dollar public sector market to buy quiet products. This would be done by organizing government purchasing cooperatives and working through professional purchasing organizations. The agency's program included the Government Services Administration, the National Institute of Governmental Purchasing, the National League of Cities, and various federal, state, and local purchasing agencies and cooperatives.

The EPA's Buy Quiet program consisted of four parts: (1) a series of conferences to develop quiet product purchase descriptions, (2) local Buy Quiet programs in which governments and purchasing cooperatives agree to buy quiet products as an ongoing activity, (3) a data bank for quiet purchasing operated by the National Institute of Governmental Purchasing, and (4) demonstrations of quiet products loaned by the EPA to local governments. Bids were evaluated on the basis of both noise level and price. In 1981, 64 governments had either committed themselves to a Buy Quiet program or were considering doing so.

EPA's Buy Quiet program had a short life because the agency was closed in 1982. At present there are no data on the number of government agencies (federal, state, or local) with these kinds of programs, but it is likely to be relatively few.

There is evidence, however, that these programs may continue in some places. Haag (99) reported that the 1987 edition of the National Fire Protection Association (NFPA) Standard on Fire Department Occupational Safety and Health Program contained noise specifications. Section A-5-8.1 stated that "new fire apparatus should provide maximum

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sound requirements that would allow members to ride in those vehicles without hearing protective devices. A maximum limit of 85 dBA without audible warning devices and 90 dBA with warning devices in operation is recommended." (99, p. F-22)

CONCLUSIONS

Approximately one-half million construction workers are exposed to hazardous levels of noise. Studies of construction workers' HTLs in the United States reflect excessive exposure, and it appears that the onset of noise-induced hearing loss starts early and continues throughout the career.

The prevalence of HPD use in the US construction industry is very poor and only recently has begun to improve. Anxiety concerning the ability to perceive and understand warning signals and communication is an important factor in resisting HPDs, and research over recent years supports the validity of this anxiety. In British Columbia, however, the use of HPDs is significantly higher than in the United States, which is related to the success of its overall HCP. Today's broad range of HPDs, with several models designed specifically to mitigate the problems of hearing and understanding communication and warning signals in noise, points toward the necessity of careful selection and fitting of HPDs.

Audiometric testing in industry is of virtually no value unless serial audiograms can be compared. The problem of audiometric record keeping is especially difficult in construction because of the mobility of construction workers and the small size of many construction companies. Some kind of centralization, such as that found in the British Columbia program, would appear to be the best solution. Credit card storage devices or "smart cards" could make audiometric record keeping considerably more efficient for mobile employees because workers could easily carry them from job to job.

Although there has been relatively little investigation into the effects of noise, hearing loss, and HPDs on accidents in the construction industry, the existing research, along with evidence from studies of other industries, demonstrates the likelihood of adverse effects in construction. There are several steps that can be taken to reduce this hazard.

Noise control is the most effective way to prevent noise-induced hearing loss in construction, and very possibly reduce the incidence of serious accidents. Although maintenance and retrofit are viable approaches, control at the design stage is most desirable. Considerable information in this area is available, although some of it may be dated.

European standards and directives have focused attention on noise emission in European countries. These directives, which limit noise exposure and mandate labeling and provision of information, must provide some incentive to manufacturers, even though these requirements need to be made more relevant to the workplace in some cases.

Incentives for noise control on construction sites in the United States have diminished over the last two decades. The most likely reasons are the closing of EPA's Office of Noise Abatement and the issuance of OSHA's compliance directive for general industry, which effectively raised the PEL to 100 dBA. European directives may provide some incentives to US manufacturers, especially in the form of programs like Germany's Blue Angel. Governmental Buy Quiet programs could also provide some incentive for noise control.

RECOMMENDATIONS

Professionals in industrial hygiene and hearing conservation should make every effort to control excessive noise on construction sites through the purchase of quieter equipment, as well as retrofit and proper maintenance of existing equipment. These efforts would not only conserve hearing but also aid in the prevention of noise-related accidents and fatalities.

Training programs should be developed for workers and contractors that include the importance of communication in the construction workplace, the dangers of overfitting HPDs, and how to tailor HPDs to communication needs. Contractors should be warned that they may have to spend more money on HPDs than they anticipated to ensure worker safety and efficiency, as well as the prevention of noise-induced hearing loss.

Manufacturers of reverse alarms and other warning devices should be encouraged to design their products for maximum audibility in the noise conditions most typical of their use, and to be perceived and understood by workers with noise-induced hearing loss, workers wearing HPDs, and workers under varying degrees of attentional demand. Contractors should be encouraged to purchase warning devices that are suitable for the work environments for which they are intended.

Pressure should be brought to bear on OSHA to move as rapidly as possible to extend the general industry noise regulation, including its amendment for HCPs, to cover construction workers. Although sections of the regulation would need to be tailored specifically to construction, it appears that the necessary knowledge and technology are available.

The agency should also be encouraged to rescind its instruction of Nov. 8, 1983, CPL

2-2.35 and all references to a TWA of 100 dBA in its directives and manuals. This policy was not subject to public notice and comment and provides a powerful disincentive for noise control and the conservation of workers' hearing in all industries, including construction.

Additional noise measurement data are needed on the sound levels of various types of construction equipment and various models within the same type. These data would facilitate the identification of low-noise and high-noise equipment, both for OSHA to assess the technological capabilities of the industry and for the sake of contractors who wish to purchase quieter equipment.

Consideration should be given to the identification and use of a centralized agency (or agencies) in which audiometric test results could be kept on a permanent basis.

The use of "smart cards" to store and transfer audiometric data should be further investigated.

A noise control database for the construction industry needs to be developed. It should include noise sources and levels, recommended treatments, quieted noise levels, estimated costs, and the availability of materials for treatments. The database should be made available electronically as well as on paper, and should be targeted to contractors, worker representatives, professionals in industrial hygiene and noise control, and federal and state compliance officers.

Government agencies should make financial and technical assistance available to organizations that could renew interest in Buy Quiet programs.

Organizations within the United States should obtain information about and publicize the achievements of all companies that currently display Germany's Blue Angel label for quiet equipment.

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APPENDIX A

Reports pertaining to construction noise generated by the U.S. EPA's Office of Noise Abatement and listed in the *Bibliography of Noise Publications.* [84]

- "Substrategy for Construction Site Noise Abatement" (1981)
- "Analysis and Abatement of Highway Construction Noise" (1981)
- "Availability of Workplace Noise Control Technology of Selected Machines" (1981) n "A Comparison of Sound Power Levels for Portable Air Compressors Based Upon Test Methodologies Adopted by U.S. EPA and the CEC" (1980)
- "Construction Noise Control Technology Initiatives" (1980)
- "Noise Technology Research Needs and the Relative Roles of the Federal Government and the Private Sector" (1979)
- "Foreign Noise Research in Machinery/Construction Equipment" (1978)
- "Federal Research, Development and Demonstration Programs: Machinery and Construction Noise" (1978)
- "Understanding Noise and Noise Control Instruction Units for Operating Engineers in

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Apprenticeship Programs" (1978)
- "Proposed Wheel and Crawler Tractor Noise Emission Regulation: Part I, Draft Environmental Impact Statement. Part II, Background Document" (1977)
- "Background Document for Portable Air Compressors" (1976)
- "Background Document for Medium and Heavy Truck Noise Emission Regulations" (1976)
- "Medium and Heavy Truck Noise Emission Standards" (1976)
- "Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances" (1971)

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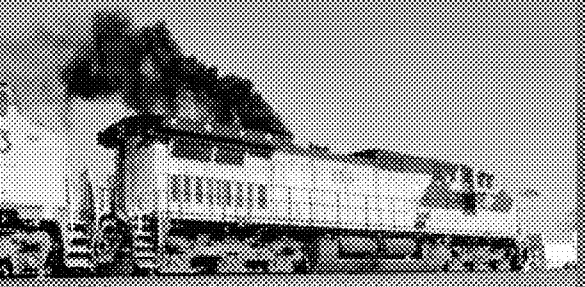

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February 2005

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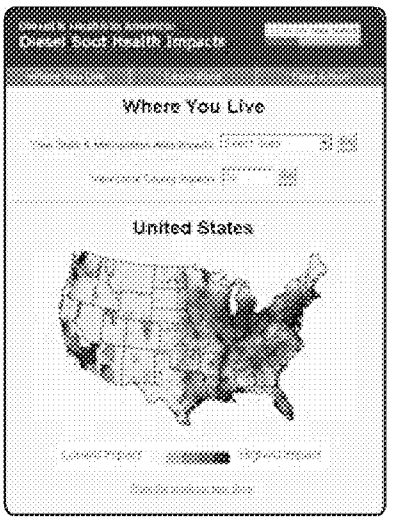

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and **L. Bruce Hill, Ph.D.**, *Senior Scientist*

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February 2005

MV00172131

Foreword

Scientists have been examining relationships between air pollution and death and disease for decades but only now are we beginning to understand the impacts of one of the most toxic sources of emissions today – the diesel engine. Diesels churn out a hazardous mix of gaseous and particle pollutants. What's more, diesel exhaust is emitted at ground level – where we breathe it – by trucks and buses around us in traffic, at school and transit bus stops, and by heavy construction or agricultural equipment. Diesel exhaust contains numerous dangerous compounds, ranging from respiratory irritants to carcinogens including a host of air toxics, particulate matter, carbon monoxide and nitrogen oxides.

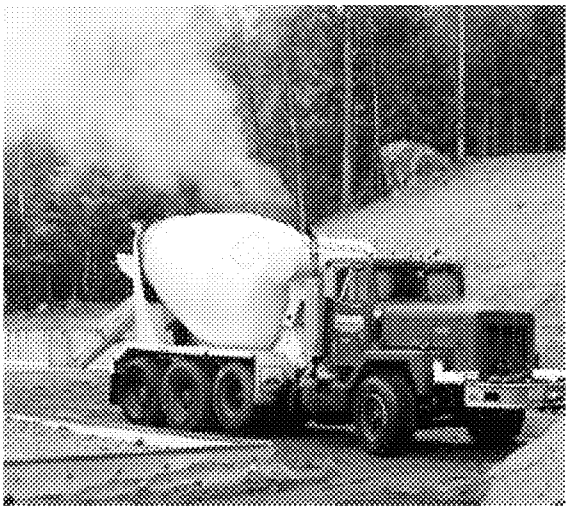

While scientists have concluded that combustion-related particulate matter from all combustion sources is associated with premature death from heart attacks and cancer, we also are finding that carbon particles from mobile sources may be particularly unhealthy. These particles adsorb other metals and toxic gases produced by diesel engines – such as cancer causing-PAH (polycyclic aromatic hydrocarbons) – onto their surfaces making them even more dangerous. Furthermore, research on personal exposures demonstrates that these small particles easily penetrate our indoor environment where they may be trapped for days when ventilation is poor.

This report presents for the first time estimates of the health toll from diesel vehicle pollution. Using methodology approved by the U.S. Environmental Protection Agency's Science Advisory Board (SAB), the analysis finds that approximately 21,000 people die prematurely each year due to particulate matter pollution from diesels. Other serious adverse health impacts include tens of thousands of heart attacks, asthma attacks, and other respiratory ailments that can lead to days missed at work and at school.

Using more highly time-resolved studies we are increasingly able to understand the inflammation mechanism by which particles can lead to atherosclerosis, heart attacks, strokes and ultimately, untimely deaths. From all we know today, we can confidently say that reducing diesel exhaust in our environment will mean improving public health, and as this report demonstrates, reducing preventable premature deaths. We do not need to wait. Technology is available today that can reduce particulate matter emissions by up to 90 percent. Now is the time to clean up our old trucks, buses, heavy equipment and locomotives to provide a cleaner future for us and our children.

Howard Frumkin, M.D., Dr.P.H., FACP, FACOEM
Professor and Chair, Department of Environmental and Occupational Health
Emory University, Rollins School of Public Health

MV00172132

Executive Summary

Everyone has experienced it: getting hit right in the face by a cloud of acrid diesel smoke. Perhaps you were standing on a street corner when a bus or truck whizzed by. Or maybe you were standing at a bus stop or stuck behind a dump truck grinding up a hill. But breathing diesel exhaust isn't just unpleasant. It is hazardous to your health. In fact, health research indicates that the portion of the exhaust you can't see may be the most dangerous of all. Asthma attacks, respiratory disease, heart attacks, and even premature death – all of these are among the most serious public health problems linked to emissions from the nation's fleet of diesel vehicles. The good news is that the technology exists right now to clean up emissions from these engines, so that most of the adverse health impacts can be prevented.

Today in the U.S. more than 13 million diesel vehicles help to build our cities and towns, transport our food and goods, and take us to and from work. More than three quarters of all Americans live near intersections, bus stops, highways, bus and truck depots, or construction sites with heavy equipment – all of which are concentrated sources of diesel exhaust. In rural areas, those who live near heavy diesel agricultural equipment suffer their share of exposure to diesel as well.

The U.S. Environmental Protection Agency has issued important regulations that will require dramatic reductions in emissions from new diesel vehicles starting in 2007 – but only the new ones. These regulations, to be phased in over the next quarter century, apply only to *new* engines. What about the diesels on the road today? The lifespan of the average diesel vehicle is nearly 30 years. Many diesels are driven over a million miles. Because of this longevity, we will be left with the legacy of pollution from dirty diesel vehicles for decades to come. That is, ***unless*** we take action to reduce emissions from vehicles currently on the road. We don't have to wait. Control technologies exist right now that can significantly reduce deadly fine particle emissions from diesel vehicles, in some cases by upwards of 90 percent.

American know-how, witnessed by the success of the manufacturers of engines, control devices, and fuel refiners in developing innovative solutions for reducing diesel exhaust, provides a lifesaving opportunity we can seize today. Pollution from dirty diesels on the road now can be dramatically reduced using a combination of cleaner fuels, retrofit emission controls, rebuilt engines, engine repowerings, and accelerated purchase of new, cleaner vehicles. Unlike so many other vexing environmental issues, these affordable solutions present a highly unusual opportunity to actually address a major risk to public health and the environment. In fact, we could virtually eliminate this problem if diesel manufacturers, fleet owners, environmentalists, concerned citizens, and government regulators make the commitment to work together.

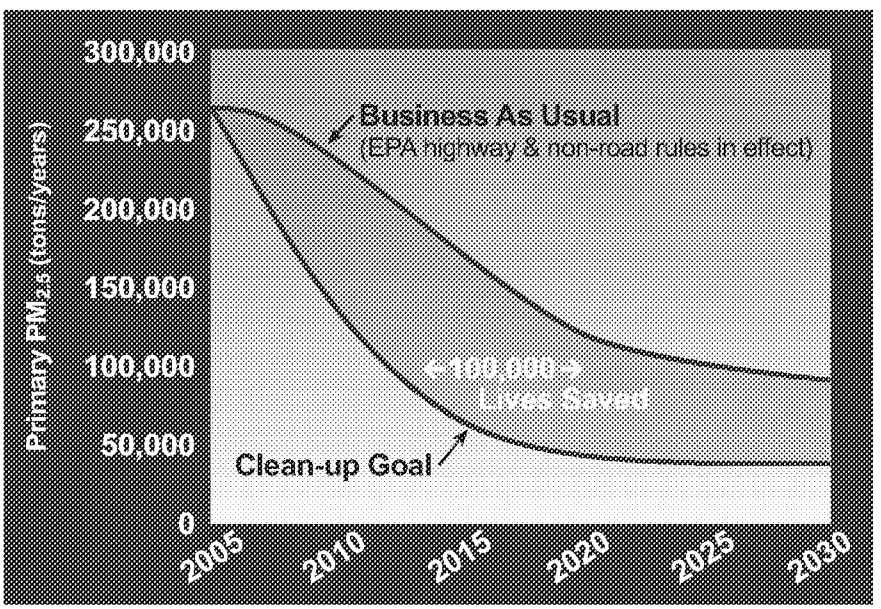

An Aggressive Program to Reduce Diesel Emissions Could Save About 100,000 Lives between Now and the Year 2030.

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What are the health impacts of these dirty diesel vehicles? What benefits will we realize if we act now to clean them up? The Clean Air Task Force commissioned Abt Associates, an highly-respected consulting firm that U.S. EPA and other agencies rely upon to assess the benefits of national air quality policies, to quantify for the first time the health impacts of fine particle air pollution from America's diesel fleet. Using this information, we were able to estimate the expected benefits – in lives saved – from an aggressive but feasible program to clean up dirty diesel buses, trucks, and heavy equipment across the U.S.

This report summarizes the findings of the Abt Associates study. It then reviews the degree to which diesel vehicles increase the level of fine particle pollution in the air we breathe, and recommends reduction measures that will save thousands of lives each year.

Key findings include:

- Reducing diesel fine particle emissions 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save nearly 100,000 lives between now and 2030. These are additional lives saved above and beyond the projected impact of EPA's new engine regulations.
- Fine particle pollution from diesels shortens the lives of nearly 21,000 people each year. This includes almost 3,000 early deaths from lung cancer.
- Tens of thousands of Americans suffer each year from asthma attacks (over 400,000), heart attacks (27,000), and respiratory problems associated with fine particles from diesel vehicles. These illnesses result in thousands of emergency room visits, hospitalizations, and lost work days. Together with the toll of premature deaths, the health damages from diesel fine particles will total $139 billion in 2010.
- Nationally, diesel exhaust poses a cancer risk that is 7.5 times higher than the ***combined*** total cancer risk from all other air toxics.
- In the U.S., the average lifetime nationwide cancer risk due to diesel exhaust is over 350 times greater than the level U.S. EPA considers to be "acceptable" (i.e., one cancer per million persons over 70 years).
- Residents from more than two-thirds of all U.S. counties face a cancer risk from diesel exhaust greater than 100 deaths per million population. People living in eleven urban counties face diesel cancer risks greater than 1,000 in a million – one thousand times the level EPA says is acceptable.
- People who live in metropolitan areas with a high concentration of diesel vehicles and traffic feel their impacts most acutely. The risk of lung cancer from diesel exhaust for people living in urban areas is three times that for those living in rural areas.

The vast majority of the deaths due to dirty diesels could be avoided by an aggressive program over the next 15 years to require cleanup of the nation's existing diesel fleet. Practical, affordable solutions are available that can achieve substantial reductions in diesel risk. The only thing that stands between us and dramatically healthier air is the political will to require these reductions and the funding to make it a reality.

What We Must Do to Protect Public Health from Today's Dirty Diesels.

Although the EPA has mandated the phase-in of cleaner new engines and fuels beginning in 2007 for highway vehicles and heavy equipment, EPA has limited authority to mandate emissions controls on the fleet of existing diesel vehicles. To date, EPA has adopted a "voluntary" approach. Nevertheless, in order to meet the new ambient air quality standards for fine particles, states and cities must require controls to reduce diesel emissions. Diesel cleanup is also an important next step in areas that are having difficulty meeting existing and new ambient air quality standards for ozone such as Houston and Dallas, Texas.

States can enact legislation requiring diesel cleanup as some, such as California and Texas, have already begun to do. States should also consider measures to require early engine retirement and speed fleet turnover. For vehicles like long-haul trucks, ships, and locomotives that are engaged in interstate transport, federal regulations, federal legislation, or both may be needed. Funding for such initiatives may pose a challenge for public fleets (school buses, transit vehicles, garbage trucks, etc.), so support for expanded state and federal funding to help the cleanup of fleets owned by cash-strapped states and cities will be necessary. Local and state budget writers will need a strong commitment to come up with the necessary appropriations or bonds to fund the local share.

Particle filters combined with the use of Ultra Low Sulfur Diesel (ULSD) fuel have been found to reduce diesel particles and particle-bound toxics from diesel exhaust by up to 90 percent. Under the new engine rules, ULSD will be available for highway vehicles nationwide starting in 2006. It is already available in cities in 21 states. Not all vehicles can be retrofitted with a particle filter, but there are a variety of options available for the cleanup of every vehicle regardless of make or model year.

Cities and states should:

- Establish ambitious goals for reducing risk to their citizens by cleaning up existing diesels;
- Identify priority geographic areas and diesel "hotspots" for immediate attention;
- Adopt a package of options for reducing diesel exhaust including:
  - Retrofits accomplished by replacing mufflers with an optimal mix of filters or oxidation catalysts depending on vehicle age and type;
  - Requiring Ultra Low Sulfur Diesel and cleaner alternative fuels;
  - Closed crankcase ventilation systems to eliminate engine exhaust from penetrating the cabin of vehicles such as school and transit buses;
  - Engine rebuild and replacement requirements;
  - Truck stop electrification programs to give long-haul truckers a way to power their rigs overnight without running their engines;
  - Contract specifications requiring cleanup of trucks and construction equipment used in public works projects.
- Adopt diesel cleanup measures as federally-enforceable requirements in State Implementation Plans (SIPs) for the attainment of the fine particle and ozone air quality standards;
- Create and fund programs, such as California's "Carl Moyer" and the Texas Emission Reduction Plan (TERP) program, which provide funding for diesel equipment owners to replace or rebuild high-polluting diesel engines;
- Adopt and enforce anti-idling ordinances and legislation.

The Federal government should:

- Pass legislation providing funding for the cleanup of municipal and state fleet vehicles;
- Explore regulatory options for reducing emissions from existing interstate fleets such as long-haul trucks, shipping, and locomotives;
- Retain and enforce the tighter new engine and cleaner fuel standards for highway and non-road diesels.

NESCAUM

Retrofits are effective in reducing particle emissions from heavy equipment. The tractor on the left is retrofitted with a particle emissions control device.

New Findings

While numerous medical studies have linked diesel exhaust to a host of serious adverse health outcomes, no single study has yet quantified the death and disease attributable to diesel across America – until now. Researchers estimate that as many as 60,000 people in the U.S. die prematurely each year because of exposure to fine particles from all sources.[1] And some researchers believe that this figure may even underestimate the total number of particle-related deaths.[2] A reanalysis of the major particle mortality study in over 150 cities suggests that particles from motor vehicles may be more toxic than average.[3]

We know that diesel exhaust is a hazardous mixture of gases and particles including carcinogens, mutagens, respiratory irritants or inflammatory agents and other toxins that cause a range of diverse health effects. Diesel particles act like magnets for toxic organic chemicals and metals. The smallest of these particles (ultrafine particles) can penetrate deep into the lung and enter the bloodstream, carrying with them an array of toxins.[4] Diesel exhaust can contain 40 hazardous air pollutants as listed by EPA, 15 of which are listed by the International Agency for Research on cancer (IARC) as known, probable or possible human carcinogens.[5] Thousands of studies also have documented that fine particles are associated with respiratory and cardiovascular diseases and death. Additional studies have documented effects in infants and children such as Sudden Infant Death syndrome (SIDS) and retarded lung development.[6]

Now, for the first time, this report reveals the staggering toll of death and disease from diesel exhaust in our air – and the dramatic benefits of requiring the cleanup of the nation's existing diesel fleet. Abt Associates, using peer-reviewed, state-of-the-art research methodology employed by U.S. EPA in assessing the national benefits of proposed

National Annual Diesel Fine Particle Health Impacts[7]

Annual Cases in the U.S., 2010	
Premature Deaths	21,000
Lung Cancer Deaths	3,000
Hospital Admissions	15,000
Emergency Room Visits for Asthma	15,000
Non-fatal Heart Attacks	27,000
Asthma Attacks	410,000
Chronic Bronchitis	12,000
Work Loss Days	2,400,000
Restricted Activity Days	14,000,000

rules and legislation, finds that nearly 21,000 people will die prematurely in 2010 in the U.S. as a result of exposure to fine particle emissions from mobile diesel sources (i.e., all on-and non-road engines such as highway, construction, rail, and marine engines). The average number of life-years lost by those who die prematurely from exposure to fine particles is 14 years.[8]

The deaths from diesel fine particle pollution equal or exceed the death toll from other causes commonly understood to be major public policy priorities. For instance, drunk driving causes more than 17,000 deaths per year.[9] There are more than 20,000 homicides in the U.S. each year.[10] Moreover, the approximately 15,000 premature deaths per year that could be avoided by achieving a 75 percent diesel-risk-reduction target exceed the 11,000 automobile fatalities avoided each year through the use of safety belts.[11]

The Abt Associates analysis further shows that hundreds of thousands of Americans suffer from asthma attacks, cardiac problems, and respiratory ailments associated with fine particles from diesels. These health damages result in thousands of respiratory and cardio-pulmonary related hospitalizations and emergency room visits annually as well as hundreds of thousands of lost work days each year. For instance, the study finds that diesel pollution leads to 27,000 heart attacks and 400,000 asthma attacks each year.[12]

You can find the adverse health impacts from diesel for your state, metropolitan area, and county on the web at: **www.catf.us/goto/dieselhealth**.

The risk from diesel exhaust can be virtually eliminated by the application of emissions control strategies available today. For example, an aggressive but feasible program to reduce diesel particle emissions nationwide 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save about 100,000 lives between now and 2030 – beyond those lives that will be saved under EPA's new engine regulations.[13] Indeed, in the year 2000, the State of California set a Diesel Risk Reduction goal of a 75 percent reduction in diesel risk by 2010 and 85 percent by 2020 and the California Air Resources Board over the past few years has begun to issue regulations to achieve it.[14]

Cancer Risk

CATF has calculated the national average lifetime excess cancer risk posed by diesel. We base these estimates on 1999 modeled directly-emitted diesel fine particle concentrations and by applying both the EPA range of individual risk estimates and the California Air Resources Board (CARB) diesel risk factor for lung cancer over the U.S. population.[15] Although EPA has found diesel exhaust to be a "likely" human carcinogen, EPA has not adopted a risk factor but has, instead, provided a range of lung cancer risk.[16] Based on the national average diesel particulate matter concentration, we find average lung cancer risk ranges from 12 to 1210 per million people over a 70-year lifetime using EPA's range of lung cancer risk.[17] Using the same methodology, CATF finds that, based on the single CARB risk factor, the nationwide average lifetime cancer risk posed by diesel exhaust is over 350 times greater than EPA's "acceptable" level of one cancer in a million.

For comparison, according to EPA's 1999 NATA assessment, the combined risk from all other air toxics is 48 per million.[18] Therefore, diesel exhaust presents a lung cancer risk that is 7.5 times higher than the cancer risk of all other air toxics – *combined!*[19] In addition, CATF has calculated the cancer risk posed by diesel for residents of each U.S. county. Residents of over two-thirds of U.S. counties experience a cancer risk greater than 100 in a million from diesel exhaust. Moreover, residents of eleven urban U.S. counties face a diesel cancer risk equal to 1,000 new cases of cancer in a population of one million.

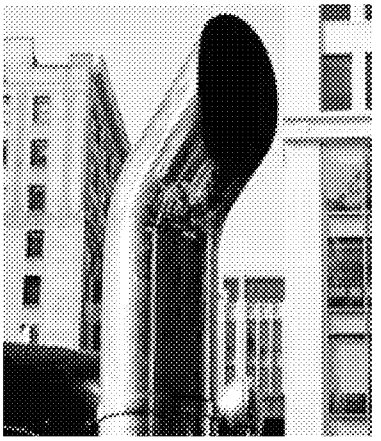

People who live in metropolitan areas with a high concentration of diesel vehicles and traffic feel their impacts

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most acutely. For example, the estimated risk of lung cancer from diesel in metropolitan areas is much higher than in areas with fewer diesels. In the rural counties we estimate a risk of 142 cancers per million based on the CARB unit risk, but three times that rate, 415 cancer per million, in urban counties. Therefore, the risk of lung cancer for people living in urban areas is three times that for those living in rural areas.[20]

You can find the community cancer risk from diesel for your state, metropolitan area, and county on the web at: **www.catf.us/goto/dieselhealth**. Personal risk varies with location and lifestyle. For example, if you live near a bus, truck, or train terminal, highway, construction site, or warehouse, or commute to work on congested roadways, your exposure may be higher than indicated by the county-wide average estimated here.

The Economic Toll of Health Effects

Respiratory distress severe enough to require a trip to the emergency room can be a terrifying experience for patients and their families. Victims of asthma attacks say that during an attack they wonder if and when their next breath will come. In addition to its serious physical and emotional costs, air pollution also takes a large monetary toll. Emergency room and hospital treatment costs can cripple a family financially, with the average stay for a respiratory ailment lasting about a week.[21] Bouts of respiratory illness and asthma attacks mean lost workdays and lost productivity. Although life is priceless, the government often monetizes loss of life when setting policies related to health and environmental protection. Using accepted valuation methodology employed by EPA in recent regulatory impact analyses, Abt Associates finds that the total monetized cost of the U.S. diesel fleet's fine particle pollution is a staggering $139 billion in 2010.

Pollution from motor vehicles, including diesels, can obscure city vistas such as illustrated in this split view of Dallas, Texas.

State and Metropolitan Area Findings

Using modeled concentrations of directly-emitted diesel fine particles throughout the lower 48 states, Abt Associates developed health impact estimates for every state and major metropolitan area in 1999, the latest year for which EPA's best emissions inventory for diesel fine particles is available.[22] Not surprisingly, heavily populated states with concentrated urban areas and significant diesel traffic fared the worst. Conversely, rural areas with a lower concentration of diesel vehicles fared much better. Similarly, metropolitan areas with large populations and heavy concentrations of diesel vehicles feel the impacts of diesel pollution most acutely.[23] In such large metropolitan areas, many hundreds of lives are shortened every year. However, because these state and metropolitan-area health estimates include only fine particles that are ***directly emitted*** from diesels – excluding any secondarily-formed particles from diesel emissions of nitrogen or sulfur oxides – they significantly understate the total adverse impact of diesel-related particles on public health.[24] Moreover, these estimates exclude any health impacts due to diesel's contribution to ozone smog.

States: Health Impacts from Diesel Fine Particles (1999)

Rank	State	Deaths	Cancer Deaths	Heart Attacks	Asthma Attacks	Chronic Bronchitis	Work Loss Days	Restricted Activity Days
1	New York	2,332	169	3,692	51,251	1,499	318,532	1,827,525
2	California	1,784	144	2,263	49,499	1,356	292,622	1,683,642
3	Pennsylvania	1,170	103	1,660	19,021	575	110,404	643,926
4	New Jersey	880	77	1,382	17,926	535	107,364	620,975
5	Texas	879	83	1,070	25,348	664	148,394	854,045
6	Illinois	878	76	1,193	19,162	539	112,205	649,445
7	Florida	805	77	980	13,926	438	81,462	474,601
8	Ohio	769	72	1,002	14,464	422	83,963	489,355
9	Michigan	484	43	667	10,511	299	61,109	355,260
10	Massachusetts	475	43	727	9,925	289	61,842	355,473
11	Maryland	409	39	454	8,418	246	50,275	291,675
12	Indiana	369	36	483	7,372	209	42,730	249,056
13	Georgia	329	29	377	8,514	235	51,808	298,317
14	Louisiana	324	32	339	7,131	188	40,740	236,444
15	Missouri	305	28	377	5,435	157	31,476	183,033
16	North Carolina	301	29	347	6,518	189	39,589	229,591
17	Tennessee	269	26	283	5,169	150	30,870	179,656
18	Washington	248	23	308	6,201	181	37,787	218,889
19	Virginia	248	24	303	5,991	174	36,963	214,083
20	Wisconsin	226	18	320	4,789	137	27,923	162,404
21	Arizona	214	19	268	5,215	144	30,053	173,721
22	Connecticut	206	18	340	4,091	125	24,097	140,140
23	Kentucky	198	22	213	3,764	110	22,385	130,403
24	Minnesota	193	15	291	4,713	134	27,979	161,954
25	Alabama	175	16	184	3,200	92	18,646	108,961

Metro Areas: Health Impacts from Diesel Fine Particles (1999)

Metropolitan Area	Rank	Deaths	Cancer Deaths	Heart Attacks
New York, NY	1	2,729	202	4,342
Los Angeles, CA	2	918	72	1,193
Chicago, IL	3	755	65	1,021
Philadelphia, PA	4	727	69	990
Boston, MA	5	391	36	602
Houston, TX	6	356	35	444
San Francisco, CA	7	291	23	358
Miami, FL	8	288	23	358
Baltimore, MD	9	285	28	290
Detroit, MI	10	279	25	378
Pittsburgh, PA	11	237	21	340
Washington, DC	12	226	19	302
St. Louis, MO	13	217	20	263
Dallas, TX	14	205	19	258
Atlanta, GA	15	199	17	239
Tampa, FL	16	185	18	210
Phoenix, AZ	17	183	16	230
Cleveland, OH	18	180	15	232
Cincinnati, OH	19	171	18	219
Seattle, WA	20	165	15	208
San Diego, CA	21	150	13	191
Portland, OR	22	140	13	157
Minneapolis, MN	23	133	11	205
New Orleans, LA	24	128	13	131
Riverside, CA	25	123	10	142
Baton Rouge, LA	26	102	10	109
Milwaukee, WI	27	95	8	130
Columbus, OH	28	84	9	113
Indianapolis, IN	29	82	8	107
Louisville, KY	30	82	9	91
Memphis, TN	31	81	7	79
Kansas City, MO	32	79	8	109
Providence, RI	33	76	7	119
Bridgeport, CT	34	69	6	121
Beaumont, TX	35	65	7	65
Orlando, FL	36	65	7	85
Allentown, PA	37	65	5	101
Hartford, CT	38	63	5	100
Las Vegas, NV	39	62	7	71
Virginia Beach, VA	40	62	6	65

Metro Areas: Per Capita Impacts from Diesel Fine Particles (1999)

Rank Based on Mortality Risk	MSA	Deaths per 100,000 Adults	Heart Attacks per 100,000 Adults	Cancer Risk per Million
1	Beaumont, TX	29	29	865
2	Baton Rouge, LA	27	29	992
3	New York, NY	25	40	959
4	Philadelphia, PA	22	29	658
5	Trenton, NJ	20	31	699
6	Baltimore, MD	19	19	584
7	Huntington, WV	18	18	477
8	New Orleans, LA	17	18	889
9	Pittsburgh, PA	15	22	415
10	Cincinnati, OH	15	19	504
11	Boston, MA	15	23	563
12	Chicago, IL	15	20	539
13	Mobile, AL	14	15	435
14	Longview, WA	14	15	441
15	Houston, TX	14	18	691
16	Allentown, PA	14	22	450
17	Cleveland, OH	14	18	416
18	Toledo, OH	14	17	423
19	Los Angeles, CA	14	18	633
20	Lancaster, PA	14	22	463
21	Scranton, PA	14	18	319
22	St. Louis, MO	14	17	405
23	Reading, PA	14	21	428
24	Lake Charles, LA	14	14	437
25	Springfield, OH	13	16	356
26	Portland, OR	13	14	488
27	Bridgeport, CT	13	22	494
28	Harrisburg, PA	12.	19	412
29	York, PA	12	21	460
30	Wheeling, WV	12	14	309
31	Lebanon, PA	12	19	373
32	Evansville, IN	12	15	368
33	Memphis, TN	12	12	397
34	Savannah, GA	12	13	376
35	Dayton, OH	12	16	389
36	Vineland, NJ	12	17	365
37	Tampa, FL	12	14	365
38	Louisville, KY	12	13	384
39	Sandusky, OH	12	15	345
40	Kankakee, IL	12	14	336
41	San Francisco, CA	12	14	480
42	Muncie, IN	11	14	327
43	Duluth, MN	11	14	308
44	Michigan City, IN	11	15	370
45	Salt Lake City, UT	11	14	533
46	New Haven, CT	11	18	365
47	Steubenville, OH	11	13	279
48	Milwaukee, WI	11	15	376
49	South Bend, IN	11	15	342
50	Detroit, MI	11	15	381

The Dirty Diesel Legacy

Since 1997, the U.S. EPA has promulgated major regulations that impose stringent emissions controls on new diesel vehicles, requiring tight emission standards and cleaner diesel fuel. These standards go into effect in 2007 and phase in over the next few decades. For example, the table below illustrates the progressively tighter standards for particulate matter and nitrogen oxides from trucks and buses over the next few years.

However, the emission rates of the diesel engines on the road and in use on construction sites and farms today are not affected by these rules. Considering that according to the U.S. Department of Energy the median lifetime for a heavy truck is nearly 30 years,[26] and a typical heavy duty diesel engine may power a truck for as long as one and a half million miles,[27] these vehicles will continue to pollute our air at unnecessarily high levels for years to come ***unless*** we act to clean them up now.

EPA Standards for New Trucks and Buses (g/bhphr)[25]

YEAR	NO_X	$PM_{2.5}$
1984	10.7	0.60
1991	5.0	0.25
1998	4.0	0.10
2004	2.0	0.10
2007	0.2	0.01

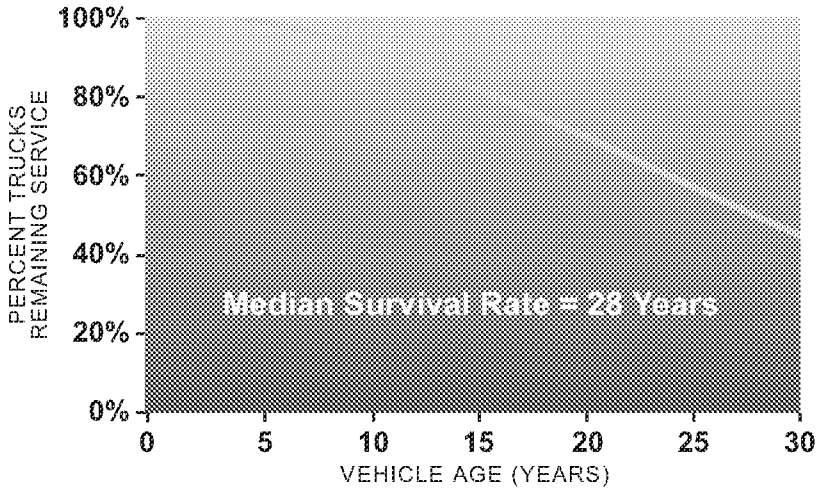

Median Heavy Truck Lifetime is Nearly 30 Years[28]

The Most Widespread Air Pollution Risk in the U.S.

There are few other sources of widespread pollution in our environment that rival diesel exhaust as an airborne toxin. America's 13 million diesel engines release a host of harmful substances including fine particles, ozone smog-forming nitrogen oxides, carbon monoxide, and a variety of toxic metals and organic gases such as formaldehyde, acrolein, and polycyclic aromatic hydrocarbons (PAH.)[29] In this report we focus on the respiratory, cardiovascular, and cancer effects of diesel fine particles only.[30]

Fine Particles are Linked to Heart Attacks, Asthma Attacks, and Stunted Lung Growth.

Fine particles have been linked to a wide variety of serious health impacts, from upper and lower respiratory ailments, such as asthma attacks and possible asthma onset, to heart attacks, stroke, and premature death, including crib death in children.[31] How risky is breathing air polluted with particles? A study published in the Journal of the American Medical Association found that living in the most polluted U.S. cities poses a risk similar to living with a smoker.[32] Based on thousands of studies compiled by EPA, federal health standards were established for fine particles in 1997.[34]

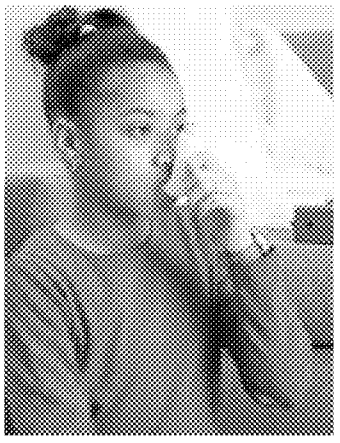

Health researchers have recently described serious health impacts of fine particles, including:

- Abnormal heart rhythms and heart attacks and atherosclerosis;[35]
- Increased incidence of stroke;[36]
- Permanent respiratory damage, characterized by fibrosis causing obstruction to airflow;[37]
- Chronic adverse effects on lung development resulting in deficits in lung function.[38]

How Particulate Matter Kills

Fine particles, known as "$PM_{2.5}$", are particles less than 2.5 microns in diameter or 1/100th the width of a human hair, so small that they are often invisible. They can be deposited deep in the lung where they can affect both the respiratory and cardiovascular systems. Researchers believe that many deaths caused by particulate matter are related to cardiovascular illness. Fine particles aggravate cardiovascular disease and trigger heart attacks by invading the bloodstream and initiating an inflammatory response, disrupting heart rate and increasing blood clotting. In a recent experimental study, diesel particles caused blood clots providing "a plausible explanation for the increase in cardiovascular morbidity and mortality accompanying urban air pollution."[33]

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Diesel Exhaust is a Likely Carcinogen that also Impairs Immune, Reproductive, and Nervous Systems.

In 1998, the Scientific Review Panel for the California Air Resources Board reviewed diesel exhaust as a toxic air contaminant and set a lifetime unit cancer risk from diesel particles at 3 in 10,000 persons for each microgram of annual average diesel exposure.[39] This is equivalent to 300 in a million excess lung cancers. In May 2002, EPA issued its Health Assessment for Diesel Exhaust which found diesel particulate matter to be a "likely" carcinogen. EPA did not settle on a unit risk factor but recommended a lifetime cancer risk range from 1 in 1,000 to 1 in 100,000.[40] The California unit risk falls within this range.[41]

> Diesel particles are carbon at their core with toxics and carcinogenic substances attached to their surfaces.

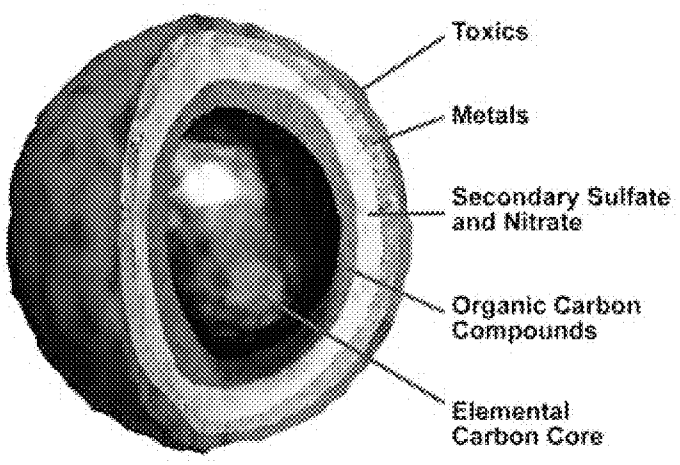

Applying California's cancer unit risk for diesel particulate matter to the national average concentration of directly-emitted diesel fine particles in 1999, results in a conservative estimate of 1,530 excess cases of lung cancer per year for 2005.[42] An American Cancer Society study of 150 metropolitan areas across the U.S published in 2002 supports the particulate matter cancer link.[43]

Other effects include:

- **Immune System Effects** – Diesel exposure is associated with numerous immune system responses in humans and animals culminating in increased allergic inflammatory responses and suppression of infection-fighting ability. These effects include disruption of chemical signals and production of antibodies, and an alteration in mobilization of infection-fighting cells.[44]
- **Reproductive, Developmental, and Endocrine Effects** – Diesel emissions have also been associated with reproductive, developmental and endocrine effects in animals. Specifically, diesel exposure has been associated in animals with decreased sperm production,[45] masculinization of rat fetuses,[46] changes in fetal development (thymus,[47] bone[48] and nervous system[49]) and endocrine disruption, i.e., production of adrenal and reproductive hormones.[50]
- **Nervous System Effects** – In addition to animal studies that have shown neurodevelopmental effects, a human study of railroad workers suggested that diesel exposure may have caused serious permanent impairment to the central nervous system.[51]

Cancer-causing Pollutants in Diesel Exhaust

Pollutant	Diesel Emissions % of all Mobile 1996[52]	EPA Carcinogen Status	Cancer Risk (per million/microgram in 70-yr life)
Formaldehyde	52%	probable	1 in a million
Acetaldehyde	59%	probable	1 in a million
Butadiene	8%	probable	2 in a million
Acrolein	50%	possible	n/a
Benzene	5%	known	2-8 in a million
Diesel Particulate Matter	77%	probable[53]	EPA: 12 to 1210 in a million; CARB: 300 in a million[54]

Children and Seniors are at Greatest Risk

Health researchers believe that children are more susceptible than adults to the adverse health effects of air pollution for a variety of reasons.[55] For example, children are more active than adults and therefore breathe more rapidly. Children also have more lung surface area compared to their body weight and therefore they inhale more air pound-for-pound than adults do. Compared to adults, children also have higher lung volume to body size, higher respiration rates, and spend more active time in the polluted outdoor environment. Fine particles have been linked in medical studies to serious health impacts in children such as slowed lung function growth, increased emergency room visits, increased incidences of asthma and bronchitis, and crib death. Furthermore, proximity to traffic has been linked to increased prevalence of asthma respiratory infections and allergic symptoms and asthma hospitalizations in children.[56]

Seniors are another important population at risk. Studies of the impacts of fine particles on seniors in Boston and Baltimore suggest that changes in their heart rhythms and control mechanisms occur when particle levels rise. In Phoenix, daily mortality increased in

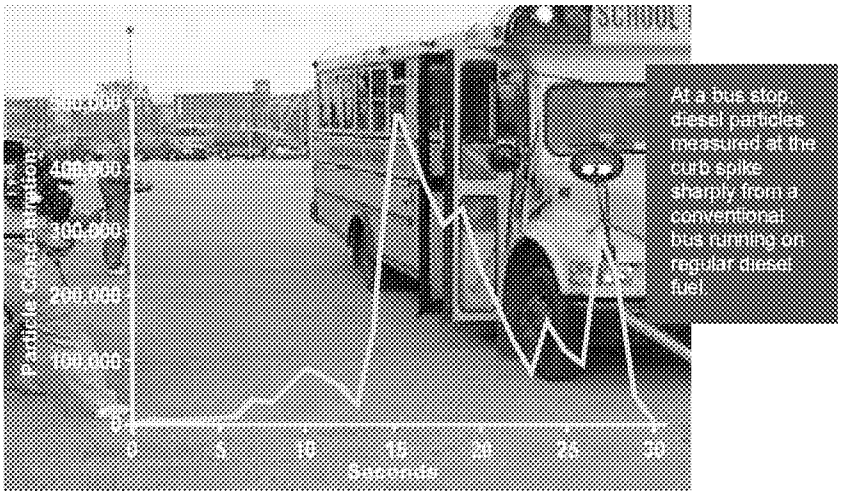

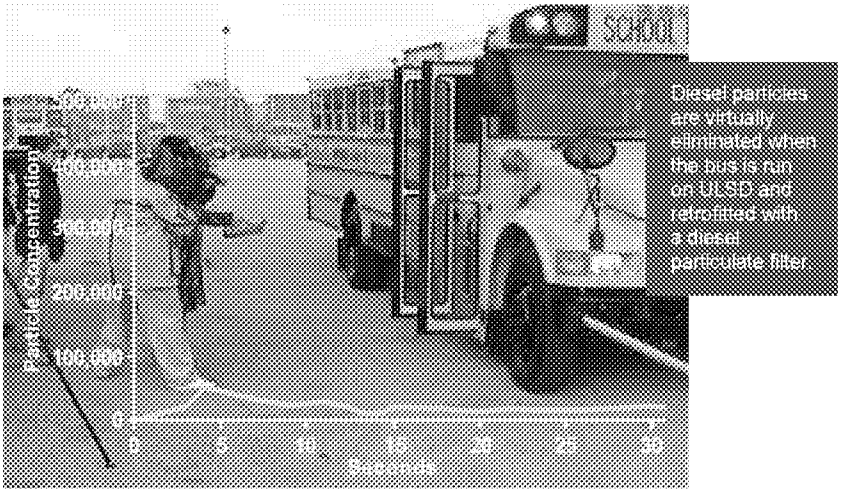

Children Exposed on School Buses

CATF Study: Cabin particulate matter eliminated with retrofit emissions controls.

Twenty four million students ride to school every day on yellow school buses that travel a total of four billion miles a year. While riding on a school bus is the safest way a student can travel to school,[57] children may be exposed to harmful pollutants, a concern since students spend an average of an hour and a half a day on school buses.[58] A recent study undertaken by Clean Air Task Force in cooperation with Purdue University investigated cabin air quality on school buses in three cities (Chicago, IL; Atlanta, GA; and Ann Arbor MI). The study found that particulate matter routinely entered the bus cabin from the tailpipe and the engine through the open front door. At some stops, particulate matter in the bus cabin exceeded levels in the outdoor air by as much as ten times. While idling or lined up in a schoolyard, rapid buildup of particulate matter in the buses also occurred. Most importantly, retrofit emissions controls worked: installation of a diesel particulate filter and the use of Ultra Low Sulfur Diesel (ULSD) fuel and a closed crankcase filtration device eliminated fine particles, ultrafine particles, black carbon and particle-bound PAH in the bus cabin. A closed crankcase filtration system by itself demonstrated major benefits and can provide immediate and low cost reductions in particulate matter levels on school buses. For a comprehensive report: **www.catf.us/goto/schoolbusreport**

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seniors with increased levels of elemental and organic carbon (typical of diesels and other motor vehicles) and fine particles. Collectively, these studies demonstrate that elevated fine particle levels put the elderly at risk and suggest a possible mechanistic link between fine particles and cardiovascular disease mortality.[59]

Today's Dirty Diesels

- **"On-road" or highway diesels** include many types of vehicles, such as municipal and commercial trucks and buses. Heavy duty highway diesels range from 8,500 lbs to those exceeding 60,000 lbs, such as 18-wheelers. Of the seven million diesels on the road today, 400,000 are school buses and 70,000 are transit buses. Highway diesels released 100,000 tons of directly-emitted fine particles in 2002, about one third of the total from diesels. Highway diesels also released 3.4 million tons of nitrogen oxides (NO_X) in 2002, which accounted for 16 percent of all NO_X emissions and half of all diesel NO_X emissions in the U.S. [60]

- **"Non-road" diesel engines and equipment** do not typically travel on roads or highways. There were approximately six million non-road diesel engines in service in 2003. Examples of these non-road diesels include construction equipment such as excavators, mining equipment and agricultural machinery. In 2002, 155,000 tons or half of all the fine particles directly emitted from diesels came from non-road engines. Non-road diesels also released 1.6 million tons of NO_X, 8 percent of all NO_X emissions and one quarter of all diesel NO_X emissions in the U.S. in 2002.[61]

- **Marine and river diesel** emissions are dominated by large commercial ships polluting our largest ocean and river port cities. Efforts to control pollution from shipping have focused on NO_X, although these engines also emit substantial quantities of fine particles. In 2002 marine diesel released 40,000 tons of directly-emitted fine particles, 13 percent of all diesel fine particles in the U.S. Marine diesels in the U.S. produced one million tons of diesel NO_X in 2002, 5 percent of all U.S. NO_X emissions and 14 percent of all diesel NO_X emissions.[62]

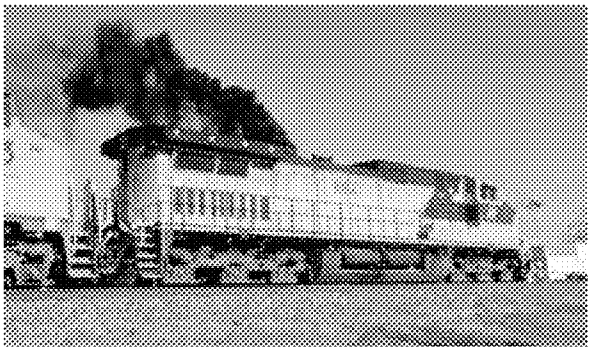

- **Locomotive diesels** account for a significant fraction of mobile source emissions in the U.S. today. In many areas, diesel trains travel through and pollute core urban and industrial areas. Diesel locomotives released 20,000 tons of directly-emitted diesel fine particles (six percent of all diesel fine particles) and 900,000 tons NO_X (13 percent of diesel NO_X). Diesel locomotives typically have a useful life of 40 years and are commonly rebuilt 5-10 times during their long service lives. For this reason, cleaning up today's locomotives is an important priority.[63]

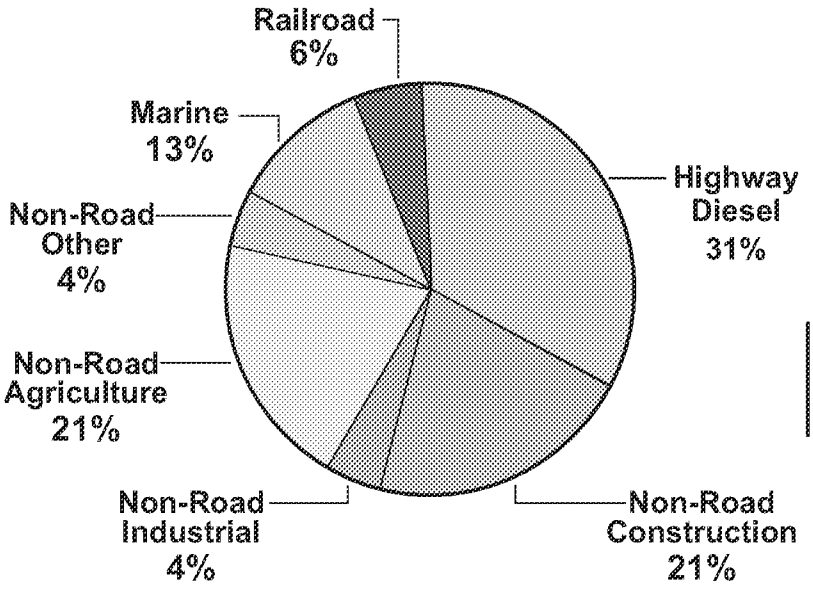

Sources of Directly-Emitted Mobile Diesel Fine Particles

Source: EPA (2004)

Diesel "Hotspots"

Diesel Exhaust is Concentrated Near Roadways and Intersections.

Unlike industrial smokestack emissions, diesel typically is emitted at ground-level in places of concentrated population in our communities along busy streets and at our places of work. We often breathe diesel exhaust where it is fresh and most toxic. While air quality modeling, such as reported in our study, estimates average exposures in a community, your individual exposure may be much greater or smaller depending on a variety of factors. For example, the distance from where you live to major roadways and the nature of your commute to work may play a role.

Exposure to diesel exhaust is highest for those who:

- **Operate or work around diesel engines** – Occupational exposures to diesel are among the highest and have been associated with increased incidence of cancer. Furthermore, a study of diesel mechanics, train crewmen, and electricians working in a closed space near diesel generators suggests that diesel exposure may have caused both airway obstruction and serious impairment to the central nervous system. The report concludes that "impaired crews may be unable to operate trains safely."[64]
- **Live or work near areas where diesel emissions are concentrated** – Ambient diesel levels are highest near highways, busy roadways, bus depots, construction sites, railroad yards, ports and inland waterways with diesel boat traffic, major bridges, tunnels, or freight warehouses. People who live or work near these

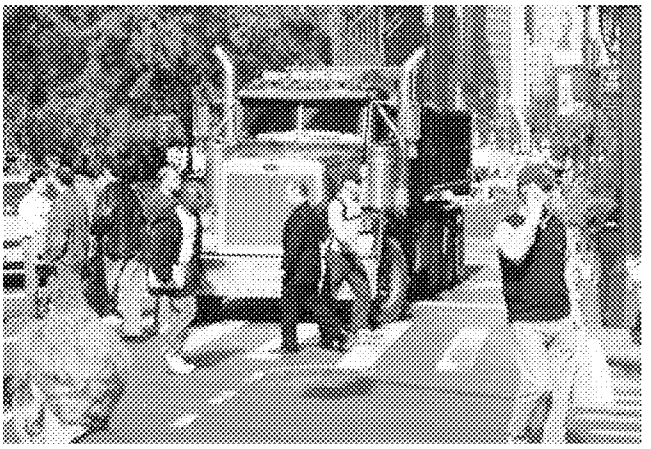

facilities face the greatest risk. Numerous recent medical studies have linked roadway proximity and traffic pollution to disease, asthma hospitalizations, and shortened life expectancy.[65] For example, a 2004 study in Ontario, Canada found increased risk of mortality from heart and lung disease in people living within 100 meters of a roadway.[66] New York City studies demonstrate that diesel trucks create air toxics hot spots at crossings, bus stops, and bus depots.[67] Rail yards can be diesel hotspots as well. For example, one study found elevated risk levels – up to 500 in a million – adjacent to a California rail yard.[68] Another study found elevated cancer risk for persons living near a ferry port.[69]

- **Regularly ride on school or transit buses, or commuter trains** – Children are exposed to elevated levels of diesel as a result of the buildup of diesel exhaust inside school buses – especially with windows closed.[70] Diesel exhaust levels on commuter trains and

People living and working near concentrated diesel emissions such as busy roadways have the greatest exposure to diesel exhaust.

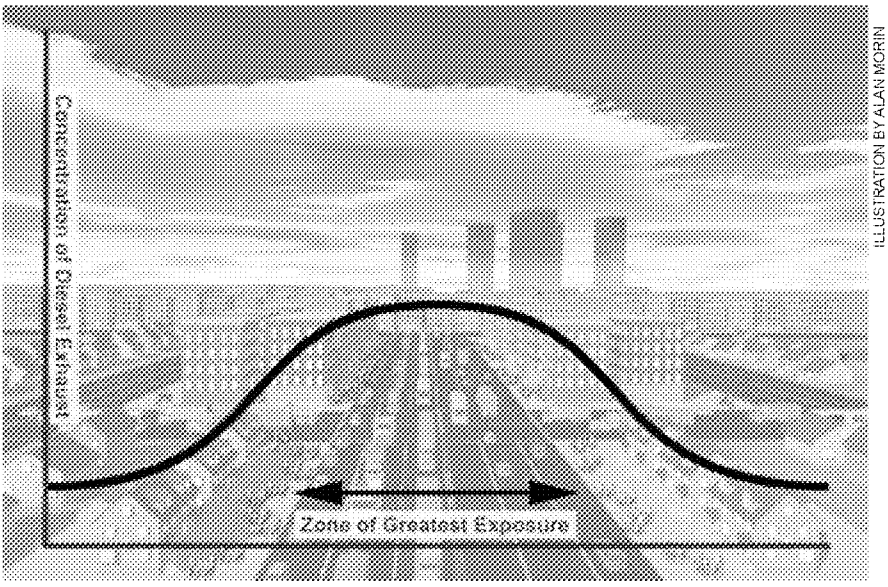

ILLUSTRATION BY ALAN MORIN

station platforms may also be high.[71]

- **Commute daily in heavy traffic** – Commuters are exposed to some of the highest diesel emissions in their cars due to pollutants released from trucks and buses on the road with them. Car occupants riding behind a diesel bus, for example, can experience extremely high levels of dangerous fine particles. Researchers in Los Angeles measured high fine particle levels (130 ug/m^3) behind an urban transit bus making numerous stops.[72] Exposures to drivers can have serious effects: a 2004 study suggests that young male state troopers experienced cardiac inflammation and heart rhythm changes from in-vehicle exposure to fine particles.[73]

Diesel exhaust from trucks and buses can be found in places we don't expect. For example it can be trapped in "urban canyons" and penetrate buildings through HVAC systems.

Exposure to diesel exhaust is also an Environmental Justice issue. Concentration of minority and low-income populations are more likely to be found in cities near diesel sources. Because these neighborhoods are exposed to some of the highest diesel exhaust levels, residents are certain to experience disproportionate health impacts.

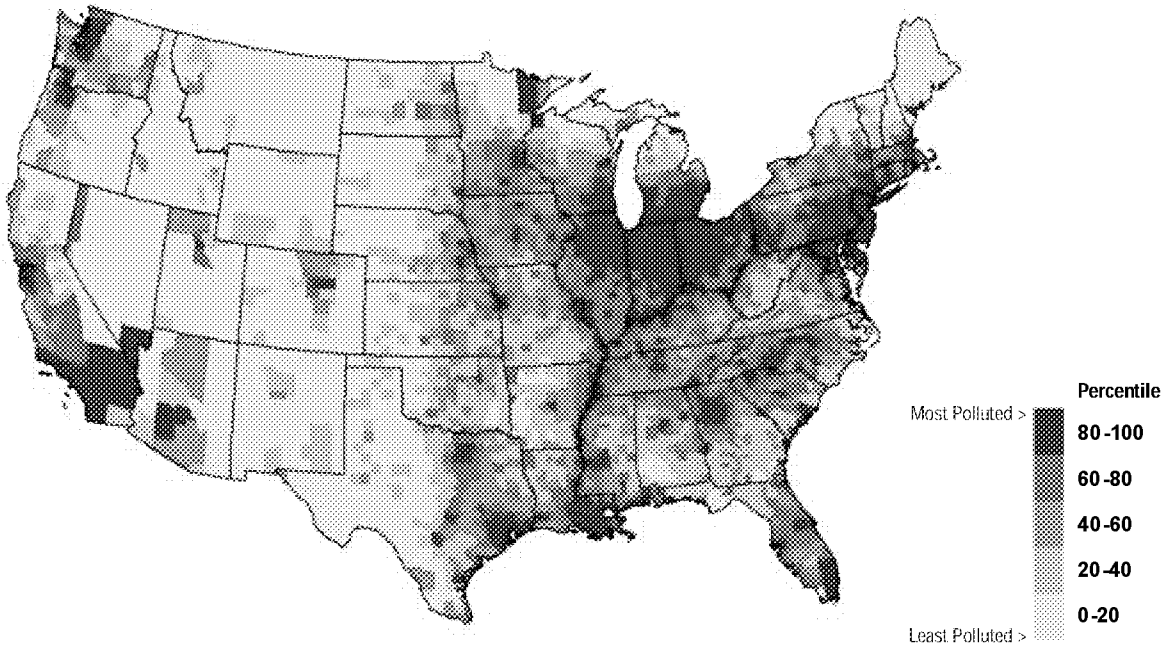

Directly-Emitted Diesel Fine Particle Concentrations by County in the U.S. (1999)

A Solution Within Our Reach

Diesel Fine Particles Can Be Virtually Eliminated by Emission Controls Available Today.

Virtually all of the health risk posed by diesel exhaust can be eliminated through the application of emissions control strategies available today. For example, an aggressive but feasible program to reduce diesel particle emissions nationwide 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save about 100,000 lives between now and 2030 – beyond those lives that will be saved under EPA's new engine regulations.[74] Adopting this as a national goal would help states and municipalities set milestones for improvement and would be consistent with EPA's recently announced goal of retrofitting the entire U.S. fleet of diesel vehicles by 2015.[75] Indeed, California has already set a Diesel Risk Reduction goal of 75 percent 2010 and 85 percent by 2020. Over the last few years the California Air Resources Board has begun to issue regulations to achieve these goals.[76]

"Retrofit, Rebuild, Replace"

A variety of practical strategies exist to reduce diesel particle levels in America: tailpipe retrofits, clean fuels, closed crankcase filtration systems, engine rebuild and replacement requirements, emission specifications for vehicles used in public works contracts, anti-idling ordinances and legislation, truck stop electrification programs, aggressive fleet turnover policies, and more.

The most cost-effective approach to reducing diesel exhaust is likely in many cases to be the direct application of retrofit technology. Although the purchase of new, much cleaner vehicles will remain an important remedial strategy, the replacement of the entire diesel fleet is an expensive proposition that will have to be phased in over time. What's more, we can meet the challenge of reducing fine particles and related air toxics without replacing all vehicles right now. Current technology can easily remove particles from diesel exhaust. Retrofits that eliminate over 90 percent of fine particles from a heavy duty diesel bus engine typically cost $3,000-$7,500. This is a small expenditure when compared to the typical $60,000-75,000 price tag for a new school bus or $300,000 for a transit bus.[77]

Retrofits are available from many engine manufacturers. They generally are easy to install especially on highway vehicles. Nonetheless, it is important to point out that retrofits are not a "one size fits all" proposition. Retrofitting a fleet calls for careful planning and, often, a mix of strategies that will depend on the make and model year of the engines being retrofitted and funds available. For example, some heavy-duty engines lack modern electronic engine controls and are therefore are too old for some retrofit devices. Other diesel equipment simply does not have space for retrofit installation. Duty cycle is an important consideration too. Some engines do not run constantly which means that catalytic retrofit devices requiring consistent high engine temperatures do not operate as efficiently. Furthermore, some engines release pollution from crankcase ventilation in addition to the tailpipe. This calls for additional strategies. For some vehicles and model years, replacement may be the best option. As a result, fleets will need to develop individualized strategies that optimize emission reduction from their vehicles and equipment. Fortunately, this is not hard to do.

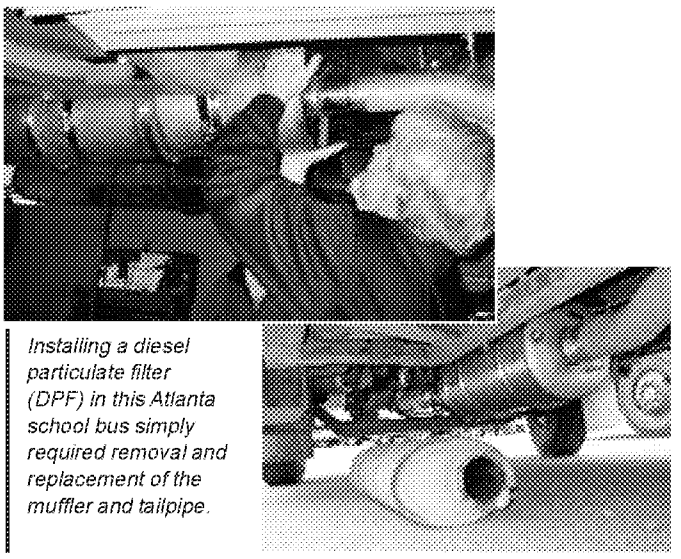

Installing a diesel particulate filter (DPF) in this Atlanta school bus simply required removal and replacement of the muffler and tailpipe.

Catalyzed diesel particulate matter filters (DPF) can reduce emissions of fine particles and adsorbed air toxics by over 90 percent. DPFs have been used in thousands of on- and non-road diesel applications. Diesel oxidation catalysts (DOCs) represent a less expensive albeit less effective option. They are smaller and therefore easier to install. EPA has verified that they can reduce total particulate matter emissions by 10-30 percent. Like the DPF, the DOC is also attached to the exhaust system. Installing one on a diesel truck or bus costs about $1,000. DOCs may be appropriate for vehicles built before 1995 that lack electronic controls and for construction equipment where there is inadequate space for a DPF to be installed. DOCs have been installed in more than 1.5 million trucks in the U.S.[78]

Low Sulfur Diesel Fuels Are Requisite for Effective Retrofit Controls.

Diesel particulate filters require low sulfur fuels because sulfur in the fuel can foul the emission control device. Unfortunately, low sulfur fuels are not available everywhere in the U.S. today (see http://www.epa.gov/otaq/retrofit/fuelsmap.htm for the current fuel availability map). Where ULSD is available, decision makers should consider requiring installation of filters where possible. Federal regulations have established diesel fuel and additive formulation requirements for on-road vehicles, limiting fuel sulfur content to 15 ppm nationwide beginning in 2006 for use with 2007 highway vehicles. Starting in 2010, non-road equipment will be required to use ULSD.

Biodiesel is another potential low-sulfur fuel choice that can achieve modest reductions in emissions when used as a blend, or higher reductions when used at 100 percent. Biodiesel is an alternative diesel fuel made from either animal fats or plants such as soybeans.

Ultra low sulfur diesel fuel will be available nationwide mid-2006.

Cleaning up All School Buses Within a Decade

With today's emissions controls, students need not be exposed to diesel exhaust while riding to school. EPA in the summer of 2004 announced the goal of retrofitting all existing school buses with pollution controls within a decade.[79] Funding retrofits and cleaner fuel presents the greatest obstacle facing school districts. To achieve this goal, adequate funds must be appropriated by states and the federal government.

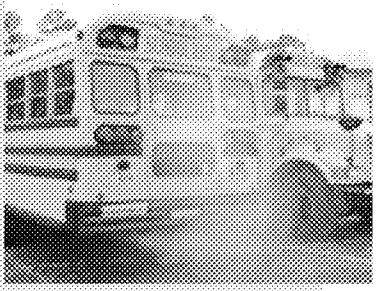

Recommendations

Cities and States Must Act to Reduce Diesel.

The fine particle pollution problem is so widespread in the U.S. about one quarter of the U.S. population resides in areas that violate the standard. EPA recently formally designated over 200 counties in "nonattainment" with the annual fine particle standard.[80] Countless additional commuters may also spend significant time in areas exceeding the standard where they work. But the rest of the country is not safe from the risk posed by diesel particles – science tells us that particle-related health impacts don't stop once the standard is achieved. Health research has shown that there are adverse health impacts from particles even at very low concentrations.[81]

Cities and states that have been designated as "nonattainment" must act now to achieve meaningful reductions in fine particles. For those areas, state implementation plans must be developed and presented to EPA for approval within three years. Controls must then be implemented and air quality standards achieved by 2010. For this reason, states and cites must start now to determine how to achieve substantial emissions reductions. With rules to reduce particles from power plants pending at EPA and expected to be finalized in the near future, diesel emissions will become the largest remaining share of the problem and the most cost-effective solution, one that largely is within the control of states and municipalities.

MA TURNPIKE AUTHORITY

Cities should adopt and enforce anti-idling ordinances.

Cities and states should:

- Establish ambitious goals for reducing risk to their citizens by cleaning up existing diesels;
- Identify priority geographic areas and diesel "hotspots" for immediate attention;
- Adopt a package of options for reducing diesel exhaust including:
  - Retrofits accomplished by replacing mufflers with an optimal mix of filters or oxidation catalysts depending on vehicle age and type;
  - Requiring Ultra Low Sulfur Diesel and cleaner alternative fuels;
  - Closed crankcase ventilation systems to eliminate engine exhaust from penetrating the cabins of school and transit buses;
  - Engine rebuild and replacement requirements;
  - Truck stop electrification programs to give long-haul truckers a way to power their rigs overnight without running their engines;
  - Contract specifications requiring cleanup of trucks and construction equipment used in public works projects.
- Adopt diesel cleanup measures as federally-enforceable requirements in State Implementation Plans (SIPs) for the attainment of the fine particle and ozone air quality standards;
- Create and fund programs to provide money for diesel equipment owners to replace or rebuild high-polluting diesel engines;
- Adopt and enforce anti-idling ordinances and legislation.

To meet this challenge, several states and cities have begun to take action. California continues to lead the way in reducing diesel emissions: adopting stricter fine particle air quality standards, developing a statewide diesel risk reduction plan, and establishing a state program to clean up on- and non-road diesel engines ranging from garbage trucks to stationary generators.[82] When completed, the California program will regulate emissions from all existing diesels within its jurisdiction.

Trucks parked at New York Thruway rest area shut off their engines and plug into IdleAire facility for heat and electricity.

In New York, over 120,000 kids now ride a school bus that has had a retrofit kit installed to reduce diesel emissions. Under city and state law all New York City-sponsored construction projects are required to use ULSD and all heavy equipment engines at the sites must be retrofitted. Likewise, Seattle, King County, and the State of Washington have made a solid start on diesel cleanup from on- and non-road vehicles, and ships including a commitment to retrofit up to 8,000 school buses using local, state, federal, and SEP monies and buy up to 250 new diesel/electric hybrid buses. Other cities also have made a start.[83]

California and Texas have created funds – the "Carl Moyer" program in California and the Texas Emission Reduction Program (TERP) – to provide funding for diesel equipment owners to replace or rebuild high-polluting diesel engines.

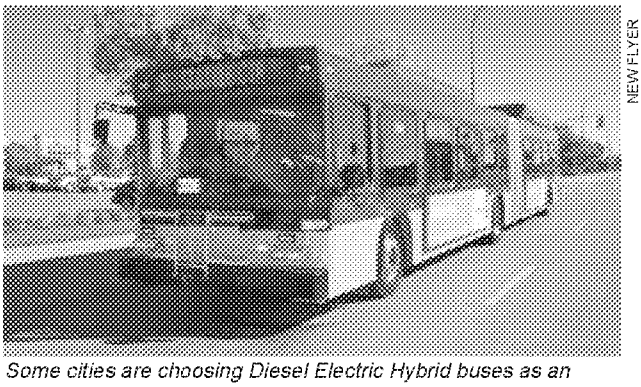

NEW FLYER

Some cities are choosing Diesel Electric Hybrid buses as an alternative to conventional diesel buses.

Washington Must Support States

States and cities cannot meet the challenge of diesel pollution alone. U.S. EPA has recognized the dangers and societal costs of diesel exhaust and set tighter emission standards for new highway and non-road diesel engines and mandated the availability beginning in 2006 of Ultra Low Sulfur Diesel (ULSD) fuel nationwide. These requirements must be retained with no backsliding. In addition, EPA has set a national goal of cleaning up all of America's existing diesels by 2015 and has established a voluntary retrofit program to begin to meet it.[84] However, this challenge will only be met with an aggressive set of policies and adequate funding to ensure the goal can be accomplished.

Many states do not have the resources to clean up state and municipally-owned vehicles. They will need the support of the federal government to achieve EPA's goal.

Federal action may also be needed to clean up transient diesel vehicles, including long-haul trucks, marine diesel shipping in U.S. ports, and locomotives that typically travel from city to city dispersing their emissions along travel corridors. Because the Clean Air Act contains limited authority for EPA to establish national diesel retrofit rules, federal legislation will ultimately be needed to establish federal requirements and funding for a national retrofit program for all diesel engines as well as these interstate diesels.

The Federal government should:

- Pass legislation providing funding for the cleanup of municipal and state fleet vehicles;
- Explore regulatory options for reducing emissions from existing interstate fleets such as long-haul trucks, shipping, and locomotives;
- Retain and enforce the tighter new engine and cleaner fuel standards for highway and non-road diesels.

Endnotes

1 Wilson, Richard and Spengler, John, eds. *Particles in Our Air: Concentrations and Health Effects* (1999) p. 212.

2 Schwartz, J.,"Air Pollution Deadlier than Previously Thought," Harvard School of Public Health, Press Release, March 2, 2000.

3 Laden, F., Neas, L., Dockery, D. and Schwartz, J., *Association of Fine Particulate Matter from Different Sources with Daily Mortality in Six U.S. Cities*, Environmental Health Perspectives, Vol. 108, No. 10, (2000) p. 941-947.

4 Nemmar, A. et al., *Passage of Inhaled Particles Into the Blood Circulation in Humans.* Circulation, Vol. 105, (2002), 411-414 ; Donaldson, Ken, et al., *Ambient Particle Inhalation and the Cardiovascular System: Potential Mechanisms*, Envir. Health Perspectives, Vol. 109, Supp. 4, Aug. 2001, p. 525.1

5 National Center for Environmental Assessment, Office of Research and Development, U.S. EPA. EPA/600/8-90/057F. May 2002. International Agency on Cancer, Monograph 46. See at: http://www-cie.iarc.fr/htdocs/monographs/vol46/46-01.htm; California Air Resources Board (1998) Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant; See also, California Environmental Protection Agency, Air Resources Board, Office of Environmental Health Hazard Assessment, April 22, 1998; CalEPA (2002). Health Assessment for Diesel Engine Exhaust;

6 American Academy of Pediatrics, Committee on Environmental Health, *Ambient Air Pollution: Health Hazards to Children*, Pediatrics, Vol 114, No. 6, (December 2004) pp. 1699-1707. Available at www.pediat rics.org. For a complete summary of studies of particulate matter and health see: EPA Air Quality Criteria for Particulate Matter, October 2004 avaialble at: http://cfpub.epa.gov/ncea/cfm/partmatt.cfm

7 Modeled health impacts of less severe acute health impacts (e.g. other than mortality, heart attacks) likely understate the full magnitude of the impacts because many cases go unreported (e.g. asthma, bronchitis self-treatment, or treatment in small clinics or private offices.) Furthermore, the U.S. does not manage a central database of national health records.

8 U.S. EPA, OAR, "Final Report to Congress on Benefits and Costs of the Clean Air Act,1970-1990," EPA 410-R-97-002, (1997) page I-23 at http://www.epa.gov/air/sect812/appen_i.pdf.

9 Mothers Against Drunk Driving online at: http://www.madd.org/stats/0,1056,1112,00.html

10 Arias, E. et al., "Deaths: Final Data for 2001," Centers for Disease Control, 52 National Vital Statistics Reports No. 3 (September 18, 2003). Available online at: http://www.cdc.gov/nchs/data/nvsr/nvsr52/nvsr52_03.pdf

11 U.S. Department of Transportation, National Highway Traffic Safety Administration *Traffic Safety Facts 2000: Occupant Protection* (Washington, D.C. 2001). Available online at: http://www.bts.gov/publications/transportation_statistics_annual_report/2001/html/chapter_06_figure_01_152_table_.html

12 This analysis is based on methodology approved by U.S. EPA's Science Advisory Board and used by EPA in the Regulatory Impact Analysis (RIA) of the non-road rule. EPA Final Regulatory Impact Analysis, "Control of Emissions from Nonroad Diesel Engines," EPA420-R-04-007. (May 2004) http://www.epa.gov/nonroad-diesel/2004fr/420r 04007.pdf. It begins with EPA emissions inventory data, models the dispersion of those emissions using the Regional Emissions Modeling System for Acid Deposition (REMSAD) air quality model, and then applies a damage function model using concentration-response relationships to estimate adverse health endpoints from modeled changes in air quality. This analysis estimates the adverse health endpoints attributable to diesel PM2.5 in the year 2010. For a summary of CATF's methodology and FAQs please go to www.catf.us/goto/dieselhealth/ and click on "learn more." For Abt Associates' ASPEN and REMSAD reports please see: www.catf.us/goto/AbtASPEN/ and www.catf.us/goto/AbtREMSAD/.

13 Estimate is based on EPA methodology described in EPA Memorandum, Bryan Hubbell to Sam Napolitano, July 2, 2001. Estimated NO_X, SO_2 and PM emissions health damages for heavy duty vehicle emissions.

14 Through only those diesel regulations promulgated to date, California will reduce diesel fine particles by 30 percent from year 2000 levels. California has announced plans to promulgate additional critical regulations in the next few years to address significant sources such as construction, agriculture, and inland shipping. California Air Resources Board (CARB) 2004a. Air Quality Almanac Emission Projections. Online at http://www.arb.ca.gov/emisinv/emsmain/emsmain.htm; California Air Resources Board (CARB). 2003a. Staff Report: Initial Statement of Reasons: Proposed Diesel Particulate Matter Control Measure for On Road Heavy-Duty Residential and Commercial Solid Waste Collection Vehicles. Sacramento, CA: California Environmental Protection Agency. California Air Resources Board (CARB) 2003b Staff Report: Initial Statement of Reasons for Proposed Rulemaking: Airborne Toxic Control Measure for Stationary Compression Ignition Engines. Sacramento, CA: California Environmental Protection Agency, Stationary Source Division Emissions Assessment Branch;. California Air Resources Board (CARB) 2003c. REVISED – Staff Report: Initial Statement of Reasons for Proposed Rulemaking: Airborne Toxic Control Measure for In-use Diesel Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate. Sacramento, CA: California Environmental Protection Agency, Stationary Source Division Emissions Assessment Branch. The Union of Concerned Scientists recently estimated the costs and benefits of achieving the CARB Diesel Risk Reduction goal. See Union of Concerned Scientists, *Sick of Soot: Reducing the Health Impacts of Diesel Pollution in California* (June 2004) available online at: http://www.ucsusa.org/clean_vehicles/trucks_ and_buses/page.cfm?pageID=1429

15 This analysis was performed by multiplying modeled ASPEN (Assessment System for Population Exposure Nationwide) 1999 county-level ambient diesel PM2.5 concentration data times: (1) the upper and lower bounds of EPA's possible diesel particulate matter cancer risk range; and (2) the California Air Resources Board diesel cancer unit risk factor. See: California Diesel Risk Reduction Plan: http://www.arb.ca.gov/diesel/documents/rrpapp.htm; EPA, Health Assessment Document for Diesel Exhaust, Office of Research and Development, EPA/600/8-90/057F (May 2002). The United States Public Interest Research Group previously used

a similar methodology i.e., multiplying the CARB unit risk factor by 1996 National Air Toxics Assessment fine particle concentration data to derive national, state, and local additional cancer risk (cancers per million people) from diesel fine particles. U.S. PIRG Education Fund, *Dangers of Diesel: How Diesel Soot and Other Air Toxics Increase Americans' Risk of Cancer* (October 2002).

16 "The estimated possible risk ranges (10^{-5} to 10^{-3} as well as lower and zero risk) provide a perspective of the potential significance of the lung cancer hazard." EPA, Health Assessment Document for Diesel Exhaust, Office of Research and Development, EPA/600/8-90/057F (May 2002) at p. 8-15. For CARB unit risk value, see: Findings of the Scientific Review Panel on *The Report on Diesel Exhaust* as adopted at the Panel's April 22, 1998, meeting. http://www.arb.ca.gov/toxics/dieseltac/defnds.pdf. See also, http://www.arb.ca.gov/regact/diesltac/diesltac.htm. The findings in this report based on the CARB unit risk factor are consistent with EPA's possible diesel risk range e.g., 3×10^{-4} is within EPA's range of 10^{-3} to 10^{-5}.

17 The number per million is the chance in a population of a million people who might be expected to get cancer over a 70-year lifetime. A potential cancer risk of 10 in a million means if one million people were exposed to a certain level of a pollutant or chemical there is a chance that 10 of them may develop cancer over their 70-year lifetime. This would be 10 new cases of cancer above the expected rate of cancer in the population. According to CARB the expected rate of cancer for all causes, including smoking, is about 200,000 to 250,000 chances in a million (one in four to five people).

18 For 1999 NATA national excess cancer risk from air toxics other than diesel see: Inside EPA, Inside Washington Publishers, (December 15, 2004) http://www.insideepa.com/

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20 According to the EPA's categorization of counties as urban or rural, the average ASPEN 1999 ambient diesel fine particle concentration is 1.3822 ug/m^3 for urban counties and 0.4730 ug/m^3 for rural counties. The overall national average is 1.2096 ug/m^3. These averages are population weighted. These averages convert (using the 0.0003 factor) to cancer risks of 415 per million urban, 142 per million rural, and 363 per million average.

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18 Tremont Street, Suite 530
Boston, MA 02108
Tel: 617-624-0234 / Fax: 617-624-0230

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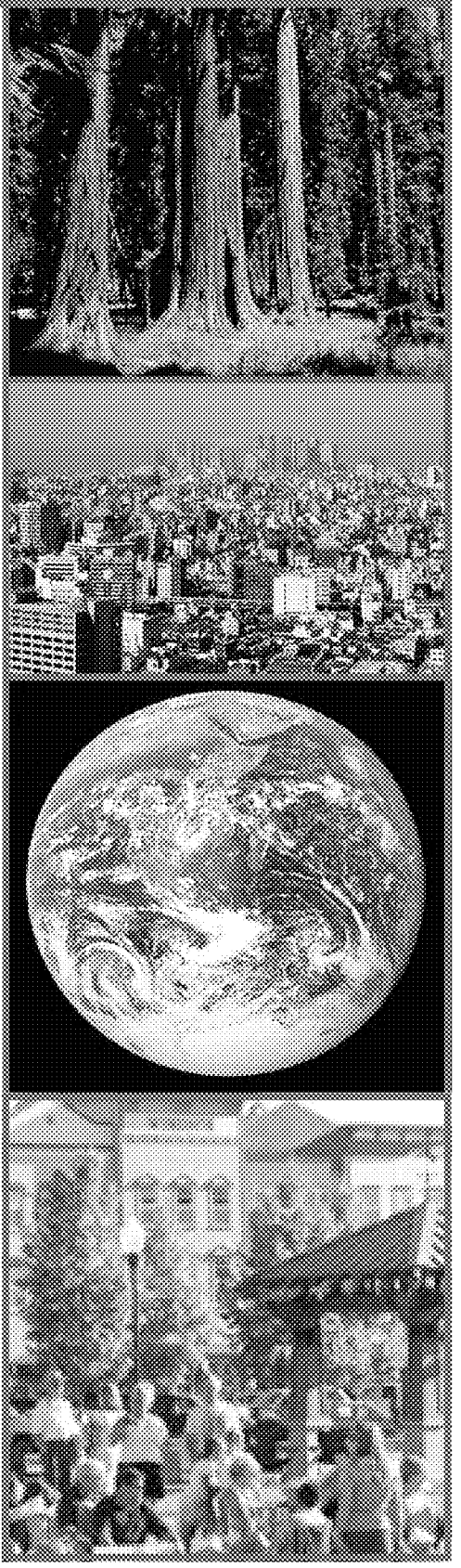

CEQA & Climate Change

Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act

January 2008

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Disclaimer

The California Air Pollution Control Officers Association (CAPCOA) has prepared this white paper consideration of evaluating and addressing greenhouse gas emissions under the California Environmental Quality Act (CEQA) to provide a common platform of information and tools to support local governments.

This paper is intended as a resource, not a guidance document. It is not intended, and should not be interpreted, to dictate the manner in which an air district or lead agency chooses to address greenhouse gas emissions in the context of its review of projects under CEQA.

This paper has been prepared at a time when California law has been recently amended by the Global Warming Solutions Act of 2006 (AB 32), and the full programmatic implications of this new law are not yet fully understood. There is also pending litigation in various state and federal courts pertaining to the issue of greenhouse gas emissions. Further, there is active federal legislation on the subject of climate change, and international agreements are being negotiated. Many legal and policy questions remain unsettled, including the requirements of CEQA in the context of greenhouse gas emissions. This paper is provided as a resource for local policy and decision makers to enable them to make the best decisions they can in the face of incomplete information during a period of change.

Finally, this white paper reviews requirements and discusses policy options, but it is not intended to provide legal advice and should not be construed as such. Questions of legal interpretation, particularly in the context of CEQA and other laws, or requests for advice should be directed to the agency's legal counsel.

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Principal Authors

Greg Tholen, BAAQMD
Dave Vintze, BAAQMD
Jean Getchell, MBUAPCD
Matt Jones, YSAQMD
Larry Robinson, SMAQMD
Ron Tan, SBCAPCD

Editor

Barbara Lee, NSAPCD

Reviewers

CAPCOA Climate Protection Committee

Barbara Lee (NSCAPCD), Chair

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Tom Jordan, SJVUAPCD
Tom Murphy, SBAPCD
Don Price, VCAPCD
Jean Roggenkamp, BAAQMD
Ana Sandoval, BAAQMD
Amy Taketomo, MBUAPCD
Tim Taylor, SMAQMD
Mike Villegas, VCAPCD
David Vintze, BAAQMD
Dave Warner, SJVUAPCD
Jill Whynot, SCAQMD
John Yu, CAPCOA
Mel Zeldin, CAPCOA

CAPCOA Planning Managers: CEQA & Climate Change Subcommittee

Dave Vintze (BAAQMD), Chair
Greg Tholen (BAAQMD), Project Manager

Charles Anderson, SMAQMD
Aeron Arlin Genet, SLOCAPCD
Jean Getchell, MBUAPCD
Melissa Guise, SLOCAPCD
Matt Jones, YSAQMD
Barbara Lee, NSCAPCD
Ryan Murano, NSAQMD
Tom Murphy, SBCAPCD
Susan Nakamura, SCAQMD
Larry Robinson, SMAQMD
Jean Roggenkamp, BAAQMD
Ana Sandoval, BAAQMD
Ron Tan, SBCAPCD
Brigette Tollstrup, SMAQMD
Jill Whynot, SCAQMD

External Reviewers

James Goldstene, CARB
Annmarie Mora, CARB
Terri Roberts, OPR

Proofing & Layout

Jake Toolson, CAPCOA
John Yu, CAPCOA

Contract Support

Jones & Stokes, Sacramento, CA *(analysis of non-zero threshold approaches)*
EDAW, Inc., Sacramento, CA *(review of analytical methods and mitigation strategies)*.

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List of Acronyms and Abbreviations

Acronym/ Abbreviation	Meaning
AB 32	Assembly Bill 32 Global Warming Solutions Act of 2006
AG	Attorney General
ARB	Air Resources Board
ASTM	American Society of Testing and Material
BAAQMD	Bay Area Air Quality Management District
BAU	Business as Usual
BEES	Building for Environmental and Economic Sustainability
Calfire	California Fire
Caltrans	California Department of Transportation
CAP	Criteria Air Pollutants
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resource Board
CAT	Climate Action Team
CCAP	Center for Clean Air Policy
CCAR	California Climate Action Registry
CDFA	California Department of Food and Agriculture
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CF	Connectivity Factor
CH_4	Methane
CIWMB	California Integrated Waste Management Board
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CNG	Compressed Natural Gas
CPUC	California Public Utilities Commission
CUFR	California Urban Forestry
DGS	Department of General Services
DOE	U.S. Department of Energy
DOF	Department of Finance
DPF	Diesel Particulate Filter
DWR	Department of Water Resources
E85	85% Ethanol
EEA	Massachusetts Executive Office of Energy and Environmental Affairs
EERE	Energy Efficiency and Renewable Energy
EIR	Environmental Impact Report
EOE	Encyclopedia of Earth
EPA	U.S. Environmental Protection Agency
ETC	Edmonton Trolley Coalition
EV	Electric Vehicles
FAR	Floor Area Ratio

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GHG	Greenhouse Gas
GGEP	Greenhouse Gas Emissions Policy
GGRP	Greenhouse Gas Reduction Plan
GP	General Plan
GWP	Global Warming Potential
IGCC	Integrated Gasification Combined Cycle
IOU	Investor Owned Utility
IPCC	International Panel on Climate Change
IT	Information Technology
ITE	Institute of Transportation Engineers
J&S	Jones & Stokes
km	Kilometer
LandGem	Landfill Gas Emissions Model
LEED	Leadership in Energy and Environmental Design
LNG	Liquefied Natural Gas
MBUAPCD	Monterey Bay Unified Air Pollution Control District
MEPA	Massachusetts Environmental Policy Act
MND	Mitigated Negative Declaration
MMT CO_2e	Million Metric Tons Carbon Dioxide Equivalent
MW	Megawatts
N_2O	Nitrous Oxide
NACAA	National Association Clean Air Agencies
ND	Negative Declaration
NEV	Neighborhood Electric Vehicle
NIST	National Institute of Standards and Technology
NO_X	Oxides of Nitrogen
NREL	National Renewable Energy Laboratory
NSCAPCD	Northern Sonoma County Air Pollution Control District
NSR	New Source Review
OPR	State Office of Planning and Research
PFC	Perfluorocarbon
PG&E	Pacific Gas & Electric
POU	Publicly Owned Utility
PM	Particulate Mater
RoadMod	Road Construction Emissions Model
ROG	Reactive Organic Gas
RPS	Renewable Portfolio Standards
RTP	Regional Transportation Plan
S-3-05	Executive Order S-3-05
SB	Senate Bill
SBCAPCD	Santa Barbara County Air Pollution Control District
SCAQMD	South Coast Air Quality Management District
SCM	Sustainable Communities Model
SIP	State Implementation Plan
SJVAPCD	San Joaquin Valley Unified Air Pollution Control District
SLOCAPCD	San Luis Obispo County Air Pollution Control District

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SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utilities District
SO_X	Sulfur Oxides
SP	Service Population
SRI	Solar Reflectance Index
SWP	State Water Project
TAC	Toxic Air Contaminants
TBD	To Be Determined
TDM	Transportation Demand Management
TMA	Transportation Management Association
THC	Total Hydrocarbon
UC	University of California
ULEV	Ultra Low Emission Vehicle
UNFCCC	United Nations Framework Convention on Climate Change
URBEMIS	Urban Emissions Model
USGBC	U.S. Green Building Council
VMT	Vehicle Miles Traveled
VTPI	Victoria Transit Policy
YSAQMD	Yolo-Solano Air Quality Management District

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Introduction

The California Environmental Quality Act (CEQA) requires that public agencies refrain from approving projects with significant adverse environmental impacts if there are feasible alternatives or mitigation measures that can substantially reduce or avoid those impacts. There is growing concern about greenhouse gas emissions[1] (GHG) and recognition of their significant adverse impacts on the world's climate and on our environment. In its most recent reports, the International Panel on Climate Change (IPCC) has called the evidence for this "unequivocal." In California, the passage of the Global Warming Solutions Act of 2006 (AB 32) recognizes the serious threat to the "economic well-being, public health, natural resources, and the environment of California" resulting from global warming. In light of our current understanding of these impacts, public agencies approving projects subject to the CEQA are facing increasing pressure to identify and address potential significant impacts due to GHG emissions. Entities acting as lead agencies in the CEQA process are looking for guidance on how to adequately address the potential climate change impacts in meeting their CEQA obligations.

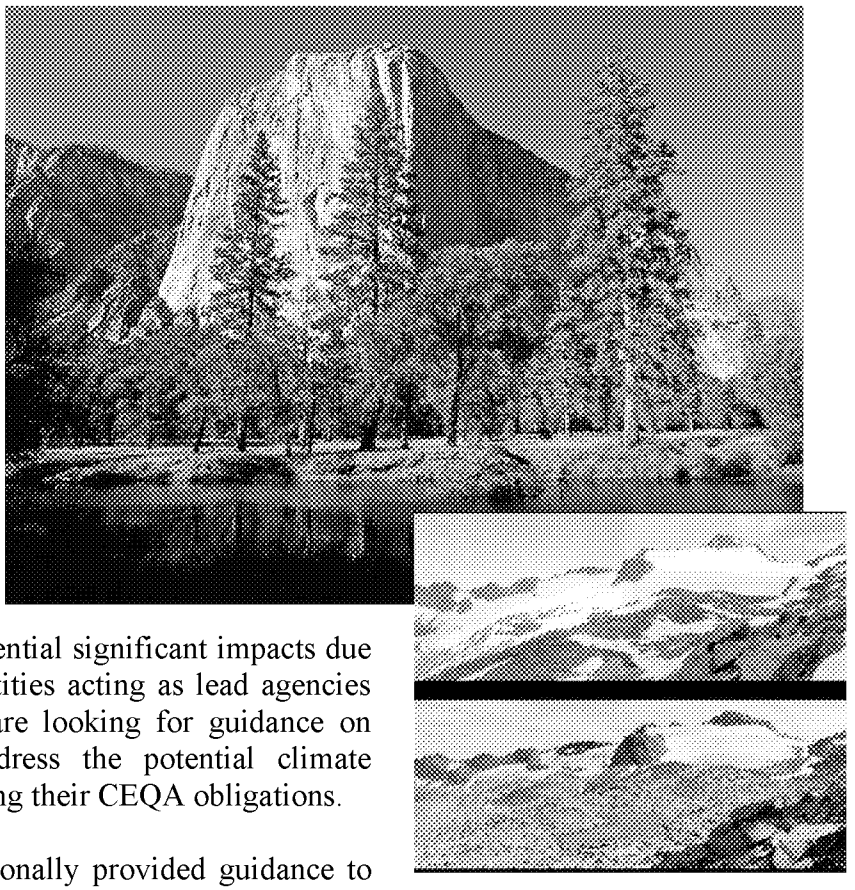

Air districts have traditionally provided guidance to local lead agencies on evaluating and addressing air pollution impacts from projects subject to CEQA. Recognizing the need for a common platform of information and tools to support decision makers as they establish policies and programs for GHG and CEQA, the California Air Pollution Control Officers Association has prepared a white paper reviewing policy choices, analytical tools, and mitigation strategies.

This paper is intended to serve as a resource for public agencies as they establish agency procedures for reviewing GHG emissions from projects under CEQA. It considers the application of thresholds and offers three alternative programmatic approaches toward

[1] Throughout this paper GHG, CO_2, CO_2e, are used interchangeably and refer generally to greenhouse gases but do not necessarily include all greenhouse gases unless otherwise specified.

determining whether GHG emissions are significant. The paper also evaluates tools and methodologies for estimating impacts, and summarizes mitigation measures. It has been prepared with the understanding that the programs, regulations, policies, and procedures established by the California Air Resources Board (CARB) and other agencies to reduce GHG emissions may ultimately result in a different approach under CEQA than the strategies considered here. The paper is intended to provide a common platform for public agencies to ensure that GHG emissions are appropriately considered and addressed under CEQA while those programs are being developed.

Examples of Other Approaches

Many states, counties, and cities have developed policies and regulations concerning greenhouse gas emissions that seek to require or promote reductions in GHG emissions through standards for vehicle emissions, fuels, electricity production/renewables, building efficiency, and other means. A few have developed guidance and are currently considering formally requiring or recommending the analysis of greenhouse gas emissions for development projects during their associated environmental processes. Key work in this area includes:

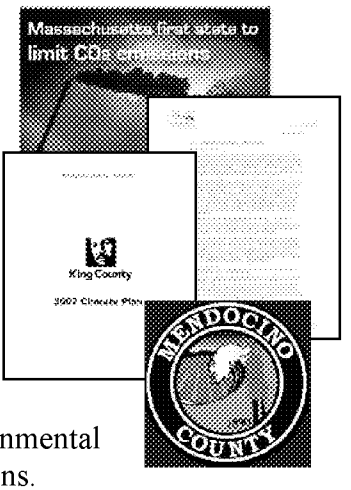

- Massachusetts Office of Energy and Environmental Affairs Greenhouse Gas Emissions Policy;
- King County, Washington, Executive Order on the Evaluation of Climate Change Impacts through the State Environmental Policy Act;
- Sacramento AQMD interim policy on addressing climate change in CEQA documents; and
- Mendocino AQMD updated guidelines for use during preparation of air quality impacts in Environmental Impact Reports (EIRs) or mitigated negative declarations.

The following paper evaluates options for lead agencies to ensure that GHG emissions are appropriately addressed as part of analyses under CEQA. It considers the use of significance thresholds, tools and methodologies for analyzing GHG emissions, and measures and strategies to avoid, reduce, or mitigate impacts.

Greenhouse Gas Significance Criteria

This white paper discusses three basic options air districts and lead agencies can pursue when contemplating the issues of CEQA thresholds for greenhouse gas emissions. This paper explores each path and discusses the benefits and disbenefits of each. The three basic paths are:

- No significance threshold for GHG emissions;

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- GHG emissions threshold set at zero; or
- GHG threshold set at a non-zero level.

Each has inherent advantages and disadvantages. Air districts and lead agencies may believe the state or national government should take the lead in identifying significance thresholds to address this global impact. Alternatively, the agency may believe it is premature or speculative to determine a clear level at which a threshold should be set. On the other hand, air districts or lead agencies may believe that every GHG emission should be scrutinized and mitigated or offset due to the cumulative nature of this impact. Setting the threshold at zero will place all discretionary projects under the CEQA microscope. Finally, an air district or lead agency may believe that some projects will not benefit from a full environmental impact report (EIR), and may believe a threshold at some level above zero is needed.

This paper explores the basis and implications of setting no threshold, setting a threshold at zero and two primary approaches for those who may choose to consider a non-zero threshold. The first approach is grounded in statute (AB 32) and executive order (EO S-3-05) and explores four possible options under this scenario. The options under this approach are variations of ways to achieve the 2020 goals of AB 32 from new development, which is estimated to be about a 30 percent reduction from business as usual.

The second approach explores a tiered threshold option. Within this option, seven variations are discussed. The concepts explored here offer both quantitative and qualitative approaches to setting a threshold as well as different metrics by which tier cut-points can be set. Variations range from setting the first tier cut-point at zero to second-tier cut-points set at defined emission levels or based on the size of a project. It should be noted that some applications of the tiered threshold approach may require inclusion in a General Plan or adoption of enabling regulations or ordinances to render them fully effective and enforceable.

Greenhouse Gas Analytical Methodologies

The white paper evaluates various analytical methods and modeling tools that can be applied to estimate the greenhouse gas emissions from different project types subject to CEQA. In addition, the suitability of the methods and tools to characterize accurately a project's emissions is discussed and the paper provides recommendations for the most appropriate methodologies and tools currently available.

The suggested methodologies are applied to residential, commercial, specific plan and general plan scenarios where GHG emissions are estimated for each example. This chapter also discusses estimating emissions from solid waste facilities, a wastewater treatment plant, construction, and air district rules and plans.

Another methodology, a service population metric, that would measure a project's overall GHG efficiency to determine if a project is more efficient than the existing statewide average for per capita GHG emissions is explored. This methodology may be more directly correlated to a project's ability to help achieve objectives outlined in AB 32, although it relies on establishment of an efficiency-based significance threshold. The subcommittee believes this methodology may eventually be appropriate to evaluate the long-term GHG emissions from a project in the context of meeting AB 32 goals. However, this methodology will need further work and is not considered viable for the interim guidance presented in this white paper.

Greenhouse Gas Mitigation Measures

Common practice in environmental protection is first to avoid, then to minimize, and finally to compensate for impacts. When an impact cannot be mitigated on-site, off-site mitigation can be effectively implemented in several resource areas, either in the form of offsetting the same impact or preserving the resource elsewhere in the region.

This white paper describes and evaluates currently available mitigation measures based on their economic, technological and logistical feasibility, and emission reduction effectiveness. The potential for secondary impacts to air quality are also identified for each measure. A summary of current rules and regulations affecting greenhouse gas emissions and climate change is also provided.

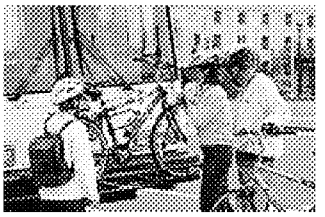

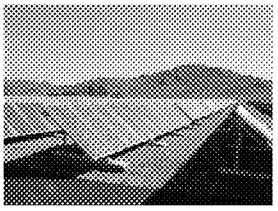

Reductions from transportation related measures (e.g., bicycle, pedestrian, transit, and parking) are explored as a single comprehensive approach to land use. Design measures that focus on enhancing alternative transportation are discussed. Mitigation measures are identified for transportation, land use/building design, mixed-use development, energy efficiency, education/social awareness and construction.

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Purpose

CEQA requires the avoidance or mitigation of significant adverse environmental impacts where there are feasible alternatives available. The contribution of GHG to climate change has been documented in the scientific community. The California Global Warming Solutions Act of 2006 (AB 32) mandates significant reductions in greenhouse gases (GHG); passage of that law has highlighted the need to consider the impacts of GHG emissions from projects that fall under the jurisdiction of the California Environmental Quality Act (CEQA). Because we have only recently come to fully recognize the potential for significant environmental impacts from GHG, most public agencies have not yet established policies and procedures to consider them under CEQA. As a result, there is great need for information and other resources to assist public agencies as they develop their programs.

Air districts have historically provided guidance to local governments on the evaluation of air pollutants under CEQA. As local concern about climate change and GHG has increased, local governments have requested guidance on incorporating analysis of these impacts into local CEQA review. The California Air Pollution Control Officers Association (CAPCOA), in coordination with the CARB, the Governor's Office of Planning and Research (OPR) and two environmental consulting firms, has harnessed the collective expertise to evaluate approaches to analyzing GHG in CEQA. The purpose of this white paper is to provide a common platform of information and tools to address climate change in CEQA analyses, including the evaluation and mitigation of GHG emissions from proposed projects and identifying significance threshold options.

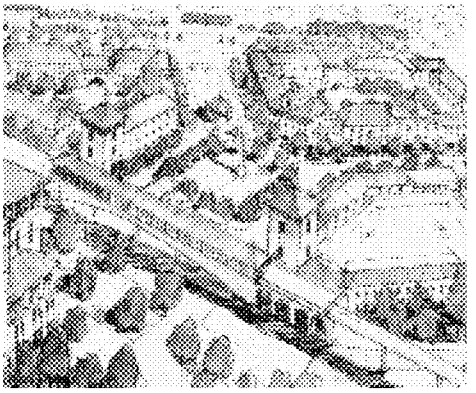

CEQA requires public agencies to ensure that potentially significant adverse environmental effects of discretionary projects are fully characterized, and avoided or mitigated where there are feasible alternatives to do so. Lead agencies have struggled with how best to identify and characterize the magnitude of the adverse effects that individual projects have on the global-scale phenomenon of climate change, even more so since Governor Schwarzenegger signed Executive Order S-3-05 and the state Legislature enacted The Global Warming Solutions Act of 2006 (AB 32). There is now a resounding call to establish procedures to analyze and mitigate greenhouse gas (GHG) emissions. The lack of established thresholds does not relieve lead agencies of their responsibility to analyze and mitigate significant impacts, so many of these agencies are seeking guidance from state and local air quality agencies. This white paper addresses issues inherent in establishing CEQA thresholds, evaluates tools, catalogues mitigation measures and provides air districts and lead agencies with options for incorporating climate change into their programs.

Background

National and International Efforts

International and Federal legislation have been enacted to deal with climate change issues. The Montreal Protocol was originally signed in 1987 and substantially amended in 1990 and 1992. In 1988, the United Nations and the World Meteorological Organization established the IPCC to assess the scientific, technical and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation. The most recent reports of the IPCC have emphasized the scientific consensus around the evidence that real and measurable changes to the climate are occurring, that they are caused by human activity, and that significant adverse impacts on the environment, the economy, and human health and welfare are unavoidable.

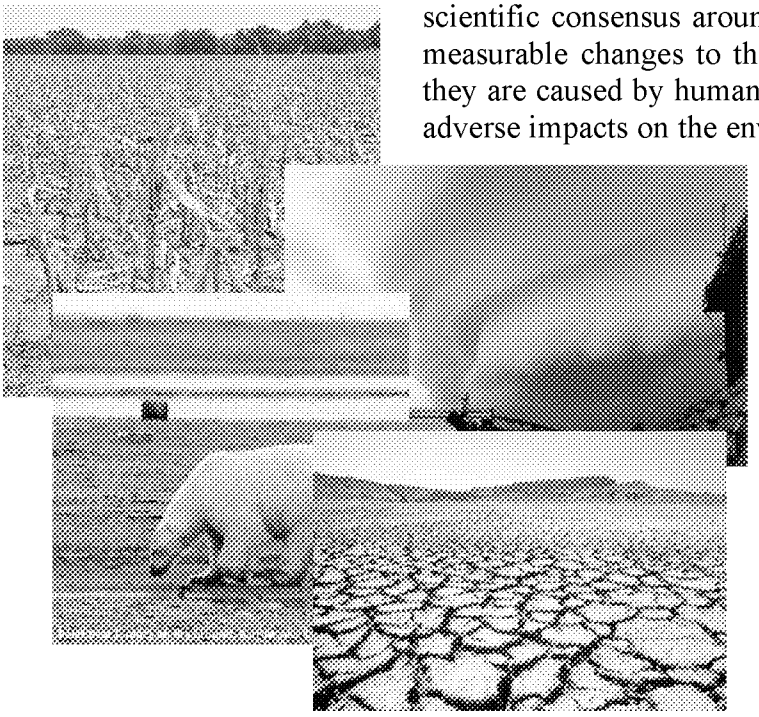

In October 1993, President Clinton announced his Climate Change Action Plan, which had a goal to return greenhouse gas emissions to 1990 levels by the year 2000. This was to be accomplished through 50 initiatives that relied on innovative voluntary partnerships between the private sector and government aimed at producing cost-effective reductions in greenhouse gas emissions. On March 21, 1994, the United States joined a number of countries around the world in signing the United Nations Framework Convention on Climate Change (UNFCCC). Under the Convention, governments agreed to gather and share information on greenhouse gas emissions, national policies, and best practices; launch national strategies for addressing greenhouse gas emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

These efforts have been largely policy oriented. In addition to the national and international efforts described above, many local jurisdictions have adopted climate change policies and programs. However, thus far little has been done to assess the significance of the affects new development projects may have on climate change.

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Executive Order S-3-05

On June 1, 2005, Governor Schwarzenegger issued Executive Order S-3-05 (S-3-05). It included the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels. To meet the targets, the Governor directed the Secretary of the California Environmental Protection Agency to coordinate with the Secretary of the Business, Transportation and Housing Agency, Secretary of the Department of Food and Agriculture, Secretary of the Resources Agency, Chairperson of the CARB, Chairperson of the Energy Commission and President of the Public Utilities Commission on development of a Climate Action Plan.

The Secretary of CalEPA leads a Climate Action Team (CAT) made up of representatives from the agencies listed above to implement global warming emission reduction programs identified in the Climate Action Plan and report on the progress made toward meeting the statewide greenhouse gas targets that were established in the Executive Order.

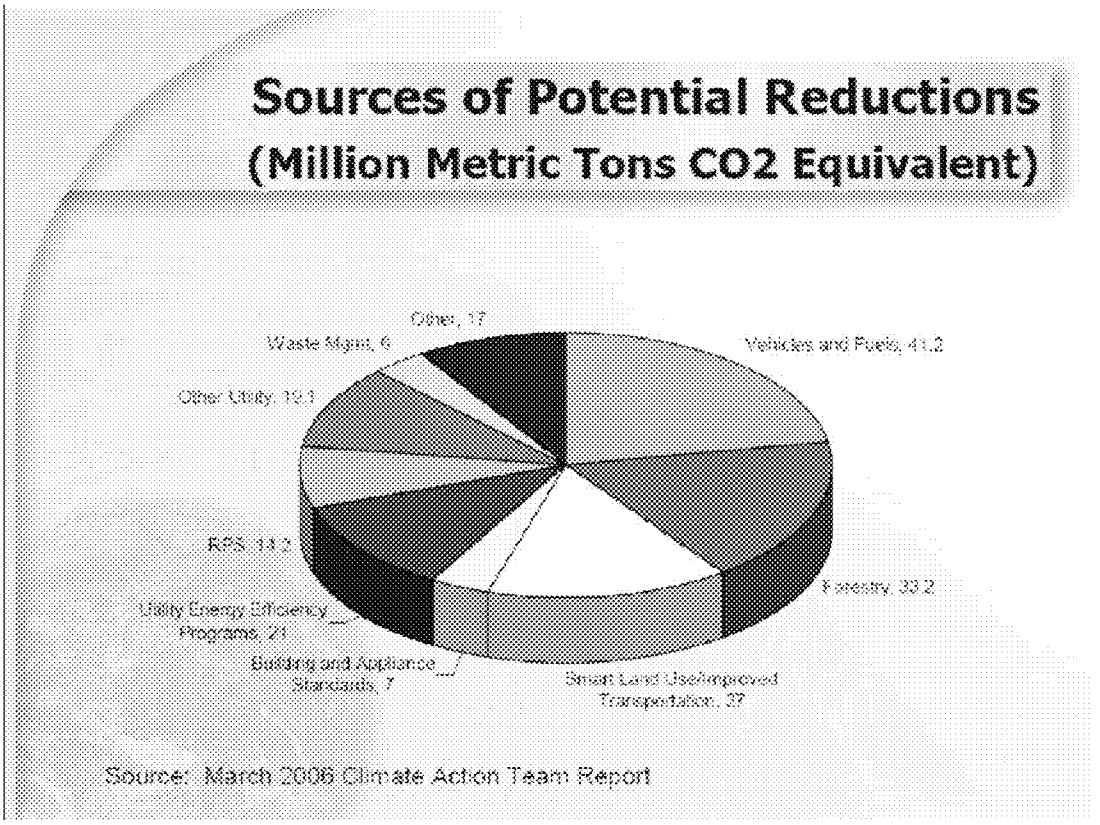

SOURCE: ARB 2007

In accord with the requirements of the Executive Order, the first report to the Governor and the Legislature was released in March 2006 and will be issued bi-annually thereafter. The CAT Report to the Governor contains recommendations and strategies to help ensure the targets in Executive Order S-3-05 are met.

California Global Warming Solutions Act of 2006 (AB 32)

In 2006, the California State Legislature adopted the California Global Warming Solutions Act of 2006. AB 32 establishes a cap on statewide greenhouse gas emissions and sets forth the regulatory framework to achieve the corresponding reduction in statewide emissions levels. AB 32 charges the California Air Resources Board (CARB), the state agency charged with regulating statewide air quality, with implementation of the act. Under AB 32, greenhouse gases are defined as: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

The regulatory steps laid out in AB 32 require CARB to: adopt early action measures to reduce GHGs; to establish a statewide greenhouse gas emissions cap for 2020 based on 1990 emissions; to adopt mandatory reporting rules for significant source of greenhouse gases; and to adopt a scoping plan indicating how emission reductions will be achieved via regulations, market mechanisms and other actions; and to adopt the regulations needed to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gases.

AB 32 requires that by January 1, 2008, the State Board shall determine what the statewide greenhouse gas emissions inventory was in 1990, and approve a statewide greenhouse gas emissions limit that is equivalent to that level, to be achieved by 2020. While the level of 1990 GHG emissions has not yet been approved, CARB's most recent emission inventory indicates that California had annual emissions of 436 million metric tons of carbon dioxide equivalent (MMT CO_2e) in 1990 and 497 MMT CO_2e in 2004.

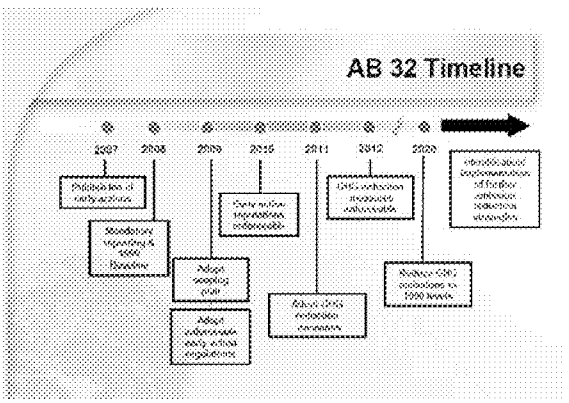

SOURCE: ARB 2007

The regulatory timeline laid out in AB 32 requires that by July 1, 2007, CARB adopt a list of discrete early action measures, or regulations, to be adopted and implemented by January 1, 2010. These actions will form part of the State's comprehensive plan for achieving greenhouse gas emission reductions. In June 2007, CARB adopted three discrete early action measures. These three new proposed regulations meet the definition of "discrete early action greenhouse gas reduction measures," which include the following: a low carbon fuel standard; reduction of HFC-134a emissions from non-professional servicing of motor vehicle air conditioning systems; and improved landfill methane capture. CARB estimates that by 2020, the reductions from those three discrete early action measures would be approximately 13-26 MMT CO_2e.

CARB evaluated over 100 possible measures identified by the CAT for inclusion in the list of discrete early action measures. On October 25, 2007 CARB gave final approval to the list of Early Action Measures, which includes nine discrete measures and 35

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additional measures, all of which are to be enforceable by January 1, 2010. AB 32 requires that by January 1, 2009, CARB adopt a scoping plan indicating how emission reductions will be achieved via regulations, market mechanisms and other actions.

Senate Bill 97

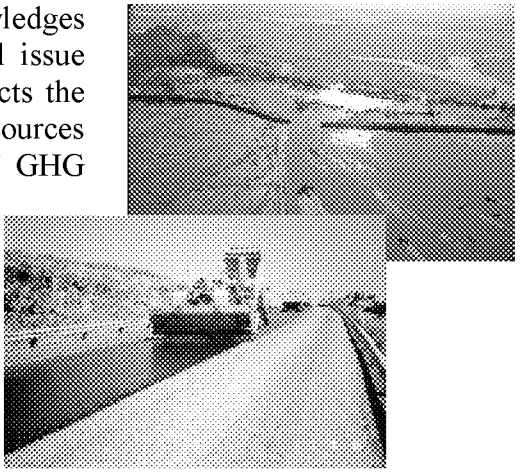

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an important environmental issue that requires analysis under CEQA. This bill directs the OPR to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, by July 1, 2009. The Resources Agency is required to certify or adopt those guidelines by January 1, 2010. This bill also protects projects funded by the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, or the Disaster Preparedness and Flood Protection Bond Act of 2006 (Proposition 1B or 1E) from claims of inadequate analysis of GHG as a legitimate cause of action. This latter provision will be repealed on January 1, 2010. Thus, this "protection" is highly limited to a handful of projects and for a short time period.

The Role of Air Districts in the CEQA Process

Air districts assume one of three roles in the CEQA process. They may be lead agencies when they are adopting regulations and air quality plans. In some instances, they can also be a lead agency when approving permits to construct or operate for applicants subject to district rules. However, in many cases where an air district permit is involved, another agency has broader permitting authority over the project and assumes the role of lead agency. In these situations, the air district becomes what is referred to as a responsible agency under CEQA. When CEQA documents are prepared for projects that do not involve discretionary approval of a district regulation, plan or permit, the air district may assume the role of a concerned or commenting agency. In this role, it is typical for air districts to comment on CEQA documents where there may be air quality-related adverse impacts, such as projects that may create significant contributions to existing violations of ambient standards, cause a violation of an ambient standard or create an exposure to toxic air contaminants or odors. In some cases, the air district may also act in an "advisory" capacity to a lead agency early on in its review of an application for a proposed development project.

A few air districts in California began developing significance thresholds for use in CEQA analyses in the late 1980's and early 1990's. By the mid-1990's most air districts had developed CEQA thresholds for air quality analyses. Many of the districts have included in their guidance the analysis of rule development and permits that may be subject to CEQA.

What is Not Addressed in this Paper

Impacts of Climate Change to a Project

The focus of this paper is addressing adverse impacts to climate change and the ability to meet statewide GHG reduction goals caused by proposed new land development projects. CEQA also requires an assessment of significant adverse impacts a project might cause by bringing development and people into an area affected by climate change (CEQA Guidelines §15126.2). For example, an area that experiences higher average temperatures due to climate change may expose new development to more frequent exceedances and higher levels of ozone concentrations. Alternatively, a rise in sea level brought on by climate change may inundate new development locating in a low-lying area. The methodologies, mitigation and threshold approaches discussed in this paper do not specifically address the potential adverse impacts resulting from climate change that may affect a project.

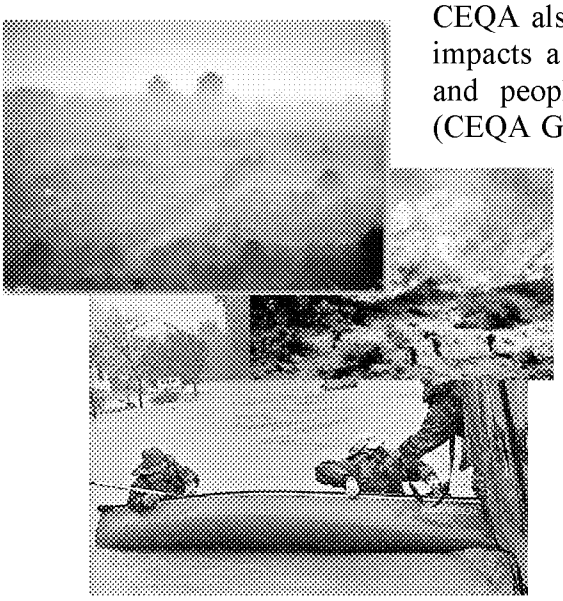

Impacts from Construction Activity

Although construction activity has been addressed in the analytical methodologies and mitigation chapters, this paper does not discuss whether any of the threshold approaches adequately addresses impacts from construction activity. More study is needed to make this assessment or to develop separate thresholds for construction activity. The focus of this paper is the long-term adverse operational impacts of land use development.

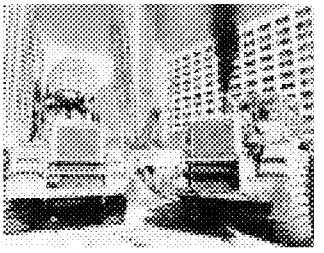

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Introduction

Any analysis of environmental impacts under CEQA includes an assessment of the nature and extent of each impact expected to result from the project to determine whether the impact will be treated as significant or less than significant. CEQA gives lead agencies discretion whether to classify a particular environmental impact as significant. "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved," ref: CEQA Guidelines §15064(b) ("Guidelines"). Ultimately, formulation of a standard of significance requires the lead agency to make a policy judgment about where the line should be drawn distinguishing adverse impacts it considers significant from those that are not deemed significant. This judgment must, however, be based on scientific information and other factual data to the extent possible (Guidelines §15064(b)).

CEQA does not require that agencies establish thresholds of significance. Guidelines §15064.7(a) encourages each public agency "…to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which normally means the effect will be determined to be less than significant."

Once such thresholds are established, an impact that complies with the applicable threshold will "normally" be found insignificant and an impact that does not comply with the applicable threshold will "normally" be found significant.

Additionally, Guidelines §15064.7(b) requires that if thresholds of significance are adopted for general use as part of the lead agency's environmental review process they must be adopted by ordinance, resolution, rule or regulation, and developed through a public review process and be supported by substantial evidence.

While many public agencies adopt regulatory standards as thresholds, the standards do not substitute for a public agency's use of careful judgment in determining significance. They also do not replace the legal standard for significance (i.e., if there is a fair argument, based on substantial evidence in light of the whole record that the project may have a significant effect, the effect should be considered significant) (Guidelines §15064(f)(1). Also see *Communities for a Better Environment v. California Resource Agency* 103 Cal. App. 4th 98 (2002)). In other words, the adoption of a regulatory standard does not create an irrebuttable presumption that impacts below the regulatory standard are less than significant.

Summary of CEQA Thresholds at Air Districts

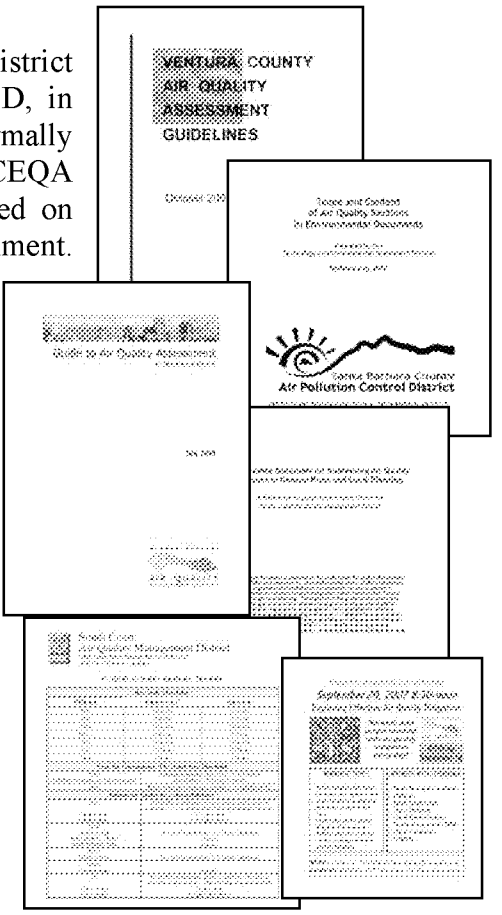

This section briefly summarizes the evolution of air district CEQA significance thresholds. Ventura County APCD, in 1980, was the first air district in California that formally adopted CEQA significance thresholds. Their first CEQA assessment document contained impact thresholds based on project type: residential, nonresidential, and government. Then, as now, the District's primary CEQA thresholds applied only to ROG and NO_x. The 1980 Guidelines did not address other air pollutants.

Santa Barbara County APCD and the Bay Area AQMD adopted thresholds in 1985. The South Coast AQMD recommended regional air quality thresholds in 1987 for CO, SO_2, NO_2, particulates, ROG, and lead. Most of the other California air districts adopted CEQA guidance and thresholds during the 1990's. Air districts have updated their thresholds and guidelines several times since they were first published.

Originally, most districts that established CEQA thresholds focused on criteria pollutants for which the district was nonattainment and the thresholds only addressed project level impacts. Updates during the 1990's began to add additional air quality impacts such as odors, toxic air contaminants and construction. Several air districts also developed thresholds for General Plans that relied on an assessment of the plan consistency with the district's air quality plans. A consistency analysis involves comparing the project's land use to that of the general plan and the population and employment increase to the forecasts underlying the assumptions used to develop the air quality plan.

Most air district thresholds for CEQA are based on the threshold for review under the New Source Review (NSR). The NSR threshold level is set by district rule and is different depending on the nonattainment classification of the air district. Areas with a less severe classification have a higher NSR trigger level while the most polluted areas have the lowest NSR trigger level. Some districts, such as Ventura County APCD, have significantly lower CEQA thresholds that are not tied to the NSR requirements. In Ventura, one set of CEQA thresholds is 25 pounds per day for all regions of Ventura County, except the Ojai Valley. The second set of CEQA thresholds was set at 5 pounds per day for the Ojai Valley.

The Sacramento Metropolitan AQMD bases its thresholds for ozone precursors on the projected land use share of emission reductions needed for attainment. The emission reductions needed to reach attainment are based on commitments made in the state implementation plan (SIP) prepared for the federal clean air act.

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CEQA Considerations in Setting Thresholds

Public agencies use significance thresholds to disclose to their constituents how they plan on evaluating and characterizing the severity of various environmental impacts that could be associated with discretionary projects that they review. Significance thresholds are also used to help identify the level of mitigation needed to reduce a potentially significant impact to a less than significant level and to determine what type of an environmental document should be prepared for a project; primarily a negative declaration, mitigated negative declaration or an environmental impact report.

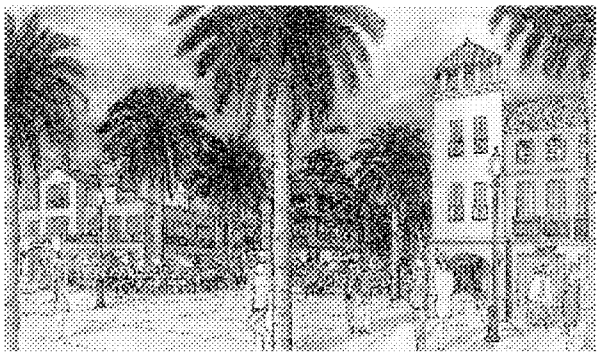

While public agencies are not required to develop significance thresholds, if they decide to develop them, they are required to adopt them by ordinance, resolution, rule or regulation through a public process. A lead agency is not restrained from adopting any significance threshold it sees as appropriate, as long as it is based on substantial evidence. CEQA Guidelines §15064.7 encourages public agencies to develop and publish significance thresholds that are identifiable, quantitative, qualitative or performance level that the agency uses in the determination of the significance of environmental effects. The courts have ruled that a "threshold of significance" for a given environmental effect is simply that level at which the lead agency finds the effects of the project to be significant.

Before an agency determines its course with regard to climate change and CEQA, it must be made clear that a threshold, or the absence of one, will not relieve a lead agency from having to prepare an EIR or legal challenges to the adequacy of an analysis leading to a conclusion, or lack of a conclusion, of significance under CEQA. CEQA has generally favored the preparation of an EIR where there is any substantial evidence to support a fair argument that a significant adverse environmental impact may occur due to a proposed project. This paper explores three alternative approaches to thresholds, including a no threshold option, a zero threshold option and a non-zero threshold option.

Fair Argument Considerations

Under the CEQA fair argument standard, an EIR must be prepared whenever it can be fairly argued, based on substantial evidence in the administrative record, that a project may have a significant adverse effect on the environment. "Substantial evidence" comprises "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (Guidelines §15384) This means that if factual information is presented to the public agency that there is a reasonable possibility the project could have

a significant effect on the environment, an EIR is required even if the public agency has information to the contrary (Guidelines §15064 (f)).

The courts have held that the fair argument standard "establishes a low threshold for initial preparation of an EIR, which reflects a preference for resolving doubts in favor of environmental review." (*Santa Teresa Citizen Action Group v. City of San Jose* [2003] 114 Cal.App.4th 689) Although the determination of whether a fair argument exists is made by the public agency, that determination is subject to judicial scrutiny when challenged in litigation. When the question is whether an EIR should have been prepared, the court will review the administrative record for factual evidence supporting a fair argument.

The fair argument standard essentially empowers project opponents to force preparation of an EIR by introducing factual evidence into the record that asserts that the project may have a significant effect on the environment. This evidence does not need to be conclusive regarding the potential significant effect.

In 1998, the Resources Agency amended the State CEQA Guidelines to encourage the use of thresholds of significance. Guidelines §15064 (h) provided that when a project's impacts did not exceed adopted standards, the impacts were to be considered less than significant. The section went on to describe the types of adopted standards that were to be considered thresholds. Guidelines § 15064.7 provided that agencies may adopt thresholds of significance to guide their determinations of significance. Both of these sections were challenged when environmental groups sued the Resources Agency in 2000 over the amendments. The trial court concluded that §15064.7 was proper, if it was applied in the context of the fair argument standard.

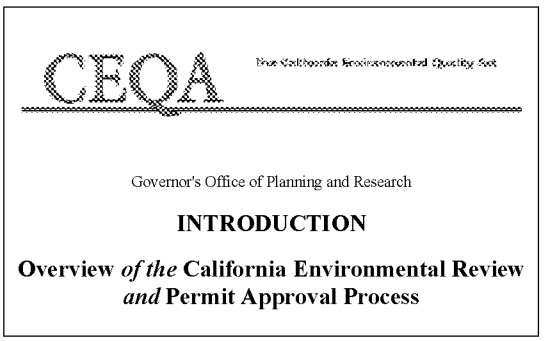

At the appellate court level, §15064(h) was invalidated. [2] Establishing a presumption that meeting an adopted standard would avoid significant impacts was "inconsistent with controlling CEQA law governing the fair argument approach." The Court of Appeal explained that requiring agencies to comply with a regulatory standard "relieves the agency of a duty it would have under the fair argument approach to look at evidence beyond the regulatory standard, or in contravention of the standard, in deciding whether an EIR must be prepared. Under the fair argument approach, any substantial evidence supporting a fair argument that a project may have a significant environmental effect would trigger the preparation of an EIR." (*Communities for a Better Environment v. California Resources Agency* [2002] 103 Cal.App.4th 98)

[2] Prior §15064(h) has been removed from the State CEQA Guidelines. Current §15064(h) discusses cumulative impacts.

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In summary, CEQA law does not require a lead agency to establish significance thresholds for GHG. CEQA guidelines encourage the development of thresholds, but the absence of an adopted threshold does not relieve the agency from the obligation to determine significance.

Defensibility of CEQA Analyses

The basic purposes of CEQA, as set out in the State CEQA Guidelines, include: (1) informing decision makers and the public about the significant environmental effects of proposed projects; (2) identifying ways to reduce or avoid those impacts; (3) requiring the implementation of feasible mitigation measures or alternatives that would reduce or avoid those impacts; and (4) requiring public agencies to disclose their reasons for approving any project that would have significant and unavoidable impacts (Guidelines §15002). CEQA is enforced through civil litigation over procedure (i.e., did the public agency follow the correct CEQA procedures?) and adequacy (i.e., has the potential for impacts been disclosed, analyzed, and mitigated to the extent feasible?).

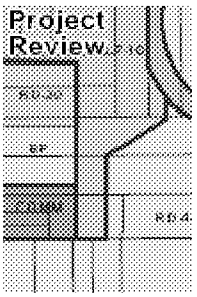

The California Supreme Court has held that CEQA is "to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Friends of Mammoth v. Board of Supervisors* [1972] 8 Cal.3d 247, 259) Within that context, the role of the courts is to weigh the facts in each case and apply their judgment. Although the court may rule on the adequacy of the CEQA work, the court is not empowered to act in the place of the public agency to approve or deny the project for which the CEQA document was prepared. Further, the court's review is limited to the evidence contained in the administrative record that was before the public agency when it acted on the project.

Putting aside the issue of CEQA procedure, the defensibility of a CEQA analysis rests on the following concerns:

- whether the public agency has sufficiently analyzed the environmental consequences to enable decision makers to make an intelligent decision;
- whether the conclusions of the public agency are supported by substantial evidence in the administrative record; and
- whether the agency has made a good faith effort at the full disclosure of significant effects.

CEQA analyses need not be perfect or exhaustive -- the depth and breadth of the analysis is limited to what is "reasonably feasible." (Guidelines §15151) At the same time, the analysis "must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed

project." (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376)

By itself, establishment of a GHG threshold will not insulate individual CEQA analyses from challenge. Defensibility depends upon the adequacy of the analysis prepared by the lead agency and the process followed. However, the threshold can help to define the boundaries of what is a reasonable analysis by establishing when an analysis will be required and the basic scope of that analysis. The threshold would attempt to define the point at which an analysis will be required and when a level of impact becomes significant, requiring preparation of an EIR. If the threshold includes recommendations for the method or methods of analysis, it can establish the minimum level of analysis to address this issue.

Considerations in Setting Thresholds for Stationary Source Projects

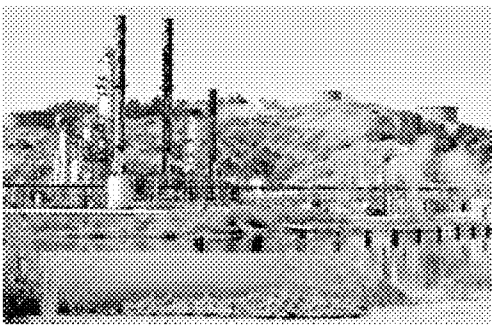

In many respects, the analysis of GHG emissions from stationary sources is much more straightforward than the analysis of land use patterns, forecasted energy consumption, and emissions from mobile sources. The reason is that, for the most part, the latter analyses depend largely on predictive models with myriad inputs and have a wider range of error. Emissions from stationary sources involve a greater reliance on mass and energy balance calculations and direct measurements of emissions from the same or similar sources. Energy demand is more directly tied to production, and even associated mobile source emissions will likely fall within narrower predictive windows.

Implementing CEQA Without a Threshold

A lead agency is not required to establish significance thresholds for GHG emissions from stationary sources. The lead agency may find that it needs more information or experience evaluating GHG from these types of projects to determine an appropriate significance threshold. As with other project types, the lead agency could conduct a project specific analysis to determine whether an environmental impact report is needed and to determine the level of mitigation that is appropriate. The agency might also rely on thresholds established for criteria pollutants as a screening method, and analyze GHG emissions (and require mitigation) from projects with emissions above the criteria pollutant thresholds. Over time, the agency could amass information and experience with specific project categories that would support establishing explicit thresholds. The lead agency may also choose to base local CEQA thresholds on state guidelines or on the category-specific reduction targets established by ARB in its scoping plan for implementing AB32. Resource constraints and other considerations associated with implementing CEQA without GHG thresholds for stationary sources would be similar to those outlined for other types of projects (see Chapter 5 – No Threshold Option).

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Implementing CEQA with Threshold of Zero

A lead agency may find that any increase in GHG emissions is potentially significant under CEQA. The resources and other considerations for implementing a threshold of zero for stationary sources are the same as those outlined for other types of projects (see Chapter 6 – Zero Threshold Option).

Implementing CEQA with a Non-Zero Threshold

A lead agency may identify one or more non-zero thresholds for significance of emissions of GHG from stationary sources. The agency could elect to rely on existing thresholds for reviewing new or modified stationary sources of GHG, if the state or local air district has established any. The agency could also apply the threshold(s) established for non-stationary sources to GHG emissions from stationary sources. Significance thresholds could also be established by ordinance, rule, or policy for a given category of stationary sources; this approach is especially conducive to a tiered threshold approach. For example, the agency could establish significance and mitigation tiers for stationary compression-ignition diesel-fueled generators. Under such an approach, the project proponent could be first required to use a lower GHG-emitting power source if feasible, and if not, to apply mitigation based on the size of the generator and other defined considerations, such as hours of operation. Certain classes of generators could be found to be insignificant under CEQA (e.g., those used for emergency stand-by power only, with a limit on the annual hours of use). As with non-stationary projects, the goal of establishing non-zero thresholds is to maximize environmental protection, while minimizing resources used. Resource and other considerations outlined for non-stationary projects are applicable here (see Chapter 7 – Non-Zero Threshold Options).

Implementing CEQA with Different Thresholds for Stationary and Non-stationary Projects

Although a lead agency may apply the same thresholds to stationary and non-stationary projects, it is not required to do so. There are, in fact, some important distinctions between the two types of projects that could support applying different thresholds. The lead agency should consider the methods used to estimate emissions. Are the estimates a "best/worst reasonable scenario" or are they based on theoretical maximum operation? How accurate are the estimates (are they based on models, simulations, emission factors, source test data, manufacturer specifications, etc.)? To what extent could emissions be reduced through regulations after the project is constructed if they were found to be greater than originally expected (i.e., is it possible to retrofit emissions control technology onto the source(s) of GHG at a later date, how long is the expected project life, etc.)? Are there emission limits or emissions control regulations (such as New Source Review) that provide certainty that emissions will be mitigated? Generally, stationary source emissions are based on maximum emissions (theoretical or allowed under law or regulation), are more accurate, and are more amenable to retrofit at a later time than non-stationary source emissions. It is also more likely that category specific

rules or some form of NSR will apply to stationary sources than non-stationary projects. Notwithstanding, it is almost always more effective and cost-efficient to apply emission reduction technology at the design phase of a project. There are, therefore, a number of considerations that need to be evaluated and weighed before establishing thresholds – and which may support different thresholds for stationary and non-stationary projects. Furthermore, the considerations may change over time as new regulations are established and as emissions estimation techniques and control technology evolves.

Direct GHG Emissions from Stationary Sources

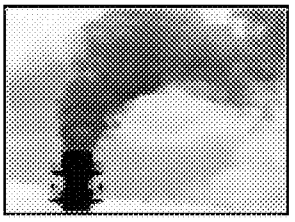

The main focus of this paper has been the consideration of projects that do not, in the main, involve stationary sources of air pollution, because stationary source projects are generally a smaller percentage of the projects seen by most local land use agencies. That said, some discussion of stationary sources is warranted. As the broader program for regulating GHG from these sources is developed, the strategies for addressing them under CEQA will likely become more refined.

The primary focus of analysis of stationary source emissions has traditionally been those pollutants that are directly emitted by the source, whether through a stack or as fugitive releases (such as leaks). CAPCOA conducted a simplified analysis of permitting activity to estimate the number of stationary source projects with potentially significant emissions of greenhouse gases that might be seen over the course of a year. This analysis looked only at stationary combustion sources (such as boilers and generators), and only considered direct emissions. A lead agency under CEQA may see a different profile of projects than the data provided here suggest, depending on what other resources are affected by projects. In addition, air districts review like-kind replacements of equipment to ensure the new equipment meets current standards, but such actions might not constitute a project for many land use agencies or other media regulators. The data does provide a useful benchmark, however, for lead agencies to assess the order of magnitude of potential stationary source projects. A similar analysis is included for non-stationary projects in Chapter 7.

Table 1: Analysis of GHG Emissions from Stationary Combustion Equipment Permits[3]

	BAAQMD	SMAQMD	SJVUAPCD	SCAQMD
Total Applications for Year	1499	778	1535	1179
Affected at threshold of:				
900 metric tons/year	26	43	63	108
10,000 metric tons/year	7	5	26	8
25,000 metric tons/year	3	1	11	4

[3] District data varies based on specific local regulations and methodologies.

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Emissions from Energy Use

In addition to the direct emissions of GHG from stationary projects, CEQA will likely need to consider the project's projected energy use. This could include an analysis of opportunities for energy efficiency, onsite clean power generation (e.g., heat/energy recovery, co-generation, geothermal, solar, or wind), and the use of dedicated power contracts as compared to the portfolio of generally available power. In some industries, water use and conservation may provide substantial GHG emissions reductions, so the CEQA analysis should consider alternatives that reduce water consumption and wastewater discharge. The stationary project may also have the opportunity to use raw or feedstock materials that have a smaller GHG footprint; material substitution should be evaluated where information is available to do so.

Emissions from Associated Mobile Sources

The stationary project will also include emissions from associated mobile sources. These will include three basic components: emissions from employee trips, emissions from delivery of raw or feedstock materials, and emissions from product transport. Employee trips can be evaluated using trip estimation as is done for non-stationary projects, and mitigations would include such measures as providing access to and incentives for use of public transportation, accessibility for bicycle and pedestrian modes of transport, employer supported car or vanpools (including policies such as guaranteed rides home, etc). Upstream and downstream emissions related to goods movement can also be estimated with available models. The evaluation will need to determine the extent of the transport chain that should be included (to ensure that all emissions in the chain have been evaluated and mitigated, but to avoid double counting). Mitigations could include direct actions by operators who own their own fleet, or could be implemented through contractual arrangements with independent carriers; again, the evaluation will need to consider how far up and down the chain mitigation is feasible and can be reasonably required.

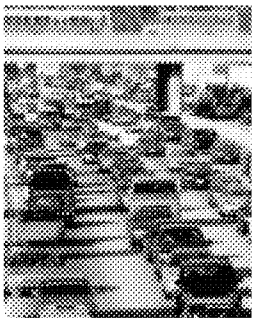

Comparing Emissions Changes Across Pollutant Categories

The potential exists for certain GHG reduction measures to increase emissions of criteria and toxic pollutants known to cause or aggravate respiratory, cardiovascular, and other health problems. For instance, GHG reduction efforts such as alternative fuels and methane digesters may create significant levels of increased pollutants that are detrimental to the health of the nearby population (e.g.; particulate matter, ozone precursors, toxic air contaminants). Such considerations should be included in any CEQA analysis of a project's environmental impacts. While there are many win-win

strategies that can reduce both GHG and criteria/toxic pollutant emissions, when faced with situations that involve tradeoffs between the two, the more immediate public health concerns that may arise from an increase in criteria or toxic pollutant emissions should take precedence. GHG emission reductions could be achieved offsite through other mitigation programs.

MV00172181

Introduction

Under state law, it is the purview of each lead agency to determine what, if any, significance thresholds will be established to guide its review of projects under CEQA. While the state does provide guidelines for implementing CEQA, the guidelines have left the decision of whether to establish thresholds (and if so, at what level) to individual lead agencies. Frequently, lead agencies consult with resource-specific agencies (such as air districts) for assistance in determining what constitutes a significant impact on that specific resource.

With the passage of AB 32, the ARB has broad authority to regulate GHG emissions as necessary to meet the emission reduction goals of the statute. This may include authority to establish emission reduction requirements for new land use projects, and may also enable them to recommend statewide thresholds for GHG under CEQA.

In developing this white paper, CAPCOA recognizes that, as the GHG reduction program evolves over time, GHG thresholds and other policies and procedures for CEQA may undergo significant revision, and that uniform statewide thresholds and procedures may be established. This paper is intended to serve as a resource for public agencies until such time that statewide guidance is established, recognizing that decisions will need to be made about GHG emissions from projects before such guidance is available. This paper is not, however, uniform statewide guidance. As stated before, it outlines several possible approaches without endorsing any one over the others.

Some air districts may choose to use this paper to support their establishment of guidance for GHG under CEQA, including thresholds. This paper does not, nor should it be construed to require a district to implement any of the approaches evaluated here. Decisions about whether to provide formal local guidance on CEQA for projects with GHG emissions, including the question of thresholds, will be made by individual district boards.

Each of the 35 air districts operates independently and has its own set of regulations and programs to address the emissions from stationary, area and mobile sources, consistent with state and federal laws, regulations, and guidelines. The independence of the districts allows specific air quality problems to be addressed on a local level. In addition, districts have also established local CEQA thresholds of significance for criteria pollutants – also to address the specific air quality problems relative to that particular district.

The overall goal of air district thresholds is to achieve and maintain health based air quality standards within their respective air basins and to reduce transport of emissions to other air basins. In establishing recommended thresholds, air districts consider the existing emission inventory of criteria pollutants and the amount of emission reductions needed to attain and maintain ambient air quality standards.

However, unlike criteria pollutants where individual districts are characterized by varying levels of pollutant concentrations and source types, greenhouse gases (GHG) and their attendant climate change ramifications are a global problem and, therefore, may suggest a uniform approach to solutions that ensure both progress and equity.

Under SB97, the Office of Planning and Research is directed to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions through CEQA by July 1, 2009. Those guidelines may recommend thresholds. As stated, this paper is intended to provide a common platform of information and tools to support local decision makers until such time that statewide guidance or requirements are promulgated.

Local Ability to Promulgate District-Specific GHG Thresholds

One of the primary reasons behind the creation of air districts in California is the recognition that some regions within the state face more critical air pollution problems than others and, as has often been pointed out – one size does not fit all. For example, a "Serious" federal nonattainment district would need greater emission reductions than a district already in attainment – and, therefore, the more "serious" district would set its criteria pollutant CEQA thresholds of significance much lower than the air district already in attainment.

The action of GHGs is global in nature, rather than local or regional (or even statewide or national). Ultimately there may be a program that is global, or at least national in scope. That said, actions taken by a state, region, or local government can contribute to the solution of the global problem. Local governments are not barred from developing and implementing programs to address GHGs. In the context of California and CEQA, lead agencies have the primary responsibility and authority to determine the significance of a project's impacts.

Further, air districts have primary authority under state law for "control of air pollution from all sources, other than emissions from motor vehicles." (H&SC §40000) The term air contaminant or "air pollutant" is defined extremely broadly, to mean "any discharge, release, or other propagation into the atmosphere" and includes, but is not limited to, soot, carbon, fumes, gases, particulate matter, etc. Greenhouse gases and other global warming pollutants such as black carbon would certainly be included in this definition, just as the U.S. Supreme Court held in Massachusetts v. EPA that greenhouse gases were air pollutants under the federal Clean Air Act. Therefore, air districts have the primary authority to regulate global warming pollutants from nonvehicular sources. AB 32 does not change this result. Although it gives wide responsibility to CARB to regulate greenhouse gases from all sources, including nonvehicular sources, it does not preempt the districts. AB 32 specifically states That "nothing in this division shall limit or expand the existing authority of any district..."(H&SC § 38594). Thus, districts and CARB retain concurrent authority over nonvehicular source greenhouse gas emissions.

MV00172183

Introduction

The CEQA statutes do not require an air district or any lead agency to establish significance thresholds under CEQA for any pollutant. While there are considerations that support the establishment of thresholds (which are discussed in other sections of this document), there is no obligation to do so.

An air district or other lead agency may elect not to establish significance thresholds for a number of reasons. The agency may believe that the global nature of the climate change problem necessitates a statewide or national framework for consideration of environmental impacts. SB 97 directs OPR to develop "guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions by July 1, 2009," and directs the California Resources Agency to certify and adopt the guidelines by June 30, 2010.

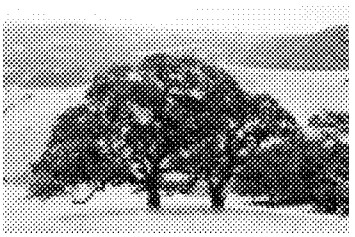

An agency may also believe there is insufficient information to support selecting one specific threshold over another. As described earlier, air districts have historically set CEQA thresholds for air pollutants in the context of the local clean air plan, or (in the case of toxic air pollutants) within the framework of a rule or policy that manages risks and exposures due to toxic pollutants. There is no current framework that would similarly manage impacts of greenhouse gas pollutants, although the CARB is directed to establish one by June 30, 2009, pursuant to AB 32. A local agency may decide to defer any consideration of thresholds until this framework is in place.

Finally, an agency may believe that the significance of a given project should be assessed on a case-by-case basis in the context of the project at the time it comes forward.

Implementing CEQA Without Significance Thresholds for GHG

The absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA. The implications of not having a threshold are different depending on the role the agency has under CEQA – whether it is acting in an advisory capacity, as a responsible agency, or as a lead agency.

Implications of No Thresholds for an Agency Acting in an Advisory Capacity

Air districts typically act in an advisory capacity to local governments in establishing the framework for environmental review of air pollution impacts under CEQA. This may include recommendations regarding significance thresholds, analytical tools to assess emissions and impacts, and mitigations for potentially significant impacts. Although districts will also address some of these issues on a project-specific basis as responsible agencies, they may provide general guidance to local governments on these issues that

are program wide, and these are advisory (unless they have been established by regulation).

An air district that has not established significance thresholds for GHG will not provide guidance to local governments on this issue. This does not prevent the local government from establishing thresholds under its own authority. One possible result of this would be the establishment of different thresholds by cities and counties within the air district. Alternatively, the air district could advise local governments not to set thresholds and those jurisdictions may follow the air district's guidance.

It is important to note here (as has been clearly stated by the Attorney General in comments and filings) that lack of a threshold does *not* mean lack of significance. An agency may argue lack of significance for any project, but that argument would have to be carried forth on a case-by-case, project specific basis. By extension then, a decision not to establish thresholds for GHG is likely to result in a greater workload for responsible and lead agencies as they consider individual projects under CEQA.

Implications of No Thresholds for a Responsible Agency

If there are no established thresholds of significance, the significance of each project will have to be determined during the course of review. The responsible agency (e.g., the air district) will review each project referred by the lead agency. The review may be qualitative or quantitative in nature. A qualitative review would discuss the nature of GHG emissions expected and their potential effect on climate change as the district understands it. It could also include a discussion of the relative merits of alternative scenarios. A quantitative analysis would evaluate, to the extent possible, the expected GHG emissions; it would also need to evaluate their potential effect on climate change and might include corresponding analysis of alternatives. The air district, as a responsible agency, may also identify mitigation measures for the project.

The lack of established thresholds will make the determination of significance more resource intensive for each project. The district may defer to the lead agency to make this determination, however the district may be obligated, as a responsible agency, to evaluate the analysis and determination.

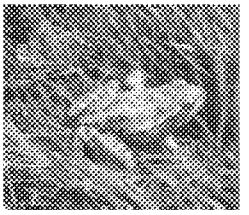

Implications of No Thresholds for a Lead Agency

The main impact of not having significance thresholds will be on the primary evaluation of projects by the lead agency. Without significance thresholds, the agency will have to conduct some level of analysis of every project to determine whether an environmental impact report is needed. There are three fundamental approaches to the case-by-case analysis of significance, including presumptions of significance or insignificance, or no presumption:

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1. The agency can begin with a presumption of significance and the analysis would be used to support a case-specific finding of no significance. This is similar to establishing a threshold of zero, except that here, the "threshold" is rebuttable. This approach may result in a large number of projects proceeding to preparation of an environmental impact report. Because of the attendant costs, project proponents may challenge the determination of significance, although formal challenge is less likely than attempts to influence the determination.

2. The agency can begin with a presumption of insignificance, and the analysis would be used to support a case-specific finding of significance. A presumption of insignificance could be based on the perspective that it would be speculative to attempt to identify the significance of GHG emissions from a project relative to climate change on a global scale. This approach might reduce the number of projects proceeding to preparation of environmental impact reports. It is likely to have greater success with smaller projects than larger ones, and a presumption of *insignificance* may be more likely to be challenged by project opponents.

3. It is not necessary for the lead agency to have any presumption either way. The agency could approach each project from a *tabula rasa* perspective, and have the determination of significance more broadly tied to the specific context of the project; this approach is likely to be resource intensive, and creates the greatest uncertainty for project proponents. To the extent that it results in a lead agency approving similar projects based on different determinations of significance for GHG emissions, it may be more vulnerable to challenge from either proponents or opponents of the project. Alternatively, in the absence of either thresholds or presumptions, the lead agency could use each determination of significance to build its approach in the same way that subsequent judgments define the law.

Relevant Citations

The full text of relevant citations is in Appendix A.

Public Resources Code – §21082.2, Significant Effect on Environment; Determination; Environmental Impact Report Preparation.

State CEQA Guidelines – §15064, Determining the Significance of the Environmental Effects Caused by a Project.

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Introduction

If an air district or lead agency determines that any degree of project-related increase in GHG emissions would contribute considerably to climate change and therefore would be a significant impact, it could adopt a zero-emission threshold to identify projects that would need to reduce their emissions. A lead agency may determine that a zero-emission threshold is justified even if other experts may disagree. A lead agency is not prevented from adopting any significance threshold it sees as appropriate, as long as it is based on substantial evidence.

If the zero threshold option is chosen, all projects subject to CEQA would be required to quantify and mitigate their GHG emissions, regardless of the size of the project or the availability of GHG reduction measures available to reduce the project's emissions. Projects that could not meet the zero-emission threshold would be required to prepare environmental impact reports to disclose the unmitigable significant impact, and develop the justification for a statement of overriding consideration to be adopted by the lead agency.

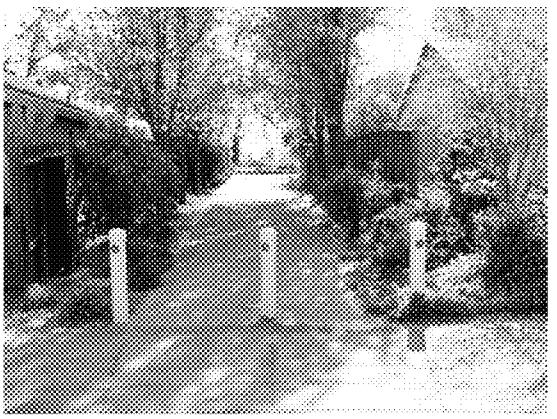

Implementing CEQA With a Zero Threshold for GHG

The scientific community overwhelmingly agrees that the earth's climate is becoming warmer, and that human activity is playing a role in climate change. Unlike other environmental impacts, climate change is a global phenomenon in that all GHG emissions generated throughout the earth contribute to it. Consequently, both large and small GHG generators cause the impact. While it may be true that many GHG sources are individually too small to make any noticeable difference to climate change, it is also true that the countless small sources around the globe combine to produce a very substantial portion of total GHG emissions.

A zero threshold approach is based on a belief that, 1) all GHG emissions contribute to global climate change and could be considered significant, and 2) not controlling emissions from smaller sources would be neglecting a major portion of the GHG inventory.

CEQA explicitly gives lead agencies the authority to choose thresholds of significance. CEQA defers to lead agency discretion when choosing thresholds. Consequently, a zero-emission threshold has merits.

The CEQA review process for evaluating a project's impact on global climate change under the zero threshold option would involve several components. Air quality sections would be written by lead agencies to include discussions on climate change in CEQA documents, GHG emissions would be calculated, and a determination of significance would be made. The local air districts would review and comment on the climate change discussions in environmental documents. Lead agencies may then revise final EIRs to accommodate air district comments. More than likely, mitigation measures will be specified for the project, and a mitigation monitoring program will need to be put in place to ensure that these measures are being implemented.

Since CEQA requires mitigation to a less than significant level, it is conceivable that many projects subjected to a zero threshold could only be deemed less than significant with offsite reductions or the opportunity to purchase greenhouse gas emission reduction credits. GHG emission reduction credits are becoming more readily available however the quality of the credits varies considerably. High quality credits are generated by actions or projects that have clearly demonstrated emission reductions that are real, permanent, verifiable, enforceable, and not otherwise required by law or regulation. When the pre- or post-project emissions are not well quantified or cannot be independently confirmed, they are considered to be of lesser quality. Similarly, if the reductions are temporary in nature, they are also considered to be poor quality. Adoption of a zero threshold should consider the near-term availability and the quality of potential offsets.

There are also environmental justice concerns about the effects of using offsite mitigations or emission reduction credits to offset, or mitigate, the impacts of a new project. Although GHGs are global pollutants, some of them are emitted with co-pollutants that have significant near-source or regional impacts. Any time that increases in emissions at a specific site will be mitigated at a remote location or using emission reduction credits, the agency evaluating the project should ensure that it does not create disproportionate impacts.

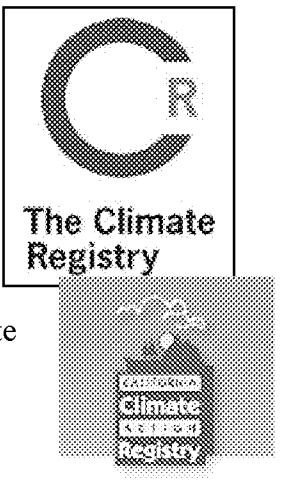

Administrative Considerations

If electing to pursue a zero threshold, an air district or lead agency should consider the administrative costs and the environmental review system capacity. Some projects that previously would have qualified for an exemption could require further substantial analysis, including preparation of a Negative Declaration (ND), a Mitigated Negative Declaration (MND) or an EIR. Moreover, the trade-offs between the volume of projects requiring review and the quality of consideration given to reviews should be considered. It may also be useful to consider whether meaningful mitigation can be achieved from smaller projects.

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Consideration of Exemptions from CEQA

A practical concern about identifying GHG emissions as a broad cumulative impact is whether the zero threshold option will preclude a lead agency from approving a large set of otherwise qualified projects utilizing a Categorical Exemption, ND, or MND. The results could be a substantial increase in the number of EIR's. This is a valid and challenging concern, particularly for any threshold approach that is based on a zero threshold for net GHG emission increases.

CEQA has specified exceptions to the use of a categorical exception. Specifically, CEQA Guidelines §15300.2 includes the following exceptions:

"(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant."

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances."

These CEQA Guidelines sections could be argued to mean that any net increase in GHG emissions would preclude the use of a categorical exemption. However, as described below, if the following can be shown, then the exceptions above could be argued not to apply:

(1) Cumulative local, regional and/or state GHG emissions are being reduced or will be reduced by adopted, funded, and feasible measures in order to meet broader state targets.

(2) Mandatory state or local GHG reduction measures would apply to the project's emissions such that broader GHG reduction goals would still be met and the project contributions would not be cumulatively considerable.

(3) Project GHG emissions are below an adopted significance threshold designed to take into account the cumulative nature of GHG emissions.

A similar argument could be made relative to the use of a ND (provided no additional mitigation (beyond existing mandates) is required to control GHG emissions) and to the use of a MND instead of an EIR. However, due to the "fair argument" standard, which is discussed in Chapter 3, caution is recommended in use of a ND or MND unless all three elements above can be fully supported through substantial evidence and there is no substantial evidence to the contrary. Establishing a significance threshold of zero is likely to preclude the use of a categorical exemption.

Relevant Citations

The full text of relevant citations is in Appendix A.

Public Resources Code – §21004, Mitigating or Avoiding a Significant Effect; Powers of Public Agency.

State CEQA Guidelines – §15064, Determining the Significance of the Environmental Effects Caused by a Project.

State CEQA Guidelines – §15130, Discussion of Cumulative Impacts.

State CEQA Guidelines – §15064.7, Thresholds of Significance.

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Introduction

A non-zero threshold could minimize the resources spent reviewing environmental analyses that do not result in real GHG reductions or to prevent the environmental review system from being overwhelmed. The practical advantages of considering non-zero thresholds for GHG significance determinations can fit into the concept regarding whether the project's GHG emissions represent a "considerable contribution to the cumulative impact" and therefore warrant analysis.

Specifying a non-zero threshold could be construed as setting a *de minimis* value for a cumulative impact. In effect, this would be indicating that there are certain GHG emission sources that are so small that they would not contribute substantially to the global GHG budget. This could be interpreted as allowing public agencies to approve certain projects without requiring any mitigation of their GHG. Any threshold framework should include a proper context to address the *de minimis* issue. However, the CEQA Guidelines recognize that there may be a point where a project's contribution, although above zero, would not be a *considerable contribution* to the cumulative impact and, therefore, not trigger the need for a significance determination.

GHG emissions from all sources are under the purview of CARB and as such may eventually be "regulated" no matter how small. Virtually all projects will result in some direct or indirect release of GHG. However, a decision by CARB to regulate a class of sources does not necessarily mean that an individual source in that class would constitute a project with significant GHG impacts under CEQA. For example, CARB has established criteria pollutant emission standards for automobiles, but the purchase and use of a single new car is not considered a project with significant impacts under CEQA. At the same time, it is important to note that it is likely that all meaningful sources of emissions, no matter how small are likely to be considered for regulation under AB 32. It is expected that projects will have to achieve some level of GHG reduction to comply with CARB's regulations meant to implement AB 32. As such all projects will have to play a part in reducing our GHG emissions budget and no project, however small, is truly being considered *de minimis* under CARB's regulations.

This chapter evaluates a range of conceptual approaches toward developing GHG significance criteria. The air districts retained the services of J&S an environmental consulting, firm to assist with the development of a Statute and Executive Order-based threshold (Approach 1) and a tiered threshold (Approach 2) based on a prescribed list of tasks and deliverables. Time and financial constraints limited the scope and depth of this analysis, however, the work presented here may be useful in developing interim guidance while AB 32 is being implemented. J&S recognized that approaches other than those described here could be used.

As directed, J&S explored some overarching issues, such as:

- what constitutes "new" emissions?

- how should "baseline emissions" be established?
- what is cumulatively "considerable" under CEQA?
- what is "business as usual" ? and
- should an analysis include "life-cycle" emissions?

The answers to these issues were key to evaluating each of the threshold concepts.

Approach 1 – Statute and Executive Order Approach

Thresholds could be grounded in existing mandates and their associated GHG emission reduction targets. A project would be required to meet the targets, or reduce GHG emissions to the targets, to be considered less than significant.

AB 32 and S-3-05 target the reduction of statewide emissions. It should be made clear that AB 32 and S-3-05 do not specify that the emissions reductions should be achieved through uniform reduction by geographic location or by emission source characteristics. For example, it is conceivable, although unlikely, that AB 32 goals could be achieved by new regulations that only apply to urban areas or that only apply to the transportation and/or energy sector. However, this approach to evaluating GHG under CEQA is based on the presumption that a new project must at least be consistent with AB 32 GHG emission reduction mandates.

The goal of AB 32 and S-3-05 is the significant reduction of future GHG emissions in a state that is expected to rapidly grow in both population and economic output. As such, there will have to be a significant reduction in the per capita GHG output for these goals to be met. CEQA is generally used to slow or zero the impact of new emissions, leaving the reduction of existing emission sources to be addressed by other regulatory means. With these concepts in mind, four options were identified for statute/executive order-based GHG significance thresholds and are described below.

<u>Threshold 1.1: AB 32/S-3-05 Derived Uniform Percentage-Based Reduction.</u> AB 32 requires the state to reduce California-wide GHG emissions to 1990 levels by 2020. Reducing greenhouse gas emission levels from 2020 to 1990 levels could require a 28 to 33 percent reduction of business-as-usual GHG emissions depending on the methodology used to determine the future emission inventories. The exact percent reduction may change slightly once CARB finalizes its 1990 and 2020 inventory estimates. In this context, business-as-usual means the emissions that would have occurred in the absence of the mandated reductions. The details of the business-as-usual scenario are established by CARB in the assumptions it uses to project what the state's GHG emissions would have been in 2020, and the difference between that level and the level that existed in 1990 constitutes the reductions that must be achieved if the mandated goals are to be met.

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This threshold approach would require a project to meet a percent reduction target based on the average reductions needed from the business-as-usual emission from all GHG sources. Using the 2020 target, this approach would require all discretionary projects to achieve a 33 percent reduction from projected business-as-usual emissions in order to be considered less than significant. A more restrictive approach would use the 2050 targets. S-3-05 seeks to reduce GHG emissions to 80 percent below 1990 levels by 2050. To reach the 2050 milestone would require an estimated 90 percent reduction (effective immediately) of business-as-usual emissions. Using this goal as the basis for a significance threshold may be more appropriate to address the long-term adverse impacts associated with global climate change. Note that AB 32 and S-3-05 set emission inventory goals at milestone years; it is unclear how California will progress to these goals in non-milestone years.

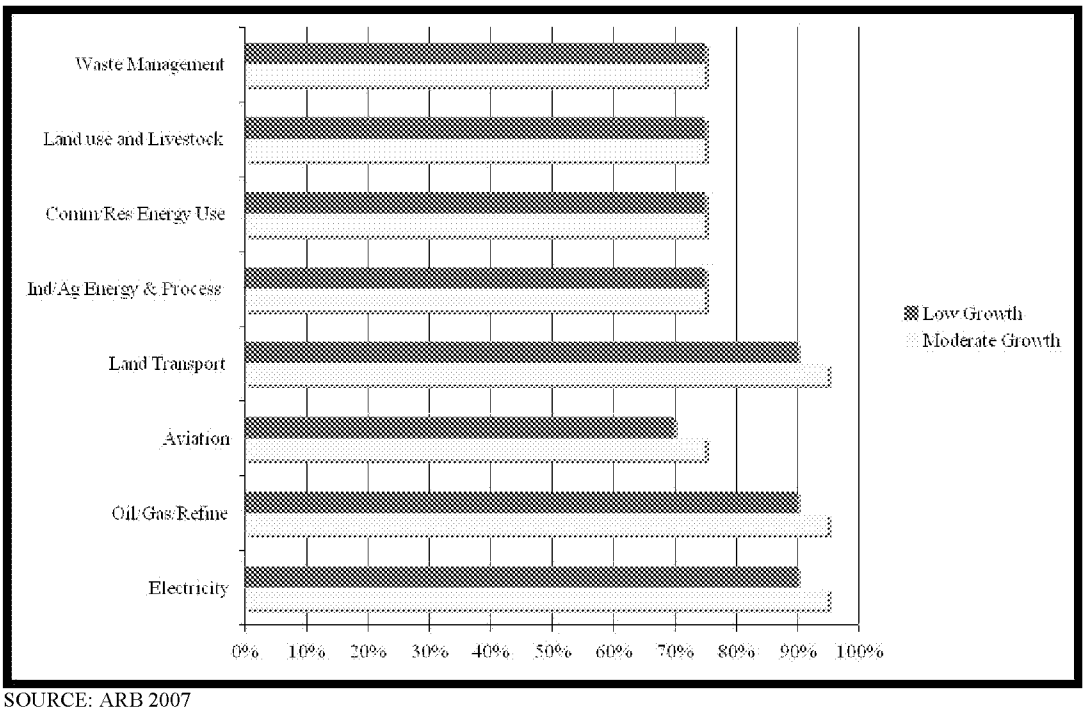

SOURCE: ARB 2007

Threshold 1.2: Uniform Percentage-Based (e.g.50%) Reduction for New Development. This threshold is based on a presumption that new development should contribute a greater percent reduction from business-as-usual because greater reductions can be achieved at lower cost from new projects than can be achieved from existing sources. This approach would establish that new development emit 50 percent less GHG emissions than business-as-usual development. This reduction rate is greater than the recommended reduction rate for meeting the Threshold 1.1 2020 target (33 percent) but is significantly less restrictive than the Threshold 1.1 2050 target reduction rate (90 percent). If a 50 percent GHG reduction were achieved from new development, existing emissions would have to be reduced by 25 to 30 percent in order to meet the 2020 emissions goal depending on the year used to determine the baseline inventory. Although this reduction goal is reasonable for achieving the 2020 goal, it would not be possible to

reach the 2050 emissions target with this approach even if existing emissions were 100 percent controlled.

Threshold 1.3: Uniform Percentage-Based Reduction by Economic Sector. This threshold would use a discrete GHG reduction goal specific to the economic sector associated with the project. There would be specific reduction goals for each economic sector, such as residential, commercial, and industrial development. Specifying different reduction thresholds for each market sector allows selection of the best regulatory goal for each sector taking into account available control technology and costs. This approach would avoid over-regulating projects (i.e. requiring emissions to be controlled in excess of existing technology) or under-regulating projects (i.e. discouraging the use of available technology to control emissions in excess of regulations). This approach requires extensive information on the emission inventories and best available control technology for each economic sector. This data will be compiled as CARB develops its scoping plan under AB 32 and its implementing regulations; as a result, this approach will be more viable in the long term.

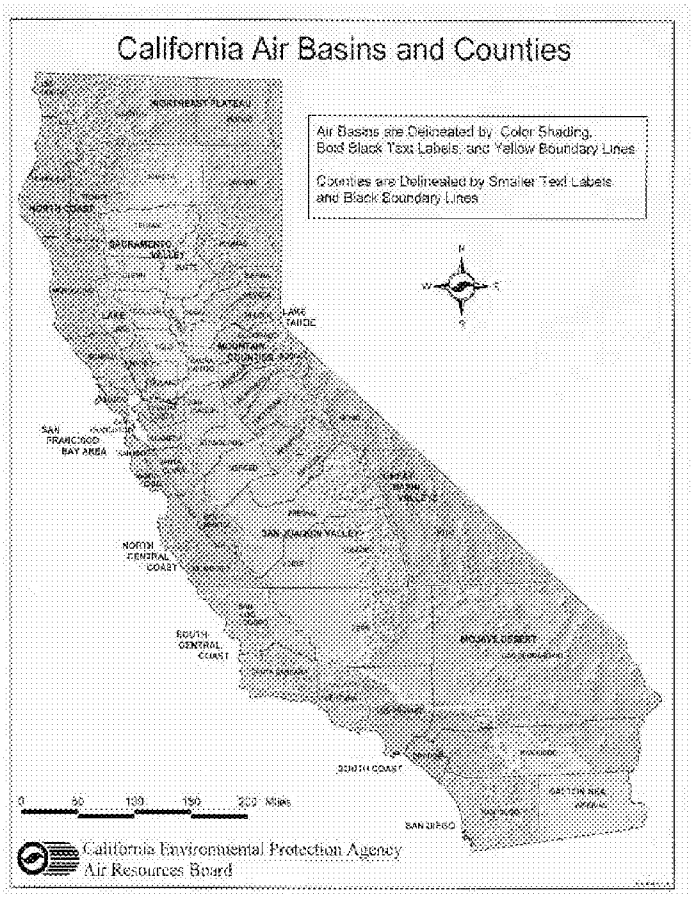

Threshold 1.4: Uniform Percentage-Based Reduction by Region. AB 32 and S-3-05 are written such that they apply to a geographic region (i.e. the entire state of California) rather than on a project or sector level. One could specify regions of the state such as the South Coast Air Basin, Sacramento Valley, or Bay Area which are required to plan (plans could be developed by regional governments, such as councils of governments) and demonstrate compliance with AB 32 and S-3-05 reduction goals at a regional level. To demonstrate that a project has less than significant emissions, one would have to show compliance with the appropriate regional GHG plan. Effectively this approach allows for analysis of GHG emissions at a landscape scale smaller than the state as a whole. Specifying regions in rough correlation to existing air basins or jurisdictional control allows for regional control of emissions and integration with regional emission reduction strategies for criteria and toxic air pollutants. Although differing GHG reduction controls for each region are possible, it is likely that all regions would be

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required to achieve 1990 emission inventories by the year 2020 and 80 percent less emissions by 2050. Threshold 1.4 is considered viable long-term significance criteria that is unlikely to be used in the short term.

Implementing CEQA Thresholds Based on Emission Reduction Targets

Characterizing Baseline and Project Emissions

While the population and economy of California is expanding, all new projects can be considered to contribute new emissions. Furthermore, GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. "Business-as-usual" is the projection of GHG emissions at a future date based on current technologies and regulatory requirements in absence of other reductions. For example to determine the future emissions from a power plant for "business-as-usual" one would multiply the projected energy throughput by the current emission factor for that throughput. If adopted regulations (such as those that may be promulgated by CARB for AB 32) dictate that power plant emissions must be reduced at some time in the future, it is appropriate to consider these regulation standards as the new business-as-usual for a future date. In effect, business-as-usual will continue to evolve as regulations manifest. Note that "business-as-usual" defines the CEQA No Project conditions, but does not necessarily form the baseline under CEQA. For instance, it is common to subtract the future traffic with and without a project to determine the future cumulative contribution of a project on traffic conditions. However, existing conditions at the time of issuance of the notice of preparation is normally the baseline.

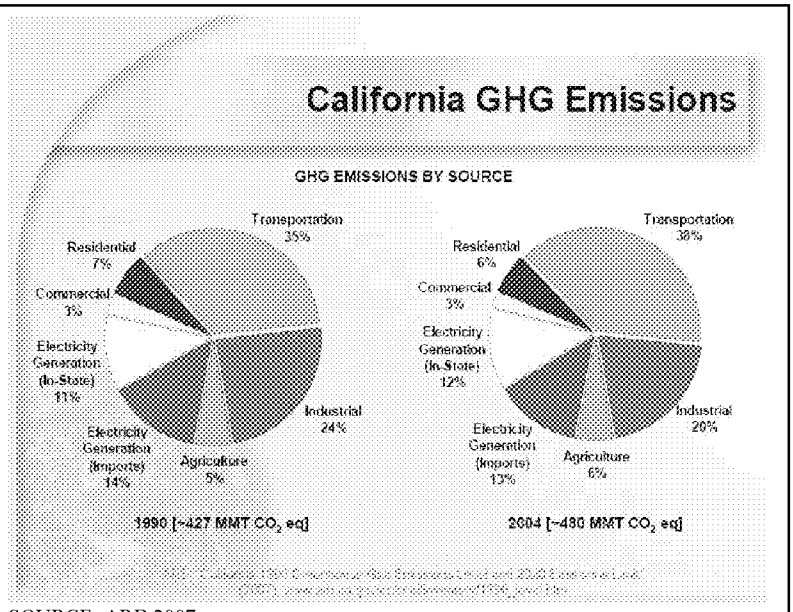

SOURCE: ARB 2007

Establishing Emission Reduction Targets

One of the obvious drawbacks to using a uniform percent reduction approach to GHG control is that it is difficult to allow for changes in the 1990 and future emission inventories estimates. To determine what emission reductions are required for new projects one would have to know accurately the 1990 budget and efficacy of other GHG promulgated regulations as a function of time. Since CARB will not outline its

regulation strategy for several more years, it is difficult to determine accurately what the new project reductions should be in the short term. Future updates to the 1990 inventory could necessitate changes in thresholds that are based on that inventory. It is important to note that it is difficult to create near term guidance for a uniform reduction threshold strategy since it would require considerable speculation regarding the implementation and effectiveness of forthcoming CARB regulations.

Of greater importance are the assumptions used to make the projected 2020 emission inventories. Projecting future inventories over the next 15-50 years involves substantial uncertainty. Furthermore, there are likely to be federal climate change regulations and possibly additional international GHG emission treaties in the near future. To avoid such speculation, this paper defines all future emission inventories as hypothetical business-as-usual projections.

This white paper is intended to support local decisions about CEQA and GHG in the near term. During this period, it is unlikely that a threshold based on emission reduction targets would need to be changed. However, it is possible that future inventory updates will show that targets developed on the current inventory were not stringent enough, or were more stringent than was actually needed.

Approach 2 – Tiered Approach

The goal of a tiered threshold is to maximize reduction predictability while minimizing administrative burden and costs. This would be accomplished by prescribing feasible mitigation measures based on project size and type, and reserving the detailed review of an EIR for those projects of greater size and complexity. This approach may require inclusion in a General Plan, or adoption of specific rules or ordinances in order to fully and effectively implement it.

A tiered CEQA significance threshold could establish different levels at which to determine if a project would have a significant impact. The tiers could be established based on the gross GHG emission estimates for a project or could be based on the physical size and characteristics of the project. This approach would then prescribe a set of GHG mitigation strategies that would have to be incorporated into the project in order for the project to be considered less than significant.

The framework for a tiered threshold would include the following:

- disclosure of GHG emissions for all projects;
- support for city/county/regional GHG emissions reduction planning;
- creation and use of a “green list” to promote the construction of projects that have desirable GHG emission characteristics;
- a list of mitigation measures;

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- a decision tree approach to tiering; and
- quantitative or qualitative thresholds.

Decision-Tree Approach to Tiering

CEQA guidance that allows multiple methodologies to demonstrate GHG significance will facilitate the determination of significance for a broad range of projects/plans that would otherwise be difficult to address with a single non-compound methodology. Even though there could be multiple ways that a project can determine GHG significance using a decision-tree approach, only one methodology need be included in any single CEQA document prepared by the applicant. The presence of multiple methodologies to determine significance is designed to promote flexibility rather than create additional analysis overhead. Figure 1 shows a conceptual approach to significance determination using a tiered approach that shows the multiple routes to significance determination.

Figure 1 Detail Description

Figure 1 pictorially represents how an agency can determine a project's or plan's significance for CEQA analysis using the non-zero threshold methodology. The emissions associated with a project/plan are assumed to have a significant impact unless one can arrive at a less-than-significant finding by at least one of the methodologies below.

1. Demonstrate that a General Plan (GP) or Regional Plan is in Compliance with AB32

   - For most GPs or RPs this will require demonstration that projected 2020 emissions will be equal to or less than 1990 emissions.
   - GPs or RPs are expected to fully document 1990 and 2020 GHG emission inventories.
   - Projection of 2020 emissions is complicated by the fact that CARB is expected to promulgate emission reductions in the short term. Until explicit CARB regulations are in place, unmitigated GP 2020 emission inventories represent business-as-usual scenarios.
   - EIRs for GPs or RPs which demonstrate 2020 mitigated emissions are less than or equal to 1990 emissions are considered less than significant.

2. Demonstrate the Project is Exempt Based on SB 97

   - As specified in SB 97, projects that are funded under November 2006 Proposition 1B (Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act) and 1C (Disaster Preparedness and Flood Prevention Bond Act) may be exempt from analysis until January 1, 2010.

Climate Change Significance Criteria Flow Chart

- This chart pictorially represents how an agency can determine a project's or plan's significance for CEQA analysis.
- The emissions associated with a project/plan are assumed to have a significant impact unless one can arrive at a less-than-significant finding by at least one of the methodologies below.

The Green List *(Conceptual Approach)*

- *Publish and update a list of projects and project types that are deemed a positive contribution to CA efforts to reduce GHG emissions.*
- *Consult the ARB and the AG prior to listing a project on the Green List to ensure consistency with AB32 AB-32 efforts and to ensure that the Green List entries are consistent with how the AG office interprets AB-32 and GHG CEQA compliance.*
- *The Green List will be updated every 6 months or as major regulatory or legal developments unfold.*
- *Projects that are on the green list are to be considered less than significant for GHG emissions purposes.*
- *An example of a Green List entry would be a wind farm that had negligible construction emissions.*

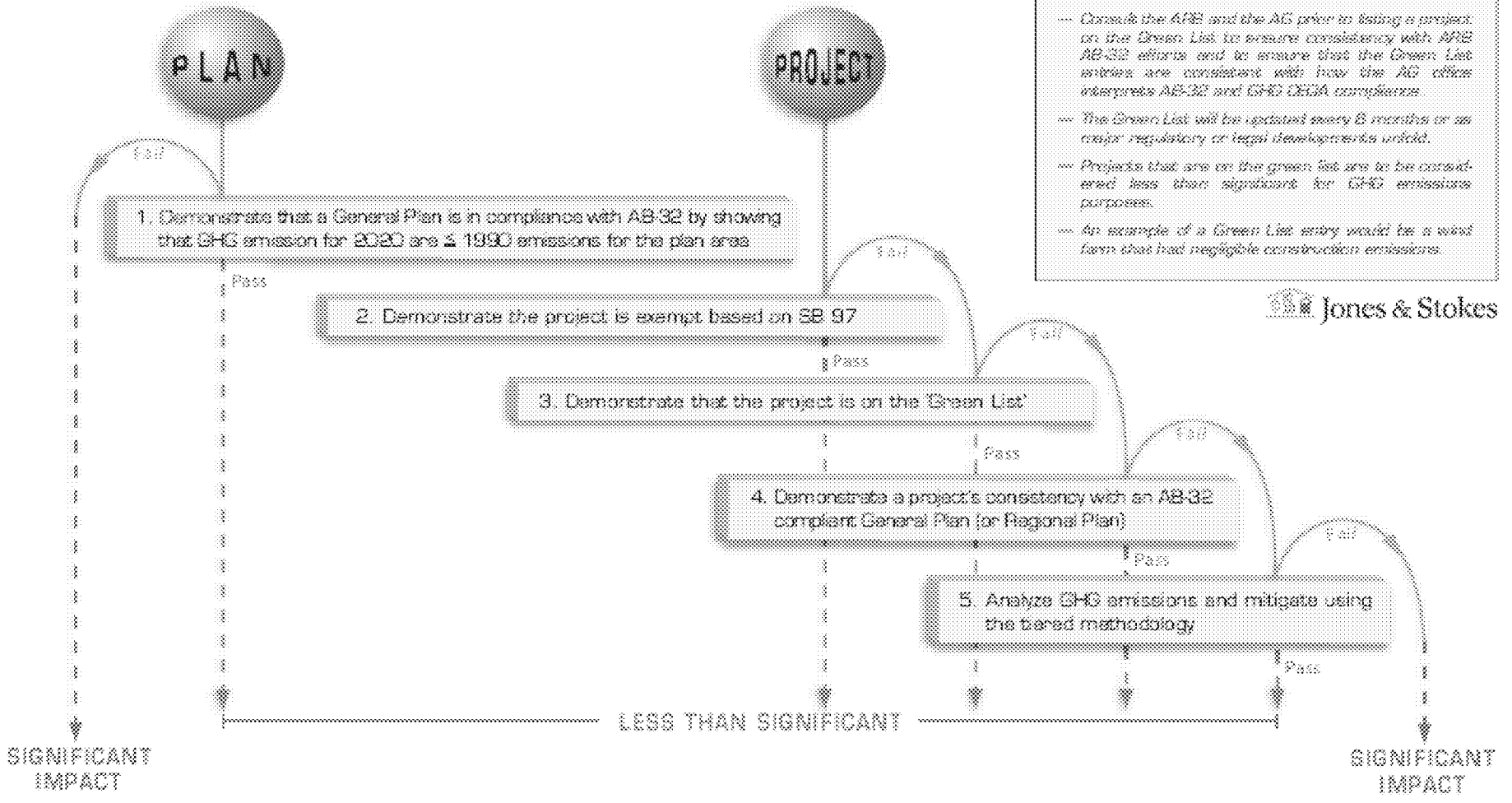

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Figure 1
Climate Change Significance Criteria Flow Chart

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- An exemption can be used in an ND, MND, or EIR to support a less than significant finding for GHG impacts.

3. Demonstrate that the Project is on the 'Green List'

- This list would include projects that are deemed a positive contribution to California efforts to reduce GHG emissions. If the project is of the type described on the Green List it is considered less than significant.
- If the Green List entry description requires mitigation for impacts other than GHG, this methodology can be used in MNDs or EIRs; if the Green List entry does not require mitigation this methodology can be used in NDs, MNDs, or EIRs.

4. Demonstrate a Project's Compliance with a General Plan

- If a project is consistent with an appropriate General Plan's Greenhouse Gas Reduction Plan (GGRP), a project can be declared less than significant.
- Note that at this time there are no known jurisdictions that have a GGRP that has been fully subject to CEQA review. While Marin County has adopted a forward-thinking GGRP and it is described in the most recent GP update, the associated EIR does not analyze the secondary environmental impacts of some of the GGRP measures such as tidal energy. While one can reference GGRPs that have not been reviewed fully in CEQA, to attempt to show a project's compliance with such a plan as evidence that the project's GHG emission contributions are less than significant may not be supported by substantial evidence that cumulative emissions are being fully addressed in the particular jurisdiction.
- Compliance with a CEQA-vetted GGRP can be cited as evidence for all CEQA documents (Categorical Exemption, ND, MND, and EIR).

5. Analyze GHG Emissions and Mitigate using the Tiered Methodology

- Guidance and mitigation methodology for various development projects (residential, commercial, industrial) are listed in the form of tiered thresholds. If a project incorporates the mitigation measures specified in the tiered threshold tables the project is considered less than significant.
- All project emissions are considered less than significant if they are less than the threshold(s).
- If the tiered approach requires mitigation, this methodology can be used in MNDs or EIRs; if the tiered approach does not require mitigation this methodology can be used in NDs, MNDs, or EIRs.

The Green List

- The Green List would be a list of projects and project types that are deemed a positive contribution to California's efforts to reduce GHG emissions.
- If this approach is followed, it is suggested that CARB and the Attorney General (AG) are consulted prior to listing a project on the Green List to ensure consistency with CARB AB 32 efforts and to ensure that the Green List entries are consistent with how the AG office interprets AB 32 and GHG CEQA compliance.
- The Green List should be updated every 6 months or as major regulatory or legal developments unfold.
- Projects that are on the Green List are to be considered less than significant for GHG emissions purposes.
- A tentative list of potential Green List entries is presented below. Actual Green List entries should be far more specific and cover a broad range of project types and mitigation approaches. The list below is merely a proof-of-concept for the actual Green List.

    1. Wind farm for the generation of wind-powered electricity
    2. Extension of transit lines to currently developed but underserved communities
    3. Development of high-density infill projects with easily accessible mass transit
    4. Small hydroelectric power plants at existing facilities that generate 5 mw or less (as defined in Class 28 Categorical Exemption)
    5. Cogeneration plants with a capacity of 50 mw or less at existing facilities (as defined in Class 29 Cat Exemption)
    6. Increase in bus service or conversion to bus rapid transit service along an existing bus line
    7. Projects with LEED "Platinum" rating
    8. Expansion of recycling facilities within existing urban areas
    9. Recycled water projects that reduce energy consumption related to water supplies that services existing development
    10. Development of bicycle, pedestrian, or zero emission transportation infrastructure to serve existing regions

There are also several options for tiering and thresholds, as shown in Table 2 below. One could establish strictly numeric emissions thresholds and require mitigation to below the specific threshold to make a finding of less than significant. One could establish narrative emissions threshold that are based on a broader context of multiple approaches to GHG reductions and a presumption that projects of sufficiently low GHG intensity are less than significant.

In Concept 2A, a zero threshold would be applied to projects and thus only projects that result in a reduction of GHG emissions compared to baseline emissions would be less than significant absent mitigation. All projects would require quantified inventories. All projects that result in a net increase of GHG emissions would be required to mitigate their emissions to zero through direct mitigation or through fees or offsets or the impacts

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Table 2: Approach 2 Tiering Options

	Concept 2A Zero	Concept 2B Quantitative	Concept 2C Qualitative
Tier 1	Project results in a net reduction of GHG emissions *Less than Significant*	Project in compliance with an AB 32-compliant General/Regional Plan, on the Green List, or below Tier 2 threshold. Level 1 Reductions (Could include such measures as: bike parking, transit stops for planned route, Energy Star roofs, Energy Star appliances, Title 24, water use efficiency, etc.) *Less than Significant*	Project in compliance with an AB 32-compliant General/Regional Plan, on the Green List, or below Tier 2 threshold. Level 1 Reductions (See measures under 2B) *Less than Significant*
Tier 2	Project results in net increase of GHG emissions Mitigation to zero (including offsets) *Mitigated to Less than Significant*	Above Tier 2 threshold Level 2 Mitigation (Could include such measures as: Parking reduction beyond code, solar roofs, LEED Silver or Gold Certification, exceed Title 24 by 20%, TDM measures, etc.) *Mitigated to Less than Significant*	Above Tier 2 threshold Level 2 Mitigation (See measures under 2B) *Mitigated to Less than Significant*
Tier 3	Mitigation infeasible to reduce emissions to zero (e.g., cost of offsets infeasible for project or offsets not available) *Significant and Unavoidable*	Above Tier 2 threshold With Level 1, 2 Mitigation Level 3 Mitigation: (Could include such measures as: On-site renewable energy systems, LEED Platinum certification, Exceed Title 24 by 40%, required recycled water use for irrigation, zero waste/high recycling requirements, mandatory transit passes, offsets/carbon impact fees) *Mitigated to Less than Significant*	Above Tier 3 thresholds Quantify Emissions, Level 3 Mitigation (see measures under 2B), and Offsets for 90% of remainder *Significance and Unavoidable*

would be identified as significant and unavoidable. This could be highly problematic and could eliminate the ability to use categorical exemptions and negative declarations for a wide range of projects.

In Concepts 2B and 2C, the first tier of a tiered threshold includes projects that are within a jurisdiction with an adopted greenhouse gas reduction plan (GGRP) and General Plan/Regional Plan that is consistent with AB 32 (and in line with S-3-05), or are on the Green List, or are below the Tier 2 threshold. All Tier 1 projects would be required to implement mandatory reductions required due to other legal authority (Level 1 reductions) such as AB 32, Title 24, or local policies and ordinances. With Level 1

reduction measures, qualifying Tier 1 projects would be considered less than significant without being required to demonstrate mitigation to zero.

In Concept 2B, the Tier 2 threshold would be quantitative, and quantified inventories would be required. Several quantitative threshold options are discussed below. A more comprehensive set of Level 2 mitigation would be required. If the project's emissions still exceed the Tier 2 threshold, an even more aggressive set of Level 3 mitigation measures would be required including offsets (when feasible) to reduce emissions below the Tier 2 threshold.

In Concept 2C, there would be two thresholds, a lower Tier 2 threshold (the "low bar") and a higher Tier 3 threshold (the "high bar"). The Tier 2 threshold would be the significance threshold for the purposes of CEQA and would be qualitative in terms of units (number of dwelling units, square feet of commercial space, etc.) or a per capita ratio. Projects above the Tier 2 threshold would be required to implement the comprehensive set of Level 2 mitigation. Projects below the Tier 2 threshold would not be required to quantify emissions or reductions. The Tier 3 threshold would be a threshold to distinguish the larger set of projects for which quantification of emissions would be required. Level 3 mitigation would be required and the project would be required to purchase offsets (when feasible) in the amount of 90 percent of the net emissions after application of Level 1 reductions and Level 2 and 3 mitigation. A variant on Concept 2C would be to require mandatory Level 3 mitigation without quantification and offsets.

Approach 2 Threshold Options

Seven threshold options were developed for this approach. The set of options are framed to capture different levels of new development in the CEQA process and thus allow different levels of mitigation. Options range from a zero first-tier threshold (Threshold 2.1) up to a threshold for GHG that would be equivalent to the capture level (i.e., number of units) of the current criteria pollutant thresholds used by some air districts (Threshold 2.4). The decision-based implementation approach discussed above could be used for any of these options. Table 3 below compares the results of each of the approaches discussed here.

Threshold 2.1: Zero First Tier Tiered Threshold.

This option would employ the decision tree concept and set the first tier cut-point at zero. The second tier cut-point could be one of the qualitative or quantitative thresholds discussed below. First-tier projects would be required to implement a list of very feasible and readily available mitigation measures.

Threshold 2.2: Quantitative Threshold Based on Market Capture

A single quantitative threshold was developed in order to ensure capture of 90 percent or more of likely future discretionary developments. The objective was to set the emission

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threshold low enough to capture a substantial fraction of future residential and non-residential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions.

The quantitative threshold was created by using the following steps:

- Reviewing data from four diverse cities (Los Angeles in southern California and Pleasanton, Dublin, and Livermore in northern California) on pending applications for development.

- Determining the unit (dwelling unit or square feet) threshold that would capture approximately 90 percent of the residential units or office space in the pending application lists.

- Based on the data from the four cities, the thresholds selected were 50 residential units and 30,000 square feet of commercial space.

- The GHG emissions associated with 50 single-family residential units and 30,000 square feet of office were estimated and were found to be 900 metric tons and 800 metric tons, respectively. Given the variance on individual projects, a single threshold of 900 metric tons was selected for residential and office projects.

- A 900 metric ton threshold was also selected for non-office commercial projects and industrial projects to provide equivalency for different projects in other economic sectors.

- If this threshold is preferred, it is suggested that a more robust data set be examined to increase the representativeness of the selected thresholds. At a minimum, a diverse set of at least 20 cities and/or counties from throughout the state should be examined in order to support the market capture goals of this threshold. Further, an investigation of market capture may need to be conducted for different commercial project types and for industrial projects in order to examine whether multiple quantitative emissions thresholds or different thresholds should be developed.

The 900-ton threshold corresponds to 50 residential units, which corresponds to the 84th percentile of projects in the City of Los Angeles, the 79th percentile in the City of Pleasanton, the 50th percentile in the City of Livermore and the 4th percentile in the City of Dublin. This is suggestive that the GHG reduction burden will fall on larger projects that will be a relatively small portion of overall projects within more developed central cities (Los Angeles) and suburban areas of slow growth (Pleasanton) but would be the higher portion of projects within moderately (Livermore) or more rapidly developing areas (Dublin). These conclusions are suggestive but not conclusive due to the small sample size. The proposed threshold would exclude the smallest proposed developments

from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. While this would exclude perhaps 10 percent of new residential development, the capture of 90 percent of new residential development would establish a strong basis for demonstrating that cumulative reductions are being achieved across the state. It can certainly serve as an interim measure and could be revised if subsequent regulatory action by CARB shows that a different level or different approach altogether is called for.

The 900-ton threshold would correspond to office projects of approximately 35,000 square feet, retail projects of approximately 11,000 square feet, or supermarket space of approximately 6,300 square feet. 35,000 square feet would correspond to the 46th percentile of commercial projects in the City of Los Angeles, the 54th percentile in the City of Livermore, and the 35th percentile in the City of Dublin. However, the commercial data was not separated into office, retail, supermarket or other types, and thus the amount of capture for different commercial project types is not known. The proposed threshold would exclude smaller offices, small retail (like auto-parts stores), and small supermarkets (like convenience stores) from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA but would include many medium-scale retail and supermarket projects.

The industrial sector is less amenable to a unit-based approach given the diversity of projects within this sector. One option would be to adopt a quantitative GHG emissions threshold (900 tons) for industrial projects equivalent to that for the residential/commercial thresholds described above. Industrial emissions can result from both stationary and mobile sources. CARB estimates that their suggested reporting threshold for stationary sources of 25,000 metric tons accounts for more than 90 percent of the industrial sector GHG emissions (see Threshold 2.3 for 25,000 metric ton discussion). If the CARB rationale holds, then a 900 metric ton threshold would likely capture at least 90 percent (and likely more) of new industrial and manufacturing sources. If this approach is advanced, we suggest further examination of industrial project data to determine market capture.

This threshold would require the vast majority of new development emission sources to quantify their GHG emissions, apportion the forecast emissions to relevant source categories, and develop GHG mitigation measures to reduce their emissions.

Threshold 2.3: CARB Reporting Threshold

CARB has recently proposed to require mandatory reporting from cement plants, oil refineries, hydrogen plants, electric generating facilities and electric retail providers, cogeneration facilities, and stationary combustion sources emitting $\geq$ 25,000 MT CO_2e/yr. AB 32 requires CARB to adopt a regulation to require the mandatory reporting and verification of emissions. CARB issued a preliminary draft version of its proposed reporting requirements in August 2007 and estimates that it would capture 94 percent of the GHG emissions associated with stationary sources.

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This threshold would use 25,000 metric tons per year of GHG as the CEQA significance level. CARB proposed to use the 25,000 metric tons/year value as a reporting threshold, not as a CEQA significance threshold that would be used to define mitigation requirements. CARB is proposing the reporting threshold to begin to compile a statewide emission inventory, applicable only for a limited category of sources (large industrial facilities using fossil fuel combustion).

A 25,000 metric ton significance threshold would correspond to the GHG emissions of approximately 1,400 residential units, 1 million square feet of office space, 300,000 square feet of retail, and 175,000 square feet of supermarket space. This threshold would capture far less than half of new residential or commercial development.

As noted above, CARB estimates the industrial-based criteria would account for greater than 90 percent of GHG emissions emanating from stationary sources. However, industrial and manufacturing projects can also include substantial GHG emissions from mobile sources that are associated with the transportation of materials and delivery of products. When all transportation-related emissions are included, it is unknown what portion of new industrial or manufacturing projects a 25,000-ton threshold would actually capture.

An alternative would be to use a potential threshold of 10,000 metric tons considered by the Market Advisory Committee for inclusion in a Greenhouse Gas Cap and Trade System in California. A 10,000 metric ton significance threshold would correspond to the GHG emissions of approximately 550 residential units, 400,000 square feet of office space, 120,000 square feet of retail, and 70,000 square feet of supermarket space. This threshold would capture roughly half of new residential or commercial development.

Threshold 2.4: Regulated Emissions Inventory Capture

Most California air districts have developed CEQA significance thresholds for NOx and ROG emissions to try to reduce emissions of ozone precursors from proposed sources that are not subject to NSR pre-construction air quality permitting. The historical management of ozone nonattainment issues in urbanized air districts is somewhat analogous to today's concerns with greenhouse gas emissions in that regional ozone concentrations are a cumulative air quality problem caused by relatively small amounts of NOx and ROG emissions from thousands of individual sources, none of which emits enough by themselves to cause elevated ozone concentrations. Those same conditions apply to global climate change where the environmental problem is caused by emissions from a countless number of individual sources, none of which is large enough by itself to cause the problem. Because establishment of NOx/ROG emissions CEQA significance thresholds has been a well-tested mechanism to ensure that individual projects address cumulative impacts and to force individual projects to reduce emissions under CEQA, this threshold presumes the analogy of NOx/ROG emission thresholds could be used to develop similar GHG thresholds.

The steps to develop a GHG emission threshold based on the NOx/ROG analogy were as follows:

- For each agency, define its NOx/ROG CEQA thresholds.
- For each agency, define the regional NOx/ROG emission inventory the agency is trying to regulate with its NOx/ROG thresholds.
- For each agency, calculate the percentage of the total emission inventory for NOx represented by that agency's CEQA emission threshold. That value represents the "minimum percentage of regulated inventory" for NOx.
- The current (2004) California-wide GHG emission inventory is 499 million metric tons per year of CO_2 equivalent (MMT CO_2e). Apply the typical "minimum percentage of regulated inventory" value to the statewide GHG inventory, to develop a range of analogous GHG CEQA thresholds.

The preceding methodology was applied to two different air quality districts: the Bay Area Air Quality Management District (BAAQMD), a mostly-urbanized agency within which most emissions are generated from urban areas; and the San Joaquin Valley Air Pollution Control District (SJVAPCD), which oversees emissions emanating in part from rural areas that are generated at dispersed agricultural sources and area sources. For example, in the Bay Area the NOx threshold is 15 tons/year. The total NOx inventory for 2006 was 192,000 tons/year (525 tons/day). The threshold represents 0.008 percent of the total NOx inventory. Applying that ratio to the total statewide GHG emissions inventory of 499 MMT CO_2e (2004) yields an equivalent GHG threshold of 39,000 MMT CO_2e.

The range of analogous CEQA GHG thresholds derived from those two agencies is tightly clustered, ranging from 39,000 to 46,000 tons/year. A 39,000 to 46,000 metric ton threshold would correspond to the GHG emissions of approximately 2,200 to 2,600 residential units, 1.5 to 1.8 million square feet of office space, 470,000 to 560,000 square feet of retail, and 275,000 to 320,000 square feet of supermarket space. This threshold would capture far less than half of new residential or commercial development. Similarly, this threshold would capture less of new industrial/manufacturing GHG emissions inventory than Thresholds 2.2 or 2.3.

Threshold 2.5: Unit-Based Thresholds Based on Market Capture

Unit thresholds were developed for residential and commercial developments in order to capture approximately 90 percent of future development. The objective was to set the unit thresholds low enough to capture a substantial fraction of future housing and commercial developments that will be constructed to accommodate future statewide population and job growth, while setting the unit thresholds high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions. Sector-based thresholds were created by using the same steps

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and data used to create Threshold 2.2- Quantitative Threshold Based on Market Capture above.

The distribution of pending application data suggests that the GHG reduction burden will fall on larger projects that will be a relatively small portion of overall projects within more developed central cities and suburban areas of slow growth but would be the higher portion of projects within moderately or rapidly developing areas. The proposed threshold would exclude the smallest proposed developments from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. While this would exclude perhaps 10 percent of new residential development, the capture of 90 percent of new residential development would establish a strong basis for demonstrating that cumulative reductions are being achieved across the state. It can certainly serve as an interim measure and could be revised if subsequent regulatory action by CARB shows that a different level or different approach altogether is called for.

A similar rationale can be applied to the development of a commercial threshold. Threshold 2.5 would exclude many smaller businesses from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. It should be noted that the GHG emissions of commercial projects vary substantially. For example, the carbon dioxide emissions associated with different commercial types were estimated as follows:

- 30,000 square-foot (SF) office = 800 metric tons/year CO_2
- 30,000 SF retail = 2,500 metric tons/year CO_2
- 30,000 SF supermarket = 4,300 metric tons/year CO_2

Thus, in order to assure appropriate market capture on an emissions inventory basis, it will be important to examine commercial project size by type, instead of in the aggregate (which has been done in this paper).

The industrial sector is less amenable to a unit-based approach given the diversity of projects within this sector. One option would be to use a quantitative threshold of 900 tons for industrial projects in order to provide for rough equivalency between different sectors. Industrial emissions can result from both stationary and mobile sources. However, if the CARB rationale for > 90 percent stationary source capture with a threshold of 25,000 metric tons holds, then a 900 metric ton threshold would likely capture at least 90 percent (and likely more) of new industrial sources. Further examination of unit-based industrial thresholds, such as the number of employees or manufacturing floor space or facility size, may provide support for a unit-based threshold based on market capture.

This threshold would require the vast majority of new development emission sources to quantify their GHG emissions, apportion the forecast emissions to relevant source categories, and develop GHG mitigation measures to reduce their emissions.

Threshold 2.6. Projects of Statewide, Regional, or Areawide Significance

For this threshold, a set of qualitative, tiered CEQA thresholds would be adopted based on the definitions of "projects with statewide, regional or areawide significance" under the Guidelines for California Environmental Quality Act, CCR Title 14, Division 6, Section 15206(b).

Project sizes defined under this guideline include the following:

- Proposed residential development of more than 500 dwelling units.
- Proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
- Proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
- Proposed hotel/motel development of more than 500 rooms.
- Proposed industrial, manufacturing or processing plant or industrial park planned to house more than 1,000 persons, or encompassing more than 600,000 square feet of floor space.

These thresholds would correspond to the GHG emissions of approximately 9,000 metric tons for residential projects, 13,000 metric tons for office projects, and 41,000 metric tons for retail projects. These thresholds would capture approximately half of new residential development and substantially less than half of new commercial development. It is unknown what portion of the new industrial or manufacturing GHG inventory would be captured by this approach.

Threshold 2.7 Efficiency-Based Thresholds

For this approach, thresholds would be based on measurements of efficiency. For planning efforts, the metric could be GHG emissions per capita or per job or some combination thereof. For projects, the metric could be GHG emission per housing unit or per square foot of commercial space. In theory, one could also develop metrics for GHG emissions per dollar of gross product to measure the efficiency of the economy.

This approach is attractive because it seeks to benchmark project GHG intensity against target levels of efficiency. The thresholds would need to be set such that there is reasonably foreseeable and sufficient reductions compared to business as usual to support meeting AB 32 and S-3-05 goals in time (in combination with command and control regulations). Because this approach would require substantial data and modeling to fully develop, this is a concept considered as a potential future threshold and not appropriate

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for interim guidance in the short term. Thus, it is not evaluated in the screening evaluation in the next section.

Table 3 compares the results for each of the approaches.

Table 3: Comparison of Approach 2 Tiered Threshold Options

Threshold	GHG Emission Threshold (metric tons/year)	Future Development Captured by GHG Threshold
2.1: Zero Threshold	0 tons/year	All
2.2: Quantitative Threshold Based on Market Capture	~900 tons/year	Residential development > 50 dwelling units Office space > 36,000 ft^2 Retail space >11,000 ft^2 Supermarkets >6.300 ft^2 small, medium, large industrial
2.3: CARB GHG Mandatory Reporting Threshold OR Potential Cap and Trade Entry Level	25,000 metric tons/year OR 10,000 metric tons/year	Residential development >1,400 dwelling units OR 550 dwelling units Office space >1 million ft^2 OR 400,000 ft^2 Retail space >300,000 ft^2 OR 120,000 ft^2 Supermarkets >175,000 ft^2 OR 70,000 ft^2 medium/larger industrial
2.4: Regulated Inventory Capture	40,000 – 50,000 metric tons/year	Residential development >2,200 to 2,600 dwelling units Office space >1.5 to 1.8 million ft^2 Retail space >470,000 to 560,000 ft^2 Supermarkets >270,000 to 320,000 ft^2 medium/larger industrial
2.5: Unit-Based Threshold Based on Market Capture	Not applicable.	Residential development >50 dwelling units Commercial space >50,000 ft^2 > small, medium, large industrial (with GHG emissions > 900 tonsCO2e)
2.6: Projects of Statewide, Regional, or Areawide Significance	Not applicable.	Residential development >500 dwelling units Office space >250,000 ft^2 Retail space >500,000 ft^2 Hotels >500 units Industrial project >1,000 employees Industrial project >40 acre or 650,000 ft^2
2.7: Efficiency-Based Thresholds	TBD tons/year/person TBD tons/year/unit	Depends on the efficiency measure selected.

Implementing CEQA With Tiered Thresholds

Several issues related to Approach 2 are addressed below:

1. *Some applications of this approach may need to be embodied in a duly approved General Plan, or in some other formal regulation or ordinance to be fully enforceable.* Because CEQA does not expressly provide that projects may be deemed insignificant based on implementation of a set of mitigations, this approach may need to be supported with specific and enforceable mechanisms adopted with due public process.

2. *How would this concept affect adoption of air district rules and regulations?* Proposed air district rules and regulations may be subject to CEQA like other projects and plans. Thus, if significance thresholds were adopted by an APCD or AQMD, then they could also apply to air district discretionary actions. If GHG emissions would be increased by a rule or regulation for another regulated pollutant, that would be a potential issue for review under CEQA.

3. *Mitigation measures may not be all-inclusive; better measures now or new future technology would make these measures obsolete.* The mandatory mitigation measures could be periodically updated to reflect current technology, feasibility, and efficiency.

4. *Total reduction may not be quantified or difficult to quantify.* CEQA only requires the adoption of feasible mitigation and thus the reduction effectiveness of required mitigation should not be in question. However, the precise reduction effectiveness may indeed be difficult to identify. As described above, if a quantitative threshold is selected as the measure of how much mitigation is mandated, then best available evidence will need to be used to estimate resultant GHG emissions with mitigation adoption. If a qualitative threshold is selected, then it may not be necessary to quantify reductions.

5. *Difficult to measure progress toward legislative program goals.* One could require reporting of project inventories to the Climate Action Registry, air district, or regional council of governments, or other suitable body. Collection of such data would allow estimates of the GHG intensity of new development over time, which could be used by CARB to monitor progress toward AB 32 goals.

6. *Measures may have adverse impacts on other programs.* The identification of mandatory mitigation will need to consider secondary environmental impacts, including those to air quality.

7. *Consideration of life-cycle emissions.* In many cases, only direct and indirect emissions may be addressed, rather than life-cycle emissions. A project applicant has traditionally been expected to only address emissions that are closely related and within the capacity of the project to control and/or influence. The long chain

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8. of economic production resulting in materials manufacture, for example, involves numerous parties, each of which in turn is responsible for the GHG emissions associated with their particular activity. However, there are situations where a lead agency could reasonably determine that a larger set of upstream and downstream emissions should be considered because they are being caused by the project and feasible alternatives and mitigation measures may exist to lessen this impact.

Approach 2 Tiered Threshold with Mandatory Mitigation

As shown in Table 2, due to the cumulative nature of GHG emissions and climate change impacts, there could be a level of mandatory reductions and/or mitigation for all projects integrated into a tiered threshold approach. In order to meet AB 32 mandates by 2020 and S-3-05 goals, there will need to be adoption of GHG reduction measures across a large portion of the existing economy and new development. As such, in an effort to support a determination under CEQA that a project has a less than considerable contribution to significant cumulative GHG emissions, mitigation could be required on a progressively more comprehensive basis depending on the level of emissions.

- Level 1 Reductions – These reduction measures would apply to all projects and would only consist of AB 32 and other local/state mandates. They would be applied to a project from other legal authority (not CEQA). Level 1 reductions could include such measures as bike parking, transit stops for planned routes, Energy Star roofs, Energy Star appliances, Title 24 compliance, water use efficiency, and other measures. All measures would have to be mandated by CARB or local regulations and ordinances.

- Level 2 Mitigation – Projects that exceed the determined threshold would be required to first implement readily available technologies and methodologies with widespread availability. Level 2 Mitigation could include such measures as: parking reduction below code minimum levels, solar roofs, LEED Silver or Gold Certification, exceed Title 24 building standards by 20 percent, Traffic Demand Management (TDM) measures, and other requirements.

- Level 3 Mitigation - If necessary to reduce emissions to the thresholds, more extensive mitigation measures that represent the top tier of feasible efficiency design would also be required. Level 3 Mitigation could include such measures as: on-site renewable energy systems, LEED Platinum certification, exceed Title 24 building requirements by 40 percent, required recycled water use for irrigation, zero waste/high recycling requirements, mandatory transit pass provision, and other measures.

- Offset Mitigation – If, after adoption of all feasible on-site mitigation, the project is still found to exceed a Tier 2 quantitative threshold, or exceed a Tier 3 qualitative threshold, or if a project cannot feasibly implement the mandatory on-site mitigation, then purchases of offsets could be used for mitigation. In the case

of a quantitative threshold, the amount of purchase would be to offset below the Tier 2 significance threshold. In the case of a qualitative threshold, the amount of purchase could be to offset GHG emissions overall to below the lowest equivalent GHG emissions among the Tier 2 qualitative thresholds. With Threshold 2.5, this would be approximately 900 tons of GHG emissions (corresponding to 50 residential units). With Threshold 2.6, this would be approximately 9,000 tons (corresponding to 500 residential units). Alternatively, one could require purchase of offsets in the amount of a set percentage (such as 90% or 50% for example) of the residual GHG emissions (after other mitigation). As discussed earlier, any decision to include or require the use of emission reduction credits (or offsets) must consider issues of availability, quality, and environmental justice.

Substantial Evidence Supporting Different Thresholds

If a project can be shown by substantial evidence not to increase GHG emissions relative to baseline emissions, then no fair argument will be available that the project contributes considerably to a significant cumulative climate change impact.

It is more challenging to show that a project that increases GHG emissions above baseline emissions does not contribute considerably to a significant cumulative climate change impact. It is critical therefore, to establish an appropriate cumulative context, in which, although an individual project may increase GHG emissions, broader efforts will result in net GHG reductions.

Approach 1-based thresholds that by default will require an equal level of GHG reductions from the existing economy (Thresholds 1.1, 1.3, and 1.4) may be less supportable in the short run (especially before 2012) than Approach 1.2 (which requires new development to be relatively more efficient than a retrofitted existing economy). This is because, prior to 2012, there will only be limited mandatory regulations implementing AB 32 that could address the existing economy in a truly systematic way that can be relied upon to demonstrate that overall GHG reduction goals can be achieved by 2020. Approach 1.2 will still rely on substantial reductions in the existing economy but to a lesser degree.

Approach 1-based thresholds that would spread the mitigation burden across a sector (Threshold 1.3) or across a region (Threshold 1.4) will allow for tradeoffs between projects or even between municipalities. In order to demonstrate that a sector or a region is achieving net reductions overall, there would need to be feasible, funded, and mandatory requirements in place promoting an overall reduction scheme, in order for a project to result in nominal net increased GHG emissions.

Approach 2-based thresholds that capture larger portions of the new development GHG inventory (Thresholds 2.2 and 2.5) would promote growth that results in a smaller increase in GHG emissions; they may therefore be more supportable than thresholds that do not and that have a greater reliance on reductions in the existing economy (Thresholds

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2.3, 2.4, and 2.6), especially in the next three to five years. With an established cumulative context that demonstrates overall net reductions, all threshold approaches could be effective in ensuring growth and development that significantly mitigates GHG emissions growth in a manner that will allow the CARB to achieve the emission reductions necessary to meet AB 32 targets. In that respect, all of these thresholds are supported by substantial evidence.

Evaluation of Non-Zero Threshold Options

Overarching issues concerning threshold development are reviewed below. Where appropriate, different features or application of the two conceptual approaches and the various options for thresholds under each conceptual approach described above are analyzed. The screening evaluation is summarized in Tables 4 (Approach 1) and 5 (Approach 2). The summary tables rate each threshold for the issues discussed below based on the level of confidence (low, medium or high) ascribed by J&S. The confidence levels relate to whether a threshold could achieve a particular attribute, such as emission reduction effectiveness. For example, a low emission reduction effectiveness rating means the threshold is not expected to capture a relatively large portion of the new development inventory.

As described above, Threshold 2.7 is not included in this evaluation because the data to develop an efficiency-based threshold has not been reviewed at this time and because this threshold is not considered feasible as an interim approach until more detailed inventory information is available across the California economy.

<u>What is the GHG Emissions Effectiveness of Different Thresholds?</u>

Effectiveness was evaluated in terms of whether a threshold would capture a large portion of the GHG emissions inventory and thus require mitigation under CEQA to control such emissions within the larger framework of AB 32. In addition, effectiveness was also evaluated in terms of whether a threshold would require relatively more or less GHG emissions reductions from the existing economy verses new development. This is presumptive that gains from the existing economy (through retrofits, etc.) will be more difficult and inefficient relative to requirements for new development.

Approach 1-based thresholds that require equivalent reductions relative to business-as-usual (Thresholds 1.1, 1.3, and 1.4) for both the existing and new economy will be less effective than thresholds that support lower-GHG intensity new development (Approach 1.2). However, since Approach 1-based thresholds do not establish a quantitative threshold below which projects do not have to mitigate, the market capture for new development is complete.

Approach 2-based thresholds can be more or less effective at capturing substantial portions of the GHG inventory associated with new development depending on where the quantitative or qualitative thresholds are set. Lower thresholds will capture a broader range of projects and result in greater mitigation. Based on the review of project data for

the select municipalities described in the Approach 2 section above, thresholds based on the CARB Reporting Threshold/Cap and Trade Entry Level (Threshold 2.4) or CEQA definitions of "Statewide, Regional or Areawide" projects (Threshold 2.6) will result in a limited capture of the GHG inventory. Lower quantitative or qualitative thresholds (Thresholds 2.1, 2.2 and 2.5) could result in capture of greater than 90 percent of new development.

Are the Different Thresholds Consistent with AB 32 and S-3-05?

Thresholds that require reductions compared to business-as-usual for all projects or for a large portion of new development would be consistent with regulatory mandates. In time, the required reductions will need to be adjusted from 2020 (AB 32) to 2050 (S-3-05) horizons, but conceptually broad identification of significance for projects would be consistent with both of these mandates. Thresholds that exclude a substantial portion of new development would likely not be consistent, unless it could be shown that other more effective means of GHG reductions have already been, or will be adopted, within a defined timeframe.

All Approach 1-based thresholds would be consistent with AB 32 and S-3-05 if it can be demonstrated that other regulations and programs are effective in achieving the necessary GHG reduction from the existing economy to meet the overall state goals.

Approach 2-based thresholds that include substantive parts of the new development GHG inventory (Thresholds 2.1, 2.2 and 2.5) will be more consistent with AB 32 and S-3-05 than those that do not (Thresholds 2.3, 2.4, and 2.6) unless it can be demonstrated that other regulations and programs are effective in achieving the necessary GHG reduction from the existing economy to meet the overall state goals.

What are the Uncertainties Associated with Different Thresholds?

All thresholds have medium to high uncertainties associated with them due to the uncertainty associated with the effectiveness of AB 32 implementation overall, the new character of GHG reduction strategies on a project basis, the immaturity of GHG reduction technologies or infrastructure (such as widespread biodiesel availability), and the uncertainty of GHG reduction effectiveness of certain technologies (such as scientific debate concerning the relative lifecycle GHG emissions of certain biofuels, for example).

In general, Approach 1-based thresholds have higher uncertainties than Approach 2 thresholds because they rely on a constantly changing definition of business-as-usual. Threshold 1.2, with its relatively smaller reliance on the existing economy for GHG reductions has relatively less uncertainty than other Approach 1 thresholds. Thresholds that spread mitigation more broadly (Thresholds 1.3 and 1.4) have less uncertainty by avoiding the need for every project to mitigate equally.

Approach 2 thresholds with lower quantitative (2.1 and 2.2) or qualitative (2.5) thresholds will have uncertainties associated with the ability to achieve GHG reductions

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from small to medium projects. Approach 2 thresholds with higher quantitative (2.3, 2.4) or qualitative (2.6) thresholds will have uncertainties associated with the ability to achieve relatively larger GHG reductions from the existing economy.

What are Other Advantages/Disadvantages of the Different Thresholds?

Thresholds with a single project metric (Thresholds 1.1, 1.2, 2.1, 2.2, 2.3, 2.4, 2.5, and 2.6) will be easier to apply to individual projects and more easily understood by project applicants and lead agencies broadly. Thresholds that spread mitigation across sectors (1.3) or regions (1.4), while simple in concept, will require adoption of more complicated cross-jurisdictional reduction plans or evaluation of broad sector-based trends in GHG intensity reduction over time. Approach 1 options would require all projects to quantify emissions in order to determine needed reductions relative to business-as-usual (which will change over time as described above). Concepts that are unit-based (Threshold 2.5 and 2.6) will not result in thresholds that have equal amount of GHG emissions, and thus equity issues may arise.

Table 4: Non-Zero Threshold Evaluation Matrix – Approach 1

Approach 1	1.1	1.2	1.3	1.4
	28% - 33% Reduction from BAU by 2020 by Project	**50% Reduction from BAU by 2020 by Project**	**28% - 33% Reduction by 2020 by Sector**	**28% - 33% Reduction by 2020 by Region**
GHG Emissions Reduction Effectiveness	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.	**Medium** - Captures all new projects and has a more realistic level of reductions from the existing economy.	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.
Economic Feasibility	**Low** - Some projects will not be able to afford this level of reduction without effective market-based mechanisms like offsets.	**Low** - Some projects will not be able to afford this level of reduction without effective market-based mechanisms like offsets.	**Medium** - Sectors as a whole will be better able to achieve reductions than individual projects.	**Low** - Some regions and newly developed areas may not be able to afford this level of reduction without effective market-based mechanisms like offsets.
Technical Feasibility	**Medium** - Some projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**Low** - Relatively larger set of projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**High** - Some projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**Medium** - Some regions and newly developed areas may not be able to afford this level of reduction without effective market-based mechanisms like offsets.
Logistical Feasibility	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.
Consistency with AB-32 and S-03-05	**Medium** - Would require heavy reliance on command and control gains.	**High**	**Medium-High** - Would rely on command and control gains, but would allow sectoral flexibility.	**Medium-High** - Would rely on command and control gains, but would allow regional flexibility.
Cost Effectiveness	**Low** - Will require all types of projects to reduce the same regardless of the cost/ton of GHG reductions.	**Low** - Will require all types of projects to reduce the same regardless of the cost/ton of GHG reductions.	**Low/Medium** - Allows tradeoffs within sector between high and low cost reduction possibilities but not between sectors.	**Low/Medium** - Allows tradeoffs within region between high and low cost reduction possibilities, but not between regions.
Uncertainties	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.	**Medium/High** - BAU changes over time. Ability to limit GHG emissions from other new development will take years to demonstrate.	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.
Other Advantages	Simple/easy to explain.	Simple/easy to explain.	Spreads mitigation broadly	Spreads mitigation broadly
Other Disadvantages	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.

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Table 5: Non-Zero Threshold Evaluation Matrix – Approach 2

Approach 2	2.1	2.2	2.3	2.4	2.5	2.6
	Zero Threshold	**Quantitative (900 tons)**	**Quantitative CARB Reporting Threshold/Cap and Trade (25,000 tons/ 10,000 tons)**	**Quantitative Regulated Inventory Capture (~40,000 - 50,000 tons)**	**Qualitative Unit-Based Thresholds**	**Statewide, Regional or Areawide (CEQA Guidelines 15206(b)).**
GHG Emissions Reduction Effectiveness	**High** - Captures all sources.	**High** - Market capture at >90%. Captures diverse sources.	**Medium** - Moderate market capture.	**Low** - Low market capture.	**High** - Market capture at ~90%. Captures diverse sources; excl. smallest proj.	**Medium** - Moderate market capture. Excludes small and med. projects.
Economic Feasibility	**Low** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**High** - Large projects have greater ability to absorb cost.	**High** - Large projects have greater ability to absorb cost.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**High** - Large projects have greater ability to absorb cost.
Technical Feasibility	**Low** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be inefficient to mitigate.	**High** - Greater opportunities for multiple reduction approaches.	**High** - Greater opportunities for multiple reduction approaches.	**Medium** - Early phases will be substantial change in BAU, particularly for smaller projects may be inefficient to mitigate.	**High** - Greater opportunities for multiple reduction approaches.
Logistical Feasibility	**Low** - Unless fee or offset basis,very difficult to mitigate all projects.	**Medium** - BMPs broadly written to allow diversity; new req. will take time to integrate into new dev.	**High** - Less mitigation.	**High** - Less mitigation.	**Medium** - BMPs broadly written to allow diversity; new req. will take time to integrate into new dev.	**High** - Less mitigation.
Consistency with AB-32 and S-03-05	**High** - Market capture.	**High** - Market capture at >90%.	**Low** - Would rely on command and control success heavily.	**Low** - Would rely on command and control success heavily.	**Medium** - Need to demonstrate adequate market capture over time.	**Low** - Would rely on command and control success heavily.
Cost Effectiveness	**Low** - Will result in inefficient mitigation approaches. Efficiency will improve in time.	**Medium** - Emphasis is on new dev., req. for mitigation will result in inefficient mitigation approaches in early phases. Efficiency will improve in time.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.	**Medium** - Emphasis is on new dev.; req. for mitigation will result in inefficient mitigation approaches in early phases. Efficiency will improve in time.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.
Uncertainties	**High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects unlikely.	**Medium/High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects uncertain.	**High** - Gains from command and control likely longer to be realized.	**High** - Gains from command and control likely longer to be realized.	**Medium/High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects uncertain.	**High** - Gains from command and control likely longer to be realized.
Other Advantages	Single threshold.	Single threshold. BMPs can be updated. Greenlist can be updated.	Single threshold. Does not change CEQA processing for most projects. CARB inventory = project inv.. All projects treated same.	Single threshold. Does not change CEQA processing for most projects. Follows established SIP practice.	BMPs can be updated. Greenlist can be updated. Unit-Based thresholds can be updated.	Existing guideline. Does not change CEQA processing for most projects. Endorsed by Cal. Chapter of the APA.
Other Disadvantages	Requires all projects to quantify emissions.	Requires nearly all projects to quantify emissions.			Sectoral projects have different GHG emis. Only largest projects to quantify emis.	Sectoral projects have different GHG emissions.

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Introduction

This chapter evaluates the availability of various analytical methods and modeling tools that can be applied to estimate the greenhouse gas emissions from different project types subject to CEQA. This chapter will also provide comments on the suitability of the methods and tools to accurately characterize a projects emissions and offer recommendations for the most favorable methodologies and tools available. Some sample projects will be run through the methodologies and modeling tools to demonstrate what a typical GHG analysis might look like for a lead agency to meet its CEQA obligations. The air districts retained the services of EDAW environmental consultants to assist with this effort.

Methodologies/Modeling Tools

There are wide varieties of discretionary projects that fall under the purview of CEQA. Projects can range from simple residential developments to complex expansions of petroleum refineries to land use or transportation planning documents. It is more probably than not, that a number of different methodologies would be required by any one project to estimate its direct and indirect GHG emissions. Table 10 contains a summary of numerous modeling tools that can be used to estimate GHG emissions associated with various emission sources for numerous types of project's subject to CEQA. The table also contains information about the models availability for public use, applicability, scope, data requirements and its advantages and disadvantages for estimating GHG emissions.

In general, there is currently not one model that is capable of estimating all of a project's direct and indirect GHG emissions. However, one of the models identified in Table 9 would probably be the most consistently used model to estimate a projects direct GHG emissions based on the majority of projects reviewed in the CEQA process. The Urban Emissions Model (URBEMIS) is designed to model emissions associated with development of urban land uses. URBEMIS attempts to summarize criteria air pollutants and CO_2 emissions that would occur during construction and operation of new development. URBEMIS is publicly available and already widely used by CEQA practitioners and air districts to evaluate criteria air pollutants emissions against air district-adopted significance thresholds. URBEMIS is developed and approved for statewide use by CARB. The administrative reasons for using URBEMIS are less important than the fact that this model would ensure consistency statewide in how CO_2 emissions are modeled and reported from various project types.

One of the shortfalls of URBEMIS is that the model does not contain emission factors for GHGs other than CO_2, except for methane (CH_4) from mobile-sources, which is converted to CO_2e. This may not be a major problem since CO_2 is the most important GHG from land development projects. Although the other GHGs have a higher global warming potential, a metric used to normalize other GHGs to CO_2e, they are emitted in far fewer quantities. URBEMIS does not calculate other GHG emissions associated with

off-site waste disposal, wastewater treatment, emissions associated with goods and services consumed by the residents and workers supported by a project. Nor does URBEMIS calculate GHGs associated with consumption of energy produced off-site. (For that matter, URBEMIS does not report criteria air pollutant emissions from these sources either).

Importantly, URBEMIS does not fully account for interaction between land uses in its estimation of mobile source operational emissions. Vehicle trip rates are defaults derived from the Institute of Transportation Engineers trip generation manuals. The trip rates are widely used and are generally considered worst-case or conservative. URBEMIS does not reflect "internalization" of trips between land uses, or in other words, the concept that a residential trip and a commercial trip are quite possibly the same trip, and, thus, URBEMIS counts the trips separately. There are some internal correction settings that the modeler can select in URBEMIS to correct for "double counting"; however, a project-specific "double-counting correction" is often not available. URBEMIS does allow the user to overwrite the default trip rates and characteristics with more project-specific data from a traffic study prepared for a project.

Residential, Commercial, Mixed-Use Type Projects/ Specific Plans

Direct Emissions

URBEMIS can be used to conduct a project-specific model run and obtain CO_2e emissions for area and mobile sources from the project, and convert to metric tons CO_2e. When a project-specific traffic study is not available, the user should consult with their local air district for guidance. Many air district staff are experienced practitioners of URBEMIS and can advise the lead agency or the modeler on how to best tailor URBEMIS default input parameters to conduct a project-specific model run. When a traffic study has been prepared for the project, the user must overwrite default trip length and trip rates in URBEMIS to match the total number of trips and vehicle miles traveled (VMT) contained in the traffic study to successfully conduct a project-specific model run. URBEMIS is recommended as a calculation tool to combine the transportation study (if available) and EMFAC emission factors for mobile-sources. Use of a project-specific traffic study gets around the main shortfall of URBEMIS: the lack of trip internalization. URBEMIS also provides the added feature of quantifying direct area-source GHG emissions.

Important steps for running URBEMIS

1. Without a traffic study prepared for the project, the user should consult with the local air district for direction on which default options should be used in the modeling exercise. Some air districts have recommendations in the CEQA guidelines.

2. If a traffic study was prepared specifically for the project, the following information must be provided:

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a. Total number of average daily vehicle trips *or* trip-generation rates by land use type per number of units; and,

b. Average VMT per residential *and* nonresidential trip.

c. The user overwrites the "Trip Rate (per day)" fields for each land use in URBEMIS such that the resultant "Total Trips" and the "Total VMT" match the number of total trips and total VMT contained in the traffic study.

d. Overwrite "Trip Length" fields for residential and nonresidential trips in UBEMIS with the project-specific lengths obtained form the traffic study.

3. Calculate results and obtain the CO_2 emissions from the URBEMIS output file (units of tons per year [TPY]).

Indirect Emissions

URBEMIS does estimate indirect emissions from landscape maintenance equipment, hot water heaters, etc. URBEMIS does not however, provide modeled emissions from indirect sources of emissions, such as those emissions that would occur off-site at utility providers associated with the project's energy demands. The California Climate Action Registry (CCAR) Protocol v.2.2 includes methodology, which could be used to quantify and disclose a project's increase in indirect GHG emissions from energy use. Some assumptions must be made for electrical demand per household or per square foot of commercial space, and would vary based on size, orientation, and various attributes of a given structure. An average rate of electrical consumption for residential uses is 7,000 kilowatt hours per year per household and 16,750 kilowatt hours per thousand square feet of commercial floor space. Commercial floor space includes offices, retail uses, warehouses, and schools. These values have been increasing steadily over the last 20 years. Energy consumption from residential uses has increased due to factors such as construction and occupation of larger homes, prices of electricity and natural gas, and increased personal income allowing residents to purchase more electronic appliances. Commercial energy consumption is linked to factors such as vacancy rates, population, and sales.

The modeler will look up the estimated energy consumption for the project's proposed land uses under year of project buildout, or use the values given in the previous paragraph for a general estimate. The CCAR Protocol contains emission factors for CO_2, CH_4, and nitrous oxide. The "CALI" region grid serves most of the State of California. If a user has information about a specific utility provider's contribution from renewable sources, the protocol contains methodology to reflect that, rather than relying on the statewide average grid. The incremental increase in energy production associated with project operation should be accounted for in the project's total GHG emissions for inclusion in the environmental document.

The incremental increase in energy production associated with project operation should be accounted for in the project's total GHG emissions, but it should be noted that these emissions would be closely controlled by stationary-source control-based regulations and additional regulations are expected under AB 32. However, in the interest of disclosing project-generated GHG emissions and mitigating to the extent feasible, the indirect emissions from off-site electricity generation can be easily calculated for inclusion in the environmental document.

Example Project Estimates for GHG Emissions

Residential Project

Project Attributes:

- 68 detached dwelling units
- 15.9 acres
- 179 residents
- 0 jobs
- Located in unincorporated Placer County (PCAPCD jurisdiction)
- Analysis year 2009

As shown in Table 6, the project's direct GHG emissions per service population (SP) would be approximately 8 metric tons CO_2e/SP/year.

Table 6: Residential Project Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	251	Residents	179
Mobile-source emissions	1,044	Jobs	0
Indirect emissions (from CCAR Protocol)	174		
Total operational emissions	**1,469**	Service population	179
Operational emissions/SP	**8.2**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population(see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Commercial Project

Project Attributes:

- Free Standing Discount Superstore: 241 thousand square feet (ksf)
- 0 residents

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- 400 jobs
- Located in the San Joaquin Valley Air Pollution Control District's (SJVAPCD) jurisdiction
- Analysis year 2009

Table 7: Commercial Project Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	464	Residents	0
Mobile-source emissions	13,889	Jobs	400
Indirect emissions (from CCAR Protocol)	1,477		
Total operational emissions	**15,830**	Service population	400
Operational emissions/SP	**39.6**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Specific Plan

If used traditionally with default trip rates and lengths, rather than project-specific (Traffic Analysis Zone-specific) trip rates and lengths, URBEMIS does not work well for specific plan or general plan-sized projects with multiple land use types proposed. However, in all instances, projects of these sizes (several hundred or thousand acres) would be accompanied by a traffic study. Thus, for large planning-level projects, URBEMIS can be used as a calculation tool to easily obtain project-specific mobile-source emissions. The user should follow the steps discussed above; wherein he/she overwrites the default ITE trip rates for each land use type with that needed to make total VMT match that contained in the traffic study. The URBEMIS interface is a simple calculator to combine the traffic study and EMFAC emissions factors for mobile-source CO_2.

Project Attributes:

- 985 acres
- Total dwelling units: 5,634
- Commercial/Mixed Use: 429 ksf
- Educational: 2,565 ksf
- 14,648 residents
- 3,743 jobs
- Located in Sacramento County (SMAQMD jurisdiction)
- Analysis year 2009

Table 8: Specific Plan Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	23,273	Residents	14,648
Mobile-source emissions	73,691	Jobs	3,743
Indirect emissions (from CCAR Protocol)	32,744		
Total operational emissions	**129,708**	Service population	18,391
Operational emissions/SP	**7.1**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

The specific plan example, when compared to the residential or commercial examples, illustrates the benefit of a mixed-use development when you look at CO_2e emissions per resident or job (service population) metric (see definition of service population below in discussion of Normalization/Service Population Metric). Though this particular specific plan is not an example of a true jobs/housing balance, the trend is clear: accommodating residents and jobs in a project is more efficient than residents or jobs alone.

Stationary- and Area-Source Project Types

GHG emissions from stationary or area sources that require a permit to operate from the air district also contain both direct and indirect sources of emissions. Examples of these types of sources would be fossil fuel power plants, cement plants, landfills, wastewater treatment plants, gas stations, dry cleaners and industrial boilers. All air districts have established procedures and methodologies for projects subject to air district permits to calculate their regulated pollutants. It is anticipated that these same procedures and methodologies could be extended to estimate a permitted facility's GHG calculations. For stationary and area sources that do not require air district permits, the same methodologies used for permitted sources could be used in addition to URBEMIS and CCAR GRP to calculate GHG emissions from these facilities.

Wastewater Treatment Facilities

Direct GHG emissions associated with a proposed waste water treatment plant can be calculated using AP-42 emission factors from Chapter 4.3.5 Evaporative Loss Sources: Waste Water-Greenhouse Gases and the CCAR methodology. In general, most wastewater operations recover CH_4 for energy, or use a flare to convert the CH_4 to CO_2. There are many types of wastewater treatment processes and the potential for GHG emissions from different types of plants varies substantially. There is not one standard set of emission factors that could be used to quantify GHG emissions for a state

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"average" treatment plant. Thus, research will need to be conducted on a case-by-case basis to determine the "Fraction Anaerobically Digested" which is a function of the type of treatment process. Indirect emissions from these facilities can be calculated using the CCAR energy use protocols and URBEMIS model for transportation emissions.

Solid Waste Disposal Facilities

Air districts will have emission estimate methodologies established for methane emissions at permitted landfills. In addition, EPA's Landfill Gas Emissions Model (LandGem) and the CCAR methodology could also be used to quantify GHG emissions from landfill off gassing; however, this model requires substantial detail be input. The model uses a decomposition rate equation, where the rate of decay is dependent on the quantity of waste in place and the rate of change over time. This modeling tool is free to the public, but substantial project detail about the operation of the landfill is needed to run the model. Indirect emissions from these facilities can be calculated using the CCAR energy use protocols and URBEMIS model for transportation emissions.

Construction Emissions

GHG emissions would occur during project construction, over a finite time. In addition, a project could result in the loss of GHG sequestration opportunity due primarily to the vegetation removed for construction. URBEMIS should be used to quantify the mass of CO_2 that would occur during the construction of a project for land development projects. Some construction projects would occur over an extended period (up to 20–30 years on a planning horizon for general plan buildout, or 5–10 years to construct a dam, for example). OFFROAD emission factors are contained in URBEMIS for CO_2 emissions from construction equipment. For other types of construction projects, such as roadway construction projects or levee improvement projects, SMAQMD's spreadsheet modeling tool, the Road Construction Emissions Model (RoadMod), should be used. This tool is currently being updated to include CO_2 emissions factors from OFFROAD.

The full life-cycle of GHG emissions from construction activities is not accounted for in the modeling tools available, and the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. The emissions disclosed will be from construction equipment and worker commutes during the duration of construction activities. Thus, the mass emissions in units of metric tons CO_2e/year should be reported in the environmental document as new emissions.

General Plans

In the short-term, URBEMIS can be used as a calculation tool to model GHG emissions from proposed general plans, but only if data from the traffic study is incorporated into model input. The same methodology applied above in the specific plan example applies to general plans. The CCAR GRP can be used to approximate indirect emissions from

increased energy consumption associated with the proposed plan area. The same models and methodologies discussed previously for wastewater, water supply and solid waste would be used to estimate indirect emissions resulting from buildout of the general plan.

In the longer-term, more complex modeling tools are needed, which would integrate GHG emission sources from land use interaction, such as I-PLACE^{3}S or CTG Energetics' Sustainable Communities Custom Model attempt to do. These models are not currently available to the public and only have applicability in certain areas of the state. It is important that a tool with statewide applicability be used to allow for consistency in project treatment, consideration, and approval under CEQA.

Scenarios

At the general plan level, the baseline used for analyzing most environmental impacts of a general plan update is typically no different from the baseline for other projects. The baseline for most impacts represents the existing conditions, normally on the date the Notice of Preparation is released. Several comparative scenarios could be relevant, depending on the exact methodological approach and significance criteria used for GHG assessment:

- Existing Conditions. The GHG emissions associated with the existing, on-the-ground conditions within the planning area.

- 1990 conditions. The GHG emissions associated with the general plan area in 1990. This is relevant due to the state's AB 32 GHG emission reduction goals' benchmark year of 1990. The GHG-efficiency of 1990 development patterns could be compared to that of the general plan buildout.

- Buildout of the Existing General Plan. The GHG emissions associated with buildout of the existing general plan (without the subject update). This is the no project alternative for the purposes of general plan CEQA analysis.

- Buildout of the Updated General Plan. The GHG emissions associated with buildout of the general plan, as proposed as a part of the subject update. This would include analysis of any changes included as a part of the general plan update for the existing developed portions of the planning area. Many communities include redevelopment and revitalization strategies as a part of the general plan update. The general plan EIR can include assumptions regarding what level and type of land use change could be facilitated by infill and redevelopment. Many jurisdictions wish to provide future projects consistent with these land use change assumptions with some environmental review streamlining. In addition, many communities include transit expansions, pedestrian/bicycle pathway improvements, multi-modal facility construction, travel demand policies, energy efficiency policies, or other measures that could apply to the existing developed area, just as they may apply to any new growth

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areas. Such policies could affect the overall GHG emissions of the built out general plan area.

- Increment between Buildout of Updated General Plan and Existing General Plan Area. There are many important considerations associated with the characterization of the impact of the General Plan update. The actual GHG emissions impact could be described as the difference between buildout under the existing and proposed land use plan (No-Build Alternative). However, the courts have held that an EIR should also analyze the difference between the proposed General Plan and the existing environment (*Environmental Planning & Information Council v. County of El Dorado* (EPIC) (1982) 131 Cal.App.3d 350). At the General Plan level, over the course of buildout, some new land uses are introduced, which could potentially add operational GHG emissions and potentially remove existing sequestration potential. Some properties become vacant and are not redeveloped. Other properties become vacant and then are redeveloped. Communities cannot pretend to understand fully in advance each component of land use change. The programmatic document is the preferred method of environmental analysis. Through this programmatic framework, communities develop buildout assumptions as a part of the General Plan that are normally used as a basis of environmental analysis. For certain aspects of the impact analysis, it becomes important not just to understand how much "new stuff" could be accommodated under the updated General Plan, but also the altered interactions between both "new" and "existing" land uses within the planning area. As addressed elsewhere, there are tools available for use in understanding land use/transportation interactions at the General Plan level. Without the GHG targets established by AB 32, a simple mass comparison of existing conditions to General Plan buildout might be appropriate.

However, within the current legal context, the GHG efficiency of the updated General Plan becomes the focus of analysis. Some options in this regard include:

- Estimate the GHG emissions associated with all the land uses included within the planning area upon buildout of the General Plan using no project specific information (regional, countywide, or statewide defaults). Estimate GHG emissions using project specific information from the transportation engineer, transportation demand policies, community design elements, energy efficiency requirements, wastewater treatment and other public infrastructure design changes, and other components. Compare these two calculations. Is the second calculation reduced by the percent needed to meet AB 32 goals compared to the first calculation?

- Estimate the GHG emissions associated with the 1990 planning area and the per-capita or per-service population GHG associated with the 1990 planning area. (Many communities are establishing GHG inventories using different tools). Estimate the GHG emissions associated with buildout of the proposed General Plan update and the resulting per-capita or per-service population GHG

emissions. Compare the two calculations. Is the General Plan buildout per-capita or per-service population level greater than the 1990 estimate?

Example General Plan Update: Proposed new growth area

Project Attributes:

- 10,050 single family dwelling units
- 652 multi-family dwelling units
- 136 acres parks
- 2,047 ksf commercial (regional shopping center)
- 2,113 ksf office
- 383 acres industrial park
- 31,293 new residents
- 4,945 new jobs
- Located in Stanislaus County (SJVAPCD jurisdiction)
- Analysis year 2025

Table 9: General Plan Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric CO_2e Tons/Year	Demographic Data	
Construction emissions	12,083*	Residents	31,293
Area-source emissions	45,708		
Mobile-source emissions	263,954	Jobs	4,945
Indirect emissions (from CCAR Protocol)	78,385		
Total operational emissions	**388,046**	Service population	36,238
Operational emissions/SP	**10.7**		

* Approximately 241,656 metric tons CO_2e total at general plan buildout (assumes 20-year buildout period). Construction emissions were not included in total operational emissions.
Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).
Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Due to the programmatic level of analysis that often occurs at the general plan level, and potential for many relevant GHG emission quantities, it could be preferable to use a qualitative approach. Such an analysis could address the presence of GHG-reducing policy language in the general plan.

Three possible tiers of approaches to addressing GHG mitigation strategies, either as general plan policy, general plan EIR mitigation measures, or both, include:

- Forward planning
- Project toolbox
- Defer to GHG reductions plan

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The three basic approaches are described below.

1. Bring reduction strategies into the plan itself. The most effective way for local jurisdictions to achieve GHG emissions reductions in the medium- and long-term is through land use and transportation policies that are built directly into the community planning document. This involves creating land use diagrams and circulation diagrams, along with corresponding descriptive standards, that enable and encourage alternatives to travel and goods movement via cars and trucks. The land use and circulation diagrams provide a general framework for a community where people can conduct their everyday business without necessarily using their cars. The overall community layout expressed as a part of the land use and circulation diagrams is accompanied by a policy and regulatory scheme designed to achieve this community layout. Impact fees, public agency spending, regulations, administrative procedures, incentives, and other techniques are designed to facilitate land use change consistent with the communities' overall vision, as expressed in policy and in the land use diagram. There are many widely used design principles that can be depicted in land use and circulation diagrams and implemented according to narrative objectives, standards, and policies:

- Connectivity. A finely-connected transportation network shortens trip lengths and creates the framework for a community where homes and destinations can be placed close in proximity and along direct routes. A hierarchical or circuitous transportation network can increase trip lengths and create obstacles for walking, bicycling, and transit access. This policy language would likely be found in the Circulation Element.

- Compactness. Compact development, by its nature, can increase the efficiency of infrastructure provision and enable travel modes other than the car. If communities can place the same level of activity in a smaller space, GHG emissions would be reduced concurrently with VMT and avoid unnecessary conversion of open space. This policy language would likely be found in the Land Use Element.

- Diversity. Multiple land use types mixed in proximity around central "nodes" of higher-activity land uses can accommodate travel through means other than a car. The character and overall design of this land use mix is, of course, different from community to community. This policy language would likely be found in the Land Use Element.

- Facilities. Pedestrian, bicycle, and public transportation improvements, planning, and programming are sometimes an afterthought. To get a more GHG-efficient mode share, safe and convenient bike lanes, pedestrian pathways, transit shelters, and other facilities are required to be planned along with the vehicular travel network. This policy language would likely be found in the Circulation Element.

- Redevelopment. One way to avoid GHG emissions is to facilitate more efficient and economic use of the lands in already-developed portions of a community. Reinvestment in existing neighborhoods and retrofit of existing buildings is appreciably more GHG efficient than greenfield development, and can even result in a net reduction in GHG emissions. This policy language would likely be found in the Conservation or Land Use Element.

- Housing and Employment. Most communities assess current and future economic prospects along with long-range land use planning. Part of the objective for many communities is to encourage the coalescence of a labor force with locally available and appropriate job opportunities. This concept is best known as "jobs-housing balance." This policy language would likely be found in the Housing Element.

- Planning Level Versus Project Level. For transportation-related GHG emissions that local governments can mitigate through land use entitlement authority, the overall community land use strategy and the overall transportation network are the most fruitful areas of focus. The reduction capacity of project-specific mitigation measures is greatly limited if supportive land use and transportation policies are lacking at the community planning level. The regional economic context, of course, provides an important backdrop for land use and transportation policy to address GHG emissions. Within this context, the general plan is the readily available tool for local governments to establish such land use and transportation strategies. This policy language would likely be found in the Land Use and Circulation Elements.

- Shipping Mode Shift. Locate shipping-intensive land uses in areas with rail access. Some modes of shipping are more GHG-intensive than others. Rail, for example, requires only about 15 to 25 percent of the energy used by trucks to ship freight equivalent distances and involves reduced transportation-related GHG emissions. Cities and counties have little direct control over the method of shipment that any business may choose. Nevertheless, as a part of the general planning process, cities and counties can address constraints on the use of rail for transporting goods. This policy language would likely be found in the Land Use and Circulation Elements.

2. Provide a "toolbox" of strategies after the project site has been selected. In addition to the examples of design principles that are built into the community planning process, communities can offer project applicants a range of tools to reduce GHG emissions. Mitigation strategies are elaborated in detail in Chapter 9.

3. Defer to General Plan implementation measure. Develop and implement a GHG Emissions Reduction Plan. Another option for local governments would be development of an implementation measure as a part of the general plan that outlines an enforceable GHG reduction program. Perhaps the most well known example of this approach is the result of California's Attorney General settlement of the lawsuit brought against San

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Bernardino County. The County has agreed to create a 1990 GHG inventory and develop measures to reduce such emissions according to the state's overall goals. Other communities have pursued similar programs (i.e., the City of San Diego, Marin County). Along with the inventories, targets, and example reduction measures, these programs would include quantitative standards for new development; targets for reductions from retrofitting existing development; targets for government operations; fee and spending program for GHG reduction programs; monitoring and reporting; and other elements. The local government itself should serve as a model for GHG reduction plan implementation, by inventorying emissions from government operations and achieving emission reductions in accordance with the plan's standards. An optional climate change element could be added to contain goals, policies, and this implementation strategy, or this could belong in an optional air quality element.

Other Project Types

Air District Rules, Regulations and Air Quality Plans

Air district air quality plans, rules and regulations could have the potential to increase or decrease GHG emissions within their respective jurisdiction. In general, air district air quality plans, rules and regulations act to reduce ozone precursors, criteria air pollutant and toxic air contaminant emissions, which would almost always act to reduce GHG emissions simultaneously. However, this may not always be the case.

Air Quality Plans

Air districts will have to include GHG emissions analysis as part of their criteria air pollutant and toxic air contaminant air pollutant analysis when considering the adoption of air quality plans and their subsequent rules and regulations needed to implement the plans. Multiple models and methodologies will be needed to accomplish this analysis.

Regional Transportation Plans

Regional transportation plans would also need to be evaluated on a case-by-case basis to determine if a net increase or decrease in GHG emissions would occur. Complex interactions between the roadway network, operating conditions, alternative transportation availability (such as public transit, bicycle pathways, and pedestrian infrastructure), and many other independent parameters specific to a region should be considered. Regional transportation models exist to estimate vehicular emissions associated with regional transportation plans, which includes the ability to estimate GHG emissions.

Normalization/Service Population Metric

The above methodology would provide an estimate of the mass GHG emissions generated by a proposed project, which could be compared to a mass emission threshold. EDAW developed a methodology that would measure a project's overall GHG efficiency

in order to determine if a project is more efficient than the existing statewide average for per capita GHG emissions. The following steps could be employed to estimate the GHG-"efficiency," which may be more directly correlated to the project's ability to help obtain objectives outlined in AB 32, although it relies on establishment of an efficiency-based significance threshold. The subcommittee believes this methodology may eventually be appropriate to evaluate the long-term GHG emissions from a project in the context of meeting AB 32 goals. However, this methodology will need substantially more work and is not considered viable for the interim guidance presented in this white paper.

- Divide the total operational GHG emissions by the Service Population (SP) supported by the project (where SP is defined as the sum of the number of residents and the number of jobs supported by the project). This value should be compared to that of the projected statewide GHG emissions inventory from the applicable end-use sectors (electricity generation, residential, commercial/institutional, and mobile-source) in 1990 divided by the projected statewide SP for the year 2020 (i.e., AB 32 requirements), to determine if the project would conflict with legislative goals.

    - If the project's operational GHG/SP falls below AB 32 requirements, then the project's GHG emissions are less than cumulatively considerable.

    - If the project's operational GHG/SP exceed AB 32 requirements (a substantial contribution), then the project's GHG emissions would conflict with legislative requirements, and the impact would be cumulatively considerable and mitigation would be required where feasible.

- New stationary and area sources/facilities: calculate GHG emissions using the CCAR GRP. All GHG emissions associated with new stationary or area sources should be treated as a net increase in emissions, and if deemed significant, should be mitigated where feasible.

- Road or levee construction projects or other construction-only projects: calculate GHG emissions using the RoadMod, which will be updated to contain GHG emission factors from EMFAC and OFFROAD. All construction-generated GHG emissions should be treated as a net increase, and if deemed significant, should be mitigated to the extent feasible.

- Air District rulemaking or air quality management plan-type projects should be evaluated on a case-by-case basis for secondary impacts of increased GHG emissions generation. In most cases, the types of projects that act to reduce regional air pollution simultaneously act to reduce GHG emissions, and would be beneficial, but should be evaluated for secondary effects from GHG emissions.

- Regional transportation plans should also be evaluated on a case-by-case basis for potential to either reduce or increase GHG emissions from the transportation sector. EMFAC can be utilized to determine the net change in GHG emissions

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associated with projected vehicle VMT and from operating speed changes associated with additional or alleviated congestion.

To achieve the goals of AB 32, which are tied to GHG emission rates of specific benchmark years (i.e., 1990), California would have to achieve a lower rate of emissions per unit of population and per unit of economic activity than it has now. Further, in order to accommodate future population and economic growth, the state would have to achieve an even lower rate of emissions per unit than was generated in 1990. (The goal to achieve 1990 quantities of GHG emissions by 2020 means that this will need to be accomplished in light of 30 years of population and economic growth in place beyond 1990.) Thus, future planning efforts that would not encourage new development to achieve its fair share of reductions in GHG emissions would conflict with the spirit of the policy decisions contained in AB 32, thus impeding California's ability to comply with the mandate.

Thus, if a statewide context for GHG emissions were pursued, any net increase in GHG emissions within state boundaries would be considered "new" emissions. For example, a land development project, such as a specific plan, does not necessarily create "new" emitters of GHG, but would theoretically accommodate a greater number of residents in the state. Some of the residents that move to the project could already be California residents, while some may be from out of state (or would 'take the place' of in-state residents who 'vacate' their current residences to move to the new project). Some may also be associated with new births over deaths (net population growth) in the state. The out-of-state residents would be contributing new emissions in a statewide context, but would not necessarily be generating new emissions in a global context. Given the California context established by AB 32, the project would need to accommodate an increase in population in a manner that would not inhibit the state's ability to achieve the goals of lower total mass of emissions.

The average net influx of new residents to California is approximately 1.4 percent per year (this value represents the net increase in population, including the net contribution from births and deaths). With population growth, California also anticipates economic growth. Average statewide employment has grown by approximately 1.1 percent over the last 15 years. The average percentage of population employed over the last 15 years is 46 percent. Population is expected to continue growing at a projected rate of approximately 1.5 percent per year through 2050. Long-range employment projection data is not available from the California Department of Finance (DOF) and can be extrapolated in different ways (e.g., linear extrapolation by percentage rate of change, percentage of population employed, mathematical series expansion, more complex extrapolation based on further research of demographic projections such as age distribution). Further study would be needed to refine accurate employment projections from the present to 2050. For developing this framework, employment is assumed to have a constant proportionate relationship with the state's population. The projected number of jobs is assumed to be roughly 46 percent of the projected population.

In light of the statewide context established by California law, consistency is most important for evaluating GHG emissions from projects. Thus, URBEMIS and the CCAR GRP are the recommended tools for quantification of GHG emissions from most project types in the short term. Over the long term, more sophisticated models that integrate the relationship between GHG emissions and land use, transportation, energy, water, waste, and other resources, and have similar application statewide would have better application to the problem, but may not currently be as accessible or as easily operable. I-PLACE^{3}S and CTG Energetics' Sustainable Communities Model (SCM) are two examples of such models that contain emission factors for GHGs, which could be refined to have applicability statewide and made available to CEQA practitioners. Other models are likely to be developed, given the importance of this issue.

Short-Term and Long-Term Methodologies

The following tools can be used to quantify a project's GHG emissions until tools that are more comprehensive become available statewide:

1. Land development projects: URBEMIS 2007 v. 9.2 and the CCAR GRP v. 2.2 (short-term); further development of I-PLACE^{3}S or CTG's Sustainable Communities Model (long-term).
2. New stationary and area sources/facilities: AP-42 Chapter 4.3, LandGem v. 3.02, and/or CCAR GRP v. 2.2.
3. Road or levee construction projects or other construction-only projects: RoadMod/OFFROAD 2007.

Ideally, I-PLACE^{3}S or CTG's Sustainable Communities Model would be expanded to apply to all regions of the state. These types of models use an integrated approach, which is the best approach for reasonably approximating the emissions that result from interaction between land uses, but neither is available to the public and would create consistency problems in reporting emissions from projects across the state if these were used today. However, a similar model with statewide applicability will likely be developed due to the importance of the issue.Table 10 Summary of Modeling Tools for Estimating GHG Emissions and Project Applicability

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Table 10: Summary of Modeling Tools for GHG Emissions

Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
URBEMIS 2007	*Public domain -Download (www.urbemis.com) free of charge*	*Land development and construction projects (construction, mobile- and area-source emissions)*	*Local*	*Fairly Easy*	*Land use information, construction and operational data and assumptions (e.g., jurisdiction, acres of land use type, year of operation, etc.)*	*Mobile-source Construction & Operational CO_2 (lb/day or tons/year)*	*-Recommended for land use development and construction projects -Also recommended for net change in land use (zoning changes)*	*-Does not quantify indirect emissions from energy consumption or other GHGs (except methane from mobile-sources) -Free, available to public, and applicable statewide -Widely used for assessment of other air quality impacts*
California Climate Action Registry General Reporting Protocol v. 2.2	*Public guidance document*	*Indirect emissions from land development projects, stationary- and area-source facilities regulated under AB 32*	*State*	*Easy*	*Energy consumption*	*CO_2e (Metric tons/year)*	*-Recommended for indirect emissions from energy consumption for land use development projects, and for new stationary- or area- sources to be regulated*	*-Contains emission factors for CH_4 and N_2O in addition to CO_2 -Does not contain emission factors broken down by utility provider (statewide average grid only)*
Clean Air and Climate Projection (CACP) Software	*Public agencies (members of ICLEI, NACAA, or similar)*	*Local governments used for emissions inventories*	*Local*	*N/A*	*Energy usage, waste generation/disposal transportation*	*CO_2e (tons/year)*	*-Recommended for inventories of local government entities activities (must be a member of affiliated agency or group)*	*-Not available to public*
CTG Sustainable Communities Model	*Custom model*	*Land development*	*Regional, scalable*	*N/A*	*Land use information, operational (mobile, energy, economic, infrastructure) assumptions*	*CO_2e (tons/year)*	*-An integrated and comprehensive modeling tool, but cannot obtain*	*-Not available to public*

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Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
I-PLACE^{3}S	*Access fee through local COG* *Only available for eight California counties*	*Land use change*	*Regional, scalable*	*Fairly Easy*	*Parcel information*	*CO_2 (lb/day or tons/year)*	*-Recommended for land use development projects and land use changes* *-Especially good for general plans*	*-Not freely available to public* *-Not applicable statewide* *-Actually provides insight into land use interaction* *-Can include very specific project attributes* *-Trip rates are from behavioral survey data, instead of ITE*
EMFAC 2007	*Public domain*	*On-road mobile-sources*	*Statewide, regional*	*Fairly Easy*	*Vehicle fleet information*	*CO_2 (grams/mile)*	*-Not recommended for most projects (URBEMIS preferred)* *-Could be used for certain Air District Rulemaking applications*	*-Can compare emissions based on speed-distribution* *-Emission factors contained in URBEMIS* *-Not a stand-alone model*
OFFROAD 2007	*Public domain*	*Off-road mobile sources (construction equipment)*	*Statewide, regional*	*Fairly Easy*	*Construction fleet information*	*CO_2 (lb/day)*	*-Not recommended (URBEMIS preferred)* *-could be used for certain Air District Rulemaking applications (re: construction equipment)*	*-Emission factors contained in URBEMIS*
RoadMod (to be updated to include CO_2)	*Public domain*	*Off-road and on-road mobile sources (construction equipment and material haul trucks)*	*Statewide*	*Easy*	*Construction information*	*CO_2 (lb/day or tons/project)*	*-Recommended for construction-only projects (linear in nature; i.e., levees, roads, pipelines)*	*-To be updated to support emissions factors from OFFROAD 2007*

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Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
DTIM	*Public domain*	*On-road mobile-sources*	*Statewide, regional*	*Difficult (consists of a series of three programs and requires input files from traffic and emissions modeling)*	*-EMFAC files* *-Traffic model output files (e.g., link, interzonal, and trip end data)* *-User options file* *-Optional files*	*CO_2 (tons/year)*	*-Not recommended*	*-Not updated to support EMFAC 2007 emission factors* *-Input files include output files from regional transportation models which more accurately reflect VMT*
Southeast Climate Change Partnership Spreadsheet Model (UK)	*Public domain http://www.climatesoutheast.org.uk/*	*UK Local government/ agencies/ organizations used for emissions inventories*	*Local, county, regional*	*Fairly easy*	*Energy usage, waste generation/disposal, transportation*	*CO_2 (tonnes/year)*	*-Not recommended for use in California, but could be a valuable source for building an applicable spreadsheet model*	*-Applicability for UK, but could be updated with CA-specific emission factors*
EPA AP-42; Evaporation Loss Sources Chapter 4.3.5	*Public reference document*	*GHG emissions from waste water treatment facilities*	*Facility level*	*Easy equation; substantial research needed to use*	*Biochemical oxygen demand (BOD) loading, Fraction anaerobically digested*	*CH4 (lb/year)*	*-Recommended for Publicly owned treatment works (POTW) projects*	*-Substantial research needed to determine the "fraction anaerobically digested" parameter, which is dependent on the type of treatment plant/process*
LandGem v. 3.02	*Public domain http://www.epa.gov/ttn/catc/dir1/landgem-v302.xls*	*GHG emissions from anaerobic decomposition associated with landfills*	*Facility Level*	*Moderate*	*Solid waste processing, year of analysis, lifetime of waste in place*	*CO_2, CH_4 (Mega grams/year)*	*-Recommended for landfill emissions*	*-Emission rates change dependent on years of decomposition, waste in place rates of change.* *-Complex decomposition rate equation, but good first approximation*

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Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
CARROT	*Registry members*	*Stationary source emissions, vehicle fleet mobile sources*	*Facility level*	*Moderate*	*Facility-specific information*	*All GHGs*	*-Recommended for reporting facilities under AB 32 and for indirect emissions from energy consumption (CCAR Protocol)*	*-Estimates all GHGs and normalizes to CO_2e* *-Not publicly available*

Notes:

GHG = greenhouse gas; AB = assembly bill; CO_2e = carbon dioxide equivalent; CH_4 = methane; N_2O = nitrous oxide; COG = council of governments ; ITE = Institute of Transportation Engineers; CCAR = California Climate Action Registry

Source: Data compiled by EDAW and the California Air Pollution Control Officers Association in 2007

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Introduction

This chapter (and Appendix B) identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions that would be identified using the analytical methodologies included in this white paper. The Subcommittee retained the services of EDAW to assist with this effort. EDAW performed a global search of mitigation measures currently in practice and under study that would reduce GHG emissions.

Table 16 (Appendix B) provides a brief description of each measure along with an assessment of their feasibility (from a standpoint of economical, technological, and logistical feasibility, and emission reduction effectiveness), and identifies their potential for secondary impacts to air quality. During the global search performed, EDAW also took note of GHG reduction strategies being implemented as rules and regulation (e.g., early action items under AB 32), which are summarized in Table 18 (Appendix C). It is important to note that though compliance with such would be required by regulation for some sources, such strategies may be applicable to other project and source types.

The recurring theme that echoes throughout a majority of these measures is the shift toward New Urbanism, and research has consistently shown that implementation of Neotraditional Development techniques reduces VMT and associated emissions. The material reviewed assessed reductions from transportation-related measures (e.g., bicycle, pedestrian, transit, and parking) as a single comprehensive approach to land use. This comprehensive approach focuses on development design criteria conducive to enhancing alternate modes of transportation, including transit, walking, and bicycling. Transportation Demand Management (TDM) programs are viewed as a mechanism to implement specific measures. TDM responsibilities may include offering incentives to potential users of alternative modes of transportation and monitoring and reporting mode split changes.

The comprehensive approach makes it more difficult to assess reductions attributable to each measure. Nevertheless, there is a strong interrelationship between many of the measures, which justifies a combined approach. Consider the relationship between bike parking nonresidential, bike parking residential, endtrip facilities, and proximity to bike path/bike lane measures. In reality, these measures combined act as incentives for one individual to bike to work, while implementation of a single measure without the others reduces effectiveness.

The global nature of GHG emissions is an important feature that enables unique mitigation: abatement. When designing a project subject to CEQA, the preferred practice is first to avoid, then to minimize, and finally to compensate for impacts. Where the impact cannot be mitigated on-site, off-site mitigation is often and effectively implemented in several resource areas, either in the form of offsetting the same impact or preserving the resource elsewhere in the region. Frequently, mitigation fee programs or funds are established, where the proponent pays into the program and fees collected

throughout the region or state are used to implement projects that, in turn, proportionately offset the impacts of the projects to the given resource. It may be more cost-effective to reduce as much GHG on-site as feasible (economically and technologically). Then the proponent would pay into a "GHG retrofit fund" to reduce equivalent GHG emissions off-site. In contrast to regional air pollutant offset programs such as the Carl Moyer Program, it matters greatly where reductions of ozone precursors occur, as ozone affects regional air quality. The GHG retrofit fund could be used to provide incentives to upgrade older buildings and make them more energy efficient. This would reduce demand on the energy sector and reduce stationary source emissions associated with utilities. This program has been successfully implemented in the United Kingdom where developments advertise "carbon neutrality." Of course, some GHG emissions occur associated with operation of the development, but the development would offset the remainder of emissions through off-site retrofit. Avoiding emissions that would otherwise continue to occur at existing development would be a unique opportunity for mitigation of GHG emissions. Reduction of GHG emissions also may have important side benefits including reduction of other forms of pollution.

Depending on the significance threshold concept adopted, projects subject to the CEQA process would either qualitatively or quantitatively identify the amount of GHG emissions associated with their project using the analytical methodologies identified in the previous chapter. The analysis would then apply the appropriate number of mitigation measures listed in Appendix B to their project to reduce their GHG emissions below the significance level. Calculating the amount of GHG emission reductions attributable to a given mitigation measure would require additional research. The examples below illustrate how a project would be mitigated using this approach.

Residential Project Example

Project Attributes:

- 68 detached dwelling units
- 15.9 acres
- Located in unincorporated Placer County PCAPCD jurisdiction)
- Assume URBEMIS defaults for a rural project in Placer County, in absence of a traffic study (This is contrary to the recommendations contained under Task 1; a traffic study is necessary to asses project-specific GHG emissions).
- Analysis year 2009

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Table 11: Residential Project Example GHG Emissions Estimates with Mitigation

URBEMIS Output (Unmitigated)	Metric Tons/Year CO_2e	URBEMIS Output (Mitigated)	Metric Tons/Year CO_2e	Percent Reduction
Area-source emissions	252	Area-source emissions	215	14.6
Mobile-source emissions	1,047	Mobile-source emissions	916	12.5
Total direct operational emissions (area + mobile)	1,299	Total operational emissions (area + mobile)	1,131	12.9

Notes:
CO_2e = carbon dioxide equivalent

Sources: Data compiled by EDAW in 2007

Using URBEMIS 2007 and assuming the project would implement the mitigation measures listed below, yearly project-generated emissions of CO_2e would be reduced by approximately 13 percent. Implementation of the following mitigation measures is assumed:

- 100 housing units within one-half-mile radius of project's center, including this project's 68 residential units;
- provision of 80 jobs in the study area;
- retail uses present with one-half-mile radius of project's center;
- 10 intersections per square mile;
- 100% of streets with sidewalks on one side;
- 50% of streets with sidewalks on both sides;
- 30% of collectors and arterials with bike lanes, or where suitable, direct parallel routes exist;
- 15% of housing units deed restricted below market rate;
- 20% energy efficiency increase beyond Title 24; and
- 100% of landscape maintenance equipment electrically powered and electrical outlets in front and rear of units.

Example Project Methodology and Mitigation

Table 12 –Residential Projects Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	URBEMIS (EMFAC emission factors)	MM T-3→MM T-8, MM T-10→ MM T-14, MM T-16, MM T-19→ MM T-21 MM D-2→MM D-8, MM D-10→ MM D-15, MM D-17 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	URBEMIS	MM D-13→MM D-15, MM D-17 MM E-1→MM E-8, MM E-10, MM E-12→MM E-23 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	CCAR GRP & CEC	

Table 13 –Commercial Projects Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	URBEMIS (EMFAC emission factors)	MM T-1→MM T-2, MM T-4→ MM T-15, MM T-17→MM T-21 MM D-1→MM D-3, MM D-5→ MM D-6, MM D-10, MM D-12, MM D-14→MM D-17 MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	URBEMIS	MM D-14→MM D-17 MM E-1, MM E-4→MM E-13, MM E-16→MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	CCAR GRP & CEC	

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Table 14 –Specific Plans Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MM T-1→MM T-21 MM D-1→MM D-12, MM D-18→ MM D-19 MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MM D-13→MM D-19 MM E-1→MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	Short-term: CCAR GRP & CEC. Long-term: I-PLACE^{3}S/CTG SCM	

General Plans

- Include a general plan policy to reduce emissions within planning area to a level consistent with legislative requirements.
- Implementation strategies include preparation of a GHG reduction plan.
- Projects consistent with a general plan could be responsible for complying with such a policy.

Table 15 –General Plans Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors).	MS G-1 MM G-15
Mobile Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MS G-1 MS G-2→MS C-7, MS G-9, MS G-12, MS-13→MS-14, MS-16→MS-23
Area Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MS G-1 MS G-8→MS C-11, MS G-134, MS G-12, MS-15, MS-17, MS-22
Indirect Emissions		
Energy Consumption	Short-term: CCAR GRP & CEC. Long-term: I-PLACE^{3}S/CTG SCM	

Other Project Types

Air District Rules and Regulations

Air district rules and regulations could have the potential to increase or decrease GHG emissions within the respective jurisdiction. In general, air district rules and regulations act to decrease criteria air pollutant or toxic air contaminant emissions, which would usually act to reduce GHG emissions simultaneously. However, this may not always be the case and air district rules and regulations could address emissions from a large variety of different source types. Reductions of GHG emissions associated with implementation of applicable mitigation, which could also vary greatly, would need to be evaluated on a case-by-case basis. However, once applicable mitigation measures are identified, percent reductions based on the best available research to date, such as those specified in Table 15, could be applied to determine mitigated emissions.

Air Quality Plans

Similarly to air district rules and regulations, air quality plans could have the potential to increase or decrease GHG emissions because of criteria air pollutant reduction strategies. In general, strategies implemented by air districts to reduce criteria air pollutants also act to reduce GHG emissions. However, this may not always be the case. Reductions of GHG emissions associated with implementation of applicable mitigation would need to be evaluated on a case-by-case basis. The methodology identified above for determining whether the strategies contained within the GHG reduction plan would adhere to the level specified in general plan policy could also be used to determine the reductions associated with CAP strategies.

Regional Transportation Plans

Regional transportation plans and reductions of GHG emissions associated with implementation of applicable mitigation would also need to be evaluated on a case-by-case basis to determine if a net increase or decrease in GHG emissions would occur. Complex interactions between the roadway network, operating conditions, alternative transportation availability (such as public transit, bicycle pathways, and pedestrian infrastructure), and many other independent parameters specific to a region should be considered. EMFAC 2007 can be used with VMT from the RTP to create an inventory of GHG emissions. Reductions associated with implementation of applicable measures contained in Table 16 could be accomplished by accounting for VMT reductions in the traffic model.

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Many states, counties, and cities have developed policies and regulations concerning greenhouse gas emissions that seek to require or promote reductions in GHG emissions through standards for vehicle emissions, fuels, electricity production/renewables, building efficiency, and other means. However, we could only identify three public agencies in the United States that are considering formally requiring the analysis of greenhouse gas emissions and climate change for development projects during their associated environmental processes. There may be others, but they were not identified during research conducted during preparation of this paper.

The following is a summary of those three efforts.

Commonwealth of Massachusetts - MEPA Greenhouse Gas Emissions Policy and Protocol

The Massachusetts Executive Office of Energy and Environmental Affairs (EEA) has determined that the phrase "damage to the environment" as used in the Massachusetts Environmental Policy Act (MEPA) includes the emission of greenhouse gases caused by projects subjects to MEPA Review. EEA has published a Greenhouse Gas Emissions Policy (GGEP) to fulfill the statutory obligation to take all feasible measurers to avoid, minimize or mitigate damage to the environment.

The GGEP concerns the following projects only:

- The Commonwealth or a state agency is the proponent;
- The Commonwealth or a state agency is providing financial assistance;
- The project is privately funded, but requires an Air Quality Permit from the department of Environmental Protection;
- The project is privately funded, but will generate:
    - 3,000 or more new vehicle trips per day for office projects;
    - 6,000 or more new vehicle trips per day for mixed use projects that are 25% or more office space; or
    - 10,000 or more new vehicle trips per day for other projects.

As a comparison, the trip generation amounts correspond as follows:

- 3,000 vehicle trips per day = approximately 250,000 square foot office development;
- 6,000 or more new vehicle trips per day for mixed use projects that are 25% or more office space = if 25% office space, then equivalent to approximately 130,000 square feet of office and either 100,000 square feet of retail or 450 single-family residential units or some combination thereof.
- 10,000 or more new vehicle trips per day = approximately 1,000 single family residential units or 250,000 square feet retail.

The draft policy states it is not intended to create a numerical GHG emission limit or a numerical GHG emissions reduction target, but rather to ensure that project proponents and reviewers have considered the GHG emissions impacts of their projects and taken all feasible means and measure to reduce those impacts.

The draft policy notes that some projects within these categories will have little or no greenhouse gas emission and the policy will not apply to such projects. EEA intends to identify in the scoping certificate whether a project falls within this *de minimis* exception.

The GGEP requires qualifying projects to do the following:

- to quantify their GHG emissions;
- identify measures to minimize or mitigate such emissions;
- quantify the reduction in emissions and energy savings from mitigation.

Emissions inventories are intended to focus on carbon dioxide, but analysis of other GHGs may be required for certain projects. EEA will require analysis of direct GGH emissions and indirect (electricity and transportation) emissions. The GGEP references the protocols prepared by the World Resource Institute as guidance for inventory preparation.

The policy is still in draft form, but the comment period closed on August 10, 2007.

King County, Washington - Executive Order on the Evaluation of Climate Change Impacts through the State Environmental Policy Act (SEPA)

On June 27, 2007, the King County Executive Ron Sims directed all King County Departments, as follows:

> *"...effective September 1, 2007 to require that climate impacts, including, but not limited to those pertaining to greenhouse gases, be appropriately identified and evaluated when such Departments are acting as the lead agency in reviewing the environmental impacts of private or public proposals pursuant to the State Environmental Policy Act".*

The Executive Order does not define what a "climate impact" is. Based on statements of the County Deputy Chief of Staff[*]

- County agencies will ask project proponents to supply information on transportation, energy usage and other impacts of proposed projects using the County's existing SEPA checklist.

[*] Marten Law Group: Environmental News, August 1, 2007, "King County (WA) First in Nation to Require Climate Change Impacts to be Considered During Environmental Review of New Projects".

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- There is no current plan to require project proponents to take action to mitigate the impacts identifies.
- Development of emissions thresholds and mitigation requirements will be undertaken in connection with the County's upcoming 2008 update of its Comprehensive Plan.

Sacramento Metropolitan Air Quality Management District

The Sacramento Metropolitan Air Quality Management District released an interim guidance on addressing climate change in CEQA documents on September 6, 2007. While very general in nature, the District recommends that CEQA environmental documents include a discussion of anticipated GHG emissions during both the construction and operation phases of the project. This includes assessing the GHG emissions from projects (using readily available models) to determine whether a project may have a significant impact. If so, then the District recommends addressing all of the District's GHG mitigation measures (drawn from comments made by the California Attorney General) – with explanations on how the mitigation will be implemented or providing rationale for why a measure would be considered infeasible. The District provides assistance to agencies in their analysis of GHG emissions and the applicability of specific mitigation measures. The District's guidance can be found at: http://64.143.64.21/climatechange/ClimateChangeCEQAguidance.pdf

Mendocino Air Quality Management District – CEQA Guidelines

The Mendocino AQMD updated its "Guidelines for Use During Preparation of Air Quality Impacts in EIRs or Mitigated Negative Declarations" in May 2007. The guidelines call for preparing estimates of the increased emissions of air contaminations (including GHG) for projects.

The guidelines state that GHG emissions should be presumed to have a significant impact if CO emissions from District-approved modeling exceed either of the following:

- 80% of the level defined as significant for stationary sources in Regulation1, Rule 130 (s2) of the District (which is 550 lbs/day for CO, meaning a threshold of 440 lbs/day for CO for stationary sources); or
- levels established in District Regulation 1 Rule 130 (i2) for indirect sources (which is 690 lbs/day for CO for indirect sources).

If an average passenger vehicle emits 22 grams of CO/mile and 0.8 lb/mile of CO_2, then the 690-lb/day threshold for CO corresponds to approximately 11,400 lb/day CO_2 threshold for passenger vehicle-related emissions. If one assumes that the average passenger vehicle goes 12,500 miles/year (about 35 miles/day), then this is a threshold equivalent to about 420 vehicles. Using an average in California of about 1.77 vehicles/household, this would correspond to about 250 households/dwelling units.

Appendix A

Relevant Citations

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Citations from the Public Resources Code (Division 13, §21000 et seq.) as amended through January 1, 2005.

Public Resources Code – Section 21004, MITIGATING OR AVOIDING A SIGNIFICANT EFFECT; POWERS OF PUBLIC AGENCY:
"In mitigating or avoiding a significant effect of a project on the environment, a public agency may exercise only those express or implied powers provided by law other than this division. However, a public agency may use discretionary powers provided by such other law for the purpose of mitigating or avoiding a significant effect on the environment subject to the express or implied constraints or limitations that may be provided by law."

Public Resources Code – Section 21082.2, SIGNIFICANT EFFECT ON ENVIRONMENT; DETERMINATION; ENVIRONMENTAL IMPACT REPORT PREPARATION:
(a) The lead agency shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record.
(b) The existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment.
(c) Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.
(d) If there is substantial evidence, in light of the whole record before the lead agency, that a project may have a significant effect on the environment, an environmental impact report shall be prepared.
(e) Statements in an environmental impact report and comments with respect to an environmental impact report shall not be deemed determinative of whether the project may have a significant effect on the environment.

Citations from the Guidelines for California Environmental Quality Act, CCR, Title 14, Division 6 (§15000 et seq.) as amended through July 27, 2007.

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO= Carbon Monoxide; CO_2=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EVs/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m^2=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO_X=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SJVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=Sacramento Metropolitan Air Quality Management District; SMUD=Sacramento Municipal Utilities District; SO_x=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTPI=Victoria Transit Policy.

State CEQA Guidelines – Section 15064, DETERMINING THE SIGNIFICANCE OF THE ENVIRONMENTAL EFFECTS CAUSED BY A PROJECT:

(a) Determining whether a project may have a significant effect plays a critical role in the CEQA process.

(1) If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, the agency shall prepare a draft EIR.

(2) When a final EIR identifies one or more significant effects, the Lead Agency and each Responsible Agency shall make a finding under Section 15091 for each significant effect and may need to make a statement of overriding considerations under Section 15093 for the project.

(b) The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.

(c) In determining whether an effect will be adverse or beneficial, the Lead Agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency. Before requiring the preparation of an EIR, the Lead Agency must still determine whether environmental change itself might be substantial.

(d) In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.

(1) A direct physical change in the environment is a physical change in the environment which is caused by and immediately related to the project. Examples of direct physical changes in the environment are the dust, noise, and traffic of heavy equipment that would result from construction of a sewage treatment plant and possible odors from operation of the plant.

(2) An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. If a direct physical change in the environment in turn causes another change in the environment, then the other change is an indirect physical change in the environment. For example, the construction of a new sewage treatment plant may facilitate population growth in the service area due to the increase in sewage treatment capacity and may lead to an increase in air pollution.

(3) An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.

(e) Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a

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project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. For example, if a project would cause overcrowding of a public facility and the overcrowding causes an adverse effect on people, the overcrowding would be regarded as a significant effect.
(f) The decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency.
(1) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment, the lead agency shall prepare an EIR (Friends of B Street v. City of Hayward (1980) 106 Cal.App.3d 988). Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect (No Oil, Inc. v. City of Los Angeles (1974) 13 Cal.3d 68).
(2) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment then a mitigated negative declaration shall be prepared.
(3) If the lead agency determines there is no substantial evidence that the project may have a significant effect on the environment, the lead agency shall prepare a negative declaration (Friends of B Street v. City of Hayward (1980) 106 Cal.App. 3d 988).
(4) The existence of public controversy over the environmental effects of a project will not require preparation of an EIR if there is no substantial evidence before the agency that the project may have a significant effect on the environment.
(5) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion support by facts.
(6) Evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.
(7) The provisions of sections 15162, 15163, and 15164 apply when the project being analyzed is a change to, or further approval for, a project for which an EIR or negative declaration was previously certified or adopted (e.g. a tentative subdivision, conditional use permit). Under case law, the fair argument standard does not apply to determinations of significance pursuant to sections 15162, 15163, and 15164.
(g) After application of the principles set forth above in Section 15064(f)(g), and in marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts

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over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.
(h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
(2) A lead agency may determine in an initial study that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. When a project might contribute to a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures set forth in a mitigated negative declaration, the initial study shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable.
(3) A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project.
(4) The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

State CEQA Guidelines – Section 15130, DISCUSSION OF CUMULATIVE IMPACTS:
(a)(3). "An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.

State CEQA Guidelines – Section 15064.7, THRESHOLDS OF SIGNIFICANCE:
"Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level

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of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant."

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Appendix B

Mitigation Measure Summary

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Transportation								
Bicycle/Pedestrian/Transit Measures								
MM T-1: Bike Parking	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	1%-5%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates combined reductions among individual measures (e.g., 2.5% reduction for all bicycle-related measures and one-quarter of 2.5% for each individual measure) (TIAX 2005, EDAW 2006, SMAQMD 2007). VTPI presents % reductions for showers and combined measures in the TDM encyclopedia (VTPI	Yes: Lockers ($1,200-$2,950, $700/bike on average), Racks ($70-$2,000, $70/bike on average).	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	Caltrans, Portland Bicycle Master Plan (City of Portland 1998), CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Nonresidential projects provide plentiful short- and long-term bicycle parking facilities to meet peak season maximum demand (e.g., one bike rack space per 20 vehicle/employee parking spaces.
MM T-2: End of Trip Facilities	LD (C, M), I, SP, TP, AQP, RR, P/Mobile		Yes	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Nonresidential projects provide "end-of-trip" facilities including showers, lockers, and changing space (e.g., four clothes lockers and one shower provided for every 80 employee parking spaces, separate facilities for each gender for projects with 160 or more employee parking spaces).
MM T-3: Bike-Parking at Multi-	LD (R, M), SP, AQP, RR,		Yes: Lockers ($1,200-	Yes (Caltrans 2005,	Yes (Caltrans	Adverse: No Beneficial:		Long-term bicycle parking is provided at apartment

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Unit Residential	P/Mobile	2007). JSA bases estimates on CCAP information (JSA 2004).	$2,950, $700/bike on average), Racks ($70-$2,000, $70/bike on average).	Dierkers et al. 2007, VTPI 2007)	2005, Dierkers et al. 2007, VTPI 2007)	CAPs, TACs		complexes or condominiums without garages (e.g., one long-term bicycle parking space for each unit without a garage). Long-term facilities shall consist of one of the following: a bicycle locker, a locked room with standard racks and access limited to bicyclists only, or a standard rack in a location that is staffed and/or monitored by video surveillance 24 hours per day.
IM T-4: roximity to Bike Path/Bike Lanes	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile		Yes	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Entire project is located within one-half mile of an existing/planned Class I or Class II bike lane and project design includes a comparable network that connects the project uses to the existing offsite facility. Project design includes a designated bicycle route connecting all units, on-site bicycle parking facilities, offsite bicycle facilities, site entrances, and primary building entrances to existing Class I or Class II bike lane(s) within one-half mile. Bicycle route connects to all streets contiguous with project site. Bicycle route has minimum conflicts with automobile parking and circulation

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								facilities. All streets internal to the project wider than 75 feet have Class II bicycle lanes on both sides.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-5: Pedestrian Network	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-10%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates 1% for each individual measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	The project provides a pedestrian access network that internally links all uses and connects to all existing/planned external streets and pedestrian facilities contiguous with the project site. Project design includes a designated pedestrian route interconnecting all internal uses, site entrances, primary building entrances, public facilities, and adjacent uses to existing external pedestrian facilities and streets. Route has minimal conflict with parking and automobile circulation facilities. Streets (with the exception of alleys) within the project have sidewalks on both sides. All sidewalks internal and adjacent to project site are minimum of five feet wide. All sidewalks feature vertical curbs. Pedestrian facilities and improvements such as grade separation, wider sidewalks, and traffic calming are implemented wherever feasible to minimize pedestrian barriers. All site entrances provide pedestrian access.
MM T-6: Pedestrian	LD (R, C, M), I, SP, TP,		Yes	Yes (Dierkers et al. 2007,	Yes (Dierkers et	Adverse: No Beneficial:		Site design and building placement minimize barriers to

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Barriers Minimized	AQP, RR, P/Mobile			VTPI 2007)	al. 2007, VTPI 2007)	CAPs, TACs		pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation are eliminated.
MM T-7: Bus Shelter for Existing/Planned Transit Service	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-2%/High: CCAP presents these % reductions (Dierkers et al., 2007). SMAQMD assigns from .25%-1%, depending on headway frequency (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes: $15,000-$70,000.	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, City of Calgary (City of Calgary 2004), CA air quality management and control districts, and cities/counties.	Bus or streetcar service provides headways of one hour or less for stops within one-quarter mile; project provides safe and convenient bicycle/pedestrian access to transit stop(s) and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-8: Traffic Calming	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-10%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates .25%-1.0% for each individual measure depending on percent of intersections and streets with improvements (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Project design includes pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways are designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming features. All sidewalks internal and adjacent to project site are minimum of five feet wide. All sidewalks feature vertical curbs. Roadways that converge internally within the project are routed in such a way as to avoid "skewed intersections;" which are intersections that meet at acute, rather than right, angles. Intersections internal and adjacent to the project feature one or more of the following pedestrian safety/traffic calming design techniques: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, and roundabouts or mini-circles. Streets internal and adjacent to the project feature pedestrian safety/traffic calming measures such as on-street parking, planter strips with street trees,

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								and chicanes/chokers (variations in road width to discourage high-speed travel).
Parking Measures								
MM T-9: Paid Parking (Parking Cash Out)	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a range of 1.0%-7.2%, depending on cost/day and distance to transit (TIAX 2005, EDAW 2006, SMAQMD 2007). Shoupe presents a 21% reduction [$5/day for commuters to downtown LA, with elasticity of -0.18 (e.g., if price increases 10%, then solo driving goes down by 1.8% more)] (Shoupe 2005). Urban Transit Institute	Yes: Vary by location and project size.	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Project provides employee and/or customer paid parking system. Project must have a permanent and enforceable method of maintaining user fees for all parking facilities. The facility may not provide customer or employee validations. Daily charge for parking must be equal to or greater than the cost of a transit day/monthly pass plus 20%.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		presents a range of 1%-10% reduction in trips to central city sites, and 2%-4% in suburban sites (VTPI 2007).						
MM T-10: Minimum Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a maximum of 6% (Nelson/Nygaard Consulting Associates, 2005, TIAX 2005, EDAW 2006).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007), Note that in certain areas of the state, the minimum parking required by code is greater than the peak period parking demand for most land uses. Simply meeting minimum code requirements in these areas would not result in an emissions reduction.	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, Governor's Office of Smart Growth (Annapolis, Maryland) (Zimbler), CA air quality management and control districts, and cities/counties.	Provide minimum amount of parking required. Once land uses are determined, the trip reduction factor associated with this measure can be determined by utilizing the ITE parking generation publication. The reduction in trips can be computed as shown below by the ratio of the difference of minimum parking required by code and ITE peak parking demand to ITE peak parking demand for the land uses multiplied by 50%. Percent Trip Reduction = 50 * [(min parking required by code – ITE peak parking demand)/ (ITE peak parking demand)]

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-11: Parking Reduction Beyond Code/Shared Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a maximum of 12% (Nelson/Nygaard, 2005, TIAX 2005, EDAW 2006).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Provide parking reduction less than code. This measure can be readily implemented through a shared parking strategy, wherein parking is utilized jointly among different land uses, buildings, and facilities in an area that experience peak parking needs at different times of day and day of the week.
MM T-12: Pedestrian Pathway through Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-4%/Moderate: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates 0.5% reduction for this measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-13: Off - Street Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-4%/Moderate: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates a range of 0.1%-1.5% for this measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Parking facilities are not adjacent to street frontage.
MM T-14: Parking Area Tree Cover	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	Annual net CO_2 reduction of 3.1 kg/m^2 canopy cover/Moderate (McPherson 2001).	Yes: $19 per new tree for CA, cost varies for maintenance, removal and replacement (McPherson 2001).	Yes	Yes	Adverse: VOCs Beneficial: CAPs, TACs	AG, State of CA Department of Justice (Goldberg 2007) and cities/counties (e.g., parking lot ordinances in Sacramento, Davis, and Los Angeles, CA).	Provide parking lot areas with 50% tree cover within 10 years of construction, in particular low emitting, low maintenance, native drought resistant trees. Reduces urban heat island effect and requirement for air conditioning, effective when combined with other measures (e.g., electrical maintenance equipment and reflective paving material).
MM T-15: Valet Bicycle Parking	LD (C, M), SP, AQP, TP, RR, P/Mobile	NA/Low	Yes	Yes	Yes: Raley Field (Sacramento, CA)	Adverse: No Beneficial: CAPs, TACs	Raley Field (Sacramento, CA).	Provide spaces for the operation of valet bicycle parking at community event "centers" such as amphitheaters, theaters, and stadiums.
MM T-16: Garage Bicycle Storage	LD (R, M), SP, AQP, TP, RR, P/Mobile	NA/Low	Yes: Less than $200/multiple bike rack.	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	City of Fairview, OR	Provide storage space in one-car garages for bicycles and bicycle trailers.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-17: Preferential Parking for EVs/CNG Vehicles	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	USGBC, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Provide preferential parking space locations for EVs/CNG vehicles.
MM T-18: Reduced/No Parking Fee for EVs/CNG Vehicles	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Hotels (e.g., Argonaut in San Francisco, CA)	Provide a reduced/no parking fee for EVs/CNG vehicles.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Miscellaneous Measure								
MM T-19: TMA Membership	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-28%/High: CCAP presents a range of 3%-25% for TDMs with complementary transit and land use measures (Dierkers et al. 2007). VTPI presents a range of 6%-7% in the TDM encyclopedia (VTPI 2007). URBEMIS offers a 2%-10% range in reductions for a TDM that has 5 elements that are pedestrian and transit friendly and 1%-5% for 3 elements. SMAQMD presents a reduction of 5% (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Include permanent TMA membership and funding requirement. Funding to be provided by Community Facilities District or County Service Area or other nonrevocable funding mechanism. TDMs have been shown to reduce employee vehicle trips up to 28% with the largest reductions achieved through parking pricing and transit passes. The impact depends on the travel alternatives.
MM T-20: ULEV	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes: Higher than corresponding gasoline models.	Yes	Yes: Fueling stations might not be readily available depending on location. More than 900 E85 fueling	Adverse: No Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Use of and/or provide ULEV that are 50% cleaner than average new model cars (e.g., natural gas, ethanol, electric).

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					stations in the U.S., 5 in CA. Vehicles available in select regions only			
MM T-21: Flex Fuel Vehicles	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	5466.97 lb GHG/year/Low (DOE Fuel Economy)	Yes: E85 costs less than gasoline per gallon, but results in lower fuel economy.	Yes	Yes: More than 900 E85 fueling stations in the U.S., 5 in CA. Vehicles available in select regions only	Adverse: Yes Issues with the energy intensive ethanol production process (e.g., wastewater treatment requirements). Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., SJVAPCD).	Use of and/or provide vehicles that utilize gasoline/ethanol blends (e.g., E85).
Design								
Commercial & Residential Building Design Measures								
MM D-1: Office/Mixed Use Density	LD (C, M), SP, TP, AQP, RR, P/Mobile	0.05%-2%/Moderate: This range is from SMAQMD, depending	Yes	Yes (VTPI 2007)	Yes (VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties	Project provides high density office or mixed-use proximate to transit. Project must provide

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		on FAR and headway frequencies (Nelson/Nygaard Consulting Associates 2005, EDAW 2006, SMAQMD 2007).					(e.g., SMAQMD).	safe and convenient pedestrian and bicycle access to all transit stops within one-quarter mile.
MM D-2: Orientation to Existing/Planned Transit, Bikeway, or Pedestrian Corridor	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	0.4%-1%/Moderate: CCAP attributes a 0.5% reduction per 1% improvement in transit frequency (Dierkers et al. 2007). SMAQMD presents a range of 0.25%-5% (JSA 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007)	Yes (Dierkers et al. 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project is oriented towards existing transit, bicycle, or pedestrian corridor. Setback distance between project and existing or planned adjacent uses is minimized or nonexistent. Setback distance between different buildings on project site is minimized. Setbacks between project buildings and planned or existing sidewalks are minimized. Buildings are oriented towards existing or planned street frontage. Primary entrances to buildings are located along planned or existing public street frontage. Project provides bicycle access to any planned bicycle corridor(s). Project provides pedestrian access to any planned pedestrian corridor(s).
MM D-3: Services Operational	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	0.5%-5%/Moderate	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides on-site shops and services for employees.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-4: Residential Density (Employ Sufficient Density for New Residential Development to Support the Use of Public Transit)	LD (R, M), SP, TP, AQP, RR, P/Mobile	1%-40%/High: #7, EPA presents a range of 32%-40% (EPA 2006). SMAQMD presents a range of 1%-12% depending on density and headway frequencies (Nelson/Nygaard Consulting Associates 2005, JSA 2005, EDAW 2006, SMAQMD 2007). Nelson/Nygaard presents a trip reduction formula: Trip Reduction = 0.6*(1-(19749*((4.814+ households per residential acre)/(4.814+7.14))^-06.39)/25914).	Yes	Yes (VTPI 2007, Holtzclaw 2007)	Yes (VTPI 2007, Holtzclaw 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides high-density residential development. Transit facilities must be within one-quarter mile of project border. Project provides safe and convenient bicycle/pedestrian access to all transit stop(s) within one-quarter mile of project border.
MM D-5: Street Grid	LD (R, C, M), I, SP, TP, AQP, RR,	1%/Moderate: SMAQMD presents this % reduction (JSA	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007,	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties	Multiple and direct street routing (grid style). This measure only applies to projects

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	P/Mobile	2005, EDAW 2006, SMAQMD 2007).			VTPI 2007)		(e.g., SMAQMD).	with an internal CF >/= 0.80, and average of one-quarter mile or less between external connections along perimeter of project. [CF= # of intersections / (# of cul-de-sacs + intersections)]. Cul-de-sacs with bicycle/pedestrian through access may be considered "complete intersections" when calculating the project's internal connectivity factor. External connections are bike/pedestrian pathways and access points, or streets with safe and convenient bicycle and pedestrian access that connect the project to adjacent streets, sidewalks, and uses. If project site is adjacent to undeveloped land; streets, pathways, access points, and right-of-ways that provide for future access to adjacent uses may count for up to 50% of the external connections. Block perimeter (the sum of the measurement of the length of all block sides) is limited to no more than 1,350 feet. Streets internal to the project should connect to streets external to the project whenever possible.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-6: NEV Access	LD (R, C, M), SP, TP, AQP, RR, P/Mobile	0.5%-1.5%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (Litman 1999, Sperling 1994)	Yes (Litman 1999, Sperling 1994)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Make physical development consistent with requirements for neighborhood electric vehicles. Current studies show that for most trips, NEVs do not replace gas-fueled vehicles as the primary vehicle.
MM D-7: Affordable Housing Component	LD (R, M), SP, TP, AQP, RR, P/Mobile	0.4%-6%/Moderate: SMAQMD presents this % reduction (Nelson/Nygaard Consulting Associates 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Residential development projects of five or more dwelling units provide a deed-restricted low-income housing component on-site (or as defined in the code). Developers who pay into In-Lieu Fee Programs are not considered eligible to receive credit for this measure. The award of emission reduction credit shall be based only on the proportion of affordable housing developed on-site because in-lieu programs simply induce a net increase in development. Percentage reduction shall be calculated according to the following formula:

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								% reduction = % units deed-restricted below market rate housing * 0.04
MM D-8: Recharging Area	LD (R, M), SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Provide residential buildings with a "utility" room or space for recharging batteries, whether for use in a car, electric lawnmower, other electric landscaping equipment, or even batteries for small items such as flashlights.
Mixed-Use Development Measures								
MM D-9: Urban Mixed-Use	LD (M), SP, TP, AQP, RR, P/Mobile	3%-9%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Development of projects predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with functional interrelationships and a coherent physical design.
MM D-10: Suburban Mixed-Use	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	3%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Have at least three of the following on site and/or offsite within one-quarter mile: Residential Development, Retail Development, Park, Open Space, or Office.
MM D-11: Other Mixed-Use	LD (R, M), SP, TP, AQP, RR, P/Mobile	1%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	All residential units are within one-quarter mile of parks, schools or other civic uses.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		2006, SMAQMD 2007).						
MM D-12: Infill Development	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	3%-30%/High: Infill development reduces vehicle trips and VMT by 3% and 20%, respectively (Fehr & Peers 2007). CCAP identifies a site level VMT reduction range of 20%-30% (Dierkers et al. 2007).	Yes	Yes (Dierkers et al. 2007)	Yes (Dierkers et al. 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project site is on a vacant infill site, redevelopment area, or brownfield or greyfield lot that is highly accessible to regional destinations, where the destinations rating of the development site (measured as the weighted average travel time to all other regional destinations) is improved by 100% when compared to an alternate greenfield site.
Miscellaneous Measures								
MM D-13: Electric Lawnmower	LD (R, M), SP, AQP, RR, P/Area	1%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Provide a complimentary electric lawnmower to each residential buyer.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-14: Enhanced Recycling/Waste Reduction, Reuse, Composting	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Low	Yes	Yes	Yes: Association with social awareness.	Adverse: No Beneficial: CAPs, TACs	CIWMB	Provide infrastructure/education that promotes the avoidance of products with excessive packaging, recycle, buying of refills, separating of food and yard waste for composting, and using rechargeable batteries.
MM D-15: LEED Certification	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Moderate	Yes: Receive tax rebates, incentives (e.g., EDAW San Diego office interior remodel cost $1,700,000 for 32,500 square feet) (USGBC 2007)	Yes	Yes: More than 700 buildings of different certifications in CA (USGBC 2007).	Adverse: No Beneficial: CAPs, TACs	USGBC, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.
MM D-16: Retro-Commissioning	LD (C, M), I, SP, AQP, RR, P/Stationary & Area	8%-10% reduction in energy usage/Moderate: (Mills et al. 2004)	Yes: Average $0.28/square feet, varies with building size (Haasl and Sharp 1999).	Yes	Yes: 27 projects underway in CA, 21 more to be completed in 2007, mostly state buildings owned by DGS (DGS 2007).	Adverse: No Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	The process ensures that all building systems perform interactively according to the contract documents, the design intent and the owner's operational needs to optimize energy performance.
MM D-17 Landscaping	LD (R, C, M), I, SP, AQP, RR,	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Alliance for the Chesapeake Bay, EPA Green Landscaping	Project shall use drought resistant native trees, trees with low emissions and high carbon

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	P/Stationary & Area						Resources	sequestration potential. Evergreen trees on the north and west sides afford the best protection from the setting summer sun and cold winter winds. Additional considerations include the use of deciduous trees on the south side of the house that will admit summer sun; evergreen plantings on the north side will slow cold winter winds; constructing a natural planted channel to funnel summer cooling breezes into the house. Neighborhood CCR's not requiring that front and side yards of single family homes be planted with turf grass. Vegetable gardens, bunch grass, and low-water landscaping shall also be permitted, or even encouraged.
MM D-18: Local Farmers' Market	LD (M), SP/Mobile, Stationary, &	NA/Low	Yes	Yes	Yes: Associated with social	Adverse: No Beneficial: CAPs, TACs	Cities/counties (e.g., Davis, Sacramento)	Project shall dedicate space in a centralized, accessible location for a weekly farmers' market.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	Area				choice and public awareness.			
MM D-19: Community Gardens	LD (M), SP/Mobile, Stationary, & Area	NA/Low	Yes	Yes	Yes: Associated with social choice and public awareness.	Adverse: No Beneficial: CAPs, TACs	Cities/counties (e.g., Davis)	Project shall dedicate space for community gardens.
Energy Efficiency/Building Component								
MM E-1: High-Efficiency Pumps	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Project shall use high-efficiency pumps.
MM E-2: Wood Burning Fireplaces/Stoves	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low: EDAW 2006	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project does not feature fireplaces or wood burning stoves.
MM E-3: Natural Gas Stove	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low: EDAW 2006	Yes: Cost of stove—$350 (gas) and $360 (electric) same brand, total yearly cost of $42.17 as opposed to $56.65 for electric (Saving Electricity 2006).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project features only natural gas or electric stoves in residences.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-4: Energy Star Roof	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	0.5%-1%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes: 866 Energy Star labeled buildings in California (Energy Star 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project installs Energy Star labeled roof materials.
MM E-5: On-site Renewable Energy System	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	1%-3%/Moderate: SMAQMD presents this % reduction (USGBC 2002 and 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides onsite renewable energy system(s). Nonpolluting and renewable energy potential includes solar, wind, geothermal, low-impact hydro, biomass and bio-gas strategies. When applying these strategies, projects may take advantage of net metering with the local utility.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-6: Exceed Title 24	LD (R, C, M), I, GSP, AQP, RR, P/Stationary & Area	1%/Moderate: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (PG&E 2002, SMUD 2006)	Yes (PG&E 2002, SMUD 2006)	Adverse: No Beneficial: CAPs, TACs	PG&E, SMUD, CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project exceeds title 24 requirements by 20%.
MM E-7: Solar Orientation	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	0.5%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project orients 75% or more of homes and/or buildings to face either north or south (within 30° of N/S). Building design includes roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows. Trees, other landscaping features and other buildings are sited in such a way as to maximize shade in the summer and maximize solar access to walls and windows in the winter.
MM E-8: Nonroof Surfaces	LD (R, C, M), I, GSP, AQP, RR, P/Stationary & Area	1.0%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's nonroof impervious surfaces, including parking lots, walkways, plazas, etc.; OR place a minimum of 50% of parking spaces underground or covered by structured parking; OR use an open-grid pavement system (less than 50% impervious) for a minimum of

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								50% of the parking lot area. The mitigation measure reduces heat islands (thermal gradient differences between developed and undeveloped areas to minimize impact on microclimate and human and wildlife habitats. This measure requires the use of patented or copyright protected methodologies created by the ASTM. The SRI is a measure of the constructed surface's ability to reflect solar heat, as shown by a small rise in temperature. It is defined so that a standard black (reflectance 0.05, emittance 0.90) is "0" and a standard white (reflectance 0.80, emittance 0.90) is 100. To calculate SRI for a given material, obtain the reflectance value and emittance value for the material. SRI is calculated according to ASTM E 1980-01. Reflectance is measured

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								according to ASTM E 903, ASTM E 1918, or ASTM C 1549. Emittance is measured according to ASTM E 408 or ASTM C 1371. Default values for some materials will be available in the LEED-NC v2.2 Reference Guide.
MM E-9: Low-Energy Cooling	LD (C, M), I, SP, AQP, RR, P/Stationary & Area	1%-10%/Low: EDAW presents this percent reduction range (EDAW 2006).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project optimizes building's thermal distribution by separating ventilation and thermal conditioning systems.
M E-10: reen Roof	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	1.0%/Moderate: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: Increased Water Consumption Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Install a vegetated roof that covers at least 50% of roof area. The reduction assumes that a vegetated roof is installed on a least 50% of the roof area or that a combination high albedo and vegetated roof surface is installed that meets the following standard: (Area of SRI Roof/0.75)+(Area of vegetated roof/0.5) >= Total Roof Area. Water consumption reduction measures shall be considered in the design of the green roof.
MM E-11: EV Charging Facilities	LD (C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: $500-$5000/ vehicle site (PG&E 1999)	Yes	Yes: 381 facilities in CA (Clean Air Maps 2007).	Adverse: No Beneficial: CAPs, TACs	DOE, EERE, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Project installs EV charging facilities.
MM E-12:	LD (R, C, M),	NA/Low: Increasing	Yes: Light	Yes	Yes: Apply	Adverse: No		Project provides light-colored

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Light-Colored Paving	I, SP, AQP, RR, P/Stationary & Area	the albedo of 1,250 km of pavement by 0.25 would save cooling energy worth $15M per year.	colored aggregates and white cement are more expensive than gray cement. Certain blended cements are very light in color and may reflect similarly to white cement at an equivalent cost to normal gray cement.		natural sand or gravel colored single surface treatments to asphalt (EOE 2007).	Beneficial: CAPs, TACs		paving (e.g., increased albedo pavement).
MM E-13: Cool Roofs	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: 0.75–1.5/square feet coating (EPA 2007a)	Yes	Yes: Over 90% of the roofs in the United States are dark colored	Adverse: No Beneficial: CAPs, TACs	CEC	Project provides cool roofs. Highly reflective, highly emissive roofing materials that stay 50-60°F cooler than a normal roof under a hot summer sun. CA's Cool Savings

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					(EPA 2007a).			Program provided rebates to building owners for installing roofing materials with high solar reflectance and thermal emittance. The highest rebate went to roofs on air conditioned buildings, while buildings with rooftop ducts and other nonresidential buildings were eligible for slightly less. The program aimed to reduce peak summer electricity demand and was administered by the CEC.
[M E-14: Solar /ater Heaters	LD (R, M), SP, AQP, RR, P/Stationary & Area	20%–70% reduction in cooling energy needs/Moderate	Yes: $1675/20 square feet, requires a 50 gallon tank, annual operating cost of $176 (DOE 2007).	Yes	Yes: Based on solar orientation, building codes, zoning ordinances.	Adverse: No Beneficial: CAPs, TACs	Europe	Project provides solar water heaters.
MM E-15: Electric Yard Equipment Compatibility	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: $75–$250/outlet from existing circuit (Cost Helper 2007).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Project provides electrical outlets at building exterior areas.
MM E-16: Energy Efficient Appliance Standards	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: Varies for each appliance—higher capital costs, lower operating costs (Energy	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Project uses energy efficient appliances (e.g., Energy Star).

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			Star 2007).					
MM E-17: Green Building Materials	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low: 25-30% more efficient on average.	Yes	Yes: BEES software allows users to balance the environmental and economic performance of building products; developed by NIST (NIST 2007).	Yes	Adverse: No Beneficial: CAPs, TACs		Project uses materials which are resource efficient, recycled, with long life cycles and manufactured in an environmentally friendly way.
MM E-18: Shading Mechanisms	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: Up to $450 annual energy savings (Energy Star 2007).	Yes: Higher capital costs, lower operating and maintenance costs (Energy Star 2007).	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing shading mechanisms for windows, porch, patio and walkway overhangs.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-19: Ceiling/Whole-House Fans	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: 50% more efficient than conventional fans (Energy Star 2007).	Yes: $45-$200/fan, installation extra (Lowe's 2007).	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing ceiling/whole-house fans.
MM E-20: Programmable Thermostats	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: $100 annual savings in energy costs (Energy Star 2007).	Yes: $60/LCD display and 4 settings for typical residential use (Lowe's 2007).	Yes	Yes: Major retail stores.	Adverse: Yes, Mercury Beneficial: CAPs, TACs		Install energy-reducing programmable thermostats that automatically adjust temperature settings.
MM E-21: Passive Heating and Cooling Systems	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low	Yes: $800 (wall heaters) to $4,000+ (central systems)	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing passive heating and cooling systems (e.g., insulation and ventilation).
MM E-22: Day Lighting Systems	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low	Yes: $1,300 to $1,500 depending upon the kind of roof (Barrier 1995), installation extra.	Yes	Yes: Work well only for space near the roof of the building, little benefit in multi-floor buildings.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing day lighting systems (e.g., skylights, light shelves and interior transom windows).
MM E-23: Low-Water Use Appliances	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: Avoided water agency cost for using water-efficient kitchen pre-rinse spray valves of $65.18 per acre-foot.	Yes: Can return their cost through reduction in water consumption,	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Require the installation of low-water use appliances.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			pumping, and treatment.					
MM E-24: Goods Transport by Rail	LD (C, M), I, SP, AQP, RR, P/Mobile	NA/Moderate	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	ARB Goods Movement Plan (ARB 2007)	Provide a spur at nonresidential projects to use nearby rail for goods movement.
Social Awareness/Education								
MM S-1: GHG Emissions Reductions Education	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Mobile	NA/Low	Yes	Yes	Yes: Similar programs currently exist in CA.	Adverse: No Beneficial: CAPs, TACs		Provide local governments, businesses, and residents with guidance/protocols/information on how to reduce GHG emissions (e.g., energy saving, food miles).
MM S-2: School Curriculum	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Mobile	NA/Low	Yes	Yes	Yes: Similar programs currently exist in CA.	Adverse: No Beneficial: CAPs, TACs		Include how to reduce GHG emissions (e.g., energy saving, food miles) in the school curriculum.
Construction								
MM C-1: ARB-Certified Diesel Construction Equipment	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes: Oxidation Catalysts, $1,000-	Yes	Yes	Adverse: Yes, NO_x Beneficial: CAPs, TACs	AG, EPA, ARB, and CA air quality management and pollution control districts.	Use ARB-certified diesel construction equipment. Increases CO_2 emissions when trapped CO and carbon particles

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			$2,000. DPF, $5000-$10,000; installation extra (EPA 2007b).					are oxidized (Catalyst Products 2007, ETC 2007).
MM C-2: Alternative Fuel Construction Equipment	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: Yes, THC, NO_x Beneficial: CO, PM, SO_x	AG, EPA, ARB, and CA air quality management and pollution control districts.	Use alternative fuel types for construction equipment. At the tailpipe biodiesel emits 10% more CO_2 than petroleum diesel. Overall lifecycle emissions of CO_2 from 100% biodiesel are 78% lower than those of petroleum diesel (NREL 1998, EPA 2007b).
MM C-3: Local Building Materials	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes: Depends on location of building material manufacture sites.	Adverse: No Beneficial: CAPs, TACs		Use locally made building materials for construction of the project and associated infrastructure.
MM C-4: Recycle Demolished Construction Material	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Recycle/Reuse demolished construction material. Use locally made building materials for construction of the project and associated infrastructure.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Miscellaneous								
MM M-1: Off-Site Mitigation Fee Program	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile & Area	NA/Moderate-High: Though there is currently no program in place, the potential for real and quantifiable reductions of GHG emissions could be high if a defensible fee program were designed.	Yes	Yes	No: Program does not exist in CA, but similar programs currently exist (e.g., Carl Moyer Program, SJVAPCD Rule 9510, SMAQMD Off-Site Construction Mitigation Fee Program).	Adverse: No Beneficial: CAPs, TACs		Provide/Pay into an off-site mitigation fee program, which focuses primarily on reducing emissions from existing development and buildings through retro-fit (e.g., increased insulation).
MM M-2: Offset Purchase	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Area	NA/Low	Yes	Yes	No: ARB has not adopted official program, but similar programs	No		Provide/purchase offsets for additional emissions by acquiring carbon credits or engaging in other market "cap and trade" systems.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					currently exist.			
Regional Transportation Plan Measures								
MM RTP-1: Dedicate High Occupancy Vehicle (HOV) lanes prior to adding capacity to existing highways.	RTP		Yes	Yes	Yes	Adverse: possible local CO Beneficial: regional CAPs, TACs	Caltrans, local government	Evaluate the trip reduction (and GHG reduction) potential of adding HOV lanes prior to adding standard lanes.
MM RTP-2: Implement toll/user fee programs prior to adding capacity to existing highways.	RTP		Yes	Yes	Yes	Adverse: possible local CO. Beneficial: regional CAPs, TACs	Caltrans	Evaluate price elasticity and associated trip reduction (and GHG reduction) potential with adding or increasing tolls prior to adding capacity to existing highways.

Note:
[1] Where LD (R, C, M) =Land Development (Residential, Commercial, Mixed-Use), I=Industrial, GP=General Plan, SP=Specific Plan, TP=Transportation Plans, AQP=Air Quality Plans, RR=Rules/Regulations, and P=Policy. It is important to note that listed project types may not be directly specific to the mitigation measure (e.g., TP, AQP, RR, and P) as such could apply to a variety of source types, especially RR and P.
[2] This score system entails ratings of high, moderate, and low that refer to the level of the measure to provide a substantive, reasonably certain (e.g., documented emission reductions with proven technologies), and long-term reduction of GHG emissions.
[3] Refers to whether the measure would provide a cost-effective reduction of GHG emissions based on available documentation.
[4] Refers to whether the measure is based on currently, readily available technology based on available documentation.
[5] Refers to whether the measure could be implemented without extraordinary effort based on available documentation.
[6] List is not meant to be all inclusive.
Source: Data complied by EDAW in 2007

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-1: Adopt a GHG reduction plan	GP/ Mobile, Stationary, & Area	City of San Bernardino	- Adopt GHG reduction targets for the planning area, based on the current legislation providing direction for state-wide targets, and update the plan as necessary. -The local government agency should serve as a model by inventorying its GHG emissions from agency operations, and implementing those reduction goals.
Circulation			
MS G-2: Provide for convenient and safe local travel	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Create a gridded street pattern with small block sizes. This promotes walkability through direct routing and ease of navigation. -Maintain a high level of connectivity of the roadway network. Minimize cul-de-sacs and incomplete roadway segments. -Plan and maintain an integrated, hierarchical and multi-modal system of roadways, pedestrian walks, and bicycle paths throughout the area. -Apply creative traffic management approaches to address congestion in areas with unique problems, particularly on roadways and intersections in the vicinity of schools in the morning and afternoon peak hours, and near churches, parks and community centers. -Work with adjacent jurisdictions to address the impacts of regional development patterns (e.g. residential development in surrounding communities, regional universities, employment centers, and commercial developments) on the circulation system. -Actively promote walking as a safe mode of local travel, particularly for children attending local schools. -Employ traffic calming methods such as median landscaping and provision of bike or transit lanes to slow traffic, improve roadway capacity, and address safety issues.
MS G-3: Enhance the regional transportation network and maintain effectiveness	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage the transportation authority to reduce fees for short distance trips. -Ensure that improvements to the traffic corridors do not negatively impact the operation of local roadways and land uses.

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			-Cooperate with adjacent jurisdictions to maintain adequate service levels at shared intersections and to provide adequate capacity on regional routes for through traffic. -Support initiatives to provide better public transportation. Work actively to ensure that public transportation is part of every regional transportation corridor. - Coordinate the different modes of travel to enable users to transfer easily from one mode to another. -Work to provide a strong paratransit system that promotes the mobility of all residents and educate residents about local mobility choices. - Promote transit-oriented development to facilitate the use of the community's transit services.
MS G-4: Promote and support an efficient public transportation network connecting activity centers in the area to each other and the region.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Promote increased use of public transportation and support efforts to increase bus service range and frequency within the area as appropriate. -Enhance and encourage provision of attractive and appropriate transit amenities, including shaded bus stops, to encourage use of public transportation. -Encourage the school districts, private schools and other operators to coordinate local bussing and to expand ride-sharing programs. All bussing options should be fully considered before substantial roadway improvements are made in the vicinity of schools to ease congestion.
MS G-5: Establish and maintain a comprehensive system, which is safe and convenient, of pedestrian ways and bicycle routes that provide viable options to travel by automobile.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Improve area sidewalks and rights-of-way to make them efficient and appealing for walking and bicycling safely. Coordinate with adjacent jurisdictions and regional agencies to improve pedestrian and bicycle trails, facilities, signage, and amenities. -Provide safe and convenient pedestrian and bicycle connections to and from town centers, other commercial districts, office complexes, neighborhoods, schools, other major activity centers, and surrounding communities. -Work with neighboring jurisdictions to provide well-designed pedestrian and bicycle crossings of major roadways. -Promote walking throughout the community. Install sidewalks where missing and make improvements

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			to existing sidewalks for accessibility purposes. Particular attention should be given to needed sidewalk improvement near schools and activity centers. -Encourage businesses or residents to sponsor street furniture and landscaped areas. - Strive to provide pedestrian pathways that are well shaded and pleasantly landscaped to encourage use. - Attract bicyclists from neighboring communities to ride their bicycles or to bring their bicycles on the train to enjoy bicycling around the community and to support local businesses. - Meet guidelines to become nationally recognized as a Bicycle-Friendly community. - Provide for an education program and stepped up code enforcement to address and minimize vegetation that degrades access along public rights-of-way. -Engage in discussions with transit providers to increase the number of bicycles that can be accommodated on buses
MS G-6: Achieve optimum use of regional rail transit.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Support regional rail and work with rail authority to expand services. - Achieve better integration of all transit options. -Work with regional transportation planning agencies to finance and provide incentives for multimodal transportation systems. - Promote activity centers and transit-oriented development projects around the transit station.
MS G-7: Expand and optimize use of local and regional bus and transit systems.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage convenient public transit service between area and airports. -Support the establishment of a local shuttle to serve commercial centers. -Promote convenient, clean, efficient, and accessible public transit that serves transit-dependent riders and attracts discretionary riders as an alternative to reliance on single-occupant automobiles.

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			- Empower seniors and those with physical disabilities who desire maximum personal freedom and independence of lifestyle with unimpeded access to public transportation. -Integrate transit service and amenities with surrounding land uses and buildings.
Conservation, Open Space			
MS G-8: Emphasize the importance of water conservation and maximizing the use of native, low-water landscaping.	GP/Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Reduce the amount of water used for landscaping and increase use of native and low water plants. Maximize use of native, low-water plants for landscaping of areas adjacent to sidewalks or other impermeable surfaces. -Encourage the production, distribution and use of recycled and reclaimed water for landscaping projects throughout the community, while maintaining urban runoff water quality objectives. -Promote water conservation measures, reduce urban runoff, and prevent groundwater pollution within development projects, property maintenance, area operations and all activities requiring approval. -Educate the public about the importance of water conservation and avoiding wasteful water habits. -Work with water provider in exploring water conservation programs, and encourage the water provider to offer incentives for water conservation.
MS G-9: Improve air quality within the region.	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Integrate air quality planning with area land use, economic development and transportation planning efforts. -Support programs that reduce air quality emissions related to vehicular travel. -Support alternative transportation modes and technologies, and develop bike- and pedestrian-friendly neighborhoods to reduce emissions associated with automobile use. -Encourage the use of clean fuel vehicles. -Promote the use of fuel-efficient heating and cooling equipment and other appliances, such as water

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces, and boiler units. - Promote the use of clean air technologies such as fuel cell technologies, renewable energy sources. UV coatings, and alternative, non-fossil fuels. -Require the planting of street trees along streets and inclusion of trees and landscaping for all development projects to help improve airshed and minimize urban heat island effects. - Encourage small businesses to utilize clean, innovative technologies to reduce air pollution. - Implement principles of green building. - Support jobs/housing balance within the community so more people can both live and work within the community. To reduce vehicle trips, encourage people to telecommute or work out of home or in local satellite offices.
MS G-10: Encourage and maximize energy conservation and identification of alternative energy sources.	GP/ Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage green building designs for new construction and renovation projects within the area. -Coordinate with regional and local energy suppliers to ensure adequate supplies of energy to meet community needs, implement energy conservation and public education programs, and identify alternative energy sources where appropriate. -Encourage building orientations and landscaping that enhance natural lighting and sun exposure. -Encourage expansion of neighborhood-level products and services and public transit opportunities throughout the area to reduce automobile use. - Incorporate the use of energy conservation strategies in area projects. - Promote energy-efficient design features, including appropriate site orientation, use of light color roofing and building materials, and use of evergreen trees and wind-break trees to reduce fuel consumption for heating and cooling.

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			-Explore and consider the cost/benefits of alternative fuel vehicles including hybrid, natural gas, and hydrogen powered vehicles when purchasing new vehicles. -Continue to promote the use of solar power and other energy conservation measures. - Encourage residents to consider the cost/benefits of alternative fuel vehicles. - Promote the use of different technologies that reduce use of non-renewable energy resources. -Facilitate the use of green building standards and LEED in both private and public projects. -Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, as appropriate. -Support sustainable building practices that integrate building materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction, and operation of the built environment. - Investigate the feasibility of using solar (photovoltaic) street lights instead of conventional street lights that are powered by electricity in an effort to conserve energy. - Encourage cooperation between neighboring development to facilitate on-site renewable energy supplies or combined heat and power co-generation facilities that can serve the energy demand of contiguous development.

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-11: Preserve unique community forests, and provide for sustainable increase and maintenance of this valuable resource.	GP/Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Develop a tree planting policy that strives to accomplish specific % shading of constructed paved and concrete surfaces within five years of construction. -Provide adequate funding to manage and maintain the existing forest, including sufficient funds for tree planting, pest control, scheduled pruning, and removal and replacement of dead trees. -Coordinate with local and regional plant experts in selecting tree species that respect the natural region in which Claremont is located, to help create a healthier, more sustainable urban forest. - Continue to plant new trees (in particular native tree species where appropriate), and work to preserve mature native trees. -Increase the awareness of the benefits of street trees and the community forest through a area wide education effort. -Encourage residents to properly care for and preserve large and beautiful trees on their own private property.
Housing			
MS G-12: Provide affordability levels to meet the needs of community residents.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage development of affordable housing opportunities throughout the community, as well as development of housing for elderly and low and moderate income households near public transportation services. -Ensure a portion of future residential development is affordable to low and very low income households.
Land Use			
MS G-13: Promote a visually-cohesive urban form and establish connections between the urban core and outlying portions of the	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Preserve the current pattern of development that encourages more intense and higher density development at the core of the community and less intense uses radiating from the central core. -Create and enhance landscaped greenway, trail and sidewalk connections between neighborhoods and to commercial areas, town centers, and parks.

MV00172296

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
community.			-Identify ways to visually identify and physically connect all portions of the community, focusing on enhanced gateways and unifying isolated and/or outlying areas with the rest of the area. -Study and create a diverse plant identity with emphasis on drought-resistant native species.
MS G-14: Provide a diverse mix of land uses to meet the future needs of all residents and the business community.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Attract a broad range of additional retail, medical, and office uses providing employment at all income levels. -Support efforts to provide beneficial civic, religious, recreational, cultural and educational opportunities and public services to the entire community. -Coordinate with public and private organizations to maximize the availability and use of parks and recreational facilities in the community. -Support development of hotel and recreational commercial land uses to provide these amenities to local residents and businesses.
MS G-15: Collaborate with providers of solid waste collection, disposal and recycling services to ensure a level of service that promotes a clean community and environment.	GP/ Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Require recycling, composting, source reduction and education efforts throughout the community, including residential, businesses, industries, and institutions, within the construction industry, and in all sponsored activities.
MS G-16: Promote construction, maintenance and active use of publicly- and privately-operated parks, recreation programs, and a community center.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Work to expand and improve community recreation amenities including parks, pedestrian trails and connections to regional trail facilities. -As a condition upon new development, require payment of park fees and/or dedication and provision of parkland, recreation facilities and/or multi-use trails that improve the public and private recreation system. -Research options or opportunities to provide necessary or desired community facilities.

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-17: Promote the application of sustainable development practices.	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Encourage sustainable development that incorporates green building best practices and involves the reuse of previously developed property and/or vacant sites within a built-up area. - Encourage the conservation, maintenance, and rehabilitation of the existing housing stock. -Encourage development that incorporates green building practices to conserve natural resources as part of sustainable development practices. -Avoid development of isolated residential areas in the hillsides or other areas where such development would require significant infrastructure investment, adversely impact biotic resources. - Provide land area zoned for commercial and industrial uses to support a mix of retail, office, professional, service, and manufacturing businesses.
MS G-18: Create activity nodes as important destination areas, with an emphasis on public life within the community.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide pedestrian amenities, traffic-calming features, plazas and public areas, attractive streetscapes, shade trees, lighting, and retail stores at activity nodes. -Provide for a mixture of complementary retail uses to be located together to create activity nodes to serve adjacent neighborhoods and to draw visitors from other neighborhoods and from outside the area.
MS G-19: Make roads comfortable, safe, accessible, and attractive for use day and night.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide crosswalks and sidewalks along streets that are accessible for people with disabilities and people who are physically challenged. -Provide lighting for walking and nighttime activities, where appropriate. -Provide transit shelters that are comfortable, attractive, and accommodate transit riders.
MS G-20: Maintain and expand where possible the system of neighborhood connections that attach neighborhoods to larger roadways.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Provide sidewalks where they are missing, and provide wide sidewalks where appropriate with buffers and shade so that people can walk comfortably. -Make walking comfortable at intersections through traffic-calming, landscaping, and designated crosswalks.

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			-Look for opportunities for connections along easements & other areas where vehicles not permitted.
MS G-21: Create distinctive places throughout the area.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide benches, streetlights, public art, and other amenities in public areas to attract pedestrian activities. -Encourage new developments to incorporate drought tolerant and native landscaping that is pedestrian friendly, attractive, and consistent with the landscaped character of area. -Encourage all new development to preserve existing mature trees. -Encourage streetscape design programs for commercial frontages that create vibrant places which support walking, bicycling, transit, and sustainable economic development. -Encourage the design and placement of buildings on lots to provide opportunities for natural systems such as solar heating and passive cooling. - Ensure that all new industrial development projects are positive additions to the community setting, provide amenities for the comfort of the employees such as outdoor seating area for breaks or lunch, and have adequate landscape buffers.
MS G-22: Reinvest in existing neighborhoods and promote infill development as a preference over new, greenfield development	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Identify all underused properties in the plan area and focus development in these opportunity sites prior to designating new growth areas for development. - Implement programs to retro-fit existing structures to make them more energy-efficient. -Encourage compact development, by placing the desired activity areas in smaller spaces.

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
Public Safety			
MS G-23: Promote a safe community in which residents can live, work, shop, and play.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Foster an environment of trust by ensuring non-biased policing, and by adopting policies and encouraging collaboration that creates transparency. - Facilitate traffic safety for motorists and pedestrians through proper street design and traffic monitoring.

Note:
[1] Where GP=General Plan.
[2] List is not meant to be all inclusive.
Source: Data complied by EDAW in 2007

MV00172300

Appendix C

Rule and Regulation Summary

MV00172301

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Low Carbon Fuel Standard	10-20 MMT CO_2e by 2020	January 1, 2010	ARB	This rule/regulation will require fuel providers (e.g., producers, importers, refiners and blenders) to ensure that the mix of fuels they sell in CA meets the statewide goal to reduce the carbon intensity of CA's transportation fuels by at least 10% by the 2020 target.	ARB Early Action Measure
Reduction of HFC-134a Emissions from Nonprofessional Servicing of Motor Vehicle Air Conditioning Systems	1-2 MMT CO_2e by 2020	January 1, 2010	ARB	This rule/regulation will restrict the use of high GWP refrigerants for nonprofessional recharging of leaky automotive air conditioning systems.	ARB Early Action Measure
Landfill Gas Recovery	2-4 MMT CO_2e by 2020	January 1, 2010	IWMB, ARB	This rule/regulation will require landfill gas recovery systems on small to medium landfills that do not have them and upgrade the requirements at landfills with existing systems to represent best capture and destruction efficiencies.	ARB Early Action Measure
Vehicle Climate Change Standards (AB 1493 Pavley, Chapter 200, Statutes of 2002)	30 MMT CO_2e by 2020	2009	ARB	This rule/regulation will require ARB to achieve the maximum feasible and cost effective reduction of GHG emissions from passenger vehicles and light-duty trucks.	ARB Early Action Measure
Reduction of PFCs from the Semiconductor Industry	0.5 MMT CO_2e by 2020	2007–2009	ARB	This rule/regulation will reduce GHG emissions by process improvements/source reduction, alternative chemicals capture and beneficial reuse, and destruction technologies	Underway or to be initiated by CAT members in 2007-2009 period

AB=Assembly Bill; ARB=California Air Resources Board; Calfire=California Fire; CA=California; Caltrans=California Department of Transportation; CAT=California Action Team; CEC=California Energy Commission; CDFA=California Department of Food and Agriculture; CH_4=Methane; CO_2=Carbon Dioxide; CPUC=California Public Utilities Commission; CUFR=California Urban Forestry; DGS=Department of General Services; DWR=Department of Water Resources; GHG=Greenhouse Gas; GWP=Global Warming Potential; IGCC= Integrated Gasification Combined Cycle; IOU= Investor-Owned Utility; IT=Information Technology; IWCB= Integrated Waste Management Board; LNG= Liquefied Natural Gas; MMT CO_2e=Million Metric Tons Carbon Dioxide Equivalent; MW=Megawatts; NA=Not Available; N_2O=Nitrous Oxide; PFC= Perfluorocompound; POU= Publicly Owned Utility; RPS= Renewable Portfolio Standards; RTP=Regional Transportation Plan SB=Senate Bill; SWP=State Water Project; TBD=To Be Determined; UC/CSU=University of California/California State University; ULEV=Ultra Low Emission Vehicle.

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Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Restrictions on High GWP Refrigerants	9 MMT CO_2e by 2020	2010	ARB	This rule/regulation will expand and enforce the national ban on release of high GWP refrigerants during appliance lifetime.	ARB Early Action Measure
Cement Manufacture	<1 MMT CO_2e per year (based on 2004 production levels)	2010	Caltrans	This rule/regulation will allow 2.5% interground limestone concrete mix in cement use.	CAT Early Action Measure
Hydrogen Fuel Standards (SB 76 of 2005)	TBD	By 2008	CDFA	This rule/regulation will develop hydrogen fuel standards for use in combustion systems and fuel cells.	CAT Early Action Measure
Regulation of GHG from Load Serving Entities (SB 1368)	15 MMT CO_2e by 2020	May 23, 2007	CEC, CPUC	This rule/regulation will establish a GHG emission performance standard for baseload generation of local publicly owned electric utilities that is no higher than the rate of emissions of GHG for combined-cycle natural gas baseload generation.	CAT Early Action Measure
Energy Efficient Building Standards	TBD	In 2008	CEC	This rule/regulation will update of Title 24 standards.	CAT Early Action Measure
Energy Efficient Appliance Standards	TBD	January 1, 2010	CEC	This rule/regulation will regulate light bulb efficiency	CAT Early Action Measure
Tire Efficiency (Chapter 8.7 Division 15 of the Public Resources Code)	<1 MMT CO_2e by 2020	January 1, 2010	CEC & IWMB	This rule/regulation will ensure that replacement tires sold in CA are at least as energy efficient, on average, as tires sold in the state as original equipment on these vehicles.	CAT Early Action Measure
New Solar Homes Partnership	TBD	January 2007	CEC	Under this rule/regulation, approved solar systems will receive incentive funds based on system performance above building standards.	CAT Early Action Measure

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Water Use Efficiency	1 MMT CO_2e by 2020	2010	DWR	This rule/regulation will adopt standards for projects and programs funded through water bonds that would require consideration of water use efficiency in construction and operation.	CAT Early Action Measure
State Water Project	TBD	2010	DWR	This rule/regulation will include feasible and cost effective renewable energy in the SWP's portfolio.	CAT Early Action Measure
Cleaner Energy for Water Supply	TBD	2010	DWR	Under this rule/regulation, energy supply contracts with conventional coal power plants will not be renewed.	CAT Early Action Measure
IOU Energy Efficiency Programs	4 MMT CO_2e by 2020	2010	CPUC	This rule/regulation will provide a risk/reward incentive mechanism for utilities to encourage additional investment in energy efficiency; evaluate new technologies and new measures like encouraging compact fluorescent lighting in residential and commercial buildings	CAT Early Action Measure
Solar Generation	TBD	2007–2009	DGS	3 MW of clean solar power generation implemented in CA last year, with another 1 MW coming up. The second round is anticipated to total additional 10 MW and may include UC/CSU campuses and state fairgrounds.	Underway or to be initiated by CAT members in 2007-2009 period

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Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Transportation Efficiency	9 MMT CO_2e by 2020	2007–2009	Caltrans	This rule/regulation will reduce congestion, improve travel time in congested corridors, and promote coordinated, integrated land use.	Underway or to be initiated by CAT members in 2007-2009 period
Smart Land Use and Intelligent Transportation	10 MMT CO_2e by 2020	2007–2009	Caltrans	This rule/regulation will integrate consideration of GHG reduction measures and energy efficiency factors into RTPs, project development etc.	Underway or to be initiated by CAT members in 2007-2009 period
Cool Automobile Paints	1.2 to 2.0 MMT CO_2e by 2020	2009	ARB	Cool paints would reduce the solar heat gain in a vehicle and reduce air conditioning needs.	ARB Early Action Measure
Tire Inflation Program	TBD	2009	ARB	This rule/regulation will require tires to be checked and inflated at regular intervals to improve fuel economy.	ARB Early Action Measure
Electrification of Stationary Agricultural Engines	0.1 MMT CO_2e by 2020	2010	ARB	This rule/regulation will provide incentive funding opportunities for replacing diesel engines with electric motors.	ARB Early Action Measure
Desktop Power Management	Reduce energy use by 50%	2007–2009	DGS, ARB	This rule/regulation will provide software to reduce electricity use by desktop computers by up to 40%.	Currently deployed in DGS
Reducing CH_4 Venting/Leaking from Oil and Gas Systems (EJAC-3/ARB 2-12)	1 MMT CO_2e by 2020	2010	ARB	This rule/regulation will reduce fugitive CH_4 emissions from production, processing, transmission, and distribution of natural gas and oil.	ARB Early Action Measure
Replacement of High GWP Gases Used in Fire Protection Systems with Alternate Chemical (ARB 2-10)	0.1 MMT CO_2e by 2020	2011	ARB	This rule/regulation will require the use of lower GWP substances in fire protection systems.	ARB Early Action Measure
Contracting for Environmentally Preferable Products	NA	2007–2009	DGS	New state contracts have been or are being created for more energy and resource efficient IT goods, copiers, low mercury fluorescent lamps, the CA Gold Carpet Standard and office furniture.	Underway or to be initiated by CAT members in 2007-2009 period
Hydrogen Fuel Cells	NA	2007–2009	DGS	This rule/regulation will incorporate clean hydrogen fuel cells in stationary applications	Underway or to be initiated by CAT members in 2007-2009

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Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
				at State facilities and as back-up generation for emergency radio services.	period
High Performance Schools	NA	2007–2009	DGS	New guidelines adopted for energy and resource efficient schools; up to $100 million in bond money for construction of sustainable, high performance schools.	Underway or to be initiated by CAT members in 2007-2009 period
Urban Forestry	1 MMT CO_2e by 2020	2007–2009	Calfire, CUFR	This rule/regulation will provide five million additional trees in urban areas by 2020.	Underway or to be initiated by CAT members in 2007-2009 period
Fuels Management/Biomass	3 MMT CO_2e by 2020	2007–2009	Calfire	This rule/regulation will provide biomass from forest fuel treatments to existing biomass utilization facilities.	Underway or to be initiated by CAT members in 2007-2009 period
Forest Conservation and Forest Management	10 MMT CO_2e by 2020	2007–2009	Calfire, WCB	This rule/regulation will provide opportunities for carbon sequestration in Proposition 84 forest land conservation program to conserve an additional 75,000 acres of forest landscape by 2010.	Underway or to be initiated by CAT members in 2007-2009 period
Afforestation/Reforestation	2 MMT CO_2e by 2020	2007–2009	Calfire	This rule/regulation will subsidize tree planting.	Underway or to be initiated by CAT members in 2007-2009 period
Dairy Digesters	TBD	January 1, 2010	CDFA	This rule/regulation will develop a dairy digester protocol to document GHG emission reductions from these facilities.	ARB Early Action Measure

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Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Conservation Tillage and Enteric Fermentation	1 MMT CO_2e by 2020	2007–2009	CDFA	This rule/regulation will develop and implement actions to quantify and reduce enteric fermentation emissions from livestock and sequester soil carbon using cover crops and conservation tillage.	Underway or to be initiated by CAT members in 2007-2009 period
ULEV	TBD	2007–2009	DGS	A new long term commercial rental contract was released in March 2007 requiring a minimum ULEV standard for gasoline vehicles and requires alternative fuel and hybrid-electric vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Flex Fuel Vehicles	370 metric tons CO_2, 0.85 metric tons of CH_4, and 1.14 metric tons of N_2O	2007–2009	DGS	Under this rule/regulation, DGS is replacing 800 vehicles with new, more efficient vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Climate Registry	TBD	2007–2009	DGS	Benchmarking and reduction of GHG emissions for state owned buildings, leased buildings and light duty vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Municipal Utilities Electricity Sector Carbon Policy	Included in SB 1368 reductions	2007–2009	CEC, CPUC, ARB	Under this rule/regulation, GHG emissions cap policy guidelines for CA's electricity sector (IOUs and POUs).	Underway or to be initiated by CAT members in 2007-2009 period
Alternative Fuels: Nonpetroleum Fuels	TBD	2007–2009	CEC	State plan to increase the use of alternative fuels for transportation; full fuel cycle assessment.	Underway or to be initiated by CAT members in 2007-2009 period
Zero Waste/High Recycling Strategy	5 MMT CO_2e by 2020	2007–2009	IWMB	This rule/regulation will identify materials to focus on to achieve GHG reduction at the lowest possible cost; Builds on the success of 50% Statewide Recycling Goal.	Underway or to be initiated by CAT members in 2007-2009 period
Organic Materials Management	TBD	2007–2009	IWMB	This rule/regulation will develop a market incentive program to increase organics diversion to the agricultural industry.	Underway or to be initiated by CAT members in 2007-2009 period
Landfill Gas Energy	TBD	2007–2009	IWMB	Landfill Gas to Energy & LNG/biofuels	Underway or to be initiated by CAT members in 2007-2009 period

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Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Target Recycling	TBD	2007–2009	IWMB	This rule/regulation will focus on industry/public sectors with high GHG components to implement targeted commodity recycling programs.	Underway or to be initiated by CAT members in 2007-2009 period
Accelerated Renewable Portfolio Standard	Included in SB 1368 reductions	2007–2009	CPUC	This rule/regulation will examine RPS long term planning and address the use of tradable renewable energy credits for RPS compliance.	Underway or to be initiated by CAT members in 2007-2009 period
CA Solar Initiative	1 MMT CO_2e by 2020	2007–2009	CPUC	Initiative to deliver 2000 MWs of clean, emissions free energy to the CA grid by 2016.	Underway or to be initiated by CAT members in 2007-2009 period
Carbon Capture and Sequestration	TBD	2007–2009	CPUC	Proposals for power plants with IGCC and/or carbon capture in the next 18 months.	Underway or to be initiated by CAT members in 2007-2009

Source: Data complied by EDAW in 2007

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2011 Annual Report

Transportation Uniform Mitigation Fee Program

WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS

MV00172309

Dear Friend,

No doubt about it, crop circles are intriguing, even fascinating, to many. Are the circles the work of alien visitors? Are they a natural phenomenon? Perhaps elaborate hoaxes perpetrated by some very dedicated humans? Whatever you believe them to be, you can't deny that the topic makes for great conversation.

Farmers have reported finding strange circles in their fields for centuries. The earliest mention of a crop circle dates back to the 1500s. Observations of crop circles were sporadic until the 20th century, when circles began appearing in the 1960s and 1970s in England and the United States. By the 1990s, crop circles had become something of a tourist attraction. In 1990 alone, more than 500 circles emerged in Europe. Within the next few years, there were thousands. Visitors came from around the world to see them. They became associated with strange lights, reports of malfunctioning electronic equipment, and positive health effects on people visiting circles, suggesting that the phenomenon involves unexplained forces.

In 2003, to considerably less fanfare, a series of circles also began appearing in Western Riverside County. Unlike the mysteriousness surrounding crop circle origins, those sighted in the WRCOG subregion (see p. 46 of this Annual Report for a closer look) do not defy explanation. The concentric circles found in these pages simply show the total value of road, bridge and interchange improvements to be constructed using revenues from WRCOG's Transportation Uniform Mitigation Fee (TUMF) Program within 3, 5, and 10-mile diameters from each city center in Western Riverside County. No hoaxes. No flashy lights. No alien trails. Just fact.

WRCOG's circles demonstrate the immense ***regional value*** of the TUMF Program, the nation's largest uniform development fee program for transportation improvements. ***Regional value*** is the centerpiece of the TUMF Program, recognizing that residents and employees in all of Western Riverside County's jurisdictions utilize arterials located not just in the city in which they live and/or work, but also those in adjacent jurisdictions and beyond. Without TUMF's regional approach to funding transportation improvements, there is no way any single jurisdiction could, by itself, raise the revenues needed to construct the transportation infrastructure that will be coming their way via this Program. Developers in the City of Lake Elsinore, for example, will contribute approximately $50 million to the TUMF Program over time, yet more than $480 million in TUMF improvements are identified to be constructed within 10 miles from the City center. The circle pattern repeats itself in each of WRCOG's jurisdictions: $429 million in TUMF improvements are identified within 10 miles of Hemet's City center, $648 million from Jurupa Valley's city center, $827 million from Murrieta's City center, and so on.

When completed, the TUMF Program will construct 1,229 new lane-miles of arterials, improve 58 interchanges, construct or widen 56 bridges, construct 17 railroad grade separations, provide more than $61 million for regional transit improvements, and provide nearly $60 million for acquisition of sensitive habitat. Already, at the end of the 2010/2011 fiscal year, 46 TUMF-funded projects had been completed.

As the administrator of the TUMF Program, WRCOG is pleased to provide this 2011 TUMF Annual Report. The Report provides detailed information about the history and status of the Program, including revenues collected, projects completed and programmed, as well as the latest updates regarding which projects are to be constructed. Our goal is to provide information that will be helpful in understanding the direction and accomplishments of the TUMF Program.

Crop circles have been said to bestow health benefits to those who visit them. We can't vouch for that, but we do believe that health benefits - in the form of reduced congestion - will come to residents and employees who drive within WRCOG's circles in the future.

Rick Bishop

Rick Bishop, Executive Director
Western Riverside Council of Governments

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Cover photo: Construction underway on the Cal Oaks / I-15 Interchange Improvement Project, City of Murrieta (Photo courtesy of City of Murrieta)

MV00172311

Introduction

MV00172313

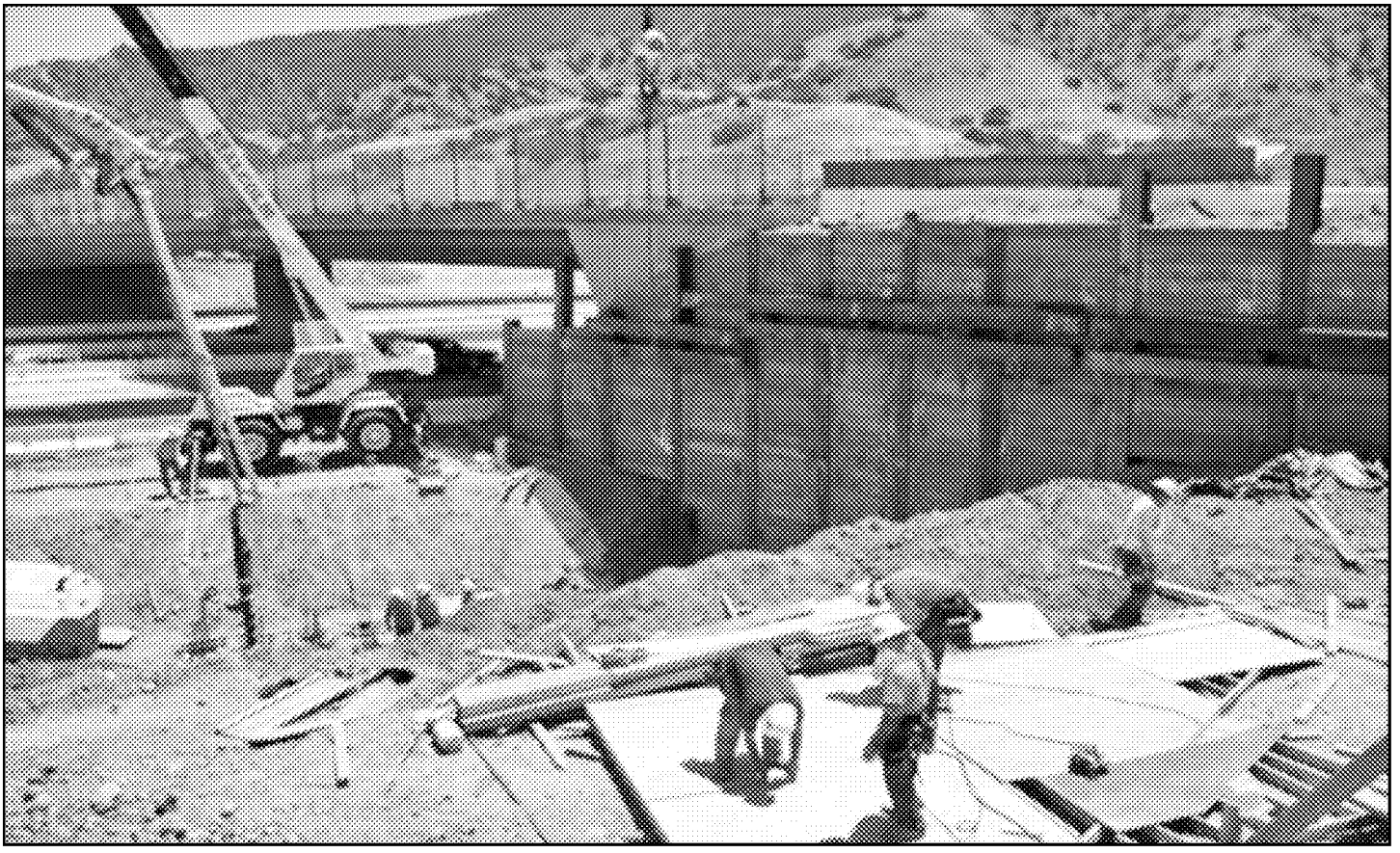

Green River Road / SR-91 Interchange construction (Photo courtesy of RCTC)

Riverside County is the fourth most populated California county, and the eleventh most populated County in the United States. Western Riverside County includes seventeen incorporated Cities and the unincorporated county, covering an area of approximately 2,100 square miles. The subregion's population is over 1.7 million people and will grow by over 700,000 between now and 2035, reaching 2.46 million residents (in 1990, Western Riverside County had approximately 869,559 people). Between 2010 and 2011, Riverside County had the highest growth rate (1.59 percent) in the state, adding over 34,000 new residents during the year.

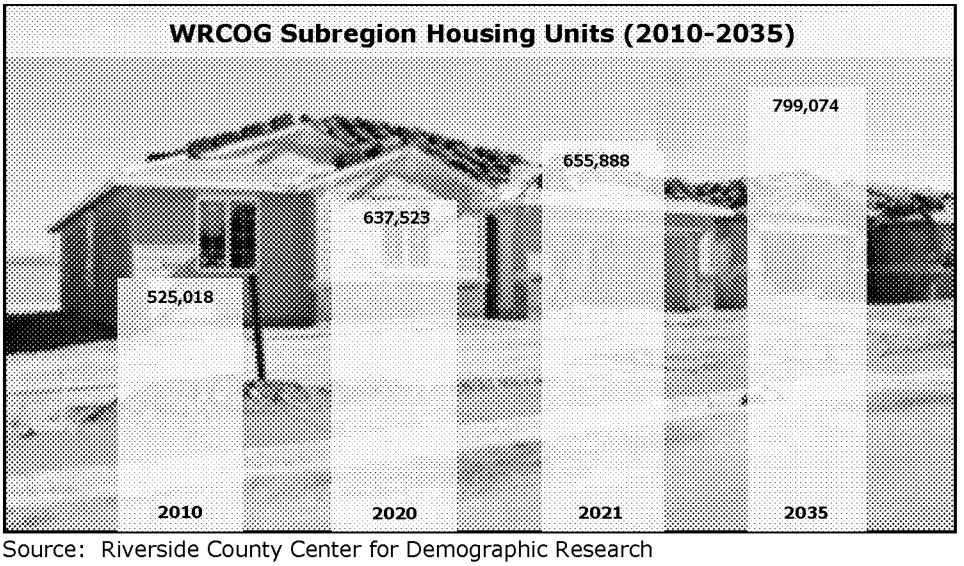

Source: Riverside County Center for Demographic Research

Along with the tremendous opportunities that growth brings comes consequences and challenges, including a heavy impact on transportation infrastructure.

Projected growth in Western Riverside County can be expected to significantly increase congestion and degrade mobility unless substantial investments are

made in the subregion's transportation infrastructure. This challenge is especially critical for arterial highways and roadways that carry a significant number of trips between the jurisdictions within the subregion. As more jobs come to the subregion, thousands of vehicle trips that occur on the freeways as commuters travel to other counties for employment are transitioning to the subregion's arterials, which are already heavily used by current commuters.

Traditional sources of transportation improvement funding (such as the gasoline tax) will not be sufficient to fund the transportation improvements needed to serve this significant new growth. Development conditions and local Development Impact Fees (DIFs) are limited in scope, and when applied, do not provide for regional improvements necessary to accommodate new growth, as improvements are usually confined to the area immediately adjacent to the respective development. Broad-based county-level funding sources, such as Riverside County's half-cent sales tax known as Measure A, focus most expenditures for freeways, designating lesser revenue allocations for arterial roadway improvements.

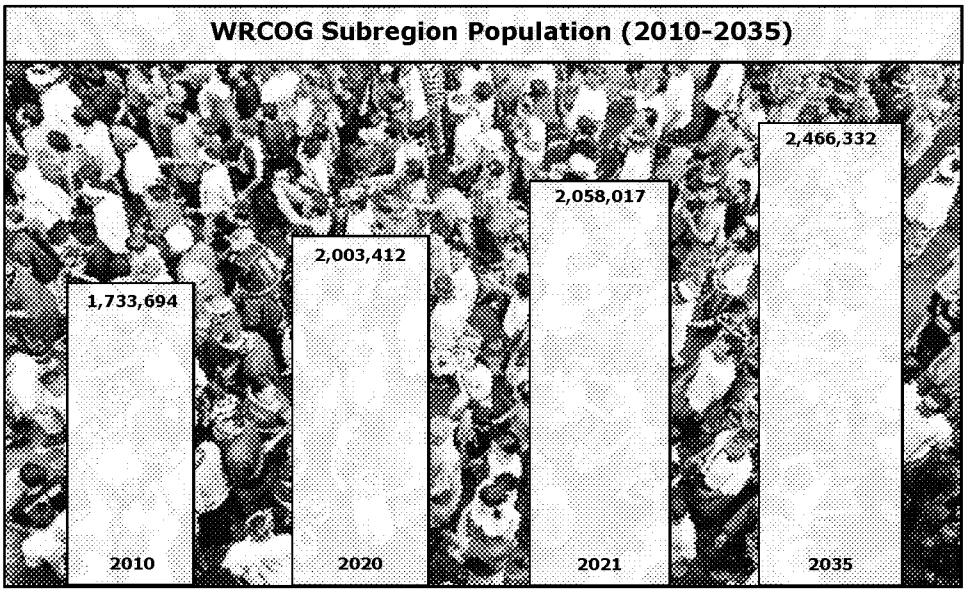

Source: Riverside County Center for Demographic Research

As a result of growth in Western Riverside County, additional pressure will be placed on the subregion's transportation infrastructure, particularly the arterial roadways, with Vehicle Miles Traveled (VMT) estimated to increase by 55 percent, or 1.6 percent compounded annually. By 2035, 36 percent of the total VMT on the regional arterial highway system is forecast to operate on facilities at Level Of Service (LOS) E or worse. (LOS is a qualitative measure used to describe traffic flow conditions, ranging from free flow conditions at LOS A to congested conditions at LOS F.)

In 2007, the total Vehicle Hours of Delay (VHD) experienced by area motorists on arterial highways was 25.8 million hours. Without improvements to the arterial highway system, VHD will increase by more than 5.4 percent per year to 50 million VHD by 2035. The need to improve these roadways and relieve future congestion is, therefore, directly linked to the future development that generates the travel demand.

Additionally, a substantial number of future trips will be served by bus transit services within Western Riverside County, which is also a result of future development.

In August 2000, the WRCOG Executive Committee directed that the development of a consolidated uniform mitigation fee program for all of Western Riverside County be undertaken. This action was based on the desire to establish a single uniform fee program to mitigate the cumulative regional impacts of new development on the subregion's arterial highway system, rather than having multiple and potentially uncoordinated fee programs with

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varying policies, fee amounts and improvement projects. A regional transportation program was viewed as the most effective way to address the cumulative impacts of new development in the WRCOG subregion.

Corona Transit Center, City of Corona

The subregion's Public Works Directors identified a network of roads, bridges, interchanges and railroad grade separations that should be included in this Program. The network, known as the Regional System of Highways and Arterials (RSHA), represents the subregion's cumulative and seamless identification of transportation improvements needed to accommodate future growth in the subregion through 2035. The RSHA (see p. 8 of this Report) serves as the cornerstone of the TUMF Program, and provides the basis for the "Nexus Study" prepared to demonstrate the impact of future development on the subregion's RSHA, identify improvements needed to accommodate the projected growth, establish improvement costs and - ultimately - to determine the fee structure for the TUMF Program.

In order to ensure the TUMF Program's "Nexus Study" remains current, a new Nexus Study was prepared by WRCOG during the 2009/2010 fiscal year to update the TUMF Program. The updated Nexus Study continues to demonstrate the relationship between the fee collected and the proposed improvements due to new growth. Factors that reflect this relationship include the following:

- Western Riverside County is expected to continue to examine significant long-term growth.
- Continuing new growth will result in increasing congestion on arterial roadways.
- Future arterial roadway congestion is directly attributable to the cumulative regional transportation impacts of future development in Western Riverside County.
- Capacity improvements to the transportation system will be needed to mitigate the cumulative impacts of new development.
- Roads on the TUMF Network (Network) are the facilities that merit improvement through this fee Program.
- Improvements to the public transportation system will be needed to provide adequate mobility for the transit-dependent travelers and to provide an alternative to automotive travel.

The WRCOG Executive Committee approved the findings of the Nexus Study update and adopted the proposed fee structure. The fee is based on an updated growth forecast, an

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updated cost of the improvements, a revised RSHA, and the elimination of existing need since it cannot be part of the fee.

Between now and 2035, the TUMF Program is estimated to provide $4.2 billion in arterial road, bridge, intersection and interchange improvements in Western Riverside County. Once fees are collected from new development by each of WRCOG's participating jurisdictions, TUMF Program dollars are programmed by WRCOG's partner agencies to implement the TUMF Program, which includes: the jurisdictions, the Riverside Transit Agency (RTA), the March Joint Powers Authority, and the Riverside County Transportation Commission (RCTC).

These jurisdictions and agencies are responsible for prioritizing which TUMF projects will be constructed first, and also for overseeing all aspects of project development. This implementation approach allows those agencies to move quickly in developing priorities and constructing projects.

As part of the Nexus Study update, the RSHA was revised to reflect the most current transportation needs and costs for Western Riverside County. The new Network reflected several changes due to completed projects and recommendations from the WRCOG Public Works Committee (PWC) to better represent the transportation needs of Western Riverside County.

The updated Network revised the number of lane miles, interchanges, intersections and grade separations from the previous network. In addition, it eliminated the following improvements: Category 4 interchange improvements (generally ramp improvements) and Category 5

SR-79 Winchester Road / I-15 Interchange Project, City of Temecula (Photo courtesy of City of Temecula)

interchange improvements (TUMF-to-TUMF grade separations); all costs associated with TUMF facilities as part of Communities Facilities District 93-1 in the City of Beaumont; TUMF-to-TUMF intersection improvements; and the Mid County Parkway segment from I-215 to I-15.

Van Buren Bridge over Santa Ana River (Photo courtesy of TLMA)

The updated Ntwork also reflects all completed TUMF projects, and no new projects were added, resulting in an overall RSHA reduction in cost.

A summary of improvements to the RSHA that will be provided by the TUMF Program is as follows:

- Construct 1,229 new lane miles of arterials.
- Improve 58 interchanges.
- Construct or widen 56 bridges.
- Provide more than $61 million for regional transit improvements.
- Provide nearly $60 million for acquisition of sensitive habitat.
- Construct 17 railroad grade separations.

This Annual Report provides a summary of revenues collected and expended during the 2010/2011 fiscal year. It summarizes projects that have been constructed, programmed, or are underway in accordance with adopted Transportation Improvement Programs (TIPs) for each of the Program's five zones, RCTC and RTA.

Visible evidence of Program implementation already exists, as 47 TUMF-funded projects are already built. The list of completed projects can be found in the "Projects" section (p. 45) of this Report.

The TUMF Program is administered by WRCOG, a joint powers authority consisting of the 17 cities in Western Riverside County, the County of Riverside, the Eastern Municipal Water District and Western Municipal Water District, the Riverside County Superintendent of Schools and the March JPA (a voting member on TUMF items at the Technical Advisory Committee level).

For more information regarding WRCOG, or to find more details related to the TUMF Program, please visit WRCOG's website at www.wrcog.cog.ca.us.

When the TUMF Program was initiated in 2003, there were virtually no "shelf-ready" projects ready to be built. Development of the TUMF Network (the RSHA) by the Public Works Directors in the subregion's then 15 jurisdictions was a significant accomplishment in itself, as it meant that for the first time the subregion had a comprehensive and cohesive arterial system that recognized the region's — and not just an individuals jurisdiction's — projected growth. By not having "shelf-ready" projects (projects that had already completed necessary planning and engineering studies, had right-of-way acquired, and had secured all required permits and funding), many projects proposed by the TUMF Program had to be developed from the ground up. In the initial stages of preparing projects for the jurisdictions in each Zone, WRCOG assisted with revenue projections and individual zone-level TIP development. Now that the Zone programs are up and running, the task of building projects takes center stage.

But how long does it take to deliver a project? As jurisdictions bring forward new projects, when can these projects expect to become a reality? There are a number of steps that need to occur for a typical transportation project to be built, and it is important to understand general timelines so that expectations can be realistic regarding the pace of TUMF project implementation. The "Life Cycle of a TUMF Project" diagram below provides, in general terms, the various steps and associated timeframes for a typical TUMF project.

LIFE CYCLE OF A TUMF PROJECT

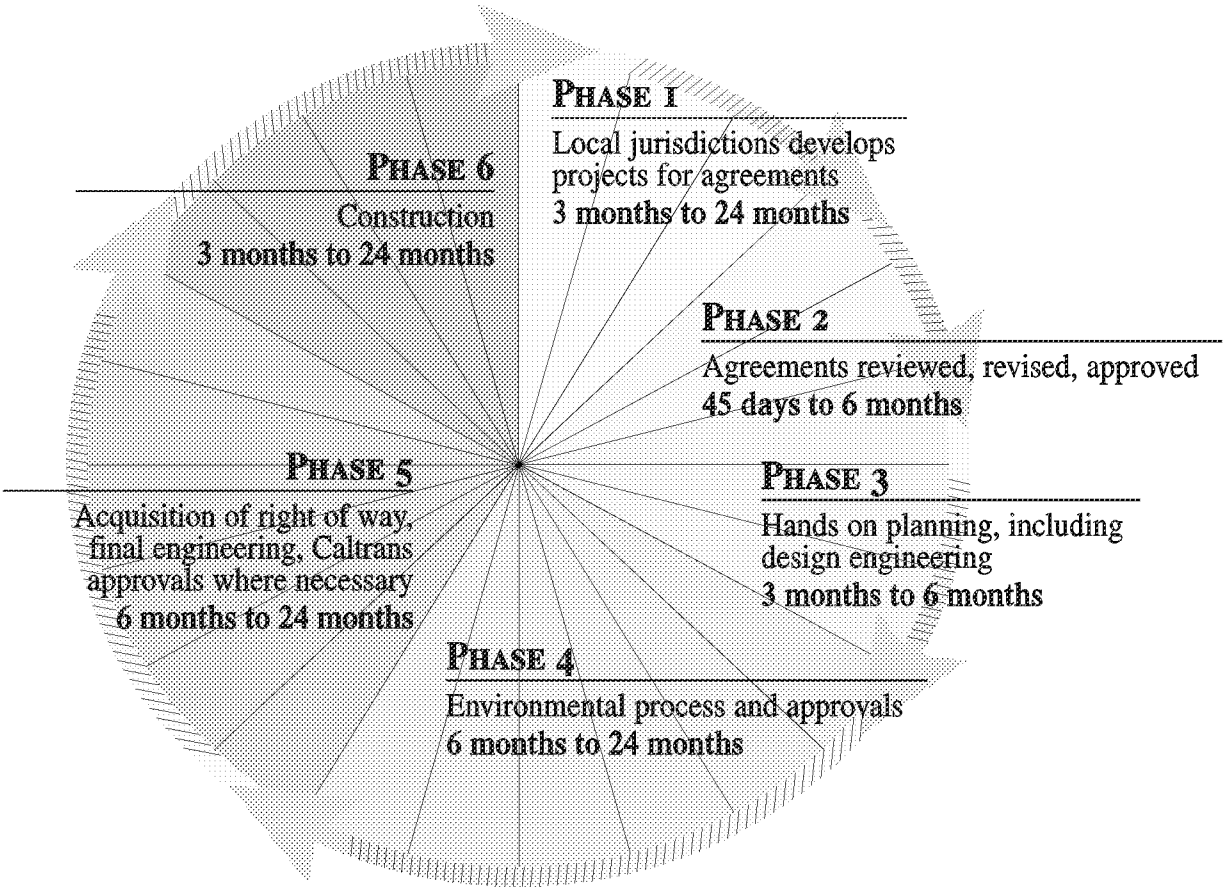

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Regional System of Highways and Arterials (RSHA)

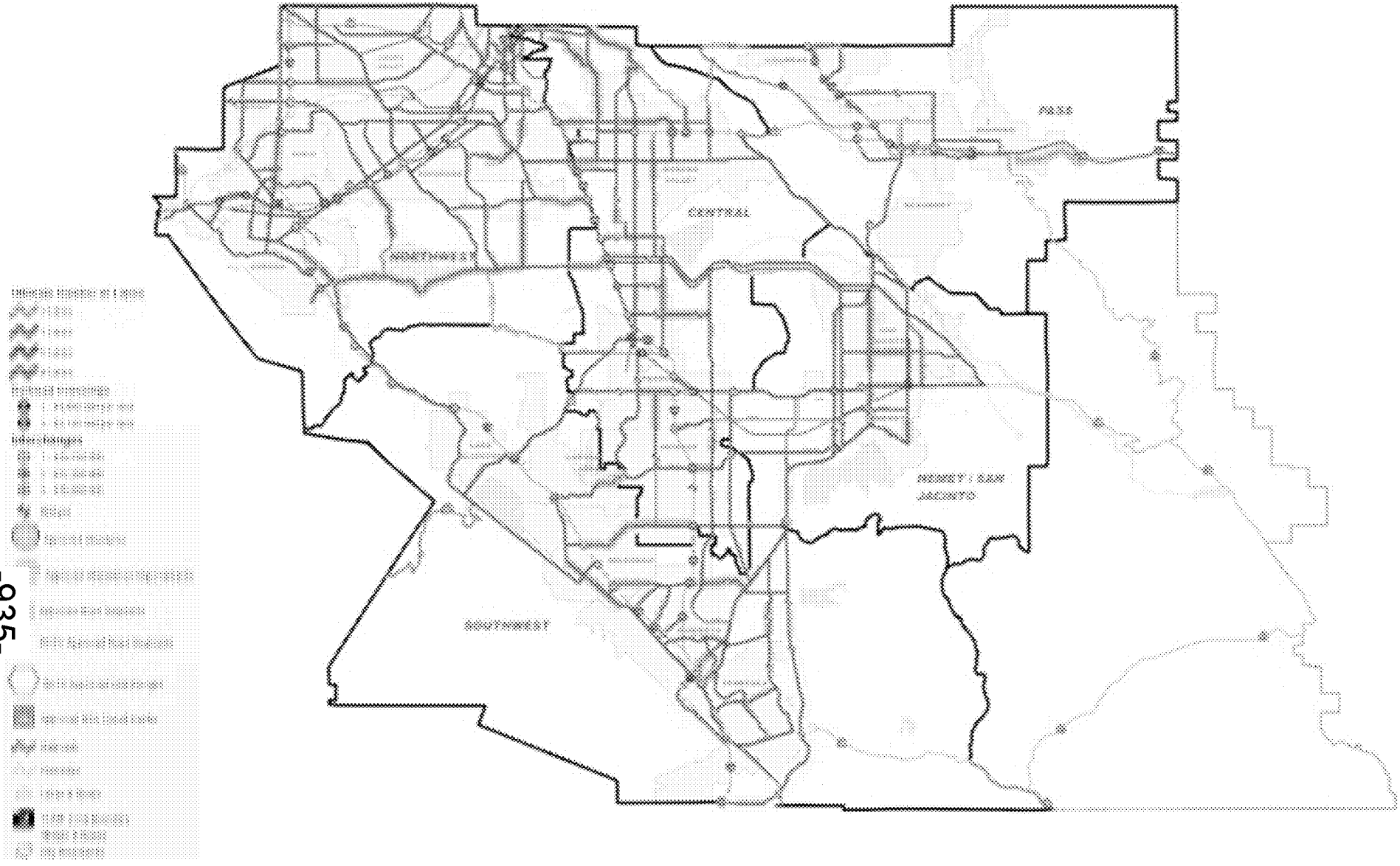

The Regional System of Highways & Arterials depicts TUMF Program improvements. A detailed listing of Program improvements can be obtained by calling WRCOG at (951) 955-7985 or by visiting WRCOG's website at www.wrcog.cog.ca.us.

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Revenue

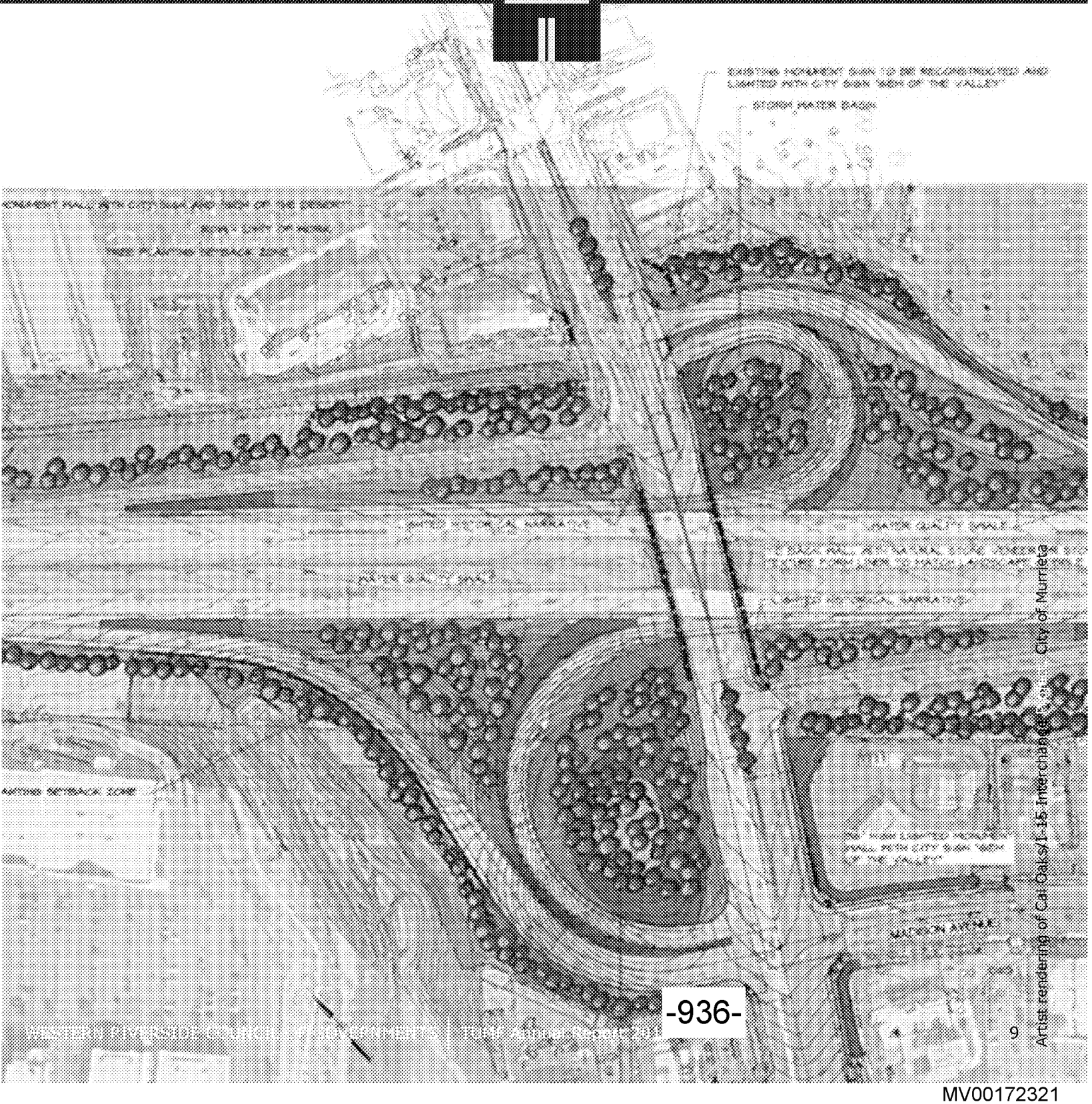

Artist rendering of Cal Oaks/I-15 Interchange, City of Murrieta

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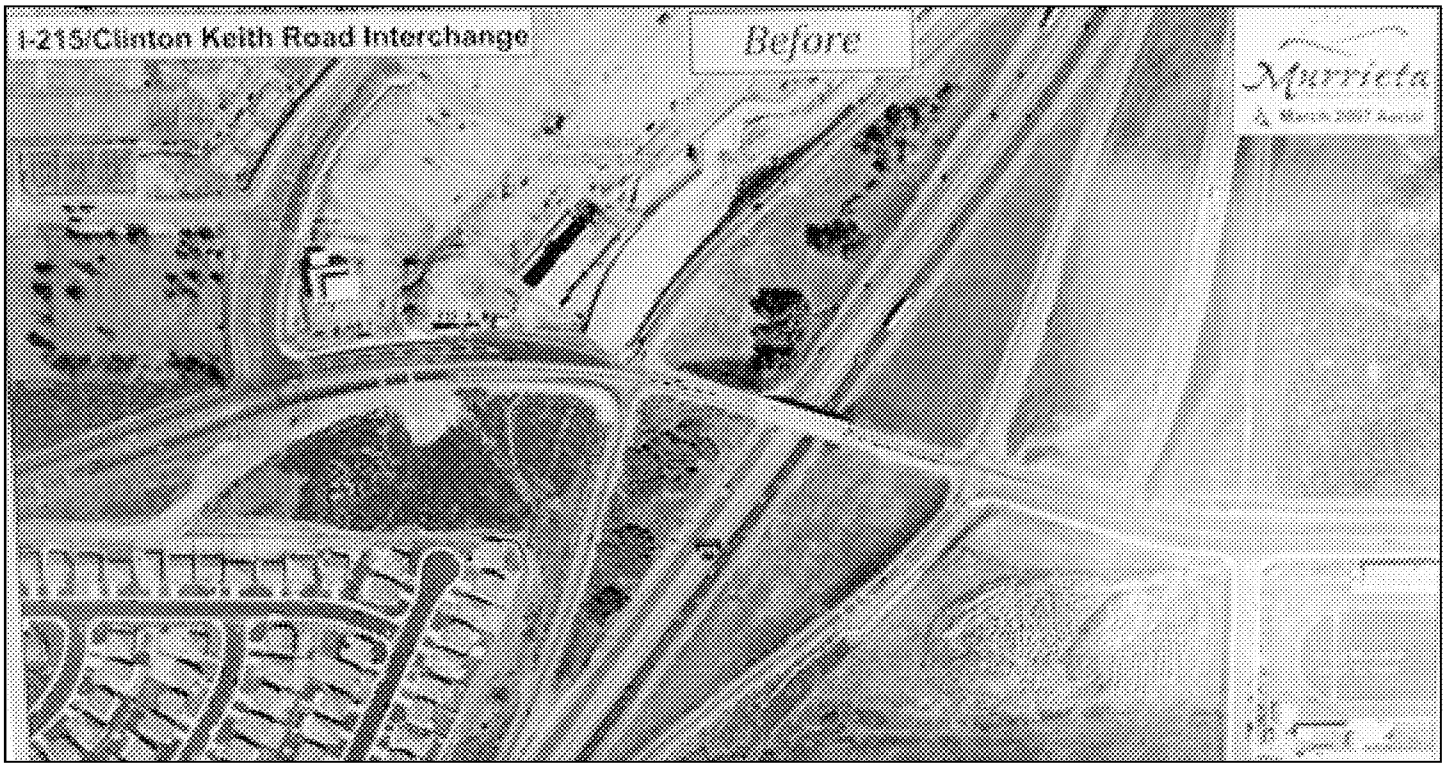

I-215 / Clinton Keith Road Interchange Project, City of Murrieta (Photo courtesy City of Murrieta)

How Does the TUMF Program Work?

AB 1600, the California Mitigation Fee Act, requires that a reasonable relationship exist between a development impact fee collected and the proposed improvements for which a fee is used. WRCOG's TUMF Program Nexus Study satisfies the requirements of AB 1600, and has two primary objectives: 1) to demonstrate the relationship between the transportation improvements needed due to new growth and the estimated cost to construct improvements; and 2) to establish the "fair share" component of the improvements for each land use category (the TUMF Program cost to be applied to different land uses based on the trip-generating characteristics that are typically associated with such uses). The TUMF Program distinguishes between transportation improvements and trip-productions in five geographic zones (Northwest, Southwest, Hemet/San Jacinto, Central, and the Pass), regional transportation improvements, and regional transit improvements.

This distinction provides maximum flexibility for programming projects. The Nexus Study identifies the percentage of collected revenues that can be allocated for zone-level improvements, regional improvements, and for transit improvements.

After administrative costs and Multiple Species Habitat Conservation Plan (MSHCP) mitigation allocations are extracted from the revenues collected, WRCOG allocates revenues as follows:

- **46.9** percent is allocated for regional improvements. These revenues are programmed by the RCTC pursuant to an agreement with WRCOG.
- **46.9** percent is allocated to the geographic zone from which the fees are collected. Project prioritization and programming are undertaken by the jurisdictions in each of the five zones.

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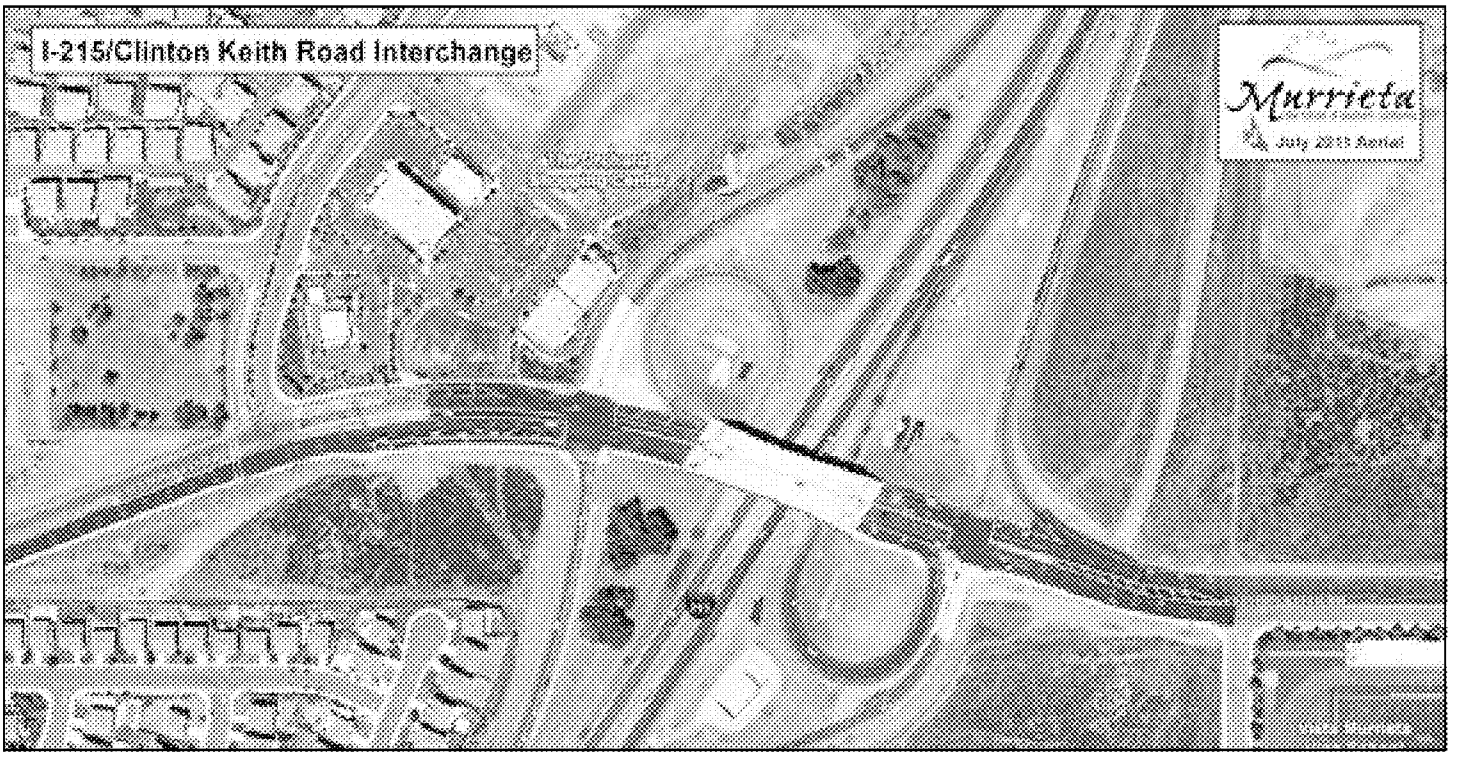

I-215 / Clinton Keith Road Interchange Project, City of Murrieta (After improvements) (Photo courtesy City of Murrieta)

- **1.7** percent is allocated for regional transit projects. WRCOG administers the funds on behalf of the RTA which prioritizes and programs capital transit projects.

As of June 30, 2011, WRCOG has received $539.9 million in revenues from the time the Program commenced (February 2003).

For Fiscal Year 2010/2011, $15.2 million in Program revenue was collected.

This report summarizes TUMF activities from July 1, 2010, to June 30, 2011. Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.

The TUMF Program collects fees from new residential and non-residential land uses.

Residential Uses

Residential uses include two categories; single-family residential and multi-family residential. A residential development with densities lower than eight units per acre is considered single-family residential for the purposes of calculating the fee. Developments with densities greater than eight units per acre are considered multi-family residential.

Non-residential Uses

Non-residential uses include three categories; industrial, retail and service commercial. The non-residential fee is based on the total square footage of the building or structure identified on the building permit and further specified and determined in WRCOG's TUMF Administrative Plan and TUMF 2005 Updated Fee Calculation Handbook Revised January 26, 2012. The applicable non-residential land use category is determined based on the predominate use of the building or structure associated with the new development and as further prescribed in the TUMF ordinances.

Nexus Study and Temporary Fee Reductions

In October 2009, WRCOG member agencies approved an updated TUMF Program Nexus Study. The Nexus Study established the impact future development will have on the existing subregion's arterials and determined the fee structure needed to pay for infrastructure to mitigate these impacts.

The 2009 Nexus Study projected a slower, more moderate forecast than previous studies. Coupled with lower construction costs and a revised Network, fees were reduced. For example, the fee for a single-family home decreased from $9,812 to $8,873. Fees for other residential and non-residential uses were also revised pursuant to the new Nexus Study. All participating agencies adopted the 2009 Nexus Study and fee structure.

In 2009, the WRCOG Executive Committee authorized jurisdictions to temporarily reduce TUMF by 50 percent so long as they "made up" any revenue gaps through alternative funding, cost saving and in-kind matches. Fee reductions are scheduled to sunset on December 31, 2012, or possibly sooner (the Executive Committee capped the total revenue shortfall at $20 million).

Fees effective July 1, 2010 through June 30, 2011:

Single-family residential	$8,873	per unit
Multi-family residential	$6,231	per unit
Industrial	$ 1.73	per square foot
Retail	$10.49	per square foot
Service	$ 4.19	per square foot
Class A & B Office	$ 2.19	per square foot

50% reduced fee is:

Single-family residential	$4,437	per unit
Multi-family residential	$3,115	per unit
Industrial	$ 0.86	per square foot
Retail	$ 5.24	per square foot
Service	$ 2.10	per square foot
Class A & B Office	$ 1.10	per square foot

TUMF Revenue by Jurisdiction and Zone

February 2003 through June 2011

Total Revenue: $539,996,519

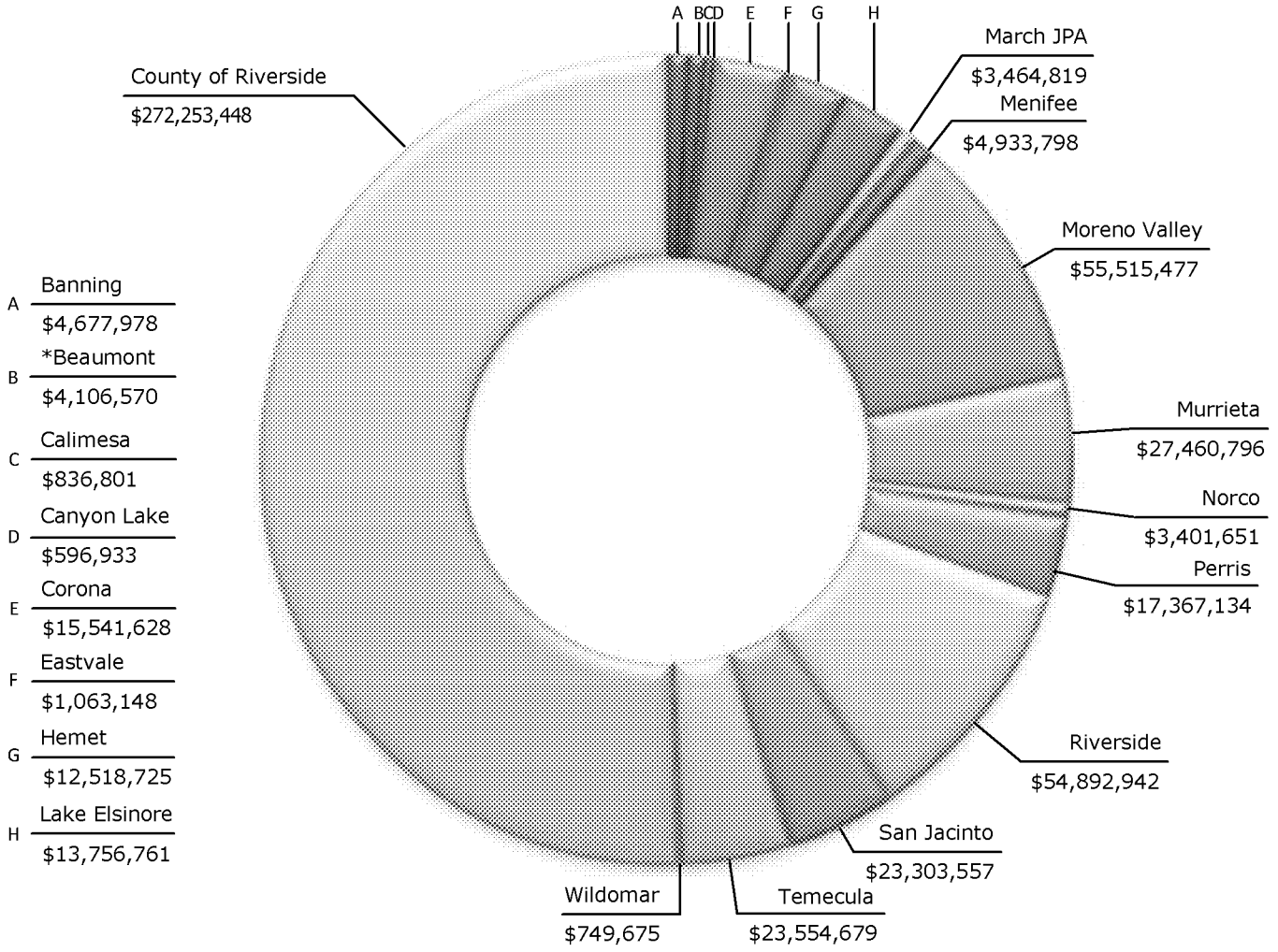

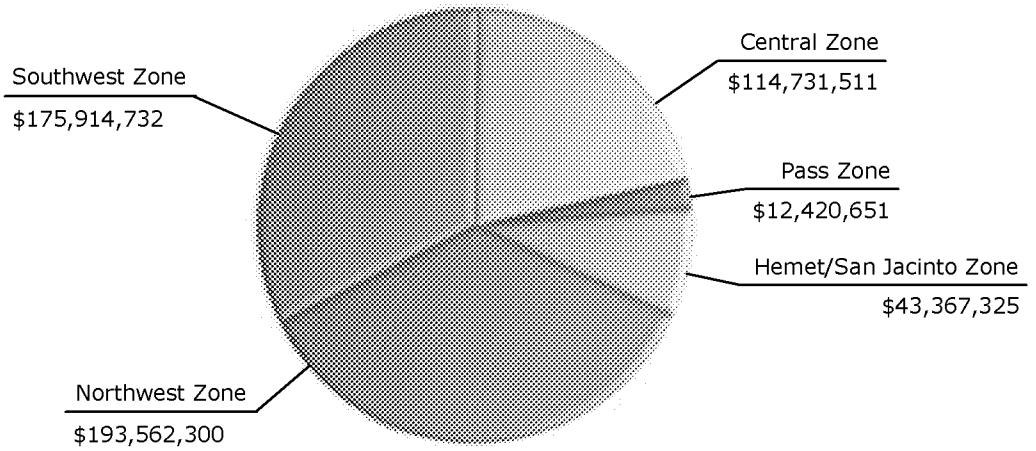

TUMF revenues are collected by each of the jurisdictions in the WRCOG subregion (17 cities and the County of Riverside unincorporated area within WRCOG's boundaries). TUMF revenues are also collected by the March Joint Powers Authority. From Program inception (February 2003) through the end of Fiscal Year 2010/2011 (June 30, 2011), a total of $539.9 million in TUMF Program revenue fees was collected.

*The City of Beaumont is no longer participating in the TUMF Program.

Actual jurisdiction revenues may vary by a dollar due to rounding.

TUMF Revenue Breakdown By Zone and Jurisdiction (2003-2011)

Northwest Zone - $193,562,300

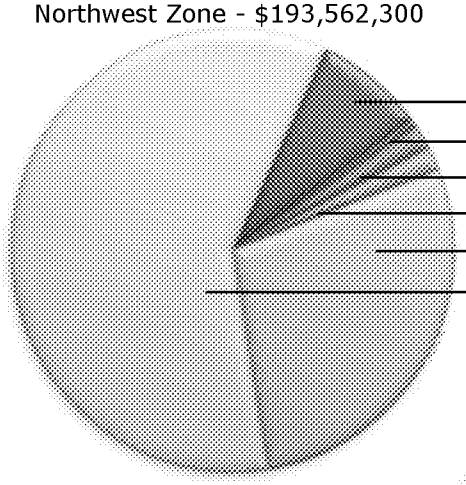

Corona	$	15,541,628
Eastvale	$	1,063,148
March JPA	$	3,464,819
Norco	$	3,401,651
Riverside	$	54,892,942
County of Riverside	$	115,198,113

Central Zone - $114,731,511

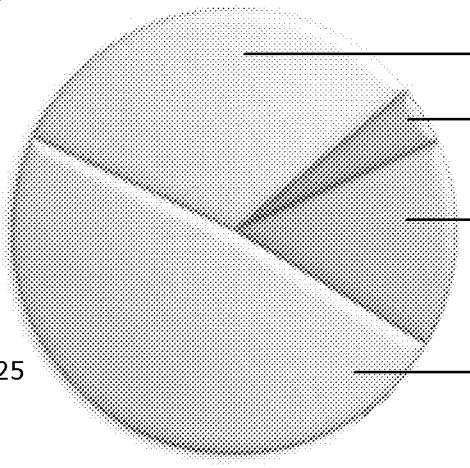

County of Riverside	$	36,915,103
Menifee	$	4,933,798
Perris	$	17,367,134
Moreno Valley	$	55,515,477

Hemet/San Jacinto Zone - $43,367,325

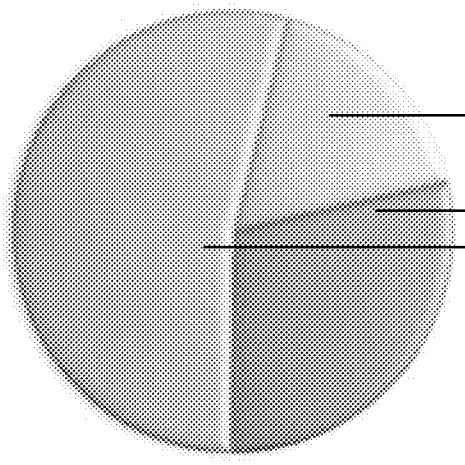

County of Riverside	$	7,545,042
Hemet	$	12,518,725
San Jacinto	$	23,303,557

Pass Zone - $12,420,651

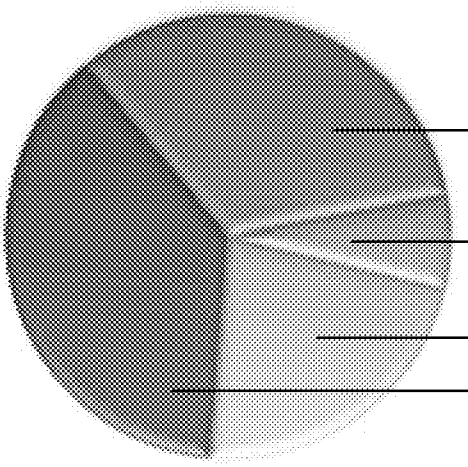

Banning	$	4,677,978
Calimesa	$	836,801
County of Riverside	$	2,799,302
*Beaumont	$	4,106,570

Southwest Zone - $175,914,732

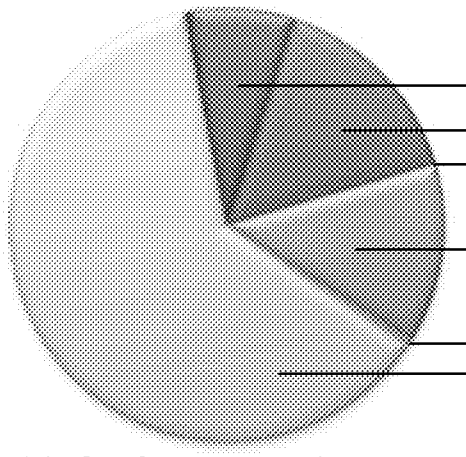

Lake Elsinore	$	13,756,761
Murrieta	$	27,460,796
Canyon Lake	$	596,933
Temecula	$	23,554,679
Wildomar	$	749,675
County of Riverside	$	109,795,888

2003-2011 Revenue Total $539,996,519

*The City of Beaumont is no longer participating in the TUMF Program. Actual jurisdic[illegible]es may vary by a dollar due to rounding.

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TUMF Revenues Collected by Fiscal Year

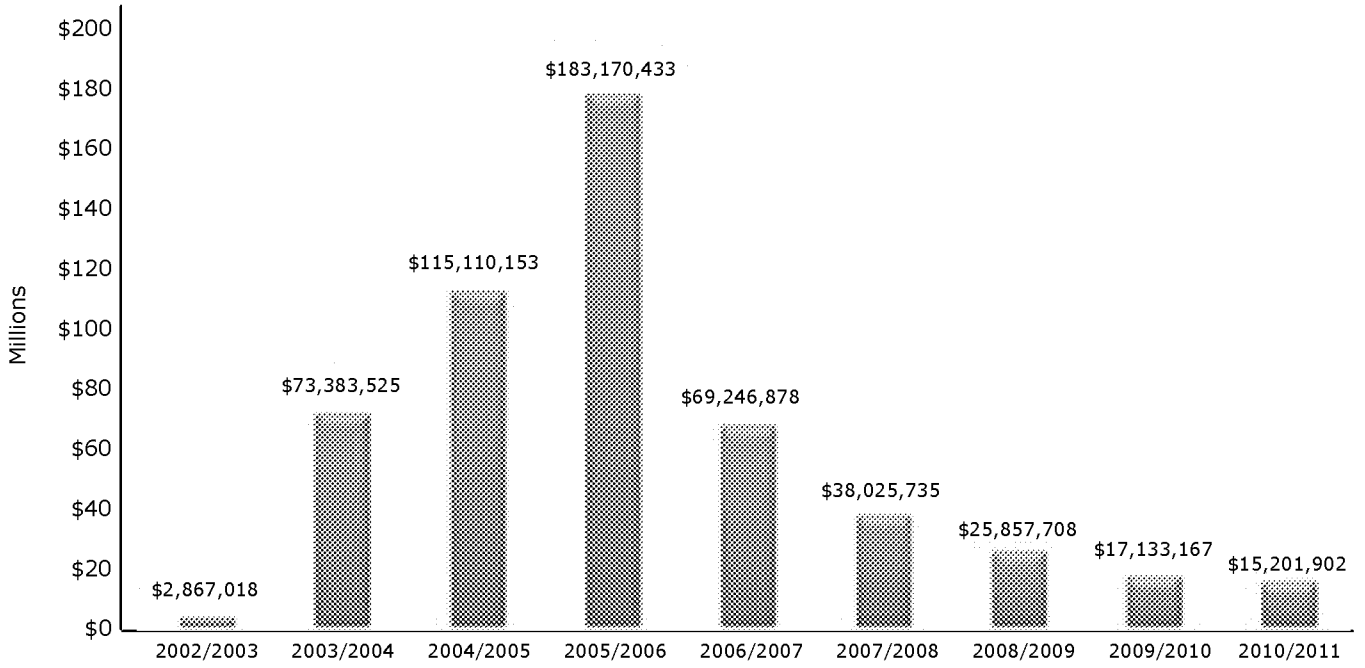

Note: In FY 2002/2003, revenues were not collected until February 2003

Total TUMF Revenue Collection (Cumulative) February 2003 through June 2011

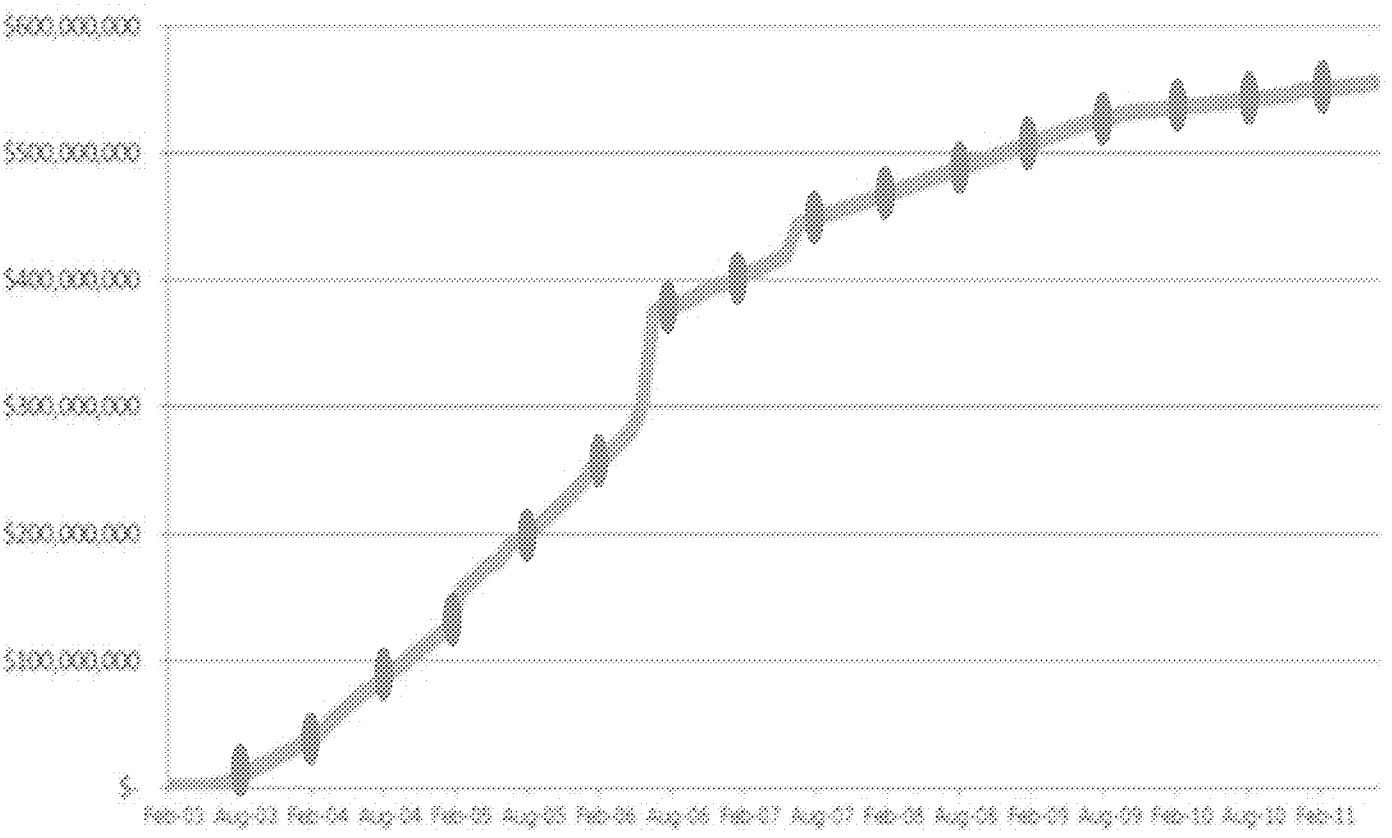

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WRCOG TUMF Revenue vs. Expenditure (Cumulative)

February 2003 through June 2011

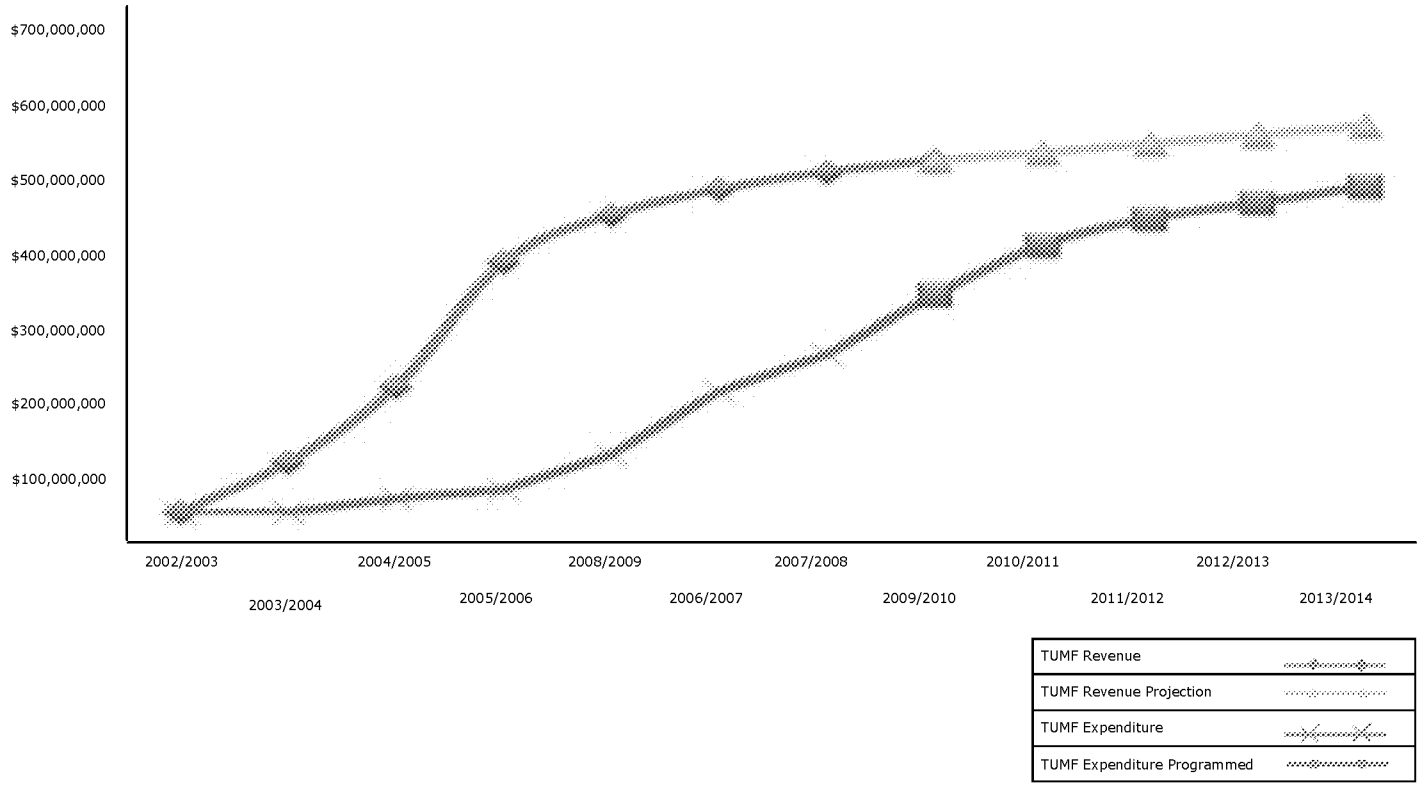

TUMF System Costs vs. Revenue Stream

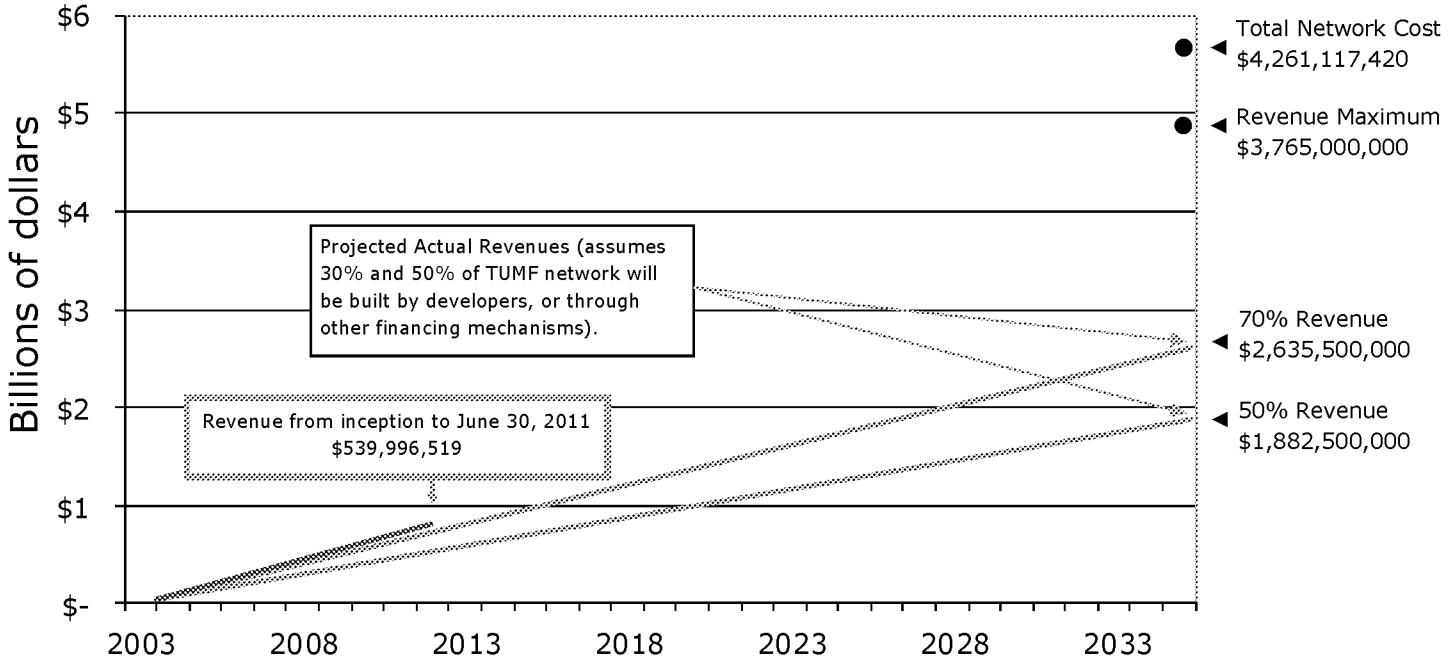

The total network cost of the Program (RSHA improvements) is $4.2 billion. Numerous elements affect the total potential revenue collected by the Program such as exemptions from TUMF due to vesting maps, development agreements, phasing of fees, and policy actions. As such, the maximum amount of fees that can be collected by the TUMF Program is approximately $3.765 billion. It is estimated that between 30% and 50% of the TUMF Network will be built by developers, or through alternative funding mechanisms such as Community Facilities Districts and Road and Bridge Benefit Districts. Actual fees to be collected, therefore, are estimated at $1.882 billion (assuming 50% of the Network is constructed by developers or through financing mechanisms in which case fees are not collected) or $2.635 billion (assuming 30% of the Network is constructed witho[illegible]cted.)

TUMF Revenue by Jurisdiction and Zone

Fiscal Year 2010/2011 (July 1, 2010, to June 30, 2011)

Total Revenue: $15,201,902

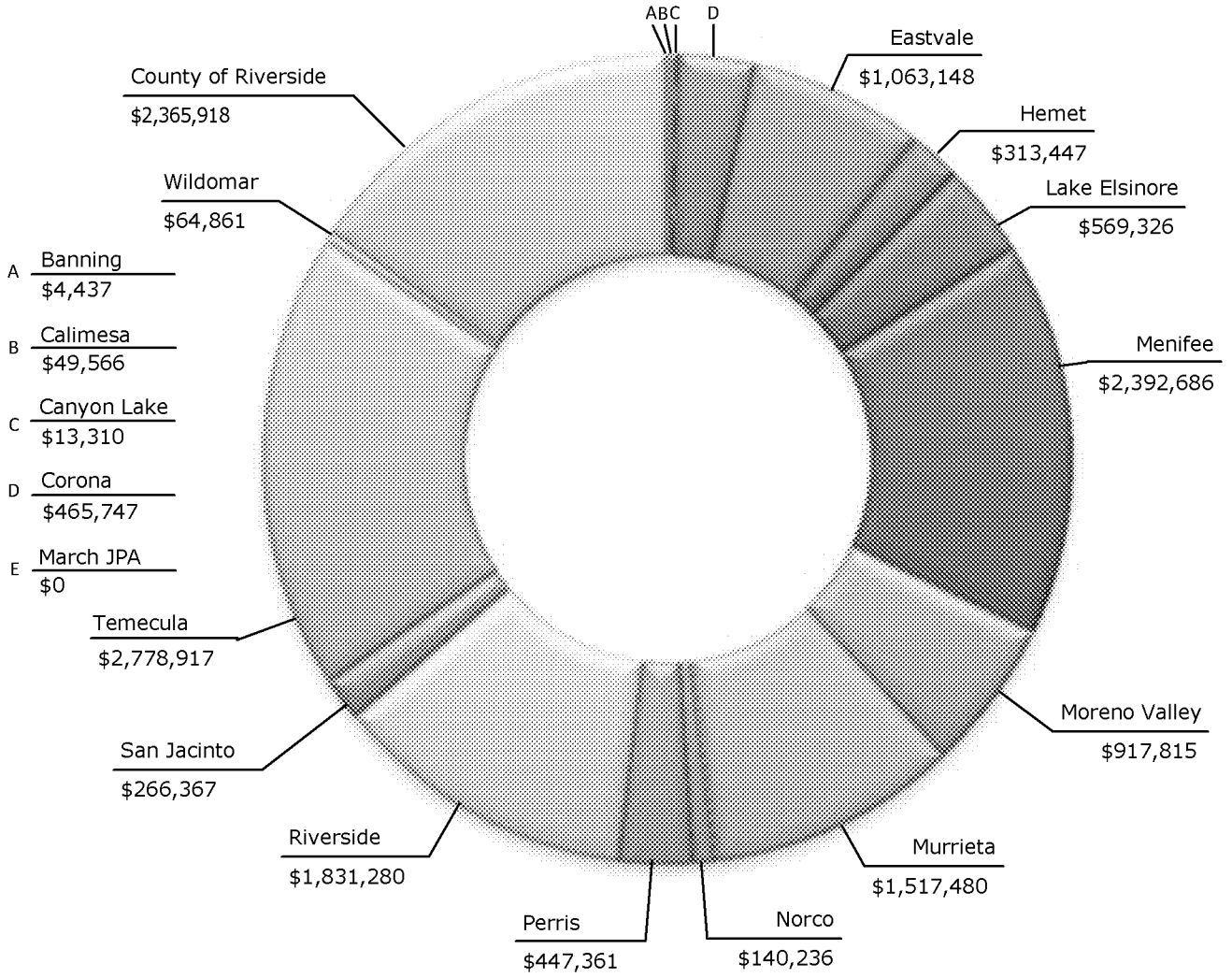

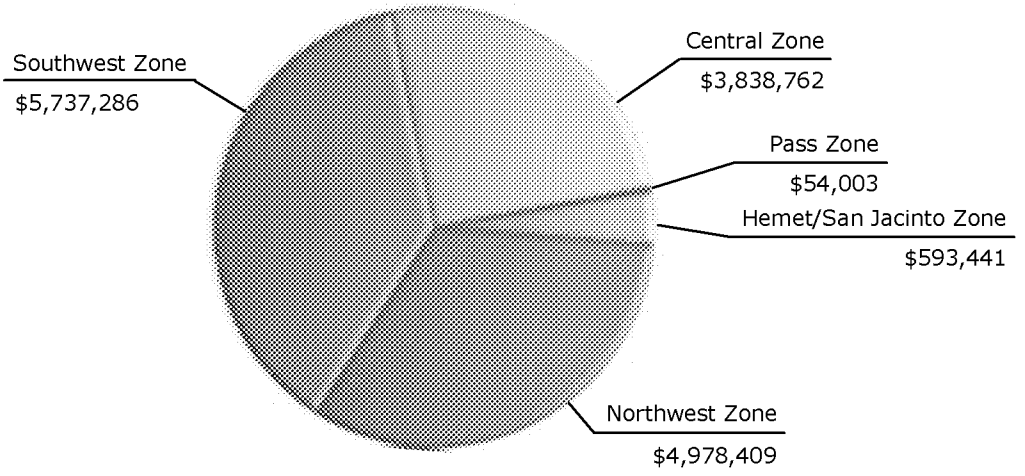

Actual jurisdiction revenues may vary by a dollar due to rounding.

TUMF Revenue Breakdown By Zone and Jurisdiction (FY 2010/2011)

Northwest Zone - $4,978,409

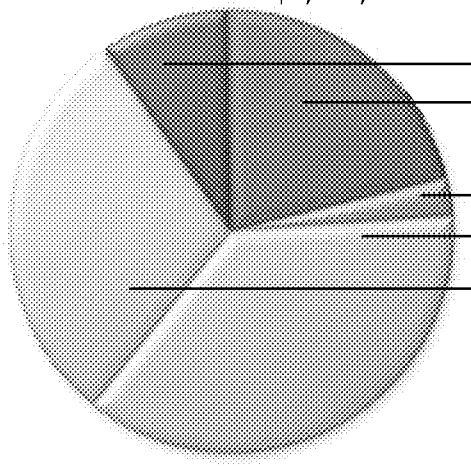

Corona	$	465,747
Eastvale	$	1,063,148
March JPA	$	0
Norco	$	140,236
Riverside	$	1,831,280
County of Riverside	$	1,477,999

Central Zone - $3,838,762

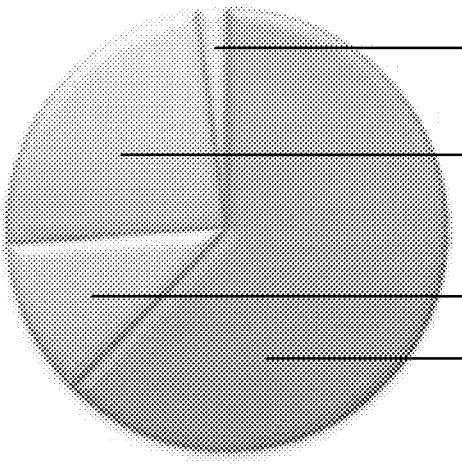

County of Riverside	$	80,900
Moreno Valley	$	917,815
Perris	$	447,361
Menifee	$	2,392,686

Hemet/San Jacinto Zone - $593,441

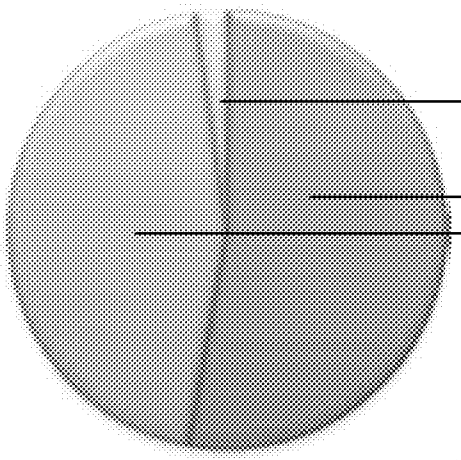

County of Riverside	$	13,627
Hemet	$	313,447
San Jacinto	$	266,367

Pass Zone - $54,003

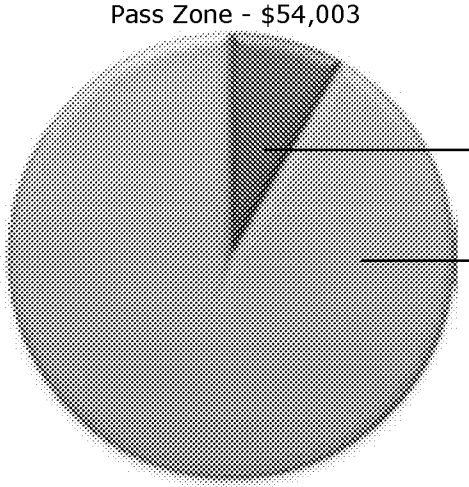

Banning	$	4,437
Calimesa	$	49,566
County of Riverside	$	0

Southwest Zone - $5,737,286

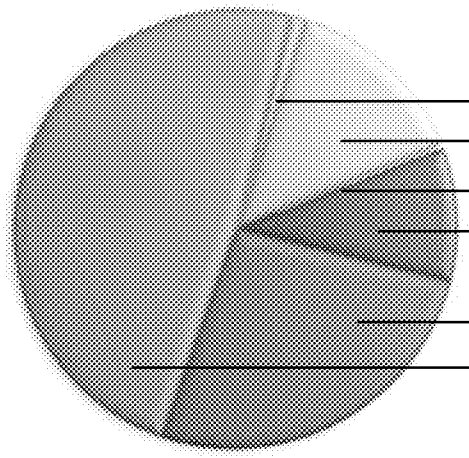

Wildomar	$	64,861
County of Riverside	$	793,392
Canyon Lake	$	13,310
Lake Elsinore	$	569,326
Murrieta	$	1,517,480
Temecula	$	2,778,917

Fiscal Year 2010/2011 Revenue Total $15,201,902

Actual jurisdiction revenues may vary by a dollar due to rounding.

TUMF Revenue by Land Use (2003-2011)

Total Revenue: $539,996,519

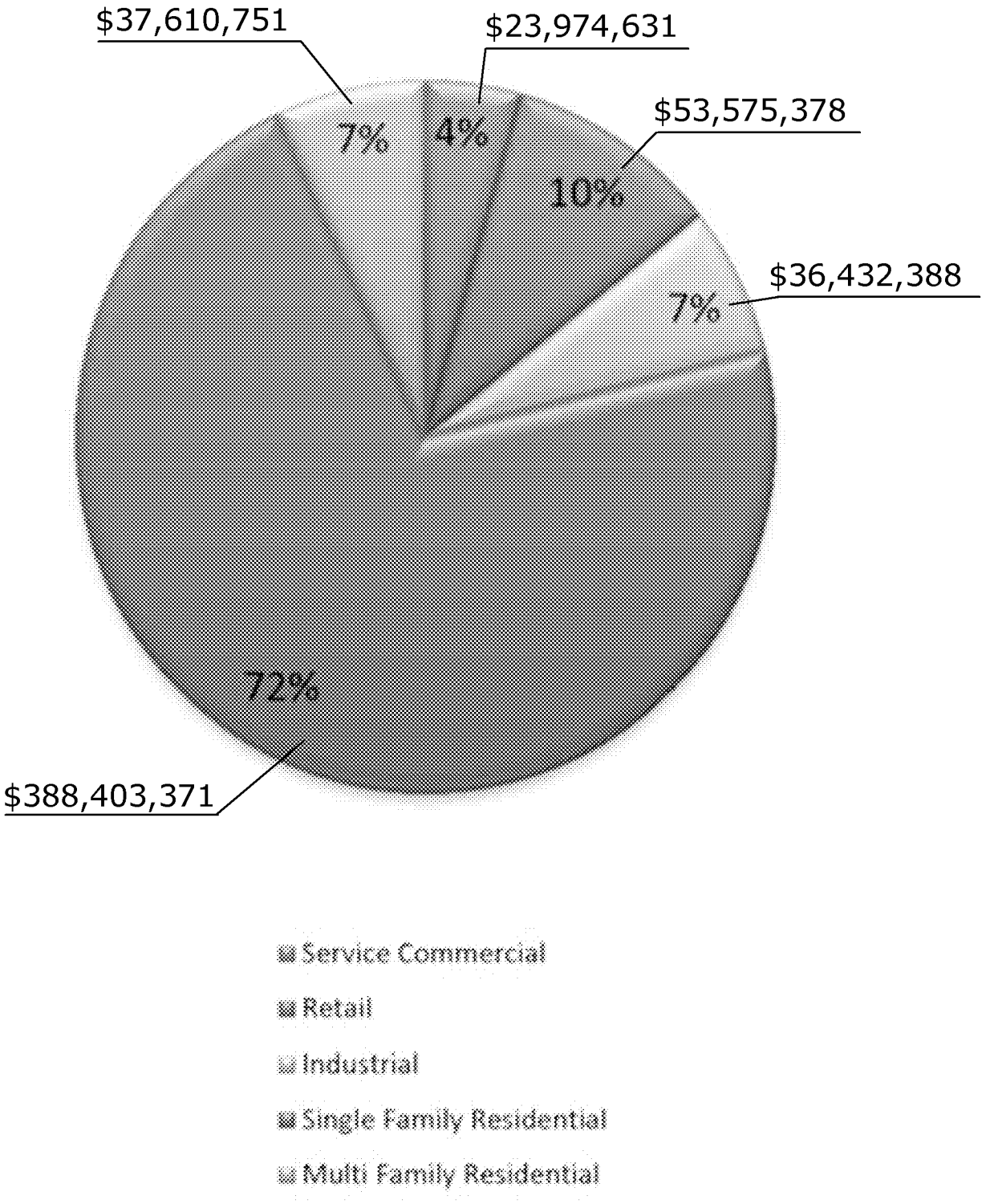

MV00172331

TUMF Revenue by Land Use (2003-2011)

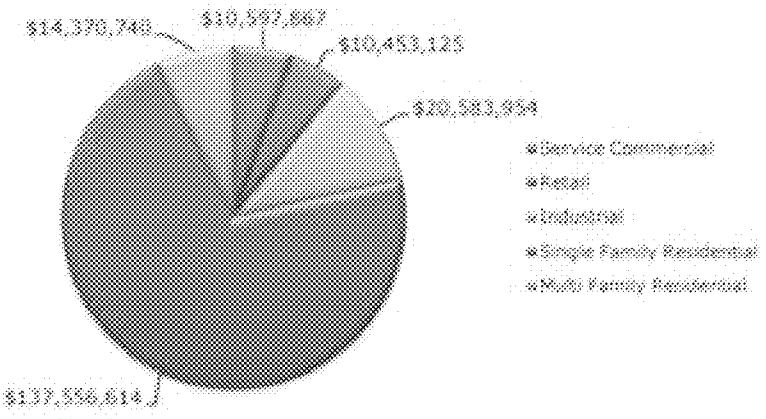

Northwest Zone

- County of Riverside unincorporated
- City of Corona
- City of Eastvale
- *City of Jurupa Valley
- City of Norco
- City of Riverside
- March Joint Powers Authority

County of Riverside

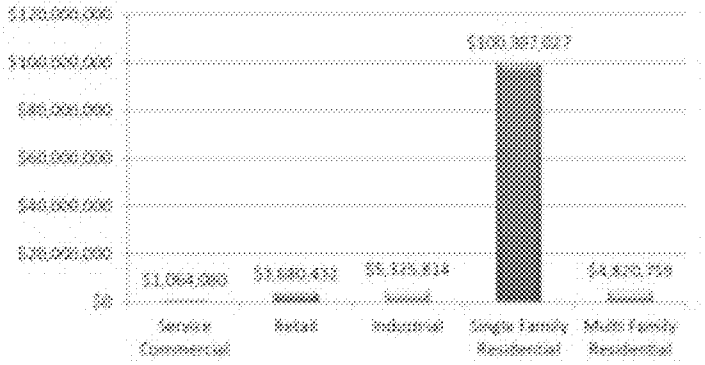

Corona

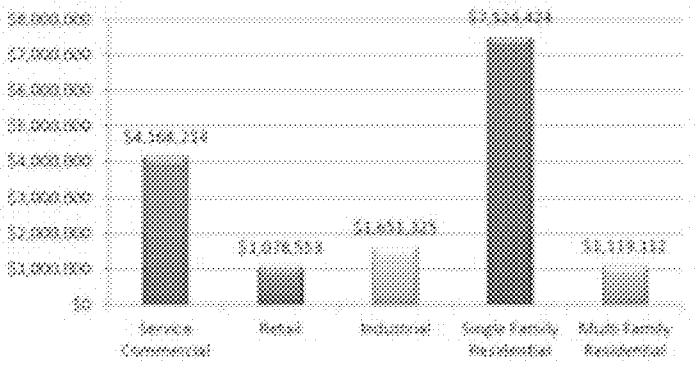

Eastvale

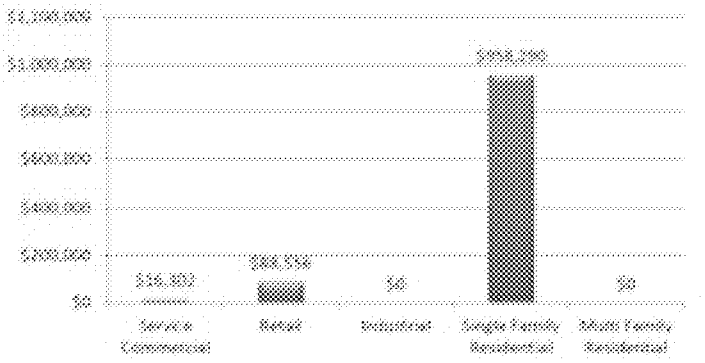

Norco

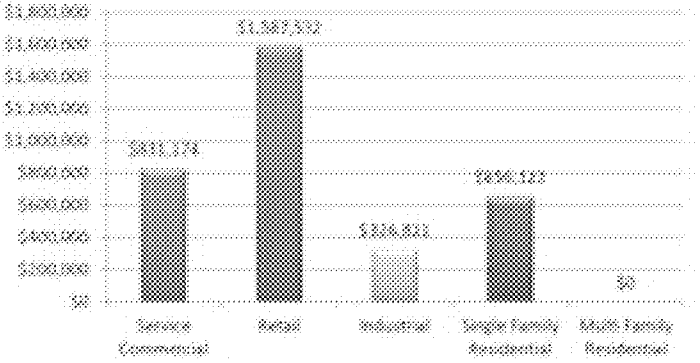

Riverside

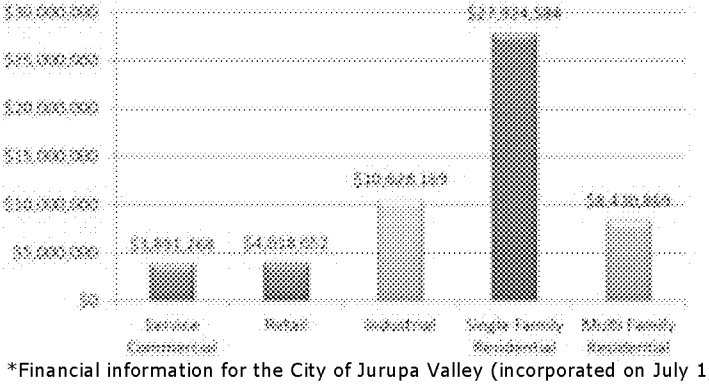

March JPA

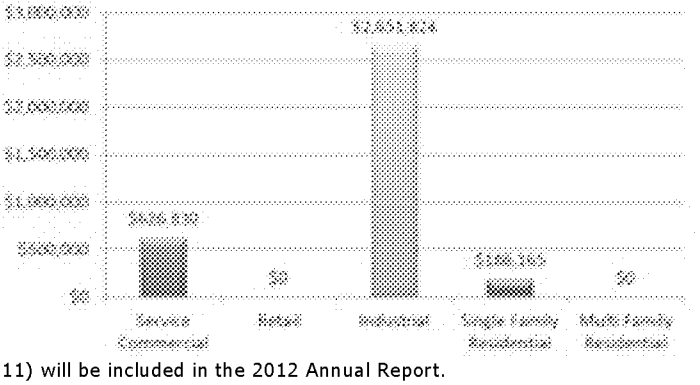

*Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.
The County of Riverside and the Cities of Corona, Eastvale, Norco, and Riverside for all or part [illegible] educed the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00172332

TUMF Revenue by Land Use (2003-2011)

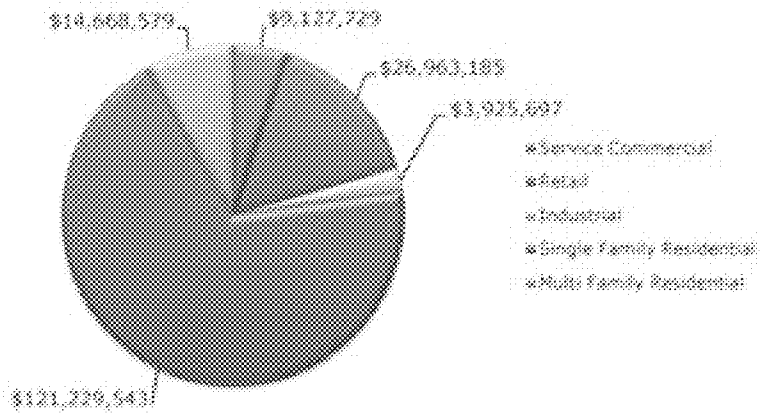

Southwest Zone

- County of Riverside unincorporated
- City of Canyon Lake
- City of Lake Elsinore
- City of Murrieta
- City of Temecula
- City of Wildomar

County of Riverside

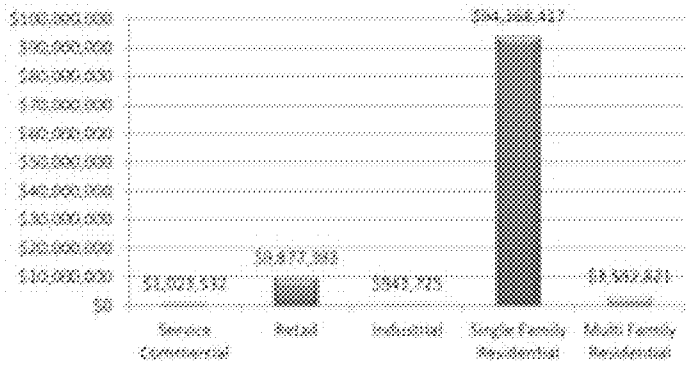

Canyon Lake

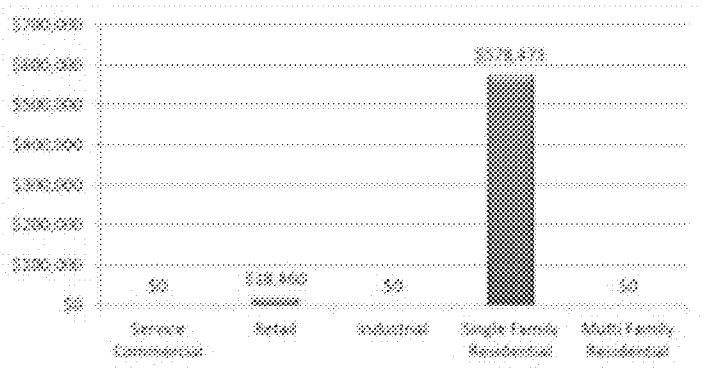

Lake Elsinore

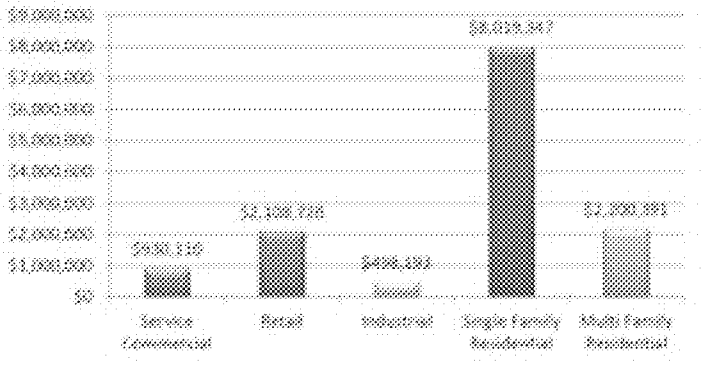

Murrieta

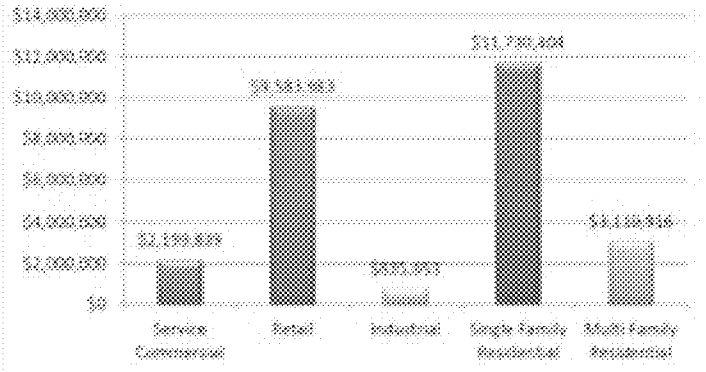

Temecula

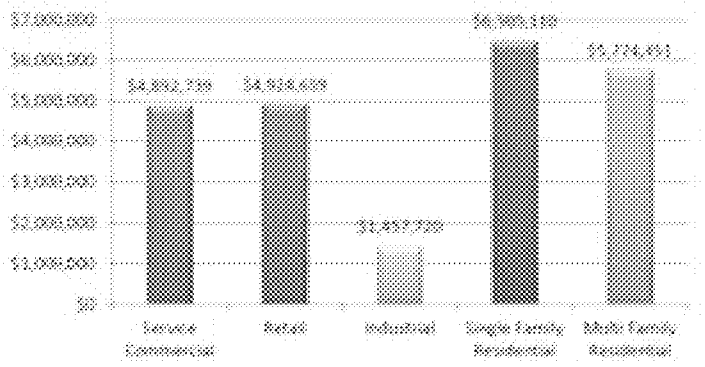

Wildomar

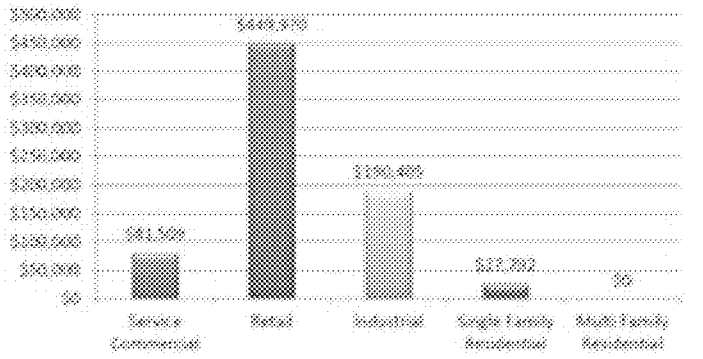

The County of Riverside for a part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

TUMF Revenue by Land Use (2003-2011)

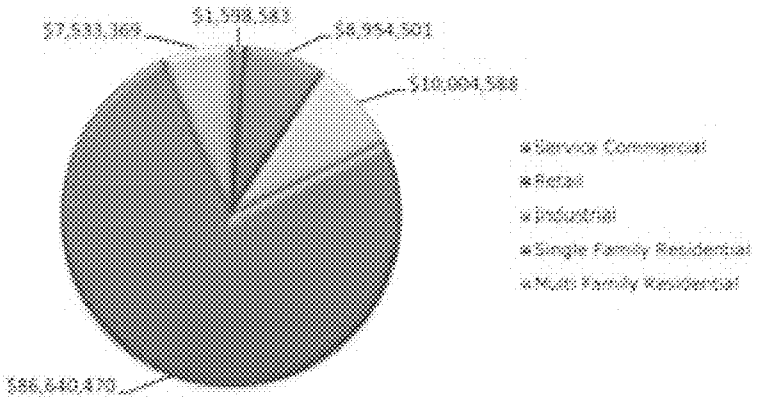

Central Zone

- County of Riverside unincorporated
- City of Menifee
- City of Moreno Valley
- City of Perris

County of Riverside

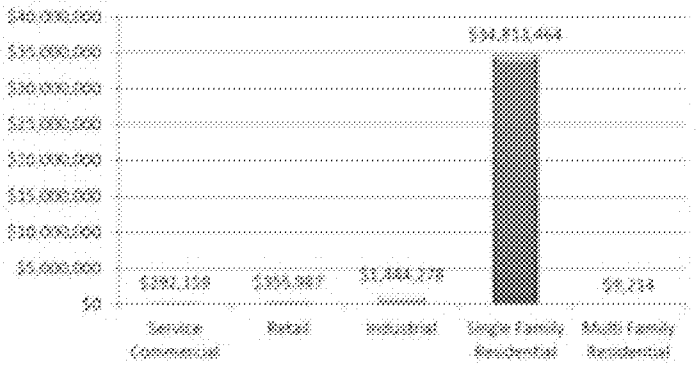

Menifee

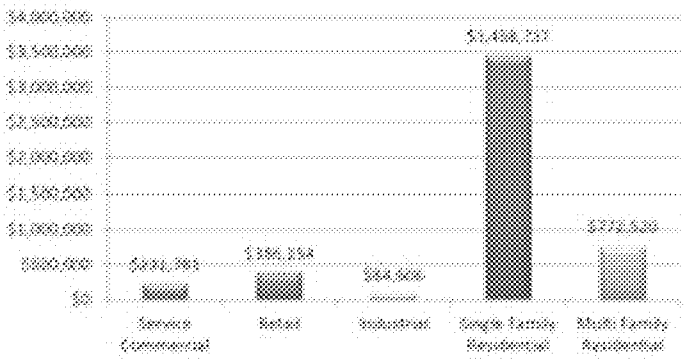

Moreno Valley

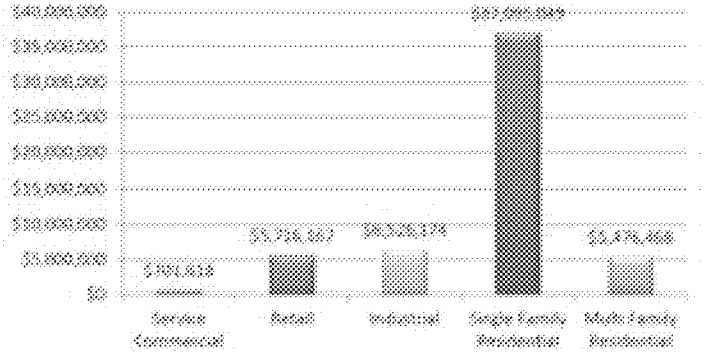

Perris

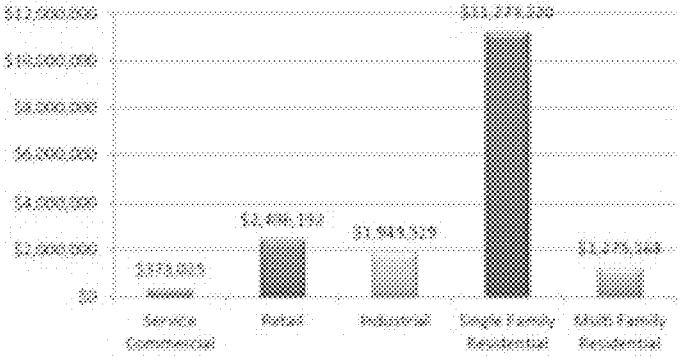

The County of Riverside and the Cities of Menifee, Moreno Valley, and Perris for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00172334

TUMF Revenue by Land Use (2003-2011)

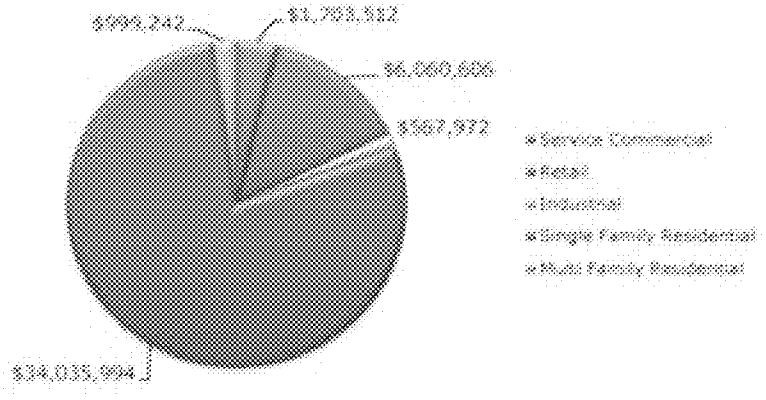

Hemet/San Jacinto Zone

- County of Riverside unincorporated
- City of Hemet
- City of San Jacinto

County of Riverside

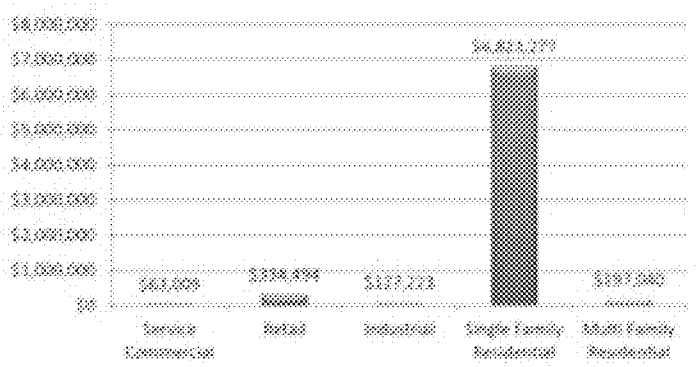

Hemet

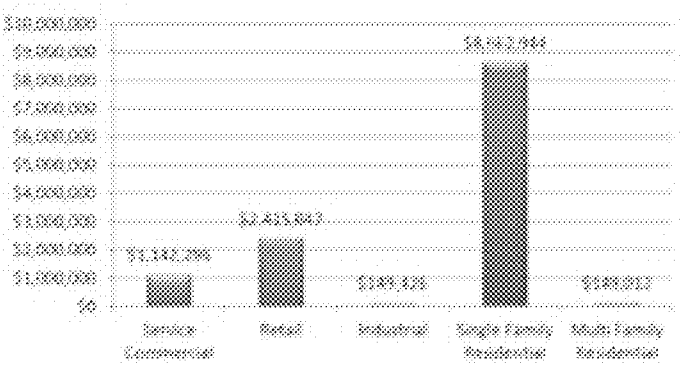

San Jacinto

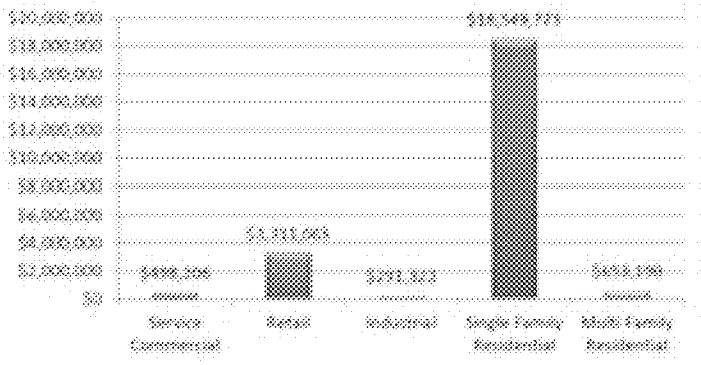

The County of Riverside and the City of San Jacinto for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00172335

TUMF Revenue by Land Use (2003-2011)

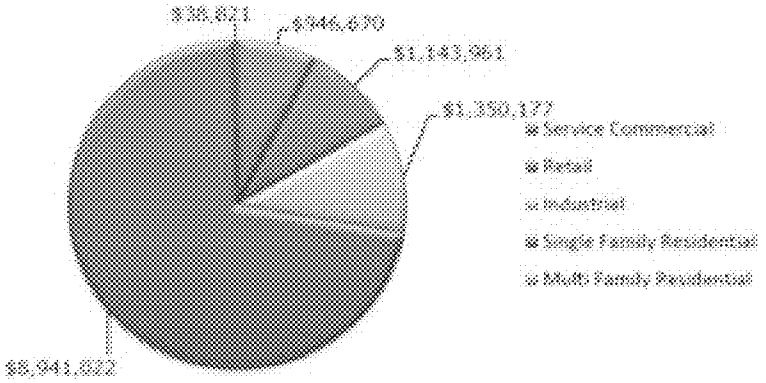

Pass Zone

- County of Riverside unincorporated
- City of Banning
- *City of Beaumont
- City of Calimesa

County of Riverside

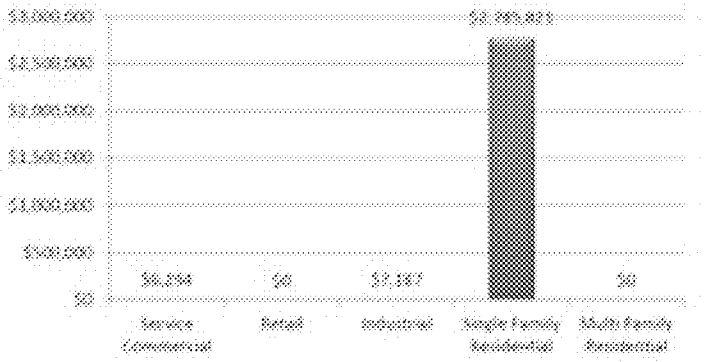

Banning

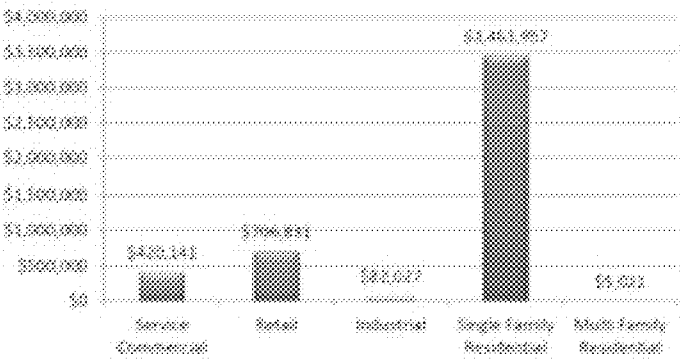

***Beaumont**

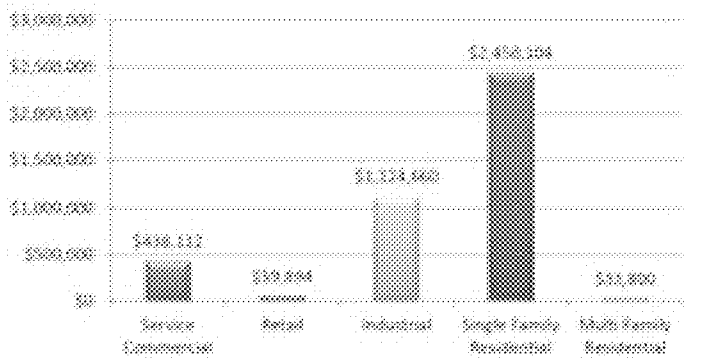

Calimesa

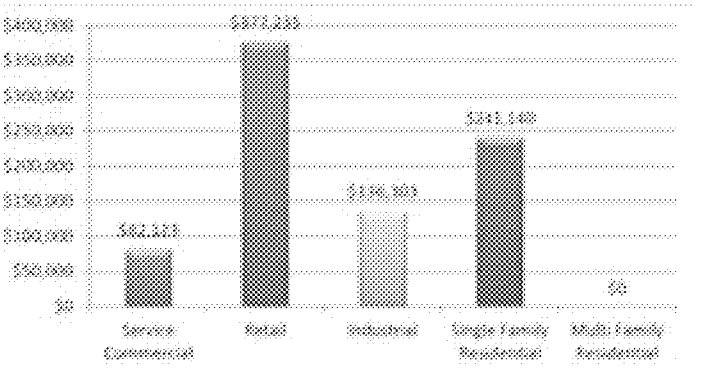

*The City of Beaumont is no longer participating in the TUMF Program.
The County of Riverside and the Cities of Banning and Calimesa for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00172336

TUMF Revenue by Land Use

Fiscal Year 2010-2011 (July 1, 2010, to June 30, 2011)

Total Revenue: $15,201,902

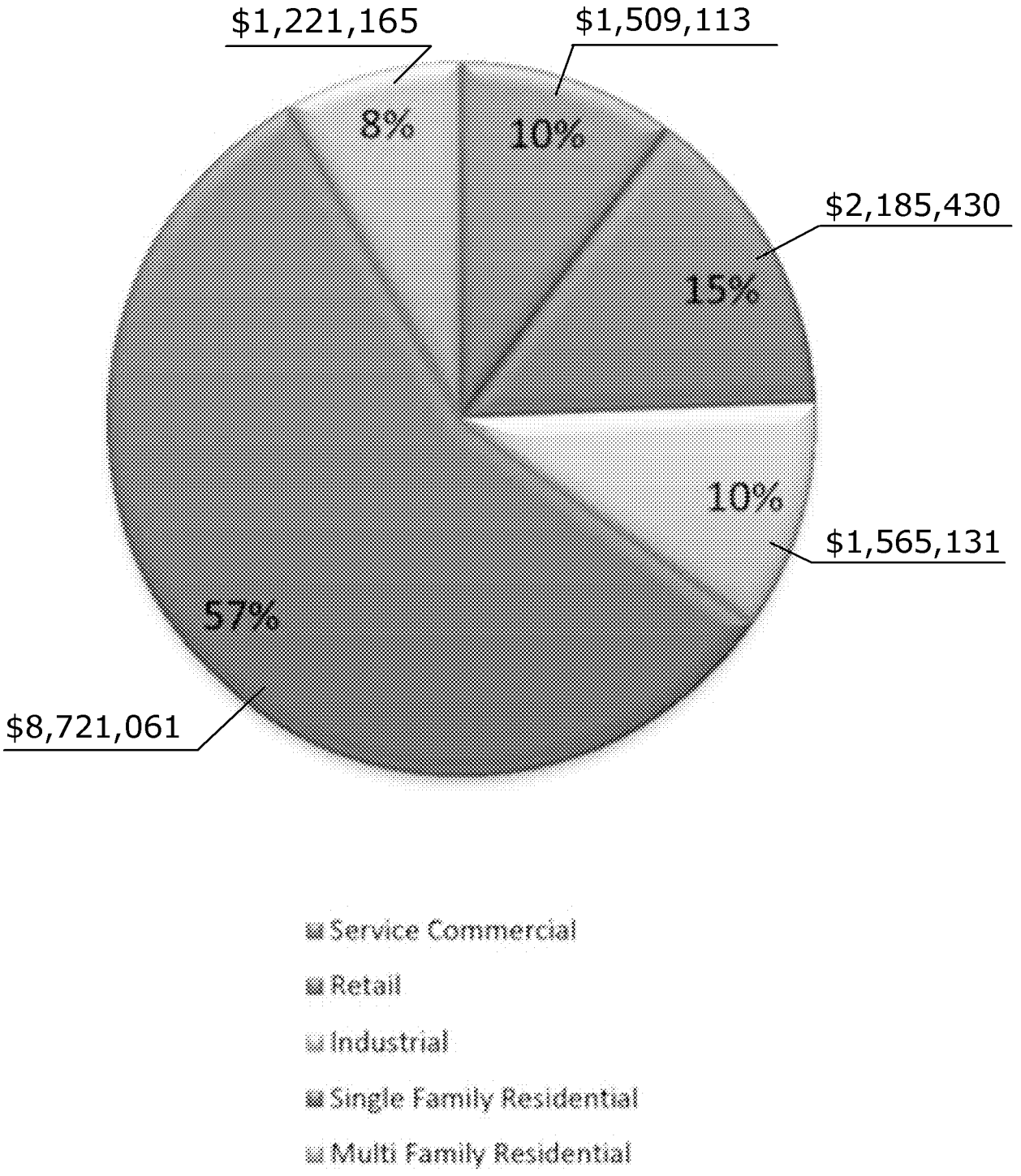

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00172337

TUMF Revenue by Land Use (FY 2010/2011)

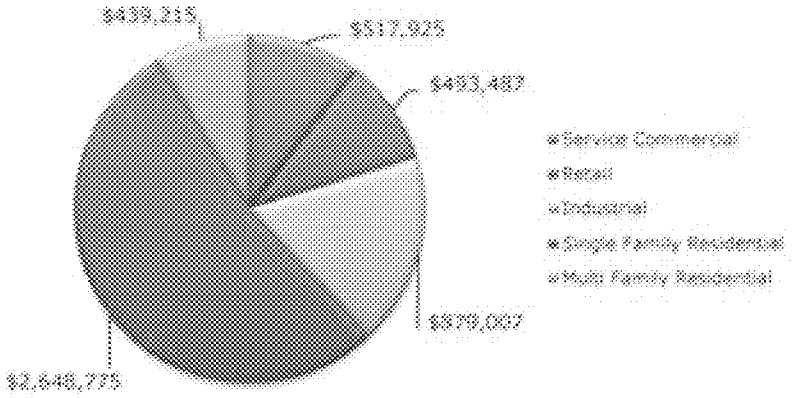

Northwest Zone

- County of Riverside unincorporated
- City of Corona
- City of Eastvale
- City of Jurupa Valley
- City of Norco
- City of Riverside
- March Joint Powers Authority

County of Riverside

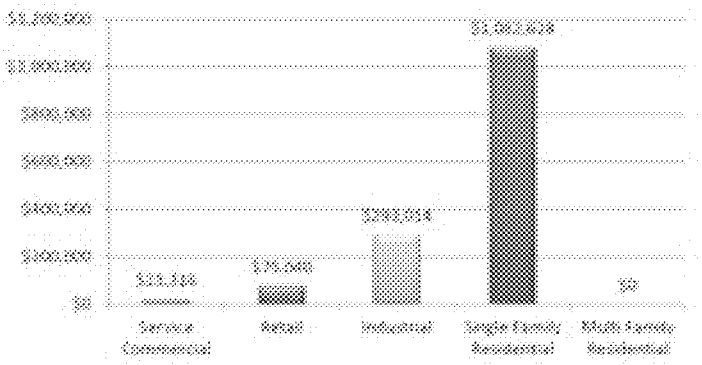

Corona

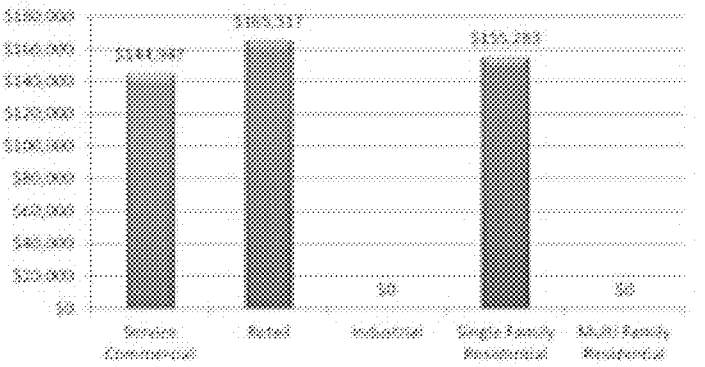

Eastvale

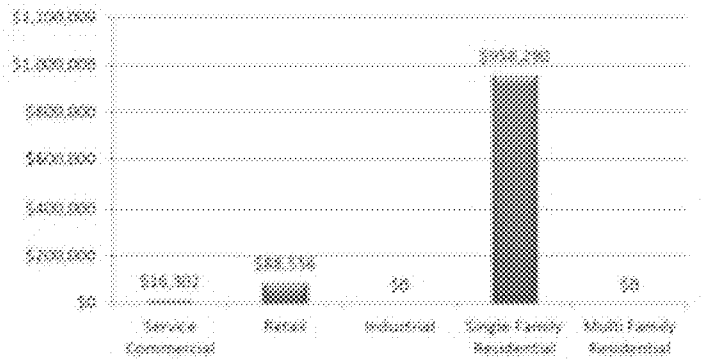

Norco

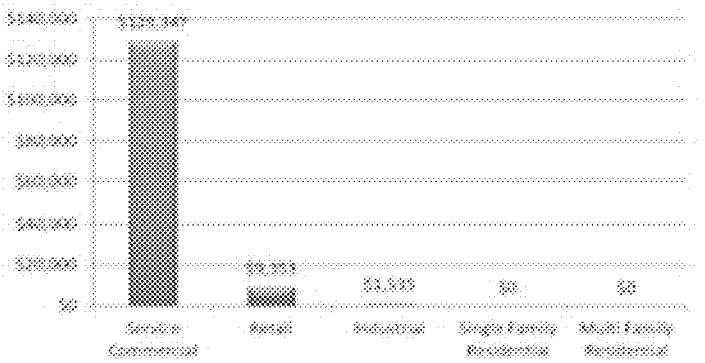

Riverside

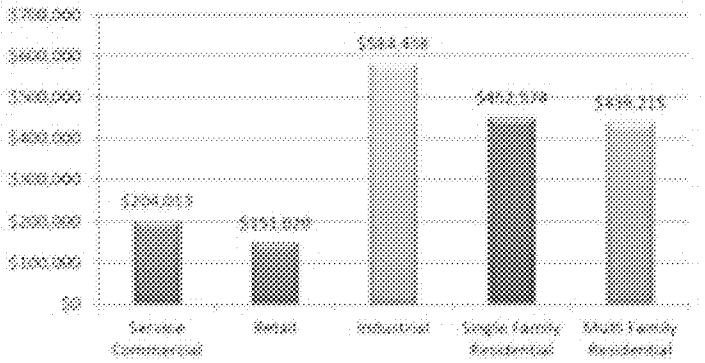

Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.

For Fiscal Year 2010/2011, the March JPA did not have any projects in final inspection and therefore did not collect or remit any TUMF dollars to WRCOG.

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00172338

TUMF Revenue by Land Use (FY 2010/2011)

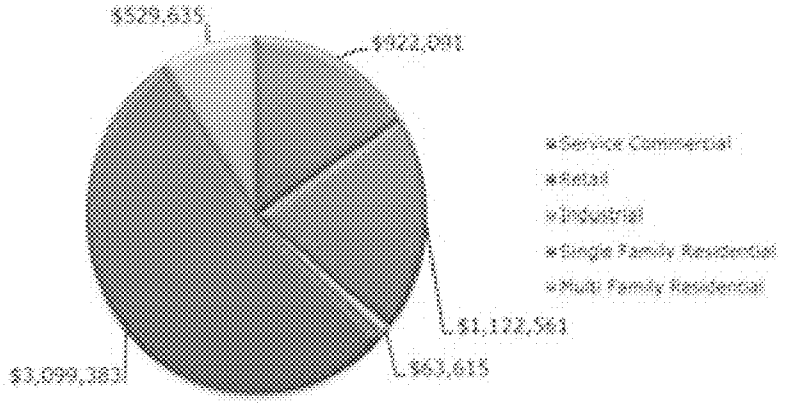

Southwest Zone

- County of Riverside unincorporated
- City of Canyon Lake
- City of Lake Elsinore
- City of Murrieta
- City of Temecula
- City of Wildomar

County of Riverside

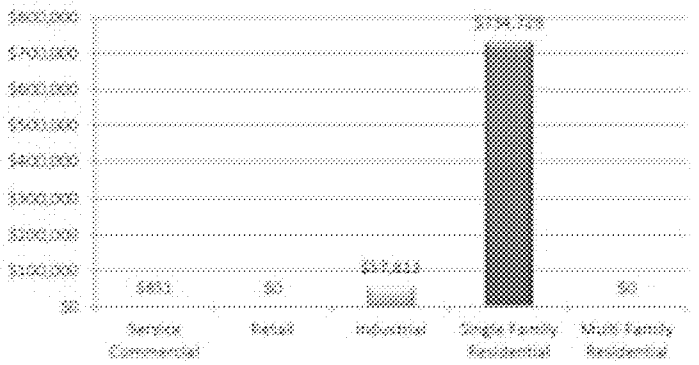

Canyon Lake

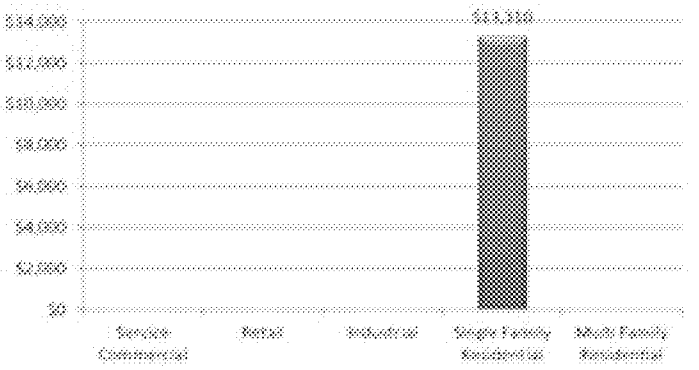

Lake Elsinore

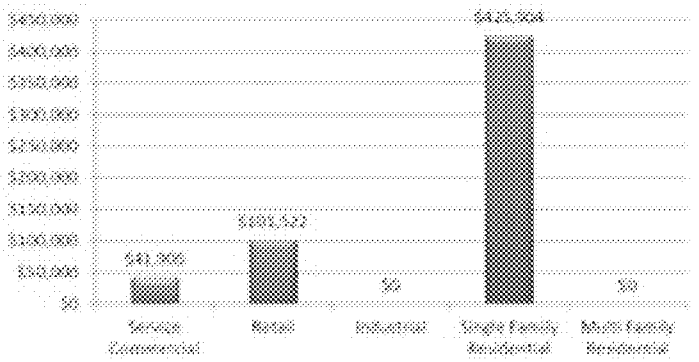

Murrieta

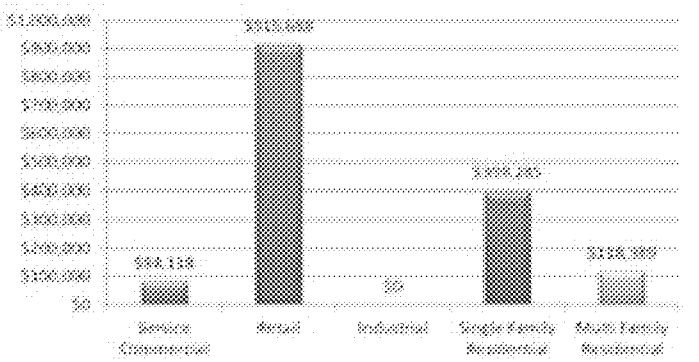

Temecula

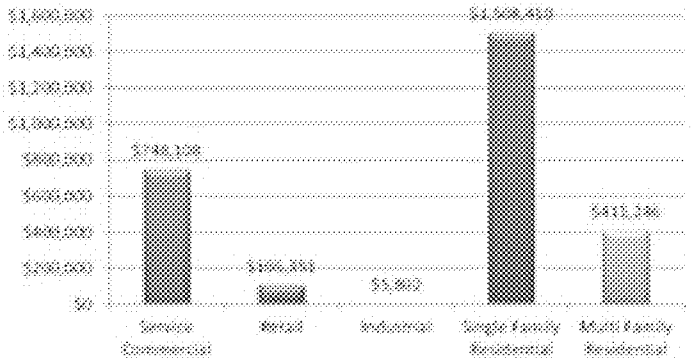

Wildomar

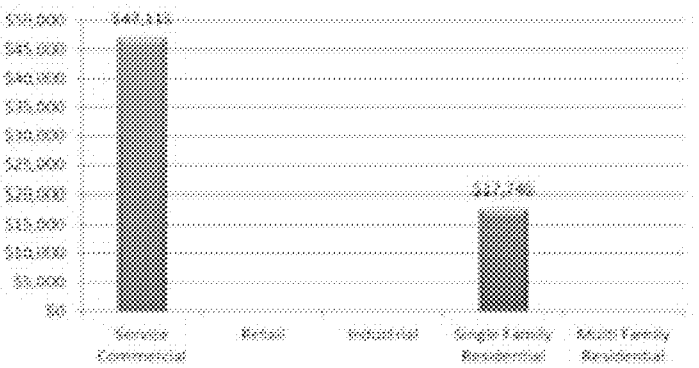

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00172339

TUMF Revenue by Land Use (FY 2010/2011)

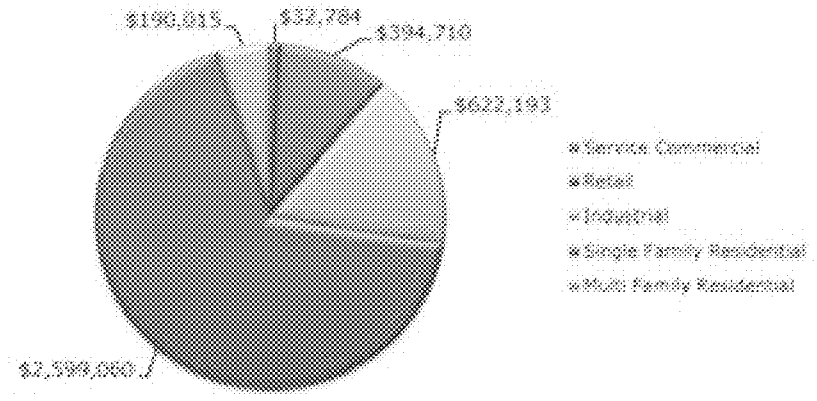

Central Zone

- County of Riverside unincorporated
- City of Menifee
- City of Moreno Valley
- City of Perris

County of Riverside

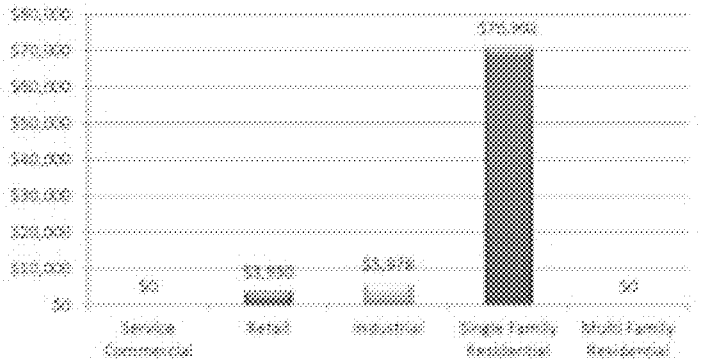

Menifee

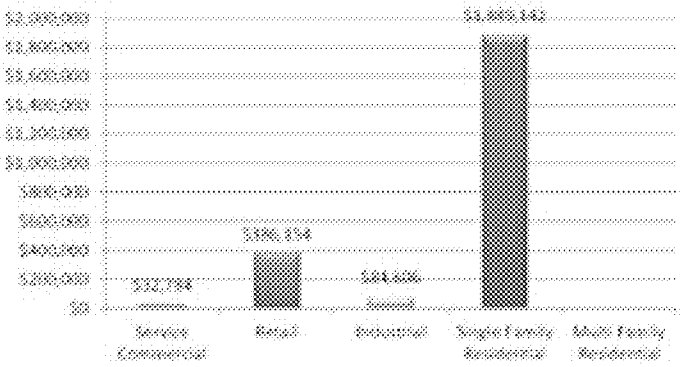

Moreno Valley

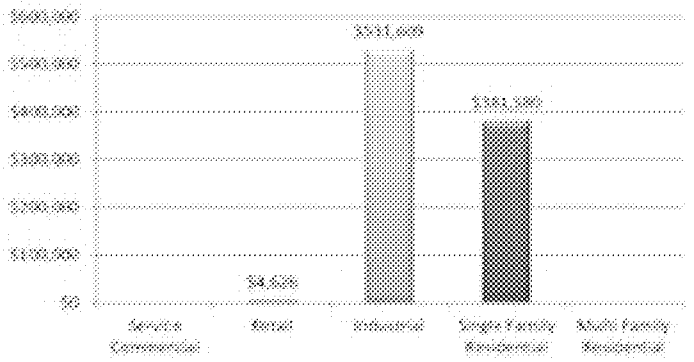

Perris

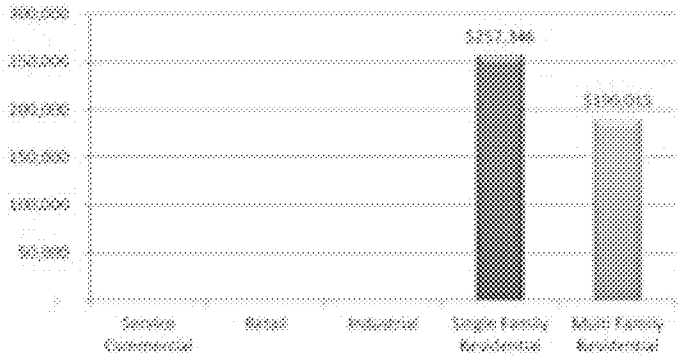

MV00172340

TUMF Revenue by Land Use (FY 2010/2011)

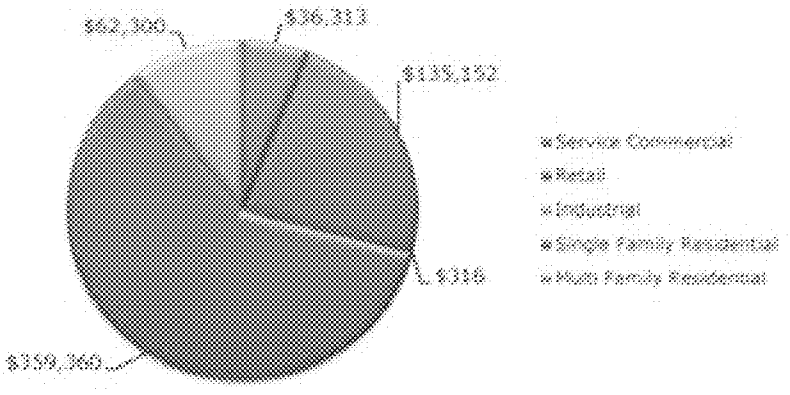

Hemet/San Jacinto Zone

- County of Riverside unincorporated
- City of Hemet
- City of San Jacinto

County of Riverside

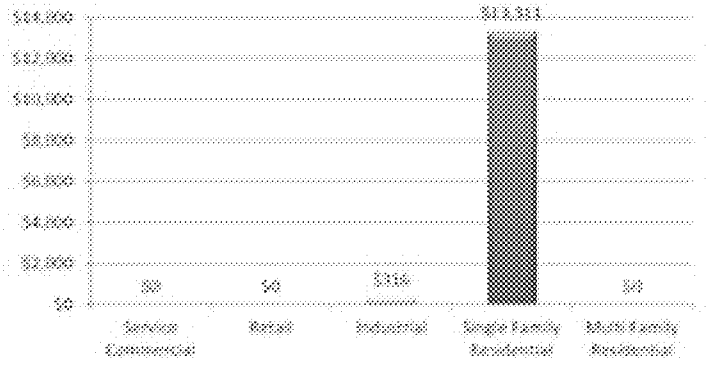

Hemet

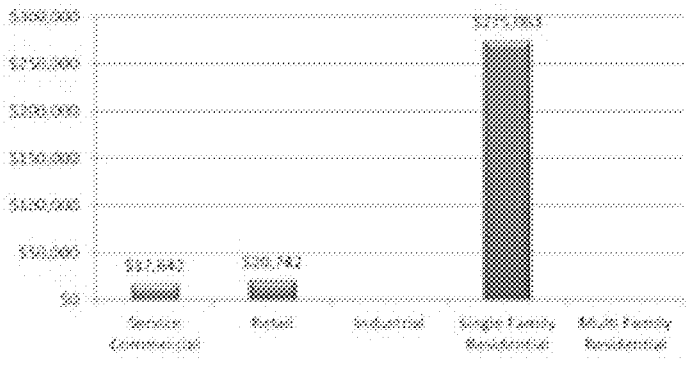

San Jacinto

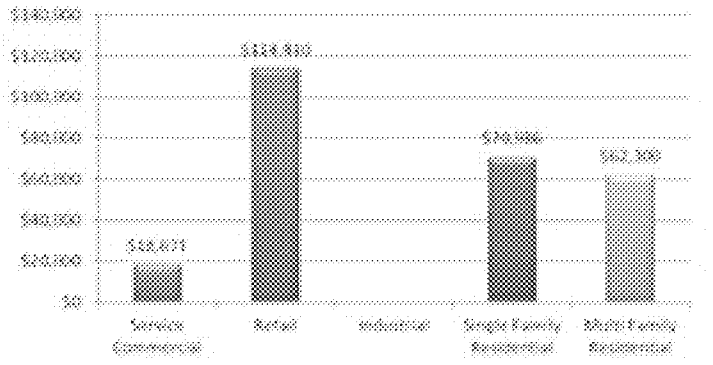

MV00172341

TUMF Revenue by Land Use (FY 2010/2011)

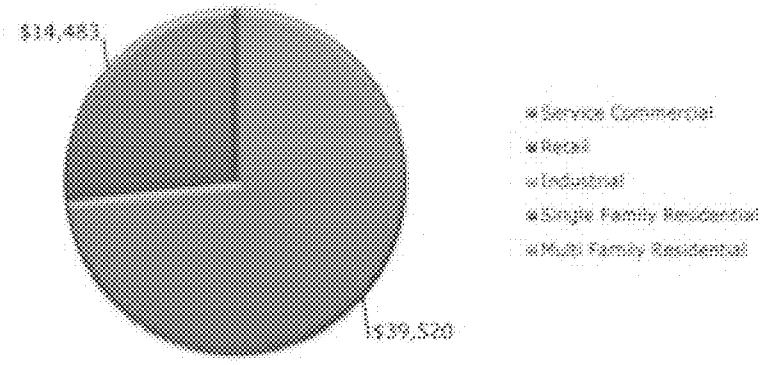

Pass Zone

- City of Banning
- City of Calimesa
- County of Riverside unincorporated

Banning

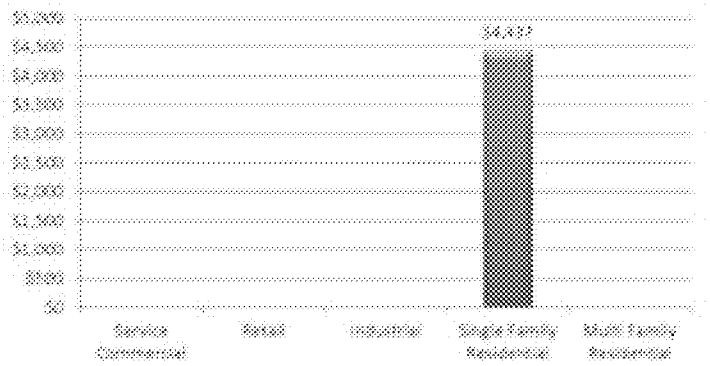

Calimesa

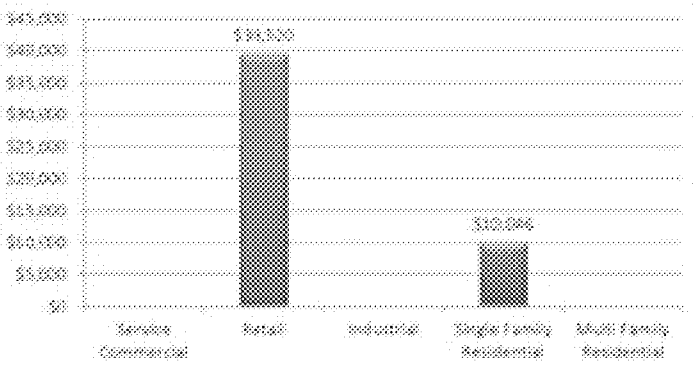

For Fiscal Year 2010/2011, the County of Riverside did not have any projects in final inspection and therefore did not collect or remit any TUMF dollars to WRCOG.

MV00172342

Projects

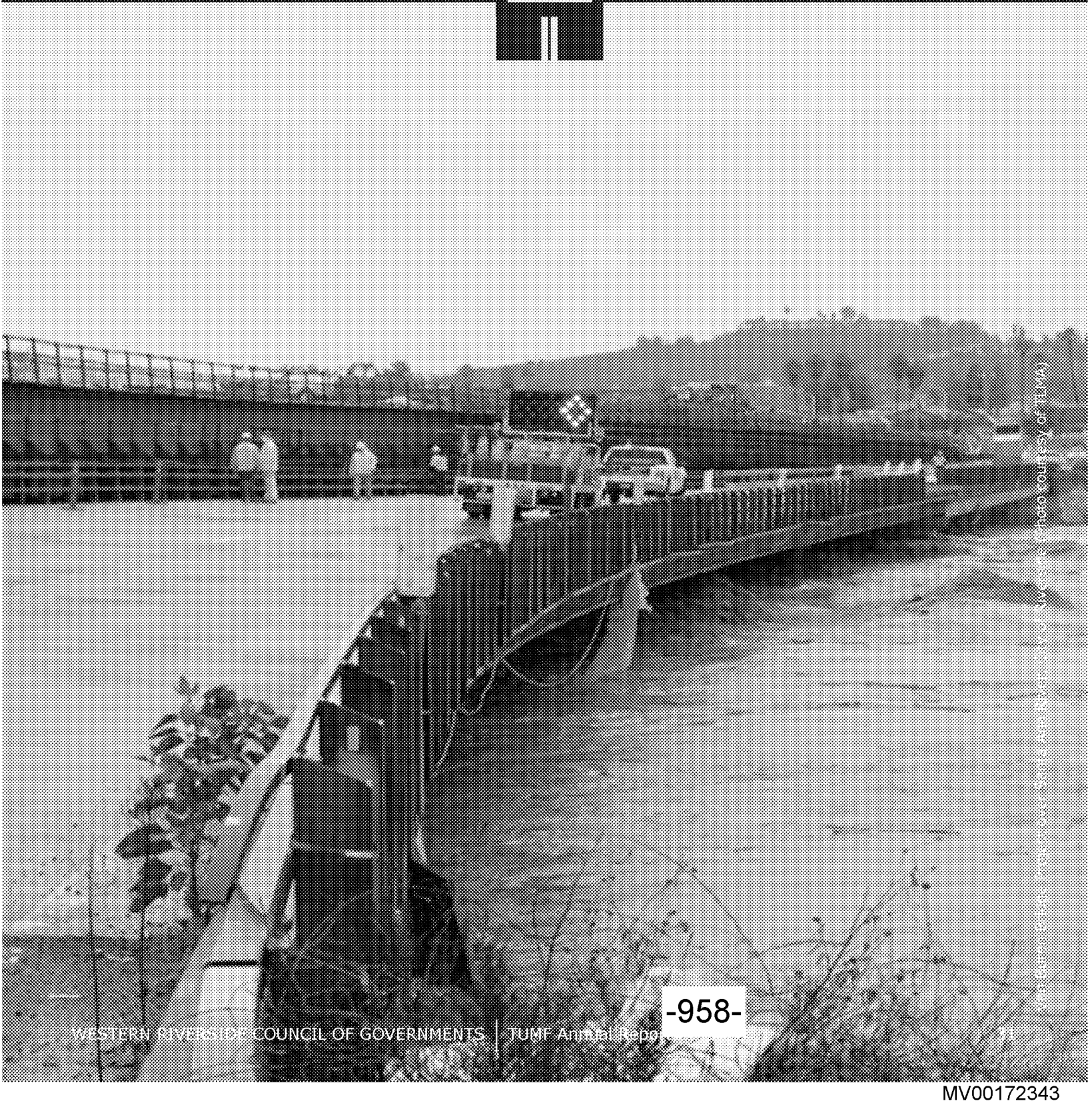

WRCOG staff at a TUMF project site

WRCOG's TUMF Program is first and foremost an infrastructure program. It is about building infrastructure – not collecting a fee. Constructing TUMF improvements as quickly as possible is the Program's paramount objective.

WRCOG's partners in the TUMF Program, including 18 member jurisdictions, RCTC, RTA, the March JPA, and the development community have all placed the TUMF Program as a top priority. The results of our partners' commitment to the Program is evidenced on a number of fronts. All of the agencies and jurisdictions have developed and updated TUMF project expenditure plans called Transportation Improvement Programs (TIPs) that estimate revenues from TUMF and prioritize which project improvements will be made during a five-year period. Within six months of the initiation of the Program, TIPs were being approved and work was underway to implement the nation's largest multi-jurisdictional uniform development fee program.

TUMF projects do not result just from the TIPs. Community Facilities Districts (CFDs) and Road and Bridge Benefit Districts (R&BBDs) are also used to construct TUMF improvements, and developers sometimes build TUMF facilities in lieu of paying TUMF fees. By being creative, WRCOG and its partners are working to find the fastest, most cost-effective ways to build the TUMF Network.

As of the end of Fiscal Year 2010/2011, 46 TUMF projects have been completed, 8 projects are under construction, 28 projects are in engineering or right-of-way (ROW) acquisition, and another 27 projects are in planning and environmental stages. The balance of the projects are in preliminary design and planning phases. Furthermore, of the currently programmed Zone-level TIP projects, over 40 percent of these are slated for construction during the five-year TIP period. Western Riverside County residents are seeing TUMF Program dollars at work in dozens of locations throughout the subregion.

The following pages highlight TUMF activities in each of the five zones, and for RTA and RCTC.

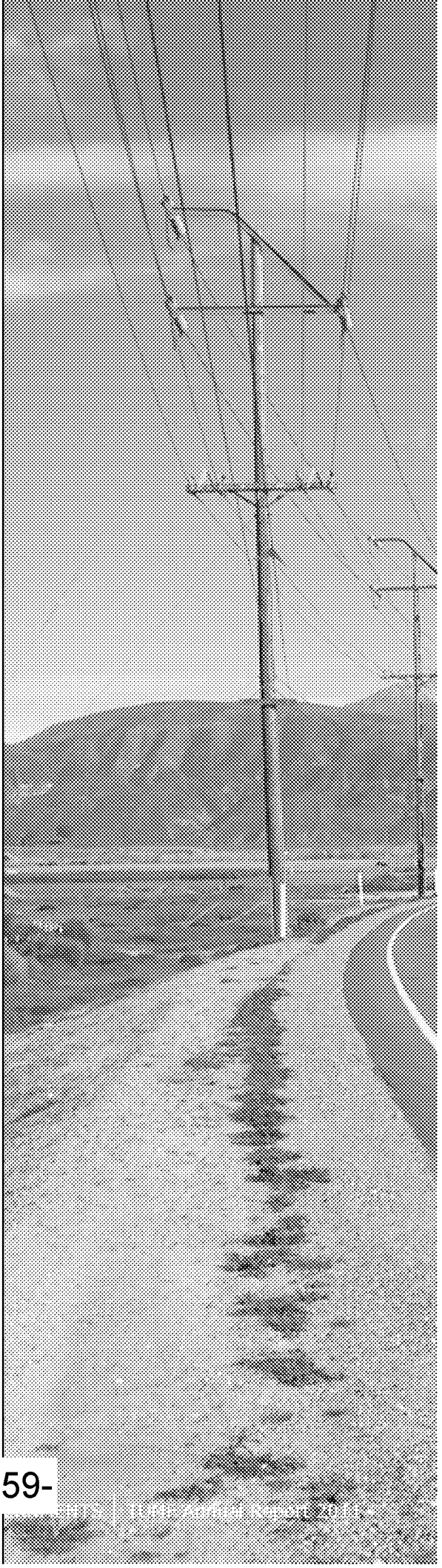

Sanderson Avenue, City of San Jacinto

Northwest Zone: Corona, Eastvale, Jurupa Valley, Norco, Riverside, County of Riverside and March JPA

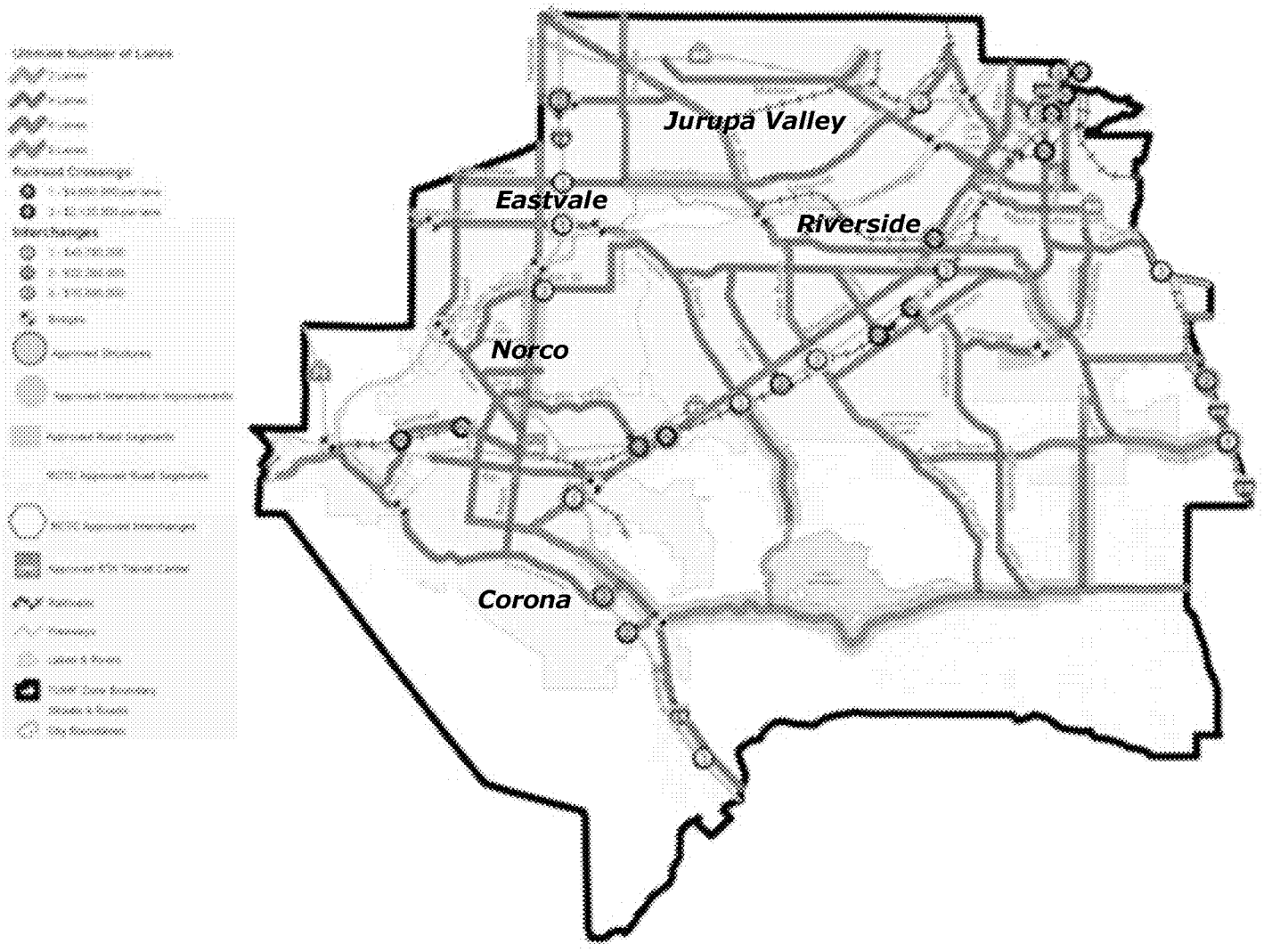

The Northwest Zone is comprised of the unincorporated County and the Cities of Corona, Eastvale, Jurupa Valley, Norco, and Riverside. The Zone covers an estimated 332.8 square miles and has a population of approximately 710,226. The Northwest Zone has 12 projects on the adopted TIP, of which 1 project is under construction, 4 projects are in engineering, 5 projects are in planning and environmental stages, and 2 projects are complete. (Note: Project data for the City of Jurupa Valley will be included in the 2012 Annual Report.)

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Northwest Zone that are underway and/or completed. These projects represent $15.3 million in TUMF investment.

Magnolia Avenue Grade Separation (City of Riverside)
This project will lower Magnolia Avenue under the Union Pacific Railroad tracks, and a two-track railroad bridge is being constructed over Magnolia Avenue. The project will also shift the alignment of Magnolia Avenue 50 feet to the west.

In addition, Beatty Drive will be widened from two to four lanes between Brockton and De Anza

MV00172346

Northwest Zone 5-Year Transportation Improvement Program

	Planning	Environmental Study	Engineering	Construction
County of Riverside				
Corona				
City of Riverside				
Norco				
County of Riverside/Caltrans				

- Cajalco Road (La Sierra to Wood) – widen 2 to 4 lanes
- Cajalco Road (Temescal Canyon Road to La Sierra) – widen 2 to 4 lanes
- Mockingbird Avenue (Etiwanda to Van Buren) – widen 2 to 4 lanes
- Magnolia Grade Separation at BNSF Railroad
- Wood Road (Cajalco to Krameria) – widen to 4 lanes
- Auto Center Underpass (Railroad to Pomona) – widen 2 to 4 lanes
- Mockingbird Rail Underpass and Bridge – widen to 6 lanes
- Canyon Crest Drive (Country Club to via Vista) – widen 2 to 4 lanes
- Magnolia Ave Grade Separation (Beatty to Elizabeth) – widen to 4 lanes
- Hamner Avenue (Santa Ana River to Parkridge) – widen 4 to 6 lanes
- Van Buren/I-215 Interchange

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Avenues, and new traffic signals will be installed at the intersections of Beatty Drive and Brockton, Magnolia, and De Anza Avenues. Construction started in early 2010. The project is anticipated to be completed by in 2012. The estimated project cost is $53.1 million, of which TUMF will provide $12 million.

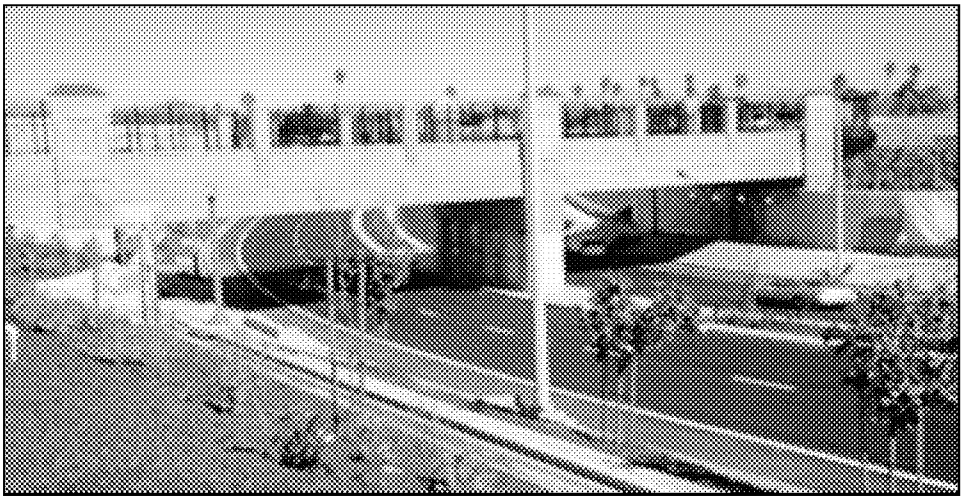

Magnolia Grade Separation Project, City of Riverside (Photo courtesy City of Riverside)

Hamner Avenue (City of Norco)

This project will widen a portion of Hamner Avenue between Santa Ana River to Parkridge Avenue from four to six lanes. The project is being completed in phases. The City recently widened Hamner Avenue from Sixth Street north to a few hundred feet south of Detroit Street.

The project's estimated cost is $8.6 million, of which TUMF has programmed $3.3 million.

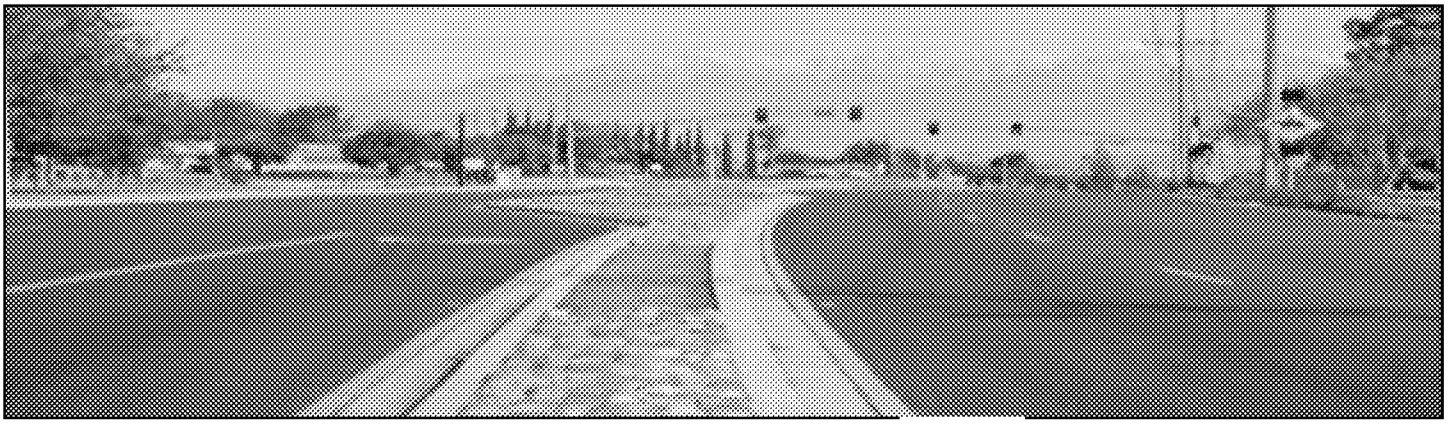

Hamner Avenue widening Project from Sixth Street to Detroit Street, City of Norco (Photo courtesy of City of Norco)

MV00172347

Southwest Zone: Canyon Lake, Lake Elsinore, Murrieta, Temecula, Wildomar, and County of Riverside

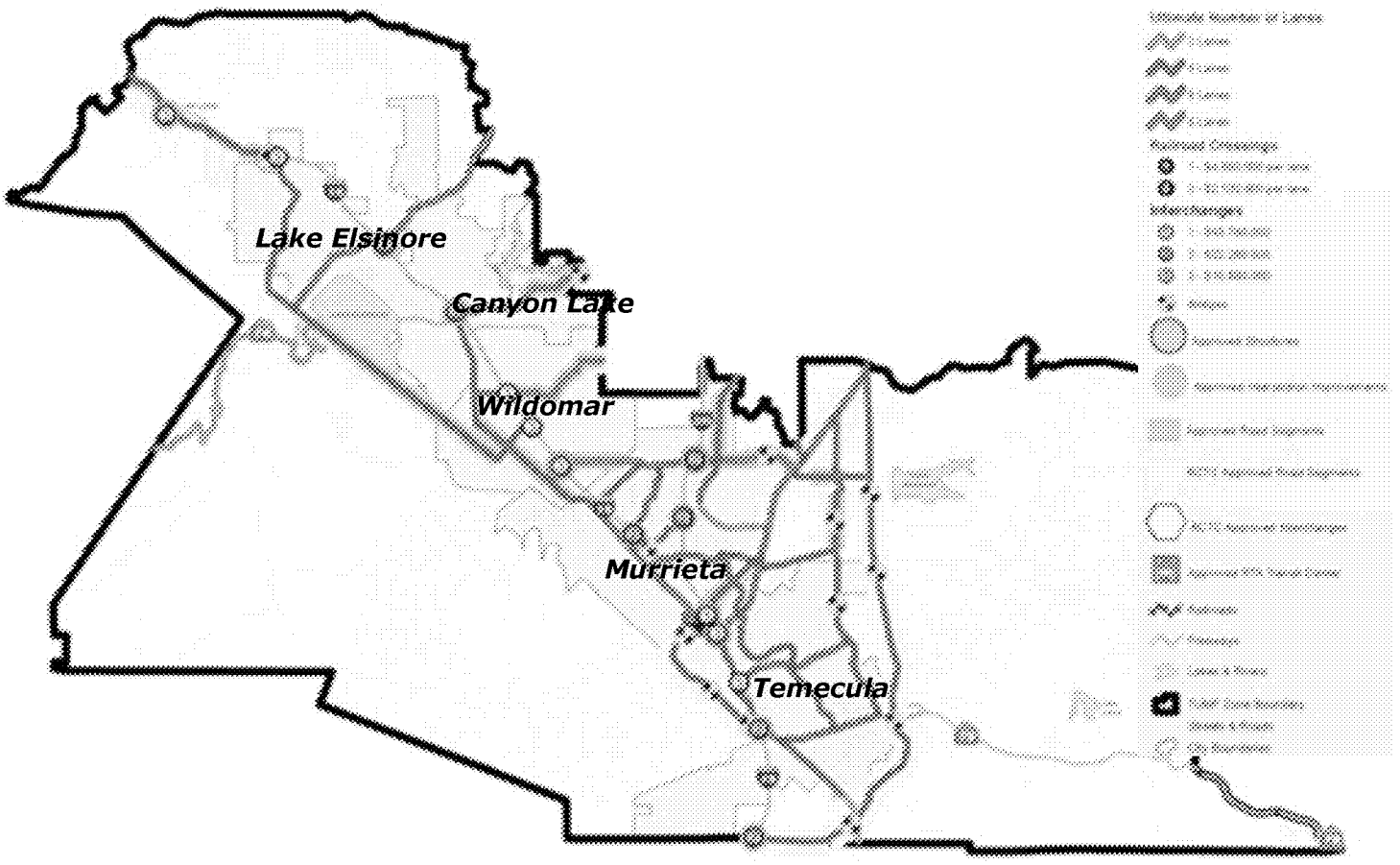

The Southwest Zone is comprised of the unincorporated County and the Cities of Canyon Lake, Lake Elsinore, Murrieta, Temecula, and Wildomar. The Zone covers an estimated 536.1 square miles and has a population of approximately 380,193.

The Southwest Zone has 16 projects on the adopted TIP, of which 1 project is under construction, 8 projects are in engineering, 3 projects are in planning and environmental stages, and 3 projects are completed. The remaining project is in the preliminary design and planning phase.

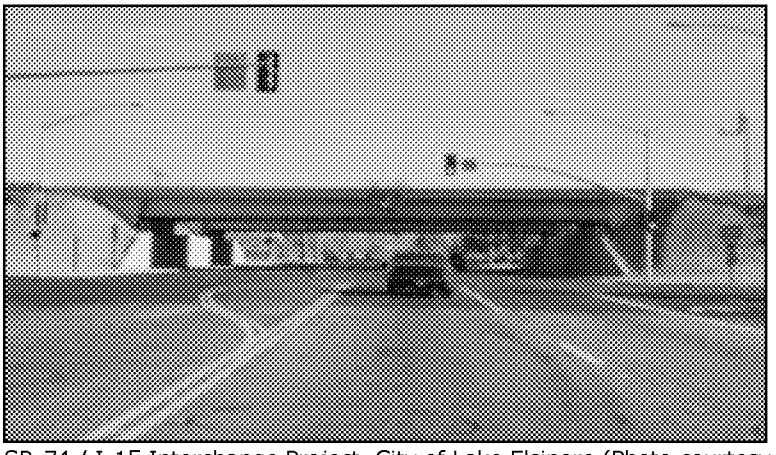

SR-74 / I-15 Interchange Project, City of Lake Elsinore (Photo courtesy of City of Lake Elsinore)

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Southwest Zone that are underway and/or completed. These projects represent $56.8 million in TUMF investment.

Southwest Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				City of Murrieta	Murrieta Street (Adams to Murrieta Hot Springs) - widen 2 to 4 lanes
					Clinton Keith Road (SR-79 to I-215) - widen 2 to 4 lanes
					Madison Avenue/I-15 Interchange Improvements
				Canyon Lake	Railroad Canyon Road (Goetz to City Limits)
				Murrieta	California Oaks/I-15 Interchange and widen 2 to 4 lanes from Madison to Sky Canyon
				Temecula	SR-79 (Diaz Road to Rancho Vista Blvd) - widen 2 to 4 lanes
					SR-79 (Winchester/I-15 Interchange)
					Rancho Vista Parkway/I-15 Overcrossing and Interchange
				City Riverside/County of Riverside	Cherrevat Canyon Road (Lake Perkins City Limits to Lake Hills Blvd)
				Wildomar	Clinton Keith Road (I-15 to Gibbel Road) - widen 2 to 4 lanes
					Central Avenue (SR-74 Grand to Sherman) - widen 2 to 4 lanes
					Palomar Street (Mission Trail to Jefferson) - widen 2 to 4 lanes
				Valley-Wide/County of Riverside	Clinton Keith/I-15 Interchange

3 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.
Source: Information provided by each jurisdiction's Public Works Department

California Oaks/I-15 Interchange (City of Murrieta)

This project will widen California Oaks Road between Madison Avenue and Cal Oaks Plaza Drive to six lanes and add two loop on-ramps at the interchange. Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $26 million, of which TUMF will provide $6 million.

Clinton Keith/I-15 Interchange (City of Wildomar)

The Clinton Keith Road/I-15 Interchange is a diamond configuration with Clinton Keith Road spanning the I-15 freeway. This project will widen the bridge structure to accommodate six through lanes plus dual median left-turn lanes in each direction. The freeway ramps will be reconstructed to connect with the widened cross section of Clinton Keith Road. The project has completed design and right-of-way acquisition. Construction is anticipated to begin in early 2012. The estimated project cost is $23 million, of which TUMF will provide $9.3 million.

French Valley Parkway / I-15 Overcrossing and Interchange (City of Temecula)

This project provides for construction of a new interchange on the I-15 freeway between the existing Winchester Road interchange and the I-15/I-215 junction. The project will utilize a partial cloverleaf interchange at French Valley Parkway, with loop on-ramps and direct off-ramps in the northwest quadrants and direct on-ramps in the southwest and northwest quadrants.

Construction on Cal Oaks / I-15 Interchange Project, City of Murrieta

The project is in the design phase with construction anticipated to begin in 2012. The estimated project cost is $192 million, of which TUMF will provide $43

MV00172349

Central Zone: Menifee, Moreno Valley, Perris, and County of Riverside

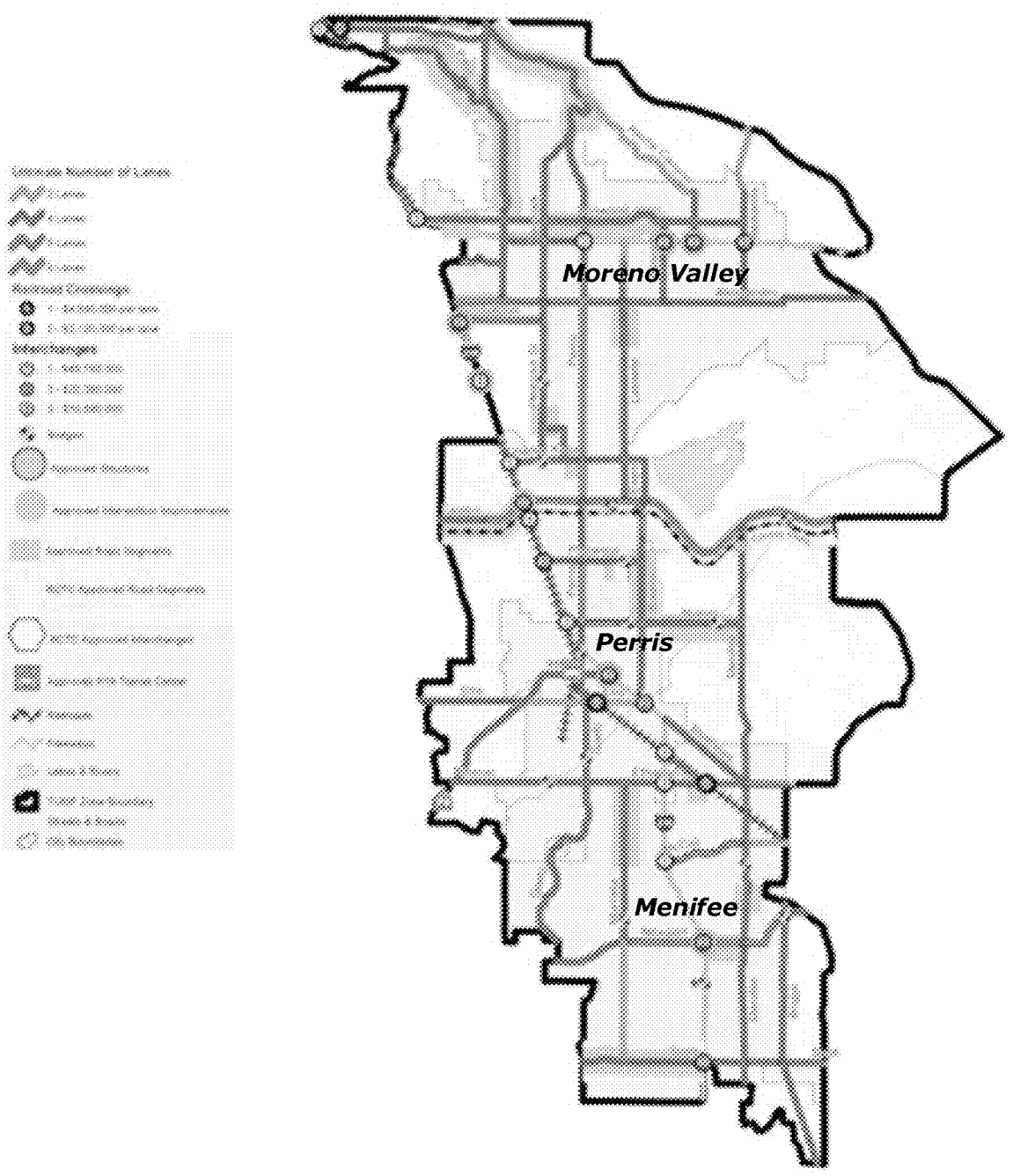

The Central Zone is comprised of the unincorporated County and the Cities of Menifee, Moreno Valley and Perris. The Zone covers an estimated 222.2 square miles and has a population of approximately 376,638. The Central Zone has 18 projects on the adopted TIP, of which 4 projects are under construction, 5 projects are in engineering, 6 projects are in planning and environmental stages, and 2 projects are completed. The remaining project is in the preliminary design and planning phases.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Central Zone that are underway and/or completed. These projects represent $21.67 million in TUMF investment.

MV00172350

Central Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction	
				County of Riverside: Gilman Road (Cajalco to Rice) – widen 2 to 4 lanes
				Project: Nan Road (Cajalco to Dale Springs to Cajalco) – widen 2 to 4 lanes
				Rice at Cajalco Road – new intersection signals, left turn lanes, 2 to 4 lanes
				Interior County of Riverside: Bundy Canyon Road Phase 1 – Scott to Pete – widen 2 to 4 lanes
				Mission Trail (Cottonwood to McCall) – widen 2 to 4 lanes
				Palomar – Rose to Sky Harbor – 4 lanes
				Menifee Road (Quincy to Simpson) – widen 2 to 4 lanes
				Moreno Valley: Box Spring Road (Sol – last 4 lanes – to by-pass) – widen 2 to 4 lanes
				Eucalyptus Avenue (SR-60 to Lasselle to Cedar) – widen 2 to 4 lanes
				Eucalyptus Avenue (Cedar to Nason) – widen 2 to 4 lanes
				Moreno Beach Drive – SR-60 interchange
				Moreno – SR-60 Interchange
				Perris: Ethanac Road (Redhill to Murrieta) – widen 2 to 4 lanes
				Ramona Expressway/Mapes Drive: Hartshoot Street (Perris Valley Airport to San Michael) – widen 2 to 4 lanes
				R-V Corridor: Sky Canyon Drive
				Jurisdiction: City of Riverside: Kira Lane Extension – 215 Interchange

2 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Nason/SR-60 Interchange (City of Moreno Valley)

The SR-60/Nason Street Overcrossing project consists of replacing the overcrossing structure, widening Nason Street overcrossing approaches and modifying the intersection.

Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $43 million, of which TUMF has programmed $13.2 million.

Ramona Expressway - Completed (City of Perris)

This project widened Ramona Expressway between Perris Boulevard and I-215, a distance of 1.4 miles, from four to six lanes.

$2.47 million in TUMF is programmed for this project, of which over $2.1 million has been reimbursed to the City for work underway.

Moreno Beach/SR-60 Interchange (City of Moreno Valley)

This project will realign the SR-60/Moreno Beach Drive freeway ramps with auxiliary lanes at the eastbound off-ramp and the westbound on-ramps. It will also replace the SR-60/Moreno Beach Drive overcrossing structure.

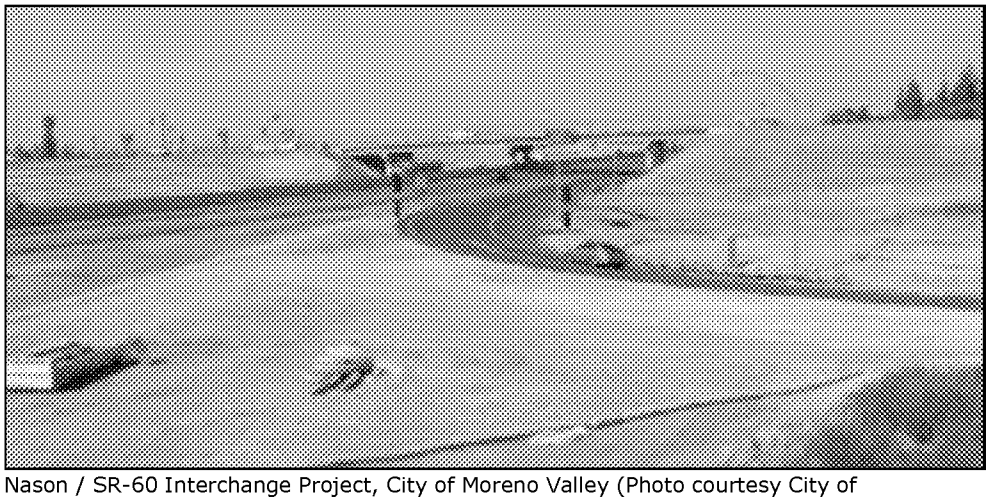

Nason / SR-60 Interchange Project, City of Moreno Valley (Photo courtesy City of Moreno Valley)

Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $43 million, of which TUMF has programmed $6 million.

Hemet/San Jacinto Zone: Hemet, San Jacinto and County of Riverside

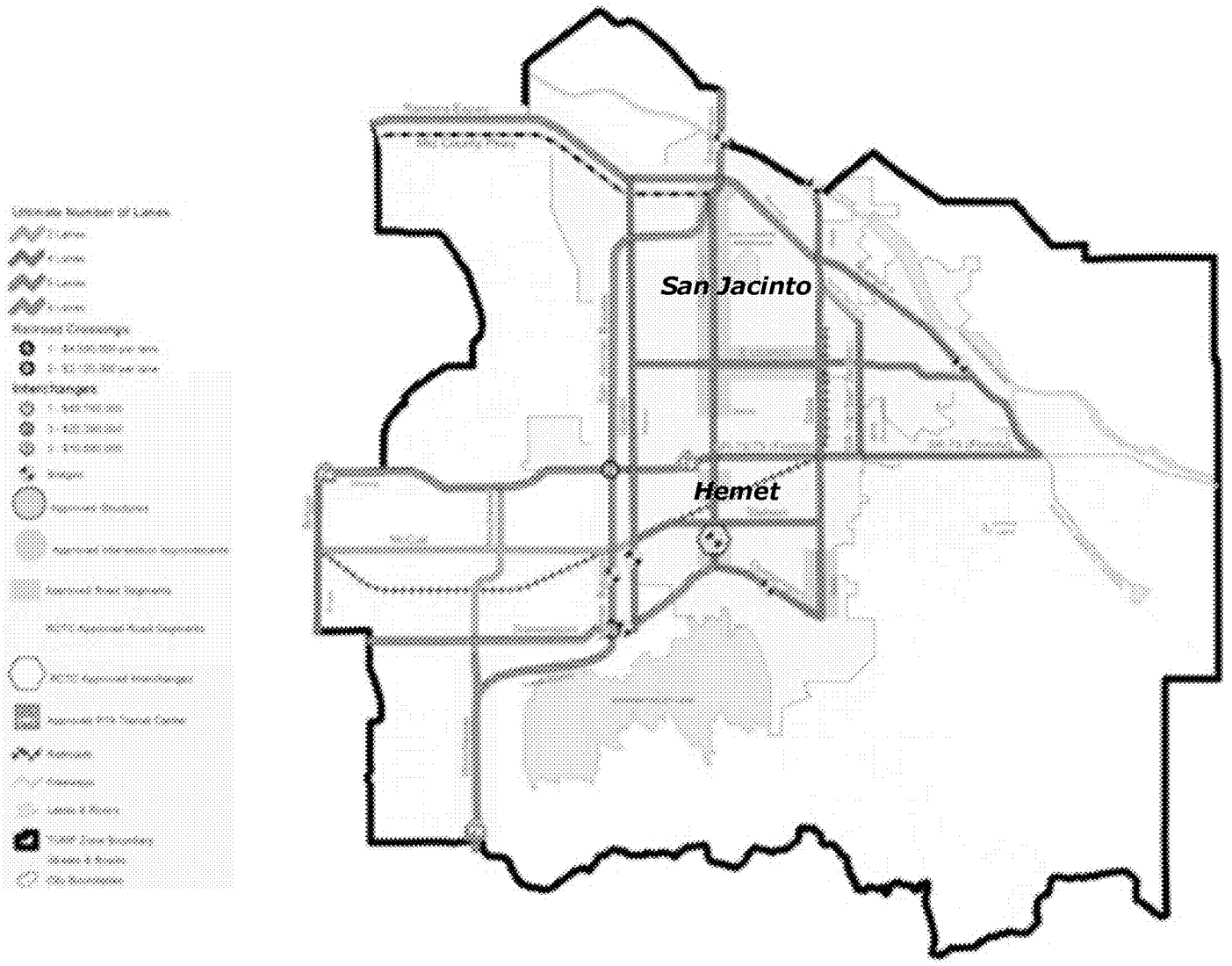

The Hemet/San Jacinto Zone is comprised of the unincorporated County and the Cities of Hemet and San Jacinto. The Zone covers an estimated 209.9 square miles and has a population of approximately 171,245. The Hemet/San Jacinto Zone has 6 projects on the adopted TIP, 1 project is in engineering, 2 projects are in planning and environmental stages, and 3 projects are completed.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Hemet/San Jacinto Zone that are underway and/or completed. These projects represent $11.1 million in TUMF investment.

Sanderson Avenue - Completed (City of San Jacinto)

This Project widened Sanderson Avenue from two to four lanes from Esplanade Avenue to Ramona Expressway for a length of 3.6 miles. The project eases congestion at the intersection of Sanderson and Ramona Expressway. The ultimate configuration of this segment will be a six -lane facility with a raised median, curb and gutter, sidewalks and a landscaped parkway. The project's cost is $7.72 million, of which TUMF has paid $7 m

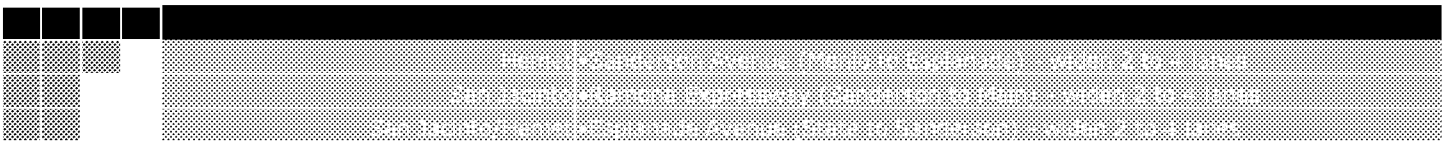

3 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Sanderson Avenue (City of Hemet)

The project will widen the west side of Sanderson Avenue from Acacia to Wentworth Avenue.

Sanderson Avenue will be widened from two to four lanes for a distance of 3,000 feet.

The project is currently in the engineering phase and is negotiating for additional right-of-way acquisition.

TUMF has programmed $1.23 million for this project, of which TUMF has reimbursed the City $1 million for work underway.

Ramona Expressway (City of San Jacinto)

This project will widen Ramona Expressway between Sanderson Avenue and Main Street in two phases. The entire project alignment from Sanderson Avenue to Main Street is currently a two-lane road.

The first phase will widen Ramona Expressway from Sanderson Avenue to State Street. This portion will widen the existing two-lane alignment to six lanes for an approximate distance of 2.45 miles.

The second phase of work will widen Ramona Expressway from State Street to Main Street. This second segment will widen the existing two-lane alignment to four lanes for a distance of approximately 2.7 miles. Construction is anticipated to begin in late 2012.

The project is estimated to cost over $8.3 million, of which TUMF has programmed $4 million.

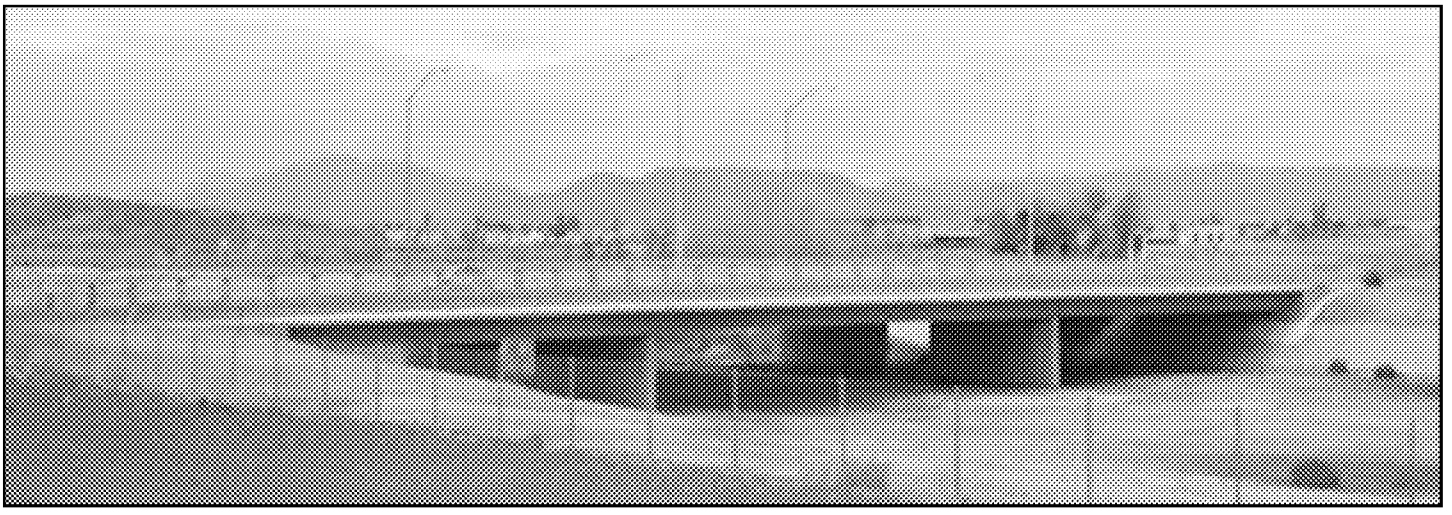

Sanderson Avenue Bridge Project over Salt Creek, City of Hemet (Photo courtesy of City of Hemet)

Pass Zone: Banning, Calimesa, and County of Riverside

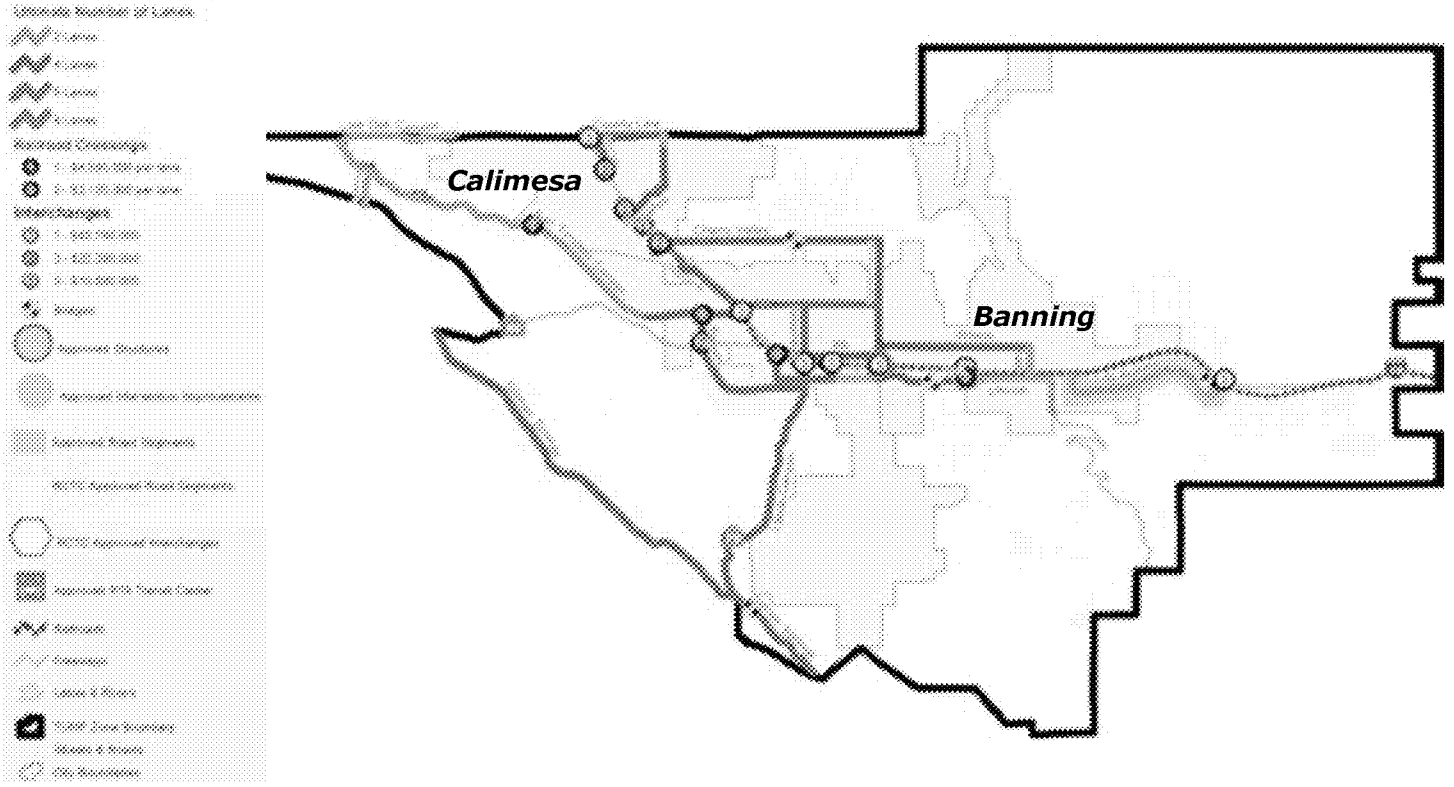

Pass Zone 5-Year Transportation Improvement Program

	Planning	Environmental Study	Engineering	Construction
Banning				• Sunset Avenue Grade Separation
				• Highland Springs/I-10 Interchange Improvements and Widening
County of Riverside/City of Banning				• I-10 Bypass South & 300' Bridge (Hathaway to Fields) - widen 0 to 4 lanes

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.
Source: Information provided by each jurisdiction's Public Works Department

The Pass Zone is comprised of the unincorporated County and the Cities of Banning and Calimesa. The Zone covers an estimated 260.9 square miles and has a population of approximately 86,840. The Pass Zone has 4 projects on the adopted TIP, of which 2 projects are in engineering, 1 project is in planning and 1 project is complete.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Pass Zone that are underway and/or completed. These projects represent $3.8 million in TUMF investment.

Sunset Avenue Grade Separation (City of Banning)

This project will lower Sunset Avenue by 20 feet to construct a new underpass at the UPRR tracks, modify Sunset Avenue, and replace the I-10 bridge and the on- and off-ramps.

The project is in design with construction anticipated to begin in winter 2012. The TUMF has programmed $2.1 million for this project.

MV00172354

Riverside Transit Agency

The Riverside Transit Agency (RTA) receives TUMF funds for capital transit improvements (1.7 percent) of the total collected. RTA has 6 projects on the adopted TIP, of which 1 project is under construction, 1 project is in engineering, 1 project is in planning and environmental and 1 project is complete. The remaining 2 projects are still in the preliminary design/planning phases.

Following are projects below provide examples of projects that WRCOG has participated in with RTA that are underway and/or completed. These projects represent $3.8 million in TUMF investment.

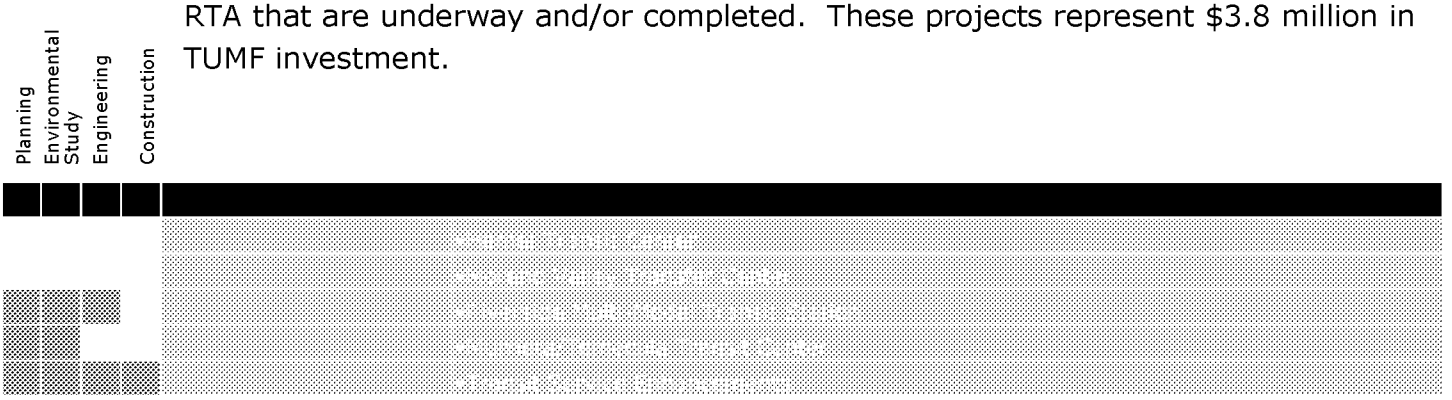

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.

Source: Information provided by the Riverside Transit Agency

I-10 Bypass Project (City of Banning) The project will construct two lanes of new roadway to support a future four-lane secondary highway between Banning and Cabazon. The scope also includes a new bridge crossing over the San Gorgonio River.

The project is in planning. The TUMF has programmed $1.7 million for this project.

Transit Service Enhancements This project will prepare plans and designs for enhancements of bus stops throughout the RTA service area in Western Riverside County. Enhancements include transit technology that will provide real-time customer information and amenities built into and around each stop for customer convenience, comfort and safety. State-of-the-art bus shelters, kiosks, and benches will be installed at selected stops within the service area.

The TUMF has programmed $3.7 million for this project.

Moreno Valley Transfer Center This project, located at Town Circle Centerpoint near Frederick Street, will expand and improve a key transfer and destination point for passengers traveling to Riverside and Perris from the Moreno Valley area.

Improvements include the addition of bus shelters, benches, RTA's Intelligent Transportation System program that relays real-time arrival information to kiosks to accommodate anticipated future growth. The TUMF has programmed $125,000 for this project.

SmartSTOP at the Corona Transit Center provides customers real-time arrival information

MV00172355

Riverside County Transportation Commission

RCTC receives 46.9 percent of the TUMF fees collected and uses these revenues for regional TUMF projects. During fiscal year 2010/2011, WRCOG transmitted over $6.5 million and over $240 million since the TUMF Program commenced. RCTC has 22 projects on the TIP, of which 1 project is under construction, 7 projects are in engineering, 9 projects are in planning and environmental stages, and 5 projects are completed. Below is a summary description of selected projects completed, under construction, or in planning phases.

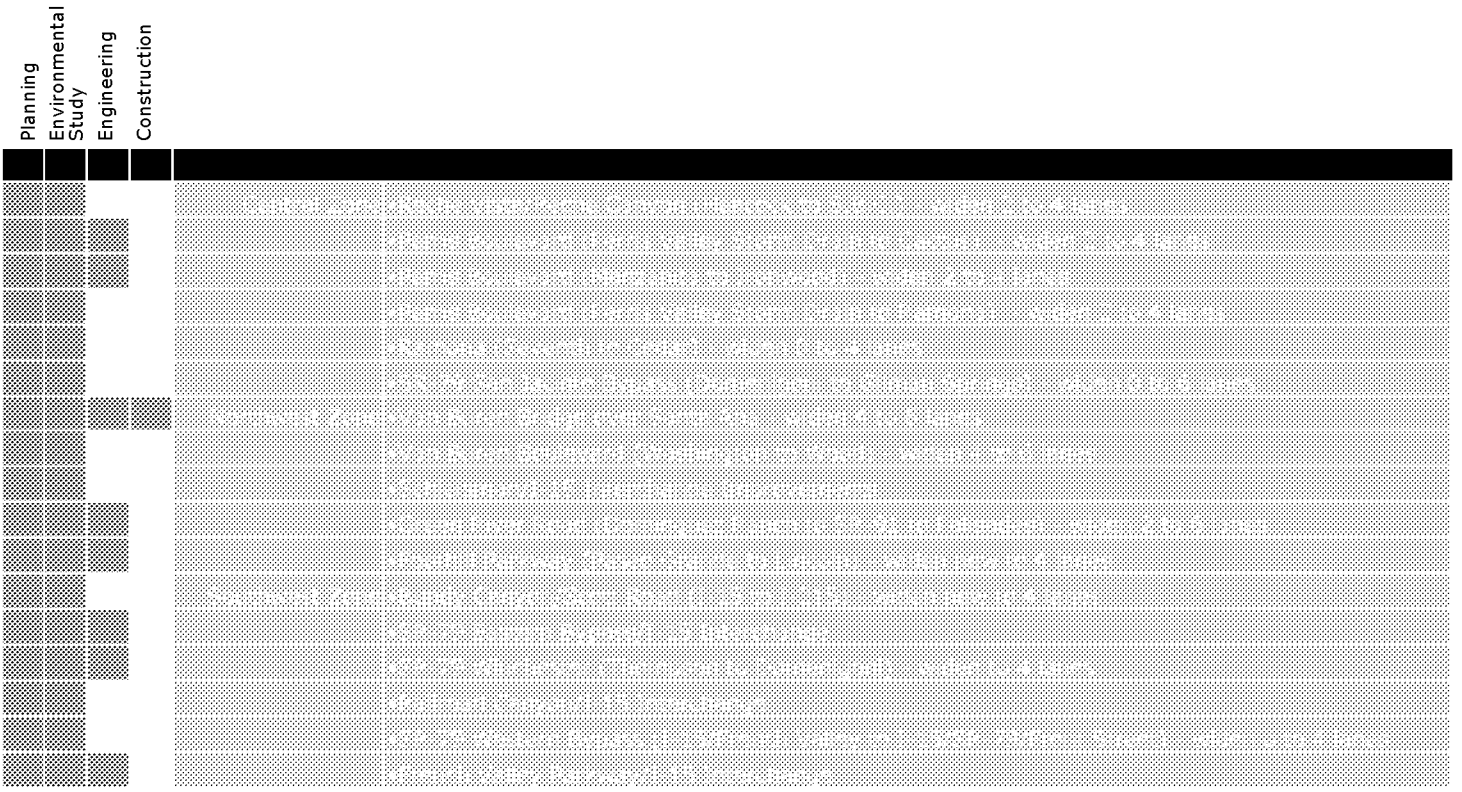

5 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

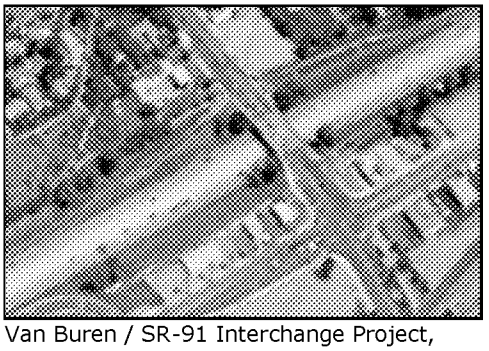

Van Buren / SR-91 Interchange Project, City of Riverside (Photo courtesy of City of Riverside)

Van Buren/SR-91 Interchange Completed (City of Riverside) The SR-91/Van Buren Boulevard Interchange Project widened the existing four-lane overcrossing bridge to six lanes with dual left-turn lanes.

The westbound ramps were also widened to three lanes. A new eastbound onramp was constructed on Indiana Avenue. Construction started in March 2010 and lasted 15 months ending in June 2011. The project cost was $35 million, of which TUMF provided $10 million.

SR-79 Winchester Widening (County of Riverside) This project will improve State Route 79 between Thompson Road and Domenigoni Parkway by widening the 7.4-mile stretch from two to four lanes.

Construction is estimated to take 12 months and will occur in two stages. The first stage will be from Scott Road to Domenigoni Parkway and the second stage will be from Abelia Street to Scott Road. The project is estimated to cost over $33 million, of which TUMF has programmed $6 million.

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46 Projects Completed Since 2003

Central Zone

Menifee/County of Riverside	•Newport Road (Goetz to Murrieta) - widen 0 to 4 lanes
Moreno Valley	•Ironwood/Moreno Beach Intersection
	•Ironwood/Nason Intersection
	•Pigeon Pass Road (Climbing Rose to Hidden Springs) - widen 2 to 4 lanes
	•Lasselle Street (John F Kennedy to Alessandro) - widen an additional northbound lane
Perris	•Oleander Avenue (Perris to Indian) - widen new to 2 lanes
	•Placentia Avenue Gap Closure (Redlands to Wilson) - construct 2 new lanes
	•Ramona Expressway (I-215 to Perris) (Phase 1) - widen 4 to 6 lanes
	•Ramona Expressway (I-215 to Evans Road) - widen 2 to 4 lanes
March JPA/Moreno Valley	•Heacock Avenue (Perris Valley Drain to San Michele) - widen 2 to 4 lanes

Hemet/San Jacinto Zone

Hemet	•Sanderson Avenue (Stetson to Domenigoni), Salt Creek Bridge - widen 2 to 4 lanes
	•Sanderson Avenue (Acacia to BNSF railroad tracks) - widen 2 to 4 lanes
	•Sanderson Avenue (Menlo to Esplanade) - widen 2 to 4 lanes
	•State Street (Chambers to Domenigoni) - widen 2 to 4 with center turn-lane
San Jacinto	•Sanderson Avenue (Esplanade to Ramona) - widen 2 to 4 lanes
San Jacinto/County of Riverside	•Sanderson Avenue/Ramona Expressway Intersection Improvements
County of Riverside	•Newport Road (Domenigoni Parkway) Leon to SR-79 - widen 0 to 6 lanes

Northwest Zone

County of Riverside	•Cantu-Galleano/I-15 Interchange
	•Washington Street Improvements, William Lyon Homes
	•La Sierra Avenue (Cleveland to El Sobrante) - widen 2 to 4 lanes
	•Valley Way (Sierra to Mission) - widen 2 to 4 lanes
Corona	•Lincoln/SR-91 Interchange
	•Ontario Avenue (Compton to Rimpau) - widen 5 to 6 lanes
	•Railroad Street (Buena Vista to Grand) - widen 2 to 4 lanes
	•Magnolia Avenue, I-15 to Sherborn Street - widen 4 to 6 lanes
	•Magnolia Corridor/Magnolia/I-15 Interchange
Riverside	•La Sierra Avenue (Cleveland to Indiana) - widen 2 to 4 lanes
	•La Sierra/SR-91 Interchange
	•SR-60/Market Street Ramps - widen ramps and install traffic signal
	•Wood/Van Buren Intersection Improvements
	•Overlook Parkway except bridge (Chateau Ridge to Sandtrack) - widen 2 to 4 lanes
	•Alessandro Boulevard (Arlington to Trautwein) - widen 4 to 6 lanes
	•Columbia Avenue Grade Separation Overpass - widen to 4 lanes

Pass Zone

Calimesa	•Desert Lawn Drive (Palmer to Cherry Valley) - widen 2 to 4 lanes

Southwest Zone

Lake Elsinore	•SR-74 Ortega/SR-74 Grand Intersection
	•SR-74/I-15 Interchange
Murrieta	•Los Alamos/I-215 Interchange
	•Clinton Keith Road/I-215 Interchange
	•Meadowlark (Clinton Keith to Keller) - widen 2 to 4 lanes

Riverside Transit Agency

- •Corona Multi-Modal Transit Terminal
- •Perris Transit Center

Riverside County Transportation Commission

- •Ramona (SR-79/Sanderson to West City Limits) - widen 2 to 4 lanes
- •Foothill Parkway (El Cerrito)/I-15 Interchange
- •Van Buren Boulevard/SR-91 Interchange
- •Van Buren Boulevard (Andrew to Garfield) - widen 4 to 6 lanes
- •Green River Road/SR-91 Interchange - widen 2 to 6 lanes

The completed projects list includes projects that were completed during Fiscal Year 2011 and are currently on the TIP.

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3, 5, 10-Mile Value of TUMF Improvements from City Centers

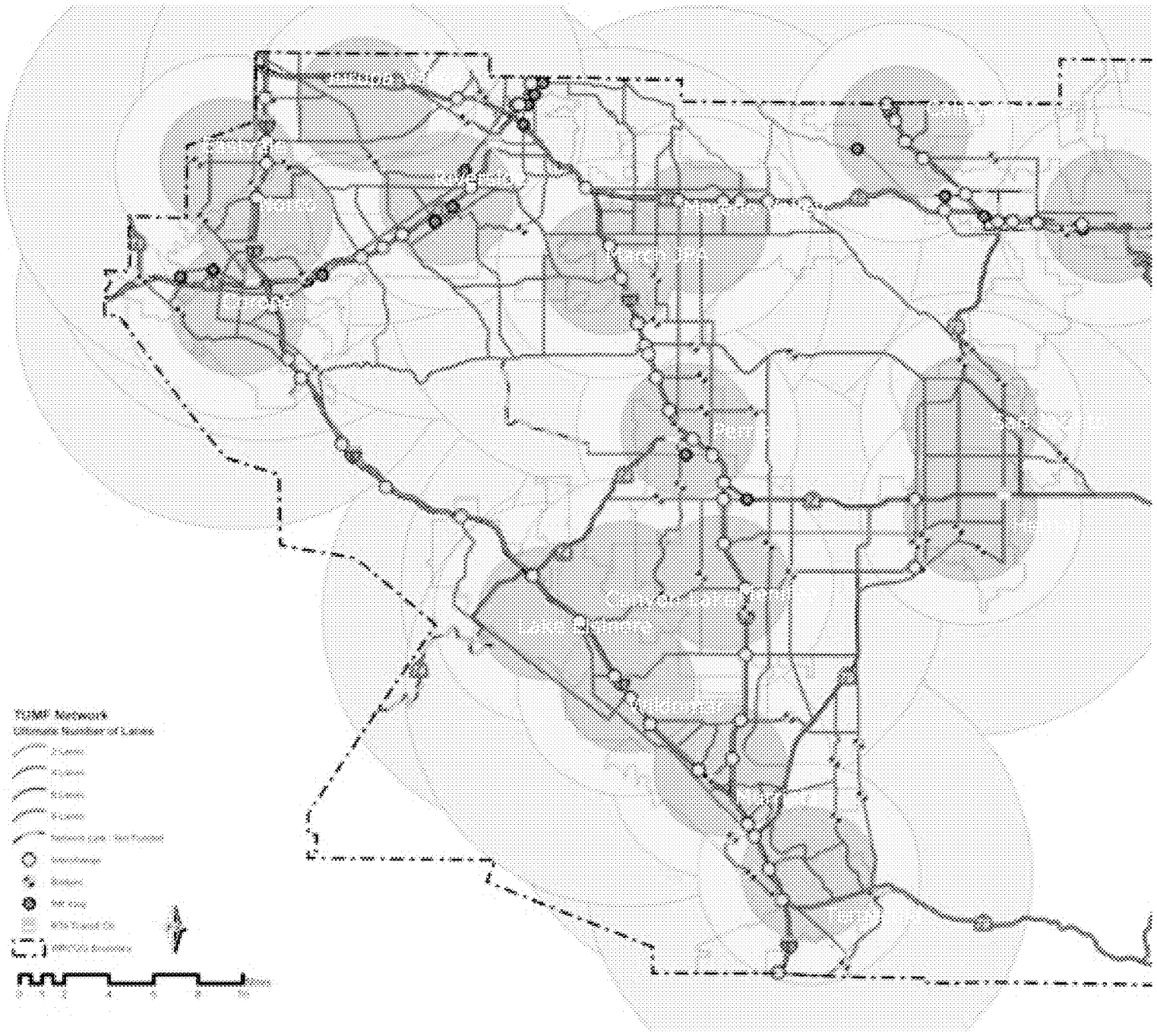

This map identifies the value of TUMF improvements within a 3, 5, and 10-mile radius from each participating City's center. The purpose of this map is to graphically depict the benefits of TUMF Program improvements that residents in cities and the unincorporated County benefit from, even when the improvements are not located specifically within that jurisdiction. This map demonstrates the regional aspect of the program and how the WRCOG TUMF participants are knitted together with TUMF improvements over the next 25 years. Maps for individual WRCOG jurisdictions can be found at our website at http://www.wrcog.cog.ca.us/content/tumf_jurisdictional_map.asp.

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March JPA

Value of Improvements (3 miles)	$78,446,000
Value of Improvements (5 miles)	$267,153,000
Value of Improvements (10	$723,784,477
Total Value of Improvements	$1,069,383,477

City of Banning

Value of Improvements (3 miles)	$68,821,000
Value of Improvements (5 miles)	$44,861,000
Value of Improvements (10 miles)	$162,828,000
Total Value of Improvements	$276,510,000

City of Calimesa

Value of Improvements (3 miles)	$123,987,000
Value of Improvements (5 miles)	$9,066,000
Value of Improvements (10 miles)	$233,405,000
Total Value of Improvements	$366,458,000

City of Canyon Lake

Value of Improvements (3 miles)	$50,836,000
Value of Improvements (5 miles)	$160,844,000
Value of Improvements (10 miles)	$751,189,000
Total Value of Improvements	$962,869,000

City of Corona

Value of Improvements (3 miles)	$100,498,377
Value of Improvements (5 miles)	$130,275,000
Value of Improvements (10 miles)	$366,483,600
Total Value of Improvements	$597,256,977

City of Eastvale

Value of Improvements (3 miles)	$217,187,000
Value of Improvements (5 miles)	$63,071,377
Value of Improvements (10 miles)	$238,628,600
Total Value of Improvements	$518,886,977

City of Hemet

Value of Improvements (3 miles)	$95,470,765
Value of Improvements (5 miles)	$120,732,000
Value of Improvements (10 miles)	$213,166,000
Total Value of Improvements	$429,368,765

City of Lake Elsinore

Value of Improvements (3 miles)	$102,607,000
Value of Improvements (5 miles)	$32,614,000
Value of Improvements (10 miles)	$345,378,000
Total Value of Improvements	$480,599,000

City of Jurupa Valley

Value of Improvements (3 miles)	$44,118,067
Value of Improvements (5 miles)	$94,179,000
Value of Improvements (10 miles)	$509,772,159
Total Value of Improvements	$648,069,226

City of Menifee

Value of Improvements (3 miles)	$101,192,000
Value of Improvements (5 miles)	$206,284,000
Value of Improvements (10 miles)	$787,635,000
Total Value of Improvements	$1,095,111,000

City of Moreno Valley

Value of Improvements (3 miles)	$115,584,000
Value of Improvements (5 miles)	$271,761,000
Value of Improvements (10 miles)	$541,708,065
Total Value of Improvements	$875,053,065

City of Murrieta

Value of Improvements (3 miles)	$252,477,869
Value of Improvements (5 miles)	$130,801,000
Value of Improvements (10 miles)	$444,238,000
Total Value of Improvements	$827,516,869

City of Norco

Value of Improvements (3 miles)	$191,552,377
Value of Improvements (5 miles)	$122,962,000
Value of Improvements (10 miles)	$296,472,067
Total Value of Improvements	$610,986,444

City of Perris

Value of Improvements (3 miles)	$178,386,000
Value of Improvements (5 miles)	$249,545,000
Value of Improvements (10 miles)	$535,907,200
Total Value of Improvements	$963,838,200

City of Riverside

Value of Improvements (3 miles)	$104,806,525
Value of Improvements (5 miles)	$136,409,540
Value of Improvements (10 miles)	$632,501,444
Total Value of Improvements	$873,717,509

City of San Jacinto

Value of Improvements (3 miles)	$176,414,000
Value of Improvements (5 miles)	$42,473,659
Value of Improvements (10 miles)	$197,959,000
Total Value of Improvements	$416,846,659

City of Temecula

Value of Improvements (3 miles)	$95,937,000
Value of Improvements (5 miles)	$153,859,869
Value of Improvements (10 miles)	$320,535,000
Total Value of Improvements	$570,331,869

City of Wildomar

Value of Improvements (3 miles)	$116,577,000
Value of Improvements (5 miles)	$119,213,000
Value of Improvements (10 miles)	$588,424,869
Total Value of Improvements	$824,214,869

Westport Road looking west from the vicinity of Nassau Street and Skyview Drive

Program Participants

TUMF WRCOG

MORENO VALLEY
WHERE DREAMS SOAR

CITY OF PERRIS

CORONA

CITY OF LAKE ELSINORE
DREAM EXTREME

SAN JACINTO

CITY OF EASTVALE

CALIMESA

MENIFEE

Murrieta
the future of southern california

COUNTY OF RIVERSIDE

1989

CITY OF RIVERSIDE

Report Contributors

Management Team

Rick Bishop
Executive Director
bishop@wrcog.cog.ca.us

Ruthanne Taylor Berger
Deputy Executive Director
berger@wrcog.cog.ca.us

Ernie Reyna
Chief Financial Officer
reyna@wrcog.cog.ca.us

Project Team

Donna Dean
Program Manager
dean@wrcog.cog.ca.us

Alex Serena
Staff Analyst
serena@wrcog.cog.ca.us

Sherri Cruz
Staff Analyst
cruz@wrcog.cog.ca.us

Connie Cardenas
Staff Analyst
cardenas@wrcog.cog.ca.us

Lupe T. Lotman
Executive Assistant
lotman@wrcog.cog.ca.us

4080 Lemon Street, 3rd Floor, MS 1032
Riverside, CA 92501
P: (951) 955-7985
F: (951) 787-7991
www.wrcog.cog.ca.us

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"Respect Local Control... Provide Regional Perspective"

MV00172364

U.S. Department of Transportation
Federal Highway Administration

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Highway Traffic Noise

Construction Noise
Handbook
RCNM Version 1.1
Special Report
Measurement
Noise Barriers
Noise Compatible Planning
Noise Effect on Wildlife
Regulation and Guidance
Tire Pavement Noise
Traffic Noise Models
Training

Contruction Noise Handbook

9.0 Construction Equipment Noise Levels and Ranges

9.1 Equipment Type Inventory and Related Emission Levels

Noise levels generated by individual pieces of construction equipment and specific construction operations form the basis for the prediction of construction-related noise levels. A variety of information exists related to sound emissions related to such equipment and operations. This data transcends the period beginning in the 1970s thru 2006. This information exists for both stationary and mobile sources and for steady, intermittent, and impulse type generators of noise.

Stationary equipment consists of equipment that generates noise from one general area and includes items such as pumps, generators, compressors, etc. These types of equipment operate at a constant noise level under normal operation and are classified as non-impact equipment. Other types of stationary equipment such as pile drivers, jackhammers, pavement breakers, blasting operations, etc., produce variable and sporadic noise levels and often produce impact-type noises. Impact equipment is equipment that generates impulsive noise, where impulsive noise is defined as noise of short duration (generally less than one second), high intensity, abrupt onset, rapid decay, and often rapidly changing spectral composition. For impact equipment, the noise is produced by the impact of a mass on a surface, typically repeating over time.

Mobile equipment such as dozers, scrapers, graders, etc., may operate in a cyclic fashion in which a period of full power is followed by a period of reduced power. Other equipment such as compressors, although generally considered to be stationary when operating, can be readily relocated to another location for the next operation.

9.2 Sources of Information

Construction-related equipment and operation noise level data may be provided by numerous sources, including suppliers, manufacturers, agencies, organizations, etc. Some information is included in this document, and many web-based links are given for equipment manufacturers.

9.3 Specifics of Construction Equipment and Operation Noise Inventories

Details included in each specific inventory of construction equipment and operation noise emission levels are often variable in terms of how data is represented. Some inventories include ranges of noise levels while others present single numbers for each equipment type. Others provide levels for specific models of each type of construction equipment. Often, different noise descriptors are used, such as L_{Aeq}, L_{max}, L_{10}, sound power level, etc. As such, the array of data does not readily lend itself to being combined into a single table or easily compared. As such, this Handbook attempts to summarize a variety of such inventories and provide links to each, thereby providing the reader with a variety of sources from which to choose the appropriate levels for use in his or her respective analysis.

9.4 Summaries of Referenced Inventories

Included below are examples of several inventories of construction-related noise emission values. These and additional inventories are included on the companion CD-ROM.

Equipment and operation noise levels in this inventory are expressed in terms of L_{max} noise levels and are accompanied by a usage factor value. They have been recently updated and are based on extensive measurements taken in conjunction with the Central Artery/Tunnel (CA/T) Project. Table 9.1 summarizes the equipment noise emissions database used by the CA/T Project. While these values represent the "default" values for use in the RCNM, user-defined equipment and corresponding noise levels can be added.

Table 9.1 RCNM Default Noise Emission Reference Levels and Usage Factors.

Equipment Description	Impact Device?	Acoustical Usage Factor (%)	Spec. 721.560 L_{max} @ 50 feet (dBA, slow)	Actual Measured L_{max} @ 50 feet (dBA, slow) (Samples Averaged)	Number of Actual Data Samples (Count)
All Other Equipment > 5 HP	No	50	85	N/A	0
Auger Drill Rig	No	20	85	84	36
Backhoe	No	40	80	78	372
Bar Bender	No	20	80	N/A	0
Blasting	Yes	N/A	94	N/A	0

Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

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Boring Jack Power Unit	No	50	80	83	1
Chain Saw	No	20	85	84	46
Clam Shovel (dropping)	Yes	20	93	87	4
Compactor (ground)	No	20	80	83	57
Compressor (air)	No	40	80	78	18
Concrete Batch Plant	No	15	83	N/A	0
Concrete Mixer Truck	No	40	85	79	40
Concrete Pump Truck	No	20	82	81	30
Concrete Saw	No	20	90	90	55
Crane	No	16	85	81	405
Dozer	No	40	85	82	55
Drill Rig Truck	No	20	84	79	22
Drum Mixer	No	50	80	80	1
Dump Truck	No	40	84	76	31
Excavator	No	40	85	81	170
Flat Bed Truck	No	40	84	74	4
Front End Loader	No	40	80	79	96
Generator	No	50	82	81	19
Generator (<25KVA, VMS Signs)	No	50	70	73	74
Gradall	No	40	85	83	70
Grader	No	40	85	N/A	0
Grapple (on backhoe)	No	40	85	87	1
Horizontal Boring Hydraulic Jack	No	25	80	82	6
Hydra Break Ram	Yes	10	90	N/A	0
Impact Pile Driver	Yes	20	95	101	11
Jackhammer	Yes	20	85	89	133
Man Lift	No	20	85	75	23
Mounted Impact Hammer (hoe ram)	Yes	20	90	90	212
Pavement Scarifier	No	20	85	90	2
Paver	No	50	85	77	9
Pickup Truck	No	40	55	75	1
Pneumatic Tools	No	50	85	85	90
Pumps	No	50	77	81	17
Refrigerator Unit	No	100	82	73	3
Rivit Buster/Chipping Gun	Yes	20	85	79	19

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Rock Drill	No	20	85	81	3
Roller	No	20	85	80	16
Sand Blasting (single nozzle)	No	20	85	96	9
Scraper	No	40	85	84	12
Sheers (on backhoe)	No	40	85	96	5
Slurry Plant	No	100	78	78	1
Slurry Trenching Machine	No	50	82	80	75
Soil Mix Drill Rig	No	50	80	N/A	0
Tractor	No	40	84	N/A	0
Vacuum Excavator (Vac-Truck)	No	40	85	85	149
Vacuum Street Sweeper	No	10	80	82	19
Ventilation Fan	No	100	85	79	13
Vibrating Hopper	No	50	85	87	1
Vibratory Concrete Mixer	No	20	80	80	1
Vibratory Pile Driver	No	20	95	101	44
Warning Horn	No	5	85	83	12
Welder/Torch	No	40	73	74	5

For each generic type of equipment listed in Table 9.1, the following information is provided:

- an indication as to whether or not the equipment is an impact device;
- the acoustical usage factor to assume for modeling purposes;
- the specification "Spec" limit for each piece of equipment expressed as an L_{max} level in dBA "slow" at a reference distance of 50 foot from the loudest side of the equipment;
- the measured "Actual" emission level at 50 feet for each piece of equipment based on hundreds of emission measurements performed on CA/T work sites; and
- the number of samples that were averaged together to compute the "Actual" emission level.

A comparison of the "Spec" emission limits against the "Actual" emission levels reveals that the Spec limits were set, in general, to realistically obtainable noise levels based on the equipment used by contractors on the CA/T Project. When measured in the field, some equipment such as pile drivers, sand blasting, demolition shears, and pumps tended to exceed their applicable emission limit. As such, these noisy devices needed to have some form of noise mitigation in place in order to comply with the Spec emission limits. Other equipment, such as clamshell shovels, concrete mixer trucks, truck-mounted drill rigs, man-lifts, chipping guns, ventilation fans, pavers, dump trucks, and flatbed trucks, easily complied. Therefore, the Spec emission limits for these devices could have been reduced somewhat further. It is recommended that the user review the RCNM User's Guide contained in Appendix A for detailed guidance regarding application of values contained in Table 9.1.

Appendix A of the 1977 Handbook provides tables of construction equipment noise levels and ranges. The majority of the data were provided by the American Road Builders Association. These data were taken during a 1973 survey in which member contractors were asked to secure readings of noise exposure to operators of various types of equipment. Additionally, the contractors were asked to take readings at 50 feet from the machinery. These 50-foot peak readings are provided in Tables 9.2 through 9.8. Though the data were produced under varying conditions and degrees of expertise, the values are relatively consistent.

Table 9.2 Construction Equipment Noise Levels Based on Limited Data Samples - Cranes.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Northwestern	80D	77	Within 15m 1958 mod
Northwestern	8	84	Within 15m 1940 mod
Northwestern	6	72	Within 15m 1965 mod
American	7260	82	Within 15m 1967 mod

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American	599	76	Within 15m 1969 mod
American	5299	70	Within 15m 1972 mod
American	4210	82	Within 15m 1968 mod
Buck Eye	45C	79	Within 15m 1972 mod
Buck Eye	308	74	Within 15m 1968 mod
Buck Eye	30B	73	Within 15m 1965 mod
Buck Eye	30B	70	Within 15m 1959 mod
Link Belt	LS98	76	Within 15m 1956 mod
Manitowoc	4000	94	Within 15m 1956 mod
Grove	RF59	82	Within 15m 1973 mod
Koehr	605	76	Within 15m 1967 mod
Koehr	435	86	Within 15m 1969 mod
Koehr	405	84	Within 15m 1969 mod

Table 9.3 Construction Equipment Noise Levels Based on Limited Data Samples - Backhoes.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Link Belt	4000	92	Within 15m 1971 mod
John Deere	609A	85	Within 15m 1971 mod
Case	680C	74	Within 15m 1973 mod
Drott	40 yr.	82	Within 15m 1971 mod
Koehr	1066	81 & 84	Within 15m 2 tested

Table 9.4 Construction Equipment Noise Levels Based on Limited Data Samples - Front Loaders.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	980	84	Within 15m 1972 mod
Caterpillar	977K	79	Within 15m 1969 mod
Caterpillar	977	87	Within 15m 1971 mod
Caterpillar	977	94	Within 15m 1967 mod
Caterpillar	966C	84	Within 15m 1973 mod
Caterpillar	966C	85	Within 15m 1972 mod
Caterpillar	966	81	Within 15m 1972 mod
Caterpillar	966	77	Within 15m 1972 mod
Caterpillar	966	85	Within 15m 1966 mod
Caterpillar	955L	90	Within 15m ;1973 mod
Caterpillar	955K	79	Within 15m 1969 mod
Caterpillar	955H	94	Within 15m 1963 mod
Caterpillar	950	78 & 80	Within 15m 1972 mod
Caterpillar	950	75	Within 15m 1968 mod
Caterpillar	950	88	Within 15m 1967 mod
Caterpillar	950	86	Within 15m 1965 mod
Caterpillar	944A	80	Within 15m 1965 mod
Caterpillar	850	82	Within 15m 1968 mod
Michigan	75B	90	Within 15m 1969 mod

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Michigan	475A	96	Within 15m 1967 mod
Michigan	275	85	Within 15m 1971 mod
Michigan	125	87	Within 15m 1967 mod
Hough	65	82	Within 15m 1971 mod
Hough	60	91	Within 15m 1961 mod
Hough	400B	94	Within 15m 1961 mod
Hough	H90	86	Within 15m 1961 mod
Trojan	3000	85	Within 15m 1956 mod
Trojan	RT	82	Within 15m 1965 mod
Payloader	H50	85	Within 15m 1963 mod

Table 9.5 Construction Equipment Noise Levels Based on Limited Data Samples - Dozers.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	D5	83	Within 15m 1967 mod
Caterpillar	D6	85	Within 15m 1967 mod
Caterpillar	D6	86	Within 15m 1964 mod
Caterpillar	D6	81	Within 15m 1967 mod
Caterpillar	D6B	83	Within 15m 1967 mod
Caterpillar	D6C	82	Within 15m 1962 mod
Caterpillar	D7	85	Within 15m 1956 mod
Caterpillar	D7	86	Within 15m 1969 mod
Caterpillar	D7	84	Within 15m 1969 mod
Caterpillar	D7	78	Within 15m 1970 mod
Caterpillar	D7	78	Within 15m 1972 mod
Caterpillar	D7E	86	Within 15m 1965 mod
Caterpillar	D7E	78	Within 15m 1970 mod
Caterpillar	D7E	84	Within 15m 1973 mod
Caterpillar	D7F	80	Within 15m 1972 mod
Caterpillar	D8	92	Within 15m 1954 mod
Caterpillar	D8	95	Within 15m 1968 mod
Caterpillar	D8	86	Within 15m 1972 mod
Caterpillar	D8H	88	Within 15m 1966 mod
Caterpillar	D8H	82	Within 15m 1972 mod
Caterpillar	D9	85	Within 15m 1972 mod
Caterpillar	D9	94	Within 15m 1972 mod
Caterpillar	D9	90	Within 15m 1963 mod
Caterpillar	D9	87	Within 15m 1965 mod
Caterpillar	D9	90	Within 15m 1965 mod
Caterpillar	D9	88	Within 15m 1968 mod
Caterpillar	D9	92	Within 15m 1972 mod
Caterpillar	D9G	85	Within 15m 1965 mod
Allis Chambers	HD41	93	Within 15m 1970 mod

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International	TD15	79	Within 15m 1970 mod
International	TD20	87	Within 15m 1970 mod
International	TD25	90	Within 15m 1972 mod
International	TD8	83	Within 15m 1970 mod
Case	1150	82	Within 15m 1972 mod
John Deer	350B	77	Within 15m 1971 mod
John Deer	450B	65	Within 15m 1972 mod
Terex	8230	70	Within 15m 1972 mod
Terex	8240	93	Within 15m 1969 mod
Michigan	280	85	Within 15m 1961 mod
Michigan	280	90	Within 15m 1962 mod
Caterpillar	824	90	Within 15m 1968 mod

Table 9.6 Construction Equipment Noise Levels Based on Limited Data Samples - Graders.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	16	91	Within 15m 1969 mod
Caterpillar	16	86	Within 15m 1968 mod
Caterpillar	140	83	Within 15m 1970 mod
Caterpillar	14E	84	Within 15m 1972 mod
Caterpillar	14E	85	Within 15m 1971 mod
Caterpillar	14C	85	Within 15m 1971 mod
Caterpillar	14B	84	Within 15m 1967 mod
Caterpillar	12F	82	Within 15m 1961-72 mod
Caterpillar	12F	72-92	Within 15m 1961-72 mod
Caterpillar	12E	81.3	Within 15m 1959-67 mod
Caterpillar	12E	80-83	Within 15m 1959-67 mod
Caterpillar	12	84.7	Within 15m 1960-67 mod
Caterpillar	12	82-88	Within 15m 1960-67 mod
Gallon	T500	84	Within 15m 1964 mod
Allis Chambers		87	Within 15m 1964 mod

Table 9.7 Construction Equipment Noise Levels Based on Limited Data Samples - Scrapers.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	660	92	Within 15m
Caterpillar	641B	85	Within 15m 1972 mod
Caterpillar	641B	86	Within 15m 1972 mod
Caterpillar	641	80 & 84	Within 15m 1972 mod
Caterpillar	641	83 & 89	Within 15m 1965 mod
Caterpillar	637	87	Within 15m 1971 mod
Caterpillar	633	87	Within 15m 1972 mod
Caterpillar	631C	89	Within 15m 1973 mod
Caterpillar	631C	83	Within 15m 1972 mod
Caterpillar	631B	94	Within 15m 1969 mod

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Caterpillar	631B	84-87	Within 15m 1968 mod
Caterpillar		85 avg.	Within 15m 1968 mod
Caterpillar	621	90	Within 15m 1970 mod
Caterpillar	621	86	Within 15m 1967 mod
Caterpillar	613	76	Within 15m 1972 mod
Terex	TS24	87	Within 15m 1972 mod
Terex	TS24	84-91	
Terex	TS24	82	Within 15m 1971 mod
Terex	TS24	81-83	Within 15m 1971 mod
Terex	TS24	94	Within 15m 1966 mod
Terex	TS24	92-98	Within 15m 1966 mod
Terex	TS24	94.7	Within 15m 1963 mod
Terex	TS24	94-95	Within 15m 1963 mod
Terex	TS14	82	Within 15m 1969 mod
Terex	S35E	84	Within 15m 1971 mod

Table 9.8 Noise Levels of Standard Compressors.

Manufacturer	Model	Silenced or Standard	Type Eng.	Type Comp.	Test Avg. Cond. (cfm.psi)	Avg. Cond. Noise Lev. (cfm.psi) (dBA) at 7m*
Atlas	ST-48	Standard	Diesel	Reciprocal	160,100	83.6
Atlas	ST-95	Standard	Diesel	Reciprocal	330,105	80.2
Atlas	VSS-170Dd	Silenced	Diesel	Reciprocal	170,850	70.2
Atlas	VT-85M	Standard	Gas	Reciprocal	85,100	81.4
Atlas	VS-85Dd	Silenced	Gas	Reciprocal	85,100	75.5
Atlas	VSS-125Dd	Silenced	Diesel	Reciprocal	125,100	70.1
Atlas	STS-35Dd	Silenced	Diesel	Reciprocal	125,100	73.5
Atlas	VSS-170Dd	Silenced	Diesel	Reciprocal	170,100	
Gardner-Denver	SPWDA/2	Silenced	Diesel	Rotary-Screw	1200,000	73.3
Gardner-Denver	SPQDA/2	Silenced	Diesel	Rotary-Screw	750,000	78.2
Gardner-Denver	SPHGC	Silenced	Gas	Rotary-Screw	185,000	77.1
Ingersoll-Rand	DXL 1200	Standard	Diesel	Rotary-Screw	1200,125	92.6
Ingersoll-Rand	DXL 1200 (doors open)	Standard	Diesel	Rotary-Screw	1200,125	
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	76.0
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.1
Ingersoll-Rand	DXLCU1050	Standard	Diesel	Rotary-Screw	1050,125	90.2
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.3
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.0
Ingersoll-Rand	DXL 900	Standard	Diesel	Rotary-Screw	900,125	89.9
Ingersoll-Rand	DXL 750	Standard	Diesel	Rotary-Screw	750,125	87.7
Jaeger	A	Standard	Gas	Rotary-Screw	175,100	88.2

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Jaeger	A(doors open)	Standard	Gas	Rotary-Screw	175,100	
Jaeger	E	Standard	Gas	Vane	85,100	81.5
Jaeger	E(doors open)	Standard	Gas	Vane	85,100	
Worthington	60 G/2Qt	Silenced	Gas	Vane	160,100	74.2
Worthington	750-QTEX	Silenced	Diesel	Rotary-Screw	750,100	74.7

*Data taken from EPA Report - EPA 550/9-76-004.

9.4.3 FTA Noise and Vibration Assessment Procedure

Chapter 12 of the FTA Transit Noise and Vibration Guidance Handbook discusses construction noise evaluation methodology and contains the noise emission levels for construction equipment displayed in Table 9.9.

Table 9.9 FTA Construction Equipment Noise Emission Levels.

Equipment	Typical Noise Level (dBA) 50 ft from Source*
Air Compressor	81
Backhoe	80
Ballast Equalizer	82
Ballast Tamper	83
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane Derrick	88
Crane Mobile	83
Dozer	85
Generator	81
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	85
Paver	89
Pile Driver (Impact)	101
Pile Driver (Sonic)	96
Pneumatic Tool	85
Pump	76
Rail Saw	90
Rock Drill	98
Roller	74
Saw	76
Scarifier	83
Scraper	89
Shovel	82
Spike Driver	77
Tie Cutter	84

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Tie Handler	80
Tie Inserter	85
Truck	88

*Table based on EPA Report, measured data from railroad construction equipment taken during Northeast Corridor improvement project and other measured data.

9.5 Links to Equipment Manufacturers

Table 9.10 contains web-based links to manufacturers of construction equipment. While few of these links contain noise-related data associated with the equipment, they provide descriptions and/or specifications related to the equipment, as well as sources for possibly obtaining additional information related to the equipment. Information in this table is by no means all-inclusive and does not represent any type of endorsement of the manufacturers, suppliers, or equipment. Users are hereby advised that the referenced websites may have certain restrictions, copyrights, etc., associated with any use of data contained therein.

Table 9.10 Equipment Manufacturers and Websites.

Equipment	Manufacturer	Website Address
Arrow Boards		
	North Star	http://northstar-traffic.com/index.cfm?SC=14&PT=1
	Trafcom	http://www.trafcon.com
	Allmand	http://www.allmand.com/MB%20AB%20page.htm
Articulated Trucks		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=196
	Hitachi	http://www.hitachi-c-m.com/global/products/articulate/index.html
	Terex	http://www.terex.com/main.php
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/articulatedhaulers/
Asphalt Saws		
	Allied	http://www.alliedcp.com/products/rotocut.asp
Augers - See Drills / Augers		
Backhoes - See Loaders/Backhoes		
Boring Equipment - See Pile Drivers/Boring Equipment		
Compaction Equipment		
	Allied	http://www.alliedcp.com/products/compactor.asp
Compressors		
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5714,00.html
	Compair	http://www.compair.com/Products/Portable_Compressors.aspx
Concrete and Asphalt Batch/Mixing Plants and Equipment		
	Con-E-Co	http://www.con-e-co.com/products.cfm
	Terex	http://www.terex.com/main.php
	Gunter & Zimmerman	http://www.guntert.com/concrete_mobilebatching.asp
	Rex Con	http://www.rexcon.com
Concrete Breakers/ Hydraulic Hammers/Hydraulic Breakers		
	Drillman	http://www.drillmanindia.com/concrete-breaker.html
	Hydro Khan	http:/www.sangi.co.kr/english/e_product1_2.php
	Stanley	http://www.stanley-hydraulic-tools.com/Hand%20Held/NoAmbreakers.htm

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	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/breakers.htm
Concrete Chain Saws		
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/concrete-saws.htm
Concrete Core Drilling Machines		
	Multiquip	http://www.multiquip.com/multiquip/318_ENU_HTML.htm
Concrete Cutters		
	Vermeer	http://www.vermeermfg.com/vcom/TrenchingEquipment/Line.jsp?PrdlnID=3618
Concrete/Material Pumps		
	Multiquip	http://www.multiquip.com/multiquip/309_ENU_HTML.htm
	Reed	http://www.reedpumps.com/
Concrete Mixer Trucks		
	Oshkosh	http://www.oshkoshtruck.com/concrete/products~overview~home.cfm
	London	http://www.lmi.ca/mixers.cfm
	Terex/Advance	http://www.advancemixer.com
Concrete Saws		
	Multiquip	http://www.multiquip.com/multiquip/315_ENU_HTML.htm
	Diamond Core Cut	http://www.diamondproducts.com/dp_home.htm
Concrete Screeds		
	Multiquip	http://www.multiquip.com/multiquip/317_ENU_HTML.htm
Concrete Vibrators		
	Multiquip	http://www.multiquip.com/multiquip/313_ENU_HTML.htm
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5722,00.html
Cranes		
	Malcolm Drilling	www.malcolmdrilling.com
	Link-Belt	http://www.linkbelt.com/lit/products/frameproducthome.htm
	Casagrande	http://www.casagrandegroup.com
	Liebherr	http://www.liebherr.com/em/en/35381.asp
	Terex	http://www.terex.com/main.php
Crawler Tractors - See Dozers/Crawler Tractors		
Crushing and Screening Equipment		
	Cedarapids	http://www.cedarapids.com/crushscr.htm
	Hitachi	http://www.hitachi-c-m.com/
	Komatsu	http://www.komatsu.com/ce/products/mobile_crushers.html
	Terex	http://www.terex.com/main.php
Crushers/Pulverizers		
	Hydro Khan	http://www.sangi.co.kr/english/e_product3.php
Cutoff Saws		
	Multiquip	http://www.multiquip.com/multiquip/309_ENU_HTML.htm
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/cutoff%20saw.htm
Dozers/CrawlerTractors		

	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/crawlers/deere_dozer_selection.html
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=2
	Komatsu	http://www.komatsu.com/ce/products/crawler_dozers.html
Dewatering Pumps		
	Multiquip	http://www.multiquip.com/multiquip/371_ENU_HTML.htm
Drills / Augers		
	Malcolm Drilling	www.malcolmdrilling.com
	Casagrande	www.casagrandegroup.com
	Soilmec	http://www.soilmec.com/_vti_g1_techno.aspx?rpstry=4_
	Terex	http://www.terex.com/main.php
Excavators		
	Hitachi	http://www.hitachi-c-m.com/global/products/excavator/index.html
	Caterpiller	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/compactexcavators/
		http://www.volvo.com/constructionequipment/na/en-us/products/wheeledexcavators/
		http://www.volvo.com/constructionequipment/na/en-us/products/crawlerexcavators/
	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/excavators/deere_excavator_selection.html
	Liebherr	http://www.liebherr.com/em/en/18891.asp
	Soilmec	http://www.soilmec.com/_vti_g1_t02.aspx?rpstry=29_
	Gehl	http://www.gehl.com
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=216
	Komatsu	http://www.komatsu.com/ce/products/crawler_excavators.html
		http://www.komatsu.com/ce/products/wheel_excavators.html
	Terex	http://www.terex.com/main.php
	Link-Belt	http://www.lbxco.com/lx_series.asp
	Gradall	http://www.gradall.com/
	Badger Daylighting	http://www.badgerinc.com/
Fork Lifts - See Lifts / Variable Reach Fork Lifts/ Material Handlers		
Generators		
	Terex	http://www.terex.com/main.php
	Multiquip	http://www.multiquip.com/multiquip/212_ENU_HTML.htm
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5714,00.html
	Baldor	http://www.baldor.com/products/generators/ts.asp
Graders		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=190
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/MotorGraders/
	Komatsu	http://www.komatsu.com/ce/products/motor_graders.html
	Terex	http

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Hand Compaction Equipment		
	Terex	http://www.terex.com/main.php
	Multiquip	http://www.multiquip.com/multiquip/56_ENU_HTML.htm
Hydraulic Hammers/Hydraulic Breakers - See Concrete Breakers/ Hydraulic Hammers/Hydraulic Breakers		
Jackhammers - See Rock Drilling Equipment/Jackhammers		
Lifts / Variable Reach Fork Lifts/ Material Handlers		
	Genie Lift	www.genielift.com
	Sky Track	www.kirby-smith.com/
	Ingersol-Rand	www.ingersollrand.com
	Terex	http://www.terex.com/main.php
	Roadtec	http://www.roadtec.com/www/docs/102/mtv-material-transfer-vehicle/
Light Towers		
	Baldor	http://www.baldor.com/products/generators/mlt.asp
	Multiquip	http://www.multiquip.com/multiquip/293_ENU_HTML.htm
	Allmand	http://www.allmand.com/Night%20Lite%20Pro%20page.htm
Loaders/Backhoes		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=54
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/backhoeloaders/
	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/backhoes/deere_backhoe_selection.html
	Komatsu	http://www.komatsu.com/ce/products/backhoe_loaders.html
Material Handlers - See Lifts / Variable Reach Fork Lifts/ Material Handlers		
Milling Machines		
	Wirtgen	http://www.wirtgenamerica.com/us/
Mining Trucks - See Rigid Dump Trucks/Mining Trucks		
Pans - See Scrapers/Pans		
Pavers/Paving Equipment		
	Caterpillar/ Barber Greene	http://www.cat.com/cda/layout?m=37840&x=7
	Rosco	http://www.leeboy.com/rosco/
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478
	Gehl	http://www.gehl.com/const/prodpg_ap.html
	Leeboy	http://www.leeboy.com/leeboy/
	Terex	http://www.terex.com/main.php
	Ingersoll-Rand	http://www.road-development.irco.com/Default.aspx?MenuItemID=12
	Vogele	http://www.vogeleamerica.com/noflash.html
	GOMACO	http://www.gomaco.com/index.html
	Roadtec	http://www.roadtec.com
Pile Drivers/Boring Equipment		
	Soilmec	http://www.soilmec.com/_vti_g1_t09.aspx?rpstry=29_
	Leffer	http://www.leffer.com/bme.html

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	Bauer	http://www.bauer.de/en/maschinenbau/produkte/drehbohrgeraete/bg_reihe/usbg15h.htm
Pipelayers/Trenchers		
	Liebherr	http://www.liebherr.com/em/en/18908.asp
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=28&archived=1
	Vermeer	http://www.vermeermfg.com/vcom/TrenchingEquipment/trenching-equipment.htm
	Ditchwitch	http://www.ditchwitch.com/dwcom/Product/ProductView/115
	Eagle	http://www.guntert.com/trenchers_home.asp
Profilers - See Roadway Planers/Profilers		
Rammers		
	Multiquip	http://www.multiquip.com/multiquip/56_ENU_HTML.htm
Rebar Benders/Cutters		
	Multiquip	http://www.multiquip.com/multiquip/1316_ENU_HTML.htm
Recyclers - See Stabilizers/Recyclers		
Rigid Dump Trucks/Mining Trucks		
	Hitachi	http://www.hitachi-c-m.com/global/products/rigid/index.html
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Liebherr	http://www.liebherr.com/em/en/18898.asp
	Komatsu	http://www.komatsu.com/ce/products/dump_trucks.html
	Terex	http://www.terex.com/main.php
Roadway Planers/Profilers		
	Terex	http://www.terex.com/main.php
	Roadtec	http://www.roadtec.com/products/cold_planers/default.htm
Rock Drilling Equipment/Jackhammers		
	Drillman	http://www.drillmanindia.com/rock-drilling-machine.html
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5721,00.html
	Allied	http://www.alliedcp.com/products/hammers.asp
Rollers - See Tampers/Rollers		
Scrapers/Pans		
	Terex	http://www.terex.com/main.php
Screening Equipment - See Crushing and Screening Equipment		
Slabbuster		
	Allied	http://www.alliedcp.com/products/slabbuster.asp
Slip Form Pavers		
	Huron	http://www.huronmanufacturing.com/
	Guntert & Zimmerman	http://www.guntert.com/concreteSlipformPavers.asp
Stabilizers/Recyclers		
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478

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	Komatsu	http://www.komatsu.com/ce/products/mobile_crushers.html
	Terex	http://www.terex.com/main.php
	Wirtgen	http://www.wirtgenamerica.com/us/
	Roadtec	http://www.roadtec.com
Sweepers		
	Elgin	http://www.elginsweeper.com
	Johnston	http://www.johnstonsweepers.com/
Tampers/ Rollers		
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478
	Komatsu	http://www.komatsu.com/ce/products/vibratory_rollers.html
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/tamper.htm
	Multiquip	http://www.multiquip.com/multiquip/181_ENU_HTML.htm
	Ingersoll-Rand	http://www.road-development.irco.com/Default.aspx?MenuItemID=15
Trenchers - See Pipelayers/Trenchers		
Trucks - See Articulated Trucks, Concrete Mixer Trucks, Rigid Dump Trucks/Mining Trucks		
Vacuum Units		
	Advanced Recycling Systems	www.arsrecycling.com/
	Vacmasters	http://www.vacmasters.com/airsystm.htm
	Vector	http://www.vector-vacuums.com/
Variable Message Signs		
	Allmand	http://www.allmand.com/MB%20only%20page.htm
	North Star	http://northstar-traffic.com/index.cfm?SC=13&PT=1
	Trafcom	http://www.trafcon.com
	Daktronics	http://www.daktronics.com/vms_prod/dak_vms_products.cfm
Vibratory Rammers		
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
Welders/Welding Equipment		
	Airgas	www.airgas.com
	Multiquip	http://www.multiquip.com/multiquip/408_ENU_HTML.htm
	Miller	http://www.millerwelds.com/products/
	Lincoln	http://www.mylincolnelectric.com/Catalog /equipmentseries.asp?browse=101|400|
Wheel Loaders		
	Hitachi	http://www.hitachi-c-m.com/global/products/loader/index.html
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=30
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products /wheelloaders/
	Terex	http://www.terex.com/main.php
	Komatsu	http://www.komatsu.com/ce/products/wheel_loaders.html
	TCM	http://www.tcmglobal.net/products/main02.html

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4.0 Construction Noise Criteria and Descriptors

4.1 Criteria

Construction noise levels may be evaluated in terms of human response and considered in the assessment of effects on wildlife and other non-human species. Noise levels and criteria are expressed in English, metric, or both conventions, depending upon the geographic area or the policies of the controlling agency. Typically, the English convention is used mostly in the United States, with the metric convention used in Canada and other countries.

While the issue of construction noise must be addressed as part of the planning of any transportation project, there are no standardized criteria on the federal level for assessing construction noise impacts related to transportation projects. Where project-specific construction noise criteria have been developed by individual agencies or municipalities, they typically consider the following factors which form the fundamentals for defining construction noise impact:

- Difference between existing noise levels prior to construction startup and expected noise levels during construction: This takes into account specific construction operations and/or individual pieces of equipment.
- Absolute level of expected construction noise: This may constitute the combined levels of all equipment and operations at a given time or be specifically related to the absolute noise level of a specific operation and/or piece of equipment.
- Adjacent land uses: Consideration of this factor provides an indicator of the degree of sensitivity that may be expected and will likely have a major effect on the operational time restraints and the noise level increases tolerated. For example, residential areas may typically have a restriction on night operations and possibly a noise level restriction during the day. Industrial areas may have no restrictions at all, and offices may or may not have a restriction on the noise levels during the day, with possibly no restriction for night operations. Examples of absolute and relative construction noise level criteria are provided in Table 7.1.
- Duration of construction/operation: The duration of high noise levels may play a significant role in how a noise impact is perceived and/or mitigated. If the levels are of a brief nature, possibly only occurring once or twice during the project, the perceived impact could be quite different than that associated with a constant noise source. Similarly, any related noise mitigation techniques employed could be substantially different in terms of type and/or duration of application.

4.1.1.1 United States

While noise impact and abatement criteria have been established for the operation of transportation facilities in the United States, standardized criteria have not yet been established related to noise associated with the construction of such facilities. However, since the publication of the original 1977 Report[ref001], additional guidance has been disseminated (through agencies such as FHWA and FTA) and analysis tools developed to better address construction noise. For example, the FTA Transit Noise and Vibration Impact Assessment document[ref014] presents guidelines that "can be considered reasonable criteria for assessment" of construction noise impacts. In addition, a number of agencies, municipalities, and other entities have developed procedures for addressing construction noise impacts and implementing related noise mitigation for their areas of jurisdiction or on a project-specific basis.

In some instances, local entities may have developed noise ordinances that contain restrictions associated with construction noise levels. Noise practitioners and others involved in the project development process are encouraged to become familiar with such ordinances and their relationship to other State and/or municipal ordinances. In certain instances, the State jurisdiction may supersede any local noise ordinances.

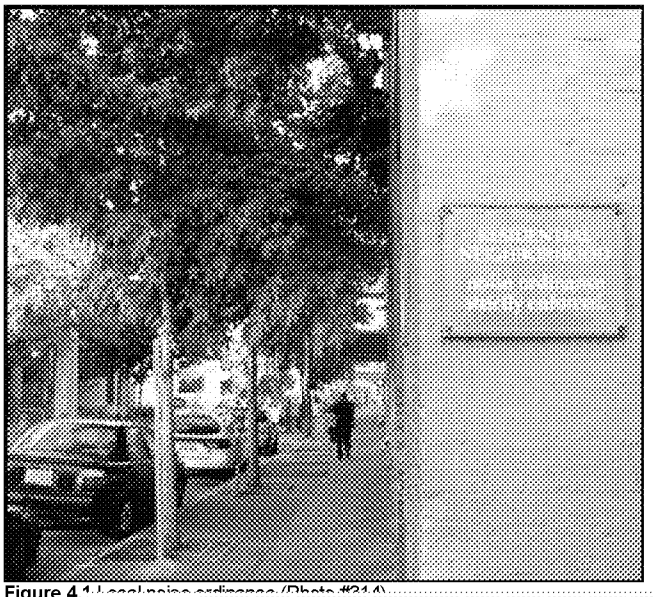

Figure 4.1 Local noise ordinance (Photo #314)

Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

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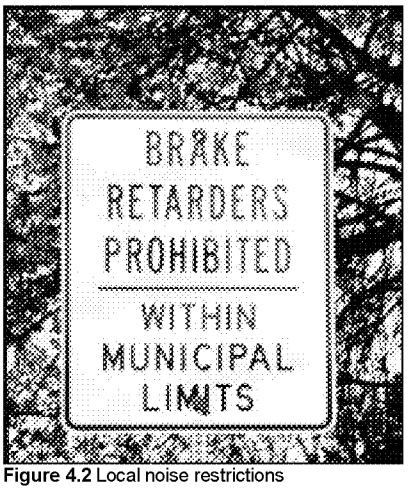

Figure 4.2 Local noise restrictions (Photo #1206)

Noise restrictions may also be imposed by local and/or State authorities to deal with specific activities or operations. An example is the growing practice of restricting the use of engine compression brakes on heavy trucks in residential areas.

Noise restrictions may also be applied within the workplace associated with employee/worker exposure to noise levels over varying durations. These criteria have been established by OSHA. However, such criteria are typically not relevant or applicable to the transportation-related project construction noise levels experienced by people residing or working in areas adjacent to such projects. As such, they are not discussed within this Handbook.

Construction noise criteria within the United States vary considerably in terms of both scope and specificity and can be broadly categorized as follows, in order of complexity:

No criteria specified;

Qualitative criteria, e.g. "Noise levels shall not cause a disturbance";

- Relative criteria, e.g. "Noise levels shall not exceed existing (or ambient, or background) noise levels by more than x dB";
- Absolute criteria, e.g. "Maximum noise levels shall not exceed xx dB";
- Criteria containing a combination absolute and relative noise level limits; and
- Combinations of the above criteria elements with additional restrictions placed on time periods and types of land uses or activities.

An example of more complex criteria is that associated with the Central Artery/Tunnel Project in Boston, MA. Data related to these criteria are discussed in Reference 023 and illustrated in Table 7.1 of this Handbook. This project established criteria that include both L_{10} and L_{max} absolute noise level limits for defined noise sensitive locations (residences, institutions, hotels, etc.) for daytime, evening, and nighttime periods. In addition, the criteria established maximum noise level increases relative to established baseline noise levels. Relative and absolute noise level limits were also established for commercial and industrial areas.

From the standpoint of construction noise criteria, the intent of this Handbook is not to address all State and local noise ordinances and/or criteria, but rather, to address the approaches and techniques that may be contained in such criteria. As such, the discussions contained within this Handbook are meant to provide a summary of considerations related to all aspects of construction noise. The reader is encouraged to refer to specific references in Table 10.1 for more detailed information on noise criteria and other factors related to construction noise.

4.1.1.2 Canada

Similar to the United States, no standardized Canadian criteria exist related to transportation project construction noise. Where project-specific analysis techniques have been employed to address and/or mitigate construction-related noise and its impacts, such methods have been similar to those employed in the United States. Examples of such efforts may be found in References 010 and 019.

4.1.1.3 Other International

While an exhaustive survey of international criteria was not conducted, several criteria are discussed here for informational use only. More specifics may be found by accessing the relative links found in the Reference Database in Chapter 10.

- The Official Journal of the European Communities' Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000[ref017] establishes legislation dictating specific noise levels for individual pieces of construction equipment. It also contains specifics related to the measurement locations and equipment operating conditions relative to the testing of individual pieces of equipment.
- The Australian EPA's Environmental Noise Control Manual[ref015] establishes the following criteria which officers may specify related to construction noise:
  - For a construction period of four (4) weeks or less, the maximum L_{10} noise level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background noise level by more than 20 dBA;
  - For a construction period greater than four (4) weeks, the maximum L_{10} noise level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background noise level by more than 10 dBA;
  - Construction limited to 0700 to 1800 time period on Monday through Friday;
  - Construction limited on Saturdays to 0700 to 1300 time period if inaudible on residential premises; otherwise, 0800 to 1300;
  - No construction work may take place on Sundays or public holidays; and
  - All possible steps should be taken to silence construction site equipment. It is particularly important that silenced equipment should be used on road or rail works where 24-hour operation is necessary.

4.2 Descriptors

While it is not the intent of this Handbook to establish criteria for evaluating construction noise impacts, it is important to stress that reasonable and defensible noise descriptors must be used to describe construction noise levels. The following are important elements related to selecting a workable noise descriptor for use in measuring and analyzing construction noise:

- Suitable for practical measuring methods;
- Accounts for temporal variations in equipm
- Accounts for temporal variations in overall s

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- Suitable for prediction modeling;
- Suitable for combining noise levels from various source types; and
- Relative to subjective responses.

The descriptor most commonly chosen for use is the A-weighted equivalent sound level (energy basis), L_{Aeq}. In many cases, the time average period applied to the L_{Aeq} value is one hour (designated L_{Aeq1h}). For certain projects and operations, the time period over which the L_{Aeq} is applied may need to be examined on a case-by-case basis. For several major construction projects in the United States and Canada, the L_{10} (applied generally during daytime periods) and L_{max} (applied for specific equipment and/or nighttime operations) descriptors have been used over varying time periods.

The L_{dn} descriptor has been used to assess annoyance and community reaction to construction noise. L_{dn} is an L_{Aeq}-based descriptor that applies a 10 dBA penalty to nighttime noise levels.

The L_{Aeq}-based and L_{10}-based descriptors satisfy the first four elements listed above. The L_{Aeq} satisfies the fifth element and may also satisfy the sixth element (relative to subjective responses). However, the L_{Aeq}, L_{10}, and L_{max} descriptors may not be suited for determining responses by some aquatic wildlife (where using an un-weighted sound pressure level may be more suitable) or for owls (where use of a different weighting category such as dBO or a descriptor such as SEL may be more suitable to account for effects such as air blasts associated with blasting). More detailed information related to these specific conditions might be found in documents listed in Section 3.2.6 of this document.

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Figure 3.1 Construction in residential area (Photo #924)

Figure 3.2 Construction in business district (Photo #714)

Figure 3.3 Construction in vicinity of sporting event venue (Photo #718)

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Figure 3.4 Construction in paradise (Photo #1033)

While construction noise can be unwelcome during nighttime periods in residential areas when people are trying to sleep, it can be equally unwelcome during the daytime in commercial areas if it interferes with peoples' ability to conduct business. In short, construction noise has the potential to disturb people 24 hours a day, 7 days a week. If not properly addressed, specific public concerns related to a project could result in actions affecting the progress and/or cost of a project.

There is nothing particularly unique about construction noise - it's a fluctuation in air pressure oscillating above and below atmospheric pressure that is produced by construction equipment or activities with sufficient magnitude (loudness) and within a certain frequency range (audible spectrum) such that human beings can hear it - just like any other noise. Being a physical parameter, it can be measured, quantified, modeled, predicted, and in certain instances, abated to some degree.

Noise from construction-related activities can also affect non-human species such as aquatic life and land and airborne animals in a variety of ways. The non-human category includes domestic, farm-based, and creatures living in the wild. In assessing the effects of noise on non-humans, it is essential that noise analysts closely coordinate with qualified biologists in the assessment and mitigation of noise impacts.

Issues related to vibration may also be raised during project development. This is particularly true when blasting operations occur. There are no FHWA requirements directed specifically to traffic-induced or construction-related vibration. Most studies that State DOTs have done to assess the impact of operational traffic-induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings, although levels may be such as to cause various degrees of annoyance. Analysis of construction-related vibration effects is beyond the scope of this Handbook.

The intent of this Handbook is not to provide det
information regarding specific effects of constru

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3.2 Types of Effects

Physical effects related to humans are probably most applicable to the operators of construction equipment as opposed to people residing adjacent to construction projects. An exception to this would be unique situations such as scuba diving or swimming activities occurring in the vicinity of a water-based pile driving or blasting operation. The potential for hearing loss or physical damage to the human hearing mechanism is protected by Occupational Safety and Health Administration (OSHA) criteria, and as such, is not discussed herein. While resulting in the potential to annoy or disturb humans, construction noise is typically not a danger to people's hearing.

Knowledge related to the physical effects of construction noise on non-human species such as land-based animals, birds, and owls is limited. It is recognized that aquatic mammals and fish can be physically damaged by water-born sound and vibration waves caused by construction activities such as underwater blasting and pile driving. In lieu of detailed discussions within this Handbook of the variety of specialized studies related to the physical effects of construction noise on such species, references to such studies are provided in a list at the end of this chapter.

Loud noises from construction activities can create situations where people cannot effectively communicate, as documented in Tables 3.1 and 3.2. While such situations may be merely an annoyance or inconvenience in certain situations, they could be construed as a safety issue if such noises prevent people from hearing important local noises such as approaching traffic, emergency warning devices, alerts from other people, etc.

Noise from construction activities can affect humans, land-based animals, aquatic wildlife, and airborne wildlife in a variety of ways. Humans are most affected in terms of sleep deprivation and the carrying on of normal daily activities such as watching television, listening to the radio, recreational activities, and activities requiring concentration, such as reading. Special activities such as those associated with churches, schools, and libraries can also be negatively affected by construction noise. Water-based activities such as scuba diving, swimming, and boating can also be affected.

While non-humans are most likely annoyed by construction noise, there is little known about the related effects. However, the annoyance of noise on humans has been studied for some time and is documented in a 1974 EPA report commonly referred to as the "Levels Document"[ref033]. It is complementary to the 1979 EPA document, "Protective Noise Levels"[ref052].

A variety of studies have attempted to quantify the effects of noise on humans. An example is provided in the following table contained in the "Levels Document" referred to above. Note that all noise levels referred to in the "Levels Document" are A-weighted.

Table 3.1 Summary of Human Effects in Terms of Speech Communication, Community Reactions, Annoyance, and Attitude toward Area Associated with an Outdoor Day/Night Sound Level of 55 dB re 20 Micropascals.

Type of Effect	Magnitude of Effect
Speech - Indoors	100% sentence intelligibility (average) with a 5 dB margin of safety
Speech - Outdoors	100% sentence intelligibility (average) at 0.35 meters
	99% sentence intelligibility (average) at 1.0 meters
	95% sentence intelligibility (average) at 3.5 meters
Average Community Reaction	None evident; 7 dB below level of significant "complaints and threats of legal action" and at least 16 dB below "vigorous action" (attitudes and other non-level related factors may affect this result)
Complaints	1% dependent on attitude and other non-level related factors
Annoyance	1% dependent on attitude and other non-level related factors
Attitude Toward Area	Noise essentially the least important of various factors

Table 3.2. Steady A-weighted Sound Levels that Allow Communication with 95 Percent Sentence Intelligibility over Various Distances Outdoors for Different Voice Levels.

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Communication Distance (meters)	0.5	1	2	3	4	5
Normal Voice (dB)	72	66	60	56	54	52
Raised Voice (dB)	78	72	66	62	60	58

The effects of construction-related noise on non-humans are less understood and probably most related to mating, nesting, migration, and feeding activities. While data on such effects is limited as compared with information on humans, some research is available[ref031 and ref032].

For a more detailed discussion of the general effects of noise on wildlife and other non-human species, the reader is directed to references dealing with the following:

- Effects on wildlife and other animals: ref031 and ref032;
- Effects on marine mammals: ref102;
- Effects on fish: ref030, ref035, ref046, ref054, ref060, and ref061; and
- Effects on owls: research underway as of the publication date of this Handbook by Washington State DOT (WSDOT); when available, any published reports will be available through the WSDOT webpage (see Table 10.1).

In determining noise impacts and possible mitigation measures for construction projects involving non-human species, noise analysts should closely coordinate with qualified biologists.

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APPENDIX B

OVERVIEW OF LEGAL RESTRAINTS ON AGRICULTURAL LAND MITIGATION PROGRAMS

OVERVIEW OF LEGAL RESTRAINTS ON AGRICULTURAL LAND MITIGATION PROGRAMS*

Prepared for Department of Conservation
Division of Land Resource Protection
Brown Bag Discussion on CEQA and Mitigation as a Tool for Preserving Farmland and Our Agricultural Economy

February 16, 2011

Osha R. Meserve
Soluri Meserve, A Law Corporation
1822 21st St.
Sacramento, CA 95811
(916) 455-7300
osha@semlawyers.com

* Disclaimer: These materials are for informational purposes only and do not substitute for legal advice regarding the particular facts of a given matter.

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I. INTRODUCTION

This paper explores the possible legal impediments to in-kind and fee-based agricultural mitigation programs that may be adopted by local agencies. A review of applicable legal restraints on such programs indicates that they are generally permissible when properly drafted. In light of the high rate of conversion of agricultural lands in California, local agencies that have not yet adopted such programs should consider doing so. In the interim, review of projects under the California Environmental Quality Act ("CEQA"),[1] can also lead to the adoption of legally defensible mitigation requirements, though mitigation may not always be required.

II. LEGISLATIVE POLICIES REGARDING PROTECTION OF AGRICULTURAL LAND

The California Legislature has directly addressed conservation of agricultural land in legislative policy statements. In CEQA, the Williamson Act,[2] and the California Farmland Conservancy Program Act,[3] the Legislature emphasizes the importance of agricultural land to the State. Moreover, the Williamson Act and the California Farmland Conservancy Program are specifically dedicated to preserving farmland throughout California.[4] The statutes indicate that the State of California values agricultural land, and the protection of farmland is a statewide priority.

A. CEQA

In 1993, the California State Legislature added a requirement to CEQA that the Resources Agency create an appendix to the CEQA Guidelines ("CEQA Guidelines").[5] The Legislature required that this appendix propose methods to analyze significant effects on the environment from conversion of agricultural land.[6] The findings for this statutory requirement state that:

(a) Agriculture is the State's leading industry and is important to the State's economy.

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[1]/ Pub. Resources Code, § 21000 et seq.
[2]/ Gov. Code, § 51200 et seq.
[3]/ Pub. Resources Code, § 10200 et seq.
[4]/ Pub. Resources Code, § 21000 et seq., Gov. Code, § 51200 et seq., Pub. Resources Code, § 10200 et seq.
[5]/ Pub. Resources Code, § 21095.
[6]/ *Ibid.*

(b) The continued productivity of agricultural lands in California is important in maintaining a healthy agricultural economy.

(c) The conversion of agricultural lands to nonagricultural use threatens the long-term health of the State's agricultural industry.[7]

In response to this mandate, the Resources Agency added Appendix G to the CEQA Guidelines.[8] Appendix G suggests that when analyzing impacts on agricultural resources, an agency might assess the type of farmland that a project would convert (i.e. "prime" farmland or farmland of statewide importance).[9] It also recommends that an agency consider whether a proposed project would involve other changes in the environment that could result in the conversion of farmland to non-agricultural use.[10]

B. Williamson Act

In its findings for the Williamson Act, the California Legislature stated:

> That the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and is necessary not only to the maintenance of the agricultural economy of the state, but also for the assurance of adequate, healthful and nutritious food for future residents of this state and nation.[11]

The Legislature further asserted:

> That in a rapidly urbanizing society, agricultural lands have a definite public value as open space, and the preservation in agricultural production of such lands, the use of which may be limited under the provisions of this chapter, constitutes an important physical, social, esthetic and economic asset to existing or pending urban or metropolitan developments.[12]

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[7]/ Section 1 of Stats. 1993, c. 812 (SB 850).
[8]/ 14 CCR, § 15000 et seq.
[9]/ *Id.* at Appendix G.
[10]/ *Ibid.*
[11]/ Gov. Code, § 51220, subd. (a).
[12]/ Gov. Code, § 51220, subd. (d).

C. California Farmland Conservancy Program Act

In the California Farmland Conservancy Program Act, the California Legislature again emphasized the importance of agricultural land to the State:

> The agricultural lands of the state contribute substantially to the state, national, and world food supply and are a vital part of the state's economy. Agricultural lands near urban areas that are maintained in productive agricultural use are a significant part of California's agricultural heritage. These lands contribute to the economic betterment of local areas and the entire state and are an important source of food, fiber, and other agricultural products. Conserving these lands is necessary due to increasing development pressures and the effects of urbanization on farmlands close to cities. The long-term conservation of agricultural land is necessary to safeguard an adequate supply of agricultural land and to balance the increasing development pressures around urban areas.[13]

III. STATUS OF AGRICULTURAL MITIGATION REQUIREMENTS IN THE CENTRAL VALLEY

A handful of local jurisdictions presently require some form of mitigation for the loss of agricultural land. For example, the City of Davis has instituted a 2:1 mitigation requirement for changes to farmland.[14] Developers may satisfy this requirement either through the dedication of a farmland conservation easement or payment of in-lieu fees.[15]

Yolo County, San Joaquin County, the City of Stockton, and City of Brentwood have also established similar programs.[16] These ordinances generally allow developers to satisfy farmland mitigation requirements by granting a farmland conservation easement, or by paying in-lieu fees sufficient to purchase an easement and pay for administrative costs.[17] These ordinances require 1:1 mitigation for the loss of agricultural land.[18] The

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[13]/ Pub. Resources Code, § 10201, subds. (a)-(d).
[14]/ City of Davis Mun. Code, § 40A.03.030: www.cityofdavis.org/cmo/citycode/ (as of July 19, 2007).
[15]/ *Id.* at subd. (b)(1).
[16]/ Yolo County Code, § 8-2.2416: http://www.yolocounty.org/CountyCode/Title08.pdf (as of July 19, 2007); City of Stockton Administrative Guidelines, § I.A.6; Ordinance Code of San Joaquin County, § 9-1080 et seq.; Brentwood Mun. Code, §§ 17.730.010 et seq.: http://www.ci.brentwood.ca.us/boards/aarg/enterprise/ord683.cfm (as of February 11, 2011).
[17]/ The applicable mitigation fees were calculated according to nexus studies.
[18]/ *Ibid.*

Brentwood ordinance also allows for transfer of agricultural credits from certain areas to satisfy the mitigation requirement.[19]

The Cities of Lathrop, Manteca, and Tracy have also adopted agricultural mitigation fee programs in their Municipal Codes.[20] These programs, rather than specify the amount of the fee to be charged, authorize each respective City Council to "calculate the amount of the fee in an implementing resolution."[21] Moreover, the regulations require the Cities to enact such fees by resolution, and to identify specific findings to satisfy the requirements of the Mitigation Fee Act.[22]

Furthermore, some settlement agreements entered into during the CEQA and project approval process have resulted in imposition of mitigation for agricultural land conversion. For example, two CEQA-related settlement agreements in the City of Lodi included farmland mitigation requirements for major development projects despite the lack of a local mitigation ordinance.[23] In these agreements, the developer agreed to obtain permanent agricultural easements, at a minimum 1:1 ratio.[24] One of the agreements specified that the compensatory easement(s) must be located within 15 miles of the project site, while the other agreement required only that the mitigation property be located within San Joaquin County.

In another example, developers entered into a settlement agreement with the Sierra Club after a CEQA lawsuit was filed.[25] In this agreement, the developers agreed to contribute funds to assist in creating a land trust organization.[26] Moreover, the developer agreed to provide 1:1 mitigation of all lands removed from agricultural use through development fees.[27]

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[19]/ Brentwood Mun. Code, §§ 17.730.040, 17.730.070.

[20]/ City of Lathrop Mun. Code, Chapter 3.40; City of Manteca Mun. Code, Chapter 13.42, City of Tracy Mun. Code, Chapter 13.26.

[21]/ City of Lathrop Mun. Code, § 3.40.060; City of Manteca Mun. Code, § 13.42.060; City of Tracy Mun. Code, § 13.28.060; see also City of Brentwood Mun. Code, § 17.730.040, subd. (2) (providing option of payment of in-lieu fee).

[22]/ *Id.* Gov. Code, § 66000 et seq.

[23]/ These agreements pertained to (1) the Reynolds Ranch project, a mixed use project proposed by the San Joaquin Valley Land Company and, (2) two large residential subdivisions proposed by FCB Homes ("Westside" and "Southwest Gateway").

[24]/ Westside Agreement at p. 2; Southwest Gateway Agreement at p. 2; Reynolds Ranch Agreement at p. 2.

[25]/ Agreement to Settle Litigation Regarding River Islands at Lathrop (2003).

[26]/ *Ibid.*

[27]/ *Ibid.*

Finally, there have been legal challenges related to agricultural mitigation programs. On May 25, 2007, the Building Industry Association of the Delta ("BIA") filed a lawsuit against the City of Stockton in the Superior Court of California for the County of San Joaquin.[28] The lawsuit challenged the City of Stockton's agricultural land mitigation program and in-lieu fees, which were adopted in 2007. BIA's complaint included a number of the potential arguments challenging in-lieu fees and agricultural land mitigation. BIA alleged that the City of Stockton's in-lieu fee was facially invalid because, among other claims, it: (1) was excessive and violates the California Mitigation Fee Act; (2) constituted an invalid requirement for payment of a fee or dedication of easement prior to the final map under Government Code sections 66007 and 66410 et seq.; (3) constituted an invalid exaction both under constitutional nexus and rough proportionality tests, and due to its failure to comply with CEQA; (4) was an authorized special tax in violation of Propositions 13 and 218; and (5) violated equal protection and due process rights under the United States and California Constitutions.

A decision was issued in February 2009, upholding the City's agricultural mitigation program. The court's ruling noted that the City had adopted detailed findings in support of the in-lieu fee program, which were consistent with the studies and analyses in the record of decision for the program. The court also found that the City had the authority to adopt the fee program under its plenary police power. Moreover, the program was entitled to a presumption of constitutionality. With respect to the Mitigation Fee Act claims, the court found: (1) that the in-lieu easement requirement was not a fee within the meaning of the Act; (2) the in-lieu fee is selected at certain developers' option, and is not imposed; (3) no "public facilities" would be funded; (4) the challenge to the fee was not ripe prior to having been applied to a particular project; and (5) even if the act applied it would survive challenge under the applcable deferential standard. With respect to the Proposition 13 and 218 claims, the court found that the in-lieu fees were not taxes because they are voluntarily chosen by developers. Moreover, the fees do not exceed the cost of mitigating the impacts caused by the project. The court also found that the restrictions in Civil Code section 815.3, subdivision (b) were inapplicable and that the 1:1 mitigation ratio was amply supported in the record.

The events described above indicate that mitigation for agricultural land is becoming more prevalent in the Central Valley. Where lead agencies do not directly require agricultural mitigation through their development codes or through the CEQA process, mitigation for farmland conversion may occur as a result of settlement negotiations between community groups, developers and local agencies. These

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[28]/ *BIA v. City of Stockton* (Super. Court San Joaquin County, 2007, No. CV032651).

developments show both that preserving agricultural land is important to California communities and that agricultural mitigation is feasible for developers.

IV. POTENTIAL LEGAL ISSUES RELATED TO AGRICULTURAL MITIGATION REQUREMENTS

In many instances, courts have upheld in-lieu fees and other exactions.[29] However, for an exaction to be valid: (1) the public agency must have the legal authority to impose the exaction; (2) the agency must properly exercise its authority when imposing the exaction; and (3) a reasonable relationship must exist between the imposed exaction and the public needs created by the development.[30] In addition, there may be other limitations that the agency must overcome.[31]

A. Authority to Impose Exactions – The Police Power

Cities and counties may impose exactions under the general police power granted in Article XI, Section 7 of the California Constitution.[32] The police power is the right of a local government to protect the public health, safety, and welfare of its residents.[33] Land use regulations, including exactions, are within an agency's police power as long as they are reasonably related to the public welfare.[34] This authority is "as broad as the

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[29]/ 2 Longtin, Longtin's California Land Use (2nd ed. 1987), § 8.02[2], p. 722 (hereafter 2 Longtin).

[30]/ See 2 Longtin at § 8.04, p. 780.

[31]/ Potential limitations include statutory restrictions, such as Propositions 13, 62, and 218, and the Mitigation Fee Act. Recently filed lawsuits, including *A.G. Spanos Construction, Inc. v. City of Stockton* and *BIA v. City of Stockton*, have alleged that agricultural mitigation fees did not comply with the Subdivision Map Act. Although these claims may be valid in specific situations, they likely will not arise often in relation to agricultural mitigation programs. Thus, though agencies must ensure that the requirements of the Subdivision Map Act are met, this issue is not addressed further in this memorandum.

[32]/ See, e.g., *Candid Enters., Inc. v. Grossmont Union High School Dist.* (1985) 39 Cal.3d 878, 885 (*Candid Enters.*); *Griffin Development Co. v. City of Oxnard* (1985) 39 Cal.3d 256; *Trent Meredith, Inc. v. City of Oxnard* (1981) 114 Cal.App.3d 317, 325; *Scroging v. Kovatch* (1976) 64 Cal.App.3d 54, 57; *Associated Homebuilders, Inc. v. City of Livermore* (1976) 18 Cal.3d 582. The California Constitution confers on local governments the power to "make and enforce within [their] limits all local police, sanitary and other ordinances and regulations not in conflict with general laws."

[33]/ See *Berman v. Parker* (1954) 348 U.S. 26, 32-33.

[34]/ See *Associated Home Builders, Inc. v. City of Livermore* (1976) 18 Cal.3d 582, 600-601.

police power exercisable by the Legislature itself."[35] Thus, cities and counties have broad authority to impose exactions on development.

Though public agencies have general authority to impose exactions, many potential limitations exist that may limit the imposition of agricultural mitigation fees. Such exactions must: (1) meet nexus and rough proportionality tests and comply with equal protection and due process requirements under the United States Constitution; (2) be exempt from or comply with the requirements of Propositions 13, 62, and 218; (3) meet the requirements under the Mitigation Fee Act; and (4) be consistent with local General and Specific Plans. These requirements are described in detail below.

B. United States Constitution

1. Nexus and Rough Proportionality

Known as the "Takings Clause," the Fifth Amendment of the United States Constitution prohibits the taking of private land for public use without just compensation.[36] According to the Court in *Armstrong v. United States* (1960) 364 U.S. 40, as quoted in *Dolan v. City of Tigard* (1994) 512 U.S. 374, 384 (Dolan), the principal purpose of the Takings Clause is "to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole." Exactions may be considered unconstitutional takings if they do not meet the "reasonable relationship nexus" test, as set out in *Dolan* and *Nollan v. California Coastal Commission* (1987) 483 U.S. 825 (Nollan). In order for an exaction to be valid: (1) the legislation must serve a legitimate governmental purpose, and (2) the means used to achieve the objective must substantially advance the intended purpose.[37]

a) *Nollan v. California Coastal Commission*

The *Nollan* case described the "nexus" requirement for exactions. In *Nollan*, the California Coastal Commission ("Commission") granted a permit to the Nollan family to construct a home on their coastal property, on the condition that they grant an access easement for the public to use their beach.[38] The Supreme Court found the requirement unconstitutional because of the insufficient nexus between the public burden created by

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[35]/ *Candid Enters.*, *supra*, 39 Cal.3d at p. 885.
[36]/ "[N]or shall private property be taken for public use, without just compensation." U.S. Const., 5th Amend.
[37]/ See 2 Longtin, Longtin's California Land Use (2007 Update), § 8.22, p. 652 (hereafter 2 Longtin Update).
[38]/ *Nollan*, *supra*, 483 U.S. at p. 828.

the proposed construction and the permit condition required by the Commission.[39] According to the Court, "unless the permit condition serves the same governmental purpose as the development ban, the building restriction is not a valid regulation of land use but an out-and-out plan of extortion."[40] Thus, in order for an exaction to be valid, the type of condition imposed must address the same type of impact caused by the new development.[41]

b) *Dolan v. City of Tigard*

In *Dolan*, the Supreme Court further clarified the *Nollan* nexus test for an unconstitutional taking. The City of Tigard approved a building permit for Dolan to redevelop a retail site, on the condition that she donates a portion of her property for flood control and traffic improvements.[42] The Court found that there was a legitimate public purpose in flood control and traffic improvements.[43] Unlike in *Nollan*, the Court also found a nexus between the public purpose and the permit requirement that Dolan donate a portion of her property.[44] However, the Court established an additional step to Takings Clause analysis, and analyzed whether the "required dedication [was] related both in nature and extent to the impact of the proposed development."[45] Known as the "rough proportionality" test, the public agency imposing the requirement must make an individualized determination that this element is met.[46] In *Dolan*, the Court found that the City did not make such a determination, and therefore remanded the matter to the City for further proceedings.[47]

c) *Ehrlich v. City of Culver City*

The Supreme Court of California addressed the validity of development or impact fee conditions in *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854 (*Ehrlich*). In *Ehrlich*, the court decided whether the requirement to pay a monetary fee as a condition of a permit triggers the application of the nexus and rough proportionality tests in *Nollan* and *Dolan*. The court held that:

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[39]/ *Id.* at p. 841.
[40]/ *Id.* at p. 837.
[41]/ See 2 Longtin Update, § 8.22[2], p. 654.
[42]/ *Dolan* at p. 377.
[43]/ *Id.* at p. 387.
[44]/ *Ibid.*
[45]/ *Id.* at p. 391.
[46]/ *Ibid.*
[47]/ *Id.* at p. 396.

> If a condition is imposed pursuant to an ordinance or rule of general applicability . . . the condition is constitutionally permissible unless the landowner meets his or her burden of proving that the condition either does not substantially advance a legitimate governmental purpose or deprives the landowner of any economically viable use of the land.[48]

Thus, if a condition is adjudicatively imposed on an individual basis, the government must meet the heightened requirements of *Nollan* and *Dolan*.[49] To the extent an agricultural mitigation program proposal is imposed legislatively, however, it would not need to meet the nexus and rough proportionality tests of *Nollan* and *Dolan*.[50]

2. Equal Protection and Due Process

The Fourteenth Amendment of the United States Constitution ("Fourteenth Amendment") requires that a local government regulation may not deprive a person of equal protection of the laws.[51] In the context of land use, equal protection does not necessarily require uniform treatment. Instead, an agency must be able to demonstrate that a regulation has a rational relationship to a legitimate government interest.[52] The agency need only demonstrate some plausible reason for the classification in the regulation.[53] It is relatively simple for agencies to meet this test, and courts have generally rejected equal protection claims in the land use context.[54]

The Fourteenth Amendment also requires that a local government regulation or action may not deprive a person of life, liberty or property without due process of law.[55] Under Fourteenth Amendment case law, an agency's exercise of power must: (1) bear a rational relationship to a legitimate government interest, and (2) not be unreasonable or

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[48]/ *Ehrlich*, *supra*, 12 Cal. 4th at p. 906.
[49]/ *Id.* For example, conditions in individual land use agreements created between local agencies and developers generally constitute "ad hoc" requirements, and therefore must meet the tests of *Nollan* and *Dolan*.
[50]/ Adjudicative determinations are those that are decided on an individual basis. Legislative determinations, on the other hand, apply to large classes of people
[51]/ See also Cal. Const., art. I, § 7.
[52]/ See 1 Longtin, Longtin's California Land Use (2007 Update), § 1.32[2], p. 35 (hereafter "1 Longtin Update"); see also, *Nordlinger v. Hahn* (1992) 505 U.S. 1.
[53]/ See *Id.*
[54]/ See 1 Longtin Update, § 1.32[2], p. 36.
[55]/ See also Cal. Const., art. I, § 7.

arbitrary.[56] Like with equal protection, courts almost always rule in favor of public agencies in due process challenges.[57]

3. Effect of the United States Constitution on Mitigation Programs

Though the nexus and rough proportionality tests from *Nollan* and *Dolan* may apply to fee exactions, farmland mitigation fees that are imposed through legislation rather than adjudication likely will not be subject to scrutiny under these standards. "It is clear that . . . so long as cities base development conditions on general legislative determinations, the conditions will almost always be within the police power."[58] However, it is important to note that regardless of whether a fee is imposed legislatively or adjudicatively, such exactions must meet nexus requirements under the Mitigation Fee Act. (See section IV.D.1, *post.*)

Similarly, equal protection and due process claims under the Constitution likely do not provide barriers to mitigation programs. The agency must be able to demonstrate that a regulation bears a rational relationship to a legitimate governmental interest, and that the regulation is not arbitrary. In the land use context, these requirements are straightforward, and courts generally defer to the discretion of public agencies.

C. California Constitution

1. Proposition 13, Proposition 62, and Proposition 218

Proposition 13 ("Prop 13"), passed in 1978, added Article XIII A to the California Constitution.[59] Article XIII A requires a two-thirds vote of the electorate for implementation of any local special tax. In 1986, voters approved Proposition 62 ("Prop 62"), which "close[d] loopholes" in Prop 13. This measure established that all taxes must be classified as either "special taxes" or "general taxes."[60]

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[56]/ See 1 Longtin Update, § 1.31[1], p. 27. Note that the "rational relationship" test is easy to satisfy; where a rational relationship is at least fairly debatable, the court must uphold the action. *Nelson v. City of Selma* (9th Cir. 1989) 881 F.2d 836, 839.
[57]/ See 1 Longtin Update, § 1.31[2], p. 27.
[58]/ See Curtin & Talbert, Curtin's California Land Use and Planning Law (21st ed. 2001) Exactions, pp. 252-255 (hereafter "Curtin").
[59]/ See *Howard Jarvis Taxpayers Ass'n v. City of Riverside* (1999) 73 Cal.App.4th 679 (overview of Prop 13).
[60]/ See Longtin Update at § 8.25[2], p. 663.

Development fees exacted in return for building permits or other governmental privileges are generally not "special taxes" under Article XIII A. A fee is not a special tax when it does not exceed the reasonable cost of providing the service for which the fee is charged, and it is not reasonably related to the type of activity on which it is based. Thus, so long as a fee meets these requirements, it is not subject to the requirements of Prop 13.[61] Moreover, Prop 62 did not impose any additional limitations on local government's authority to implement "special assessments," "fees," or "charges." Thus, Prop 62 does not typically affect development fees.

Proposition 218 ("Prop 218"), approved by voters in 1996, added Articles XIII C and D to the California Constitution. Prop 218 requires voter approval of all new increases in local general taxes, assessments, and certain fees and charges.[62] Under Prop 218, "fees" or "charges" are defined as "any levy other than an ad valorem tax, a special assessment, or an assessment, imposed by an agency on a parcel or a person as an incident of property ownership, including user fees or charges for a property related service."[63] "Property related service" is defined as "a public service having a direct relationship to property ownership." However, "incident of property ownership" is not defined.

Prop 218 states that it does not affect laws existing prior to July 1, 1997, related to the imposition of fees or charges as a condition of property development. Furthermore, development fees that do not fall under the definition of "fees" or "charges" under Prop 218 generally need not meet the requirements of the Proposition.[64]

2. Effect of California Constitution on Agricultural Mitigation Requirements

Mitigation requirements likely do not need to meet the requirements of Props 13 and 62. So long as an agency's fee requirement does not exceed the reasonable cost of

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[61]/ See, e.g., *Sinclair Paint Co. v. State Board of Equalization* (1997) 64 Cal.Rptr.2d 447; *Shapell Industries, Inc. v. Governing Board* (1992) 1 Cal.App.4th 218, 240; *California Bldg. Industry Assn. v. Governing Bd.* (1988) 206 Cal.App.3d 212, 235-237; *Beaumont Investors v. Beaumont-Cherry Valley Water Dist.* (1985) 165 Cal.App.3d 227, 235-238; *Trent Meredith, Inc. v. City of Oxnard* (1981) 114 Cal.App.3d 317, 325-328; *Mills v. County of Trinity* (1980) 108 Cal.App.3d 656, 661-663; *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854, 898.

[62]/ See Longtin Update at § 8.25[3], p. 664.

[63]/ Cal. Const., art. XIIID, § 2(e).

[64]/ For example, in a 1997 opinion, the Attorney General ruled that water charges were not subject to Prop 218 because they were based on water usage, and not imposed as an "incident of property ownership." (80 Ops.Cal.Atty.Gen. 183 (1997).)

providing the service or facility for which the fee is imposed, and it is reasonably related to the type of activity on which it is based, the fee will not be subject to these requirements.[65]

Although Prop 218 clearly does not apply to fee impositions existing prior to July 1, 1997, the law may apply to new development fee exactions that are related to property ownership. Under Prop 218, such regulations must be approved by a majority vote of the local electorate.[66] Agricultural mitigation fees are typically based on development, and are not an incident of property ownership. Thus, such exactions would not be subject to the requirements of Prop 218.[67]

D. State Laws

1. Mitigation Fee Act

The Mitigation Fee Act, passed by California voters in 1987, establishes requirements for the imposition of fees on a project.[68] The Mitigation Fee Act would not apply to in-kind mitigation requirements.[69] Thus, the Mitigation Fee Act would only apply to in-lieu fee programs.

The agency imposing a fee as a condition of approval of a development project must comply with four specific requirements:

(1) Identify the purpose of the fee;
(2) Identify the use to which the fee is to be put;

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[65]/ Mitigation requirements for the development of farmland to implement agricultural easements may not constitute a "service" or "facility" in the first place. If this is the case, Propositions 13 and 62 may not apply at all to such exactions.
[66]/ See Curtin, at p. 272.
[67]/ For example, in *Richmond v. Shasta Community Services District* (2004) 32 Cal.4th 409, 426, the California Supreme Court held that an increase of a water service connection fee charged to new users is not subject to Proposition 218 because it is not a property-related fee. The court stated that the water connection charges were not imposed simply by virtue of property ownership, but instead, as an incident of the voluntary act of the property owner in applying for a water service connection. The fees for connection to the system therefore were not imposed as "an incident of property ownership" and were not subject to Proposition 218.
[68]/ Gov. Code, § 66000 et. seq.
[69]/ "'Fee' means a monetary exaction other than a tax or special assessment…that is charged by a local agency to the applicant in connection with approval of a development project." Gov. Code, § 66000, subd. (b) (italics added).

(3) Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed; and

(4) Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

Moreover, the agency must be able to demonstrate a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development.[70] The fee cannot include costs attributable to existing deficiencies in public facilities.[71] Fees or exactions "shall not exceed the estimated reasonable cost of providing the service or facility for which the fee or exaction is imposed."[72] A local agency cannot require the payment of fees until the final inspection of the development.[73] And finally, "the fee shall not be levied, collected, or imposed for general revenue purposes."[74]

An agricultural mitigation fee that meets these requirements would not violate the Mitigation Fee Act.[75]

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[70]/ Mitigation Fee Act, § 66001, subd. (b). Note that it is unclear whether an agricultural easement would be considered a "public facility" under the Mitigation Fee Act. Mitigation Fee Act, § 66000, subd. (a) defines "public facilities" as including: "public improvements, public services, and community amenities." Agricultural conservation easements typically do not provide public access, though they do provide a benefit to the public.

[71]/ *Id.* at subd. (g).

[72]/ *Id.* at § 66005.

[73]/ *Id.* at § 66007. According to the trial court ruling in the *Stockton* case, the adopted mitgation program did not violate this provision (nor § 66001) because fundamentally it was not a fee program. Instead, the program was "a land use regulation that requires developers of agricultural lands to obtain an in-kind easement preserving an equal amount of other agricultural lands." Payment of the fee is not required; rather, developers were provided an option of paying a fee in certain limited circumstances. (See Statement of Decision dated March 5, 2009 in *BIA v. City of Stockton* (Super. Court San Joaquin County, 2007, No. CV032651). No appeal was filed in this case.

[74]/ *Id.* at § 66008.

[75] / See also *San Mateo County Coastal Landowners' Ass'n v. County of San Mateo* (1995) 38 Cal. App. 4th 523, 551 ("Clearly, the county has ample authority to require dedication of agricultural and open space easements under several provisions of law.").

2. CEQA

CEQA requires that significant impacts must be mitigated through feasible mitigation measures. According to CEQA, such mitigation includes:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.
(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the line of the action.
(e) Compensating for the impact by replacing or providing substitute resources or environments.

(CEQA Guidelines, § 15370.)

To date, the issue of whether a city or county may impose mitigation under CEQA for the loss of agricultural land is not discussed in a published appellate opinion. However, case law demonstrates that courts and agencies alike have assumed that cities and counties have such authority. Moreover, only a handful of California appellate decisions have addressed whether a city or county must impose such measures under certain circumstances. These cases generally indicate that mitigation for agricultural loss, under the specific circumstances, was not a requirement under CEQA.

a) Published Case Law

Defend the Bay v. City of Irvine (2004) 119 Cal.App.4th 1261 (*Defend the Bay*) is one of only two published decisions to address the issue of mitigation for the loss of agricultural lands. The Fourth District Court of Appeal considered both offsite and onsite preservation as a means for mitigation for the loss of farmland in the context of an Environmental Impact Report ("EIR") prepared for a mixed use development project. The court ultimately agreed with the defendant agency that it was not feasible to mitigate the impact of developing agricultural land.[76] Because agriculture in the area was not feasible in the long-term, and because on-site preservation would reduce development and therefore "impede the City from achieving its General Plan goals and objectives," the court ruled that the City did not need to require mitigation for the project.[77]

[76]/ *Id.* at p. 1269-1270.
[77]/ *Ibid.*

Also from the Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) concerned a challenge to an EIR for a project that would convert agricultural land to residential uses. Though recognizing the potential for mitigation in the form of agricultural "*conservation easements, Williamson Act preserve status, or temporary protection or conservation plans*," the EIR noted the long-term trend in agricultural land conversion in the region and concluded that mitigation was not feasible.[78] The court upheld the City's determination regarding the feasibility of mitigation on the grounds it was supported by substantial evidence in the record.[79] The court also examined the City and County General Plans, which acknowledged that development pressures were constraining the continued viability of agriculture and included the expansion of housing, commercial and industrial land uses.[80] The court then determined that the project was compatible with these planning documents.[81]

Notably, the opinions in both *Defend the Bay* and *Cherry Valley* did not conclude that, as a matter of law, agricultural easements are never a feasible form of mitigation for the loss of farmland. Instead, these cases concluded that in the particular circumstances surrounding the project, such mitigation was infeasible and therefore was not required to be adopted.

b) Unpublished Case Law

Opinions of any California Court of Appeal or superior court appellate division that are not certified for publication or ordered published cannot be cited or relied on by a court or a party in any other action.[82] There are three unpublished cases addressing agricultural impacts; these cases cannot be relied upon as legal precedent. However, they do provide some insight into potential arguments that may arise in relation to mitigation for the loss of agricultural land, and possible reasoning of the courts.

In *County of Santa Cruz v. City of San Jose* (2003) WL No. 1566913 (*County of Santa Cruz*), the Appellate Court for the Sixth District ruled that CEQA does not require the adoption of mitigation measures for the loss of agricultural land in every Environmental Impact Report ("EIR"). The appellants argued that the EIR for a large-scale development project was insufficient because the City of San Jose ("City") failed to

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[78] / *Id.* at pp. 349-350.
[79] / *Id.* at p. 350.
[80]/ *Id. at p. 353.*
[81]/ *Ibid.*
[82]/ Cal. Rules of Court, rule 8.1115(a).

require mitigation for the project's significant impact on the loss of open space and agricultural lands.[83] However, the City argued and the court agreed that the purchase of easements or fee title over off-site agricultural lands would not offset the loss of agricultural land caused by the project. According to the City, there would still be a net reduction in the total amount of land suitable for agricultural use that is available for such use.[84] Further, the court recognized that the City's General Plan did not recognize the protection of agricultural land, and instead stated that "it is the City's policy that land designated for development in the General Plan should be developed in the General Plan."[85] Thus, the court ruled that San Jose had acted within its prerogative in deciding not to require agricultural mitigation measures.[86]

In *Friends of the Kangaroo Rat v. California Department of Corrections* (2003) WL No. F040956 (*Kangaroo Rat*) the Fifth District Court of Appeal ruled similarly to the court in County of Santa Cruz.[87] The court held that a subsequent EIR for a prison construction project was adequate even though it did not require any mitigation for the loss of farmland due to the project. As in County of Santa Cruz, the court agreed with the defendants that the loss of farmland could not be mitigated because any attempts at mitigation would not create new farmland, nor would they compensate for the loss of farmland incurred by the project.[88] The court discussed the definition of "mitigation" from the CEQA Guidelines, and stated that "the creation of an agricultural easement does not appear to fall into any of these five categories."[89]

In a 2004 decision, the Third District Court of Appeal explicitly disagreed with *Kangaroo Rat* and supported the theory that, in the context of CEQA, measures should be applied to mitigate for the loss of agricultural land due to development. In *South County Citizens for Responsible Growth v. City of Elk Grove* (2004) WL No. 219789 (Cal.App.3 Dist.) (*South County Citizens*), also unpublished, the court ruled that mitigation of agricultural losses must be addressed in CEQA documents, and conservation fees and easements can potentially mitigate for the loss of agricultural land.

The court decided whether the City of Elk Grove ("City") was required to include mitigation measures in its EIR for the Lent Ranch Marketplace Development Project

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[83]/ *County of Santa Cruz*, at p. 29.
[84]/ *Id.* at p. *30.
[85]/ *Id.* at p. *31.
[86]/ *Id.* at p. *31.
[87]/ Note that *Kangaroo Rat* was initially published, but the California Supreme Court later de-published the decision.
[88]/ *Id.* at p. 565.
[89]/ *Id.* at p. 566.

("Project").[90] In its EIR, the City concluded that the conversion of farmland from the Project constituted a significant environmental effect.[91] However, the City also concluded in the EIR that no feasible mitigation measure to offset the loss of farmland existed.[92] The City argued that because it was not possible to create or manufacture new farmland, or to reduce the specific loss of farmland converted to urban use through the project, it did not need to impose mitigation measures to offset these losses.[93] Further, the City argued that because it had not conducted a nexus study and did not have a City or County ordinance imposing agricultural mitigation fees, it could not impose such requirements at all.[94]

The Third District Court of Appeal ruled against the City and held that conservation fees can in fact mitigate for the loss of agricultural lands.[95] According to the court, conservation fees and easements can diminish development pressures created by the conversion of farmland, and can help to preserve against the danger of the domino effect created by projects.[96] Thus, the City prepared an addendum to its EIR addressing mitigation for the loss of agricultural land.

3. Conservation Easement Act

The Conservation Easement Act enables a city, county, district, or nonprofit organization to acquire perpetual easements for the conservation of agricultural land and open space, or for historic preservation. (Civ. Code, §§ 815-816.) Under Civil Code section 815.3, a local government entity may not "condition the issuance of an entitlement for use on the applicant's granting of a conservation easement."

Building Industry Association of Central California v. County of Stanislaus, et al. (2010) 190 Cal. App. 4th 582 (*County of Stanislaus*) addresses whether Civil Code section 815.3, subdivision (b) applies to agricultural conservation easements mandated by a city or county's General Plan policies. In the *County of Stanislaus* case, the BIA challenged the Farmland Mitigation Program ("FMP") adopted as an update to the Agricultural Element of the County's General Plan. The General Plan update included specific mitigation requirements for the conversion of agricultural land to residential development via the FMP. Specifically, the FMP required the County to condition

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[90]/ *Id.* at p. *1.
[91]/ *Id.* at p. *3.
[92]/ *Ibid.*
[93]/ *Ibid.*
[94]/ *Id.* at p. *4.
[95]/ *Id.* at p. *8.
[96]/ *Id.* at p. *8.

discretionary projects converting agricultural land to residential development with the requirement that the agricultural land be replaced at a 1:1 ratio with agricultural land of equal quality located within the County. FMP Guidelines were also considered and adopted. The FMP Guidelines furthermore specified that for a project of 20 acres or more, farmland mitigation must be satisfied by direct acquisition of a permanent agricultural conservation easement, but for a project of less than 20 acres, the County can authorize the payment of an in-lieu mitigation fee.

The BIA challenged the FMP on the grounds that: (1) the County failed to identify its legal authority for mandating the dedication of permanent conservation easements pursuant to its General Plan; (2) there is no reasonable relationship between the requirements of the FMP and the adverse public impacts resulting from agricultural conversion (police power argument); and (3) conservation easements must be voluntary and thus, cannot be required by policies like the FMP.

With respect to the police power argument, the Court held that the BIA had the burden at trial of demonstrating the invalidity of the FMP (not the County's burden to prove the FMP valid), which it did not sufficiently do. Additionally, the court held that the FMP requirements clearly bear a reasonable relationship to the loss of farmland to residential development citing to the goals and policies in the County's agricultural element. The court clarified that "to meet the reasonable relationship standard it is not necessary to fully offset the loss." Reasoning that land use regulation is a function of local government pursuant to the police power, the court also held that, "the trial court [] erred in concluding that the FMP was not authorized by the County's police power."

Finally, and most importantly, the Court held that Civil Code section 815.3, subdivision (b) did not invalidate the FMP. In considering this issue of first impression, the court sided with the County reasoning that the FMP did not violate the statute's prohibition against conditioning the issuance of an approval on the grant of a conservation easement because the applicant and/or developer was not required to grant the easement. "Rather, the FMP allows the applicant to arrange for a third party to voluntarily convey an easement to a land trust or the County." The court's reasoning appeared to be that a developer has a choice to develop or not, and if the developer chooses to develop, that voluntary choice may come with a price (e.g., the permanent protection of one acre of farmland for every acre of farmland developed).

4. Effect of State Laws on Agricultural Mitigation Requirements

The Mitigation Fee Act, CEQA and the Conservation Easement Act do not preclude a jurisdiction from requiring mitigation for impacts to agricultural land. Where

local governments impose in-kind mitigation requirements rather than fee requirements, the Mitigation Fee Act does not apply. However, when the Mitigation Fee Act is applicable, such as when agencies impose fee requirements to mitigate for the loss of agricultural land, regulations must comply with the requirements of the Act.

Under CEQA, local governments generally have the authority to require mitigation for significant impacts to agricultural lands.[97] As outlined above, courts that have addressed agricultural mitigation programs under CEQA have considered whether such mitigation is necessary, and not whether it is permissible. Furthermore, no challenge of the imposition of agricultural mitigation in the CEQA context has resulted in a published opinion. Moreover, CEQA case law demonstrates that where there is a solid basis in local planning documents, including General and Specific Plans, the courts are more likely to uphold agricultural mitigation programs.

Last, the purpose of the Conservation Easement Act is to voluntarily convey conservation easements to qualified entities to conserve open spaces and other environmental values. Civil Code section 815.3 prohibits jurisdictions from requiring an involuntary conveyance of a conservation easement. Where a landowner chooses to develop a property within a jurisdiction that requires converted farmland to be mitigated with placement of easements on other property, however, this requirement not run afoul of this prohibition.

E. Local Laws

1. Planning and Zoning Law

City and county zoning ordinances and land use decisions must be consistent with General and Specific Plans.[98] Thus, local jurisdictions can justify exactions on the basis that they are necessary to assure consistency with adopted General and Specific Plans.[99] Thus, when development fees and dedication requirements are judicially attacked, many local governments now rely on General and Specific Plans to support their decisions.[100]

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[97]/ Under CEQA, mitigation measures must meet the essential nexus and rough proportionality tests of *Nollan* and *Dolan*. (CEQA Guidelines, § 15126.4, subd. (a)(4).)

[98]/ Gov. Code, §§ 65860 and 65910; see also, *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 570.

[99]/ See, e.g., 58 Ops.Cal.Atty.Gen. 41 (1975), as cited in Longtin § 8.14, p. 787; see also, *J.W. Jones Cos. v. City of San Diego* (1984) 157 Cal.App.3d 745.

[100]/ See *Curtin, supra*, at pp. 27, 259.

2. Effect of Local Laws on Agricultural Mitigation Requirements

Planning and zoning law provides jurisdictions an opportunity to implement mitigation programs to protect agricultural land. If cities and counties clearly emphasize the importance of farmland in their General and Specific Plans, and include specific programs to protect agricultural land, subsequent regulations to preserve agricultural land should be defensible.

IV. CONCLUSIONS AND RECOMMENDATIONS

A. Legality of Fee and In-Kind Mitigation Requirements

Local agencies have the general authority to implement in-kind and fee mitigation requirements under the police power of the California Constitution.[101] Moreover, the California Legislature's support of and emphasis on agricultural preservation provides a backdrop by which agencies can implement these regulations. However, it is necessary for agencies to ensure compliance with requirements under the United States and California Constitutions, the Mitigation Fee Act, CEQA, the Conservation Easement Act and planning and zoning laws.

1. In-Kind Mitigation Requirements

Because in-kind mitigation requirements do not involve monetary fees, they generally will not trigger Propositions 13, 62 or 218, or the Mitigation Fee Act. Moreover, so long as they are applied legislatively, in-kind mitigation requirements need not meet the nexus and rough proportionality tests under Nollan and Dolan. To comply with Civil Code section 815.3, though a particular landowner may be required to *arrange* for the grant of compensatory easements, the landowner may not be required to actually *grant* a conservation easement.

Under the Equal Protection and Due Process clauses of the United States and California Constitutions, mitigation requirements must bear a rational relationship to a legitimate government interest. Such regulations also cannot be arbitrary. To support the assertion that the protection of agricultural land is a legitimate interest, agencies can also point to their own General and Specific Plans and the State Legislature's statements. As outlined above, courts generally hold in favor of local agencies on this issue in the land use context. As long as in-kind mitigation programs satisfy these requirements, agencies have the legal authority to impose such regulations.

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[101]/ Cal. Const., art. XI, § 7.

2. In-Lieu Fee Mitigation Requirements

In-lieu fee requirements, in addition to meeting the requirements under Due Process and Equal Protection as outlined above, must either be exempt from or comply with Props 13, 62 and 218. They also must comply with the Mitigation Fee Act.

In order to qualify as exempt from Propositions 13 and 62, a development fee must not exceed the reasonable cost of providing the service for which the fee is charged. Furthermore, the fee must be reasonably related to the type of activity on which it is based. Also, because mitigation fees are not imposed incident of property ownership, such exactions need not meet the requirements under Prop 218.

Under the Mitigation Fee Act, an agency imposing a fee must: (1) identify the purpose of the fee; (2) identify the use to which the fee is to be put; (3) determine that there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed; (4) determine that there is a reasonable relationship between the need for the public facility and type of development project on which the fee is imposed; and (5) determine that there is a reasonable relationship between the amount of the fee and the cost of the public facility attributable to development.

B. Recommendations to Provide a Foundation for and Implement Fee and In-Kind Mitigation Requirements

1. Incorporate Policies and Programs Related to Preservation of Agricultural Land in General and Specific Plans

As demonstrated in the CEQA cases outlined above, courts generally defer to city and county General Plans. Moreover, the General Plan is considered the "constitution for development," and all land use approvals must be consistent with such plans.[102] Thus, agencies can use policies in their General Plans to support implementation of dedication and fee requirements for preserving agricultural land. Jurisdictions should incorporate policies into General and Specific Plans that emphasize the need for permanent preservation of agricultural land. Such policies should specifically support the use of conservation easements for mitigation for the loss of farmland.

[102]/ See *J.W. Jones Cos. v. City of San Diego* (1984) 157 Cal.App.3d 745, 749.

2. Conduct Nexus Studies

Particularly if implementing a fee program, local agencies should conduct nexus studies. Such studies should analyze and demonstrate an adequate nexus between the mitigation requirement and the impacts of the project, thus providing support for the nexus requirements of *Nollan* and *Dolan* and the Mitigation Fee Act. Such studies should also substantiate the selected mitigation ratio.

3. Include Findings That Demonstrate Compliance

When public agencies adopt mitigation programs, they should also adopt findings that demonstrate compliance with each applicable legal requirement.

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APPENDIX C

ASSESSING THE ECONOMIC AND MARKET TRENDS AFFECTING AGRICULTURE IN THE WESTERN INLAND EMPIRE

Appendix L: Agriculture

MV00172415

Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire

Prepared by:
Justin L. Adams, Ph.D.

Chang & Adams Consulting

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MV00172416

About Chang & Adams Consulting:
Chang & Adams Consulting is Sacramento's premier management consulting firm, operating at the intersection of the public and private sectors. We are professional economists who routinely advise clients on market and business trends so that they may assess and understand the environment in which they are operating. We specialize in applying cutting-edge quantitative analyses to help frame and solve public policy and business strategy issues. We advise a range of clients, including government agencies, non-profit organizations, campaigns for initiatives and candidates, and Fortune 1000 companies. We provide them with the analytical insight to shape their strategic direction, improve their operations, and develop sound policies. Copies of resumes of our principals are attached to this report as Appendix A.

Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire
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Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire (Key Findings)

- The Inland Empire makes up a small part of California's agriculture industry. In 2009, the value of all agricultural production in Riverside and San Bernardino Counties totaled $1.4 billion, compared with $41.4 billion of agricultural production in California as a whole. Additionally, each of the ten most productive agricultural counties in California produces more than Riverside and San Bernardino combined.

- Agriculture is also small compared to other industries in the Inland Empire. The Natural Resources and Mining sector, which is comprised mostly of the agriculture industry, made up 1 percent of the regional economy that year. The largest sectors were Financial Activities (23 percent), Trade (18 percent), and Education and Health Services (11 percent).

- Agriculture is also in decline in the Inland Empire. Between 2006 and 2010, three of the top five agricultural products in Riverside County (nursery stock, milk, and table grapes) decreased in production value or remained flat. Similarly, three of the top five agricultural products in San Bernardino County (cattle and calves, replacement heifers, and trees/shrubs) also have decreased in value and are expected to continue to decrease in value as agricultural operators relocate from the Riverside and San Bernardino Counties in general to places such as Kern County and in some instances out of state.

- The decline in agriculture can be attributed to five key factors:
  - Growth in the demand for housing and development following the 2007 market collapse: After the market collapse in 2007, home prices have stabilized to 2002-2003 prices and monthly home sales have increased since 2009.
  - Growth in the transportation and warehousing sector: Over 40 percent of all goods imported into the United States enter through the Ports of Los Angeles and Long Beach, and most of these goods pass through the Inland Empire for distribution. After declining from 2006 through 2009, imports are rising to near-record levels again.
  - Increased restrictions on water deliveries for agricultural uses after several consecutive drought seasons: Drought conditions led to water allocation cutbacks from both the State Water Project and local water sources, driving the cost of water up across the region as well as limiting access.
  - Higher wages in other industries in the region: Trade, transportation, and construction industries have all seen significant growth in the region and offer higher annual salaries than agriculture for the same skilled and semi-skilled labor.
  - Strong agricultural competition from the southern Central Valley for dairies: The Valley offers cheaper land, a greater number of support industries for agriculture, a larger

agricultural employment base, and cheaper labor for the dairy industry, as well as agriculture in general.

- Increased regulatory pressures from air quality and local jurisdictions regarding particulate matter emissions and land use adjacency issues.
- The trend in Riverside and San Bernardino Counties is for agricultural operations to continue to shift to places like Kern County regardless independent of land use policy due to the economic issues set forth in this report.

Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire

1. Introduction

The Inland Empire region of Southern California generally consists of Riverside and San Bernardino Counties, and is located just east of Los Angeles. The two counties encompass more than 4.2 million people. Figure 1.1 below shows the general geography of the region.

Figure 1.1
The Inland Empire

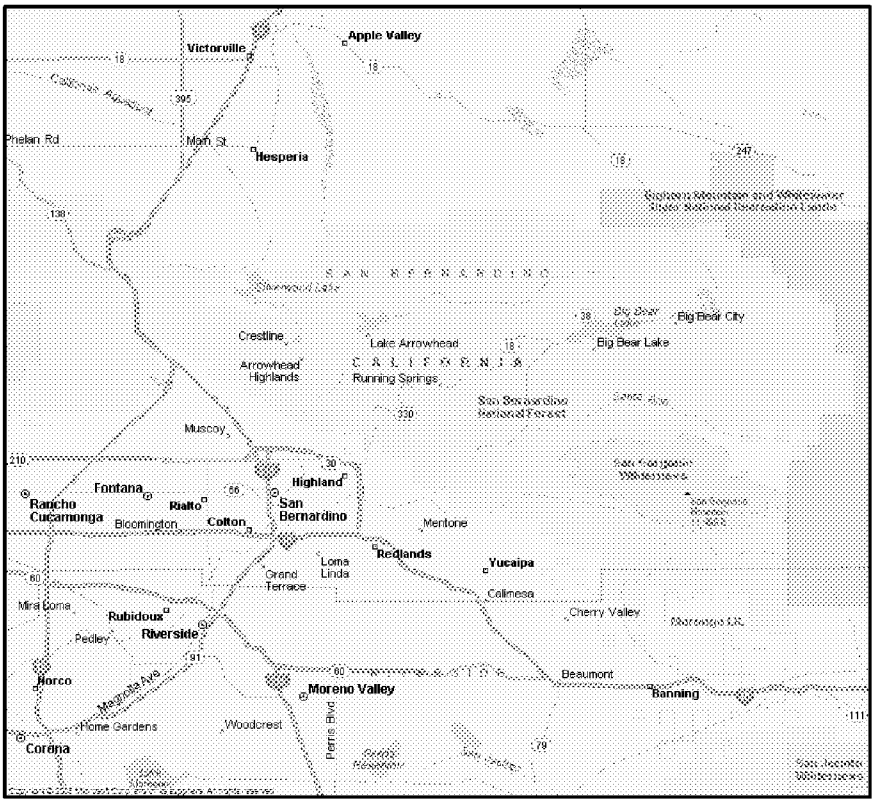

Compared to the rest of the state, the Inland Empire makes up only a small part of California's agriculture industry. In 2009, the value of all agricultural production in Riverside and San Bernardino totaled $1.4 billion. Agricultural production includes crop production, such as for food grains, feed crops, cotton, oil crops, fruits and tree nuts, and vegetables, and livestock production, including meat animals, dairy products, poultry, and eggs.

Table 1.1
Agricultural Production in California and Inland Empire

Geographic Region	Agricultural Production, 2009 (% of State)	Agricultural Employment, 2007 (% of State)
Riverside/San Bernardino	$1.4 Billion (3.3%)	16,800 (4.3%)
California	$41.4 Billion (100%)	386,400 (100%)

SOURCES: California Department of Food and Agriculture, "County Rank by Gross Value of Agricultural Production, 2008–2009," California Agricultural Resource Directory 2010-2011; California Statistical Abstract, "Wage and Salary Employees in Agricultural Establishments by Areas in California, 1995 to 2007," 2008

By comparison, the value of all agricultural production in California in 2009 was $41.4 billion. The Inland Empire represented just 3.3 percent of this total.

The distribution of employment in the agriculture industry resembles that of production value. In 2007, Riverside and San Bernardino Counties had 16,800 workers in the agriculture industry. This represented 4.3 percent of the 386,000 Californians employed in agriculture that year.

2. Agricultural Production in the Inland Empire is Small

Compared to other individual counties across the state, both Riverside and San Bernardino Counties produce significantly smaller agricultural output. Each of the ten most productive agricultural counties in California produces more than both counties combined.

Table 2.1
Top California Counties by Value of Agricultural Production, 2009

Rank	County	Total Value ($000)	Leading Commodities
1	Fresno	$5,372,009	Grapes, Tomatoes, Poultry, Almonds, Cattle & Calves
2	Tulare	$4,046,355	Milk, Oranges, Grapes, Cattle & Calves, Corn
3	Monterey	$4,033,718	Lettuce, Strawberries, Nursery, Broccoli, Grapes
4	Kern	$3,606,356	Grapes, Milk, Vegetables, Almonds, Pistachios
5	Merced	$2,460,474	Milk, Chickens, Almonds, Cattle & Calves, Sweet Potatoes
6	Stanislaus	$2,310,071	Milk, Almonds, Chickens, Cattle & Calves, Tomatoes
7	San Joaquin	$2,000,474	Grapes, Milk, Cherries, Tomatoes, Walnuts
8	Ventura	$1,621,575	Strawberries, Nursery Stock, Celery, Raspberries, Lemons
9	San Diego	$1,548,124	Woody Ornamentals, Flowers & Foliage, Bedding Plants, Avocados, Tomatoes
10	Imperial	$1,452,970	Lettuce, Cattle, Wheat, Alfalfa, Broccoli
13	Riverside	$1,015,755	Nursery Stock, Milk, Eggs, Table Grapes, Hay
25	San Bernardino	$355,379	Milk, Eggs, Cattle & Calves, Alfalfa, Replacement Heifers

SOURCE: California Department of Food and Agriculture, "County Rank by Gross Value of Agricultural Production, 2008–2009," California Agricultural Resource Directory 2010-2011

The largest California county by agricultural production in 2009 was Fresno. The county produced nearly $5.4 billion in agricultural commodities, including grapes, tomatoes, poultry and almonds, while the tenth largest California county in 2009 was Imperial, producing almost $1.5 billion in agricultural commodities, primarily through lettuce, cattle, wheat, alfalfa, and broccoli.

By contrast, Riverside was the 13th largest agricultural producer, generating $1.0 billion in commodities such as nursery stock, milk, eggs, table grapes, and hay, and San Bernardino was the 25th largest agricultural producer, with $355 million in products including milk, eggs, cattle and calves, alfalfa, and replacement heifers. Together, Riverside and San Bernardino Counties produced nearly $1.4 billion in commodities, but still less than Imperial County.

Agriculture is also small compared to other industries in the Inland Empire region. The largest industrial sectors in the Riverside-San Bernardino-Ontario Metropolitan Statistical Area in 2009 were Financial Activities, Trade, and Education and Health Services. These represented 23 percent, 18 percent, and 11 percent of the Inland Empire's economic activity, respectively, as seen in Figure 2.1.

Figure 2.1
Shares of Private GDP for Riverside-San Bernardino-Ontario, 2009

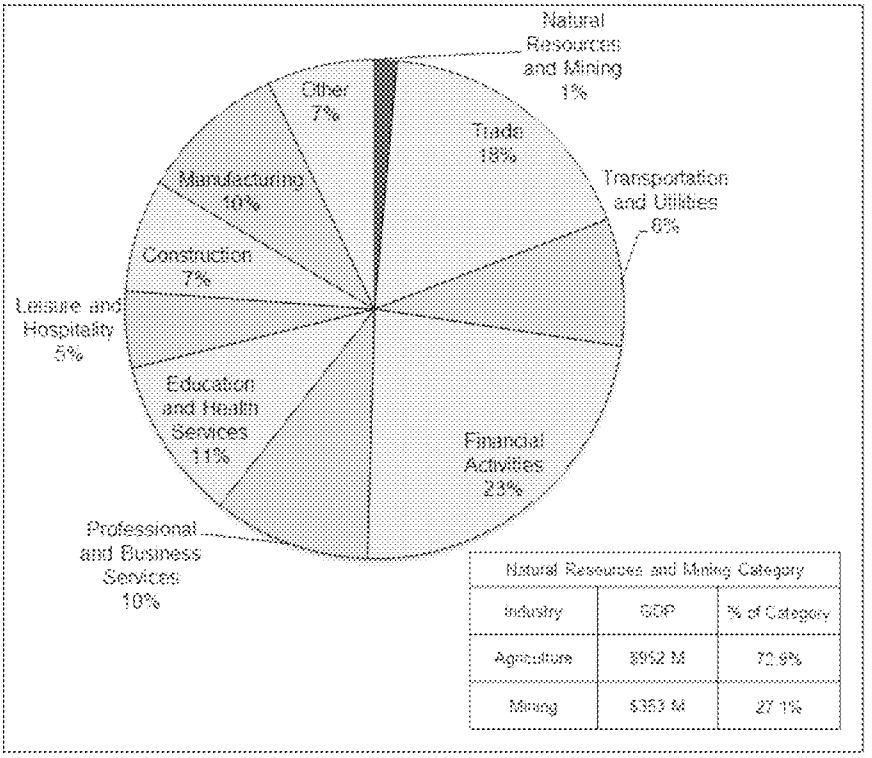

SOURCE: Bureau of Economic Analysis, U.S. Department of Commerce, "Gross Domestic Product by Metropolitan Statistical Area, Riverside-San Bernardino-Ontario 2009," accessed August 2011 (http://www.bea.gov/iTable/iTable.cfm?reqid=70&step=1&isuri=1&acrdn=2)

By contrast, the Natural Resources and Mining sector made up 1 percent of the regional economy that year. This sector includes both the agriculture and mining industries. In fact, given that the agriculture industry comprises about 73 percent of the sector, then in essence agriculture currently makes up about seven-tenths of 1 percent of the Inland Empire's economy.

3. Agriculture in the Inland Empire Continues to Decline

Both Riverside and San Bernardino Counties have seen declines in production for some of their top agricultural products since 2006. Three of the top five agricultural products in Riverside County have decreased in production value or remained flat since 2006 as seen in Figure 3.1. From 2006 to 2010, the top five agricultural products in Riverside County by combined value were nursery stock, milk, table grapes, eggs, and bell peppers.

Figure 3.1
Riverside County Leading Agricultural Values (Top 5 Products)

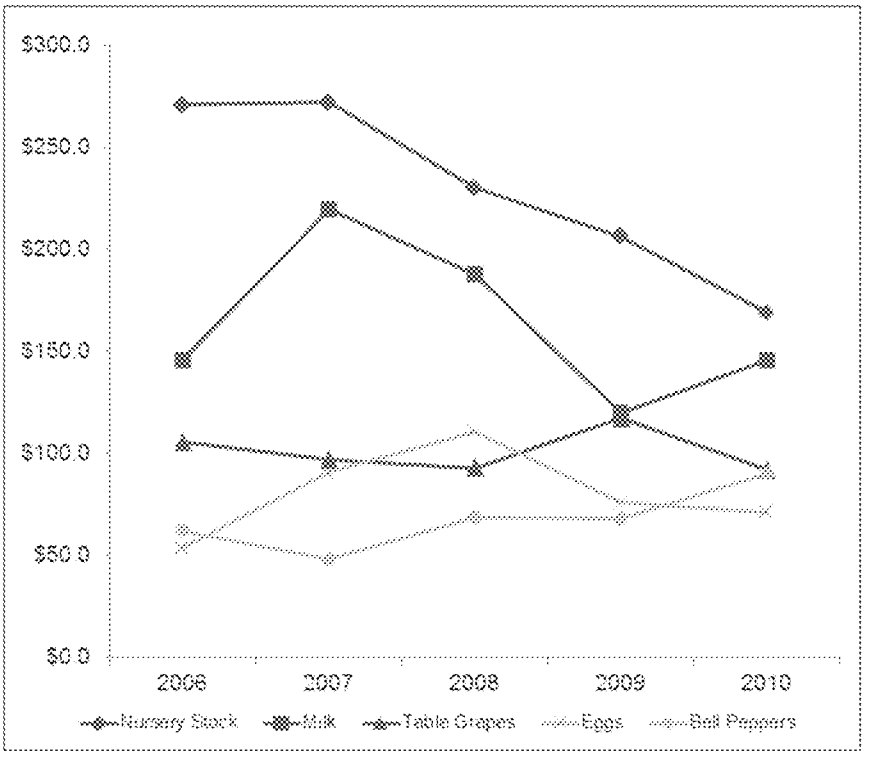

SOURCE: Agricultural Commissioner's Office, County of Riverside, Riverside County Annual Production Report, Assorted Years

Over this five-year time period, three of these agricultural products declined in value in the County or remained flat: nursery stock dropped from $270 million in production value to under $170 million; after a brief run-up, milk production began and ended at $145 million; and table grapes declined in production value from over $105 million to around $92 million. Although eggs and bell peppers did experience higher production values over the five-year period, these are less valuable agricultural products.

Figure 3.2
San Bernardino County Leading Agricultural Values (Top 5 Products)

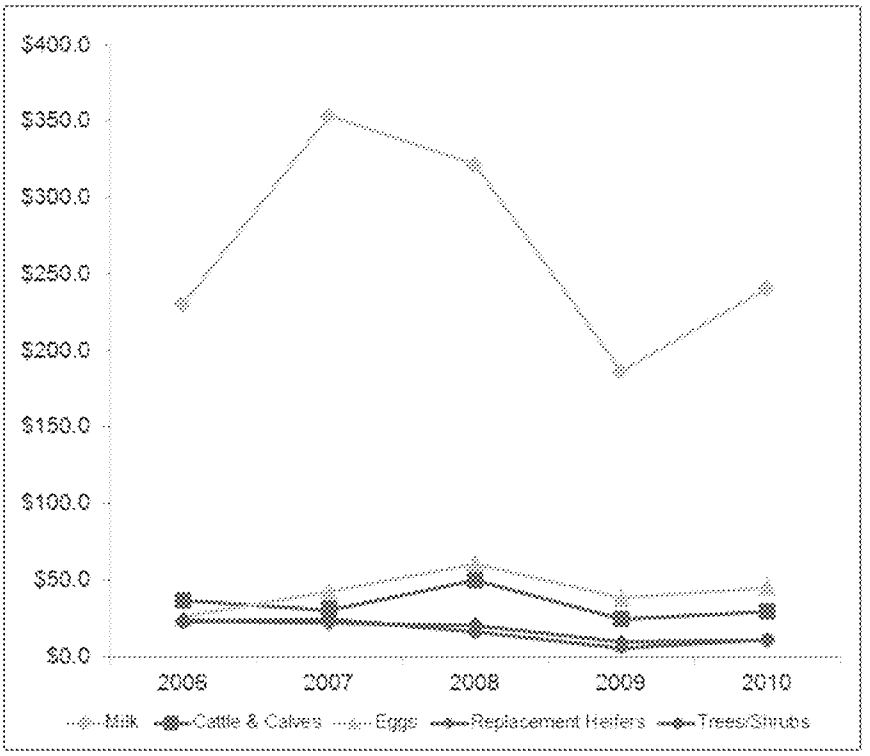

SOURCE: Department of Agriculture/Weights and Measures, County of San Bernardino, Crop and Livestock Report, Assorted Years

Though San Bernardino did not face as significant losses as Riverside, it has still seen falling revenues. Since 2006, three of the top five agricultural products in San Bernardino County have decreased in value, seen in Figure 3.2. From 2006 to 2010, the top five agricultural products in San Bernardino County by combined value were milk, cattle and calves, eggs, replacement heifers, and trees/shrubs.

Over this five-year time period, three of these agricultural products declined in value in the County: the production value of cattle and calves decreased by nearly $7 million; replacement heifers lost over half of their production value, with a drop from $24.2 million to $10.4 million; and trees and shrubs lost nearly half of their production value, declining from $22.8 million to $11.5 million. Additionally, there was little growth in milk production (just over $10 million) in the county despite it being the top product, and eggs also saw higher production by about $19 million over the five years.

4. Five Major Barriers Limit the Inland Empire's Agriculture Industry

With the agriculture industry continuing to decline in the Inland Empire, five major barriers to the industry were identified. These barriers center on pressures from competing industries, environmental concerns, and operations costs:

- Growth in Demand for Housing and Development
- Growth in Trade and Transportation Sectors
- Increased Restrictions on Water
- Higher Wages in Other Industries
- Strong Agricultural Competition from Central Valley

4.1. Growth in Demand for Housing and Development

The Inland Empire generally boasts relatively inexpensive land values compared to other regions of California, such as the coastal counties, making the Inland Empire attractive to developers looking to build residential and commercial property. Beyond this, the return of home prices in the region to more traditional levels has also spurred additional investment in land purchases and developments.

The Inland Empire region saw robust demand for housing during the previous decade, as reflected by significant increases in median home prices between 2002-03 and 2006 to record highs for the region. Much of these gains were erased with the market collapse of 2007, however, with home prices returning to levels last seen in 2002 and 2003. But some analysts believe that the housing market in the region has finally begun to stabilize given that home and land prices are beginning to inch higher. Whittlesey Doyle, a land brokerage firm based in Irvine, stated that a number of recent land deals to homebuilders in the Inland Empire indicate that the market is rebounding.[1]

[1] Wesley G. Hughes, "Land buyers back in game," Inland Valley Daily Bulletin, December 6, 2010.

Figure 4.1
Inland Empire Median Home Sales Price, July 2000-July 2011

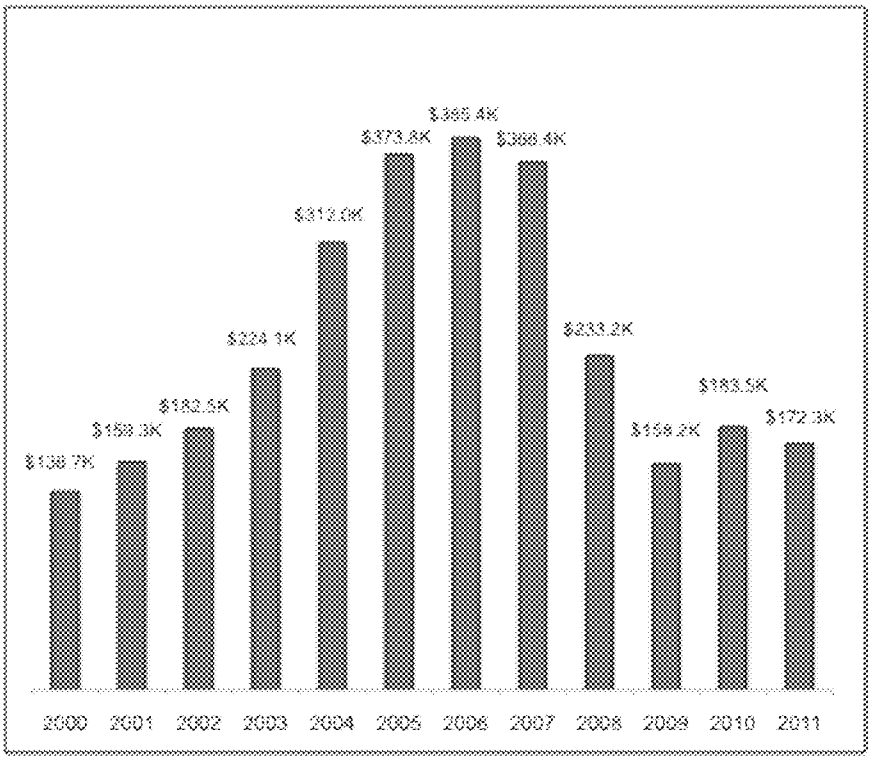

SOURCE: California Association of REALTORS, "Median Prices of Existing Detached Homes, Historical Data"

As shown in Figure 4.1, the median home sales price in the Inland Empire was just over $385,000 at the peak of the real estate market in 2006. When the market dropped to its low in 2009, the median sales price had fallen 59 percent to just over $158,000. Though prices have fallen significantly since 2007, the median price actually began to increase in 2010 to over $183,000. While there has been some retrenchment in prices this year, they still remain above $172,000.

Figure 4.2
Monthly Home Sales

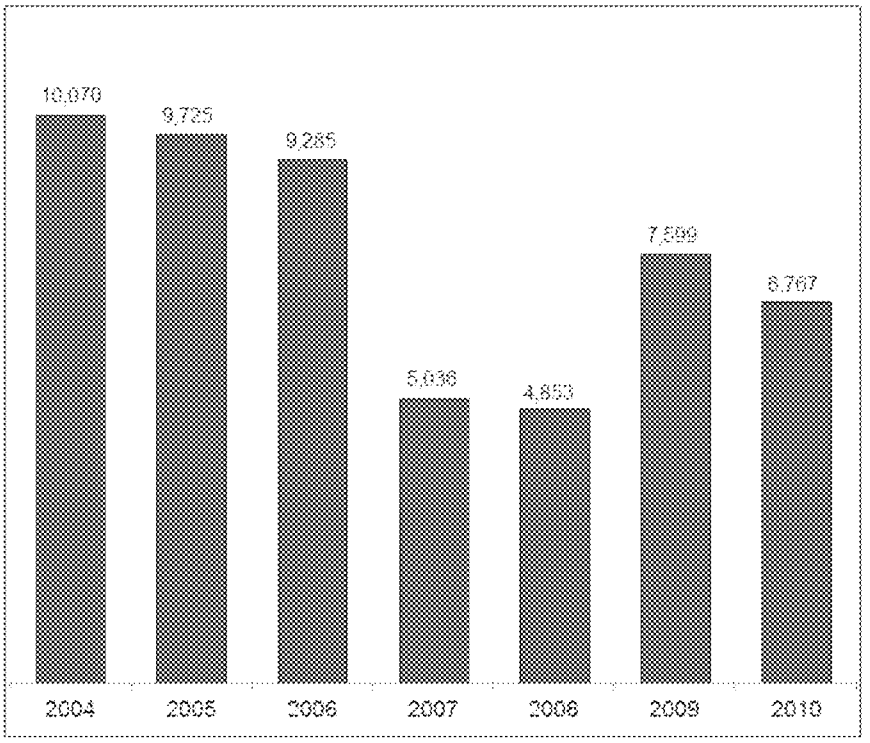

SOURCE: DataQuick Information Systems, "Southland Home Sales," 2004-2010

Correspondingly, monthly home sales have tapered off from their peak in 2004, as illustrated in Figure 4.2. As home prices have decreased, there has been an increase in monthly home sales in the region. Though sales remain off of their historic highs, monthly home sales indicate that consumers are buying properties again and driving some growth in the market.

With home prices stabilizing and home sales returning, newspaper accounts and anecdotal evidence suggest that several large homebuilders have indicated that they have begun purchasing more land and restarting stalled home developments across the region.

4.2. Growth in Trade and Transportation Sectors

On the commercial front, the agriculture industry faces increasing competition from trade and transportation, two of the largest industrial sectors in the Inland Empire. Transportation, warehousing, and other goods movement industries are strong in the region because of their proximity to the Ports of Los Angeles and Long Beach and because of the abundance of relatively inexpensive land for distribution centers and transportation hubs.

Figure 4.3
Flow of Imported Containers, Los Angeles-Long Beach Ports

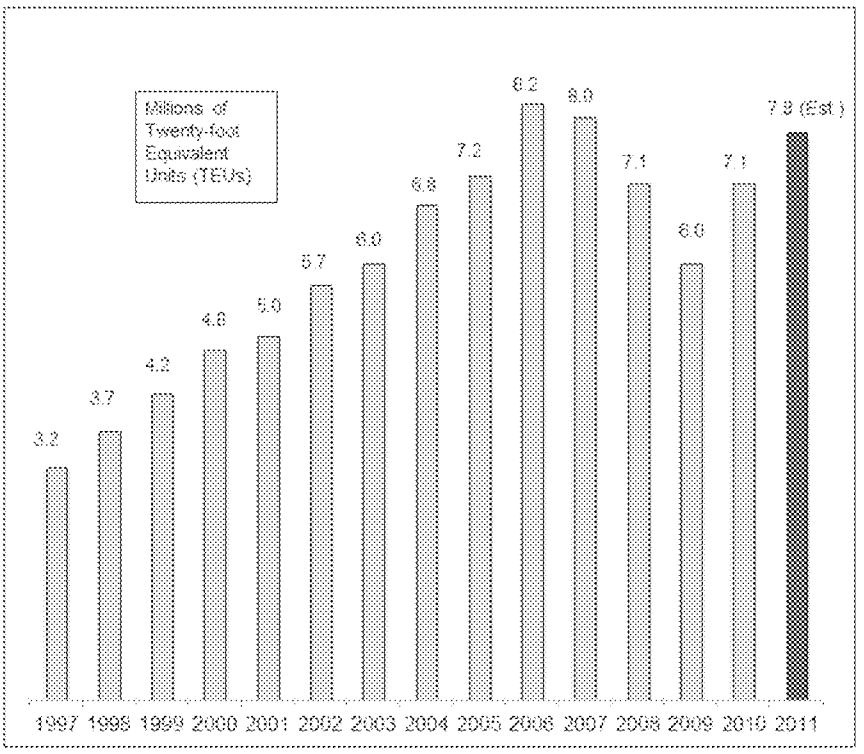

SOURCE: Husing, John, Inland Empire 2011… Start of the Recovery?, Economics & Politics, Inc., April 2011

Over 40 percent of all goods imported into the United States enter through the Ports of Los Angeles and Long Beach, and most of these goods pass through the Inland Empire for distribution. The Burlington Northern Santa Fe (BNSF) Railway has an intermodal railroad yard located in San Bernardino, for example. The Union Pacific Railroad has its main switching yard in Colton as well.

And as shown in Figure 4.3, imports into the Ports of Los Angeles and Long Beach have begun to rebound from the recent recession. Imports as measured by Twenty-foot Equivalent Unit (TEU) containers steadily increased between 1997 and 2006 from 3.2 million TEUs to 8.2 million TEUs. With the recession, imports dropped in 2009 to 6.0 million – the same level as seen in 2003. But as a sign that economic activity is returning to California and the United States, imports into the Ports of Los Angeles and Long Beach increased to 7.1 million TEUs in 2010 and are projected to reach 7.8 million TEUs in 2011. These represent near-record levels of goods movement in the region.

4.3. Increased Restrictions on Water

The State Water Project was constructed in the 1950s and 1960s to provide most of California, particularly Southern California, with a stable statewide water resource to

augment local sources. Currently, the State Water Project provides supplemental water to approximately 25 million Californians and about 750,000 acres of irrigated farmland. Each year, its contracting water agencies make water allocation requests and the state Department of Water Resources plans the initial allocation percentage. Over the course of the year, these allocations can be increased to adjust for wet years, or rolled back in cases of drought.

California faced severe drought conditions for most of the latter-half of the previous decade, however. These conditions necessitated reduced water allocations to the Inland Empire through the State Water Project, and hindered farms and dairies' ability to extract water from their nearby groundwater basins and reservoirs.

Figure 4.4
State Water Project Allocations to Inland Empire Water Districts

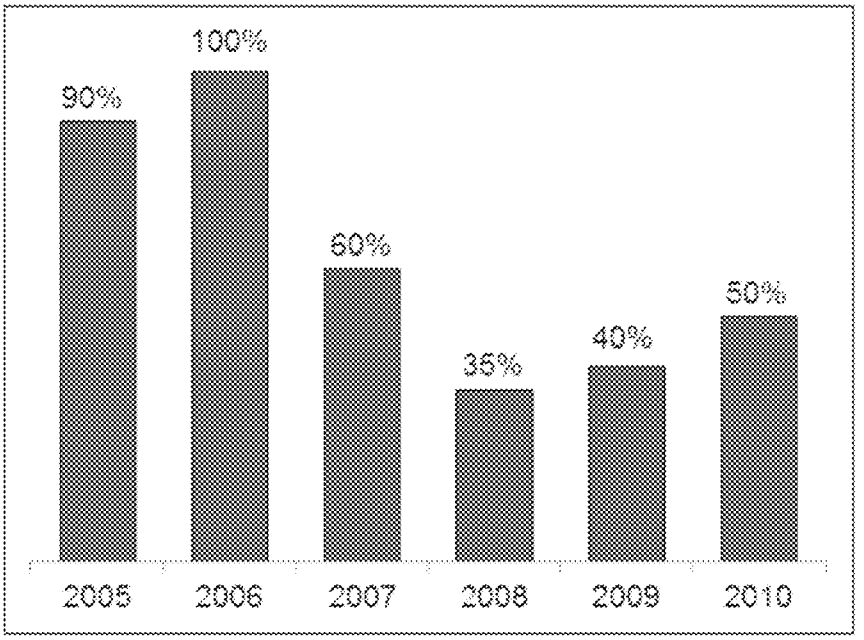

SOURCE: California Department of Water Resources, Notice to State Water Project Contractors, 2005-2010

As illustrated in Figure 4.4, drought conditions following 2006 led to a decrease in State Water Project allocations across California between 2007 and 2010. The drought was so severe that in 2008 only 35 percent of water allocations were provided. Last year the allocation was only 50 percent. A wet 2011 combined with heavy snowpacks promises to increase allocations, however much of the damage to the agriculture industry has already occurred considering that the operating costs to the Inland Empire's agriculture industry have been severely impacted by the water restrictions.

Additionally, water extractions from the San Bernardino Basin have also steadily declined over the previous decade. This is shown in Figure 4.5 below. As the secondary water resource for the region, groundwater and reservoir stores backfill losses to agriculture from the State Water Project. Restrictions on forced groundwater recharge and environmental regulations have also decreased the amount of water extracted from these sources, even in drought seasons.

Figure 4.5
Water Extractions from the San Bernardino Basin

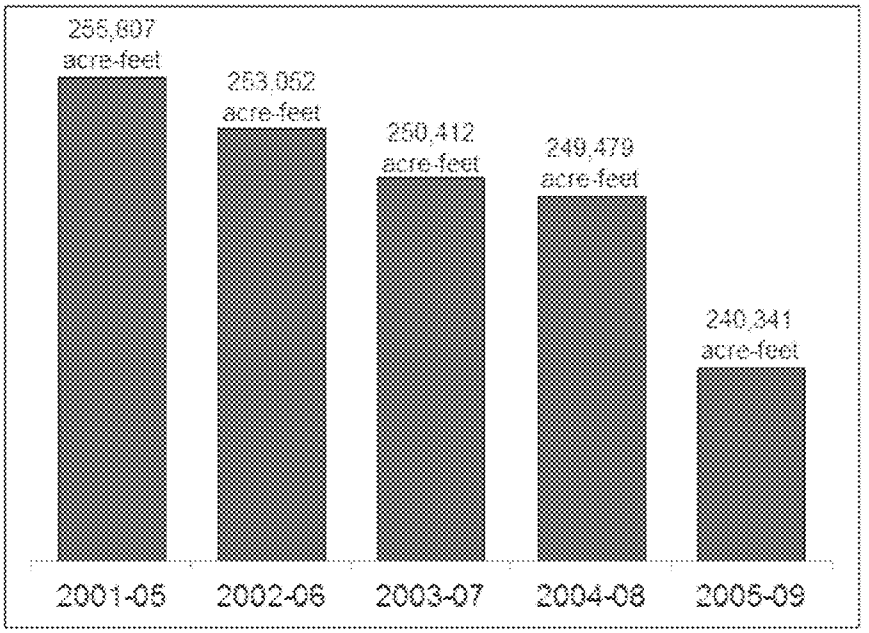

SOURCE: Western-San Bernardino Watermaster, "Annual Report of the Western-San Bernardino Watermaster," Calendar Year 2010

With respect to agriculture, water restrictions adversely impact the industry in a couple of ways. First, they limit the amount of water available for crops and livestock, requiring farmers and ranchers to reduce the size of their production and thus negatively impacting their revenue, according to Gregg Warren, vice president of American AgCredit[2]. Additionally, farmers and ranchers' costs rise as well since the inputs obtained from associated agricultural industries, such as feed, become more scarce and therefore more expensive.

[2] Chris Sieroty, "Inland Farmers Facing Several Threats," The Business Press (Riverside, CA), March 23, 2009.

4.4. Higher Wages in Other Industries

Improved economic conditions have brought a resurgence of housing and other industries such as trade and transportation in the Inland Empire. This resurgence has resulted in more job opportunities that provide higher salary options for skilled and semi-skilled labor.

Figure 4.6
Occupations in the Inland Empire

Occupation	Estimated Employment, 2010	Mean Annual Salary, 2010
Construction and Extraction	51,850	$48,720
Office and Administrative Support	195,850	$33,900
Sales and Related Occupations	121,510	$32,860
Transportation and Material Moving	108,130	$32,400
Personal Care and Service	31,190	$24,370
Farming, Fishing, and Forestry	58,402	$21,400
Food Preparation and Serving Related Occupations	111,450	$21,310

SOURCE: U.S. Department of Labor, "Occupational Employment Statistics, May 2010, Riverside-San Bernardino-Ontario, CA, " accessed August 2011 (http://www.bls.gov/oes/current/oes_40140.htm)

As shown in Figure 4.6, agriculture competes with a number of other higher-paying industries for hired labor. Compared to other skilled and semi-skilled employment, agricultural salaries lag behind most of their counterparts across the region. Construction jobs, for example, have highest mean salary of the group at $48,720 a year. Additionally, three of the four largest occupations in the Inland Empire – office and administrative support, sales and related occupations, and transportation and material moving – all provide higher mean salaries for employees with semi-skilled or low-skilled backgrounds. In fact the third-largest occupation, food preparation and serving, had a mean annual salary only $90 below that of agriculture.

Jack King, of the California Farm Bureau Federation, pointed out that even agricultural wages increases were not enough to draw an adequate amount of agricultural workers. He

stated that even with raises, the soft market will only allow agriculture to make limited raises.[3]

It should be noted that the farming employment figure does not take into account family labor and other non-paid employment. That said, the total employment and mean annual salary for agriculture do not compare favorably to other equivalent employment opportunities in the region, particularly as the agricultural industry continues to decline relative to other industries such as transportation and construction.

4.5. Strong Agricultural Competition from Central Valley

The fifth barrier involves competition with the southern Central Valley for agricultural production, particularly with respect to the dairy industry. The dairy industry comprises the production of milk, meat, and feed, such as alfalfa and hay. Milk is the largest agricultural product for San Bernardino County, and it is the second largest in Riverside County. As shown in Figure 4.7 below, dairy and nursery production accounts for approximately 45.4 percent of all agricultural production in the Inland Empire. In fact, dairy alone accounts for approximately one-third of all agriculture in the region.

Figure 4.7
Agriculture in the Region

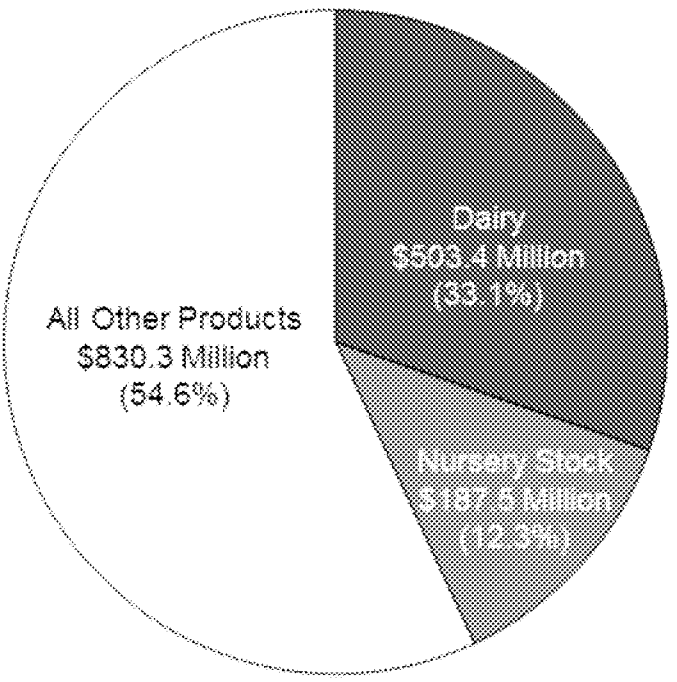

SOURCE: Department of Agriculture/Weights and Measures, County of San Bernardino, Crop and Livestock Report, Assorted Years; Agricultural Commissioner's Office, County of Riverside, Riverside County Annual Production Report, Assorted Years

[3] Andrew Silva, "Lack of laborers leaves crops to rot," Inland Valley Daily Bulletin (Ontario, CA), December 13, 2006.

Bill Van Leeuwen, a dairy farmer from the region, has expressed surprise at the speed with which the milk industry is leaving the Inland Empire for places such as the Central Valley.[4]

The Central Valley produces milk more cheaply than the Inland Empire does. In the Southern California region (consisting of San Luis Obispo, Santa Barbara, San Bernardino, Los Angeles, Riverside, Imperial and San Diego counties), the average total investment per cow is $274 more than in the Southern Central Valley (consisting of Fresno, Tulare, Kings and Kern counties). The average total investment per cow takes into account all expenses, capital costs, and operating costs for every cow on the dairy. This is shown in Figure 4.8 below.

Moreover, dairy production in the Central Valley is far larger than that in the Inland Empire. The total number of milk cows in Tulare County alone (502,395) more than quadruples the number in the Southern California region. This is also shown in Figure 4.8 below.

Figure 4.8
Total Dairy Costs, 2010

	Southern California	**Southern Central Valley**
Average Total Investment per Cow	$2,993	$2,719
Total Cows	119,805 (San Bernardino and Riverside)	983,954
Hourly Wage, All Hired Labor	$16.23	$13.78

SOURCE: California Department of Food and Agriculture, "California Dairy Statistics," 2010 Data; California Department of Food and Agriculture, "Cost of Production" 2010 Annual Report

Additionally, hourly wages are roughly $2.50 higher in the Southern California region than the Central Valley. The cheaper costs to operate in the Southern Central Valley can make a significant difference in the bottom line of dairy producers. In fact, there has been anecdotal evidence of dairy ranchers selling land in the Inland Empire and using those profits to open or expand dairy operations in the Central Valley.

[4] Jerry Hirsch, "Dairies Moving Out of Inland Empire," Los Angeles Times, January 9, 2006.

5. Conclusion

Our analysis shows that agriculture is small compared to other industries in the Inland Empire – Riverside and San Bernardino Counties – and is continuing to decline in importance in the region. We identify a number of systemic and regional economic factors that create significant economic barriers to the continued viability of agriculture in the Inland Empire. These barriers include the growth in demand for housing and development; the growth in the trade and transportation sectors; increased restrictions on water; higher wages in other industries; and strong agricultural competition from the Central Valley.

It should be pointed out that the decline of agriculture in the Inland Empire and the barriers to its viability are independent of any land use policies pursued by Riverside and San Bernardino Counties. That is, the market forces affecting agricultural production in Riverside and San Bernardino Counties will continue to shrink the industry in the future regardless of potential local efforts to preserve agricultural production through land use policies or other similar measures.

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JUSTIN L. ADAMS, PH.D.
Director
Chang & Adams Consulting

PROFILE: A seasoned political economist who brings a combination of practical and theoretical expertise in public policy as well as fiscal and economic analysis. Over 12 years of experience as a consultant and an executive in state government. A Ph.D. with deep knowledge of economics, political science, game theory, and public policy. Familiarity with techniques for surveying and analyzing large data sets, including regression analysis.

PROFESSIONAL EXPERIENCE:

07/09 – present **Chang & Adams Consulting** Sacramento, CA
Director
- Provide economic analysis and strategy consulting to Fortune 1000 companies at the intersection of the public- and private-sectors. Provide policy, economic, and public finance analysis as well as operations consulting for government agencies and not-for-profit organizations.

10/07 – 06/09 **Forward Observer, Inc.** Sacramento, CA
Director of Economics
- Led the economics business unit of a political and public policy consulting firm. Oversaw the development of all of the firm's fiscal and economic studies, approved their analytical methodologies, and testified in front of the Legislative Analyst's Office.

08/01 – 09/07 **The RAND Corporation** Santa Monica, CA
Associate Economist
- Specialized in research and analysis focusing on domestic and international economic development, defense economics, and the economics of public-sector organizations. Projects included performance-based logistics and information technology consulting for the U.S. Army; purchasing and supply management best practices for the U.S. Air Force; and, the design of a viable economy for an independent Palestinian state. Developed growth accounting models and other economic frameworks to guide the analyses, and supplemented these analyses with surveys and insights drawn from expert interviews and background research.

06/96 – 09/97 **California Department of Transportation** Sacramento, CA
Special Assistant to the Chief Deputy Director
- Supported the COO of a $6 billion, 17,000-person organization. Managed Caltrans' $200 million Administrative Program, providing accounting, personnel, information technology and facilities services to the entire department. Led cross-functional team in reorganization of Caltrans' administrative service units. Collaborated on executive-level teams to spin off Equipment Service Center, streamline Caltrans, and protect California's infrastructure.

03/95 – 05/96 **California Department of Housing and Community Development** Sacramento, CA
Assistant for Policy Development
- A member of the Department's executive staff. Analyzed the fiscal and economic impact to California of state and federal legislation affecting housing. Authored policy white papers on homelessness and departmental reorganization.

08/94 – 02/95 **California Office of the Governor** Sacramento, CA
Staff Economist
- Analyzed the fiscal and economic impact to California of federal appropriations, clean air regulations, and natural disasters.

EDUCATION: **Stanford University Graduate School of Business** Stanford, CA
Ph.D., Business. Specialization in Political Economics
Dissertation: *Expertise vs. Control in the U.S. Congress*

Stanford University Stanford, CA
A.M., Political Science

Stanford University Stanford, CA
A.B., Economics and Political Science

FELLOWSHIPS AND AWARDS:

1998-99	Public Affairs Fellow, Hoover Institution on War, Revolution and Peace	Stanford, CA
1990-94	Stanford Graduate School of Business Fellowship	Stanford, CA
1990	National Science Foundation Minority Graduate Fellow, Economics	Stanford, CA

ANDREW J. CHANG
Managing Director
Chang & Adams Consulting

PROFILE: Seventeen years of experience working with both high-level executives and operations staff on sensitive issues under tight deadlines in both the private and public sectors. Eight years strategy and operations consulting experience with emphasis on customer analysis and market entry strategies. Twelve years public policy development and implementation experience in California State government. Extensive experience working with a broad array of stakeholders to design, implement and monitor organizational initiatives.

PROFESSIONAL EXPERIENCE:

07/09 – present **Chang & Adams Consulting** Sacramento, CA
Managing Director
- Provide business intelligence and strategy consulting to Fortune 1000 companies with an emphasis on private sector interaction with government. Private sector specialization in assessing and identifying new market opportunities and developing strategies to enter new markets. Public sector emphasis on public policy, economic and public finance analysis and operations management consulting.

04/07 – 07/09 **Forward Observer, Inc.** Sacramento, CA
Vice President
- Provide business intelligence and strategy consulting to Fortune 1000 companies to support market entry initiatives. Provide business-political risk and due diligence assessment for investment companies. Conduct fiscal, economic and public policy assessments.

08/04 – 04/07 **California Department of General Services** Sacramento, CA
Chief Deputy Director
- Chief Financial and Operations Officer of a state department with $1 billion annual operating budget, thirteen business units and 4,000 employees. Oversaw the state's procurement and real estate operations. Also responsible for the state's telecommunications, automobile fleet, printing, warehousing, insurance and school construction operations.
- Special assignment to the Governor's Office to serve as chief staff economist for the Governor's Council of Economic Advisors. Facilitated Council meetings, prepared written briefings for the Governor on policy issues for consideration and assisted Council members with original research to present at the Council meetings.
- Special assignment to the California Department of Corrections and Rehabilitation to assess the agencies procurement operations and develop recommendations to improve procedures and operations.

06/00 – 08/04 **A.T. Kearney, Inc.** San Francisco, CA
Senior/Engagement Manager (06/02 – 08/04)
- Lead teams to develop strategies for new lines of business for a Fortune 1000 technology company, a national consumer products consortium and an international consumer products retail company.
- Lead teams to develop strategies to both acquire and sell technology services, R&D and manufacturing business units.
- Analytic and modeling methods subject matter expert. Finance and Accounting business processes subject matter expert.

Associate Management Consultant (06/00 – 06/02)
- Conduct research and develop recommendations for various clients in the high technology and consumer products industries.

12/98 – 02/00 **MGT of America, Inc.** Sacramento, CA
Senior Management Consultant
- Implemented studies to improve finances and operations for Cleveland Unified School District, Florida State University and the California Resources Agency.

10/95 – 12/98 **California State and Consumer Services Agency** Sacramento, CA
Assistant Secretary for Policy and Operations
- Executive of a government agency with an annual operating budget of $1.3 billion, twelve departments and over 14,000 employees.
- Under supervision of the Secretary, guided agency and department policies, budgets and strategic plans.

05/95 – 10/95 **Personal Staff of Governor Pete Wilson** Sacramento, CA
Chief Economist/Deputy Issues Director
- Managed the development of national tax, trade, environment, agriculture and crime policies for Governor Pete Wilson's presidential campaign.

09/93 – 05/95 **California Office of the Governor** Sacramento, CA
Deputy Chief Economist
- Lead research teams to assess the economic and fiscal impact of tax, economic development, health care and immigration policies.

EDUCATION: **University of Michigan** Ann Arbor, MI
Master of Business Administration Essentials (1 of 30 A.T. Kearney consultants selected globally to participate in a tailored executive MBA program.)

Georgetown University Washington, DC
Master of Public Policy

University of California Berkeley, CA
Bachelor of Arts

CBRE CONSULTING

CBRE
CB RICHARD ELLIS

355 South Grand Avenue, Suite 1200
Los Angeles, CA 90071-1549

T 213 613 3750
F 213 613 3780
www.cbre.com

January 19, 2009

Dana Whitmer
Vice President
Sares Regis Group
18802 Bardeen Avenue
Irvine, CA 92612

Re: Economic Viability of Agriculture in the West Inland Empire

Dear Mr. Whitmer:

Per your request CBRE Consulting has examined the economic and market trends affecting agriculture operations throughout California, with particular attention to the specific challenges relative to the communities of Chino and Ontario in the western Inland Empire.

Founded in 1978 as Sedway Group, CBRE Consulting is a nationally recognized full-service real estate and urban economics consulting firm with offices in Los Angeles and San Francisco. CBRE brings a multi-disciplined approach to property evaluation of all major land use types. CBRE specializes in real estate market analysis, economic development studies for residential, commercial and industrial projects throughout California and the western United States.

BACKGROUND

The Inland Empire once held the largest concentration of dairies in the world, with most of them in the Chino/Ontario basin. This region is now facing tremendous urbanization and development pressures. According to the San Bernardino County General Plan, the agricultural land is continually declining. According to the State of California, Department of Conservation, the County lost 47,000 cares of farmland from 1990 through 2002. Riverside County lost 50,000 acres in prime farmland over the same period.

For this analysis, CBRE performed an extensive internet/literature search relative to the economics of agricultural and dairy farming to understand the economic and other challenges to continued agriculture uses in the Inland Empire. CBRE also gathered relevant demographic, real estate and other economic data to illustrate historic and projected land use trends near Chino and the western Inland Empire.

There are many factors which demonstrate the infeasibility of agriculture production in Western Inland Empire, resulting in many dairy operators moving to Kern County.

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- Urbanization in the Inland Empire, resulting in dramatically increasing land prices,
- Higher water and labor costs;
- Environmental regulation (insects, odors, ground water contamination and solid waste removal) and,
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

1. **Increasing Land Values**
   Due to competing land uses, land prices have increased dramatically in the area in excess of $300,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of the Ontario Sphere of Influence General Plan in 1998, which provided for significant residential and commercial development, encouraged the farmers to sell their land and relocate.

2. **Conflicts between Urban Neighbors and Dairy Farms**
   The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

3. **Increasingly Stringent Environmental Regulations**
   The Region 8 Water Board, which encompasses Chino/Ontario, was among the first to develop environmental regulations to control dairy operations, with increasing restrictions imposed in 1994, 1999 and 2004, as the proximity of urban neighborhoods, contamination of ground water and air pollution started raised more concerns.

4. **Competition from Central Valley**
   The dairy farmers in the Chino basin face stiff competition from the farmers in the Central Valley because of "high operating costs, including high feed costs and the cost of manure disposal" (Ontario Sphere of Influence General Plan, which is hereby incorporated by reference).

   A study published in Agriculture and Resource Economics Review in 2008 demonstrated the effect of environmental regulations over time and the growth in dairy industries, attributed to the cheap land and relatively weak regulations in the Central Valley.

   According to CDFA, milk production has declined by 55 percent in San Bernardino County between 2003 and 2007, while production increased by 88 percent in Kern County.

   Figures 1 and 2 on the following page show trends in the number of milk cows in the Central Valley (Region 5) as compared to the loss in Region 8 from 1980 to 2008.

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Figure: 1
Milk Cows in Counties of Region 5 Central Valley

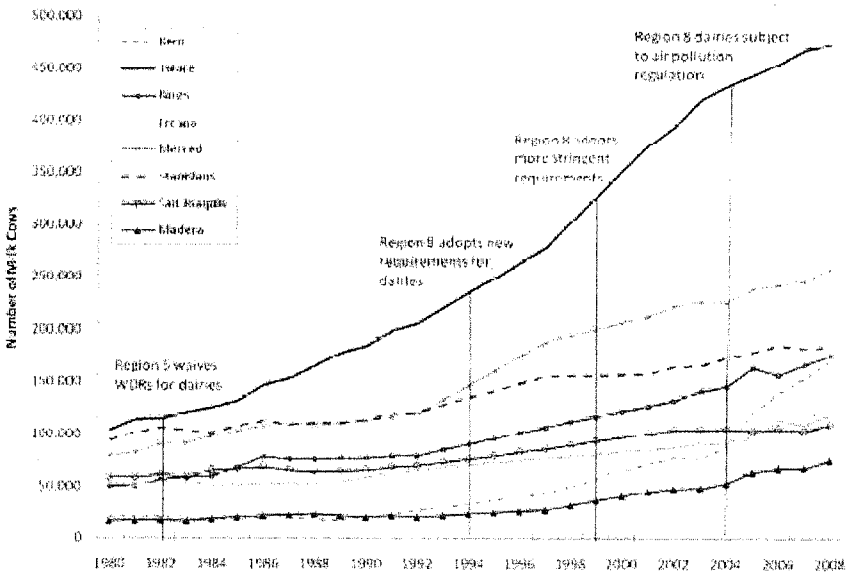

Source: Steeringer and Hogle, 2008

Figure: 2
Milk Cows in Region 8 – Inland Empire

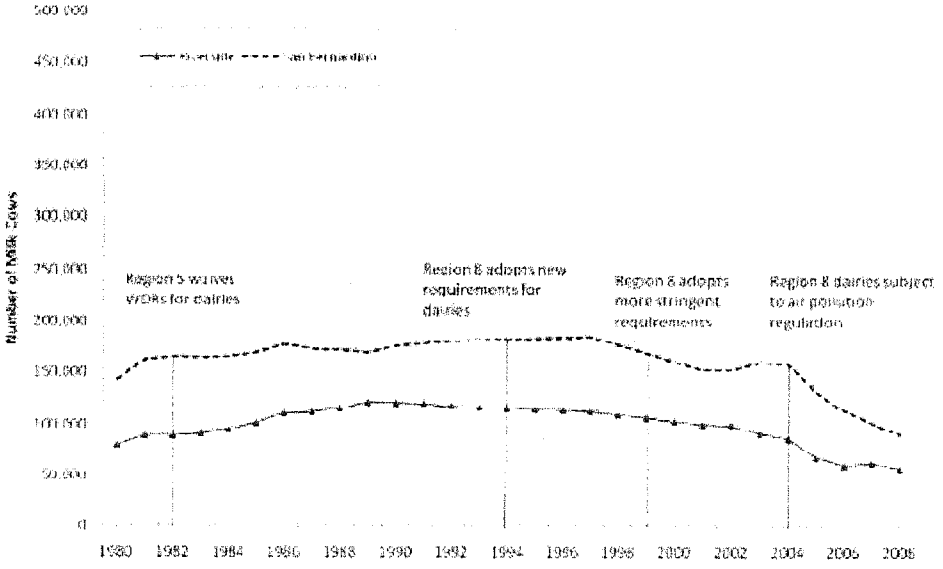

Source: Steeringer and Hogle, 2008

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The Central Valley farmers also face few development pressures as compared to the Chino area and they benefit from diverse farm economy, which is no longer present in the Chino basin. For example, the farmers use dairy waste to fertilize their own crops or of the neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

5. Operating Costs

According to the CDFA, production costs in dairy industry have risen by 50 percent since 2002 in California, putting more pressure on dairy farmers to cut other costs. Figure 3 below shows the growth in cost of production per CWT from 2002 to 3rd quarter 2008.

Figure 3
Cost of Production in the California Dairy Industry

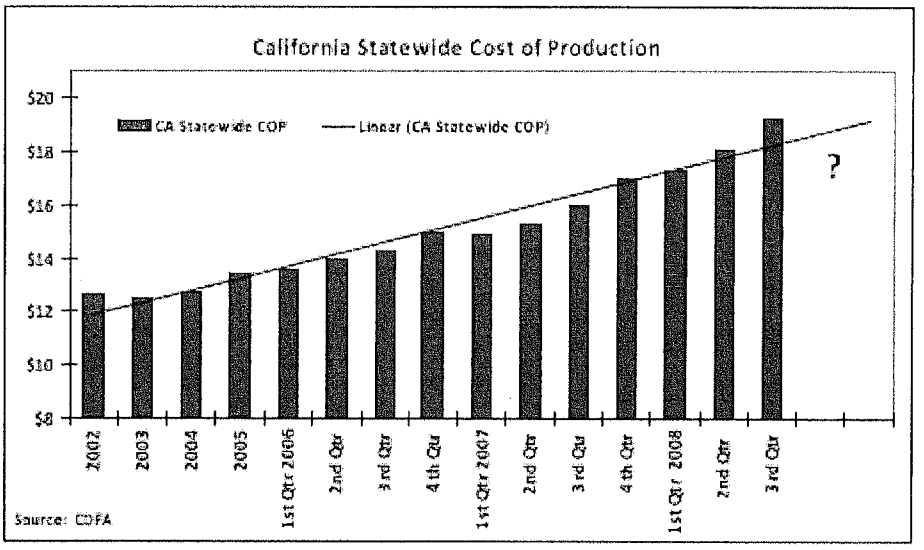

Source: California Department of Food and Agriculture, 2008

Labor Costs

There is a shortage of labor in the dairy industry. Many agricultural workers are looking for higher paying jobs in non-agricultural industries according to the CDFA, which makes it difficult for the dairy farmers to compete for labor and leads to increased labor costs.

The issue of immigration and compliance also leads to labor problems. As shown in Figure 4 there is significant difference in labor costs in the different milk-producing regions of California. In the chart, South Valley represents the counties of the Central Valley composed of Fresno, Kings, Tulare and Kern County. Overall labor costs are 25 percent higher in the Southern California region as compared to the statewide average.

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Figure 4 – Labor Costs, 2007

Labor Costs	North Coast	North Valley	South Valley	Southern California	2007 State Average
Per Hired Milker					
Hourly Cash Wage	$8.77	$10.29	$9.82	$12.38	$10.02
Hourly Perquisites (1)	1.84	2.24	0.95	1.49	1.40
Hourly Wage (2)	12.53	14.60	12.67	16.52	13.40
Per Hired Labor					
Hourly Cash Wage	8.87	10.88	11.36	13.79	11.18
Hourly Perquisites (1)	1.58	2.49	1.44	1.52	1.86
Hourly Wage (2)	12.40	15.56	14.94	18.18	15.21
Per All Hired					
Hourly Cash Wage	8.81	10.55	10.37	12.89	10.47
Hourly Wage (2)	12.48	15.03	13.48	17.12	14.10

(1) Includes Fair Market Value For Housing Supplied By Employer, Health Insurance, Meat, Etc.
(2) Includes Cash Wages, Perquisites, and Employment Taxes Paid by Employer

Source: *Cost of production, 2007, California Department of Food and Agriculture (CDFA)*

Water and Feed Costs

The San Bernardino County General Plan indicates that increasing cost of water is another reason for the conversion of agricultural land into other uses. Dairying itself does not need as much water, but increasing cost and lower supply of water affects the feed supply for dairy. Dairy producers rely on alfalfa produced in the state as the source for their feed supply. If production of alfalfa is curtailed, the dairy farmers will incur high costs in getting the feed from outside the area.

Waste Disposal Costs

It is estimated that the cows in Chino corrals[1] produce 500,000 tons of manure every year. With nearby farmland, encroached by urbanization, the cost of waste disposal increases, as distances to where the waste can be disposed increases, as well as the frequency of disposal that is required. As a result many farmers need to hire professional corral cleaners, which increases costs by up to $50,000 a year.

Commercial/Industrial and Residential Development Trends

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino County. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Chino, there have been almost 4,000 new housing units

[1] An enclosure for confining livestock

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built since 2000, with median housing prices tripling by 2007 (still more than doubling after the dramatic 2008 market declines).

Industrial development in the West Inland Empire region has seen similar growth with inventory increasing by 40 percent, or 75 million square feet since 2000. In Chino the growth has been over 50 percent, with 13 million square feet built in past eight years.

As a result of these trends, average land prices in the Inland Empire have increased to over $300,000 per acre, which compares to Kern County land values of less than $50,000 per acre

See Appendix Exhibits A-1 through A-6 for detailed trends in Chino/Inland Empire population, employment, residential building permits, home prices, industrial markets and land prices. Exhibit A-7 illustrates land sales in Kern County over the past three years.

Conclusion

Agriculture is being been significantly impacted by numerous economic, political and regulatory factors. As a result over 100,000 acres of farmland has been taken out of service since 1990 and is being redeveloped for residential, commercial and industrial uses. With massively lower land costs and less regulation, dairy operators have been steadily moving out of the Inland Empire towards Central Valley, Barstow and Kern County.

Continued agricultural operations are not financially feasible in western San Bernardino County. Agricultural operations of all types will continue to decline as a result of the economic forces at work impacting land owners. Agricultural operator's business decisions to cease production in western San Bernardino County will continue to occur regardless of land use decisions made by local agencies. In other words, land designated for agricultural use has little impact on the continued declining agricultural trends in western San Bernardino County.

Respectfully submitted,

Thomas R. Jirovsky
Senior Managing Director

Attachment

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Exhibit A-1:

POPULATION, HOUSEHOLD & EMPLOYMENT TRENDS

City of Chino and Inland Empire Region, 1990 - 2028

	1990	2000	2008	2013	2018	2023	2028	
City of Chino								
Population	59,542	67,159	80,840	87,171	95,363	103,310	110,925	
Households	15,591	17,302	20,037	22,439	25,267	28,129	31,011	
Employment (1)	--	34,055	40,083	43,601	46,369	49,176	52,014	
Inland Empire								
Population	2,588,793	3,254,821	4,170,780	4,412,362	4,860,408	5,288,378	5,694,330	
Households	866,804	1,034,812	1,297,214	1,408,835	1,589,394	1,770,540	1,951,244	
Employment (1)	--	1,121,464	1,403,755	1,622,181	1,837,011	2,055,234	2,276,332	
Growth - #		**1990-2000**	**2000-08**	**2008-13**	**2013-18**	**2018-23**	**2023-28**	**2008-28 Total**
City of Chino								
Population		7,617	13,681	6,331	8,192	7,947	7,615	30,085
Households		1,711	2,735	2,402	2,828	2,862	2,882	10,974
Employment (1)		--	6,028	3,518	2,769	2,806	2,838	11,931
Inland Empire								
Population		666,028	915,959	241,582	448,046	427,970	405,952	1,523,550
Households		168,008	262,402	111,621	180,559	181,147	180,704	654,030
Employment (1)		--	282,291	218,426	214,830	218,223	221,097	872,577
Growth - % CAGR		**1990-2000**	**2000-08**	**2008-13**	**2013-18**	**2018-23**	**2023-28**	**2008-28**
City of Chino								
Population		1.2%	2.3%	1.5%	1.8%	1.6%	1.4%	1.6%
Households		1.0%	1.9%	2.3%	2.4%	2.2%	2.0%	2.2%
Employment (1)		--	2.1%	1.7%	1.2%	1.2%	1.1%	1.3%
Inland Empire								
Population		2.3%	3.1%	1.1%	2.0%	1.7%	1.5%	1.6%
Households		1.8%	2.9%	1.7%	2.4%	2.2%	2.0%	2.1%
Employment (1)		--	2.8%	2.9%	2.5%	2.3%	2.1%	2.4%

Sources: Southern California Association of Governments (SCAG); Claritas; and CBRE Consulting

(1) Daytime employment data available from the year 2000.

(2) Projections based on forecast growth rates in population, households and employment according to SCAG.

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Exhibit A-2:
RESIDENT EMPLOYMENT TRENDS BY INDUSTRY & OCCUPATION
US Census, 1990 and 2000

	City of Chino, California					Inland Empire Region, CA				
	1990		2000		Change	1990		2000		Change
	#	%	#	%	('90-'00)	#	%	#	%	('90-'00)
RESIDENT EMPLOYMENT BY INDUSTRY										
Agriculture, forestry, and fisheries	**995**	*4.0%*	**378**	*1.4%*	**-62.0%**	**36,314**	*3.4%*	**18,997**	*1.5%*	**-47.7%**
Construction	2,172	*8.6%*	1,904	*7.1%*	-12.3%	109,894	*10.2%*	105,268	*8.3%*	-4.2%
Manufacturing	5,062	*20.1%*	4,660	*17.3%*	-7.9%	161,282	*14.9%*	157,003	*12.4%*	-2.7%
Transportation, Communication & Utilities	1,921	*7.6%*	1,907	*7.1%*	-0.7%	79,357	*7.4%*	78,459	*6.2%*	-1.1%
Wholesale trade	1,148	*4.6%*	1,355	*5.0%*	18.0%	44,018	*4.1%*	48,574	*3.8%*	10.4%
Retail trade	4,324	*17.2%*	3,360	*12.5%*	-22.3%	191,714	*17.8%*	160,926	*12.7%*	-16.1%
Finance, insurance, and real estate	1,811	*7.2%*	1,772	*6.6%*	-2.2%	68,174	*6.3%*	71,208	*5.6%*	4.5%
Services	6,404	*25.4%*	10,402	*38.6%*	62.4%	333,481	*30.9%*	557,909	*44.1%*	67.3%
Public administration	1,344	*5.3%*	1,243	*4.6%*	-7.5%	55,394	*5.1%*	65,784	*5.2%*	18.8%
RESIDENT EMPLOYMENT BY OCCUPATION										
Managerial & professional specialty	5,777	*22.9%*	7,702	*28.5%*	33.3%	253,002	*23.4%*	353,835	*28.0%*	39.9%
Technical, sales, & administrative support	8,655	*34.4%*	7,920	*29.4%*	-8.5%	338,842	*31.4%*	343,542	*27.2%*	1.4%
Service occupations, excl. Farming	6,098	*24.2%*	3,649	*13.5%*	-40.2%	297,318	*27.5%*	210,174	*16.6%*	-29.3%
Farming, forestry, & fishing	**825**	*3.3%*	**230**	*0.9%*	**-72.1%**	**31,593**	*2.9%*	**12,539**	*1.0%*	**-60.3%**
Operators, fabricators, & laborers	3,826	*15.2%*	7,480	*27.7%*	95.5%	158,873	*14.7%*	344,038	*27.2%*	116.5%

Sources: US Census 1990 and 2000; and, CBRE Consulting

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Exhibit A-3:

RESIDENTIAL BUILDING PERMIT TRENDS

City of Chino and Inland Empire, 2003 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008 YTD (1)	Total
CITY OF CHINO											
Number of Units											
Single Family	208	97	213	290	133	461	548	1,530	270	233	3,983
2-4 Units	2	0	0	6	0	6	3	2	10	11	40
Over 5 Units	0	0	0	0	0	46	0	0	5	0	51
Total	**210**	**97**	**213**	**296**	**133**	**513**	**551**	**1,532**	**285**	**244**	**4,074**
INLAND EMPIRE											
Number of Units											
Single Family	18,776	18,824	23,588	29,876	35,965	43,029	43,911	33,001	15,807	5,723	268,500
2-4 Units	154	169	335	323	719	1,085	971	943	717	218	5,634
Over 5 Units	1,730	2,198	3,486	2,103	5,568	7,206	3,887	3,609	3,346	2,667	35,800
Total	**20,660**	**21,191**	**27,409**	**32,302**	**42,252**	**51,320**	**48,769**	**37,553**	**19,870**	**8,608**	**309,934**

Source: US Census Bureau; and CBRE Consulting

(1) Year-to-date figures are through November.

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Exhibit A-4:

SINGLE FAMILY DETACHED AND CONDOMINIUM RESALES AND MEDIAN PRICES

1999 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	CAGR (1) 1999-2007	2008 YTD (2)
CITY OF CHINO											
Single Family Detached											
Number of Sales	771	742	734	824	807	812	892	638	383	-8.4%	390
Median Price	$165,000	$180,000	$200,000	$245,000	$293,000	$393,000	$468,000	$510,000	$493,000	14.7%	$348,828
Median Price per Sq. Ft.	$107	$117	$130	$150	$186	$242	$282	$316	$299	13.7%	$205
Condominium											
Number of Sales	176	177	249	227	270	297	249	199	114	-5.3%	75
Median Price	$89,000	$101,000	$213,000	$139,000	$172,000	$257,000	$350,000	$360,000	$349,000	18.6%	$220,000
INLAND EMPIRE (3)											
Single Family Detached											
Number of Sales	53,616	53,280	53,402	60,923	66,117	71,107	77,105	57,655	34,418	-5.4%	47,428
Median Price	$114,093	$127,093	$147,072	$169,301	$209,463	$279,000	$351,000	$384,000	$371,000	15.9%	$237,000
Median Price per Sq. Ft.	$80	$89	$100	$114	$139	$183	$225	$243	$219	13.4%	$129
Condominium											
Number of Sales	7,907	8,241	7,523	9,135	9,556	10,125	9,208	6,234	4,526	-6.7%	3,818
Median Price	$110,654	$125,616	$134,856	$156,656	$185,689	$246,000	$305,000	$324,000	$309,000	13.7%	$235,000

Source: DataQuick; and CBRE Consulting

(1) CAGR is the Compounded attached product.
(2) Through November of 2008.
(3) Counties of Riverside and San Bernardino.

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Exhibit A-5:

INDUSTRIAL MARKET TRENDS (Including Manufacturing, Warehouse/ Distribution and Flex/ R&D Space)

All Industrial Space, 2000 - 2008

Annual Trend by Market Area	SUPPLY				DEMAND				LEASE RATE ($/ SF/ Yr.) (1,2)
	Inventory Bldgs.	Inventory GLA (SF)	Vacancy Rate % (1)	SF Delivered	Availability Rate % (1)	Total Deals	Total SF Leased	SF Net Absorption	
CITY OF CHINO									
2000	700	26,193,974	6.3%	1,324,718	6.2%	48	2,837,298	2,066,088	$4.22
2001	740	29,556,952	9.1%	3,356,978	7.0%	69	3,992,191	1,143,131	4.23
2002	746	30,987,160	9.5%	1,430,208	6.7%	62	1,837,843	2,333,176	4.22
2003	759	31,808,016	6.9%	840,856	5.3%	70	3,269,765	1,233,039	4.28
2004	810	34,244,597	5.8%	2,436,581	4.8%	58	2,298,219	2,646,719	4.05
2005	839	35,806,075	6.0%	1,561,478	3.2%	49	4,086,926	1,408,611	4.37
2006	890	36,983,611	4.1%	1,177,536	3.2%	90	2,519,670	1,741,256	4.89
2007	920	37,807,715	3.5%	824,104	1.9%	79	3,439,874	1,253,582	5.27
2008	940	39,388,723	3.8%	1,532,073	3.0%	92	1,272,884	236,914	5.62
Total				**14,484,532**		617	25,554,670	14,062,516	
INLAND EMPIRE - WEST									
2000	4,525	182,350,197	7.0%	11,832,057	6.0%	327	20,719,392	11,652,452	$4.33
2001	4,647	196,559,678	9.1%	14,229,605	7.0%	386	16,767,690	7,590,465	4.10
2002	4,733	205,652,089	9.7%	9,112,241	8.0%	449	14,359,710	10,426,034	4.07
2003	4,846	212,236,879	8.1%	6,616,190	6.9%	420	17,009,833	8,889,859	4.10
2004	5,020	221,351,863	6.7%	9,114,984	5.1%	520	15,696,199	11,621,860	4.16
2005	5,193	231,106,533	5.9%	9,754,670	4.1%	428	17,533,422	9,322,643	4.37
2006	5,354	241,718,326	6.6%	10,693,858	5.2%	556	14,797,337	7,318,331	4.76
2007	5,517	247,095,120	4.9%	5,357,915	3.5%	492	18,765,295	10,781,364	5.28
2008	5,605	256,069,663	7.0%	8,902,188	6.3%	656	12,466,952	(807,685)	5.50
Total				**85,613,708**		4,234	148,115,830	76,795,323	

Sources: Costar Group Inc., 2008; and, CBRE Consulting

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Exhibit A-6:

LAND SALES IN THE CITY OF CHINO

5+ Acres' Land Sales, 2005 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address	Property Name	Land Improvements	Zoning	Acres	Land SF	Sale Date	Sale Price	$/Acre
1	8649 Merrill Ave	Land			83.5	3,635,082	11/30/2006	$36,050,400	$432,000
2	8711 Pine Ave	Single Family Residence Site	Previously developed lot	LDR, Chino	51.3	2,233,321	4/17/2006	14,242,000	277,784
3	Bickmore Ave	Warehouse/distribution Site	Raw land	M2, Chino	33.2	1,444,014	10/4/2005	14,229,525	429,247
4	7851 Bickmore Ave	H & R Westra Dairy Land	Raw land	N/Av,Chino	27.7	1,206,612	6/30/2006	6,248,000	225,560
5	4619 Eucalyptus Ave	26.67 acres		C	26.7	1,161,745	11/9/2006	6,774,500	254,012
6	Riverside Dr	Single Family Residence Site	Not Available	N/Av, Chino	23.6	1,028,016	3/29/2006	4,250,000	180,085
7	Mountain Ave	M2 Zoned Acreage	Raw land	M2, Chino	19.1	832,919	11/4/2005	1,102,000	57,632
8	7850 Bickmore Ave	Mdr Zoned Land	None	MDR, Chino	18.8	817,246	10/5/2005	6,097,000	324,976
9	Kimball Ave	Lewis Preserve	Finished lot	PD, Chino	18.8	817,185	7/15/2005	11,300,000	602,346
10	4500 Chino Hills Pky	The Village At Chino Walk	Raw land	CO, Chino	12.8	558,439	2/10/2006	7,889,000	615,367
11	13945 Ramona Ave	Planned Industrial Development Site	Fully Improved Lot	M2, Chino	9.0	392,911	11/3/2005	935,000	103,659
12	7.19 Acres Mountain Ave				7.2	313,196	9/4/2007	725,000	100,835
13	15757 Mountain Ave				6.2	270,072	10/12/2006	5,075,000	818,548
14	Kimball Ave	58 Lot Condominums Site	Raw land	RD8, Chino	6.1	266,587	7/22/2005	7,431,000	1,214,217
15	12594 Roswell Ave		Previously developed lot	RD-20M	4.9	214,315	7/22/2005	1,100,000	223,577
16	13116-13142 Norton Ave	Residential Zoned Acreage		RS-1, SB County	4.8	211,004	9/19/2006	1,625,000	335,468
							Land Sales Avg.:		**$353,718**
							Land Sales Median:		**$301,380**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information as reported by the Costar Group are presented.

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Exhibit A-7:

LAND SALES IN KERN COUNTY

Commercial, Industrial and Residential Land Sales, 2005 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address in City of Chino	City	Property Name/ Land Imp.	Zoning	Acres	Land SF	Sale Date	Sale Price	$/ Acre
1	SE Elmo Hwy @ Elmo Hwy & Browning Rd	Mc Farland	Falcon Heights		135.0	5,880,600	11/15/2007	$2,142,000	$15,867
2	Pacheco Rd	Bakersfield	Vacant Land 67.57 Acres	M-3, Bakersfield	67.6	2,943,349	10/10/2008	2,500,000	36,999
3	1234 Willow Springs Rd	Mojave			40.0	1,742,400	12/19/2008	128,000	3,200
4	Scofield Rd	Wasco	Wasco Valley Rose - vacant land		40.0	1,742,400	9/29/2006	1,999,582	49,990
5	Mojave Tropical Rd	Rosamond			40.0	1,742,400	6/7/2007	335,000	8,375
6	NW Hanawalt Ave @ Hanawalt & Mast Ave	Mc Farland	Sierra Springs		38.2	1,665,655	11/15/2007	599,000	15,665
7	16701 Brimhall Rd	Bakersfield		E-1 RS, Bakersfield	35.0	1,524,164	12/7/2007	2,000,000	57,159
8	17174 Highway 14	Mojave		M-2	34.4	1,496,286	2/22/2008	550,000	16,012
9	4057-4061 Industrial Pky	Lebec	Tejon Industrial Complex - Bldg. U.C.		23.8	1,034,550	7/1/2008	2,500,000	105,263
10	College Heights Blvd @ Kendall Avenue	Ridgecrest	Villas at College Heights		22.7	988,812	3/22/2007	2,300,000	101,322
11	Stockdale Hwy @ Heath	Bakersfield		Commercial	20.0	871,200	5/1/2007	3,600,000	180,000
12	Archibald Ave	Maricopa	Parcel 4		20.0	871,200	4/20/2007	165,000	8,250
13	Johnson Rd @ Driver	Bakersfield		A-1	20.0	871,200	9/11/2007	1,000,000	50,000
14	Wheeler Ridge Rd @ Creekside Dr.	Arvin	Wheeler Ridge Site		19.5	847,242	11/17/2008	379,990	19,537
15	132 White Ln	Bakersfield	3 Buildings apx 2,555 SF	Light Industrial	15.5	673,002	11/28/2007	1,300,000	84,142
16	Avenue A & 120th W	Rosamond	no zoning restrictions		14.5	631,620	1/24/2007	125,000	8,621
17	Henry Rd	Taft		M-2	14.3	620,730	2/5/2008	505,000	35,439
18	NWC McCutchen & Gosford Rd	Bakersfield		C2	10.0	435,600	6/15/2007	2,275,000	227,500
19	Compagnoni St	Bakersfield			10.0	435,600	9/21/2007	650,000	65,000
20	Mercedes Blvd	California City	10 Acres	R2.5	10.0	435,600	5/4/2007	25,000	2,500
21	Redrock Randsburg Rd	North Edwards	Vacant Land-10 Acres		10.0	435,600	5/26/2006	20,000	2,000
22	Eucalyptus Dr (2 Properties)	Bakersfield	Multi-Property Sale		9.6	418,176	11/9/2007	980,000	102,083
23	5901 Mills Rd	Bakersfield	Mills Road Land		8.8	381,150	9/12/2007	820,000	93,714
24	S China Lake Blvd @ Bowmen Ave.	Ridgecrest	NEC of S. China Lake @ Bowman	GC, Ridgecrest	6.9	302,306	7/3/2008	1,500,000	216,139
25	1245 Kern St	Taft			6.4	279,655	8/31/2007	200,000	31,153
26	N Norma St @ West Ward Avenue	Ridgecrest		R-2	6.0	259,618	10/4/2006	420,000	70,470
27	W Day Ave @ Airport Drive	Bakersfield			5.8	250,470	10/4/2007	1,300,000	226,087
				Residential Land Sales Avg.:					**$44,347**
				Residential Land Sales Median:					**$49,990**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information as reported by the Costar Group are presented.

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CB RICHARD ELLIS

355 South Grand Avenue, Suite 1200
Los Angeles, CA 90071-1549

T 213 613 3750
F 213 613 3780
www.cbre.com

March 18, 2009

Matt Englhard
Regional Development Officer
First Industrial Realty Trust, Inc.
114 Pacifica, Suite 220
Irvine, CA 92618

Re: Economic Viability of Agriculture in the East Inland Empire

Dear Mr. Englhard:

Per your request CBRE Consulting has examined the economic and market trends affecting agriculture operations throughout California, with particular attention to the specific challenges relative to the communities of Perris and Sun City in eastern Riverside County area of the Inland Empire.

Founded in 1978 as Sedway Group, CBRE Consulting is a nationally recognized full-service real estate and urban economics consulting firm with offices in Los Angeles and San Francisco. CBRE brings a multi-disciplined approach to property evaluation of all major land use types. CBRE specializes in real estate market analysis, economic development studies for residential, commercial and industrial projects throughout California and the western United States.

BACKGROUND

The Inland Empire once held the largest concentration of dairies and supporting agriculture (e.g., alfalfa farming) in the world. This region is now facing tremendous urbanization and development pressures. The agricultural land is continually declining in the Inland Empire. According to the State of California, Department of Conservation, Riverside County lost 50,000 acres of farmland from 1990 through 2002. San Bernardino County lost 47,000 acres in prime farmland over the same period.

For this analysis, CBRE performed an extensive internet/literature search relative to the economics of agricultural and dairy farming to understand the economic and other challenges to continued agriculture uses in the Inland Empire. CBRE also gathered relevant demographic, real estate and other economic data to illustrate historic and projected land use trends near Perris and the eastern Inland Empire.

There are many factors which demonstrate the infeasibility of agriculture production in Eastern Inland Empire, resulting in many dairy operators and supporting agricultural operations moving to Kern County.

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- Urbanization in the Inland Empire, resulting in dramatically increasing land prices,
- Higher water and labor costs;
- Environmental regulation (insects, odors, ground water contamination and solid waste removal) and,
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

1. **Increasing Land Values**
   Due to competing land uses, land prices have increased dramatically in the area in excess of $250,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of various General Plans in the Inland Empire emphasizing significant residential and commercial development have also encouraged the farmers to sell their land and relocate.

2. **Conflicts between Urban Neighbors and Dairy Farms**
   The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

3. **Increasingly Stringent Environmental Regulations**
   The Region 8 Water Board, which encompasses Perris, was among the first to develop environmental regulations to control dairy operations, with increasing restrictions imposed in 1994, 1999 and 2004, as the proximity of urban neighborhoods, contamination of ground water and air pollution started raised more concerns.

4. **Competition from Central Valley**
   The dairy farmers in the Inland Empire face stiff competition from the farmers in the Central Valley because of high operating costs, including high feed costs and the cost of manure disposal.

   A study published in Agriculture and Resource Economics Review in 2008 demonstrated the effect of environmental regulations over time and the growth in dairy industries, attributed to the cheap land and relatively weak regulations in the Central Valley.

   According to CDFA, milk production has declined by approximately 45 percent in Riverside County between 2002 and 2007, while production increased by 88 percent in Kern County.

   Figures 1 and 2 on the following page show trends in the number of milk cows in the Central Valley (Region 5) as compared to the loss in Region 8 from 1980 to 2008.

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Figure: 1
Milk Cows in Counties of Region 5 Central Valley

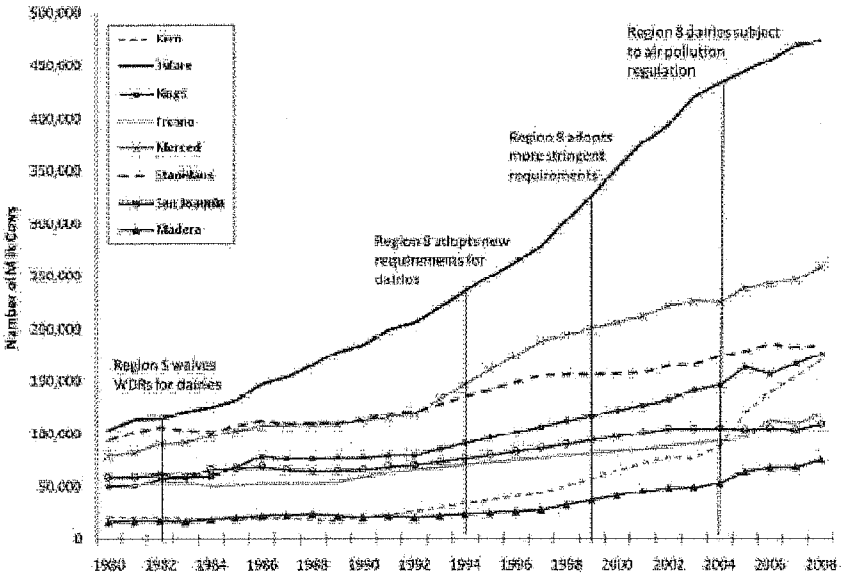

Source: Steeringer and Hogle, 2008

Figure: 2
Milk Cows in Region 8 – Inland Empire

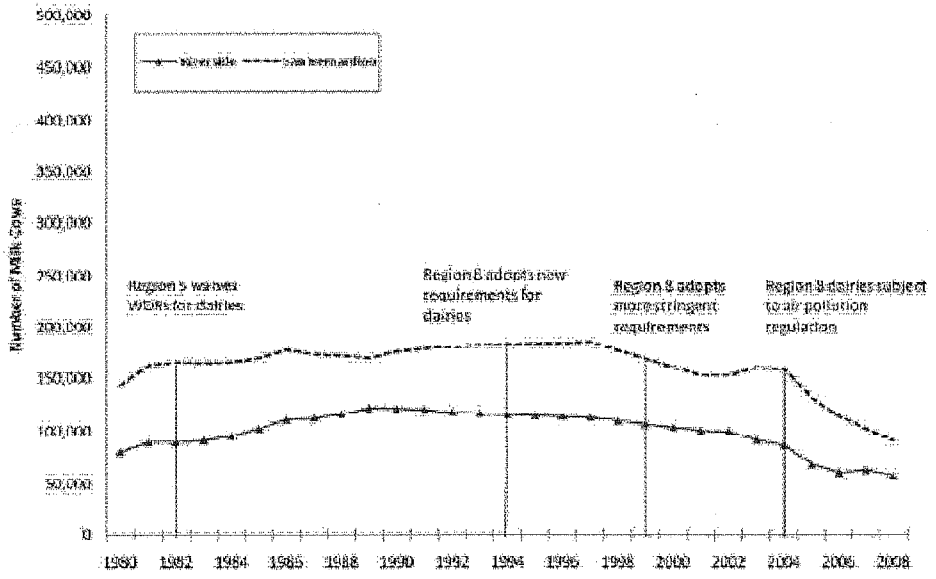

Source: Steeringer and Hogle, 2008

The Central Valley farmers also face few development pressures as compared to the Inland Empire and they benefit from diverse farm economy. For example, the farmers use dairy waste to fertilize their own crops or of the neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

5. Operating Costs

According to the CDFA, production costs in dairy industry have risen by 50 percent since 2002 in California, putting more pressure on dairy farmers to cut other costs. Figure 3 below shows the growth in cost of production per CWT from 2002 to 3rd quarter 2008.

Figure 3
Cost of Production in the California Dairy Industry

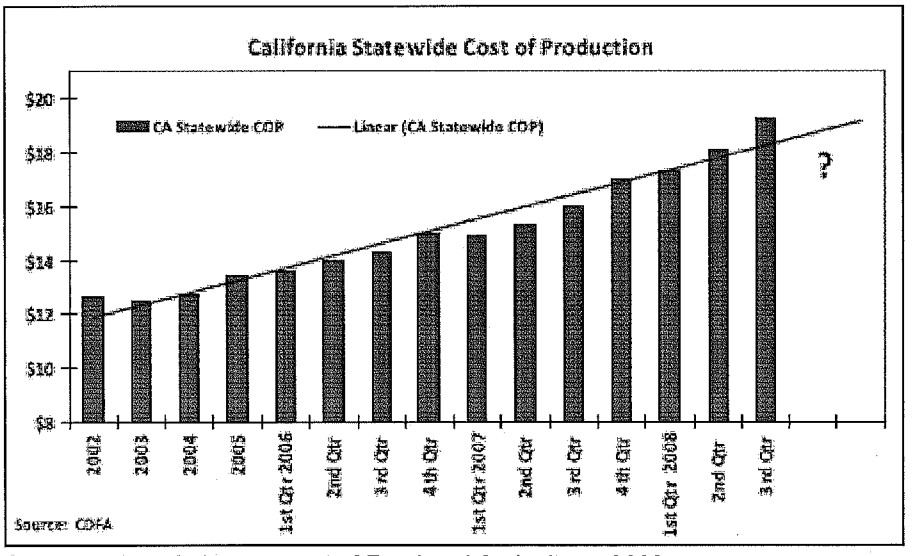

Source: California Department of Food and Agriculture, 2008

Labor Costs

There is a shortage of labor in the dairy industry. Many agricultural workers are looking for higher paying jobs in non-agricultural industries according to the CDFA, which makes it difficult for the dairy farmers to compete for labor and leads to increased labor costs.

The issue of immigration and compliance also leads to labor problems. As shown in Figure 4 there is significant difference in labor costs in the different milk-producing regions of California. In the chart, South Valley represents the counties of the Central Valley composed of Fresno, Kings, Tulare and Kern County. Overall labor costs are 25 percent higher in the Southern California region as compared to the statewide average.

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Figure 4 – Labor Costs, 2007

Labor Costs	North Coast	North Valley	South Valley	Southern California	2007 State Average
Per Hired Milker					
Hourly Cash Wage	$8.77	$10.29	$9.82	$12.38	$10.02
Hourly Perquisites (1)	1.84	2.24	0.95	1.49	1.40
Hourly Wage (2)	12.53	14.60	12.67	16.52	13.40
Per Hired Labor					
Hourly Cash Wage	8.87	10.88	11.36	13.79	11.18
Hourly Perquisites (1)	1.58	2.49	1.44	1.52	1.86
Hourly Wage (2)	12.40	15.56	14.94	18.18	15.21
Per All Hired					
Hourly Cash Wage	8.81	10.55	10.37	12.89	10.47
Hourly Wage (2)	12.48	15.03	13.48	17.12	14.10

(1) Includes Fair Market Value For Housing Supplied By Employer, Health Insurance, Meat, Etc.
(2) Includes Cash Wages, Perquisites, and Employment Taxes Paid by Employer

Source: *Cost of production, 2007, California Department of Food and Agriculture (CDFA)*

Water and Feed Costs

Increasing cost of water is another reason for the conversion of agricultural land into other uses. Dairying itself does not need as much water, but increasing cost and lower supply of water affects the feed supply for dairy. Dairy producers rely on alfalfa produced in the state as the source for their feed supply. If production of alfalfa is curtailed, the dairy farmers will incur high costs in getting the feed from outside the area.

Waste Disposal Costs

The livestock at dairy farms produce significant tonnage of manure every year. With nearby farmland, encroached by urbanization, the cost of waste disposal increases, as distances to where the waste can be disposed increases, as well as the frequency of disposal that is required. As a result many farmers need to hire professional corral cleaners, which increases costs by up to $50,000 a year.

Commercial/Industrial and Residential Development Trends

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino County. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Perris, there have been almost 4,500 new housing units built since 2000, with median housing prices more than tripling by 2007, and still nearly doubling after the dramatic 2008 market declines.

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Industrial development in the East Inland Empire region has seen similar growth with inventory increasing by 60 percent, or 92 million square feet since 2000. In Perris the growth has been nearly 100 percent, with 5 million square feet built in past eight years.

As a result of these trends, average land prices in the Inland Empire have increased to over $250,000 per acre, which compares to Kern County land values of less than $50,000 per acre

See Appendix Exhibits A-1 through A-6 for detailed trends in Perris/Inland Empire population, employment, residential building permits, home prices, industrial markets and land prices. Exhibit A-7 illustrates land sales in Kern County over the past three years.

Conclusion

Agriculture is being been significantly impacted by numerous economic, political and regulatory factors. As a result over 100,000 acres of farmland has been taken out of service since 1990 and is being redeveloped for residential, commercial and industrial uses. With lower land costs and less regulation, dairy operators and supporting agricultural uses such as dry farming and alfalfa production have been steadily moving out of the Inland Empire towards Central Valley, Barstow and Kern County.

Continued agricultural operations are not financially feasible in the Perris/eastern Riverside County region. Agricultural operations of all types will continue to decline as a result of the economic forces at work impacting land owners. Agricultural operator's business decisions to cease production will continue to occur regardless of land use decisions made by local agencies. In other words, land designated for agricultural use has little impact on the continued declining agricultural trends in Perris/eastern Riverside County.

Respectfully submitted,

Thomas R. Jirovsky
Senior Managing Director

Attachment

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Exhibit A-1:

POPULATION, HOUSEHOLD & EMPLOYMENT TRENDS

City of Perris and Inland Empire Region, 1990 - 2029

	1990	2000	2009	2014	2019	2024	2029	
City of Perris								
Population	22,202	36,189	54,592	62,440	69,956	77,175	83,601	
Households	6,848	9,652	14,160	16,300	18,032	19,808	21,616	
Employment (1)	--	11,715	17,332	19,042	20,108	22,194	24,810	
Inland Empire								
Population	2,588,793	3,254,821	4,170,780	4,505,315	4,950,365	5,373,155	5,774,903	
Households	866,804	1,034,812	1,297,214	1,445,415	1,626,549	1,807,342	1,988,035	
Employment (1)	--	1,121,464	1,450,397	1,665,604	1,881,342	2,099,942	2,321,648	
Growth - #		**1990-00**	**2000-09**	**2009-14**	**2014-19**	**2019-24**	**2024-29**	**2009-29 Total**
City of Perris								
Population		13,987	18,403	7,848	7,516	7,219	6,426	29,009
Households		2,804	4,508	2,140	1,732	1,776	1,808	7,456
Employment (1)		--	5,617	1,710	1,066	2,086	2,616	7,478
Inland Empire								
Population		666,028	915,959	334,535	445,050	422,791	401,748	1,604,123
Households		168,008	262,402	148,201	181,134	180,793	180,693	690,821
Employment (1)		--	328,933	215,207	215,738	218,600	221,706	871,251
Growth - % CAGR		**1990-00**	**2000-09**	**2009-14**	**2014-19**	**2019-24**	**2024-29**	**2009-29**
City of Perris								
Population		5.0%	4.7%	2.7%	2.3%	2.0%	1.6%	2.2%
Households		3.5%	4.4%	2.9%	2.0%	1.9%	1.8%	2.1%
Employment (1)		--	4.4%	1.9%	1.1%	2.0%	2.3%	1.8%
Inland Empire								
Population		2.3%	2.8%	1.6%	1.9%	1.7%	1.5%	1.6%
Households		1.8%	2.5%	2.2%	2.4%	2.1%	1.9%	2.2%
Employment (1)		--	2.9%	2.8%	2.5%	2.2%	2.0%	2.4%

Sources: Southern California Association of Governments (SCAG); Claritas; and CBRE Consulting

(1) Daytime employment data available from the year 2000.

(2) Projections based on forecast growth rates in population, households and employment according to SCAG.

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Exhibit A-2:
RESIDENT EMPLOYMENT TRENDS BY INDUSTRY & OCCUPATION
US Census, 1990 and 2000

	City of Perris, California					Inland Empire Region, CA				
	1990		2000		Change	1990		2000		Change
	#	%	#	%	('90-'00)	#	%	#	%	('90-'00)
RESIDENT EMPLOYMENT BY INDUSTRY										
Agriculture, forestry, and fisheries	**389**	*5.0%*	**97**	*0.8%*	**-75.1%**	**36,314**	*3.4%*	**18,997**	*1.5%*	**-47.7%**
Construction	965	*12.4%*	1,352	*11.3%*	40.1%	109,894	*10.2%*	105,268	*8.3%*	-4.2%
Manufacturing	1,668	*21.4%*	2,233	*18.7%*	33.9%	161,282	*14.9%*	157,003	*12.4%*	-2.7%
Transportation, Communication & Utilities	484	*6.2%*	634	*5.3%*	31.0%	79,357	*7.4%*	78,459	*6.2%*	-1.1%
Wholesale trade	242	*3.1%*	474	*4.0%*	95.9%	44,018	*4.1%*	48,574	*3.8%*	10.4%
Retail trade	1,274	*16.3%*	1,563	*13.1%*	22.7%	191,714	*17.8%*	160,926	*12.7%*	-16.1%
Finance, insurance, and real estate	400	*5.1%*	408	*3.4%*	2.0%	68,174	*6.3%*	71,208	*5.6%*	4.5%
Services	2,019	*25.9%*	4,653	*39.0%*	130.5%	333,481	*30.9%*	557,909	*44.1%*	67.3%
Public administration	357	*4.6%*	520	*4.4%*	45.7%	55,394	*5.1%*	65,784	*5.2%*	18.8%
RESIDENT EMPLOYMENT BY OCCUPATION										
Managerial & professional specialty	1,357	*17.4%*	2,110	*17.7%*	55.5%	253,002	*23.4%*	353,835	*28.0%*	39.9%
Technical, sales, & administrative support	2,042	*26.2%*	2,967	*24.9%*	45.3%	338,842	*31.4%*	343,542	*27.2%*	1.4%
Service occupations, excl. Farming	2,327	*29.8%*	2,071	*17.4%*	-11.0%	297,318	*27.5%*	210,174	*16.6%*	-29.3%
Farming, forestry, & fishing	**345**	*4.4%*	**52**	*0.4%*	**-84.9%**	**31,593**	*2.9%*	**12,539**	*1.0%*	**-60.3%**
Operators, fabricators, & laborers	1,727	*22.1%*	4,734	*39.7%*	174.1%	158,873	*14.7%*	344,038	*27.2%*	116.5%

Sources: US Census 1990 and 2000; and, CBRE Consulting

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Exhibit A-3:

RESIDENTIAL BUILDING PERMIT TRENDS

City of Perris and Inland Empire, 10-Year Trends

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total
CITY OF PERRIS											
Number of Units											
Single Family	186	9	145	492	1,269	1,573	1,746	812	599	107	6,938
2-4 Units	4	8	0	0	0	0	0	0	0	0	12
Over 5 Units	76	62	0	186	0	0	0	0	96	0	420
Total	**266**	**79**	**145**	**678**	**1,269**	**1,573**	**1,746**	**812**	**695**	**107**	**7,370**
INLAND EMPIRE											
Number of Units											
Single Family	18,776	18,824	23,588	29,876	35,965	43,029	43,911	33,001	15,807	5,723	268,500
2-4 Units	154	169	335	323	719	1,085	971	943	717	218	5,634
Over 5 Units	1,730	2,198	3,486	2,103	5,568	7,206	3,887	3,609	3,346	2,667	35,800
Total	**20,660**	**21,191**	**27,409**	**32,302**	**42,252**	**51,320**	**48,769**	**37,553**	**19,870**	**8,608**	**309,934**

Source: US Census Bureau; and CBRE Consulting

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Exhibit A-4:
SINGLE FAMILY DETACHED AND CONDOMINIUM RESALES AND MEDIAN PRICES
1999 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	CAGR(1) 1999-2008
CITY OF PERRIS											
Single Family Detached											
Number of Sales	1,042	970	919	976	1,069	1,166	1,657	1,466	638	1,670	5.4%
Median Price	$81,246	$94,597	$116,899	$133,884	$170,564	$241,973	$326,336	$372,010	$348,354	$183,635	9.5%
Median Price per Sq. Ft.	$62	$72	$87	$101	$126	$178	$224	$240	$207	$96	5.1%
Condominium											
Number of Sales	0	0	0	0	1	0	0	0	0	6	n.a.
Median Price	$0	$0	$0	$0	$140	$0	$0	$0	$0	$138	n.a.
INLAND EMPIRE (2)											
Single Family Detached											
Number of Sales	53,616	53,280	53,402	60,923	66,117	71,107	77,105	57,655	34,418	53,947	0.1%
Median Price	$114,093	$127,093	$147,072	$169,301	$209,463	$279,000	$351,000	$384,000	$371,000	$231,000	8.2%
Median Price per Sq. Ft.	$80	$89	$100	$114	$139	$183	$225	$243	$219	$125	5.0%
Condominium											
Number of Sales	7,907	8,241	7,523	9,135	9,556	10,125	9,208	6,234	4,526	4,095	-7.1%
Median Price	$110,654	$125,616	$134,856	$156,656	$185,689	$246,000	$305,000	$324,000	$309,000	$220,000	7.9%

Source: DataQuick; and CBRE Consulting

(1) CAGR is the Compounded annual growth rate.
(2) Counties of Riverside and San Bernardino.

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Exhibit A-5:

INDUSTRIAL MARKET TRENDS (Including Manufacturing, Warehouse/ Distribution and Flex/ R&D Space)

All Industrial Space, 2000 - 2008

Annual Trend by Market Area	SUPPLY				DEMAND				LEASE RATE ($/SF/Yr.) (1,2)
	Inventory Bldgs.	Inventory GLA (SF)	Vacancy Rate % (1)	SF Delivered	Availability Rate % (1)	Total Deals	Total SF Leased	SF Net Absorption	
CITY OF PERRIS SUB-MARKET									
2000	141	5,373,641	0.6%	38,110	0.6%	1	1,272,500	51,860	$4.88
2001	146	7,076,631	1.7%	1,702,990	1.6%	1	20,350	1,606,362	5.64
2002	146	7,076,631	2.1%	0	1.4%	2	115,960	5,509	4.68
2003	147	7,125,503	2.2%	48,872	2.2%	2	65,303	28,429	5.11
2004	150	7,381,220	1.0%	255,717	0.7%	0	17,800	367,551	n.a.
2005	153	7,595,862	0.9%	214,642	0.9%	2	2,500	165,460	n.a.
2006	157	7,663,213	1.3%	67,351	1.3%	3	3,458	4,173	5.72
2007	175	9,666,032	8.8%	2,002,819	8.7%	5	1,760,642	1,768,468	7.08
2008	206	10,458,307	11.1%	792,275	11.1%	13	38,674	(339,813)	6.74
Total				**5,122,776**		29	3,297,187	3,657,999	
INLAND EMPIRE - EAST MARKET									
2000	5,002	150,133,588	3.9%	6,630,360	3.6%	312	10,892,596	7,668,578	$6.50
2001	5,076	157,202,306	3.9%	7,068,718	3.1%	355	7,684,689	6,501,787	4.68
2002	5,182	161,820,506	4.3%	4,582,653	3.8%	404	6,636,531	2,394,637	4.57
2003	5,269	167,822,636	5.0%	6,098,659	4.3%	387	9,055,454	5,240,209	4.59
2004	5,470	176,211,830	4.6%	8,389,194	3.1%	500	8,017,923	9,626,436	4.98
2005	5,725	188,313,075	4.6%	12,120,753	3.6%	470	7,611,452	8,938,859	5.01
2006	6,055	208,029,558	7.5%	19,691,663	5.7%	545	13,195,412	13,006,436	5.90
2007	6,291	226,876,355	8.4%	18,563,797	7.5%	624	17,026,809	16,405,909	6.28
2008	6,541	242,869,862	13.0%	15,234,949	12.0%	996	12,632,717	1,932,294	5.71
Total				**98,380,746**		4,593	92,753,583	71,715,145	

Sources: Costar Group Inc., 2008; and, CBRE Consulting

(1) The sub-market is defined as a 5-mile radius from the City Hall and includes the entire City of Perris.

(2) Inland Empire East market, which comprises the City of Perris per Costar definition, also includes the Coachella Valley, Corona, East San Bernardino, Riverside, South Riverside and Outlying San Bernardino sub-markets.

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Exhibit A-6:

LAND SALES IN THE CITY OF PERRIS SUB-MARKET

5+ Acres Land Sales, 2006 - 2009

#	Property Location: Address	Property Location: Property Name	Property Characteristics: Land Improvements	Property Characteristics: Type	Property Characteristics: Zoning	Property Characteristics: Acres	Property Characteristics: Land SF	Sales Characteristics: Sale Date	Sales Characteristics: Sale Price	Sales Characteristics: $/ Acre
1	Lukens Ln			Commercial	M3	36.7	1,599,087	9/21/2007	$500,000	$13,620
2	Nuevo Rd @ I-215	Nuevo & A St.		Commercial		6.0	261,360	7/27/2007	1,833,000	305,500
3	Dawson Rd @ San Jacinto			Commercial	RR	14.4	628,570	6/13/2007	1,734,000	120,166
4	Ethanac Rd @ McPherson r	5.0 Acres		Commercial	Commercial Commuity	5.0	217,800	5/17/2007	1,250,000	250,000
5	Nuevo Rd @ I-215	Nuevo & A St.		Commercial		6.0	261,360	5/10/2007	653,400	108,900
6	Morgan St	Hold For Development Site	Raw land	Commercial	CC, Perris	6.2	268,329	2/7/2007	1,895,000	307,631
7	9.24 acres Nuevo Rd	Vacant Land	None	Commercial	LI	9.2	402,494	1/24/2007	1,600,000	173,160
8	Old Nuevo Rd @ Perris Blvd		None	Commercial	C1	7.8	341,510	1/2/2007	4,960,000	632,654
9	23040 Rider St			Commercial		7.3	318,423	12/7/2006	875,000	119,699
10	Palomar Rd @ McLaughlin Rd			Commercial		18.2	794,098	11/15/2006	1,700,000	93,253
11	23641 Placentia Ave	Zoned Acreage	Not Available	Commercial	RR	9.5	412,077	9/5/2006	900,000	95,138
12	Redlands Ave	Sp Zoned Acreage	Raw land	Commercial	SP, Perris	20.7	901,774	8/25/2006	3,500,000	169,067
13	Citrus Ave	CC Zoned Acreage	Raw land	Commercial	CC, Perris	38.4	1,670,765	6/29/2006	7,087,000	184,771
14	Cajalco Rd	Acreage	Raw land	Commercial	N/Av, Riverside Co.	13.3	580,219	6/14/2006	2,800,000	210,210
15	23772 Water St	Indacochea Sheep Farm	Not Available	Commercial	N/Av	9.7	420,354	6/6/2006	1,650,000	170,984
16	28067 State Highway 74	Rr Zoned Acreage	Raw land	Commercial	RR, Riverside Co.	5.2	227,383	5/23/2006	1,275,000	244,253
17	Markham St	Unknown Site	Raw land	Commercial	A102, Riverside	9.7	422,967	3/3/2006	1,150,000	118,435
								Commercial Average:		**$158,336**
								Commercial Median:		**$170,984**
18	Mountain Ave	Future Cemex Location		Industrial	GI	5.0	218,235	12/5/2008	1,819,837	363,242
19	355 W Markham St	22.25 acres		Industrial	RA	22.4	977,050	5/20/2008	5,446,960	242,843
20	24390 Nuevo Rd		None	Industrial	IP	6.0	261,360	11/8/2007	1,090,000	181,667
21	Rider St @ Redlands Ave	17.1 Acres		Industrial	M1, RA	17.1	744,876	6/26/2007	3,550,000	207,602
22	Webster Ave @ Morgan St	6.0-Acres Vacant Land		Industrial		6.0	261,360	3/9/2007	1,895,000	315,833
23	24345 Citrus Ave	First Park Nuevo Rd Phase I	None	Industrial	M-H	16.2	707,414	3/9/2007	6,366,730	392,040
24	23121 Cajalco Rd	6.91 ac		Industrial	MSC	6.9	300,999	11/20/2006	2,521,500	364,907
25	Mountain Ave	Finished Land Parcels		Industrial	GI	19.2	838,094	10/4/2006	4,350,000	226,092
26	Cajalco Expy @ 215 Freew	10.42 Acre Industrial Park Site		Industrial	M-SC, Riverside	10.4	453,895	9/13/2006	2,500,000	239,923
27	24475 Markham St	Planned Industrial Development Site	Previously developed lot	Industrial	LI, Perris	9.1	396,901	7/18/2006	2,778,000	304,886
28	Ramona Expy	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	9.2	399,880	7/12/2006	1,999,500	217,811
29	Indian Ave	Planned Industrial Development Site	Raw land	Industrial	MSC, Perris	8.4	366,661	6/30/2006	2,099,500	249,424
30	Perry St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	9.1	396,901	6/30/2006	1,954,000	214,452
31	4244 Perry St	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	18.2	793,798	6/30/2006	5,562,000	305,217
32	24392 Nance St	Auto Salvage Yard Site	Raw land	Industrial	GI, Perris	9.1	395,960	6/14/2006	2,079,000	228,713
33	Perry St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	8.8	384,634	6/9/2006	2,308,000	261,382
34	Markham St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	9.1	396,901	5/31/2006	2,600,000	285,351
35	Harvill Ave	M-Sc Zoned Acreage	Raw land	Industrial	L1	20.8	903,870	5/9/2006	3,358,500	161,855
36	Mapes Rd	Gi Zoned Acreage	Raw land	Industrial	GI, Perris	5.9	258,746	5/8/2006	1,113,000	187,374
37	Rider St	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	16.3	709,592	3/15/2006	3,550,000	217,925
								Industrial Average:		**$252,529**
								Industrial Median:		**241,383**

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Exhibit A-6: ..... Continued.....

LAND SALES IN THE CITY OF PERRIS SUB-MARKET

5+ Acres' Land Sales, 2006 - 2009

	Property Location		Property Characteristics					Sales Characteristics		
#	Address	Property Name	Land Improvements	Type	Zoning	Acres	Land SF	Sale Date	Sale Price	$/ Acre
38	Barnett Rd @ McLughlin Road			Residential	RR	42.3	1,842,587	11/14/2006	4,600,000	108,747
39	Evans Rd			Residential		12.8	558,874	9/27/2006	885,000	68,979
40	Evans Rd	R6000 Zoned Acreage	Raw land	Residential	R6000	12.8	558,874	8/25/2006	885,500	69,018
41	Nuevo Rd	A1 Zoned Acreage	Not Available	Residential	CC & R14	29.8	1,298,523	5/24/2006	2,700,000	90,574
42	Dockery Ln	Residential Zoned Acreage	Raw land	Residential	N/Av, Perris	6.0	259,617	4/19/2006	1,050,000	176,175
43	Dockery Ln	Residential Zoned Acreage	Raw land	Residential	N/Av, Perris	9.7	420,789	4/19/2006	1,750,000	181,160
								Residential Average:		**$104,687**
								Residential Median:		**99,660**
								All Land Sales Average:		**$186,228**
								All Land Sales Median:		**210,210**

Sources: Costar Group Inc., 2009; and, CBRE Consulting

(1) The sub-market is defined as a 5-mile radius from the City Hall and includes the entire City of Perris.

(2) The above is not an exhaustive list of sales. Only those sales greater than 5 and up to 50 acres in size with complete sale price information as reported by the Costar Group are presented.

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Exhibit A-7:

LAND SALES IN KERN COUNTY

Commercial, Industrial and Residential Land Sales, 2006 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address in City of Chino	City	Property Name/Land Imp.	Zoning	Acres	Land SF	Sale Date	Sale Price	$/Acre
1	SE Elmo Hwy @ Elmo Hwy & Browning Rd	Mc Farland	Falcon Heights		135.0	5,880,600	11/15/2007	$2,142,000	$15,867
2	Pacheco Rd	Bakersfield	Vacant Land 67.57 Acres	M-3, Bakersfield	67.6	2,943,349	10/10/2008	2,500,000	36,999
3	1234 Willow Springs Rd	Mojave			40.0	1,742,400	12/19/2008	128,000	3,200
4	Scofield Rd	Wasco	Wasco Valley Rose - vacant land		40.0	1,742,400	9/29/2006	1,999,582	49,990
5	Mojave Tropical Rd	Rosamond			40.0	1,742,400	6/7/2007	335,000	8,375
6	NW Hanawalt Ave @ Hanawalt & Mast Ave	Mc Farland	Sierra Springs		38.2	1,665,655	11/15/2007	599,000	15,665
7	16701 Brimhall Rd	Bakersfield		E-1 RS, Bakersfield	35.0	1,524,164	12/7/2007	2,000,000	57,159
8	17174 Highway 14	Mojave		M-2	34.4	1,496,286	2/22/2008	550,000	16,012
9	4057-4061 Industrial Pky	Lebec	Tejon Industrial Complex - Bldg. U.C.		23.8	1,034,550	7/1/2008	2,500,000	105,263
10	College Heights Blvd @ Kendall Avenue	Ridgecrest	Villas at College Heights		22.7	988,812	3/22/2007	2,300,000	101,322
11	Stockdale Hwy @ Heath	Bakersfield		Commercial	20.0	871,200	5/1/2007	3,600,000	180,000
12	Archibald Ave	Maricopa	Parcel 4		20.0	871,200	4/20/2007	165,000	8,250
13	Johnson Rd @ Driver	Bakersfield		A-1	20.0	871,200	9/11/2007	1,000,000	50,000
14	Wheeler Ridge Rd @ Creekside Dr.	Arvin	Wheeler Ridge Site		19.5	847,242	11/17/2008	379,990	19,537
15	132 White Ln	Bakersfield	3 Buildings apx 2,555 SF	Light Industrial	15.5	673,002	11/28/2007	1,300,000	84,142
16	Avenue A & 120th W	Rosamond	no zoning restrictions		14.5	631,620	1/24/2007	125,000	8,621
17	Henry Rd	Taft		M-2	14.3	620,730	2/5/2008	505,000	35,439
18	NWC McCutchen & Gosford Rd	Bakersfield		C2	10.0	435,600	6/15/2007	2,275,000	227,500
19	Compagnoni St	Bakersfield			10.0	435,600	9/21/2007	650,000	65,000
20	Mercedes Blvd	California City	10 Acres	R2.5	10.0	435,600	5/4/2007	25,000	2,500
21	Redrock Randsburg Rd	North Edwards	Vacant Land-10 Acres		10.0	435,600	5/26/2006	20,000	2,000
22	Eucalyptus Dr (2 Properties)	Bakersfield	Multi-Property Sale		9.6	418,176	11/9/2007	980,000	102,083
23	5901 Mills Rd	Bakersfield	Mills Road Land		8.8	381,150	9/12/2007	820,000	93,714
24	S China Lake Blvd @ Bowmen Ave.	Ridgecrest	NEC of S. China Lake @ Bowman	GC, Ridgecrest	6.9	302,306	7/3/2008	1,500,000	216,139
25	1245 Kern St	Taft			6.4	279,655	8/31/2007	200,000	31,153
26	N Norma St @ West Ward Avenue	Ridgecrest		R-2	6.0	259,618	10/4/2006	420,000	70,470
27	W Day Ave @ Airport Drive	Bakersfield			5.8	250,470	10/4/2007	1,300,000	226,087
				Land Sales Avg.:					**$44,347**
				Land Sales Median:					**$49,990**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information, as reported by the Costar Group, are presented.

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MV00172469

DRAFT

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY
STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

LSA

April 18, 2012

MV00172470

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DRAFT

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY
STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

Lead Agency:

City of Moreno Valley Community and Economic Development Department
Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552
Attn: Jeff Bradshaw, Associate Planner
(951) 413-3224

Prepared by:

LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, California 92507
(951) 781-9310

LSA Project No. VOG1001

LSA

April 18, 2012

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- B-2: Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009.
- B-3: Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 9, 2009.
- B-4: Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 11, 2009.
- B-5: Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California, Michael Brandman Associates, March 22, 2007.

B-6: Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007.

B-7: Phase I Environmental for the Evaluation of Potentially Hazardous Materials, Centec Engineering, February 23, 2007.

B-8: Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., March 27, 2009.

B-9: Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., July 24, 2009.

B-10: Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004, Eastern Municipal Water District, January 20, 2010.

C: LESA Modeling Worksheets and Agriculture Viability Report

C-1: LESA Modeling Worksheets, LSA Associates, Inc., August 2011.

C-2: Economic Viability of Agriculture in the East Inland Empire, CB Richard Ellis, March 18, 2009.

D: Air Quality Reports

D-1: Air Quality Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.

D-2: Health Risk Assessment VIP Moreno Valley, LSA Associates, Inc., March 2012.

E: Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., December 2011.

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1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

The Draft Environmental Impact Report (EIR) (State of California Clearinghouse No. 2011081084) for the VIP Moreno Valley Project (proposed project or project) has been prepared by LSA Associates, Inc. on behalf of the City of Moreno Valley (City) to: 1) identify the proposed project's impacts on the environment; 2) to discuss alternatives to the proposed project; and 3) to propose mitigation measures that will offset, minimize or otherwise avoid significant environmental impacts. This EIR has been prepared in accordance with the *California Environmental Quality Act*[1] and Sections 15120 through 15131 and 15161 of the *Guidelines for California Environmental Quality Act,*[2] both of which regulate the preparation of EIRs. Based on the potential impacts of the proposed project, including cumulative impacts, and the comments received during the public review of the Initial Study (IS) and public scoping meeting, the City determined that an EIR should be prepared to analyze potential impacts of the proposed project with respect to the following environmental issues:

- Agricultural and Forest Resources;
- Air Quality;
- Greenhouse Gas Emissions and Global Climate Change;
- Noise; and
- Traffic and Circulation.

These five environmental issues are individually addressed in Section 4.0 (Environmental Analysis). Based on the analysis provided in the IS (contained in Appendix A) for the proposed project, all impacts associated with the following eight environmental issues were determined to be "Effects Not Found to be Significant" according to §15128 of the *CEQA Guidelines* and are not addressed in detail in Section 4 of this EIR:

- Aesthetics
- Hazards and Hazardous Materials
- Land Use/Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities/Services Systems

Based on the analysis provided in the IS (contained in Appendix A) for the proposed project, all impacts associated with the following four environmental issues were determined to be less than significant with implementation of mitigation measures. These topics are not addressed in detail in Section 4 of this EIR but the mitigation measures will be contained in the mitigation monitoring and reporting plan to ensure that the measures are implemented:

- Biological Resources
- Cultural Resources
- Geology and Soils
- Hydrology/Water Quality

[1] *California Environmental Quality Act*, as of January 1, 2011, §§21000–21177, Public Resources Code, State of California.
[2] *Guidelines for California Environmental Quality Act*, as of January 1, 2011, §§15000–15387, California Code of Regulations, Title 14, Chapter 3, State of California.

Additional discussion of these issues is provided in Section 2.0 of this EIR and the IS prepared for the proposed project.

1.2 PROPOSED PROJECT

The project site is located in the City of Moreno Valley, Riverside County (Figure 1.1). The approximately 71-acre site is generally located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary.

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. See Figure 1.2.

Site and building design attributes for the proposed project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

Green building designs typically exhibit the following features:

- More natural ventilation or, at least, a mixture of natural ventilation and air conditioning, and/or increased fresh air via the mechanical ventilation system.
- Narrow plan forms, often within the 15m limits of natural ventilation and daylight access, the corollary of which is less 'deep' space in the middle, which users dislike.
- Better utilization of daylight.
- More user controls for windows, blinds, lights and ventilators. This can mean that needs (like thermal comfort) are met more quickly even though the conditions may only be 'good enough'. Users preferred rapid response when things go wrong or need changing, and will tolerate conditions which are reasonable.
- Higher floor to ceiling heights, which helps, e.g., with daylight penetration.
- More open plan workspaces (usually desks) close to or next to windows.

1.3 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

The EIR discusses impacts that would occur to on-site and off-site uses as a result of implementation of the proposed project. This EIR also includes proposed mitigation measures that have been identified to reduce or avoid significant effects that would result from the construction and operation of the proposed on-site uses. *CEQA Guidelines* Section 15123(b)(2) requires that areas of controversy known to the Lead Agency (City of Moreno Valley) be stated in the EIR summary. The following discussion identifies issues raised by other agencies and the public during the 30-day public comment period of the Initial Study (IS) and Notice of Preparation (NOP), as well as comments received during the public scoping meeting that was held for the proposed project at the City of Moreno Valley City Council Chambers on September 19, 2011, at 6:00 p.m.

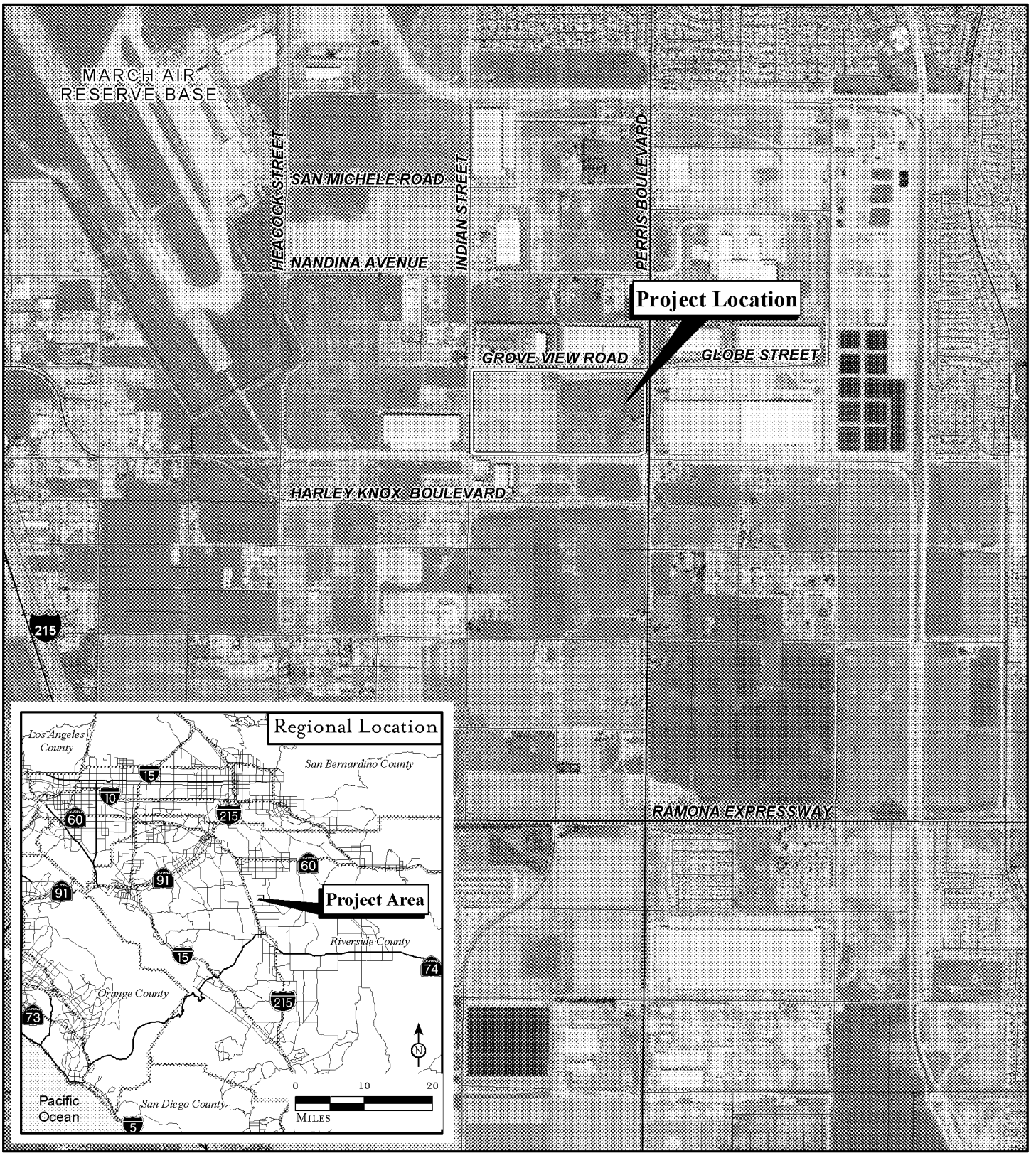

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FIGURE 1.1

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SOURCE: AirPhotoUSA, 2008; Thomas Bros., 2009

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VIP Moreno Valley
Environmental Impact Report

Regional and Project Location

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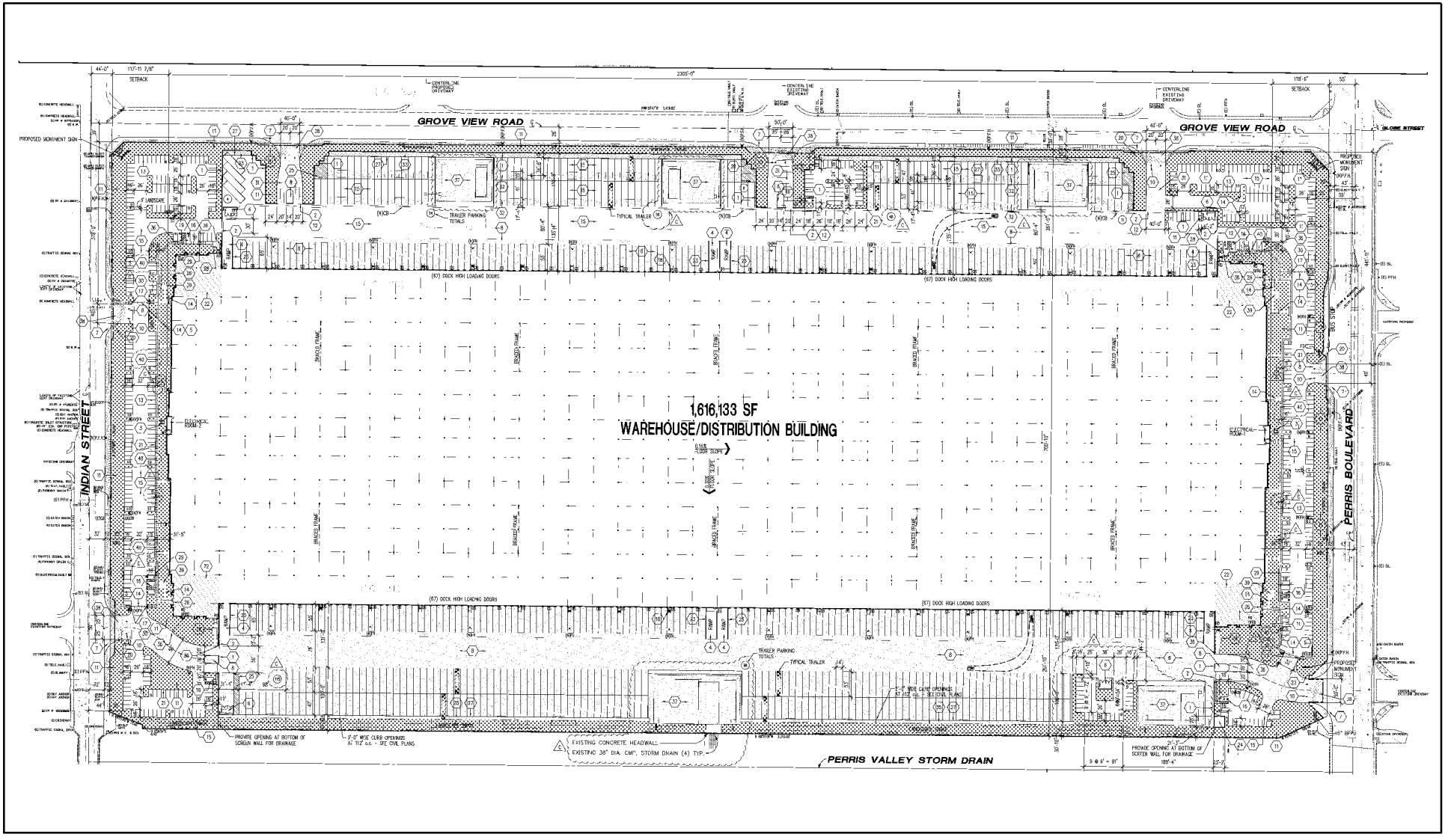

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FIGURE 1.2

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SOURCE: RKZ, Inc., 2009

VIP Moreno Valley
Environmental Impact Report

Site Plan

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1.3.1 Notice of Preparation

The objective of distributing a Notice of Preparation (NOP) is to solicit public comment in order to identify and determine the full range and scope of issues of concern so that these issues might be fully examined in the EIR. An IS was distributed in tandem with the NOP. The NOP was distributed to the State Clearinghouse, as well as to the organizations and persons considered likely to be interested in the project and its potential impacts. Comments received regarding the NOP were used to help identify impacts that could result from implementation of the proposed project. An NOP for the Draft EIR was distributed to state, regional, and local agencies on August 26, 2011, for a 30-day review period ending on September 26, 2011.

The IS, NOP, distribution list, Notice of Public Scoping Meeting, and response letters are included in Appendix A of the Draft EIR. As of the close of the 30-day NOP public review period, 12 responses to the NOP had been received. Table 1.A summarizes the comments received regarding the NOP.

Table 1.A: Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments	Addressed in EIR Section
State of California Governor's Office of Planning and Research	August 25, 2011	Explanation of Notice of Preparation procedures.	Not applicable
Native American Heritage Commission	August 26, 2011	Explanation of SB18 Consultation Process (e.g. sacred lands file search and associated mitigation measures)	Not applicable
California Department of Transportation – District 8	August 30, 2011	Recommendation of coordination with Caltrans District 8 for project's local traffic and circulation impacts. Identifies concern regarding potential impacts to I-215 ramps and interchange in the project area.	4.5
South Coast Air Quality Management District	September 7, 2011	Request to discuss air pollutant emissions for construction and operational phases; calculation of $PM_{2.5}$ emissions using $PM_{2.5}$ significance thresholds; calculation of localized significance thresholds; and inclusion of a mobile source health risk assessment.	4.5
Southern California Association of Governments	September 7, 2011	Request to include a project consistency analysis with SCAG's Regional Transportation Plan and Compass Growth Visioning goals and policies.	5.0
Riverside County Flood Control and Water Conservation District	September 8, 2011	Explanation of the payment of drainage fees associated with the District's Perris Valley Area Drainage Plan, the obtainment of an encroachment permit (if applicable) for any construction related activities occurring within District right of way or facilities.	Not applicable
Department of Toxic Substances Control	September 14, 2011	Request for the EIR to take a look at hazardous materials databases run by regulatory agencies and the inclusion of mitigation measures for any recommended remediation efforts in the EIR.	Initial Study (Appendix A)

Table 1.A: Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments	Addressed in EIR Section
California Department of Fish and Game	September 19, 2011	Request to include discussion on MSHCP consistency, impacts to red-tailed hawk, American kestrel, associated common bird species, the side-blotched lizard, the western fence lizard, and desert cottontail. Also request for information on any loss of jurisdictional waters, vernal pools and development into areas with native habitat values.	Initial Study (Appendix A) and Biological Resources Study (Appendix B-)
City of Riverside	September 23, 2011	Request to include information on number of projected employees, evaluation of projected local and regional traffic impacts to existing transportation systems and networks in the area.	4.5 and 5.0
Eastern Municipal Water District	September 23, 2011	Disclosure that EMWD intends to construct additional recycled water facilities immediately north of its existing facility on Trumble Road in Perris with the excavated soil temporarily stockpiled and available to others for use as fill. Letter also requests that the project initiate the New Development process with EMWD.	Not applicable
Sierra Club – San Gorgonio Chapter	September 25, 2011	Request for information to be included in EIR involving LEED certification levels, mitigation for agricultural lands, providing amenities encouraging the use of alternative modes of transportation, truck routes, global climate change, projected greenhouse gas emissions, and a reasonable range of alternatives.	Initial Study (Appendix A); 4.1; 4.3; 4.3; 6.0
City of Perris	September 26, 2011	Request for the EIR to include information regarding impacts to I-215/Harely Knox Boulevard Interchange, Indian Avenue, Perris Boulevard, and other roadways within the project area. Request to identify mitigation for impacted intersections in the EIR.	4.5

Note: All NOP response letters (along with the Initial Study) are included in Appendix A of the Draft EIR.

1.3.2 Public Scoping Meeting

In compliance with *State CEQA Guidelines*, the City of Moreno Valley has taken steps to maximize opportunities for individuals, parties, and agencies to participate in the environmental process. During circulation of the NOP, various federal, state, regional, and local government agencies, and other interested parties were contacted to solicit comments and to inform the public of the proposed project. A public scoping meeting was held to solicit public comment on direction and scope of the analysis necessary for the Draft EIR. The public scoping meeting was held on September 19, 2011, at 6:00 p.m., at the City of Moreno Valley City Council Chambers, Moreno Valley California. Copies of the IS, NOP, and the conceptual site plan were available to the public for review. City staff, the project applicant, and the EIR consultant (LSA Associates, Inc.) were present to provide information regarding the project and collect public comment. Two members from the public attended the scoping meeting.

1.4 ALTERNATIVES TO THE PROPOSED PROJECT

In compliance with *CEQA Guidelines* (Section 15126.6), an EIR must describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project objectives, and would avoid or substantially lessen significant effects of the project. The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives. An EIR must evaluate a "No Project" alternative in order to allow decision-makers to compare the effect of approving the project to the effect of not approving the project. A more detailed description of each project alternative as well as an analysis of the potential environmental impacts associated with the construction and operation of each is provided in Section 6.0.

1.4.1 No Project Alternative

Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The project site's zoning designation is currently Specific Plan 208 – Moreno Valley Industrial Area Plan. The project site is currently designated by the General Plan for Business Park/Light Industrial uses. Given the goals and objectives of the City of Moreno Valley, it is highly reasonable in the event the proposed project were not approved that the site would be developed with some type of industrial park uses. For analysis purposes, it is assumed that the No Project Alternative would be developed with approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial on 8 acres.

1.4.2 Reduced Intensity Alternative

With the intent of avoiding or substantially reducing significant impacts created by the project traffic, air quality, and noise, the City has considered a Reduced Intensity Warehouse Alternative. This alternative includes one warehouse building covering approximately 1,212,100 square feet. Under this alternative, the proposed warehouse uses would represent a net decrease of approximately 25 percent (400,000 square feet) as compared to the proposed project.

1.4.3 Commercial Center (Mixed Commercial/Office) Alternative

The Commercial Center Alternative would result in the development of commercial service and office uses on the project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.[1]

[1] Square footage is based on a 50 percent development of the project site.

1.4.4 Off-Site Location Alternative

This alternative would result in the development of approximately 1,616,133 square feet of warehouse uses on approximately 70 acres. The alternative project site identified by the City is bounded by Krameria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is currently zoned SP 208 I and is designated BP in the City's General Plan, identical to the proposed project. Since the proposed uses are consistent with the uses identified for the off-site location, no zone change or General Plan Amendment would be required.

1.5 IMPACTS, MITIGATION, AND LEVEL OF IMPACTS SUMMARY TABLE

Table 1.B provides a summary of the proposed project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures.

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
AESTHETICS (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project Have a substantial adverse effect on a scenic vista?	Less than significant impact. No mitigation is required.	Less Than Significant
Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact. No mitigation is required.	Not applicable - No Impact
Substantially degrade the existing visual character or quality of the site and its surroundings?	Less than significant impact. No mitigation is required.	Less Than Significant
Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact. No mitigation is required.	Less Than Significant
4.1 AGRICULTURAL RESOURCES		
Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project result in the loss of forest land or conversion of forest land to non-forest uses?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the proposed project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable
Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable
Cumulative Impacts: The cumulative area for agricultural resource impacts is Riverside County. No local or regional program to mitigate for the cumulative impacts to agricultural resources is available. Because agricultural	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
land, including Prime Farmland is a finite resource, and because neither the City of Moreno Valley nor the County of Riverside maintains a program to offset agricultural resource impacts, the conversion of the project site to warehouse uses, in conjunction with planned and future development in the City and region, would contribute to a further reduction in the amount of land available for agricultural uses. This reduction in agricultural land represents a significant impact.		
4.2 AIR QUALITY		
Would the project conflict with or obstruct implementation of the applicable air quality plan?	No impact. No mitigation is required.	Not applicable - No Impact
Would the proposed project create objectionable odors affecting a substantial number of people?	Less than significant impact. No mitigation is required.	Less Than Significant
Long-Term Microscale (CO Hot Spot) Emissions: Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation? For CO, the applicable thresholds are: - California State one-hour CO standard of 20.0 ppm; - California State eight-hour CO standard of 9.0 ppm.	No impact. No mitigation is required.	Not applicable - No Impact
Localized Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operation, the applicable localized daily thresholds are: - 12,083 pounds per day of CO; - 585 pounds per day of NO_X; - 32 pounds per day of PM_{10}; and - 14 pounds per day of $PM_{2.5}$.	Less than significant impact. No mitigation is required.	Less Than Significant
Operational-Acute and Operational–Chronic Health Risk Impacts: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Construction Equipment Exhaust Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.	Significant Impact. Mitigation is required. **4.2.6.1A** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1B** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1C** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1D** All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. **4.2.6.1E** The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning,	Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	afternoon, and after work is done for the day. **4.2.6.1F** The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes. **4.2.6.1G** Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more). **4.2.6.1H** The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law). **4.2.6.1I** The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less). **4.2.6.1J** If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be provided onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. **4.2.6.1L** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues. **4.2.6.1M** All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations. These measures shall be enforced by the on-site facilities manager (or equivalent).	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Localized Construction Emissions: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?	Significant Impact. Mitigation is required. Implement **Mitigation Measures 4.2.6.1A** through **4.2.6.1M.** There is no feasible mitigation over and above those measures prescribed by Rule 403 and Mitigation Measures 4.2.6.1A through 4.2.6.1M.	Significant and Unavoidable
Long-Term Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NO_X; - 550 pounds of CO; - 150 pounds of PM_{10}; - 55 pounds of $PM_{2.5}$; and - 150 pounds of SO_X.	Significant Impact. Mitigation is required. **4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. Any combination of design features including but not limited to the following list may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City.	Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation

	Automatic devices to turn off lights when they are not needed shall be implemented.
	• To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.
	• Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
	• All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.
	• To reduce energy demand associated with potable water conveyance, the project shall implement the following:
	  ○ Landscaping palette emphasizing drought-tolerant plants;
	  ○ Use of water-efficient irrigation techniques; and,
	  ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
	• The project shall provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
	• The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.
	• The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • The project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan. • The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans. • Lease/purchase documents shall identify that tenants are encouraged to promote the following: ○ Implementation of compressed workweek schedules; ○ SmartWay partnership; ○ Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	○ Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. ○ Use of fleet vehicles conforming to 2010 air quality standards or better. ○ Installation of catalytic converters on gasoline-powered equipment. ○ Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; ○ Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; ○ Provision of preferential parking for EV and CNG vehicles; ○ Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; ○ Use of electric (instead of diesel or gasoline-powered) yard trucks; ○ Use of SmartWay 1.25 rated trucks. **4.2.6.3B** The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Cumulative Impacts: The cumulative area for air quality impacts is the Basin. The project would contribute criteria pollutants to the area during project construction. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulatively significant air quality impacts. The Basin is in nonattainment for PM10 and ozone at the present time; therefore, the construction and operation of the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed project would unavoidably contribute to significant cumulative air quality impacts.	Significant unavoidable. The project-specific measures will help reduce project-related air pollutants, however, no feasible mitigation is available to reduce cumulative air quality impacts to a less than significant level.	Significant and Unavoidable
BIOLOGICAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply. **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply. **Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.	
Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Wildlife Service?	Less than significant impact. No mitigation is required.	Less Than Significant
Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact. No mitigation is required.	Less Than Significant
Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less than significant impact. No mitigation is required.	Less Than Significant
Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or	No impact. No mitigation is required.	Not applicable - No Impact

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
ordinance?		
CULTURAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	Less than significant impact. No mitigation is required.	Less Than Significant
Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than significant impact. No mitigation is required.	Less Than Significant
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.	
Disturb any human remains, including those interred outside of formal cemeteries?	Less than significant impact. No mitigation is required.	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
GEOLOGY AND SOILS (FROM THE INITIAL STUDY [APPENDIX A])		
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	No impact. No mitigation is required.	Not applicable - No Impact
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (ii) Strong seismic ground shaking?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (iii) Seismic-related ground failure, including liquefaction?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (iv) Landslides?	No impact. No mitigation is required.	Not applicable - No Impact
Result in substantial soil erosion or the loss of topsoil?	Less than significant impact. No mitigation is required.	Less Than Significant
Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure GEO-1:** Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.	
Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure GEO-2:** Prior the issuance of	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	
Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No impact. No mitigation is required.	Not applicable - No Impact
4.3 GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE		
Would the proposed project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	Less than significant. No mitigation is required.	Less Than Significant
Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant Impact. Mitigation is required. Previously referenced **Mitigation Measures 4.2.6.3A** and **4.2.6.3B** will reduce project greenhouse gas emissions. **4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Use locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the California Building Code's (CBC) Title 24 energy	

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	standard, including, but not limited to, any combination of the following: ○ Increase insulation such that heat transfer and thermal bridging is minimized. ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. ○ Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project: • The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide	

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	[CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: ○ Install drought tolerant plants for landscaping. ○ Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. ○ Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.	
Cumulative Greenhouse Gas Emissions and Climate Change: Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of *CEQA Guidelines* Sections 15065(a)(3) and 15130.	Significant impact. Mitigation is required. **Mitigation Measures 4.2.6.3A** and **4.3.6.3.B**. **Mitigation Measures 4.3.6.1A** through **4.3.6.1.C**.	Significant and Unavoidable. Given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
HAZARDS AND HAZARDOUS MATERIALS (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No impact. No mitigation is required.	Not applicable - No Impact
Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	Less than significant impact. No mitigation is required.	Less Than Significant
For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	No impact. No mitigation is required.	Not applicable - No Impact
Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Less than significant impact. No mitigation is required.	Less Than Significant
HYDROLOGY AND WATER QUALITY (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project: Violate any water quality standards or waste discharge requirements?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure HYD-01:** Prior to grading plan approval and the issuance of a grading permit by the	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner that would result in flooding on site or off site? Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? Otherwise substantially degrade water quality?	City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities. **Mitigation Measure HYD-02:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: • Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP. • Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas. • All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	from the site. Stockpiles will be surrounded by silt fences. • The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance. • Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. • The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site. **Mitigation Measure HYD-03:** Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board. **Mitigation Measure HYD-04:** Prior to grading plan	

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.	
Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	Less than significant impact. No mitigation is required.	Less Than Significant
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.	Less Than Significant
Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	No impact. No mitigation is required.	Not applicable - No Impact
Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	No impact. No mitigation is required.	Not applicable - No Impact
Expose people or structures to inundation by seiche, tsunami, or mudflow?	Less than significant impact. No mitigation is required.	Less Than Significant
LAND USE (FROM THE INITIAL STUDY [APPENDIX A])		
Physically divide an established community?	No impact. No mitigation is required.	Not applicable - No Impact
Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant impact. No mitigation is required.	Less Than Significant
Conflict with any applicable habitat conservation plan or natural community conservation plan?	Potentially Significant Impact Unless Mitigation Incorporated. Implementation of **Mitigation Measures BIO-1 through BIO-4**	Less Than Significant
MINERAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No impact. No mitigation is required.	Not applicable - No Impact
Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No impact. No mitigation is required.	Not applicable - No Impact
4.4 NOISE		
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, results in exposure of people residing or working in the project area to excessive noise levels.	No impact. No mitigation is required.	Not applicable - No Impact
For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.	No impact. No mitigation is required.	Not applicable - No Impact
Would the project result in exposure of persons to or generation of excessive groundborne vibration or	Less than significant impact. No mitigation is required.	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
groundborne noise levels?		
Long-Term Traffic Noise Impacts: Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Less than significant impact. No mitigation is required.	Less Than Significant
Long-Term Operational Noise Impacts: Would the project cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies?	Less than significant impact. No mitigation is required	Less Than Significant
Short-Term Construction Noise Impacts: Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Significant impact. Mitigation is required. **4.9.6.1A** During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. **4.9.6.1B** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site. **4.9.6.1C** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction. **4.9.6.1D** During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Cumulative Noise Impacts: It is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, However, in the event that adjacent properties are developed at the same time as the proposed project, implementation of the required mitigation at each development site would reduce the cumulative impacts of the proposed project to less than significant levels. The increases over existing traffic volume are attributable to cumulative development projects in the project vicinity and region. Cumulative noise impacts associated with roadway noise have been addressed based on the projected future traffic volumes. Comparing cumulative noise levels that would occur both with and without the project, the proposed project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. Therefore, the proposed project's contribution to cumulative noise impacts at sensitive uses would not be significant.	No Impact. No mitigation is required.	Less Than Significant
POPULATION AND HOUSING (FROM THE INITIAL STUDY [APPENDIX A])		
Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less than significant impact. No mitigation is required.	Less Than Significant
Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	No Impact. No mitigation is required.	Not applicable - No Impact
Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	No Impact. No mitigation is required.	Not applicable - No Impact
PUBLIC SERVICES (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
performance objectives for any of the public services: A) Fire Protection		
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: B) Police Protection	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: C) Schools	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: D) Parks	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: E) Other Public Facilities	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
RECREATION (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
4.5 TRANSPORTATION		
Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project result in inadequate emergency access?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<u>Existing Plus Project Intersection, Roadway Segment, and Freeway Segment Impacts</u>: Significant impact. Mitigation is required. **4.5.6.1A.** Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	Intersections and Roadway Segments: Less Than Significant Freeway Segments: Significant and Unavoidable

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.	
Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<u>Opening Year 2013 Cumulative With Project Conditions Project Intersection, Roadway Segment, and Freeway Segment Impacts:</u> Significant impact. Mitigation is required. **4.5.6.2A.** Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	Intersections and Roadway Segments: Less Than Significant Freeway Segments: Significant and Unavoidable
<u>Cumulative Impacts:</u> With the development of the proposed project and the cumulative projects, ten intersections and four roadway segments would require improvements in order to maintain the City's LOS standard. The LOS analysis for freeway segments and ramp merge/diverge areas indicates that three freeway segments and ramp merge/diverge areas would operate at unsatisfactory levels of service with the development of proposed project and cumulative projects.	Significant impact. Mitigation is required. **Mitigation Measures 4.5.6.1A, 4.5.6.1B** and **4.5.6.2A.**	The roadway and intersection improvements are consistent with the City's General Plan and are included in the County's TUMF program, with the exception of Indian Street/South Project Driveway which would be constructed entirely by the project applicant. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element. For these reasons, the project's impacts to affected roadway segments will be mitigated

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
		through payment of the City's DIF and the County's TUMF resulting in a less than significant impact. Improvements to affected freeway segments and ramp merge/diverge areas are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.
UTILITIES AND SERVICE SYSTEMS (FROM THE INITIAL STUDY [APPENDIX A])		
Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Less than significant impact. No mitigation is required.	Less Than Significant
Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Less than significant impact. No mitigation is required.	Less Than Significant
Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	Less than significant impact. No mitigation is required.	Less Than Significant
Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Less than significant impact. No mitigation is required.	Less Than Significant
Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant impact. No mitigation is required.	Less Than Significant
Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Less than significant impact. No mitigation is required.	Less Than Significant
Comply with federal, state, and local statues and regulations related to solid waste?	Less than significant impact. No mitigation is required.	Less Than Significant

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2.0 INTRODUCTION AND PURPOSE

This section of the Draft EIR describes the purpose and type of EIR, the intended uses of the EIR, documents incorporated by reference, and the process and procedures governing the preparation of the environmental document. Included in this section is a discussion of issues determined to be less than significant. This section also identifies topic areas of discussion and analysis in the Draft EIR and provides an outline of the document format.

2.1 DOCUMENT FORMAT

To assist the reader's review of the document, the following describes the format of this EIR.

Section 1.0 *Executive Summary* provides a summary of the EIR document and (in Table 1.B) the proposed project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures.

Section 2.0 *Introduction and Purpose* provides a discussion of the EIR's purpose, focus, legal requirements, and an outline of the document's format and content.

Section 3.0 *Project Description* provides a detailed description of the proposed project, discretionary actions required to implement the project, and objectives of the proposed project.

Section 4.0 *Existing Setting, Impacts, and Mitigation Measures* evaluates the impacts associated with the proposed project. This section is organized by issue area and follows the following framework:

- *Existing Setting*. Information in the existing setting contains a discussion of the local and regional environment conditions (environmental and man-made) in existence at the time the NOP was circulated for public review. Existing setting information provides the reader with the "baseline" from which future impacts are analyzed, and provides a standard against which to measure these impacts.
- *Existing Policies and Regulations.* Regulatory requirements and policies (federal, state, and local) applicable to the issue area are summarized.
- *Methodology.* Identification of methods and techniques utilized for analysis.
- *Thresholds of Significance*. Determinations regarding the significance of potential impacts resulting from implementation of the proposed project are provided. These thresholds represent the criteria used in this EIR to determine whether identified impacts are significant.
- *Impacts*. Potential impacts are identified based on implementation of the proposed project. An analysis of potential impacts of the proposed project is presented in this section. This discussion focuses on the impacts of implementation of the proposed project, and includes potential short-term/long-term and direct/indirect project impacts, and consistency with applicable planning documents or regulations.
    - *Mitigation Measures*. The measures proposed to mitigate any potential impacts of the proposed project.
    - *Level of Significance after Mitigation.* Discussion that provides a conclusion as to whether implementation of the mitigation measures will reduce the project-related and cumulative impacts to a level that is less than significant.

- *Cumulative Impacts.* This discussion focuses on the potential environmental effect of the proposed project combined with the effects of reasonably foreseeable development within the project study area.

Section 5.0 *Additional Topics Required by CEQA* contains discussions of additional topics required by CEQA, including unavoidable effects of the proposed project, growth inducement, and significant irreversible environmental changes.

Section 6.0 *Alternatives* contains discussion of alternatives to development of the proposed project. As intended by CEQA, sufficient information about each alternative is included to provide meaningful evaluation, analysis, and comparison with the proposed project. This section also evaluates the proposed effects of the No Project Alternative and identifies the environmentally superior alternative.

Sections 7.0–9.0 Contain listings of organizations and persons consulted in preparation of the EIR, references cited, a list of the EIR preparers, and acronyms used in the document.

The *Appendices* contain a copy of the NOP, NOP mailing list, NOP comment letters and responses, public scoping meeting information, technical reports, and other relevant correspondence received during the course of the analysis of the proposed project.

2.2 PURPOSE OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

Approval of the proposed project requires the following discretionary actions by the City:

- Certification of the Project EIR;
- Approval of a Tentative Parcel Map; and
- Approval of the Development Plan Review.

Because of these discretionary actions to be considered by the City, CEQA requires that the proposed project be reviewed to determine the environmental effects that would result if the project is approved and implemented. The City is the Lead Agency and has the responsibility for preparing and certifying this EIR prior to consideration of the proposed project. The City has the authority to make decisions regarding discretionary actions relating to implementation of the proposed project. Ministerial actions include approval of a Preliminary Water Quality Management Plan (P-WQMP) and Final WQMP (F-WQMP), Grading Plans, and Improvement Plans.

The objective of the Draft EIR is to inform City decision-makers, representatives of other affected/responsible agencies, the public, and other interested parties of the potential environmental consequences that may be associated with the approval and implementation of the proposed project. The Draft EIR also examines various alternatives to the proposed project and describes potential impacts relating to a variety of environmental issues and methods in which these impacts would be mitigated or avoided. This Draft EIR has been prepared in accordance with CEQA, California Public Resources Code Section 21000 *et seq.*; the *Guidelines for California Environmental Quality Act* (California Code of Regulations, Title 14, Chapter 3); and the rules, regulations, and procedures for implementing CEQA as adopted by the City.

2.2.1 Purpose of the California Environmental Quality Act

According to Section 15002 of *CEQA Guidelines*, the basic purposes of CEQA are to:

- Inform government decision-makers and the public about the potential significant environmental effects of proposed activities;

- Identify ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governing agency finds the changes to be feasible; and
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

2.2.2 Intended Use of This EIR

The City, as the Lead Agency, has the responsibility for reviewing and approving the project-related actions. Under contract to the City and as permitted under *CEQA Guidelines* (§ 15084[d-e]), LSA Associates, Inc. (LSA), an independent environmental consulting firm, has prepared the Draft EIR. Prior to certification, this EIR must be subjected to the City's independent review and analysis. The information and conclusions must represent the City's independent judgment. This Draft EIR has been prepared utilizing information from City planning and environmental documents, applicant-provided technical studies; and other publicly available data. This Draft EIR is intended to provide the City with relevant information to use in considering approval of the proposed project by the City, and will serve as an informational document to assess the environmental effects of the proposed project and mitigation measures recommended to avoid or minimize identified significant impacts. As a public disclosure document, the Draft EIR has been made available to public agencies and the public for review prior to the City's consideration of the discretionary actions required for project approval.

2.2.3 Incorporated Documents

CEQA *Guidelines* (§ 15150) permits the incorporation by reference of all or portions of other documents that are generally available to the public. Any documents incorporated by reference are to be made available to the public for inspection at a public place or public building and CEQA requires that the EIR state where the incorporated documents will be made available for public inspection. The following documents have been incorporated by reference:

- *City of Moreno Valley General Plan*, adopted June 11, 2006.
- *City of Moreno Valley General Plan Final Environmental Impact Report*, July 2006.

Information from these documents relates to the condition of the natural and built environment; the type and level of services provided; City objectives, goals, and policies; thresholds for the evaluation of potential environmental impacts; and mitigation measures incorporated into the analysis contained in this Draft EIR. All of the project-related documents are available for review at the following locations:

City of Moreno Valley
Community Development Department
Planning Division
14177 Frederick Street
Moreno Valley, California 92553
(951) 413-3206
e-mail: jeffreyb@moval.com
Hours:
Monday through Thursday: 7:30 a.m. to 5:30 p.m.
Friday: closed

Moreno Valley Main Library
25480 Alessandro Boulevard
Moreno Valley, California 92553
(951) 413-3880
Hours:
Monday–Thursday: 9:00 a.m. to 8:00 p.m.
Saturday: 9:00 a.m. to 5:00 p.m.
Friday and Sunday: closed

The Draft EIR and technical studies is available online at the City's website: http://www.moval.org.

2.2.4 Technical Reports

Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Draft EIR. The technical reports and other information included as appendices to this EIR include the following:

- Appendix A: *Initial Study, NOP, and NOP Comment Letters*, August 2011.
- Appendix B: Initial Study Technical Reports
    - Appendix B-1: *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010.
    - Appendix B-2: *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 1, 2009.
    - Appendix B-3: *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 9, 2009.
    - Appendix B-4: *Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 11, 2009.
    - Appendix B-5: *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Bouldevard Project, Moreno Valley, Riverside County, California,* Michael Brandman Associates, March 22, 2007.
    - Appendix B-6: *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
    - Appendix B-7: *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.
    - Appendix B-8: *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.
    - Appendix B-9: *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.
    - Appendix B-10: *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.
- Appendix C: *LESA Modeling Worksheets*, LSA Associates, Inc., August 2011.
- Appendix D-1: *Air Quality Analysis VIP Moreno Valley*, LSA Associates, Inc., August 2011.
- Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., August 2011.
- Appendix E: *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., August 2011.
- Appendix F: *Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., August 2011.

- Appendix G: *Traffic Study VIP Moreno Valley*, LSA Associates, Inc., January 2012.

In addition to these technical studies, this Draft EIR includes the Initial Study, NOP, Distribution List, and public responses to the NOP, which are included as Appendix A.

2.3 PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

This Draft EIR will be distributed to responsible and trustee agencies, other affected agencies, and interested parties. Additionally, in accordance with Public Resources Code 21092(b)(3), the Draft EIR will be provided to all parties who have previously requested copies. Notice of Completion and Availability of the Draft EIR will be distributed as required by CEQA. During the 45-day public review period, the Draft EIR and technical appendices will be made available for review.

Written comments regarding this Draft EIR should be addressed to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley, Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92553
Phone: (951) 413-3224
e-mail: jeffreyb@moval.com

After the 45-day public review period, written responses to all significant environmental issues raised will be prepared. These responses will be available for review for a minimum of 10 days prior to the public hearing before the Planning Commission, at which time the certification of the Final EIR will be considered. The Final EIR, which includes the Draft EIR, the public comments and responses to the Draft EIR, and findings will be included as part of the environmental record for consideration by the City decision-makers.

2.3.1 Initial Study and Notice of Preparation

The City formally initiated the environmental process with circulation of an NOP, which it sent to responsible agencies and interested individuals for a 30-day review period from August 26 to September 26, 2011. At the close of the public review period, the City had received 12 letters on the NOP. Summaries of the comments received during the NOP comment period have been previously identified in Section 1.3.1 of this Draft EIR. The NOP and the responses to the NOP from agencies and individuals are included in Appendix A of this EIR.

2.3.2 Public Scoping Meeting

A public scoping meeting was held to solicit public comment as to the scope of the EIR. This meeting was held on September 19, 2011, at 6:00 p.m. at the City of Moreno Valley City Council Chambers. Other than City staff and the EIR consultant, two members of the public attended and only one question was asked regarding the location of the project's soil export site.

2.4 POTENTIAL SIGNIFICANT IMPACTS OF THE PROPOSED PROJECT DISCUSSED IN THE EIR

As identified in the NOP, this Draft EIR includes an analysis of potential environmental effects associated with the following issues:

- Agricultural and Forest Resources
- Air Quality
- Greenhouse Gases and Global Climate Change
- Noise
- Transportation

2.5 EFFECTS FOUND NOT TO BE SIGNIFICANT

As required under CEQA (§ 15128), an EIR is to contain a statement supporting the Lead Agency's determination that some of the possible effects of a project are not significant and, therefore, are not discussed in detail in the EIR. The City has determined that potential impacts related to the following issue areas are either no impact, less than significant, or less than significant with implementation of mitigation measures (as indicated in the Initial Study (Appendix A). Mitigation that is identified for issues that were determined to be less than significant with the implementation of mitigation measures will be identified in the Mitigation Monitoring Plan that will be attached to the Final EIR and adopted by the City. The discussion below addresses each significance threshold as indicated in Appendix G of the CEQA Guidelines to make it clear to the reader which impacts are no impact, less than significant and less than significant with the implementation of mitigation measures.

2.5.1 Aesthetics

Would the project:

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. According to the Moreno Valley General Plan EIR, much of the existing development within the planning area is limited to the flat valley floor, preserving the views of the largely undeveloped surrounding hillsides. Existing urbanized development consists of residential, business park, commercial, office, and public uses, with single-family residential uses comprising the great majority of urbanized land. Non-residential urban uses are concentrated along major transportation corridors and around the joint civilian and military use March Air Reserve Base. The proposed project is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Although the General Plan identifies major scenic resources (i.e., surrounding mountains, San Jacinto/Hemet Valley, buildings, landscaping, and signs) in Moreno Valley as being visible from SR-60, the project would not affect views of these major scenic resources. In addition, the proposed project is consistent with development envisioned in the General Plan and Specific Plan 208, and based on the narrow definition of what constitutes a scenic vista as described in the City's General Plan EIR,[1] the potential impact to scenic vistas would be less than significant

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The proposed project is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity.[2] As noted in the discussion above, the City's General Plan identifies major scenic resources as being visible from SR-60 and the project would not affect views of these major scenic resources. In addition, the proposed site does not contain rock outcroppings,

[1] *Figure 5.11-1 Major Scenic Resources*, City of Moreno Valley General Plan Final Program EIR, July 2006.
[2] Caltrans California Scenic Highway Program, http://www.dot.ca.gov/hq/LandArch/scenic/cahisys.htm, website accessed June 8, 2011.

historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. As no impact to an identified scenic resource within a state scenic highway would result from development of the proposed on-site uses, no impact associated with this issue would occur.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. Visual impacts associated with changes to the general character of the *project site (e.g., loss of open area), the components of the visual settings (e.g., landscaping and* architectural elements), and the visual compatibility between proposed site uses and adjacent land uses would occur. The significance of visual impacts is inherently subjective as individuals respond differently to changes in the visual characteristics of an area. The project site is currently undeveloped with existing warehousing and industrial uses to the north, east, and west. Implementation of the proposed project would result in the construction and operation of approximately 1,616,133 square feet of warehouse distribution uses with associated parking areas, landscaping, and roadway infrastructure within approximately 71 acres. Therefore, development of the proposed project would change the character of the project site from open space to a more urbanized setting. The change in the character of the site would constitute an alteration of the existing visual character of the project site.

The proposed project features a variety of architectural elements including façade accents such as corner treatments and roof trim. The project would also provide variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation creates shadow lines at various times of the day. The proposed landscaping would replace the scattered weedy vegetation with a consistent and integrated vegetation palette. Landscaping on site would be provided in accordance with City Municipal Code Chapter 9.17, which requires the installation of landscaping on site and the planting of one tree for every 30 linear feet of building dimension that is visible from the parking lot or public right-of-way. The proposed project would also be required to install landscape and irrigation and provide screen walls to block view of activity in truck court. Additionally, the proposed project would include the installation of water-efficient landscaping throughout the development with landscaping proposed along the project perimeter, internal drives, and throughout the on-site parking areas. The City's Municipal Code (Section 19.05 and Table 9.05.040-8) establishes the number, location, height, and style of signage permitted within industrial zones. The submittal and approval of signs are required for all development in the City; therefore, it is reasonable to conclude that any on-site signs are internally compatible and consistent with the City's current signage standards. Adherence to City requirements would result in a less than significant level.

Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The proposed project would replace the existing vacant parcel with development that is visually compatible with existing development in the vicinity as well as the proposed future urbanization of the area through the use of architectural elements, landscaping, and project design. In addition, the proposed project would be designed and constructed per applicable City Municipal Code and General Plan standards. Therefore, because no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings is anticipated to result from the proposed project, no significant impact related to this issue would occur.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Currently, there are no sources of light or glare on the project site. Existing sources of light and glare from surrounding areas include streetlights, exterior lighting from the nearby warehouse buildings, and vehicle headlights from motorists driving along Perris

Boulevard. Development of the project site would introduce a new source of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings. It is anticipated that the materials utilized in the construction of the proposed lighting fixtures would be generally similar to those utilized in nearby warehouse uses within the City. Lighting within loading areas will be directed downward so as to not project lighting into the sky.

Exterior surfaces of the concrete tilt-up structure would be finished with a combination of architectural coatings, trim, glazing, and other building materials such as concrete and brushed metal. The proposed project is not expected to significantly increase the amount of daytime glare in the project area. All development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses. Therefore, impacts associated with this issue are less than significant

2.5.2 Biological Resources

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Potentially Significant Unless Mitigation Incorporated. The following discussion is based in part on the *General Habitat Assessment*[1] prepared for the proposed project, including focused burrowing owl, special status plant, and wetland determination studies contained in its appendices. Biological resources surveys were conducted on the project site in February, May, June, and July 2007, and August and October 2009.

The proposed project site was last used for agricultural purposes in 2005 and currently lies fallow. The site is disked annually to reduce weed growth and fire hazards. Portions of the site have also been scraped by earthmoving equipment associated with adjacent development, roadway work, construction equipment staging, and stockpiling. Non-native, ornamental trees are located in the southeast portion of the site. Four small depressions created by construction activities are located on the eastern edge of the site. A north-south ditch is located through the center of the site.

In general, the existing condition on site is characterized as a regularly disked field that supports little to no standing vegetation. Ruderal (weedy) herbs and grasses occupy portions of the site perimeter, the ditch, and depressions. Ruderal, invasive species observed on the site included Palmer's amaranthus (*Amaranthus palmeri*), Russian thistle (*Salsola tragus*), pigweed (*Chenopoium album*), cheeseweed (*Malva parviflora*), foxtail chess (*Bromus madritensis*), ripgut grass (*Bromus diandrus*), barely (*Hordeum murinum*), common sow thistle (*Sonchus oleraceus*), prickly lettuce (*Lactuca serriola*), five-hook bassia (*bassia hysopifolila*), knotweed (*Polygonum arenastrum*), and short-pod mustard (*Hirschfeldia incana*). Ornamental trees include gum tree (*Eucalyptus* sp.), pine (*Pinus* sp.), and Peruvian pepper (*Schinus molle*). Native plant species present on the site include common sunflower (*Helianthus annuus*), Rancher's fireweed (*Amsinckia menziesii*), California-aster (*Lessingia filaginifolia*), horseweed (*Conyza canadensis*), a few mule fat (*Baccharis salicifolia*), and one broom baccharis (*Baccharis sarothroides*). The ditch supports many of the ruderal species cited above as well as scattered nightshade (*Solanum* sp.), pineapple weed (*Chamomilla suaveolens*), dog

[1] *General Habitat Assessment, 71-acre Site, APNs 316-210-071, -073, -075, -076*, Ecological Sciences, Inc. August 1, 2010.

mayweed (*Anthemis cotula*), curly dock (*Rumex crispus*), tarplant (*Centromadia pungens* ssp. *pungens*), willow-herb (*Epilobium ciliatum*), salt heliotrope (*Heliotropium curassavicum*), fleabane (*Conyza bonariensis*), thistle (*Cirsium* sp.), Rancher's fireweed, decaying stalks of cattails (*Typha latifolia*), one willow (*Salix* sp.), and invasive salt cedar (*Tamarix* sp.). The four depressions are dominated by brome grasses, filaree (*Erodium cicutarium*), mustards (*Brassica/Hirschfeldia* sp.), Russian thistle, Bermuda grass (*Cynodon dactylon*), aster, mayweed, telegraph weed (*Heterotheca grandiflora*), common sunflower, Australian saltbush (*Atriplex semibaccata*), fleabane, and nettle-leaved goosefoot (*Chenopoium murale*).

Birds observed on the site included the red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), Brewer's blackbird (*Euphagus cyanocephalus*), European starling (*Sturnus vulgaris*), rock dove (*Columbia livia*), Say's phoebe (*Sayornis saya*), northern mockingbird (*Mimus polyglottos*), western kingbird (*Tyrannus verticalis*), western meadowlark (*Sturnella neglecta*), morning dove (*Zenaida macroura*), house finch (*Carpodacus mexicanus*), and house sparrow (*Passer domesticus*). Reptiles observed on the site included the side-blotched lizard (*Uta stansburiana*) and western fence lizard (*Sceloporus occidentialis*). Mammals observed on the site included the California ground squirrel (*Spermophilus beecheyi*), desert cottontail (*Sylvilagus audubonii*), and pocket gopher (*Thomomys bottae*).

Thirty-one species in western Riverside County have special status under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). These include species that are listed as "endangered" or "threatened" under the FESA or that have been "proposed" or are "candidates" for such listing. These also include species that are listed as "endangered," "threatened," or "rare" under the CESA or that have been petitioned (i.e., are "candidates") for listing. The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) provides for the long-term survival of protected and sensitive species by designating a contiguous system of habitat to be added to existing public/quasi-public lands. The Plan includes an impact fee collected by the 16 member cities and other local agencies, including the City of Moreno Valley, used to acquire these lands. Depending on the location of a private or public development project, certain biological studies may be required to comply with the MSHCP. The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (*Athene cunicularia*), five Narrow Endemic Plant Species (NEPS), and nine Criteria Area Plant Species (CAPS). A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.

Species Status Avian and Burrowing Owl Species

Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site. Due to intensive disking that had occurred on site, only a few marginally suitable potential burrows were identified. Although burrowing owl is known to occur on land that has been disturbed, it tends to avoid heavily disked areas because potential burrows occlude/collapse. However, burrowing owls, and other native bird species protected under the Migratory Bird Treaty Act (MBTA), are very mobile and opportunistic species that can occupy a site. For this reason, **Mitigation Measures BIO-1** through **BIO-4** requiring pre-construction surveys will be implemented to reduce impacts to nesting birds and burrowing owl.

- **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further

mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.

- **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.
- **Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.
- **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.

Implementation of the above-listed mitigation measures would reduce impacts to burrowing owl and special status avian species to a less than significant level.

Special Status Plant Species

The five NEPS and nine CAPS were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the project site lacks suitable habitat for these species due to historic agricultural activities. Nonetheless, focused surveys were conducted to cover the four depressed areas and the ditch. No special status plants were observed during the focused surveys. Because of the absence of members of the species and suitable habitat, a less than significant impact to special status plants would occur.

b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Wildlife Service?

Less than Significant Impact. Assessment of the MSHCP objectives associated with Riparian/Riverine Areas, Vernal Pools, and Fairy Shrimp is required because of the presence of the four depressions on the eastern project boundary and the ditch that runs north-south through the center of the site. This assessment was included in the *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation* prepared for the project.[1] No evidence of a natural stream course, riparian area, or vernal pool was observed during the February 2007 general site survey. Subsequent field survey in October 2009 identified mud cracks in the four depressions along the eastern project boundary. In 2007, this area had been recently scraped as part of the City's Perris Boulevard widening project. As part of the biological resources assessment for the roadway widening project, dry season fairy shrimp surveys yielded the presence of the common Lindahl's (versatile) fairy shrimp (*Branchinecta lindahli*), which is a non-listed species. The City mitigated impacts to the vernal pool by purchasing mitigation bank credits toward an off-site wetland mitigation bank. Complete mitigation of impacts to these vernal pools has been satisfied. No further analysis of this issue in the EIR is required.

[1] Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, Ecological Sciences, Inc., November 1, 2009.

As stated in the jurisdictional survey report, water does not appear to remain in the ditch long enough to support wetland hydrology and extensive hydrophytic vegetation. The drainage ditch was created approximately 20 years ago in order to receive off-site drainage flows from the property to the north. That property and Grove View Road were developed last year, and drainage from the property to the north now flows into a storm drain located in Grove View Road. The ditch no longer accepts off-site flows and now only accepts minimal amounts of drainage from on-site sheet flow. In accordance with the MSHCP definition of a wetland habitat or a natural stream, the ditch was artificially created for the purposes of drainage and is therefore not defined as a wetland habitat or an altered natural stream course. For this reason, the proposed project would have a less than significant impact on riparian/riverine areas, vernal pools, and fairy shrimp.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less than Significant Impact. The potential for agency jurisdiction of the on-site drainage ditch was assessed as part of the previously referenced *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation* prepared for the project. The ditch does not meet the three-parameter test for jurisdiction (vegetation, hydrology, and soils). The jurisdictional survey report notes the ditch contains only one riparian indicator species, a willow tree. The ditch is not part of a remnant blue line stream or connected upstream or downstream from a known natural stream or modified natural drainage way. Soil samples at three locations indicated a lack of hydric soils. The proposed project would have a less than significant impact on protected wetlands.

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact. Habitat fragmentation occurs when a proposed action results in a single, unified habitat area being divided into two or more areas, such that the division isolates the two new areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of the habitat to another or from one habitat type to another. An example is the fragmentation of habitats within and around clustered residential development. Habitat fragmentation may occur when a portion of one or more habitats is converted into another habitat, as when scrub habitats are converted into annual grassland habitat because of frequent burning.

Upon completion, implementation of the MSHCP will create an interconnected link of natural habitat areas by utilizing existing public and quasi-public areas and acquiring additional areas to establish this interconnected link of natural habitats using fees collected by the member agencies as private land is developed. The resulting habitat areas will result in the protection of sensitive and special status species, partly through the interconnected habitat areas. Because the proposed project is not covered by a proposed or existing Core or Linkage as identified in the MSHCP, development of the site will not impede wildlife movement. The project site is not in proximity to any known wildlife corridors. Intervening development (industrial uses) and roadways adjacent to the project site separate the project site from surrounding areas. These features already restrict wildlife movement in the project vicinity. Due to the disturbed condition of the project site, the nature of adjacent development, and the intervening presence of roadways and infrastructure, development of the proposed project would not result in significant habitat fragmentation or substantially affect established wildlife corridors or wildlife movement. Therefore a less than significant impact associated with this issue would occur.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. City policies or ordinances identified in the General Plan protecting biological resources include mitigation of impacts to riparian areas or other natural sensitive communities (Policy 7.4.1), preservation of natural drainage courses in their natural hydrological state (Policy 7.4.3), and City fulfillment of obligations set forth within any agreements and permits related to MSHCP implementation (Policy 7.4.5). Adherence to Policy 7.4.5 was discussed previously in response to Questions a), b), and d) above.

The drainage ditch running north-south through the center of the project site does not contain the vegetation, hydrology, or soils characteristics associated with a wetland or natural drainage. As previously identified, the ditch is not considered a riparian area and therefore the project would not conflict with the City's polices to protect natural drainages and sensitive communities. Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources and a less than significant impact would occur.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?

Potentially Significant Impact Unless Mitigation Incorporated. See responses to Questions a), b), and d) above. The proposed project is located within the boundaries of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the MSHCP, a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in western Riverside County. The project is not within any MSHCP Criteria Areas or Public/Quasi-Public Land. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR HCP will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the MSHCP. The fee is currently $6,597 per acre.

2.5.3 Cultural Resources

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Less than Significant Impact. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the site contains a historic site and a historic isolate, which were recorded and evaluated for significance in accordance with CEQA. Based on the study, it was determined that the historic resource and historic isolate were not considered to be significant. Consequently, construction and grading of the proposed project site will not affect significant historic resources, resulting in a less than significant impact.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less than Significant Impact. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the site has a low potential for containing archeological resources due to the lack of such resources previously discovered in the surrounding area and the disturbed nature of the project site. Consequently, construction and grading of the proposed project site will have a low probability of damaging archeological resources. Impacts to archeological resources are considered to be less than significant.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact Unless Mitigation Incorporated. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the

site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources are the fossilized biotic remains of ancient environments valued for the information they yield about the history of the earth and its past ecological settings. These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the proposed project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. **Mitigation Measure CUL-1** has been identified to reduce the significance of paleontological resource impacts.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
- If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.
- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.
- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Adherence to this measure would reduce impacts to paleontological resources to a less than significant level.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact. No evidence is in place to suggest the project site has been used for human burials.[1] The California Health and Safety Code states that if human remains are discovered on site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition.[2] Disposition of the human remains should occur in the manner provided in §

[1] *Chapter 5.10 Cultural Resources*, City of Moreno Valley General Plan Final EIR, July 2006.
[2] Division 7, *Dead Bodies;* Chapter 2, *General Provisions*, § 7050.5, California Health and Safety Code.

5097.98 of the Public Resources Code. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. As adherence to State regulations is required for all development, no mitigation is required in the unlikely event that human remains were discovered on the site. Therefore, impacts associated with the discovery of human remains would be less than significant.

2.5.4 Geology and Soils

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

No Impact. The proposed project site is not located within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. The nearest faults are those that form the San Jacinto Fault Zone,[1] located approximately 7.0 miles from the project site. As such, the potential for fault ground rupture at the site is considered low; therefore, no impact related to this issue would occur

(ii) Strong seismic ground shaking?

Less Than Significant Impact. Like all of Southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. The maximum event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2.[2] The maximum credible earthquake (MCE) is generally less than or equal to design levels as defined by the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Adherence to the UBC and the California Building Code standards would ensure potential ground shaking impacts are reduced to a less than significant level.

(iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Liquefaction is a phenomenon that occurs when strong earthquake shaking causes soils to collapse from a sudden loss of cohesion and undergo a transformation from a solid to a liquefied state. Factors influencing a site's potential for liquefaction include area seismicity, the type and characteristics of on-site soils, and the level of groundwater. Liquefaction typically occurs in areas where groundwater is shallower than approximately 30 feet, and where there is the presence of loose, sandy soils. According to the City's General Plan, liquefaction is not considered to be a local hazard since groundwater levels in Moreno Valley are far below the surface.[3] The project's geotechnical analysis[4] indicates that the depth of groundwater within the project vicinity is in excess of 100 feet. The proposed project site is not located in an area identified as being prone to liquefaction. The potential for earthquake-induced liquefaction within

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1 California Geological Survey, 2002 and 2005.
2 *Table 5.6-1 Potential Earthquake Scenarios for Moreno Valley*, Moreno Valley General Plan Final Program EIR, July 2006.
3 *Chapter 6 Safety*, City of Moreno Valley General Plan, July 11, 2006.
4 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

the proposed project is considered very low.[1] Because liquefaction at the project site is considered to be very low, a less than significant impact related to liquefaction would occur

(iv) Landslides?

No Impact. Landslides are rock, earth, or debris flows on slopes as a result of gravity. They occur on any terrain given the right conditions of soil, moisture, and the angle of slope and are triggered by rains, floods, earthquakes, and other natural causes as well as human-made causes, such as grading, terrain cutting and filling, excessive development.[2] The topography of the site is generally flat with a gentle slope from east to west and does not present any significant topographical features that would result in any landslide occurrences. No landslide impact would result from the development of the proposed on-site uses.

(b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Based on a review of the Soil Survey, Western Riverside Area, California,[3] the proposed project site is mapped as containing Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2). The erosion hazard for EnA, EpA, GyA, and RaA soils is slight, while EwB, EyB, and Tp2 soils have a slight to moderate erosion hazard. ReC2 soils have a moderate erosion hazard. Development would require the movement of on-site soils and the import of fill material. Prior to the issuance of grading permits, the project proponent would be required to prepare and submit detailed grading plans for the project site. These plans must be prepared in conformance with applicable standards of the City's Grading Ordinance.

Development of the site would involve more than one acre; therefore, the proposed project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) would also be required to address erosion and discharge impacts associated with the proposed on-site grading. In addition to preparation of an SWPPP, new development projects submitted to the City would be required to submit a project-specific Water Quality Management Plan (WQMP). The WQMP would identify measures to treat and/or limit the entry of contaminants into the storm drain system. The WQMP is required to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan.

As soils covering the majority of the project site have a slight to moderate erosion hazard potential, imported fill material would be approved by a soils engineering firm, and because the project would be required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, and prepare an SWPPP, construction and operational, impacts associated with soil erosion hazards are less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Potentially Significant Impact Unless Mitigation Incorporated. The project's geotechnical analysis[4] performed in-place density tests, which revealed that soil shrinkage that may occur would be approximately 10 percent to 15 percent due to excavation and recompaction. This is based on the assumption that the fill would be compacted to 90 percent of the dry density per ASTM standards. As a result subsidence is estimated at 0.2 feet due to earthwork operations. Impacts are considered potentially significant and mitigation measures are required. The geotechnical analysis determined that there is no potential for landslides or liquefaction. Additionally, potential impacts related to lateral

1 *Figure 5.6-2 Seismic Hazards*, Moreno Valley General Plan Final Program EIR, July 2006.
2 American Planning Association Research, http://www.planning.org/landslides/docs/whatare.html, October 2007.
3 Soil Survey Geographic database (SSURGO)/Soil Data Mart, 2003.
4 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

spreading would be reduced to less than significant level through adherence to the UBC.The following mitigation measure would reduce potential impacts associated with unstable soils to a less than significant level.

Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Potentially Significant Impact Unless Mitigation Incorporated. Expansive soils generally have a significant amount of clay particles, which can give up water (shrink) or take on water (swell). The change in volume exerts stress on buildings and other loads placed on these soils. The extent of shrink/swell is influenced by the amount and kind of clay in the soil. The occurrence of these soils is often associated with geologic units having marginal stability. The distribution of expansive soils can be widely dispersed, and they can occur in hillside areas as well as low-lying alluvial basins.

As discussed above, soils on site include Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2).[1] As detailed in the project's geotechnical analysis,[2] expansive soils were observed on the project site. Exploratory trenches revealed the existing earth materials on site to consist of a disturbed soil/fill and natural soil. A fill/disturbed natural soil classifying as a brown, sandy to clayey silt to a silty sand was encountered across the site and ranged in depth from 1 foot to 1½ feet. These soils were noted to be soft to loose and damp. An undisturbed alluvium soil classifying as a brown sandy to clayey silt to a silty sand was encountered beneath the disturbed top soils and fill. These native soils were noted to be firm to stiff, medium dense to dense, and moist.

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1 Soil Survey Geographic database (SSURGO)/Soil Data Mart, November 23, 1998.

2 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

Development of the proposed project site would be required to adhere to UBC and City design and engineering standards. However, because expansive soils are present on site, impacts associated with this issue are potentially significant and mitigation measures are required. The following mitigation measure would reduce potential impacts associated with expansive soils to a less than significant level.

Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The proposed project would connect to the existing sanitary sewer system. Because septic or alternative waste disposal systems would not be utilized, no impact related to this issue would occur.

2.5.5 Hazards and Hazardous Materials

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The proposed project would result in the construction of industrial uses. Potentially hazardous materials such as fuel, paint products, lubricants, solvents, and cleaning products may be used and/or stored on site during the construction and/or occupancy of the proposed industrial facilities. The transport, use, and storage of hazardous materials during the construction and operation of the site would be conducted in accordance with all applicable state and federal laws. Compliance with all applicable laws and regulations would reduce the potential impact associated with the routine transport, use, storage, or disposal of hazardous materials to a less than significant level.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

Less Than Significant Impact. Exposure to hazardous materials during the construction and operation of the proposed on-site uses would result from (1) the improper handling or use of hazardous substances; (2) transportation accident; or (3) an unforeseen event (e.g., fire, flood, or earthquake). The severity of any such exposure is dependent upon the type, amount, and characteristic of the hazardous material involved; the timing, location, and nature of the event; and the sensitivity of the individual or environment affected.

The transport, storage, and handling of hazardous material is governed by existing local, state, and federal regulations, including applicable sections of the California Code of Regulations. In Moreno Valley, the Riverside County Community Health Agency, Department of Environmental Health is the local agency that has been certified by the California Environmental Protection Agency (CalEPA) to implement and ensure compliance with six state environmental and emergency programs. These programs include Hazardous Materials Business Plan/Emergency Response Plan, Hazardous Waste/Tiered Permitting, Underground Storage Tanks, Aboveground Storage Tanks, California

Accidental Release Program, and the Uniform Fire Code Hazardous Materials Management Plan and Hazardous Material Inventory Statements. The Riverside County Community Health Agency, Department of Environmental Health, as the local agency charged with implementing these programs, will provide permitting, inspections, and enforcement with the required regulations. Hazardous wastes produced on site are subject to requirements associated with accumulation time limits, proper storage locations and containers, and proper labeling. Additionally, for removal of hazardous waste from the site, hazardous waste generators are required to use a certified hazardous waste transportation company, which must ship hazardous waste to a permitted facility for treatment, storage, recycling, or disposal.

As with any operation in which hazardous materials are utilized, any on-site activity involving hazardous substances must adhere to applicable local, state, and federal safety standards, ordinances, or regulations. Businesses engaged in the use, storage, or transport of hazardous substances are monitored by various local (e.g., Riverside County Fire Department) and State (e.g., Department of Toxic Substance Control) entities. Compliance with applicable regulations will ensure impacts associated with the use, transport, storage, and sale of hazardous materials will be less than significant.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The nearest existing school to the project site is Rancho Verde High school, which is located at 17750 Lasselle Street, approximately 1.0 mile to the east and El Potrero Elementary School at 16820 Via Pamplona Drive located approximately 1.0 mile to the northeast. There are no proposed schools located within a quarter mile of the project site. In the absence of an existing or proposed school within a quarter mile of the project site, no impact would occur.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. The Department of Toxic Substance Control (DTSC), which designates the sites for the Hazardous Waste and Substance Site (Cortese) List, does not indicate any underground storage tanks, hazardous waste generators, landfills, or other potentially hazardous materials located on the site.[1] The project site and adjacent sites were not listed in any of the databases searched, including the Cortese list. Although past agricultural activity, which included the use of pesticides, was occurring as recent as 2005, the Phase I Site Assessment concluded that common practices in the application of these pesticides, including the ordinarily limited quantities in which they are applied and limited lifespan of these materials, no significant environmental concerns remain on the site from the past use of these materials. The proposed project site is not noted on public records reviewed in the Phase I Site Assessment as a known source of hazardous materials contamination. As such, impacts are less than significant.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

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[1] *Phase I Environmental Assessment for the Evaluation of Potentially Hazardous Materials for Approximately 75 Acres Between Indian Avenue and Perris Boulevard, North of the Perris Valley Storm Drain, Moreno Valley, California 92551*, Centec Engineering, Inc., February 23, 2007/

Less Than Significant Impact. The nearest airport, March Reserve Base Airport, is located approximately 0.5 mile northwest of the proposed project site. The proposed project is located outside of the Accident Potential Zones (APZ) of the March Air Reserve Base Air Installation Compatibility Use Zone Study.[1] The proposed uses and building structure are therefore compatible with the permitted uses and building structure height restrictions for the March Reserve Base. The proposed project is also consistent with the permitted uses and building height restrictions contained in Specific Plan 208. No other airport exists within the City of Moreno Valley. The development of the proposed project uses would not result in a safety hazard to persons residing or working in the project area. A less than significant impact would occur.

g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed project is consistent with the General Plan Circulation Element and Specific Plan 208. The proposed project would be required to design, construct, and maintain structures, roadways, and facilities in accordance with applicable standards associated with vehicular access, resulting in the provision of adequate vehicular access that would provide for adequate emergency access and evacuation. Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures would reduce potential impacts related to this issue to a less than significant level.

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less Than Significant Impact. The project site is not located within a Fire Hazard Area or within an area susceptible to wildfires identified by the City of Moreno Valley.[2] Areas surrounding the project site consist of urban, built, and open space. Because of lack of abundant vegetation and the moderate amount of development within the vicinity of the project site, on-site and adjacent areas do not have the capability to support a wildfire. Because of the low probability that the project site would be subject or susceptible to wildland fires, no significant impact related to this issue would occur.

2.5.6 Hydrology and Water Quality

Would the project:

a) Violate any water quality standards or waste discharge requirements?

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner that would result in flooding on site or off site?

e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

Potentially Significant Impact Unless Mitigation Incorporated. Development of the project site is in excess of one acre; therefore, the project is required to obtain coverage under an NPDES permit, which includes the submittal of a Notice of Intent (NOI) application to the State Water Resources

[1] Air Installation Compatibility Use Zone Study for March Air Reserve Base, August, 2005. http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf. Accessed June 8, 2011.

[2] *Figure 5.5-2 Floodplains and Fire Hazard Areas,* City of Moreno Valley General Plan Final Program EIR, July 2006.

Control Board (SWRCB), the receipt of a Waste Discharge Identification Number (WDID) from SWRCB, and the preparation of an SWPPP for construction discharges. During the construction period, the project would use a series of Best Management Practices (BMPs) to reduce erosion and sedimentation. These measures may include the use of gravel bags, silt fences, hay bales, check dams, hydroseed, and soil binders. The construction contractor would be required to operate and maintain these controls throughout the duration of on-site activities. In addition, the construction contractor would be required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the RWQCB.

The implementation of NPDES permits ensures that the state's mandatory standards for the maintenance of clean water and the federal minimums are met. Coverage with the permit would prevent sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. An SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES permit. The SWPPP is intended to facilitate a process whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed to prevent or control the discharge of pollutants in stormwater runoff.

The construction and grading phases of the project site would require the disturbance of surface soils and removal of existing vegetative cover. During the construction period, grading and excavation activities would result in exposure of soil to storm runoff, potentially causing erosion and sediment in runoff. If not managed through BMPs, the runoff could cause erosion and increased sedimentation in local drainage ways. By volume, sediment is the principal component in most storm runoff. Sediments also transport substances such as nutrients, hydrocarbons, and trace metals, which are conveyed to the receiving waters. The potential for chemical releases is present at most construction sites in the form of fuels, solvents, glues, paints, and other building construction materials. Once released, substances such as fuels, oils, paints, and solvents could be transported to nearby surface waterways and/or to groundwater in stormwater runoff, wash water, and dust control water, potentially reducing the quality of the receiving waters and potentially result in impairment of downstream water sources.

The NPDES permit program was established under Section 402 of the Clean Water Act, which prohibits the unauthorized discharge of pollutants, including municipal, commercial, and industrial wastewater discharges. An NPDES permit would generally specify an acceptable level of a pollutant or pollutant parameter in a discharge (for example, a certain level of bacteria). The permittee may choose which technologies to use to achieve that level. Some permits, however, do contain certain generic BMPs. Table 2.A lists BMPs for runoff control, sediment control, erosion control, and housekeeping that may be used during the construction and operations phases of the proposed project.

Table 2.A: General Best Management Practices

Runoff Control	Sediment Control	Erosion Control	Good Housekeeping
• Minimize clearing • Preserve natural vegetation • Stabilize drainage ways	• Install perimeter controls • Install sediment trapping devices • Inlet protection	• Stabilize exposed soils • Protect steep slopes • Complete construction in phases	• Create waste collection area • Put lids on containers • Clean up spills immediately

Source: National Pollutant Discharge Elimination System, Construction Site Storm Water Runoff Control, http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm, website accessed June 8, 2011. More detailed Best Management Practices are available at this web site.

Adherence to NPDES requirements is required of all development within the City. Incorporation of **Mitigation Measures HYD-01** through **HYD-03** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. On-site grading activities and the development of the proposed on-site uses would increase the potential for the erosion of soils. However, adherence to the BMPs identified by the above mitigation measures would reduce impacts associated with short-

term (construction) stormwater discharges during project construction. Therefore, impacts associated with this issue are reduced to a less than significant level.

The proposed project would result in the conversion of existing on-site permeable surfaces to impermeable surfaces, thereby altering the current drainage pattern. Upon development of the proposed on-site uses, storm runoff from the roadways, parking lots, and buildings may carry a variety of pollutants. As identified in the Preliminary WQMP[1] prepared for the proposed project, expected pollutants are trash, debris, oil, and grease. Potential pollutants of concern include organic compounds (specifically solvents), metals, sediment/turbidity, nutrients, oxygen-demanding substances, and pesticides if landscaping or open area exists on the project site. Since the parking area is greater than 5,000 square feet, expected pollutants from parking lots include organic compounds (specifically petroleum hydrocarbons), trash, debris, oil, grease, and metals. Potential pollutants of concern associated with parking areas greater than 5,000 square feet include sediment/turbidity, nutrients, oxygen-demanding substances, pesticides, and bacteria and viruses (bacterial indicators are routinely detected in pavement runoff).

The site's "first flush" storm runoff will be directed to five (5) Austin sand filters at appropriate locations of the site. Hydro-dynamic clarifiers, equipped with oil absorptive and/or screening devices will be placed upstream of the filters where appropriate to provide initial removal of trash, debris, and sediment. Three (3) of the storage areas of these filters will be lined with concrete to prevent recontamination of sediment. The fourth Austin sand filter located at the south property line opposite the center of the building will accept flows from a flat gradient, landscaped swale, which is intended to allow sediment to drop out of suspension prior to being treated by that Austin sand filter. The fifth Austin sand filter will utilize a combination of both approaches (clarifier and settling). Once the required treatment quantities have been captured, bypass designs will allow the excess runoff to be discharged into adjacent off-site storm drain facilities. The design will not incorporate infiltration due to excessively low percolation rates.

The storm water for the proposed project will discharge into existing storm drains located in Perris Boulevard (Perris Valley ADP Lateral B-1) and Indian Street (Perris Valley ADP Lateral B-3), as well as directly into the Perris Valley Storm Drain Lateral B channel. From the Perris Boulevard and Indian Street storm drains, the storm water will be discharged into the Perris Valley Storm Drain Lateral B channel and on to the proximate receiving water, which is Reach 3 of the San Jacinto River. This water body segment flows into Canyon Lake, Reach 1 of the San Jacinto River, and Lake Elsinore. Both Canyon Lake and Lake Elsinore are on the Federal 303(d) list of Impaired Water Bodies. Downstream receiving waters include Reach 3 of the Santa Ana River, Reach 2 of the Santa Ana River, Reach 1 of the Santa Ana River, and the Pacific Ocean. The waters on this list do not meet Water Quality Standards associated with Beneficial Uses for the listed water bodies. Canyon Lake is impaired for nutrients and pathogens, Lake Elsinore is impaired for nutrients, organic enrichment/low dissolved oxygen, sedimentation/siltation, and unknown toxicity. Santa Ana River is impaired for pathogens. Lake Elsinore is considered a closed system and is not discharged regularly. Only during severe storm events do flood waters discharge into Temescal Creek.

The implementation of the identified treatment controls is planned to further supplement the pollution prevention and source control measures by treating the water to remove pollutants before it is released from the project site. Basins constructed on the site would be anticipated to function as extended detention basins. The proposed project also includes the use of vegetated swales and sand filters, which would filter runoff coming from the project site. The use of the detention basins, vegetated swales, and sand filters has a medium-to-high removal efficiency for the pollutants that are anticipated to occur on the project site.

Although adherence to the Riverside County Storm Water Clean Water Protection Program, which includes the preparation of a WQMP, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-04** is designed to track both standard requirements and mitigation measures as part of the project's MMRP.

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[1] *Preliminary Water Quality Management Plan for VIP Moreno Valley, Robert* A. Bebensee, R.C.E, July 24, 2009.

The proposed project would incorporate on-site drainage that would have hydrodynamic infrastructure components that would meet the City's, as well as the County's, water quality and flow requirements. Through the use of site design BMPs, source control BMPs (e.g., street and parking lot sweeping and vacuuming), and treatment control BMPs (e.g., extended detention basins, sand filters and catch basin drain inserts), the resulting pollutant loads coming from the proposed project would be reduced, thereby ultimately reducing pollutants discharged from urban stormwater runoff to surface water bodies. Because adherence to the requirements of the NPDES permit, which include implementation of the BMPs outlined in the WQMP, would be required by the City during the operation of the proposed project, potential water quality impacts resulting from stormwater and urban runoff would be reduced to a less than significant level.

Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.

Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:

- Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.
- The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.
- Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.
- The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.

Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less Than Significant Impact. The availability of groundwater and issues involving the adequacy of recharge capability are regional in nature. The Groundwater Management Act[1] (AB 3030) provides a systematic procedure for an existing local agency to develop a groundwater management plan. AB 3030 allows a local agency whose service includes a groundwater basin that is not already subject to groundwater management pursuant to law or court order to adopt and implement a groundwater management plan and includes plans to mitigate overdraft conditions, control brackish water, and to monitor and replenish groundwater. There are currently few domestic uses for groundwater in the area as the City primarily relies upon imported water from the Eastern Municipal Water District (EMWD).[2] Water sources for the EMWD include imported water purchased from the Metropolitan Water District (Metropolitan), groundwater sources, and recycled water from the EMWD's five regional water reclamation facilities. Approximately 75 percent of the EMWD's water is imported from Metropolitan, with the remaining 25 percent supplied by groundwater wells.[3] Groundwater supplies are drawn from the EMWD wells located in the Hemet, San Jacinto, Moreno Valley, Perris Valley, and Murrieta areas.

The EMWD adopted the West San Jacinto Groundwater Basin Management Plan (Plan) in June 1995. The Plan serves to protect the interests of existing groundwater producers and to provide a framework for new water supply projects within the 256-square mile Management Plan area. This Plan encompasses more than 164,200 acres and includes the groundwater management zones, as well as essentially non-water bearing areas such as the Lakeview Mountains, the Bernasconi Hills around Lake Perris, the Double Butte area near Winchester, and areas in the extreme northern, western, and southern portions of the EMWD.[4]

Based on the Water Supply Assessment (WSA) prepared for the proposed project, water demand for the proposed on-site uses would total 49,805 gpd or 55.8 AFY.[5] The proposed project would obtain water service from the EMWD. It is anticipated that the proposed project would primarily utilize imported water purchased from Metropolitan. This imported water would be supplemented by local groundwater sources. The implementation of the existing West San Jacinto Groundwater Basin Management Plan would ensure that local groundwater resources are conserved and groundwater overdraft does not occur. Because this plan is in place, it is reasonable to conclude that the proposed project would not substantially deplete groundwater supplies in the area.

The proposed project would not interfere with groundwater recharge as the project site is not identified as a groundwater recharge area. The development of the proposed project would reduce the amount of pervious surfaces that could facilitate percolation on site. However, the proposed project would consist of other project design features such as sand filters that would be designed to offset the conversion of pervious surfaces to impervious surfaces. Because project design features

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1 Sections 10750–10756 of the California Water Code.
2 *Section 5.7 Hydrology/Water Quality, Moreno Valley General Plan Final Program EIR*, City of Moreno Valley, July 2006.
3 EMWD History and Mission, http://www.emwd.org/emwd/history_water.html, Eastern Municipal Water District, web site accessed June 8, 2011.
4 *West San Jacinto Groundwater Basin Management Plan* 2006 Annual Report, Eastern Municipal Water District, June 2007.
5 Table 7- Project Demand, *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

would be sized to accommodate increased flows on site, it is anticipated that the amount of water percolated on site would be similar to existing conditions. Therefore, the proposed project would not interfere with groundwater recharge activities. Impacts associated with this issue are less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?

Potentially Significant Impact Unless Mitigation Incorporated. As identified in the preliminary hydrology report[1] prepared for the proposed project, storm flows generated from the northerly portion of the proposed building and truck court would be collected by a series of drop inlet catch basins. Storm water runoff generated on site would be routed to three Austin sand filters and pre-treatment hydro-dynamic clarifiers that are intended to remove and reduce the amount of oils, sediment and trash from the storm water. The treated water from these sand filters is pumped into an adjacent on-site storm drain. The on-site storm drain system has been designed to accept a full 100-year storm event and flows would ultimately be routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard that connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from the westerly side of the proposed building would be collected by a drop inlet catch basin and routed by pipe to a landscaped swale that would be located along the southerly portion of the property. In the event that the landscape swale receives excess flows, the excess flows would be then routed to a second drop inlet catch basin. From the second drop inlet catch basin, flows would continue to an off-site catch basin and ultimately be routed to the Perris Valley ADP Lateral B-3 in Indian Street, which connects to the Perris Valley Storm Drain Lateral B channel. Storm water runoff generated from the easterly side of the building would be collected by a drop inlet catch basin and route via pipe to a hydro-dynamic clarifier then to an Austin sand filter located in the southeasterly corner of the project site. In the event that the clarifier and sand filter receive excess storm flows, these excess storm flows would be routed to an off-site catch basin and ultimately routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard, which connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from would also be routed to a landscaped swale running along the southerly portion of the project site. Flows would then be routed to an Austin sand filter located near the center of the site and ultimately routed to four existing 36-inch diameter reinforced concrete pipes (RCPs) that connect to Lateral B of the Perris Valley Channel. The Austin sand filter located in the southeasterly corner of the project site would also accept stormwater flows from the project site. In the event that flows are in excess of what the sand filter can handle, the excess flows would be directed back to the southerly landscaped swale, and ultimately to an existing 30-inch diameter RCP that connects to Lateral B of the Perris Valley Channel.

To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified. With adherence to this mitigation measure, impacts associated with this issue are less than significant.

Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical

[1] *Preliminary Hydrology Report and Hydraulic Analysis for APA09-0004 VIP Moreno Valley,* Robert A. Bebensee, R.C.E, March 27, 2009.

investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.

g) Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The project does not include a residential component; therefore, it would not place housing within a 100-year flood hazard area, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map. No impact related to this issue is anticipated to occur with the implementation of the proposed project.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Less Than Significant Impact. Flooding in the City of Moreno Valley could result from intense storms resulting in rapid runoff. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identify areas subject to flooding during the 100-year storm.[1] Based on these FIRM maps, the project site does not fall within a 100-year flood zone.[2] The proposed project is industrial in nature and the implementation of the proposed project would not result in the placement of structures within a 100-year floodplain. Because the project site does not lie within a 100-year floodplain, impacts related to this issue are less than significant.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. The nearest dam to the project site is the Lake Perris Dam located approximately 1.6 miles east of the project site. The project site is not identified as being located within the City's mapped inundation area;[3] therefore, the proposed project would not result in the exposure of people or structures to risk of loss, injury, or death involving flooding as a result of failure of the Lake Perris Dam. No impacts related to this issue would occur.

j) Expose people or structures to inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. A tsunami is a series of waves generated in a body of water by a pulsating or abrupt disturbance that vertically displaces water. Inundation of the proposed project's site by a tsunami is highly unlikely as the project site is approximately 40 miles northeast of the Pacific Ocean. Seiches are oscillations in enclosed bodies of water that are caused by a number of factors, most often wind or seismic activity. The nearest water feature is Lake Perris approximately 1.5 miles east of the project site. Any seiche-related events would likely be of a lesser extent than the failure of the Lake Perris Dam. Therefore, although the proposed project site is located near Lake Perris, seiche-related flooding is not anticipated to occur on site[4] because the proposed site outside of the Lake Perris Dam inundation zone. The project site is not located within an area that is susceptible to mudslide. For these reasons, a less than significant impact associated with this issue would occur.

2.5.7 Land Use

Would the project:

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1 The term "100-year" is a measure of the size of the flood, not how often it occurs. The "100-year flood" is a flooding event that has a one percent chance of occurring in any given year.
2 FEMA DFIRM Flood Data, 2008.
3 *Figure 5.5-2 Floodplains and Fire Hazard Areas*, City of Moreno Valley General Plan Final Program EIR. July 2006.
4 *Figure 5.5-2 Floodplains and Fire Hazard Areas*, City of Moreno Valley General Plan Final Program EIR. July 2006.

a) Physically divide an established community?

No Impact. As previously stated, the project site is currently undeveloped and is a fallow field. There are no structures existing on site. The Perris Valley Storm Drain Lateral B forms the southern boundary of the site and is also the City's southern limits. Adjacent land uses include primarily vacant land to the south across the Perris Valley Storm Drain Lateral B intermixed with warehouse uses, vacant land and an industrial warehouse use to the west, and industrial and warehouse uses to the north and east. Existing homes are located at the northwest corner of Indian Street and Gove View Road and an existing plant nursery is located at the southeast corner of Perris Boulevard and the Perris Valley Storm Drain Lateral B channel. There are no other residential uses in the vicinity of the proposed project site. The site would not be located within or divide an existing neighborhood, nor would it introduce a barrier between residential uses.

b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. The applicable land use plans governing the proposed project site are the City of Moreno Valley General Plan (Moreno Valley 2006) and the Moreno Valley Industrial Area Specific Plan 208 (Moreno Valley 2002). Other applicable regional plans developed by the Southern California Association of Governments (SCAG) include the Regional Comprehensive Plan [SCAG 2008b: (RCP)], and Regional Transportation Plan [SCAG 2008a: (RTP)]. The existing General Plan land use designation underlying the proposed project site is Business Park/Industrial with an existing Zoning designation of Industrial per Specific Plan 208, with supporting commercial permitted at the Perris Boulevard/Grove View Road intersection. The proposed warehouse use is consistent with the City's General Plan land use designation as well as the Zoning identified in Specific Plan 208. Consistency with existing General Plan land use designation and Zoning designations ensure compatibility with the City of Moreno Valley General Plan Goals and Policies.

Other applicable land use plans underlying the proposed project site include the March Air Reserve Base AICUZ Study) and the Southern California Association of Governments Regional Comprehensive Plan and Regional Transportation Plan.

As described in the City's General Plan Final EIR,[1] the three proposed General Plan Alternatives would result in the development of land surrounding the March Air Reserve Base. Based on the allowable uses identified in the AICUZ, the proposed development under any of the three General Plan Alternatives would be consistent with the AICUZ guidelines for land uses within the areas most susceptible to air crashes. The project is outside of the APZ crash zones identified in the AICUZ, but is within the noise contours. Because the proposed project is consistent with the existing General Plan, the proposed project would be consistent with the AICUZ. No significant land use impact would occur.

The SCAG has prepared the 2008 RCP to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the region. The RCP is a major advisory plan prepared by the SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance.

The RCP's overall goal is to reinvigorate the region's economy, avoid social and economic inequities and the geographical dislocation of communities, and to maintain the region's quality of life. The document is described as a regional policy framework for future land use decisions in the SCAG area that respects the need for strong local control, but that also recognizes the importance of regional comprehensive planning for issues of regional significance.

[1] *Moreno Valley General Plan Final EIR*, City of Moreno Valley, July 2006.

Formulation of the RCP is based on input from local jurisdictions based on what is contained within their respective General Plans. The proposed project is consistent with the City's existing General Plan. As such, implementation of the proposed project would not result in unanticipated growth documented in the RCP. Impacts are less than significant.

The 2008 RTP adopted by the SCAG in May 2008 contains a set of existing socioeconomic projections used as the basis for the SCAG's transportation planning efforts. They include projections of population, housing, and employment at the regional, county, sub-regional, jurisdictional, Census tract, and transportation analysis zone levels. The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections.

The proposed project is consistent with the RTP in that it would be required to adhere to the City of Moreno Valley's General Plan and the City's Industrial Area Plan. The General Plan and Industrial Area Plan contain goals and policies that aim to minimize traffic congestion, provide adequate transportation facilities, and require development to pay its share of costs. The goals and policies identified in the City's General Plan and Industrial Area Plan resemble those of the RTP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Furthermore, the project will be consistent with the General Plan and Industrial Area Plan and, since the General Plan and Industrial Area Plan is required to be consistent with the RTP, it is reasonable to infer that the project is consistent with policies set forth in the RTP.
Impacts are less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Refer to the discussion on the Western Riverside County MSHCP in Section 2.5.2.

2.5.8 Mineral Resources

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. There are no identified Mineral Resource Zones (MRZ) located with the General Plan Study Area.[1] The project site has been historically been utilized for agricultural production and does not harbor any known mineral resource. Implementation of the proposed project would not result in the loss of availability of a known mineral resource. No impact related to this issue would occur.

2.5.9 Population and Housing

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

[1] *Section 5.14 Mineral Resources*, City of Moreno Valley General Plan EIR, July 2006.

Less Than Significant Impact. The California Department of Finance (DOF) estimates the City's population at 195,216 persons as of January 1, 2011.[1] As detailed in Table 2.B, SCAG projections estimate the population of the City, the County of Riverside, and the SCAG region would continue to grow.

Table 2.B: Local and Regional Population, Housing, and Employment Projections

	2015	2020	2025	2030	2035
Population					
City of Moreno Valley	206,657	220,390	234,410	246,804	258,350
Riverside County	2,509,330	2,809,003	3,089,999	3,343,777	3,596,680
SCAG *	20,465,819	21,468,934	22,395,124	23,255,378	2,4057,292
Housing					
City of Moreno Valley	55,407	60,025	64,699	69,353	72,977
Riverside County	811,486	913,207	1,008,909	1,097,950	1,183,097
SCAG	6,474,074	6,840,331	7,156,635	7,449,484	7,710,716
Employment					
City of Moreno Valley	49,414	61,974	71,359	80,667	91,642
Riverside County	911,381	1,042,145	1,168,769	1,295,487	1,413,522
SCAG	8,811,402	9,183,026	9,546,782	9,913,372	10,287,122

*Includes Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties.
Source: *Regional Transportation Plan Growth Forecast by City*, Southern California Association of Governments, adopted April 1, 2008.

The SCAG projects the City's population would grow to 206,657 persons by the year 2015 and 258,350 persons by the year 2035. The proposed project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space[2]. The extent to which new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. The construction of the proposed project would create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the project area; therefore, construction of the proposed project would not generate a permanent increase in population within the project area. Utilizing 1 employee per 2,500 square feet of warehousing space, the proposed project is expected to employ 646 people.[3] As most of the new employment opportunities are anticipated to be filled by existing local area residents, a large influx of new residents to the City is not anticipated. Additionally, the project would not directly affect population growth as compared with new residential development, because it is not creating homes. While the proposed project would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Infrastructure, including roads, sewers, water, and electricity, already exists around the project site. These impacts are considered less than significant.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

1 E-5 Population and Housing Estimates, for Cities, Counties, and the State, 2010–2011, with 2010 Benchmark, State of California Department of Finance, http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/documents/E-5_2011_Internet_Version.xls, May 2011, website accessed June 7, 2011.
2 Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.
3 1 employee per 2,500 square feet, 1,616,133 sf ÷ 2,500 sf = 646 employees.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed project site consists of undeveloped land with no residential structures located within the project limits. Therefore, no displacement of housing or residents would occur and construction of replacement housing is not required.

2.5.10 Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire Protection

Less Than Significant Impact. The City of Moreno Valley contracts with the Riverside County Fire Department to provide fire protection, fire prevention, and emergency services to its residents. The fire station nearest the project site is Station No. 65 (Kennedy Park Fire Station), located at 1511 Indian Street, 3.0 miles north of the proposed project site. The proximity of Station No. 65 to the project site is sufficient to meet the City's General Plan performance standard requiring a response time of five minutes or less. As with any new development, the proposed project would increase the need for fire protection services within the City. While the proposed project would increase the need for fire protection, it would not require the construction of new fire facilities to maintain acceptable service ratios, response times, or other performance objectives. The proposed project would be required to adhere to all standards and conditions required by the City and the Riverside County Fire Department including, but not limited to, restrictions on project design, the imposition of construction standards, and including the payment of impact fees. Adherence to these standards would reduce potential impacts related to the provision of fire protection services and the need for the construction of new facilities which would result in adverse physical impacts to a less than significant level.

b) Police Protection

Less Than Significant Impact. The City of Moreno Valley contracts police services from the Riverside County Sheriff's Department. The Moreno Valley Police Department (MVPD) operates out of the Central Police Station, located at 22850 Calle San Juan de Los Lagos. The MVPD has 143 authorized sworn personnel and 45.5 authorized civilian personnel.[1] As with any new development, the proposed project would increase the need for police protection services within the City. The proposed project would be required to adhere to all standards and conditions required by the City and the MVPD, including the payment of impact fees. Adherence to conditions and standards identified by the City and the MVPD are required of all development within the City. While the proposed project would increase the need for police protection, it would not require the construction of new facilities to maintain acceptable service ratios, response times, or other performance objectives. The proposed project would result in a less than significant impact, and no additional mitigation is required. With adherence to City and MVPD requirements, no need for the construction of police facilities which would result adverse physical impacts would occur.

c) Schools

Less Than Significant Impact. The proposed project site is located within the Moreno Valley Unified School District (MVUSD). The proposed project does not include the construction of residential

[1] *Section 5.13 Public Services and Utilities*, The City of Moreno Valley General Plan Final EIR, July 2006.

dwelling units. There is a potential for the employees to move within the vicinity of the project; however, it is not anticipated that the growth would significantly impact existing school services or facilities.

Per California Government Code (§ 65995[h]), "The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts … on the provision of adequate school facilities." MVUSD requires the payment of 47 cents per square foot of industrial development.[1] With the payment of required fees and with no additional students generated from the proposed project, no significant impacts related to the provision of school services would occur. Upon payment of required fees, a less than significant impact to school services and/or facilities would occur. In the absence of a significant impact, the construction of new facilities that would result in a significant environmental impact would not occur.

d) Parks

*No Impact***.** The project does not include recreational facilities. Neighborhood or regional parks are not associated with industrial projects; therefore, there will be no impacts associated on these facilities from the proposed project.

e) Other Public Facilities

Less Than Significant Impact. The proposed project is an industrial project and, as a result, would not cause in an increase in population resulting in a significant impact on other public facilities such as libraries and hospital services. The local library serving the City is the Moreno Valley Public Library located at 25480 Alessandro Boulevard approximately 4.0 miles north of the project site. The nearest health service facility is the Moreno Valley Community Hospital located at 27300 Iris Avenue in the City of Moreno Valley approximately 3.5 miles northeast of the project site. The proposed project does not include a residential component and would not contribute to a direct increase in population. As there is no direct increase in population resulting from the proposed project, no new significant demand on library or medical facilities would occur. In the absence of a significant impact, the construction of new facilities that would result in a significant environmental impact would not occur.

All on-site access, parking areas, utilities, and structures would be maintained by the project applicant or operator of the proposed facility. Maintenance of public facilities and infrastructure would not be significantly altered by the development of the proposed project. The proposed project would not add any significant new public facilities that would require maintenance. In addition, the project proponent would be required to pay all developmental fees required by the City of Moreno Valley. Additionally, as with any industrial operation, the proposed project would provide revenue to the City in the form of fees, property taxes, etc. It is anticipated that the payment of such monies would offset any increased maintenance burden associated the development of the project site; therefore, potential impacts associated with this issue are anticipated to be less than significant.

2.5.11 Recreation

Would the project:

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. The proposed project does not include a residential component and is unlikely to significantly increase local or regional populations; therefore, the proposed project would not cause a significant increase in the use of existing neighborhood or regional parks or other

[1] *School Developer Impact Fees*, Moreno Valley Unified School District, http://www.mvusd.net/, website accessed June 7, 2011.

recreational facilities in the area. Impacts associated with this issue are considered less than significant.

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact. The proposed project would result in the construction and operation of a warehouse distribution facility. Implementation of the proposed project does not include the construction or expansion of recreational facilities. Therefore, no impacts associated with this issue would occur.

2.5.12 Utilities and Service Systems

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. The proposed project would be required to comply with the applicable waste discharge prohibitions and water quality objectives established by the Santa Ana RWQCB. The project proponent would also be required to satisfy City and EMWD requirements related to the payment of fees and/or the provision of wastewater conveyance features, and installation and maintenance prior to the issuance of building permits. Adherence to requirements included in the NPDES permit, SWPPP, WQMP, and EMWD wastewater conveyance standards would reduce potential wastewater quality impacts to a less than significant level.

b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. Wastewater flows from the proposed project site would be handled by the EMWD and would be conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF) located in the southwestern portion of the City. Current capacity at this facility is 16 million gallons per day (mgd) with an existing average inflow of approximately 11.2 mgd per day.[1] The MVRWRF will ultimately be expanded to accommodate 41 mgd. Under current conditions, the average daily surplus treatment capacity is approximately 4.5 mgd. Generally, water use and wastewater flows are related in that wastewater is generated from indoor water uses. For industrial uses, typical wastewater generation factors are 1,700 gallons per day (gpd) for every acre of gross industrial uses.[2] Based on this generation factor, up to 63,070 gallons (0.063 mgd) of wastewater would be generated from the project site.[3] The additional wastewater treatment demand of 0.063 mgd resulting from development of the proposed project totals approximately 1.4 percent of current surplus treatment capacity. Because the amount of wastewater generated would be within the existing surplus treatment capacity, the proposed project would not require the construction of a new water or wastewater treatment facilities or expansion of existing facilities, which could cause

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1 Eastern Municipal Water District Moreno Valley Regional Water Reclamation Facility. http://www.emwd.org/news/Insights/insights_moval.pdf, accessed June 7, 2011.

2 *Table 1 – EMWD System Design and Loading Criteria – Average Daily* Flow, Eastern Municipal Water District Sanitary Sewer System Planning & Design Principle Guidelines Criteria, September 2006.

3 1,616,133 square feet of warehouse uses ÷ 43,560 square feet/acre = 37.10 acres of warehouse uses; 1,700 gallons per acre of industrial use per day × 37.10 acres = 63,070 gallons per day (0.19 acre-foot) or 0.063 million gallons per day (mgd).

significant environmental effects; and impacts related to this issue would be considered less than significant.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. There is existing storm drain infrastructure in the vicinity of the proposed project that is capable of accommodating most existing storm water flows. Approvals of drainage features/improvements are made through the plan check process. As part of this process, all project-related drainage features would be required to meet the City's Public Works Division and RCFCWCD standards. The installation of project-related storm drain systems would occur within an existing urbanized area and the on-site storm drain system would be designed, installed, and maintained per Public Works Division and RCFCWCD standards. Because the project would be required to design and install drainage systems according to standards and provisions set forth by the City of Moreno Valley and RCFCWCD, impacts related to this issue are anticipated to be less than significant.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less Than Significant Impact. There has been a shift in the water demand patterns in the last 15 years, as a residential market has replaced an agricultural market. Metropolitan, based on the IRP update and IRPSIM[1] model, has stated that with the addition of all water supplies existing and planned, it would have the ability to meet all of its member agencies' projected supplemental demand through 2030 even under a repeat of a worst drought scenario and with a reduction in deliveries from the SWP as imported sources of water will be supplemented by an increase in desalination of brackish groundwater, recycled water use, and water use efficiency. Based on this assertion, the EMWD has stated in the WSA prepared for the project it is able to meet an increased demand for water over the next 20 years, even during drought conditions. This is based on continued commitment to conservation programs, additional water recycling, and continued development of local water resources.

To develop the projections used in the WSA, EMWD used a development-tracking database that assesses future water demands for specific projects. EMWD uses this database to help plan for future water supply and infrastructure needs by monitoring new projects through various stages of development. Changes in density and land use are also tracked in this database for planning purposes. The supply for dry years is driven by demand. Demand increases slightly (less than 2%) during dry years, primarily due to the increased demand in winter for landscaping or agricultural water, and can be decreased up to 10 percent due to conservation as dry periods are extended. Neither groundwater production nor recycled water deliveries are expected to increase or decrease significantly during dry years. For water shortages and interruptions, the plans and policies outlined in the Regional Urban Water Master Plan (RUWMP) will be implemented.

Based on the WSA conducted for the proposed project, water demand for the proposed on-site uses would total 49,805 gpd or 55.8 acre-feet per year (AFY). Based on the information contained in the WSA for the project site and the assurance that MWD is engaged in a planning process that will ensure a reliable long-term water supply for its member agencies, EMWD has determined that it will be able to provide adequate water supply to meet the potable water demand for the project in addition to existing and future users. Impacts are less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

[1] IRPSIM is a sophisticated water supply and demand-balancing model that utilizes 77 sequential hydrologies to determine variations in supply and demand due to changes in weather conditions.

Less Than Significant Impact. Solid waste collection is a "demand-responsive" service and current service levels can be expanded and funded through user fees without difficulty. Based on a solid waste generation of approximately 3.6 pounds per employee per day,[1] and 646 employees estimated for the project (See Population and Housing, Checklist Response 12a), the proposed on-site warehouse uses, in their entirety would generate approximately 2,326 pounds (1.16 tons) of waste per day.[2] Solid waste from the proposed project would be hauled by Waste Management of Inland Valley[3] and transferred to the Badlands Landfill, located to the northeast of the City's limits. The Badlands Sanitary Landfill has a daily permitted throughput of 4,000 tons per day, a remaining capacity of 14,730,025 cubic yards, and an estimated closure date of 2024.[4] Average daily throughput as of 2010 is estimated at 1,667 tons/day.[5] Current surplus capacity totals 2,333 tons/day. The volume of solid waste generated by the proposed project per day represents 0.029 percent of the current permitted throughput and 0.049 percent of the current surplus capacity at the Badlands Sanitary Landfill. As adequate daily surplus capacity exists at the receiving landfill, development of the proposed project would not significantly affect current operations or the expected lifetime of the landfill serving the project area. No significant solid waste disposal impact would occur.

g) Comply with federal, state, and local statues and regulations related to solid waste?

Less Than Significant Impact. The proposed project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, state, and federal solid waste disposal standards, thereby ensuring that the solid waste stream to the Badlands Sanitary Landfill is reduced in accordance with existing regulations. Impacts are considered less than significant.

2.6 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) will be prepared to comply with the requirements of State law (Public Resources Code, Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts or reduce impacts to a less than significant level. The MMRP is intended to ensure compliance with mitigation measures during implementation of the proposed project. The MMRP will be adopted by the Planning Commission concurrent with certification of the Final EIR for the proposed project.

2.7 CUMULATIVE PROJECTS

Substantial changes are anticipated to occur as the result of population and employment as well as the development of other projects in the City and region. *CEQA Guidelines* (Section 15130) require that an EIR include a discussion of the potential cumulative impacts of a proposed project. Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period of time. The *CEQA Guidelines*, state:

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1 Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008
2 646 employees × 3.6 lbs per employee per day = 2,326 lbs per day or 1.16 tons per day.
3 Trash service in the City of Moreno Valley is mandatory and Waste Management of Inland Valley is the only solid waste service provider.
4 *Badlands Sanitary Landfill Facility/Site Summary Details*, CalRecycle, http://www.calrecycle.ca.gov/profiles/Facility/Landfill/LFProfile1.asp?COID=33&FACID=33-AA-0006, website accessed on June 8, 2011.
5 Communication with Ryan Ross, Riverside County Waste Management Department, June 6, 2011.

(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The cumulative baseline for this project includes past, present, and probable future projects, which are either approved or being considered for approval, or anticipated to be submitted for consideration, including projects in the design phase or under construction. In determining the cumulative impacts of a proposed project with other area projects, an EIR may either consider a list of past, present, and probable future projects, or it may consider a summary of projections method or a combination of both.[1] This EIR utilizes the list method.

Information was collected and compiled from the Cities of Moreno Valley, Riverside, Perris, and Riverside County. The list of cumulative projects is based on project lists provided by staff from the City of Moreno Valley.[2] The project listings provided by the cities identify projects for which applications either have been submitted or are "foreseeable." As noted by the respective development reports, some of the identified applications are "inactive," "on-hold," or pending Planning Commission approval. It is not possible to determine with a reasonable level of certainty which or how many of the projects listed on the respective development inventories will complete the entitlement process and be issued permits for construction and occupancy; therefore, the figures cited represent a conservative scenario of what may be developed and interact with the project site. Because of market demands, demographic and economic conditions, and local development trends, it is reasonable to conclude that the number and amount of uses developed may vary from the total potential cumulative development identified in Table 2.C. The list of cumulative projects is illustrated in Figure 2.1.

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-1	First Industrial Realty Trust (PA06-0152, PA06-0153)	NEC Heacock St. and Nandina Ave.	1,183,000 SF of high cube warehouse uses
M-2	Moreno Valley Industrial Park (PA07-0035, PA07-0039)	Northeast corner of Heacock Street and Iris Avenue	205,000 SF of light industrial uses; 410,000 SF of high cube warehouse uses
M-3	Indian Business Park (PA07-0079)	Southwest corner of Indian Street/Iris Avenue	1,560,000 SF of high cube warehouse uses
M-4	Komar Investments	NEC of Heacock Street and San Michele Road	2,057,000 SF of high cube warehouse uses
M-5	Ivan Devries (PA06-0017)	Northeast corner of Perris Boulevard and Edwin Road	569,000 SF of industrial park uses
M-6	TM34748 (PA06-185, PA06-184, PA06-0183)	Southeast corner of Heacock Street and Gentian Avenue	135 single family homes
M-7	San Michele Logistics Center (PA07-0166)	North side of Nandina Avenue west of Perris Boulevard	866,000 SF of high cube warehouse uses

1 State *CEQA Guidelines*, Section 15130(b) (1).
2 Input from Jeff Bradshaw, City of Moreno Valley Community Development – Planning Division, dated April 2011.

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-8	TM 33810 (PA05-0089)	South of Iris Avenue between Indian Street and Emma Lane	16 single family homes
M-9	TM 34151 (PA05-0174)	East of Indian Street and north of Krameria Street	37 single family homes
M-10	TM 32716 (PA05-0148)	East of Indian Street, north of Perris Valley Channel	57 single family homes
M-11	TM 32917 (PA04-0051)	NEC of Lasselle Street and Krameria Street	227 condominiums
M-12	P05-0113	Northwest corner of Markham Street and Perris Boulevard	1,743,000 SF of high cube warehouse uses
M-13	Oakmont I (P05-0192)	Southwest corner of Markham Street and Perris Boulevard	698,000 SF of high cube warehouse uses
M-14	P05-0477	Northwest corner of Markham Street and Redlands Avenue	462,000 SF of high cube warehouse uses
M-15	P06-0425	North of Nance Street and west of Indian Street	6,300 SF of light industrial uses
M-16	P07-09-0018	NEC of Heacock Street and Nance St.	170,000 SF of warehousing uses
M-17	Oakmont II (P07-07-0029)	North of Ramona Expressway between Heacock Street and Indian Street	1,600,000 SF of high cube warehouse uses
M-18	TR 32707	Southeast corner of Harley Knox Boulevard and Evans Road	137 single family homes
M-19	TR 34716	Northwest corner of Markham Street and Redlands Avenue	318 single family homes
M-20	Ridge II	Northeast corner of Rider Street and Indian Street	2,000,000 SF of high cube warehouse uses
M-21	Jordan Distribution	Northeast corner of Rider Street and Redlands Avenue	378,000 SF of high cube warehouse uses
M-22	Aiere	Northwest corner of Rider Street and Redlands Avenue.	642,000 SF of high cube warehouse uses
M-23	Starcrest (08-11-0005, 08-11-0006)	Southeast corner of Ramona Expressway and Webster Street	454,000 SF of high cube warehouse uses
M-24	—	Northeast corner of Indian Street and Markham Street	189,000 SF of high cube warehouse uses

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
P-25	Stratford Ranch Industrial	NEC of Redlands Avenue and Perry Street (extended)	1,725,411 SF of high-cube warehouse uses
M-26	Rados Distribution Center	Northeast corner of Webster Avenue and Rider Street	1,191,000 SF of high cube warehouse uses
M-27	Ridge I (P 05-07-0493)	South of Ramona Expressway between Perris Boulevard and Indian Street	700,000 SF of high cube warehouse uses
M-28	—	North of Rider Street between Perris Boulevard and Redlands Avenue	40,000 SF of warehousing uses
M-29	IDS II	SWC of Redlands Avenue and Rider Street	350,000 SF of high cube warehousing uses
M-30	—	Northeast of Indian Avenue and San Michele Road	408,000 SF of light industrial uses
M-31	—	Northeast of Perris Boulevard and San Michele Road	681,000 SF of light industrial uses
M-32	—	Southwest of Perris Boulevard and Nandina Avenue	482,000 SF of high cube warehouse uses
M-33	—	Northwest of Indian Avenue and Harley Knox Boulevard	360,000 SF of light industrial uses
A-34	March Lifecare Specific Plan	SWC Heacock & Cactus	190,000 SF medical offices, 210,000 SF commercial retail, 200,000 SF research & education, 50 hospital beds, 660 beds institutional residential
A-35	Airport Master Plan	March ARB	559,000 SF airport use
C-36	Majestic Freeway Business Center (SP 341, PP 20699, PP21027, PP21552)	West of 215, south of Nandina, north of Cajalco	6,200,000 SF high-cube warehouse
M-37	Oleander Business Park	West of I-215 at Harley Knox Boulevard	1,206,710 SF of warehousing
M-38	Cemex Materials	24365 Nandina Ave (west of Indian St.)	Concrete batch plant on 5 ac
M-39	06-0411	East of Patterson Avenue, south of Nandina, north of Harley Know	Concrete batch plant, 400 SF office, 1,600 SF maintenance shop
M-40	Pierce Hardy Limited Partnership (PA06-0014)	SEC Heacock St. & Nandina Ave.	67,000 SF retail lumber yard complex
P-41	P05-0302	South of Markham St., east of I-215	900 SF office

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-42	March Business Center (PA11-0001)(P11-004)(PA11-0007)(PA11-0002, -0003, -0004, -0005, -0006)	SE corner of Heacock Street and Iris Avenue	Business center totaling 1,484,407 SF of building space on 75 acres.
C-43	Ramona Metrolink Station	NEC Cajalco and Harvill	Light rail station; 300 parking spaces
M-44	Centrepointe Buildings 8 and 9 (PA04-0063)	SEC Heacock St. & Alessandro Blvd.	361,384 SF general light industrial
M-45	Komar Cactus Plaza (PA08-0047, PA08-0048, PA08-0049, PA08-0050, PA08-0051, PA08-0052)	N side of Cactus Ave. & W of Elsworth St.	110 hotel rooms, 8,000 SF fast food w/drive thru, 42,400 SF commercial
M-46	MV Centerpointe Business Ctr. (PA07-0147, PA07-0157)	NEC Cactus Ave. & Frederick St.	353,859 SF warehousing
M-47	Centerpointe Business Park (PA08-0002, PA08-0003)	Corner of Brodiaea Ave & Graham St.	391,231 SF warehousing
M-48	Centerpointe Business Park (PA08-0093)	Corner of Heacock St. and Brodiaea Ave.	99,988 SF light industrial
M-49	Highland Fairview Corporate Park (PA07-0088, PA07-0089, PA07-0090, PA07-0091)	Immediately south of Hwy 60, between Redlands Blvd. and Theodore St.	2,620,000 SF industrial warehouse/commercial
M-50	Alessandro and Laselle - Winco Foods (PA08-0079, PA08-0080, PA08-0081)	NEC of Alessandro Blvd. and Laselle St.	110,240 SF shopping center (anchored by 95.440 TSF WinCo Foods)
M-51	Yoon Byun (PA09-0031)	NEC Alessandro and Graham	5,044 SF retail center w/ convenience store, restaurant and carwash
M-52	Classic Opportunities Group/Optiflex - Moreno Valley Medical Plaza (PA09-0033, PA09-0034, PA09-0035, PA09-0036, PA09-0037, PA09-0038, PA09-0039, PA09-0019, PA09-0020)	East side of Nason, south of Brodiaea Ave.	311,633 SF commercial medical plaza
M-53	TM 32505 (PA05-0017)	SWC Bay Avenue & Morrison Street	72 detached single-family units
M-54	TM 33417 (PA05-0142)	NWC Perris Blvd. & Delphinium Ave	60 condominiums
M-55	TM 33607 (PA06-0096)	NEC Perris Blvd. & Delphinium Ave	52 condominiums
M-56	TM 34988 (PA06-0141)	NEC Perris Blvd. & Brodiaea	251 townhomes
M-57	TM 34216 (PA05-0193)	NEC of Kitching and Alessandro	40 condominiums
M-58	TM 34681 (PA06-0052)	South of Alessandro, west of Lasselle	49 townhomes
M-59	Moreno Valley Medical Campus	North side of Iris Ave., west of Moreno Valley Community Hospital	75,000 SF medical office complex
M-60	Overton Moore Properties (PA08-0072)	NWC Cactus Ave. & Frederick St.	520,000 SF high-cube warehouse

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
R-61	Alessandro Business Park (P07-1028)	North of Alessandro, west of I-215 frontage road	652,018 SF general light industrial
R-62	P06-1408	East of I-215, north of Gateway Dr.	73,500 SF office
P-63	Harvest Landing Specific Plan	East of I-215, south of Placentia, west of Perris Blvd, north of Nuevo	1860 single family dwelling units, 1,306,582 SF multiple use business park
C-64	Amstar/Kaliber Development (PP 22925)	South of Alessandro Blvd, west of I-215 Frontage Road	258,102 SF office, 409,312 SF warehousing, 42,222 SF general light industrial, 10,000 SF retail
A-65	Alessandro Metrolink Station	South of Alessandro, east of Frontage Road	Light rail station; 300 parking spaces
A-66	Meridian Business Park	North West of 215, south of Alessandro	5,985,000 SF industrial park
A-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses
A-68	West Ridge Commerce Center	West of Redlands Boulevard, south of SR-60	937,260 SF of high cube warehouse uses
A-69	World Logistics Center	East of Redlands Avenue, south of SR-60	41,500,000 SF high cube warehouse uses
A-70	Perris Valley Commerce Center Specific Plan	3,500 acres in north Perris	Various Light Industrial, business park, and commercial uses

Notes: NWC = northwest corner; SWC = southwest corner; NEC = northeast corner; SEC = southeast corner; SF=square feet
Sources: City of Moreno Valley, August 2011

The cumulative analyses are provided following the discussion of the individual impacts associated with the proposed project in Section 4.0. For example, the cumulative impact for air quality is provided in Section 4.1, and so forth. Depending on the issue discussed, the area addressed in the cumulative analysis varies. For example, because of the cumulative nature of regional air quality emissions, the cumulative area for air quality impacts would encompass the South Coast Air Basin; while the cumulative area associated with noise would be limited to areas in the proximity of the project site. Because of the nature of the various cumulative discussions, the consideration of all the cumulative projects in every cumulative analysis is not warranted.

The traffic study is based on existing count data taken in 2007. For this reason, projects that were approved subsequent to 2011 were added to the background trip generation in the TIA. These are listed as cumulative projects 1 through 44 in Table 2.C and Figure 2.1.

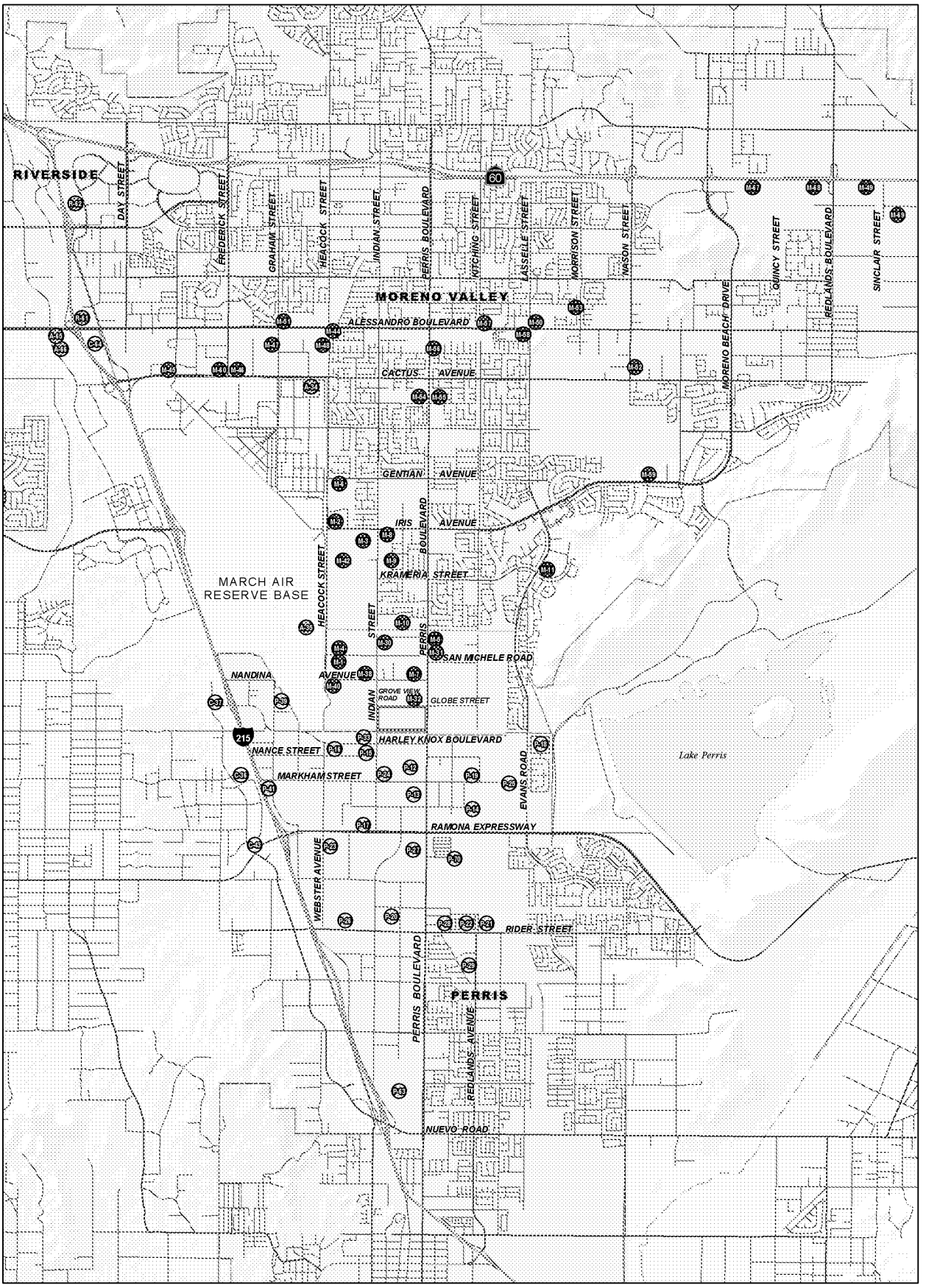

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FIGURE 2.1

Cumulative Projects

- Proposed Project Location
- City Boundaries
- City of Moreno Valley
- City of Perris
- City of Riverside
- County of Riverside
- March JPA

0 2,400 4,800
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VIP Moreno Valley
Environmental Impact Report

Cumulative Project Locations

SOURCE: City of Moreno Valley, August 2011; Riverside County, 2011
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3.0 PROJECT DESCRIPTION

The project description is provided in this section of the EIR in conformance with *CEQA Guidelines* §15124. It discusses the geographic setting, project location, project setting, City of Moreno Valley General Plan and zoning designations, project characteristics, discretionary actions, and project objectives. The project description is used as the basis for analysis in Section 4.0 of the EIR.

3.1 GEOGRAPHIC SETTING

As illustrated in previously referenced Figure1.1, the proposed project is located within the southwestern portion of the City of Moreno Valley, in Riverside County, California, east of Interstate 215 (I-215) and south of State Route 60 (SR-60). The City is located within the Perris Block geologic unit, which in turn lies within the Peninsular Ranges Geomorphic Province of southern California. The Peninsular Ranges Geomorphic province is characterized by a series of north westerly trending mountain ranges extending from the coast of California eastward into the California desert and south to the tip of Baja California. The Perris Block is bounded on the northeast by the San Jacinto Fault, on the north by the Cucamonga Fault and the San Gabriel Mountains, and on the southwest by the Elsinore Fault and the Santa Ana Mountains. The City of Perris borders Moreno Valley to the south and the City of Riverside to the west, with unincorporated areas of Riverside County bordering the City to the north and east. The Box Springs Mountains border the City to the north.

3.2 PROJECT LOCATION

The project site consists of four parcels (APNs 316-210-71, 316-210-73, 316-210-75, and 316-210-76) totaling approximately 71 net acres located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary. The site is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the project site.

3.3 PROJECT SETTING

The project site is relatively level, descending gradually from northwest to southeast, at an elevation ranging from approximately 1,465 to 1,461 feet above sea level. On-site soils consist of disturbed top soil/fill and natural soils, classified as brown clayey silts to silty sands.

The project vicinity is characterized by a mix of developed and undeveloped properties, as can be seen in previously referenced Figure 1.1. Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north, industrial/warehouse and undeveloped property to the south, industrial/warehouses and a self storage facility to the east, and warehouses, vehicle storage, residences, and undeveloped property to the west.

The proposed project site has been used historically for agricultural purposes but currently lies fallow. It was most recently used as a sod farm growing that ceased operating in August 2005. Within the past two years, the proposed Project site has received approximately 80,000 cubic yards of fill as part of an approved stockpile permit previously issued by the City. The major roads that provide access to the project are Perris Boulevard, Indian Street, Grove View Street, and Harley Knox Boulevard, with the nearest I-215 interchanges at Harley Knox Boulevard and Ramona Expressway.

3.4 CITY OF MORENO VALLEY GENERAL PLAN AND ZONING DESIGNATIONS

A review of the Cities of Moreno Valley and Perris General Plans reveals the site and surrounding area is designated Business Park/Light Industrial to the north, east and west in the City of Moreno Valley (City) and Light Industrial and Community Commercial south of the Lateral B channel in Perris. Similarly, zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, which is known as the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002.

As illustrated in Figure 3.1, SP 208 encompasses approximately 1,540 acres in the southwest portion of the City covering an "L" shaped area. South of Mariposa Avenue/Lateral A channel, the SP area is bordered by City of Perris to the south, the Perris Valley Storm drain to the east, and Heacock Street to the west. North of Mariposa Avenue/Lateral A channel, the SP is bordered by Indian Street to the east, Heacock Street to the west, and Iris Avenue to the north. The SP also includes the area north of Iris Street bordered by Gentian Avenue to the north, Indian Street to the east, and Heacock Street to the west. SP 208 functions as the zoning for the applicable planning area, defining permitted uses and establishing design guidelines.

The proposed project site as well as the surrounding areas are planned for industrial development per SP 208. The SP also permits supporting commercial land uses at key intersections in its planning area, including the intersection of Perris Boulevard and Grove View Road. Zoning for the area to the south across the Lateral B channel in Perris is Light Industrial and Community Commercial. Table 3.A provides a summary of existing on-site and adjacent land use, zoning, and General Plan designations. Figure 3.2 illustrates existing on-site and adjacent General Plan Land use designations and zoning for the site.

Table 3.A: On-Site and Adjacent Land Use Designations

Location	Current Land Uses	General Plan Land Uses	Zoning Designations
On-site	Vacant/Fallow	Business Park/Light Industrial	SP 208
North	industrial	Business Park/Light Industrial	SP 208
South[1]	industrial and vacant	Community Commercial and Light Industrial	Light Industrial and Community Commercial
East	industrial	Business Park/Light Industrial	SP 208
West	industrial and vacant	Business Park/Light Industrial	SP 208

[1] Land use, General Plan, and Zoning information shown is in the City of Perris.
Sources: City of Moreno Valley General Plan Land Use Map, adopted August 2010; City of Moreno Valley Zoning, accessed April 7, 2011; City of Perris General Plan Land Use Map, approved February 2008; City of Perris Zoning February 2009.

3.5 PROJECT CHARACTERISTICS

The proposed project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space on an approximately 71 acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 truck trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. Previously referenced Figure 1.2 provides a conceptual site plan for the proposed project.

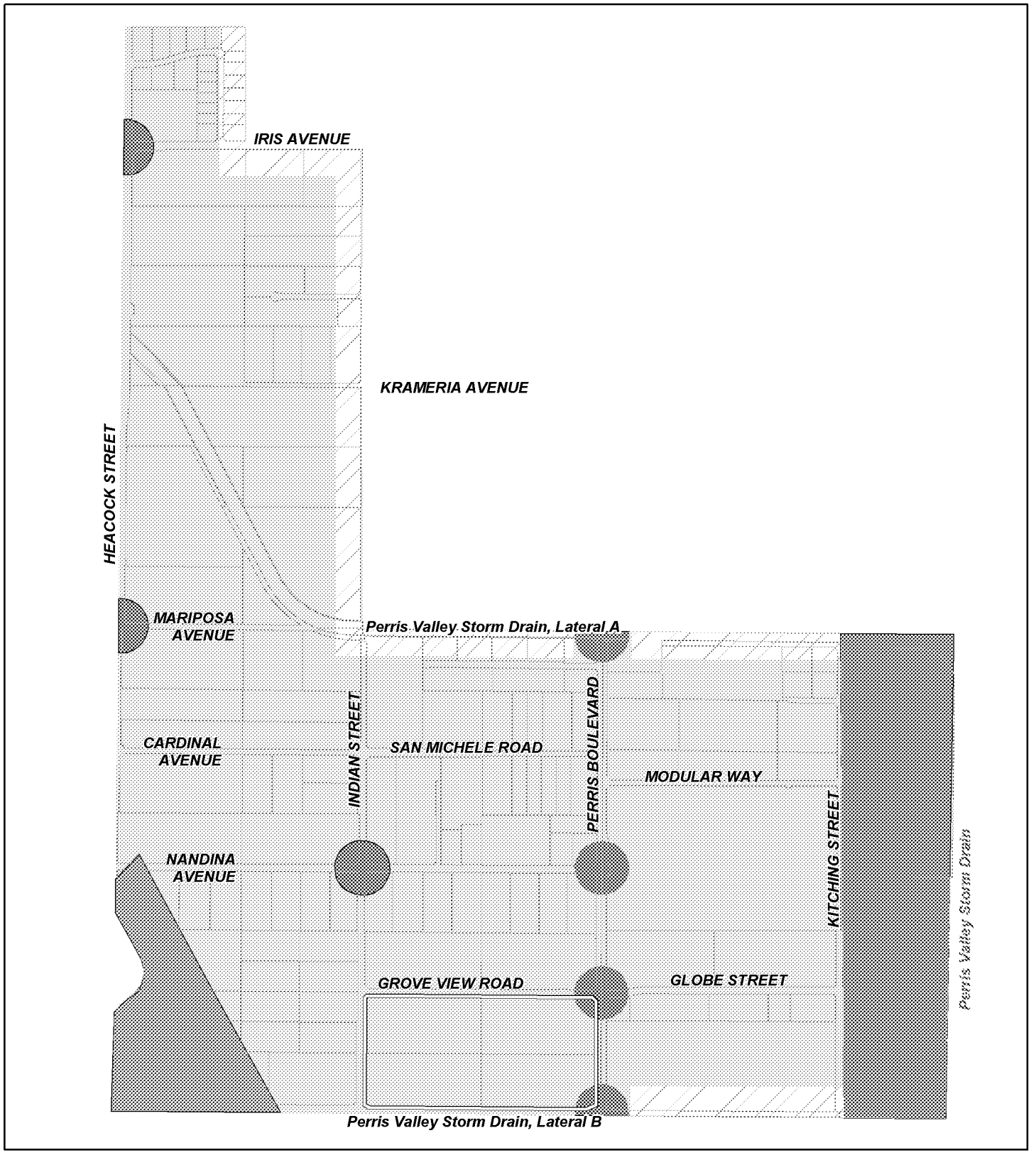

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Project Boundary

Moreno Valley Industrial Area Plan Boundary
Industrial
Public
Clear Zone
Commercial (Industrial/Business Support)
300' Residential Buffer

FIGURE 3.1

VIP Moreno Valley
Environmental Impact Report

Moreno Valley Industrial Area Plan Boundaries (SP 208)

SOURCE: City of Moreno Valley (Specific Plan 208), 2002.

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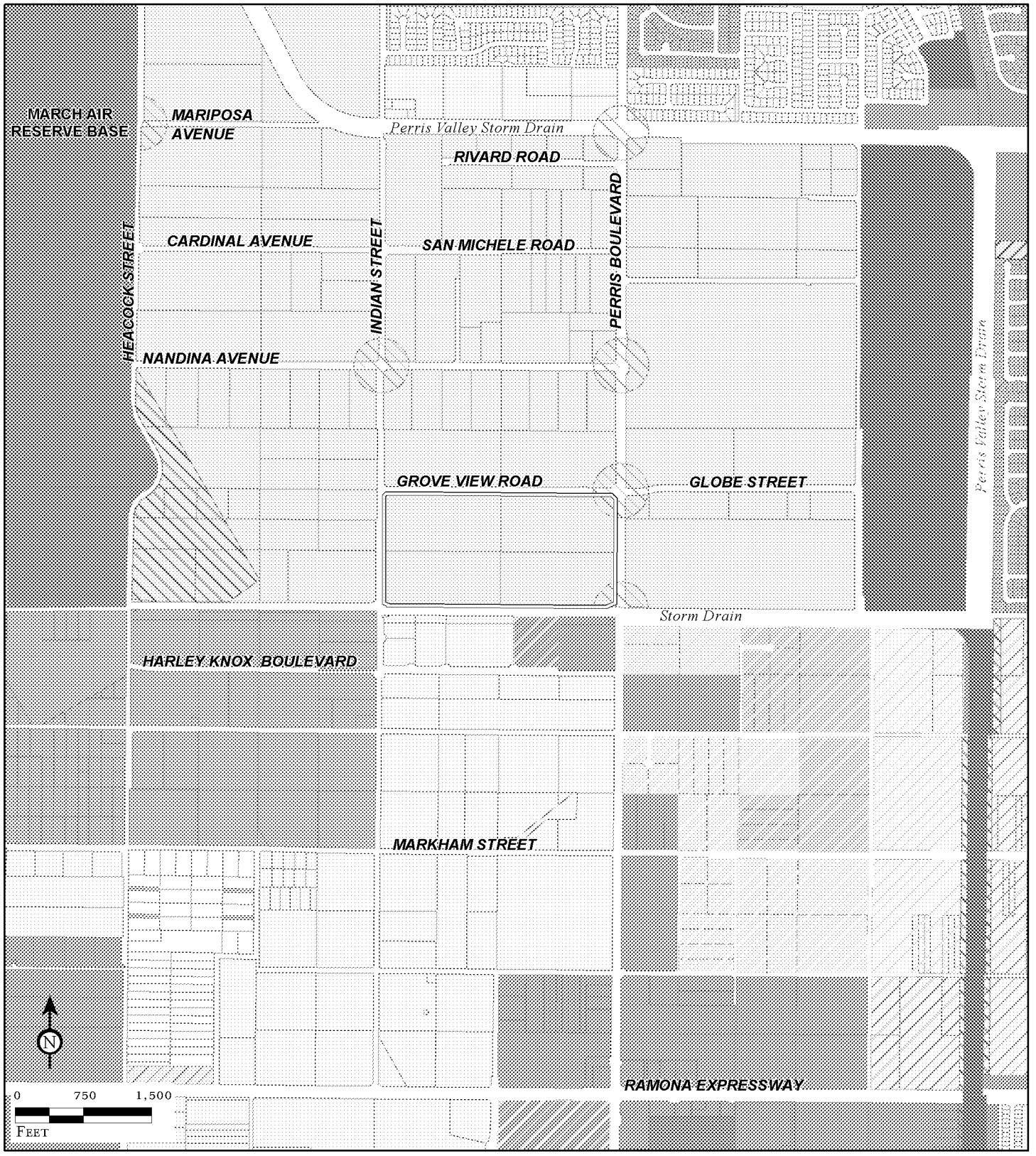

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Project Boundary

Zoning

Public Facilities
NC - Neighborhood Commercial
Commercial
SP - Specific Plan
LI - Light Industrial
A1 - Light Agriculture
OS - Open Space
R - 6,000 - Residential
R - 10,000

General Plan - Land Use

March Air Reserve Base
BP - Business Park
CC - Community Commercial
GI - General Industrial
LI - Light Industrial
MFR - 14
NC - Neighborhood Commercial
OS - Parks/Recreational/Natural Open Space
P - Public/Semi-Public Facilities/Utilities
Residential: Max. 5 du/ac
R - 6000
Residential: Max. 10 du/ac
Residential: Max. 15 du/ac
R - 20,000
SP

SOURCE: City of Moreno Valley Land Use Map, August 12, 2010; City of Perris - General Plan, February 19, 2009; City of Moreno Valley - Zoning, April 20, 2011; City of Perris - Zoning, February 19, 2009.

FIGURE 3.2

VIP Moreno Valley
Environmental Impact Report

Existing General Plan Land Use Designations and Zoning

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The proposed project features a variety of architectural elements including façade accents such as corner treatments and roof trim (refer to Figure 3.3). The project would also provide variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation creates shadow lines at various times of the day.

Access to the project site will be provided via two driveways on Indian Street, three driveways on Grove View Road, and two driveways on Perris Boulevard. The northern driveway on Perris Boulevard will be for passenger vehicle and emergency access only. The southern driveway on Perris Boulevard will align with the existing signalized intersection at the Ross Distribution Warehouse entrance. The north project driveway on Indian Street will be for passenger vehicle and emergency access only; all other driveways will be used by both passenger vehicles and trucks. The proposed project is anticipated to be constructed by the year 2013.

The proposed project will function as a trucking distribution hub for several types of items. Goods imported from the ports of California as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in and out of state locations, thus benefiting both local and interstate commerce.

Due to the project site's topography and drainage requirements, approximately 220,000 additional cubic yards of fill will be required. The specific location of the fill import site is not known at this time. It is reasonable to estimate that the fill will be obtained from a site located within 10 miles of the proposed project in order to reduce import hauling costs, consistent with soil import/export hauling distances for projects in Moreno Valley.

In addition to construction of required street frontage improvements on Indian Street, Perris Boulevard, and Grove View Road, the proposed project includes construction of necessary infrastructure to provide water, sewer, phone, cable, natural gas, and electricity service. Drainage will be handled by a system of on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features. All utilities hook ups are immediately available, with no off-site improvement required.

Site and building design attributes for the proposed project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

Green building designs typically exhibit the following features:

- More natural ventilation or, at least, a mixture of natural ventilation and air conditioning, and/or increased fresh air via the mechanical ventilation system.
- Narrow plan forms, often within the 15m limits of natural ventilation and daylight access, the corollary of which is less 'deep' space in the middle, which users dislike.
- Better utilization of daylight.
- More user controls for windows, blinds, lights, and ventilators. This can mean that needs (like thermal comfort) are met more quickly even though the conditions may only be 'good enough'. Users preferred rapid response when things go wrong or need changing, and will tolerate conditions which are reasonable.
- Higher floor to ceiling heights, which helps, e.g., with daylight penetration.
- More open plan workspaces (usually desks) close to or next to windows.

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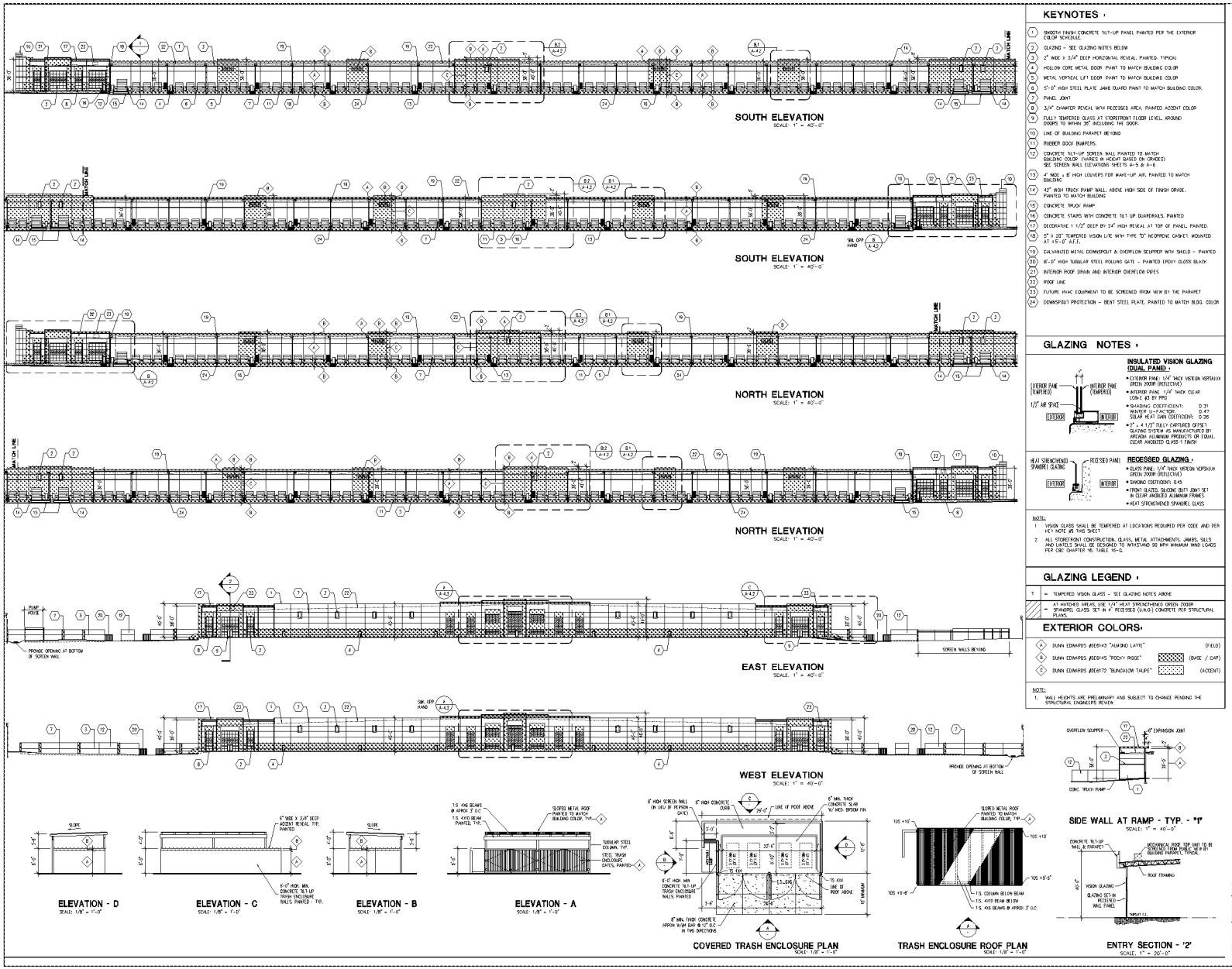

KEYNOTES

1. SMOOTH FINISH CONCRETE TILT-UP PANEL PAINTED PER THE EXTERIOR COLOR SCHEDULE.
2. GLAZING – SEE GLAZING NOTES BELOW
3. 2" WIDE x 3/4" DEEP HORIZONTAL REVEAL. PAINTED. TYPICAL
4. HOLLOW CORE METAL DOOR PAINT TO MATCH BUILDING COLOR
5. METAL VERTICAL LIFT DOOR PAINT TO MATCH BUILDING COLOR
6. 5'-0" HIGH STEEL PLATE JAMB GUARD PAINT TO MATCH BUILDING COLOR.
7. PANEL JOINT
8. 3/4" CHAMFER REVEAL WITH RECESSED AREA. PAINTED ACCENT COLOR
9. FULLY TEMPERED GLASS AT STOREFRONT FLOOR LEVEL AROUND DOORS TO WITHIN 36" INCLUDING THE DOOR.
10. LINE OF BUILDING PARAPET BEYOND
11. RUBBER DOOR BUMPERS.
12. CONCRETE TILT-UP SCREEN WALL PAINTED TO MATCH BUILDING COLOR (VARIES IN HEIGHT BASED ON GRADES) SEE SCREEN WALL ELEVATIONS SHEETS A-5 & A-6
13. 4" WIDE x 8' HIGH LOUVERS FOR MAKE-UP AIR. PAINTED TO MATCH BUILDING
14. 42" HIGH TRUCK RAMP WALL ABOVE HIGH SIDE OF FINISH GRADE. PAINTED TO MATCH BUILDING
15. CONCRETE TRUCK RAMP
16. CONCRETE STAIRS WITH CONCRETE TILT UP GUARDRAILS. PAINTED
17. DECORATIVE 1 1/2" DEEP BY 24" HIGH REVEAL AT TOP OF PANEL. PAINTED.
18. 6" x 20" TEMPERED VISION LITE WITH TYPE "D" NEOPRENE GASKET. MOUNTED AT 4'-0" A.F.F.
19. GALVANIZED METAL DOWNSPOUT & OVERFLOW SCUPPER WITH SHIELD – PAINTED
20. 8'-0" HIGH TUBULAR STEEL ROLLING GATE – PAINTED EPOXY GLOSS BLACK
21. INTERIOR ROOF DRAIN AND INTERIOR OVERFLOW PIPES
22. ROOF LINE
23. FUTURE HVAC EQUIPMENT TO BE SCREENED FROM VIEW BY THE PARAPET
24. DOWNSPOUT PROTECTION – BENT STEEL PLATE. PAINTED TO MATCH BLDG. COLOR

GLAZING NOTES

INSULATED VISION GLAZING (DUAL PANE):

- EXTERIOR PANE: 1/4" THICK VISTEON VOPSAIUX GREEN 2000R (REFLECTIVE)
- INTERIOR PANE: 1/4" THICK CLEAR LOW-E #2 BY PPG
- SHADING COEFFICIENT: 0.31
  WINTER U-FACTOR: 0.47
  SOLAR HEAT GAIN COEFFICIENT: 0.26
- 2" x 4 1/2" FULLY CAPTURED OFFSET GLAZING SYSTEM AS MANUFACTURED BY ARCADIA ALUMINUM PRODUCTS OR EQUAL. CLEAR ANODIZED CLASS-1 FINISH

RECESSED GLAZING:

- GLASS PANE: 1/4" THICK VISTEON VOPSAIUX GREEN 2000R (REFLECTIVE)
- SHADING COEFFICIENT: 0.43
- FRONT GLAZED SILICONE BUTT JOINT SET IN CLEAR ANODIZED ALUMINUM FRAMES.
- HEAT STRENGTHENED SPANDREL GLASS

NOTE:

1. VISION GLASS SHALL BE TEMPERED AT LOCATIONS REQUIRED PER CODE AND PER KEY NOTE #9 THIS SHEET
2. ALL STOREFRONT CONSTRUCTION, GLASS, METAL ATTACHMENTS, JAMBS, SILLS AND LINTELS SHALL BE DESIGNED TO WITHSTAND 90 MPH MINIMUM WIND LOADS PER CBC CHAPTER 16, TABLE 16-G

GLAZING LEGEND

T = TEMPERED VISION GLASS – SEE GLAZING NOTES ABOVE

= AT HATCHED AREAS, USE 1/4" HEAT STRENGTHENED GREEN 2000R = SPANDREL GLASS SET IN 4" RECESSED (U.N.O.) CONCRETE PER STRUCTURAL PLANS.

EXTERIOR COLORS

A	DUNN EDWARDS #DE6143 "ALMOND LATTE"	(FIELD)
B	DUNN EDWARDS #DE6145 "ROCKY RIDGE"	(BASE / CAP)
C	DUNN EDWARDS #DE6172 "BUNGALOW TAUPE"	(ACCENT)

NOTE:

1. WALL HEIGHTS ARE PRELIMINARY AND SUBJECT TO CHANGE PENDING THE STRUCTURAL ENGINEERS REVIEW

RKZ, INC.
9602 DOVE AVENUE SUITE 205
TUSTIN, CALIFORNIA 92780
PH: 714.730.1160 FAX: 714.730.1880
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
3010 PARKED TESORO
WALNUT, CA 91789-2701
PHONE: 909 598-2917
FAX: 909 598-2917

VIP MORENO VALLEY

XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY, CA

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1	PLANNING DEPT COPY 04-05-04
REVISIONS	
CONSTR.	
BID	
PLAN CHECK	
DRAWN	05-12-03
JOB NO.	03-25
SHEET NAME	EXTERIOR ELEVATIONS
SHEET NO.	A-4.1
OF	SHEETS

PROJECT PA03-0004 & PA03-0012

LSA FIGURE 3.3

VIP Moreno Valley
Environmental Impact Report
Building Elevations

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SOURCE: RKZ, Inc., 2011

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- More care taken in design of achieving comfortable conditions, especially in summertime. Examples of green building features include

Sustainable commercial buildings have been described to have the following building elements:

- Site which optimizes the building orientation, the natural lighting, shading, and ventilation it can capture.
- The building fabrics and materials use low embodied energy materials; use of recycled materials; and the use of high performance material.
- The building has efficient operational and maintenance costs.
- The building is efficient with the use of energy and water managed through a Building Management System. For example, use of photovoltaic array on its roof or façade; rainwater collection and storage tanks.

In recognition of the trend towards Green Building, the proposed project will pursue the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. LEED is a voluntary, consensus-based standard to support and certify successful green building design, construction, and operations. LEED programs evaluate the complete life cycle of projects and associated buildings through design, construction, and operations. The Core & Shell rating system is for designers, builders, developers, and new building owners of new core and shell construction where the tenants and needs for inside the building are not known. The rating system covers the base building elements including the structure, building envelope, and HVAC system.

Projects seeking LEED compliance are given points for compliance with specific concepts promoting green building. The points rating for a project increases as the number of policies that the project complies with increases. A point scale is applied and projects are rated on this scale. The scale is broken down into four levels, LEED Certified, Silver, Gold, and Platinum, with Platinum being the highest attainable certification available for a given project. The proposed project will incorporate Green Building concepts and is expected to reach the LEED “Certified” rating.

3.6 PROJECT OBJECTIVES

The purpose of the proposed project is to provide a new facility specializing in warehouse distribution services. Upon development, the proposed project will achieve the following:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area’s close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;

- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

3.7 REQUIRED PERMITS AND DISCRETIONARY ACTIONS

The following discretionary actions are anticipated to be taken by the City of Moreno Valley as part of the proposed project:

- Tentative Parcel Map approval (TPM 36162);
- Certification of Environmental Impact Report; and
- Site Plan approval.

Other non-discretionary actions anticipated to be taken by the City at the Staff level as part of the proposed project include the following:

- Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction. Approval of a Water Quality Management Plan (WQMP) to mitigate for post-construction runoff flows.
- Issuance of a Grading permit that requires approval of a grading plan, approval of the final drainage study, approval of the Final WQMP, obtaining an NOI and WDID number, and satisfying those conditions of approval required prior to grading.
- Issuance of an Encroachment permit for any construction work done in any City-controlled right-of-way. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.
- Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits.

Approvals and permits required by other agencies include:

- A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that downstream water quality is not worsened;
- Approval of water and sewer improvement plans by the Eastern Municipal Water District.

- Approval from the City and Riverside County Flood Control and Water Conservation District to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions.

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4.0 ENVIRONMENTAL IMPACT EVALUATION

As stated previously, there are five environmental topic areas that are analyzed in this EIR with respect to the proposed project. These topics are:

4.1 Agricultural Resources

4.2 Air Quality

4.3 Climate Change and Greenhouse Gas Emissions

4.4 Noise

4.5 Transportation and Traffic

Within each subsection described in Section 4.0, the following information is presented relative to each environmental issue described:

- Description of the existing setting as it relates to the specific environmental issue;
- A summary of policies and regulations relevant to the specific environmental issue;
- Identification of the thresholds of significance;
- Evaluation of project-specific impacts and a determination of significance based on identified threshold levels;
- Identification of mitigation measures;
- A determination of the level of significance after mitigation measures are implemented; and
- Cumulative impacts.

The following environmental analysis provided in Sections 4.1 through 4.5 focuses on changes in the existing physical environment and identifies direct and indirect and short-term and long-term significant effects associated with the proposed project. The cumulative impacts for each of the proposed project components are analyzed within the discussion of each component for each threshold.

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4.1 AGRICULTURE AND FORESTRY RESOURCES

This chapter discusses agricultural and forest resource impacts attributable to the proposed project. It describes existing agricultural resources, respective State farmland classifications for the project site, and existing forest resources. This chapter focuses on discussions involving applicable State, regional, and local policies regarding agricultural and forest resources and the conversion of farmland and forest to non-agricultural and non-forest uses. This section is based in part on the following reference documents:

- *A Guide to the Farmland Mapping and Monitoring Program*, California Department of Conservation, Division of Land Resources Protection, 2004 Edition.
- *California Land Evaluation and Site Assessment Model, Instruction Manual*, California Department of Conservation, Office of Land Conservation, 1997.
- *City of Moreno Valley General Plan*, City of Moreno Valley, July 2006.
- *City of Moreno Valley General Plan Final Environmental Impact Report*, P & D Consultants, July 2006.
- *Economic Viability of Agriculture in the East Inland Empire,* CB Richard Ellis, March 18, 2009.
- *Riverside County Land Use Conversions, 1998–2008*, California Department of Conservation, Division of Land Resources Protection.
- *Riverside County 2009 Agricultural Production Report, 2009.*
- *Soil Survey Western Riverside County Area, California*, United States Department of Agriculture, November 1971.

The California Land Evaluation and Site Assessment (LESA) Model worksheets prepared for the proposed project are included as Appendix B to this EIR.

4.1.1 Existing Setting

4.1.1.1 Agricultural Resources

As described in the City's General Plan (July 2006), land used for agricultural production is generally concentrated in the eastern portion of the City. Farmland within the City at the time of the preparation of the General Plan was most often used for grazing, citrus orchards, and potato and dryland farming.[1] However, in recent years the City and region have faced and still face urbanization and development pressures contributing to the decline of agricultural uses in the project area and region. Of the land in the City that is utilized for agricultural use, few parcels are owner-operated with the majority of the properties being leased for agricultural use. Many agricultural fields within the City have been out of production for a number of years and are dominated by disturbed ruderal (weedy) vegetation. This condition is also true of the proposed project site. Various forms of disturbance related to agricultural uses include frequent disking, pesticide application, and irrigation. The project vicinity is characterized by a mix of developed and undeveloped properties, as can be seen in previously referenced Figure 1.1. Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north; industrial/warehouse and undeveloped property to the south; industrial/warehouses and a self storage facility to the east; and warehouses, vehicle storage, residences, and undeveloped property to the west. Active agricultural operations (alfalfa) take place on properties located to the southwest of the project site, west of Indian Street and south of Harley Knox Boulevard.

[1] *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.

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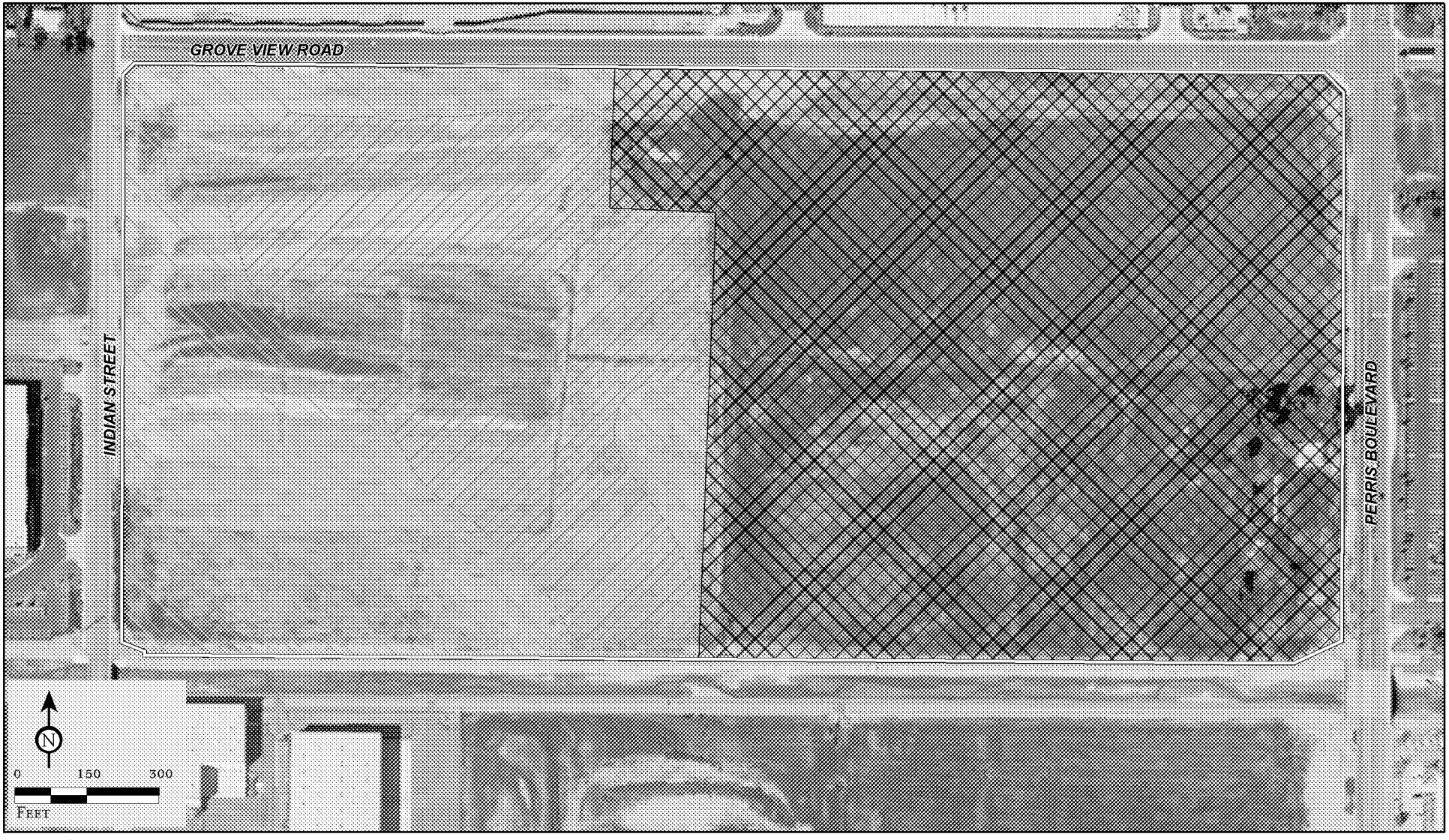

LSA

FIGURE 4.1.1

Project Boundary

State Designated Farmland

Farmland of Local Importance

Farmland of Statewide Importance

Prime Farmland

SOURCE: ESRI World Imagery: Aerials Express, 2010; Farmland Mapping and Monitoring Program, 2008.

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VIP Moreno Valley
Environmental Impact Report

State Designated Farmland

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The proposed project site has been used historically for agricultural purposes but currently lies fallow and has been fallow for a number of years. It was most recently used as a sod farm that ceased operating in August 2005 and has not been in agricultural production since that time. Within the City, approximately 1,639 acres are designated as Prime Farmland.[1] As illustrated in Figure 4.1.1, the project site is identified as Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland,[2] 16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance.

4.1.1.2 Forestry Resources

Based on data from the Fire and Resource Assessment Program, Riverside County does not have land set aside for timber production.[3] In addition, no land is currently identified as suitable for timber sale production in Southern California. Therefore, there are currently no areas within the City designated for timber production. Harvesting of trees may occur to meet wildlife, fuel, watershed, or other needs.[4]

4.1.1.3 General Plan and Zoning Designations

The City of Moreno Valley's General Plan policies support agriculture as an interim use. No land in the City is dedicated for agricultural use. The site and surrounding area is designated Business Park/Light Industrial to the north, east and west in the City and Light Industrial and Community Commercial south of the Lateral B channel in Perris. Similarly, zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002, and encompasses approximately 1,540 acres in the southwest portion of the City covering an L-shaped area. SP 208 functions as the zoning for the applicable planning area, defining permitted uses and establishing design guidelines. The proposed project site, as well as the surrounding areas, is planned for industrial development per SP 208. The SP also permits supporting commercial land uses at key intersections in its planning area, including the intersection of Perris Boulevard and Grove View Road. Zoning for the area to the south across the Lateral B channel in Perris is Light Industrial and Community Commercial.

4.1.2 Existing Policies and Regulations

The preservation of agricultural activities and soils has been an explicit goal of the United States Department of Agriculture (USDA) and California Department of Conservation (CDC). Agricultural soils are limited non-renewable resources that are usually confined to particular locations; however, not all agricultural activities occur on soils suitable for agriculture and not all soils highly suited for farming are used for crop production. Generally, policies implemented to preserve agriculture are aimed at either protection of agricultural areas or the protection of the soils most suitable for agricultural production.

4.1.2.1 Federal Regulations

Federal regulations, such as the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA) and National Forest Management Act of 1976 (NFMA), authorize long-range planning by the

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1 *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.

2 Important Farmland Map Riverside County, Farmland Mapping and Monitoring Program, 2004.

3 *Table 7 Timberland Production Zone (TPZ) acreage by Site Class in California as of 2000–2001*, Timberland Site Class on Private Lands Zoned for Timber Production, Fire and Resource Assessment Program, Department of Forestry and Fire Protection, http://frap.cdf.ca.gov/publications/Timberland_Site_Class_on_Private_Lands_Zoned_for_Timber_Production.pdf.

4 *Vegetation Management Standards, Land Management Plan Part 3 Design Criteria for the Southern California National Forests, Angeles National Forest, Cleveland National Forest, Los Padres National Forest, San Bernardino National Forest*, United States Department of Agriculture Forest Service, September 2005.

United States Forest Service (USFS) to ensure the future supply of forest resources, as well as to provide for the management of renewable resources on national forest lands.

4.1.2.2 State Regulations

State Designated Farmland. The California Government Code (Section 65570) requires the collection and reporting of agricultural land use acreage and conversion by June 30 of each even-numbered year. Utilizing data from the USDA Natural Resource Conservation Service (NRCS) soil survey and current land use information, the CDC and the Farmland Mapping and Monitoring Program (FMMP)[1] compile important farmland maps for each county within the State. Farmland maps and statistics are produced biannually using a process that integrates aerial photo interpretation, field mapping, and a computerized mapping system. These maps delineate land use in eight mapping categories (and one overlay category) and represent an inventory of agricultural soil resources within each county. The categories of land delineated on these maps include:

- **Prime Farmland:** Land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods.
- **Farmland of Statewide Importance:** Land that is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to hold and store moisture.
- **Unique Farmland:** Land of lesser-quality soils used to produce specific high economic value crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. It is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Examples of Unique Farmland crops include oranges, olives, avocados, rice, grape, and cut flowers.
- **Farmland of Local Importance:** Land of importance to the local agricultural economy, as determined by each county's board of supervisors and local advisory committees, e.g., dairies, dry land farming, aquaculture, and uncultivated areas with soils qualifying for Prime Farmland and Farmland of Statewide Importance. Farmland of Local Importance in Riverside County is defined[2] as:
    - Lands with soils that would be classified as Prime and Statewide Farmland but lack available irrigation water.
    - Lands planted with dryland crops of barley, oats, and wheat.
    - Lands producing major crops for Riverside County but that are not listed as Unique crops. These crops are identified as returning one million or more dollars on the 1980 Riverside County Agriculture Crop Report. Crops identified are permanent pasture (irrigated), summer squash, okra, eggplant, radishes, and watermelons.
    - Dairylands, including corrals, pasture, milking facilities, and hay and manure storage areas if accompanied with permanent pasture or hayland of 10 acres or more.
    - Lands identified by city or county ordinance as Agricultural Zones or Contracts, which includes Riverside City "Proposition R" lands.
    - Lands planted to jojoba, which are under cultivation and are of producing age.

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[1] A Guide to the Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resources Protection, 2004 Edition.

[2] *Farmland of Local Importance, Local Definitions,* http://www.conservation.ca.gov/dlrp/fmmp/Documents/Local_definitions_00.pdf, website accessed February 16, 2011.

- **Grazing Land:** Land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock.
- **Urban and Built-Up Land:** Land used for residential, industrial, commercial, construction, institutional, public administrative purposes such as railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities also are included in this category.
- **Other Land:** Land not included in any of the other mapping categories. Common examples include low-density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres.
- **Water:** Water areas with an extent of at least 40 acres.
- **Land Committed to Nonagricultural Use:** This optional designation is an overlay to the standard farmland categories and represents existing farmland and grazing land and vacant areas that have a permanent commitment for development. Examples of Land Committed to Nonagricultural Use would include an area undergoing permanent infrastructure installation or for which bonds or assessments have been issued for public utilities. Such lands represent planning areas where there are commitments for future nonagricultural developments that are not reversible by a simple majority vote by a city council or board of supervisors.

California Land Conservation Act (Williamson Act). The California Land Conservation Act of 1965, also referred to as the Williamson Act, is a non-mandated State program administered by counties and cities for the preservation of agricultural land. This program enables local governments to enter into contracts with private landowners to restrict specific parcels of land to agricultural or related open space use.

Participation in the program is voluntary on the part of both landowners and local governments. Participation is implemented through the establishment of Agricultural Preserves and the execution of Williamson Act contracts. Individual property owners enter into a contract that restricts or prohibits development of their properties to non-agricultural uses during the term of the contract in return for lower property taxes. Initially signed for a minimum ten-year period, the contracts are automatically renewed each year for a successive minimum ten-year period unless a notice of non-renewal is filed, or a contract cancellation is approved by the local government. In the City of Moreno Valley, currently there is no land currently under a Williamson Act contract.[1]

State regulations, such as the Forest Taxation Reform Act of 1976 and the Z'berg-Nejedly Forest Practice Act of 1973–California Forest Practice Act, provide for the preservation of forest lands from encroachment by other incompatible land uses and provide for oversight of the management of forest practices and forest resources in California. As no forest or timber resources are located within the project site, no further discussion of these State regulations is warranted.

4.1.2.3 Local Policies

The City of Moreno Valley General Plan recognizes the high demand for land and housing and development in the region and that many of the current agricultural operations in the City are "interim uses" or uses that will ultimately be converted to urban uses. The following objective pertains to agriculture and is applicable to the proposed project.

[1] *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.

Parks, Recreation, and Open Space Element

Objective 4.1 Retain agricultural open space as long as agricultural activities can be economically conducted, and are desired by agricultural interests (with some agriculture retained in long-term use), and provide for an orderly transition of agricultural lands to other urban and rural uses.

To support this objective, the City identifies policies to encourage grazing and crop production as a compatible part of a rural residential atmosphere. Additionally, where practical, the City plans to incorporate existing groves into the design of future development projects. These groves can help retain the agricultural character of the area as well as provide a buffer between different land uses.[1]

4.1.3 Methodology

Important Farmland maps for Riverside County and the City were reviewed to determine whether the proposed project site contains or consists of Prime, Unique, or Statewide Important farmland. Second, the analysis evaluates the current General Plan land use designations and zoning applicable to the site to determine the existence of any conflicts between the proposed project and any potential existing agricultural general plan and zoning designations applicable to the site.

To quantify a development project's potential impacts on agricultural resources, the CDC has developed the California Agriculture LESA Model, a method of rating the relative quality of land resources and potential impacts to agricultural resources. The LESA Model is intended to provide lead agencies with a methodology to identify potentially significant impacts that may result from agricultural land conversions.

The LESA Model uses six different factors (two based on soil resource quality and four based on on-site and adjacent land characteristics) to develop a weighted score that identifies the significance of potential impacts to agricultural resources. The Land Evaluation (LE) scoring utilizes two soil factors. The Land Capability Classification (LCC) indicates the suitability of soils for most kinds of crops, and the risk of damage when they are used in agriculture, while the Storie Index provides a numeric rating (0–100) of the relative degree of suitability or value of a given soil for intensive agriculture. The Site Assessment (SA) scoring considers the size of the site to be converted, water supply restrictions in drought and non-drought years, and the presence (or absence) of adjacent agricultural, habitat, or parkland uses.

By assessing and weighing a variety of soil, water, and land use characteristics, it is possible that the conversion of a large parcel containing poor soils and with limited access to water would not result in a significant impact, while the conversion of a much smaller well-watered parcel with quality soils could be considered significant. To ensure potential impacts to adjacent agricultural activities are appropriately considered, the LESA model requires an examination of land use on all parcels within a Zone of Influence (ZOI) that extends a minimum 0.25 mile from the boundary of the site. For any site evaluated using the LESA model, the factors are rated, weighed, and combined, resulting in a single numeric score that becomes the basis for determining a project's potential significance.[2]

This EIR utilizes the LESA model as one of the analytical tools by which to assess the proposed project's impacts on agricultural conversion. Appendix G of the CEQA Guidelines states as follows:

> "In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland."

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1 *City of Moreno Valley General Plan*, City of Moreno Valley, July 2006.
2 California Land Evaluation and Site Assessment Model, Instruction Manual, State of California Department of Conservation, Office of Land Conservation, 1997.

Further, as stated above, the LESA model was specifically created by the CDC in order to provide "specific guidance concerning how agencies should address farmland conversion impacts."[1] Because of its use of localized inputs as part of the model, the LESA model is generally considered the preferred methodological tool by which to assess the significance of a proposed project's impacts related to agricultural resources.

4.1.4 Thresholds of Significance

Appendix G of the State CEQA Guidelines recognizes the following significance thresholds related to agricultural resources. Based on these significance thresholds, potential impacts to agricultural resources could be considered significant if the proposed project:

- Conflicts with existing zoning for agricultural use, or a Williamson Act contract;
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?
- Result in the loss of forest land or conversion of forest land to non-forest use?
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?
- Converted Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; and/or

4.1.5 No Impact/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.1.5.1 Conflict with existing zoning or a Williamson Act Contract

Threshold	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local government to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space uses. In return, landowners receive property tax assessments much lower than normal because they are based upon farming and open space uses as opposed to full market value. The purpose of the Williamson Act is to encourage property owners to continue to farm their land and to prevent the premature conversion of farmland to urban uses. The project site is not located within a Williamson Act contract area;[2] therefore, no impact would result from implementation of the project.

It should be noted that the Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. The uses proposed for the project site are consistent with the existing

1 California Agricultural Land Evaluation and Site Assessment Model, Instruction Manual, 1987, p. 3.
2 Williamson Act Geographic Information Systems data, Riverside County, 2006.

underlying General Plan and Zoning designations. The project site is not zoned for agricultural uses. No impact would occur and no mitigation is required.

4.1.5.2 Conflict with/Loss of Existing Forest Land or Timberland Zoning

Threshold	Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? Would the project result in the loss of forest land or conversion of forest land to non-forest uses?

The project site is currently vacant and fallow although it was previously utilized for sod farming up until August 2005. As previously identified, no forest or timberland resources are located within the project site nor is the project site zoned for forest land or timberland. Implementation of the proposed project would not require any rezoning or General Plan Amendments as the proposed uses are consistent with the existing underlying General Plan land use designation and zoning designation. The proposed project would not conflict with existing forest zoning, cause rezoning of forest land, or result in the loss or conversion of forest lands to non-forest uses as no such resources exist in the City. No impacts associated with this issue would occur and no mitigation is required.

4.1.6 Significant Impacts

4.1.6.1 Conversion of State Designated Farmland

Threshold	Would the proposed project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?

As discussed above, the CDC, as part of the FMMP process, publishes a Farmland Conversion Report every two years. This report documents land use conversion by acreage for each county in the State. The amount of Prime Farmland inventoried in Riverside County during the last countywide survey of farmland (2008) totaled 122,936 acres. The amount of Farmland of Statewide Importance totaled 44,651 acres. The amount of Farmland of Local Importance totaled 229,157 acres. The most recent data are for the 2006–2008 survey period, during which Riverside County experienced a net loss of 5,569 acres of Prime Farmland, 2,265 acres of Farmland of Statewide Importance, and 2,050 acres of Farmland of Local Importance.[1]

As previously stated, approximately 16.89 acres of the proposed project site are designated as Prime Farmland, 16.23 acres are designated as Farmland of Statewide Importance, and 38.69 acres are designated as Farmland of Local Importance. The conversion of the 16.89 acres of on-site Prime Farmland would be equivalent to 0.03 percent of the total loss of Prime Farmland in the County during this period. Similarly, the conversion of the 16.23 acres of on-site Farmland of Statewide Importance would be equivalent to 0.07 percent of the total loss of Farmland of Statewide Importance in the County during this period. The conversion of the 38.69 acres of on-site Farmland of Local Importance would be equivalent to 1.89 percent of the total loss of Farmland of Local Importance in the County during this period. Because Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance are considered to be a finite resource, its conversion to a non-agricultural use is a significant impact.

[1] Table A-25 Riverside County 2006–2008 Land use Conversion, Farmland Mapping and Monitoring Program, California Department of Conservation Division of Land Resource Protection, http://redirect.conservation.ca.gov/dlrp/fmmp/pubs/2006-2008/conversion_tables/rivcon08.xls; website accessed August 17, 2011.

Demographic increases, coupled with the availability of developable land and the rising cost of water, increasingly exert pressure on the owners/operators of agricultural operations to sell and/or convert agricultural lands to non-agricultural uses. The CDC has identified potential "conservation tools" available to mitigate for the loss of agricultural land. These include the purchase of agricultural conservation easements; transfer of development rights; acquisition of farmland by the city or county; mitigation banking; the establishment of "urban limits," greenbelts, and buffers; the payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements; and planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.[1]

Various techniques and programs have been utilized in selected areas of the State to mitigate for the loss of State-designated Farmland and/or to ensure the continued economic viability of agricultural operations. The City of Davis requires the granting of a farmland conservation easement or other conservation mechanism for twice the amount of agricultural land being converted to a non-agricultural uses; or the payment of in-lieu fees based upon a two-to-one mitigation requirement.[2] In its "Agricultural Lands Conversion Ordinance," Yolo County requires a one-to-one replacement of converted agricultural lands, either through the granting of a conservation easement, or payment of in-lieu fees. Generally, mitigation lands are required to have similar soil quality, water supply adequacy, and should be in relative proximity to the lands being converted.[3]

The CDC's California Farmland Conservancy Program (CFCP) seeks to encourage the long-term, private stewardship of agricultural lands through the voluntary use of agricultural conservation easements. Implementation of conservation easements is typically achieved either through (1) the outright purchase of easements or (2) the donation of mitigation fees to a local, regional, or statewide organization whose purpose includes the acquisition and stewardship of conservation easements. Additional agricultural conservation easements have been funded by various entities without the use of CFCP funds. While the amount of CFCP grants varies depending on location, farmland type, and size, CFCP grants to conservancy agencies made to offset the cost of purchasing agricultural conservation easements has averaged approximately $3,000 per acre statewide.[4]

The City does not maintain a program for mitigating impacts resulting from the conversion of farmland. Because State-designated Farmland is a finite resource, the loss of 16.89 acres of on-site Prime Farmland, 16.23 acres of Farmland of Statewide Importance, and 38.69 acres of Farmland of Local Importance is significant. While the proposed project would result in the conversion of State-designated Farmland, development of this site and the surrounding area is consistent with the long-term vision of the City as outlined SP 208 and in the General Plan. While the Moreno Valley General Plan policies support agriculture as an interim use, no land in the City is designated for agricultural preservation.

The City of Moreno Valley General Plan EIR discusses impacts related to agriculture in the City as well as potential mitigation. Potential mitigation measures exist that would reduce the impact related to the loss of agricultural resources within the City. These potential mitigation measures include:

- Enrolling productive agricultural land, not presently under contract, under a Williamson Act Contract;
- Providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development;
- Protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights;

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1 Discussion Paper, Agricultural Land Conservation Tools, California Department of Conservation.
2 Chapter 40 (Right to Farm and Farmland Preservation), City of Davis Municipal Code.
3 Yolo County General Plan Agricultural Element, November 2002.
4 http://www.consrv.ca.gov/dlrp/cfcp/stories/easement_projects.htm, site accessed August 17, 2011.

- Purchasing conservation easements on existing agricultural land to ensure that the land is never converted to urban uses; and
- Donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.[1]

Mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding considerations. To be feasible, mitigation must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account the economic, environmental, legal, social, and technological factors.[2]

While the City of Moreno Valley General Plan EIR identifies potential mitigation measures for impacts to agricultural resources, such mitigation measures have deemed infeasible. No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development. However, the project would permanently remove State-designated Farmland, and thus is considered a significant impact on agricultural resources.

Based on input from the Riverside County Farm Bureau, the major reason why farming appears to be no longer profitable in the Moreno Valley area is due to the high cost of water, which represents over a third (38%) of the estimated cost for farming. As property values and water costs (at domestic rates) increase due to suburbanization, no crop that can be grown in this area would yield enough revenue to make farming profitable. Dry farming continues to be economical in this area only because there are no costs for water or installing/maintaining irrigation equipment. However, most of the local farming has been and is continuing to move out to the Coachella Valley as it is the only way to continue making a profit. Additionally, as documented in the *Economic Viability of Agriculture in the East Inland Empire,*[3] which examines the economic and market trends affecting agriculture operations throughout California, the following factors demonstrate the infeasibility of agricultural production in the Eastern Inland Empire:

- Urbanization in the Inland Empire, resulting in dramatically increasing land prices;
- Higher water and labor costs;
- Environmental regulation (e.g., insects, odors, groundwater contamination, and solid waste removal); and
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

As summarized in the *Economic Viability of Agriculture in the East Inland Empire,* due to competing land uses, land prices have increased dramatically in the area in excess of $250,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of various General Plans in the Inland Empire emphasizing significant residential and commercial development has also encouraged the farmers to sell their land and relocate.

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1 Moreno Valley General Plan Final Program EIR, July 2006.
2 CEQA Guidelines, Sections 15126.4 and 15364.
3 *Viability of Agriculture in the East Inland Empire*, CB Richard Ellis, March 18, 2009.

The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

Central Valley farmers also face few development pressures as compared to the Inland Empire and they benefit from a diverse farm economy. For example, the farmers use dairy waste to fertilize their own crops or of their neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino Counties. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Moreno Valley, there have been over 14,000 new housing units built since 2000.[1]

Industrial development in the Inland Empire region has seen similar growth with inventory increasing by 60 percent, or 92 million square feet since 2000. As a result of these trends, average land prices in the Inland Empire have increased to over $250,000 per acre, which compares to Kern County land values of less than $50,000 per acre.

Mitigation Measures. The potential mitigation measures identified by the City listed previously are not considered to be feasible by the City of Moreno Valley. Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. The City does have the ability to encourage property owners to participate in Williamson Act programs; however, this is expected to result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. The land would then be available to be developed with urban uses.

Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified.

[1] *State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2010, with 2000 Benchmark. Sacramento, California, May 2010.*

Level of Impact after Mitigation. Since the mitigation measures discussed are not consistent with the objectives of the Moreno Valley General Plan and are not economically feasible, no mitigation measures are proposed and impacts related to this issue remain significant and unavoidable.

4.1.6.2 Conversion of Farmland to a Non-Agricultural Use

Threshold	Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

The proposed project would result in the development of industrial uses on land that has historically been utilized for sod production; however, no active agricultural operation has occurred on the site since August of 2005. Approximately 16.89 acres of the proposed project site are designated as Prime Farmland, 16.23 acres are designated as Farmland of Statewide Importance, and 36.69 acres are designated as Farmland of Local Importance. The conversion of the project site to a non-agricultural use is a result of various economic and demographic factors. As previously noted, increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion.

To further evaluate the proposed project's impacts on agricultural resources, an analysis was completed utilizing the DOC's LESA Model. The LESA model is one of the analytical tools by which to assess the proposed project's impacts on agricultural conversion. Appendix G of the CEQA Guidelines states: "In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland." Further, as stated above, the LESA model was specifically created by the CDC in order to provide "specific guidance concerning how agencies should address farmland conversion impacts." Because of its use of localized input as part of the model, the LESA model is generally considered the preferred methodological tool by which to assess the significance of a proposed project's impacts on agricultural resources.

The LESA model is a method to rate the relative quality of land resources and potential impacts to agricultural resources using six different factors (two based on soil resource quality, and four based on on-site and adjacent resources) to develop a weighted score used to identify the significance of potential impacts to agricultural resources. For a given project, the factors are rated, weighted, and combined, resulting in a single numeric score, which becomes the basis for making a determination of a project's potential significance.[1] The resulting LESA score for the project site is provided in Table 4.1.A while the scoring threshold is provided in Table 4.1.B.

Table 4.1.A: Land Evaluation and Site Assessment Model Score

Factor Name	Factor Rating (0–100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
Land Evaluation					
1. Land Capabilities	83.6	×	0.25	=	20.90
2. Storie Index Rating	71.93	×	0.25	=	17.98
Land Evaluation (LE) Subscore					**38.88**
Site Assessment					
1. Project Size	80	×	0.15	=	12.00
2. Water Resources Available	90	×	0.15	=	13.50

[1] *California Land Evaluation and Site Assessment Model, Instruction Manual*, State of California Department of Conservation, Office of Land Conservation, 1997.

Table 4.1.A: Land Evaluation and Site Assessment Model Score

Factor Name	Factor Rating (0–100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
3. Surrounding Agriculture	0	×	0.15	=	0
4. Protected Resource Lands	0	×	0.15	=	0
Site Assessment (SA) Subscore					**25.50**
TOTAL LESA SCORE (LE+SA)					**64.38**

Table 4.1.B: LESA Model Scoring Threshold

Total LESA Score	Scoring Decision
0–39 Points	Not Considered Significant
40–59 Points	Considered Significant only if LE and SA subscores are each greater than or equal to 20 points
60–79 Points	Considered Significant unless either LE or SA subscore is less than 20 points
80–100 Points	Considered Significant

As identified in Table 4.1.A, the proposed project's LESA score is 64.38. As indicated in Table 4.1.B, a LESA score of 64.38 is considered significant. Therefore, the proposed project would result in a significant impact to agricultural resources.

Currently, property southwest of the project site (south of Lateral B or the Perris Valley Storm Drain and west of Indian Street) is utilized for agriculture. While the proposed project will result in the construction and operation of industrial uses, it would not preclude the continuation of agricultural uses on adjacent properties, in the event the property owners elected to do so. Whether or not adjacent agricultural land is developed relies on several factors including market demand, availability of property, profitability of the agricultural use, and the landowner's interest in continuing farming. While the operation of industrial uses would increase development pressure on adjacent agricultural properties, conversion of the adjacent agricultural properties is reasonably foreseeable.

The project does not include design features that would prevent the existing agricultural operations in the area from continuing. The project would convert land that was previously used for agriculture and the development of the proposed project may contribute to the conversion of adjacent lands. However, the project is a logical extension of development in the City and does not create leapfrog development or islands of agricultural land that would be difficult to farm. The City recognizes development pressures within the City, and that these pressures will increase as the City continues to build out.

Additionally, while the project would not directly cause the conversion of adjacent agricultural land to non-agricultural uses, it would contribute to development pressure within the City that could potentially lead to the conversion of agricultural land off site. This is a significant impact requiring mitigation. However, as stated in Section 4.1.6.1, no feasible mitigation for the loss of agricultural land within the City of Moreno Valley exists; infeasibility is based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly thus resulting an inability to make farming profitable.

As with impacts associated with the conversion of State-designated Farmland, no feasible mitigation is available to mitigate for the direct impacts associated with the conversion of farmland, as previously discussed in Section 4.1.6.1. While the City has identified that the conversion of agricultural land under its jurisdiction is an eventual outcome of current and future growth, the impacts associated with this issue remain significant and unavoidable.

4.1.7 Cumulative Impacts

The cumulative area for agricultural resource impacts is Riverside County. As with the project-related impacts to Prime Farmland and Farmland of Statewide Importance, no local or regional program to mitigate for the cumulative impacts to agricultural resources is available. As stated previously, the City does not maintain a General Plan or zoning designation for agricultural uses and there are no project-level feasible mitigation measures that would help reduce cumulative impacts. During the last reporting period (2006–2008), 6,540 acres of Prime Farmland, 2,366 acres of Farmland of Statewide Importance, and 8,873 acres of Farmland of Local Importance were converted to other uses. The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance is a finite resource, the conversion of approximately 71 acres to industrial uses, combined with planned and future development in the City and region, represents a significant cumulative impact to agricultural operations and resources.

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4.2 AIR QUALITY

This section analyzes the proposed project's potential air quality impacts based on the comprehensive *Air Quality Analysis* contained in Appendix D-1 (LSA Associates, Inc. December 2011) and the *Health Risk Assessment* (LSA Associates, Inc. December 2011) contained in Appendix D-2 to this EIR. The air quality analysis evaluates potential air quality impacts and mitigation measures by examining the short-term construction and long-term operational impacts associated with the project and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. Additionally, the analysis provides a discussion of the proposed project, the physical setting of the project area, and the air quality regulatory framework. Modeled air quality levels are based upon vehicle data and project trip generation included in the project's Traffic Study (LSA Associates, Inc. November 2011, Appendix G of EIR) and peak turn volumes generated for the proposed project combined with emission factors from the California Air Resources Board (ARB). The evaluation was prepared in accordance with appropriate standards, utilizing procedures and methodologies in the South Coast Air Quality Management District (SCAQMD) *CEQA Air Quality Handbook* (SCAQMD 1993). Air quality data posted by the ARB and the U.S. Environmental Protection Agency (EPA) Web sites are included to document the local air quality environment.

4.2.1 Existing Setting

The project site is located in the South Coast Air Basin (Basin), a geographic area that encompasses the coastal plain and connecting broad inland valleys and low hills. The Pacific Ocean forms the southwestern border of the Basin, with mountain ranges forming the remainder of the border. The Basin includes Orange County and the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County. The Basin is under the jurisdiction of the SCAQMD.

4.2.1.1 Climate and Meteorology

Air quality in the project area is not only affected by various emission sources (mobile, industry, etc.), but also by atmospheric conditions such as wind speed, wind direction, temperature, rainfall, and amount of sunshine. The combination of topography, low mixing height, abundant sunshine, and emissions from the second largest urban area in the United States combine to give the Basin the worst air pollution problem in the nation.

Winds in the Basin are predominantly of relatively low velocities, averaging about 4.0 miles per hour (mph). These low average wind speeds, together with a persistent temperature inversion, limit the vertical dispersion of air pollutants throughout the Basin. Strong, dry, north or northeasterly winds, known as Santa Ana winds, occur during the fall and winter months, dispersing air contaminants, and these conditions tend to last for several days at a time.

During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino Counties. In the winter, the greatest pollution problems are carbon monoxide (CO) and oxides of nitrogen (NO_X), because of extremely low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and the brighter sunshine combine to cause a reaction between hydrocarbons and NO_X to form photochemical smog.

4.2.1.2 Regional Air Quality

Both the State of California and the Federal government have established health-based ambient air quality standards (AAQS) for six air pollutants:

- Carbon monoxide (CO)
- Ozone (O_3)

- Lead (Pb)
- Nitrogen dioxide (NO_2)
- Particulate matter with a diameter of 10 microns or less (PM_{10})
- Sulfur dioxide (SO_2)

Federal standards for 8-hour ozone and for fine particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) have also been adopted. In addition, the State has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety and are listed in Table 4.2.A.

In addition to setting out AAQS, the State has established a set of episode criteria for O_3, CO, NO_2, SO_2, and PM_{10}. These episode criteria refer to periods of short-term exposure to air pollutants that threaten public health. Health effects are progressively more severe as pollutant levels increase from Stage One to Stage Three. An alert level is that concentration of pollutants at which initial stage control actions are to begin. An alert will be declared when any one of the pollutant alert levels is reached at any monitoring site and meteorological conditions are such that the pollutant concentrations can be expected to remain at these levels for 12 or more hours or to increase; or, in the case of oxidants, the situation is likely to recur within the next 24 hours unless control actions are taken. At times, meteorological conditions are so adverse to pollutant dispersion that concentrations of ozone exceed the State air quality standard by as much as a factor of three. The California Air Resources Board (CARB) has defined Episode Levels of ozone air pollution as follows:

- **Health Advisory Levels** occur when hourly ozone concentrations equal or exceed 0.15 parts per million (ppm). At this level, residents are advised to avoid prolonged, vigorous outdoor exercise, and persons with respiratory or coronary disease should avoid exercise.
- **Stage 1 Episodes** occur when hourly ozone concentrations equal or exceed 0.20 ppm. At these times, persons with respiratory or coronary artery disease should be notified to take precautions against exposure and should stay indoors as much as possible. Schools are also notified to advise against strenuous physical activity for their students. To this end, schools are in regular communication with the SCAQMD.
- **Stage 2 Episodes** occur when hourly ozone concentrations equal or exceed 0.35 ppm. The SCAQMD requires industry to take prompt actions to reduce emissions at those times. No Stage 2 episodes occurred between 1989 and 1992.
- **Stage 3 Episodes** occur when hourly ozone concentrations equal or exceed 0.50 ppm. The last Stage 3 episode occurred in the Basin in 1974.

Pollutant alert levels:

- O_3: 392 micrograms per cubic meter ($\mu g/m^3$) (0.20 ppm), 1-hour average.
- CO: 17 milligrams per cubic meter (mg/m^3) (15 ppm), 8-hour average.
- NO_2: 1,130 $\mu g/m^3$ (0.6 ppm) 1-hour average; 282 $\mu g/m^3$ (0.15 ppm) 24-hour average.
- SO_2: 800 $\mu g/m^3$ (0.3 ppm), 24-hour average.
- Particulates, measured as PM_{10}: 350 $\mu g/m^3$, 24-hour average.

Health effects are progressively more severe as pollutant levels increase from Stage 1 to Stage 3. These health effects will not occur unless the standards are exceeded by a large margin or for a prolonged period of time. Among the pollutants, O_3 and particulate matter ($PM_{2.5}$ and PM_{10}) are considered regional pollutants, while the others have more localized effects. Table 4.2.B lists the health effects of these criteria pollutants and their potential sources.

Table 4.2.A: Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]		
		Concentration[3]	Method[4]	Primary[3,5]	Secondary[3,6]	Method[7]
Ozone (O_3)	1-Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8-Hour	0.070 ppm (137 µg/m^3)		0.075 ppm (147 µg/m^3)		
Respirable Particulate Matter (PM_{10})	24-Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter ($PM_{2.5}$)	24-Hour	No Separate State Standard		35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	15.0 µg/m^3		
Carbon Monoxide (CO)	8-Hour	9.0 ppm (10 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m^3)	None	Non-Dispersive Infrared Photometry (NDIR)
	1-Hour	20 ppm (23 mg/m^3)		35 ppm(40 mg/m^3)		
	8-Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	—
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	Gas Phase Chemiluminescence	53 ppb (100 µg/m^3) (see footnote 8)	Same as Primary Standard	Gas Phase Chemiluminescence
	1-Hour	0.18 ppm (339 µg/m^3)		100 ppb (188 µg/m^3) (see footnote 8)	None	
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	—	Ultraviolet Fluorescence		—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	24-Hour	0.04 ppm (105 µg/m^3)			—	
	3-Hour	—		—	0.5 ppm (1300 µg/m^3)	
	1-Hour	0.25 ppm (655 µg/m^3)		75 ppb (196 µg/m^3) (see footnote 9)	—	
Lead[10]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High-Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3	Same as Primary Standard	
	Rolling 3-Month Average[9]	—		0.15 µg/m^3		
Visibility-Reducing Particles	8-Hour	Extinction coefficient of 0.23 per kilometer - visibility of ten miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.		No Federal Standards		
Sulfates	24-Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1-Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[9]	24-Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

Source: California Air Resources Board, September 8, 2010.

Footnotes

1 California standards for ozone; carbon monoxide (except Lake Tahoe); sulfur dioxide (1- and 24-hour); nitrogen dioxide; suspended particulate matter - PM_{10}, $PM_{2.5}$ and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2 National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth-highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current federal policies.

3 Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4 Any equivalent procedure which can be shown to the satisfaction of ARB to give equivalent results at or near the level of the air quality standard may be used.

5 National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6 National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7 Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.

8 To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100 ppm (effective January 22, 2010). Note that the EPA standards are in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national standards to the California standards the units can be converted from ppb to ppm. In this case, the national standards of 53 ppb and 100 ppb are identical to 0.053 ppm and 0.100 ppm, respectively.

9 On June 2, 2010, the U.S. EPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. EPA also proposed a new automated Federal Reference Method (FRM) using the ultraviolet technology, but will retain the older pararosaniline methods until the new FRM have adequately permeated State monitoring networks. The EPA also revoked both the existing 24-hour SO_2 standard of 0.14 ppm and the annual primary SO_2 standard of 0.030 ppm, effective August 23, 2010. The secondary SO_2 standard was not revised at that time; however, the secondary standard is undergoing a separate review by EPA. Note that the new standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the new primary national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

10 The ARB has identified lead and vinyl chloride as "toxic air contaminants" with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

11 National lead standard, rolling 3-month average: final rule signed October 15, 2008.

°C = degrees Celsius
EPA = United States Environmental Protection Agency
g/m^3 = micrograms per cubic meter
mg/m^3 = milligrams per cubic meter
ppm = parts per million

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Table 4.2.B: Summary of Health Effects of the Major Criteria Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O_3)	▪ Atmospheric reaction of organic gases with nitrogen oxides in the presence of sunlight.	▪ Breathing difficulty. ▪ Lung tissue damage. ▪ Damage to rubber and some plastics.
Nitrogen Dioxide (NO_2)	▪ Motor vehicle exhaust. ▪ Heavy construction equipment exhaust. ▪ Farming equipment exhaust. ▪ Residential heating.	▪ Lung irritation and damage. ▪ Formation of acid rain.
Carbon Monoxide (CO)	▪ Motor vehicle exhaust. ▪ Heavy construction equipment exhaust. ▪ Farming equipment exhaust. ▪ Residential heating.	▪ Reduced tolerance for exercise. ▪ Impairment of mental function. ▪ Impairment of fetal development. ▪ Death at high levels of exposure. ▪ Aggravation of some heart diseases (angina).
Suspended Particulate Matter ($PM_{2.5}$ and PM_{10})	▪ Motor vehicle exhaust ($PM_{2.5}$). ▪ Equipment and industrial sources ($PM_{2.5}$). ▪ Residential and agricultural burning ($PM_{2.5}$ and PM_{10}). ▪ Atmospheric chemical reactions ($PM_{2.5}$ and PM_{10}). ▪ Road dust (PM_{10}). ▪ Windblown dust (Agriculture [PM_{10}]) ▪ Construction (Fireplaces [PM_{10}])	▪ Reduced lung function. ▪ Aggravation of the effects of gaseous pollutants. ▪ Aggravation of respiratory and cardiorespiratory diseases. ▪ Increased cough and chest discomfort. ▪ Soiling. ▪ Reduced visibility.
Sulfur Dioxide (SO_2)	▪ Coal/oil- burning power plants. ▪ Industries, refineries, and diesel engines.	▪ Increased lung disease. ▪ Breathing problems for asthmatics. ▪ Formation of acid rain.
Lead (Pb)	▪ Metal smelters. ▪ Resource recovery. ▪ Leaded gasoline. ▪ Deterioration of lead paint.	▪ Learning disabilities. ▪ Brain and kidney damage.

Source: California Air Resources Board 2009 (http://www.arb.ca.gov/research/health/fs/fs2/fs2.htm).

Table 4.2.C: Attainment Status of Criteria Pollutants in the South Coast Air Basin

Pollutant	State	Federal
O_3 1-hour	Nonattainment	N/A
O_3 8-hour	Nonattainment	Extreme Nonattainment
PM_{10}	Nonattainment	Serious Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Attainment/Maintenance
NO_2	Nonattainment	Attainment/Maintenance
SO_2	Attainment	Attainment
Pb	Attainment (except Los Angeles County)	Attainment (except Los Angeles County)
All others	Attainment/Unclassified	Attainment/Unclassified

Unclassified designation: a pollutant that is designated unclassified if the data are incomplete and do not support a designation of attainment or nonattainment.
Attainment designation: a pollutant is designated attainment if the State standard for that pollutant was not violated at any site in the area during a 3-year period.
Nonattainment: a pollutant is designated nonattainment if there was at least one violation at any site in the area during a 3-year period.
Source: California Air Resources Board website: www.arb.ca.gov/desig/desig.htm, 2010.

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Indirect sources of pollution are generated when minor sources collectively emit a substantial amount of pollution. Examples of this would be the motor vehicles at intersections, malls, and on highways. The California Clean Air Act (CCAA) provides the SCAQMD with the authority to manage transportation activities at indirect sources. The SCAQMD also regulates stationary sources of pollution throughout its jurisdictional area. Direct emissions from motor vehicles are regulated by the CARB.

4.2.1.3 Air Pollution Constituents and Attainment Status

The CARB has many responsibilities with respect to air quality, including the following:

- Coordinates and oversees State and Federal air pollution control programs in California;
- Oversees activities of local air quality management agencies (e.g., the SCAQMD);
- Responsible for incorporating air quality management plans for local air basins into a State Implementation Plan (SIP) for EPA approval; and
- Maintains air quality monitoring stations throughout the State in conjunction with local air districts.

Data collected at these stations are used by the CARB to classify air basins as “attainment” or “nonattainment” with respect to each pollutant and to monitor progress in attaining air quality standards. The State is divided geographically into 15 air basins for the purpose of managing the air resources of the State on a regional basis. An air basin generally has similar meteorological and geographic conditions throughout. Significant authority for air quality control within them has been given to local air districts that regulate stationary source emissions and develop local nonattainment plans. Table 4.2.C (previous page) identifies the attainment status for the criteria pollutants in the Basin.

4.2.1.4 Local Air Quality

The SCAQMD, together with the CARB, maintains ambient air quality monitoring stations in the Basin. The air quality monitoring station closest to the project site is the Perris station. This station monitors ozone and PM_{10}. The air quality monitoring station closest to the site monitoring the rest of the criteria pollutants is the Riverside-Rubidoux station. This monitoring data for SO_2 has been omitted as attainment is regularly met for this pollutant within the Basin. These stations characterize the air quality representative of the ambient air quality in the project area.[1] The ambient air quality data in Table 4.2.D identify that CO and NO_2 levels are consistently below the relevant State and Federal standards in the project vicinity. O_3, PM_{10}, and $PM_{2.5}$ levels all exceed State and/or Federal standards regularly.

Table 4.2.D: Ambient Air Quality Monitored in the Project Vicinity

Pollutant	Standard	2008	2009	2010
Carbon Monoxide (CO) (Riverside-Rubidoux data)				
Maximum 1-hr concentration (ppm)		2.7	2.7	2.0
Number of days exceeded:	State: > 20 ppm	0	0	0
	Federal: > 35 ppm	0	0	0
Maximum 8-hr concentration (ppm)		1.86	1.85	1.20
Number of days exceeded:	State: ≥ 9.0 ppm	0	0	0
	Federal: ≥ 9.0 ppm	0	0	0

[1] Air quality data, 2008-2010; EPA and CARB websites.

Table 4.2.D: Ambient Air Quality Monitored in the Project Vicinity

Pollutant	Standard	2008	2009	2010
Ozone (O_3) (Perris Station Data)				
Maximum 1-hr concentration (ppm)		0.142	0.125	0.122
Number of days exceeded:	State: > 0.09 ppm	65	53	46
Maximum 8-hr concentration (ppm)		0.115	0.109	0.108
Number of days exceeded:	State: > 0.07 ppm	94	88	77
	Federal: > 0.075 ppm	77[1]	67	50
Coarse Particulates (PM_{10}) (Perris Station data)				
Maximum 24-hr concentration (µg/m^3)		87	76	48
Number of days exceeded:	State: > 50 µg/m^3	8	6	0
	Federal: > 150 µg/m^3	0	0	0
Annual arithmetic mean concentration (µg/m^3)		29.6	34.8	28.0
Exceeded for the year	State: > 20 µg/m^3	Yes	Yes	Yes
Fine Particulates ($PM_{2.5}$) (Riverside-Rubidoux data)				
Maximum 24-hr concentration (µg/m^3)		57.6	54.4	ND
Number of days exceeded:	Federal: > 35 µg/m^3	13[3]	13	ND
Annual arithmetic mean (µg/m^3)		16.3	15.2	ND
Exceeded for the year	State: > 12 µg/m^3	Yes	Yes	ND
	Federal: > 15 µg/m^3	Yes	Yes	ND
Nitrogen Dioxide (NO_2) (Riverside-Rubidoux data)				
Maximum 1-hr concentration (ppm)		0.092	0.078	0.052
Number of days exceeded:	State: > 0.18 ppm	0	0	0
Annual arithmetic mean concentration (ppm)		0.019	0.017	ND
Exceeded for the year	State: > 0.030 ppm	No	No	ND
	Federal: > 0.053 ppm	No	No	ND
Sulfur Dioxide (SO_2) (Riverside-Rubidoux data)				
Maximum 24-hr concentration (ppm)		0.003	0.003	0.002
Number of days exceeded:	State: > 0.04 ppm	0	0	0
	Federal: > 0.14 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.000	0.001	ND
Exceeded for the year:	Federal: > 0.030 ppm	No	No	ND

[1] The exceedances of the federal 8-hour O3 standard are based on the old 0.08 ppm standard. In April 2008, the EPA revised the standard to 0.075 ppm.
[2] No data available.
[3] The exceedances of the federal 24-hour PM2.5 standard are based on the old 65 µg/m3 standard. In 2006, the EPA revised the standard to 35 µg/m3.
µg/m3 = micrograms per cubic meter
ARB = California Air Resources Board
EPA = United States Environmental Protection Agency
ppm = parts per million
Source: South Coast AQMD (www.aqmd.gov).

4.2.1.5 Sensitive Land Uses in the Project Vicinity

Sensitive receptors include residences, schools, medical offices, convalescent facilities, and similar uses that are sensitive to air pollutants. The nearest existing sensitive receptors in the vicinity of the proposed project site are rural residential residences located approximately 1,000 feet (ft) to the north

along Nandina Avenue. There are also nonconforming residences within commercial and industrial zoned property approximately 0.5 mile southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

4.2.1.6 Existing Project Area Emissions

The project site is currently vacant, and therefore does not generate emissions. Existing air quality conditions at the proposed project site reflect ambient monitored conditions as presented at the previously referenced Table 4.2.D.

4.2.2 Policies and Regulations

4.2.2.1 Federal Regulations

Clean Air Act. Pursuant to the Federal Clean Air Act (CAA) of 1970, the EPA established national ambient air quality standards (NAAQS). The NAAQS were established for six major pollutants, termed "criteria" pollutants. Criteria pollutants are defined as those pollutants for which the Federal and State governments have established ambient air quality standards, or criteria, for outdoor concentrations in order to protect public health.

The EPA established new national air quality standards for ground-level O_3 and $PM_{2.5}$ in 1997. On May 14, 1999, the Court of Appeals for the District of Columbia Circuit issued a decision ruling that the CAA, as applied in setting the new public health standards for O_3 and particulate matter, was unconstitutional as an improper delegation of legislative authority to the EPA. On February 27, 2001, the U.S. Supreme Court upheld the way that the government sets air quality standards under the CAA. The Court unanimously rejected industry arguments that the EPA must consider financial cost as well as health benefits in writing standards. The Justices also rejected arguments that the EPA took too much lawmaking power from Congress when it set tougher standards for O_3 and soot in 1997. Nevertheless, the Court threw out the EPA's policy for implementing new O_3 rules, stating that the EPA ignored a section of the law that restricts its authority to enforce such rules.

In April 2003, the EPA was cleared by the White House Office of Management and Budget (OMB) to implement the eight-hour ground-level O_3 standard. The EPA issued the proposed rule implementing the eight-hour O_3 standard in April 2003. The EPA completed final eight-hour nonattainment status on April 15, 2004. The EPA issued the final $PM_{2.5}$ implementation rule in fall 2004. The EPA issued final designations on December 14, 2004.

Effective January 22, 2010, the EPA strengthened the standard for NO_2 by setting a new 1-hour standard at the level of 100 parts per billion (ppb). This standard defines the maximum allowable concentration anywhere in an area and will protect against adverse health effects associated with short-term exposure to NO_2. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 100 ppb. On January 25, 2010 the EPA issued the final rule setting the one-hour maximum standard for NO_2 at 100 ppb. The agency retained the annual standard of 53 ppb.

Additionally, effective June 2, 2010, the EPA revised the primary standard for SO_2 by establishing a new 1-hour standard at a level of 75 ppb. The EPA revoked the two existing primary standards of 140 ppb evaluated over 24-hours, and 30 ppb evaluated over an entire year as they would not provide additional public health protection given a 1-hour standard at 75 ppb. To attain this standard, the 3-year average of the 99th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 75 ppb.

4.2.2.2 State Regulations

Mulford-Carrell Act. The State began to set California Ambient Air Quality Standards (CAAQS) in 1969 under the mandate of the Mulford-Carrell Act. The CAAQS are generally more stringent than the NAAQS. In addition to the six criteria pollutants covered by the NAAQS, there are CAAQS for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles.

Originally, there were no attainment deadlines for CAAQS; however, the CCAA of 1988 provided a time frame and a planning structure to promote their attainment. The CCAA required nonattainment areas in the State to prepare attainment plans and proposed to classify each such area on the basis of the submitted plan, as follows: moderate, if CAAQS attainment could not occur before December 31, 1994; serious, if CAAQS attainment could not occur before December 31, 1997; and severe, if CAAQS attainment could not be conclusively demonstrated at all. The attainment plans are required to achieve a minimum 5 percent annual reduction in the emissions of nonattainment pollutants unless all feasible measures have been implemented. The EPA has designated the Southern California Association of Governments (SCAG) as the Metropolitan Planning Organization (MPO) responsible for ensuring compliance with the requirements of the CAA for the Basin.

4.2.2.3 Regional Regulations

Lewis Air Quality Management Act. The 1976 Lewis Air Quality Management Act established the SCAQMD and other air districts throughout the State. The Federal CAA Amendments of 1977 required that each state adopt an implementation plan outlining pollution control measures to attain the Federal standards in nonattainment areas of the state.

The CARB is responsible for incorporating air quality management plans for local air basins into an SIP for EPA approval. Significant authority for air quality control within them has been given to local air districts that regulate stationary source emissions and develop local nonattainment plans.

Regional Air Quality Management Plan (AQMP). The SCAQMD and the SCAG are responsible for formulating and implementing the AQMP, which has a 20-year horizon for the Basin. The SCAQMD and SCAG must update the AQMP every three years. The current regional air quality plan is the Final 2007 Air Quality Management Plan (AQMP) adopted by the SCAQMD on June 1, 2007.

The Final 2007 AQMP proposes attainment demonstration of the Federal $PM_{2.5}$ standards through a more focused control of sulfur oxides (SO_X), directly-emitted $PM_{2.5}$, and nitrogen oxides (NO_X) supplemented with volatile organic compounds (VOC) by 2015. The 8-hour ozone control strategy builds upon the $PM_{2.5}$ strategy, augmented with additional NO_X and VOC reductions to meet the standard by 2024 assuming a bump-up[1] is obtained.

The Final 2007 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve Federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin that are under District jurisdiction. This Final Plan also addresses several Federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools. This Final Plan builds upon the approaches taken in the 2003 AQMP for the

[1] A “bump-up” is a voluntary reclassification of a nonattainment area to a higher classification allowing for an extension of an attainment deadline.

Basin for the attainment of the Federal ozone air quality standard.[1] The Basin is currently a Federal and State nonattainment area for PM_{10}, $PM_{2.5}$, and ozone.

4.2.3.4 Local Policies

City of Moreno Valley General Plan Policies. Chapter 9 of the City's General Plan defines goals and policies related to air quality within the City of Moreno Valley. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Objective 6.7 Reduce mobile and stationary source air pollutant emissions.

Policy 6.7.1 Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.

Policy 6.7.2 Encourage the financing and construction of park and ride facilities.

Policy 6.7.4 Locate heavy industrial and extraction facilities away from residential areas and sensitive receptors.

Policy 6.7.5 Require grading activities to comply with South Coast Air Quality Management District's Rule 403 regarding the control of fugitive dust.

Policy 6.7.6 Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.

4.2.3 Methodology

The *Air Quality Analysis*[2] evaluated the air quality impacts associated with the development of the proposed project. Evaluation of air quality impacts associated with the proposed project includes the following:

- Determine the short-term construction air quality impacts based on SCAQMD emissions thresholds;
- Determine the long-term air quality impacts, including vehicular traffic, on both on-site and off-site air quality sensitive uses based on SCAQMD emissions thresholds; and
- Determine the required mitigation measures to reduce short-term and long-term on-site air quality impacts from all sources.

Air quality in the project area would be affected by long-term air pollutant emissions from stationary sources and mobile sources related to the proposed project. On February 3, 2011, the SCAQMD released the California Emissions Estimator Model (CalEEMod). The purpose of this new model is to more accurately calculate air quality and greenhouse gas (GHG) emissions from direct and indirect sources and quantify applicable air quality and GHG reduction achieved from mitigation measures. The latest version of CalEEMod was utilized to predict these project-related air quality impacts.

Construction-related emissions are expected from construction activities such as rough grading, infrastructure construction, asphalt paving, building construction, architectural coatings, and construction workers commuting. This estimate represents the "worst-case" scenario as construction equipment emissions would decrease with time due to technological advancements. Construction emissions for construction worker vehicles traveling to and from the project site, in addition to vendor trips (construction materials delivered to the project site) were also accounted for in the analysis. Localized air quality in the project area would be affected by both heavy-duty construction equipment

[1] *Final 2007 Air Quality Management Plan*, South Coast Air Quality Management District, June 1, 2007.
[2] *VIP Moreno Valley Air Quality Analysis*, LSA Associates, Inc., December 2011.

usage on site as well as local traffic due to the equipment delivery and construction worker commuting. The SCAQMD CEQA methodology[1] was used to analyze the criteria pollutant emissions from these activities.

Air quality in the project area would be affected by long-term air emissions from stationary sources and mobile sources related to the proposed project. The CalEEMod model was used to predict these project-related long-term impacts. Localized air quality impacts (i.e., CO concentrations [CO hot spots]) in the project area would be affected by increased traffic flow due to the proposed project. The Caltrans CALINE4 model and the CARB EMFAC 2007 model were used to assess the project's impact on the local CO concentrations.

SCAQMD has developed Local Significance Threshold (LST) methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State AAQS and are developed based on the ambient concentrations of that pollutant for each source receptor area. SCAQMD's current guidelines, *Final Localized Significance Threshold Methodology* (June 2003), were adhered to in the assessment of air quality impacts for the proposed project. The LST mass rate look-up tables were used to determine whether the daily emissions for the proposed construction activities could result in significant localized air quality impacts. The emissions of concern from construction activities are NOx, CO, PM_{10}, and $PM_{2.5}$ combustion emissions from construction equipment and fugitive PM_{10} dust from construction site preparation activities.

4.2.4 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, air quality impacts would occur if the proposed project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; and/or
- Create objectionable odors affecting a substantial number of people.

In addition to the Federal and State AAQS, there are daily emissions thresholds for construction and operation of a proposed project in the Basin. The Basin is administered by the SCAQMD, and guidelines and emissions thresholds established by the SCAQMD in its *CEQA Air Quality Handbook*[2] are used in this analysis. It should be noted that the emissions thresholds were established based on the attainment status of the air basin with regard to air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety (EPA), these emissions thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

1 *CEQA Air Quality Handbook*, April 1993.
2 *CEQA Air Quality Handbook*, April 1993.

4.2.4.1 Thresholds for Construction Emissions

The following CEQA significance thresholds for construction emissions have been established by the SCAQMD for the Basin:

- 75 pounds per day of reactive organic compounds (ROC).
- 100 pounds per day of NO_X.
- 550 pounds per day of CO.
- 150 pounds per day of PM_{10}.
- 150 pounds per day of SO_X.
- 55 pounds per day of $PM_{2.5}$.

Projects in the Basin with construction-related emissions that exceed any of the emission thresholds are considered to be significant under CEQA.

4.2.4.2 Thresholds for Operational Emissions

Projects with operation-related emissions that exceed any of the emission thresholds listed below are considered significant under the SCAQMD guidelines.

- 55 pounds per day of ROC.
- 55 pounds per day of NO_X.
- 550 pounds per day of CO.
- 150 pounds per day of PM_{10}.
- 150 pounds per day of SO_X.
- 55 pounds per day of $PM_{2.5}$.

4.2.4.3 Federal 1 Hour NO_2 Standard

On January 22, 2010, the EPA revised the primary nitrogen dioxide (NO_2) NAAQS in order to provide requisite protection of public health. Specifically, the EPA established a new 1-hour standard at a level of 100 ppb (188.68 $\mu g/m^3$), based on the 3-year average of the annual 98th percentile of the daily maximum 1-hour concentrations (form of the standard), in addition to the existing annual secondary standard (100 $\mu g/m^3$). EPA has also established requirements for a NO_2 monitoring network that will include monitors at locations where maximum NO_2 concentrations are expected to occur, including within 50 meters of major roadways, as well as monitors sited to measure the area-wide NO_2 concentrations that occur more broadly across communities.

The effective date of the new 1-hour standard was 60 days after the final rule was published in the Federal Register. The final rule was published in the Federal Register on February 9, 2010 with an effective date of April 12, 2010.

4.2.4.4 Air Pollutant Standards for CO with Localized Effects

The significance of localized project impacts under CEQA depends on whether ambient CO levels in the vicinity of the project are above or below State and Federal CO standards (previously referenced Table 4.2.A). If ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient

levels already exceed a State or Federal standard, project emissions are considered significant if they increase one-hour CO concentrations by 1.0 ppm[1] or more or eight-hour CO concentrations by 0.45 ppm or more. The Basin meets State and Federal attainment standards for CO; therefore, the proposed project would have a significant CO impact if project emissions result in an exceedance of State or Federal one-hour or eight-hour standard. The following emission concentration standards for CO, based on the SCAQMD *CEQA Air Quality Handbook* (1993), apply to the proposed project:

- California State one-hour CO standard of 20.0 ppm.
- California State eight-hour CO standard of 9.0 ppm.

4.2.4.5 Localized Significance Thresholds

The SCAQMD published its *Final Localized Significance Threshold Methodology* in June 2003, revised July 2008) and Final –Methodology to Calculate Particulate Matter (PM) 2.5 and $PM_{2.5}$ Significance Thresholds (October 2006), recommending that all air quality analyses include an assessment of both construction and operational impacts on the air quality of nearby sensitive receptors. LSTs represent the maximum emissions from a project site that are not expected to result in an exceedance of the national or State AAQS. LSTs are based on the ambient concentrations of that pollutant within the project Source Receptor Area (SRA) and the distance to the nearest sensitive receptor. For this project, the appropriate SRA for the LST is the Perris Valley (SRA 24).

In the case of CO and NO_2, if ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient levels already exceed a State or federal standard, then project emissions are considered significant if they increase ambient concentrations by a measurable amount. This would apply to PM_{10} and $PM_{2.5}$, both of which are non-attainment pollutants. For these two, the significance criteria are the pollutant concentration thresholds presented in SCAQMD Rules 403 and 1301. The Rule 403 threshold of 10.4 µg/m3 applies to construction emissions (and may apply to operational emissions at aggregate handling facilities). The Rule 1301 threshold of 2.5 $\mu g/m^3$ applies to non-aggregate handling operational activities.

To avoid the need for every air quality analysis to perform air dispersion modeling, the SCAQMD performed air dispersion modeling for a range of construction sites less than or equal to 5 acres (ac) in size and created look-up tables that correlate pollutant emissions rates with project size to screen out projects that are unlikely to generate enough emissions to result in a locally significant concentration of any criteria pollutant. These look-up tables can also be used as screening criteria for larger projects to determine whether or not dispersion modeling may be required.

Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to adverse air quality. The nearest existing sensitive receptors are approximately 300 meters (m) (1,000 ft) away from the project site.

Following the SCAQMD LST methodology, for sites larger than 5 ac, dispersion modeling needs to be conducted. Because the project site encompasses approximately 71 ac, the localized significance for project air emissions is determined by performing dispersion modeling to see if the pollutant concentrations would exceed the ambient air quality standards, or for particulate matter, if the pollutant concentrations would exceed thresholds presented in SCAQMD Rules 403 and 1301.

For operational emissions, the localized significance for a project larger than 5 ac can be determined by performing the screening-level analysis before using the dispersion modeling because the screening-level analysis is more conservative, and if no exceedance of the screening-level thresholds

[1] ppm = parts per million.

is identified, then the chance of operational LST exceeding concentration standards is small. Therefore, for a conservative approach, the LST screening thresholds for 5 ac are used in this analysis for operational emissions. Since the project is not an aggregate handling facility, operational LSTs are assessed with the SCAQMD screening thresholds. Therefore, the following emissions thresholds apply during project operations:

- 585 lbs/day of NO_X
- 12,083 lbs/day of CO
- 32 lbs/day of PM_{10}
- 14 lbs/day of $PM_{2.5}$

4.2.4.6 Diesel Exhaust Health Risk Thresholds

For pollutants without defined significance standards or air contaminants not covered by the standard criteria cited above, the definition of substantial pollutant concentrations varies. For toxic air contaminants (TAC), "substantial" is taken to mean that the individual cancer risk exceeds a threshold considered to be a prudent risk management level. If best available control technology for toxics (T-BACT) has been applied, the individual cancer risk to the maximum exposed individual (MEI) must not exceed 10 in 1 million if an impact is to be considered less than significant.

The following limits for maximum individual cancer risk (MICR), cancer burden and non-cancer acute and chronic hazard indices (HI) from project emissions of TACs have been established for the Basin:

- **MICR and Cancer Burden.** MICR is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to TACs over a period of 70 years for residential and 40 years for worker receptor locations. The MICR calculations include multipathway consideration, when applicable. Cancer burden is the estimated increase in the occurrence of cancer cases in a population subject to a MICR of greater than or equal to one in one million (1.0×10^{-6}) resulting from exposure to TACs.

  The total increase in MICR that is the sum of the calculated MICR values for all TACs emitted from the project will not result in any of the following:

  (A) An increased MICR greater than 10 in 1 million (1.0×10^{-5}) at any receptor location (assumes the project will be constructed with T-BACT); or

  (B) A cancer burden greater than 0.5.

- **Chronic HI.** This is the ratio of the estimated long-term level of exposure to a TAC for a potential maximally exposed individual to its chronic reference exposure level. The chronic HI calculations include multipathway consideration, when applicable.

  The cumulative increase in total chronic HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

- **Acute HI.** This is the ratio of the estimated maximum one-hour concentration of a TAC for a potential maximally exposed individual to its acute reference exposure level.

  The cumulative increase in total acute HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

4.2.5 Less than Significant Impacts

The following impacts were determined to be less than significant. For each of the following issues either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.2.5.1 Air Quality Plan Management Plan Consistency

Threshold	Would the proposed project conflict with or obstruct implementation of the applicable air quality plan?

The current regional air quality management plan is the *Final 2007 Air Quality Management Plan* adopted by the SCAQMD on June 1, 2007. The Final 2007 AQMP proposes attainment demonstration of the Federal $PM_{2.5}$ standards through a more focused control of SO_X, directly-emitted $PM_{2.5}$, and NO_X supplemented with VOC by 2015. The 8-hour ozone control strategy builds upon the $PM_{2.5}$ strategy, augmented with additional NO_X and VOC reductions to meet the standard by 2024 assuming a bump-up[1] is obtained.

The Final 2007 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve Federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin that are under SCAQMD jurisdiction. This AQMP also addresses several Federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools. This AQMP builds upon the approaches taken in the 2003 AQMP for the Basin for the attainment of the Federal ozone air quality standard.[2] The Basin is currently a Federal and State nonattainment area for PM_{10}, $PM_{2.5}$, and ozone.

To assess the environmental impacts as a result of new development accurately, environmental pollution and population growth are projected by the SCAQMD in the AQMP for future scenarios. The AQMP projections are based, in part, on the growth forecasts and General Plans from cities and counties located in the Basin. As the Growth Management Chapter of the SCAG's Regional Comprehensive Plan and Guide (RCPG) forms the basis of the land use and transportation control portions of the AQMP, projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter are considered consistent with the AQMP growth projections. A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the air quality plans. It fulfills the CEQA goal of fully informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Only new or amended General Plan elements, Specific Plans, and significantly unique projects need to undergo a consistency review due to the air quality plan strategy being based on projections from local General Plans. Projects that propose general plan amendments and changes of zone may increase the intensity of use and/or result in higher traffic volumes, thereby resulting in increased stationary area source emissions and/or vehicle source emissions when compared to the AQMP assumptions.

Another measurement tool in determining consistency with the AQMP is to determine how a project accommodates the expected increase in population or employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT) both within the project and the community in which it is located, and consequently the minimization of air pollutant emissions, that aspect of the project is consistent with the AQMP. The proposed project site is located in an urbanizing area of the City of Moreno Valley west of Perris Boulevard, which accommodates traffic in the area. In addition, the proposed uses would be within short travel distance of existing homes and commercial areas in the local vicinity. The proposed project would add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community.

Implementation of the proposed project would not require a General Plan Amendment and zone change that would change the General Plan designations and zoning designations of the project site.

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1 A "bump-up" is a voluntary reclassification of a nonattainment area to a higher classification allowing for an extension of an attainment deadline.

2 *Final 2007 Air Quality Management Plan,* South Coast Air Quality Management District, June 1, 2007.

Since the proposed project would not require a General Plan Amendment, the project has been considered in preparation of the General Plan and therefore is consistent with the AQMP; therefore, no significant impact would occur and no mitigation measures are required.

4.2.5.2 Odors

Threshold	Would the proposed project create objectionable odors affecting a substantial number of people?

SCAQMD Rule 402 dictates that air discharged from any source shall not cause injury, nuisance, or annoyance to the health, safety, or comfort of the public. With the exception of short-term construction-related odors (e.g., equipment exhaust, paint, and asphalt odors), the proposed uses that would be developed on the proposed site do not include uses that are generally considered to generate offensive odors (e.g., agricultural uses, wastewater treatment plants, or landfills). While the application of architectural coatings and installation of asphalt may generate odors, these odors are temporary and not likely to be noticeable beyond the project boundaries. SCAQMD Rules 1108 and 1113 identify standards regarding the application of asphalt and architectural coatings, respectively.

SCAQMD Rule 1108 sets limitations on ROG (reactive organic gases), which are similar to and for the purposes of this EIR equivalent to and therefore interchangeable with volatile organic compounds (VOC) content in asphalt. This rule is applicable to any person who supplies, sells, offers for sale, or manufactures any asphalt materials for use in the Basin. Rule 1113 of the SCAQMD deals with the selling and application of architectural coatings. Rule 1113 is applicable to any person who supplies, sells, offers for sale, or manufactures any architectural coating for use in the Basin that is intended to be applied to buildings, pavements, or curbs. This rule is also applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of VOC emissions allowed for all types of architectural coatings, along with a time table for tightening the emissions standards in the future. Compliance with Rule 1113 means that architectural coatings used during construction would have VOC emissions that comply with these limits.

Adherence to applicable provisions of these rules is standard for all development within the Basin. In addition, conditions for the design of waste storage areas on the proposed site would be established through the permit process to ensure enclosures are appropriately designed and maintained to prevent the proliferation of odors. Solid waste generated by the proposed on-site uses will be collected by a contracted waste hauler, ensuring that any odors resulting from on-site uses would be adequately managed. Therefore, impacts associated with this issue would be less than significant and no mitigation is required.

4.2.5.3 Long-Term Microscale (CO Hot Spot) Emissions

Threshold	Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation? For CO, the applicable thresholds are: - California State one-hour CO standard of 20.0 ppm; and - California State eight-hour CO standard of 9.0 ppm.

Vehicular trips associated with the implementation of the proposed project would contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase in local areas as a result of the proposed project. The primary mobile source pollutant of local concern is CO, which is a direct

function of vehicle idling time and, thus, traffic flow conditions. CO transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. However, under certain extreme meteorological conditions, CO concentrations proximate to a congested roadway or intersection may reach unhealthful levels affecting local sensitive receptors (residents, schoolchildren, etc). High CO concentrations are typically associated with roadways or intersections operating at unacceptable levels of service or with very high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. As identified in Table 4.2.E, ambient CO levels monitored at the Riverside – Rubidoux Station, the closest station with complete monitored CO data, showed a highest recorded 1-hour concentration of 2.7 ppm (State standard is 20 ppm) and a highest 8-hour concentration of 1.9 ppm (State standard is 9 ppm) during the past 3 years.

The highest CO concentrations would normally occur during peak traffic hours; hence, CO impacts calculated under peak traffic conditions represent a worst-case analysis. Based on the Traffic Study,[1] CO hotspot analyses were conducted for future cumulative conditions. The impact on local CO levels was assessed with the CARB-approved CALINE4 air quality model, which allows microscale CO concentrations to be estimated along roadway corridors or near intersections. This model is designed to identify localized concentrations of CO, often termed "hot spots."

The proposed project would have a significant CO impact if project emissions increase 1-hour CO concentrations by 1.0 ppm or more. Similarly, the proposed project would also have a significant CO impact if project emissions increase 8-hour CO concentrations by 0.45 ppm or more. Existing (2008) and opening year (2013) scenarios were evaluated for traffic impacts from the proposed project. It is anticipated that emissions in the future years, including CO, would decrease with advances in technology. The highest one-hour CO concentrations for intersections within the project vicinity are identified in Table 4.2.E.

Table 4.2.E: One-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest One-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	1-Hr
Existing Year (2011)	4.0	NA [2]	No
Opening Year (2013)	5.1	5.1	No

1 The one-hour CO State standard is 20 ppm.
2 NA = not applicable.
Source: *Air Quality Analysis*, LSA Associates, Inc. December 2011.

As identified in Table 4.2.E, the highest one-hour CO concentration experienced at any of the intersections in the project vicinity would not exceed the one hour CO State standard of 20 ppm. Based on the *Air Quality Analysis* prepared for the proposed project, the proposed project would contribute, at most, a 0.2 ppm increase to the one-hour CO concentrations for all scenarios. This is below the 1.0 ppm increase threshold. The highest eight-hour CO concentrations for intersections within the project vicinity are identified in Table 4.2.F.

Table 4.2.F: Eight-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest Eight-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	8-Hr
Existing Year (2011)	2.8	NA [2]	No

1 *Traffic Study VIP Moreno Valley,* LSA Associates, Inc., November 2011.

Table 4.2.F: Eight-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest Eight-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	8-Hr
Opening Year (2013)	3.5	3.5	No

1 The eight-hour CO State standard is 35 ppm.
2 NA = not applicable.
Source: *Air Quality Analysis*, LSA Associates, Inc. December 2011.

As identified in Table 4.2.F, the highest eight-hour CO concentration experienced at any of the intersections in the project vicinity would not exceed the eight-hour CO state standard of 35 ppm. Based on the Air Quality Analysis prepared for the proposed project, the proposed project would contribute, at most, a 0.2 ppm increase to the eight-hour CO concentrations for all scenarios. This is below the 0.45 ppm increase threshold. Since the proposed project would not exceed the one-hour or eight-hour CO concentration standards, it is reasonable to conclude that no CO hot spots would occur. Therefore, the proposed project would not have a significant impact on local air quality for CO and no mitigation measures would be required.

4.2.5.4 Localized Operational Emissions

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operation, the applicable localized daily thresholds are: - 12,083 pounds per day of CO; - 585 pounds per day of NO_X; - 32 pounds per day of PM_{10}; and - 14 pounds per day of $PM_{2.5}$.

As previously stated, the SCAQMD has developed an LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. These emission levels have been developed based on the ambient concentrations of that pollutant for each source receptor area. Table 4.2.G summarizes the results of the modeled localized emissions during the operational phase of the project.

Table 4.2.G: Modeled Localized Operation Impacts (lbs/day)

Emissions Sources	NO_x	CO	PM_{10}	$PM_{2.5}$
On-site emissions	50	42	8.5	2.1
LST Thresholds	**550**	**11,302**	**126**	**53**
Significant?	**No**	**No**	**No**	**No**

Source: LSA Associates, Inc., December 2011.

The SCAQMD LST threshold for NO_X is designed to ensure that the NO_2 concentrations from project construction emissions added to the ambient NO_2 concentrations are below the State ambient air quality standards (AAQS) of 180 ppb. The emissions rate of NO_X at 97 lbs/day is approximately 18 percent of the LST threshold of 550 lbs/day. Since the federal NO_2 AAQS of 100 ppb is approximately 55 percent of the State NO_2 AAQS of 180 ppb, the construction emissions of NO_X will not result in an exceedance of the federal NO_2 AAQS.

As identified in Table 4.2.G, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not

have a significant impact on localized operational pollutant levels and no mitigation measures would be required.

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. Therefore, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

4.2.5.6 Operational-Chronic Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations? For Maximum Individual Cancer Risk, the applicable thresholds are: • An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or For non-cancer chronic hazard indices (HI); the applicable threshold is: • A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

A screening level health risk assessment was performed for the operational emissions associated with the proposed project based on the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* guidance. The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with state and federal handling regulations will bring emissions to below a level of significance. Due to the lack of data, precise evaluation of vehicle exhaust impacts is not feasible; however, based on the limited amount of TAC from vehicle exhaust associated with the project operations in relation to background levels, the impact is not expected to be significant.

The nearest existing sensitive receptors are rural residential units located approximately 1,000 feet (ft) to the north along Nandina Avenue. There are also nonconforming residential dwelling units within commercial and industrial uses on property zoned commercial or industrial approximately 0.5 mi southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue. The workers at the nearby commercial and industrial facilities are also considered. Sensitive receptors were placed in a general grid extending in all directions to characterize the risk level surrounding the project site. Meteorological data from the Moreno Valley area were utilized to

represent the conditions at the project site. Table 4.2.H provides the results of the operational related health risk assessment conducted.

Table 4.2.H: Operational-Related Health Risk Assessment Results (risk per million)

Location	Maximum Cancer Risk	Maximum Noncancer Risk
School 1	0.11	0.000069
School 2	0.79	0.00050
School 3	0.26	0.00016
Nearest Residential to the north	6.6	0.0041
Nearest Residential to the east	5.0	0.0031
Nearest Residential to the south	1.2	0.00074
Workers at facility to the west	4.5	0.0029
SCAQMD Threshold	**10**	**1**
Significant?	**No**	**No**

Source: LSA Associates, March 2012.

As identified in Table 4.2.H, the nearest residences would experience a cancer risk of 6.6 in 1 million, which is below the 10 in 1 million threshold. The nearest residences would also experience a chronic hazard index of 0.0041, which is below the 1.0 threshold. The peak off-site worker cancer risk level is 4.5 in a million, which is also below the 10 in 1 million threshold. Chronic hazard index for the peak off-site worker would be 0.0029, which is below the 1.0 threshold. Since the operational phase of the proposed project would not exceed any of the operational related health risk assessment thresholds, a less than significant impact would occur and no mitigation is required.

4.2.6 Significant Impacts

The following impacts were determined to be potentially significant. In each of the following issues, mitigation measures have been recommended to reduce the significance of the identified impacts.

4.2.6.1 Construction Equipment Exhaust Emissions

Impact 4.2.6.1: *Construction of the proposed project has the potential to exceed applicable daily thresholds that may affect sensitive receptors.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.

Grading and other construction activities produce combustion emissions from various sources such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions during these construction activities will vary daily as construction activity levels change. The use of construction

equipment on site would result in localized exhaust emissions. Activity during peak grading days typically generates a greater amount of air pollutants than other project construction activity.

While the actual details of the future construction schedule are not known, it is expected that project construction would occur in four phases: 1) rough grading which includes mass site grading; 2) infrastructure construction which includes underground construction, curb, gutter, sidewalk, subgrade preparation, drop rock, and paving activities; 3) asphalt paving; and 4) building construction and painting. Appendix D-1 of this EIR includes details of the emission factors and other assumptions.

Projected emissions resulting from grading and construction activities for the proposed project are identified in Table 4.2.I, which identifies the estimated maximum daily construction emissions over the course of project construction.

Table 4.2.I: Short-Term Regional Construction Emissions

	Pollutant Emissions (lbs/day)							
Construction Phase	**ROG**	**NO_X**	**CO**	**SO_2**	**Fugitive PM_{10}**	**Exhaust PM_{10}**	**Fugitive $PM_{2.5}$**	**Exhaust $PM_{2.5}$**
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	1.8	0.33	0.02	0.32
Architectural Coating	72	3.7	11	0.01	0.2	2.9	0	2.9
Paving	5.95.9	3434	22	0.03	329	17	4.4	16
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

The construction emissions estimates summarized in Table 4.2.I are based on the assumed construction scenario described in the *Air Quality Analysis* prepared for the proposed project. Using emission factors from the SCAQMD *CEQA Air Quality Handbook* and the ARB EMFAC2007 model, Table 4.2.I indicates that construction emissions of criteria pollutants would exceed the SCAQMD daily emission thresholds for ROG from architectural coating, NO_X from diesel exhaust and fugitive PM_{10} during the site preparation and grading phases. It should be noted that site preparation and grading emissions are projected to be higher due to an estimated 220,000 cy of soil import by haul trucks. Although construction of the structure uses different types of equipment on site than during grading periods, similarities do exist in terms of equipment exhaust emissions and fugitive dust emissions. While it is anticipated that total emissions during construction would be below the peak grading day emissions presented in Table 4.2.I, construction emissions of ROG, NOx and PM_{10} would still exceed the SCAQMD daily threshold. This is a significant impact requiring mitigation.

Fugitive dust emissions are generally associated with land clearing and exposure of soils to the air and wind, and cut-and-fill grading operations. Dust generated during construction varies substantially on a project-by-project basis, depending on the level of activity, the specific operations, and weather conditions at the time of construction. Fugitive dust emissions can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors. The proposed project will be required to comply with SCAQMD Rules

402 and 403 to control fugitive dust. There are a number of feasible control measures that can be reasonably implemented to significantly reduce PM_{10} emissions from construction.

As identified in Table 4.2.I, fugitive dust emissions (i.e., PM_{10}) during the anticipated peak construction day for the proposed project would exceed SCAQMD daily construction thresholds.

The proposed project is required to comply with regional rules that assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires implementation of dust-suppression techniques to prevent fugitive dust from creating a nuisance off site. SCAQMD Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rule 403 are summarized below. Implementation of these dust suppression techniques can reduce the fugitive dust generation (and thus the PM_{10} component). Compliance with these rules would reduce impacts on nearby sensitive receptors. The applicable Rule 403 measures are as follows:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce fugitive dust haul road emissions.

As previously discussed, SCAQMD Rule 1113 regulates the sale and application of architectural coatings. Rule 1113 is applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of ROG or VOC emissions allowed for all types of architectural coatings. Compliance with Rule 1113 means that architectural coatings used during construction would have ROG or VOC emissions that comply with these limits.

Mitigation Measures. To facilitate monitoring and compliance, applicable SCAQMD regulatory requirements are restated in the following mitigation. These measures shall be incorporated in all project plans, specifications, and contract documents. Typical mitigation measures identified to reduce the level of emissions of ROG, NO_X, and PM_{10} include the following:

4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract

specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.

4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).

4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High-pressure injectors shall be provided on diesel construction equipment where feasible;

- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be provided on site during construction to minimize the need for off-site vehicle trips; and
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.2.6.1M All project entrances shall be posted with signs which state:

- Truck drivers shall turn off engines when not in use;
- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and
- Telephone numbers of the building facilities manager and CARB, to report violations.

These measures shall be enforced by the on-site facilities manager (or equivalent).

Level of Significance After Mitigation. The implementation of CARB Tier 2 Certified or better equipment would reduce PM_{10} and $PM_{2.5}$ emissions that would otherwise result from off-road equipment in use (e.g., dozers, motor graders, loaders, and excavators); however, emissions of PM_{10} would still exceed established SCAQMD thresholds during construction. It is not possible to quantify the reduction in the amount of NO_x emissions that may occur. During project construction, it is not known specifically what type of on-site equipment will be used (e.g., gasoline- or diesel-powered) therefore, no additional reduction in NO_x emissions were taken. No other feasible mitigation measures have been identified to reduce the construction emissions of NO_x or PM_{10} to a less than significant level. Project-related construction emissions of NO_x and PM_{10} would continue to exceed thresholds. Although implementation of standard Rule 1113 measures will reduce ROG/VOC emissions during application of architectural coatings to 72 pounds per day, which is less than the 75 pounds per day threshold of significance, ROG/VOC emissions are estimated to reach 90 pounds per day due to construction phase overlap. In the absence of feasible mitigation to reduce the proposed project's emission of ROG, NO_x, and PM_{10} to below SCAQMD thresholds, potential air quality impacts resulting from exhaust from construction equipment will remain significant and unavoidable.

4.2.6.2 Localized Construction Emissions

Impact 4.2.6.2: *Construction of the proposed project has the potential to exceed localized daily thresholds that may affect sensitive receptors.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For short-term construction, the applicable localized daily thresholds are: - 11,302 pounds per day of CO; - 550 pounds per day of NO_X; - 126 pounds per day of PM_{10}; and - 53 pounds per day of $PM_{2.5}$.

The SCAQMD has developed an LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State ambient air quality standard. These emission levels have been developed based on the ambient concentrations of that pollutant for each source receptor area. The emissions of concern from construction activities are NO_X and CO combustion emissions from construction equipment and fugitive PM_{10} and $PM_{2.5}$ dust from construction site preparation activities.

Table 4.2.J summarizes the results of the modeled localized emissions during peak construction activity. LSTs for the project area as calculated using AERMOD air dispersion modeling and following the SCAQMD LST methodology. The concentration increases shown in Table 4.2.J occur at the sensitive receptors are approximately 300 meters (m) (1,000 ft) from the project site. The LST dispersion analysis details and calculations are included in the Appendix to the Air Quality Study (Appendix D-1).

Table 4.2.J: Modeled Localized Construction Impacts

Pollutant	AAQS	Ambient Concentration	Threshold	Maximum Concentration Increase	Over/(Under)	Adverse Concentration
CO (1-hour)	20 ppm	2.7 ppm	17.3 ppm	3 ppm	(14.3 ppm)	No
CO (8-hour)	9.0 ppm	1.9 ppm	7.1 ppm	1.8 ppm	(5.3 ppm)	No
NO_2 (1-hour)	0.18 ppm	0.092 ppm	0.088 ppm	0.55 ppm	0.46	**Yes**
NO_2 (annual)	0.03 ppm	0.019 ppm	0.011 ppm	0.014 ppm	0.003	No
PM_{10} (24-hour)[a]			10.4 µg/m3	85 µg/m3	74.6 µg/m3	**Yes**
PM_{10} (annual)[a]			1.0 µg/m3	0 µg/m3	(1 µg/m3)	No
$PM_{2.5}$ (24-hour)[a]			10.4 µg/m3	80 µg/m3	69.6 µg/m3	**Yes**

Source: LSA Associates, Inc., March 2012.
a. Since both PM_{10} and $PM_{2.5}$ are in nonattainment, the thresholds are not based on AAQS exceedance, but rather a violation of SCAQMD Rule 403.
AAQS = ambient air quality standards
CO = carbon monoxide
µg/m3 = microgram of pollutant per cubic meter of air
NO2 = nitrogen dioxide
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ppm = parts per million
SCAQMD = South Coast Air Quality Management District

The SCAQMD LST threshold for NO_X is designed to insure that the NO_2 concentrations from project construction emissions added to the ambient NO2 concentrations are below the State AAQS of 180ppb. The emissions rate of NO_X at 97 lbs/day is approximately 18 percent of the LST threshold of 550 lbs/day. Since the federal NO_2 AAQS of 100 ppb is approximately 55 percent of the State NO_2 AAQS of 180 ppb, the construction emissions of NO_X will not result in an exceedance of the federal NO_2 AAQS.

Mitigation Measures. Typical mitigation measures identified to reduce the level of emissions of NOx and PM_{10} have been identified above as **Mitigation Measures 4.2.6.1A** through **4.6.1.M.** The project will also be required to comply with SCAQMD Rule 402 and 403.

Level of Significance After Mitigation. The implementation of CARB Tier 2 Certified or better equipment would reduce PM_{10} and $PM_{2.5}$ emissions that would otherwise result from off-road equipment in use (e.g., dozers, motor graders, loaders, and excavators); however, emissions of PM_{10} would still exceed established SCAQMD thresholds during construction. It is not possible to quantify the reduction in the amount of NO_x emissions that may occur. During project construction, it is not known specifically what type of on-site equipment will be used (e.g., gasoline- or diesel-powered) therefore, no additional reduction in NO_x emissions were taken. No other feasible mitigation measures have been identified to reduce the construction emissions of NO_x or PM_{10} to a less than significant level. Project-related construction emissions of NO_x and PM_{10} would continue to exceed thresholds. In the absence of feasible mitigation to reduce the proposed project's emission of NO_x and PM_{10} to below SCAQMD thresholds, potential air quality impacts resulting from exhaust from construction equipment will remain significant and unavoidable.

4.2.6.3 Long-Term Operational Emissions

Impact 4.2.6.3: *Implementation of the proposed project may occur have the potential to exceed applicable daily thresholds for operational activities.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NO_X; - 550 pounds of CO; - 150 pounds of PM_{10}; - 55 pounds of $PM_{2.5}$; and - 150 pounds of SO_X.

Long-term air pollutant emission impacts that would result from the proposed project are those associated with stationary sources and mobile sources involving any project-related change (e.g., emissions from landscape maintenance activities and other facility maintenance operations and the use of motor vehicles by project-generated traffic). The analysis assesses the mobile source emissions generated by vehicles driving to and from the proposed land uses, as well as area source emissions generated by project maintenance operations. Projected emissions resulting from operational activities of the proposed project are identified in Table 4.2.K.

Table 4.2.K: Summary of Operational Emissions

Source	Pollutant Emissions, lbs/day					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source Emissions[1]	33	0	0	0	0	0
Energy Source Emissions[2]	0.1	0.93	0.78	0.01	0.07	0.07
Mobile Emissions[3]	110	990	830	1.5	170	42
Maximum Daily Emissions	**143**	**990**	**830**	**1.5**	**170**	**42**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Significant?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**No**

Notes:
1 = Includes emissions of landscape maintenance equipment, consumer products, and architectural coatings emissions.
2 = Includes emissions of natural gas consumption.
3 = Includes emissions of vehicle emissions and fugitive dust related to vehicular traffic.

CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
VOC = volatile organic compounds
SO_X = sulfur oxides

Source: LSA Associates, Inc., December 2011.

As identified in Table 4.2.K, operational emissions for the proposed project would exceed SCAQMD daily operational thresholds for ROG, NO_X, CO, and PM_{10}. Therefore, project-related long-term air quality impacts for ROG, NO_X, CO, and PM_{10} would be significant and mitigation measures are required.

Mitigation Measures. The following measures have been identified to reduce operational emissions of ROG, NO_X, CO, and PM_{10}:

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.
- To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.

- Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
- All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.
- To reduce energy demand associated with potable water conveyance, the project shall implement the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- The project shall provide secure, weather-protected, on-site bicycle storage/parking.
- The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.
- The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- The project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.
- The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.
- Lease/purchase documents shall identify that tenants are encouraged to promote the following:
  - Implementation of compressed workweek schedules.
  - SmartWay partnership;
  - Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.
  - Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.
  - Use of fleet vehicles conforming to 2010 air quality standards or better.
  - Installation of catalytic converters on gasoline-powered equipment.

- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.
- Provision of preferential parking for EV and CNG vehicles.
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.
- Use of electric (instead of diesel or gasoline-powered) yard trucks.
- Use of SmartWay 1.25 rated trucks.

4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.

It is important to note that in addition to the operational activity mitigation measures identified above, the proposed project would incorporate physical attributes and operational programs that will act to generally reduce operational-source pollutant emissions including GHG emissions. These project characteristics are identified in Section 4.3 (Climate Change and Greenhouse Gas Emissions) of this EIR.

Level of Significance after Mitigation. Even with implementation of the identified mitigation measure, it is not possible to quantify the reduction in the amount of ROG, NO_X, CO, and PM_{10} emissions that may occur with the operation of the proposed project. Despite implementation of mitigation measures, emissions of ROG, NO_X, CO, and PM_{10} would still exceed SCAQMD significance thresholds resulting in a significant and unavoidable operational air quality impact.

4.2.7 Cumulative Impacts

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

4.2.7.2 CO Hot Spot Impacts

As identified in Section 4.2.5.3, no significant CO hot spot impacts would occur. It is anticipated that CO emissions in the future will decrease with advances in technology. As previously identified, background concentrations in future years are anticipated to continue to decrease as the concerted effort to improve regional air quality progresses. Therefore, CO concentrations in the future years would generally be lower than existing conditions. Based on the analysis, because no CO hot spot

impacts would occur, it is reasonable to assume that a less than significant cumulative CO impact would occur.

4.2.7.3 Long-Term Regional Air Quality Impacts

Previously identified Table 4.2.K indicates that the long-term operation of the project would contribute to long-term regional air pollutants despite implementation of mitigation measures. The Basin is in nonattainment for NO_X, PM_{10}, $PM_{2.5}$, and ozone at the present time; therefore, the operation of the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed project would unavoidably contribute to significant long-term cumulative air quality impacts.

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4.3 CLIMATE CHANGE AND GREENHOUSE GAS EMISSIONS

This section analyzes the proposed project's potential climate impacts based on the comprehensive *Greenhouse Gas Emissions and Global Climate Change Study* (LSA Associates, Inc. December 2011) contained in Appendix E to this EIR. This section provides a discussion of global climate change, existing regulations pertaining to global climate change, and an analysis of greenhouse gas (GHG) emissions associated with the proposed project. This analysis examines the short-term construction and long-term operational impacts and evaluates the effectiveness of measures incorporated as part of the project design.

4.3.1 Existing Setting

4.3.1.1 Global Climate Change

Global climate change is the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. The Earth's average near-surface atmospheric temperature rose 0.6 ± 0.2 degrees Celsius (°C) (1.1 ± 0.4°F) in the 20th century. Climate change refers to any significant change in measures of climate such as temperature, precipitation, or wind, lasting for decades or longer (Environmental Protection Agency [EPA], 2007). Climate change may result from:

- Natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun;
- Natural processes within the climate system (e.g., changes in ocean circulation); and/or
- Human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and the land surface (e.g., deforestation, reforestation, urbanization, and desertification).

Human activities, such as fossil fuel combustion and land use changes release carbon dioxide (CO_2) and other compounds, cumulatively termed greenhouse gases (GHGs). GHGs are effective in trapping infrared radiation that otherwise would have escaped the atmosphere, thereby warming the atmosphere, the oceans, and earth's surface (EPA, 2007). The prevailing scientific opinion on climate change is that "most of the warming observed over the last 50 years is attributable to human activities."[1] The increased amounts of CO_2 and other GHGs are the primary causes of the human-induced component of warming.

GHGs are present in the atmosphere naturally, released by natural sources, or formed from secondary reactions taking place in the atmosphere. They include CO_2, methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). In the last 200 years, substantial quantities of GHGs have been released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, enhancing the natural greenhouse effect, which is believed to be causing global warming. While human-made GHGs include CO_2, CH_4, and N_2O, some (like chlorofluorocarbons [CFCs]) are completely new to the atmosphere.

Natural sources of CO_2 include the respiration (breathing) of humans and animals and evaporation from the oceans. Together, these natural sources release approximately 150 billion tonnes[2] of CO_2 each year, far outweighing the 7 billion tonnes of human-made emissions from fossil fuel burning, waste incineration, deforestation, and cement manufacture. Nevertheless, natural removal processes such as photosynthesis by land- and ocean-dwelling plant species cannot keep pace with this extra input of human-made CO_2, and consequently the gas is building up in the atmosphere.[3]

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1 Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2007: The Physical Science Basis*, http://www.ipcc.ch.

2 A tonne means a ton in the metric unit system; it is also called a metric ton. A tonne is 1,000 kilograms, or approximately 2,204 pounds.

3 Enviropedia, http://www.enviropedia.org.uk/Global_Warming/Emissions.php.

Methane is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, termites, and oceans. Human-made sources include the mining and burning of fossil fuels; digestive processes in ruminant animals such as cattle; rice paddies; and the burying of waste in landfills. Total annual emissions of CH_4 are approximately 500 million tonnes, with human-made emissions accounting for the majority. As for CO_2, the major removal process of atmospheric CH_4—chemical breakdown in the atmosphere—cannot keep pace with source emissions, and CH_4 concentrations in the atmosphere are increasing.

Worldwide emissions of GHGs in 2008 were 30.1 billion metric tons of carbon dioxide equivalent (CO_2E).[1] It is important to note that the global emissions inventory data are not all from the same year and may vary depending on the source of the emissions inventory data.[2] Emissions from the top five countries and the European Union accounted for approximately 55 percent of the total global GHG emissions, according to the most recently available data. The United States was the number two producer of GHG emissions. The primary GHG emitted by human activities in the United States was CO_2, representing approximately 84 percent of total GHG emissions. CO_2 from fossil fuel combustion, the largest source of GHG emissions, accounted for approximately 80 percent of the GHG emissions.[3]

In 2009, the United States emitted approximately 6.6 billion metric tons of CO_2e or approximately 25 tons per year (tpy) per person. Of the six major sectors nationwide (electric power industry, transportation, industry, agriculture, commercial, residential) the electric power industry and transportation sectors combined account for approximately 62 percent of the GHG emissions; the majority of the electrical power industry and all of the transportation emissions are generated from direct fossil fuel combustion. Between 1990 and 2006, total United States GHG emissions rose approximately 14.7 percent.[4]

The California ARB is responsible for developing the California Greenhouse Gas Emission Inventory. This inventory estimates the amount of GHGs emitted to and removed from the atmosphere by human activities within the State of California and supports the Assembly Bill (AB) 32 Climate Change Program. The California ARB's current GHG emission inventory covers the years 1990-2008 and is based on fuel use, equipment activity, industrial processes, and other relevant data (e.g., housing, landfill activity, agricultural lands).

According to California ARB emission inventory estimates, California emitted approximately 478 million metric tons of CO_2e emissions in 2008.[5] The year 2008 saw a small decrease in statewide GHG emissions, driven by a noticeable drop in on-road transportation emissions. 2008 also reflects the beginning of the economic recession and fuel price spikes. As the economy recovers, GHG emissions are likely to rise again without other mitigation actions. California's gross emissions of GHG increased 4.3 percent from 458 million metric tons of CO_2e in 2000 to 477.7 million in 2008, with a maximum of 483.9 million in 2004.

During the same period, California's population grew by 11.8 percent from 34.1 to 38.1 million people, and GHG emissions per person decreased from 13.4 to 12.5 metric tons of CO_2e per person. The California ARB estimates that transportation was the source of approximately 36 percent of the State's GHG emissions in 2008, followed by electricity generation at 21 percent. Other sources of GHG emissions were industrial sources at 10 percent, residential and commercial activities at 9 percent, agriculture at 5 percent, and recycling and waste at 2 percent.

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1 United Nations, *The Millennium Development Goals Report 2011,* http://unstats.un.org/unsd/default.htm, accessed July 26, 2011.

2 US Environmental Protection Agency, "Inventory of US Greenhouse Gas Emissions and Sinks 1990–2006," http://www.epa.gov/climatechange/emissions/usinventoryreport.html, 2008.

3 Ibid.

4 U.S. Environmental Protection Agency (EPA). 2011. *Inventory of U.S. Greenhouse Gas Emissions And Sinks: 1990–2009*. http://www.epa.gov/climatechange/emissions/usinventoryreport.html. Accessed July 2011.

5 California ARB, Greenhouse Gas Inventory Data - 2000 to 2008. http://www.arb.ca.gov/cc/inventory/data/data.htm. Accessed July 2011.

The California ARB staff has projected statewide unregulated GHG emissions for the year 2020, which represent the emissions that would be expected to occur in the absence of any GHG reduction actions, will be 596 million metric tons (MMT) of CO_2e. GHG emissions from the transportation and electricity sectors as a whole are expected to increase, but remain at approximately 38 percent and 23 percent of total CO_2e emissions, respectively. The industrial sector consists of large stationary sources of GHG emissions and the percentage of the total 2020 emissions is projected to be 17 percent of total CO_2e emissions. The remaining sources of GHG emissions in 2020 are high global warming potential gases at 8 percent, residential and commercial activities at 8 percent, agriculture at 5 percent, and recycling and waste at 1 percent.

4.3.1.2 Effects of Global Climate Change

Effects from global climate change may arise from temperature increases, climate-sensitive diseases, extreme weather events, and air quality. There may be direct temperature effects through increases in average temperature leading to more extreme heat waves and less extreme cold spells. Those living in warmer climates are likely to experience more stress and heat-related problems. Heat-related problems include heat rash and heat stroke. In addition, climate-sensitive diseases may increase, such as those spread by mosquitoes and other disease-carrying insects. Such diseases include malaria, dengue fever, yellow fever, and encephalitis. Extreme events such as flooding and hurricanes can displace people and agriculture. Global warming may also contribute to air quality problems from increased frequency of smog and particulate air pollution. Table 4.3.A lists greenhouse gases, the effects of each greenhouse gas, and sources for each of the greenhouse gases.

Additionally, according to the 2006 California Climate Action Team (CAT) Report,[1] the following climate change effects, which are based on trends established by the United Nations Intergovernmental Panel on Climate Change (IPCC), can be expected in California over the course of the next century:

- A diminishing Sierra snowpack declining by 70 percent to 90 percent, threatening the State's water supply;
- Increasing temperatures from 8 to 10.4 degrees Fahrenheit under the higher emission scenarios, leading to a 25 percent to 35 percent increase in the number of days ozone pollution levels are exceeded in most urban areas;
- Increased vulnerability of forests due to forest fires, pest infestation, and increased temperatures;
- Increased electricity demand, particularly in the hot summer months; and
- Increased ground-level ozone formation due to higher reaction rates of ozone precursors.

4.3.1.3 Existing Greenhouse Gas Emissions

The project site is currently vacant, and therefore does not generate emissions.

[1] California Environmental Protection Agency, *Climate Action Team Report to Governor Schwarzenegger and the Legislature*, March 2006.

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Table 4.3.A: Greenhouse Gas Properties, Effects, and Sources

Constituent	Description and Physical Properties	Health Effects	Sources
Water Vapor	Water vapor (H_2O) is the most abundant, important, and variable greenhouse gas in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization.	There are no health effects from water vapor. When some pollutants come in contact with water vapor, they can dissolve and then the water vapor can be a transport mechanism to enter the human body.	The main source of water vapor is evaporation from the oceans (approximately 85%). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves.
Carbon Dioxide	Carbon dioxide (CO_2) is an odorless, colorless natural greenhouse gas.	Outdoor levels of carbon dioxide are not high enough to result in negative health effects.	Carbon dioxide is emitted from natural and anthropocentric (human) sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic out gassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood.
Methane	Methane (CH_4) is an extremely effective absorber of radiation, though its atmospheric concentration is less than carbon dioxide and its lifetime in the atmosphere is brief (10–12 years) compared to other greenhouse gases.	There are no health effects from methane.	Methane has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other anthropocentric sources include fossil-fuel combustion and biomass burning.
Nitrous Oxide	Nitrous oxide (N_2O), also known as laughing gas, is a colorless greenhouse gas.	Nitrous oxide can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses it is harmless. In some cases, heavy and extended use can cause Olney's Lesions (brain damage).	Concentrations of nitrous oxide also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 ppb. Nitrous oxide is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant, e.g., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars.
Chloro-fluorocarbons	Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface).	In confirmed indoor locations, working with CFC-113 or other CFCs is thought to have resulted in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.	CFCs have no natural source, but were first synthesized in 1928. They were used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and was extremely successful, so much so that levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CECs will remain in the atmosphere for over 100 years.
Hydro-fluorocarbons	Hydrofluorocarbons (HFCs) are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the greenhouse gases, they are one of three groups with the highest global warming potential. Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant.	None.	HFCs are man made for applications such as automobile air conditioners and refrigerants.
Per-fluorocarbons	Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6).	None.	The two main sources of PFCs are primary aluminum production and semiconductor manufacture.
Sulfur Hexafluoride	Sulfur hexafluoride (SF_6) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated, 23,900. Concentrations in the 1990's were about 4 ppt.	In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.	Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.
Aerosols	Aerosols are particles emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light. Cloud formation can also be affected by aerosols.	Similar health effects associated with particulate matter.	Sulfate aerosols are emitted when fuel containing sulfur is burned. Another source of aerosols (in the form of black carbon or soot) is the result of incomplete combustion or the incomplete burning of fossil fuels. Although particulate matter regulation has been lowering aerosol concentrations in the United States, global concentrations are likely increasing as a result of other sources around the world.

Source: LSA Associates, August 2011

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4.3.2 Regulatory Setting

4.3.2.1 Federal Regulations/Standards

Energy Policy and Conservation Act. The Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the U.S. would meet certain fuel economy goals. Through this Act, Congress established the first fuel economy standards for on-road motor vehicles in the U.S. Pursuant to the Act, the National Highway Traffic and Safety Administration (NHTSA), which is part of the U.S. Department of Transportation (USDOT), is responsible for establishing additional vehicle standards and for revising existing standards. Since 1990, the fuel economy standard for new passenger cars has been 27.5 miles per gallon (mpg). Since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 mpg. The Corporate Average Fuel Economy (CAFE) program, administered by the Environmental Protection Agency (EPA), was created to determine vehicle manufacturers' compliance with the fuel economy standards. The EPA calculates a CAFE value for each manufacturer based on city and highway fuel economy test results and vehicle sales. Based on the information generated under the CAFE program, the USDOT is authorized to assess penalties for noncompliance.

Energy Policy Act of 1992. The Energy Policy Act (EPAct) of 1992 was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct requires certain Federal, State, and local governments and private fleets to purchase a percentage of light-duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are also included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

Energy Policy Act of 2005. The Energy Policy Act of 2005 includes provisions for renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a Federal purchase requirement for renewable energy.

Federal Regulation of Climate Change. Climate change and GHG reduction are also concerns at the Federal level; however, at this time, no Federal legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. California, in conjunction with several environmental organizations and several other states, sued to force the EPA to regulate GHG as a pollutant under the Clean Air Act (*Massachusetts vs. Environmental Protection Agency et al.*, 549 U.S. 497 (2007). The court ruled that GHG does fit within the Clean Air Act's definition of a pollutant, and that the EPA does have the authority to regulate GHG. Despite the Supreme Court ruling, there are no promulgated Federal regulations to date limiting GHG emissions.

On December 7, 2009, the EPA Administrator signed two distinct findings regarding greenhouse gases under Section 202(a) of the Clean Air Act:

- *Endangerment Finding:* The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases—carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6)—in the atmosphere threaten the public health and welfare of current and future generations.
- *Cause or Contribute Finding:* The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

These findings do not themselves impose any requirements on industry or other entities. However, this action is a prerequisite to finalizing the EPA's proposed greenhouse gas emission standards for light-duty vehicles, which were jointly proposed by EPA and the Department of Transportation's National Highway Safety Administration on September 15, 2009.[1]

4.3.2.2 State Regulations/Standards

California Code of Regulations Title 24, Part 6. Enacted in 1978, this part of the California Code established energy efficiency standards for residential and nonresidential buildings in response to a legislative mandate to reduce California's energy consumption. These standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The most recent standards were adopted and went into effect January 1, 2010.[2] Such standards include the provision of cool roofs, demand control ventilation, skylights for day-lighting in buildings, thermal breaks for metal building roofs, and lighting power limits. These standards are expected to reduce the growth in electricity use of residential and non-residential buildings. Continual updates to Title 24 along with the State's implementation of AB 1493 and SB 1368 will have a major impact on the State's attainment of the AB 32 goals.

California Code of Regulations Title 24, Part 11. This part of the California Code is known as the California Green Building Standards Code (CALGreen Code) and was enacted to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts with positive environmental impacts and through encouragement of sustainable construction practices. The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). This update to Part 11 of Title 24 of the California Code of Regulations was effective January 1, 2011.

California Code of Regulations Titles 14 and 27. These parts of the California Code require energy efficient practices as part of solid and hazardous waste handling and disposal.

Assembly Bill 4420 (AB 4420). The State of California has been studying the impacts of climate change since 1988, when AB 4420 was approved. This legislation directed the California Energy Commission (CEC), in consultation with the CARB and other agencies, to study the implications of global warming on California's environment, economy, and water supply. The CEC was also directed to prepare and maintain the State's inventory of GHG emissions.

Assembly Bill 1493 (AB 1493). In 2002, Governor Grey Davis signed AB 1493 which required the CARB to develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty truck and other vehicles determined by the CARB to be vehicles whose primary use is noncommercial personal transportation in the State."

Executive Order S-3-05. Executive Order S-3-05 was signed by Governor Schwarzenegger in 2005 proclaiming California is vulnerable to the impacts of climate change. It states that increased temperatures could reduce the Sierra Nevada's snowpack, worsen California's air quality problems, and potentially cause a rise in sea levels. The Executive Order establishes total GHG emission

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1 http://www.epa.gov/climatechange/endangerment.html.

2 *Nonresidential Compliance Manual for California's 2008 Energy Efficiency Standards*, California Energy Commission, effective January 1, 2010, http://www.energy.ca.gov/title24/2008standards/index.html, website accessed on March 4, 2010.

targets including emissions reductions to the 2000 level by 2010, and the 1990 level by 2020, and to 80 percent below the 1990 level by 2050.

Assembly Bill 32 (AB 32). In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 directs the CARB to implement regulations for a cap on sources or categories of sources of GHG emissions. The bill requires that the CARB develop regulations to reduce emissions with an enforcement mechanism to ensure that the reductions are achieved, and to disclose how it arrives at the cap. It also includes conditions to ensure businesses and consumers are not unfairly affected by reductions.

AB 32 requires the CARB to:

- Adopt a list of discrete early action measures by July 1, 2007, that can be implemented before January 1, 2010;
- Establish a statewide GHG emissions cap for 2020 based on 1990 emissions and adopt mandatory reporting rules for significant sources of GHG by January 1, 2008;
- Indicate how emission reductions will be achieved from significant GHG sources via regulations, market mechanisms and other actions by January 1, 2009; and
- Adopt regulations by January 1, 2011, to achieve the maximum technologically feasible and cost-effective reductions in GHG, including provisions for using both market mechanisms and alternative compliance mechanisms.

AB 32 codifies Executive Order S-3-05's[1] year 2020 goal by requiring that statewide GHG emissions be reduced to 1990 levels by the year 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be implemented no later than January 1, 2012. To effectively implement the cap, AB 32 directs the CARB to develop appropriate regulations and establish a mandatory reporting system to track and monitor global warming emissions levels.

Senate Bill 1368 (SB 1368). In September 2006, Governor Arnold Schwarzenegger signed Senate Bill 1368, which calls for the adoption of a GHG performance standard for in-State and imported electricity generators to mitigate climate change. On January 25, 2007, the California Public Utilities Commission adopted an interim GHG emissions performance standard. This standard is a facility-based emissions standard requiring all new long-term commitments for baseload generation to serve California consumers with power plants that have emissions no greater than a combined cycle gas turbine plant. The established level is 1,100 pounds of CO_2 per megawatt-hour.

Executive Order S-01-07. Executive Order S-01-07 was signed by Governor Schwarzenegger on January 18, 2007 mandating a statewide goal to reduce the carbon intensity of California's transportation fuel by at least ten percent by 2020. The order also requires that a California specific Low Carbon Fuel Standard be established for transportation fuels.

Senate Bill 97 (SB 97). Senate Bill 97 was approved on August 25, 2007, to address GHG analysis under CEQA. This legislation mandates that the Office of Planning and Research (OPR) prepare and submit guidelines to the California Resource Agency (CRA) for the mitigation of GHG emissions and their effects by July 1, 2009, and their adoption by January 1, 2010. This legislation does not provide for any guidance for non-exempted projects in the interim period between the passage of SB 97 and the adoption of guidelines by the OPR.

[1] Executive Order S-3-05 establishes greenhouse gas emission reduction targets for California.

As directed by SB 97, the Natural Resources Agency adopted Amendments to the CEQA Guidelines for greenhouse gas emissions on December 30, 2009. On February 16, 2010, the Office of Administrative Law approved the Amendments, and filed them with the Secretary of State for inclusion in the California Code of Regulations. The Amendments became effective on March 18, 2010. Proposed changes to the guidelines included new questions in Appendix G regarding Greenhouse Gas Emissions and major changes to the Transportation/Traffic checklist questions (Appendix A-3, CEQA Guidelines changes).

Senate Bill 375. SB 375 was signed into law on October 1, 2008. SB 375 provides emissions-reduction goals around which regions can plan, integrating disjointed planning activities, and provides incentives for local governments and developers to follow new conscientiously planned growth patterns.

Senate Bill 1078 (SB 1078), Senate Bill 107 (SB 107), Executive Order S-14-08, and Senate Bill X1-2 (SB X1-2). Established in 2002 SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. Established in 2006, SB 107 (Chapter 464, Statutes of 2006) accelerated this requirement to the year 2010. In November 2008 Governor Schwarzenegger signed Executive Order S-14-08, which expanded the State's renewable energy standard from 20 percent to 33 percent by the year 2020. In an effort to codify the 33 percent by 2020 goal, SB X1-2 was signed by Governor Edmund G. Brown Jr. in April 2011 preempting the California Air Resources Boards' 33 percent Renewable Electricity Standard which applies to all electricity retailers in the State including publicly owned utilities (POUs), investor-owned utilities, electricity service providers, and community choice aggregators. All of these entities must adopt the new goals of 20 percent of retails sales from renewables by the end of 2013, 25 percent by the end of 2016, and the 33 percent requirement being met by the end of 2020.

4.3.2.3 Regional Regulations

As stated above, SB 375 took effect in 2009 and required regional municipal planning organizations to develop regional land use plans that demonstrate how the regions will achieve compliance with the GHG reduction goals of AB 32. Cities located within these regions are then required, in turn, to update their General Plans in accordance with the regional plans. Non-compliance with SB 375 will result in transportation funds being withheld from the regional and/or local agency. To date, the regional municipal planning organization for Riverside County (the Western Riverside Council of Governments, or WRCOG) has not adopted a regional plan that is in compliance with SB 375.

4.3.2.4 City of Moreno Valley General Plan Policies

Although the City of Moreno Valley General Plan does not include any specific GHG or climate change policies or goals, a number of the goals, objectives, policies, and programs identified in the air quality (Chapter 6 – Safety) and energy (Chapter 7 – Conservation) elements will result in an indirect reduction in GHG emissions through reductions in vehicle trips, vehicle miles traveled, and energy use. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Air Quality Chapter:

Objective 6.6: Promote land use patterns that reduce daily automotive trips and reduce trip distance for work, shopping, school, and recreation.

> **Policy 6.6.1:** Provide sites for new neighborhood commercial facilities within close proximity to the residential areas they serve.

Policy 6.6.2: Provide multi-family residential development sites in close proximity to neighborhood commercial centers in order to encourage pedestrian instead of vehicular travel.

Policy 6.6.3: Locate neighborhood parks in close proximity to the appropriate concentration of residents in order to encourage pedestrian and bicycle travel to local recreation areas.

Objective 6.7: Reduce mobile and stationary source air pollution emissions.

Policy 6.7.1: Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.

Policy 6.7.2: Encourage the financing and construction of park-and-ride facilities.

Policy 6.7.3: Encourage express transit service from Moreno Valley to the greater metropolitan areas of Riverside, San Bernardino, Orange, and Los Angeles Counties.

Policy 6.7.4: Locate heavy industrial and extraction facilities away from residential areas and sensitive receptors.

Policy 6.7.5: Require grading activities to comply with the South Coast Air Quality Management District's (SCAQMD) Rule 403 regarding the control of fugitive dust.

Policy 6.7.6: Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.

Conservation Chapter

Energy Objective 7.5: Encourage efficient use of energy resources.

Policy 7.5.1: Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand.

Policy 7.5.2: Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles.

Policy 7.5.3: Locate areas planned for commercial, industrial and multiple family density residential development within areas of high transit potential and access.

Policy 7.5.4: Encourage efficient energy usage in all city public buildings.

Policy 7.5.5: Encourage the use of solar power and other renewable energy systems.

4.3.3 Methodology

Bearing in mind that CEQA does not require "perfection" but instead "adequacy, completeness, and a good faith effort at full disclosure," the analysis is based on methodologies and information available at the time this EIR was prepared. Estimation of GHG emissions in the future does not account for changes in technology that may reduce such emissions; therefore, the estimates are based on past performance and represent a scenario that is worse than that which is likely to be encountered. Additionally, as explained in greater detail below, many uncertainties exist regarding the precise relationship between specific levels of GHG emissions and the ultimate impact on global climate. Significant uncertainties also exist regarding the reduction potential of mitigation strategies. Thus,

while information is presented below to assist the public and the City's decision-makers in understanding the project's potential contribution to global climate change impacts, the information available to the City is not sufficiently detailed to allow a direct comparison between particular project characteristics and particular climate change impacts, nor between any particular proposed mitigation measure and any reduction in climate change impacts.

The recommended approach for GHG analysis included in the State of California Office of Planning and Research's (OPR's) June 2008 release is to: (1) identify and quantify GHG emissions, (2) assess the significance of the impact on climate change, and (3) if significant, identify alternatives and/or mitigation measures to reduce the impact below a level of significance.[1] Neither the CEQA statute nor Guidelines prescribe quantitative thresholds of significance or a particular methodology for performing an impact analysis; as with most environmental topics, significance criteria are left to the judgment and discretion of the lead agency.

The June 2008 OPR guidance provides some additional direction regarding planning documents as follows: "CEQA can be a more effective tool for GHG emissions analysis and mitigation if it is supported and supplemented by sound development policies and practices that will reduce GHG emissions on a broad planning scale and that can provide the basis for a programmatic approach to project-specific CEQA analysis and mitigation. For local government lead agencies, adoption of general plan policies and certification of general plan EIRs that analyze broad jurisdiction-wide impacts of GHG emissions can be part of an effective strategy for addressing cumulative impacts and for streamlining later project-specific CEQA reviews."

Pursuant to SB 97, the OPR is in the process of developing guidelines for analysis of the effects of GHG emissions. As part of this process, the OPR has asked CARB technical staff to recommend Statewide interim thresholds of significance for GHGs. The CARB released a preliminary draft staff proposal in October 2008 that included initial suggestions for significance criteria related to industrial, commercial, and residential projects.

In March 2010, *CEQA Guidelines* amendments were adopted and include the following direction regarding determination of significant impacts from GHG emissions (Section 15064.4):

(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in Section 15064. A lead agency should make a good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

  (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; or

  (2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency may consider the following when assessing the significance of impacts from greenhouse gas emissions on the environment:

  (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.

  (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

[1] State of California, 2008. Governor's Office of Planning and Research. *CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review*. June 19.

(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

CEQA Guidelines Section 15064(b) provides that the "determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, states that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting."

On February 3, 2011 the SCAQMD released the California Emissions Estimator Model (CalEEMod) Emissions Inventory Model. The purpose of this new model is to more accurately calculate air quality and GHG emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. The latest version of CalEEMod was utilized to calculate GHG emissions from the following source categories: construction, area, energy, mobile, waste, and water.

In addition, on September 28, 2010, the SCAQMD proposed the following draft-tiered interim GHG significance threshold for development projects:

Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA. If the project qualifies for an exemption, no further action is required. If the project does not qualify for an exemption, then it would move to the next tier.

Tier 2 consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing consistency determination requirements in CEQA Guidelines Sections 15064(h)(3), 15125(d), or 15152(a). The GHG reduction plan must, at a minimum, comply with AB 32 GHG reduction goals; include an emissions inventory agreed upon by either ARB or the SCAQMD, have been analyzed under CEQA and have a certified Final CEQA document, and have monitoring and enforcement components. If the proposed project is consistent with the qualifying local GHG reduction plan, it is not significant for GHG emissions. If the project is not consistent with a local GHG reduction plan, there is no approved plan, or the GHG reduction plan does not include all of the components described above, the project would move to Tier 3.

Tier 3 establishes a screening significance threshold level to determine significance using a 90 percent GHG emission capture rate. The 90 percent capture rate GHG significance screening level in Tier 3 for stationary sources was derived using the following methodology. Using the SCAQMD's Annual Emission Reporting (AER) Program, the reported annual natural gas consumption for 1,297 permitted facilities for 2006 through 2007 was compiled and the facilities were rank-ordered to estimate the 90th percentile of the cumulative natural gas usage for all permitted facilities. Approximately 10 percent of facilities evaluated comprise more than 90 percent of the total natural gas consumption, which corresponds to 10,000 metric tons of CO_2 equivalent emissions per year ($MTCO_2e/yr$) (the majority of combustion emissions comprise CO_2). SCAQMD suggested the following GHG screening thresholds: Industrial (when SCAQMD is the Lead Agency): 10,000 tpy CO_2e; Residential: 3,500 tpy CO_2e; Commercial: 1,400 tpy CO_2e; Mixed-use: 3,000 tpy CO_2e. If a project's GHG emissions exceed the GHG screening threshold, the project would move to Tier 4.

Tier 4 establishes a decision tree approach that includes compliance options for projects that have incorporated design features into the project and/or implement GHG mitigation measures. For 2020, the Efficiency Target (2020 Targets) are as follows:

- 4.8 mt CO_2e per SP for project level threshold (land use emissions only) and total residual emissions not to exceed 25,000 million tons per year (mty) CO_2e
- 6.6 mt CO_2e per SP for plan level threshold (all sectors)

For 2035, the Efficiency Target (2035 Targets) are as follows:

- 3.0 mt CO_2e per SP for project level threshold
- 4.1 mt CO_2e per SP for plan level threshold

If a project fails to meet any of these emissions efficiency targets, the project would move to Tier 5.

Tier 5 would require projects that implement off-site GHG mitigation that includes purchasing offsets to reduce GHG emission impacts to purchase sufficient offsets for the life of the project (30 years) to reduce GHG emissions to less than the applicable GHG screening threshold level.

This analysis analyzes whether the project's GHG emissions should be considered cumulatively significant based on the following:

- Hinder attainment of the State's goals of reducing GHG emissions to 1990 levels by 2020, as stated in the Global Warming Solutions Act of 2006. A project may be considered to help attainment of the State's goals by being consistent with an adopted Statewide 2020 GHG emissions limit or the plans, programs, and regulations adopted to implement the Global Warming Solutions Act of 2006.
- Fail to achieve increased energy efficiency or reduce overall GHG emissions from an existing facility.
- Significantly increase the consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.

The analysis uses compliance with AB 32, considered a "previously approved mitigation program," as set forth in the CEQA Guidelines §15064(h)(3), to determine if the project's incremental contribution of GHGs is a cumulatively considerable contribution to global climate change. The OPR's proposed draft amendment to Section 15064.7 of the CEQA Guidelines reinforces the use of this approach. CEQA Guideline Section 15064(h)(3) states three main conditions that a plan must meet to be sufficient for use as a basis for determining significance of GHG emissions. The plan must:

1. Be "a previously approved plan or mitigation program";
2. Provide "specific requirements that will avoid or substantially lessen the cumulative problem"; and
3. Be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.

AB 32 meets conditions one and three provided above. Accordingly, in addition to determining whether the project's GHG emissions exceed the SCAQMD's interim industrial section stationary source threshold, to determine the significance of the project GHG emission impact on climate change, consistency or inconsistency with the reduction targets in AB 32 is also evaluated. To do so, project features that implement specific reduction measures identified in the rules and regulations that implement AB 32 were evaluated.

4.3.4 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, climate change/greenhouse gas emissions impacts would occur if the proposed project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
- Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Global climate change may result in significant adverse effects to the environment that will be experienced worldwide, with some specific effects observed in California. AB 32 requires statewide GHG emissions reductions to 1990 levels by 2020. Although these statewide reductions are now mandated by law, no generally applicable GHG emission threshold has yet been established.

State CEQA Guidelines Section 15064(b) provides that "…the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting." The *State CEQA Guidelines* further indicate that even when thresholds are established, they may include "identifiable quantitative, qualitative or performance level of a particular environmental effect" (*State CEQA Guidelines*, Section 15064.7).

Some policymakers and regulators suggest that a zero emissions threshold would be appropriate when evaluating GHGs and their potential effect on climate change. Such a rule appears inconsistent with the State's approach to mitigation of climate change impacts. AB 32 does not prohibit all new GHG emissions; rather, it requires a reduction in Statewide emissions to a given level. Thus, AB 32 recognizes that GHG emissions will continue to occur; increases will result from certain activities, but reductions must occur elsewhere.

Individual projects incrementally contribute toward the potential for global climate change on a cumulative basis in concert with all other past, present, and probable future projects. While individual projects are unlikely to measurably affect global climate change, each of these projects incrementally contributes toward the potential for global climate change on a cumulative basis, in concert with all other past, present, and probable future projects. This analysis analyzes whether the project's emissions should be considered cumulatively significant.

In order to evaluate the significance of a proposed project's environmental impacts related to GHG emissions, it is necessary to identify quantitative or qualitative thresholds which, if exceeded, would constitute a finding of significance. As previously described, while project-related GHG emissions can be estimated the direct impact of such emissions on climate change and global warming cannot be determined on the basis of available science. There is no evidence at this time that the proposed project would directly affect global climate change. SCAQMD has adopted a quantitative GHG emission significance threshold to assess direct impacts from industrial projects where SCAQMD is the lead agency. SCAQMD and other air quality agencies agree that GHG and climate change should be assessed as a potentially significant cumulative impact rather than a project-specific impact. SCAQMD is considering the adoption of a numeric plan-level efficiency target of 6.6 $MTCO_2E$ per service population.

Currently, there is no adopted threshold of significance for determining the cumulative significance of a project's GHG emissions on global climate change. In the most recent IPCC Assessment Report (IPCC 2007b, Synthesis Report), the IPCC acknowledges that man-made warming and sea level rise would continue for centuries due to the time scales associated with climate processes and feedback even if GHG concentration were to be stabilized. The IPCC further found that both past and future man-made CO_2 emissions will continue to contribute to warming and sea level rise for more than a

millennium, due to the time scales required for the removal of CO_2 from the atmosphere. Furthermore, the IPCC assessment noted that the definition of what is a danger man-made interference with the climate system and, consequently, the limits to be set for policy purposes are complex tasks that can only be partially based on science, as such definitions inherently involve normative judgments (IPCC 2007b – Working Group III).

Based on the information presented above, for the purpose of this analysis implementation of the proposed project may have a significant adverse impact on GHG emissions if it would result in any of the following:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment based on any applicable threshold of significance.
- Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

4.3.5 Less than Significant Impacts

The following impacts were determined to be less than significant. For each of the following issues either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards and policies would reduce potential impacts to a less than significant level.

4.3.5.1 Greenhouse Gas Plan, Policy, Regulation Consistency

Threshold	Would the proposed project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

The CAT and the CARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "Report to Governor Schwarzenegger and the Legislature," the CARB's 2007 "Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California," and the CARB's "Climate Change Proposed Scoping Plan: a Framework for Change."

The reports identify strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05 and AB 32 (i.e., 29 percent below existing "business as usual" emissions) that are applicable to proposed project. Table 4.3.B presents the applicable Recommended Actions (qualitative measures) identified to date by CARB in its Climate Change Proposed Scoping Plan and whether or not the proposed project is consistent with the applicable Recommended Actions.

Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
T-1	Transportation	Pavley I and II – Light-Duty Vehicle GHG Standards	Yes	No
T-2	Transportation	Low Carbon Fuel Standard (Discrete Early Action)	Yes	No
T-3	Transportation	Regional Transportation-Related GHG Targets	Yes	No
T-4	Transportation	Vehicle Efficiency Measures	Yes	No
T-5	Transportation	Ship Electrification at Ports (Discrete Early Action)	No	No

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Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
T-6	Transportation	Goods-movement Efficiency Measures	No	No
T-7	Transportation	Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure – Aerodynamic Efficiency (Discrete Early Action)	No	No
T-8	Transportation	Medium and Heavy-Duty Vehicle Hybridization	No	No
T-9	Transportation	High Speed Rail	No	No
E-1	Electricity and Natural Gas	Increased Utility Energy Efficiency Programs. More Stringent Building and Appliance Standards	Yes	No
E-2	Electricity and Natural Gas	Increased Combined Heat and Power Use by 30,000 GWh	No	No
E-3	Electricity and Natural Gas	Renewable Portfolio Standard	No	No
E-4	Electricity and Natural Gas	Million Solar Roofs	No	No
CR-1	Electricity and Natural Gas	Energy Efficiency	No	No
CR-2	Electricity and Natural Gas	Solar Water Heating	No	No
GB-1	Green Buildings	Green Buildings	Yes	No
W-1	Water	Water Use Efficiency	Yes	No
W-2	Water	Water Recycling	No	No
W-3	Water	Water System Energy Efficiency	No	No
W-4	Water	Reuse Urban Runoff	No	No
W-5	Water	Increase Renewable Energy Production	No	No
W-6	Water	Public Goods Charge (Water)	No	No
I-1	Industry	Energy Efficiency and Co=Benefits Audits for Large Industrial Sources	No	No
I-2	Industry	Oil and Gas Extraction GHG Emission Reduction	No	No
I-3	Industry	GHG Leak Reduction from Oil and Gas Transmission	No	No
I-4	Industry	Refinery Flare Recovery Process Improvements	No	No
I-5	Industry	Removal of Methane Exemption from Existing Refinery Regulations	No	No
RW-1	Recycling and Waste Management	Landfill Methane Control (Discrete Early Action)	No	No
RW-2	Recycling and Waste Management	Additional Reduction in Landfill Methane – Capture Improvements	No	No

Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
RW-3	Recycling and Waste Management	High Recycling/Zero Waste	No	No
F-1	Forestry	Sustainable Forest Target	No	No
H-1	High Global Warming Potential Gases	Motor Vehicle Air Conditioning Systems (Discrete Early Action)	No	No
H-2	High Global Warming Potential Gases	SF_6 Limits in Non-Utility and Non-Semiconductor Manufacturing (Discrete Early Action)	No	No
H-3	High Global Warming Potential Gases	Reduction in Perfluorocarbons in Semiconductor Manufacturing (Discrete Early Action)	No	No
H-4	High Global Warming Potential Gases	Limit High GWP Use in Consumer Products (Discrete Early Action, Adopted June 2008)	No	No
H-5	High Global Warming Potential Gases	High GWP Reduction from Mobile Sources	No	No
H-6	High Global Warming Potential Gases	High GWP Reductions from Stationary Sources	No	No
H-7	High Global Warming Potential Gases	Mitigation Fee on High GWP Gases	No	No
A-1	Agriculture	Methane Capture at Large Dairies	No	No

Source: LSA Associates, Inc., December 2011.

As identified in Table 4.3.B, of the 39 Recommended Actions, the applicable Recommended Actions are those that are within the Transportation, Electricity and Natural Gas, Green Buildings, and Water sectors.

Applicable Recommended Actions in the Transportation sector include Actions T-1 through T-4. Action T-1 involves improvements to light-duty vehicle technology for the purposes of reducing GHG emissions through focusing on legislating improved controls for vehicle manufacturers. This Action would not generally be considered applicable to the proposed project; however, vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action. Action T-2 involves implementation of a low carbon fuel standard. In order to reduce the carbon intensity of transportation fuels, CARB is developing a Low Carbon Fuel Standard (LCFS), which would reduce the carbon intensity of California's transportation fuels by at least ten percent by 2020 as called for by Governor Schwarzenegger in Executive Order S-01-07. While implementation of this standard is not within the purview of a development project, a land use such as that proposed under the proposed project would be a substantial consumer of fuels for its vehicle fleet. Vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action.

Action T-3 addresses regional transportation targets for reducing GHG emissions. The intent of the proposed project is to reduce vehicle miles travelled within the region by reducing trip lengths and providing a sustainable community. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial

uses and would encourage a reduction of vehicle miles traveled within the City. Action T-4 concerns vehicle efficiency measures such as the promotion of sustainable tire practices. CARB is pursuing a regulation to ensure that tires are properly inflated when vehicles are serviced. In addition, the California Energy Commission in consultation with the California Integrated Waste Management Board is developing an efficient tire program focusing first on data gathering and outreach, then on potential adoption of minimum fuel-efficient tire standards, and on the development of consumer information requirements for replacing tires. While implementation of this standard is not within the purview of a development project, a land use such as that proposed under the proposed project would be a contributor of vehicle miles travelled. Vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action.

Applicable Recommended Actions in the Energy and Natural Gas sector includes Action E-1. Action E-1, together with Action GB-1 (Green Building), aims to reduce electricity demand by increased efficiency of Utility Energy Programs and adoption of more stringent building and appliance standards. Elements of this action include encouraging construction of zero net energy (ZNE) buildings and implementation of passive solar design. In addition to employing on-site electricity generation, a ZNE building must either replace natural gas with renewable energy for space and water heating, or compensate for natural gas use by generating surplus electricity for sale on the State's electricity grid. The proposed project is required to comply with the 2008 Title 24 Energy Efficiency Standards and applicable Green Building Standards; therefore, the proposed project would not conflict with these Actions.

Applicable Recommended Actions in the Water sector includes Action W-1. Action W-1, Water Use Efficiency, involves the reduction in the energy consumption used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. The proposed project would install water-efficient fixtures and appliances and would not conflict with this Action.

GHG emissions reduction strategies were also set forth in the 2006 Climate Action Team (CAT) Report, and the strategies included in the CAT Report that apply to the project are contained in Table 4.3.C, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. The strategies listed in Table 4.3.C are addressed as either part of the project, required mitigation measures, or requirements under local or State ordinances.

Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
Mandatory Code	
California Green Building Code. The Cal Green Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG emissions from the Business as Usual Scenario (California Building Code). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.	**Compliant.** The project would be required to adhere to the nonresidential mandatory measures as required by the Cal Green Code.
Energy Efficiency Measures	
Energy Efficiency. Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned	**Compliant with Mitigation Incorporated.** The proposed project will comply with the updated Title 24 standards, including the new 2010 California Building Code (CBC), for building construction if any building interior improvements are required. In addition, the project would be required to comply with the requirements of Minimization Measure GCC-1,

Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
utilities).	identified later, including measures to incorporate energy efficient building design features.
Renewables Portfolio Standard. Achieve a 33 percent renewable energy mix statewide.	
Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	
Water Conservation and Efficiency Measures	
Water Use Efficiency. Continue efficiency programs and use cleaner energy sources to move and treat water. Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	**Compliant with Mitigation Incorporated.** The project would be required to comply with the requirements of Minimization Measure GCC-1, identified later, including measures to increase water use efficiency.
Solid Waste Reduction Measures	
Increase Waste Diversion, Composting, and Commercial Recycling, and Move Toward Zero-Waste. Increase waste diversion from landfills beyond the 50 percent mandate to provide for additional recovery of recyclable materials. Composting and commercial recycling could have substantial GHG reduction benefits. In the long term, zero waste policies that would require manufacturers to design products to be fully recyclable may be necessary.	**Compliant with Mitigation Incorporated.** Data available from the California Integrated Waste Management Board (CIWMB) indicates that the City of Moreno Valley has not achieved the 50 percent diversion rate. The proposed project would be required to comply with Mitigation Measure **4.3.6.1B**, identified later, including measures to increase solid waste diversion and recycling.
Transportation and Motor Vehicle Measures	
Vehicle Climate Change Standards. AB 1493 (Pavley) required the State to develop and adopt regulations that achieve the maximum feasible and cost effective reduction of GHG emissions from passenger vehicles and light-duty trucks. Regulations were adopted by the ARB in September 2004.	**Compliant.** The project does not involve the manufacture of vehicles. However, vehicles that are purchased and used within the project site would comply with any vehicle and fuel standards that the ARB adopts.
Light-Duty Vehicle Efficiency Measures. Implement additional measures that could reduce light-duty GHG emissions. For example, measures to ensure that tires are properly inflated can both reduce GHG emissions and improve fuel efficiency.	
Adopt Heavy- and Medium-Duty Fuel and Engine Efficiency Measures. Regulations to require retrofits to improve the fuel efficiency of heavy-duty trucks that could include devices that reduce aerodynamic drag and rolling resistance. This measure could also include hybridization of and increased engine efficiency of vehicles.	
Low Carbon Fuel Standard. ARB identified this measure as a Discrete Early Action Measure. This measure would reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020.	
Regional Transportation-Related Greenhouse Gas Targets. Develop regional GHG emissions reduction targets for passenger vehicles. Local governments will play a significant role in the regional planning process to reach passenger vehicle GHG emissions reduction	**Compliant.** Specific regional emission targets for transportation emissions do not directly apply to this project; regional GHG reduction target development is outside the scope of this project. The project will comply with any plans developed by the City.

Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
targets. Local governments have the ability to directly influence both the siting and design of new residential and commercial developments in a way that reduces GHGs associated with vehicle travel.	
Measures to Reduce High Global Warming Potential (GWP) Gases. ARB has identified Discrete Early Action measures to reduce GHG emissions from the refrigerants used in car air conditioners, semiconductor manufacturing, and consumer products. ARB has also identified potential reduction opportunities for future commercial and industrial refrigeration, changing the refrigerants used in auto air conditioning systems, and ensuring that existing car air conditioning systems do not leak.	**Compliant.** New products used or serviced on the project site (after implementation of the reduction of GHG gases) would comply with future ARB rules and regulations.

Source: LSA Associates, Inc., December 2011.
AB = Assembly Bill
ARB = California Air Resources Board
GHG = greenhouse gas

As previously identified, implementation of the proposed project could result in the development an approximately 1,616,133 square foot distribution warehouse. The proposed project includes a variety of physical attributes and operational programs that would generally contribute to a reduction in operational-source pollutant emissions including GHG emissions. As identified in Table 4.3.C, future development that would occur under the proposed project would be consistent with greenhouse gas emission reduction strategies and policies. The project would implement appropriate GHG reduction strategies and would ensure that it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. In addition, the project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the project. Therefore, the proposed project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions. Impacts are considered less than significant.

4.3.6 Significant Impacts

The following impact was determined to be potentially significant and mitigation measures have been recommended to reduce the significance of the identified impact.

4.3.6.1 Greenhouse Gas Emissions

Impact 4.3.6.1: *Implementation of the proposed project may have the potential to emit GHG emissions in excess of interim thresholds.*

Threshold	Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Future development that could occur within the proposed project site could generate GHG emissions during construction and operation activities. It is anticipated that the majority of energy consumption (and associated generation of GHG emissions) would occur during the project's operation (as opposed to its construction). Typically, more than 80 percent of the total energy consumption takes place during the use of buildings and less than 20 percent is consumed during construction.[1] As of

[1] United Nations Environment Programme (UNEP), 2007. *Buildings and Climate Change: Status, Challenges and Opportunities*, Paris, France.

yet, there is no study that quantitatively assesses all of the GHG emissions associated with each phase of the construction and use of an individual development.

The following activities are associated with the proposed project and could directly or indirectly contribute to the generation of GHG emissions:

- **Removal of Vegetation:** The net removal of vegetation for construction results in a loss of the carbon sequestration in plants. However, planting of additional vegetation would result in additional carbon sequestration and would lower the carbon footprint of the project.
- **Construction Activities:** During construction of the project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment.
- **Gas, Electric, and Water Use:** Natural gas use results in the emissions of two GHGs: CH_4 (the major component of natural gas) and CO_2 from the combustion of natural gas. Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California's water conveyance system is energy-intensive. Preliminary estimates indicate that the total energy used to pump and treat this water exceeds 6.5 percent of the total electricity used in the State per year.[1]
- **Solid Waste Disposal:** Solid waste generated by the project could contribute to GHG emissions in a variety of ways. Landfilling and other methods of disposal use energy for transporting and managing the waste, and they produce additional GHGs to varying degrees. Landfilling, the most common waste management practice, results in the release of CH_4 from the anaerobic decomposition of organic materials. CH_4 is 25 times more potent than CO_2. However, landfill CH_4 can also be a source of energy. In addition, many materials in landfills do not decompose fully, and the carbon that remains is sequestered in the landfill and not released into the atmosphere.
- **Motor Vehicle Use:** Transportation associated with the proposed project would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips.

The proposed project was analyzed for the potential construction of the project's proposed land uses, water, sewer, and drainage infrastructure, and roadways. Implementation of the proposed project would result in the development of a 1,616,133 square foot distribution warehouse building. Table 4.3.D provides the GHG emissions that could be generated during construction activities on the project site.

Table 4.3.D: Short-Term Regional GHG Construction Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day					
	Bio-CO_2	NBio-CO_2	Total -CO_2	CH_4	N_2O	CO_2e
Site Preparation	0	56,000	56,000	2.4	0	56,000
Grading	0	38,000	38,000	1.9	0	38,000
Building Construction	0	19,000	19,000	1.1	0	19,000
Architectural Coating	0	3,100	3,100	0.51	0	3,100
Paving	0	1,700	1,700	0.12	0	1,700

Bio-CO_2 = biologically generated CO_2
CH_4 = methane
CO_2 = carbon dioxide
Source: LSA Associates, Inc., December 2011.
NBio-CO_2 = non-biologically generated CO_2
CO_2e = carbon dioxide equivalent
N_2O = nitrous oxide

[1] California Energy Commission (CEC), 2004. *Water Energy Use in California* (online information sheet) Sacramento, CA, August 24. Website: energy.ca.gov/pier/iaw/industry/water.html. Accessed July 24, 2007.

GHG emissions that could be generated on the proposed project site would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related vehicular trips and stationary source emissions, such as natural gas used for heating. Preliminary guidance from OPR and recent letters from the Attorney General critical of CEQA documents that have taken different approaches indicate that lead agencies should calculate, or estimate, emissions from vehicular traffic, energy consumption, water conveyance and treatment, waste generation, and construction activities. The calculation presented below in Table 4.3.E, includes operational emissions in terms of CO_2 and annual carbon dioxide equivalent (CO_2e) GHG emissions from increased energy consumption, water usage, solid waste disposal, and estimated GHG emissions from vehicular traffic that could result from the development of the project site. Calculations and model run sheets for greenhouse gas emissions are provided in Appendix D of this EIR.

Table 4.3.E: Long-Term Regional GHG Operational Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day					
	Bio-CO_2	NBio-CO_2	Total - CO_2	CH_4	N_2O	CO_2e
Construction emissions amortized over 30 years	0	95	95	0.0063	0	95
Area	0	0	0	0	0	0
Energy	0	1,500	1,500	0.06	0.03	1,500
Mobile	0	34,000	34,000	1.1	0	34,000
Waste	3,500	0	3,500	210	0	7,900
Water	0	63	63	0.25	0.01	71
Total Project Emissions	**3,500**	**35,658**	**39,158**	**211.47**	**0.04**	**43,566**

Bio-CO_2 = biologically generated CO_2
CH_4 = methane
CO_2 = carbon dioxide
Source: LSA Associates, Inc., July 2011.
NBio-CO_2 = non-biologically generated CO_2
CO_2e = carbon dioxide equivalent
N_2O = nitrous oxide

As identified in Table 4.3.E, the proposed project would produce approximately 44,000 metric tpy of CO_2e, which is 0.044 $MMTCO_2e$/yr. This includes the short-term construction emissions amortized over 30 years, as directed by the SCAQMD. As a comparison, the existing emissions from the entire Southern California Association of Governments (SCAG) region are estimated to be approximately 176.79 $MMTCO_2e$/yr and approximately 478 $MMTCO_2e$/yr for the entire State.

Area sources of GHG emissions include carpet systems, resilient flooring, composite wood, consumer products, and landscaping. The project would not result in measurably increased GHG emissions from area sources due to the anticipated light use of consumer products and landscaping.

Buildings represent 39 percent of the United States' primary energy usage and 70 percent of electricity consumption. The proposed project would increase the demand for electricity and natural gas due to the increased building area. The project would indirectly result in increased GHG emissions from off-site electricity generation at power plants and on-site natural gas consumption (1,500 metric tons of CO_2e/year).

Mobile sources (vehicle trips and associated miles traveled) are the largest source of GHG emissions in California and represent approximately 38 percent of annual CO_2 emissions generated in the State. Like most land use development projects, vehicle miles traveled (VMT) is the most direct indicator of CO_2 emissions from the proposed project, and associated CO_2 emissions function as the best indicator of total GHG emissions. The emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and federal governments and are outside the control of the City.

The proposed project would also generate solid waste during the operation phase of the project. The project would indirectly result in increased GHG emissions from solid waste treatment at treatment plants (7,900 metric tons of CO_2e/year).

Water-related energy use consumes 19 percent of California's electricity every year. Energy use and related GHG emissions are based on electricity used for water supply and conveyance, water treatment, water distribution, and wastewater treatment (1.3 metric tons of CO_2e/year). The project would comply with provisions of the California Green Building Code and would install water efficient fixtures such that it would experience reduction of indoor potable water use by 20 percent from what is required in the California Buildings Standards Code. In addition, the outdoor water use would be monitored by irrigation controls as prescribed in the Cal Green Building Code. The project would indirectly result in increased GHG emissions from water transport and treatment (71 metric tons of CO_2e/year).

The project will comply with existing State and federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which will reduce the project's electricity demand compared to older buildings. The warehouse building will be built in compliance with the new 2010 California Building Code (CBC) to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices.

Comparing the proposed project to the SCAQMD tiered interim GHG significance criteria; it is not exempt as described in Tier 1. Considering the Tier 2 criteria, the levels of GHG emissions shown in Table 4.3.E, at approximately 0.009 percent of the State GHG emissions, are unlikely to result in GHG emission levels that would substantially conflict with implementation of the GHG reduction goals under AB 32 or other State regulations. The CAT and the ARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "*Report to Governor Schwarzenegger and the Legislature*," ARB's 2007 "*Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California,*" and ARB's "*Climate Change Proposed Scoping Plan: a Framework for Change.*"

The reports identify strategies to reduce California's emissions to the levels proposed in EO S-3-05 and AB 32 that are applicable to the proposed project. The Proposed Scoping Plan is the most recent document, and the strategies included in the Scoping Plan that apply to the project are contained in Table 4.3.C, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. Thus, this project complies with Tier 2 of the SCAQMD tiered interim GHG significance thresholds.

With implementation of these strategies/measures, the project's contribution to cumulative GHG emissions would be reduced. In order to ensure that the proposed project complies with and would not conflict with or impede the implementation of reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor, **Mitigation Measures 4.3.6.1A** through **4.3.6.1C** will be implemented. Many of the individual elements of this measure are already included as part of the proposed project or are required as part of project specific mitigation measures.

Mitigation Measures. Previously referenced **Mitigation Measures 4.2.6.3A** and **4.2.6.3B** were introduced to reduce project air pollution emissions. These measures will also reduce the project's greenhouse gas emissions. To ensure that the proposed project's emissions of GHG are reduced to a less than significant level, the following additional mitigation measures shall be implemented.

4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans

as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows shall utilize window treatments for efficient energy conservation.
- Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.
- Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority.
- Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- Use locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- Use "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following:
    - Increase insulation such that heat transfer and thermal bridging is minimized.
    - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
    - Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.

4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:

- The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment.
- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows.
- Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
  - Install drought tolerant plants for landscaping.
  - Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.
  - Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.
- Provide employee education about reducing waste and available recycling services.

Level of Significance After Mitigation. The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant and less than cumulatively considerable because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.

4.3.7 Cumulative Impacts

Given the findings of AB 32, of SB 97, and the requirements of CEQA, the Lead Agency must determine whether a project will or will not have a cumulatively considerable contribution. Due to the lack of guidance for determining the significance of cumulative impacts to climate change from projects, and out of an overabundance of caution, the project has been evaluated to determine whether emissions of greenhouse gases have been minimized to the extent feasible with current technology and measures.

While it is not possible to determine whether the project individually will have a significant impact on global warming or climate change, it will contribute to cumulative GHG emissions in California. Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of *CEQA Guidelines* Sections 15065(a)(3) and 15130. The CARB is currently in the process of designing

regulations to monitor, limit, and ultimately reduce California GHG emissions but there are as yet no adopted standards for assessing the significance of cumulative impacts from projects.

Cumulatively, the emissions from electricity production would comprise approximately 3.4 percent of the project's total CO_2e emissions. Water usage and solid waste disposal emissions comprise approximately 18 percent of the project's total CO_2e emissions while the emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO_2e emissions are primarily associated with building systems. The proposed project is required to comply with existing State and Federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy efficient than older buildings.

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.

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4.4 NOISE

This analysis is intended to satisfy the City's requirements for a project-specific noise impact analysis by examining the short-term and long-term noise impacts of the proposed project on sensitive uses adjacent to the proposed project site and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. This includes the potential for the proposed project to result in impacts associated with a substantial temporary and/or permanent increase in ambient noise levels in the vicinity of the project area; exposure of people to excessive noise levels, groundborne vibration, or groundborne noise levels. The analysis contained in this section is based on a comprehensive *Noise Impact Analysis* contained in Appendix E (LSA Associates, Inc., December 2011), which examines existing ambient noise conditions and project-related impacts.

4.4.1 Existing Setting

4.4.1.1 Background

Characteristics of Sound. Noise is usually defined as unwanted sound; it consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep. To the human ear, sound has two significant characteristics: pitch and loudness. Pitch is generally an annoyance, while loudness can affect our ability to hear. The analysis of a project's noise impact defines the noise environment of the project area in terms of sound intensity and its effect on adjacent sensitive land uses.

Measurement of Sound. There are many ways to rate sound for various time periods. An appropriate rating of ambient noise[1] affecting humans accounts for the annoying effects of sound by penalizing noises that occur during quiet periods of time, such as late night/early morning, through weighted averaging metric. Single-event or peak noises are measured by a simple peak noise measurement. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} and community noise equivalent level (CNEL) or the day-night average level (L_{dn}) based on A-weighted decibels (dBA). CNEL is the time varying noise over a 24-hour period, with a five dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and a 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening hours. CNEL and L_{dn} are within one dBA of each other and are normally exchangeable.

Other noise rating scales of importance when assessing the annoyance factor include the maximum noise level (L_{max}), which is the highest exponential time averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak operating conditions and addresses the annoying aspects of intermittent noise. It is often used together with another noise scale, or noise standards in terms of percentile noise levels, in noise ordinances for enforcement purposes. For example, the L_{10} noise level represents the noise level exceeded 10 percent of the time during a stated period. The L_{50} noise level represents the median noise level. Half the time the noise level exceeds this level, and half the time it is less than this level. The L_{90} noise level represents the noise level exceeded 90 percent of the time and is considered the background noise level during a monitoring period. For a relatively constant noise source, the L_{eq} and L_{50} are approximately the same. Table 4.4.A defines noise measurements that are typically used in noise analyses.

[1] Ambient noise is the totality of noise in a given place and time; usually a composite of sounds from varying sources at varying distances. Ambient sounds generally range from 30 dBA (very quiet) to 100 dBA (very loud).

Table 4.4.A: Noise Measurement Definitions

Unit of Measurement		Description
dB	Decibel	Units for measuring the volume of sound, decibels are measured on a logarithmic scale, representing points on a sharply rising curve. For example, 10 decibels are 10 times more intense than one decibel and 20 decibels are 100 times more intense. A 10-decibel increase in sound level is perceived by the human ear as a doubling of the loudness of the sound.
dBA	A-Weighted Decibel	A sound pressure level that has been weighted to quantitatively reduce the effect of the high and low frequency noise. It was designed to approximate the response of the human ear to sound.
CNEL	Community Noise Equivalent Level	The CNEL value represents noise as measured by an A-weighted sound level. The metric includes a 4.8-decibel penalty during relaxation hours (7 p.m. to 10 p.m.) and a 10-decibel penalty for sleeping hours (10 p.m. to 7 a.m.). CNEL is similar to L_{dn} (which does not include the evening penalty).
L_{dn}	Day-Night Average Noise	The 24-hour average sound level, expressed in a single decibel rating, for the period from midnight to midnight obtained after the addition of a 10.0-decibel penalty to sound levels for the periods between 10 p.m. and 7 a.m.
L_{eq}	Equivalent Noise Level	Total sound energy of time-varying noise over a sample period.
L_{01}, L_{10}, L_{25}, L_{50}, L_{90}	Percentile Noise Exceedance Levels	The fast A-weighted noise levels that are equaled or exceeded by a fluctuating sound level 1 percent, 10 percent, 25 percent, 50 percent, and 90 percent of a stated time period.
L_{max}	Maximum Noise Level	L_{max} is the highest exponential time-averaged sound level that occurs during a stated time period. It reflects peak operating conditions and addresses the annoying aspects of intermittent noise.

Sound levels are generated from a source and their decibel level decreases as the distance from that source increases. Table 4.4.B describes attenuation levels of various types of noise sources.

Table 4.4.B: Attenuation Levels and Type of Noise Sources

Decrease in Sound for Each Doubling of Distance	Type of Noise Source	Description/Example
6.0 decibels	Single-point source	Stationary equipment
4.5 decibels	Line source	Highway traffic or railroad operations in a relatively flat environment with absorptive vegetation
3.0 decibels	Line source	Highway traffic or railroad operations in a hard site environment

Source: LSA Associates, Inc., *Noise Analysis*, *Moreno Valley Eucalyptus*, June 2008.

Definition of Noise. Noise impacts can be described in three categories:

- Audible (3.0 dB or greater);
- Potentially audible (between 1.0 and 3.0 dB); and
- Inaudible (less than 1.0 dB).

Audible noises are increases in noise levels noticeable to humans and generally refer to a change of 3.0 dB or greater, because this level has been found to be barely perceptible in exterior environments. Potentially audible refers to a change in the noise level between 1.0 and 3.0 dB, which is noticeable only in laboratory environments. Changes in noise levels of less than 1.0 dB are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are

considered potentially significant. Therefore, a 3 dBA increase in long-term noise levels above existing ambient noise levels is used as a threshold of significant change in this noise analysis.

Fundamentals of Groundborne Vibration. Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable. However, without the effects associated with the shaking of a building, there is less adverse reaction. Building vibration may be perceived by the occupants as motion of building surfaces, rattling of items on shelves or hanging on walls, or as a low-frequency rumbling noise. Building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during construction or mining. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by up to 10 decibels. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with groundborne vibration and noise from these sources are usually localized to within about 100 feet of the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet, as described in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment (FTA, May 2006). When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible.

Factors that influence groundborne vibration and noise include the following:

- Vibration Source: vehicle suspension, wheel types and condition, track/roadway surface, track support system, speed, transit structure, and depth of vibration source.
- Vibration Path: soil type, rock layers, soil layering, depth to water table, and frost depth.
- Vibration Receiver: foundation type, building construction, and acoustical absorption.

Among the factors listed above, there are significant differences in the vibration characteristics when the source is underground versus at ground surface. In addition, soil conditions are known to have a strong influence on the levels of groundborne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock. Vibration propagation is more efficient in stiff clay soils than in loose sandy soils, and shallow rock seems to concentrate the vibration energy close to the surface and can result in groundborne vibration problems at a great distance from the track. Factors such as layering of the soil and depth to water table can have significant effects on the propagation of groundborne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils.

4.4.1.2 Sensitive Land Uses in the Project Vicinity

Certain land uses are considered more sensitive to noise than others. Examples include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project boundary. There are also residential uses approximately 0.77 mile (mi) southwest of the project site on the south side of Harley Knox/Oleander Avenue between Heacock Street and Patterson Avenue.

Existing Noise Environment. The project site is currently vacant land. The primary existing noise sources in the project area are transportation facilities. Primary transportation noise sources include vehicular traffic along Indian Street and Perris Boulevard. Aircraft operations from March Air Reserve

Base to the northwest of the project site contribute to high intermittent single-event noise levels. Based on the *Citizen's Brochure for the 452nd Air Mobility Wing Air Installation Compatible Use Zone Study* (AICUZ) for the March Air Reserve Base (August 2005), the project site is located outside of the 60 dBA CNEL noise contour from March Air Reserve Base.

Existing Traffic Noise Modeling. To document the existing environment, the Federal Highway Administration (FHWA) highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry[1] to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The noise impact analysis was conducted using the existing traffic volumes provided in the *Traffic Study* prepared for the proposed project (LSA Associates, Inc., December 2011). In addition, unlike the urban area where the ground is filled with pavement, the project site is located in a rural/suburban area where there is vacant land around the project vicinity. Empirical data show that such environment is best analyzed with the soft site propagation for noise. The traffic noise modeling in this noise study uses 4.5 dBA per doubling of the distance for the soft site sound propagation from a line source. The modeled 24-hour CNEL levels are identified in Table 4.4.C. The resultant noise levels are weighted and summed over 24-hour periods to determine the CNEL values. The primary existing noise sources in the project area are transportation facilities. Dominant noise sources at the project site are vehicle traffic from Indian Street and Perris Boulevard. Traffic noise in the project vicinity ranges from low (Nandina Avenue) to moderate (Indian Street and Oleander Avenue) to high (Perris Boulevard). As shown in Table 4.4.C, existing traffic noise along these roadway segments range from low to moderate to high.

Table 4.4.C: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	13,800	54	111	237	68.4
Perris Blvd. between Iris Ave. and Krameria Ave.	15,400	58	119	255	68.8
Perris Blvd. between Krameria Ave. and Nandina Ave.	15,200	57	118	253	68.8
Perris Blvd. between Nandina Ave. and Grove View Rd.	15,000	57	117	251	68.7
Perris Blvd. between Grove View Rd. and Oleander Ave.	15,500	58	120	256	68.9
Indian Ave. between Nandina Ave. and Grove View Rd.	5,600	< 50	51	109	64.4
Indian Ave. between Grove View Rd. and Oleander Ave.	5,600	< 50	51	109	64.4
Oleander Ave. west of I-15 Ramps	6,000	< 50	63	136	65.8
Oleander Ave. between I-15 Ramps and Indian Ave.	9,200	< 50	84	181	67.7
Oleander Ave. between Indian Ave. and Perris Blvd.	4,400	< 50	52	111	64.5

[1] Roadway geometry is defined as the lane configuration (number of through lanes and turn lanes) of two intersecting roads.

Table 4.4.C: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Nandina Ave. between Indian Ave. and Perris Blvd.	590	< 50	< 50	< 50	54.6

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis,* City of Moreno Valley. LSA Associates, Inc. December 2011.

4.4.2 Existing Policies and Regulations

The applicable noise standards governing the project site are the criteria in the City of Moreno Valley General Plan Noise Element and Municipal Code (Noise Ordinance). The City's Noise Element of the General Plan is based on the County of Riverside Land Use Compatibility Chart for Community Noise and is adopted by reference. In addition, standards identified in the *California Noise Insulation Standards*[1] and the *State of California Vehicular Code*[2] are included below. The following sections list the General Plan policies and State standards relevant to noise for the proposed project.

4.4.2.1 City of Moreno Valley General Plan Policies

Chapter 9 of the *City of Moreno Valley General Plan*[3] defines goals, objectives, policies, and action items related to noise conditions in the City. The specific policies related to noise that are relevant to the proposed project are as follows:

Objective 2.5 Promote a mix of industrial uses which provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley with the establishment of industrial activities that have good access to the regional transportation system, accommodate the personal needs of workers and business visitors; and which meets the service needs of local businesses.

Policy 2.5.3 Screen manufacturing and industrial uses where necessary to reduce glare, noise, dust, vibrations and unsightly views.

Objective 6.3 Provide noise compatible land use relationships by establishing noise standards utilized for design and siting purposes.

Policy 6.3.6 Building shall be limited in areas of sensitive receptors.

Objective 6.4 Review noise issues during the planning process and require noise attenuation measures to minimize acoustic impacts to existing and future surrounding land uses.

Policy 6.4.1 Site, landscape and architectural design features shall be encouraged to mitigate noise impacts for new developments, with a preference for noise barriers that avoid freeway sound barrier walls.

Objective 6.5 Minimize noise impacts from significant noise generators such as, but not limited to, motor vehicles, trains, aircraft, commercial, industrial, construction, and other activities.

1 California Code of Regulations, Title 24, Part 2, §3501, *California Noise Insulation Standards.*
2 Governor's Office of Planning and Research, *State of California General Plan Guidelines*, October 2003, pages 249 and 250.
3 *City of Moreno Valley General Plan*, City of Moreno Valley, adopted by City Council Resolution No. 2006-83, July 11, 2006.

Policy 6.5.1 New commercial and industrial activities (including the placement of mechanical equipment) shall be evaluated and designed to mitigate noise impacts on adjacent uses.

Policy 6.5.2 Construction activities shall be operated in a manner that limits noise impacts on surrounding uses.

The City's General Plan, Section 6.4, states that acceptable residential exterior noise standards are within 60–65 dBA CNEL, and acceptable residential interior noise standard is 45 dBA CNEL.

Moreno Valley Municipal Code. The *Moreno Valley Municipal Code*[1] describes the noise standards within the City. It states that noise will be measured with a sound level meter that meets the standards of the American National Standards Institute (ANSI) Section I.4-1983. All measurements of sound will be made by qualified officials of the City who are designated by the City Manager or designee to operate the apparatus used to make the measurements.

In addition, the following standards are listed in the *Moreno Valley Municipal Code* in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

The City's Municipal Code, Section 8.14.040.E, specifies the hours of any construction within the City to occur only as follows: Monday through Friday (except for holidays that occur on weekdays), 6:00 a.m. to 8:00 p.m.; weekends and holidays (as observed by the City and described in Chapter 2.55 of the Municipal Code), 7:00 a.m. to 8:00 p.m., unless written approval is obtained from the City building official or City engineer. According to the City's Municipal Code ordinance 8.21.050, grading permit requirements, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

The City's Municipal Code, Section 9.10.140, specifies that all commercial and industrial uses shall be operated so that noise created by any loudspeaker, bells, gongs, buzzers, or other noise attenuation or attracting devices shall not exceed 55 dBA at any one time beyond the boundaries of the property.

Chapter 11.80.030 of the City's Municipal Code also states:

> *Based on statistics from the Center for Disease Control and Prevention and the National Institute for Occupational Safety and Health, Table 1 and Table 1-A specify sound level limits which, if exceeded, will have a high probability of producing permanent hearing loss in anyone in the area where the sound levels are being exceeded. No sound shall be permitted within the City which exceeds the parameters set forth in Table 11.80.030-1* [Table 4.4.D] *and 11.80.030-1-A* [Table 4.4.E] *of this chapter.*
>
> *No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any nonimpulsive sound which exceeds the limits set forth for the source land use category (as defined in Section 11.80.020) in Table 11.80.030-2* [Table 4.4.F] *when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance.*

[1] *Moreno Valley Municipal Code*, City of Moreno Valley, current through Ordinance 761 and the February 2008 code supplement.

The following uses and activities shall be exempt from the sound level regulations except the maximum sound levels provided in Tables 11.80.030-1 [Table 4.4.D] *and 11.80.030-1A* [Table 4.4.E]*:*

1. *Sounds resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of an emergency.*
2. *Sounds resulting from emergency work as defined in Section 11.80.020.*
3. *Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations and air traffic control instruction used pursuant to and within the duly adopted federal air regulations; and any aircraft operating under technical difficulties in any kind of distress, under emergency orders or air traffic control, or being operated pursuant to and subsequent to the declaration of an emergency under federal air regulations.*
4. *All sounds coming from the normal operations of interstate motor and rail carriers, to the extent that local regulation of sound levels of such vehicles has been preempted by the Noise Control Act of 1972 (42 U.S.C. § 4901 et seq.) or other applicable federal laws or regulations.*
5. *Sounds from the operation of motor vehicles, to the extent they are regulated by the California Vehicle Code.*
6. *Any constitutionally protected noncommercial speech or expression conducted within or upon any public right-of-way, public space or other publicly owned property constituting an open or a designated public forum in compliance with any applicable reasonable time, place and manner restriction on such speech or expression or otherwise pursuant to legal authority.*
7. *Sounds produced at otherwise lawful and permitted city-sponsored events, organized sporting events, school assemblies, school playground activities, by permitted fireworks, and by permitted parades on public right-of-way, public space, or other publicly owned property.*
8. *An event for which a temporary use permit or special event permit has been issued under other provisions of this code, where the provision of Section 11.80.010 are met, the permit granted expressly grants an exemption from specific standards contained in this chapter, and the permittee and all persons under the permitttee's reasonable control actually comply with all conditions of such permit. Violation of any condition of such permit related to sound or sound equipment shall be in violation of this chapter and punishable as such.*

Table 4.4.D: Maximum Continuous Sound Levels*

Duration Per Day Continuous Hours	Sound Level (dBA)
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.5	110
0.25	115

* When the daily sound exposure is composed of two or more periods of sound exposure at different levels, the combined effect of all such periods shall constitute a violation of this section if the sum of the percentage of allowed period of sound exposure at each level exceeds 100 percent.

Source: Chapter 11.80.030 Table 11.80.030-1, City of Moreno Valley Municipal Code, City of Moreno Valley.

Table 4.4.E: Maximum Impulsive Sound Levels

Number of Repetitions Per 24-Hour Period	Sound Level (dBA)
1	145
10	135
100	125

Source: Chapter 11.80.030 Table 11.80.030-1A, City of Moreno Valley Municipal Code, City of Moreno Valley.

Table 4.4.F: Maximum Sound Levels (in dBA) for Source Land Uses

Residential		Commercial	
Daytime	Nighttime	Daytime	Nighttime
60	55	65	60

Source: Chapter 11.80.030 Table 11.80.030-2, City of Moreno Valley Municipal Code, City of Moreno Valley.

4.4.2.2 State of California Vehicular Code

Recent studies have shown that the most objectionable feature of traffic noise is the sound produced by vehicles equipped with illegal or faulty exhaust systems. In addition, such vehicles are often operated in a manner that causes tire squeal and excessively loud exhaust noise. A number of California State vehicle noise regulations can be enforced by local authorities as well as the California Highway Patrol. These include § 23130, § 23130.5, § 27150, and § 38275 of the California Vehicle Code, as well as excessive speed laws, which may be applied to curtail traffic noise:

- § 23130 and § 23130.5 establish maximum noise emission limits for the operation of all motor vehicles at any time under any conditions of grade, load, acceleration, or deceleration.
- § 27150 requires motor vehicles to be equipped with an adequate muffler to prevent excessive noise.
- § 38275 requires off-highway motor vehicles to be equipped with an adequate muffler to prevent excessive noise.

The California Highway Patrol and the Department of Health Services (through local health departments) are available to aid local authorities in code enforcement and training pursuant to proper vehicle sound level measurements.

4.4.3 Methodology

Evaluation of noise impacts associated with the proposed project includes the following:

- Determination of the short-term construction noise impacts on off-site noise-sensitive uses;
- Determination of the long-term noise impacts, including vehicular traffic and stationary noise sources, on on-site and off-site noise-sensitive uses; and
- Determination of the required mitigation measures to reduce long-term noise impacts from all sources.

The proposed project includes the construction and operation of an approximately 1.6 million square-foot distribution warehouse. The noise analysis considers the noise effects of the warehouse distribution development on the existing residential development (sensitive receptors) in the vicinity of the proposed project site. The applicable noise standards governing the project site are the criteria in the City of Moreno Valley's *Noise Element of the General Plan* and *Municipal Code*.

4.4.4 Thresholds of Significance

A project would have a significant effect on the environment related to noise if it would substantially increase the ambient noise levels for adjoining areas or if it would conflict with adopted environmental plans and goals of the community in which it is located.

The applicable noise standards governing the project site are the criteria that are contained within the Noise Element of the *City of Moreno Valley General Plan* and the *Moreno Valley Municipal Code*. For this project, a noise impact is considered significant if the project would result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the *City of Moreno Valley General Plan*, *Moreno Valley Municipal Code*, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;
- A substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels; and/or
- For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The standards within the *City of Moreno Valley General Plan* and *Moreno Valley Municipal Code* determine the acceptable noise environment for proposed project and its vicinity. The standards are as follows:

- Ensure through the design review process that exterior noise levels at commercial and industrial areas do not exceed 75 dBA CNEL.
- Consider the following uses noise-sensitive and discourage them in areas where exterior noise levels exceed 65 dBA CNEL unless measures are implemented that reduce the noise exposure below this level: single- and multiple-family residential uses, group homes, hospitals, schools and other learning institutions, and parks and open space areas where quiet is a basis for use.

4.4.5 No Impact/Less than Significant Impacts

The following impacts have been identified as having a less than significant impact or no impact on the environment with implementation of the proposed project.

4.4.5.1 Airport Noise Impacts

Threshold	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, results in exposure of people residing or working in the project area to excessive noise levels. For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The nearest airport is the March Air Reserve Base, which is located approximately 0.75 mile northwest of the project site. The proposed project is not identified as being within the noise or safety

contours delineated for the March Air Reserve Base Airport.[1] While the proposed project is located within two miles of a public airport, the proposed project would not have the potential to expose people working on the project site to excessive noise levels from airport operations as the project site is located outside of the noise and safety contours of March Air Reserve Base. A less than significant impact would occur with implementation of the proposed project. Additionally, the proposed project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue would occur and no mitigation is required.

4.4.5.2 Groundborne Vibration Impacts

Threshold:	Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable but without the accompanying effects (e.g., shaking of a building). Groundborne vibration is measured in terms of the velocity of the vibration oscillations. When groundborne vibration exceeds 0.1 inch per second (in/sec), it is generally perceived as annoying to building occupants. The degree of annoyance is dependent upon type of land use, individual sensitivity to vibration, and the frequency of the vibration events. Typically, vibration levels must exceed 0.2 in/sec before building damage occurs. Problems with groundborne vibration and noise are usually localized to areas within about 100 feet from the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet.

The project site is not located near steel-wheeled trains. Additionally, roadways in the project area are either paved or would be paved and would not result in traffic driving over rough roads. Construction activities for the project site do not include blasting or pile driving. The primary vibratory source during the construction of the proposed project would be large bulldozers. Based on published data, typical bulldozer activities generate an approximate vibration level of 0.089 in/sec at a distance of 25 feet. At the distance of the nearest residence to the project boundary (approximately 1,000 feet) the estimated vibration level would not be discernable. While heavy-duty earthmoving equipment would be used during the construction phase of the project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs. Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required.

4.4.5.3 Long-Term Traffic Noise Impacts

Threshold	Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Only audible changes in existing ambient or background noise levels are considered potentially significant. It takes doubling of the traffic volume to have a 3 dB increase in traffic noise. Therefore, a 3 dBA increase in long-term noise levels above existing ambient noise levels is used as a threshold of significant change in this noise analysis.

The FHWA highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions. The noise impact analysis was conducted using the future traffic

[1] *Figure 5.4-1 March Reserve Air Base Noise Impact Area*, City of Moreno Valley General Plan EIR, July 2006.

volumes provided in the *Traffic Study* (LSA Associates, Inc., December 2011). In addition, unlike the urban area where the ground is filled with pavement, the project site is located in a rural/suburban area where there is vacant land around the project vicinity. Empirical data show that such environment is best analyzed with the soft site propagation for noise. The traffic noise modeling in this noise study uses 4.5 dBA per doubling of the distance for the soft site sound propagation from a line source. The future Year (2013) with and without project scenarios average daily traffic (ADT) volumes on roadway segments in the project vicinity were used to conduct the traffic noise modeling. The existing ADT volumes in the area were taken from the *Traffic Study* prepared for the proposed project. The modeled 24-hour CNEL levels are presented in Tables 4.4.G and 4.4.H for the Opening (2013) Year scenarios. Standard vehicle mix for Southern California streets was used in this analysis. Background traffic volumes at study area intersections for Year 2013 Without Project Traffic scenario represent the existing (2008) conditions plus the ambient growth that is expected to occur by the time the proposed project is built. Ambient growth considers increasing the existing (2008) volumes by 10.4 percent (or 2% per year compounded over five years). Traffic volumes for the Opening Year (2013) With Project Traffic scenario considers the addition of traffic generated by the proposed project to the Year 2013 Without Project conditions. Traffic volumes for the Opening Year (2013) Cumulative Without Project Traffic scenario were developed from information concerning approved and pending projects in the project vicinity obtained from the City of Moreno Valley and added to the Year 2013 Without Project Traffic volumes. Traffic volumes for the Opening Year (2013) Cumulative With Project Traffic scenario considers the addition of traffic generated by the proposed project to the Year 2013 Cumulative Without Project Traffic volumes. Noise levels presented in Tables 4.4.G and 4.4.H represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn.

Table 4.4.G: Year 2013 Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,200	88	186	399	71.8
Perris Blvd. between Iris Ave. and Krameria Ave.	34,600	96	203	437	72.4
Perris Blvd. between Krameria Ave. and Nandina Ave.	35,400	97	206	443	72.5
Perris Blvd. between Nandina Ave. and Grove View Rd.	35,500	97	207	444	72.5
Perris Blvd. between Grove View Rd. and Oleander Ave.	36,000	98	209	448	72.5
Indian Ave. between Nandina Ave. and Grove View Rd.	11,800	< 50	83	179	67.6
Indian Ave. between Grove View Rd. and Oleander Ave.	11,800	< 50	83	179	67.6
Oleander Ave. west of I-15 Ramps	8,400	< 50	79	170	67.3
Oleander Ave. between I-15 Ramps and Indian Ave.	25,900	78	167	360	72.2

Table 4.4.G: Year 2013 Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Oleander Ave. between Indian Ave. and Perris Blvd.	18,200	62	132	285	70.6
Nandina Ave. between Indian Ave. and Perris Blvd.	2,900	< 50	< 50	70	61.5

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA= A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis*, City of Moreno Valley. LSA Associates, Inc. December 2011.

Table 4.4.H: Year 2013 With Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane	Increase CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,800	89	188	404	71.8	0.0
Perris Blvd. between Iris Ave. and Krameria Ave.	35,300	97	206	443	72.4	0.0
Perris Blvd. between Krameria Ave. and Nandina Ave.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Nandina Ave. and Grove View Rd.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Grove View Rd. and Oleander Ave.	36,600	99	211	453	72.6	0.1
Indian Ave. between Nandina Ave. and Grove View Rd.	13,000	< 50	89	191	68.0	0.4
Indian Ave. between Grove View Rd. and Oleander Ave.	13,900	< 50	93	200	68.3	0.7
Oleander Ave. west of I-15 Ramps	8,500	< 50	80	172	67.3	0.0
Oleander Ave. between I-15 Ramps and Indian Ave.	27,500	81	174	375	72.4	0.2
Oleander Ave. between Indian Ave. and Perris Blvd.	18,200	62	132	285	70.6	0.0
Nandina Ave. between Indian Ave. and Perris Blvd.	3,500	< 50	< 50	80	62.3	0.8

Table 4.4.H: Year 2013 With Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane	Increase CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,800	89	188	404	71.8	0.0
Perris Blvd. between Iris Ave. and Krameria Ave.	35,300	97	206	443	72.4	0.0
Perris Blvd. between Krameria Ave. and Nandina Ave.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Nandina Ave. and Grove View Rd.	36,100	98	209	449	72.5	0.0

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA= A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis,* City of Moreno Valley. LSA Associates, Inc. December 2011.

As presented in Table 4.4.G (2013 with Project), project-related traffic noise level increases would be 0.8 dBA or less along all roadway segments analyzed. Noise level increases within this range are small and are not perceptible by the human ear. Therefore, no significant traffic noise impacts would occur to off-site land uses with implementation of the proposed project. Table 4.4.G also shows that the proposed warehouse distribution center uses are not impacted by the 75 dBA CNEL noise contour from Indian Street (within 50 feet of the roadway centerline), Oleander Avenue (within 50 feet of the roadway centerline), or Perris Boulevard (98 feet from the roadway centerline). Therefore, noise levels at the on-site uses are below the City's 75 dBA CNEL noise standard for industrial uses. No significant noise impacts to on-site industrial uses would occur and no mitigation measures are required.

4.4.5.4 Long-Term Operational Noise Impacts

Threshold:	Would the project cause exposure of persons to or generation of noise levels in excess of standards established in the *City of Moreno Valley General Plan, Moreno Valley Municipal Code*, or applicable standards of other agencies?

Potential long-term stationary noise impacts would primarily be associated with operations at the proposed warehouse distribution center. The proposed on-site warehouse distribution center would generate noise from truck delivery, loading/unloading activities at the loading areas, and other noise-producing activities within the parking lot. These activities are potential point sources of noise that could affect noise-sensitive receptors adjacent to the loading areas and parking lots, such as the existing residential uses to the north of the project site.

The project site is adjacent to Perris Boulevard to the east, Indian Street to the west, Grove View Road to the north and the Perris Valley Storm Drain Lateral B forms the southern boundary of the project site. Other warehouse distribution uses are located on adjacent properties to the west, north, and east. The remaining parcels adjacent to the project site are vacant. The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project boundary. There are also nonconforming residential

dwelling units within commercial and industrial uses on property zoned for commercial or industrial uses approximately 0.5 mile southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

As indicated in the project's site plan (Figure 1.2), the proposed warehouse distribution use has loading docks on the north and south sides of the building, approximately 1,000 feet from the existing residences to the north. Noise associated with loading/unloading activities would potentially affect these existing residential uses. Other on-site, noise-producing activities may include traffic and activity within the parking lot (load talking, horn blowing, vehicle door slamming, truck idling, etc.).

As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dBA reduction in the noise level for each doubling of distance from a single-point source of noise, such as an idling truck, to the noise-sensitive receptor of concern. Although individual activity may generate relatively high and intermittent noise, when added to the typically lower ambient noise and averaged over a longer period of time, the cumulative noise level would be much lower and would be considered a less than significant impact.

Based on the preliminary site plan, the shortest distance (approximately 1,000 feet) from the existing residences to the nearest loading/unloading areas on the project site would result in a 26 dBA[1] noise attenuation (compared to the levels at 50 feet).

Truck Delivery and Loading and Unloading Noise. Delivery trucks for the proposed on-site warehouse distribution uses would result in a maximum noise similar to noise readings from loading and unloading activities for other warehouse distribution projects, which generates a noise level of approximately 75 dBA L_{max} at 50 feet and is used in this analysis. Based on the foregoing discussion, distance divergence of 1,000 feet provides 26 dBA noise attenuation; thus, loading/unloading noise at the proposed uses would be reduced to below 49 dBA L_{max}[2] at ground level of the nearest existing residences north of the project site. Based on the City's Municipal Code, Chapter 11.80.030, when measured at 200 feet or more from the real property line of the source of the sound (if the sound occurs on privately owned property as is the case here), the exterior noise standard is 60 dBA L_{max} during the day (8:00 a.m. to 10:00 p.m.) and 55 dBA L_{max} during the night (10:01 p.m. to 7:59 a.m.) for residential uses. This level of maximum noise levels is below the City's residential exterior noise standards of 60 dBA L_{max} during the day (8:00 a.m. to 10:00 p.m.) and the 55 dBA L_{max} standard during the night (10:01 p.m. to 7:59 a.m.). Although the typical truck unloading process takes an average of 15 to 20 minutes, this maximum intermittent noise level occurs in a much shorter period of time and would amount to less than a few minutes. This level of noise would be below the most stringent noise standard (55 dBA maximum noise standard at any time). Therefore, noise associated with loading and unloading activities at the loading areas associated with the proposed warehouse distribution uses would not result in noise levels exceeding the noise standards at the nearest residences to the north. Loading/unloading activities would not result in a significant noise impact at the nearest existing off-site residential uses and no mitigation is required.

Parking Lot Activity. Representative parking lot activities, such as conversing, doors slamming, engine startup, and slow-moving vehicles would generate approximately 60 to 70 dBA L_{max} at 50 feet. This level of noise is lower than that of the truck delivery and loading/unloading activities. With the noise attenuation effect from distance divergence (26 dBA noise attenuation) to the proposed on-site

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1 Based on the sound pressure level equation of L = 20 Log (Distance / Reference Distance); where L is the sound level (in dBA), the value of 20 is 20 µPa (Pascal) root mean squared or 20 units of pressure (usually considered the threshold of hearing), multiplied by the logarithm of the distance divided by the reference distance, thus (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02).

2 75 dBA L_{max} – 26 dBA L_{max} = 49 dBA L_{max}.

warehouse buildings, noise levels in the parking lots of the proposed warehouse distribution uses would be below 44 dBA L_{max} and would not be significant; therefore, no mitigation is required.

Heating, Ventilating, and Air Conditioning Equipment Noise. The proposed project would have rooftop heating, ventilating, and air conditioning (HVAC) equipment, as well as ground floor garbage compactors. Although no final design is available at this time for the type and location of the rooftop mechanical units, based on noise measurements conducted at a similar use, rooftop HVAC units generate noise levels of approximately 62 dBA at 50 feet. The closest noise-sensitive land uses are existing residences which are located approximately 1,000 feet to the north from the nearest potential on-site rooftop HVAC equipment location. With the effect of distance divergence, noise generated by HVAC equipment would be reduced by 26 dBA[1] at the closest residences when compared with the noise level measured at 50 feet. Additionally, the roof edge (parapet) creates a noise barrier that reduces noise levels from rooftop HVAC units by an additional 3 to 5 dBA or more for ground floor receptors. Because of the attenuation achieved, nearest residences located to the north of the project site would be exposed to an exterior noise level of 33 dBA L_{max}[2] or lower. This range of noise levels is substantially lower than traffic noise on roadways in the project vicinity and the truck movement and loading/unloading noise. Therefore, because the City's exterior noise standard of 60 dBA L_{dn}/CNEL for HVAC equipment in residential district (Planning and Zoning Code, Chapter 9.03.040) would not be exceeded at the nearest sensitive noise receptors, no significant noise impact resulting from the operation of rooftop HVAC equipment would occur and no mitigation is required.

Garbage Compactor Noise. Garbage compactors generate approximately 70 dBA L_{max} at 6 feet. It is assumed that two garbage compactors would be located at the loading docks on the north side of the proposed buildings nearest to the existing residences. These compactors would be located approximately 1,000 feet from the nearest residences located to the north of the project site. This distance provides approximately 44 dBA[3] in noise attenuation when compared to noise levels measured at 6 feet. With the effect of distance divergence, noise generated by garbage compactors would be reduced to 26 dBA L_{max}[4] or lower at the closest residences. Because the City's exterior noise standard of 60 dBA L_{max} during the day and 55 dBA L_{max} during the night would not be exceeded, no significant noise impacts from the on-site garbage compactors would occur. In the absence of any significant impact, no mitigation is required.

Other Potential On-Site Operational Noise Sources. It is anticipated that the proposed uses would have some sort of speaker system at the truck loading docks. As stated previously, the closest loading docks to the residential areas to the north are approximately 1,000 feet from these existing residences to the north. Typical loud speakers generate a sound level of 75 dBA L_{max} at 50 feet. With the distance attenuation of 26 dBA the speaker noise at the nearest residences will be at or below 49 dBA L_{max}[5]. This range of maximum noise levels is lower than the City's nighttime exterior noise standards of 55 dBA L_{max}[6] standard. Therefore, noise associated with loading dock speakers at the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast and no mitigation measures are required.

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1 log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02)

2 HVAC equipment generates a noise level of approximately 62 dBA L_{max} at 50 feet. Accounting for distance divergence (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02) and shielding (minimum of 3 dBA), 62 dBA L_{max} – 26 dBA L_{max} – 3 dBA L_{max} = 33 dBA L_{max}.

3 log [1,000 ft ÷ 6 ft] = 2.222; 2.222 × 20 = 44.44.

4 Garbage compactors generate a noise level of approximately 70 dBA L_{max} at 6 feet. Accounting for distance divergence (log [1,000 ft ÷ 6 ft] = 2.222; 2.222 × 20 = 44.44), 70 dBA L_{max} – 44 dBA L_{max} = 26 dBA L_{max}.

5 75 dBA L_{max} – 26 dBA L_{max}= 49 dBA L_{max}.

6 *Chapter 11.80.030 City of Moreno Valley Municipal Code*, City of Moreno Valley.

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Interior Noise. The typical maximum allowable interior noise levels for residential uses are 45 dBA between 10:01 p.m. and 7:59 a.m. and 50 dBA between 8:00 a.m. and 10:00 p.m.[1] Typical southern California homes with windows open would achieve up to 12 dBA in exterior to interior noise reduction. When windows are closed, the noise attenuation increases to 24 dBA. Additionally, distance divergence of 1,000 feet provides 26 dBA of noise attenuation. Interior noise levels at the nearest residential homes to the north, attributable to loading/unloading activities from the nearest on-site loading areas, would be reduced to 37 dBA L_{max} with windows open[2] and to 25 dBA L_{max} with windows closed.[3] This range of noise level is compatible with or lower than typical household activity noise. Therefore, no significant interior noise impacts for the nearest sensitive receptors would occur and no mitigation is required.

4.4.6 Significant Impacts

4.4.6.1 Short-Term Construction Noise Impacts

Impact 4.4.6.1. *Noise levels from grading and other construction activities for the proposed project may range up to 65 dBA at the closest residences north of the project site for very limited times when construction occurs near the project's boundary. Construction-related noise impacts from the proposed project would be potentially significant.*

Threshold:	Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Two types of short-term noise impacts could occur during the construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. There would be a relatively high single-event noise exposure potential at a maximum level of 87 dBA L_{max} with trucks passing at 50 feet. However, the projected construction traffic would be small when compared with the existing traffic volumes on Indian Avenue, Perris Boulevard, and other affected streets. Furthermore, the proposed project's truck traffic will not travel on roadways adjacent to the existing residences as Nandina Avenue does not provide access to the project site. Therefore, short-term construction-related worker commutes and equipment transport noise impacts would be less than significant and no mitigation is required.

The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the project site. Construction is completed in discrete steps, each of which has its own mix of equipment, and consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site, and therefore, the noise levels surrounding the site as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 4.4.I lists typical construction equipment noise levels recommended for noise-impact assessments, based on a distance of 50 feet between the equipment and a noise receptor. Typical noise levels range up to 91 dBA L_{max} at 50 feet during the noisiest construction phases. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction

1 *Model Community Noise Control Ordinance*, State of California, Department of Health, Office of Noise Control, 1977.

2 The loudest noise-generating use would come from loading/unloading activities. As previously identified, loading/unloading activities generate a noise level of approximately 75 dBA L_{max} at 50 feet. Accounting for distance divergence (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02); 75 dBA L_{max} – 26 dBA L_{max} – 12 dBA L_{max} = 37 dBA L_{max}.

3 75 dBA L_{max} – 26 dBA L_{max} – 24 dBA L_{max} = 25 dBA L_{max}.

equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings.

Table 4.4.I: Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Range of Maximum Sound Levels Measured (dBA at 50 feet)	Suggested Maximum Sound Levels for Analysis (dBA at 50 feet)
Pile Drivers, 12,000 to 18,000 ft-lb/blow	81 to 96	93
Rock Drills	83 to 99	96
Jack Hammers	75 to 85	82
Pneumatic Tools	78 to 88	85
Pumps	74 to 84	80
Dozers	77 to 90	85
Tractors	83 to 91	80
Scrapers	83 to 94	87
Haul Trucks	79 to 86	88
Cranes	71 to 87	82
Portable Generators	75 to 82	80
Rollers	77 to 82	80
Front-End Loaders	77 to 90	86
Hydraulic Backhoe	81 to 90	86
Hydraulic Excavators	81 to 90	86
Graders	79 to 89	86
Air Compressors	76 to 89	86
Trucks	81 to 87	86

Source: Noise Control for Buildings and Manufacturing Plants, Bolt, Beranek & Newman, 1987

Construction of the proposed project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. Based on the information in Table 4.4.I, the maximum noise level generated by each scraper on the proposed project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA L_{max} at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations to the project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on Sundays and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to

reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

Mitigation Measures. The following measures would reduce short-term construction-related noise impacts associated with the proposed project:

4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.

4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.

4.4.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays.

Level of Significance after Mitigation. With adherence to the City's designated construction hours and with implementation of the proposed mitigation measures, potential short-term construction noise impacts would be reduced below the level of significance.

4.4.7 Cumulative Impacts

The cumulative area for noise impacts is the City of Moreno Valley. Cumulative projects are identified in Chapter 2.0, Table 2.A and Figure 2.1. Implementation of the proposed project would result in the introduction of new noise sources and levels. Construction crew commutes and the transport of construction equipment, materials, and fill to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. Secondary sources of noise would include noise generated during excavation, grading, and building erection on the project site. The net increase in project site noise levels generated by these activities and other sources has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance. Although it is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, it is unlikely that adjacent properties will be developed at the same time as the proposed project. However, in the unlikely event that adjacent properties are developed at the same time as the proposed project, implementation of the stated mitigation measures would render the cumulative impacts of the proposed project to less than significant levels. The noise analysis contained in this section also provides an assessment of on-site operational noise level impacts onto adjacent sensitive uses, both existing and future. Additionally, on-site operational noises are individual noise occurrences and are not additive in nature.

Cumulative traffic volumes were developed from the addition of traffic generated by approved and pending projects to opening year with project traffic volumes. Cumulative noise impacts associated with roadway noise have been addressed based on the cumulative traffic volumes. The increases over existing traffic volumes are attributable to cumulative development projects in the project vicinity and region. As indicated, the cumulative roadway noise (with project) assessment concludes that

noise levels along all roadway segments analyzed would not exceed baseline noise levels by 3 dBA or more. Comparing cumulative noise levels that would occur both with and without the project, the proposed project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. As indicated, the future roadway noise assessment concludes that there will be no significant roadway noise impacts associated with cumulative project conditions. Therefore, there are no projects that would, in combination with the proposed project, produce significant noise impacts to sensitive land uses from on-site operational noise. Thus, no significant cumulative noise impacts would occur after implementation of the proposed mitigation measures.

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4.5 TRANSPORTATION AND TRAFFIC

This section analyzes the potential traffic and circulation impacts of the proposed project based on the *Traffic Study*,[1] which is included in its entirety as Appendix G to this EIR. This section examines the project's traffic impacts on the existing baseline and opening year (2013) cumulative traffic scenarios.

4.5.1 Existing Setting

4.5.1.1 Existing Traffic Controls and Intersection Geometrics

An inventory of the existing study area street system was conducted by LSA Associates, Inc. Existing study area locations are illustrated in Figure 4.5.1 and consist of 6 project driveways, and12 off-site intersections (for a total of 18 study area intersections), and 6 adjacent roadway segments. The northern driveway on Perris Boulevard will be for emergency access only and therefore has not been evaluated in this analysis. In the project vicinity, existing Perris Boulevard is a divided six-lane arterial roadway and Indian Street is a divided major arterial roadway. In addition, for informational purposes and disclosure to California Department of Transportation (Caltrans), the 7 freeway segments along Interstate 215 (I-215) in the project vicinity were analyzed.

Study area intersections include the following:

- I-215 Southbound Ramps/Harley Knox Boulevard;
- I-215 Northbound Ramps/Harley Knox Boulevard;
- Indian Street/Nandina Avenue;
- Indian Street/Grove View Road;
- Indian Street/North Project Driveway;
- Indian Street/South Project Driveway;
- Indian Street/Harley Knox Boulevard;
- Perris Boulevard/Gentian Avenue;
- Perris Boulevard/Iris Avenue;
- Perris Boulevard/Krameria Avenue;
- Perris Boulevard/Nandina Avenue;
- Perris Boulevard/Grove View Road-Globe Street;
- Perris Boulevard/North Project Driveway;
- Perris Boulevard/South Project Driveway;
- Perris Boulevard/Harley Knox Boulevard;
- West Project Driveway/Grove View Road;
- Main Project Driveway/Grove View Road; and
- East Project Driveway/Grove View Road.

[1] *Traffic Study, VIP Moreno Valley, City of Moreno Valley, Riverside County, California*, prepared for Vogel Engineers, Inc., LSA Associates, Inc., April 2012.

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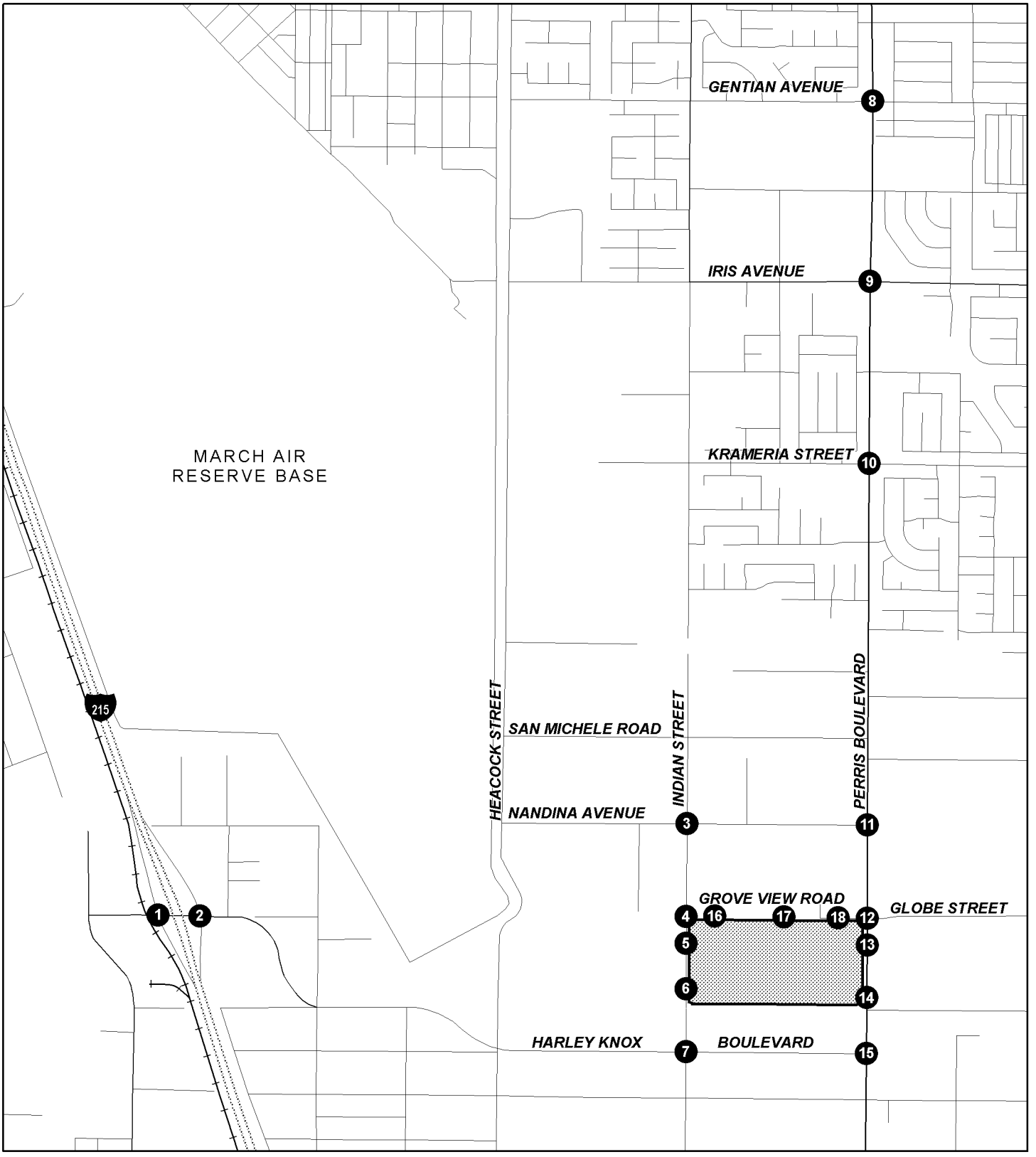

LSA

FIGURE 4.5.1

N

0 1,000 2,000

FEET

Project Location

Study Area Intersections

SOURCE: Thomas Bros., 2009

VIP Moreno Valley
Environmental Impact Report

Study Area Intersections

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Study area roadway segments include the following:

- Nandina Avenue west of Indian Avenue;
- Harley Knox Boulevard west of Indian Avenue;
- Indian Street north of Grove View Road;
- Indian Street south of the south project driveway;
- Perris Boulevard north of Grove View Road; and
- Perris Boulevard south of the south project driveway.

Study area freeway segments include the following:

- Freeway segment north of Harley Knox Boulevard;
- Harley Knox Boulevard On-Ramp (merge area) at Northbound I-215;
- Freeway segment between Harley Knox Boulevard Ramps;
- Harley Knox Boulevard Off-Ramp (diverge area) at Northbound I-215;
- Freeway segment south of Harley Knox Boulevard;
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215; and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215.

4.5.1.2 Existing Baseline Traffic Volumes

Existing traffic conditions for the study area intersections are based on a.m. and p.m. peak hour intersection turning movement counts collected by Counts Unlimited, Inc. in December 2007, with the exception of the intersection of Perris Boulevard/South Project Driveway. The intersection of Perris Boulevard/South Project Driveway was counted in May 2009 to document traffic from the Ross distribution center driveway, and was adjusted to reflect year 2007 conditions by matching the south leg approach and departure volumes with the north leg of Perris Boulevard/Harley Knox Boulevard. Count sheets are contained in the Traffic Study, included as Appendix G of this EIR. Since it has been four years since the 2007 counts, traffic counts were conducted for 3 locations near the project in 2011. However, since the 2011 counts were found to be lower than the 2007 counts due to reduced vehicular travel arguably caused by the current economic conditions, the 2007 counts were maintained to present a conservative approach for existing baseline traffic conditions. A comparison of the 2007 counts to the 2011 counts is included in Appendix G of this EIR.

Existing daily traffic volumes for the 6 study area roadway segments are based on daily counts collected by Counts Unlimited, Inc. in June 2009. For the 7 freeway segments, existing freeway segment bidirectional volumes are derived from the Annual Average Daily Traffic (AADT) volume data published by Caltrans in 2009.

Vehicle classification counts were conducted at the intersections of I-215 Southbound Ramps/Harley Knox Boulevard, I-215 Northbound Ramps/Harley Knox Boulevard, Indian Street/Nandina Avenue, Indian Street/Harley Knox Boulevard, Perris Boulevard/Gentian Avenue, Perris Boulevard/South Project Driveway, and Perris Boulevard/Harley Knox Boulevard. Based on recommendation from the City of Moreno Valley, Passenger Car Equivalent (PCE) volumes at these locations were computed using a PCE factor of 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with 4 or more axles. The percentage of trucks at intersections where classification counts were not conducted was determined based on percentage of trucks and average truck PCE at the nearest intersection with

classification counts. Detailed volume development worksheets are included in the Traffic Study (Appendix G).

The peak hour volumes for freeway segments are derived from a percentage of the bidirectional AADT known as the K factor multiplied by the percentage of peak hour travel in the peak direction known as the D factor. Based on Caltrans data, 7.9 percent (K factor) of AADT occurs in the a.m. peak hour with 63.3 percent (D factor) of the total traffic traveling southbound and 36.7 percent in the northbound direction. In addition, 7.4 percent of AADT occurs in the p.m. peak hour with 56.3 percent of the total traffic traveling southbound and 43.7 percent in the northbound direction.

4.5.1.3 Existing Intersection Levels of Service

Traffic Level of Service Definitions. Level of service (LOS) will be referred to frequently in this section. Roadway operations and the relationship between capacity and traffic volumes are generally expressed in LOS, which are defined using the letter grades A through F (Table 4.5.A) and reflect the reality that conditions rapidly deteriorate as traffic approaches a thoroughfare's absolute capacity.

LOS was used in the traffic study to determine adequate operation of each of the study intersections. These intersections were selected based on the City of Moreno Valley Public Works Department staff recommendations. The distribution of project trips was developed in consultation with City staff by examining the location of the proposed project trips in relation to the surrounding residential areas, as well as the regional roadway network, which follows current practice. The freeway segments on I-215 are under the jurisdiction of Caltrans; all study intersections on Harley Knox Boulevard are under the jurisdiction of the City of Perris; and all other study intersections are under the jurisdiction of the City of Moreno Valley.

Table 4.5.A: Traffic Level of Service (LOS) Definitions

LOS	Description
A	No approach phase is fully utilized by traffic and no vehicle waits longer than one red indication. The approach appears quite open, turns are made easily, and nearly all drivers find freedom of operation.
B	This service level represents stable operation, where an occasional approach phase is fully utilized and a substantial number approach full use. Many drivers begin to feel restricted within platoons of vehicles.
C	This level still represents stable operating conditions. Occasionally drivers may have to wait through more than one red signal indication, and backups may develop behind turning vehicles. Most drivers feel somewhat restricted, but not objectionably so.
D	This level encompasses a zone of increasing restriction approaching instability at the intersection. Delays to approaching vehicles may be substantial during short peaks within the peak period; however, enough cycles with lower demand occur to permit periodic clearance of developing queues, thus preventing excessive backups.
E	Capacity occurs at the upper end of this service level. It represents the most vehicles that any particular intersection approach can accommodate. Full utilization of every signal cycle is seldom attained no matter how great the demand.
F	This level describes forced flow operations at low speeds, where volumes exceed capacity. These conditions usually result from queues of vehicles backing up from a restriction downstream. Speeds are reduced substantially and stoppages may occur for short or long periods of time due to the congestion. In the extreme case, both speed and volume can drop to zero.

Source: *Highway Capacity Manual*, *Special Report 209*, Transportation Research Board, Washington, DC, 1985.

4.5.1.4 Level of Service Standards

Intersections on Harley Knox Boulevard are under the jurisdiction of the City of Perris, and all other study intersections are under the jurisdiction of the City of Moreno Valley. The City of Moreno Valley's

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standard for peak hour intersection LOS and roadway segment LOS is either LOS C or LOS D, depending on the LOS defined for that roadway in the General Plan Circulation Element. The standard of LOS D applies to all City intersections and roadways analyzed in the traffic study conducted for the proposed project. The intersection and roadway level of service standard for the City of Perris is D. Caltrans considers acceptable LOS to be between LOS C and LOS D for all intersections under its jurisdiction; therefore, all signalized ramp terminus intersections on I-15 must operate with a weighted average delay of 45 seconds or less (representing the midpoint of the delay range for LOS D). If project traffic contributes to an existing or cumulative unsatisfactory LOS, it is considered a significant cumulative impact. Therefore, recommendation of circulation improvements is required for all intersections operating at LOS E or F. Any intersection operating below the relevant jurisdiction's level of service is considered an impact requiring mitigation. Table 4.5.B summarizes the level of service criteria for unsignalized and signalized intersections.

Table 4.5.B: Level of Service Criteria for Unsignalized and Signalized Intersections

Level of Service	Unsignalized Intersection Average Delay per Vehicle (seconds)	Signalized Intersection Average Delay per Vehicle (seconds)
A	≤ 10	≤ 10
B	> 10 and ≤ 15	> 10 and ≤ 20
C	> 15 and ≤ 25	> 20 and ≤ 35
D	> 25 and ≤ 35	> 35 and ≤ 55
E	> 35 and ≤ 50	> 55 and ≤ 80
F	> 50	> 80

Source: Transportation Research Board, *2000 Highway Capacity Manual*, *Intersection Level of Service Criteria*, December 2000.

As previously stated, the freeway segments on I-215 are under the jurisdiction of Caltrans. The level of service standard for freeway segments is LOS E. Any freeway segment operating below the level of service standard E is considered an impact requiring mitigation.

4.5.1.5 Baseline and Cumulative Traffic Scenarios

Existing baseline and cumulative peak hour traffic operations have been evaluated for both the a.m. and p.m. peak hours of traffic at the study area intersections. A level of service analysis was conducted to evaluate existing baseline and cumulative a.m. and p.m. peak hour traffic operations at the study area intersections. LOS is discussed in the following paragraphs for these two traffic analysis scenarios against which project impacts are compared:

- Existing setting baseline without the project; and,
- Opening year (2013) cumulative without the project.

Existing Setting Baseline. Existing traffic volumes at study area intersections are based on peak hour intersection turn movement counts. An intersection level of service analysis was conducted for existing conditions to determine current circulation system performance. As identified in Table 4.5.C, all study area intersections are currently operating at a satisfactory level of service (LOS D) or better.

A roadway segment level of service analysis was conducted for existing without project conditions to determine current roadway performance. Table 4.5.C summarizes the level of service analysis results. As shown in Table 4.5.C, the following roadway segments operate at unsatisfactory levels of service:

- Perris Boulevard north of Grove View Road (southbound); and

- Perris Boulevard south of South Project Driveway (northbound and southbound).

Table 4.5.C also summarizes the existing without project levels of service for freeway segments and ramp merge/diverge areas. As shown in Table 4.5.C, the following freeway segments and ramp merge/diverge areas operate at unsatisfactory levels of service:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

Opening Year (2013) Cumulative Without the Project. For the opening year (2013) cumulative scenario, information concerning approved and pending projects in the project vicinity was obtained from the City of Moreno Valley, City of Perris, County of Riverside, and March JPA and added to the year 2013 traffic volumes. From this information, 44 projects were identified that would interact with the proposed project and have potential impacts at the study intersections under year 2013 conditions. Trip generation for the approved and pending projects were calculated based on the rates published in the ITE *Trip Generation,* 8th Edition. As identified in Table 4.5.C, the following nine intersections were forecast to operate at unsatisfactory levels of service in opening year 2013 cumulative without the project:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

A roadway segment level of service analysis was conducted for the year 2013 cumulative without project conditions to determine projected roadway performance. Table 4.5.C summarizes the level of service analysis results. As shown in Table 4.5.C, the following three roadway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Table 4.5.C also summarizes the year 2013 cumulative without project levels of service for freeway segments and ramp merge/diverge areas and shows that the following freeway segments and ramp merge/diverge areas are projected to operate at unsatisfactory levels of service:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

Table 4.5.C: Baseline and Cumulative Levels of Service Without Project

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing		Opening Year (2013) Cumulative	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	C	B	**F**	**F**
Indian Street/Nandina Avenue	Signal	C	C	C	D
Indian Street/Grove View Road	TWSC	B	B	B	B
Indian Street/North Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Indian Street/South Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Indian Street/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Perris Boulevard/Gentian Avenue	Signal	B	C	**F**	**F**
Perris Boulevard/Iris Avenue	Signal	**D**	**C**	**F**	**F**
Perris Boulevard/Krameria Avenue	Signal	C	**C**	**F**	**F**
Perris Boulevard/Nandina Avenue	Signal	B	B	**F**	**F**
Perris Boulevard/Grove View Road	Signal	B	B	**F**	**F**
Perris Boulevard/North Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Perris Boulevard/South Project Driveway	Signal	A	A	**F**	**F**
Perris Boulevard/Harley Knox Boulevard	Signal	**B**	**B**	**F**	**F**
West Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
Center Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
East Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	A	B	F	F
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	A	A	E	F
Perris Boulevard north of Grove View Road	NA	A	F	C	F
Perris Boulevard south of South Project Driveway	NA	F	F	F	F

Table 4.5.C: Baseline and Cumulative Levels of Service Without Project

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing		Opening Year (2013) Cumulative	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	B	C	C
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F	E
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F	D	F	F
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F	D	F	D
South of Harley Knox Boulevard	Basic	D	D	F	D

Shaded = Exceeds LOS standard; TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California,* LSA Associates, Inc., April 2012, Appendix G of this EIR.

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4.5.2 Existing Policies and Regulations

The City of Moreno Valley's current General Plan was approved in July 2006. Goals and policies extracted from the Circulation Element are included in the current General Plan. The specific policies and recommendations of implementation of the General Plan that are relevant to the proposed project are as follows:

Circulation Element

Objective 5.1 Create a safe, efficient, and neighborhood-friendly street system.

Policy 5.1.1 Plan access and circulation of each development project to accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.

Policy 5.1.2 Plan the circulation system to reduce conflicts between vehicular, pedestrian and bicycle traffic.

Policy 5.1.3 Require adequate off-street parking for all developments.

Policy 5.1.4 Driveway placement shall be designed for safety and to enhance circulation wherever possible.

Policy 5.1.5 Incorporate American Disability Act (ADA) and Title 24 requirements in roadway improvements as appropriate.

Policy 5.1.6 Design new developments to provide opportunity for access and circulation to future adjacent developments.

Objective 5.3 Maintain Level of Service (LOS) C on roadway links, wherever possible, and LOS D in the vicinity of SR 60 and high employment centers.

Policy 5.3.1 Obtain right-of-way and construct roadways in accordance with the designation shown on the General Plan Circulation Element Map and the City street improvement standards.

Policy 5.3.5 Ensure that new development pays a fair-share cost to provide local and regional transportation improvements and to mitigate cumulative traffic impacts. For this purpose, require new developments to participate in Transportation Uniform Mitigation Fee (TUMF), the Development Impact Fee Program (DIF), and any other applicable transportation fee programs and benefit assessment districts.

Policy 5.3.6 Where new developments would increase traffic flows beyond the LOS C (or LOS D, where applicable), require appropriate and feasible mitigation measures as a condition of approval. Such measures may include extra right-of-way and improvements to accommodate left-turn and right-turn lanes at intersections, or other improvements.

Policy 5.3.7 Provide consideration to projects that have overriding regional or local benefits that would be desirable even though the LOS standards cannot be met. These projects would be required to analyze traffic impacts and mitigate such impacts to the extent that it is deemed feasible.

Objective 5.5 Maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways.

Policy 5.5.3 Prohibit points of access from conflicting with other existing or planned access points. Require points of access to roadways to be separated sufficiently to maintain capacity, efficiency, and safety of the traffic flow.

Policy 5.5.4 Wherever possible, minimize the frequency of access points along streets by the consolidation of access points between adjacent properties on all circulation element streets, excluding collectors.

Policy 5.5.5 Design streets and intersections in accordance with the Moreno Valley Municipal Code.

Policy 5.5.8 Whenever possible, require private and public land developments to provide on-site and off-site improvements necessary to mitigate any development-generated circulation impacts. A review of each proposed land development project shall be undertaken to identify project impacts to the circulation system. The City may require developers to provide traffic impact studies prepared by qualified professionals to identify the impacts of a development.

Policy 5.5.9 Design curves and grades to permit safe movement of vehicular traffic per applicable Caltrans and Moreno Valley standards.

Policy 5.5.10 Provide adequate sight distances for safe vehicular movement at all intersections and driveways.

Objective 5.8 Encourage development of an efficient public transportation system for the entire community.

Policy 5.8.4 Ensure that all new developments make adequate provision for bus stops and turnout areas for both public transit and school bus service.

Objective 5.11 Eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians.

Policy 5.11.2 Driveways shall be designed to avoid conflicts with pedestrian and bicycle travel.

Program 5-1 Periodically review current traffic volumes, traffic collision data, and the pattern of urban development to coordinate, program, and as necessary revise the planning and prioritization of road improvements.

Program 5-6 Conduct studies of specified arterial segments to determine if any additional improvements will be needed to maintain an acceptable LOS at General Plan build-out. Generally, these segments will be studied as new developments are proposed in their vicinity. Measures will be identified that are consistent with the Circulation Element designation of these roadway segments, such as additional turn lanes at intersections, signal optimization by coordination and enhanced phasing, and travel demand management measures. The study of specified arterial segments will be required to identify measures to maintain an acceptable LOS at General Plan build-out for at least one of the reasons discussed below:

(a) Segments will need improvement, but their ultimate volumes slightly exceed design capabilities.

(b) Segments will need improvements but require inter-jurisdictional coordination.

(c) Segments would require significant encroachment on existing adjacent development if built out to their Circulation Element designations.

Program 5-13 Implement Transportation Demand Management (TDM) strategies that reduce congestion in the peak travel hours. Examples include carpooling, telecommuting, and flexible work hours.

City of Moreno Valley Development Impact Fee Program

The City of Moreno Valley has a development impact fee (DIF) program that is used to collect fees from new residential, commercial, and industrial development for funding roadways and intersections to accommodate City growth as identified in the City's General Plan Circulation Element. The City of Moreno Valley updated its DIF program in February 2008 in response to the City's General Plan update, which occurred in 2006. Adoption of the updated DIF program has been deferred. The DIF program was updated to include new roadway segments and intersections necessary to accommodate future growth and to ensure that the identified street improvements would operate at or above the City's LOS performance threshold. The DIF program includes facilities that are not part of improvements identified and covered by the TUMF program. Therefore, the pairing of regional and local fee programs provides a more comprehensive funding and implementation plan to ensure an adequate circulation system. Under the City's DIF program, the City may grant to developers a credit against specific components of fees when those developers construct certain improvements identified in the list of improvements funded by the DIF program.

After the City's DIF fees are collected, they are placed in a separate account. The timing to use the DIF fees is established through periodic capital improvement programs, which are overseen by the City's Public Works Department. The City's DIF program establishes a mechanism to fund design and construction of General Plan roadways. The City uses citywide traffic counts, traffic trends, and a review of traffic accidents to determine the timing of the improvements listed in its capital improvement facilities list. The City also uses these data to prioritize the timing of improvements listed on the facilities list.

Transportation Uniform Mitigation Fee Program

The Transportation Uniform Mitigation Fee (TUMF) program, which is administered by the Western Riverside Council of Governments (WRCOG), is based upon a regional Nexus Study completed in early 2003 and updated in 2006. The update addresses major changes in right-of-way acquisition and improvement cost factors. The TUMF identifies a network of roadways needed to accommodate growth through 2030. This program ensures that development pays its fair share and that funding is in place for construction of facilities needed to maintain the requisite levels of service and is critical to mobility in the region. The TUMF is implemented in every jurisdiction in Western Riverside County.

TUMF fees are imposed on new residential, industrial, and commercial development through application of the TUMF fee ordinance and fees are generally collected at the building permit stage. After the TUMF fees are collected, they are placed in a separate interest-bearing account pursuant to the requirements of Government Code sections 66000 et seq. The TUMF funds both local and regional projects. Local projects receive about 48 percent of all funds, are programmed into five localized zones, and fund the construction of localized projects that are proposed by the affected local jurisdictions within each zone.

4.5.3 Methodology

Evaluation of traffic and circulation impacts associated with the proposed project includes the following:

4.5.3.1 Project Trip Generation

The project trip generation is based on the City of Moreno Valley trip rates for High-Cube warehousing as derived from the NAIOP trip generation study (2006). Based on discussion with the City, the vehicle splits for Truck Terminal from the City of Fontana's *Truck Trip Generation Study* were used to convert project trips into PCE trips.

Table 4.5.D shows the calculation of the project trip generation. As shown in Table 4.5.D, the project is expected to generate 327 PCE trips in the a.m. peak hour, 388 PCE trips in the p.m. peak hour, and 5,052 daily PCE trips.

Table 4.5.D: Project Trip Generation

Vehicle Type	A.M. Peak Hour			P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Passenger Cars	45	37	82	23	74	97	1,256
Truck Trips (total raw trucks)	45	50	95	74	39	113	1,475
2-axle (PCE)	8	9	17	12	8	20	249
3-axle (PCE)	22	26	48	38	20	58	760
4+-axle (PCE)	87	93	180	141	72	213	2,787
Total Trips (PCE)[1]	**162**	**165**	**327**	**214**	**174**	**388**	**5,052**

Notes: PCE = Passenger Car Equivalent.
Total a.m. peak hour, p.m. peak hour and daily rates from modified NAIOP rates for High-Cube Warehousing as approved by the City of Moreno Valley.
All trip generation rates converted to car and truck trips using vehicle mix and enter/exit splits for Truck Terminal from Fontana Truck Trip Generation Study.
Truck trips converted to PCEs based on the SANBAG PCE values.
[1] Total Trips (PCE) = Passenger Cars + PCE Truck Trips.

The concept of PCEs accounts for the larger impact of trucks on traffic operations. It does so by assigning each type of truck a PCE factor that represents the number of passenger vehicles that could travel through an intersection in the same time that a particular type of truck could. PCE volumes for study area locations were computed using a PCE factor of 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with 4 or more axles, which are values recommended by the City of Moreno Valley. For example, in this report, trucks with four or more axles have been assigned a PCE factor of 3.0, indicating that three passenger vehicles could travel through an intersection in the same amount of time required for a single truck with four or more axles; therefore, the impacts and mitigations identified in this EIR incorporate the impact of trucks on intersection operations.

4.5.3.2 Trip Distribution and Assignment

Trip distribution patterns were estimated by examining the location of the project in relation to the regional roadway network and adjoining land uses and through consultation with City staff. Trip distribution was developed separately for passenger vehicles and trucks. Trip distribution for roadway segments was developed using a similar methodology.

The project trip generation was applied to the trip distribution patterns for the proposed project to develop trip assignments for new project trips. Trip assignment for roadway segments was developed by applying the project daily trip generation to the roadway segment distribution.

4.5.4 Thresholds of Significance

In the Initial Study[1] for this project, it was concluded that the proposed project could create potentially significant traffic impacts associated with the following CEQA traffic impact thresholds of significance if the project would:

- *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit.*

  (A significant traffic impact would occur if the project would cause a decrease from a standard LOS to a less than standard LOS at a study intersection based on a peak hour analysis.)

  - City of Moreno Valley LOS C or LOS D, depending on the LOS defined for that roadway in the General Plan Circulation Element, and
  - California Department of Transportation LOS standard is LOS D.
- *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.*
- *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.*

The Initial Study also concluded that the project would not impact or would create a less than significant impact associated with the following CEQA traffic impact thresholds:

- *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*
- *Result in inadequate emergency access.*
- *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease performance or safety of such facilities.*

4.5.5 No Impact/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.5.5.1 Design Features or Incompatible Uses

Threshold	Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway

[1] *Initial Study, VIP Moreno Valley, City of Moreno Valley, Riverside County, California*, prepared by LSA Associates, Inc., July 25, 2011 (see Appendix A).

improvements in and around the project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to site access requirements.

The final design of all roadways and intersections within the project site access would be reviewed by a licensed professional civil engineer to ensure adequate safety when traveling to and from the project site. The proposed project does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City of Moreno Valley consistent with the City's Circulation Element Objectives 5.1 (create a safe, efficient, and neighborhood-friendly street system), 5.5 (maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways), and 5.11 (eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians) and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required.

4.5.5.2 Inadequate Emergency Access

Threshold	Would the proposed project result in inadequate emergency access?

The developers of the proposed project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Construction activities, which may temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. The proposed project design would be submitted to and approved by the City's Fire and Police Departments prior the issuance of building permits. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required.

4.5.5.3 Alternative Transportation

Threshold	Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The Riverside Transit Agency (RTA) has numerous bus routes that serve the City of Moreno Valley and bus service in the project area is via Route 19. Route 19 provides service along Perris Boulevard and provides a bus stop along Perris Boulevard north of Lateral B of the Perris Valley Storm Drain adjacent to the project site, at the intersection of Perris Boulevard and Nandina Avenue approximately one quarter mile north of the site, at the intersection of Perris Boulevard and E. Nance Street approximately one quarter mile south of the project site, at the intersection of Perris Boulevard and Markham Street approximately one half mile south of the project site, and at the intersection of Perris Boulevard and Ramona Expressway, approximately 1.0 mile south of the project site. RTA provides service along Perris Boulevard and provides service directly to the project site. The City also provides a multi-use trail system as part of the City's Master Plan of Trails. These trails provide for recreational and non-motorized travel throughout the City. The City's *Master Plan of Trails Map*[1] does not identify any existing or proposed trails in the vicinity of the project site.

The design of the proposed project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation, including but not limited to pedestrian pathways and sidewalks consistent with the City's Circulation Element Objective 5.8 (encourage development of an efficient public transportation system for the entire community). Through the City's project review process, policies, plans, and/or programs supporting alternative

[1] *Master Plan Trails Map*, City of Moreno Valley, print date October 26, 2010.

transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur as a result of the proposed project and no mitigation is required.

4.5.5.4 Air Traffic Patterns

Threshold	Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Airport facilities within the vicinity of the project site include the March Air Field, which is part of the March Air Reserve Base (MARB). The proposed project site is located approximately 0.75 mile east of March Air Field. The MARB encompasses approximately 6,500 acres of the Air Force Reserve's 452nd Air Mobility Wing, which provides host base support for numerous tenant active military units. It is also the home of 4th Air Force and multiple units of the California Air National Guard. When March Air Force Base (March AFB) was converted from an active duty base to a Reserve Base in 1996, the decision resulted in approximately 4,400 acres of property and facilities being declared surplus and available for disposal actions, as well as joint use of the airfield. With the realignment of March AFB, the MARB Redevelopment Project Area was established. The MARB Redevelopment Project Area includes the entire 6,500-acre former active duty base area, and approximately 450 acres adjacent to the base in the industrial area of the City of Moreno Valley.

To implement the MARB Redevelopment Project Area and to facilitate the transition of a portion of the MARB from military to civilian uses, the March Joint Powers Authority (March JPA), consisting of the County of Riverside and the Cities of Moreno Valley, Perris, and Riverside, was formed. The March JPA along with the U.S. Air Force pursued the establishment of March Air Field as a joint use airport.

The Air Force defines a "joint use airport" as one where the facilities which are owned and operated by the Air Force are made available for use by civil aviation. A joint use agreement between these parties was executed May 7, 1997, along with land leases for over 300 acres as the civilian airport name March Inland Port (MIP). Under the agreement, the civilian (March JPA) and the military (AFRC) entities share essential aviation facilities such as the control towers and runways, as well as maintenance of facilities, under this joint use arrangement. Under the provisions of the Joint Use Agreement, the MIP is the civilian facility that is managed and operated by the MIP Airport Authority (MIPAA). The MIP includes air cargo operations such as the March Global Port, a 350-acre commercial air cargo and distribution center.

The Department of the Defense (Air Force) completed an Air Installation Compatible Use Zone (AICUZ) study for MARB in 1998. The AICUZ study was designed and is intended to aid in the development of compatible land uses in non-government areas surrounding military airfields to protect public safety and health. The study established three zones based on potential crash patterns: a Clear Zone and two Accident Potential Zones (APZ). The Clear Zone reaches from along the extended runway centerline to a distance of 3,000 feet, APZ 1 extends from 3,000 feet to 8,000 feet, and APZ II extends from 8,000 feet to 15,000 feet. According to the AICUZ, outside of the Clear Zone and APZs “the risk of aircraft accidents is not significant enough to warrant special consideration in land use planning.” The proposed project site is not located within a Clear Zone, APZ 1, or APZ 2 for MARB as designated by the Air Force 2005 AICUZ Study.

In addition to the AICUZ, Airport Influence Area boundaries around MARB have been adopted by County of Riverside Airport Land Use Commission (ALUC) in its Airport Land Use Plan (ALUP). The project site is approximately 0.75 mile east of the March Air Field and is entirely within Airport Influence Area II. As part of the standard process for development within Airport Influence Areas for MARB, proposed projects are required to be reviewed by the ALUC for consistency with the ALUP.

As a standard condition imposed during ALUC reviews, developments located within the boundaries of Influence Area III are required to provide avigation easements. To ensure consistency with the ALUC recommendations is maintained, avigation easements will be required as part of a condition of approval for the project site. Development that would occur within Airport Influence II of MIP would not include any features that would alter air traffic patterns or the level of air traffic at the MIP; therefore, a less than significant air traffic safety impact would occur and no mitigation is required.

4.5.6 Significant Impacts

4.5.6.1 Existing Plus Project Intersection, Roadway Segment, and Freeway Segment Impacts.

Threshold	Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Impact 4.5.6.1: *Two roadway segments and three freeway segments are forecast to exceed satisfactory levels of service in the existing plus project conditions creating a significant impact.*

The existing plus project levels of service for the study area intersections are summarized in Table 4.5.E. All study area intersections operate at a satisfactory level of service. No intersection level of service impacts would occur and no mitigation is required.

The existing plus project levels of service for the study area roadway segments are also summarized in Table 4.5.E. As shown in Table 4.5.E, the following roadway segments are projected to operate at unsatisfactory levels of service:

- Perris Boulevard north of Grove View Road (southbound); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

This is a significant impact and mitigation is required. It should be noted that these roadway segments also operate at unsatisfactory levels of service under existing without project conditions.

The existing plus project levels of service for the study area freeway segments are also summarized in Table 4.5.E. As shown in Table 4.5.E, the following freeway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

This is a significant impact and mitigation is required. It should be noted that these two freeway segments also operate at unsatisfactory levels of service under existing without project conditions.

Mitigation Measures. To ensure existing plus project local traffic impacts are reduced to a less than significant level, the following mitigation measures shall be implemented.

4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.

4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.,

Level of Significant After Mitigation. As identified in Table 4.5.E, all study intersections are forecast to operate at acceptable levels of service in the existing plus project scenario. The two deficient roadway segments on Perris Boulevard were previously identified as deficient in the pre-project scenario; therefore, the project contributes to these existing deficiencies. Payment of the City's DIF and transportation TUMF fees as set forth in **Mitigation Measures 4.5.6.1A** and **4.5.6.1A** will provide full and complete mitigation of the project's impact on the local and regional roadway and intersection circulation system. The improvements to Perris Boulevard identified in the traffic study prepared for the project are consistent with the City's General Plan and are included in the County's TUMF program. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element. For these reasons, the project's impacts to affected roadway segments will be mitigated through payment of the City's DIF and the County's TUMF.

The City is currently in the process of implementing a Capital Improvement Project to widen Perris Boulevard from Cactus Avenue south to city limits. The improvement project will widen Perris Boulevard to a six-lane street section, consistent with the General Plan. Construction is scheduled to start in the summer of 2012 and end in May 2013. The widening will encompass the improvements defined in the project traffic study for two segments of Perris Boulevard. The resultant levels of service with implementation of the identified improvements are presented in Table 4.5.F.

Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with the two freeway segments (Harley Knox Boulevard Southbound I-215 Off-Ramp diverge area; and Harley Knox Boulevard Southbound I-215 On-Ramp merge area) would remain significant and unavoidable until such improvements are constructed.

4.5.6.2 Opening Year 2013 Cumulative With Project Conditions Intersection, Roadway Segment, and Freeway Segment Impacts

Impact 4.5.6.2: *Eleven intersections, four roadway segments, and four freeway segments are forecast to exceed satisfactory levels of service in the year 2013 cumulative plus project conditions, creating a significant impact.*

Table 4.5.E: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Indian Street/Nandina Avenue	Signal	C	C	C	D
Indian Street/Grove View Road	TWSC	B	B	B	C
Indian Street/North Project Driveway	TWSC	B	B	C	C
Indian Street/South Project Driveway	TWSC	B	C	D	**E**
Indian Street/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Perris Boulevard/Gentian Avenue	Signal	B	C	**F**	**F**
Perris Boulevard/Iris Avenue	Signal	D	C	F	F
Perris Boulevard/Krameria Avenue	Signal	C	C	**F**	**F**
Perris Boulevard/Nandina Avenue	Signal	B	B	**F**	**F**
Perris Boulevard/Grove View Road	Signal	B	B	**F**	**F**
Perris Boulevard/North Project Driveway	TWSC	A	A	A	A
Perris Boulevard/South Project Driveway	Signal	B	A	**F**	**F**
Perris Boulevard/Harley Knox Boulevard	Signal	B	B	**F**	**F**
West Project Driveway/Grove View Road	TWSC	A	A	A	A
Center Project Driveway/Grove View Road	TWSC	A	A	A	A
East Project Driveway/Grove View Road	TWSC	A	A	A	A
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	B	D	F	F
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	B	B	F	F
Perris Boulevard north of Grove View Road	NA	A	F	C	F
Perris Boulevard south of South Project Driveway	NA	F	F	F	F

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Table 4.5.E: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	C	C	C
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F	E
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F	D	F	F
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F	D	F	D
South of Harley Knox Boulevard	Basic	E	D	F	D

Shaded = Exceeds LOS standard; **Bold** = Queue exceeds the available storage capacity (based on the 95th percentile queue length); TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California*, LSA Associates, Inc., April 2012, Appendix G of this EIR.

Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	NA	NA	C	D
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	NA	NA	C	C
Indian Street/Nandina Avenue	Signal	NA	NA	C	D
Indian Street/Grove View Road	TWSC	NA	NA	B	C

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Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Indian Street/North Project Driveway	TWSC	NA	NA	C	C
Indian Street/South Project Driveway	TWSC	NA	NA	C	C
Indian Street/Harley Knox Boulevard	Signal	NA	NA	D	D
Perris Boulevard/Gentian Avenue	Signal	NA	NA	B	B
Perris Boulevard/Iris Avenue	Signal	NA	NA	D	D
Perris Boulevard/Krameria Avenue	Signal	NA	NA	D	D
Perris Boulevard/Nandina Avenue	Signal	NA	NA	C	C
Perris Boulevard/Grove View Road	Signal	NA	NA	A	B
Perris Boulevard/North Project Driveway	TWSC	NA	NA	A	A
Perris Boulevard/South Project Driveway	Signal	NA	NA	A	A
Perris Boulevard/Harley Knox Boulevard	Signal	NA	NA	D	D
West Project Driveway/Grove View Road	TWSC	NA	NA	A	A
Center Project Driveway/Grove View Road	TWSC	NA	NA	A	A
East Project Driveway/Grove View Road	TWSC	NA	NA	A	A
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	B	D	D	E
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	B	B	B	B
Perris Boulevard north of Grove View Road	NA	A	A	C	C
Perris Boulevard south of South Project Driveway	NA	A	A	D	D
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	C	C	C

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Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F	E
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F	D	F	F
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F	D	F	D
South of Harley Knox Boulevard	Basic	E	D	F	D

Shaded = Exceeds LOS standard; **Bold** = Queue exceeds the available storage capacity (based on the 95th percentile queue length); TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California*, LSA Associates, Inc., April 2012, Appendix G of this EIR.

Threshold	Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Opening year (2013) cumulative with project conditions considers the addition of traffic generated by the proposed project to opening year (2013) cumulative without project conditions. As previously noted, the opening year (2013) cumulative scenario was developed using traffic volumes that would be generated by approved and pending projects in the project vicinity and year 2013 traffic volumes. Additionally, projects currently included in the City's CIP and planned for construction by 2013 have been considered as complete. An intersection LOS analysis was conducted to determine opening year (2013) cumulative intersection performance. As identified in Table 4.5.E, the addition of project traffic to the opening year (2013) cumulative scenario would result in conditions exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

This is a significant impact and mitigation is required. It is important to note that ten of the eleven intersections also operate at unsatisfactory levels of service under year 2013 cumulative without project conditions. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a project-specific impact.

A roadway segment level of service analysis was conducted for the year 2013 cumulative with project condition to determine projected roadway performance. Table 4.5.E summarizes the level of service analysis results. As shown in Table 4.5.E, the following four roadway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and

- Perris Boulevard south of South Project Driveway (northbound and southbound).

This is a significant impact and mitigation is required. It is important to note that these roadway segments also operate at unsatisfactory levels of service under year 2013 cumulative without project conditions.

Previously referenced Table 4.5.E summarizes the year 2013 cumulative with project levels of service for freeway segments and ramp merge/diverge areas. As shown in Table 4.5.E, the following freeway segments and ramp merge/diverge areas operate at unsatisfactory levels of service:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. and p.m. peak hours);
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour); and
- Freeway segment south of Harley Knox Boulevard (a.m. peak hour).

This is a significant impact and mitigation is required. It should be noted that these freeway segments also operate at unsatisfactory levels of service under year 2013 without project conditions.

Mitigation Measures. To ensure cumulative plus project traffic impacts are reduced to a less than significant level, previously referenced **Mitigation Measures 4.5.6.1A** and **4.5.6.1B** and the following mitigation measure shall be implemented.

4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.

- Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

Level of Significance After Mitigation. As described in detail in Section 4.5.1.4, the level of service performance standards used in this EIR are as follows:

- Freeway mainline lanes: LOS E.
- Harley Knox Boulevard intersections with the I-215 ramps: mid LOS D.
- All other intersections and roadway segments: LOS D.

Based in these performance standards, a significant project-specific traffic impact would occur if the project would cause a decrease from a standard LOS to a less than standard LOS based on a study area intersection, roadway segment, freeway mainline lane, or freeway merge/diverge analysis. A significant cumulative traffic impact would occur if the project contributes traffic toward those facilities operating at less than standard LOS in the pre-project condition. As described above in the preceding discussion, all of the intersection, roadway, and freeway mainline traffic impacts identified for the year 2013 cumulative with project condition were also affected in the year 2013 cumulative without project condition. For this reason, all of the impacts identified for the 2013 cumulative with project scenario are cumulative in nature.

The following intersection and roadway improvements were identified in the traffic study performed for the proposed project in order to maintain or improve the operational level of service of the street

system in the vicinity of the project site. The list shows the incremental improvement at each intersection or roadway segment required to mitigate the cumulative impacts. It is anticipated that the improvements required to maintain or to improve the level of service operations of transportation facilities affected by the project will be constructed through the City's DIF as supplemented by the County's TUMF program. The project will participate with these programs as part of previously referenced **Mitigation Measures 4.5.6.1A** and **4.5.6.1B**. The list of improvements is as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard: Restripe the left-most westbound through lane as a left-turn lane. Restripe the off-ramp to provide two left-turn lanes and a shared through/right-turn lane. This improvement is part of the TUMF program.
- I-215 Northbound Ramps/Harley Knox Boulevard: Restripe the northbound shared through/left-turn lane as a shared left-turn/through/right-turn lane. Add an eastbound free right-turn lane. This improvement is part of the TUMF program.
- Indian Street/Harley Knox Boulevard: Add an eastbound through lane. Provide overlap phasing for the southbound right-turn lane. These improvements are consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.
- Perris Boulevard/Gentian Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Iris Avenue: Add a second westbound left-turn lane and an eastbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Krameria Avenue: Add two southbound through lanes, a northbound through lane, and a northbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Nandina Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Grove View Road: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/South Project Driveway: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of City DIF and TUMF programs.
- Perris Boulevard/Harley Knox Boulevard: Add two southbound through lanes, one northbound through lane, a second eastbound left-turn lane, and overlap phasing for the southbound right-turn lane. These improvements are part of the TUMF program.
- Harley Knox Boulevard west of Indian Street: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.
- Indian Street south of South Project Driveway: Widen to a four-lane Undivided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City of Moreno Valley DIF and TUMF programs.
- Perris Boulevard north of Grove View Road: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City's DIF and TUMF programs.

- Perris Boulevard south of South Project Driveway: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley and City of Perris General Plan Circulation Elements. This improvement is part of the City of Moreno Valley DIF and County TUMF programs.

With implementation of the above mitigation measures, all intersections and roadway segments would operate at the applicable performance standard or better during peak hours for 2013 cumulative with project conditions as shown in Table 4.5.F, resulting in a less than significant impact.

With implementation of **Mitigation Measures 4.5.6.1A** and **4.5.6.1B**, the project will contribute toward future roadway improvements to maintain the City of Moreno Valley and Perris LOS standards on city arterials and collectors. Because the CMP LOS standard is LOS E (and in some cases LOS F for intersections already at LOS F when the CMP network was adopted), the project will contribute toward maintenance of intersection LOS exceeding the CMP LOS standard. Therefore, the project will be consistent with the CMP.

Improvements to the four affected freeway mainline segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

4.5.7 Cumulative Impacts

Cumulative impacts refer to incremental effects of an individual project when viewed in connection with the effects of past projects, current projects, and probable future projects. Cumulative projects are identified in Chapter 2, Table 2.A and Figure 2.1. Cumulative impacts associated with traffic volumes are determined based on a sum of existing traffic volumes, projected growth from an ambient growth rate, and traffic volumes from approved and pending projects in the area, and project traffic. Cumulative analysis forecasts that, with the development of the proposed project and the cumulative projects, eleven intersections would require improvements in order to maintain the City's LOS standard of D. Those intersections are as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

Additionally, with the development of the proposed project and the cumulative projects, four roadway segments would require improvements in order to maintain the City's LOS standard of D. Those roadway segments are as follows:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Although the suggested improvements are consistent with the City's General Plan, the project will be responsible for contributing its fair share toward the funding of the future improvements via payment of the City's DIF and County TUMF programs. The affected intersections and roadways are covered by either the City's DIF or County TUMF programs. As part of its Capital Improvement program, the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents.

Because TUMF provides a mechanism for collecting fees from all development projects in the area that would contribute traffic to the existing roadway network, fees for the improvements to the impacted freeway intersections would be collected. Therefore, it is anticipated that since these freeway intersection improvements are programmed into the TUMF program, such improvements would be constructed in the future, the future improvements would accommodate future year traffic levels analyzed in the future year traffic scenario (Opening Year 2013 Cumulative Plus Project), resulting in a less than significant cumulative impact.

Access improvements to the project site are the responsibility of the project applicant and would be constructed during site development. These improvements would be constructed at the following study area intersections: Indian Street/Grove View Road; Indian street/ North Project Driveway; Indian Street/South Project Driveway; Perris Boulevard/North Project Driveway; West Project Driveway/Grove View Road; Center Project Driveway/Grove View Road; and East Project Driveway Grove View Road. Because these improvements would be constructed prior to the project opening and would function at a satisfactory level of service under the cumulative scenario (refer to Table 4.5.E), no significant cumulative impact would occur at these intersections.

Improvements to the four affected freeway mainline segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

5.0 ADDITIONAL TOPICS REQUIRED BY CEQA

Section 15126 of the *CEQA Guidelines* requires that all aspects of a project must be considered when evaluating its impacts on the environment, including planning, acquisition, development, and operation. As part of this analysis, the EIR must also identify (1) significant environmental effects of the proposed project, (2) significant environmental effects that cannot be avoided if the proposed project is implemented, (3) significant irreversible environmental changes that would result from implementation of the proposed project, and (4) growth inducing impact of the proposed project.

5.1 SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

Table 5.A illustrates the significant unavoidable impacts anticipated to result from the proposed project, even with implementation of the project-specific mitigation measures identified in the Section 4.0 analysis.

Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Agricultural Resources	Conversion of State Designated Farmland	No mechanism for the mitigation of impacts to Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Therefore, impacts associated with the conversion of farmland remain significant and unavoidable.
Agricultural Resources	Conversion to a Non-agricultural Use	No feasible mitigation is available to mitigate for the direct impacts associated with the conversion of land previously utilized for agricultural uses. Therefore, impacts associated with the conversion of farmland to a non-agricultural use remain significant and unavoidable.
Agricultural Resources	Cumulative Agricultural Resources	The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the conversion of agricultural lands to non-agricultural uses. Therefore, cumulative impacts to agricultural resources would remain significant and unavoidable.
Air Quality	Construction Air Pollutant Emissions	Construction activities would result in exceedance of SCAQMD threshold for ROG, NOx, and $PM_{2.5}$. Even after application of mitigation measures, estimated air pollutant emissions during construction activities would remain significant and unavoidable for ROG, NOx, and $PM_{2.5}$.
Air Quality	Operational Air Pollutant Emissions	Operational activities would result in exceedance of SCAQMD thresholds for ROG, NOx, CO, and PM_{10}.No feasible mitigation is available. Estimated air pollutant emissions during operation of the project will remain significant and unavoidable for ROG, NOx, CO, and PM_{10}.
Air Quality	Cumulative Pollutant Air Emissions	The Basin is in nonattainment for PM_{10} and ozone at the present time. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the existing nonattainment status. Therefore, the proposed project would exacerbate nonattainment of air quality standards within the SCAQMD and contribute to adverse cumulative air quality impacts.

Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Greenhouse Gas Emissions and Climate Change	Cumulative GHG Emissions	The proposed project will produce greenhouse gases (GHG) during construction and operation of the proposed warehouse and related truck trips. Given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.
Transportation	Existing Year (2007) with Project Level of Service	Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.
Transportation	Opening Year (2013) Cumulative with Project Level of Service	Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, cumulative impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE CAUSED BY THE PROPOSED PROJECT SHOULD IT BE IMPLEMENTED

Section 15126(c) of the *CEQA Guidelines* mandates that the EIR must address any significant irreversible environmental changes which would be involved in the proposed action should it be implemented. An impact would fall into this category if it resulted in any of the following:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or
- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Determining whether the proposed project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The project site is generally fallow agricultural land with the site historically used for sod farming operations. However, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the proposed project would permanently alter the site by converting predominantly agricultural uses to urban uses. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the proposed project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is justified in supporting the City's planned use of the site and is not expected to negatively impact the availability of these resources.

In addition, this industrial warehouse project, in concert with the other built or approved industrial warehouse projects, will fundamentally change the character and land use pattern of this portion of the City. Many of the project-specific impacts are addressed, as outlined above, but the change in the use of the land from agricultural to industrial represents a substantial irreversible change for this area. However, this is an intended change a verified by the City's General Plan land use designations and zoning for the area.

5.3 GROWTH INDUCEMENT

CEQA Guidelines, Section 15126.2(d) requires the *discussion of the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.* Examples of growth inducing actions include establishing a major new employment opportunity. Projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively, would also be considered growth inducing. The potential for growth inducement from a project is evaluated in four ways according to CEQA Guidelines Section 15126.2(d):

Would the proposed project induce substantial population growth in the area?

The extent to which the new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. Construction of the proposed project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the project area; therefore, construction of the proposed project will not generate a permanent increase in population within the project area. As previously identified, the proposed project is expected to employ 646 people.

The California Department of Finance (DOF) estimates the City's current (2011) population at 195,216 persons.[1] SCAG projections estimate the population of the City, western Riverside County (Western Riverside Council of Governments [WRCOG]), and southern California (Southern California Association of Governments [SCAG]) will continue to grow. SCAG projects the City's population will grow to 206,657 persons by the year 2015 and 258,350 persons by the year 2035 (Table 5.B).

Table 5.B: Population, Housing, and Employment Forecasts

	2015	2025	2035
Population			
City of Moreno Valley	206,657	234,410	258,350
WRCOG	1,918,962	2,262,992	2,550,867
SCAG	20,465,830	22,395,121	24,057,286
Households			
City of Moreno Valley	55,407	64,699	72,977
WRCOG	609,219	727,622	828,547
SCAG	6,474,074	7,156,645	7,710,722
Employment			
City of Moreno Valley	49,414	71,359	91,642
WRCOG	691,260	901,163	1,098,233
SCAG	8,811,406	9,546,773	10,287,125

Source: SCAG Comments on the NOP for Vogel Industrial Park Moreno Valley Project [120110103], letter dated September 7, 2011.

[1] State of California, Department of Finance, *E-5 Population Estimates for Cities, Counties and the State, 2010-2011, with 2010 Benchmark.* Sacramento, California, May 2011.

The jobs-to-housing ratio measures the extent to which job opportunities in a given geographic area are sufficient to meet the employment needs of area residents. This ratio identifies the number of jobs available in a given region compared to the number of housing units in the same region. For example, a region with a jobs-to-housing factor of 1.5 would indicate that 1.5 jobs exist for every housing unit within that region. The standard used for comparison is the jobs-to-housing ratio of the SCAG region, which is 1.36 jobs for every household. This standard is used because most residents of the region are employed somewhere in the SCAG region. A City or sub-region with a jobs-to-housing ratio lower than the overall standard would be considered a "jobs poor" area, indicating that many of the residents must commute to places of employment outside the sub-area. The current and potential jobs/housing ratios for the City, WRCOG, and SCAG are identified in Table 5.C.

Table 5.C: Projected Future Jobs/Housing Ratios

	2015 Jobs/Housing Ratio	2035 Jobs/Housing Ratio
City	0.89	1.25
Riverside County	1.13	1.32
SCAG	1.36	1.33

The 2015 projected jobs-to-housing ratios for the City, sub-region, and region are 0.89, 1.13, and 1.36, respectively. The 2035 future jobs-to-housing ratios for the City, sub-region, and region are 1.25, 1.32, and 1.33, respectively. These ratios indicate that both Western Riverside County and the City of Moreno Valley are "jobs poor" because the jobs-to-housing ratios are below the Southern California region (as defined by SCAG). Given the fact that the City and the WRCOG are considered to be jobs-poor regions, and the City is currently experiencing high rates of unemployment, it is expected that the short-term construction jobs and long-term jobs created by the proposed project will be filled by current local residents. Therefore, there would be little migration to the area and, consequently, little effect on local population size. Because of the population of the City and the employment base, even if a large number of people were to relocate to the area because of employment opportunities created within the project area, no significant effect on the size of the local population would occur.

Would the proposed project have an effect on undeveloped land that may not be designated on any general plan for urban development, but would nonetheless experience increased growth pressure due to the presence of the project?

The area surrounding the project site is governed by the City of Moreno Valley General Plan and the area is guided by Specific Plan 208. Specific Plan 208 guides land use within the project area to ensure that new development and redevelopment is implemented consistent with the land use policies, controls, and standards contained in Specific Plan 208. Any development of remaining undeveloped land adjacent to the project site would require its own discretionary approvals and is not reliant on the proposed project. However, development of the project site may lead to indirect growth in the Specific Plan area by making available the extension of infrastructure such as water, sewer, drainage, etc. This growth has been planned for and is guided by Specific Plan 208.

Would the proposed project substantially alter the planned location distribution, density, or growth rate of the population of an area?

The proposed project would occur within an area currently designated for industrial uses. The proposed project would not require a General Plan Amendment nor does it require a change in the underlying zoning designation. In addition, the project reflects the City of Moreno Valley's vision for the area and is consistent with Specific Plan 208. Land uses surrounding the project site would be in conformance with the City's General Plan and Specific Plan 208. Impacts to population and housing

are less than significant; see Section 13 *Population and Housing* of the Initial Study (Appendix A of this EIR).

Would the proposed project have an affect by removing constraints, thereby facilitating the construction of previously approved projects?

The proposed project would not eliminate a constraint for development of an approved project within the City of Moreno Valley. There are no projects in the City of Moreno Valley or surrounding cities that have been approved but are conditioned or dependent on additional improvements at the project site. Specific Plan 208 guides land uses surrounding the project site to ensure compatibility between existing operations and adjacent surrounding development. Additionally, the proposed project would not add capacity to urban services or infrastructure that would be utilized by other project proponents in the surrounding area.

Would the proposed project influence redevelopment of areas at a higher intensity than already exists?

The proposed project would not result in any significant pressure to redevelop the area around the project site at a higher density. As previously stated, the development of remaining undeveloped land adjacent to the project site is independent and not reliant on the proposed project. Therefore, implementation of the proposed project would not result in redevelopment of adjacent lands at a higher intensity than already prescribed in the City of Moreno Valley's General Plan and Specific Plan 208.

5.4 CONSISTENCY WITH LOCAL AND REGIONAL PLANS

Section 15125 (d) of the CEQA Guidelines requires EIRs to "…discuss any inconsistencies between the proposed project and applicable general plans and regional plans." The objective of such a discussion is to find ways to modify the project, if warranted, to reduce any identified inconsistencies with relevant plans and policies. Pursuant to Section 15125 (d), the following discussion includes an evaluation of the consistency of the proposed project with the goals and policies of relevant adopted local and regional plans.

Regional Plans

South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan. The California Air Resources Board (CARB) coordinates and oversees both State and federal air quality control programs. The CARB's primary functions include establishing and updating the California ambient air quality standards, monitoring existing air quality, controlling emissions from mobile sources, and developing the State Implementation Plan (SIP). The SIP is the state's overall air quality control strategy for both mobile and stationary sources. Control programs for these sources are carried out at the regional or county level.

As identified in Section 4.2 (Air Quality) of this EIR, the project site is located within the SCAQMD. The SCAQMD encompasses Orange County and the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County and is responsible for air pollution control programs and regulations within the air basin. The current regional air quality plan is the 2007 Air Quality Management Plan (AQMP) adopted by the SCAQMD on June 1, 2007. The 2007 AQMP employs the most up-to-date science and analytical tools and incorporates a comprehensive strategy aimed at controlling pollution from all sources, including stationary sources, on-road and off-road mobile sources, and area sources. The 2007 AQMP also updates the attainment demonstration for the standards for ozone and PM_{10}, and proposes attainment demonstration with a more focused control of sulfur oxides, directly-emitted $PM_{2.5}$, nitrogen oxides, and volatile organic compounds by 2015.

Section 4.2 (Air Quality) of the EIR examines the proposed project's consistency with the adopted AQMP. The development scenario proposed is within the scope of what would be allowed under the current General Plan land use designation (General Industrial and Specific Plan) and is consistent with the uses permitted under the proposed General Industrial zoning designation. Implementation of the proposed project would not require a General Plan Amendment and Zone Change that would change the General Plan designations and zoning designations of the project site. Since the proposed project would not require a General Plan Amendment, the project has been considered in preparation of the General Plan and therefore is consistent with the AQMP.

Southern California Association of Governments (SCAG), Regional Comprehensive Plan (RCP), Regional Transportation Plan (RTP), and Compass Growth Vision (Compass). The SCAG (the designated metropolitan planning organization [MPO] for the Counties of Ventura, Orange, San Bernardino, Riverside, Imperial, and Los Angeles) is federally mandated to develop plans for transportation, growth management, hazardous waste management, and air quality. With its members and other regional planning entities, SCAG has prepared the 2008 Regional Comprehensive Plan (RCP) to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the region. The RCP is a major advisory plan prepared by the SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance.

The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. It also includes goals and outcomes to measure progress toward a more sustainable region. The RCP includes nine chapters, each based on specific areas of planning or resource management. Each of the nine chapters contains goals, policies, implementation, and strategies to achieve the SCAG's overall goals of improving the standard of living for all; improving the quality of life for all; and enhancing equity and access to government. Local governments are required to use the RCP as the basis for their own plans and are required to discuss the consistency of projects of "regional significance" with the RCP.

Regional Comprehensive Plan. The RCP's overall goal is to reinvigorate the region's economy, avoid social and economic inequities and the geographical dislocation of communities, and to maintain the region's quality of life. The document is described as a regional policy framework for future land use decisions in the SCAG area that respects the need for strong local control, but that also recognizes the importance of regional comprehensive planning for issues of regional significance. The RCP is laid out much like a General Plan and organizes recommended policies into nine chapters. The highlight of each chapter is the regional strategy that addresses the RCP's vision for that resource area. As such, each chapter includes three levels of recommendations for the region:

- **Goals.** Each goal will help define how sustainability is defined for that resource area.
- **Outcomes.** These focus on quantitative targets that define progress toward meeting the RCP's Goals. Where possible, they are clearly defined (e.g., a 20% reduction in greenhouse gas emissions from 2007 levels), capable of being monitored with existing or reasonably foreseeable resources, and have a strong link to sustainability goals.
- **Action Plan.** This critical part of the RCP lays out a comprehensive implementation strategy that recommends how the region can systematically move to meet the RCP's quantitative Outcomes and achieve its Goals, Guiding Principles, and Vision. Each Action Plan contains:
    - **Constrained Policies.** This includes a series of recommended near-term, feasible policies that stakeholders should consider for implementation. For example, the RCP calls on the

SCAG to adopt policies that reflect its role as a planning agency, council of governments, and metropolitan planning organization. The RCP also recommends voluntary policies for consideration by local governments and other key stakeholders.

- **Strategic Initiatives.** This encompasses longer-term strategies that require significant effort to implement but are necessary to achieve the RCP's desired Goals and Outcomes. For example, identifying technological breakthroughs that can reduce air pollution from the transportation sector requires both commitment and time. Most of these initiatives are not constrained and will require political will, enabling legislation, new funding sources, and other key developments to become a reality. In most cases, this tier of strategies is the key to achieving the region's sustainability Goals and Outcomes.

Other policies contained within the 2008 RCP were either not applicable to the proposed project or are directed at the SCAG and actions that the SCAG would undertake at the regional level that would not pertain directly to the proposed project. Policies within the 2008 RCP that are applicable to the proposed project were identified and are discussed below.

Land Use and Housing Chapter

Goal *Focusing growth in existing and emerging centers and along major transportation corridors.*

Consistent. The proposed project site is currently underdeveloped and consists of undeveloped land. Regional access to the City and project area is provided from I-215, which runs north-south. In addition, Perris Boulevard, which is adjacent to the project site, is a fully-paved road with existing water and sewage facilities. The development of the proposed project would occur in an area where commercial, residential, and industrial development already exists, is under construction, or has been previously approved. The existing roadway system and infrastructure surrounding the project site will be utilized to the maximum extent possible. As required, the proposed project will install improvements and/or pay necessary fees to facilitate the continuation of satisfactory operation. The proposed project is consistent with this SCAG policy in that it exists along a major transportation corridor of the City and will be connecting to the existing utilities underlying Perris Boulevard.

Goal *Targeting growth in housing, employment and commercial development within walking distance of existing and planned transit stations.*

Consistent. The proposed project would comply with all City development policies, standards, and programs pertaining to supporting alternative modes of transportation included in the General Plan Circulation Element. In addition, the proposed project is located within an urbanizing area of the City. As provided in the inventory of cumulative projects (Table 2.A and Figure 2.1), the approved and planned development in the project area includes residential, commercial, and industrial uses. As such, the project site is in an area which is developing with projects that have already been approved and constructed, or in the various stages of the planning process. Because the project site is located adjacent to existing RTA routes, the proposed project would be accessible to existing transit systems. Future bus stops will be located per RTA recommendations in the proximity of the project site. As the project site is located in an area where commercial, residential, and industrial uses are planned or approved, and because the project site is readily accessible from I-215 and from existing RTA bus routes, the proposed project would be consistent with this SCAG Policy.

Policy LU-6.2 *Developers and local governments should integrate green building measures into project design and zoning such as those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program.*

Consistent. Table 4.3.C of the Climate Change and Greenhouse Gas Emissions Section summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. In addition, the proposed project will pursue the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. This is anticipated to be achieved with

the incorporation of Green Building concepts and the project is expected to reach the LEED "Certified" rating. Therefore, the proposed project is consistent with this SCAG policy.

Open Space and Habitat Chapter

Policy OSC-8 *Local governments should encourage patterns of urban development and land use, which reduce costs on infrastructure and make better use of existing facilities.*

Consistent. The proposed project will be developed in areas that are presently served by various existing water, sewer, storm drainage, electrical, natural gas, and transportation services. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The supply of electricity and natural gas is demand-responsive and the project proponent would be required to meet the service requirements of these utility providers. By maximizing the use of existing facilities, the costs of expanding infrastructure would be minimized. Because the proposed project would be located in close proximity to existing industrial, commercial and residential structures requiring a similar type of infrastructure, it is consistent with this growth management policy.

Water Chapter

Policy WA-11 *Developers and local governments should encourage urban development and land uses to make greater use of existing and upgraded facilities prior to incurring new infrastructure costs.*

Consistent. Existing industrial development is located in the immediate vicinity of the project site where infrastructure for water, sewer, storm drainage, electrical, natural gas, and transportation facilities currently exist. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The availability of this infrastructure would reduce the cost to public agencies that would provide services to the project area. The proposed project would be developed in an area where such infrastructure is accessible. Furthermore, the project applicant would pay all applicable development fees for the necessary infrastructure and public service improvements, including those associated with water, sewer, drainage, roadways, fire, and police; therefore, the proposed project is consistent with this policy.

Energy Chapter

Policy EN-9 *Local governments should include energy analyses in environmental documentation and general plans with the goal of conserving energy through the wise and efficient use of energy. For any identified energy impacts, appropriate mitigation measures should be developed and monitored. The SCAG recommends the use of Appendix F, Energy Conservation, of the California Environmental Quality Act.*

Consistent. An analysis of energy use has been provided in Section 4.3 (Climate Change and Greenhouse Gas Emissions) of this EIR. The analysis includes strategies that have the goal of conserving energy and efficient energy usage. Therefore, the proposed project is consistent with this policy.

Policy EN-10 *Developers and local governments should integrate green building measures into project design and zoning such as those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program. Energy-saving measures that should be explored for new and remodeled buildings include:*

- *Using energy-efficient materials in building design, construction, rehabilitation, and retrofit.*
- *Encouraging new development to exceed Title 24 energy efficiency requirements.*
- *Developing Cool Communities measures including tree planting and light-colored roofs. These measures focus on reducing ambient heat, which reduces energy consumption related to air conditioning and other cooling equipment.*
- *Utilizing efficient commercial/residential space and water heaters. This could include the advertisement of existing and/or development of additional incentives for energy-efficient appliance purchases to reduce excess energy use and save money. Federal tax incentives are provided online at http://www.energystar.gov/index.cfm?c=Products.pr_tax_credits.*
- *Encouraging landscaping that requires no additional irrigation; utilizing native, drought-tolerant plants can reduce water usage up to 60 percent compared to traditional lawns.*
- *Encouraging combined heating and cooling (CHC), also known as cogeneration, in all buildings.*
- *Encouraging neighborhood energy systems, which allow communities to generate their own electricity.*
- *Orienting streets and buildings for best solar access.*
- *Encouraging buildings to obtain at least 20 percent of their electric load from renewable energy.*

Consistent. The strategies listed in Section 4.2 and Section 4.3 of this EIR are considered to be air pollution and greenhouse gas emission reduction strategies, which include green building measures. These strategies are either part of the project, required mitigation measures, or requirements under local or State ordinances. Since the project would implement these strategies into project design and operation, the project would be consistent with this SCAG policy.

Solid Waste Chapter

Policy SW-14 *Developers and local governments should integrate green building measures into project design and zoning including, but not limited to, those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program. Construction reduction measures to be explored for new and remodeled buildings include:*

- *Reuse and minimization of construction and demolition (C&D) debris and diversion of C&D waste from landfills to recycling facilities.*
- *An ordinance that requires the inclusion of a waste management plan that promotes maximum C&D diversion.*
- *Source reduction through (1) use of building materials that are more durable and easier to repair and maintain, (2) design to generate less scrap material through dimensional planning, (3) increased recycled content, (4) use of reclaimed building materials, and (5) use of structural materials in a dual role as finish material (e.g., stained concrete flooring, unfinished ceilings).*
- *Reuse of existing building structure and shell in renovation projects.*

Building lifetime waste reduction measures that should be explored for new and remodeled buildings include:

- *Development of indoor recycling program and space;*
- *Design for deconstruction; and*
- *Design for flexibility through use of moveable walls, raised floors, modular furniture, moveable task lighting, and other reusable components.*

Consistent. The strategies listed in Section 4.2 and 4.3 of this EIR are considered to be air pollution and greenhouse gas emission reduction strategies, which include green building measures. These strategies are either part of the project, required mitigation measures, or requirements under local or State ordinances. With implementation of these strategies/measures, the project would be consistent with this SCAG policy.

Transportation Chapter

Goal *A more efficient transportation system that reduces and better manages vehicle activity.*

Consistent. The proposed project would result in the development of employment opportunities in close proximity to housing. In addition, the project proposes sidewalks and landscaping treatments to provide for pedestrian access throughout the project site. The type of uses proposed and their proximity to each other allow for increased pedestrian and bicycle activity, limiting the need for vehicle travel. Therefore, this project is consistent with this transportation goal.

Security and Emergency Preparedness Chapter

Goal *Ensure transportation safety, security, and reliability for all people and goods in the region.*

Consistent. The proposed project is consistent with this goal in that the proposed project would be required to adhere to the City of Moreno Valley's General Plan. The General Plan contains goals and policies which aim to provide adequate and reliable transportation facilities. The goals and policies identified in the City's General Plan resemble those of the RCP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Since the proposed project is consistent with the General Plan, the proposed project is consistent with this policy.

Economy Chapter

Goal *Enable business to be profitable and competitive (locally, regionally, nationally, and internationally).*

Consistent. The proposed project would add to the City's portfolio of industrial services. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.

Goal *Promote sustained economic health through diversifying the region's economy, strengthening local self-reliance and expanding competitiveness.*

Consistent. As previously stated, the proposed project would add to the City's portfolio of industrial services, which would enable the City to be more self-reliant through the provision of goods and services to residents within the City. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.

Goal *Ensure a healthy, flourishing economy that provides sufficient employment opportunities to decrease poverty and meet the basic needs of all the people who participate in our economy by promoting education and workforce training policies that give residents an opportunity to compete for the full range of jobs available with good wages and benefits.*

Consistent. The proposed project is a warehousing project which would provide additional employment opportunities in the community. In addition, the proposed project would meet the basic needs of those who participate in the economy through the use of training in the workforce. Therefore, the proposed project is consistent with this policy.

Outcome *Increase job growth to add three million jobs to the regional economy by 2035.*

Consistent. The proposed project would result in additional jobs in the City, which would contribute to job growth in the regional economy. Therefore, the proposed project is consistent with this policy.

Outcome *Increase the region's economic vitality and attractiveness by focusing housing and job additions in urban centers, employment centers, and transportation corridors, such that there will be a minimum of 35 percent of the region's household growth and 32 percent of employment growth in these areas from their levels in 2005 by 2035.*

Consistent. As previously identified, development of the proposed on-site uses would increase the number of jobs in the City by approximately 646 positions. The SCAG regional forecasts indicate an increase in employment in the City of Moreno Valley from approximately 50,432 jobs in 2010 to 55,407 jobs in 2015. A similar job trend forecast is predicted for western Riverside County from approximately 588,523 jobs in 2010 to 609,219 jobs in 2015. Compared to the broader SCAG region, the City is "jobs poor." A city or sub-region with a jobs-to-housing ratio lower than the overall standard would be considered a "jobs poor" area, indicating that many of the residents must commute to places of employment outside the sub-area. Since the proposed project would add jobs to a "jobs poor" region, the proposed project would increase the region's economic vitality and attractiveness by job additions in urban centers and along transportation corridors. Therefore, the proposed project is consistent with this SCAG policy.

Regional Transportation Plan (RTP). SCAG is currently in the process of preparing the 2012 RTP. Therefore, the most recent RTP adopted by SCAG is the 2008 RTP. The 2008 RTP, adopted by the SCAG in May 2008, contains a set of existing socioeconomic projections used as the basis for the SCAG's transportation planning efforts. They include projections of population, housing, and employment at the regional, county, sub-regional, jurisdictional, Census tract, and transportation analysis zone levels. The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections. Goals established within the RTP include the following:

- Maximize mobility and accessibility for all people and goods in the region (discussed in Section 4.5: Traffic and Circulation);
- Ensure travel safety and reliability for all people and goods in the region (discussed in Section 4.5: Traffic and Circulation);
- Preserve and ensure a sustainable regional transportation system (discussed in Section 4.5: Traffic and Circulation);
- Maximize the productivity of our transportation system (discussed in Section 4.5: Traffic and Circulation);
- Protect the environment, improve air quality, and promote energy efficiency (discussed in Section 4.2: Air Quality);

- Encourage land use and growth patterns that complement our transportation investments and improve the cost-effectiveness of expenditures (discussed in Section 4.5: Traffic and Transportation); and
- Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies (discussed in Section 4.5: Traffic and Transportation).

The proposed project is consistent with the RTP such that the proposed project would be required to adhere to the City of Moreno Valley's General Plan. The General Plan contains goals and policies that aim to minimize traffic congestion, provide adequate transportation facilities, and require development to pay its share of costs. The goals and policies identified in the City's General Plan resemble those of the RTP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Furthermore, the project shall be consistent with the General Plan and, since the General Plan shall be consistent with the RTP, it is reasonable to infer that the project is consistent with policies set forth in the RTP.

Compass Growth Vision. The Compass Growth Vision plan provides a framework for local and regional decision-making regarding growth, transportation, land use, and economic development. The framework includes principles and a specific set of strategies intended to achieve and improve a quality of life that promotes and sustains for future generations the region's mobility, livability, and prosperity. The main objective of the Compass Growth Vision is to manage the forecast growth while improving future living conditions for all people within the SCAG area, including live, work, and play activities. The following discussion includes the principles within the Compass Growth Vision plan and their association to the proposed project.

- ***Principle 1:*** Improve mobility for all residents.
- ***Principle 2:*** Foster livability in all communities.
- ***Principle 3:*** Enable prosperity for all people.
- ***Principle 4:*** Promote sustainability for future generations.

The proposed project is consistent with the four principles identified above. The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.

6.0 ALTERNATIVES

6.1 INTRODUCTION

An EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment. In compliance with *CEQA Guidelines* Section 15126.6(a), this Draft EIR must also describe "a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (*CEQA Guidelines* Section 15126.6(b)). The discussion of project alternatives must "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." An EIR must evaluate a "No Project" alternative in order to allow decision-makers to compare the effect of approving the project to the effect of not approving the project.

The City, acting as the CEQA Lead Agency, is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. The range of alternatives addressed in an EIR is governed by a "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. Of the alternatives considered, the EIR need examine in detail only those the Lead Agency determines could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. Per *CEQA Guidelines* Section 15364, "feasible" has been defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

6.1.1 Summary of the Proposed Project

The proposed project consists of the development of approximately 1,616,133 square feet of warehouse distribution uses, necessary parking, and associated site improvements on an approximately 71-acre site. The proposed Project would consist of one building which would be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 truck trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. The proposed Project is consistent with the General Plan designation of Business Park/Light Industrial and zoning for the site of industrial/business park uses which is governed by Specific Plan (SP) 208 (Moreno Valley Industrial Area Plan).

Access to the proposed Project site will be provided via two driveways on Indian Street, three driveways on Grove View Road, and two driveways on Perris Boulevard. The northern driveway on Perris Boulevard will be for passenger vehicle and emergency access only. The southern driveway on Perris Boulevard will align with the existing signalized intersection at the Ross Distribution Warehouse entrance. The north Project driveway on Indian Street will be for passenger vehicle and emergency access only; all other driveways will be used by both passenger vehicles and trucks. The proposed Project is anticipated to be constructed by the year 2013.

The proposed Project will function as a trucking distribution hub for several types of items. Goods imported from the ports of California as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in and out of state locations, thus benefiting both local and interstate commerce.

Within the past two years, the proposed Project site has received approximately 80,000 cubic yards of fill as part of an approved stockpile permit previously issued by the City. Due to the Project site's topography and drainage requirements, approximately 220,000 additional cubic yards of fill will be required. Analysis of the proposed Project's impacts is based on 220,000 cubic yards of imported fill required to complete the Project. It is reasonable to estimate that the fill may be obtained from a site located within 10 miles of the proposed Project in order to reduce import hauling costs, consistent with typical soil import/export hauling distances for projects in Moreno Valley.

In addition to construction of required street frontage improvements on Indian Street, Perris Boulevard, and Grove View Road, the Project includes construction of necessary infrastructure to provide water, sewer, phone, cable, natural gas, and electricity service. Drainage will be handled by a system of on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features.

Site and building design attributes for the proposed Project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

6.1.2 Project Objectives

The purpose of the proposed project is to provide a new facility that specializes in warehouse distribution services. Upon development, the proposed project will achieve the following:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources;

- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

6.1.3 Summary of Proposed Project Significant Impacts

The analysis provided in Section 4.0 determined that, despite the implementation of mitigation measures, significant environmental impacts would result from the construction and operation of the proposed on-site uses. To satisfactorily provide the CEQA-mandated alternatives analysis, the alternatives considered must reduce any of the following project-related significant impact(s):

- Conversion of agricultural land and agricultural uses to urban land and urban uses;
- Emissions of NO_X and PM_{10} during construction operations;
- Long-term emissions of ROG, NO_X, CO, and PM_{10} resulting from increased vehicular trips and operation of the proposed on-site uses;
- Project contributions to cumulatively considerable greenhouse gas emissions;
- Impacts to level of service at roadway segments and freeway segments in the existing plus project condition (2007); and,
- Impacts to level of service at intersections, roadway segments, and freeway segments in the cumulative opening year (2013).

6.2 ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD FOR ANALYSIS

In determining an appropriate range of alternatives to be evaluated in the EIR, three possible alternatives were considered and rejected because they could not accomplish the basic objectives of the project as listed above or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated project objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the proposed project is to provide for and expand employment and revenue opportunities within the City of Moreno Valley. The proposed project would expand employment options in a location that is convenient to existing and future City residents and augment the City's economic base. The following three development scenarios were considered and rejected as potential alternatives to implementation of the proposed project:

- No Build Alternative;
- Residential Alternative; and
- Mixed Commercial/Residential Alternative.

Based on Section 15126.6 of the *CEQA Guidelines*, the following alternatives were rejected based on the criteria of not feasibly attaining most of the basic objectives of the project while reducing or

avoiding any of the significant effects of the proposed project. The reason or reasons for not selecting each of the rejected alternatives are discussed below.

6.2.1 No Build Alternative

Under the No Build Alternative, no development would take place within the project limits. No ground-disturbing activities would take place, nor would any form of structure or facility be erected. Impacts associated with this alternative, when compared to the proposed project, would not occur. In the absence of development, no impacts would occur and this alternative would be the environmentally superior alternative. However, disallowing development of the site, as suggested by this alternative, would not fulfill the primary objectives of the proposed project. Retention of the project site in its current condition would not expand employment opportunities to residents of the City. Retaining the site in its current undeveloped condition would not generate the revenue (e.g., property tax) that could augment the City's current revenue stream. Therefore, the No Build Alternative was rejected from further consideration in the EIR.

6.2.2 Residential Alternative

The Residential Alternative consists of the development of the 71-acre project site with approximately 355 single-family units[1] based on the City's R5 zone. The R5 zone was utilized as this is the zoning designation of the nearest residential uses to the north along Perris Boulevard north of the Perris Valley Storm Drain channel. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and Industrial Area Plan (SP208 I) zoning designation to a residential R5 designation. Furthermore, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. Since the Residential Alternative consists only of residential uses, employment-generating opportunities would not occur aside from temporary construction work, which would be filled predominantly by those already residing in the area. The project's full potential to utilize the area's close proximity to various freeways and transportation corridors would not be realized as only residential uses would occur under the Residential Alternative. Additionally, the development of the entire 71-acre project site under this alternative would result in the placement of the residential uses adjacent to a major transportation corridor alongside SP208 I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site. A discussion of existing zoning for the entire project has been analyzed under Alternative 1: No Project.

6.2.3 Mixed Commercial/Residential Alternative

The Mixed Commercial/Residential Alternative would include the development of the 71-acre project site with approximately 690,000 square feet[2] of Community Commercial[3] uses and 532 multiple-family units.[4] A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial

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1 Based on assumption that the site is rezoned R5, which allows up to 5 dwelling units per acre; 71 acres × 5 dwelling units per acre = 355 dwelling units.

2 The City's Municipal Code does not identify maximum lot coverage for Community Commercial uses; therefore, this figure assumes an approximately 25 percent lot coverage which is representative of similarly sized commercial uses in the region.

3 Community Commercial zones allow for the development of a variety of business, retail, personal, and related or similar services.

4 Based on assumption that half of the site is rezoned R15, which allows up to 15 dwelling units per acre; 35.5 acres × 15 dwelling units per acre = 532 dwelling units.

(BP) General Plan designation and SP208 I zoning designation to a residential designation and commercial designation. Additionally, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. These land use changes would produce additional environmental impacts not created by the proposed project. While the commercial component of this Alternative would utilize the project site's close proximity to nearby transportation corridors, the development of the remainder of the site with residential uses would not provide the varied employment and service uses and revenue associated with the proposed project. The development of approximately half of the project site under this alternative with residential uses would result in the placement of the residential uses adjacent to a major transportation corridor alongside SP208 I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. The residential component of this alternative would produce demand for public services that would exceed the amount of municipal revenues it would generate, and there would be little to no employment opportunities created. Therefore, the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site.

6.3 ALTERNATIVES ANALYSIS

Table 6.A summarizes the four alternatives have been identified and evaluated to provide decision-makers with a reasonable range of alternatives that would eliminate or reduce the impacts of the project. Factors considered in selecting the alternatives include site suitability, availability of infrastructure, other plans or regulatory limitations, economic viability, and whether the project proponent can reasonably acquire, control, or otherwise have access to the alternative site. An EIR need not consider an alternative whose impact cannot be reasonably ascertained and whose implementation is remote or speculative. In accordance with *CEQA Guidelines*, the alternatives considered in this EIR include those that 1) could accomplish most of the basic objectives of the project, 2) are reasonably feasible given the nature of the project and surrounding land uses, and 3) could avoid or substantially lessen one or more of the significant effects of the project.

Table 6.A: Summary of Analyzed Alternatives

Project Alternative	Alternative Description
Alternative 1 (No Project)	No change in General Plan designation or zoning of project site would occur. The project site would be developed with existing zoning resulting in the construction of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial on 8 acres.
Alternative 2 (Reduced Intensity)	Total warehouse uses would be reduced to 1,212,100 square feet on 71 acres.
Alternative 3 (Commercial Center [Mixed Retail/Office])	General Plan and zoning designations for the site would be amended to accommodate the business and professional offices. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.

Table 6.A: Summary of Analyzed Alternatives

Project Alternative	Alternative Description
Alternative 4 (Off-Site)	Warehouse distribution uses consisting of 1,616,133 square feet on 70.3 acres bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.3 miles northwest of the project site. No zone change or General Plan Amendment would be required. The applicant does not have control of this property.

Source: LSA Associates, Inc. 2011

Figure 6.1 illustrates the development scenarios have been identified as potential alternatives to implementation of the proposed project.

6.3.1 Environmental Impact Issues that are Generally Similar to the Proposed Project

Eight of the seventeen environmental issues for all the alternatives considered would result in a similar level of impact when compared to the project. Rather than repeat a discussion of these non-significant impacts under each alternative, a summary of these impacts is analyzed below.

- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Mineral Resources
- Recreation

The level of impact associated with these topics would be similar if developed as proposed by the project or if developed with any of the alternatives. Where impacts related to any of these issues do differ among project alternatives, an appropriate discussion is provided for the respective alternative.

6.3.1.1 Agriculture and Forestry Resources

Development of any of the alternatives, with the exception of the Off-Site Alternative, would have similar agricultural- and forestry-related impacts. Section 4.1 of the EIR concluded that there are no forest resources located within the City limits. As such, no impacts to forest resources would occur with implementation of any of the alternatives, including the Off-Site Alternative. The Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. No property within the City limits is located within a Williamson Act contract area. As such, no impacts related to Williamson Act land would occur with implementation of any of the alternatives, including the Off-Site Alternative. As identified in Sections 4.1.6.1 and 4.1.6.2 of the EIR, the development of the project site with urban uses would result in the conversion of State-designated Farmland (Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance). Because no feasible mitigation measure is available to fully mitigate for the loss of State-designated Farmland, impacts associated with development of any of the on-site alternatives would remain significant and unavoidable. Therefore, compared with the proposed project, all on-site alternatives would have a significant and unavoidable impact on agricultural resources. A separate discussion for State-Designated Farmland impacts at the off-site location is provided in Section 6.3.2.4.

LSA

FIGURE 6.1

Proposed Project Location

Alternate Site

N

0 750 1,500

FEET

VIP Moreno Valley
Environmental Impact Report

Alternative Site Location

SOURCE: Thomas Bros., 2009

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6.3.1.2 Biological Resources

All build alternatives would require site development resulting in the grading of the entire project site. No plant species listed by the State and/or Federal government as endangered or threatened was identified on-site during the field reconnaissance. Based on the *General Habitat Assessment* [1] prepared for the proposed project site, no evidence of a natural stream course, riparian area, or vernal pool was observed during the field reconnaissance. No impacts to endangered or threatened species would occur with implementation of all on-site alternatives. No impacts to riparian habitat, other sensitive natural communities[2], or federally-protected wetlands would occur with implementation of all on-site alternatives.[3]

While the project site is located within the Western Riverside County MSHCP, the project site is not within any MSHCP criteria cell or habitat linkage.[4] Furthermore, the project site is not located within an MSHCP mammal or amphibian survey area. The project site is within the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) Fee Area, but is not within a Stephen's Kangaroo Rat Core Area. Focused surveys for SKR are not required for this project because the project lies within the SKR Fee Area; therefore, under the SKR HCP, only payment of a local mitigation fee is required.

The *General Habitat Assessment* concluded that the project site lacks suitable habitat to support special status plant species and no special status plant species observed on-site. However, the proposed project has the potential to affect one non-listed sensitive species, the burrowing owl. Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site.[5] Due to intensive disking that had occurred on site, only a few marginally suitable potential burrows were identified. Although burrowing owl is known to occur on land that has been disturbed, it tends to avoid heavily disked areas because potential burrows occlude/collapse. However, burrowing owls, and other native bird species protected under the Migratory Bird Treaty Act (MBTA), are very mobile and opportunistic species that can occupy a site. Adherence to identified **Mitigation Measures BIO-1** through **BIO-4** (refer to Section 2.5.2) would reduce impacts to a less than significant level. As was identified for the proposed project, these alternatives would produce less than significant impacts to biological resources with the adherence to identified mitigation measures. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.3 Cultural Resources

Development of any of the identified build alternatives, including the off-site alternative, would result in extensive ground-disturbing activities affecting the entire project site and off-site location, and similar paleontological impacts would be anticipated when compared to the proposed project. The *Phase I Cultural Resources Assessment and Paleontological Records Review*[6] prepared for the proposed project concluded that while the site contains a historic site and historic isolate, which were recorded and evaluated in accordance with CEQA, these historic resources were determined to be less than significant. The report also concluded that the project site has a low probability for containing archaeological resources and due to the disturbed nature of the site, impacts to archaeological resources would be less than significant. While no such resources have previously

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1 *General Habitat Assessment,* 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., August 1, 2010.

2 *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species,* 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 9, 2009.

3 *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation,* 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009.

4 *Western Riverside County Multiple Species Habitat Conservation Plan, Volume I, Part I*, Dudek & Associates, June 17, 2003.

5 *Focused Western Burrowing Owl Survey,* 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 11, 2009.

6 *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California,* Michael Brandman Associates, March 22, 2007. ,

been detected within the project limits, activities undertaken for all alternatives (as with the proposed project) could encounter previously undetected paleontological resources. Adherence to the paleontological **Mitigation Measure CUL-1** (refer to Section 2.5.3) identified for the proposed project in the Initial Study (Appendix A of this EIR) would reduce impacts to less than significant. Compared with the proposed project, no greater impact would occur with any of the build alternatives.

6.3.1.4 Geology and Soils

Development of any of the on-site build alternatives would have similar geologic and soil-related impacts. The project site is not located in the vicinity of an active fault. Like all of southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. However, the maximum credible earthquake event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2. This earthquake event is less than or equal to design levels as defined by the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Development of the proposed project site would be required to adhere to UBC, the California Building Code, and City design and engineering standards. Impacts associated with this issue would be considered less than significant. The geotechnical analysis prepared for the proposed project concluded that the project site is not susceptible to seismic-related ground failure including liquefaction and landslides. Potential soil erosion impacts that may occur with development on the project site would be less than significant as all development within the City is required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, and prepare an SWPPP, construction and operational, impacts associated with soil erosion hazards are less than significant.

The geotechnical analysis prepared for the proposed project[1] did indicate that on-site soils are potentially unstable. Adherence to **Mitigation Measure GEO-1** (refer to Section 2.5.4) would reduce impacts related to unstable soils to a less than significant level. Additionally, the geotechnical analysis also determined the presence of expansive soils on-site. Adherence to **Mitigation Measure GEO-2** (refer to Section 2.5.4) would reduce impacts related to expansive soils to a less than significant level. Compared with the proposed project, no greater impact would occur with any of the on-site build alternatives. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.5 Hazards/Hazardous Materials

Development of the any of the on-site build alternatives would still result in the on-site handling of hazardous substances, both during project construction and operation. It is assumed that, like any current use, these substances would continue to be applied in accordance with applicable local, state, and federal standards. There are no existing or proposed schools within a quarter mile of the proposed project site and the site is not identified on the DTSC's hazardous materials sites[2]. Air traffic related hazards would not occur at the proposed project site as the project site is not located within the safety hazard zones of March Air Reserve Base. Furthermore, the project site is not located within a Fire Hazard Area or within an area susceptible to wildfires identified by the City of Moreno Valley. With the adherence to existing hazardous materials regulations, impacts associated with hazards and hazardous materials under any of the on-site build alternatives would remain less than significant. A separate discussion for the off-site location is provided in Section 6.3.2.4.

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1 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

2 *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.

6.3.1.6 Hydrology and Water Quality

As with the proposed project, the development of any of the on-site alternatives would require the modification of the existing on-site pattern of drainage and would require the installation of drainage improvements that may include on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features[1]. While the extent of the impermeable surfaces (parking area) required under each alternative is reduced from that required for the proposed project, the environmental impact of these improvements would be similar. All local, state, and federal policies and regulations pertaining to surface water and groundwater resources would remain in effect under these alternatives. Sedimentation and erosion from any on-site development has the potential to affect water quality. Similar to the proposed project, the construction of any on-site use would be required to follow applicable NPDES requirements, including the preparation of and adherence to a SWPPP and BMPs.[2] These requirements have been incorporated as **Mitigation Measures HYD-01** through **HYD-03** (refer to Section 2.5.6). As with the proposed project, runoff from paved surfaces, especially during a "first-flush" event, may be contaminated by a mixture of sediment, debris, and other contaminants. A standard condition with any such development would be preparation and implementation of a Water Quality Management Plan, which would effectively mitigate post-construction water quality impacts from the developed area. This requirement has been incorporated as **Mitigation Measure HYD-04** (refer to Section 2.5.6). All on-site alternatives would not interfere with groundwater recharge as the project site is not identified as a groundwater recharge area. To reduce the on-site flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. This requirement to reduce on-site flows to below or equal to pre-development conditions is incorporated as **Mitigation Measure HYD-05** (refer to Section 2.5.6). The project site is not located within a flood zone and the project site is not susceptible to mudslides, tsunamis, seiches, or flooding as a result of dam or levee failure. Similar to the proposed project, potential impacts related to hydrology and water quality would be less than significant for all on-site alternatives. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.7 Mineral Resources

The City of Moreno Valley General Plan does not identify the project site as a locally important mineral resource recovery site as there are no identified Mineral Resource Zones located with the City of Moreno Valley. Development of the project site or off-site location with any build alternatives would not result in the loss of or reduce the availability of mineral resources or the resource base from which they would be derived. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

6.3.1.8 Recreation

As with the proposed project, none of the build alternatives would include a residential component and potential jobs generated by the build alternatives would be filled predominantly by people already residing in the City because Moreno Valley is jobs poor. Therefore, there would be no increase in existing population and no increase in demand for park and recreation facilities resulting from development of Alternatives 2, 3, and 4. Because no increase in demand for recreational facilities would occur, impacts associated with recreation for any of the build alternatives would be similar in magnitude as the proposed project. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

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1 *Preliminary Hydrology Report and Hydraulic Analysis for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.

2 *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.

6.3.2 Description and Impact Analysis of Alternatives

The following discussion compares the impacts of each alternative with the impacts of the proposed project, as detailed in Section 4.0 of this EIR. A conclusion is provided as to whether each alternative would result in one of the following:

- Reduction or elimination of the impact;
- A greater impact than the project;
- The same impact as the project; or
- A new impact in addition to the impacts of the proposed project impacts.

6.3.2.1 Alternative 1: No Project

Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The project site is currently zoned Industrial Specific Plan 208 (SP208 I). The project site is currently designated by the General Plan for Business Park/Light Industrial (BP). Given the goals and objectives of the City of Moreno Valley, it is highly reasonable in the event the proposed project were not approved, the site would be developed with some type of business park and/or industrial use. For analysis purposes, it is assumed that the No Project Alternative would result in the development of approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. The commercial service component of this alternative would be located along the frontage of Perris Boulevard while the industrial warehouse uses would occupy the remaining portion of the site.

Impact Analysis. Nine environmental issues would have impacts similar to those identified for the proposed project. These include the following:

- Aesthetics
- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Land Use;
- Mineral Resources; and
- Recreation.

Impacts associated with these topics would be similar to the proposed project because development of the site under the No Project Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Air Quality. The No Project Alternative would require site grading and construction similar to that required of the proposed project. As identified in Section 4.2 of this EIR, short-term construction emission impacts associated with construction activities on the project site were mitigated to a less than significant impact with the exception of NO_X and PM_{10}. Since the No Project Alternative would require that the same amount of land be graded, the alternative would require similar grading and construction activities on site. Therefore, it is reasonable to anticipate that short-term construction

emission impacts would also be less than significant for all criteria pollutants, with the exception of NO_X and PM_{10}, under this alternative. Air quality impacts associated with NO_X and PM_{10} would significant and unavoidable with this alternative, similar to what was identified for the proposed project.

Under the No Project Alternative, the site would be developed with 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. Based on these land uses, the No Project Alternative would generate approximately 6,738 daily vehicle trips and 572 p.m. peak hour trips (see Table 6.B).

The volume of each operational pollutant emitted during operation of this alternative would be correspondingly increased due to an increase of total daily vehicle trips. However, the traffic increase under the proposed project did not contribute to CO concentrations in excess of the state or federal standards. It is anticipated that this alternative would not exceed the state or federal one-hour and eight-hour standards. Because no CO hot spots would occur, the alternative would not have a significant impact on local air quality for CO. The long-term air quality impacts resulting from this alternative would still contribute criteria pollutants to an air basin that is in nonattainment for these criteria pollutants, similar to the proposed project. As identified in Table 6.B, long-term operational air pollutant emissions associated with the No Project Alternative would exceed SCAQMD emissions thresholds for CO, ROC, and NO_X, and reduced to less than significant for PM_{10}, and $PM_{2.5}$.

Table 6.B: Alternative 1 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 1	596	112	593	0.8	85	22
Net Change	-234	-31	-397	-0.7	-85	-20
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 1 exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**No**	**No**

Source: LSA Associates, Inc., October 2011.

When compared with the proposed project, air quality impacts associated with the No Project Alternative would be correspondingly increased in magnitude. Similar to the proposed project, the generation of these emissions would still result in a cumulative contribution of air pollutants in a nonattainment basin; therefore, impacts remain significant and unavoidable.

Hazards and Hazardous Materials. Development of the No Project Alternative would still result in the on-site handling of hazardous substances, both during project construction and operation. It is reasonable to assume that, like any current use, these substances would continue to be applied in accordance with applicable local, state, and federal standards. However, the No Project Alternative would result in the development of commercial service uses, which may include but is not limited to, gas stations and food service uses. These types of uses use and transport additional potentially hazardous materials not accounted for in the analysis of the proposed project. Because the No Project Alternative results in the development of commercial service uses, impacts associated with the transport or use of hazardous materials or potential upsets or accidents would be increased in magnitude due to the increased quantities of hazardous materials that would be present on site. However, with the adherence to existing hazardous materials regulations, impacts associated with hazards and hazardous materials under the No Project Alternative would remain less than significant.

Noise. The No Project Alternative would result in the construction of warehouse distribution and commercial service uses. As identified in Section 4.4 of this EIR, short-term construction noise impacts associated with the development of the project site were mitigated to a less than significant impact. Since the No Project Alternative would require similar site development during construction, short-term construction noise impacts would also be less than significant and similar in magnitude compared to the proposed project. The increase in project-related traffic under the No Project Alternative would result in an incremental increase in traffic noise. When compared to the proposed project, noise impacts associated with the No Project Alternative would be increased in magnitude. However, impacts would remain less than significant as some noise would still be generated under this alternative.

Population and Housing. The No Project Alternative would result in the development of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres. Construction of the development envisioned under this alternative would create temporary construction jobs; however, these jobs would be likely filled by people already residing within the City. Utilizing an employment factor of one employee for every 629 square feet of service space,[1] the No Project Alternative is anticipated to generate approximately 286 commercial service jobs.[2] an employment factor of one employee for every 2,500 square feet of warehousing space,[3] the No Project Alternative is anticipated to generate approximately 568 warehousing jobs.[4] While additional jobs would be generated by the introduction of commercial service uses (addition of 286 jobs), the reduction in warehousing space would result in less warehousing jobs as the proposed project (reduction of 78). When this alternative is compared to the proposed project, the number of new jobs in the City would be a 32 percent increase over the proposed project.

The No Project Alternative would result in a greater amount of jobs created due to the development of commercial service uses. However, a large influx of new residents to the City is not anticipated due to the nature of the jobs generated by this alternative. The project would not directly affect population growth as compared with new residential development, because it is not creating homes. While the proposed project would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Population and housing impacts under this alternative would be similar in magnitude when compared to the proposed project. Therefore, impacts associated with this issue would remain less than significant.

Public Services. The No Project Alternative would result in the development of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres within the project site. Similar to the proposed project, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be similar in magnitude as no residential uses (impacts to schools and parks) are proposed under this alternative. Like the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

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1 *Table IIB Average Number Employee per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc, October 2001.

2 Utilizing 1 employee/629 square feet of service use × 180,000 square feet of service use = 286 jobs.

3 *Table IIB Average Number Employee per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc, October 2001.

4 1 employee/2,500 square feet of warehousing use × 1,420,000 square feet of service use = 568 jobs.

Traffic. As indicated in Table 6.C, the No Project Alternative would generate approximately 6,738 daily vehicle trips and 572 p.m. peak hour trips. Compared to the proposed project, the No Project Alternative, which assumes development of existing zoning uses, would result in an increase of 33.4 percent of daily traffic trips. It is reasonable to assume that an increase of 33.4 percent in traffic trips would increase traffic on local roadways and intersections The increase in traffic may cause an existing intersection or roadway segment to operate at a deficient LOS. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under Alternative 1 would become operational. Therefore, when compared to the proposed project, traffic impacts would be greater due to the additional trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Table 6.C: Comparison of Average Daily and P.M. Peak Hour Trips

Type of Development	PM Peak Hour	Average Daily Trips
Proposed Project	388	5,052
Alternative 1 (No Project)	572	6,738
Alternative 2 (Reduced Intensity)	291	3,791
Alternative 3 (Commercial Center)	2,113	18,065
Alternative 4 (Off-Site Location)	388	5,052

Source: *ITE Trip Generation Handbook, 7th Edition*, LSA Associates, Inc., October 2011.

Utilities and Service Systems. Existing utility infrastructure for stormwater and wastewater is present in adjacent roadways or parcels. Like the proposed project, the applicant would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCFCWCD. As indicated in Table 6.D, the No Project Alternative would generate approximately 109,420 gallons of wastewater per day, which is approximately 73.5 percent more than the amount of wastewater that would be generated by the proposed project. However, similar to the proposed project, development under this alternative would be required to pay infrastructure fees and obtain approval from the wastewater treatment provider that would ensure there is excess capacity for the wastewater that would be generated by the proposed development. Therefore, impacts related to wastewater and wastewater treatment would remain less than significant when compared to the proposed project.

Table 6.D: Comparison of Average Wastewater Generation

Type of Development	Gallons per day (gpd)
Proposed Project	63,070
Alternative 1 (No Project)	109,420
Alternative 2 (Reduced Intensity)	47,260
Alternative 3 (Commercial Center)	456,000
Alternative 4 (Off-Site Location)	63,070

Wastewater Factor Source: *Sewage Generation Rates*, Draft CEQA Thresholds Guide, 2006.

The development of the service commercial and industrial warehouse uses associated with this alternative would also require the installation of water supply infrastructure to serve the project site. As indicated in Table 6.E, the No Project Alternative would require approximately 31,020 gallons of water per day, which is a 37.7 percent reduction than what would be required by the proposed project. When compared to the proposed project, water usage demands would be reduced in magnitude. As identified for the proposed project, EMWD has indicated that it has water available to

serve the proposed project[1]. Therefore, it is reasonable to conclude that water would be available for development proposed for the No Project Alternative.

Like the proposed project, the No Project Alternative would also generate solid waste. As identified in Table 6.F, this alternative would generate 805 tons of solid waste per year, which is 89.9 percent more than what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be increased in magnitude. However, similar to the proposed project, development under the No Project Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant.

Table 6.E: Comparison of Average Water Use

Type of Development	Gallons per day (gpd)
Proposed Project	49,805
Alternative 1 (No Project)	31,020
Alternative 2 (Reduced Intensity)	37,354
Alternative 3 (Commercial Center)	140,000
Alternative 4 (Off-Site Location)	49,805

Water Use Factor Source: *Water Supply Assessment* Eastern Municipal Water District, January 20, 2010.

Table 6.F: Comparison of Average Solid Waste Generation

Type of Development	Tons per year (tons/yr)
Proposed Project	424
Alternative 1 (No Project)	805
Alternative 2 (Reduced Intensity)	319
Alternative 3 (Commercial Center)	3,648
Alternative 4 (Off-Site Location)	424

Solid Waste Factor Source: *Estimated Solid Waste Generation Rates*, California Integrated Waste Management Board, http://www.ciwmb.ca.gov/WASTECHAR/WasteGenRates/Commercial.htm, website accessed October 4, 2011.

Global Climate Change. GHG emissions associated with the No Project Alternative are correspondingly increased as the No Project Alternative would increase the number of daily trips made to the site. In addition, the No Project Alternative would decrease the amount of water utilized and wastewater generated. As identified in Table 6.G, the No Project Alternative would generate 20,600 tons of carbon (CO_2), 0.77 ton of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent[2] (Tg/yr CO_2 Eq.) for the No Project Alternative would be 0.02 Tg/yr CO_2 Eq., which is approximately 33 percent less than what was identified for the proposed project.

Table 6.G: Comparison of Greenhouse Gas Emissions

Alternatives	Greenhouse Gas Emissions (tons/yr)			Total CO_2 equivalent (Tg/yr CO_2 Eq.)*
	CO_2	CH_4	N_2O	
Proposed Project	39,000	1.3	0.004	0.03
Alternative 1 (No Project)	20,600	0.77	0.004	0.02

1 *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

2 Carbon dioxide equivalent (CO_2 Eq.) is an internationally accepted measure that expresses the amount of other greenhouse gases (e.g., methane and nitrous oxide) in terms of the amount of carbon dioxide (CO_2). The CO_2 Eq. measure is used as a way to measure the warming potential of a greenhouse gas as compared to CO_2, which has the highest global warming potential.

Table 6.G: Comparison of Greenhouse Gas Emissions

Alternatives	Greenhouse Gas Emissions (tons/yr)			Total CO_2 equivalent (Tg/yr CO_2 Eq.)*
	CO_2	CH_4	N_2O	
Alternative 2 (Reduced Intensity)	12,200	0.45	0.004	0.01
Alternative 3 (Commercial Center)	49,000	1.9	0.005	0.04
Alternative 4 (Off-Site Location)	39,000	1.3	0.004	0.03

* Tg/yr CO_2 Eq. = teragrams or one million metric tons per year; this denotation is the standard metric unit utilized worldwide.
Source: LSA Associates, Inc. October 2011 and Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., August 2011 (Appendix E).

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, air quality operational emissions, and increased traffic operations on local roadways and at local intersections. Because this alternative would have a greater amount of traffic, the amount of operational emissions would be greater in magnitude. Because there are no feasible mitigation measures to reduce the cumulative impacts associated with long-term operational air pollutant emissions and increased traffic, long-term air quality and traffic impacts would remain significant and unavoidable. The No Project Alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable.

Conclusion. Under the No Project Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be greater than the proposed project and would remain significant and unavoidable. Under this alternative, population and housing impacts would be similar in magnitude as no residential uses are proposed and the associated increases in employment are accounted for in the City General Plan and other applicable local and regional plans.

The development of the No Project Alternative would have similar demands on public services and recreation facilities. The payment of fees and adherence to development requirements would reduce these impacts to a less than significant level. Water supply is expected to be available as water demand is reduced and water demand was determined to be available for the proposed project. Because of the increase in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater that what was identified for the proposed project; therefore, long-term traffic impacts would remain significant and unavoidable. Although traffic-related noise would be greater in magnitude, noise impacts would be similarly mitigated like the proposed project and would remain less than significant. Under this alternative, many of the proposed project objectives would be met as warehouse uses would be built. Development of this alternative would provide new employment opportunities for residents of Moreno Valley.

6.3.2.2 Alternative 2: Reduced Intensity

With the intent of avoiding or substantially reducing significant impacts created by the project traffic, air quality, and noise, the City has considered a Reduced Intensity Warehouse Alternative. This alternative includes one warehouse building covering approximately 1,212,100 square feet. Under this alternative, the proposed warehouse uses would represent a net decrease of approximately 25 percent compared to the proposed project. The existing BP General Plan designation and SP208 I zoning would be retained.

Impact Analysis. Nine environmental issues would have similar impacts as for the proposed project. These include the following:

- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use;
- Mineral Resources; and
- Recreation.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Reduced Intensity Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Aesthetics. The proposed project site is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Proposed development envisioned under the Reduced Intensity Alternative would be consistent with development envisioned in the General Plan and Specific Plan 208. The project site is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity. The City's General Plan identifies major scenic resources as being visible from SR-60 and the development of the project site would not affect views of these major scenic resources. In addition, the project site does not contain rock outcroppings, historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Similar to the proposed project, prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. Development that may occur on the project site would be required to adhere to City requirements for site development, similar to the proposed project. Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The installation of on-site lighting to accommodate nighttime activities and for safety purposes would be required for this alternative, similar to the proposed project. Development of the warehouse uses envisioned under this alternative would be required to comply with design standards, such as lighting, setbacks, building height, lot dimensions, and maximum lot coverage contained in the City of Moreno Valley Municipal Code. While the total amount of square footage is reduced under the Reduced Intensity Alternative, site development would occur in a similar manner as the proposed project and would be required to adhere to the underlying development standards. Therefore, impacts associated with aesthetics for the Reduced Intensity Alternative are similar in magnitude to what was identified for the proposed project. Like the proposed project, impacts associated with this issue would be less than significant.

Air Quality. Because the amount of land to be graded with Alternative 2 would be equal to that of the proposed project, a similar mix of equipment as the proposed project would operate during earthmoving activities. The entire site will be graded and require import of soil to raise the building for drainage purposes. Therefore, construction emissions from the development of Alternative 2 would be similar to the proposed project, which is significant and unavoidable for NO_X and PM_{10}. Under this alternative, average daily traffic volumes would be reduced by 25 percent in comparison with the proposed project. As indicated in Table 6.H, the volume of each operational pollutant emitted during

operation of this alternative would be correspondingly reduced. However, unlike the proposed project, operational emissions for CO, and PM_{10} would not exceed daily SCAQMD thresholds. NOx and ROC operational emissions will exceed daily SCAQMD thresholds which is similar to the proposed project. Application of Leadership in Energy and Environmental Design (LEED) standards and green building design principles could reduce emissions from building operations such as heating and cooling; however, such standards and principles would not reduce emissions to below SCAQMD thresholds.

Table 6.H: Alternative 2 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 2	323	69	333	0.5	50	13
Net Change	-507	-74	-657	-1.0	-120	-29
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 2 exceeds thresholds?	**No**	**Yes**	**Yes**	**No**	**No**	**No**

Source: LSA Associates, Inc., August 2011.

Although operational air quality emissions would be reduced when compared to the proposed project during operations only, impacts would remain significant and unavoidable as there are no feasible mitigation measures identified that would reduce emissions to below the SCAQMD threshold for ROC and NO_X.

Noise. Under the proposed project, construction-related noise impacts were reduced to a less than significant level through the implementation of mitigation measures. Under this alternative, a similar amount of land would be disturbed; therefore, noise impacts associated with the construction of this alternative would be similar to those identified under the proposed project. With the implementation of mitigation identified for the proposed project, the short-term construction-related noise impacts associated with this alternative would remain less than significant, as identified for the proposed project. As with the proposed project, Alternative 2 would have truck deliveries and noise that would be generated during loading/unloading, trash compacting, and truck movements. Additionally, there would be noise associated with parking lot activities. These operational-related noise impacts associated with this alternative would remain less than significant, as identified for the proposed project.

The reduction in project-related traffic under this alternative would result in a decrease in long-term traffic noise due to a reduction of daily traffic trips to the project site. Under the proposed project, the increase in future traffic noise along local roadway segments would not increase beyond the threshold of perception. Under this alternative, future increases in traffic-related noise would not be above the threshold of perception due to a decreased contribution of future traffic volumes. When compared to the proposed project, this alternative's contribution to future traffic noise would be reduced, thereby reducing overall mobile source noise impacts within the area. When compared to the proposed project, operational noise associated with the Reduced Intensity Alternative would result in a less than significant impact, as identified for the proposed project.

Population and Housing. This alternative would result in the development of 1,212,100 square feet of warehouse uses. Utilizing an employment factor of one employee for every 2,500 square feet of warehouse space,[1] the Reduced Intensity Alternative is anticipated to generate approximately 485

[1] Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.

employment opportunities.[1] Since warehouse jobs do not require skills that would require a specialized workforce that may not reside in the City, it is anticipated that these warehouse jobs would be filled predominately by persons already residing in the area. Therefore, no population increase would occur with the development of these warehouse jobs. When this alternative is compared to the proposed project, the number of new jobs would be 25 percent less than the proposed project. Similar to the proposed project, impacts related to population and housing would remain less than significant as this alternative would continue the existing development trend envisioned by the City.

Public Services. Compared to the proposed project, this alternative would result in a reduction of approximately 25 percent of proposed warehouse uses as compared to the proposed project. Similar to the proposed project, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be similar in magnitude as no residential uses (impacts to schools and parks) are proposed under this alternative. Like the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

Traffic. Based on trip generation rates published in *ITE Trip Generation Handbook, 7th Edition*, this alternative would generate approximately 3,791 daily vehicle trips, which is approximately 25 percent less than what was identified for the proposed project. With a 25 percent reduction in daily trips, it is reasonable to conclude that traffic volumes on local roadways and intersections would be reduced under this alternative. Although the volume of traffic is reduced under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under Alternative 2 would become operational. Therefore, when compared to the proposed project, traffic impacts would be lessened due to the reduced trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Utilities and Service Systems. Existing utility infrastructure for stormwater and wastewater are present in adjacent roadways or parcels. Like the proposed project, development under this alternative would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCFCWCD. As indicated in previously identified Table 6.D, this alternative would generate approximately 47,260 gallons of wastewater per day, which is a 25 percent decrease in wastewater than would be generated by the proposed project. When compared to the proposed project, this alternative's demands on wastewater treatment and capacity at existing wastewater treatment facilities would be reduced in magnitude. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

[1] 1 employee/2,500 square feet of warehouse use × 1,212,100 square feet of warehouse use = 485 warehouse jobs.

The development of the warehouse uses associated with this alternative would also require the installation of water supply infrastructure. However, as previously indicated in Table 6.E, this alternative would require approximately 37,354 gallons of water per day, which is an approximately 25 percent decrease from that required by the proposed project. When compared to the proposed project, water usage demands would be reduced. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor that water is available to serve the development. Since this alternative would utilize less water than the proposed project and since water supply for the proposed project is available, it is reasonable to conclude that if this alternative was built instead of the proposed project, adequate water would be available. Therefore, impacts related to water usage and water treatment/conveyance facilities would remain less than significant, similar to the proposed project.

Like the proposed project, the Reduced Intensity Alternative would also generate solid waste. As previously identified in Table 6.F, this alternative would generate 319 tons of solid waste per year, which is an approximately 25 percent decrease to what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be reduced in magnitude. However, similar to the proposed project, development under the Reduced Intensity Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts would remain less than significant.

Global Climate Change. GHG emissions under this alternative are correspondingly reduced as traffic trips are reduced. As previously identified in Table 6.G, this alternative would generate 12,200 tons of carbon (CO_2), 0.45 ton of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.01 Tg/yr CO_2 Eq., which is 67 percent less than the 0.03 Tg/yr CO_2 Eq. that would result from the operation of the proposed project.

Cumulative Impacts. Similar to the proposed project, the Reduced Intensity Alternative would contribute to the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. Although the amount of operational air pollutant emissions and traffic would be reduced in magnitude, because there are no feasible mitigation measures to reduce long-term air pollutant operational emissions and increased traffic, cumulative impacts would remain significant and unavoidable.

As with the proposed project, the Reduced Intensity Alternative would also be consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs to reduce GHGs, the Reduced Intensity Alternative GHG emission contribution would result in a cumulative impact regarding global climate change. The cumulative impacts of the Reduced Intensity Alternative as with the proposed project on global climate change are considered to be significant and unavoidable.

This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable.

Conclusion. Under the Reduced Intensity Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the project but would remain significant and unavoidable. The decrease in warehouse uses would result in a reduction of permanent jobs that

would be created. This alternative would have a reduced demand on public services and utilities and service systems. However, similar to the proposed project, the payment of fees and adherence to utility requirements would reduce these impacts to a less than significant level.

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed project; however, long-term traffic impacts would remain significant and unavoidable. Construction-related noise would be similarly mitigated like the proposed project and would remain less than significant. Water use for this alternative would be less than the proposed project and would generate less wastewater and solid waste. Under this alternative, the proposed project objectives are met and warehouse uses would still be built, but on a smaller scale.

6.3.2.3 Alternative 3: Commercial Center (Mixed Commercial/Office)

The Commercial Center Alternative would result in the development of commercial service and office uses on the project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.[1]

Impact Analysis. Eight environmental issues would have similar impacts as for the proposed project. These include the following:

- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning; and,
- Mineral Resources.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Commercial Center Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Aesthetics. The proposed project site is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Proposed development envisioned under the Commercial Center Alternative would be consistent with development permitted for the site in the General Plan and Specific Plan 208. The project site is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity. The City's General Plan identifies major scenic resources as being visible from SR-60 and the development of the project site would not affect views of these major

[1] Square footage is based on a 50 percent development of the project site.

scenic resources. In addition, the project site does not contain rock outcroppings, historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Similar to the proposed project, prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. Development that may occur on the project site would be required to adhere to City requirements for site development, similar to the proposed project. Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The installation of on-site lighting to accommodate nighttime activities and for safety purposes would be required for this alternative, similar to the proposed project. Development of the warehouse uses envisioned under this alternative would be required to comply with design standards, such as lighting, setbacks, building height, lot dimensions, and maximum lot coverage contained in the City of Moreno Valley Municipal Code. While the visual character of the development proposed under the Commercial Center Alternative would differ from that of the proposed project, the development that may occur would be required to adhere to site development standards in accordance with the underlying land use designation. It is expected that the visual character of the Commercial Center Alternative would be compatible with existing and future adjacent development. Therefore, impacts associated with aesthetics for the Commercial Center Alternative are similar in magnitude to what was identified for the proposed project. Like the proposed project, impacts associated with this issue would be less than significant.

Air Quality. Since the amount of land to be developed under this alternative would equal that developed under the proposed project, it is reasonable that a similar mix of equipment would operate during earthmoving and construction activities. As with the proposed project, peak daily construction emissions would be similar, which is significant and unavoidable for NO_X and PM_{10}. Although SCAQMD regulations and project-specific mitigation measures would reduce the amount of construction emissions, impacts associated with construction emissions for NO_X and PM_{10} remain significant and unavoidable.

As previously identified in Table 6.C, the Commercial Center Alternative would generate approximately 18,065 daily vehicle trips, which is more than the trips associated with the proposed project. Because the total number of trips is increased, the volume of each operational pollutants emitted during operation of this alternative would also be correspondingly increased. As indicated in Table 6.I, operational emissions would continue to exceed SCAQMD significance thresholds for ROG, NO_X, CO, and PM_{10} as identified for the proposed project.

Table 6.I: Alternative 3 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 3	1,368	218	1,391	1.9	201	51
Net Change	+537	+75	+401	+0.4	+31	+9
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 3 exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**No**

Source: LSA Associates, Inc., October 2011

When this alternative is compared to the proposed project, impacts to air quality would be increased in magnitude. The volume of pollutants emitted would be increased and the long-term air quality impacts resulting from this alternative, as with the proposed project, would continue to be significant and unavoidable.

Noise. The extent and duration of construction activities for this alternative are anticipated to be similar to those of the proposed project. Therefore, construction noise resulting from the construction of this mix of uses would be generally similar to the proposed project. Development of this alternative would require the implementation of mitigation measures to reduce construction noise impacts to a less than significant level. Compared with the proposed project, the short-term noise impacts resulting from project construction and stationary noise impacts associated with the operation of the commercial/office uses would be similar and remain less than significant with mitigation incorporated.

The increase in project-related traffic for this alternative would result in an incremental increase in traffic noise. This alternative's contribution to future traffic noise would result in more trips on the road, which increases the overall mobile source noise impact as compared to the proposed project. Parking lot noise and mechanical ventilation noise would still occur under this alternative and noise from the loading docks would still be present as the alternative includes a commercial component. However, the uses envisioned under this alternative would increase the number (i.e., more commercial/office buildings) and extent of noise sources but would still have noise approaching levels identified for the proposed project. When compared to the proposed project, operational noise impacts would be similar.

Population and Housing. The Commercial Center Alternative would result in the development of approximately 760,000 square feet of commercial service uses and 760,000 square feet of office uses. Commercial service jobs are likely to be filled by persons already residing in the area. However, unlike commercial jobs, which can often be filled by most working adults, office jobs under this alternative may require the employment of persons in specialized fields, which may not include persons already living in the area. Persons from outside of the area may be required to relocate to Moreno Valley to fill positions for office uses, resulting in a population increase in the City. To analyze a worst-case scenario, it is assumed that 50 percent of the office jobs would be filled by people who are not living in the area. Utilizing employment factors of one employee for every 629 square feet of commercial use[1] and one employee for every 481 square feet of office uses, this alternative would create up to 2,788 jobs (1,208 commercial jobs and 1,580 office jobs).

When this alternative is compared to the proposed project, the number of new residents would be greater than that identified for the proposed project as the proposed project would not result in population growth. However, this alternative would not directly affect population growth as compared with new residential development, because it is not creating homes. While development under this alternative would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Infrastructure, including roads, sewers, water, and electricity, already exists around the project site. Impacts related to population and housing would remain less than significant as this alternative would continue the existing development trend envisioned by the City.

Public Services. As discussed above, the Commercial Center Alternative could result in population increase within the City. Because of the population increase associated with this alternative that would occur within the project limits, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be greater in magnitude than what was identified for the proposed project. However, similar to the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project,

[1] *Table IIB, Average Number of Employees per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc., October 2001.

impacts associated with public services would remain less than significant with the payment of development impact fees.

Recreation. As previously discussed, the Commercial Center Alternative could result in population increase within the City. Because of the population increase associated with this alternative that would occur within the project limits, demands on recreational facilities would be greater in magnitude than what was identified for the proposed project. However, similar to the proposed project, development under this alternative would require payment of development impact fees for recreation facilities. The payment of development impact fees would offset any impacts to these recreational facilities that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with recreation would remain less than significant with the payment of development impact fees.

Traffic. As identified in Table 6.C, this alternative would generate approximately 18,065 daily vehicle trips. In comparison to the proposed project, this alternative would result in a 257.6 percent increase in daily traffic. With an increase in daily traffic, an increase in volumes on nearby roads and intersections would occur and be greater in magnitude when compared to the proposed project. With the increase in traffic under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under this alternative would become operational. Therefore, when compared to the proposed project, traffic impacts would be greater due to the additional trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Utilities and Service Systems. Similar to the proposed project, development under the Commercial Center Alternative would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCFCWCD. As indicated in previously identified Table 6.D, this alternative would generate approximately 456,000 gallons of wastewater per day, which is a 623.0 percent increase over what the proposed project would generate. When compared to the proposed project, wastewater treatment demand would be increased in magnitude as more wastewater would be generated under this alternative. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

The development of the commercial and office uses associated with this alternative would also require the installation of water supply infrastructure to serve the project site. The Water Supply Assessment indicated that adequate water supply exists and is forecast to be available in the future to accommodate the proposed project. As previously indicated in Table 6.E, the Commercial Center Alternative would require approximately 140,000 gallons of water per day, which is 181.1 percent greater than what would be required by the proposed project. When compared to the proposed project, therefore, water usage demands for this Alternative would be greater. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor (EMWD) that water is available to serve the development. In the event that the amount of water required for this alternative is available, impacts associated with this issue would be less than significant. However, in the event that water is not available for the alternative, a new and significant impact associated with this issue would occur.

Like the proposed project, the Commercial Center Alternative would also generate solid waste. As previously identified in Table 6.F, this alternative would generate 3,648 tons of solid waste per year, which is 760.4 percent more than what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be increased in magnitude. However, similar to the proposed project, development under the Commercial Center Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant.

Global Climate Change. GHG emissions are correspondingly increased as the Commercial Center Alternative would increase the number of daily trips made to the site. As previously identified in Table 6.G, the Commercial Center Alternative would generate 49,000 tons of carbon (CO_2), 1.9 tons of methane (CH_4), and 0.005 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.04 Tg/yr CO_2 Eq., which is approximately 33 percent more than what was identified for the proposed project.

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic levels would be greater when compared to the proposed project. In addition, there are no mitigation measures that would reduce long-term air quality operational impacts to below SCAQMD threshold standard and no mitigation measures that would reduce impacts associated with increased traffic in the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable like the proposed project.

Conclusion. Under the Commercial Center Alternative, impacts related to short-term construction emissions would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude when compared to the project and would remain significant and unavoidable. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the proposed project. Long-term traffic impacts would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the proposed project and would remain less than significant.

This alternative would result in the development of office uses that would generate permanent jobs, which may require workers who are not current residents of the City. The proposed office uses would increase the total number of people that would be added to the City's population. This alternative would have greater demands on public services and recreation. However, the payment of fees would reduce these impacts to a less than significant level. This alternative would increase the amount of water utilized and increase the amount of wastewater and solid waste that would be generated on site. Similar to the proposed project, adherence to wastewater and solid waste requirements would reduce these impacts to a less than significant level. In the event that water is not available for development envisioned under this alternative, impacts to water resources would be significant and avoidable. Under this alternative, some of the proposed project objectives are not met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley.

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6.3.2.4 Alternative 4: Off-Site Location

This alternative would result in the same intensity of development of approximately 1,616,133 square feet of warehouse uses on approximately 70.3 acres. The alternative project site identified by the City is bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.0 miles northwest of the project site and is within the same Industrial Area Specific Plan as the proposed project. This alternative off-site property is not owned or under the control of the applicant. The off-site location is currently zoned SP 208 I and is designated BP in the City's General Plan, identical to the proposed project, as properties within the existing Specific Plan 208 area within the City is planned for industrial development and contains properties comparable in size. The Specific Plan 208 area provides for business park, mixed use, light industry, and heavy industry districts on approximately 1,500 acres in southwestern Moreno Valley. Since the proposed uses are consistent with the uses identified for the off-site location, no zone change or General Plan Amendment would be required. Development of this site would not require soil import, inherently reducing impacts form air pollution emissions during construction.

Impact Analysis. Nine environmental issues would have similar impacts as the proposed project. These include the following:

- Cultural Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Land Use and Planning;
- Mineral Resources
- Population and Housing;
- Public Services;
- Recreation; and
- Utilities and Service Systems.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Off-site Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be analyzed separately under this alternative.

Aesthetics. The Off-Site Location Alternative would consist of similar warehouse structures and uses as the proposed project, just on a different project site. With the off-site location, surrounding views would include similar industrial uses, March Air Reserve Base, single-family residential uses, and vacant land. Under this alternative, development of the project site would still be required to comply with design standards contained in the City's Development Code such as setbacks, building height, lot dimensions, and maximum lot size. No significant visual resource has been identified within the limits of the alternative project site. Similar to the proposed project, this alternative would change the existing character of the site, replacing the current open space with developed uses. Like the proposed project, the warehouse uses would still require the installation and operation of parking and building lighting. Adherence to the City's lighting standards would reduce the significance of any impact associated with the generation of light or glare to a less than significant level. This alternative site is not identified as being within an area that would have scenic resources. Development of the alternative would result in a less than significant impact on aesthetics, similar to that identified for the proposed project.

Agriculture and Forestry Resources. Development of the off-site location would include the development of 70.3 acres with warehousing uses. As identified by the California Department of Conservation Farmland Mapping and Monitoring Program, the off-site location is identified as Farmland of Local Importance.[1] Similar to the proposed project, the off-site location is not under a Williamson Act contract. The total amount of farmland that would be converted to urban uses under the Off-Site Location Alternative would be similar when compared to the amount of farmland that would be converted under the proposed project. Similar to the proposed project, the off-site location is located in an area that has been developed with urban uses and is still in the process of developing with more urban uses. Unlike the proposed project, development that may occur on the off-site location would only result in the conversion of Farmland of Local Importance while the proposed project would result in the conversion of Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Therefore, the potential for additional agricultural lands to be converted to urban uses would be similar in magnitude when compared to the proposed project. Since there are no mitigation measures to fully mitigate for the loss of farmland to urban development, impacts remain significant and avoidable, similar to the proposed project.

Air Quality. Under the Off-Site Location Alternative, the total amount of land to be graded would be approximately the same as the off-site location consists of approximately 70.3 acres. It is anticipated that a similar mix of equipment would operate during earthmoving and construction activities on the project site. Therefore, construction emissions from the development of Alternative 4 would be similar to the proposed project, which is significant and unavoidable for NO_X and PM_{10}. Although SCAQMD regulations and project-specific mitigation measures would reduce the amount of construction emissions, impacts associated with construction emissions for NO_X and PM_{10} remain significant and unavoidable.

Implementation of the Off-Site Alternative would result in the development of the same amount of warehouse space (1,616,133 square feet) as the proposed project. Since the Off-Site Location Alternative would have the same amount of square footage as the proposed project, it is reasonable to conclude that the Off-Site Location Alternative would generate the same amount of traffic. As previously indicated in Table 6.C, this alternative would generate approximately 5,052 daily vehicle trips. As identified in Table 6.J, the volume of each operational pollutant emitted during operation of this alternative would be similar to that identified for the proposed project.

Table 6.J: Alternative 4 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 5	830	143	990	1.5	170	42
Net Change	0	0	0	0	0	0
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 4 exceeds thresholds?	**No**	**Yes**	**Yes**	**No**	**Yes**	**No**

Source: LSA Associates, Inc., October 2011.

Although the off-site location would be located on a different site, CO hot spot conditions are anticipated to be similar to the proposed project as the off-site location is in close proximity to the project site. Because traffic associated with this alternative would be similar to what was identified for the proposed project, CO concentrations at local intersections would not be anticipated to exceed the state or federal one-hour and eight-hour standards. No CO hot spots would occur, and the proposed project would not have a significant impact on local air quality for CO. When the Off-Site Location

[1] *Farmland Mapping and Monitoring Program 2008*, California Department of Conservation Division of Land Resources, ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/riv08_west.pdf, website accessed October 5, 2011.

Alternative is compared to the proposed project, impacts to air quality would be similar. Although the volume of pollutants emitted would be similar during the operational phase of the project, the long-term air quality impacts resulting from this alternative would still contribute criteria pollutants to a non-attainment air basin. Therefore, long-term air quality impacts associated with this alternative would continue to be significant and unavoidable, similar to the proposed project.

Biological Resources. The Off-Site Location Alternative would require site development in a similar manner as would be required for the proposed project. Although no site-specific surveys have been conducted for the off-site location, it is anticipated that biological communities present at the off-site location would be similar to biological communities present at the proposed project location. However, the potential exists for sensitive species to be present at the off-site location. While the presence of sensitive species on the alternative site cannot be confirmed without a biological survey, if sensitive species were absent from the Off-Site Location Alternative project site, biological resource impacts would be similar to the proposed project. However, if sensitive species are present at the off-site location, impacts to biological resources resulting from development of this alternative would be mitigated based on existing biological protocols or surveys that are required for such species. As identified for the proposed project, mitigation to address potential impacts to the sensitive species would also be required. When compared to the proposed project, this alternative would result in a similar impact on biological resources.

Hazards and Hazardous Materials. The off-site location is not identified on a list of hazardous waste generators or hazardous waste handlers.[1] While the presence of hazardous materials cannot be confirmed for the off-site location without a site-specific survey, because the off-site location has been utilized for agricultural production and because of the surrounding vacant land, it is anticipated that hazards materials that could be found on site would be similar to what was identified for the proposed project. Because this alternative includes warehouse uses similar to the proposed project, development under this alternative would still result in the on-site handling of hazardous substances, both during project construction and during operations.

The off-site location would be located within the MARB Safety Zone Area 2.[2] MARB Safety Zone Area 2 limits residential development to one dwelling unit per 2.5 acres and allows agricultural, industrial, and commercial uses. Although the off-site location is within MARB Safety Zone Area 2, the type of development that would occur under this alternative would be consistent with the development allowed in Safety Zone Area 2. Therefore, airport hazards associated with this alternative would be less than significant. The off-site location is located approximately one mile from an existing school (El Potrero Elementary School to the east). However, because the same regulations and standards associated with hazards and hazardous materials would apply under this alternative, impacts associated with the Off-Site Location Alternative would remain less than significant; similar to what was identified for the proposed project.

Noise. The nearest sensitive receptors to the off-site location would be an existing single family residential development across Iris Avenue, immediately adjacent to the northeast of the off-site location's northeastern boundary. The distance between the off-site location and the nearest sensitive receptor is closer than the distance between the proposed project site boundary and its nearest sensitive receptor is adjacent. Although the type of noise generated by the construction of the Off-Site Location Alternative is anticipated to similar to that of the proposed project, the noise experienced at the closest sensitive receptor would be increased due to a closer distance. No significant noise-

1 *EnviroStor Database*, Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public/, website accessed September 30, 2011.

2 *March Air Reserve Base Safety Zone Map*, http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf, website accessed September 30, 2011.

related impact was identified with the construction or operation of the proposed project. Noise generated from construction operations, parking lots, loading areas, truck deliveries, and building machinery with this alternative would be increased to that identified for the proposed project. Traffic related noise is anticipated to be similar to the proposed project as the Off-Site Location Alternative would generate the same amount of daily vehicle trips. When compared to the proposed project, noise impacts would be greater in magnitude and would remain less than significant with mitigation.

Traffic. As identified in Table 6.C, this alternative would generate approximately 5,052 daily trips which is the same number that would occur with the proposed project. With the level of traffic remaining the same, volumes on nearby roads and intersections would be similar in magnitude when compared to the proposed project. However, despite the volume of traffic remaining the same, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under the Off-Site Location Alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under this alternative would become operational. Therefore, when compared to the proposed project, traffic-related impacts would be the same ad the proposed project and would remain significant and unavoidable.

Global Climate Change. GHG emissions are the same as the proposed project as the Off-Site Alternative is the proposed project on a nearby site in the City. As previously identified in Table 6.G, the Off-Site Location Alternative would generate 39,000 tons of carbon (CO_2), 1.3 tons of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.03 Tg/yr CO_2 Eq., which is the same amount that the proposed project would generate.

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic generated by the Off-Site Location Alternative would be similar to the proposed project, only on a different site. Similar to the proposed project, there are no mitigation measures that would reduce long-term air quality operational impacts to below SCAQMD threshold standard. Additionally, there are no mitigation measures that would reduce impacts associated with increased traffic in the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the alternative site, resulting in a loss of farmland. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable similar to the proposed project.

Conclusion. With the Off-Site Location Alternative, impacts related to air quality and traffic impacts would be similar to those identified with the proposed project. Short-term construction and long-term air quality operational impacts under this alternative would remain significant and unavoidable and would result in similar conditions as identified for the proposed project. Additionally, due to adjacent sensitive receptors, potential impacts to these receptors would be greater in magnitude when compared to the proposed project. Similarly, noise impacts would be greater in magnitude due to the adjacent sensitive receptors. Operational traffic would result in increased traffic on existing roadways and may impact existing intersection's level of service within the area. This alternative would require

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the same amount of water as the proposed project and would generate the same amount of wastewater and solid waste when compared to the proposed project. Similar to the proposed project, adherence to utility requirements would reduce these impacts to a less than significant level.

6.4 COMPARISON OF PROJECT ALTERNATIVES

The following discussion compares the impacts of each alternative with the impacts of the proposed project, as detailed in Section 4.0 of this EIR. Table 6.K compares the impacts of the alternatives with those of the proposed project. This table identifies whether the alternative results in (1) a reduction of the impact; (2) a greater impact than the project; or (3) the same impact as the project.

Table 6.K: Comparison of Alternatives to the Proposed Project

Environmental Issue	Proposed Project	Alternative 1: No Project	Alternative 2: Reduced Intensity	Alternative 3: Commercial Center	Alternative4: Off-Site Location
Aesthetics	LTS	=	=	=	=
Agricultural Resources	SIG	=	=	=	← SIG
Air Quality	SIG	→ SIG	← SIG	→ SIG	=
Biological Resources	LTS/mit	=	=	=	=
Cultural Resources	LTS/mit	=	=	=	=
Geology and Soils	LTS.mit	=	=	=	=
Global Climate Change	SIG	← SIG	← SIG	→ SIG	=
Hazards and Hazardous Materials	LTS/mit	=	=	=	=
Hydrology and Water Quality	LTS/mit	=	=	=	=
Land Use and Planning	LTS	=	=	=	=
Mineral Resources	NI	=	=	=	=
Noise	LTS/mit	=	=	=	→
Population and Housing	LTS	=	=	=	=
Public Services	LTS	=	=	→	=
Recreation and Parks	LTS	=	=	=	=
Transportation and Traffic	SIG	→SIG	← SIG	→ SIG	=
Utilities and Service Systems	LTS	=	=	=	=

Proposed Project
NI: No Impact
LTS: Less than Significant Impact
LTS/mit: Less than Significant Impact with Mitigation
SIG: Significant Impact with or without Mitigation
Project Alternatives
= Compared with the proposed project, no change in the significance of impact will occur.
→ Compared with the proposed project, the significance of the impact is increased.
← Compared with the proposed project, the significance of the impact is reduced.
+ Compared with the proposed project, a new impact has been identified.
←SIG Compared with the proposed project, the volume or extent of the impact is reduced, yet still significant.

6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

As detailed in Table 6.K, Alternative 2 (Reduced Intensity Alternative) reduces the severity of project-related air quality impacts. Though reduced, long-term air quality impacts would remain significant after mitigation for this alternative for NOx. In a similar manner, Alternative 2 would reduce the volume of daily traffic trips when compared to the proposed project; however, such impacts would remain significant and unavoidable until roadway improvements are completed. And, Alternative 2 would reduce the quantity of greenhouse gas emission when compared to the proposed project; however, impacts to Global Climate Change would remain significant and unavoidable. While Alternative 4 reduces impacts associated with the proposed project related to agricultural resources, impacts would still remain significant. Additionally, Alternative 4 would result in greater impacts related to air quality, hazards and hazardous materials, and noise. Impacts related to air quality would remain significant similar to the proposed project; however, impacts related to hazards and hazardous materials and noise would remain less than significant and less than significant with mitigation, respectively. The remaining environmental issues would ultimately be similar to the proposed project through adherence to existing standards and mitigation measures.

CEQA (*CEQA Guidelines Section 15126.6 (e[2])* requires that the environmentally superior alternative be identified in the EIR. Based on the analysis in this section and the summary contained in Table 6.K, Alternative 2, the Reduced Intensity Alternative, is the environmentally superior alternative. The amount of development under this alternative would be reduced when compared to the proposed project; however, the Alternative 2 would not satisfy several of the project objectives shown in Table 6.L.

Table 6.L: Comparison of Alternative 2 to the Proposed Project Objectives

Project Objectives	Reasons Why Alternative 2 Satisfies the Project Objectives
Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities	**Meets Objective**
Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses	**Meets Objective**
Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors.	**Meets Objective**
Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner.	**Meets Objective**
Encourage new development consistent with the capacity and municipal service capabilities.	**Meets Objective**
Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels.	**Does not meet objective.**
Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale.	**Meets Objective**
Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County	**Meets Objective**
Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources	**Does not meet objective**
Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site.	**Meets Objective**
Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements.	**Meets Objective**

Table 6.L: Comparison of Alternative 2 to the Proposed Project Objectives

Project Objectives	Reasons Why Alternative 2 Satisfies the Project Objectives
Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead.	**Meets Objective**
Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.	**Meets Objective**

Because the Reduced Intensity Alternative allows the development of warehouse uses and the provision of new employment opportunities, it meets many of the City's stated project objectives, while at the same time reduces the impacts associated with the proposed project. Therefore, the Reduced Intensity Alternative has been determined to be the environmentally superior alternative. However, because of the location of the Alternative site and the lower industrial density, the Alternative fails to meet several objectives related to location and density efficiencies.

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8.0 LIST OF PREPARERS

8.1 CITY OF MORENO VALLEY

[TO BE PROVIDED]

8.2 LSA ASSOCIATES, INC.

8.2.1 Environmental Impact Report

Lynn Calvert-Hayes, AICP..... Principal in Charge
Ray Hussey, AICP..... Associate (Project Manager)
Kelly Czechowski..... Senior Environmental Planner
David Atwater ..... Environmental Planner
Steven Dong ..... Technical Editor
Nancy Hasegawa..... Word Processor
Margaret Gooding..... Graphics/GIS Specialist
Lori Ufondu ..... Document Production

8.2.2 Traffic Study

Meghan Macias ..... Principal in Charge
Sandipan Bhattacharjee ..... Associate
Robert Aguirre ..... Transportation Planner

8.2.3 Air Quality Analysis

Tony Chung, Ph.D. ..... Principal in Charge
Ronald Brugger..... Senior Air Quality Specialist

8.2.4 Greenhouse Gas Emissions Study

Tony Chung, Ph.D. ..... Principal in Charge
Ronald Brugger..... Senior Air Quality Specialist

8.2.6 Noise Impact Analysis

Tony Chung, Ph.D. ..... Principal

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9.0 ACRONYMS AND ABBREVIATIONS

$\mu g/m^3$	micrograms per cubic meter
AADT	Annual Average Daily Traffic
AAQS	ambient air quality standards
AB	Assembly Bill
ADT	Average Daily Traffic
AER	Annual Emission Reporting
AFV	alternative fuel vehicle
AFY	acre-feet per year
AICUZ	Air Installation Compatible Use Zone
ALUC	Airport Land Use Commission
ALUP	Airport Land Use Plan
ANSI	American National Standards Institute
APN	Assessor's Parcel Number
APZ	Accident Potential Zone
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
Basin	South Coast Air Basin
BMPs	Best Management Practices
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFÉ	Corporate Average Fuel Economy
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CAPS	Criteria Area Plant Species
CARB	California Air Resources Board
CAT	Climate Action Team
CBSC	California Building Standards Commission
CCAA	California Clean Air Act
CDC	California Department of Conservation
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFCP	California Farmland Conservancy Program
CFCs	Chlorofluorocarbons
CH_4	methane
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO_2E	carbon dioxide equivalent
CRA	California Resource Agency

dBA	A-weighted decibels
DIF	Development Impact Fee
DOF	Department of Finance
DTSC	Department of Toxic Substance Control
EIR	Environmental Impact Report
EMWD	Eastern Municipal Water District
EPA	U.S. Environmental Protection Agency
EPAct	Energy Policy Act
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
ft	Feet
FTA	Federal Transit Administration
F-WQMP	Final Water Quality Management Plan
GHG	greenhouse gas
gpd	gallons per day
GWP	Global Warming Potential
HCP	Habitat Conservation Plan
HFCs	Hydrofluorocarbons
HI	Hazard Indices
HVAC	Heating, Ventilating, And Air Conditioning
I-215	Interstate 215
IPCC	Intergovernmental Panel on Climate Change
IS	Initial Study
JPA	Joint Powers Authority
LCC	Land Capability Classification
L_{dn}	Day-Night Average Noise Level
LE	Land Evaluation
LEED	Leadership in Energy and Environmental Design
L_{eq}	Equivalent Continuous Sound Level
LESA	Land Evaluation and Site Assessment
L_{max}	Maximum Noise Level
LOS	Level of Service
LSA	LSA Associates, Inc.
LST	Local Significance Threshold
MARB	March Air Reserve Base
MBTA	Migratory Bird Treaty Act
MCE	maximum credible earthquake
MEI	Maximum Exposed Individual
Metropolitan	Metropolitan Water District
mg/m^3	milligrams per cubic meter
mgd	million gallons per day

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MICR	Maximum Individual Cancer Risk
MIP	March Inland Port
MIPAA	MIP Airport Authority
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
mpg	miles per gallon
mph	miles per hour
MPO	Metropolitan Planning Organization
MRZ	Mineral Resource Zone
MSHCP	Western Riverside County Multiple Species Habitat Conservation Plan
mty	million tons per year
MVPD	Moreno Valley Police Department
MVRWRF	Moreno Valley Regional Water Reclamation Facility
MVUSD	Moreno Valley Unified School District
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NEPS	Narrow Endemic Plant Species
NFMA	National Forest Management Act of 1976
NHTSA	National Highway Traffic and Safety Administration
NO_2	Nitrogen dioxide
NOI	Notice of Intent
NOP	Notice of Preparation
NO_X	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
O_3	Ozone
OMB	Office of Management and Budget
OPR	Office of Planning and Research
Pb	Lead
PCE	Passenger Car Equivalent
PFCs	Perfluorocarbons
PM	Particulate Matter
PM_{10}	Particulate matter with a diameter of 10 microns or less
$PM_{2.5}$	Fine particulate matter less than 2.5 microns in diameter
POU	Publicly Owned Utility
ppb	parts per billion
ppm	parts per million
P-WQMP	Preliminary Water Quality Management Plan
RCP	reinforced concrete pipe
RCP	Regional Comprehensive Plan
RCPG	Regional Comprehensive Plan and Guide
ROC	reactive organic compounds
ROG	reactive organic gases
RPA	Resources Planning Act of 1974

RTA	Riverside Transit Agency
RTP	Regional Transportation Plan
RUWMP	Regional Urban Water Master Plan
RWQCB	Regional Water Quality Control Board
SA	Site Assessment
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SF_6	sulfur hexafluoride
SIP	State Implementation Plan
SKR	Stephens' Kangaroo Rat
SKR HCP	Stephens' Kangaroo Rat Habitat Conservation Plan
SO_2	Sulfur dioxide
SO_X	sulfur oxides
SP	Specific Plan
SR-60	State Route 60
SRA	Source Receptor Area
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
T-BACT	Best Available Control Technology for Toxics
TDM	Transportation Demand Management
TPM	Tentative Parcel Map
tpy	tons per year
TUMF	Transportation Uniform Mitigation Fee
UBC	Uniform Building Code
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USFS	United States Forest Service
VMT	Vehicle Miles Traveled
VOC	volatile organic compounds
WDID	Waste Discharge Identification Number
WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WSA	Water Supply Assessment
ZNE	Zero Net Energy
ZOI	Zone of Influence

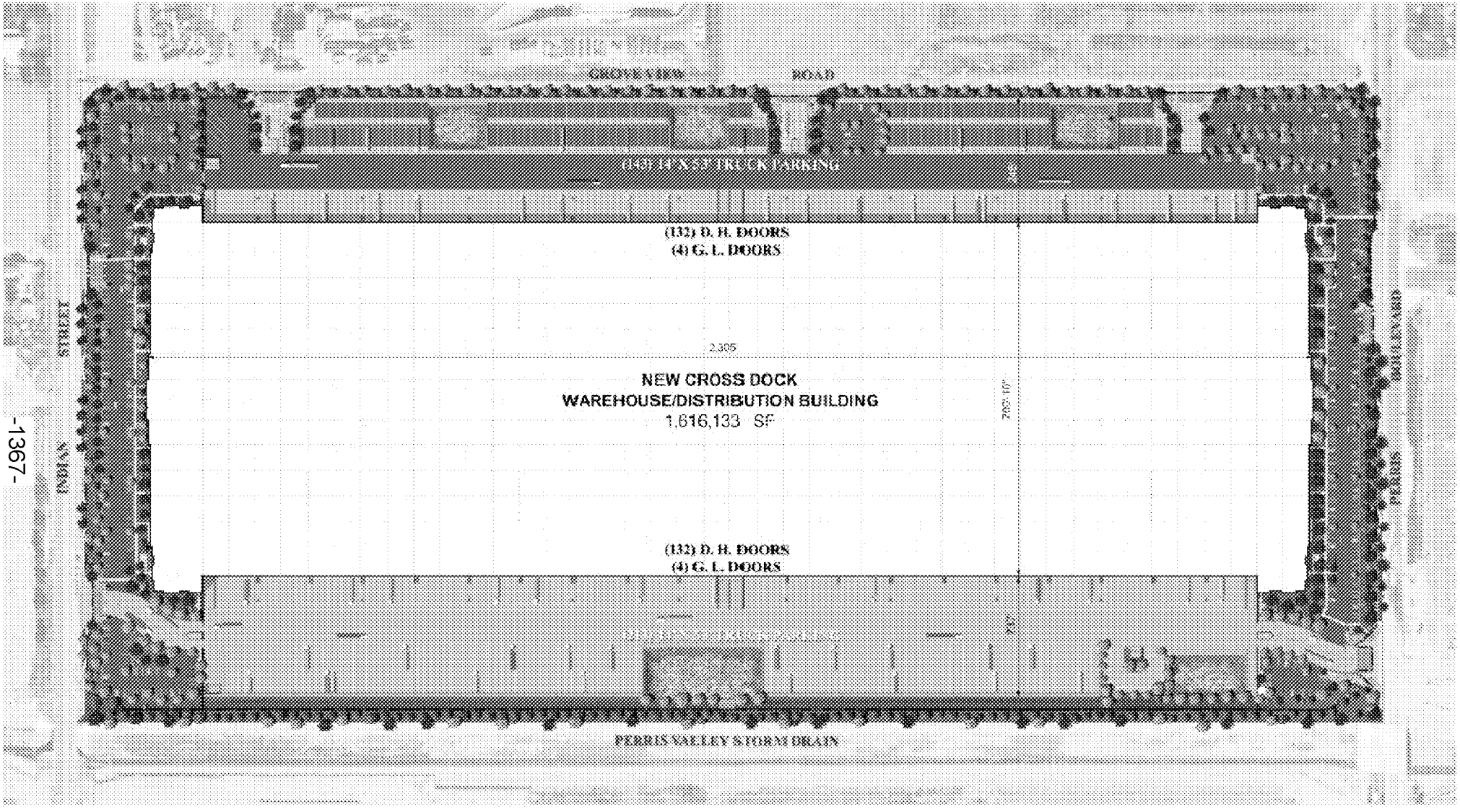

VIP MORENO VALLEY

ATTACHMENT 6

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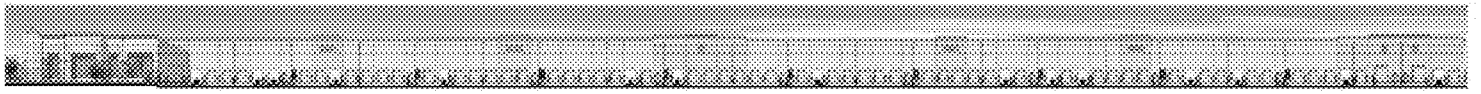

SOUTH ELEVATION (WEST SIDE)

SOUTH ELEVATION (EAST SIDE)

NORTH ELEVATION (EAST SIDE)

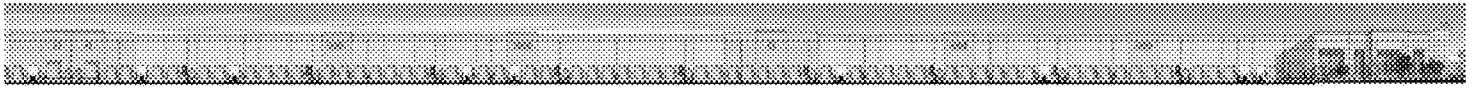

NORTH ELEVATION (WEST SIDE)

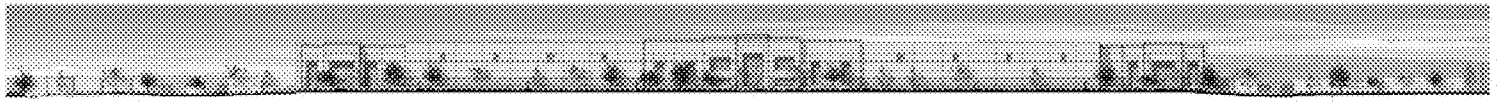

EAST ELEVATION

WEST ELEVATION

ENLARGED PARTIAL EAST ELEVATION

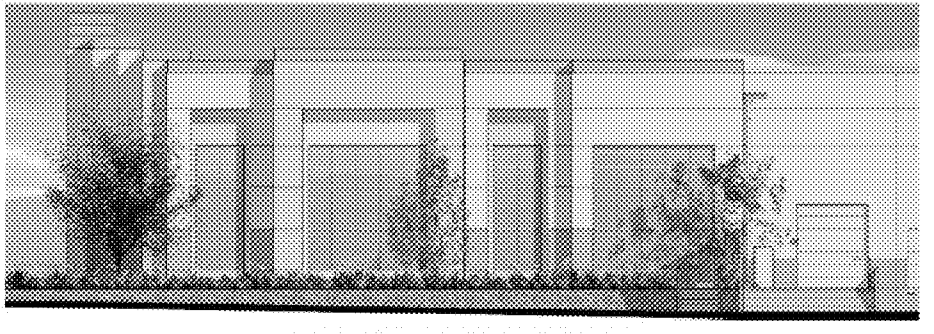

ENLARGED PARTIAL NORTH ELEVATION

VIP

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VIP MORENO VALLEY

PERRIS BLVD. AND INDIAN STREET
MORENO VALLEY, CALIFORNIA
RKZ JOB # 06-28 JUNE 18, 2012

1" INSULATED DUAL PANE GLAZING
(AT OFFICE VISION WINDOWS ONLY)

EXTERIOR PANE:
1/4" THICK PILKINGTON EVERGREEN – LOW-E #2
INTERIOR PANE:
1/4" THICK CLEAR

CLEAR ANODIZED ALUMINUM FRAME

A DUNN EDWARDS – DE6143
"ALMOND LATTE"

B DUNN EDWARDS – DE6145
"ROCKY RIDGE"

C DUNN EDWARDS – DE6172
"BUNGALOW TAUPE"

VOGEL ENGINEERS, INC.
900 PASEO TESORO, WALNUT, CALIFORNIA 91789-2791
TEL (909) 598-7088 FAX (909) 598-2791

EXTERIOR COLOR BOARD

rkz architects, inc.

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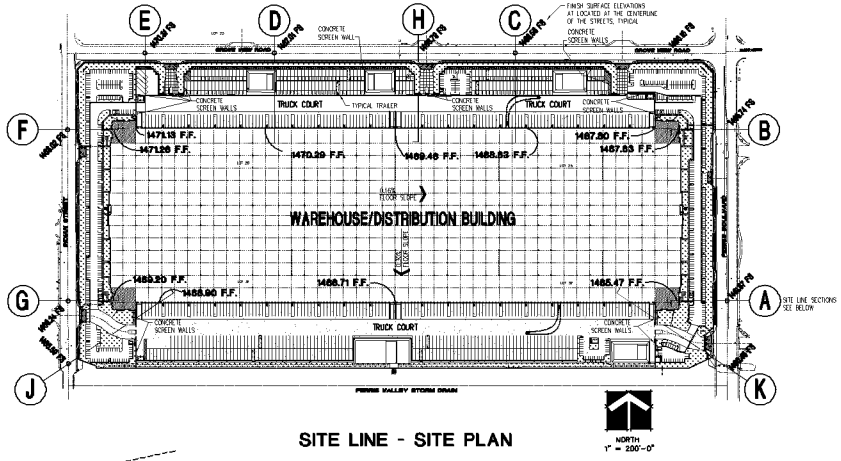

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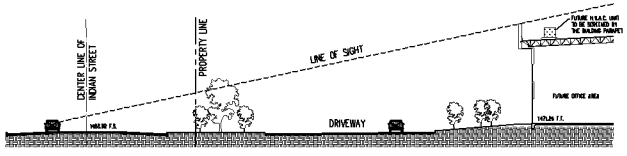

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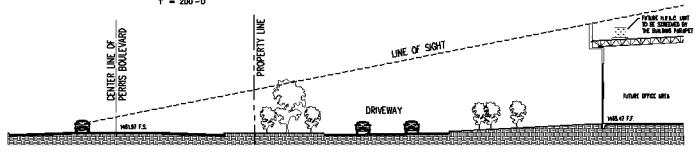

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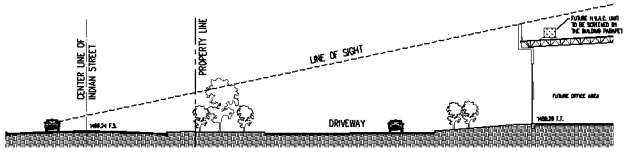

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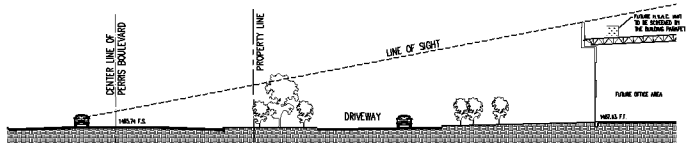

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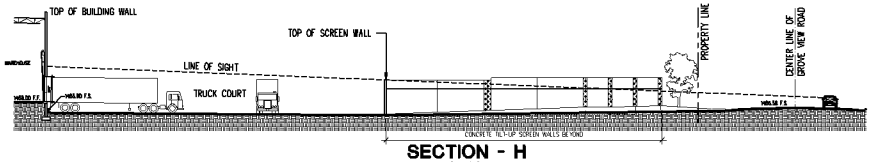

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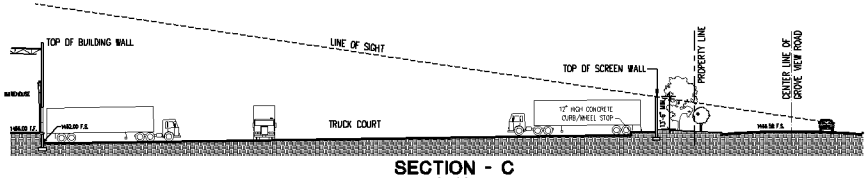

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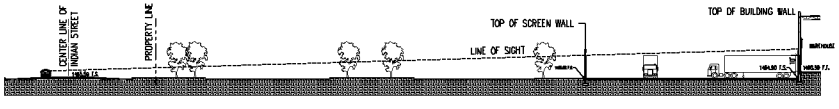

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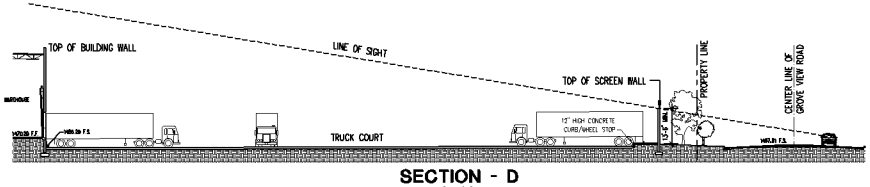

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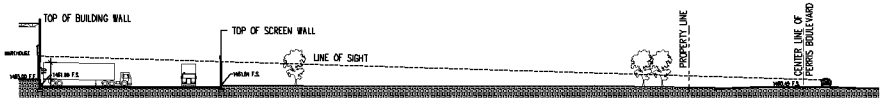

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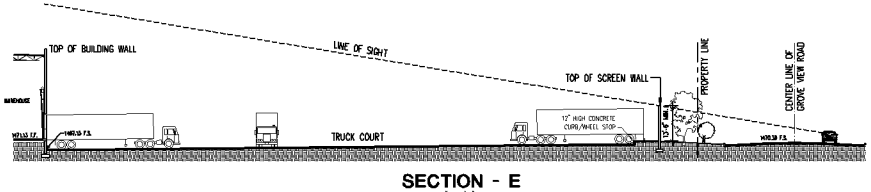

SECTION - E
SCALE : 1" = 20'-0"

rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH. 714.731.1140 FAX: 714.731.1080
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY

17777 PERRIS BOULEVARD
17700 INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS	
CONSTR.	
BID	
PLAN CHECK	
DRAWN	10-16-08
JOB NO.	08-26

SHEET NAME
SITE LINE
SITE PLAN &
SECTIONS

SHEET NO.
A-7
OF SHEETS

PROJECT #PA09-0004 & PA09-0012

08-26-A3.dwg / 07.02.12 / 15:39

ATTACHMENT 9

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MV00172759

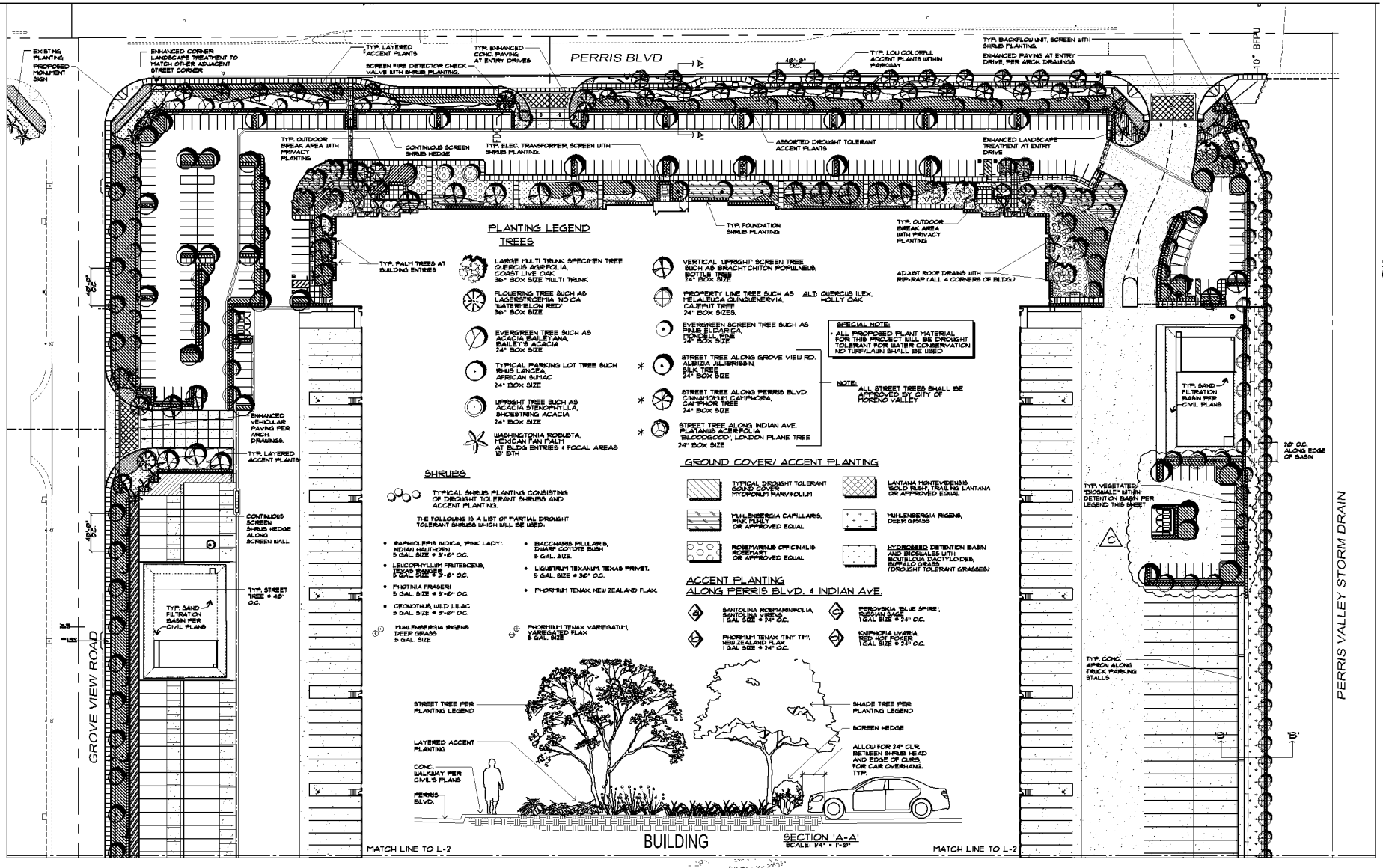

PLANTING LEGEND

TREES

- LARGE MULTI TRUNK SPECIMEN TREE QUERCUS AGRIFOLIA, COAST LIVE OAK 36" BOX SIZE MULTI TRUNK
- FLOWERING TREE SUCH AS LAGERSTROEMIA INDICA 'WATERMELON RED' 36" BOX SIZE
- EVERGREEN TREE SUCH AS ACACIA BAILEYANA, BAILEY'S ACACIA 24" BOX SIZE
- TYPICAL PARKING LOT TREE SUCH RHUS LANCEA, AFRICAN SUMAC 24" BOX SIZE
- UPRIGHT TREE SUCH AS ACACIA STENOPHYLLA, SHOESTRING ACACIA 24" BOX SIZE
- WASHINGTONIA ROBUSTA, 'MEXICAN FAN PALM' AT BLDG ENTRIES + FOCAL AREAS 18' BTH
- VERTICAL 'UPRIGHT' SCREEN TREE SUCH AS BRACHYCHITON POPULNEUS, BOTTLE TREE 24" BOX SIZE
- PROPERTY LINE TREE SUCH AS MELALEUCA QUINQUENERVIA, CAJEPUT TREE 24" BOX SIZES. ALT: QUERCUS ILEX, HOLLY OAK
- EVERGREEN SCREEN TREE SUCH AS PINUS ELDARICA, CANARY PINE 24" BOX SIZE
- STREET TREE ALONG GROVE VIEW RD. ALBIZIA JULIBRISSIN, SILK TREE 24" BOX SIZE
- STREET TREE ALONG PERRIS BLVD. CINNAMOMUM CAMPHORA, CAMPHOR TREE 24" BOX SIZE
- STREET TREE ALONG INDIAN AVE. PLATANUS ACERFOLIA 'BLOODGOOD', LONDON PLANE TREE 24" BOX SIZE

NOTE: ALL STREET TREES SHALL BE APPROVED BY CITY OF MORENO VALLEY

SPECIAL NOTE:
- ALL PROPOSED PLANT MATERIAL FOR THIS PROJECT WILL BE DROUGHT TOLERANT FOR WATER CONSERVATION. NO TURF/LAWN SHALL BE USED

SHRUBS

TYPICAL SHRUB PLANTING CONSISTING OF DROUGHT TOLERANT SHRUBS AND ACCENT PLANTING.

THE FOLLOWING IS A LIST OF PARTIAL DROUGHT TOLERANT SHRUBS WHICH WILL BE USED:

- RAPHIOLEPIS INDICA, 'PINK LADY', INDIAN HAWTHORN 5 GAL. SIZE @ 3'-0" O.C.
- LEUCOPHYLLUM FRUTESCENS, TEXAS RANGER 5 GAL. SIZE @ 3'-0" O.C.
- PHOTINIA FRASERI 5 GAL. SIZE @ 3'-0" O.C.
- CEONOTHUS, WILD LILAC 5 GAL. SIZE @ 3'-0" O.C.
- MUHLENBERGIA RIGENS DEER GRASS 5 GAL. SIZE
- BACCHARIS PILULARIS, DWARF COYOTE BUSH 5 GAL. SIZE.
- LIGUSTRUM TEXANUM, TEXAS PRIVET. 5 GAL. SIZE @ 36" O.C.
- PHORMIUM TENAX, NEW ZEALAND FLAX.
- PHORMIUM TENAX VARIEGATUM, VARIEGATED FLAX 5 GAL. SIZE

GROUND COVER/ ACCENT PLANTING

- TYPICAL DROUGHT TOLERANT GOUND COVER HYPOPUM PARVIFOLIUM
- MUHLENBERGIA CAPILLARIS, 'PINK MULY', OR APPROVED EQUAL
- ROSEMARINUS OFFICINALIS ROSEMARY, OR APPROVED EQUAL
- LANTANA MONTEVIDENSIS 'GOLD RUSH', TRAILING LANTANA OR APPROVED EQUAL
- MUHLENBERGIA RIGENS, DEER GRASS
- HYDROSEED DETENTION BASIN AND BIOSWALES WITH BOUTELOUA DACTYLOIDES, BUFFALO GRASS (DROUGHT TOLERANT GRASSES)

ACCENT PLANTING ALONG PERRIS BLVD. & INDIAN AVE.

- SANTOLINA ROSMARINIFOLIA, SANTOLINA VIRENS 1 GAL. SIZE @ 24" O.C.
- PHORMIUM TENAX 'TINY TIM', NEW ZEALAND FLAX 1 GAL. SIZE @ 24" O.C.
- PEROVSKIA 'BLUE SPIRE', RUSSIAN SAGE 1 GAL. SIZE @ 24" O.C.
- EUPHORBIA LWARIA, RED NOT POKER 1 GAL. SIZE @ 24" O.C.

WATER CONSERVATION STATEMENT

THE IRRIGATION SYSTEM WILL BE DESIGNED UTILIZING 'STATE OF THE ART' IRRIGATION EQUIPMENT SUCH AS 'MULTIPLE START TIMES FOR CONTROLLERS, 'RAIN SHUT OFF' DEVICE @ CONTROLLERS, PRESSURE REGULATING MASTER VALVE + LOW FLOW IRRIGATION SPRAY/ROTOR + BUBBLER HEADS UTILIZING PVC SCREENS THROUGHOUT.

THIS LANDSCAPE DESIGN GROUPS PLANTS WITH SIMILAR WATER NEEDS TOGETHER INTO TWO DISTINCT HYDROZONES OF LOW/MODERATE AND HIGH AREAS. THE HIGH WATER USE HYDROZONES ARE COMPRISED OF TURF AND ANNUAL COLOR AND ARE LIMITED WITHIN THE OVERALL SQUARE FOOTAGE OF THE SITE. THE LOW HYDROZONE, WHICH IS MADE UP OF DROUGHT TOLERANT PLANT SPECIES COMPRISES OVER 75% OF THE TOTAL LANDSCAPE AREA. THE IRRIGATION SYSTEM HAS BEEN DESIGNED TO GROUP SIMILAR HYDROZONES WITHIN THE SAME IRRIGATION VALVE. IN ADDITION A MINIMUM OF 2" LAYER OF MULCH IS USED OVER THE ENTIRE SHRUB AREAS TO RETAIN SOIL MOISTURE.

THE PROJECT WILL BE DESIGNED WITH LOW ROTOR/OR BUBBLER IRRIGATION SYSTEMS WHENEVER POSSIBLE

- ALL IRRIGATION SHALL COMPLY WITH EASTERN MUNICIPAL WATER DISTRICT. (E.M.W.D.)

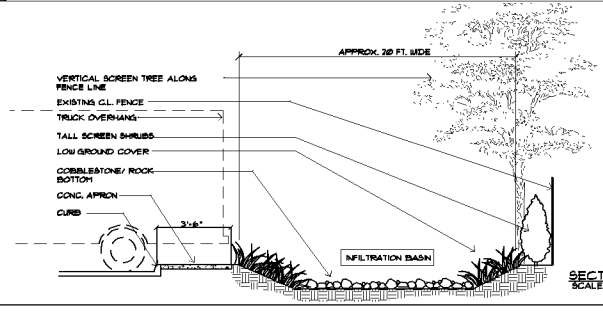

SECTION 'B-B'
SCALE: 1/4" = 1'-0"

ATTACHMENT 10

NORTH

0' 40' 80' 120' 160'
SCALE: 1" = 40'-0"

DIG ALERT
DIAL TOLL FREE
1-800-227-2600
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

ARCHITECTURE LAND PLANNING
rkz
RKZ, INC.
3000 BON AVENUE SUITE 110
TUSTIN, CALIFORNIA 92780
714/ 731-1140 FAX: 714/ 731-1090
www.rkzinc.com

SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
P.O. BOX 817
LAKE ELSINORE, CA 92532
TEL: 909-257-9003
FX: 909-257-9004
REGISTERED LANDSCAPE ARCHITECT
NO. 2078
SIGNATURE
DATE
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91785-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA.

1-26-09
UP DATED 6-2-09
UP DATED 7-14-09
△ 7-23-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-04-08 LR
JOB NO. 06-28
SHEET NAME
CONCEPTUAL LANDSCAPE PLAN
SHEET NO.
L-1
OF SHEETS
PROJECT # P07-050

MV00172760

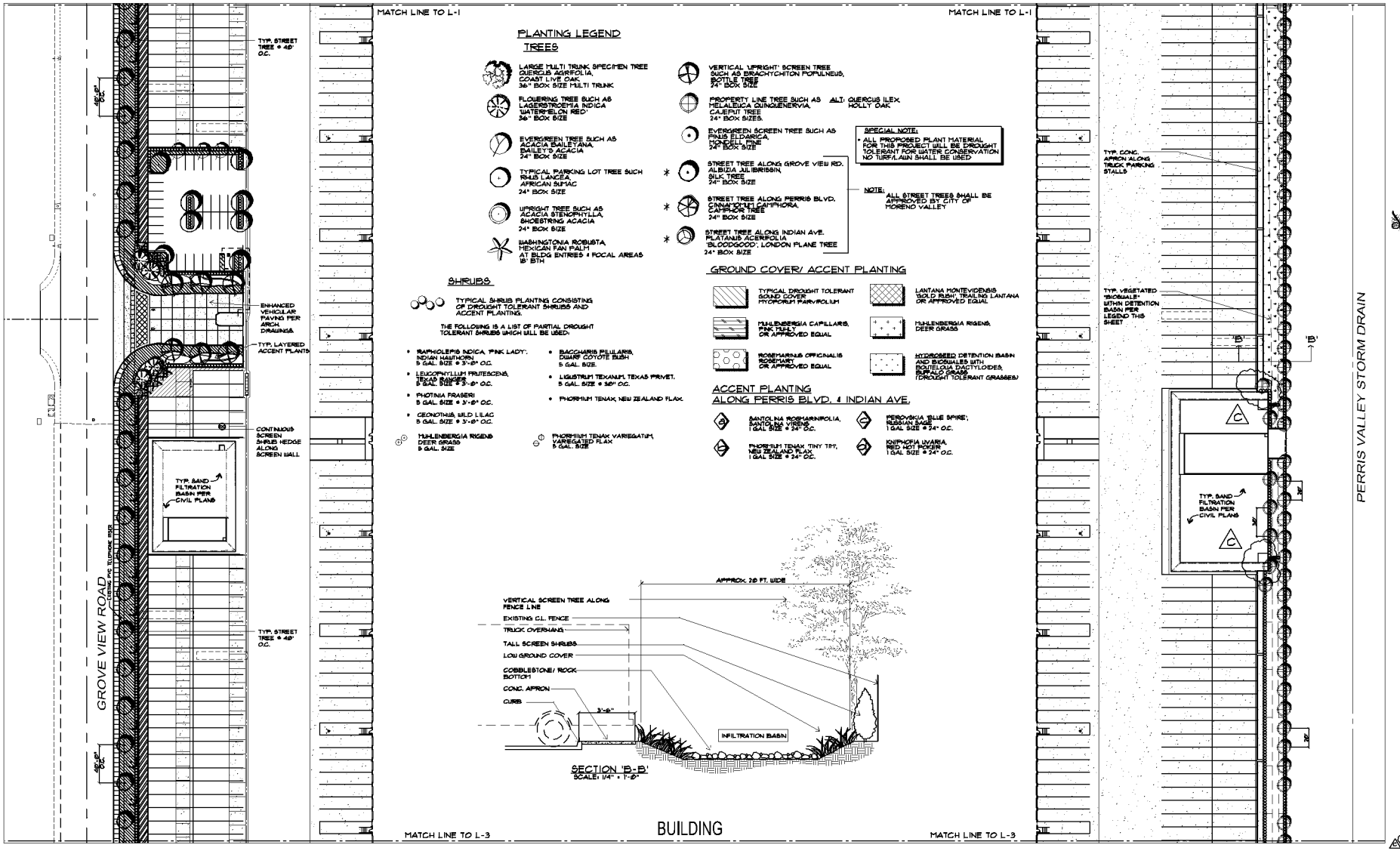

WATER CONSERVATION STATEMENT

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NORTH

0' 40' 80' 120' 160'
SCALE: 1"=40'-0"

DIG ALERT
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UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

RKZ, INC.
3000 DOW AVENUE SUITE 110
TUSTIN, CALIFORNIA 92780
714/ 731-1140 FAX: 714/ 731-1090
www.rkzinc.com

SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
LAKE ELSINORE, CA 92532
TEL: 909-257-8055
FAX: 909-257-8054
REGISTERED LANDSCAPE ARCHITECT
NO. 2079
SIGNATURE
DATE
DATE OF DELIVERY

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91785-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

1-26-09
UP DATED 5-0-09
UP DATED 7-14-09
12-09-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-04-08 LR
JOB NO. 06-28
SHEET NAME

CONCEPTUAL LANDSCAPE PLAN

SHEET NO.
L-2
OF SHEETS

PROJECT # P07-050

MV00172761

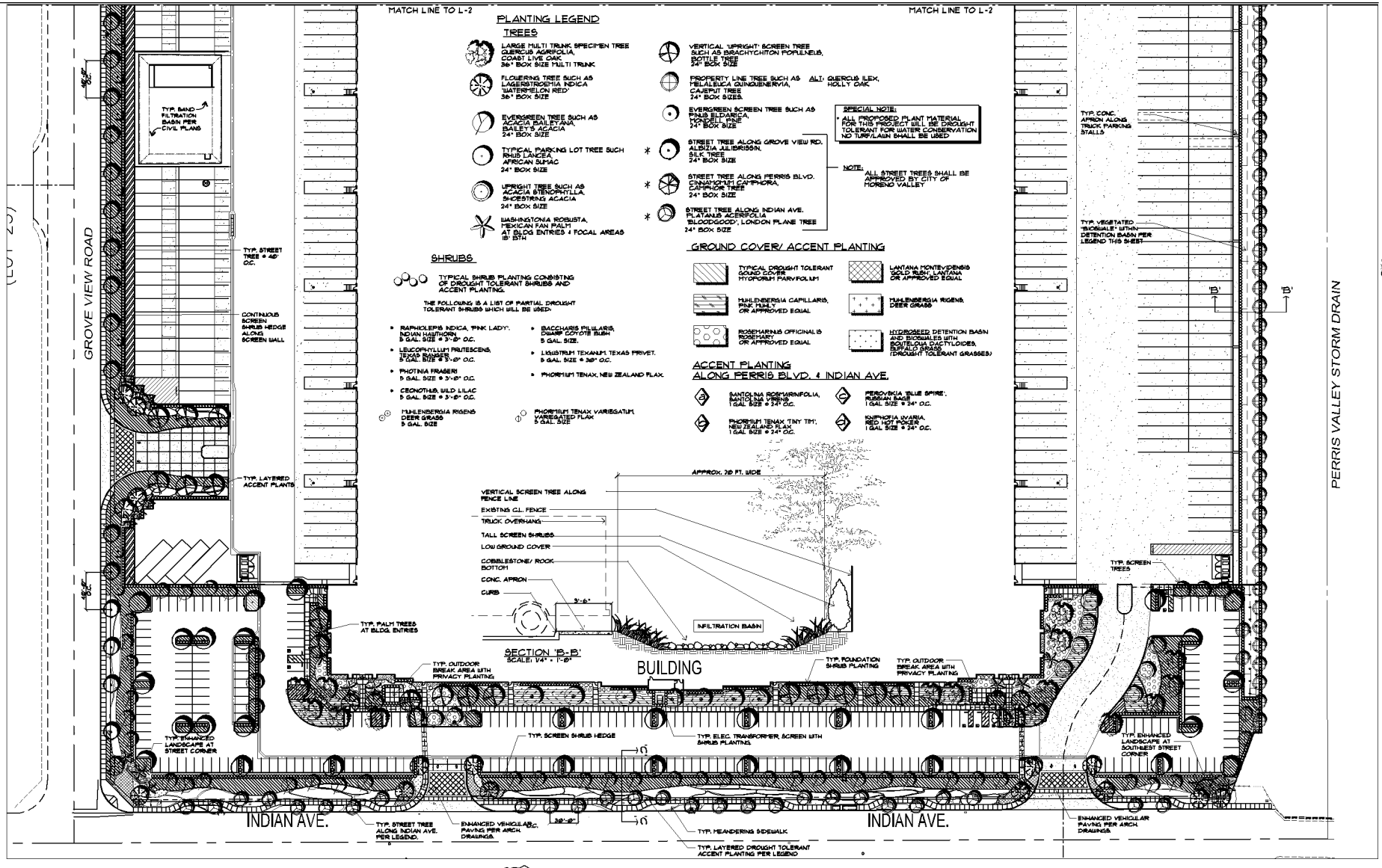

PLANTING LEGEND

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- LIGUSTRUM TEXANUM, TEXAS PRIVET. 5 GAL. SIZE @ 36" O.C.
- PHORMIUM TENAX, NEW ZEALAND FLAX.
- PHORMIUM TENAX VARIEGATUM, VARIEGATED FLAX 5 GAL. SIZE

GROUND COVER/ ACCENT PLANTING

- TYPICAL DROUGHT TOLERANT GOUND COVER MYOPORUM PARVFOLIUM
- LANTANA MONTEVIDENSIS 'GOLD RUSH', LANTANA OR APPROVED EQUAL
- MUHLENBERGIA CAPILLARIS, PINK MUHLY OR APPROVED EQUAL
- MUHLENBERGIA RIGENS, DEER GRASS
- ROSEMARINUS OFFICINALIS ROSEMARY, OR APPROVED EQUAL
- HYDROSEED DETENTION BASIN AND BIOSWALES WITH BOUTELOUA DYTLOIDES, BUFFALO GRASS (DROUGHT TOLERANT GRASSES)

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- PHORMIUM TENAX 'TINY TIM', NEW ZEALAND FLAX 1 GAL. SIZE @ 24" O.C.
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WATER CONSERVATION STATEMENT

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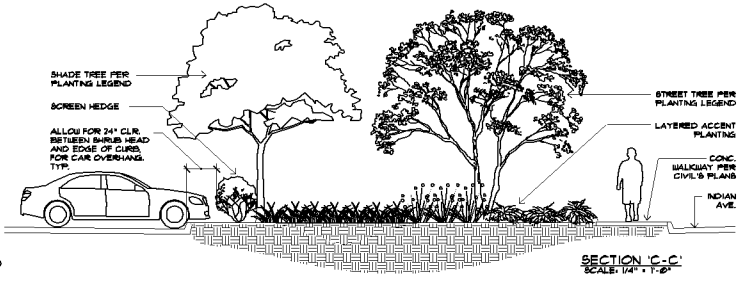

SECTION 'C-C'
SCALE: 1/4" = 1'-0"

DIG ALERT
DIAL TOLL FREE
1-800-227-2600
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

ARCHITECTURE URBAN PLANNING
rkz
RKZ, INC.
8006 DOW AVENUE, SUITE 110
TUSTIN, CALIFORNIA 92780
714/ 731-1160 FAX: 714/ 731-1580
www.rkzinc.com

SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
P.O. BOX 2154
LAKE ELSINORE, CA 92532
TEL: 909-537-0186
FX: 909-537-0884
REGISTERED LANDSCAPE ARCHITECT
NO. 2078
SIGNATURE
DATE
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

1-26-09
UP DATED 5-12-09
UP DATED 6-02-09
7-09-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-01-08 LR
JOB NO. 08-28
SHEET NAME
CONCEPTUAL LANDSCAPE PLAN
SHEET NO.
L-3
OF SHEETS
PROJECT # PD7-050

MV00172762

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MV00172763

TPM 36162

TENTATIVE PARCEL MAP NO. 36162

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SECTION 31, TOWNSHIP 3 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN

BEING A SUBDIVISION OF LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

ACCESSOR'S PARCEL NUMBERS 316-210-071, 073, 075 & 076

DATE OF PREPARATION:
MAY, 2009

NUMBER OF PARCELS:
1 PARCEL

AREA:
80.80 ACRES GROSS
71.11 ACRES NET
(NET ACRES EXCLUDES PROPOSED OFFERS OF DEDICATION FOR STREET RIGHT-OF-WAY)

ZONING :
THE PROJECT SITE IS LOCATED WITHIN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP #208). THE MAJORITY OF THE PROJECT SITE IS ZONED INDUSTRIAL (I) WITH THE NORTHEAST AND SOUTHEAST CORNERS OF THE SITE BEING ZONED INDUSTRIAL SUPPORT AREAS (ISA). DEVELOPMENT OF THE PROPOSED WAREHOUSE DISTRIBUTION FACILITY IS PERMITTED WITHIN BOTH THE I AND ISA ZONES.
(EXISTING AND PROPOSED)

EXISTING USE:
VACANT

PROPOSED USE:
WAREHOUSE/DISTRIBUTION FACILITY

OWNER AND APPLICANT :
VOGEL ENGINEERS, INC., A CALIFORNIA CORPORATION
ATTENTION: WILLIAM D. VOGEL
300 PASEO TESORO
WALNUT, CA 91789
(909) 598-7065

MAP PREPARED BY :
ROBERT A. BEBENSEE, R.C.E.
R.C.E. NO 22877
453 NORTH CENTRAL AVENUE
UPLAND, CA 91786
(909) 946-1122

FLOOD ZONE:
THE PROPERTY INDICATED HEREON LIES WITHIN FLOOD ZONE "X" (SHADED) AS STATED BY FLOOD INSURANCE RATE MAP, MAP NO. 06065C1430G, PANEL 1430 OF 3805, EFFECTIVE DATE AUGUST 28, 2008. PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, WHICH RECITES ZONE "X" (SHADED) AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

BASIS OF BEARING AND NOTES

THE CENTERLINE OF GROVE VIEW ROAD WAS TAKEN AS HAVING A BEARING OF N89°30'47"W PER PARCEL MAP NO. 32961, RECORDED IN BOOK 217 OF PARCEL MAPS, PAGES 98 AND 99, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

● INDICATES MONUMENT FOUND AS NOTED.
○ INDICATES MONUMENT TO BE SET.
( ) INDICATES RECORD INFORMATION PER M.B. 8/21.
< > INDICATES RECORD INFORMATION PER INST. NO. 2006-0592780, O.R.
[ ] INDICATES RECORD INFORMATION PER P.M.B. 217/98-99.
{ } INDICATES RECORD INFORMATION PER P.M.B. 226/54-57.
R.C.F.C.& W.C.D. INDICATES RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT.
8"S INDICATES EXISTING SEWER LINE
24" SD INDICATES EXISTING STORM DRAIN LINE
10" W INDICATES EXISTING WATER LINE
—1483— INDICATES EXISTING CONTOUR ELEVATION

EASEMENTS

1 — INDICATES 30' WIDE EASEMENT FOR CONSTRUCTION AND MAINTAINING A TEMPORARY DRAINAGE FACILITY PURPOSES GRANTED TO MORENO VALLEY DISPOSAL, INC. IN DOCUMENT ENTITLED "GRANT OF EASEMENT AND MAINTENANCE AGREEMENT", RECORDED JUNE 19, 1989 AS INSTRUMENT NO. 1989-261780, O.R.

2 — INDICATES CENTERLINE OF EASEMENT, WIDTH UNDISCLOSED, FOR POLE LINES, CONDUITS, UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES GRANTED TO CALIFORNIA ELECTRIC POWER COMPANY IN DOCUMENT RECORDED APRIL 7, 1955 IN BOOK 1719, PAGE 200, O.R.

3 — INDICATES 25' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR PUBLIC HIGHWAY PURPOSES, INCLUDING PUBLIC UTILITY AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "EASEMENT DEED" RECORDED NOVEMBER 22, 2005 AS INSTRUMENT NO. 2005-0969613, O.R.

4 — INDICATES 25' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR PUBLIC HIGHWAY PURPOSES, INCLUDING PUBLIC UTILITY AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "EASEMENT DEED" RECORDED NOVEMBER 22, 2005 AS INSTRUMENT NO. 2005-0969614, O.R.

5 — INDICATES 14' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR HIGHWAY PURPOSES, UTILITIES AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "OFFER OF DEDICATION" RECORDED JANUARY 24, 2006 AS INSTRUMENT NO. 2006-0052906, O.R.

6 — INDICATES PERPETUAL EASEMENT AND RIGHT OF WAY FOR HIGHWAY PURPOSES, UTILITIES AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "GRANT OF EASEMENT" RECORDED AUGUST 11, 2008 AS INSTRUMENT NO. 2008-0592780, O.R.

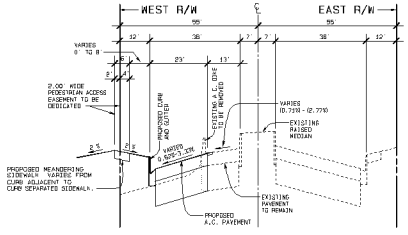

TYPICAL SECTION
PERRIS BOULEVARD
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

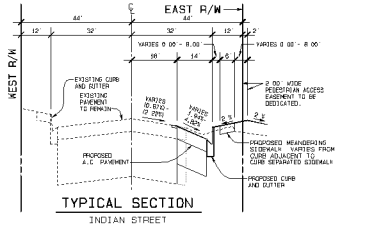

TYPICAL SECTION
INDIAN STREET
LOT 31 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

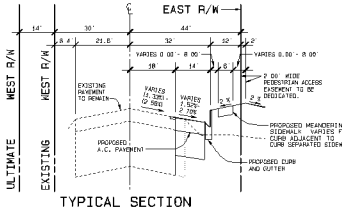

TYPICAL SECTION
INDIAN STREET
LOT 26 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

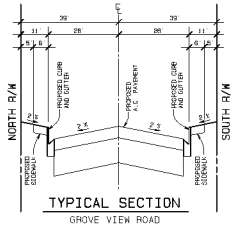

TYPICAL SECTION
GROVE VIEW ROAD
LOT 26 FRONTAGE
CURRENTLY UNDER CONSTRUCTION
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

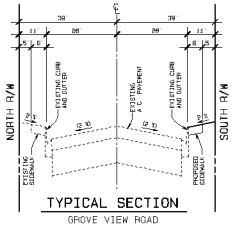

TYPICAL SECTION
GROVE VIEW ROAD
LOT 25 FRONTAGE
SCALES :
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VERTICAL : 1" = 2'

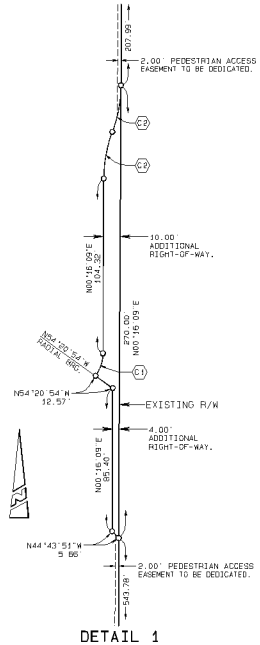

DETAIL 1
SCALE 1" = 30'

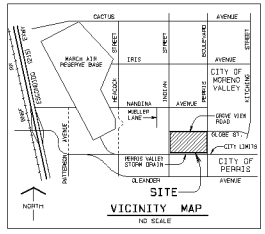

VICINITY MAP
NO SCALE

UTILITY COMPANIES	EMERGENCY NUMBERS
THE GAS COMPANY	1-800-427-2200
SO. CALIF. EDISON	1-800-684-8123
MORENO VALLEY ELECTRIC UTILITY	1-877-811-8700
VERIZON TELEPHONE (COMMERCIAL)	1-800-483-5000
TIME WARNER CABLE	(888) 892-2253
CITY OF MORENO VALLEY	(951) 413-3110
EASTERN MUNICIPAL WATER DIST.	(951) 928-3777
WASTE MANAGEMENT OF THE INLAND VALLEY	(800) 423-9986

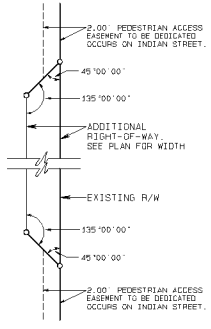

GENERAL DETAIL
NO SCALE

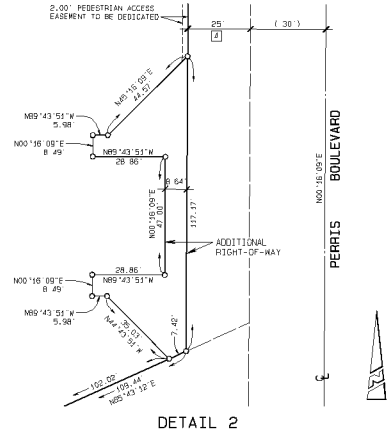

DETAIL 2
SCALE : 1" = 20'

-1379-

ATTACHMENT 11

REVIEW BY CITY STAFF		
OFFICE	INITIAL	DATE
PRINCIPAL ENGINEER		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
PARKS AND RECREATION		
LAND DEVELOPMENT		

BENCH MARK
RIVERSIDE COUNTY FLOOD CONTROL BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED RIV CO SURVEYOR M-31 WEST APRIL 1986 FLUSH AT S.E. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF LIMB LOCATED AT THE CROSSING OF PERRIS BLVD AND RIV CO FLOOD CONTROL CHANNEL, BEARING LATERAL "A" 41 FT. WEST OF THE CENTERLINE OF PERRIS BLVD AND 4.5 FT. EAST OF CONCRETE BRIDGE BARRIER. ELEVATION. 1474.614

MARK	DATE	INITIAL	DESCRIPTION	REC	APPR	DATE
		E.O.R.	REVISION			

ENGINEER OF RECORD'S SEAL
REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 CIVIL STATE OF CALIFORNIA

PREPARED BY.
ROBERT A. BEBENSEE, R.C.E.
453 North Central Avenue
Upland CA 91786
(909) 946-1122

ROBERT A. BEBENSEE
R.C.E #22877 (EXP. 12/31/2009)
DATE

SHEET 1 NO. 2

PLOT DATE 05-07-09 JOB NO. 08-9005

MV00172764

TENTATIVE PARCEL MAP NO. 36162

TPM 36162

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SECTION 31, TOWNSHIP 3 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN

BEING A SUBDIVISION OF LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

ACCESSOR'S PARCEL NUMBERS 316-210-071, 073, 075 & 076

DEMOLITION NOTE:
EXISTING ON-SITE STRUCTURES/FEATURES, TREES, EXCLUSIVE OF PROPERTY LINE FENCING AND GROVE VIEW ROAD ELECTRICAL STRUCTURES AND CONDUITS TO BE REMOVED FROM THE SITE TO AN AUTHORIZED DISPOSAL AREA.

EASEMENTS	RECORDATION INFORMATION
1	INST. NO 1989-201780, O.R
2	BOOK 1719, PAGE 200, O.R.
3	INST. NO. 2005-0969613, O.R.
4	INST NO. 2005-0969614 O.R.
5	INST. NO. 2006-0052906, O.R.
6	INST. NO. 2006-0592780, O.R.

SEE SHEET 1 OF 2 FOR PLOTTED EASEMENT DESCRIPTIONS.

LINE DATA

LINE	BEARING	DISTANCE	DESCRIPTION
L1	N89°51'12"W	124.95	RECORD PER INST. NO 2004-0139951, O.R.
L2	N89°31'09"W	124.95	FIELD CALCULATED
L3	N65°43'11"E	136.93	RECORD PER INST. NO 2004-0139951, O.R.
L4	N65°43'12"E	138.93	FIELD CALCULATED
L5	S00°16'09"W	57.35	RECORD PER INST. NO 2004-0139951, O.R.
L6	S00°16'09"W	57.35	FIELD CALCULATED
L7	N00°17'54"E	43.02	RECORD PER INST. NO 2004-0198595, O.R.
L8	N00°17'48"E	43.02	FIELD CALCULATED
L9	S89°05'05"E	99.10	RECORD PER INST. NO 2004-0198595, O.R.
L10	S89°05'00"E	99.10	FIELD CALCULATED
L11	S00°28'47"W	8.42	RECORD PER INST. NO. 2004-0198595, O.R.
L12	S00°28'51"W	8.42	FIELD CALCULATED
L13	N89°31'12"W	92.72	RECORD PER INST. NO. 2004-0198595, O.R.
L14	N89°31'09"W	92.72	FIELD CALCULATED
L15	S00°16'30"W	213.41	RECORD PER INST. NO. 2006-0592780, O.R.
L16	S00°16'09"W	213.41	FIELD CALCULATED
L17	N89°43'30"W	25.00	RECORD PER INST. NO 2006-0592780, O.R.
L18	N89°43'51"W	25.00'	FIELD CALCULATED

LINE DATA

LINE	BEARING	DISTANCE	DESCRIPTION
L10	N00°16'30"E	235.64	RECORD PER INST. NO 2006-0592780, O.R.
L11	N00°16'09"E	135.65	FIELD CALCULATED
L12	N43°52'20"W	54.35	RECORD PER INST. NO 2006-0592780, O.R.
L13	N43°52'30"W	54.35	FIELD CALCULATED
L14	S44°38'49"W	34.41	RECORD PER INST. NO 2006-0592780, O.R.
L15	S44°38'14"W	34.41	FIELD CALCULATED
L16	N00°17'23"E	63.89	RECORD PER INST. NO. 2006-0592780, O.R.
L17	N00°17'48"E	63.89	FIELD CALCULATED
L18	N45°16'09"E	44.57	
L19	N89°43'51"W	5.98	
L20	N00°16'09"E	6.49	
L21	N89°43'51"W	5.98	
L22	N00°16'09"E	35.03	
L23	N89°43'12"E	7.42	
L24	N00°16'09"E	502.02	
L25	N89°43'51"W	28.86	
L26	N00°16'09"E	47.00	
L27	N89°43'51"W	28.86	
L28	N00°16'09"E	8.49	

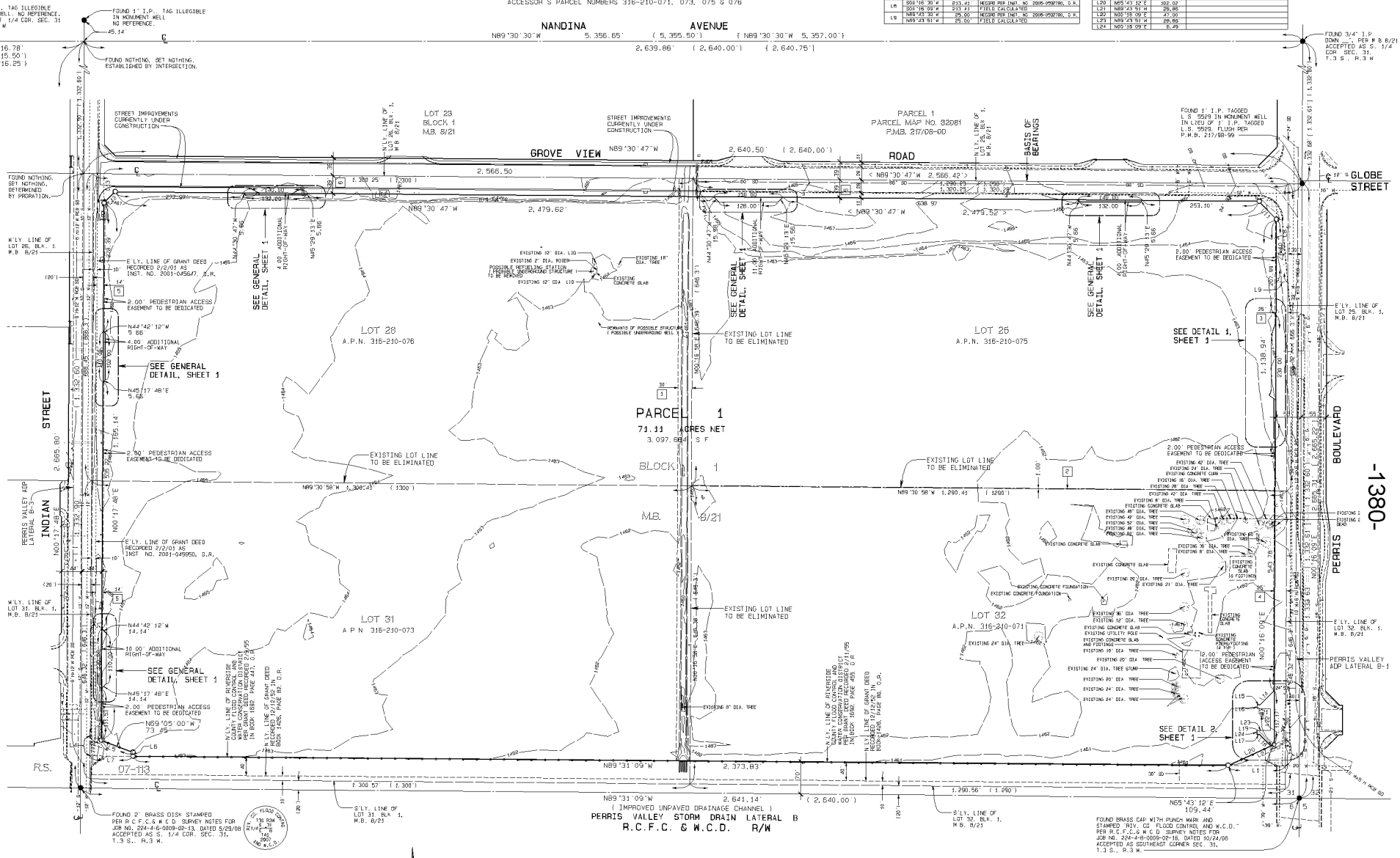

CURVE DATA

C	A	R	L	T	DESCRIPTION
C1	95°22'57"	23.00	14.20	7.34	FIELD CALCULATED
C2	20°21'51"	80.00'	28.43'	14.37'	FIELD CALCULATED

REVIEW BY CITY STAFF	INITIAL	DATE
OFFICE		
PRINCIPAL ENGINEER		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
PARKS AND RECREATION		
LAND DEVELOPMENT		

BENCH MARK
RIVERSIDE COUNTY FLOOD CONTROL BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED R.I.V. CO. SURVEYOR M-31 HEIGHT APRIL 1966 FLUSH AT S.E. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF LIMB LOCATED AT THE CROSSING OF PERRIS BLVD. AND R.I.V. CO. FLOOD CONTROL CHANNEL PERRIS LATERAL "A" 41 FT. WEST OF THE CENTERLINE OF PERRIS BLVD. AND 4.5 FT. EAST OF CONCRETE BRIDGE BARRIER. ELEVATION. 1474.614

MARK	DATE	INITIAL	DESCRIPTION	REC	APPR	DATE
		E.O.R.	REVISION			

ENGINEER OF RECORD'S SEAL
REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22677 EXP 10-31-09 CIVIL STATE OF CALIFORNIA

PREPARED BY:
ROBERT A. BEBENSEE, R.C.E.
453 North Central Avenue
Upland CA 91786
(909) 946-1122

ROBERT A. BEBENSEE
R.C.E #22677 EXP. 10/31/2009
DATE

SHEET 2 OF 2

PLOT DATE 05-07-09 JOB NO. 08-9005

-1380-

MV00172765

DATE OF PREPARATION:
DECEMBER, 2009

LEGAL DESCRIPTION:
LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA

ACCESSOR'S PARCEL NUMBERS:
316-210-071, 073, 075 & 076

AREA:
80.80 ACRES GROSS
71.11 ACRES NET
(NET ACRES EXCLUDES PROPOSED OFFERS OF DEDICATION FOR STREET RIGHT-OF-WAY)

ZONING :
THE PROJECT SITE IS LOCATED WITHIN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP #208). THE MAJORITY OF THE PROJECT SITE IS ZONED INDUSTRIAL (I) WITH THE NORTHEAST AND SOUTHEAST CORNERS OF THE SITE BEING ZONED INDUSTRIAL SUPPORT AREAS (ISA). DEVELOPMENT OF THE PROPOSED WAREHOUSE DISTRIBUTION FACILITY IS PERMITTED WITHIN BOTH THE I AND ISA ZONES.
(EXISTING AND PROPOSED)

EXISTING USE:
VACANT

PROPOSED USE:
WAREHOUSE/DISTRIBUTION FACILITY

OWNER AND APPLICANT :
VOGEL ENGINEERS, INC., A CALIFORNIA CORPORATION
ATTENTION: WILLIAM D. VOGEL
300 PASEO TESORO
WALNUT, CA. 91789
(909) 598-7065

MAP PREPARED BY :
ROBERT A. BEBENSEE, R.C.E
R.C.E. NO. 22877, EXP. 12-31-11
453 NORTH CENTRAL AVENUE
UPLAND, CA 91786
(909) 946-1122

FLOOD ZONE:
THE PROPERTY INDICATED HEREON LIES WITHIN FLOOD ZONE "X" (SHADED) AS STATED BY FLOOD INSURANCE RATE MAP, MAP NO. 06065C1305G, PANEL 1430 OF 3805, EFFECTIVE DATE AUGUST 28, 2008. PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, WHICH RECITES ZONE "X" (SHADED) AS AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE" AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD

AUTOMOBILE PARKING NOTES:
1. AUTOMOBILE PARKING STALLS TO BE 9 FEET WIDE AND 18 FEET MINIMUM LONG. PAVED.
2. 12" WIDE CONCRETE STEP TO BE CONSTRUCTED AT PARKING STALLS PARALLEL AND ADJACENT TO LANDSCAPE AREAS.

TRAILER PARKING NOTES:
1. TRAILER PARKING STALLS TO BE 14 FEET WIDE AND 53 FEET LONG.
2. SECONDARY TRAILER PARKING STALLS TO HAVE 8 FEET OVERHANG.

SURFACE STORAGE/SAND FILTER FACILITY NOTE:
SURFACE STORAGE/SAND FILTER FACILITIES SIZED TO HOLD AND PROCESS BMP VOLUMES.

BENCH MARK:
RIVERSIDE COUNTY FLOOD CONTROL
BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED RIV. CO. SURVEYOR M-31 RESET APRIL 1996. FLUSH AT S.W. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF CURB LOCATED AT THE CROSSING OF PERRIS BLVD. AND RIV. CO. FLOOD CONTROL CHANNEL (PERRIS LATERAL "A") 43 FEET WEST OF THE CENTERLINE OF PERRIS BOULEVARD AND 4.5 FEET EAST OF CONCRETE BRIDGE BARRIER
ELEVATION = 1474.674

LEGEND
A.C	ASPHALT CONCRETE	SD	STORM DRAIN
B.M.	BOTTOM OF RISER	S.D MH	STORM DRAIN MANHOLE
B.V.C.	BEGIN VERTICAL CURVE	S.L.P.B	STREET LIGHT PULL BOX
C.F	CURB FACE	S. MH.	SANITARY SEWER MANHOLE
CML/CMC	CEMENT MORTAR LINED/ CEMENT MORTAR COATED	T.B.M.	TEMPORARY BENCH MARK
D.S.	DOWN SPOUT	T.C.	TOP OF CURB
E.G.	EXISTING GRADE	T.C.B.	TOP CATCH BASIN
EMWD	EASTERN MUNICIPAL WATER DISTRICT	T.CO.	TOP OF CLEANOUT
E.V.C.	END VERTICAL CURVE	T.D.	TOP OF A.C. DIKE
F.D.C	FIRE DEPARTMENT CONNECTION	T.G.	TOP OF GRATE
F.F.	FINISH FLOOR	T.L.	TOP OF LANDING
F.G.	FINISH GRADE	T.MW.	TOP OF HEADWALL
F.H.	FIRE HYDRANT	T.M.H.	TOP OF MANHOLE
FL	FLOW LINE	T.R	TOP OF RISER
F.S.	FINISH SURFACE	TRANS.	Indicates TRANSFORMER PAD LOCATION PER ARCHITECTURAL PLANS
F.W.	Indicates ON-SITE FIRE WATER LINE.	T.S	TOP OF STEP
G.B	GRADE BREAK	T.W.	TOP OF WALL
H.G.L.	HYDRAULIC GRADE LINE	W.M.	WATER METER
H.P.	HIGH POINT	W.V.	WATER VALVE
I.C.B.	IRRIGATION CONTROL BOX		EXISTING DECIDUOUS TREE
I.C.V.	IRRIGATION CONTROL VALVE		EXISTING EVERGREEN TREE
INV	INVERT		EXISTING PALM TREE
LAT.	LATERAL		EXISTING STREET LIGHT
MVU	MORENO VALLEY ELECTRIC UTILITY		PROPOSED STREET LIGHT
N.P.A.T.	NO PARKING AT ANY TIME SIGN	—1460—	Indicates EXISTING CONTOUR ELEVATION
P.A.	PLANTER AREA	—1460—	Indicates PROPOSED CONTOUR ELEVATION
P.C.C	PORTLAND CONCRETE CEMENT		Indicates CUT/FILL DAYLIGHT LINE
P.I	POINT OF INTERSECTION	(XX.XX)	Indicates EXISTING ELEVATION
P.I.V.	POST INDICATOR VALVE	—8"G—	Indicates EXISTING GAS MAIN
PL	PROPERTY LINE	—16"S—	Indicates EXISTING SEWER MAIN
P.L.L.	PARKING LOT LIGHT	—24"SD—	Indicates EXISTING STORM DRAIN LINE
R.D	ROOF DRAIN	—4"T—	Indicates EXISTING TELEPHONE LINE
RCB	REINFORCED CONCRETE BOX	—39"W—	Indicates EXISTING WATER MAIN
R.C.F.C. & W.C.D.	RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT		
R/W	RIGHT OF WAY		
S.C.O	SEWER CLEANOUT		

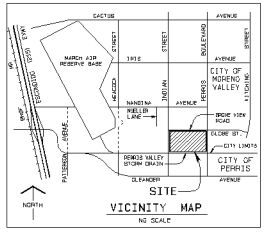

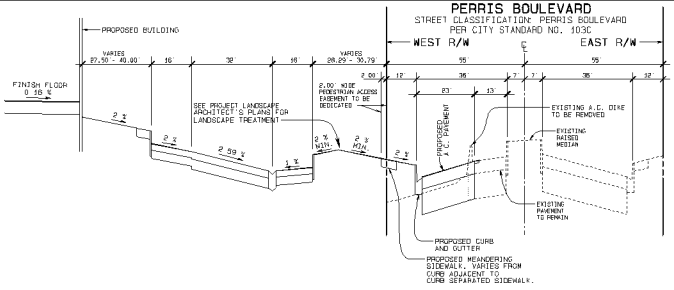

SECTION A

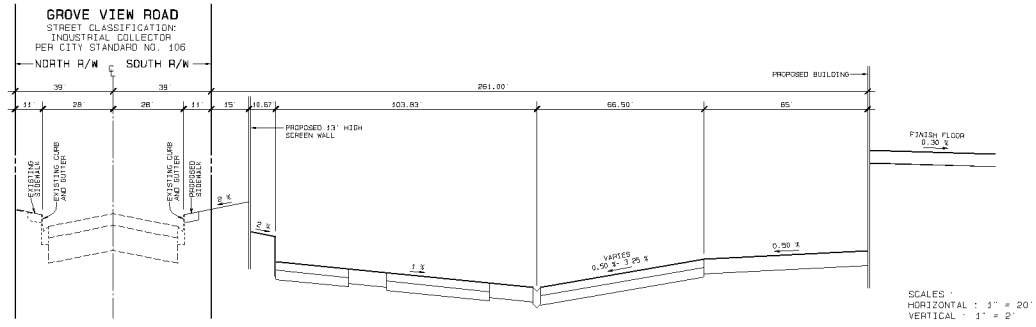

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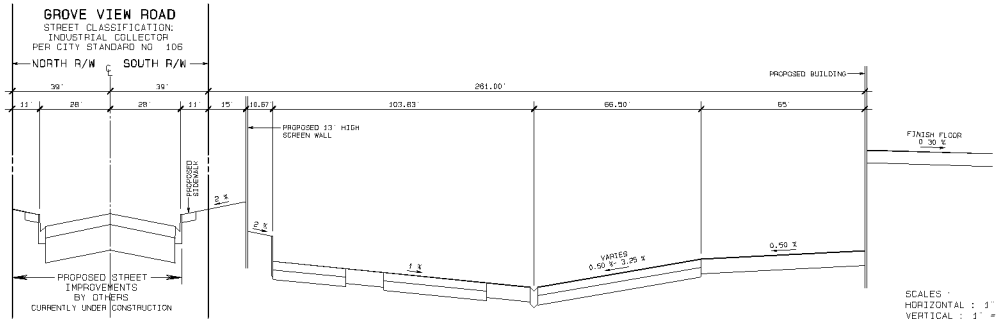

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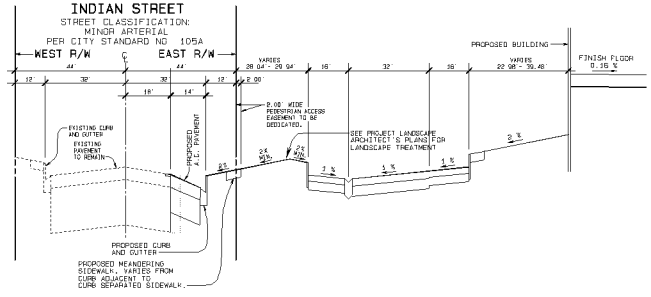

SECTION D

-1381-

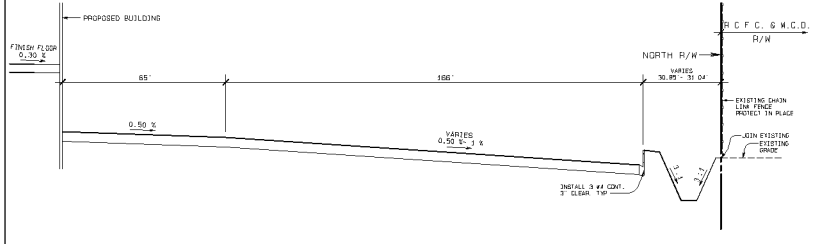

SECTION E

DEMOLITION NOTE:
EXISTING ON-SITE STRUCTURES/FEATURES, TREES, EXCLUSIVE OF PROPERTY LINE FENCING AND GROVE VIEW ROAD ELECTRICAL STRUCTURES AND CONDUITS TO BE REMOVED FROM THE SITE TO AN AUTHORIZED DISPOSAL AREA. FIELD LOCATED ELECTRICAL VAULTS, ADJACENT TO PERRIS BOULEVARD AND INDIAN STREET, TO REMAIN AND BE PROTECTED DURING CONSTRUCTION.

MINIMUM GRAIDIENTS:
A.C. PAVEMENT: 1%
P.C.C.: 0.50%

EARTHWORK QUANTITY ESTIMATE:
CUT- 45,951 CU. YDS. FILL- 342,815 CU. YDS.

THE ABOVE QUANTITIES DO NOT REFLECT ANY SHRINKAGE, SWELLING, SUBSIDENCE, OVER EXCAVATION OR ANY SPECIAL CONDITIONS THAT MAY BE SPECIFIED IN THE PRELIMINARY SOILS REPORT AND ARE FOR REFERENCE AND FEE PURPOSES ONLY. SINCE THE ENGINEER CANNOT CONTROL THAT EXACT METHOD OR MEANS USED BY THE CONTRACTOR DURING GRADING OPERATIONS, NOR CAN THE ENGINEER GUARANTEE THE EXACT SOIL CONDITION OVER THE ENTIRE SITE, THE ENGINEER ASSUMES NO RESPONSIBILITY FOR FINAL EARTHWORK QUANTITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING HIS OWN EARTHWORK QUANTITIES FOR BIDDING, CONTRACT, AND CONSTRUCTION PURPOSES. IF IT APPEARS THERE WILL BE AN EXCESS OR SHORTAGE OF MATERIAL, THE CONTRACTOR MAY NOTIFY THE ENGINEER TO DETERMINE IF POSSIBLE GRADE ADJUSTMENTS CAN BE MADE TO ALLEVIATE SAID MATERIAL EXCESS OR SHORTAGE.

ATTACHMENT 12

UTILITY COMPANIES	EMERGENCY NUMBERS
THE GAS COMPANY	1-800-427-2200
SO. CALIF. EDISON	1-800-684-8123
MORENO VALLEY ELECTRIC UTILITY	1-877-811-8700
VERIZON TELEPHONE (COMMERCIAL)	1-800-483-5000
TIME WARNER CABLE	(888) 892-2253
CITY OF MORENO VALLEY	(951) 413-3110
EASTERN MUNICIPAL WATER DIST.	(951) 928-3777
WASTE MANAGEMENT OF THE INLAND VALLEY	(800) 423-9986

SHEET INDEX

SHEET 1 OF 5 TITLE SHEET - TYPICAL SECTIONS
SHEET 2-5 OF 5 CONCEPTUAL GRADING PLAN

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp 12-31-11) CIVIL STATE OF CALIFORNIA

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09				
		REVISED		APPROVED	

CITY OF MORENO VALLEY
CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, R.C.E. 453 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	R.C.E. 22877 Robert A. Bebensee Exp. 12-31-11	SHEET 1 OF 5
DATE	FILE NO.	

MV00172766

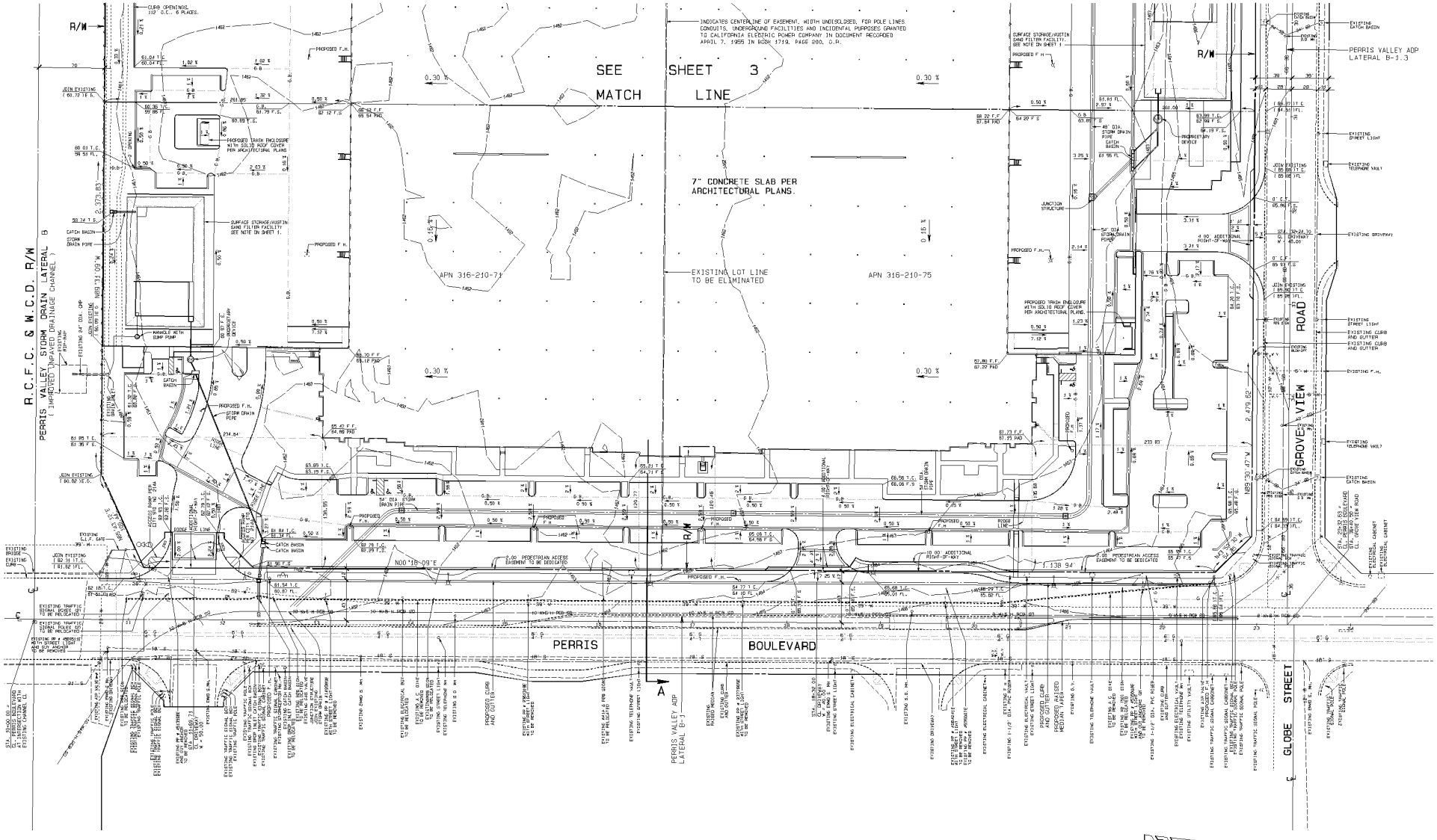

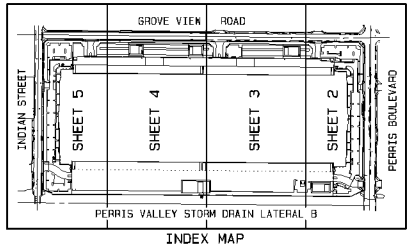

INDEX MAP

SCALE : 1" = 300'

GRAPHIC SCALE 1" = 40'

40 20 0 40 80 120

NOT FOR CONSTRUCTION
FOR PLAN REVIEW ONLY 12/22/09

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. C.E. 1551 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	R.C.E. 22877 Exp. 12-31-11 Robert A. Bebensee	SHEET 2 OF 5
DATE	FILE NO.	

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp. 12-31-11) CIVIL STATE OF CALIFORNIA

-1382-

MV00172767

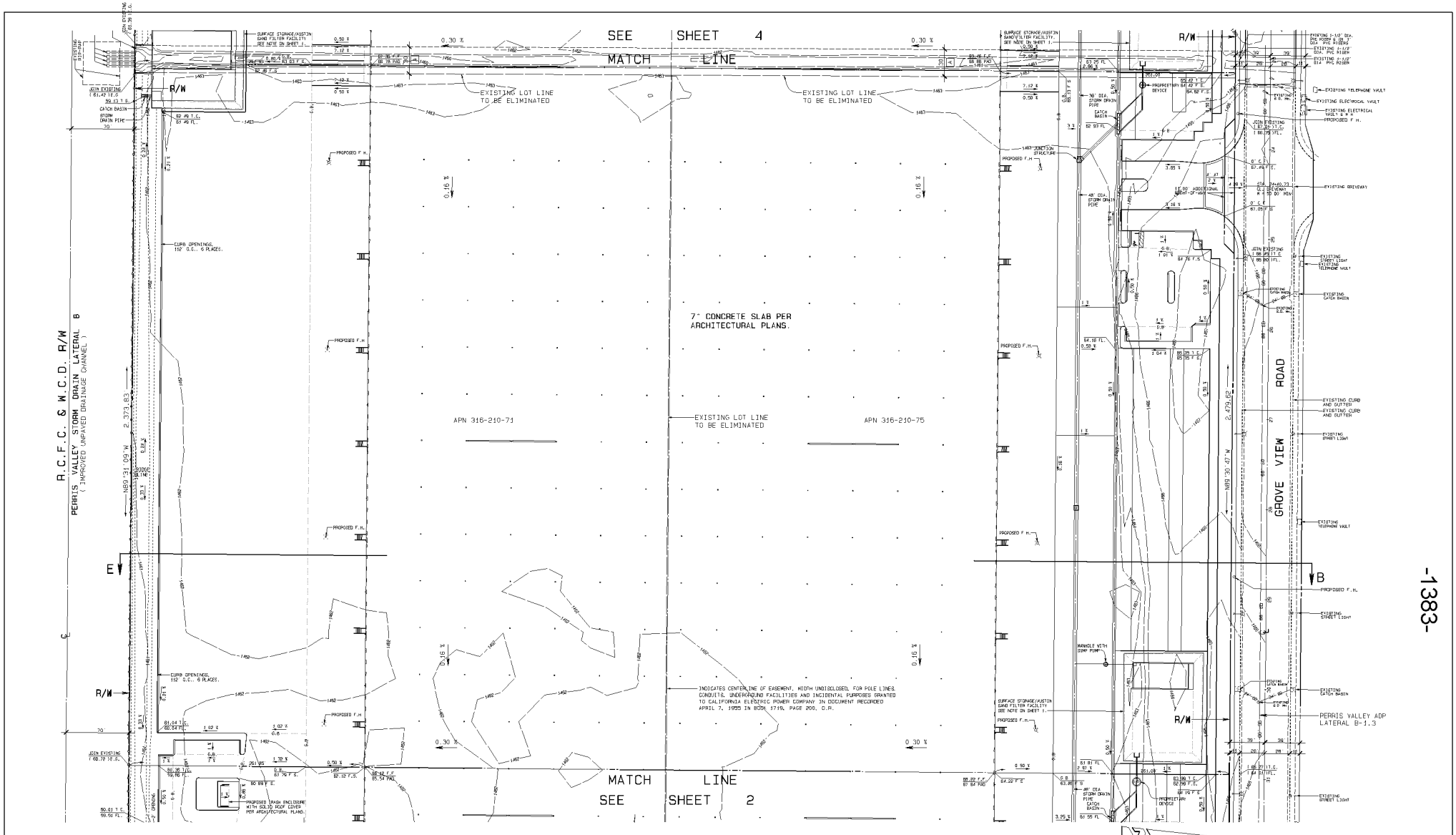

EASEMENTS

A — INDICATES 30' WIDE EASEMENT FOR CONSTRUCTION AND MAINTAINING A TEMPORARY DRAINAGE FACILITY PURPOSES GRANTED TO MORENO VALLEY DISPOSAL, INC. IN DOCUMENT ENTITLED "GRANT OF EASEMENT AND MAINTENANCE AGREEMENT", RECORDED JUNE 19, 1989 AS INSTRUMENT NO. 1989-201760, O.R.

THE EASEMENT GRANTED HEREUNDER SHALL CONTINUE IN EFFECT UNTIL SUCH TIME AS GRANTEE SHALL BE ABLE TO DISCHARGE STORM WATER FROM GRANTEE'S PROPERTY INTO A STORM DRAIN THAT IS PART OF THE PUBLIC STORM DRAIN SYSTEM CONSTRUCTED TO SERVE THE AREA IN WHICH GRANTEE'S PROPERTY IS LOCATED. AT SUCH TIME AND UPON REQUEST OF GRANTOR, THIS EASEMENT SHALL AUTOMATICALLY TERMINATE, AND GRANTEE COVENANTS AND AGREES TO REMOVE THE FACILITY AND ALL OTHER IMPROVEMENTS PLACED BY GRANTEE IN THE EASEMENT AREA AND TO REPAIR AND RESTORE THE EASEMENT AREA, AS FAR AS PRACTICABLE, TO ITS CONDITION EXISTING AS OF THE DATE OF THIS AGREEMENT, AND TO QUITCLAIM ITS RIGHTS UNDER THIS AGREEMENT.

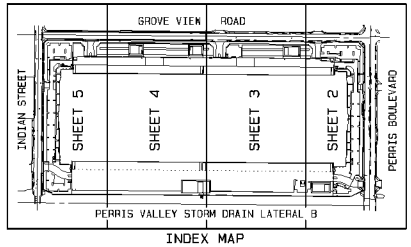

INDEX MAP
SCALE : 1" = 300'

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09				
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. 453 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	Robert A. Bebensee R.C.E. 22877 Exp. 12-31-12	SHEET 3 OF 5
DATE	FILE NO.	

-1383-

MV00172768

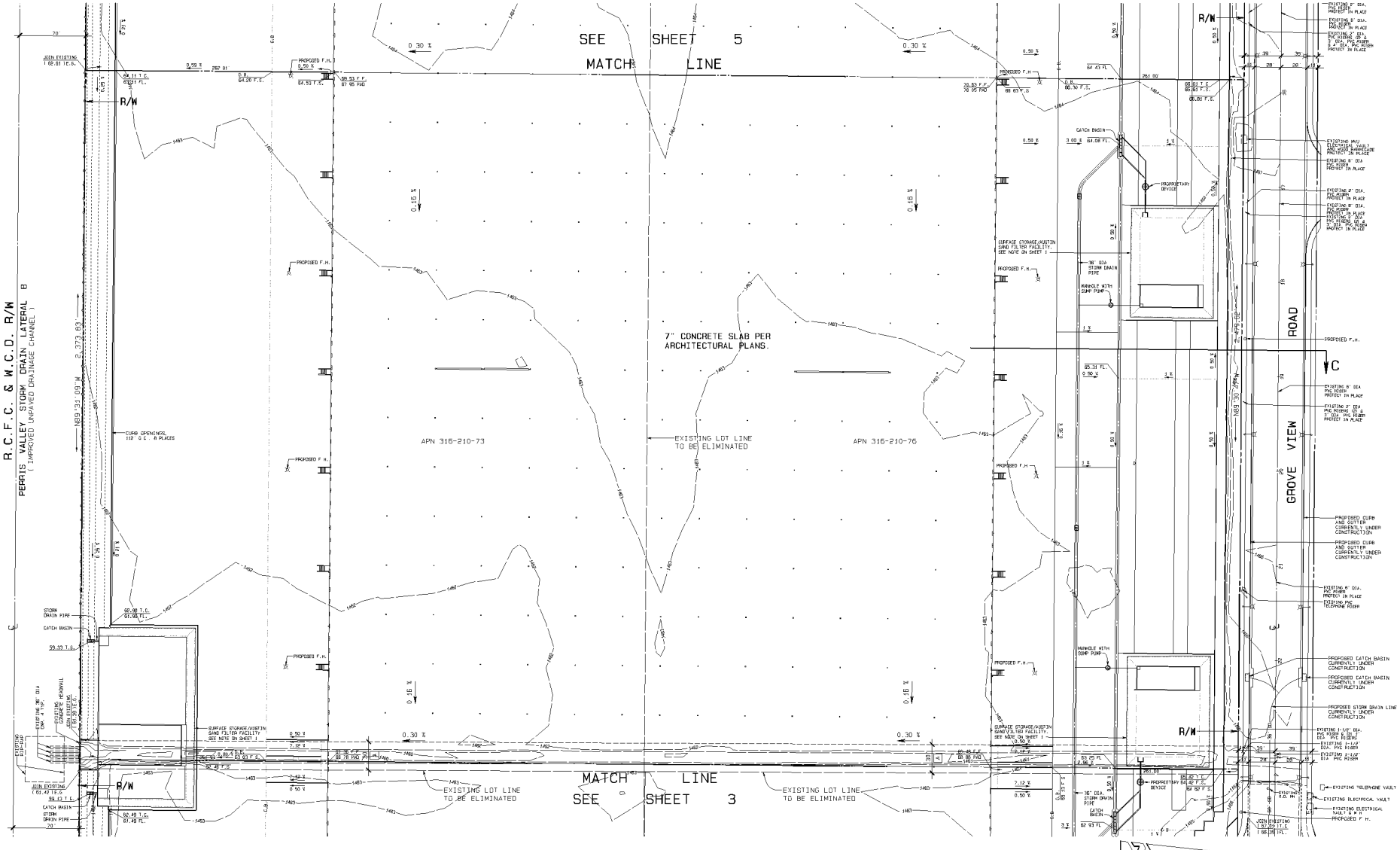

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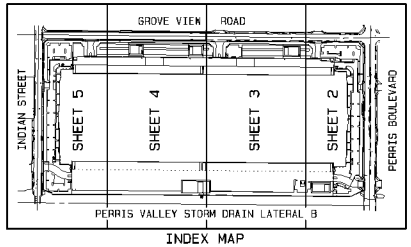

INDEX MAP
SCALE : 1" = 300'

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (exp 12-31-11) CIVIL STATE OF CALIFORNIA

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09	REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.C.E. #53 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.	R.C.E. 22877 Exp. 12-31-11	JOB NO. 061606
CHECKED	Robert A. Bebensee	SHEET 4 OF 5
DATE	FILE NO.	

-1384-

MV00172769

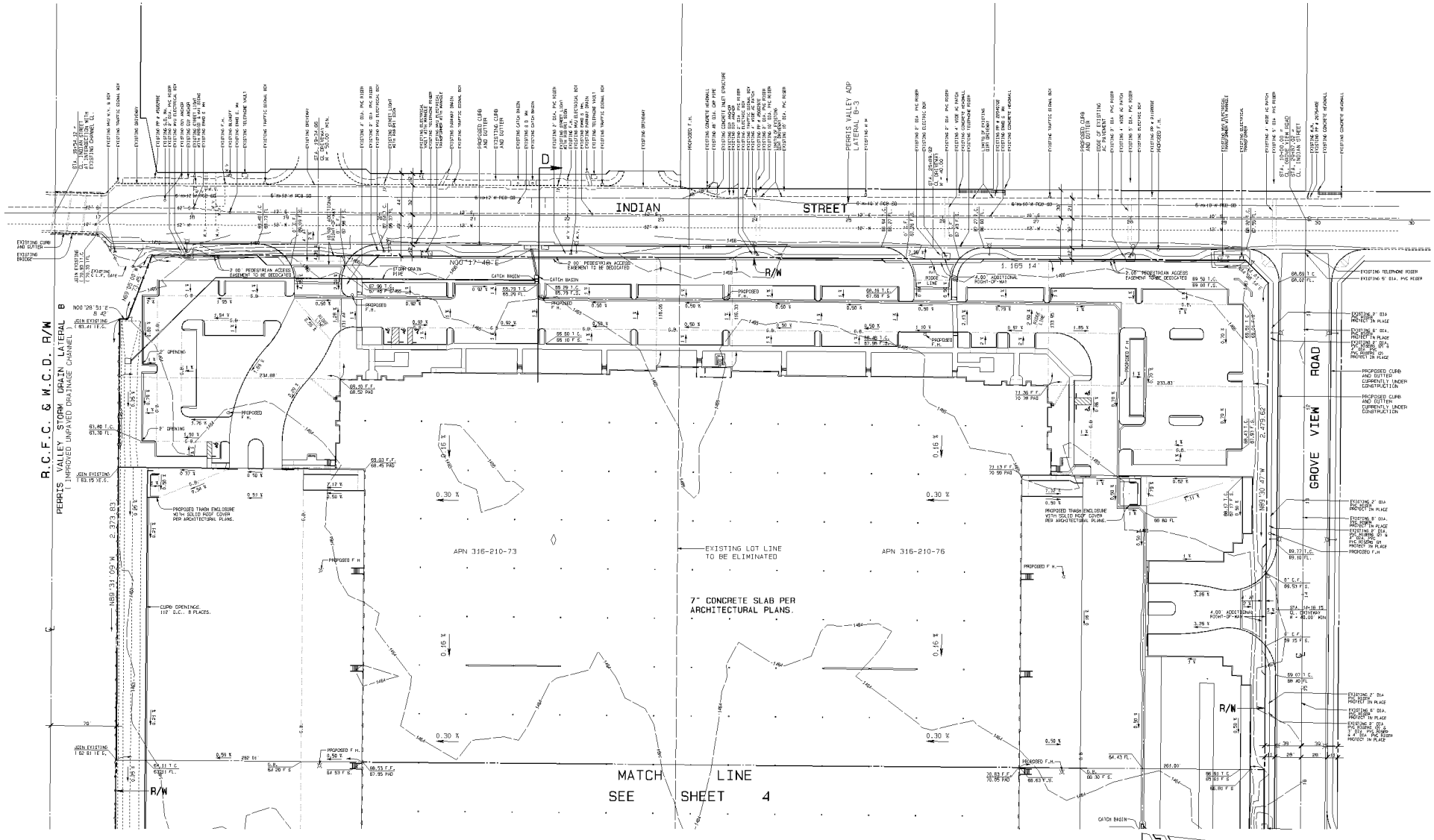

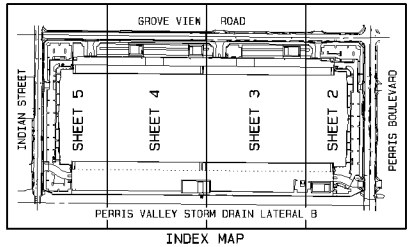

INDEX MAP
SCALE : 1" = 300'

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
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CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
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CHECKED	Robert A. Bebensee DATE ____ FILE NO. ____	SHEET 5 OF 5

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp. 12-31-11) CIVIL STATE OF CALIFORNIA

-1385-

MV00172770

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MV00172771

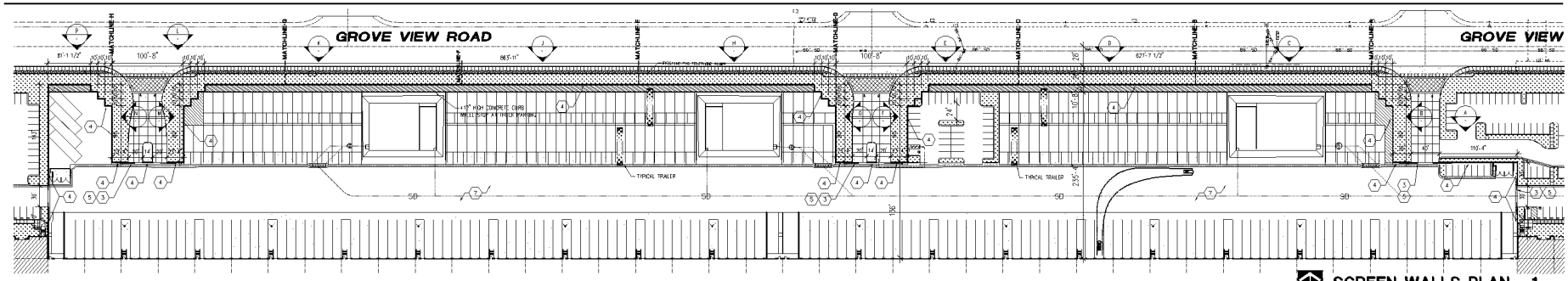

SCREEN WALLS PLAN - 1

SCALE: 1" = 60'-0"

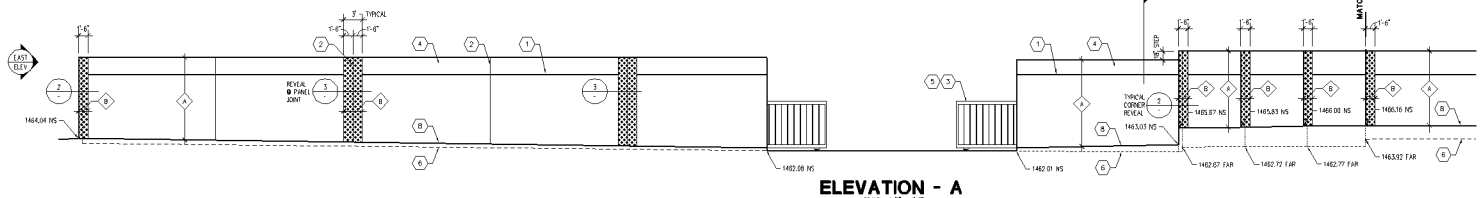

ELEVATION - A

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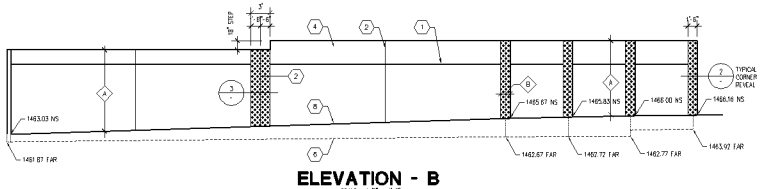

ELEVATION - B

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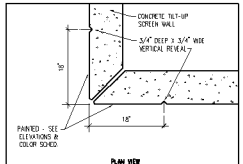

CORNER REVEAL DETAIL - 2

N.T.S.

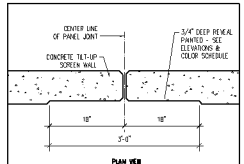

REVEAL DETAIL - 3

N.T.S.

KEYNOTES:

1. 2 IN. WIDE X 3/4 IN. DEEP REVEAL. PAINTED; TYPICAL
2. PANEL JOINT
3. TUBULAR STEEL ROLLING GATES – SEE SEE NOTE BELOW
4. CONCRETE TILT UP SCREEN WALL, HEIGHTS VARY DUE TO GRADES – REFER TO CIVIL PLANS
5. GATE IN OPEN POSITION
6. FAR-SIDE (FAR) GRADE OR FINISH SURFACE – SEE CE-PLANS
7. A.C. PAVING – SEE CE- PLANS
8. NEAR-SIDE (NS) GRADE OR FINISH SURFACE – SEE CE-PLANS

EXTERIOR COLORS:

- A DUNN EDWARDS #DE6143 "ALMOND LATTE" ..... (FIELD)
- B DUNN EDWARDS #DE6145 "ROCKY RIDGE" (BASE / CAP)

GATES AND FENCES NOTES:

- 8-FOOT HIGH MINIMUM STEEL ROLLING GATE'S AND ITS HARDWARE, MANUALLY OR ELECTRICALLY OPERATED SHALL BE DESIGNED TO WITHSTAND 90 MPH WIND LOADS IN THE OPEN AND CLOSED POSITION.
- THE STEEL ROLLING GATES CONTRACTOR SHALL SUBMIT SHOP DRAWINGS AND STRUCTURAL CALCULATIONS SIGNED BY A LICENSED CALIFORNIA STRUCTURAL ENGINEER FOR THE ENTIRE GATE OPERATION, TO THE APPROVAL OF THE BUILDING, FIRE AND PLANNING DEPARTMENTS AND OBTAIN THE REQUIRED PERMIT PRIOR TO START ANY WORK IN THE FIELD.
- PROVIDE FIRE DEPT. APPROVED 'KNOX-LOCKS' AS REQUIRED.
- THESE SAME NOTES APPLY TO THE TUBULAR STEEL AND CHAIN-LINK FENCES.
- ROLLING GATES TO BE ELECTRICALLY OPERATED AT LOCATIONS WHERE THE CITY REQUIRES THEM TO BE SELF CLOSING.
- RKZ INC. IS NOT RESPONSIBLE IN ANY WAY FOR THE GATES, AND FENCES DESIGN AND CONSTRUCTION AND OPERATION. INFORMATION FOUND TO HAVE EFFECT ON THESE CONSTRUCTION DOCUMENTS SHALL BE CONSIDERED CONCEPTUAL ONLY.

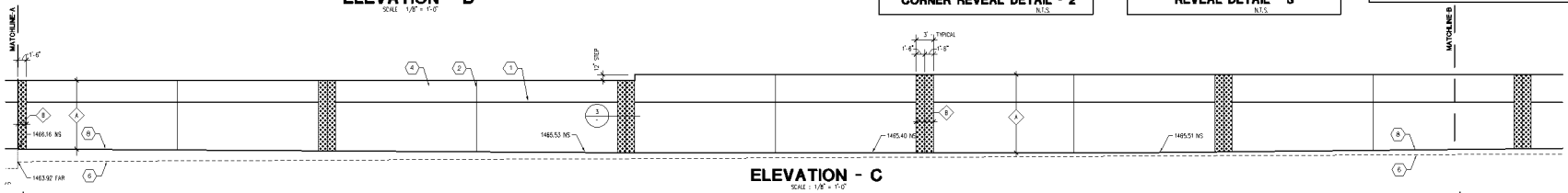

ELEVATION - C

SCALE : 1/8" = 1'-0"

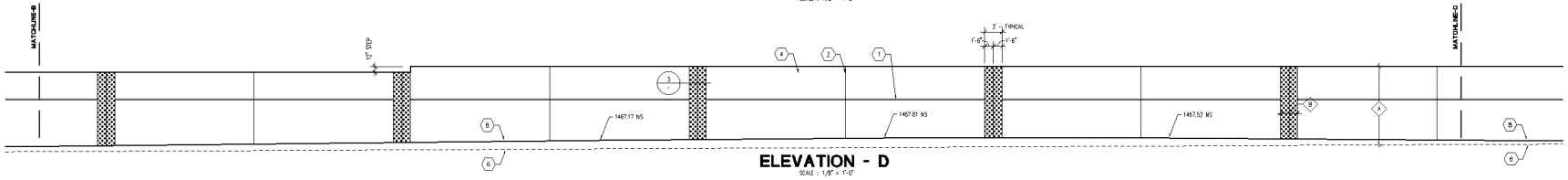

ELEVATION - D

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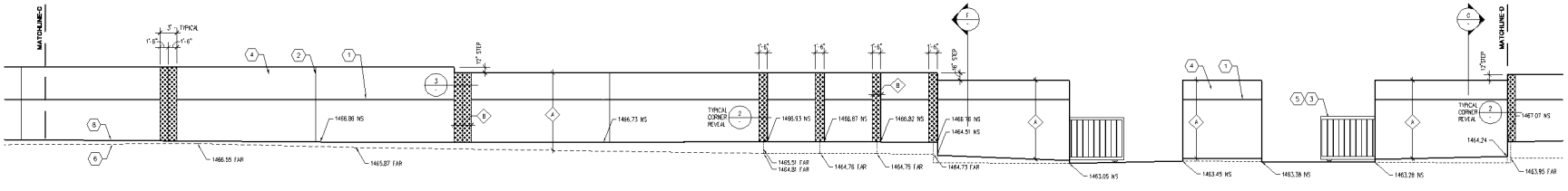

ELEVATION - E

SCALE : 1/8" = 1'-0"

ATTACHMENT 13

rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH. 714.731.1140 FAX: 714.731.1080
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY

17777 PERRIS BOULEVARD
17700 INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26

SHEET NAME
SCREEN WALL PLANS AND ELEVATIONS

SHEET NO.
A-5
OF SHEETS

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PROJECT #PA09-0004 & PA09-0012

-1387-

MV00172772

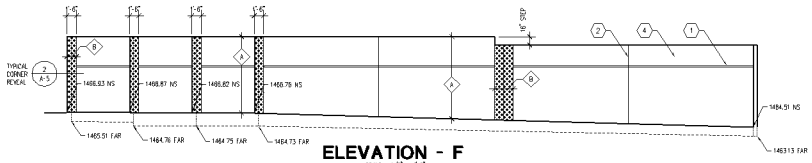

ELEVATION - F
SCALE : 1/8" = 1'-0"

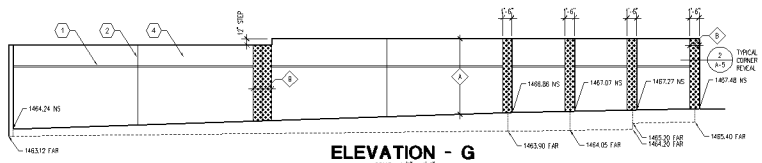

ELEVATION - G
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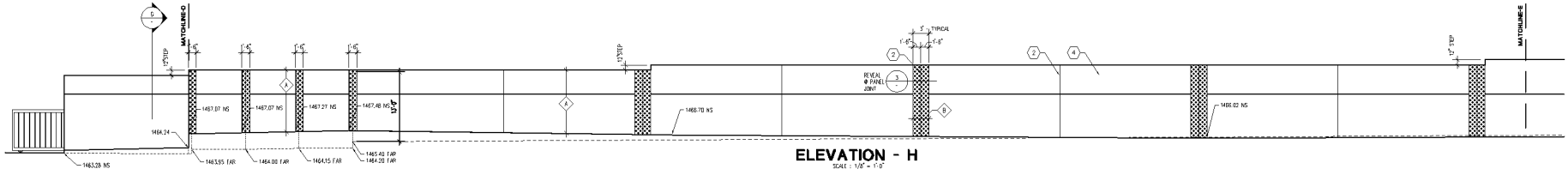

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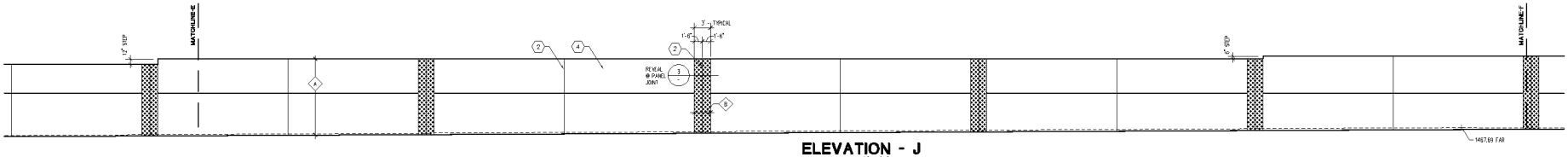

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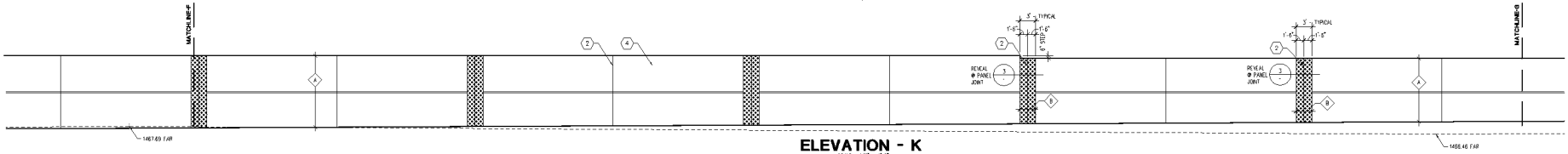

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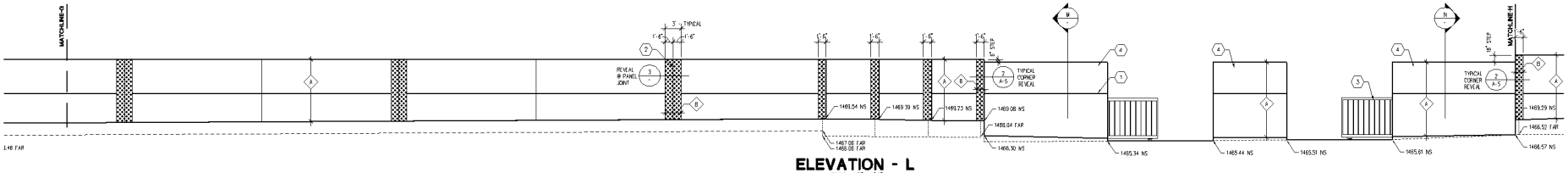

ELEVATION - L
SCALE : 1/8" = 1'-0"

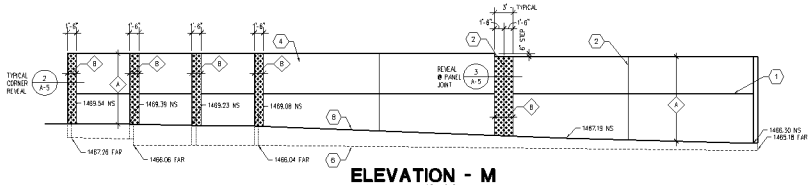

ELEVATION - M
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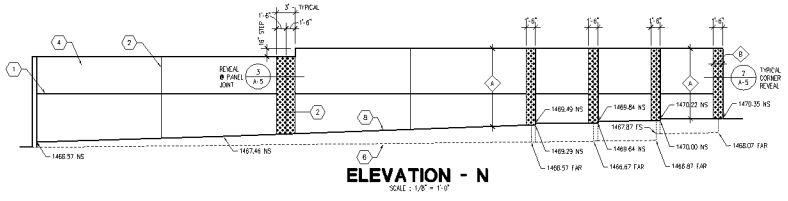

ELEVATION - N
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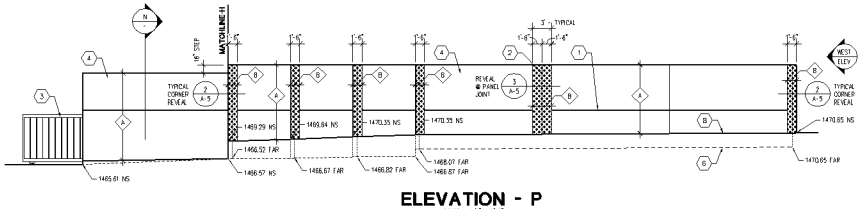

ELEVATION - P
SCALE : 1/8" = 1'-0"

EXTERIOR COLORS:

- (A) DUNN EDWARDS #DE6143 "ALMOND LATTE" (FIELD)
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4. CONCRETE TILT UP SCREEN WALL, HEIGHTS VARY DUE TO GRADES
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rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH. 714.731.1140 FAX: 714.731.1080
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
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VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26

SHEET NAME
SCREEN WALL PLANS AND ELEVATIONS

SHEET NO.
A-6
OF SHEETS

08-26A5Z.dwg / 07.02.12 / 15:38

PROJECT #PA09-0004 & PA09-0012

MV00172773

VIP Moreno Valley Project

Legend

- Highways
- Parcels
- Roads
- March Installation Area
- Waterbodies
- Sphere of Influence
- Ortho Photography

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside

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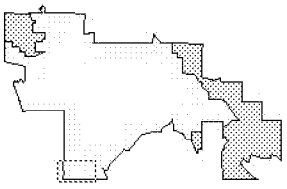

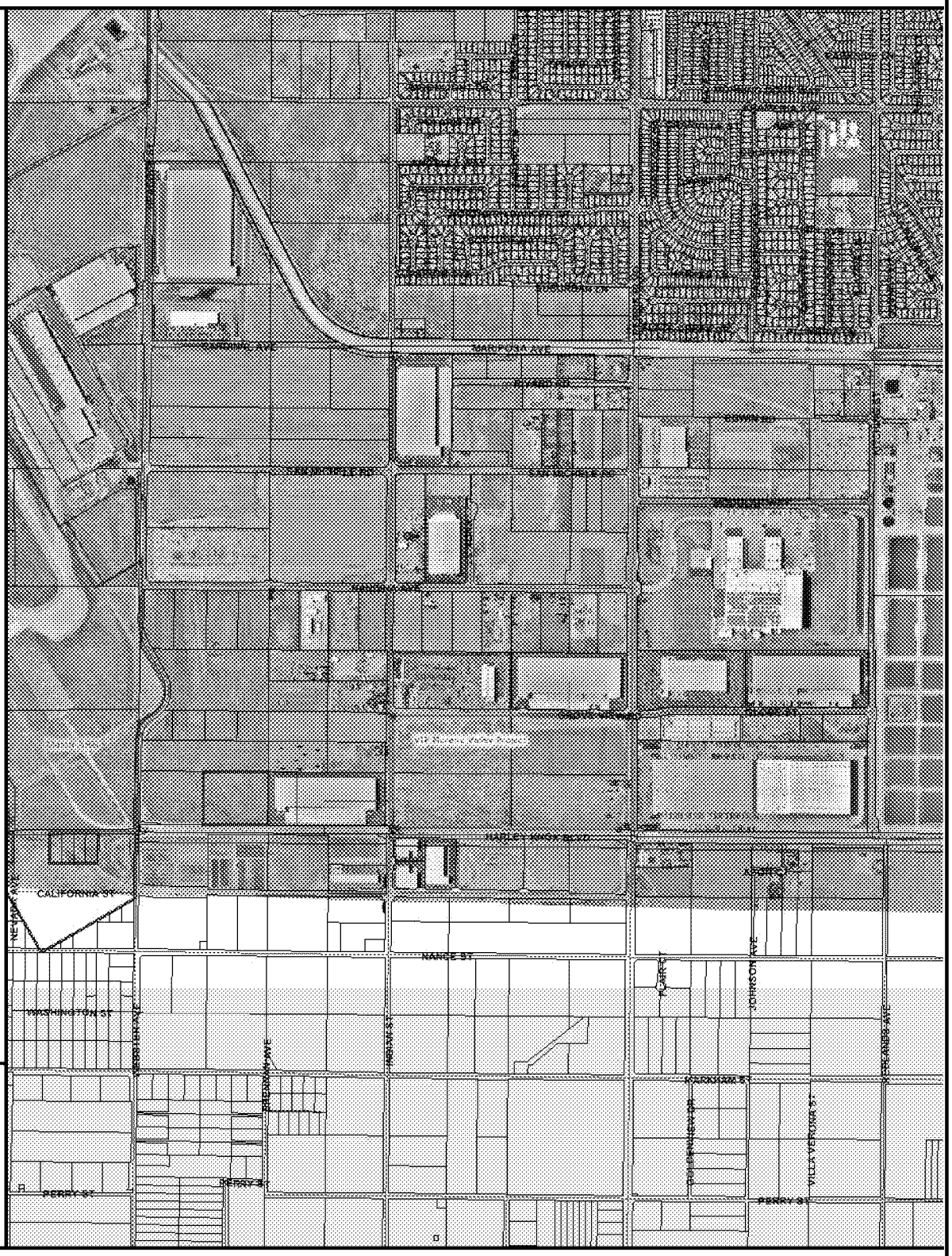

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY
WHERE DREAMS SOAR

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MV00172775

PLANNING COMMISSION STAFF REPORT

Case:	PA11-0013
Date:	July 12, 2012
Applicant:	City of Moreno Valley
Representative:	N/A
Location:	Citywide
Proposal:	Modify Title 9 of the Municipal Code for energy efficiency measures equal to and above current 2011 California Green Building Code standards necessary to adopt Reach Codes, including the modification of Section 9.05.040, "Industrial Site Development Standards", Section 9.17.030 "Landscape and Irrigation Design", Section 9.11.040 "Off Street Parking Requirements", Section 9.03.040 "Residential Site Development Standards, Section 8.80.020 "Waste Diversion Requirements" and 8.80.030 Waste Management Plan".
Recommendation:	Recommend approval to City Council

MV00172776

SUMMARY

City Staff is proposing to modify specific sections of Title 9 of the Municipal Code to achieve energy savings in excess of current State Building Code requirements ("Reach Codes") in accord with the Southern California Edison Company (SCE) Grant. The specific proposals include orientation of residential buildings, landscape design, carpool/ vanpool parking, solar energy and other items associated with energy efficiency at and above current codes and ordinances citywide.

BACKGROUND

A Long Term Strategic Plan was adopted in 2008 by the California Public Utilities Commission (CPUC), the California Air Resources Board, and the state's utilities. Various Public Resources Code sections establish a process which allows local adoption of energy conservation measures that are more stringent than the statewide standards. As a part of the Plan, the statement of work calls for the development of reach codes.

A Reach Code must achieve a higher level of energy efficiency than would otherwise result from complying with Title 24, including the mandatory requirements of 2011 California Green Building Code. Various efforts of achieving the "reach" beyond the 2011 Code include consideration of adopting performance measures based on a percentage reduction in energy usage beyond what is currently required by Title 24, and the consideration of adopting other prescriptive or individual local mandatory measures that are identified primarily as CALGreen Tier I or II measures. Measures would either involve amendments to the Uniform Electrical, Plumbing and Energy Codes or warrant amendments to current planning and zoning provisions within the Municipal Code.

There are a number of reasons why the City is proposing to adopt Reach Codes at this time. Additional energy efficiency through Reach Codes will assist in achieving the minimum 15% savings by the year 2020 related to mandates or requirements in the California Long Term Energy Efficiency Strategic Plan and AB 32. The additional energy efficiency above Title 24 would also assist to implement a policy of the proposed City Climate Action Strategy/Greenhouse Gas Analysis to facilitate the implementation of energy efficiency design of structures 10% beyond current Title 24 standards and the overall California goal of reaching zero net energy for residential structures by 2020.

In order to better ensure the cost-effectiveness of this task, City staff reviewed and assessed reach codes and related resources of municipalities and organizations throughout Southern California. Staff reviewed a large number of "reach" ordinances and narrowed down the list to focus on those that are most relevant to Moreno Valley's economic and climatic conditions. The following criteria were considered in the review process:

- Consideration of local municipalities with similar climate zones, and/or demographics.

- A thorough evaluation of mandatory requirements of CALGreen as well as Tier 1 and Tier 2 measures will be needed to determine the approach to reach codes that would be most appropriate for the City of Moreno Valley.

- Comparison of various approaches to implementing CALGreen and green ordinances among the identified sample of cities.

- Justification for adopting a percentage of energy savings over Title 24 when other surrounding cities have not yet adopted such codes.

After reviewing the ordinances of several cities in California that have developed Reach Codes, staff chose the cities of Simi Valley, Chula Vista, and West Sacramento for focused study. All or a portion of each city has similar climatic conditions being located several miles inland from the coast such as the City of Moreno Valley, with justification for the cost effectiveness of the established "Reach Codes" made through the Climate Zone 10 which also includes Moreno Valley.

Reach Codes, or those codes proposed for greater energy efficiency, will ultimately include modified language for both Municipal Codes and other building related codes. Staff is presenting the Title 9 or Municipal Code items for Planning Commission's review and recommendation to City Council. Various electrical, plumbing and energy related codes are under the direct purview of the City Council and do not require Planning Commission review. For the Planning Commission's information, the Building related measures include the following items:

Residential Local Mandatory Measures – Electrical, Plumbing and Energy Code items

- Provide a minimum of one-inch conduit from electrical service equipment for the future installation of a photovoltaic (PV) system.

- Kitchen faucets to limit water consumption to 1.5 gallons per minute.

- Space on roof surface and penetrations through roof surface are provided for future solar installation.

- A radiant roof barrier to be installed, with roofing materials to include a 3 year old solar reflectance or thermal emittance.

Non-residential Local Mandatory Measures – Electrical, Plumbing and Energy Code items

- Conduit to be installed from the building roof or eave to a location within the building identified as suitable for future installation of a charge controller (regulator) and inverter for future solar.

- Use of cool roofing materials having solar reflectance and thermal emittance with specific Solar Reflectance Index values.

Incentives will be available for some of the local mandatory measure proposed. According to Moreno Valley Utilities staff, an updated Solar Rebate program was approved by City Council on June 12th. The program will include rebates for residential and small commercial and performance standards for large commercial solar. The solar rebate program will be adjusted every year, to coincide with other Municipal Utility rebate programs, and available budget constraints. Plans are also underway to start an appliance rebate program, which will allow rebates for energy star appliances. Incentives for cool roofing materials are also being considered. The Building Division has also indicated that a building fee incentive may be available for allowing for future installation of solar on a building.

Staff originally proposed performance standards for consideration, where the builder or developer would be required to include building energy efficiency measures to achieve 10% energy efficiency above current Title 24 requirements for new residential projects, 15% percent energy efficiency above current Title 24 standards for new non-residential projects, and 5% energy efficiency above current Title 24 standards for residential and non residential building additions and retrofits. These or greater percentages were included in the city ordinances reviewed by staff. Based on subsequent outreach conducted with the development community, including residential, industrial and commercial developers conducting business in Moreno Valley and the Building Industry Association of Southern California - Riverside County Chapter representing area residential developers, staff has modified the original direction and intensity of Reach Codes. Based upon the concerns of the building community and the current fragile state of the local economy that has curtailed development, staff has decided to drop all references to performance standards and mandatory percentages to provide additional energy efficiency above current Title 24 Building Code standards.

PROJECT DESCRIPTION

Project

The following are various Reach Code items staff is proposing to be incorporated into the Municipal Code to ensure energy efficiency at and in most cases beyond standards included in the current 2011 Green Building Code:

Residential Local Mandatory Measures – Title 9 Items

- In all residential districts allowing single-family homes, new tracts containing five (5) or more lots shall require fifty (50) percent of the structures to orient buildings to optimize the use of solar energy with the long side of the house oriented within thirty (30) degrees south. Landscape design to include turf limit of 25%, utilizing 75% native California or drought tolerant plantings, providing hydrozones and restoring native vegetation to areas disrupted by construction where appropriate.

- Construction waste generated at the site shall be diverted to recycle or salvage in compliance with at least a 75% reduction.

- Each appliance provided by the builder meets Energy Star requirements if an Energy Star designation is applicable for the appliance.

- Space on roof surface and penetrations through roof surface are provided for future solar installation.

The first bullet-point above provides for future energy efficiency measures to be included in single-family residential structures. Placement of structures on lots with the long side of the house oriented within thirty (30) degrees south will allow for maximum afternoon sunlight for greater feasibility of future solar systems and in turn will allow for a reduction of energy consumption. This provides a more specific standard to implement the existing State requirement to maximize solar orientation of new residential tracts.

The second bullet-point item above takes the recently approved drought tolerant landscape ordinance one step further to require the remaining 75% of the non-sod areas to include either drought tolerant or California native landscape, while reducing the need for water consumption. The current landscape ordinance already limits turf areas to 25%.

The third bullet-point item and the 75% reduction of construction wastes, is consistent with AB341, a bill passed last year that created a State wide policy goal to divert 75% of construction waste by the year 2020.

Although the fourth bullet-point item appears to be building related, the Building Code would not regulate Energy Star equipment. The item is proposed to be included in the Municipal Code with the limitation that only kitchen related appliances would be required to meet Energy Star standards.

The fifth bullet-point item will be addressed in two codes, the Municipal Code for providing the space necessary on the roof for future installation of solar and the Energy Code for the penetrations necessary through the roof surface for future solar.

Non-Residential Local Mandatory Measures – Title 9 Items

- Eight (8) percent of all required parking shall be designated for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles.

- Landscape design to include turf limit of 25%, utilizing 75% native California or drought tolerant landscape.

- Construction waste generated at the site is diverted to recycle or salvage in compliance with at least a 75% reduction.

- For all new industrial and warehouse structures at or above 300,000 square feet in floor area, the project shall install a photovoltaic array (solar panels) or other source of renewable generation on-site or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

The first bullet-point item under Non-Residential Measures for carpool and vanpool vehicle parking is a mandatory measure within the current 2011 California Green Building Code Standards. As the item is not included within Title 9 of the Municipal Code at this time, it must be adopted through this code amendment to ensure consistency with the 2011 green building code standards currently in place.

The second and third bullet-point items above are consistent with residential measures suggested and allow for reduction of construction wastes and water consumption.

The fourth bullet-point item is the only measure recommended that is not included in the 2011 Green Building standards. The standard however is consistent with measures included for some of the recently approved large high cube industrial warehouse uses in the City including the Skechers warehouse facility within Highland Fairview Corporate Park and the Ridge Property Trust project located in the eastern section of the City. Alternative energy credits or systems providing a similar reduction in grid energy use would be considered to meet this requirement. The ultimate goal of the measure is to reduce energy consumption and corresponding environmental impact of industrial uses.

Staff originally included a provision under the local mandatory measures where Gutter and downspout systems were proposed to be installed to route water at least five (5) feet away from the foundation or connect to landscape drains which discharge to a dry well, sump, bioswale, rainwater capture system or other approved on-site location. As this item was not considered an energy efficiency measure to reduce energy consumption, it was removed from the proposal by staff.

A majority of the items utilized above were included in the Climate Zone 10 Energy Cost-Effectiveness Study and are the most cost effective measures available from the 2011 California Green Building Code.

REVIEW PROCESS

Internal staff subcommittee meetings were conducted on a monthly basis at the outset of the Reach Code effort to determine which local mandatory measures would be most productive and recommended to Planning Commission and City Council. A total of six (6) in-house meetings were conducted with the subcommittee that included representatives from the Planning Division, Building Division and Moreno Valley Utilities. Other additional meetings with individual divisions were included as needed. Some of the items discussed in the meetings included which prescriptive measures and percentages within performance measures to consider for residential and non-residential development and if incentives would be provided by Moreno Valley Utilities for any of the prescriptive measures proposed.

On April 3, 2012, the Planning Division provided the item for discussion purposes at the City Council Study Session meeting. The meeting included a joint discussion of the item with City Council members and Planning Commissioners. At the meeting, the subject was reviewed somewhat favorably by the City Council and Planning Commission, however it was agreed that public outreach was to be provided to the development community to gauge possible concerns with the proposed approach.

Outreach was conducted with the Building Industry both in a meeting session and with individual developers and the Local Building Industry Association representing the residential building community. On May 10, 2012, staff attended the Economic Development Subcommittee Developer Workshop to provide a presentation on Reach Codes. On hand at the meeting were developers from the industrial, commercial and residential community. Additional outreach was conducted at the Environmental and Cultural Preservation Board on May 14, 2012, at a public forum meeting on June 7, 2012, and at an additional Planning Commission Study Session on June 28, 2012. From the outreach meetings and correspondence conducted with the development community, staff has significantly modified the original direction of the Reach Code effort. As referenced in an earlier section of the report, due to specific concerns from the development community and the continued fragile state of the economy, staff has reduced the intensity of Reach Codes to include only a reduced set of local mandatory measures for consideration. As recommended by the development community, all references to Performance standards and specific percentages of energy efficiency above current Title 24 standards have been dropped and are no longer being considered. This includes the elimination of performance standards related to new residential and non-residential developments as well as to additions and retrofits to residential and non-residential buildings.

The Planning Commission will have the opportunity to recommend approval or denial of the proposed Reach Code effort to the City Council. If Planning Commission chooses not to recommend approval, the one mandatory item in the 2011 Green Building Code referencing parking for carpool and vanpool vehicles would still need to be forwarded to the City Council to ensure consistency with the adopted currently adopted green building code standards.

ENVIRONMENTAL

The proposed Municipal Code amendments for Reach Codes are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines in that there is no possibility that the proposed activity may have the potential for a significant negative impact upon the environment.

NOTIFICATION

Public notice for this public hearing was published in the local newspaper as a 1/8 page ad. In addition, staff sent notices of the meeting to representatives of the building industry who attended a previous Developer's Workshop meeting regarding Reach Codes. This included notification of the meeting and hearing to the local Building Industry Association (BIA) representing Riverside County and a

representative of the Sierra Club who attended a previous City Council/Planning Commission workshop.

REVIEW AGENCY COMMENTS

As the amendment of the Municipal Code items for Reach Codes are citywide and do not include a building project, the item was not transmitted for review.

STAFF RECOMMENDATION

That the Planning Commission **APPROVE** Resolution No. 2012-13 and thereby **RECOMMEND** that the City Council:

1. **RECOGNIZE** that the proposed Municipal Code Amendments are exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Sections 15061 of the CEQA Guidelines; and,

2. **APPROVE** PA11-0013 to amend the Municipal Code to include various Municipal Code modifications and additions to allow for the adoption of Reach Codes (Attachment 2).

Prepared by:

Mark Gross, AICP
Senior Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Climate Zone 10 Energy Cost-Effectiveness Study
3. Planning Commission Resolution No. 2012-13.
4. Strikeout/Underline version of the proposed Municipal Code Amendment

NOTICE
OF
PLANNING COMMISSION
PUBLIC HEARING

THE PLANNING COMMISSION WILL CONSIDER AN AMENDMENT (PA11-0013) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE TITLE 9 TO ADD ENERGY EFFICIENCY MEASURES EQUAL TO AND ABOVE THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS ("REACH CODES"), INCLUDING MODIFICATION OF SECTION 9.05.040 "INDUSTRIAL SITE DEVELOPMENT STANDARDS, SECTION 9.17.030, "LANDSCAPE AND IRRIGATION DESIGN, SECTION 9.11.040 "OFF STREET PARKING REQUIRMENTS", SECTION 9.03.040 "RESIDENTIAL SITE DEVELOPMENT STANDARDS", SECTION 8.80.020 "WASTE DIVERSION REQUIRMENTS, AND SECTION 8.80.030, "WASTE MANAGEMENT PLAN"

The amendment would modify current Municipal Code Title 9 provisions for orientation of residential tract buildings, landscape design, carpool/ vanpool parking, solar energy and items associated with energy efficiency and Reach Codes citywide.

The Planning Commission may consider any appropriate modifications or alternatives to the amendment or environmental determination. The amendment is exempt under California Environmental Quality Act Guidelines Section 15061 in that there is no possibility that the proposed activity may have potential for a significant impact upon the environment.

Any person interested in the proposed project may contact Mark Gross at (951) 413-3215 or at the Community and Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the following meeting date:

Thursday, July 12, 2012
7:00 P.M.
City Council Chamber
14177 Frederick Street.
Moreno Valley, CA 92552-0805

ATTACHMENT 1

MV00172784

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MV00172785

CA Statewide Codes and Standards Program
Title 24 Local Energy Efficiency Ordinances

Title:
Climate Zone 10
Energy Cost-Effectiveness Study

Prepared for:
Ron Gorman
Program Manager
EE Codes and Standards
The Sempra Utilities
213.244.5366
Email ragorman@semprautilities.com

Prepared by:
Michael Gabel
Gabel Associates, LLC
510.428.0803
Email: mike@gabelenergy.com

Last Modified: November 1, 2010

ATTACHMENT 2

LEGAL NOTICE

This report was prepared by The Sempra Utilities and funded by the California utility customers under the auspices of the California Public Utilities Commission.

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MV00172787

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1.0 Executive Summary

Public Resources Code Section 25402.1(h)2 and Section 10-106 of the Building Energy Efficiency Standards (Standards) establish a process which allows local adoption of energy standards that are more stringent than the statewide Standards. This process allows local governments to adopt and enforce energy standards before the statewide Standards effective date, require additional energy conservation measures, and/or set more stringent energy budgets. Because these energy standards "reach" beyond the minimum requirements of Title 24, Part 6 of the California Building Code, they are commonly referred to as Reach Codes when adopted as a collective set by a local jurisdiction.

The process for adopting a Reach Code requires that local governments apply to the California Energy Commission (CEC) for approval. The applicant jurisdiction must document the supporting analysis for determining that the proposed Reach Code Standards will save more energy than the current statewide Standards. The applicant jurisdiction must also prepare a **Cost Effectiveness Study** that provides the basis of the local government's determination that the proposed Reach Code Standards are cost-effective. Once the CEC staff has verified that the local Reach Code Standards will require buildings to use no more energy than the current statewide Standards and that the documentation requirements in Section 10-106 are met, the application is brought before the full California Energy Commission for approval.

This Cost Effectiveness Study was prepared for Climate Zone 10 which encompasses many cities and towns such as Alpine, Chino Hills, Corona, Cucamonga, El Cajon, Escondido, Hemet, Loma Linda, Ontario, Riverside, San Bernardino, San Jacinto, San Marcos, Temecula and Upland (see Appendix "A" for list of local jurisdictions). The 2008 Building Energy Efficiency Standards, effective January 1, 2010, have been used as the baseline used in calculating the energy performance of efficiency measures summarized in this study.

2.0 Methodology and Assumptions

The energy performance impacts of exceeding the performance requirements of the 2008 Title 24 Building Energy Efficiency Standar ds have been evaluated in Climate Zone 10 using the following residential and nonresidential prototypical building types:

Small Single Family House 2-story 2,025 sf	**Large Single Family House** 2-story 4,500 sf
Low-rise Multi-family Apartments 8 dwelling units/2-story 8,442 sf	**High-rise Multi-family Apartments** 40 dwelling units/4-story 36,800 sf
Low-rise Office Building 1-story 10,580 sf	**High-rise Office Building** 5-story 52,900 sf

Methodology

The methodology used in the case studies is based on a design process for each of the proposed prototypical building types t hat first meets the minimum requirements and then exceeds the 2008 Standar ds by 15%. The process includes the following major stages:

Stage 1: Minimum Compliance with 2008 Standards:

Each prototype building design is test ed for minimum compliance with the 2008 Standards, and the mix of energy measures are adjusted us ing common construction options so the building first just meets the Standards. The set of energy measures chosen represent a reasonable combination wh ich reflects how designers, builders and developers are likely to achieve a specified level of performance using a relatively low first incremental (additional) cost.

Stage 2: Incremental Cost for Exceeding 2008 Standards by 15%:

Starting with that set of meas ures which is minimally compliant with the 2008 Standards, various energy measures are upgraded so t hat the building just exceeds the 2008 Standards by 15%. The design choices by the consultant authoring this study are based on many years of experienc e with architects, builders, mechanical engineers; and general knowledge of the relative acceptanc e and preferences of many measures, as well as their incremental co sts. This approach tends to reflect how building energy performance is typically evaluated for code compliance and how it's used to select design energy efficiency measures. Note that lowest simple payback with respect to building site energy is not the primary focus of selecting measures; but rather the requisite reduction of Title 24 Time Dependent Valuation (TDV) energy at a reasonable incremental cost consistent with other non-monetary but important design considerations. A minimum and

maximum range of incremental costs of added energy efficiency measures is established by a variety of research means. A construction cost estimator, Building Advisory LLC, was contracted to conduct research to obtain current measure cost information for several energy measures; and Gabel Associates performed its own additional research to establish first cost data.

Stage 3 Cost Effectiveness Determination:

Energy savings in kWh and therms is calculated from the Title 24 simulation results to establish the annual energy cost savings and CO2-equivalent reductions in greenhouse gases. A simple payback analysis in years is calculated by dividing the incremental cost for exceeding the 2008 Standards by the estimated annual energy cost savings.

Assumptions

Annual Energy Cost Savings

1. Annual site electricity (kWh) and natural gas (therms) saved for low-rise residential buildings are calculated using the state-approved energy compliance software for the 2008 Building Energy Efficiency Standards, Micropas 8; and for high-rise residential and nonresidential buildings using the state-approved 2008 energy compliance software EnergyPro v5.0.

2. Average residential utility rates of $0.159/kWh for electricity and $0.94/therm for natural gas in current constant dollars; nonresidential rates are time-of-use rate schedules modeled explicitly in the DOE-2.1E computer simulation: Southern California Edison GS-1 schedule for electricity and Southern California Gas GN-10 schedule for natural gas.

3. No change (i.e., no inflation or deflation) of utility rates in constant dollars

4. No increase in summer temperatures from global climate change

Simple Payback Analysis

1. No external cost of global climate change -- and corresponding value of additional investment in energy efficiency and CO_2 reduction – is included.

2. The cost of money (e.g., opportunity cost) invested in the incremental cost of energy efficiency measures is not included.

3.0 Minimum Compliance with 2008 Standards

The following energy design descriptions of t he following building prototypes just meet the 2008 Standards in Climate Zone 10.

Small Single Family House

- 2,025 square feet
- 2-story
- 20.2% glazing/floor area ratio

Energy Efficiency Measures
R-30 Roof w/ Radiant Barrier
R-13 Walls
R-19 Raised Floor over Garage/Open at 2nd Floor
R-0 Slab on Grade
Low E2 Vinyl Windows, U=0.36, SHGC=0.30
Furnace: 80% AFUE
Air Conditioner: 13 SEER, 11 EER (HERS)
Air Conditioner: Refrigerant Charge (HERS)
R-6 Attic Ducts
50 Gallon Gas Water Heater: EF=0.60

Large Single Family House

- 4,500 square feet
- 2-story
- 22.0% glazing/floor area ratio

Energy Efficiency Measures
R-38 Roof w/ Radiant Barrier
R-13 Walls
R-19 Raised Floor
Low E2 Vinyl Windows, U=0.36, SHGC=0.30
(2) Furnaces: 80% AFUE
(2) Air Conditioners: 13 SEER, 11 EER (HERS)
(2) Air Conditioners: Refrigerant Charge (HERS)
R-6 Attic Ducts
Reduced Duct Leakage/Testing (HERS)
(2) 50 Gallon Gas Water Heaters: EF=0.61

Low-rise Multi-family Apartments

- 8,442 square feet
- 8 units/2-story
- 12.5% glazing/floor area ratio

Energy Efficiency Measures
R-38 Roof w/ Radiant Barrier
R-13 Walls
R-0 Slab on Grade
Low E2 Vinyl Windows, U=0.36, SHGC=0.30
(8) Furnaces: 80% AFUE
(8) Air Conditioner: 13 SEER, 11 EER (HERS)
(8) Air Conditioners: Refrigerant Charge (HERS)
R-8 Attic Ducts
(8) 40 Gallon Gas Water Heaters: EF=0.63

High-rise Multifamily Apartments

- 36,800 sf,
- 40 units
- 4-story
- Window to Wall Ratio = 35.2%

Energy Efficiency Measures to Meet Title 24
R-19 under Metal Deck + R-4 (1" rigid); with Cool Roof, Aged Reflectance = 0.55, Thermal Emmittance = 0.75
R-19 in Metal Frame Walls
R-4 (1.25" K-13 spray-on) Raised Slab over parking garage
Dual Metal Windows: default U-factor=0.79, SHGC=0.79
4-pipe fan coil, 84% AFUE boiler, 80-ton scroll air cooled chiller 0.79 KW/ton
Central DHW boiler: 84% AFUE and recirculating system w/ timer-temperature controls

Low-rise Office Building

- Single Story
- 10,580 sf,
- Window to Wall Ratio = 37.1%

Energy Efficiency Measures to Meet Title 24
R-19 under Metal Deck + R-5 (1" rigid); with Cool Roof, Aged Reflectance = 0.55, Emmittance = 0.75
R-19 in Metal Frame Walls
R-0 (un-insulated) slab-on-grade 1st floor
Metal windows: Glazing COG=0.30, COG SHGC=0.38
Lighting = 0.858 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; (24) 18w recessed CFLs no lighting controls. Small Offices: (48) 2-lamp T8 fixtures; (40) 18w recessed CFLs, on/off lighting controls. Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.
(3) 10-ton DX units EER=11.0; 80% AFUE furnaces; standard efficiency fan motors; fixed temp. integrated air economizers
R-6 duct insulation w/ ducts on roof, HERS verified duct leakage
(1) Tank Gas Water Heaters EF=0.575

High-rise Office Building

- 5-story
- 52,900 sf,
- Window to Wall Ratio = 39.4%

Energy Efficiency Measures to Meet Title 24
R-19 under Metal Deck + R-5 (1" rigid); with Cool Roof Reflectance = 0.55, Emmittance = 0.75
R-19 in Metal Frame Walls
R-0 (un-insulated) slab-on-grade 1st floor
Metal windows: COG U=0.30, COG SHGC=0.38
Lighting = 0.858 w/sf: Open Office Areas: (300) 2-lamp T8 fixtures @58w each; no lighting controls; (120) 18w recessed CFLs no lighting controls. Small Offices: (280) 2-lamp T8 fixtures on/off lighting controls; (200) 18w recessed CFLs no on/off lighting controls. Support Areas: (160) 18w recessed CFLs no lighting controls; (240) 13w CFL wall sconces; no lighting controls.
(5) 35-ton Packaged VAV EER=10.0; 81% TE furnaces; standard efficiency variable speed fan motors; Fixed temp. air economizers; 20% VAV boxes, reheat on perimeter zones with hot water using 90% AFUE boiler
R-6 duct insulation w/ ducts in conditioned
Boiler 90% AFUE

3.0 Incremental Cost to Exceed 2008 Standards by 15%

The following tables list the energy feat ures and/or equipment included in the 2008 Standards base design, the e fficient measure options, and an estimate of the incremental cost for each measure included **to improve the building performance to use 15% less TDV energy than the corresponding Title 24 base case design**.

Small Single Family House

- 2,025 square feet
- 2-story
- 20.2% glazing/floor area ratio

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 2,025 SF, Option 1 **2025 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 Roof w/ Radiant Barrier (from R-30 w/Radiant Barrier): 1,443 sf @ 0.25 to 0.35/sf	Downgrade	$ (505)	$ (361)	$ (433)
R-19 Walls (from R-13): 2,550 sf @$0.31 to $0.54/sf	Upgrade	$ 791	$ 1,377	$ 1,084
R-19 Raised Floor over Garage/Open at 2nd Floor	-	$ -	$ -	$ -
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
Furnace: 80% AFUE	-	$ -	$ -	$ -
Air Conditioner: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-4.2 Attic Ducts (from R-6)	Downgrade	$ (325)	$ (225)	$ (275)
Reduced Duct Leakage/Testing (HERS)	Upgrade	$ 300	$ 600	$ 450
50 Gallon Gas Water Heater: EF=0.59 (from EF=0.60)	Downgrade	$ (100)	$ (50)	$ (75)
Total Incremental Cost of Energy Efficiency Measures:		**$ 160**	**$ 1,341**	**$ 751**
Total Incremental Cost per Square Foot:		**$ 0.08**	**$ 0.66**	**$ 0.37**

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 2,025 SF, Option 2 **2025 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-38 Roof w/ Radiant Barrier (from R-30 w/Radiant Barrier): 1,443 sf @ 0.15 to 0.20/sf	Upgrade	$ 216	$ 289	$ 253
R-21 Walls (from R-13): 2,550 sf @ $0.45 to $0.70/sf	Upgrade	$ 1,148	$ 1,785	$ 1,466
R-19 Raised Floor over Garage/Open at 2nd Floor	-	$ -	$ -	$ -
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
Furnace: 80% AFUE	-	$ -	$ -	$ -
Air Conditioner: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-6 Attic Ducts	-	$ -	$ -	$ -
50 Gallon Gas Water Heater: EF=0.59 (from EF=0.60)	Downgrade	$ (100)	$ (50)	$ (75)
Total Incremental Cost of Energy Efficiency Measures:		**$ 1,264**	**$ 2,024**	**$ 1,644**
Total Incremental Cost per Square Foot:		**$ 0.62**	**$ 1.00**	**$ 0.81**

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 2,025 SF, Option 3 **2025 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-38 Roof w/ Radiant Barrier (from R-30 w/Radiant Barrier): 1,443 sf @ 0.15 to 0.20/sf	Upgrade	$ 216	$ 289	$ 253
R-13 Walls		$ -	$ -	$ -
R-19 Raised Floor over Garage/Open at 2nd Floor	-	$ -	$ -	$ -
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
Furnace: 80% AFUE	-	$ -	$ -	$ -
Air Conditioning: 15 SEER, 12 EER (HERS) (from 13 SEER, 11 EER)	Upgrade	$ 500	$ 1,500	$ 1,000
Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-8 Attic Ducts (from R-6)	Upgrade	$ 225	$ 325	$ 275
Reduced Duct Leakage/Testing (HERS)	Upgrade	$ 300	$ 600	$ 450
50 Gallon Gas Water Heater: EF=0.61(from EF=0.60)	Upgrade	$ 50	$ 100	$ 75
Total Incremental Cost of Energy Efficiency Measures:		**$ 1,291**	**$ 2,814**	**$ 2,053**
Total Incremental Cost per Square Foot:		**$ 0.64**	**$ 1.39**	**$ 1.01**

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 2,025 SF, Option 4 **2025 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate Min	Max	Avg
R-38 Roof w/ Radiant Barrier (from R-30 w/Radiant Barrier): 1,443 sf @ 0.15 to 0.20/sf	Upgrade	$ 216	$ 289	$ 253
R-15 Walls (from R-13): 2,550 sf @$0.14 to $0.18/sf	Upgrade	$ 357	$ 459	$ 408
R-30 Raised Floor over Garage/Open at 2nd Floor (from R-19): 448 sf @ $0.25 to $0.35	Upgrade	$ 112	$ 157	$ 134
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
Furnace: 80% AFUE	-	$ -	$ -	$ -
Air Conditioner: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-8 Attic Ducts (from R-6)	Upgrade	$ 225	$ 325	$ 275
Reduced Duct Leakage/Testing (HERS)	Upgrade	$ 300	$ 600	$ 450
50 Gallon Gas Water Heater: EF=0.62 (from EF=0.60)	Upgrade	$ 100	$ 200	$ 150
Total Incremental Cost of Energy Efficiency Measures:		**$ 1,310**	**$ 2,029**	**$ 1,670**
Total Incremental Cost per Square Foot:		**$ 0.65**	**$ 1.00**	**$ 0.82**

Large Single Family House

- 4,500 square feet
- 2-story
- 22.0% glazing/floor area ratio

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 4,500 SF, Option 1 **4500 sf** **Climate Zone 10**

Energy Efficiency Measures	Change	Incremental Cost Estimate		
R-38 Roof w/ Radiant Barrier	-	$ -	$ -	$ -
R-19 Walls (from R-13): 2,518 sf @ $0.31 to $0.54/sf	Upgrade	$ 781	$ 1,360	$ 1,070
R-19 Raised Floor	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
(2) Furnaces: 80% AFUE	-	$ -	$ -	$ -
(2) Air Conditioners: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
(2) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-6 Attic Ducts	-	$ -	$ -	$ -
Reduced Duct Leakage/Testing (HERS)	-	$ -	$ -	$ -
(2) Instantaneous Gas Water Heaters: RE=0.80 (from 50 Gal Gas: EF=0.61)	Upgrade	$ 1,900	$ 3,200	$ 2,550
Pipe Insulation	Upgrade	$ 300	$ 400	$ 350
Total Incremental Cost of Energy Efficiency Measures:		**$ 2,981**	**$ 4,960**	**$ 3,970**
Total Incremental Cost per Square Foot:		**$ 0.66**	**$ 1.10**	**$ 0.88**

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 4,500 SF, Option 2 **4500 sf** **Climate Zone 10**

Energy Efficiency Measures	Change	Incremental Cost Estimate		
R-38 Roof w/ Radiant Barrier	-	$ -	$ -	$ -
R-21 Walls (from R-13): 2,518 sf @ $0.45 to $0.70/sf	Upgrade	$ 1,133	$ 1,763	$ 1,448
R-30 Raised Floor (from R-19): 2,700 sf @ $0.25 to $0.35	Upgrade	$ 675	$ 945	$ 810
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
(2) Furnaces: 92% AFUE (from 80% AFUE)	Upgrade	$ 1,000	$ 2,400	$ 1,700
(2) Air Conditioners: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
(2) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-8 Attic Ducts (from R-6)	Upgrade	$ 450	$ 650	$ 550
Reduced Duct Leakage/Testing (HERS)	-	$ -	$ -	$ -
(2) 50 Gallon Gas Water Heaters: EF=0.63 (from EF=0.61)	Upgrade	$ 100	$ 300	$ 200
Total Incremental Cost of Energy Efficiency Measures:		**$ 3,358**	**$ 6,058**	**$ 4,708**
Total Incremental Cost per Square Foot:		**$ 0.75**	**$ 1.35**	**$ 1.05**

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 4,500 SF, Option 3 **4500 sf** **Climate Zone 10**

Energy Efficiency Measures	Change	Incremental Cost Estimate		
R-38 Roof w/ Radiant Barrier	-	$ -	$ -	$ -
R-19 Walls (from R-13): 2,518 sf @ $0.31 to $0.54/sf	Upgrade	$ 781	$ 1,360	$ 1,070
R-19 Raised Floor	-	$ -	$ -	$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
(2) Furnaces: 80% AFUE	-	$ -	$ -	$ -
(2) Air Conditioners: 15 SEER, 12 EER (HERS) (from 13 SEER, 11 EER)	Upgrade	$ 1,000	$ 3,000	$ 2,000
(2) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-8 Attic Ducts (from R-6)	Upgrade	$ 450	$ 650	$ 550
Reduced Duct Leakage/Testing (HERS)	-	$ -	$ -	$ -
(2) 50 Gallon Gas Water Heaters: EF=0.62 (from EF=0.61)	Upgrade	$ 100	$ 200	$ 150
Total Incremental Cost of Energy Efficiency Measures:		**$ 2,331**	**$ 5,210**	**$ 3,770**
Total Incremental Cost per Square Foot:		**$ 0.52**	**$ 1.16**	**$ 0.84**

Low-rise Multi-family Apartments

- 8,442 square feet
- 8 units/2-story
- 12.5% glazing/floor area ratio

Incremental Cost Estimate to Exceed Title 24 by 15%

Multi-Family Prototype: 8,442 SF, Option 1 **8442 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-30 Roof w/ Radiant Barrier (from R-38 w/Radiant Barrier): 4,221 sf @ $0.15 to $0.20/sf	Downgrade	$ (844)	$ (633)	$ (739)
R-19 Walls (from R-13): 10,146 sf @ $0.31 to $0.54/sf	Upgrade	$ 3,145	$ 5,479	$ 4,312
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
(8) Furnaces: 80% AFUE	-	$ -	$ -	$ -
(8) Air Conditioners: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
(8) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
Reduced Duct Leakage/Testing (HERS)	Upgrade	$ 2,400	$ 4,800	$ 3,600
R-4.2 Attic Ducts (from R-8)	Downgrade	$ (3,000)	$ (2,000)	$ (2,500)
(8) 40 Gallon Gas Water Heaters: EF=0.62 (from EF=0.63)	Downgrade	$ (400)	$ -	$ (200)
Total Incremental Cost of Energy Efficiency Measures:		**$ 1,301**	**$ 7,646**	**$ 4,473**
Total Incremental Cost per Square Foot:		**$ 0.15**	**$ 0.91**	**$ 0.53**

Incremental Cost Estimate to Exceed Title 24 by 15%

Multi-Family Prototype: 8,442 SF, Option 2 **8442 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-30 Roof w/ Radiant Barrier (from R-38 w/Radiant Barrier): 4,221 sf @ $0.15 to $0.20/sf	Downgrade	$ (844)	$ (633)	$ (739)
R-21 Walls (from R-13): 10,146 sf @ $0.45 to $0.70/sf	Upgrade	$ 4,566	$ 7,102	$ 5,834
R-0 Slab on Grade	-	$ -	$ -	$ -
Super Low E Vinyl Windows, U=0.36, SHGC=0.23 (from Low E2, U=0.36, SHGC=0.30): 1055 sf @ $1.40 - $1.75 / sf	Upgrade	$ 1,477	$ 1,846	$ 1,662
(8) Furnaces: 80% AFUE	-	$ -	$ -	$ -
(8) Air Conditioners: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
(8) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
R-6 Attic Ducts (from R-8)	Downgrade	$ (1,600)	$ (1,000)	$ (1,300)
(8) 40 Gallon Gas Water Heaters: EF=0.63	-	$ -	$ -	$ -
Total Incremental Cost of Energy Efficiency Measures:		**$ 3,599**	**$ 7,315**	**$ 5,457**
Total Incremental Cost per Square Foot:		**$ 0.43**	**$ 0.87**	**$ 0.65**

Incremental Cost Estimate to Exceed Title 24 by 15%
Multi-Family Prototype: 8,442 SF, Option 3 **8442 sf** **Climate Zone 10**

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 Roof w/ Radiant Barrier (from R-38 w/Radiant Barrier): 4,221 sf @ 0.30 to 0.45/sf	Downgrade	$ (1,899)	$ (1,266)	$ (1,583)
R-21 Walls (from R-13): 10,146 sf @ $0.45 to $0.70/sf	Upgrade	$ 4,566	$ 7,102	$ 5,834
R-0 Slab on Grade	-	$ -	$ -	$ -
Low E2 Vinyl, U=0.36, SHGC=0.30	-	$ -	$ -	$ -
(8) Furnaces: 80% AFUE	-	$ -	$ -	$ -
(8) Air Conditioners: 13 SEER, 11 EER (HERS)	-	$ -	$ -	$ -
(8) Air Conditioner: Refrig. Charge (HERS)	-	$ -	$ -	$ -
Reduced Duct Leakage/Testing (HERS)	Upgrade	$ 2,400	$ 4,800	$ 3,600
R-4.2 Attic Ducts (from R-8)	Downgrade	$ (3,000)	$ (2,000)	$ (2,500)
(8) 40 Gallon Gas Water Heaters: EF=0.61 (from EF=0.63)	Downgrade	$ (1,200)	$ (400)	$ (800)
Total Incremental Cost of Energy Efficiency Measures:		**$ 866**	**$ 8,236**	**$ 4,551**
Total Incremental Cost per Square Foot:		**$ 0.10**	**$ 0.98**	**$ 0.54**

High-rise Multifamily Apartments

- 36,800 sf,
- 40 units/4-story
- Window to Wall Ratio = 35.2%

Incremental Cost Estimate to Exceed Title 24 by 15%
High-rise Residential Prototype: 36,800 SF, Option 1 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 under Metal Deck + **R-5** (1" rigid); w/ Cool Roof Aged **Reflectance = 0.81, Emittance = 0.89**; 9,200 sf @ $0.50 to $0.70/sf	Upgrade	$ 4,600	$ 6,440	$ 5,520
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-4 (1.25" K-13 spray-on) Raised Slab over parking garage	-	$ -	$ -	$ -
Dual Metal Windows: **COG U-factor=0.3, COG SHGC=0.27;** 6,240 sf @ $2.50 to $4.00/sf	Upgrade	$ 15,600	$ 24,960	$ 20,280
4-pipe fan coil, 84% AFUE boiler, 80-ton scroll air cooled chiller 0.79 KW/ton	-	$ -	$ -	$ -
Central DHW boiler: 84% AFUE and recirculating system w/ timer-temperature controls	-	$ -	$ -	$ -
Total Incremental Cost of Energy Efficiency Measures:		**$ 20,200**	**$ 31,400**	**$ 25,800**
Total Incremental Cost per Square Foot:		**$ 0.55**	**$ 0.85**	**$ 0.70**

Incremental Cost Estimate to Exceed Title 24 by 15%
High-rise Residential Prototype: 36,800 SF, Option 2 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate Min	Max	Avg
R-19 under Metal Deck + R-4 (1" rigid); with Cool Roof, Aged Reflectance = 0.55, Emmittance = 0.75	-	$ -	$ -	$ -
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-4 (1.25" K-13 spray-on) Raised Slab over parking garage	-	$ -	$ -	$ -
Dual Metal Windows: **COG U-factor=0.3, COG SHGC=0.38;** 6,240 sf @ $2.00 to $3.50/sf	Upgrade	$ 12,480	$ 21,840	$ 17,160
4-pipe fan coil, **90% AFUE boiler,** 80-ton scroll air cooled chiller 0.79 KW/ton	Upgrade	$ 1,250	$ 2,000	$ 1,625
Central DHW boiler: **90% AFUE** and recirculating system w/ timer-temperature controls	Upgrade	$ 1,250	$ 2,000	$ 1,625
Total Incremental Cost of Energy Efficiency Measures:		**$ 14,980**	**$ 25,840**	**$ 20,410**
Total Incremental Cost per Square Foot:		**$ 0.41**	**$ 0.70**	**$ 0.55**

Incremental Cost Estimate to Exceed Title 24 by 15%
High-rise Residential Prototype: 36,800 SF, Option 3 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate Min	Max	Avg
R-19 Metal Roof w/ **R-10 (2")** rigid insulation; no Cool Roof; 9,200 sf @ $0.75 - $1.00/sf	Up/Downgrad	$ 6,900	$ 9,200	$ 8,050
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-4 (1.25" K-13 spray-on) Raised Slab over parking garage	-	$ -	$ -	$ -
Dual Metal Windows: **COG U-factor=0.3, COG SHGC=0.38;** 6,240 sf @ $2.00 to $3.50/sf	Upgrade	$ 12,480	$ 21,840	$ 17,160
4-pipe fan coil, **94% AFUE boiler,** 80-ton scroll air cooled chiller 0.79 KW/ton	Upgrade	$ 2,000	$ 3,000	$ 2,500
Central DHW boiler: **94% AFUE** and recirculating system w/ timer-temperature controls	Upgrade	$ 2,000	$ 3,000	$ 2,500
Total Incremental Cost of Energy Efficiency Measures:		**$ 23,380**	**$ 37,040**	**$ 30,210**
Total Incremental Cost per Square Foot:		**$ 0.64**	**$ 1.01**	**$ 0.82**

Low-rise Office Building

- Single Story
- 10,580 sf,
- Window to Wall Ratio = 37.1%

Incremental Cost Estimate to Exceed Title 24 by 15%

Nonresidential Prototype: 10,580 SF, Option 1 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate Min	Max	Avg
R-19 under Metal Deck + **R-10 (2" rigid)**; Cool Roof **Reflectance=0.81, Emittance=0.89**; 10,580 sf @ $1.10 to $1.50/sf	Upgrade	$ 11,638	$ 15,870	$ 13,754
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	$ -	$ -	$ -
Metal windows: COG U=0.30, **COG SHGC=0.31;** 3,200 sf @ $0.50 to $1.00/sf	Upgrade	$ 1,600	$ 3,200	$ 2,400
Lighting = 0.858 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; (24) 18w recessed CFLs no lighting controls. Small Offices: (48) 2-lamp T8 fixtures; (40) 18w recessed CFLs, on/off lighting controls. Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.	-	$ -	$ -	$ -
(3) 10-ton DX units EER=11.0; 80% AFUE furnaces; standard efficiency fan motors; fixed temp. integrated air economizers, **Cycle on at night with DDC and DCV**	Upgrade	$ 1,200	$ 3,000	$ 2,100
R-6 duct insulation w/ ducts on roof, HERS verified duct leakage	-	$ -	$ -	$ -
(1) Gas Tank Water Heater EF=0.575	-	$ -	$ -	$ -
Total Incremental Cost of Energy Efficiency Measures:		**$ 14,438**	**$ 22,070**	**$ 18,254**
Total Incremental Cost per Square Foot:		**$ 1.36**	**$ 2.09**	**$ 1.73**

Incremental Cost Estimate to Exceed Title 24 by 15%

Nonresidential Prototype: 10,580 SF, Option 2 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate Min	Max	Avg
R-19 under Metal Deck + **R-10 (2" rigid)**; Cool Roof Reflectance =**0.81, Emittance = 0.89**; 10,580 sf @ $1.10 to $1.50/sf	Upgrade	$ 11,638	$ 15,870	$ 13,754
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	$ -	$ -	$ -
Metal windows: COG U=0.30, **COG SHGC=0.31;** 3,200 sf @ $0.50 to $1.00/sf	Upgrade	$ 1,600	$ 3,200	$ 2,400
Lighting = 0.783 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; no lighting controls; (24) 18w recessed CFLs. Small Offices: (56) 2-lamp T8 fixtures, **(28) multi-level ocupancy sensors on T8s @ $75 to $100 each;**; (40) 18w recessed CFLs Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.	Upgrade	$ 2,100	$ 2,800	$ 2,450
(3) 10-ton DX units EER=11.0; 80% AFUE furnaces; standard efficiency fan motors; fixed temp. integrated air economizers, **Cycle on at night**	Upgrade	$ 300	$ 600	$ 450
R-6 duct insulation w/ ducts on roof, HERS verified duct leakage	-	$ -	$ -	$ -
(1) Gas Tank Water Heater EF=0.575	-	$ -	$ -	$ -
Total Incremental Cost of Energy Efficiency Measures:		**$ 15,638**	**$ 22,470**	**$ 19,054**
Total Incremental Cost per Square Foot:		**$ 1.48**	**$ 2.12**	**$ 1.80**

Incremental Cost Estimate to Exceed Title 24 by 15%

Nonresidential Prototype: 10,580 SF, Option 3 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 under Metal Deck + **R-10 (2" rigid)**; Cool Roof Reflectance =**0.81, Emittance = 0.89**; 10,580 sf @ $1.10 to $1.50/sf	Upgrade	$ 11,638	$ 15,870	$ 13,754
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	$ -	$ -	$ -
Metal windows: COG U=0.30, COG SHGC=0.38;	-	$ -	$ -	$ -
Lighting = 0.694 w/sf: Open Office Areas: **(28) 74w 2-lamp T8 fixtures**; no lighting controls; (24) 18w recessed CFLs. Small Offices: (56) 2-lamp T8 fixtures, **(28) multi-level occupancy sensors on T8s @ $75 to $100 each;**; (40) 18w recessed CFLs on/off lighting controls**.** Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.	Upgrade	$ 948	$ 1,520	$ 1,234
(3) 10-ton DX units EER=11.0; 80% AFUE furnaces; standard efficiency fan motors; fixed temp. integrated air economizers, **Cycle on at night**	Upgrade	$ 300	$ 600	$ 450
R-6 duct insulation w/ ducts on roof, HERS verified duct leakage	-	$ -	$ -	$ -
(1)Tank Gas Water Heaters EF=0.575	-	$ -	$ -	$ -
Total Incremental Cost of Energy Efficiency Measures:		**$ 12,886**	**$ 17,990**	**$ 15,438**
Total Incremental Cost per Square Foot:		**$ 1.22**	**$ 1.70**	**$ 1.46**

High-rise Office Building

- 5-story
- 52,900 sf,
- Window to Wall Ratio = 39.4%

Incremental Cost Estimate to Exceed Title 24 by 15%
Nonresidential Prototype: 52,900 SF, Option 1 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate Min	Max	Avg
R-19 under Metal Deck + **R-10 (2" rigid)**; Cool Roof Reflectance =0.55, Emittance = 0.75; 10,580 sf @ $0.75 to $1.00/sf	Upgrade	$ 7,935	$ 10,580	$ 9,258
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	$ -	$ -	$ -
Metal windows: COG U=0.30, **COG SHGC=0.31**; 12,000 sf @ $1.00 to $1.50/sf	Upgrade	$ 12,000	$ 18,000	$ 15,000
Lighting = 0.65 w/sf: Open Office Areas: **(160) HO 2-lamp T8 fixtures @74w each**; no lighting controls; (120) 18w recessed CFLs no lighting controls. Small Offices: (280) 2-lamp T8 fixtures **multi-level occupancy sensors on T8s @ $75 to $100 each**; (200) 18w recessed CFLs on/off lighting controls. Support Areas: (160) 18w recessed CFLs no lighting controls; (240) 13w CFL wall sconces; no lighting controls.	Upgrade	$ 4,740	$ 7,600	$ 6,170
(5) 35-ton Packaged VAV EER=10.0; 81% TE furnaces; **Premium** efficiency variable speed fan motors; Fixed temp. air economizers; 20% VAV boxes, reheat on perimeter zones with hot water using **98% AFUE** boiler, **Cycle on at night** (full boiler cost listed below)	Upgrade	$ 3,500	$ 6,500	$ 5,000
R-6 duct insulation w/ ducts in conditioned	-	$ -	$ -	$ -
Boiler **98% AFUE with variable speed pump**	Upgrade	$ 6,500	$ 12,000	$ 9,250
Total Incremental Cost of Energy Efficiency Measures:		**$ 34,675**	**$ 54,680**	**$ 44,678**
Total Incremental Cost per Square Foot:		**$ 0.66**	**$ 1.03**	**$ 0.84**

Incremental Cost Estimate to Exceed Title 24 by 15%

Nonresidential Prototype: 52,900 SF, Option 2 **Climate Zone 10**

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 under Metal Deck + **R-10 (2" rigid)**; Cool Roof Reflectance =0.55, Emittance = 0.75; 10,580 sf @ $0.75 to $1.00/sf	Upgrade	$ 7,935	$ 10,580	$ 9,258
R-19 in Metal Frame Walls	-	$ -	$ -	$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	$ -	$ -	$ -
Metal windows: COG U=0.30, **COG SHGC=0.31**; 12,000 sf @ $1.00 to $1.50/sf	Upgrade	$ 12,000	$ 18,000	$ 15,000
Lighting = 0.65 w/sf: Open Office Areas: **(160) HO 2-lamp T8 fixtures @74w each**; no lighting controls; (120) 18w recessed CFLs no lighting controls. Small Offices: (280) 2-lamp T8 fixtures **multi-level occupancy sensors on T8s @ $75 to $100 each**; (200) 18w recessed CFLs on/off lighting controls. Support Areas: (160) 18w recessed CFLs no lighting controls; (240) 13w CFL wall sconces; no lighting controls.	Upgrade	$ 4,740	$ 7,600	$ 6,170
(5) 35-ton Packaged VAV EER=10.0; 81% TE furnaces; **premium** efficiency variable speed fan motors; Fixed temp. air economizers; **15% VAV boxes**, reheat on perimeter zones with hot water using 90% AFUE boiler, **Cycle on at night**	Upgrade	$ 4,816	$ 7,945	$ 6,381
R-6 duct insulation w/ ducts in conditioned	-	$ -	$ -	$ -
Boiler 90% AFUE **with variable speed pump**	Upgrade	$ 1,500	$ 2,000	$ 1,750
Total Incremental Cost of Energy Efficiency Measures:		**$ 30,991**	**$ 46,125**	**$ 38,558**
Total Incremental Cost per Square Foot:		**$ 0.59**	**$ 0.87**	**$ 0.73**

5.0 Cost Effectiveness Determination

Regardless of the building design, occ upancy profile and number of stories, the incremental improvement in overall annual energy performance of buildings in exceeding the 2008 Standards is determined to be cost-effe ctive. However, each building's overall design, occupancy type and specific design c hoices may allow for a large range of incremental costs for exceeding 2008 Standards , estimated annual energy cost savings, and subsequent payback period.

Small Single Family

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
2,025 sf (Option 1)	501	49	$751	$126	6.0
2,025 sf (Option 2)	514	48	$1,644	$127	13.0
2,025 sf (Option 3)	544	39	$2,053	$123	16.7
2,025 sf (Option 4)	457	56	$1,670	$125	13.3
Averages:	504	48	$1,529	$125	12.2

Annual Reduction in CO2-equivalent: ***786 lb./building-year***
0.39 lb./sq.ft.-year

Large Single Family

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
4,500 sf (Option 1)	440	149	$3,971	$210	18.9
4,500 sf (Option 2)	659	105	$4,708	$203	23.1
4,500 sf (Option 3)	945	50	$3,771	$197	19.1
Averages:	681	101	$4,150	$204	20.4

Annual Reduction in CO2-equivalent: ***1,486 lb./building-year***
0.33 lb./sq.ft.-year

Low-rise Multi-family Apartments

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
8-Unit, 8,442 sf (Option 1)	2153	170	$4,474	$502	8.9
8-Unit, 8,442 sf (Option 2)	2466	126	$5,457	$511	10.7
8-Unit, 8,442 sf (Option 3)	2211	145	$4,551	$488	9.3
Averages:	2277	147	$4,827	$500	9.6

Annual Reduction in CO2-equivalent: ***2,736 lb./building-year***
0.32 lb./sq.ft.-year

High-rise Multi-family Apartments

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
36,800 sf (Option 1)	23041	-840	$25,800	$2,874	9.0
36,800 sf (Option 2)	17637	-59	$20,410	$2,749	7.4
36,800 sf (Option 3)	13528	709	$30,210	$2,816	10.7
Averages:	18069	-63	$25,473	$2,813	9.0

Annual Reduction in CO2-equivalent: 7,394 lb./building-year
0.20 lb./sq.ft.-year

Low-rise Office Building

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
10,580 sf (Option 1)	6234	75	$18,254	$1,493	12.2
10,580 sf (Option 2)	8437	-44	$19,054	$1,863	10.2
10,580 sf (Option 3)	8554	-7	$15,438	$1,894	8.2
Averages:	7742	8	$17,582	$1,750	10.2

Annual Reduction in CO2-equivalent: 3,577 lb./building-year
0.34 lb./sq.ft.-year

High-rise Office Building

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost ($)	Annual Energy Cost Savings ($)	Simple Payback (Years)
52,900 sf (Option 1)	18232	-927	$44,678	$1,653	27.0
52,900 sf (Option 2)	12347	-195	$38,558	$3,266	11.8
Averages:	15290	-561	$41,618	$2,460	19.4

Annual Reduction in CO2-equivalent: 350 lb./building-year
0.01 lb./sq.ft.-year

Climate Zone 10 Cities

1	Aguanga	41	Hemet
2	Alberhill	42	Henshaw Dam
3	Alpine	43	Highgrove
4	Alta Loma	44	Highland
5	Arlington	45	Home Gardens
6	Barona	46	Homeland
7	Barrett	47	Jamul
8	Barrett	48	Lake Elsinore
9	Beaumont	49	Lake Mathews
10	Bloomington	50	Lake Perris
11	Bonsall	51	Lakeland Village
12	Bostonia	52	Lakeside
13	Calimesa	53	Lakeview
14	Camp Pendleton	54	Loert Otay Reservoir
15	Canyon Lake	55	Loma Linda
16	Casa de Oro, Mount	56	Los Serranos
17	Cherry Valley	57	March A.F.B.
18	Chino	58	Margarita Peak
19	Chino Hills	59	Mentone
20	Colton	60	Mira Loma
21	Corona	61	Montclair
22	Cucamonga	62	Moreno Valley
23	De Luz	63	Murrieta
24	Del Dios	64	Muscoy
25	Devore	65	Norco
26	Dulzura	66	Norton AFB
27	East Hemet	67	Nuevo
28	East Highlands	68	Ontario
29	Edgemont	69	Pala
30	El Cajon	70	Pauma Valley
31	Elsinore	71	Pedley
32	Encanto	72	Perris
33	Escondido	73	Poway Valley
34	Fallbrook	74	Prado Flood Control Basin
35	Fernbrook	75	Quail Valley
36	Fontana	76	Railroad Canyon Reservoir
37	Gillman Hot Springs	77	Rainbow
38	Glen Avon	78	Ramona
39	Grand Terrace	79	Rancho Bernardo
40	Harbinson Canyon	80	Rancho Cucamonga

Only a portion located within Climate Zone 10

Climate Zone 10 Cities (continued)

81 Rancho San Diego
82 Redlands
83 Rialto
84 Riverside
85 Romoland
86 Rubidoux
87 Sage
88 San Bernardino
89 San Diego
90 San Jacinto
91 San Jacinto River
92 San Marcos
93 San Mateo Canyon
94 San Onofre Canyon
95 San Pasqual
96 San Timoteo Canyon
97 San Vicente Reservoir
98 San Ysidro Mountains
99 Santee
100 Spring Valley
101 Sun City
102 Suncrest
103 Sunnymead
104 Sweetwater Reservoir
105 Temecula
106 Temescal Wash
107 Upland
108 Valle Vista
109 Valley Center
110 Wildomar
111 Winchester
112 Woodcrest
113 Yucaipa

Only a portion located within Climate Zone 10

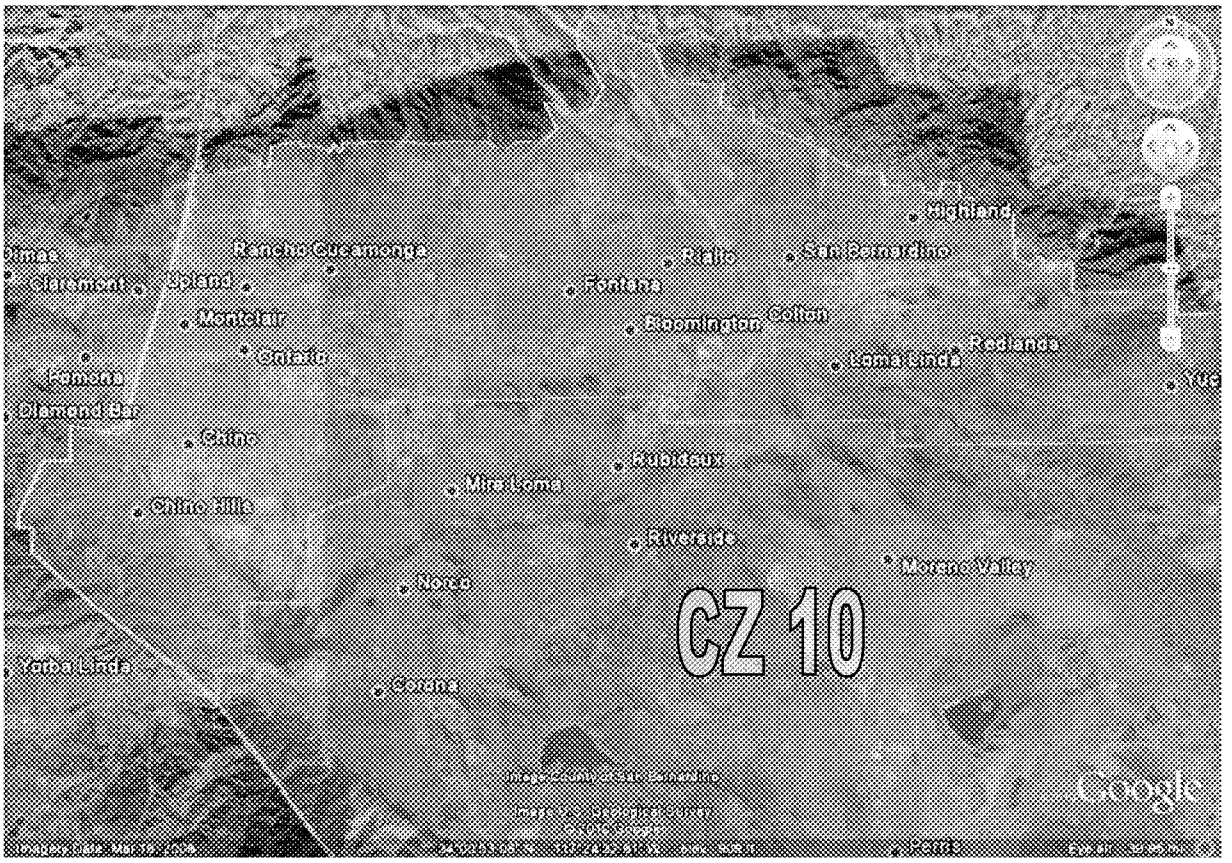
Highland
Rancho Cucamonga
Bryn
San Bernardino
Upland
Fontana
Montclair
Bloomington
Colton
Redlands
Ontario
Loma Linda
Mira Loma
Riverside
Moreno Valley
Norco
CZ 10
Corona
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Moreno Valley
Norco
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San Jacinto
Hemet
Sun City
CZ 10
Lake Elsinore
Wildomar
Murrieta
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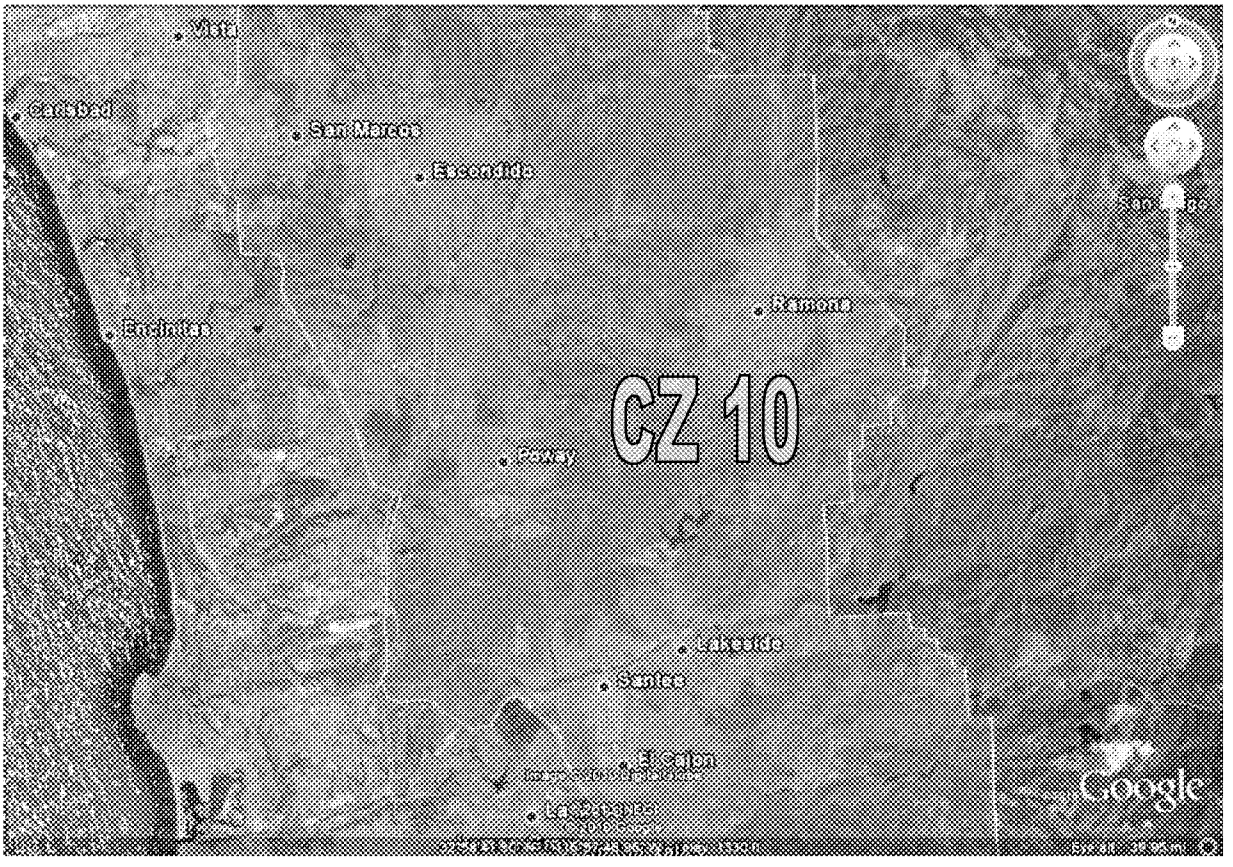
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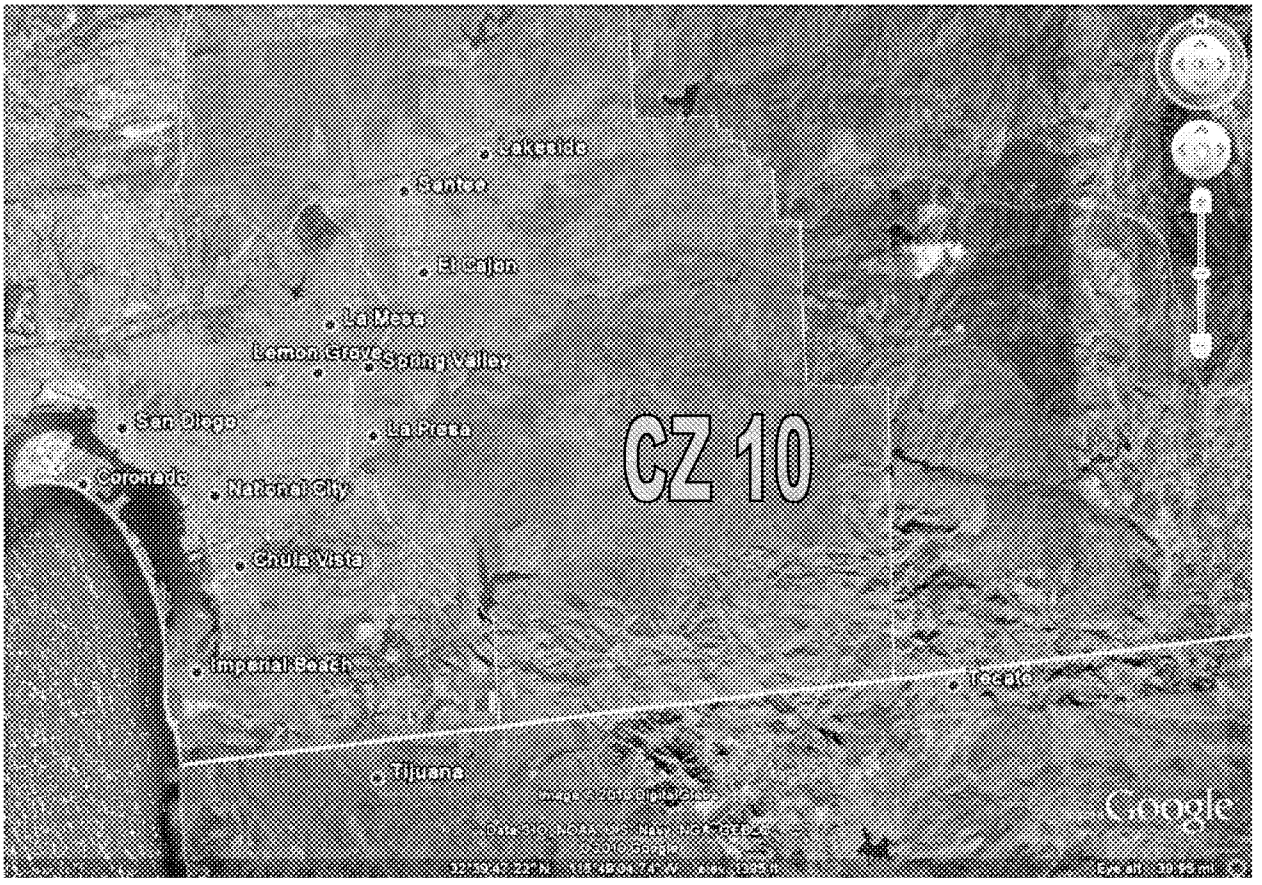
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MV00172815

PLANNING COMMISSION RESOLUTION NO. 2012-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA RECOMMENDING APPROVAL OF PA11-0013 (REACH CODES) TO THE CITY COUNCIL, AMENDING TITLE 9 OF THE MORENO VALLEY MUNICIPAL CODE, TO INCLUDE LOCAL MANDATORY MEASURES TO PROVIDE ENERGY EFFICIENCY EQUAL TO AND ABOVE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS INCLUDING MODIFICATION OF SECTION 9.05.040 "INDUSTRIAL SITE DEVELOPMENT STANDARDS", SECTION 9.17.030, LANDSCAPE AND IRRIGATION DESIGN", SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS", SECTION 9.03.040, "RESIDENTIAL SITE DEVELOPMENT STANDARDS" SECTION 8.80.020, "DIVERSION REQUIRMENTS", AND SECTION 9.80.030, "WASTE MANAGEMENT PLAN"

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA11-0013, as described in the title of this Resolution.

WHEREAS, on July 12, 2012, the Planning Commission of the City of Moreno Valley held a public hearing to consider the application.

WHEREAS, when an Ordinance is forwarded to the City Council, it will require buildings to consume no more energy than is permitted by Title 24 Part 6.", while Title 24 Part 6 will still be enforced.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

ATTACHMENT 3

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on July 12, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modifications to the Municipal Code are consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The citywide energy efficiency project consists of modifications to existing Municipal Code standards related to Reach Codes, or those codes that reach higher than current standards. The purpose of modifying the codes is to provide local mandatory measures, or those measures that provide energy efficiency above current Title 24 or 2011 Green Building Code standards Numerous sections of the Municipal Code will be modified regarding industrial site development standards, landscape and irrigation design, off street parking requirements, residential site development standards and the addition of performance standards for water capture and construction recycling. All of the proposed modifications included within the Municipal Code amendment are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan. Specific General Plan goals and objectives within the General Plan in relation to the effort or reducing energy consumption, Goal 2.5 of the General Plan stresses maintenance of systems for water supply, wastewater collection and energy distribution which are capable of meeting present and future needs of all residential, commercial and industrial customers within the City of Moreno Valley and Objective 2.13, Policy 2.13.4, encourages installation of advance technologies and infrastructure including solar energy.

2. **Conformance with Zoning Regulations –** The proposed modifications to the Municipal Code comply with all applicable zoning and other regulations.

   FACT: The primary purpose of modifying current Municipal Code items related to industrial site development standards, landscape and irrigation design, off street parking requirements, residential site development standards and the addition of performance standards for water capture and construction recycling is to obtain future energy efficiency

related to reach codes, which provide energy efficiency above current Title 24 or 2011 Green Building Code standards. The amendments and newly established language within the Municipal Code are consistent with applicable zoning standards, all other regulations within the Code and are internally consistent with the purpose and intent of Title 9. The amendments are also internally compatible with other regulations established within the Moreno Valley Development Code.

3. **Health, Safety and Welfare –** The proposed modifications to the Municipal Code will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The modification and enhancement of existing Municipal Code standards creates a positive environment for the development of Moreno Valley's future by providing energy efficiency in development and design to reduce energy costs and environmental impacts as well as achieving maintenance of systems for water supply, wastewater collection and energy distribution which are capable of meeting present and future needs of all residential, commercial and industrial customers within the City of Moreno Valley. Pursuant to Section 15061 of the CEQA Guidelines, the project meets requirements for project exemption, as there is no possibility that the modification of existing Municipal Codes related to present and future energy efficiency may have a significant effect on the environmental, while the activity in this case would not be subject to CEQA requirements. The proposed amendment also does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions.

BE IT FURTHER RESOLVED that the Planning Commission **APPROVES** Resolution No. 2012-13, recommending that the City Council recognize that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines and amend Title 9 of the Municipal Code for energy efficiency measures above current 2011 California Green Building Code standards necessary to adopt Reach Codes, including the modification of Section 9.05.040, "Industrial Site Development Standards", Section 9.17.030 "Landscape and Irrigation Design", Section 9.11.040 "Off Street Parking Requirements", Section 9.03.040 "Residential Site Development Standards" and the addition of language for Construction Recycling in Sections 8.80.020 "Diversion Requirements", and 8.80.030 Waste Management Plan".

APPROVED this ____ day of _____, 2012.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

MV00172819

9.17.090 Commercial, industrial, public and quasi-public development.

A. All required setback areas, exclusive of required walkways and driveways shall be landscaped. Landscape areas consist predominately of plant materials, except for necessary walks and fences/walls. Gated and screened storage areas may be exempted from this landscape requirement per approval of the community development director.

B. A landscape buffer shall be provided on a nonresidential site when adjacent to residential uses to provide visual relief to the nonresidential side. Plant materials shall be selected so that at maturity (within ten (10) years), intermittent visual obstruction with no unobstructed openings greater than five feet in horizontal distance remain.

C. In addition to the required street trees, trees shall be planted at the equivalent of one tree per thirty (30) linear feet of building dimension that is visible from the parking lot or public right-of-way. Trees may be massed for pleasing aesthetic effects. The creation of plaza or paseo areas is encouraged, including the use of pervious surface areas that reduce water run off. Such areas should incorporate focal points such as water features or specimen trees and establish a social gathering place with such elements as tables, benches, and seating walls.

D. Additional parking lot trees shall be provided at one tree per thirty (30) linear feet of parking lot adjacent to the interior property.

E. Project entry drives shall incorporate enhanced landscaping (size and variety of vegetation) and pavement.

F. Projects with frontage abutting arterial streets shall be required to construct parkways in conformance with city standard engineering plans unless otherwise approved by the community development director.

G. Turf is limited to gathering areas only. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

H. <u>A minimum seventy-five (75) percent of the site shall include drought tolerant landscape species or native California species. The plant palette provided in the County of Riverside Guide to Friendly Landscaping is recommended to identify plants which can be used to establish an aesthetically pleasing and water efficient landscape.</u>

ATTACHMENT 4

MV00172820

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in subsection B, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP/LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1] See Special Site Development Standards Section 9.05.040(B)(9) for unique separation requirements for structures greater than 50,000 square feet in building area.
* Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

MV00172821

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this title.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than fifty thousand (50,000) square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be two hundred fifty (250) feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 830 § 3.1, 2011;

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Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2, 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359, 1992)

11. For all new industrial and warehouse structures at or above 300,000 square feet in floor area, the project shall install a photovoltaic array (solar panels) or other source of renewable generation on-site or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

MV00172823

9.17.030 Landscape and irrigation design standards.

A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside's Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Eastern Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

Projects shall be designed to capture and retain storm water onsite to improve water use efficiency and water quality. The use of reclaimed water is encouraged. Contact Eastern Municipal Water District for availability.

B. Plan Design Standards. The following design standards are required on all landscape plan submittals:

1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.

2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) square feet of landscaped area, except custom homes or projects designed in-house by the public works department or parks and community services department, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All nonresidential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.

3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the city. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.

4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the city.

MV00172824

5. Landscape shall include drought-tolerant plants and water conservation principles.

6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).

7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.

8. Trash enclosures are screened with at least three feet of landscaping on three sides.

9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.

10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the city.

11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org.) No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.

12. Water budgets that meet Eastern Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Eastern Municipal Water District.

13. Water budgets are subject to approval by Eastern Municipal Water District. The city of Moreno Valley will cooperate with Eastern Municipal Water District in monitoring to the extent practicable.

14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations and Eastern Municipal Water District. Landscape plans submitted shall meet this standard.

15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.

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2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.

3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.

4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.

5. High quality artificial turf is allowed as an element of a project landscape.

6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.

3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.

4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the city.

5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.

6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.

7. <u>A minimum seventy-five (75) percent of the site shall include drought tolerant landscape species or native California species.</u> The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.

E. Trees.

MV00172826

1. Trees shall be planted in a manner, which maximizes the shading of paved areas, outdoor seating, and both south- and west-facing windows.

2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.

3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.

4. All landscape plans shall indicate mature tree canopy diameters.

5. All mature tree canopies in parking lots shall be pruned and maintained to maximize shade potential and ensure healthy, maximum growth. Topping of trees shall be avoided.

6. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.

7. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.

8. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.

9. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.

10. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.

F. Irrigation.

1. All planted landscape areas shall be provided with an approved "smart" automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and/or soil moisture sensing devices. Watering during the rain shall be avoided.

2. Drip, bubbler-type and rotor sprays or stream roter sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type.)

MV00172827

3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.

4. Reduced pressure backflow preventers are required on all irrigation systems.

5. No fixed risers are permitted, unless otherwise approved by the community development director.

6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.

7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.

8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9. Eastern Municipal Water District will calculate the annual maximum allowable water budget (AMAWB) for customers requesting a new account. The proposed landscape must meet the AMAWB requirements prior to meter release. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

MV00172828

9.11.040 Off-street parking requirements.

A. Automobile Parking Requirements. Off-street automobile parking shall be provided in accordance with the requirements of this chapter. The following tables set forth the required off-street parking requirements and certain notations for various residential, commercial, industrial, public and quasi-public uses. Parking provided above required off-street must be constructed with permeable surfaces and/or enhanced landscaped retention and absorption areas:

Table 9.11.040A-12

Off-Street Parking Requirements

Use	Requirement	Covered Parking	Notes
Residential Uses			
Single-family	2/unit	Within an enclosed garage	
Second units	2/unit	Carport or garage	
Duplex	2/unit	Within an enclosed garage	
3 or more units Studio 1 bedroom 2 bedrooms 3+ bedrooms	 1.25/unit 1.5/unit 2.0/unit 2.5/unit	 1 covered/unit 1 covered/unit 1 covered/unit 2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard.
Senior housing			
Studio 1 bedroom	1.0/unit 1.25/unit	1 covered/unit 1 covered/unit	Guest parking is required for all units

MV00172829

2+ bedrooms	1.5/unit	1 covered/unit	at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.
Mobile home parks	2.5/unit		Tandem spaces may be used to meet resident parking requirements.
Residential care homes	Parking requirements shall be determined by the community development director subject to an approved parking study.		

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

MV00172830

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Commercial Uses	**Requirement**	**Notes**
Nail salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	
College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum.
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	

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Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	
Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12

Off-Street Parking Requirements

Use	Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door.
Research and development	1/350 sq. ft. of gross floor area	

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Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	This is in addition to the loading parking stall already provided at the dock door.

Table 9.11.040D-12

Off-Street Parking Requirements

Use	Requirement	Notes
Public and Quasi-Public Uses		
Libraries, museums and galleries	1/300 sq. ft. of gross floor area	
Public utility facilities without an office on-site	2/employee on the largest shift + 1/company vehicle	A minimum of 2 spaces shall be required.
Auditorium, places of public assembly and places of worship	1/3 fixed seats or 1/35 sq. ft. of gross floor area of the assembly area or 1 space for every 4.5 lineal feet of benches/pews, whichever is greater	
Government offices	To be determined by a parking study approved by the community development director	

B. Schedule of Accessible Parking Requirements. The following requirements for accessible parking are intended to be consis-tent with the state requirements. Any conflict-

ing provisions or future changes in state or federal requirements shall preempt the standards for provision of accessible parking spaces contained in this title.

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1. Accessible parking for residential uses shall be provided at a rate of one space for each dwelling unit that is designed for accessibility and occupancy by the disabled, unless an adjustment is allowed, based on a parking study approved by the community development director.

2. Accessible parking for outpatient units and facilities providing medical care and other services for persons with mobility impairments shall be provided at a rate of ten (10) percent of the total number of parking spaces provided serving such outpatient unit or facility. Accessible parking for units and facilities that specialize in treatment or services for persons with mobility impairments shall be provided at a rate of twenty (20) percent of the total number of parking spaces provided serving each such unit or facility.

3. Accessible parking spaces for other uses shall be provided at the following rates:

No. of Automobile Spaces Provided	**No. of Accessible Spaces Provided**
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2 percent of total spaces
1,001 and over	20 plus 1 for each 100 spaces or fraction thereof over 1,001

4. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum of eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

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5. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Such space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

6. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

7. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this subsection (B)(7) would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

8. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083% gradient) in any direction.

9. Notwithstanding the off-street parking requirements of subsection A of this section, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

10. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone, as described herein. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.2, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 670 § 3.1 (part), 2004; Ord. 557 §§ 2.2, 2.3, 2000; Ord. 520 § 1.14, 1997; Ord. 475 § 1.4 (part), 1995; Ord. 405 §§ 1.8, 1.13, 1993; Ord. 402 §§ 1.1, 1.2, 1993; Ord. 359, 1992)

C. Low Emitting Fuel Efficient Carpool/Vanpool Vehicle Parking

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1. Eight (8) percent of all required non-residential parking shall be designated for any combination of low-emitting, fuel efficient and carpool /vanpool vehicles.

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9.17.080 Multifamily residential development.

A. A minimum of thirty-five (35) percent of the site area, exclusive of private patio and yard areas, shall be landscaped. Required setback areas and outdoor recreation areas may be counted towards this minimum, but not public rights-of-way. Landscape areas consist predominately of plant materials, except for necessary walks and fences/walls. The use of permeable surfaces is recommended for walks and patios to reduce water run-off.

B. Trees shall be positioned such that trees are planted to shade paved areas and west- and south-facing windows for energy-efficient savings; coniferous or nonwinter deciduous trees are kept away from south-facing windows in order to allow for heat gain during winter months. The larger sized trees should be placed at entries and accent areas.

C. Turf shall be limited and installed in useable gathering areas only with a maximum of twenty-five (25) percent. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

D. A minimum seventy-five (75) percent of the site shall include drought tolerant landscape species or native California species. The plant palette provided in the County of Riverside Guide to Friendly Landscaping is recommended to identify plants which can be used to establish an aesthetically pleasing and water efficient landscape.

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9.03.040 Residential site development standards.

The following standards shall apply to land and permitted or conditionally permitted buildings and structures located within the herein described residential districts. The standards stated herein are not intended to prevent more restrictive private site development standards contained in the covenants, conditions and restrictions or other private consensual restrictions imposed on any property or dwelling unit. However, in no case shall private deed or other property restrictions be applied or recognized so as to permit a lesser standard than the minimum standards established in this title or to otherwise revise the standards established by this title.

A. Rural Residential Requirements.

1. Slope-Density-Natural Area Relationship. The maximum density (du/ac) and the minimum percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.

a. Slope-Density-Natural Area Table 9.03.040-4.

Slope Class	Allowable Density (DU/Acre)	Amount of Open Space Required
Greater than 25%	0.05 (1 du/20 ac)	60%
15.1% to 25%	0.10 (1 du/10 ac)	50%
10% to 15%	0.20 (1 du/5 ac)	35%
Less than 10%	0.40 (1 du/2.5 ac)	n/a

b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The slope analysis shall be certified by a qualified civil engineer or licensed surveyor.

c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the ten (10) to fifteen (15) percent slope class and five acres falls within the 15.1 percent to twenty-five (25) percent slope class, then the total permitted yield shall be two dwelling units (10 ac x 0.10 du/ac plus 5 ac x 0.20 du/ac).

2. Minimum Lot Size. Minimum lot size shall be one dwelling unit per 2.5 acres within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, minimum lot size within the rural residential district may be reduced to twenty thousand (20,000) square feet, or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means

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approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.

3. Subdivision Design and Future Land Divisions.

a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.

b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.

4. Building Height. Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.

5. Setbacks and Other Site Development Criteria. Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	**Standards**
Under 40,000 s.f.	R2 district standards
40,000 s.f. or greater	R1 district standards

6. Grading within the rural residential district shall be performed as described under the hillside residential requirements, subsection (B)(6) of this section.

B. Hillside Residential Requirements.

1. Slope-Density-Natural Area Relationship. The maximum density (du/ac) and the percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.

a. Slope-Density-Natural Area Table 9.03.040-5.

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Slope Class	Allowable Density (DU/Acre)	Minimum Amount of Open Space Required
Greater than 25%	0.10 (1 du/10 ac)	60%
15.1% to 25%	0.25 (1 du/4 ac)	50%
10% to 15%	0.50 (1 du/2 ac)	35%
Less than 10%	1.00 (1 du/ac)	n/a

b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The community development director may require the slope analysis to be certified by a qualified civil engineer or licensed surveyor.

c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the 15.1 percent to twenty-five (25) percent slope class and five acres falls within the greater than twenty-five (25) percent slope class, then the total permitted yield shall be three dwelling units (10 ac x 0.25 du/ac plus 5 ac x 0.10 du/ac).

2. Minimum Lot Size. Minimum lot size shall be one acre within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, the lot size within the hillside residential district may be reduced to ten thousand (10,000) square feet or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.

3. Subdivision Design and Future Land Divisions.

a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.

b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division

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so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.

4. Building Height. Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.

5. Setbacks and Other Site Development Criteria. Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	**Standards**
Less than 20,000 s.f.	R-3 district standards
20,000 s.f. to 40,000 s.f.	R-2 district standards
40,000 s.f. or greater	R-1 district standards

6. Grading of any site shall be minimized and shall conform to the provisions contained in the city of Moreno Valley design guidelines, Ch. 9.16, under Applications for hillside development, Article IV, Sections 9.16.170 through 9.16.230 of this title, and the following standards:

Slope Class	**Standards**
15.1—25%	Padded building sites may be allowed, but maximum use of custom foundations and split level designs shall be employed to reduce the need for large padded building areas.
Above 25%	Mass grading is not permitted. Special hillside architectural and design techniques are expected in order to conform to the natural landform. Homes constructed on lots within this terrain shall use custom, multiple-level foundations.
For all areas	All graded areas shall be protected from wind and water erosion through acceptable slope stabilization methods such as planting, walls or jute netting.

C. Slope Calculations. For the purposes of this section, the following method will be used to determine slope.

1. "Slope" is defined as the relationship between the change in elevation (rise) of the land and the horizontal distance (run) over which that change in elevation occurs. The percent of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by one hundred (100).

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2. a. For the purpose of determining the amount and location of land falling into each slope category, the applicant shall submit to the community development department, at the time of application, a base topographic map of the subject site prepared and signed by a registered civil engineer or licensed land surveyor. Such a map shall have a scale of not less than one inch to two hundred (200) feet and a contour interval of not more than ten (10) feet.

b. This base topographic map shall include all adjoining properties within three hundred (300) feet of the site boundaries. Slope bands in the range of less than ten (10) percent, ten (10) to fifteen (15) percent, fifteen (15) to twenty-five (25) percent, and greater than twenty-five (25) percent shall be delineated on the topographic map. The map shall be accompanied by a tabulation of the land area in each slope category specified in acres. The exact method for computing the percent slope and area by percent slope category is to be sufficiently described and presented so that a review can readily be made.

3. Slope Mapping Method.

a. The percent slope of any particular piece of land shall be plotted on the map as described in this subsection.

b. In preparing a slope map, those portions of ravines, ridges and terraces of less

area generally sloping at twenty-five (25) percent slope or greater, shall be regarded as part of the bordering twenty-five (25) percent slope or greater band.

D. General Residential Requirements. The following tables sets forth minimum site development standards for residential development projects in the specified residential districts. In addition, projects must comply with the special development standards enumerated in this section, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and standards.

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Figure 9.03.040-1
Residential Lot Information

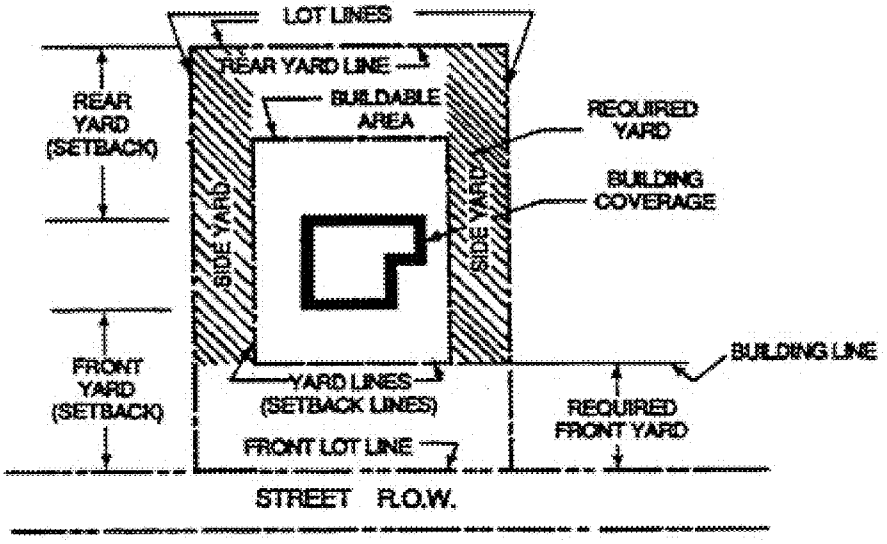

Figure 9.03.040-2
Residential Yard Descriptions

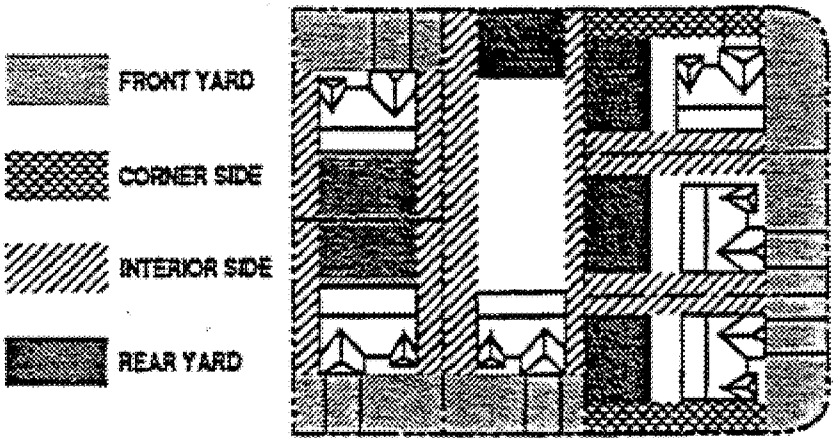

Table 9.03.040-6

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Residential Site Development Standards

Single-Family Standards

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

Notes to Residential Site Development Standards Table 9.03.040-6.

1. Combined interior side yard setbacks of twenty (20) feet shall be provided with a minimum of five feet on one side.

2. Combined interior side yard setbacks of fifteen (15) feet shall be provided with a minimum of five feet on one side.

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3. In the RS10 district the minimum street side setback shall be ten (10) feet. The interior side setback shall be five feet, except in the case of zero lot line developments with houses placed on an interior side lot line. When a house is placed on an interior side lot line, the other minimum side yard setback shall be ten (10) feet. Where applicable, an easement at least five feet in width shall be provided along the common lot line. The easement shall guarantee the right to use and occupy the easement for a roof overhang(s), stormwater drainage and for building maintenance and repair.

Table 9.03.040-7

Residential Site Development Standards

Multifamily Standards

Requirement	**R10**	**R15**	**R20**	**R30**
1. Maximum density (DUs*/net acre)	10	15	20	30
2. Minimum lot size (net area in sq. ft.)	1 acre	1 acre	1 acre	1 acre
3. Minimum lot width in feet	200	200	200	200
4. Minimum lot depth in feet	175	175	175	175
5. Minimum front yard setback, in feet	20	25	30	30
6. Minimum side yard setback, in feet Interior side yard Street side yard	 10 20	 10 20	 10 20	 10 feet plus 2 feet for every 5 feet in height over 30 feet 20
Requirement	**R10**	**R15**	**R20**	**R30**
7. Minimum rear yard setback, in ft.	15	20	25	10 feet plus 2 for every 5 feet in height over 30 feet
8. Maximum lot coverage	40%	45%	50%	50%
9. Maximum building and structure height, in feet	50 feet			
10. Minimum dwelling size (sq. ft.)	See Note 1			
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	20	20	20
12. Floor area ratio	.75	.75	.75	1.0

* The term "DUs" means dwelling units.

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Note to Residential Site Development Standards Table 9.03.040-7.

1. Minimum dwelling sizes in multiple-family projects shall be as follows:

a. One bedroom: four hundred fifty (450) square feet;

b. Two bedroom: eight hundred (800) square feet;

c. Three bedroom: one thousand (1,000) square feet.

E. Special Single-Family Residential Development Standards.

1. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.

2. In the R5 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.

3. In the RS10 district, driveways and fire hydrants shall be designed and located to maximize on-street parking opportunities in front of each residence.

4. Within the RS10 district, small lot single-family subdivisions on less than fifteen (15) gross acres shall provide landscaping and decorative walls along the street side of corner lots and at least two of the following amenities throughout the project:

a. Front porches;

b. Automatic garage door openers;

c. Electronic security systems.

5. Within the RS10 district, small lot single-family subdivisions on fifteen (15) gross acres or more shall include usable common open space encompassing a minimum of ten (10) percent of each development. Usable common open space does not include individually owned lots, parking areas, nor vehicular rights-of-way. Usable common open space is open space and/or recreational amenities under joint (common) ownership, including, but not necessarily limited to, landscaped areas, trails, playgrounds,

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tennis courts, swimming pools and recreational buildings. A homeowners' association shall be established to provide continual maintenance of the commonly owned facilities.

6. For all developments within the R5 land use district, a buffer of lots held to the development standards of the R3 land use district shall be included for all portions of a subdivision located adjacent to lower density single-family residential land use districts, including the R1, R2, RA-2, and RR zones.

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

8. In all residential districts allowing single family homes, kitchen appliances provided by the builder shall meet Energy Star requirements if an Energy Star designation is applicable for the appliance.

9. Space on the roof and penetrations through the roof surface shall be provided for future solar installation .

10. In all residential districts allowing single-family homes, new tracts containing five (5) or more lots shall require fifty (50) percent of the structures to orient buildings to optimize the use of solar energy with the long side of the house oriented within thirty (30) degrees south.

F. Special Multiple-Family Residential Development Standards.

1. In the R10, R15, R20 and R30 districts, buildings exceeding one story in height shall maintain a minimum building setback of fifty (50) feet from any single-family district. Any single-story building within the R10, R15, R20 or R30 district shall maintain a minimum setback of twenty (20) feet from any single-family district.

2. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

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4. In the RS10, R10, R15, R20 and R30 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.

5. In the RS10, R10, R15, R20 and R30 districts, a minimum of thirty-five (35) percent of the net site area, exclusive of private patio and yard areas, shall be landscaped. Turf shall not exceed fifty (50) percent of this area. Required setback areas and outdoor recreation areas may be counted toward this minimum. Landscaping shall consist predominately of plant materials to include water efficient native plants, except for necessary walks and fences. Landscape areas shall be designed to promote water retention and allow runoff from impervious surfaces. Hardscape areas are recommended to be constructed with pervious surfaces where feasible to reduce run off.

6. Where a multiple-family project abuts property in a single-family district, a decorative masonry wall at least six feet in height and screening landscaping within a planter of at least five-foot interior width shall be erected and maintained between such uses and the single-family district. Decorative walls composed of block, brick, stone, stucco-treated masonry or concrete panels are acceptable. The community development director may approve alternative materials, provided that the materials are decorative and comparable to masonry walls or concrete panels in durability and ability to attenuate light and sound.

7. Parking for each use shall comply with the requirements of Chapter 9.11 of this title.

8. In the R30 District, Landscape Trees. One tree per twenty (20) linear feet of building dimension for the portions of building visible from parking lot or ROW and one tree per twenty (20) linear feet of perimeter planter areas.

9. In the R30 district, for a development of three acres or greater, up to sixty (60) percent of the units may be in buildings with three or four stories, fifty (50) feet maximum height subject to planning commission approval.

Table 9.03.040-8

Designation	Minimum Density*	Maximum Density
R10	8 units/acre	10 units/acre
R15	12 units/acre	15 units/acre
R20	16 units/acre	20 units/acre
R30	24 units/acre	30 units/acre

* Eighty (80) percent of allowable density must be achieved by all multiple-family residential developments.

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10. Space on the roof and penetrations through the roof surface shall be provided for future solar installation.

G. General Multiple-Family Guidelines.

1. Opposing garages or carports should be turned to avoid the monotony of alley-like parking corridors.

2. Parking areas should be staggered and landscaped to add visual interest, and opportunities for accent treatments.

3. Parking spaces within multifamily areas shall be located within two hundred fifty (250) feet of the dwellings they serve.

4. Multifamily parking lots shall be limited to two double aisles of cars to help reduce expanses of paving. Parking lots shall provide openings in curbs to convey surface drainage into landscape areas for water quality, retention and absorption.

5. Open parking areas should be clustered and treated as landscaped plazas and courts.

6. Landscaping shall be used around the perimeter of the lot, as well as within the lot, reducing paved area and providing for a more pedestrian oriented site.

7. No more than four units for a two-story structure should be served by one entry.

8. Each multiple-family unit shall have at least one hundred and fifty (150) square feet of private open space per downstairs unit and a minimum of one hundred (100) square feet of private open space per upstairs unit. Private open space may consist of a fenced yard area, patio or balcony. Fenced yards and patios shall have a minimum dimension of at least eight feet. Balconies shall be at least five feet deep.

9. Common open space at a minimum of three hundred (300) square feet per each residential dwelling in the project is required.

10. Individual units should have a porch or porch-like space at the front door.

11. Trash enclosures shall be located to provide a maximum walking distance of two hundred fifty (250) feet from the units they serve.

12. Trash enclosures shall include solid roofs and be designed to be compatible with the project's architecture.

13. Trash enclosures shall not be located on dead end drive aisles, unless adequate turnaround is provided for collection vehicles.

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14. There shall be at least one double-bin trash enclosure for every forty-eight (48) residential units.

15. Mail boxes should be located at various places on the site and treated to match the building's architecture, avoiding the institutional and monumental "gang box" appearance, while conforming to post office guidelines.

16. Drive aisles should be curved and should incorporate landscaping and paving treatments to reduce vehicle speed. Landscaping treatments may include pinched planters and a mix of canopy and vertical trees. Paving treatments may include interlocking paver bands or etchings across drives. Speed bumps or Botts' dots are not an acceptable alternative.

17. Freestanding structures, like gazebos or pergolas, should be located to define activity areas at pathway intersections or in secluded landscape areas.

18. Drive aisles shall be at least twenty-four (24) feet wide for two-way traffic and shall be at least twenty (20) feet wide for one-way traffic.

19. Buffer setbacks and landscaping shall be provided along all property lines. Buffers may also be appropriate within the complex, separating recreational areas from units and limiting lines of sight between balconies and into parking areas.

20. Multiple-family projects warrant special design considerations, including:

a. Intimate, shaded outdoor seating areas;

b. A network of pathways, providing interesting walking experiences;

c. Gentle slopes for outdoor pathways and ramps to entry doors and between floors;

d. Convenient and attractive access to transit, including portecocheres, information kiosks, seating areas and water elements;

e. Security;

f. Direct ambulance access (senior housing projects);

g. Parking close to units;

h. Elevators (senior housing projects).

21. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest.

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22. Multifamily units shall be clustered to minimize grading and to help maintain the natural landscape.

23. Multifamily projects shall be designed for the needs of the intended residents. For example, children's needs would require open space, tot lots, handrails, and enclosed yards on ground floor units. Disabled or elderly needs would require ramps, parking close to units, minimum and gradual elevation changes and elevators.

24. Architectural features should be used to increase privacy from nearby units and common or public spaces.

25. Roof forms should be mixed and combined to vary the perception of building height, to differentiate units and to add interest to building mass. The long, straight roofline of a single gable is not permitted.

26. A diagram of the complex showing the location of the viewer and the building designations shall be positioned at each visitor entrance of a multiple-family development.

27. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest. (Ord. 826 § 3.2, 2011; Ord. 808 §§

2.2—2.2.3, 2010; Ord. 797 §§ 2.4, 2.4.2—4, 2009; Ord. 773 § 3, 2008; Ord. 757 §§ 2.7, 2.72, 2008; Ord. 757 §§ 2.7, 2.7.2, 2008; Ord. 726 § 4.3, 2006; Ord. 698 § 3.1(c), 2005; Ord. 694 § 1.1 (part), 2005; Ord. 616 §§ 2.2.1, 2.2.2, 2003; Ord. 604 § 2.3, 2002; Ord. 520 § 1.9, 1997; Ord. 475 § 1.4, (part), 1995; Ord. 468 §§ 1.4, 1.5, 1995; Ord. 461 § 1.1, 1995; Ord. 386 § 1.13, 1993; Ord. 359, 1992)

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9.17.070 Single-family residential development.

A. Plans for landscape construction or reconstruction of existing single-family units, custom homes and model home complexes are subject to review by the planning division to ensure:

1. Conformance with prevailing building design guidelines, with pleasing visual aesthetics and water efficient design.

2. Use of xeriscape landscaping.

3. Use of approved landscape materials.

4. Use of approved "smart irrigation" controllers.

5. Irrigation systems minimize overspray onto structures or hard surfaces such as sidewalks, driveways and walls/fences.

6. The front yard area have a maximum of twenty-five (25) percent turf with the remaining yard planted with shrubs, groundcovers and required trees. Turf should be planted in gathering areas only. Pavement and other solid surfaces shall not cover more than half of the required front yard setback. Pervious pavement/surfaces are recommended to reduce water run-off.

7. New and existing single-family front yard setbacks include front and street side yard landscaping consisting predominantly of plant materials including shrubs, groundcovers and required trees, except for necessary walks, drives and fences, not including weeds, as defined in Municipal Code Chapter 6.04, or concrete/hardscape materials.

8. Groundcover should be used to absorb run-off from rain or irrigation.

9. Reduction of hardscape/paving, incorporating permeable surfaces to reduce run-off.

10. <u>A minimum seventy-five (75) percent of the site shall include drought tolerant landscape species or native California species.</u> The plant palette provided in the County of Riverside Guide to Friendly Landscaping is recommended to identify plants which can be used to establish an aesthetically pleasing and water efficient landscape.

B. Model homes are provided by a developer as examples of the housing product for sale within the subject tract. A xeriscape planting concept with a turfless front yard is incorporated for at least one of the models. The concept must be used in at least twenty-five (25) percent of the production units. Promotional information on xeriscape-planting concepts is made available for prospective homebuyers.

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C. For parking lot, walls, screening and other landscape requirements, see applicable sections of the title. (Ord. 826 § 3.7, 2011; Ord. 817 § 3.7, 2010; Ord. 786 § 2, 2009)

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8.80.020 Diversion requirements.

A. Diversion Requirement.

1. Demolition and Remodeling Debris. It is required that at least ~~fifty (50)~~ seventy-Five (75) percent of waste tonnage from construction, demolition, and remodeling debris shall be diverted from the landfill. Demolition and remodeling projects must submit an acceptable waste management plan (WMP) as outlined in this chapter for approval prior to commencing the project.

2. New Construction (Residential, Commercial, and Industrial). It is required that the franchise hauler be used to assist in the design of a construction site management plan to divert cardboard, wood, pallets, and other recyclable materials from the site. The franchise hauler will be required to present an agreeable plan to the city staff and to report the amount of tonnage by material that has been recycled from each job site.

a. The franchise hauler will make its best effort to divert any and all recyclable materials by at least ~~fifty (50)~~ seventy-five (75) percent of waste tonnage to increase diversion on new residential, commercial, and industrial sites.

b. The franchise hauler will work with city staff to design an economically feasible collection system for the builder that increases diversion from construction sites and conforms to other city development requirements.

B. Diversion Requirement Exemption.

1. Application. If an applicant for a covered project experiences unique circumstances that the applicant believes make it infeasible to comply with the diversion requirements, the applicant may apply for a diversion requirement exemption at the time that he or she submits the WMP required under Section 8.80.030 of this chapter.

2. Meeting with Compliance Official. The compliance official shall review the information supplied by the applicant and may meet with the applicant to discuss possible ways of meeting the diversion requirement. Upon request of the jurisdiction, the compliance official may request that staff from the city of Moreno Valley attend this meeting. Based on the information supplied by the applicant and, if applicable, the city of Moreno Valley, the compliance official shall determine whether it is possible for the applicant to meet the diversion requirement.

3. Granting of Exemption. If the compliance official determines that it is infeasible for the applicant to meet the diversion requirements due to unique circumstances, he or she shall determine the maximum feasible diversion rate for waste materials to be generated and shall indicate the new diversion requirement the applicant shall be required to meet, and will inform the applicant, in writing, of the new requirement. The Applicant shall then have twenty-one (21) days to resubmit another WMP, which is in compliance with the new diversion requirement. If the applicant fails

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to resubmit, or if the resubmitted WMP does not comply with Section 8.80.030 of this chapter, the compliance official shall deny the WMP in accordance with Section 8.80.030.

C. Threshold. Every project shall be made available for deconstruction, salvage, and recovery prior to demolition. It shall be the responsibility of the applicant to recover the maximum feasible amount of salvageable designated recyclables and reusable materials prior to demolition. Recovered and salvaged designated recyclable and reusable material from every project shall qualify to be counted in meeting diversion requirements of Section 8.80.020(B) of this chapter. Recovered or salvaged designated recyclables and reusable materials may be given away or sold on the premises, or may be removed to reuse facilities for storage or sale. (Ord. 706 § 3.2 (part), 2006)

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8.80.030 Waste management plan.

A. Waste Management Plan Submittal Requirements. Prior to permit issuance, every applicant shall submit a properly completed "waste management plan" (WMP) to the compliance official, in a form prescribed by that official, as a portion of the building or demolition permit process. The completed WMP shall contain the following:

1. The estimated volume or weight of project waste to be generated by material type;

2. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling;

3. The vendor(s) that the applicant proposes to use to haul the materials;

4. Facility(s) the materials will be hauled to, and their expected diversion rates;

5. Estimated volume or weight of construction and demolition debris that will be landfilled.

Because actual material weights are not available in this stage, estimates are used. In estimating the volume or weight of materials as identified in the WMP, the applicant shall use the standardized conversion rates approved by the city of Moreno Valley for this purpose. Approval of the WMP as complete and accurate shall be a condition precedent to the issuance of any building or demolition permit. If the maximum volume or weight of such materials that can be feasibly diverted via reuse or recycling, as estimated using city-approved standardized conversion rates, is less than the required diversion requirements, applicant must submit information that supports the lower projected diversion rate, or the WMP shall be deemed incomplete.

B. Waste Management Plan Approval. No building or demolition permit shall be issued for any covered project unless and until the compliance official has approved the WMP. Approval shall not be required, however, where emergency demolition is required to protect public health or safety. The compliance official shall only approve a WMP if he or she determines that all of the following conditions have been met:

1. The WMP provides all of the information set forth in this section.

2. The WMP indicates that at least ~~fifty (50)~~ <u>seventy-five (75)</u> percent of all construction and demolition debris generated by the project shall be diverted (or new diversion goal set in accordance with the applicant's approved diversion exemption request).

C. Waste Management Plan Nonapproval. If the compliance official determines that the WMP is incomplete or fails to indicate that at least ~~fifty (50)~~ <u>seventy-</u>

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five percent of all construction and demolition waste material generated by the project will by reused or recycled, he or she shall either:

1. Return the WMP to the applicant marked "Denied," including a statement of reasons, which shall then immediately stop processing the building or demolition permit application, or

2. Return the WMP to the applicant marked "Further Explanation Required."

D. Waste Management Plan Exemptions. A waste management plan shall not be required for the following:

1. If the franchise hauler is used exclusively for debris/recycling removal from the site on a covered project. The franchise hauler shall submit a tonnage report to the city to verify the disposal and/or recycling tonnage collected from the site prior to the project completion;

2. New residential construction projects of one unit only;

3. Residential alterations of one unit only, except as noted in "4" below;

4. Roofing projects that do not include tear-off of existing roof;

5. Work for which only plumbing, electrical, or mechanical permits are required;

6. Seismic tie-down projects;

7. The installation or replacement of shelves;

8. Installation of pre-fabricated patio enclosures and covers where no foundation or other structural building modifications are required;

9. Installation of swimming pools and spas, provided that the exemption shall only apply to the area to be excavated for the installation of the pool or spa and the area for the pad for the pool/spa equipment that does not exceed three thousand (3000) square feet, and shall not apply to any related construction or alterations necessary for any other equipment or accessories, nor to any other portion of the project.

10. Installation of pre-fabricated accessories such as signs or antennas where no structural building modifications are required. (Ord. 706 § 3.2 (part), 2006)

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MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
April 10, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing April is Child Abuse Prevention Month

2. Recognition of Rancho Verde High School CIF Championship

3. "Spotlight on Moreno Valley Business"

   a) Eastern Municipal Water District

   b) Café Gossip

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
April 10, 2012

CALL TO ORDER

PLEDGE OF ALLEGIANCE

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

The Pledge of Allegiance was led by Council Member Council Member Robin N. Hastings.

INVOCATION - Pastor Diane Gardner, Beautiful Women of God - Diane Gardner Ministries

ROLL CALL

Council:

Richard A. Stewart	Mayor
William H. Batey II	Mayor Pro Tem
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director

Mayor Mayor Richard A. Stewart

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Mayor Pro Tem Mayor Pro Tem William H. Batey II

Council Member Jesse L. Molina - Absent

Council Member Council Member Robin N. Hastings

Council Member Council Member Marcelo Co

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Chris Baca (A10 - opposed) and Jose Chavez (A10 - opposed).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

A.3 AUTHORIZE CHANGE ORDER TO INCREASE PURCHASE ORDER WITH EASTERN MUNICIPAL WATER DISTRICT (EMWD) FOR THE SR-60/NASON INTERCHANGE PROJECT– PROJECT NO. 98-25897 (Report of: Public Works Department/CPD)

Recommendation:
Authorize a Change Order to increase Purchase Order No. 37223 with Eastern Municipal Water District (EMWD) by $70,000 for the SR-60/Nason Street Interchange Improvements Project (Account No. 125.89720).

A.4 APPROVAL OF THE 2012/2013 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Community & Economic Development Department)

Recommendation:
1. Approve the County Service Area (CSA) 152 Budget for FY 2012/2013 in the amount of $548,506; and

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2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2012/2013.

A.5 AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL DESIGN CONSULTANT SERVICES TO RBF CONSULTING FOR THE ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD - PROJECT NO. 13-12566851 HSIPL-5441(050) (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Agreement for Professional Design Services with RBF Consulting, for the Alessandro Boulevard Median from Indian Street to Perris Boulevard project;

2. Authorize the City Manager to execute the Agreement for Professional Design Services with RBF Consulting;

3. Authorize the issuance of a Purchase Order to RBF Consulting in the amount of $137,027.00 when the Agreement has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with RBF Consulting, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

A.6 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO RASMUSSEN BROTHERS CONSTRUCTION, INC. FOR THE MORENO VALLEY POLICE DEPARTMENT TRAFFIC DIVISION OFFICE RENOVATION - PROJECT NO. 11-50182328 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to Rasmussen Brothers Construction, Inc. (RBC), 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for the Moreno Valley Police Department Traffic Division Office Renovation;

2. Authorize the City Manager to execute a contract with RBC;

3. Authorize the issuance of a Purchase Order to RBC in the amount of $166,672 ($138,892 base bid amount plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with RBC, up to but not to

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exceed the Purchase Order contingency of $27,780; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to RBC, if no claims are filed against the project.

A.7 AGREEMENT FOR REIMBURSEMENT OF TRANSPORTATION UNIFORM MITIGATION FEE FUNDS BETWEEN RIVERSIDE COUNTY TRANSPORTATION COMMISSION AND THE CITY OF MORENO VALLEY FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE – PROJECT NO. 11-41570125 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept and approve the Agreement for the reimbursement of Transportation Uniform Mitigation Fee (TUMF) funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for the Construction Phase of the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project;

2. Authorize the City Manager to execute the Agreement between RCTC and the City of Moreno Valley;

3. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the TUMF Agreement between RCTC and the City of Moreno Valley for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project, subject to the approval of the City Attorney;

4. Reappropriate $262,000 from Account No. 415.70225 (Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue) to Account No. 415.70125 (Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue); and

5. Authorize the revenue and expense budgets in the TUMF Capital Projects Fund (Fund 415) for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project in the amounts of $5,110,000, respectively, upon approval of the agreement for the reimbursement of TUMF funds between RCTC and the City of Moreno Valley.

A.8 AUTHORIZE THE FIFTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH PARSONS

TRANSPORTATION GROUP FOR SR-60/MORENO BEACH DRIVE PHASE 1 AND NASON STREET OVERCROSSING IMPROVEMENTS -- PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Fifth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington, DC 20005-2701 to finalize all design and right-of-way documentation for Caltrans approval for the SR-60/Moreno Beach Drive Interchange Phase 1 and SR-60/Nason Overcrossing projects;

2. Authorize the City Manager to execute the Fifth Amendment to Agreement for Professional Consultant Services with Parsons;

3. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval; and

4. Authorize Change Orders to increase Purchase Order Numbers 42265 and 42275 with Parsons Transportation Group totaling $680,000 to be funded from Account Numbers 797.79718 ($430,000) and 797.79731 ($250,000) when the Fifth Amendment has been signed by all parties.

A.9 APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR PARTIAL ACQUISITION OF APN 297-170-077 FOR THE FIRE STATION NO. 65 PROJECT – PROJECT NO. 11-43472526 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the "Agreement for Conveyance of Property" for partial acquisition of APN 297-170-077 for the Fire Station No. 65 project;

2. Authorize a Purchase Order in the amount of $419,000 ($412,650 for the purchase price plus $6,350 for escrow fees) when the Agreement has been signed by all parties (Account No. 434.72526); and

3. Authorize the City Manager to execute said Agreement and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.

A.10 CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "SOBRIETY CHECKPOINT GRANT PROGRAM" (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if granted)

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of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Grant Program" in the amount of $150,400 for the period beginning October 1, 2012 and ending September 30, 2013; and

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the Sobriety Checkpoint Grant Program in the amounts of $150,400, respectively, upon approval and acceptance of the grant from OTS.

A.11 CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) "GME STEP PROGRAM" (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the California Office of Traffic Safety (OTS) grant in the amount of $129,870, entitled "GME STEP Program (Selective Traffic Enforcement Program)"; and

2. Authorize the revenue and expense budgets in the Office of Traffic Safety – Police Fund (Fund 136) for the GME STEP Program (Selective Traffic Enforcement Program in the amounts of $129,870, respectively, upon approval and acceptance of the grant from OTS.

A.12 APPROVAL OF THREE-YEAR ENTERPRISE LICENSING AGREEMENT OF MICROSOFT LICENSES THROUGH COMPUCOM SYSTEMS, INC., UTILIZING THE COUNTY OF RIVERSIDE'S MICROSOFT ENTERPRISE MASTER AGREEMENT (Report of: Financial & Administrative Services Department)

Recommendation:

1. Waive formal bidding per Municipal Code Section 3.12.260 (Cooperative Purchasing);

2. Approve a three-year enterprise licensing agreement of Microsoft licenses through CompuCom Systems, Inc., utilizing the County of Riverside's Microsoft Enterprise Licensing Master Agreement;

3. Authorize the City Manager to execute the Microsoft Enterprise Master Agreement and any related documents required to effectuate participation in the Microsoft Enterprise Master Agreement; and

4. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to CompuCom systems to maintain the current licensing level at an annual cost not-to-exceed $115,000.

A.13 "IT'S UP TO US": A PEDESTRIAN SAFETY PUBLIC EDUCATION

CAMPAIGN MINI-GRANT (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the Department of Public Health (CDPH), Safe and Active Communities Branch (SACB) grant in the amount not to exceed $4,999.99, entitled "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant; and

2. Authorize the revenue and expense budgets in the Department of Public Health – Police Fund (Fund 136) for the "It's Up to Us": A Pedestrian Safety Public Education Campaign Mini Grant in the amount not to exceed $4,999.99, respectively, upon approval and acceptance of the grant from CDPH.

A.14 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 21 – April 3, 2012.

A.15 aaaaa

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

B.3 EXTENSION OF CONTRACT - APPROVE THIRD AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the Third Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

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2. Authorize the President to execute the Third Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of: a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months; and

   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Marcelo Co
Failed by a vote of 5-0-0-0.

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 27, 2012 (Report of: City Clerk Department)

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:

1. After conducting the Public Hearing and accepting public testimony:

   Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 296-280-018;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APN 296-280-018.

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0-0-0.
Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-0-1, Council Member Jesse L. Molina absent.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 296-280-018 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:

1. Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

   Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 296-280-018;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 296-280-018.

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

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Motion to Approve by m/Council Member Robin N. Hastings
Approved by a vote of 4-0-0-1, Council Member Jesse L. Molina absent.
Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-0-1, Council Member Jesse L. Molina absent.

E.3 PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT NO. 3, THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY PROGRAM (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 3, the Community Development Block Grant - Recovery Program (CDBG-R);

2. Review and adopt the proposed FY 2011-12 Annual Action Plan Substantial Amendment No. 3, the Community Development Block Grant - Recovery Program; and

3. Authorize the budget re-appropriation of $107,841 from account 199.19910.6849.002 (CDBG-R Eco Green Incentive) and $840 from account 199.19910.6849.003 (CDBG-R Employment Creation Manufacturing) to (new) ADA Park Improvements Project # 199.19910.6849.xxx.

Pam Patterson

Tom Jerele, Sr.

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from_Pam Patterson and Tom Jerele, Sr.

Motion to Approve by m/Council Member Robin N. Hastings
Approved by a vote of 4-0-0-1, Council Member Jesse L. Molina absent.

E.4 PUBLIC HEARING TO ADOPT FY 2011-12 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT NO. 2, THE HOMELESSNESS PREVENTION AND RAPID REHOUSING PROGRAM (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

MV00172916

1. Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2011-12 Annual Action Plan Substantial Amendment No. 2;

2. Adopt the proposed Substantial Amendment No. 2; and

3. Authorize revenue and expense budget appropriations of $36,228 to accounts 198.1980.4610.1 and 198.19810.6847.003 (HPRP-Rental Assistance) respectively

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-0-1, Council Member Jesse L. Molina absent.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
a) Report by Council Member Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG)

Attended the Advancing Choices Expo and received the Proud Member of the Western Riverside County Clean Cities Coalition 2011-2012 for the City of Moreno Valley. Talked about the different alternative fuel vehicles that are coming forward.

Attended the Southern California Association of Government's General Assembly, and WRCOG and the AB 811 HERO Program received the Compass Blue Print Presidents Award for Excellence. There were questions about the HERO program. Hopefully in June or July WRCOG will come out and do an update. Need to get the word out on what the program is, what the options are and the list of available energy efficiency programs. On the residential side, this is the largest program of its kind in the nation. It's $325M. There are 146 contractors that work for the program. Moreno Valley has 18 applicants, 12 have been approved, 11 are in the process of getting over $250,000 worth of work done, and only three have been denied. The aproval rating for applicants is 67 percent vs. the rest of the county, which is 59 percent. Many applications have been approved for solar, but there is also the opportunity to do HVAC systems,

MV00172917

double paned widows, and a variety of other choices are available. There was a question about interst rates. This is not a loan. This is an assessment on the property, and the assessment stays with the property. If a home is sold, it is not paid off. It stays with the home. Every payment made goes back into the program. It is self funding.

G.2 JULY 4TH UPDATE (ORAL PRESENTATION) (Report of: Parks and Community Services Department)

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Scott Heveran - support.

G.3 INSTALLATION OF SYNTHETIC TURF AT MARCH FIELD PARK (Report of: Parks and Community Services Department)

Recommendation: That the City Council and CSD:

1. Award to Field Turf USA, Inc. 8088 Mountview Road, Montreal, Quebec, CN for material and labor to install synthetic turf at March Field Park;

2. Authorize the issuance of a Purchase Order to Field Turf USA, Inc., in the amount of $196,667.00 ($178,788.50 for the bid amount plus 10% contingency) when the contract has been signed by all parties;

3. Authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Field Turf USA, Inc., up to but not to exceed the Purchase Order contingency of $17,878.50 subject to the approval of the City Attorney; and

4. Authorize the Parks and Community Services Director to accept the improvements into the CSD's maintained system upon acceptance of the improvements as complete.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Pete Bleckert - oppose,Chris Baca - oppose, George Brummer - support, and Greg Reed - support.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-0-1, Council Member Jesse L. Molina absent.

G.4 INTRODUCTION OF ORDINANCE AMENDING CHAPTER 3.12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE CITY'S PURCHASING REGULATIONS (Report of: Financial & Administrative Services)

MV00172918

Recommendation: That the City Council:
Approve the introduction of Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations.

Ordinance No. 844

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 3.12, Purchasing.

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

G.5 RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE SECOND RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2012 TO DECEMBER 31, 2012 (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Serving as the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

   Adopt Resolution No. 2012-22 approving a Second Recognized Obligation Payment Schedule, for the period of July 1, 2012 to December 31, 2012;

   Resolution No. 2012-22

   A Resolution of the City Council of the City of Moreno Valley Serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley Approving Second Recognized Obligation Payment Schedule and Authorizing the Executive Director or his Designee to Make Modifications Thereto

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the ROPS to the Oversight Board for review and approval.

Mayor Richard A. Stewart opened the agenda item for public comments;

MV00172919

there being none, public comments were closed.
Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-0-1, Council Member Jesse L. Molina absent.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

None

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

Or

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from

H.2 .1 ORDINANCE NO. 841 - AN ORDINANCE OF THE CITY OF MORENO VALLEY ESTABLISHING AN UNDERGROUND UTILITY DISTRICT ALONG NASON STREET FROM CACTUS AVENUE TO FIR AVENUE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

Adopt Ordinance No. 841.

Ordinance No. 841

An Ordinance of the City of Moreno Valley Establishing an Underground Utility District Along Nason Street from Cactus Avenue to Fir Avenue

MV00172920

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-0-1, Council Member Jesse L. Molina absent.

H.2 .2 ORDINANCE NO. 842 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION P10-050 FOR A SPECIFIC PLAN AMENDMENT TO REPEAL THE CACTUS CORRIDOR SPECIFIC PLAN (SP214) (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

ADOPT Ordinance No. 842;

Ordinance No. 842

An Ordinance of the City Council of the CIty of Moreno Valley, California, Approving Application P10-050 for a Specific Plan Amendment to Repeal the Cactus Corridor Specific Plan (SP214)

Mayor Richard A. Stewart opened the agenda item for public comments; there being none, public comments were closed.
Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-0-1, Council Member Jesse L. Molina absent.

H.2 .3 ORDINANCE NO. 843 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A ZONE CHANGE (PA10-0027) TO ESTABLISH CITY LAND USE DESIGNATIONS FOR THE PROPERTIES WITHIN SP214 (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 27, 2012 ON A 4-0-1 VOTE, CO ABSENT) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

ADOPT Ordinance No. 843.

Ordinance No. 843

MV00172921

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA10-0027) to Establish City Land Use Designations for the Properties Within SP214

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-0-1, Council Member Jesse L. Molina absent.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Raul Wilson

Project on the East end

Jose Chavez

ADA

Discrimination

Tom Jerele, Jr.

Recognition of EMWD and Rancho Verde Football Players

Fast Track on Major Projects

Building Codes and Inspections

Pete Bleckert

Trees

Businesses

The way the City is run

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

Council Member Marcelo Co - Things are taken personally at Council meetings. No one should be attacked. Arguing and fighting will not resolve the problems. More things will be accomplished with cooperation . Didn't understand why so much money was going to March Field when it didn't belong to Moreno Valley. After researching, found out March is one of the fields that can help kids practice. This is cheaper than putting a new parks somewhere else. This was given to us. This forum is to resolve problems and put the City forward. It is difficult to get people to come to Moreno Valley. Your help is needed. For those that come to the Council meetings on a regular basis, you are applauded. This not a forum to argue. It should be a forum to work together.
Bill The SEQUA projects need to be streamlined. There is no reason for projects to take anywhere from 18 months to three years to get through the environmental process. Jobs need to be created. State officials need to be lobbied to make the changes they applied in Los Angeles to apply to all project no mater the size or dollar amount.
Richard - Very passionate when it comes to sports fields. Had a rough time defending the city's efforts to provide sports fields. There are thousands of people involved in youth sports. The effort was made a number of years ago to get that land with the dream of making a huge soccer complex. Because of 911 the City was unable to pursue the complex after spending $50,000 designing it. Fought hard to get lights at Shadow Mountain Park. The point of the Press Enterprise and the opposition to something that has barely started yet, it's amazing people are opposed to how many jobs there are and the kinds of jobs there are. Moreno Valley needs jobs. Tired of the opposition. It's barely mentioned something is going to be done for the City, there is an action plan is very well documents, and right away and everyone is beating up the Council. The Press Enterprise doesn't want to provide any happiness to Moreno Valley. There was an article the Mayor of Riverside is opposed to all the extra trucks. The Mayor of Riverside was a champion to the Meridian project which is several thousand acres of land and how many millions of square feet of development with trucks. The Mayor of Riverside is in favor of it when it's in Riverside, but opposed to it when it's in Moreno Valley. Many people in Moreno Valley realize what happened when the City lost the land on the west side of Day Street because before Moreno Valley could incorporate, Riverside made a lnad grab and was successful. Anyone who wants to cheerlead for other cities should move there. If there is a chance to produce jobs and revenue to keep our police force and Fire and Public Works going, then the jobs should be brought here as long as it's done properly. Itr's a very complicated SEQUA processand no one can go through it on a shortcut. Try to be business friendly. Moreno Valley is not business friendly. School Board Member Rios was arrested again. The Press Enterprise's editorial calling him to resign from office is appropriate so he can concentrate on his defense and not take away from the children of our community. The people that are friends of his i beseech them to contact

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him and ask him in the best interests of the community to resign. If he gets exonerated from the charges, he can run for whatever he wants. Right now is not the time for him to try to hold that seat when the community is focusing on the negative and not the positive. I wish him the best. He is innocent until proven guilty.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a) Case: *Ramirez V. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 1106011

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

4 SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

a) Property: SR60/Moreno Beach Drive Interchange Project

		(Phase 2)
	City Negotiator:	Public Works Director Ahmad Ansari
	Under Negotiation:	Price and terms of payment
	Owner:	Julie Yu Chu (488-270-022 and 488-270-023)
	Owners Negotiator:	
	APN	473-160-007, 473-160-008, 473-160-009, 488-270-022 and 488-270-023
b)	Property:	Ironwood Avenue Street Improvement from Heacock Street to Perris Boulevard
	City Negotiator:	Public Works Director Ahmad Ansari
	Under Negotiation:	Price and terms of payment
	Owner:	City of Moreno Valley
	Owners Negotiator:	
	APN	475-272-054

5 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: City Manager Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: City Manager Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: City Manager Henry T. Garcia
Employee Organization: Moreno Valley Confidential Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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

Submitted by:

_____
City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

MV00172925

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

MV00172926

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 26, 2012

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Housing Authority and the Board of Library Trustees was called to order at 6:35 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

Mayor Richard A. Stewart announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Richard A. Stewart.

INVOCATION

INVOCATION – Mayor Richard A. Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
William H. Batey II	Mayor Pro Tem
Marcelo Co	Council Member
Robin N. Hastings	Council Member
Jesse L. Molina	Council Member

Staff:

Jane Halstead	City Clerk
Kathy Gross	Executive Assistant
Henry T. Garcia	City Manager

Richard Teichert	Financial & Administrative Services Director
Robert Hansen	City Attorney
Michele Patterson	Assistant to the City Manager
Joel Ontiveros	Police Chief
Abdul Ahmad	Fire Chief
Ahmad Ansari	Public Works Director
Barry Foster	Community & Economic Development Director
Tom DeSantis	Human Resources Director
Mike McCarty	Parks & Community Services Director
John Terell	Planning Official

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, MORENO VALLEY HOUSING AUTHORITY AND THE BOARD OF LIBRARY TRUSTEES

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 6-19, 2012.

A.4 APPROVAL OF THE CHECK REGISTER FOR APRIL, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2012-53, Approving the Check Register for the Month of April, 2012 in the Amount of $13,408,420.85.

Resolution No. 2012-53

A Resolution of the City Council of the City Of Moreno Valley, California,

Approving the Check Register for the Month of April, 2012

A.5 ACCEPT $3,500,000 OF TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) FUNDING FOR THE SR-60/MORENO BEACH INTERCHANGE PHASE 1 - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:
Accept $3,500,000 in Transportation Uniform Mitigation Fee (TUMF) funding for the SR-60/Moreno Beach Interchange Phase 1 project.

A.6 THE OFFICE OF JUVENILE JUSTICE DELINQUENCY PREVENTION (OJJDP) FY2012 COMMUNITY BASED VIOLENCE PREVENTION DEMONSTRATION PROGRAM (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if granted) of the "The OJJDP FY2012 Community Based Violence Prevention Demonstration Program" in the amount of $713,286, for a 36-month period beginning October 1, 2012 and ending September 30, 2015; and

2. Authorize the revenue and expense budgets in the OJJDP - Police Grant Fund (New Fund - 2XXX) for the FY2012 Community Based Violence Prevention Demonstration Program in the amount of $713,286, respectively, upon approval and acceptance of the grant from the Office of Juvenile Justice Delinquency Prevention (OJJDP).

A.7 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2012 (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2012.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;

   b. Frederick Street between Centerpointe Drive and Cactus Avenue;

   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;

   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;

e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;

f. Atlantic Circle east of Frederick Street;

g. Brabham Street between Frederick Street and Andretti Street;

h. TownGate Boulevard between Frederick Street and Heritage Way;

i. Bay Avenue between Kristina Court and Courage Street;

j. Alessandro Boulevard between Chagall Court and Elsworth Street;

k. Alessandro Boulevard between Joy Street and Cactus Avenue;

l. Resource Way between Frederick Street and Corporate Way;

m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Eastridge Street between Frederick Street and Heritage Way;

o. Calle San Juan De Los Lagos between Frederick Street and Veterans Way;

p. Veterans Way between Business Center Drive and Alessandro Boulevard;

q. New Hope between Veterans Way and Elsworth;

r. Veterans Way between Cactus Avenue and Alessandro Boulevard, and

s. Heritage Way between TownGate Boulevard and Town Circle;

2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Tuesday, July 3, 2012 through 5:00 p.m. on Thursday, July 5, 2012 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2012; and

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.8 NOTICE OF COMPLETION AND ACCEPTANCE OF SUNNYMEAD BOULEVARD REVITALIZATION IMPROVEMENTS COMPLETED BY ENVIRONMENTAL CONSTRUCTION, INC. - PROJECT NO. 04-89280221-1 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Sunnymead Boulevard Revitalization from Frederick Street to Perris Boulevard constructed by Environmental Construction, Inc., 21550 Oxnard Street, Suite 1050, Woodland Hills, CA 91367;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Accept the improvements into the City's maintained system;

4. Authorize the Financial & Administrative Services Director to release the retention to Environmental Construction, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project;

5. Authorize the Purchasing & Facilities Division Manager to execute a Change Order to increase the Purchase Order (No. 35442) with Environmental Construction, Inc., in the amount of $272,468.10 for the Sunnymead Boulevard Revitalization project (Account No. 501.82125); and

6. Authorize the Public Works Director/City Engineer to execute Contract Change Order No. 7 (Final) for Environmental Construction, Inc.

A.9 FACILITY LEASE EXTENSION WITH MORENO VALLEY GATEWAY, LLC (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve the three lease extensions with Moreno Valley Gateway, LLC for the building located at 14325 Frederick St., Moreno Valley;

2. Authorize the City Manager to sign the lease extensions and any subsequent extensions for office space located at 14325 Frederick St., Moreno Valley; and

3. Authorize the Purchasing & Facilities Manager to execute a purchase order for said leases for Fiscal Year 2012-13 as follows:

   a. Suites 1-3 $54,029
   b. Suite 4 $24,048
   c. Suites 5-9 $90,000

A.10 PARCEL MAP 32631 - COMMERCIAL - REDUCE THE IRREVOCABLE LETTER OF CREDIT AS FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF DAY STREET, GATEWAY DRIVE, MEMORIAL WAY, CAMPUS PARKWAY, AND TOWNGATE CIRCLE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: GATEWAY COMPANY, L.C., A NEVADA LIMITED LIABILITY COMPANY BY: FRITZ DUDA COMPANY, A TEXAS CORPORATION, ITS MANAGER, NEWPORT BEACH, CA 92663 (Report of: Community & Economic Development Department)

Recommendation:

1. Adopt the proposed Resolution No. 2012- 54 authorizing the acceptance of the public improvements within Parcel Map 32631 – Commercial as complete and accepting the portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle associated with the project into the City's maintained street system; and

Resolution No. 2012-54

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Parcel Map 32631 and Accepting the Portions of Day Street, Gateway Drive, Memorial Way, Campus Parkway, and Towngate Circle Associated with the Project into the City's Maintained Street System

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

A.11 COOPERATIVE AGREEMENT FOR THE COST SHARE OF AERIAL LADDER TRUCK PERSONNEL BETWEEN THE CITY OF MORENO VALLEY, THE CITY OF PERRIS, AND THE COUNTY OF RIVERSIDE (Report of: Fire Department)

Recommendation:

1. Approve a cooperative agreement for the cost share of aerial ladder truck personnel between the City of Moreno Valley, the City of Perris, and the County of Riverside; and

2. Authorize the Fire Chief to implement the conversion of both basic life support aerial ladder trucks to advance life support aerial ladder trucks.

A.12 AUTHORIZATION TO AWARD PROFESSIONAL CONSULTANT SERVICES AGREEMENTS FOR BUILDING & SAFETY PLAN CHECK AND INSPECTION SERVICES TO MULTIPLE VENDORS (Report of Community & Economic Development Department)

Recommendation:

1. Approve a five year Independent Contractor Agreement with Willdan Engineering for Building & Safety Plan Check and Inspection Services;

2. Approve a five year Independent Contractor Agreement with Scott Fazekas & Associates for Building & Safety Plan Check and Inspection Services;

3. Approve a five year Independent Contractor Agreement with Esgil Corporation for Building & Safety Plan Check Services;

4. Authorize the City Manager to approve the annual purchase orders through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and

5. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to each vendor to cover the estimated costs for providing services for the Building & Safety Division for FY2012/2013 and future years under the Agreement.

A.13 PA11-0009 – COMMERCIAL DEVELOPMENT – ACCEPT THE AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH SIDE OF IRIS AVENUE, WEST OF OLIVER STREET, DEVELOPER: KAISER FOUNDATION HEALTH PLAN, INC., & KAISER FOUNDATION HOSPITALS, MORENO VALLEY, CA 92555 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Agreement and Bonds for Public Improvements;

2. Authorize the Mayor to execute the Agreement;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.14 SECOND AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT WITH DENNIS GRUBB & ASSOCIATES (Report of: Fire Department)

Recommendation:

1. Approve the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC;

2. Authorize the City Manager to execute the Second Amendment to the Independent Contractor Agreement between the City of Moreno Valley and Dennis Grubb & Associates, LLC; and

3. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 41249 with Dennis Grubb & Associates, LLC in the amount of $25,000 for fire plan check services for a total not to exceed amount of $115,000 for Fiscal Year 2011/2012.

A.15 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2012/2013 RATE ADJUSTMENT (Report of: Public Works Department/M&O)

Recommendation:

Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2012/2013 Rate Adjustment.

A.16 AUTHORIZE ESTABLISHMENT OF THE KEEP MORENO VALLEY BEAUTIFUL PROGRAM (Report of: Public Works Department/M&O)

Recommendation:

1. Authorize the establishment of a Keep Moreno Valley Beautiful Program which will include becoming a Keep America Beautiful affiliate;

2. Approve the submission of a Keep America Beautiful affiliate application with Mayor's Letter of Endorsement; and

3. Authorize the use of Maintenance and Operations Division operational funds for start-up costs.

Pulled for correction in staff report by Ahmad Anasari, Public Works Director/City Engineer.

A.17 NOTICE OF COMPLETION AND ACCEPTANCE OF THE INDIAN STREET BICYCLE LANES FROM IRIS AVENUE TO KATRINA AVENUE CONSTRUCTED BY ELITE COMPANIES US, INC.
PROJECT NO. 11-12556331 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue, constructed by Elite Companies US, Inc., 15321 La Salle Lane, Huntington Beach, CA 92647;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to Elite Companies US, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained system.

A.18 NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL IMPROVEMENTS FOR THE LASSELLE STREET AT MARGARET AVENUE INTERSECTION CONSTRUCTED BY J.F.L. ELECTRIC, INC. - PROJECT NO. 10-12566630 (Report of: Public Works Department/CPD)

Recommendation:

1. Accept the work as complete for the Traffic Signal Improvements for the Lasselle Street at Margaret Avenue Intersection constructed by J.F.L. Electric, Inc., 8257 Compton Avenue, Los Angeles, CA 90081;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to J.F.L. Electric, Inc. thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Accept the improvements into the City's maintained system.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2012 (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2012.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;

   b. Frederick Street between Centerpointe Drive and Cactus Avenue;

   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;

   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;

   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;

   f. Atlantic Circle east of Frederick Street;

   g. Brabham Street between Frederick Street and Andretti Street;

   h. TownGate Boulevard between Frederick Street and Heritage Way;

   i. Bay Avenue between Kristina Court and Courage Street;

   j. Alessandro Boulevard between Chagall Court and Elsworth Street;

   k. Alessandro Boulevard between Joy Street and Cactus Avenue;

   l. Resource Way between Frederick Street and Corporate Way;

   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Eastridge Street between Frederick Street and Heritage Way;

o. Calle San Juan De Los Lagos between Frederick Street and Veterans Way;

p. Veterans Way between Business Center Drive and Alessandro Boulevard;

q. New Hope between Veterans Way and Elsworth;

r. Veterans Way between Cactus Avenue and Alessandro Boulevard; and

s. Heritage Way between TownGate Boulevard and Town Circle;

2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Tuesday, July 3, 2012 through 5:00 p.m. on Thursday, July 5, 2012 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2012; and

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

B.4 AMEND THE CONTRACT WITH THINK TOGETHER, INC. TO OPERATE DAY-TO-DAY ACTIVITIES AND FUNCTIONS INVOLVING THE CITY'S AFTER SCHOOL EDUCATION AND SAFETY (ASES) GRANT PROGRAM FOR FISCAL YEAR 2012-13 (Report of Parks and Community Services Department)

Recommendation:

1. Authorize the City Manager to amend the contract entered into with THINK TOGETHER Inc. on April 26, 2011, to operate day-to-day activities and functions of the City's Prop 49 state-funded ASES after school grant program; and

2. Authorize the additional revenue and expense budgets in the STARS Program Grant Fund (Fund 162) for the ASES Grant Program in the amount of $262,941, respectively, upon approval of the contract amendment with Think Together, Inc.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 12, 2012 (Report of: City Clerk Department)

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

Recommendation:
Approve as submitted.

Motion to approve Joint Consent Calendars A.1 through D.2, as amended (amended Recommendation No. 3 of Item A.16 to read: Authorize the use of Maintenance and Operations Division operational funds for $2,000 start -up costs) by m/Mayor Pro Tem William H. Batey II, s/Council Member Marcelo Co

Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING REGARDING PA10-0030, AN AMENDMENT TO TITLE 9 OF THE MUNICIPAL CODE REGULATIONS TO: (1) ADOPT WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) GOOD NEIGHBOR GUIDELINES; (2) REVISE PARKING STANDARDS FOR RESTAURANTS; (3) REDUCE COMMUNITY COMMERCIAL (CC) FRONT AND STREET SIDE BUILDING SETBACKS, AND OTHER REVISIONS TO PARKING AND LANDSCAPE SETBACKS; (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS; AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD TO REVISE SAFETY FEATURES AND DRIVE AISLES WIDTHS (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that PA10-0030 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 849, thereby approving PA10-0030, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 849

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Adopting WRCOG Good Neighbor Guidelines; (2) Revised Parking Standards for Restaurants; (3) Reduction of (CC) Community Commercial Front and Street side Building Setbacks, and Revisions to Parking and Landscape Setbacks; (4) Provide for Parking Lot Maintenance Standards, Banning "Topping" of Trees; and (5) Amend the General Parking Design Standard with Revised Safety Features and 24 Foot Wide Drive Aisles

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

Motion to Approve Recommendation No. 1 by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

E.2 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department/M&O)

Recommendation: That the City Council:

1. Approve placing the submitted list of delinquent solid waste accounts that are attached to this report on the Fiscal Year (FY) 2012/2013 Riverside County property tax roll for collection;

2. Adopt Resolution No. 2012-55 repealing, revising and reenacting the provisions of Resolution 2007-72 of the City Council of the City of Moreno Valley, California, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll; and

Resolution No. 2012-55

A Resolution repealing, revising and reenacting the provisions of Resolution 2007-72 of the City Council of the City of Moreno Valley, California, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll

3. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2012-55 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

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

Motion to Approve Recommendation Nos. 1 through 3 by m/Council Member Robin N. Hastings, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

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

None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

Mayor Richard A. Stewart announced that he and others attended the WRCOG General Assembly last Thursday evening. Also, General Colin Powell attended and Robin N. Hastings was the Chairperson last year as well as the MC at the event. Mayor Stewart commended Robin for a job well done in representing our City with so many dignified individuals present.

a) Report by Council Member Council Member Robin N. Hastings on the Western Riverside Council of Governments (WRCOG) – Request for a Resolution of Support from the Government Agencies on opposing the San Diego County Water Authority Cost Shift.

b)

G.2 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate;

2. Appoint those applicants who received majority vote by the City Council;

3. If vacancies are not filled by a majority vote of the City Council, authorize the City Clerk to re-advertise the positions as vacant and carry over the current applications for reconsideration of appointment at a future date.

   City Clerk Halstead requested the meeting to move forward until all ballots have been turned in.

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

Motion to make following appointments for terms expiring June 30, 2015:

The Arts Commission: Mary McBean and Ruth A. Van Hala;
The Environmental & Historical Preservation Board: Michelle Terese Gerard and Carla Thornton;
The Library Commission: Mary McBean;
The Parks & Recreation Commission: Jonneshia C. Bright and James Lucha;
The Recreational Trails Board: Angelyn L. Grady, Breanda Y. Jackson and Vivian Joneswhye-Brock;
The Senior Citizens' Board: Cleveland Johnson;
The Traffic Safety Commission: Michael Riiff and Wraymond Sawyerr.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

G.3 JOB TRAINING LINKAGE INITIATIVE (Report of: City Manager's Office)

Recommendation: That the City Council:
Approve the continued development of the Job Training Linkage Initiative in Moreno Valley.

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

G.4 JULY 4TH UPDATE (ORAL PRESENTATION) (Report of: Parks and Community Services Department)

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Scott Heveran and Tom Jerele, Sr.

G.5 CITY MANAGER'S REPORT (Informational - not for Council action)

a) Police Department - Oral Presentation by Police Chief, Joel Ontiveros

Chief Ontiveros reported on the many accomplishments of his department

Chief Ahmad reported on the upcoming 4th of July events, stating it's illegal to use or possess fireworks in the City; there is a Zero Tolerance for illegal fireworks in the City and citations will be given; fireworks can cause bodily harm and if injury occurs to contact 911; and you may also contact the Fire Command Center at 951.940.6949.

City Manager, Henry Garcia, provided City Council with a handout on Expanding Workplace a list of new jobs created in Moreno Valley since 2009.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

H.1.1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUB-SECTION 9.12.050(F) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADDING SUB-SECTION 9.12.060(O) TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Introduce the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section

9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way.

Ordinance No. 850

An Ordinance of the City Council of the City of Moreno Valley, California, amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding Sub-Section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code Relating to Signs in the Public Right-Of-Way

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

Motion to Recognize Ordinance No. 850 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2.1 ORDINANCE NO.847 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA12-0008 AMENDING THE MUNICIPAL CODE TO INCREASE THE MAXIMUM HEIGHT AND SIGN AREA FOR MENU BOARDS IN THE CITY'S SIGN CODE IN SECTION 9.12.060.D. (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 12, 2012 ON A 5-0 VOTE) (Report of: Community and Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 847 thereby APPROVING Municipal Code Amendment PA12-0008, based on the findings in the City Council Ordinance.

Ordinance No. 847

An Ordinance of the City Council of the City of Moreno Valley, California,

Approving Application PA12-0008 Amending the Municipal Code to Increase the Maximum Height and Sign Area for Menu Boards in the City's Sign Code in Section 9.12.060.D.

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

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Marcelo Co

Approved by a vote of 5-0.

H.2.2 ORDINANCE NO. 848 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.22.030 OF CHAPTER 12.22 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF THROUGH STREETS. (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 12, 2012 ON A 5-0 VOTE) (REPORT OF: PUBLIC WORKS DEPARTMENT)

Recommendation: That the City Council:

Adopt Ordinance No.848, amending Title 12 Section 12.22.030 of the City of Moreno Valley Municipal Code relating to the designation of through streets (as listed within the ordinance).

Ordinance No. 848

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.22.030 of Chapter 12.22 of the City of Moreno Valley Municipal Code Relating to the Designation of Through Streets

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

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Pete Bleckert

- Moreno Valley Electric Company and RDA funds borrowed to start it up.
- Edgemont area continues to not benefit from the City, only eastend of town.

Jose Chavez

- Police Department and Checkpoints
- ADA

Daryl Terrell

- Announces his Candidacy for City Council.
- Announces he will not take a salary or benefits, if he is elected.

Tom Jerele, Sr.

- Future Jobs
- Industrial Development
- Chief Ontiveros recognizing the volunteer work in Moreno Valley

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT,CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Council Member Jesse L. Molina

Responds to Public Comments:

1. Moreno Valley Utility and whether it's making money - Will find out more about money taken from Edgemont for the 3rd District and will report back

2. Are we better off than 4 years ago, some are and some are not.

3. Contracting - 5% preference within lowest bid - MV vendor is second and within the 5% of lowest bid, they would have opportunity to negotiate a satisfactory contract with City if outside bidder is first

4. WRCOG General Assembly

Council Member Robin N. Hastings

1. Rally Round the Flag – June 14th
2. WRCOG General Assembly and what an honor it was to serve
3. Thank you to Mayor and City Council for allowing her to continue serving on WRCOG in that capacity
4. Taste of the Valley
5. Commends MVPD on accomplishments
6. Volunteers - Mayor Richard A. Stewart official retirement date will be on June 29th, serving 20 years as a Reserve Officer – Congratulations!
7. 4th of July Committee members working so hard to bring back our 4th of July events - Thank you. Please join us for the parade, fireworks, festival and concert.

Mayor Pro Tem William H. Batey II

1. Requested Parks & Community Services Director, Mike McCarty, to provide an update to Conference & Recreation Center - Completed the back of the Banquet Facility; added concrete and next step will be the fencing and gazebo.
2. Movies in the Park on Thursday evenings.
3. 4th of July - Celebrate safely

Council Member Marcelo Co

1. Thank you to all who helped put the 4th of July Celebration together.
2. Expanding Workplace flyer – commented on the jobs created since 2011 and the near future will continue to grow
3. Bowling Alley on Alessandro - Grand Opening on July 12th (TBD) - also all new staff at the bowling alley are residing in Moreno Valley
4. ADA issues Mr. Chavez brought up – staff to look into sliding door and bathroom
5. Election Year - More participation is needed to elect your City Council
6. Congratulations to Daryl Terrell for his announcing his candidacy.

Good Luck.

7. IHerb.com - Distribution Center Imports but also Exports business overseas.

8. EVA airlines - Evergreen Containers interested in coming to Moreno Valley

9. Chief Ontiveros - Thank you for the update

Mayor Richard A. Stewart

1. Taste of the Valley

2. Corporal Anthony Servin - He and Jesse attended the funeral and the Moreno Valley Police provided escorts and

3. Misguided resident on filing an appeal on the TRIP financing – This could end up costing the City anywhere from $50,000 - $100,000 dollars.

CLOSED SESSION - Canceled

ADJOURNMENT

Council Member Robin N. Hastings requested to adjourn in Honor of Dana Andrew Nova, a longtime resident of Moreno Valley, who passed away on May 29, 2012

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Also, Mayor Richard A. Stewart acknowledged the passing of Wyvon Miller, Councils' Executive Assistant's mother-in-law. Services will be held this Friday at 10:00 a.m. at the Christ Community Church in Moreno Valley.

There being no further business to conduct, the meeting was adjourned at 9:17 p.m.

Submitted by:

_____
City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the
Community Redevelopment Agency of the City of Moreno Valley
Secretary, Moreno Valley Housing Authority
Secretary, Board of Library Trustees

Approved by:

_____
Mayor Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, City as Successor Agency for the
Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Moreno Valley Housing Authority
Chairperson, Board of Library Trustees

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AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

August 28, 2012

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3705 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

William H. Batey II, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
Marcelo Co, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
August 28, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. RECOGNITION OF 2012 SUMMER READING PROGRAM SUPER READERS, BY MORENO VALLEY FRIENDS OF THE LIBRARY

2. EMPLOYEE OF THE QUARTER RECOGNITION, 2ND QUARTER 2012

   a) MaryLou Antero, Accounts Payable Supervisor

   b) Jim White, Accounting Technician

3. RECOGNITION OF MVTV-3 SCAN NATOA STAR AWARDS

MV00172969

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES

THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

REGULAR MEETING - 6:30 PM
AUGUST 28, 2012

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority and the Board of Library Trustees- actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

Pastor Terry A. Harts - Unity Christian Center Church of Moreno Valley

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed

MV00172970

to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, City as Successor Agency for the Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 APPROVAL OF THE CHECK REGISTER FOR MAY, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2012-67, approving the Check Register for the month of May, 2012 in the amount of $13,875,994.96.

Resolution No. 2012-67

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2012.

A.4 APPROVAL OF THE CHECK REGISTER FOR JUNE, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2012-68, approving the Check Register for the month of June, 2012 in the amount of $22,489,803.50.

Resolution No. 2012-68

MV00172971

A Resolution of the City Council of the City of Moreno Valley, California Approving the Check Register for the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of June, 2012

A.5 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO C P CONSTRUCTION CO. INC. FOR THE CORPORATE YARD SEWER IMPROVEMENTS – PROJECT NO. 803 0002 70 77 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to C P Construction Co., Inc. (C P Construction), PO Box 1206, Ontario, CA 91762, the lowest responsible bidder, for the Corporate Yard Sewer Improvements;

2. Authorize the City Manager to execute a contract with C P Construction;

3. Authorize the issuance of a Purchase Order to C P Construction in the amount of $272,710.32 ($227,258.60 plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C P Construction, up to but not to exceed the $45,451.72 contingency; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to C P Construction if no claims have been filed against the project.

A.6 APPROVAL OF THE AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney;

2. Appoint the Community and Economic Development Director as the primary representative and appoint the Storm Water Program Manager as the alternate representative to the TMDL Task Force;

3. Authorize the Community and Economic Development Director to execute future amendments to the Agreement as approved by the

MV00172972

City Attorney;

4. Authorize the Mayor to execute the Agreement; and

5. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Agreement to the Santa Ana Watershed Project Authority.

A.7 REJECTION OF ALL BIDS FOR CONSTRUCTION OF THE TRANSPORTATION MANAGEMENT CENTER - PROJECT NO. 808 0005 70 76 (Report of: Public Works Department/TED)

Recommendation:

1. Reject all bids opened on July 2, 2012 for the Transportation Management Center project; and

2. Direct staff to re-advertise for construction bids for the Transportation Management Center project.

A.8 PA08-0072 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF RESOURCE WAY FROM CORPORATE STREET TO FREDERICK STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 3, 2012 – OCTOBER 1, 2012 - DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP, SAN ANTONIO, TX 78230 (Report of: Community & Economic Development Department)

Recommendation:

Authorize a full road closure of Resource Way from Corporate Street to Frederick Street for the construction of street improvements from September 3, 2012 – October 1, 2012.

A.9 P11-048, PA08-0072 – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D12-002 FOR P11-048, PA08-0072 IMPROVEMENTS ASSOCIATED WITH THE CONCOURSE AT CENTERPOINT INDUSTRIAL BUILDING; NORTHWEST CORNER OF FREDERICK STREET AND CACTUS AVENUE; DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP, SAN ANTONIO, TX 78230 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D12-002 (DIF Agreement) for P11-048, PA08-0072 improvements and right-of-way dedications; and

2. Authorize the Mayor to execute the DIF Agreement.

A.10 P11-048, PA08-0072 - ACCEPT TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) IMPROVEMENT CREDIT / REIMBURSEMENT AGREEMENT #T12-001 -NORTHWEST CORNER OF FREDERICK STREET AND CACTUS AVENUE DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP 9830 COLONNADE BOULEVARD, SUITE 600, SAN ANTONIO, TX 78230 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Transportation Uniform Mitigation Fee (TUMF) Improvement Credit/Reimbursement Agreement for P11-048, PA08-0072 public improvements;

2. Authorize the Mayor to execute the Agreement; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

A.11 PM 35150 – INDUSTRIAL – ACCEPT THE SUBSTITUTION AGREEMENT AND SECURITY FOR PUBLIC IMPROVEMENTS - NORTHWEST CORNER OF INDIAN STREET AND NANDINA AVENUE, DEVELOPER: FR/CAL MORENO VALLEY, LLC 114 PACIFICA, SUITE 220, IRVINE, CA 92618 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and Security for PM 35150;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by FR/CAL Moreno Valley, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.12 ADOPTION OF A RESOLUTION OPPOSING SAN DIEGO COUNTY WATER AUTHORITY'S COST-SHIFT (Report of: City Manager's Office)

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Recommendation:

Adopt Resolution No. 2012-69 opposing San Diego County Water Authority's Cost-Shift.

Resolution No. 2012-69

A Resolution of the City Council of the City of Moreno Valley, California, Opposing San Diego County Water Authority's Cost-Shift

A.13 APPROVE RESOLUTION NO. 2012-70 ADOPTING A LOW INCOME PROGRAM AND AMENDING THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY (Report of: Public Works Department)

Recommendation:

1. Approve Resolution No. 2012-70 adopting a Low-Income Assistance Program for the residential customers of Moreno Valley Electric Utility; and

   Resolution No. 2012-70

   A Resolution of the City Council of the City of Moreno Valley Adopting a Low-Income Assistance Program and Amending the Electric Rates for Moreno Valley Electric Utility

2. Adopts the amended Moreno Valley Utility Electric Rates as on file in the Public Works Department.

A.14 APPROVAL OF COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF MORENO VALLEY FOR GILMAN SPRINGS ROAD IMPROVEMENTS - PROJECT NO. 801 0042 70 77 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Cooperative Agreement for the Gilman Springs Road Improvements project between the County of Riverside and the City of Moreno Valley;

2. Authorize the City Manager to execute the Cooperative Agreement;

3. Authorize the Public Works Director/City Engineer to approve any minor changes that may be requested by the County of Riverside subject to the approval of the City Attorney; and

4. Authorize the Public Works Director/City Engineer to execute any future amendments to the Cooperative Agreement subject to the

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approval of the City Attorney.

A.15 APPROVAL OF THE AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH WILLDAN ENGINEERING TO PROVIDE UPDATES TO THE PAVEMENT MANAGEMENT PROGRAM - PROJECT NO. 801 0043 70 77 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Agreement for Professional Consultant Services with Willdan Engineering to provide updates to the Pavement Management Program;

2. Authorize the City Manager to execute the Agreement for Professional Consultant Services with Willdan Engineering;

3. Authorize the issuance of a Purchase Order to Willdan Engineering in the amount of $117,000.00 when the Agreement has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with Willdan Engineering, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

A.16 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO POWELL CONSTRUCTORS INC. FOR SR-60/MORENO BEACH DRIVE INTERCHANGE PHASE 1 IMPROVEMENTS – PROJECT NO. 801 0038 70 77 [FORMERLY PROJECT NO. 07-41570024] (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract for SR-60/Moreno Beach Drive Interchange Phase 1 Improvements to Powell Constructors Inc. (Powell), 8555 Banana Avenue, Fontana, CA 92335, the lowest responsible bidder;

2. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval;

3. Authorize the issuance of a Purchase Order for $6,693,170.50 ($5,354,536.40 bid plus 25% contingency of $1,338,634.10) to Powell when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Powell, up to but not to exceed the Purchase Order's total contingency amount of

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$1,338,634.10, subject to the approval of the City Attorney; and

5. Authorize intermittent full road closures of (1) Moreno Beach Drive between Ironwood Avenue and Trail Ridge Way and (2) Eucalyptus Avenue between Fir Avenue and Motor Way for the duration of construction anticipated to start on October 1, 2012 and be completed by October 1, 2013.

A.17 TRACT MAP 32711 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRONTING THE SOUTH SIDE OF JANET K DRIVE AT THE "T" INTERSECTION OF BOGUE STREET DEVELOPER - ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, 1430 TANGELO LANE, LA HABRA HEIGHTS, CA 90631, HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST, 2245 KINGSBRIDGE COURT, SAN DIMAS, CA 91773 (Report of: Community & Economic Development Department)

Recommendation:

1. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32711 to the County Recorder's Office for recordation; and

2. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County Recorder's Office, authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32711 for public improvements.

A.18 TRACT MAP 32710 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, OCALA COURT, NORTH OF IRONWOOD AVENUE AND EAST OF HEACOCK STREET, DEVELOPER - ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, 1430 TANGELO LANE, LA HABRA HEIGHTS, CA 90631, HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST, 2245 KINGSBRIDGE COURT, SAN DIMAS, CA 91773 (Report of: Community & Economic Development Department)

Recommendation:

1. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32710 to the County Recorder's Office for recordation; and

2. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County Recorder's Office,

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authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32710 for public improvements.

A.19 AWARD OF CITYWIDE CAMERA SURVEILLANCE PROJECT CONTRACT AND AUTHORIZATION FOR CITY MANAGER TO EXECUTE CONTRACT AND SUPPORT AGREEMENT WITH AVRIO GROUP SURVEILLANCE SOLUTIONS, LLC PROJECT NO. TS-CCSS 2012-02 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Authorize the award of the Citywide Camera Surveillance Project contract to Avrio Group Surveillance Solutions, LLC (Avrio), 3 N. Harrison Street, Suite 100, Easton, Maryland 21601 in an amount not-to-exceed $1,800,000 for installation;

2. Authorize the City Manager to sign the contract with Avrio; and

3. Authorize the City Manager to execute the support agreement with one-year of maintenance with additional one-year options for maintenance as follows:

Year 1 maintenance	Included - No Charge
Year 2 maintenance	$98,000
Year 3 maintenance	$112,000
Year 4 maintenance	$125,000
Year 5 maintenance	$145,000

A.20 RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.21 ACCEPTANCE OF GRANT AWARD FROM THE NATIONAL ANIMAL CONTROL ASSOCIATION & THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (Report of: Financial & Administrative Services Department)

Recommendation:

1. Accept a grant award in the amount of $6,000 from the National Animal Control Association (NACA) and the American Society for the

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Prevention of Cruelty to Animals (ASPCA) for the purpose of implementing ASPCA's ID-Me Animal Tagging Project; and

2. Approve revenue and expense appropriations in the grant amount of $6,000 increasing the Animal Services budget for FY 2012-13 to reflect the grant acceptance.

A.22 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO R.I.C. CONSTRUCTION COMPANY, INC., FOR THE CITY ANNEX BUILDING OFFICE RENOVATION PROJECT NO. 803 0004 30 40 (Report of: Human Resources/Facilities)

Recommendation:

1. Award the construction contract to R.I.C. Construction Company, Inc., 10675 "E" Avenue Hesperia, CA 92345 as the lowest responsible bidder, for the Moreno Valley Annex Renovation Project in an amount not to exceed $1,252,000;

2. Authorize the City Manager to execute a contract with R.I.C.;

3. Approve an additional appropriation in the amount of $400,000 increasing the project budget from $1,000,000 currently approved to $1,400,000 based on the actual bids received;

4. Approve a transfer of $400,000 from the City Hall Development Impact Fee (DIF) Fund to the Annex 1 Renovation Project and approve the revenue and expense appropriations respectively to facilitate said transfer;

5. Authorize the issuance of a Purchase Order to R.I.C. in the amount of $1,252,000 ($1,138,000 base bid amount plus 10% contingency) when the contract has been signed by all parties;

6. Authorize the Human Resources Director to execute any subsequent change orders to the contract with R.I.C. up to but not to exceed the Purchase Order contingency of $114,000; and

7. Authorize the Human Resources Director to record the Notice of Completion upon determination that the work is complete, and release the retention to R.I.C. if no claims are filed against the project.

A.23 RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2013 TO JUNE 30, 2013 (Report of: Community &

Economic Development Department)

Recommendation:

1. Acting in their capacity as Board Members as City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley: Adopt Resolution No. 2012-71 approving a Third Recognized Obligation Payment Schedule ("Third ROPS"), for the period of January 1, 2013 to June 30, 2013

   Resolution No. 2012-71

   A Resolution of the City Council of the City of Moreno Valley Serving as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley Approving the Third Recognized Obligation Payment Schedule for the Period of January 1, 2013 through June 30, 2013, and Authorizing the Executive Director or his Designee to make modifications thereto

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the Third ROPS to the Oversight Board for review and approval.

A.24 OVERVIEW OF REDEVELOPMENT TRAILER BILL AB 1484 (Report of: Community & Economic Development Department)

Recommendation:
Receive and file overview report of the Redevelopment Trailer Bill Assembly Bill 1484.

A.25 RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING PROPOSED ADMINISTRATIVE BUDGET FOR THE PERIOD OF JANUARY 1, 2013 TO JUNE 30, 2013 (Report of: Community & Economic Development Department)

Recommendation:

1. Adopt Resolution No. 2012-72 approving the proposed Administrative Budget for the period of January 1, 2013 to June 30, 2013;

   Resolution No. 2012-72

   A Resolution of the City Council of the City of Moreno Valley serving as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley Approving the Proposed Administrative

Budget and Authorizing the Executive Director or his Designee to Make Modifications Thereto

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the proposed Administrative Budget to the Oversight Board for review and approval.

A.26 TERMINATION OF AUTHORITY TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 7, IMPROVEMENT AREA NO. 2 OF THE CITY OF MORENO VALLEY (Report of: Public Works Department)

Recommendation:

That the City Council Acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley approve Resolution No. 2012-73 terminating the authority to annex territory to CFD No. 7, Improvement Area No. 2.

Resolution No. 2012-73

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 7 of the City of Moreno Valley, Terminating the Authority to Annex Territory in the Future to Improvement Area No. 2 of Such Community Facilities District

A.27 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of July 4 – August 21, 2012.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING FOR A CITYWIDE AMENDMENT (PA10-0022) TO TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT", SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, "APPLICATIONS FOR LIGHTING", SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK SKY PROVISIONS FOR LIGHTING. THE APPLICANT IS THE CITY OF MORENO VALLEY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Staff recommends that the City Council conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no further action is required. Should the City Council choose to adopt the new standards, the following actions

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are required:
RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 851, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

Ordinance No. 851

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI "Applications for Lighting", Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030, "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

E.2 A PUBLIC HEARING (PA11-0013) FOR A CITYWIDE AMENDMENT TO TITLE 9, CHAPTER 9.11, SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENCY WITH THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS REQUIRING LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL AND VANPOOL VEHICLE PARKING FOR ALL NEW NON-RESIDENTIAL USES (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing, RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 852, approving revisions to Title 9 and Section 9.11.040 "Off Street Parking Requirements" to provide consistency with the current 2011 California Green Building Code standards for low-emitting, fuel–efficient and carpool and vanpool

vehicle parking for all new non-residential uses citywide.

Ordinance No. 852

An Ordinance of the City Council of the City of Moreno Valley, California, (PA11-0013) Amending Title 9 Chapter 9.11, Section 9.11.040, "Off Street Parking Requirements" To Provide Consistency with the Current 2011 California Green Building Code Standards Requiring Low-Emitting, Fuel-Efficient and Carpool and Vanpool Vehicle Parking for New Non-Residential Uses Citywide

E.3 HEARING ON PROPOSED RESOLUTIONS OF NECESSITY TO MAKE FINDINGS AND DETERMINATIONS AND TO AUTHORIZE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE NECESSARY RIGHT-OF-WAY FOR THE SR-60/MORENO BEACH INTERCHANGE PROJECT PHASE 2 - PROJECT NO. 801 0021 70 77 (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

1. Conduct a hearing, allowing testimony, including property owners who have requested the right to appear and be heard. Close the hearing;

2. Approve and adopt the Planning Division's finding that the Project is consistent with the General Plan;

3. Find the adoption of the proposed Resolutions of Necessity and acquisition of the fee and easement interests necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment and is excluded from NEPA in that this activity cannot individually or cumulatively have a significant effect on the human environment and no environmental assessment is required. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Initial Study/Negative Declaration (IS/ND) and its NEPA/CEQA Re-validation prepared for the Project;

4. Consider and find that the "Factual Summary to Support Findings Required in Resolutions Nos. 2012-63, 2012-64, 2012-65, and 2012-66" is true and correct as to each of the proposed Resolutions of Necessity;

5. Consider, find and determine that each of the statements, findings

and facts in each of the proposed Resolutions of Necessity is true and correct;

6. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council.

Resolution No. 2012-63

A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-080-013];

7. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council.

Resolution No. 2012-64

A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To

Obtain An Order For Prejudgment Possession Of The Subject Property [APNs: 488-080-014 And 488-080-017];

8. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council.

Resolution No. 2012-65

A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easement In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-080-016];

9. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interest to be taken, by a vote of two-thirds of all members of the City Council.

Resolution No. 2012-66

A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee Interest In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To

Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-270-021]; and

10. Direct the City Attorney and Special Eminent Domain Counsel for the City to file appropriate actions in Eminent Domain, including making Deposits of Probable Compensation and to seek Orders for Prejudgment Possession and for all other appropriate orders.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

G.2 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 485-081-034 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

G.3 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:
Accept public comments regarding the mail ballot proceeding for APN 485-081-034 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.4 DRAFT ENERGY EFFICIENCY AND CLIMATE ACTION STRATEGY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the policies in the Draft Energy Efficiency and Climate Action Strategy Document and provide direction to staff in formulating a final document for consideration and approval.

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G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

G.5.1 Department Update: City Manager's Office. Verbal report by Assistant City Manager Michelle Dawson.

G.6 CITY ATTORNEY'S REPORT (Informational Oral Presentation - Not for Council Action) (Report of: City Attorney)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT,CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
July 10, 2012

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:41 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street

Mayor Richard A. Stewart announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem William H. Batey II.

INVOCATION

Council Member Jesse L. Molina

ROLL CALL

Council:

Richard A. Stewart	Mayor
William H. Batey II	Mayor Pro Tem
Jesse L. Molina	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director

Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Joel Ontiveros	Police Chief
Abdul Ahmad	Fire Chief
Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert A.21 and A.22 (oppose).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 26, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 20 - July 3, 2012.

A.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department/CPD)

MV00172991

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard, constructed by STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to STI Inc. Trucking and Materials, thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.5 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS, PUNCH-LIST ITEMS, AND CALTRANS ACCEPTANCE ARE COMPLETED FOR THE SR-60/NASON INTERCHANGE, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT IMPROVEMENTS INTO THE CITY-MAINTAINED SYSTEM – PROJECT NO. 98-25897 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements, punch-list items, and Caltrans acceptance are completed for construction of the SR-60/Nason Interchange Improvements, constructed by All American Asphalt, PO Box 2229, Corona, CA 92878;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to All American Asphalt, thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept improvements into the City's maintained system upon acceptance of the improvements as complete.

A.6 AUTHORIZE AWARD OF CONSTRUCTION CONTRACT TO HARDY & HARPER, INC. FOR IRIS AVENUE PAVEMENT RESURFACING - PROJECT NO. 13-22422410 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to include Base Bid Schedule and Additive Bid Schedules A to D to Hardy & Harper, Inc., 1312 Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance a Purchase Order to Hardy & Harper, Inc. for the amount of $1,225,900.00 ($1,066,000.00 Base Bid Schedule and Additive Bid Schedules amount plus 15% contingency of $159,900.00) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order's total contingency amount of $159,900.00, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained roadway system, and release the retention to Hardy & Harper, Inc., if no claims are filed against the project.

A.7 APPROVE RESOLUTION NO. 2012-56, AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR STATE-LOCAL PARTNERSHIP PROGRAM (SLPP) GRANT FUNDING AND APPROPRIATING REQUIRED MATCHING FUNDS FOR THE CACTUS AVENUE WIDENING PROJECT FROM INTERSTATE 215 EASTBOUND OFF-RAMP TO VETERANS WAY PROJECT NO. 07-41678527 (Report of: Public Works Department/CPD)

Recommendation:

MV00172993

1. Approve Resolution No. 2012-56, authorizing the submittal of an application for the California Transportation Commission (CTC) State-Local Partnership Program (SLPP) grant for the requested amount of $560,000 for Cactus Avenue Widening from Interstate 215 Eastbound Off-Ramp to Veterans Way;

Resolution No. 2012-56

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Submittal of an Application for Funds to the California Transportation Commission for the State-Local Partnership Program Grant Under the Proposition 1B Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 for the Cactus Avenue Widening Project from Interstate 215 East Bound Off-Ramp to Veterans Way Project No. 07-41678527

2. Authorize the City Engineer/Public Works Director, on behalf of the City, to accept any SLPP grant funds the CTC may allocate for the Cactus Avenue Widening project; and

3. Authorize the appropriation of funds up to $560,000 SLPP grant funding monies when and if the grant is awarded by the CTC and accepted by the City Engineer/Public Works Director on behalf of the City, and appropriate up to $560,000 in matching funds from Development Impact Fees (DIF, Fund 201) if and when the grant application is accepted by the CTC.

A.8 FIRST AMENDMENT TO AGREEMENT WITH FALCON ENGINEERING SERVICES INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE SR-60/MORENO BEACH PHASE 1 PROJECT – PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the "First Amendment to Agreement for Professional Consultant Services, Transportation Uniform Mitigation Fee (TUMF) – Zonal" (First Amendment) with Falcon Engineering Services, Inc. (Falcon), 1020 Aquino Circle, Corona, CA 92879 to provide construction management and inspection services for the SR-60/Moreno Beach Interchange Project (Phase 1) for $767,821.56;

2. Authorize the City Manager to execute said First Amendment with Falcon;

3. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency

of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board and State Department of Finance approval;

4. Authorize a Change Order to increase Purchase Order No. 42372 with Falcon by $767,821.56 from Account No. 797.79731.7200 once the First Amendment has been signed by all parties; and

5. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the contract with Falcon within the authorized purchase order amount subject to the approval of the City Attorney.

A.9 LICENSE AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND AMERICAN MEDICAL RESPONSE – INLAND EMPIRE FOR THE USE OF FIRE STATION 91 (Report of: Fire Department)

Recommendation:

1. Approve a License Agreement between the City of Moreno Valley and American Medical Response - Inland Empire for the use of Fire Station 91; and

2. Authorize the Mayor to execute the Agreement.

A.10 APPROPRIATION OF EQUIPMENT REPLACEMENT RESERVE FUNDS FOR THE PURCHASE OF A CONFINED SPACE COMMUNICATIONS KIT (Report of: Fire Department)

Recommendation:

Approve an appropriation of $10,500 from Equipment Replacement Reserve Funds to 1010-40-45-30110-660399 for the replacement of a confined space communication kit.

A.11 COMMUNITY ORIENTED POLICING SERVICES (COPS) FUNDING OPPORTUNITY (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the Office of Community Oriented Policing Services (COPS) grant in the amount of $155,384, entitled "Community Policing Development Program;" and

2. Authorize the revenue and expense budgets in the Community Oriented Policing Services (COPS) Fund 2720 for the Community

Policing Development Program in the amounts of $155,384, respectively, upon approval and acceptance of the COPS grant.

A.12 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE WIDENING OF PERRIS BOULEVARD SOUTHBOUND AT STATE ROUTE 60 WESTBOUND ON-RAMP, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM - PROJECT NO. 08-12566627 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Widening of Perris Boulevard Southbound at State Route 60 Westbound On-Ramp constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92878;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.13 ACCEPTANCE AND APPROPRIATION OF AN ADDITIONAL $2,000,000 IN SURFACE TRANSPORTATION PROGRAM - LOCAL (STPL) FUNDS FOR THE SR-60/NASON OVERCROSSING IMPROVEMENT PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

Accept and appropriate an additional $2,000,000 of Surface Transportation Program – Local (STPL) funds for the SR-60/Nason Overcrossing Improvement Project.

MV00172996

A.14 AUTHORIZATION OF GRANT APPLICATION SUBMITTALS FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) (Report of: Public Works Department/TED)

Recommendation:
Authorize the submittal of grant applications for the Highway Safety Improvement Program (HSIP).

A.15 AUTHORIZATION TO AWARD CONTRACT TO ALL CITY MANAGEMENT SERVICES FOR THE ADMINISTRATION OF THE CROSSING GUARD PROGRAM (Report of: Public Works/TED)

Recommendation:

1. Authorize the Award of a Crossing Guard Service Contract to All City Management Services to provide adult crossing guard services within the City, commencing with the start of the 2012/2013 school year in mid-August;

2. Authorize the City Manager to execute an agreement with All City Management Services;

3. Authorize the issuance of a Purchase Order to All City Management Services in the amount of $517,258.50 for the first year of the agreement, and subsequent purchase orders as necessary to fund subsequent years of service in accordance with the terms of the agreement; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with All City Management Services, subject to the approval of the City Attorney.

A.16 AUTHORIZE THE NINTH AMENDMENT TO AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR PROFESSIONAL CONSULTANT SERVICES FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the "Ninth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., for the amount of $65,785, to provide additional professional services during close-out from the construction of the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

MV00172997

2. Authorize the City Manager to execute said "Ninth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc.;

3. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for approval, and authorize the City Manager to access agency funds only after Oversight Board and State Department of Finance approval;

4. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. by $65,785 when the Ninth Amendment has been signed by all parties; and

5. Authorize the Public Works Director/City Engineer to execute any subsequent minor related amendment(s) to the agreement with AECOM Technical Services, Inc. subject to the approval of the City Attorney.

A.17 AUTHORIZE A PURCHASE ORDER TO JOHNSON POWER SYSTEMS FOR THE EMERGENCY OPERATIONS CENTER FAMILY CARE CENTER GENERATOR PROJECT
PROJECT NO. 11-24024011 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the issuance of a Purchase Order in the amount of $245,670 ($228,000 plus applicable taxes) to Johnson Power Systems, 656 E. La Cadena Drive, Riverside, CA 92502, for the purchase of the generator set and tank for the Emergency Operations Center Family Care Center;

2. Authorize the issuance of a Purchase Order in the amount of $73,810 ($68,500 plus applicable taxes) to Johnson Power Systems, 656 E. La Cadena Drive, Riverside, CA 92502, for the purchase of the additional tank for the existing generator at City Hall, if funding is available at the time of construction award; and

3. Authorize the appropriation of the savings in the amount of $458,000 from the 2005 Lease Revenue Bond Fund 501 for the Public Safety Building Conversion project to the Emergency Operations Center Family Care Generator project.

A.18 BALLISTIC GLASS UPGRADES (Report of: Police Department)

Recommendation:

1. Approve the Ballistic Glass Upgrades of the Moreno Valley Public Safety Building's (Police Department) lobby and clerical area with a revised estimated cost of $170,000; and

2. Authorize the use of $100,000 from the Moreno Valley Police Department's operational savings to be used in conjunction with the previously approved $70,000 asset forfeiture fund to complete the Ballistic Glass Upgrades.

A.19 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL STREET IMPROVEMENTS PROJECT NO. 08-89791725, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Auto Mall Street Improvements Project to Sean Malek Engineering and Construction, 43905 Margarita Road, Temecula, CA 92592;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Sean Malek Engineering and Construction, thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project;

4. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley as included on the Oversight Board approved list of projects;

5. Authorize the Public Works Director/City Engineer to accept the portion of improvements that are within the City's jurisdiction into the

City's maintained system upon acceptance of the improvements as complete; and

6. Authorize the Community and Economic Development Director to release the applicable improvements to the Moreno Valley Auto Mall Landscaping Association for maintenance.

A.20 AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT AND PURCHASE ORDER WITH JD EDGE SOFTWARE (Report of: Financial & Administrative Services Department)

Recommendation:

1. Authorize the City Manager to execute an agreement and purchase order with JD Edge Software for costs not-to-exceed $250,000 ($199,995 quoted costs plus $50,005 (25%) contingency) to assist the City in converting Human Resource and Payroll data for incorporation into the City's new ERP system; and

2. Appropriate $250,000 in FY 2012-13 to the Technology Services Division, Professional Services account from fund balance available from FY 2011-12 savings in the Financial & Administrative Services and Human Resources Departments to fund the contract expenditures for the ERP replacement project.

A.21 ADOPT A RESOLUTION APPROVING THE WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS RECEIVABLE RELATED TO INVESTMENTS WITH LEHMAN BROTHERS HOLDINGS INC. IN THE AMOUNT OF $2,819,046.30 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2012-57, approving the write-off of $2,819,046.30 in uncollectible Accounts Receivable related to investments in Lehman Brothers Holdings Inc.

Resolution No. 2012-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Write-Off of Uncollectible Accounts Receivable related to investments with Lehman Brothers Holdings Inc. in the amount of $2,819,046.30

A.22 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND ELECTRIC RATE SCHEDULE ED – ECONOMIC DEVELOPMENT RATE FOR MORENO VALLEY UTILITY (Report of: Public Works Department/EU)

Recommendation:

1. Approve Resolution No. 2012-58 amending Electric Rate Schedule ED – Economic Development Rate for Moreno Valley Utility; and

Resolution No. 2012-58

A Resolution of the City Council of the City of Moreno Valley, California, to amend Electric Rate Schedule ED – Economic Development Rate and Associated Agreement for Moreno Valley Utility

2. Authorize the City Manager to execute, on behalf of the City Council, the amended Economic Development Rate Agreement for New or Expanded Load Electric Service Customer pursuant to Schedule ED - Economic Development Rate.

A.23 CERTIFICATION OF RIVERSIDE HOUSING DEVELOPMENT CORPORTION AS A DESIGNATED COMMUNITY HOUSING DEVELOPMENT ORGANIZATION FOR FISCAL YEAR 2012-2013 (Report of: Community & Economic Development Department)

Recommendation:

Adopt Resolution 2012-59 certifying Riverside Housing Development Corporation (RHDC) as a city-designated Community Housing Development Organization (CHDO).

Resolution No. 2012-59

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Community Housing Development Organization Under the United States Department of Housing and Urban Development Home Investment Partnership Act

A.24 AFFORDABLE HOUSING AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND RIVERSIDE HOUSING DEVELOPMENT CORPORATION FOR 22877 ALLIES PLACE (Report of: Community & Economic Development Department)

Recommendation:

1. Adopt Resolution No. 2012-60 and approve the Affordable Housing Agreement by and between the City of Moreno Valley and Riverside Housing Development Corporation (RHDC);

Resolution No. 2012-60

A Resolution of the City Council of the City of Moreno Valley

Approving an Affordable Housing Agreement by and Between the City and Riverside Housing Development Corporation, A California Nonprofit Public Benefit Corporation

2. Authorize funding the project from the Program Income generated by the Neighborhood Stabilization Program Grant (197.1970.4595), and approve a budget appropriation of $209,000 for NSP Multi-Family/Rental Rehabilitation (197.19710.6848.001);

3. Authorize funding the project from HOME CHDO Reserve (Fund 176 Fund Balance), and approve a budget appropriation of $285,075 for RHDC Allies Place Project (New Business Unit);

4. Authorize the City Manager to amend the Affordable Housing Agreement (AHA) or undertake any other actions necessary, proper or convenient to the implementation of the AHA, as long as any revisions do not materially or substantially increase the City's stated obligations or materially change the uses or development permitted on the Site; and

5. Authorize the City Manager, or his appointee, to execute the necessary documents.

A.25 ADOPT RESOLUTION NO. 2012-62, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND COUNCIL MEMBERS COUNCIL MEMBER JESSE L. MOLINA AND COUNCIL MEMBER MARCELO CO AS FIRST AND SECOND ALTERNATE DELEGATES RESPECTIVELY, TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING – SEPTEMBER 7, 2012 (Report of: City Clerk Department)

Recommendation:
Adopt Resolution No. 2012-62 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Council Members Council Member Jesse L. Molina and Council Member Marcelo Co as first and second alternate delegates respectively to the League of California Cities 2012 Annual Business Meeting.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 26, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 26, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 26, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve with the exception of A15, which was pulled for separate action by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0-0-0.

E. PUBLIC HEARINGS – NONE

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

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Kenneth Wade (oppose) and Brian Stewart (oppose).

A.15 AUTHORIZATION TO AWARD CONTRACT TO ALL CITY MANAGEMENT SERVICES FOR THE ADMINISTRATION OF THE CROSSING GUARD PROGRAM (Report of: Public Works/TED)

Recommendation:

1. Authorize the Award of a Crossing Guard Service Contract to All City Management Services to provide adult crossing guard services within the City, commencing with the start of the 2012/2013 school year in mid-August;

2. Authorize the City Manager to execute an agreement with All City Management Services;

3. Authorize the issuance of a Purchase Order to All City Management Services in the amount of $517,258.50 for the first year of the agreement, and subsequent purchase orders as necessary to fund subsequent years of service in accordance with the terms of the agreement; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with All City Management Services, subject to the approval of the City Attorney.

Motion to Continue Item A.15 to August 28, 2012 by m/Council Member Jesse L. Molina, s/Council Member Robin N. Hastings

Approved by a vote of 5-0-0-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

Mayor Richard A. Stewart

The Director of March Joint Powers emailed a link to a story about the grand jury investigating Victorville's mismanagement of their money of the Southern California Logistics Airport Authority. March JPA has numerous and frequent audits, and they are very good.

G.2 REGIONAL GOODS MOVEMENT - ENVIRONMENTAL STRATEGY (POWERPOINT PRESENTATION BY ANNIE NAM, MANAGER GOODS MOVEMENT AND TRANSPORTATION FINANCE)

Not for Council action.

G.3 APPROVE THE LONG RANGE BUSINESS PLAN FOR THE PERIOD FY 2010 THROUGH FY 2020 (Report of: Financial & Administrative Services

Department)

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

Recommendation: That the City Council:
The Finance Subcommittee recommends that the City Council approve the Long Range Business Plan (LRBP) for the period FY 2010 through FY 2020.

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Marcelo Co

Approved by a vote of 5-0-0-0.

G.4 ADOPT A RESOLUTION OF THE CITY OF MORENO VALLEY DECLARING ITS OFFICIAL INTENT TO PROCEED WITH THE CALIFORNIA COMMUNITIES TOTAL ROAD IMPROVEMENT PROGRAM (TRIP) AND TO REIMBURSE CERTAIN EXPENDITURES FROM PROCEEDS OF INDEBTEDNESS AND RATIFY THE RETENTION OF ORRICK HERRINGTON TO REPRESENT THE CITY IN LEGAL MATTERS RELATED TO THE TRIP FINANCING (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Adopt Resolution No. 2012-61 approving a resolution declaring the official intent to proceed with the California Communities Total Road Improvement Program (TRIP) and to reimburse certain expenditures from proceeds of indebtedness and ratify the retention of Orrick Herrington (cost expected to be between $50,000 - $100,000) to represent the City in legal matters related to the TRIP financing and authorize the legal fees and costs to be paid from COP proceeds.

Resolution No. 2012-61

Resolution of the City of Moreno Valley, California, declaring its Official Intent to Proceed with the California Communities Total Road Improvement Program (Trip) and to Reimburse Certain Expenditures from Proceeds of Indebtedness

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0-0-0.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manager Henry T. Garcia

1. A three minute video has been developed to showcase the efforts of the Economic Development Department. Three buildings are under construction with the potential of up to five. Very optimistic about one of the big potential users. There has been activity on the other buildings. Moreno Valley wants to get the jobs going and get the sales tax. (The video is shown.) Moreno Valley is being aggressively marketed. Efforts that are currently underway are in the south industrial part.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

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

H.2.1 ORDINANCE NO. 849 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) ADOPTING WRCOG GOOD NEIGHBOR GUIDELINES; (2) REVISED PARKING STANDARDS FOR RESTAURANTS; (3) REDUCTION OF (CC) COMMUNITY COMMERCIAL FRONT AND STREET SIDE BUILDING SETBACKS, AND REVISIONS TO PARKING AND LANDSCAPE SETBACKS; (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS, BANNING "TOPPING" OF TREES; AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD WITH REVISED SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 26, 2012, BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Adopt Ordinance No. 849, thereby approving PA10-0030, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 849

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1)

Adopting WRCOG Good Neighbor Guidelines; (2) Revised Parking Standards for Restaurants; (3) Reduction of (CC) Community Commercial Front and Street side Building Setbacks, and Revisions to Parking and Landscape Setbacks; (4) Provide for Parking Lot Maintenance Standards, Banning "Topping" of Trees; and (5) Amend the General Parking Design Standard with Revised Safety Features and 24 Foot Wide Drive Aisles

Mayor Richard A. Stewart opened the agenda for public comments; there being none, public comments were closed.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0-0-0.

H.2.2 ORDINANCE NO. 850 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUBSECTION 9.12.050(F) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADDING SUBSECTION 9.12.060(O) TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 26, 2012 BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

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

Recommendation: That the City Council:

Adopt the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way.

Ordinance No. 850

An Ordinance of the City Council of the City of Moreno Valley, California, amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding Sub-Section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code Relating to Signs in the Public Right-Of-Way

Motion to Approve by m/Council Member Jesse L. Molina, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0-0-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Fonzo Dickerson

1. Maintenance of City

Jose Chavez

1. Safety

JulieAnn Cleveland-Stewart

1. 4th of July Youth Stage success

Tom Jerele, Sr.

1. 4th of July success

Daryl Terrell

1. Vision for Moreno Valley

Pete Bleckert

1. Lehman Brothers
2. Completed job

Dino McGloric

1. Proud to live in Moreno Valley
2. Specials at Chicago Pasta House

Chris Prudhome

1. Support for passing H.2.2

Stephanie Jackowski

1. 4th of July Youth Stage

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT,CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Council Member Jesse L. Molina

1. Commended the volunteers and staff for a job well done at the 4th of July event.

2. Thanked Rick Teichert for the long range business plan.

Council Member Robin N. Hastings

1. Staff did a phenomenal job at the community meeting on the Nason Street improvements.

2. The State Route 60 and Nason Street ribbon cutting was last week. It reaffirmed huge strides forward are being taken, and it is a dramatic improvement for the people that live on the east end of town.

3. People were excited to hear Eucalyptus is going through.

4. Everyone did a terrific job with the 4th of July. The fireworks were spectacular. Thank you for giving this back to the community.

Mayor Pro Tem William H. Batey II

1. The 4th of July parade was well attended. Those who put on the event did a great job. It was the best 4th of July in a long time. Thanked Ms. Cleveland for the work she does with the kids.

2. The Mayor was criticized for not being equal. When the utility rates were reduced to assist the businesses, the Mayor sent a letter to Edison asking for the same consideration for those they serve. Edison sent a letter stating they were unable to provide a reduction to the businesses they serve. That's part of the reason Moreno Valley went into the utility business was to be able to offer that and create the jobs that were necessary. It is

something that will need to continue to be worked on with Edison.

3. Received a letter seeking extra funding for Box Springs Mutual Water. There is no funding available for companies looking to improve their water pipes. Moreno Valley is always looking for money to make those improvements.

4. Regarding logistics, it is the first prong to Moreno Valley's economic health. Would like to see Moreno Valley develop the health care corriders and make it a priority. A lot of time and energy has been put into logistics, and now it's time to set in place the foundation for a good solid health care corridor. If Moreno Valley isn't prepared, it will slip through our hands.

5. Moreno Valley is experiencing a heat wave so hydrate and drink lots of water. The heat catches up with you quickly. Check on the elderly daily. They are prone to heat injury. Soccer and sports players please drink lots of water.

6. Wish everyone a great, safe summer.

Council Member Marcelo Co

1. This morning was spent negotiating with a company that is teaching nursing to come to Moreno Valley. They were shown areas in Moreno Valley and told Moreno Valley is the best place to do business. The company wanted to expand eight months ago.

2. Met with a consortium of business people this afternoon that want to manufacture solar paneling. The company would start with 100,000 square feet and in two years go to 500,000 square feet. The consortium would like to put in solar panels for Moreno Valley's use.

3. Moreno Valley is trying to bring in an air freight company. It will be discussed with March Joint Powers.

4. Moreno Valley should bring in as many diverse companies as possible. With the new program of giving incentives and fast track approval, Moreno Valley will beat Perris, San Bernardino and Temecula which are also offering incentives.

5. Thank you for the wonderful 4th of July presentation. Signs should be put in banks and businesses saying Moreno Valley is having a big 4th of July celebration.

Mayor Richard A. Stewart

1. Rode in the 4th of July parade in an old fire engine. Pete

Bleckert helped with the maintenance and getting it ready for the parade, and Larry Baird cleaned it up and drove it.

2. The 4th of July was a great event. Staff worked 17 hours on the holiday. There were a lot of volunteers that didn't get paid. Something will need to be done about illegal fireworks.

3. City Council approved a Waste Management reycling fee, and the bills have gone up hundreds of dollars. Staff will look into it.

4. The T J Maxx/Home Goods ribbon cutting is scheduled for August 5 at 7:45 a.m.

5. If there is a power outage, there should be a contingency plan in place for the elderly and sick.

There being no further business to conduct, the meeting was adjourned at 9:11 p.m. by unanimous informal consent.

CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a) Case: *Los Angeles Engineering v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 524877

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL -

SIGNIFICANT EXPOSURE TO LITIGATION
Number of Cases: 5

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:16 p.m. by unanimous informal consent.

Submitted by:

_____
City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 28, 2012

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2012

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2012-67, approving the Check Register for the month of May, 2012 in the amount of $13,875,994.96.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the FY 2011-12 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2012-67
Check Register for Month of May, 2012

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2012

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2012 through May 31, 2012, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2012 through May 31, 2012, in the total amount of $13,875,994.96 is approved.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-67
Date Adopted: August 28, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-67 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

CITY CLERK

Resolution No. 2012-67
Date Adopted: August 28, 2012

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	5/21/2012	212747	574,297.78		
				LOCAL ST. PAVEMNT RESURF. PROJ	493,869.60
				LOCAL ST. PAVEMNT RESURF. PROJ	80,428.18
	Vendor Total		**574,297.78**		
FYTD for ALL AMERICAN ASPHALT, INC.			**6,421,563.53**		
BANC OF AMERICA PUBLIC CAPITAL CORP				Remit to: **ATLANTA**	**GA**
	5/1/2012	1205031	59,918.86		
				SEMI-DBT SVC-2012 PRIV PL REF	59,918.86
	5/1/2012	1205041	53,472.50		
				SEMI-DBT SVC-2012 PRIV PL-COPS	53,472.50
	Vendor Total		**113,391.36**		
FYTD for BANC OF AMERICA PUBLIC CAPITAL CORP			**1,173,350.08**		
CALPERS				Remit to: **SACRAMENTO**	**CA**
	5/14/2012	212666	1,165,000.00		
				ANNUAL REQUIRED CONTRIBUTION	1,165,000.00
	Vendor Total		**1,165,000.00**		
FYTD for CALPERS			**1,184,702.80**		
COMPU COM				Remit to: **RANCHO CORDOVA**	**CA**
	5/29/2012	212860	114,816.24		
				MICROSOFT ENTERPRISE AGREEMENT	114,816.24
	Vendor Total		**114,816.24**		
FYTD for COMPU COM			**115,678.84**		
DEUTSCH, INC				Remit to: **ROCKVILLE**	**MD**
	5/7/2012	212650	29,695.00		
				SALES/USE TAX ACCRUAL	-2,301.36
				30' X 17' AIRSCREEN AEROPRO	29,695.00
				CALIF SALES TAX @ 7.75%	2,301.36
	Vendor Total		**29,695.00**		
FYTD for DEUTSCH, INC			**29,695.00**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/21/2012	212767	51,155.67		
			WATER CHARGES	969.16
			WATER CHARGES	739.92
			WATER CHARGES	549.34
			WATER CHARGES	774.20
			WATER CHARGES	1,766.73
			WATER CHARGES	14,902.19
			WATER CHARGES	1,858.56
			WATER CHARGES	4,829.83
			WATER CHARGES	4,321.47
			WATER CHARGES	2,967.87
			WATER CHARGES	2,635.91
			WATER CHARGES	5,783.18
			WATER CHARGES	54.72
			WATER CHARGES	900.49
			WATER CHARGES	1,962.86
			WATER CHARGES	556.08
			WATER CHARGES	1,390.03
			WATER CHARGES	1,049.83
			WATER CHARGES	383.05
			WATER CHARGES	77.30
			WATER CHARGES	231.37
			WATER CHARGES	306.11
			WATER CHARGES	109.15
			WATER CHARGES	1,216.41
			WATER CHARGES	819.91
	Vendor Total	**51,155.67**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,306,883.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
5/4/2012	3075	31,604.03		
			STATE INCOME TAX W/H 5/4/12	31,604.03
5/29/2012	212871	73,661.77		
			UNEMPLOYMENT INS CLAIMS	73,661.77
5/18/2012	3083	30,232.95		
			STATE INCOME TAX W/H 5/18/12	30,232.95
	Vendor Total	**135,498.75**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,165,841.55**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
5/21/2012	885235	160,013.43		
			NASON TO IRIS NEW SL SYSTEM	103.71
			ENG. REVIEW-SCE PROJ ON CACTUS	145.23
			DISTRIBUTION CHRGS	151,083.45
			SPECIAL CHRGS/TEMP PWR POLES	10,207.00
			BAD DEBT-DEDUCTION	-1,754.86
			ONLINE UTILITY SVCS	228.90
	Vendor Total	**160,013.43**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,449,118.42**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY** **CA**	
5/21/2012	212768	67,073.76		
			AFTERSCHOOL SNACKS-CACFP	54,700.56
			AFTERSCHOOL SNACKS-CACFP	12,373.20
	Vendor Total	**67,073.76**		
FYTD for FAMILY SERVICE ASSOCIATION		**368,796.66**		
GRAFFITI TRACKER, INC.			Remit to: **OMAHA** **NE**	
5/29/2012	885282	30,000.00		
			GRAFFITI TRACKING SVCS-POLICE	30,000.00
	Vendor Total	**30,000.00**		
FYTD for GRAFFITI TRACKER, INC.		**60,000.00**		
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
5/14/2012	885190	71,037.00		
			WIDEN PERRIS BLVD SB LANE @ 60	71,037.00
	Vendor Total	**71,037.00**		
FYTD for HILLCREST CONTRACTING, INC		**936,997.19**		
INTERNAL REVENUE SERVICE			Remit to:	
5/4/2012	3074	123,473.69		
			FED INCOME TAX W/H 5/4/12	123,473.69
5/18/2012	3082	150,377.61		
			FED INCOME TAX W/H 5/18/12	150,377.61
	Vendor Total	**273,851.30**		
FYTD for INTERNAL REVENUE SERVICE		**3,081,135.96**		
KIP INCORPORATED			Remit to: **MURRIETA** **CA**	
5/29/2012	212890	94,287.50		
			HEACOCK ST BRIDGE IMPRV. PROJ	94,287.50
	Vendor Total	**94,287.50**		
FYTD for KIP INCORPORATED		**94,287.50**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LAWYERS TITLE COMPANY			Remit to: **NEWPORT BEACH**	**CA**
5/1/2012	1205021	829,845.12		
			ESCROW CLOSING COSTS	4,845.12
			ESCROW DEPOSIT/LAND-INDUST. FS	825,000.00
	Vendor Total	**829,845.12**		
FYTD for LAWYERS TITLE COMPANY		**1,361,419.24**		
LIM & NASCIMENTO ENGINEERING CORP.			Remit to: **DIAMOND BAR**	**CA**
5/14/2012	212696	38,736.43		
			INDIAN BASIN STORM DRAIN PROJ	38,736.43
	Vendor Total	**38,736.43**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		**83,840.37**		
MORENO VALLEY UTILITY			Remit to: **HEMET**	**CA**
5/21/2012	212786	54,711.97		
			ELECTRICITY	152.82
			ELECTRICITY	1,344.85
			ELECTRICITY	375.13
			ELECTRICITY	1,760.17
			ELECTRICITY	8,895.88
			ELECTRICITY	10,764.25
			ELECTRICITY	2,621.20
			ELECTRICITY	5,469.12
			ELECTRICITY	772.35
			ELECTRICITY	1,588.33
			ELECTRICITY	11,665.79
			ELECTRICITY	7,008.27
			ELECTRICITY	236.38
			ELECTRICITY	146.13
			ELECTRICITY	93.84
			ELECTRICITY	70.51
			ELECTRICITY	70.91
			ELECTRICITY	147.31
			ELECTRICITY	100.44
			ELECTRICITY	1,428.29
	Vendor Total	**54,711.97**		
FYTD for MORENO VALLEY UTILITY		**691,616.65**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS**	**OH**
5/4/2012	3071	25,711.85		
			DEF COMP 457 & 401(A) 5/4/12	25,711.85
5/18/2012	3079	25,630.85		
			DEF COMP 457 & 401(A) 5/18/12	25,630.85
	Vendor Total	**51,342.70**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**685,461.46**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
5/29/2012	885292	69,610.29		
			PURCHASE ELECTRIC ENERGY	152,576.98
			PRIOR PERIOD ADJUSTMENTS	-82,966.69
	Vendor Total	**69,610.29**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**1,774,531.25**		
OLOSKY, SUSAN M			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212708	35,791.00		
			RELOCATION ASSISTANCE PYMT	35,791.00
	Vendor Total	**35,791.00**		
FYTD for OLOSKY, SUSAN M		**40,050.00**		
ONE MORENO VALLEY 240, L.P.			Remit to: **GARDENA** **CA**	
5/29/2012	884	750,000.00		
			OAKWOOD AFFORDBLE HOUSING PROJ	750,000.00
	Vendor Total	**750,000.00**		
FYTD for ONE MORENO VALLEY 240, L.P.		**750,000.00**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
5/9/2012	1205011	195,143.84		
			EMPLOYEE HEALTH INS 5/9/12	195,143.84
	Vendor Total	**195,143.84**		
FYTD for PERS HEALTH INSURANCE		**2,196,752.13**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
5/11/2012	3076	215,826.98		
			PERS RETIREMENT 5/11/12	215,826.98
5/25/2012	3084	216,212.99		
			PERS RETIREMENT 5/25/12	216,212.99
	Vendor Total	**432,039.97**		
FYTD for PERS RETIREMENT		**5,164,879.67**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
5/7/2012	212619	79,736.00		
			FY 11/12 NPDES COST SHARE	79,736.00
	Vendor Total	**79,736.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**212,310.41**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE**	**CA**
	5/7/2012	885146	2,608,719.35		
				CONTRACT LAW ENF BILL #8	44,881.77
				CONTRACT LAW ENF BILL #8	380.97
				CONTRACT LAW ENF BILL #8	1,425,960.31
				CONTRACT LAW ENF BILL #8	58,816.60
				CONTRACT LAW ENF BILL #8	353,139.52
				CONTRACT LAW ENF BILL #8	5,178.20
				CONTRACT LAW ENF BILL #8	74,996.13
				CONTRACT LAW ENF BILL #8	5,542.17
				CONTRACT LAW ENF BILL #8	69,604.19
				CONTRACT LAW ENF BILL #8	1,184.90
				CONTRACT LAW ENF BILL #8	166,288.46
				CONTRACT LAW ENF BILL #8	2,412.30
				CONTRACT LAW ENF BILL #8	310,741.62
				CONTRACT LAW ENF BILL #8	8,869.24
				CONTRACT LAW ENF BILL #8	35,394.55
				CONTRACT LAW ENF BILL #8	375.70
				CONTRACT LAW ENF BILL #8	44,952.72
	5/21/2012	885255	2,716,935.27		
				CONTRACT LAW ENF BILL #9	44,913.12
				CONTRACT LAW ENF BILL #9	434.01
				CONTRACT LAW ENF BILL #9	1,509,346.68
				CONTRACT LAW ENF BILL #9	58,078.12
				CONTRACT LAW ENF BILL #9	375,975.45
				CONTRACT LAW ENF BILL #9	6,233.05
				CONTRACT LAW ENF BILL #9	72,800.24
				CONTRACT LAW ENF BILL #9	8,528.39
				CONTRACT LAW ENF BILL #9	76,334.54
				CONTRACT LAW ENF BILL #9	1,233.35
				CONTRACT LAW ENF BILL #9	193,910.80
				CONTRACT LAW ENF BILL #9	3,505.40
				CONTRACT LAW ENF BILL #9	278,462.13
				CONTRACT LAW ENF BILL #9	7,194.06
				CONTRACT LAW ENF BILL #9	35,365.46
				CONTRACT LAW ENF BILL #9	304.30
				CONTRACT LAW ENF BILL #9	44,316.17
	Vendor Total		**5,325,654.62**		
FYTD for RIVERSIDE COUNTY SHERIFF			**35,660,031.75**		
RIVERSIDE COUNTY SHERIFF'S DEPT.				Remit to: **RIVERSIDE**	**CA**
	5/21/2012	212809	109,505.52		
				FY11/12 FACILITIES EXPENSES	109,505.52
	Vendor Total		**109,505.52**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.			**370,289.15**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RMA GROUP				Remit to: **RANCHO CUCAMONGA CA**	
	5/7/2012	212621	41,984.45		
				SR-60/NASON ST INTRCHNG PROJ	6,772.34
				SR-60/NASON ST INTRCHNG PROJ	877.43
				SR-60/NASON ST INTRCHNG PROJ	11,809.16
				SR-60/NASON ST INTRCHNG PROJ	1,530.00
				SR-60/NASON ST INTRCHNG PROJ	18,587.33
				SR-60/NASON ST INTRCHNG PROJ	2,408.19
	Vendor Total		**41,984.45**		
FYTD for RMA GROUP			**147,425.33**		
SHELL ENERGY NORTH AMERICA (US) L.P.				Remit to: **PHILADELPHIA PA**	
	5/14/2012	885207	453,544.00		
				ENERGY PURCHASE FOR MV UTIL.	453,544.00
	Vendor Total		**453,544.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**5,676,776.00**		
SILVER CREEK INDUSTRIES, INC				Remit to: **PERRIS CA**	
	5/29/2012	212907	175,306.99		
				MORRISON PARK FIRE STN PROJ.	175,306.99
	Vendor Total		**175,306.99**		
FYTD for SILVER CREEK INDUSTRIES, INC			**1,217,783.75**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/7/2012	212629	30,750.24		
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	5,443.81
			WDAT CHARGES-GLOBE	7,599.24
			WDAT CHARGES-NANDINA	2,668.43
			WDAT CHARGES-FREDERICK	1,966.23
			WDAT CHARGES-SUBSTATION 115KV	10,447.31
5/7/2012	212630	60,457.67		
			RELOCATION OF EXISTING FACIL.	60,457.67
5/14/2012	212722	100,070.48		
			ELECTRICITY	92.15
			ELECTRICITY	61.32
			ELECTRICITY	45.21
			ELECTRICITY	44.56
			ELECTRICITY	1,246.37
			ELECTRICITY	688.25
			ELECTRICITY	825.43
			ELECTRICITY	337.89
			ELECTRICITY	344.09
			ELECTRICITY	1,021.14
			ELECTRICITY	1,706.72
			ELECTRICITY	92,743.99
			ELECTRICITY	647.75
			ELECTRICITY	131.35
			ELECTRICITY	22.16
			ELECTRICITY	22.42
			ELECTRICITY	89.68
5/14/2012	212743	64,581.38		
			INTERCONNECT FACIL PROJ-GRAHAM	64,581.38
5/21/2012	212818	49,014.01		
			ELECTRICITY	695.09
			ELECTRICITY	1,573.16
			ELECTRICITY	22.54
			ELECTRICITY	622.83
			ELECTRICITY	640.66
			ELECTRICITY	114.49
			ELECTRICITY	2,131.16
			ELECTRICITY	532.50
			ELECTRICITY	923.54
			ELECTRICITY	1,095.35
			ELECTRICITY	1,111.88
			ELECTRICITY	21.91
			ELECTRICITY	35,195.92
			ELECTRICITY	4,152.82
			ELECTRICITY	20.52
			ELECTRICITY	22.28
			ELECTRICITY	44.06
			ELECTRICITY	23.98
			ELECTRICITY	69.32

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	304,873.78		
FYTD for SOUTHERN CALIFORNIA EDISON		3,251,321.81		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
5/21/2012	212820	27,680.27		
			LIFE & DISABILITY INSURANCE	10,797.16
			LIFE & DISABILITY INSURANCE	16,883.11
	Vendor Total	27,680.27		
FYTD for STANDARD INSURANCE CO		327,174.04		
STI, INC., TRUCKING & MATERIALS			Remit to: **RIVERSIDE**	**CA**
5/7/2012	212635	74,778.43		
			IRONWOOD AVE IMPRVMNTS PROJ	74,778.43
	Vendor Total	74,778.43		
FYTD for STI, INC., TRUCKING & MATERIALS		602,984.15		
TCM GROUP			Remit to: **FONTANA**	**CA**
5/14/2012	885213	96,150.09		
			SR-60/NASON ST INTRCHNG PROJ	96,150.09
	Vendor Total	96,150.09		
FYTD for TCM GROUP		1,374,484.89		
TIME WARNER CABLE			Remit to: **LOS ANGELES**	**CA**
5/29/2012	212916	30,000.00		
			COMMERCIAL ADS-USED OIL RECYC.	30,000.00
	Vendor Total	30,000.00		
FYTD for TIME WARNER CABLE		30,000.00		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
5/8/2012	1205051	166,457.25		
			CALCARD PMT CYCLE END 4/27/12	166,457.25
	Vendor Total	166,457.25		
FYTD for U.S. BANK/CALCARDS		1,565,284.37		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212833	39,557.79		
			TUMF REPORT FOR APRIL 2012	39,557.79
	Vendor Total	39,557.79		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		301,667.14		

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WRCRCA				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212649	171,258.12		
				COMMERC/INDUSTR FEES-MARCH '12	171,258.12
	5/21/2012	212834	91,838.00		
				INFRASTRUCTURE PROJ. FEES	91,838.00
	Vendor Total		**263,096.12**		
FYTD for WRCRCA			**679,689.30**		
	Subtotal		**12,525,664.42**		

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CHECKS LESS THAN $25,000

DEPT OF HEALTH CARE SVCS			Remit to: **SACRAMENTO**	**CA**
5/29/2012	212845	184.86		
			SETTLEMNT AGREEMNT-RIC10024058	184.86
	Vendor Total	**184.86**		
FYTD for DEPT OF HEALTH CARE SVCS		**184.86**		
FORREST CORMANY			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212744	0.00		
			BAGPIPER-5/30/12 MEMORIAL DAY	200.00
			VOIDED CHECK #212744 - 6/11/12	-200.00
	Vendor Total	**0.00**		
FYTD for FORREST CORMANY		**0.00**		
WEST, MARIA			Remit to: **MORENO VALLEY**	**CA**
5/21/2012	212745	77.00		
			REFUND-CLASS REGIS FEE	77.00
	Vendor Total	**77.00**		
FYTD for WEST, MARIA		**77.00**		
A & I REPROGRAPHICS	**2406362**		Remit to: **ONTARIO**	**CA**
5/14/2012	212656	634.15		
			PERRIS BLVD IMPRV-PLANS &SPECS	634.15
	Vendor Total	**634.15**		
FYTD for A & I REPROGRAPHICS	**2406362**	**11,262.85**		
ABILITY COUNTS, INC			Remit to: **CORONA**	**CA**
5/14/2012	212657	1,440.00		
			LANDSCAPE MAINT-AQDCT	1,440.00
5/29/2012	212846	1,440.00		
			LANDSCAPE MAINT-AQDCT	1,440.00
	Vendor Total	**2,880.00**		
FYTD for ABILITY COUNTS, INC		**15,770.00**		
ADAMS, MARK L.			Remit to: **REDLANDS**	**CA**
5/7/2012	885084	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for ADAMS, MARK L.		**3,506.03**		

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ADDICTION MEDICINE CONSULTANTS, INC.			Remit to: **REDLANDS**	**CA**
5/7/2012	212548	275.00		
			DRUG/ALCOHOL TESTING PRGM	275.00
	Vendor Total	**275.00**		
FYTD for ADDICTION MEDICINE CONSULTANTS, INC.		**1,595.00**		
ADLERHORST INTERNATIONAL INC.			Remit to: **RIVERSIDE**	**CA**
5/21/2012	885225	129.30		
			MISC K-9 SUPPLIES-POLICE	129.30
5/29/2012	885264	1,700.04		
			K-9 TRAINING-POLICE PATROL	283.34
			K-9 TRAINING-PD SPCL ENF	141.67
			K-9 TRAINING-PD SPCL ENF	1,275.03
	Vendor Total	**1,829.34**		
FYTD for ADLERHORST INTERNATIONAL INC.		**5,442.79**		
ADMINSURE			Remit to: **DIAMOND BAR**	**CA**
5/7/2012	212549	2,600.00		
			WORKERS' COMP CLAIMS	2,600.00
5/14/2012	212658	2,600.00		
			WORKERS' COMP CLAIMS	2,600.00
	Vendor Total	**5,200.00**		
FYTD for ADMINSURE		**28,600.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212746	1,088.74		
			ELECTRICAL REPAIRS-CRC	150.33
			ELECTRICAL REPAIRS-CRC	69.67
			ELECTRICAL REPAIRS-CITY HALL	868.74
5/29/2012	212847	858.64		
			ELECTRICAL REPAIRS-SKATE PARK	157.00
			MISSING SALES TAX	2.56
			SALES TAX ACCRUAL	-2.56
			ELECTRICAL REPAIRS-COMM PARK	313.64
			ELECTRICAL REPAIRS-BETHUN PARK	62.00
			ELECTRICAL REPAIRS-TS	326.00
			MISSING SALES TAX	2.95
			SALES TAX ACCRUAL	-2.95
	Vendor Total	**1,947.38**		
FYTD for ADVANCED ELECTRIC		**56,738.21**		

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AEI-CASC ENGINEERING			Remit to: **COLTON** **CA**	
5/29/2012	885265	770.00		
			IRONWD AVE/DAY ST-BARCLAY PROJ	282.00
			IRONWD AVE/DAY ST-BARCLAY PROJ	488.00
	Vendor Total	**770.00**		
FYTD for AEI-CASC ENGINEERING		**31,808.77**		
AFFORDABLE HOLLOW METAL DOOR			Remit to: **RANCHO CUCAMONGA** **CA**	
5/7/2012	212550	3,449.73		
			REPLACE RSTRM DOOR-JFK&RIDGCST	3,201.60
			SALES TAX	248.13
	Vendor Total	**3,449.73**		
FYTD for AFFORDABLE HOLLOW METAL DOOR		**3,449.73**		
AHN MIKYUNG, SUSAN			Remit to: **MORENO VALLEY** **CA**	
5/29/2012	212848	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for AHN MIKYUNG, SUSAN		**20.00**		
AIR CLEANING SYSTEMS INC.			Remit to: **POMONA** **CA**	
5/14/2012	885175	288.27		
			PLYMOVENT MAINT/REPAIR-STN 91	135.77
			PLYMOVENT PARTS	152.50
	Vendor Total	**288.27**		
FYTD for AIR CLEANING SYSTEMS INC.		**4,342.58**		
ALEX VARGAS & MIRIAN TOLEDO			Remit to: **BELL** **CA**	
5/7/2012	212551	19,806.00		
			FINAL RELOCATION ASSIST. PYMT	19,806.00
	Vendor Total	**19,806.00**		
FYTD for ALEX VARGAS & MIRIAN TOLEDO		**23,515.00**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA** **CA**	
5/31/2012	1205081	8,936.47		
			RETENTN PMT PER ESCRW AGREEMNT	8,936.47
	Vendor Total	**8,936.47**		
FYTD for ALL AMERICAN ASPHALT, INC.		**6,421,563.53**		

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ALLIANT INSURANCE SERVICES, INC.			Remit to: **NEWPORT BEACH**	**CA**
5/7/2012	212552	2,286.42		
			SPECIAL EVENT INSURANCE PREM	2,286.42
	Vendor Total	**2,286.42**		
FYTD for ALLIANT INSURANCE SERVICES, INC.		**12,033.68**		
ALLIANZ LIFE INSURANCE CO			Remit to: **PITTSBURGH**	**PA**
5/7/2012	212553	75.00		
			NON-EXEMPT ANNUITY	75.00
	Vendor Total	**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**825.00**		
ALTERNATIVES TO DOMESTIC VIOLENCE			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212748	3,660.16		
			DOMESTIC VIOLENCE SVCS	1,843.38
			DOMESTIC VIOLENCE SVCS	1,816.78
	Vendor Total	**3,660.16**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**7,501.07**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS**	**CA**
5/14/2012	885176	3,501.00		
			BLOOD DRAWS-POLICE	41.08
			BLOOD DRAWS-POLICE	1,744.96
			BLOOD DRAWS-POLICE	41.08
			BLOOD DRAWS-POLICE	1,673.88
5/29/2012	885266	82.16		
			BLOOD DRAWS-POLICE	82.16
	Vendor Total	**3,583.16**		
FYTD for AMERICAN FORENSIC NURSES		**44,734.72**		
AMERICAN QUICK PRINTING			Remit to: **MORENO VALLEY**	**CA**
5/14/2012	885177	260.76		
			PRINTING-COMPLY FORMS-FIRE	242.00
			SALES TAX	18.76
	Vendor Total	**260.76**		
FYTD for AMERICAN QUICK PRINTING		**591.55**		
AMERICAN TOWERS			Remit to: **CHARLOTTE**	**NC**
5/7/2012	212554	2,676.42		
			TOWER SPACE LEASE	2,676.42
	Vendor Total	**2,676.42**		
FYTD for AMERICAN TOWERS		**29,131.80**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
5/29/2012	885267	55.00		
			EMERGENCY/AFTER HR VET SVCS	55.00
	Vendor Total	**55.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**1,995.00**		
ANIMAL HEALTH AND SANITARY SUPPLY			Remit to: **RIVERSIDE**	**CA**
5/29/2012	212849	297.05		
			MISC SUPPLIES-ANIMAL SVCS	297.05
	Vendor Total	**297.05**		
FYTD for ANIMAL HEALTH AND SANITARY SUPPLY		**879.61**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
5/29/2012	212850	1,525.50		
			PEST CONTROL-CITY PARKS	600.00
			PEST CONTROL-CONTRACT PARKS	229.50
			PEST CONTROL-MARCH BALLFIELD	300.00
			PEST CONTROL-MARCH FIELD CC	90.00
			PEST CONTROL-CFD #1	144.00
			PEST CONTROL-GOLF COURSE	162.00
	Vendor Total	**1,525.50**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**17,987.50**		
APT US&C - ASSOC PUB TREAS US & CANADA			Remit to: **SILVER SPRING**	**MD**
5/14/2012	212659	200.00		
			INVESTMNT POLICY CERTIFICATION	200.00
	Vendor Total	**200.00**		
FYTD for APT US&C - ASSOC PUB TREAS US & CANADA		**200.00**		
ARANDA, JUAN			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	212555	669.68		
			SETTLEMENT AGREEMENT	669.68
	Vendor Total	**669.68**		
FYTD for ARANDA, JUAN		**669.68**		
ARC OF RIVERSIDE COUNTY, THE			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212749	1,941.72		
			MV RESOURCE CENTER	970.86
			MV RESOURCE CENTER	970.86
	Vendor Total	**1,941.72**		
FYTD for ARC OF RIVERSIDE COUNTY, THE		**4,854.26**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ARIAS, TERESA				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212556	128.00		
				REFUND-CANCELLED CONTRCT CLASS	84.80
				REFUND-CANCELLED CONTRCT CLASS	43.20
	Vendor Total		**128.00**		
FYTD for ARIAS, TERESA			**128.00**		
ASSOCIATED ENGINEERS, INC.				Remit to: **LOS ANGELES** **CA**	
	5/7/2012	212557	3,821.50		
				HEACOCK ST WIDENING PROJ SVCS	3,821.50
	Vendor Total		**3,821.50**		
FYTD for ASSOCIATED ENGINEERS, INC.			**14,300.93**		
ASSOCIATED REPRODUCTION SERVICES				Remit to: **WHITTIER** **CA**	
	5/7/2012	212558	1,263.81		
				LEGAL REPRODUCTION SVCS	145.13
				LEGAL REPRODUCTION SVCS	426.34
				LEGAL REPRODUCTION SVCS	514.65
				LEGAL REPRODUCTION SVCS	177.69
	Vendor Total		**1,263.81**		
FYTD for ASSOCIATED REPRODUCTION SERVICES			**1,692.34**		
AT&T NATIONAL COMPLIANCE CENTER				Remit to: **NORTH PALM BEACH** **FL**	
	5/21/2012	212750	125.00		
				CELLULAR TEXT RETRIEVAL-POLICE	125.00
	Vendor Total		**125.00**		
FYTD for AT&T NATIONAL COMPLIANCE CENTER			**425.00**		
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	5/14/2012	212660	183.34		
				COMMUNICATION SVCS-POLICE	183.34
	Vendor Total		**183.34**		
FYTD for AT&T/MCI			**2,015.54**		
ATHALYE CONSULTING ENGINEERING SERVICES				Remit to: **ONTARIO** **CA**	
	5/29/2012	212851	4,604.93		
				HEACOCK ST BRIDGE IMPRVMNTS	4,604.93
	Vendor Total		**4,604.93**		
FYTD for ATHALYE CONSULTING ENGINEERING SERVICES			**4,604.93**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AUDREY PATRICK REPORTING SERVICES				Remit to: **SAN BERNARDINO** **CA**	
	5/14/2012	212661	288.97		
				LEGAL SVCS-CERTIFIED TRANSCRPT	288.97
	Vendor Total		**288.97**		
FYTD for AUDREY PATRICK REPORTING SERVICES			**960.21**		
AVERILL, CAMERON				Remit to: **NUEVO** **CA**	
	5/21/2012	212751	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for AVERILL, CAMERON			**75.00**		
AVILA, ELYSE				Remit to: **CORONA DEL MAR** **CA**	
	5/14/2012	212662	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for AVILA, ELYSE			**75.00**		
AXIS APPAREL				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	885226	1,677.24		
				YOUTH SPORTS UNIFORMS	1,677.24
	Vendor Total		**1,677.24**		
FYTD for AXIS APPAREL			**11,086.91**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212559	152.50		
				PER DIEM-2012 USED OIL CONF.	152.50
	Vendor Total		**152.50**		
FYTD for AYALA, NANNERL A.			**770.27**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	5/7/2012	212560	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,506.03**		
BAISDEN, DOLORES				Remit to: **MORENO VALLEY** **CA**	
	5/29/2012	212852	50.00		
				REFUND-A/C LICENSE FEE	50.00
	Vendor Total		**50.00**		
FYTD for BAISDEN, DOLORES			**50.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BAKER, JENNA				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212561	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for BAKER, JENNA			**200.00**		
BAPTISTE, KANDACE				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212742	177.50		
				PER DIEM-ICSC RECON CONVENTION	177.50
	Vendor Total		**177.50**		
FYTD for BAPTISTE, KANDACE			**177.50**		
BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	5/7/2012	885085	378.24		
				RETIREE MED FEB-APR 12, PD MAY	378.24
	Vendor Total		**378.24**		
FYTD for BARNES, DARLENE			**1,222.70**		
BARTEL ASSOCIATES, LLC				Remit to: **SAN MATEO** **CA**	
	5/14/2012	212663	3,175.00		
				CONSULTING SVCS-GASB 45 OPEB	1,825.00
				CONSULTING SVCS-GASB 45 OPEB	1,350.00
	5/29/2012	212853	175.00		
				CONSULTING SVCS-GASB 45 OPEB	175.00
	Vendor Total		**3,350.00**		
FYTD for BARTEL ASSOCIATES, LLC			**15,500.00**		
BAUTISTA, JOSEPH C.				Remit to: **FONTANA** **CA**	
	5/7/2012	885086	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for BAUTISTA, JOSEPH C.			**3,476.87**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
5/14/2012	885178	12,764.33		
			LANDSCAPE MAINT-MVU SUBSTN	567.00
			LANDSCAPE MAINT-MVU	432.00
			LANDSCAPE MAINT-LIBRARY	468.00
			LANDSCAPE MAINT-ANIMAL SVCS	468.00
			LANDSCAPE MAINT-PSB	1,077.83
			LANDSCAPE MAINT-CRC	1,710.00
			LANDSCAPE MAINT-PATRIOT PARK	57.00
			LANDSCAPE MAINT-PATRIOT PARK	303.00
			LANDSCAPE MAINT-BAY/JFK AQDCT	1,710.00
			LANDSCAPE MAINT-BIKE AQDCT	360.00
			LANDSCAPE MAINT-TOWNGATE CNTR	180.00
			LANDSCAPE MAINT-BIKE AQDCT	635.00
			LANDSCAPE MAINT-PERHAM AQDCT	60.00
			LANDSCAPE MAINT-S AQDCT "B"	662.00
			LANDSCAPE MAINT-SENIOR CNTR	236.00
			LANDSCAPE MAINT-N AQDCT	473.00
			LANDSCAPE MAINT-S AQDCT "A"	765.50
			LANDSCAPE MAINT-SCE/OLD LAKE	1,575.00
			LANDSCAPE MAINT-PAN AM/AQDCT	540.00
			LANDSCAPE MAINT-FORMER STARS	260.00
			LANDSCAPE MAINT-CITY YARD	225.00
5/21/2012	885227	4,294.30		
			LANDSCAPE MAINT-VETERANS MMRL	225.00
			LANDSCAPE MAINT-ANNEX	221.00
			LANDSCAPE MAINT-CITY HALL	893.30
			LANDSCAPE MAINT-FIRE STNS	2,835.00
			LANDSCAPE WORK-CITY HALL TS	120.00
5/29/2012	885268	11,526.02		
			LANDSCAPE MAINT-ZONE E-3	10,625.00
			LANDSCAPE MAINT-ZONE E-3A	781.02
			LANDSCAPE MAINT-ZONE E-3A	120.00
	Vendor Total	**28,584.65**		
FYTD for BEMUS LANDSCAPE, INC.		**344,517.59**		
BENESYST			Remit to: **MINNEAPOLIS**	**MN**
5/7/2012	885087	205.00		
			COBRA ACCOUNT	205.00
5/29/2012	885269	205.00		
			COBRA ADMIN FEE	205.00
	Vendor Total	**410.00**		
FYTD for BENESYST		**2,140.20**		

City of Moreno Valley

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	5/7/2012	885088	201.90		
				FSA ADMIN COSTS	201.90
	5/29/2012	885270	201.90		
				FLEX ADMIN SVCS	201.90
	Vendor Total		**403.80**		
FYTD for BENESYST, INC.			**3,287.58**		
BETTY, LARRY				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212664	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BETTY, LARRY			**50.00**		
BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212562	10,335.50		
				TOXICOLOGY TESTS-POLICE	102.69
				TOXICOLOGY TESTS-POLICE	1,310.53
				TOXICOLOGY TESTS-POLICE	58.28
				TOXICOLOGY TESTS-POLICE	8,864.00
	Vendor Total		**10,335.50**		
FYTD for BIO-TOX LABORATORIES			**99,090.74**		
BONAPARTE, CURTIS				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212752	35.00		
				REFUND-PARKS SHELTER ELEC FEE	35.00
	Vendor Total		**35.00**		
FYTD for BONAPARTE, CURTIS			**35.00**		
BOX, MICHAEL				Remit to: **MORENO VALLEY** **CA**	
	5/29/2012	212854	319.50		
				PER DIEM-FIBER OPTICS TRNG	319.50
	Vendor Total		**319.50**		
FYTD for BOX, MICHAEL			**319.50**		
BRAUN BLAISING MCLAUGHLIN				Remit to: **SACRAMENTO** **CA**	
	5/21/2012	212753	24,414.83		
				LEGAL SVCS	11,552.74
				LEGAL SVCS	12,862.09
	Vendor Total		**24,414.83**		
FYTD for BRAUN BLAISING MCLAUGHLIN			**122,030.85**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BREITKREUZ, THOMAS F.				Remit to: **REDLANDS** **CA**	
	5/7/2012	212563	956.19		
				RETIREE MED JAN-MAR 12, PD MAY	956.19
	Vendor Total		**956.19**		
FYTD for BREITKREUZ, THOMAS F.			**3,378.00**		
BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	5/7/2012	885089	1,886.41		
				MISC BOOKS-LIBRARY	22.99
				MISC BOOKS-LIBRARY	19.42
				MISC BOOKS-LIBRARY	51.62
				MISC BOOKS-LIBRARY	41.58
				MISC BOOKS-LIBRARY	62.00
				MISC BOOKS-LIBRARY	20.60
				MISC BOOKS-LIBRARY	125.87
				MISC BOOKS-LIBRARY	295.62
				MISC BOOKS-LIBRARY	27.19
				MISC BOOKS-LIBRARY	41.60
				MISC BOOKS-LIBRARY	107.43
				MISC BOOKS-LIBRARY	21.78
				MISC BOOKS-LIBRARY	16.27
				MISC BOOKS-LIBRARY	40.99
				MISC BOOKS-LIBRARY	59.01
				MISC BOOKS-LIBRARY	54.94
				MISC BOOKS-LIBRARY	67.83
				MISC BOOKS-LIBRARY	38.36
				MISC BOOKS-LIBRARY	56.74
				MISC BOOKS-LIBRARY	318.96
				MISC BOOKS-LIBRARY	84.72
				MISC BOOKS-LIBRARY	21.18
				MISC BOOKS-LIBRARY	22.40
				MISC BOOKS-LIBRARY	40.40
				MISC BOOKS-LIBRARY	34.86
				MISC BOOKS-LIBRARY	103.40
				MISC BOOKS-LIBRARY	88.65
	5/14/2012	885179	778.27		
				MISC BOOKS-LIBRARY	248.43
				MISC BOOKS-LIBRARY	26.81
				MISC BOOKS-LIBRARY	249.59
				MISC BOOKS-LIBRARY	22.99
				MISC BOOKS-LIBRARY	32.78
				MISC BOOKS-LIBRARY	111.90
				MISC BOOKS-LIBRARY	21.18
				MISC BOOKS-LIBRARY	22.99
				MISC BOOKS-LIBRARY	41.60
	Vendor Total		**2,664.68**		
FYTD for BRODART CO.			**31,765.99**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BROWN, CHRISTOPHER			Remit to: **MORENO VALLEY** **CA**	
5/23/2012	212837	150.00		
			PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total	**150.00**		
FYTD for BROWN, CHRISTOPHER		**150.00**		
BUCKINGHAM, STAN			Remit to: **TEMECULA** **CA**	
5/7/2012	212564	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**3,506.03**		
BURKE, JOHN R.			Remit to: **REDLANDS** **CA**	
5/7/2012	212565	1,544.00		
			RETIREE MED JB MAR-APR 11, JB	1,544.00
	Vendor Total	**1,544.00**		
FYTD for BURKE, JOHN R.		**3,281.00**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES** **CA**	
5/21/2012	885228	9,779.95		
			LEGAL SVCS	9,779.95
5/29/2012	885271	625.00		
			LEGAL SVCS	625.00
	Vendor Total	**10,404.95**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**258,013.94**		
BUTSKO UTILITY DESIGN, INC			Remit to: **MURRIETA** **CA**	
5/29/2012	212855	375.51		
			CACTUS AVE/NASON ST IMPRVMNTS	375.51
	Vendor Total	**375.51**		
FYTD for BUTSKO UTILITY DESIGN, INC		**375.51**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
5/7/2012	885090	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for CAIN, GREGORY		**3,506.03**		
CALBO-CALIFORNIA BUILDING OFFICIALS			Remit to: **SACRAMENTO** **CA**	
5/14/2012	212665	75.00		
			WEBSITE JOB ADVERTISEMENT	75.00
	Vendor Total	**75.00**		
FYTD for CALBO-CALIFORNIA BUILDING OFFICIALS		**1,815.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO**	**CA**
5/21/2012	212754	0.00		
			UNCLAIMED PROPERTY (WAGES)	146.22
			UNCLAIMED VENDOR CHECKS	1,280.12
			UNCLAIMED VENDOR CHECKS	3,368.06
			VOIDED CHECK #212754 - 5/22/12	-60.00
			VOIDED CHECK #212754 - 5/22/12	-146.22
			VOIDED CHECK #212754 - 5/22/12	-1,280.12
			VOIDED CHECK #212754 - 5/22/12	-3,368.06
			UNCLAIMED VENDOR CHECKS	60.00
5/23/2012	212838	146.22		
			UNCLAIMED PROPERTY (WAGES)	146.22
5/29/2012	212856	4,588.18		
			UNCLAIMED VENDOR CHECKS	1,280.12
			UNCLAIMED VENDOR CHECKS	3,368.06
			UNCLAIMED VENDOR CHECKS	-60.00
	Vendor Total	**4,734.40**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**4,734.40**		
CANNON, ANA M.			Remit to: **HASLET**	**TX**
5/7/2012	885091	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**3,506.03**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885092	637.46		
			RETIREE MED MAR-APR 12, PD MAY	637.46
	Vendor Total	**637.46**		
FYTD for CARTER, ROSALYN		**3,506.03**		
CASA FOR RIVERSIDE COUNTY, INC.			Remit to: **INDIO**	**CA**
5/21/2012	885229	2,354.98		
			COURT APPOINTED SPECIAL-CDBG	840.89
			COURT APPOINTED SPECIAL-CDBG	620.64
			COURT APPOINTED SPECIAL-CDBG	893.45
	Vendor Total	**2,354.98**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.		**14,117.12**		
CASCADE SUBSCRIPTION SERVICE, INC			Remit to: **SEATTLE**	**WA**
5/14/2012	212667	76.00		
			FIRE ENG'G. PROF MAGAZINE	76.00
	Vendor Total	**76.00**		
FYTD for CASCADE SUBSCRIPTION SERVICE, INC		**152.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CEMEX				Remit to: **ONTARIO** **CA**	
	5/7/2012	212566	320.26		
				PORTLAND CEMENT-MAIN/OP'S	320.26
	5/14/2012	212668	1,089.63		
				PORTLAND CEMENT-MAIN/OP'S	342.92
				PORTLAND CEMENT-MAIN/OP'S	382.98
				PORTLAND CEMENT-MAIN/OP'S	363.73
	5/29/2012	212857	795.49		
				PORTLAND CEMENT-MAIN/OP'S	362.71
				PORTLAND CEMENT-MAIN/OP'S	432.78
	Vendor Total		**2,205.38**		
FYTD for CEMEX			**11,970.54**		
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885093	135.00		
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	65.00
	5/14/2012	885180	180.00		
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	65.00
	5/29/2012	885272	235.00		
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	45.00
	Vendor Total		**550.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			**4,149.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANCY, CHIZURU				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212755	305.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	60.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	30.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
				INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
				INSTRUCTOR SVCS-HAWAIIAN DANCE	30.00
	5/29/2012	212858	175.20		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
				INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	60.00
	Vendor Total		**480.60**		
FYTD for CHANCY, CHIZURU			**1,782.60**		
CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	5/21/2012	885230	8,622.00		
				FIXED INCOME INVESTMENT MGMT	8,622.00
	Vendor Total		**8,622.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**97,010.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	5/7/2012	212567	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,506.03**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885094	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,506.03**		
CHAVEZ, ESHER				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212756	200.00		
				REFUND-RENTAL DEPOSIT-TWNGTE	200.00
	Vendor Total		**200.00**		
FYTD for CHAVEZ, ESHER			**200.00**		
CHERRY VALLEY FEED				Remit to: **CHERRY VALLEY** **CA**	
	5/14/2012	212669	148.66		
				K-9 MISC SUPPLIES-POLICE	148.66
	Vendor Total		**148.66**		
FYTD for CHERRY VALLEY FEED			**657.08**		

City of Moreno Valley

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885095	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for CHRISTIAN, OWEN			**2,509.23**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
5/7/2012	885096	422.58		
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	0.71
			UNIFORM RNTL SVC-GRAFFITI RMVL	14.35
			UNIFORM RNTL SVC-CONCRTE MAINT	8.57
			UNIFORM RNTL SVC-CONCRTE MAINT	6.89
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-ST MAINT	96.16
			UNIFORM RNTL SVC-ST MAINT	91.14
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-ST SWEEPING	8.88
5/14/2012	885181	348.83		
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-ST MAINT	79.37
			UNIFORM RNTL SVC-ST MAINT	11.77
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-PURCHASING	3.92
5/21/2012	885231	178.99		
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
5/29/2012	885273	747.50		
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	138.46
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	95.24
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	91.14
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
	Vendor Total	**1,697.90**		
FYTD for CINTAS CORPORATION		**14,727.35**		

CITY OF FOSTER CITY — Remit to: **FOSTER CITY** **CA**

5/7/2012	212568	1,500.00		
			ANNL FEE-RECRUITNG WEBSITE USE	1,500.00
	Vendor Total	**1,500.00**		
FYTD for CITY OF FOSTER CITY		**1,500.00**		

CITY OF MORENO VALLEY VEBA TRUST — Remit to: **MORENO VALLEY** **CA**

5/7/2012	885097	6,105.00		
			EXEMPT VEBA	6,105.00
5/21/2012	885232	2,030.00		
			EXEMPT VEBA	2,030.00
	Vendor Total	**8,135.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**83,488.82**		

CITY OF PERRIS — Remit to: **PERRIS** **CA**

5/7/2012	212569	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for CITY OF PERRIS		**100.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLLINS, COLLINS, MUIR & STEWART, LLP			Remit to: **SOUTH PASADENA**	**CA**
5/7/2012	212570	0.00		
			LEGAL SVCS-FINAL BILL-MV1156	170.50
			VOIDED CHECK #212570 - 5/14/12	-170.50
5/14/2012	212670	180.54		
			LEGAL SVCS-FINAL BILL-MV1156	170.50
			LEGAL SVCS-FINAL BILL-MV1156	10.04
	Vendor Total	**180.54**		
FYTD for COLLINS, COLLINS, MUIR & STEWART, LLP		**1,205.88**		
COMMUNICATION SUPPLY CORP.			Remit to: **BUENA PARK**	**CA**
5/14/2012	212671	18,963.80		
			FIBER OPTIC CABLE-TECH SVCS	17,599.81
			SALES TAX	1,363.99
	Vendor Total	**18,963.80**		
FYTD for COMMUNICATION SUPPLY CORP.		**37,389.05**		
COMMUNITY ASSISTANCE PROGRAM - CAP			Remit to: **MORENO VALLEY**	**CA**
5/29/2012	885274	2,509.31		
			CAP FOOD DISTRIBUTION PRGRM	2,509.31
	Vendor Total	**2,509.31**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP		**34,012.21**		
COMMUNITY CONNECT			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212757	362.09		
			"211" CALL CENTER INFO	362.09
	Vendor Total	**362.09**		
FYTD for COMMUNITY CONNECT		**4,805.03**		
COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM**	**CA**
5/7/2012	212571	142.00		
			CHC CONTRIBUTIONS	142.00
5/21/2012	212758	142.00		
			CHC CONTRIBUTIONS	142.00
	Vendor Total	**284.00**		
FYTD for COMMUNITY HEALTH CHARITIES		**5,350.34**		
COMPETITIVE STRIDE			Remit to: **RIVERSIDE**	**CA**
5/29/2012	212859	404.60		
			YOUTH SPORTS AWARDS	404.60
	Vendor Total	**404.60**		
FYTD for COMPETITIVE STRIDE		**3,632.06**		

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COMPEX LEGAL SERVICES, INC.			Remit to: **TORRANCE**	**CA**
5/14/2012	212672	1,372.73		
			LEGAL DEFENSE SVCS-CLAIMS	240.00
			TRANSCRIPTION SVCS	456.40
			LEGAL DEFENSE SVCS-CLAIMS	513.13
			LEGAL DEFENSE SVCS-CLAIMS	163.20
	Vendor Total	**1,372.73**		
FYTD for COMPEX LEGAL SERVICES, INC.		**2,516.08**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO**	**CA**
5/29/2012	212861	6,041.43		
			ASPHALTIC MATERIALS	6,041.43
	Vendor Total	**6,041.43**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**12,793.68**		
CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND**	**CA**
5/29/2012	212862	154.95		
			LEGAL PUBLICATIONS	154.95
	Vendor Total	**154.95**		
FYTD for CONTINUING EDUCATION OF THE BAR		**1,492.80**		
CORNELL, CRYSTAL			Remit to: **MORENO VALLEY**	**CA**
5/14/2012	212673	27.00		
			REFUND-CLASS REGIS FEE	27.00
	Vendor Total	**27.00**		
FYTD for CORNELL, CRYSTAL		**27.00**		
COSTCO			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	212572	32.44		
			MISC SUPPLIES-SKATE PARK	32.44
5/29/2012	212863	956.32		
			MISC SUPPLIES-A CHILDS PLACE	907.64
			MISC SUPPLIES-SKATE PARK	48.68
	Vendor Total	**988.76**		
FYTD for COSTCO		**15,994.57**		
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO**	**CA**
5/7/2012	212573	1,250.00		
			EMPLOYEE COUNSELING SVCS	1,250.00
	Vendor Total	**1,250.00**		
FYTD for COUNSELING TEAM, THE		**12,500.00**		

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COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
5/14/2012	212674	147.63		
			REFUND-UUT FOR EXEMPT RESIDNTS	74.42
			REFUND-UUT FOR EXEMPT RESIDNTS	73.21
	Vendor Total	**147.63**		
FYTD for COUNTRY SQUIRE ESTATES		**774.36**		
COUNTS UNLIMITED, INC.			Remit to: **CORONA** **CA**	
5/21/2012	212759	1,080.00		
			TRAFFIC COUNT-SUNNYMD BL/SR-60	1,080.00
	Vendor Total	**1,080.00**		
FYTD for COUNTS UNLIMITED, INC.		**1,080.00**		
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
5/14/2012	212675	1,293.07		
			JANITORIAL SUPPLIES FOR PD	1,293.07
5/14/2012	212676	16.69		
			COUNTY BLDG RECORDS COPIES	16.69
5/29/2012	212864	1,675.00		
			JANITORIAL SUPPLIES FOR PD	1,675.00
	Vendor Total	**2,984.76**		
FYTD for COUNTY OF RIVERSIDE		**22,352.81**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
5/14/2012	212677	98.75		
			RECORDATION SVCS-LAND DVLPMT	98.75
	Vendor Total	**98.75**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**581.97**		
CRAWFORD, JENNIFER			Remit to: **YORBA LINDA** **CA**	
5/14/2012	212678	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CRAWFORD, JENNIFER		**75.00**		
CRUZ, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212679	159.84		
			MILEAGE-CFEDWEST 2012 CONF.	159.84
	Vendor Total	**159.84**		
FYTD for CRUZ, MICHAEL		**507.69**		

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CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE**	**CA**
5/7/2012	212574	336.00		
			HEALTH PERMIT RNWL-CELEB PRK	336.00
	Vendor Total	**336.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**24,420.83**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA**	**CA**
5/29/2012	212865	745.00		
			DECEASED ANIMAL RMVL	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**8,195.00**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885098	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for DALE, KATHLEEN		**3,506.03**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
5/7/2012	885099	20,459.74		
			THIRD PARTY COLLECTION FEES	822.75
			CITATION PROCESSING-CODE	19,636.99
5/14/2012	885182	7,039.14		
			CITATION PROCESSING-POLICE	4,061.00
			CITATION PROCESSING-ANIMAL SVC	2,978.14
5/21/2012	885233	822.19		
			CITATION PROCESSING-BLDG	538.69
			PARKING CITATION APPLICATION	94.50
			PARKING CITATION APPLICATION	94.50
			PARKING CITATION APPLICATION	94.50
5/29/2012	885275	6,141.81		
			CITATION PROCESSING-ANIMAL SVC	6,141.81
	Vendor Total	**34,462.88**		
FYTD for DATA TICKET, INC.		**271,706.63**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO**	**CA**
5/21/2012	212760	130.50		
			SOFTWARE/ONLINE SUBSCRIPTION	130.50
	Vendor Total	**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**1,435.50**		

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DAVY, SELINA				Remit to: **RIVERSIDE** **CA**	
	5/14/2012	212680	95.00		
				REFUND-RABIES & S/N DEPOSIT	20.00
				REFUND-RABIES & S/N DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for DAVY, SELINA			**95.00**		
DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	5/14/2012	212681	274.76		
				BOILER MAINT/REPAIR-PSB	129.30
				BOILER MAINT/REPAIR-CRC	145.46
	Vendor Total		**274.76**		
FYTD for DEBINAIRE COMPANY			**3,232.04**		
DEL REY APPRAISAL SRVCS				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212761	700.00		
				APPRAISAL SVC-22877 ALLIES PL	700.00
	Vendor Total		**700.00**		
FYTD for DEL REY APPRAISAL SRVCS			**1,200.00**		
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	5/14/2012	885183	10,203.24		
				EMPLOYEE DENTAL INSURANCE	10,203.24
	Vendor Total		**10,203.24**		
FYTD for DELTA DENTAL			**115,126.78**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	5/14/2012	212682	5,768.86		
				EMPLOYEE DENTAL INSURANCE	5,768.86
	Vendor Total		**5,768.86**		
FYTD for DELTACARE USA			**68,310.91**		
DENNING, DARLENE				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212762	200.00		
				REFUND-RENTAL DEPOSIT-TWNGTE	200.00
	Vendor Total		**200.00**		
FYTD for DENNING, DARLENE			**200.00**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	5/7/2012	885100	13,490.00		
				PLAN REVIEW SVCS-FIRE PREVENTN	6,450.00
				FIRE INSPECTION SVCS	7,040.00
	Vendor Total		**13,490.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**148,040.00**		

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DGM PEARCE LLC				Remit to: **BURBANK** **CA**	
	5/14/2012	212683	381.00		
				REFUND-ADMIN CITATION FEE	400.00
				REFUND-ADMIN CITATION FEE	-19.00
	Vendor Total		**381.00**		
FYTD for DGM PEARCE LLC			**381.00**		
DIAZ, LYNN				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212763	37.00		
				REFUND-CLASS REGIS FEE	37.00
	Vendor Total		**37.00**		
FYTD for DIAZ, LYNN			**37.00**		
DIXON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212839	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for DIXON, RICHARD			**150.00**		
DLS LANDSCAPE, INC				Remit to: **REDLANDS** **CA**	
	5/29/2012	885276	11,475.00		
				LANDSCAPE MAINT-CFD #1	2,052.00
				LANDSCAPE MAINT-ZONE A	9,423.00
	Vendor Total		**11,475.00**		
FYTD for DLS LANDSCAPE, INC			**129,771.00**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	5/29/2012	212866	19,106.94		
				STORM DRAIN/ST. IMPRV-TOWNSITE	11,009.19
				CONSULTANT ADMIN SVCS-CAP PROJ	8,097.75
	Vendor Total		**19,106.94**		
FYTD for DMC DESIGN GROUP, INC			**299,270.24**		
DORSETT-NELSON, KARI				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212764	37.00		
				REFUND-CLASS REGIS FEE	37.00
	Vendor Total		**37.00**		
FYTD for DORSETT-NELSON, KARI			**37.00**		
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	5/7/2012	212575	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for DORY, ALLEEN F.			**3,575.43**		

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DREABON, DAUPHINE/TODD			Remit to: **MORENO VALLEY CA**	
5/21/2012	212765	65.00		
			REFUND-PARKING CITATION OVRPYT	65.00
	Vendor Total	**65.00**		
FYTD for DREABON, DAUPHINE/TODD		**65.00**		
DURAN, BLANCA			Remit to: **MORENO VALLEY CA**	
5/21/2012	212766	189.00		
			INSTRUCTOR SVCS-FOLK DANCE	189.00
	Vendor Total	**189.00**		
FYTD for DURAN, BLANCA		**2,331.00**		
E.R. BLOCK PLUMBING & HEATING, INC.			Remit to: **RIVERSIDE CA**	
5/14/2012	885184	60.00		
			BACKFLOW DEVICE TEST-FS#6	40.00
			BACKFLOW DEVICE TEST-CFD#1	20.00
5/21/2012	885234	918.93		
			BACKFLOW DEVICE TEST-ZONE D	20.00
			NEW BACKFLOW DEVICE-T19518	636.43
			REPLACE STOLEN BACKFLOW DEVICE	262.50
5/29/2012	885277	2,360.96		
			BACKFLOW DEVICE TEST-ZONE D	340.00
			ANNUAL BACKFLOW PREVENTER TEST	20.00
			BACKFLOW REPAIR-MATERIAL-ZONEM	576.46
			BACKFLOW REPAIR-LABOR-ZONE M	187.50
			BACKFLOW REPAIR-MATERIAL-ZN D	431.00
			BACKFLOW REPAIR-LABOR-ZONE D	187.50
			BACKFLOW REPAIR-MATERIAL-ZN D	431.00
			BACKFLOW REPAIR-LABOR-ZONE D	187.50
	Vendor Total	**3,339.89**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**40,700.76**		
EARTH TEK ENGINEERING CORP.			Remit to: **CHINO HILLS CA**	
5/29/2012	212867	91.00		
			REFUND-BUS LIC OVERPAYMENT	91.00
	Vendor Total	**91.00**		
FYTD for EARTH TEK ENGINEERING CORP.		**91.00**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/7/2012	212576	11,717.64		
			WATER CHARGES	2,669.87
			WATER CHARGES	205.14
			WATER CHARGES	1,668.42
			WATER CHARGES	3,318.66
			WATER CHARGES	2,743.10
			WATER CHARGES	29.10
			WATER CHARGES	229.86
			WATER CHARGES	172.60
			WATER CHARGES	197.62
			WATER CHARGES	187.65
			WATER CHARGES	295.62
5/14/2012	212684	8,917.17		
			WATER CHARGES	37.93
			WATER CHARGES	193.25
			WATER CHARGES	1,931.13
			WATER CHARGES	34.80
			WATER CHARGES	717.20
			WATER CHARGES	100.05
			WATER CHARGES	648.83
			WATER CHARGES	716.45
			WATER CHARGES	1,127.31
			WATER CHARGES	1,490.94
			WATER CHARGES	176.54
			WATER CHARGES	353.05
			WATER CHARGES	193.54
			WATER CHARGES	228.92
			WATER CHARGES	340.04
			WATER CHARGES	169.03
			WATER CHARGES	458.16
5/29/2012	212868	11,938.53		
			WATER CHARGES	1,177.96
			WATER CHARGES	998.03
			WATER CHARGES	4,256.84
			WATER CHARGES	1,516.46
			WATER CHARGES	3,313.08
			WATER CHARGES	553.45
			WATER CHARGES	122.71
	Vendor Total	**32,573.34**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,306,883.00**		
ECONOMICS & POLITICS, INC.			Remit to: **REDLANDS**	**CA**
5/7/2012	212577	15,000.00		
			RESEARCH ECONOMIC IMPACT	12,500.00
			RESEARCH & POWERPNT PRESENTATN	2,500.00
	Vendor Total	**15,000.00**		
FYTD for ECONOMICS & POLITICS, INC.		**15,000.00**		

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EDGELANE MOBILE PARK				Remit to: **LOS ANGELES** **CA**	
	5/14/2012	885185	44.89		
				REFUND-UUT FOR EXEMPT RESIDNTS	44.89
	Vendor Total		**44.89**		
FYTD for EDGELANE MOBILE PARK			**440.03**		
EES CONSULTING, INC.				Remit to: **KIRKLAND** **WA**	
	5/29/2012	212869	2,124.44		
				CONSULTING SVCS-MVU	1,494.44
				CONSULTING SVCS-MVU	630.00
	Vendor Total		**2,124.44**		
FYTD for EES CONSULTING, INC.			**43,876.44**		
EGGERSTEN, ANNE				Remit to: **RANCHO MIRAGE** **CA**	
	5/7/2012	212578	320.43		
				RETIREE MED MAY '12	320.43
	Vendor Total		**320.43**		
FYTD for EGGERSTEN, ANNE			**3,556.11**		
ELMORE, RICK/DONNA				Remit to: **MORENO VALLEY** **CA**	
	5/29/2012	212870	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ELMORE, RICK/DONNA			**20.00**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
5/14/2012	885186	20,397.66		
			MVU WORK AUTHORIZATION 40-250A	93.35
			MVU WORK AUTHORIZATION 40-254A	192.60
			MVU WORK AUTHORIZATION 40-251B	408.11
			MVU WORK AUTHORIZATION 40-257A	50.61
			MVU WORK AUTHORIZATION 40-243A	149.59
			MVU WORK AUTHORIZATION 40-250B	875.91
			MVU WORK AUTHORIZATION 40-249B	10,879.14
			MVU WORK AUTHORIZATION 40-268A	2,043.98
			MVU WORK AUTHORIZATION 40-242A	2,450.53
			MVU WORK AUTHORIZATION 40-247A	963.51
			MVU WORK AUTHORIZATION 40-247B	50.61
			MVU WORK AUTHORIZATION 40-268B	25.31
			MVU WORK AUTHORIZATION 40-271	711.66
			HEACOCK ST BRIDGE NEW CONDUITS	46.68
			REVIEW RULE 20A UG PROJ-NASON	798.75
			MVU WORK AUTHORIZATION 40-237B	657.32
5/29/2012	885278	1,269.40		
			ENG. REVIEW-SCE PROJ ON CACTUS	1,269.40
	Vendor Total	**21,667.06**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,449,118.42**		
ENTERPRISE MEDIA			Remit to: **RIVERSIDE** **CA**	
5/7/2012	212579	1,700.00		
			LEGAL ADS FOR CDBG	1,700.00
	Vendor Total	**1,700.00**		
FYTD for ENTERPRISE MEDIA		**1,739.60**		
ESKEL/PORTER CONSULTING, INC.			Remit to: **SACRAMENTO** **CA**	
5/21/2012	885236	742.50		
			CRM CONSULTING SVCS	742.50
	Vendor Total	**742.50**		
FYTD for ESKEL/PORTER CONSULTING, INC.		**8,837.50**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY**	**CA**
5/14/2012	885187	68.96		
			EMPLOYEE OF THE QTR PLAQUE	30.17
			2 X 9 WALNUT NAMEPLATE	24.00
			2 X 9 WALNUT NAMEPLATE	12.00
			CALIF SALE TAX @ 7.75%	2.79
5/21/2012	885237	2,603.24		
			SERVICE AWARD PRGRM	1,500.00
			SERVICE AWARD PRGRM	1,064.45
			NAMEPLATES/BADGES-COMMISSIONS	25.86
			NAMEPLATES/BADGES-COMMISSIONS	0.44
			NAMEPLATES/BADGES-COMMISSIONS	12.49
	Vendor Total	**2,672.20**		
FYTD for EVANS ENGRAVING & AWARDS		**3,915.21**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
5/14/2012	212685	32.72		
			IRRIGATION PARTS/SUPPLY-PARKS	32.72
	Vendor Total	**32.72**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**10,919.69**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
5/29/2012	212872	5,396.99		
			LANDSCAPE MAINT-WQCB	2,365.41
			LANDSCAPE MAINT-WQCB	907.33
			LANDSCAPE MAINT-WQCB	2,124.25
	Vendor Total	**5,396.99**		
FYTD for EXCEL LANDSCAPE, INC		**90,703.60**		
F.A.C.E.			Remit to: **RIVERSIDE**	**CA**
5/7/2012	212580	4,459.00		
			ADVERTISEMENT	1,911.00
			ADVERTISEMENT	2,548.00
	Vendor Total	**4,459.00**		
FYTD for F.A.C.E.		**4,459.00**		
FAIR HOUSING COUNCIL OF RIV CO, INC.			Remit to: **RIVERSIDE**	**CA**
5/21/2012	885238	4,843.34		
			FORECLOSURE PREVENTN PRGRM	1,610.02
			LANDLORD/TENANT MEDIATN PRGRM	1,066.28
			FAIR HOUSING DISCRIMINATN PRGR	2,167.04
	Vendor Total	**4,843.34**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**62,605.22**		

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FALLEN OFFICERS FUND				Remit to: **CHULA VISTA** **CA**	
	5/23/2012	212840	750.00		
				SO. CA GANG CONF/MAY 29-31	125.00
				SO. CA GANG CONF/MAY 29-31	125.00
				SO. CA GANG CONF/MAY 29-31	125.00
				SO. CA GANG CONF/MAY 29-31	125.00
				SO. CA GANG CONF/MAY 29-31	125.00
				SO. CA GANG CONF/MAY 29-31	125.00
	Vendor Total		**750.00**		
FYTD for FALLEN OFFICERS FUND			**830.00**		
FAMILY DOLLAR STORE				Remit to: **CHARLOTTE** **NC**	
	5/29/2012	212873	211.50		
				REFUND-BUS LIC OVERPAYMENT	211.50
	Vendor Total		**211.50**		
FYTD for FAMILY DOLLAR STORE			**211.50**		
FEENSTRA, JOHN				Remit to: **REDLANDS** **CA**	
	5/7/2012	885102	361.25		
				RETIREE MED MAY '12	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		
FIRST CHOICE SERVICES				Remit to: **ONTARIO** **CA**	
	5/21/2012	885239	878.47		
				COFFEE SVCS-EMPLOYEE PAID	201.81
				COFFEE SVCS-EMPLOYEE PAID	56.69
				COFFEE SVCS-EMPLOYEE PAID	46.04
				COFFEE SVCS-EMPLOYEE PAID	165.22
				COFFEE SVCS-EMPLOYEE PAID	149.09
				COFFEE SVCS-EMPLOYEE PAID	66.09
				COFFEE SVCS-EMPLOYEE PAID	94.42
				COFFEE SVCS-EMPLOYEE PAID	67.73
				COFFEE SVCS-EMPLOYEE PAID	31.38
	Vendor Total		**878.47**		
FYTD for FIRST CHOICE SERVICES			**8,317.55**		
FIRST LEGAL NETWORK, LLC				Remit to: **LOS ANGELES** **CA**	
	5/29/2012	212874	186.12		
				PICK UP SVCS-GEN MATTERS	186.12
	Vendor Total		**186.12**		
FYTD for FIRST LEGAL NETWORK, LLC			**186.12**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FITNESS 19 CA 155 11C				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212686	0.00		
				GYM MEMBERSHIP DEDUCTIONS	12.00
				VOIDED CHECK #212686 - 5/14/12	-12.00
	5/21/2012	212769	224.00		
				GYM MEMBERSHIP DEDUCTIONS	12.00
				GYM MEMBERSHIP DEDUCTIONS	212.00
	Vendor Total		**224.00**		
FYTD for FITNESS 19 CA 155 11C			**2,480.00**		
FLORES, DAISY				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212770	210.00		
				REFUND-RENTAL DEPOSIT-TWNGTE	210.00
	Vendor Total		**210.00**		
FYTD for FLORES, DAISY			**210.00**		
FOCUS ESTATES, INC				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212581	4,288.64		
				RETENTION RELEASE	4,148.69
				RETENTION RELEASE	139.95
	Vendor Total		**4,288.64**		
FYTD for FOCUS ESTATES, INC			**39,777.14**		
FOSTER, JAMES BARRY				Remit to: **RIVERSIDE** **CA**	
	5/14/2012	212687	177.50		
				PER DIEM-ICSC RECON CONVENTION	177.50
	Vendor Total		**177.50**		
FYTD for FOSTER, JAMES BARRY			**726.05**		
FOSTER, NANCY A.				Remit to: **GRASS VALLEY** **CA**	
	5/7/2012	885103	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for FOSTER, NANCY A.			**3,506.03**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRANCHISE TAX BOARD			Remit to: **SACRAMENTO** **CA**	
5/7/2012	212652	995.66		
			GARNISHMENT	100.00
			GARNISHMENT	153.12
			GARNISHMENT	25.00
			GARNISHMENT	567.54
			GARNISHMENT	150.00
5/21/2012	212771	996.68		
			GARNISHMENT	996.68
	Vendor Total	**1,992.34**		
FYTD for FRANCHISE TAX BOARD		**11,371.43**		
FRANKLIN, L. C.			Remit to: **PERRIS** **CA**	
5/14/2012	212688	186.48		
			MILEAGE REIMBURSEMENT	186.48
	Vendor Total	**186.48**		
FYTD for FRANKLIN, L. C.		**1,894.94**		
FRAZEE INDUSTRIES, INC			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	212582	1,012.37		
			PAINT/SUPPLY-GRAFFITI RMVL	117.67
			PAINT/SUPPLY-GRAFFITI RMVL	894.70
	Vendor Total	**1,012.37**		
FYTD for FRAZEE INDUSTRIES, INC		**44,105.89**		
FRESQUEZ, JOHN			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	212583	80.00		
			SPORTS OFFICIATING SVCS	80.00
	Vendor Total	**80.00**		
FYTD for FRESQUEZ, JOHN		**1,560.00**		
FUSION SIGN AND DESIGN, INC			Remit to: **RIVERSIDE** **CA**	
5/29/2012	212875	1,205.82		
			FREESTANDING COMMUNITY SIGN	1,012.36
			SALES TAX	78.46
			DELIVERY CHG	115.00
	Vendor Total	**1,205.82**		
FYTD for FUSION SIGN AND DESIGN, INC		**29,255.82**		

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GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212584	141.00		
				UNIFORM FOR SECURITY GUARD	141.00
	5/21/2012	212772	692.24		
				UNIFORMS-POLICE TRAFFIC	253.71
				UNIFORMS-POLICE TRAFFIC	438.53
	5/29/2012	212876	97.62		
				UNIFORMS-POP TEAM	97.62
	Vendor Total		**930.86**		
FYTD for GALLS INC., INLAND UNIFORM			**8,793.39**		
GARMAR CARPET				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212585	151.53		
				REFUND-BUS LIC OVERPAYMENT	151.53
	Vendor Total		**151.53**		
FYTD for GARMAR CARPET			**151.53**		
GENERAL SECURITY SERVICES, INC.				Remit to: **WILMINGTON** **CA**	
	5/7/2012	212586	1,043.12		
				SECURITY SVCS-CITY HALL	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC	306.80
	5/14/2012	212689	122.72		
				SECURITY SVCS-LIBRARY	122.72
	5/21/2012	212773	306.80		
				SECURITY SVCS-CRC	306.80
	5/29/2012	212877	2,270.32		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-LIBRARY	490.88
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-LIBRARY	122.72
	Vendor Total		**3,742.96**		
FYTD for GENERAL SECURITY SERVICES, INC.			**45,168.70**		

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GENERATOR SERVICES CO., INC.			Remit to: **RANCHO CUCAMONGA CA**	
5/14/2012	212690	8,353.42		
			REMOVE EXSTNG EXHST SYSTM-FS#2	4,176.71
			REMOVE EXSTNG EXHST SYSTM-FS#6	4,176.71
5/21/2012	212774	231.91		
			REMOVE EXSTNG EXHAUST SYS-FS#2	134.69
			REMOVE EXSTNG EXHAUST SYS-FS#6	97.22
	Vendor Total	**8,585.33**		
FYTD for GENERATOR SERVICES CO., INC.		**8,585.33**		
GHANTIWALA, PRAVIN			Remit to: **WALNUT CA**	
5/21/2012	885240	3,420.00		
			ENGINEERING/DESIGN SVCS-MVU	3,420.00
	Vendor Total	**3,420.00**		
FYTD for GHANTIWALA, PRAVIN		**39,330.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES CA**	
5/21/2012	885241	7,936.86		
			LEGAL SVCS	3,964.03
			LEGAL SVCS	1,422.97
			LEGAL SVCS	1,111.50
			LEGAL SVCS	719.18
			LEGAL SVCS	719.18
5/29/2012	885279	4,535.55		
			LEGAL SVCS	2,440.34
			LEGAL SVCS	2,095.21
	Vendor Total	**12,472.41**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**266,798.82**		
GLOBAL SOFTWARE, INC			Remit to: **RALEIGH NC**	
5/21/2012	885242	4,880.00		
			SPREADSHEET SERVER-2 USER LIC	4,880.00
	Vendor Total	**4,880.00**		
FYTD for GLOBAL SOFTWARE, INC		**14,640.00**		
GOD'S HELPING HAND			Remit to: **MENIFEE CA**	
5/21/2012	885243	712.50		
			RENT/UTILITIES-CDBG GRANT	712.50
5/29/2012	885280	712.50		
			FOOD BANK-CDBG	712.50
	Vendor Total	**1,425.00**		
FYTD for GOD'S HELPING HAND		**10,162.50**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GONG ENTERPRISES, INC.			Remit to: **HUNTINGTON BEACH CA**	
5/7/2012	212587	7,661.00		
			CONSULTANT PLAN CHECK SVCS	560.00
			PLAN CHECK SVCS-LAND DVLPMNT	1,111.00
			PLAN CHECK SVCS-PM 35672	2,190.00
			PLAN CHECK SVCS-PM 36162 DRAIN	3,800.00
5/29/2012	212878	5,370.00		
			PLAN CHECK SVCS-PM35672	4,320.00
			PLAN CHECK SVCS-PM35672	1,050.00
	Vendor Total	**13,031.00**		
FYTD for GONG ENTERPRISES, INC.		**46,531.00**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY CA**	
5/7/2012	885104	637.46		
			RETIREE MED MAR-APR 12, PD MAY	637.46
	Vendor Total	**637.46**		
FYTD for GONZALES, DOMILENA R.		**3,506.03**		
GONZALEZ, ESMERALDA			Remit to: **MORENO VALLEY CA**	
5/21/2012	212775	200.00		
			REFUND-RENTAL DEPOSIT-TWNGTE	200.00
	Vendor Total	**200.00**		
FYTD for GONZALEZ, ESMERALDA		**200.00**		
GONZALEZ, JENNIFER			Remit to: **MORENO VALLEY CA**	
5/14/2012	212691	95.00		
			REFUND-RABIES & S/N DEPOSIT	20.00
			REFUND-RABIES & S/N DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for GONZALEZ, JENNIFER		**95.00**		
GOZDECKI, DAN			Remit to: **MORENO VALLEY CA**	
5/7/2012	885105	864.00		
			INSTRUCTOR SVCS-KUNG FU/YOUTH	594.00
			INSTRUCTOR SVCS-KUNG FU/ADULT	270.00
5/29/2012	885281	702.00		
			INSTRUCTOR SVCS-KUNG FU	513.00
			INSTRUCTOR SVCS-KUNG FU	189.00
	Vendor Total	**1,566.00**		
FYTD for GOZDECKI, DAN		**7,606.13**		

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GRACE TEMPLE COGIC				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212588	74.00		
				REFUND-PARK PERMIT FEE	74.00
	Vendor Total		**74.00**		
FYTD for GRACE TEMPLE COGIC			**74.00**		
GREENE, MATTHEW				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212589	45.00		
				SPORTS OFFICIATING SVCS	36.00
				50% WITHHOLDING FOR CSS ORDER	-18.00
				SPORTS OFFICIATING SVCS	54.00
				50% WITHHOLDING FOR CSS ORDER	-27.00
	5/29/2012	212879	27.00		
				SPORTS OFFICIATING SVCS	54.00
				50% WITHHOLDING FOR CSS ORDER	-27.00
	Vendor Total		**72.00**		
FYTD for GREENE, MATTHEW			**1,125.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	5/7/2012	885106	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,506.03**		
GRONSKI, JODI				Remit to: **CORONA DEL MAR** **CA**	
	5/29/2012	212880	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for GRONSKI, JODI			**95.00**		
GROUP DELTA CONSULTANTS, INC				Remit to: **IRVINE** **CA**	
	5/7/2012	885107	2,577.50		
				DAY ST IMPRVMNTS PROJECT SVCS	2,577.50
	Vendor Total		**2,577.50**		
FYTD for GROUP DELTA CONSULTANTS, INC			**7,663.98**		
GRUBE, PATTY				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212590	109.68		
				BOOST CONF. MILEAGE/PARKING	97.68
				BOOST CONF. MILEAGE/PARKING	12.00
	Vendor Total		**109.68**		
FYTD for GRUBE, PATTY			**109.68**		

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GUARDSMARK				Remit to: **RANCHO CUCAMONGA CA**	
	5/7/2012	212591	1,786.00		
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
	5/14/2012	212692	357.20		
				SECURITY SVCS-CITY HALL	357.20
	5/29/2012	212881	1,071.60		
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
	Vendor Total		**3,214.80**		
FYTD for GUARDSMARK			**23,338.56**		
GUIDA SURVEYING, INC.				Remit to: **IRVINE CA**	
	5/14/2012	885188	4,932.50		
				PERRIS BLVD WIDENING PROJ SVCS	4,932.50
	Vendor Total		**4,932.50**		
FYTD for GUIDA SURVEYING, INC.			**44,565.50**		
GUILLAN, REBECCA S.				Remit to: **ADVANCE NC**	
	5/7/2012	885108	275.31		
				RETIREE MED MAY 12, PD MAY 12	275.31
	Vendor Total		**275.31**		
FYTD for GUILLAN, REBECCA S.			**3,283.79**		
GUILLEN, RUTH				Remit to: **MORENO VALLEY CA**	
	5/7/2012	885109	61.75		
				RETIREE MED APR 12, PD MAY 12	61.75
	Vendor Total		**61.75**		
FYTD for GUILLEN, RUTH			**669.40**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE CA**	
	5/7/2012	885110	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,506.03**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	5/14/2012	885189	4,049.00		
				SHOPPING CART RETRIEVAL SVC	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
HAAS, MINA				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212592	132.00		
				INSTRUCTOR SVCS-BODY SCULPTING	72.00
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
	5/29/2012	212882	120.00		
				INSTRUCTOR SVCS-BODY SCULPTING	120.00
	Vendor Total		**252.00**		
FYTD for HAAS, MINA			**2,806.20**		
HABITAT FOR HUMANITY RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	212776	1,143.66		
				MOBILEHOME REPAIR PRGRM	1,143.66
	Vendor Total		**1,143.66**		
FYTD for HABITAT FOR HUMANITY RIVERSIDE			**12,911.67**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	5/7/2012	885111	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,506.03**		
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885112	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HANIGAN BUSINESS FORMS				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885113	2,284.81		
				LABELS, CITY SEAL 12" DIA.	1,995.00
				CA SALES TAX	154.61
				FREIGHT	15.00
				OVERAGE CHRGS INCL TAX/FREIGHT	120.20
	Vendor Total		**2,284.81**		
FYTD for HANIGAN BUSINESS FORMS			**3,405.93**		

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HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	5/7/2012	212593	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HARRIS & ASSOCIATES, INC.				Remit to: **IRVINE** **CA**	
	5/29/2012	885283	641.00		
				PLAN CHECK SVCS-52 UNIT APTS	641.00
	Vendor Total		**641.00**		
FYTD for HARRIS & ASSOCIATES, INC.			**23,010.45**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	5/7/2012	212594	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**35,619.30**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	5/7/2012	885114	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,824.76**		
HEASLEY, DANIEL				Remit to: **REDLANDS** **CA**	
	5/21/2012	212777	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for HEASLEY, DANIEL			**75.00**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	5/7/2012	885115	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,506.03**		
HENRICH, CHRIS				Remit to: **PERRIS** **CA**	
	5/29/2012	212883	30.00		
				REFUND-A/C SERVICE FEES	30.00
	Vendor Total		**30.00**		
FYTD for HENRICH, CHRIS			**30.00**		

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HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212595	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,506.03**		
HONDA YAMAHA OF REDLANDS				Remit to: **REDLANDS** **CA**	
	5/14/2012	885191	1,976.88		
				MOTORCYCLE MAINT/REPAIR-POLICE	133.75
				MOTORCYCLE PARTS	356.36
				MOTORCYCLE MAINT/REPAIR-POLICE	147.75
				MOTORCYCLE PARTS	348.09
				MOTORCYCLE MAINT/REPAIR-POLICE	105.75
				MOTORCYCLE PARTS	294.39
				MOTORCYCLE MAINT/REPAIR-POLICE	84.00
				MOTORCYCLE PARTS	39.88
				MOTORCYCLE MAINT/REPAIR-POLICE	259.75
				MOTORCYCLE PARTS	207.16
	5/29/2012	885284	284.40		
				MOTORCYCLE PARTS-POLICE	20.48
				MOTORCYCLE MAINT/REPAIR-POLICE	62.00
				MOTORCYCLE PARTS	201.92
	Vendor Total		**2,261.28**		
FYTD for HONDA YAMAHA OF REDLANDS			**38,851.63**		
HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212596	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,506.03**		
HUNTINGTON COURT REPORTERS				Remit to: **PASADENA** **CA**	
	5/29/2012	212884	1,153.95		
				TRANSCRIPTS-CERT COPIES	1,153.95
	Vendor Total		**1,153.95**		
FYTD for HUNTINGTON COURT REPORTERS			**1,153.95**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	5/4/2012	3073	8,575.01		
				DEF COMP 457 5/4/12	8,575.01
	5/18/2012	3081	8,575.01		
				DEF COMP 457 5/18/12	8,575.01
	Vendor Total		**17,150.02**		
FYTD for ICMA RETIREMENT CORP 457			**254,280.83**		

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ICR DOORS				Remit to: **SAN BERNARDINO** **CA**	
	5/7/2012	885116	195.00		
				AUTOMATIC GATE MAINT-FS#58	195.00
	5/14/2012	885192	435.00		
				AUTOMATIC GATE MAINT-FS#2	150.00
				AUTOMATIC GATE MAINT-FS#48	90.00
				AUTOMATIC GATE MAINT-CITY YARD	195.00
	Vendor Total		**630.00**		
FYTD for ICR DOORS			**4,016.60**		
IES COMMERCIAL, INC				Remit to: **TEMPE** **AZ**	
	5/14/2012	212693	487.74		
				REPAIR SVCS-3 CITY HALL EXITS	487.74
	Vendor Total		**487.74**		
FYTD for IES COMMERCIAL, INC			**1,242.73**		
IGNITION ENGINEERING				Remit to: **ANAHEIM** **CA**	
	5/29/2012	212885	102.19		
				REPAIRS-1948 FIRE TRUCK	75.00
				REPAIRS-1948 FIRE TRUCK	27.19
	Vendor Total		**102.19**		
FYTD for IGNITION ENGINEERING			**102.19**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212597	130.70		
				REFUND-UUT FOR EXEMPT RESIDNTS	130.70
	Vendor Total		**130.70**		
FYTD for IL SORRENTO MOBILE PARK			**962.51**		
ING USA ANNUITY & LIFE INSURANCE CO.				Remit to: **DES MOINES** **IA**	
	5/7/2012	212598	400.00		
				NON-EXEMPT ANNUITY	400.00
	Vendor Total		**400.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**4,625.00**		
INLAND CONTRACTORS, INC.				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885117	173.70		
				NUISANCE ABATEMENT SVCS-CODE	173.70
	5/29/2012	885285	12,125.00		
				DEMOLITION SVCS-27913 COTTONWD	12,125.00
	Vendor Total		**12,298.70**		
FYTD for INLAND CONTRACTORS, INC.			**44,505.10**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INLAND EMPIRE MAGAZINE			Remit to: **RIVERSIDE** **CA**	
5/29/2012	212886	3,290.00		
			ADVERTISEMENT-APRIL ISSUE	3,290.00
	Vendor Total	**3,290.00**		
FYTD for INLAND EMPIRE MAGAZINE		**5,280.00**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON** **CA**	
5/14/2012	885193	870.72		
			TESTING & MAINT.-FS#2	391.19
			TESTING & MAINT.-FS#91	479.53
	Vendor Total	**870.72**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**2,846.35**		
INSIDE PLANTS, INC.			Remit to: **CORONA** **CA**	
5/21/2012	885244	320.00		
			INDOOR PLANT MAINT-CRC	320.00
	Vendor Total	**320.00**		
FYTD for INSIDE PLANTS, INC.		**3,520.00**		
ITERIS, INC.			Remit to: **SANTA ANA** **CA**	
5/29/2012	885286	9,713.50		
			ENGINEERING SVCS-EVP RETROFIT	9,713.50
	Vendor Total	**9,713.50**		
FYTD for ITERIS, INC.		**9,713.50**		
J D H CONTRACTING			Remit to: **RIVERSIDE** **CA**	
5/7/2012	885118	1,985.00		
			INSTALL NEW SHOWER WALLS	1,985.00
5/21/2012	885245	5,741.00		
			DUCT WORK, T-BAR CEILING	4,000.00
			DUCT WORK, T-BAR CEILING	1,700.00
			DUCT WORK, T-BAR CEILING	41.00
	Vendor Total	**7,726.00**		
FYTD for J D H CONTRACTING		**54,850.50**		
JACKSON, SHIRLEY A.			Remit to: **MORENO VALLEY** **CA**	
5/29/2012	212887	952.76		
			REFUND-VARIOUS PERMIT FEES	753.56
			REFUND-VARIOUS PERMIT FEES	97.60
			REFUND-VARIOUS PERMIT FEES	97.60
			REFUND-VARIOUS PERMIT FEES	3.60
			REFUND-VARIOUS PERMIT FEES	0.40
	Vendor Total	**952.76**		
FYTD for JACKSON, SHIRLEY A.		**952.76**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212778	75.00		
			COURIER SVCS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,389.00**		
JARRETT, STEPHEN M.			Remit to: **YUCAIPA** **CA**	
5/14/2012	212694	21.53		
			MILEAGE-ESRI ARGIS SERVER TRNG	21.53
	Vendor Total	**21.53**		
FYTD for JARRETT, STEPHEN M.		**519.54**		
JDEDGE SOFTWARE, LLC			Remit to: **KRUGERVILLE** **TX**	
5/8/2012	885174	19,190.00		
			ERP IMPLEMENTATION SVCS	19,190.00
5/29/2012	885287	20,996.16		
			FINANCIALS CONVERSION SUPPORT	11,050.00
			FINANCIALS CONVERSION SUPPORT	9,946.16
	Vendor Total	**40,186.16**		
FYTD for JDEDGE SOFTWARE, LLC		**192,976.22**		
JENSEN, LEILANI			Remit to: **MORENO VALLEY** **CA**	
5/29/2012	212888	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for JENSEN, LEILANI		**20.00**		
JONES, SUSAN			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	885119	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for JONES, SUSAN		**3,506.03**		
JUGO, JOSEPH			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212695	95.09		
			REFUND-MV UTILITY	95.09
	Vendor Total	**95.09**		
FYTD for JUGO, JOSEPH		**95.09**		

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KARBORD				Remit to: **LOS ANGELES** **CA**	
	5/29/2012	212889	4,430.64		
				OIL CHANGE MAT	3,960.00
				EST SHIPPING	163.74
				EST SALES TAX	306.90
		Vendor Total	**4,430.64**		
FYTD for KARBORD			**4,430.64**		
KEPLER, JANELLE				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	212779	280.00		
				INSTRUCTOR SVCS-CHEERLDNG	280.00
		Vendor Total	**280.00**		
FYTD for KEPLER, JANELLE			**280.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	5/7/2012	212599	271.44		
				RETIREE MED MAY '12	271.44
		Vendor Total	**271.44**		
FYTD for KING, PATRICIA A.			**2,964.48**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885120	318.73		
				RETIREE MED MAY '12	318.73
		Vendor Total	**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885121	318.73		
				RETIREE MED MAY '12	318.73
		Vendor Total	**318.73**		
FYTD for KOLLAR, KYLE			**3,506.03**		
KOSER, MATTHEW				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212841	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
		Vendor Total	**150.00**		
FYTD for KOSER, MATTHEW			**150.00**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	5/7/2012	885122	318.73		
				RETIREE MED MAY '12	318.73
		Vendor Total	**318.73**		
FYTD for KYLE, GARY M.			**3,506.03**		

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LA FOLLETTE, JOHNSON, DE HAAS, ET AL			Remit to: **LOS ANGELES**	**CA**
5/7/2012	212600	15,644.09		
			LEGAL SVCS	3,346.09
			LEGAL SVCS	6,743.06
			LEGAL SVCS	771.50
			LEGAL SVCS	4,673.74
			LEGAL SVCS	109.70
5/21/2012	212780	18,321.84		
			LEGAL SVCS	4,890.30
			LEGAL SVCS	13,431.54
	Vendor Total	**33,965.93**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL		**89,224.93**		
LADRIDO, MINCIE MICHELLE			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	212602	3,937.50		
			FED RELOCATION ASSISTANCE	3,937.50
	Vendor Total	**3,937.50**		
FYTD for LADRIDO, MINCIE MICHELLE		**6,425.00**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885123	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,506.03**		
LANGAN ENGINEERING & ENVIRONMENTAL SRVCS			Remit to: **IRVINE**	**CA**
5/21/2012	212781	4,740.00		
			GEOTECHNICAL SVCS-HF PA07-0090	4,740.00
	Vendor Total	**4,740.00**		
FYTD for LANGAN ENGINEERING & ENVIRONMENTAL SRVCS		**4,740.00**		
LANGENDORF, BENJAMIN			Remit to: **PERRIS**	**CA**
5/7/2012	885124	254.59		
			RETIREE MED MAR 12, PD MAY 12	254.59
	Vendor Total	**254.59**		
FYTD for LANGENDORF, BENJAMIN		**2,512.71**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES**	**CA**
5/29/2012	212891	377.50		
			LEGAL SVCS-MAYFLD HOA (TR32505	377.50
	Vendor Total	**377.50**		
FYTD for LATHAM & WATKINS, LLP		**4,178.23**		

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LAW OFFICES OF DARIUSH KIANI			Remit to: **MORENO VALLEY**	**CA**
5/29/2012	212892	1,833.03		
			SETTLEMENT AGREEMENT	516.66
			SETTLEMENT AGREEMENT	1,316.37
5/29/2012	212893	1,000.00		
			SETTLEMENT AGREEMENT	1,000.00
	Vendor Total	**2,833.03**		
FYTD for LAW OFFICES OF DARIUSH KIANI		**2,833.03**		
LA-Z-BOY FURNITURE GALLERIES			Remit to: **RIVERSIDE**	**CA**
5/7/2012	212601	2,397.31		
			# 010553 "ROLAND" RECLINER	2,159.96
			DELIVERY CHARGE	69.99
			CALIF SALES TAX @ 7.75%	167.36
	Vendor Total	**2,397.31**		
FYTD for LA-Z-BOY FURNITURE GALLERIES		**2,397.31**		
LEVERAGE INFORMATION SYSTEMS			Remit to: **ONTARIO**	**CA**
5/7/2012	212603	2,085.00		
			PROF. CONSULTANT SERVICES	2,085.00
	Vendor Total	**2,085.00**		
FYTD for LEVERAGE INFORMATION SYSTEMS		**21,241.65**		
LEWIS, CAROLYN S.			Remit to: **BEAUMONT**	**CA**
5/7/2012	885125	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for LEWIS, CAROLYN S.		**3,506.03**		
LEXISNEXIS			Remit to: **LOS ANGELES**	**CA**
5/29/2012	885288	1,480.00		
			ONLINE LEGAL RESEARCH	740.00
			ONLINE LEGAL RESEARCH	370.00
			ONLINE LEGAL RESEARCH	370.00
	Vendor Total	**1,480.00**		
FYTD for LEXISNEXIS		**16,280.00**		
LINDO, HERMINA G.			Remit to: **TITUSVILLE**	**FL**
5/7/2012	885126	199.80		
			RETIREE MED MAR 12, PD MAY 12	199.80
	Vendor Total	**199.80**		
FYTD for LINDO, HERMINA G.		**2,711.58**		

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LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	5/7/2012	885127	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**3,506.03**		
LONGDYKE, DENNIS				Remit to: **BEAUMONT** **CA**	
	5/7/2012	212604	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for LONGDYKE, DENNIS			**2,868.57**		
LOPEZ, TERESA				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212782	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for LOPEZ, TERESA			**300.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	885246	545.00		
				PERRIS BL WIDENING SB LN TO 60	275.00
				PERRIS BL WIDENING SB LN TO 60	270.00
	Vendor Total		**545.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**60,480.80**		
LOUCKS, CHRISTOPHER				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212697	747.34		
				CAR RENTL REIMB-IPTM DATA TRNG	747.34
	Vendor Total		**747.34**		
FYTD for LOUCKS, CHRISTOPHER			**1,147.34**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885128	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,506.03**		
LUTHERAN SOCIAL SERVICES OF SO. CALI F.				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	885247	1,187.50		
				CDBG SVCS-SHELTER PRGM	1,187.50
	Vendor Total		**1,187.50**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**16,937.50**		

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MADRIGAL, ELENA				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212698	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MADRIGAL, ELENA			**20.00**		
MAGANA, VICTOR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212842	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for MAGANA, VICTOR			**150.00**		
MANJARREZ, JOSHUA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212843	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for MANJARREZ, JOSHUA			**150.00**		
MARCH FIELD AIR MUSEUM				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212605	45.00		
				5/6/12 MARCH ON BOB HOPE EVENT	45.00
	5/14/2012	212699	45.00		
				5/6/12 MARCH ON BOB HOPE EVENT	45.00
	Vendor Total		**90.00**		
FYTD for MARCH FIELD AIR MUSEUM			**90.00**		
MARCH JOINT POWERS AUTHORITY				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212606	7.10		
				GAS METER CHARGES	5.80
				GAS METER CHARGES	1.30
	Vendor Total		**7.10**		
FYTD for MARCH JOINT POWERS AUTHORITY			**72.55**		
MARINA LANDSCAPE, INC				Remit to: **ANAHEIM** **CA**	
	5/14/2012	885194	15,271.82		
				LANDSCAPE MAINT-DSG-2N	4,777.65
				LANDSCAPE MAINT-DSG-2S	4,480.83
				LANDSCAPE MAINT-DSG-2S	280.00
				LANDSCAPE MAINT-ZONE-E-1	4,943.58
				LANDSCAPE MAINT-ZONE E-1A	789.76
	Vendor Total		**15,271.82**		
FYTD for MARINA LANDSCAPE, INC			**157,962.18**		

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MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	5/7/2012	885129	279.80		
				RETIREE MED MAR 12, PD MAY 12	279.80
	Vendor Total		**279.80**		
FYTD for MATHIS, NOLAN			**3,159.40**		
MATICH CORPORATION				Remit to: **HIGHLAND** **CA**	
	5/29/2012	885289	13,250.82		
				ASPHALTIC MATERIALS	13,250.82
	Vendor Total		**13,250.82**		
FYTD for MATICH CORPORATION			**27,551.29**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	5/7/2012	885130	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MCKINNEY, MICHAEL				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212783	20.00		
				REFUND-BASKTBL LG FORFT DEP.	20.00
	Vendor Total		**20.00**		
FYTD for MCKINNEY, MICHAEL			**20.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	5/21/2012	885248	120.00		
				SPORTS OFFICIATING SVCS	20.00
				SPORTS OFFICIATING SVCS	20.00
				SPORTS OFFICIATING SVCS	80.00
	5/29/2012	885290	80.00		
				SPORTS OFFICIATING SVCS	40.00
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**200.00**		
FYTD for MEEKS, DANIEL			**3,440.00**		
MENDENHALL, DALE W.				Remit to: **HEMET** **CA**	
	5/14/2012	212700	47.95		
				MILEAGE-ESRI ARGIS SERVER TRNG	47.95
	Vendor Total		**47.95**		
FYTD for MENDENHALL, DALE W.			**90.13**		

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MENDYK CHIROPRACTIC			Remit to: **PERRIS** **CA**	
5/29/2012	212894	1,000.00		
			SETTLEMENT AGREEMENT	1,000.00
	Vendor Total	**1,000.00**		
FYTD for MENDYK CHIROPRACTIC		**1,000.00**		
MENGISTU, YESHIALEM			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212701	128.21		
			MILEAGE REIMBURSEMENT	128.21
	Vendor Total	**128.21**		
FYTD for MENGISTU, YESHIALEM		**1,422.73**		
MERCHANTS LANDSCAPE SERVICES INC			Remit to: **CORONA** **CA**	
5/29/2012	885291	4,140.00		
			LANDSCAPE MAINT-ZONE E-8	900.00
			LANDSCAPE MAINT-ZONE E-14	1,620.00
			LANDSCAPE REPLANTING-ZONE E-12	1,620.00
	Vendor Total	**4,140.00**		
FYTD for MERCHANTS LANDSCAPE SERVICES INC		**47,083.76**		
MESSIN, LOUIS			Remit to: **BULLHEAD CITY** **AZ**	
5/7/2012	885131	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for MESSIN, LOUIS		**3,506.03**		
METROPCS WIRELESS, INC.			Remit to: **DALLAS** **TX**	
5/29/2012	212895	100.00		
			CELLPHONE TEXT RETRIEVAL	100.00
	Vendor Total	**100.00**		
FYTD for METROPCS WIRELESS, INC.		**500.00**		
MICHAEL BRANDMAND ASSOCIATES			Remit to: **IRVINE** **CA**	
5/14/2012	212702	4,234.53		
			MARCH BUSINESS CTR PEER REVIEW	724.53
			MARCH BUSINESS CTR PEER REVIEW	3,510.00
5/29/2012	212896	5,803.20		
			EIR 3RD PRTY REVIEW-VOGEL WRHS	450.00
			EIR 3RD PRTY REVIEW-VOGEL WRHS	5,128.20
			EIR PEER REVIEW-MARCH BUS CNTR	225.00
	Vendor Total	**10,037.73**		
FYTD for MICHAEL BRANDMAND ASSOCIATES		**38,386.93**		

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MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885132	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for MILES, ROBERT			**2,509.23**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	5/7/2012	885133	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,506.03**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CORONA** **CA**	
	5/14/2012	885195	6,928.61		
				PLAYGROUND EQUIPMT-PATRIOT PRK	570.06
				PLAYGROUND EQUIPMT-PATRIOT PRK	1,616.06
				PLAYGROUND EQUIPMT-PATRIOT PRK	2,770.54
				PLAYGROUND EQUIPMT-PATRIOT PRK	1,366.77
				PLAYGROUND EQUIPMT PARTS	605.18
	Vendor Total		**6,928.61**		
FYTD for MIRACLE RECREATION EQUIPMENT			**257,794.98**		
MIRAMONTES, FABIOLA				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212607	461.59		
				SETTLEMENT AGREEMENT	461.59
	Vendor Total		**461.59**		
FYTD for MIRAMONTES, FABIOLA			**461.59**		
MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	5/7/2012	885134	401.42		
				RETIREE MED MAY '12	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,415.62**		
MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212703	275.00		
				PLUMBING REPAIRS-ANIMAL SVCS	150.00
				PLUMBING REPAIRS-ANIMAL SVCS	125.00
	5/21/2012	212784	225.00		
				PLUMBING REPAIRS-PD	225.00
	Vendor Total		**500.00**		
FYTD for MONTGOMERY PLUMBING INC			**19,914.90**		

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MORA, PATRICIA A.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885135	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,506.03**		
MORALES, KAREN R.				Remit to: **PERRIS** **CA**	
	5/29/2012	212898	41.63		
				MILEAGE REIMBURSEMENT	41.63
	Vendor Total		**41.63**		
FYTD for MORALES, KAREN R.			**41.63**		
MORA'S EQUIPMENT & CONSTRUCTION				Remit to: **PICO RIVERA** **CA**	
	5/29/2012	212897	19,506.69		
				RETENT RLS-CITYWD SIDEWLK/RAMP	14,191.80
				RETENT RLS-CITYWD SIDEWLK/RAMP	3,348.35
				RETENT RLS-CITYWD SIDEWLK/RAMP	1,966.54
	Vendor Total		**19,506.69**		
FYTD for MORA'S EQUIPMENT & CONSTRUCTION			**195,066.87**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212608	165.00		
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
	Vendor Total		**165.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**23,170.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY** **CA**	
	5/4/2012	3072	1,398.50		
				MVCEA DUES 5/4/12	1,398.50
	5/18/2012	3080	1,398.50		
				MVCEA DUES 5/18/12	1,398.50
	Vendor Total		**2,797.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**33,894.50**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO CA**	
5/21/2012	885249	17,142.59		
			LEASE-FACILITIES ANNEX	2,458.97
			LEASE-TECH SVCS ANNEX	5,475.90
			BUILDING RENTAL/MAINT-MVU/SDA	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**188,568.49**		
MORENO VALLEY HISPANIC CHAMBER			Remit to: **MORENO VALLEY CA**	
5/21/2012	212785	550.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
			REFUND-PARTIAL PERMIT FEES	450.00
	Vendor Total	**550.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER		**1,050.00**		
MORENO VALLEY HISPANIC CHAMBER OF COMMER			Remit to: **MORENO VALLEY CA**	
5/14/2012	212704	70.00		
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
	Vendor Total	**70.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER OF COMMER		**4,030.00**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT			Remit to: **MORENO VALLEY CA**	
5/7/2012	212609	500.00		
			DONATN-MVUSD HONOR BND-JUL 4TH	500.00
	Vendor Total	**500.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**3,810.00**		
MORENO VALLEY UTILITY			Remit to: **HEMET CA**	
5/14/2012	212705	85.75		
			ELECTRICITY-UTILITY FLD OFFICE	85.75
5/29/2012	212899	94.18		
			ELECTRICITY-UTILITY FLD OFFICE	94.18
	Vendor Total	**179.93**		
FYTD for MORENO VALLEY UTILITY		**691,616.65**		

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MORENO, MARIO				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212706	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for MORENO, MARIO			**515.00**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	5/7/2012	885136	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,506.03**		
MOSQUEDA, CARMEL/JOSEPH				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212787	128.00		
				REFUND-PARKING CITATION OVRPYT	128.00
	Vendor Total		**128.00**		
FYTD for MOSQUEDA, CARMEL/JOSEPH			**128.00**		
MR. CLEAN, INC.				Remit to: **COLTON** **CA**	
	5/21/2012	212788	428.00		
				PRESSURE WASH SVCS-CRC	428.00
	Vendor Total		**428.00**		
FYTD for MR. CLEAN, INC.			**1,712.00**		
MUNIZ CERVANTES, RUBEN				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212789	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MUNIZ CERVANTES, RUBEN			**20.00**		
MURPHY, ERIN				Remit to: **SUN CITY** **CA**	
	5/21/2012	212790	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MURPHY, ERIN			**75.00**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	212791	629.40		
				INSTRUCTOR SVCS-GUITAR	216.00
				INSTRUCTOR SVCS-GUITAR	216.00
				INSTRUCTOR SVCS-PIANO	197.40
	Vendor Total		**629.40**		
FYTD for MUSICSTAR			**4,957.80**		

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MV BFSA				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212792	500.00		
				REFUND-RENTAL DEPOSIT-CRC	500.00
	Vendor Total		**500.00**		
FYTD for MV BFSA			**500.00**		
NATIONWIDE RETIREMENT SOLUTIONS				Remit to: **COLUMBUS** **OH**	
	5/4/2012	3070	2,270.32		
				PST DEF COMP FOR FICA 5/4/12	2,270.32
	5/18/2012	3078	2,366.00		
				PST DEF COMP FOR FICA 5/18/12	2,366.00
	Vendor Total		**4,636.32**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**685,461.46**		
NAVARRETTE, RALPH				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/7/2012	885137	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for NAVARRETTE, RALPH			**2,686.93**		
NAVCO NETWORKS & SECURITY				Remit to: **ANAHEIM** **CA**	
	5/21/2012	885250	802.92		
				CAMERA SYSTEM REPAIRS-PD	315.00
				CAMERA SYSTEM REPAIRS-PD	487.92
	Vendor Total		**802.92**		
FYTD for NAVCO NETWORKS & SECURITY			**1,842.76**		
NCBW-IEC				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212793	100.00		
				REFUND-RENTAL DEPOSIT-CRC	100.00
	Vendor Total		**100.00**		
FYTD for NCBW-IEC			**100.00**		
NEIFERT, MARY				Remit to: **WEST LAKE VILLAGE** **CA**	
	5/14/2012	212707	95.00		
				REFUND-RABIES & S/N DEPOSIT	20.00
				REFUND-RABIES & S/N DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for NEIFERT, MARY			**95.00**		

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NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	5/7/2012	885138	320.43		
				RETIREE MED MAY '12	320.43
	Vendor Total		**320.43**		
FYTD for NELSON, ROBERT			**3,556.11**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	5/7/2012	885139	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	5/7/2012	212610	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEVAREZ, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212794	79.00		
				REFUND-CLASS REGIS FEE	79.00
	Vendor Total		**79.00**		
FYTD for NEVAREZ, CLAUDIA			**79.00**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	5/14/2012	885196	17.72		
				REFUND-UUT FOR EXEMPT RESIDNTS	17.72
	Vendor Total		**17.72**		
FYTD for NEW HORIZON MOBILE HOME PARK			**126.26**		
NEW WORLD SYSTEMS, CORP				Remit to: **TROY** **MI**	
	5/14/2012	885197	2,563.31		
				FM, HR/PY EST. TRAVEL EXPENSES	600.00
				FM, HR/PY EST. TRAVEL EXPENSES	1,963.31
	Vendor Total		**2,563.31**		
FYTD for NEW WORLD SYSTEMS, CORP			**478,646.23**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212611	401.42		
				RETIREE MED MAY '12	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		

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NIELSEN SEGMENTATION & LOCAL MARKET SOL			Remit to: **CHARLOTTE** **NC**	
5/14/2012	212655	500.00		
			RIVERSIDE CTY CENSUS TRCT INFO	500.00
	Vendor Total	**500.00**		
FYTD for NIELSEN SEGMENTATION & LOCAL MARKET SOL		**500.00**		
ODOM, YVONNE			Remit to: **MORENO VALLEY** **CA**	
5/21/2012	212795	200.00		
			REFUND-RENTAL DEPOSIT-TWNGTE	200.00
	Vendor Total	**200.00**		
FYTD for ODOM, YVONNE		**200.00**		
OPERATION SAFEHOUSE, INC.			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212796	1,259.74		
			CDBG SVCS-SHELTER PRGM	512.66
			CDBG SVCS-SHELTER PRGM	747.08
	Vendor Total	**1,259.74**		
FYTD for OPERATION SAFEHOUSE, INC.		**7,600.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE** **CA**	
5/7/2012	885140	3,181.20		
			LEGAL SVCS	1,561.35
			LEGAL SVCS	1,619.85
5/29/2012	885293	722.00		
			LEGAL SVCS	165.86
			LEGAL SVCS	446.14
			LEGAL SVCS	110.00
	Vendor Total	**3,903.20**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**21,612.14**		
ORTEGA, JUAN			Remit to: **MORENO VALLEY** **CA**	
5/21/2012	212797	57.50		
			REFUND-PARKING CITATION OVRPYT	57.50
	Vendor Total	**57.50**		
FYTD for ORTEGA, JUAN		**57.50**		
ORTEGA, MARC			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212709	50.53		
			REISSUE UNCLAIMD CK-MVU RFND	52.53
			REISSUE UNCLAIMD CK-MVU RFND	-2.00
	Vendor Total	**50.53**		
FYTD for ORTEGA, MARC		**50.53**		

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OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH**	**CA**
5/7/2012	885141	6,143.75		
			RELOCATION SVCS-MYERS AVE PROJ	593.75
			RELOCATION SVCS-MYERS AVE PROJ	5,550.00
	Vendor Total	**6,143.75**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**142,876.25**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND**	**CA**
5/14/2012	885198	226.91		
			BEE CONTROL SVCS	125.00
			TURF FERTILIZATION-ZONE E-7	84.46
			TURF FERTILIZATION-ZONE E-14	17.45
	Vendor Total	**226.91**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**5,289.71**		
PACIFIC PRODUCTS & SERVICES, INC			Remit to: **HIGHLAND**	**CA**
5/29/2012	212900	8,440.60		
			SIGN POST/ANCHOR/SLEEVES	3,232.50
			SIGN POST/ANCHOR/SLEEVES	5,000.00
			SIGN POST/ANCHOR/SLEEVES	208.10
	Vendor Total	**8,440.60**		
FYTD for PACIFIC PRODUCTS & SERVICES, INC		**8,440.60**		
PACIFIC SAFETY COUNCIL			Remit to: **SAN DIEGO**	**CA**
5/14/2012	885199	380.00		
			SAFETY TRAINING/CONSULTING	380.00
	Vendor Total	**380.00**		
FYTD for PACIFIC SAFETY COUNCIL		**2,051.10**		
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON**	**CA**
5/21/2012	885251	375.84		
			PAYPHONE SVCS-PSB	62.64
			PAYPHONE SVCS-TECH SVCS	313.20
	Vendor Total	**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**4,171.82**		
PAINTING BY ZEB BODE			Remit to: **NORCO**	**CA**
5/14/2012	885200	5,000.00		
			PAINT EXTERIOR-TOWNGATE CNTR	5,000.00
5/29/2012	885294	1,230.00		
			EXTERIOR PAINTING-CELEBRATION	620.00
			EXTERIOR PAINTING-VISTA LOMA	610.00
	Vendor Total	**6,230.00**		
FYTD for PAINTING BY ZEB BODE		**20,480.00**		

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PALACIO, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212798	200.00		
				REFUND-RENTAL DEPOSIT-TWNGTE	200.00
	Vendor Total		**200.00**		
FYTD for PALACIO, ASHLEY			**200.00**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212612	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for PATTERSON, ALFREY			**2,509.23**		
PAULEY, JOAN				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212799	77.00		
				REFUND-PARKS CANCELLED CLASS	77.00
	Vendor Total		**77.00**		
FYTD for PAULEY, JOAN			**77.00**		
PEREZ, ELIAS				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212800	750.00		
				REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total		**750.00**		
FYTD for PEREZ, ELIAS			**750.00**		
PERMA				Remit to: **PALM DESERT** **CA**	
	5/7/2012	885142	232.65		
				FINAL AUDIT INVOICE	232.65
	Vendor Total		**232.65**		
FYTD for PERMA			**403,937.79**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	5/7/2012	212613	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	5/7/2012	212614	458.63		
				LONG TERM CARE INSURANCE	458.63
	5/21/2012	212801	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**11,007.12**		

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POIEMA LANDSCAPE, INC.			Remit to: **COLTON** **CA**	
5/14/2012	885201	3,296.01		
			LANDSCAPE MAINT-ZONE E-12	2,131.00
			LANDSCAPE MAINT-ZONE S	1,165.01
	Vendor Total	**3,296.01**		
FYTD for POIEMA LANDSCAPE, INC.		**38,934.25**		
PRICE, GEORGE E.			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	885143	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for PRICE, GEORGE E.		**3,506.03**		
PROFESSIONAL COMMUNICATIONS NETWORK PCN			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212802	484.35		
			LIVE ANSWERING SVC	484.35
	Vendor Total	**484.35**		
FYTD for PROFESSIONAL COMMUNICATIONS NETWORK PCN		**4,850.85**		
PSOMAS			Remit to: **SANTA ANA** **CA**	
5/7/2012	212615	2,899.06		
			STREET IMPRVMNTS-NASON/CACTUS	2,899.06
5/21/2012	212803	3,185.00		
			IRONWOOD AVE IMPRVMNTS PROJ	3,185.00
	Vendor Total	**6,084.06**		
FYTD for PSOMAS		**156,896.56**		
PULLIAM, TRENT D.			Remit to: **MISSION VIEJO** **CA**	
5/7/2012	885144	318.73		
			RETIREE MED MAY '12	318.73
5/29/2012	885295	1,900.00		
			RELEASE OF ALL CLAIMS	1,900.00
	Vendor Total	**2,218.73**		
FYTD for PULLIAM, TRENT D.		**5,406.03**		
PVP COMMUNICATIONS, INC.			Remit to: **TORRANCE** **CA**	
5/14/2012	212710	85.66		
			TRUNK HINGES & CABLES REPLCMNT	85.66
5/21/2012	212804	95.00		
			REPAIR SVCS-MOTOR 2-PD	95.00
	Vendor Total	**180.66**		
FYTD for PVP COMMUNICATIONS, INC.		**4,132.76**		

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PW ENHANCEMENT CENTER				Remit to: **MORENO VALLEY CA**	
	5/16/2012	885224	12,317.00		
				RNTL ASSISTANCE SVCS	12,317.00
	5/21/2012	885252	1,063.00		
				RNTL ASSISTANCE SVCS	1,063.00
	Vendor Total		**13,380.00**		
FYTD for PW ENHANCEMENT CENTER			**32,711.08**		
PYRO SPECTACULARS, INC.				Remit to: **RIALTO CA**	
	5/7/2012	212616	15,000.00		
				FIREWORKS DISPLAY-50% DEPOSIT	15,000.00
	Vendor Total		**15,000.00**		
FYTD for PYRO SPECTACULARS, INC.			**15,000.00**		
QUALITY ASSURANCE INSPECTIONS				Remit to: **IRVINE CA**	
	5/14/2012	212711	99.57		
				REFUND-BUS LIC OVERPAYMENT	99.57
	Vendor Total		**99.57**		
FYTD for QUALITY ASSURANCE INSPECTIONS			**99.57**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA CA**	
	5/21/2012	885253	390.00		
				ROLL-UP DOOR REPAIR-FIRE ST 91	390.00
	Vendor Total		**390.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**11,442.82**		
RALLY MANAGEMENT SERVICES, LLC				Remit to: **RANCHO CUCAMONGA CA**	
	5/14/2012	885202	2,157.84		
				TEMP STAFFING SVCS-R HENDERSON	719.28
				TEMP STAFFING SVCS-R HENDERSON	719.28
				TEMP STAFFING SVCS-R HENDERSON	719.28
	5/29/2012	885296	719.28		
				TEMP STAFFING SVCS-R HENDERSON	719.28
	Vendor Total		**2,877.12**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**14,830.83**		

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RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212617	567.00		
				INSTRUCTOR SVCS-KINDER KARATE	168.00
				INSTRUCTOR SVCS-KINDER KARATE	210.00
				INSTRUCTOR SVCS-BODY & MIND	27.00
				INSTRUCTOR SVCS-TAE KWON DO	162.00
	5/29/2012	212901	783.10		
				INSTRUCTOR SVCS-KINDER KARATE	300.60
				INSTRUCTOR SVCS-KINDER KARATE	294.00
				INSTRUCTOR SVCS-BODY & MIND	31.50
				INSTRUCTOR SVCS-SING/THEATER	49.00
				INSTRUCTOR SVCS-TAE KWON DO	108.00
	Vendor Total		**1,350.10**		
FYTD for RAMOS, ROBERTO			**4,847.50**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212618	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**3,506.03**		
RBF CONSULTING, INC.				Remit to: **IRVINE** **CA**	
	5/29/2012	212929	6,665.13		
				CACTUS AVE/NASON ST. IMPRVMNTS	4,249.26
				CACTUS AVE/NASON ST. IMPRVMNTS	2,415.87
	Vendor Total		**6,665.13**		
FYTD for RBF CONSULTING, INC.			**18,514.22**		
RICK ENGINEERING COMPANY				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885145	450.00		
				STREET IMPRVMNT PRGM SVCS	450.00
	5/21/2012	885254	937.50		
				INDIAN ST. BICYCLE LANES PROJ.	937.50
	5/29/2012	885298	225.00		
				RIGHT OF WAY SVC-JFK@LA BRISIS	225.00
	Vendor Total		**1,612.50**		
FYTD for RICK ENGINEERING COMPANY			**62,827.10**		
RIGHTWAY SITE SERVICES, INC.				Remit to: **LAKE ELSINORE** **CA**	
	5/14/2012	212712	470.71		
				PORTABLE RESTROOM-GOLF COURSE	72.28
				PORTABLE RESTROOMS-EQUEST. CTR	308.88
				PORTABLE TOILET/SVC-CITY YARD	89.55
	Vendor Total		**470.71**		
FYTD for RIGHTWAY SITE SERVICES, INC.			**6,738.71**		

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RIVERA, STEVE			Remit to: **SAN DIEGO** **CA**	
5/21/2012	212805	97.55		
			REFUND-DEPOSIT FOR DEV RECORDS	97.55
	Vendor Total	**97.55**		
FYTD for RIVERA, STEVE		**97.55**		
RIVERSIDE AREA RAPE CRISIS CENTER			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212806	612.61		
			CDBG SVCS-CHLD ABUSE PREV PRGM	612.61
	Vendor Total	**612.61**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER		**9,265.39**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			Remit to: **RIVERSIDE** **CA**	
5/14/2012	212713	100.00		
			FRA-RABIES TESTS	50.00
			FRA-RABIES TESTS	50.00
	Vendor Total	**100.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**550.00**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
5/7/2012	212620	916.00		
			REG.-RECONSTR TRAF. COLL INV.	458.00
			REG.-RECONSTR TRAF. COLL INV.	458.00
5/21/2012	212807	1,376.00		
			REG.-INTRVW & INTERROG. ADVNCD	361.00
			REG.-INTRVW & INTERROG. ADVNCD	361.00
			REG.-INTRVW & INTERROG. ADVNCD	361.00
			REG.-BASIC CRIMINAL INVESTIG.	179.00
			REG.-CRISIS INTERVENTION TRNG	114.00
	Vendor Total	**2,292.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**12,511.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
5/7/2012	212653	675.25		
			GARNISHMENT	141.32
			GARNISHMENT	16.32
			GARNISHMENT	517.61
5/21/2012	212808	966.68		
			GARNISHMENT	966.68
	Vendor Total	**1,641.93**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**17,613.45**		

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RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212714	15,300.00		
			RCRMC SX ASSAULT EXAMS REIMB	15,300.00
	Vendor Total	**15,300.00**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**319,610.32**		
RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
5/29/2012	885299	20.50		
			SELF-INKING GREEN STAMP	13.46
			SHIPPING CHARGE	6.00
			CALIF SALES TAX	1.04
	Vendor Total	**20.50**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**233.81**		
ROGERS, EUGENE			Remit to: **PEBBLE BEACH** **CA**	
5/7/2012	885147	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for ROGERS, EUGENE		**3,506.03**		
ROKASKY, GLADYS			Remit to: **MORENO VALLEY** **CA**	
5/21/2012	212810	407.50		
			REFUND-CITATION DISMISSED	407.50
	Vendor Total	**407.50**		
FYTD for ROKASKY, GLADYS		**407.50**		
ROMERO, TANYA			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	212622	37.00		
			REFUND-PARK RESERV. RAINED OUT	37.00
	Vendor Total	**37.00**		
FYTD for ROMERO, TANYA		**37.00**		
ROSS, DAVID T.			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	885148	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for ROSS, DAVID T.		**3,506.03**		
ROSSON, LOUIS A.			Remit to: **PERRIS** **CA**	
5/7/2012	885149	262.31		
			RETIREE MED MAY '12	165.81
			RETIREE MED MAY '12	96.50
	Vendor Total	**262.31**		
FYTD for ROSSON, LOUIS A.		**2,936.35**		

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ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA CA**	
	5/14/2012	885203	1,206.94		
				PLUMBING REPAIRS-EL POTRERO PK	205.00
				PLUMBING REPAIRS-EL POTRERO PK	850.00
				PLUMBING REPAIRS-EL POTRERO PK	151.94
	Vendor Total		**1,206.94**		
FYTD for ROTO-ROOTER PLUMBERS			**2,243.44**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE CA**	
	5/7/2012	885150	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for RUSSO, JOHN			**2,509.23**		
RUTH HERNANDEZ AS TRUSTEE FOR BRENDA				Remit to: **MORENO VALLEY CA**	
	5/29/2012	212902	483.34		
				SETTLEMENT AGREEMENT	483.34
	Vendor Total		**483.34**		
FYTD for RUTH HERNANDEZ AS TRUSTEE FOR BRENDA			**483.34**		
RUTH HERNANDEZ AS TRUSTEE FOR EDGAR				Remit to: **MORENO VALLEY CA**	
	5/29/2012	212903	1,498.77		
				SETTLEMENT AGREEMENT	1,498.77
	Vendor Total		**1,498.77**		
FYTD for RUTH HERNANDEZ AS TRUSTEE FOR EDGAR			**1,498.77**		
SA ASSOCIATES				Remit to: **ARCADIA CA**	
	5/7/2012	885151	8,175.00		
				PROF CONSULTANT STAFFING SVCS	8,175.00
	Vendor Total		**8,175.00**		
FYTD for SA ASSOCIATES			**91,275.00**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO CA**	
	5/14/2012	885204	1,493.95		
				TRAFFIC SIGNS/HARDWARE	1,493.95
	5/21/2012	885256	268.30		
				TRAFFIC SIGNS/HARDWARE	268.30
	Vendor Total		**1,762.25**		
FYTD for SAFEWAY SIGN CO.			**50,521.64**		

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SALSBURY INDUSTRIES			Remit to: **LOS ANGELES**	**CA**
5/21/2012	212811	6,606.60		
			LOCKERS	8,800.00
			CREDIT-30% DISCOUNT	-2,640.00
			CA SALES TAX	446.60
	Vendor Total	**6,606.60**		
FYTD for SALSBURY INDUSTRIES		**6,606.60**		
SANDOVAL, RAFAEL M.			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212812	109.00		
			REFUND-CITATION/TAX INTERCEPT	109.00
	Vendor Total	**109.00**		
FYTD for SANDOVAL, RAFAEL M.		**109.00**		
SARNOFF, A VERITEXT COMPANY			Remit to: **IRVINE**	**CA**
5/14/2012	212715	1,301.40		
			LEGAL SVCS-M. ESCOBAR V. MV	720.50
			LEGAL SVCS-M. ESCOBAR V. MV	580.90
	Vendor Total	**1,301.40**		
FYTD for SARNOFF, A VERITEXT COMPANY		**1,806.52**		
SAT/HUMAN RESOURCES			Remit to: **CARSON**	**CA**
5/14/2012	885205	591.16		
			INTERACTIVE MTG SVCS & REPORT	591.16
	Vendor Total	**591.16**		
FYTD for SAT/HUMAN RESOURCES		**591.16**		
SCHIEFELBEIN, LORI C.			Remit to: **BULLHEAD CITY**	**AZ**
5/14/2012	212716	1,045.00		
			CONSULTANT SVCS-ROT. TOW PRGM	952.55
			CONSULTANT SVCS-ROT. TOW PRGM	92.45
	Vendor Total	**1,045.00**		
FYTD for SCHIEFELBEIN, LORI C.		**12,323.56**		
SCHUMAN, MICHAEL			Remit to: **RIVERSIDE**	**CA**
5/7/2012	885152	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for SCHUMAN, MICHAEL		**1,593.65**		

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SCHWITALLA, JOE/REMY			Remit to: **MORENO VALLEY** **CA**	
5/21/2012	212813	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for SCHWITALLA, JOE/REMY		**20.00**		
SCMAF-INLAND VALLEYS			Remit to: **CHINO HILLS** **CA**	
5/7/2012	212623	525.00		
			YTH BSKTBLL ENTRY FEES, DIV. A	175.00
			YTH BSKTBLL ENTRY FEES, DIV. B	175.00
			YTH BSKTBLL ENTRY FEES, DIV. C	175.00
	Vendor Total	**525.00**		
FYTD for SCMAF-INLAND VALLEYS		**525.00**		
SEARS #0009953			Remit to: **DALLAS** **TX**	
5/14/2012	212717	57.74		
			REFUND-FALSE ALARM OVRPYMT	57.74
	Vendor Total	**57.74**		
FYTD for SEARS #0009953		**57.74**		
SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
5/21/2012	212814	477.00		
			ARMORED TRANSPORT SVCS-UTILITY	159.00
			ARMORED TRANSPORT SVCS-PARKS	159.00
			ARMORED TRANSPORT SVCS-CASHIER	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**5,724.00**		
SECURITY & COMMUNICATIONS CONSULTING SVC			Remit to: **CLOVIS** **CA**	
5/29/2012	885300	5,143.20		
			SVCS-CITYWIDE CAMERA SURV. SYS	3,808.80
			SVCS-CITYWIDE CAMERA SURV. SYS	1,334.40
	Vendor Total	**5,143.20**		
FYTD for SECURITY & COMMUNICATIONS CONSULTING SVC		**19,152.70**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
5/14/2012	885206	127.50		
			LOCK REPAIR-LIBRARY	17.50
			LOCK REPAIR-LIBRARY	40.00
			CHANGE OF SAFE COMBINATION	70.00
5/21/2012	885257	158.88		
			LOCKS/SVC-25328 FILAREE ABTMNT	158.88
	Vendor Total	**286.38**		
FYTD for SECURITY LOCK & KEY		**6,509.12**		

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SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	5/7/2012	212624	165.81		
				RETIREE MED MAY '12	165.81
	Vendor Total		**165.81**		
FYTD for SHARRETT, SHARON K.			**1,874.85**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	5/7/2012	212625	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	5/14/2012	212718	70.00		
				FUEL PURCHASE-TECH. SVCS	70.00
	5/29/2012	212904	62.83		
				FUEL PURCHASES-PD SET	62.83
	5/29/2012	212905	2,102.08		
				FUEL PURCHASES-PD MTRCYCLES	2,102.08
	5/29/2012	212906	23.48		
				FUEL PURCHASE-MAINT & OPS	23.48
	Vendor Total		**2,258.39**		
FYTD for SHELL OIL CO.			**23,180.01**		
SINGER & COFFIN, APC				Remit to: **IRVINE** **CA**	
	5/29/2012	885301	3,699.00		
				LEGAL SVCS	221.50
				LEGAL SVCS	3,477.50
	Vendor Total		**3,699.00**		
FYTD for SINGER & COFFIN, APC			**24,625.70**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212626	857.00		
				AD FOR FORECLOSURE PRV SEMINAR	857.00
	5/14/2012	212719	4,650.00		
				1/2 PG AD-BOTTLE/CAN RECYCLING	840.00
				1/2 PG AD-OIL RECYCLING	840.00
				FULL PG AD-EARTH DAY	1,485.00
				FULL PG AD-USED OIL EVENT	1,485.00
	Vendor Total		**5,507.00**		
FYTD for SKY PUBLISHING			**57,923.50**		

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SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	5/14/2012	885208	63.66		
				REFUND-EXEMPT UTIL. USER TAXES	63.66
	Vendor Total		**63.66**		
FYTD for SKY TRAILS MOBILE VILLAGE			**689.08**		
SMITH, KOZUE				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212815	112.00		
				REFUND-ENGLISH CLASS CANCELLED	112.00
	Vendor Total		**112.00**		
FYTD for SMITH, KOZUE			**112.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885153	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,506.03**		
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	5/7/2012	885154	23,836.34		
				FUEL PURCH-CITY VEHICLES/EQUIP	7,791.99
				FUEL PURCH-CITY VEHICLES/EQUIP	7,398.71
				FUEL PURCH-CITY VEHICLES/EQUIP	8,645.64
	5/14/2012	885209	8,334.23		
				FUEL PURCH-CITY VEHICLES/EQUIP	8,334.23
	5/29/2012	885302	16,995.11		
				FUEL PURCH-CITY VEHICLES/EQUIP	8,544.28
				FUEL PURCH-CITY VEHICLES/EQUIP	8,450.83
	Vendor Total		**49,165.68**		
FYTD for SOCO GROUP, INC			**357,119.95**		
SOSA, HUGO				Remit to: **ELK GROVE** **CA**	
	5/21/2012	212816	210.00		
				INSTRUCTOR SVCS-KARATEDO CLASS	210.00
	Vendor Total		**210.00**		
FYTD for SOSA, HUGO			**3,300.00**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR** **CA**	
5/7/2012	212627	113.88		
			HOT SPOTS PRGM FEE/JUL11-JUN12	113.88
5/14/2012	212720	113.88		
			HOT SPOTS PRGM FEE/JUL11-JUN12	113.88
5/14/2012	212721	666.33		
			PERMIT APPLIC.-GENERATOR @ EOC	666.33
	Vendor Total	**894.09**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**12,084.63**		

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SOUTHERN CALIFORNIA EDISON				Remit to: **ROSEMEAD** **CA**	
	5/7/2012	212628	3,218.56		
				ELECTRICITY	88.18
				ELECTRICITY	65.78
				ELECTRICITY	1,172.91
				ELECTRICITY	472.87
				ELECTRICITY	213.35
				ELECTRICITY	22.42
				ELECTRICITY	868.24
				ELECTRICITY	144.07
				ELECTRICITY	108.92
				ELECTRICITY	61.82
	5/21/2012	212817	15,639.06		
				RELIABILITY SVC-DLAP_SCE_SEES_	388.86
				ELECTRIC CHARGES	401.99
				FERC-115KV PROJ-13571 MOR. BCH	14,146.73
				FERC CHRGS-ADDED FACILITIES	701.48
	5/29/2012	212908	16,869.32		
				ELECTRICITY	183.41
				ELECTRICITY	25.77
				ELECTRICITY	4,706.69
				ELECTRICITY	2,461.67
				ELECTRICITY	18.56
				ELECTRICITY	602.79
				ELECTRICITY	1,582.47
				ELECTRICITY	97.79
				ELECTRICITY	3,520.69
				ELECTRICITY	1.23
				ELECTRICITY	74.65
				ELECTRICITY	1,694.35
				ELECTRICITY	280.43
				ELECTRICITY	443.38
				ELECTRICITY	422.00
				ELECTRICITY	204.06
				ELECTRICITY	160.07
				ELECTRICITY	168.69
				ELECTRICITY	150.40
				ELECTRICITY	44.45
				ELECTRICITY	25.77
	Vendor Total		**35,726.94**		
FYTD for SOUTHERN CALIFORNIA EDISON			**3,251,321.81**		

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SOUTHERN CALIFORNIA GAS CO.			Remit to: **MONTEREY PARK**	**CA**
5/21/2012	212819	4,459.99		
			GAS CHARGES	645.56
			GAS CHARGES	1,996.70
			GAS CHARGES	56.94
			GAS CHARGES	45.47
			GAS CHARGES	40.28
			GAS CHARGES	363.94
			GAS CHARGES	121.33
			GAS CHARGES	38.94
			GAS CHARGES	258.45
			GAS CHARGES	101.22
			GAS CHARGES	130.17
			GAS CHARGES	68.32
			GAS CHARGES	90.10
			GAS CHARGES	125.45
			GAS CHARGES	170.42
			GAS CHARGES	26.73
			GAS CHARGES	179.97
Vendor Total		**4,459.99**		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**74,408.54**		
SPARKLETTS			Remit to: **DALLAS**	**TX**
5/7/2012	212631	5.00		
			WATER SERVICE-GOLF COURSE	5.00
5/14/2012	212723	33.71		
			WATER SERVICE-ARMADA ELEM.	19.91
			WATER SERVICE-CREEKSIDE ELEM.	13.80
5/29/2012	212909	27.81		
			WATER SERVICE-SUNNYMD ELEM.	18.31
			WATER SERVICE-EMERG MGMT SVCS	4.50
			WATER SERVICE-GOLF COURSE	5.00
Vendor Total		**66.52**		
FYTD for SPARKLETTS		**645.65**		
SPECK, GARY B.			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885155	318.73		
			RETIREE MED MAY '12	318.73
Vendor Total		**318.73**		
FYTD for SPECK, GARY B.		**3,506.03**		
SPENCER, MARTHA			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885156	225.99		
			RETIREE MED MAY '12	225.99
Vendor Total		**225.99**		
FYTD for SPENCER, MARTHA		**2,509.23**		

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SPRINT				Remit to: **KANSAS CITY** **MO**	
	5/7/2012	212632	30.00		
				SUBPOENA COMPLNCE-MV120740161	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**600.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	5/7/2012	885157	74.49		
				CELL PHONE SVCS-GANG TASK FRC	74.49
	5/14/2012	885210	643.23		
				CELL PHONE SVCS-PD/SET	643.23
	Vendor Total		**717.72**		
FYTD for SPRINT/NEXTEL			**7,046.47**		
STA STUDENT TRANSPORTATION OF AMERICA				Remit to: **RIVERSIDE** **CA**	
	5/29/2012	212910	244.99		
				FIELD TRIP TRANSPORTATION SVCS	244.99
	Vendor Total		**244.99**		
FYTD for STA STUDENT TRANSPORTATION OF AMERICA			**453.68**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885158	110.00		
				MONITORING SVCS-EOC	45.00
				MONITORING SVCS-EOC	65.00
	Vendor Total		**110.00**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**25,203.58**		
STATE BOARD OF EQUALIZATION				Remit to: **SACRAMENTO** **CA**	
	5/22/2012	43012	4,377.00		
				SALES & USE TAX 4/1-4/30/12	4,377.00
	Vendor Total		**4,377.00**		
FYTD for STATE BOARD OF EQUALIZATION			**60,664.79**		
STATE CONTROLLER'S OFFICE				Remit to: **SACRAMENTO** **CA**	
	5/14/2012	212724	2,414.53		
				ANNUAL STREET REPORT 10/11 FY	2,414.53
	Vendor Total		**2,414.53**		
FYTD for STATE CONTROLLER'S OFFICE			**4,814.97**		

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STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO CA**	
5/7/2012	212633	132.00		
			CASE 200000000199597-J. COSEY	132.00
5/3/2012	3069	2,107.64		
			CHILD SUPPORT W/H 5/3/12	2,107.64
5/14/2012	212725	45.00		
			CS#0650464971-01/0650613537-01	45.00
5/17/2012	3077	2,131.38		
			CHILD SUPPORT W/H 5/17/12	2,131.38
5/31/2012	3085	2,004.64		
			CHILD SUPPORT W/H 5/31/12	2,004.64
	Vendor Total	**6,420.66**		
FYTD for STATE DISBURSEMENT UNIT		**52,246.58**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO CA**	
5/29/2012	212911	125.00		
			E. LEWIS-PROF LIC. RENEWAL	125.00
	Vendor Total	**125.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**750.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO CA**	
5/14/2012	212726	1,190.00		
			BLOOD ALCOHOL ANALYSIS FOR PD	1,190.00
5/21/2012	212821	358.00		
			BLOOD ALCOHOL ANALYSIS FOR PD	70.00
			FINGERPRINTING SVCS-BUS. LIC.	128.00
			FINGERPRINTING SVCS-HUM. RES.	96.00
			FINGERPRINTING SVCS-TS VOLUNT.	32.00
			FINGERPRINTING SVCS-PD	32.00
	Vendor Total	**1,548.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**52,033.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO CA**	
5/7/2012	212634	239.52		
			REFUND-MVU/ANDRES GONZALEZ	223.06
			REFUND-MVU/KAREN L BROWN	16.46
5/14/2012	212727	205.21		
			REFUND-MVU/MARIE J LEISS	205.21
	Vendor Total	**444.73**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,769.70**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
5/14/2012	212728	3,827.20		
			DICTATION & TRANSCRIPTION SVCS	3,827.20
	Vendor Total	**3,827.20**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**21,516.32**		
STEWART TITLE OF CALIFORNIA			Remit to: **HOUSTON** **TX**	
5/14/2012	885211	0.00		
			PRELIMINARY RPT-RNCHO DORADO S	550.00
			VOIDED CHECK #885211 - 5/29/12	-550.00
5/29/2012	212930	550.00		
			PRELIMINARY RPT-RNCHO DORADO S	550.00
	Vendor Total	**550.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**800.00**		
STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
5/7/2012	885159	271.44		
			RETIREE MED MAY '12	271.44
	Vendor Total	**271.44**		
FYTD for STEWART, CLIFFORD		**2,964.48**		
STK ARCHITECTURE, INC.			Remit to: **TEMECULA** **CA**	
5/21/2012	885258	16,308.42		
			ANNEX #1 RE-DESIGN/RENOV. PROJ	16,055.27
			ANNEX #1 RE-DESIGN/RENOV. PROJ	253.15
5/29/2012	885304	24,279.82		
			MORRISON PARK FIRE STN PROJ	24,279.82
	Vendor Total	**40,588.24**		
FYTD for STK ARCHITECTURE, INC.		**327,825.45**		
STOPANI, PRISCILLA			Remit to: **CORONA** **CA**	
5/14/2012	212729	442.89		
			MILEAGE-CA MUNI RATE GRP CONF.	442.89
	Vendor Total	**442.89**		
FYTD for STOPANI, PRISCILLA		**442.89**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH** **CA**	
5/7/2012	212636	13,648.50		
			LEGAL SVCS	13,648.50
	Vendor Total	**13,648.50**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**77,410.34**		

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STRICKLER ASSOCIATION, THE			Remit to: **SAN BERNARDINO**	**CA**
5/14/2012	885212	2,860.00		
			CONSULTING SVCS-EDD	2,860.00
	Vendor Total	**2,860.00**		
FYTD for STRICKLER ASSOCIATION, THE		**37,618.75**		
STRICKLER II, JOHN W.			Remit to: **SAN BERNARDINO**	**CA**
5/7/2012	885160	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for STRICKLER II, JOHN W.		**3,506.03**		
SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY**	**CA**
5/14/2012	212730	21.44		
			MISC SUPPLIES-PD	21.44
5/21/2012	212822	17.15		
			MISC SUPPLIES-PD	17.15
5/29/2012	212912	82.78		
			MISC SUPPLIES-PD	31.34
			MISC SUPPLIES-PD	48.43
			MISC SUPPLIES-PD	3.01
	Vendor Total	**121.37**		
FYTD for SUNNYMEAD ACE HARDWARE		**1,507.53**		
T-34 HERITAGE FOUNDATION, INC			Remit to: **ALISO VIEJO**	**CA**
5/7/2012	212637	750.00		
			MEMORIAL DAY FLYOVER-FUEL COST	250.00
			VETERANS DAY FLYOVER-FUEL COST	500.00
	Vendor Total	**750.00**		
FYTD for T-34 HERITAGE FOUNDATION, INC		**750.00**		
TANITA, JOI			Remit to: **WEST COVINA**	**CA**
5/29/2012	212913	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for TANITA, JOI		**95.00**		
TAX COMPLIANCE SERVICES			Remit to: **THOUSAND OAKS**	**CA**
5/29/2012	212914	5,000.00		
			UUT COMPLIANCE & AUDIT SVCS	5,000.00
	Vendor Total	**5,000.00**		
FYTD for TAX COMPLIANCE SERVICES		**62,500.00**		

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THERMAL COMBUSTION INNOVATORS			Remit to: **COLTON** **CA**	
5/29/2012	212915	70.96		
			MEDICAL/BIOHAZ. WASTE DISPOSAL	70.96
	Vendor Total	**70.96**		
FYTD for THERMAL COMBUSTION INNOVATORS		**424.90**		
THOMPSON, TIFFANY			Remit to: **LONG BEACH** **CA**	
5/14/2012	212731	95.00		
			REFUND-RABIES & SN DEPOSITS	20.00
			REFUND-RABIES & SN DEPOSITS	75.00
	Vendor Total	**95.00**		
FYTD for THOMPSON, TIFFANY		**95.00**		
TIMOTHY KRANTZ ENVIRONMENTAL CONSULTING			Remit to: **REDLANDS** **CA**	
5/7/2012	212651	6,682.50		
			PROFESSIONAL CONSULTANT SVCS	6,682.50
5/14/2012	885214	15,607.50		
			ENVIRONMENTAL CONSULTANT SVCS	15,607.50
	Vendor Total	**22,290.00**		
FYTD for TIMOTHY KRANTZ ENVIRONMENTAL CONSULTING		**22,290.00**		
TKE ENGINEERING INC			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212823	2,101.13		
			DRACAEA AVE SIDEWALK IMPRVMNTS	2,101.13
	Vendor Total	**2,101.13**		
FYTD for TKE ENGINEERING INC		**27,200.74**		
TORRES, ROBERT			Remit to: **RIVERSIDE** **CA**	
5/7/2012	212638	10.55		
			MILEAGE REIMBURSEMENT	10.55
	Vendor Total	**10.55**		
FYTD for TORRES, ROBERT		**10.55**		
TR DESIGN GROUP, INC.			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212836	12,884.71		
			TRANSP MGMT CTR PROJ SVCS	10,000.00
			TRANSP MGMT CTR PROJ SVCS	719.38
			PSB CONVERSION PROJ-PHASE II	1,000.00
			PSB CONVERSION PROJ-PHASE II	1,165.33
	Vendor Total	**12,884.71**		
FYTD for TR DESIGN GROUP, INC.		**56,242.00**		

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TRANSTECH ENGINEERS, INC.				Remit to: **WALNUT** **CA**	
	5/7/2012	212639	7,505.00		
				NASON ST/CACTUS AVE IMPRVMNTS	7,505.00
	Vendor Total		**7,505.00**		
FYTD for TRANSTECH ENGINEERS, INC.			**57,950.00**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212824	2,042.40		
				INSTRUCTOR SVCS-BALLET INTERMD	155.40
				INSTRUCTOR SVCS-BALLET	355.20
				INSTRUCTOR SVCS-BALLET/ACRO	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	177.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	44.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	310.80
				INSTRUCTOR SVCS-HIP HOP DANCE	155.40
	Vendor Total		**2,042.40**		
FYTD for TRICHE, TARA			**23,909.40**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885162	25.00		
				LINEN RENTAL FOR CRC	25.00
	5/14/2012	885215	25.00		
				LINEN RENTAL FOR CRC	25.00
	5/21/2012	885260	85.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RNTL FOR EVENT-CTR#19311	60.00
	Vendor Total		**135.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,824.73**		
TROPICAL PLAZA NURSERY, INC.				Remit to: **VILLA PARK** **CA**	
	5/7/2012	212640	6,086.12		
				LANDSCAPE MAINT-ZONE E-2	6,086.12
	Vendor Total		**6,086.12**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**110,323.98**		

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TRUGREEN LANDCARE				Remit to: **RIVERSIDE** **CA**	
	5/14/2012	885216	11,410.86		
				PLANTS INSTALLATION-ZONE E-16	2,250.00
				TREE TRIMMING-CITY HALL ENTRNC	715.00
				LANDSCAPE MAINT-ZONE E-4	7,980.86
				LANDSCAPE MAINT-ZONE E-4A	465.00
	5/29/2012	885305	18,854.29		
				INSTALLATION OF PLANT MATERIAL	3,230.00
				LANDSCAPE MAINT-ZONE M	5,532.72
				LANDSCAPE MAINT-ZONE DSG-1	5,121.57
				LANDSCAPE MAINT-ZONE E-16	2,485.00
				LANDSCAPE MAINT-ZONE E-16	2,485.00
	Vendor Total		**30,265.15**		
FYTD for TRUGREEN LANDCARE			**266,011.16**		
TRUST COMPLETE AUTO REPAIR AND TOWING				Remit to: **HEMET** **CA**	
	5/14/2012	212732	59.68		
				REFUND-BUS. LIC OVRPYMT	59.68
	Vendor Total		**59.68**		
FYTD for TRUST COMPLETE AUTO REPAIR AND TOWING			**59.68**		
TUNTLAND, JAMES				Remit to: **PRESCOTT** **AZ**	
	5/7/2012	885163	271.44		
				RETIREE MED MAY '12	271.44
	Vendor Total		**271.44**		
FYTD for TUNTLAND, JAMES			**2,964.48**		
TW TELECOM				Remit to: **DENVER** **CO**	
	5/7/2012	212641	3,439.94		
				TELECOM SVCS-LOCAL/LONG DIST.	1,524.61
				TELECOM SVCS-LOCAL/LONG DIST.	1,915.33
	5/29/2012	212917	3,118.46		
				TELECOM SVCS-LOCAL/LONG DIST.	3,118.46
	Vendor Total		**6,558.40**		
FYTD for TW TELECOM			**12,350.84**		
TYLER, WILLIAM				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212844	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for TYLER, WILLIAM			**150.00**		

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U.S. BANK/CALCARDS			Remit to: **ST. LOUIS** **MO**	
5/8/2012	1205061	350.00		
			CALCARD PMT CYCLE END 4/27/12	350.00
	Vendor Total	**350.00**		
FYTD for U.S. BANK/CALCARDS		**1,565,284.37**		
U.S. HEALTHWORKS MEDICAL GROUP			Remit to: **LOS ANGELES** **CA**	
5/7/2012	212642	910.00		
			PRE-EMPLOYMENT PHYSICALS	213.00
			PRE-EMPLOYMENT PHYSICALS	337.00
			PRE-EMPLOYMENT PHYSICALS	360.00
5/29/2012	212918	65.00		
			EMPLOYEE DOT EXAM	65.00
	Vendor Total	**975.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		**1,492.00**		
UNDERGROUND SERVICE ALERT			Remit to: **CORONA** **CA**	
5/21/2012	885261	541.50		
			DIGALERT TICKETS SUBSCRPTN SVC	135.37
			DIGALERT TICKETS SUBSCRPTN SVC	135.38
			DIGALERT TICKETS SUBSCRPTN SVC	135.38
			DIGALERT TICKETS SUBSCRPTN SVC	135.37
	Vendor Total	**541.50**		
FYTD for UNDERGROUND SERVICE ALERT		**6,054.00**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO** **CA**	
5/21/2012	212825	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
	Vendor Total	**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**3,208.37**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
5/7/2012	885164	566.28		
			BROOM KITS FOR ST. SWEEPERS	566.28
5/14/2012	885217	406.57		
			BROOM KITS FOR ST. SWEEPERS	406.57
5/29/2012	885306	1,199.36		
			BROOM KITS FOR ST. SWEEPERS	633.08
			BROOM KITS FOR ST. SWEEPERS	566.28
	Vendor Total	**2,172.21**		
FYTD for UNITED ROTARY BRUSH CORP		**36,768.79**		

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UNITED STATES TREASURY				Remit to: **CINCINNATI** **OH**	
	5/7/2012	212654	145.68		
				PAYROLL DEDUCTION AGREEMENT	145.68
	5/21/2012	212826	153.57		
				PAYROLL DEDUCTION AGREEMENT	153.57
	Vendor Total		**299.25**		
FYTD for UNITED STATES TREASURY			**2,276.17**		
UNITED WAY OF INLAND VALLEYS				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212643	335.00		
				UNITED WAY CONTRIBUTIONS	335.00
	5/21/2012	212827	335.00		
				UNITED WAY CONTRIBUTIONS	335.00
	Vendor Total		**670.00**		
FYTD for UNITED WAY OF INLAND VALLEYS			**10,187.66**		
US IMMIGRATION LAW OFFICE				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212733	255.49		
				REFUND-BUS. LIC OVRPYMT	225.00
				REFUND-BUS. LIC OVRPYMT	30.49
	Vendor Total		**255.49**		
FYTD for US IMMIGRATION LAW OFFICE			**255.49**		
USA MOBILITY/ARCH WIRELESS				Remit to: **ALEXANDRIA** **VA**	
	5/14/2012	885218	35.69		
				PAGER SVC FOR PARK RANGERS	1.69
				PAGER SVC FOR TRANSP. DIV	4.59
				PAGER SVC FOR ANIMAL SVCS	29.41
	Vendor Total		**35.69**		
FYTD for USA MOBILITY/ARCH WIRELESS			**395.18**		

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VACATE TERMITE & PEST ELIMINATION CO.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885165	1,115.00		
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-TOWNGATE COMM. CTR	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-UTILITY FIELD OFF.	45.00
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-SENIOR CTR	55.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #91	45.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-PUB SAFETY BLDG	75.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-MARB ASES BLDG	45.00
				PEST CNTRL-MARCH FLD PRK C.C.	45.00
				PEST CNTRL-TRANSP. TRAILER	45.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-ANIMAL SHELTER	115.00
	5/14/2012	885219	180.00		
				RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
				RODENT CNTRL-ELECTR UTIL SUBST	40.00
				RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
				RODENT CNTRL-ELECTR UTIL SUBST	40.00
	5/21/2012	885262	55.00		
				PEST CNTRL-EOC	45.00
				PEST CNTRL-EOC	10.00
	Vendor Total		**1,350.00**		
FYTD for VACATE TERMITE & PEST ELIMINATION CO.			**18,350.00**		
VANCE, MIKE/KARI				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212734	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for VANCE, MIKE/KARI			**20.00**		
VAS ASSOCIATES, INC.				Remit to: **CORONA** **CA**	
	5/29/2012	885307	20,160.00		
				PROF CONSULTANT STAFFING SVCS	20,160.00
	Vendor Total		**20,160.00**		
FYTD for VAS ASSOCIATES, INC.			**204,960.00**		

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VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
5/14/2012	212735	980.00		
			CONSULTANT ACCOUNTING SVCS	980.00
	Vendor Total	**980.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**57,630.00**		
VERIZON			Remit to: **TRENTON** **NJ**	
5/21/2012	212828	1,773.35		
			BACKBONE COMMUN. CHARGES	1,773.35
	Vendor Total	**1,773.35**		
FYTD for VERIZON		**19,261.28**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
5/14/2012	212736	87.18		
			ANNUAL PHONE DIRECTORY AD	42.85
			PHONE DIRECTORY LISTING-MVU	44.33
5/21/2012	212829	618.34		
			PHONE CHARGES-ERC	618.34
	Vendor Total	**705.52**		
FYTD for VERIZON CALIFORNIA		**7,463.20**		
VERIZON WIRELESS			Remit to: **DALLAS** **TX**	
5/14/2012	212737	329.96		
			CELLULAR SVC-PD TICKET WRITERS	329.96
	Vendor Total	**329.96**		
FYTD for VERIZON WIRELESS		**329.96**		
VERTEX, INC.			Remit to: **BERWYN** **PA**	
5/14/2012	885220	789.28		
			PAYROLL TAX Q SERIES ANNL MNT.	732.50
			CALIF SALES TAX	56.78
	Vendor Total	**789.28**		
FYTD for VERTEX, INC.		**2,367.84**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
5/7/2012	212644	843.14		
			ANIMAL MEDICAL SUPPLIES	843.14
5/21/2012	212830	818.11		
			ANIMAL MEDICAL SUPPLIES	818.11
5/29/2012	212919	1,378.37		
			ANIMAL MEDICAL SUPPLIES	1,378.37
	Vendor Total	**3,039.62**		
FYTD for VICTOR MEDICAL CO		**21,575.74**		

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VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885166	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VISTA PAINT CORPORATION				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212831	1,823.84		
				TRAFFIC PAINT	1,823.84
	Vendor Total		**1,823.84**		
FYTD for VISTA PAINT CORPORATION			**10,341.77**		
VORTECH PHARMACEUTICALS, LTD				Remit to: **DEARBORN** **MI**	
	5/29/2012	212920	2,955.52		
				SUPPLIES FOR ANIMAL SVCS	2,955.52
				SUPPLIES FOR ANIMAL SVCS	229.05
				SUPPLIES FOR ANIMAL SVCS	-229.05
	Vendor Total		**2,955.52**		
FYTD for VORTECH PHARMACEUTICALS, LTD			**5,908.44**		
VOYAGER FLEET SYSTEM, INC.				Remit to: **HOUSTON** **TX**	
	5/29/2012	885308	2,326.82		
				CNG FUEL PURCHASES	19.36
				CNG FUEL PURCHASES	2,167.28
				CNG FUEL PURCHASES	140.18
	Vendor Total		**2,326.82**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**25,011.06**		

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VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO**	**CA**
5/14/2012	212738	1,089.68		
			ASPHALTIC MATERIALS	215.87
			ASPHALTIC MATERIALS	181.73
			ASPHALTIC MATERIALS	146.17
			ASPHALTIC MATERIALS	109.91
			ASPHALTIC MATERIALS	218.00
			ASPHALTIC MATERIALS	218.00
5/29/2012	212921	1,127.45		
			ASPHALTIC MATERIALS	145.47
			ASPHALTIC MATERIALS	216.58
			ASPHALTIC MATERIALS	73.64
			ASPHALTIC MATERIALS	109.19
			ASPHALTIC MATERIALS	181.02
			ASPHALTIC MATERIALS	146.17
			ASPHALTIC MATERIALS	109.91
			ASPHALTIC MATERIALS	145.47
	Vendor Total	**2,217.13**		
FYTD for VULCAN MATERIALS CO, INC.		**26,261.50**		
WAGGONER JR., GLENN C.			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885167	276.58		
			RETIREE MED APR 12, PD MAY 12	276.58
	Vendor Total	**276.58**		
FYTD for WAGGONER JR., GLENN C.		**2,892.94**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885168	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for WAGNER, GARY D.		**3,506.03**		
WAGONER, ROBERT			Remit to: **ZEPHYRHILLS**	**FL**
5/7/2012	885169	362.80		
			RETIREE MED APR-JUN 12, PD MAY	362.80
	Vendor Total	**362.80**		
FYTD for WAGONER, ROBERT		**2,164.80**		
WAGY, CARYLON			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	212645	318.73		
			RETIREE MED APR 12, PD MAY 12	318.73
	Vendor Total	**318.73**		
FYTD for WAGY, CARYLON		**3,824.76**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WALTER'S WHOLESALE ELECTRIC			Remit to: **RIVERSIDE** **CA**	
5/14/2012	212739	20,631.52		
			PG1730B703 PG STYLE PULL BOXES	2,180.96
			PG1730B557 PG STYLE PULL BOXES	1,132.32
			PG2436B996 PG STYLE PULL BOXES	4,959.60
			PG2436B998 PG STYLE PULL BOXES	6,654.90
			PG2436HS00S PG STYLE PULL BOXE	4,219.80
			CALIF SALES TAX @ 7.75%	1,483.94
	Vendor Total	**20,631.52**		
FYTD for WALTER'S WHOLESALE ELECTRIC		**20,631.52**		
WASTE MANAGEMENT OF THE INLAND EMPIRE			Remit to: **PHOENIX** **AZ**	
5/29/2012	212922	592.40		
			ROLL-OFF STORAGE BIN RENTALS	592.40
	Vendor Total	**592.40**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE		**10,641.32**		
WELLS FARGO BANK			Remit to: **MINNEAPOLIS** **MN**	
5/7/2012	212646	2,000.00		
			ANNUAL TRUSTEE FEE-2007 LRB	2,000.00
5/29/2012	212923	2,000.00		
			TRUSTEE ANNL ADMIN CHGS-CFD#5	2,000.00
	Vendor Total	**4,000.00**		
FYTD for WELLS FARGO BANK		**14,030.00**		
WEST			Remit to: **SAINT PAUL** **MN**	
5/29/2012	212924	677.10		
			AUTO TRACK SVCS-PD	677.10
	Vendor Total	**677.10**		
FYTD for WEST		**6,465.29**		
WEST COAST ARBORISTS, INC.			Remit to: **ANAHEIM** **CA**	
5/7/2012	885170	23,015.00		
			TREE TRIMMING/REMOVALS-PARKS	18,395.00
			TREE TRIMMING SVCS-ZONE DSG-2N	1,820.00
			TREE REMOVAL SVCS-ZONE DSG-2N	2,800.00
5/14/2012	885221	6,950.00		
			TREE TRIMMING SVCS-PARKS	6,950.00
	Vendor Total	**29,965.00**		
FYTD for WEST COAST ARBORISTS, INC.		**104,850.00**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
5/29/2012	212925	2,815.82		
			WATER CHARGES	996.26
			WATER CHARGES	34.38
			WATER CHARGES	1,711.36
			WATER CHARGES	73.82
	Vendor Total	**2,815.82**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**26,142.24**		
WESTOVER, MARK			Remit to: **SAN DIEGO** **CA**	
5/7/2012	885171	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for WESTOVER, MARK		**3,276.85**		
WIBERG, CHRISTOPHER			Remit to: **ANAHEIM** **CA**	
5/7/2012	212647	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for WIBERG, CHRISTOPHER		**3,716.47**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
5/7/2012	885172	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,506.03**		
WILLDAN AND ASSOCIATES			Remit to: **SAN BERNARDINO** **CA**	
5/14/2012	212740	12,247.04		
			BLDG & SAFETY PLAN CHECK SVCS	12,247.04
5/29/2012	212926	6,417.54		
			PROLOGIS PARK EIR REVIEW SVCS	6,417.54
	Vendor Total	**18,664.58**		
FYTD for WILLDAN AND ASSOCIATES		**302,393.80**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	5/7/2012	212648	60.00		
				SPORTS OFFICIATING SVCS	60.00
	5/21/2012	212832	60.00		
				SPORTS OFFICIATING SVCS	60.00
	5/29/2012	212927	120.00		
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**240.00**		
FYTD for WILLIS, ROBERT H			**2,220.00**		
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	5/14/2012	885222	2,545.63		
				JANITORIAL SVCS-CRC RENTALS	1,290.00
				JANITORIAL SVCS-TOWNGT RENTALS	480.00
				JANITORIAL SVCS-SR CTR RENTALS	130.00
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-GANG TSK FORCE	112.82
	5/21/2012	885263	21,547.57		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRAILER	98.40
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-SP DIST ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MRCH FLD PK CC	955.70
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
				UPHOLSTERY CLEANING-FIRE ADMIN	165.00
	5/29/2012	885309	494.29		
				JANITORIAL SVCS-SUNNYMD ELEM	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
	Vendor Total		**24,587.49**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**275,948.22**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	5/14/2012	212741	1,576.52		
				COPIER RNTL/MAINT/PRNTS-PD	888.97
				COPIER RNTL/MAINT/PRNTS-PD	99.45
				COPIER RNTL/MAINT/PRNTS-PD	588.10
	5/21/2012	212835	817.55		
				LEASE OF XEROX XC550V-GRAPHICS	424.11
				LEASE OF XEROX EX560-GRAPHICS	393.44
	5/29/2012	212928	2,765.26		
				COPIER RNTL/MAINT-PD	76.51
				COPIER RNTL/MAINT-PD	84.38
				COPIER RNTL/MAINT-PD	70.29
				LEASE OF XEROX EX560-PARKS	490.76
				LEASE OF XC550/PRINTS-PARKS	903.61
				COPIER BILLABLE PRINTS-PARKS	1,139.71
	Vendor Total		**5,159.33**		
FYTD for XEROX			**45,814.81**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	5/7/2012	885173	139.90		
				RETIREE MED MAR 12, PD MAY 12	139.90
	Vendor Total		**139.90**		
FYTD for YAMASHITA, JULIA J.			**1,711.70**		
ZEE MEDICAL INC				Remit to: **INDIANAPOLIS** **IN**	
	5/14/2012	885223	295.65		
				SUPPLIES FOR 4 FIRST AID KITS	295.65
	Vendor Total		**295.65**		
FYTD for ZEE MEDICAL INC			**592.01**		

Subtotal **1,350,330.54**

GRAND TOTAL **13,875,994.96**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 28, 2012

TITLE: APPROVAL OF CHECK REGISTER FOR JUNE, 2012

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2012-68, approving the Check Register for the month of June, 2012 in the amount of $22,489,803.50.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the FY 2011-12 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2012-68
Check Register for Month of June, 2012

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JUNE, 2012

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period June 1, 2012 through June 30, 2012, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period June 1, 2012 through June 30, 2012, in the total amount of $22,489,803.50 is approved.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-68
Date Adopted: August 28, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-68 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

CITY CLERK

Resolution No. 2012-68
Date Adopted: August 28, 2012

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

TACO BELL INLAND BELLS, INC				Remit to: **MORENO VALLEY**	**CA**
	6/25/2012	213194	84,000.00		
				SOLAR INCENTIVE REBATE	84,000.00
	Vendor Total		**84,000.00**		
FYTD for TACO BELL INLAND BELLS, INC			**84,000.00**		
AFECO INC.				Remit to: **SAN DIEGO**	**CA**
	6/25/2012	213276	36,258.09		
				THERMAL IMAGING MSA 5200 HD2	33,650.20
				SALES TAX	2,607.89
	Vendor Total		**36,258.09**		
FYTD for AFECO INC.			**45,322.61**		
ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	6/4/2012	212933	1,213,454.86		
				SR-60/NASON ST INTRCHNG PROJ	1,074,271.58
				SR-60/NASON ST INTRCHNG PROJ	139,183.28
	6/11/2012	213031	52,469.99		
				LOCAL ST. PAVEMNT RESURF. PROJ	35,859.60
				LOCAL ST. PAVEMNT RESURF. PROJ	3,344.98
				LOCAL ST. PAVEMNT RESURF. PROJ	13,265.41
	6/18/2012	120606	134,828.32		
				RETENTN PMT PER ESCRW AGREEMNT	134,828.32
	6/19/2012	120607	54,874.40		
				RETENTN PMT PER ESCRW AGREEMNT	54,874.40
	Vendor Total		**1,455,627.57**		
FYTD for ALL AMERICAN ASPHALT, INC.			**7,883,021.10**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
6/28/2012	885540	25,625.35		
			LANDSCAPE MAINT-S AQDCT "B"	662.00
			LANDSCAPE MAINT-N AQDCT	473.00
			LANDSCAPE MAINT-PAN AM/AQDCT	540.00
			LANDSCAPE MAINT-SENIOR CNTR	236.00
			LANDSCAPE MAINT-SCE/OLD LAKE	1,575.00
			LANDSCAPE MAINT-CITY YARD	225.00
			LANDSCAPE MAINT-FORMER STARS	260.00
			LANDSCAPE MAINT-CRC	1,710.00
			LANDSCAPE MAINT-MVU	432.00
			LANDSCAPE MAINT-MVU SUBSTN	567.00
			LANDSCAPE MAINT-PSB	1,077.83
			LANDSCAPE MAINT-ANIMAL SVCS	468.00
			LANDSCAPE MAINT-PATRIOT PRK	360.00
			LANDSCAPE MAINT-BAY/JFK AQDCT	1,710.00
			LANDSCAPE MAINT-BIKE AQDCT	360.00
			LANDSCAPE MAINT-LIBRARY	468.00
			LANDSCAPE MAINT-ZONE E-3	10,625.00
			LANDSCAPE MAINT-ZONE E-3A	781.02
			LANDSCAPE MAINT-S AQDCT "A"	765.50
			EMERGENCY REPAIRS-TOWGATE CTR	2,330.00
	Vendor Total	**25,625.35**		
FYTD for BEMUS LANDSCAPE, INC.		**389,345.57**		
BRAUN BLAISING MCLAUGHLIN			Remit to: **SACRAMENTO**	**CA**
6/11/2012	213037	35,022.60		
			LEGAL SVCS-ST LIGHT LITIGATION	33,345.47
			LEGAL SVCS	1,677.13
	Vendor Total	**35,022.60**		
FYTD for BRAUN BLAISING MCLAUGHLIN		**182,332.67**		
COUNTY OF RIVERSIDE AUDITOR			Remit to: **RIVERSIDE**	**CA**
6/11/2012	213044	58,441.52		
			PARKING CONTROL FEES-AB544	2,493.84
			PARKING CONTROL FEES-AB544	1,138.00
			PARKING CONTROL FEES-AB544	24,505.21
			PARKING CONTROL FEES-AB544	1,550.00
			PARKING CONTROL FEES-AB544	28,754.47
6/28/2012	213305	53,313.58		
			TRANSMITTAL OF AB544	892.00
			TRANSMITTAL OF AB544	26,573.95
			TRANSMITTAL OF AB544	846.00
			TRANSMITTAL OF AB544	25,001.63
	Vendor Total	**111,755.10**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**343,681.17**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE FIRE DEPT			Remit to: **PERRIS**	**CA**
6/11/2012	885418	2,870,326.27		
			FPARC-MV, 231175,11-12,Q3	2,833,972.71
			FPARC-MV, 231175,11-12,Q3	36,353.56
	Vendor Total	**2,870,326.27**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT		**11,772,319.86**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH**	**CA**
6/28/2012	885553	37,769.54		
			CITATION PROCESSING SVCS-CODE	17,440.96
			CITATION PROCESSING SVCS-CODE	12,438.04
			THIRD PARTY COLLECTION FEES	2,166.33
			THIRD PARTY COLLECTION FEES	979.70
			THIRD PARTY COLLECTION FEES	581.85
			THIRD PARTY COLLECTION FEES	660.15
			CITATION PROCESSING-CODE	2,752.37
			CITATION PROCESSING-CODE	750.14
	Vendor Total	**37,769.54**		
FYTD for DATA TICKET, INC.		**311,710.82**		
DENNIS GRUBB & ASSOCIATES, LLC			Remit to: **MIRA LOMA**	**CA**
6/28/2012	885554	26,450.00		
			PLAN REVIEW SVCS-FIRE PREVENTN	3,270.00
			PLAN REVIEW SVCS-FIRE PREVENTN	3,225.00
			PLAN REVIEW SVCS-FIRE PREVENTN	8,010.00
			PLAN REVIEW SVCS-FIRE PREVENTN	5,975.00
			PLAN REVIEW SVCS-FIRE PREVENTN	5,970.00
	Vendor Total	**26,450.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC		**180,650.00**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/4/2012	212951	30,714.96		
			WATER CHARGES	445.38
			WATER CHARGES	285.17
			WATER CHARGES	480.50
			WATER CHARGES	10,649.35
			WATER CHARGES	1,100.13
			WATER CHARGES	7,793.30
			WATER CHARGES	4,198.78
			WATER CHARGES	3,416.48
			WATER CHARGES	39.77
			WATER CHARGES	222.22
			WATER CHARGES	318.20
			WATER CHARGES	214.87
			WATER CHARGES	273.44
			WATER CHARGES	128.87
			WATER CHARGES	402.94
			WATER CHARGES	402.71
			WATER CHARGES	247.41
			WATER CHARGES	95.44
6/11/2012	213050	29,520.00		
			CO# 68357-CROSS/VALVE RELOCAT.	29,520.00
6/11/2012	213051	320,000.00		
			CO# 68357-CROSS/VALVE RELOCAT.	320,000.00
6/11/2012	213052	48,000.00		
			CO# 68357-CROSS/VALVE RELOCAT.	48,000.00
6/18/2012	213128	45,041.06		
			WATER CHARGES	57.77
			WATER CHARGES	254.35
			WATER CHARGES	3,132.98
			WATER CHARGES	40.80
			WATER CHARGES	3,818.17
			WATER CHARGES	122.07
			WATER CHARGES	13,561.01
			WATER CHARGES	264.82
			WATER CHARGES	10,079.03
			WATER CHARGES	2,076.36
			WATER CHARGES	7,695.34
			WATER CHARGES	692.00
			WATER CHARGES	1,020.41
			WATER CHARGES	284.05
			WATER CHARGES	257.58
			WATER CHARGES	348.35
			WATER CHARGES	720.91
			WATER CHARGES	615.06
6/25/2012	213216	66,660.76		
			WATER CHARGES	1,388.63
			WATER CHARGES	904.07
			WATER CHARGES	705.41
			WATER CHARGES	1,004.92
			WATER CHARGES	21,172.35
			WATER CHARGES	5,562.57

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHARGES	3,833.58
			WATER CHARGES	6,581.81
			WATER CHARGES	3,826.82
			WATER CHARGES	8,715.52
			WATER CHARGES	79.10
			WATER CHARGES	1,279.93
			WATER CHARGES	3,506.67
			WATER CHARGES	2,535.27
			WATER CHARGES	1,199.86
			WATER CHARGES	587.00
			WATER CHARGES	128.24
			WATER CHARGES	308.00
			WATER CHARGES	613.74
			WATER CHARGES	144.95
			WATER CHARGES	1,567.82
			WATER CHARGES	1,014.50
6/28/2012	213313	36,454.90		
			WATER CHARGES	447.97
			WATER CHARGES	13,414.89
			WATER CHARGES	2,558.95
			WATER CHARGES	1,261.20
			WATER CHARGES	7,384.33
			WATER CHARGES	3,913.68
			WATER CHARGES	5,004.19
			WATER CHARGES	52.51
			WATER CHARGES	326.77
			WATER CHARGES	185.55
			WATER CHARGES	337.63
			WATER CHARGES	166.06
			WATER CHARGES	589.38
			WATER CHARGES	450.11
			WATER CHARGES	92.36
			WATER CHARGES	269.32
Vendor Total		**576,391.68**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,893,005.22**		

ELITE COMPANIES US, INC. Remit to: **HUNTINGTON BEACH CA**

6/11/2012	213054	30,284.62		
			HEACOCK ST SIDEWLK IMPRV PROJ	30,284.62
6/25/2012	213218	25,998.65		
			HEACOCK ST SIDEWLK IMPRV PROJ	25,998.65
Vendor Total		**56,283.27**		
FYTD for ELITE COMPANIES US, INC.		**134,086.51**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	6/1/2012	3090	26,325.94		
				STATE INCOME TAX W/H 6/1/12	26,325.94
	6/15/2012	3098	31,429.93		
				STATE INCOME TAX W/H 6/15/12	31,429.93
	Vendor Total		**57,755.87**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**1,223,597.42**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	6/25/2012	885495	166,428.72		
				ELECTRIC METER CHRGS	1,035.00
				DISTRIBUTION CHRGS	155,950.70
				SPECIAL CHRGS/ TEMP PWR POLES	10,625.00
				BAD DEBT-DEDUCTION	-2,755.10
				ONLINE UTILITY SERVICES	192.05
				NASON TO-IRIS NEW SL SYSTEM	1,381.07
	Vendor Total		**166,428.72**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**2,630,109.02**		
ENVIRONMENTAL CONSTRUCTION, INC.				Remit to: **WOODLAND HILLS** **CA**	
	6/28/2012	213317	617,791.45		
				SUNNYMD BLVD REVIT PROJ SVCS	197,070.16
				SUNNYMD BLVD REVIT PROJ SVCS	164,221.29
				SUNNYMD BLVD REVIT PROJ SVCS	11,278.71
				SUNNYMD BLVD REVIT PROJ SVCS	245,221.29
	Vendor Total		**617,791.45**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.			**617,791.45**		
FAMILY SERVICE ASSOCIATION				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213221	37,467.36		
				SNACKS-ASES PRGRM	37,467.36
	6/28/2012	213321	42,762.84		
				SNACKS-ASES PRGRM	42,762.84
	Vendor Total		**80,230.20**		
FYTD for FAMILY SERVICE ASSOCIATION			**449,026.86**		
FIRST INDUSTRIAL LP				Remit to: **TAMPA** **FL**	
	6/18/2012	213131	44,500.00		
				REFUND-EROSION CONTROL DEPOSIT	44,500.00
	Vendor Total		**44,500.00**		
FYTD for FIRST INDUSTRIAL LP			**49,184.20**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
6/11/2012	885424	91,146.44		
			WIDEN PERRIS BLVD SB LANE @ 60	91,146.44
6/25/2012	885497	137,604.30		
			COTTONWOOD AVE IMPRVMNTS PROJ	137,604.30
	Vendor Total	**228,750.74**		
FYTD for HILLCREST CONTRACTING, INC		**1,165,747.93**		
HUNTINGTON BEACH HONDA			Remit to: **HUNTINGTON BEACH** **CA**	
6/4/2012	212966	110,136.14		
			MOTORCYCLE-4 UNITS	58,720.00
			DOC FEE	220.00
			INSTALLATION & CUSTOM PAINTING	43,261.52
			CA TIRE TAX	14.00
			SALES TAX	7,920.62
	Vendor Total	**110,136.14**		
FYTD for HUNTINGTON BEACH HONDA		**119,730.78**		
INTERNAL REVENUE SERVICE			Remit to:	
6/1/2012	3089	106,962.88		
			FED INCOME TAX W/H 6/1/12	106,962.88
6/15/2012	3097	92,628.08		
			FED INCOME TAX W/H 6/15/12	92,628.08
	Vendor Total	**199,590.96**		
FYTD for INTERNAL REVENUE SERVICE		**3,280,726.92**		
JFL ELECTRIC, INC.			Remit to: **LOS ANGELES** **CA**	
6/25/2012	213228	26,690.76		
			LASSELLE/MARGARET AVE TRAF SIG	15,478.89
			LASSELLE/MARGARET AVE TRAF SIG	11,211.87
	Vendor Total	**26,690.76**		
FYTD for JFL ELECTRIC, INC.		**170,016.24**		
KIMLEY-HORN AND ASSOCIATES, INC			Remit to: **PHOENIX** **AZ**	
6/18/2012	213145	96,961.72		
			TRANSP. MGMT CENTER PROJ SVCS	96,961.72
	Vendor Total	**96,961.72**		
FYTD for KIMLEY-HORN AND ASSOCIATES, INC		**120,624.18**		
KIP INCORPORATED			Remit to: **MURRIETA** **CA**	
6/25/2012	213230	376,793.75		
			HEACOCK ST BRIDGE IMPRV. PROJ	376,793.75
	Vendor Total	**376,793.75**		
FYTD for KIP INCORPORATED		**471,081.25**		

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LANCE, SOLL & LUNGHARD, LLP			Remit to: **BREA** **CA**	
6/18/2012	213146	26,000.00		
			2012 CITY AUDIT-INTERIM PROCED	7,000.00
			2012 RDA CLOSEOUT AUDIT	8,000.00
			CITY AUDIT/RELATED REPORTS	11,000.00
	Vendor Total	**26,000.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP		**83,690.00**		
LAWYERS TITLE COMPANY			Remit to: **NEWPORT BEACH** **CA**	
6/6/2012	1206031	100,880.06		
			ESCROW CLOSING COSTS	1,720.06
			ESCROW DEP-APN 488-270-022&023	99,160.00
6/18/2012	1206081	416,467.00		
			ESCROW CLOSING COSTS	3,817.00
			ESCROW DEPOSIT APN 297-170-077	412,650.00
	Vendor Total	**517,347.06**		
FYTD for LAWYERS TITLE COMPANY		**1,881,516.30**		
MATICH CORPORATION			Remit to: **HIGHLAND** **CA**	
6/25/2012	885506	25,176.48		
			ASPHALTIC MATERIALS-MAINT/OPS	9,002.97
			ASPHALTIC MATERIALS-MAINT/OPS	16,173.51
	Vendor Total	**25,176.48**		
FYTD for MATICH CORPORATION		**52,727.77**		

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MORENO VALLEY UTILITY			Remit to: **HEMET**	**CA**
6/18/2012	213159	52,846.61		
			ELECTRICITY	125.08
			ELECTRICITY	1,145.63
			ELECTRICITY	315.39
			ELECTRICITY	1,419.90
			ELECTRICITY	8,496.25
			ELECTRICITY	9,822.25
			ELECTRICITY	2,830.97
			ELECTRICITY	6,799.77
			ELECTRICITY	955.24
			ELECTRICITY	134.17
			ELECTRICITY	11,665.79
			ELECTRICITY	6,784.24
			ELECTRICITY	208.81
			ELECTRICITY	122.67
			ELECTRICITY	76.24
			ELECTRICITY	57.72
			ELECTRICITY	57.31
			ELECTRICITY	136.66
			ELECTRICITY	83.47
			ELECTRICITY	1,609.05
	Vendor Total	**52,846.61**		
FYTD for MORENO VALLEY UTILITY		**744,585.43**		
MUSCO SPORTS LIGHTING, LLC			Remit to: **OSKALOOSA**	**IA**
6/25/2012	885507	69,275.29		
			FURNISH/INSTALL CONTROL LINK	69,275.29
	Vendor Total	**69,275.29**		
FYTD for MUSCO SPORTS LIGHTING, LLC		**69,275.29**		
MV RANCHO DORADO II LTD. PARTNERSHIP			Remit to: **PALM DESERT**	**CA**
6/12/2012	120604	1,777,000.00		
			RANCHO DORADO SOUTH PROJ-PMT#1	1,777,000.00
	Vendor Total	**1,777,000.00**		
FYTD for MV RANCHO DORADO II LTD. PARTNERSHIP		**1,777,000.00**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS**	**OH**
6/15/2012	3094	25,681.85		
			DEF COMP 457 & 401(A) 6/15/12	25,681.85
	Vendor Total	**25,681.85**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**716,822.12**		

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NEW WORLD SYSTEMS, CORP			Remit to: **TROY**	**MI**
6/4/2012	885375	456,319.39		
			FM, HR/PY EST. TRAVEL EXPENSES	600.00
			HR MGMT BASE SUITE	94,925.00
			HR MGMT BASE SUITE	94,925.00
			FM BASE SUITE	158,520.00
			HR MGMT BASE SUITE	105,680.00
			FM, HR/PY EST. TRAVEL EXPENSES	1,669.39
	Vendor Total	**456,319.39**		
FYTD for NEW WORLD SYSTEMS, CORP		**938,585.76**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA**	**CA**
6/28/2012	885607	343,382.46		
			PURCHASED POWER	343,382.46
	Vendor Total	**343,382.46**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**2,117,913.71**		
PARSONS TRANSPORTATION GROUP, INC.			Remit to: **IRVINE**	**CA**
6/25/2012	885512	97,694.58		
			SR-60/MOR BCH DR INTRCHNG PROJ	37,794.93
			SR-60/MOR BCH DR INTRCHNG PROJ	59,899.65
6/28/2012	885610	641,669.41		
			SR-60/MOR. BCH INTRCHNG-PHS. 1	27,054.25
			SR-60/MOR. BCH INTRCHNG-PHS. 1	119,516.96
			SR-60/NASON ST OVRCRSSNG PROJ	84,037.35
			SR-60/NASON ST OVRCRSSNG PROJ	316,069.50
			SR-60/MOR. BCH INTRCHNG-PHS. 1	75,759.11
			SR-60/NASON ST OVRCRSSNG PROJ	19,232.24
	Vendor Total	**739,363.99**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**1,733,391.12**		
PEDERSEN HECK MCQUEEN, APLC			Remit to: **IRVINE**	**CA**
6/28/2012	213376	198,000.00		
			CASE SETTLEMNT/STAT ATTY'S FEE	198,000.00
6/28/2012	213377	212,000.00		
			CASE SETTLEMNT/CLIENT TRST ACT	212,000.00
	Vendor Total	**410,000.00**		
FYTD for PEDERSEN HECK MCQUEEN, APLC		**410,000.00**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO**	**CA**
6/11/2012	120601	201,122.81		
			EMPLOYEE HEALTH INS 6/11/12	201,122.81
	Vendor Total	**201,122.81**		
FYTD for PERS HEALTH INSURANCE		**2,397,874.94**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERS RETIREMENT				Remit to: **SACRAMENTO** **CA**	
	6/8/2012	3091	216,222.95		
				PERS RETIREMENT 6/8/12	216,222.95
	6/22/2012	3099	214,123.77		
				PERS RETIREMENT 6/22/12	214,123.77
	Vendor Total		**430,346.72**		
FYTD for PERS RETIREMENT			**5,595,226.39**		
PSOMAS				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212990	30,204.50		
				SR-60/NASON ST INTRCHNG PROJ	26,432.84
				SR-60/NASON ST INTRCHNG PROJ	307.20
				SR-60/NASON ST INTRCHNG PROJ	3,464.46
	Vendor Total		**30,204.50**		
FYTD for PSOMAS			**195,816.06**		
RASMUSSEN BROTHERS CONSTRUCTION				Remit to: **FALLBROOK** **CA**	
	6/25/2012	213249	55,487.60		
				PD TRAF DIV RENOV-PSB PHASE II	55,487.60
	Vendor Total		**55,487.60**		
FYTD for RASMUSSEN BROTHERS CONSTRUCTION			**55,487.60**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
6/4/2012	885382	304,605.45		
			CNTRCT LAW ENF RATE ADJ FY1112	27,768.07
			CNTRCT LAW ENF RATE ADJ FY1112	-89.30
			CNTRCT LAW ENF RATE ADJ FY1112	165,099.14
			CNTRCT LAW ENF RATE ADJ FY1112	20,252.28
			CNTRCT LAW ENF RATE ADJ FY1112	47,967.78
			CNTRCT LAW ENF RATE ADJ FY1112	1,806.03
			CNTRCT LAW ENF RATE ADJ FY1112	367.81
			CNTRCT LAW ENF RATE ADJ FY1112	-298.70
			CNTRCT LAW ENF RATE ADJ FY1112	-8,374.80
			CNTRCT LAW ENF RATE ADJ FY1112	425.43
			CNTRCT LAW ENF RATE ADJ FY1112	17,011.08
			CNTRCT LAW ENF RATE ADJ FY1112	1,054.17
			CNTRCT LAW ENF RATE ADJ FY1112	22,488.51
			CNTRCT LAW ENF RATE ADJ FY1112	1,885.51
			CNTRCT LAW ENF RATE ADJ FY1112	3,780.50
			CNTRCT LAW ENF RATE ADJ FY1112	104.40
			CNTRCT LAW ENF RATE ADJ FY1112	3,357.54
6/25/2012	885514	2,887,134.74		
			CONTRACT LAW ENF BILL #10	44,963.39
			CONTRACT LAW ENF BILL #10	521.73
			CONTRACT LAW ENF BILL #10	1,495,233.09
			CONTRACT LAW ENF BILL #10	60,787.41
			CONTRACT LAW ENF BILL #10	357,823.67
			CONTRACT LAW ENF BILL #10	5,671.20
			CONTRACT LAW ENF BILL #10	83,007.96
			CONTRACT LAW ENF BILL #10	6,175.08
			CONTRACT LAW ENF BILL #10	79,270.63
			CONTRACT LAW ENF BILL #10	1,636.25
			CONTRACT LAW ENF BILL #10	238,296.82
			CONTRACT LAW ENF BILL #10	3,802.90
			CONTRACT LAW ENF BILL #10	465,403.55
			CONTRACT LAW ENF BILL #10	9,065.42
			CONTRACT LAW ENF BILL #10	35,190.89
			CONTRACT LAW ENF BILL #10	284.75
	Vendor Total	**3,191,740.19**		
FYTD for RIVERSIDE COUNTY SHERIFF		**38,851,771.94**		
RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213085	35,169.16		
			CONTRACT SVCS-OTS GRANT #20163	10,224.03
			CONTRACT SVCS-OTS GRANT #20163	1,645.20
			CONTRACT SVCS-OTS GRANT #20163	5,784.41
			CONTRACT SVCS-OTS GRANT #20163	1,421.32
			CONTRACT SVCS-JAG 2010 GRANT	9,141.48
			CONTRACT SVCS-JAG 2010 GRANT	348.48
			CONTRACT SVCS-JAG 2009 GRANT	6,000.56
			CONTRACT SVCS-JAG 2009 GRANT	603.68
	Vendor Total	**35,169.16**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**365,871.15**		

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RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
6/11/2012	885434	268,939.00		
			ANNUAL RMS BILLNG FY11/12	268,939.00
	Vendor Total	**268,939.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**639,228.15**		
SEAN MALEK ENGINEERING AND CONSTRUCTION			Remit to: **TEMECULA** **CA**	
6/11/2012	213090	145,872.50		
			AUTO MALL ST. IMPRVMNTS PROJ	145,872.50
6/25/2012	213254	140,001.50		
			AUTO MALL ST. IMPRVMNTS PROJ	140,001.50
	Vendor Total	**285,874.00**		
FYTD for SEAN MALEK ENGINEERING AND CONSTRUCTION		**285,874.00**		
SHEFFIELD FORECLOSURE RENOVATION			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213169	42,420.67		
			PROPERTY REHAB-25472 ORCHID CT	42,420.67
	Vendor Total	**42,420.67**		
FYTD for SHEFFIELD FORECLOSURE RENOVATION		**257,839.53**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA** **PA**	
6/28/2012	885623	526,310.40		
			ENERGY PURCHASE FOR MV UTIL.	526,310.40
	Vendor Total	**526,310.40**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**6,203,086.40**		
SILVER CREEK INDUSTRIES, INC			Remit to: **PERRIS** **CA**	
6/28/2012	213403	257,291.28		
			MORRISON PARK FIRE STN PROJ.	257,291.28
	Vendor Total	**257,291.28**		
FYTD for SILVER CREEK INDUSTRIES, INC		**1,475,075.03**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/11/2012	213096	33,925.38		
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	5,800.93
			WDAT CHARGES-GLOBE	8,804.52
			WDAT CHARGES-NANDINA	3,312.59
			WDAT CHARGES-FREDERICK	2,350.17
			WDAT CHARGES-SUBSTATION 115KV	11,031.95
6/18/2012	213172	144,975.06		
			ELECTRICITY	611.60
			ELECTRICITY	26.78
			ELECTRICITY	1,853.40
			ELECTRICITY	50.01
			ELECTRICITY	24.87
			ELECTRICITY	968.18
			ELECTRICITY	132.98
			ELECTRICITY	2,492.29
			ELECTRICITY	833.77
			ELECTRICITY	1,074.10
			ELECTRICITY	1,607.26
			ELECTRICITY	1,201.27
			ELECTRICITY	1,104.36
			ELECTRICITY	22.89
			ELECTRICITY	92,967.77
			ELECTRICITY	35,475.74
			ELECTRICITY	4,060.46
			ELECTRICITY	207.43
			ELECTRICITY	22.89
			ELECTRICITY	45.65
			ELECTRICITY	26.43
			ELECTRICITY	72.21
			ELECTRICITY	92.72
6/28/2012	213406	37,149.58		
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	5,642.21
			WDAT CHARGES-GLOBE	9,167.22
			WDAT CHARGES-NANDINA	4,262.99
			WDAT CHARGES-FREDERICK	2,666.07
			WDAT CHARGES-SUBSTATION 115KV	12,785.87
	Vendor Total	**216,050.02**		
FYTD for SOUTHERN CALIFORNIA EDISON		**3,533,737.68**		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
6/11/2012	213098	27,788.15		
			LIFE & DISABILITY INSURANCE	10,824.52
			LIFE & DISABILITY INSURANCE	16,923.37
			LIFE & DISABILITY INSURANCE	40.26
	Vendor Total	**27,788.15**		
FYTD for STANDARD INSURANCE CO		**356,737.31**		

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STI, INC., TRUCKING & MATERIALS			Remit to: **RIVERSIDE**	**CA**
6/11/2012	213110	104,057.38		
			IRONWOOD AVE IMPRVMNTS PROJ	104,057.38
6/18/2012	885481	151,136.84		
			IRONWOOD AVE IMPRVMNTS PROJ	124,222.34
			IRONWOOD AVE IMPRVMNTS PROJ	26,914.50
	Vendor Total	**255,194.22**		
FYTD for STI, INC., TRUCKING & MATERIALS		**858,178.37**		
STK ARCHITECTURE, INC.			Remit to: **TEMECULA**	**CA**
6/25/2012	885518	26,821.14		
			MORRISON PARK FIRE STN PROJ	26,821.14
	Vendor Total	**26,821.14**		
FYTD for STK ARCHITECTURE, INC.		**356,946.16**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH**	**CA**
6/28/2012	213412	34,757.70		
			LEGAL SVCS	3,128.59
			LEGAL SVCS	1,173.41
			LEGAL SVCS	1,086.10
			LEGAL SVCS	2,064.05
			LEGAL SVCS	585.00
			LEGAL SVCS	184.00
			LEGAL SVCS	500.00
			LEGAL SVCS	2,475.00
			LEGAL SVCS	23,148.75
			LEGAL SVCS	412.80
	Vendor Total	**34,757.70**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**112,168.04**		
THINK TOGETHER, INC			Remit to: **SANTA ANA**	**CA**
6/18/2012	213184	419,690.90		
			ASES GRANT PRGM SVCS	419,690.90
6/28/2012	213419	419,690.90		
			ASES GRANT PRGM SVCS	419,690.90
	Vendor Total	**839,381.80**		
FYTD for THINK TOGETHER, INC		**4,204,293.95**		
TMAD TAYLOR & GAINES			Remit to: **PASADENA**	**CA**
6/4/2012	213016	38,350.00		
			EOC FCC GENERATOR PROJ SVCS	29,414.00
			EOC FCC GENERATOR PROJ SVCS	8,936.00
	Vendor Total	**38,350.00**		
FYTD for TMAD TAYLOR & GAINES		**82,795.00**		

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TRANSTECH ENGINEERS, INC.			Remit to: **WALNUT**	**CA**
6/28/2012	213422	47,889.50		
			CACTUS AVE/NASON ST IMPRV PROJ	47,889.50
	Vendor Total	**47,889.50**		
FYTD for TRANSTECH ENGINEERS, INC.		**105,839.50**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE**	**CA**
6/28/2012	885637	36,491.55		
			LANDSCAPE MAINT-ZONE M	5,532.72
			LANDSCAPE MAINT-ZONE DSG-1	5,121.57
			CLEAN UP-FENCED FLOOD CHANNELS	860.00
			INSTALL PLANT MATERIAL-ZONE M	775.00
			LANDSCAPE MAINT-ZONE M	5,532.72
			LANDSCAPE MAINT-ZONE DSG-1	5,121.57
			LANDSCAPE MAINT-ZONE E-4	7,980.86
			LANDSCAPE MAINT-ZONE E-4A	375.98
			LANDSCAPE MAINT-ZONE E-4A	89.02
			CLEAN UP-PLANTER AREAS/CELEBR.	1,300.00
			CLEAN UP-PLANTER AREAS/V LOMAS	1,450.00
			CLEAN UP-PLANTER AREAS/SHD MTN	1,450.00
			IRRIGATION REPAIRS-ZONE E-4	902.11
	Vendor Total	**36,491.55**		
FYTD for TRUGREEN LANDCARE		**310,948.57**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
6/5/2012	1206021	299,882.82		
			CALCARD PMT CYCLE END 5/28/12	299,882.82
	Vendor Total	**299,882.82**		
FYTD for U.S. BANK/CALCARDS		**1,865,167.19**		
WASTE MANAGEMENT			Remit to: **CORONA**	**CA**
6/28/2012	213433	821,996.47		
			SOLID WASTE DELINQ. PASS THRU	935,468.84
			SOLID WASTE DELINQ. PASS THRU	-113,472.37
	Vendor Total	**821,996.47**		
FYTD for WASTE MANAGEMENT		**1,743,378.78**		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
6/19/2012	120605	979,149.80		
			DEBT SVC-SPECIAL TAXES	979,149.80
	Vendor Total	**979,149.80**		
FYTD for WELLS FARGO CORPORATE TRUST		**8,630,874.86**		

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WRCRCA				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213190	87,872.04		
				MSHCP FEES REPORT-MAY 2012	87,872.04
	Vendor Total		**87,872.04**		
FYTD for WRCRCA			**767,561.34**		
	Subtotal		**20,800,064.45**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

FORREST CORMANY			Remit to: **RIVERSIDE**	**CA**
6/11/2012	213028	200.00		
			BAGPIPER-5/30/12 MEMORIAL DAY	200.00
	Vendor Total	**200.00**		
FYTD for FORREST CORMANY		**200.00**		
JACK HENRY & ASSOCIATES, INC.			Remit to: **MONETT**	**MO**
6/25/2012	213193	386.15		
			MVU ACH-INTERNET SVC	386.15
	Vendor Total	**386.15**		
FYTD for JACK HENRY & ASSOCIATES, INC.		**386.15**		
A & I REPROGRAPHICS	**2406362**		Remit to: **ONTARIO**	**CA**
6/11/2012	213029	748.97		
			PLANS & SPECS-IRIS AVE PROJ	748.97
	Vendor Total	**748.97**		
FYTD for A & I REPROGRAPHICS	**2406362**	**12,011.82**		
A CONE ZONE, INC.			Remit to: **CORONA**	**CA**
6/28/2012	213437	12,087.19		
			ATTENUATOR	10,325.00
			QUICK RELEASE KIT	650.00
			IN-CAB CONTROLLER	150.00
			SHIPPING	100.00
			SALES TAX	862.19
	Vendor Total	**12,087.19**		
FYTD for A CONE ZONE, INC.		**12,087.19**		
ABILITY COUNTS, INC			Remit to: **CORONA**	**CA**
6/28/2012	213279	1,440.00		
			LANDSCAPE MAINT-AQDCT	1,440.00
	Vendor Total	**1,440.00**		
FYTD for ABILITY COUNTS, INC		**17,210.00**		
ABRASIVE BLASTING SERVICE			Remit to: **RIVERSIDE**	**CA**
6/25/2012	213195	8,330.00		
			SANDBLAST ST STRIPING-IRIS	8,330.00
	Vendor Total	**8,330.00**		
FYTD for ABRASIVE BLASTING SERVICE		**8,330.00**		

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ABSOLUTE SURVEILLANCE			Remit to: **CANYON LAKE** **CA**	
6/28/2012	885529	2,511.39		
			GPS TRACKING DEVICES	454.51
			MONTHLY SERVICE PLAN	958.80
			EXTENDED BATTERY KIT	531.90
			CALIF SALES TAX @ 7.75%	111.67
			GPS TRACKING DEVICE	454.51
	Vendor Total	**2,511.39**		
FYTD for ABSOLUTE SURVEILLANCE		**2,511.39**		
ACCESS SECURITY CONTROLS INT., INC.			Remit to: **TEMECULA** **CA**	
6/4/2012	212931	250.00		
			MONITOR BURGLAR ALARM-SUNNYMD	250.00
	Vendor Total	**250.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.		**970.00**		
ACOSTA, ANTHONY			Remit to: **MORENO VALLEY** **CA**	
6/25/2012	213196	134.90		
			4TH OF JULY TEEN STAGE MATERLS	134.90
	Vendor Total	**134.90**		
FYTD for ACOSTA, ANTHONY		**134.90**		
ACTIVE NETWORK, INC., THE			Remit to: **LOS ANGELES** **CA**	
6/4/2012	885310	17,628.61		
			CLASS MAINT/SUPPORT 71269MR	3,750.00
			DEPARTMENT CONNECTOR 71269MR	2,500.00
			CRYSTAL REPORTS 70636MR	600.00
			PYMT SERVER EFT ONLY 70711MR	1,575.00
			DISCOUNT	-1,263.75
			CLASS MAINT/SUPPORT 70670MR	607.76
			FINANCE-LINK FINANCIAL 70680MR	531.78
			CRYSTAL REPORTS 70636MR	150.00
			MULTILIGUAL FRONT DESK 70708MR	75.00
			PAYMENT SERVER 70710MR	1,500.00
			POINT OF SALE 70712MR	1,050.00
			REGISTRATION INCLUDES 70719MR	4,200.00
			REGISTRATION INCLUDES 70721MR	2,625.00
			POINT OF SALE W/O POS 71577MR	1,575.00
			DISCOUNT	-1,847.18
	Vendor Total	**17,628.61**		
FYTD for ACTIVE NETWORK, INC., THE		**17,628.61**		

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ADAMS, DARNEE				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213197	70.00		
				REFUND-CLASS REGIS FEE	70.00
	Vendor Total		**70.00**		
FYTD for ADAMS, DARNEE			**70.00**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	6/4/2012	885311	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885530	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for ADAMS, MARK L.			**4,143.49**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	885446	4,439.88		
				K-9 TRAINING/EQUIPMENT-POLICE	2,639.88
				K-9 TRAINING/EQUIPMENT-POLICE	750.00
				K-9 TRAINING/EQUIPMENT-POLICE	1,050.00
	Vendor Total		**4,439.88**		
FYTD for ADLERHORST INTERNATIONAL INC.			**9,882.67**		
ADVANCE REFRIGERATION & ICE SYSTEMS, INC				Remit to: **RIVERSIDE** **CA**	
	6/25/2012	885488	2,045.00		
				ICE MACHINE MAINT-CRC	195.00
				ICE MACHINE MAINT-EOC	195.00
				ICE MACHINE MAINT-SENIOR CNTR	195.00
				ICE MACHINE MAINT-TOWNGTE CNTR	195.00
				ICE MACHINE MAINT-STN 6	195.00
				ICE MACHINE MAINT-STN 65	114.00
				ICE MACHINE MAINT-STN 65	81.00
				ICE MACHINE MAINT-STN 58	195.00
				ICE MACHINE MAINT-CITY YARD	290.00
				ICE MACHINE MAINT-STN 91	195.00
				ICE MACHINE MAINT-STN 2	195.00
	6/28/2012	885531	200.00		
				ICE MACHINE MAINT-PSB	200.00
	Vendor Total		**2,245.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC			**17,075.83**		

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ADVANCED ELECTRIC				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212932	3,076.60		
				REPAIRED DOME LIGHTS-CITY YARD	2,952.60
				ELECTRICAL REPAIRS-ANIMAL SVCS	124.00
	6/11/2012	213030	62.00		
				SVC CALL TO DEMO 1 PLE WIRING	62.00
	6/28/2012	213280	7,043.94		
				REPLACED LIGHTS/FIXTURES-PSB	3,472.00
				ELECTRICAL REPAIRS-PSB	217.74
				EMERGENCY REPAIRS-VETERANS MEM	1,135.94
				EMERGENCY REPAIRS-CRC	1,467.82
				EMERGENCY REPAIRS-CRC	380.44
				INSTALL ELECTRCL & MOUNT TV-CM	370.00
	Vendor Total		**10,182.54**		
FYTD for ADVANCED ELECTRIC			**66,920.75**		
ADVANTAGE GRAPHICS AND PROMOTIONS				Remit to: **CAPISTRANO BEACH** **CA**	
	6/25/2012	213198	2,487.08		
				PRINT-MV/MVP PARKING CITATIONS	2,487.08
	Vendor Total		**2,487.08**		
FYTD for ADVANTAGE GRAPHICS AND PROMOTIONS			**4,810.21**		
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	6/28/2012	885532	2,084.16		
				PROFESSIONAL SVCS-F-WQMP	2,084.16
	Vendor Total		**2,084.16**		
FYTD for AEI-CASC ENGINEERING			**33,892.93**		
AFECO INC.				Remit to: **SAN DIEGO** **CA**	
	6/28/2012	885533	9,064.52		
				MSA 5200 HD2 THERMAL IMAGING	8,412.55
				CALIF SALE TAX @ 7.75%	651.97
	Vendor Total		**9,064.52**		
FYTD for AFECO INC.			**45,322.61**		
AIR CLEANING SYSTEMS INC.				Remit to: **POMONA** **CA**	
	6/4/2012	885312	438.36		
				PLYMOVENT MAINT/REPAIR	127.50
				PLYMOVENT PARTS	121.60
				PLYMOVENT PARTS	189.26
	Vendor Total		**438.36**		
FYTD for AIR CLEANING SYSTEMS INC.			**4,780.94**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA** **CA**	
6/19/2012	1206071	4,356.06		
			RETENTN PMT PER ESCRW AGREEMNT	4,356.06
6/19/2012	1206072	1,473.94		
			RETENTN PMT PER ESCRW AGREEMNT	1,473.94
	Vendor Total	**5,830.00**		
FYTD for ALL AMERICAN ASPHALT, INC.		**7,883,021.10**		
ALL COURT COVERS			Remit to: **LONG BEACH** **CA**	
6/11/2012	213107	10,709.50		
			GYM FLOOR COVER	7,381.00
			RACK SYSTEM	1,899.00
			RACK COVER	200.00
			INSIDE DELIVERY	250.00
			LIFT GATE SERVICE	150.00
			SALES TAX	829.50
	Vendor Total	**10,709.50**		
FYTD for ALL COURT COVERS		**10,709.50**		
ALL STATE POLICE EQUIPMENT CO.			Remit to: **CLAREMONT** **CA**	
6/4/2012	212934	3,017.00		
			SUPERVISION STANDARD SV100	2,800.00
			SALES TAX	217.00
	Vendor Total	**3,017.00**		
FYTD for ALL STATE POLICE EQUIPMENT CO.		**3,017.00**		
ALLIANZ LIFE INSURANCE CO			Remit to: **PITTSBURGH** **PA**	
6/18/2012	213112	75.00		
			NON-EXEMPT ANNUITY	75.00
	Vendor Total	**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**900.00**		
ALPHACORP/SIRE TECHNOLOGIES			Remit to: **WEST VALLEY CITY** **UT**	
6/18/2012	885447	11,682.00		
			SIRE EDMS CLIENT LICENSES	2,250.00
			SIRE EDMS SOFTWARE MAINT	450.00
			SIRE CAPTURE STATION LICENSES	7,485.00
			SIRE CAPTURE SOFTWARE MAINT	1,497.00
	Vendor Total	**11,682.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**43,826.00**		

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ALTERNATIVES TO DOMESTIC VIOLENCE			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213113	1,816.14		
			DOMESTIC VIOLENCE SVCS	1,816.14
	Vendor Total	**1,816.14**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**9,317.21**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS** **CA**	
6/4/2012	885313	2,895.88		
			BLOOD DRAWS-POLICE	123.24
			BLOOD DRAWS-POLICE	2,772.64
6/18/2012	885448	1,519.96		
			BLOOD DRAWS-POLICE	1,519.96
6/25/2012	885490	41.08		
			BLOOD DRAWS-POLICE	41.08
6/28/2012	885534	1,519.96		
			BLOOD DRAWS-POLICE	1,519.96
	Vendor Total	**5,976.88**		
FYTD for AMERICAN FORENSIC NURSES		**50,711.60**		
AMERICAN TOWERS			Remit to: **CHARLOTTE** **NC**	
6/4/2012	212935	2,676.42		
			TOWER SPACE LEASE	2,676.42
6/11/2012	213032	2,676.42		
			TOWER SPACE LEASE	2,676.42
	Vendor Total	**5,352.84**		
FYTD for AMERICAN TOWERS		**34,484.64**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM** **CA**	
6/11/2012	213033	221.92		
			ELEVATOR MAINT/REPAIRS-C HALL	121.92
			ELEVATOR MAINT/REPAIRS-EOC	100.00
6/28/2012	213281	221.92		
			ELEVATOR MAINT/REPAIR-C HALL	121.92
			ELEVATOR MAINT/REPAIR-EOC	100.00
	Vendor Total	**443.84**		
FYTD for AMTECH ELEVATOR SERVICES		**4,726.22**		
ANDRADE, ALFREDO			Remit to: **MORENO VALLEY** **CA**	
6/18/2012	213114	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for ANDRADE, ALFREDO		**20.00**		

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ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
6/28/2012	885535	75.00		
			EMERGENCY/AFTER HR VET SVCS	75.00
	Vendor Total	**75.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**2,070.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
6/28/2012	213282	1,525.50		
			PEST CONTROL-GOLF CNTR	162.00
			PEST CONTROL-CITY PARKS	600.00
			PEST CONTROL-CONTRACT PARKS	229.50
			PEST CONTROL-MARCH BALLFIELD	300.00
			PEST CONTROL-MARCH FIELD CNTR	90.00
			PEST CONTROL-CFD #1	144.00
	Vendor Total	**1,525.50**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**19,513.00**		
ANSARI, AHMAD			Remit to: **CORONA**	**CA**
6/4/2012	212936	125.00		
			CERT RENEWAL-P.E. LICENSE	125.00
	Vendor Total	**125.00**		
FYTD for ANSARI, AHMAD		**743.47**		
APARTMENT HIGHLAND MEADOWS, LLLP			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213034	76.69		
			REFUND-DUP CITATION PYMNT	30.00
			REFUND-DUP CITATION PYMNT	8.06
			REFUND-DUP CITATION PYMNT	30.00
			REFUND-DUP CITATION PYMNT	8.63
	Vendor Total	**76.69**		
FYTD for APARTMENT HIGHLAND MEADOWS, LLLP		**76.69**		
APWA-AMERICAN PUBLIC WORKS ASSOCIATION			Remit to: **KANSAS CITY**	**MO**
6/25/2012	213199	2,760.00		
			MEMBERSHIP RENEWAL	1,035.00
			MEMBERSHIP RENEWAL	517.50
			MEMBERSHIP RENEWAL	1,207.50
	Vendor Total	**2,760.00**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**5,690.00**		
ARC OF RIVERSIDE COUNTY, THE			Remit to: **RIVERSIDE**	**CA**
6/28/2012	213283	2,010.86		
			MORENO VALLEY RESOURCE CNTR	2,010.86
	Vendor Total	**2,010.86**		
FYTD for ARC OF RIVERSIDE COUNTY, THE		**6,865.12**		

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ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	6/11/2012	885414	24.77		
				WATER PURIF RNTL-EOC	24.77
	6/25/2012	885491	746.19		
				WATER PURIFY UNIT-ANIMAL SVCS	53.86
				WATER PURIFY UNIT-SENIOR CNTR	34.77
				WATER PURIFY UNIT-SDA	26.93
				WATER PURIFY UNIT-TECH SVCS	26.93
				WATER PURIFY UNIT-FACILITIES	26.93
				WATER PURIFY UNIT-CRC	26.93
				WATER PURIFY UNIT-STN 6	24.77
				WATER PURIFY UNIT-STN 48	24.77
				WATER PURIFY UNIT-STN 2	24.77
				WATER PURIFY UNIT-STN 58	15.62
				WATER PURIFY UNIT-STN 91	24.77
				WATER PURIFY UNIT-STN 65	24.77
				WATER PURIFY UNIT-CITY HALL	145.40
				WATER PURIFY UNIT-CITY YARD	26.92
				WATER PURIFY UNIT-CITY YARD	26.93
				WATER PURIFY UNIT-LIBRARY	24.77
				WATER PURIFY UNIT-ANIMAL SVCS	53.86
				WATER PURIFY UNIT-TECH SVCS	26.93
				WATER PURIFY UNIT-FACILITIES	26.93
				WATER PURIFY UNIT-CRC	26.93
				WATER PURIFY UNIT-SENIOR CNTR	24.77
				WATER PURIFY UNIT-SDA	26.93
	Vendor Total		**770.96**		
FYTD for ARROWHEAD WATER			**6,501.91**		
ASSOCIATED REPRODUCTION SERVICES				Remit to: **WHITTIER** **CA**	
	6/28/2012	213284	306.77		
				LEGAL REPRODUCTION SVCS	306.77
	Vendor Total		**306.77**		
FYTD for ASSOCIATED REPRODUCTION SERVICES			**1,999.11**		
AT&T MOBILITY				Remit to: **CAROL STREAM** **IL**	
	6/4/2012	212937	91.50		
				CELL SVCS-POLICE CMND CNTR	91.50
	6/25/2012	213200	92.34		
				CELL SVCS-POLICE CMND CNTR	92.34
	Vendor Total		**183.84**		
FYTD for AT&T MOBILITY			**1,188.07**		

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AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	6/4/2012	212938	183.34		
				COMMUNICATION SVCS	183.34
	Vendor Total		**183.34**		
FYTD for AT&T/MCI			**2,198.88**		
ATHALYE CONSULTING ENGINEERING SERVICES				Remit to: **ONTARIO** **CA**	
	6/25/2012	213201	16,847.30		
				HEACOCK ST BRIDGE IMPRVMNTS	16,847.30
	Vendor Total		**16,847.30**		
FYTD for ATHALYE CONSULTING ENGINEERING SERVICES			**21,452.23**		
AVERILL, CAMERON				Remit to: **NUEVO** **CA**	
	6/18/2012	213115	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for AVERILL, CAMERON			**95.00**		
AVI-CON INC.				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	885536	2,541.84		
				RELEASE-BALANCE OF RETENTION	2,541.84
	Vendor Total		**2,541.84**		
FYTD for AVI-CON INC.			**2,541.84**		
AXIS APPAREL				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	885449	866.15		
				YOUTH SPORTS APPAREL	866.15
	Vendor Total		**866.15**		
FYTD for AXIS APPAREL			**11,953.06**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212939	39.27		
				MILEAGE REIMBURSEMENT	39.27
	Vendor Total		**39.27**		
FYTD for AYALA, NANNERL A.			**809.54**		
AYARS, MARGARET E.				Remit to: **YUCAIPA** **CA**	
	6/28/2012	885537	1,593.65		
				RETIREE MED MAR-JUL'12, PD JUL	1,593.65
	Vendor Total		**1,593.65**		
FYTD for AYARS, MARGARET E.			**4,780.95**		

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BACHER, GRACE				Remit to: **HEMET** **CA**	
	6/4/2012	212940	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213285	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for BACHER, GRACE			**4,143.49**		
BAGLEY, DENISE				Remit to: **HEMET** **CA**	
	6/25/2012	213202	13.00		
				ERC EXTERIOR WINDOW CLEANING	13.00
	Vendor Total		**13.00**		
FYTD for BAGLEY, DENISE			**100.00**		
BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	6/4/2012	885314	126.08		
				RETIREE MED MAY 12, PD JUN 12	126.08
	Vendor Total		**126.08**		
FYTD for BARNES, DARLENE			**1,348.78**		
BAUTISTA, JOSEPH C.				Remit to: **FONTANA** **CA**	
	6/4/2012	885315	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885538	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for BAUTISTA, JOSEPH C.			**4,114.33**		
BECKNER, PATRICK				Remit to: **MURRIETA** **CA**	
	6/28/2012	213438	1,475.60		
				RETIREE MED DENT DEC-FEB, M/C	1,475.60
	Vendor Total		**1,475.60**		
FYTD for BECKNER, PATRICK			**3,009.92**		
BEDOYA, SONIA				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213035	10.00		
				REFUND-TIME 4 TOTS GRAD GOWN	10.00
	Vendor Total		**10.00**		
FYTD for BEDOYA, SONIA			**10.00**		

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BELLAMY, DENISE				Remit to: **MORENO VALLEY**	**CA**
	6/11/2012	213036	650.00		
				REFUND-TOWNGATE CTR	100.00
				REFUND-TOWNGATE CTR	150.00
				REFUND-TOWNGATE CTR	100.00
				REFUND-TOWNGATE CTR	300.00
	Vendor Total		**650.00**		
FYTD for BELLAMY, DENISE			**650.00**		
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE**	**CA**
	6/11/2012	885415	15,028.33		
				TURF & DIRT REMOVAL @ CRC	1,944.00
				LANDSCAPE MAINT-CRC	280.00
				LANDSCAPE MAINT-S AQDCT "A"	662.00
				LANDSCAPE MAINT-SENIOR CNTR	236.00
				LANDSCAPE MAINT-N AQDCT	473.00
				LANDSCAPE MAINT-S AQDCT "A"	765.50
				LANDSCAPE MAINT-SCE/OLD LAKE	1,575.00
				LANDSCAPE MAINT-PATRIOT PARK	360.00
				LANDSCAPE MAINT-BAY/JFK AQDCT	1,710.00
				LANDSCAPE MAINT-BIKE AQDCT	360.00
				LANDSCAPE MAINT-PAN AM/AQDCT	540.00
				LANDSCAPE MAINT-FORMER STARS	260.00
				LANDSCAPE MAINT-MVU SUBSTN	567.00
				LANDSCAPE MAINT-MVU	432.00
				LANDSCAPE MAINT-TOWNGATE CNTR	180.00
				LANDSCAPE MAINT-TOWNGATE AQDCT	735.00
				LANDSCAPE MAINT-LIBRARY	468.00
				LANDSCAPE MAINT-CRC	1,710.00
				LANDSCAPE MAINT-PSB	1,077.83
				LANDSCAPE MAINT-ANIMAL SVCS	468.00
				LANDSCAPE MAINT-CITY YARD	225.00
	6/18/2012	885450	4,174.30		
				LANDSCAPE MAINT-VETERANS MMRL	225.00
				LANDSCAPE MAINT-FIRE STNS	2,835.00
				LANDSCAPE MAINT-CITY HALL	893.30
				LANDSCAPE MAINT-ANNEX	221.00
	Vendor Total		**19,202.63**		
FYTD for BEMUS LANDSCAPE, INC.			**389,345.57**		
BEST, BEST & KRIEGER, LLP				Remit to: **RIVERSIDE**	**CA**
	6/4/2012	885316	8,105.00		
				LEGAL SVCS	8,105.00
	6/28/2012	885541	217.50		
				LEGAL SVCS	60.00
				LEGAL SVCS	157.50
	Vendor Total		**8,322.50**		
FYTD for BEST, BEST & KRIEGER, LLP			**9,443.00**		

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BILL, MONICA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213286	232.50		
				REFUND-CLASS REGIS FEE	232.50
	Vendor Total		**232.50**		
FYTD for BILL, MONICA			**232.50**		
BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212941	6,423.78		
				TOXICOLOGY TESTS-POLICE	1,389.48
				TOXICOLOGY TESTS-POLICE	5,034.30
	Vendor Total		**6,423.78**		
FYTD for BIO-TOX LABORATORIES			**105,514.52**		
BLAIR, CHERYL				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213116	54.00		
				INSTRUCTOR SVCS-BELLY DANCE	54.00
	Vendor Total		**54.00**		
FYTD for BLAIR, CHERYL			**870.00**		
BRAUN BLAISING MCLAUGHLIN				Remit to: **SACRAMENTO** **CA**	
	6/25/2012	213203	22,411.89		
				LEGAL SVCS-ST LIGHT SETTLEMNT	16,169.89
				LEGAL SVCS-ST LIGHT SETTLEMNT	6,242.00
	6/28/2012	213287	2,867.33		
				LEGAL SVCS	2,867.33
	Vendor Total		**25,279.22**		
FYTD for BRAUN BLAISING MCLAUGHLIN			**182,332.67**		

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BRODART CO.				Remit to: **WILLIAMSPORT PA**	
	6/4/2012	885317	4,350.44		
				MISC BOOKS-LIBRARY	112.56
				MISC BOOKS-LIBRARY	22.40
				MISC BOOKS-LIBRARY	22.97
				MISC BOOKS-LIBRARY	60.78
				MISC BOOKS-LIBRARY	57.08
				MISC BOOKS-LIBRARY	40.40
				MISC BOOKS-LIBRARY	19.96
				MISC BOOKS-LIBRARY	27.31
				MISC BOOKS-LIBRARY	65.87
				MISC BOOKS-LIBRARY	35.84
				MISC BOOKS-LIBRARY	21.20
				MISC BOOKS-LIBRARY	256.18
				MISC BOOKS-LIBRARY	43.98
				MISC BOOKS-LIBRARY	24.20
				MISC BOOKS-LIBRARY	21.20
				MISC BOOKS-LIBRARY	16.27
				MISC BOOKS-LIBRARY	43.08
				MISC BOOKS-LIBRARY	518.34
				MISC BOOKS-LIBRARY	76.10
				MISC BOOKS-LIBRARY	47.06
				MISC BOOKS-LIBRARY	32.78
				MISC BOOKS-LIBRARY	62.00
				MISC BOOKS-LIBRARY	27.31
				MISC BOOKS-LIBRARY	95.55
				MISC BOOKS-LIBRARY	16.27
				MISC BOOKS-LIBRARY	39.21
				MISC BOOKS-LIBRARY	315.85
				MISC BOOKS-LIBRARY	39.81
				MISC BOOKS-LIBRARY	28.40
				MISC BOOKS-LIBRARY	20.61
				MISC BOOKS-LIBRARY	61.96
				MISC BOOKS-LIBRARY	245.07
				MISC BOOKS-LIBRARY	573.91
				MISC BOOKS-LIBRARY	18.92
				MISC BOOKS-LIBRARY	42.17
				MISC BOOKS-LIBRARY	757.79
				MISC BOOKS-LIBRARY	21.20
				MISC BOOKS-LIBRARY	65.79
				MISC BOOKS-LIBRARY	22.99
				MISC BOOKS-LIBRARY	154.93
				MISC BOOKS-LIBRARY	52.61
				MISC BOOKS-LIBRARY	21.78
				MISC BOOKS-LIBRARY	71.44
				MISC BOOKS-LIBRARY	29.31
	6/28/2012	885542	3,924.99		
				MISC BOOKS-LIBRARY	118.07
				MISC BOOKS-LIBRARY	106.66
				MISC BOOKS-LIBRARY	16.27
				MISC BOOKS-LIBRARY	21.81
				MISC BOOKS-LIBRARY	29.16
				MISC BOOKS-LIBRARY	111.90
				MISC BOOKS-LIBRARY	23.65

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	39.81
			MISC BOOKS-LIBRARY	171.21
			MISC BOOKS-LIBRARY	22.99
			MISC BOOKS-LIBRARY	48.90
			MISC BOOKS-LIBRARY	255.85
			MISC BOOKS-LIBRARY	22.97
			MISC BOOKS-LIBRARY	28.20
			MISC BOOKS-LIBRARY	22.38
			MISC BOOKS-LIBRARY	21.20
			MISC BOOKS-LIBRARY	16.92
			MISC BOOKS-LIBRARY	41.78
			MISC BOOKS-LIBRARY	107.77
			MISC BOOKS-LIBRARY	16.27
			MISC BOOKS-LIBRARY	50.79
			MISC BOOKS-LIBRARY	85.23
			MISC BOOKS-LIBRARY	265.51
			MISC BOOKS-LIBRARY	41.00
			MISC BOOKS-LIBRARY	24.53
			MISC BOOKS-LIBRARY	16.28
			MISC BOOKS-LIBRARY	63.16
			MISC BOOKS-LIBRARY	91.46
			MISC BOOKS-LIBRARY	24.53
			MISC BOOKS-LIBRARY	48.31
			MISC BOOKS-LIBRARY	144.61
			MISC BOOKS-LIBRARY	30.07
			MISC BOOKS-LIBRARY	29.15
			MISC BOOKS-LIBRARY	42.75
			MISC BOOKS-LIBRARY	21.81
			MISC BOOKS-LIBRARY	22.99
			MISC BOOKS-LIBRARY	21.20
			MISC BOOKS-LIBRARY	20.00
			MISC BOOKS-LIBRARY	21.81
			MISC BOOKS-LIBRARY	76.99
			MISC BOOKS-LIBRARY	12.93
			MISC BOOKS-LIBRARY	18.62
			MISC BOOKS-LIBRARY	32.78
			MISC BOOKS-LIBRARY	14.49
			MISC BOOKS-LIBRARY	6.20
			MISC BOOKS-LIBRARY	59.96
			MISC BOOKS-LIBRARY	26.27
			MISC BOOKS-LIBRARY	22.40
			MISC BOOKS-LIBRARY	397.12
			MISC BOOKS-LIBRARY	41.58
			MISC BOOKS-LIBRARY	40.98
			MISC BOOKS-LIBRARY	131.78
			MISC BOOKS-LIBRARY	29.16
			MISC BOOKS-LIBRARY	24.53
			MISC BOOKS-LIBRARY	23.00
			MISC BOOKS-LIBRARY	52.10
			MISC BOOKS-LIBRARY	32.78
			MISC BOOKS-LIBRARY	135.20
			MISC BOOKS-LIBRARY	16.28
			MISC BOOKS-LIBRARY	15.38
			MISC BOOKS-LIBRARY	332.38
			MISC BOOKS-LIBRARY	73.12

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	8,275.43		
FYTD for BRODART CO.		40,041.42		
BUCKINGHAM, STAN			Remit to: **TEMECULA**	**CA**
6/4/2012	212942	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213288	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	637.46		
FYTD for BUCKINGHAM, STAN		4,143.49		
C.A.P.E. ACCOUNTING			Remit to: **SALINAS**	**CA**
6/18/2012	213117	90.00		
			MEMBERSHIP FEES-FY12/13	45.00
			MEMBERSHIP FEES-FY12/13	45.00
	Vendor Total	90.00		
FYTD for C.A.P.E. ACCOUNTING		90.00		
CA CONSTRUCTION & EVOLUTION MECHANICAL			Remit to: **BUENA PARK**	**CA**
6/28/2012	213289	1,990.00		
			RET/STOP NOTICE PYMT-PSB PROJ	1,990.00
	Vendor Total	1,990.00		
FYTD for CA CONSTRUCTION & EVOLUTION MECHANICAL		1,990.00		
CAIN, GREGORY			Remit to: **TAMPA**	**FL**
6/4/2012	885318	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885543	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	637.46		
FYTD for CAIN, GREGORY		4,143.49		
CALDERON, BRENDA/JOSH			Remit to: **MORENO VALLEY**	**CA**
6/28/2012	213290	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	20.00		
FYTD for CALDERON, BRENDA/JOSH		20.00		
CALDERON, ROSA			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213038	60.00		
			REFUND-CLASS REGIS FEE	60.00
	Vendor Total	60.00		
FYTD for CALDERON, ROSA		60.00		

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CALIFORNIA MUNICIPAL STATISTICS, INC. V1			Remit to: **OAKLAND** **CA**	
6/25/2012	213204	0.00		
			SOLID WASTE DELINQ. PASS THRU	935,468.84
			VOIDED CHECK #213204 - 6/26/12	-113,472.37
			VOIDED CHECK #213204 - 6/26/12	-935,468.84
			SOLID WASTE DELINQ. PASS THRU	113,472.37
	Vendor Total	**0.00**		
FYTD for CALIFORNIA MUNICIPAL STATISTICS, INC. V1		**450.00**		
CALIFORNIA MUNICIPAL UTILITIES ASSOC.			Remit to: **SACRAMENTO** **CA**	
6/28/2012	213291	7,000.00		
			ENERGY EFFICIENCY TRGT STUDY	7,000.00
	Vendor Total	**7,000.00**		
FYTD for CALIFORNIA MUNICIPAL UTILITIES ASSOC.		**12,841.82**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
6/4/2012	885319	358.50		
			PLAN CHECK SVCS-WQMP	358.50
	Vendor Total	**358.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**37,525.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
6/4/2012	885320	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885544	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for CANNON, ANA M.		**4,143.49**		
CANON BUSINESS SOLUTIONS, INC.			Remit to: **BURLINGTON** **NJ**	
6/4/2012	885321	23,509.97		
			COPIER SVC	21,819.00
			SALES TAX	1,690.97
	Vendor Total	**23,509.97**		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**84,261.38**		
CARDNO TEC, INC.			Remit to: **TUSCON** **AZ**	
6/25/2012	213205	377.50		
			REFUND-RENTAL DEPOSIT-CRC	377.50
	Vendor Total	**377.50**		
FYTD for CARDNO TEC, INC.		**377.50**		

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CARSON TRAILER, INC.			Remit to: **BEAUMONT** **CA**	
6/4/2012	213027	2,821.45		
			TRAILER 6'X10' #160612	2,535.00
			DMV DOC FEE	45.00
			TIRE FEE	3.50
			PTI REGISTRATION 5-YR	38.00
			SALES TAX	199.95
	Vendor Total	**2,821.45**		
FYTD for CARSON TRAILER, INC.		**2,821.45**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	885545	637.46		
			RETIREE MED MAY-JUN 12, PD JUN	637.46
	Vendor Total	**637.46**		
FYTD for CARTER, ROSALYN		**4,143.49**		
CASA FOR RIVERSIDE COUNTY, INC.			Remit to: **INDIO** **CA**	
6/18/2012	885451	1,003.76		
			COURT APPOINTED SPECIAL PRGRM	1,003.76
	Vendor Total	**1,003.76**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.		**15,120.88**		
CASON, CHARITY			Remit to: **MORENO VALLEY** **CA**	
6/25/2012	213206	175.00		
			REFUND-RENTAL DEPOSIT-TOWNGATE	175.00
	Vendor Total	**175.00**		
FYTD for CASON, CHARITY		**175.00**		
CASTILLO, LUCERO			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213292	8,461.34		
			FEDERAL RELOCATION ASSISTANCE	8,461.34
	Vendor Total	**8,461.34**		
FYTD for CASTILLO, LUCERO		**20,790.02**		
CASTILLO-PEREZ, ELIZABETH			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213293	75.00		
			REFUND-CLASS REGIS FEE	75.00
	Vendor Total	**75.00**		
FYTD for CASTILLO-PEREZ, ELIZABETH		**75.00**		

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CAVENAUGH & ASSOCIATES			Remit to: **YREKA** **CA**	
6/28/2012	885546	549.00		
			D.U.I. SEMINAR JUL16-20, 2012	549.00
	Vendor Total	**549.00**		
FYTD for CAVENAUGH & ASSOCIATES		**3,044.00**		
CEDILLO, VERONICA			Remit to: **NUEVO** **CA**	
6/11/2012	213039	300.00		
			REFUND-DEPOSIT SENIOR CTR	100.00
			REFUND-DEPOSIT SENIOR CTR	200.00
	Vendor Total	**300.00**		
FYTD for CEDILLO, VERONICA		**300.00**		
CENTRAL FIRE EXTINGUISHER COMPANY			Remit to: **FONTANA** **CA**	
6/4/2012	212943	51.00		
			REPAIR/RECHARGE EXTNGHR-STN 91	51.00
	Vendor Total	**51.00**		
FYTD for CENTRAL FIRE EXTINGUISHER COMPANY		**2,188.78**		
CHANCY, CHIZURU			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213040	220.20		
			INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
			INSTRUCTOR SVCS-HAWAIIAN DANCE	105.00
			INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
6/28/2012	213294	241.80		
			INSTRUCTOR SVCS-HAWAIIAN DANCE	75.00
			INSTRUCTOR SVCS-HAWAIIAN DANCE	120.00
			INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
	Vendor Total	**462.00**		
FYTD for CHANCY, CHIZURU		**2,244.60**		
CHANDLER ASSET MANAGEMENT, INC			Remit to: **SAN DIEGO** **CA**	
6/18/2012	885452	8,649.00		
			FIXED INCOME INVESTMENT MGMT	8,649.00
	Vendor Total	**8,649.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC		**105,659.00**		
CHAPMAN, STEVE			Remit to: **REDLANDS** **CA**	
6/4/2012	212944	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213295	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for CHAPMAN, STEVE		**4,143.49**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885323	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885547	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for CHAPPELL, ISAAC			**4,143.49**		
CHASE, DONALD				Remit to: **MARCH ARB** **CA**	
	6/28/2012	213296	41.50		
				REFUND-GEN PLAN COPY & DVD	41.50
	Vendor Total		**41.50**		
FYTD for CHASE, DONALD			**41.50**		
CHIPMAN, CARYN				Remit to: **PERRIS** **CA**	
	6/18/2012	213118	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for CHIPMAN, CARYN			**75.00**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885324	225.99		
				RETIREE MED JUN '12	225.99
	6/28/2012	885548	225.99		
				RETIREE MED JUL '12	225.99
	Vendor Total		**451.98**		
FYTD for CHRISTIAN, OWEN			**2,961.21**		

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CINTAS CORPORATION			Remit to: **ONTARIO** **CA**	
6/4/2012	885325	34.55		
			UNIFORM RNTL SVC-FACILITIES	27.10
			UNIFORM RNTL SVC-FACILITIES	7.45
6/11/2012	885416	279.34		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	91.14
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-FACILITIES	17.28
6/18/2012	885453	75.30		
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
6/25/2012	885492	445.66		
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-ST MAINT	95.64
			UNIFORM RNTL SVC-ST MAINT	91.54
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-ST SWEEPING	8.88
6/28/2012	885549	727.29		
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-PARK MAINT	2.79

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	91.54
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	91.54
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-FACILITIES	17.28
	Vendor Total	**1,562.14**		
FYTD for CINTAS CORPORATION		**16,289.49**		

CITY OF MORENO VALLEY VEBA TRUST — Remit to: **MORENO VALLEY CA**

6/4/2012	885326	2,030.00		
			EXEMPT VEBA	2,030.00
6/18/2012	885454	6,117.50		
			EXEMPT VEBA	6,117.50
6/28/2012	885550	4,543.98		
				2,020.00
				2,523.98
	Vendor Total	**12,691.48**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**96,180.30**		

CMTA INVESTMENT POLICY CERTIFICATION PRG — Remit to: **SACRAMENTO CA**

6/11/2012	213041	175.00		
			INVESTMENT POLICY CERT. PRGM	175.00
	Vendor Total	**175.00**		
FYTD for CMTA INVESTMENT POLICY CERTIFICATION PRG		**175.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLD STAR, INC.				Remit to: **CHINO** **CA**	
	6/28/2012	213297	479.48		
				4TH OF JULY SUPPLIES-ICE	479.48
	Vendor Total		**479.48**		
FYTD for COLD STAR, INC.			**479.48**		
COLLINS, COLLINS, MUIR & STEWART, LLP				Remit to: **SOUTH PASADENA** **CA**	
	6/28/2012	213298	5,675.73		
				LEGAL SVCS	743.90
				LEGAL SVCS	4,931.83
	Vendor Total		**5,675.73**		
FYTD for COLLINS, COLLINS, MUIR & STEWART, LLP			**6,881.61**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	6/4/2012	212945	7,241.55		
				SUPPLEMENTAL INSURANCE	7,241.55
	6/25/2012	213207	7,197.05		
				SUPPLEMENTAL INSURANCE	7,197.05
	Vendor Total		**14,438.60**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**88,415.90**		
COMMERCIAL DOOR METAL SYSTEMS, INC.				Remit to: **CHINO** **CA**	
	6/4/2012	212946	1,523.00		
				REMOVE/INSTALL DOOR-ANIMAL SVC	1,523.00
	Vendor Total		**1,523.00**		
FYTD for COMMERCIAL DOOR METAL SYSTEMS, INC.			**1,523.00**		
COMMUNICATION SUPPLY CORP.				Remit to: **BUENA PARK** **CA**	
	6/18/2012	213119	17,370.24		
				MATERIALS-FIBER OPTIC PROJECT	15,651.70
				SALES TAX	1,213.01
				MATERIALS-FIBER OPTIC PROJECT	489.49
				MATERIALS-FIBER OPTIC PROJECT	16.04
	Vendor Total		**17,370.24**		
FYTD for COMMUNICATION SUPPLY CORP.			**54,759.29**		
COMMUNITY ASSISTANCE PROGRAM - CAP				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	885455	2,438.26		
				CAP FOOD DISTRIBUTION PRGRM	2,438.26
	Vendor Total		**2,438.26**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP			**36,450.47**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMMUNITY CONNECT			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213120	94.23		
			"211" CALL CENTER INFORMATION	94.23
	Vendor Total	**94.23**		
FYTD for COMMUNITY CONNECT		**4,899.26**		
COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
6/4/2012	212947	142.00		
			CHC CONTRIBUTIONS	142.00
6/18/2012	213121	142.00		
			CHC CONTRIBUTIONS	142.00
6/28/2012	213299	142.00		
			CHC CONTRIBUTIONS	142.00
	Vendor Total	**426.00**		
FYTD for COMMUNITY HEALTH CHARITIES		**5,776.34**		
COMPETITIVE ASPHALT COATINGS, INC.			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213042	21,268.00		
			SLURRY SEAL & RE-STRIPE-C HALL	19,318.00
			ASPHALT WORK-C HALL PRKNG LOT	1,950.00
	Vendor Total	**21,268.00**		
FYTD for COMPETITIVE ASPHALT COATINGS, INC.		**21,268.00**		
COMPETITIVE STRIDE			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213122	404.60		
			YOUTH/ADULT AWARDS	404.60
6/28/2012	213300	470.06		
			YOUTH AWARDS	450.00
			YOUTH AWARDS	20.06
	Vendor Total	**874.66**		
FYTD for COMPETITIVE STRIDE		**4,506.72**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
6/25/2012	213208	11,298.80		
			ASPHALTIC MATERIALS-MAINT/OPS	3,958.57
			ASPHALTIC MATERIALS-MAINT/OPS	378.11
			ASPHALTIC MATERIALS-MAINT/OPS	6,962.12
6/28/2012	213301	8,349.60		
			ASPHALTIC MATERIALS-MAIN/OP'S	8,349.60
	Vendor Total	**19,648.40**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**32,442.08**		

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CONTROL TECHNOLOGIES			Remit to: **ANAHEIM** **CA**	
6/11/2012	213043	662.00		
			REPAIR DDC SYSTEM AT EOC	400.00
			REPAIR DDC SYSTEM AT EOC	262.00
	Vendor Total	**662.00**		
FYTD for CONTROL TECHNOLOGIES		**662.00**		
CORNERSTONE RECORDS MANAGEMENT, LLC			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213108	1,281.37		
			OFF-SITE STORAGE	1,281.37
6/18/2012	885456	1,672.86		
			RECORDS OFFSITE STORAGE	1,672.86
	Vendor Total	**2,954.23**		
FYTD for CORNERSTONE RECORDS MANAGEMENT, LLC		**15,906.13**		
COSEY JR., JAMES			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213302	165.00		
			INSTRUCTOR SVCS/T-CAP-YOUTH	198.00
			50% WITHHOLDING FOR CSS ORDER	-99.00
			INSTRUCTOR SVCS/T-CAP-YOUTH	132.00
			50% WITHHOLDING FOR CSS ORDER	-66.00
	Vendor Total	**165.00**		
FYTD for COSEY JR., JAMES		**1,648.50**		
COSIO, VANESSA			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	212948	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for COSIO, VANESSA		**75.00**		
COSTCO			Remit to: **MORENO VALLEY** **CA**	
6/18/2012	213123	453.25		
			MISC SUPPLIES-"A CHILDS PLACE"	243.74
			MISC SUPPLIES-SKATE PARK	209.51
6/25/2012	213209	988.54		
			MISC SUPPLIES-"A CHILDS PLACE"	988.54
6/28/2012	213303	1,610.94		
			MISC SUPPLIES-"A CHILDS PLACE"	295.45
			MISC SUPPLIES-"A CHILDS PLACE"	970.11
			MISC SUPPLIES-SKATE PARK	345.38
	Vendor Total	**3,052.73**		
FYTD for COSTCO		**19,047.30**		

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COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
6/28/2012	213304	921.16		
			JANITORIAL SUPPLIES FOR PD	921.16
	Vendor Total	**921.16**		
FYTD for COUNTY OF RIVERSIDE		**23,273.97**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213124	49.37		
			RECORDATION SVCS	49.37
	Vendor Total	**49.37**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**631.34**		
CREATIVE PROMOTIONAL IDEAS			Remit to: **UPLAND** **CA**	
6/28/2012	213306	21,562.38		
			TOTE BAG & ART WORK PROOF	18,015.00
			FREIGHT	2,152.38
			SALES TAX	1,395.00
	Vendor Total	**21,562.38**		
FYTD for CREATIVE PROMOTIONAL IDEAS		**21,562.38**		
CRIME SCENE STERI-CLEAN, LLC			Remit to: **RANCHO CUCAMONGA** **CA**	
6/4/2012	212949	750.00		
			BIO-HAZARD CLEAN-UP FOR PD	750.00
	Vendor Total	**750.00**		
FYTD for CRIME SCENE STERI-CLEAN, LLC		**2,640.00**		
CRUZ, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
6/25/2012	213210	159.84		
			MILEAGE REIMB-CFED WEST CONF.	159.84
	Vendor Total	**159.84**		
FYTD for CRUZ, MICHAEL		**667.53**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213045	871.00		
			ENVIRONMENTAL HEALTH PERMIT	871.00
	Vendor Total	**871.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**25,291.83**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
6/28/2012	213307	745.00		
			DECEASED ANIMAL RMVL	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**8,940.00**		

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DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885327	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885551	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for DALE, KATHLEEN			**4,143.49**		
DALLAS, MELY C.				Remit to: **SUN CITY** **CA**	
	6/25/2012	213277	264.00		
				RETIREE MEDICAL REIMBURSEMENT	264.00
	6/28/2012	885552	288.00		
				RETIREE MED JUN 12, PD JUL 12	288.00
	Vendor Total		**552.00**		
FYTD for DALLAS, MELY C.			**552.00**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	6/4/2012	885328	2,234.65		
				CITATION PROCESSING-POLICE	2,234.65
	Vendor Total		**2,234.65**		
FYTD for DATA TICKET, INC.			**311,710.82**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	6/25/2012	213211	130.50		
				SOFTWARE/ONLINE SUBSCRIPTION	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,566.00**		
DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	6/28/2012	213308	140.00		
				BOILER MAINT-EOC	140.00
	Vendor Total		**140.00**		
FYTD for DEBINAIRE COMPANY			**3,372.04**		
DELEOS, EDGARDO				Remit to: **LA MIRADA** **CA**	
	6/25/2012	213212	422.48		
				REFUND-DISMSD ADMIN CITATION	422.48
	Vendor Total		**422.48**		
FYTD for DELEOS, EDGARDO			**422.48**		

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DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	6/11/2012	885419	10,203.24		
				EMPLOYEE DENTAL INSURANCE	10,203.24
	Vendor Total		**10,203.24**		
FYTD for DELTA DENTAL			**125,330.02**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	6/18/2012	213125	5,804.75		
				EMPLOYEE DENTAL INSURANCE	5,804.75
	Vendor Total		**5,804.75**		
FYTD for DELTACARE USA			**74,115.66**		
DENNEY, ANDREW				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213213	100.00		
				TEEN BAND-TEEN STAGE JULY 4TH	100.00
	Vendor Total		**100.00**		
FYTD for DENNEY, ANDREW			**100.00**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	6/4/2012	885329	6,160.00		
				FIRE INSPECTION SVCS	6,160.00
	Vendor Total		**6,160.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**180,650.00**		
DEPARTMENT OF ENVIRONMENTAL HEALTH				Remit to: **HEMET** **CA**	
	6/13/2012	213111	274.00		
				HEALTH PERMIT FEE-JUL 4 EVENT	274.00
	Vendor Total		**274.00**		
FYTD for DEPARTMENT OF ENVIRONMENTAL HEALTH			**274.00**		
DHA CONSULTING				Remit to: **LONG BEACH** **CA**	
	6/11/2012	213046	1,680.00		
				CONSULTING SVC-AB26 COMPLIANCE	1,680.00
	Vendor Total		**1,680.00**		
FYTD for DHA CONSULTING			**4,320.00**		
DIGITAL TELECOMMUNICATIONS CORP.				Remit to: **VAN NUYS** **CA**	
	6/4/2012	885330	10,850.00		
				VOICEMAIL MAINT RENEWAL	10,850.00
	Vendor Total		**10,850.00**		
FYTD for DIGITAL TELECOMMUNICATIONS CORP.			**10,850.00**		

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DIVISION OF LABOR STANDARDS ENFORCMENT			Remit to: **LONG BEACH** **CA**	
6/11/2012	213047	9,018.52		
			SETTLEMENT OF ASSESSMENT	9,018.52
	Vendor Total	**9,018.52**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT		**9,018.52**		
DLS LANDSCAPE, INC			Remit to: **REDLANDS** **CA**	
6/28/2012	885555	11,475.00		
			LANDSCAPE MAINT-CFD #1	2,052.00
			LANDSCAPE MAINT-ZONE A	9,423.00
	Vendor Total	**11,475.00**		
FYTD for DLS LANDSCAPE, INC		**141,246.00**		
DMC DESIGN GROUP, INC			Remit to: **CORONA** **CA**	
6/28/2012	213309	8,280.75		
			CONSULTANT ADMIN SVCS-CAP PROJ	8,280.75
	Vendor Total	**8,280.75**		
FYTD for DMC DESIGN GROUP, INC		**307,550.99**		
DONNA, BELLA			Remit to: **OAK PARK** **CA**	
6/28/2012	213310	2,000.00		
			ENTERTAINMENT FOR 4TH OF JULY	2,000.00
	Vendor Total	**2,000.00**		
FYTD for DONNA, BELLA		**2,000.00**		
DORY, ALLEEN F.			Remit to: **HEMET** **CA**	
6/4/2012	212950	225.99		
			RETIREE MED JUN '12	225.99
6/28/2012	213311	225.99		
			RETIREE MED JUL '12	225.99
	Vendor Total	**451.98**		
FYTD for DORY, ALLEEN F.		**4,027.41**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			Remit to: **SACRAMENTO** **CA**	
6/25/2012	213214	7.50		
			2011 MANIFEST FEE	7.50
	Vendor Total	**7.50**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL		**7.50**		

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DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213048	273.00		
				INSTRUCTOR SVCS-FOLK DANCE	273.00
	6/28/2012	213312	252.00		
				INSTRUCTOR SVCS-FOLK DANCE	252.00
	Vendor Total		**525.00**		
FYTD for DURAN, BLANCA			**2,856.00**		
DUVAL, ROBERTA				Remit to: **SUN CITY** **CA**	
	6/18/2012	213126	396.00		
				INSTRUCTOR SVCS-CPR	396.00
	6/25/2012	213215	360.00		
				INSTRUCTOR SVCS-CPR	360.00
	Vendor Total		**756.00**		
FYTD for DUVAL, ROBERTA			**3,741.00**		
E.R. BLOCK PLUMBING & HEATING, INC.				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	885331	180.00		
				BACKFLOW DEVICE TESTS-ZONE E-2	60.00
				BACKFLOW DEVICE TESTS-ZONE E-3	40.00
				BACKFLOW DEVICE TEST-ZONE E-8	20.00
				BACKFLOW DEVICE TESTS-ZONE M	60.00
	6/11/2012	885420	140.00		
				BACKFLOW DEVICE TEST-CFD#1	40.00
				BACKFLOW DEVICE TEST-FS#6	20.00
				BACKFLOW DEVICE TESTS-ZONE M	80.00
	Vendor Total		**320.00**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**41,020.76**		
EASTERN MUNICIPAL WATER DISTRICT				Remit to: **PERRIS** **CA**	
	6/11/2012	213049	1,773.19		
				WATER CHARGES	27.03
				WATER CHARGES	10.03
				WATER CHARGES	1,736.13
	6/11/2012	213053	2,982.75		
				CO# 68357-CROSS/VALVE RELOCAT.	2,982.75
	6/18/2012	213127	4,974.60		
				SEWER FEE DEPOSIT-CORP YRD PRJ	4,974.60
	Vendor Total		**9,730.54**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**1,893,005.22**		

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EDGELANE MOBILE PARK				Remit to: **LOS ANGELES** **CA**	
	6/25/2012	885494	40.54		
				REFUND-UUT FOR EXEMPT RESIDNTS	40.54
	6/28/2012	885556	42.94		
				REFUND-UUT FOR EXEMPT RESIDNTS	42.94
	Vendor Total		**83.48**		
FYTD for EDGELANE MOBILE PARK			**523.51**		
EES CONSULTING, INC.				Remit to: **KIRKLAND** **WA**	
	6/25/2012	213217	6,749.89		
				CONSULTING SVCS-MVU	6,749.89
	Vendor Total		**6,749.89**		
FYTD for EES CONSULTING, INC.			**50,626.33**		
EGGERSTEN, ANNE				Remit to: **RANCHO MIRAGE** **CA**	
	6/4/2012	212952	320.43		
				RETIREE MED JUN '12	320.43
	6/28/2012	213314	320.43		
				RETIREE MED JUL '12	320.43
	Vendor Total		**640.86**		
FYTD for EGGERSTEN, ANNE			**4,196.97**		
EMPIRE OFFICE MACHINES				Remit to: **SAN BERNARDINO** **CA**	
	6/25/2012	213219	112.27		
				REPAIR SVCS-2 IBM TYPEWRITERS	112.27
	Vendor Total		**112.27**		
FYTD for EMPIRE OFFICE MACHINES			**264.27**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	6/4/2012	885332	14,136.88		
				MVU WORK AUTHORIZATION 40-251B	182.58
				MVU WORK AUTHORIZATION 40-250B	347.08
				MVU WORK AUTHORIZATION 40-249B	1,668.04
				MVU WORK AUTHORIZATION 40-243B	121.72
				MVU WORK AUTHORIZATION 40-265	1,120.06
				MVU WORK AUTHORIZATION 40-242A	504.07
				MVU WORK AUTHORIZATION 40-247A	6,159.02
				MVU WORK AUTHORIZATION 40-266	466.75
				MVU WORK AUTHORIZATION 40-270A	632.90
				MVU WORK AUTHORIZATION 40-270B	50.61
				MVU WORK AUTHORIZATION 40-272	2,884.05
	6/18/2012	885457	425.00		
				ELECTRIC METER CHARGES	425.00
	Vendor Total		**14,561.88**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**2,630,109.02**		

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ENTENMANN-ROVIN COMPANY, INC.			Remit to: **LOS ANGELES** **CA**	
6/28/2012	213315	944.96		
			MVPD 153-1 TT DOME BADGES	154.53
			MVPD 153-1 TT POST/PEG BADGES	201.30
			MVPD 153-1 TT DOME BADGES	589.13
	Vendor Total	**944.96**		
FYTD for ENTENMANN-ROVIN COMPANY, INC.		**944.96**		
ENTERPRISE MEDIA			Remit to: **RIVERSIDE** **CA**	
6/28/2012	213316	7,650.48		
			FORECLOSURE PREVNTN ADS-MAY'12	5,816.23
			FORECLOSURE PREVNTN ADS-APR'12	1,609.25
			FORECLOSURE PREVNTN ADS-APR'12	225.00
	Vendor Total	**7,650.48**		
FYTD for ENTERPRISE MEDIA		**9,390.08**		
ENVIRONMENTAL & REGULATORY SPECIALST,INC			Remit to: **NEWPORT BEACH** **CA**	
6/28/2012	885557	2,175.00		
			STREAMBED ALTERATION AGREEMENT	2,175.00
	Vendor Total	**2,175.00**		
FYTD for ENVIRONMENTAL & REGULATORY SPECIALST,INC		**4,495.00**		
ERICSON, ROSE			Remit to: **RIVERSIDE** **CA**	
6/28/2012	213318	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for ERICSON, ROSE		**20.00**		
EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	885333	30.17		
			PLAQUE-STAFF	28.00
			SALES TAX	2.17
6/11/2012	885421	497.81		
			NAMEPLATES & BADGES	32.33
			GOLDPLATED DOUBLE NAMEPLATES	432.00
			CALIF SALE TAX @ 7.75%	33.48
	Vendor Total	**527.98**		
FYTD for EVANS ENGRAVING & AWARDS		**4,443.19**		

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EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
6/28/2012	213319	11,530.13		
			IRRIGATION PARTS/SUPPLY-PARKS	6.23
			IRRIGATION PARTS/SUPPLY-PARKS	632.01
			IRRIGATION PARTS/SUPPLY-CFD #1	1,638.25
			IRRIGATION PARTS/SUPPLY-CFD #1	9,000.00
			IRRIGATION PARTS/SUPPLY-PARKS	253.64
	Vendor Total	**11,530.13**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**22,449.82**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
6/4/2012	212953	2,777.17		
			LANDSCAPE MAINT-ZONE E-7	2,777.17
6/25/2012	213220	2,777.17		
			LANDSCAPE MAINT-ZONE E-7	2,777.17
6/28/2012	213320	5,396.99		
			LANDSCAPE MAINT-WQCB	648.66
			LANDSCAPE MAINT-WQCB	2,667.39
			LANDSCAPE MAINT-WQCB	2,080.94
	Vendor Total	**10,951.33**		
FYTD for EXCEL LANDSCAPE, INC		**101,654.93**		
EXECUTIVE HOUSING			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213055	30.00		
			REFUND-DUP CITATION PYMNT	30.00
	Vendor Total	**30.00**		
FYTD for EXECUTIVE HOUSING		**30.00**		
FAIR HOUSING COUNCIL OF RIV CO, INC.			Remit to: **RIVERSIDE**	**CA**
6/18/2012	885458	3,635.90		
			FAIR HOUSING DISCRIMNTN SVCS	2,371.54
			LANDLORD/TENANT MEDIATN SVCS	1,264.36
6/28/2012	885558	3,870.62		
			FAIR HOUSING DISCRIMNTN SVCS	2,519.78
			LANDLORD/TENANT MEDIATN SVCS	1,350.84
	Vendor Total	**7,506.52**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**70,111.74**		
FARRAR, CINDY			Remit to: **MORENO VALLEY**	**CA**
6/18/2012	213129	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for FARRAR, CINDY		**50.00**		

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FAST SIGNS				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213130	211.19		
				BANNER -VOTER REGIS CAMPAIGN	211.19
	Vendor Total		**211.19**		
FYTD for FAST SIGNS			**372.82**		
FEENSTRA, JOHN				Remit to: **REDLANDS** **CA**	
	6/4/2012	885334	361.25		
				RETIREE MED JUN '12	361.25
	6/28/2012	885559	361.25		
				RETIREE MED JUL '12	361.25
	Vendor Total		**722.50**		
FYTD for FEENSTRA, JOHN			**4,696.25**		
FIRST AMERICAN CORE LOGIC, INC.				Remit to: **SANTA ANA** **CA**	
	6/28/2012	213322	664.00		
				REALQUEST ONLINE ACCESS-CODE	391.00
				REALQUEST ONLINE ACCESS-CEDD	103.00
				REALQUEST ONLINE ACCESS-N PRES	170.00
	Vendor Total		**664.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**7,272.00**		
FIRST AMERICAN TITLE COMPANY				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212954	500.00		
				PRELIMINARY TITLE REPORT	500.00
	Vendor Total		**500.00**		
FYTD for FIRST AMERICAN TITLE COMPANY			**830.00**		
FIRST CHOICE SERVICES				Remit to: **ONTARIO** **CA**	
	6/18/2012	885459	662.14		
				COFFEE SVC-EMPLOYEE PAID	36.88
				COFFEE SVC-EMPLOYEE PAID	76.72
				COFFEE SVC-EMPLOYEE PAID	205.23
				COFFEE SVC-EMPLOYEE PAID	221.27
				COFFEE SVC-EMPLOYEE PAID	122.04
	6/28/2012	885560	85.33		
				COFFEE SVC-EMPLOYEE PAID	85.33
	Vendor Total		**747.47**		
FYTD for FIRST CHOICE SERVICES			**9,065.02**		

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FITNESS 19 CA 155 11C			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213323	201.00		
			GYM MEMBERSHIP DEDUCTIONS	201.00
	Vendor Total	**201.00**		
FYTD for FITNESS 19 CA 155 11C		**2,681.00**		
FLOREZ, ROBERT			Remit to: **SUN CITY** **CA**	
6/28/2012	213324	148.00		
			TUITION FEE REIMBURSEMENT	148.00
	Vendor Total	**148.00**		
FYTD for FLOREZ, ROBERT		**598.80**		
FORM PRINT COMPANY FPC GRAPHICS			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213132	2,368.53		
			PRINT SVCS-CSD ANNUAL NOTICE	473.70
			PRINT SVCS-CSD ANNUAL NOTICE	473.70
			PRINT SVCS-CSD ANNUAL NOTICE	473.71
			PRINT SVCS-CSD ANNUAL NOTICE	473.71
			PRINT SVCS-CSD ANNUAL NOTICE	473.71
	Vendor Total	**2,368.53**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS		**6,690.50**		
FOSTER, NANCY A.			Remit to: **GRASS VALLEY** **CA**	
6/4/2012	885335	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885561	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for FOSTER, NANCY A.		**4,143.49**		
FRANCE PUBLICATIONS, INC			Remit to: **ATLANTA** **GA**	
6/18/2012	213133	3,500.00		
			ADVERTISING SVCS	3,500.00
	Vendor Total	**3,500.00**		
FYTD for FRANCE PUBLICATIONS, INC		**3,500.00**		

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FRANCHISE TAX BOARD			Remit to: **SACRAMENTO**	**CA**
6/4/2012	212955	428.12		
			GARNISHMENT	100.00
			GARNISHMENT	153.12
			GARNISHMENT	25.00
			GARNISHMENT	150.00
6/18/2012	213134	175.00		
			GARNISHMENT	175.00
6/28/2012	213325	175.00		
			GARNISHMENT	25.00
			GARNISHMENT	150.00
	Vendor Total	**778.12**		
FYTD for FRANCHISE TAX BOARD		**12,149.55**		
FRANKLIN, L. C.			Remit to: **PERRIS**	**CA**
6/18/2012	213135	242.54		
			MILEAGE REIMBURSEMENT	242.54
	Vendor Total	**242.54**		
FYTD for FRANKLIN, L. C.		**2,137.48**		
FRAZEE INDUSTRIES, INC			Remit to: **MORENO VALLEY**	**CA**
6/25/2012	213222	1,167.06		
			PAINT/SUPPLIES-GRAFFITI RMVL	1,077.07
			PAINT/SUPPLIES-GRAFFITI RMVL	3,935.38
			CREDIT-PAINT-GRAFFITI RMVL	-3,845.39
6/28/2012	213326	3,017.34		
			PAINT/SUPPLIES-GRAFFITI RMVL	904.32
			TRAFFIC PAINT	597.37
			TRAFFIC PAINT	1,515.65
	Vendor Total	**4,184.40**		
FYTD for FRAZEE INDUSTRIES, INC		**48,290.29**		
FREDERICK, BARRY			Remit to: **TEMECULA**	**CA**
6/28/2012	213327	250.00		
			JUDGING SVCS-2012 MV IDOL	50.00
			JUDGING SVCS-2012 MV IDOL	150.00
			JUDGING SVCS-2012 MV IDOL	50.00
	Vendor Total	**250.00**		
FYTD for FREDERICK, BARRY		**250.00**		
FRESH & EASY NEIGHBORHOOD MARKET			Remit to: **EL SEGUNDO**	**CA**
6/28/2012	213328	2,426.11		
			ENERGY EFFICIENCY INCENTIVE	2,426.11
	Vendor Total	**2,426.11**		
FYTD for FRESH & EASY NEIGHBORHOOD MARKET		**2,426.11**		

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GAIL MATERIALS				Remit to: **CORONA** **CA**	
	6/11/2012	213056	2,034.10		
				DECOMPOSED GRANITE-CFD #1	2,034.10
	Vendor Total		**2,034.10**		
FYTD for GAIL MATERIALS			**2,034.10**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212956	926.65		
				DIGITAL CAMERAS-POLICE	860.00
				SALES TAX	66.65
	6/18/2012	213136	411.90		
				UNIFORMS-POP TEAM	102.50
				UNIFORMS-TRAFFIC POLICE	309.40
	6/25/2012	213223	299.52		
				UNIFORMS-TRAFFIC UNIT	299.52
	Vendor Total		**1,638.07**		
FYTD for GALLS INC., INLAND UNIFORM			**10,431.46**		
GASTELUM, DENISE				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213137	200.00		
				REFUND-RENTAL DEPOSIT-TCC EVNT	200.00
	Vendor Total		**200.00**		
FYTD for GASTELUM, DENISE			**200.00**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
6/4/2012	212957	276.12		
			SECURITY SVCS-TOWNGATE CNTR	107.38
			SECURITY SVCS-TOWNGATE CNTR	76.70
			SECURITY SVCS-TOWNGATE CNTR	92.04
6/11/2012	213057	490.88		
			SECURITY SVCS-TWNGATE RENTALS	122.72
			SECURITY SVCS-TWNGATE RENTALS	61.36
			SECURITY SVCS-SNR CTR RENTLS	214.76
			SECURITY SVCS-SNR CTR RENTLS	92.04
6/18/2012	213138	1,687.40		
			SECURITY SVCS-CRC SPCL EVENTS	322.14
			SECURITY SVCS-CRC SPCL EVENTS	138.06
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
6/25/2012	213224	705.64		
			SECURITY SVCS-MVU ANNEX	260.78
			SECURITY SVCS-SNR CTR RENTLS	214.76
			SECURITY SVCS-TWNGATE RENTALS	61.36
			SECURITY SVCS-TWNGATE RENTALS	107.38
			SECURITY SVCS-CRC RENTALS	61.36
6/28/2012	213329	782.34		
			SECURITY SVCS-CRC RENTALS	475.54
			SECURITY SVCS-CRC	306.80
	Vendor Total	**3,942.38**		
FYTD for GENERAL SECURITY SERVICES, INC.		**49,111.08**		
GHANTIWALA, PRAVIN			Remit to: **WALNUT**	**CA**
6/4/2012	885336	3,420.00		
			ENGINEERING/DESIGN SVCS-MVU	3,420.00
6/18/2012	885460	2,565.00		
			ELECTRICAL ENGINEER SVCS	2,565.00
6/25/2012	885496	2,565.00		
			ELECTRICAL ENGINEER SVCS-MVU	2,565.00
	Vendor Total	**8,550.00**		
FYTD for GHANTIWALA, PRAVIN		**47,880.00**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
6/4/2012	885337	1,179.75		
			LEGAL SVCS	347.12
			LEGAL SVCS	242.76
			LEGAL SVCS	347.12
			LEGAL SVCS	242.75
6/18/2012	885461	1,549.75		
			LEGAL SVCS	1,260.30
			LEGAL SVCS	42.00
			LEGAL SVCS	247.45
	Vendor Total	**2,729.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**269,528.32**		
GLADWELL GOVERNMENTAL SVCS, INC.			Remit to: **LAKE ARROWHEAD**	**CA**
6/4/2012	212958	740.00		
			LEGAL REVIEW-RECORDS RETNTN	500.00
			ANALYSIS & RECOMMENDATION-SIRE	240.00
	Vendor Total	**740.00**		
FYTD for GLADWELL GOVERNMENTAL SVCS, INC.		**740.00**		
GLOBAL SOFTWARE, INC			Remit to: **RALEIGH**	**NC**
6/11/2012	885422	13,020.00		
			SPREADSHEET SERVER	10,395.00
			EXECUTIVE DASH SOFTWARE MAINT	2,625.00
6/18/2012	885462	7,979.00		
			SERVER/SOFTWARE SUPPORT/MAINT	800.00
			SERVER/SOFTWARE SUPPORT/MAINT	1,600.00
			SERVER/SOFTWARE SUPPORT/MAINT	1,600.00
			SERVER/SOFTWARE SUPPORT/MAINT	800.00
			SERVER-USER LICENSE	2,440.00
			SERVER SUPPORT/MAINT	739.00
	Vendor Total	**20,999.00**		
FYTD for GLOBAL SOFTWARE, INC		**35,639.00**		
GONG ENTERPRISES, INC.			Remit to: **HUNTINGTON BEACH**	**CA**
6/28/2012	213330	1,080.00		
			CONSULTANT PLAN CHECK SVCS	1,080.00
	Vendor Total	**1,080.00**		
FYTD for GONG ENTERPRISES, INC.		**47,611.00**		

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GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	885338	318.73		
			RETIREE MED MAY 12, PD JUN 12	318.73
6/28/2012	885562	318.73		
			RETIREE MED JUN 12, PD JUL 12	318.73
	Vendor Total	**637.46**		
FYTD for GONZALES, DOMILENA R.		**4,143.49**		
GONZALEZ, SAMUEL			Remit to: **MORENO VALLEY** **CA**	
6/18/2012	213139	25.00		
			REFUND-ANIMAL LIC FEES	25.00
	Vendor Total	**25.00**		
FYTD for GONZALEZ, SAMUEL		**25.00**		
GORM INC.			Remit to: **ONTARIO** **CA**	
6/28/2012	213331	540.03		
			JANITORIAL SUPPLIES-PARKS	540.03
	Vendor Total	**540.03**		
FYTD for GORM INC.		**6,033.29**		
GOZDECKI, DAN			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	885563	567.00		
			INSTRUCTOR SVCS-KUNG FU/ADULT	378.00
			INSTRUCTOR SVCS-KUNG FU/ADULT	189.00
	Vendor Total	**567.00**		
FYTD for GOZDECKI, DAN		**8,173.13**		
GRAVES, DARRYL			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	212959	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for GRAVES, DARRYL		**95.00**		
GREENE, MATTHEW			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213332	54.00		
			SPORTS OFFICIATING SVCS	54.00
			50% WITHHOLDING FOR CSS ORDER	-27.00
			SPORTS OFFICIATING SVCS	54.00
			50% WITHHOLDING FOR CSS ORDER	-27.00
	Vendor Total	**54.00**		
FYTD for GREENE, MATTHEW		**1,179.00**		

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GREENSTONE MATERIALS				Remit to: **PERRIS** **CA**	
	6/28/2012	213333	52.00		
				DISPOSAL OF CONCRETE & ASPHALT	52.00
	Vendor Total		**52.00**		
FYTD for GREENSTONE MATERIALS			**656.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	6/4/2012	885339	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885564	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for GRIFFIN, MARLENE C			**4,143.49**		
GRUBE, PATTY				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213225	17.76		
				MILEAGE REIMBURSEMENT	17.76
	Vendor Total		**17.76**		
FYTD for GRUBE, PATTY			**127.44**		
GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	6/4/2012	885340	275.31		
				RETIREE MED JUN '12	275.31
	6/28/2012	885565	275.31		
				RETIREE MED JUL 12, PD JUL 12	275.31
	Vendor Total		**550.62**		
FYTD for GUILLAN, REBECCA S.			**3,834.41**		
GUILLEN, RUTH				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885341	61.75		
				RETIREE MED MAY 12, PD JUN 12	61.75
	Vendor Total		**61.75**		
FYTD for GUILLEN, RUTH			**731.15**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	6/4/2012	885342	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885566	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for GUTIERREZ, ROBERT			**4,143.49**		

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GUZMAN, DAVID				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213058	31.00		
				REFUND-RETURNED CHECK FEE	31.00
	Vendor Total		**31.00**		
FYTD for GUZMAN, DAVID			**31.00**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	885463	4,049.00		
				SHOPPING CART RETRIVAL SVC	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**48,588.00**		
HAAS, MINA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213334	108.00		
				INSTRUCTOR SVCS-BODY SCULPTING	108.00
	Vendor Total		**108.00**		
FYTD for HAAS, MINA			**2,914.20**		
HAMBURG, IRENE				Remit to: **OTIS** **OR**	
	6/4/2012	885343	637.46		
				RETIREE MED MAR-APR 12, PD JUN	637.46
	Vendor Total		**637.46**		
FYTD for HAMBURG, IRENE			**3,797.22**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	6/4/2012	885344	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885567	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HAMLIN, WILLIAM R.			**4,143.49**		
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885345	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885568	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HANES, MARTIN D.			**4,143.49**		

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HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	6/4/2012	212960	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213335	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HARDING, JOHN S.			**4,143.49**		
HARRIS & ASSOCIATES, INC.				Remit to: **IRVINE** **CA**	
	6/28/2012	885569	5,200.00		
				CONSULTANT PLAN CHECK SVCS	2,577.15
				6TH PLAN CK FOR GRADING PLANS	2,622.85
	Vendor Total		**5,200.00**		
FYTD for HARRIS & ASSOCIATES, INC.			**28,210.45**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	6/4/2012	212961	318.73		
				RETIREE MED JUN '12	318.73
	6/11/2012	885423	232.38		
				DEVELOPMENT IMPACT FEE PRGRM	232.38
	6/18/2012	885464	977.50		
				DEVELOPMENT IMPACT FEE PRGRM	977.50
	6/28/2012	213336	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**1,847.34**		
FYTD for HARTMANN, RICK			**37,466.64**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/4/2012	885346	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885570	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HATFIELD, CHARLES			**4,462.22**		
HDL COREN & CONE				Remit to: **DIAMOND BAR** **CA**	
	6/18/2012	213140	4,387.50		
				CONTRACT SVCS-PROPERTY TAX	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**17,550.00**		

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HDR ENGINEERING, INC.				Remit to: **IRVINE** **CA**	
	6/28/2012	213337	1,645.50		
				CACTUS AVE/NASON ST IMPRV PROJ	1,645.50
	Vendor Total		**1,645.50**		
FYTD for HDR ENGINEERING, INC.			**1,645.50**		
HEADLEY, LADONNA				Remit to: **BEAUMONT** **CA**	
	6/4/2012	212962	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for HEADLEY, LADONNA			**75.00**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	6/4/2012	885347	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885571	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HEFFLEY, ROSS W.			**4,143.49**		
HENRY, AMY				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	213338	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for HENRY, AMY			**75.00**		
HERNANDEZ, CARLA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213339	76.00		
				REFUND-CLASS REGIS FEE	76.00
	Vendor Total		**76.00**		
FYTD for HERNANDEZ, CARLA			**76.00**		
HERNANDEZ, YOJAYRA				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213059	99.20		
				REFUND-EXPLORER & KIDS CAMP	99.20
	Vendor Total		**99.20**		
FYTD for HERNANDEZ, YOJAYRA			**99.20**		
HERRERA, ALFREDO				Remit to: **PERRIS** **CA**	
	6/25/2012	213226	100.00		
				TEEN BAND-TEEN STAGE-JULY 4	100.00
	Vendor Total		**100.00**		
FYTD for HERRERA, ALFREDO			**100.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HERRERA, CHARLINE				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213141	75.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	5.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	15.00
				REFUND-VARIOUS A/C FEES	5.00
	Vendor Total		**75.00**		
FYTD for HERRERA, CHARLINE			**75.00**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212963	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213340	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HERRICK, ROBERT D.			**4,143.49**		
HIGHLAND MEDICAL EQUIPMENT				Remit to: **FALLBROOK** **CA**	
	6/28/2012	213341	306.00		
				SERVICE CALL-A/S VET CLINIC	306.00
	Vendor Total		**306.00**		
FYTD for HIGHLAND MEDICAL EQUIPMENT			**306.00**		
HLP, INC.				Remit to: **LITTLETON** **CO**	
	6/25/2012	885498	85.40		
				WEB-LICENSE SOFTWARE SUPRT	85.40
	Vendor Total		**85.40**		
FYTD for HLP, INC.			**31,510.20**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HONDA YAMAHA OF REDLANDS			Remit to: **REDLANDS**	**CA**
6/4/2012	885348	147.37		
			MOTORCYCLE MAINT/REPAIR-POLICE	105.00
			MOTORCYCLE PARTS	42.37
6/11/2012	885425	160.30		
			MOTORCYCLE MAINT/REPAIR-POLICE	105.00
			MOTORCYCLE PARTS	55.30
6/18/2012	885465	1,700.28		
			MOTORCYCLE MAINT/REPAIR-POLICE	217.00
			MOTORCYCLE PARTS	71.70
			MOTORCYCLE MAINT/REPAIR-POLICE	105.00
			MOTORCYCLE PARTS	85.20
			MOTORCYCLE MAINT/REPAIR-POLICE	280.00
			MOTORCYCLE PARTS	317.62
			MOTORCYCLE MAINT/REPAIR-POLICE	132.00
			MOTORCYCLE PARTS	224.96
			MOTORCYCLE MAINT/REPAIR-POLICE	84.00
			MOTORCYCLE PARTS	182.80
6/25/2012	885499	327.17		
			MOTORCYCLE MAINT/REPAIR-POLICE	140.00
			MOTORCYCLE PARTS	33.82
			MOTORCYCLE MAINT/REPAIR-POLICE	105.00
			MOTORCYCLE PARTS	48.35
6/28/2012	885572	1,144.99		
			MOTORCYCLE MAINT/REPAIR-POLICE	511.75
			MOTORCYCLE PARTS	633.24
	Vendor Total	**3,480.11**		
FYTD for HONDA YAMAHA OF REDLANDS		**42,331.74**		
HOUSER, EDITH E.			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	212964	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213342	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for HOUSER, EDITH E.		**4,143.49**		
HOUSER, TIESHIA			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	212965	45.00		
			REFUND-VARIOUS A/C FEES	19.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	10.00
	Vendor Total	**45.00**		
FYTD for HOUSER, TIESHIA		**45.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HUNTER, CHRISTINE				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213343	40.25		
				REFUND-CLASS REGIS FEE	40.25
	Vendor Total		**40.25**		
FYTD for HUNTER, CHRISTINE			**40.25**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	6/15/2012	3096	8,575.01		
				DEF COMP 457 6/15/12	8,575.01
	Vendor Total		**8,575.01**		
FYTD for ICMA RETIREMENT CORP 457			**262,855.84**		
ICR DOORS				Remit to: **SAN BERNARDINO** **CA**	
	6/18/2012	885466	2,050.32		
				AUTOMATIC GATE MAINT-PSB	288.75
				AUTOMATIC GATE REPAIRS-PSB	351.25
				AUTOMATIC GATE MAINT-STN 6	154.00
				AUTOMATIC GATE MAINT-STN 6	128.82
				AUTOMATIC GATE REPAIRS-PSB	195.00
				AUTOMATIC GATE REPAIRS-PSB	382.50
				AUTOMATIC GATE REPAIRS-PSB	288.75
				AUTOMATIC GATE MAINT-FS# 6	261.25
	6/25/2012	885500	570.00		
				AUTOMATIC GATE MAINT-PSB	30.50
				AUTOMATIC GATE MAINT-PSB	129.50
				AUTOMATIC GATE MAINT-STN 48	90.00
				AUTOMATIC GATE MAINT-ANIML SVC	80.00
				AUTOMATIC GATE MAINT-STN 2	150.00
				AUTOMATIC GATE MAINT-STN 65	90.00
	6/28/2012	885573	770.00		
				AUTOMATIC GATE MAINT-FS# 6	150.00
				ROLL-UP DOOR MAINT-FACILITIES	33.00
				ROLL-UP DOOR MAINT-TECH SVCS	34.00
				ROLL-UP DOOR MAINT-SDA	33.00
				DOOR REPAIRS (6 UNITS)-FS#91	150.00
				EMERGENCY DOOR REPAIRS-FS#58	245.00
				EMERGENCY DOOR REPAIRS-FS#58	125.00
	Vendor Total		**3,390.32**		
FYTD for ICR DOORS			**7,406.92**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213060	101.55		
				REFUND-UUT FOR EXEMPT RESIDNTS	101.55
	Vendor Total		**101.55**		
FYTD for IL SORRENTO MOBILE PARK			**1,064.06**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
IMAGE DISTRIBUTION SERVICES			Remit to: **IRVINE** **CA**	
6/25/2012	213227	2,512.73		
			PRINT-CITATION BOOKS-POLICE	2,332.00
			SALES TAX	180.73
	Vendor Total	**2,512.73**		
FYTD for IMAGE DISTRIBUTION SERVICES		**2,512.73**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
6/18/2012	213142	400.00		
			NON-EXEMPT ANNUITY	400.00
	Vendor Total	**400.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,025.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
6/11/2012	885426	10,654.69		
			NUISANCE ABATEMENT SVCS	10,654.69
	Vendor Total	**10,654.69**		
FYTD for INLAND CONTRACTORS, INC.		**55,159.79**		
INLAND EMPIRE ECONOMIC PARTNERSHIP INC.			Remit to: **SAN BERNARDINO** **CA**	
6/18/2012	213143	7,500.00		
			ANNUAL MEMBERSHIP	7,500.00
	Vendor Total	**7,500.00**		
FYTD for INLAND EMPIRE ECONOMIC PARTNERSHIP INC.		**7,500.00**		
INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	885427	573.32		
			TIRE HAUL AWAY EVENT	573.32
6/18/2012	885467	960.00		
			NUISANCE ABATEMENT SVC-CODE	650.00
			NUISANCE ABATEMENT SVC-CODE	310.00
6/28/2012	885574	4,292.00		
			WEED ABATEMENT SVCS-CITY PARKS	1,088.00
			WEED ABATEMENT SVCS-CITY PARKS	2,678.00
			WEED ABATEMENT SVCS-CITY PARKS	526.00
	Vendor Total	**5,825.32**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**64,529.78**		

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INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON**	**CA**
6/4/2012	885349	1,626.22		
			FUEL CARB TESTS/REPAIRS	500.00
			FUEL CARB TESTS/REPAIRS	108.95
			FUEL CARB TESTS/REPAIRS	500.00
			FUEL CARB TESTS/REPAIRS	517.27
	Vendor Total	**1,626.22**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**4,472.57**		
INSIDE PLANTS, INC.			Remit to: **CORONA**	**CA**
6/18/2012	885468	320.00		
			INDOOR PLANT MAINT-CRC	320.00
	Vendor Total	**320.00**		
FYTD for INSIDE PLANTS, INC.		**3,840.00**		
INTERIOR EXPERTS GENERAL BUILDERS, INC			Remit to: **CHINO**	**CA**
6/11/2012	213061	51.11		
			REFUND-BUS LIC OVERPAYMENT	51.11
	Vendor Total	**51.11**		
FYTD for INTERIOR EXPERTS GENERAL BUILDERS, INC		**51.11**		
INTERPRETERS UNLIMITED			Remit to: **SAN DIEGO**	**CA**
6/4/2012	212967	74.00		
			SPANISH INTERPRETER	74.00
	Vendor Total	**74.00**		
FYTD for INTERPRETERS UNLIMITED		**74.00**		
ISLAS, MARITZA			Remit to: **MORENO VALLEY**	**CA**
6/28/2012	213344	825.00		
			REFUND-RENTAL DEPOSIT-CRC	75.00
			REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total	**825.00**		
FYTD for ISLAS, MARITZA		**825.00**		
ITERIS, INC.			Remit to: **SANTA ANA**	**CA**
6/18/2012	885469	5,276.50		
			ENGINEERING SVCS-EVP RETROFIT	5,276.50
	Vendor Total	**5,276.50**		
FYTD for ITERIS, INC.		**14,990.00**		

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J D H CONTRACTING				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	885350	3,855.00		
				FABRICATE HOLE IN WALL-LIBRARY	2,272.00
				AIR SYSTEM DUCT WORK-PC ROOM	1,583.00
	6/25/2012	885501	279.00		
				REPAIR LOOSE/MISSING LAMINATE	279.00
	6/28/2012	885575	16,073.00		
				CONSTRUCTN REPAIRS-GATEWY PRK	6,000.00
				CONSTRUCTN REPAIRS-GATEWY PRK	2,105.00
				CONSTRUCTN REPAIRS-JFK PRK	7,968.00
	Vendor Total		**20,207.00**		
FYTD for J D H CONTRACTING			**75,057.50**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213144	75.00		
				COURIER SVCS-CITY ATTORNEY	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,464.00**		
JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	6/25/2012	885502	4,358.25		
				ERP IMPLEMENTATION SVCS	4,042.50
				ERP IMPLEMENTATION SVCS	20.70
				ERP IMPLEMENTATION SVCS	295.05
	Vendor Total		**4,358.25**		
FYTD for JDEDGE SOFTWARE, LLC			**197,334.47**		
JOHN DEERE/LANDSCAPE, INC.				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	213345	74.29		
				CREDIT INVOICE	-6.01
				IRRIGATN PARTS/SUPPLIES-PARKS	44.04
				IRRIGATN PARTS/SUPPLIES-PARKS	12.60
				IRRIGATN PARTS/SUPPLIES-PARKS	23.66
	Vendor Total		**74.29**		
FYTD for JOHN DEERE/LANDSCAPE, INC.			**74.29**		
JOHN, MICHAEL				Remit to: **LAS VEGAS** **NV**	
	6/28/2012	213346	2,200.00		
				ENTERTAINMENT FOR 4TH OF JULY	2,200.00
	Vendor Total		**2,200.00**		
FYTD for JOHN, MICHAEL			**2,200.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JOHNSON, HORACE MARIO				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213229	257.00		
				REFUND-VALLEY KIDS CAMP	257.00
	Vendor Total		**257.00**		
FYTD for JOHNSON, HORACE MARIO			**257.00**		
JOHNSON, IVA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213347	20.00		
				REFUND-CLASS REGIS FEE	20.00
	Vendor Total		**20.00**		
FYTD for JOHNSON, IVA			**20.00**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	6/28/2012	213348	228.67		
				MILEAGE REIMBURSEMENT	123.77
				MILEAGE REIMBURSEMENT	104.90
	Vendor Total		**228.67**		
FYTD for JONES III, JOSEPH			**552.30**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885351	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885576	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for JONES, SUSAN			**4,143.49**		
JT ENTERPRISES				Remit to: **ORANGE** **CA**	
	6/28/2012	213349	1,500.00		
				ENTERTAINMENT FOR 4TH OF JULY	1,500.00
	Vendor Total		**1,500.00**		
FYTD for JT ENTERPRISES			**1,500.00**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	6/28/2012	885577	17,940.38		
				ITE PED. COUNT DOWN MODULES	16,650.00
				CALIF SALE TAX @ 7.75%	1,290.38
	Vendor Total		**17,940.38**		
FYTD for JTB SUPPLY CO., INC.			**150,826.55**		

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K-12 SPECIALTIES, INC.				Remit to: **SAN DIMAS** **CA**	
	6/28/2012	885578	86.44		
				CARPET CLEANING SUPPLIES	86.44
	Vendor Total		**86.44**		
FYTD for K-12 SPECIALTIES, INC.			**2,322.90**		
KDM MERIDIAN, INC.				Remit to: **LAKE FOREST** **CA**	
	6/18/2012	885470	18,400.00		
				COTTONWOOD AVE IMPRVMNTS PROJ	4,585.00
				HEACOCK ST SIDEWLK IMPRV PROJ	4,700.00
				CITYWD SIDEWLK/ACC. RAMPS PROJ	9,115.00
	6/28/2012	885579	15,560.00		
				ALESSANDRO BLVD IMPRVMNTS PROJ	15,560.00
	Vendor Total		**33,960.00**		
FYTD for KDM MERIDIAN, INC.			**114,510.00**		
KEPLER, JANELLE				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	213350	560.00		
				INSTRUCTOR SVCS-CHEERLEADING	476.00
				INSTRUCTOR SVCS-CHEERLEADING	84.00
	Vendor Total		**560.00**		
FYTD for KEPLER, JANELLE			**840.00**		
KIL, CAROLINE				Remit to: **CORONA** **CA**	
	6/28/2012	213351	150.00		
				JUDGING SVCS-2012 MV IDOL	50.00
				JUDGING SVCS-2012 MV IDOL	50.00
				JUDGING SVCS-2012 MV IDOL	50.00
	Vendor Total		**150.00**		
FYTD for KIL, CAROLINE			**150.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	6/4/2012	212968	271.44		
				RETIREE MED JUN '12	271.44
	6/28/2012	213352	271.44		
				RETIREE MED JUL '12	271.44
	Vendor Total		**542.88**		
FYTD for KING, PATRICIA A.			**3,507.36**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KOLA-FM				Remit to: **REDLANDS** **CA**	
	6/28/2012	213353	4,000.00		
				REMOTE BROADCAST-TALENT FEES	400.00
				COMMERCIALS (32 TOTAL SPOTS)	3,600.00
	Vendor Total		**4,000.00**		
FYTD for KOLA-FM			**4,000.00**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885352	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885580	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for KOLB, CHARLES E.			**4,143.49**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885353	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885581	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for KOLLAR, KYLE			**4,143.49**		
KOSKI, CHARLES				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213354	50.00		
				REFUND-TRAP RNTL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for KOSKI, CHARLES			**50.00**		
KUPSAK, STEVE				Remit to: **CEDAR GLEN** **CA**	
	6/4/2012	885354	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885582	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for KUPSAK, STEVE			**1,912.38**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	6/4/2012	885355	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885583	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for KYLE, GARY M.			**4,143.49**		
LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	6/28/2012	213355	12,152.44		
				LEGAL SVCS	630.00
				LEGAL SVCS	5,938.46
				LEGAL SVCS	5,583.98
	Vendor Total		**12,152.44**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**101,377.37**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885356	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885584	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for LAFATA, JOSEPHINE			**4,143.49**		
LAKER, WENDEE				Remit to: **CHATSWORTH** **CA**	
	6/4/2012	212969	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LAKER, WENDEE			**75.00**		
LAMBERT, DONNA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213356	170.00		
				REFUND-CLASS REGIS FEE	170.00
	Vendor Total		**170.00**		
FYTD for LAMBERT, DONNA			**170.00**		
LANCE, SOLL & LUNGHARD, LLP				Remit to: **BREA** **CA**	
	6/4/2012	212970	20.00		
				GOVT ACCTNG & AUDIT UPDATE	20.00
	6/25/2012	213231	20.00		
				ACCOUNTG/AUDITG UPDATE CLASS	20.00
	Vendor Total		**40.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP			**83,690.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LANGAN ENGINEERING & ENVIRONMENTAL SRVCS			Remit to: **IRVINE** **CA**	
6/4/2012	212971	1,680.00		
			CONSULTANT SVCS-HF PA07-0090	1,680.00
	Vendor Total	**1,680.00**		
FYTD for LANGAN ENGINEERING & ENVIRONMENTAL SRVCS		**6,420.00**		
LANGENDORF, BENJAMIN			Remit to: **PERRIS** **CA**	
6/4/2012	885357	254.59		
			RETIREE MED APR 12, PD JUN 12	254.59
6/28/2012	885585	254.59		
			RETIREE MED MAY 12, PD JUL 12	254.59
	Vendor Total	**509.18**		
FYTD for LANGENDORF, BENJAMIN		**3,021.89**		
LANGSTON MOTORSPORTS			Remit to: **PERRIS** **CA**	
6/4/2012	212972	356.96		
			MOTORCYCLE MAINT/REPAIR-POLICE	259.50
			MOTORCYCLE PARTS	97.46
6/11/2012	213062	85.00		
			MOTORCYCLE MAINT/REPAIR-POLICE	85.00
6/25/2012	213232	575.98		
			MOTORCYCLE MAINT/REPAIR-POLICE	387.00
			MOTORCYCLE PARTS	188.98
	Vendor Total	**1,017.94**		
FYTD for LANGSTON MOTORSPORTS		**7,981.36**		
LARA, CHRISTINA			Remit to: **ENCINITAS** **CA**	
6/4/2012	212973	669.23		
			SPOUSAL SUPPORT & ARREARS	669.23
6/18/2012	213147	669.23		
			SPOUSAL SUPPORT & ARREARS	669.23
6/28/2012	213357	669.23		
			SPOUSAL SUPPORT & ARREARS	669.23
	Vendor Total	**2,007.69**		
FYTD for LARA, CHRISTINA		**2,007.69**		
LAW OFFICES OF KATHY M. GANDARA			Remit to: **ONTARIO** **CA**	
6/11/2012	213109	10,000.00		
			LEGAL SVCS	10,000.00
	Vendor Total	**10,000.00**		
FYTD for LAW OFFICES OF KATHY M. GANDARA		**10,000.00**		

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LAWYERS TITLE COMPANY			Remit to: **NEWPORT BEACH** **CA**	
6/11/2012	213063	550.00		
			PRELIM TITLE REPORT	550.00
6/25/2012	213233	2,200.00		
			09305408-PRELIM TITLE RPT/DOCS	550.00
			09305409-PRELIM TITLE RPT/DOCS	550.00
			09305406-PRELIM TITLE RPT/DOCS	550.00
			09305407-PRELIM TITLE RPT/DOCS	550.00
	Vendor Total	**2,750.00**		
FYTD for LAWYERS TITLE COMPANY		**1,881,516.30**		
LEADING EDGE LEARNING CENTER			Remit to: **RIVERSIDE** **CA**	
6/28/2012	213358	264.00		
			INSTRUCTOR SVCS-GED TEST CLASS	264.00
	Vendor Total	**264.00**		
FYTD for LEADING EDGE LEARNING CENTER		**2,337.00**		
LEIGHTON AND ASSOCIATES, INC.			Remit to: **IRVINE** **CA**	
6/18/2012	213192	534.10		
			CACTUS AVE/NASON ST IMPRV PROJ	534.10
	Vendor Total	**534.10**		
FYTD for LEIGHTON AND ASSOCIATES, INC.		**534.10**		
LEIGHTON CONSULTING, INC.			Remit to: **IRVINE** **CA**	
6/25/2012	885503	2,079.93		
			CACTUS AVE/NASON ST IMPRVMNTS	2,079.93
	Vendor Total	**2,079.93**		
FYTD for LEIGHTON CONSULTING, INC.		**2,079.93**		
LEON, ERENDIRA			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213064	200.00		
			REFUND-DEPOSIT TOWNGATE CTR	200.00
	Vendor Total	**200.00**		
FYTD for LEON, ERENDIRA		**200.00**		
LEONGUERRERO, DOLEEN			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213065	85.00		
			REFUND-SOFTBALL LEAGUE	85.00
	Vendor Total	**85.00**		
FYTD for LEONGUERRERO, DOLEEN		**85.00**		

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LEVINSON, STEVAN				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213234	100.00		
				TEEN STAGE-ST LIGHTS-JULY 4	100.00
	Vendor Total		**100.00**		
FYTD for LEVINSON, STEVAN			**100.00**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	6/4/2012	885358	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885586	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for LEWIS, CAROLYN S.			**4,143.49**		
LEXISNEXIS				Remit to: **LOS ANGELES** **CA**	
	6/25/2012	885504	1,480.00		
				LEGAL RESEARCH SVC	740.00
				ONLINE LEGAL RESEARCH	370.00
				LEGAL RESEARCH SVC	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**17,760.00**		
LIGHTS OUT DISPOSAL COMPANY				Remit to: **EL CAJON** **CA**	
	6/28/2012	213359	501.51		
				E WASTE RMVL-LAMPS/LIGHTS	501.51
	Vendor Total		**501.51**		
FYTD for LIGHTS OUT DISPOSAL COMPANY			**1,255.01**		
LINDO, HERMINA G.				Remit to: **TITUSVILLE** **FL**	
	6/4/2012	885359	199.80		
				RETIREE MED APR 12, PD JUN 12	199.80
	6/28/2012	885587	199.80		
				RETIREE MED MAY 12, PD JUL 12	199.80
	Vendor Total		**399.60**		
FYTD for LINDO, HERMINA G.			**3,111.18**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/4/2012	885360	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885588	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for LOGAN, CHARLES			**4,143.49**		

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LOGAN, RACHEL/STUART				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213148	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LOGAN, RACHEL/STUART			**75.00**		
LONGDYKE, DENNIS				Remit to: **BEAUMONT** **CA**	
	6/4/2012	212974	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213360	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for LONGDYKE, DENNIS			**3,506.03**		
LONGEVITY				Remit to: **DANA POINT** **CA**	
	6/18/2012	213149	1,525.00		
				GARNISHMENT	1,525.00
	Vendor Total		**1,525.00**		
FYTD for LONGEVITY			**1,525.00**		
LOPEZ, DORA				Remit to: **FOUNTAIN VALLEY** **CA**	
	6/25/2012	213235	99.99		
				REFUND-CITATION DISMISSED	99.99
	Vendor Total		**99.99**		
FYTD for LOPEZ, DORA			**99.99**		
LOPEZ, LIZ				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213150	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LOPEZ, LIZ			**75.00**		
LOPEZ, LLOYD				Remit to: **PERRIS** **CA**	
	6/25/2012	213236	300.00		
				TEEN BAND-SOUND-JULY 4	300.00
	Vendor Total		**300.00**		
FYTD for LOPEZ, LLOYD			**300.00**		
LUIS RIOS AND EDUARDO GAMAS				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213361	1,547.60		
				RENTAL ASSISTANCE PYMT-FINAL	1,547.60
	Vendor Total		**1,547.60**		
FYTD for LUIS RIOS AND EDUARDO GAMAS			**6,700.45**		

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LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885361	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885589	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for LUMLEY, ROBERT C.			**4,143.49**		
LUTHERAN SOCIAL SERVICES OF SO. CALI F.				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	885590	1,187.50		
				CDBG SVCS-SHELTER PRGM	1,187.50
	Vendor Total		**1,187.50**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**18,125.00**		
M & M CLEANER II				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213362	201.00		
				JULY 4TH DRYCLEANING SVCS	201.00
	Vendor Total		**201.00**		
FYTD for M & M CLEANER II			**201.00**		
MACAULEY, MOLLEY				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213363	200.00		
				REFUND-RENTAL DEPOSIT-TCC	200.00
	Vendor Total		**200.00**		
FYTD for MACAULEY, MOLLEY			**200.00**		
MACIAS JR., ANTHONY				Remit to: **RIALTO** **CA**	
	6/18/2012	213151	157.00		
				TUITION FEE REIMBURSEMENT	157.00
	Vendor Total		**157.00**		
FYTD for MACIAS JR., ANTHONY			**543.74**		
MARCH JOINT POWERS AUTHORITY				Remit to: **RIVERSIDE** **CA**	
	6/11/2012	213066	5.68		
				GAS METER CHARGES	4.64
				GAS METER CHARGES	1.04
	Vendor Total		**5.68**		
FYTD for MARCH JOINT POWERS AUTHORITY			**78.23**		

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MARIGOLD FINANCIAL LLC			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213067	87.66		
			REFUND-DUP CITATION PYMNT	120.00
			REFUND-DUP CITATION PYMNT	-32.34
	Vendor Total	**87.66**		
FYTD for MARIGOLD FINANCIAL LLC		**87.66**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
6/4/2012	885362	9,258.48		
			LANDSCAPE MAINT-DSG-2N	4,777.65
			LANDSCAPE MAINT-DSG-2S	4,480.83
6/18/2012	885472	7,558.62		
			LANDSCAPE MAINT-ZONE DSG2-N	391.99
			LANDSCAPE MAINT-ZONE DSG2-S	1,074.66
			LANDSCAPE MAINT-ZONE DSG2-S	858.63
			LANDSCAPE MAINT-ZONE E-1	4,443.58
			LANDSCAPE MAINT-ZONE E-1A	789.76
6/25/2012	885505	473.15		
			LANDSCAPE MAINT-ZONE E-1	473.15
6/28/2012	885591	9,258.48		
			LANDSCAPE MAINT-DSG-2N	4,777.65
			LANDSCAPE MAINT-DSG-2S	4,480.83
	Vendor Total	**26,548.73**		
FYTD for MARINA LANDSCAPE, INC		**184,510.91**		
MARQUEZ, EUFRACIA			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213364	86.86		
			REFUND-CLASS REGIS FEE	86.86
	Vendor Total	**86.86**		
FYTD for MARQUEZ, EUFRACIA		**86.86**		
MASCARELLA, LAUREN			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213068	200.00		
			REFUND-DEPOSIT TOWNGATE CTR	200.00
	Vendor Total	**200.00**		
FYTD for MASCARELLA, LAUREN		**200.00**		
MATHIS, NOLAN			Remit to: **JACKSON** **KY**	
6/4/2012	885363	279.80		
			RETIREE MED APR 12, PD JUN 12	279.80
6/28/2012	885592	279.80		
			RETIREE MED MAY 12, PD JUL 12	279.80
	Vendor Total	**559.60**		
FYTD for MATHIS, NOLAN		**3,719.00**		

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MATTHEWS, LYNETTE				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213069	200.00		
				REFUND-DEPOSIT TOWNGATE CTR	200.00
	Vendor Total		**200.00**		
FYTD for MATTHEWS, LYNETTE			**200.00**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	6/4/2012	885364	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885593	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for MAXINOSKI, SUE A.			**4,143.49**		
MAYBURY, ELODIA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213365	85.00		
				REFUND-CLASS REGIS FEE	85.00
	Vendor Total		**85.00**		
FYTD for MAYBURY, ELODIA			**85.00**		
MAYHALL, DAVID				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212975	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MAYHALL, DAVID			**75.00**		
MCCAIN TRAFFIC SUPPLY				Remit to: **VISTA** **CA**	
	6/11/2012	213070	5,279.75		
				LICENSE & ETHERNET CONVERTER	5,279.75
	6/18/2012	213152	8,519.79		
				TRAFFIC SUPPLIES	1,227.10
				TRAFFIC SUPPLIES	7,292.69
	Vendor Total		**13,799.54**		
FYTD for MCCAIN TRAFFIC SUPPLY			**99,483.45**		
MCCLARY, DON				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213153	4,117.99		
				CLAIM SETTLEMENT-GEN MATTERS	4,117.99
	Vendor Total		**4,117.99**		
FYTD for MCCLARY, DON			**4,117.99**		

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McKINNEY, MYRLINTHA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213366	50.00		
				JUDGING-IDOL COMP 5/7/12	50.00
	Vendor Total		**50.00**		
FYTD for McKINNEY, MYRLINTHA			**50.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	6/28/2012	885594	220.00		
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	60.00
	Vendor Total		**220.00**		
FYTD for MEEKS, DANIEL			**3,660.00**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213154	220.34		
				MILEAGE REIMBURSEMENT	220.34
	Vendor Total		**220.34**		
FYTD for MENGISTU, YESHIALEM			**1,643.07**		
MERCHANTS LANDSCAPE SERVICES INC				Remit to: **CORONA** **CA**	
	6/4/2012	885365	5,367.97		
				LANDSCAPE MAINT-ZONE E-8	1,225.87
				LANDSCAPE MAINT-ZONE E-14	3,045.56
				LANDSCAPE MAINT-ZONE E-15	1,096.54
	Vendor Total		**5,367.97**		
FYTD for MERCHANTS LANDSCAPE SERVICES INC			**52,451.73**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	6/4/2012	885366	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885595	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for MESSIN, LOUIS			**4,143.49**		
METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	6/4/2012	212976	150.00		
				CELLPHONE TEXT RETRIEVAL	100.00
				CELLPHONE TEXT RETRIEVAL	50.00
	6/11/2012	213071	50.00		
				CELLPHONE TEXT RETRIEVAL	50.00
	Vendor Total		**200.00**		
FYTD for METROPCS WIRELESS, INC.			**700.00**		

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MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213072	700.00		
				INSTRUCTOR SVCS-DRAWING 4 KIDS	476.00
				INSTRUCTOR SVCS-PHOTOGRAPHY	224.00
	6/28/2012	213367	420.00		
				INSTRUCTOR SVCS-DRAWING 4 KIDS	420.00
	Vendor Total		**1,120.00**		
FYTD for MEYERS, ROBERT			**2,044.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885367	225.99		
				RETIREE MED JUN '12	225.99
	6/28/2012	885596	225.99		
				RETIREE MED JUL '12	225.99
	Vendor Total		**451.98**		
FYTD for MILES, ROBERT			**2,961.21**		
MILLER, CINDY A.				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213368	742.14		
				CANDY FOR JULY 4TH PARADE	742.14
	Vendor Total		**742.14**		
FYTD for MILLER, CINDY A.			**742.14**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	6/4/2012	885368	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885597	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for MINARD, MARK E.			**4,143.49**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CORONA** **CA**	
	6/28/2012	885598	235.96		
				PLAYGROUND EQUIPMT-PATRIOT PRK	235.96
	Vendor Total		**235.96**		
FYTD for MIRACLE RECREATION EQUIPMENT			**258,030.94**		
MOELLER, DONNA M.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212977	476.08		
				GARNISHMENT REFUND	476.08
	Vendor Total		**476.08**		
FYTD for MOELLER, DONNA M.			**621.83**		

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MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	6/4/2012	885369	401.42		
				RETIREE MED JUN '12	401.42
	6/28/2012	885599	401.42		
				RETIREE MED JUL '12	401.42
	Vendor Total		**802.84**		
FYTD for MOLLICA, MIKE			**5,218.46**		
MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213073	558.00		
				EMERGENCY REPAIRS-FS#58	160.50
				EMERGENCY REPAIRS-FS#91	397.50
	6/18/2012	213155	2,685.00		
				FURNISH/INSTALL 30-GAL WTR HTR	895.00
				FURNISH/INSTALL 30-GAL WTR HTR	895.00
				FURNISH/INSTALL 30-GAL WTR HTR	895.00
	6/25/2012	213237	260.00		
				EMERGENCY PLUMBING SVCS-CH	100.00
				EMERGENCY PLUMBING SVCS-CH	160.00
	6/28/2012	213369	5,505.00		
				REPLACE WATR HEATR-CITY HALL	360.00
				REPLACE WATR HEATR-GOLF CNTR	325.00
				REPLACE WATR HEATR-CRC	310.00
				REPLACE WATR HEATR-STN 2	325.00
				REPLACE WATR HEATR-STN 6	325.00
				REPLACE WATR HEATR-STN 48	325.00
				REPLACE WATR HEATR-STN 58	185.00
				REPLACE WATR HEATR-STN 65	325.00
				REPLACE WATR HEATR-STN 91	670.00
				REPLACE WATR HEATR-MVU FLD OFC	185.00
				REPLACE WATR HEATR-LIBRARY	510.00
				REPLACE WATR HEATR-MARCH CNTR	310.00
				PLUMBING SVCS-FS#65	1,350.00
	Vendor Total		**9,008.00**		
FYTD for MONTGOMERY PLUMBING INC			**28,922.90**		
MONTO, DANIEL				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213156	67.71		
				MILEAGE REIMBURSEMENT	67.71
	Vendor Total		**67.71**		
FYTD for MONTO, DANIEL			**170.11**		

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MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	6/4/2012	885370	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885600	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for MORA, PATRICIA A.			**4,143.49**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	6/4/2012	212978	105.00		
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
	6/11/2012	213074	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**305.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**23,475.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	6/1/2012	3088	1,389.00		
				MVCEA DUES 6/1/12	1,389.00
	6/15/2012	3095	1,389.00		
				MVCEA DUES 6/15/12	1,389.00
	Vendor Total		**2,778.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**36,672.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRANO CA**	
	6/18/2012	885473	17,142.59		
				LEASE-FACILITIES ANNEX-JULY12	2,458.97
				LEASE-TECH SVCS ANNEX-JULY12	5,475.90
				LEASE-SPEC DIST ANNEX-JULY12	9,207.72
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**205,711.08**		

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MORENO VALLEY HISPANIC CHAMBER OF COMMER			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213075	3,015.00		
			SVCS PER CONTRACT AGREEMENT	3,015.00
6/18/2012	213157	50.00		
			MVHCC ADELANTE MEETING	10.00
			MVHCC ADELANTE MEETING	10.00
			MVHCC ADELANTE MEETING	10.00
			MVHCC ADELANTE MEETING	10.00
			MVHCC ADELANTE MEETING	10.00
	Vendor Total	**3,065.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER OF COMMER		**7,095.00**		
MORENO VALLEY MILITARY AFFAIRS COMMITTEE			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	212979	105.00		
			11TH ANNL RALLY ROUND THE FLAG	35.00
			11TH ANNL RALLY ROUND THE FLAG	35.00
			11TH ANNL RALLY ROUND THE FLAG	35.00
6/18/2012	213158	70.00		
			11TH ANNL RALLY ROUND THE FLAG	35.00
			11TH ANNL RALLY ROUND THE FLAG	35.00
	Vendor Total	**175.00**		
FYTD for MORENO VALLEY MILITARY AFFAIRS COMMITTEE		**175.00**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT			Remit to: **MORENO VALLEY**	**CA**
6/25/2012	213238	100.00		
			REFUND-MSU RENTAL DEPOSIT	100.00
6/25/2012	213239	152.00		
			USE OF SCHOOL FACIL-COMM. MTG	152.00
	Vendor Total	**252.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**4,062.00**		
MORENO VALLEY UTILITY			Remit to: **HEMET**	**CA**
6/25/2012	213240	122.17		
			ELECTRICITY-UTILITY FLD OFFICE	122.17
	Vendor Total	**122.17**		
FYTD for MORENO VALLEY UTILITY		**744,585.43**		
MORENO, BREE'AHNA			Remit to: **MORENO VALLEY**	**CA**
6/18/2012	213160	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for MORENO, BREE'AHNA		**75.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	6/4/2012	885371	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885601	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for MORGAN, LISA A.			**4,143.49**		
MORROW, JAMES				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213370	18.00		
				REFUND-A/C LIC FEES	18.00
	Vendor Total		**18.00**		
FYTD for MORROW, JAMES			**18.00**		
MOSS BROS CHRYSLER, JEEP, DODGE MV				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213161	189.65		
				VEHICLE REPAIRS-POLICE	158.91
				VEHICLE PARTS	30.74
	Vendor Total		**189.65**		
FYTD for MOSS BROS CHRYSLER, JEEP, DODGE MV			**9,809.48**		
MUNOZ, ARIEL				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213241	142.64		
				MILEAGE REIMBURSEMENT	97.68
				MILEAGE REIMBURSEMENT	44.96
	Vendor Total		**142.64**		
FYTD for MUNOZ, ARIEL			**619.23**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	213371	1,674.00		
				INSTRUCTOR SVCS-GUITAR	81.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	54.00
				INSTRUCTOR SVCS-PIANO	81.00
				INSTRUCTOR SVCS-GUITAR	108.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-GUITAR	162.00
				INSTRUCTOR SVCS-PIANO FOR KIDS	216.00
				INSTRUCTOR SVCS-PIANO FOR KIDS	108.00
				INSTRUCTOR SVCS-PIANO FOR KIDS	135.00
				INSTRUCTOR SVCS-PIANO TEENS/AD	81.00
	Vendor Total		**1,674.00**		
FYTD for MUSICSTAR			**6,631.80**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONAL ASSOCIATION OF CHIEFS OF POLICE			Remit to: **TITUSVILLE** **FL**	
6/18/2012	213162	60.00		
			MEMBERSHIP FEES-J. ONTIVEROS	60.00
	Vendor Total	**60.00**		
FYTD for NATIONAL ASSOCIATION OF CHIEFS OF POLICE		**60.00**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
6/1/2012	3086	2,214.75		
			PST DEF COMP FOR FICA 6/1/12	2,214.75
6/1/2012	3087	1,269.51		
			DEF COMP 457 & 401(A) 6/1/12	1,269.51
6/15/2012	3093	2,194.55		
			PST DEF COMP FOR FICA 6/15/12	2,194.55
	Vendor Total	**5,678.81**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**716,822.12**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
6/4/2012	885372	225.99		
			RETIREE MED JUN '12	225.99
6/28/2012	885602	225.99		
			RETIREE MED JUL '12	225.99
	Vendor Total	**451.98**		
FYTD for NAVARRETTE, RALPH		**3,138.91**		
NAVCO NETWORKS & SECURITY			Remit to: **ANAHEIM** **CA**	
6/18/2012	885474	210.00		
			REPAIR SVCS-PD MONITORS	210.00
	Vendor Total	**210.00**		
FYTD for NAVCO NETWORKS & SECURITY		**2,052.76**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
6/4/2012	885373	320.43		
			RETIREE MED JUN '12	320.43
6/28/2012	885603	320.43		
			RETIREE MED JUL '12	320.43
	Vendor Total	**640.86**		
FYTD for NELSON, ROBERT		**4,196.97**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	6/4/2012	885374	165.81		
				RETIREE MED JUN '12	165.81
	6/28/2012	885604	165.81		
				RETIREE MED JUL '12	165.81
	Vendor Total		**331.62**		
FYTD for NELSON, RUTH L.			**3,837.65**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	6/4/2012	212980	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213372	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for NEUSTAEDTER, CRAIG S			**4,143.49**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	6/25/2012	885508	14.63		
				REFUND-UTILITY USERS TAX	14.63
	6/28/2012	885605	11.79		
				REFUND-UUT FOR EXEMPT RESIDNTS	11.79
	Vendor Total		**26.42**		
FYTD for NEW HORIZON MOBILE HOME PARK			**152.68**		
NEW WORLD SYSTEMS, CORP				Remit to: **TROY** **MI**	
	6/18/2012	885475	1,050.00		
				SOFTWARE ESCROW ANNUAL FEE	1,050.00
	6/25/2012	885509	600.00		
				FM, HR/PY EST TRAVEL EXPENSES	600.00
	6/28/2012	885606	1,970.14		
				FM, HR/PY EST. TRAVEL EXPENSES	1,970.14
	Vendor Total		**3,620.14**		
FYTD for NEW WORLD SYSTEMS, CORP			**938,585.76**		
NGUYEN, QUANG				Remit to: **AZUSA** **CA**	
	6/25/2012	885510	134.87		
				MILEAGE REIMBURSEMENT	134.87
	Vendor Total		**134.87**		
FYTD for NGUYEN, QUANG			**719.66**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NIEBURGER, JUDITH A.			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	212981	401.42		
			RETIREE MED JUN '12	401.42
6/28/2012	213373	401.42		
			RETIREE MED JUL '12	401.42
	Vendor Total	**802.84**		
FYTD for NIEBURGER, JUDITH A.		**5,218.46**		
NIELSEN SEGMENTATION & LOCAL MARKET SOL			Remit to: **CHARLOTTE** **NC**	
6/25/2012	213242	3,090.00		
			ANNUAL MEMBERSHIP	3,090.00
	Vendor Total	**3,090.00**		
FYTD for NIELSEN SEGMENTATION & LOCAL MARKET SOL		**3,590.00**		
OHLINDER, JOANNA			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213374	95.00		
			REFUND-RABIES DEPOSIT	20.00
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for OHLINDER, JOANNA		**95.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE** **CA**	
6/28/2012	885608	310.50		
			LEGAL SVCS	210.45
			LEGAL SVCS	100.05
	Vendor Total	**310.50**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**21,922.64**		
OUTBACK STEAKHOUSE			Remit to: **LA JOLLA** **CA**	
6/11/2012	213076	39.61		
			REFUND-DUP CITATION PYMNT	30.00
			REFUND-DUP CITATION PYMNT	9.61
	Vendor Total	**39.61**		
FYTD for OUTBACK STEAKHOUSE		**39.61**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH** **CA**	
6/4/2012	885376	3,150.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	3,150.00
6/11/2012	885429	3,722.50		
			RELOCATION SVCS-MYERS AVE PROJ	3,722.50
6/18/2012	885476	3,360.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	3,360.00
6/28/2012	885609	3,465.00		
			RELOCATION SVCS-MYERS AVE PROJ	3,465.00
	Vendor Total	**13,697.50**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**156,573.75**		
OWENS, TIM			Remit to: **HERMOSA BEACH** **CA**	
6/4/2012	212982	9,960.00		
			EMPLOYEE COMPUTER TRAINING	7,500.00
			EMPLOYEE COMPUTER TRAINING	2,460.00
	Vendor Total	**9,960.00**		
FYTD for OWENS, TIM		**9,960.00**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND** **CA**	
6/4/2012	885377	101.91		
			TURF FERTILIZATION-ZONE E-7	84.46
			TURF FERTILIZATION-ZONE E-14	17.45
	Vendor Total	**101.91**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**5,391.62**		
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
6/25/2012	885511	375.84		
			PAYPHONE SVCS	62.64
			PAYPHONE SVCS	313.20
	Vendor Total	**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**4,547.66**		
PAINTING BY ZEB BODE			Remit to: **NORCO** **CA**	
6/18/2012	885477	3,440.00		
			PAINT INTERIOR DRS-TOWNGTE CTR	3,440.00
	Vendor Total	**3,440.00**		
FYTD for PAINTING BY ZEB BODE		**23,920.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212983	225.99		
				RETIREE MED JUN '12	225.99
	6/28/2012	213375	225.99		
				RETIREE MED JUL '12	225.99
	Vendor Total		**451.98**		
FYTD for PATTERSON, ALFREY			**2,961.21**		
PB AMERICAS, INC.				Remit to: **SAN BERNARDINO** **CA**	
	6/25/2012	213243	6,168.06		
				SR-60/NASON ST INTRCHNG PROJ	6,168.06
	Vendor Total		**6,168.06**		
FYTD for PB AMERICAS, INC.			**138,462.11**		
PBC COMMERCIAL				Remit to: **BREA** **CA**	
	6/4/2012	212984	68.71		
				REFUND-BUS. LIC OVRPMT	68.71
	Vendor Total		**68.71**		
FYTD for PBC COMMERCIAL			**68.71**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	6/11/2012	885430	5,984.00		
				VETERINARY SVCS-ANIMAL SVCS	5,984.00
	6/28/2012	885611	5,315.00		
				VETERINARY SVCS-ANIMAL SVCS	5,315.00
	Vendor Total		**11,299.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**68,310.25**		
PEGAN, GUY				Remit to: **MURRIETA** **CA**	
	6/4/2012	212985	127.10		
				REIMBURSEMENT-HEACOCK BRDG PRJ	85.47
				REIMBURSEMENT-AUTO MALL PROJ.	41.63
	Vendor Total		**127.10**		
FYTD for PEGAN, GUY			**127.10**		
PEI PEOPLE SHAR PEI RESCUE				Remit to: **LAKE FOREST** **CA**	
	6/28/2012	213378	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for PEI PEOPLE SHAR PEI RESCUE			**75.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PEPE'S TOWING SERVICE INC.			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	212986	648.80		
			REFUND-W/DRAWAL OF APPLICATION	324.40
			REFUND-W/DRAWAL OF APPLICATION	324.40
	Vendor Total	**648.80**		
FYTD for PEPE'S TOWING SERVICE INC.		**648.80**		
PERRIS VALLEY PRINTING CO.			Remit to: **MENIFEE** **CA**	
6/25/2012	213244	652.16		
			PRINTING SUPPLIES	652.16
	Vendor Total	**652.16**		
FYTD for PERRIS VALLEY PRINTING CO.		**830.16**		
PERRY, NORMA			Remit to: **PIONEER** **CA**	
6/4/2012	212987	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213379	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for PERRY, NORMA		**4,143.49**		
PERS LONG TERM CARE PROGRAM			Remit to: **PASADENA** **CA**	
6/4/2012	212988	458.63		
			LONG TERM CARE INSURANCE	458.63
6/18/2012	213163	458.63		
			LONG TERM CARE INSURANCE	458.63
6/28/2012	213380	458.63		
				458.63
	Vendor Total	**1,375.89**		
FYTD for PERS LONG TERM CARE PROGRAM		**12,383.01**		
PETERSON, DARLENE			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213381	9.50		
			REFUND-CLASS REGIS FEE	9.50
	Vendor Total	**9.50**		
FYTD for PETERSON, DARLENE		**9.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PETTY CASH - FINANCE				Remit to: **MORENO VALLEY CA**	
	6/4/2012	212989	1,338.54		
				PETTY CASH FUND REPLENISHMENT	68.75
				PETTY CASH FUND REPLENISHMENT	28.10
				PETTY CASH FUND REPLENISHMENT	31.97
				PETTY CASH FUND REPLENISHMENT	50.99
				PETTY CASH FUND REPLENISHMENT	42.00
				PETTY CASH FUND REPLENISHMENT	38.85
				PETTY CASH FUND REPLENISHMENT	63.83
				PETTY CASH FUND REPLENISHMENT	26.00
				PETTY CASH FUND REPLENISHMENT	79.75
				PETTY CASH FUND REPLENISHMENT	30.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	26.00
				PETTY CASH FUND REPLENISHMENT	17.85
				PETTY CASH FUND REPLENISHMENT	16.55
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.84
				PETTY CASH FUND REPLENISHMENT	8.71
				PETTY CASH FUND REPLENISHMENT	34.55
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	62.00
				PETTY CASH FUND REPLENISHMENT	44.00
				PETTY CASH FUND REPLENISHMENT	51.62
				PETTY CASH FUND REPLENISHMENT	60.00
				PETTY CASH FUND REPLENISHMENT	22.76
				PETTY CASH FUND REPLENISHMENT	29.98
				PETTY CASH FUND REPLENISHMENT	35.00
				PETTY CASH FUND REPLENISHMENT	2.69
				PETTY CASH FUND REPLENISHMENT	11.40
				PETTY CASH FUND REPLENISHMENT	25.83
				PETTY CASH FUND REPLENISHMENT	15.54
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	10.40
				PETTY CASH FUND REPLENISHMENT	19.43
				PETTY CASH FUND REPLENISHMENT	26.09
				PETTY CASH FUND REPLENISHMENT	31.30
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	26.00
				PETTY CASH FUND REPLENISHMENT	35.52
				PETTY CASH FUND REPLENISHMENT	98.24
	Vendor Total		**1,338.54**		

FYTD for PETTY CASH - FINANCE	**7,062.13**

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PETTY CASH -PARKS & RECREATION			Remit to:	
6/25/2012	213245	5,000.00		
			START UP/CHANGE FUND FOR JULY4	5,000.00
	Vendor Total	**5,000.00**		
FYTD for PETTY CASH -PARKS & RECREATION		**5,000.00**		
PHILLIPS, LAURETTA			Remit to: **MORENO VALLEY CA**	
6/28/2012	213382	50.00		
			JUDGING SVCS-2012 MV IDOL	50.00
	Vendor Total	**50.00**		
FYTD for PHILLIPS, LAURETTA		**50.00**		
PLUMMER, THEODORE W			Remit to: **MORENO VALLEY CA**	
6/28/2012	213383	650.00		
			SOUND SYSTEMS FOR 4TH OF JULY	650.00
	Vendor Total	**650.00**		
FYTD for PLUMMER, THEODORE W		**650.00**		
POIEMA LANDSCAPE, INC.			Remit to: **COLTON CA**	
6/18/2012	885478	3,296.01		
			LANDSCAPE MAINT-ZONE E-12	2,131.00
			LANDSCAPE MAINT-ZONE S	1,165.01
	Vendor Total	**3,296.01**		
FYTD for POIEMA LANDSCAPE, INC.		**42,230.26**		
PREMIER PARTY & TENT RENTALS			Remit to: **MORENO VALLEY CA**	
6/25/2012	213246	60.00		
			AUDIO VISUAL EQUIP-EVENT @ CRC	60.00
6/28/2012	213384	3,498.63		
			FORECLOSURE PREV WRKSHP RNTAL	3,498.63
	Vendor Total	**3,558.63**		
FYTD for PREMIER PARTY & TENT RENTALS		**3,558.63**		
PRICE, GEORGE E.			Remit to: **MORENO VALLEY CA**	
6/4/2012	885378	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885612	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for PRICE, GEORGE E.		**4,143.49**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PRICHARD, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213385	350.00		
				JUDGING SVCS-2012 MV IDOL	150.00
				JUDGING SVCS-2012 MV IDOL	150.00
				JUDGING SVCS-2012 MV IDOL	50.00
	Vendor Total		**350.00**		
FYTD for PRICHARD, ROBERT			**350.00**		
PROFESSIONAL COMMUNICATIONS NETWORK PCN				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213164	453.00		
				"LIVE" ANSWERING SERVICE	453.00
	Vendor Total		**453.00**		
FYTD for PROFESSIONAL COMMUNICATIONS NETWORK PCN			**5,303.85**		
PSOMAS				Remit to: **RIVERSIDE** **CA**	
	6/11/2012	213077	7,555.00		
				IRONWOOD AVE IMPRVMNTS PROJ	1,960.00
				HEACOCK ST BRIDGE RPLCMNT PROJ	5,595.00
	6/25/2012	213247	1,160.00		
				SR-60/NASON ST INTRCHNG PROJ	1,026.94
				SR-60/NASON ST INTRCHNG PROJ	133.06
	Vendor Total		**8,715.00**		
FYTD for PSOMAS			**195,816.06**		
PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	6/4/2012	885379	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885613	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for PULLIAM, TRENT D.			**6,043.49**		
PW ENHANCEMENT CENTER				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	885431	16,664.00		
				RENTAL ASSISTANCE SVCS-HPRP	16,664.00
	Vendor Total		**16,664.00**		
FYTD for PW ENHANCEMENT CENTER			**49,375.08**		
QUALITY CODE PUBLISHING, LLC				Remit to: **SEATTLE** **WA**	
	6/11/2012	885432	1,433.84		
				SUPPLEMENT MV MUNICIPAL CODE	1,433.84
	Vendor Total		**1,433.84**		
FYTD for QUALITY CODE PUBLISHING, LLC			**6,630.13**		

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RALLY MANAGEMENT SERVICES, LLC			Remit to: **RANCHO CUCAMONGA CA**	
6/4/2012	885380	719.28		
			TEMP STAFFING SVCS-R HENDERSON	719.28
6/28/2012	885614	1,918.08		
			TEMP STAFFING SVCS-R HENDERSON	839.16
			TEMP STAFFING SVCS-R HENDERSON	359.64
			TEMP STAFFING SVCS-R HENDERSON	719.28
	Vendor Total	**2,637.36**		
FYTD for RALLY MANAGEMENT SERVICES, LLC		**17,468.19**		
RAMIREZ, MARISELA			Remit to: **MORENO VALLEY CA**	
6/28/2012	213386	134.00		
			REFUND-DRUMS CLASS CANCELLED	134.00
	Vendor Total	**134.00**		
FYTD for RAMIREZ, MARISELA		**134.00**		
RAMOS, ROBERTO			Remit to: **MORENO VALLEY CA**	
6/25/2012	213248	754.00		
			INSTRUCTOR SVCS-SPANISH	21.00
			INSTRUCTOR SVCS-KINDER KARATE	131.50
			INSTRUCTOR SVCS-KINDER KARATE	162.50
			INSTRUCTOR SVCS-KINDER KARATE	196.00
			INSTRUCTOR SVCS-TAE KWON DO	243.00
	Vendor Total	**754.00**		
FYTD for RAMOS, ROBERTO		**5,601.50**		
RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE CA**	
6/4/2012	212991	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213387	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for RAY-RAMIREZ, DARCY L.		**4,143.49**		
REDBOX AUTOMATED RETAIL, LLC			Remit to: **OAKBROOK TERRACE IL**	
6/11/2012	213078	64.00		
			REFUND-BUS LIC OVERPAYMENT	64.00
	Vendor Total	**64.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC		**351.12**		

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RELIFORD, AUNDRAYA			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213079	109.00		
			REFUND-BASKETBALL LEAGUE	109.00
	Vendor Total	**109.00**		
FYTD for RELIFORD, AUNDRAYA		**109.00**		
REZA, MELANIE			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213080	124.80		
			REFUND-PARK RESERVATION	124.80
	Vendor Total	**124.80**		
FYTD for REZA, MELANIE		**124.80**		
RGA ENVIRONMENTAL, INC.			Remit to: **IRVINE**	**CA**
6/11/2012	213081	3,450.00		
			ASSESS INDOOR AIR QUAL-LIBRARY	3,450.00
	Vendor Total	**3,450.00**		
FYTD for RGA ENVIRONMENTAL, INC.		**3,450.00**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE**	**CA**
6/4/2012	885381	7,797.50		
			CACTUS AVE/NASON ST. IMPRV PRJ	7,797.50
6/11/2012	885433	20,921.70		
			LOCAL ST. PAVEMNT RESURF. PROJ	11,155.00
			LOCAL ST. PAVEMNT RESURF. PROJ	7,675.00
			INDIAN ST. BICYCLE LANES PROJ.	2,091.70
6/18/2012	885479	15,960.00		
			LOCAL ST. PAVEMNT RESURF. PROJ	8,715.00
			LOCAL ST. PAVEMNT RESURF. PROJ	6,750.00
			RIGHT OF WAY SVC-JFK@LA BRISIS	495.00
6/25/2012	885513	13,790.96		
			CACTUS AVE/NASON ST. IMPRV PRJ	11,560.00
			STREET IMPRVMNT PRGM SVCS	850.00
			INDIAN ST. BICYCLE LANES PROJ.	533.30
			INDIAN ST. BICYCLE LANES PROJ.	847.66
	Vendor Total	**58,470.16**		
FYTD for RICK ENGINEERING COMPANY		**121,297.26**		
RIGHTWAY SITE SERVICES, INC.			Remit to: **LAKE ELSINORE**	**CA**
6/11/2012	213082	470.71		
			PORTABLE RESTROOM-GOLF COURSE	32.54
			PORTABLE RESTROOM-GOLF COURSE	39.74
			PORTABLE RESTROOMS-EQUEST. CTR	308.88
			PORTABLE TOILET/SVC-CITY YARD	89.55
	Vendor Total	**470.71**		
FYTD for RIGHTWAY SITE SERVICES, INC.		**7,209.42**		

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RIVERSIDE AREA RAPE CRISIS CENTER			Remit to: **RIVERSIDE**	**CA**
6/18/2012	213165	463.83		
			CDBG SVCS-CHLD ABUSE PREV PRGM	463.83
Vendor Total		**463.83**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER		**9,729.22**		
RIVERSIDE COMMUNITY COLLEGE			Remit to: **RIVERSIDE**	**CA**
6/28/2012	213388	100.00		
			REFUND-MOBILE STAGE RNTL6/8/12	100.00
Vendor Total		**100.00**		
FYTD for RIVERSIDE COMMUNITY COLLEGE		**100.00**		
RIVERSIDE COUNTY ASSESSOR			Remit to: **RIVERSIDE**	**CA**
6/4/2012	212992	149.42		
			PARCEL MAP REPRODUCTION	149.42
6/28/2012	213389	9.00		
			PARCEL MAP COPY SVCS	2.25
			PARCEL MAP COPY SVCS	2.25
			PARCEL MAP COPY SVCS	2.25
			PARCEL MAP COPY SVCS	2.25
Vendor Total		**158.42**		
FYTD for RIVERSIDE COUNTY ASSESSOR		**263.42**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			Remit to: **RIVERSIDE**	**CA**
6/25/2012	213250	100.00		
			FRA-RABIES TESTS-ANIMAL SVCS	100.00
Vendor Total		**100.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**650.00**		
RIVERSIDE COUNTY EDA			Remit to: **RIVERSIDE**	**CA**
6/11/2012	213083	1,200.00		
			ICSC CONF BOOTH COST-MAY 20-22	1,200.00
Vendor Total		**1,200.00**		
FYTD for RIVERSIDE COUNTY EDA		**1,200.00**		
RIVERSIDE COUNTY HABITAT CONSERVATION			Remit to: **RIVERSIDE**	**CA**
6/18/2012	213166	7,685.00		
			K-RAT MITIGATION FEES	5,000.00
			K-RAT MITIGATION FEES	870.00
			K-RAT MITIGATION FEES	1,815.00
Vendor Total		**7,685.00**		
FYTD for RIVERSIDE COUNTY HABITAT CONSERVATION		**41,840.00**		

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RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE** **CA**	
6/4/2012	212993	1,300.65		
			RADIO SVCS FOR PD MOTORCYCLES	1,300.65
6/18/2012	213167	248.55		
			RADIO LEASE/MAINT-TECH SVCS	174.78
			RADIO LEASE/MAINT-TECH SVCS	9.71
			RADIO LEASE/MAINT-TECH SVCS	34.05
			VPN CONNECTION SVCS-TECH SVCS	30.01
6/25/2012	213251	218.54		
			RADIO LEASE/MAINT-TECH SVCS	174.78
			RADIO LEASE/MAINT-TECH SVCS	9.71
			RADIO LEASE/MAINT-TECH SVCS	34.05
6/28/2012	213390	1,579.21		
			RADIO SVCS FOR PD MOTORCYCLES	1,300.65
			RADIO LEASE/MAINT-TECH SVCS	174.78
			RADIO LEASE/MAINT-TECH SVCS	9.71
			RADIO LEASE/MAINT-TECH SVCS	34.05
			VPN CONNECTION SVCS-TECH SVCS	30.01
			VPN CONNECTION SVCS-TECH SVCS	30.01
	Vendor Total	**3,346.95**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**21,071.58**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213084	274.00		
			REG.-SEARCH WARR PREP COURSE	119.00
			REG.-ADV SEARCH WARR PREP	155.00
	Vendor Total	**274.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**12,785.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
6/4/2012	212994	860.47		
			GARNISHMENT	107.89
			GARNISHMENT	440.40
			GARNISHMENT	312.18
6/18/2012	213168	813.54		
			GARNISHMENT	813.54
6/28/2012	213391	815.11		
			GARNISHMENT	518.13
			GARNISHMENT	296.98
	Vendor Total	**2,489.12**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**20,102.57**		

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RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	212995	11,091.67		
			SPEC BILLING-LAW ENF. OVRTIME	1,378.55
			SPEC BILLING-LAW ENF. OVRTIME	164.90
			SPEC BILLING-LAW ENF. OVRTIME	9,182.72
			SPEC BILLING-LAW ENF. OVRTIME	365.50
	Vendor Total	**11,091.67**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**365,871.15**		
RMA GROUP			Remit to: **RANCHO CUCAMONGA** **CA**	
6/4/2012	212996	10,216.94		
			SR-60/NASON ST INTRCHNG PROJ	9,045.06
			SR-60/NASON ST INTRCHNG PROJ	1,171.88
6/25/2012	213252	597.27		
			SR-60/NASON ST INTRCHNG PROJ	528.76
			SR-60/NASON ST INTRCHNG PROJ	68.51
	Vendor Total	**10,814.21**		
FYTD for RMA GROUP		**158,239.54**		
ROBINSON, LAURA			Remit to: **OCEANSIDE** **CA**	
6/28/2012	213392	95.00		
			REFUND-RABIES & SN DEPOSITS	20.00
			REFUND-RABIES & SN DEPOSITS	75.00
	Vendor Total	**95.00**		
FYTD for ROBINSON, LAURA		**95.00**		
ROCHA, SARA L.			Remit to: **QUEEN CREEK** **AZ**	
6/28/2012	885615	779.70		
			RETIREE MED APR-JUN '12	779.70
	Vendor Total	**779.70**		
FYTD for ROCHA, SARA L.		**4,007.01**		
RODRIGUEZ, ADALBERTO			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	212997	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for RODRIGUEZ, ADALBERTO		**20.00**		
RODRIGUEZ, AUTUMN EARLE			Remit to: **BEAUMONT** **CA**	
6/28/2012	213393	150.00		
			JUDGING SVCS-2012 MV IDOL	50.00
			JUDGING SVCS-2012 MV IDOL	50.00
			JUDGING SVCS-2012 MV IDOL	50.00
	Vendor Total	**150.00**		
FYTD for RODRIGUEZ, AUTUMN EARLE		**150.00**		

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RODRIGUEZ, RICARDO				Remit to: **PERRIS** **CA**	
	6/28/2012	213394	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for RODRIGUEZ, RICARDO			**75.00**		
ROGERS, EUGENE				Remit to: **PEBBLE BEACH** **CA**	
	6/4/2012	885383	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885616	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for ROGERS, EUGENE			**4,143.49**		
ROSENOW SPEVACEK GROUP (RSG, INC.)				Remit to: **SANTA ANA** **CA**	
	6/11/2012	213086	325.00		
				NSP ELIGIBILITY REVIEW SVCS	325.00
	Vendor Total		**325.00**		
FYTD for ROSENOW SPEVACEK GROUP (RSG, INC.)			**5,410.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885384	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885617	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for ROSS, DAVID T.			**4,143.49**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	6/4/2012	885385	165.81		
				RETIREE MED JUN '12	165.81
	6/28/2012	885618	262.31		
				RETIREE MED JUL '12	165.81
				RETIREE MED JUL '12	96.50
	Vendor Total		**428.12**		
FYTD for ROSSON, LOUIS A.			**3,364.47**		
ROUNSLEY, CAROL				Remit to: **TEMECULA** **CA**	
	6/4/2012	212998	500.00		
				REFUND-5/14/12 RENTAL DEPOSIT	500.00
	Vendor Total		**500.00**		
FYTD for ROUNSLEY, CAROL			**500.00**		

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ROUTE 66 FIRE PROTECTION, INC.			Remit to: **LA VERNE** **CA**	
6/28/2012	213395	54.00		
			REFUND-PLAN CHECK OVRPYMNT	54.00
	Vendor Total	**54.00**		
FYTD for ROUTE 66 FIRE PROTECTION, INC.		**54.00**		
RUIZ, BEATRIZ			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213087	300.00		
			REFUND-DEPOSIT SENIOR CTR	300.00
	Vendor Total	**300.00**		
FYTD for RUIZ, BEATRIZ		**300.00**		
RUSSO, JOHN			Remit to: **RANCHO MIRAGE** **CA**	
6/4/2012	885386	225.99		
			RETIREE MED JUN '12	225.99
6/28/2012	885619	225.99		
			RETIREE MED JUL '12	225.99
	Vendor Total	**451.98**		
FYTD for RUSSO, JOHN		**2,961.21**		
RYMAX ELECTRIC, INC.			Remit to: **UPLAND** **CA**	
6/25/2012	213253	3,845.00		
			REPLACE LIGHT FIXTURES-ZONE M	3,220.00
			LIGHTING MAINT-ZONE E-1	125.00
			LIGHTING MAINT-ZONE E-2	125.00
			LIGHTING MAINT-ZONE E-3	125.00
			LIGHTING MAINT-ZONE E-7	125.00
			LIGHTING MAINT-ZONE M	125.00
6/28/2012	213396	2,320.83		
			LIGHTING REPAIRS-ZONE E-1	345.70
			LIGHTING REPAIRS-ZONE E-2	301.36
			LIGHTING REPAIRS-ZONE E-3	1,169.17
			LIGHTING REPAIRS-ZONE E-7	189.60
			TROUBLESHOOT IRRIG CNTRL PWR	315.00
	Vendor Total	**6,165.83**		
FYTD for RYMAX ELECTRIC, INC.		**12,768.56**		
S & S CONSTRUCTION			Remit to: **GRAND TERRACE** **CA**	
6/25/2012	213278	9,900.00		
			INSTALL CONCRETE-CRC PROJECT	8,700.00
			INSTALL CONCRETE-CRC PROJECT	1,200.00
	Vendor Total	**9,900.00**		
FYTD for S & S CONSTRUCTION		**19,970.00**		

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SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	6/11/2012	885435	12,150.00		
				PROF CONSULTANT STAFFING SVCS	12,150.00
	Vendor Total		**12,150.00**		
FYTD for SA ASSOCIATES			**103,425.00**		
SABRE LIGHTING AND SIGNS				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212999	351.97		
				STICKERS FOR FUEL DISP. TANKS	206.00
				INSTALLATION LABOR	130.00
				CA SALES TAX	15.97
	Vendor Total		**351.97**		
FYTD for SABRE LIGHTING AND SIGNS			**3,845.16**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	6/28/2012	885620	3,175.72		
				TRAFFIC SIGNS/HARDWARE	2,391.60
				TRAFFIC SIGNS/HARDWARE	784.12
	Vendor Total		**3,175.72**		
FYTD for SAFEWAY SIGN CO.			**53,697.36**		
SAGE COLLEGE				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213088	38.63		
				REFUND-DUP CITATION PYMNT	30.00
				REFUND-DUP CITATION PYMNT	8.63
	Vendor Total		**38.63**		
FYTD for SAGE COLLEGE			**38.63**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	213000	156.00		
				INSTRUCTOR SVCS-LATIN ZUMBA	36.00
				INSTRUCTOR SVCS-LATIN ZUMBA	120.00
	Vendor Total		**156.00**		
FYTD for SALMAN, CLAUDIA			**744.00**		
SCEC				Remit to: **ORANGE** **CA**	
	6/4/2012	213001	2,113.26		
				PERMIT SVCS-MORRISON PARK FS	2,113.26
	Vendor Total		**2,113.26**		
FYTD for SCEC			**2,113.26**		

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SCHIEFELBEIN, LORI C.				Remit to: **BULLHEAD CITY** **AZ**	
	6/4/2012	213002	637.46		
				RETIREE MED APR-MAY 12, PD JUN	637.46
	6/11/2012	213089	1,141.25		
				CONSULTANT SVCS-ROT. TOW PRGM	1,141.25
	6/28/2012	213397	318.73		
				RETIREE MED JUN 12, PD JUL 12	318.73
	Vendor Total		**2,097.44**		
FYTD for SCHIEFELBEIN, LORI C.			**14,421.00**		
SCHLOSS, JOSEPH				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213398	200.00		
				REFUND-6/15/12 EVENT DEPOSIT	200.00
	Vendor Total		**200.00**		
FYTD for SCHLOSS, JOSEPH			**200.00**		
SCHUMAN, MICHAEL				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	885387	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885621	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for SCHUMAN, MICHAEL			**2,231.11**		
SEARS, MAURICE				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213255	300.00		
				TEEN BAND-SOUND-JULY 4	300.00
	Vendor Total		**300.00**		
FYTD for SEARS, MAURICE			**300.00**		
SECTRAN SECURITY, INC				Remit to: **LOS ANGELES** **CA**	
	6/28/2012	213399	477.00		
				ARMORED TRANSPORT SVCS-UTILITY	159.00
				ARMORED TRANSPORT SVCS-PARKS	159.00
				ARMORED TRANSPORT SVCS-CASHIER	159.00
	Vendor Total		**477.00**		
FYTD for SECTRAN SECURITY, INC			**6,201.00**		
SECURITY & COMMUNICATIONS CONSULTING SVC				Remit to: **CLOVIS** **CA**	
	6/28/2012	885622	6,876.30		
				SVCS-CITYWIDE CAMERA SURV. SYS	6,876.30
	Vendor Total		**6,876.30**		
FYTD for SECURITY & COMMUNICATIONS CONSULTING SVC			**26,029.00**		

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SECURITY LOCK & KEY				Remit to: **YUCAIPA** **CA**	
	6/4/2012	885388	62.50		
				LOCK REPAIR-FAIRWAY PARK	62.50
	Vendor Total		**62.50**		
FYTD for SECURITY LOCK & KEY			**6,571.62**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	6/4/2012	213003	165.81		
				RETIREE MED JUN '12	165.81
	6/28/2012	213400	165.81		
				RETIREE MED JUL '12	165.81
	Vendor Total		**331.62**		
FYTD for SHARRETT, SHARON K.			**2,206.47**		
SHEFFIELD FORECLOSURE RENOVATION				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	213004	4,139.94		
				FINAL REHAB COSTS-12209 NITA	4,139.94
	6/25/2012	213256	5,098.84		
				FINAL REHAB COSTS-25241 TODD	5,098.84
	6/28/2012	213401	11,176.56		
				PROPERTY REHAB-11757 MENTZELIA	11,176.56
	Vendor Total		**20,415.34**		
FYTD for SHEFFIELD FORECLOSURE RENOVATION			**257,839.53**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	6/4/2012	213005	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213402	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for SHELDON, STUART H.			**4,143.49**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	6/11/2012	213091	62.00		
				FUEL PURCHASE-PARKS	62.00
	6/25/2012	213257	64.51		
				FUEL PURCHASES-PD SET	64.51
	6/25/2012	213258	2,570.59		
				FUEL PURCHASES-PD MTRCYCLES	2,570.59
	Vendor Total		**2,697.10**		
FYTD for SHELL OIL CO.			**25,877.11**		

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SHOE 4 LESS				Remit to: **LOS ANGELES** **CA**	
	6/11/2012	213092	122.96		
				REFUND-BUS. LIC OVERPMT	122.96
	Vendor Total		**122.96**		
FYTD for SHOE 4 LESS			**122.96**		
SIMPLOT PARTNERS				Remit to: **LOS ANGELES** **CA**	
	6/11/2012	213093	4,280.69		
				FERTILIZER FOR CFD#1 PARKS	4,280.69
	Vendor Total		**4,280.69**		
FYTD for SIMPLOT PARTNERS			**9,636.73**		
SINGER & COFFIN, APC				Remit to: **IRVINE** **CA**	
	6/28/2012	885624	3,481.00		
				LEGAL SVCS	3,481.00
	Vendor Total		**3,481.00**		
FYTD for SINGER & COFFIN, APC			**28,106.70**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213170	840.00		
				SHOP MOVAL ADVERTISING/MAY 3-5	840.00
	Vendor Total		**840.00**		
FYTD for SKY PUBLISHING			**58,763.50**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	6/25/2012	885516	57.26		
				REFUND-EXEMPT UTIL. USER TAXES	57.26
	6/28/2012	885625	50.56		
				REFUND-EXEMPT UTIL. USER TAXES	50.56
	Vendor Total		**107.82**		
FYTD for SKY TRAILS MOBILE VILLAGE			**796.90**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885389	318.73		
				RETIREE MED APR 12, PD JUN 12	318.73
	6/28/2012	885626	637.46		
				RETIREE MED MAY-JUN 12, PD JUL	637.46
	Vendor Total		**956.19**		
FYTD for SLAGERMAN, SUSAN A.			**3,506.03**		

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SMITH FLOORS & INSTALLATIONS				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	885627	3,145.00		
				FURNISH/INSTALL CARPET-F.S.#91	3,145.00
	Vendor Total		**3,145.00**		
FYTD for SMITH FLOORS & INSTALLATIONS			**8,705.00**		
SMITH, ERNEST FRANK				Remit to: **FONTANA** **CA**	
	6/28/2012	213404	1,912.38		
				RETIREE MED JAN-JUN 12, PD JUL	1,912.38
	Vendor Total		**1,912.38**		
FYTD for SMITH, ERNEST FRANK			**5,737.14**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885390	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885628	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for SMITH, MARIA A.			**4,143.49**		
SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	6/11/2012	885436	15,621.76		
				FUEL PURCH-CITY VEHICLES/EQUIP	8,354.33
				FUEL PURCH-CITY VEHICLES/EQUIP	7,267.43
	6/25/2012	885517	6,143.87		
				FUEL PURCH-CITY VEHICLES/EQUIP	6,143.87
	6/28/2012	885629	13,489.92		
				FUEL PURCH-CITY VEHICLES/EQUIP	6,474.97
				FUEL PURCH-CITY VEHICLES/EQUIP	7,014.95
	Vendor Total		**35,255.55**		
FYTD for SOCO GROUP, INC			**392,375.50**		
SOSA, HUGO				Remit to: **ELK GROVE** **CA**	
	6/25/2012	213259	330.00		
				INSTRUCTOR SVCS-KARATEDO CLASS	210.00
				INSTRUCTOR SVCS-KARATEDO CLASS	120.00
	6/28/2012	213405	90.00		
				INSTRUCTOR SVCS-KARATEDO CLASS	90.00
	Vendor Total		**420.00**		
FYTD for SOSA, HUGO			**3,720.00**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
6/18/2012	213171	633.87		
			ANNUAL OPERATING FEES-CITY YRD	91.90
			EMISSIONS FLAT FEE-CITY YARD	115.56
			ANNUAL OPERATING FEES-CITY HLL	310.85
			EMISSIONS FEE-CITY HLL GENERTR	115.56
	Vendor Total	**633.87**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**12,718.50**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/4/2012	213006	5,313.70		
			ELECTRICITY	112.69
			ELECTRICITY	22.28
			ELECTRICITY	143.28
			ELECTRICITY	876.06
			ELECTRICITY	1,302.29
			ELECTRICITY	125.94
			ELECTRICITY	209.71
			ELECTRICITY	538.47
			ELECTRICITY	655.61
			ELECTRICITY	156.33
			ELECTRICITY	154.84
			ELECTRICITY	793.54
			ELECTRICITY	172.62
			ELECTRICITY	50.04
6/11/2012	213094	4,848.03		
			ELECTRICITY	69.94
			ELECTRICITY	127.93
			ELECTRICITY	23.01
			ELECTRICITY	1,072.88
			ELECTRICITY	791.60
			ELECTRICITY	1,007.64
			ELECTRICITY	336.46
			ELECTRICITY	397.51
			ELECTRICITY	62.53
			ELECTRICITY	25.00
			ELECTRICITY	664.95
			ELECTRICITY	93.91
			ELECTRICITY	98.90
			ELECTRICITY	75.77
6/11/2012	213095	15,380.43		
			RELOCATE ST LIGHTS-CACT./NASON	15,380.43
6/18/2012	213173	185.13		
			REABILITY SVC-DLAP_SCE_SEES_HV	185.13
6/25/2012	213260	243.21		
			UNMET CONTRACT OBLIGATION FEE	243.21
6/25/2012	213261	20,014.09		
			ELECTRICITY	200.50
			ELECTRICITY	28.23
			ELECTRICITY	24.62
			ELECTRICITY	4,923.66
			ELECTRICITY	784.05
			ELECTRICITY	2,742.02
			ELECTRICITY	18.56
			ELECTRICITY	774.40
			ELECTRICITY	2,098.56
			ELECTRICITY	1,181.90
			ELECTRICITY	41.14
			ELECTRICITY	3,164.56
			ELECTRICITY	30.96
			ELECTRICITY	198.29

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	1,758.45
			ELECTRICITY	352.90
			ELECTRICITY	448.76
			ELECTRICITY	475.05
			ELECTRICITY	194.24
			ELECTRICITY	160.72
			ELECTRICITY	185.15
			ELECTRICITY	150.55
			ELECTRICITY	49.66
			ELECTRICITY	27.16
6/25/2012	213262	15,369.83		
			RELIABILITY SVC-DLAP_SCE_SEES_	174.95
			FERC CHRGS-ADDED FACILITIES	701.48
			ELECTRIC CHARGES	346.67
			FERC-115KV PROJ-13571 MOR. BCH	14,146.73
6/28/2012	213407	5,011.43		
			ELECTRICITY	96.70
			ELECTRICITY	35.13
			ELECTRICITY	24.87
			ELECTRICITY	69.99
			ELECTRICITY	23.52
			ELECTRICITY	135.43
			ELECTRICITY	1,127.47
			ELECTRICITY	980.33
			ELECTRICITY	173.66
			ELECTRICITY	256.49
			ELECTRICITY	1,071.42
			ELECTRICITY	144.53
			ELECTRICITY	643.92
			ELECTRICITY	167.66
			ELECTRICITY	60.31
	Vendor Total	**66,365.85**		

FYTD for SOUTHERN CALIFORNIA EDISON **3,533,737.68**

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SOUTHERN CALIFORNIA GAS CO.			Remit to: **MONTEREY PARK**	**CA**
6/18/2012	213174	3,194.56		
			GAS CHARGES	426.56
			GAS CHARGES	1,648.93
			GAS CHARGES	16.41
			GAS CHARGES	28.05
			GAS CHARGES	15.12
			GAS CHARGES	273.71
			GAS CHARGES	41.46
			GAS CHARGES	20.78
			GAS CHARGES	135.68
			GAS CHARGES	102.85
			GAS CHARGES	64.49
			GAS CHARGES	37.28
			GAS CHARGES	54.39
			GAS CHARGES	40.20
			GAS CHARGES	75.36
			GAS CHARGES	22.57
			GAS CHARGES	190.72
Vendor Total		**3,194.56**		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**77,603.10**		
SPARKLETTS			Remit to: **DALLAS**	**TX**
6/4/2012	213007	39.76		
			WATER SERVICE-CREEKSIDE ELEM.	11.01
			WATER SERVICE-ARMADA ELEM.	28.75
6/25/2012	213263	4.50		
			WATER SERVICE-EMERG MGMT SVCS	4.50
6/28/2012	213408	5.00		
			WATER SERVICE-GOLF COURSE	5.00
Vendor Total		**49.26**		
FYTD for SPARKLETTS		**694.91**		
SPECIALIZED BUSINESS SYSTEMS, INC			Remit to: **LOS ANGELES**	**CA**
6/25/2012	213264	1,531.00		
			LEKTRIEVER SVC AGREEMNT	1,531.00
Vendor Total		**1,531.00**		
FYTD for SPECIALIZED BUSINESS SYSTEMS, INC		**1,531.00**		
SPECK, GARY B.			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	885391	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885630	318.73		
			RETIREE MED JUL '12	318.73
Vendor Total		**637.46**		
FYTD for SPECK, GARY B.		**4,143.49**		

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SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885392	225.99		
				RETIREE MED JUN '12	225.99
	6/28/2012	885631	225.99		
				RETIREE MED JUL '12	225.99
	Vendor Total		**451.98**		
FYTD for SPENCER, MARTHA			**2,961.21**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	6/4/2012	213008	30.00		
				SUBPOENA COMPLNCE SVCS FOR PD	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**630.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	6/4/2012	885393	73.81		
				CELL PHONE SVCS-GANG TASK FRC	73.81
	6/18/2012	885480	643.23		
				CELL PHONE SVCS-GANG TASK FRC	643.23
	Vendor Total		**717.04**		
FYTD for SPRINT/NEXTEL			**7,763.51**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	6/11/2012	213097	1,775.12		
				SUPPLEMENTAL INSURANCE	1,775.12
	Vendor Total		**1,775.12**		
FYTD for STANDARD INSURANCE CO			**356,737.31**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	885394	179.35		
				MONITORING SVCS-PARK SNCK BARS	179.35
	Vendor Total		**179.35**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**25,382.93**		
STATE BOARD OF EQUALIZATION				Remit to: **SACRAMENTO** **CA**	
	6/22/2012	53112	1,977.00		
				SALES & USE TAX 5/1-6/15/12	1,977.00
	Vendor Total		**1,977.00**		
FYTD for STATE BOARD OF EQUALIZATION			**62,641.79**		

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STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO**	**CA**
6/4/2012	213009	27.00		
			CS#0650464971-01/0650613537-01	27.00
6/14/2012	3092	2,137.96		
			CHILD SUPPORT W/H 6/14/12	2,137.96
6/28/2012	3100	2,194.99		
			CHILD SUPPORT W/H 6/28/12	2,194.99
6/28/2012	213409	54.00		
			CS#0650464971-01/0650613537-01	54.00
6/28/2012	213410	165.00		
			CASE 200000000199597-J. COSEY	165.00
	Vendor Total	**4,578.95**		
FYTD for STATE DISBURSEMENT UNIT		**56,825.53**		
STATE OF CALIFORNIA DEPT OF FISH & GAME			Remit to: **ONTARIO**	**CA**
6/4/2012	213010	168.00		
			SAA MINOR AMENDMENT FEE	168.00
	Vendor Total	**168.00**		
FYTD for STATE OF CALIFORNIA DEPT OF FISH & GAME		**168.00**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO**	**CA**
6/4/2012	213011	125.00		
			M. LAZARUS-PROF LIC. RENEWAL	125.00
	Vendor Total	**125.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**875.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO**	**CA**
6/4/2012	213012	4,062.00		
			BLOOD ALCOHOL ANALYSIS FOR PD	980.00
			FINGERPRINTING SVCS-PD	2,666.00
			FINGERPRINTING SVCS-PARKS	96.00
			FINGERPRINTING SVCS-PD	32.00
			FINGERPRINTING SVCS-HUM. RES.	288.00
6/18/2012	213175	35.00		
			BLOOD ALCOHOL ANALYSIS FOR PD	35.00
6/28/2012	213411	3,266.00		
			FINGERPRINTING SVCS-PD	3,266.00
	Vendor Total	**7,363.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**59,396.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO**	**CA**
6/11/2012	213099	473.83		
			REFUND-MVU/EDUARDO TORRES	138.05
			REFUND-MVU/KESHANNA PERKINS	131.18
			REFUND-MVU/VANESSA ARROYO	204.60
6/25/2012	213265	394.70		
			REFUND-MVU/APRIL A. ARROYO	371.45
			REFUND-MVU/PATRICK E. O'BRIEN	23.25
	Vendor Total	**868.53**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,638.23**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA**	**CA**
6/18/2012	213176	2,920.64		
			DICTATION & TRANSCRIPTION SVCS	2,920.64
	Vendor Total	**2,920.64**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**24,436.96**		
STEWART, CLIFFORD			Remit to: **GLENDALE**	**AZ**
6/4/2012	885395	271.44		
			RETIREE MED JUN '12	271.44
6/28/2012	885632	271.44		
			RETIREE MED JUL '12	271.44
	Vendor Total	**542.88**		
FYTD for STEWART, CLIFFORD		**3,507.36**		
STK ARCHITECTURE, INC.			Remit to: **TEMECULA**	**CA**
6/18/2012	885482	2,299.57		
			ANNEX #1 RE-DESIGN/RENOV. PROJ	2,293.41
			ANNEX #1 RE-DESIGN/RENOV. PROJ	0.20
			ANNEX #1 RE-DESIGN/RENOV. PROJ	5.96
	Vendor Total	**2,299.57**		
FYTD for STK ARCHITECTURE, INC.		**356,946.16**		
STRICKLER ASSOCIATION, THE			Remit to: **SAN BERNARDINO**	**CA**
6/25/2012	885519	4,810.00		
			CONSULTING SVCS-NGHBRHOOD PRGM	4,810.00
	Vendor Total	**4,810.00**		
FYTD for STRICKLER ASSOCIATION, THE		**42,428.75**		

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STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	6/4/2012	885396	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885633	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for STRICKLER II, JOHN W.			**4,143.49**		
STROM, BONNIE				Remit to: **COLTON** **CA**	
	6/4/2012	885397	1,582.00		
				RETIREE MED JAN '11 - April "1	1,582.00
	Vendor Total		**1,582.00**		
FYTD for STROM, BONNIE			**1,582.00**		
STUDIO 33 PRODUCTIONS				Remit to: **COLTON** **CA**	
	6/28/2012	213413	7,017.50		
				DEPOSIT-JULY 4TH EVENT EQUIPMT	7,017.50
	6/28/2012	213414	350.00		
				JUDGING PLATFORM FOR JULY 4TH	350.00
	6/28/2012	213415	7,017.50		
				BAL DUE-JULY 4TH EVENT EQUIPMT	7,017.50
	Vendor Total		**14,385.00**		
FYTD for STUDIO 33 PRODUCTIONS			**14,385.00**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213177	16.67		
				MISC SUPPLIES-FIRE DEPT	16.67
	6/25/2012	213266	37.68		
				MISC SUPPLIES-FIRE DEPT	37.68
	Vendor Total		**54.35**		
FYTD for SUNNYMEAD ACE HARDWARE			**1,561.88**		
SUNNYMEAD ANIMAL HOSPITAL				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213178	686.80		
				PHYSICAL EXAMS/VACC-K9-OZZIE	102.00
				PHYSICAL EXAMS/MEDS-K9-IVAN	285.36
				VACCINATION FEE-K9-IVAN	10.00
				HEATWORM TREATMENT-K-9-IVAN	25.00
				FLEA CONTROL FEE-K-9-IVAN	193.95
				HEARTGARD FEE-K-9-IVAN	70.49
	Vendor Total		**686.80**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL			**735.50**		

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SUPERIOR TOWING INC				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	213013	450.00		
				TOWING SVCS FOR PD-MV101960162	450.00
	Vendor Total		**450.00**		
FYTD for SUPERIOR TOWING INC			**450.00**		
SUTTON, RODRICK				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213416	49.60		
				REFUND FOR T-BALL	49.60
	Vendor Total		**49.60**		
FYTD for SUTTON, RODRICK			**49.60**		
SWAUNCY, SHERMAN				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213179	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SWAUNCY, SHERMAN			**75.00**		
T-34 HERITAGE FOUNDATION, INC				Remit to: **ALISO VIEJO** **CA**	
	6/18/2012	213180	500.00		
				MEMORIAL DAY FLYOVER	500.00
	Vendor Total		**500.00**		
FYTD for T-34 HERITAGE FOUNDATION, INC			**1,250.00**		
TAPCO, INC.				Remit to: **BROWN DEER** **WI**	
	6/18/2012	213181	11,399.52		
				3670-00010 RETRO REFLECTOMETER	9,229.60
				3670-00002 REMOTE CONTROL	1,350.00
				SALES TAX @ 7.75%	819.92
	Vendor Total		**11,399.52**		
FYTD for TAPCO, INC.			**11,399.52**		
TARGET SPECIALTY PRODUCTS				Remit to: **SANTA FE SPRINGS** **CA**	
	6/11/2012	885438	5,006.50		
				ROUNDUP PROMAX HERBICIDE	4,993.50
				ROUNDUP PROMAX HERBICIDE	13.00
	Vendor Total		**5,006.50**		
FYTD for TARGET SPECIALTY PRODUCTS			**10,013.00**		
TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	6/25/2012	213267	5,000.00		
				UUT COMPLIANCE & AUDIT SVCS	5,000.00
	Vendor Total		**5,000.00**		
FYTD for TAX COMPLIANCE SERVICES			**67,500.00**		

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TAYLOR, STEVE				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213418	150.00		
				REFUND-EVENT DEPOSIT LESS 2 HR	150.00
	Vendor Total		**150.00**		
FYTD for TAYLOR, STEVE			**150.00**		
TAYLOR'S APPLIANCE				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213182	329.78		
				GAS RANGE REPAIR-FIRE STN #58	84.00
				GAS RANGE REPAIR-FIRE STN #58	89.04
				GAS RANGE REPAIR-FIRE STN #58	156.74
	Vendor Total		**329.78**		
FYTD for TAYLOR'S APPLIANCE			**932.69**		
TERRELL, ZARA				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213183	1,500.00		
				TUITION FEE REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TERRELL, ZARA			**1,500.00**		
THOMPSON COBURN LLP				Remit to: **WASHINGTON** **DC**	
	6/28/2012	885634	67.00		
				LEGAL SVCS FOR MVU	67.00
	Vendor Total		**67.00**		
FYTD for THOMPSON COBURN LLP			**19,998.77**		
THOMPSON, MICHAEL				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213420	750.00		
				REFUND-6/9/12 EVENT DEPOSIT	750.00
	Vendor Total		**750.00**		
FYTD for THOMPSON, MICHAEL			**750.00**		
THOMSON REUTERS INC				Remit to: **ENCINO** **CA**	
	6/4/2012	213015	176.72		
				LEGAL PUBLICATIONS SUBSCRPTNS	176.72
	6/28/2012	213421	741.35		
				LEGAL PUBLICATIONS SUBSCRPTNS	741.35
	Vendor Total		**918.07**		
FYTD for THOMSON REUTERS INC			**6,732.40**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TIMOTHY KRANTZ ENVIRONMENTAL CONSULTING			Remit to: **REDLANDS**	**CA**
6/18/2012	885483	13,950.00		
			PEER REVIEW-WORLD LOGISTIC CTR	13,950.00
	Vendor Total	**13,950.00**		
FYTD for TIMOTHY KRANTZ ENVIRONMENTAL CONSULTING		**36,240.00**		
T-MOBILE USA			Remit to: **SEATTLE**	**WA**
6/4/2012	213014	400.00		
			E911 LOCATOR TOOL SVCS FOR PD	400.00
6/28/2012	213417	700.00		
			E911 LOCATOR TOOL SVCS FOR PD	400.00
			E911 LOCATOR TOOL SVCS FOR PD	300.00
	Vendor Total	**1,100.00**		
FYTD for T-MOBILE USA		**2,100.00**		
TORRES, ERICKA			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	213017	300.00		
			REFUND-5/12/12 RENTAL DEPOSIT	300.00
	Vendor Total	**300.00**		
FYTD for TORRES, ERICKA		**300.00**		
TORRES, MARIA			Remit to: **MORENO VALLEY**	**CA**
6/25/2012	213268	675.00		
			REFUND-6/2/12 EVENT DEPOSIT	675.00
	Vendor Total	**675.00**		
FYTD for TORRES, MARIA		**675.00**		
TR DESIGN GROUP, INC.			Remit to: **RIVERSIDE**	**CA**
6/25/2012	885520	9,865.00		
			TRANSP MGMT CTR PROJ SVCS	9,865.00
6/28/2012	885635	4,000.00		
			PSB CONVERSION PROJ-PHASE II	1,500.00
			PSB CONVERSION PROJ-PHASE II	2,500.00
	Vendor Total	**13,865.00**		
FYTD for TR DESIGN GROUP, INC.		**70,107.00**		

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TREMCO INCORPORATED			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213100	22,803.00		
			TREMCARE GOLD ROOF MAINT-MFPCC	2,344.00
			TREMCARE GOLD ROOF MAINT-CH	1,628.00
			TREMCARE GOLD ROOF MAINT-PSB	3,358.00
			TREMCARE GOLD ROOF MAINT-SC	3,306.00
			TREMCARE GOLD ROOF MAINT-AS	2,656.00
			TREMCARE GOLD ROOF MAINT-LIBR	2,914.00
			TREMCARE GOLD ROOF MAINT-FS#6	1,241.00
			TREMCARE GOLD ROOF MAINT-FS#65	1,346.00
			TREMCARE GOLD ROOF MAINT-CRC	4,010.00
	Vendor Total	**22,803.00**		
FYTD for TREMCO INCORPORATED		**22,803.00**		
TRICHE, TARA			Remit to: **MORENO VALLEY** **CA**	
6/25/2012	213269	2,419.80		
			INSTRUCTOR SVCS-BALLET INTERMD	88.80
			INSTRUCTOR SVCS-BALLET	222.00
			INSTRUCTOR SVCS-BALLET/ACRO	288.60
			INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
			INSTRUCTOR SVCS-DANCE EXPLOR.	269.20
			INSTRUCTOR SVCS-DANCE EXPLOR.	108.20
			INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
			INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
			INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
			INSTRUCTOR SVCS-HIP HOP DANCE	399.60
	Vendor Total	**2,419.80**		
FYTD for TRICHE, TARA		**26,329.20**		
TRI-CITY LINEN SUPPLY, INC.			Remit to: **RIVERSIDE** **CA**	
6/4/2012	885398	73.83		
			LINEN RENTAL FOR CRC	25.00
			LINEN RNTL FOR EVENT-CTR#20596	48.83
6/11/2012	885439	50.00		
			LINEN RENTAL FOR CRC	25.00
			LINEN RENTAL FOR CRC	25.00
6/18/2012	885484	104.50		
			LINEN RENTAL-CRC 6/1-5/12 EVNT	79.50
			LINEN RENTAL FOR CRC	25.00
6/25/2012	885521	25.00		
			LINEN RENTAL FOR CRC	25.00
6/28/2012	885636	134.15		
			LINEN RENTAL FOR CRC	25.00
			LINEN RENTAL FOR CRC	25.00
			LINEN RNTL FOR EVENT-CTR#21627	45.00
			LINEN RNTL FOR EVENT-CTR#21884	39.15
	Vendor Total	**387.48**		
FYTD for TRI-CITY LINEN SUPPLY, INC.		**2,212.21**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRINITY DIVERSIFIED, INC.			Remit to: **LONG BEACH** **CA**	
6/28/2012	213423	501.14		
			STRIPING/STENCIL TRCK SUPPLIES	501.14
	Vendor Total	**501.14**		
FYTD for TRINITY DIVERSIFIED, INC.		**950.42**		
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK** **CA**	
6/11/2012	213101	6,248.50		
			LANDSCAPE MAINT-ZONE E-2	6,086.12
			IRRIGATION REPAIRS-ZONE E-2	162.38
6/18/2012	213185	227.24		
			IRRIGATION REPAIRS-ZONE E-2	227.24
	Vendor Total	**6,475.74**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**116,799.72**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
6/4/2012	885399	8,445.86		
			LANDSCAPE MAINT-ZONE E-4	7,980.86
			LANDSCAPE MAINT-ZONE E-4A	465.00
	Vendor Total	**8,445.86**		
FYTD for TRUGREEN LANDCARE		**310,948.57**		
TUNTLAND, JAMES			Remit to: **PRESCOTT** **AZ**	
6/4/2012	885400	271.44		
			RETIREE MED JUN '12	271.44
6/28/2012	885638	271.44		
			RETIREE MED JUL '12	271.44
	Vendor Total	**542.88**		
FYTD for TUNTLAND, JAMES		**3,507.36**		
TWRITE, INC.			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213102	14,275.50		
			CITY WEBSITE MAINT.	5,860.50
			CITY WEBSITE MAINT.	8,415.00
	Vendor Total	**14,275.50**		
FYTD for TWRITE, INC.		**24,679.50**		
U.S. POSTAL SERVICE			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213424	8,000.00		
			PERMIT #153-REC GUIDE POSTAGE	8,000.00
	Vendor Total	**8,000.00**		
FYTD for U.S. POSTAL SERVICE		**35,795.00**		

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UNDERGROUND SERVICE ALERT			Remit to: **CORONA**	**CA**
6/25/2012	885522	496.50		
			DIGALERT TICKETS SUBSCRPTN SVC	107.38
			DIGALERT TICKETS SUBSCRPTN SVC	16.74
			DIGALERT TICKETS SUBSCRPTN SVC	107.37
			DIGALERT TICKETS SUBSCRPTN SVC	16.76
			DIGALERT TICKETS SUBSCRPTN SVC	124.12
			DIGALERT TICKETS SUBSCRPTN SVC	124.13
	Vendor Total	**496.50**		
FYTD for UNDERGROUND SERVICE ALERT		**6,550.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO**	**CA**
6/4/2012	213018	298.00		
			INVESTMENT SAFEKEEPING SVCS	298.00
6/28/2012	213425	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
	Vendor Total	**589.67**		
FYTD for UNION BANK OF CALIFORNIA		**3,798.04**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	885440	5,489.50		
			IRONWOOD AVE IMPRVMNTS PROJ	5,489.50
6/25/2012	885523	17,995.00		
			IRONWOOD AVE IMPRVMNTS PROJ	6,718.50
			IRONWOOD AVE IMPRVMNTS PROJ	11,276.50
6/28/2012	885639	2,081.00		
			AUTO MALL STREET IMPRVMNT PROJ	2,081.00
	Vendor Total	**25,565.50**		
FYTD for UNITED INSPECTION & TESTING INC		**32,856.50**		
UNITED POWER GENERATION, INC.			Remit to: **RIVERSIDE**	**CA**
6/25/2012	213270	3,220.26		
			EMERG GENERATOR REPAIRS-C HALL	878.30
			EMERG GENERATOR REPAIRS-C HALL	878.29
			EMERG GENERATOR REPAIRS-C HALL	878.29
			EMERG GENERATOR REPAIRS-FS #91	585.38
	Vendor Total	**3,220.26**		
FYTD for UNITED POWER GENERATION, INC.		**14,950.84**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
6/11/2012	885441	3,292.07		
			BROOM KITS FOR ST. SWEEPERS	633.08
			PARTS FOR ST. SWEEPERS	2,658.99
6/25/2012	885524	438.26		
			BROOM KITS FOR ST. SWEEPERS	406.57
			PART FOR ST. SWEEPER	31.69
6/28/2012	885640	339.77		
			BROOM KITS FOR ST. SWEEPERS	339.77
	Vendor Total	**4,070.10**		
FYTD for UNITED ROTARY BRUSH CORP		**40,838.89**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
6/4/2012	885401	106.40		
			FENCE RENTAL-ANIMAL SHELTER	86.00
			FENCE RENTAL-ANIMAL SHELTER	20.40
6/11/2012	885442	106.40		
			FENCE RENTAL-ANIMAL SHELTER	106.40
	Vendor Total	**212.80**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**1,534.19**		
UNITED STATES TREASURY			Remit to: **CINCINNATI** **OH**	
6/4/2012	213019	95.64		
			PAYROLL DEDUCTION AGREEMENT	95.64
	Vendor Total	**95.64**		
FYTD for UNITED STATES TREASURY		**2,371.81**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
6/4/2012	213020	335.00		
			UNITED WAY CONTRIBUTIONS	335.00
6/18/2012	213186	335.00		
			UNITED WAY CONTRIBUTIONS	335.00
6/28/2012	213426	335.00		
				335.00
	Vendor Total	**1,005.00**		
FYTD for UNITED WAY OF INLAND VALLEYS		**11,192.66**		
USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
6/25/2012	885525	35.69		
			PAGER SVC FOR PARK RANGERS	1.69
			PAGER SVC FOR TRANSP. DIV	4.59
			PAGER SVC FOR ANIMAL SVCS	29.41
	Vendor Total	**35.69**		
FYTD for USA MOBILITY/ARCH WIRELESS		**430.87**		

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VA CONSULTING, INC.				Remit to: **IRVINE** **CA**	
	6/11/2012	885443	2,214.16		
				HEACOCK ST BRIDGE RPLCMNT PROJ	2,214.16
	6/25/2012	885526	6,522.53		
				AUTO MALL ST. IMPRVMNTS PROJ	2,491.50
				AUTO MALL ST. IMPRVMNTS PROJ	2,266.75
				HEACOCK ST BRIDGE RPLCMNT PROJ	1,764.28
	6/28/2012	885641	3,069.75		
				AUTO MALL ST. IMPRVMNTS PROJ	1,168.50
				AUTO MALL ST. IMPRVMNTS PROJ	1,901.25
	Vendor Total		**11,806.44**		
FYTD for VA CONSULTING, INC.			**46,017.98**		

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VACATE TERMITE & PEST ELIMINATION CO.			Remit to: **MORENO VALLEY CA**	
6/11/2012	885444	1,350.00		
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-TOWNGATE COMM. CTR	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-UTILITY FIELD OFF.	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #91	45.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-MARB ASES BLDG	45.00
6/28/2012	885642	1,125.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-TOWNGATE COMM. CTR	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-UTILITY FIELD OFF.	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
			PEST CNTRL-TRANSP. TRAILER	45.00
	Vendor Total	**2,475.00**		
FYTD for VACATE TERMITE & PEST ELIMINATION CO.		**20,825.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAL VERDE UNIFIED SCHOOL DISTRICT			Remit to: **PERRIS** **CA**	
6/28/2012	213427	1,387.00		
			T-SHIRTS FOR JULY 4TH EVENT	1,375.00
			FILM CHARGE	12.00
	Vendor Total	**1,387.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT		**1,417.00**		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND** **CA**	
6/4/2012	885402	9,380.00		
			PROF CONSULTANT STAFFING SVCS	9,380.00
	Vendor Total	**9,380.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**96,372.50**		
VARIABLE SPEEDS SOLUTIONS INC			Remit to: **HUNTINGTON BEACH** **CA**	
6/4/2012	213021	2,214.86		
			PUMP REPAIR-ZONE E-1	2,214.86
	Vendor Total	**2,214.86**		
FYTD for VARIABLE SPEEDS SOLUTIONS INC		**8,567.76**		
VAS ASSOCIATES, INC.			Remit to: **CORONA** **CA**	
6/28/2012	885643	21,960.00		
			PROF CONSULTANT STAFFING SVCS	21,960.00
	Vendor Total	**21,960.00**		
FYTD for VAS ASSOCIATES, INC.		**226,920.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
6/11/2012	213103	2,030.00		
			CONSULTANT ACCOUNTING SVCS	2,030.00
6/28/2012	213428	1,450.00		
			CONSULTANT ACCOUNTING SVCS	1,450.00
	Vendor Total	**3,480.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**61,110.00**		
VERIZON			Remit to: **TRENTON** **NJ**	
6/25/2012	213271	1,773.35		
			BACKBONE COMMUN. CHARGES	1,773.35
	Vendor Total	**1,773.35**		
FYTD for VERIZON		**21,034.63**		

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VERIZON WIRELESS				Remit to: **DALLAS** **TX**	
	6/11/2012	213104	163.37		
				CELLULAR SVC-PD TICKET WRITERS	163.37
	6/28/2012	213429	168.60		
				CELLULAR SVC-PD TICKET WRITERS	168.60
	Vendor Total		**331.97**		
FYTD for VERIZON WIRELESS			**661.93**		
VICTOR MEDICAL CO				Remit to: **LAKE FOREST** **CA**	
	6/18/2012	213187	149.93		
				ANIMAL MEDICAL SUPPLIES	149.93
	Vendor Total		**149.93**		
FYTD for VICTOR MEDICAL CO			**21,725.67**		
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885403	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885644	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for VIGIL, ERNEST			**4,143.49**		
VILLEGAS, MARISELA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213430	34.50		
				REFUND-CHILDS PLACE GRANT PGRM	34.50
	Vendor Total		**34.50**		
FYTD for VILLEGAS, MARISELA			**34.50**		
VISION SERVICE PLAN				Remit to: **SAN FRANCISCO** **CA**	
	6/4/2012	885404	3,913.69		
				EMPLOYEE VISION INSURANCE	3,913.69
	Vendor Total		**3,913.69**		
FYTD for VISION SERVICE PLAN			**47,183.58**		
VISTA PAINT CORPORATION				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	213022	9,789.99		
				TRAFFIC PAINT	9,789.99
	Vendor Total		**9,789.99**		
FYTD for VISTA PAINT CORPORATION			**20,131.76**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VOYAGER FLEET SYSTEM, INC.			Remit to: **HOUSTON**	**TX**
6/18/2012	885485	1,828.48		
			CNG FUEL PURCHASES	30.36
			CNG FUEL PURCHASES	1,385.19
			CNG FUEL PURCHASES	412.93
	Vendor Total	**1,828.48**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**26,839.54**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO**	**CA**
6/18/2012	213188	5,072.75		
			ASPHALTIC MATERIALS	3,064.41
			ASPHALTIC MATERIALS	111.33
			ASPHALTIC MATERIALS	109.19
			ASPHALTIC MATERIALS	1,296.91
			ASPHALTIC MATERIALS	380.29
			ASPHALTIC MATERIALS	110.62
6/28/2012	213431	656.22		
			ASPHALTIC MATERIALS	110.62
			ASPHALTIC MATERIALS	144.05
			ASPHALTIC MATERIALS	146.17
			ASPHALTIC MATERIALS	110.62
			ASPHALTIC MATERIALS	144.76
	Vendor Total	**5,728.97**		
FYTD for VULCAN MATERIALS CO, INC.		**31,990.47**		
WAGGONER JR., GLENN C.			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	885405	276.58		
			RETIREE MED MAY 12, PD JUN 12	276.58
6/28/2012	885645	276.58		
			RETIREE MED JUN 12, PD JUL 12	276.58
	Vendor Total	**553.16**		
FYTD for WAGGONER JR., GLENN C.		**3,446.10**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	885406	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885646	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for WAGNER, GARY D.		**4,143.49**		

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WAGONER, ROBERT				Remit to: **ZEPHYRHILLS FL**	
	6/28/2012	885647	362.80		
				RETIREE MED JUN-AUG 12, PD JUL	362.80
	Vendor Total		**362.80**		
FYTD for WAGONER, ROBERT			**2,527.60**		
WAGY, CARYLON				Remit to: **MORENO VALLEY CA**	
	6/4/2012	213023	318.73		
				RETIREE MED MAY 12, PD JUN 12	318.73
	6/28/2012	213432	318.73		
				RETIREE MED JUN 12, PD JUL 12	318.73
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**4,462.22**		
WALTERS, SUZANNE				Remit to: **CHINO HILLS CA**	
	6/4/2012	213024	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WALTERS, SUZANNE			**75.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX AZ**	
	6/18/2012	213189	496.74		
				ROLL-OFF STORAGE BIN RENTALS	496.74
	Vendor Total		**496.74**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**11,138.06**		
WEST				Remit to: **SAINT PAUL MN**	
	6/28/2012	213434	677.10		
				AUTO TRACK SVCS-PD	534.71
				AUTO TRACK SVCS-PD	142.39
	Vendor Total		**677.10**		
FYTD for WEST			**7,142.39**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	6/4/2012	885407	18,410.00		
				TREE TRIMMING SVCS-PARKS	16,970.00
				EMERG. TREE TRIM/REMOVAL	1,440.00
	6/11/2012	885445	6,545.00		
				TREE TRIMMING SVCS-ZONE DSG-1	1,155.00
				TREE REMOVAL SVCS-ZONE DSG-1	525.00
				TREE TRIMMING SVCS-ZONE DSG-1	2,240.00
				TREE REMOVAL SVCS-ZONE DSG-1	2,625.00
	6/18/2012	885486	12,680.00		
				TREE INSTALLATION SVCS-ZONE E3	3,650.00
				TREE TRIMMING/RMVL-ZONE DSG-2N	4,620.00
				TREE TRIMMING/RMVL-ZONE DSG-2N	4,095.00
				TREE TRIMMING SVCS-ZONE DSG-2S	315.00
	Vendor Total		**37,635.00**		
FYTD for WEST COAST ARBORISTS, INC.			**142,485.00**		
WESTECH COLLEGE				Remit to: **ONTARIO** **CA**	
	6/28/2012	213435	500.00		
				REFUND-6/7/12 EVENT DEPOSIT	500.00
	Vendor Total		**500.00**		
FYTD for WESTECH COLLEGE			**1,106.14**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	6/25/2012	213272	2,812.76		
				WATER CHARGES	1,581.48
				WATER CHARGES	26.74
				WATER CHARGES	1,130.72
				WATER CHARGES	73.82
	Vendor Total		**2,812.76**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**28,955.00**		
WESTOVER, MARK				Remit to: **SAN DIEGO** **CA**	
	6/4/2012	885408	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885648	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for WESTOVER, MARK			**3,914.31**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WIBERG, CHRISTOPHER			Remit to: **ANAHEIM** **CA**	
6/4/2012	213025	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213436	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for WIBERG, CHRISTOPHER		**4,353.93**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
6/4/2012	885409	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885649	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for WIELIN, RONALD A.		**4,143.49**		
WILLIAMS, JANE L.			Remit to: **GRAND FORKS** **ND**	
6/4/2012	885410	192.40		
			RETIREE MED APR 12, PD JUN 12	192.40
6/28/2012	885650	390.74		
			RETIREE MED MAY-JUN 12, PD JUL	390.74
	Vendor Total	**583.14**		
FYTD for WILLIAMS, JANE L.		**2,507.14**		
WILLIS, ROBERT H			Remit to: **PERRIS** **CA**	
6/11/2012	213105	154.00		
			SPORTS OFFICIATING SVCS	54.00
			SPORTS OFFICIATING SVCS	20.00
			SPORTS OFFICIATING SVCS	80.00
6/25/2012	213273	106.00		
			SPORTS OFFICIATING SVCS	6.00
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	60.00
6/25/2012	213274	94.00		
			SPORTS OFFICIATING SVCS	94.00
	Vendor Total	**354.00**		
FYTD for WILLIS, ROBERT H		**2,574.00**		
WOODWORTH, DARRYL			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	213026	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for WOODWORTH, DARRYL		**50.00**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			Remit to: **RIVERSIDE**	**CA**
6/11/2012	213106	2,000.00		
			AGENCY SPONSORSHIP-GEN ASSMBLY	2,000.00
Vendor Total		**2,000.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		**303,667.14**		
WURM'S JANITORIAL SERVICES, INC.			Remit to: **CORONA**	**CA**
6/4/2012	885411	318.83		
			JANITORIAL SVCS-THINK TG BLDG	60.73
			JANITORIAL SVCS-THINK TG BLDG	72.10
			JANITORIAL SVCS-RED MAPLE ELEM	186.00
6/18/2012	885487	22,776.14		
			CEILING TILES CLEANING-TOWNGT	200.00
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
			JANITORIAL SVCS-EOC	688.36
			JANITORIAL SVCS-EMP RES CTR	532.81
			JANITORIAL SVCS-SP DIST ANNEX	735.73
			JANITORIAL SVCS-FACIL. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-MRCH FLD PK CC	955.70
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-RAINBOW RIDGE	310.10
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-SUNNYMD MIDDLE	350.66
			JANITORIAL SVCS-TOWNGATE C.C.	664.65
			JANITORIAL SVCS-TOWNGATE C.C.	26.73
			JANITORIAL SVCS-TS ANNEX	453.43
6/25/2012	885527	832.82		
			JANITORIAL SVCS-GANG TASK FRC	112.82
			JANITORIAL SVCS-TOWNGT RENTALS	720.00
6/28/2012	885651	2,612.10		
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
			JANITORIAL SVCS-SR CTR RENTALS	390.00
			JANITORIAL SVCS-CRC RENTALS	1,970.00
			SPECIAL CARPET CLEANING AT PD	100.00
Vendor Total		**26,539.89**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**302,488.11**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	6/18/2012	213191	1,919.40		
				LEASE OF XC550/PRINTS-PARKS	1,428.64
				LEASE OF XEROX EX560-PARKS	490.76
	6/25/2012	213275	1,048.73		
				COPIER RNTL/MAINT-PD	76.51
				COPIER RNTL/MAINT-PD	84.38
				COPIER RNTL/MAINT-PD	70.29
				LEASE OF XEROX XC550V-GRAPHICS	424.11
				LEASE OF XEROX EX560-GRAPHICS	393.44
	Vendor Total		**2,968.13**		
FYTD for XEROX			**48,782.94**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	6/4/2012	885412	139.90		
				RETIREE MED APR 12, PD JUN 12	139.90
	6/28/2012	885652	139.90		
				RETIREE MED MAY 12, PD JUL 12	139.90
	Vendor Total		**279.80**		
FYTD for YAMASHITA, JULIA J.			**1,991.50**		

Subtotal	**1,689,739.05**
GRAND TOTAL	**22,489,803.50**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director / City Engineer

AGENDA DATE: August 28, 2012

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO C P CONSTRUCTION CO. INC. FOR THE CORPORATE YARD SEWER IMPROVEMENTS – PROJECT NO. 12-41266522

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract to C P Construction Co., Inc. (C P Construction), PO Box 1206, Ontario, CA 91762, the lowest responsible bidder, for the Corporate Yard Sewer Improvements.

2. Authorize the City Manager to execute a contract with C P Construction.

3. Authorize the issuance of a Purchase Order to C P Construction in the amount of $272,710.32 ($227,258.60 plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C P Construction, up to but not to exceed the $45,451.72 contingency.

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to C P Construction if no claims have been filed against the project.

BACKGROUND

The City retained Gillis + Panichapan Architects, Inc. (GPA) to complete a Space Needs Analysis and Conceptual Design Study for the Corporate Yard Facility. This work was completed in the Fall of 2008.

At its Study Session on April 21, 2009, the findings of the *Corporate Yard Facility Space Needs Analysis, Conceptual Design Study* and proposed project phasing was presented to the City Council for review and discussion. At the presentation, staff noted that the existing facility is served by an under-sized septic system that frequently needs repair.

On January 10, 2010, a design contract was awarded to Pitassi Architects, Inc. (Pitassi) of Rancho Cucamonga to provide architectural and engineering services (A&E) for the design of the Corporate Yard Phase I office building and sewer line.

The design phase was completed by Pitassi, however, due to project re-sequencing as part of the City's Economic Development Plan approved by the City Council on April 26, 2011, the project was placed on hold.

The Planning Division of the Community and Economic Development Department has determined that this project qualifies for a Class 2 Categorical Exemption as defined in Section 15302 of the California Environmental Quality Act (CEQA) Guidelines.

DISCUSSION

The north septic tank serves the Corporate Yard's Big Bay Warehouse and adjoining office facilities. Maintenance and Operations' staff recently reported that the north septic tank system failed. This has resulted in frequent pumping out of the sewage and special handling through contract services. The septic tank has historically needed repair and service.

In response to this critical need, Capital Projects' staff contacted Eastern Municipal Water District (EMWD) to obtain a sewer connection permit allowing the City to replace the existing on-site septic tank systems with new sewer pipes connecting directly to public sewer system. The scope of work also required some minor EMWD sewer pipe upsizing near the intersection of Iris Avenue and Kitching Avenue. An EMWD permit will be granted for this purpose.

Modified design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In July 2012, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 10:00 a.m. on August 7, 2012, for the subject project. Five (5) bids (four responsive bids and one non-responsive bid) were received as follows:

	CONTRACTORS	Bid Amount
1.	C P Construction Co., Inc. – Ontario	$227,258.60
2.	Hemet Mfg. Co. dba Genesis Construction – Hemet	$232,777.00
3.	Noriega Pipeline, Inc.– Rancho Cucamonga	$233,789.00
4.	Atlas Underground Inc. – Pomona*	$248,470.00
5.	4-CON Engineering Inc. – Riverside	$253,804.00

** Non-responsive bid*

Staff has reviewed the bid by C P Construction and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by C P Construction.

ALTERNATIVES

1. By motion, approve and authorize the recommended actions as presented in this staff report. *This alternative will facilitate the timely construction of an adequately functioning sewer disposal system at the Corporate Yard. The existing septic system has failed.*

2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative could result in unsanitary conditions at the Corporate Yard if the existing septic system overflows adjacent to the existing buildings as well as the inability to use the existing restroom facilities.*

FISCAL IMPACT

Design and construction of the Sewer Line was included in the adopted Fiscal Year 2012/2013 Capital Improvement Project. Due to the urgent nature of the improvements needed at the Corporate Yard, the sewer improvements cannot be delayed. The project is funded by the General City Capital Projects Fund (from developer impact fees specifically collected for the Corporate Yard) and the Facilities Fund (internal service funds set aside for replacement of original Corporate Yard facilities).

AVAILABLE BUDGET:

FY 2012/2013 Facility Construction Fund (Account No. 3000-70-77-80003 803 0002 70 77)	$ 190,000
FY 2012/2013 Facilities Fund (Account No. 7310-70-77-80003 803 0002 70 77)	$ 172,000
Total Available Funds	**$ 362,000**

ESTIMATED PROJECT COSTS:

Design-related Costs	$ 10,000
Construction	$273,000
Construction Surveying, Geotechnical, and Inspection Services Costs	$ 47,000
Project Administration*	$ 30,000
Total Estimated Cost	**$360,000**

**Includes City project administration, permits, printing, and other miscellaneous costs.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award..... August 2012
Start Construction..... September 2012
Complete Construction..... December 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT: Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS: Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

This project will replace the Corporate Yard's failing septic tank system with new sewer pipes connecting directly to the public sewer system. Staff recommends awarding the contract to C P Construction and authorizing the issuance of a purchase order in the amount of $272,710.32, inclusive of a 20% contingency, when the agreement has been signed by all parties.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Contract Agreement

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director / Assistant City Engineer

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director / City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

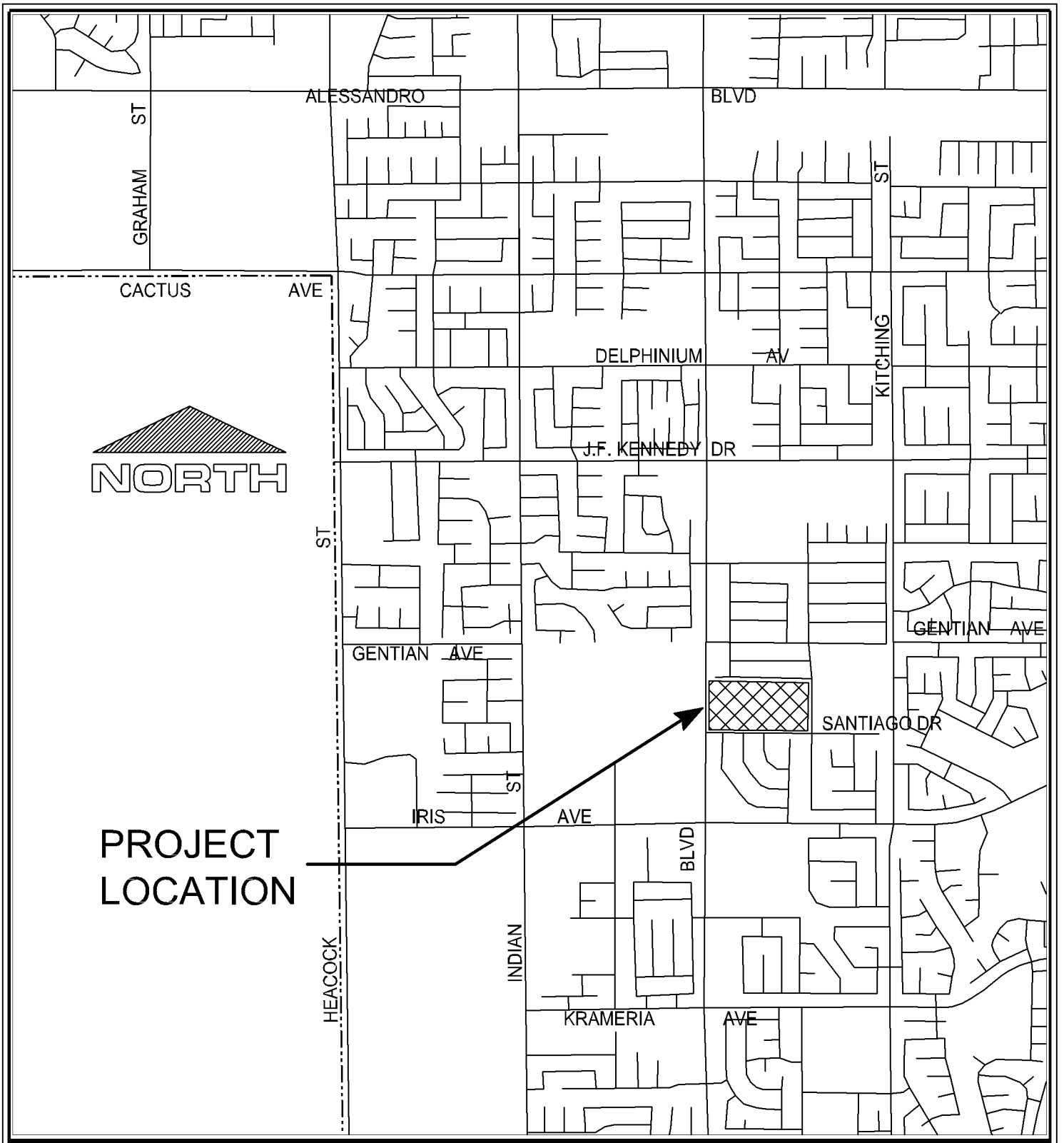

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

CORPORATE YARD FACILITY
PROJECT NUMBER 05-41266522

MV00173253

Agreement No._____

AGREEMENT

PROJECT NO. 12-41261522

CORPORATE YARD SEWER IMPROVEMENTS

THIS Agreement, effective as of the date signed by the City of Moreno Valley by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and _____, hereinafter called the "Contractor."

That the City and the Contractor, for the consideration hereinafter named, agree as follows:

1. **CONTRACT DOCUMENTS.** The Contract Documents consist of the following, which are incorporated herein by this reference:

A. Any and all Contract Change Orders issued after execution of this Agreement
B. Addenda Nos. _____; inclusive, issued prior to the opening of the Bids
C. Bound Bid Documents.
D. Special Provisions, including the General Provisions and Technical Provisions, all of which are part of this Agreement
E. Project Plans
F. Standard Plans
G. Standard Specifications for Public Works Construction ("Greenbook") – latest edition in effect at the Bid Deadline, as modified by the City Special Provisions
H. Reference Specifications/Reference Documents, all of which are part of this Agreement
I. Bidder's Proposal, which includes the Bidder's Bond, Noncollusion Affidavit, and Subcontractor Listing

In the event of conflict between any of the Contract Documents, the provisions placing a more stringent requirement on the Contractor shall prevail. The Contractor shall provide the better quality or greater quantity of Work and/or materials unless otherwise directed by City in writing. In the event none of the Contract Documents place a more stringent requirement or greater burden on the Contractor, the controlling provision shall be that which is found in the document with higher precedence in accordance with the above order of precedence.

2. **REFERENCE DOCUMENTS.** The following Reference Documents are not considered Contract Documents and are provided to the Contractor for informational purposes:

A. SWPPP/WPCP
B. Geotechnical Reports
C. None

3. **SCOPE OF WORK.** The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract Documents, except as otherwise provided in the Plans, Standard Specifications, or City Special Provisions to be the responsibility of others.

4. PAYMENT.

4.1. **Contract Price and Basis for Payment.** In consideration for the Contractor's full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items and Alternate Bid Items, if any, set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items and Alternate Bid Items, if any, awarded by the City is ___ _____ Dollars ($_____) ("Contract Price"). The Alternate Bid Items selected by the City and included in the Contract are: _____, _____, and _____. It is understood and agreed that the quantities set forth in the Bidder's Proposal for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of work, the unit prices set forth in the Bidder's Proposal multiplied by the actual number of units performed, constructed, or completed as directed by the City Engineer.

4.2. **Payment Procedures.** Based upon applications for payment submitted by the Contractor to the City, the City shall make payments to the Contractor in accordance with Article 9 of the Standard Specifications, as modified by Article 9 of the City Special Provisions.

5. CONTRACT TIME.

A. Initial Notice to Proceed. After the Agreement has been fully executed by the Contractor and the City, the City shall issue the "Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials." The date specified in the Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials constitutes the date of commencement of the Contract Time of **Sixty (60) Working Days.** The Contract Time includes the time necessary to fulfill preconstruction requirements, place the order of materials, and to complete construction of the Project (except as adjusted by subsequent Change Orders).

The Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials shall further specify that Contractor must complete the preconstruction requirements and order materials within **Fifteen (15) Working Days** after the date of commencement of the Contract Time; this duration is part of the Contract Time.

Critical preconstruction requirements include, but are not limited to, the following:

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan (SWPPP)/Water Pollution Control Plan (WPCP)
- Submitting and obtaining approval of critical required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Bidding Documents
- Completion of all pre-construction activities under Environmental Mitigations

If the City's issuance of a Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials is delayed due to Contractor's failure to return the fully executed Agreement and insurance and bond documents within ten (10) Working Days after

Contract award, then Contractor agrees to the deduction of one (1) Working Day from the number of days to complete the Project for every Working Day of delay in the City's receipt of said documents. This right is in addition to and does not affect the City's right to demand forfeiture of Contractor's Bid Security If Contractor persistently delays in providing the required documentation.

B. Notice to Proceed with Construction. After all preconstruction requirements are met and materials have been ordered in accordance with the Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor shall diligently prosecute the Work, including corrective items of Work, day to day thereafter, within the remaining Contract Time.

6. LIQUIDATED DAMAGES.

6.1. **Liquidated Damages.** The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to order all materials in accordance with the Notice to Proceed with Order of Materials and/or failure to fulfill the preconstruction requirements, and/or failure to complete the Work within the Contract Time. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadline for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to order all materials in accordance with the Notice to Proceed with Order of Materials and/or fails to fulfill the preconstruction requirements and/or fails to complete the Work within the Contract Time, Contractor agrees to pay the City **$370.00 per Calendar day** that completion of the Work is delayed beyond the Contract Time, as adjusted by Contract Change Orders. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

The Contractor and City acknowledge and agree that the foregoing liquidated damages have been set based on an evaluation of damages that the City will incur in the event of late completion of the Work. The Contractor and City acknowledge and agree that the amount of such damages are impossible to ascertain as of the date of execution hereof and have agreed to such liquidated damages to fix the City's damages and to avoid later disputes. It is understood and agreed by Contractor that liquidated damages payable pursuant to this Agreement are not a penalty and that such amounts are not manifestly unreasonable under the circumstances existing as of the date of execution of this Agreement.

It is further mutually agreed that the City will have the right to deduct liquidated damages against progress payments or retainage and that the City will issue a Change Order or Construction Change Directive and reduce the Contract Price accordingly. In the event the remaining unpaid Contract Price is insufficient to cover the full amount of liquidated damages, Contractor shall pay the difference to the City.

6.2. **Owner is Exempt from Liability for Early Completion Delay Damages**. While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to

complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-6 of the Standard Specifications and City Special Provisions regarding compensation for delays.

7. INSURANCE.

7.1. **General.** The Contractor shall procure and maintain at its sole expense and throughout the term of this Agreement, any extension thereof, Commercial General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described herein.

7.2. **Additional Insured Endorsements.** The Contractor shall cause the insurance required by the Contract Document to include the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives as an additional insureds. For the Commercial General Liability coverage, said parties shall be named as additional insureds utilizing either:

1. Insurance Services Office ("ISO") Additional Insured endorsement CG 20 10 (11/85); or

2. ISO Additional Insured endorsement CG 20 10 (10/01) and Additional Insured Completed Operations endorsement CG 20 37 (10/01); or

3. substitute endorsements providing equivalent coverage, approved by the City.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The coverage shall contain no special limitations on the scope of protection afforded to such additional insureds. Coverage for such additional insureds does not extend to liability to the extent prohibited by Insurance Code Section 11580.4.

7.3. **Waivers of Subrogation.** All policies of insurance required by the Contract Documents shall include or be endorsed to provide a waiver by the insurers of any rights of recovery or subrogation that the insurers may have at any time against the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives.

7.4. **Primary Coverage.** All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

7.5. **Coverage Applies Separately to Each Insured and Additional Insured.** Coverage shall state that the Contractor's (and its Subcontractors') insurance shall apply separately to each insured or additional insured against whom claim is made or suit is brought, except with respect to

the limits of the insurer's liability. Coverage shall apply to any claim or suit brought by an additional insured against a named insured or other insured.

7.6. **Self-Insurance**. Any self-insurance (including deductibles or self-insured retention in excess of $50,000) in lieu of liability insurance must be declared by Contractor and approved by the City in writing prior to execution of the Agreement. The City's approval of self-insurance, if any, is within the City's sole discretion and is subject to the following conditions:

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions, maintain and upon Owner's reasonable request provide evidence of:

   (a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property and equipment and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;

   (b) financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill; and

   (c) a claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.

2. If at any time after such self-insurance has been approved Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:

   (a) the Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or

   (b) the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or

   (c) the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

7.7. **Insurer Financial Rating**. Insurance companies providing insurance hereunder shall be rated A-:VII or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

7.8. **Notices to City of Cancellation or Changes**. Each insurance policy described in this Paragraph 7 shall contain a provision or be endorsed to state that coverage will not be cancelled

without **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

7.9. **Commercial General Liability**. Coverage shall be written on an ISO Commercial General Liability "occurrence" form CG 00 01 (10/01 or later edition) or equivalent form approved by the City for coverage on an occurrence basis. The insurance shall cover liability, including, but not limited to, that arising from premises operations, stop gap liability, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The policy shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 (11/85). Coverage shall contain no contractors' limitation or other endorsement limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground (x, c, u) property damage. Contractor shall provide Products/Completed Operations coverage to be maintained continuously for a minimum of **one (1) year** after Final Acceptance of the Work, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: $1,000,000 per occurrence / $2,000,000 aggregate / $2,000,000 products-completed operations.

7.10. **Business Automobile Liability**. Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with $1,000,000 combined single limit per accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.11. **Workers' Compensation.** Contractor shall comply with the applicable sections of the California Labor Code concerning workers' compensation for injuries on the job. Compliance is accomplished in one of the following manners:

1. Provide copy of permissive self-insurance certificate approved by the State of California; or
2. Secure and maintain in force a policy of workers' compensation insurance with statutory limits and Employer's Liability Insurance with a minimal limit of **$1,000,000** per accident; or
3. Provide a "waiver" form certifying that no employees subject to the Labor Code's Workers' Compensation provision will be used in performance of this Contract.

7.12. **Subcontractors' Insurance.** The Contractor shall include all Subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to all of the requirements stated herein.

8. BONDS. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be furnished as a guarantee of the faithful performance of the requirements of the Contact Documents as may be amended from time to time, including, but not limited to, liability for delays and damages (both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the Satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments hall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

Contractor agrees that the Labor and Materials Payment Bond and Faithful Performance Bond attached to this Agreement are for reference purposes only, and shall not be considered a part of this Agreement. Contractor further agrees that said bonds are separate obligations of the

Contractor and its surety, and that any attorney's fee provision contained in any payment bond or performance bond shall not apply to this Agreement. In the event there is any litigation between the parties arising from the breach of this Agreement, each party will bear its own attorneys' fees in the litigation.

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for at least three (3) years after Final Acceptance.

10. INDEMNIFICATION.

10.1. **General.** To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold harmless and defend (even if the allegations are false, fraudulent, or groundless), the City of Moreno Valley, its City Council, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

A. Any activity on or use of the City's premises or facilities;
B. Any liability incurred due to Contractor acting outside the scope of its authority pursuant to the Contract, whether or not caused in part by an Indemnified Party;
C. The failure of Contractor or the Work to comply with any Applicable Law, permit or orders;
D. Any misrepresentation, misstatement or omission with respect to any statement made in the Contract Documents or any document furnished by the Contractor in connection therewith;
E. Any breach of any duty, obligation or requirement under the Contract Documents, including, but not limited to any breach of Contractor's warranties, representations or agreements set forth in the Contract Documents;
F. Any failure to coordinate the Work with City's Separate Contractors;
G. Any failure to provide notice to any party as required under the Contract Documents;
H. Any failure to act in such a manner as to protect the Project from loss, cost, expense or liability;

I. Bodily or personal injury, emotional injury, sickness or disease, or death at any time to any persons including without limitation employees of Contractor;

J. Damage or injury to real property or personal property, equipment and materials (including, but without limitation, property under the care and custody of the Contractor or the City) sustained by any person or persons (including, but not limited to, companies, corporations, utility company or property owner, Contractor and its employees or agents, and members of the general public);

K. Any liability imposed by Applicable Law including, but not limited to criminal or civil fines or penalties;

L. Any dangerous, hazardous, unsafe or defective condition of, in or on the Site, of any nature whatsoever, which may exist by reason of any act, omission, neglect, or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors;

M. Any operation conducted upon or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors under or pursuant to the provisions of the Contract or otherwise;

N. Any acts, errors, omission or negligence of Contractor, its officers, agents, employees, or Subcontractors;

O. Infringement of any patent rights, licenses, copyrights or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and

P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence.** Contractor's obligations to indemnify and hold the Indemnitees harmless **exclude** only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph 11. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

10.3. **Independent Defense Obligation.** The duty of the Contractor to indemnify and hold harmless the Indemnitees includes the separate and independent duty to defend the Indemnitees, which duty arises immediately upon receipt by Contractor of the tender of any Indemnity Claim from an Indemnitee. The Contractor's obligation to defend the Indemnitee(s) shall be at Contractor's sole expense, and not be excused because of the Contractor's inability to evaluate liability or because the Contractor evaluates liability and determines that the Contractor is not liable. This duty to defend shall apply whether or not an Indemnity Claim has merit or is meritless, or which involves claims or allegations that any or all of the Indemnitees were actively, passively, or concurrently negligent, or which otherwise asserts that the Indemnitees are responsible, in whole or in part, for any Indemnity Claim. The Contractor shall respond within thirty (30) Calendar Days to the tender of

any Indemnity Claim for defense and/or indemnity by an Indemnitee, unless the Indemnitee agrees in writing to an extension of this time. The defense provided to the Indemnitees by Contractor shall be by well qualified, adequately insured and experienced legal counsel acceptable to the City.

10.4. **Intent of Parties Regarding Scope of Indemnity.** It is the intent of the parties that the Contractor and its Subcontractors of all tiers shall provide the Indemnitees with the broadest defense and indemnity permitted by Applicable Law. In the event that any of the defense, indemnity or hold harmless provisions in the Contract Documents are found to be ambiguous, or in conflict with one another, it is the parties' intent that the broadest and most expansive interpretation in favor of providing defense and/or indemnity to the Indemnitees be given effect.

10.5. **Waiver of Indemnity Rights Against Indemnitees.** With respect to third party claims against the Contractor, to the fullest extent permitted by law, the Contractor waives any and all rights to any type of express or implied indemnity against the Indemnitees.

10.6. **Subcontractor Requirements.** In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Paragraph 11.

10.7. **No Limitation or Waiver of Rights.** Contractor's obligations under this Paragraph 11 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Paragraph 11 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Paragraph 11 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

10.8. **Withholding to Secure Obligations.** In the event an Indemnity Claim arises prior to final payment to Contractor, the City may, in its sole discretion, reserve, retain or apply any monies due Contractor for the purpose of resolving such Indemnity Claims; provided, however, the City may release such funds if the Contractor provides the City with reasonable assurances of protection of the Indemnitees' interests. The City shall, in its sole discretion, determine whether such assurances are reasonable.

10.9. **Survival of Indemnity Obligations.** Contractor's obligations under this Paragraph 11 are binding on Contractor's and its Subcontractors' successors, heirs and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

11. SUCCESSORS AND ASSIGNS. The Parties bind themselves, their heirs, executors, administrators, successors and assigns the covenants, agreements and obligations contained in the Contract Documents. The Contractor shall not, either voluntarily or by action of law, assign any right or obligation of the Contractor under the Contract Documents without prior written consent of the City.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY:_____
City Manager

DATE:_____

(Name of Contractor)

License No./
Classification:_____

Expiration Date:_____

Federal I.D. No.:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer
(if contract exceeds $15,000)

_____
Date

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

Signature(s) must be accompanied by a completed notary certificate of acknowledgement attached hereto. A general partner must sign on behalf of a partnership. **Two (2)** corporate officers must sign on behalf of a corporation unless the corporation has a corporate resolution that allows one person to sign on behalf of the corporation; if applicable, said resolution must be attached hereto. The corporate seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Price)

PROJECT NO. 12-41266522

CORPORATE YARD SEWER IMPROVEMENTS

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to _____, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 12-41266522**, and all Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Documents and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

Contractor and Surety agree that this Faithful Performance Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Faithful Performance Bond is a separate obligation of the Contractor and its Surety, and that any attorneys' fee provision contained in this Faithful Performance Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents or to the Work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California
County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 12-41266522

CORPORATE YARD SEWER IMPROVEMENTS

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to _____, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 12-41266522**, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

Contractor and Surety agree that this Labor and Materials Payment Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Labor and Materials Payment Bond is a separate obligation of the Contractor and its Surety, and that any attorneys' fee provision contained in this Labor and Materials Payment Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RM
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: Approval of the Agreement to Form the Lake Elsinore and Canyon Lake Total Maximum Daily Load (TMDL) Task Force

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney;

2. Appoint the Community and Economic Development Director as the primary representative and appoint the Storm Water Program Manager as the alternate representative to the TMDL Task Force;

3. Authorize the Community and Economic Development Director to execute future amendments to the Agreement as approved by the City Attorney;

4. Authorize the Mayor to execute the Agreement; and

5. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Agreement to the Santa Ana Watershed Project Authority.

BACKGROUND

A TMDL is the amount of a specific pollutant that can be assimilated by a particular water body without causing impairment to its designated uses, i.e., swimming, fishing, municipal water, etc. If a water body cannot assimilate the specific pollutant the water body is determined "impaired" under the federal Clean Water Act. States are required to identify their impaired water bodies, determine the specific pollutant(s) causing impairment and prepare a TMDL. In the 1990's, the Santa Ana Regional Water Quality

Control Board (Board) complied with the Clean Water Act and identified Lake Elsinore and Canyon Lake as water bodies impaired by two nutrients, nitrogen and phosphorous as well as other pollutants.

In 2000, the Board identified the federal, State and local agencies as well as the special districts and private parties, collectively "Stakeholders" that directly or indirectly discharge nutrients to Canyon Lake and Lake Elsinore. The city was named a stakeholder. At that time the Board organized a TMDL Stakeholder Workgroup in which the city was an active participant. Subsequently, the Board prepared a nutrient TMDL Report and Implementation Plan.

On December 20, 2004, the Board adopted Resolution No. R8-2004-0037 incorporating the nutrient TMDL into the Santa Ana River Basin. On May 19, 2005, the TMDL and its accompanying Implementation Plan was approved by the State Water Resources Control Board per Resolution No. 2005-0038 and by the California Office of Administrative Law on July 26, 2005. On September 30, 2005, the United States Environmental Protection Agency (USEPA) Region IX approved the nutrient TMDL. The nutrient TMDL became law based upon the California Water Code and is now enforceable by the State and USEPA.

On January 30, 2006, the Board sent letters to the Stakeholders setting forth a requirement under the California Water Code Section 13267 for each to submit technical reports, plans and schedules for the implementation of the TMDL. On February 16, 2006, the Riverside County Flood Control and Water Conservation District (FCD) staff briefed the City Managers of the affected cities regarding the proposed task force and to review each city's cost share if they joined the task force. On February 21, 2006, staff updated City Council on the TMDL progress. Staff presented the concept of participating in TMDL Task Force as a way for Moreno Valley to comply with the State and federal TMDL mandate.

On June 26, 2006, the City Council authorized the Mayor to execute the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. The agreement was extended twice before expiring June 30, 2012.

On May 17, 2012, FCD staff briefed the City Managers of the affected cities regarding the progress of the task force. Additionally, FCD staff reviewed each city's TMDL cost share should they continue to remain members of the task force for Fiscal Year (FY) 2012/13.

Through the past agreement, the TMDL Task Force funded and procured professional services to address and complete tasks shared by the Stakeholders. As an active member of the TMDL Task Force, Moreno Valley benefited from the pool of resources assembled to address common TMDL tasks and in-kind services provided on behalf of Moreno Valley that if addressed separately by the city would substantially increase Moreno Valley's costs to comply with the TMDL mandates.

DISCUSSION

Issues

The TMDL Implementation Plan mandates the Stakeholders either individually or collectively perform various tasks and projects to achieve compliance with the TMDL by the end of 2020. Currently, Moreno Valley is in compliance with the TMDL Implementation Plan and its established deadlines by being an active member of the Task Force. Should City Council decide not to approve and execute the agreement the city must individually submit and implement the mandated technical reports, plans, schedules and projects. Because the TMDL is law, ignoring the TMDL mandates and timelines for compliance will subject the city, staff and officials to civil and criminal actions under the State Water Code and the federal Clean Water Act.

Analysis

Continuing to remain an active Task Force member provides the city access to additional professional and fiscal resources for the specific purpose to address common TMDL tasks identified in Recital "B" of the attached agreement. The TMDL Task Force may include one federal agency, two State agencies, one Joint Powers Authority, the County of Riverside, eleven cities, three special districts, and one agricultural coalition representing farming interests and dairy interests. The Lake Elsinore and San Jacinto Watershed Authority (LESJWA) is identified as the TMDL Administrator.

The Administrator will work with the Task Force members to adopt annual budgets for each fiscal year commencing July 1. Annual budgets will include anticipated costs for the compliance of work and projects developed by the task force for the year. The Task Force members identified the estimated costs of each task to determine the FY 2012/13 annual budget for the task force. Through this agreement a cost share formula has been determined. Pooling funds will reduce the each member's costs for tasks of which all members named to complete.

Conclusion

The benefits of joining the TMDL Task Force include;

- Having oversight of the TMDL Administrator and other water quality professionals hired to manage the various contracts necessary for common TMDL tasks that benefit Moreno Valley;
- Performance goals to ensure the Task Force members remain in compliance by producing various reports, schedules, plans and projects by the mandated deadlines that are common to all;
- A greater voice to advocate the city's position to water quality issues affecting the watershed, and;
- Sharing costs for common tasks is sound fiscal management.

ALTERNATIVES

Alternative One--Approve the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. ***Staff recommends this alternative***. Alternative One provides Moreno Valley the opportunity to benefit from a pool of resources to address common TMDL tasks thus reduce overall costs and take credit for in-kind services provided by the FCD.

Alternative Two--Do not approve the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. ***Staff does not recommend this alternative***. The city must perform the tasks outlined in the TMDL and as addressed in the 13267 letter. Undertaking the tasks as an individual stakeholder will substantially increase the city's cost of compliance.

FISCAL IMPACT

As identified on Page 1 of Exhibit "A" to the Agreement, the FY 2012/2013 TMDL Budget is $481,000. Neither the State nor the federal governments have provided funding for the TMDL mandated tasks.

Moreno Valley does not have a designated funding source for TMDLs. County Service Area (CSA) 152 could be expanded to address TMDLs. A city-wide mail ballot proceeding would be necessary to increase the CSA 152 levy to address TMDLs. The NPDES Regulatory Rates for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development do not address TMDLs. The Regulatory Rate Schedules could be reviewed and amended to address TMDL costs associated with new development. Since FY 2006/07 the General Fund has provided the necessary funds for the TMDL mandates.

Alternative One

Moreno Valley's share of the FY 2012/13 budget as a member of the TMDL Task Force is approximately $101,974.00 as indicated on Page 2 of Exhibit "A" to the Agreement. Utilizing accrued credits and in-kind services, Moreno Valley's estimated expense for FY 2012/13 is $30,500.00. Sufficient funds for FY 2012/13 have been appropriated.

Alternative Two

As an individual stakeholder performing the required tasks separately from the TMDL Task Force, Moreno Valley's FY 2012/13 costs are estimated to be $365,000.00. Moreno Valley would be required to fund and perform the same required tasks as the TMDL Task Force, as shown in Exhibit "A" to the Agreement except for line item nos. 1, 2, and 4 ($116,000.00) of, *Part "A": Task Force Regulatory/Administrative Budget*. The

$365,000.00 does not include the costs for additional city Storm Water Management Program staff or consultants needed to prepare requests for proposals and manage professional services contracts to perform the mandated tasks. Utilizing accrued credits and in-kind services from past task force participation and the approved FY2012/13 budget appropriations, at minimum, additional fund transfers of $219,450.00 are necessary for FY 2012/2013 for this alternative.

Following Fiscal Years

At this time, it is not known what Moreno Valley's costs will be in subsequent years. It is unknown because one or more Stakeholders may begin to implement Best Management Practices to achieve compliance with the TMDL or decide not to join the TMDL Task Force. If that is the case, those compliance costs may proportionately shift to the other Stakeholders. Additionally, the City Managers acting as the NPDES Management Steering Committee for the affected cities may determine other cost sharing models to split the shared costs of the cities and the county other than the current method for FY 2012/13.

CITY COUNCIL GOALS

Advocacy. Approval of the attached agreement will assist Moreno Valley to develop cooperative intergovernmental relationships with other Task Force Agencies. Being a Task Force Agency will assist staff to advocate City policies, objectives, and goals related to water quality to appropriate governments and agencies.

Revenue Diversification and Preservation. Approval of the attached agreement will assist in leveraging scarce city funds to provide mandated TMDL reports, plans and schedules.

SUMMARY

The Nutrient TMDL for Lake Elsinore and Canyon Lake is now in effect. The city received a 13267 letter from the Board stating that it must address the TMDL tasks as approved by the State Water Resources Control Board and USEPA. The TMDL Task Force for Lake Elsinore and Canyon Lake is being formed by interested Stakeholders as a vehicle to address the State and federal mandate. By joining the task force Moreno Valley can leverage scarce funds necessary to remain in compliance with the TMDL. Appointing the Community and Economic Development Director and the Storm Water Program Manager to the TMDL Task Force will ensure continuity in the TMDL process.

There is neither State nor federal funds earmarked for the Stakeholders for the mandates. Performing the TMDL mandated tasks as an individual stakeholder will substantially increase the city's costs and ignoring the mandates will result in city non-compliance subjecting the city, staff and/or officials to civil and possible criminal actions by the State and/or federal governments.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1—Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force

Prepared By:
Kent Wegelin
Storm Water Program Manager

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

FINAL 6/18/12

AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE

This Agreement to form the Lake Elsinore and Canyon Lake TMDL Task Force (hereinafter "AGREEMENT") is made and effective this **18th day of June, 2012** by and among the following entities, which are hereinafter sometimes collectively referred to as "TASK FORCE AGENCIES" or individually as "TASK FORCE AGENCY":

- California Department of Fish and Game
- California Department of Transportation
- City of Beaumont
- City of Canyon Lake
- City of Hemet
- City of Lake Elsinore
- City of Menifee
- City of Moreno Valley
- City of Murrieta
- City of Perris
- City of Riverside
- City of San Jacinto
- City of Wildomar
- County of Riverside
- Eastern Municipal Water District
- Elsinore Valley Municipal Water District
- March Joint Powers Authority
- Riverside County Flood Control and Water Conservation District
- U.S. Air Force (March Air Reserve Base)
- Western Riverside County Agriculture Coalition (on behalf of the participating Dairy Operators and participating Agricultural Operators in the San Jacinto River Basin)

I. RECITALS

A. Whereas, in 1998, the Santa Ana Regional Water Quality Control Board (hereinafter "Regional Board") designated Lake Elsinore and Canyon Lake in the Lake Elsinore and San Jacinto Watersheds (Collectively the "Watersheds") as "impaired water bodies" pursuant to Section 303(d) of the federal Clean Water Act because of high levels of algae in both lakes and low dissolved oxygen in Lake Elsinore, attributed to excess phosphorus and nitrogen (Nutrients). As a result of said Section 303 designation, the Clean Water Act and California's Non-point Source Pollution Control Plan requires that total maximum daily loads (hereinafter "TMDLs") be established by the Regional Board for these waterbodies;

B. Whereas, in response to the Section 303(d) designation, the Regional Board adopted a Resolution R8-2004-0037 on December 20, 2004 amending the Water Quality Control Plan for the Santa Ana River Basin (BASIN PLAN AMENDMENT) to incorporate nutrient TMDLs for Canyon Lake and Lake Elsinore. The Basin Plan Amendment specifies, among other things, an Implementation Plan, which holds specified stake holders (TASK FORCE AGENCIES) individually and/or jointly liable for complying with the TMDLs by means of specific tasks to be completed by specified dates under penalty of law. These tasks include development and implementation of a watershed-wide nutrient water quality monitoring program, development of an in-lake nutrient monitoring program for Canyon Lake and Lake Elsinore, development of a plan and schedule for in-lake sediment nutrient reduction for Lake Elsinore, development of a plan and schedule for evaluating in-lake sediment nutrient strategies for Canyon Lake, updating watershed and in-lake nutrient TMDL water quality models, developing a pollutant trading plan, and reviewing and revising the TMDL to reflect updated data and science;

C. Whereas, the purpose of this AGREEMENT is to form a task force (hereinafter "TASK FORCE") to implement certain tasks identified in the TMDL Implementation Plan and to pursue TMDL related tasks agreed upon by TASK FORCE AGENCIES;

D. Whereas, the TASK FORCE AGENCIES agree that the purpose of this TASK FORCE is to (1) review and develop recommendations to update the TMDL BASIN PLAN AMENDMENT based on the best available scientific information, and (2) implement TMDL Implementation Plan Tasks identified below and jointly assigned to TASK FORCE AGENCIES, and (3) propose appropriate revisions to the TMDL BASIN PLAN AMENDMENT to the Santa Ana RWQCB, and (4) allow watershed stakeholders to participate in efforts to meet appropriate water quality standards so that Canyon Lake and/or Lake Elsinore can be de-listed from the Clean Water Act 303(d) list of impaired water bodies;

E. Whereas, hundreds of individual agricultural and dairy operators are subject to the Canyon Lake and Lake Elsinore TMDLs and its component TMDL Implementation Plan;

F. Whereas, the Western Riverside County Agricultural Coalition(WRCAC) is a non-profit organization representing the interests of participating agricultural and dairy operators within the San Jacinto Watershed;

G. Whereas, WRCAC's membership is open to any and all agricultural and dairy operators within the San Jacinto watershed;

H. Whereas, March Air Reserve Base (MARB) is an installation of the United States Air Force on federal lands and, as an agency of the federal government, is therefore subject to limitations in its ability to comply with every provision stated herein to the same extent that other non-federal TASK FORCE AGENCIES are able to comply. These limitations are based upon, but not limited to, those identified in the federal Clean Water Act, the federal Antideficiency Act, the principle of sovereign immunity and the holdings of the Supreme Court of the United States, and other binding federal court decisions, as they interpret those sources of federal law. The limitations so mentioned include, but are not limited to, the availability of federal funding to pay for participation in this program, and the ability of MARB to participate directly in sampling, research or data gathering activities which are not located on or near MARB lands or a point source of water discharge arising on MARB lands, or other activities not specifically authorized by the Federal Clean Water Act section 313. To the extent that the limitations described herein prevent MARB from fully participating in any aspect of this program, they reserve the right, in their sole discretion, to participate in the program as a matter of comity. By entering into this agreement, MARB does not authorize any of the TASK FORCE AGENCIES to exercise regulatory authority over them. MARB agrees that State and federal regulatory agencies that are or may become members of this TASK FORCE have regulatory authority over MARB only to the extent permitted by State or Federal Law;

I. Whereas, the TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE;

J. Whereas, the Riverside County Flood Control and Water Conservation District (RCFC&WCD) serves as the MS4 PRINCIPAL PERMITTEE for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System Permit (MS4) for the Santa Ana Region of Riverside County;

K. Whereas, the County of Riverside and Cities of Beaumont, Canyon Lake, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Perris, Riverside, San Jacinto, Menifee, Wildomar are MS4 CO-PERMITTEES for the NPDES MS4 Permit for the Santa Ana Region of Riverside County;

L. Whereas, the MS4 PRINCIPAL PERMITTEE and MS4 CO-PERMITTEES collectively represent the MS4 PERMITTEES within the San Jacinto Watershed;

M. Whereas, the NPDES MS4 Permit for the Santa Ana Region of Riverside County is regulated by the Regional Board and subject to the requirements of the nutrient TMDLs for Canyon Lake and Lake Elsinore;

N. Whereas RCFC&WCD has agreed to provide services on behalf of itself as MS4 PRINCIPAL PERMITTEE and on behalf of the MS4 CO-PERMITTEES for the purposes of this AGREEMENT;

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O. Whereas, the TMDL assigned nutrient waste load allocations for Supplemental Water addition to Lake Elsinore to stabilize the Lake's elevation;

P. Whereas, the nutrient waste load allocation for Supplemental Water, which includes Island Well water, EVMWD treatment plant effluent, and other sources of non-stormwater, may reduce the TMDL waste load allocation and TMDL load allocation of other point and non-point sources because in-lake nutrient capacity was not adjusted to account for increased lake levels associated with the addition of Supplemental Water;

Q. Whereas, the assumptions regarding load allocations for Supplemental Water may not be consistent with the actual operation of Supplemental Water sources;

R. Whereas, the City of Lake Elsinore and EVMWD previously entered into an agreement to equally share the cost of Supplemental Water addition to the Lake under the "Lake Elsinore Comprehensive Water Management Agreement",

S. Whereas, for the purposes of this Agreement, the City of Lake Elsinore shall be acknowledged and recognized as a separate and equal contributor with EVMWD for the cost and voting rights accorded under this Agreement attributed to EVMWD for Supplemental Water addition;

T. Whereas, the TASK FORCE AGENCIES agree that certain nutrient dischargers have been either inappropriately named or not named as responsible parties for various tasks in the BASIN PLAN AMENDMENT;

U. Whereas, the TASK FORCE AGENCIES agree that agricultural and dairy lands are converting to urban and open space lands;

V. Whereas, the TASK FORCE AGENCIES agree that an amendment to the TMDL to address, at minimum, the proper naming of responsible parties for various tasks in the TMDL Implementation Plan, to correct the load allocation and waste load allocations to properly address the impacts of Supplemental Water on Lake Elsinore, and to revise the load allocation and waste load allocations to address the ongoing conversion of agriculture and dairy lands to urban and/or open space should be addressed as part of a revision to the TMDL Implementation Plan; and

W. Whereas, MARB agrees to budget for and to participate in the TASK FORCE, provided that sufficient funds are appropriated by the Congress, and on the condition that funding requirements under this AGREEMENT do not violate the Anti-deficiency Act, and provided that the TASK FORCE AGENCIES agree to relocate the proposed monitoring station from Kitching Channel to the Heacock drainage channel, and use any fees provided by MARB, for participation in this program, to establish and monitor this station.

II. COVENANTS

NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the TASK FORCE AGENCIES agree as follows:

1. Creation of a Task Force. There is hereby created a "Lake Elsinore and Canyon Lake TMDL Task Force" ("TASK FORCE") consisting of the TASK FORCE AGENCIES and certain Non-Voting, Non-Funding Members as more specifically provided for in paragraph 2 below.

2. Representation on the Task Force.

   a. Appointment. Concurrently with the execution of this Agreement, each TASK FORCE AGENCY shall, in accordance with such TASK FORCE AGENCY's own governing provisions, appoint one primary representative to the TASK FORCE and one alternate representative to act in the absence of the primary representative (hereinafter collectively referred to as "REPRESENTATIVES" or individually as "REPRESENTATIVE"). The REPRESENTATIVES

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shall have the authority to act on behalf of its appointing TASK FORCE AGENCY. The REPRESENTATIVES shall serve at the pleasure of the appointing TASK FORCE AGENCY and may be removed at any time, with or without cause by such TASK FORCE AGENCY; provided, however, that the TASK FORCE AGENCIES acknowledge and agree the continuity of representation on the TASK FORCE is important to the overall effectiveness of the TASK FORCE, and the TASK FORCE AGENCIES further agree to ensure such continuity whenever possible.

b. Additional Agencies. The TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE. Such agencies may join the TASK FORCE on such written terms and conditions as are acceptable to all then existing TASK FORCE AGENCIES of the TASK FORCE, including, but not limited to, agreed-upon cash contributions for past, present, and/or future work, of the TASK FORCE. The inclusion of such agencies as additional TASK FORCE AGENCIES to the TASK FORCE shall be effected by a written amendment to this AGREEMENT signed by all then existing TASK FORCE AGENCIES. Such additional TASK FORCE AGENCIES shall each appoint their TASK FORCE primary REPRESENTATIVE and alternate REPRESENTATIVE as provided in Section II.2.a above or in said written amendment. The following agencies will be considered for inclusion as additional TASK FORCE AGENCIES in future amendments to this Agreement within the meaning of this section:

Any other named stakeholder in any future amendments of the BASIN PLAN AMENDMENT.

_____.

c. Non-Voting, Non-Funding Members. The Regional Board, Lake Elsinore and San Jacinto Watersheds Authority and the San Jacinto River Watershed council are hereby appointed as Non-Voting, Non-Funding Members of the TASK FORCE. Additional Non-Voting, Non-Funding Members may be appointed by a majority vote of the TASK FORCE representatives. Non-Voting , Non-Funding Members appointed herein, and any appointed in the future are authorized only to make recommendations upon the functioning of this TASK FORCE and the development of this program. Federal, State and local regulatory agencies acting as Non-Voting, Non-Funding Members, now or in the future, retain authority to regulate TASK FORCE MEMBERS only to the extent that they are so authorized under State and Federal law.

d. Dairy and Agricultural Operators. The TASK FORCE AGENCIES acknowledge that the Western Riverside County Agriculture Coalition (WRCAC) shall represent the collective interest of both participating agricultural and dairy operators in the San Jacinto River Watershed in the TASK FORCE at this time. WRCAC shall appoint two primary TASK FORCE REPRESENTATIVES and two alternate REPRESENTATIVES as provided in Section II.2.a. One set of REPRESENTATIVES shall be designated for agricultural operator interests; the other set of REPRESENTATIVES shall be designated for dairy interests for the purposes of this TASK FORCE.

e. Committees. The TASK FORCE may establish subcommittees, consisting of REPRESENTATIVES and Non-Voting, Non-Funding Members who shall be selected by, and serve at the pleasure of, the TASK FORCE.

f. Task Force Administrator. A TASK FORCE administrator (hereinafter "TASK FORCE ADMINISTRATOR") shall be appointed by the TASK FORCE. The TASK FORCE ADMINISTRATOR shall have the following administrative responsibilities:

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(1) Organizing and facilitating TASK FORCE meetings;
(2) Secretarial, clerical, and administrative services;
(3) Managing TASK FORCE funds and preparing annual reports of TASK FORCE assets and expenditures;
(4) Retaining TASK FORCE-authorized consultants; and
(5) Seeking funding grants to assist with achieving the work of the TASK FORCE and other goals and objectives approved by TASK FORCE AGENCIES.
(6) Possible administrator of future pollutant trading (water quality trading) agreements.

The TASK FORCE AGENCIES hereby appoint the Lake Elsinore and San Jacinto Watersheds Authority as the initial TASK FORCE ADMINISTRATOR.

g. Meetings of the Task Force.

(i) Frequency and Location. The TASK FORCE shall, by resolution or motion, agree upon the time and place for holding its regular meetings. Special meetings may be called at the request of the TASK FORCE ADMINISTRATOR or by a majority of the TASK FORCE REPRESENTATIVES.

(ii) Task Force Chair. The TASK FORCE REPRESENTATIVES shall select a chair and a vice-chair. The term of the chair and vice-chair shall be one year and shall be rotated among the TASK FORCE REPRESENTATIVES interested in serving as chair.

(iii) Quorum. One half or more of the REPRESENTATIVES of the TASK FORCE shall constitute a Quorum.

(iv) Voting. Actions of the TASK FORCE shall be validly taken only when a Quorum is present and upon the affirmative vote of a MAJORITY of the TASK FORCE REPRESENTATIVES. A MAJORITY of the REPRESENTATIVES shall be determined as follows:

Each TASK FORCE AGENCY shall have one vote assigned for each $1,000 increment of PRO RATA COST SHARE, as described in Paragraph II.5 below, contributed to the TASK FORCE Budget developed for a given fiscal year. A MAJORITY of the REPRESENTATIVES shall consist of greater than 50% of the total votes based on the Budget for the fiscal year during which the action is taken.

(v) All meetings of the TASK FORCE or any of its committees shall be conducted as may be required by any applicable provisions of the Ralph M. Brown Act (California Government Code §§54950 et seq.). The provisions contained in the Ralph M. Brown Act shall prevail in the event of any conflict with provisions contained in this Agreement.

The TASK FORCE may adopt such additional rules and regulations as may be required for the conduct of its affairs so long as such rules and regulations do not conflict with this Agreement.

3. Work of the Task Force. The TASK FORCE shall perform the following tasks in accordance with guidelines established by the Regional Board:

a. To retain consulting services to review scientific and other assumptions contained within the TMDL. Consultant(s) shall provide a report identifying preliminary TMDL opportunities such as site specific objectives, pollutant trading strategies, and integration strategies. The final scope of work shall be approved by the Task Force. The report shall specifically consider assumptions supporting the TMDL. The report should also provide preliminary analysis of the ability to achieve in-lake nutrient reductions and verify that load assignments are appropriate. Upon completion of the report, Consultant(s) shall also review work described herein, and make

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recommendations to ensure that work is specifically designed to resolve any deficiencies, where appropriate. Consultant(s) shall also coordinate development of BASIN PLAN AMENDMENT language, in coordination with the Regional Board, which can be used to revise the TMDLs as part of the Regional Board's Triennial Reviews.

b. TMDL IMPLEMENTATION PLAN Task 4 - Implement a Watershed-wide Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDL, and to determine compliance with interim and final nitrogen and phosphorus allocations, and compliance with the nitrogen and phosphorus TMDLs. Monitoring and management of monitoring data to update the Lake Elsinore and Canyon Lake Nutrient TMDL shall commence immediately upon approval of this Agreement. An annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year.

c. TMDL IMPLEMENTATION PLAN Task 4 - Implement a Lake Elsinore and Canyon Lake Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDLs, and to determine compliance with interim and final nitrogen, phosphorus, chlorophyll A and dissolved oxygen numeric targets. In addition, the monitoring program shall determine the relationship between ammonia toxicity and the total nitrogen allocation to ensure that the total nitrogen allocation will prevent ammonia toxicity in Lake Elsinore and Canyon Lake. Lake monitoring and management of lake monitoring data shall be deferred based on agreement with the Regional Board. Thereafter, an annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year.

d. TMDL IMPLEMENTATION PLAN Tasks 9 and 10 - Implement a Plan to Reduce Nutrients from sediments in Lake Elsinore and Canyon Lake. The projects will be based on prepared plans shall evaluate the efficacy of various in-lake treatment technologies to prevent the release of Nutrients from lake sediments as a long-term strategy for control of Nutrients in the sediment. The program may also include a sediment nutrient monitoring program to evaluate the effectiveness of any technologies that may be implemented. Target Date for Completion Date: July 1, 2015 (Interim TMDL targets) July 1, 2020 (Final TMDL targets).

e. TMDL IMPLEMENTATION PLAN Task 11 - Implement a Plan and Schedule for Updating the Existing Lake Elsinore/San Jacinto River Watershed Nutrient Model and the Canyon Lake and Lake Elsinore In-Lake Models. Develop and implement a plan and schedule to update and execute Watersheds and in-lake models to track the progress of TMDL efforts. In-lake models should be analyzed as soon as sufficient data becomes available. Target Date for Completion: December 31, 2018.

f. TMDL IMPLEMENTATION PLAN Task 12 - Investigate, Develop and Implement a Pollutant (Water Quality) Trading Plan. Investigate the feasibility of pollutant trading in the Watersheds, and develop a feasibility plan for Regional Board review and approval. Target Date for Completion: December 31, 2012.

g. Investigate Long Term TMDL Implementation Structure, Cost Sharing Formula and Funding Sources. Investigate possible long term administrative structures, cost sharing formulas and funding sources that can be used to obtain compliance with the TMDL requirements. Target Date for Completion: December 31, 2012.

h. Other Tasks. The TASK FORCE may undertake such other plans, programs and studies as authorized by the TASK FORCE pursuant to II.2.g. of this Agreement.

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i. Limitations on MARB. As described above in Section I.h., MARB is an agency of the federal government and is therefore unable to participate in each and every aspect of Section 3 to the same extent as other TASK FORCE MEMBERS. To the extent that it is unable to participate in any tasks under section 3, it reserves the right, in its sole discretion, to participate to the fullest extent that it is able, as a matter of comity.

4. Budgets. The total Annual Budget, adjusted to remove in-kind services, grant funding and funding credits associated with this Agreement shall not exceed $800,000, except as authorized by the TASK FORCE via two-thirds approval via votes based on the Budget for the then current fiscal year pursuant to II.2.g. of this Agreement. The TASK FORCE ADMINSTRATOR shall prepare and submit a proposed Budget for each fiscal year of this Agreement to the TASK FORCE AGENCIES by November 30th. The proposed Budget shall include all anticipated costs for the scope(s) of work developed by the TASK FORCE for the next fiscal year. The TASK FORCE Representatives shall approve the Budget by December 31st. Each TASK FORCE AGENCY shall pay its PRO-RATA SHARE of the approved fiscal year's TASK FORCE Budget and arrears by August 31st of the following year. The Budget for the fiscal year 2012-2013 is included as Exhibit "A" to the Agreement. Approval of this Agreement shall constitute approval of the Budget for fiscal year 2012-2013. Payment of the fiscal year 2012- 2013 Budget shall be by August 31, 2012, or within 30 days of the approval of this Agreement by each TASK FORCE AGENCY, whichever is sooner.

The TASK FORCE ADMINISTRATOR shall endeavor to minimize carry-over fund balances to those necessary to complete work of the TASK FORCE and to maintain contingencies limited to those necessary to ensure work of the TASK FORCE is not impeded. Excess not necessary to complete budgeted work of the TASK FORCE or maintain adequate reserves shall be credited back to the TASK FORCE AGENCIES in the Budget consistent with the PRO-RATA SHARE methodology described in Paragraph II.5 below. THE TASK FORCE AGENCIES shall agree to a reasonable reserve balance as part of each year's Budget.

After September 30th of each year, the TASK FORCE ADMINSTRATOR shall provide an accounting of all PRO RATA SHARES collected via cash or in-kind contributions. If PRO RATA SHARES collected are less than Budget, the TASK FORCE shall meet with Regional Board staff to determine appropriate priorities for scheduled TASK FORCE work and revise Budget based on available funds.

5. Pro-Rata Share Calculation. The annual PRO-RATA SHARE shall be calculated in the following manner:

A. TMDL TASK FORCE costs are identified within the Task Force Budget under Part A: Task Force Regulatory/Administrative Budget (see Exhibit "A") and starting in FY 13-14 shall be shared equally by the TASK FORCE AGENCIES .

B. TMDL TASK FORCE costs identified within the Task Force Budget under Part B: TMDL Implementation Project Budget (see Exhibit "A") shall be shared by the TASK FORCE AGENCIES, based upon participation in the individual program or project. The PRO-RATA SHARE for each TASK FORCE AGENCIES under Part B shall be per an amount agreed upon and/or in kind services among the participating parties.

C. The PRO-RATA SHARE for additional TASK FORCE AGENCIES shall be per in-kind services and/or an amount agreed upon via written amendment of this AGREEMENT per Section II.2.b.

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If the estimated funds collected under the PRO-RATA SHARE calculations exceed the BUDGET, the contributions of MS4 CO-PERMITTEES, EVMWD, City of Lake Elsinore, Agricultural Operators, Dairy and other TASK FORCE AGENCIES contributing in excess of the base amount shall be raised or reduced proportionately based on the percentage of their PRO-RATA SHARE, until the estimated total PRO-RATA SHARES equals the BUDGET.

RCFC&WCD shall provide the TASK FORCE ADMINSTRATOR with annual individual MS4 CO-PERMITTEE cost share distribution of the MS4 CO-PERMITTEES PRO-RATA SHARE for each Fiscal Year. The methodology used by RCFC&WCD to calculate the MS4 CO-PERMITEE cost share distribution may be amended at the NPDES MS4 Management Steering Committee.

Pro rata cost shares assigned to TASK FORCE AGENCIES who do not pay shall be considered unfunded portions of the BUDGET, and shall be addressed in Section II.4, paragraph 3 of this Agreement.

6. In-Kind Credits. The TASK FORCE shall accept in-kind contributions or credits for TASK FORCE work defined under this AGREEMENT per Section II.3 as agreed to annually by the TASK FORCE. The PRO-RATA SHARE of a TASK FORCE AGENCY shall be reduced by the value of IN-KIND CREDITS provided toward agreed-upon budgeted tasks by, or on behalf, of the TASK FORCE AGENCY(S). Credits shall be applied to each budget period and adjusted at the end of each budget year based on actual verified costs unless deferred to a future budget year among the TASK FORCE AGENCIES with credits.

7. Modifications to the TASK FORCE PRO-RATA SHARE methodology. The methodology deriving the TASK FORCE PRO-RATA SHARE as provided in Section II.5 of this Agreement may be modified upon written approval of all then existing TASK FORCE AGENCIES who's PRO-RATA SHARE would be affected.

8. The TASK FORCE AGENCIES shall cooperate fully with one another to attain the purposes of this Agreement.

9. Nothing in this Agreement, nor the work set forth in this Agreement, nor any activity approved or carried out by the TASK FORCE AGENCIES hereunder, is intended to be nor shall be interpreted as a waiver by TASK FORCE AGENCIES of the "Maximum Extent Practicable" standard set forth in the Clean Water Act (33 U.S.C. Section 1251 *et seq.)*.

10. Each TASK FORCE AGENCY shall indemnify, defend, and hold each of the other TASK FORCE AGENCIES, including their special districts, officials, agents, officers, and employees, harmless from and against any and all liability and expense arising from any act or omission of such TASK FORCE AGENCY, its officials, agents, officers, and employees, in connection with this Agreement, including but not limited to defense costs, legal fees, claims, actions, and causes of action for damages of any nature whatsoever, including but not limited to bodily injury, death, personal injury, or property damage; provided, however, that no TASK FORCE AGENCY shall indemnify another TASK FORCE AGENCY for that TASK FORCE AGENCY's own negligence or willful misconduct.

    MARB, as an agency of the federal government, is unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB expressly does not indemnify or hold harmless any other TASK FORCE AGENCY for any injuries or liabilities, to itself, to any third party or to MARB, or its employees under this agreement or any activities carried out under authority of this agreement.

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11. In light of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each of the TASK FORCE

    AGENCIES hereto, pursuant to the authorization contained in Sections 895.4 and 895.6 of said Code, shall assume the full liability imposed upon it or any of its officers, agents, or employees by law for injury caused by any act or omission occurring in the performance of this Agreement to the same extent that such liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each of the TASK FORCE AGENCIES indemnifies, defends, and holds harmless each other TASK FORCE AGENCY for any liability, cost, or expense that may be imposed upon such other TASK FORCE AGENCY solely by virtue of said Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if incorporated herein.

    MARB, as an agency of the federal government, is unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB expressly does not indemnify or hold harmless any TASK FORCE AGENCY for any injuries or liabilities, to itself, to any third party or to MARB or their employees under this agreement or any activities carried out under authority of this agreement. Tort liability for federal employees, including employees of MARB, is expressly authorized and limited by the Federal Tort Claims Act, which will control liability of MARB and their employees under the terms of this agreement.

12. All obligations of CALTRANS under the terms of this Agreement are subject to the appropriation of the resources by the Legislature and the allocation of resources by the California Transportation Commission. This Agreement has been written before ascertaining the availability of Federal or State legislative appropriation of funds, for the mutual benefit of the TASK FORCE AGENCIES in order to avoid program and fiscal delays that would occur if the Agreement were executed after that determination was made. This Agreement is valid and enforceable as to each of the CALTRANS as if sufficient funds have been made available to CALTRANS by the United States Government or California State Legislature for the purposes set forth in this Agreement. If the United States Government or the California State Legislature does not appropriate sufficient funds for CALTRANS to participate in this Agreement, this Agreement may be amended in writing by the TASK FORCE AGENCIES to reflect any agreed-upon reduction in the percentage of funds contributed by CALTRANS to continue its participation in this Agreement. CALTRANS, however, has the option to withdraw from this Agreement in the event sufficient funds are not appropriated for CALTRANS. Should CALTRANS exercise its option to withdraw from this Agreement, CALTRANS shall remain responsible for its share of liability, if any, incurred while participating in this Agreement.

13. No TASK FORCE AGENCY shall have a financial obligation to any other TASK FORCE AGENCY under this Agreement, except as expressly provided herein.

14. Any notices, invoices, reports, correspondence, or other communication concerning this Agreement shall be directed to the TASK FORCE AGENCY REPRESENTATIVE on file with the TASK FORCE ADMINISTRATOR, except that any TASK FORCE AGENCY may change its name or address by giving the other TASK FORCE AGENCIES at least ten days written notice of the new name or address.

15. The TASK FORCE AGENCIES are, and shall at all times remain as to each other, wholly independent entities. No TASK FORCE AGENCY to this Agreement shall have power to incur any debt, obligation, or liability on behalf of any other TASK FORCE AGENCY unless expressly provided to the contrary by this Agreement. No employee, agent, or officer of a TASK FORCE AGENCY shall be deemed for any purpose whatsoever to be an agent, employee or officer of another TASK FORCE AGENCY.

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16. This Agreement shall be binding upon and shall inure to the benefit of the respective successors, heirs, and assigns of each TASK FORCE AGENCY.

17. This Agreement shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California, except as to the March Air Reserve Base to whom federal law is applicable.

18. If any provision of this Agreement shall be determined by any court to be invalid, illegal, or unenforceable to any extent, the remainder of this Agreement shall not be affected and this Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in this Agreement.

19. Each individual TASK FORCE AGENCY has been represented by its own separate counsel in the preparation and negotiation of this Agreement. Accordingly, this Agreement shall be construed according to its fair language and any ambiguities shall not be resolved against the drafting TASK FORCE AGENCY.

20. Each of the persons signing below on behalf of a TASK FORCE AGENCY represents and warrants that he or she is authorized to sign this Agreement on behalf of such TASK FORCE AGENCY.

21. Duration of Agreement. This Agreement shall terminate **June 30, 2017** (unless extended by mutual agreement of all TASK FORCE AGENCIES), provided that all debts and liabilities of the TASK FORCE are satisfied. Notwithstanding the foregoing, each TASK FORCE AGENCY reserves the right to withdraw from the TASK FORCE at any time, upon sixty (60) days prior written notice to the TASK FORCE. TASK FORCE contingency, projects, and studies underway at the time of withdrawal shall continue to be fully funded by the withdrawing TASK FORCE AGENCY until the end of the fiscal year in which the TASK FORCE AGENCY gave notice to withdraw.

22. Counterparts. This Agreement may be executed simultaneously or in counterparts, each of which shall be deemed an original, and together shall constitute one and the same instrument.

23. Amendment. This Agreement may not be amended except in a writing signed by all the TASK FORCE AGENCIES.

IN WITNESS WHEREOF, the TASK FORCE AGENCIES have executed this AGREEMENT on the date set forth below:

MV00173289

CALIFORNIA DEPARTMENT OF FISH AND GAME

BY_____

DATE_____

CALIFORNIA DEPARTMENT OF TRANSPORTATION

BY_____

DATE_____

CITY OF BEAUMONT

BY_____
Mayor

DATE_____

CITY OF CANYON LAKE

BY_____
Mayor

DATE_____

CITY OF HEMET

BY_____
Mayor

DATE_____

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE_____

CITY OF MENIFEE

BY_____
Mayor

DATE_____

CITY OF MORENO VALLEY

BY_____
Mayor

DATE:_____

CITY OF MURRIETA

BY_____
Mayor

DATE_____

CITY OF PERRIS

BY_____
Mayor

DATE_____

CITY OF RIVERSIDE

BY_____
Mayor

DATE_____

CITY OF SAN JACINTO

BY_____
Mayor

DATE_____

CITY OF WILDOMAR

BY_____
Mayor

DATE_____

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COUNTY OF RIVERSIDE

BY_____

DATE_____

U.S. AIR FORCE
(MARCH AIR RESERVE BASE)

BY_____

DATE_____

EASTERN MUNICIPAL WATER DISTRICT

BY_____

DATE_____

WESTERN RIVERSIDE COUNTY AGRIGULTURE COALITION

BY_____

DATE_____

ELSINORE VALLEY MUNICIPAL WATER DISTIRCT

BY_____

DATE_____

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY_____

DATE_____

MARCH JOINT POWERS AUTHORITY

BY_____

DATE_____

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BY_____

DATE_____

MV00173291

Approved FY 2012-13 Budget: Lake Elsinore & Canyon Lake TMDL Task Force

Summary Task Force Expenditures

		Budget 2012-13
	Part A: Task Force Regulatory/Administrative Budget	
1.	**Task Force Administration**	$ 50,000
	Task Force Administrator (LESJWA)	
	Annual Water Quality Reporting and Database Management	
	Amend Task Force Agreement	
	Grant Preparation	
2.	**TMDL Compliance Expert**	$ 50,000
	Risk Sciences	
3.	**Pollutant Trading Program Development**	$ 60,000
	TBD	
4.	**Contingency** (approximately 10% of direct stakeholder expenses)	$ 16,000
	TMDL Task Force Regulatory/Administrative Budget	**$ 176,000**
	Part B: TMDL Implementation Project Budget	
1.	**TMDL Compliance Monitoring**	
	Watershed-wide Nutrient Monitoring Program	$ 85,000
	Watershed-wide Nutrient Monitoring & Report Preparation (Weston Solutions)	$ 70,000
	Wet Year Watershed-wide Monitoring (weather dependant) (RCFC&WCD)	$ -
	Lab Analysis, Watershed-wide Monitoring (RCFC&WCD)	$ 15,000
	Stream gauge O&M (RCFC&WCD)	$ -
	Lake Elsinore Nutrient Monitoring Program	$ -
	Lake Elsinore Nutrient Monitoring & Lab Analysis (EVMWD)	$ -
	Canyon Lake Nutrient Monitoring Program	$ -
	Canyon Lake Nutrient Monitoring & Lab Analysis (EVMWD)	$ -
2.	**Lake Elsinore Project Alternatives**	
	Aeration & Destratification System O&M (to be handled by separate agreement)	
	O&M	$ -
	Pollutant Trading Administration (3% of O&M Costs)	$ -
	Fishery Management O&M	$ -
	Carp Removal Program	$ -
	Pollutant Trading Administration (3% of O&M Costs)	$ -
3.	**Canyon Lake Project Alternatives**	$ 220,000
	Permitting	$ 30,000
	O&M Agreement	$ 20,000
	Detailed Design	$ 150,000
	Construction	$ -
	O&M	$ -
	Project Administration (10% of budgeted expenses)	$ 20,000
	Pollutant Trading Administration (3% of O&M Costs)	$ -
		$ -
		$ -
		$ -
	TMDL Task Force Implementation Budget	**$ 305,000**
	TMDL Task Force Budget :	**$ 481,000**

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Task Force Agency Contributions Summary

Budget 2012-13

1. Task Force Agency Allocation

	Administrative (Part A)	Project Implementation (Part B)	Total
MS4 Co-Permittees (Total)	**$ 105,600**	**$ 249,988**	**$ 355,588**
Riverside County	$ 18,981	$ 44,935	$ 63,916
City of Beaumont	$ 2,249	$ 5,324	$ 7,574
City of Canyon Lake	$ 1,958	$ 4,636	$ 6,595
City of Hemet	$ 13,087	$ 30,980	$ 44,067
City of Lake Elsinore	$ 6,955	$ 16,466	$ 23,421
City of Moreno Valley	$ 30,284	$ 71,691	$ 101,974
City of Murrieta	$ 375	$ 888	$ 1,263
City of Perris	$ 9,560	$ 22,632	$ 32,192
City of Riverside	$ 1,710	$ 4,047	$ 5,757
City of San Jacinto	$ 6,420	$ 15,197	$ 21,617
City of Menifee	$ 11,796	$ 27,925	$ 39,721
City of Wildomar	$ 2,225	$ 5,267	$ 7,492
Elsinore Valley Municipal Water District (EVMWD)	**$ 8,800**	**$ 4,250**	**$ 13,050**
San Jacinto Agricultural Operators	**$ 8,800**	**$ 19,478**	**$ 28,278**
San Jacinto Dairy & CAFO Operators	**$ 8,800**	**$ 10,034**	**$ 18,834**
CALTRANS - freeway	**$ 8,800**	**$ 4,250**	**$ 13,050**
CA DF&G - San Jacinto Wetlands	**$ 8,800**	**$ 4,250**	**$ 13,050**
Eastern Municipal Water District	**$ 8,800**	**$ 4,250**	**$ 13,050**
March Air Reserve Base Joint Powers Authority	**$ 8,800**	**$ 4,250**	**$ 13,050**
US Air Force (March Air Reserve Base)	**$ 8,800**	**$ 4,250**	**$ 13,050**
Total Funding Required	**$ 176,000**	**$ 305,000**	**$ 481,000**

Notes:

Task Force Administration

a. Organize and facilitate TMDL TASK FORCE and TAC meetings,
b. Perform secretarial, clerical and administrative services, including providing meeting summaries to TMDL TASK FORCE members,
c. Manage TMDL TASK FORCE funds and prepare annual reports of TMDL TASK FORCE assets and expenditures,
d. Serve as the contracting party, for the benefit of the TMDL TASK FORCE, for contracts with all consultants, contractors, vendors and other entities,
e. Seek funding grants to assist with achieving goals and objectives of the TMDL TASK FORCE.
f. Coordinate with other agencies and organizations as necessary to facilitate TMDL TASK FORCE work.
g. Administer the preparation of quarterly and annual reports, as required by the TMDL Implementation Plan, and submit them as required by the TMDL Implementation Plan on behalf of the TMDL TASK FORCE.
h. Possible administrator of future pollutant trading (water quality trading) agreements.

TMDL Compliance Expert

a. Support Task Force Agency as a Regulatory Strategist and Compliance Expert .
b. Develop implementation strategy to address TMDL compliance with nutrient targets
c. Plan and prepare Basin Plan Amendment for TMDL
d. Sub-contract out pollutant trading agreement preparation by consultant

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Task Force Agency Contributions Detailed Tables

Part A: Task Force Regulatory/Administrative Budget

Task Force Regulatory/Administrative Expenses	Allocation
MS4 Co-Permittees	**$ 105,600**
Riverside County	$ 18,981
City of Beaumont	$ 2,249
City of Canyon Lake	$ 1,958
City of Hemet	$ 13,087
City of Lake Elsinore	$ 6,955
City of Moreno Valley	$ 30,284
City of Murrieta	$ 375
City of Perris	$ 9,560
City of Riverside	$ 1,710
City of San Jacinto	$ 6,420
City of Menifee	$ 11,796
City of Wildomar	$ 2,225
Elsinore Valley Municipal Water District (EVMWD)	**$ 8,800**
San Jacinto Agricultural Operators	**$ 8,800**
San Jacinto Dairy & CAFO Operators	**$ 8,800**
CALTRANS - freeway	**$ 8,800**
CA DF&G - San Jacinto Wetlands	**$ 8,800**
Eastern Municipal Water District	**$ 8,800**
March Air Reserve Base Joint Powers Authority	**$ 8,800**
US Air Force (March Air Reserve Base)	**$ 8,800**
Funding Required	**$ 176,000**

Part B: TMDL Implementation Project Budget

TMDL Compliance Monitoring Expenses

Watershed-wide Nutrient Monitoring Program	Allocation
MS4 Co-Permittees	**$ 51,000**
Riverside County	$ 9,167
City of Beaumont	$ 1,086
City of Canyon Lake	$ 946
City of Hemet	$ 6,320
City of Lake Elsinore	$ 3,359
City of Moreno Valley	$ 14,626
City of Murrieta	$ 181
City of Perris	$ 4,617
City of Riverside	$ 826
City of San Jacinto	$ 3,100
City of Menifee	$ 5,697
City of Wildomar	$ 1,075
Elsinore Valley Municipal Water District (EVMWD)	**$ 4,250**
San Jacinto Agricultural Operators	**$ 4,250**
San Jacinto Dairy & CAFO Operators	**$ 4,250**
CALTRANS - freeway	**$ 4,250**
CA DF&G - San Jacinto Wetlands	**$ 4,250**
Eastern Municipal Water District	**$ 4,250**
March Air Reserve Base Joint Powers Authority	**$ 4,250**
US Air Force (March Air Reserve Base)	**$ 4,250**
Funding Required	**$ 85,000**

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Lake Elsinore Nutrient Monitoring Program	Allocation
MS4 Co-Permittees	$ -
Riverside County	$ -
City of Beaumont	$ -
City of Canyon Lake	$ -
City of Hemet	$ -
City of Lake Elsinore	$ -
City of Moreno Valley	$ -
City of Murrieta	$ -
City of Perris	$ -
City of Riverside	$ -
City of San Jacinto	$ -
City of Menifee	$ -
City of Wildomar	$ -
Elsinore Valley Municipal Water District (EVMWD)	$ -
San Jacinto Agricultural Operators	$ -
San Jacinto Dairy & CAFO Operators	$ -
CALTRANS - freeway	$ -
CA DF&G - San Jacinto Wetlands	$ -
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	$ -
US Air Force (March Air Reserve Base)	$ -
Funding Required	**$ -**

Canyon Lake Nutrient Monitoring Program	Allocation
MS4 Co-Permittees	$ -
Riverside County	$ -
City of Beaumont	$ -
City of Canyon Lake	$ -
City of Hemet	$ -
City of Lake Elsinore	$ -
City of Moreno Valley	$ -
City of Murrieta	$ -
City of Perris	$ -
City of Riverside	$ -
City of San Jacinto	$ -
City of Menifee	$ -
City of Wildomar	$ -
Elsinore Valley Municipal Water District (EVMWD)	$ -
San Jacinto Agricultural Operators	$ -
San Jacinto Dairy & CAFO Operators	$ -
CALTRANS - freeway	$ -
CA DF&G - San Jacinto Wetlands	$ -
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	$ -
US Air Force (March Air Reserve Base)	$ -
Funding Required	**$ -**

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Lake Elsinore Project Alternatives

Aeration & Destratification System O&M

	Allocation
MS4 Co-Permittees	$ -
Riverside County	$ -
City of Beaumont	$ -
City of Canyon Lake	$ -
City of Hemet	$ -
City of Lake Elsinore	$ -
City of Moreno Valley	$ -
City of Murrieta	$ -
City of Perris	$ -
City of Riverside	$ -
City of San Jacinto	$ -
City of Menifee	$ -
City of Wildomar	$ -
Elsinore Valley Municipal Water District (EVMWD)	$ -
San Jacinto Agricultural Operators	$ -
San Jacinto Dairy & CAFO Operators	$ -
CALTRANS - freeway	$ -
CA DF&G - San Jacinto Wetlands	$ -
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	$ -
US Air Force (March Air Reserve Base)	$ -
Funding Required	**$ -**

Lake Elsinore Project Alternatives

Fishery Management O&M

	Allocation
MS4 Co-Permittees	$ -
Riverside County	$ -
City of Beaumont	$ -
City of Canyon Lake	$ -
City of Hemet	$ -
City of Lake Elsinore	$ -
City of Moreno Valley	$ -
City of Murrieta	$ -
City of Perris	$ -
City of Riverside	$ -
City of San Jacinto	$ -
City of Menifee	$ -
City of Wildomar	$ -
Elsinore Valley Municipal Water District (EVMWD)	$ -
San Jacinto Agricultural Operators	$ -
San Jacinto Dairy & CAFO Operators	$ -
CALTRANS - freeway	$ -
CA DF&G - San Jacinto Wetlands	$ -
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	$ -
US Air Force (March Air Reserve Base)	$ -
Funding Required	**$ -**

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Canyon Lake Project Alternatives

	Allocation
MS4 Co-Permittees	$ 198,988
Riverside County	$ 35,767
City of Beaumont	$ 4,238
City of Canyon Lake	$ 3,690
City of Hemet	$ 24,660
City of Lake Elsinore	$ 13,106
City of Moreno Valley	$ 57,065
City of Murrieta	$ 707
City of Perris	$ 18,015
City of Riverside	$ 3,221
City of San Jacinto	$ 12,097
City of Menifee	$ 22,228
City of Wildomar	$ 4,193
Elsinore Valley Municipal Water District (EVMWD)	$ -
San Jacinto Agricultural Operators	$ 15,228
San Jacinto Dairy & CAFO Operators	$ 5,784
CALTRANS - freeway	
CA DF&G - San Jacinto Wetlands	
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	
US Air Force (March Air Reserve Base)	
	$ 220,000

***Cost formula*: based upon the 1:1 ratio of TP to TN contributions from urban and agricultural runoff as projected in the respective Riverside County Comprehensive Nutrient Reduction Plan and San jacinto Agricultural Nutrient Reduction Plan**

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Task Force Agency Contributions Detailed Tables

	Allocation
MS4 Co-Permittees (Total)	**$ 355,588**
Task Force Regulatory/Administrative Expenses	$ 105,600
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 51,000
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 198,988
Riverside County	**$ 63,916**
Task Force Regulatory/Administrative Expenses	$ 18,981
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 9,167
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 35,767
	$ -
City of Beaumont	**$ 7,574**
Task Force Regulatory/Administrative Expenses	$ 2,249
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 1,086
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 4,238
	$ -
City of Canyon Lake	**$ 6,595**
Task Force Regulatory/Administrative Expenses	$ 1,958
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 946
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 3,690

MV00173298

City of Hemet	**$**	**44,067**
Task Force Regulatory/Administrative Expenses	$	13,087
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	6,320
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	24,660
City of Lake Elsinore	**$**	**23,421**
Task Force Regulatory/Administrative Expenses	$	6,955
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	3,359
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	13,106
City of Moreno Valley	**$**	**101,974**
Task Force Regulatory/Administrative Expenses	$	30,284
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	14,626
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	57,065
City of Murrieta	**$**	**1,263**
Task Force Regulatory/Administrative Expenses	$	375
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	181
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	707

MV00173299

City of Perris	$	32,192
Task Force Regulatory/Administrative Expenses	$	9,560
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,617
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	18,015
City of Riverside	$	5,757
Task Force Regulatory/Administrative Expenses	$	1,710
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	826
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	3,221
City of San Jacinto	$	21,617
Task Force Regulatory/Administrative Expenses	$	6,420
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	3,100
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	12,097
City of Menifee	$	39,721
Task Force Regulatory/Administrative Expenses	$	11,796
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	5,697
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	22,228

MV00173300

City of Wildomar	$	7,492
Task Force Regulatory/Administrative Expenses	$	2,225
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	1,075
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	4,193
Elsinore Valley Municipal Water District (EVMWD)	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
San Jacinto Agricultural Operators	$	28,278
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	15,228
San Jacinto Dairy & CAFO Operators	$	18,834
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	5,784

CALTRANS - freeway	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
CA DF&G - San Jacinto Wetlands	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
Eastern Municipal Water District	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
March Air Reserve Base Joint Powers Authority	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
US Air Force (March Air Reserve Base)	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
Total:	**$**	**481,000**

MV00173302

PROJECTED - Task Force Agency Contributions through FY 2010-11

	Cummulative Credit / (Debit)
MS4 Co-Permittees (Total)	$ 359,205
Riverside County	$ 72,513
City of Beaumont	$ 5,009
City of Canyon Lake	$ 5,384
City of Hemet	$ 33,909
City of Lake Elsinore	$ 106,017
City of Moreno Valley	$ 77,550
City of Murrieta	$ 2,247
City of Perris	$ 23,561
City of Riverside	$ 3,642
City of San Jacinto	$ 15,348
City of Menifee	$ 11,798
City of Wildomar	$ 2,225
Elsinore Valley Municipal Water District (EVMWD)	$ 91,830
San Jacinto Agricultural Operators	$ 28,985
San Jacinto Dairy & CAFO Operators	$ 16,452
CALTRANS - freeway	$ -
CA DF&G - San Jacinto Wetlands	$ -
US Forest Service (USFS)	$ -
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	$ -
US Air Force (March Air Reserve Base)	$ -
Total Credits	**$ 855,677**

MV00173303

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: REJECTION OF ALL BIDS FOR CONSTRUCTION OF THE TRANSPORTATION MANAGEMENT CENTER – PROJECT NO. 808 0005 70 76

RECOMMENDED ACTIONS

Staff recommends that the City Council:

1. Reject all bids opened on July 2, 2012 for the Transportation Management Center project.

2. Direct staff to re-advertise for construction bids for the Transportation Management Center project.

BACKGROUND

In 2009, the Transportation Engineering Division completed an ITS Master Plan which provided recommendations for a systems-based approach to updating the City's traffic control infrastructure. The Transportation Management Center (TMC) is an integral component of the ITS Master Plan.

The Transportation Management Center (TMC) project was first approved in the 2008/2009 Capital Improvement Program. The City Council authorized a contract for software procurement for the TMC on July 10, 2011.

On May 8, 2012, the City Council appropriated the necessary funds to complete construction of the Transportation Management Center.

The project consists of reconfiguring existing underutilized space adjacent to the City Council foyer for use as a TMC, including partitioning the space for use of the northernmost portion by Media and Communications. The work also includes an update to

the City Council foyer to provide a media briefing area and new floor and wall treatments.

DISCUSSION

Design and bid documents were completed in June 2012 by TR Design Group. The estimate for the work was $129,000. City staff advertised the Transportation Management Center project on June 13, 2012 and opened bids on July 2, 2012. Five bids were received as follows:

	CONTRACTORS	Total Bid Amounts
1.	Robert D. Gosney Construction, Hesperia	$211,215
2.	Joud Construction Company, Corona	$264,500
3.	Rasmussen Bros. Construction, Inc., Fallbrook	$275,075
4.	Dalke & Sons Construction, Inc., Riverside	$330,230
5.	Avi-Con, Inc. dba CA Construction, Riverside	non-responsive

The lowest responsible bidder was determined by the Base Bid and all additive alternates, as stipulated in the bidding documents. The unofficial apparent low bidder was disqualified due to having an expired contractor's license at the bid deadline. Staff has reviewed the bid from Robert D. Gosney Construction and finds that firm to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Robert D. Gosney Construction in their bid. Thus, the City Council may choose to award to Robert D. Gosney Construction; however, staff does not recommend this option.

Staff recommends that the City Council reject all bids and direct staff to re-advertise the project. The following justification is provided:

1. All bids were substantially above the estimated cost to perform the work ($129,000). Staff believes allocating more time for bidders to review the work would result in improved pricing.
2. The project team has identified several improvements to the plans and specifications that are expected to result in better pricing if the project were re-advertised.

Public Contract Code Section 20166 allows the City Council the discretion to reject any (or all) bids presented and re-advertise. Re-advertising the project with modified plans and specifications is expected to result in bids in line with budgeted funding.

ALTERNATIVES

1. By motion approve and authorize the recommended actions as presented in this staff report. *This alternative is expected to result in completion of the project within available budget.*

2. Award the contract to the lowest responsible bidder, and allocate additional funding. *This alternative would allow the project to be constructed sooner, but at significantly more cost than budgeted. If the City Council authorizes this alternative, staff will prepare a followup report to present a funding plan.*

FISCAL IMPACT

This project is included in the Fiscal Year 2012/2013 Capital Improvements Project Budget and is funded using the Traffic Signals Development Impact Fee Fund (Fund 3302) and the Air Quality Management Fund (Fund 2005). These funds can only be used for traffic signal and air quality improvement purposes. There is no impact to the General Fund.

AVAILABLE FUNDS*

FY 2012/2013 Development Impact Fees—	
G/L Account No. 3302-70-76-80008	
Project No. 808-0005-70-76-3302	$217,578.00
FY 2012/2013 Air Quality Management—	
G/L Account No. 2005-70-76-80008	
Project No. 808-0005-70-76-2005	$14,646.00
Available Funds	**$232,224.00**

*—FY2012/2013 budget estimates do not account for final carryover amounts.

ESTIMATED COSTS (FY12/13 only)

Construction (including 15% contingency)	$149,000.00
City-Furnished Equipment	$58,000.00
Administration/Project Management	$25,000.00
Total Estimated Cost	**$232,000.00**

ANTICIPATED PROJECT SCHEDULE

Re-advertise	September 2012
Award construction contract	October 2012
Construction contract duration	November 2012-March 2013
Installation of furniture and computer equipment	April 2013

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

ATTACHMENT

Attachment "A" – Location Map
Attachment "B" – Floor Plan

Prepared By:
John Kerenyi
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E.
City Traffic Engineer/Transportation Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

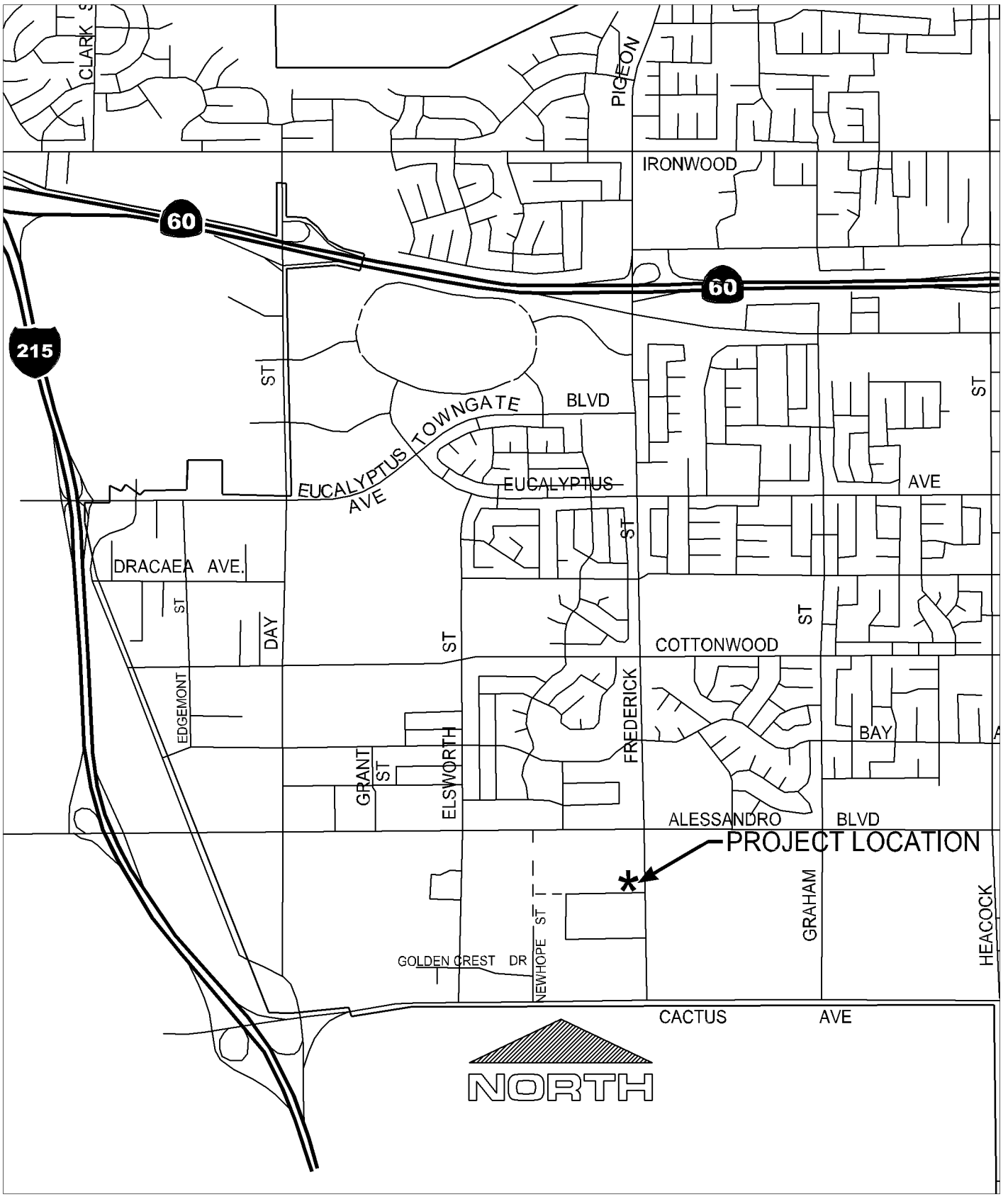

ATTACHMENT "A" — LOCATION MAP

LOCATION MAP
Public Works Department
Transportation Division

ATTACHMENT A

TRANSPORTATION MANAGEMENT CENTER
Project No. 10-13768129

MV00173308

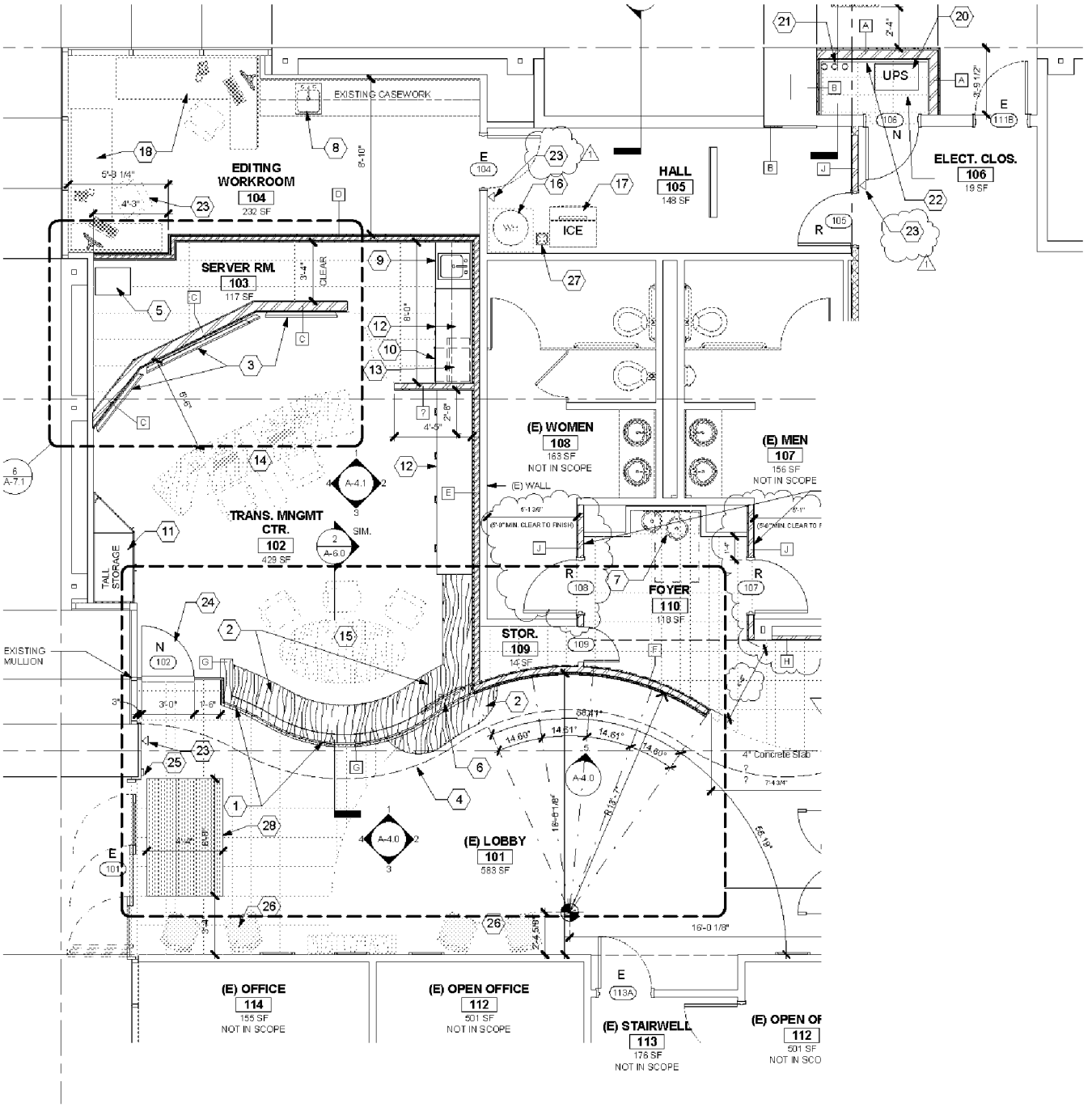

ATTACHMENT B
Floor Plan

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: PA08-0072 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF RESOURCE WAY FROM CORPORATE STREET TO FREDERICK STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 3, 2012 – OCTOBER 1, 2012

DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP, SAN ANTONIO, TX 78230

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a full road closure of Resource Way from Corporate Street to Frederick Street for the construction of street improvements from September 3, 2012 – October 1, 2012.

BACKGROUND

The Planning Commission approved this project on April 9, 2009. The project consists of a 522,774 square-foot industrial warehouse building to be located on the west side of Frederick Street between Cactus Avenue and Resource Way.

The Conditions of Approval required public improvements along Resource Way, Frederick Street and Cactus Avenue. On March 13, 2012, the City Council of the City of Moreno Valley approved the Public Improvement Agreement along with the corresponding securities. The Agreement and securities include the construction of the public street improvements.

DISCUSSION

As part of the public improvements, the Developer is requesting a full road closure of Resource Way from Corporate Street to Frederick Street. The road closure will be conducted in such a manner that will provide local and emergency vehicle access to affected properties.

The entire duration of road closure will be four (4) weeks or approximately 28 calendar days. The request for the road closure is due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, sidewalk, street lights, landscaping, storm drain culverts, and associated signing and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on October 1, 2012.

There are several commercial parcels in the area of construction. The road closure will affect the ingress or egress of these parcels, and it will require a detour to the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. This included Social Security Administration, City of Moreno Valley Special Districts Division and Moreno Valley Utility. The road closure/detour/traffic control plan for this closure has been reviewed and approved by the City Traffic Engineer.

ALTERNATIVES

1. Authorize a full road closure of Resource Way from Corporate Street to Frederick Street for the construction of street improvements from September 3, 2012 – October 1, 2012. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize a full road closure of Resource Way from Corporate Street to Frederick Street for the construction of street improvements from September 3, 2012 – October 1, 2012. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. There would be no road closure. *This alternative would result in an unsafe work environment and would significantly delay the completion of this project.*

FISCAL IMPACT

The developer will be responsible for all costs associated with this proposal.

CITY COUNCIL GOALS

PUBLIC SAFETY
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses. The public will be notified by special roadside signage showing the dates of closure and detour signs.

EXHIBITS

Exhibit "A" – Road Closure Detour Map

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

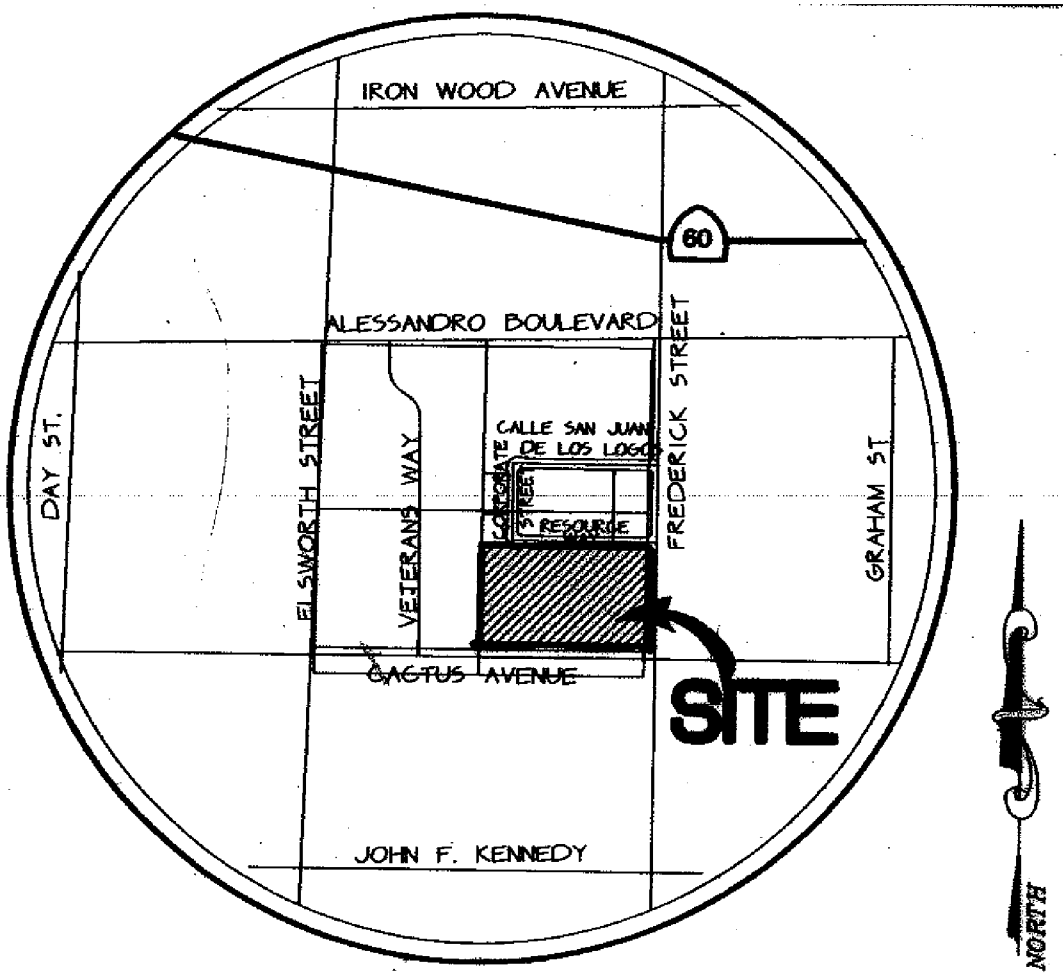

VICINITY MAP

N.T.S.

CITY OF MORENO VALLEY COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT - LAND DEVELOPMENT **EXHIBIT "A"**	**Resource Way** **Road Closure** **PA08-0072**

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	RH

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: P11-048, PA08-0072 – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D12-002 FOR P11-048, PA08-0072 IMPROVEMENTS ASSOCIATED WITH THE CONCOURSE AT CENTERPOINT INDUSTRIAL BUILDING

NORTHWEST CORNER OF FREDERICK STREET AND CACTUS AVENUE

DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP
9830 COLONNADE BOULEVARD, SUITE 600
SAN ANTONIO, TX 78230

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Development Impact Fee Improvement Credit Agreement #D12-002 (DIF Agreement) for P11-048, PA08-0072 improvements and right-of-way dedications.

2. Authorize the Mayor to execute the DIF Agreement in the form attached hereto.

BACKGROUND

On April 9, 2009, the Planning Commission of the City of Moreno Valley approved PA08-0072, a Plot Plan for a 522,772 square-foot industrial warehouse building on 26 acres.

On June 30, 2011, the Community Development Department of the City of Moreno Valley approved P11-048 an Amended Plot Plan for the above-mentioned industrial warehouse building. Amendments to the original Plot Plan approval included revision to the parking lot at the four corners of the building, removal of trash enclosures from inside truck courts, relocation of transformer and electrical room from truck court to the building's east elevation, elimination of landscaping from within the truck court, and the shifting of dock doors and stairs within truck courts.

City Council of the City of Moreno Valley executed the Agreement for Public Improvements and bonds as securities for public improvements in the amount of $3,101,000 for Faithful Performance and $1,550,500 for Material and Labor. The bonds were secured by Travelers Casualty & Surety Company of America.

The City's Municipal Code, Chapter 3.42, "Commercial and Industrial Development Impact Fees" requires the developer to pay Development Impact Fees (DIF). The DIF covers the developer's fair share of the costs to construct improvements and right-of-way dedications that help mitigate the traffic impacts and burdens on the City's network of arterial streets and traffic signals generated by the project.

As part of the project conditions of approval, the developer will be constructing some of the required DIF-related public improvements and dedicating right-of-way. In accordance with the City's Municipal Code, Section 3.42.110, the "Credit for Improvements provided by Developer" will allow the developer to receive a credit for qualifying public improvements made to the designated arterial street(s). The developer's initial credit amount is based on the lower of the DIF Study Costs, the Engineer's Cost Estimate provided by the developer, and the DIF Fee Obligation.

If it is determined that the developer constructed improvements above and beyond the project obligation, they may be eligible for a reimbursement in accordance with the current policy in place at that time. Reimbursements may either be paid per the City policy or used as credits towards any other future project's DIF fee obligations.

DISCUSSION

The developer of P11-048, PA08-0072 was required to construct certain improvements on Cactus Avenue, Frederick Street, and Resource Way.

The developer is eligible to receive DIF Credits for specific improvements identified in the DIF Study for Cactus Avenue which have not already been completed by others or that are part of the Western Riverside Council of Governments (WRCOG) Transportation Uniform Mitigation Fee (TUMF) Program. Qualifying DIF improvements that are not covered by the TUMF Program include median curb, sawcut, removal and disposal of existing pavement in the location of the proposed raised median, traffic striping for left turn pocket, and traffic control.

The developer agrees to perform and complete all of the required public improvements in accordance with the Agreement for Public Improvements. Per the DIF Improvement Credit Agreement, the initial credit is the least of the DIF Study Costs, Engineer's Cost Estimate provided by the developer, and DIF Fee Obligation. Refer to Exhibit "C" – DIF Credit Calculation Table of the DIF Improvement Credit Agreement. The DIF Improvement Credit Agreement is attached to this Staff Report as Attachment 1. Based on the information provided by the developer, the initial DIF Credit for this project is $203,203 for Arterial Streets.

If it is determined at the completion of the project that the developer constructed improvements above and beyond the project obligation, a DIF Improvement Reimbursement Agreement will be presented to City Council at that time. Any reimbursements may either be paid per the City policy or used as credits towards any other future project's DIF fee obligations.

ALTERNATIVES

1. Accept the Development Impact Fee Improvement Credit Agreement #D12-002 (DIF Agreement) for P11-048, PA08-0072 and authorize the Mayor to execute the DIF Agreement in the form attached hereto.

2. Do not accept the Development Impact Fee Improvement Credit Agreement #D12-002 (DIF Agreement) for P11-048, PA08-0072 and do not authorize the Mayor to execute the DIF Agreement in the form attached hereto. *Not approving staff's recommendation would result in no DIF credit being provided to the developer.*

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

ATTACHMENTS

Attachment 1 – DIF Improvement Credit Agreement

Prepared By
Clement Jimenez, P.E..
Senior Engineer

Department Head Approval
Barry Foster
Community and Economic Development Director

Concurred By
Mark W. Sambito, P.E..
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2012\8-28-12 - P11-048, PA08-0072 - Concourse at Centerpoint DIF Improvement Credit Agreement.doc

DEVELOPMENT IMPACT FEES

IMPROVEMENT CREDIT AGREEMENT

NUMBER D12-002

P11-048 (PA08-0072) AMENDED PLOT PLAN FOR ONE BUILDING, 522,772 SQ FT)

This Development Impact Fees Improvement Credit Agreement is made and entered into as of the date the City signs this Agreement, by and between the City of Moreno Valley, a municipal corporation, hereinafter referred to as "City" and the undersigned Developer, hereinafter referred to as "Developer."

RECITALS

WHEREAS, Developer and City have entered into an Agreement for Public Improvements (attached hereto as Exhibit "A"), dated March 21, 2012, which Agreement for Public Improvements sets forth all obligations of the Developer for Public Improvements that are a condition of approval for the above-titled development (hereinafter referred to as the "Project"), some of which may be eligible for Development Impact Fees (hereinafter referred to as "DIF") Credit under this Agreement; and

WHEREAS, the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees" and Chapter 3.42 "Commercial and Industrial Development Impact Fees" requires Developer to pay the DIF for projects identified in the most recently adopted DIF study (hereinafter referred to as "DIF Obligation") which covers the Project's fair share of the costs to construct improvements that help mitigate the impacts

MV00173318

and burdens on the City's local systems generated by the Project and that are necessary to provide City services and protect the safety, health, and welfare of residential and non-residential users; and

WHEREAS, certain improvements set forth in the Agreement for Public Improvements are also identified in the City's DIF Program as improvements that are to be funded from DIF, which identified improvements are set forth in Exhibit B attached hereto and hereby incorporated by reference and are hereinafter referred to as the DIF Improvements; and

WHEREAS, if the City or some other third party constructs the DIF improvements set forth in the Agreement for Public Improvements prior to Developer, then this Improvement Credit Agreement shall become null and void and the Developer shall be required to pay the full DIF Obligation of the Project; and

WHEREAS, the City and Developer now desire to enter into this Improvement Credit Agreement to provide a means by which the Developer may receive a Credit for required DIF improvements actually constructed by the Developer for the subject Project subject to the terms and limitations set forth in this Agreement.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

MV00173319

1.0 General Provisions.

1.1 Incorporation of Recitals. The Parties hereby affirm the facts and provisions set forth in the above Recitals and agree to their incorporation herein as though set forth in full.

1.2 Incorporation of the Agreement for Public Improvements. The Parties hereby affirm the terms, conditions and requirements set forth in the Agreement for Public Improvements (Exhibit "A") and agree to their incorporation herein as though set forth in full.

2.0 DIF Obligation.

2.1 Developer's DIF Obligation. Developer hereby agrees and accepts that, as of April 3, 2012, the Developer is obligated to pay DIF for the Project to City in the amount of nine hundred seventy three thousand four hundred one and forty six one hundredths dollars ($973,401.46) (hereinbefore and hereinafter referred to as the "DIF Obligation"), and of that amount $203,203 is the "Street" component of the DIF Obligation for which the developer may be eligible to receive credits.

2.2 Effect of Agreement. Notwithstanding anything in this Agreement, Developer acknowledges that the DIF Obligation is established by the provisions of the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees," or Chapter 3.42 "Commercial and Industrial Development Impact Fees," and that this Agreement does not alter, limit, increase or reduce the obligations under those code

MV00173320

sections nor prevent City from adjusting or correcting the DIF Obligation amount to conform to the requirements of the Municipal Code.

3.0 DIF Credit Limitations.

3.1 Calculation of DIF Credit. Pursuant to City of Moreno Valley Municipal Code Sections 3.38.150 "Credit for Improvements Provided by Developers" (residential), or 3.42.110 "Credit for Improvements Provided by Developers" (commercial and industrial), and in accordance with the City's Development Impact Fee Credit and Reimbursement Policy, as adopted by the City Council on August 26, 2008, (the "Credit and Reimbursement Policy") and in consideration of Developer's obligations under the Conditions of Approval for the Project and the Agreement for Public Improvements to construct the DIF improvements, the maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be as defined in Sections 4.0 of this Agreement and the Credit and Reimbursement Policy.

3.2 Effect of Agreement. Notwithstanding the foregoing, Developer acknowledges that the amounts of DIF Credits are established by the provisions of the City of Moreno Valley Municipal Code and the DIF Credit and Reimbursement Policy and this Agreement shall not prevent City from adjusting or correcting the DIF Credit amounts set forth in this Agreement to conform to the requirements of the Municipal Code and the Credit and Reimbursement policy.

MV00173321

4.0 DIF Credit

4.1 Maximum DIF Credit. City shall apply DIF Credit to offset, in whole or in part, the Project's DIF Obligation. The maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be equal to the least of: (A) the City Engineer's Estimate of the actual cost of the DIF Improvements (hereinafter collectively referred to as "Engineer's Estimate"), or (B) project costs as identified in the DIF study in effect at the time of the issuance of a building permit, or (C) the actual DIF Obligation. In no event shall a DIF Credit exceed the actual DIF Obligation.

4.2 DIF Credit Offset to DIF Obligation. The DIF Credit shall be applied at the time DIF obligation is due and payable. If the project is to be developed by phases, by specific units, or by specific buildings, DIF Credit shall be applied according to a Public Improvements Phasing Schedule approved by the City and attached and incorporated to this agreement.

4.3 Submittal Timeframe. The Developer shall submit to the City Engineer any and all documentation the Developer deems relevant in substantiating the claim for DIF Credit for the DIF Qualifying Improvements to be constructed by the Developer. Such documentation may include contracts, bids, estimates, or any other relevant documents pertaining to the actual cost of the Qualifying Improvements. The City Engineer shall take into consideration, but shall not be bound by, any such documentation submitted by the Developer in formulating the Engineer's Estimate. All such documentation shall be submitted by the Developer to the City Engineer no later than ninety (90) calendar days prior to the date for payment of DIF for the project. The City Engineer will use his or her best efforts and professional judgment in formulating an

MV00173322

Engineer's Estimate and shall endeavor to provide said estimate to the Developer in writing within sixty (60) calendar days after submittal of the last document submitted by the Developer.

4.4 DIF Credit Calculation *(completed by City).*

As of the date hereof, the amount of DIF Credit for which Developer is potentially eligible is set forth in Exhibit C "DIF Credit Calculation Table" attached hereto and hereby incorporated by reference.

4.5 Reconciliation - Final DIF Credit. If the dollar amount of the actual DIF Credit is less than the amount of the actual unpaid DIF Obligation (hereinafter referred to as "DIF Balance"), the City shall notify the Developer in writing of the amount of the DIF Balance and Developer shall pay the DIF Balance to fully satisfy the DIF Obligation at the time DIF payments are due. If the dollar amount of the actual DIF Credit exceeds the amount of the actual DIF Obligation, Developer will be deemed to have fully satisfied the DIF Obligation. If the Developer has actually paid DIF and completed DIF Improvements, but has not received full DIF Credit for which the Developer would have been otherwise eligible under the DIF Credit and Reimbursement Policy, the Developer *may* be eligible for a Reimbursement Agreement, to the extent applicable, as provided in a separate Development Impact Fees Improvement Reimbursement Agreement.

4.6 Credit Transfer for Unfunded DIF Reimbursement Eligibility. To the extent that Developer has Reimbursement Eligibility Amounts which are both unpaid and unfunded by the City and which have not expired under the ten (10) year limitation set forth in the Development Impact Fee Credit and Reimbursement Policy

MV00173323

No. 3.24, Section F – Time Limitation, Developer may apply to receive partial or full DIF Credits for the same component of DIF on another development project within the City owned or controlled by that Developer and which has received all necessary approvals, on a dollar for dollar basis. Written application shall be made to the City and Developer shall provide any and all documentation and other information the City may reasonably request. The City shall not unreasonably withhold approval of such a Credit Transfer.

5.0 No Interest. Developer shall not be entitled to any interest, or any other cost or time value adjustment, for DIF paid to the City whether or not subsequently credited under Section 4.6 or reimbursed.

6.0 Term of Agreement. For purposes of Reimbursement Eligibility and Credit Transfer, this Agreement shall remain in effect for a period not to exceed ten (10) years from the date of execution by the City.

7.0 General.

7.1 Assignment. Except as specifically set forth in this Agreement, this Agreement shall not be assigned by any Party without the prior written consent of the non-assigning Party, which consent shall not be unreasonably withheld. All assignees and successors in interest shall assume and become obligated to perform all obligations and be entitled to all benefits of the original Party.

7.2 Amendment. This Agreement may only be amended in writing signed by the Parties.

MV00173324

7.3 Law, Venue and Jurisdiction. This Agreement shall be governed by the laws of the State of California. Venue and Jurisdiction of all matters arising out, pertaining to, or in any way related to this Agreement shall be vested in the Superior Court of the State of California, in and for the County of Riverside, California.

7.4 Notices. Any notices to be given pursuant to this Agreement shall be in writing and delivered by First Class Mail addressed to the Parties as follows:

City: City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: David Buck, Managing Director Development
USAA Real Estate Company
9830 Colonade Boulevard, Suite 600
San Antonio, TX 78230

7.5 Entire Agreement. This Agreement is the final, complete and exclusive statement of the Agreement of the Parties with respect to the subject matter hereof and supersedes and replaces any prior oral or written agreements between the Parties addressing the same subject matter.

(SIGNATURE PAGE TO FOLLOW)

MV00173325

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

CITY OF MORENO VALLEY,
a California municipal corporation

By: _____
Mayor

Its: _____

Date: _____

ATTEST: _____
City Clerk

Date: _____

US Real Estate Limited Partnership,
a Texas limited partnership

By: USAA Real Estate Company,
a Delaware corporation
Its: General Partner

By: _____
David J. Buck, Managing Director

Date: 4-17-12

APPROVED AS TO FORM:

_____
City Attorney

Date: _____

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

Developer Signature & Acknowledgement
Development Impact Fees
Improvement Credit Agreement No. D12-002
Centerpointe Logistics Center

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: David J. Buck
Title: Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 17th day of April, 2012.

_____
Notary Public
My Commission Expires: 11/9/2013

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

EXHIBIT "A"

PUBLIC IMPROVEMENT AGREEMENT

WITH BONDS

(ATTACHED BEHIND THIS PAGE)

EXHIBIT "A"

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR
PROJECT NO. PA08-0072

APN NO. 297-150-055

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **US Real Estate Limited Partnership, a Texas Limited Partnership**, herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA08-0072** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **THREE MILLION ONE HUNDRED ONE THOUSAND AND NO/100** Dollars (*****$3,101,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **ONE MILLION FIVE HUNDRED FIFTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$1,550,500.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security in accordance with the City's Municipal Code at anytime during the term of this agreement, subject to approval by the City Engineer and City Attorney.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Developer further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
US Real Estate Limited Partnership,
a Texas Limited Partnership
9830 Colonnade Blvd., Suite 600
San Antonio, TX 78230

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: 3/21/12

US Real Estate Limited Partnership, a Texas Limited Partnership:
Developer

BY: _____
Signature

DAVID BUCK
Print/Type Name Managing Director

_____
Title

BY: _____
Signature
STANLEY R. ALTERMAN
Executive Managing Director
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 20 MAR 2012

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANTS\Agreement Bond Packets\PA08-0072 - Agreement.doc

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG
2/15/12

PROJECT: PA08-0072
0
Concourse at Centerpointe

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			2993	C.Y.	29.00	86,797
A.B. Class II - Street 1	1	Thickness (ft.)				
Resource Wy	52476	S.F.	3804	Ton	33.00	125,532
A.C. - Street 1	0.5	Thickness (ft.)				
Resource Wy	52476	S.F.	1902	Ton	80.00	152,160
Roadway Excavation			25	C.Y.	29.00	725
A.B. Class II - Street 2	0.67	Thickness (ft.)				
Frederick St	2110	S.F.	102	Ton	33.00	3,366
A.C. - Street 2	0.45	Thickness (ft.)				
Frederick St	2110	S.F.	68	Ton	80.00	5,440
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			4000	C.Y.	29.00	116,000
A.B. Class II - Street 1	1	Thickness (ft.)				
Cactus Ave	80360	S.F.	5826	Ton	33.00	192,258
A.C. - Street 1	0.5	Thickness (ft.)				
Cactus Ave	80360	S.F.	2913	Ton	80.00	233,040
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	915,318

EXHIBIT "A"
ENGINEER'S ESTIMATE

VBG
2/15/12

PROJECT: PA08-0072 DATE: 02/15/12
PREPARED BY: Vince Giron

0 PUBLIC STREET WORK

Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15' Frederick St & Resource Wy	33233	S.F.	3.25	108,007
A.C. Cap/Overlay Frederick St & Resource Wy	0	Ton	80.00	0
Grind & Pave 0.15' Cactus Ave	8310	S.F.	3.25	27,008
A.C. Cap/Overlay Cactus Ave	0	Ton	80.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.20	0
Sawcut	2600	L.F.	3.00	7,800
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
Curb Transition	140	L.F.	10.00	1,400
Curb Only - 8"	2576	L.F.	15.00	38,640
Adjust M.H. to Grade	21	EA.	800.00	16,800
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	3.00	0
Remove Existing Curb & Gutter Frederick St & Resource Wy	290	L.F.	12.00	3,480
Remove Existing Curb & Gutter Cactus Ave	84	L.F.	12.00	1,008
Concrete				
P.C.C. Paving - 6"	0	S.F.	6.50	0
P.C.C. Paving - 8"	0	S.F.	10.50	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" Frederick Ave and Resource Wy	25	L.F.	30.00	750
Curb and Gutter - 8" (TUMF Cactus Ave)	1147	L.F.	30.00	34,410
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Cactus Ave)	2576	L.F.	25.00	64,400
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	10.25	0
Sidewalk	0	S.F.	4.25	0
Sidewalk Frederick St & Resource Wy	6272	S.F.	7.00	43,904
Sidewalk (DIF Cactus Ave)	8466	S.F.	7.00	59,262
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 8" Cactus Ave	6164	S.F.	6.50	40,066
Driveway Approach - 8" Frederick St & Resource Wy	2352	S.F.	10.50	24,696
Wheelchair Ramp Cactus Ave	1	EA.	2,600.00	2,600
Alley Approach - 8"	0	S.F.	10.25	0
1/2 Alley Apron	0	S.F.	10.25	0
Barricade	0	L.F.	100.00	0
Bus Bay Cactus Ave	1	EA.	15,000.00	15,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Remove sign	4	EA.	200.00	800
Curb Pocket for Sewer Manhole	0	EA.	5,000.00	0
Remove Existing Driveway Frederick St & Resource Wy	3964	SF	3.00	11,892
Remove Existing Driveway Cactus Ave	1136	SF	3.00	3,408
			SUBTOTAL	505,331
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	1	L.S.	--	7,890
Traffic Striping (DIF Street)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	10000	0
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	9	EA.	800.00	7,200
Metal Guard Rail	0	L.F.	90.00	0
Adjust Existing Traffic Controller	2	EA.	1,500.00	3,000
			SUBTOTAL:	19,090
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	198.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments - Cactus Ave	1	EA.	300.00	300
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	300

EXHIBIT "A"
ENGINEER'S ESTIMATE

VBG
2/15/12

PROJECT: PA08-0072 DATE: 02/15/12
PREPARED BY: Vince Giron

0 PUBLIC STREET WORK (CONTINUED)

Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	11384	S.F.	6.00	68,304
Landscaping - Parkways	5325	S.F.	6.00	31,950
Street Lights (9500 lumen)	0	EA.	5,000.00	0
Street Lights (22000 lumen)	7	EA.	6,000.00	42,000
			SPECIAL DISTRICTS SUBTOTAL:	142,254
Moreno Valley Utilities				
Electrical Utility Infrastructure	1	L.S.	136,000.00	136,000
			MVU SUBTOTAL:	136,000
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination	0	EA.	272,000.00	0
Traffic Signal Modification	1	L.S.	45000	45,000
Traffic Signal Interconnect (Existing Signals Only) Frederick St	840	L.F.	30.00	25,200
Traffic Signal Interconnect (Existing Signals Only) Cactus Ave	1415	L.F.	30.00	42,450
			TRANSPORTATION SUBTOTAL:	112,650

VBG
2/15/12

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

PROJECT: PA08-0072
0 PUBLIC STORM DRAIN SYSTEM
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	79	L.F.	160.00	12,640
24" Reinforced Concrete Pipe (DIF Cactus Ave)	209	L.F.	160.00	33,440
30" Reinforced Concrete Pipe	688	L.F.	180.00	123,840
36" Reinforced Concrete Pipe	370	L.F.	190.00	70,300
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	47	L.F.	210.00	9,870
48" Reinforced Concrete Pipe	635	L.F.	250.00	158,750
54" Reinforced Concrete Pipe	85	L.F.	300.00	25,500
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
Concrete Backfill	230	L.F.	20.00	4,600
Manholes				
Manhole No. 1	3	EA.	5000.00	15,000
Manhole No. 2	4	EA.	7200.00	28,800
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	2	EA.	10000.00	20,000
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	3	EA.	5500.00	16,500
Catch Basin (10')	0	EA.	6000.00	0
Catch Basin (14')	2	EA.	8000.00	16,000
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	3	EA.	535.00	1,605
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Cactus Ave)	3	EA.	5500.00	16,500
Catch Basin (10') DIF Street Name)	0	EA.	6000.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (28') (DIF Resource)	1	EA.	16000.00	16,000
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Remove Catch Basin	1	EA.	500.00	500
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

VBG
2/15/12

PROJECT: PA08-0072 DATE: 02/15/12
PREPARED BY: Vince Giron

0 PUBLIC STORM DRAIN SYSTEM (CONTINUED)

Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	3	EA.	6500.00	19,500
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	4000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	2	EA.	5500.00	11,000
Removal of Headwall	2	EA.	3000.00	6,000
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	1	EA.	1000.00	1,000
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	50	TON	60.00	3,000
Remove Existing 42" Storm Drain	95	L.F.	10.00	950
Remove Existing 36" Storm Drain	85	L.F.	10.00	850
Special Pipe Connection	2	E.A.	1000.00	2,000
Remove Existing AC Pavement	13054	L.F.	3.00	39,162
Sawcut	2354	L.F.	1.00	2,354
Remove Existing 30" RCP	9	L.F.	9.00	81
Relocate Existing Electrical Conduit	180	L.F.	50.00	9,000
Relocate Existing Gas Line	50	L.F.	150.00	7,500
Special Pipe Protection	2	E.A.	0.00	1,250
Remove Existing Catch Basin	1	EA.	500	500
			SUBTOTAL:	676,992

EXHIBIT "A"
ENGINEER'S ESTIMATE

VBG
2/15/12

PROJECT: PA08-0072
0 PUBLIC WATER SYSTEMS
Concourse at Centerpointe

DATE: 02/15/12
PREPARED BY: Vince Giron

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	35	L.F.	60.00	2,100
16" CML&C	45	L.F.	90.00	4,050
12" CML&C	10	L.F.	95.00	950
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	2	EA.	1,340.00	2,680
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
Relocate 2" Air Vac Release	1	EA.	4,000.00	4,000
2" Backflow Preventor, Pad & Cover	2	EA.	4,300.00	8,600
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	4	EA.	4,500.00	18,000
Relocate Fire Hydrants	2		0.00	0
Services Connections				
1" Service	1	EA.	800.00	800
1" Service w/ 5/8" Service	0	EA.	2,000.00	0
1 1/2" Service	1	EA.	1,100.00	1,100
2" Service	2	EA.	1,600.00	3,200
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	1		320.00	320
1 1/2" Meter	0		420.00	0
2" Meter	3		525.00	1,575
Relocate Water Meter	2	EA.	1,000.00	2,000
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	2	EA.	2,200.00	4,400
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	2	EA.	1,000.00	
Water Service	2	EA.	330.00	660
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	1	CY	150.00	150
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	3	EA.	235.00	705
Relocate 24" Water Line	55	L.F.	75.00	4,125
Remove 12" Water Line	20	L.F.	20.00	400
Relocate 12" Water Line	45	L.F.	50.00	2,250
Remove and Relocate Existing CTS	1	EA.	2,500.00	2,500
			SUBTOTAL:	64,565

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG
2/15/12

PROJECT: PA08-0072
0 PUBLIC SEWER SYSTEMS
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	55	L.F.	40.00	2,200
8" V.C. Pipe	12	L.F.	55.00	660
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	0	L.F.	80.00	0
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	1	EA.	3,140.00	3,140
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	4	EA.	630.00	2,520
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	2	EA.	1,500.00	3,000
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pavement around MH	0	S.F.	14.00	0
	0		0.00	0
Miscellaneous - Sewer System				
Wyes	1	EA.	90.00	90
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	11,610

VBG
2/15/12

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PA08-0072
0
Concourse at Centerpointe

DATE: 02/15/12
PREPARED BY: Vince Giron

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$915,318
OFFSITE STREET WORK	:	$505,331
SPECIAL DISTRICTS	:	$142,254
MORENO VALLEY UTILITIES	:	$136,000
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$112,650
STORM DRAIN SYSTEM	:	$676,992
WATER SYSTEM	:	$64,565
SEWER SYSTEM	:	$11,610
TRAFFIC IMPROVEMENTS	:	$19,090
BONDABLE WORK (not plan checked)	:	$300
TOTAL COST (VALUE) OF IMPROVEMENTS:		$2,584,110
+20% CONTINGENCY:		$516,822
GRAND TOTAL:		$3,100,932

BOND AMOUNT: $3,101,000

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $3,101,000.00

Project No. PA08-0072

Bond No. 105700873

Premium

Surety Travelers Casualty & Surety Co. of America (A+(XV) CA)

Principal US Real Estate Limited Partnership a Texas Limited Partnership

Address 1301 E. Collins Blvd., #340

Address 9830 Colonnade Blvd., Suite 600

City/Zip Richardson, TX 75081

City/Zip San Antonio, TX 78230

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **US Real Estate Limited Partnership, a Texas limited partnership,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA08-0072**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty & Surety Co. of America (A+(XV) CA) as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **THREE MILLION ONE HUNDRED ONE THOUSAND AND NO/100** Dollars (*****$3,101,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

RISK MANAGEMENT
Approved

M. Alonzo 3-6-12
By Date

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA08-0072

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on February 29, 20 12.

NAME OF PRINCIPAL: US Real Estate Limited Partnership, a Texas limited partnership
Company Name

AUTHORIZED SIGNATURE(S): By

Name — Managing Director
Title

Name — STANLEY R. ALTERMAN
Executive Managing Director
Title

NAME OF SURETY: A+(XV) CA
Travelers Casualty & Surety Co. of America
Company Name

AUTHORIZED SIGNATURE: ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA08-0072 - Faithful Performance Bond.DOC

POWER OF ATTORNEY

TRAVELERS

A+(XV) CA

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704466

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11 Printed in U.S.A.

Principal Signature Page
Faithful Performance Bond
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By: _____
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

_____
Notary Public
My Commission Expires: 11/9/2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

_____
Notary Public
My Commission Expires: 11/9/2013

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $1,550,500.00

Project No. PA08-0072

Bond No. 105700874

Premium

Surety Travelers Casualty & Surety Co. of /america A+(XV) CA

Principal US Real Estate Limited Partnership a Texas Limited Partnership

Address 1301 E. Collins Blvd., #340

Address 9830 Colonnade Blvd., Suite 600

City/Zip Richardson, TX 75081

City/Zip San Antonio, TX 78230

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **US Real Estate Limited Partnership, a Texas limited partnership,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA08-0072**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **ONE MILLION FIVE HUNDRED FIFTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$1,550,500.00*****) lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

RISK MANAGEMENT
Approved

By

3-6-12
Date

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA08-0072

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on February 29, 2012.

NAME OF PRINCIPAL: US Real Estate Limited Partnership, a Texas limited partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

Name — Title: Managing Director

Name — Title: STANLEY R. ALTERMAN Executive Managing Director

NAME OF SURETY: A+(XV) CA Travelers Casualty & Surety Co. of America
Company Name

AUTHORIZED SIGNATURE: ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA08-0072 - Material Labor Bond.DOC

TRAVELERS

A+(XV) CA

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704465

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11Printed in U.S.A.

Principal Signature Page
Material and Labor Bond
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By: _____
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

USAA Real Estate Company

March 13, 2012

Sent Via FedEx
Liz Plazola
CEDD/Land Development
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Re: PA08-0072 – Agreement for Public Improvements – M&L Bond

Dear Ms. Plazola:

Enclosed you will find one original of the Rider to the Material and Labor Bond previously submitted to you in connection with the above referenced project. The Bond was intended to be issued under the same Bond Number as the Performance Bond. The enclosed Rider simply amends the Bond to reflect the corrected Bond Number.

Should you have any questions or require any further information, please do not hesitate contacting me direct at (210) 641-8484.

Sincerely,

David J. Buck
Managing Director

Cc: Steve Ames, USAA Real Estate Company
Tony Byron, USAA Real Estate Company
Timur Tecimer, Overton Moore Properties
Denise Woodard, LSA Associates

9830 Colonnade Boulevard, Suite 600 San Antonio, Texas 78230-2239

Principal Signature Page
Material and Labor Bond Rider
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By: _____
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 12th day of March, 2012.

Notary Public
My Commission Expires: 11/9/13

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 12th day of March, 2012.

Notary Public
My Commission Expires: 11/9/13

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

TRAVELERS

License No. _____

RIDER

To be attached to and form part of Bond No. 105700874.

Issued on behalf of US Real Estate Limited Partnership, a Texas Limited Partnership as Principal, and in favor of "City of Moreno Valley, CA" as Obligee.

It is agreed that:

☐ 1. The Surety hereby gives its consent to change the Name:

from: _____

to: _____

☐ 2. The Surety hereby gives its consent to change the Address:

from: _____

to: _____

☒ 3. The Surety hereby gives its consent to change the Bond Number:

from: 105700874

to: 105700873

4. This rider shall become effective as of February 29, 2012

PROVIDED, however, that the liability of the Surety under the attached bond as changed by this Rider shall not be cumulative.

Signed, sealed and dated March 7, 2012.

Travelers Casualty & Surety Co. of America

By: Jennifer Lea Wingfield

Jennifer Lea Wingfield Attorney-in-Fact

Accepted: _____
Obligee

By: _____

or US Real Estate Limited Partnership, a Texas Limited Partnership
Principal

By: "SEE ATTACHED SIGNATURE PAGE"

S-4111 (8/66)

TRAVELERS

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704467

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11Printed in U.S.A.

EXHIBIT "B"

DIF IMPROVEMENTS

EXHIBIT "B"

DATE: 10/13/2011

ENGINEER'S ESTIMATE FOR DIF

PROJECT: **P11-048 (PA08-0072)** PREPARED BY: **Duke Aghaian**

STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Curb Only - 8"	2755	L.F.	25.00	68,875
Sawcut existing pavement	2755	S.F.	3.00	8,265
Remove and dispose existing pavement under median	19000	S.F.	3.00	57,000
Traffic Striping for left turn pocket	1	L.S.	1000	1,000
Traffic control	1	L.S.	5000	5,000
			SUBTOTAL:	140,140

DIF ENGINEERS COST ESTIMATE

DATE: **10/13/2011**

PROJECT: **P11-048 (PA08-0072)** PREPARED BY: **Duke Aghaian**

IMPROVEMENT TYPE:

CACTUS AVENUE :	$140,140
TOTAL COST OF IMPROVEMENTS:	$140,140
25% ENGINEERING:	$35,035
10% PLANNING:	$14,014
10% CONTINGENCY:	$14,014
SUBTOTAL:	$203,203
GRAND TOTAL:	$203,203

REGISTERED PROFESSIONAL ENGINEER
HAIDOOK I. AGHAIAN
No. 043293
Exp: 3/31/12
CIVIL
STATE OF CALIFORNIA

Haidook Aghaian 10/19/11

EXHIBIT "C" – DIF Credit Calculation Table

Item	Process for DIF Credit Calculation	Streets	Traffic Signals	Police	Fire	Libraries	Parks	Community / Rec Centers	Public Facilities*	Interchange Improvement	Electric Utility
1	Engineer's Estimate	$203,203	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Project costs as identified in DIF study	$235,890	$0	$0	$0	$0	$0	$0	$0	$0	$0
3	Actual DIF Obligation	$669,671	$101,418	$21,956	$30,321	$0	$0	$0	$48,095	$101,941	$0
3	Developer's Credit Amount** - Least of Lines 1 2 & 3	$203,203	$0	$0	$0	$0	$0	$0	$0	$0	$0

*may include, but not be limited to, City Hall, Corporate Yard, Animal Shelter, and/or maintenance equipment.

** credit amount shall not exceed obligation.

MV00173354

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: P11-048, PA08-0072 - ACCEPT TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) IMPROVEMENT CREDIT / REIMBURSEMENT AGREEMENT #T12-001

NORTHWEST CORNER OF FREDERICK STREET AND CACTUS AVENUE

DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP
9830 COLONNADE BOULEVARD, SUITE 600
SAN ANTONIO, TX 78230

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Transportation Uniform Mitigation Fee (TUMF) Improvement Credit/Reimbursement Agreement for P11-048, PA08-0072 public improvements.

2. Authorize the Mayor to execute the Agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The Transportation Uniform Mitigation Fee (TUMF) Program applies to those jurisdictions in Western Riverside County that have adopted and are implementing the TUMF Program Ordinance. The TUMF Program has been developed pursuant to and consistent with authority provided in the requirements of California Government Code, Chapter 5, Section 66000-66008, "Fees for Development Projects" (also known as California Assembly Bill 1600 [AB1600] or the Mitigation Fee Act) which governs the assessment of development impact fees in California. Pursuant to the City of Moreno Valley Municipal Code 3.44.070, the Western Riverside Council of Governments (WRCOG) has been appointed the Administrator of the Transportation Uniform Mitigation Fee Program.

Developers are required to pay TUMF to the City for projects that impact designated arterial streets. The TUMF Program funds may only be used for capital expenditures associated with the Regional System of Highways and Arterials (RSHA) and for capital expenditures for transit system improvements consistent with the TUMF Nexus Study. These purposes include expenditures for the planning, environmental review, engineering and design costs, right-of-way acquisition, and administrative costs. The TUMF Agreement will allow the developer to be credited and potentially reimbursed for the qualifying improvements.

The TUMF Agreement will allow the developer to be credited/refunded and potentially reimbursed for planning, environmental review, engineering and design costs, right-of-way acquisition, and administrative costs associated with RSHA roads that have been identified in the Nexus Study. In addition, the developer may seek reimbursement from WRCOG, when the developer is required to provide improvements beyond its immediate affect, such as building out the other side of a street. The developer's reimbursement is the lower of the TUMF Nexus Study amount or Verified Actual Construction Cost.

DISCUSSION

On April 9, 2009, the Planning Commission of the City of Moreno Valley approved PA08-0072, a Plot Plan for a 522,774 square-foot industrial warehouse building on 26 acres.

On June 30, 2011, the Community Development Department of the City of Moreno Valley approved P11-048, an Amended Plot Plan for the above-mentioned industrial warehouse building. Amendments to the original Plot Plan approval included revision to the parking lot four corners of the building, removal of trash enclosures from inside truck courts, relocation of transformer and electrical room from truck court to the building's east elevation, elimination of landscaping from within the truck court, and the shifting of dock doors and stairs within truck courts.

City Council of the City of Moreno Valley executed the Agreement for Public Improvements and bonds as securities for public improvements in the amount of $3,101,000 for Faithful Performance and $1,550,500 for Material and Labor. The bonds were secured by Travelers Casualty & Surety Company of America.

The developer agrees to perform and complete all of the required public improvements in accordance with the TUMF Improvement Credit/Reimbursement Agreement and its exhibits. The public improvements covered under the TUMF Improvement Credit Agreement include expenditures for the planning, environmental review, engineering and design costs, right-of-way acquisition, and administrative costs for street segments identified in the Nexus Study. The developer's TUMF obligation to the City is $480,014. The developer's credit is based on City of Moreno Valley Municipal Code 3.44.040. The initial credit is the lower of the Nexus Study amount ($352,425) or the amount of the lowest responsible bid ($820,585) up to the TUMF obligation. In this case, the initial credit is $352,425. Reimbursement can be applied for after actual construction costs are verified. The reimbursement amount will be the difference between the lower of the TUMF Nexus Study amount or Verified Actual Construction Costs less the amount of the initial credit.

ALTERNATIVES

1. Accept the Transportation Mitigation Fee Improvement Credit/Reimbursement Agreement (TUMF Agreement) for P11-048, PA08-0072. Authorize the Mayor to execute the Agreement in the form attached hereto. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation. ***Staff recommends this alternative.***

2. Do not accept the Transportation Mitigation Fee Improvement Credit/Reimbursement Agreement (TUMF Agreement) for P11-048, PA08-0072. Do not authorize the Mayor to execute the Agreement in the form attached hereto. Do not direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation. ***Staff does not recommend this alternative.***

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS

Attachment 1 – TUMF Improvement Credit/Reimbursement Agreement

Prepared By
Clement Jimenez
Senior Engineer, P.E.

Department Head Approval
Barry Foster
Community & Economic Development Director

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2012\8-28-12 - P11-048, PA08-0072 - Concourse at Centerpoint TUMF Improvement Credit Agreement.doc

CITY OF MORENO VALLEY

IMPROVEMENT AND CREDIT / REIMBURSEMENT AGREEMENT NO. T12-001

TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM

This **IMPROVEMENT AND CREDIT AGREEMENT** ("Agreement") is entered into this ____ day of _____, 2012, by and between the City of Moreno Valley, California, a municipal corporation ("City"), and US Real Estate Limited Partnership a Texas limited partnership, by its general partner USAA Real Estate Company, a Delaware corporation, with its principal place of business at 9830 Colonnade Boulevard, Suite 600, San Antonio, Texas 78230 ("Developer"). City and Developer are sometimes hereinafter referred to individually as "Party" and collectively as "Parties."

RECITALS

WHEREAS, Developer owns 26 acres of real property located within the City of Moreno Valley, California, identified as P11-048 (PA08-0072), which is more specifically described in the legal description set forth in Exhibit "A," attached hereto and incorporated herein by this reference ("Property");

WHEREAS, Developer has requested from City certain entitlements and/or permits for the construction of improvements on the Property, which are more particularly described as a 522,772 square-foot industrial building and all related infrastructure associated with City project number P11-048 (PA08-0072) ("Project");

WHEREAS, the City of Moreno Valley is a member agency of the Western Riverside Council of Governments ("WRCOG"), a joint powers agency, comprised of the County of Riverside and 16 cities located in Western Riverside County. WRCOG is the administrator for the Transportation Uniform Mitigation Fee ("TUMF") Program;

WHEREAS, as part of the TUMF Program, the City of Moreno Valley has adopted "Transportation Uniform Mitigation Fee Nexus Study: 2009 Update" ("2009 Nexus Study");

WHEREAS, as a condition to City's approval of the Project, City has required Developer to construct certain street and transportation system improvement(s) of regional importance ("TUMF Improvements");

WHEREAS, pursuant to the TUMF Program, the City of Moreno Valley requires Developer to pay the TUMF which covers the Developer's fair share of the costs to deliver those TUMF Improvements that help mitigate the Project's traffic impacts and burdens on the Regional System of Highways and Arterials (also known as the "TUMF Network"), generated by the Project and that are necessary to protect the safety, health, and welfare of persons that travel to and from the Project using the TUMF Network;

WHEREAS, the TUMF Improvements have been designated as having Regional or Zonal Significance as further described in the 2009 Nexus Study and the 5 year Transportation Improvement Program as may be amended;

WHEREAS, City and Developer now desire to enter into this Agreement for the following purposes: (1) to provide for the timely delivery of the TUMF Improvements, (2) to ensure that delivery of the TUMF Improvements is undertaken as if the TUMF Improvements were constructed under the direction and authority of the City, (3) to provide a means by which the Developer's costs for project delivery of the TUMF Improvements and related right-of-ways is offset against Developer's obligation to pay the applicable TUMF for the Project in accordance with the TUMF Administrative Plan adopted by WRCOG, and (4) to provide a means, subject to the separate approval of WRCOG, for Developer to be reimbursed to the extent the actual and authorized costs for the delivery of the TUMF Improvements exceeds Developer's TUMF obligation.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

TERMS

1.0 Incorporation of Recitals. The Parties hereby affirm the facts set forth in the Recitals above and agree to the incorporation of the Recitals as though fully set forth herein.

2.0 Construction of TUMF Improvements. Developer shall construct or have constructed at its own cost, expense, and liability certain street and transportation system improvements generally described as which may include any of the following improvements, but not limited to, saw cutting and removal of existing pavement, roadway earthwork, pavement, base, asphalt concrete overlay, curb and gutter, removal of signs and asphalt concrete curb, traffic striping, traffic control, and drainage improvements and as shown more specifically on the plans, profiles, and specifications which have been or will be prepared by or on behalf of Developer and approved by City, and which are incorporated herein by this reference ("TUMF Improvements"). Construction of the Improvements shall include any transitions and/or other incidental work deemed necessary for drainage or public safety. Developer shall be responsible for the replacement, relocation, or removal of any component of any existing public or private improvement in conflict with the construction or installation of the TUMF Improvements. Such replacement, relocation, or removal shall be performed to the complete satisfaction of City and the owner of such improvement. Developer further promises and agrees to provide all equipment, tools, materials, labor, tests, design work, and engineering services necessary to fully and adequately complete the Improvements.

2.1 Pre-approval of Plans and Specifications. Developer is prohibited from commencing work on any portion of the TUMF Improvements until all plans and specifications for the TUMF Improvements have been submitted to and approved by City. Approval by City shall not relieve Developer from ensuring that all TUMF

Improvements conform with all other requirements and standards set forth in this Agreement.

2.2 Permits and Notices. Prior to commencing any work, Developer shall, at its sole cost, expense, and liability, obtain all necessary permits and licenses and give all necessary and incidental notices required for the lawful construction of the TUMF Improvements and performance of Developer's obligations under this Agreement. Developer shall conduct the work in full compliance with the regulations, rules, and other requirements contained in any permit or license issued to Developer.

2.3 Public Works Requirements. In order to ensure that the TUMF Improvements will be constructed as if they had been constructed under the direction and supervision, or under the authority of City, Developer shall comply with all of the following requirements with respect to the construction of the TUMF Improvements:

(a) Developer shall obtain bids for the construction of the Improvements, in conformance with the standard procedures and requirements of City with respect to its public works projects, or in a manner which is approved by the Public Works Department.

(b) The contract or contracts for the construction of the TUMF Improvements shall be awarded to the responsible bidder(s) submitting the lowest responsive bid(s) for the construction of the TUMF Improvements.

(c) Developer shall require, and the specifications and bid and contract documents shall require, all such contractors to pay prevailing wages (in accordance with Articles 1 and 2 of Chapter 1, Part 7, Division 2 of the Labor Code) and to otherwise comply with applicable provisions of the Labor Code, the Government Code and the Public Contract Code relating to public works projects of cities/counties and as required by the procedures and standards of City with respect to the construction of its public works projects or as otherwise directed by the Public Works Department.

(d) All such contractors shall be required to provide proof of insurance coverage throughout the term of the construction of the TUMF Improvements which they will construct in conformance with City's standard procedures and requirements.

(e) Developer and all such contractors shall comply with such other requirements relating to the construction of the TUMF Improvements which City may impose by written notification delivered to Developer and each such contractor at any time, either prior to the receipt of bids by Developer for the construction of the TUMF Improvements, or to the extent required as a result of changes in applicable laws, during the progress of construction thereof.

Owner shall provide proof to City, at such intervals and in such form as City may require that the foregoing requirements have been satisfied as to the TUMF Improvements.

2.4 Quality of Work; Compliance with Laws and Codes. The construction plans and specifications for the TUMF Improvements shall be prepared in accordance with all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements. The TUMF Improvements shall be completed in accordance with all approved maps, plans, specifications, standard drawings, and special amendments thereto on file with City, as well as all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements applicable at the time work is actually commenced.

2.5 Standard of Performance. Developer and its contractors, if any, shall perform all work required, constructing the TUMF Improvements in a skillful and workmanlike manner, and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Developer represents and maintains that it or its contractors shall be skilled in the professional calling necessary to perform the work. Developer warrants that all of its employees and contractors shall have sufficient skill and experience to perform the work assigned to them, and that they shall have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the work, and that such licenses, permits, qualifications and approvals shall be maintained throughout the term of this Agreement.

2.6 Alterations to TUMF Improvements. All work shall be done and the TUMF Improvements completed as shown on approved plans and specifications, and any subsequent alterations thereto. If during the course of construction and installation it is determined that the public interest requires alterations in the TUMF Improvements, Developer shall undertake such design and construction changes as may be reasonably required by City. Any and all alterations in the plans and specifications and the TUMF Improvements to be completed may be accomplished without first giving prior notice thereof to Developer's surety for this Agreement.

3.0 Maintenance of TUMF Improvements. City shall not be responsible or liable for the maintenance or care of the Improvements until City approves and accepts them. City shall exercise no control over the TUMF Improvements until accepted. Any use by any person of the TUMF Improvements, or any portion thereof, shall be at the sole and exclusive risk of Developer at all times prior to City's acceptance of the TUMF Improvements. Developer shall maintain all of the TUMF Improvements in a state of good repair until they are completed by Developer and approved and accepted by City, and until the security for the performance of this Agreement is released. It shall be Developer's responsibility to initiate all maintenance work, but if it shall fail to do so, it shall promptly perform such maintenance work when notified to do so by City. If Developer fails to properly prosecute its maintenance obligation under this section, City may do all work necessary for such maintenance and the cost thereof shall be the responsibility of Developer and its surety under this Agreement. City shall not be responsible or liable for any damages or injury of any nature in any way related to or caused by the TUMF Improvements or their condition prior to acceptance.

4.0 Fees and Charges. Developer shall, at its sole cost, expense, and liability, pay all fees, charges, and taxes arising out of the construction of the TUMF

Improvements, including, but not limited to, all plan check, design review, engineering, inspection, sewer treatment connection fees, and other service or impact fees established by City.

5.0 City/County Inspection of TUMF Improvements. Developer shall, at its sole cost, expense, and liability, and at all times during construction of the TUMF Improvements, maintain reasonable and safe facilities and provide safe access for inspection by City of the TUMF Improvements and areas where construction of the TUMF Improvements is occurring or will occur.

6.0 Liens. Upon the expiration of the time for the recording of claims of liens as prescribed by Sections 3115 and 3116 of the Civil Code with respect to the TUMF Improvements, Developer shall provide to City such evidence or proof as City shall require that all persons, firms, and corporations supplying work, labor, materials, supplies, and equipment to the construction of the TUMF Improvements, have been paid, and that no claims of liens have been recorded by or on behalf of any such person, firm or corporation. Rather than await the expiration of the said time for the recording of claims of liens, Developer may elect to provide to City a title insurance policy or other security acceptable to City guaranteeing that no such claims of liens will be recorded or become a lien upon any of the Property.

7.0 Acceptance of TUMF Improvements; As-Built, or Record Drawings. If the TUMF Improvements are properly completed by Developer and approved by City, and if they comply with all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements, City shall be authorized to accept the TUMF Improvements. City may, in its sole and absolute discretion, accept fully completed portions of the TUMF Improvements prior to such time as all of the TUMF Improvements are complete, which shall not release or modify Developer's obligation to complete the remainder of the TUMF Improvements. Upon the total or partial acceptance of the TUMF Improvements by City, Developer shall file with the Recorder's Office of the County of Riverside a notice of completion for the accepted TUMF Improvements in accordance with California Civil Code section 3093 ("Notice of Completion"), at which time the accepted TUMF Improvements shall become the sole and exclusive property of City without any payment therefore. Notwithstanding the foregoing, City may not accept any TUMF Improvements unless and until Developer provides one (1) set of "as-built" or record drawings or plans to the City for all such TUMF Improvements. The drawings shall be certified and shall reflect the condition of the TUMF Improvements as constructed, with all changes incorporated therein.

8.0 Warranty and Guarantee. Developer hereby warrants and guarantees all the TUMF Improvements against any defective work or labor done, or defective materials furnished in the performance of this Agreement, including the maintenance of the TUMF Improvements, for a period of one (1) year following completion of the work and acceptance by City ("Warranty"). During the Warranty, Developer shall repair, replace, or reconstruct any defective or otherwise unsatisfactory portion of the TUMF Improvements, in accordance with the current ordinances, resolutions, regulations, codes, standards, or other requirements of City, and to the approval of City. All repairs, replacements, or reconstruction during the Warranty shall be at the sole cost, expense, and liability of Developer and its surety. As to any TUMF Improvements which have been repaired, replaced, or reconstructed during the Warranty, Developer and its surety hereby agree to extend the Warranty for an additional one (1) year period following City's acceptance of the repaired, replaced, or reconstructed TUMF Improvements. Nothing herein shall relieve Developer from any other liability it may have under federal, state, or local law to repair, replace, or reconstruct any TUMF Improvement following expiration of the Warranty or any extension thereof. Developer's warranty obligation under this section shall survive the expiration or termination of this Agreement.

9.0 Administrative Costs. If Developer fails to construct and install all or any part of the TUMF Improvements, or if Developer fails to comply with any other obligation contained herein, Developer and its surety shall be jointly and severally liable to City for all administrative expenses, fees, and costs, including reasonable attorney's fees and costs, incurred in obtaining compliance with this Agreement or in processing any legal action or for any other remedies permitted by law.

10.0 Default; Notice; Remedies.

10.1 Notice. If Developer neglects, refuses, or fails to fulfill complete any obligation, term, or condition of this Agreement, or if City determines there is a violation of any federal, state, or local law, ordinance, regulation, code, standard, or other requirement, City may at any time thereafter declare Developer to be in default or violation of this Agreement and make written demand upon Developer or its surety, or both, to immediately remedy the default or violation ("Notice"). Developer shall substantially commence the work required to remedy the default or violation within five (5) days of the Notice. If the default or violation constitutes an immediate threat to the public health, safety, or welfare, City may provide the Notice verbally, and Developer shall substantially commence the required work within twenty-four (24) hours thereof. Immediately upon City's issuance of the Notice, Developer and its surety shall be liable to City for all costs of construction and installation of the TUMF Improvements and all other administrative costs expenses as provided for in this Section 10.0 of this Agreement.

10.2 Failure to Remedy; City Action. If the work required to remedy the noticed default or violation is not diligently prosecuted to a completion acceptable to City within the time frame contained in the Notice, City may complete all remaining work, arrange for the completion of all remaining work, and/or conduct such remedial activity as in its sole and absolute discretion it believes is required to remedy the default or

violation. All such work or remedial activity shall be at the sole and absolute cost, expense, and liability of Developer and its surety, without the necessity of giving any further notice to Developer or surety. City's right to take such actions shall in no way be limited by the fact that Developer or its surety may have constructed any of the TUMF Improvements at the time of City's demand for performance. In the event City elects to complete or arrange for completion of the remaining work and the TUMF Improvements, City may require all work by Developer or its surety to cease in order to allow adequate coordination by City.

10.3 Other Remedies. No action by City pursuant to this Section 10.0 et seq. of this Agreement shall prohibit City from exercising any other right or pursuing any other legal or equitable remedy available under this Agreement or any federal, state, or local law. City may exercise its rights and remedies independently or cumulatively, and City may pursue inconsistent remedies. City may institute an action for damages, injunctive relief, or specific performance.

11.0 Security; Surety Bonds. Prior to the commencement of any work on the TUMF Improvements, Developer or its contractor shall provide City with surety bonds in the amounts and under the terms set forth below ("Security"). The amount of the Security shall be based on the estimated actual costs to construct the TUMF Improvements, as determined by City after Developer has awarded a contract for construction of the TUMF Improvements to the lowest responsive and responsible bidder in accordance with this Agreement ("Estimated Costs"). If City determines, in its sole and absolute discretion, that the Estimated Costs have changed, Developer or its contractor shall adjust the Security in the amount requested by City. Developer's compliance with this Section 11.0 et seq. of this Agreement shall in no way limit or modify Developer's indemnification obligation provided in Section 12.0 of this Agreement.

11.1 Performance Bond. To guarantee the faithful performance of the TUMF Improvements and all the provisions of this Agreement, to protect City if Developer is in default as set forth in Section 10.0 et seq. of this Agreement, and to secure the one-year guarantee and warranty of the TUMF Improvements, Developer or its contractor shall provide City a faithful performance bond in an amount which sum shall be not less than one hundred percent (100%) of the Estimated Costs. City may, in its sole and absolute discretion, partially release a portion or portions of the security provided under this section as the TUMF Improvements are accepted by City, provided that Developer is not in default on any provision of this Agreement and the total remaining security is not less than ten percent (10%) of the Estimated Costs. All security provided under this section shall be released at the end of the Warranty period, or any extension thereof as provided in Section 11.0 of this Agreement, provided that Developer is not in default on any provision of this Agreement.

11.2 Labor & Material Bond. To secure payment to the contractors, subcontractors, laborers, materialmen, and other persons furnishing labor, materials, or equipment for performance of the TUMF Improvements and this Agreement, Developer or its contractor shall provide City a labor and materials bond in an amount which sum shall not be less than fifty percent (50%) of the Estimated Costs. The security provided

under this section may be released by written authorization of City after ninety (90) days from the date City accepts the TUMF Improvements. The amount of such security shall be reduced by the total of all stop notice or mechanic's lien claims of which City is aware, plus an amount equal to twenty percent (20%) of such claims for reimbursement of City's anticipated administrative and legal expenses arising out of such claims.

11.3 Additional Requirements. The surety for any surety bonds provided as Security shall have a current A.M. Best rating of at least "A" and FSC-VIII, shall be licensed to do business in California, and shall be satisfactory to City. As part of the obligation secured by the Security and in addition to the face amount of the Security, Developer, its contractor or the surety shall secure the costs and reasonable expenses and fees, including reasonable attorney's fees and costs, incurred by City in enforcing the obligations of this Agreement. Developer, its contractor and the surety shall stipulate and agree that no change, extension of time, alteration, or addition to the terms of this Agreement, the TUMF Improvements, or the plans and specifications for the TUMF Improvements shall in any way affect its obligation on the Security.

11.4 Evidence and Incorporation of Security. Evidence of the Security shall be provided on the forms set forth in Exhibit "B", unless other forms are deemed acceptable by the City, and when such forms are completed to the satisfaction of City, the forms and evidence of the Security shall be attached hereto as Exhibit "B" and incorporated herein by this reference.

12.0 Indemnification. Developer shall defend, indemnify, and hold harmless the City of Moreno Valley and the Moreno Valley Community Services District, and the Moreno Valley Housing Authority, its elected officials, employees, and agents from any and all actual or alleged claims, demands, causes of action, liability, loss, damage, or injury to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any federal, state, or local governmental agency, arising out of or incident to any acts, omissions, negligence, or willful misconduct of Developer, its employees, contractors, or agents in connection with the performance of this Agreement ("Claims"). This indemnification includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorneys fees, and related costs or expenses, and the reimbursement of City, its elected officials, employees, and/or agents for all legal expenses and costs incurred by each of them. This indemnification excludes only such portion of any Claim which is caused solely and exclusively by the negligence or willful misconduct of City as determined by a court or administrative body of competent jurisdiction. Developer's obligation to indemnify shall survive the expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by City, its elected officials, employees, or agents.

13.0 Insurance.

13.1 Types; Amounts. Developer shall procure and maintain, and shall require its contractor(s) to procure and maintain, during performance of this Agreement, insurance of the types and in the amounts described below ("Required Insurance"). If any of the Required Insurance contains a general aggregate limit, such insurance shall

apply separately to this Agreement or be no less than two times the specified occurrence limit.

13.1.1 General Liability. Occurrence version general liability insurance, or equivalent form, with a combined single limit of not less than Two Million Dollars ($2,000,000) per occurrence for bodily injury, personal injury, and property damage.

13.1.2 Business Automobile Liability. Business automobile liability insurance, or equivalent form, with a combined single limit of not less than One Million Dollars ($1,000,000) per occurrence. Such insurance shall include coverage for the ownership, operation, maintenance, use, loading, or unloading of any auto owned, leased, hired, or borrowed by the insured or for which the insured is responsible.

13.1.3 Workers' Compensation. Workers' compensation insurance with limits as required by the Labor Code of the State of California and employers' liability insurance with limits of not less than One Million Dollars ($1,000,000) per occurrence, at all times during which insured retains employees.

13.1.4 Professional Liability. For any consultant or other professional who will engineer or design the TUMF Improvements, liability insurance for errors and omissions with limits not less than Two Million Dollars ($2,000,000) per occurrence, shall be procured and maintained for a period of five (5) years following completion of the TUMF Improvements. Such insurance shall be endorsed to include contractual liability.

13.2 Deductibles. Any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, either: (a) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, its elected officials, officers, employees, agents, and volunteers; or (b) Developer and its contractors shall provide a financial guarantee satisfactory to City guaranteeing payment of losses and related investigation costs, claims, and administrative and defense expenses.

13.3 Additional Insured; Separation of Insureds. The Required Insurance, except for the professional liability and workers' compensation insurance, shall name the City of Moreno Valley, the Moreno Valley Community Services District, and the Moreno Valley Housing Authority, its elected officials, officers, employees, and agents as additional insureds with respect to work performed by or on behalf of Developer or its contractors, including any materials, parts, or equipment furnished in connection therewith. The Required Insurance shall contain standard separation of insureds provisions, and shall contain no special limitations on the scope of its protection to City, its elected officials, officers, employees, or agents.

13.4 Primary Insurance; Waiver of Subrogation. The Required Insurance shall be primary with respect to any insurance or self-insurance programs covering City, its elected officials, officers, employees, or agents. The policy required for workers' compensation insurance shall provide that the insurance company waives

all right of recovery by way of subrogation against City in connection with any damage or harm covered by such policy.

13.5 Certificates; Verification. Developer and its contractors shall furnish City with original certificates of insurance and endorsements effecting coverage for the Required Insurance. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements must be received and approved by City before work pursuant to this Agreement can begin. City reserves the right to require complete, certified copies of all required insurance policies, at any time.

13.6 Term; Cancellation Notice. Developer and its contractors shall maintain the Required Insurance for the term of this Agreement and shall replace any certificate, policy, or endorsement which will expire prior to that date. All policies shall be endorsed to provide that the Required Insurance shall not be suspended, voided, reduced, canceled, or allowed to expire except on thirty (30) days' prior written notice to City.

13.7 Insurer Rating. Unless approved in writing by City, all Required Insurance shall be placed with insurers licensed to do business in the State of California and with a current A.M. Best rating of at least "A" and FSC-VIII.

14.0 TUMF Credit.

14.1 Developer's TUMF Obligation. Developer hereby agrees and accepts that as of the date of this Agreement, the amount Developer is obligated to pay to City pursuant to City's Project PA08-0072 Conditions of Approval No. LD64a and City Municipal Code Section 3.44 as part of the TUMF Program is Four Hundred Eighty Thousand Fourteen and 45/100 Dollars ($480,014.45) ("TUMF Obligation"). This TUMF Obligation shall be initially determined under the nexus study and fee schedule in effect for the City at the time the Developer submits a building permit application for TUMF Improvement. Notwithstanding, this TUMF Obligation does not have to be paid until Certificate of Occupancy is obtained.

14.2 Limited Period of Adjustment. For those participating jurisdictions in WRCOG that have adopted the Addendum to the 2009 Nexus Study, the Developer may still qualify for a pro-rata adjustment of its Maximum TUMF Share if existing or future phases of the TUMF Improvement are completed under a different nexus study and the Developer pays the full TUMF Obligation required under the 2009 Nexus Study. A Developer may also request to pay the full TUMF Obligation under the 2009 Nexus Study if TUMF Improvements started under the Addendum will be completed under a different nexus study. To make either request, the Developer must submit its Amendment No. 1 to this Agreement ("Agreement") attached as Exhibit "G" before WRCOG adopts the following year's Construction Cost Index in February. If the Developer fails to submit an Amendment before February of the following year, the TUMF Obligation as would be otherwise calculated under the Addendum shall remain in effect.

14.3 Fee Adjustments. Notwithstanding the foregoing, the Developer agrees that this Agreement shall not estop City from adjusting the TUMF in accordance with the provisions of City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44. If Section 14.2 is not applicable, Developer agrees and acknowledges that Developer's final TUMF Obligation for the Project shall be calculated when the building permit application is submitted and in accordance with the provisions of City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44 in effect at such time.

14.4 Credit Offset against TUMF Obligation. Pursuant to City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44 and in consideration for Developer's obligation under this Agreement for the delivery of TUMF Improvements, credit shall be applied by City to offset the TUMF Obligation ("Credit") subject to adjustment and reconciliation under Section 14.2 and 14.6 of this agreement. Developer hereby agrees that the amount of the Credit shall be applied after Developer has initiated the process of project delivery of TUMF Improvements to the lowest responsible bidder in accordance with this Agreement. Developer further agrees that the dollar amount of the Credit shall be equal to the lesser of: (A) the bid amount set forth in the contract awarded to the lowest responsible bidder, or (B) the unit cost assumptions for the TUMF Improvements in effect at the time of the contract award, as such assumptions are identified and determined in the 2009 Nexus Study and the TUMF Administrative Plan adopted by WRCOG ("Unit Cost Assumptions").

The bid amount and the Unit Cost Assumptions shall hereafter be collectively referred to as "Estimated Cost". At no time will the Credit exceed the Developer's TUMF Obligation. If the dollar amount of the Estimated Cost exceeds the dollar amount of the TUMF Obligation, Developer will be deemed to have completely satisfied its TUMF Obligation for the Project and may apply for a reimbursement agreement, to the extent applicable, as provided in Section 14.5 of this Agreement. If the dollar amount of the Estimated Cost is less than the dollar amount of the TUMF Obligation, the Developer agrees the Credit shall be applied to offset the TUMF Obligation as follows:

(1) For residential units in the Project, the Credit shall be applied to all residential units to offset and/or satisfy the TUMF Obligation. The residential units for which the TUMF Obligation has been offset and/or satisfied by use of the Credit, and the amount of offset applicable to each unit, shall be identified in the notice provided to the Developer by City pursuant to this section.

(2) For commercial and industrial structures in the Project, the Credit shall be applied to all commercial and industrial development to offset and/or satisfy the TUMF Obligation. The commercial or industrial structure(s) for which the TUMF Obligation has been offset and/or satisfied by use of the Credit, and the amount of offset applicable to such structure(s), shall be identified in the notice provided to the Developer by City pursuant to this section.

City shall provide Developer written notice of the determinations that City makes pursuant to this section, including how the Credit is applied to offset the TUMF Obligation as described above.

14.5 Verified Cost of the Improvements. Upon recordation of the Notice of Completion for the TUMF Improvements and acceptance of the TUMF Improvements by City, Developer shall submit to the City Public Works Director the information set forth in the attached Exhibit "C". The City Public Works Director, or his or her designee, shall use the information provided by Developer to calculate the total actual costs incurred by Developer in delivering the TUMF Improvements covered under this Agreement ("Verified Costs"). The City Public Works Director will use his or her best efforts to determine the amount of the Verified Costs and provide Developer written notice thereof within ninety (90) calendar days of receipt of all the required information from Developer.

14.6 Reconciliation; Final Credit Offset against TUMF Obligation. The Developer is aware and accepts the fact that Credits are speculative and conceptual in nature. The actual amount of Credit that shall be applied by City to offset the TUMF Obligation shall be equal to the lesser of: (A) the Verified Costs or (B) Unit Cost Assumptions for the TUMF Improvements as determined in accordance with Section 14.4 of this Agreement ("Actual Credit"). No Actual Credit will be awarded until the Verified Costs are determined through the reconciliation process. Please be advised that while a Developer may use an engineer's estimate in order to estimate Credits for project planning purposes, the Actual Credit awarded will only be determined by the reconciliation process.

(a) TUMF Balance. If the dollar amount of the Actual Credit is less than the dollar amount of the TUMF Obligation ("TUMF Balance"), the City Public Works Director shall provide written notice to Developer of the amount of the TUMF Balance and Developer shall pay the TUMF Balance in accordance with City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44 to fully satisfy the TUMF Obligation (see Exhibit "F" - Example "A").

(b) TUMF Reimbursement. If the dollar amount of the Actual Credit exceeds the TUMF Obligation, Developer will be deemed to have fully satisfied the TUMF Obligation for the Project and may apply for a reimbursement agreement, to the extent applicable, as provided in Section 14.7 of this Agreement. City shall provide Developer written notice of the determinations that City makes pursuant to this section (see Exhibit "F" - Example "B").

(c) TUMF Overpayment. If the dollar amount of the Actual Credit exceeds the Estimated Cost, but is less than the TUMF Obligation, but the Actual Credit plus additional monies collected by City from Developer for the TUMF Obligation exceed the TUMF Obligation ("TUMF Overpayment"), Developer will be deemed to have fully satisfied the TUMF Obligation for the Project and may be entitled to a refund. The City Public Works Director shall provide written notice to WRCOG and the Developer of the amount of the TUMF Overpayment and WRCOG shall refund the Developer in accordance with City Municipal Code Section 3.44 (see Exhibit "F" - Example C).

14.7 Reimbursement Agreement. If authorized under either Section 14.4 or Section 14.6, Developer may apply to City and WRCOG for a reimbursement agreement for the amount by which the Actual Credit exceeds the TUMF Obligation, as determined pursuant to Section 14.4 of this Agreement, City Municipal Code Section 3.44, and the TUMF Administrative Plan adopted by WRCOG ("Reimbursement Agreement"). If City and WRCOG agree to a Reimbursement Agreement with Developer, the Reimbursement Agreement shall be executed on the form set forth in Exhibit "D", and shall contain the terms and conditions set forth therein. The Parties agree that the Reimbursement Agreement shall be subject to all terms and conditions of this Agreement, and that upon execution, an executed copy of the Reimbursement Agreement shall be attached hereto and shall be incorporated herein as a material part of this Agreement as though fully set forth herein.

15.0 Miscellaneous.

15.1 Assignment. Developer may assign all or a portion of its rights pursuant to this Agreement to a purchaser of a portion or portions of the Property ("Assignment"). Developer and such purchaser and assignee ("Assignee") shall provide to City such reasonable proof as it may require that Assignee is the purchaser of such portions of the Property. Any assignment pursuant to this section shall not be effective unless and until Developer and Assignee have executed an assignment agreement with City in a form reasonably acceptable to City, whereby Developer and Assignee agree, except as may be otherwise specifically provided therein, to the following: (1) that Assignee shall receive all or a portion of Developer's rights pursuant to this Agreement, including such credit as is determined to be applicable to the portion of the Property purchased by Assignee pursuant to Section 14.0 et seq. of this Agreement, and (2) that Assignee shall be bound by all applicable provisions of this Agreement.

15.2 Relationship between the Parties. The Parties hereby mutually agree that this Agreement shall not operate to create the relationship of partnership, joint venture, or agency between City and Developer. Developer's contractors are exclusively and solely under the control and dominion of Developer. Nothing herein shall be deemed to make Developer or its contractors an agent or contractor of City.

15.3 Warranty as to Property Ownership; Authority to Enter Agreement. Developer hereby warrants that it owns fee title to the Property and that it has the legal capacity to enter into this Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

15.4 Prohibited Interests. Developer warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for Developer, to solicit or secure this Agreement. Developer also warrants that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for Developer, any fee, commission, percentage, brokerage fee, gift, or other consideration contingent upon the making of this Agreement. For breach of this warranty, City shall have the right to rescind this Agreement without liability.

15.5 Notices. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other addresses as the Parties may designate by written notice:

To City: City of Moreno Valley
Land Development
Attn: City Engineer
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Fax No. 951.413.3158

To Developer: USAA Real Estate Company
Attn: David Buck
9830 Colonnade Boulevard, Suite 600
San Antonio, TX 78230
Fax No. (210) 641-8463

Depending upon the method of transmittal, notice shall be deemed received as follows: by facsimile, as of the date and time sent; by messenger, as of the date delivered; and by U.S. Mail first class postage prepaid, as of 72 hours after deposit in the U.S. Mail.

15.6 Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate, or convenient to attain the purposes of this Agreement.

15.7 Construction; References; Captions. It being agreed the Parties or their agents have participated in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days, or period for performance shall be deemed calendar days and not work days. All references to Developer include all personnel, employees, agents, and contractors of Developer, except as otherwise specified in this Agreement. All references to City include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

15.8 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

15.9 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual right by custom, estoppel, or otherwise.

15.10 Binding Effect. Each and all of the covenants and conditions shall be binding on and shall inure to the benefit of the Parties, and their successors, heirs, personal representatives, or assigns. This section shall not be construed as an authorization for any Party to assign any right or obligation.

15.11 No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

15.12 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

15.13 Consent to Jurisdiction and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of California. Any legal action or proceeding brought to interpret or enforce this Agreement, or which in any way arises out of the Parties' activities undertaken pursuant to this Agreement, shall be filed and prosecuted in the appropriate California State Court in the County of Riverside, California. Each Party waives the benefit of any provision of state or federal law providing for a change of venue to any other court or jurisdiction including, without limitation, a change of venue based on the fact that a governmental entity is a party to the action or proceeding, or that a federal right or question is involved or alleged to be involved in the action or proceeding. Without limiting the generality of the foregoing waiver, Developer expressly waives any right to have venue transferred pursuant to California Code of Civil Procedure Section 394.

15.14 Time is of the Essence. Time is of the essence in this Agreement, and the Parties agree to execute all documents and proceed with due diligence to complete all covenants and conditions.

15.15 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original and which collectively shall constitute one instrument.

15.16 Entire Agreement. This Agreement contains the entire agreement between City and Developer and supersedes any prior oral or written statements or agreements between City and Developer.

[SIGNATURES OF PARTIES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

DEVELOPER:
US Real Estate Limited Partnership,
a Texas limited partnership

By: USAA Real Estate Company,
a Delaware corporation
Its: General Partner

By: Signature on following page
David J. Buck
Managing Director

ATTEST:
By: _____

Its: _____

City of Moreno Valley

By: _____

Its: _____

ATTEST:
By: _____

Its: _____

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

Developer Signature & Acknowledgement
Improvement and Credit / Reimbursement Agreement No. T12-001
Transportation Uniform Mitigation Fee Program
Centerpointe Logistics Center

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 24th day of April, 2012.

Debra Kasuda
Notary Public
My Commission Expires: 11/9/2013

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

[ATTACHED BEHIND THIS PAGE]

DESCRIPTION

THOSE PORTIONS OF LOT 1 IN BLOCK 15 AND OF LOT 4 IN BLOCK 14 OF ALESSANDRO TRACT, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP RECORDED IN BOOK 6, PAGES 13, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF THE UNNAMED 60.00 FEET WIDE STREET WITHIN SAID BLOCKS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTH LINE OF SAID LOT PROLONGED TO THE WEST LINE OF BLOCK 259 OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., MAP NO. 1, AS SHOWN BY MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE SOUTHERLY ON SAID WEST LINE TO THE NORTH LINE OF THE LAND DESCRIBED TO THE STATE OF CALIFORNIA BY FINAL DECREE OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED NOVEMBER 4, 1957 AS INSTRUMENT NO. 78851, IN BOOK 2172 PAGE 410 OFFICIAL RECORDS.
THENCE WESTERLY ON LAST SAID NORTH LINE TO THE WEST LINE OF SAID LOT 4;
THENCE NORTH ON SAID WEST LINE TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION LYING WITHIN PARCEL MAP 17864 AS SHOWN BY MAP RECORDED IN BOOK 129, PAGES 79 THROUGH 82, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

ALSO EXCEPT THAT PORTION LYING WITHIN PARCEL MAP 23586-1, AS SHOWN BY MAP RECORDED IN BOOK 177, PAGES 18 THROUGH 20, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

APN 297-150-055-2

NOTE: SAID LAND IS ALSO KNOWN AS ALL THAT PROPERTY LYING WITHIN THE BOUNDARIES OF TENTATIVE PARCEL MAP 34572.

EXHIBIT "B"

FORMS FOR SECURITY

[ATTACHED BEHIND THIS PAGE]

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS FOR PROJECT NO. PA08-0072

APN NO. 297-150-055

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **US Real Estate Limited Partnership, a Texas Limited Partnership**, herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA08-0072** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **THREE MILLION ONE HUNDRED ONE THOUSAND AND NO/100** Dollars (*****$3,101,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **ONE MILLION FIVE HUNDRED FIFTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$1,550,500.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security in accordance with the City's Municipal Code at anytime during the term of this agreement, subject to approval by the City Engineer and City Attorney.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Developer further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA08-0072

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
US Real Estate Limited Partnership,
a Texas Limited Partnership
9830 Colonnade Blvd., Suite 600
San Antonio, TX 78230

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: 3/21/12

US Real Estate Limited Partnership, a Texas Limited Partnership:
Developer

BY: _____
Signature

DAVID BUCK
Print/Type Name Managing Director

_____
Title

BY: _____
Signature STANLEY R. ALTERMAN
Executive Managing Director

Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 20 MAR 2012

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA08-0072 - Agreement.doc

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG 2/15/12

PROJECT: PA08-0072
0
Concourse at Centerpointe

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			2993	C.Y.	29.00	86,797
A.B. Class II - Street 1	1	Thickness (ft.)				
	52476	S.F.	3804	Ton	33.00	125,532
Resource Wy						
A.C. - Street 1	0.5	Thickness (ft.)				
	52476	S.F.	1902	Ton	80.00	152,160
Resource Wy			25	C.Y.	29.00	725
Roadway Excavation						
A.B. Class II - Street 2	0.67	Thickness (ft.)				
	2110	S.F.	102	Ton	33.00	3,366
Frederick St						
A.C. - Street 2	0.45	Thickness (ft.)				
	2110	S.F.	68	Ton	80.00	5,440
Frederick St			0	C.Y.	29.00	0
Roadway Excavation						
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
			0	C.Y.	29.00	0
Roadway Excavation						
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
			0	C.Y.	29.00	0
Roadway Excavation						
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
			0	C.Y.	29.00	0
Roadway Excavation						
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
			0	C.Y.	29.00	0
Roadway Excavation						
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			4000	C.Y.	29.00	116,000
A.B. Class II - Street 1	1	Thickness (ft.)				
	80360	S.F.	5826	Ton	33.00	192,258
Cactus Ave						
A.C. - Street 1	0.5	Thickness (ft.)				
	80360	S.F.	2913	Ton	80.00	233,040
Cactus Ave			0	C.Y.	29.00	0
Roadway Excavation						
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
			0	C.Y.	29.00	0
Roadway Excavation						
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
			0	C.Y.	29.00	0
Roadway Excavation						
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	915,318

VBG
2/15/12

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

PROJECT: PA08-0072
0 PUBLIC STREET WORK
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15' Frederick St & Resource Wy	33233	S.F.	3.25	108,007
A.C. Cap/Overlay Frederick St & Resource Wy	0	Ton	80.00	0
Grind & Pave 0.15' Cactus Ave	8310	S.F.	3.25	27,008
A.C. Cap/Overlay Cactus Ave	0	Ton	80.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.20	0
Sawcut	2600	L.F.	3.00	7,800
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
Curb Transition	140	L.F.	10.00	1,400
Curb Only - 8"	2576	L.F.	15.00	38,640
Adjust M.H. to Grade	21	EA.	800.00	16,800
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	3.00	0
Remove Existing Curb & Gutter Frederick St & Resource Wy	290	L.F.	12.00	3,480
Remove Existing Curb & Gutter Cactus Ave	84	L.F.	12.00	1,008
Concrete				
P.C.C. Paving - 6"	0	S.F.	6.50	0
P.C.C. Paving - 8"	0	S.F.	10.50	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" Frederick Ave and Resource Wy	25	L.F.	30.00	750
Curb and Gutter - 8" (TUMF Cactus Ave)	1147	L.F.	30.00	34,410
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Cactus Ave)	2576	L.F.	25.00	64,400
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	10.25	0
Sidewalk	0	S.F.	4.25	0
Sidewalk Frederick St & Resource Wy	6272	S.F.	7.00	43,904
Sidewalk (DIF Cactus Ave)	8466	S.F.	7.00	59,262
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 8" Cactus Ave	6164	S.F.	6.50	40,066
Driveway Approach - 8" Frederick St & Resource Wy	2352	S.F.	10.50	24,696
Wheelchair Ramp Cactus Ave	1	EA.	2,600.00	2,600
Alley Approach - 8"	0	S.F.	10.25	0
1/2 Alley Apron	0	S.F.	10.25	0
Barricade	0	L.F.	100.00	0
Bus Bay Cactus Ave	1	EA.	15,000.00	15,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Remove sign	4	EA.	200.00	800
Curb Pocket for Sewer Manhole	0	EA.	5,000.00	0
Remove Existing Driveway Frederick St & Resource Wy	3964	SF	3.00	11,892
Remove Existing Driveway Cactus Ave	1136	SF	3.00	3,408
			SUBTOTAL	505,331
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	1	L.S.	–	7,890
Traffic Striping (DIF Street)	0	L.S.	–	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	10000	0
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	9	EA.	800.00	7,200
Metal Guard Rail	0	L.F.	90.00	0
Adjust Existing Traffic Controller	2	EA.	1,500.00	3,000
			SUBTOTAL:	19,090
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	198.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments - Cactus Ave	1	EA.	300.00	300
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	300

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG
2/15/12

PROJECT: PA08-0072 0 PUBLIC STREET WORK (CONTINUED)
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	11384	S.F.	6.00	68,304
Landscaping - Parkways	5325	S.F.	6.00	31,950
Street Lights (9500 lumen)	0	EA.	5,000.00	0
Street Lights (22000 lumen)	7	EA.	6,000.00	42,000
			SPECIAL DISTRICTS SUBTOTAL:	142,254
Moreno Valley Utilities				
Electrical Utility Infrastructure	1	L.S.	136,000.00	136,000
			MVU SUBTOTAL:	136,000
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination	0	EA.	272,000.00	0
Traffic Signal Modification	1	L.S.	45000	45,000
Traffic Signal Interconnect (Existing Signals Only) Frederick St	840	L.F.	30.00	25,200
Traffic Signal Interconnect (Existing Signals Only) Cactus Ave	1415	L.F.	30.00	42,450
			TRANSPORTATION SUBTOTAL:	112,650

VBG
2/15/12

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

PROJECT: PA08-0072 0 PUBLIC STORM DRAIN SYSTEM
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	79	L.F.	160.00	12,640
24" Reinforced Concrete Pipe (DIF Cactus Ave)	209	L.F.	160.00	33,440
30" Reinforced Concrete Pipe	688	L.F.	180.00	123,840
36" Reinforced Concrete Pipe	370	L.F.	190.00	70,300
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	47	L.F.	210.00	9,870
48" Reinforced Concrete Pipe	635	L.F.	250.00	158,750
54" Reinforced Concrete Pipe	85	L.F.	300.00	25,500
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
6' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
Concrete Backfill	230	L.F.	20.00	4,600
Manholes				
Manhole No. 1	3	EA.	5000.00	15,000
Manhole No. 2	4	EA.	7200.00	28,800
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	2	EA.	10000.00	20,000
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	3	EA.	5500.00	16,500
Catch Basin (10')	0	EA.	6000.00	0
Catch Basin (14')	2	EA.	8000.00	16,000
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	3	EA.	535.00	1,605
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Cactus Ave)	3	EA.	5500.00	16,500
Catch Basin (10') DIF Street Name)	0	EA.	6000.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (28') (DIF Resource)	1	EA.	16000.00	16,000
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Remove Catch Basin	1	EA.	500.00	500
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG
2/15/12

PROJECT: PA08-0072
0
Concourse at Centerpointe

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	3	EA.	6500.00	19,500
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	4000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	2	EA.	5500.00	11,000
Removal of Headwall	2	EA.	3000.00	6,000
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	1	EA.	1000.00	1,000
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	50	TON	60.00	3,000
Remove Existing 42" Storm Drain	95	L.F.	10.00	950
Remove Existing 36" Storm Drain	85	L.F.	10.00	850
Special Pipe Connection	2	E.A.	1000.00	2,000
Remove Existing AC Pavement	13054	L.F.	3.00	39,162
Sawcut	2354	L.F.	1.00	2,354
Remove Existing 30" RCP	9	L.F.	9.00	81
Relocate Existing Electrical Conduit	180	L.F.	50.00	9,000
Relocate Existing Gas Line	50	L.F.	150.00	7,500
Special Pipe Protection	2	E.A.	0.00	1,250
Remove Existing Catch Basin	1	EA.	500	500
			SUBTOTAL:	676,992

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG
2/15/12

PROJECT: PA08-0072 0 PUBLIC WATER SYSTEMS
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	35	L.F.	60.00	2,100
16" CML&C	45	L.F.	90.00	4,050
12" CML&C	10	L.F.	95.00	950
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	2	EA.	1,340.00	2,680
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	1	EA.	2,400.00	0
Relocate 2" Air Vac Release	1	EA.	4,000.00	4,000
2" Backflow Preventor, Pad & Cover	2	EA.	4,300.00	8,600
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	4	EA.	4,500.00	18,000
Relocate Fire Hydrants	2		0.00	0
Services Connections				
1" Service	1	EA.	800.00	800
1" Service w/ 5/8" Service	0	EA.	2,000.00	0
1 1/2" Service	1	EA.	1,100.00	1,100
2" Service	2	EA.	1,600.00	3,200
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	1		320.00	320
1 1/2" Meter	0		420.00	0
2" Meter	3		525.00	1,575
Relocate Water Meter	2	EA.	1,000.00	2,000
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	2	EA.	2,200.00	4,400
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	2	EA.	1,000.00	
Water Service	2	EA.	330.00	660
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	1	CY	150.00	150
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	3	EA.	235.00	705
Relocate 24" Water Line	55	L.F.	75.00	4,125
Remove 12" Water Line	20	L.F.	20.00	400
Relocate 12" Water Line	45	L.F.	50.00	2,250
Remove and Relocate Existing CTS	1	EA.	2,500.00	2,500
			SUBTOTAL:	64,565

VBG
2/15/12

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

PROJECT: PA08-0072 0 PUBLIC SEWER SYSTEMS
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	55	L.F.	40.00	2,200
8" V.C. Pipe	12	L.F.	55.00	660
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	0	L.F.	80.00	0
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0		20.00	0
			0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	1	EA.	3,140.00	3,140
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	4	EA.	630.00	2,520
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	2	EA.	1,500.00	3,000
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pavement around MH	0	S.F.	14.00	0
	0		0.00	0
Miscelleneous - Sewer System				
Wyes	1	EA.	90.00	90
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	11,610

VBG
2/15/12

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PA08-0072
0
Concourse at Centerpointe

DATE: 02/15/12
PREPARED BY: Vince Giron

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$915,318
OFFSITE STREET WORK	:	$505,331
SPECIAL DISTRICTS	:	$142,254
MORENO VALLEY UTILITIES	:	$136,000
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$112,650
STORM DRAIN SYSTEM	:	$676,992
WATER SYSTEM	:	$64,565
SEWER SYSTEM	:	$11,610
TRAFFIC IMPROVEMENTS	:	$19,090
BONDABLE WORK (not plan checked)	:	$300
TOTAL COST (VALUE) OF IMPROVEMENTS:		$2,584,110
+20% CONTINGENCY:		$516,822
GRAND TOTAL:		$3,100,932

BOND AMOUNT: $3,101,000

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $3,101,000.00

Project No. PA08-0072

Bond No. 105700873

Premium

Surety Travelers Casualty & Surety Co. of America A+(XV) CA

Principal US Real Estate Limited Partnership a Texas Limited Partnership

Address 1301 E. Collins Blvd., #340

Address 9830 Colonnade Blvd., Suite 600

City/Zip Richardson, TX 75081

City/Zip San Antonio, TX 78230

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **US Real Estate Limited Partnership, a Texas limited partnership,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA08-0072**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty & Surety Co. of America A+(XV) CA as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **THREE MILLION ONE HUNDRED ONE THOUSAND AND NO/100** Dollars (*****$3,101,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

RISK MANAGEMENT
Approved

M. Alonzo 3-6-12
By Date

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA08-0072

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on February 29, 20 12.

NAME OF PRINCIPAL: US Real Estate Limited Partnership, a Texas limited partnership
Company Name

AUTHORIZED SIGNATURE(S): By _____ Managing Director
Name STANLEY R. ALTERMAN Title

_____ Executive Managing Director
Name Title

NAME OF SURETY: A+(XV) CA Travelers Casualty & Surety Co. of America
Company Name

AUTHORIZED SIGNATURE: _____ ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA08-0072 - Faithful Performance Bond.DOC

WARNING: THIS POWER OF ATTORNEY IS INVALID

TRAVELERS

A+(XV) CA

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704466

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

MARIE C. TETREAULT NOTARY PUBLIC CONNECTICUT

Marie C. Tetreault, Notary Public

58440-6-11 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

MV00173392

Principal Signature Page
Faithful Performance Bond
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By: _____
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

_____
Notary Public
My Commission Expires: 11/9/2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

_____
Notary Public
My Commission Expires: 11/9/2013

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $1,550,500.00

Bond No. 105700874

Surety Travelers Casualty & Surety Co. of America (xx) CA

Address 1301 E. Collins Blvd., #340

City/Zip Richardson, TX 75081

Project No. PA08-0072

Premium

Principal US Real Estate Limited Partnership a Texas Limited Partnership

Address 9830 Colonnade Blvd., Suite 600

City/Zip San Antonio, TX 78230

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **US Real Estate Limited Partnership, a Texas limited partnership,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA08-0072**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **ONE MILLION FIVE HUNDRED FIFTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$1,550,500.00*****) lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

RISK MANAGEMENT
Approved

By

3-6-12
Date

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA08-0072

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on February 29, 2012.

NAME OF PRINCIPAL: US Real Estate Limited Partnership, a Texas limited partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

Name — Managing Director
Title

Name — STANLEY R. ALTERMAN
Executive Managing Director
Title

NAME OF SURETY: A+(XV) CA
Travelers Casualty & Surety Co. of America
Company Name

AUTHORIZED SIGNATURE: ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA08-0072 - Material Labor Bond.DOC

TRAVELERS

A+(XV) CA

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704465

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

MV00173396

Principal Signature Page
Material and Labor Bond
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By: _____
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

USAA

USAA Real Estate Company

March 13, 2012

Sent Via FedEx
Liz Plazola
CEDD/Land Development
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Re: PA08-0072 – Agreement for Public Improvements – M&L Bond

Dear Ms. Plazola:

Enclosed you will find one original of the Rider to the Material and Labor Bond previously submitted to you in connection with the above referenced project. The Bond was intended to be issued under the same Bond Number as the Performance Bond. The enclosed Rider simply amends the Bond to reflect the corrected Bond Number.

Should you have any questions or require any further information, please do not hesitate contacting me direct at (210) 641-8484.

Sincerely,

David J. Buck
Managing Director

Cc: Steve Ames, USAA Real Estate Company
Tony Byron, USAA Real Estate Company
Timur Tecimer, Overton Moore Properties
Denise Woodard, LSA Associates

9830 Colonnade Boulevard, Suite 600 San Antonio, Texas 78230-2239

Principal Signature Page
Material and Labor Bond Rider
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By:
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By:
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 12th day of March, 2012.

Notary Public
My Commission Expires: 11/9/13

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 12th day of March, 2012.

Notary Public
My Commission Expires: 11/9/13

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

TRAVELERS

License No. _____

RIDER

To be attached to and form part of Bond No. 105700874.

Issued on behalf of US Real Estate Limited Partnership, a Texas Limited Partnership as Principal, and in favor of "City of Moreno Valley, CA" as Obligee.

It is agreed that:

☐ 1. The Surety hereby gives its consent to change the Name:

from: _____

to: _____

☐ 2. The Surety hereby gives its consent to change the Address:

from: _____

to: _____

☒ 3. The Surety hereby gives its consent to change the Bond Number:

from: 105700874

to: 105700873

4. This rider shall become effective as of February 29, 2012

PROVIDED, however, that the liability of the Surety under the attached bond as changed by this Rider shall not be cumulative.

Signed, sealed and dated March 7, 2012.

Travelers Casualty & Surety Co. of America

By: Jennifer Lea Wingfield
Jennifer Lea Wingfield Attorney-in-Fact

Accepted: _____
Obligee

By: _____

or US Real Estate Limited Partnership, a Texas Limited Partnership
Principal

By: "SEE ATTACHED SIGNATURE PAGE"

S-4111 (8/66)

WARNING: THIS POWER OF ATTORNEY IS INVALID

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704467

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

MV00173401

EXHIBIT "C"

DOCUMENTATION TO BE PROVIDED TO CITY BY DEVELOPER FOR DETERMINATION OF CONSTRUCTION COSTS

To assist City in determining the Construction Costs for a completed TUMF Improvement, Developer shall provide the following documents to City:

1. Plans, specifications and Developer's civil engineer's cost estimate;
2. List of bidders from whom bids were requested;
3. Construction schedules and progress reports;
4. Contracts, insurance certificates and change orders with each contractor or vendor;
5. Invoices received from all vendors;
6. Canceled checks for payments made to contractors and vendors (copy both front and back of canceled checks);
7. Spreadsheet showing total costs incurred in and related to the construction of each TUMF Improvement and the check number for each item of cost and invoice;
8. Final lien releases from each contractor and vendor; and
9. Such further documentation as may be reasonably required by City to evidence the completion of construction and the payment of each item of cost and invoice.

EXHIBIT "D"
REIMBURSEMENT AGREEMENT
TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM

NUMBER T12-001

THIS REIMBURSEMENT AGREEMENT ("Agreement") is entered into this _____ day of _____, 20___, by and between the City of Moreno Valley, a California municipal corporation ("City"), and US Real Estate Limited Partnership a Texas limited partnership, by its general partner USAA Real Estate Company, a Delaware corporation, with its principal place of business at 9830 Colonnade Boulevard, Suite 600, San Antonio, Texas 78230 ("Developer"). City and Developer are sometimes hereinafter referred to individually as "Party" and collectively as "Parties."

RECITALS

WHEREAS, City and Developer are parties to an agreement dated _____, 20___, entitled "Improvement and Credit Agreement - Transportation Uniform Mitigation Fee Program" (hereinafter "Credit Agreement");

WHEREAS, Sections 14.1 through 14.4 of the Credit Agreement provide that Developer is obligated to pay City the TUMF Obligation, as defined therein, but shall receive credit to offset the TUMF Obligation if Developer constructs and City accepts the TUMF Improvements in accordance with the Credit Agreement;

WHEREAS, Section 14.5 of the Credit Agreement provides that if the dollar amount of the credit to which Developer is entitled under the Credit Agreement exceeds the dollar amount of the TUMF Obligation, Developer may apply to City and WRCOG for a reimbursement agreement for the amount by which the credit exceeds the TUMF Obligation;

WHEREAS, Section 14.5 additionally provides that a reimbursement agreement executed pursuant to the Credit Agreement (i) shall be executed on the form attached to the Credit Agreement, (ii) shall contain the terms and conditions set forth therein, (iii) shall be subject to all terms and conditions of the Credit Agreement, and (iv) shall be attached upon execution to the Credit Agreement and incorporated therein as a material part of the Credit Agreement as though fully set forth therein; and

WHEREAS, City and WRCOG have consented to execute a reimbursement agreement with Developer pursuant to the Credit Agreement, City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44, and the TUMF Administrative Plan adopted by WRCOG.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, the Parties hereby agree as follows:

TERMS

1.0 Incorporation of Recitals. The Parties hereby affirm the facts set forth in the Recitals above and agree to the incorporation of the Recitals as though fully set forth herein.

2.0 Effectiveness. This Agreement shall not be effective unless and until the Credit Agreement is effective and in full force in accordance with its terms.

3.0 Definitions. Terms not otherwise expressly defined in this Agreement, shall have the meaning and intent set forth in the Credit Agreement.

4.0 Amount of Reimbursement. Subject to the terms, conditions, and limitations set forth in this Agreement, the Parties hereby agree that Developer is entitled to receive the dollar amount by which the Actual Credit exceeds the dollar amount of the TUMF Obligation as determined pursuant to the Credit Agreement, City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44, and the TUMF Administrative Plan adopted by WRCOG ("Reimbursement"). The Reimbursement shall be subject to verification by WRCOG. City and Developer shall provide any and all documentation reasonably necessary for WRCOG to verify the amount of the Reimbursement. The Reimbursement shall be in an amount not exceeding _____ ($_____) ("Reimbursement Amount"). WRCOG shall pay the Reimbursement Amount to City and the City shall be responsible for transmitting the Reimbursement Agreement to the Developer. In no event shall the dollar amount of the Reimbursement exceed the difference between the dollar amount of all credit applied to offset the TUMF Obligation pursuant to Section 14.4, 14.5, and 14.6 of the Credit Agreement, and one hundred (100%) of the approved unit awarded, as such assumptions are indentified and determined in the Nexus Study and the TUMF Administrative Plan adopted by WRCOG.

5.0 Payment of Reimbursement; Funding Contingency. The payment of the Reimbursement Agreement shall be subject to the following conditions:

5.1 Developer shall have no right to receive payment of the Reimbursement unless and until (i) the TUMF Improvements are completed and accepted by City in accordance with the Credit Agreement, (ii) the TUMF Improvements are scheduled for funding pursuant to the five-year Transportation Improvement Program adopted annually by WRCOG, (iii) WRCOG has funds available and appropriated for payment of the Reimbursement amount.

5.2 Developer shall not be entitled to any interest or other cost adjustment for any delay between the time when the dollar amount of the Reimbursement is determined and the time when payment of the Reimbursement is made to Developer by WRCOG through City.

6.0 Affirmation of Credit Agreement. City and Developer represent and warrant to each other that there have been no written or oral modifications or amendments of the Credit

Agreement, except by this Agreement. City and Developer ratify and reaffirm each and every one of their respective rights and obligations arising under the Credit Agreement. City and Developer represent and warrant that the Credit Agreement is currently an effective, valid, and binding obligation.

7.0 Incorporation Into Credit Agreement. Upon execution of this Agreement, an executed original of this Agreement shall be attached as Exhibit "D" to the Credit Agreement and shall be incorporated therein as a material part of the Credit Agreement as though fully set forth therein.

8.0 Terms of Credit Agreement Controlling. Each Party hereby affirms that all provisions of the Credit Agreement are in full force and effect and shall govern the actions of the Parties under this Agreement as though fully set forth herein and made specifically applicable hereto, including without limitation, the following sections of the Credit Agreement: Sections 10.0 through 10.3, Section 12.0, Sections 13.0 through 13.7, Sections 14.0 through 14.7, and Sections 15.0 through 15.17.

[SIGNATURES OF PARTIES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

DEVELOPER:
US Real Estate Limited Partnership,
a Texas limited partnership

By: USAA Real Estate Company,
a Delaware corporation
Its: General Partner

By: _____
David J. Buck
Managing Director

ATTEST:
By: _____

Its: _____

City of Moreno Valley

By: _____

Its: _____

ATTEST:
By: _____

Its: _____

APPROVED AS TO FORM:
CITY ATTORNEY

Date:_____

By:_____
City Attorney

EXHIBIT "E"

TUMF CREDIT / REIMBURSEMENT ELIGIBILITY PROCESS

1. Prior to the construction of any TUMF Improvement, Developer shall follow the steps listed below:
    a. Prepare a separate bid package for the TUMF Improvements.
    b. The plans, cost estimate, specifications and contract document shall require all contractors to pay prevailing wages and to comply with applicable provisions of the Labor Code, Government Code, and Public Contract Code relating to Public Works Projects.
    c. Bids shall be obtained and processed in accordance with the formal public works bidding requirements of the City/County.
    d. The contract(s) for the construction of TUMF Improvements shall be awarded to the lowest responsible bidder(s) for the construction of such facilities in accordance with the City's/County's requirements and guidelines.
    e. Contractor(s) shall be required to provide proof of insurance coverage throughout the duration of the construction.
2. Prior to the determination and application of any Credit pursuant to a TUMF Improvement and Credit Agreement executed between City/County and Developer ("Agreement"), Developer shall provide the City/County and WRCOG with the following:
    a. Copies of all information listed under Item 1 above.
    b. Surety Bond, Letter of Credit, or other form of security permitted under the Agreement and acceptable to the City/County and WRCOG, guaranteeing the construction of all applicable TUMF Improvements.
3. Prior to the City's/County's acceptance of any completed TUMF Improvement, and in order to initiate the construction cost verification process, the Developer shall comply with the requirements as set forth in Sections 7, 14.3 and 14.4 of the Agreement, and the following conditions shall also be satisfied:
    a. Developer shall have completed the construction of all TUMF Improvements in accordance with the approved Plans and Specifications.
    b. Developer shall have satisfied the City's/County's inspection punch list.
    c. After final inspection and approval of the completed TUMF Improvements, the City/County shall have provided the Developer a final inspection release letter.
    d. City/County shall have filed a Notice of Completion with respect to the TUMF Improvements pursuant to Section 3093 of the Civil Code with the County Recorder's Office, and provided a copy of filed Notice of Completion to WRCOG.
    e. Developer shall have provided City/County a copy of the As-Built plans for the TUMF Improvements.
    f. Developer shall have provided City/County copies of all permits or agreements that may have been required by various resource/regulatory agencies for construction, operation and maintenance of any TUMF Improvements.
    g. Developer shall have submitted a documentation package to the City/County to determine the final cost of the TUMF Improvements, which shall include at a minimum, the following documents related to the TUMF Improvements:
        i. Plans, specifications, and Developer's Civil Engineer's cost estimates; or Engineer's Report showing the cost estimates.
        ii. Contracts/agreements, insurance certificates and change orders with each vendor or contractor.
        iii. Invoices from all vendors and service providers.
        iv. Copies of cancelled checks, front and back, for payments made to contractors, vendors and service providers.
        v. Final lien releases from each contractor and vendor (unconditional waiver and release).

vi. Certified contract workers payroll for City/County verification of compliance with prevailing wages.
vii. A total cost summary, in spreadsheet format (MS Excel is preferred) and on disk, showing a breakdown of the total costs incurred. The summary should include for each item claimed the check number, cost, invoice numbers, and name of payee. See attached sample for details.

EXHIBIT "F"

RECONCILIATION EXAMPLES

All examples are based on a single family residential development project of 200 dwelling units:
200 SF dwelling units @ $6,650 / dwelling unit = $1,330,000 in fees (TUMF Obligation)

Example A: "TUMF BALANCE"

CREDIT	
TUMF Obligation:	$1,330,000
Estimated Cost: Bid ($1,500,000) or unit Cost Assumption ($1,600,000) whichever is less	$1,500,000
Potential Reimbursement:	($170,000)
RECONCILIATION	
TUMF Obligation:	$1,330,000
Actual Credit:	$1,200,000
TUMF Balance (Payment to TUMF):	**$130,000**

Example B: "REIMBURSEMENT"

CREDIT	
TUMF Obligation:	$1,330,000
Estimated Cost: Bid ($1,500,000) or unit Cost Assumption ($1,600,000) whichever is less	$1,500,000
Potential Reimbursement:	($170,000)
RECONCILIATION	
TUMF Obligation:	$1,330,000
Actual Credit:	$1,500,000
Reimbursement Agreement with Developer (Based on Priority Ranking):	**($170,000)**

Example C: "TUMF OVERPAYMENT"

CREDIT	
TUMF Obligation:	$1,330,000
Estimated Cost: Bid ($1,200,000) or unit Cost Assumption ($1,500,000) whichever is less	$1,200,000
Remaining TUMF Obligation:	$130,000
Prorated Fee: $130,000 / 200 du =	$650 / du
RECONCILIATION	
Actual Credit:	$1,300,000
TUMF payments from Developer ($650 per unit x 200 units)	$130,000
Actual Credit plus TUMF Payment	$1,430,000
TUMF Obligation:	$1,330,000
Actual Credit plus TUMF Payment	$1,430,000
TUMF Overpayment (Refund to Developer):	**($100,000)**

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

DEVELOPER:
US Real Estate Limited Partnership,
a Texas limited partnership

By: USAA Real Estate Company,
a Delaware corporation
Its: General Partner

By: _____
David J. Buck
Managing Director

ATTEST:
By: Steven A. Waters
Its: Secretary

City of Moreno Valley

By: _____

Its: _____

ATTEST:
By: _____

Its: _____

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	SMB
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: PM 35150 – INDUSTRIAL – ACCEPT THE SUBSTITUTION AGREEMENT AND SECURITY FOR PUBLIC IMPROVEMENTS

NORTHWEST CORNER OF INDIAN STREET AND NANDINA AVENUE

DEVELOPER: FR/CAL MORENO VALLEY, LLC
114 PACIFICA, SUITE 220
IRVINE, CA 92618

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and Security for PM 35150.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by FR/CAL Moreno Valley, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

BACKGROUND

On July 12, 2007, the Planning Commission of the City of Moreno Valley approved the Conditions of Approval and Mitigation Monitoring Program for Tentative Parcel Map 35150. This industrial project is located on approximately 53.27 acres of land located at the southwest corner of Indian Street and San Michele Road.

On July 8, 2008, The City Council of the City of Moreno Valley approved Final Map 35150 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 35150 provided a Faithful Performance Bond in the amount of $7,721,000 and a Material and Labor Bond in the amount of $3,860,500 issued by Travelers Casualty and Surety Company of America.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by the developer upon acceptance of the substitution agreement and cash security.

The Developer has submitted the substitute Agreement for Public Improvements and cash security for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. If the required street improvements are not completed within said timeframe, the City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval.

Accompanying the agreement is a Faithful Performance cash security in the amount of $7,721,000 and a Material and Labor cash security in the amount of 3,860,500. The cash security shall be placed in an escrow account with First American Title Insurance Company and will allow for disbursement of funds in accordance with the details in the Agreement for Public Improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project.

FISCAL IMPACT

No fiscal impact is anticipated.

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Security
Exhibit “D” - Material and Labor Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

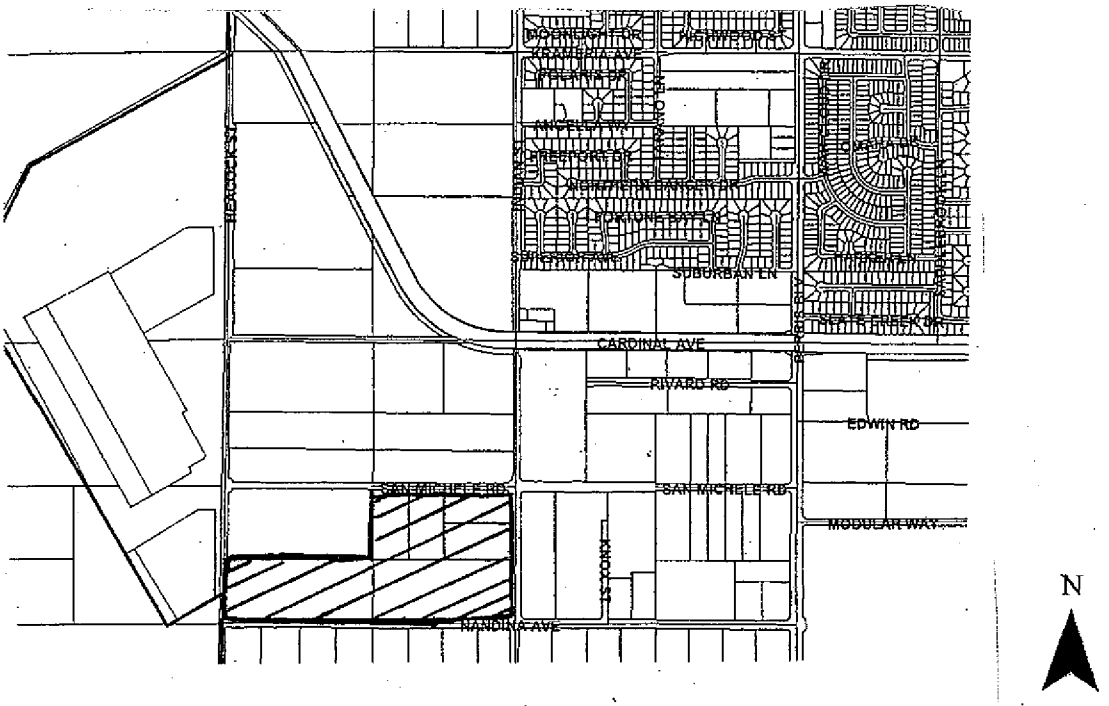

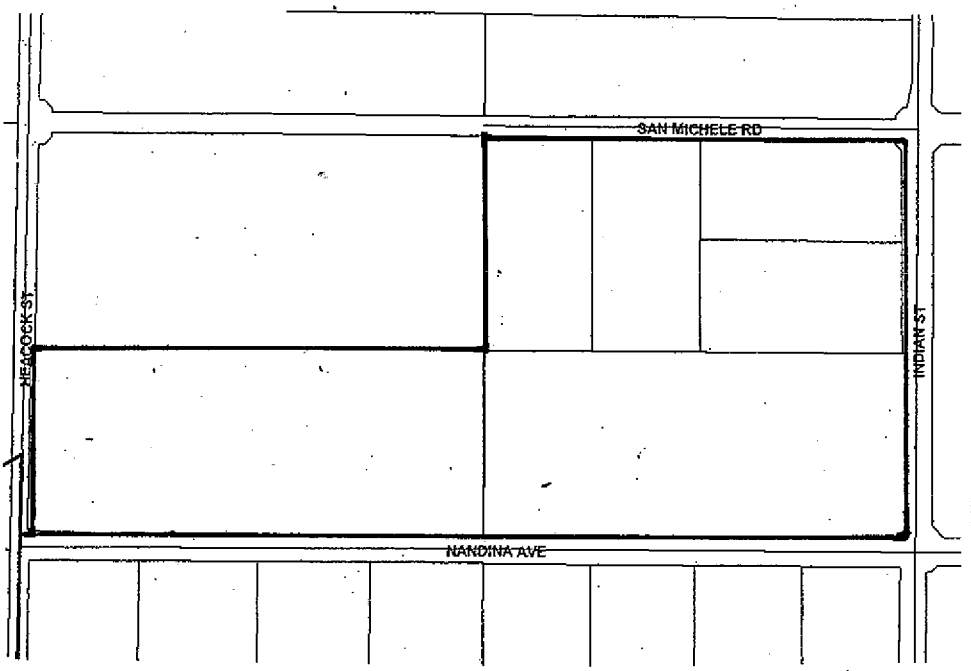

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PARCEL MAP 35150 VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

EXHIBIT "A"

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PM 35150

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **FR/CAL Moreno Valley, LLC,** herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 35150** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **THREE MILLION EIGHT HUNDRED SIXTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$3,860,500.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $7,721,000, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: *NCS-548497-LA2-MN*), and 2) the estimated cost of labor and materials, in the amount of $3,860,500, for the payment of labor and materials (First American Title Insurance Company Escrow Number: *NCS-548498-LA2-MN*) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 777 S. Figueroa St., Suite 400, Los Angeles, CA 90017, Attn: Maurice Neri Senior Escrow Officer. Developer agrees to maintain said escrow account(s) with good and sufficient funds or increase the amounts of said escrow account(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at any time during the term of this agreement, subject to approval of the City Engineer and City Attorney. As determined by the City Engineer, the project may receive incremental reductions to the security ensuring the construction of the associated public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the escrow officer shall be instructed by the City Engineer in writing to release an amount in the escrow account to Developer provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the escrow account securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent of the original escrow deposit for the faithful performance shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds without any consent from the Developer. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
FR/CAL Moreno Valley, LLC
~~114 Pacifica, Suite 220~~
~~Irvine, CA 92618~~
c/o IOS REAL ESTATE GROUP
515 So. FIGUEROA St. Ste 1600
LOS ANGELES, CA 90071

Escrow:
First American Title Insurance Company
777 S. Figueroa St. Suite 400
Los Angeles, CA 90017

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

FR/CAL Moreno Valley, LLC:
Developer

BY: _____
Signature

william G. Williams III
Print/Type Name

Investment Director-Asset Management
Title

BY: _____
Signature

Mark Billeci
Print/Type Name

Managing Director - Portfolio Management
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

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[2nd AMENDMENT]
AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR PM35150

Continuation of "White" Signature Page:

FR/CAL MORENO VALLEY, LLC
a Delaware limited liability company

By: **FirstCal Industrial, LLC**
A Delaware limited liability company
Its: Sole Member

By: **California State Teachers Retirement System**
a public entity, its manager

By: **Principal Real Estate Investors, LLC**
a Delaware limited liability company
Its: Authorized Agent

By: _____
William G. Williams III
Investment Director – Asset Management

FR/CAL MORENO VALLEY, LLC
a Delaware limited liability company

By: **FirstCal Industrial, LLC**
A Delaware limited liability company
Its: Sole Member

By: **California State Teachers Retirement System**
a public entity, its manager

By: **Principal Real Estate Investors, LLC**
a Delaware limited liability company
Its: Authorized Agent

By: _____
Mark Billeci
Managing Director – Portfolio Management

STATE OF WASHINGTON)

COUNTY OF KING)

I certify that I know or have satisfactory evidence that on this 25th day of July 2012, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared William G. Williams III, known to me to be the Investment Director-Asset Management of Principal Real Estate Investors, LLC, a Delaware limited liability company, which limited liability company is the Advisor to the California State Teachers' Retirement System, a public entity formed pursuant to the laws of the State of California, which public entity is the manager of FirstCal Industrial, LLC, a Delaware limited liability company, which limited liability company is the sole member of FR/CAL MORENO VALLEY, LLC, a Delaware limited liability company, the limited liability company that executed the within and foregoing instrument, and acknowledged that he was authorized to sign the same on behalf of such limited liability company as the free and voluntary act and deed of said limited liability company for the purpose therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.

Signature

Kathleen Kapis

Print Name

NOTARY PUBLIC in and for the State of Washington, residing at Everett, WA 98208

My commission expires 5/16/16

KATHLEEN KAPIS
COMMISSION EXPIRES
NOTARY PUBLIC
05-16-16
STATE OF WASHINGTON

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Placer

On July 24, 2012 (Date) before me, Sandra D Walters Notary Public (Here Insert Name and Title of the Officer)

personally appeared Mark Billeci (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Sandra D Walters (Signature of Notary Public)

SANDRA D. WALTERS
Commission # 1822301
Notary Public - California
Placer County
My Comm. Expires Nov 11, 2012

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: 2nd Amendment - Agreement for Public Improvements for PM35150

Document Date: N/A Number of Pages: 12 (w/exhibits)

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Mark Billeci
☐ Individual
☒ Corporate Officer — Title(s): Managing Director Portfolio Management
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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FINAL
5-5-08

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			12288	C.Y.	20.00	245,760
A.B. Class II - Street 1	1	Thickness (ft.)				
	331770	S.F.	24053	Ton	55.00	1,322,933
A.C. - Street 1	0.5	Thickness (ft.)				
	331770	S.F.	12027	Ton	90.00	1,082,400
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0.3	Thickness (ft.)				
	29489	S.F.	641	Ton	55.00	35,276
A.C. - Street 2	0.7	Thickness (ft.)				
	29489	S.F.	1497	Ton	90.00	134,691
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	2,821,060

M.J.

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	954	Ton	90.00	85,860
Slurry Seal (Based on $150/Ton Type II)	51934	S.Y.	2.25	116,852
Sawcut & Join Exist. AC Pavement	11611	L.F.	1.50	17,417
Sawcut & Join Exist. Conc Pavement	1611	L.F.	1.50	2,417
Utility Trench	0	L.F.	17.00	0
Backfill Trench with Slurry Concrete	44	C.Y.	100.00	4,400
Trench Repaving	0	S.F.	12.00	0
Redwood Header	5376	L.F.	6.00	32,256
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	27562	S.F.	14.00	385,868
P.C.C. Paving - 8"	0	S.F.	16.00	0
P.C.C. Removal	27562	S.F.	5.00	137,810
Curb and Gutter - 6"	0	L.F.		0
Curb and Gutter - 8"	4770	L.F.	25.00	119,250
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	16.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	0	S.F.	15.00	0
Sidewalk	26262	S.F.	7.00	183,834
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	15223	S.F.	16.00	243,568
Wheelchair Ramp	7	EA.	1,200.00	8,400
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Remove Curb & Gutter / Sidewalk	3846	S.F.	2.00	7,692
AC Removal	202050	SY	1.00	202,050
			SUBTOTAL:	1,547,673

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	30	EA.	5,000.00	150,000
Electrical Utility Infrastructure	1	L.S.	563,229.00	563,229
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	713,229
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordinati	1	LS.	307,400.00	307,400
Traffic Signal Interconnect (Existing Signals Only)	1	LS.	140,000.00	140,000
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	4	EA.	100.00	400
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
Relocate Guard Rail	69	L.F.	35	2,415
	0		--	0
			SUBTOTAL:	450,215
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	16	EA.	30,000.00	480,000
Cluster Mail Boxes	0	EA.	4,500.00	0
Erosion Control	0	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	0	EA.	100.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	480,000

MV00173423

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	755	L.F.	160.00	120,800
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	668	L.F.	180.00	120,240
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	4	EA.	5000.00	20,000
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	1	EA.	7000.00	7,000
	0		---	0
Catch Basins				
Catch Basin (3.5')	2	EA.	3100.00	6,200
Catch Basin (7')	5	EA.	5500.00	27,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	7	EA.	535.00	3,745
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	1	EA.	5000.00	5,000
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

M. B.

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	7	EA.	6000.00	42,000
Type IX Inlet Structure	3	EA.	2500.00	7,500
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		---	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		---	0
			SUBTOTAL:	365,985

M. S.

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	0		50.00	0
10" PVC C-900	0		55.00	0
12" PVC C-900	0		60.00	0
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.	---	0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	0	EA.	1,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	0	EA.	2,000.00	0
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	0	EA.	3,000.00	0
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	0	EA.	2,500.00	0
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	14	EA.	2,800.00	39,200
6" Super Fire Hydrants	4	EA.	3,000.00	12,000
	0		---	0
Services Connections				
1" Service	0	EA.	500.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	0	EA.	2,800.00	0
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0		---	0
			SUBTOTAL:	51,200

MV 8

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	700.00	0
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,000.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	5	EA.	800.00	4,000
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	4,000

M. 8

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$2,821,060
STREET WORK	:	$2,027,673
STORM DRAIN SYSTEM	:	$365,985
WATER SYSTEM	:	$51,200
SEWER SYSTEM	:	$4,000
ENTERPRISE SERVICES ADMIN	:	$713,229
TRANSPORTATION ENGNRNG	:	$450,215
TOTAL COST (VALUE) OF IMPROVEMENTS:		$6,433,361
+20% CONTINGENCY:		$1,286,672
GRAND TOTAL:		$7,720,033

BOND AMOUNT: $7,721,000

M. S.

First American Title Insurance Company
National Commercial Services
777 South Figueroa Street, Suite 400, Los Angeles, CA 90017
Ph. 213-271-1700

Maurice Neri
Senior Escrow Officer
Mneri@firstam.com

Date: June 25, 2012

ESCROW NO:NCS-548497-LA2-MN (Holding $7,721,000.00)

First American Title Insurance Company is hereby handed by the undersigned parties, that certain copy of document entitled Agreement for Public Improvements Project No. PM 35150 dated July 8, 2008, as amended by a First and Second Amendment as it relates to "Faithful Performance" by Developer executed by and between City of Moreno Valley, ("City") and FR/CAL Moreno Valley, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Public Improvements Project No. PM 35150" as it relates to the "Faithful Performance" aspect as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

City of Moreno Valley

By:_____

FR/CAL Moreno Valley, LLC

By:_____

Exhibit "C"

First American Title Insurance Company
National Commercial Services
777 South Figueroa Street, Suite 400, Los Angeles, CA 90017
Ph. 213-271-1700

Maurice Neri
Senior Escrow Officer
Mneri@firstam.com

Date: June 25, 2012

ESCROW NO: NCS-548498-LA2-MN (Holding $3,860,500.00)

First American Title Insurance Company is hereby handed by the undersigned parties, that certain copy of document entitled Agreement for Public Improvements Project No. PM 35150 dated July 8, 2008, as amended by a First and Second Amendment as it relates to "Labor & Materials" to be furnished by Developer executed by and between City of Moreno Valley, ("City") and FR/CAL Moreno Valley, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Public Improvements Project No. PM 35150" as it relates to the "Security for Labor and Materials" aspect as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

City of Moreno Valley

By:_____

FR/CAL Moreno Valley, LLC

By:_____

Exhibit "D"

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	SMB
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: August 28, 2012

TITLE: ADOPTION OF A RESOLUTION OPPOSING SAN DIEGO COUNTY WATER AUTHORITY'S COST-SHIFT

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council adopt Resolution No. 2012-69 opposing San Diego County Water Authority's Cost-Shift.

BACKGROUND

In June 2010 San Diego County Water Authority (SDCWA) filed a lawsuit against Metropolitan Water District of Southern California (MWD) challenging the allocation of costs between the supply and transportation components of MWD's rate structure. According to MWD, SDCWA is seeking to pay less than their fair share of transportation costs for water that they purchase from the Imperial Irrigation District and which is then transferred through MWD's system. SDCWA purchases this water from the Imperial Irrigation District under a 75-year agreement. If successful, SDCWA's lawsuit would shift $3 billion in costs over the life of the agreement from SDCWA ratepayers to the ratepayers of Eastern Municipal Water District (EMWD) and the other MWD member agencies.

DISCUSSION

MWD and EMWD believe the lawsuit is motivated by SDCWA's attempts to mitigate the financial impact of their decisions by shifting costs to the other MWD member agencies. As evidence of this, EMWD points to a Los Angeles Economic Development Corporation report commissioned by MWD member agencies which indicated that SDCWA is paying significantly more for water purchased from Imperial Irrigation District than it would have paid to MWD for the same amount of water. Additionally, the report indicated that SDCWA's overall investment in water infrastructure, combined with

declining water sales, will accelerate water rate increases in San Diego County. An information handout prepared by EMWD and Western Municipal Water District is attached (Attachment C).

SDCWA asserts that MWD, their largest supplier, improperly overcharges for the transportation of water and uses that money to subsidize the cost of MWD water. They believe this to be in violation of state law and standard water utility practice. The Water Authority also believes that MWD's approved rate structure will cause significant financial harm to the San Diego region, estimating that San Diego County will lose up to $40 million in 2012 through MWD's "overcharges." An information handout prepared by SDCWA is attached (Attachment D).

On June 6, 2012, the Board of Directors for EMWD adopted a resolution opposing SDCWA's proposed cost-shift to MWD. The Western Riverside Council of Governments also adopted a resolution opposing SDCWA's lawsuit on June 22. EMWD has requested (see Attachment C) that the City adopt a similar resolution and Mayor Stewart directed staff to place this item on the agenda for consideration.

ALTERNATIVES

1. Adopt Resolution No. 2012-69 opposing San Diego County Water Authority's cost-shift. **Staff recommends this alternative.**

2. Not adopt Resolution No. 2012-69 opposing San Diego County Water Authority's cost-shift. **Staff does not recommend this alternative.**

FISCAL IMPACT

If SDCWA's lawsuit against MWD is successful, EMWD's increased cost of imported water would be borne by the ratepayers within EMWD's service area. This includes all ratepayers in the City of Moreno Valley, with the exception of those served by Box Springs Mutual Water Company. As a customer of EMWD, the City's water costs would therefore increase.

CITY COUNCIL GOALS

Advocacy: Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

ATTACHMENTS/EXHIBITS

Attachment A:	Resolution No. 2012-69
Attachment B:	Letter from EMWD Requesting the Proposed Resolution
Attachment C:	Information Handout Prepared by EMWD and WMWD
Attachment D:	Information Handout Prepared by SDCWA

Prepared By:
Michelle Dawson
Assistant City Manager

Department Head Approval:
Michelle Dawson
Assistant City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment A

RESOLUTION NO. 2012-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, OPPOSING SAN DIEGO COUNTY WATER AUTHORITY'S COST-SHIFT

WHEREAS, the City of Moreno Valley and the majority of its residents and businesses are customers of Eastern Municipal Water District (EMWD); and

WHEREAS, the City joins EMWD in supporting a regional cooperative approach to water supply reliability coupled with an open and transparent rate setting process, as has been demonstrated by the Metropolitan Water District of Southern California (MWD), whereby the rates are adopted by a vote of the MWD Board of Directors, representing every region within MWD's service area; and

WHEREAS, San Diego County Water Authority (SDCWA) filed a lawsuit in June 2010 challenging MWD's water rates and charges and claiming that SDCWA is over-charged, despite their own declaration that they pay 25 percent of MWD's revenue and receive 25 percent of the water supply; and

WHEREAS, EMWD and Western Municipal Water District (WMWD), both of which are WRCOG member agencies along with the City of Moreno Valley, have joined a lawsuit to support MWD's rate structure and protect their rate payers; and

WHEREAS, an outside report from the Los Angeles Economic Development Corporation has found that SDCWA investments in water independence and declining water sales are significantly impacting water rates to SDCWA rate payers; and

WHEREAS, the City supports efforts by water agencies in Western Riverside County to establish local investments that increase regional water supply reliability such as those undertaken by SDCWA, to the extent those costs are not borne disproportionately by ratepayers outside of their local service area; and

WHEREAS, SDCWA has launched a negative public relations campaign associated with their lawsuit to divert attention from their water supply decisions and the increasing opposition to the $3 billion cost-shift that would be forced on MWD Member Agencies and their ratepayers in Riverside, San Bernardino, Orange, Los Angeles and Ventura Counties if SDCWA is successful; and

WHEREAS, if there is legislation introduced that threatens MWD as a regional water supplier the City would oppose such legislative activity; and

WHEREAS, EMWD and WMWD have expressed a responsibility to protect their customer agencies, residents, businesses and communities in Western Riverside County from this unfair and unjust cost-shift that provides no new water supplies or benefits.

Resolution No. 2012-69
Date Adopted: August 28, 2012

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

That the City of Moreno Valley strongly opposes the SDCWA lawsuit against MWD and resolves to support MWD's efforts to protect its customer agencies and their ratepayers from this unfair cost shift which would dramatically increase water rates with no additional benefits.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-69
Date Adopted: August 28, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-69 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Attachment B

Board of Directors

President and Treasurer
Joseph J. Kuebler, CPA

Vice President
Philip E. Paule

Ronald W. Sullivan
Randy A. Record
David J. Slawson

General Manager
Paul D. Jones II, P.E.

Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

July 3, 2012

City of Moreno Valley
PO Box 88005
Moreno Valley CA 92552

Attention: Mr. Henry Garcia

SUBJECT: Request to Adopt a Resolution Opposing San Diego County Water Authority's Proposed Cost-Shift to Metropolitan Water District's Member Agencies, impacting local water ratepayers

On June 6, 2012, Eastern Municipal Water District's (EMWD) Board of Directors adopted a resolution opposing San Diego County Water Authority's (SDCWA) proposed cost-shift to the Metropolitan Water District of Southern California (MWD), and by extension, most water ratepayers in Southern California. On behalf of the EMWD Board and local water ratepayers, I strongly urge your agency to weigh in on this issue by adopting a similar resolution.

On June 2010, SDCWA filed a lawsuit against The Metropolitan Water District of Southern California, challenging the allocation of costs between the supply and transportation components of MWD's rate structure. SDCWA seeks to pay less than their fair share of transportation costs for water transferred through MWD's system that SDCWA purchases under a 75 year agreement with the Imperial Irrigation District (IID). If successful, SDCWA's lawsuit would shift $3 billion in costs over the life of the IID transfer from SDCWA ratepayers to the ratepayers of Eastern Municipal Water District (EMWD) and the other MWD Member Agencies.

A Los Angeles Economic Development Corporation report commissioned by seven MWD Member Agencies and released April 24, 2012, found that SDCWA is paying significantly more for water purchased from Imperial Irrigation District (IID), than it would have paid for the same amount of water from MWD. The report also found that SDCWA's overall investment in water infrastructure to reduce dependence on MWD, combined with declining water sales will accelerate water rate increases in San Diego County. In short, the report confirms what EMWD believes is SDCWA's motivation behind the lawsuit and associated negative public opinion campaign it is waging against MWD and MWD Member Agencies: that SDCWA is attempting to mitigate the financial impact of its water reliability decisions by shifting costs to the other MWD Member Agencies.

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet: www.emwd.org

If successful, the cumulative impact on EMWD's purchases of MWD supply from SDCWA's unjustified cost-shift would be over $180 million over the term of the IID transfer. The SDCWA Board recently adopted a policy to distribute the "net refund proceeds" from the lawsuit (the collective cost-shift to other Member Agencies) – minus their legal expenses – to their member agencies should they win the lawsuit. The proceeds would be allocated to their member agencies in proportion to each agency's share of water purchases from SDCWA. EMWD staff believes that the EMWD Board would be forced to consider a similar scenario. EMWD's increased cost of imported water from MWD resulting from the lawsuit would have to be borne by the ratepayers within our service area in some proportional manner. EMWD has an obligation to protect our partnering agencies and ratepayers from this inappropriate expense. I respectfully request you consider taking action, similar to the EMWD resolution (attached), opposing the SDCWA lawsuit against MWD and the resultant cost-shift to local water ratepayers.

If you would like for us to present this topic to your elected officials or provide a staff report, electronic files, and/or other supporting materials, please contact Melanie Nieman, EMWD Director of Interagency Relations, at (951) 928-3777 x4383 or niemanm@emwd.org. She will follow-up with you next week to offer assistance.
We appreciate your support.

Sincerely,

Paul D. Jones, II, P.E.
General Manager

PDJ:mn

Attachment

Cc: Michelle Dawson

Attachment C

San Diego County Water Authority/Metropolitan Water District Rate Challenge and its Impact on MWD Member Agencies

San Diego County Water Authority (San Diego) has filed a lawsuit (San Diego County Water Authority vs. Metropolitan Water District of Southern California, et al.) and is pursuing several strategies to shift costs to MWD's other member agencies. If successful, SDCWA's action would affect MWD's remaining 25 member agencies financially, and by extension, most water ratepayers in Southern California.

MWD's current rate structure and the crux of the lawsuit

- MWD's board adopted rate structure has been in place since 2003. MWD's 37 board members, including those from San Diego, annually review and approve MWD's cost allocation.
- To promote fairness, MWD charges member agencies uniformly for all water supplies transported throughout its system - including San Diego's water transfers from Imperial Irrigation District.
- The crux of the lawsuit seeks to shift San Diego's share of transportation costs to the remaining member agencies.
- MWD's annual water purchases from 2000 through 2009 indicate that San Diego bought 25 percent of MWD's water and provided 25 percent of MWD's revenues.
- Despite this equitable and appropriate proportion, San Diego contests the "fairness" of MWD's cost recovery methods.

San Diego's multipronged effort to shift costs: litigation, legislation, and media campaign

- The most recent litigation that challenges MWD's rate structure was filed by San Diego in 2010; a 1998 San Diego lawsuit opposing MWD's transportation rates failed.
- San Diego is pursuing a general strategy of harassing litigation against MWD and the current lawsuit is fourth against MWD in the past 12 years.
- The current lawsuit is complemented by a public outreach campaign to mislead and influence public opinion against MWD and incorrectly depict San Diego as "victim" that is being forced to pay higher rates.
- San Diego has also made unwarranted attacks on MWD's financial viability, has publicly questioned MWD's ability to support future critical water supply investments, and has begun groundwork for a legislative attack in Sacramento.

Why would San Diego take such extra ordinary measures?

- San Diego has come to realize their water purchase agreement with Imperial Irrigation District is over-priced.
- For the first seven years of the arrangement, San Diego transferred 330,000 acre-feet and spent greater than $200 million more than if they had purchased the water from MWD. This negative cost deficit will continue to rapidly accumulate and if unaddressed, will likely raise serious questions locally about San Diego's water supply decisions.

Why is SDCWA taking such extraordinary measures?

Their transfer water has turned out to be very expensive!

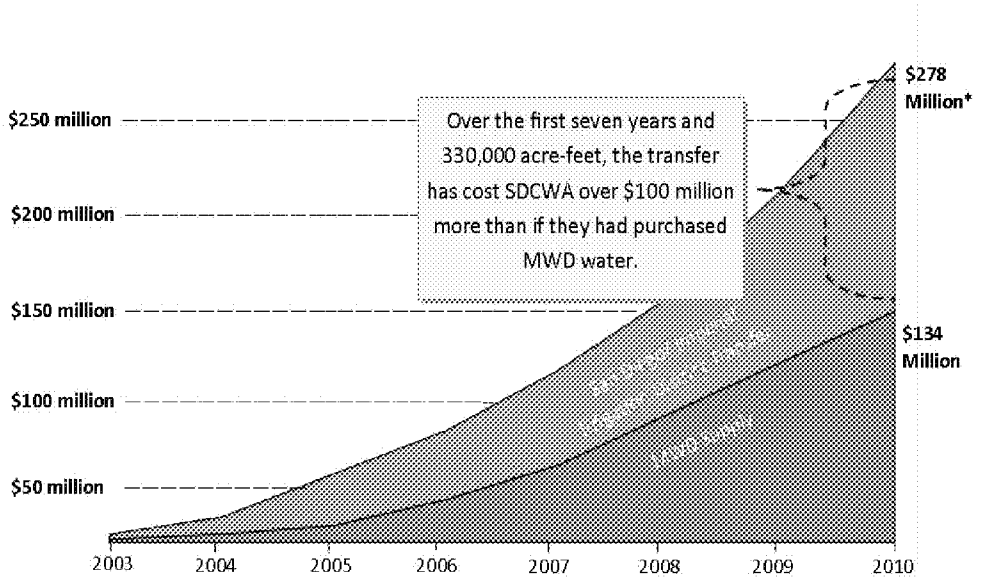

Who pays if San Diego wins?

- If San Diego wins, water ratepayers in Los Angeles, Orange, Ventura, Riverside and San Bernardino lose.
- The cumulative costs shifted to other agencies' ratepayers over the 75-year life of the transfer would be a staggering $3 billion.
- The impact to Eastern Municipal Water District's customers can be over $180 million.

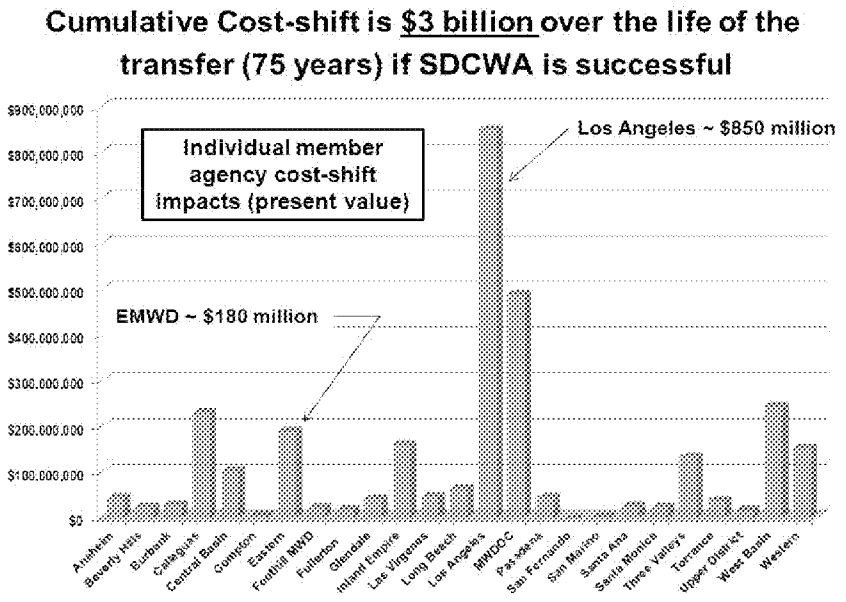

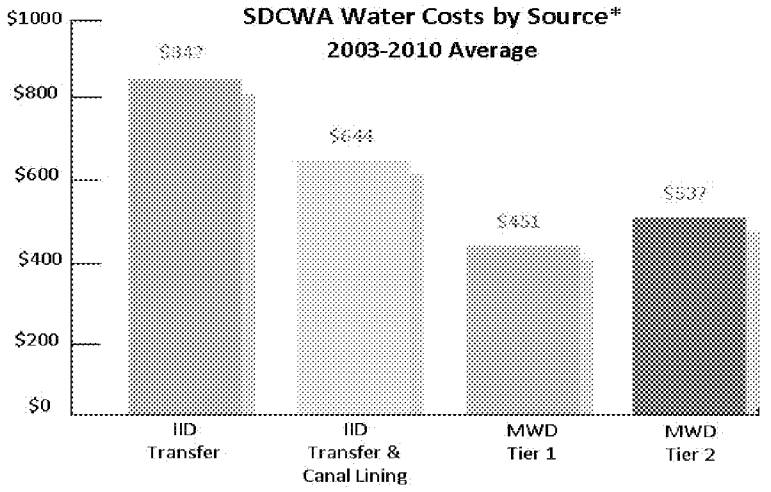

San Diego continues to misrepresent facts as a means to its ends

- San Diego's claim that they are disadvantaged by being "at the end of the pipeline" is deliberate misrepresentation - MWD's system and rate structure is set-up and operated to serve all member agencies equally.
- In fact, San Diego actually enjoys better emergency storage protection due to their proximity to MWD's and southern California's largest storage reservoir, Diamond Valley Lake.
- The claim by the San Diego County Water Authority that it is MWD's largest customer and pays more is also intentionally misleading. A more accurate comparison is on a County-by-County basis which shows both Los Angeles and Orange Counties making greater contributions than San Diego both in terms of water sales and taxes paid.

Contact Information

Eastern Municipal Water District
2270 Trumble Road
Perris, CA 92572
Tel: 951-928-3777
www.emwd.org
Paul D. Jones II, P.E. – General Manager

Western Municipal Water District
14205 Meridian Parkway
Riverside, CA 92518
Tel: 951-571-7100
www.wmwd.com
John Rossi – General Manager

Source: Los Angeles Economic Development Corporation Report

San Diego County Water Authority

Water Authority Fighting for Lawful Water Rates at MWD

Attachment D

Illegal Water Rates Cost San Diego County Ratepayers Billions

Restoring California's Water Supply Reliability

DIVERSIFICATION

Enhancing Water Supply Reliability

The Water Authority is dedicated to providing a safe and reliable water supply for our region at an affordable cost. More than 20 years ago, the Water Authority, along with its member agencies, began taking actions to improve the water supply reliability of the region by lessening reliance on one single source of supply.

One of the cornerstones of that diversification strategy is agreements that were signed in 2003 to secure independent Colorado River supplies. To deliver these supplies to the region, the Water Authority uses pipelines that are owned and operated by the Metropolitan Water District of Southern California.

The Water Authority, however, believes that MWD is improperly classifying hundreds of millions of dollars in water supply costs as transportation costs. This was no accident: they did this to specifically disadvantage the Water Authority, which is the only agency that uses MWD's system to transport large volumes of independent water supplies each year.

MWD's illegal actions siphon money from the local economy and, if left unchecked, will cost ratepayers more than $2 billion over the next four decades.

To protect its ratepayers, the Water Authority filed suit in 2010, over rates MWD adopted for 2011 and 2012. The Water Authority is seeking to ensure that costs are lawfully allocated and assigned to the correct services.

Although the Water Authority hoped for a speedy resolution of the case, MWD has engaged in a series of unsuccessful legal

Impact of MWD Overcharges to Water Authority Ratepayers*

MWD's illegal rate structure charges a disproportionately high rate to transport the Water Authority's independent Colorado River supplies. As the Water Authority's Colorado River water supplies reach the maximum annual amount in 2021, those overcharges will grow to as much as $217 million annually.

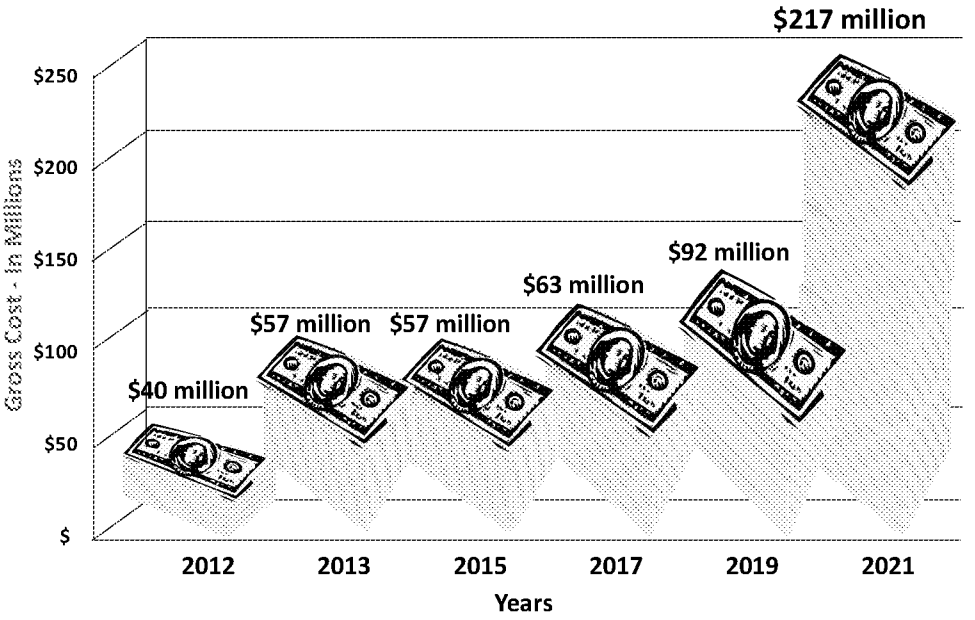

*Based on $40 billion cost to fix the Bay-Delta.

July 2012

[illegible]

maneuvers designed to impede the progress. Further, MWD refused to address these concerns when it adopted its 2013 and 2014 rates in April 2012, so the Water Authority had no alternative but to file a new suit.

The 2010 case is assigned to San Francisco Superior Court. A decision in the case is not expected until sometime in 2013. The 2012 case was filed in Los Angeles County Superior Court and has not yet been assigned.

Why are MWD's Rates Illegal?

MWD is required by law to charge rates that reflect the actual, reasonable and proportionate costs of serving each class of its customers. The Water Authority's lawsuit claims MWD is improperly charging hundreds of millions of dollars annually in water supply costs to its System Access Rate, System Power Rate and Water Stewardship Rate. These three rate components comprise MWD's transportation charge.

System Access Rate is paid by MWD member agencies that buy MWD water or use MWD's facilities to transport water not purchased from MWD. More than 80 percent of MWD's State Water Project water supply costs – amounting to hundreds of millions of dollars annually – is assigned to this water transportation rate category, in violation of California law. These costs belong in the Water Supply Rate category.

System Power Rate recovers the costs of energy needed to pump water to Southern California. It is a charge applied to every acre-foot of water transported by MWD. The rate currently includes Department of Water Resources' energy costs for the State Water Project, which MWD does not own or operate. The costs of power needed by the state to deliver water supply to MWD's connections in Southern California are a supplier cost and part of the cost of that water supply. However, MWD improperly assigns that cost to its own transportation rate category. These costs belong in the Water Supply Rate.

Water Stewardship Rate recovers the cost of providing financial subsidies to MWD's member agencies for developing new local water supply projects. These subsidies are used for conservation, recycled water, desalination, or other new water supplies. However, MWD charges these water supply costs as a water transportation service. Because this rate pays for water supply development, it should be applied to the Water Supply Rate.

Water Supply Rate is supposed to recover the costs MWD incurs to acquire water supplies. This should include supplies it imports from the Colorado River, State Water Project and money it spends to support the development of new local water supplies and water conservation. All of these water supply costs belong in the Water Supply Rate category.

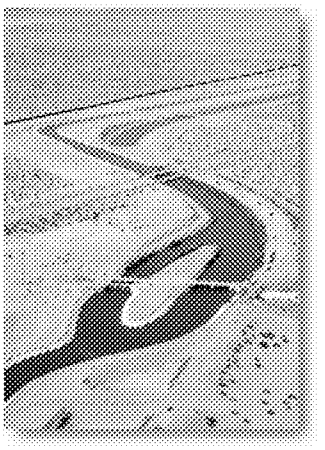

Water conserved by the All-American Canal Lining Project is an important part of the Water Authority's Colorado River water transfer supplies.

MWD's Current Rate Structure

MWD's Rate Structure Misallocates Water Supply Costs to the Transportation Charge

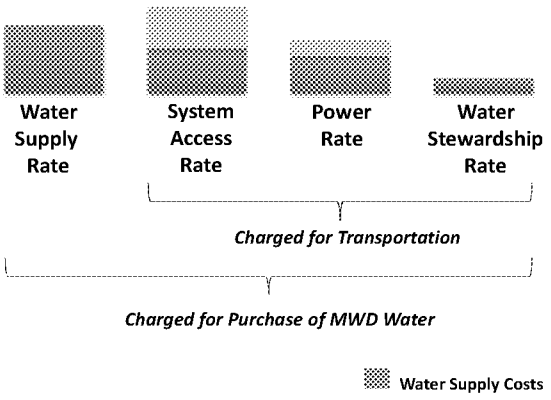

How MWD Rate Structure Should Be

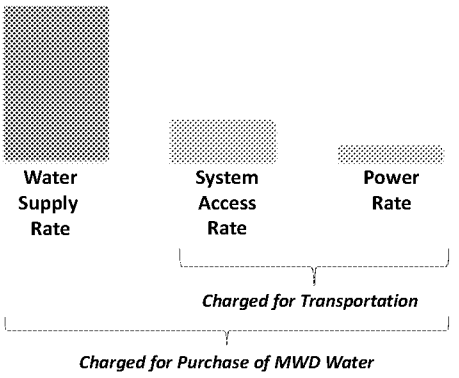

For more information on this issue, visit www.sdcwa.org/mwdrate-challenge

San Diego County Water Authority

4677 Overland Ave.
San Diego, California
92123-1233
858.522.6700

www.sdcwa.org

Printed on recycled paper

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: APPROVE RESOLUTION NO. 2012-XX ADOPTING A LOW INCOME PROGRAM AND AMENDING THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Resolution No. 2012-70 adopting a Low-Income Assistance Program for the residential customers of Moreno Valley Electric Utility.
2. Adopts the amended Moreno Valley Utility Electric Rates as on file in the Public Works Department.

BACKGROUND

Section 386 of the Public Utilities Code refers to rate assistance programs for low-income customers, and requires the following: "(1) Each publicly owned utility shall ensure that low-income families have access to affordable electricity; (2) The current level of assistance reflects the level of need; (3) Low-income families are afforded no-cost and low-cost energy efficiency measures that reduce energy consumption; (4) The local publicly owned electric utility shall consider increasing the level of the discount or raising the eligibility level for any existing rate assistance program to be reflective of customer need; (5) A publicly owned electric utility shall streamline enrollment for low-income programs by collaborating with existing providers for the Low-Income Home Energy Assistance Program (LIHEAP) and other electric or gas providers within the same service territory; (6) A local publicly owned electric utility shall establish participation goals for its rate assistance program participation."

Currently, low-income customers are provided assistance through LIHEAP and are also provided payment arrangements.

DISCUSSION

Staff is proposing a discount program for qualified low-income residential customers, providing a 20% discount on their monthly electric bill. Eligibility for the program will be based on the number of full-time residents in the household and the total gross income of all household members, as described in the table below:

Maximum Household Income (Effective as of July 1, 2012)	
Number of Persons in Household	**Total Combined Gross Income**
1	**Up to $22,340**
2	**Up to $30,260**
3	**Up to $38,180**
4	**Up to $46,100**
5	**Up to $54,020**
6	**Up to $61,940**
7	**Up to $69,860**
8	**Up to $77,780**
Each additional person	**$7,920**

Customers must fill out an application, provide proof of income, and must re-apply annually. The 20% discount is applicable to energy charges only, and excludes the customer charge, public purpose charge, and all taxes. The cost of the program will be paid for from Public Purpose funds, which is allowed under Section 385 of the Public Utilities Code.

ALTERNATIVES

1. Approve proposed resolution adopting a Low Income Assistance Program for Moreno Valley Utility's residential customers. *The Low Income Assistance Program will allow the City's utility to offer low-income families access to affordable electricity, and will allow the City's utility to comply with Section 386 of the California Public Utilities Code.*
2. Do not approve proposed resolution adopting a Low Income Assistance Program for Moreno Valley Utility's residential customers. *This would restrict the City's utility in its ability to offer low-income families access to affordable electricity, and will not allow the City's utility to comply with Section 386 of the California Public Utilities Code.*

FISCAL IMPACT

The average annual customer savings under the Low-Income Assistance Program is estimated to be approximately $240.00. Staff is proposing an initial funding of $50,000 for the balance of fiscal year 2012/2013. Program demand will be monitored and the funding level will be reviewed on a quarterly basis in fiscal year 2012/2013. Additional funding may be recommended if funds are depleted prior to June 30, 2013. After fiscal year 2012/2013, funding will be reviewed on an annual basis. Funds are available in account 6010-70-80-45511-710144.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
The proposed Low-Income Assistance Program helps to create a positive environment within the community. The City of Moreno Valley will provide low-income families access to affordable electricity.

NOTIFICATION

Posting of the Agenda.

Attachments

Attachment 1 – Proposed Resolution
Attachment 2 - Amended Electric Rate Schedule A
Attachment 3 – Low Income Assistance Program Application

Prepared By
Jeannette Olko
Electric Utility Division Manager

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY ADOPTING A LOW-INCOME ASSISTANCE PROGRAM AND AMENDING THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY

WHEREAS, the City of Moreno Valley (the "City") is authorized under various provisions of the California Constitution and the general laws of California (including, specifically, Article XI, Section 9(a) of the California Constitution, Public Utilities Code Section 10004, and Government Code section 39732(a)) to establish, purchase, and operate a public utility to furnish its inhabitants with, among other things, electricity; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, as a municipal electric utility, the City is generally subject to the legislative and regulatory requirements applicable to local publicly owned electric utilities ("POUs"); and

WHEREAS, California Public Utilities Code Section 385(a) requires local publicly owned utilities to establish a nonbypassable, usage based charge to fund investments by the utility and other parties in the following: (1) cost-effective demand-side management services; (2) new investment in renewable energy resources and technologies consistent with existing statutes and regulations; (3) research, development and demonstration programs for the public interest to advance science and technology which is not adequately provided by competitive markets; and (4) services provided for low-income electricity customers, including, but not limited to energy efficiency services, education, weatherization, and rate discounts; and

WHEREAS, California Public Utilities Code Section 386 requires local publicly owned utilities to ensure that low-income families within the utility's service territory have access to affordable electricity, that the level of assistance reflects the level of need, that low-income families are afforded no-cost and low-cost energy efficiency measures that reduce energy consumption, that the utility streamline enrollment for low-income programs, and that the utility establish participation goals for its rate assistance program participation;

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

1. The Moreno Valley City Council hereby adopts a Low-Income Assistance Program for the residential customers of Moreno Valley Electric Utility, and that this resolution takes effect immediately upon its adoption.
2. The City Council hereby adopts the amended Moreno Valley Utility Electric Rates as on file in the Public Works Department.

PASSED, APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-70
Date Adopted: August 28, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-70 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Resolution No. 2012-70
Date Adopted: August 28, 2012

SCHEDULE A – RESIDENTIAL SERVICE

Applicability

Applicable to electric service for residential uses.

Territory

Within the designated areas served by the Moreno Valley Utility.

Rates

Basic Charge - $/Day	
Single-Family Residence	$ 0.029
Multi-Family Residence	$ 0.022
Energy Usage Charge - $/kWh	
Summer:	
Tier 1 -Baseline Quantities, all kWh, per kWh	$ 0.10759
Tier 2 – 101% to 130% of Baseline	$ 0.13060
Tier 3 – 131% to 200% of Baseline	$ 0.21227
Tier 4 – 201% to 300% of Baseline	$ 0.24727
Tier 5 – All excess kWh, per kWh	$ 0.28227
Winter	
Tier 1 -Baseline Quantities, all kWh, per kWh	$ 0.10759
Tier 2 – 101% to 130% of Baseline	$ 0.13060
Tier 3 – 131% to 200% of Baseline	$ 0.21227
Tier 4 – 201% to 300% of Baseline	$ 0.24727
Tier 5 – All excess kWh, per kWh	$ 0.28227
Public Purpose Programs	
All kWh per kWh	$0.01444
Monthly Minimum Charge:	$10.00

Energy Cost Adjustment

1. The energy charge may be adjusted each month based upon the percentage of the energy being provided by the Department of Water Resources to the investor owned utility on the billing date monthly. These adjustments could result in slight decreases or increases in the energy charge.

Special Conditions

1. Baseline Rates: Baseline rates are applicable only to separately metered residential use.

2. Baseline Quantities: The residential allocation shall be 16.0 kWhs per day in the Summer season and 10.5 kWhs per day in the Winter season.

3. Summer and Winter Seasons are defined as follows: The Summer season begins at 12:00 a.m. on the first Sunday in June and will continue until 12:00 a.m. of the first Sunday in October each year. The Winter season begins at 12:00 a.m. on the first Sunday in October and continues until 12:00 a.m. on the first Sunday in June of the following year.

4. Voltage: Service will be supplied at one standard voltage.

5. For the purposes of applying the Basic Charge, the following definitions shall be used:

   Single-Family Residence - A building of single occupancy which does not share common walls, floors, or ceilings with other residential dwelling units.

   Multi-Family Residence - Apartments, mobile homes, condominiums, townhouses, or a building of multiple occupancy which shares common walls and /or floors and ceilings with other residential dwelling units.

6. Medical Baseline Allocation: Upon application and acceptance of a certification from a medical doctor or osteopath licensed to practice medicine in California, eligible residential customers are provided a standard year-round medical baseline allocation of 16.5 kWh per day in addition to the applicable baseline allocation for the season.

	Regular Baseline Daily kWh Allocation	Additional Medical Baseline Daily kWh Allocation	Total Baseline Daily kWh Allocation
Summer	16.0	16.5	32.5
Winter	10.5	16.5	27.0

   Medical Baseline Allocation Eligibility:

   a) Regular use in the customer's home of one or more medical life-support devices essential to maintain the life of a full-time resident of the household; and/or
   b) A full-time resident of the household is: a paraplegic, hemiplegic, quadriplegic, multiple sclerosis or scleroderma patient, being treated for life-threatening illness, and/or has a compromised immune system.

   Life support devices are those devices or equipment that utilize mechanical or artificial means to sustain, restore or supplant a vital function, or mechanical equipment relied upon for mobility both within and outside of buildings.

Life-support devices include:

Aerosol Tent	Ultrasonic Nebulizer
Pressure Pad	Electrostatic Nebulizer
Apnea Monitor	Inhalation Pulmonary Pressure
Pressure Pump	Breather Machine (IPPB)
Compressor	Iron Lung
Concentrator	Dialysis Machine
Respirator (all types)	Hemodialysis Machine
Electronic Nerve Stimulator	Motorized Wheelchair
Suction Machine	Oxygen Generator

Applying for the Medical Baseline Allocation

1. Request application from Moreno Valley Utility by telephone, mail or in person
2. Complete application.
3. The patient's physician will need to fill out the required information on the application and sign it certifying the medical need.
4. The customer can mail or bring the application to Moreno Valley Utility's offices
5. Once the application is reviewed and approved, the Medical Baseline Allocation will be effective on the next regular electric billing.
6. Applications must be renewed every two years.
7. A low-income assistance discount program is offered under this standard residential rate. To be considered for this discount, an application must be filed with Moreno Valley Utility. To be eligible for this discount, the income of the customer, including all members of the household, must meet the income levels of the program and can be no more than 200% of Federal Poverty Guidelines. Under this program a discount for qualified low-income residents of 20% is provided on monthly energy charges. Discount applies to energy charges only. The customer charge, public purpose charge, service fees and all taxes are calculated at the standard rates.

MORENO VALLEY UTILITY
14325 Frederick Street, Suite 9
Moreno Valley, CA 92552

About the Moreno Valley Utility (MVU) Low-Income Assistance Program

The MVU Low Income Assistance Program is a discount program for qualified low-income residents, providing a 20% discount on monthly energy charges.

This initial program will run through June 30, 2013 or until funds are depleted. Additional funding may be available but are not guaranteed.

Moreno Valley City Council has approved the use of Public Purpose funds to assist low-income residents with their energy bills.

Eligibility for the program is based on the number of fulltime residents in the household and the total gross income of all household members.

Maximum Household Income (Effective as of July 1, 2012)	
Number of Persons in Household	**Total Combined Gross Income**
1	**Up to $22,340**
2	**Up to $30,260**
3	**Up to $38,180**
4	**Up to $46,100**
5	**Up to $54,020**
6	**Up to $61,940**
7	**Up to $69,860**
8	**Up to $77,780**
Each additional person	**$7,920**

To apply for the program, electric service must be provided in the name of the applicant.

Application must be accompanied by an original Transcript of Tax Return from the US Internal Revenue Service listing each member of the household. Transcript is available free of charge by mailing a completed Form 4506-T to the IRS. Instructions and mailing addresses are listed on the back of the request form.

Applications received without the required Transcript of Tax Return will not be processed.

Initial program enrollment is through June 30, 2013, after which the applicant may re-apply as funds become available.

Allow 4-6 weeks for processing of application.

Attachment 3

Discount applies to energy charges only. The customer charge, public purpose charge, service fees and all taxes are calculated at the standard rates.
If you have any questions regarding the program, please call Customer Service toll free at (877) 811-8700

MORENO VALLEY UTILITY
14325 Frederick Street, Suite 9
Moreno Valley, CA 92552

Name (First, Middle Initial, Last)

Home Address

Mailing Address (if different from home address) | City | Zip Code

Home Telephone | Work Telephone | Mobile Telephone

PUBLIC ASSISTANCE PROGRAM PARTICIPATION

Do you or someone in your household participate in any of the following assistance programs? If so, please indicate below.

Please check (✓) all assistance programs utilized

- ☐ Medi-Cal/Medicaid
- ☐ Food Stamps/SNAP
- ☐ TANF/Tribal TANF
- ☐ WIC
- ☐ Healthy Families A & B
- ☐ LIHEAP
- ☐ SSI
- ☐ National School Lunch (NSL)
- ☐ Bureau of Indian Affairs General Assistance
- ☐ Head Start Income Eligible (Tribal Only)

HOUSEHOLD MEMBERS AND INCOME ELIGIBILITY

List all fulltime residences of the household and their total gross annual income. Gross income includes all money and non-cash benefits, available for living expenses, from all sources, both taxable and nontaxable, before deductions, for all people living in the home. This includes, but is not limited to, the following:

Please check (✓) all sources of household income.

- ☐ Pensions
- ☐ Social Security
- ☐ SSP or SSDI
- ☐ Interest or Dividends from Savings, Stocks, Bonds, or Retirement Accounts
- ☐ Wages and/or Profits from Self-Employment
- ☐ Rental or Royalty Income
- ☐ Unemployment Benefits
- ☐ Disability or Worker's Compensation Payments
- ☐ Scholarships, Grants or Other Aid Used for Living Expenses
- ☐ Insurance or Legal Settlements
- ☐ Spousal or Child Support
- ☐ Cash and/or Other Income

Full Legal Name	Age	Social Security Number	Gross Income
1.			
2.			
3.			
4.			
5.			
6.			
7.			

Attachment 3

8.			
9.			
List additional household members on a separate sheet		**Total Household Income**	

Declaration: Please sign and date below

I state that the information I have provided in this application is true and correct. I have enclosed an original copy of the Transcript of Income Tax for each person listed above. I agree to inform Moreno Valley Utility if I no longer qualify for the discount. I understand that if I receive a discounted rate without meeting the qualifications of the program, that I will be required to pay back the discount received. I certify:

- The MVU bill is in my name
- I am not claimed on another person's income tax return
- I understand that I must re-apply for the program each year
- I will notify MVU if I no longer qualify for this rate
- I understand MVU may require additional verification of income
- I have enclosed a Transcript of Return for each person listed above

Signature | Date

Attachment 3

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: APPROVAL OF COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF MORENO VALLEY FOR GILMAN SPRINGS ROAD IMPROVEMENTS – PROJECT NO. 801 0042 70 77

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Cooperative Agreement for the Gilman Springs Road Improvements project between the County of Riverside and the City of Moreno Valley.

2. Authorize the City Manager to execute the Cooperative Agreement.

3. Authorize the Public Works Director/City Engineer to approve any minor changes that may be requested by the County of Riverside subject to the approval of the City Attorney.

4. Authorize the Public Works Director/City Engineer to execute any future amendments to the Cooperative Agreement subject to the approval of the City Attorney.

BACKGROUND

In early 2012, the County of Riverside approached the City with its plan to improve the County-owned portion of Gilman Springs Road and offered assistance to the City for improving the City-owned portion of Gilman Springs Road at the same time. The County could help to complete the design, prepare environmental documents and obtain environmental clearance, coordinate utility relocation, and advertise/award and administer the construction contract at no cost to the City. The City would be

responsible only for construction, construction engineering and inspection costs for improving the City-owned portion of Gilman Springs Road.

DISCUSSION

The City-owned portion of Gilman Springs Road is a 4,000-foot long, two-lane roadway, from 150 feet north of Eucalyptus Avenue to 500 feet north of Kevin Road. Gilman Springs Road has been experiencing high volume of traffic, especially trucks, traveling along this roadway. The street pavement has deteriorated with sizable potholes, and City Maintenance and Operations crews have been continuously out repairing the street.

The project will resurface the street by processing the existing asphalt concrete pavement and reusing it as a base material while overlaying the street with new layer of asphalt concrete. The project also includes improvement of the intersection of Gilman Springs Road and Alessandro Boulevard to add a new north-bound left turn lane from Gilman Springs Road onto Alessandro Boulevard, as well as drainage improvements along Gilman Springs Road. The estimated construction, construction-related engineering and inspection cost for the project is approximately at $840,000. The City will realize significant savings from the County's assistance with design, environmental clearance and project administration. Furthermore, because the City's improvements will be contracted out as part of the County's larger project along Gilman Springs Road, good construction bids are expected. Improvement of Gilman Springs Road is necessary to enhance safety for drivers using this road. A Cooperative Agreement with the County of Riverside is a cost-saving solution to construct these much needed improvements.

ALTERNATIVES

1. By motion, approve and authorize the recommended actions as presented in this staff report. *This alternative will facilitate the timely construction of needed improvements.*

2. Do not approve and authorize the recommended acting as presented in this staff report. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The project is included in the Fiscal Year 2012/2013 Capital Improvement Program. There is no impact to the General Fund.

AVAILABLE FUNDS
Gilman Springs Road Improvements
Prop. 42 Replacement Funds – Gas Tax
Account 2002-71-77-80001 801 0042 70 77 ..... $ 850,000

Total Project Budget..... $ 850,000

ESTIMATED PROJECT COST

Preliminary Engineering*	$	3,000
Construction and Construction Engineering/Inspection	$	840,000
Administrative Costs*	$	7,000
Total Estimated Cost	$	850,000

**Includes City staff project coordination and other miscellaneous costs.*

RIVERSIDE COUNTY TRANSPORTATION DEPARTMENT'S PROJECT SCHEDULE

Environmental Clearance Complete	May 2013
Design Complete	August 2013
Advertise and Award	September 2013 to December 2013
Construction	January 2014 to July 2014

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Based on the current condition of Gilman Springs Road, there is a need to improve this street to enhance safety for drivers using this road. A Cooperative Agreement with the County of Riverside is a cost-saving solution to construct these much needed improvements.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement By and Between Riverside County and City of Moreno Valley for Roadway Improvements Along Gilman Springs Road

Prepared By:
Quang D. Nguyen
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

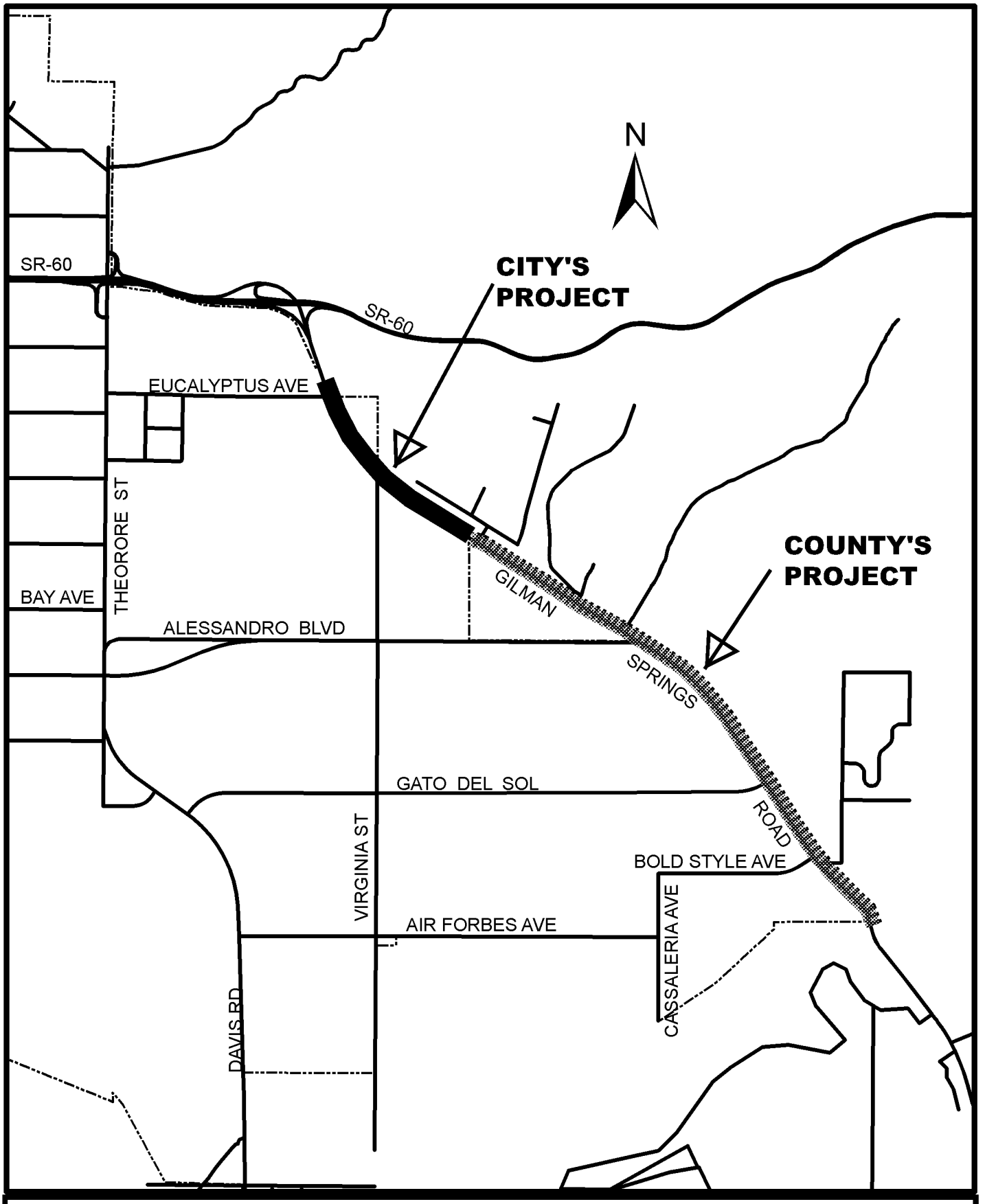

ATTACHMENT A
GILMAN SPRINGS ROAD IMPROVEMENTS - LOCATION MAP

Gilman Springs Road Improvements

AGREEMENT BY AND BETWEEN

RIVERSIDE COUNTY AND

CITY OF MORENO VALLEY

FOR

ROADWAY IMPROVEMENTS ALONG

GILMAN SPRINGS ROAD

This Agreement is entered into this _____ day of _____, 2012, by and between the County of Riverside, (hereinafter "COUNTY"), and the City of Moreno Valley, (hereinafter "CITY") for the provision of certain roadway improvements on various roads located within the jurisdictional boundaries of the COUNTY and CITY.

RECITALS

A. COUNTY and CITY have cooperated on planning the construction of certain roadway improvements that provide benefits to the general motoring public along Gilman Springs Road in the Moreno Valley area of Riverside County. The roadway improvements consist of pulverizing the existing roadway; road resurfacing/overlaying, intersection improvements, drainage improvements and striping, hereinafter referred to as "PROJECT". The location of PROJECT is shown in Exhibit "A".

B. The PROJECT is within the jurisdictional boundaries of both the COUNTY and CITY, as shown in Exhibit "A".

C. COUNTY and CITY desire to cooperate and jointly participate in implementing and funding the PROJECT.

D. COUNTY and CITY desire to have one agency take the lead role in the development and implementation of the PROJECT to coordinate the improvements and to reduce overall costs.

E. COUNTY and CITY have designated COUNTY as the lead agency for the PROJECT and COUNTY will therefore provide the administrative, technical, managerial, and support services necessary to develop and implement the PROJECT.

F. COUNTY and CITY desire to define herein the terms and conditions under which said PROJECT is to be administered, environmentally cleared, engineered, coordinated, constructed, managed, financed and maintained.

Attachment "B"

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

SECTION 1 • COUNTY AGREES:

1. To fund one hundred percent (100%) of the cost of the preparation of plans, specifications and estimates (PS&E), preparation of an environmental document (ED) and obtaining environmental clearance, providing utility coordination and relocation of impacted utilities, and advertising, awarding and administering a public works construction contract necessary to construct PROJECT improvements that are located within the jurisdictional boundaries of the COUNTY as shown in Exhibit "A" attached hereto and incorporated herein:. The estimated costs for COUNTY's improvements are provided in Exhibit "B" attached hereto and incorporated herein. COUNTY agrees that should unforeseen circumstances arise which result in an increase of any costs over those shown in Exhibit "B", COUNTY will in good faith consider an amendment to this Agreement to include any such costs under this agreement.
2. To prepare, or cause to be prepared, detailed PS&E documents for the PROJECT and submit to CITY for review and approval at appropriate stages of development. Final plans for improvements within CITY's right of way shall be prepared to COUNTY standards, and signed by a Civil Engineer registered in the State of California. Deviations from standards shall be coordinated with and approved by CITY. COUNTY shall not solicit construction bids until CITY has approved the PROJECT PS&E documents.
3. To act as the Lead Agency for the design, environmental clearance, advertising, award and administration of a public works contract for the construction of the PROJECT.
4. To identify and locate all utility facilities within the PROJECT area as part of its PROJECT design responsibility. If any existing public and/or private utility facilities conflict with PROJECT construction, COUNTY shall make all necessary arrangements with the owners of such facilities for their protection, relocation, or removal. All utility facilities shall be identified on the PROJECT plans and specifications, and conflicting utilities shall be denoted. COUNTY shall require the utility owner and/or its contractors performing the relocation work within CITY's right of way to obtain a CITY encroachment permit prior to the performance of said relocation work. CITY and COUNTY shall coordinate and cooperate in the effort to establish prior rights related to utility encroachments into each jurisdiction's right-of-way. In the case that any utility

companies are determined to have prior rights, the cost of relocating utilities shall be borne by the jurisdiction in which the conflicting utility resides.

5. To prepare an environmental document and to obtain necessary environmental clearances in accordance with the California Environmental Quality ACT (CEQA).

6. To make written application to CITY for an encroachment permit authorizing entry into CITY's right of way for the purposes of constructing PROJECT.

7. To advertise, award, and administer a public works contract for the construction of PROJECT in accordance with all applicable federal, state or local statutes, ordinances, orders, governmental requirements, laws or regulations, including but not limited to the local agency public construction codes, California Labor Code, and California Public Contract Code.

8. To furnish a representative to perform the function of Resident Engineer during construction of PROJECT. If the PROJECT plans and specifications are prepared by a private engineering company, the Resident Engineer shall not be an employee of that company. The Resident Engineer shall also be independent of the construction contract.

9. To furnish qualified support staff to assist the Resident Engineer in, but not limited to, construction surveys, soils and foundation tests, measurement and computation of quantities, testing of construction materials, checking shop drawings, preparation of estimates and reports, preparation of as-built drawings, and other inspection and staff services necessary to assure that the construction is performed in accordance with the PS&E documents.

10. To construct the PROJECT in accordance with approved PS&E documents.

11. To submit any contract change order that causes the construction contract to exceed 10% of the contract bid amount for PROJECT improvements that are located within the jurisdictional boundaries of the CITY to CITY for review and approval prior to final authorization by COUNTY.

12. To provide material testing and quality control conforming to the Caltrans Standard Testing Methods as provided in Chapter 16 of the Local Assistance Procedures Manual, and to have this testing performed by a certified material tester.

13. To furnish CITY with a complete set of full-sized film positive reproducible as-built plans and all contract records, including survey documents, within ninety (90) days following the completion and acceptance of the

PROJECT construction contract. Electronic copies of completed plans are available if CITY desires. If electronic copies are provided, they will be provided on CD-R media.

14. To furnish CITY a final reconciliation of project expenses within ninety (90) days following the completion and acceptance of the PROJECT construction contract. If final costs associated with the CITY's improvements are in excess of the deposit provided in Section 2, COUNTY shall include a final bill with the financial reconciliation. If final costs associated with the CITY's improvements are less than the deposit provided in Section 2, COUNTY shall include a reimbursement for the difference with the financial reconciliation.

SECTION 2 • CITY AGREES:

1. To fund one hundred percent (100%) of the cost of administering a public works construction contract necessary to construct PROJECT improvements that are located within the jurisdictional boundaries of the CITY as shown in Exhibit "A". The estimated costs for CITY's improvements are provided in Exhibit "B". CITY agrees that should unforeseen circumstances arise which result in an increase of any costs over those shown in Exhibit "B", CITY will in good faith consider an amendment to this Agreement to include any such costs under this Agreement.
2. To deposit with COUNTY, prior to COUNTY awarding the construction contract but after bid opening and analyzing the bids for the PROJECT and upon written request by COUNTY, seven hundred fifty-five thousand five hundred fifty dollars ($755,550)(the "Deposit"), which represents ninety percent (90%) of the CITY's estimated share of the PROJECT costs as provided in Exhibit "B" hereto.
3. To provide, at no cost to COUNTY, oversight of PROJECT and to provide prompt reviews and approvals, as appropriate, of submittals by COUNTY, and to cooperate in timely processing of PROJECT.
4. To issue, at no cost to COUNTY or its contractors, upon proper application by COUNTY or COUNTY's contractor, an encroachment permit authorizing entry onto CITY's right of way for the construction of the PROJECT.
5. To provide a representative to coordinate and assist the COUNTY's Resident Engineer during the construction of PROJECT and to verify CITY facilities are constructed in accordance with the approved PS&E documents as required by this agreement.
6. To pay within 45 days of receipt all invoices submitted by COUNTY for services rendered in accordance with this Agreement.

SECTION 3 • IT IS MUTUALLY AGREED AS FOLLOWS:

1. The total cost of PROJECT is estimated to be $2,323,000 as detailed in Exhibit "B".
2. COUNTY shall not be obligated to award a contract to construct PROJECT until after receipt of CITY's deposit as required in Section 2.
3. If upon opening of bids for construction of the PROJECT the bids indicate a cost overrun of no more than 10% of the construction costs estimate as described in Exhibit "B" will occur, COUNTY may award the contract.
4. If upon opening of bids, it is found that a cost overrun exceeding ten percent (10%) of the Total Estimate Cost will occur, COUNTY and CITY shall endeavor to agree upon an alternative course of action. If, after thirty (30) calendar days from the date of bid opening, an alternative course of action is not agreed upon, this Agreement shall be deemed to be terminated by mutual consent, with each agency sharing incurred costs in accordance with the cost shares as set forth in Section I, Article (1), and Section II, Article (1). COUNTY shall reimburse CITY within forty five (45) days of termination.
5. Construction by COUNTY of improvements referred to herein which lie within CITY rights of way shall not be commenced until an Encroachment Permit to COUNTY, or COUNTY's contractor, authorizing such work has been issued by CITY.
6. COUNTY shall cause COUNTY's contractor to maintain in force, until completion and acceptance of the PROJECT construction contract, a policy of Commercial Liability Insurance, including coverage of Bodily Injury Liability and Property Damage Liability, in the amount of $2,000,000 minimum single limit coverage, and a policy of Automobile Liability Insurance in the amount of $1,000,000 minimum. Endorsements to each policy shall be required which name CITY, its officers, agents and employees, as additionally insured. COUNTY shall also require COUNTY's contractor to maintain Worker's Compensation Insurance. COUNTY shall cause COUNTY's contractor to provide Certificates of Insurance and Additional Insured Endorsements which meet the requirements of this section to CITY prior to the start of construction. The COUNTY shall also cause COUNTY's contractor to furnish a satisfactory Performance Bond and a satisfactory Labor and Material Payment Bond meeting all statutory requirements of the State of California for this project.
7. Ownership and title to all materials, equipment, and appurtenances installed as part of this Agreement will automatically be vested with the jurisdiction in which the improvements reside and no further agreement will be necessary to transfer ownership.

8. Neither COUNTY nor CITY shall be responsible for any maintenance of the improvements provided by PROJECT that are located outside of their respective ownership or right of way boundaries except as specified in this Agreement or future agreements.
9. No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by all parties and no oral understanding or agreement not incorporated herein shall be binding on each party hereto.
10. CITY and COUNTY shall retain or cause to be retained for audit for a period of three (3) years from the date of final payment, all records and accounts relating to PROJECT.
11. Neither COUNTY nor any officer or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement. It is further agreed that pursuant to Government Code Section 895.4, CITY shall fully indemnify and hold COUNTY harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement.
12. Neither CITY nor any officer or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority or jurisdiction delegated to COUNTY under this Agreement. It is further agreed that pursuant to Government Code Section 895.4, COUNTY shall fully indemnify and hold CITY harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority or jurisdiction delegated to COUNTY under this Agreement.
13. This Agreement and the exhibits herein contain the entire agreement between the parties, and are intended by the parties to completely state the agreement in full. Any agreement or representation respecting the matters dealt with herein or the duties of any party in relation thereto, not expressly set forth in this Agreement, is null and void.
14. Nothing in the provisions of Agreement is intended to create duties or obligations to or rights in third parties not parties to this Agreement or affects the legal liability of either party to the Agreement by imposing any standard of care with respect to the maintenance of roads different from the standard of care imposed by law.

15. This Agreement may be executed in one or more counterparts and when a counterpart shall have been signed by each party hereto, each shall be deemed an original, but all of which constitute one and the same instrument.
16. This Agreement shall be terminated 3 months after the filing of a Notice of Completion for the PROJECT or upon mutual agreements of the parties.
17. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other address as the PARTIES may designate:

To County: Riverside County Transportation Department
Attention: Juan C. Perez, Director of Transportation and Land Management
4080 Lemon Street, 8th Floor
Riverside, CA 92501
Phone: (951) 955-6740
Fax: (951) 955-3198

To City: City of Moreno Valley
Attention: Ahmad R. Ansari, Public Works Director/City Engineer
14177 Frederick Street
Moreno Valley, CA 92552
Phone: (951) 413-3130

APPROVALS

Clerk of the Board (SEAL)

COUNTY Approvals

RECOMMENDED FOR APPROVAL:

_____ Dated: _____

JUAN C. PEREZ

Director of Transportation and Land Management

APPROVED AS TO FORM:

COUNTY COUNSEL

_____ Dated: _____

BY: DEPUTY

APPROVAL BY THE BOARD OF SUPERVISORS

_____ Dated: _____

John F. Tavaglione

PRINTED NAME

Chairman, Riverside County Board of Supervisors

ATTEST:

_____ Dated: _____

KECIA HARPER-IHEM

CITY OF MORENO VALLEY Approvals

APPROVED BY:

_____ Dated: _____

PRINTED NAME

City Manager

APPROVED AS TO FORM:

_____ Dated: _____

PRINTED NAME

City Attorney

ATTEST:

_____ Dated: _____

PRINTED NAME

City Clerk

EXHIBIT A • VICINITY/PROJECT MAP

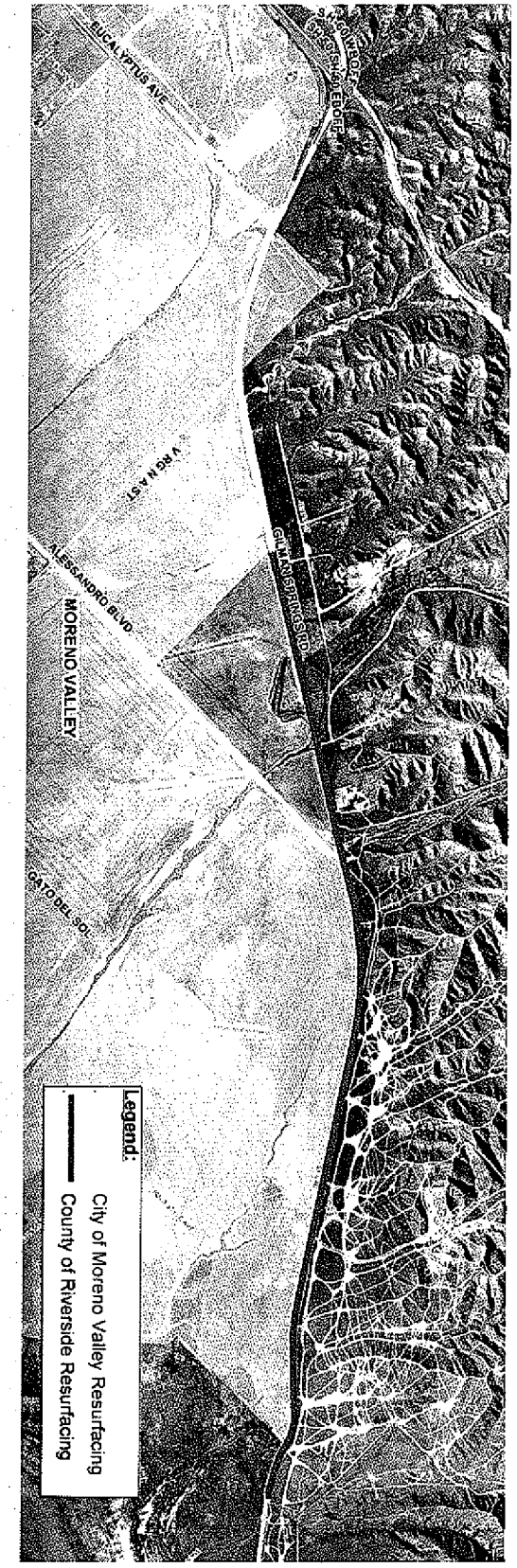

EXHIBIT B • PROJECT BUDGET AND SCHEDULE

COST ESTIMATE:

GILMAN SPRINGS ROAD RESURFACING/OVERLAYING:

TASK	CITY OF MORENO VALLEY	COUNTY OF RIVERSIDE	TOTAL
Construction (including 15% contingency)	$ 560,000	$ 1,290,000	$ 1,850,000
Construction Inspection, Material Testing, Construction Survey (15% of Construction Cost)	$ 84,000	$ 193,500	$ 277,000
TOTAL COST	**$ 644,000**	**$ 1,483,500**	**$ 2,127,500**

GILMAN SPRINGS ROAD AND ALESSANDRO BOULEVARD INTERSECTION IMPROVEMENTS:

TASK	CITY OF MORENO VALLEY	COUNTY OF RIVERSIDE	TOTAL
Construction (including 15% contingency)	$ 135,000	$ 0	$ 135,000
Construction Inspection, Material Testing, Construction Survey (15% of Construction Cost)	$ 20,250	$ 0	$ 20,250
TOTAL COST	**$ 155,250**	**$ 0**	**$ 155,250**

GILMAN SPRINGS ROAD CULVERT REPLACEMENT:

TASK	CITY OF MORENO VALLEY	COUNTY OF RIVERSIDE	TOTAL
Construction (including 15% contingency)	$ 35,000	$ 0	$ 35,000
Construction Inspection, Material Testing, Construction Survey (15% of Construction Cost)	$ 5,250	$ 0	$ 5,250
TOTAL COST	**$ 40,250**	**$ 0**	**$ 40,250**

TOTALFOR ALL PROJECTS:

TASK	CITY OF MORENO VALLEY	COUNTY OF RIVERSIDE	TOTAL
Construction (including 15% contingency)	$ 730,000	$ 1,290,000	$ 2,020,000
Construction Inspection, Material Testing, Construction Survey (15% of Construction Cost)	$ 109,500	$ 193,500	$ 303,000
TOTAL COST	**$ 839,500**	**$ 1,483,500**	**$ 2,323,000**

TENTATIVE PROJECT SCHEDULE

ENVIRONMENTAL CLEARANCE	**JULY 2012 TO MAY 2013**
DESIGN	**JULY 2012 TO AUGUST 2013**
ADVERTISE AND AWARD	**SEPTEMBER 2013 TO DECEMBER 2013**
CONSTRUCTION	**JANUARY 2014 TO JULY 2014**

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	SMB
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: APPROVAL OF THE AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH WILLDAN ENGINEERING TO PROVIDE UPDATES TO THE PAVEMENT MANAGEMENT PROGRAM – PROJECT NO. 801 0043 70 77

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve the Agreement for Professional Consultant Services with Willdan Engineering to provide updates to the Pavement Management Program.

2. Authorize the City Manager to execute the Agreement for Professional Consultant Services with Willdan Engineering.

3. Authorize the issuance of a Purchase Order to Willdan Engineering in the amount of $117,000.00 when the Agreement has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with Willdan Engineering, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

BACKGROUND

The City of Moreno Valley's maintained street network contains approximately 485 miles of roadways with three classifications: arterial, collector and local streets. To better maintain the network, the City developed the Pavement Management Program (PMP) in 1995 which provided the City with the necessary tools to inventory the street network, to evaluate and analyze pavement conditions, and to prioritize streets for

pavement rehabilitation. The PMP has been a very effective tool in assisting the decision-making process in the allocation of limited funds for street maintenance.

As the City continues to show dynamic growth with its population, infrastructure and maintenance needs, the PMP was last updated in 2009 to capture the changes in the street network. It is recommended that the PMP should again be updated so the City will have the most current information on pavement conditions that can be used in management decision-making for the allocation of limited funds and prioritization of streets for pavement rehabilitation. The Federal Highway Administration requires that the PMP be updated at least once every three years in order to be eligible for federal transportation funding.

DISCUSSION

On June 18, 2012, Request for Proposal letters for professional consulting services were sent to all consultants the City has on its approved on-call list for pavement management services. On July 2, 2012, three (3) consultants submitted their proposals for the project. City staff reviewed and rated the proposals according to the consultant's ability to complete the project requirements. The proposal from Willdan Engineering was selected as the most qualified for the project. An interview of the top firm was conducted, followed by negotiations on scope of services and fees.

The consultant will be responsible for updating the PMP database and street network, performing field surveys to collect and record all pavement conditions and distresses for all street segments, performing an analysis of the street network with the field data to produce an updated Pavement Condition Index (PCI), and preparing a comprehensive report that includes current PCI, work history, pavement rehabilitation recommendations for all streets, and budget recommendations.

ALTERNATIVES

1. By motion, approve and authorize the recommended actions as presented in this staff report. *This recommendation will allow for the much needed updates to the City's PMP and meet the Federal Highway Administration's requirements for eligibility for federal funding.*

2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will delay the much needed updates to the City's PMP and potentially disqualify the City from federal transportation funding.*

FISCAL IMPACT

The City Council approved a budget to update the PMP as part of the Fiscal Year 2012-2013 CIP Budget. The approved budget, in combination with the remaining funding for PMP included in Capital Projects Division Operating Budget (Measure "A" funds),

should provide sufficient funding for the PMP update work. There is no impact to the General Fund.

BUDGETED FUNDS FOR THE PROJECT:

Pavement Management Program (Account No. 2001-70-77-80001 801 0043 70 77)	$ 85,000
Capital Projects Operating Budget (Account No. 2001-70-77-45230)	$ 40,000
Total Available Funds	$125,000

ESTIMATED PROJECT COSTS:

Professional Consultant Services Costs	$117,000
City Staff Project Management Costs	$ 8,000
Total Estimated Project Costs	$125,000

ANTICIPATED PROJECT SCHEDULE

Field Survey of Street Complete	January 2013
Field Data Input and Analysis Complete	March 2013
PMP Database and GIS Updates Complete	April 2013
PMP Comprehensive Report Complete	June 2013

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The contract with Willdan Engineering will enable the City to update the Pavement Management Program database, providing the City with updated information to use in the allocation of funds and prioritization of streets for pavement rehabilitation.

ATTACHMENTS

Attachment "A" – Project-specific Agreement for On-call Professional Consultant Services

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Acting City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES PAVEMENT MANAGEMENT PROGRAM PROJECT NO. 801 0043 70 77

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Willdan Engineering, a California corporation, hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for On-call Consultant work in an Agreement ("On-call Agreement") executed on March 22, 2012, for Pavement Management Services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A."

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement and subsequent Amendments, if any, between City and Consultant are incorporated herein by reference and made a part of this Agreement as if set forth in full and are available for review in the City Engineer's office. Notwithstanding any expiration or termination of the On-call Agreement or Amendment(s), if any, all terms and provisions of the aforementioned On-call Agreement and Amendment(s) incorporated herein shall survive the expiration or termination of such Agreement or Amendment(s) for the duration of this Project Specific Agreement. In the

event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for the Pavement Management Program for Pavement Management Services and is described in detail in Exhibit "A" attached hereto and incorporated herein by reference.

3. The Consultant's scope of service is described in detail in Exhibit "B" attached hereto and incorporated herein by reference.

4. The City's responsibility is described in Exhibit "C" attached hereto and incorporated herein by reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $117,000 in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. This agreement will terminate on December 31, 2013, unless the termination date is extended by an amendment to the agreement.

8. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

PROJECT SPECIFIC AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0043 70 77

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer

_____
Date

WILLDAN ENGINEERING

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Enclosures: Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

CITY REQUEST FOR PROPOSAL/SCOPE OF SERVICES

EXHIBIT "A"

TEL: 951.413.3100
FAX: 951.413.3279
WWW.MOVAL.ORG

MORENO VALLEY
WHERE DREAMS SOAR

14177 FREDERICK STREET
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

June 18, 2012

Ms. Roxanne Hughes
Willdan Engineering
650 E. Hospitality Lane, Suite 400
San Bernardino, CA 92408

Subject: Request for Proposal and Not-to-Exceed Fee for Pavement Management Program (PMP) Update Services
Project No. 12-12554150

Dear Ms. Hughes:

The City of Moreno Valley is requesting a proposal for services and not-to-exceed fee for the subject project, in accordance with the On-call Agreement for Professional Consultant Services for Pavement Management Services dated April 16, 2012.

The City is interested in contracting for professional services to evaluate current conditions for all City-maintained streets in the City's network that includes arterials, collectors and local streets; update the MicroPaver database; generate a new pavement condition index (PCI); generate a comprehensive PMP report; and update the City's GIS pavement layer.

The City completed a PMP Update in 2009, and a copy of the PMP report is on file with the Capital Projects Division and available for review by contacting Quang Nguyen at (951) 413-3159. The City's network consists of approximately 133 street centerline miles of arterials, 34 miles of collectors, and 318 miles of local streets. The City is currently using MicroPaver Version 6.5 to manage the PMP.

In general, the following services to be performed by the Consultant shall include, but not be limited to:

Project Meetings: Upon receiving a Notice to Proceed, the Consultant shall have a kick-off meeting to discuss project details and expectations. A project schedule should be generated and submitted for quality control purposes that will include the Consultant periodically meeting with the City's Project Manager for reviewing project status and resolving any issues that may arise during the project.

Field Survey: A field survey shall be conducted on all City-maintained streets to collect all pavement distresses (type, extent, and severity) to include, but not be limited to, longitudinal and transverse cracking, alligator cracking, raveling, rutting/corrugation, patching, block cracking, edge cracking, bleeding/flushing, etc. in accordance with MicroPaver guidelines and accepted

MV00173479

industry standards. Through the use of field data collection, the Consultant shall explain the method(s) that is/are being proposed, how the data is collected and analyzed, and what quality control measures are used to obtain accurate field data. City staff reserves the right to ride along with Consultant field inspectors to verify pavement collection methods and data accuracy. All field operations shall be in accordance with OSHA safety standards.

Inventory: The City's MicroPaver database has a street inventory, which stores such information as street widths, segment and lane lengths, number of lanes, rank, date and type of construction, date and type of last known surface treatment, etc. The Consultant shall update any missing and/or obviously incorrect information in the database as a result of their field survey and review of work history records. The Consultant shall review the existing street segment database and modify the database (breaking up long segments or combining small segments together) as necessary to obtain a more manageable street segment inventory. The Consultant will verify the existing street lengths and pavement widths during the field survey and update the database.

MicroPaver Database Update and Analyses: After the field survey is complete, the data shall be entered into the City's current MicroPaver database and analyzed to provide necessary information for the creation of the pavement performance curves and decision models. The Pavement Condition Index (PCI) shall be calculated for each pavement section of the streets. The Consultant shall also include a provision in the proposal for quality control checks throughout the data entry process, as well as an explanation of the benefits of the quality control method that is employed.

Reporting and Submittals: A comprehensive report shall be prepared to include an executive summary suitable for an audience of managers or City Council members, a short discussion of the City's network and the PMP and methods of collecting and analyzing data, a PCI report, an inventory/condition analysis report, a work history report, an action forecast/maintenance report based on available budget and budget recommendations to maintain and improve existing overall PCI rankings, and all exhibits, tables, and maps supporting these reports.

A draft report shall be submitted to the City for review and quality control prior to submitting the final report. Three hard (3) copies and one (1) digital copy of the final comprehensive report shall be submitted to the City.

PMP-GIS Layer Update: The Consultant shall make necessary modifications to the City's existing PMP/GIS layer to reflect updated PCI values and corrections/updates to the City's network. Roads not already present on the City's existing PMP/GIS layer shall be identified and included as a part of this update. The final deliverable for this task shall be a PMP/GIS shapefile (.shp) that is compatible with ESRI's ArcView 10 software. The Consultant is required to coordinate with the City's GIS Division for other requirements on the format of the electronic files/submittals.

Technical Support: The Consultant shall provide technical support to City staff in the preparation of the budget and Capital Improvement Plan, as well as responding to questions and

inquiries related to the PMP Updates project. This is estimated to be two (2) full days of technical support.

The City's schedule for completing the PMP Update project is as follows:

Proposal Due Date:	July 2, 2012
Proposal Review and Selection by:	July 13, 2012
Kick-off Meeting:	July 30, 2012
Field Survey:	August 6, 2012 to December 28, 2012
PCI Analysis and PMP Report:	January 2, 2013 to May 24, 2013
PMP/GIS Layer Updates:	May 27, 2013 to July 26, 2013

Three copies of your proposal and fee should be submitted **no later than 5:00 p.m. on July 2, 2012,** to:

Quang D. Nguyen, Senior Engineer, P.E.
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street *(hand delivery)*
P.O. Box 88005 *(mail delivery)*
Moreno Valley, California 92552-0805

Proposal review and consultant selection will be based on:

1. Project Understanding – Does the Consultant understand the project's objectives and issues as well as quality control requirements? (20 points)
2. Project Deliverable Plan – Does the Consultant have a sound, executable work plan? (30 points)
3. Project Resource Allocation –Does the proposal reflect efficient utilization of experienced, dedicated project managers, inspectors and staff? (30 points)
4. Project Deliverable Schedule – Does the proposal reflect timely deliverables at appropriate milestones? (20 points)

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract. The City Manager has the authority to determine on a case-by-case basis, based on the guidance provided by the Fair Political Practices Commission (FPPC) whether a particular consultant needs to comply with the disclosure requirements. If compliance is required, the consulting agency will receive an Economic Interest Statement (Form 700) from the City Clerk's office for completion. Please complete and return the three forms.

If you have any questions, please contact Quang Nguyen, Senior Engineer, P.E., at 951.413.3159.

Sincerely,

Quang D. Nguyen, P.E.
Senior Engineer

QDN:db

Enclosures: Forms Regarding Statement of Economic Interest (3 pages)

c: Project File

W:\CapProj\CapProj\PROJECTS\Quang - 12-12554150 - Paver Update\2012 PMP Update\Consultant\RFP\Letter - RFP & Not-to-Exceed Fee (Willidan)_6-13-12.doc

CONSULTANT SCOPE OF SERVICES/PROPOSAL

EXHIBIT "B"

WILLDAN Engineering | extending your reach

July 2, 2012
Revised July 26, 2012

Mr. Quang D. Nguyen, Senior Engineer, PE
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: Proposal and Not-to-Exceed Fee for Pavement Management Program (PMP) Update Services
Project No. 12-12554150

Dear Mr. Nguyen:

Willdan appreciates the opportunity to submit this proposal for professional engineering and consulting services to update the City's Pavement Management Program (PMP). Our pavement engineering team has prepared a large number of pavement management programs, and also has extremely strong experience in design and construction management of annual overlay and slurry programs in numerous cities in Southern California. As contract city engineer in many cities over the past 25 years, our team has had the opportunity to review the long-term results from the full range of pavement strategies implemented on thousands of streets in varying conditions. We also have familiarity with many pavement management programs and their varying approaches, and have been involved in custom pavement management program development to enhance the analysis and reporting capabilities as needed to fully address each client's particular needs.

The Willdan MicroPaver Program has very significant customization of data processing and output, though the central base is the MicroPaver program. As you may be aware, MicroPaver does not provide a process for assigning streets to an optimal overlay program or slurry program, and actually has no features to optimize application of the budget to various PCI levels. Willdan has developed automated programs that accomplish all this and also offer excellent graphical representations. We have developed these processes in numerous cities and on numerous updates.

The Willdan team offers the following advantages to facilitate your decision to select Willdan:

- The Willdan Program provides credible determination of current and future needs, with annual and five year cost projections based on customizable CIP budgets that are optimized to increase PCI over time while reducing unfunded maintenance backlog. Willdan has prepared close to 100 pavement management program reports for cities in Southern California, the majority of them MicroPaver based. Since commencing PMP development in 1984, we have continuously improved and adapted our pavement management programs to new construction materials and methods to provide the most cost-effective solutions for maintaining street programs.

MV00173484

- Willdan's field rating technique uses a highly qualified pavement rater that walks each street segment and documents the distresses on specialized rating forms designed to quickly and efficiently capture quantities and severities for all of the required distress patterns. Since the rater is physically walking the street, he also makes notes on the rating forms documenting additional observations such as deficient drainage conditions or needed updates to segment limits based on noted recent construction or other field conditions. This process captures not only the distress data, but also assists the engineer with adjusting rehabilitation strategy assignments to fit identified field conditions and providing quality control updates to the existing data for better accuracy.
- Willdan is adept at providing GIS compatible PMP data. Since 2001, Willdan has provided direct linkage between MicroPaver and GIS on all programs. The City's base PMP-GIS layer will be updated and utilized for color-coded mapping of street characteristics, such as segment ID numbers, Construction History, PCI values and recommended maintenance strategies. Naturally this is extremely helpful for city management staff and city council to visualize and familiarize themselves with various aspects of the street system.
- Our pavement engineers work closely with our contract city engineers and directors of public works in cities with long-term contracts running 20 years or more. This provides the unique opportunity to monitor the performance of virtually all pavement rehabilitation strategies over extended periods to see how they perform and what their expected lifespan will be. This important information is integrated into the Willdan PMP's to provide more cost-effective strategies and to better project long-term performance of the roadway network.

Project Understanding

Experience of Firm and Proposed Team

Willdan, and in particular the project team we offer for this contract, has direct experience with developing, implementing, and updating programs in many cities throughout California. The team has established and updated the MicroPaver programs in the cities of South Gate, Rosemead, Bell Gardens, Paramount, Bellflower, Rolling Hills Estates, Ridgecrest and Hawaiian Gardens. Several of these clients routinely use Willdan to perform their PMP Update on a three-year cycle. Through this depth of experience, the Willdan team offers demonstrated ability to develop cost-effective strategies to optimize the application of available City budget through time in a manner that will result in a decrease in unfunded maintenance backlog and corresponding increase in the network-wide average PCI. The cost parameters are developed in concert with the City staff to ensure that the available City resources, such as the Street Maintenance Division, are leveraged to attain the optimal allocation of funds and resources over time.

Project Understanding

The City of Moreno Valley's existing Pavement Management Program (PMP) was updated using MicroPaver software in 2009; including all public streets. The local streets were actually rated in the summer/fall of 2007, with the arterial/collector street rating conducted in fall/winter of 2009. It is understood that the City requires a single comprehensive program update that includes field rating all public streets, performing quality assurance for both the field data collection and the existing street data inventory in the current PMP, processing the data and providing a draft and final 2012 PMP update report. The City's current PMP-GIS Layer will also

be updated to incorporate the new information. The requested services for the 2012 PMP Update must meet the following two primary objectives:

- Update the existing PMP by evaluating the existing condition of all pavements within the City's roadway network; establish credible determination of current and future maintenance and rehabilitation needs; develop and provide an action forecast/maintenance report identifying recommended budget levels to maintain and improve the overall PCI rankings.
- Update the City's GIS-PMP Layer with the revised PMP data and provide an updated PMP-GIS shape file (.shp) that is compatible with the City's ArcView10 ESRI software.

The City of Moreno Valley desires a pavement management program report with recommendations that are reliable for applicability to each specific street, and not just on the network level. Data and processing must provide accurate quantities and costs, which are fully commensurate with actual field conditions on the individual streets. This applies especially to the division between major maintenance and minor maintenance. The program should be reliable in providing this division such that it is defensible on a rational structural basis and on a basic aesthetic level as well. The City will only find true satisfaction from the pavement management program through the following attributes:

- Accurate CIP priorities and costs that can stand up to scrutiny of City Council and local residents on a line item basis comparison segment-by-segment. Willdan's enhanced data processing provides this level of confidence.
- Reasonably accurate projections of future conditions and maintenance needs based on City selected funding levels which are optimally distributed to various PCI ranges with emphasis on maintaining streets in good condition as opposed to overspending on repair of streets already in very poor or failed condition. Willdan's enhanced budget forecasting procedures provide for iterative adaptation to target the most efficient budget allocation parameters.
- Optimum pavement management priority listing of streets for maintenance and rehabilitation based on an established City budget. Priority listings are provided by benefit/cost ratio as well as PCI.
- A highly efficient and effective data collection system with a high degree of quality control to ensure accurate, repeatable results. Willdan's proprietary rating forms and "boots on the ground" approach to field rating accomplishes this need.
- Ability to store and print reports of full construction history for each street segment.
- Full linkage with GIS for production of graphic exhibits of pavement characteristics for each segment, including budget year, PCI, next maintenance strategy, priority, etc.

Project Approach

The commonly used MicroPaver program, the same in use in Moreno Valley, can store a large array of data and has a very highly developed PCI calculation system. The important aspect here is that priorities, strategies, and costs are fully optimized to produce the desired improvement in overall average PCI. The Willdan enhancements take the MicroPaver network level analysis down to full effectiveness on a segment-by-segment basis. Further, the program can be fine-tuned to identify that most advantageous break point between overlay, patching and slurry specific to the documented condition of the Moreno Valley street system.

Data Comprehensiveness

Data assimilated for a PMP must be reasonably accurate and include all of the information necessary for a meaningful assessment of pavement conditions. An accurate record of quantity and severity of most types of cracking, for example, including singular, alligator, and block and singular cracking, is necessary. These are the keys to identifying the street's present stage in the life cycle curve. Naturally, there are hosts of other deterioration categories that are necessary and useful to develop a meaningful PCI, but at the same time they must not overly affect the PCI. For example, raveling and utility cuts should not push the PCI into an overlay category, when the street is otherwise structurally sound.

Although all of the required distress data for full implementation of MicroPaver guidelines will be collected, emphasis is on crack data. This is the key to cost-effective maintenance. The type of cracks and quantity of cracks and base failure are the factors which determine an overlay or reconstruction or other structural repairs. These are the most costly forms of maintenance, and therefore, the predominant savings can be realized in this area. *Keep in mind that saving money on maintenance is the primary reason for having a PMP.*

System Performance

The Willdan enhanced system is fully automated to produce accurate priorities and costs for individual street segments, which allows for accurate and cost effective budgeting and projection of future performance. The projections can be made substantially more accurate by incorporating Willdan's optional Structural Index, rather than just the PCI.

In summary, the Willdan system approach provides an efficient method that yields a very practical and effective tool for simplifying the complex task of maintaining a roadway network at the least cost. Our team has such depth of expertise that it was possible to set up the system so that the elements of ease of use, efficiency, and accuracy in performance are brought together for the City to enjoy on this project and on many updates to follow. Willdan's approach will use our enhanced system and provide the following essential elements:

1. Update the current pavement inventory for new streets, with categorization parameters, including the characteristics of the roadway such as traffic and pavement types.
2. A convenient and efficient visual rating and data input procedure to provide a cost effective and accurate update. The Willdan field rating system covers the entire street, not just sample segments, so such things as widespread cracking and bleeding near intersections are not neglected in the analysis. Previously recorded PCI information will be checked against actual field conditions such that data that is highly out of correlation with current conditions can be noted early in the process, thereby expediting the QA/QC process.
3. Update of construction history for any project records provided by the City and also based on field observations. During field inspection, previously recorded construction history will be checked against actual field conditions such that erroneous records can be corrected.
4. Preparation of an updated database of condition information established in a manner that will provide a truly effective and meaningful Pavement Condition Index (PCI) for each street. The PCI is the common basis for prioritizing overlay projects; however it can be highly misleading due to the 19 distress types it includes. The Willdan system relies

on using a benefit/cost analysis to bring solid engineering evaluation in the prioritization process.

5. Linkage of new elements of the PMP with the existing GIS-PMP to allow for representation of the full system of PMP street segments in any form or combination desired.
6. A method to accurately determine present and projected future network status and associated funding schedule on graph exhibits. Willdan has developed an enhanced forecast system, which can use not only PCI, as used MicroPaver, but also a Structural Index (SI), which is much more accurate because it projects something that can reliably be estimated. With 19 elements within PCI, projections are inherently inaccurate, simply because things such as bleeding, raveling, bumps, sags, and utility cuts cannot be accurately forecasted over time, but they have a powerful effect on PCI. The SI is a simplified indicator of the actual structural degradation that simply and effectively prioritizes rehabilitation needs.
7. The Willdan forecasting report will be optimized for expenditures at various PCI levels: worst-case conditions, below critical and above critical. City street systems respond to funding of these different levels in different ways. Some cities need a lot of funding at low PCI levels for the fastest catch-up on backlog, while other cities do best with a predominance of funding above the critical level. Other cities lie anywhere in between and the difference of ultimate outcome is quite dramatic. Only Willdan has the capability in its system to run this analysis to find the optimum program.
8. Numerous tabular reports covering major maintenance inventory and minor maintenance inventory by priority and alphabetic; a five-year budget report with streets list by year; and other overall listings of road type, geometry, traffic, and condition to facilitate cross reference to needed information.
9. Construction history listing capabilities for the original construction, previous overlays, and slurries on each street segment (based on available information).

Project Scope of Work

Willdan Engineering shall provide a comprehensive update of the City's existing 2009 MicroPaver database and PMP using Willdan's enhanced MicroPaver PMP system. The existing PMP data will be reviewed for accuracy, then corrected and fully updated and developed to meet the stated project objectives.

Task 1 – Program Management

1. Attend a kick-off meeting with City representatives to review the project in detail, and determine the City's specific requirements.
2. Maintain continuous communication with the City of Moreno Valley Project Manager. Ms. Hughes will provide updates through emails communicating project status every other week. Phone calls will be utilized when an information exchange is necessary between the monthly progress meetings.
3. Provide agendas of special items for discussion and minutes listing actions.

4. Provide a detailed project schedule with updates on a monthly basis. Microsoft Project Schedule will be utilized to track the project. A baseline schedule will be recorded and monthly schedule updates will be provided.
5. Maintain continuous awareness of the status of each task as it proceeds and make provisions to expedite and resolve any difficulties that may impede progress. Ms. Hughes will be the single point of contact with the City's Project Manager with full responsibility for project performance.

City Furnished Services/Information

The City shall furnish all available work history since the 2009 update, field data or maps and existing PMP report dated 2009, and electronic copy of the PMP database files (.mdb).

Deliverables

- Kick-off Meeting
- Bi-Weekly Status Emails
- Monthly Progress Reports
- Monthly Schedule Update

Task 2 – Field Survey

Willdan will collect, evaluate, verify and transfer all data to be incorporated in the pavement management program. The update, as stated in the RFP, includes approximately 485 centerline miles of arterial, collector and residential streets maintained by the City. The current PMP database includes 3,364 individual pavement segments. A field survey shall be conducted over the entire City street network to collect all pavement distresses (type, extent, severity) consistent with the MicroPaver program guidelines and industry standards. The field survey scope of work will include the following:

1. Obtain City's current GIS-PMS Layer and generate Citywide street segment rating maps for the entire street network, divided into four geographical quadrants, using ArcGIS.
2. Export the current PMP access data into Excel and prepare a data entry spreadsheet to correlate with rating forms for future data entry. Prepare a summary table of the existing street inventory for each quadrant for use by the field rater to verify data during field review.
3. For each quadrant of the street network, record in the field quantities of observed distress conditions for existing streets, on pre-printed rating forms using Willdan's enhanced data gathering system. The inspection will be on a block-by-block basis, recording all pavement distresses for the entire paved area as opposed to only small "representative" inspection units. This rating approach has a high degree of repeatability, since it consistently captures all distresses as a ratio of total pavement area.
4. The rater will also review the previously recorded road inventory data and note any discrepancies with field conditions or new information pertinent to rehabilitation strategies directly on the field rating form, on a segment by segment basis.
5. For each quadrant, input the rating data electronically into a spreadsheet matching the rating form, field by field.
6. Upon completion of the initial quadrant, a quality assurance spot check will be conducted. The project manager with randomly select approximately five percent of the

rating forms and conduct an independent field review to document accuracy and repeatability of the collected rating data. This procedure will be completed for each of the four quadrants, such that approximately twenty percent of the total project rating data is field verified in this manner. Documentation of the randomly selected segments, along with the results of the independent review and any corresponding corrective actions, will be submitted in a Field Rating QA/QC Summary Report.

7. Preprocess the data as necessary to upload field data into the Micropaver database (.mdb) for effective processing by MicroPaver.

Deliverables

- Field Rating Forms (scanned .pdf images of field forms)
- Field Rating QA/QC Summary Report

Task 3 – Inventory and Data Upload

Willdan will update any missing or obviously incorrect information in the City's existing PMP database and upload the new distress data into the corrected database. The scope of work for inventory and data upload will include the following:

- Using a combination of annotations on the field rating forms, input from City staff regarding their knowledge of existing deficiencies that they have noted in using the current PMP database, and a quality control review utilizing access database sort and query tools, verify and correct any noted inaccuracies or deficiencies in previously recorded PMP database.
- Update GIS-PMP layer to split or combine segments, and revise street inventory to be consistent with rating data.
- Transfer the preprocessed field rating data from Excel into the corrected Micropaver database (.mdb) and upload interface database into MicroPaver.
- In MicroPaver, update work history since the last PMP report. City staff may furnish a list of construction history for inclusion in the update. The information should include the year of construction, type of work (material and depth for overlays), street location and limits of work. In addition, previously recorded construction history will be proved against field conditions during pavement rating.
- Run Micropaver calculation modules to generate updated Work History and PCI information.

Deliverables

- Updated MicroPaver database including Section, Work History, Inspections, Distresses, Samples, and Conditions data (Microsoft Access .mdb file).
- Updated GIS-PMP layer consistent with revised PMP database inventory

Task 4 – PMP Update and Analysis

The updated database shall be utilized to create updated network level performance projections and decision models using an iterative process designed by Willdan. The scope of work will include the following:

Establish Program Parameters

1. Consult with City and determine maintenance techniques to be utilized:
2. Set maintenance costs for various PCI or structural index ranges, and set parameters required to execute programs in consultation with City.
3. Establish annual budget levels to use for initial comparison, in developing the preferred major maintenance expenditure levels.
4. Prepare family performance curves for street categories as agreed by City to provide for projection of future PCI values.

Deliverables

- Strategy Logic Tree for major maintenance and minor maintenance cutoff parameters
- Summary table of cost basis for selected maintenance strategies

Data Processing and Analysis

1. Process data using Willdan's enhanced PMP system to provide information reports for City's preliminary review as follows:
   - ✓ Run the PCI report, which lists all streets and their present PCI and SI along with certain street data elements.
   - ✓ Quality Control review data output by comparing calculation PCI and SI information to the actual street rating forms. A new random sampling of ten percent of the data will be selected and cross-checked to verify that the calculation information is in alignment with the field rating forms. This is an important QA/QC step, as any processing discrepancies will easily be observed if the recorded distress data does not correlate with the resultant PCI and SI values generated.
   - ✓ Correct any noted deficiencies and re-run the PCI report.
   - ✓ Run the PCI frequency report (number of segments in PCI categories) now and for a selected number of years in the future with no funding, to be run City-wide and in each maintenance zone.
   - ✓ Run the budget condition forecasting report to maintain pavements above selected average PCI values extending 15 years into the future, and more importantly, control and reduce the backlog of major maintenance in the future. (This will be used to gauge appropriate funding levels.)
   - ✓ Optimize application of funding to above critical PCI, below critical PCI and worst-case conditions in order to provide the most cost effective program implementation.
   - ✓ Run the major maintenance projection report for unlimited budget to portray the total backlog at present.
2. Prepare the results of projections as follows:
   - ✓ Bar graph of unfunded backlog over the years of the projection.
   - ✓ Circle charts of condition groupings resulting from future projects.
   - ✓ Line graph of average PCI change over the years.

Task 5 – Reporting and Submittals

A comprehensive 2012 PMP Update report shall be prepared, including a preliminary data report summarizing the results of the initial program parameters and a final report that has been modified to include requested revisions. The scope of work will include the following:

Preliminary PMP Data Report

1. Compile the information from the data processing and analysis into a preliminary report of findings about the street system status.
2. Submit preliminary PMP Data Report to the City. Review the preliminary report with the City staff to decide which budget levels will be most appropriate to investigate projections into the future and refine strategies as needed.
3. Run multi-year projections at selected budget levels agreed to by the City to find the optimal funding approach for proportions applied to worst case, above critical and below critical PCI ranges.
4. Consult with the City to review the updated projection outputs to establish the basic program for a system-wide maintenance.

Deliverables

- Preliminary Draft PMP Report, including list of streets needing restructuring prioritized by benefit/cost ratio with individual cost calculation for each street segment.
- Consultation to review report output

Final PMP Update Report and GIS Update

1. Run the final selected multi-year projection to produce a bar graph of backlog and line graph of average PCI citywide.
2. Prepare a five-year budget for major and minor maintenance as follows:
   - ✓ Generate a spreadsheet from MicroPaver with selected fields of data for strategy, priority, and cost determinations.
   - ✓ Provide customized formulas to generate costs and other information relevant to the next proposed improvement.
   - ✓ Sort list by descending benefit/cost ratio, break the list into respective budget years by sub-totaling the improvement costs to the annual budget amount. The annual budgets will be adjusted to bring the optimal number of streets in various PCI ranges into the funding program.
   - ✓ Provide prioritized slurry seal program based on identified minor maintenance needs.
3. Update the GIS-PMP Layer to link PCI, SI, major and minor maintenance strategy assignments and budget years to the street inventory.
4. Compile all generated information into a report including sections including Executive Summary, Glossary, Pavement Management Programs, The Moreno Valley Pavement Management Program, Findings and Recommendations, Implementation, Future Projections, and Data Retrieval.

5. Provide color coded mapped representations of streets as follows:
   - ✓ Work History
   - ✓ PCI
   - ✓ SI
   - ✓ Budget Year
   - ✓ Minor Maintenance Strategy
   - ✓ Major Maintenance Strategy
6. Provide the City with the updated shape files for their GIS-PMP Layer updated to link to the new pavement management program.

Deliverables

- Three hard copies of the Final 2012 PMP Update Report
- One digital copy of the Final 2012 PMP Update Report
- GIS-PMP shape file (.shp) for Arcview10 ESRI software

Task 6 – Technical Support

Willdan shall be available for assisting City staff in fully implementing the PMP into the City budget and Capital Improvement Program, as well as to respond to inquiries related to the PMP update project overall. As indicated in the RFP, we have provided for two full days of technical support to be provided by our Project Manager, Ms. Roxanne Hughes.

Project Team

Principal Staff

Willdan has key personnel assigned to pavement management services. They are highly experienced in the necessary fields to effectively perform the requirements of pavement management projects. Two key employees, central to producing an excellent PMP are the project manager and pavement field rater. Ms. Roxanne Hughes, Willdan's proposed Project Manager, will serve as the only contact for the City of Moreno Valley and is crucial to ensuring the project remains on-track, within budget and on schedule. She will also run the reports and be the main contact with the City on setting program parameters for optimizing the Moreno Valley PMP budget levels and the five-year street maintenance program.

Willdan Project Manager Commitment

Ms. Roxanne Hughes, PE
374 Poli Street, Suite 101
Ventura, CA 93001
(805) 653-6597, ext. 1010
(805) 643-0791 fax
rhughes@willdan.com

Proposed Team

The Willdan team will provide the City of Moreno Valley with both the professional expertise and the local experience to ensure the project is well executed and meets local needs. Their demonstrated competence in performing related tasks on schedule and within budget is detailed below. The table below briefly summarizes the highly qualified staff assignments for this project. Full project team resumes are also provided in the appendix to this letter.

Willdan agrees that its proposed team will serve the City of Moreno Valley for the duration of the PMP update process. Before substituting for any team member or adding any additional team member(s), Willdan will provide 30 days' notice to the City of Moreno Valley and obtain express permission from the City.

Name/Title	Relevant Experience	Education/Registrations
Project Manager / Pavement Engineer		
Ms. Roxanne Hughes, PE	▪ Principal Project Manager in City Engineering ▪ 14 years of experience in civil engineering with a focus on pavement management and rehabilitation ▪ Expertise with multiple PMP software systems and application of Willdan system enhancements ▪ Solution oriented problem solving capabilities and effective communication skills	▪ B.S. Civil Engineering, California Polytechnic University, SLO ▪ California, CE 62381
Ms. Roxanne Hughes, PE, is a Principal Project Manager for City Engineering at Willdan, with more than 14 years of experience in municipal engineering with a focus on pavement management and roadway rehabilitation. She has overall responsibility for the implementation of the City's PMP Update. As Project Manager, Ms. Hughes will supervise all aspects of system development and personally be involved in all parts of the work including field rating difficult streets, proofing data items, running computer reports, and preparing the program report. Her excellent understanding of pavement life cycle and repair methodologies coupled with her solution oriented problem solving capabilities makes her ideally suited for this assignment.		
QA/QC		
Mr. Adel M. Freij, PE	▪ Principal Project Manager in both Construction Engineering and City Engineering ▪ 22 years of experience with a focus on municipal CIP projects	▪ BS, Civil Engineering, University of Missouri, Kansas City ▪ Resident Engineer Academy ▪ California, CE 55564
Mr. Adel M. Freij, PE, is an accomplished project manager and construction manager for large-scale multi-discipline public works projects who is recognized for providing innovative quality engineering and construction management services and meeting clients' project budgets and schedules. A Deputy Director for City Engineering at Willdan, Mr. Freij has 21 years of engineering and construction management experience on many types of Capital Improvement Projects, including street reconstruction, street widening, overlay and slurry seal, bridge construction, flood control and drainage, water and sewer improvements, traffic signals, signing and striping, and landscape and park improvements. Mr. Freij has provided QA/QC on many of Willdan's PMP Reports and is a valued member of this project team. With his background he is ideally suited to review the output of the program to ensure that it meets the quality and usefulness standards of the City.		

Name/Title	Relevant Experience	Education/Registrations
Senior Advisor		
Mr. Thomas Kirk, PE	• Senior advisor for all pavement engineering at Willdan • Over 30 years experience with pavement management and road rehabilitation engineering and construction • Architect of Willdan's enhanced PMP system software	• University of California, Los Angeles, Bachelor of Science, Civil Engineering, Specialty in Construction Engineering Civil Structures • Graduate Study in Computer Information Systems • Computer Programming Certificate RCE, California, No. 31843
Mr. Thomas Kirk, PE, is a Project Manager and Pavement Engineer at Willdan Engineering and will provide consultation for project implementation. He has been fully involved in research and development of pavement maintenance techniques for the past 25 years. Mr. Kirk keeps abreast of all developments in pavement maintenance methods and pavement management programs. His field of specialization in the civil structural area is applied to determining the practicality of various maintenance methods. He played a central role in the development of the Willdan PMP and its later enhancements. As a Senior Advisor, Mr. Kirk will provide Ms. Hughes with technical support and pavement engineering and design supervision in an as-needed capacity.		
GIS Specialist		
Mr. Rex Miller	• ArcGIS software expert with 23 years of experience in a variety of GIS and GIS related software applications • Performed GIS linkage and mapping on numerous pavement management programs	• GIS Courses from Environmental Systems Research Institute (ESRI) • BS, Civil Engineering, University of Texas, Arlington
Mr. Rex Miller, PE has 13 years of experience as a civil engineer and 8 years experience providing technical support to civil engineering software users. He currently provides GIS consulting services to civil engineering firms and public agencies, and has provided GIS integration with pavement management programs for a number of cities. Mr. Miller will prepare the GIS linkage updates and report exhibits for this project.		
Data Collection/Pavement Rater		
Mr. Mohsen Soumi	• Has rated thousands of miles of pavement utilizing the Willdan enhanced data collection system • 20 years of experience in pavement rating and ACAD drafting	• Glendale Community College and Long Beach Community College Engineering and Architectural Major
Mr. Mohsen Soumi is a highly experienced pavement management program street rater. He has rated well over a thousand miles of local streets, arterials, and alleys using a number of different systems over the past 7 years. Using GIS maps and summary tables prepared by Mr. Miller, Mr. Soumi will collect the field data for the system. The field rating will be comprehensive, accurate, and consistent, with the segments properly defined. Any inaccuracies discovered in the 2009 data set will be identified and corrected for the 2012 update, including combining or splitting existing segments as appropriate based on field conditions.		

Team Availability

Our mission is "to achieve business success by delivering superior quality services to our clients" from initial project analysis through final report. Through all phases of project management, our emphasis is on strong leadership, cost-effectiveness, timely performance, the ability to meet project schedules and consistent reciprocal communication with clients and internal and external resources.

Responsiveness. The goal of the Willdan team is always to manage the project in the manner that agency staff would if they had the time and resources to do so. We respond to the project needs as an extension of the City's staff. In addition, with each project, we seek to understand the objectives of the project or task, the regulatory environment that surrounds it, the community concerns that affect it, and the technical needs that will bring it to a successful conclusion. We will seek to work seamlessly with agency staff and other stakeholders for success.

The following table illustrates the current workload of the project Team and their availability/ commitment for the City of Moreno Valley's project. Each team member is committed to this project for the duration of the contract and has adequate availability and expertise to successfully complete the requested services. The workload and availability summarized below represent a monthly average based on anticipated work assignments that are concurrent with this project schedule. The weekly commitment will vary to meet the project demands as appropriate. For instance, Mr. Soumi will be assigned to Moreno Valley at 100% commitment during the time he is performing the street rating and data upload assignments.

Team Member/Project Role	Current Workload	Availability/ Commitment
Roxanne Hughes, PE – Project Manager/Pavement Engineer	70%	30%
Adel Freij, PE – Quality Assurance	80%	20%
Tom Kirk, PE – Senior Advisor	35%	65%
Rex Miller – GIS Specialist	35%	65%
Mohsen Soumi – Pavement Rater	10%	90%

Quality Control/Quality Assurance

1. Pavement raters are always "retrained" at the beginning of any rating assignment by our pavement engineer in charge of database development. They are coached and tested on ratings the first morning, and their progress rechecked and verified within a few hours thereafter. The process will involve an independent rating by our engineer shortly after ratings by pavement raters. This process of quality assurance rating will continue for the first couple of days, or as needed until the consistency is established.
2. Supervisory proofing is provided on a spot-check basis throughout the assignment by our pavement engineer at a level of 20-25% of mileage. As described in the scope of work, this is accomplished by randomly selecting five percent of the rating forms as each City quadrant is completed and completing and independent field review of these street segments.

3. Data is first output to a spreadsheet to which formulas are attached to verify completeness and reasonableness of data. Sort and search macros are performed along with additional formulas to further verify field contents of the database.
4. After assimilation of the database in the spreadsheet is complete and verified on an automated basis, our pavement engineer scans, and searches for inconsistencies, prior to any use of the data.
5. Various query routines are run to provide groups of streets with same characteristics to verify functionality of the database for consistency in general. A quality assurance backcheck is performed to review the calculated results against the originating field review forms directly in order to ensure that the observed field conditions are in alignment with the calculated results. Only at that point is the data considered usable.
6. After our pavement engineer prepares the information output reports, various staff members review these reports, for overall usefulness and meaningfulness.
7. Independent proofreaders review all written documentation with both laymen and engineering backgrounds prior to publishing.

Project Schedule

The proposed project schedule is provided on the next page. This schedule is based on completing milestones per the City's target dates stated in the RFP, adjusted to the scope of work we have outlined above. Since the City has a MicroPaver based system network that will provide a solid foundation for this update, the progress should be direct and conform to the schedule included in this proposal. Many previous systems have followed this track and generally conformed to their schedules with only minor offsets due to various unforeseen factors.

2012 PAVEMENT MANAGEMENT PROGRAM UPDATE
CITY OF MORENO VALLEY

ID	Task Name	Duration	Start	Finish
1	Program Management	166 days	Mon 9/3/12	Mon 4/22/13
2	Project Management	165 days	Tue 9/4/12	Mon 4/22/13
3	Kick-off Meeting	0 days	Mon 9/3/12	Mon 9/3/12
4	Field Survey	130 days	Mon 9/3/12	Fri 3/1/13
5	Field Rating - ALL STREETS	110 days	Mon 9/3/12	Fri 2/1/13
6	QA/QC Summary Report	65 days	Mon 10/22/12	Fri 2/1/13
7	Inventory and Data Upload	95 days	Mon 10/15/12	Mon 2/25/13
8	Input Field Rating Data - Quadrant 1	2 days	Mon 10/15/12	Fri 10/19/12
9	Input Field Rating Data - Quadrant 2	5 days	Mon 11/05/12	Fri 11/09/12
10	Input Field Rating Data - Quadrant 3	5 days	Mon 12/31/12	Fri 1/4/13
11	Input Field Rating Data - Quadrant 4	7 days	Mon 2/4/13	Tue 2/12/13
12	Update GIS-PMP linkages	5 days	Wed 2/13/13	Tue 2/19/13
13	Upload Database	2 days	Wed 2/20/13	Thu 2/21/13
14	Update Work History	2 days	Fri 2/22/13	Mon 2/25/13
15	PMP Update and Analysis	11 days	Fri 3/22/13	Fri 4/5/13
16	Establish Program Parameters	5 days	Fri 3/22/13	Thu 3/28/13
17	Data Processing and Analysis	9 days	Tue 3/26/13	Fri 4/5/13
18	Reporting and Submittals	15 days	Mon 3/11/13	Wed 4/3/13
19	Preliminary PMP Data Report	5 days	Mon 3/11/13	Fri 3/15/13
20	Analysis and Consultation	3 days	Mon 3/18/13	Wed 3/20/13
21	GIS-PMP Update and Mapping	5 days	Thu 3/21/13	Wed 3/27/13
22	Final PMP Report	5 days	Thu 3/28/13	Wed 4/3/13
23	Technical Support	3 days	Thu 4/18/12	Mon 4/22/13
24	Assist with CIP Preparation	1 day	Thu 4/18/13	Thu 4/18/13
25	Respond to Inquiries	3 days	Thu 4/18/13	Mon 4/22/13

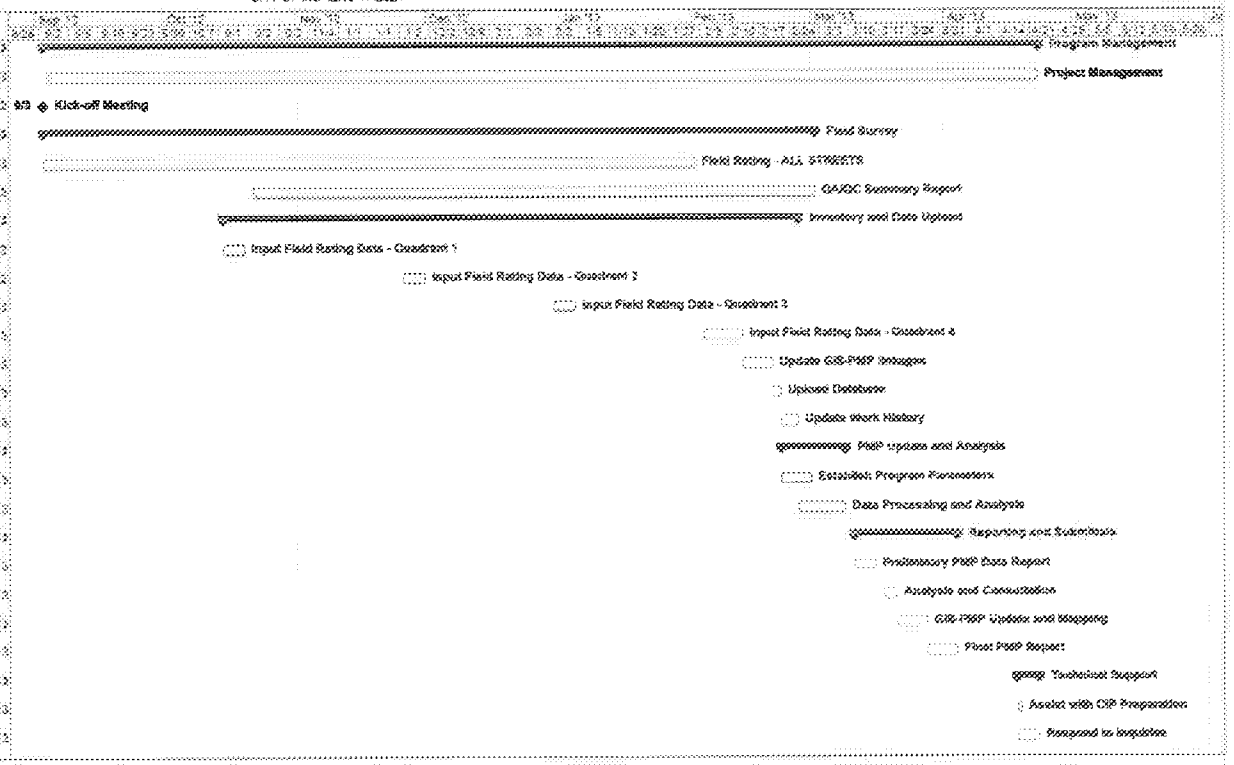

Project: Moreno Valley 2012 PMP
Date: Thu 7/26/12

Task | Critical Task | Progress | Milestone | Summary

MV00173498

Project Fees

Willdan Engineering is please to submit our fee proposal for professional engineering and consulting services to update the City's Pavement Management Program (PMP). We look forward to the opportunity to assisting the City in completing this very important project.

The cost for performing the PMP Update to include inspection of all 486 miles of City streets $117,000. A detailed manpower breakdown by task for this fee is show in the table below.

Detailed Manpower Breakdown by Task

PROJECT FEE	CITY OF MORENO VALLEY 2012 Pavement Management Program Update								
WILLDAN Description	QA/QC Manager $180	Principal Project Manager $170	Senior Advisor $140	GIS Specialist $120	Tech Aide Pavement Rating $68	Clerical $65	Total Hours	Direct Costs	Total Fee
Program Management									
Project Management		34				8	42		$6,300
Kick-off Meeting		4		4		1	9		$1,225
SUBTOTAL	**0**	**38**	**0**	**4**	**0**	**9**	**51**	**$0**	**$7,525**
Field Survey									
Field Rating - ALL STREETS		16	16	12	730		774	500	$56,540
QA/QC Summary Report	2	4	4			2	12	200	$1,930
SUBTOTAL	**2**	**20**	**20**	**12**	**730**	**2**	**786**	**$700**	**$58,470**
Inventory and Data Upload									
Input Field Rating Data		12			144		156		$11,832
Update GIS-PMP linkages		4		12	4		20		$2,392
Upload Database		6		2			8		$1,260
Update Work History		8					8		$1,360
SUBTOTAL	**0**	**30**	**0**	**14**	**148**	**0**	**192**	**$0**	**$16,844**
PMP Update and Analysis									
Establish Program Parameters		8	4			2	14		$2,050
Data Processing and Analysis		28	12	4		2	46		$7,050
SUBTOTAL	**0**	**36**	**16**	**4**	**0**	**4**	**60**	**$0**	**$9,100**
Reporting and Submittals									
Preliminary PMP Data Report	4	12	4			4	24	$50	$3,630
Analysis and Consultation		6	2				8		$1,300
GIS-PMP Update and Mapping		4		40			44		$5,480
Final PMP Report	8	24	2				34	$150	$5,950
SUBTOTAL	**12**	**46**	**8**	**40**	**0**	**4**	**110**	**$200**	**$16,360**
Technical Support									
Assist with CIP Preparation		4		4			8		$1,160
Respond to Inquiries		4		4			8		$1,160
SUBTOTAL	**0**	**8**	**0**	**8**	**0**	**0**	**16**	**$0**	**$2,320**
Additional Work if Requested by the City									**$6,381**
TOTAL PMS UPDATE FEE	**14**	**178**	**44**	**82**	**878**	**19**	**1215**	**$900**	**$117,000**

This fee is based on 3,364 segments in 486 miles of streets and alleys to be field rated. Unit price per segment for additional segments shall be $200 each.

The individual authorized to make representations to the City is:

Mr. Bill Pagett, PE, City Engineering Director
Willdan Engineering
13191 Crossroads Parkway North, Suite 405
Industry, CA 91746
(562) 908-6214, Email: bpagett@willdan.com

We would be pleased to meet with you or your staff to review more closely the advantages that Willdan can provide for your pavement management program update. Please contact myself at (562) 908-6214 or email bpagett@willdan.com or our Project Manager, Ms. Roxanne Hughes, PE, at (805) 653-2210 or email at rhughes@willdan.com to arrange a mutually convenient time for those discussions.

Respectfully submitted,

WILLDAN ENGINEERING

Bill Pagett, PE
City Engineering Director

Roxanne Hughes, PE
Principal Project Manager

Resume Appendix

Roxanne C. Hughes, PE

Principal Project Manager

Education
B.S. Civil Engineering
California Polytechnic University, SLO

Registration
California, CE 62381

Affiliations
American Society of Civil Engineers
American Public Works Association

14 Years Experience

Ms. Hughes is a Principal Project Manager in the City Engineering Group of Willdan. She has worked in varying aspects of Civil Engineering for over 14 years. Primary responsibilities include city engineering, project management, pavement engineering, street design, stormwater engineering and coordination and oversight of public works plan checking. Ms. Hughes has also served as the Deputy City Engineer for the City of Westlake Village since 2006.

Project Experience

Pavement Management

City of Ridgecrest, Pavement Management Services. Ms. Hughes provided pavement engineering services for conversion to MicroPaver and update of the 2002 citywide pavement management system from Street Saver. Services provided included creation of a citywide database describing all roadway segments with current pavement condition and historical treatment data for upload to MicroPaver, GIS linkage for use in the City's GIS and generating a full pavement management report with a five-year maintenance and rehabilitation strategy using assigned budgets.

City of South Gate, Pavement Management Services. Ms. Hughes is the project manager for the 2011 Pavement Management System update for the City of South Gate. Services include updating the existing a citywide database to include construction history that has occurred since the 2008 PMS was completed, develop and upload current pavement condition for the citywide bus routes, update GIS linkage for use in the City's GIS and generating a full 2011 pavement management report with a five-year maintenance and rehabilitation strategy using assigned budgets. The 2008 inspection data will be used for the streets and alleys that are not included in the pavement condition assessment along the bus routes.

City of Calabasas, Pavement Management Services. Ms. Hughes provided pavement engineering services for preparation of a citywide pavement management system. Services provided included creation of a citywide database describing all roadway segments with current pavement condition and historical treatment data, and generating a full pavement management report with a five-year maintenance and rehabilitation strategy using assigned budgets.

Morongo Band of Mission Indians, Pavement Management and Design Services. Ms. Hughes provided pavement engineering services to include preparation of a reservation-wide roadway pavement management system, projection of alternative roadway rehabilitation strategies, selection of an optimal strategy, and preparation of plans, complete specifications and engineer's cost estimate for implementation of a reservation-wide ARHM overlay project.

City of Westlake Village, Pavement Design and Construction Engineering Services. Ms. Hughes has provided ongoing pavement evaluation and maintenance program management for the City of Westlake Village since year 2000. Services provided include an annual review of the City street network, corresponding update of Capital Improvements Projects and implementation of the CIP street projects from design though construction. Implementation includes provision of complete Plans, Specifications and Cost Estimate, advertisement of bid, award of contract, construction management and project close out through notice of completion and release of retention. In years that STPL funds are programmed, the scope of work also includes full administration of the federal funding process to secure the funds, ensure federal compliance during construction and invoice Caltrans for reimbursement.

City of Calabasas, Annual Street Maintenance Program and Construction Engineering Services. Ms. Hughes prepared the federal Request for Authorization

to Proceed with Construction, the plans, complete specifications and engineer's cost estimate for the federally funded Las Virgenes Road Overlay project in the City of Calabasas. This project included street repair, ARAM construction and Asphalt Rubberized Hot Mix (ARHM) overlay. Ms. Hughes also provided federal construction administration, labor compliance and construction inspection services for this project.

City of Fillmore, Pavement Management and Construction Engineering Services. Ms. Hughes provided pavement engineering services for updating the city-wide computerized Pavement Management System, preparing PS&E for the Annual Street Maintenance Program, and implementation of the resulting citywide ARHM overlay project. Pavement management services provided include performing pavement inspections, updating the PMS database, generating pavement condition reports, recommending streets for overlay/slurry seal and preparing plans, complete specifications and engineer's cost estimate for the City's FY 2001/02 Street Maintenance Program. The City's street maintenance program includes construction of ARHM overlay on streets selected for rehabilitation and Type II slurry seal on streets selected for maintenance. The project specifications prepared for the City's 2002 Street Overlay Project included implementation of innovative specifications to control asphalt-rubber binder production and mix design selection that resulted in a requirement for high quality ARHM product on this job. Construction engineering services provided include assisting the City with bid package preparation and advertisement, answering questions and issuing addenda during the bid period, conducting the pre-construction meeting, requesting, reviewing and approving all payroll, materials and mix design submittals for conformance with specifications, providing plant inspection and site inspection full time during project start-up and coordinating on-going construction observation, quality assurance testing and plant inspection for the duration of the project, preparing and processing change orders as necessary, tracking final quantities, reviewing and approving contractor invoicing, keeping a complete construction file and providing a final construction engineering report at project completion.

Adel M. Freij, PE

Quality Assurance/Control

Education
BS, Civil Engineering
University of Missouri, Kansas City
Resident Engineer Academy

Registration
Civil Engineer, California, No. 55564

Affiliations
American Society of Civil Engineers
American Public Works Association
Construction Management Association of America
Los Angeles City and County Engineers Association

22 Years Experience

Mr. Freij is an accomplished project manager and construction manager for large-scale multi-discipline public works projects who is recognized for providing innovative quality engineering and construction management services and meeting clients' project budgets and schedules. A Principal Project Manager for Construction Management and City Engineering, Mr. Freij has 22 years of engineering and construction management experience on many types of Capital Improvement Projects, including street reconstruction, street widening, overlay and slurry seal, bridge construction, flood control and drainage, water and sewer improvements, traffic signals, signing and striping, and landscape and park improvements. Mr. Freij is proficient at managing multiple subconsultants and combining various disciplines, often acting as an extension of Agency/City staff to provide close overall supervision of the engineering and construction management services on local, state, and federally funded projects.

Project Experience

City of South Gate, California Avenue Improvements. Project/ Construction Manager for the design and construction management services for the California Avenue Street Improvement project, with limits from the north city limit to the south city limit. The project included asphalt-rubber hot mix (ARHM) overlay, concrete repairs, access curb ramps in compliance with ADA requirements, video detection, LED, communication conduits, street lighting, and signing and striping. California Avenue is a key corridor in the City of South Gate that serves the Civic Center, where City Hall and the Police Department are located, and fronts various residential and commercial properties. Willdan's services included civil and traffic engineering design, pavement engineering, contract administration, construction observation, utility coordination, monument restoration, material testing, and federal labor compliance. The project was funded by STPL federal funds, Proposition C, and Gas Tax funds.

City of South Gate, Otis Street Improvements. Project/Construction Manager for the engineering design and construction management services for the Otis Street Improvement project, with limits from the north City limit to the south City limit. The project included asphalt-rubber hot mix (ARHM) overlay, new concrete gutter, concrete repairs, access curb ramps in compliance with ADA requirements, video detection, LED, communication conduits, signing and striping, and street lighting. Willdan's services included civil and traffic engineering design, pavement engineering, contract administration, construction observation, utility coordination, monument restoration, and material testing.

City of South Gate, Streets and Alleys Improvements. Project/Construction Manager for the engineering design, pavement engineering, design and construction survey, utility coordination, monument restoration, contract administration, construction observation, federal labor compliance, and material quality assurance services for the City's Street Replacement Program Phases I and II, and Alley Replacement Program Phase III. The improvements included reconstruction of alleys with PCC pavement and resurfacing of various City streets with ARHM; installation of concrete gutter where curb only existed; repair of damaged curb, gutter and sidewalk; and installation of curb ramps in compliance with ADA requirements. The project was federally funded utilizing CDBG funds.

City of South Gate, Atlantic Avenue Improvements. Project Manager for the civil and traffic engineering design, pavement engineering, design survey, landscape architectural design, and utility coordination services for Atlantic Avenue improvements between Firestone Boulevard and south city limit. The proposed improvements included asphalt-rubber hot mix overlay, raised landscaped medians,

irrigation system, ADA access curb ramps, concrete repairs, communication conduits, and signing and striping. The project was federally funded with a construction cost of approximately $4 million.

City of Maywood, Local Street Rehabilitation. Project Manager for construction management services for the Local Streets Rehabilitation project on 52nd Street, from Maywood Avenue to Corona Avenue, and on Randolph Street, from Atlantic Boulevard to west city limit. The project general items of work included Asphalt Rubber Hot Mix (ARHM) overlay, cold milling, concrete repairs, curb ramps in compliance with ADA requirements, roadway striping, and traffic loop replacement. Willdan services included contract administration, construction observation, utility coordination, engineering support, and material testing.

City of La Puente, Street Rehabilitation (ARRA 1 Savings). Project Manager for the design services for the Street Rehabilitation (ARRA 1 Savings) project. The project included engineering design, project management, and funding administration to prepare the request for authorization to proceed with construction (E-76) services for the street improvements on the following streets: Loukelton Street, from Hacienda Boulevard to east City limit; Unruh Avenue, from Amar Road to Hacienda Boulevard. The project included the following improvements: resurfacing of streets with Asphalt-Rubber Hot Mix (ARHM); reconstruction of existing damaged and uplifted concrete sidewalk, curb and gutter, portion of cross gutter, and drive approaches; reconstruction of existing damaged A.C. pavement; installation of new access curb ramps in compliance with the Americans with Disabilities Act (ADA) requirements; including truncated domes; and installation of traffic signal loops and signing and striping.

City of La Puente, Hacienda Boulevard Improvement Project. Project Manager for construction management services for the Hacienda Boulevard Improvement Project, from Nelson Avenue to Amar Road. The project general items of work included Asphalt Rubber Hot Mix (ARHM) overlay, cold milling, pavement reconstruction, concrete repairs, curb ramps in compliance with Americans with Disabilities (ADA) requirements, and pavement markings. Willdan services included contract administration, construction observation, utility coordination, funding administration, federal labor compliance, and material testing. The project was federally funded by the ESPL funds.

Thomas P. Kirk, PE

Senior Engineer

Education
University of California, Los Angeles
Bachelor of Science, Civil Engineering
Specialty in Construction Engineering Civil Structures
Graduate Study in Computer Information Systems
Computer Programming Certificate

Registration
RCE, California, No. 31843

Affiliations
American Public Works Association
Asphalt Road Recyclers Association
Street Superintendents and Maintenance Association

30 Years Experience

Mr. Kirk is a Senior Advisor for Willdan. Mr. Thomas Kirk's responsibilities include pavement management systems, pavement engineering design and pavement construction engineering services. His pavement engineering has been coupled with construction and materials engineering duties on over 300 overlay projects, a large portion of them utilizing the latest state of the art materials to eliminate reconstruction costs. His experience in pavement management systems and pavement design and construction spans 30 years. Mr. Kirk served as Deputy City Engineer of City of Rosemead and City of Monterey Park, and prior to working for Willdan, he served as Director of Public Works for the City of Sierra Madre.

Project Experience

City of Ridgecrest, Pavement Management Services. Mr. Kirk was a senior advisor for providing pavement engineering services for conversion to MicroPaver and update of the 2002 citywide pavement management system from Street Saver. Services provided included providing oversight and consultation for the creation of a citywide database describing all roadway segments with current pavement condition and historical treatment data for upload to MicroPaver, GIS linkage for use in the City's GIS and generating a full pavement management report with a five-year maintenance and rehabilitation strategy using assigned budgets.

City of South Gate, 2008 and 2011 Pavement Management System Update. Mr. Kirk provided professional pavement engineering-management services to update the City of South Gate MicroPaver pavement management system, including over 1,200 street segments. Development of a complete GIS mapping system was also provided for the PMS. Mr. Kirk is also a senior advisor for the 2011 Pavement Management System that is currently under way.

City of Lakewood, Pavement Management System. Mr. Kirk managed the creation of the City's pavement management system within the Cartegraph platform. To expedite the process, the system data was first uploaded into MicroPaver and then was transferred to Pavementview Plus. Mr. Kirk developed a comprehensive system of rehabilitation protocols and carefully structured a logic tree of decision-making. Prioritization of major maintenance was established on a benefit/cost ratio. Network projections with targeted budgets at varying PCI ranges were applied using Cartegraph to arrive at optimal budgets.

City of Rancho Palos Verdes, 2009 Pavement Management System Update. Mr. Kirk provided professional pavement engineering-management services to update the City of Rancho Palos Verdes MicroPaver based pavement management system with over 700 street segments.

City of Brookings, Oregon, 2008 Pavement Management System. Mr. Kirk provided professional pavement engineering-management services and PMS segment definitions to provide for creation of the City of Brookings MicroPaver based pavement management system. Development of a complete GIS mapping system was also provided for the PMS.

City of Temecula, 2008 Pavement Management System Update. Mr. Kirk provided professional pavement engineering-management services to update the City of Temecula MicroPaver pavement management system, including over 2,000 street segments. Development of a complete GIS mapping system was also provided for the PMS.

City of Rolling Hills Estates, 2002, and 2005 and 2008 Updates Pavement Management System. Mr. Kirk provided professional pavement engineering-management services to update the City of Rolling Hills Estates' pavement

management system as part of its conversion to MicroPaver. Development of a complete GIS mapping system was also provided for the PMS.

City of Paramount, Pavement Management System -Three years after Mr. Kirk converted the City's existing Pavement Management System (PMS) to MicroPAVER, the system was updated in 2007. Mr. Kirk managed the entire project, which included extracting data from MicroPAVER to develop prioritized maintenance listings for major and minor maintenance. Network projections of performance under numerous budgeting scenarios targeted and varying PCI ranges were performed to arrive at the optimum budget distribution to various pavement condition levels. (Projection software separate from MicroPAVER was used due to limitations of accuracy and flexibility of the MicroPAVER system.). Development of a complete GIS mapping system was also provided for the PMS.

City of Lomita, Pavement Management System. Mr. Kirk managed the creation of the City's pavement management system within the Cartegraph platform. To expedite the process, the system data was first uploaded into MicroPaver and then was transferred to Pavementview Plus. Mr. Kirk developed a comprehensive system of rehabilitation protocols and carefully structured a logic tree of decision-making. Prioritization of major maintenance was established on a benefit/cost ratio. Network projections with targeted budgets at varying PCI ranges were applied using Cartegraph to arrive at optimal budgets.

City of Rancho Palos Verdes, 2009 and 2006 Update Pavement Management System Update. Mr. Kirk provided professional pavement engineering-management services to update the City of Rancho Palos Verdes MicroPaver based pavement management system with over 700 street segments. Development of a complete GIS mapping system was also provided for the PMS.

City of Bellflower. 2007 Pavement Management System. Mr. Kirk managed the conversion and update of the cities previous PMS to MicroPAVER in 2006. The data then was extracted and processed using macro spreadsheets to develop prioritizations for major rehabilitation based on crack quantities and types. Benefit/cost ratio was used as the basis of priority for major maintenance recommendations. The data collected included crossfall along the parking lanes to allow for varying strategies of rehabilitation based on severity of the crossfall. Network projections with targeted budgets at varying PCI ranges were applied outside of MicroPAVER to arrive at optimal budgets.

Rex B. Miller, EIT

Senior GIS Analyst

Education
BS, Civil Engineering
University of Texas at Arlington

Certification
Engineer in Training
Texas State Board of Registration for Professional Engineers

23 Years Experience

Mr. Miller has 15 years of experience as a civil engineer and 8 years experience providing technical support to civil engineering software users. He currently serves as Sr. GIS Analyst and coordinates all GIS-related activities at Willdan. He is responsible for training engineers and technicians in the use of GIS. He works with the IT Department to acquire, install and configure GIS hardware, software and databases. Mr. Miller is also proficient in the use of CAD systems and provides expertise in CAD/GIS interoperability. He is familiar with software for hydraulic modeling and coordinates geometry calculations and has experience in optimizing GIS databases for use as a data source for analysis and design applications. He uses GIS to support administration, planning and management activities of government agencies. He has experience in linking spreadsheets and databases to interact with GIS. In addition, Mr. Miller provides GIS consulting, training and staffing throughout the Willdan Group of Companies (WGI), which include disciplines such as municipal planning, public agency accounting and financing, geotechnical engineering, environmental engineering, land surveying, traffic analysis, transportation planning, law enforcement, emergency response and disaster management.

Project Experience

Various Cities, Pavement Management System Linkage to GIS. Rex has prepared GIS rating maps and exhibits for Pavement Management System implementation and updates for various clients. When requested the GIS data files are linked with the City's GIS system to provide PMS data availability to City staff. Clients include:

South Gate
Paramount
Bell Gardens
Hawaiian Gardens
Temecula
Rancho Palos Verdes
Rolling Hills Estates
Rosemead
Maywood
Lomita

Mohsen Soumi

Pavement Rater

Education
High School Graduate
Glendale Community College
and
Long Beach Community College
Engineering and Architectural Major

20 Years Experience
CAD Drafting, Pavement Design and Construction Inspection and GIS Development

Mr. Soumi has provided pavement rating and reconstruction repair marking and recording for thousands of miles of streets in many cities throughout Southern California. Mr. Soumi has demonstrated the consistent, methodical and meticulous workmanship on all of his projects.

Prior to and in concurrent years while working for Willdan, Mr. Soumi had numerous CAD drafting assignments over the past 20 years. His experience included design of parking lots with full parking lot lighting and improvements in street public right-of-way. Permit acquisition was also an important duty.

Project Experience

Pavement Management System Project Experience

Mr. Soumi provided pavement rating services to update the following City's pavement management systems.

- City of Ridgecrest, FY2010-11 Pavement Management System Update.
- City of South Gate, 2008 and 2011 Pavement Management System Update.
- City of Temecula, 2008 Pavement Management System Update.
- City of Rancho Palos Verdes, 2008 Pavement Management System Update.
- City of Paramount, 2009 Pavement Management System Update.
- City of Lomita, 2006 Pavement Management System.
- City of Rolling Hills Estates, 2008 Pavement Management System.
- City of Hawaiian Gardens, 2008 Pavement Management System.
- City of Rosemead, 2004 Pavement Management System.
- City of Agoura Hills, 2004 Pavement Management System.
- City of Lakewood, 2008 Centralia Street Rehabilitation Project.
- City of Lakewood, 2008 South Street Rehabilitation Project.
- City of Lakewood, 2009 Citywide ARRA Arterial Street Rehabilitation Project.
- City of Paramount, 2009 Alondra Street ARRA Arterial Rehabilitation Project.
- City of La Puente, 2010 ARRA Various Street Rehabilitation Project.
- City of Paramount, 2009 Alondra Street ARRA Arterial Rehabilitation Project.

Construction Inspection Experience

City of Indian Wells, 2009 Crackfill Project. Provided construction inspection services for the City's Fire Access Maintenance District crackfill project.

City of Indian Wells, 2009 Asphalt Rubber Slurry Project. Mr. Soumi provided construction inspection services for the City's Fire Access Maintenance District project using Tire Rubber Modified Asphalt Slurry.

Cad Drafting Project Experience

City of Rosemead, 2004 Rosemead Boulevard Relinquishment Study. Provided field survey and CAD drafting for the street deficiency inventory and study.

GIS Development Experience

City of Long Beach, 2000 City of Long Beach GIS/PMS Project. Provided computer GIS services to develop the City's GIS system.

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $117,000.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zara@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the

completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at:

http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

EXHIBIT "D"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting as the Successor Agency

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO POWELL CONSTRUCTORS INC. FOR SR-60/MORENO BEACH DRIVE INTERCHANGE PHASE 1 IMPROVEMENTS – PROJECT NO. 801 0038 70 77 [FORMERLY PROJECT NO. 07-41570024]

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for SR-60/Moreno Beach Drive Interchange Phase 1 Improvements to Powell Constructors Inc. (Powell), 8555 Banana Avenue, Fontana, CA 92335, the lowest responsible bidder.

2. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval.

3. Authorize the issuance of a Purchase Order for $6,693,170.50 ($5,354,536.40 bid plus 25% contingency of $1,338,634.10) to Powell when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Powell, up to but not to exceed the Purchase Order's total contingency amount of $1,338,634.10, subject to the approval of the City Attorney.

5. Authorize intermittent full road closures of (1) Moreno Beach Drive between Ironwood Avenue and Trail Ridge Way and (2) Eucalyptus Avenue between Fir Avenue and Motor Way for the duration of construction anticipated to start on October 1, 2012 and be completed by October 1, 2013.

6. Authorize the City Engineer to extend the intermittent full road closures for another 90 days from the anticipated completion date due to unforeseen construction issues.

7. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements, punch-list items, and Caltrans acceptance are completed by Contractor.

8. Authorize the Public Works Director/City Engineer to accept improvements into the City's maintained system upon acceptance of the improvements as complete.

BACKGROUND

The SR-60/Moreno Beach Drive Phase 1 project is one of the key projects in the City Manager's Economic Development Action Plan. Phase 1 improvements are designed to reconstruct the eastbound on- and off-ramps to SR-60 and connect the west leg of Eucalyptus Avenue to Moreno Beach Drive. On November 29, 2007, Caltrans approved the Initial Study/Negative Declaration for the project. The "project" was defined as both SR-60/Moreno Beach Interchange and SR-60/Nason Overcrossing. Caltrans completed two subsequent environmental re-validations. The first re-validation was completed on September 8, 2010, which covered splitting the SR-60/Moreno Beach and the SR-60/Nason improvements into two separate projects. The second re-validation was completed on August 18, 2011, which covered splitting the SR-60/Moreno Beach improvements into Phase 1 (south side) and Phase 2 (north side and overcrossing bridge). On December 13, 2011, the City Council approved a Construction Cooperative Agreement with the State of California for the construction phase, giving the City authority to advertise, award, and administer the construction of Phase 1. Design and right-of-way for Phase 1 have been completed and approved by Caltrans, and the project was advertised for bids.

DISCUSSION

Formal bidding procedures were followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m. on August 13, 2012. Five (5) bids were received as follows:

		Total Bid Amounts
1.	**Powell Constructors Inc. – Fontana***	**$ 5,354,536.40**
2.	Riverside Construction Company – Riverside	$ 5,399,102.50
3.	Yakar – San Dimas*	$ 5,894,997.54
4.	USS Cal Builders – Stanton*	$ 6,052,063.00
5.	Ortiz Enterprises Incorporated – Irvine*	$ 11,258,821.30

** Bid amount differs from Bidder's Proposals due to calculation errors.*

The lowest responsible bidder was determined by the bid amount as stipulated in the bidding documents. Staff reviewed Powell's bid and finds Powell to be the lowest

responsible bidder in possession of a valid license and bid bond. No material issues were identified through review of references submitted by Powell in their bid. All bids received were reviewed for completeness, accuracy and conformance with bidding instructions. During bid analysis, four bidders made calculation errors. As a result, the total bid amounts reflected above include the adjustments made in accordance with the Bid Documents as stipulated in the Bidders Proposal Instructions. The adjustments did not change the determination of the lowest bidder.

The recommended contract award is $5,354,536.40. A 25% contingency is recommended in order to be able to quickly handle potential changes and due to the fact that the low bid was substantially below the engineer's estimate.

The contract duration is two hundred twenty (220) working days, or approximately eleven months, starting from contract award. The timeframe includes pre-construction contractor submittals and permits, and actual construction. Detailed improvements to the SR-60/Moreno Beach Drive Interchange include realigning the SR-60/Moreno Beach eastbound off-and-on-ramps, adding an eastbound auxiliary lane, installation of a new traffic signal at the new intersection of the eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus Avenue and Moreno Beach Drive, utility relocations, irrigation, and related work.

The project staging requires intermittent full closures of the eastbound ramps, Moreno Beach Drive, and Eucalyptus Avenue in the vicinity of the project area. The project specifications limit the closures to overnight and short duration closures. The Public Works Department is requesting intermittent full road closures of Moreno Beach Drive between Ironwood Avenue and Trail Ridge Way, and Eucalyptus Avenue between Fir Avenue and Motor Way as necessary, to facilitate construction for the duration of construction anticipated to start on October 1, 2012 and be completed on or before October 1, 2013. The request for the road closures is due to major improvement work including, but not limited to, reconstructing and realigning the eastbound ramps and Moreno Beach Drive, installing traffic signals, and completing Eucalyptus Avenue from 1000 feet west of Moreno Beach Drive to Moreno Beach Drive, and related improvements. Authorization is also requested for the City Engineer to extend the road closures for 90 days beyond the anticipated completion date due to unforeseen delays.

The project also specifies short-term full closures of up to three days for the eastbound on- and off-ramps, as well as short-term driveway closures to Super Walmart and Panda Express. The closures will be coordinated with the owners and the Contractor will provide alternate access to the facility. The Contractor will notify, and provide safe ingress and egress to, all potentially affected motorists, businesses, law enforcement, the Fire Department, the school district, and other interests, as required by the project's specifications and Traffic Management Plan. The closures and detour plans/traffic control plans have been included in the approved project plans and specifications.

The recommended contract award is an action of the City Council acting as the Successor Agency of the former City of Moreno Valley Redevelopment Authority. The recommended actions are included on the Recognized Obligations Payment Schedule (ROPS) approved by the City Council acting as the Successor Agency on April 10, 2012. The Successor Agency Oversight Board approved the ROPS for the period July 1, 2012 through December 31, 2012 on May 9, 2012, which has subsequently been approved by the State Department of Finance (DOF). This ROPS approval includes "placeholder" line items representing the expenditure of bond proceeds for approval purposes. The Successor Agency approval of this contract is required to move forward toward complete approval and compliance with AB1x 26 law. The contract will be presented to the Successor Agency Oversight Board, along with an updated ROPS that will include the contractor listed as an enforceable obligation. There is a risk that the Oversight Board may not approve the contract or updated ROPS. In addition, the State Department of Finance (DOF) has the authority to challenge actions approved by the Oversight Board within 10 days of the approved action. In light of the current process for approval of the contract and the updated ROPS, the property tax to pay the contracts being recommended has not been authorized to pay the contract obligations. The City Council by approving the recommended contract is assuming the risk that in the event tax increment is not approved to pay the contracts by the Oversight Board or through successful challenge by the State DOF, the City would be obligated to pay the contract commitments from alternative funding sources, most likely the City's General Fund.

ALTERNATIVES

1. By motion, approve and authorize the recommended actions as presented in this staff report. *This alternative will facilitate the timely construction of needed improvements.*

2. Do not approve and authorize the recommended acting as presented in this staff report. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The project is included in the Fiscal Year 2012/2013 Capital Improvement Program. There is no impact to the General Fund.

AVAILABLE FUNDS

Successor Agency 2007 Tax Allocation Bonds	
(Account 4821-70-77-80001 801 0038 70 77)	$ 4,879,000
Transportation Uniform Mitigation Fees	
(Account 3003-70-77-80001 801 0038 70 77)	$ 3,500,000
Total Project Budget	$ 8,379,000

CONSTRUCTION COSTS

Construction (includes contingency)	$ 6,700,000
Construction Management & Inspection Services	$ 788,000
Construction Support Services (Design, Geotechnical & Survey) (est.)	$ 321,000
Administrative Costs*	$ 170,000
Utility and Agency Inspection and Materials Costs**	$ 150,000
Total Estimated Cost	$ 7,979,000

**Includes City project administration, printing and other miscellaneous costs.*
***Includes EMWD, SCE, Caltrans, RCFC&WCD and CHP.*

PROJECT SCHEDULE

Begin Construction	October 2012
Construction Completion and Acceptance	October 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The SR-60/Moreno Beach Interchange Phase 1 Improvements project goal is to improve the interchange through reconstruction and realignment. The project construction is funded utilizing Successor Agency 2007 Tax Allocation Bonds and Transportation Uniform Mitigation Fees (TUMF). City staff recommends awarding a contract for $5,354,536.40 to Powell to construct these improvements.

NOTIFICATION

The Contractor will notify potentially affected businesses, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other interests, as required by the project specifications, the City, and Caltrans. Construction notification signs on SR-60 and streets within the project vicinity will be installed for the duration of the project.

ATTACHMENTS

Attachment "A" – Agreement with Powell

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

AGREEMENT

PROJECT NO. 07-41570024

SR-60/MORENO BEACH DRIVE INTERCHANGE IMPROVEMENTS (PHASE 1)
From 0.3 Mile West to 0.4 Mile East of Moreno Beach Drive Overcrossing

THIS Agreement is by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and Powell Constructors Inc., hereinafter called the "Contractor." This Agreement is effective as of the date signed by the City of Moreno Valley.

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. CONTRACT DOCUMENTS. The Contract Documents consist of the following, which are incorporated herein by this reference:

A. Governmental approvals, including, but not limited to, permits required for the Work
B. Any and all Contract Change Orders issued after execution of this Agreement
C. This Agreement
D. Addenda Nos. 1 & 2, inclusive, issued prior to the opening of the Bids
E. Special Provisions, including the General Provisions and Technical Provisions
F. Standard Specifications of the State of California, Department of Transportation, dated May 2006, as amended by Amendments dated June 20, 2012, as modified by the Special Provisions
G. Reference Specifications
H. Project Plans
I. Caltrans Standard Plans
J. The bound Bidding Documents
K. Contractor's Certificates of Insurance and Additional Insured Endorsements
L. Contractor's Bidder's Proposal and Subcontractor Listing

In the event of conflict or discrepancy between any of the Contract Documents, the provisions placing a more stringent requirement on the Contractor shall prevail. The Contractor shall provide the better quality or greater quantity of Work and/or materials unless otherwise directed by City in writing. In the event none of the Contract Documents place a more stringent requirement or greater burden on the Contractor, the controlling provision shall be that which is found in the document with higher precedence in accordance with Section 5-1.04 of the Special Provisions.

2. REFERENCE DOCUMENTS. Reference Documents are not considered Contract Documents and were made available to the Contractor prior to the Bid Deadline for informational purposes

3. SCOPE OF WORK. The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract

Documents, except as otherwise provided in the Plans, Standard Specifications, or Special Provisions to be the responsibility of others.

4. PAYMENT.

4.1. **Contract Price and Basis for Payment**. In consideration for the Contractor's full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items and Alternate Bid Items, if any, set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items and Alternate Bid Items, if any, awarded by the City is Five Million Three Hundred Fifty-four Thousand Five Hundred Thirty-six and 40/100 Dollars ($5,354,536.40) ("Contract Price"). The Alternate Bid Items selected by the City and included in the Contract are: n/a. It is understood and agreed that the quantities set forth in the Bidder's Proposal for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of work, the unit prices set forth in the Bidder's Proposal multiplied by the actual number of units performed, constructed, or completed as directed by the City Engineer.

4.2. **Payment Procedures**. Based upon applications for payment submitted by the Contractor to the City, the City shall make payments to the Contractor in accordance with Article 9 of the Standard Specifications, as modified by Article 9 of the Special Provisions.

5. CONTRACT TIME.

A. Contract Time and Notice to Proceed with Construction. After the Agreement has been fully executed by the Contractor and the City, the City shall issue the "Notice to Proceed with Construction." The date specified in the Notice to Proceed with Construction constitutes the date of commencement of the Contract Time of **Two Hundred Twenty (220) Working Days**. The Contract Time includes the time necessary to fulfill preconstruction requirements, place the order of materials, and to complete construction of the Project (except as adjusted by subsequent Change Orders).

Critical preconstruction requirements include, but are not limited to, the following:

- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan (SWPPP)
- Submitting and obtaining approval of critical required submittals
- Installation of approved Project Information Signs
- Obtaining an approved no fee Caltrans Encroachment Permit
- Obtaining an approved no fee City Encroachment Permit
- Furnishing the Resident Engineer's office

If the City's issuance of a Notice to Proceed with Construction is delayed due to Contractor's failure to return the fully executed Agreement and insurance and bond documents within ten (10) Working Days after Contract award, then Contractor agrees to the deduction of one (1) Working Day from the number of days to complete the Project for every Working Day of delay in the City's receipt of said documents. This right is in addition to and does not affect the City's right to demand forfeiture of Contractor's Bid Security if Contractor persistently delays in providing the required documentation.

6. LIQUIDATED DAMAGES.

6.1. **Liquidated Damages.** The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to fulfill the preconstruction requirements and/or failure to complete the Work within the Contract Time. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadline for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to fulfill the preconstruction requirements and/or fails to complete the Work within the Contract Time, Contractor agrees to pay the City **$5,400.00 per Calendar Day** that completion of the Work is delayed beyond the Contract Time, as adjusted by Contract Change Orders. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

The Contractor and City acknowledge and agree that the foregoing liquidated damages have been set based on an evaluation of damages that the City will incur in the event of late completion of the Work. The Contractor and City acknowledge and agree that the amount of such damages are impossible to ascertain as of the date of execution hereof and have agreed to such liquidated damages to fix the City's damages and to avoid later disputes. It is understood and agreed by Contractor that liquidated damages payable pursuant to this Agreement are not a penalty and that such amounts are not manifestly unreasonable under the circumstances existing as of the date of execution of this Agreement.

It is further mutually agreed that the City will have the right to deduct liquidated damages against progress payments or retainage and that the City will issue a Change Order or Construction Change Directive and reduce the Contract Price accordingly. In the event the remaining unpaid Contract Price is insufficient to cover the full amount of liquidated damages, Contractor shall pay the difference to the City.

6.2. **Owner is Exempt from Liability for Early Completion Delay Damages**. While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-6 of the Standard Specifications and Special Provisions regarding compensation for delays.

7. INSURANCE.

7.1. **General**. The Contractor shall procure and maintain at its sole expense and throughout the term of this Agreement, any extension thereof, Commercial General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described herein.

7.2. **Additional Insured Endorsements**. The Contractor shall cause the insurance required by the Contract Document to include the State of California, including its officers, directors, agents (excluding agents who are design professionals), and employees, the City of Moreno Valley,

the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), and Western Riverside Council of Governments (WRCOG), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives as an additional insureds. For the Commercial General Liability coverage, said parties shall be named as additional insureds utilizing either:

1. Insurance Services Office ("ISO") Additional Insured endorsement CG 20 10 (11/85); or

2. ISO Additional Insured endorsement CG 20 10 (10/01) and Additional Insured Completed Operations endorsement CG 20 37 (10/01); or

3. substitute endorsements providing equivalent coverage, approved by the City.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The coverage shall contain no special limitations on the scope of protection afforded to such additional insureds. Coverage for such additional insureds does not extend to liability to the extent prohibited by Insurance Code Section 11580.4.

7.3. **Waivers of Subrogation**. All policies of insurance required by the Contract Documents shall include or be endorsed to provide a waiver by the insurers of any rights of recovery or subrogation that the insurers may have at any time against the State of California, including its officers, directors, agents (excluding agents who are design professionals), and employees, the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), and Western Riverside Council of Governments (WRCOG), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives.

7.4. **Primary Coverage**. All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the State of California, including its officers, directors, agents (excluding agents who are design professionals), and employees, the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), and Western Riverside Council of Governments (WRCOG), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

7.5. **Coverage Applies Separately to Each Insured and Additional Insured**. Coverage shall state that the Contractor's (and its Subcontractors') insurance shall apply separately to each insured or additional insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Coverage shall apply to any claim or suit brought by an additional insured against a named insured or other insured.

7.6. **Self-Insurance**. Any self-insurance (including deductibles or self-insured retention in excess of $50,000) in lieu of liability insurance must be declared by Contractor and approved by the City in writing prior to execution of the Agreement. The City's approval of self-insurance, if any, is within the City's sole discretion and is subject to the following conditions:

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions, maintain and upon Owner's reasonable request provide evidence of:

   (a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property and equipment and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;

   (b) financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill; and

   (c) a claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.

2. If at any time after such self-insurance has been approved Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:

   (a) the Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or

   (b) the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or

   (c) the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

7.7. **Insurer Financial Rating**. Insurance companies providing insurance hereunder shall be rated A-:VII or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

7.8. **Notices to City of Cancellation or Changes**. Each insurance policy described herein shall contain a provision or be endorsed to state that coverage will not be cancelled without **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by

Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

7.9. **Commercial General Liability**. Coverage shall be written on an ISO Commercial General Liability "occurrence" form CG 00 01 (10/01 or later edition) or equivalent form approved by the City for coverage on an occurrence basis. The insurance shall cover liability, including, but not limited to, that arising from premises operations, stop gap liability, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The policy shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 (11/85). Coverage shall contain no contractors' limitation or other endorsement limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground (x, c, u) property damage. Contractor shall provide Products/Completed Operations coverage to be maintained continuously for a minimum of **one (1) year** after Final Acceptance of the Work, and any extension of the one-year correction guarantee period in accordance with Section 5-1.16 of the Special Provisions.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: **$1,000,000** per occurrence / **$2,000,000** aggregate / **$2,000,000** products-completed operations.

7.10. **Business Automobile Liability**. Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with **$1,000,000** combined single limit per accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.11. **Workers' Compensation**. Contractor shall comply with the applicable sections of the California Labor Code concerning workers' compensation for injuries on the job. Compliance is accomplished in one of the following manners:

1. Provide copy of permissive self-insurance certificate approved by the State of California; or
2. Secure and maintain in force a policy of workers' compensation insurance with statutory limits and Employer's Liability Insurance with a minimal limit of **$1,000,000** per accident; or
3. Provide a "waiver" form certifying that no employees subject to the Labor Code's Workers' Compensation provision will be used in performance of this Contract.

7.12. **Subcontractors' Insurance**. The Contractor shall include all Subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to all of the requirements stated herein.

8. BONDS. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be furnished as a guarantee of the faithful performance of the requirements of the Contact Documents as may be amended from time to time, including, but not limited to, liability for delays and damages (both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The bonds shall name the City as obligee and the State of California, acting through its Department of Transportation, as an additional obligee. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City or the State of California, acting through its Department of Transportation.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments hall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

Contractor agrees that the Payment Bond and Performance Bond attached to this Agreement are for reference purposes only, and shall not be considered a part of this Agreement. Contractor further agrees that said bonds are separate obligations of the Contractor and its surety, and that any attorneys' fee provision contained in any payment bond or performance bond shall not apply to this Agreement. In the event there is any litigation between the parties arising from the breach of this Agreement, each party will bear its own attorneys' fees in the litigation.

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. See Section 5-1.015 of the April 20, 2012, Amendments to the May 2006 Standard Specifications.

10. INDEMNIFICATION.

10.1. **General**. To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold harmless and defend (even if the allegations are false, fraudulent, or groundless), the State of California, including its officers, directors, agents (excluding agents who are design professionals), and employees, the City of Moreno Valley, its City Council, the Moreno Valley Community Services District (CSD), the Moreno Valley Housing Authority (MVHA), the Eastern Municipal Water District (EMWD), and Western Riverside Council of Governments (WRCOG), and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

A. Any activity on or use of the City's premises or facilities;
B. Any liability incurred due to Contractor acting outside the scope of its authority pursuant to the Contract, whether or not caused in part by an Indemnified Party;
C. The failure of Contractor or the Work to comply with any Applicable Law, permit or orders;
D. Any misrepresentation, misstatement or omission with respect to any statement made in the Contract Documents or any document furnished by the Contractor in connection therewith;
E. Any breach of any duty, obligation or requirement under the Contract Documents, including, but not limited to any breach of Contractor's warranties, representations or agreements set forth in the Contract Documents;
F. Any failure to coordinate the Work with City's Separate Contractors;
G. Any failure to provide notice to any party as required under the Contract Documents;
H. Any failure to act in such a manner as to protect the Project from loss, cost, expense or liability;
I. Bodily or personal injury, emotional injury, sickness or disease, or death at any time to any persons including without limitation employees of Contractor;

J. Damage or injury to real property or personal property, equipment and materials (including, but without limitation, property under the care and custody of the Contractor or the City) sustained by any person or persons (including, but not limited to, companies, corporations, utility company or property owner, Contractor and its employees or agents, and members of the general public);

K. Any liability imposed by Applicable Law including, but not limited to criminal or civil fines or penalties;

L. Any dangerous, hazardous, unsafe or defective condition of, in or on the Site, of any nature whatsoever, which may exist by reason of any act, omission, neglect, or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors;

M. Any operation conducted upon or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors under or pursuant to the provisions of the Contract or otherwise;

N. Any acts, errors, omission or negligence of Contractor, its officers, agents, employees, or Subcontractors;

O. Infringement of any patent rights, licenses, copyrights or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and

P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence**. Contractor's obligations to indemnify and hold the Indemnitees harmless **exclude** only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Section 10. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

10.3. **Independent Defense Obligation.** The duty of the Contractor to indemnify and hold harmless the Indemnitees includes the separate and independent duty to defend the Indemnitees, which duty arises immediately upon receipt by Contractor of the tender of any Indemnity Claim from an Indemnitee. The Contractor's obligation to defend the Indemnitee(s) shall be at Contractor's sole expense, and not be excused because of the Contractor's inability to evaluate liability or because the Contractor evaluates liability and determines that the Contractor is not liable. This duty to defend shall apply whether or not an Indemnity Claim has merit or is meritless, or which involves claims or allegations that any or all of the Indemnitees were actively, passively, or concurrently negligent, or which otherwise asserts that the Indemnitees are responsible, in whole or in part, for any Indemnity Claim. The Contractor shall respond within thirty (30) Calendar Days to the tender of any Indemnity Claim for defense and/or indemnity by an Indemnitee, unless the Indemnitee agrees

in writing to an extension of this time. The defense provided to the Indemnitees by Contractor shall be by well qualified, adequately insured and experienced legal counsel acceptable to the City.

10.4. **Intent of Parties Regarding Scope of Indemnity.** It is the intent of the parties that the Contractor and its Subcontractors of all tiers shall provide the Indemnitees with the broadest defense and indemnity permitted by Applicable Law. In the event that any of the defense, indemnity or hold harmless provisions in the Contract Documents are found to be ambiguous, or in conflict with one another, it is the parties' intent that the broadest and most expansive interpretation in favor of providing defense and/or indemnity to the Indemnitees be given effect.

10.5. **Waiver of Indemnity Rights Against Indemnitees.** With respect to third party claims against the Contractor, to the fullest extent permitted by law, the Contractor waives any and all rights to any type of express or implied indemnity against the Indemnitees.

10.6. **Subcontractor Requirements.** In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Section 10.

10.7. **No Limitation or Waiver of Rights.** Contractor's obligations under this Section 10 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Section 10 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Section 10 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

10.8. **Withholding to Secure Obligations.** In the event an Indemnity Claim arises prior to final payment to Contractor, the City may, in its sole discretion, reserve, retain or apply any monies due Contractor for the purpose of resolving such Indemnity Claims; provided, however, the City may release such funds if the Contractor provides the City with reasonable assurances of protection of the Indemnitees' interests. The City shall, in its sole discretion, determine whether such assurances are reasonable.

10.9. **Survival of Indemnity Obligations.** Contractor's obligations under this Paragraph 11 are binding on Contractor's and its Subcontractors' successors, heirs and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

11. SUCCESSORS AND ASSIGNS. The Parties bind themselves, their heirs, executors, administrators, successors and assigns the covenants, agreements and obligations contained in the Contract Documents. The Contractor shall not, either voluntarily or by action of law, assign any right or obligation of the Contractor under the Contract Documents without prior written consent of the City.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY:_____
City Manager

DATE:_____

Powell Constructors Inc.

License No./
Classification:_____

Expiration Date:_____

Federal I.D. No.:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer

_____
Date

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

Signature(s) must be accompanied by a completed notary certificate of acknowledgement attached hereto. A general partner must sign on behalf of a partnership. **Two (2)** corporate officers must sign on behalf of a corporation unless the corporation has a corporate resolution that allows one person to sign on behalf of the corporation; if applicable, said resolution must be attached hereto. The corporate seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

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- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, ~~is~~/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Price)

PROJECT NO. 07-41570024

SR-60/MORENO BEACH DRIVE INTERCHANGE IMPROVEMENTS (PHASE 1)
From 0.3 Mile West to 0.4 Mile East of Moreno Beach Drive Overcrossing

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to _____, as Principal, hereinafter designated as "Contractor," and City and Contractor have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 07-41570024**, and all Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside and the State of California, acting through its Department of Transportation, in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Documents and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, the State of California, acting through its Department of Transportation, and their officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City or the State of California, acting through its Department of Transportation, and judgment is recovered, the Surety shall pay all costs incurred by the City or California Department of Transportation in such suit, including reasonable attorneys' fee to be fixed by the court.

Contractor and Surety agree that this Faithful Performance Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Faithful Performance Bond is a separate obligation of the Contractor and its Surety, and that any attorneys' fee provision contained in this Faithful Performance Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

BOND NO. _____

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents or to the Work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Work or the Provisions.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California
County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 07-41570024

SR-60/MORENO BEACH DRIVE INTERCHANGE IMPROVEMENTS (PHASE 1)
From 0.3 Mile West to 0.4 Mile East of Moreno Beach Drive Overcrossing

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **_____,** as Principal, hereinafter designated as "Contractor," and City and Contractor have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 07-41520024**, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, and the State of California, acting through its Department of Transportation, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or the State of California, acting through its Department of Transportation, or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City or California Department of Transportation in such suit, including reasonable attorneys' fee to be fixed by the court.

Contractor and Surety agree that this Labor and Materials Payment Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Labor and Materials Payment Bond is a separate obligation of the Contractor and its Surety, and that any attorneys' fee provision contained in this Labor and Materials Payment Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

BOND NO. _____

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND

(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- Securely attach this document to the signed document.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: TRACT MAP 32711 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

FRONTING THE SOUTH SIDE OF JANET K DRIVE AT THE "T" INTERSECTION OF BOGUE STREET

DEVELOPER - ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993
1430 TANGELO LANE
LA HABRA HEIGHTS, CA 90631

HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST
2245 KINGSBRIDGE COURT
SAN DIMAS, CA 91773

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32711 to the County Recorder's Office for recordation.

2. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County Recorder's Office, authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32711 for public improvements.

BACKGROUND

On September 8, 2005, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 32711. The tentative tract map is an infill subdivision that proposes to subdivide 2.32 acres into 9 residential lots.

On July 14, 2009 the City Council of Moreno Valley approved Final Map 32711 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 32711 provided a Faithful Performance Bond in the amount of $297,000 and a Material and Labor Bond in the amount of $148,500 issued by Indemnity Company of California.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32711 to the County Recorder's Office for recordation. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County recorder's Office, authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32711 for public improvements.

2. Do not authorize the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32711 to the County Recorder's Office for recordation. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32711 for public improvements.

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 32711
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

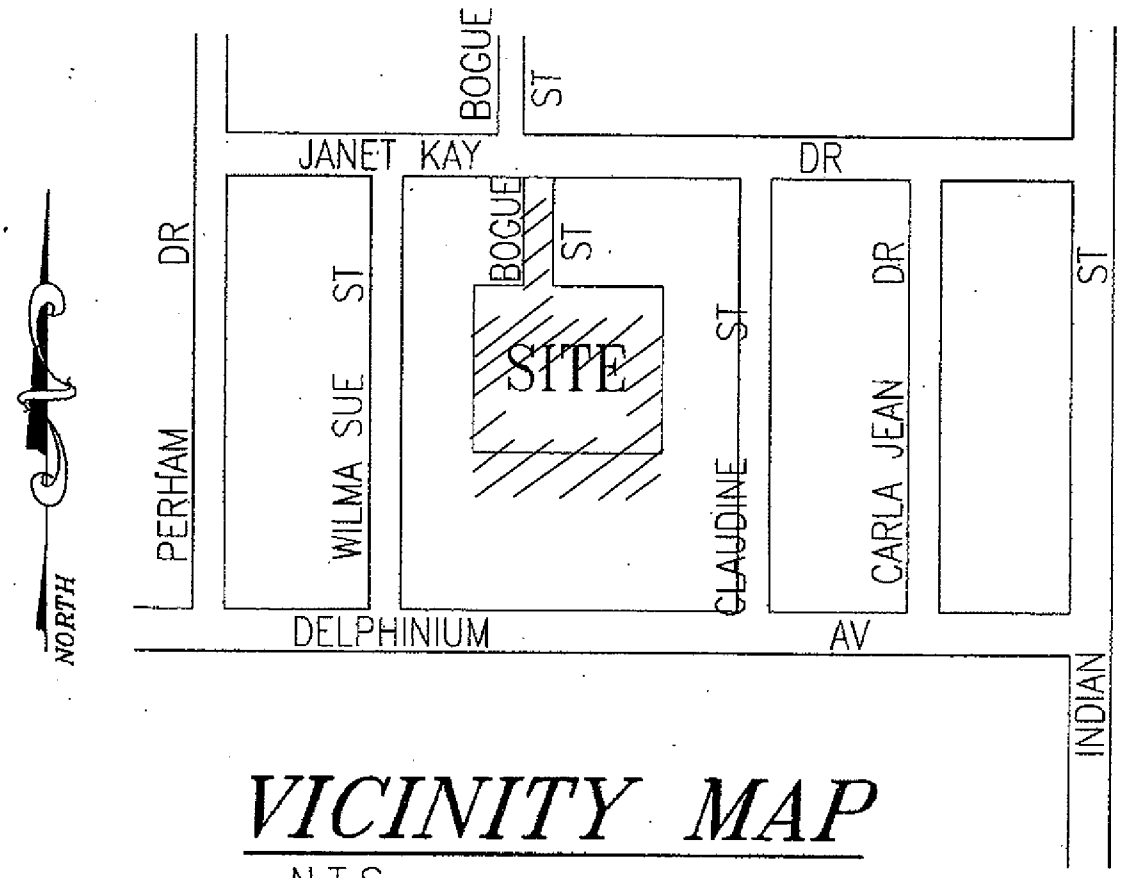

VICINITY MAP

N.T.S

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit A	**TRACT MAP 32711** **VICINITY MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2009 StfRpts\7-14-09 TM 32711 Exhibit A.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TM 32711

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, AND HANSON A. H. HO 2001 FAMILY TRUST,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TM 32711** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **TWO HUNDRED NINETY-SEVEN THOUSAND AND NO/100** Dollars (*****$297,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Issac Genah and Gloria M. Genah, Trustors and Trustees of the CSA Revocable Trust Dated September 10, 1993, and Hanson A. H. Ho 2001 Family Trust
1430 Tangelo Lane
La Habra Height, CA 90631

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: 7/14/2009

BY Gloria M. Genah

GLORIA M. GENAH

OWNER

BY: _____
Signature

ISAK Genah
Print/Type Name

Owner
Title

Issac Genah and Gloria M. Genah, Trustors and Trustees of the CSA Revocable Trust Dated September 10, 1993, and Hanson A.H. Ho 2001 Family Trust:
Developer

BY: _____
Signature

HANSON A.H. HO
Print/Type Name

OWNER
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 20 JUL 2009

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

ALL PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On May 1, 2009 before me, Erika Magaleon, Notary Public, personally appeared Hanson Ho, Isaac Genah and Gloria Genah, Proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my ~~hand~~ and official seal.

Signature _____ (Seal)

ERIKA MAGALEON
COMM. # 1649613
NOTARY PUBLIC, CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires March 5, 2010

OPTIONAL

Title of Document _____

Document Date _____

Capacity(ies) of Signer(s)

☐ Corporate Officer

☐ Other: _____

UK MW 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/19/08
PREPARED BY: **Robert Linton**

PROJECT: **PA04-0136 / TM 32711**
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Interior Streets and Perimeter Non DIF Non TUMF Streets						
Roadway Excavation			0	C.Y.	20.00	0
A.B. Class II	0.5	Thickness (ft.)				
	13164	S.F.	477	Ton	55.00	26,246
A.C.	0.333	Thickness (ft.)				
	13164	S.F.	318	Ton	90.00	28,603
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
DIF Streets Only						
Roadway Excavation			0	C.Y.	20.00	0
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
TUMF Streets Only						
Roadway Excavation			0	C.Y.	20.00	0
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
A.C. Cap			0	Ton	90.00	0
A.C. Overlay			0	Ton	90.00	0
Grind & Pave 0.15'			0	S.F.	3.25	0
Curb and Gutter - 6"			670	L.F.	22.00	14,740
Curb and Gutter - 8"			0	L.F.	25.00	0
Curb and Gutter - 8" (DIF Street Name)			0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)			0	L.F.	25.00	0
Curb Only - 6"			0	L.F.	18.00	0
Curb Only - 8"			0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)			0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)			0	L.F.	20.00	0
Cross Gutter and Spandrel			788	S.F.	15.00	11,745
Sidewalk			6703	S.F.	7.00	46,921
Sidewalk (DIF Street Name)			0	S.F.	7.00	0
Sidewalk (TUMF Street Name)			0	S.F.	7.00	0
Driveway Approach - 6"			1485	S.F.	14.00	20,790
Driveway Approach - 8"			0	S.F.	16.00	0
Alley Approach - 8"			0	S.F.	16.00	0
P.C.C. Paving - 6"			0	S.F.	14.00	0
P.C.C. Paving - 8"			0	S.F.	16.00	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	15.00	0
Slurry Seal (Based on $150/Ton Type II)			0	S.Y.	2.25	0
Redwood Header			12	L.F.	6.00	72
Sawcut			110	L.F.	1.50	165
Trench Repaving			0	S.F.	12.00	0
Utility Trench			0	L.F.	17.00	0
Wheelchair Ramp			2	EA.	1,200.00	2,400
Barricade			0	L.F.	100.00	0

MW 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **PA04-0136 / TM 32711**

DATE: **08/19/08**
PREPARED BY: **Robert Linton**

STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Bus Bay	0	EA.	20,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Relocate Trees	0	EA.	2,500.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Street Lights (9500 lumen)	2	EA.	4,000.00	8,000
Street Lights (22000 lumen)	0	EA.	5,000.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Relocate Street Lights	1	EA.	1,500.00	1,500
Monuments	0	EA.	100.00	0
			SUBTOTAL:	161,182
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Water Quality Basins	0	S.F.	6.00	0
Electrical Utility Infrastructure	0	L.S.	–	0
Electrical Utility Line Extension	0	L.F.	135.00	0
			SUBTOTAL:	0
Transportation Engineering				
Traffic Signal (Includes Interconnect, Controller, Software	0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
Traffic Striping/raised pavement markers	1	L.S.	–	3,500
Traffic Striping (DIF Street Name)	0	L.S.	–	0
Street Name Sign	1	EA.	500.00	500
Stop Sign	1	EA.	200.00	200
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	–	0
Traffic Control (DIF Street Name)	0	L.S.	–	0
			SUBTOTAL:	4,200

OK MW 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **PA04-0136 / TM 32711**

DATE: **08/19/08**
PREPARED BY: **Robert Linton**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
50" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	1	EA.	5500.00	5,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
Grated Catch Basin	0	EA.	6000.00	0
Transition Structure	0	EA.	5500.00	0
Inlet Structure (drop)	1	EA.	5000.00	5,000
Type IX Inlet Structure	0	EA.	2500.00	0
Junction Structure	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0
Rip Rap	0	TON	60.00	0
Parkway Drain	1	EA.	3500.00	3,500
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
PCC "U" Shape Channel	190	L.F.	15.00	2,850
			SUBTOTAL:	16,850

UK
MMW
9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **PA04-0136 / TM 32711**

DATE: **08/19/08**
PREPARED BY: **Robert Linton**

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	180.00	0
18" Water Pipe	0	L.F.	135.00	0
16" Water Pipe	0	L.F.	90.00	0
12" Water Pipe	0	L.F.	60.00	0
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	305	L.F.	50.00	15,250
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	5,000.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	0	EA.	1,000.00	0
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	0	EA.	2,800.00	0
6" Super Fire Hydrants	0	EA.	3,000.00	0
Relocate 6" Fire Hydrants	1	EA.	1,450.00	1,450
Relocate Utilities	1	EA.	1,000.00	1,000
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	0	EA.	200.00	0
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	1	EA.	2,500.00	2,500
Blow Off 4"	0	EA.	2,000.00	0
Air Vac & Release 2"	0	EA.	3,000.00	0
Air Vac & Release 1"	1	EA.	2,000.00	2,000
Meter 2" W/O Service	0	EA.	455.00	0
Meter 1 1/2" W/O Service	0	EA.	360.00	0
Meter 1" W/O Service	0	EA.	270.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
Service Connections 2"	0	EA.	1,600.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	9	EA.	500.00	4,500
Hot Tap 8"	1	EA.	2,800.00	2,800
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Thrust Block	0	CY	150.00	0
Pressure Resistance Valve	9	EA.	400.00	3,600
			SUBTOTAL:	33,100

UK MW 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **PA04-0136 / TM 32711**

DATE: 08/19/08
PREPARED BY: **Robert Linton**

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	185.00	0
33" V.C. Pipe	0	L.F.	165.00	0
30" V.C. Pipe	0	L.F.	150.00	0
27" V.C. Pipe	0	L.F.	135.00	0
24" V.C. Pipe	0	L.F.	120.00	0
21" V.C. Pipe	0	L.F.	105.00	0
18" V.C. Pipe	0	L.F.	90.00	0
15" V.C. Pipe	0	L.F.	75.00	0
12" V.C. Pipe	0	L.F.	50.00	0
10" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	298	L.F.	30.00	8,940
6" V.C. Pipe	390	L.F.	25.00	9,750
4" V.C. Pipe	0	L.F.	20.00	0
15" SDR - 35	0	L.F.	60.00	0
12" SDR - 35	0	L.F.	50.00	0
10" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	19.00	0
4" SDR - 35	0	L.F.	13.00	0
Standard Manhole 48"	2	EA.	3,000.00	6,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Tie Into Existing Manhole	0	EA.	1,500.00	0
Raise Manhole to Grade	2	EA.	300.00	600
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
Clean-outs	9	EA.	700.00	6,300
Clean Out Lateral	0	EA.	120.00	0
Wyes	0	EA.	90.00	0
Pavement Replacement	88	S.F.	3.00	264
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
			SUBTOTAL:	31,854

OK 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **PA04-0136 / TM 32711**

DATE: **08/19/08**
PREPARED BY: **Robert Linton**

IMPROVEMENT TYPE:

ROADWORK :	$161,182
STORM DRAIN :	$16,850
WATER SYSTEM :	$33,100
SEWER SYSTEM :	$31,854
SURVEY MONUMENTS :	$0
LANDSCAPING:	$0
WATER QUALITY BASINS:	$0
ELECTRICAL UTILITY INFRASTRUCTURE	$0
ELECTRICAL UTILITY LINE EXTENSION	$0
TRANSPORTATION ENGINEERING IMPROVEMENTS	$4,200
TOTAL COST (VALUE) OF IMPROVEMENTS:	$247,186
+20% CONTINGENCY:	$49,437
GRAND TOTAL:	$296,623

BOND AMOUNT: **$297,000**

Recording requested by and when
recorded, mail to:

Public Works/Land Development Division
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Community & Economic Development Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Assessor's Parcel Numbers 482-304-037 through 045, also known as Tract 32711, owned by Isaac Genah and Gloria M. Genah, Trustors and Trustees of the CSA Revocable Trust Dated September 10, 1993, and Hanson A. H. Ho 2001 Family Trust, Jointly and Severally;

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 32711 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the CEDD, Land Development Division (Phone: 951-413-3120, 14177 Frederick Street, Moreno Valley, California, 92552).

By: _____
AHMAD R. ANSARI,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date _____

Exhibit "C"

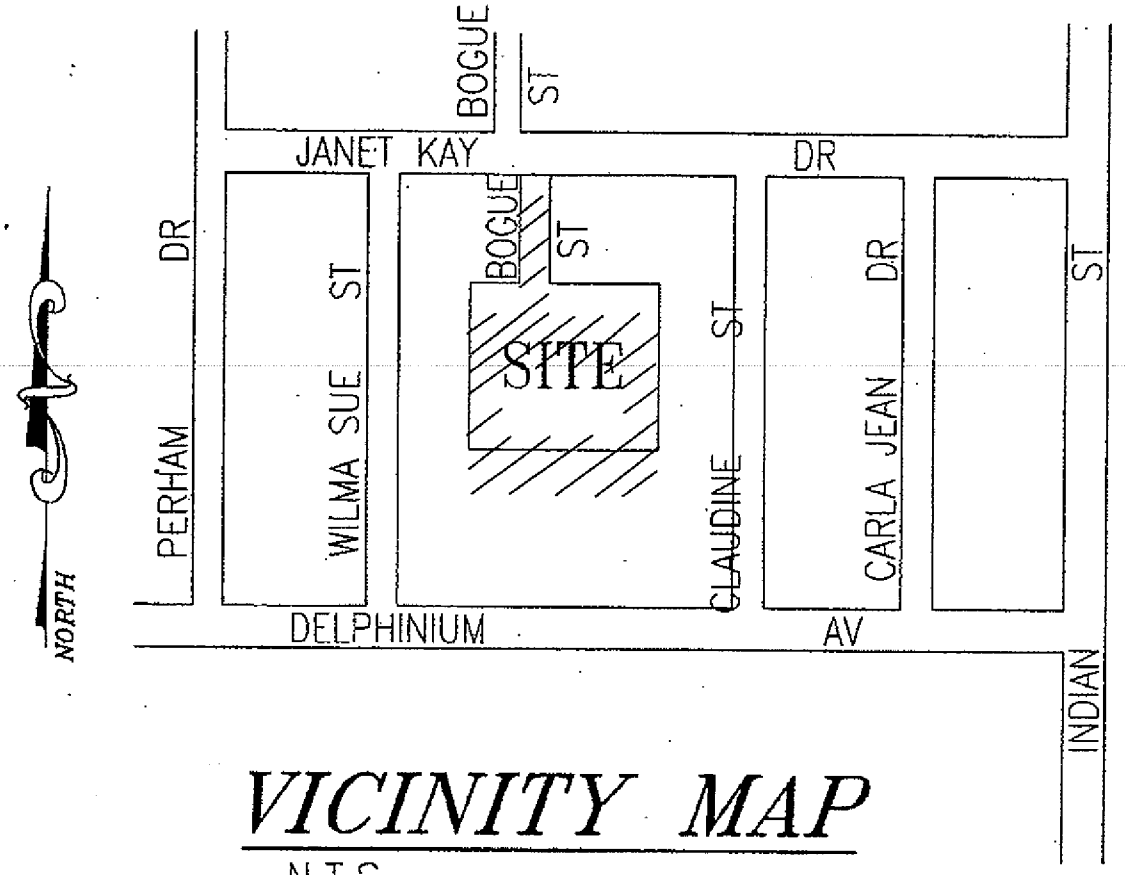

VICINITY MAP

N.T.S

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit A	**TRACT MAP 32711** **VICINITY MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2009 StfRpts\7-14-09 TM 32711 Exhibit A.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: TRACT MAP 32710 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

OCALA COURT, NORTH OF IRONWOOD AVENUE AND EAST OF HEACOCK STREET

DEVELOPER - ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993
1430 TANGELO LANE
LA HABRA HEIGHTS, CA 90631

HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST
2245 KINGSBRIDGE COURT
SAN DIMAS, CA 91773

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32710 to the County Recorder's Office for recordation.

2. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County Recorder's Office, authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32710 for public improvements.

BACKGROUND

On November 29, 2004, the Planning Commission of the City of Moreno Valley approved Tentative Map 32710. The tentative tract map is a proposal to subdivide 1.73 acres into 6 residential lots.

On November 27, 2007 the City Council of Moreno Valley approved Final Map 32710 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 32710 provided a Faithful Performance Bond in the amount of $213,000 and a Material and Labor Bond in the amount of $106,000 issued by Indemnity Company of California.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32710 to the County Recorder's Office for recordation. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County recorder's Office, authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32710 for public improvements.

2. Do not authorize the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32710 to the County Recorder's Office for recordation. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32710 for public improvements.

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 32710
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

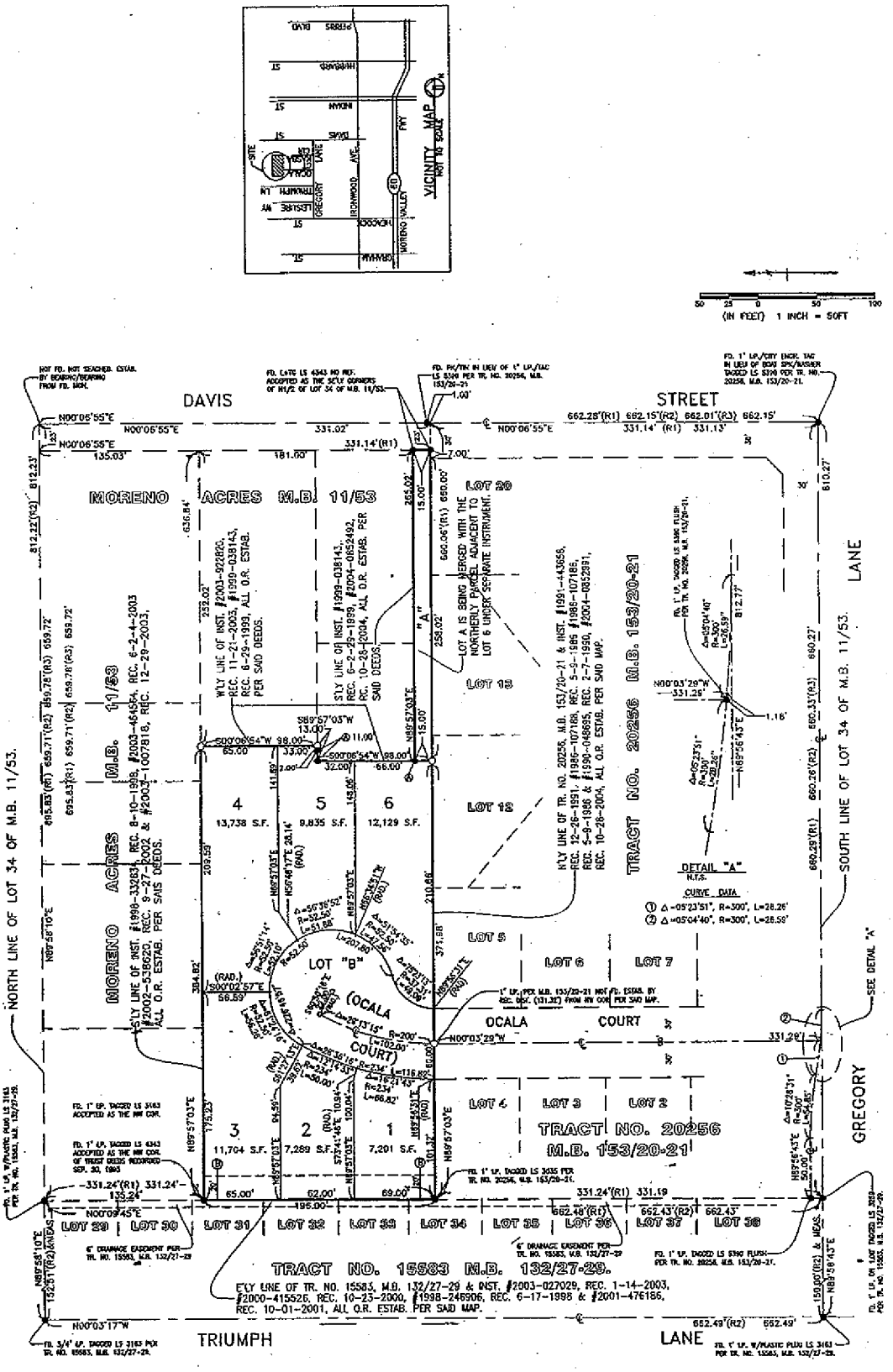

EXHIBIT "A"

TRACT 32710
VICINITY MAP

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

MV00173557

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TRACT 32710

Recorded December 12, 2007, Book 427 of Maps, Pages 77-78
No. 2007-0743427

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, AND HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST, JOINTLY AND SEVERALLY,** herein after called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TRACT 32710** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **TWO HUNDRED AND THIRTEEN THOUSAND AND NO/100** Dollars (*****$213,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Isaac Genah and Gloria M. Genah, Trustors and Trustees
of the CSA Revocable Trust Dated September 10, 1993
1430 Tangelo Lane
La Habra Heights, CA 90631

Hanson A. H. Ho, Trustee of the Ho 2001 Family Trust
2245 Kingsbridge Court
San Dimas, CA 91773

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: 11/27/07

ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, AND HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST, JOINTLY AND SEVERALLY

ERIKA MAGALEON
COMM. # 1649613
NOTARY PUBLIC, CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires March 5, 2010

By: _____
Isaac Genah, Trustor and Trustee of the CSA Revocable Trust Dated September 10, 1993

By: Gloria M. Genah
Gloria M. Genah, Trustor and Trustee of the CSA Revocable Trust Dated September 10, 1993

By: _____
Hanson A. H. Ho, Trustee of the Ho 2001 Family Trust

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: Jane Halstead
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: Frank R. White
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 11/27/07

By: RDH
City Attorney

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\Lee Ann\Agreement Bond Packets\TR32710 - Agreement.doc

State of **California**
County of **Los Angeles**

On **September 27, 2007**, before me, **Erika Magaleon, notary public**, personally appeared, **Hanson A.H. Ho, Gloria M. Genah and Isaac Genah**, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument an acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

ERIKA MAGALEON
COMM. # 1649613
NOTARY PUBLIC, CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires March 5, 2010

TRUST CERTIFICATION
(California Probate Code Section 18100.5)

ISAAC GENAH AND GLORIA M. GENAH, Trustors and Trustees of **THE CSA REVOCABLE TRUST, DATED SEPTEMBER 20, 1993**, hereby state and certify but not by way of modification of said Trust:

1. That said Trust is in full force and effect as of the date of this certification. The trust has not been revoked, modified, or amended in any manner which would cause the representations contained herein to be incorrect. The undersigned are all of the currently acting trustees.

2. The Trustors have the right to all trust income, the right to invade trust principal and the power to revoke the Revocable Trust Agreement as to each of their respective separate property and community property interests. All such rights and powers when jointly exercised are without limitations.

3. The Co-Trustees have the power to invest trust assets and pledge the same as they in their discretion deem appropriate, limited by their duty to exercise care and prudence while acting in such fiduciary capacity.

4. Either Trustee named above may act unilaterally to bind the Trust in any transaction except those involving transfers of real property, as to which Co-Trustees must agree in a separate writing or in a specifically limited power of attorney to grant such power.

5. This Certificate of Trust is not intended to modify or represent a true and correct copy of the subject trust agreement, but is intended solely to put third parties on notice of the Trustors and Trustees of said trust and describe in general language their rights and power.

6. That the Trustees have the power to transfer and assign any and all interest that the Trust owns.

7. The tax identification number is 95-7110793.

Executed on Dec. 23, 2000 at LA HABRA, California.

Trustor
Isaac Genah, Trustor

Gloria M. Genah
Gloria M. Genah Trustor

Trustor
Isaac Genah, Trustee

Gloria M. Genah
Gloria M. Genah, Trustee

October 18, 2007

To Whom It May Concern:

Please be advised that as trustee of the HO 2001 FAMILY TRUST, I am authorized to sign and act for the behalf of the Ho 2001 Family Trust.

Should you have any questions, please feel free to contact 626 358-6688.

Sincerely,

Hanson A.H. Ho, trustee
HO 2001 FAMILY TRUST
11680 Goldring Rd., Suite A
Arcadia, Ca 91006

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 03/28/07
PREPARED BY: Michael Schuman

PROJECT: Tract 32710

STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			315	C.Y.	20.00	6,300
A.B. Class II	0.5	Thickness (ft.)				
	8650	S.F.	314	Ton	55.00	17,246
A.C.	0.25	Thickness (ft.)				
	8650	S.F.	157	Ton	90.00	14,110
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
A.C. Cap			0	Ton	90.00	0
A.C. Overlay			0	Ton	90.00	0
Grind & Pave 0.15'			0	S.F.	3.25	0
Curb and Gutter - 6"			347	L.F.	22.00	7,634
Curb and Gutter - 8"			0	L.F.	25.00	0
Curb Only - 6"			0	L.F.	18.00	0
Curb Only - 8"			0	L.F.	20.00	0
Cross Gutter and Spandrel			0	S.F.	15.00	0
Sidewalk			1307	S.F.	7.00	9,149
Driveway Approach - 6"			750	S.F.	14.00	10,500
Driveway Approach - 8"			0	S.F.	16.00	0
Alley Approach - 8"			0	S.F.	16.00	0
P.C.C. Paving - 6"			0	S.F.	14.00	0
P.C.C. Paving - 8"			0	S.F.	16.00	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	15.00	0
Slurry Seal (Based on $150/Ton Type II)			961	S.Y.	2.25	2,162
Redwood Header			0	L.F.	6.00	0
Sawcut			40	L.F.	1.50	60
Trench Repaving			0	S.F.	12.00	0
Utility Trench			0	L.F.	17.00	0
Wheelchair Ramp			0	EA.	1,200.00	0
Street Name Sign			0	EA.	500.00	0
Stop Sign			0	EA.	200.00	0
Barricade			0	L.F.	100.00	0
Warning Markers - Type L, Type N			0	EA.	100.00	0
Signs and Posts			0	EA.	200.00	0
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	20,000.00	0
Traffic Striping/raised pavement markers			0	L.S.	–	0
Traffic Signal (Includes Interconnect, Controller, Software,			0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			0	L.F.	100.00	0
Walls - Retaining: 6' Maximum			0	L.F.	150.00	0
Relocate Trees			0	EA.	2,500.00	0
1/2 Alley Apron			0	S.F.	16.00	0
Street Lights (9500 lumen)			2	EA.	4,000.00	8,000
Street Lights (22000 lumen)			0	EA.	5,000.00	0
Adjust M.H. to Grade			0	EA.	800.00	0
Adjust Water Valve to Grade			0	EA.	400.00	0
Erosion Control			2	Ac.	10,000.00	20,000
Cluster Mail Boxes			1	EA.	4,500.00	4,500
Electrical Utility Infrastructure			0	EA.		
Electrical Utility Line Extension			0	L.F.	135.00	
					SUBTOTAL:	99,662
Landscaping			0	S.F.	6.00	0
Water Quality Basins			0	S.F.	6.00	0
					SUBTOTAL:	0
Monuments:			28.00	EA.	100.00	$2,800

PROJECT: **Tract 32710**

DATE: **03/28/07**

PREPARED BY: **Anitra Holt**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
50" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	350	L.F.	25.00	8,750
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	7	EA.	2100.00	14,700
6" Wide Strip Basin		EA.	3000.00	0
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	S.F	535.00	0
Grated Catch Basin	0	EA.	6000.00	0
Transition Structure	0	EA.	5500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Junction Structure	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0
Rip Rap	0	TON	60.00	0
Parkway Drain	2	EA.	3500.00	7,000
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	2	EA.	250.00	500
"V" Gutter	430	S.F.	10.00	4,300
			SUBTOTAL:	35,250

PROJECT: Tract 32710

DATE: 03/28/07

PREPARED BY: Anitra Holt

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	180.00	0
18" Water Pipe	0	L.F.	135.00	0
16" Water Pipe	0	L.F.	90.00	0
12" Water Pipe	0	L.F.	60.00	0
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	130	L.F.	50.00	6,500
6" Water Pipe	36	L.F.	40.00	1,440
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	5,000.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	0	EA.	1,000.00	0
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	1	EA.	800.00	800
6" Butterfly Valve	1	EA.	520.00	520
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	1	EA.	2,800.00	2,800
6" Super Fire Hydrants	0	EA.	3,000.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	0	EA.	200.00	0
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	0	EA.	2,500.00	0
Blow Off 4"	1	EA.	2,000.00	2,000
Air Vac & Release 2"	0	EA.	3,000.00	0
Air Vac & Release 1"	0	EA.	2,000.00	0
Meter 2" W/O Service	0	EA.	455.00	0
Meter 1 1/2" W/O Service	0	EA.	360.00	0
Meter 1" W/O Service	6	EA.	270.00	1,620
Meter 5/8" W/O Service	0	EA.	200.00	0
Service Connections 2"	0	EA.	1,600.00	0
Service Connections 1 1/2"	6	EA.	1,100.00	6,600
Service Connections 1"	0	EA.	500.00	0
Hot Tap 8"	0	EA.	2,800.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	1	EA.	650.00	650
Thrust Block	2	CY	150.00	300
			SUBTOTAL:	23,230

EXHIBIT "A"

PROJECT: Tract 32710

DATE: 03/28/07

PREPARED BY: Anitra Holt

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	185.00	0
33" V.C. Pipe	0	L.F.	165.00	0
30" V.C. Pipe	0	L.F.	150.00	0
27" V.C. Pipe	0	L.F.	135.00	0
24" V.C. Pipe	0	L.F.	120.00	0
21" V.C. Pipe	0	L.F.	105.00	0
18" V.C. Pipe	0	L.F.	90.00	0
15" V.C. Pipe	0	L.F.	75.00	0
12" V.C. Pipe	0	L.F.	50.00	0
10" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	140	L.F.	30.00	4,200
6" V.C. Pipe	0	L.F.	25.00	0
4" V.C. Pipe	243	L.F.	20.00	4,860
15" SDR - 35	0	L.F.	60.00	0
12" SDR - 35	0	L.F.	50.00	0
10" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	19.00	0
4" SDR - 35	0	L.F.	13.00	0
Standard Manhole 48"	1	EA.	3,000.00	3,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Tie Into Existing Manhole	1	EA.	1,500.00	1,500
Raise Manhole to Grade	1	EA.	300.00	300
Rechannel Existing Manhole	1	EA.	1,500.00	1,500
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
Clean-outs	0	EA.	700.00	0
Clean Out Lateral	0	EA.	120.00	0
Wyes	6	EA.	90.00	540
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
			SUBTOTAL:	15,900

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 32710**

DATE: **03/28/07**
PREPARED BY: **Anitra Holt**

IMPROVEMENT TYPE:

ROADWORK	:	$99,662
STORM DRAIN	:	$35,250
WATER SYSTEM	:	$23,230
SEWER SYSTEM	:	$15,900
SURVEY MONUMENTS	:	$2,800
LANDSCAPING:		$0
WATER QUALITY BASINS:		$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$176,842
+20% CONTINGENCY:		$35,368
GRAND TOTAL:		$212,210

BOND AMOUNT: **$213,000**

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

- PAGE 3, AND NEXT PAGE NOTARY DOCUMENT (BOTH HAVE SAME NOTARY STAMP)
- WORDING: ERIKA MAGALEON
  COMM. # 1649613
  NOTARY PUBLIC, CALIFORNIA
  LOS ANGELES COUNTY
  MY COMM. EXPIRES MARCH 5, 2010

EAMI

Date: 6/2/08

Signature: Lee Ann Florez

Print Name: LEE ANN FLOREZ

ACR 601P-AS4RE0 (Rev. 09/2005)

Recording requested by and when
recorded, mail to:

Public Works/Land Development Division
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Community & Economic Development Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Assessor's Parcel Numbers 475-182-048 through 053, also known as Tract 32710, owned by Isaac Genah and Gloria M. Genah, Trustors and Trustees of the CSA Revocable Trust Dated September 10, 1993, and Hanson A. H. Ho 2001 Family Trust, Jointly and Severally;

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 32710 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the CEDD, Land Development Division (Phone: 951-413-3120, 14177 Frederick Street, Moreno Valley, California, 92552).

By: _____
AHMAD R. ANSARI,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date _____

Exhibit "C"

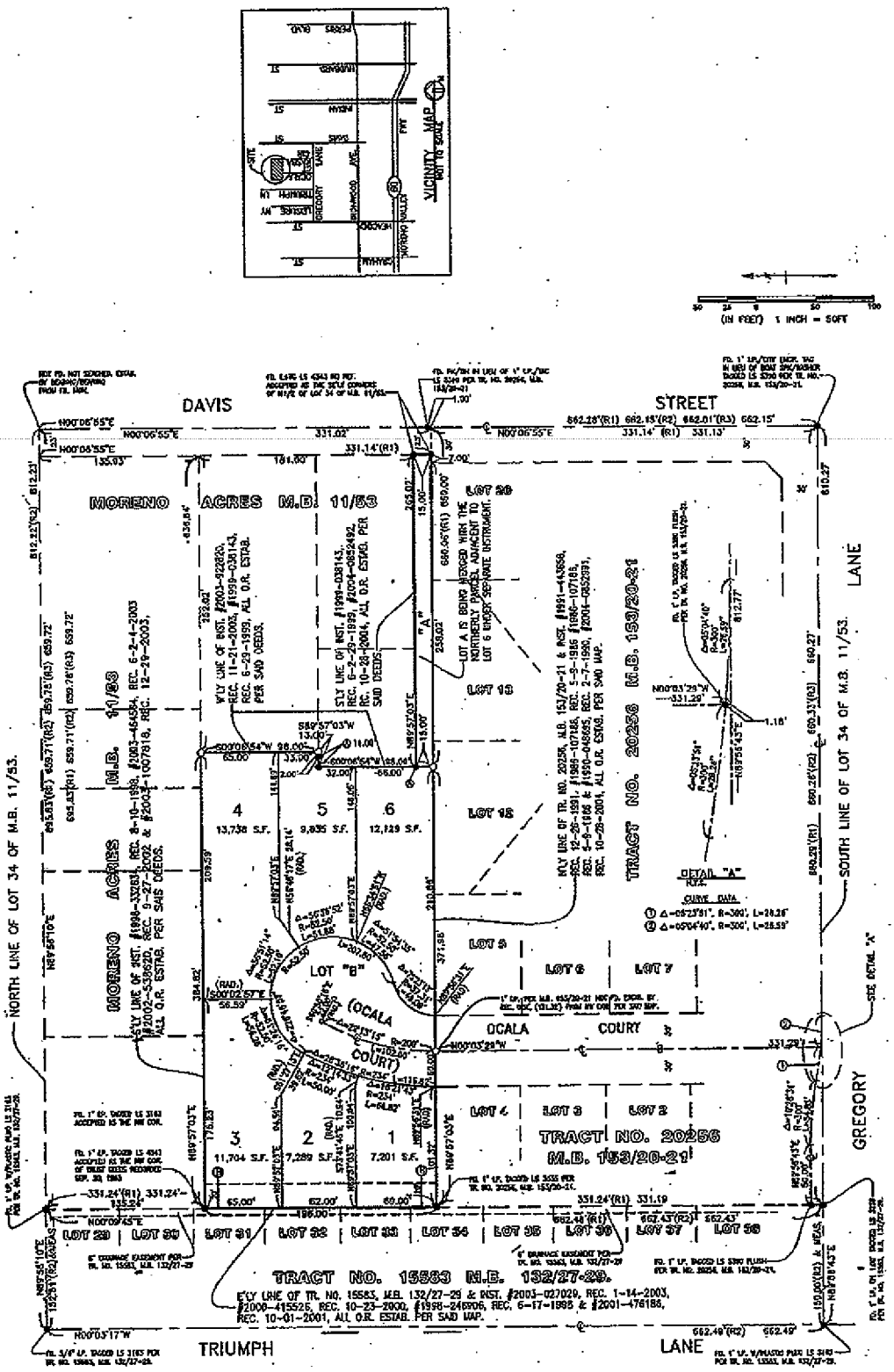

TRACT 32710 VICINITY MAP

CITY OF MORENO VALLEY PUBLIC WORKS – LAND DEVELOPMENT

EXHIBIT "A"

MV00173571

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director
Joel Ontiveros, Chief of Police

AGENDA DATE: August 28, 2012

TITLE: AWARD OF CITYWIDE CAMERA SURVEILLANCE PROJECT CONTRACT AND AUTHORIZATION FOR CITY MANAGER TO EXECUTE CONTRACT AND SUPPORT AGREEMENT WITH AVRIO GROUP SURVEILLANCE SOLUTIONS, LLC PROJECT NO. TS-CCSS 2012-02

RECOMMENDED ACTION

The Public Safety Subcommittee recommends that the City Council take the following actions:

1. Authorize the award of the Citywide Camera Surveillance Project contract to Avrio Group Surveillance Solutions, LLC (Avrio), 3 N. Harrison Street, Suite 100, Easton, Maryland 21601 in an amount not-to-exceed $1,800,000 for installation.

2. Authorize the City Manager to sign the contract with Avrio.

3. Authorize the City Manager to execute the support agreement with one-year of maintenance with additional one-year options for maintenance as follows:

Year 1 maintenance	Included - No Charge
Year 2 maintenance	$98,000
Year 3 maintenance	$112,000
Year 4 maintenance	$125,000
Year 5 maintenance	$145,000

BACKGROUND

The Citywide Camera Surveillance System was first presented to the Public Safety Sub-Committee in a meeting on June 27, 2011. The citywide camera surveillance system

was presented in a Study Session before City Council on September 20, 2011. The Public Safety Sub-Committee recommended that the Police Department continue to move forward with this project at their October 31, 2011 meeting. On November 23, 2011 a Request for Proposals (RFP) was issued for a Project Manager for this project; the RFP process successfully concluded on January 11, 2012. On April 2, 2012 the City issued a RFP concerning the camera surveillance system and eleven proposals were received on May 9, 2012.

Several cities in California, such as the Cities of Redlands, Compton, Bakersfield, Santa Monica, Lynnwood, Fresno, and Vallejo, have camera surveillance systems throughout their cities with varying degrees of coverage. These cameras contribute to the overall safety of the entire community and aid law enforcement's effort in crime prevention and solving crimes.

During the fourth quarter of 2011 and the first quarter of 2012, Police and City Staff reviewed surveillance systems and met with representatives from several Southern California cities concerning their camera system. After evaluating various camera systems, City Staff determined that a citywide camera surveillance system would enhance the law enforcement capabilities of the Moreno Valley Police Department. During this investigation phase, all City Council members expressed support for the citywide camera surveillance system.

DISCUSSION

After eleven proposals were received on May 9, 2012, an evaluation committee was formed to choose a vendor to build the citywide camera surveillance system. The evaluation committee included a Police Lieutenant, a Police Sergeant, the Project Manager, and the City's Technology Services Division Manager. All proposals were read and scored by each member of the evaluation committee, resulting in a ranking of the proposals. The scoring revealed a natural break where four of the proposals were superior to the remaining proposals; these four vendors were considered finalists. A representative from another local city who manages that City's camera system was added to the evaluation committee when finalists were identified.

Proposals from the four finalists were further scrutinized in order to identify the company that staff would recommend to the City Council. A questionnaire, consisting of both common and customized questions, was sent to each finalist. Finalists were asked to both respond to the questionnaire in writing and in person in order to make a presentation to the evaluation committee. Each company was given 4 hours to make their presentation and engage the evaluation committee during the days of May 29 & 30, 2012. After the conclusion of the presentations, the evaluation committee met several additional times. Two of the finalists made proposals that fit the City's needs very well and addressed all of the evaluation criteria. Best and final offers were requested from these two companies. Based on the final offers the committee chose Avrio as the company that best fit the City's requirements.

Avrio submitted a proposal that covers all locations in the City, as identified by the Police Department, in project phases 1, 1a, and 2; the RFP also identifies phase 3 locations. Avrio's proposal covers a total of 67 locations throughout the City; each

location will include at least 3 cameras. The proposal also included 3 mobile camera systems which will be placed as the Police Department identifies an area in need of the use of these cameras.

In addition to cameras the complete system includes two other major components. One of these components is a wireless system to transmit the video images to City Hall and the Police Department. Avrio has proposed a collection of common, well-known wireless equipment placed throughout the city that establishes a network capable of transmitting high quality video images back to storage facilities at City Hall. The exact placement and height of the wireless radios required to be placed remains subject to site surveys, but the proposed system has been designed to require only minimal additions in the future.

The last major component of the system is called the Video Management System (VMS). The VMS is the software responsible for managing all the cameras, stored videos, user permissions, video clip exports, and many other features. Avrio has proposed a common, well-known VMS that has an outstanding list of features.

Avrio's final offer includes price guarantees to the City for any equipment and services that are purchased during the next three years to expand the system. These guarantees give the City a known cost for expanding the coverage of the system to additional locations at a known cost.

Police Department and City staff confidently recommends Avrio based on the merits of their proposal and the checking of several references. The Cities contacted as references for Avrio were very pleased with their camera system and with Avrio's customer service; several of the cities plan to expand their camera systems and view Avrio as the preferred vendor for those expansions.

Project Schedule

The project schedule includes milestones that will enable the Police Department to begin viewing live video from some locations by December of this year. A detailed project schedule is currently being developed and is being heavily influenced by the wireless radio system site surveys.

Project Budget

The City Council, on December 3, 2011, approved the total project funding of $1.9 million, which includes $95,000 for Project Management Services and $1.8 million for the Citywide Camera Surveillance System.

Annual Maintenance

Camera systems, like all hardware and software systems, require annual maintenance agreements in order to continue using the system, to receive enhancements and fixes, and to enable support calls when problems arise. Avrio has agreed to provide the first year of maintenance at no charge; the schedule for annual maintenance is shown below under Alternatives.

The City has budgeted asset depreciation (replacement costs) and annual maintenance for this system at a level that should ensure the success of this on-going system.

ALTERNATIVES

1. Authorize the award of the Citywide Camera Surveillance Project contract to Avrio Group Surveillance Solutions, LLC (Avrio), 3 N. Harrison Street, Suite 100, Easton, Maryland 21601 in an amount not-to-exceed $1,800,000 for installation.

2. Authorize the City Manager to sign the contract with Avrio.

3. Authorize the City Manager to execute the support agreement with one-year of maintenance with additional one-year options for maintenance as follows:

Year 1 maintenance	Included - No Charge
Year 2 maintenance	$98,000
Year 3 maintenance	$112,000
Year 4 maintenance	$125,000
Year 5 maintenance	$145,000

4. Do not authorize the Citywide Camera Surveillance System contract. ***This action would prevent the building of the Citywide Camera Surveillance System and hamper the plans of the Police Department to enhance public safety in the City.***

5. Provide staff with further direction.

Staff recommends Alternative Nos. 1, 2 and 3.

FISCAL IMPACT

Funding for the $1,900,000 Citywide Camera Surveillance System project budget is available in a Technology Services Capital Improvement Project account (7210-30-39-80010) due to the City Council's previous funding of this project.

Due to the availability of the funding source identified above, approval of the Citywide Camera Surveillance System project contract will have no further impact on the City's General Fund operating budget.

CITY COUNCIL GOALS

The Citywide Camera Surveillance System will contribute towards the City Council's goal of Public Safety, which states: Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

SUMMARY

Following an extensive evaluation process, staff has selected Avrio RMS Group (Avrio) as the preferred vendor for a Citywide Camera Surveillance System through a competitively bid Request for Proposals (RFP) process. Avrio has submitted the proposal that best fits the City's needs from among a field of 11 proposals. The Citywide Camera Surveillance System is anticipated to begin in July 2012 and be completed by March, 2013 with the first cameras operational in December 2012. Avrio has also given the City a price guarantee on any equipment and services that are purchased during the next three years. Therefore, it is recommended that the City Council award the project to Avrio, authorize the Mayor to execute the contract, authorize the City Manager to execute a purchase order for one-time project costs not-to-exceed amount $1,800,000, and authorize the City Manager to execute the one-year maintenance options related to the contract starting in year 2 of the contract.

The proposed Citywide Camera Surveillance System has been reviewed and is supported by the Public Safety Subcommittee.

ATTACHMENTS/EXHIBITS

Attachment 1: Citywide Camera Surveillance Project Contract Agreement

Prepared By:
Steve Hargis
Technology Services Division Manager

Department Head Approval by:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Brandon Ford
Lieutenant

Concurred by:
Joel Ontiveros
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

City of Moreno Valley

Attachment 1

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name:	Avrio Group Surveillance Solutions, LLC (aka Avrio RMS Group)
Address:	3 N. Harrison Street, Suite 100
City:	Easton, Maryland 21601
Business Phone:	(410) 820-9334 x101 Fax No.: (410) 820-4304
Other Contact Number:	_____
Business License Number:	_____
Federal Tax I.D. Number:	26-3966298

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference. If there is a conflict between documents incorporated by reference therein, the document highest in precedence shall control. The precedence shall be:
   a. First: This Agreement
   b. Second: City Request for Proposals (RFP)
   c. Third: Contractor Proposal
   d. Fourth: City Finalist Questions
   e. Fifth: Contractor Presentation
   f. Sixth: City Request for Best and Final Offer
   g. Seventh: Contractor Best and Final Offer
   h. Eighth: Support Agreement

   Agreed upon change orders, supplemental agreements, and approved revisions to the specifications become a part of item First.

B. The City's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.

C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.

D. The Contractor Starting Date is August 28, 2012 and the Contractor Ending Date is August 27, 2013. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others (including,

without limitation, the City) or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, (collectively, "Claims") incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage. The City shall promptly notify Contractor of any Claims. The City's failure to provide such notice to Contractor shall limit Contractor's defense or indemnification obligations to the extent that the delay is prejudicial to Contractor. Contractor shall have the right to assume the defense and settlement of any third party Claims for which Contractor is providing indemnification hereunder.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, Claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all Claims which arise from the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the

Contractor, its officers, agent, employees, or subcontractors. Contractor's failure to provide such notice to the City shall limit the City's defense or indemnification obligations to the extent that the delay is prejudicial to the City. The City shall have the right to assume the defense and settlement of any third party Claims for which the City is providing indemnification hereunder.

G. Limitation on Liability. NOTWITHSTANDING ANYTHING IN THIS AGREEMENT TO THE CONTRARY, CONTRACTOR'S AGGREGATE LIABILITY FOR CLAIMS BY THE CITY ARISING FROM A BREACH OF THIS AGREEMENT WITH RESPECT TO NON-PERFORMANCE SHALL NOT EXCEED THE AMOUNTS PAID BY THE CITY TO CONTRACTOR HEREUNDER. CLAIMS ARISING FROM PERSONAL INJURY, PROPERTY DAMAGE, LABOR AND MATERIAL CLAIMS, THIRD-PARTY CLAIMS, AND NON-PERFORMANCE RELATED CLAIMS ARE NOT LIMITED BY THE FOREGOING LIMITATION.

H. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

⊗ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$5,000,000 per occurrence/ $5,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

⊗ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

⊗ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the

execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

I. Intellectual Property. Any system or documents developed, produced or provided by Contractor exclusively for the City under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

J. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

K. Termination.

(a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. In event of any termination of this Agreement, the City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for the value of all non-objected to services performed by the Contractor and all products delivered and accepted in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

L. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

M. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

N. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

O. Bonds. The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the Satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments shall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

Contractor agrees that the Labor and Materials Payment Bond and Faithful Performance Bond attached to this Agreement are for reference purposes only, and shall not be considered a part of this Agreement. Contractor further agrees that said bonds are separate obligations of the Contractor and its surety, and that any attorney's fee provision contained in any payment bond or performance bond shall not apply to this Agreement. In the event there is any litigation between the parties arising from the breach of this Agreement, each party will bear its own attorneys' fees in the litigation.

P. Traffic Control Plans. Contractor shall submit Traffic Control Plans and receive approval from the City of Moreno Valley, Transportation Engineering Division based on the 2012 Work Area Traffic Control Handbook and the 2012 California Manual of Temporary Traffic Controls for Construction and Maintenance Work Zones from the CalTrans Manual. A copy of the above manuals will be provided by the City.

Q. Permits. Contractor shall obtain approved Encroachment Permit from the Land Development Division, Entry Permit from the Parks and Recreation Division, Building Permit from the Building and Safety Division, and approval and Inspection from the Transportation Division as required by City.

R. California Labor Code. For the field installation portions of the contract the City **requires** the payment of prevailing wages, submission of certified payrolls, and compliance with other Labor Code provisions. *This contract is considered a public works contract as defined by the Public Contract Code. (California Code of Regulations starting at section 16000)*

S. Assignment. Contractor may collaterally assign its rights hereunder to a lender or lenders providing financing for Contractor.

T. Disclaimer of Warranties. OTHER THAN FOR THE EXPRESS WARRANTIES OF CONTRACTOR CONTAINED IN THIS AGREEMENT OR THE RFP, CONTRACTOR DISCLAIMS ALL OTHER EXPRESS WARRANTIES AND ALL IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE WITH RESPECT TO ANY GOODS OR SERVICES PROVIDED HEREUNDER. IN NO EVENT CONTRACTOR'S WARRANTIES SHALL APPLY TO GOODS THAT HAVE BEEN SUBJECTED TO ALTERATION, MISBRANDING, MISLABELING, MISUSE, MISHANDLING, ABUSE, NEGLECT, OR ACCIDENTAL DAMAGE CAUSED BY PARTIES OTHER THAN CONTRACTOR.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Henry T. Garcia, City Manager

_____
Date

Avrio Group Surveillance Solutions, LLC

BY: _____
Darrin Lipscomb, President

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Chief of Police

_____
Date

_____
Financial & Administrative Services Director

_____
Date

Exhibit A

CITY OF MORENO VALLEY

CITYWIDE CAMERA SURVEILLANCE SYSTEM

PROJECT # TS-CCSS 2012-02

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MORENO VALLEY

REQUEST FOR PROPOSALS

RFP # TT 11/12-10

CITYWIDE CAMERA SURVEILLANCE SYSTEM

PROJECT # TS-CCSS 2012-02

April 2, 2012

Proposals are due Wednesday, May 9, 2012

Before 2:00 p.m. PST

RFP # TT 11/12 10

CITY OF MORENO VALLEY

CITYWIDE CAMERA SURVEILLANCE SYSTEM

PROJECT # TS-CCSS 2012-02

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RFP # TT 11/12 10

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

GENERAL PROPOSAL TERMS AND CONDITIONS

Notify the City if you wish to receive addendums – Contact the Purchasing Division at PurchasingDivision@moval.org if you wish to receive any addendums via e-mail related to this RFP; otherwise all addendums will be posted on the City's web site. Questions relating to this addendum will be received through April 26, 2012; questions received after that will not be answered.

Requirement to Meet All Proposal Provisions - Each proposer shall meet all of the specifications and RFP terms and conditions. By virtue of the proposal submission, the proposer acknowledges agreement with and acceptance of all provisions of the specifications except as expressly qualified in the RFP. Nonsubstantial deviations may be considered provided that the proposer submits a full description and explanation of and justification for the proposed deviations. Whether any proposed deviation is nonsubstantial will be determined by the City of Moreno Valley in its sole discretion.

Communications Regarding Proposal - All timely requests for information submitted in writing will receive a written response from the City. Telephone communications with City staff are not encouraged but will be permitted. However, any such verbal communication shall not be binding on the City. All questions regarding this RFP should be in writing to: PurchasingDivision@moval.org

Proposal Submission – Four (4) printed and one (1) electronic copy of the proposal must be submitted. Each proposal must be submitted on the form(s) provided in the RFP. One (1) Price proposal shall be enclosed in a separate sealed envelope, addressed to:

City of Moreno Valley
City Clerk's Office

(hand or delivery service) **14177 Frederick Street** **Moreno Valley, CA 92552**	***(postal)*** ***PO Box 88005*** **Moreno Valley, CA 92552**

In order to guard against premature opening, the Proposal shall be clearly labeled with the RFP number, title, name of proposer, and date and time proposals are due. If the proposal is delivered to the City in express delivery or other priority mail services, the above information must also be included on the outside shipment envelope.

Submission of One Proposal Only - No individual, or business entity of any kind shall be allowed to make or file or to be interested in more than one proposal, except an alternative proposal when specifically requested. However, an individual who has quoted prices on materials to a proposer submitting a Proposal is not thereby disqualified from quoting prices to other proposers submitting proposals.

RFP # TT 11/12 10

Proposal Withdrawal - A proposer may withdraw its Proposal without prejudice prior to the time specified for the proposal opening by submitting a written request to the City's Finance Director/City Treasurer for its withdrawal. If this occurs, the Proposal will be returned to the proposer unopened. No Proposal received after the time specified or at any place other than the place stated in the Request for Proposals will be considered.

Proposal Retention and Award - The City reserves the right to retain all proposals for a period of 30 days after the proposal opening date for examination and comparison. The City also reserves the right to determine and waive nonsubstantial irregularities in any proposal, to reject any or all proposals, to reject one part of a proposal and accept the other, except to the extent that the proposals are qualified by specific limitations, and to make the award as the interest of the City may require based on the criteria identified in this RFP Terms and Conditions.

Contract Requirement - The proposer to whom the award is made shall execute a written contract with the City within ten (10) calendar days after notice of the award has been sent by mail to the address given in the proposal or within ten (10) calendar days after receipt by proposer of oral communication of the intent to award, whichever occurs first. The Contract shall be made in the form adopted by the City and incorporated in these specifications. The proposer warrants that proposer possesses, or has arranged through subcontracts, all capital and other equipment, labor and materials to carry out and complete the work hereunder in compliance with all Federal, State, County, City and Special District Laws, Ordinances, and Regulations which are applicable; and further, proposer shall comply with all Federal, State, County, City and Special District Laws, Ordinances, and Regulations which are applicable.

Failure to Accept Contract - If upon notification of intent to award the contract by the City, the proposer fails to enter into the Contract within the specified time period, the pending award will be annulled. Any proposal security will be forfeited in accordance with these RFP Terms and Conditions if a bond or security is required. An award may be made to the next most qualified proposer who shall fulfill every term and condition of the RFP.

Business License - The City's Business Ordinance requires that a Business License be obtained before any business, trade, profession, enterprise, establishment, occupation, or calling is conducted within the City. The amount of the tax is based on gross receipts resulting from business conducted in the City of Moreno Valley and is required to be paid when business is conducted in the City even though the principal location of the business may be outside of the City or a Business License has been issued to them by another city. Issuance of a Business License is only evidence of the fact that the business license fee and applicable business gross receipts tax has been paid. It does not sanction or approve any operation not otherwise permitted. Verification that the proposer has a valid City of Moreno Valley Business License will be obtained by the City prior to the execution of the contract. Additional information regarding the City's Business License program may be obtained by calling (951) 413-3084.

Submission of References - Each proposer shall submit a statement of qualifications and references on the form provided in the RFP package.

Insurance - The Contractor shall meet the following provisions (Sections 1 through 7) relating to insurance coverage.

RFP # TT 11/12 10

1. General Conditions - Without limiting the Contractor's indemnification of City, Contractor shall provide and maintain at its own expense the insurance listed under Section 7 (Evidence of Coverages) covering its operations, subject to the following conditions:

   a) The City, its Boards, Officers, Agents, and Employees shall be included as additional insureds in all liability insurance policies and endorsements thereto except for Workers' Compensation and Professional Errors and Omissions. The City shall be named Loss Payee as its interest may appear in all property insurance.

   b) Such insurance shall be primary with respect to any insurance maintained by City and shall not call on City's insurance for contributions.

   c) With respect to the interests of the City, the Contractor's insurance shall not be canceled nor reduced in coverage or limits until after thirty (30) days written notice shall have been sent by certified mail (return receipt requested) to the City of Moreno Valley, Finance Department, 14177 Frederick Street, PO Box 88005, Moreno Valley, CA 92552-0805, and shall contain an unequivocal clause so stating.

   d) A City approved endorsement or certified copy of insurance policy providing coverage shall be submitted to and approved by the City's Risk Manager prior to commencement of any work or tenancy.

2. Workers' Compensation - The Contractor shall procure and maintain, during the life of the contract, workers' compensation insurance or a valid certificate of consent to self-insure for all its employees engaged on or at the site of the project. In case any of the work is sublet, the Contractor shall require all subcontractors to similarly provide workers' compensation insurance for all the latter's employees unless such employees are covered by protection afforded by workers' compensation insurance carried by the Contractor.

   By submitting a proposal pursuant to these specifications, Contractor hereby certifies that it is aware of the provisions of Section 3700 et seq., of the Labor Code which require every employer to be insured against liability for Workers' Compensation.

3. Aggregate Limits/Blanket Coverage - If any of the required insurance coverages contain aggregate limits or apply to other operations or tenancy of the Contractor outside these specifications, Contractor shall give City prompt, written notice of any incident, occurrence, claim, settlement, or judgment against that insurance which may diminish the protection that such insurance affords the City. Contractor shall further take immediate steps restoring such aggregate limits or shall provide other insurance protection for such aggregate limits.

4. Modification of Coverage - The City reserves the right at any time during the term of any contract executed with the Contractor pursuant to these specifications (Contract) to change the amounts and types of insurance required hereunder by giving Contractor ninety (90) days written notice. If such change should result in a premium increase in excess of ten (10%) percent to Contractor, City agrees to negotiate additional compensation proportional to the increased benefit to the City.

5. Failure to Procure or Maintain Insurance - Contractor's failure to procure or maintain required insurance program shall constitute a material breach of contract under which the City may immediately terminate the Contract or, at its discretion, procure or renew

such insurance to protect the City's interests and pay any and all premiums in connection therewith, and recover all monies so paid from Contractor, or deduct all monies so paid from payments due Contractor.

6. Underlying Insurance - Contractor shall be responsible for requiring indemnification and insurance from its employees receiving mileage allowance, consultants, agents, and subcontractors, if any, to protect the Contractor's and the City's interests, and for ensuring that such persons comply with any applicable insurance statutes. Contractor is encouraged to seek professional advice in this regard.

7. Evidence of Coverages - Evidence of coverages (as checked below) having as a minimum the limits shown must be submitted and approved prior to commencement of work or any tenancy. Amounts shown are Combined Single Limit (CSL). Split limits may be substituted if the total per occurrence equals or exceeds the CSL amount.

Description	Limits
X Workers' Compensation	Statutory
(X) Employer's Liability	$500,000
X General Liability (must be written on an Occurrence Form)	$5,000,000
(X) Premises and Operations	
(X) Contractual Liability	
(X) Independent Contractors	
(X) Products/Completed Operations	
(X) Broad Form Property Damage	
X Automobile Liability (must be written on an Occurrence Form)	$1,000,000
(X) Owned Automobiles	
(X) Nonowned/Hired Automobiles	
X Professional Errors and Omission	$1,000,000

Non-Exclusive Contract - The City reserves the right to purchase the items listed in the Detailed Proposal Specifications/Proposal Submission Form, as well as any supplemental items, from other vendors during the contract term.

RFP # TT 11/12 10

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

BACKGROUND ON CITYWIDE CAMERA SURVEILLANCE PROJECT

The City of Moreno Valley, Police and Financial & Administrative Services Departments, are requesting proposals pursuant to Project # TS-CCSS 2012-02, Citywide Camera Surveillance Installation and Integration. The completed Citywide Camera Surveillance system will be utilized by the City to support public safety, traffic management, and asset protection activities in service to its citizens.

As the City makes cutbacks in the area of public safety, a citywide camera system will aid law enforcement in their efforts to combat crime in the community. Efforts to research the benefits of a City-wide camera surveillance system included staff visiting the cities of Redlands and Santa Monica to view their camera systems. Both Redlands and Santa Monica had very positive feedback on their camera systems. Their Citywide camera systems have allowed them to actively monitor parks, piers, shopping malls, and parking lots from a remote location. While monitoring their Citywide camera surveillance systems, they have witnessed crimes occurring such as vandalism, burglaries, drug deals, and assaults with a deadly weapon. Additionally, officers have been able to deter city ordinance violations, such as being in a park after hours. The use of the citywide camera surveillance system has led to the identification and arrest of suspects in a multitude of crimes. In some of these cases, by the time officers arrived to investigate a crime, if the suspects have disposed of any evidence; the citywide camera surveillance system has aided officers in the recovery of evidence.

Most camera systems offer software analytics; this software lends itself to making law enforcement more efficient. For example, there is technology that allows for the use of virtual trip wires at desired locations. Crossing these virtual trip wires activates an alarm in the monitoring room and leads to quick action by officers and the ability to coordinate a response to apprehend suspects. There is also software available for license plate reading as vehicles pass through intersections. Some cities use add-on capabilities for gunshot sound recognition and locating. Gunshot sound locating, yet another analytical tool, requires equipment and software be placed at the camera locations. When a gunshot sound is detected, the cameras in that area are automatically turned towards the gunshot sound. This technology can aid in coordinating responses by police and medical personnel to safely render aid to victims and to apprehend suspects. These are just a few of the technologies that are available for a Citywide camera surveillance system. Each of these components to the Citywide camera surveillance system is aimed at preventing or reducing crime, and in cases where a crime occurs, documenting it.

In researching Citywide camera surveillance systems staff discovered that the communications infrastructure is an expensive, upfront cost; however, it is a necessary cost in order to correctly build a lasting foundation. Trying to expand infrastructure as the system grows raises costs in the long term. This is a lesson learned from the City of Redlands and they have encouraged our city to avoid the same mistake. Absent fiber communications throughout the City, a wireless backhaul system is envisioned for this project. As existing fiber plans become a reality, the system will be converted from wireless to fiber. With solid infrastructure in place, the Citywide camera surveillance system can expand to add cameras as funding becomes available.

RFP # TT 11/12 10

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

QUALIFICATIONS AND SCOPE OF WORK

The vendor's history of performance and demonstrated ability in providing similar wireless based video surveillance solutions will be assessed. Preference will be given to vendors who are able to provide solid references and who have demonstrated a history of meeting project implementation and long-term maintenance commitments.

The vendor's qualifications and certifications associated with the proposed technologies will be considered.

The total budget for this Citywide Camera Surveillance System is $1.8 million dollars. In order to minimize the City's risk involved with the completion of this project, the successful bidder will be required to either (A) execute a performance bond for $540,000 dollars, or (B) agree to a payment schedule where the final $540,000 is not due until the City has formally accepted the complete system.

There are no contingency funds; respondents are required to meet the functional requirement of this RFP while staying within this budget.

April 11, 2012 1pm	Pre-bid meeting Police Department Main Conference Room 22850 Calle San Juan De Los Lagos Moreno Valley, CA 92552
May 2012	Evaluate RFP responses
June 2012	Negotiate with Finalists
June 12 or 26, 2012 Tuesday 6:30 pm	Award contract
July 2012	Begin implementation of the system
November 30, 2012	Complete implementation of the system

This RFP covers the above estimated schedule through November 2012; the dates are subject to change.

Proposal Content - The City is requesting comprehensive proposals to design, acquire, install, and maintain a city wide surveillance system to serve as a turnkey solution. The City plans to install surveillance cameras on city owned infrastructure including traffic control and lighting poles as well as city owned buildings. In addition the city plans to utilize public – private partnerships which will also allow the use of privately owned infrastructure for camera or wireless radio placement. The City's goal for the system is to provide video technology to

improve overall safety and security to the residents of the city.

The City has little fiber infrastructure at this point and is requiring that a wireless backbone be placed throughout the City. This backbone must meet the broadband requirements of the listed camera locations as indicated on the attached maps. The backbone infrastructure should be designed to allow for the addition of new cameras as they are added by the City. It is our desire to obtain as close to 100% coverage of the City as possible. Vendor will identify locations throughout the City to place access points and backhaul infrastructure to bring the video signals to the City of Moreno Valley Emergency Operations Center (EOC) for recording and distribution for viewing from multiple locations within the City network. Fiber infrastructure is being expanded as the budget allows which will complement the backhaul for the Citywide Camera Surveillance System. The plan to expand the City to the southeast will include the requirement to expand fiber in that area. If fiber is available (see Attachment Q for map of existing fiber) it is the preferred method of providing the video backhaul to the EOC, otherwise the wireless backhaul will have to be used.

The City requires the complete backbone to be built out with as many cameras included in the proposal as the budget will allow. A list (Exhibit A) of the proposed camera locations is attached including cameras located at intersections within the City and at several City Parks. Phases 1 & 1A camera locations are the most important locations for immediate placement and are not in any order of importance. Phase 2 camera locations are listed in descending order of importance. Phase 3 camera locations may be addressed at a later time if the budget does not allow for them now. There are 36 Phase 1 locations listed on the map but this does not necessarily equate to 36 cameras. Most camera locations at intersections could easily include two fixed high definition and/or megapixel cameras and one PTZ camera. The City desires that cameras at park locations make it possible to monitor persons in the vicinity of the restrooms, playgrounds, and the parking lots as well as in common areas. The City also desires that select cameras be placed in locations and at proper heights to make facial recognition possible using software provided by DataWorks Plus (www.dataworksplus.com). Cameras located at intersections should have a clear view of all directions if possible. Cameras should be able to distinguish make, model, color, and number of people in the vehicle passing through the view of the camera. The ability to read a license plate is desired if possible.

The City also desires three portable “camera systems” which can be set up for use on a pole with relative ease. These cameras will be used for emergency situations as well as for gathering potential evidence for police investigations. The “camera system” will include a PTZ camera and necessary equipment to connect into the video backhaul for recording at the EOC. The Vendor shall train selected City personnel, at the request of the City, to move these cameras to desired locations.

In order to assure long term viability of the system the City desires to assure the system is interoperable with a wide variety of component hardware and software applications well into the future. Therefore, solutions which maximize the use of widely available hardware and software from well-established providers are preferred. The City also prefers solutions which can demonstrate interoperability of all proposed system components with equipment and software from a variety of alternate manufacturers.

RFP # TT 11/12 10

The selected bidder shall provide all materials and labor required to implement a fully functioning system. The system will be implemented to the extent the budget will allow.

Prevailing Wages - For the field installation portions of the contract the City requires the payment of prevailing wages, submission of certified payrolls, and compliance with other Labor Code provisions. *This contract is considered a public works contract as defined by the Public Contract Code (California Code of Regulations starting at section 16000).*

Evaluation Criteria

The criteria and requirements listed below form the basis for evaluating each proposal; the proposal to which the City awards the contract will offer the best balance of these criteria while achieving the most complete and responsive compliance with the requirements. The City expects the evaluation process to follow 3 steps. Step 1 will include a thorough review of every proposal to identify multiple proposals that will be deemed finalists. Step 2 will result in a ranking of the finalists proposals and may include reference checks, discussions, meetings, presentations, site visits, or demonstrations of the proposed system. Step 3 will involve negotiations with finalists and result in awarding a contract to the successful proposal. Proposal clarifications may occur with multiple vendors simultaneously; however, negotiations resulting in a contract will occur one proposal at a time.

1. Functional Requirements and Characteristics
    a) Wireless coverage of the City with respect to the existing camera locations and the future addition of camera in different areas
    b) Ability to monitor all areas indicated on the location maps
    c) Ability to readily identify objects of interest anywhere within camera range for both live and recorded video
    d) Analytic abilities of the cameras and the Video Management System (VMS)
2. Flexibility, Ease, and Intuitiveness of Use
    a) Ability to utilize the system in all of the scenarios envisioned (e.g., video monitoring from multiple locations)
    b) Thoroughness and practicality of the camera system, including software, integration, analytics, as well as intuitive design
3. System Hardware/Software Environment and System Performance
    a) Ability to integrate 3rd party functionality into the VMS; including the breadth, performance, and ease of use of the tools
    b) Wireless network bandwidth and performance among cameras, VMS, storage, and monitoring locations
    c) Ability of the hardware and software to accommodate growth with minimal disruption and expense

4. Capacity of the Storage
   a) Length of time to store recorded video
   b) Ability to easily add storage capacity
   c) Ability to inexpensively add storage capacity
   d) Ability to manage storage with existing staff and knowledge of SAN management
5. Vendor Responsiveness and Performance
   a) Experience and skills of the organization and personnel
   b) Past performance with the City and on similar projects elsewhere
   c) System implementation plan and schedule
   d) Thoroughness and practicality of backbone design

Technical Requirements - Provide alarming capability for programmable events. Alarm capability shall include at a minimum, on-screen alerts, audible alarms and generate email notifications. The VMS shall support multiple alarms and is desired to integrate with the County of Riverside CAD system, Tiburon.

Manage Internet-Protocol (IP) cameras or analog cameras with encoders from multiple manufacturers. H.264 is a recording requirement and compatibility with high definition and/or megapixel technology is required.

Provide the ability to export video in a variety of common formats as well as a (watermarked) export with a player download which allows the video to be played on most computers without having to download a player onto the users' computer. Copied video must meet District Attorney's Office and Court regulations to be legally admissible in court as evidence and preserve the chain of custody.

Include adequate processing power and speed to comfortably support all system requirements.

Include adequate disk and controller redundancy using an appropriate RAID configuration to assure system will continue to operate in the event of a single disk failure and/or a single controller failure.

VMS must be capable of recording pre-event and post-event footage for cameras set to record on motion only.

A supported Software Development Kit (SDK) to allow custom development of software to provide additional video management features as required. The SDK should include API's which 3rd party products can use to integrate (e.g. Kimley-Horn & Associates, KITS). Indicate whether or not the 3rd party APIs are used by the product to provide core system functionality.

Use of common storage technologies on readily available hardware obtainable from a variety

of well-established manufacturers.

Three portable wireless camera, radio, and antenna assemblies shall be delivered, complete with training on their setup and use. Each shall be deployable, including fully functioning backhaul communications, anywhere in the City with a minimum of effort.

All servers and equipment with the capability to synchronize time will be compatible with a Spectracom time server.

We require a breakdown of cost by location of equipment so if we need to trim cost or add equipment we know what it will take to meet our goal.

The wireless backhaul will be brought back to the City of Moreno Valley EOC building located at 22870 Calle San Juan De Los Lagos.

If any proposed camera site lacks power we will consider moving the camera to a different nearby location or delete that location so it may be addressed at a later date

All contractors and their employees will adhere to all Federal and State of California laws and all county and local codes. Work will be inspected periodically to insure compliance. City personnel may accompany installers at any time.

If a licensed radio channel is to be used the license will be obtained by and issued in the name of the City of Moreno Valley.

All PTZ cameras and the VMS must be capable of receiving alarm triggers for repositioning to a preset or set of co-ordinates. We intend to integrate the VMS with the Riverside County CAD system for alarm triggers. PTZ cameras must have the capability to be set to a preset view and move automatically when an alarm trigger is received. We would like to group cameras for a single alarm trigger so a “Code Alex” scenario (will be explained at pre-bid meeting) would move several cameras to preset locations.

Analytics is a necessary element for the system including but not limited to abandoned object, trip wires, motion, and vandalism detection or hooding, and flow of traffic. We wish to expand the VMS at a later date to also include License Plate Recognition. We desire the capability to follow a suspect or vehicle from camera to camera in the live or recorded view if that technology is available and affordable.

The VMS shall be capable of passing one way audio over the wireless network to allow a monitor to speak to subjects at parks so an officer does not need to be dispatched to the location to contact an individual.

The VMS must allow users to be setup to allow limited to full access to live or recorded video at our discretion. Some cameras will belong to various groups (e.g., Traffic, Police, School District, individual businesses, Facilities, etc.) and the VMS must allow us to give access to live and recorded video from cameras based on group permissions. The group permissions must be able to overlap; for example, the Police group must be able to address and control all cameras but the School District can only access the cameras near schools.

A remote video viewing station will be set up in the Community Room off the lobby of the Police Department. This viewing station must have the capability to have the video stream disconnected immediately by the activation of a "kill" switch located in the main monitoring station within the police department. This "kill" switch may be mechanical or software driven if reliable. A camera to monitor those viewing the system shall be placed in the room to verify who was in the room and observe no recording devices were used while viewing the cameras.

PTZ cameras must have "window blanking" or "masking" of areas within the view of the camera to deal with right to privacy issues.

Current police department cameras and interview room cameras need to be integrated into the new system. There are currently approximately 48 cameras inside the Police Department that terminate in the sergeants office into three i3VR digital video recorders. The video may be brought into the system either by replacing the cameras and wiring and bringing IP video into the system or by use of encoders. Vendor shall propose the best solution.

Synchronized playback is a requirement. A user must be able to synchronize the playback so that events captured by different cameras can be viewed simultaneously on the same timescale.

Mapping of cameras with multiple layers is a must so that the viewer can "drill" down through layers of county, city, area, and maps of building with a hyperlink to video for a specific camera. An ESRI shape file is preferred (City will provide ESRI base shape files if requested). Maps are to be associated with police department beats and zones. A Google Earth or aerial map is acceptable.

Cameras must have true day/night switching capabilities and certain locations may require IR lighting.

Latency when switching from camera to camera on the system must be kept to an absolute minimum and specifically addressed in the proposal with the maximum acceptable latency factor identified in fractions of a second.

Vendor shall document all components in their proposal. This includes manufacturer, model number and specifications. Supporting documentation including User and technical guides, user ids, passwords, license keys, original copies of software, and any other elements required to fully operate, maintain, and upgrade the system shall be provided.

Vendor shall ensure all installation personnel are appropriately licensed and all equipment is installed according to appropriate code requirements.

Vendor is required to provide information regarding potential scalability of proposed system. The entire system shall be capable of adding components to allow for future growth without a major upgrade of components.

During the warranty period, the vendor shall maintain locally or regionally readily available supplies of system spare parts in adequate quantity to ensure the rapid replacement of any

system-related component(s) which may fail. This supply of spare parts will enable the Vendor to perform critical repairs to the system within a four hour time frame. [Project Coordinator, or his designee, may maintain a supply of spare cameras and system components at their sole discretion].

It is desired that cameras be recorded at 15 to 30 frames per second depending on the camera location. We also desire the recording solution to be overbuilt as far as storage is concerned to allow for the expansion of the system. Business partners and the school district may bring many cameras into the system in the near future.

The VMS must have the capability of storing "stills" or "snapshots" from recorded video.

All wiring must be neat and installed to BICSI standards by industry certified personnel.

Desired Technical Specifications/Requirements - It is desirable for the VMS to post thumbnails representing video clips as the result of a search so video may be searched more rapidly. A click of the mouse should cause a selected thumbnail to play the associated video clip.

It is highly desirable to integrate video from third parties such as schools, banks, businesses and other city departments into one system. How this is to be accomplished must be addressed in the proposal.

We desire the capability to integrate with school intercom systems so a monitor can speak to subjects over the school districts' "Bogen" outdoor intercom.

The VMS should have audit ability capable of tracking user login, export of video and it is desired that camera usage be tracked also. This audit log will require the user to enter a reason for the download, such as a police file number or a reason that is in a drop down menu. If a file number is not entered or left blank, or the reason is invalid, it should not allow the recording to be downloaded by the individual user, but it can be overridden by a system administrator.

We desire the ability to record several television channels including audio primarily for news broadcasts.

Preference will be given to video solution that will allow for an unlimited number of users without an associated individual licensing fee.

Cameras must be able to default to a predetermined setting after being idle a specified time period. Preference is to have the ability to change the preset based on time of day and day of the week.

Training Requirements - The vendor shall prepare, administer and conduct an onsite training program designed for designated personnel to fully and efficiently operate and maintain the installed video monitoring system. Training shall be of sufficient scope and depth to ensure all designated personnel who complete the program shall be fully qualified, certified and capable of operation the system as installed including any programming of camera analytics or the VMS.

The vendor shall provide a copy of all training aids to the City.

The vendor shall prepare and provide a complete training and operational manual for all installed systems to the City.

Maintenance/Service Requirements - An ongoing maintenance and service support program is considered integral to this project. The selected vendor shall provide on-call service support 24 hours per day, 365 days per year starting the day the City certifies complete system acceptance. The selected vendor shall also provide, as part of maintenance, preventative care for the cameras and radios no less than twice each year. This includes camera lense or dome cleaning, camera positioning adjustments, and wireless radio adjustments. All cameras and other equipment shall have a warranty of at least one year with cost of all maintenance for first year included. City desires Vendor to bid yearly maintenance cost for five additional years on a year by year basis.

Vendor shall be capable of providing on-site maintenance and repair within 4 hours in the event the wireless network goes down, multiple cameras go off line, or if the monitoring center loses control or video image, or is incapable of viewing or recording video feeds.

Minor problems may be handled on a next business day basis.

Maintenance and service shall not be transferred or assigned to any subcontractor without prior written approval from the City.

Maintenance work shall be performed by competent and qualified personnel under supervision and direct employ of the vendor with proper licensing.

Law Enforcement Background Check - All employees working on the premises will be required to submit and pass a Law Enforcement Background – Criminal History Check. Forms will be provided for your employees. Any work done on the premises will be pre-arranged in order to have police personnel accompany workers. Vendor will assign a designee to be available to attend one hour Community Advisory Meetings held at the police department once a month or less often as required

RFP # TT 11/12 10

City of Moreno Valley
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

SUMMARY PROPOSAL SUBMISSION FORM

Dated:_____

TO: City of Moreno Valley
Purchasing Division
PO Box 88005
Moreno Valley, CA 92552-0805

The undersigned declares that he or she has carefully examined Project # TS-CCSS 2012-02 accompanying the Request for Proposals, and is thoroughly familiar with the contents thereof; and is authorized to represent the proposing firm; and proposes to provide:

Proposal Item: Citywide Camera Surveillance System

Firm Name: _____

Address: _____

_____

Signature: _____ Phone No:_____

RFP # TT 11/12 10

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

STATEMENT OF PROPOSER'S QUALIFICATIONS AND REFERENCES

The proposer is required to state his or her financial ability to undertake these services, and to provide a general description of similar work performed.

Please list the actual years of experience while engaged in providing the type of work included within the scope of work of this request for proposals, and list the business name under which the services were performed:

Actual Years' Experience	Name of firm(s) under which services were performed

List and describe fully the last two contracts performed by your firm that demonstrate your ability to complete the work included within the scope of work of the RFP. Attach additional pages if required. The City reserves the right to contact each of the references listed for additional information regarding your qualifications.

Reference No. 1

Customer Name: _____

Contact Individual: _____ Phone No: _____

Address: _____

Contract Amount: _____ Year: _____

Description of work done: _____

_____

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Reference No. 2

Customer Name: _____

Contact Individual: _____ Phone No: _____

Address: _____

Contract Amount: _____ Year: _____

Description of work done: _____

_____

Reference No. 3

Customer Name: _____

Contact Individual: _____ Phone No: _____

Address: _____

Contract Amount: _____ Year: _____

Description of work done: _____

_____

RFP # TT 11/12 10

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

STATEMENT OF PROPOSER'S QUALIFICATIONS AND REFERENCES

STATE OF CALIFORNIA, COUNTY OF _____

I am the _____ of _____ the proposer herein. I have read the foregoing statement and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

Executed on _____at _____, California
(date) (place)

I declare, under penalty of perjury, that the foregoing is true and correct.

_____
Signature of Proposer

_____
Title

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

WORKERS' COMPENSATION INSURANCE CERTIFICATE

Sections 1860 and 1861 of the California Labor Code require every contractor to whom a public works contract is awarded to sign and file with the awarding body the following statement:

> "I am aware of the Provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract."

By: _____

Date: _____

Title: _____

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

IMPORTANT INFORMATION REGARDING TIMELY SUBMITTAL OF PROPOSAL

ON-TIME RECEIPT OF YOUR RESPONSE - The responsibility of ensuring that your time-sensitive document is received by the due date and time AND delivered to the City office stated in our invitation, rests solely with the sender. You may hand deliver your document to the proper office listed in the invitation. Only an official time stamp from the City office listed in our invitation is acceptable as proof of timely delivery. A delivery time stated by a delivery service is not valid as proof of timely delivery. The City of Moreno Valley assumes no responsibility for bids, proposal or quotes which arrive at the City office stated in our invitation beyond the due date and time.

> PLEASE NOTE: Deliveries made to the City by the United States Postal Service, or any other delivery service, will be routed through an internal delivery system. Utilizing any delivery service will delay delivery to the actual addressed City office or individual and may cause your response to be late and unacceptable.

Regardless of the method you choose to submit your time-sensitive document, you must allow for our internal delivery system to process your item to the required office before the due date and time. In order to be fair to all responders, late bids, proposals or quotes will not be accepted and will be returned unopened.

You are encouraged to contact the number listed in the RFP for verification of receipt or contact the City at 951-413-3000 to be connected to the appropriate office.

SAMPLE CITY CONTRACT

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: _____
Address: _____
City: _____ State: ____ Zip: _____
Business Phone: _____ Fax No. _____
Other Contact Number: _____
Business License Number: _____
Federal Tax I.D. Number: _____

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The City's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is _____ and the Contractor Ending Date is _____. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.
B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or

employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all claims which arise from the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

☐ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance

shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$5,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☐ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended

only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley	Insert Name of Contractor
BY: _____ City Manager	BY: _____
	TITLE: _____ (President or Vice President)
	_____ Date
	BY: _____
	TITLE: _____ (Corporate Secretary)
	_____ Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Chief of Police

_____
Date

_____
Financial & Administrative Services Director

_____
Date

EXHIBIT C

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $.....

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the City as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices shall be submitted to the Financial & Administrative Services Department at

   <email address>@moval.org or calls directed to (951) 413-????.

4. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at:
   http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

EXHIBIT C

SAMPLE CITY PERFORMANCE BOND

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
($540,000)

PROJECT NO. TS-CCSS 2012-02

CITYWIDE CAMERA SURVEILLANCE SYSTEM
MORENO VALLEY, CALOFIRNIA

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to XXXXXXXXXXXXXX, Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, dated _____, 2012, and identified as **Project No. TS-CCSS 2012-02**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Agreement is required to furnish a bond guaranteeing the faithful performance of said Contract Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of Five-hundred and Forty-thousand dollars, ($540,000), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Agreement or to the work or the Provisions.

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on

this _____ day of _____ 2012.

CONTRACTOR	SURETY
Name:_____	Name:_____
Address: _____	Address:_____
_____	_____
Telephone No.:_____	Telephone No.:_____
By: _____	By:_____ Attorney-in-Fact

Approved as to Form this

_____ day of _____, 2012

_____
City Attorney
City of Moreno Valley

NOTE: This bond must be executed by both parties. Corporate seal may be affixed hereto. All signatures must be acknowledged before a notary public (attach acknowledgments). The attorney-in-fact for the corporate surety must be registered, as such, in at least one county in the State of California. (Attach one original Power of Attorney sheet for each bond).

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EXHIBIT A

CAMERA LOCATIONS BY PRIORITY

	Location		Phase	Direction	PTZ Included
	Beginning of Phase 1				
1	Ironwood & Pigeon Pass	Red	Phase 1	E/W	Y
2	Ironwood & Graham	Red	Phase 1	E/W	Y
3	Sunnymead Ranch PKY & Old Lake	Red	Phase 1	S/W	Y
4	Sunnymead Ranch PKY & Heacock	Red	Phase 1	N/S	Y
5	Sunnymead Ranch PKY & Perris	Red	Phase 1	N/S	Y
6	Hemlock & Heacock	Red	Phase 1	E/W	Y
7	Hemlock & Pigeon Pass	Red	Phase 1	N/S	Y
8	Sunnymead Blvd. & Heacock	Red	Phase 1	N/S	Y
9	Sunnymead Blvd & Graham	Red	Phase 1	E/W	Y
10	Sunnymead & Perris	Red	Phase 1	N/S	Y
11	Sunnymead & Indian	Red	Phase 1	E/W	Y
12	Frederick & Dracaea	Red	Phase 1	N/S	Y
13	Frederick & Center Point	Red	Phase 1	N/S	Y
14	Frederick & Alessandro	Red	Phase 1	E/W	Y
15	JFK & Perris	Red	Phase 1	N/S	Y
16	Day St. & Campus	Red	Phase 1	S/W	Y
17	Old HWY 215 & Alessandro	Red	Phase 1	E/W	Y
18	Old HWY 215 & Cactus	Red	Phase 1	E/W	Y
19	Iris & Perris	Red	Phase 1	E/W	Y
20	Iris & Lasselle	Red	Phase 1	N/S	Y
21	Iris & Moreno Beach	Red	Phase 1	E/W	Y
22	Alessandro & Perris	Red	Phase 1	E/W	Y
23	Alessandro & Nason	Red	Phase 1	E/W	Y
24	Perris & Hemlock	Red	Phase 1	N/S	Y
25	Heacock & JFK	Red	Phase 1	N/S	Y
26	Lasselle & Cactus	Red	Phase 1	E/W	Y
27	HWY 60 & Nason	Red	Phase 1	N/S	Y
28	HWY 60 & Moreno Beach	Red	Phase 1	N/S	Y
29	West Bluff Park	Red	Phase 1		Y
30	MV Comm Park	Red	Phase 1		Y
31	Sunnymead Park	Red	Phase 1		Y
32	Woodland Park	Red	Phase 1		Y
33	Pedrorena Park	Red	Phase 1		Y
34	Victoriano Park	Red	Phase 1		Y
	End of Phase 1				
	Beginning of Phase 1a				
35	Ironwood & Redlands	Blue	Phase 1a	N/S	Y
36	Perris & Nandina	Blue	Phase 1a	N/S	Y
37	HWY 60 E/B on ramp & Sunnymead	Blue	Phase 1a	E/W	Y
38	Towngate Memorial Park	Blue	Phase 1a		Y
39	Day St. & Box Springs.	Blue	Phase 1a	S/W	Y
	End of Phase 1a				

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	Location		Phase		Direction	PTZ Included
			Beginning of Phase 2			
40	HWY 60 N/S & Heacock	Gold	Phase 2		N/S	Y
41	Alessandro & Indian	Gold	Phase 2		N/S	Y
42	Lasselle & Rancho Verde HS	Gold	Phase 2		N/S	Y
43	Heacock & San Michele	Gold	Phase 2		N/S	Y
44	Indian & Nandina	Gold	Phase 2		N/S	Y
45	Frederick & Cottonwood	Gold	Phase 2		E/W	Y
46	Perris & Cottonwood	Gold	Phase 2		N/S	Y
47	Day St. & Eucalyptus	Gold	Phase 2		E/W	Y
48	Perris & Eucalyptus	Gold	Phase 2		N/S	Y
49	Frederick & Sunnymead Blvd	Gold	Phase 2		N/S	Y
50	Indian & Cottonwood	Gold	Phase 2		N/S	Y
51	Alessandro & Heacock	Gold	Phase 2		E/W	Y
52	Pigeon Pass & Old Lake Rd.	Gold	Phase 2		N/S	Y
53	Heacock & Dracaea	Gold	Phase 2		N/S	Y
54	Perris & Dracaea	Gold	Phase 2		N/S	Y
55	JFK & Lasselle	Gold	Phase 2		N/S	Y
56	Heacock & Fir	Gold	Phase 2		N/S	Y
57	Day & Cottonwood	Gold	Phase 2		N/S	Y
58	Indian & Ironwood	Gold	Phase 2		N/S	Y
59	Perris & Ironwood	Gold	Phase 2		E/W	Y
60	Indian & Bay	Gold	Phase 2		N/S	Y
61	Kitching & Alessandro	Gold	Phase 2		E/W	Y
62	HWY 60 E Perris off ramp & Sunnymead	Gold	Phase 2		E/W	Y
63	Camino Flores & Gentian Park	Gold	Phase 2			Y
64	Heacock & Ironwood	Gold	Phase 2		E/W	Y
65	Alessandro & Moreno Beach	Gold	Phase 2		N/S	Y
66	Alessandro & Redlands	Gold	Phase 2		E/W	Y
67	Green Belt	Gold	Phase 2			Y
			End of Phase 2			
			Later Phases			
68	Ironwood & Moreno Beach	Grn	Phase 3		E/W	Y
69	Heacock & Reche Vista	Grn	Phase 3		E/W	Y
70	Indian & Atwood	Grn	Phase 3		E/W	Y
71	Indian & Myers	Grn	Phase 3		N/S	Y
72	Indian & Webster	Grn	Phase 3		N/S	Y
73	Lasselle & Margaret	Grn	Phase 3		N/S	Y
74	Kitching & Elder	Grn	Phase 3		E/W	Y
75	Kitching & Ironwood	Grn	Phase 3		E/W	Y
76	Nason & Cactus	Grn	Phase 3		N/S	Y
77	Nason & Eucalyptus	Grn	Phase 3		N/S	Y
78	Nason & Fir	Purp	Phase 3a		E/W	Y
79	Mountain View & Counrty Gate	Purp	Phase 3a			Y
80	Pigeon Pass & N. Hidden Springs	Grey	Last	No Power	N/S	Y

RFP # VAG TT 11/12 10

	Location		Phase		Direction	PTZ Included
81	HWY 60 & Theodore	Grey	Last	No Power	N/S	Y
82	Poorman's Reservoir	Grey	Last	No Power		Y
83	Shelia & Filaree / Gentian & Shelia	Grey	Last	No Power	E/W	Y
84	Elm & Pepper (Clover)	Grey	Last	No Power	N/S	Y
85	Adrienne/Pride/Allies/Courage SHOE	Grey	Last	No Power	E/W	Y

RFP # VAG TT 11/12 10

EXHIBIT B

CAMERA LOCATIONS DIAGRAMS

Phase 1

MV00173619

Two areas of fixed coverage and 360^0 capability.
FALL RIVER RD
IRONWOOD AVE
23011
23021
23031
23041
23051
22954
22965
12034
12150
SCOTIA LN
Powered by GeoS

MV00173620

Two areas of fixed coverage and 360^0 capability.
SEAFARER WAY
IRONWOOD AVE
23442
23457
23465
23471
23479
23487
11975
11950
11960
11904
23547
23515
23525
12020
12030
12036
12042
12046
12047
23553

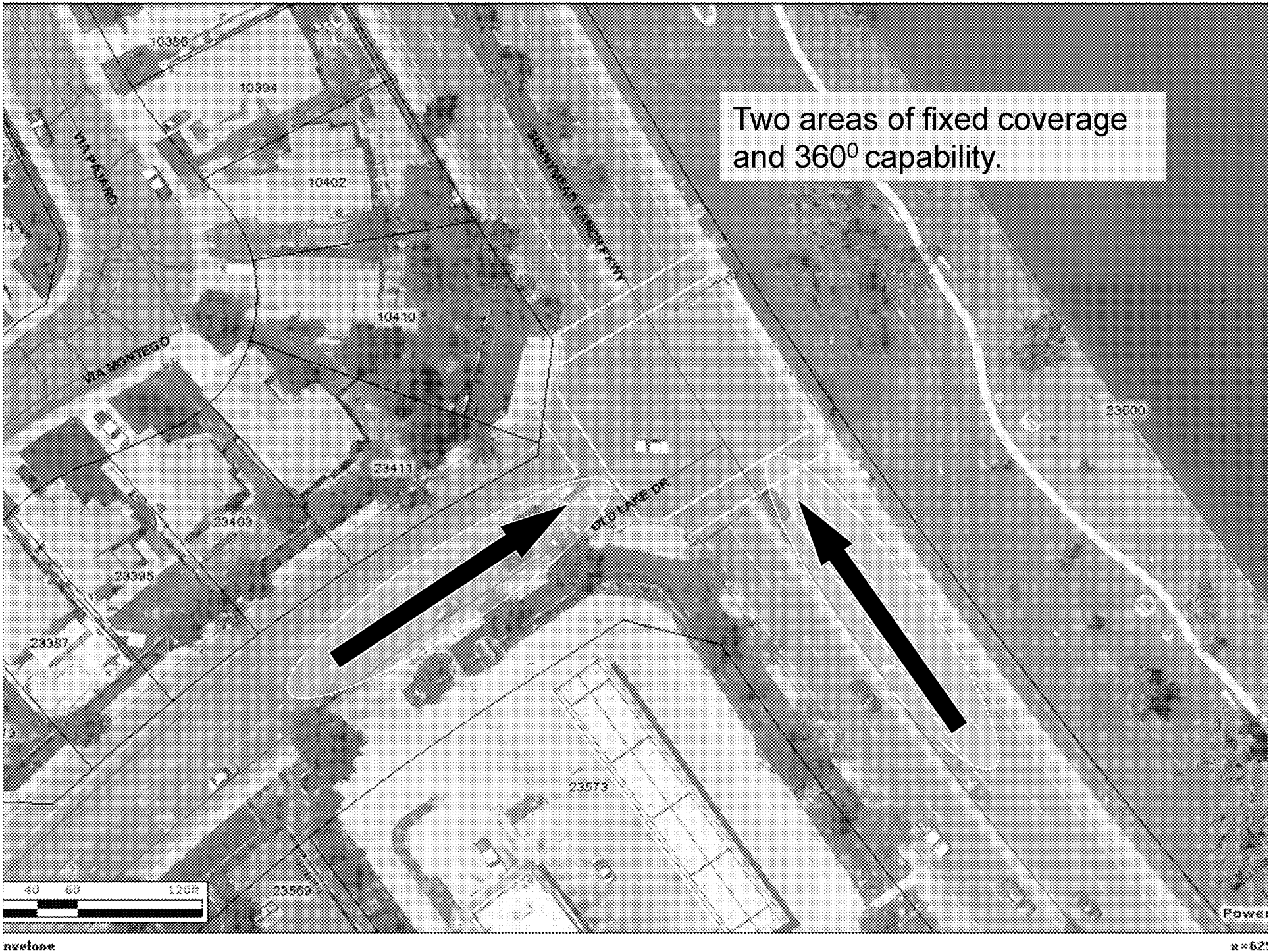
Two areas of fixed coverage and 360^0 capability.
10350
10394
10402
10410
23411
23403
23395
23387
23379
23373
23359
23200
VAQUERO
SAN MONTEGO
SUNNYVALE SARATOGA RD
OLD LAKE DR
40 80 120ft

MV00173622

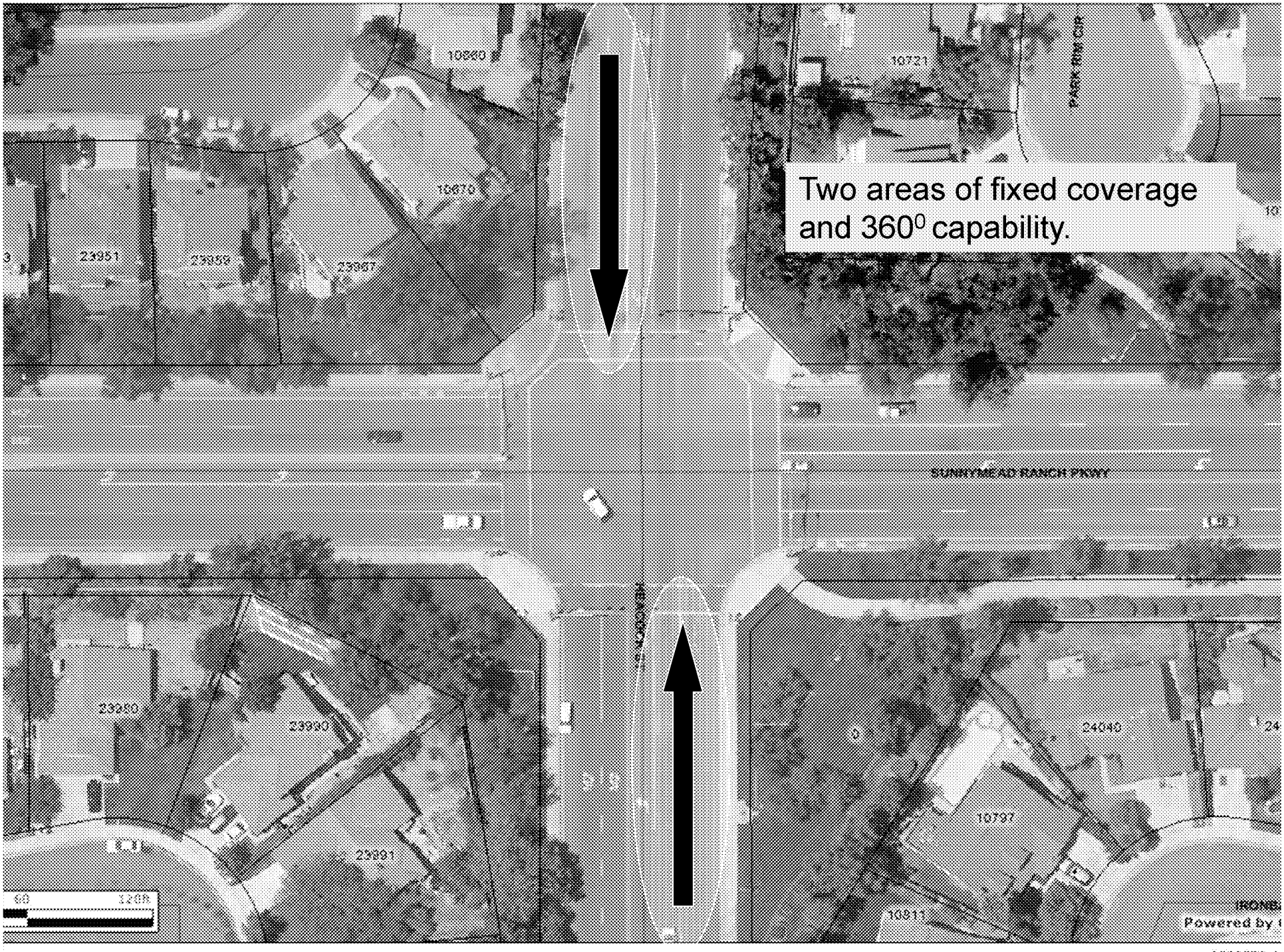
Two areas of fixed coverage and 360⁰ capability.
SUNNYMEAD RANCH PKWY
PARK RIM DR
10721
10670
23951
23959
23967
23980
23991
24040
10797
10811
Powered by

MV00173623

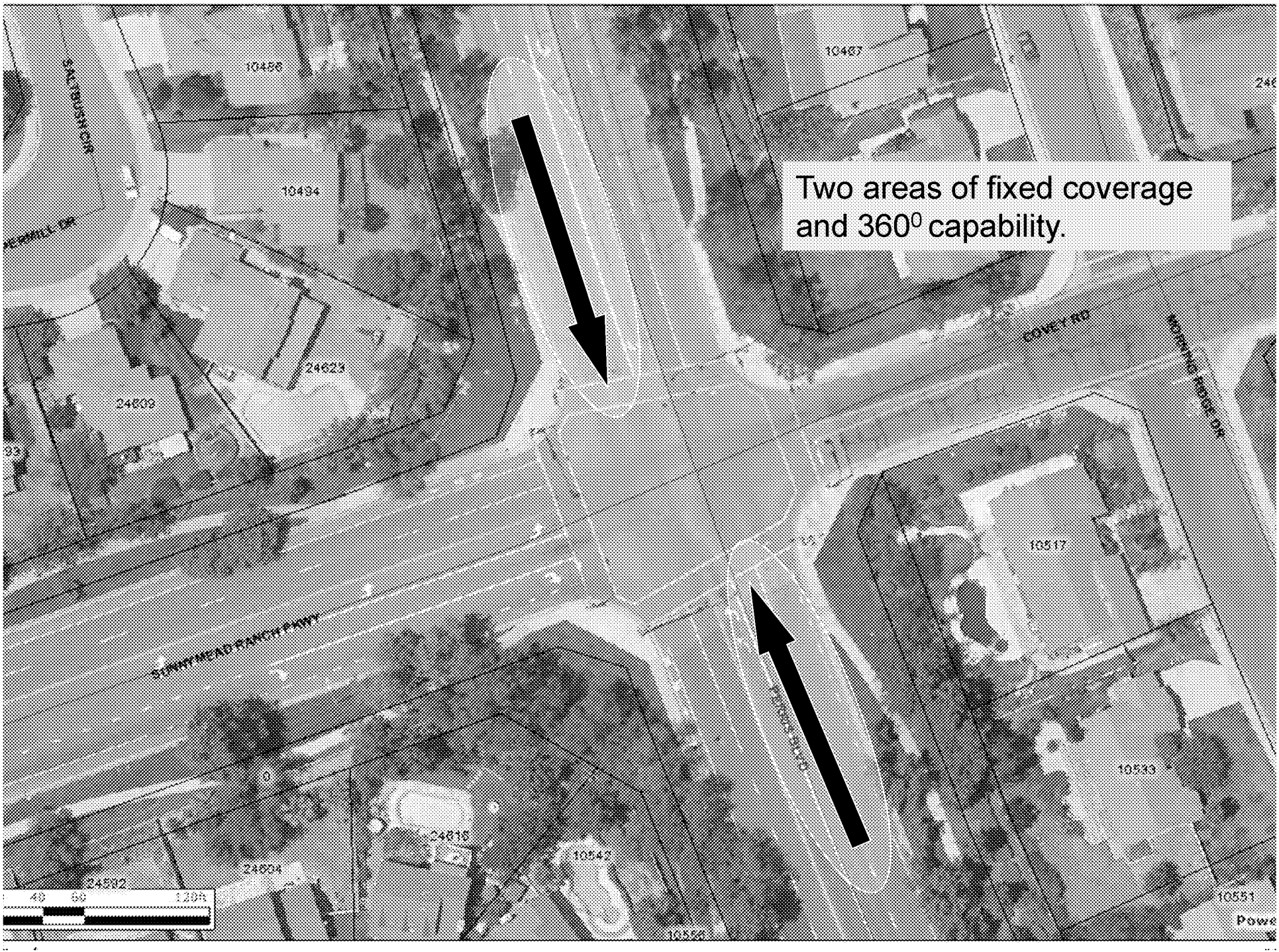
Two areas of fixed coverage and 360⁰ capability.
10456
10434
24623
24609
10437
COVEY RD
10517
SUNNYMEAD RANCH PKWY
10533
24610
10543
24604
24592
10551
10556

MV00173624

Two areas of fixed coverage and 360⁰ capability.
12208
12246
12255
12275
12280
12441
Pow

MV00173625

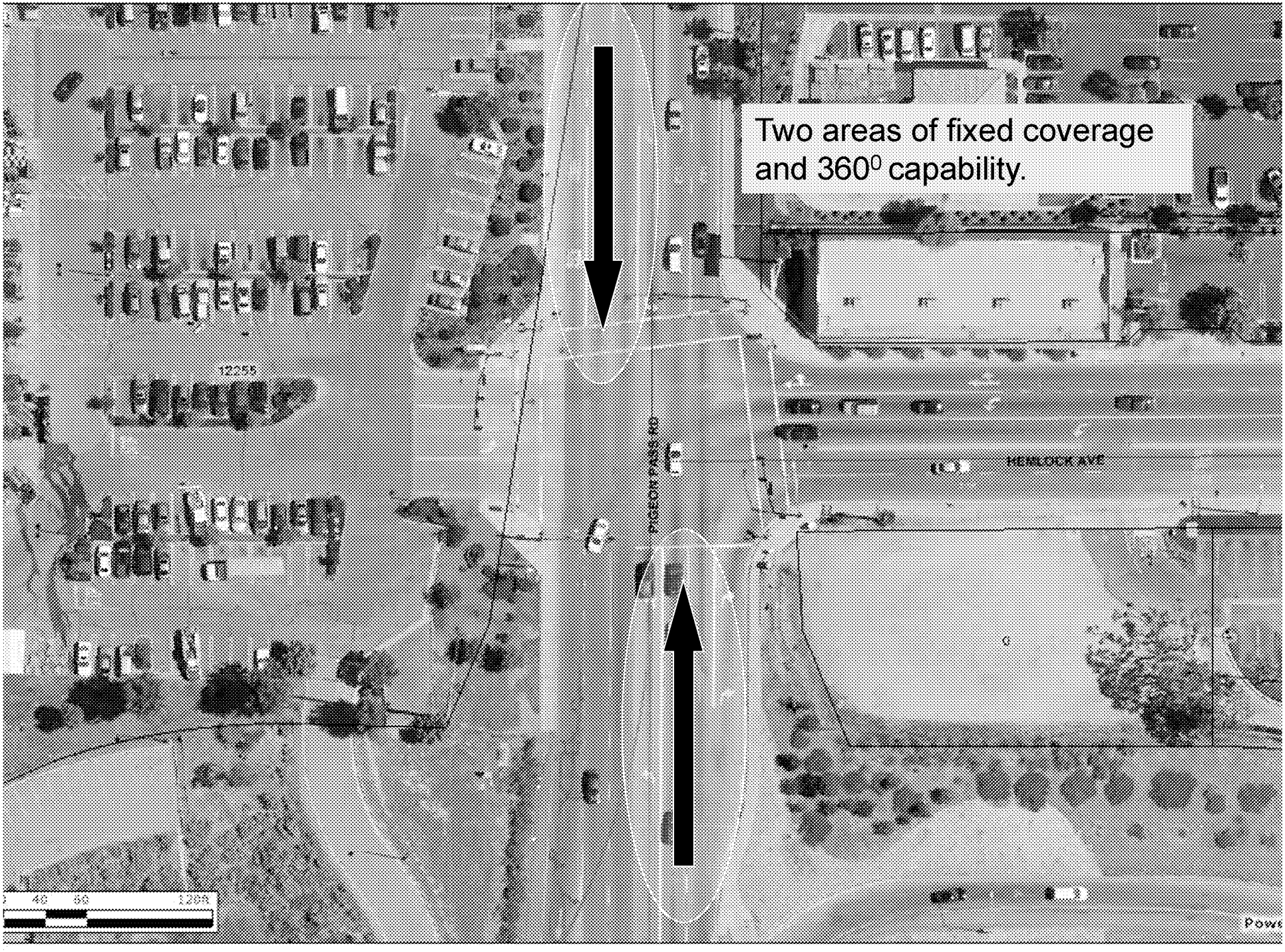
Two areas of fixed coverage and 360⁰ capability.
HEMLOCK AVE
PIGEON PASS RD
12255
40
80
120ft

MV00173626

Two areas of fixed coverage and 360⁰ capability.
Could change to East/West coverage if freeway cameras are obtained.
SUNNYMEAD BLVD
24010
23935
24007
24025
12540

MV00173627

Two areas of fixed coverage and 360⁰ capability.
SUNNYMEADOWS DR
SUNNYMEAD BLVD
COURAGE ST
23550
12541
12541
12517
12511

MV00173628

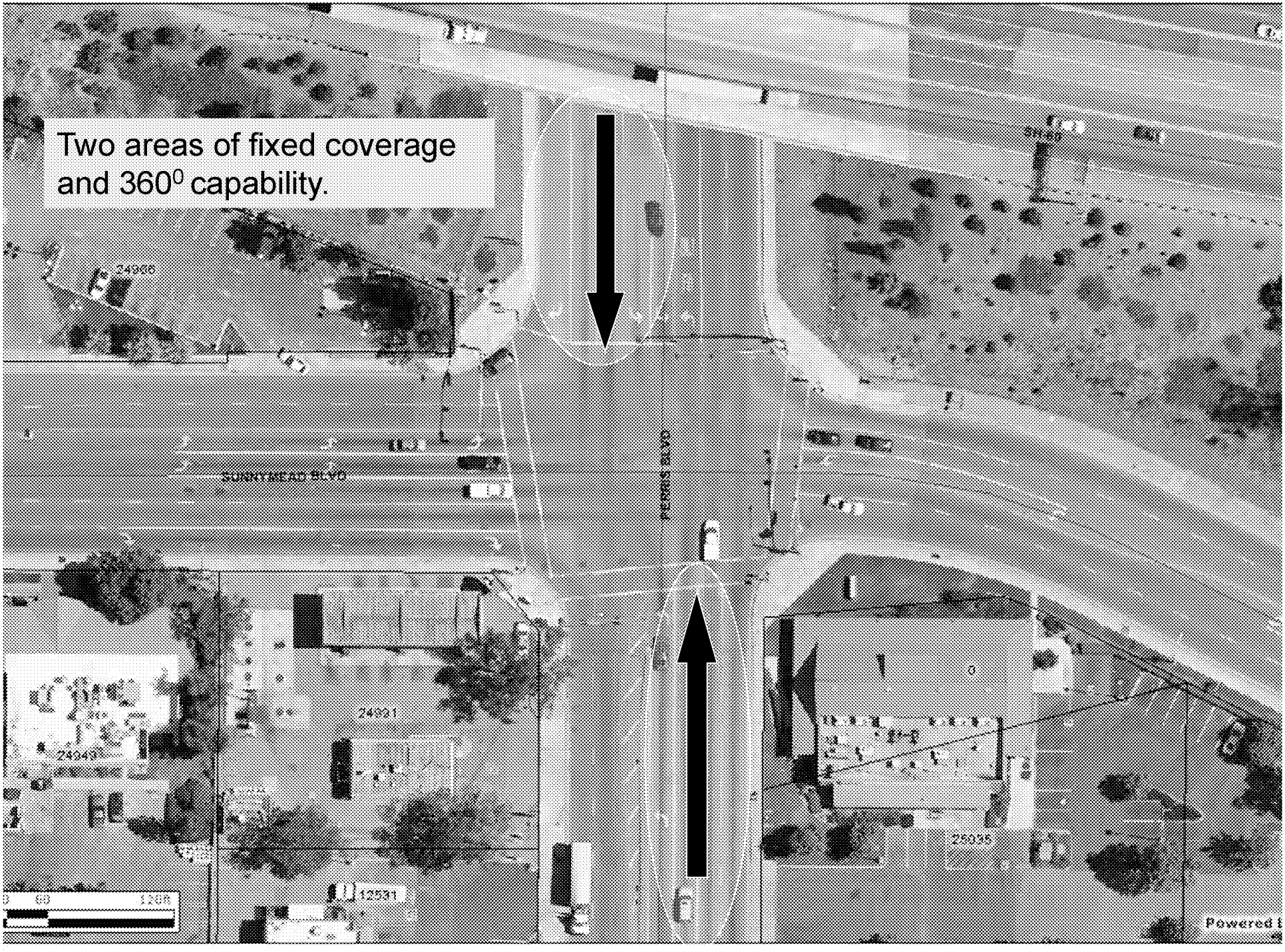
Two areas of fixed coverage and 360^0 capability.
SUNNYMEAD BLVD
PERRIS BLVD
24900
24931
24949
12531
25035

MV00173629

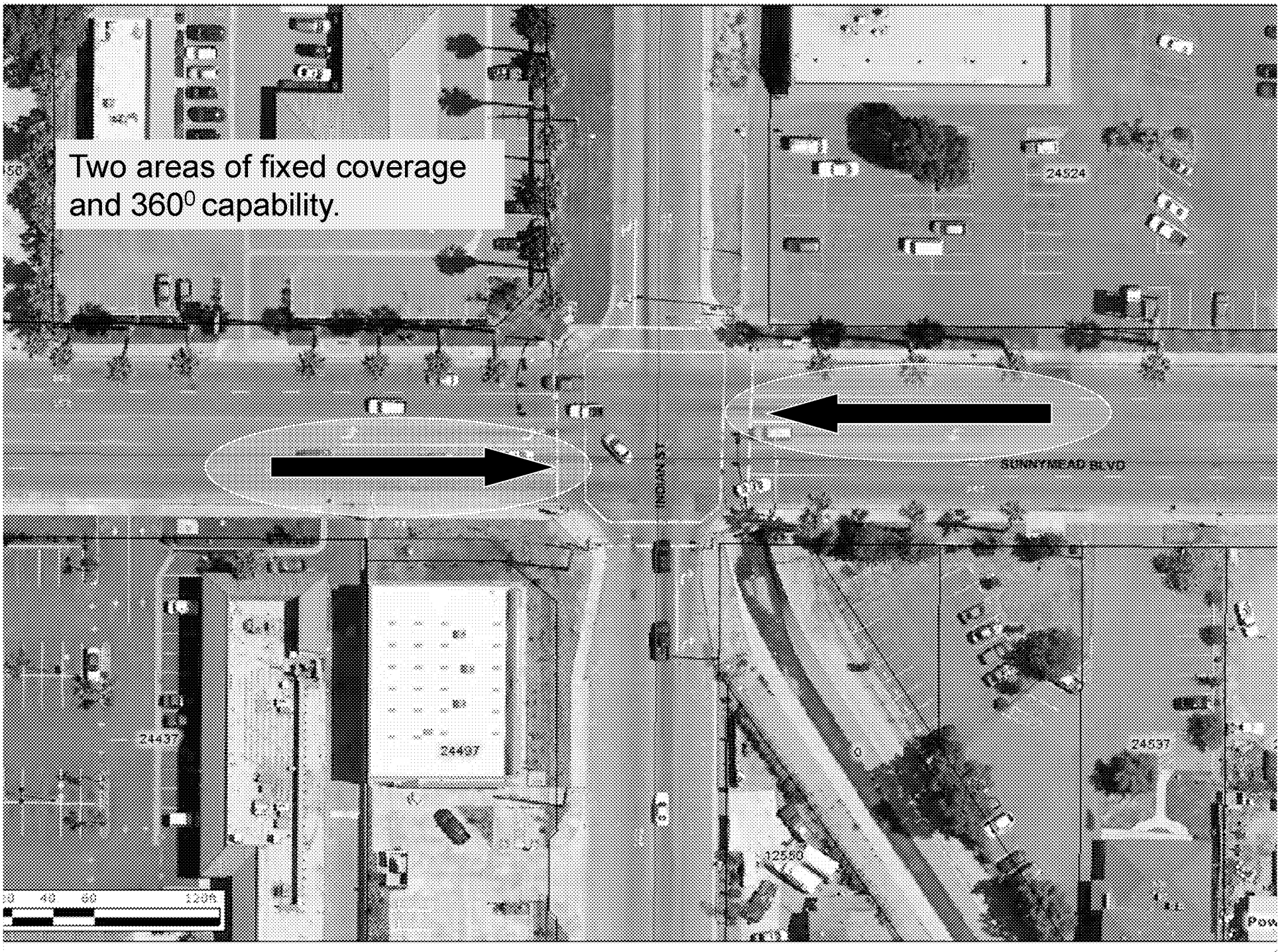
Two areas of fixed coverage and 360⁰ capability.
24524
SUNNYMEAD BLVD
24437
24437
24537
12550

MV00173630

Two areas of fixed coverage and 360⁰ capability.
ORACAEA AVE
ORACAEA AVE
13205
13213
13221
13231
13241
13208
13214
13220
13230
13240
13250
13260
13270
13280
13281
13187
13193
13202
40
80
120ft

MV00173631

Two areas of fixed coverage and 360^0 capability.

MV00173632

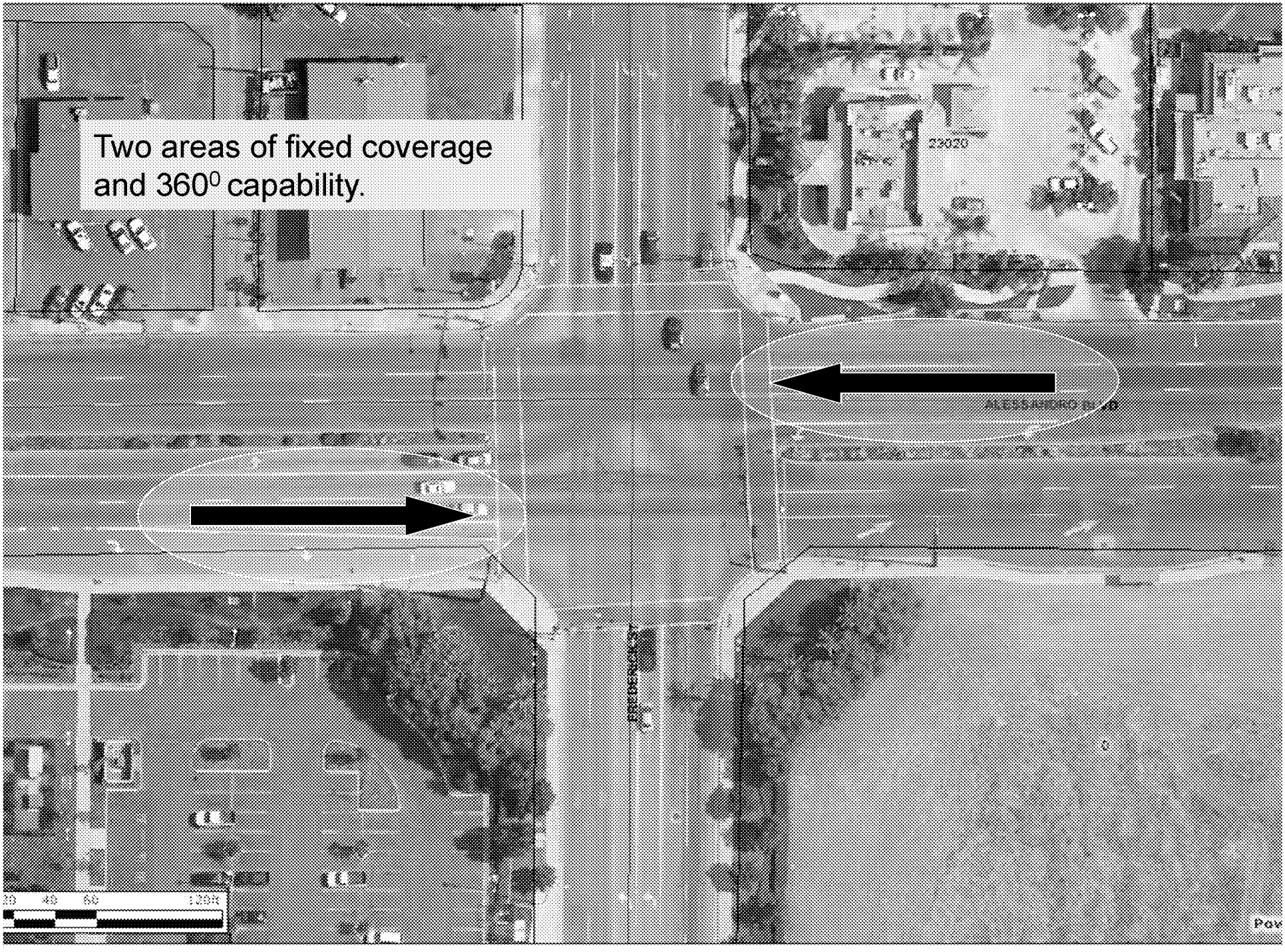
Two areas of fixed coverage and 360^0 capability.
23020
ALESSANDRO BLVD
FREDERICK ST

MV00173633

Two areas of fixed coverage and 360^0 capability.
CROFTBORO RD
JOHN F KENNEDY DR
PERRY BLVD
14970
14971
24955
24965
24975
24985
24995
14950
15025
15030
Powered

MV00173634

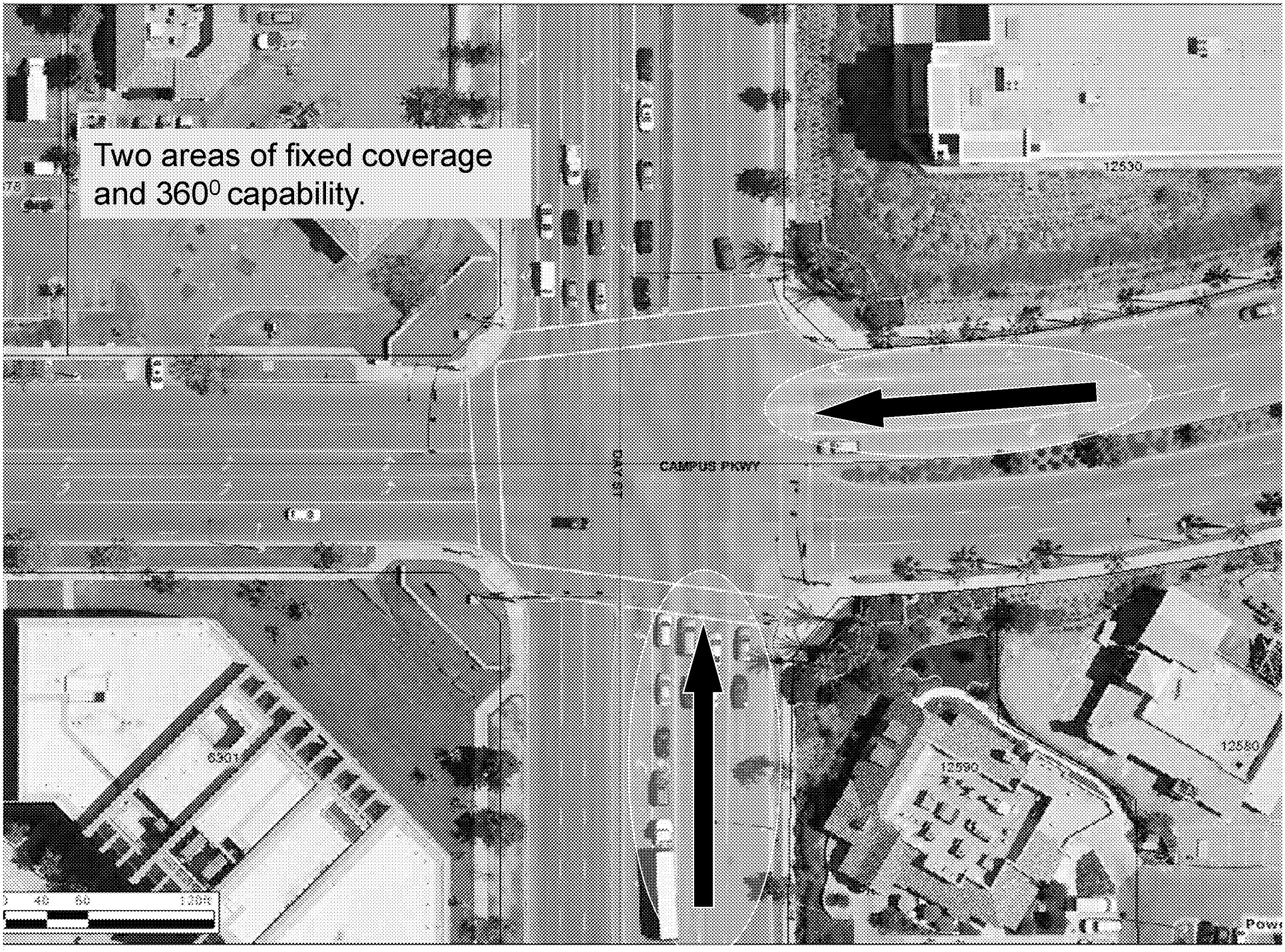
Two areas of fixed coverage and 360^0 capability.
CAMPUS PKWY
12530
12580
12590
6301

MV00173635

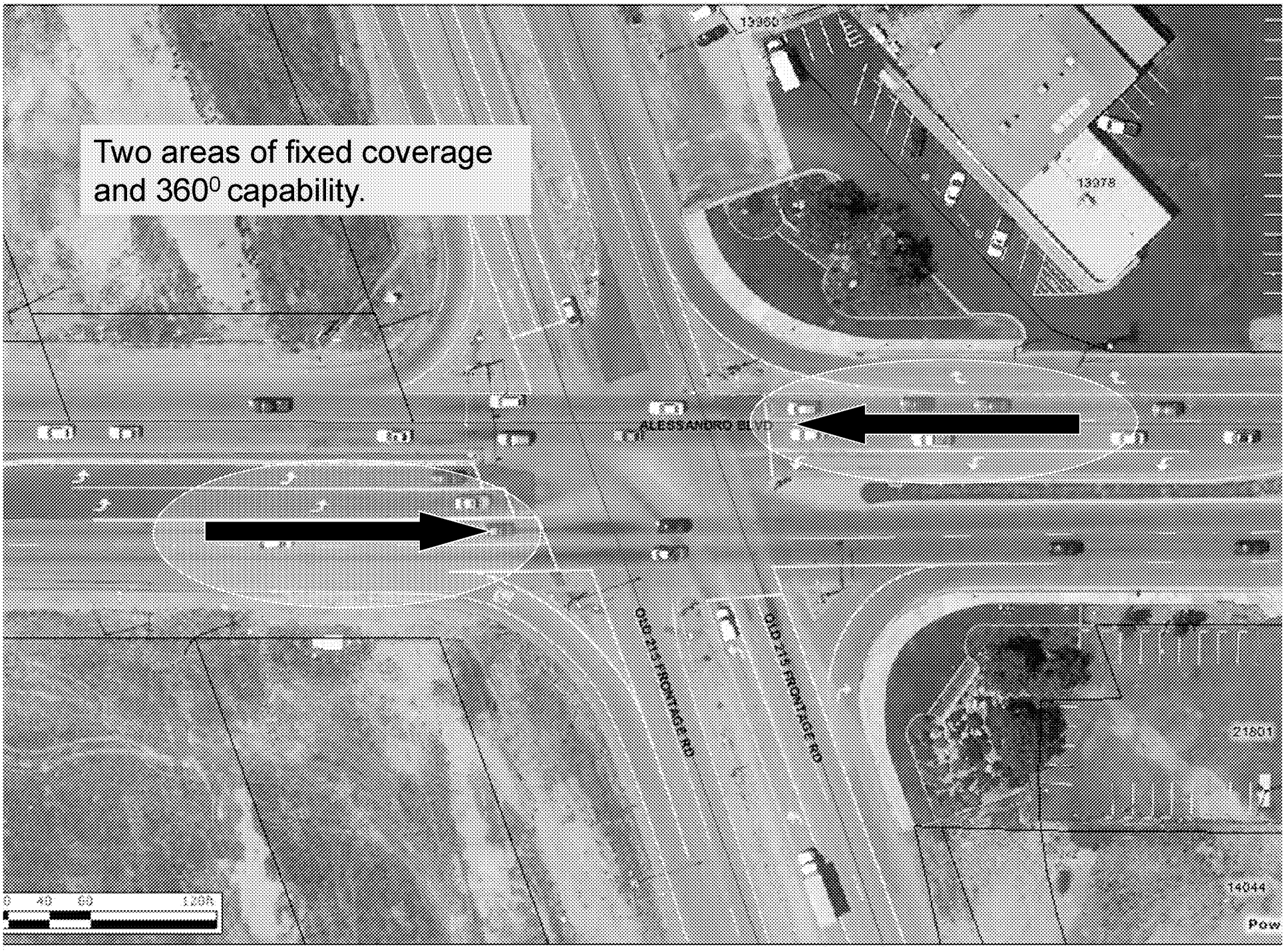
Two areas of fixed coverage and 360^0 capability.
13400
13378
ALESSANDRO BLVD
OLD 215 FRONTAGE RD
OLD 215 FRONTAGE RD
21801
14044
0 40 80 120ft

MV00173636

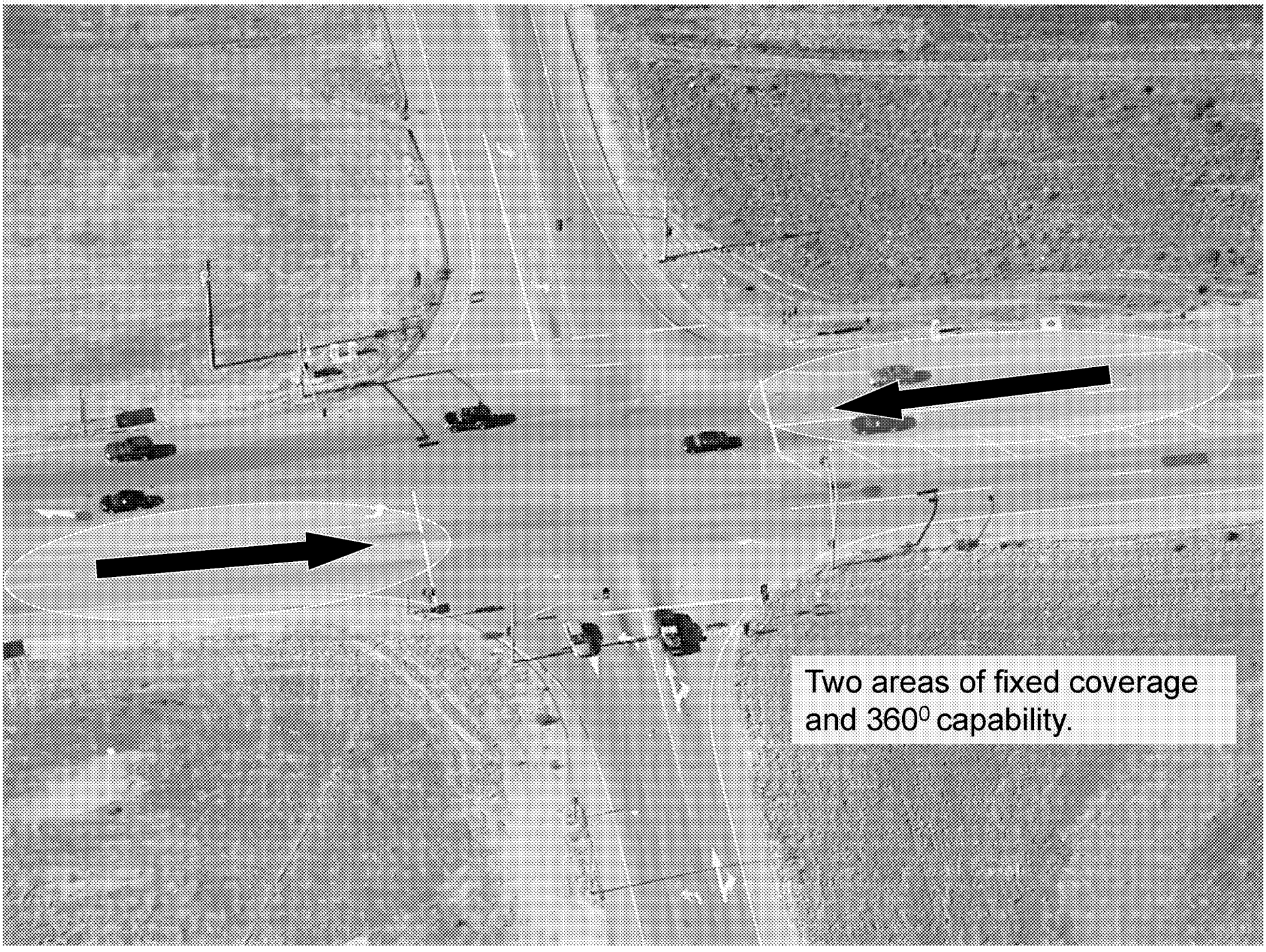

MV00173637

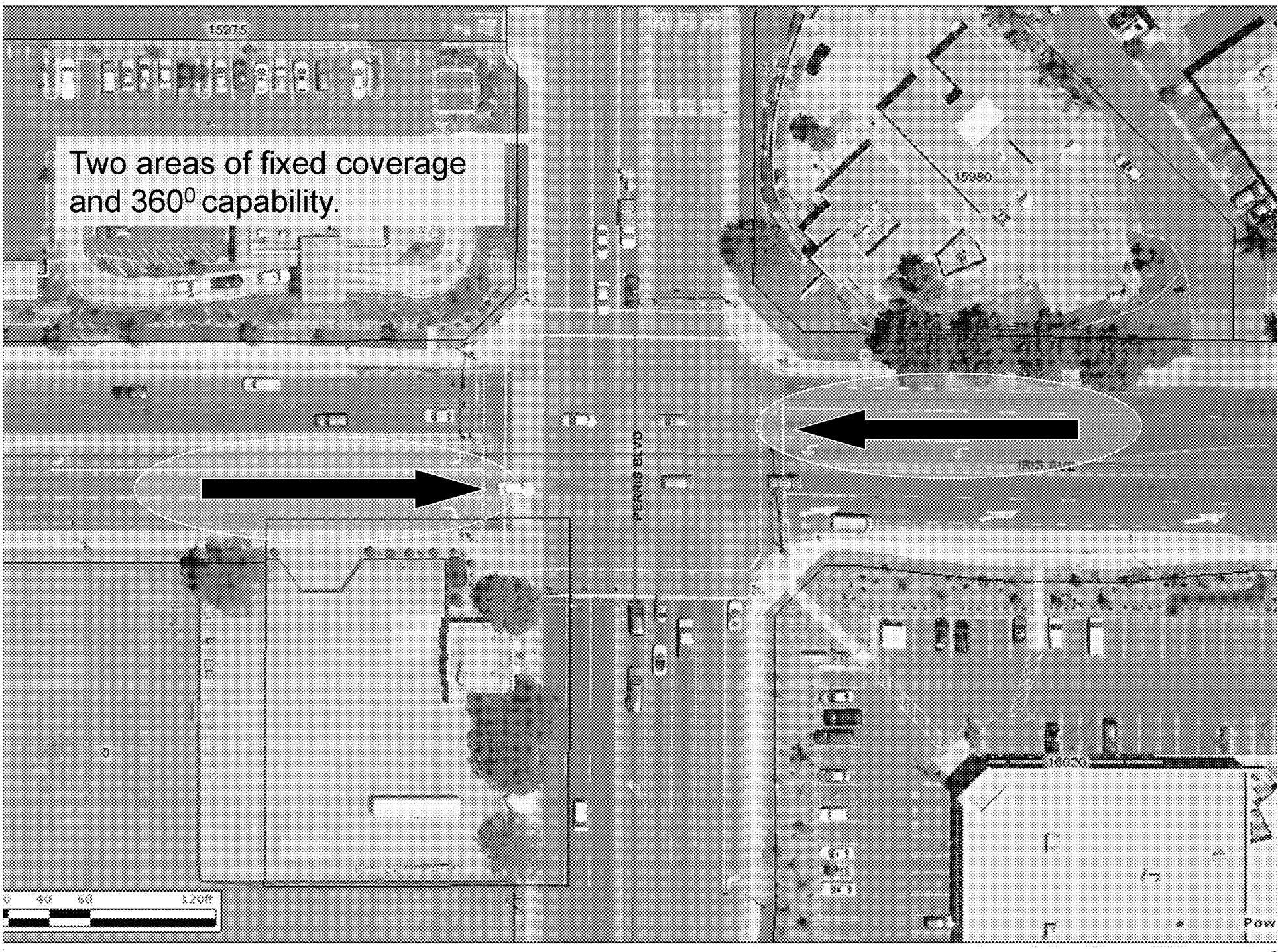
Two areas of fixed coverage and 360⁰ capability.
15275
15290
PERRIS BLVD
18020
0 40 80 120ft

MV00173638

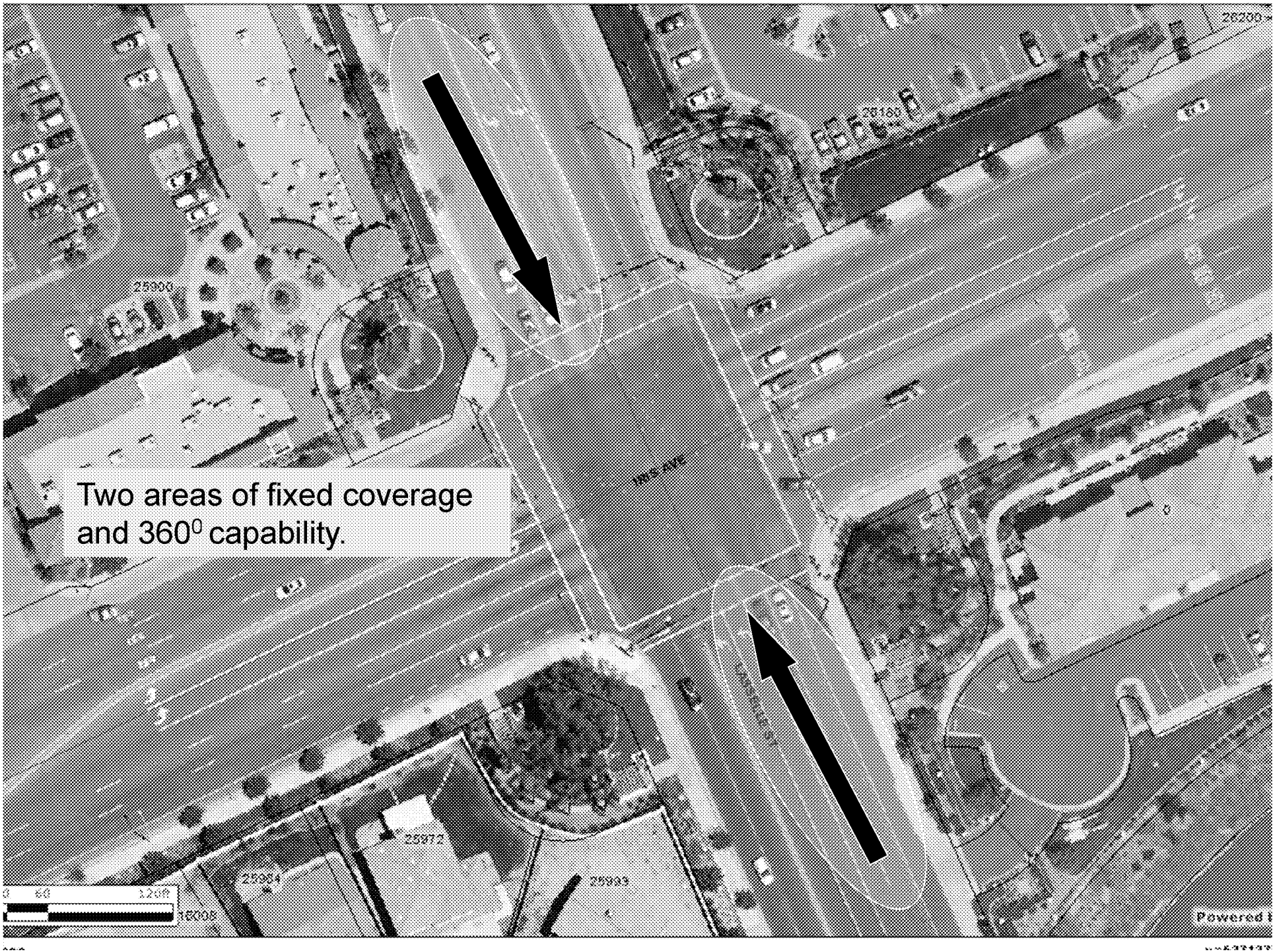
Two areas of fixed coverage and 360⁰ capability.
25900
25160
25200
25872
25884
25903
Powered

MV00173639

Two areas of fixed coverage and 360^0 capability.
LA CASA DR
VIA DEL LAGO
15430
15440
40 80 120ft

MV00173640

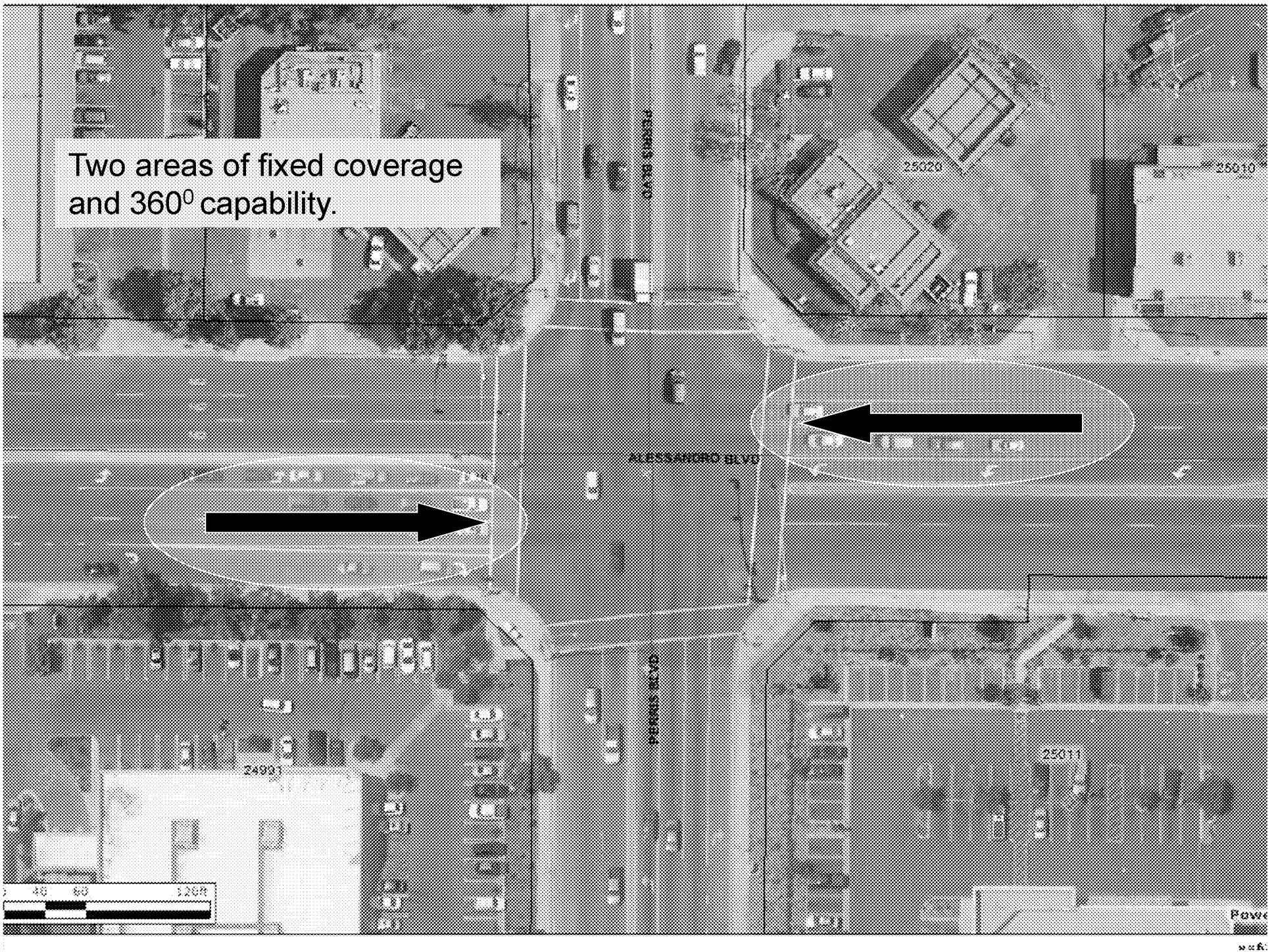
Two areas of fixed coverage and 360⁰ capability.
ALESSANDRO BLVD
PERRIS BLVD
25020
25010
25031
24931
40
80
120ft

MV00173641

Two areas of fixed coverage and 360^0 capability.
ALESSANDRO BLVD
PASEO DR
26080
26095

MV00173642

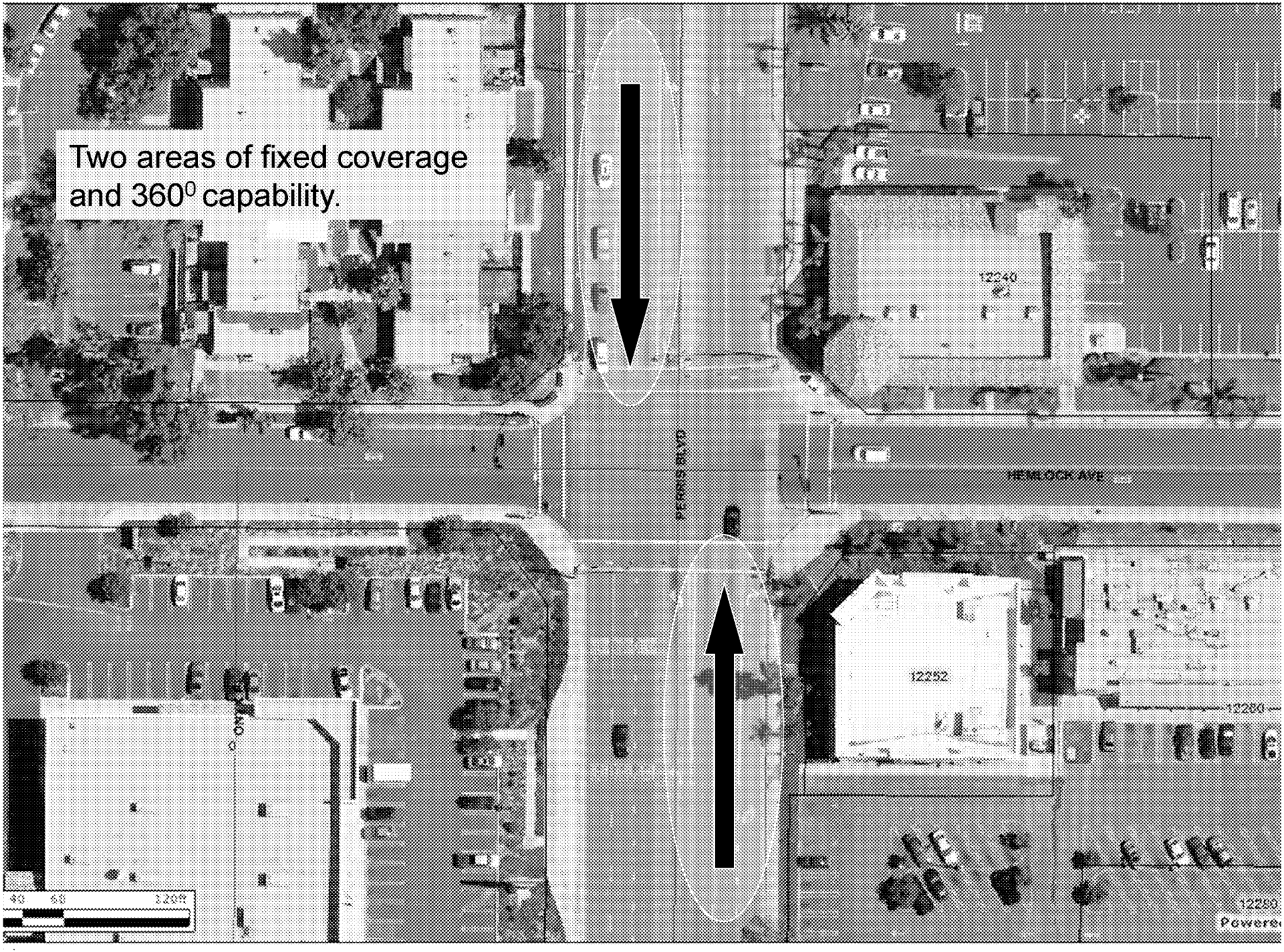
Two areas of fixed coverage and 360⁰ capability.
12240
HEMLOCK AVE
12252
12280
12290

MV00173643

MV00173644

Two areas of fixed coverage and 360⁰ capability.
JONESBOROUGH CT
CACTUS AVE
LASSEN LEAS
14473
14511
14514
14523
14526
14530
14540

MV00173645

Two areas of fixed coverage and 360^0 capability.
HWY 60 E/B On ramp.
HWY 60 E/B Off ramp.

MV00173646

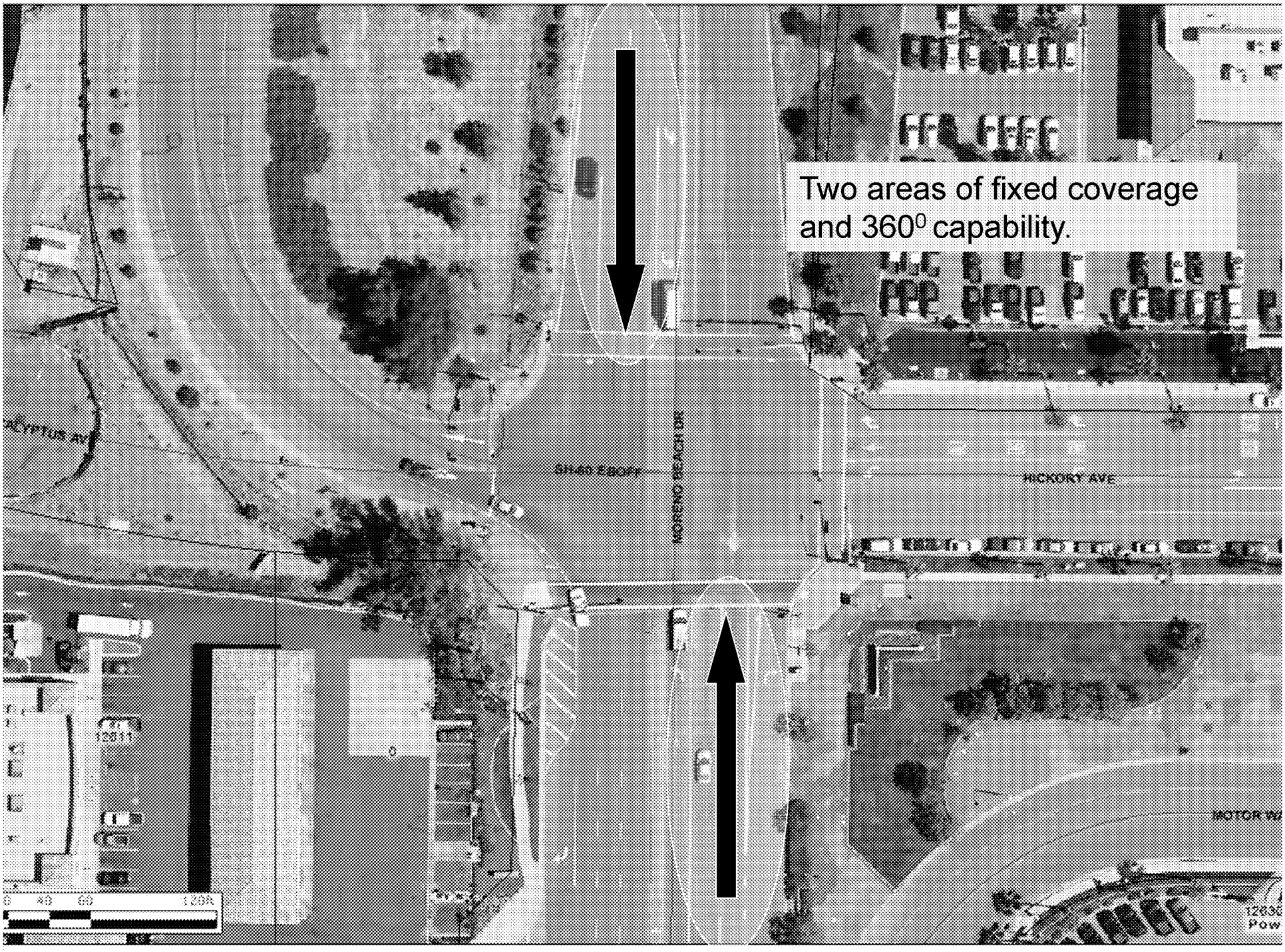
Two areas of fixed coverage and 360⁰ capability.
MORENO BEACH DR
HICKORY AVE
MOTOR WA

MV00173647

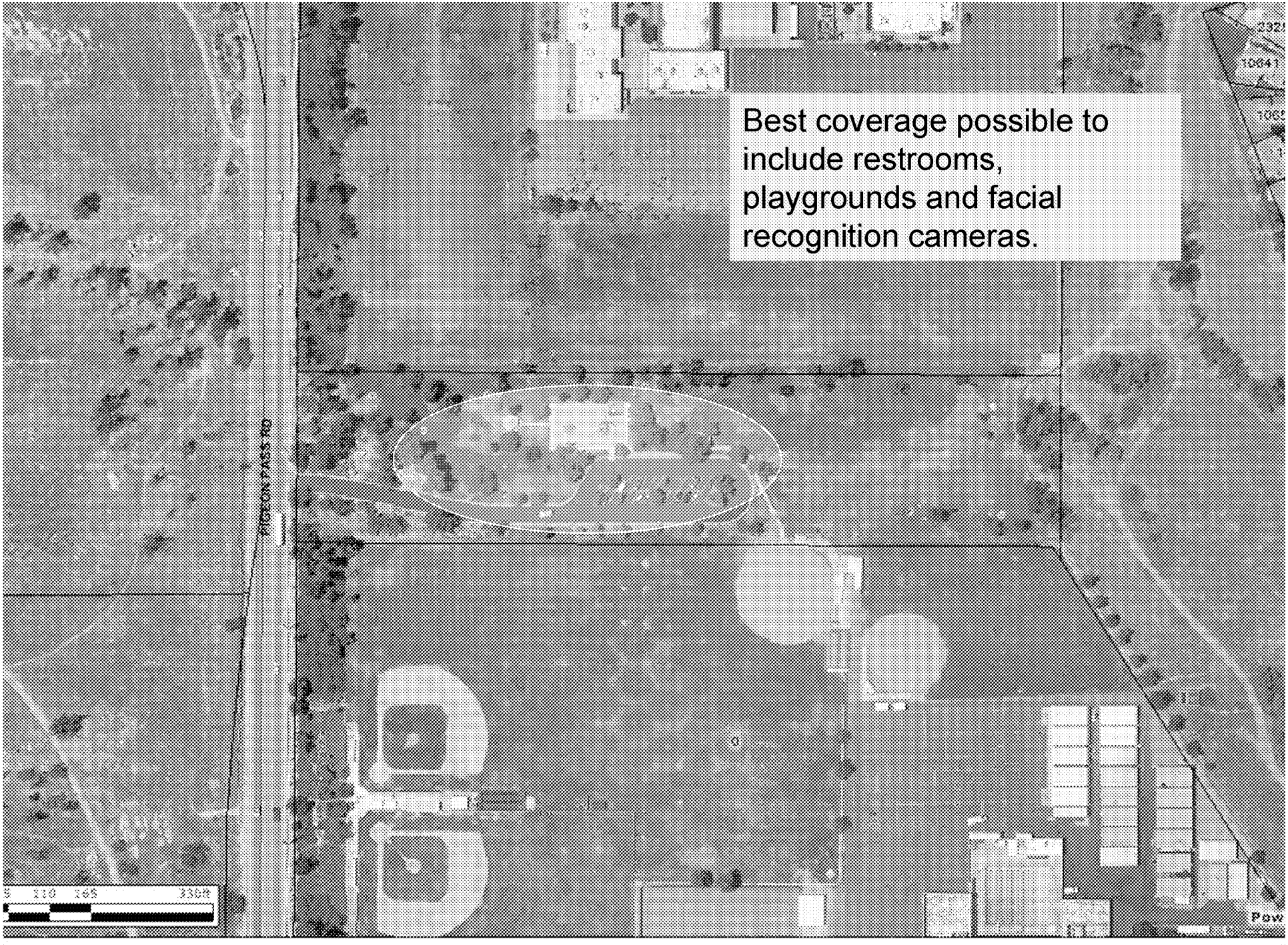
Best coverage possible to include restrooms, playgrounds and facial recognition cameras.
PIGEON PASS RD

MV00173648

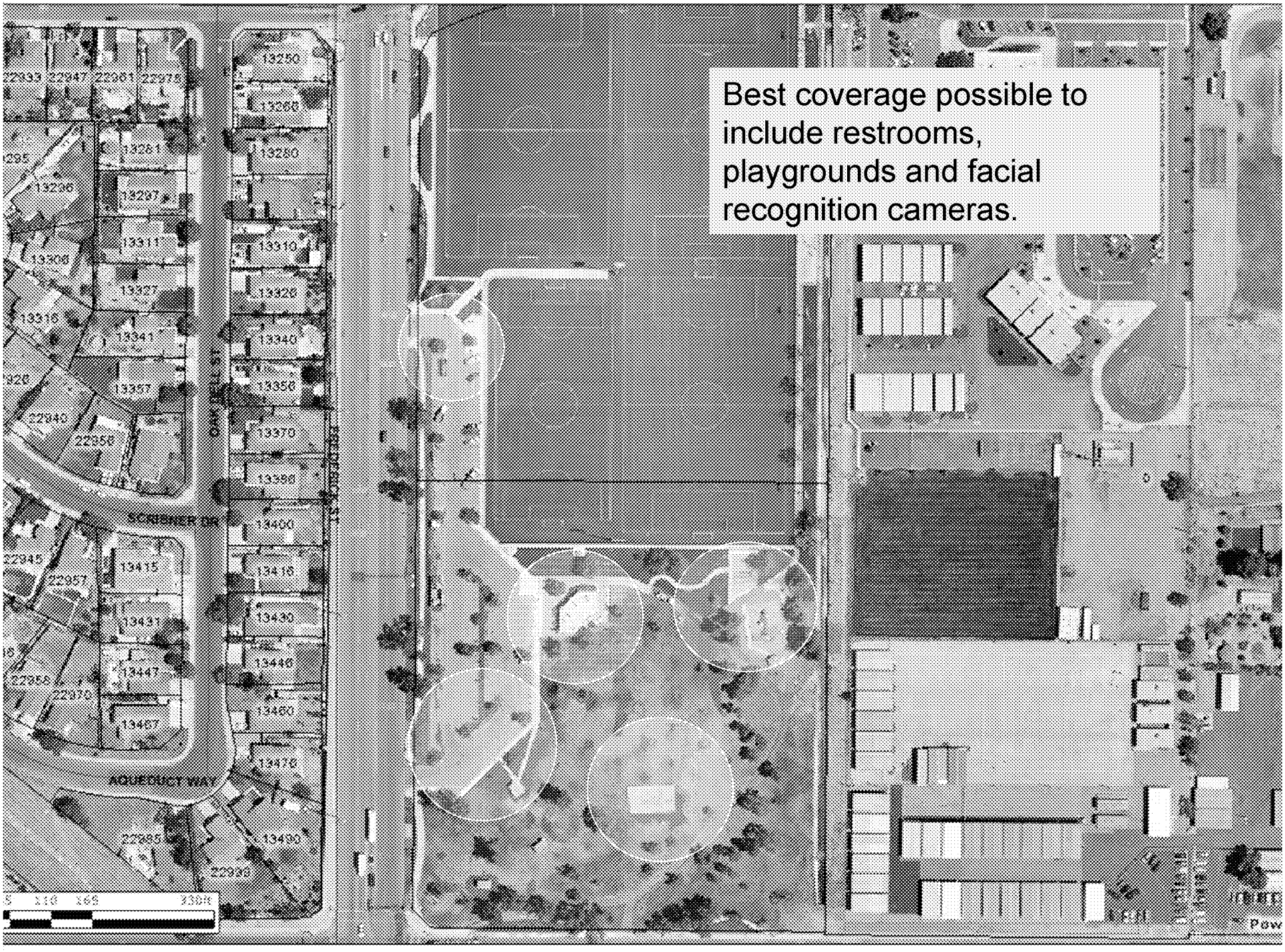
Best coverage possible to include restrooms, playgrounds and facial recognition cameras.
SCRIBNER DR
AQUEDUCT WAY

MV00173649

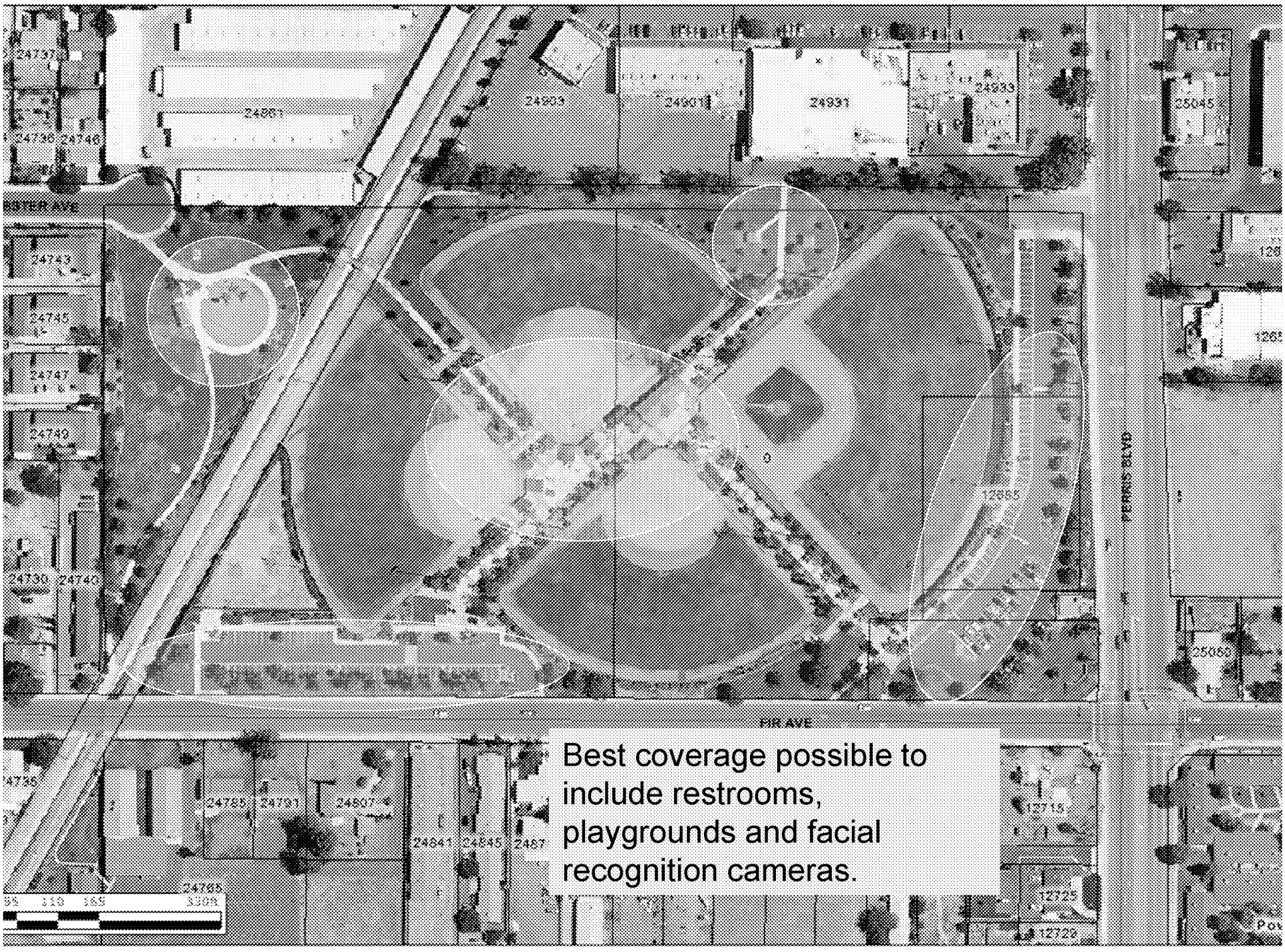
Best coverage possible to include restrooms, playgrounds and facial recognition cameras.
FIR AVE
PEARS CIRCLE

MV00173650

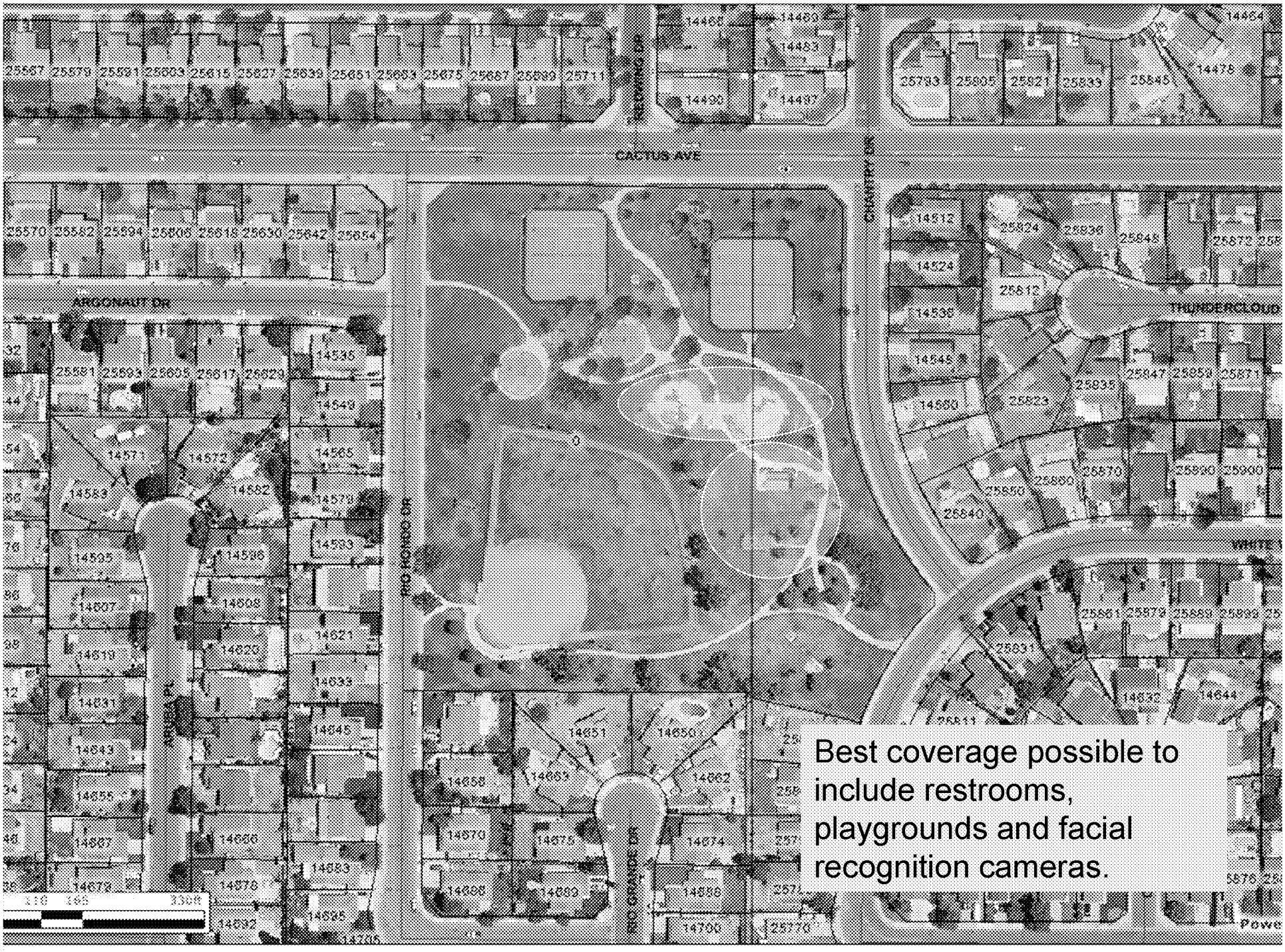
CACTUS AVE
ARGONAUT DR
THUNDERCLOUD
RIO RONDO DR
RIO GRANDE DR
CHANTRY DR
Best coverage possible to include restrooms, playgrounds and facial recognition cameras.

MV00173651

TONADILLA CIR
RANCHITA CIR
LA CORONILLA
RANCHO DEL LAGO
Best coverage possible to include restrooms, playgrounds and facial recognition cameras.

MV00173652

Best coverage possible to include restrooms, playgrounds and facial recognition cameras.

MV00173653

Phase 1a

MV00173654

Two areas of fixed coverage and 360⁰ capability.
IRONWOOD AVE
REDLANDS BLVD
26240
0 40 80 320ft
PSW

MV00173655

Two areas of fixed coverage and 360⁰ capability.
RANDINA AVE
17500
40
50

MV00173656

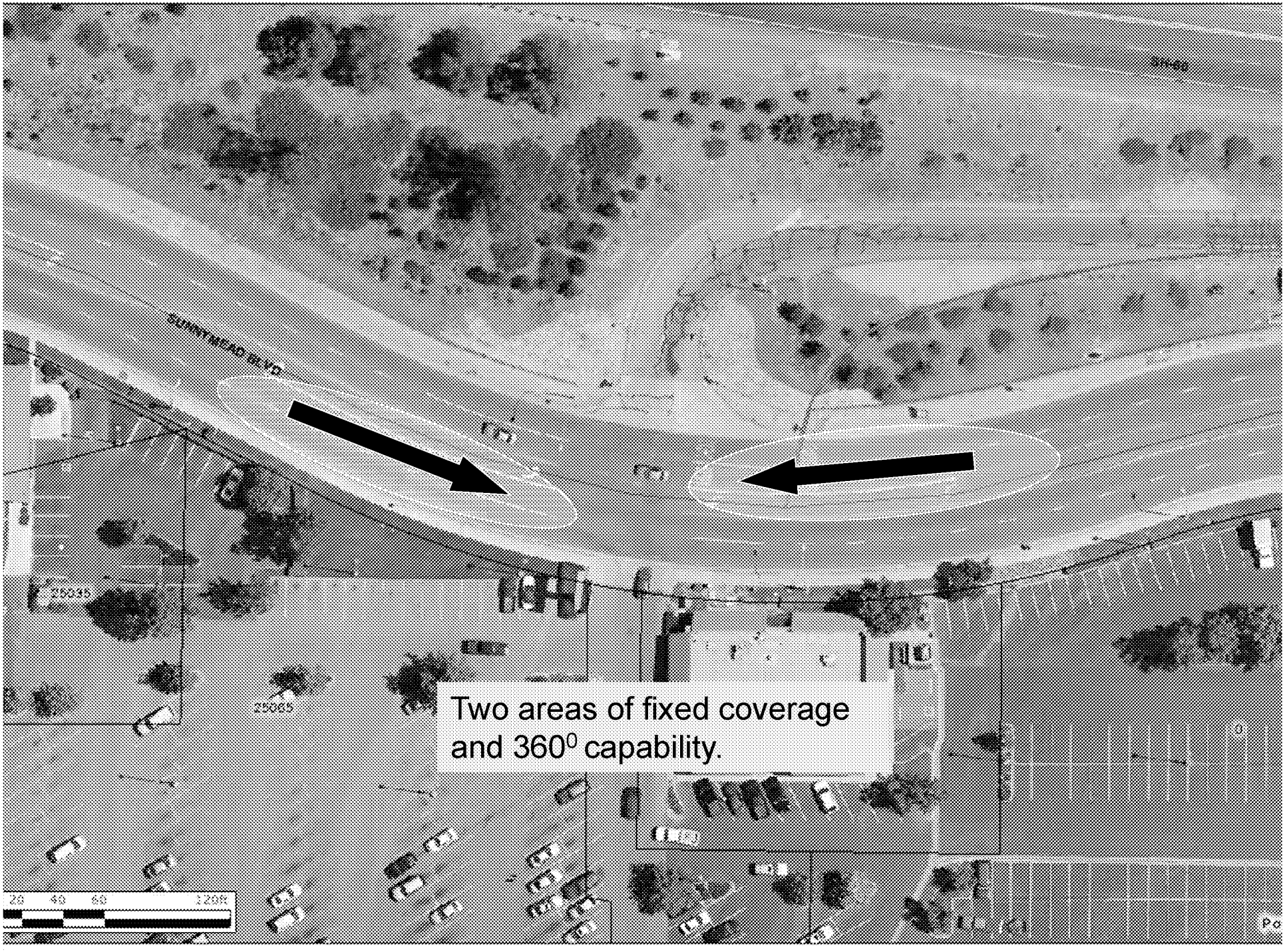
SUNNYMEAD BLVD
25045
25065
Two areas of fixed coverage and 360^0 capability.

MV00173657

Best coverage possible to include restrooms, playgrounds and facial recognition cameras.

MV00173658

Two areas of fixed coverage and 360^0 capability.
BOX SPRINGS RD
IRONWOOD AVE
21947
11991
22013
22025
22037
22049
13125

MV00173659

Phase 2

MV00173660

Two areas of fixed coverage and 360⁰ capability.
SH-60 WBON
SH-60 WBOFF
SH-60
SH-60
0 40 80 120ft

MV00173661

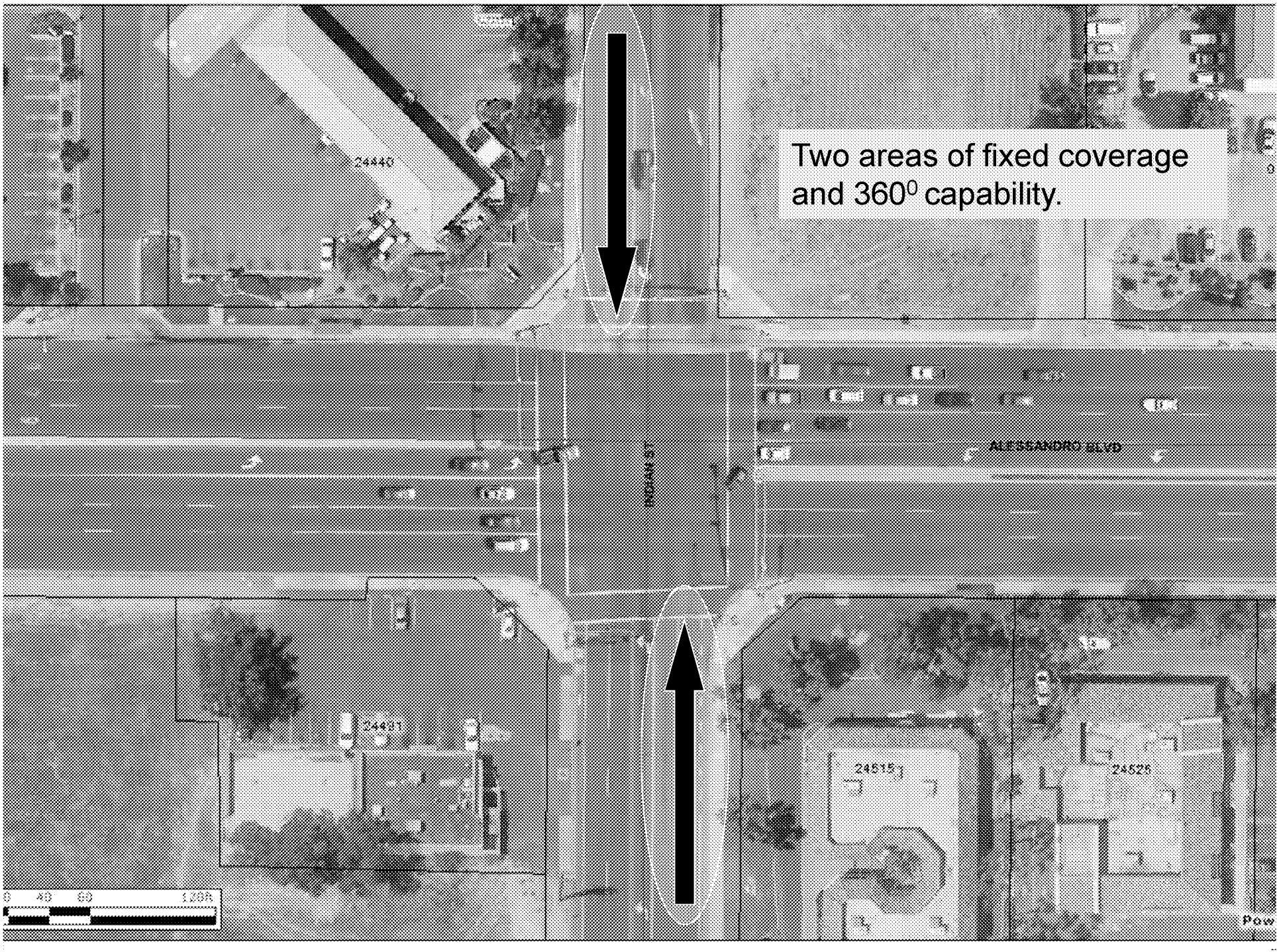
Two areas of fixed coverage and 360⁰ capability.
24440
ALESSANDRO BLVD
24491
24515
24525

MV00173662

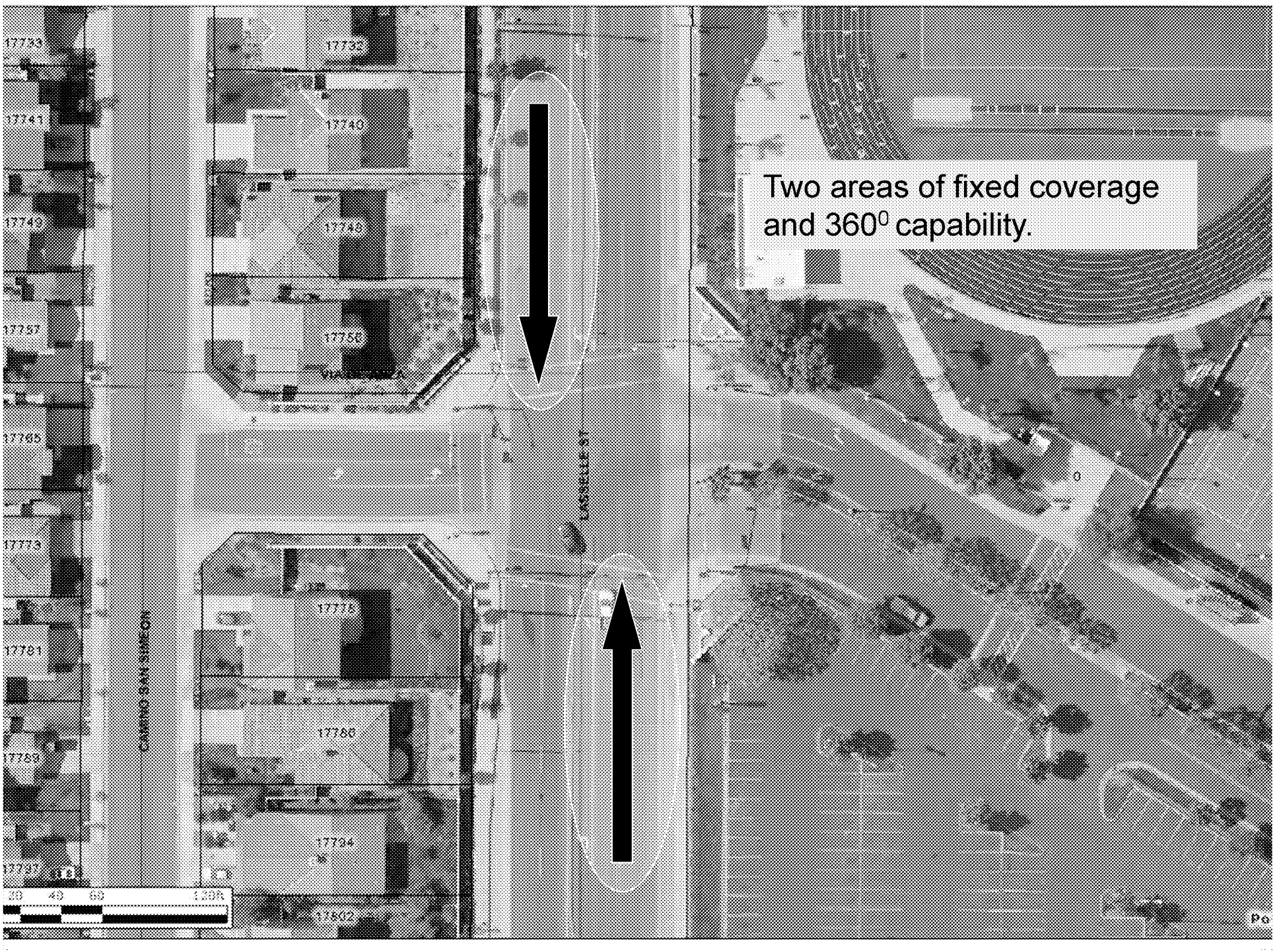
Two areas of fixed coverage and 360⁰ capability.
17733
17741
17740
17749
17757
17758
17765
17773
17775
17781
17788
17789
17794
17797
17802
LASSELLE ST
CAMINO SAN SIMEON

MV00173663

MV00173664

Two areas of fixed coverage and 360⁰ capability.
NAHUNA AVE
INDIAN ST
24415
40 80 160ft
Powered

MV00173665

Two areas of fixed coverage and 360⁰ capability.
FREDERICK ST
13475
13490
22988
22985
COTTONWOOD AVE

MV00173666

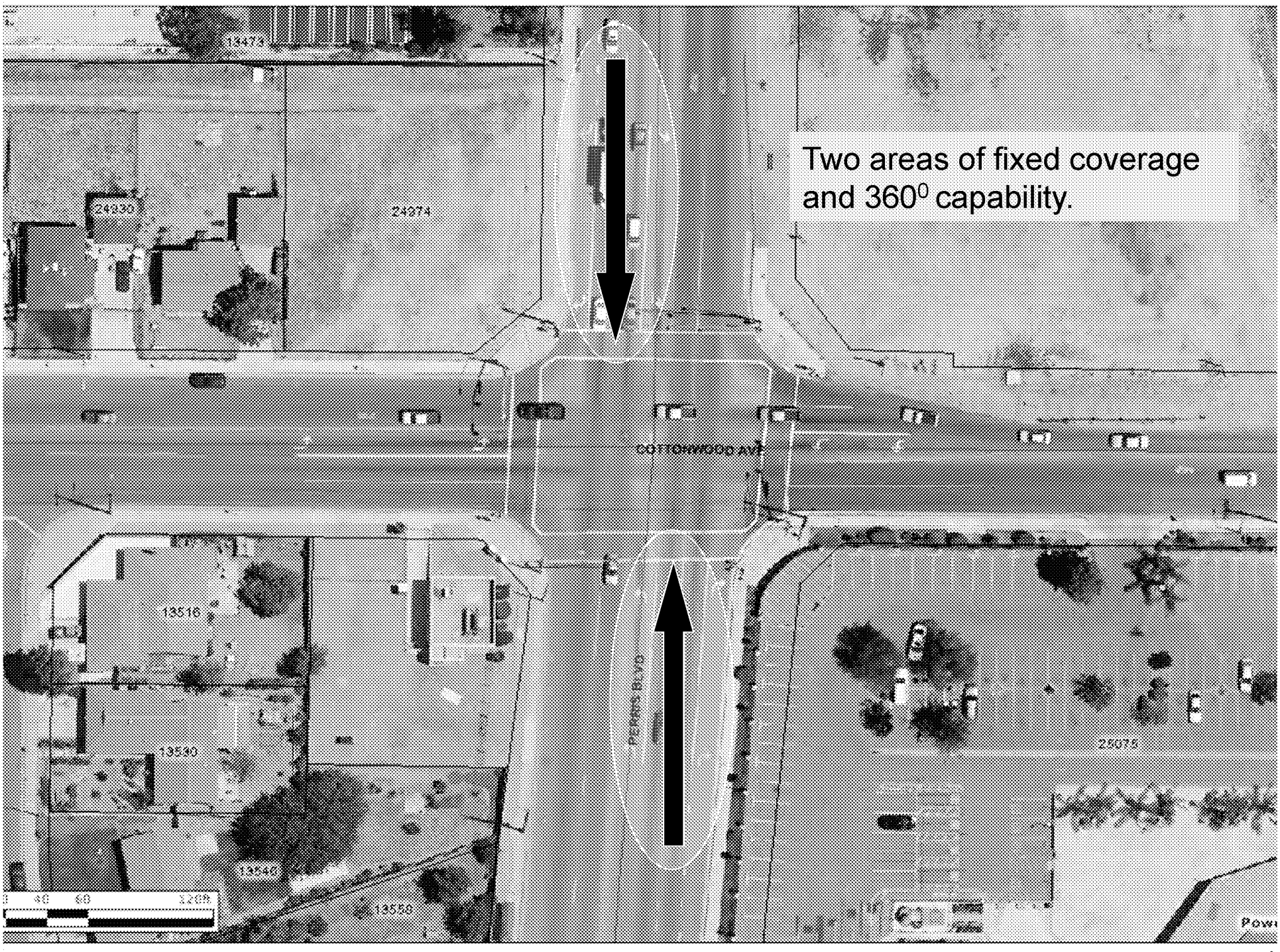
Two areas of fixed coverage and 360⁰ capability.
COTTONWOOD AVE
PERRIS BLVD
24974
13516
13540
13546
13558
25075

MV00173667

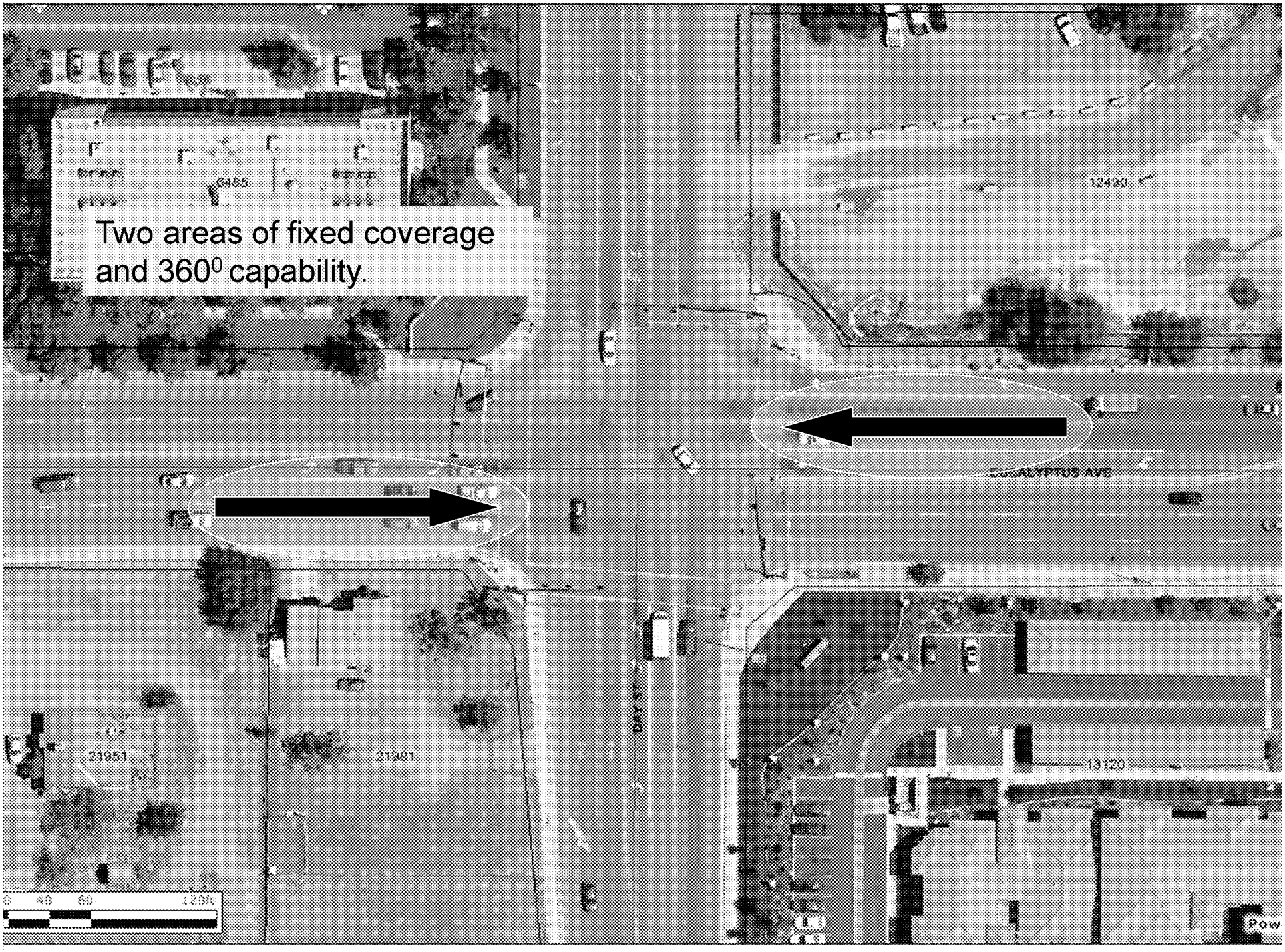
Two areas of fixed coverage and 360^0 capability.
EUCALYPTUS AVE
DAY ST
21951
21981
13120
12430
0485

MV00173668

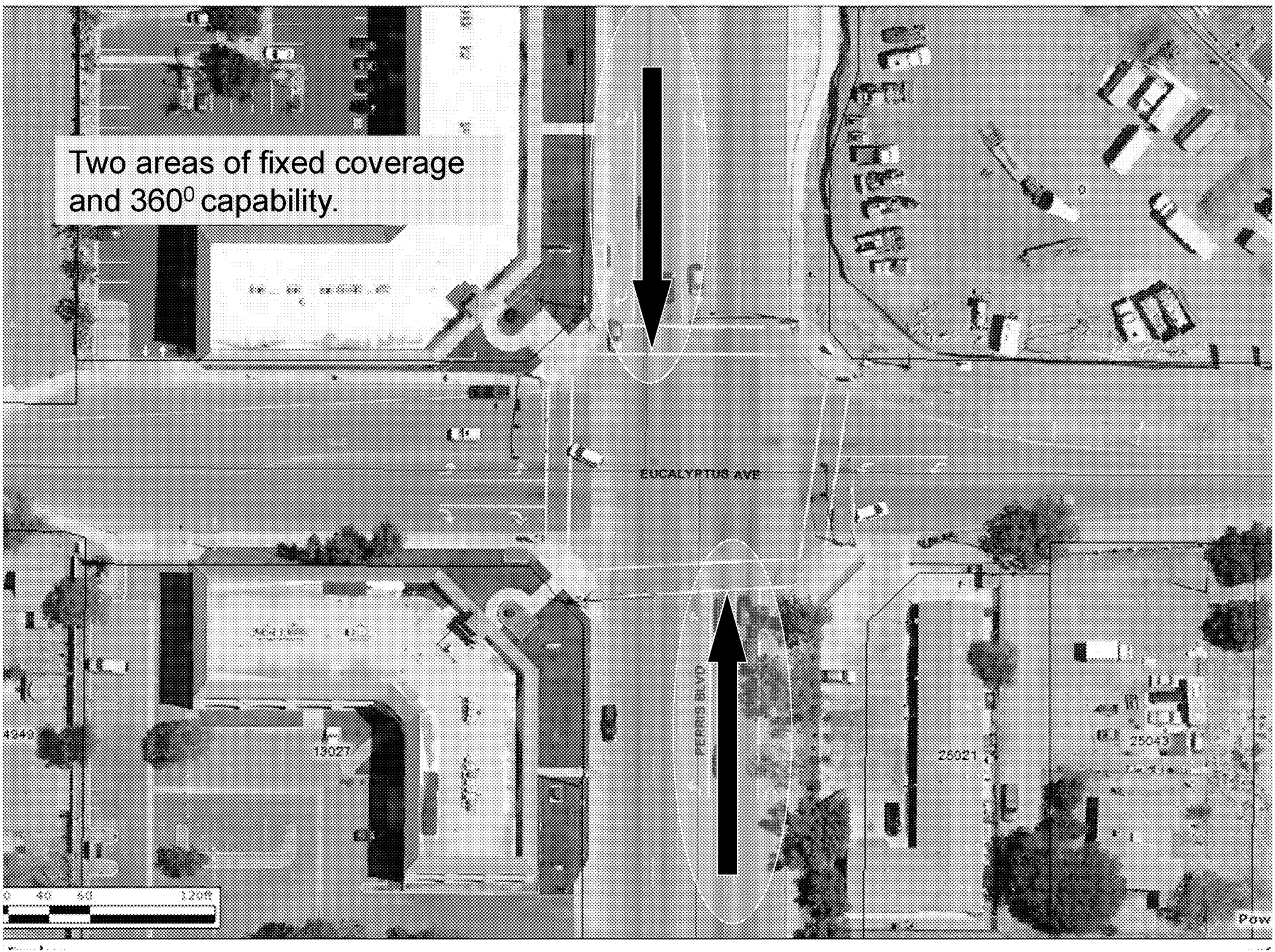
Two areas of fixed coverage and 360⁰ capability.
EUCALYPTUS AVE
PERRIS BLVD
13027
26021
25043
0 40 80 120ft

MV00173669

Two areas of fixed coverage and 360⁰ capability.
SUNNYMEAD BLVD
22920
12515
12520

MV00173670

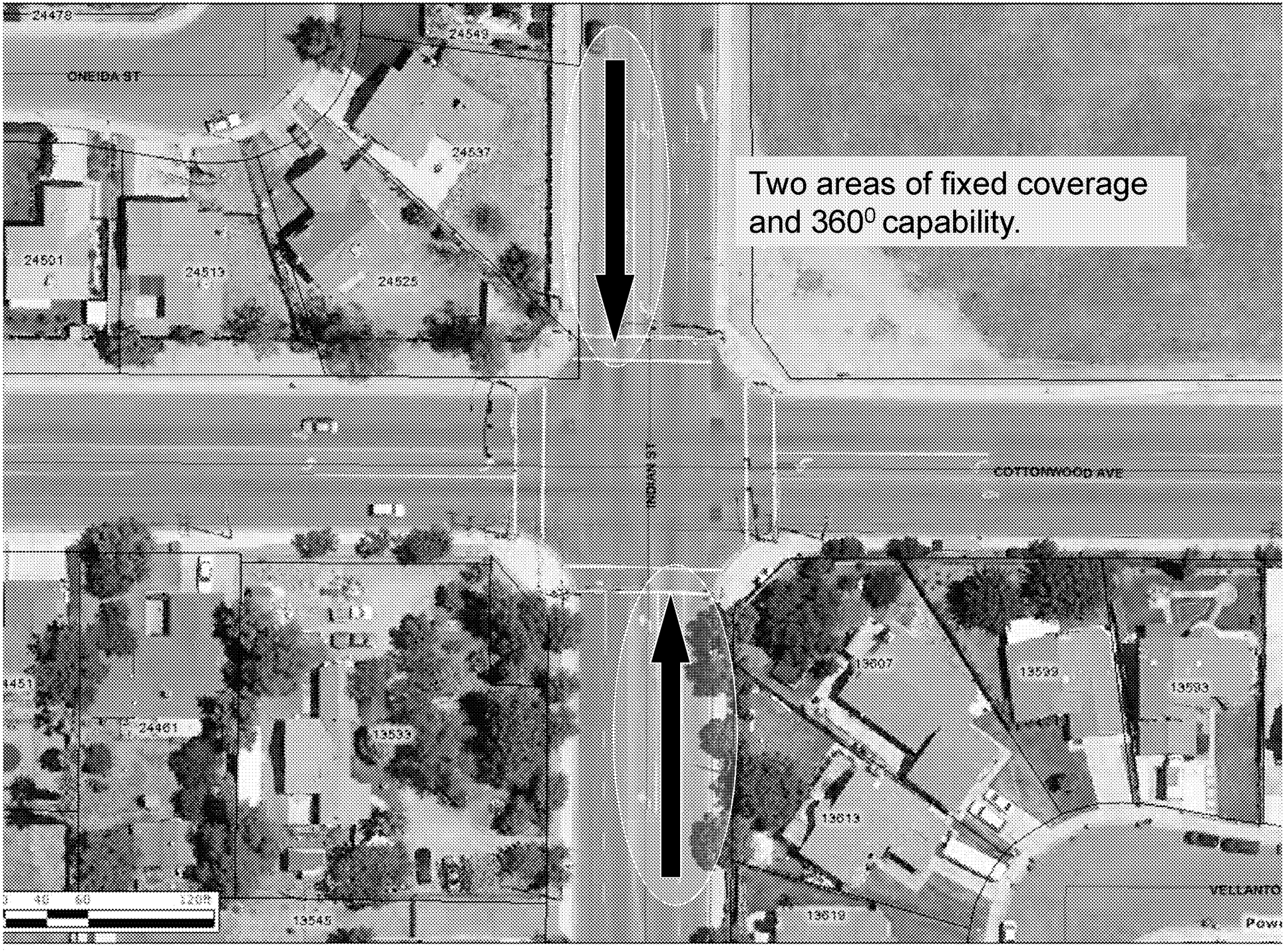
Two areas of fixed coverage and 360⁰ capability.
ONEIDA ST
COTTONWOOD AVE
INDIAN ST
VELLANTO
24478
24543
24537
24531
24513
24525
24461
13533
13545
13507
13509
13503
13513
13519

MV00173671

Two areas of fixed coverage and 360⁰ capability.
ALESSANDRO BLVD
13500
24050
24021

MV00173672

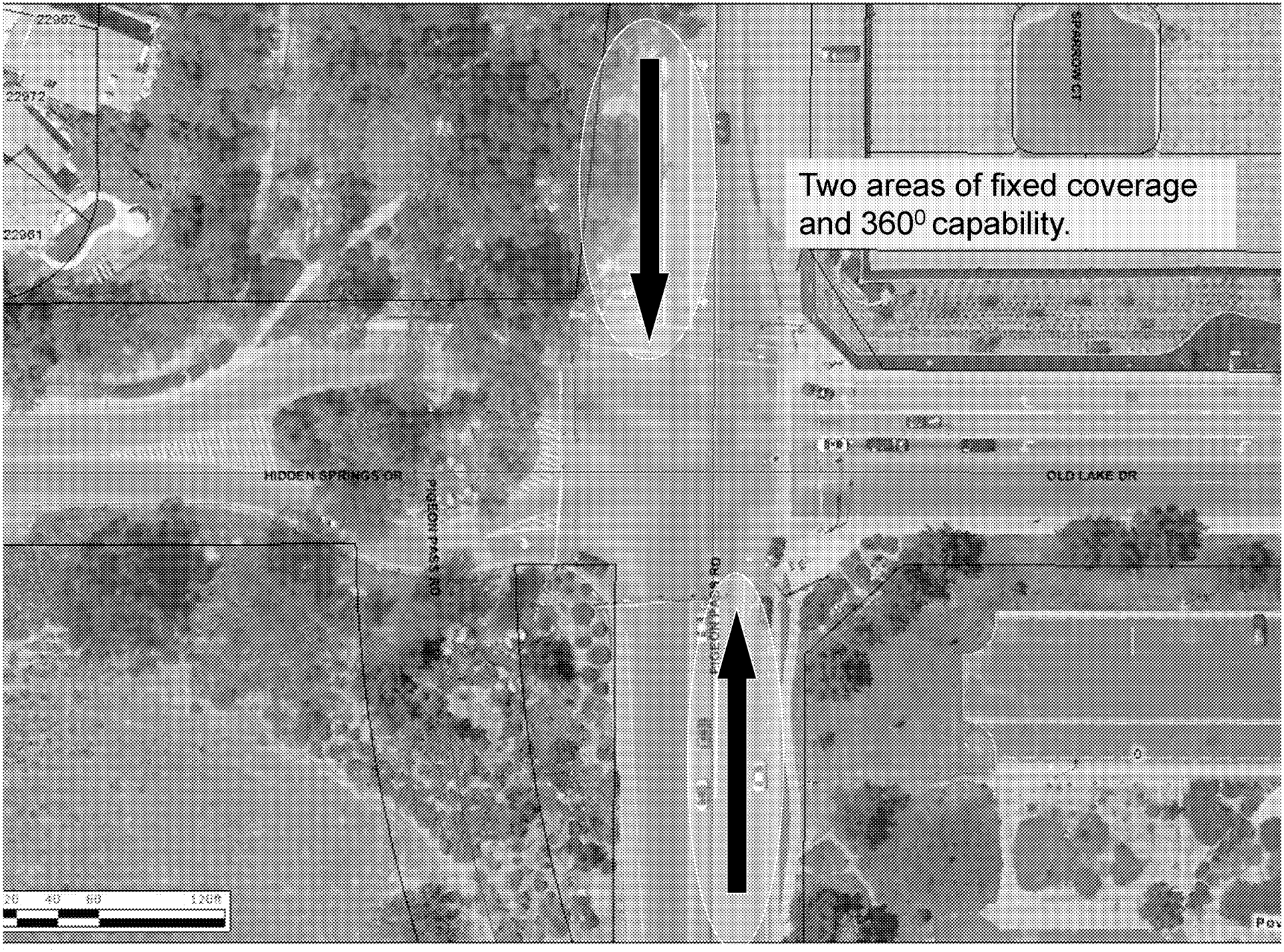
Two areas of fixed coverage and 360⁰ capability.
HIDDEN SPRINGS DR
OLD LAKE DR
PIGEON PASS RD
22362
22372
22361
40
80
1200

MV00173673

Two areas of fixed coverage and 360⁰ capability.
DRACAEA AVE
HEADOCK ST
13325
23939
23955
23971
23987
23922
23954
23970
13326
13260

MV00173674

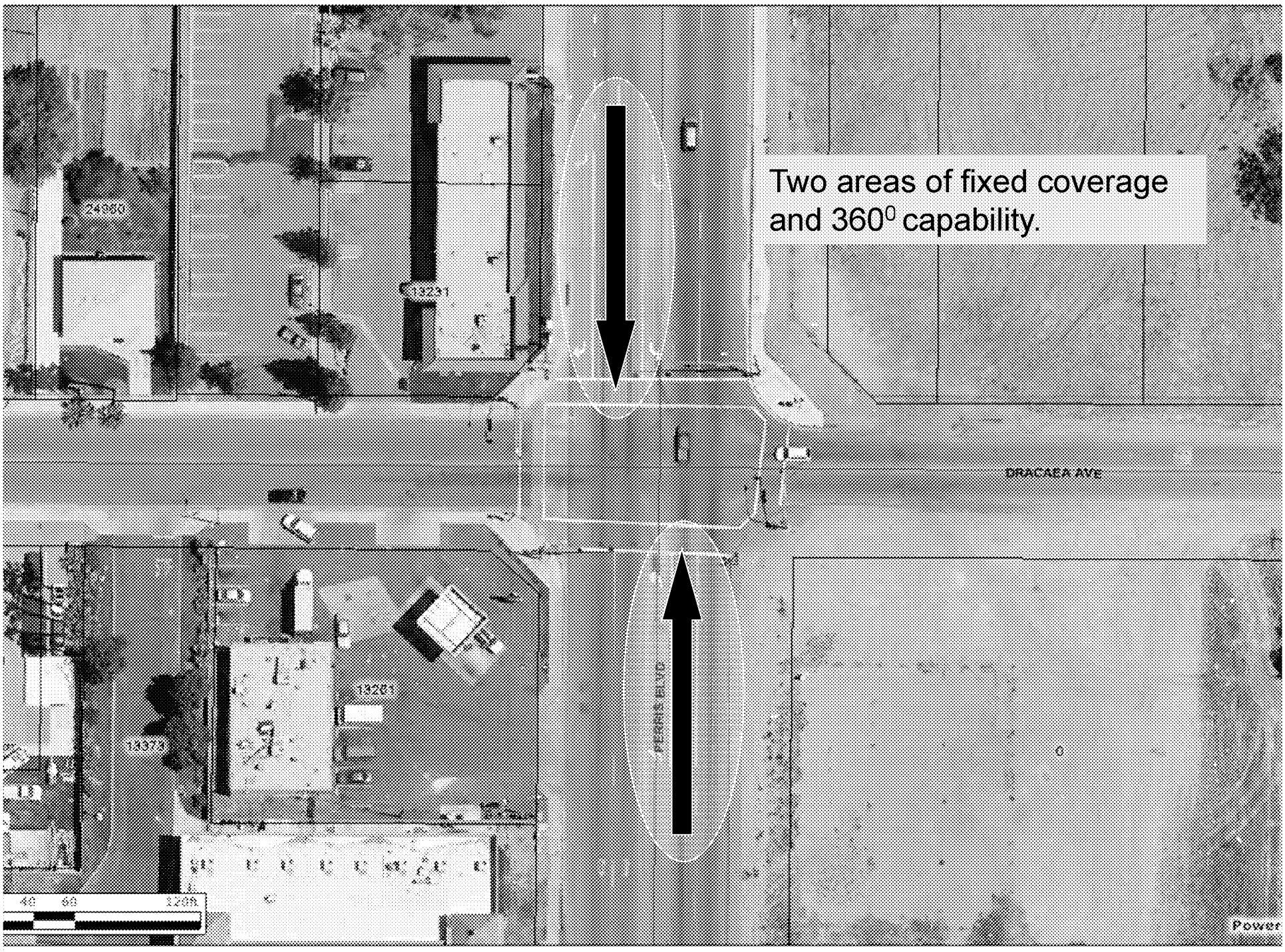
Two areas of fixed coverage and 360⁰ capability.
24350
13231
DRACAEA AVE
14281
14373
FERRIS BLVD
Power

MV00173675

CORMANDER CT
JOHN F KENNEDY DR
LASSELLE ST
Two areas of fixed coverage and 360^0 capability.

MV00173676

Two areas of fixed coverage and 360⁰ capability.
12712
12730
PIR AVE
HEACOCK ST
12815
12809

MV00173677

Two areas of fixed coverage and 360^0 capability.
13454
13477
13478
13490
21982
COTTONWOOD AVE
22015
22033
21955
13530

MV00173678

Two areas of fixed coverage and 360⁰ capability.
IRONWOOD AVE
24452
24444
24448
24464
24480
24540
24550
24551
12012
12013
12024
12025
12034
12035

MV00173679

Two areas of fixed coverage and 360^0 capability.
GRADUAR CT
PERRIS BLVD
ODESSA DR
11987
11991
25023
25033
25043
25053
12050
12054
12075
12086
12013
12023
12037
12055

MV00173680

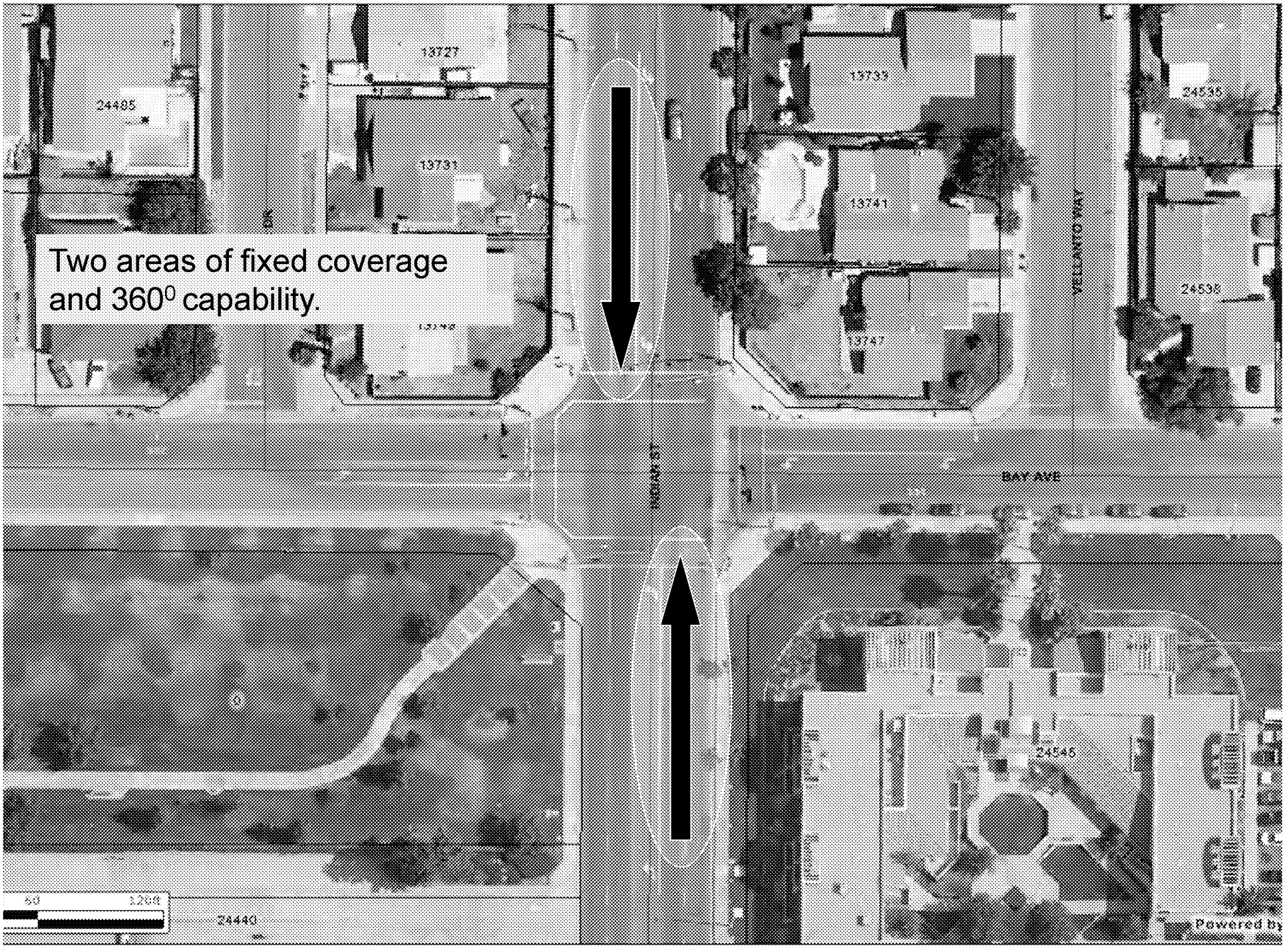
Two areas of fixed coverage and 360⁰ capability.
13727
24485
13731
13733
24535
13741
VELLANTO WAY
24538
13747
BAY AVE
24545
24440
Powered by

MV00173681

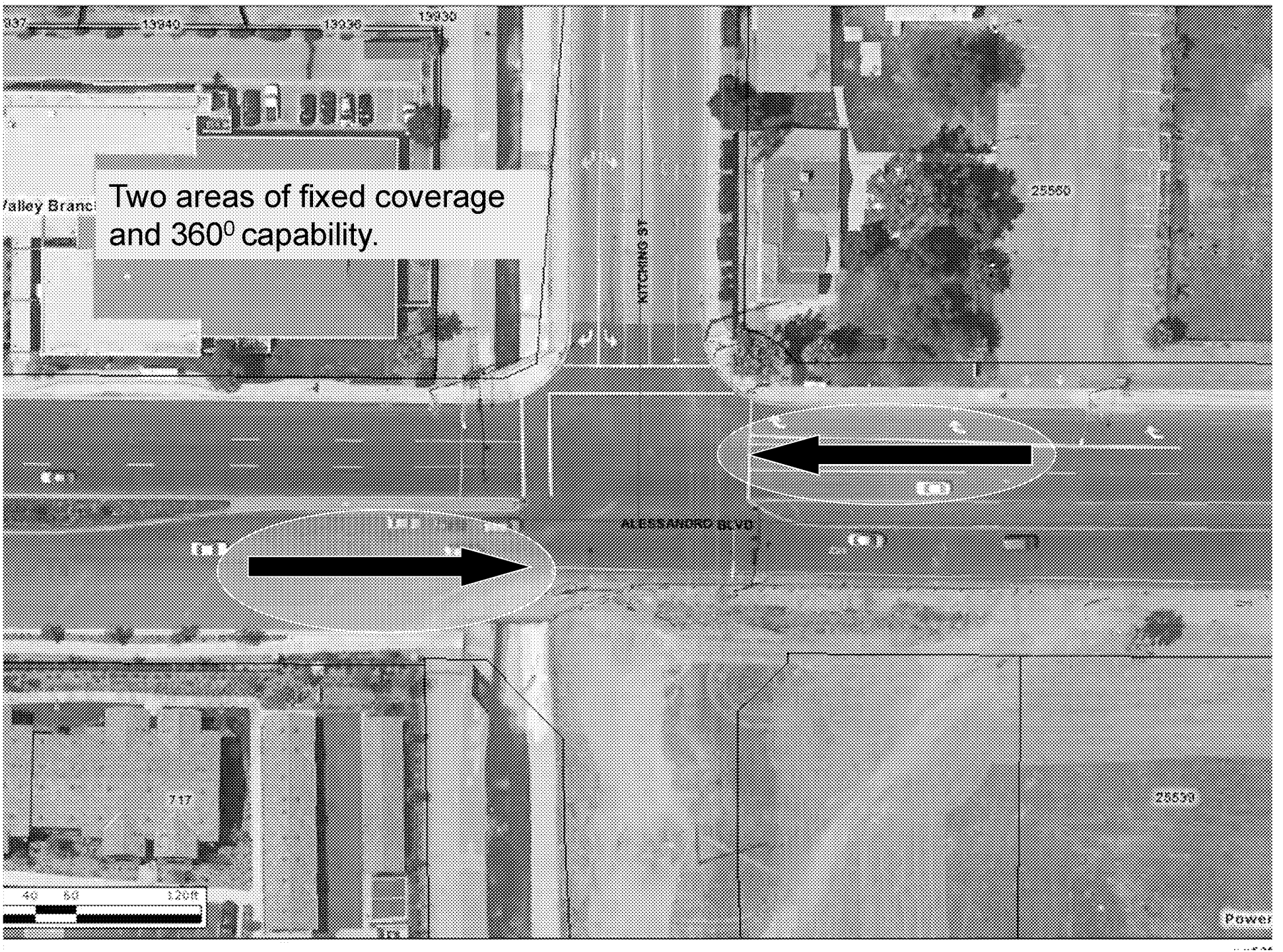
Two areas of fixed coverage and 360⁰ capability.
KITCHING ST
ALESSANDRO BLVD
25560
25530
717
40 80 120ft

MV00173682

Two areas of fixed coverage
and 360⁰ capability.
24931
24933
24901

MV00173683

CALLE ALTO
GENTIAN AVE
BRIGA ST
BELLO WAY
CARMELO ST
CAMINO FLORES
Best coverage possible to include restrooms, playgrounds and facial recognition cameras.

MV00173684

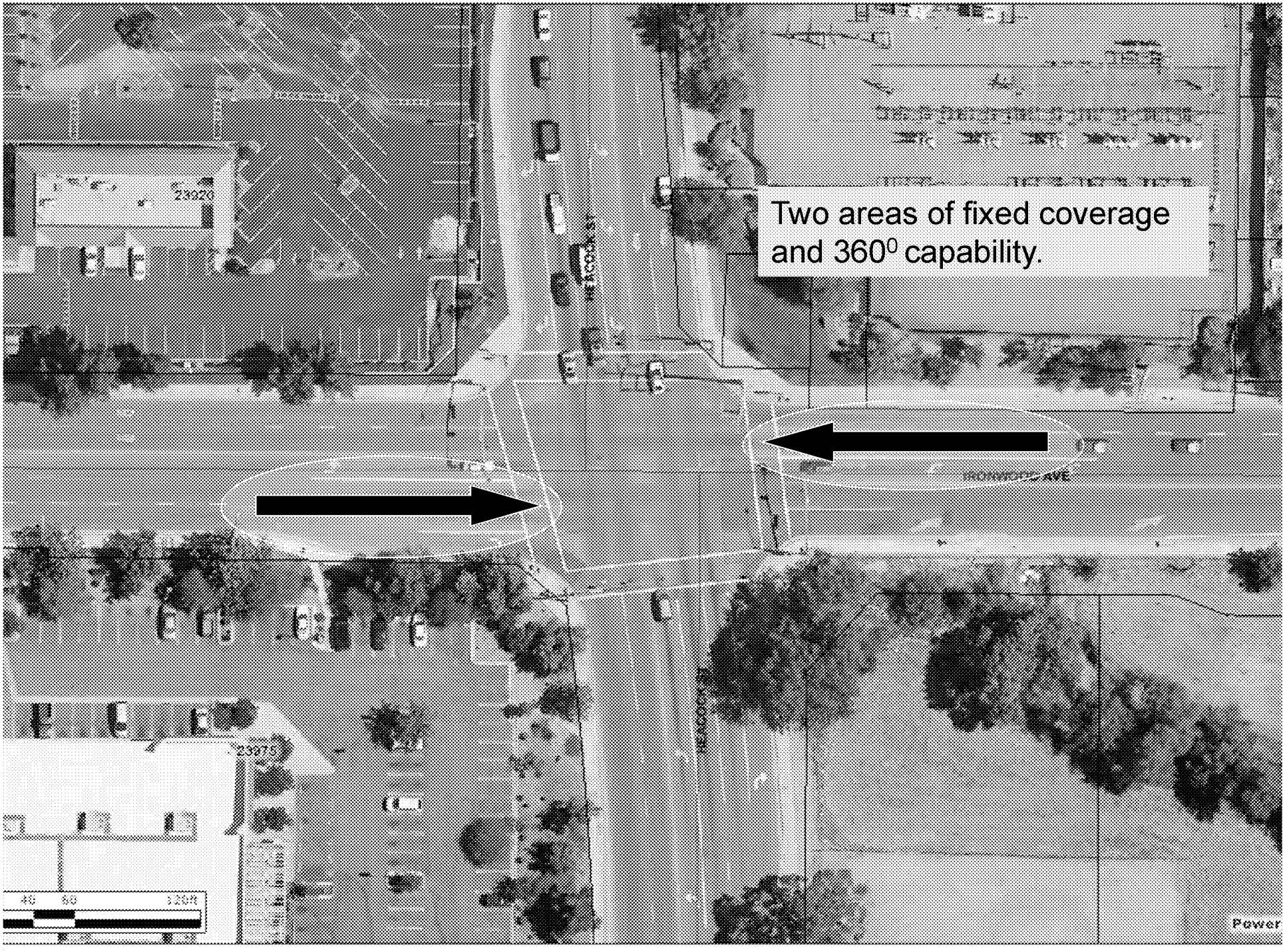
Two areas of fixed coverage and 360⁰ capability.
23920
23975
40 80 120ft
Power

MV00173685

Two areas of fixed coverage and 360⁰ capability.
MORRO BEACH DR
ALESSANDRO BLVD
Powered

MV00173686

Two areas of fixed coverage and 360^0 capability.
ALESSANDRO BLVD
PERIANDS BLVD
29022
29030
29050
29045
29040
29059
29074
29081
40
60
120ft

MV00173687

OLD LAKE DR
MEADOW LARK AVE
STONY CREEK WAY
BREEZY MEADOW DR
Two areas of fixed coverage and 360⁰ capability.

MV00173688

Later Phases

MV00173689

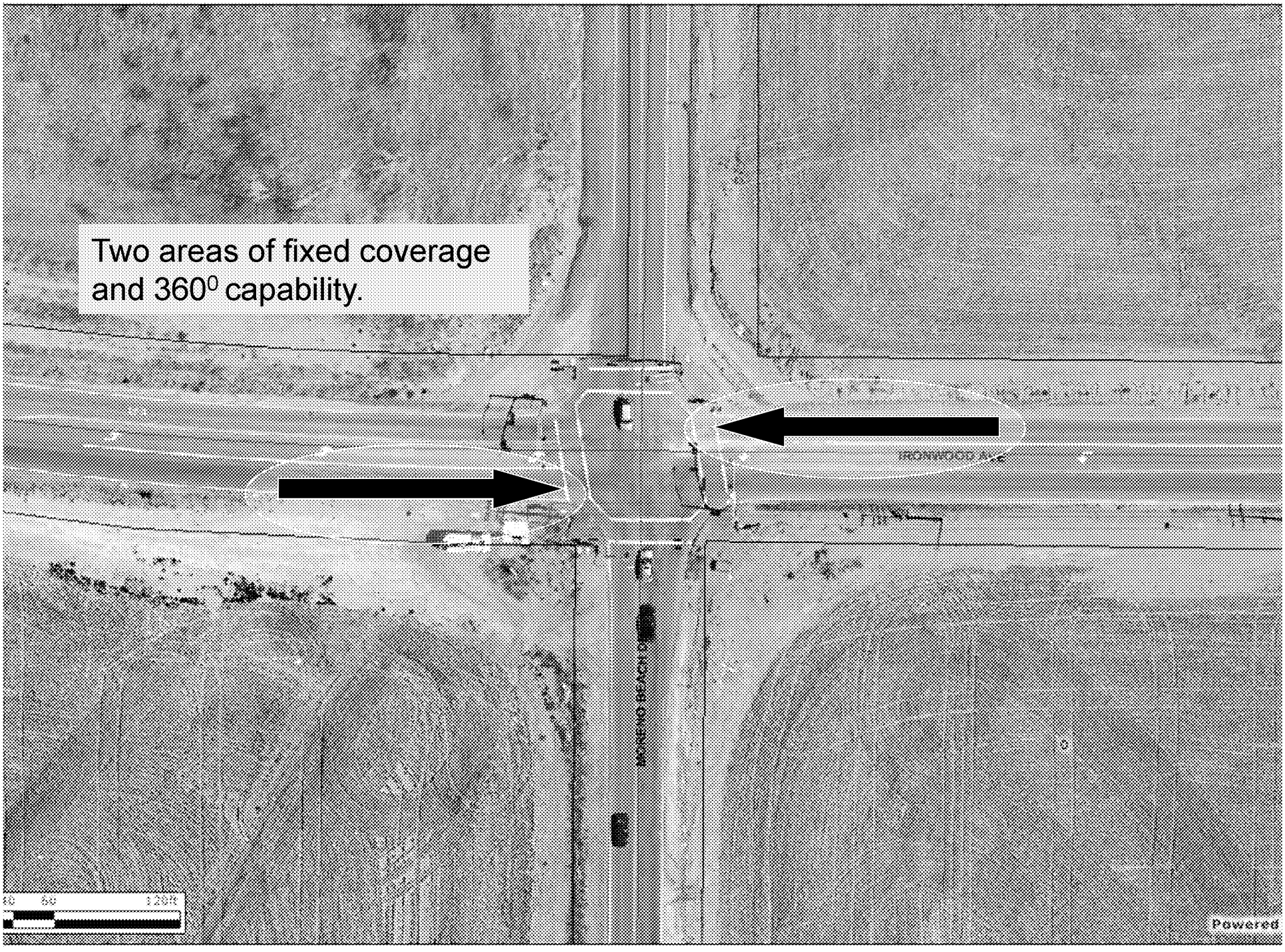
Two areas of fixed coverage and 360^0 capability.
IRONWOOD AVE
MONTEREY BEACH DR
Powered

MV00173690

MV00173691

13055
13095
13090
24530
24540
24447
24449
13135
24441
13147
13154
Two areas of fixed coverage and 360⁰ capability.

MV00173692

Two areas of fixed coverage and 360⁰ capability.
12833
12840
12837
12847
12843
24480
24490
12861
12830
24545
24421
24535
24493
24487
12832
24549
12906
12917
12909

MV00173693

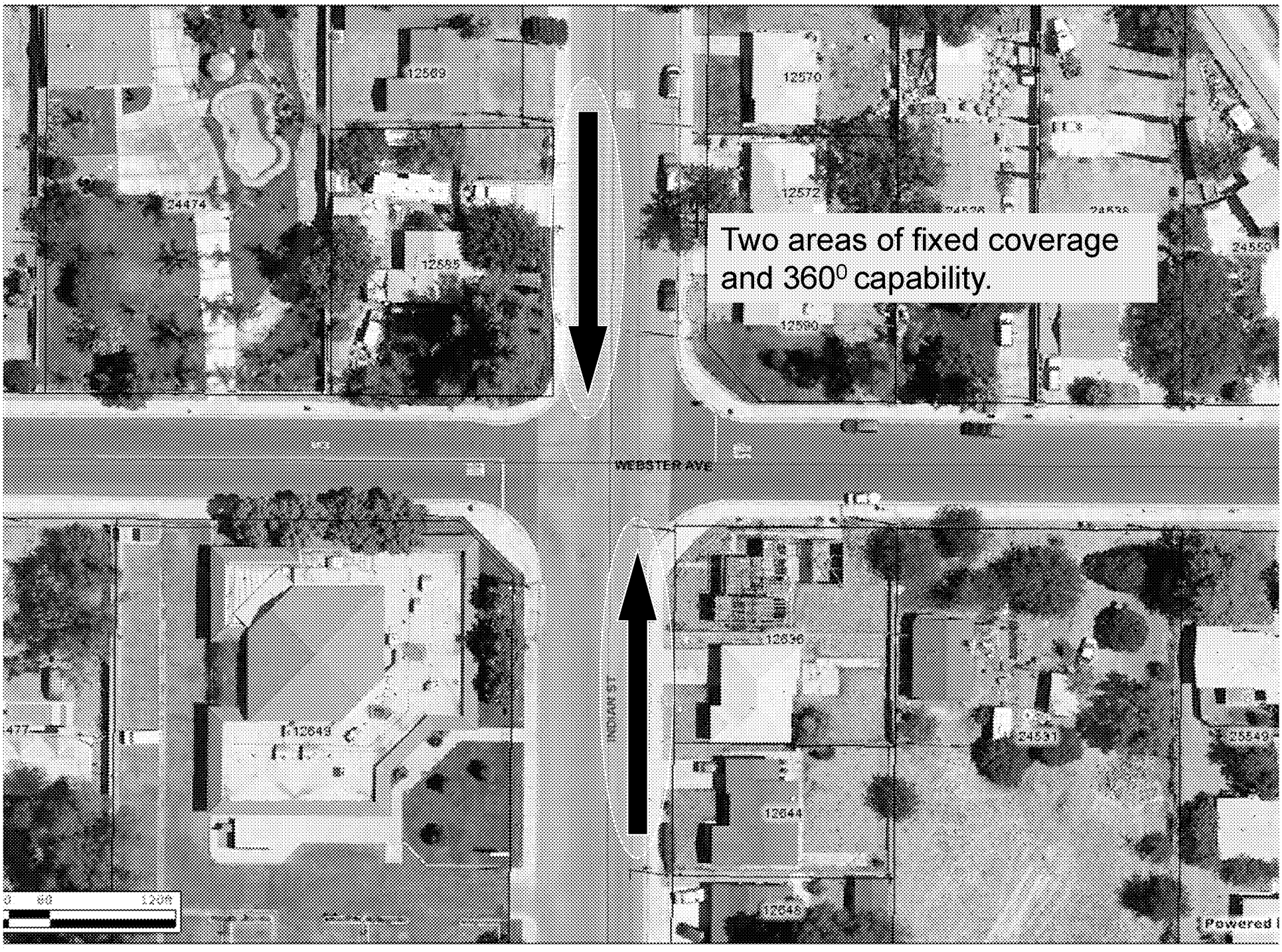
Two areas of fixed coverage and 360⁰ capability.
WEBSTER AVE
INDIAN ST
12569
12570
12572
24474
12565
12590
12649
12644
12646
24531
Powered

MV00173694

Two areas of fixed coverage and 360^0 capability.
15184
15188
15210
25946
CANFIELD AVE
MARGARET AVE
CASSELLE ST
25951
25969
25973
25993
25956
25970
15295
Powered by GeoS

MV00173695

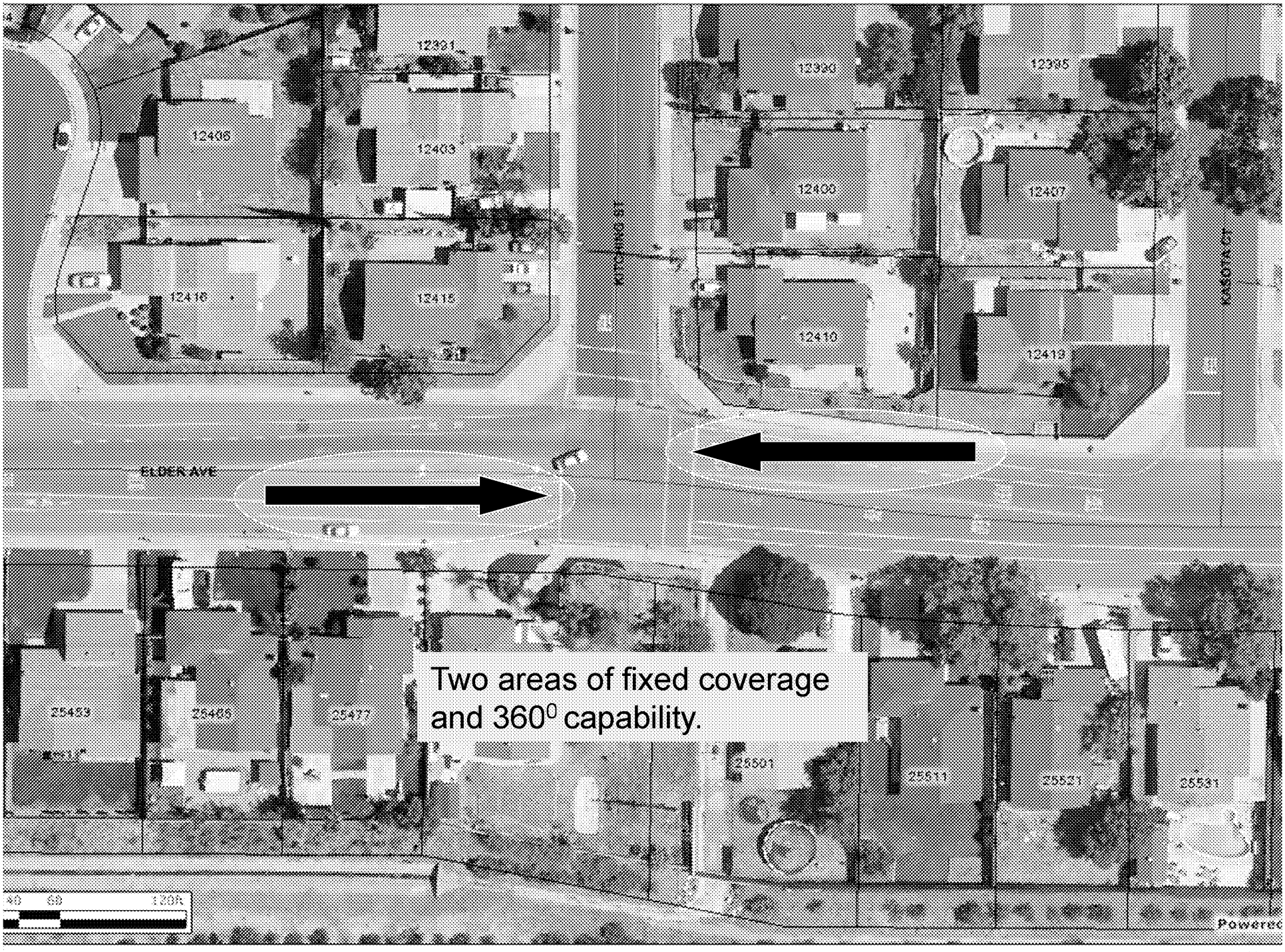

Two areas of fixed coverage and 360^0 capability.

MV00173696

11945
25450
25480
25850
25454
25466
25478
12034
12044
HAWKWOOD TRL
Two areas of fixed coverage and 360⁰ capability.

MV00173697

CACTUS AVE
Two areas of fixed coverage and 360⁰ capability.
37933
14555
Power
40
80
120ft

MV00173698

Two areas of fixed coverage and 360⁰ capability.
EUCALYPTUS AVE
12975
12969
12964
12951
13017
13022
13041

MV00173699

Two areas of fixed coverage and 360^0 capability.
27020
12759
12767
12775
12783
27042
27060
DOLOSTONE WAY
27041
27051
Powered by

MV00173700

SHADOWRIDGE LN
MESA SPRINGS WAY
MOUNTAIN VIEW RD
COUNTRY CREEK RD
PROSPECT GREEN DR
Two areas of fixed coverage and 360⁰ capability.

MV00173701

Two areas of fixed coverage and 360^0 capability.
PIGEON PASS RD
HIDDEN SPRINGS DR
3431
22826
3502
22886
3516
22878
3530
22886

MV00173702

THEODORE ST
SHED
SHED
Two areas of fixed coverage and 360^0 capability.

MV00173703

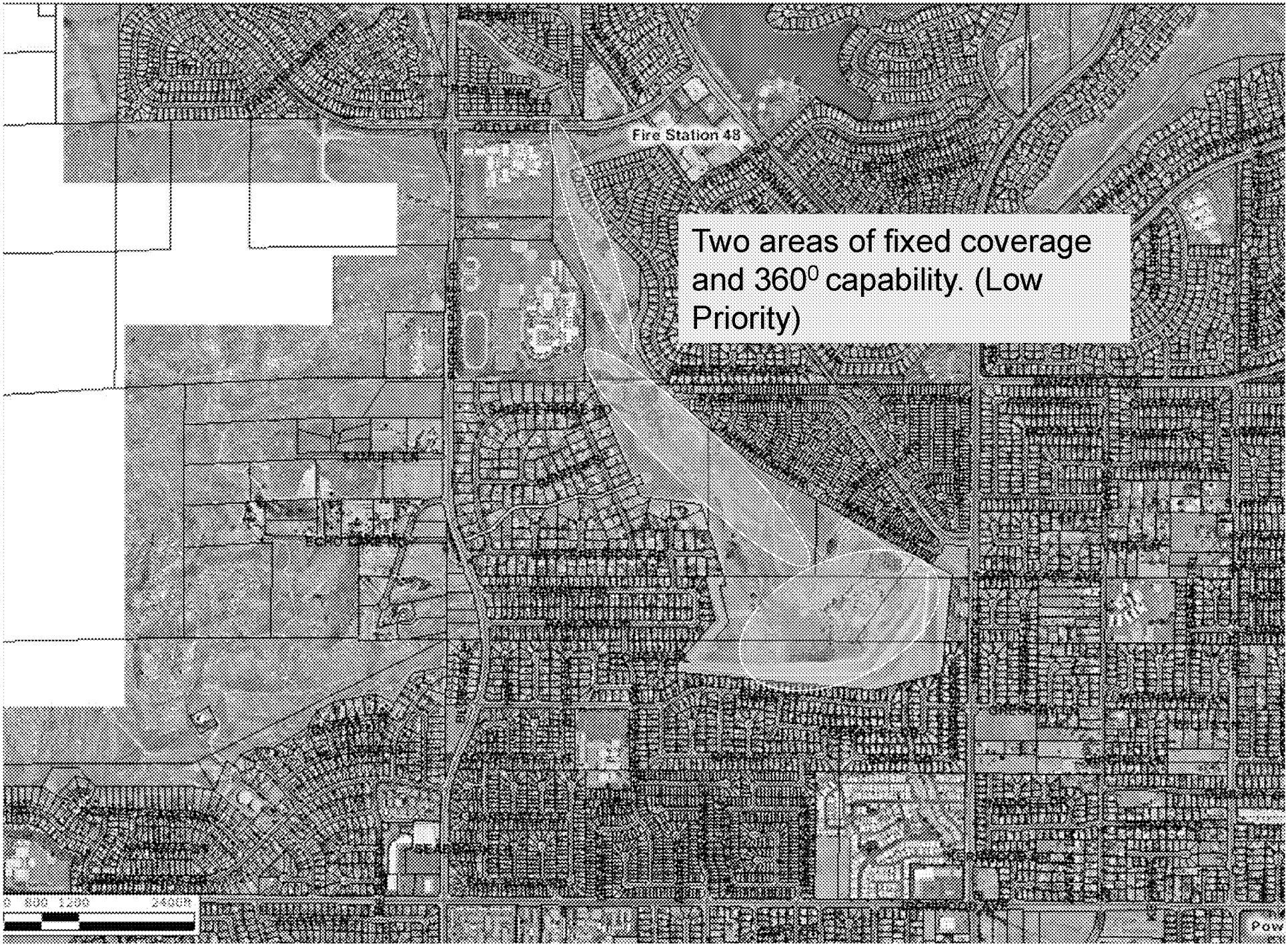
Fire Station 48
Two areas of fixed coverage and 360⁰ capability. (Low Priority)
0 800 1200 2400ft

MV00173704

FILAREE
Two areas of fixed coverage and 360^0 capability.
GENTIAN

MV00173705

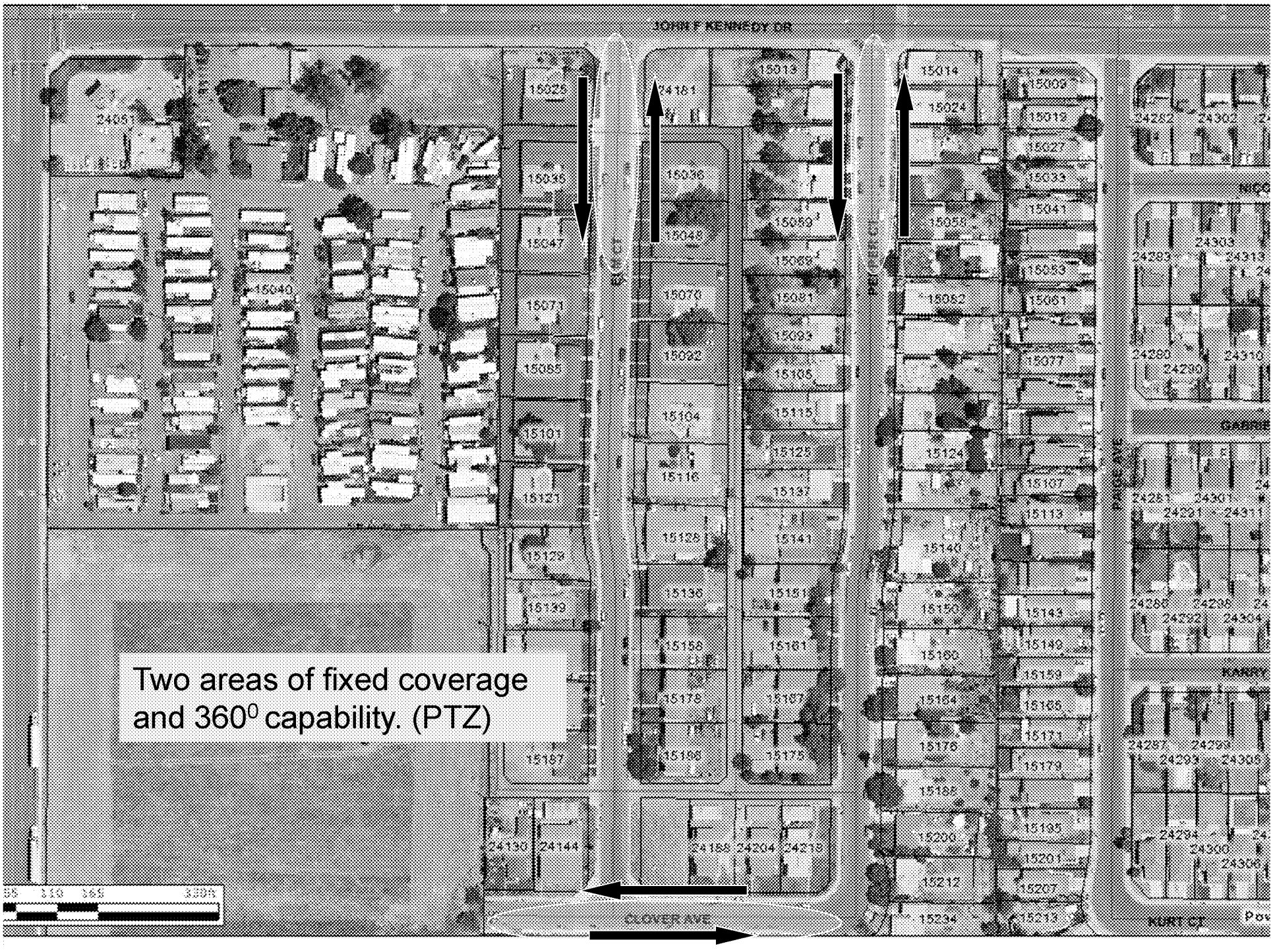
JOHN F KENNEDY DR
CLOVER AVE
KURT CT
KARRY
Two areas of fixed coverage and 360^0 capability. (PTZ)

MV00173706

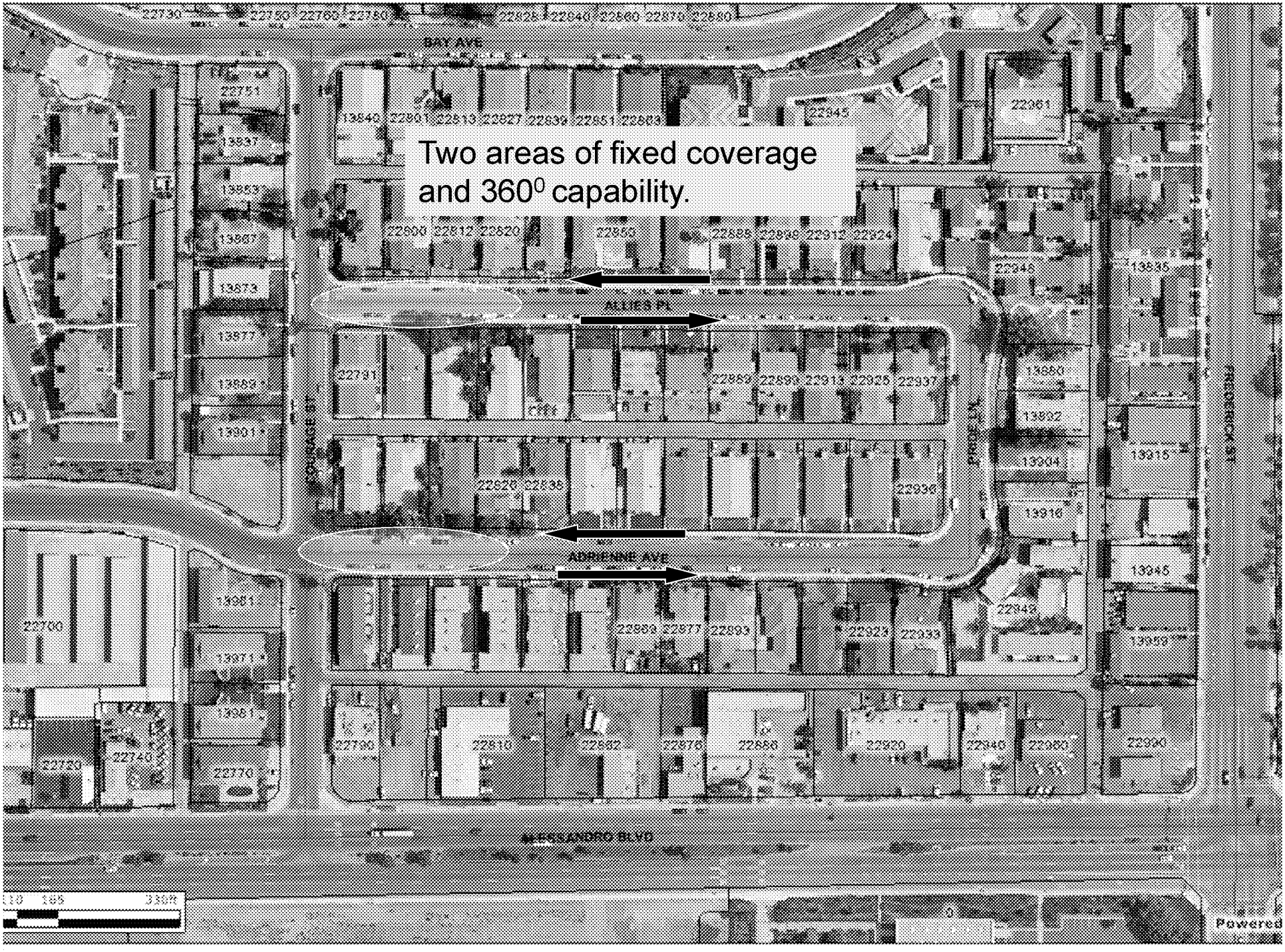
Two areas of fixed coverage and 360⁰ capability.
BAY AVE
ALIRA PL
ADRIENNE AVE
ALESSANDRO BLVD
Powered

MV00173707

Pre-Bid Meeting – PD Camera Project
4/11/12 1-2:10pm

Notes while the City addressed the agenda items.

Introductions: Lt. Cheryl Evans, Sgt. John Del Valle, Tom Tucker (Project Manager, City Consultant), Steve Hargis (City Technology Manager); an additional, non-City resource will be used to help evaluate the proposals deemed to be finalists

Purpose, Scope & Vision of this Project

May not be a typical RFP – less specific, perhaps ambiguous; lots of freedom to propose your strengths; NOT an RFQ but a true RFP

City expects to spend its entire project budget so price is not the predominant factor here

Integration: Traffic (Kimley-Horn & Associates KITS) – Facilities (City Hall, EOC, Annex, utility substation) – PD Building

Public Transparency: Community viewing room for live feeds; ongoing discussion about how this will be achieved: extension of monitoring room or w/ viewing software or mirror of monitoring room

Smarter Policing: Only sending Officers when/where they are needed – e.g. Speakers at park locations, view dispatches of lots of officers before dispatching

Funding – Public Funds from PD savings in previous FYs, already budgeted and authorized to be spent across FYs

Approach to RFP development

Address all ideas, conflicts, etc. in RFP

Evaluation Criteria: 1A – We don't expect anyone to meet all requirements; looking for the best fit for our needs and best value (e.g. 100% wireless coverage in City is not possible; so propose a design and coverage; lots of freedom)

1C – Looking for ability to see details of what camera is looking at; don't want a picture of a dark sedan; do want a picture of a green, Ford Taurus, w/ 2 people in the front seats

3A – An SDK or exposed APIs is needed: If vendor has to perform the integration to preserve warranties – say so

3C – We are looking for some headroom/capacity for growth & inexpensive growth; Goal is to have infrastructure built and only add cameras

4 – Want recommendations of storage capacity and video storage parameters (fps, resolution, etc.); 12 months at PD; otherwise 1 month; space to temporarily store video that is set aside; Storage mgmt. should be easy – Know HP EVA SAN tools but we don't expect the exact same solution in the proposal

5C – Quality over speed but City is expecting results quickly. Suggest schedule proposes completing a small section to score a fast win (crime recorded, solved, or thwarted; open Community viewing room) and then build out from there

Timeline

E-mail Purchasing Division for electronic copies of addendums; otherwise, posted on website; Questions taken until April 26 so that we have time to formulate and disseminate answers

June 26 is last chance to award the contract b/f the City Council goes dark/goes on recess until August

Miscellaneous

Site access will be available to finalists only

Reducing City risk: Faithful Performance Bond vs Payment schedule (milestones) & acceptance (need to define)

Remote Project Management will not be favored as much as an onsite PM to expedite decision-making processes

Citywide Camera Surveillance System
Addendum # 1

Questions:

The City strives to keep vendors responding to City needs current with all ancillary information to each specific RFQ/RFP or Bid. As such we will receive questions in writing and respond in writing with answers to the best of our knowledge. When responding with answers we will respond to all registered vendors and post on our website all questions and answers.

Q. How many finalists will be chosen?
A. Six or less

Q. Can the finalists do a presentation/demonstration at the Police Dept., as well as take you to other cities (local)?
A. Yes

Q. Will the City's HP SAN be integrated?
A. Storage will be separate from the City's.

Q. Bid due date?
A. May 9, 2012 by 2:00pm to the City Clerk's office

Q. Any communications with MARB?
A. Yes, we have contacts at MARB and successful experience in obtaining permits and permission to have radio waves on the base.

Q. Where is the existing fiber?
A. Showed map of fiber around City Hall campus. We will be running more fiber south of City Hall to the Corporate Yard. Continuous conduit exists with about 1/4 mile of fiber already run.

Attachment Q was passed out. It will be added as addendum on website. Any vendor whose proposal relies on future availability of fiber in the City should make that assumption very clear in their proposal. The City does not have a high confidence level in the estimated availability dates for fiber projects beyond the City Hall to City Yard fiber extension project (red line on the map).

Q. Is there a listing of possible friendly sites for the wireless backhaul?
A. We have had informal discussions with MVUSD, Sketchers, and Community Hospital and are still working on relationships. Box Springs Mountain is possible but has some definite downsides.

Q. Can we build towers?
A. City is open to the idea. City leases a tower at Box Springs, there is the possibility of putting tower there but that site has problems that site in the City do not have.

Citywide Camera Surveillance System
Addendum # 1

Q. Can City assets be used and is there a list?
A. Yes, it will be put on website as an addendum.

List of City building and park addresses will be posted on the website as an addendum.

Q. Will the City asset list include the tower?
A. We will discuss.

Q. What is the water service in the area?
A. City has no water infrastructure. It is separate – EMWD, WMWD and Box Springs.

Q. We there be CalTrans issues?
A. No

Q. Traffic signals owned by the City?
A. Yes. Those identified have a duplex 110 plug on the pole. You can tap into that circuit.

Q. How many cameras are at the Police Department?
A. 48 cameras, analog, record 24/7, watch commander can view, need to encode video, current system is from I3VR, currently store 6 months of video from these cameras.

Q. Will the traffic cameras in the future be running through fiber?
A. The plan is to put them on fiber, but you don't need to worry about the traffic cameras now other than the integration with the Kimley-Horn & Associates KITS software.

Q. Can we have access to the control boxes?
A. We will ask the City's Traffic Division.

Q, Can we go to the camera intersections for line of site?
A. Yes. Contact City if you need help.

Q. After doing due diligence, did you have any cities to use as models?
A. We liked certain things from certain cities, not everything from one city. We want to develop something for us that will meet our needs.

Q. How many TV stations will you need to monitor feeds?
A. We have cable at Police Dept. so we can choose which ones. That video will not be stored long – no more than 2 weeks.

Citywide Camera Surveillance System
Addendum # 1

Q. Will this system be at the squad car level?
A. Not in this project.

Q. Will there be special incidents that will need to be stored permanently?
A. We will put those on DVD for evidence.

Q. Will the fiber map be available in soft copy?
A. Yes, will try to put it in soft copy and add as an addendum.

Q. Performance Bond and Bid Bond both required?
A. Performance bond is required. A bid bond is not required.

Q. What are the contractor license requirements?
A. When installing on light poles need certifications
C10 - for 110 on poles
C7 – for low voltage
BICSI – for data cabling and terminations

Q. Can a C7 contractor bid for the project and sub out the C10 work?
A. Yes
This is a public works project. The field work will require certified payrolls.

Q. Is there an existing VMWare environment?
A. Yes, we have an existing VMware environment using HP blades, and an HP SAN for storage. The City will want to manage the servers.

Q. Will we use existing infrastructure?
A. Yes

Q. Any small business or disabled business set aside for the project?
A. No

Q. Will there be a monitoring room set up?
A. Yes, we will remodel a room. We are looking at furniture, room design and budgets now.

Q. Do you have the dimensions of the monitoring room?
A. Don't know exact dimensions, but it will be approximately 12 x 15.

Q. Are the monitoring room workstations and monitors part of the scope?
A. No, the monitoring station is not part of the RFP.

Q. We are just providing software to the monitoring room?
A. Yes, get it to the monitoring room.

Citywide Camera Surveillance System
Addendum # 1

We are investigating sending a video stream to the County.

Q. Do we need a business license before or after the award?
A. After

Q. Are you open to partial responses?
A. We want whole responses.

It will be wise for vendors to leave room for contingencies in their proposal. The City has no contingency budget and will require vendors to meet the functional specifications of the RFP if the initial implementation does not fulfill the specification. For example, if the RFP specified being able to capture video on a specified portion of a park but the video is not clear because birds keep landing on the camera housing, then the City will expect the vendor to solve the problem without requesting a change order.

Q. This is not awarded to lowest bidder?
A. No, the City fully expects to spend its entire project budget. We are more interested in which proposal fits our needs.

Q. Will the City be providing the public viewing room?
A. Yes. There will be one monitor for citizens to look at.
If you have questions after the meeting, send them to PurchasingDivision@moval.org
Look for addendums on the website.
We will also send addendums to the email addresses provided at this meeting.

Q. Will the sign-in sheet be on the website?
A. Yes, we will post it.

Q. Bid Proposal is missing a form for all bid items or lump sum item form page.
A. We do not plan to provide one. We have specified that we do not want a lump sum but we want it itemized

Q. Bid Proposal is missing Bid Bond Form, is Surety Form acceptable?
A. We are only asking for a Faithful Performance Bond (see page 27)

Q. How will cameras transmit data to City Hall or Police Department
Wired or wireless?
A. Because the City has very little fiber in the ground throughout the City we are anticipating that almost all vendors will propose a wireless solution. Please reference the last paragraph on page 5.

Q. Are there any underground conduit installation within the Project?
A. We are not anticipating that any Vendors will propose underground conduit installation.

Citywide Camera Surveillance System
Addendum # 1

Q. While we can provide an SDK, allowing people to integrate 3rd party software into our server is a problem. This would remove any WildFire warrantee as to VMS software, so it is not practical to offer.
A. We will take that into consideration when evaluating your proposal.

Q. The requirement to have all servers synchronize in time with a Spectracom time server.
A. Temporal synchronization is important for all servers and for camera systems. Synchronization is a common requirement and we want vendors to know up front that we currently use, and will require to continue using, a Spectracom time server.

Q. All PTZ cameras and VMS must capable of reorienting when alarms trigger.
A. When a certain priority alarm is triggered by a camera, then a possible response to the alarm should be the ability to have a subset of the cameras (obviously only PTZ cameras) change their position/focus automatically. A possible scenario would be a gunshot detected (assuming gunshot detection is part of a solution); the system should have the ability to automatically reorient PTZ cameras towards the detected area. This is an advanced analytical capability that not all proposals will be able to accommodate. Another example is the Code Alex scenario where a system administrator triggers an alarm for a group of cameras that specifies which preset position each camera should immediately turn to. How close to these scenarios can your proposal come?

Q. Integrating existing camera systems into the VMS.
A. The City currently has several islands of existing camera systems. One of the goals of this project is to integrate all of our existing cameras into one system. There are multiple ways to integrate existing cameras; your proposal should outline what types of cameras and/or systems can and cannot be integrated and which integration method(s) you propose.

Q. Don't understand the need to synchronize playback.
A. Cameras have limited fields of vision. In order to view all perspectives of an event it may be helpful to look at several camera views of the same event, perhaps even at the same time. However, in order to accomplish that the cameras must be synchronized and the video management system must have the ability to playback several cameras in a synchronized manner. An example would be a rape in a park where 1 camera is focused on the restrooms and viewing only that camera would miss a lookout person sitting in a car in the parking lot. To piece the whole event together requires synchronized playback.

Q. Integrating video of other parties other than the police department. This means multiple integrations and is highly unlikely.
A. See statement #4 above. Your proposal should explain what is possible and make a recommendation.

Citywide Camera Surveillance System
Addendum # 1

Q. Integration into the school's intercom system.
A. Several systems we know about integrate the ability for someone monitoring the cameras to turn on a speaker that is not a physical speaker but is the entire intercom system at a school. We have had preliminary meetings with our school districts and wanted to mention interest in that ability and to mention what we know about the schools intercom system. Tell us if your proposal would accommodate this ability or have any limitations.

Q. Record television stations.
A. Several systems we know about have found it desirable and helpful to be able to record TV station coverage of events that occurred in their City. We would like to have the ability to turn on this recording for several channels when TV coverage warrants it.

Q. It isn't mentioned in the RFP, so I am wondering what you may be looking for in the form of deliverables? Are you looking for engineering plans for the installation of the physical components of the system?
A. No we are not requiring engineering specifications in the proposals. The proposals should be at the level of detail necessary to communicate the vendor thoroughly knows the components of the system he is proposing and convinces the City that his proposal is responsive to our needs. For example, if we say we want to see 2 lanes of traffic, each way, at an intersection, then we would expect the proposal to specify how many of what type of cameras with what features are required and a discussion or diagram of how/where those cameras would be mounted. The proposal reviewers should be convinced that the specified view will be captured, that the video will get back to the VMS, and that any special features, like license plate reading or facial recognition, will actually work in that setting. Detailed engineering diagrams of each component would not be required to demonstrate a viable proposal.

Q. We are asking about after the contract has been awarded. Will plans be required for the actual installation of the components?
A. The City will want as-built documentation at a level of detail that allows us to troubleshoot a wide range of problems. We hesitate to use the term "engineering plan" because the level of detail could be construed to be quite onerous and that is not our intention.

Parks & Facilities

PARK NUMBER	PARK NAME/LOCATION	Soccer Field	Softball/ /Baseball Field	Basketball Court	Volleyball Court	Tennis Courts	Multi-Use Athletic Field	Multi-Purpose Trail	Restrooms	Off-Street Parking	Snack Bar	Water Feature	Tot Lot	Banquet Facilities	Picnic Tables	Barbeques	Security Lighting	Horse Arena and Dog Park	Skate Park/Roller Hockey Rink	Fitness Equipment Stations
*	**Moreno Valley Conference & Recreation Center** *14075 Frederick St.*			●	●				●	●				●			●			
**	**Senior Community Center,** *25075 Fir Av.*								●	●				●			●			
***	**TownGate Community Center,** *13100 Arbor Park Lane*								●	●				●			●			
▲	**Cottonwood Golf Center,** *13671 Frederick St.*								●	●	●									
▲▲	**March Field Park Community Center,** *15325 5th St.*			●					●				●							
1	**Sunnymead Park,** *12655 Perris Blvd.*		4L						●	●	●		●		●	●	●			
2	**Moreno Valley Community Park** *13380 Frederick St.*	4L							●	●	●		●		●	●	●			
3	**John F. Kennedy Park,** *15115 Indian St.*		1L			4L			●	●			●		●	●	●			
4	**Weston Park,** *13170 Lasselle St.*		●				●		●				●		●	●	●			
5	**Gateway Park,** *23975 Manzanita Av.*								●	●			●		●	●	●			
6	**Westbluff Park,** *10750 Pigeon Pass Rd.*		●						●	●			●		●	●	●			
7	**Woodland Park,** *25705 Cactus Av.*		1L	4L		4L			●				●		●	●	●			
8	**Morrison Park,** *26667 Dracaea Av.*	●	4L						●	●	●				●	●	●			
9	**Bethune Park,** *16745 Kitching St.*		●			2L			●	●	●	●	●		●	●	●			
10	**Moreno Valley Equestrian Park & Nature Center** *11150 Redlands Blvd. (includes Hound Town Dog Park)*						●			●								●		
11	**Cottonwood Equestrian Staging Area** *28590 Cottonwood Av.*						●								●		●			
12	**Ridge Crest Park,** *28506 John F. Kennedy Dr.*	●					●		●	●			●		●	●	●			
13	**Fairway Park,** *27891 John F. Kennedy Dr.*	●			●		●		●				●		●	●	●			
14	**Victoriano Park,** *25730 Los Cabos Dr.*						●		●	●					●	●	●			
15	**Pedrorena Park,** *16009 Rancho Del Lago*			●		4	●		●	●			●		●	●	●			
16	**El Potrero Park,** *16901 Lasselle St.*	●					●		●	●			●		●	●	●			
17	**TownGate Memorial Park,** *13051 Elsworth St.*		1L				●		●	●			●		●	●	●			●
18	**Bayside Park,** *24435 Bay Av.*			●									●		●	●	●			
19	**Adrienne Mitchell Memorial Park,** *22631 Bay Av.*			4L									●		●	●	●			
20	**Shadow Mountain Park,** *23239 Presidio Hills Dr.*		2L						●	●					●	●	●			
21	**Hidden Springs Park–Phase I (Open Space)** *9675 Hidden Springs Dr.*						●						●		●	●				
22	**March Field Park and Valley Skate Park,** *15415 6th St.*		2L						●	●	●						●		●	
23	**Parque Amistad,** *26160 Gentian Av.*		●	●									●		●	●	●			
24	**College Park,** *16130 Lasselle St.*	●							●	●			●		●	●	●			
25	**Vista Lomas Park,** *26700 Iris Av.*		●	●						●			●		●	●	●			
26	**Celebration Park,** *14965 Morgan Av.*			●					●	●		●	●		●	●	●			
27	**Rock Ridge Park,** *27119 Waterford Way*												●		●	●	●			
28	**Rancho Verde Staging Area,** *17484 Kentucky Derby Dr.*						●										●			
29	**Patriot Park,** 15310 Perris Blvd.						●						●		●		●			
30	**Cold Creek Trailhead,** *Nason and Dracaea*						●			●					●		●			
aa	**Rancho Verde Park,** *Lasselle St. and Cremello*																			
bb	**Lasselle Sports Complex,** *17155 Lasselle St.*																			

To obtain a map of the City's multi-use trails and bikeways call 413.3702. * All parks and recreation facilities meet current ADA standards. L = Lighted Athletic Field or Court

February 2012

Soaring Summer 2012.indd 31 3/21/2012 1:05:28 PM
MV00173716

CITY MAINTAINED FACILITIES					
Name	Square Feet	Built	Occupied by City	Address	Comments
Animal Control	16,288	02/01/00	02/01/00	14041 Elsworth	Building & Grounds @ Bus Ctr Dr
Annex #1 1.02 acres	11,668	1989	12/01/06	14331 Frederick	Building & Grounds @ Calle San Juan
City Hall	57,626	1989	09/01/95	14177 Frederick	Building & Grounds @ Calle San Juan
Conference & Rec Ctr 6.3 acres	42,413	05/31/05	05/31/05	14075 Frederick	Building & Grounds @ Alessandro
City Yard, 18.16 acres	57,878	1964	1985	15670 Perris Blvd	Building & Grounds @ Santiago
Emergency Operations Center	8,492	09/10/10	09/10/10	22870 Calle San Juan De Los Lagos	Adjacent to PSB's parking lot
Fire Station #2 (Hemlock)	8,848	11/01/01	11/01/01	24935 Hemlock	Building & Grounds west of Perris
Fire Station #6 (TownGate)	9,490	06/17/96	06/17/96	22250 Eucalyptus	Building & Grounds @ Arbor Park
Fire Station #48 (Sunnymead)	4,754	1984	1984	10511 Village Rd	Building & Grounds @ Snnymd Rnch
Fire Station #58 (Auto Mall)	10,340	06/20/08	06/20/08	28040 Eucalyptus Ave	End of cul-de-sac @ Auto Mall
Fire Station #65 (JFK)	5,022	1984	1984	15111 Indian Ave	Building & Grounds @ JFK Park
Fire Station #91 (College Park)	8,848	06/25/05	06/25/05	16110 Lasselle	Building & Grounds n/o RCC
Fire Station #99 (Morrison)	10,348			13400 Morrison Avenue	Building & Grounds n/o Cottonwood
Library	15,000	1987	07/01/98	25480 Alessandro Blvd	Buildings & Grounds
March Field Park CC	14,524	1959	05/01/03	#938, 15325 5th St.	MARB, 5th & W St
March ASES CC	4,266	1942		#823, 15450 4th St	MARB, 4th & W St
March Fac Hobby Shop	2,000	1976	07/01/03	#941, 941Short St	MARB 4th St & Short St
March Red Cross Bldg	2,400		Historical Site	#641 & #641A, Riverside Dr	MARB, Btwn N St & Short St
Pro Shop/MVTV Annex	9,060	1965	1984	13671 Frederick St	Buildings & Grounds
Public Safety Building 3.3 acres	45,900	06/09/99	06/09/99	22850 Calle San Juan De Los Lagos	Building & Grounds @ Veteran's Way
Rainbow Ridge Portable	1,920		01/01/00	15950 Indian	Modular building @ Iris
Red Maple Portable	1,920		08/04/04	25140 Red Maple Lane	Modular building east of Perris
Senior Center 1.75 acres	14,700	03/08/93	03/08/93	25075 Fir Ave	Building & Grounds east of Perris
Signs & Signal Shop	1,440			15670 Perris Blvd	Building & Grounds @ City Yard
Sunnymead Middle - ASES	960		01/01/99	12875 Heacock	Modular building n/o Eucalyptus
Sunnymead Elem - After-school	720		09/01/07	24050 Dracaea	Modular building @ Heacock
TownGate Community Center	4,000	10/11/03	10/11/03	13100 Arbor Park Ln	Building Only
Utility Field Office	2,000	1991	1991	28020 Bay Ave	Double-wide mobile home
Veteran's Memorial	7,988	06/07/07		Civic Center Roundabout	PSB, CH, CRC
Revised 1/19/12 FacList.xls	380,813				

MV00173717

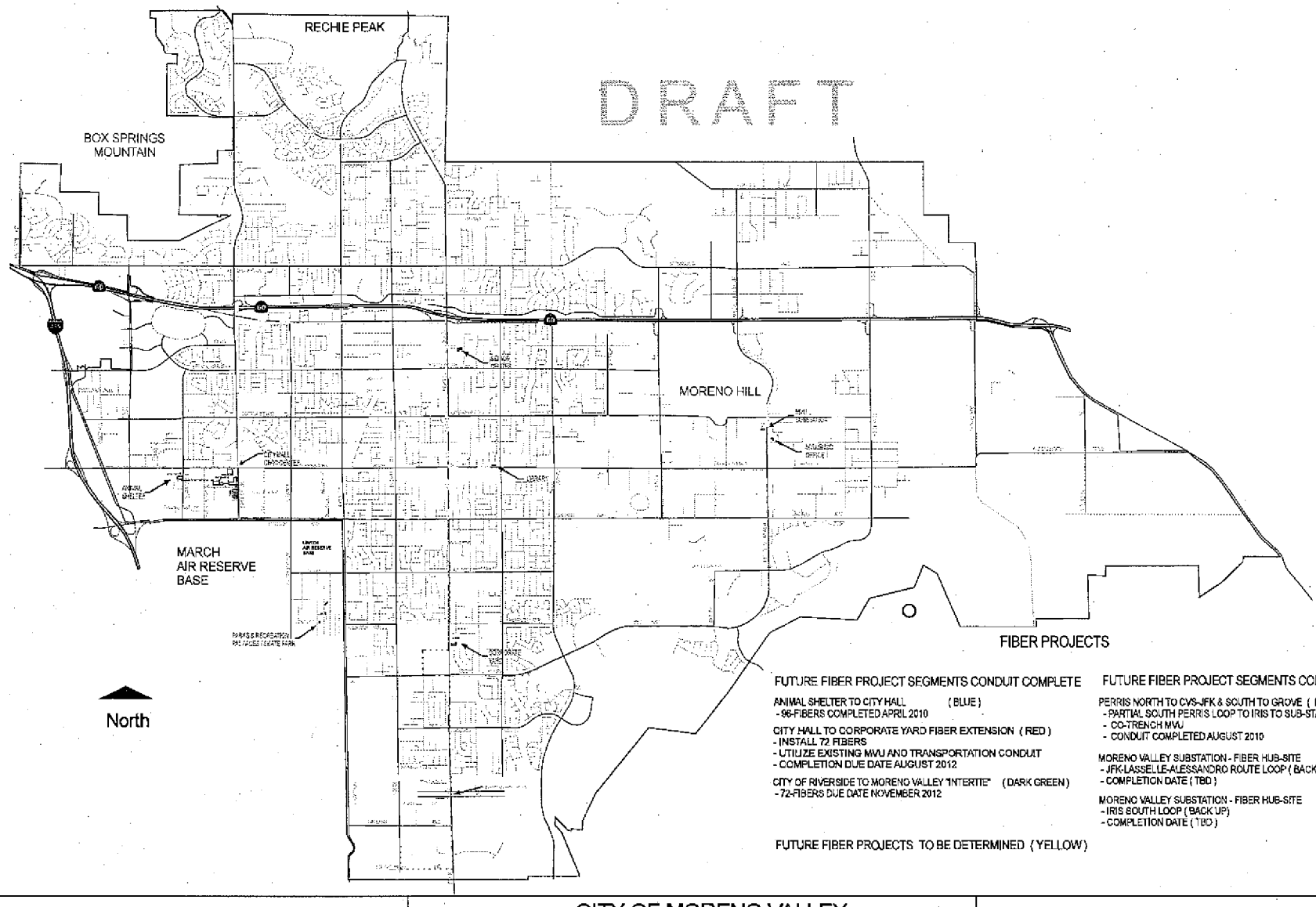

FIBER PROJECTS

FUTURE FIBER PROJECT SEGMENTS CONDUIT COMPLETE

ANIMAL SHELTER TO CITY HALL (BLUE)
- 96-FIBERS COMPLETED APRIL 2010

CITY HALL TO CORPORATE YARD FIBER EXTENSION (RED)
- INSTALL 72 FIBERS
- UTILIZE EXISTING MVU AND TRANSPORTATION CONDUIT
- COMPLETION DUE DATE AUGUST 2012

CITY OF RIVERSIDE TO MORENO VALLEY "INTERTIE" (DARK GREEN)
- 72-FIBERS DUE DATE NOVEMBER 2012

FUTURE FIBER PROJECT SEGMENTS CONDUIT COMPLETE

PERRIS NORTH TO CVS-JFK & SOUTH TO GROVE (BLACK DOTTED LINE)
- PARTIAL SOUTH PERRIS LOOP TO IRIS TO SUB-STATION (BACKUP)
- CO-TRENCH MVU
- CONDUIT COMPLETED AUGUST 2010

MORENO VALLEY SUBSTATION - FIBER HUB-SITE (GREEN)
- JFK-LASSELLE-ALESSANDRO ROUTE LOOP (BACK UP)
- COMPLETION DATE (TBD)

MORENO VALLEY SUBSTATION - FIBER HUB-SITE (MAGENTA)
- IRIS SOUTH LOOP (BACK UP)
- COMPLETION DATE (TBD)

FUTURE FIBER PROJECTS TO BE DETERMINED (YELLOW)

CITY OF MORENO VALLEY
TECHNOLOGY SERVICES TELECOMMUNICATIONS
FIBER OPTIC PROJECTS

MV00173718

#5

City of Moreno Valley Pre-Bid Meeting
RFP #TT 11/12-10 for Project #TS-CCSS 2012-02

4/11/2012
Sign-In Sheet

Name	Company	Email
Tyler Sayles	American Security Group	tsayles@amergroup.com
Jeff Torok	AM-TEC Security	jeff@am-tecsecurity.com
Shawn Lovato	Apple Valley Communications Inc.	slovato@applevalleycommunications.com
Steve Senkle	Astretech, LLC	ssenkle@astretech.com
Mike Graham	Avrio-RMS Group	mgraham@avriormsgroup.com
Mark Jules	Avrio-RMS Group	mjules@ntlpsf.org; mjules@avriormsgroup.com
Tom Bozek	BEC	tbozek@becinc.net
Chad Gordon	Blue Violet Networks	cgordon@blueviolet.net
Ladd Nelson	Blue Violet Networks	ladd@blueviolet.net
Jasper Bruinzeel	CelPlan Technologies	jasper@celplan.com
Todd Byer	Climatec	toddb@climatec.com
Tom McDonnell	Communications Supply Corporation	tmcdonnell@gocsc.com
Sarah Rendich	Communications Supply Corporation	srendich@gocsc.com
Bret Hart	Com-Sec Incorporated	bhart@com-sec.net
Brian Sweet	Convergint Technologies	sweet@convergint.com
Alex Zepeda	Crosstown Electrical & Data, Inc.	alex@crosstowndata.com
Gordon Campbell	Cybertime Network Communications	gordon@cybertimenetwork.com
Ibraim De La Cobas	Datatel Wiring Products, Inc.	datateleb@yahoo.com
David Santana	HCI Systems Inc.	dsantana@hcisystems.net
Randall Dinger	ID Consulting Solutions LLC	rdinger@idconsol.com
Joe Rodeheaver	In the Light Electrical	joe@inthelightelectric.com
Craig Valgean	Kratos HBE	craig.valgean@kratos-hbe.com
Mark Schweitzer	LDM Engineering/Magestyk Comm	mschweitzer@ldmengineering.com
Doug Hicks	Leverage IS	dough@leverageis.com
Ray Leblond	Leverage IS	rayl@leverageis.com
Andrew Lee	Mainline Information Systems	andrew.lee@mainline.com
Chris Steele	MetroVideo Systems, Inc.	chris@metrovideosystems.com
Rob Clement	Motorola Solutions, Inc.	rob.clement@motorolasolutions.com
Les Corriea	Pacific Beach Tower Inc.	les@pbtower.com
Aaron Polk	PC Mall Services	aaron.polk@pcmallservices.com
Gregg Desilets	PC MallGov	gregg.desilets@pcmallgov.com
Yong Kim	PC MallGov	yongk@pcmallgov.com
Sharon Chambers-Feaster	Pechanga Technology Solutions Group	schambers@pechanga.com
Jose Escobedo	Pechanga Technology Solutions Group	jescobedo@ptsg.com
John desGarennes	Pechanga Technology Solutions Group	jdesgarennes@ptsg.com
Rich Dominguez	Pechanga Technology Solutions Group	rdominguez@ptsg.com
Michael Grimsley	Pechanga Technology Solutions Group	mgrimsley@ptsg.com
Mike Niknafs	ProTech Engineering Corporation	mike@protechengineeringcorp.com
Cindy Ford	Security Network Representatives	cindy@securitynetworkrep.com
Leigh Martin	Siemens Industry, Inc.	leigh.martin@siemens.com
Armen Martirosian	Siemens Industry, Inc.	armen.martirosian@siemens.com
William Crawford	SimplexGrinnell	wicrawford@simplexgrinnell.com
Mark Crabtree	Solectek	mcrabtree@solectek.com
Jim Hardie	Superior Alarm Systems	jim.hardie@sassecurity.com
Joe Durbin	Systems Integration Corp	
Joel Larambas	TESSCO	larambasj@tessco.com
Chad Martinell	Transportation & Energy Solutions, Inc.	cmartinell@trans-en.com
Jeff D'Errico	Universal Protection Security Systems	jeff.derrico@universalpro.com
Gary Goodhue	VCI Construction, Inc.	ggoodhue@vcicom.com
Michael Remily	Verizon Wireless	mike.remily@verizonwireless.com
George Barela,	Verizon Wireless	george.barela@verizonwireless.com
Robert Rendon	Veterans Communication Services, Inc.	rrendon@vetcomm.com
Ryan Roybal	Volt Telecom Group	rroybal@volt-telecom.com

City of Moreno Valley Request RFP # TT 11/12-10
Citywide Camera Surveillance System. Addendum # 6

The City strives to keep vendors responding to City needs current with all ancillary information to each specific RFQ/RFP or Bid. As such we will receive questions in writing and respond in writing with answers to the best of our knowledge. When responding with answers we will respond to all registered vendors and post on our website all question and answers.

1. What frequencies does the City have available for the project?

No frequencies have been set aside for this project since the City does not know if vendors will propose licensed or unlicensed spectrum.

2. Based on the current allocation of the 700 MHz "D" Block for public safety, can the project use this newly allocated space?

The City does not currently use the 700 MHz "D" block, nor the 4.9 GHz band, that has been set aside for Public Safety uses. Thus it is certainly a possibility to use those frequencies for this project; RFP responses should clearly indicate which frequencies are proposed and plans for any required approvals necessary to use those frequencies.

3. What is the City's standards or requirements for concealment for structures?

The City does not currently have standards for the concealment of structures that may be used for a project like this. If proposals include structures beyond camera housings, radio transmitters, or ground structures larger than 12"x12"x24" then the Public Works Department will want to review the plan for the structure. However, the City does expect discretion to be used in the placement of structures and attempts to blend w/ existing structures.

City of Moreno Valley RFP # TT 11/12-10
Citywide Camera Surveillance System
Addendum # 7

The City strives to keep vendors responding to City needs current with all ancillary information to each specific RFQ/RFP or Bid. As such we will receive questions in writing and respond in writing with answers to the best of our knowledge. When responding with answers we will respond to all registered vendors and post on our website all question and answers.

1. Will the selected vendor have the use of the city traffic control boxes at each traffic light location to place the wireless equipment in and use the power within the control box?
The City Traffic Division prefers that power be obtained by direct wiring into the existing duplex boxes on each traffic light pole. They also prefer that wireless equipment and cabling not be mixed with traffic related cabling, so wireless equipment should be in its own enclosure. It is acceptable to mount these enclosures on the traffic light pole.

2. Is there existing conduit from each traffic light location to the control box? If so what size conduit is there? We are assuming so...
Conduit between each traffic light and its control box does exist; however, the City's Traffic Division prefers that it not be used for purposes other than traffic. Refer to question 1 above to understand where power can be obtained and where wireless equipment should be located.

3. What types of existing cameras is the city currently using for their existing surveillance system at the EOC? What resolution are they?
The 7 existing cameras at the EOC are Sony DF80 (2 outdoors) & Sony SNCDS10 (5 indoors).

Please note the question below was addressed in Addendum # 6 but we have added additional comments in green.

Based on the current allocation of the 700 MHz "D" Block for public safety, can the project use this newly allocated space?
The City does not currently use the 700 MHz "D" block, nor the 4.9 GHz band, that has been set aside for Public Safety uses. Thus it is certainly a possibility to use those frequencies for this project; however, some City research into the "D" block indicates that its usage may not be fully settled by the FCC and that it is more likely to be used for audio and interoperability purposes rather than video. RFP responses should clearly indicate which frequencies are proposed and plans for any required approvals necessary to use those frequencies.

#8

City of Moreno Valley RFP # TT 11/12-10
Citywide Camera Surveillance System
Addendum # 8

The City strives to keep vendors responding to City needs current with all ancillary information to each specific RFQ/RFP or Bid. As such we will receive questions in writing and respond in writing with answers to the best of our knowledge. When responding with answers we will respond to all registered vendors and post on our website all questions and answers.

We have a few clarification questions as it relates to the RFP. In the pre-bid meeting addendum 1, a question is asked how many cameras are in the Police Department. The answer is 48 cameras; however, in addendum 7, it says there are 7 cameras in the EOC. My questions are:

1. Are the Police Department and the EOC the same building?
No, they are two separate buildings, but they are next to each other.

2. If they are the same building, then can we get an accurate count on the number of cameras?
See question 1.

3. If they are not the same building, then is the Police Department cameras part of the scope of work for this project?
Yes, the PD has requested in the RFP for the proposals to include some kind of integration of those cameras into this system. The PD is open to any integration ideas. The PD ranks the priority of this integration on par with the Phase 2 locations.

4. If so, how long should the video be retained for?
By state law, video of the interior & exterior PD building must be retained for 1 year. This is the only video in our system that we plan to retain that long.

5. Will recording of audio be a requirement for the Police Department? If so, how many cameras need audio recording capability and how long should audio be retained?
Yes; 4 locations/cameras in the PD. 1 year.

6. If they are not the same building, then is the EOC cameras part of the scope of work for this project?
Integrating the EOC cameras is a low priority for this project.

7. If so, how long should the video be retained for?
We anticipate proposals will recommend keeping this video somewhere around 30 days.

8. Will recording of audio be a requirement for the EOC? If so, how many cameras need audio recording capability and how long should audio be retained?
No.

Also in the pre-bid meeting addendum 1, there is a question regarding existing camera systems into the VMS. The answer says, "The City currently has several islands of existing camera systems. One of the goals of this project is to integrate all of our existing cameras into one system." My questions are:

9. How many "islands" are there?
(1) 48 cameras in the PD building;
(2) 7 cameras in the EOC (5 interior & 2 exterior);
(3) 16 cameras throughout City Hall (12 interior & 4 exterior;);
(4) 20 cameras throughout the Community Recreation Center (13 interior & 7 exterior);
(5) 4 cameras at the Moreno Valley Utility substation (all exterior cameras) at 13575 Moreno Beach Dr., Moreno Valley, CA 92555

Integrating the 48 PD cameras (number 1 above) is ranked on par with the Phase 2 locations, the remaining cameras (numbers 2-5 above) are a lower priority than other components in the RFP. However, we would like some ideas in the proposal for how they might be incorporated into a single system. For example, a proposal that is weak in this area will say that the cameras must be digital and from a narrow set of manufacturer models. A stronger proposal will say any ONVIF-compliant camera will have no problem being integrated. Other possible scenarios might include putting encoders on analog cameras and then integrating them. We are at least looking for what is possible.

10. Do these require wireless access as well or is there fiber at these "island" locations for network connectivity?
None of the existing cameras are wireless and none of them have fiber. They are all wired, some are Ethernet, the bulk of them are cabled directly back to a DVR.

11. How many cameras are at each "island" location and what is the video retention requirement?
See question 2; no more than 30 days.

12. Can you provide the existing manufacture models for the cameras at the island locations?
We have not surveyed all of these island locations for this detail of information.

13. Do the "island" locations require audio capability as well? If so, how long should audio be recorded?
No.

14. In the pre-bid meeting a hospital was mentioned as a possible site for equipment. I did not get the name and address of the hospital. Can you please provide?
There are 2 hospitals in the City:

Riverside County Regional Medical Center
26520 Cactus Avenue
Moreno Valley, CA 92555

Kaiser Permanente
Moreno Valley Medical Center
27300 Iris Ave.
Moreno Valley, CA 92555

15. In the pre-bid meeting it was mentioned that you have 48 analog cameras throughout the PD that you would like to have included within this proposal. Question: If the order of importance is infrastructure, then phases 1, 1A, 2, 3, 3A and last: where would you rank the PD conversion and 366 days of storage?

Integration of the 48 cameras at the existing PD building rank in importance on par with the Phase 2 locations.

16. Clarification please: at locations labeled 80 through 85 it is stated that there is no power currently at these locations. Is it your intention to have the city provide power at these locations or is it the vendors' responsibility?

Power at these locations would be the responsibility of the vendor.

#9

City of Moreno Valley RFP # TT 11/12-10
Citywide Camera Surveillance System
Addendum # 9

The City strives to keep vendors responding to City needs current with all ancillary information to each specific RFQ/RFP or Bid. As such we will receive questions in writing and respond in writing with answers to the best of our knowledge. When responding with answers we will respond to all registered vendors and post on our website all questions and answers.

Can the City define the fiber splice locations on the path for the red and dark green fibers? Are these inside traffic cabinets at those intersections?

We are currently documenting the locations of the splice boxes along the red and dark green paths and recording them electronically; that process has not produced a map yet. Almost all splice boxes on those paths are dedicated to MV Telecommunications; however, if a wired communications link is necessary at an intersection it would be placed inside a traffic control box b/c that is where wired network switches will be located.

The first addendum explains good relations with MARB. It appears a water tower is on the premises of MARB, or at least very close. Can this water tower (just south of the EOC location) be used as possible mount location for wireless equipment?

Maybe; we do not know. We do have a good relationship with MARB and we have succeeded in installing microwave radios on the base. However, without knowing the details of your proposal (locations, frequencies, etc.) and without confirming that the structures are water towers, we do not know.

The first addendum explains that Sketchers is a possible candidate to mount wireless equipment. What is the address of this site?

29800 Eucalyptus Street

Moreno Valley, CA 92555

Although radio towers on Box Springs Mountain are mentioned as possible mount location, it is also mentioned the site has "problems". Are the "problems" specific or unique, or similar in making agreements with other mount sites, such as Sketchers, Community Hospital, etc.? Are there things us vendors should be aware about?

The most salient problems are that the City currently leases space on those towers and there is no budget for additional devices on those towers; the City finds the tower company expensive and difficult to work with; and there have been numerous instances of destructive vandalism and copper theft at that site over the past 3 months.

City of Moreno Valley, CA

Citywide Camera Surveillance System

RFP TT 11/12-10

May 8, 2012

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MV00173728

May 8, 2012

Avrio RMS Group (the "Proposer") is pleased to submit the enclosed Proposal in response to the Request for Proposals RFP# TT 11/12-10, from City of Moreno Valley (the "City") for its proposed Citywide Camera Surveillance System, Project #TS-CCSS 2012-02.

Avrio RMS Group is proposing a turnkey wireless citywide camera surveillance network which includes a mix of pan-tilt and zoom (PTZ) and fixed focus cameras running on a high-speed wireless network. This solution includes all equipment, installation, and training along with maintenance that meets the specifications and the majority of the proposed camera locations specified on City of Moreno Valley's RFP #TT 11/12-10 project.

If you have any questions, Avrio RMS Group can be reached by phone (410) 310-3006 or at the address below.

The following individuals have authority to contract with the City of Moreno Valley:

Darrin Lipscomb
Avrio RMS Group
President
3 N. Harrison St., Suite 200
Easton, MD 21601
Office: (410) 820-9334
Fax: (410) 820-4304
dlipscomb@avriormsgroup.com

Bill Vranek
Avrio RMS Group
Chief Financial Officer
1359 Barclay Blvd.
Buffalo Grove, IL 60089
Office: (847) 463-2086
Fax: (847) 637-0443
Email: bvranek@avriormsgroup.com

By_____ By_____

The information contained in this Proposal or any part thereof, including its Exhibits, Schedules, and other documents and instruments delivered or to be delivered to the City, is true, accurate, and complete. This Proposal includes all information necessary to ensure that the statements therein do not in whole or in part mislead the City as to any material facts.

MV00173729

1. Executive Summary

Avrio RMS Group is the leading provider of citywide video surveillance systems in the United States – we deploy our solutions using pure wireless infrastructure or a combination of fiber and wireless where it makes the most economical approach or provides a more robust solution. All of our solutions use non-proprietary commercial off-the-shelf technologies and are highly robust and scalable. We augment our reach through local partnerships with electrical and installation firms – this is a proven approach and is backed up by our successful deployments and ongoing relationships with the customers for which we have deployed solutions. We have over 40 employees spread throughout the country with local field engineers for all of our major deployments. These highly skilled and focused engineers are the key reason for our continued success in this industry. Our main offices are in Chicago and Easton MD, with deployment facilities and additional resources in other major areas including Denver, Fresno and Austin.

Avrio RMS Group has dozens of subcontractors that provide engineering designs, electrical expertise and installation work and bring additional resources to the team including bucket trucks and specialized tools and additional facilities as needed. We typically operate in a prime/subcontractor relationship but always have a definitive agreement in place with fully vetted subcontractors to ensure quality delivery and on-going support for all of our systems.

Avrio RMS Group is a pioneer in crime fighting wireless video surveillance solutions, having deployed the first of its kind for the Chicago Police Department in 2003. In the last nine years, Avrio RMS Group has deployed similar systems for numerous governmental entities around the country and in the Caribbean and learned what technologies work to help reduce crime, provide for increased safety for residents and responders and secure critical infrastructure.

Our portfolio includes network digital video recording and playback, content analysis and video intelligence, wireless and mobile surveillance, systems integration and turnkey surveillance solutions for the municipal and federal government markets. Collectively, we offer turnkey solutions that address complex integrations of disparate systems with the goal of improving response times and situational awareness for the public safety market. We have internally developed and successfully deployed into production the best in class visualization and sensor integration engine on the market today.

Avrio Group has achieved many firsts including:

1. First citywide video over wireless-mesh deployment
2. First IP-Surveillance deployment at Customs and Border Protection.
3. Deployment of the largest wireless camera integration project in the nation with over 900 cameras in Chicago
4. Deployed the largest video interoperability system in the country in Hennepin County, Minnesota with almost 5000 cameras across several municipalities.

MV00173730

5. First to deploy cloud computing/serverless storage with over 100TB of usable storage.

Organizational History

In 2003, Avrio RMS Group designed and built the first Portable Overt Digital Surveillance System (PODSS®) for the Chicago Police Department ("CPD"). The first system included a bullet resistant enclosure (UL Level 1), overt flashing blue light bar, a Pan Tilt Zoom camera and internal recording capability.

Subsequently, we built out a wireless video network covering approximately 200 square miles. This CPD network, the largest of its kind in the U.S., is a hybrid of many technologies.

Where there have been towers or taller structures (buildings, water towers, etc.) available, we have built out a wireless network that is controlled by the CPD and then connected to available fiber.

Where wireless was not available but access to private cable was, cameras have been connected using the cable infrastructure.

Where cable and wireless may not have been an option or very rapid mobile deployments are required, we have deployed cameras using cellular (Verizon, Sprint) 3G connectivity.

Municipalities that have engaged Avrio RMS Group include, among others:

Chicago	Denver
St. Paul	Rochester
Buffalo	Orlando
Indianapolis	Phoenix
Pittsburgh	Cincinnati
Washington D.C.	County of Fresno
Duluth	Austin
Charleston	Port Authority of Pittsburgh
Cayman Islands	City of Wilmington, DE
City of Paterson, NJ	North Little Rock, AR

Record of Performance

Avrio RMS Group has deployed more municipal wireless video surveillance systems throughout the country than any of our competitors. We are fully focused on this industry and do not engage in other activities which would take us away from this focus. We believe this is the reason we have been successful.

Company client profile

The following is a small sample of some of the solutions we have provided:

MV00173731

Local and State Government

Provided dozens of major U.S. cities with wireless video surveillance systems in support of public safety and port security initiatives. Systems included wireless mesh, point to point and microwave technologies as well as IP and analog camera systems with IP-based head-end equipment for a turnkey approach. Avrio RMS Group currently supports these systems on a national basis through a call center located in Chicago.

U.S. Customs and Border Protection

Modernized border patrol remote video surveillance system sites across the southern and northern borders of the United States. Tasks include Remote Video Surveillance (RVS) site microwave path realignment and project completion as well as modernization of head-end and command and control room equipment to convert analog video to IP.

Federal Civilian Agencies

Converted aging analog CCTV systems including hardware matrix switcher to 100% software solution. Leveraged existing analog cameras and provided new IP cameras in areas that required higher resolution and frame rates.

DoD

Provided U.S. Army bases with in-vehicle license plate recognition systems including software, camera, cabling, Toughbook docking stations and electronics.

MV00173732

2. Summary Proposal Submission Form

TO City of Moreno Valley
Purchasing Division
PO Box 88005
Moreno Valley, CA 92552-0805

Dated: May 8, 2012

The undersigned declares that he or she has carefully examined Project # TS-CCSS 2012-02 accompanying the Request for Proposals, and is thoroughly familiar with the contents thereof; and is authorized to represent the proposing firm; and proposes to provide:

Proposal Item: Citywide Camera Surveillance System

Firm Name Avrio RMS Group
Address 3 North Harrison Street, Suite 100
Easton, MD 21601

Signature _____ Phone No: _____

MV00173733

3. Statement of Proposer's Qualifications and References

3.1 Financial Ability to Undertake the Services Described

Avrio RMS Group has the financial strength to successfully complete a project of this size and much greater. Included in our past performance are many projects larger in size and scope. We have been delivering on projects in this space for over 10 years with individual projects ranging from $.5 million to over $7 million in a given year.

Avrio RMS Group was profitable in 2011 on revenues of $13 million, which resulted in a net worth of $13.2 million at 12/31/2011. In addition to the financials, Avrio RMS Group has in place the financial structure to support large projects including a $3 million line of credit for working capital as well as $10 million in bonding capacity.

Additional disclosure of financial information is attached as Appendix **.

3.2 Experience Providing the Services Described.

Table 1, below, lists our experience in providing the type of work included within the scope of work of this Request for Proposals.

Actual Years' Experience	Name of firm(s) under which services were performed
10	AVRIO GROUP and RMS TECHNOLOGY SOLUTIONS
	These two firms merged in 2008 to form Avrio RMS Group

List and describe fully the last two contracts performed by your firm that demonstrate your ability to complete the work included within the scope of work of the RFP. Attach additional pages if required. The City reserves the right to contact each of the references listed for additional information regarding your qualifications.

3.3 Reference No. 1

Customer	Name: County of Fresno, CA		
Contact Individual	Captain Rick Hill	Phone Number:	(559) 488-2913
Contract Amount	$1.2 Million	Year:	2011-2012
Description of work done	Avrio RMS Group installed a high-speed wireless backbone across the county in addition to 35 new IP cameras and integration to an existing 18 cameras.		

MV00173734

3.4 Reference No. 2

Customer	Name: City of Pittsburgh		
Contact Individual	Gwen Moorer	Phone Number	(412) 255-2653
Contract Amount	$4.5 Million	Year:	2009-2012
Description of work done	Avrio RMS Group deployed a unified citywide video management system starting with the G20 Summit in 2009 and culminating with more than 250 cameras running over a wireless network including license plate recognition, mobile cameras for river rescue boats and integration of existing private and public cameras throughout the city.		

3.5 Reference No. 3

Customer	Name: City of Denver		
Contact Individual	Lt. Ernie Martinez	Phone Number:	(720) 913-6856
Contract Amount	$2.5 Million	Year:	2008-2012
Description of work done	Avrio RMS Group deployed a wireless mesh and point-to-point backhaul to support a citywide video surveillance system. The system was deployed ahead of the 2008 DNC and subsequent phases brought the camera count to over 125 cameras across the city.		

3.6 Qualifications and References Signature

STATE OF CALIFORNIA, COUNTY OF _____

I am the President of Avrio RMS Group, the Proposer herein. I have read the foregoing statement and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are herein stated upon my information or belief, and as to those matters I believe to be true.

Executed on May 8th, 2012 at 3 N. Harrison St, Easton MD

(date) (place)

I declare, under penalty of perjury, that the foregoing is true and correct.

_____

Signature of Proposer

MV00173735

4. Scope of Work

Avrio RMS Group is proposing a turnkey wireless citywide camera surveillance network which includes a mixed of pan-tilt and zoom (PTZ) and fixed focus cameras running on a high-speed wireless network. This solution includes all equipment, installation, and training along with maintenance that meets the specifications and many of the proposed camera locations specified on City of Moreno Valley's RFP #TT 11/12-10 project.

The approach Avrio RMS Group is recommending leverages the Fluidmesh MITO Series Radios with the performance of high-speed backhaul radios from Redline, and the capacity of high-speed licensed and unlicensed microwave backhaul radios from BridgeWave. In addition, we are recommending a high-end video management solution composed of highly scalable enterprise class servers running ONSSI's Ocularis video management software. Avrio RMS Group has deployed this solution or very similar configurations in cities across the country including the City of Buffalo, the City of Bayonne, the City of Pittsburgh and County of Fresno.The focus of Avrio RMS Group's design for the City of Moreno Valley resides in achieving high-speed connectivity to ALL locations via a mixed of wireless and fiber connected camera enclosures while providing the City with connectivity to these and many other locations via the City's future fiber backbone.

4.1 Infrastructure Component Descriptions

This section describes the essential features of the major hardware and software components of the system.

Avrio PoleCam

Three different PoleCam enclosure configurations are proposed for this project. Table 1 identifies the types of PTZ and Fixed camera configurations used at each location per phase. You will also note the types of quantities of the three portable "camera system" included as part of the proposal. These enclosures will be configured with one Axis Q6032-E PTZ camera, and one or two Axis P1347-E Megapixel (MP) Fixed Camera according to the location requirements.

Each PoleCam incorporates the switching and radio electronics with the Axis IP video cameras, the system is ideal for outdoor video surveillance applications. Designed for rapid deployment, the PoleCams houses the rugged switching fabric and power over Ethernet (PoE) devices for both the fiber and wireless radio connectivity. The diagram below illustrates the configuration for the one PTZ camera and the 2 Fixed cameras proposed for the City of Moreno Valley. This is the integrated unit that is currently installed and operational in many cities throughout around the country.

The Avrio PoleCam is part of the overall PODSS (Portable Outdoor Digital Surveillance System) approach and is an integrated enclosure, camera, and wireless system complete in one package. The all-aluminum enclosure is weather proof, lockable, and NEMA 3R rated. The PoleCam protects and conceals its cabling and equipment, which includes:

- Power over Ethernet power supplies for the cameras, radios and other peripherals

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- An exhaust fan for heat removal behind an aluminum screen and louvers and covered to prevent salt water aerosols from entering
- An AC surge arrestor and AC line noise filter to protect equipment is in front of the power outlet
- A hardened DIN rails switch with up to eight Gigabit Ethernet powers and up to four SFP slots for single or multimode fiber. Spare Ethernet ports allow for the addition of more cameras and network appliances as well as an Ethernet service port
- An on/off switch is also under the lid enabling power to be removed from all the equipment for servicing

With the utilization of the PoleCam, Avrio RMS allows for future expansion within the enclosure for locations that might require options such as;

- Ruggedized mini-computer for local recording and storage
- A high power Wi-Fi AP with WPA2 encrypted and optional WiMax capability for mobile applications, for connected Portable cameras to the network, for police connectivity from a patrol vehicle, or for access for maintenance purposes
- 3G/4-LTE Mobile modem access
- Gunshot detection smart sensor systems
- License plate recognition (LPR) cameras or other fixed or PTZ cameras

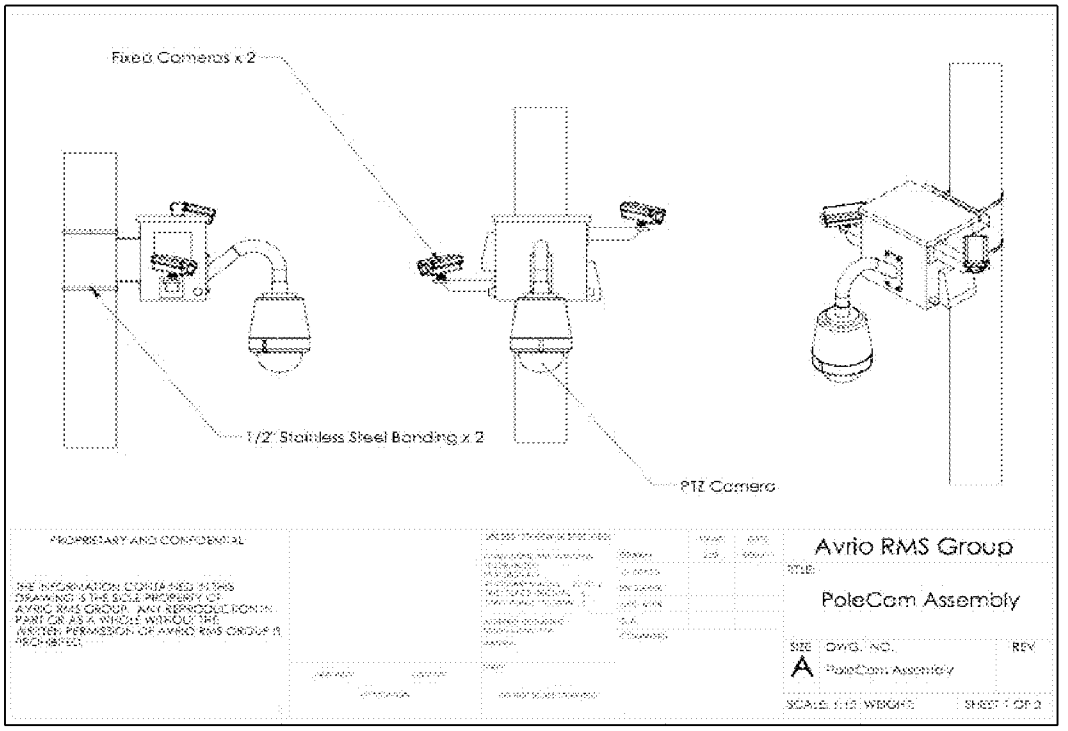

Figure 1: Avrio PoleCam

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	Enclosure Configurations		
Location	One PTZ plus (2) Fixed PoleCam	(2) Fixed Cameras PoleCam	One Fixed Camera PoleCam
PHASE 1	●	●	●
PHASE 1a	●	●	
PHASE 2	○		
LATER PHASES			
Green	●		
Purple	●		
Grey	○		
Portable Units	1	1	1

Table 1: PoleCam enclosure configurations proposed by Avrio RMS for this project

PTZ Camera - Axis Q6032-E

For the PTZ camera role, we propose the Axis Q6032-E PTZ network dome camera. This camera employs the H.264 codec with zoom capabilities of 35X optical and 12X optical. License plates can be read from a distance of 160m (525ft) and can distinguish make, color, and number of people in a vehicle passing through the view of the camera. This camera has a fast and precise pan/tilt response with tilt capabilities that extend 20° above the horizon for a total tilt range of 220°. This range in tilt enables better views, especially over uneven terrain and street level conditions.

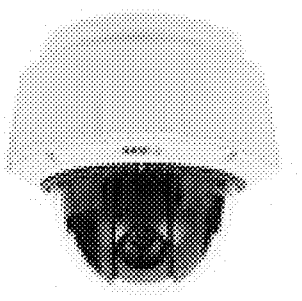

The Axis Q6032-E PTZ camera's low light performance makes this camera an excellent choice for citywide surveillance.

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Key Features

- 35x optical zoom and 12x digital zoom
- 128X wide dynamic range
- D1 video quality resolution
- H.264 encoding for efficient use of bandwidth and storage
- 30/25 fps (60/50Hz) in all resolutions
- 220 degree tilt (20 degree above horizon) with 360° endless panning
- Operating Temperature: -40° F to 122° F
- Private Masking capabilities
- Outdoor ready

Fixed HDTV MP Camera – Axis P1347-E

For the Fixed camera, we propose the Axis P1347-E HDTV Megapixel (MP) camera. Every PoleCam configuration includes up to two of these cameras based on the specified area of coverage. This top-of-the-line, 5 Megapixel (MP) outdoor-ready network cameras performs at HDTV resolutions of 1080p. Its precise iris control and H.264 code compression is highly suitable for citywide surveillance where a large coverage area requires extreme detail identification of objects, persons, and vehicles. Its 1/2.5" camera image sensor is capable of covering a four lane intersection while providing all the details needed from each lane of traffic on its view.

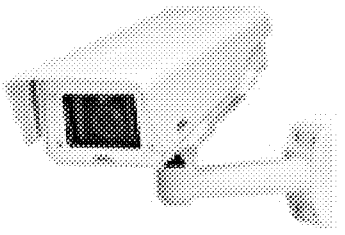

This camera can also deliver 3 MP and 2 MP 4:3 (1600x1200) frames at up to 30 frames per second (FPS) plus support for Motion JPEG.

Key Features

- 3.5 - 10 mm day/night Varifocal lens
- 5 MP resolution HDTV 1080p (2560x1920) resolution
- H.264 encoding for efficient use of bandwidth and storage
- Operating Temperature: -22° F to 122° F
- Outdoor ready
- Two-way full-duplex audio support
- ONVIF compliant to ease integration with a wide range of video management system

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Fluidmesh 1100 MITO Series Radios – Access Radios

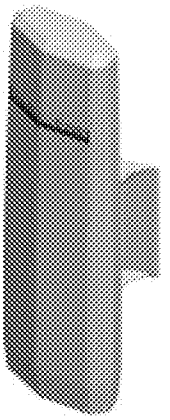

The Fluidmesh MITO Series radios are tri-band wireless Ethernet that offer a unique 2x2 MIMO solution with Ethernet capacities of up to 100Mbps via software plug-in. These radios can operate in the 4.9 GHz and in the 5.1-5.8 GHz with modulations of up to 300 Mbps. These small form factor radios offer integrated directional antennas which do not require the need for coaxial cables, lighting arrestors, and grounding for each radio. Not having to install external antennas at every location is a big advantage for the City as it can easily convert a wireless Fluidmesh location to a fiber location within minutes and relocate these resources at other locations with ease.

The Fluidmesh radios employ a high performance 'intelligent' transmission protocol that overcomes the limitations of standard license-free protocols of other products while delivering a higher level of reliability for data, video and voice.

These radios can be configured in either a mesh ring – loop, point to multipoint configuration (PMP), or point-to-point (PTP) configuration. Point-to-point topology and point-to-multipoint configurations will be used throughout the City PoleCam locations to achieve the highest bandwidth possible for current and future camera requirements all areas.

Several street backhaul locations, depicted in the design by YELLOW dots, will utilize these radios configured back-to-back as PTP as to extend or redirect the RF signal from one PoleCam or node location to the next. Various rooftop mounted installations will also include the deployment of these small form factor radios to provide client (PoleCam) radio connectivity.

Key Features

- Tri-band Operation:
  - 5.15-5.25 and 5.725-5.825 GHz (US, FCC)
  - 5.470 – 5.725 (Europe, ETSI)
  - 4.940 – 4.990 GHz (US, FCC)
- Modulation: OFDM (BPSK, QPSK, 16-QAM, 64-QAM (up to 300 Mbps)
- Antenna Beamwidth: 43°(H-pol), 41°(V-pol), 15°(Elevation)
- Power Consumption: 8W (passive PoE 15VDC)
- Ethernet Capacity up to 100Mbps via software plug-in
- Wind Survivability: 120 mph

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Redline Backhaul Radios

The Redline Series of backhaul radios offer the highest speed radios with the lowest low latency characteristics of any radio in their class. Redline radios were built with video surveillance in mind offering excellent capacity, multicast support, wire speed processing power, metadata prioritization, and plenty of buffers to cache burst video frames. Three types of Redline backhaul radios will be used in this project and will serve as the high-speed radios for this project. Their selection per location is based on the distance and capacity requirements at each location.

Avrio RMS Group will perform a spectrum analysis at each high-speed radio backhaul to determine the frequency range requirements for each location prior to deployment.

Redline AN-80i

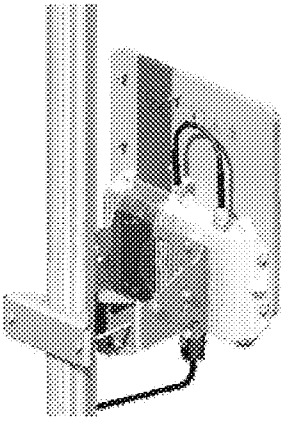

The Redline AN-80i delivers up to 90 Mbps of Ethernet data rate in the PTP configuration and 48 Mbps in the PMP configuration, which is the highest in its class. These radios offers the best The AN-80i can process video packets at over 176,000 PPS (packets/sec) with a latency of less than 3ms when configured as PMP, and less when configured as PTP. A lower latency value improves the video analytics (i.e., LPR, gunshot detection, etc) and a fast and smooth PTZ response.

Key Features

- Low latency: <3ms
- Range of frequencies:
  - 4.9 – 5.8 GHz
  - 3.3 – 3.8 GHz (3.65 GHz FCC)
- Ethernet Data Rate: up to 90 Mbps at PTP; up to 48 Mbps at PMP
- Antenna Beamwidth: 43°(H-pol), 41°(V-pol), 15°(Elevation)
- Processing Speed: 176,000 PPS (packets/sec)
- Operating Temperature: -40° F to 140° F

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Redline RDL-2000

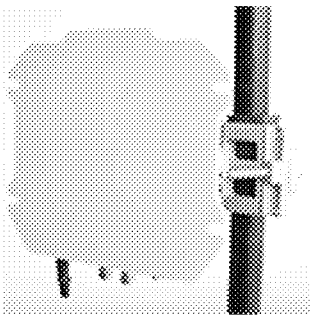

The RDL-2000 PTP broadband radio supports up to 200 Mbps wireless data rate with 2 x 2 MIMO for wire-speed Full Duplex 100Base-T. Its low end-to-end-latency of less than 2ms and adaptive modulation and coding makes this radio the perfect choice for the middle-mile locations where the highest capacity expansion is a must. Several of these radios will be used to aggregate various access links to the core uplink radio location.

BridgeWave BW80 Microwave Core Radio

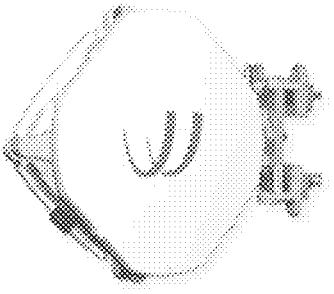

Included in this proposal is one BW80 high-speed 80GHz microwave licensed radio link with an initial capacity of 125 Mbps. This radio operate at full-rate, full-duplex and can be upgraded in steps to up to 1000 Mbps via software keys as budget and additional requirements allow. This carrier-grade radio link provides up to 99.999% availability over a highly secure narrow beamwidth antennas. These narrow beam (<2 degrees) allows these radios to be co-located without interference with other radios. Avrio RMS has deployed this radio in many cities around the country with excellent results.

4.2 Wireless Network Design

The core citywide camera network backbone design proposed for the City of Moreno Valley takes into consideration the existing city fiber backbone and a future conversion from a wireless core to fiber. Our design, as depicted by the drawings in Appendix A, demonstrates the feasibility of connecting to every camera in every phase of the project today wirelessly while interfacing to several fiber POP (point-of-presence) possible splice locations on the **RED** and **DARK GREEN** fiber paths. The proposed design is composed of various wireless and wired networks interconnected at several strategic locations throughout the city to form a highly scalable and resilient citywide camera network capable of supporting and expanding into almost every corner of the city.

Avrio RMS identified three possible Fiber POP locations that can be used as uplink to the city camera network. These locations and the cameras it will serve are depicted in table 2 below.

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Fiber POP Location	Address	Fiber	Camera Locations Served
City Yard	15670 Perris Blvd	**RED**	19, 36, 42, 43, and 44
Cactus Ave & Perris Blvd (Street Level)	Intersection	**RED**	15, 22, 25, 41, 46, 48, 50, 51, 54, 60, 61, 83, and 84
Location 65 (Street Level)	Alessandro Blvd and & Moreno Beach Dr. Intersection	**DARK GREEN**	20, 21, 23, 26, 55, 63, 65, 66, 73, and cameras at Park locations 32, 33, and 34

Table 2: Fiber POP locations proposed by Avrio RMS for this project

Table 3 below identifies the proposed building locations where wireless radio equipment is to be rooftop mounted if approved. The list of equipment to be installed at each of these locations is also identified in table 3 below and the affected phase locations.

Building Name	Address	Equipment to Install	Affect Phases
City Yard	15670 Perris Blvd	(1)AN-80i radio, (1)FM-1100 radio	1, 1a, 2
Waste Management Co.	17700 Indian St	(4) FM-1100 radios	1a, 2
Fire Station #58 (Auto Mall)	28040 Eucalyptus Ave	(1)AN-80i radio, (2)FM-1100 radios	1a, LP-Gray
Rancho Verde High School	17750 Lasselle St	(2)FM-1100 radios	2
City Water Reservoir	East Moreno Valley	(1)RDL-2000 radio, (1)AN-80i radio, (1) FM-1100 radio	1, 1a, LP-Green, LP-Purple, LP-Gray
Fire Station #6 (Town Gate)	22250 Eucalyptus Ave	(1)FlexPort23 µwave radio, (2) FM-1100 radios	1, 1b, 2
Fire Station #2 (Hemlock) New Monopole Tower	24935 Hemlock Ave	(1)FlexPort23 µwave radio, (3)RDL-2000 radios, (3)FM-1100 radios	All Phases
Sketchers Factory	29800 Eucalyptus St	(1)AN-80i radio, (2)FM-1100 radios	1b, LP-Gray
The Festival Shopping Ctr	Hemlock Ave	(2)FM-1100 radios	1, 2
Riverside County	26520 Cactus Ave	(1)BW80 µwave radio,	1, 2,

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Building Name	Address	Equipment to Install	Affect Phases
Regional Medical Center		(1)AN-80i radio, (3)FM-1100 radios	LP-Green
Kaiser Permanente Moreno Valley Medical Ctr	27300 Iris Ave	(2)FM-1100 radios	1
Moreno Valley College	16130 Lasselle St	(1)AN-80i radio, (3)FM-1100 radios	1, 2
Emergency Operations Center	22870 Calle San Juan De Los Lagos	(1)FlexPort23 µwave radio, (1)AN-80i radio	All phases

Table 3: Wireless Backhaul building locations proposed by Avrio RMS for this project.

In addition, several street pole level backhaul locations are proposed to facilitate connectivity between two distant radio nodes or between non line of sight locations. Table 4 below identifies these locations.

Backhaul Location	Intersection	Equipment to Install	Connects Locations
Iris Ave & Los Cabos Dr	South East corner	(2)FM-1100 radios	20 and Park cameras 24
Alessandro Blvd & Pepper St	South East corner	(2)FM-1100 radios	17 to BH to 14
Alessandro Blvd & Courage St.	North West corner	(2)FM-1100 radios	14 to 85 and BH to 17
Veteran's Memorial Park Light Pole (Cell-site)	Park North West corner	(2)FM-1100 radios	15 and 25
Heacock St (South of Meyer Dr)	East side	(2)FM-1100 radios	25 and 84
Perris Blvd & Filaree Ave	South West corner	(2)FM-1100 radios	15 and 83
Hemlock Ave & Kitching St	South West corner	(2) FM-1100 radios	74 and 75

Table 4: Street Pole Wireless Backhaul locations proposed by Avrio RMS for this project

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4.2.1 Core Wireless Network

The proposed wireless core is composed of three BridgeWave FlexPort23 microwave links and two BridgeWave BW90 microwave links. Please refer to Appendix A for the diagram of the Core High Speed Network proposed. Connectivity from one of the towers in the Box Springs antenna site to the city core locations below include the deployment of one BridgeWave FlexPort microwave link to each of the following three sites;

- Emergency Operations Center (EOC) building rooftop
- Fire Station #2 new 40' Monopole
- Fire Station #6 rooftop

An aggregate of 294 Mbps is calculated for the link between the Box Springs Tower (BST) and Fire Station #2. An aggregate of 57 Mbps is calculated between the BST and Fire Station #6, and an aggregate comprised of all the uplink camera traffic from the city camera network calculates to over 350 Mbps between the BST and the EOC core location.

Connectivity between the Fire Station #2 monopole and the East Valley Water Reservoir will be achieved with the use of a BridgeWave BW80 microwave radio link. The aggregate capacity for this link is 63 Mbps. Another BW90 link will be used to extend the city Fiber backbone from Phase 2 location 65 to the rooftop of the Riverside County Hospital.

Avrio RMS is including all conduit rooftop and tower copper/Fiber Ethernet cabling to connect the camera wireless and wired networks for all rooftops and street level locations. Connectivity at the EOC includes Ethernet extension to nearest IDF communications closet.

Core Option B – Box Springs Tower Bypass

Depicted in the Core High Speed Network diagram are two **LIGHT PURPLE** dashed lines that indicate a possible core network design that does not require connectivity to any tower on the Box Springs Mountain. This option will require installing an additional monopole around the EOC / City Hall complex as well as a self-supporting antenna mast at Fire Station #6. This approach provides no wireless path for all locations on the North Valley. An option for the North Valley cameras following this approach may consist on 3G/4G equipped PoleCams. These will not be running at the required 15-30 FPS. This approach is not quoted as part of this proposal but is a viable option if the City cannot facilitate a lease at a Box Springs tower that can achieve a microwave line-of-sight to the core city sites defined on the section above.

4.2.2 Backhaul Wireless Connectivity

The proposed backhaul wireless network, as defined by the drawings on Appendix A, depicts how all wireless connectivity is achieved for all cameras on all phases of the project. As part of this proposal, Avrio RMS is including all links depicted in **YELLOW**, **ORANGE**, and **BLUE** dashed lines which includes all Phase 1, Phase 1a, and Phase 2 locations. Later phases, depicted by **GRAY** color dashed lines indicate that the downlink node(s) (client nodes away from the core) are not included in this phase of the project and have not been budgeted as part of this proposal response. Nevertheless, almost all rooftop and street backhaul locations included as part

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will serve to connect to these camera locations in the future. Please refer to Tables 2, 3, and 4 for the correlation of the camera locations included with their uplink site and backhaul connectivity.

As depicted, our design is split in 8 sections of the City. Table 5 below identifies the total locations per Phase and the corresponding equipment included as part of this proposal.

	Total Locations Included			Radio Equipment Included				Parks
Networks	Phase 1	Phase 1a	Phase 2	BW80	RDL-2000	AN-80i	FM-1100	Loc
North Valley	3		2				12	29
South	1	1	3			2	10	
East Valley	2	1				2	6	38
West	1	1	2			1	9	
North Center	10	1	6		4		29	31
South East	4		4	(1) Link		2	21	32, 33, 34
Center	3		8		2		22	
West Center	3		1		1		13	30

Table 5: Street Pole Wireless Backhaul locations proposed by Avrio RMS for this project

Appendix B depicts the locations recommended by Avrio RMS Group for PoleCam and radio(s) installations at each proposed intersection. The intersection locations were determined based on the coverage specific requirements for each intersection and the availability of a street pole light at each corner as surveyed by Avrio RMS engineers.

4.2.3 City Park Networks

Avrio RMS Group is including all park locations specified on this RFP as part of our proposal. A total of 17 PoleCams equating to 41 cameras and 25 wireless radios are included in this proposal in support of the parks. Proposed locations within each park are depicted in Appendix C. The PoleCam locations proposed provide coverage to restrooms, playgrounds, and parking areas as identified by the City in the RFP. Table 5 above identifies the diagram which includes each park's connectivity up to the core. The FM-1100 FluidMesh radios are used to interconnect all of the PoleCams locations used for all parks wireless nodes

Support for full-duplex two-way audio, although not included as part of this proposal, is supported by the Axis P1347-E and has been deployed by Avrio RMS around the country. Avrio RMS has had success with the use of Sony SCA-S30 outdoor speakers and can be easily attached to any PoleCam system at any camera location.

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4.3 Video Management System

Ocularis, the IP video surveillance system of ONSSI, is a distributed, video-centric, security software platform that offers central event, user rights, video distribution and systems management. The proposed video management solution includes the base license and support for Ocularis and licenses for all the cameras included in this proposal. ONSSI can be scalable for an unlimited number of cameras and can access video recordings from multiple servers, multiple sites, and video from cameras at schools, banks, businesses, and other City departments. ONSSI supports all leading manufacturers' camera devices (over 900) and every analog camera on the market via the use of analog encoders. An unlimited number of clients are provided and includes map navigation with active camera previews and "drill" down across map layers for video viewing. In addition, the proposed ONSSI version includes shared event handling of events among multiple operators, integration to analytics, and automated push-video alerting, within others. Alerts can be configured to trigger alarms, send notifications to users, an activate outputs for video and audio alarms. Synchronized playback is an inherent feature of ONSSI and facilitates the viewing or live or recorded video simultaneously on the same timescale. ONSSI supports the video wall functionalities for one or more command and control centers which allow EOC backup centers to manage the same video smoothly under a disaster event. With ONSSI, an administrator has the ability to setup users, groups and roles that restrict user access to camera feeds, PTZ controls, etc. All user functions including access, controls, etc, are logged in ONSSI. The VMS system logs all operations. No additional licenses are required for user/client access to the system.

ONSSI provides an open-architecture with non-proprietary technology and has been designed to integrate via integration tools including Data Link Integration events, API commands, Contact Closure and more. A Software Development Kit (SDK) is available to enable integration of 3rd party components via APIs for integration to Kimley-Horn & Associates suite of products.

Although no audio capabilities were added as part of this proposal, Ocularis supports two way audio (from camera/IP device-connected microphones and to camera/IP device-connected PA system) such as the "Bogen" outdoor PA system. Audio from cameras is recorded and included in export of evidence. Audio is enabled in both live and playback mode and can be switched on and off from a menu list. Users may choose to include audio in the bookmarked video on a per camera basis and be exported as evidence.

ONSSI can also store and synchronize audio and video from any TV station broadcast when the necessary tuner and demodulators connect their signals to video encoders. Due to budgetary reasons, this portion of the RFP is not included in this proposal.

Avrio RMS Group has developed and deployed SensorScene™, Avrio RMS' internally developed middleware software which allows "sensors" and alarms to integrate and interface with many CAD systems. Such integration includes acknowledgements by the CAD system to alarms generated by external systems (e.g. gunshot detection, radiation detection, email) with the ability to accept a CAD record with a link to the preserved video from the Ocularis platform.

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This proposal includes a total of **216** ONSSI camera licenses and their support which covers all the cameras included in this proposal.

Servers and System Management

Avrio RMS Group is proposing **five** Pivot3 12TB (terabyte) high-definition servers and storage appliances with expansion capabilities for additional servers and storage with self-healing failover capabilities. The system will runs Windows Server 2003 64-bit and host the ONSSI Ocularis video management platform. These servers are rack-mounted and will be installed at EOC's preferred location.

Avrio RMS Group engineers will work with the City's IT Department to configure the VMS for network operation over the City's LAN.

Community Room Public Viewing Station

Avrio RMS Group is including one Dell Workstation running the Ocularis client with a software-based "kill" button that will disconnect the user from viewing the video immediately after the button is pressed.

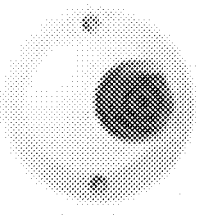

One Axis M3114-R HDTV (high definition) rugged fixed dome is included and will be installed in the monitoring room to facilitate the view of events within that area. This camera has a 2mm wide lens with a resolution of 1MP (1280x800) and can stream at 30 fps full rate in H.264 compression. This camera will be powered via PoE.

4.4 Project Management and Communication

Throughout the project Avrio RMS Group will provide a project manager as a single point of contact that will facilitate communication between internal resources and with the City's designated engagement consultant. The project manager will provide weekly, or as needed, written status reports and conference calls to discuss the project's progress. Additionally, the project manager will be responsible for managing documentation flow during the project ensuring that the designated personnel are working with the correct documentation at all times and will assign a designee to be available to attend the Community Advisory Meetings at the police department.

TESTING (INSTALLATION, USER ACCEPTANCE TESTING, AND PRODUCTION PERFORMANCE)

We implement testing in overlapping stages:

1) <u>Component and Assembly Testing</u>
   We test each component of every PoleCam we assemble during the assembly process to minimize the number of component failures at installation time. Additionally, we test all functions of the assembled PoleCam to detect assembly defects prior to installation.

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We extend this testing philosophy to all components of the system – Servers, Storage Arrays, and Radios.

2) Installation Testing
To the extent possible, we repeat the Assembly Testing as soon as the component is installed.
3) Subsystem Testing
When all the components comprising a subsystem – an entire mesh area, hard wired links, and server storage array – have been installed and configured the subsystem is tested to detect configuration and connection errors as soon as possible in the installation process.
4) Systems Testing
Prior to user Acceptance testing, the complete system is fully tested to reveal errors prior to user testing.
5) User Acceptance Testing
In cooperation with the County, all system functions will be tested with County personnel acting as operators. This has the advantage of testing the training.

These testing steps overlap and repeat until all errors are discovered and corrected.

PROCESS IMPROVEMENT

Avrio RMS Group's sole business is providing best of breed wireless network video surveillance solutions. There is no single technical solution that fits all customers -- we understand that every system that we deliver will be custom. In addition, we understand that we need to pay close attention to the requirements of the project but also know that we will also be able to contribute our expertise to deliver much more than the minimum. Some of the attributes to custom oriented solutions are:

a) Vendor agnostic. We have preferred equipment and software manufacturers but do not solely promote any one manufacturer. An excellent example is that we are certified to install four brands of video management software including Pelco, Milestone, ONNSI, and Genetec.
b) Open IP architecture. We always stress to customers the importance of an open IP architecture. In other words, the VMS must have a Software Development Kit for integration into other software platforms, the network should be comprised of off the shelf equipment that is non-proprietary, wireless and wired networking equipment should be Ethernet based (not proprietary), and documents and standards should be either defector or of recognized standards organizations. For example, documents delivered in PDF or DWG, and standards such as IEEE or ETSI.
c) Adaptability, experience, and creativity. There is no other wireless surveillance integrator with more large scale projects than us. One aspect of our success is our ability to adapt to changing customer needs and helping our customers get the most of their investment. As an example, in St. Paul MN, we are leveraging and expanding on the wireless network to

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additionally provide archiving of in-car police video through an automatic wireless upload process. This will eliminate the cumbersome process of manual export of video from police vehicle DVRs thereby potentially saving the police department hundreds of thousands of dollars in additional labor costs of the lifespan of the equipment.

d) Maintenance Contracts. Often we our contractually obligated to maintain the networks that we build for customers. It would be foolish for us to deliver an inferior product that requires continual maintenance because of the ongoing labor costs involved. It is in our best interest to always deliver a network that is low maintenance, reliable, and that exceeds customer expectations.

4.5 Maintenance and Support

This proposal includes one year of free maintenance and support. During the maintenance term Avrio will:

- Repair or Replace any failed component needed to restore the system to full operation.
- Provide 24-7-365 Help Desk support with a 4 hour maximum response time for critical repair issues.
- Provide a sparing solution, whereby critical spares inventory is maintained at local facility.
- Advanced RMA for all parts.
- Extended warranty for all system components.
- Remote diagnostics and troubleshooting (requires remote access to system)
- All software and hardware patches and firmware upgrades.

Project Plan			
Milestone Description	**Duration**	**Start**	**End**
Proposal Awarded – June 12th or 26th	**1**		
Milestone #1 - Detail Design & Signoff / Order / Begin PoleCam Production	20	7/2/2012	7/30/2012
Milestone #2 – Monopole, rooftops, tower equipment installations	30	7/30/2012	8/31/2012
Milestone #2 - Installation and Integration of Wired Infrastructure and Head End Equipment	20	9/3/2012	9/28/2012
Milestone #3 - Installation of PoleCams, Wireless Infrastructure and VMS Server	50	9/17/2012	11/16/2012
Milestone #4 - System Testing and Training	5	11/19/2012	11/23/2012
Milestone #5 - Post Installation Documentation /Moreno Valley Project Signoff	5	11/26/2012	11/30/2012

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Table 6: Project Plan

4.6 Training Plan

Training will be delivered as part of the overall solution. End user training will primarily be focused on operating the system and using the monitoring client. Topics include log in, monitoring, controlling PTZ functions, understanding hot spots, working with folders and views, browsing, searching archived video, etc. In addition to end user training, system training will cover basic administrative capabilities of the ONSSI system including camera settings, motion configuration, archive settings, etc. Lastly, system administrator training will cover basic aspects of user management and troubleshooting. Avrio RMS will provide a total of 40 hours of training inclusive of camera systems, video management systems, portable camera setup and configuration, and field training. All materials necessary for the training class will be provided.

4.7 Project Team Qualifications

The following is a high-level organization chart for the individual roles on the project team proposed.

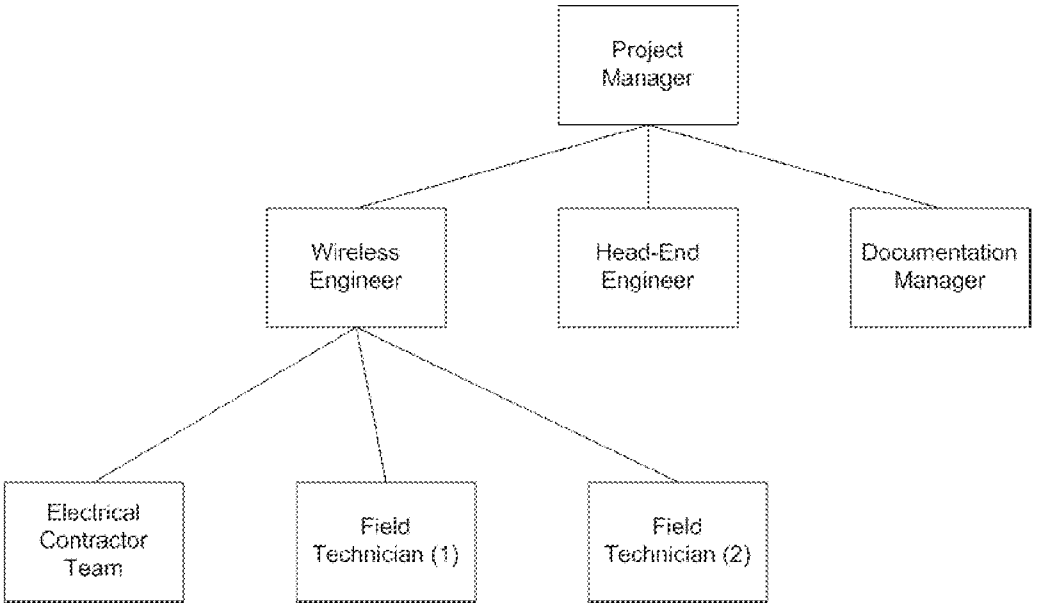

Figure 2: Project Team Structure

The following lists the proposed team members and their background:

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PAUL KARASZ
Solution Manager

Paul is a senior level engineer and project manager performing the role of Solution Manager for Avrio RMS Group for key clients across the United States and Caribbean. Paul is experienced in the successful deployment and remediation of complex Integrated IT solutions involving multiple technologies and vendors where typical challenges require a unique combination of diverse IT skill sets, scientific troubleshooting, and the ability to motivate teams. Prior to joining Avrio RMS Group, Paul was a principal consulting engineer with GTSI. At GTSI, Paul was the primary engineer responsible for delivering on wireless video and in-car video systems for the company. Paul has over 15 years' experience in physical security and information technology industries and has deployed dozens of solutions that exceeded client expectations.

Paul maintains the following certifications:

- Cisco Advanced Wireless Field Engineer (642-631), 2012
- Cisco Certified Network Associate (CCNA, 640-802) Wireless, 2011
    - Implementing Cisco Unified Wireless Network Essentials (640-721), 2011
    - Conducting Cisco Unified Wireless Site Survey (642-731), 2011
    - Cisco Lifecycle Services for Advanced Wireless (650-621), 2011
- DataCore Certified Implementation Engineer (DCIE), 2011
- Xiotech Certified Administrator: Emprise 5000, 2011
- Hitachi Data Systems Storage Foundations Enterprise, 2010
- Hitachi Data Systems Storage Foundations Modular, 2010
- Dell Blade Server Solutions (Technical Training DBSSTT0409WBTT), 2010
- Xiotech ISE Sales Certified, 2010
- Genetec Omnicast OCT002-4.6, 2010
- Genetec Omnicast OCT001-4.6, 2010
- Panasonic Arbitrator 360 Certified Integrator, 2010
- Hitachi Data Systems Sales Foundations, 2010
- Milestone ™ Enterprise 6.5, XProtect Corporate 2.0, and XProtect Analytics 2.0 Certification, 2009
- Motorola Point to Point Wireless Products, 2007
- AirMagnet Certified Product Expert, 2007DVTel NVMS 5.0 Technical Training, 2007
- Insight Video Net CMS 3.0 Integrator Certification, 2007
- Insight Video Net CMS 2.5 Integrator Certification, 2006
- Vidient SmartCatch installation and configuration Training, 2006
- Verint nDVR SmartSight Certification, 2006
- Pelco Endura and IP Video Design (PCSD), 2006
- Pelco CCTV Training, 2006
- Object Video Partner Training, 2005

<u>Professional Credentials and Associations</u>

- Virginia DCJS Registered Electronic Security Technician

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- Virginia DCJS Registered Electronic Sales Representative

Security Clearance

- Top Secret, Active

JASON NAGY

Senior Project Manager

Mr. Nagy is a seasoned project manager with a strong technical background. Mr. Nagy has directed some of Avrio RMS Group's largest projects including the City of Pittsburgh, Ring of Steel Project. Prior to Avrio Group, Jason was the lead project manager at STS International where he contracted to Cisco for the re-architecture and design of all sales and engineering offices in the Latin America region. Responsible for planning, executing and delivering a 16 million dollar upgrade of technological, logistical and architectural services for the sales and engineering teams in the Latin America Theater to include the following countries: Peru, Costa Rica, Venezuela, Brazil, Colombia, Panama, Argentina and Ecuador. Well versed in working with the countries local and state governments in importing goods and services to the region for deployment. Maintained knowledge of culture and continuing relationships with local workforce for future deployments in the region.

He has handled all aspects of project management as it relates to internal technical infrastructure changes and upgrades for Cisco's sales offices, data centers and campuses. These upgrades include; hardware, software, networking changes, next generation wireless video implementations, VoIP, video conferencing and more. Many of their campus locations required a primary fiber optic link between buildings, with a secondary wireless broadband network built in for redundancy purposes. He managed the budgets, staffing, field engineers, customer satisfaction, accountability and project completion and assurances. Mr. Nagy is a certified Project Management Professional (PMP) with additional certifications including ISO: 90001:2000 and CCNP.

PRASANNA KATTEL

Chief Technology Officer

Mr. Kattel has more than 10 years expertise in designing and deploying enterprise systems for large scale deployments. Mr. Kattel oversees all system designs and is responsible for overall resource allocation and quality of delivery.

At Avrio Group, Prasanna was instrumental in the rollout of both the Democratic National Convention security system and the Republican National Convention security system. He was responsible for all IT related design, procurement, configuration, installation and integration within existing government IT infrastructure. Prasanna is certified in Genetic Omnicast as well as ONSSI, the world's leading video management software platforms.

Prior to Avrio Group, Prasanna has deployed complete Cisco networking and Vo-IP environments for multi-million dollar organizations. In addition, Mr. Kattel has deployed video surveillance solutions including IP and analog cameras for customers around the country. Mr.

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Kattel's knowledge of both software and hardware IP-based systems including ONSSI, Genetic, AutoVu and Agent VI for content analysis provide the necessary foundation to ensure quality delivery of complete turn-key solutions.

Mr. Kattel holds a masters degree in Information systems technology from George Washington University.

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5. Workers' Compensation Insurance Certificate

The Proposer acknowledges that Sections 1860 and 1861 of the California Labor Code require every contractor to whom a public works contract is awarded to sign the following statement:

> I am aware of the Provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provision of that code, and I will comply with such provisions before commencing the performance of the work of this Contract.

By: _____

Date: _____

Title: _____

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6. Independent Contractor Agreement

The Proposer acknowledges the terms set forth in this portion of the RFP, including that this Agreement is made by and between the City of Moreno, California, a municipal corporation, hereinafter referred to as the "City" and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 5306 authorizes the engagement of persons to perform special services as independent contractors; and
B. The Public interest, convenience necessity and general welfare will be service by the Agreement.
C. This Agreement is made and entered into effective the date that the City signs this Agreement.

6.1 Contractor Information

Contractor's Name:	Avrio RMS Group	
Address:	3 North Harrison Street	
City: Easton	State: MD	Zip: 21601
Business Phone:	Fax Number:	
Other Contact Number		
Business License Number		
Federal Tax I.D. Number		

6.2 Contractor Services, Fees and Relevant Dates

A. The Proposer acknowledges that the Contractor's scope of service is described in Exhibit "A" attached to the RFP and incorporated herein by this reference.
B. The Proposer acknowledges The City's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. The Proposer acknowledges that the Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is _____ and the Contractor Ending Date is

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_____The proposer recognizes the City's acknowledgement that the City will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

6.3 Standard Terms and Conditions

The Proposer acknowledges and accepts the following elements of the RFP:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all claims which arise from the negligent performance or failure to perform the services or other

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obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, **Workers' Compensation Insurance** in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$5,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

Insurance requirements waived with Risk Manager's approval.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the

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coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit

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inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

Signature Page to Follow

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7. Signature Page

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley	Avrio RMS Group
BY:	BY: _____
City Manager	President
	_____
	Date
	BY: _____
	TITLE _____
	(Corporate Secretary)
	_____
	Date

INTERNAL USE ONLY ATTEST:
City Clerk APPROVED AS TO LEGAL FORM City Attorney
Date RECOMMEND FOR APPROVAL
Chief of Police Date
Financial & Administrative Services Director
Date

MV00173761

Appendix A. Wireless Network Design

MV00173762

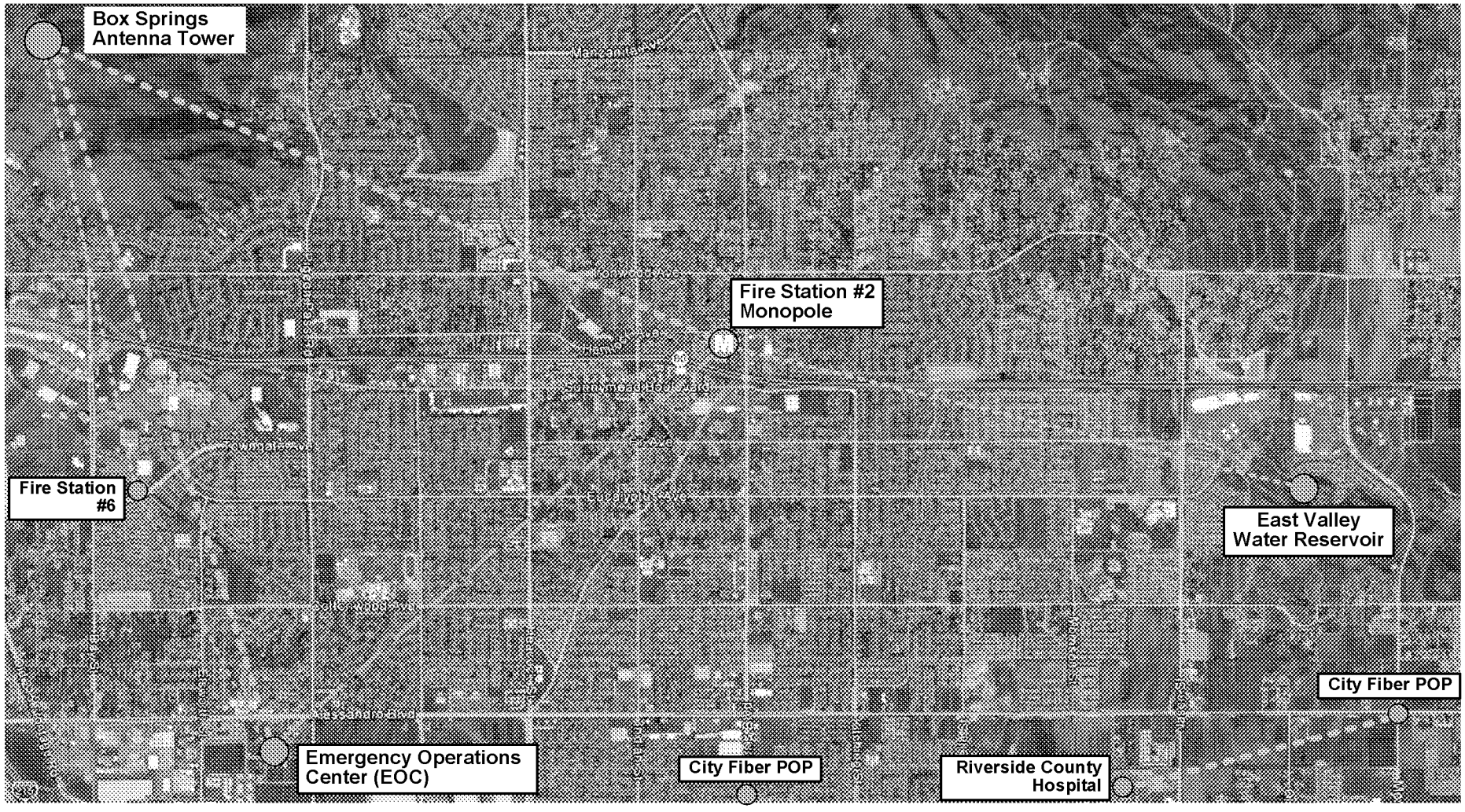

Microwave Wireless Link

High Speed Wireless Link

Core Option B
Box Springs Antenna Bypass

Microwave Wireless Link

High Speed Wireless Link

AVRIO RMS GROUP
A Carrick Bend Company

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** Core High Speed Network	MV-Core.vsd Date May 2, 2012	AVRIO RMS Group

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PHASE 1
PTZ + 2 Fixed Cameras
Wireless Polecam

PHASE 2
52 PTZ + 2 Fixed Cameras
Wireless Polecam

Later Phase Green
69 PTZ + 2 Fixed Cameras
Wireless Polecam

Later Phase Grey
81 PTZ + 2 Fixed Cameras
Wireless Polecam

Park Camera
Wireless Network

PMP Mesh
Wireless Link

Mesh
Wireless Link

Mesh
Future Link

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** North Valley Network	**MV-NorthValley.vsd** Date **May 2, 2012**	AVRIO RMS Group

MV00173764

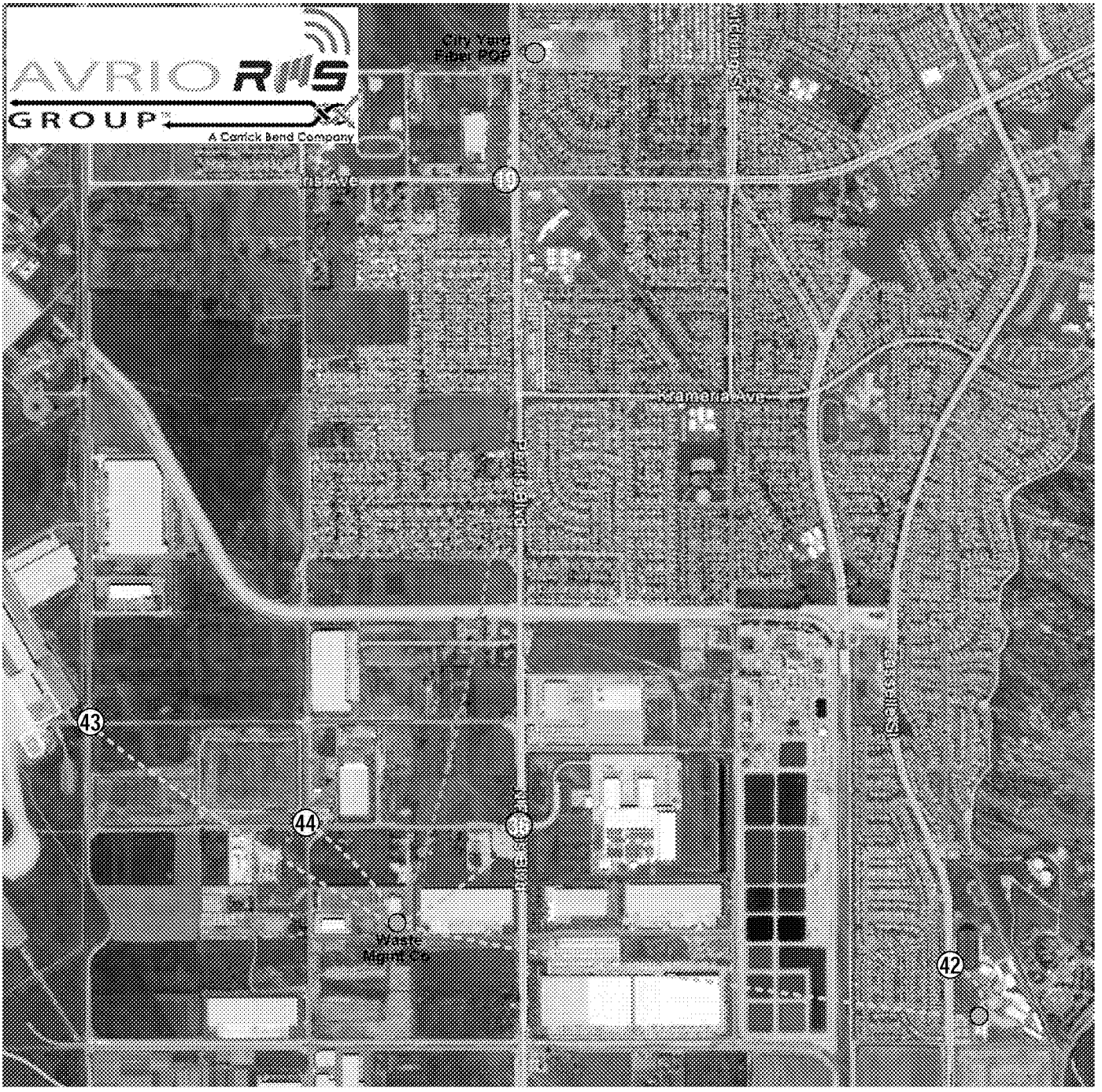

PHASE 1
PTZ + 2 Fixed Cameras
Wireless Polecam

PHASE 1a
PTZ + 2 Fixed Cameras
Wireless Polecam

PHASE 2
66 PTZ + 2 Fixed Cameras
Wireless Polecam

High Speed Wireless Link

Mesh Wireless Link

Building Backhaul

Street Pole Backhaul

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** South Network	**MV-South.vsd**	AVRIO RMS Group
		Date **May 3, 2012**	

PHASE 1
PTZ + 2 Fixed Cameras
Wireless Polecam

PHASE 1a
PTZ + 2 Fixed Cameras
Wireless Polecam

Later Phase Green
PTZ + 2 Fixed Cameras
Wireless Polecam

Later Phase Purple
PTZ + 2 Fixed Cameras
Wireless Polecam

Later Phase Grey
PTZ + 2 Fixed Cameras
Wireless Polecam

Building Backhaul

Street Pole Backhaul

Microwave Wireless Link

High Speed Wireless Link

Mesh Wireless Link

Mesh Future Link

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** East Valley Network	**MV-EastValley.vsd** Date **May 2, 2012**	AVRIO RMS Group

MV00173766

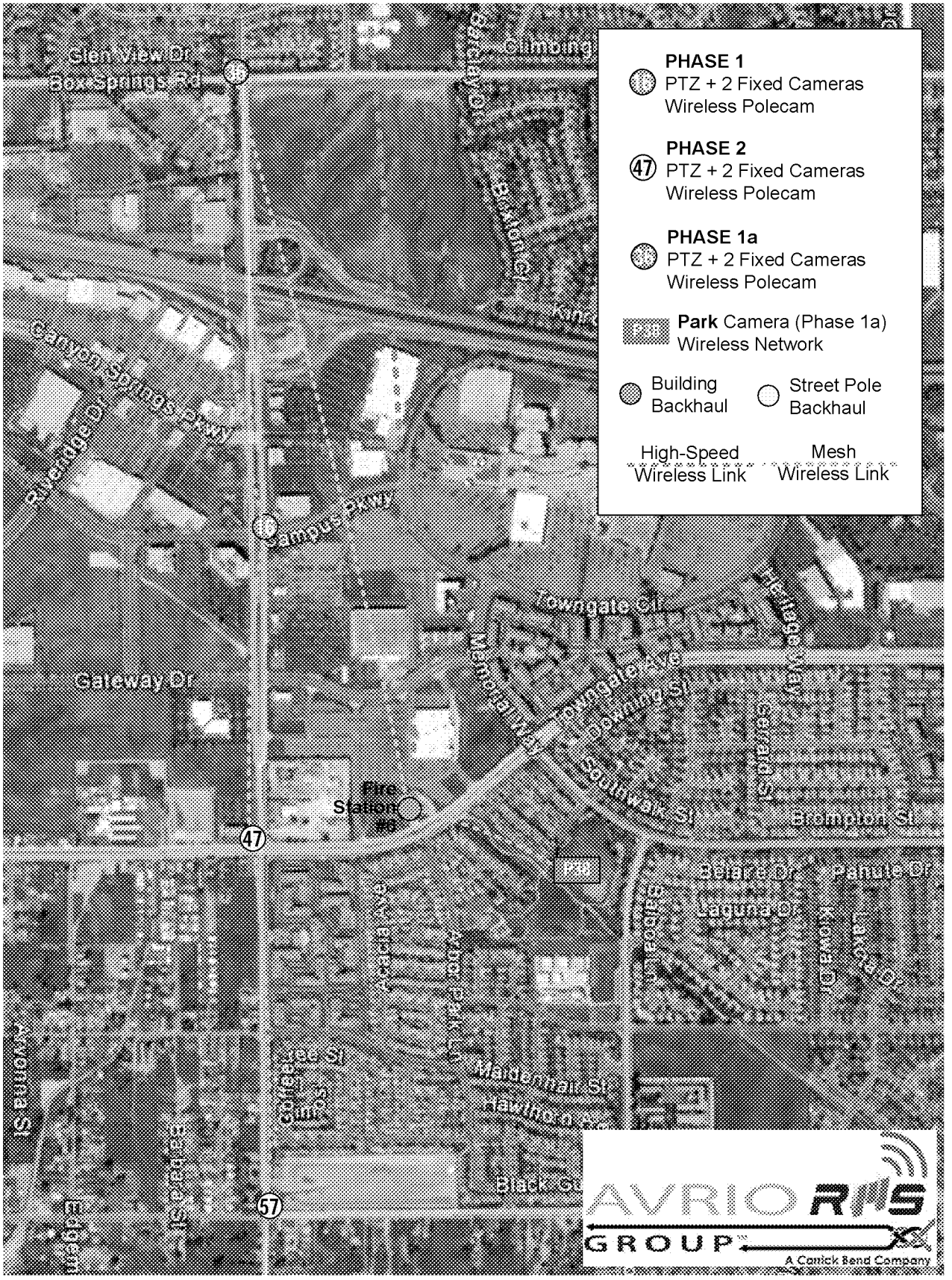

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City of Moreno Valley	**Citywide Camera Surveillance System** West Network	MV-West.vsd	AVRIO RMS Group
		Date May 3, 2012	

MV00173767

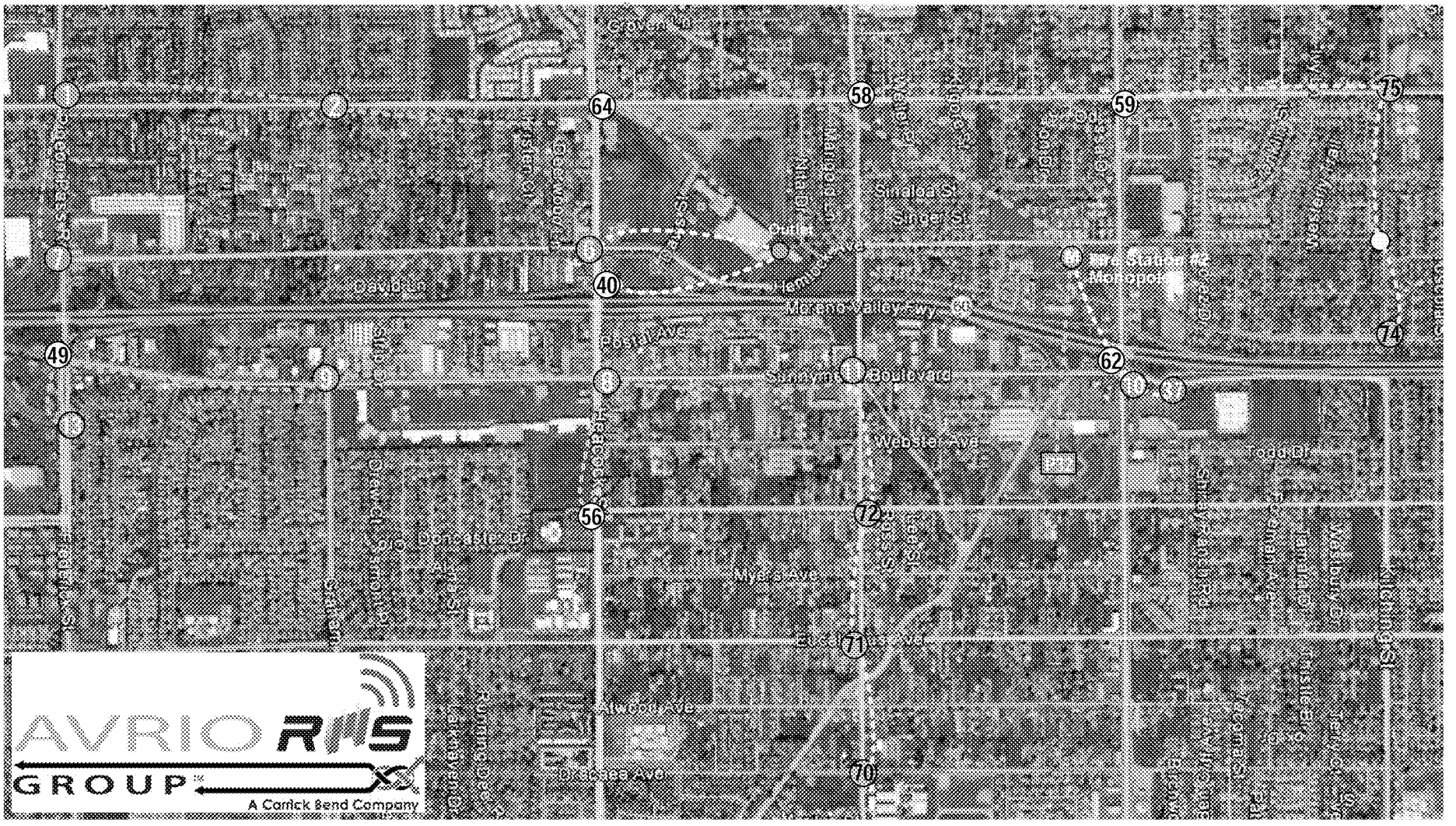
AVRIO RMS
GROUP
A Carrick Bend Company
Cactus Ave
Perris Blvd
Heacock St
Indian St
Moreno Valley Ranch Blvd
Dracaea Ave
Iris Ave
Alessandro Blvd
Cactus Ave
Nandina Ave
Dracaea Ave
Sunnymeadows Blvd
Sinclair St
Graham St
Lasselle St
Redlands Blvd
Theodore St
Frederick St
Moreno Valley Ranch Blvd
Heacock St
Indian St
Perris Blvd
Cactus Ave
Iris Ave
Alessandro Blvd

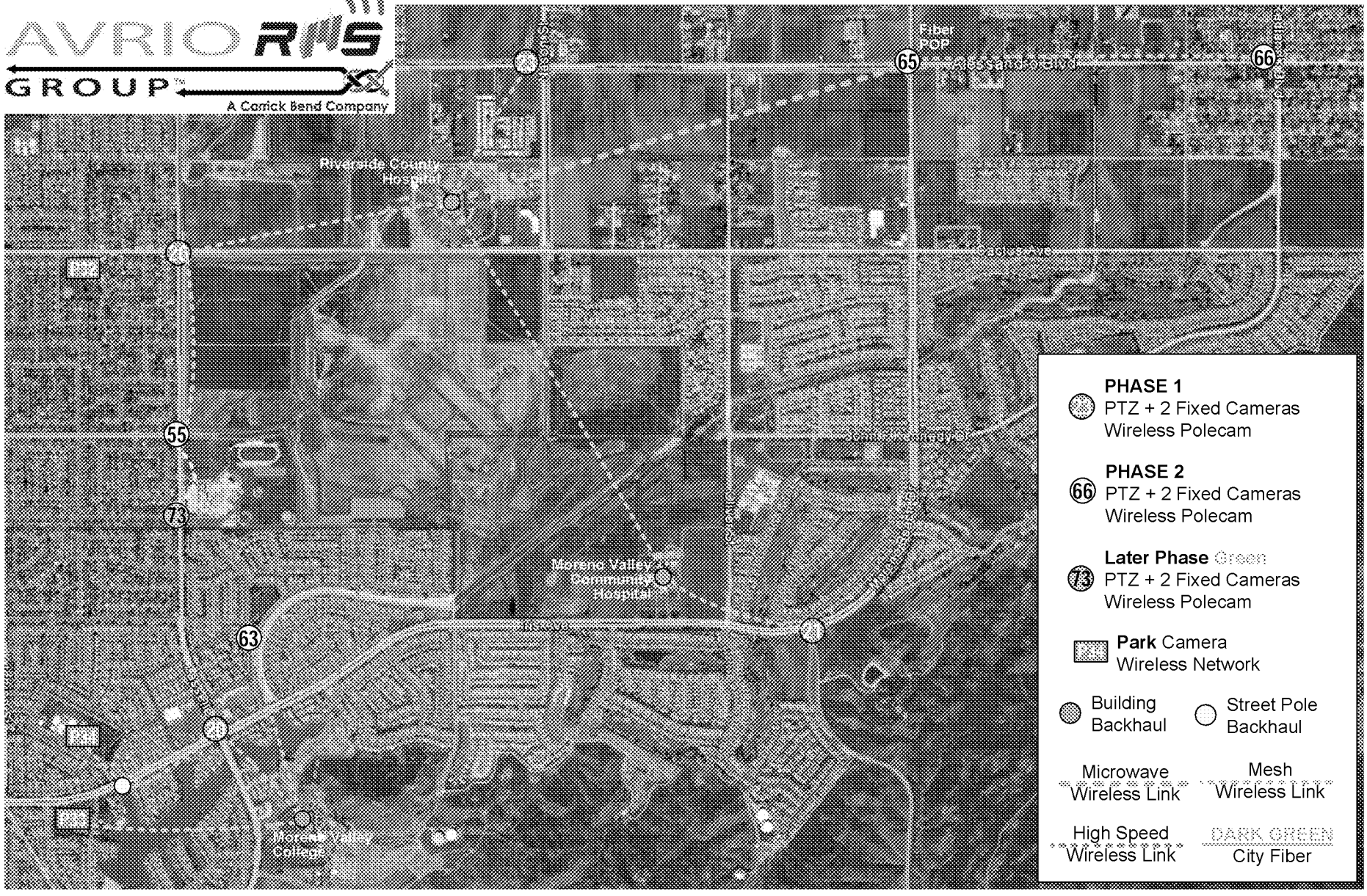

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** South East Network	MV-SouthEast.vsd	AVRIO RMS Group
		Date May 2, 2012	

MV00173769

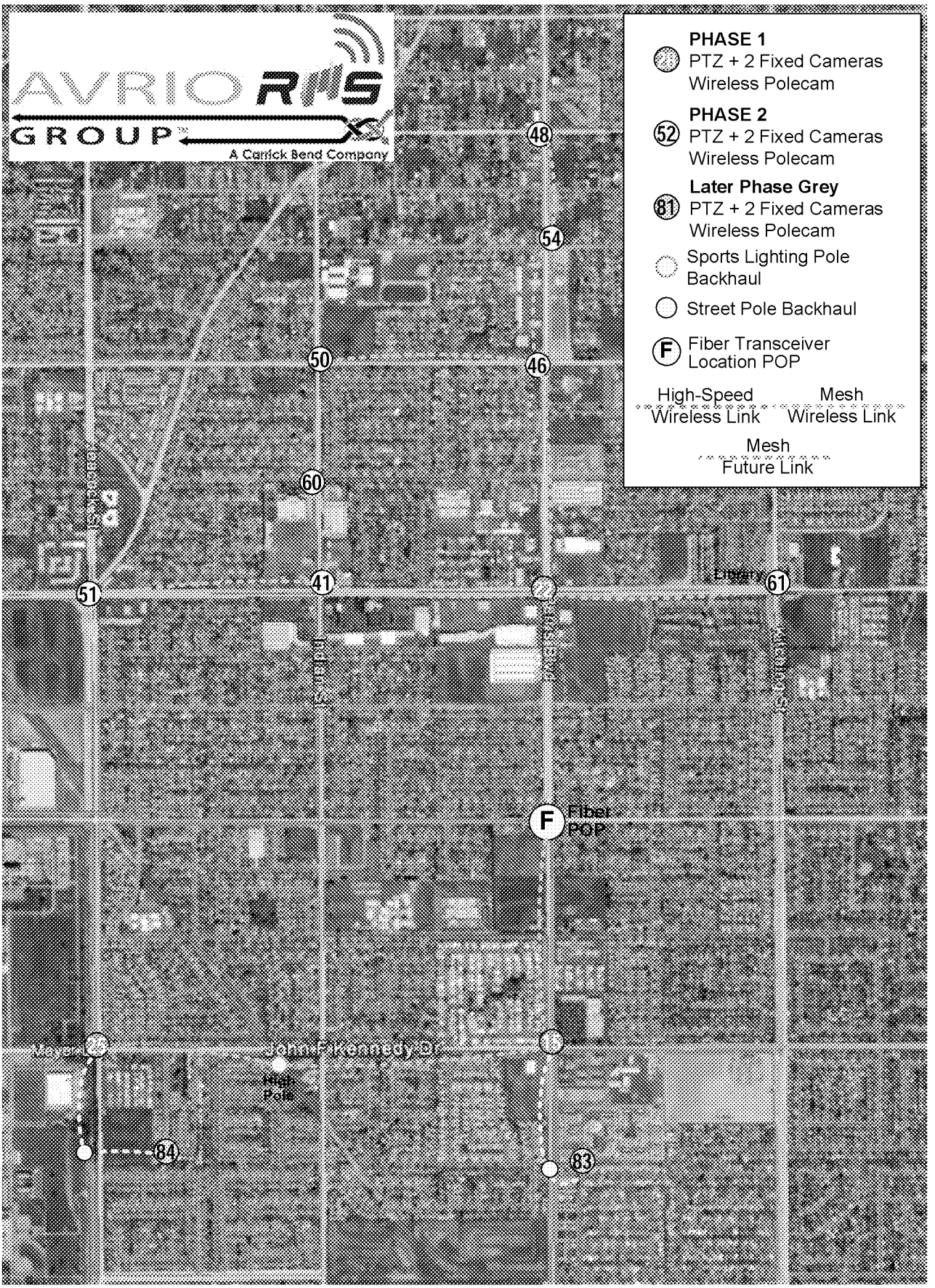

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** Center Network	MV-Center.vsd	AVRIO RMS Group
		Date May 3, 2012	

MV00173770

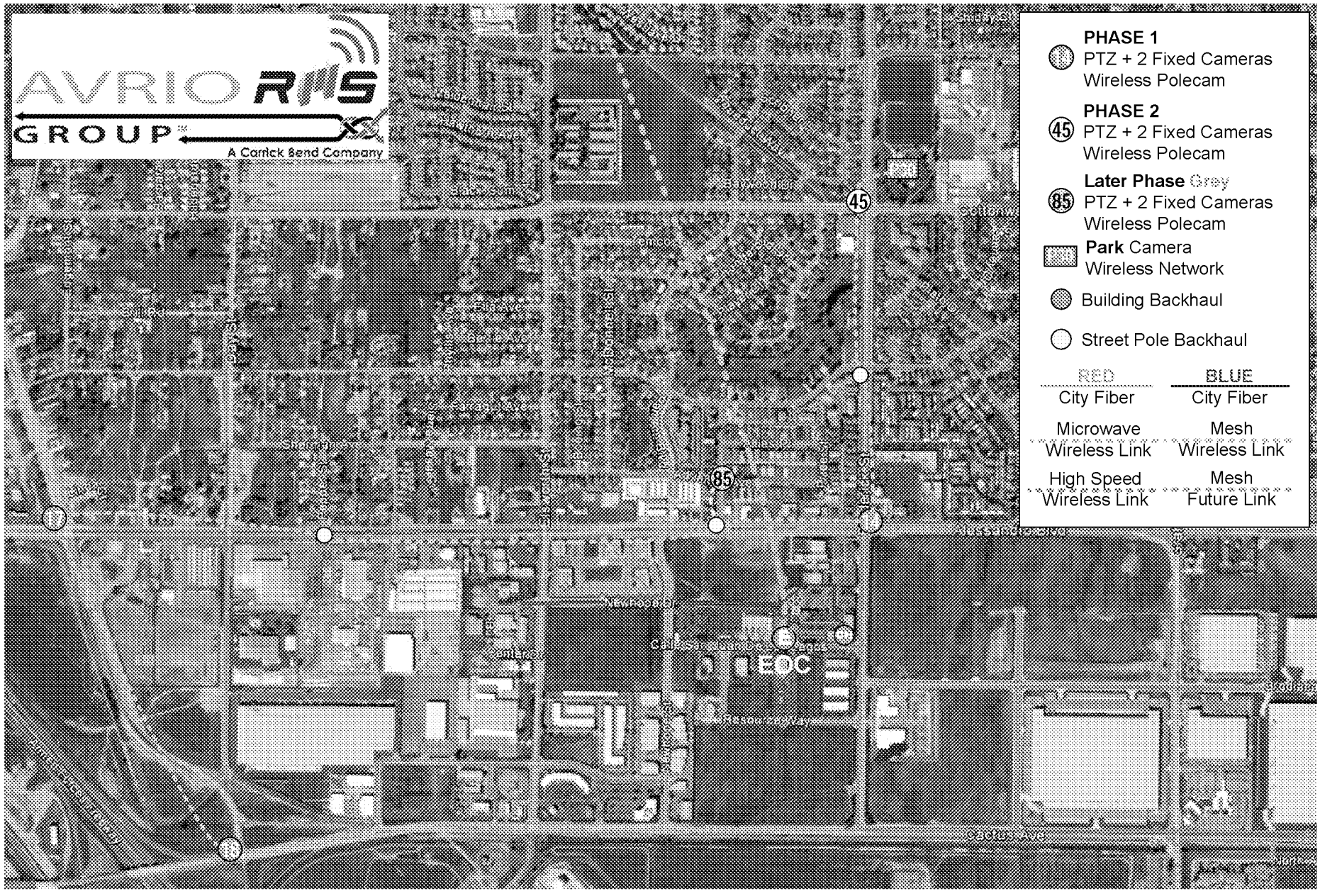

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** West Center Network	MV-WestCenter.vsd Date May 3, 2012	AVRIO RMS Group

MV00173771

Appendix B. Camera Locations

MV00173772

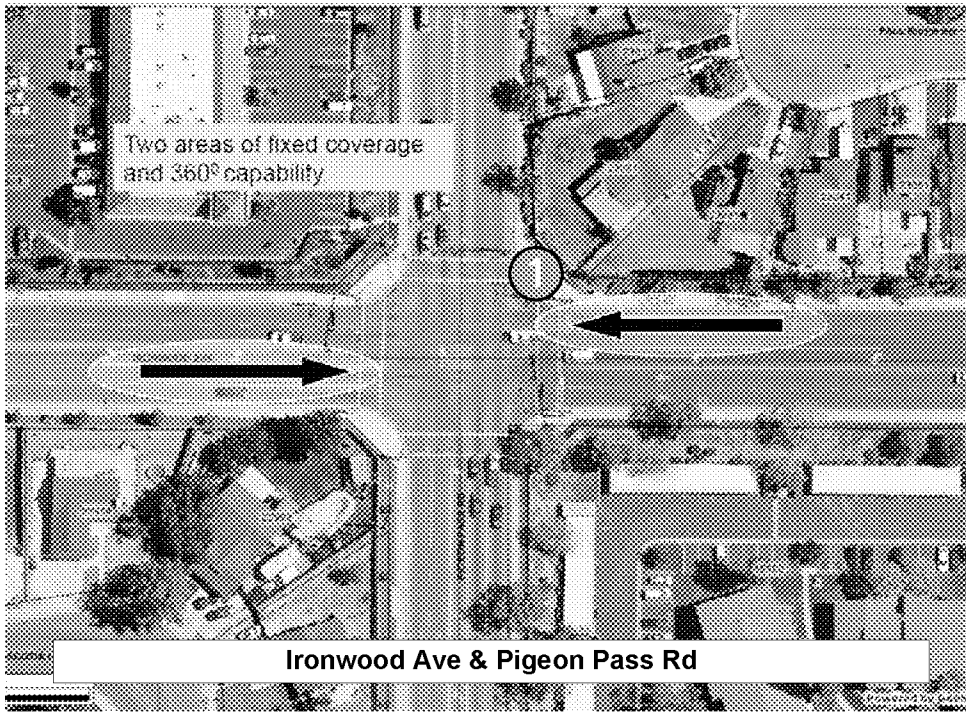

Ironwood Ave & Pigeon Pass Rd

Ironwood Ave & Graham St

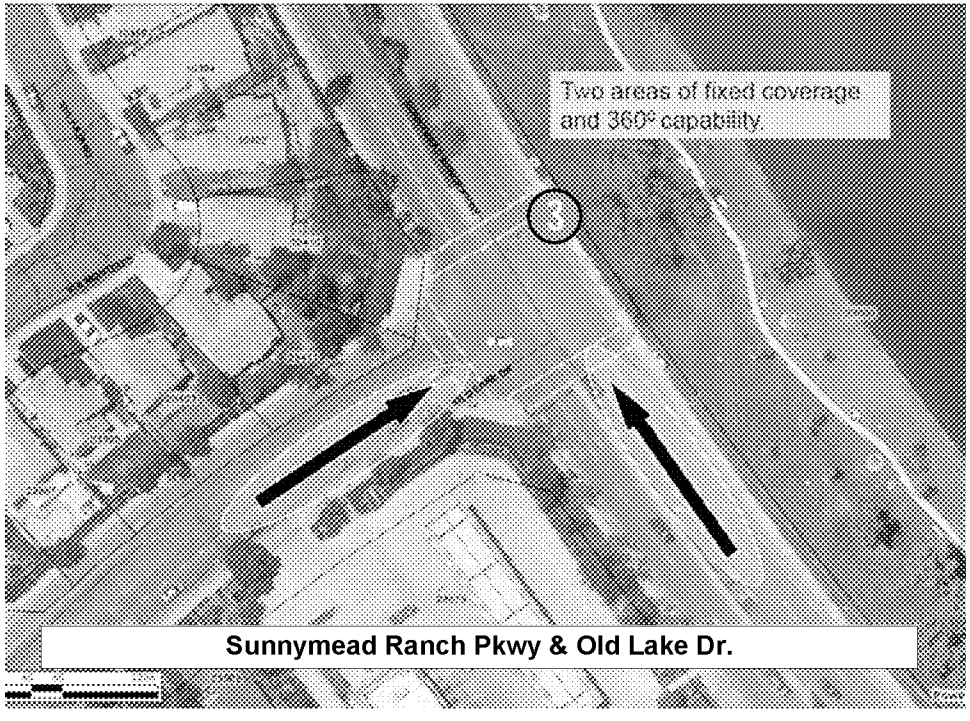

Sunnymead Ranch Pkwy & Old Lake Dr.

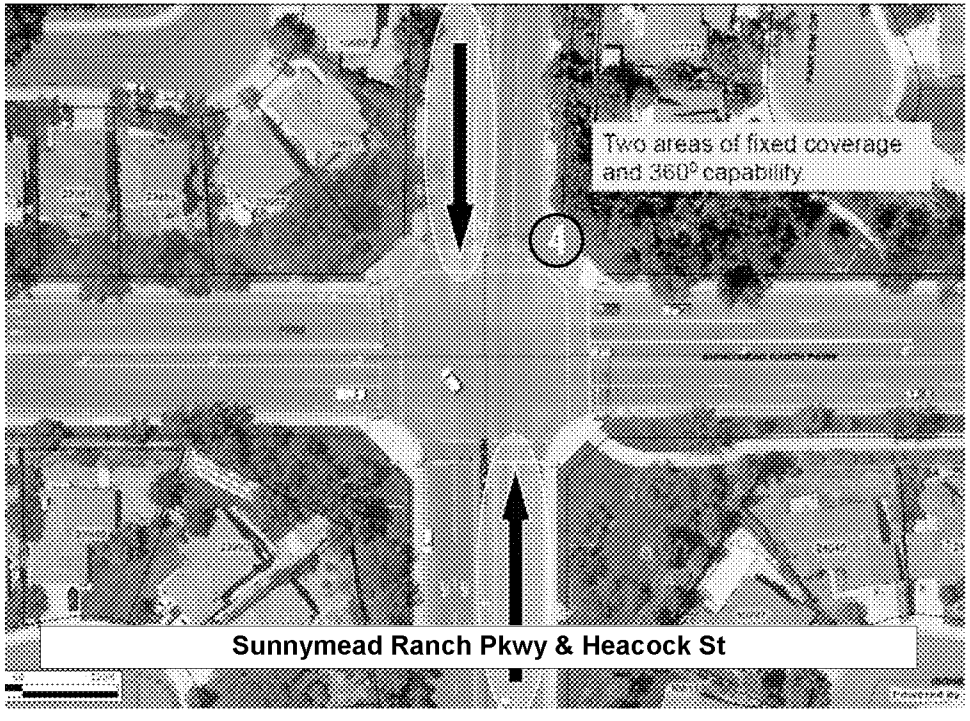

Sunnymead Ranch Pkwy & Heacock St

MV00173773

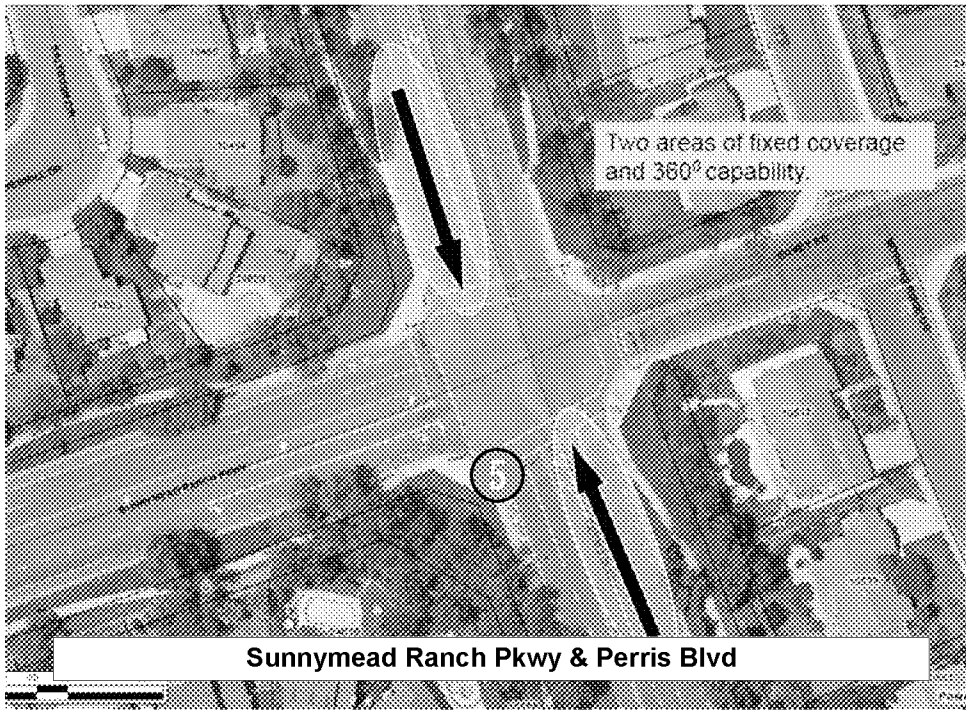

Sunnymead Ranch Pkwy & Perris Blvd

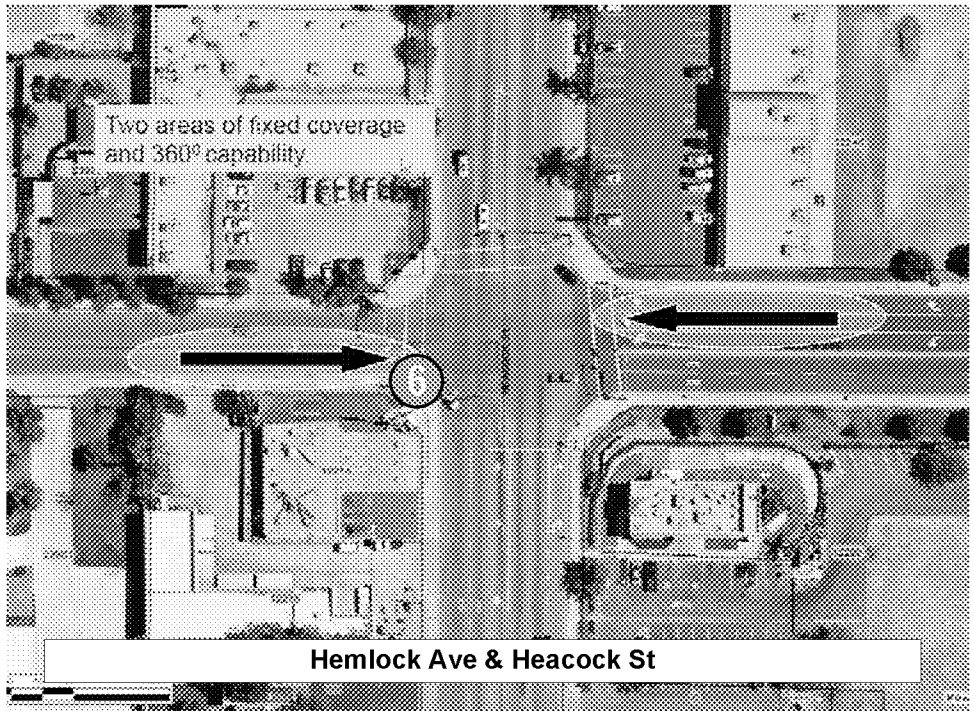

Hemlock Ave & Heacock St

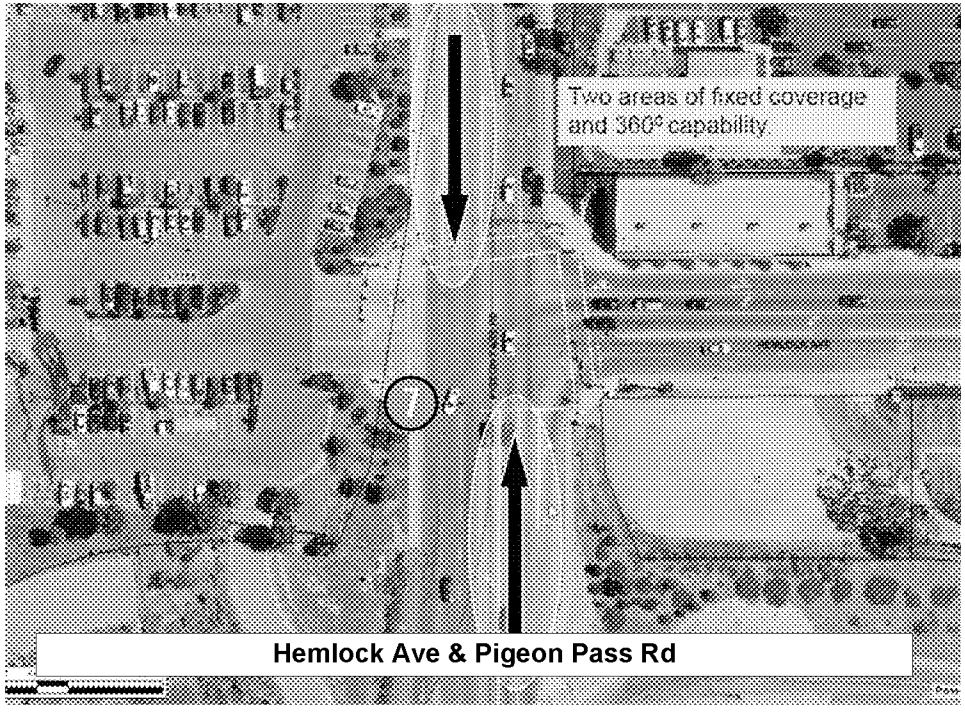

Hemlock Ave & Pigeon Pass Rd

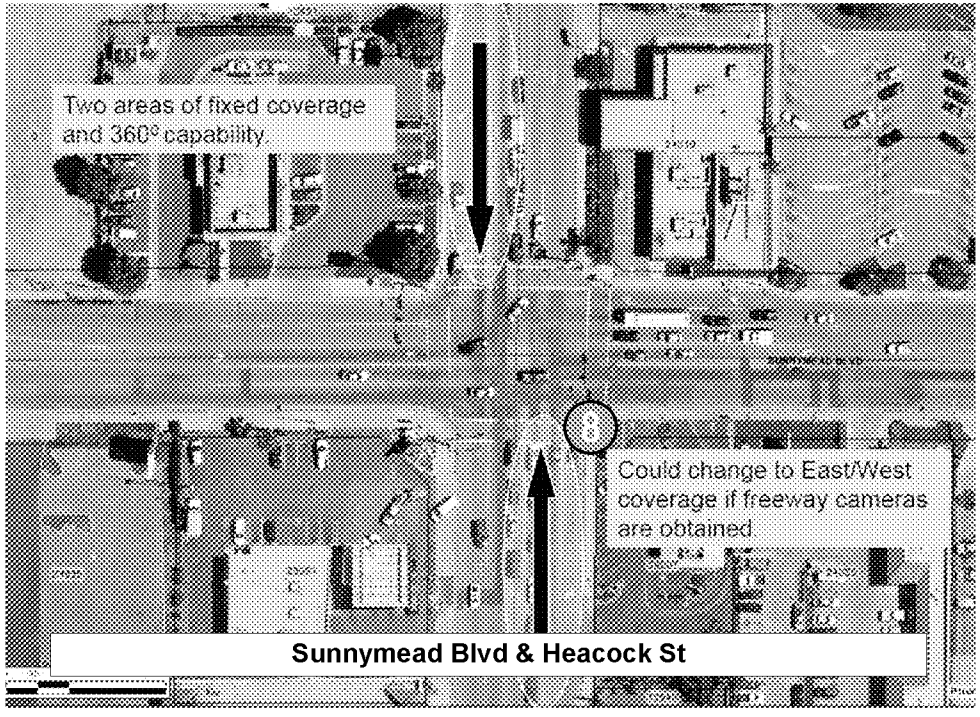

Sunnymead Blvd & Heacock St

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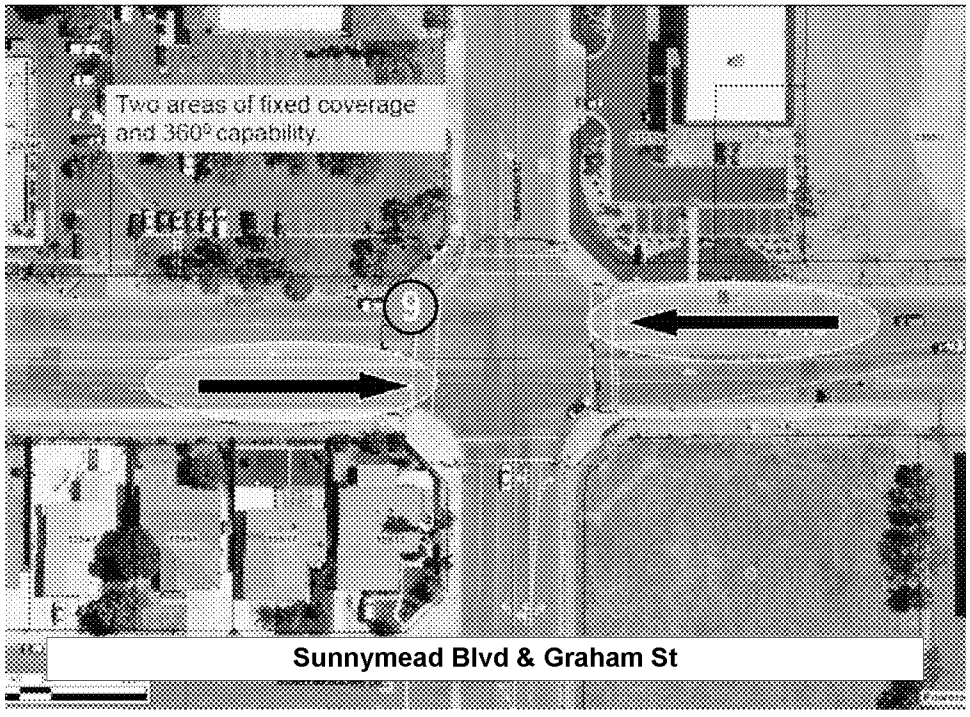

Sunnymead Blvd & Graham St

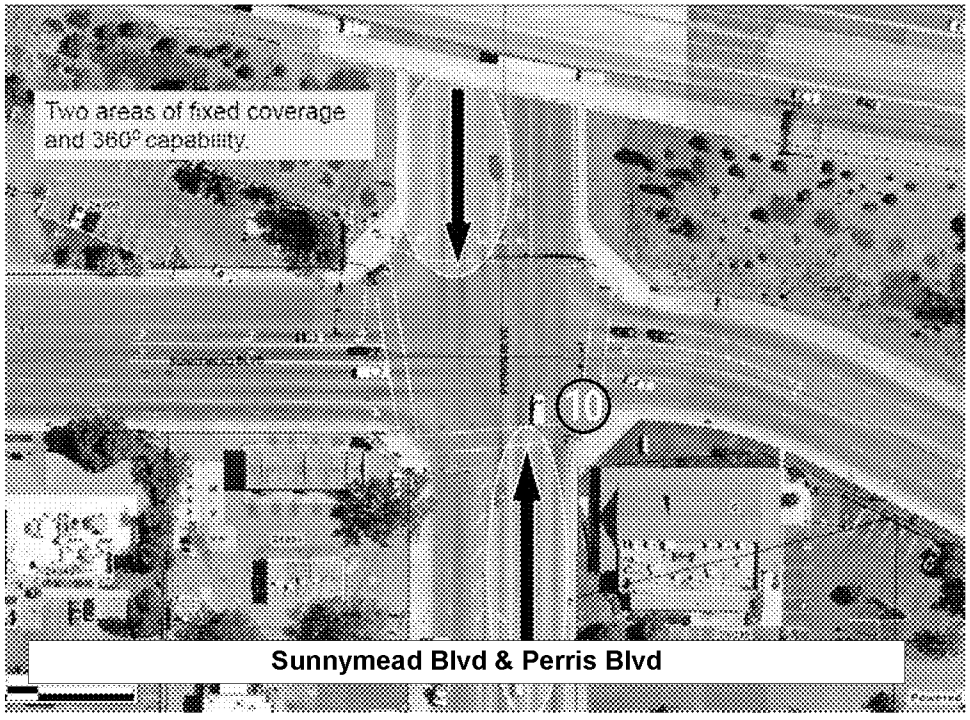

Sunnymead Blvd & Perris Blvd

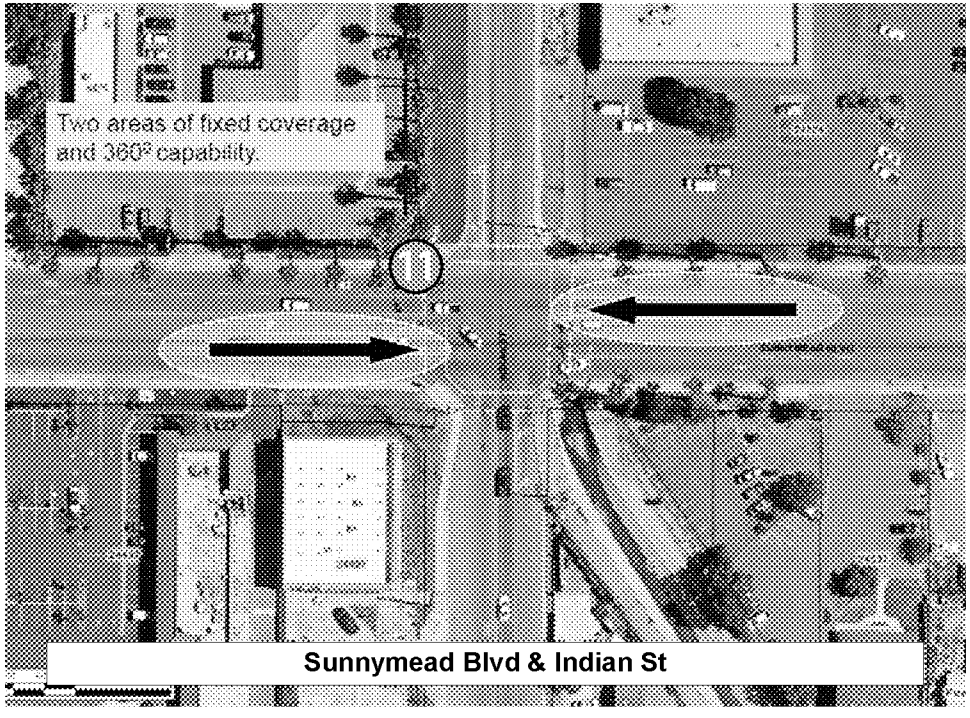

Sunnymead Blvd & Indian St

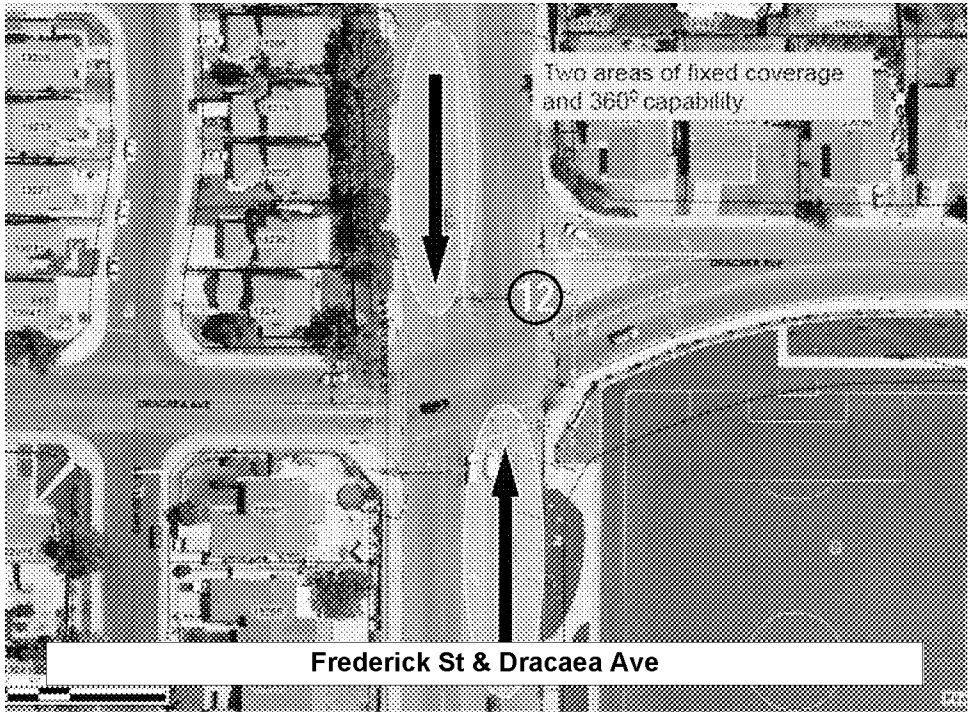

Frederick St & Dracaea Ave

MV00173775

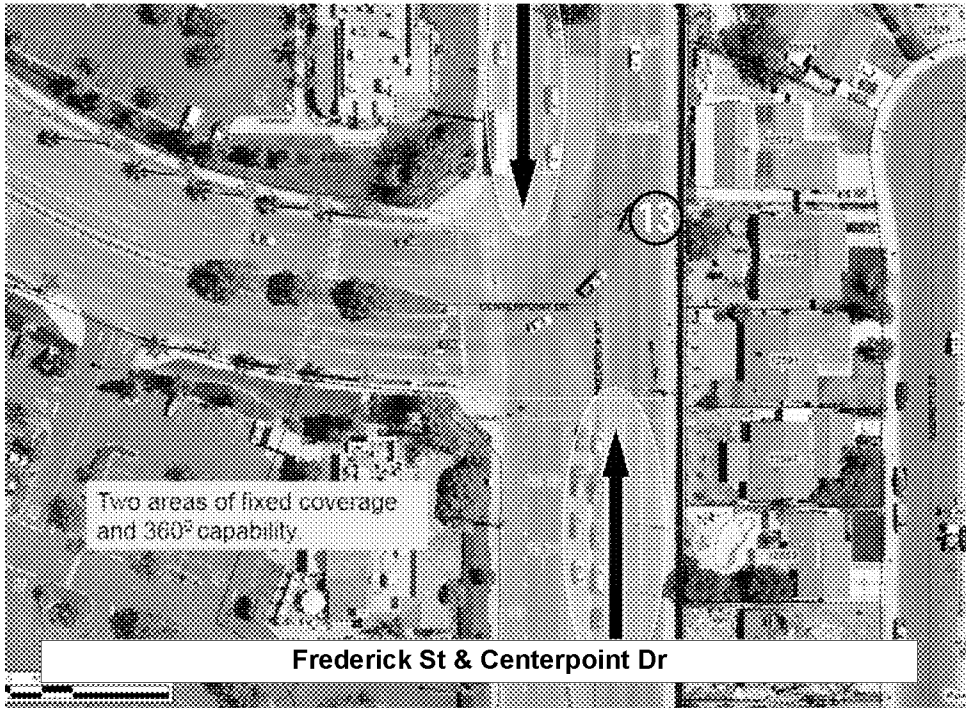

Frederick St & Centerpoint Dr

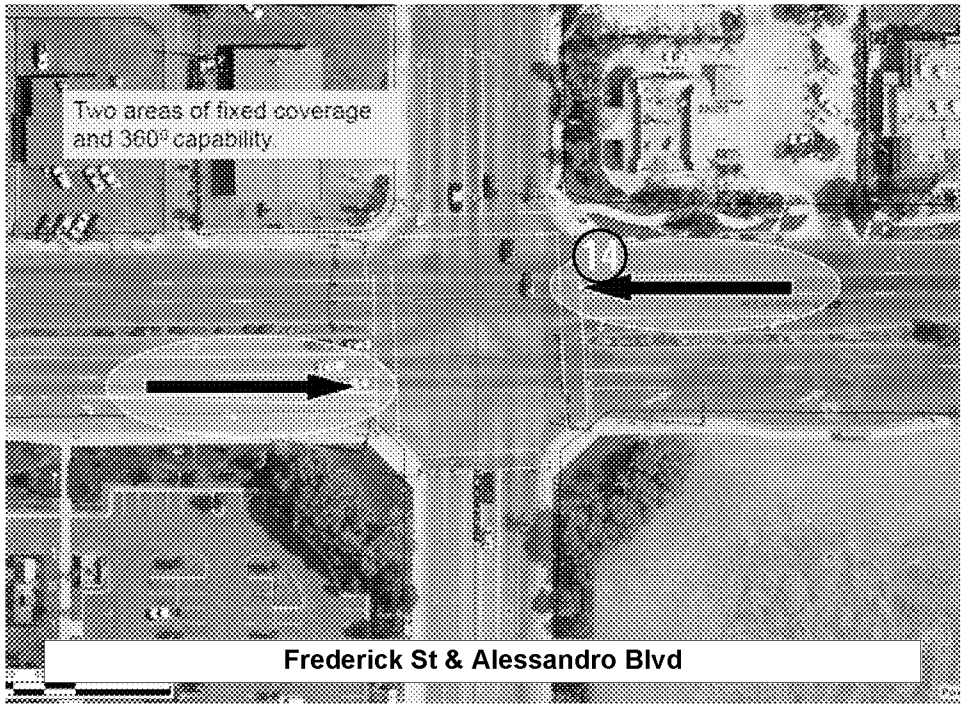

Frederick St & Alessandro Blvd

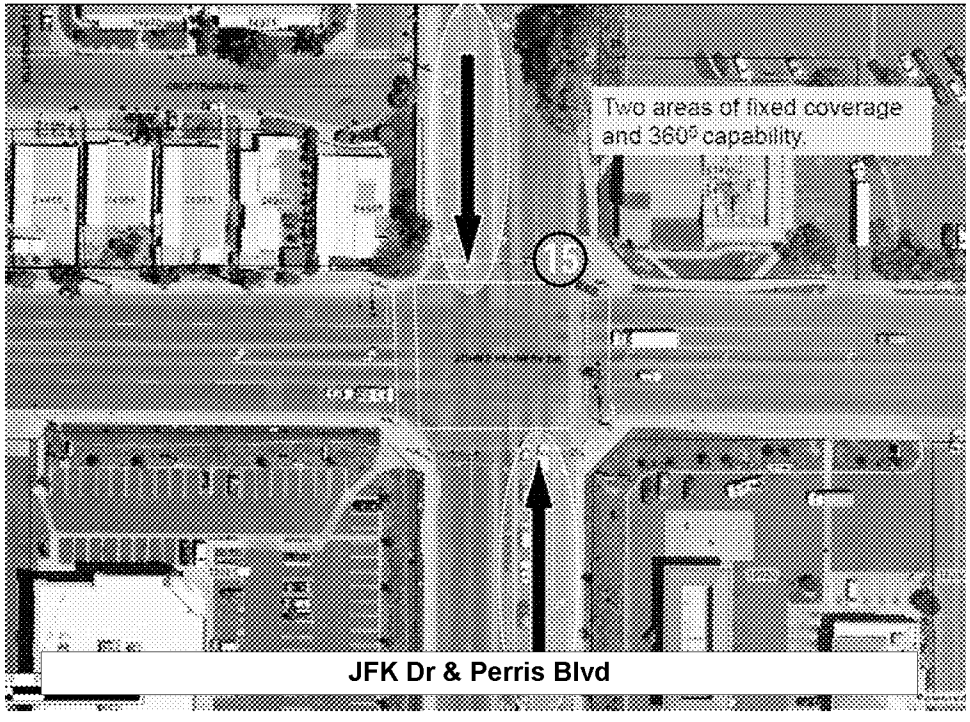

JFK Dr & Perris Blvd

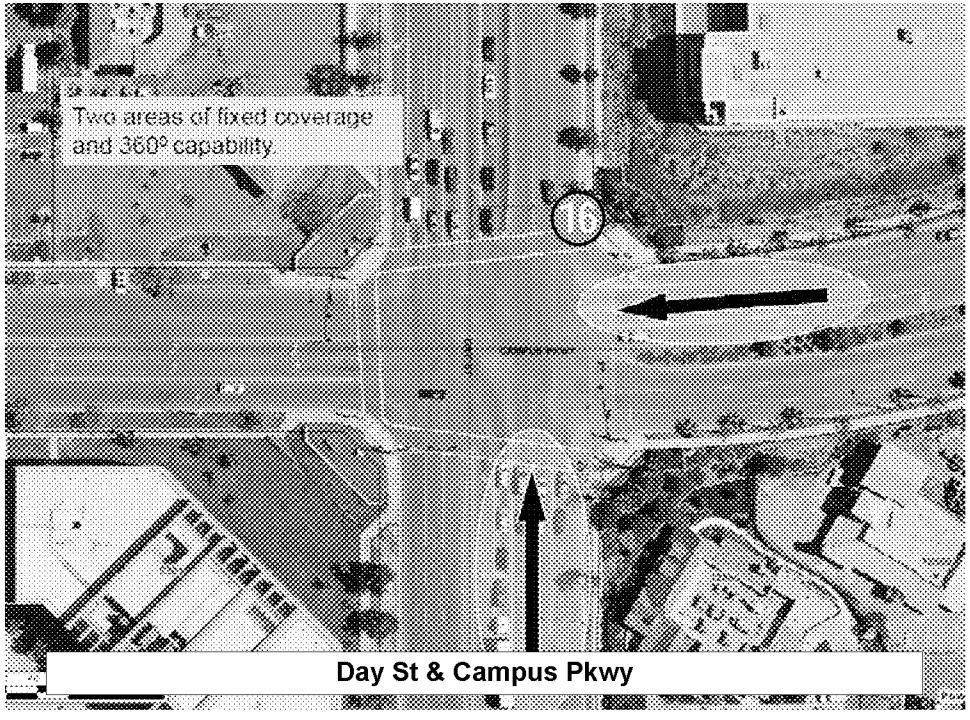

Day St & Campus Pkwy

MV00173776

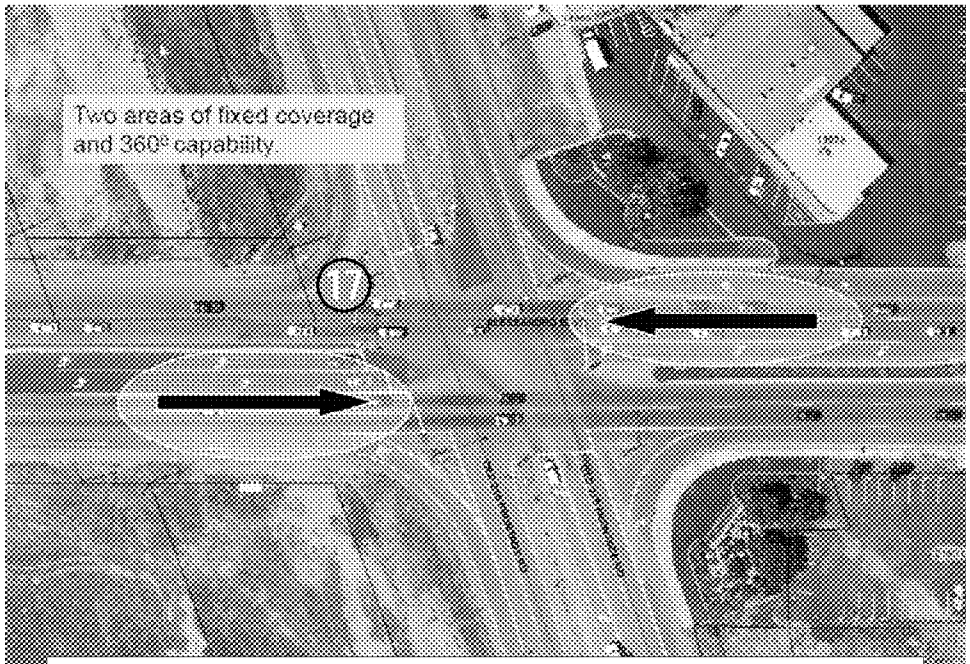

Frederick St & Alessandro Blvd

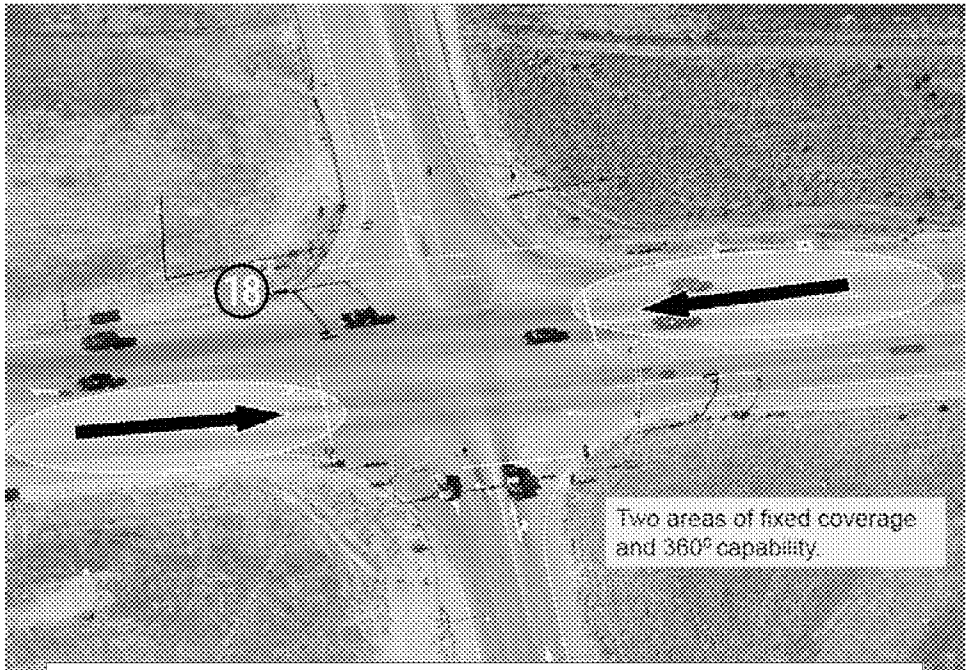

Old Hwy 215 & Cactus Ave

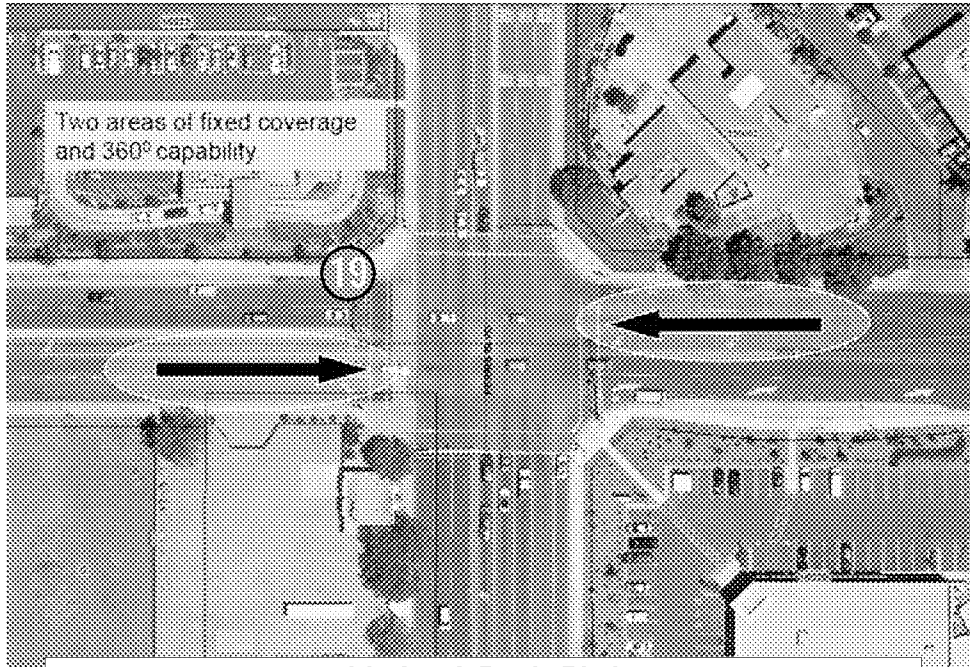

Iris Ave & Perris Blvd

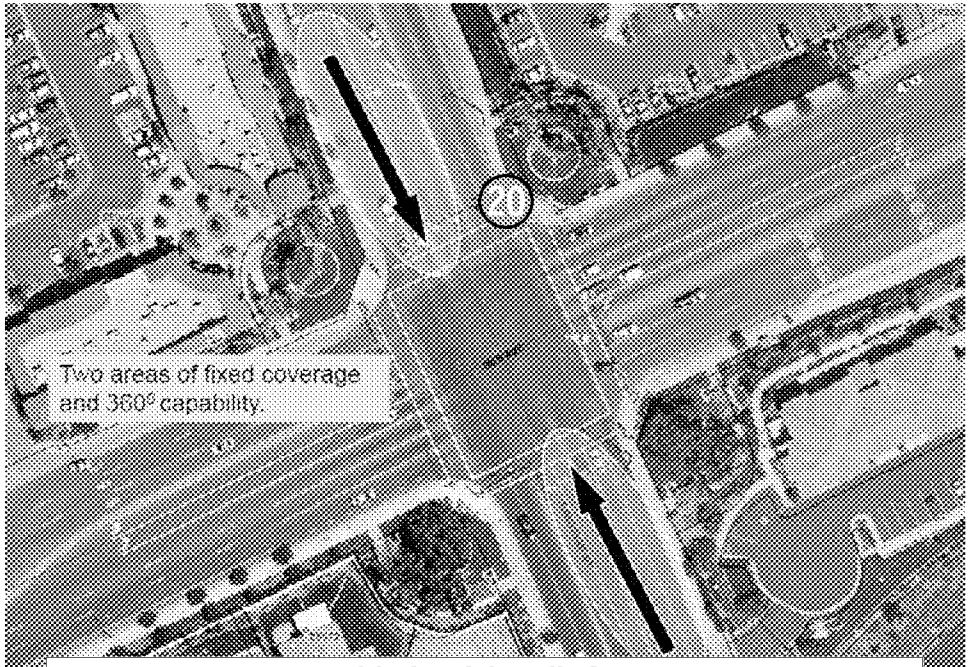

Iris Ave & Lasalle St

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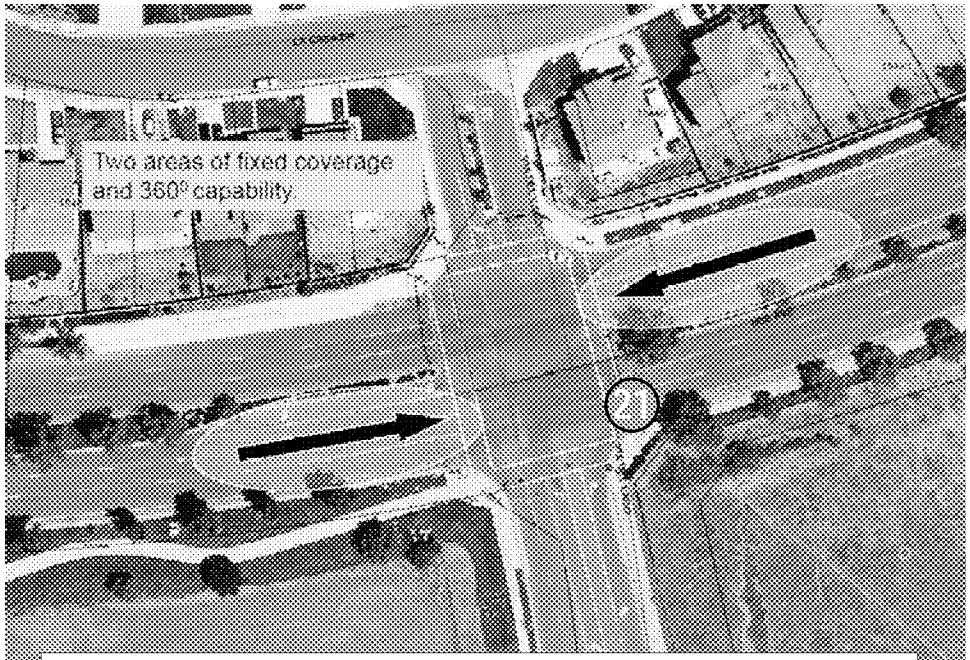

Iris Ave / Moreno Beach Dr & Via del Lago

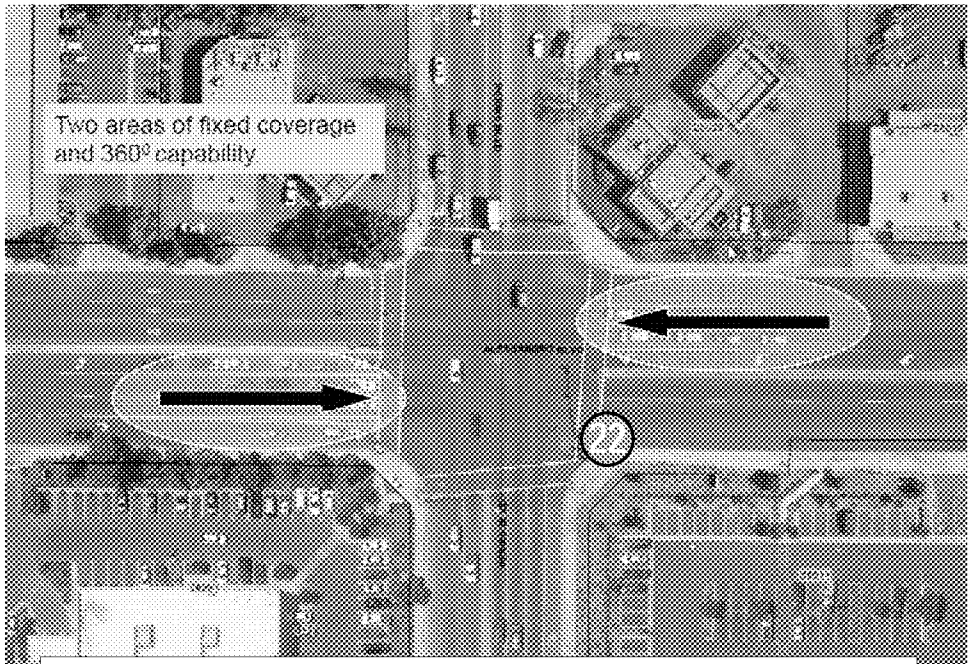

Alessandro Blvd & Perris Blvd

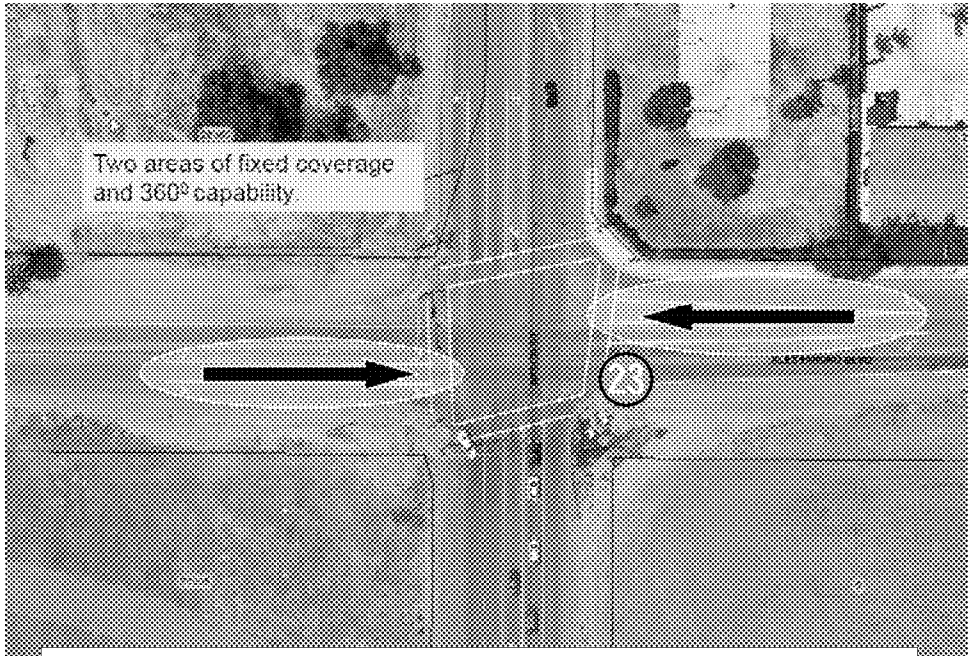

Alessandro Blvd & Nason St

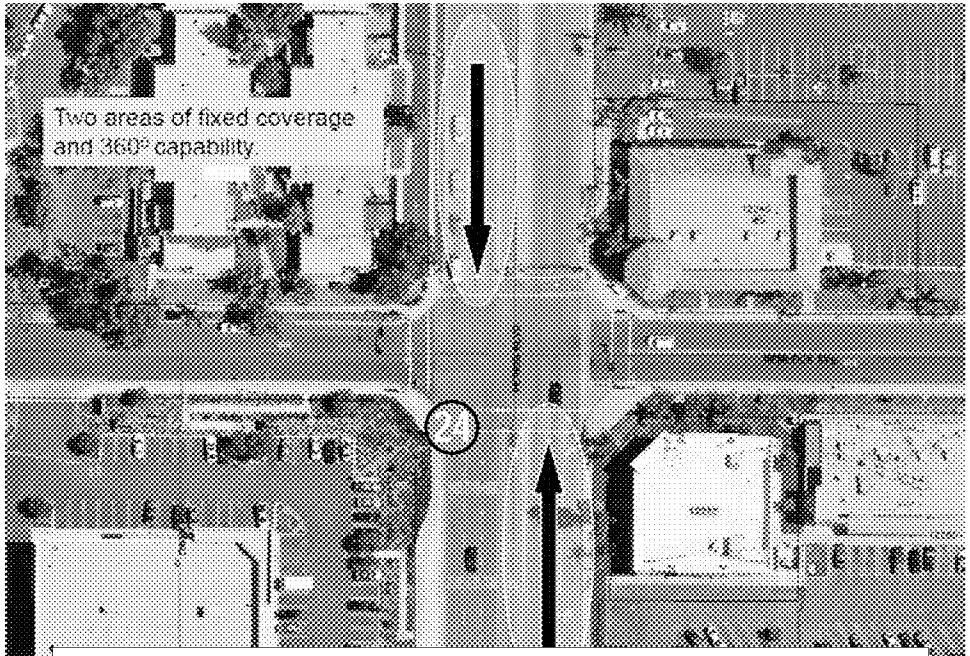

Perris Blvd & Hemlock Ave

MV00173778

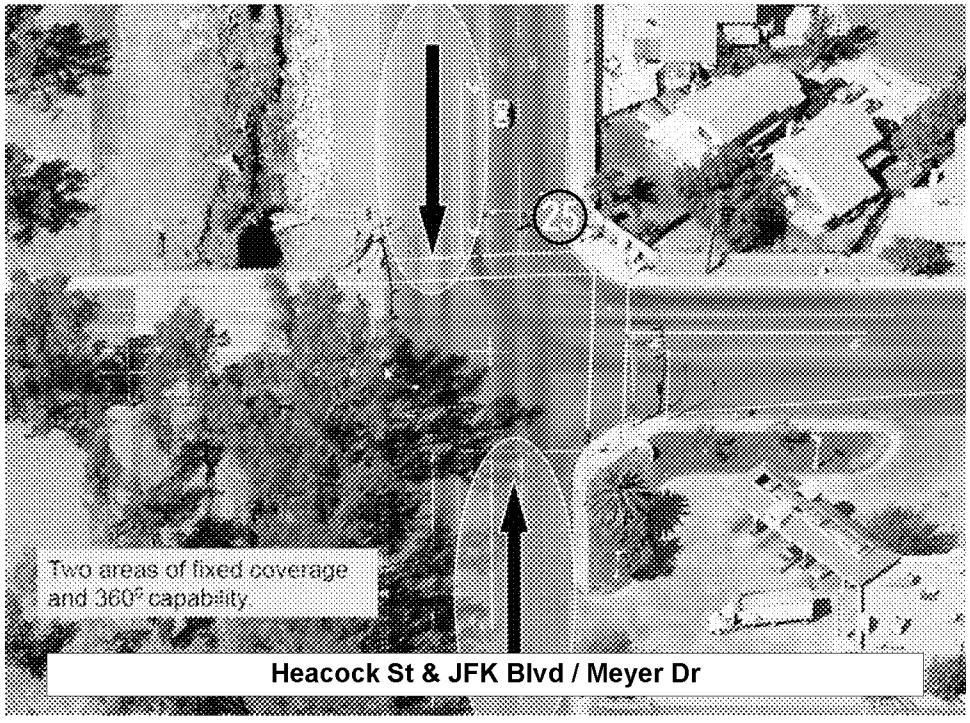

Heacock St & JFK Blvd / Meyer Dr

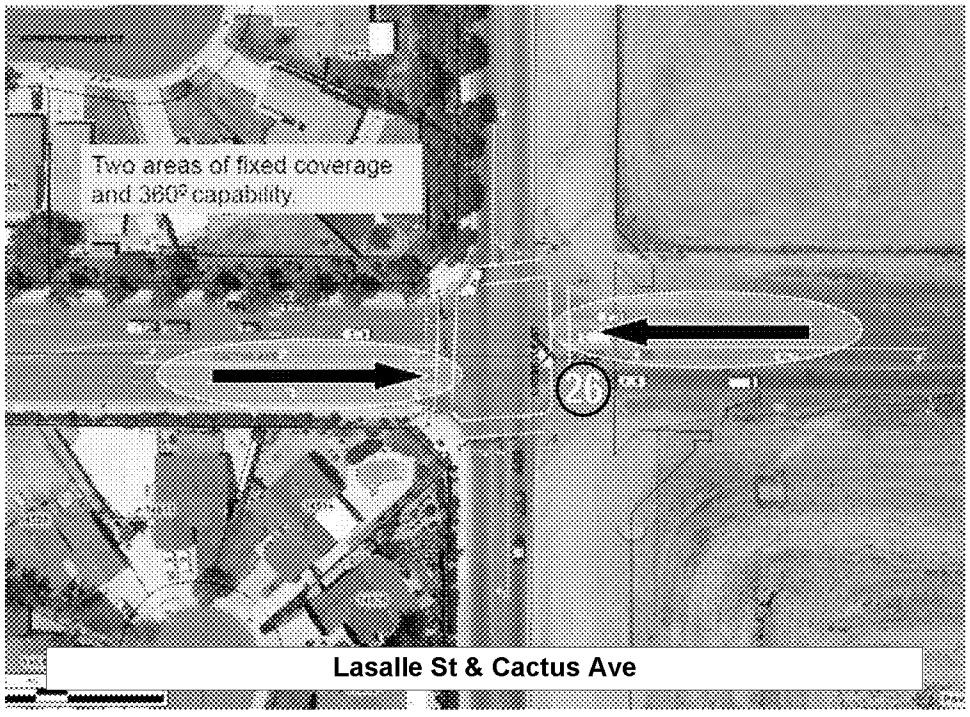

Lasalle St & Cactus Ave

Hwy 60 & Nason St

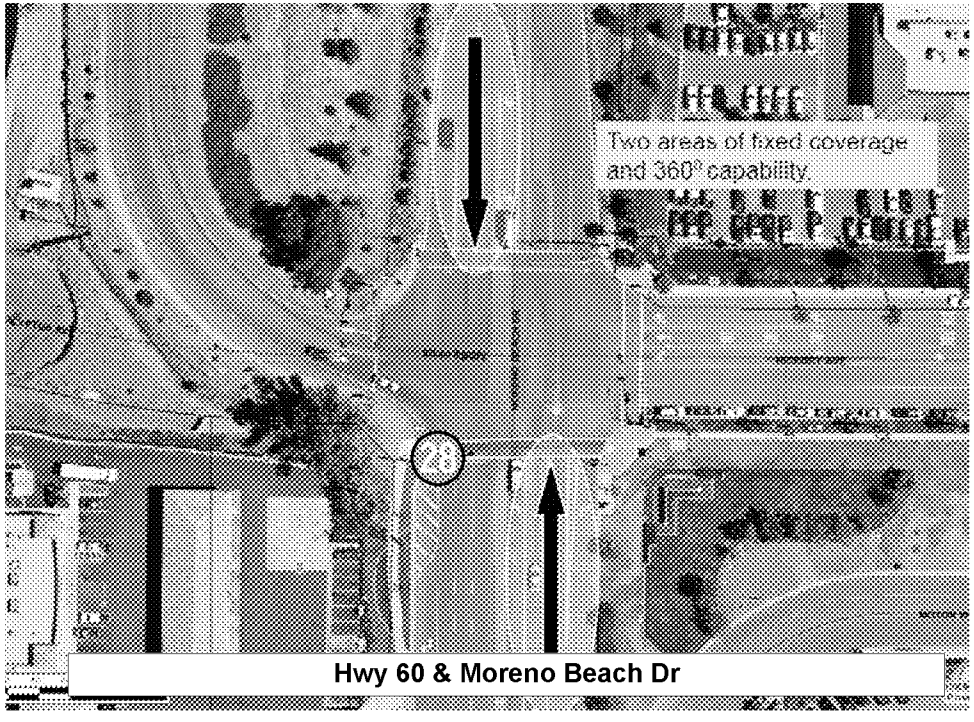

Hwy 60 & Moreno Beach Dr

MV00173779

Ironwood Ave & Redlands Blvd

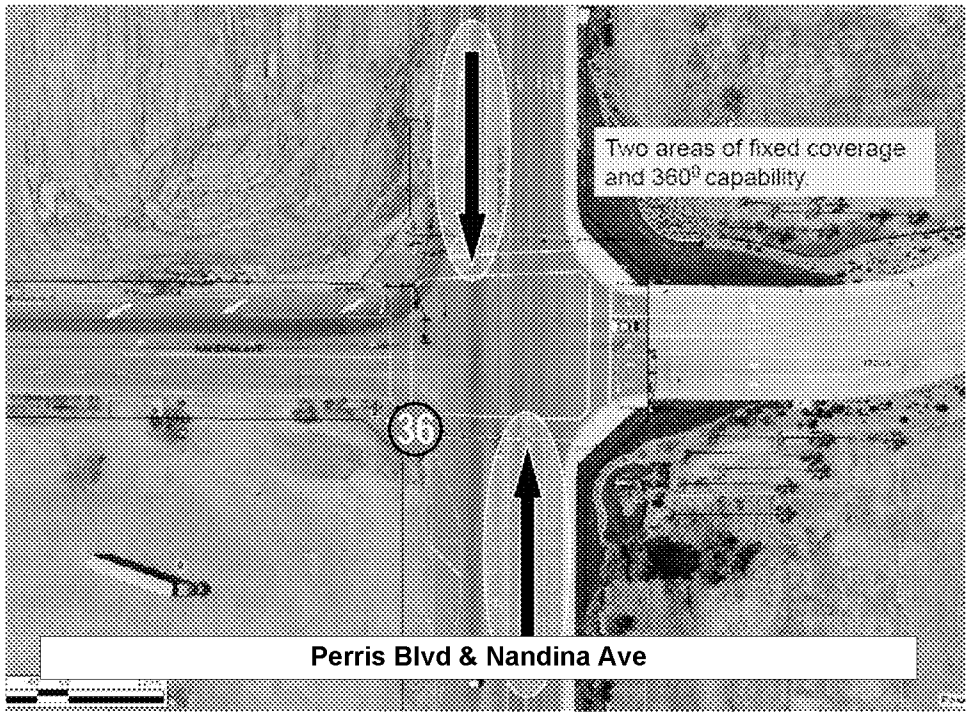

Perris Blvd & Nandina Ave

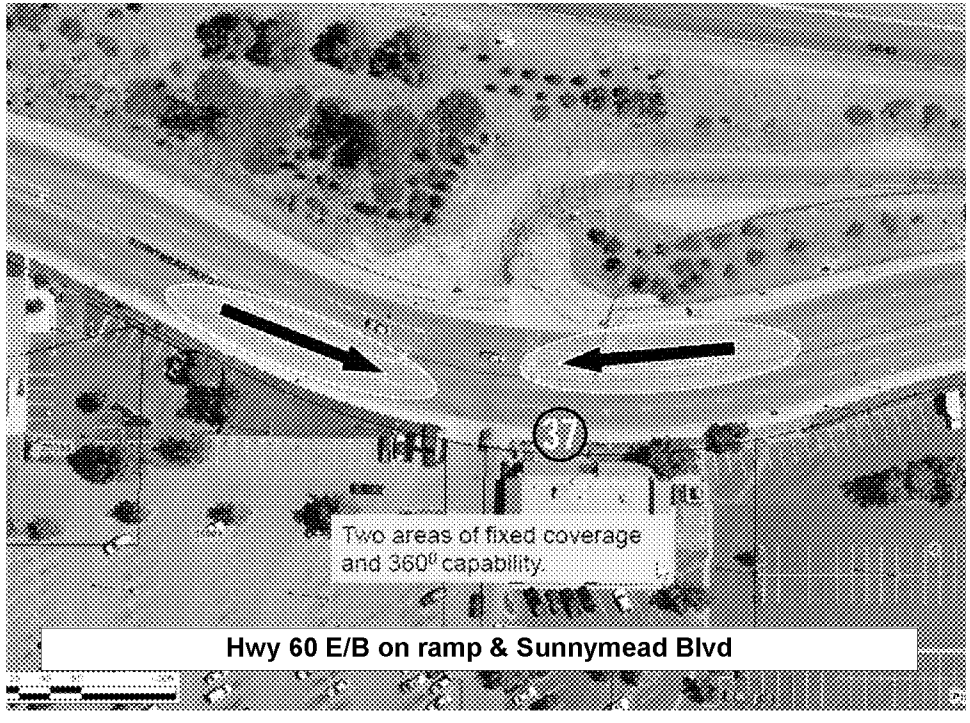

Hwy 60 E/B on ramp & Sunnymead Blvd

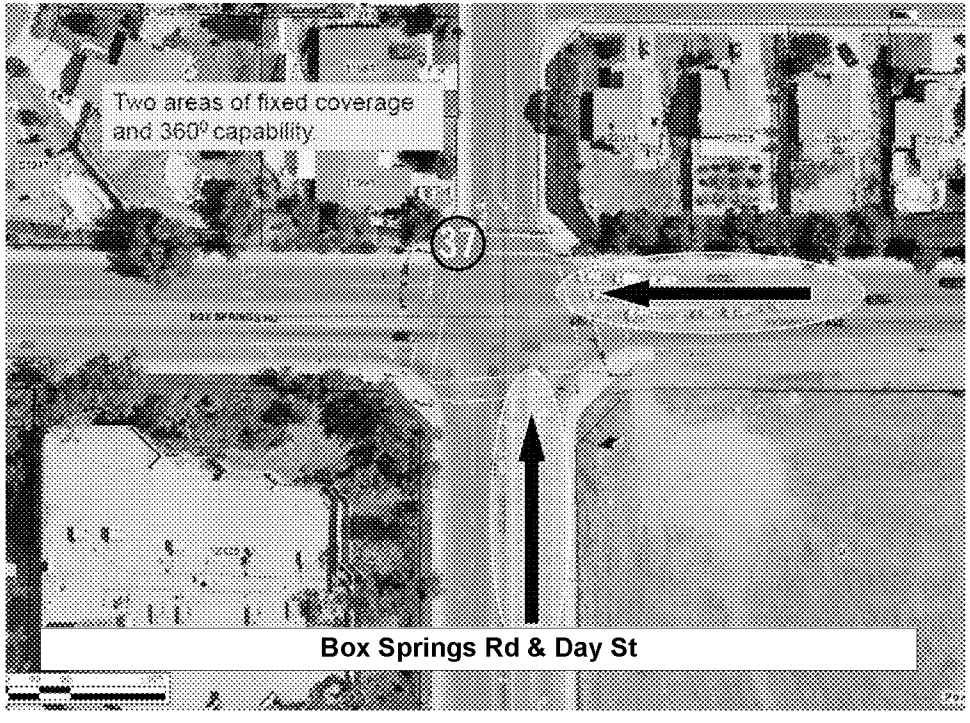

Box Springs Rd & Day St

MV00173780

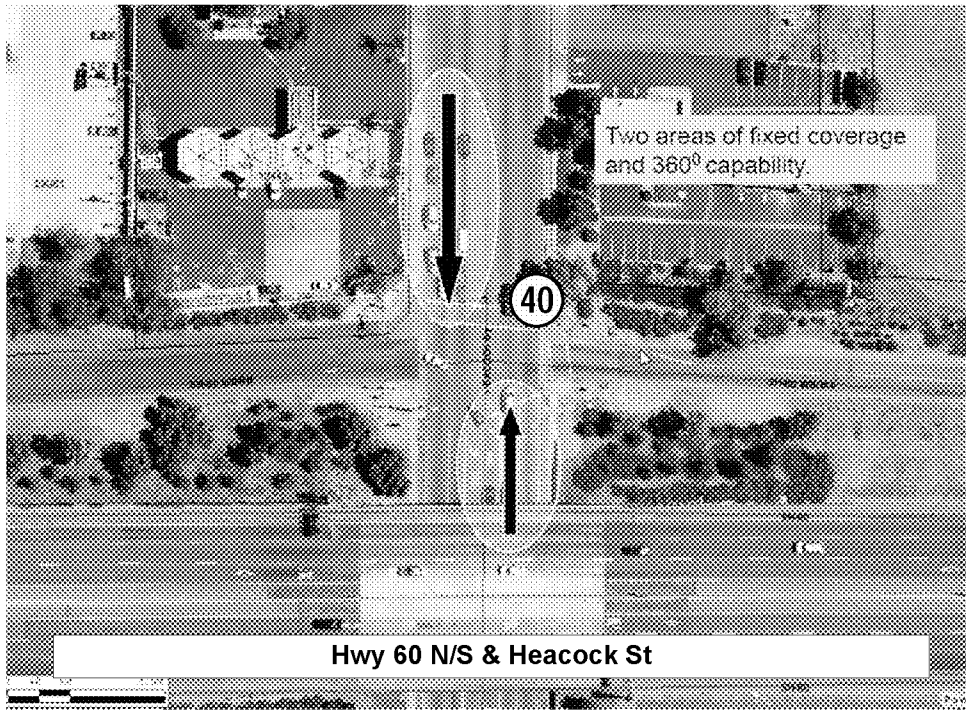

Hwy 60 N/S & Heacock St

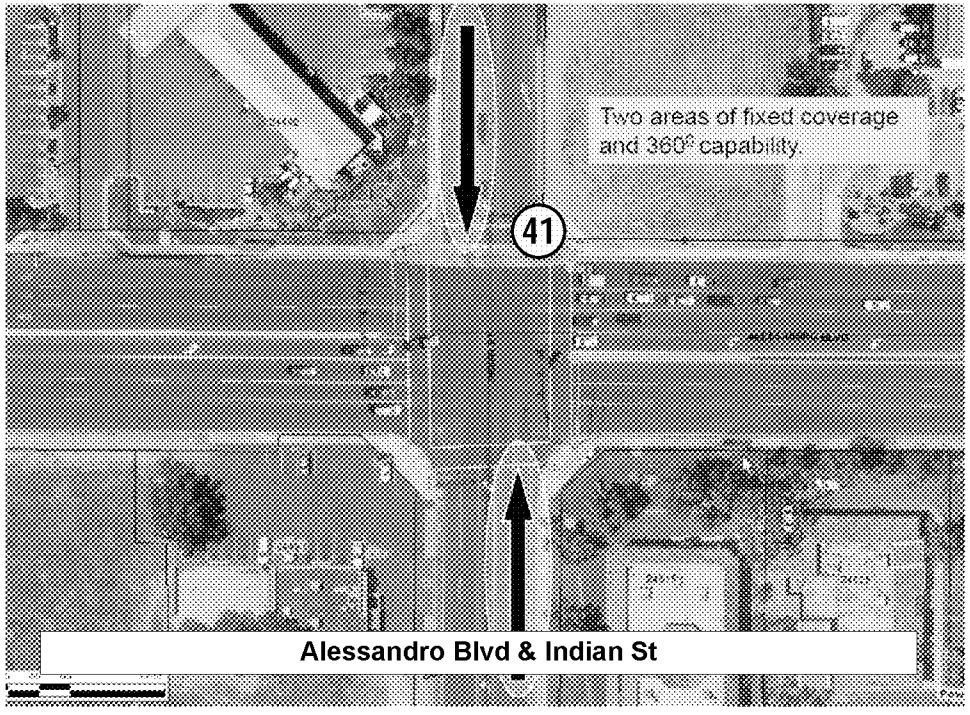

Alessandro Blvd & Indian St

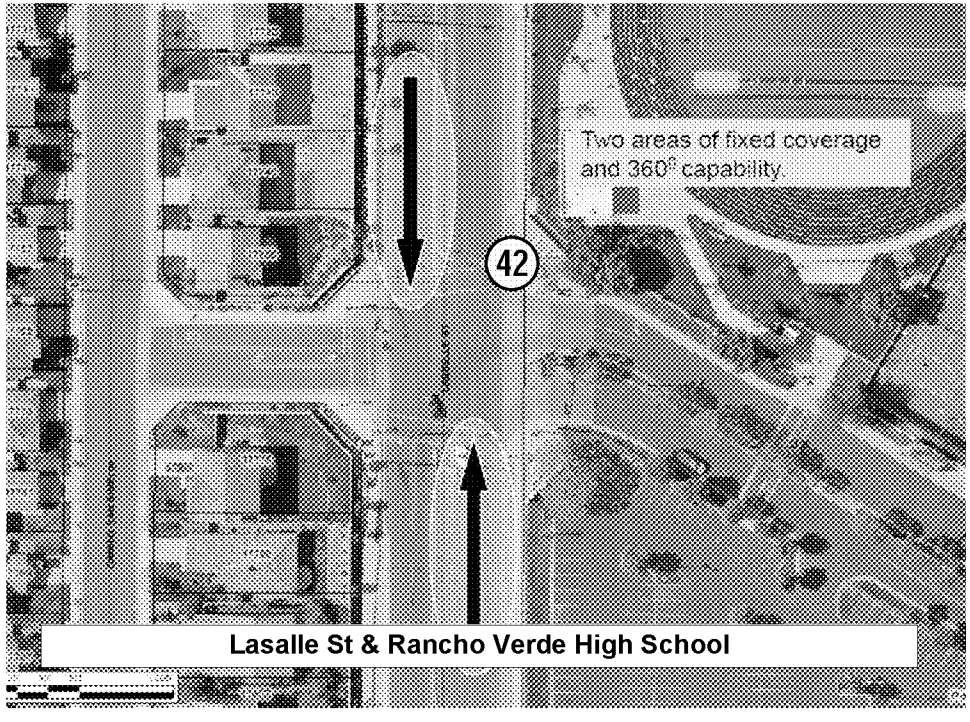

Lasalle St & Rancho Verde High School

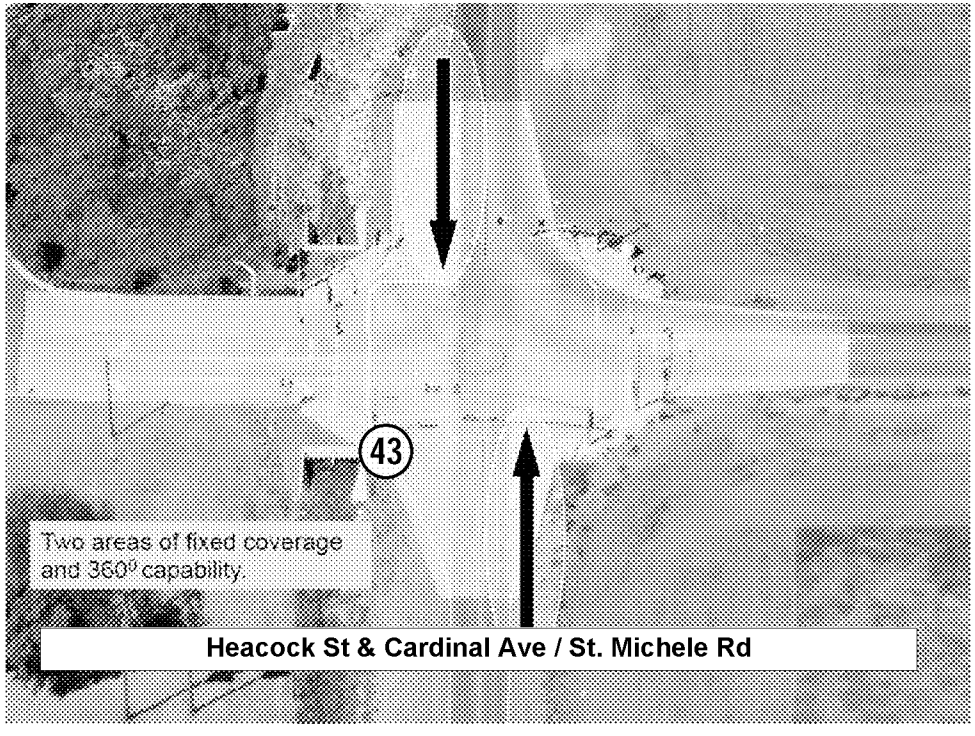

Heacock St & Cardinal Ave / St. Michele Rd

MV00173781

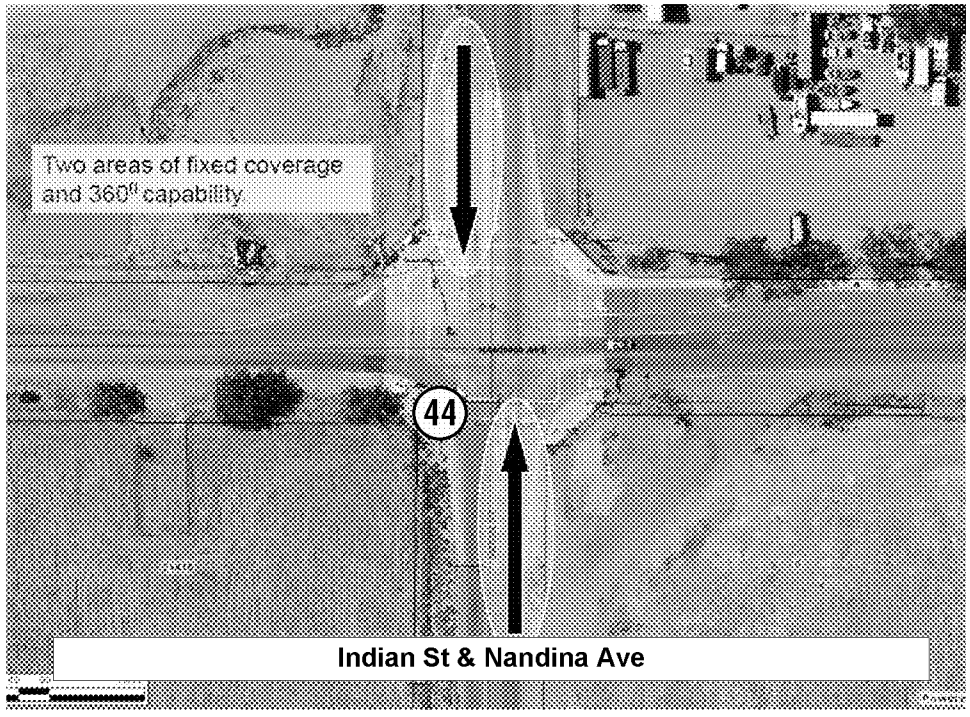

Indian St & Nandina Ave

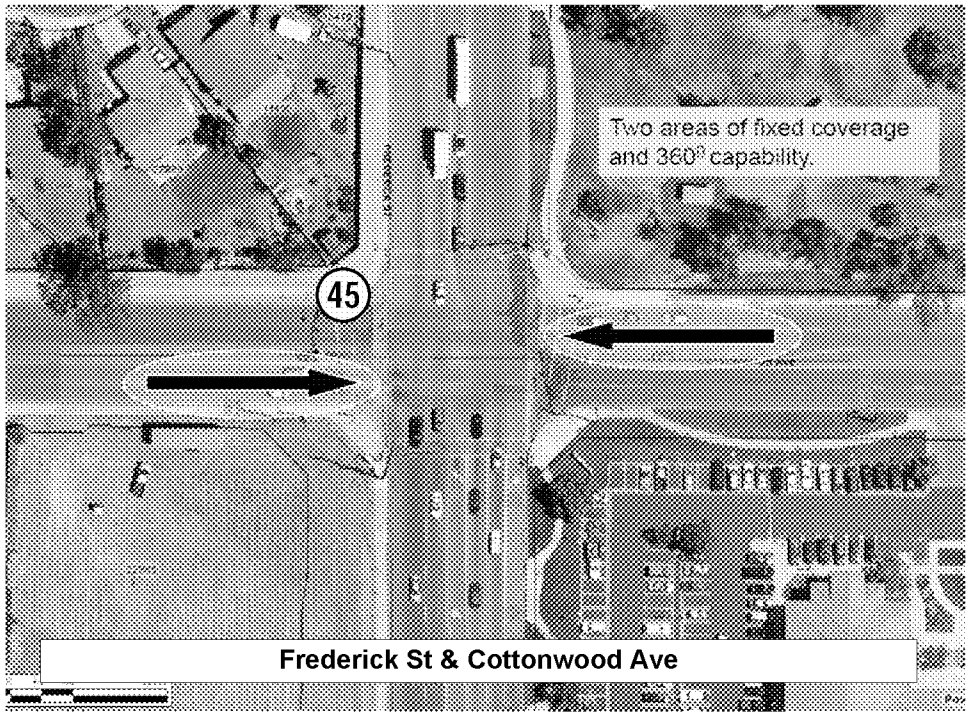

Frederick St & Cottonwood Ave

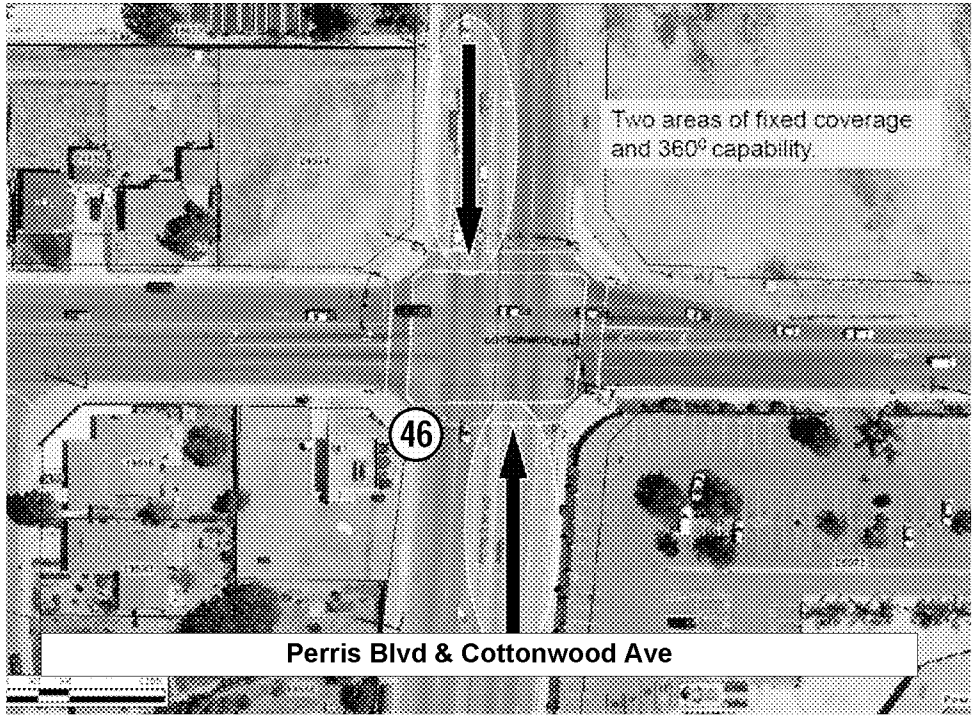

Perris Blvd & Cottonwood Ave

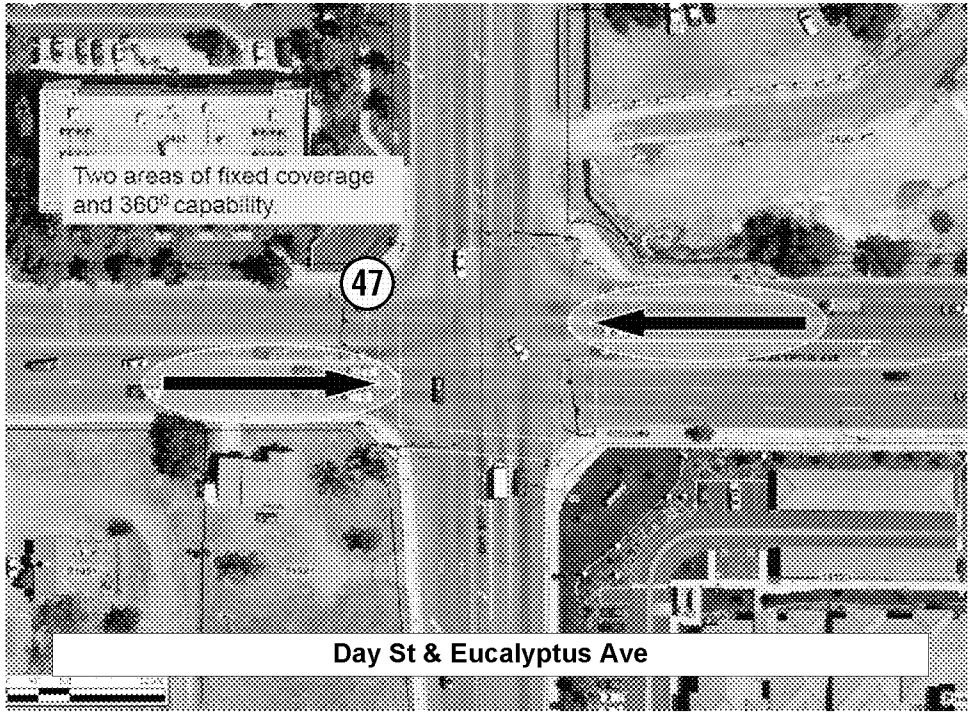

Day St & Eucalyptus Ave

MV00173782

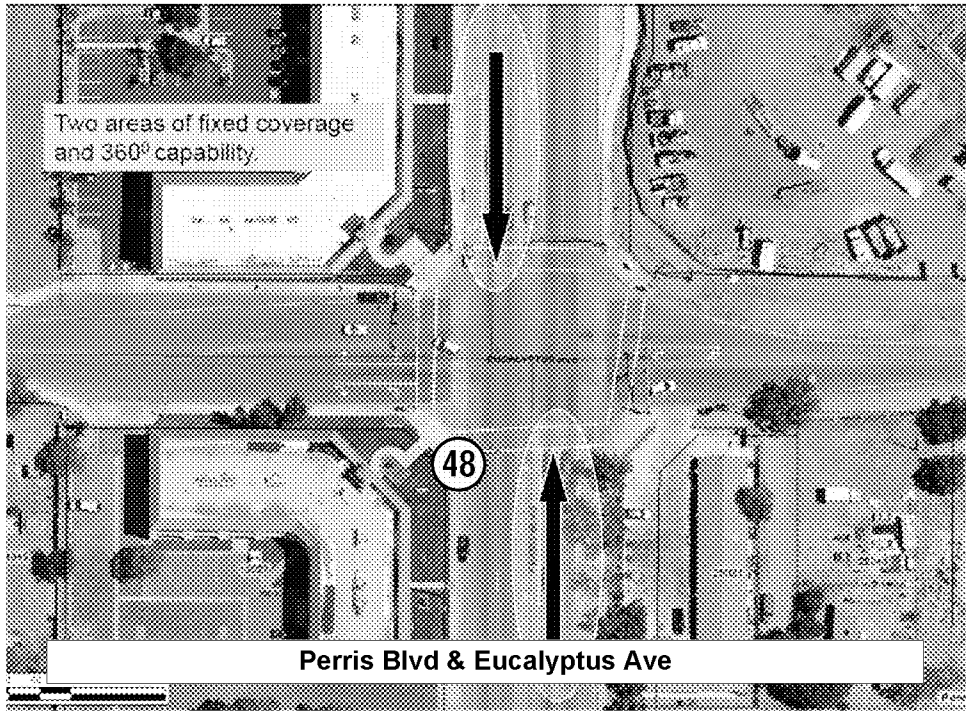

Perris Blvd & Eucalyptus Ave

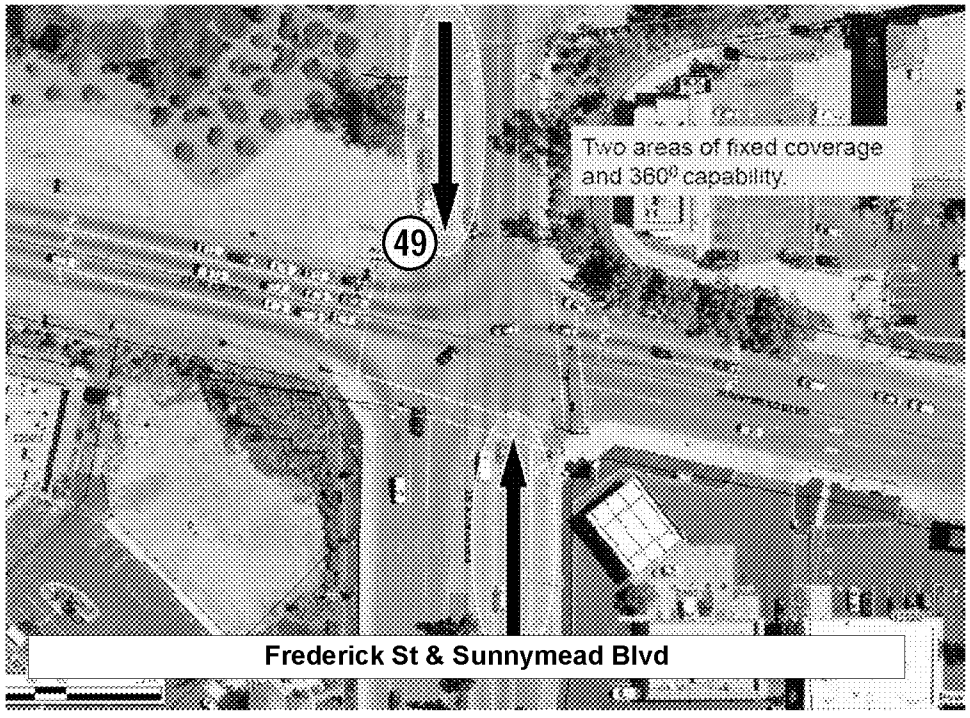

Frederick St & Sunnymead Blvd

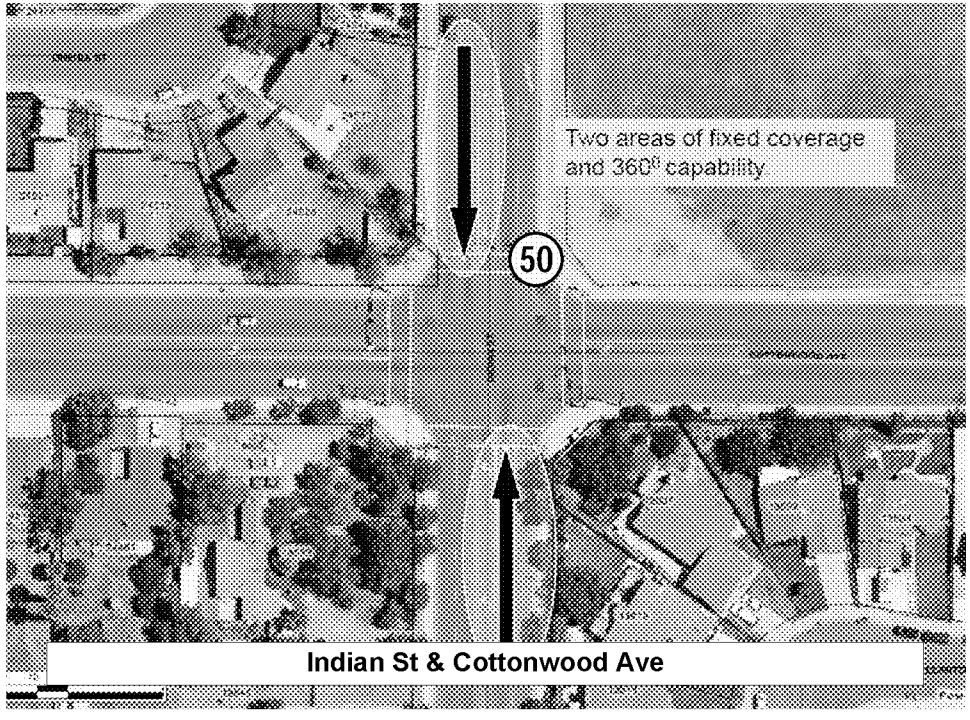

Indian St & Cottonwood Ave

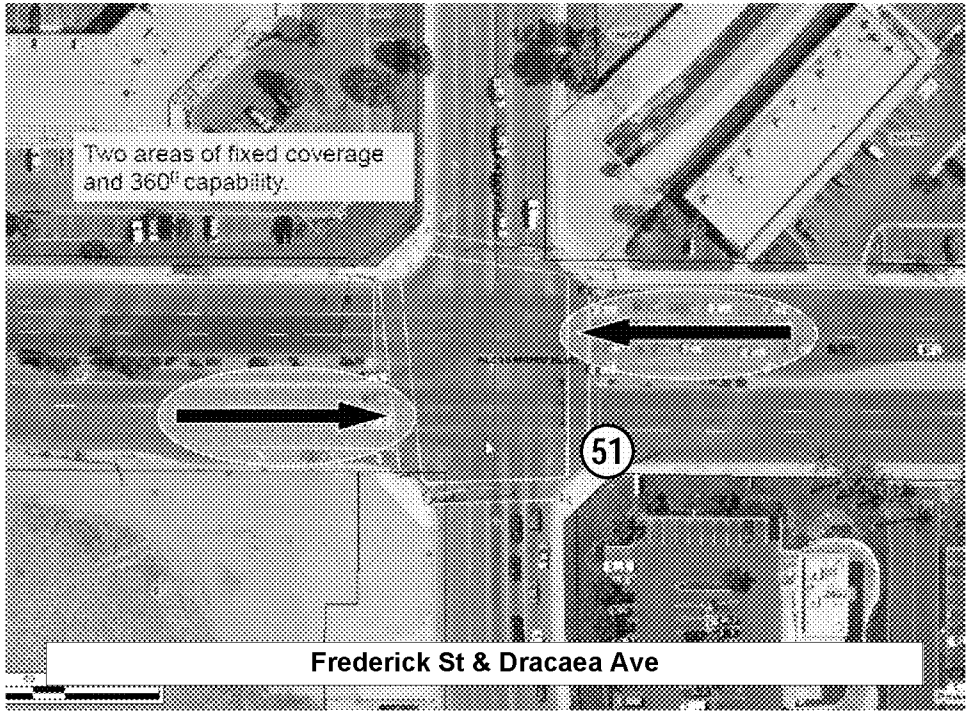

Frederick St & Dracaea Ave

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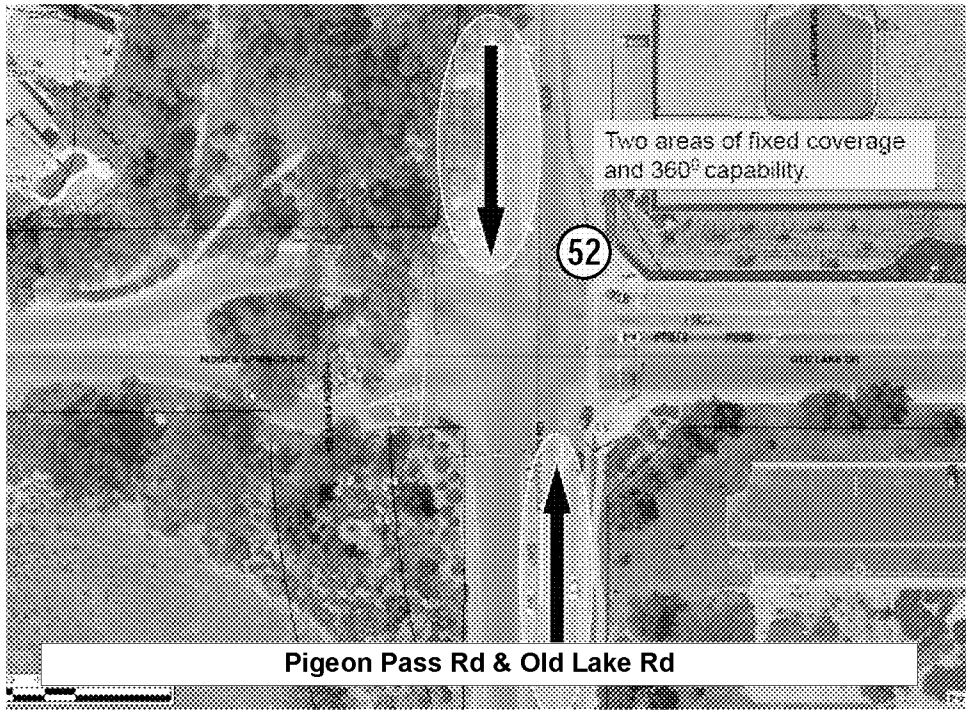

Pigeon Pass Rd & Old Lake Rd

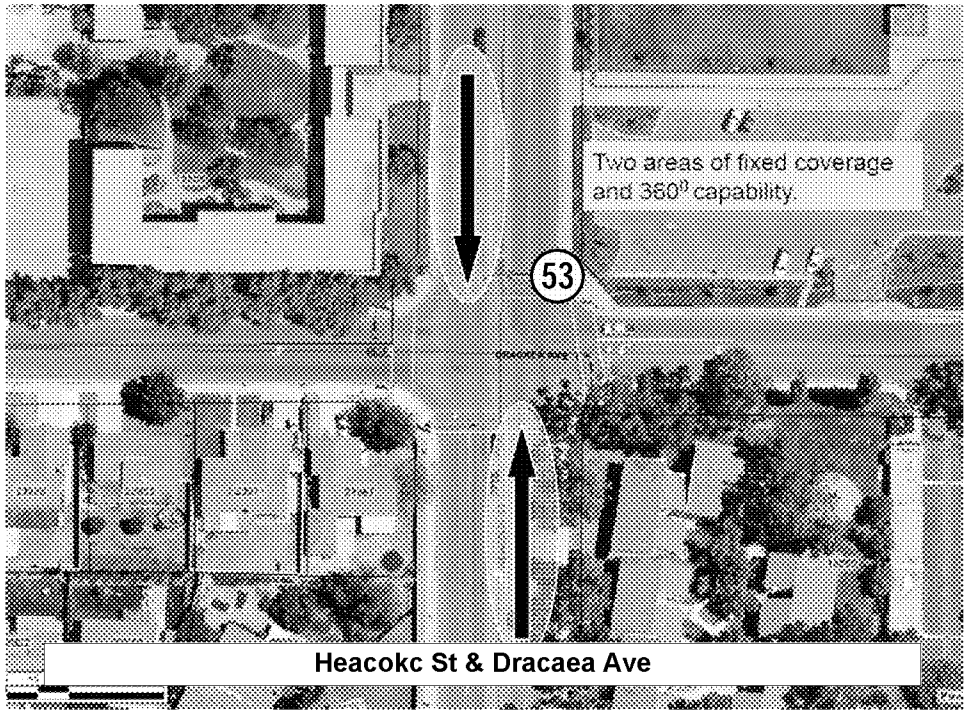

Heacokc St & Dracaea Ave

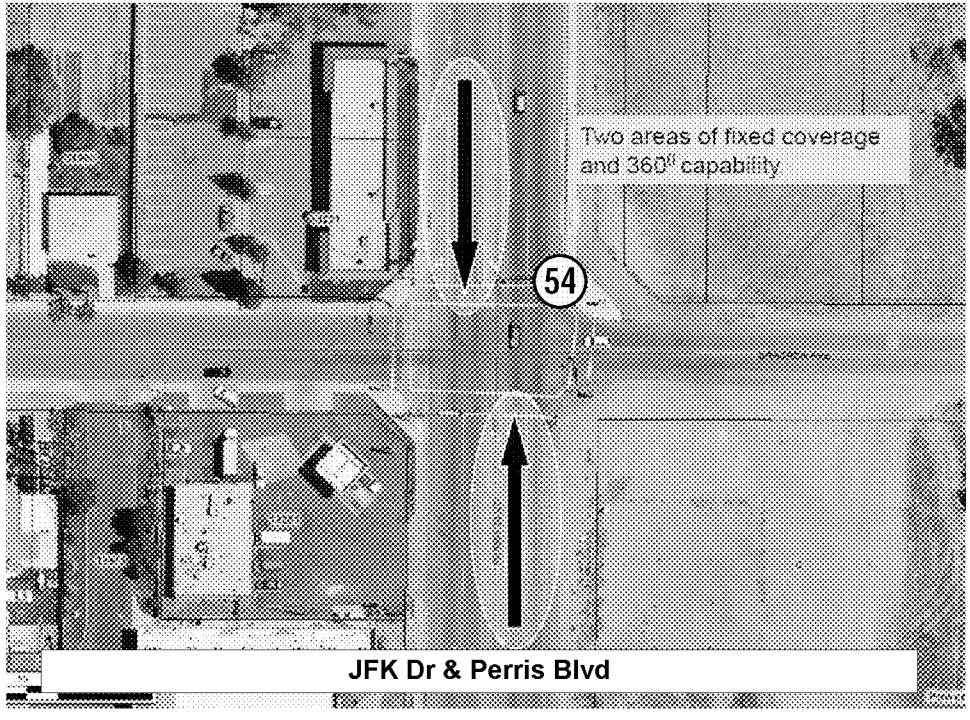

JFK Dr & Perris Blvd

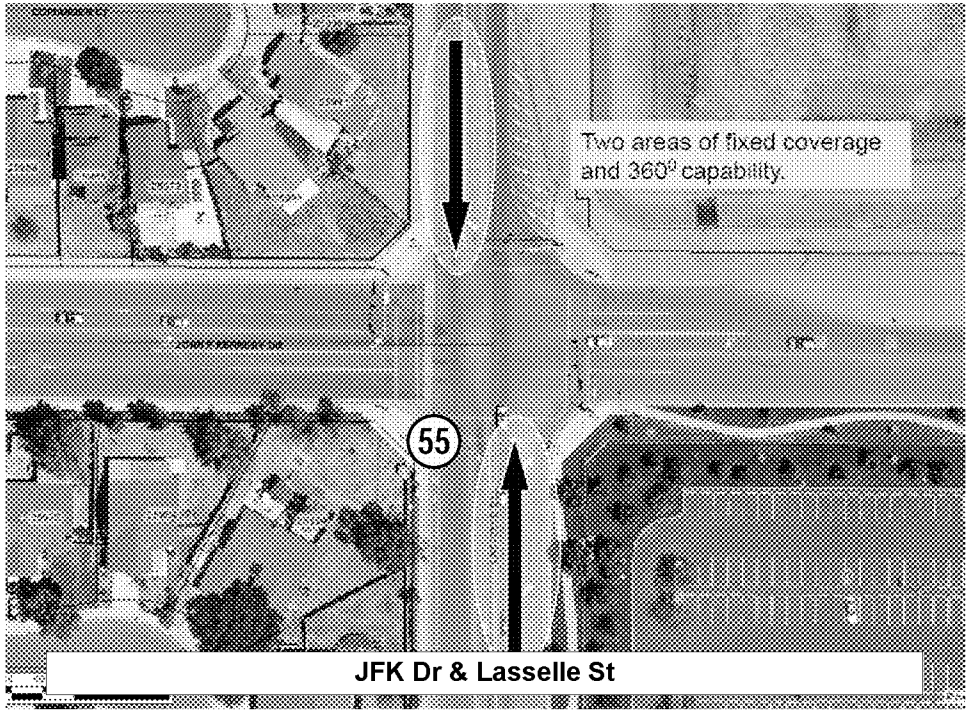

JFK Dr & Lasselle St

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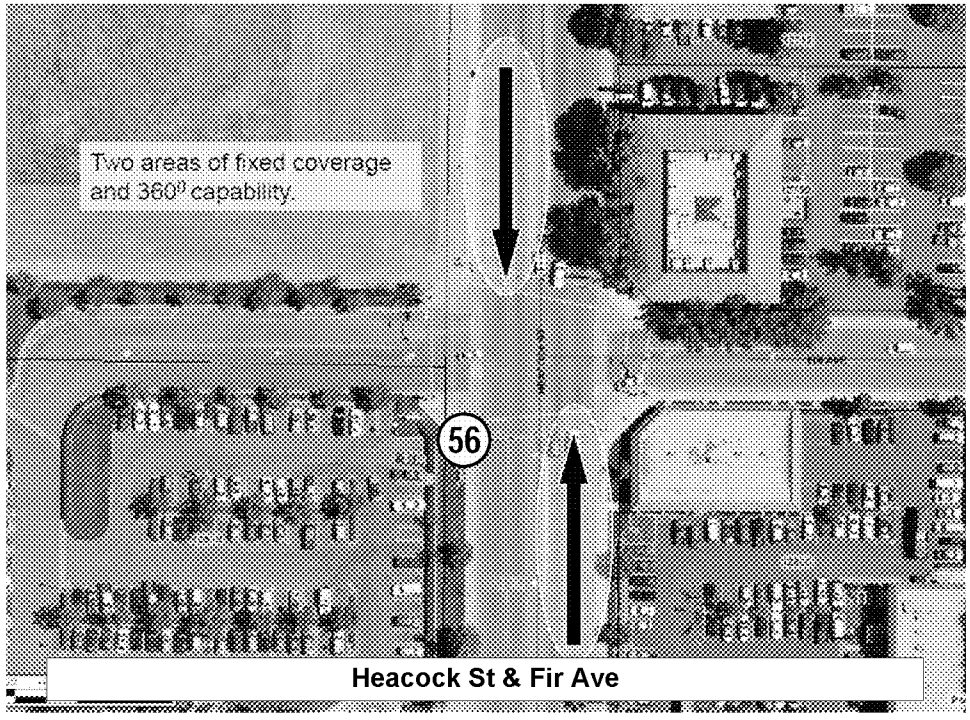

Heacock St & Fir Ave

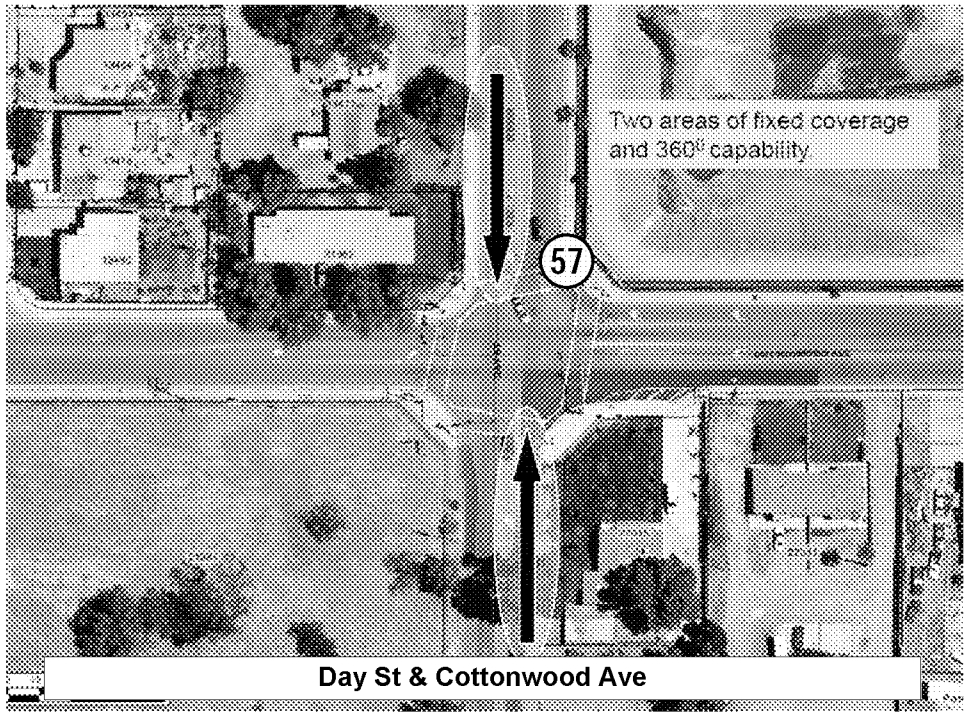

Day St & Cottonwood Ave

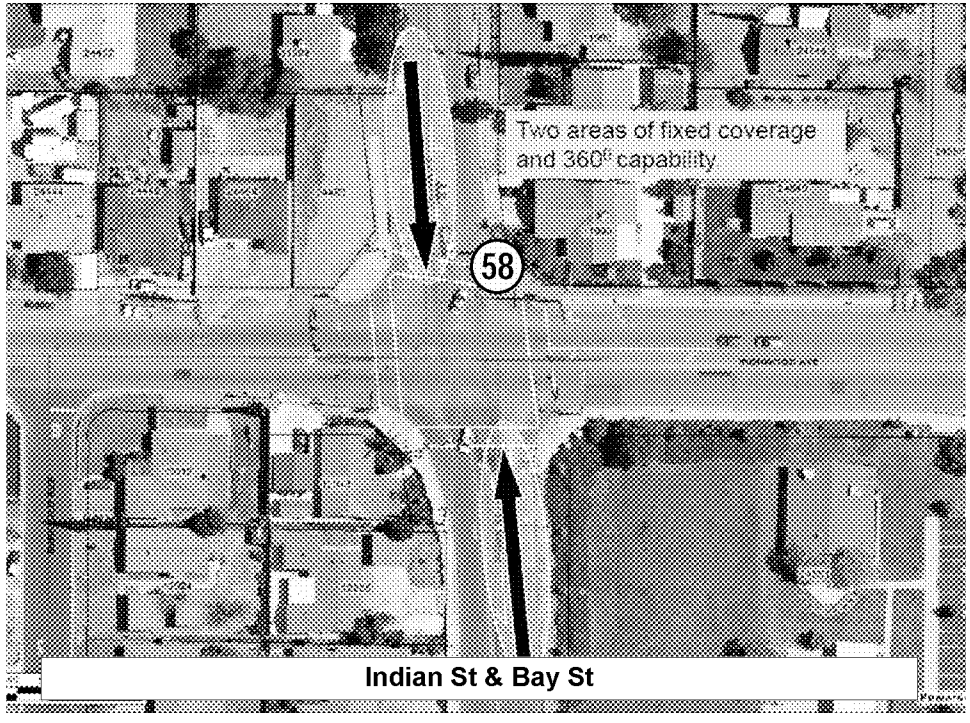

Indian St & Bay St

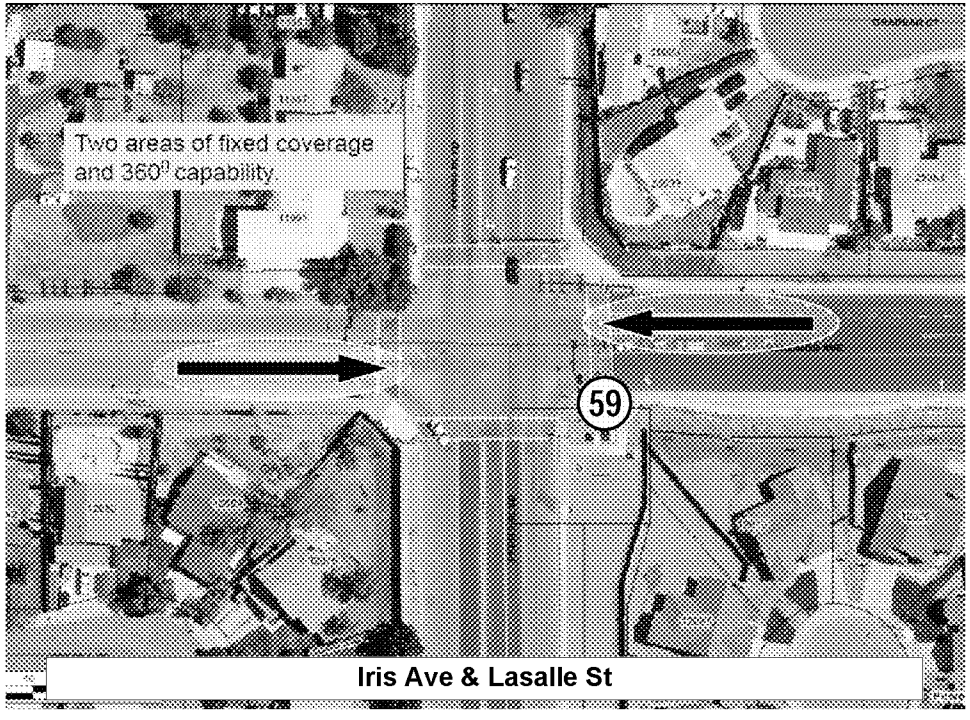

Iris Ave & Lasalle St

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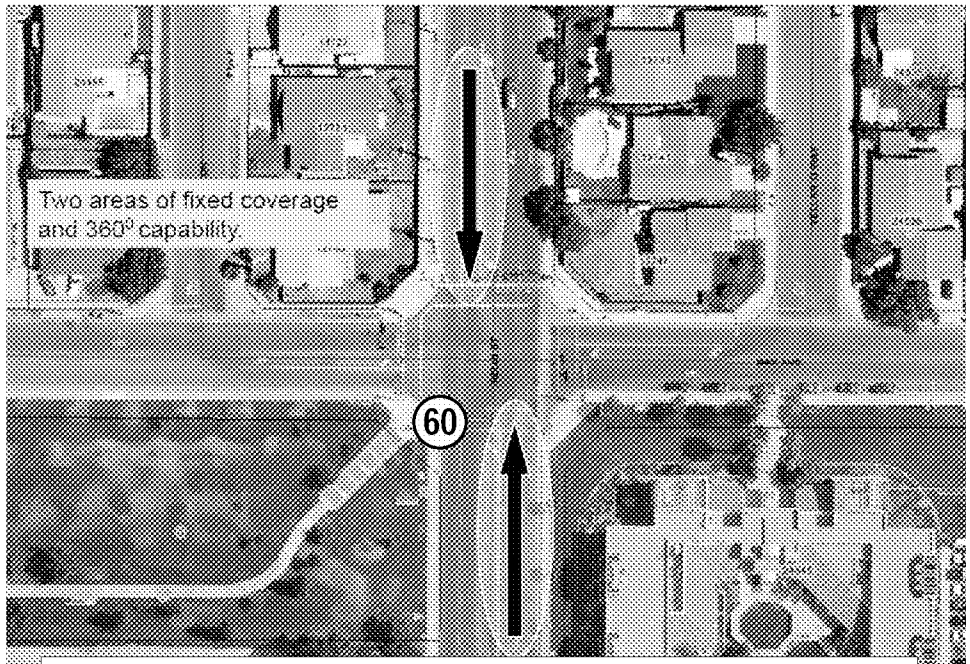

Indian St & Bay Ave

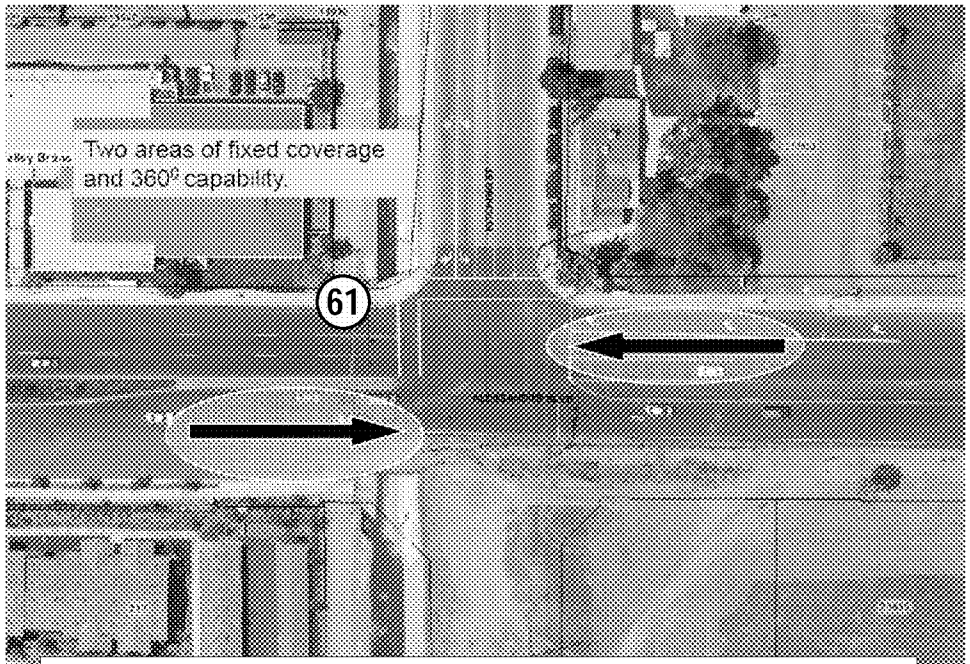

Kitching St & Alessandro Blvd

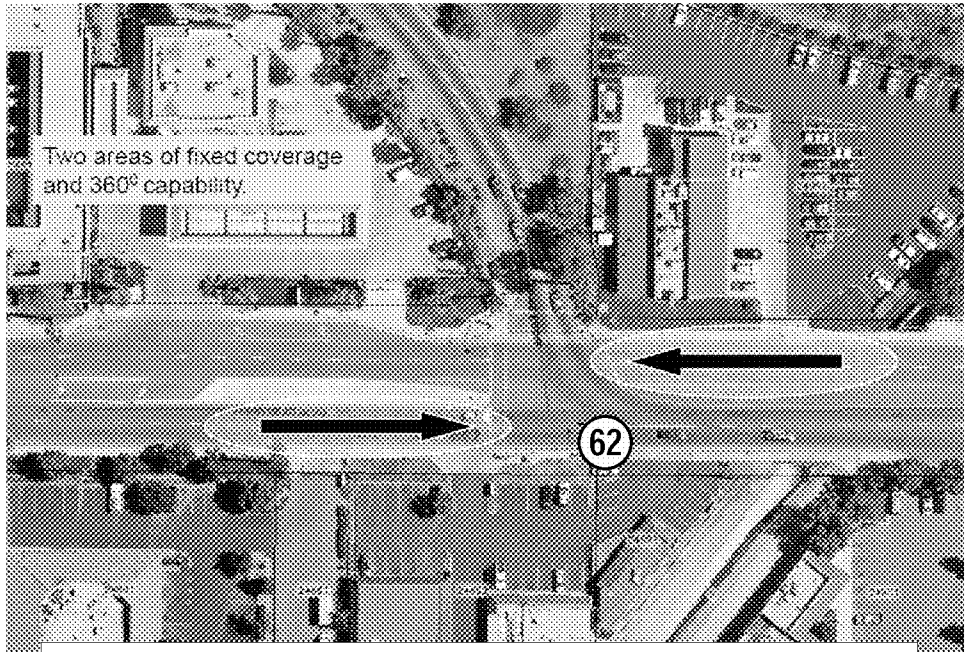

Hwy 60 E Perris off ramp & Sunnymead Blvd

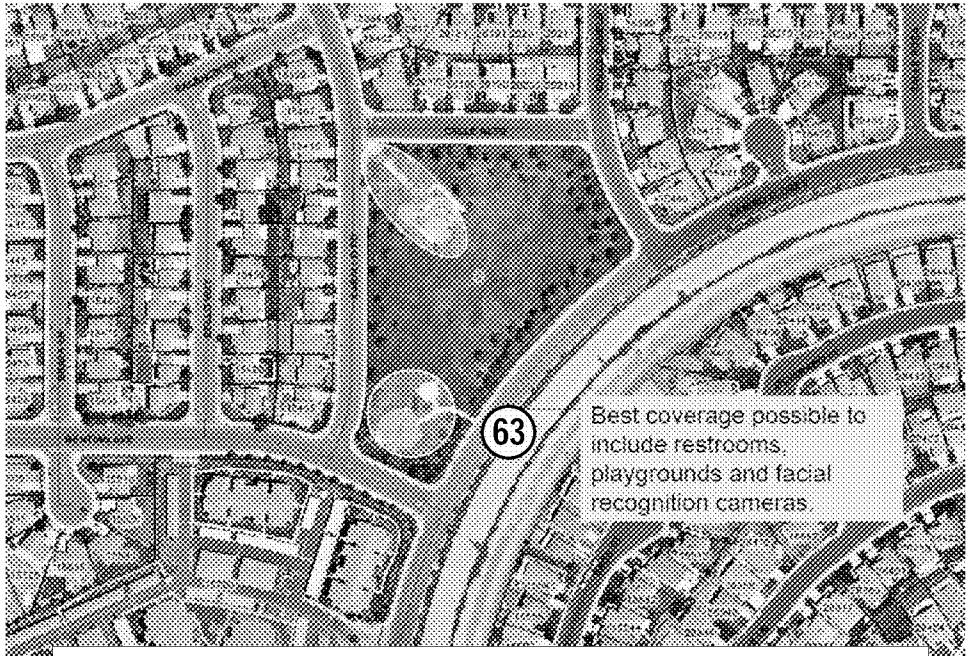

Camino Flores & Gentian Park

MV00173786

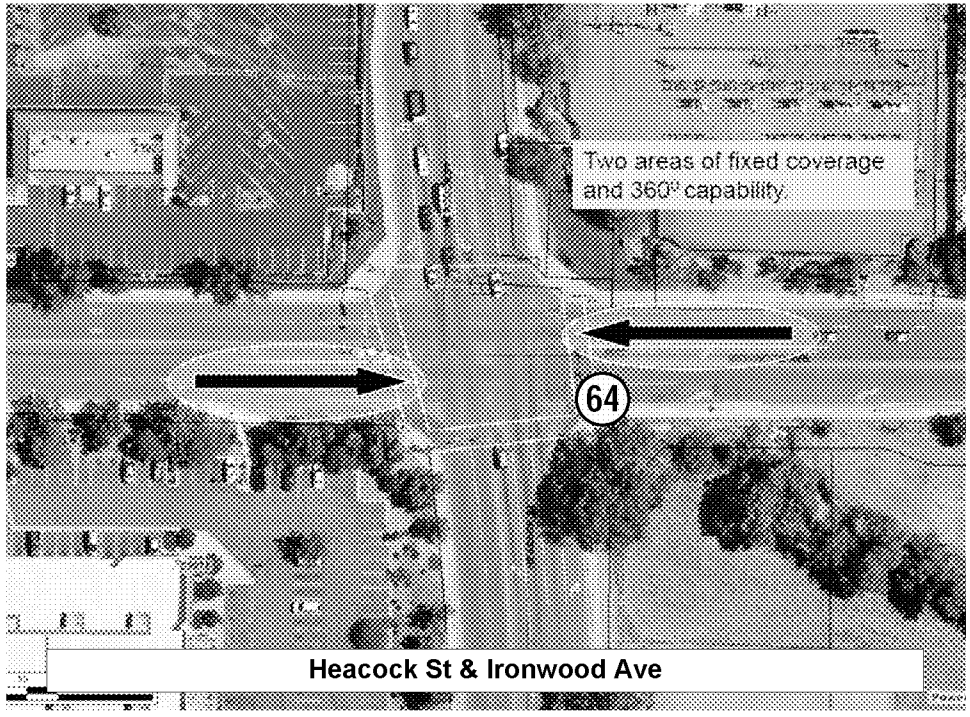

Heacock St & Ironwood Ave

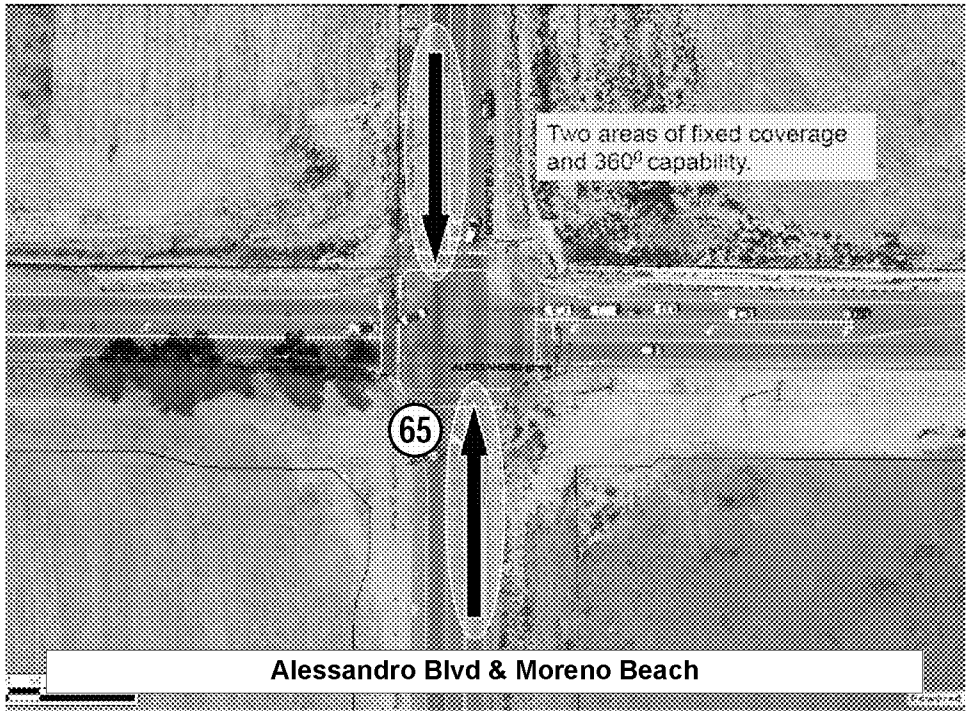

Alessandro Blvd & Moreno Beach

Alessandro Blvd & Redlands Blvd

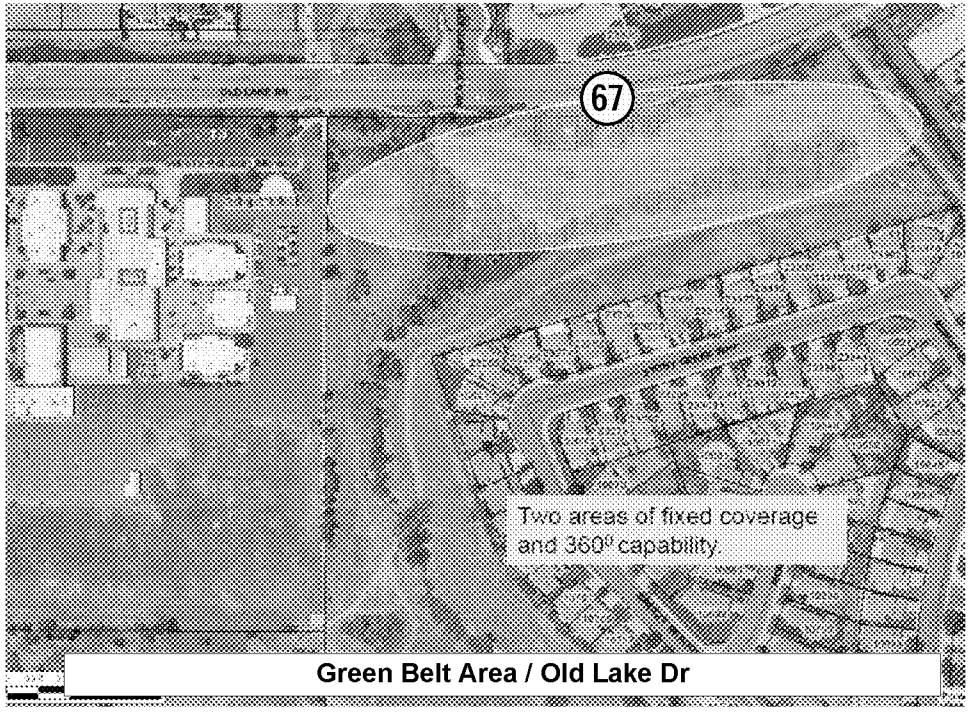

Green Belt Area / Old Lake Dr

MV00173787

Appendix C. Park Camera Locations

MV00173788

West Bluff Park

MV00173789

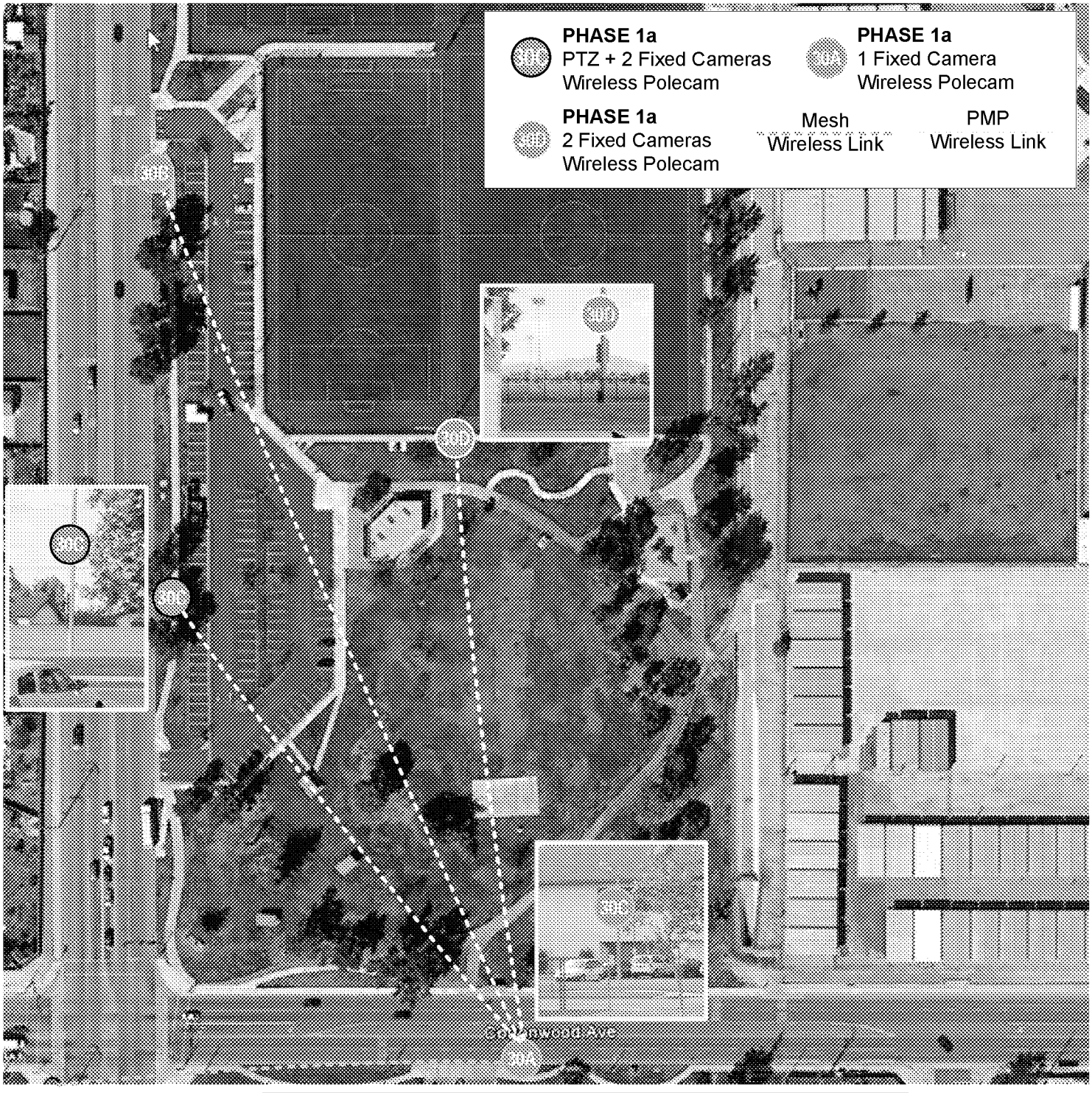

Moreno Valley Community Park

MV00173790

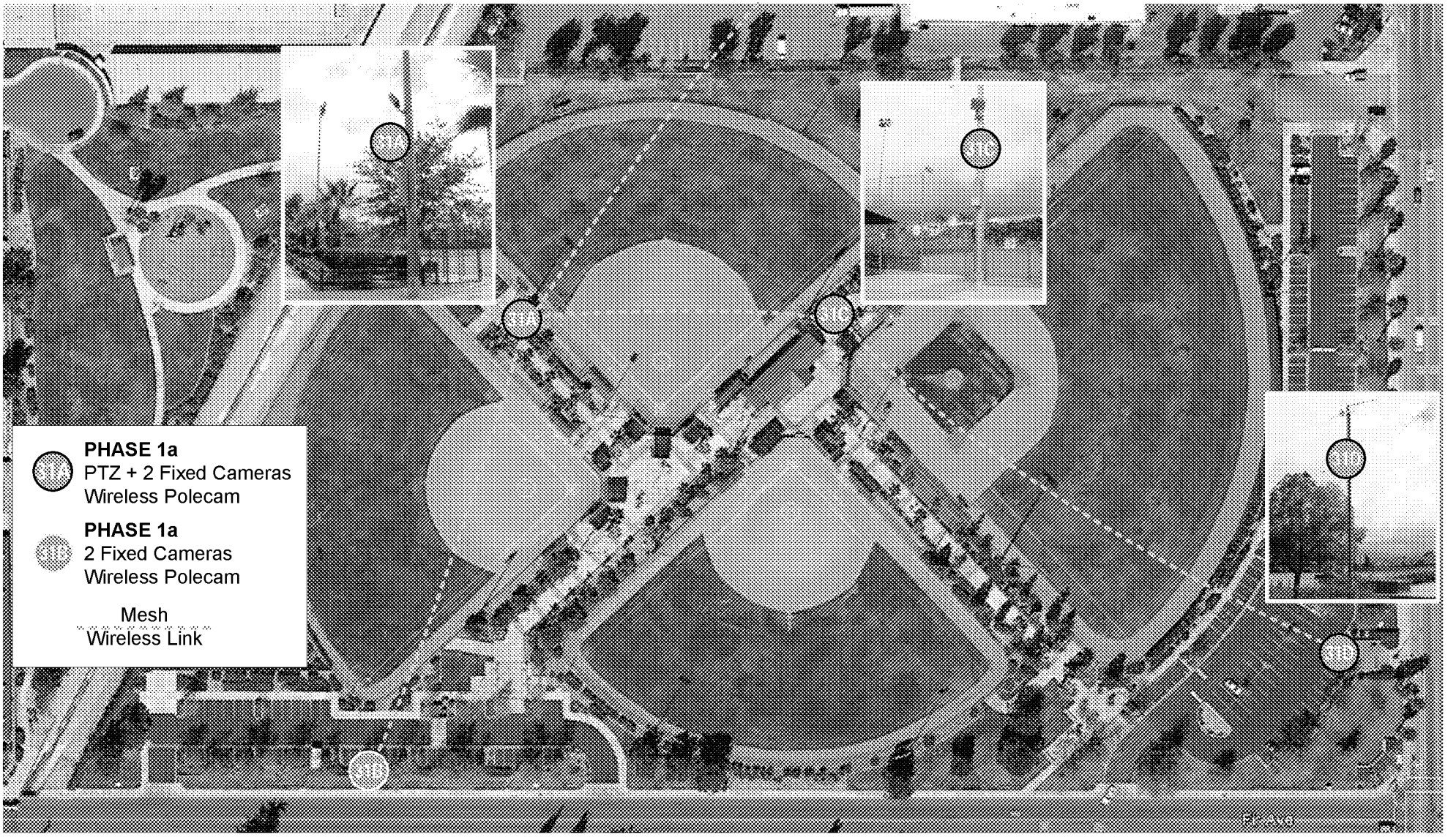

Sunnymead Park

MV00173791

Woodland Park

MV00173792

Pedrorena Park

MV00173793

Victoriano Park

MV00173794

Towngate Memorial Park

MV00173795

GENERAL QUESTIONS:

Thank you for the thought and all the work that went into your proposal.

We are purchasing the CPUs and monitors for the monitoring room inside the police department. What are the specifications needed for the CPUs? How many CPUs will be needed to handle the six monitors per workspace? What is the cabling need from the CPU in the monitoring room to the IT closet?

We are also purchasing the equipment for the viewing room off of the lobby. Will a separate CPU be needed or can we run a cable from a monitor in the monitoring room to the community room? What type of cabling will your camera need for this room (i.e. cat5, cat6, rg59, rg6)?

Lights are not provided all night in the parks. How will this affect your camera solution?

One of the desired functions of the VMS was an audit log to track users logged into the camera system and be able to know what cameras were viewed and who downloaded what video feeds. Please state if your solution will accomplish this.

Explore the availability and use of fiber at the schools (Sunesys fiber).

Please address your on-going maintenance costs and software costs on a yearly basis. Be sure to include two camera cleanings per year as requested in the RFP.

The RFP stated that Cal ID uses DataWorks software for facial recognition. If DataWorks is not your solution please list where you currently have facial recognition software running through the Cal ID system.

Will your project manager be on site or remote only? If they are remote, will you have someone on-sight that can make decisions without checking in with a real decision maker?

At your interview, you will need to provide proof of concept and the viability of your wireless and storage solutions. This will include recent (within a year) video that demonstrates your camera capabilities, VMS and analytics. Please show how

your VMS is user-friendly. The proof of concept must be relevant to our desire that is expressed in the RFP.

How do you purpose to integrate with the County's Tiburon CAD system?

We need a very detailed cost breakdown. The reason for this was to help us determine if we wanted to keep a location or forgo a location based on our needs. This means breaking down the cost by the following:

- Intersections (list of main equipment items) including overall cost
- Parks (list of main equipment) and overall cost
- Storage solution (wherever and however your solution works, include a list of the main equipment and the size of the storage) and cost
- Wireless solution (list the main equipment including model numbers)
- Analytics
- Integration (Whether PD or 3rd party)
- Maintenance
- Staff hours
- Bond or withhold a portion of payment

The above list is not all inclusive and is only meant to aid you in breaking down the cost. This list was provided to all vendors so you may have answered some of these questions in the original RFP.

Please explain how your solution and company should be chosen for this project over the other finalists. The four finalists are listed below with their VMS, recording, wireless, and camera solutions.

Avrio

ONSSI Ocularis, Pivot 3, FluidMesh, Redline, Bridgewave, Axis cameras

CelPlan

Genetec, Dell Server, Radwin and Cellular, Axis cameras

Leverage

Leverage VMS, Leverage LSN radio and storage on edge, Bridgewave and LSN, Indigovision, Pelco, Sony, Axis, Bosch, IQinvision

Pechanga

Ipconfigure, EMC Isilon, Ubiquity, Axis cameras

AVRIO

Please address your solution to record the existing 48 PD cameras and maintain the video for one year. What will the storage needs be and what will it look like.

Explain possible plan for future expansion of edge storage.

Discuss why a D1 (720 x 480) camera resolution. What if we want a higher resolution? How will that effect storage and bandwidth requirements?

Are you confident in FluidMesh integrated antennas, not external, as adequate for the project?

You state one of FluidMesh's radio key features of 100 Mbps via s/w plug-in (p.15). Please explain the purpose of plug-in and requirements to operate at 100 Mbps.

Discuss use of Box Springs as core wireless site and alternatives not on Box Springs that will cover the north valley.

Please provide the specifications for the equipment you wish to place on Box Springs Mountain. How many antennas will you need placed there and what size. Do you need floor space or rack space and how much? Discuss and explain the role of Avrio Sensor Scene as a middleware to CAD integration.

Explain your storage selection of Pivot 3. What makes Pivot 3 the best solution? Is it supported in a Windows Server 2008, not 2003, environment.

Address maintenance and support issues at the Fresno County Sheriff's Office.

Who will provide the four hour response for initial repair issues?

Address one-way communications with the parks. We want to be able to be heard on a speaker at the parks, but not to hear or record the conversations at the parks.

Moreno Valley Citywide Camera Surveillance System

Avrio RMS Group Presentation – May 30, 2012

Avrio RMS Group Solutions

- Wide area wireless video surveillance systems
- Command and Control (C2) video walls and command workstations
- Interoperability and integration software applications including analytics, computer aided dispatch, gunshot detection and other public safety related systems

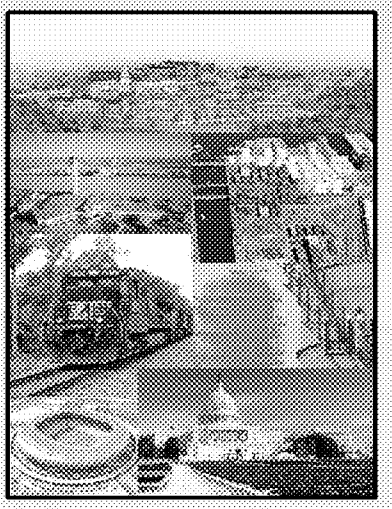

Why Avrio RMS Group

100% Focused on Public Safety Solutions for Municipalities and Government Agencies

- Focused exclusively on Municipal and Federal Government wide area and IP surveillance solutions
- Our depth and breadth of experience in the Public Safety market
- Broad integration experience specifically around IP-Surveillance platforms and analog and/or proprietary camera systems integration
- Highly skilled wireless engineers as well as software engineers ensures total solution works as promised

Proven Performance

MV00173801

Proven Success

- **Chicago**: Largest camera integration project in the Country, 2003 – present.
- 1,200+ cameras connected using mesh, wireless point to point, copper and cellular, over 200+ mi^2
- Thousands of legacy cameras from schools, banks and private businesses integrated within the new network
- Internationally acclaimed, studies have shown a $4.29 savings for The City for every $1 invested*

- **Denver:** Designed and deployed a 75 camera system across the City ahead of the Democratic National Convention in August of 2008.
  - Accommodated venue change with less than 2 weeks notice
- Flexible and scalable design has enabled the City to grow to 200+ cameras since '08
- DPD has shown a 50% reduction in time/cost spent investigating and prosecuting crimes with video evidence.**

- **St. Paul**: Concurrent with '08 DNC in Denver, we built a similar system in St. Paul, presently still expanding.
- Developed custom web application to allow 500 agents from 30 different agencies to simultaneously view any public/private cameras in area.
- Deployed cutting edge wireless mobility network to allow live viewing of dash-mounted cams in squad cars as they move throughout the city.

- **Buffalo**: 100% wireless video network across city supporting over 200 cameras currently
- System elegantly scaled from 30 cameras to 200+ while maximizing equipment utility. (Zero equipment loss)
- Built complete Command & Control room
- Video system integrated with CAD for automatic camera selection and positioning of 911 events.
- Video Analytics for exception based monitoring

**http://www.urban.org/url.cfm?ID=412403

**http://www.public-safety-tech-academy.com/video/funding/funding-grants/

Proven Experience

City of Pittsburgh, PA

- Over 250 Cameras integrated into IP-Surveillance head-end and command and control. Included conversion of analog cameras from PennDOT

Minnesota Department Of Transportation

- Wireless system allowing for the collection and live monitoring of video from moving vehicles

FBI

- National License Plate Recognition system

Department of Homeland Security

- Wireless camera systems on the Northern and Southern borders as well as the integration of disparate systems including ground sensors

Cayman Islands

- Territory-wide wireless video surveillance system across the Cayman Islands

MV00173802

The Solution

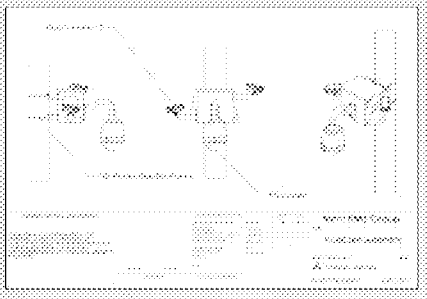

- Hybrid Wired/Wireless Approach
- Proven PODSS with multiple configuration options (77 ~ 215 Cameras)
- High performance Cameras from Axis
- Bridgewave and Redline for Core Backhaul links, Fluidmesh for street level wireless camera clusters
- ONSSI Ocularis head-end and 30 days of minimum storage using Pivot3 RAID 6E servers
- A Proven Approach!

The PODSS

Field Proven Portable Outdoor Digital Surveillance System (PODSS)

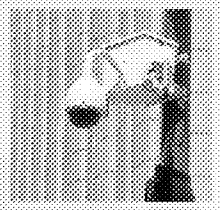

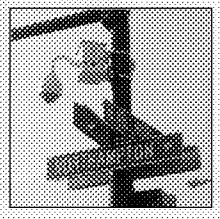

- Cast aluminum enclosure – (PoleCam)
- Installed in dozens of Cities with extreme heat (Phoenix, AZ), humidity (Charleston, SC) and cold weather (Buffalo, NY) conditions
- NEMA 4 Rated
- Surge suppression, dual power supplies, exhaust fan, steel banding
- Multiple configuration options including PTZ w/ dual fixed cameras
- Can house on-board computer, additional radio's e.g., WiFi or 4G LTE, gunshot detection sensors and LPR cameras

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PODSS (Continued)

Field Proven Portable Outdoor Digital Surveillance System (PODSS)

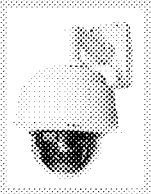

- Axis Q6032-E, 35X optical zoom, 4CIF Resolution
- Tremendous low light capability
- Fast pan/tilt response times
- Proven, field tested, great for patrols
- Can exchange for any camera

- 5 Megapixel (MP) HD Camera 1080p
- 3.5-10 mm day/night varifocal lens
- H.264 encoding
- Two way, full duplex audio support

Wireless Approach

- Carrier Class Backhauls
- Micro-Meshes with unlimited scalability
- Point-to-Multi-point options
- Fiber for improved reliability
- High Quality, Fluid Video
- Quality of Service support for Wi-Fi options

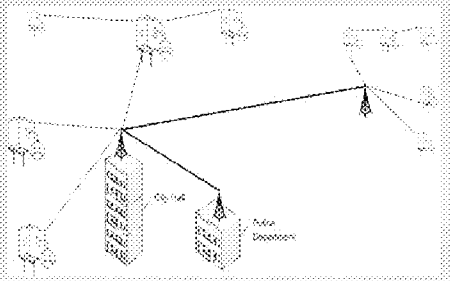

MV00173804

Software Overview

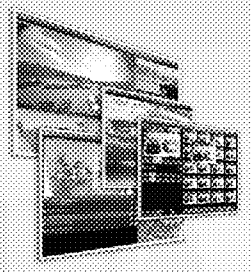

- ONSSI Ocularis with NetEVS recording for 216 cameras
- Open Architecture, Non-Proprietary Video-Centric PSIM (Physical Security Information Management) for Large Enterprise
- Scalable Functionality; NVR to PSIM
- Multiple Recording Platforms and Video Clients
- Universal Camera and Hardware Support
- Modular, Optional Functionality
- Best-of-Breed Solution Integration
- Advanced Human Engineering; Intuitive Functionality

Overview of Training

Full training program for up to 25 City employees and contractors

- Avrio RMS Group will provide all materials custom tailored to DPD's specific solution
- All hardware and software will be covered in the training program
- Administrative training is included and will be in a "train the trainer" format
- Will use certified trainers or instructors for all courses
- Included in price is two (2) classes, each a full day and an additional one (1) day for administrator training

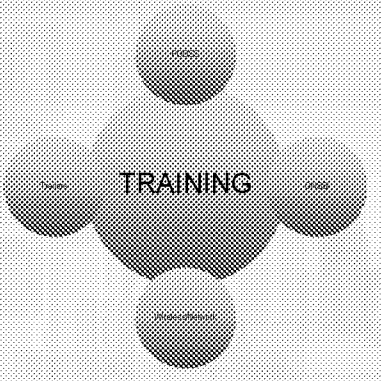

Project Plan

Project Plan			
Milestone Description	**Duration**	**Start**	**End**
Proposal Awarded – June 12th or 26th	1		
Milestone #1 - Detail Design & Signoff / Order / Begin PoleCam Production	20	7/2/2012	7/30/2012
Milestone #2 – Monopole, rooftops, tower equipment installations	30	7/30/2012	8/31/2012
Milestone #2 - Installation and Integration of Wired Infrastructure and Head End Equipment	20	9/3/2012	9/28/2012
Milestone #3 - Installation of PoleCams, Wireless Infrastructure and VMS Server	50	9/17/2012	11/16/2012
Milestone #4 - System Testing and Training	5	11/19/2012	11/23/2012
Milestone #5 - Post Installation Documentation /Moreno Valley Project Signoff	5	11/26/2012	11/30/2012

Support and Maintenance Plan

World-Class Support Built Specifically For These Solutions

- 24x7x365 help desk/remote support
- Guaranteed response times/SLAs
- Field level support
- Sparing solution (complete PODSS, major components, cameras, etc)
- All firmware, patches, software updates included
- Extended Warranty
- Staffed by certified engineers

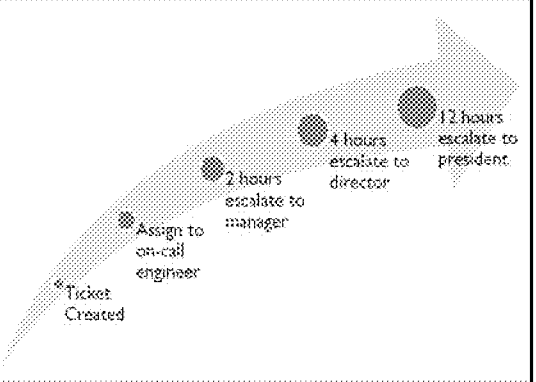

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Pricing Structure

Qty	Description	Mfg/PN	Core	North	South	East	West	NorthCtr	SouthEast	Center	WestCtr	Portable									Price	Ext Price
	Connectivity Hardware																					
150	MultiMesh Node	Proximesh/PM1000M-NW		22	30	5	5	22	22	22	15	5			1	2	1	1	1	1	$4.95	$87,525
38	MultiMesh License	Proximesh/PM1000M-30		10	10	3	3	10	10	10	5	1			1	1	1	1	1	1	$9.95	$6,645
27	MultiMesh License	Proximesh/PM1000M-40		7	7	2	2	7	7	7	4	1				1	1				$11.95	$2,925
26	Mounting Hardware and Installation Supplies	Avrio/Shop	4	17	17	11	24	49	32	34	20	6	2	9	21	1	2	3	1		$99	$23,760
3	Radios	Radios AN-80 radio, ant, pwr, Ethernetor		1	1	1															$3,995	$10,647
9	Radios	Radios EDG-2000 bda, ants, pwr, Ethernetor	1				1		1	1	1										$5,995	$39,970
3	Bridgeway	PacPort23.86Mbps w/2 ant	1																		$25,700	$17,310
3	Bridgeway	PacPort23.86Mbps w/2 ant	1																		$22,895	$17,895
3	Bridgeway	BW80	1																		$18,695	$36,660
3	Mounting fabri	80 Steel Mounting, Install Attachments	1																		$24,250	$24,250
30	P25v2 HD Fixed Poleform	Avrio/Shop		3	3	3	3	10	3	10	4	1	1	1	1	1	1	1	1	1	$6,995	$209,850
2	HD Fixed Pole cam	Avrio/Shop										1			1	1	1			1	$6,995	$14,590
3	HD Fixed Pole cam	Avrio/Shop										1			1						$6,995	$20,985
5	Server	Hikvi 1278 CloudBank VM Appliance																			$20,675	$51,688
3	Ohsu Hardware	Ohsu Hardware	1																		$1,989	$1,989
20	Ohsu Lic	Ohsu Lic-30 Radios		15	15	3	12	51	24	30	12	3	3	6	15	5	3	4	7		$25	$9,250
3	Rack Server	Dell R730																			$11,635	$11,635
3	Fixed Indoor	Dell MED 14-R																			$9,895	$9,895
3	Switch ECD	80 ECD																			$11,820	$11,820
3	PC Stroller	Dell T5500																			$6,495	$6,495
3	Switch ECD	14 ECD																			$11,960	$35,880
3	Workstation	Dell																			$6,908	$20,725
3	Fiber Transceiver gear	Fiber to Ethernet			1	1	1		1	1											$18.98	$57,57
3	Ethernet gear	Dell Poe+ Switch 24																			$1,625	$4,875
		Subtotals																				$1,202,940
	Connectivity Services																					
	Ohsu Survey	Avrio/PM-FIELD-10																			$1,845	$9,985
3	Wireless Engineering	Avrio/PM-FIELD-10																			$1,995	$29,640
3	Project Management	Avrio/PM-FIELD-10																			$1,995	$10,170
3	Training	Avrio/PM-FIELD-10																			$1,995	$6,345
30	Installation Support	Avrio/PM-FIELD-10	1	5	7	2	5	18	12	10	7	2	1	4	4	1	1	2	4		$1,995	$149,250
	Subcontractor Services																					
29	Poles Installation	Snowden Electric		6	5	3	5	17	9	12	7		1	4	4	1	1	2	3		$1,550	$279,620
2	New Poles Fab/MUNI	Snowden Electric											1	1	1	1	1				$1,000	$7,000
10	Radios Installation	Snowden Electric			2	2	1	1	1												$1,000	$13,000
3	Power Work	Snowden Electric	1																		$10,250	$30,750
3	Moleskin Work	Snowden Electric	1																		$23,538	$51,675
		Subtotals																				$3,965,365
		Subtotal Equip + Servi																				$5,168,305

Thank You

QUESTION AND ANSWER

Question 1

- ***What are the specifications needed for the CPUs? How many CPUs will be needed to handle the six monitors per workspace? What is the cabling need from the CPU in the monitoring room to the IT closet?***
  - We recommend that two Workstations be used to power 6 monitors, our normal recommendation is 4 monitors per workstation with minimum 1GB Video Card. Cat 5e or Cat 6e would work for connecting the CPU box(s) to the IT Closet switch. We do recommend that the Switch have GIG Ports.
  - **Recommended Workstation Spec**
  - Intel Core Quad Core 3.0 GHz or better
  - ? 4 GB of RAM or better
  - ? 80 GB hard drive for OS and Security Center/Synergis applications
  - ? [QUAD]3D graphics card required w/ Direct3D support (1.5GB or better, x16)
  - ? 1600 x 1200 or higher screen resolution
  - ? 1000/GIG Ethernet Network Interface Card
  - ? 16x DVD+/- RW Drive1
  - ? Sound Card

Question 2

- ***Will a separate CPU be needed or can we run a cable from a monitor in the monitoring room to the community room? What type of cabling will your camera need for this room (i.e. cat5, cat6, rg59, rg6)?***
  - We recommended that a separate CPU workstation be purchased for this room. This will ensure that performance of the video is not compromised and that camera rights and protocols can be followed. This will make sure that we can implement the "kill" button that will disconnect the user from viewing the video immediately after the button is pressed, and when certain video is not to be shared in the lobby video monitor. The Software also has the feature to push required video from any client location to any client CPU workstation, if necessary. CAT5e/6 cabling is required.

MV00173808

Question 3

- ***Lights are not provided all night in the parks. How will this affect your camera solution?***
  - Since the lights in the park are switched off at some time during the night that is still ok. There has to be a contactor at the pole base which should have a constant hot on the line side and a control circuit coming from either a time clock or some type of energy management system. If that is the case, our electrician will have power at the pole and the only thing we would have to do is to install a step down transformer (already priced by Snowden). If there is no contactor at the base of the pole then there has to be a switch circuit going to the pole from a contactor or relay somewhere in the area. If so, our electricians can then install a constant hot circuit from the contactor or relay to the pole light. If the circuit is not 120-volt then we would have to install a step down transformer (already priced by Snowden).

Question 4

- ***One of the desired functions of the VMS was an audit log to track users logged into the camera system and be able to know what cameras were viewed and who downloaded what video feeds. Please state if your solution will accomplish this.***
  - As stated in page 22 Section 4.3 of our response, ONSSI logs all operations in the Image Server log and Recording Server log. Clients connected with the Ocularis Client have the ability to log to the system thereby providing that functionality.

MV00173809

Question 5

- ***Explore the availability and use of fiber at the schools (Sunesys fiber).***
  - Availability of leased fiber from Sunesys in some Moreno Valley schools can provide an additional gateway for traffic from cameras at locations where access to city fiber or RF line-of-sight surpasses the cost of providing a wireless connectivity solution. According to Sunesys's existing infrastructure map for Moreno Valley, dark fiber does not extend to the EOC. The solution will require extending the Sunesys fiber to the a City Fiber PoP (point-of-presence) or wireless to the core location at the EOC.

Question 6

- ***Please address your on-going maintenance costs and software costs on a yearly basis. Be sure to include two camera cleanings per year as requested in the RFP.***
  - Avrio RMS Group included year 1 costs in our base price for both maintenance and software. Maintenance includes all software SUP renewals as well as 24x7x365 help desk, field level support, sparing solution, advanced RMA's and 2 camera cleanings per year. In essence, all material and labor is included in the annual contract. Subsequent year's pricing was included in the pricing proposal for years 2 through 5.

MV00173810

Question 7

- ***The RFP stated that Cal ID uses DataWorks software for facial recognition. If DataWorks is not your solution please list where you currently have facial recognition software running through the Cal ID system.***
  - The Face Plus product from DataWorksPlus will recognize images gathered by the video surveillance cameras on this proposal. Current FacePlus requires manual entry of images from any source such as ATM machines, scanned images, and video JPEG from any VMS system. DataWorksPlus is currently testing their new case management tool that will allow the user to play a video stream and stop it at an image consider to have the best frame to run against the images in the mug-shot detection database for a facial match. Our solutions will support either mechanism.

Question 8

- ***Will your project manager be on site or remote only? If they are remote, will you have someone on-sight that can make decisions without checking in with a real decision maker?***
  - Yes, Avrio RMS Group will assign an onsite project manager for the duration of the project. The project manager will have decision making rights and will manage our local electricians, wireless, and system engineer(s) as well as all client and consulting subcontractor communications.

MV00173811

Question 9

- ***At your interview, you will need to provide proof of concept and the viability of your wireless and storage solutions. This will include recent (within a year) video that demonstrates your camera capabilities, VMS and analytics. Please show how your VMS is user-friendly. The proof of concept must be relevant to our desire that is expressed in the RFP.***
  - See Demonstrations

Question 10

- ***How do you purpose to integrate with the County's Tiburon CAD system?***
  - Our PantaScene product was built to integrate with any event based system that provides an open interface for listening to XML based events. PantaScene is being used by Cities across the country to integrate various types of systems including computer aided dispatch, gunshot detection, NOAA weather alerts, Web 2.0 hits, and CBRN sensors, etc. Tiburon integration is currently on our roadmap and under development as we are implementing this for several of our customers using the Tiburon CAD system including Allegheny County, PA among others.

MV00173812

Question 11

- ***We need a very detailed cost breakdown. The reason for this was to help us determine if we wanted to keep a location or forgo a location based on our needs.***

Mfg/PN	Core	North	South	East	West	NorthCtr	SouEast	Center	WestCtr	Portable							
Total Nodes		5	5	5	4	17	8	11	4	1	1	4	4	3	1	2	1
Wireless Overhead	$770																
Wireless Equipment	$1,858	$12,531	$13,281	$14,390	$13,970	$12,117	$12,759	$12,947	$13,571	$8,119	$10,461	$8,427	$10,930	$9,871	$10,451	$8,978	$9,678
Services		$5,189	$7,788	$11,687	$6,814	$5,571	$8,274	$5,861	$9,081	$	$8,278	$5,461	$6,006	$5,734	$6,278	$5,189	$5,189
Camera Licensing		$698	$698	$698	$698	$698	$698	$698	$698	$466	$698	$466	$640	$582	$698	$466	$543
Headend Overhead	$1,220																
Cost/node/intersection - All		$22,266	$25,616	$30,673	$25,330	$22,434	$26,580	$22,754	$29,108	$12,452	$21,275	$18,202	$21,424	$20,035	$21,275	$18,080	$19,258
Cost/node/intersection-w/o Core		$20,408	$23,758	$28,765	$23,471	$20,576	$24,721	$20,896	$27,339	$10,594	$19,416	$16,343	$19,566	$18,176	$19,416	$16,222	$17,400
Cost/node/intersection -w/o Core w/o Headend		$19,188	$22,538	$27,545	$22,252	$19,356	$23,501	$19,676	$26,120	$9,374	$18,197	$15,124	$18,346	$16,957	$18,197	$15,002	$16,180

Question 12

- ***Please explain how your solution and company should be chosen for this project over the other finalists. The four finalists are listed below with their VMS, recording, wireless, and camera solutions.***
- ***Avrio***

  ONSSI Ocularis, Pivot 3, FluidMesh, Redline, Bridgewave, Axis cameras
- ***CelPlan***

  Genetec, Dell Server, Radwin and Cellular, Axis cameras
- ***Leverage***

  Leverage VMS, Leverage LSN radio and storage on edge, Bridgewave and LSN, Indigovision, Pelco, Sony, Axis, Bosch, IQinvision
- ***Pechanga***

  Ipconfigure, EMC Isilon, Ubiquity, Axis cameras

MV00173813

Question 13

- ***Please address your solution to record the existing 48 PD cameras and maintain the video for one year. What will the storage needs be and what will it look like.***
  - We propose to add H.264 Encoders to convert the analog feed to Digital and add it to the System. The cost would be the camera license and the rack mount encoder blades. Below chart describes the camera bandwidth need and storage requirement based on 1 year storage keep.

Camera Name	Number Cameras	Video Format	Device Resolution	Frames Per Second	Frame Size/ Bitrate	Hours	Motion Percentage	Number of Days	Storage	Bandwidth
48 existing PD Cameras	48	H.264	640*480	30	768 Kbits	24	100%	365	150TB	37.1mbit

Question 14

- ***Explain possible plan for future expansion of edge storage.***
  - Both proposed Server/Storage Pivot3 platforms and ONSSI VMS has the ability to quickly change the design from centralized to a de-centralized architecture. Given the Infrastructure and future growth, we can either add additional Server/Storage Pivot3 capacity centrally to accommodate the camera addition or other Windows Platform with ONSSI on the network. The ONSSI Federation Architecture allows to bring all the Servers into ONE GUI Platform so that they can all be managed from one location and one software interface.

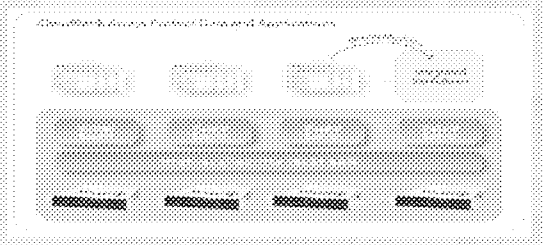

Question 15

- ***Discuss why a D1 (720 x 480) camera resolution. What if we want a higher resolution? How will that effect storage and bandwidth requirements?***
  - The proposed Wireless PTZ Polecams include one Axis Q6032 and two HDTV Megapixel Fixed cameras at those locations. The key feature of the Axis 6032 is it 35X optical zoom and its 128X wide dynamic range. Avrio RMS feels that with two fixed HD cameras and one high-power zoom capable camera at each camera location provides a good balance cost and features at these intersections. Avrio RMS does not object of upgrading the Axis Q6032 to the Axis Q6035 HDTV PTZ camera. The Axis Q6035 has a 20X optical. We would estimate that bandwidth and storage would increase by 30% over the existing 4CIF PTZ cameras proposed.

Question 16

- ***Are you confident in FluidMesh integrated antennas, not external, as adequate for the project?***
  - Yes, we are. By using radios with integrated antennas at the street level we achieve the same results in regards to connectivity as we would when using connectorized radios and their external antenna(s). FluidMesh product line offers a connectorized version which we also use at locations were the radio must be located in a specific location and its antenna in another. Having an integrated radio on a street pole eliminates the needs to have an antenna, its RF cable, lightning arrestors, and connectors exposed to the environment. It also increases the count of items hanging from a pole at each location which adds to the management, installation, support, and further user training. An integrated antenna is also more appealing to the public and less intrusive which has helps many cities obtain permits from their Public Works with ease. Avrio RMS understands that there could be instances where a connectorized radio might be required at one or two intersections of this project, but as needed.

MV00173815

Question 17

- ***You state one of FluidMesh's radio key features of 100 Mbps via s/w plug-in (p.15). Please explain the purpose of plug-in and requirements to operate at 100 Mbps.***
  - As new requirements dictate an increase in bandwidth in areas where a wireless network infrastructure is already in place, Fluidmesh radios can be easily upgraded via software plug-ins as to provide the additional throughput with any physical intervention. This feature allows the user to limit the total cost of ownership of the wireless network by paying only the amount of bandwidth required at any specific time. Avrio RMS design for the Moreno Valley includes a minimum of 30Mbps for every client node link which exceeds the minimum required bandwidth needs from each PoleCam. Various locations require 60Mbps as shown in the pricing sheet. This feature will allow the City of Moreno Valley to add PoleCam nodes in those vicinities and only purchase additional bandwidth if needed.

Question 18

- ***Discuss use of Box Springs as core wireless site and alternatives not on Box Springs that will cover the north valley.***
  - Page 20, Section 4.2.1 of the proposal refers to the Core High Speed Network drawing and explains the equipment and bandwidth requirements for the links that connect at a Box Springs Tower (BST). It also offers a solution which is also described in that section that will require the installation of an additional monopole somewhere within the EOC /City Hall complex and a self-supporting antenna mast at Fire Station #6. That section also offers one of the solutions for the North Valley camera locations which includes using PoleCams with 3G/4G radios for connectivity to the nodes. One additional option is depicted in the drawing below. This option will utilize the Sunesys leased fiber from the Sugarhill Elementary and Vista Heights Middle schools to bring in the video traffic to either another school in the vicinity of the EOC or at an intersection where a Sunesys fiber PoP interconnects to the City Fiber PoP. At that location,camera traffic will be connected/routed to the EOC core site. Avrio RMS will work with the City and the School system's IT to specify and design the layer 2 or layer 3 requirements of connecting to the Sunesys/School fiber link(s).

Question 19

- ***Please provide the specifications for the equipment you wish to place on Box Springs Mountain. How many antennas will you need placed there and what size. Do you need floor space or rack space and how much?***
  - For the core links, a total of three Bridgewave FlexPort23 microwave radios and three HP2-23RR 2ft high performance antenna with their radome will be installed on a tower. Three RMSL348 rack mounted power supplies totaling six rack units (3.5"x3) will need to be installed in the equipment trailer in addition to three DS210-48VDC DIN-rail power supplies.
  - Connectivity to the North Valley locations proposed as part of this response will be achieved by the use of two FluidMesh 1100 series radios. These radios will be powered via PoE by one LNP-1002GN DIN rail mounted switch located inside the equipment trailer.
  - Attached are the specifications for each device identifying the model number and specifications requested.

Question 20

- ***Discuss and explain the role of Avrio Sensor Scene as a middleware to CAD integration.***
  - SensorScene is our integration platform targeted specifically to public safety applications. It has been used in dozens of cities for integrations from Shotspotter to CAD to CBRN type sensors. SensorScene is part of the PantaScene suite of applications. It includes a rules based engine that can be tailored to the end-customer requirements.

Question 21

- **Explain your storage selection of Pivot 3. What makes Pivot 3 the best solution? Is it supported in a Windows Server 2008, not 2003, environment.**
  - Pivot3 has better storage and server protection. For storage, Pivot3 protects systems for more drive failures (5 versus 2), a complete appliance failure (none for Intransa) and introduces predictive sparing to gracefully spare degraded drives before they fail. The Video Interruption Alarm is another feature designed specifically for surveillance customers to ensure that displayed video is in fact recorded.
  - Pivot3 uses virtualization to deliver embedded server failover without dedicated hardware, cabling or licenses. Self-healing servers ensure field failures do not compromise camera uptime or stored video access.
  - Pivot3 uses server virtualization to consolidate the infrastructure required for video surveillance. Pivot3 appliances provide both server and storage in a single appliance.
  - Yes it is supported on both Windows 2003 and Windows 2008 environment.

Question 22

- ***Address maintenance and support issues at the Fresno County Sheriff's Office.***
  - Fresno County Sheriff's Office currently has a 4 hour response Support Agreement with Avrio RMS Group. Anytime a wireless product or cameras goes offline, we are quickly able to address the issue in a 4 hour response time period. We have remote access to the site to fix 90% of the issue, while our local Field Engineer can troubleshoot hardware issues onsite as required.
  - Majority of our issues in the past 6 months have been following:
    - Bad Radio. The radio was immediately replaced using advanced RMA as part of our agreement
    - Bad Camera. The camera was replaced through vendor RMA process
    - County's Network going offline. The county IT was notified and the problem was fixed by working together with the County IT.

MV00173818

Question 23

- ***Who will provide the four hour response for initial repair issues?***

  - Avrio RMS Group will have an assigned field engineer to Moreno Valley during the maintenance period. This individual will be trained and certified on all of the major system components be a local resource. We will also maintain local spares inventory to ensure the system is brought back to 100% operation within the agreed upon SLA.

Question 24

- ***Address one-way communications with the parks. We want to be able to be heard on a speaker at the parks, but not to hear or record the conversations at the parks.***

  - As expressed in page 21 Section 4.2.3 of our proposal, two-way audio can be very easily added to any PoleCam unit on the field. However, we are not proposing a microphone be installed as part of this solution, therefore you will not physically be able to record any audio from any of the camera locations. The ability to speak or make announcements to someone at the park can be achieved by equipping the enclosure with a Sony Speaker. The external speaker for one-way communication will be attached to the pole above the enclosure. We propose the Sony SCAS30. The SCAS30 is a durable active speaker for outdoor environments, specifically designed for audio edge device for security network cameras.

Conditions

- The contents of this presentation and its attachments (if any) may be proprietary and/or confidential and are intended solely for the addressee(s) hereof. In addition, this presentation may be subject to non-disclosure or confidentiality agreements or applicable legal privileges, including privileges protecting communications between attorneys or solicitors and their clients or the work product of attorneys and solicitors. If you are not the intended recipient, or if this presentation has been sent to you in error, please do not read, disclose, reproduce, distribute, disseminate or otherwise use this presentation or any of its contents.
- The contents of this presentation are company and City of Moreno Valley confidential. No copies may be made without the express written permission of Avrio RMS Group and the City of Moreno Valley.
- In no event shall Avrio RMS Group be liable for any indirect, special or consequential damages arising out of or in connection with the use of the presentation.
- In case of questions for commercial usage please get in contact with us.

E-Mail: info@avriormsgroup.com

Avrio RMS Group
www.avriormsgroup.com

World-class solutions for public safety and transportation markets.

Avrio

Request for Best and Final Offer

Please respond to the following questions in writing by Tuesday June 12, 2012 by 5pm.

1. Please provide the coverage, services, and dollar amount for maintenance each year for the first five years.
2. To provide the best quality recording quality and frame rate possible we see the storage needing to be approx. 100 TB. We required 30 day storage for intersections and parks cameras and 365 day storage for the police department cameras. Please address this in you proposal and include the cost.
3. Using BRS analytics what is the licensing fee per camera or group of cameras? We anticipate initially licensing 1 camera per park with analytics.
4. Please provide the timeline to integrate with the Tiburon CAD to communicate an event and turn cameras to presets that are programmed for such events (i.e. armed robbery).
5. How many TV news stations will we be able to record?
6. Describe how local support will work including timeline when we have a failure of equipment whether it is a camera, radio, or head-end recording device.
7. Describe how engineering support will work, including timelines, if an engineer is required.
8. We would like to be able to expand the system as money is made available. During the time period of the maintenance contract or as far out as you will commit we would like installation and service costs. We would like to be able to add cameras and radios to connect to the system including labor costs for at least a three year period. This formal request will ensure future expansion stays a part of this bid process.
9. How many locations will be covered in the first deployment?
10. Just a reminder, at our meeting you mentioned you would include the speakers at the parks. What type of speakers and cost?

3 N. Harrison St, Suite 100 * Easton, Maryland 21601* Phone: (410) 820-9334 * Fax: (410) 820-4304
E-Mail: dlipscomb@avriormsgroup.com Web: www.avriormsgroup.com

Date: June 12th, 2012

Tom Tucker
City of Moreno Valley, California

RE: RFPSC TT11/12-10, PROJECT TS-CCSS 2012-02

Dear Mr. Tucker:

Attached are our responses/clarifications to the individual pricing and technical components you requested in your email dated June 6, 2012. We are agreeing to the proposed changes at the firm fixed price bid in the original proposal of $1,768,106. Avrio RMS Group will provide the following additional scope at no additional charge to the City of Moreno Valley (the "City"):

1. Speakers in each park.
2. Additional Storage (for a total of 108 TB) to include licensing and storage for existing Police Department ("PD") cameras (365 days).
3. Additional hardware/software to allow up to 4 TV news stations to record video.

Our Company and proposed solution provides the following benefits to the City:

- Centralized management of all system components including servers, storage, network and cameras, improves overall reliability and decreases maintenance costs and allows for ease of scalability in the future.
- A completely open architecture that does not lock the City into any proprietary software or hardware.
- PODSS (PoleCams) are proven to operate with little to no maintenance in extreme weather conditions.
- World-class support and maintenance program ensures long-term system availability.

If you have any questions regarding our pricing or technical solution proposed do not hesitate to contact me at any time on my cell (410) 310-3006 or by email: dlipscomb@avriormsgroup.com. We look forward to a long-term partnership with the City of Moreno Valley to ensure your video surveillance objectives are met now and in years to come.

Sincerely,

Darrin Lipscomb
President

Individual Questions and Answers

1. **Please provide the coverage, services, and dollar amount for maintenance each year for the first five years.**

We included the 1st year maintenance as part of our base bid. Our support program is all inclusive, if anything goes wrong with the system with exception of acts of god, Avrio RMS Group will repair, replace and restore the system to operational condition. Our maintenance and support includes the following:

- Repair or replace any failed component needed to restore the system to full operation.
- Provide 24-7-365 Help Desk support with a 4 hour maximum response time for critical repair issues.
- Provide a sparing solution, whereby critical spares inventory is maintained at local facility.
- Advanced RMA for all parts.
- Extended warranty for all system components.
- Remote diagnostics and troubleshooting (requires remote access to system).
- All software and hardware patches and firmware upgrades.

Years 2 through 5 are priced as below:

Year 2: $98,000
Year 3: $112,000
Year 4: $125,000
Year 5: $145,000

2. **To provide the best quality recording quality and frame rate possible we see the storage needing to be approx. 100 TB. We required 30 day storage for intersections and parks cameras and 365 day storage for the police department cameras. Please address this in you proposal and include the cost.**

An additional four (4) 12TB Pivot3 servers are added to the proposed equipment for a total of nine (9) 12TB Pivot3 servers for a total storage capacity of 108TB. This configuration exceeds the calculated storage requirements as well as the 100TB storage specified above by the City for all the cameras and TV channels on the project. The calculations on the table below estimates 30 frame per second (fps) for all IP cameras and TV station recordings and 15 fps for the 30 cameras at the PD. Calculations use the maximum camera resolution possible for a total of 70TB of calculated storage.

MV00173823

Camera Name	Number of Cameras	Video Format	Device Resolution	Frames Per Second	Frame Size/ Bitrate	Audio	Hours	Motion Percentage	Number of Days	Storage
PTZ	67	H.264	640 x 480	30	256 Kbits	No	24	50%	30	2.7 TB
HD Fixed	151	H.264	2560 x 1920	30	2048 Kbits	No	24	50%	30	50.0 TB
PD Cameras	30	H.264	640 x 480	15	256 Kbits	No	24	50%	365	16.1 TB
(4)TV-Cha+Comm Rm	5	H.264	640 x 480	15	256 Kbits	yes	24	50%	365	2.5 TB

3. Using BRS analytics what is the licensing fee per camera or group of cameras? We anticipate initially licensing 1 camera per park with analytics.

A total of seven (7) BRS AISight channel licenses, one Dell Precision T3600 Quad-Core 2.8GHZ, 32GB DDR3, SATA RAID-1 with two 1-TB 3G drives, and an Intel X520 10GbE NIC dual port system to serve as the BRS Analysis and System Manager server and associate implementation and configuration services would be $30,000.

4. Please provide the timeline to integrate with the Tiburon CAD to communicate an event and turn cameras to presets that are programmed for such events (i.e. armed robbery).

We will be offering this as part of our Version 2.5 Release of PantaScene due for general availability on or about July 30, 2012. Beyond slewing cameras, PantaScene will support video push, alerting e.g., SMS, and automatic video clip generation as well as bookmarking.

5. How many TV news stations will we be able to record?

Included is the capability or recording video and audio for up to four (4) TV broadcast stations. The configuration includes four (4) Extron AVT-100N high-performance analog cable and TV tuner demodulators. Video and audio outputs from the four demodulators will be encoded using one (1) Axis P7410 4-channel video encoder and stored for synchronized playback in the Pivot3 servers. Please refer to question 2 above for the calculated storage for these four TV channels.

6. Describe how local support will work including timeline when we have a failure of equipment whether it is a camera, radio, or head-end recording device.

Upon notification of a failure via toll-free call or email, Avrio RMS Group will open a ticket in CRM and an acknowledgement will be sent to the originator. This is assigned to a help-desk technician initially which will remote into the system to run diagnostics and attempt to resolve the issue remotely. If, after 2 hours the issue is not resolved, the ticket will be escalated to the local field engineer for field level diagnostics which could include swapping out hardware. Our goal is to resolve all issues within a 24 hour period from initial notification. Our average time to repair for systems of this size is roughly 5 hours.

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7. Describe how engineering support will work, including timelines, if an engineer is required.

Our local support (Field Engineer) will be trained and certified in all of the major components including hardware (radio's, cameras, peripherals, servers, etc.) and software. If after 24 hours, the local field engineer is unable to resolve the issue, he/she can escalate the ticket to a more senior engineer who will arrive onsite within 48 hours from initial notification of the problem. It is a very rare occurrence when the local field engineer is unable to resolve an issue. They have at their disposal all of our senior staff engineers no matter where they reside in the country.

8. We would like to be able to expand the system as money is made available. During the time period of the maintenance contract or as far out as you will commit we would like installation and service costs. We would like to be able to add cameras and radios to connect to the system including labor costs for at least a three year period. This formal request will ensure future expansion stays a part of this bid process.

Below are the calculated costs for one PoleCam (One PTZ + 2 HD Fixed) system for three types of deployment scenarios. The cost below includes equipment and installation services:

Scenario 1- Cost $22,194 per location – Includes overhead cost for head-end, core equipment, and wireless connectivity. An example of this type of deployment will apply to a new location where additional core, wireless, and head-end equipment services and licenses are required. The above number estimates adding five (5) or more PoleCams to a location served by the new core equipment.

Scenario 2 – Cost $20,333 per location – Includes overhead cost for head-end and wireless connectivity. An example of this type of deployment applies to an installation that utilizes the existing core network.

Scenario 3 – Cost $19,247 per location – Includes just the PoleCam. An example of this type of deployment applies to a new location that will share the available wireless bandwidth of the wireless network. Three camera licenses are included.

9. How many locations will be covered in the first deployment?

This proposal includes **all** camera locations defined on RFP # VAG TT 11/12 10 Exhibit A for phases 1, 1a, and 2. This equates to a total of 77 camera locations: 67 (1 PTZ+ 2 HD Fixed), 7 (2 HD Fixed), and 3 (1 HD Fixed). Ten (10) of these PoleCams will be deployed in the various parks as defined by the Exhibit. In addition, our proposal includes encoding and storage for the existing thirty (30) analog cameras located in the PD, one (1) fixed indoor camera for the Community Public Room, and the demodulation, encoding, and storage for four (4) TV broadcast news stations, for a total of 253 camera licenses and its storage.

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Our design considers future deployment scenarios and demonstrates the feasibility of connecting to the cameras in the later phases (e.g. Grn, Purple, and Grey locations defined in Exhibit A). Appendix A of the proposal depicts the complete network wireless design.

10. Just a reminder, at our meeting you mentioned you would include the speakers at the parks. Please specify the speaker model that Avrio proposes to use at the park locations for 1-way communications.

We are proposing adding one (1) Sony SCAS30 speaker per park. The SCAS30 is a durable outdoor IP66 rated speaker with 35W of audio output power. This speaker will be mounted on top of the PoleCam and will be able broadcast live and recorded announcements to each park.

MV00173826

Support Agreement

Unlimited 4 Hour Response Plan

THIS AGREEMENT is made and entered into as of City of Moreno Valley between Avrio Group Surveillance Solutions, LLC (aka Avrio RMS Group), a Delaware limited liability company with its principal place of business at 8 S. West St, Suite 101, Easton, MD 21601 ("Avrio Group"), and the City of Moreno Valley (CUSTOMER) with its principal place of operation being 14177 Frederick Street, Moreno Valley, CA 92552.

For a period of one (1) year from the date hereof (the "Maintenance Term") and any renewal Maintenance Term, Avrio will supply the services described in Section 1 below ("Services") to the CUSTOMER with respect to the products described in Section 4 below ("Products") and referenced in Schedule A.

1. **INCLUDED SERVICES**

- Unlimited number of incidents including 4 hour response 24x7x365, Onsite Support: Next Business Day. All parts and labor included.
- Ability to use telephone, e-mail, chat and screen sharing technology for all support incidents including end-user support:
  - Phone: 1-877-899-9334
  - E-Mail: support@avriormsgroup.com
- Free shipment and installation of all patches and maintenance releases.
- Depot repair and/or RMA's on all equipment under current warranty
- Local spare parts inventory.
- Remote Diagnostics and Incident reporting.
- SNMP monitoring of all supported devices on the video network.
- Free software/firmware patches and upgrades.
- Preventative care for the cameras and radios no less than twice each year. This includes camera lense or dome cleaning, camera positioning adjustments, and wireless radio adjustments.

Notes:

- Avrio Group will not charge for support for up to 30 days after project signoff.
- Pursuant to the terms of this Agreement, any service and labor charges not covered under the terms of this Agreement shall be charged by Avrio Group at the following rates: Mon-Fri $150/hr.; Sat, Sun & Holidays $250/hr. Hours billed after normal working hours (9am-5pm) will be billed at 1.5 times the hourly rate. Travel expenses are additional and charged as 1 way travel time at normal hourly rates.

2. AVRIO GROUP RESPONSIBILITIES

During the Maintenance Term:

- AVRIO GROUP will use commercially reasonable efforts to assist the CUSTOMER to resolve problems in its use of the IP Surveillance solution as described in Section 1. AVRIO GROUP makes no guarantee that it can, or will, solve any problems with respect to the solution presented by the CUSTOMER, and further disclaims any warranties above and beyond the manufacturer's warranty or any limited warranties expressly made by AVRIO GROUP in the statement of work terms and conditions.
- AVRIO GROUP will provide access on its web site and/or FTP site to all Maintenance Updates for software and firmware that is part of the solution to the CUSTOMER as soon as practical in the ordinary course of business after commercial release of the same.
- AVRIO GROUP will provide Customer with Maintenance Updates, which, in AVRIO GROUP'S sole determination, correct application problems that are reasonably likely to prevent substantially full utilization of Product(s).
- AVRIO GROUP will offer Services for the then current release of Product(s). Avrio will also offer Services for the release of Product(s) immediately preceding the then-current release for not less than twelve (12) months from the date of such release.

3. CUSTOMER RESPONSIBILITIES

- CUSTOMER is responsible for (i) hardware, (ii) operating systems, (iii) network setup, (iv) network maintenance and (v) setup and use of any file access control systems.
- CUSTOMER is responsible for providing secure remote broadband access to all servers that require support. Administrative rights and login will be provided to Avrio allowing for support and monitoring of the CUSTOMER installation.
- CUSTOMER is responsible for ensuring that its personnel have sufficient training to attain and maintain competence in the operation of the IP-Surveillance software.
- CUSTOMER shall provide its personnel access to, and require its personnel to review, the IP-Surveillance software user guide before calls are made to Avrio Telephone Support.
- If support requires onsite services, CUSTOMER will be billed for one way travel time and a per diem not to exceed $200/day.
- Customer is responsible for requesting any Maintenance Term extension. In the event that Customer does not request and pay for a Maintenance Term extension, Avrio makes no guarantee that Services will be supplied.
- After expiration, Customer may resume the Services by payment of the then current annual Maintenance and Support Fee.

4. **PRODUCTS COVERED IN AGREEMENT**

ALL PRODUCTS PROVIDED AS PART OF THE ORIGINAL CONTRACT. SEE BILL OF MATERIALS.

5. **ANNUAL MAINTENANCE FEE:** Customer will pay Avrio an annual maintenance fee for the Services in accordance with the fee schedule set forth below ("Maintenance and Support Fee"), which shall be paid within thirty (30) days of the date of invoice. If Customer breaches any of its obligations under this Section 5, Avrio may in its sole discretion terminate this Agreement by providing written notice and/or refusing to provide the Services.

a.	Year 1 maintenance	Included - No Charge
b.	Year 2 maintenance	$98,000
c.	Year 3 maintenance	$112,000
d.	Year 4 maintenance	$125,000
e.	Year 5 maintenance	$145,000

6. **EQUIPMENT MAINTENANCE:** Avrio Group agrees, during the Initial Term of this Agreement, and any extension thereto, subject to the other terms of this Agreement, to keep the CUSTOMER's Equipment, as described on the attached Schedule A (hereinafter referred to as "Equipment"), in satisfactory operation and to make all repairs and adjustments to the Equipment, and to supply such parts as may be required which are incidental to the maintenance of the Equipment. Such maintenance shall be provided to the CUSTOMER at the Equipment's location subject.

7. **EXCLUSIONS FROM COVERED MAINTENANCE**: The following labor and services shall be expressly excluded from the Maintenance provisions of this Agreement: (1) Services required due to change or alterations in Equipment specifications not performed by AVRIO GROUP personnel, (2) Services required due to supply items that do not meet AVRIO GROUP' specifications or standards, (3) Installation, moving, or removing of the Equipment, options, attachments or cables, (4) Replacement of consumable items, supplies or accessories (such as ink cartridges, disks, paper, scanners lamps, pad assemblies, pick rollers, etc.), (5) Replacement of parts, repair of damage or increase in Service Time to Equipment resulting from fire, lightning, flood, wind, accident, theft, abuse, neglect, misuse, natural disaster, or any causes other than ordinary use for which the Equipment was intended, (6) Problems related to software (other than the internal operating system software), whether such software is program files or data files on either tape, floppy disks, hard disks or any other kind of media, (7) Electrical work external to the Equipment or maintenance of accessories, attachments or other devices not listed on the Schedule A, (8) Service or repair due to failure of electrical power, air conditioning or humidity control, (9) Refinishing of Equipment, (10) Work requested by CUSTOMER for rearrangement, such as additional wiring, moving other equipment or cables, relocating Equipment or repairing a previously prepared site or station to make it operational, (11) Specific requests by CUSTOMER for maintenance which is in addition to Covered Maintenance requirements, and (12) labor and services associated with equipment that is no longer covered under the manufacturer's warranty.

8. **SOFTWARE RELATED PROBLEMS**: Upon a determination by a AVRIO GROUP engineer that a problem is related to software (other than internal operating system software), and thereby excluded from the Covered Maintenance provisions of this Agreement, the engineer will immediately notify the CUSTOMER and the CUSTOMER will be

subject only to AVRIO GROUP' minimum charge for service and labor. All further work thereafter regarding such problem, shall be at AVRIO GROUP' normal rates for said service.

9. **CUSTOMER OBLIGATION:** CUSTOMER shall: (1) immediately notify AVRIO GROUP of any Equipment malfunction requiring the services hereunder, (2) only use attachments and supplies which are compatible and suitable for use with the Equipment, (3) allow free and full access to the Equipment in order to allow AVRIO GROUP to provide service, and (4) have a company representative present while the Equipment is being serviced.

10. **CHARGES TO CUSTOMER:** In addition to the Total Contract Amount, the CUSTOMER shall be subject to the following charges: (1) Labor and Service charges for Labor and Service performed which is outside the Covered Maintenance mentioned above, (2) Parts not covered by the Covered Maintenance, (3) All maintenance charges are exclusive of applicable federal, state or local taxes and CUSTOMER shall pay or reimburse AVRIO GROUP for any such taxes and AVRIO GROUP may add such taxes to the invoices submitted to CUSTOMER, and (4) All Maintenance charges are subject to increase or decrease upon any change in specifications for Equipment or upon addition of features or attachments thereto. CUSTOMER shall pay AVRIO GROUP for all supplies and consumables utilized by CUSTOMER in the use of the Equipment or by AVRIO GROUP in the performance of the Covered Maintenance.

11. **UNAUTHORIZED SERVICE OF EQUIPMENT:** The repair of the Equipment by anyone other than an authorized engineer of AVRIO GROUP or a CUSTOMER technician trained by AVRIO GROUP or AVRIO GROUP' designee, will, at AVRIO GROUP' option, be cause to void this Agreement. If such unauthorized repair occurs and AVRIO GROUP chooses to void this Agreement then all payments made by CUSTOMER pursuant to this Agreement shall be forfeited as liquidated damages.

12. **PAYMENT:** The CUSTOMER must pay to AVRIO GROUP the amount shown in section 5 of this agreement within 30 days from the date of the invoice presented to CUSTOMER pursuant to this Agreement. CUSTOMER's failure to deliver payment within this time period shall, at AVRIO GROUP' option, render this Agreement void. Future payments of invoices delivered to CUSTOMER under the terms of this Agreement, shall be due within 30 days from the date of the AVRIO GROUP invoice. In addition to any other remedies allowed by law AVRIO GROUP may assess up to 18% interest per annum for late payment.

13. **DISCLAIMER OF WARRANTY:** AVRIO GROUP makes no warranty of any kind, express or implied, including without limitation, any warranty of merchantability or fitness for a particular use or purpose with respect to the subject matter hereof, maintenance to be performed by AVRIO GROUP pursuant to the terms hereof, or parts to be supplied hereunder.

14. **LIMITATION OF LIABILITY:** Notwithstanding anything in this Agreement to the contrary, AVRIO GROUP's aggregate liability for claims by CUSTOMER arising from a breach of this Agreement shall not exceed the amounts paid by CUSTOMER to AVRIO GROUP hereunder.

15. **FORCE MAJEURE:** AVRIO GROUP shall not be liable to CUSTOMER for any delay or failure by AVRIO GROUP to perform its obligations under this Agreement if such delay or failure arises from any cause(s) beyond the reasonable control of AVRIO GROUP, including but not limited to third party labor disputes, third party strikes, other third party labor or industrial disturbances, act of God, floods, lightning, earthquakes, shortages of materials, rationing, utility or communication failures, casualty, war, acts of public enemy, riots, insurrections, embargoes, blockages, actions, restrictions, new or changed regulations or orders of any governmental agency or subdivision thereof, or temporary unavailability of four (4) hours or less of qualified service personnel at AVRIO GROUP' office due to service call(s) received before CUSTOMER's call.

16. **TERMINATION OF AGREEMENT:** AVRIO GROUP shall have the right, at its option, to terminate this Agreement by written notice to CUSTOMER in the event (1) of an assignment by CUSTOMER to the benefit of the Creditors, (2) CUSTOMER is in voluntary or involuntary Bankruptcy, (3) CUSTOMER is insolvent or otherwise admits insolvency. In addition to any other remedies that AVRIO GROUP may have hereunder or otherwise in accordance with the law, AVRIO GROUP or CUSTOMER may terminate this Agreement at any time with thirty (30) days written notice.

17. **NOTICES:** Any notice, request, instruction or other document pertaining to this Agreement shall be in writing and delivered personally, or by registered or certified mail to the appropriate party at the address specified on the cover page.

18. **MISCELLANEOUS:** CUSTOMER agrees not to relocate any Equipment to another address without AVRIO GROUP' express written approval. Neither this Agreement nor any rights hereunder may be assigned or otherwise transferred by the CUSTOMER without express written approval from AVRIO GROUP. Neither this Agreement nor any rights hereunder may be assigned or otherwise transferred by AVRIO GROUP without express written approval from CUSTOMER.

19. **INDEPENDENT CONTRACTOR STATUS:** AVRIO GROUP shall be in the relationship of independent contractor with CUSTOMER, and nothing herein shall be construed as creating, at any time, the relationship of employer and employee between the parties hereto, nor shall this Agreement be construed as creating any relationship whatsoever between CUSTOMER and AVRIO GROUP employees. AVRIO GROUP has sole authority and responsibility to employ, discharge, and otherwise control its employees, and neither AVRIO GROUP, nor any of its employees are, or shall be deemed to be, employees of CUSTOMER.

20. **ACCEPTANCES**

Avrio Group Surveillance Solutions, LLC	**City of Moreno Valley**
By: (Signature)	By: (Signature)
Name:	Name: Henry T. Garcia
Title:	Title: City Manager
Date	Date

SCHEDULE A (EQUIPMENT LIST)

Qty	*Part Number*	*Serial Number*
	To be completed as the system is built.	

EXHIBIT B

CITY RESPONSIBILITIES

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely City staff liaison with the Contractor when requested and when reasonably needed.

4. Provide one copy of 2012 Work Area Traffic Control Handbook from CalTrans Manual.

5. Provide one copy of 2012 California Manual of Temporary Traffic Controls for Construction and Maintenance Work Zones from CalTrans Manual.

EXHIBIT C

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $1,800,000.00.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the City as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices shall be submitted to the Financial & Administrative Services Department to Steve Hargis, Technology Services Division Manager, at

   steveh@moval.org or calls directed to (951) 413-3401.

4. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed

billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

7. Payments will be made based on project milestones achieved and accepted in writing by the City's Technology Services Division Manager. The milestone payment schedule is:

Milestone	**Percentage**	**Amount**
Completion of Project Initiation Meeting and assignment of Avrio Project Manager	15%	$270,000
Completed demonstration of operational backhaul, operational VMS, and recording from all cameras at 4 Phase 1 locations	25%	$450,000
Completed demonstration of recording from all cameras at 20 Phase 1 locations and completed CAD integration	10%	$180,000
Completed demonstration of all City park locations and delivery of the 3 portable camera systems	10%	$180,000
Completed demonstration of all remaining cameras and integration of 48 existing PD cameras	10%	$180,000
Final Acceptance	30%	$540,000
Total (maximum)	**100%**	**$1,800,000**

Final Acceptance shall be defined as all hardware (e.g. cameras, radios, switches, computers, storage devices, etc.) and software (e.g. firmware, video management system, etc.) fully operating with no critical outages/errors and no more than 10 non-critical outages/errors system wide.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. TS-CCSS 2012-02

CITYWIDE CAMERA SURVEILLANCE SYSTEM
City of Moreno Valley

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to Avrio Group Surveillance Solutions, LLC (aka Avrio RMS Group), as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the Mayor/City Manager, and identified as Project No. TS CCSS 2012-02, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, material men, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of one million, eight-hundred thousand dollars, ($1,800,000), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

Contractor and Surety agree that this Labor and Materials Payment Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Labor and Materials Payment Bond is a separate obligation of the Contractor and its Surety, and that

any attorneys' fee provision contained in this Labor and Materials Payment Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

SIGNATURE PAGE FOLLOWS

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this ____ day of _____ 2012.

CONTRACTOR (Principal)	SURETY
Contractor Name: Avrio Group Surveillance Solutions, LLC	Name: _____
Address: 3 N. Harrison Street, Suite 100 Easton, Maryland 21601	Address: _____
Telephone No.: (410) 820-9334 x101	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

____ day of _____ 2012

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by a California admitted surety insurer (CCP 995.311).
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact.
- The bond shall include an attached Notary Certificate for the Bidder.
- The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.
- The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.
- The Bidder's and Surety's corporate seal may be affixed hereto.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, City Treasurer

AGENDA DATE: August 28, 2012

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED June 30, 2012

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

California Government Code Sections 53601 and 53646 establish the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the reporting practices related to the portfolio for local agencies. The City's Investment Policy, adopted on April 24, 2012 is in full compliance with the requirements of both of the above-mentioned Code Sections.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2012. This is the fourth quarterly report submitted for the 2011-12 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City has used Chandler Asset Management as its professional portfolio manager since 2010. Chandler uses an active investment management approach. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 2.21 years.

The investments managed by Chandler Asset Management totaled $167,407,504 at par and achieved a Yield to Maturity (YTM) for June 2012 of 1.31%. This compares to a YTM in March 2012 of 1.40% and a YTM in June 2011 of 1.53% In addition, the City maintained $27,039,703 in the State Local Agency Investment Fund Pool (LAIF) with a YTM of .36%

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds are held and invested by the respective plan administrators with the funds also placed in a trust separate from City funds.

FISCAL IMPACT

Current market rates continue to hover at or near all time lows and based on comments by the Federal Reserve Board we do not expect this to change in the near future. This interest rate environment directly impacts the ability of the portfolio to generate income. The budget for fiscal year 2011-12 projected General Fund investment earnings totaling $2.3 million. Year to date through June 2012 these revenues have totaled $2.2 million.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2012. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section 53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – June 2012
Attachment 2 – Chandler Asset Management Bond Market Review – July 2012

Prepared By:
Brooke McKinney
Treasury Operations Division Manager

Department Head Approval:
Richard Teichert
City Treasurer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report

June 2012

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Yield to Maturity	Average Duration
Bank Accounts	780,652	780,652	780,652			
State of California LAIF Pool	27,039,703	27,039,703	27,039,703	**0.70**	**0.36%**	
Investments	172,324,783	172,548,837	167,407,504	**2.21**	**1.31%**	**2.11**
Total General Portfolio	**200,145,138**	**200,369,192**	**195,227,859**	**Years**		**Years**

Bond Proceeds with Fiscal Agents	Market Value
Construction Funds	3,371,832
Principal & Interest Accounts	620,793
Debt Service Reserve Funds	9,897,019
Custody Accounts	0
Arbitrage Rebate Accounts	0
Other Accounts	190,201
Total Bond Proceeds	**14,079,845**

Deferred Compensation Funds	Market Value as of Mar 31, 2011
Nationwide	9,680,668
ICMA	4,237,069
Total Deferred Compensation Funds	**13,917,737**
Total Investment Portfolio	**228,366,774**

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment advisor, Chandler Asset Management.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Richard Teichert
City Treasurer

Attachment 1

MV00173842

Portfolio Summary

As of 6/30/2012

PORTFOLIO CHARACTERISTICS

Average Duration	2.11
Average Coupon	2.02 %
Average Purchase YTM	1.31 %
Average Market YTM	0.74 %
Average S&P/Moody Rating	AA/Aa1
Average Final Maturity	2.21 yrs
Average Life	2.18 yrs

ACCOUNT SUMMARY

	Beg. Values as of 5/31/12	End Values as of 6/30/12
Market Value	209,997,198	200,369,192
Accrued Interest	985,407	1,002,067
Total Market Value	**210,982,605**	**201,371,258**
Income Earned	214,384	220,476
Cont/WD		
Par	204,715,988	195,227,859
Book Value	206,623,153	197,037,160
Cost Value	209,760,543	200,145,138

TOP ISSUERS

Issuer	% Portfolio
Government of United States	15.4 %
Local Agency Investment Fund	13.4 %
Federal Home Loan Mortgage Corp	10.2 %
Federal National Mortgage Assoc	10.2 %
Federal Farm Credit Bank	9.1 %
Federal Home Loan Bank	8.6 %
Tennessee Valley Authority	3.9 %
General Electric Co FDIC Insure	1.8 %
	72.7 %

SECTOR ALLOCATION

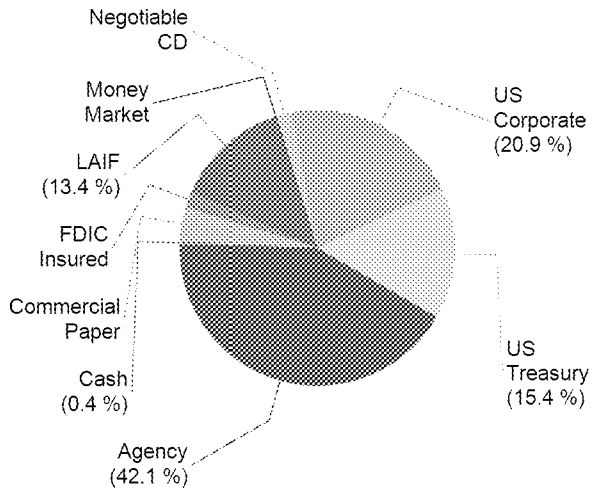

MATURITY DISTRIBUTION

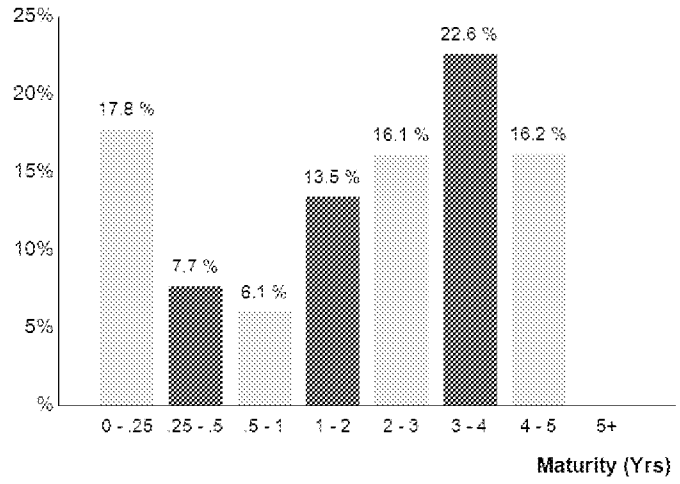

CREDIT QUALITY (S&P)

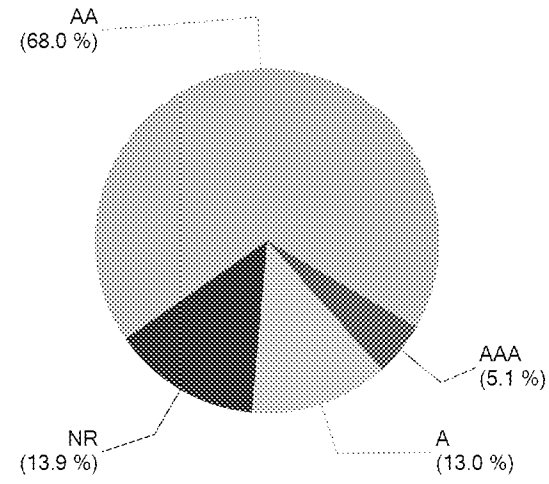

MV00173843

Holdings Report

As of 6/30/12

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Maturity Duration
AGENCY									
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	100.26 0.26 %	1,002,617.00 9,391.67	0.50 % 2,617.00	Aaa AA+	0.12 0.12
3133XYWB7	FHLB Note 0.875% Due 8/22/2012	1,600,000.00	11/23/2010 0.51 %	1,610,008.00 1,600,816.98	100.10 0.18 %	1,601,609.60 5,016.67	0.80 % 792.62	Aaa AA+	0.15 0.14
3137EACQ0	FHLMC Note 0.625% Due 12/28/2012	3,450,000.00	12/22/2010 0.75 %	3,441,354.30 3,447,874.01	100.20 0.21 %	3,457,013.85 179.69	1.72 % 9,139.84	Aaa AA+	0.50 0.49
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.88 %	4,194,744.63 3,829,405.07	104.06 0.26 %	3,876,100.90 65,808.34	1.96 % 46,695.83	Aaa AA+	0.71 0.69
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	101.46 0.31 %	1,014,591.00 5,072.22	0.51 % 14,591.00	Aaa AA+	0.77 0.77
880591DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 3,861,459.24	104.84 0.28 %	3,931,680.00 74,218.75	1.99 % 70,220.76	Aaa AA+	1.09 1.05
31331KET3	FFCB Note 0.98% Due 9/23/2013	1,970,000.00	03/28/2011 1.10 %	1,964,227.90 1,967,145.73	100.80 0.33 %	1,985,767.88 5,255.52	0.99 % 18,622.15	Aaa AA+	1.23 1.22
31331GTJ8	FFCB Note 2.625% Due 4/17/2014	1,000,000.00	10/05/2010 1.02 %	1,055,660.00 1,028,283.40	104.05 0.36 %	1,040,523.00 5,395.83	0.52 % 12,239.60	Aaa AA+	1.80 1.76
31331JQA4	FFCB Note 1.9% Due 6/2/2014	4,300,000.00	06/08/2010 1.96 %	4,289,551.00 4,294,944.96	102.93 0.37 %	4,426,033.00 6,581.39	2.20 % 131,088.04	Aaa AA+	1.92 1.89
3137EACD9	FHLMC Note 3% Due 7/28/2014	1,550,000.00	03/15/2010 2.41 %	1,587,771.95 1,567,926.88	105.25 0.46 %	1,631,347.10 19,762.50	0.82 % 63,420.22	Aaa AA+	2.08 2.00
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,044,687.88	105.80 0.38 %	4,232,016.00 33,000.00	2.12 % 187,328.12	Aaa AA+	2.23 2.15
3136FPLV7	FNMA Callable Note 1X 3/24/2011 1.57% Due 9/24/2014	2,025,000.00	09/26/2011 0.65 %	2,080,181.25 2,066,183.81	102.55 0.42 %	2,076,675.98 8,566.31	1.04 % 10,492.17	Aaa AA+	2.24 2.19
3134G3CM0	FHLMC Callable Note 1X 12/12/12 0.92% Due 12/12/2014	1,120,000.00	12/15/2011 0.83 %	1,121,008.00 1,120,456.66	100.16 0.56 %	1,121,800.96 543.82	0.56 % 1,344.30	Aaa AA+	2.45 0.76
3135G0LC5	FNMA Callable Note Qtrly 11/29/12 0.7% Due 5/29/2015	1,920,000.00	05/09/2012 0.70 %	1,920,000.00 1,920,000.00	99.99 0.70 %	1,919,850.24 1,194.67	0.95 % (149.76)	Aaa AA+	2.91 1.74
3133EADW5	FFCB Note 0.55% Due 8/17/2015	3,450,000.00	04/27/2012 0.60 %	3,444,862.95 3,445,127.48	100.20 0.49 %	3,456,793.05 7,062.92	1.72 % 11,665.57	Aaa AA+	3.13 3.09
313370JB5	FHLB Note 1.75% Due 9/11/2015	3,600,000.00	08/04/2011 1.15 %	3,685,824.00 3,666,860.22	103.34 0.69 %	3,720,232.80 19,250.00	1.86 % 53,372.58	Aaa AA+	3.20 3.10
31331J6C2	FFCB Note 2.35% Due 12/22/2015	2,000,000.00	03/28/2011 2.27 %	2,007,240.00 2,005,313.80	106.80 0.38 %	2,136,066.00 1,175.00	1.06 % 130,752.20	Aaa AA+	3.48 3.36
3136FPDC8	FNMA Callable Note 1X 3/8/2011 2% Due 3/8/2016	1,765,000.00	08/24/2011 1.22 %	1,825,645.40 1,814,262.95	104.67 0.71 %	1,847,497.87 11,080.28	0.92 % 33,234.92	Aaa AA+	3.69 3.54
3135G0AL7	FNMA Note 2.25% Due 3/15/2016	2,875,000.00	07/25/2011 1.69 %	2,947,018.75 2,932,589.46	105.52 0.74 %	3,033,677.00 19,046.88	1.52 % 101,087.54	Aaa AA+	3.71 3.55
313372YS7	FHLB Note 2.45% Due 3/30/2016	2,150,000.00	07/07/2011 1.87 %	2,206,631.00 2,194,858.83	106.30 0.74 %	2,285,501.60 13,315.07	1.14 % 90,642.77	Aaa AA+	3.75 3.58

MV00173844

Holdings Report

As of 6/30/12

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Maturity Duration
AGENCY									
3137EACT4	FHLMC Note 2.5% Due 5/27/2016	3,475,000.00	06/14/2011 1.86 %	3,579,229.15 3,557,298.32	106.69 0.76 %	3,707,303.75 8,204.86	1.85 % 150,005.43	Aaa AA+	3.91 3.73
313373SZ6	FHLB Note 2.125% Due 6/10/2016	3,350,000.00	Various 1.42 %	3,456,779.50 3,439,195.23	105.17 0.79 %	3,523,154.80 4,152.61	1.75 % 83,959.57	Aaa AA+	3.95 3.79
31359MS61	FNMA Note 5.375% Due 7/15/2016	2,700,000.00	10/13/2011 1.29 %	3,206,106.90 3,131,009.05	118.18 0.79 %	3,190,951.80 66,918.75	1.62 % 59,942.75	Aaa AA+	4.04 3.63
3137EACW7	FHLMC Note 2% Due 8/25/2016	3,475,000.00	09/14/2011 1.19 %	3,610,316.50 3,588,587.94	105.08 0.76 %	3,651,401.43 24,325.00	1.83 % 62,813.49	Aaa AA+	4.16 3.97
3135G0CM3	FNMA Note 1.25% Due 9/28/2016	1,300,000.00	Various 1.22 %	1,301,462.70 1,301,410.74	101.75 0.83 %	1,322,700.60 4,197.92	0.66 % 21,289.86	Aaa AA+	4.25 4.12
3135G0ES8	FNMA Note 1.375% Due 11/15/2016	3,400,000.00	01/24/2012 1.17 %	3,431,885.20 3,429,049.34	102.35 0.83 %	3,479,917.00 5,973.61	1.73 % 50,867.66	Aaa AA+	4.38 4.24
3135G0GY3	FNMA Note 1.25% Due 1/30/2017	3,425,000.00	02/09/2012 1.10 %	3,449,368.88 3,447,512.97	101.58 0.90 %	3,478,988.28 17,957.47	1.74 % 31,475.31	Aaa AA+	4.59 4.43
3133787M7	FHLB Note 1.05% Due 2/27/2017	1,720,000.00	02/27/2012 1.03 %	1,721,582.40 1,721,474.94	100.67 0.90 %	1,731,489.60 6,521.67	0.86 % 10,014.66	Aaa AA+	4.67 4.52
3137EADC0	FHLMC Note 1% Due 3/8/2017	3,490,000.00	03/14/2012 1.29 %	3,441,314.50 3,444,205.12	100.54 0.88 %	3,508,877.41 10,954.72	1.75 % 64,672.29	Aaa AA+	4.69 4.56
313378WF4	FHLB Note 1.125% Due 3/10/2017	3,435,000.00	04/24/2012 1.05 %	3,447,228.60 3,446,768.31	100.98 0.91 %	3,468,827.88 9,446.25	1.73 % 22,059.57	Aaa AA+	4.70 4.55
3137EADF3	FHLMC Note 1.25% Due 5/12/2017	3,300,000.00	05/29/2012 1.06 %	3,330,600.90 3,330,059.29	101.32 0.97 %	3,343,612.80 5,614.58	1.66 % 13,553.51	Aaa AA+	4.87 4.71
Total Agency		**81,320,000.00**	**1.41 %**	**83,545,569.36 82,644,768.61**	**0.60 %**	**84,204,620.18 475,184.97**	**42.05 % 1,559,851.57**	**Aaa AA+**	**3.03 2.88**
CASH									
90CASH$00	Cash Custodial Cash Account	780,652.35	Various 0.00 %	780,652.35 780,652.35	1.00 0.00 %	780,652.35 0.00	0.39 % 0.00	NR NR	0.00 0.00
Total Cash		**780,652.35**	**N/A**	**780,652.35 780,652.35**	**0.00 %**	**780,652.35 0.00**	**0.39 % 0.00**	**NR NR**	**0.00 0.00**
COMMERCIAL PAPER									
06416JH14	Bank of Nova Scotia Discount CP 0.3% Due 8/1/2012	2,800,000.00	01/30/2012 0.30 %	2,795,706.67 2,799,276.67	99.97 0.30 %	2,799,276.67 0.00	1.39 % 0.00	P-1 A-1+	0.09 0.09
69349JHL0	PNC Bank Discount CP 0.2% Due 8/20/2012	1,700,000.00	06/25/2012 0.20 %	1,699,480.55 1,699,527.77	99.97 0.20 %	1,699,527.77 0.00	0.84 % 0.00	P-1 A-1	0.14 0.14
06416JHW6	Bank of Nova Scotia Discount CP 0.185% Due 8/30/2012	750,000.00	05/31/2012 0.19 %	749,649.27 749,768.75	99.97 0.19 %	749,768.75 0.00	0.37 % 0.00	P-1 A-1+	0.17 0.17
89233GKF2	Toyota Motor Credit Discount CP 0.38% Due 10/15/2012	1,300,000.00	04/18/2012 0.39 %	1,297,530.00 1,298,545.44	99.89 0.39 %	1,298,545.44 0.00	0.64 % 0.00	P-1 A-1+	0.29 0.29

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Holdings Report

As of 6/30/12

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Maturity Duration
COMMERCIAL PAPER									
89233GLT1	Toyota Motor Credit Discount CP 0.33% Due 11/27/2012	1,600,000.00	05/31/2012 0.34 %	1,597,360.00 1,597,814.67	99.86 0.34 %	1,597,814.67 0.00	0.79 % 0.00	P-1 A-1+	0.41 0.41
Total Commercial Paper		**8,150,000.00**	**0.29 %**	**8,139,726.49 8,144,933.30**	**0.29 %**	**8,144,933.30 0.00**	**4.04 % 0.00**	**P1 A-1**	**0.20 0.20**
FDIC INSURED US CORPORATE									
36967HAV9	GE Capital Corp FDIC Guaranteed Note 2.125% Due 12/21/2012	3,645,000.00	05/19/2010 1.27 %	3,723,710.13 3,659,455.26	100.86 0.31 %	3,676,419.90 2,151.56	1.83 % 16,964.64	Aaa AA+	0.48 0.47
Total FDIC Insured US Corporate		**3,645,000.00**	**1.27 %**	**3,723,710.13 3,659,455.26**	**0.31 %**	**3,676,419.90 2,151.56**	**1.83 % 16,964.64**	**Aaa AA+**	**0.48 0.47**
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	27,039,702.85	Various 0.35 %	27,039,702.85 27,039,702.85	1.00 0.35 %	27,039,702.85 26,406.91	13.44 % 0.00	NR NR	0.00 0.00
Total LAIF		**27,039,702.85**	**0.35 %**	**27,039,702.85 27,039,702.85**	**0.35 %**	**27,039,702.85 26,406.91**	**13.44 % 0.00**	**NR NR**	**0.00 0.00**
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	184,504.13	Various 0.00 %	184,504.13 184,504.13	1.00 0.00 %	184,504.13 0.00	0.09 % 0.00	Aaa AAA	0.00 0.00
Total Money Market Fund FI		**184,504.13**	**N/A**	**184,504.13 184,504.13**	**0.00 %**	**184,504.13 0.00**	**0.09 % 0.00**	**Aaa AAA**	**0.00 0.00**
NEGOTIABLE CD									
89112XWE1	Toronto Dominion Bank CD 0.245% Due 11/9/2012	3,640,000.00	05/07/2012 0.24 %	3,640,000.00 3,640,000.00	100.00 0.24 %	3,640,000.00 1,337.70	1.81 % 0.00	P-1 A-1+	0.36 0.36
Total Negotiable CD		**3,640,000.00**	**0.24 %**	**3,640,000.00 3,640,000.00**	**0.24 %**	**3,640,000.00 1,337.70**	**1.81 % 0.00**	**Aaa AAA**	**0.36 0.36**
US CORPORATE									
931142CL5	Wal-Mart Stores Note 4.25% Due 4/15/2013	3,260,000.00	Various 1.54 %	3,491,366.25 3,328,004.69	102.99 0.46 %	3,357,457.71 29,249.45	1.68 % 29,453.02	Aa2 AA	0.79 0.78
459200GR6	IBM Corp Note 2.1% Due 5/6/2013	1,225,000.00	01/27/2011 1.00 %	1,255,269.75 1,236,282.69	101.33 0.53 %	1,241,268.00 3,930.21	0.62 % 4,985.31	Aa3 AA-	0.85 0.84
91159HGY0	US Bancorp Callable Note Cont 8/13/13 1.375% Due 9/13/2013	2,665,000.00	Various 1.32 %	2,668,966.65 2,666,524.57	100.85 0.61 %	2,687,647.17 10,993.13	1.34 % 21,122.60	Aa3 A	1.21 1.11
254687AW6	Walt Disney Corp Note 4.5% Due 12/15/2013	1,720,000.00	Various 1.23 %	1,873,880.60 1,800,200.35	105.88 0.45 %	1,821,051.73 3,440.00	0.91 % 20,851.38	A2 A	1.46 1.42

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Holdings Report

As of 6/30/12

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Maturity Duration
US CORPORATE									
525ESC2W8	Lehman Brothers ESCROW CUSIP - Defaulted Due 2/6/2014	1,000,000.00	04/16/2012 0.22 %	996,000.00 180,000.00	22.75 117.67 %	227,500.00 0.40	0.11 % 47,500.00	NR NR	1.61 1.01
24422ERA9	John Deere Capital Corp Note 1.6% Due 3/3/2014	440,000.00	02/28/2011 1.63 %	439,564.40 439,757.56	101.57 0.65 %	446,922.96 2,307.56	0.22 % 7,165.40	A2 A	1.67 1.65
166751AH0	ChevronTexaco Corp Note 3.95% Due 3/3/2014	2,473,000.00	Various 1.56 %	2,644,928.56 2,569,024.52	105.50 0.64 %	2,609,034.78 32,018.48	1.31 % 40,010.26	Aa1 AA	1.67 1.61
665859AK0	Northern Trust Company Note 4.625% Due 5/1/2014	1,850,000.00	10/20/2010 1.33 %	2,058,421.00 1,958,593.18	107.01 0.77 %	1,979,622.10 14,260.42	0.99 % 21,028.92	A1 A+	1.84 1.77
36962G4C5	General Electric Capital Corp Note 5.9% Due 5/13/2014	3,075,000.00	Various 2.88 %	3,411,681.00 3,237,680.27	108.62 1.22 %	3,340,203.38 24,190.00	1.67 % 102,523.11	A1 AA+	1.87 1.78
74005PAQ7	Praxair Note 5.25% Due 11/15/2014	850,000.00	09/24/2010 1.60 %	973,471.00 920,987.64	110.22 0.89 %	936,895.50 5,702.08	0.47 % 15,907.86	A2 A	2.38 2.25
09247XAD3	Blackrock Inc Note 3.5% Due 12/10/2014	1,630,000.00	Various 2.84 %	1,674,920.75 1,654,387.84	106.07 0.98 %	1,728,978.50 3,327.92	0.86 % 74,590.66	A1 A+	2.45 2.35
713448BM9	Pepsico Inc. Note 3.1% Due 1/15/2015	2,530,000.00	Various 2.04 %	2,641,540.25 2,594,668.16	105.32 0.98 %	2,664,626.36 36,164.95	1.34 % 69,958.20	Aa3 A-	2.55 2.42
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	2,550,000.00	Various 3.34 %	2,584,656.00 2,571,935.00	104.31 1.96 %	2,659,859.10 42,195.42	1.34 % 87,924.10	A2 A	2.56 2.40
459200HB0	IBM Corp Note 0.55% Due 2/6/2015	695,000.00	02/01/2012 0.72 %	691,601.45 692,054.18	99.35 0.80 %	690,490.15 1,539.62	0.34 % (1,564.03)	Aa3 AA-	2.61 2.57
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	2,475,000.00	Various 3.65 %	2,584,316.50 2,539,964.22	107.17 1.92 %	2,652,442.65 46,371.87	1.34 % 112,478.43	A1 A+	2.61 2.42
084670AV0	Berkshire Hathaway Note 3.2% Due 2/11/2015	2,485,000.00	06/09/2010 2.65 %	2,545,012.75 2,518,653.66	106.18 0.81 %	2,638,543.18 30,924.44	1.33 % 119,889.52	Aa2 AA+	2.62 2.49
191216AX8	Coca Cola Company Note 0.75% Due 3/13/2015	2,090,000.00	Various 0.80 %	2,086,645.55 2,086,976.16	100.20 0.67 %	2,094,221.80 4,658.96	1.04 % 7,245.64	Aa3 A+	2.70 2.67
06406JHB4	Bank of New York Mellon Note 4.95% Due 3/15/2015	2,360,000.00	Various 2.11 %	2,645,950.90 2,531,726.82	108.48 1.73 %	2,560,198.80 34,397.01	1.29 % 28,471.98	A1 A	2.71 2.52
717081DA8	Pfizer Inc. Note 5.35% Due 3/15/2015	1,550,000.00	02/18/2011 2.33 %	1,730,497.50 1,670,372.32	111.81 0.93 %	1,733,008.50 24,416.81	0.87 % 62,636.18	A1 AA	2.71 2.52
74005PAR5	Praxair Note 4.625% Due 3/30/2015	740,000.00	Various 2.58 %	807,780.55 778,911.65	110.18 0.87 %	815,299.44 8,651.32	0.41 % 36,387.79	A2 A	2.75 2.58
278642AB9	Ebay Inc Note 1.625% Due 10/15/2015	2,670,000.00	10/22/2010 1.66 %	2,665,327.50 2,666,904.76	102.32 0.91 %	2,732,024.10 9,159.58	1.36 % 65,119.34	A2 A	3.29 3.19
913017BU2	United Tech Corp Note 1.8% Due 6/1/2017	170,000.00	05/24/2012 1.82 %	169,853.80 169,856.20	102.12 1.35 %	173,610.46 255.00	0.09 % 3,754.26	A2 A	4.92 4.69
Total US Corporate		**40,503,000.00**	**2.03 %**	**42,641,652.71 40,813,466.44**	**1.62 %**	**41,790,906.37 368,154.63**	**20.94 % 977,439.93**	**A1 A+**	**2.16 2.05**

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Holdings Report

As of 6/30/12

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Maturity Duration
US TREASURY									
912828HE3	US Treasury Note 4.25% Due 9/30/2012	1,775,000.00	03/12/2010 1.22 %	1,909,517.67 1,788,162.48	101.01 0.22 %	1,792,957.68 18,962.43	0.90 % 4,795.20	Aaa AA+	0.25 0.25
912828HM5	US Treasury Note 3.625% Due 12/31/2012	2,550,000.00	03/12/2010 1.35 %	2,708,785.88 2,578,432.31	101.70 0.22 %	2,593,329.60 251.19	1.29 % 14,897.29	Aaa AA+	0.50 0.50
912828JQ4	US Treasury Note 2.75% Due 10/31/2013	2,325,000.00	05/10/2010 1.65 %	2,411,188.48 2,358,076.27	103.25 0.30 %	2,400,653.17 10,772.08	1.20 % 42,576.90	Aaa AA+	1.34 1.31
912828NP1	US Treasury Note 1.75% Due 7/31/2015	4,050,000.00	04/06/2011 1.99 %	4,009,355.36 4,020,986.54	103.96 0.46 %	4,210,416.45 29,596.15	2.11 % 189,429.91	Aaa AA+	3.08 2.99
912828PE4	US Treasury Note 1.25% Due 10/31/2015	3,600,000.00	Various 1.35 %	3,584,379.25 3,588,174.16	102.49 0.50 %	3,689,719.20 7,581.52	1.84 % 101,545.04	Aaa AA+	3.34 3.26
912828PJ3	US Treasury Note 1.375% Due 11/30/2015	3,590,000.00	05/16/2011 1.63 %	3,549,905.00 3,559,807.69	102.95 0.50 %	3,695,736.27 4,180.98	1.84 % 135,928.58	Aaa AA+	3.42 3.34
912828PS3	US Treasury Note 2% Due 1/31/2016	3,505,000.00	05/16/2011 1.70 %	3,551,973.24 3,540,790.44	105.22 0.53 %	3,687,918.94 29,272.53	1.85 % 147,128.50	Aaa AA+	3.59 3.44
912828QA1	US Treasury Note 2.25% Due 3/31/2016	3,435,000.00	Various 1.33 %	3,578,212.10 3,548,815.44	106.34 0.54 %	3,652,909.53 19,427.45	1.82 % 104,094.09	Aaa AA+	3.75 3.60
912828RU6	US Treasury Note 0.875% Due 11/30/2016	3,425,000.00	12/22/2011 0.89 %	3,423,004.63 3,423,211.93	100.99 0.65 %	3,458,982.85 2,538.34	1.72 % 35,770.92	Aaa AA+	4.42 4.33
912828SC5	US Treasury Note 0.875% Due 1/31/2017	1,710,000.00	06/20/2012 0.70 %	1,723,298.31 1,723,219.39	100.87 0.68 %	1,724,829.12 6,248.08	0.86 % 1,609.73	Aaa AA+	4.59 4.47
Total US Treasury		**29,965,000.00**	**1.43 %**	**30,449,619.92 30,129,676.65**	**0.47 %**	**30,907,452.81 128,830.75**	**15.41 % 777,776.16**	**Aaa AA+**	**3.01 2.92**
TOTAL PORTFOLIO		**195,227,859.33**	**1.32 %**	**200,145,137.94 197,037,159.59**	**0.74 %**	**200,369,191.89 1,002,066.52**	**100.00 % 3,332,032.30**	**Aa1 AA**	**2.21 2.11**
TOTAL MARKET VALUE PLUS ACCRUED						**201,371,258.41**			

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COMPLIANCE WITH INVESTMENT POLICY

Assets managed by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

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Holdings Report Glossary

CUSIP (Committee on Uniform Securities Identification Procedures) – A unique identification number assigned to all securities.

Security Description - The issuer name, coupon (periodic interest payment rate) and maturity.

Par Value/Units - The face value or number of units held in the portfolio.

Purchase Date - The settlement date on which the security was purchased.

Book Yield - The YTM that equates the current amortized value of the security to its periodic future cash flows.

Cost Value - The value at which the securities were purchased, excluding purchased interest.

Book Value - The value at which an asset is carried on a balance sheet. To calculate, take the cost of an asset +/- net accretion/amortization.

Mkt Price - The current fair value market price.

Mkt YTM – The internal rate of return that equates the periodic future cash flows (interest payments and redemption value) to the market price, assuming that all cash flows are invested at the YTM rate.

Market Value - The current fair value of an investment as determined by transactions between willing buyers and sellers.

Accrued Int. - The interest that has accumulated on a bond since the last interest payment up to, but not including, the settlement date.

% of Port. - The % of the portfolio that the security represents based on market value, including accrued interest.

Gain/Loss – The unrealized gain or loss on the security, compared to either cost or amortized value, as of the date of the report.

Moody - The Moody's rating for the security.

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Holdings Report Glossary (continued)

S&P - The Standard and Poor's rating for the security.

Term (yrs) - The time, in years, until maturity.

Duration - The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

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CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report

BOND PROCEEDS WITH FISCAL AGENTS

Account Name	Account Number	Investment	Issuer	Purchase Date	Maturity Date	Market Value	Stated Rate	Yield	Price	% of of Portfolio
Wells Fargo	Community Facilities District 87-1 (I.A. 1)									
special tax funds	**22631800**	**money market fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**1,035,858**	**0.01%**	**0.01%**	**1.00000**	**7.357%**
reserve fund	22631804	money market fund	WF Govt Fund	06/30/12	07/01/12	1,028,998	0.01%	0.01%	1.00000	7.308%
admin exp acct	**22631805**	**money market fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**377**	**0.01%**	**0.01%**	**1.00000**	**0.003%**
debt service acct	**22631809**	**money market fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**535,946**	**0.01%**	**0.01%**	**1.00000**	**3.806%**
special tax funds	**22631900**	**money market fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**389,070**	**0.01%**	**0.01%**	**1.00000**	**2.763%**
reserve fund	22631904	money market fund	WF Govt Fund	06/30/12	07/01/12	3,658,414	0.01%	0.01%	1.00000	25.983%
admin exp acct	**22631905**	**money market fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**8**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
						6,648,671				
Wells Fargo	CFD 2-5									
Series B Revenue	**22333500**	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**189,790**	**0.01%**	**0.01%**	**1.00000**	**1.348%**
Series B reserve	22333503	money mkt fund	WF Govt Fund	06/30/12	07/01/12	532,609	0.01%	0.01%	1.00000	3.783%
Series B admin fund	**22333504**	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**127**	**0.01%**	**0.01%**	**1.00000**	**0.001%**
						722,526				
Wells Fargo	2007 Redevelopment Agency Tax Allocation Bonds Series A									
debt service fund	22631700	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**2**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
						2				
Wells Fargo	2005 Lease Revenue Bond									
bond fund	**18042800**	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**22**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
reserve fund	18042804	money mkt fund	WF Govt Fund	06/30/12	07/01/12	2,992,753	0.01%	0.01%	1.00000	21.256%
construction fund	**18042806**	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**1,315,143**	**0.01%**	**0.01%**	**1.00000**	**9.341%**
						4,307,918				30.596%
Wells Fargo	2007 Taxable Lease Revenue Bonds - Electric Utility									
bond fund	**22277600**	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**3**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
construction fund	22277604	money mkt fund	WF Govt Fund	06/30/12	07/01/12	2,056,689	0.01%	0.01%	1.00000	14.607%
						2,056,692				
Wells Fargo	Automall Refinancing									
revenue fund	**20350300**	**revenue**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**84,696**	**0.01%**	**0.01%**	**1.00000**	**0.602%**
reserve fund	20350303	reserve	WF Govt Fund	06/30/12	07/01/12	259,314	0.01%	0.01%	1.00000	1.842%
admin fund	**20350304**	**reserve**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**26**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
						344,036				2.443%
			Totals			**14,079,845**				**100.000%**

Line	Summary of Bond Proceeds with Fiscal Agents	
1	Construction Funds	3,371,832
2	**Principal & Interest Accounts**	**620,793**
3	Debt Service Reserve Funds	9,897,019
4	**Custody Accounts**	**0**
5	Arbitrage Rebate Accounts	0
6	**Other Accounts**	**190,201**
	Total Fiscal Agent Funds	**14,079,845**

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DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value as of June 30, 2012
Liquid Savings	**$1,237,104**
Nationwide Fixed (Part Time Employee)	496,984
Liquid Savings (Part Time Employees)	**260,872**
Certificates of Deposit 1 year	20,096
Certificates of Deposit 3 years	**16,296**
Certificates of Deposit 5 years	82,127
Bond Fund of America	**60,504**
Growth Fund of America	77,347
Investment Co. of America	**29,804**
Income Fund of America	115,492
Brown Cap Mgmt Inc SM Co	**43,508**
Fidelity Independence	1,626
Fidelity Equity Income	**31,893**
Fidelity Magellan	200,299
Fidelity Puritan	**85,632**
Fidelity Contrafund	273,275
Janus Fund	**54,361**
Janus Advisor Forty	37,614

Fund	Market Value as of June 30, 2012
Drey SmCap I	**6**
American Century Balanced	32
Am Century Growth	**54,313**
Am Century Select	102,644
JP Morgan Mid Cap Value A	**625,190**
Vanguard Index 500	85,964
Vanguard Institutional Index	**426,173**
Vanguard Wellington	16,436
Vanguard Windsor II	**52,605**
Vanguard Total Bond Index	188,461
Washington Mutual Inv	**62,194**
Templeton Foreign I	0
EuroPacific Growth	**240,266**
Stable Fund C	2,502,591
PBHG Growth Fund	**0**
DWS High Income Fund A	76,558
DWS Eq Divd A	**51,657**
Oppenheimer Global Fund A	202,598

Fund	Market Value as of June 30, 2012
N B Socially Responsive Fund	**19,067**
DFA US Micro Cap Port	66,185
Federated Kaufmann Fund	**83,429**
Invesco Mid Cap Core Equity	20,837
Nationwide Ret Inc Inst Svc	**90**
Nationwide InvDes Mod Cons Fund SC	41,927
Nationwide InvDes Mod Aggr Fund	**703,984**
Nationwide InvDes Aggr Fund	51,676
Nationwide InvDes Mod Fd	**428,484**
Nationwide Inv Des Cons	87,115
Nationwide Large Cap Growth	**46,173**
Nationwide Inter Val Inst Svc	23,873
Nationwide US Sm Cap Val Ins Svc	**1,008**
Nationwide Dest 2020 Inst Svc	104,546
Nationwide Dest 2025 Inst Svc	**82,731**
Nationwide Dest 2030 Inst Svc	34,268
Nationwide Dest 2045 Inst Svc	**2,724**
Total Nationwide Deferred	**$9,610,639**

ICMA

Fund	Market Value as of June 30, 2012
Aggressive Oppor.	**$177,129**
International	167,858
All Equity Growth	**114,671**
Growth and Income	203,441
Broad Market	**60,637**
500 Stock Index	67,063
Equity Income	**306,223**
Asset Allocation	
Core Bond	**76,145**
Cash Management	26,090
Plus Fund	**1,102,670**
Savings Oriented	19,517
Conservative Growth	**153,913**
Traditional Growth	246,010
Long-Term Growth	**342,288**
Milestone 2010	13,614
Milestone 2015	**821**
Milestone 2025	17,584
Milestone 2030	**12,051**
Milestone 2035	14,162
Milestone 2040	**3,990**
Vantage Growth Fund	218,636

Fund	Market Value as of June 30, 2012
VT Royce Premeir	3,815
VT Ranier Small/Mid Cap Eq	**33,753**
VT Fidelity Contrafund	174,010
VT Vantagepoint Overseas Equity Index Fund	**68,123**
VT Fidelity Diversified International	50,273
VT Allianz NIJ Div Value	**43,309**
VT Oppenheimer Main Street	1,827
VT Fidelity Puritan	**5,447**
VT Calvert Equity Portfolio	3
VT TR Price Growth Stock Adv	**18,061**
VT Nuveen Real Estate Secs	31,246
VT TR Price Small Cap Value	**117,361**
VT Vantagepoint MS Ret Inc	34,883
VT Vantagepoint Inflation Protected Securities	**83,507**
VT Vantagepoint Select Value	34
VT Vantagepoint Mid/Sm Index	**13,667**
VT PIMCO Total Return	50,483
VT PIMCO High Yield	**57,646**
VT Harbor International Admi	15,616
VT Harbour Mid Cap Growth Admin	**0**
Total ICMA	**$4,147,577**

Summary by Plan

Deferred Compensation Plan	Market Value as of June 30, 2012
Total Nationwide	$9,610,639
Total ICMA	4,147,577
Total Deferred Compensation Plans	**$13,758,216**

Summary by Investment Type

Investment Type	Market Value as of June 30, 2012
Savings Deposits and CD's	$4,533,943
Mutual Funds	9,224,273
Total Deferred Compensation Plans	**$13,758,216**

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CHANDLER ASSET MANAGEMENT

July 2012

Attachment 2

BOND MARKET REVIEW

A MONTHLY REVIEW OF FIXED INCOME MARKETS

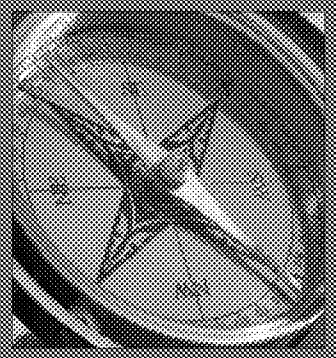

WHAT'S INSIDE

Market Summary 1
Yield Curve
Current Yields

Economic Round-Up 2
Credit Spreads
Economic Indicators

Corporate Credit Ratings 3
Risk of Downgrades Has Increased

Since 1988, Chandler Asset Management has specialized in the management of fixed income portfolios. Chandler's mission is to provide fully customizable, client-centered portfolio management that preserves principal, manages risk and generates income in our clients' portfolios.

Market Summary

Treasury rates moved slightly higher in June in spite of disappointing economic data, ongoing concerns about Europe's sovereign debt crisis, and the extension of Operation Twist. The markets are trading in a tight range despite market speculation that additional measures to stimulate economic growth from global central banks may be forthcoming. Despite the small back-up in rates between May 31st and June 30th, the overall supply of high quality sovereign debt has continued to decrease as the European financial crisis has escalated, which will continue to support U.S. Treasury market valuations.

The domestic economy has slowed and we believe downside risks remain. Uncertainty regarding an ultimate resolution of the European debt crisis continues to create significant volatility in the financial markets, and concerns about the U.S. reaching a "fiscal cliff" have grown here in the U.S. Domestic economic data continued to be mostly disappointing in June, with the exception of some mildly better than expected housing market data. The past four U.S. non-farm payroll reports have been weaker than expected. In June, the economy added just 80,000 jobs, below the consensus forecast of 90,000. The unemployment rate also remained elevated and unchanged at 8.2%. Consumer confidence has recently declined and retail sales trends have weakened. Manufacturing trends have also slowed, according to the most recent ISM manufacturing index report. While we still expect positive U.S. GDP growth over the next few quarters, we believe growth is likely to be quite sluggish.

Monetary policy in the United States remains very accommodative with assurance from the Federal Reserve that the fed funds rate will remain exceptionally low through late 2014. In June, the Federal Open Market Committee left policy rates unchanged at a range of 0-0.25% and acknowledged that the economy has slowed. The FOMC also announced that it would extend Operation Twist (which was supposed to expire at the end of June) through the end of the year. FOMC participants expect modest improvement in the economy in upcoming quarters, but nonetheless downgraded their economic forecasts at the most recent FOMC meeting as the Fed sees significant downside risks to the outlook. Inflation has declined and the Fed believes longer-term inflation expectations are stable. The Fed cut it's expectations for GDP growth for 2012 to a range of 1.9%-2.4% (from its previous forecast of 2.4%-2.9%), and for 2013 to 2.2%-2.8% (from its previous forecast of 2.7%-3.1%). The Fed is now projecting an unemployment rate of 8.0%-8.2% for 2012, and 7.5%-8.0% in 2013.

TREASURY YIELDS ROSE SLIGHTLY IN JUNE

Source: Bloomberg

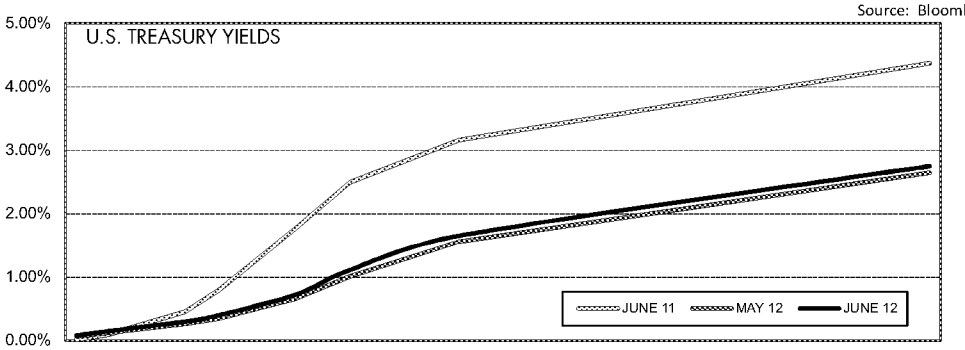

Treasury rates moved slightly higher in June in spite of disappointing economic data, ongoing concerns about Europe's sovereign debt crisis, and the extension of Operation Twist. The markets are trading in a tight range despite market speculation that additional measures to stimulate economic growth from global central banks may be forthcoming.

TREASURY YIELDS	6/30/12	5/31/12	CHANGE
3 Month	0.08	0.07	0.01
2 Year	0.30	0.26	0.04
3 Year	0.40	0.34	0.06
5 Year	0.72	0.66	0.06
7 Year	1.11	1.01	0.10
10 Year	1.65	1.56	0.09
30 Year	2.75	2.64	0.11

Source: Bloomberg

Consumer Prices

In May, overall CPI inflation softened to 1.7% from 2.3% in April on a year-over-year basis, driven primarily by a decline in energy prices. The year-over-year Core CPI (CPI less food and energy) increased at a 2.3% rate in May, consistent with the trend in March and April. The core rate remains slightly higher than the Fed's inflation target of 2%.

Retail Sales

In May, retail sales rose 5.3% on a year-over-year basis. Consumer spending has rebounded from the depths of the recession though recent activity has slowed down. Elevated unemployment levels and a recent decline in consumer confidence are likely restraining consumer spending.

Labor Markets

The June employment report showed that the economy added just 80,000 jobs. The report was once again disappointing, and below the consensus forecast of 90,000. The net revisions for April and May were down by 1,000 jobs. The unemployment rate remained unchanged at 8.2%. The employment report has been disappointing for the past four months and suggests that the pace of the economic recovery is slowing.

Housing Starts

Single-family housing starts rose 3.2% to 516,000 in May compared to 500,000 in April. The housing market remains under pressure, but some data has surprised to the upside this year.

Credit Spreads Were Mixed

CREDIT SPREADS	Spread to Treasuries (%)	One Month Ago (%)	Change
3-month top-rated commercial paper	0.17	0.13	0.04
2-year AA corporate note	0.26	0.30	(0.04)
5-year AA corporate note	0.68	0.75	(0.07)
5-year Agency note	0.34	0.34	0.00

Source: Bloomberg

Data as of 6/30/12

Economic Data Remained Weak

ECONOMIC INDICATOR	Current Release	Prior Release	One Year Ago
Trade Balance	(50.1) $Bln APR 12	(52.6) $Bln MAR 12	(43.6) $Bln APR 11
GDP	1.9% MAR 12	3.0% DEC 11	0.4% MAR 11
Unemployment Rate	8.2% JUN 12	8.2% MAY 12	9.1% JUN 11
Prime Rate	3.25% JUN 12	3.25% MAY 12	3.25% JUN 11
CRB Index	284.19 JUN 12	272.97 MAY 12	338.05 JUN 11
Oil (West Texas Int.)	$84.96 JUN 12	$86.53 MAY 12	$95.42 JUN 11
Consumer Price Index (y/o/y)	1.7% MAY 12	2.3% APR 12	3.6% MAY 11
Producer Price Index (y/o/y)	0.7% MAY 12	1.9% APR 12	7.1% MAY 11
Dollar / EURO	1.27 JUN 12	1.24 MAY 12	1.45 JUN 11

Source: Bloomberg

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The information contained herein was obtained from sources we believe to be reliable, but we do not guarantee its accuracy. Opinions and forecasts regarding industries, companies, and/or the economy are all subject to change at any time, based on market and other conditions, and should not be construed as a recommendation.

CHANDLER ASSET MANAGEMENT ※ 6225 Lusk Blvd ※ San Diego, CA 92121 ※ 800 317 4747 ※ www.chandlerasset.com

MV00173855

Corporate Credit Ratings - Risk of Downgrades Has Increased

Although corporate credit fundamentals of many high grade bond issuers have improved significantly since the financial crisis and recession, we believe the risk of an increase in the number of corporate credit rating downgrades has recently become more elevated. In some cases, the weakening of corporate credit is directly tied to the rising debt levels of sovereign issuers. For this reason, we believe the outcome of the European debt crisis and the U.S. presidential election later this year (which should provide insight into the fiscal budget outlook for the U.S. and potentially impact the U.S. credit rating), will have a meaningful influence on corporate credit ratings.

Pressure on some corporate credit issuer's fundamentals (from industrials to consumer-related corporations) is rising because of the European sovereign debt crisis, which has strained the overall European economy, and has begun to hinder revenues and earnings of many global corporations. For example, Proctor & Gamble, Ford, and Dover are among some of the companies that have recently lowered their earnings guidance, in part because of lowered demand in Europe. Should the European Union fail to find a resolution to their fiscal crisis, we expect that the corporate credit fundamentals of companies with significant exposure to Europe in particular will come under more pressure.

However, credit ratings of banks and financial institutions are most directly tied to sovereign debt ratings, and likely face the most immediate pressure. Although the intrinsic credit-worthiness of many domestic banks and financial institutions has improved over the past few years, due to increased oversight, higher capital levels, and stronger balance sheets, the implied support from the government has declined. As the credit ratings of many sovereign debt issuers have declined due to soaring government debt levels and poor fiscal management, the credit-worthiness of their homeland banks and financial institutions has also weakened. This is because most banks and financial institutions receive credit rating boosts from implied government support (i.e. in the event of a financial crisis or liquidity event, it is assumed that the government would step in and provide a backstop). Over the past year, we have seen several sovereign credit rating downgrades, which have negatively impacted the credit ratings of many banks.

As the credit ratings of many sovereign debt issuers have declined due to soaring government debt levels and poor fiscal management, the credit-worthiness of their homeland banks and financial institutions has also weakened.

In the month of June, Moody's downgraded fifteen global banks, including high quality issuers such as JP Morgan, Credit Suisse, and HSBC. The downgrades were anticipated by Chandler's portfolio management team, and were driven in part by the perception of diminished government support, and in some cases by the banks' exposure to Europe. S&P has recently taken similar action on financial institutions in Spain due to a decline in implied support from the Spanish government. Recall that S&P downgraded the U.S. sovereign credit rating in August last year, and subsequently lowered the credit ratings of some financial issuers whose ratings reflected government support.

S&P, Moody's, and Fitch each maintain a Negative Outlook on the sovereign credit rating of the U.S. Any potential further downgrade of the U.S. sovereign debt rating would most likely put additional downward pressure on the credit ratings of domestic banks. Moody's has indicated that they plan to update their view on the U.S. after the presidential election. Outside of the U.S., we believe the potential for further sovereign credit rating downgrades in Europe remains high, putting foreign banks at risk for further downgrades as well.

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During the second quarter of 2012, the number of credit rating upgrades by Standard & Poor's outnumbered downgrades (S&P upgraded thirteen companies and downgraded five). However, in a report released earlier this month, S&P said that it expects downgrades may outnumber upgrades in the near to intermediate term, since current rating outlooks are somewhat negatively biased. According to S&P, the telecommunications services and financials sectors have the highest downgrade potential over the near to intermediate term. In a separate report, S&P also noted that their rating outlooks remain negative for the majority of large complex banks and trust banks. For most banks, they said that their outlooks reflect the negative outlook on the sovereign rating on the U.S. and the likely impact that a potential downgrade of the U.S. would have on the support factored into bank ratings. Overall, S&P has indicated that the number of potential corporate credit rating downgrades is currently at its highest level since August 2010.

Looking ahead, we believe developments in Europe, and secondarily the outcome of the U.S. presidential election, will have a significant influence on the global and domestic economy, as well as sovereign and corporate credit ratings. Because we think the downward pressure on credit ratings may be rising, the team at Chandler has taken a more conservative stance in selecting securities for our client portfolios in recent months, and we believe a more defensive posturing is prudent over the near- to intermediate-term.

- Shelly Henbest
VP, Credit Analyst

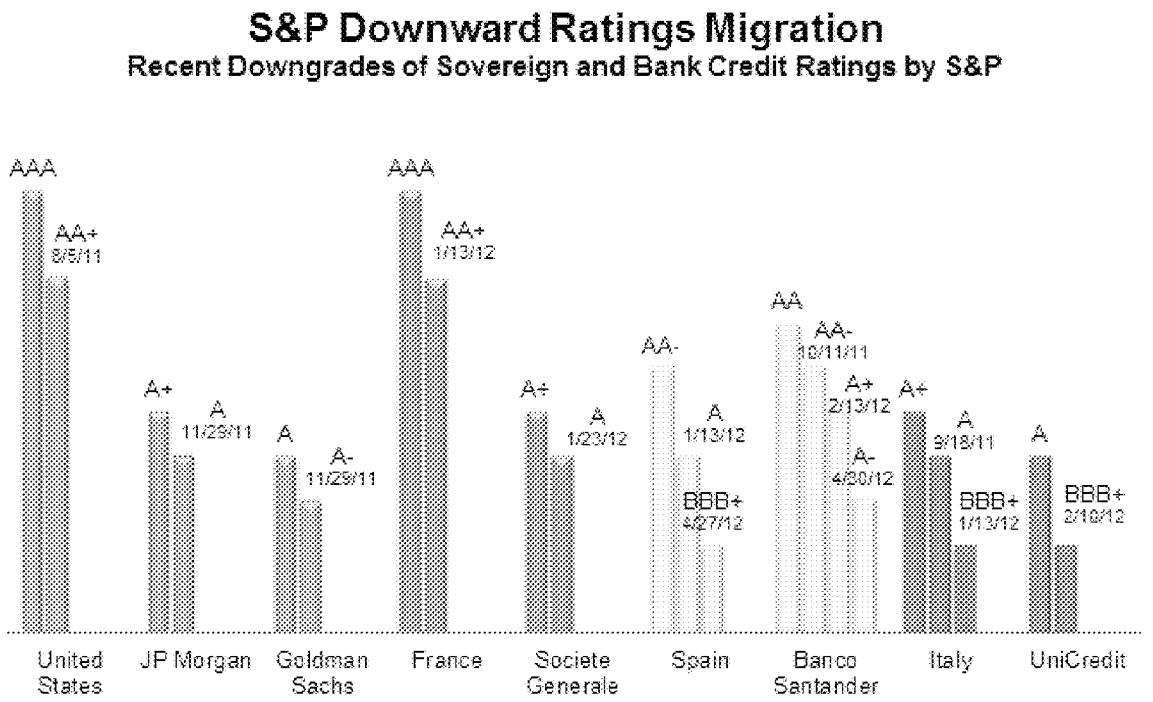

RISKS AND OTHER IMPORTANT CONSIDERATIONS
Past performance is not indicative of future results. This report is provided for general information purposes only and should not be construed as specific legal, tax, or financial planning advice. All opinions and views constitute judgments or relevant information as of the date of writing and such information may become outdated or superseded at any time without notice. Forecasts are inherently limited and should not be relied upon as an indicator of future results. This report is not intended to constitute an offer, solicitation, recommendation or advice regarding any securities or investment strategy. This information should not be regarded by recipients as a substitute for the exercise of their own judgment.

Fixed income investments are subject to interest, credit, and market risk. Interest rate risk: the value of fixed income investments will decline as interest rates rise. Credit risk: the possibility that the borrower may not be able to repay interest and principal. Low rated bonds generally have to pay higher interest rates to attract investors willing to take on greater risk. Market risk: the bond market in general could decline due to economic conditions, especially during periods of rising interest rates.

MV00173857

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 28, 2012

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE NATIONAL ANIMAL CONTROL ASSOCIATION & THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept a grant award in the amount of $6,000 from the National Animal Control Association (NACA) and the American Society for the Prevention of Cruelty to Animals (ASPCA) for the purpose of implementing ASPCA's ID-Me Animal Tagging Project.

2. Approve revenue and expense appropriations in the grant amount of $6,000 increasing the Animal Services budget for FY 2012-13 to reflect the grant acceptance.

BACKGROUND

In recognition of the valuable work of NACA, the ASPCA provided grant funding to NACA for the implementation of the ID–Me Animal Tagging Project in 25 Municipal/County Animal Care and Control Agencies. The grant project consists of 25 grants in the amount of $6,000.00 each to governmental agencies across the country to cover the cost of an engraver machine, ID tags and collars to participate in the ASPCA ID-Me project.

DISCUSSION

The ASPCA ID-Me Animal Tagging Project is a multi-phase project that investigates the use of ID tags on dogs and cats to facilitate the public's willingness and ability to return lost animals to their owners. The benefits of participating in this program are:

- Allows the public who finds a lost pet the ability to contact the pet's owner for immediate reunification.
- Potentially reduces the animal intakes at the Moreno Valley Animal Shelter, thereby realizing some cost reductions in animal care and control.
- Provides promotional opportunities for Moreno Valley Animal Shelter to highlight its partnership with the ASPCA and thereby enhance the adoption of pets by providing free collars and ID tags for pets adopted by the public.

Having met the eligibility requirements of being a municipal animal care and control program, Moreno Valley Animal Services submitted the grant application to NACA on April 30, 2012. On June 13, 2012 NACA announced the 25 award winners with the City of Moreno Valley being one of three animal care and control agencies in California to receive grant funding with the remaining participating agencies located across the United States.

Grant funds will be used to purchase an engraver machine, ID tags and collars. The Animal Services Division will place these collars and tags on each dog and cat that leaves the Moreno Valley Animal Shelter, either through adoption or return to owner. There is no cost to the pet owner to receive a collar and tag. This project is targeted to begin in September 2012 and run for approximately 12 months. At the conclusion of this project the engraving machine, valued at approximately $2,700.00, will be kept by the Moreno Valley Animal Shelter.

ALTERNATIVES

1) Accept the grant award of $6,000.

2) Reject the grant award of $6,000.

3) Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the $6,000 grant award will increase the Animal Services Division's revenue budget in the amount of $6,000 reflecting receipt of the grant funds and an increase in the expenditure budget for FY 2012-13 as identified below.

BUDGET APPROPRIATIONS:

Account	Type	Description	Current Budget	Grant Award Allocation	Revised Budget
1010-30-38-25310-489000	REVENUE	Other Grant-Operating Revenue	0	$6,000	$6,000
1010-30-38-25310-620620	EXPENSE	Marketing Services-PR/Promotional	0	$6,000	$6,000

SUMMARY

Acceptance of the $6,000 grant award from the NACA & ASPCA will allow the Animal Services Division to provide free collars and ID tags to pet owners reclaiming their lost pets as well as to new pet owners who have adopted a pet from the Moreno Valley Animal Shelter. The benefits of this project are anticipated to help lost pets that are wearing a collar and ID tag become quickly reunited with their owners, reduce the number of owned pets being impounded into the Animal Shelter, and provide a promotional opportunity for the Moreno Valley Animal Shelter to highlight its partnership with the ASPCA enhancing the adoption process by providing free collars and tags on all cats and dogs adopted.

ATTACHMENTS

Attachment A: NACA & ASPCA Grant Award Notice

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment A

John W. Mays, Executive Director
National Animal Control Association
P.O. Box 480851
Kansas City, MO 64148
Phone: 913-768-1319
Fax: 913-768-1378
naca@nacanet.org

June 13, 2012

Re: ASPCA ID ME Animal Tagging Program Grant

Dear Steven Fries,

I am pleased to advise you that the NACA Committee met recently and voted a grant to your organization in the amount of $6,000.00. The purpose of this grant is to cover the cost of an engraver machine, ID tags and collars to participate in the ASPCA ID ME project. The grant recipients must:

- Place these collars and tags on each dog and cat that leaves their facility, either through adoption or return to owner.
- Agree to report back to NACA the number or animals that were tagged and collared during this project.
- Be a Municipal/County Animal Care and Control Agency.

In all public acknowledgments, we prefer that you indicate this gift as being received from the American Society for the Prevention of Cruelty to Animals. In order for funds to be distributed to your agency, recipients must complete and submit:

- W-9 Form (attached)
- Grant Project Timeline Acceptance (attached)

Both documents are due on or before June 30, 2012. Once received, your grant award check will be mailed to your attention to the address provided on your W-9 form.

All grant recipients will be required to write a "thank you" letter regarding your award to the ASPCA, via the address listed below:

American Society for the Prevention of Cruelty to Animals (ASPCA)
Attn: Pam Burney
424 E. 92nd St
New York, NY 10128-6804

All Grant Requirements shall be submitted via e-mail or fax to:

John W. Mays, Executive Director
National Animal Control Association
Fax: 913-768-1378
naca@nacanet.org

Any questions regarding the Grant Requirements should be directed to me at the e-mail address listed above. A list of grant recipients will be posted at www.nacanet.org by June 15, 2012.

Sincerely,

John W. Mays

John W. Mays
Executive Director
National Animal Control Association

ASPCA®

GRANTS

WE ARE THEIR VOICE.®

Grant Project Timeline Acceptance

Due Dates	Grant Requirements
June 30, 2012	Submit W-9 Form and acceptance of Grant Project Timeline Requirements.
July 31, 2012	Submit "thank you" letter to the ASPCA regarding your award.
August 31, 2012	Submit a copy of receipt verifying ID engraver machine purchase.
October 1, 2012	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period September 1-30, 2012.
November 1, 2012	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period October 1-31, 2012.
December 1, 2012	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period November 1-30, 2012.
January 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period December 1-31, 2012.
February 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period January 1-31, 2013.
March 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period February 1-28, 2013.
April 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period March 1-31, 2013.
May 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period April 1-30, 2013.
June 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period May 1-31, 2013.
July 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period June 1-30, 2013.
August 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period July 1-31, 2013.
September 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period August 1-31, 2013.

Recipient's acceptance of the Grant Project Timeline:

Signature	Date	Title
	6-21-2012	ANIMAL SERVICES DIVISION MANAGER

Failure to meet the reporting requirements could result in the engraving machine being returned to NACA for dispersal to other agencies.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Thomas M. DeSantis, Human Resources Director

AGENDA DATE: August 28, 2012

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO R.I.C. CONSTRUCTION COMPANY, INC. FOR THE CITY ANNEX BUILDING OFFICE RENOVATION PROJECT NO. 803 0004 30 40

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract to R.I.C. Construction Company, Inc., 10675 "E" Avenue Hesperia, CA 92345 as the lowest responsible bidder, for the Moreno Valley Annex Renovation Project in an amount not to exceed $1,252,000;

2. Authorize the City Manager to execute a contract with R.I.C.;

3. Approve an additional appropriation in the amount of $400,000 increasing the project budget from $1,000,000 currently approved to $1,400,000 based on the actual bids received;

4. Approve a transfer of $400,000 from the City Hall Development Impact Fee (DIF) Fund to the Annex 1 Renovation Project and approve the revenue and expense appropriations respectively to facilitate said transfer;

5. Authorize the issuance of a Purchase Order to R.I.C. in the amount of $1,252,000 ($1,138,000 base bid amount plus 10% contingency) when the contract has been signed by all parties;

6. Authorize the Human Resources Director to execute any subsequent change orders to the contract with R.I.C. up to but not to exceed the Purchase Order contingency of $114,000; and

7. Authorize the Human Resources Director to record the Notice of Completion upon determination that the work is complete, and release the retention to R.I.C. if no claims are filed against the project.

BACKGROUND

In December 2006 the City purchased an 11,668 square foot building located at 14331 Frederick Street. The building, known as the City Annex, was initially intended to provide office space for multiple City Departments due to additional space needs for daily operations at that time. Due to the recession, this space was not renovated.

City staff members from four divisions currently operate in leased space located at 14325 Frederick. The four divisions, Technology Services, Facilities, Special Districts and Moreno Valley Utility will move to the City-owned Annex building located at 14331 Frederick after renovations are completed. Annual lease costs of $168,000 will be eliminated as of June 30, 2013.

The project includes the demolition of the entire existing interior partitions from the prior multiple tenant configuration and removal of the non-functioning equipment. Renovation will include construction of new partitions, as well as installation of new tile ceilings, efficient HVAC systems, and a new roofing system. Improvements will also include one large common meeting room and a shared kitchen/lunch room. The Moreno Valley Utility Customer Service Counter will be located on the East end of the facility with signage visible from Frederick Street.

DISCUSSION

On June 14, 2011, the City Council adopted the Fiscal Year 2011/2012 Capital Improvement Plan. Under this plan, $1,000,000 was allocated for the design and construction at the City-owned building located at 14331 Frederick St.

On January 12, 2012 the Financial and Administrative Services Director executed an agreement with STK Architecture Inc. for Professional Consultant Design and Construction Management Services for the City Hall Annex Renovation Project. The design phase was completed in June, 2012; the project was opened for construction bids on June 29, 2012.

Formal bidding procedures have been followed in conformance with the Public Contract Code. A mandatory pre-bid job walk was conducted on July 10, 2012. The City Clerk opened bids at 3:00 p.m. on July 24, 2012, for the subject project. The nine (9) bids received are as follows:

	CONTRACTORS	Bid Amount
1.	Rasmussen Brothers Construction, Inc.	$1,107,000
2.	RC Construction	$1,128,000
3.	**R.I.C. Construction.**	**$1,138,000**
4.	WFC Construction.	$1,157,803
5.	Caltec Corp.	$1,174,174
6.	Hamel Contracting.	$1,188,000
7.	Avi-Con, Inc.	$1,263,000
8.	Silver Creek Industries.	$1,295,193
9.	Plyco Corp.	$1,347,000

Staff has reviewed the bids and determined the bid submitted by R.I.C. to be the lowest-responsible bidder in possession of a valid license. No outstanding issues were identified through review of the references submitted by R.I.C.

The bid received by Rasmussen Brothers Construction, Inc. was considered non-responsive due to not meeting the following requirements as set forth in the bid document:

Page #8, number 27, "Bidders Bid" Criteria

> *"All additional information required by the City regarding any subcontractor who the Bidder is required to list under the Provisions of Sections 4104 and 4107 of the Public Contract Code, other than the subcontractor's name and location (city) of business or State Contractor's License number, may be submitted by the Bidder up to 24 hours after the deadline time and date for receipt of Bids. Failure to timely provide all required subcontractor information shall result in the Bid being determined non-responsive."*

Complete sub-contractor submittal was not received until Sunday, July 29th at 12:35 pm, greater than 96 hours beyond the deadline time and date for receipt of Bids, hence, deemed non-responsive.

Bids received by both Rasmussen Brothers Construction, Inc. and RC Construction were considered non-responsive due to not meeting the following requirement as set forth in the bid document:

Section 2-3.2

> *"If the Bid submitted by the Contractor fails to meet at least fifty (50) percent of the amount of the work required with its own forces, the Bid will be considered non-responsive and will be rejected with no further consideration"*

Bid document calculation states the following sub-contractor amounts:

Rasmussen Brothers Construction, Inc.	100%
Sub-Contractor Usage:	-65%
Prime Contractor Amount:	35%
RC Construction	100%
Sub-Contractor Usage:	-68%
Prime Contractor Amount:	32%

The project was approved by City Council on June 14, 2011 in the amount of $1,000,000 based on initial construction cost estimates. Staff proceeded to hire the design architect and prepare the project for bid. Based on the actual bids received, staff is requesting to increase the project budget to $1,400,000 to provide for the higher actual bid amounts received for the renovations and to provide a 10% contingency for the project. Currently, the City Hall Developer Impact Fee Fund has a balance of about $2.5 million; staff is requesting approval to transfer $400,000 in City Hall DIF fees to the Annex 1 project to complete this qualifying project. Having this space available in early 2013 is also an integral part of moving forward with the current City Hall 2nd Floor flooring repair/replacement project planned for Spring 2013.

ALTERNATIVES

1. Award the construction contract to R.I.C. Construction in an amount not to exceed $1,251,800 as the lowest responsible bidder, for the Moreno Valley Annex Renovation Project, authorize the City Manager to execute a contract with R.I.C. Construction in the form attached hereto, authorize the issuance of a Purchase Order to R.I.C. in the amount of $1,251,800 ($1,138,000 base bid amount plus 10% contingency) when the contract has been signed by all parties, authorize the Human Resources Director to execute any subsequent change orders to the contract with R.I.C. up to but not to exceed the Purchase Order contingency of $113,800, and authorize the Human Resources Director to record the Notice of Completion upon determination that the work is complete, and release the retention to R.I.C. if no claims are filed against the project. *This alternative will allow for required improvements to render the space usable by City functions now occupying leased facilities.*

2. Do not award the construction contract to R.I.C. Construction Company, Inc., 10675 “E” Avenue Hesperia, CA 92345, the lowest responsible bidder, for the Moreno Valley Annex Renovation Project. *This alternative will preclude or delay the completion of much required improvements and will require continued leasing of office space to house four city divisions.*

FISCAL IMPACT

The design and construction of the Moreno Valley Annex Renovation project is included in the adopted Fiscal Year 2012/2013 Capital Improvement Project and was originally appropriated $1 million in the FY 2011/12 budget. Based on the actual construction bids received, staff is requesting a transfer of $400,000 from City Hall DIF to the Annex 1 project. Based on this action, the project is funded in the CIP budget account number 30-40-80003-720199, project number 803 0004 30 40. The funds allocated for the Moreno Valley Annex Renovation project cannot be utilized for operational activities. There is no impact on the General Fund.

BUDGETED PROJECT FUNDS:
City Hall Annex Renovation Project (803 0004 30 40)
FY 2012/2013 Budget (Account No. 3000-30-40-80003-720199) $1,000,000
FY 2012/2013 Recommended Budget Appropriation $400,000

ESTIMATED PROJECT RELATED COSTS:
Architectural Design & Construction Management & Inspection $89,000
Construction Costs*..... $1,252,000
Moving and Logistics Cost $25,000
Parking Lot Re-Surface and Stripe..... $10,000
Lock, Security & Fire Alarm Move $24,000
Total Estimated Project Related Costs..... $1,400,000

* Includes 10% contingency

TRANSFER APPROPRIATIONS

Account	Type	Description	Current Budget	Proposed Increase	Revised Budget
3000-90-99-93000-802909	Revenue – Transfer In	Transfer from DIF – City Hall	$0	$400,000	$400,000
2909-99-95-92909-903000	Expense – Transfer Out	Transfer to Facility Construction Fund	$0	$400,000	$400,000
	Total		$0	$800,000	$800,000

BUDGET APPROPRIATION

Account	Type	Description	Current Budget	Proposed Increase	Revised Budget
3000-30-40-80003-720199	Expense	CIP - Other	$1,000,000	$400,000	$400,000
	Total		$1,000,000	$400,000	$400,000

ANTICIPATED PROJECT SCHEDULE:
Notice of Award..... August 2012
Start Construction..... September 2012
Complete Construction..... January 2013

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

This project will renovate the Moreno Valley Annex to move four divisions from leased space into a city owned facility. Staff recommends awarding the contract to R.C.I. Construction, Inc. and authorizing the issuance of a purchase order in the amount of $1,252,000, inclusive of a 10% contingency when the agreement has been signed by all parties.

ATTACHMENTS

Attachment A: City Annex Building Office Renovation Agreement

Prepared By:
Rix Skonberg
Purchasing & Facilities Division Manager

Concurred By:
Richard Teichert
Financial & Administrative Services Director

Department Head Approval:
Thomas M. DeSantis
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

AGREEMENT

BID NO. VAG 11/12-14
ANNEX #1 TENANT IMPROVEMENTS
14331 Frederick Street
Moreno Valley, CA 92553

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **R.I.C. Construction Company, Inc.**, hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following: a) any and all Contract Change Orders issued after execution of this Agreement; b) **Addenda Nos. 1 inclusive,** issued prior to the opening of the Bids; c) the Bid Documents; d) the Special Provisions which include the General Provisions and Technical Provisions; e) the project Plans; f) the Standard Plans; g) the Standard Specifications; h) California Building Code; i) California Electrical Code; j) California Energy Code; k) California Fire Code; l) California Mechanical Code; m) California Plumbing Code; n) State of California Code of Regulations Title 24 Building Standards; o) American with Disabilities Act (ADA); p) other codes as applicable; q) Reference Specifications, all of which are essential parts of this Agreement; and r) the Bidder's Bid which includes the Non-collusion Affidavit. In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) in the sum total amount of **$ 1,138,000.00**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ninety (90) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages

will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such liquidated damages shall be presumed to be in the amount of $250.00 per working days, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley (City), the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; **builder's risk insurance (that includes fire and flood coverage)**; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City, MVHA, and CSD, its officers, employees and agents under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and

property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, **builder's risk insurance (including fire and flood)** which will reimburse the Contractor or the City for its interests for repairing damaged property owned, leased, held or in the course of construction with coverage limits for replacement of the building; and shall bear an endorsement in addition to the previous endorsements containing the following Provisions:

> The City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District are named as "loss payee" to ensure the settlement proceeds are used to repair damaged buildings or other property. Additionally, the insurer shall waive all rights of subrogation against the City, MVHA, and CSD, its officers, agents or employees.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee

that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County of Riverside, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend, and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of

the City.

14. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

15. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

16. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY:_____
Henry Garcia, City Manager

DATE:_____

R.I.C. Construction Company, Inc.

License No./
Classification:_____

Expiration Date:_____

Federal I.D. No.:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Human Resources Director

_____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

BID NO. VAG 11/12-14

ANNEX #1 TENANT IMPROVEMENTS
14331 Frederick Street
Moreno Valley, CA 92553

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to R.I.C. Construction Company, Inc., as Principal hereinafter designated as "Contractor," and has entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Bid No. VAG 11/12-14** is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

BIDDER	SURETY
Contractor Name:_____	Name:_____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name:_____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

BID NO. VAG 11/12-14

ANNEX #1 TENANT IMPROVEMENTS
14331 Frederick Street
Moreno Valley, CA 92553

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **R.I.C. Construction Company, Inc.**, as Principal hereinafter designated as "Contractor," and has entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Bid No. VAG 11/12-14**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, material, men, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this _____ day of_____ 20___.

BIDDER	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____, 20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in their capacity as City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2013 TO JUNE 30, 2013

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as Board Members as City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

1. Adopt Resolution No. 2012-71 approving a Third Recognized Obligation Payment Schedule ("Third ROPS"), for the period of January 1, 2013 to June 30, 2013;

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the Third ROPS (Exhibit "A") to the Oversight Board for review and approval.

BACKGROUND

The City of Moreno Valley is the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley (RDA) pursuant to Part 1.85 of Division 24 of the

Health and Safety Code. As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations due for Enforceable Obligations of the former RDA. In order to facilitate the process, on February 28, 2012, the City Council adopted Resolution No. 2012-13 approving a Recognized Obligation Payment Schedule (ROPS) for the period of January 1, 2012 through June 30, 2012, and Resolution No. 2012-22 on April 10, 2012, approving a Second Recognized Obligation Payment Schedule for the period of July 1, 2012 through December 31, 2012.

DISCUSSION

Enforceable Obligation Payment Schedule

In accordance with ABX1 26, the Successor Agency is required to adopt an Enforceable Obligation Payment Schedule ("EOPS"). The EOPS lists all of the Agency's legally binding and enforceable agreement obligations and anticipated payments. Enforceable obligations include bonds, loans, judgments, settlements, any legally binding and enforceable agreements or contracts, and contracts and agreements for agency administration or operation costs.

Section 34177(a)(1) of ABX1 26 provides that upon the dissolution of the Agency, the Successor Agency may only make those payments required pursuant to the most recent Enforceable Obligation Payment Schedule adopted by the Agency and the Successor Agency, and until such time the Recognized Obligation Payment Schedule becomes operative.

Recognized Obligation Payment Schedule

ABX1 26 requires the Successor Agency to approve a Recognized Obligation Payment Schedule ("ROPS"). The ROPS supersedes the EOPS, and is required for each six-month period.

Similar to the EOPS, the required content of the ROPS, set forth in Health and Safety Code Section 34177(l)(1), details all of the Agency's legally binding and enforceable obligations, anticipated payments, and sources of payments. Recognized obligations include bonds, loans, judgments, settlements, any legally binding and enforceable agreements or contracts, and contracts and agreements for agency administration or operation costs. The attached Third ROPS sets forth the enforceable obligations for the period between January 1, 2013 and June 30, 2013.

Once approved, the Third ROPS will be submitted to the Oversight Board for review and approval. Upon approval by the Oversight Board, a copy of the approved ROPS will be transmitted to the County-Auditor Controller, the State Controller's Office, the Department of Finance, and posted to the City's website.

ALTERNATIVES

1. Adopt the attached resolution, which approves the Third Recognized Obligation Payment Schedule for the period of January 1, 2013 to June 30, 2013, authorizing the Executive Director or his designee to make modifications thereto, and authorizing the transmittal of the Schedule to the Oversight Board for review and approval. *Staff recommends this alternative because it allows the City serving as the Successor Agency to make required debt service payments in accordance with the State legislation.*

2. Decline to adopt the attached resolution which would not allow the City, acting as the Successor Agency, to maintain the operations, and fulfill debt obligations of the former RDA as required by law. *Staff does not recommend this alternative.*

FISCAL IMPACT

The Recognized Obligation Payment Schedule provides the details necessary for the City serving as the Successor Agency to fulfill the former RDA's legally binding and enforceable agreements. The Third ROPS will serve as authorization to pay obligations listed during the noted period. There will be some impact to the General Fund to absorb costs that are no longer paid by the former Redevelopment Agency for either RDA administration or operations and for Low and Moderate Income Housing Fund work. Staff estimates that this cost will be approximately $200,000 for fiscal year 2012-2013.

SUMMARY

As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations due for Enforceable Obligations of the former RDA. The Recognized Obligation Payment Schedule for the period of January 1, 2013 to June 30, 2013 provides the details necessary for the City serving as the Successor Agency to fulfill the former RDA's legally binding and enforceable agreements as required by law.

NOTIFICATION

No public notice is required prior to the City Council taking action on this item. However, the agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council agendas.

ATTACHMENTS/EXHIBITS

Attachment A - Resolution No. 2012-71
Exhibit A - Third Recognized Obligation Payment Schedule

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Concurred by:
Dante Hall
Redevelopment & Neighborhood Programs Administrator

Concurred by:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY SERVING AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2013 THROUGH JUNE 30, 2013, AND AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO MAKE MODIFICATIONS THERETO

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011 (which dated has been deemed to be February 1, 2012 pursuant to a decision by the California Supreme Court), and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain

"enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, in connection with the implementation of those provisions of ABX1 26 which require the adoption of an enforceable obligation schedule, the City serving as the Successor Agency has previously adopted an amended enforceable obligation schedule in the form previously submitted (the "Amended Enforceable Obligation Schedule") and has authorized the City Manager or his designee to augment, modify or revise such Amended Enforceable Obligation Schedule; and

WHEREAS, ABX1 26 further requires the adoption of an Initial Recognized Obligation Payment Schedule; such initial Recognized Obligation Payment Schedule was approved by Resolution No. 2012-13 of the City of Moreno Valley serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley ("Successor Agency") on February 28, 2012.

WHEREAS, ABX1 26 further requires the adoption of a Recognized Obligation Payment Schedule for every six month period; such Recognized Obligation Payment Schedule for July 1, 2012 through December 31, 2012, was approved by Resolution No. 2012-22 of the City of Moreno Valley serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley ("Successor Agency") on April 10, 2012.

WHEREAS, an oversight board, as provided under ABX1 26 ("Oversight Board") has been established for the former Agency;

WHEREAS, pursuant to ABX1 26 and the implementation thereof, the Sucessor Agency desires to adopt a Third Recognized Obligation Payment Schedule for the period covering January 1, 2013 through June 30, 2013 ("Third ROPS"), in the form submitted herewith. The Third ROPS is attached hereto, marked as Exhibit "A", and is incorporated herein by reference. By this resolution, the City Council, on behalf of the Successor Agency, approves and authorizes the transmittal of the Third ROPS to the Oversight Board;

WHEREAS, given the adoption of ABX1 26, the City Council, on behalf of the City acting in its capacity as Successor Agency to the Agency, has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, in its capacity as Successor Agency to the Agency, and the health, safety, and welfare of the residents of the City, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, SERVING AS THE SUCCESSOR AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That Third ROPS (Exhibit "A") is approved as the Recognized Obligation Payment Schedule as to the Agency for the above-referenced period, together with such augmentation, modification, additions or revisions as the Executive Director of the Successor Agency or his designee may make thereto.

Section 3. The City Clerk shall cause the Third ROPS to be transmitted to the Oversight Board.

Section 4. This Resolution shall be effective immediately upon adoption.

Section 5. The City Clerk shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of the Successor Agency

ATTEST:

_____
City Clerk

APPROVE AS TO FORM:

_____
City Attorney

Resolution No. 2012-71
Date Adopted: August 28, 2012

Resolution Jurat

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-71 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

City Clerk

Resolution No. 2012-71
Date Adopted: August 28, 2012

Successor Agency Contact Information

Name of Successor Agency:	The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley
County:	Riverside
Primary Contact Name:	Annie Clark
Primary Contact Title:	Sr. Financial Analyst
Address	14177 Frederick Street, Moreno Valley, CA 92552
Contact Phone Number:	951.413.3475
Contact E-Mail Address:	anochano@moval.org
Secondary Contact Name:	Richard Teichert
Secondary Contact Title:	Financial & Administrative Services Director
Secondary Contact Phone Number:	951.413.3021
Secondary Contact E-Mail Address:	richardt@moval.org

EXHIBIT A

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the January 1, 2013 to June 30, 2013 Period

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

		Total Outstanding Debt or Obligation
Outstanding Debt or Obligation		$ 161,932,013
Current Period Outstanding Debt or Obligation		**Six-Month Total**
A	Available Revenues Other Than Anticipated RPTTF Funding	15,022,617
B	Anticipated Enforceable Obligations Funded with RPTTF	6,927,229
C	Anticipated Administrative Allowance Funded with RPTTF	208,000
D	Total RPTTF Requested (B + C = D)	7,135,229
	Total Current Period Outstanding Debt or Obligation (A + B + C = E) *Should be the same amount as ROPS form six-month total*	$ - ERROR formula is not computing correctly
E	*Enter Total Six-Month Anticipated RPTTF Funding *(Obtain from county auditor-controller)*	6,835,311.86
F	Variance (E - D = F) *Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding*	$ (299,917)
Prior Period (January 1, 2012 through June 30, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))		
G	**Enter Estimated Obligations Funded by RPTTF *(Should be the lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)*	9,241,398
H	***Enter Actual Obligations Paid with RPTTF	11,866,792
I	Enter Actual Administrative Expenses Paid with RPTTF	117,648
J	Adjustment to Redevelopment Obligation Retirement Fund (G - (H + I) = J)	$ (2,743,042)
K	**Adjusted RPTTF** *(The total RPTTF requested shall be adjusted if actual obligations paid with RPTTF are less than the estimated obligation amount.)*	$ 9,878,271.00

* We have not receive any confirmation of the anticipated RPTTF funding from the County, and therefore, are using the amount received previously from the County Auditor-Controller for the payment of ROPS Fe obligations (primarily the payment received in January 2012).

** Gross Property Tax Amount $9,241,398 (actual amount received from the County Auditor-Controller was $9,033,312 - net of the pass through's and fees of $2,408,086).

***Includes amount encumbered to be paid in 2013-2014 per Affordable Housing Agreement and enforceable obligations paid from former RDA fund balance.

Certification of Oversight Board Chairman:
Pursuant to Section 34177(m) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named agency.

Name _____ Title _____

Signature _____ Date _____

8/21/20129:45 AM

MV00173889

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

County: Riverside

Oversight Board Approval Date: _____

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III)

January 1, 2012 through June 30, 2012

Item #	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-13	Funding Source: LMIHF	Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
	Grand Total				$ 161,832,013	$ 26,612,927	$ -	$ 14,216,878	$ 908,068	$ 208,000	$ 6,927,029	$ -	$ -
1	2007 Tax Allocation Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance various capital projects	Original Area	79,412,021.88	2,263,483.76					2,263,483.76		2,263,484
2	2007 Special Tax Refunding Bonds - Towngate 87-1	Wells Fargo Bank	Debt service payments for bonds issued to finance the acquisition of public facilities	Original Area	8,546,333.48	1,162,347.06					1,162,347.06		1,162,347
3	Improvement Area No. 1 Special Tax Refunding Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities	Original Area	2,804,115.00	277,161.38					139,168.01		139,168
4	CFD No. 3 - Auto Mall Refinance	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities	Original Area	2,000,060.81	109,460.50					91,881.66		91,882
5	2011 Refunding of 97 LRB Bonds	Bank of America	Debt service payments for bonds issued to finance the construction of a public facility	Original Area	1,500,000.00	150,000.00					75,000.00		75,000
6	2005 Lease Revenue Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance Sunnymead Blvd project	Original Area	13,525,880.41	390,147.50					195,348.75		195,349
7	On-going Housing Monitoring Requirements	City of Moreno Valley/Successor Agency	Costs to perform the recertification and monitoring of housing units	Original Area	40,000.00	40,000.00					20,000.00		20,000
8	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth	Legal services - General	Original Area	72,000.00	72,000.00					36,000.00		36,000
9	Contract for Legal Services	Rutan & Tucker, LLP	Legal services - Oversight Board Legal Counsel	Original Area	72,000.00	72,000.00					36,000.00		36,000
10	Contract for Abatement of Properties	Fire Prevention/Inland Empire Property Service, Inc.	Nuisance/weed abatement of Agency owned properties	Original Area	7,500.00	7,500.00					2,500.00		2,500
11	Contract for Audit Services	Lance Soll & Lunghard, LLP or Approved Audit Firm	Preparation of Required Due Diligent Reviews and Annual Audit	Original Area	15,000.00	15,000.00					15,000.00		15,000
12	Contract for Special Tax Reporting	Willdan/Staff Administration	Preparation of Continuing Disclosure Report	Original Area	5,000.00	5,000.00					2,500.00		2,500
13	CalPERS Retirement Liability	The California Public Employees' Retirement System (CalPERS)	Unfunded PERS Retirement Liability Acct	Original Area	599,992.00	12,858.14					-		-
14	Retiree Medical Trust (CERBT)	Medical	Unfunded Retiree Medical Trust Acct	Original Area	193,221.00	4,461.90					-		-
15	Agency Loans #1 & 2	City of Moreno Valley	City/Agency Loan Agreement	Original Area	2,217,843.00	-					-		-
16	Price Club Acquisition Note	The Price Family Charitable Fund	Participation Agreement	Original Area	1,410,529.85	480,000.00					240,000.00		240,000
17	Towngate Acquisition Note	City of Moreno Valley	Participation Agreement	Original Area	15,658,083.42	480,000.00					240,000.00		240,000
18	Moss Bros. Autogroup Participation Agreement	Moss Bros. Autogroup	Participation Agreement	Original Area	250,000.00	250,000.00					-		-
19	Robertson's Ready Mix, Inc. CPA	Robertson's Ready Mix, Inc.	Owner Participation Agreement	Original Area	4,000,000.00	-					-		-
20	Hemlock Family Apartments	Rancho Belago, Inc.	Affordable Housing Agreement	Original Area	1,000,000.00						-		-
21	Rancho Dorado Apts. - South (Second Phase)	Moreno Valley Housing Authority/MV Rancho Dorado Limited Partnership	Affordable Housing Agreement	Original Area	6,950,000.00	2,875,000.00					2,375,000.00		2,375,000
22		Stradling, Yocca, Carlson & Rauth	Legal services - Specific to Affordable Housing Agreement w/ Rancho Dorado Apts.	Original Area	25,000.00	25,000.00					12,500.00		12,500
23		Stricklin Association	Title & Closing Costs	Original Area	5,000.00	5,000.00					2,500.00		2,500
24	Payroll Costs/Operating Costs	City of Moreno Valley/Employees	Successor Agency's Payroll & Operating Costs	Original Area	447,514.00	447,514.00				208,000			208,000
25	Sunnymead Blvd CIP 79221	Fucci	Capital Project Contract, CIP 79221	Original Area	50,000.00	50,000.00			50,000.00				50,000
26		Hans & Assoc.	Capital Project Contract, CIP 79221	Original Area	178,000.00	178,000.00			178,000.00				178,000
27		City of Moreno Valley, cost allocation, and extra admin costs	Project Management CIP 79221	Original Area	37,300.00	37,300.00			25,000.00				25,000
28		City Consultants	Project Management CIP 79221	Original Area	9,500.00	9,500.00			9,000.00				9,000
29		Gibbs, Giden, Locher, Turner & Senet LLP	Additional Legal Fees - CIP 79221	Original Area	85,099.15	85,099.15			49,099.00				49,099
30	Storm Drain/Day Street to Cottonwood CIP 79222	Gibbs, Giden, Locher, Turner & Senet	Contractual Services PO# 42123 CIP 79222	Original Area	5,174.00	5,174.00							-
31		City of Moreno Valley	Project Management CIP 79222	Original Area									-

MV00173890

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

County: Riverside

Oversight Board Approval Date: _____

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III)

January 1, 2013 through June 30, 2013

Item #	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-13	Funding Source: LMIHF	Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
	Grand Total				$ 161,952,013	$ 26,512,927	$ -	$ 14,714,528	$ 308,089	$ 209,000	$ 6,827,228	$ -	$ -
32	Day Street/Alessandro Blvd to Cottonwood CIP 79724	DMC Design	Contractual Services PO#40920 CIP 79724	Original Area	5,980.94	5,980.94							-
33		AEI-CASC	Contractual Services PO#35423 CIP 79724	Original Area	8,775.93	8,775.93							-
34		Group Delta	Contractual Services PO#39328 CIP 79724	Original Area	7,359.00	7,359.00							-
35		KOM Meridian	Contractual Services PO#41865 CIP 79724	Original Area	3,992.50	3,992.50							-
36		STI Inc	Contractual Services PO#41850 CIP 79724	Original Area	73,322.22	73,322.22							-
37		City of Moreno Valley	Project Management CIP 79724	Original Area	20,395.33	20,395.33							-
38	Auto Mall Street Upgrades CIP 79725	VA Consulting	Capital Project Contract, CIP 79725	Original Area	11,083.00	11,083.00							-
39		City of Moreno Valley	Project Management CIP 79725	Original Area	12,000.00	12,000.00							-
40		Leighton Inspection (Geotech)	Capital Project Contract, CIP 79725	Original Area	2,294.00	2,294.00							-
41		VA Consulting Inc (Subcon)	Capital Project Contract, CIP 79725	Original Area	782.00	782.00							-
42		SMEAC (Contractor)	Capital Project Contract, CIP 79725	Original Area	195,721.00	195,721.00							-
43	Indian Basin, Appurtenant CIP 79728	Lim & Nascimento Engineering	Contractual Services PO#35828 CIP 79728	Original Area	88,528.00	88,528.00		38,528.00					38,528
44		City of Moreno Valley, cost allocation, and minor expenses	Project Management, CIP 79728	Original Area	38,000.00	38,000.00		18,000.00					18,000
45	Ironwood Ave-Day St/Barclay Dr CIP 79727	AEI-CASC Engineering	Capital Project Contract, CIP 79727	Original Area	49,532.11	49,532.11		25,000.00					25,000
46		City of Moreno Valley, cost allocation, and minor expenses	Project Management CIP 79727	Original Area	73,000.00	73,000.00		63,000.00					63,000
47		Contractor	Capital Project Contract, CIP 79727	Original Area	500,000.00	500,000.00		500,000.00					500,000
48		Survey Consultant	Project Management CIP 79727	Original Area	50,000.00	50,000.00		50,000.00					50,000
49		Geotechnical Consultant	Capital Project Contract, CIP 79727	Original Area	50,000.00	50,000.00		50,000.00					50,000
50		Southern California Edison	Project Management CIP 79727	Original Area	50,000.00	50,000.00		50,000.00					50,000
51	Nason/SR-60 Bridge CIP 79718	Singer & Coffin, APC	Legal services CIP 79718	Original Area	2,310.00	-							-
52		City of Moreno Valley	Project Management and associated costs CIP 79718	Original Area	160,000.00	160,000.00		100,000.00					100,000
53		Staff Consultants	Project Management, CIP 79718	Original Area	38,000.00	38,000.00		6,000.00					6,000
54		Moreno Valley Utility	Lighting CIP 79718	Original Area	50,000.00	50,000.00		50,000.00					50,000
55		Caltrans	State-furnished materials CIP 79718	Original Area	50,000.00	50,000.00		50,000.00					50,000
56		Caltrans	State source inspection fees CIP 79718	Original Area	50,000.00	50,000.00		50,000.00					50,000
57		CHP	Construction zone enforcement (COZEEP) CIP 79718	Original Area	30,000.00	12,000.00		12,000.00					12,000
58		Parsons Transportation	Design-related costs CIP 79718	Original Area	222,571.00	222,571.00		66,000.00					66,000
59		Falcon Engineering	Construction mgmt and inspection Services CIP 79718	Original Area	1,847,220.00	950,000.00		840,000.00					840,000
60		Contractor	Construction Contract CIP 79718	Original Area	9,700,000.00	7,000,000.00		7,000,000.00					7,000,000
61		Survey Consultant	Construction Services - Survey CIP 79718	Original Area	145,000.00	60,000.00		60,000.00					60,000
62		Geotechnical Consultant	Construction Services - Geotechnical CIP 79718	Original Area	170,000.00	90,000.00		90,000.00					90,000
63		SCE	Utility relocation CIP 79718	Original Area	20,000.00	20,000.00		20,000.00					20,000
64		EMWD	Permits/Fees, CIP 79718	Original Area	5,000.00	5,000.00		5,000.00					5,000
65		RCFC&WCD	Permits/Fees, CIP 79718	Original Area	5,000.00	5,000.00		5,000.00					5,000

MV00173891

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

County: Riverside

Oversight Board Approval Date: _____

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III)

January 1, 2012 through June 30, 2013

Item #	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-13	Funding Source: LMIHF	Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
	Grand Total				$ 181,932,913	$ 25,013,927	$ -	$ 14,714,528	$ 306,099	$ 208,000	$ 6,927,229	$ -	$ -
66	Moreno Beach Ramps - Phase 1 CIP 79731	City of Moreno Valley	Project Management and associated costs CIP 79731	Original Area	100,000.00	100,000.00		100,000.00					100,000
67		City of Moreno Valley	City-furnished equipment - CIP 79731	Original Area	10,000.00	10,000.00		10,000.00					10,000
68		City of Moreno Valley	Project Management and associated costs CIP 79731	Original Area	6,000.00	6,000.00		6,000.00					6,000
69		Parsons Transportation	Design-related costs CIP 79731	Original Area	11,331.00	11,331.00							-
70		Parsons Transportation	Construction support CIP 79731	Original Area	130,000.00	130,000.00		54,000.00					54,000
71		Falcon Engineering	Constructability review CIP 79731	Original Area	11,865.00	11,865.00							-
72		Falcon Engineering	Construction Inspd and Inspection Services CIP 79731	Original Area	797,821.98	600,000.00		600,000.00					600,000
73		So. Calif. Edison	Utility Relocation CIP 79731	Original Area	10,000.00	10,000.00		10,000.00					10,000
74		Caltrans	State-furnished materials CIP 79731	Original Area	2,000.00	2,000.00		2,000.00					2,000
75		Caltrans	State source inspection fees CIP 79731	Original Area	50,000.00	50,000.00		50,000.00					50,000
76		CHP	CHP - construction zone enforcement (COZEEP) CIP 79731	Original Area	30,000.00	30,000.00		30,000.00					30,000
77		Contractor	Construction Contract CIP 79731	Original Area	4,500,000.00	4,500,000.00		4,500,000.00					4,500,000
78		Survey Consultant	Construction Svcs - Survey CIP 79731	Original Area	99,000.00	54,000.00		54,000.00					54,000
79		Geotechnical Consultant	Construction Svcs - Geotechnical CIP 79731	Original Area	88,000.00	84,000.00		84,000.00					84,000
80		RCFC&WCD	Permits/Fees, CIP 79731	Original Area	5,000.00	5,000.00		5,000.00					5,000
81		EMWD	Permits/Fees, CIP 79731	Original Area	31,000.00	31,000.00		31,000.00					31,000

MV00173892

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley
County: Riverside

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III) -- Notes (Optional)

January 1, 2013 through June 30, 2013

Item #	Notes/Comments			
25	Sunnymead Blvd. CIP 79221	Excel	Pending Litigation	
28		Harris & Assoc		
29		Gibbs, Giden, Locher, Turner & Senet LLP		
19	Storm Drain/Day Street to Cottonwood CIP 79222 (old 77922)	Gibbs, Giden, Locher, Turner & Senet LLP	Pending Litigation	
56	Nason/SR-60 Bridge	Contract/Agreement Termination Date	Note 1: Agreement terminates upon completion of work or upon 30 days' notice	
58				
57				
91	Moreno Beach Ramps - Phase 1	Contract/Agreement Termination Date	Note 2: Contract terminates upon completion of obligation or upon amendment to agreement, whichever occurs first	
92				
93				

MV00173893

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

County: Riverside

Pursuant to Health and Safety Code section 34186 (a)
PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS I)
January 1, 2012 through June 30, 2012

Page/Form	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMIHF Estimate	LMIHF Actual	Bond Proceeds Estimate	Bond Proceeds Actual	Reserve Balance Estimate	Reserve Balance Actual	Admin Allowance Estimate	Admin Allowance Actual	RPTTF Estimate	RPTTF Actual	Other Estimate	Other Actual
ROPS I		Grand Total				$ -	$ -	$ 7,067,970	$ 2,558,837	$ 394,290	$ 116,033	$ 307,665	$ 117,648	$ 12,228,290	11,889,792	$ 9,026,101	$ 9,026,101
Page 1 of 8	1	2007 Tax Allocation Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance various capital projects	Original Area									2,268,793.75	2,268,793.75		
Page 1 of 8	2	2007 Special Tax Refunding Bonds - Towngate 87-1	Wells Fargo Bank	Debt service payments for bonds issued to finance the acquisition of public facilities	Original Area									1,175,145.00	1,175,145.00		
Page 1 of 8	3	Improvement Area No. 1 Special Tax Refunding Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities	Original Area									274,445.00	274,445.00		
Page 1 of 8	4	CFD No. 3 - Auto Mall Refinance	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities	Original Area									28,262.00	28,262.00		
Page 1 of 8	5	2005 Lease Revenue Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance Sunnymead Blvd project	Original Area									569,597.50	569,597.50		
Page 1 of 8	6	2011 Refunding of 97 LRB Bonds	Bank of America	Debt service payments for bonds issued to finance the construction of a public facility	Original Area									150,000.00	150,000.00		
Page 1 of 8	7	Oversight Housing Monitoring Requirements	City of Moreno Valley/Successor Agency	Costs to perform the identification and monitoring of housing units	Original Area									20,000.00	-		
Page 1 of 8	8	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth	Legal services - General	Original Area									100,678.00	50,646.20		
Page 1 of 8	9	Contract for Legal Services	Kronick Moskovitz Tiedemann & Girard	Legal services - Oversight Board Legal Counsel	Original Area									12,500.00	13,093.50		
Page 1 of 8	10	Contract for Abatement of Properties	Inland Empire Property Service, Inc.	Nuisance/weed abatement of Agency owned properties	Original Area									7,050.00	-		
Page 1 of 8	11	Contract for Audit Services	Lance Soll & Lunghard, LLP	Preparation of Financial Statements/RDA Closing Statement	Original Area									10,000.00	8,000.00		
Page 1 of 8	12	Contract for Special Tax Reporting	Willdan/Staff Administration	Preparation of Continuing Disclosure Report	Original Area									2,000.00	2,500.00		
Page 1 of 8	13	CalPERS Retirement Liability	The California Public Employees' Retirement System (CalPERS)	Unfunded PERS Retirement Liability Acct	Original Area									5,371.00	5,371.00		
Page 1 of 8	14	Retiree Medical Trust (CERBT)	California Employers Retiree Medical Trust(CERBT)/CalPERS	Unfunded Retiree Medical Trust Acct	Original Area									1,730.00	1,730.00		
Page 1 of 8	15	Agency Loans #1 & # 2	City of Moreno Valley	City/Agency Loan Agreement	Original Area												
Page 1 of 8	17	Price Club Acquisition Note	The Price Family Charitable Fund	Participation Agreement	Original Area									240,000.00	265,606.00		
Page 1 of 8	18	Towngate Acquisition Note	City of Moreno Valley	Participation Agreement	Original Area									550,000.00	552,180.00		
Page 1 of 8	20	Moss Bros. Autogroup Participation Agreement	Moss Bros. Autogroup	Participation Agreement	Original Area									230,041.00	282,041.00		
Page 1 of 8	21	Robertson's Ready Mix, Inc. OPA	Robertson's Ready Mix, Inc.	Owner Participation Agreement	Original Area									-	-		
Page 2 of 8	21	Hemlock Family Apartments	Rancho Belago, Inc.	Affordable Housing Agreement	Original Area									-	-		
Page 2 of 8	22	Oakwood Apartments	One Moreno Valley 240, L.P.	Affordable Housing Agreement	Original Area									750,000.00	750,000.00		
Page 2 of 8	23	Rancho Dorado Apts. - South	Moreno Valley Housing Authority (MVHA)	Affordable Housing Agreement - $2,300,000 is encumbered to be paid in 2013-2014 per Affordable Housing Agreement	Original Area									2,500,000.00	2,300,000.00		
Page 2 of 8	24		Stradling, Yocca, Carlson & Rauth	Legal services - Specific to AHA	Original Area									32,000.00	-		
Page 2 of 8	25		Stinnkiss Association	Title & Closing Costs	Original Area									5,000.00	350.00		
Page 3 of 8	1	Day St/Eucalyptus CIP 79230(old 80030)	MDM Meridian, Inc	Capital Project Contract, CIP 79230	Original Area			3,000.00	-								
Page 3 of 8	2		Cost Tax Allocation (Required)	Capital Project Contract, CIP 79230	Original Area			7,500.00	6,178								

MV00173894

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County: Riverside

Pursuant to Health and Safety Code section 34186 (a)
PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS I)
January 1, 2012 through June 30, 2012

Page/Form	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMIHF Estimate	LMIHF Actual	Bond Proceeds Estimate	Bond Proceeds Actual	Reserve Balance Estimate	Reserve Balance Actual	Admin Allowance Estimate	Admin Allowance Actual	RPTTF Estimate	RPTTF Actual	Other Estimate	Other Actual
ROPS I		Grand Total				$ -	$ -	$ 7,067,970	$ 3,668,627	$ 394,298	$ 115,033	$ 207,805	$ 117,948	$ 12,229,290	11,668,792	$ 9,026,101	$ 9,026,101
Page 3 of 8	3	Sunnymead Blvd. CIP 79221 (old 80231)	Globs, Gilden, Locher, Turner & Senet	Capital Project Contract, CIP 79221	Original Area					34,096.18	31,757						
Page 3 of 8	4		Excel	Capital Project Contract, CIP 79221	Original Area					50,000.00	-						
Page 3 of 8	5		Harris & Assoc.	Capital Project Contract, CIP 79221	Original Area					176,000.00	-						
Page 3 of 8	6		City of Moreno Valley	Project Management CIP 79221	Original Area					15,000.00	30,873						
Page 3 of 8	7		City Consultants	Project Management CIP 79221	Original Area					6,000.00	7,395						
Page 3 of 8	8		Globs, Gilden, Locher, Turner & Senet LLP	Additional Legal Fees - CIP 79221	Original Area					74,700.00	10,811						
Page 3 of 8	9	Day Street/Alessandro Blvd CIP 79724 (old 91724)	DMC Design	Contractual Services PO#40820 CIP 79724	Original Area			14,780.84	8,910								
Page 3 of 8	10		AEI-CASC	Contractual Services PO#39423 CIP 79724	Original Area			5,009.61	-								
Page 3 of 8	11		AEI-CASC	Contractual Services PO#40288 CIP 79724	Original Area			360.00	-								
Page 3 of 8	12		Group Delta	Contractual Services PO#39328 CIP 79724	Original Area			11,579.00	4,186								
Page 3 of 8	13		NDM Meridian	Contractual Services PO#41885 CIP 79724	Original Area			13,145.00	9,152								
Page 3 of 8	14		STI Inc.	Contractual Services PO#41859 CIP 79724	Original Area			240,780.71	189,779								
Page 3 of 8	15		Vali Cooper & Assoc.	Contractual Services PO#39743 CIP 79724	Original Area			10,400.00	-								
Page 3 of 8	16		James & Bertha Patterson	Contractual Services PO#42011 CIP 79724	Original Area			19,884.00	18,884								
Page 3 of 8	17		Globs, Gilden, Locher, Turner & Senet	Contractual Services PO#40924 CIP 79724	Original Area			8,944.20	6,944								
Page 3 of 8	18		City of Moreno Valley	Project Management CIP 79724	Original Area			35,363.90	48,482								
Page 3 of 8	19	Storm Drain/Day Street to Cottonwood CIP 79222 (old 77922)	Globs, Gilden, Locher, Turner & Senet	Contractual Services PO# 42123 CIP 79222	Original Area					20,000.00	14,926						
Page 3 of 8	20		City of Moreno Valley	Project Management CIP 79222	Original Area					5,000.00	12,993						
Page 4 of 8	21	Auto Mall Street Upgrades CIP 79725 (old 91725)	VA Consulting	Capital Project Contract, CIP 79725	Original Area			10,500.00	7,686								
Page 4 of 8	22		City of Moreno Valley	Project Management CIP 79725	Original Area			57,300.00	41,469								
Page 4 of 8	23		VA Consulting Inc	Capital Project Contract, CIP 79725	Original Area			14,900.00	3,807								
Page 4 of 8	24		United Inspection (Geotech)	Capital Project Contract, CIP 79725	Original Area			4,725.00	2,431								
Page 4 of 8	25		VA Consulting Inc. (Survey)	Capital Project Contract, CIP 79725	Original Area			4,950.00	4,188								
Page 4 of 8	26		SMBAC (Contractor)	Capital Project Contract, CIP 79725	Original Area			456,644.72	309,920								
Page 4 of 8	27		Gas Tax Allocation (Required)	Capital Project Contract, CIP 79725	Original Area			18,000.00	10,755								
Page 4 of 8	28	Indian Basin, Appurtenant CIP 79726 (old 91726)	Lim & Rascimento Engineering	Contractual Services PO#35828 CIP 79726	Original Area			62,621.73	38,738								
Page 4 of 8	29		Ninyo & Moore Geotech	Contractual Services PO#41060 CIP 79726	Original Area			3,194.50	-								
Page 4 of 8	30		Guida Surveying	Contractual Services PO#40183 CIP 79726	Original Area			936.00	12,926								
Page 4 of 8	31		City of Moreno valley	Project Management, CIP 79726	Original Area			20,000.00	17,752								
Page 4 of 8	32		City Consultants	Project Management CIP 79726	Original Area			1,000.00	113								
Page 4 of 8	33		Hillcrest Contracting, Inc.	Contractual Services PO#41567 CIP 79726	Original Area			15,076.86	15,078								
Page 4 of 8	34		Federal Emergency Mgmt Agency	Capital Projects Contract CIP Environmental Fees - CIP 79726	Original Area			5,000.00	-								
Page 4 of 8	35	Ironwood Ave-Day St/Barclay Dr CIP 79727 (old 91727)	EMWD	Cost-sharing agreement Reconciliation CIP 79727	Original Area			43,720.48	7,630								
Page 4 of 8	36		AEI-CASC Engineering	Capital Project Contract, CIP 79727	Original Area			62,424.79	12,505								
Page 4 of 8	37		City of Moreno Valley	Project Management CIP 79727	Original Area			30,000.00	14,819								
Page 4 of 8	38		City of Moreno Valley	Secure title reports for ROW dedication CIP 79727	Original Area			1,500.00	2,200								
Page 4 of 8	39		Construction Contractor, Surveyor, Geo-tech Consultant	Capital Project Contract CIP 79727	Original Area			282,700.00	-								

MV00173895

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County: Riverside

Pursuant to Health and Safety Code section 34186 (a)
PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS I)
January 1, 2012 through June 30, 2012

						LMIHF		Bond Proceeds		Reserve Balance		Admin Allowance		RPTTF		Other	
Page/Form ROPS I	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual
		(Grand Total)				$ -	$ -	$ 7,097,970	$ 3,555,627	$ 394,296	$ 105,000	$ 307,665	$ 117,648	$ 12,229,280	11,666,792	$ 9,026,101	$ 9,026,101
Page 4 of 8	40		Singer & Collin, APC	Legal Services CIP 79728	Original Area			2,000.00	-								
Page 4 of 8	41		Parsons Transportation	Contractual Services CIP 79728	Original Area			25,000.00	25,000								
Page 4 of 8	42		City Consultants	Project Management CIP 79728	Original Area			2,000.00	263								
Page 4 of 8	43		Caltrans	CIP 79728	Original Area			25,000.00	-								
Page 4 of 8	44		City of Moreno Valley	Utility relocation CIP 79728	Original Area			83,642.62	-								
Page 4 of 8	45		City of Moreno Valley	Project Management CIP 79728	Original Area			145,000.00	52,551								
Page 4 of 8	46		Caltrans	Source inspection CIP 79728	Original Area			50,000.00	-								
Page 4 of 8	47		Caltrans	State furnished Materials CIP 79728	Original Area			50,000.00	-								
Page 4 of 8	48		Caltrans	Construction Zone Enforcemt CIP 79728	Original Area			50,000.00	-								
Page 5 of 8	49	Nason/SR-60 Bridge CIP 79728 (old 91728)	Survey Consultant	Capital Project Contract CIP 79728	Original Area			5,000.00	-								
Page 5 of 8	50		Contractor	Capital Project Contract CIP 79728	Original Area			-	-								
Page 5 of 8	51		Falcon Engineering	Capital Project Contract CIP 79728	Original Area			70,000.00	-								
Page 5 of 8	52		Falcon Engineering	Constructability Review CIP 79728	Original Area			32,187.00	27,718								
Page 5 of 8	53		Geotechnical Consultant	Capital Project Contract CIP 79728	Original Area			5,000.00	-								
Page 5 of 8	54		City of Moreno Valley	Project Management CIP 79728	Original Area			70,000.00	-								
Page 5 of 8	55		Parsons Transportation	Contractual Services CIP 79728	Original Area			355,000.00	426,466								
Page 5 of 8	56		City of Moreno Valley	Advertising/Bidding Expenses CIP 79728	Original Area			10,000.00	-								
Page 5 of 8	57		EMWD	Meters - CIP 79728	Original Area			15,000.00	-								
Page 5 of 8	58		RCFC&WCD	Fees CIP 79728	Original Area			5,000.00	-								
			Globe, Gilden, Locher, Turner & Senet	Advertising/bidding expenses - Spec Revisions CIP 79728	Original Area				7,267								
Page 5 of 8	59		City of Moreno Valley	Project Management CIP 79729	Original Area			108,344.00	103,877								
Page 5 of 8	60		STK Architecture	Capital Project Contract CIP 79729	Original Area			200,000.00	148,764								
Page 5 of 8	61		Silver Creek Industries	Capital Project Contract CIP 79729	Original Area			3,000,000.00	1,849,492								
Page 5 of 8	62	Morrison Park Fire Station CIP 79729 (old 91729)	Ernie Utility	Capital Project Contract CIP 79729	Original Area			2,100.00	1,260								
Page 5 of 8	63		Riverside County IT	Capital Project Contract CIP 79729	Original Area			13,210.00	4,534								
Page 5 of 8	64		WeCain Traffic Supply	Capital Project Contract CIP 79729	Original Area			5,200.00	-								
Page 5 of 8	65		Southern Ca Gas Co	Capital Project Contract CIP 79729	Original Area			5,600.00	11,173								
Page 5 of 8	66		Construction Contract	Construction Costs CIP 79729	Original Area			345,579.49	10,343								
Page 5 of 8	67		City of Moreno Valley	Project Management CIP 79731	Original Area			80,000.00	45,560								
Page 5 of 8	68		Parsons Transportation	Capital Project Contract CIP 79731	Original Area			27,054.25	27,054								
Page 5 of 8	69		Staff Consultants	Capital Project Contract CIP 79731	Original Area			10,973.66	210								
Page 5 of 8	70		So. Calif. Edison	Utility relocation CIP 79731	Original Area			249,677.00	-								
Page 5 of 8	71		Caltrans	State Furnished Materials CIP 79731	Original Area			50,000.00	-								
Page 5 of 8	72		Caltrans	Source Inspection CIP 79731	Original Area			50,000.00	-								
Page 5 of 8	73		Survey Consultant	Capital Project Contract CIP 79731	Original Area			5,000.00	-								
Page 5 of 8	74		City of Moreno Valley - CM/Inspection	Capital Project Contract CIP 79731	Original Area			30,000.00	-								
Page 5 of 8	75		Geotechnical Consultant	Capital Project Contract CIP 79731	Original Area			5,000.00	-								
Page 5 of 8	76	Moreno Beach Ramps - Phase 1 CIP 79731 (old 91731)	Falcon Engineering	Constructability Review CIP 79731	Original Area			25,000.00	7,987								
Page 5 of 8	77		City of Moreno Valley	Project Management CIP 79731	Original Area			74,449.00	-								
Page 5 of 8	78		RCFC&WCD	Inspection fees CIP 79731	Original Area			10,000.00	-								
Page 5 of 8	79		CHP	Const. zone enforcement CIP 79731	Original Area			-	-								
Page 5 of 8	80		City of Moreno Valley	Advertising & bidding CIP 79731	Original Area			10,000.00	-								
Page 5 of 8	81		EMWD	Inspection fees CIP 79731	Original Area			-	-								
Page 5 of 8	82		Parsons Transportation	Capital Project Contract CIP 79731	Original Area			300,000.00	238,718								
			Globe Gilden Locher Turner & Senet	Advertising/bidding expenses - Spec Revisions CIP 79731	Original Area				7,267								
			A&I Reprographics	Advertising/bidding expenses - Spec Revisions CIP 79732	Original Area				3,810								
Page 6 of 8	83	Tax Sharing Agreement/Flood Control Agreement	Riverside Flood Control and Water Conservation Dist	Pass Through for the Construction of Storm Drain Projects CIP 89524	Original Area											5,039,404.43	5,039,404
Page 6 of 8	84	Acquisition of Properties/Loan	Moreno Valley Housing Authority	Satisfaction of Debt	Original Area											3,366,697.00	3,366,697

MV00173896

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County: Riverside

Pursuant to Health and Safety Code section 34186 (a)
PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS I)

January 1, 2012 through June 30, 2012

Page/Form	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMIHF		Bond Proceeds		Reserve Balance		Admin Allowance		RPTTF		Other	
						Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual
ROPS I		Grand Total				$ -	$ -	$ 7,067,970	$ 3,328,527	$ 394,260	$ 115,593	$ 307,685	$ 117,846	$ 12,223,290	11,896,750	$ 5,028,101	$ 3,026,101
Page 7 of 8	1	City/Agency Employee Payroll	City of Moreno Valley/Employees	Payroll Costs	Original Area							247,685.00	111,553.53				
Page 7 of 8	2	City/Agency - Operating Costs	City of Moreno Valley	Operating Costs	Original Area							60,000.00	6,064.25				
Page 8 of 8	1	Section 33676 2% Pass Through*	Moreno Valley & Val Verde Unified SDs	Payments per former CRL 33676 - [illegible]										[illegible]	409,007.97		
Page 8 of 8	2	Section 33676 2% Pass Through*	Riverside City Community College	Payments per former CRL 33676 - [illegible]										[illegible]	81,264.27		
Page 8 of 8	3	Section 33676 2% Pass Through*	School Funds	Payments per former CRL 33676 - [illegible]										[illegible]	862.51		
Page 8 of 8	4	Section 33676 2% Pass Through*	Co Supt of Schools	Payments per former CRL 33676 - [illegible]										[illegible]	85,300.32		
Page 8 of 8	5	Tax Sharing Agreement/County Pass Through Agreement*	County of Riverside	Per Pass Through Agreement - [illegible]										[illegible]	1,815,184.87		
Page 8 of 8	6	SB 2557 County Admin Fees	County of Riverside	County Administrative Fees										238,646.02	238,646.02		
Page 8 of 8	7	Tax Sharing Agreement/Flood Control Agreement	Riverside Flood Control and Water Conservation Dist	Per Pass Through Agreement										781,573.00	781,573.00		

* Pursuant to the original ROPS per Section 1, 2012 through June 30, 2012 indicated pass through payments subject to agency and fiscal impacts. Actual payments for the same period were only for January 2012 payments. The June 2012 actual payment was made from the RPTTF for the period of time July 1, 2012 through December 31, 2012 and is reported on ROPS II.

* Pass through payments to the Taxing Agencies and to the County of Riverside were made by the Riverside County Auditor-Controller.

MV00173897

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rut
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in their capacity as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: OVERVIEW OF REDEVELOPMENT TRAILER BILL AB 1484

RECOMMENDED ACTION

Receive and file overview report of the Redevelopment Trailer Bill Assembly Bill 1484.

BACKGROUND

On June 27, 2012 the California Legislature passed AB 1484. The Governor of California signed the legislation the next day on June 28, 2012. The provisions of this legislation are intended to supplement and replace those contained in last year's AB 26 ("The RDA Dissolution Act"). According to the League of California Cities, the draft bill was expedited through the legislature and appeared in print form only 30 hours before it was formally acted upon by the Assembly.

AB 1484 requires Successor Agencies and Oversight Boards to learn and implement significant new rules of conduct than the rules mandated by last year's ABx1 26. Although AB 1484 provides new flexibility for successor agencies to secure approval of repayment of certain city loans to redevelopment agencies and to use bond proceeds for their original purposes, several provisions may expose the City to penalties and liabilities for the actions and inactions of the Successor Agency. AB 1484 also added many new or modified deadlines that need to be implemented throughout the next several months starting July 12, 2012.

The attachments to this staff report summarize the new major provisions, financial demands, penalties for non-compliance and important deadlines. To date, staff has met all required AB 1484 deadlines and will continue to comply with all provisions.

FISCAL IMPACT

For non-compliance with the provisions of AB 1484, the California Department of Finance (DOF) and Riverside County Auditor have the exclusive authority to withhold future State sales and property tax payments to the City. In addition, the legislation provides for a $10,000 per day penalty for not submitting ROPS by September 1, 2012, regardless of the reason or entity withholding approval authority.

ATTACHMENTS/EXHIBITS

ATTACHMENT A – League of California Cities "Overview of AB 1484"
ATTACHMENT B – League of California Cities "Major Provisions of AB 1484"
ATTACHMENT C – League of California Cities "AB 1484: Important Dates"
ATTACHMENT D – Assembly Bill 1484

Prepared By:
Dante G. Hall
Redevelopment & Neighborhood Programs Administrator

Department Head Approval:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

TO: City Officials

FROM: Chris McKenzie, Executive Director
RE: Overview of Redevelopment Trailer Bill AB 1484 and Next Steps
DATE: June 28, 2012

Executive Summary: The attached documents summarize the provisions and key deadlines contained in the 73-page redevelopment budget trailer bill, AB 1484, approved yesterday. It has many crucial provisions that replace those in last year's AB x1 26, including new and disturbing penalty provisions the League opposed combined with positive provisions requested by the League for repayment of city loans to redevelopment agencies, use of uncommitted bond proceeds, and new procedures for accounting for and disposing of redevelopment real estate assets. We felt it was important to provide you with this information as soon as possible. Updated versions of these documents will be distributed in the next few days and weeks. The League advised the Legislature that the bill's provisions allowing the offset of sales and property tax contain constitutional flaws, and that paired with other provisions will only increase litigation between the state and successor agencies. The League stands ready to assist in the defense of local sales tax and property tax constitutional protections however possible.,

Background: On June 27 the Legislature passed AB 1484, after it appeared in print only 30 hours earlier. While the bill provides important new flexibility (or "safe harbors" provisions) for successor agencies to secure approval of repayment of certain city loans to redevelopment agencies, to use bond proceeds for their original purposes, and to transfer governmental property to the city and other governmental agencies, the bill also contains unacceptable, punitive and unconstitutional provisions designed to force the payment of funds to the counties in a rapid fire fashion. Regrettably, we were not involved in the drafting of the bill, and in the few short hours the League had to review it we offered amendments to remove these disturbing provisions. The Legislature chose to reject the amendments.

As the attached overview and timetable explain, the measure provides that if a local successor agency does not make a payment of property taxes to the county for distribution to other local taxing agencies by no later than July 12, 2012, the successor agency is subject to a civil penalty of 10% of the amount owed (plus a 1.5% per month add-on penalty. Moreover, the bill authorizes the Department of Finance (DOF) to notify the Board of Equalization to suspend sales tax payments to the affected city, effective July 18. Further, a cash penalty of $10,000 per day can be imposed for failure to submit a ROPS by September 1, 2012. This unprecedented delegation of authority to DOF is both excessive and, in some cases, unconstitutional as explained below.

The League thanked the legislators on both sides of the aisle that opposed or abstained from voting on this measure so the League's amendments could be considered. You can see the roll call of the votes at: http://www.cacities.org/Top/News/News-Articles/2012/June/Final-Vote-Count-for-Redevelopment-Trailer-Bill-AB. We urge you to thank them as well.

During our short window to discuss the bill with legislators we pointed out that excluding cities from the drafting of AB 1484 has led to continued drafting errors and distrust at a time when a more collaborative approach would have promoted unity and accuracy. Notwithstanding AB 1484's positive elements, its punitive provisions and the lack of consultation and collaboration has only deepened city officials' distrust of state government.

ATTACHMENT A

Constitutional Flaws: The League's Post-Redevelopment Attorney Working Group has already begun discussing the provisions of AB 1484 and its obvious constitutional flaws. The Group will be asked to review and suggest any changes in the attached documents as well. We will send you any updates. Some of the members of the Group have indicated they anticipate the following constitutional claims could figure into future lawsuits concerning the sales tax and property tax clawback provisions.

- Sales Tax Clawback: Article XIII, section 24 says the Legislature may not "reallocate, transfer, borrow, appropriate, restrict the use of, or otherwise use the proceeds of any tax imposed or levied by a local government solely for the local government's purposes." The Bradley-Burns sales and use tax is imposed by a local government solely for local government's purposes. AB 1484 "reallocates" the local sales tax to the taxing entities; "restricts the use of" the local sales tax to payment of a penalty; and "otherwise uses" the sales tax to transfer funds to the taxing entities. There is no exception in Article XIII, section 24 that allows the Legislature to "otherwise use" the sales tax to pay a penalty. The prohibition is clear and complete: the Legislature may not "use" the sales tax for any purpose, including payment of a penalty.

- Property Tax Clawback: Cities, counties, and special districts cumulatively receive a percentage share of the 1% property tax rate. Article XIII, section 25.5(a) (1) (A) prohibits the Legislature from reallocating property tax so as to reduce this cumulative percentage share. Article XIII, section 25.5(a) (3) prohibits the Legislature from reallocating property tax as between cities, counties, and special districts except with a two-thirds vote. AB 1484 was not approved by two-thirds vote, yet it reallocates city (or county) property tax to other taxing entities if a successor agency does not make certain required payments. A portion of the reallocated property tax will go to school districts, thereby reducing the cumulative percentage share received by cities, counties, and special districts. Further, a portion of the reallocated property tax will go to special districts, thereby reallocating property tax as between cities, counties, and special districts with a majority vote. There is no exception in Article XIII, section 25.5 that allows the Legislature to reallocate property tax as a penalty. The prohibition is clear and complete: No reallocation of city, county or special district property taxes to schools is allowed at all, and no reallocation of property tax among cities, counties and special districts is possible without a two-thirds vote.

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Major Provisions of AB 1484[1]

1. **Three payments**: Successor agency must make three payments:

- July 12: Taxing entities' share of December 2011 property tax distribution to redevelopment agency/successor agency
- November 9+/-: Low-Moderate Income Housing Fund
- April 10 +/- : Unencumbered cash

In addition to these three payments, if a successor agency did not make complete 2011-12 pass-through payments, amount of payment not made will be deducted from property tax distribution from auditor-controller.[2]

2. **New audit by October 1:** Successor agency must retain licensed accountant to audit books:[3]

- Audit of LMIHF
- Audit of cash assets
- Audit of cash transfers to public agencies and private parties[4]

3. **New penalties**:

- Failure to make July 12 payment: successor agency subject to civil penalty of 10% of the amount owed plus 1.5% of the amount owed for each month that payment is not made unless DOF finds that payment of penalty will jeopardize payment of enforceable obligations. Until payment is made,

[1]. The League will continue to refine this analysis with the assistance of its RDA Attorney Working Group and other city officials.
[2] Additional information about these payments is found in the Appendix.
[3] Agreed-upon procedures audit completed by auditor-controller can substitute for the licensed accountant audit if it includes all statutory requirements
[4] Successor agency must attempt to recover cash transferred to public agency without an enforceable obligation.

July 2, 2012

ATTACHMENT B

successor agency may only pay bond debt. City subject to same civil penalty. City will not receive July 18 sales tax payment (up to amount owed).[5]

- Failure to transfer LMIHF funds: Offset of city sales tax or property tax of the amount required to be transferred[6]

- Failure to transfer cash assets: Offset of city sales tax or property tax of the amount required to be transferred[7]

- Failure to recover cash transferred to local agency without enforceable obligation: Offset of sales tax or property tax of the local agency to which the cash was transferred.[8]

- Failure to submit ROPS by September 1, 2012 and subsequent deadlines: City to pay civil penalty of $10,000 per day for each day beyond deadline

4. **Safe Harbor: Finding of Completion**[9]

The Department of Finance will issue a finding of completion to a successor agency that pays the following amounts:

- ✓ The amount determined in the audit of the LMIHF[10]
- ✓ The amount determined in the audit of all other funds[11]
- ✓ The amount (if any) owing to taxing entities from the December 2011 property tax payment[12]

The following applies to a successor agency that is issued a finding of completion:

- ✓ Loan agreements entered into between the redevelopment agency and the city are deemed to be enforceable obligations if oversight board makes a finding that loan was for legitimate redevelopment purposes. As enforceable obligations, payments are listed on ROPS[13].

  Repayments of loans may not begin prior to 2013-14 fiscal year at maximum amount described in statute. Repayment amounts received by city must first be used to retire outstanding amounts borrowed and owed to LMIHF of the

[5] Section 34183.5(b)(2)
[6] Section 34179.6(h)
[7] Section 34179.6(h)
[8] Section 34179.6(h); see, also 34179.8
[9] Section 34191.1.
[10] Section 34179.6
[11] Section 34179.6
[12] Section 34183.5
[13] DOF continues to retain final authority to approve items listed on ROPS.

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former redevelopment agency for purposes of the SERAF payment. 20% of loan repayment amount must be transferred to LMIH Asset Fund.[14]

- ✓ Bond proceeds derived from bonds issued on or before 12/31/10 shall be used for the purposes for which the bonds were sold. Proceeds which cannot be spent consistent with bond covenants shall be used to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation.[15] Use of bond proceeds listed on ROPS.[16]

- ✓ Real property assets: In lieu of the provisions of AB 26 which require disposal of real property assets at the direction of the oversight board, successor agency prepares a long-range property management plan and submits to oversight board and DOF for approval. Permissible uses of property include retention for governmental use; retention for future development; sale of property; use of the property to fulfill enforceable obligations. If plan directs use or liquidation of property for a project identified in an approved redevelopment plan, the property shall transfer to the city. No transfers until plan approved by oversight board and DOF.[17]

- ✓ Statute of Limitations: The longer statutes of limitations (2 years) to challenge actions of the former redevelopment agencies do not apply.[18]

5. New Power of State Controller[19]

AB 1484 directs the Controller to review the activities of successor agencies to determine whether an asset transfer occurred after January 31, 2012, between the successor agency and the city or county that created the redevelopment agency, or any other public agency that was not pursuant to an enforceable obligation on an approved ROPS. The Controller is directed to order the assets returned to the successor agency. "City" is defined very broadly to include any entity which is controlled by the city or for which the city is financially responsible or accountable.[20]

6. Increase in authority for Department of Finance

- DOF may eliminate or modify any item on an oversight board-approved ROPS. The auditor-controller must distribute property tax in accordance with changes made to the ROPS by DOF. If successor agency disputes DOF

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[14] 34191.4(b)(2).

[15] 34191.4(c)

[16] DOF continues to retain final authority to approve items listed on ROPS.

[17] Section 34191.5

[18] Section 33500, 33501

[19] Section 34178.8

[20] Section 34167.10. AB 26 directed the State Controller to review asset transfers from redevelopment agencies to the city or county that created the agency that occurred after January 1, 2011. If the city or county was not contractually committed to a third party for the expenditure or encumbrance of those assets, the Controller was directed to order the return the assets to the redevelopment agency or successor agency.

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action, disputed item may be carried on ROPS. If dispute resolved in favor of successor agency in the future, the past allocation of property tax to the successor agency is not changed nor is a "liability" created for any affected taxing entity.[21]

- DOF may review and object to oversight board actions approving (1) establishment of new repayment terms for outstanding loans; and (2) setting aside amounts in reserves as required by bond indentures, and similar documents[22]

7. New restrictions on authority of Successor agency

- No new enforceable obligations except (1) as specifically authorized by the statute; (2) in compliance with enforceable obligations that existed prior to June 28, 2011; or (3) to hire staff, acquire professional services and procure insurance.[23]

- May not transfer revenues or powers to any other public or private party except pursuant to enforceable obligation on an approved ROPS. Any such transfer of authority or revenues are "void" and successor agency required to reverse transfers. Controller may audit and order return of transfers of authority or revenues.[24]

- Actions taken by redevelopment agencies pursuant to VARP (Voluntary Alternative Redevelopment Program in AB 27) are "ultra vires" and do not create enforceable obligations.[25]

- If successor agency exercised power to reenter into agreements with city (section 34178) and agreement was approved by oversight board but rejected by DOF, successor agency and oversight board may not act to restore funding for the reentered agreement.[26]

- No reestablishment of loan agreements between successor agency and city except pursuant to safe harbor provisions.[27]

8. Miscellaneous

- <u>City loans to successor agency</u>: City may loan or grant funds for administrative costs, enforceable obligations or project-related expenses. Receipt and use of these funds shall be reflected on the ROPS or in the

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[21] Section 34179(h)
[22] Section 34181(f)
[23] Section 34177.3(a); 34177.3(b)
[24] Section 34177.3(c)
[25] Section 34177.3(d)
[26] Section 34178(a)
[27] Section 34180(a)

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administrative budget subject to oversight board approval. An enforceable obligation is created for repayment of loans.[28]

- New Oversight Board Provisions[29]

✓ Auditor-controller may determine "largest special district"
✓ Section 1090 does not apply to employee representative on oversight board
✓ Oversight board members are protected by immunities applicable to public entities and public employees
✓ Meetings at which oversight board will consider disposal of successor agency assets or allow set-aside of reserves required by bond indentures requires 10 days' public notice.[30]
✓ Written notice and information about all oversight board actions must be provided to DOF by electronic means. DOF has 40 (instead of 10) days to review and approve, reject, or modify oversight board action.
✓ Oversight board may direct successor agency to provide additional legal or financial advice.
✓ Authorized to contract with the county or other public or private agencies for administrative support
✓ On matters within its purview, decisions made by oversight board "supersede those made by the successor agency or the staff of the successor agency."[31]

- New authority for auditor-controller[32]: A county auditor-controller can object to an item on the ROPS or to the funding source listed for an item on the ROPS. Objections are sent to DOF to resolve.

- Polanco Act protection for successor agency: Cleanup plans and liability limits of redevelopment agency transferred to successor agency and to housing entity, upon entity's request.[33]

- Limited authority for successor agency to refinance existing debt.[34]

- Successor agency is separate public entity.[35]

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[28] Section 34175(h)
[29] Section 34180
[30] Section 34181(f)
[31] Section 34179
[32] Section 34182.5
[33] Section 34173(f)
[34] Section 34177.5
[35] Section 34173(g)

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Appendix – Successor Agency Required Payments/Fund Transfers

✓ Transfer of Unencumbered Balances[36]

AB 26 requires that a successor agency transfer unencumbered cash balances and low and moderate income housing funds to the county auditor-controller for distribution to the taxing entities. AB 1484 requires a successor agency to retain the services of a licensed accountant to audit (1) the balance in the LMIHF; (2) the balance in other cash funds; (3) cash payments that were made in compliance with an enforceable obligation; and (4) cash transfers that were made without an enforceable obligation. In addition to transferring the balances in the LMIHF and other cash funds, a successor agency must make efforts to recover the cash transferred without an enforceable obligation.

✓ Payment of December 2011 Taxing Entity Property Tax[37]

AB 26 distributes property tax through a "waterfall" of payments which includes passthrough payments, payments to successor agencies for enforceable obligations, payments to successor agencies for administrative costs, and payments to taxing entities. The waterfall for the December 2011 property tax payment did not operate as intended because of the stay imposed by the Court in *Matosantos*. The property tax payment to taxing entities was not made. AB 1484 requires successor agencies to make those payments by July 12.

✓ Payment of 2011-12 Passthrough Payments

Some successor agencies made 2011-12 passthrough payments and some did not. AB 1484 requires the auditor-controller to reduce property tax payments to those successor agencies that did not make pass through payments in 2011-12.

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[36] Section 34179.5; 34179.6
[37] Section 34183.5

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AB 1484: Important Dates

July 9: County auditor-controller notifies successor agency of amount of funds owing taxing entities based upon December 2011 property tax payment[1]

July 12: Successor agency must make payment to auditor-controller for deposit into Redevelopment Property Tax Trust Fund and distribution to taxing entities.[2]

July 16: Auditor-controller distributes money received from successor agencies to taxing entities. Monies received after July 12 date distributed within 5 days of receipt.[3]

July 18: **City sales tax payment suspended if successor agency doesn't make July 12 payment.**[4]

August 1: Successor housing entity must submit to DOF a list of housing assets that contains explanation of how assets meet criteria set forth in the law. DOF will prescribe format for list. DOF may object to any of the assets within 30 days. If after meet and confer, DOF continues to object, asset must be returned to the successor agency.[5]

August 10: Successor housing entity notifies successor agency of any designations of use or commitments of funds that successor housing entity authorizes successor agency to retain.[6]

August 15 +/-: Oversight board meets to consider ROPS for January 1, 2013 through June 30, 2013 which must be submitted to DOF by September 1.

September 1: ROPS for January 1, 2013 through June 30, 2013 must be submitted electronically to DOF after oversight board approval.[7] DOF makes determinations within 45 days. Within 5 days of determination, successor agency may request additional review and meet and confer.

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[1] Section 34183.5(b)(2)(A). Note: The statute, that may be drafted in error, states that if June 1 property tax payment has not been made to successor agencies, the amount owing to taxing entities will be deducted from that same June 1 payment (34183.5(b)(1)).
[2] Section 34183.5(b)(2)(A).
[3] Section 34183.5(b)(2)(A).
[4] Section 34183.5(b)(2)(A)
[5] Section 34176(a)(2). Definition of "housing asset" found at section 34176(e).
[6] Section 34179.6(c)
[7] Section 34177(m). Future ROPS must be submitted to DOF 90 days prior to property tax distribution. **City subject to civil penalty of $10,000 per day for successor agency's failure to timely submit ROPS (Section 34177(m)(2)).**

July 2, 2012

ATTACHMENT C

October 1: Auditor-controller may provide notice to successor agency of any objections to items on January – June 2013 ROPS.[8]

October 1: Successor agency submits to oversight board, county auditor-controller, State Controller, and DOF results of the review of the LMIHF conducted by the licensed accountant agency must retain.[9] Note: licensed accountant must be approved by the county auditor-controller.

October 1: County auditor-controller completes agreed-upon procedures audit of each redevelopment agency.[10] Auditor-controller provides estimate of property tax payments to successor agency for upcoming six-month period.[11]

October 15: Oversight Board must review, approve, and transmit LMIHF audit to DOF, auditor-controller. Note that oversight board must hold a public session to consider audit at least five business days prior to the meeting of oversight board in which LMIHF audit is considered for approval.[12]

November 9: Last day for DOF to complete review of LMIHF audit and reports findings, determinations, and decision to overturn oversight board decision to allow retention of successor agency assets.[13]

W/in 5 days of receipt of DOF audit findings: Successor agency may request meet and confer to resolve disputes with DOF findings on LMIHF audit.[14] DOF must confirm or modify its determination and decisions within 30 days.

W/in 5 days of receipt of DOF final audit determination: Successor agency to transfer LMIHF funds to auditor-controller.[15] **City sales tax/property tax may be offset for unfunded amounts.**

December 1: Successor agency may report to auditor-controller that total amount of available revenues will be insufficient to fund enforceable obligations.[16]

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[8] Section 34182.5.

[9] Section 34179.6(a). The requirement to retain a licensed accountant is found in section 34179.5. The audit provided by the county auditor-controller can be substituted for an audit by a licensed accountant if it contains the information required by Section 34179.5.

[10] Section 34182(a)(1).

[11] Section 34182(c)(3)

[12] Section 34179.6(c) and (b)

[13] Section 34179.6(d)

[14] Section 34179.6(e)

[15] Section 34179.6(f)

[16] Section 34183(b)

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December 15: Successor agency submits to oversight board, county auditor-controller, State Controller, and DOF results of the review of all other fund and account balances by licensed accountant.[17]

2013

January 2: Auditor-controller makes distributions of property tax for January – June 2013 ROPS.[18]

January 15: Oversight board must review, approve, and transmit other funds audit to DOF, auditor-controller.[19]

March 3: Successor agency submits ROPS for July 1, 2013 through December 31, 2013 to DOF after oversight board approval.[20]

April 1: County auditor-controller provides estimate of property tax payments to successor agency for upcoming six-month period.[21]

April 1: DOF completes review of other funds audit and reports findings, determinations, and decision to overturn oversight board decision to allow retention of successor agency assets.[22]

April 6 +/-: No later than 5 days after receiving DOF determination on other funds audit, successor agency may request meet and confer to resolve disputes with DOF findings. DOF must confirm or modify its determination and decisions within 30 days.

April 10: +/- Successor agency to transfer other "cash and assets" audit payment to auditor-controller if meet and confer process complete.[23] **City sales tax/property tax may be offset for unfunded amounts.**

May 1: Successor agency reports to auditor-controller if total amount of available revenues will be insufficient to fund enforceable obligations.[24]

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[17] Section 34179.6(a).

[18] Section 34183(b).

[19] Section 34179.6(a).

[20] Section 34177(m).

[21] Section 34182(c)(3)

[22] Section 34179.6(a)

[23] Section 34179.6(f). The statute does not allow sufficient time between completion of DOF review on April 1 and required payment on April 10.

[24] Section 34183(b).

MV00173910

AMENDED IN SENATE JUNE 25, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL No. 1484

Introduced by Committee on Budget (Blumenfield (Chair), Alejo, Bonilla, Brownley, Buchanan, Butler, Cedillo, Chesbro, Dickinson, Feuer, Gordon, Huffman, Mitchell, Monning, and Swanson)

January 10, 2012

~~An act relating to the Budget Act of 2012.~~ *An act to amend Section 53760.1 of the Government Code, and to amend Sections 33500, 33501, 34163, 34171, 34173, 34175, 34176, 34177, 34178, 34179, 34180, 34181, 34182, 34183, 34185, 34186, 34187, 34188, and 34189 of, to add Sections 34167.10, 34177.3, 34177.5, 34178.8, 34179.5, 34179.6, 34179.7, 34179.8, 34182.5, 34183.5, 34189.1, 34189.2, and 34189.3 to, to add Chapter 9 (commencing with Section 34191.1) to Part 1.85 of Division 24 of, and to add and repeal Section 34176.5 of, the Health and Safety Code, relating to community redevelopment, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1484, as amended, Committee on Budget. ~~Budget Act of 2012.~~ *Community redevelopment.*

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, and, among other things, provides that an action may be brought to review the validity of specified agency actions, findings, or determinations that occurred after January 1, 2011, within 2 years of the triggering event.

ATTACHMENT D

MV00173911

This bill would toll the time limit for bringing an action until the Department of Finance issues a finding of completion to the successor agency.

Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, make payments due for enforceable obligations, as defined, perform obligations required pursuant to any enforceable obligation, dispose of all assets of the former redevelopment agency, and to remit unencumbered balances of redevelopment agency funds, including housing funds, to the county auditor-controller for distribution to taxing entities.

Existing law authorizes the city, county, or city and county that authorized the creation of a redevelopment agency to retain the housing assets, functions, and powers previously performed by the redevelopment agency, excluding amounts on deposit in the Low and Moderate Income Housing Fund.

The bill would modify provisions relating to the transfer of housing responsibilities associated with dissolved redevelopment agencies and would define the term "housing asset" for these purposes. The bill would impose new requirements on successor agencies with regard to the submittal of the Recognized Obligation Payment Schedule, the conducting of a due diligence review to determine the unobligated balances available for transfer to affected taxing entities, and the recovery and subsequent remittance of funds determined to have been transferred absent an enforceable obligation. The bill would authorize the Department of Finance to issue a finding of completion to a successor agency that completes the due diligence review and meets other requirements. Upon receiving a finding of completion, the bill would authorize the successor agency to participate in a loan repayment program and limited property management activities.

Existing law authorizes the Department of Finance and the Controller to require any documents associated with enforceable obligations to be provided to them in a manner of their choosing.

The bill would authorize the county auditor-controller and the department, under specified circumstances, to require the return of funds improperly spent or transferred to a public entity and would authorize the department and the Controller to require the State Board of Equalization and the county auditor-controller to offset sales and

MV00173912

use tax and property tax allocations, respectively, to the local agency. The bill would authorize the Controller to review the activities of a successor agency to determine if an improper asset transfer had occurred between the successor agency and the city or county that created the former redevelopment agency, and would require the Controller to order the return of these assets if such an asset transfer did occur.

The bill would impose new requirements on the county auditor-controller relating to the allocation of property tax revenues to affected taxing entities during a specified timeframe. By imposing additional duties upon local public officials, the bill would create a state-mandated local program.

The bill would appropriate up to $22,000,000 to the Department of Finance from the General Fund for costs associated with the bill, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2012.~~

Vote: majority. Appropriation: ~~no~~ *yes*. Fiscal committee: ~~no~~ *yes*. State-mandated local program: ~~no~~ *yes*.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 53760.1 of the Government Code is*
2 *amended to read:*
3 53760.1. As used in this article the following terms have the
4 following meanings:
5 (a) "Chapter 9" means Chapter 9 (commencing with Section
6 901) of Title 11 of the United States Code.
7 (b) "Creditor" means either of the following:
8 (1) An entity that has a noncontingent claim against a
9 municipality that arose at the time of or before the commencement
10 of the neutral evaluation process and whose claim represents at

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least five million dollars ($5,000,000) or comprises more than 5 percent of the local public entity's debt or obligations, whichever is less.

(2) An entity that would have a noncontingent claim against the municipality upon the rejection of an executory contract or unexpired lease in a Chapter 9 case and whose claim would represent at least five million dollars ($5,000,000) or comprises more than 5 percent of the local public entity's debt or obligations, whichever is less.

(c) "Debtor" means a local public entity that may file for bankruptcy under Chapter 9.

(d) "Good faith" means participation by a party in the neutral evaluation process with the intent to negotiate toward a resolution of the issues that are the subject of the neutral evaluation process, including the timely provision of complete and accurate information to provide the relevant parties through the neutral evaluation process with sufficient information, in a confidential manner, to negotiate the readjustment of the municipality's debt.

(e) "Interested party" means a trustee, a committee of creditors, an affected creditor, an indenture trustee, a pension fund, a bondholder, a union that, under its collective bargaining agreements, has standing to initiate contract or debt restructuring negotiations with the municipality, or a representative selected by an association of retired employees of the public entity who receive income from the public entity convening the neutral evaluation. A local public entity may invite holders of contingent claims to participate as interested parties in the neutral evaluation if the local public entity determines that the contingency is likely to occur and the claim may represent five million dollars ($5,000,000) or comprise more than 5 percent of the local public entity's debt or obligations, whichever is less.

(f) "Local public entity" means any county, city, district, public authority, public agency, or other entity, without limitation, that is a municipality as defined in Section 101(40) of Title 11 of the United States Code (bankruptcy), or that qualifies as a debtor under any other federal bankruptcy law applicable to local public entities, *and also includes a successor agency to a redevelopment agency created pursuant to Part 1.85 (commencing with Section 34170) of Division 24 of the Health and Safety Code*. For purposes of this article, "local public entity" does not include a school district.

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(g) "Local public entity representative" means the person or persons designated by the local public agency with authority to make recommendations and to attend the neutral evaluation on behalf of the governing body of the municipality.

(h) "Neutral evaluation" is a form of alternative dispute resolution that may be known as mandatory mediation. A "neutral evaluator" may also be known as a mediator.

SEC. 2. Section 33500 of the Health and Safety Code is amended to read:

33500. (a) Notwithstanding any other provision of law, including Section 33501, an action may be brought to review the validity of the adoption or amendment of a redevelopment plan at any time within 90 days after the date of the adoption of the ordinance adopting or amending the plan, if the adoption of the ordinance occurred prior to January 1, 2011.

(b) Notwithstanding any other provision of law, including Section 33501, an action may be brought to review the validity of any findings or determinations by the agency or the legislative body at any time within 90 days after the date on which the agency or the legislative body made those findings or determinations, if the findings or determinations occurred prior to January 1, 2011.

(c) Notwithstanding any other law, including Section 33501, an action may be brought to review the validity of the adoption or amendment of a redevelopment plan at any time within two years after the date of the adoption of the ordinance adopting or amending the plan, if the adoption of the ordinance occurred after January 1, 2011.

(d) Notwithstanding any other law, including Section 33501, an action may be brought to review the validity of any findings or determinations by the agency or the legislative body at any time within two years after the date on which the agency or the legislative body made those findings or determinations, if the findings or determinations occurred after January 1, 2011.

(e) The time limit for bringing an action under subdivision (c) or (d) shall be tolled with respect to the adoptions, findings, and determinations of any former redevelopment agency or its legislative body until the Department of Finance has issued a finding of completion to the successor agency of that former redevelopment agency pursuant to Section 34179.7. Subdivisions (c) and (d) shall not apply to any adoption, finding, or

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determination of any former redevelopment agency or its legislative body after the department has issued a finding of completion to the successor agency of that former redevelopment agency pursuant to Section 34179.7.

SEC. 3. Section 33501 of the Health and Safety Code is amended to read:

33501. (a) An action may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure to determine the validity of bonds and the redevelopment plan to be financed or refinanced, in whole or in part, by the bonds, or to determine the validity of a redevelopment plan not financed by bonds, including without limiting the generality of the foregoing, the legality and validity of all proceedings theretofore taken for or in any way connected with the establishment of the agency, its authority to transact business and exercise its powers, the designation of the survey area, the selection of the project area, the formulation of the preliminary plan, the validity of the finding and determination that the project area is predominantly urbanized, and the validity of the adoption of the redevelopment plan, and also including the legality and validity of all proceedings theretofore taken and (as provided in the bond resolution) proposed to be taken for the authorization, issuance, sale, and delivery of the bonds, and for the payment of the principal thereof and interest thereon.

(b) Notwithstanding subdivision (a), an action to determine the validity of a redevelopment plan, or amendment to a redevelopment plan that was adopted prior to January 1, 2011, may be brought within 90 days after the date of the adoption of the ordinance adopting or amending the plan.

(c) Any action that is commenced on or after January 1, 2011, which is brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure to determine the validity or legality of any issue, document, or action described in subdivision (a), may be brought within two years after any triggering event that occurred after January 1, 2011. *The time limit for bringing an action under this subdivision shall be tolled with respect to the validity or legality of any issue, document, or action described in subdivision (a) of any former redevelopment agency or its legislative body until the Department of Finance has issued a finding of completion to the successor agency of that*

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former redevelopment agency pursuant to Section 34179.7. This subdivision shall not apply to any adoption, finding, or determination of any former redevelopment agency or its legislative body after the department has issued a finding of completion to the successor agency of that former redevelopment agency pursuant to Section 34179.7.

(d) For the purposes of protecting the interests of the state, the Attorney General and the Department of Finance are interested persons pursuant to Section 863 of the Code of Civil Procedure in any action brought with respect to the validity of an ordinance adopting or amending a redevelopment plan pursuant to this section.

(e) For purposes of contesting the inclusion in a project area of lands that are enforceably restricted, as that term is defined in Sections 422 and 422.5 of the Revenue and Taxation Code, or lands that are in agricultural use, as defined in subdivision (b) of Section 51201 of the Government Code, the Department of Conservation, the county agricultural commissioner, the county farm bureau, the California Farm Bureau Federation, and agricultural entities and general farm organizations that provide a written request for notice, are interested persons pursuant to Section 863 of the Code of Civil Procedure, in any action brought with respect to the validity of an ordinance adopting or amending a redevelopment plan pursuant to this section.

SEC. 4. Section 34163 of the Health and Safety Code is amended to read:

34163. Notwithstanding Part 1 (commencing with Section 33000), Part 1.5 (commencing with Section 34000), Part 1.6 (commencing with Section 34050), and Part 1.7 (commencing with Section 34100), or any other law, commencing on the effective date of this part, an agency shall not have the authority to, and shall not, do any of the following:

(a) Make loans or advances or grant or enter into agreements to provide funds or provide financial assistance of any sort to any entity or person for any purpose, including, but not limited to, all of the following:

(1) Loans of moneys or any other thing of value or commitments to provide financing to nonprofit organizations to provide those organizations with financing for the acquisition, construction, rehabilitation, refinancing, or development of multifamily rental

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housing or the acquisition of commercial property for lease, each pursuant to Chapter 7.5 (commencing with Section 33741) of Part 1.

(2) Loans of moneys or any other thing of value for residential construction, improvement, or rehabilitation pursuant to Chapter 8 (commencing with Section 33750) of Part 1. These include, but are not limited to, construction loans to purchasers of residential housing, mortgage loans to purchasers of residential housing, and loans to mortgage lenders, or any other entity, to aid in financing pursuant to Chapter 8 (commencing with Section 33750).

(3) The purchase, by an agency, of mortgage or construction loans from mortgage lenders or from any other entities.

(b) Enter into contracts with, incur obligations, or make commitments to, any entity, whether governmental, tribal, or private, or any individual or groups of individuals for any purpose, including, but not limited to, loan agreements, passthrough agreements, regulatory agreements, services contracts, leases, disposition and development agreements, joint exercise of powers agreements, contracts for the purchase of capital equipment, agreements for redevelopment activities, including, but not limited to, agreements for planning, design, redesign, development, demolition, alteration, construction, reconstruction, rehabilitation, site remediation, site development or improvement, removal of graffiti, land clearance, and seismic retrofits.

(c) Amend or modify existing agreements, obligations, or commitments with any entity, for any purpose, including, but not limited to, any of the following:

(1) Renewing or extending term of leases or other agreements, except that the agency may extend lease space for its own use to a date not to exceed six months after the effective date of the act adding this part and for a rate no more than 5 percent above the rate the agency currently pays on a monthly basis.

(2) Modifying terms and conditions of existing agreements, obligations, or commitments.

(3) Forgiving all or any part of the balance owed to the agency on existing loans or extend the term or change the terms and conditions of existing loans.

(4) ~~Increasing its~~ *Making any future* deposits to the Low and Moderate Income Housing Fund created pursuant to Section

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33334.3 ~~beyond the minimum level that applied to it as of January 1, 2011~~.

(5) Transferring funds out of the Low and Moderate Income Housing Fund, except to meet the minimum housing-related obligations that existed as of January 1, 2011, to make required payments under Sections 33690 and 33690.5, and to borrow funds pursuant to Section 34168.5.

(d) Dispose of assets by sale, long-term lease, gift, grant, exchange, transfer, assignment, or otherwise, for any purpose, including, but not limited to, any of the following:

(1) Assets, including, but not limited to, real property, deeds of trust, and mortgages held by the agency, moneys, accounts receivable, contract rights, proceeds of insurance claims, grant proceeds, settlement payments, rights to receive rents, and any other rights to payment of whatever kind.

(2) Real property, including, but not limited to, land, land under water and waterfront property, buildings, structures, fixtures, and improvements on the land, any property appurtenant to, or used in connection with, the land, every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage, or otherwise, and the indebtedness secured by the liens.

(e) Acquire real property by any means for any purpose, including, but not limited to, the purchase, lease, or exercising of an option to purchase or lease, exchange, subdivide, transfer, assume, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise acquire any real property, any interest in real property, and any improvements on it, including the repurchase of developed property previously owned by the agency and the acquisition of real property by eminent domain; provided, however, that nothing in this subdivision is intended to prohibit the acceptance or transfer of title for real property acquired prior to the effective date of this part.

(f) Transfer, assign, vest, or delegate any of its assets, funds, rights, powers, ownership interests, or obligations for any purpose to any entity, including, but not limited to, the community, the legislative body, another member of a joint powers authority, a trustee, a receiver, a partner entity, another agency, a nonprofit corporation, a contractual counterparty, a public body, a

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limited-equity housing cooperative, the state, a political subdivision of the state, the federal government, any private entity, or an individual or group of individuals.

(g) Accept financial or other assistance from the state or federal government or any public or private source if the acceptance necessitates or is conditioned upon the agency incurring indebtedness as that term is described in this part.

SEC. 5. Section 34167.10 is added to the Health and Safety Code, to read:

34167.10. (a) Notwithstanding any other law, for purposes of this part and Part 1.85 (commencing with Section 34170), the definition of a city, county, or city and county includes, but is not limited to, the following entities:

(1) Any reporting entity of the city, county, or city and county for purposes of its comprehensive annual financial report or similar report.

(2) Any component unit of the city, county, or city and county.

(3) Any entity which is controlled by the city, county, or city and county, or for which the city, county, or city and county is financially responsible or accountable.

(b) The following factors shall be considered in determining that an entity is controlled by the city, county, or city and county, and are therefore included in the definition of a city, county, or city and county for purposes of this part and Part 1.85 (commencing with Section 34170):

(1) The city, county, or city and county exercises substantial municipal control over the entity's operations, revenues, or expenditures.

(2) The city, county, or city and county has ownership or control over the entity's property or facilities.

(3) The city, county, or city and county and the entity share common or overlapping governing boards, or coterminous boundaries.

(4) The city, county, or city and county was involved in the creation or formation of the entity.

(5) The entity performs functions customarily or historically performed by municipalities and financed thorough levies of property taxes.

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(6) The city, county, or city and county provides administrative and related business support for the entity, or assumes the expenses incurred in the normal daily operations of the entity.

(c) For purposes of this section, it shall not be relevant that the entity is formed as a separate legal entity, nonprofit corporation, or otherwise, or is not subject to the constitution debt limitation otherwise applicable to a city, county, or city and county. The provisions in this section are declarative of existing law as the entities described herein are and were intended to be included within the requirements of this part and Part 1.85 (commencing with Section 34170) and any attempt to determine otherwise would thwart the intent of these two parts.

SEC. 6. Section 34171 of the Health and Safety Code is amended to read:

34171. The following terms shall have the following meanings:

(a) "Administrative budget" means the budget for administrative costs of the successor agencies as provided in Section 34177.

(b) "Administrative cost allowance" means an amount that, subject to the approval of the oversight board, is payable from property tax revenues of up to 5 percent of the property tax allocated to the successor agency ~~for the 2011–12 fiscal year~~ *on the Recognized Obligation Payment Schedule covering the period January 1, 2012, through June 30, 2012,* and up to 3 percent of the property tax allocated to the Redevelopment Obligation Retirement Fund money that is allocated to the successor agency for each fiscal year thereafter; provided, however, that the amount shall not be less than two hundred fifty thousand dollars ($250,000), *unless the oversight board reduces this amount,* for any fiscal year or such lesser amount as agreed to by the successor agency. However, the allowance amount shall exclude, *and shall not apply to,* any administrative costs that can be paid from bond proceeds or from sources other than property tax. *Administrative cost allowances shall exclude any litigation expenses related to assets or obligations, settlements and judgments, and the costs of maintaining assets prior to disposition. Employee costs associated with work on specific project implementation activities, including, but not limited to, construction inspection, project management, or actual construction, shall be considered project-specific costs and shall not constitute administrative costs.*

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(c) "Designated local authority" shall mean a public entity formed pursuant to subdivision (d) of Section 34173.

(d) (1) "Enforceable obligation" means any of the following:

(A) Bonds, as defined by Section 33602 and bonds issued pursuant to ~~Section 53383~~ *Chapter 10.5 (commencing with Section 5850) of Division 6 of Title 1* of the Government Code, including the required debt service, reserve set-asides, and any other payments required under the indenture or similar documents governing the issuance of the outstanding bonds of the former redevelopment agency. *A reserve may be held when required by the bond indenture or when the next property tax allocation will be insufficient to pay all obligations due under the provisions of the bond for the next payment due in the following half of the calendar year.*

(B) Loans of moneys borrowed by the redevelopment agency for a lawful purpose, to the extent they are legally required to be repaid pursuant to a required repayment schedule or other mandatory loan terms.

(C) Payments required by the federal government, preexisting obligations to the state or obligations imposed by state law, other than passthrough payments that are made by the county auditor-controller pursuant to Section 34183, or legally enforceable payments required in connection with the agencies' employees, including, but not limited to, pension payments, pension obligation debt service, unemployment payments, or other obligations conferred through a collective bargaining agreement. *Costs incurred to fulfill collective bargaining agreements for layoffs or terminations of city employees who performed work directly on behalf of the former redevelopment agency shall be considered enforceable obligations payable from property tax funds. The obligations to employees specified in this subparagraph shall remain enforceable obligations payable from property tax funds for any employee to whom those obligations apply if that employee is transferred to the entity assuming the housing functions of the former redevelopment agency pursuant to Section 34176. The successor agency or designated local authority shall enter into an agreement with the housing entity to reimburse it for any costs of the employee obligations.*

(D) Judgments or settlements entered by a competent court of law or binding arbitration decisions against the former

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redevelopment agency, other than passthrough payments that are made by the county auditor-controller pursuant to Section 34183. Along with the successor agency, the oversight board shall have the authority and standing to appeal any judgment or to set aside any settlement or arbitration decision.

(E) Any legally binding and enforceable agreement or contract that is not otherwise void as violating the debt limit or public policy. However, nothing in this act shall prohibit either the successor agency, with the approval or at the direction of the oversight board, or the oversight board itself from terminating any existing agreements or contracts and providing any necessary and required compensation or remediation for such termination. *Titles of or headings used on or in a document shall not be relevant in determining the existence of an enforceable obligation.*

(F) Contracts or agreements necessary for the administration or operation of the successor agency, in accordance with this part, including, but not limited to, *agreements concerning litigation expenses related to assets or obligations, settlements and judgements, and the costs of maintaining assets prior to disposition, and* agreements to purchase or rent office space, equipment and supplies, and pay-related expenses pursuant to Section 33127 and for carrying insurance pursuant to Section 33134.

(G) Amounts borrowed from, or payments owing to, the Low and Moderate Income Housing Fund of a redevelopment agency, which had been deferred as of the effective date of the act adding this part; provided, however, that the repayment schedule is approved by the oversight board. *Repayments shall be transferred to the Low and Moderate Income Housing Asset Fund established pursuant to subdivision (d) of Section 34176 as a housing asset and shall be used in a manner consistent with the affordable housing requirements of the Community Redevelopment Law (Part 1 (commencing with Section 33000)).*

(2) For purposes of this part, "enforceable obligation" does not include any agreements, contracts, or arrangements between the city, county, or city and county that created the redevelopment agency and the former redevelopment agency. However, written agreements entered into (A) at the time of issuance, but in no event later than December 31, 2010, of indebtedness obligations, and (B) solely for the purpose of securing or repaying those indebtedness obligations may be deemed enforceable obligations

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for purposes of this part. Notwithstanding this paragraph, loan agreements entered into between the redevelopment agency and the city, county, or city and county that created it, within two years of the date of creation of the redevelopment agency, may be deemed to be enforceable obligations.

(3) Contracts or agreements between the former redevelopment agency and other public agencies, to perform services or provide funding for governmental or private services or capital projects outside of redevelopment project areas that do not provide benefit to the redevelopment project and thus were not properly authorized under Part 1 (commencing with Section 33000) shall be deemed void on the effective date of this part; provided, however, that such contracts or agreements for the provision of housing properly authorized under Part 1 (commencing with Section 33000) shall not be deemed void.

(e) "Indebtedness obligations" means bonds, notes, certificates of participation, or other evidence of indebtedness, issued or delivered by the redevelopment agency, or by a joint exercise of powers authority created by the redevelopment agency, to third-party investors or bondholders to finance or refinance redevelopment projects undertaken by the redevelopment agency in compliance with the Community Redevelopment Law (Part 1 (commencing with Section 33000)).

(f) "Oversight board" shall mean each entity established pursuant to Section 34179.

(g) "Recognized obligation" means an obligation listed in the Recognized Obligation Payment Schedule.

(h) "Recognized Obligation Payment Schedule" means the document setting forth the minimum payment amounts and due dates of payments required by enforceable obligations for each six-month fiscal period as provided in subdivision (m) of Section 34177.

(i) "School entity" means any entity defined as such in subdivision (f) of Section 95 of the Revenue and Taxation Code.

(j) "Successor agency" means the ~~county, city, or city and county that authorized the creation of each redevelopment agency or another entity~~ *successor entity to the former redevelopment agency* as ~~provided~~ *described* in Section 34173.

(k) "Taxing entities" means cities, counties, a city and county, special districts, and school entities, as defined in subdivision (f)

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of Section 95 of the Revenue and Taxation Code, that receive passthrough payments and distributions of property taxes pursuant to the provisions of this part.

(l) "Property taxes" include all property tax revenues, including those from unitary and supplemental and roll corrections applicable to tax increment.

(m) "Department" means the Department of Finance unless the context clearly refers to another state agency.

(n) "Sponsoring entity" means the city, county, or city and county, or other entity that authorized the creation of each redevelopment agency.

(o) "Final judicial determination" means a final judicial determination made by any state court that is not appealed, or by a court of appellate jurisdiction that is not further appealed, in an action by any party.

SEC. 7. Section 34173 of the Health and Safety Code is amended to read:

34173. (a) Successor agencies, as defined in this part, are hereby designated as successor entities to the former redevelopment agencies.

(b) Except for those provisions of the Community Redevelopment Law that are repealed, restricted, or revised pursuant to the act adding this part, all authority, rights, powers, duties, and obligations previously vested with the former redevelopment agencies, under the Community Redevelopment Law, are hereby vested in the successor agencies.

(c) (1) ~~Where~~ *If* the redevelopment agency was in the form of a joint powers authority, and ~~where~~ *if* the joint powers agreement governing the formation of the joint powers authority addresses the allocation of assets and liabilities upon dissolution of the joint powers authority, then each of the entities that created the former redevelopment agency may be a successor agency within the meaning of this part and each shall have a share of assets and liabilities based on the provisions of the joint powers agreement.

(2) ~~Where~~ *If* the redevelopment agency was in the form of a joint powers authority, and ~~where~~ *if* the joint powers agreement governing the formation of the joint powers authority does not address the allocation of assets and liabilities upon dissolution of the joint powers authority, then each of the entities that created the former redevelopment agency may be a successor agency

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within the meaning of this part, a proportionate share of the assets and liabilities shall be based on the assessed value in the project areas within each entity's jurisdiction, as determined by the county assessor, in its jurisdiction as compared to the assessed value of land within the boundaries of the project areas of the former redevelopment agency.

(d) (1) A city, county, city and county, or the entities forming the joint powers authority that authorized the creation of each redevelopment agency may elect not to serve as a successor agency under this part. A city, county, city and county, or any member of a joint powers authority that elects not to serve as a successor agency under this part must file a copy of a duly authorized resolution of its governing board to that effect with the county auditor-controller no later than January 13, 2012.

(2) The determination of the first local agency that elects to become the successor agency shall be made by the county auditor-controller based on the earliest receipt by the county auditor-controller of a copy of a duly adopted resolution of the local agency's governing board authorizing such an election. As used in this section, "local agency" means any city, county, city and county, or special district in the county of the former redevelopment agency.

(3) *(A)* If no local agency elects to serve as a successor agency for a dissolved redevelopment agency, a public body, referred to herein as a "designated local authority" shall be immediately formed, pursuant to this part, in the county and shall be vested with all the powers and duties of a successor agency as described in this part. The Governor shall appoint three residents of the county to serve as the governing board of the authority. The designated local authority shall serve as successor agency until a local agency elects to become the successor agency in accordance with this section.

(B) Designated local authority members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.

(4) A city, county, or city and county, or the entities forming the joint powers authority that authorized the creation of a redevelopment agency and that elected not to serve as the successor

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agency under this part, may subsequently reverse this decision and agree to serve as the successor agency pursuant to this section. Any reversal of this decision shall not become effective for 60 days after notice has been given to the current successor agency and the oversight board and shall not invalidate any action of the successor agency or oversight board taken prior to the effective date of the transfer of responsibility.

(e) The liability of any successor agency, acting pursuant to the powers granted under the act adding this part, shall be limited to the extent of the total sum of property tax revenues it receives pursuant to this part and the value of assets transferred to it as a successor agency for a dissolved redevelopment agency.

(f) Any existing cleanup plans and liability limits authorized under the Polanco Redevelopment Act (Article 12.5 (commencing with Section 33459) of Chapter 4 of Part 1) shall be transferred to the successor agency and may be transferred to the successor housing entity at that entity's request.

(g) A successor agency is a separate public entity from the public agency that provides for its governance and the two entities shall not merge. The liabilities of the former redevelopment agency shall not be transferred to the sponsoring entity and the assets shall not become assets of the sponsoring entity. A successor agency has its own name, can be sued, and can sue. All litigation involving a redevelopment agency shall automatically be transferred to the successor agency. The separate former redevelopment agency employees shall not automatically become sponsoring entity employees of the sponsoring entity and the successor agency shall retain its own collective bargaining status. As successor entities, successor agencies succeed to the organizational status of the former redevelopment agency, but without any legal authority to participate in redevelopment activities, except to complete any work related to an approved enforceable obligation. Each successor agency shall be deemed to be a local entity for purposes of the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

(h) The city, county, or city and county that authorized the creation of a redevelopment agency may loan or grant funds to a successor agency for administrative costs, enforceable obligations, or project-related expenses at the city's discretion, but the receipt

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and use of these funds shall be reflected on the Recognized Obligation Payment Schedule or the administrative budget and therefore are subject to the oversight and approval of the oversight board. An enforceable obligation shall be deemed to be created for the repayment of those loans.

(i) At the request of the city, county, or city and county, notwithstanding Section 33205, all land use related plans and functions of the former redevelopment agency are hereby transferred to the city, county, or city and county that authorized the creation of a redevelopment agency; provided, however, that the city, county, or city and county shall not create a new project area, add territory to, or expand or change the boundaries of a project area, or take any action that would increase the amount of obligated property tax (formerly tax increment) necessary to fulfill any existing enforceable obligation beyond what was authorized as of June 27, 2011.

SEC. 8. Section 34175 of the Health and Safety Code is amended to read:

34175. (a) It is the intent of this part that pledges of revenues associated with enforceable obligations of the former redevelopment agencies are to be honored. It is intended that the cessation of any redevelopment agency shall not affect either the pledge, the legal existence of that pledge, or the stream of revenues available to meet the requirements of the pledge.

(b) All assets, properties, contracts, leases, books and records, buildings, and equipment of the former redevelopment agency are transferred on February 1, 2012, to the control of the successor agency, for administration pursuant to the provisions of this part. This includes all cash or cash equivalents and amounts owed to the redevelopment agency as of February 1, 2012. *Any legal or contractual restrictions on the use of these funds or assets shall also be transferred to the successor agency.*

SEC. 9. Section 34176 of the Health and Safety Code is amended to read:

34176. (a) *(1)* The city, county, or city and county that authorized the creation of a redevelopment agency may elect to retain the housing assets and functions previously performed by the redevelopment agency. If a city, county, or city and county elects to retain the ~~responsibility for performing~~ *authority to perform* housing functions previously performed by a

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redevelopment agency, all rights, powers, duties, ~~and~~ obligations, *and housing assets, as defined in subdivision (e),* excluding any amounts on deposit in the Low and Moderate Income Housing Fund *and enforceable obligations retained by the successor agency,* shall be transferred to the city, county, or city and county.

(2) The entity assuming the housing functions of the former redevelopment agency shall submit to the Department of Finance by August 1, 2012, a list of all housing assets that contains an explanation of how the assets meet the criteria specified in subdivision (e). The Department of Finance shall prescribe the format for the submission of the list. The list shall include assets transferred between February 1, 2012, and the date upon which the list is created. The department shall have up to 30 days from the date of receipt of the list to object to any of the assets or transfers of assets identified on the list. If the Department of Finance objects to assets on the list, the entity assuming the housing functions of the former redevelopment agency may request a meet and confer process within five business days of receiving the department objection. If the transferred asset is deemed not to be a housing asset as defined in subdivision (e), it shall be returned to the successor agency and the provision of Section 34178.8 may apply. If a housing asset has been previously pledged to pay for bonded indebtedness, the successor agency shall maintain control of the asset in order to pay for the bond debt.

(b) If a city, county, or city and county does not elect to retain the responsibility for performing housing functions previously performed by a redevelopment agency, all rights, powers, assets, ~~liabilities,~~ duties, and obligations associated with the housing activities of the agency, excluding *enforceable obligations retained by the successor agency and* any amounts in the Low and Moderate Income Housing Fund, shall be transferred as follows:

(1) ~~Where~~ *If* there is no local housing authority in the territorial jurisdiction of the former redevelopment agency, to the Department of Housing and Community Development.

(2) ~~Where~~ *If* there is one local housing authority in the territorial jurisdiction of the former redevelopment agency, to that local housing authority.

(3) ~~Where~~ *If* there is more than one local housing authority in the territorial jurisdiction of the former redevelopment agency, to

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the local housing authority selected by the city, county, or city and county that authorized the creation of the redevelopment agency.

(c) Commencing on the operative date of this part, the entity ~~assuming~~ *that assumes* the housing functions formerly performed by the redevelopment agency *and receives the transferred housing assets* may enforce affordability covenants and perform related activities pursuant to applicable provisions of the Community Redevelopment Law (Part 1 (commencing with Section ~~33000)~~ *33000))*, including, but not limited to, Section 33418.

(d) Except as specifically provided in Section 34191.4, any funds transferred to the city, county, or city and county or designated entity pursuant to this section, together with any funds generated from housing assets, as defined in subdivision (e), shall be maintained in a separate Low and Moderate Income Housing Asset Fund which is hereby created in the accounts of the entity assuming the housing functions pursuant to this section. Funds in this account shall be used in accordance with applicable housing-related provisions of the Community Redevelopment Law (Part 1 (commencing with Section 33000)).

(e) For purposes of this part, "housing asset" includes all of the following:

(1) Any real property, interest in, or restriction on the use of real property, whether improved or not, and any personal property provided in residences, including furniture and appliances, all housing-related files and loan documents, office supplies, software licenses, and mapping programs, that were acquired for low- and moderate-income housing purposes, either by purchase or through a loan, in whole or in part, with any source of funds.

(2) Any funds that are encumbered by an enforceable obligation to build or acquire low- and moderate-income housing, as defined by the Community Redevelopment Law (Part 1 (commencing with Section 33000)) unless required in the bond covenants to be used for repayment purposes of the bond.

(3) Any loan or grant receivable, funded from the Low and Moderate Income Housing Fund, from homebuyers, homeowners, nonprofit or for-profit developers, and other parties that require occupancy by persons of low or moderate income as defined by the Community Redevelopment Law (Part 1 (commencing with Section 33000)).

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(4) Any funds derived from rents or operation of properties acquired for low- and moderate-income housing purposes by other parties that were financed with any source of funds, including residual receipt payments from developers, conditional grant repayments, cost savings and proceeds from refinancing, and principal and interest payments from homebuyers subject to enforceable income limits.

(5) A stream of rents or other payments from housing tenants or operators of low- and moderate-income housing financed with any source of funds that are used to maintain, operate, and enforce the affordability of housing or for enforceable obligations associated with low- and moderate-income housing.

(6) (A) Repayments of loans or deferrals owed to the Low and Moderate Income Housing Fund pursuant to subparagraph (G) of paragraph (1) of subdivision (d) of Section 34171, which shall be used consistent with the affordable housing requirements in the Community Redevelopment Law (Part 1 (commencing with Section 33000)).

(B) Loan or deferral repayments shall not be made prior to the 2013–14 fiscal year. Beginning in the 2013–14 fiscal year, the maximum repayment amount authorized each fiscal year for repayments made pursuant to this paragraph and subdivision (b) of Section 34191.4 combined shall be equal to one-half of the increase between the amount distributed to taxing entities pursuant to paragraph (4) of subdivision (a) of Section 34183 in that fiscal year and the amount distributed to taxing entities pursuant to that paragraph in the 2012–13 base year. Loan or deferral repayments made pursuant to this paragraph shall take priority over amounts to be repaid pursuant to subdivision (b) of Section 34191.4.

(f) If a development includes both low- and moderate-income housing that meets the definition of a housing asset under subdivision (e) and other types of property use, including, but not limited to, commercial use, governmental use, open space, and parks, the oversight board shall consider the overall value to the community as well as the benefit to taxing entities of keeping the entire development intact or dividing the title and control over the property between the housing successor and the successor agency or other public or private agencies. The disposition of those assets may be accomplished by a revenue-sharing arrangement as

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approved by the oversight board on behalf of the affected taxing entities.

(g) (1) (A) The entity assuming the housing functions pursuant to this section may designate the use of and commit indebtedness obligation proceeds that remain after the satisfaction of enforceable obligations that have been approved in a Recognized Obligation Payment Schedule and that are consistent with the indebtedness obligation covenants. The proceeds shall be derived from indebtedness obligations that were issued for the purposes of affordable housing prior to January 1, 2011, and were backed by the Low and Moderate Income Housing Fund. Enforceable obligations may be satisfied by the creation of reserves for the projects that are the subject of the enforceable obligation that are consistent with the contractual obligations for those projects, or by expending funds to complete the projects.

(B) The entity assuming the housing functions pursuant to this section shall provide notice to the successor agency of any designations of use or commitments of funds specified in subparagraph (A) that it wishes to make at least 20 days before the deadline for submission of the Recognized Obligation Payment Schedule to the oversight board. Commitments and designations shall not be valid and binding on any party until they are included in an approved and valid Recognized Obligation Payment Schedule. The review of these designations and commitments by the successor agency, oversight board, and Department of Finance shall be limited to a determination that the designations and commitments are consistent with bond covenants and that there are sufficient funds available.

(2) Funds shall be used and committed in a manner consistent with the purposes of the Low and Moderate Income Housing Asset Fund. Notwithstanding any other law, the successor agency shall retain and expend the excess housing obligation proceeds at the discretion of the succeeding housing entity, provided that the successor agency ensures that the proceeds are expended in a manner consistent with the indebtedness obligation covenants and with any requirements relating to the tax status of those obligations. The amount expended shall not exceed the amount of indebtedness obligation proceeds available and such expenditure shall constitute the creation of excess housing proceeds expenditures to be paid from the excess proceeds. Excess housing

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proceeds expenditures shall be listed separately on the Recognized Obligation Payment Schedule submitted by the successor agency.

SEC. 10. Section 34176.5 is added to the Health and Safety Code, to read:

34176.5. (a) Notwithstanding any other law, the Director of Finance is authorized to contract with auditors, lawyers, and other types of advisors and consultants to assist, advise, and represent the director and the Department of Finance in any matter or action arising out of or contemplated by this part or Part 1.8 (commencing with Section 34161). In furtherance of this authorization, Sections 14827.1, 14827.2, and 14838 of the Government Code, and Article 4 (commencing with Section 10335) of Chapter 2 of Part 2 of Division 2 of and Section 10295 of, the Public Contract Code shall not apply to any agreement entered into by the director pursuant to this section.

(b) In addition to the waivers of statute provided in subdivision (a), Section 6072 of the Business and Professions Code shall not apply to the legal services agreement entered into by the director pursuant to this section.

(c) This section shall remain in effect only until January 1, 2014, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2014, deletes or extends that date.

SEC. 11. Section 34177 of the Health and Safety Code is amended to read:

34177. Successor agencies are required to do all of the following:

(a) Continue to make payments due for enforceable obligations.

(1) On and after February 1, 2012, and until a Recognized Obligation Payment Schedule becomes operative, only payments required pursuant to an enforceable obligations payment schedule shall be made. The initial enforceable obligation payment schedule shall be the last schedule adopted by the redevelopment agency under Section 34169. However, payments associated with obligations excluded from the definition of enforceable obligations by paragraph (2) of subdivision ~~(e)~~ *(d)* of Section 34171 shall be excluded from the enforceable obligations payment schedule and be removed from the last schedule adopted by the redevelopment agency under Section 34169 prior to the successor agency adopting it as its enforceable obligations payment schedule pursuant to this subdivision. The enforceable obligation payment schedule may

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be amended by the successor agency at any public meeting and shall be subject to the approval of the oversight board as soon as the board has sufficient members to form a quorum. *In recognition of the fact that the timing of the California Supreme Court's ruling in the case California Redevelopment Association v. Matosantos (2011) 53 Cal.4th 231 delayed the preparation by successor agencies and the approval by oversight boards of the January 1, 2012, through June 30, 2012, Recognized Obligation Payment Schedule, a successor agency may amend the Enforceable Obligation Payment Schedule to authorize the continued payment of enforceable obligations until the time that the January 1, 2012, through June 30, 2012, Recognized Obligation Payment Schedule has been approved by the oversight board and by the Department of Finance.*

(2) The Department of Finance and the Controller shall each have the authority to require any documents associated with the enforceable obligations to be provided to them in a manner of their choosing. Any taxing entity, the department, and the Controller shall each have standing to file a judicial action to prevent a violation under this part and to obtain injunctive or other appropriate relief.

(3) Commencing on ~~May 1, 2012~~ *the date the Recognized Obligation Payment Schedule is valid pursuant to subdivision (l)*, only those payments listed in the Recognized Obligation Payment Schedule may be made by the successor agency from the funds specified in the Recognized Obligation Payment Schedule. In addition, ~~commencing May 1, 2012~~ *after it becomes valid*, the Recognized Obligation Payment Schedule shall supersede the Statement of Indebtedness, which shall no longer be prepared nor have any effect under the Community Redevelopment Law *(Part 1 (commencing with Section 33000))*.

(4) Nothing in the act adding this part is to be construed as preventing a successor agency, with the prior approval of the oversight board, as described in Section 34179, from making payments for enforceable obligations from sources other than those listed in the Recognized Obligation Payment Schedule.

(5) From February 1, 2012, to July 1, 2012, a successor agency shall have no authority and is hereby prohibited from accelerating payment or making any lump-sum payments that are intended to

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prepay loans unless such accelerated repayments were required prior to the effective date of this part.

(b) Maintain reserves in the amount required by indentures, trust indentures, or similar documents governing the issuance of outstanding redevelopment agency bonds.

(c) Perform obligations required pursuant to any enforceable obligation.

(d) Remit unencumbered balances of redevelopment agency funds to the county auditor-controller for distribution to the taxing entities, including, but not limited to, the unencumbered balance of the Low and Moderate Income Housing Fund of a former redevelopment agency. In making the distribution, the county auditor-controller shall utilize the same methodology for allocation and distribution of property tax revenues provided in Section 34188.

(e) Dispose of assets and properties of the former redevelopment agency as directed by the oversight board; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of certain assets pursuant to subdivision (a) of Section 34181. The disposal is to be done expeditiously and in a manner aimed at maximizing value. Proceeds from asset sales and related funds that are no longer needed for approved development projects or to otherwise wind down the affairs of the agency, each as determined by the oversight board, shall be transferred to the county auditor-controller for distribution as property tax proceeds under Section 34188. *The requirements of this subdivision shall not apply to a successor agency that has been issued a finding of completion by the Department of Finance pursuant to Section 34179.7.*

(f) Enforce all former redevelopment agency rights for the benefit of the taxing entities, including, but not limited to, continuing to collect loans, rents, and other revenues that were due to the redevelopment agency.

(g) Effectuate transfer of housing functions and assets to the appropriate entity designated pursuant to Section 34176.

(h) Expeditiously wind down the affairs of the redevelopment agency pursuant to the provisions of this part and in accordance with the direction of the oversight board.

(i) Continue to oversee development of properties until the contracted work has been completed or the contractual obligations

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of the former redevelopment agency can be transferred to other parties. Bond proceeds shall be used for the purposes for which bonds were sold unless the purposes can no longer be achieved, in which case, the proceeds may be used to defease the bonds.

(j) Prepare a proposed administrative budget and submit it to the oversight board for its approval. The proposed administrative budget shall include all of the following:

(1) Estimated amounts for successor agency administrative costs for the upcoming six-month fiscal period.

(2) Proposed sources of payment for the costs identified in paragraph (1).

(3) Proposals for arrangements for administrative and operations services provided by a city, county, city and county, or other entity.

(k) Provide administrative cost estimates, from its approved administrative budget that are to be paid from property tax revenues deposited in the Redevelopment Property Tax Trust Fund, to the county auditor-controller for each six-month fiscal period.

(*l*) (1) Before each six-month fiscal period, prepare a Recognized Obligation Payment Schedule in accordance with the requirements of this paragraph. For each recognized obligation, the Recognized Obligation Payment Schedule shall identify one or more of the following sources of payment:

(A) Low and Moderate Income Housing Fund.

(B) Bond proceeds.

(C) Reserve balances.

(D) Administrative cost allowance.

(E) The Redevelopment Property Tax Trust Fund, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation or by the provisions of this part.

(F) Other revenue sources, including rents, concessions, asset sale proceeds, interest earnings, and any other revenues derived from the former redevelopment agency, as approved by the oversight board in accordance with this part.

(2) A Recognized Obligation Payment Schedule shall not be deemed valid unless all of the following conditions have been met:

(A) A ~~draft~~ Recognized Obligation Payment Schedule is prepared by the successor agency for the enforceable obligations of the former redevelopment agency ~~by March 1, 2012. From October 1, 2011, to July 1, 2012, the~~. *The* initial ~~draft of that~~

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schedule shall project the dates and amounts of scheduled payments for each enforceable obligation for the remainder of the time period during which the redevelopment agency would have been authorized to obligate property tax increment had ~~such~~ *the* a redevelopment agency not been dissolved~~, and shall be reviewed and certified, as to its accuracy, by an external auditor designated pursuant to Section 34182~~.

(B) The ~~certified~~ Recognized Obligation Payment Schedule is submitted to and duly approved by the oversight board. *The successor agency shall submit a copy of the Recognized Obligation Payment Schedule to the county administrative officer, the county auditor-controller, and the Department of Finance at the same time that the successor agency submits the Recognized Obligation Payment Schedule to the oversight board for approval.*

(C) A copy of the approved Recognized Obligation Payment Schedule is submitted to the county auditor-controller and both the Controller's office and the Department of Finance and be posted on the successor agency's Internet Web site.

(3) The Recognized Obligation Payment Schedule shall be forward looking to the next six months. The first Recognized Obligation Payment Schedule shall be submitted to the Controller's office and the Department of Finance by April 15, 2012, for the period of January 1, 2012, to June 30, 2012, inclusive. *This Recognized Obligation Payment Schedule shall include all payments made by the former redevelopment agency between January 1, 2012, through January 31, 2012, and shall include all payments proposed to be made by the successor agency from February 1, 2012, through June 30, 2012.* Former redevelopment agency enforceable obligation payments due, and reasonable or necessary administrative costs due or incurred, prior to January 1, 2012, shall be made from property tax revenues received in the spring of 2011 property tax distribution, and from other revenues and balances transferred to the successor agency.

(m) The Recognized Obligation Payment Schedule for the period of January 1, 2013, to June 30, 2013, shall be submitted by the successor agency, after approval by the oversight board, no later than September 1, 2012. Commencing with the Recognized Obligation Payment Schedule covering the period July 1, 2013, through December 31, 2013, successor agencies shall submit an oversight board-approved Recognized Obligation Payment

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Schedule to the Department of Finance and to the county auditor-controller no fewer than 90 days before the date of property tax distribution. The Department of Finance shall make its determination of the enforceable obligations and the amounts and funding sources of the enforceable obligations no later than 45 days after the Recognized Obligation Payment Schedule is submitted. Within five business days of the department's determination, a successor agency may request additional review by the department and an opportunity to meet and confer on disputed items. The meet and confer period may vary; an untimely submittal of a Recognized Obligation Payment Schedule may result in a meet and confer period of less than 30 days. The department shall notify the successor agency and the county auditor-controllers as to the outcome of its review at least 15 days before the date of property tax distribution.

(1) The successor agency shall submit a copy of the Recognized Obligation Payment Schedule to the Department of Finance electronically, and the successor agency shall complete the Recognized Obligation Payment Schedule in the manner provided for by the department. A successor agency shall be in noncompliance with this paragraph if it only submits to the department an electronic message or a letter stating that the oversight board has approved a Recognized Obligation Payment Schedule.

(2) If a successor agency does not submit a Recognized Obligation Payment Schedule by the deadlines provided in this subdivision, the city, county, or city and county that created the redevelopment agency shall be subject to a civil penalty equal to ten thousand dollars ($10,000) per day for every day the schedule is not submitted to the department. The civil penalty shall be paid to the county auditor-controller for allocation to the taxing entities under Section 34183. If a successor agency fails to submit a Recognized Obligation Payment Schedule by the deadline, any creditor of the successor agency or the Department of Finance or any affected taxing entity shall have standing to and may request a writ of mandate to require the successor agency to immediately perform this duty. Those actions may be filed only in the County of Sacramento and shall have priority over other civil matters. Additionally, if an agency does not submit a Recognized Obligation Payment Schedule within ten days of the deadline, the maximum

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administrative cost allowance for that period shall be reduced by 25 percent.

(3) If a successor agency fails to submit to the department an oversight board-approved Recognized Obligation Payment Schedule that complies with all requirements of this subdivision within five business days of the date upon which the Recognized Obligation Payment Schedule is to be used to determine the amount of property tax allocations, the department may determine if any amount should be withheld by the county auditor-controller for payments for enforceable obligations from distribution to taxing entities, pending approval of a Recognized Obligation Payment Schedule. The county auditor-controller shall distribute the portion of any of the sums withheld pursuant to this paragraph to the affected taxing entities in accordance with paragraph (4) of subdivision (a) of Section 34183 upon notice by the department that a portion of the withheld balances are in excess of the amount of enforceable obligations. The county auditor-controller shall distribute withheld funds to the successor agency only in accordance with a Recognized Obligation Payment Schedule approved by the department. County auditor-controllers shall lack the authority to withhold any other amounts from the allocations provided for under Section 34183 or 34188 unless required by a court order.

(n) Cause a postaudit of the financial transactions and records of the successor agency to be made at least annually by a certified public accountant.

SEC. 12. Section 34177.3 is added to the Health and Safety Code, to read:

34177.3. (a) Successor agencies shall lack the authority to, and shall not, create new enforceable obligations under the authority of the Community Redevelopment Law (Part 1 (commencing with Section 33000)) or begin new redevelopment work, except in compliance with an enforceable obligation that existed prior to June 28, 2011.

(b) Successor agencies may create enforceable obligations to conduct the work of winding down the redevelopment agency, including hiring staff, acquiring necessary professional administrative services and legal counsel, and procuring insurance.

(c) Successor agencies shall lack the authority to, and shall not, transfer any powers or revenues of the successor agency to any

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other party, public or private, except pursuant to an enforceable obligation on a Recognized Obligation Payment Schedule approved by the department. Any such transfers of authority or revenues that are not made pursuant to an enforceable obligation on a Recognized Obligation Payment Schedule approved by the Department of Finance are hereby declared to be void, and the successor agency shall take action to reverse any of those transfers. The Controller may audit any transfer of authority or revenues prohibited by this section and may order the prompt return of any money or other things of value from the receiving party.

(d) Redevelopment agencies that resolved to participate in the Voluntary Alternative Redevelopment Program under Chapter 6 of the First Extraordinary Session of the Statutes of 2011 were and are subject to the provisions of Part 1.8 (commencing with Section 34161). Any actions taken by redevelopment agencies to create obligations after June 27, 2011, are ultra vires and do not create enforceable obligations.

(e) The Legislature finds and declares that the provisions of this section are declaratory of existing law.

SEC. 13. Section 34177.5 is added to the Health and Safety Code, to read:

34177.5. (a) In addition to the powers granted to each successor agency, and notwithstanding anything in the act adding this part, including, but not limited to, Sections 34162 and 34189, a successor agency shall have the authority, rights, and powers of the redevelopment agency to which it succeeded solely for the following purposes:

(1) For the purpose of issuing bonds or incurring other indebtedness to refund the bonds or other indebtedness of its former redevelopment agency or of the successor agency to provide savings to the successor agency, provided that (A) the total interest cost to maturity on the refunding bonds or other indebtedness plus the principal amount of the refunding bonds or other indebtedness shall not exceed the total remaining interest cost to maturity on the bonds or other indebtedness to be refunded plus the remaining principal of the bonds or other indebtedness to be refunded, and (B) the principal amount of the refunding bonds or other indebtedness shall not exceed the amount required to defease the refunded bonds or other indebtedness, to establish customary debt service reserves, and to pay related costs of issuance. If the

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foregoing conditions are satisfied, the initial principal amount of the refunding bonds or other indebtedness may be greater than the outstanding principal amount of the bonds or other indebtedness to be refunded. The successor agency may pledge to the refunding bonds or other indebtedness the revenues pledged to the bonds or other indebtedness being refunded, and that pledge, when made in connection with the issuance of such refunding bonds or other indebtedness, shall have the same lien priority as the pledge of the bonds or other obligations to be refunded, and shall be valid, binding, and enforceable in accordance with its terms.

(2) For the purpose of issuing bonds or other indebtedness to finance debt service spikes, including balloon maturities, provided that (A) the existing indebtedness is not accelerated, except to the extent necessary to achieve substantially level debt service, and (B) the principal amount of the bonds or other indebtedness shall not exceed the amount required to finance the debt service spikes, including establishing customary debt service reserves and paying related costs of issuance.

(3) For the purpose of amending an existing enforceable obligation under which the successor agency is obligated to reimburse a political subdivision of the state for the payment of debt service on a bond or other obligation of the political subdivision, or to pay all or a portion of the debt service on the bond or other obligation of the political subdivision to provide savings to the successor agency, provided that (A) the enforceable obligation is amended in connection with a refunding of the bonds or other obligations of the political subdivision so that the enforceable obligation will apply to the refunding bonds or other refunding indebtedness of the political subdivision, (B) the total interest cost to maturity on the refunding bonds or other indebtedness plus the principal amount of the refunding bonds or other indebtedness shall not exceed the total remaining interest cost to maturity on the bonds or other indebtedness to be refunded plus the remaining principal of the bonds or other indebtedness to be refunded, and (C) the principal amount of the refunding bonds or other indebtedness shall not exceed the amount required to defease the refunded bonds or other indebtedness, to establish customary debt service reserves and to pay related costs of issuance. The pledge set forth in that amended enforceable

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obligation, when made in connection with the execution of the amendment of the enforceable obligation, shall have the same lien priority as the pledge in the enforceable obligation prior to its amendment and shall be valid, binding, and enforceable in accordance with its terms.

(4) For the purpose of issuing bonds or incurring other indebtedness to make payments under enforceable obligations when the enforceable obligations include the irrevocable pledge of property tax increment, formerly tax increment revenues prior to the effective date of this part, or other funds and the obligation to issue bonds secured by that pledge. The successor agency may pledge to the bonds or other indebtedness the property tax revenues and other funds described in the enforceable obligation, and that pledge, when made in connection with the issuance of the bonds or the incurring of other indebtedness, shall be valid, binding, and enforceable in accordance with its terms. This paragraph shall not be deemed to authorize a successor agency to increase the amount of property tax revenues pledged under an enforceable obligation or to pledge any property tax revenue not already pledged pursuant to an enforceable obligation. This paragraph does not constitute a change in, but is declaratory of, the existing law.

(b) The refunding bonds authorized under this section may be issued under the authority of Article 11 (commencing with Section 53580) of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code, and the refunding bonds may be sold at public or private sale, or to a joint powers authority pursuant to the Marks-Roos Local Bond Pooling Act (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code).

(c) (1) Prior to incurring any bonds or other indebtedness pursuant to this section, the successor agency may subordinate to the bonds or other indebtedness the amount required to be paid to an affected taxing entity pursuant to paragraph (1) of subdivision (a) of Section 34183, provided that the affected taxing entity has approved the subordinations pursuant to this subdivision.

(2) At the time the successor agency requests an affected taxing entity to subordinate the amount to be paid to it, the successor agency shall provide the affected taxing entity with substantial evidence that sufficient funds will be available to pay both the debt

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service on the bonds or other indebtedness and the payments required by paragraph (1) of subdivision (a) of Section 34183, when due.

(3) Within 45 days after receipt of the agency's request, the affected taxing entity shall approve or disapprove the request for subordination. An affected taxing entity may disapprove a request for subordination only if it finds, based upon substantial evidence, that the successor agency will not be able to pay the debt service payments and the amount required to be paid to the affected taxing entity. If the affected taxing entity does not act within 45 days after receipt of the agency's request, the request to subordinate shall be deemed approved and shall be final and conclusive.

(d) An action may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure to determine the validity of bonds or other obligations authorized by this section, the pledge of revenues to those bonds or other obligations authorized by this section, the legality and validity of all proceedings theretofore taken and, as provided in the resolution of the legislative body of the successor agency authorizing the bonds or other obligations authorized by this section, proposed to be taken for the authorization, execution, issuance, sale, and delivery of the bonds or other obligations authorized by this section, and for the payment of debt service on the bonds or the payment of amounts under other obligations authorized by this section. Subdivision (c) of Section 33501 shall not apply to any such action. The Department of Finance shall be notified of the filing of any action as an affected party.

(e) Notwithstanding any other law, including, but not limited to, Section 33501, an action to challenge the issuance of bonds, the incurrence of indebtedness, the amendment of an enforceable obligation, or the execution of a financing agreement by a successor agency shall be brought within 30 days after the date on which the oversight board approves the resolution of the successor agency approving the issuance of bonds, the incurrence of indebtedness, the amendment of an enforceable obligation, or the execution of a financing agreement authorized under this section.

(f) The actions authorized in this section shall be subject to the approval of the oversight board, as provided in Section 34180. Additionally, an oversight board may direct the successor agency

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to commence any of the transactions described in subdivision (a) so long as the successor agency is able to recover its related costs in connection with the transaction. After a successor agency, with approval of the oversight board, issues any bonds, incurs any indebtedness, or executes an amended enforceable obligation pursuant to subdivision (a), the oversight board shall not unilaterally approve any amendments to or early termination of the bonds, indebtedness, or enforceable obligation. If, under the authority granted to it by subdivision (h) of Section 34179, the Department of Finance either reviews and approves or fails to request review within five business days of an oversight board approval of an action authorized by this section, the scheduled payments on the bonds or other indebtedness shall be listed in the Recognized Obligation Payment Schedule and shall not be subject to further review and approval by the department or the Controller. The department may extend its review time to 60 days for actions authorized in this section and may seek the assistance of the Treasurer in evaluating proposed actions under this section.

(g) Any bonds, indebtedness, or amended enforceable obligation authorized by this section shall be considered indebtedness incurred by the dissolved redevelopment agency, with the same legal effect as if the bonds, indebtedness, financing agreement, or amended enforceable obligation had been issued, incurred, or entered into prior to June 29, 2011, in full conformity with the applicable provisions of the Community Redevelopment Law that existed prior to that date, shall be included in the successor agency's Recognized Obligation Payment Schedule, and shall be secured by a pledge of, and lien on, and shall be repaid from moneys deposited from time to time in the Redevelopment Property Tax Trust Fund established pursuant to subdivision (c) of Section 34172, as provided in paragraph (2) of subdivision (a) of Section 34183. Property tax revenues pledged to any bonds, indebtedness, or amended enforceable obligations authorized by this section are taxes allocated to the successor agency pursuant to subdivision (b) of Section 33670 and Section 16 of Article XVI of the California Constitution.

(h) The successor agency shall make diligent efforts to ensure that the lowest long-term cost financing is obtained. The financing shall not provide for any bullets or spikes and shall not use variable rates. The successor agency shall make use of an independent

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financial advisor in developing financing proposals and shall make the work products of the financial advisor available to the Department of Finance at its request.

(i) If an enforceable obligation provides for an irrevocable commitment of property tax revenue and where allocation of such revenues is expected to occur over time, the successor agency may petition the Department of Finance to provide written confirmation that its determination of such enforceable obligation as approved in a Recognized Obligation Payment Schedule is final and conclusive, and reflects the department's approval of subsequent payments made pursuant to the enforceable obligation. If the confirmation is granted, then the department's review of such payments in future Recognized Obligation Payment Schedules shall be limited to confirming that they are required by the prior enforceable obligation.

(j) The successor agency may request that the department provide a written determination to waive the two-year statute of limitations on an action to review the validity of the adoption or amendment of a redevelopment plan pursuant to subdivision (c) of Section 33500 or on any findings or determinations made by the agency pursuant to subdivision (d) of Section 33500. The department at its discretion may provide a waiver if it determines it is necessary for the agency to fulfill an enforceable obligation.

SEC. 14. Section 34178 of the Health and Safety Code is amended to read:

34178. (a) Commencing on the operative date of this part, agreements, contracts, or arrangements between the city or county, or city and county that created the redevelopment agency and the redevelopment agency are invalid and shall not be binding on the successor agency; provided, however, that a successor entity wishing to enter or reenter into agreements with the city, county, or city and county that formed the redevelopment agency that it is succeeding may do so upon obtaining the approval of its oversight board. *A successor agency or an oversight board shall not exercise the powers granted by this subdivision to restore funding for an enforceable obligation that was deleted or reduced by the Department of Finance pursuant to subdivision (h) of Section 34179 unless it reflects the decisions made during the meet and confer process with the Department of Finance or pursuant to a court order.*

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(b) Notwithstanding subdivision (a), any of the following agreements are not invalid and may bind the successor agency:

(1) A duly authorized written agreement entered into at the time of issuance, but in no event later than December 31, 2010, of indebtedness obligations, and solely for the purpose of securing or repaying those indebtedness obligations.

(2) A written agreement between a redevelopment agency and the city, county, or city and county that created it that provided loans or other startup funds for the redevelopment agency that were entered into within two years of the formation of the redevelopment agency.

(3) A joint exercise of powers agreement in which the redevelopment agency is a member of the joint powers authority. However, upon assignment to the successor agency by operation of the act adding this part, the successor agency's rights, duties, and performance obligations under that joint exercise of powers agreement shall be limited by the constraints imposed on successor agencies by the act adding this part.

SEC. 15. Section 34178.8 is added to the Health and Safety Code, to read:

34178.8. Commencing on the effective date of the act adding this section, the Controller shall review the activities of successor agencies in the state to determine if an asset transfer has occurred after January 31, 2012, between the successor agency and the city, county, or city and county that created a redevelopment agency, or any other public agency, that was not made pursuant to an enforceable obligation on an approved and valid Recognized Obligation Payment Schedule. If such an asset transfer did occur, to the extent not prohibited by state and federal law, the Controller shall order the available assets to be returned to the successor agency. Upon receiving that order from the Controller, an affected local agency shall, as soon as practicable, reverse the transfer and return the applicable assets to the successor agency. This section shall not apply to housing assets as defined in subdivision (e) of Section 34176.

SEC. 16. Section 34179 of the Health and Safety Code is amended to read:

34179. (a) Each successor agency shall have an oversight board composed of seven members. The members shall elect one of their members as the chairperson and shall report the name of

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the chairperson and other members to the Department of Finance on or before May 1, 2012. Members shall be selected as follows:

(1) One member appointed by the county board of supervisors.

(2) One member appointed by the mayor for the city that formed the redevelopment agency.

(3) *(A)* One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188.

(B) On or after the effective date of this subparagraph, the county auditor-controller may determine which is the largest special district for purposes of this section.

(4) One member appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public appointed by the county board of supervisors.

(7) One member representing the employees of the former redevelopment agency appointed by the mayor or chair of the board of supervisors, as the case may be, from the recognized employee organization representing the largest number of former redevelopment agency employees employed by the successor agency at that time. *In the case where city or county employees performed administrative duties of the former redevelopment agency, the appointment shall be made from the recognized employee organization representing those employees. If a recognized employee organization does not exist for either the employees of the former redevelopment agency or the city or county employees performing administrative duties of the former redevelopment agency, the appointment shall be made from among the employees of the successor agency. In voting to approve a contract as an enforceable obligation, a member appointed pursuant to this paragraph shall not be deemed to be interested in the contract by virtue of being an employee of the successor*

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agency or community for purposes of Section 1090 of the Government Code.

(8) If the county or a joint powers agency formed the redevelopment agency, then the largest city by acreage in the territorial jurisdiction of the former redevelopment agency may select one member. If there are no cities with territory in a project area of the redevelopment agency, the county superintendent of education may appoint an additional member to represent the public.

(9) If there are no special districts of the type that are eligible to receive property tax pursuant to Section 34188, within the territorial jurisdiction of the former redevelopment agency, then the county may appoint one member to represent the public.

(10) ~~Where~~ *If* a redevelopment agency was formed by an entity that is both a charter city and a county, the oversight board shall be composed of seven members selected as follows: three members appointed by the mayor of the city, ~~where such~~ *if that* appointment is subject to confirmation by the county board of supervisors, one member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is the type of special district that is eligible to receive property tax revenues pursuant to Section 34188, one member appointed by the county superintendent of education to represent schools, one member appointed by the Chancellor of the California Community Colleges to represent community college districts, and one member representing employees of the former redevelopment agency appointed by the mayor of the city ~~where such an~~ *if that* appointment is subject to confirmation by the county board of supervisors, to represent the largest number of former redevelopment agency employees employed by the successor agency at that time.

(b) The Governor may appoint individuals to fill any oversight board member position described in subdivision (a) that has not been filled by May 15, 2012, or any member position that remains vacant for more than 60 days.

(c) The oversight board may direct the staff of the successor agency to perform work in furtherance of the oversight board's duties and responsibilities under this part. The successor agency shall pay for all of the costs of meetings of the oversight board and may include such costs in its administrative budget. Oversight

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board members shall serve without compensation or reimbursement for expenses.

(d) Oversight board members ~~shall have personal immunity from suit for their actions taken within the scope of their responsibilities as oversight board members.~~ *are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.*

(e) A majority of the total membership of the oversight board shall constitute a quorum for the transaction of business. A majority vote of the total membership of the oversight board is required for the oversight board to take action. The oversight board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974. *All actions taken by the oversight board shall be adopted by resolution.*

(f) All notices required by law for proposed oversight board actions shall also be posted on the successor agency's Internet Web site or the oversight board's Internet Web site.

(g) Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.

(h) The Department of Finance may review an oversight board action taken pursuant to ~~the act adding~~ this part. ~~As such, all oversight board actions shall not be effective for three business days, pending a request for review by the department.~~ *Written notice and information about all actions taken by an oversight board shall be provided to the department by electronic means and in a manner of the department's choosing. An action shall become effective five business days after notice in the manner specified by the department is provided unless the department requests a review.* Each oversight board shall designate an official to whom the department may make ~~such~~ *those* requests and who shall provide the department with the telephone number and e-mail contact information for the purpose of communicating with the department pursuant to this subdivision. ~~In~~ *Except as otherwise provided in this part, in* the event that the department requests a review of a given oversight board action, it shall have ~~10~~ *40* days from the date of its request to approve the oversight board action or return it to the oversight board for reconsideration and ~~such~~ *the*

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oversight board action shall not be effective until approved by the department. In the event that the department returns the oversight board action to the oversight board for reconsideration, the oversight board shall resubmit the modified action for department approval and the modified oversight board action shall not become effective until approved by the department. *If the department reviews a Recognized Obligation Payment Schedule, the department may eliminate or modify any item on that schedule prior to its approval. The county auditor-controller shall reflect the actions of the department in determining the amount of property tax revenues to allocate to the successor agency. The department shall provide notice to the successor agency and the county auditor-controller as to the reasons for its actions. To the extent that an oversight board continues to dispute a determination with the department, one or more future recognized obligation schedules may reflect any resolution of that dispute. The department may also agree to an amendment to a Recognized Obligation Payment Schedule to reflect a resolution of a disputed item; however, this shall not affect a past allocation of property tax or create a liability for any affected taxing entity.*

(i) Oversight boards shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188. Further, the provisions of Division 4 (commencing with Section 1000) of the Government Code shall apply to oversight boards. Notwithstanding Section 1099 of the Government Code, or any other law, any individual may simultaneously be appointed to up to five oversight boards and may hold an office in a city, county, city and county, special district, school district, or community college district.

(j) Commencing on and after July 1, 2016, in each county where more than one oversight board was created by operation of the act adding this part, there shall be only one oversight board appointed as follows:

(1) One member may be appointed by the county board of supervisors.

(2) One member may be appointed by the city selection committee established pursuant to Section 50270 of the Government Code. In a city and county, the mayor may appoint one member.

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(3) One member may be appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, for the types of special districts that are eligible to receive property tax revenues pursuant to Section 34188.

(4) One member may be appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member may be appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public may be appointed by the county board of supervisors.

(7) One member may be appointed by the recognized employee organization representing the largest number of successor agency employees in the county.

(k) The Governor may appoint individuals to fill any oversight board member position described in subdivision (j) that has not been filled by July 15, 2016, or any member position that remains vacant for more than 60 days.

(*l*) Commencing on and after July 1, 2016, in each county where only one oversight board was created by operation of the act adding this part, then there will be no change to the composition of that oversight board as a result of the operation of subdivision (b).

(m) Any oversight board for a given successor agency shall cease to exist when all of the indebtedness of the dissolved redevelopment agency has been repaid.

(n) An oversight board may direct a successor agency to provide additional legal or financial advice than what was given by agency staff.

(o) An oversight board is authorized to contract with the county or other public or private agencies for administrative support.

(p) On matters within the purview of the oversight board, decisions made by the oversight board supersede those made by the successor agency or the staff of the successor agency.

SEC. 17. Section 34179.5 is added to the Health and Safety Code, to read:

34179.5. (a) In furtherance of subdivision (d) of Section 34177, each successor agency shall employ a licensed accountant,

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approved by the county auditor-controller and with experience and expertise in local government accounting, to conduct a due diligence review to determine the unobligated balances available for transfer to taxing entities. As an alternative, an audit provided by the county auditor-controller that provides the information required by this section may be used to comply with this section with the concurrence of the oversight board.

(b) For purposes of this section the following terms shall have the following meanings:

(1) "Cash" and "cash equivalents" includes, but is not limited to, cash in hand, bank deposits, Local Agency Investment Fund deposits, deposits in the city or county treasury or any other pool, marketable securities, commercial paper, United States Treasury bills, banker's acceptances, payables on demand and amounts due from other parties as defined in subdivision (c), and any other money owned by the successor agency.

(2) "Enforceable obligation" includes any of the items listed in subdivision (d) of Section 34171, contracts detailing specific work to be performed that were entered into by the former redevelopment agency prior to June 28, 2011, with a third party that is other than the city, county, or city and county that created the former redevelopment agency, and indebtedness obligations as defined in subdivision (e) of Section 34171.

(3) "Transferred" means the transmission of money to another party that is not in payment for goods or services or an investment or where the payment is de minimus. Transfer also means where the payments are ultimately merely a restriction on the use of the money.

(c) At a minimum, the review required by this section shall include the following:

(1) The dollar value of assets transferred from the former redevelopment agency to the successor agency on or about February 1, 2012.

(2) The dollar value of assets and cash and cash equivalents transferred after January 1, 2011, through June 30, 2012, by the redevelopment agency or the successor agency to the city, county, or city and county that formed the redevelopment agency and the purpose of each transfer. The review shall provide documentation of any enforceable obligation that required the transfer.

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(3) The dollar value of any cash or cash equivalents transferred after January 1, 2011, through June 30, 2012, by the redevelopment agency or the successor agency to any other public agency or private party and the purpose of each transfer. The review shall provide documentation of any enforceable obligation that required the transfer.

(4) The review shall provide expenditure and revenue accounting information and identify transfers and funding sources for the 2010–11 and 2011–12 fiscal years that reconciles balances, assets, and liabilities of the successor agency on June 30, 2012 to those reported to the Controller for the 2009–10 fiscal year.

(5) A separate accounting for the balance for the Low and Moderate Income Housing Fund for all other funds and accounts combined shall be made as follows:

(A) A statement of the total value of each fund as of June 30, 2012.

(B) An itemized statement listing any amounts that are legally restricted as to purpose and cannot be provided to taxing entities. This could include the proceeds of any bonds, grant funds, or funds provided by other governmental entities that place conditions on their use.

(C) An itemized statement of the values of any assets that are not cash or cash equivalents. This may include physical assets, land, records, and equipment. For the purpose of this accounting, physical assets may be valued at purchase cost or at any recently estimated market value. The statement shall list separately housing-related assets.

(D) An itemized listing of any current balances that are legally or contractually dedicated or restricted for the funding of an enforceable obligation that identifies the nature of the dedication or restriction and the specific enforceable obligation. In addition, the successor agency shall provide a listing of all approved enforceable obligations that includes a projection of annual spending requirements to satisfy each obligation and a projection of annual revenues available to fund those requirements. If a review finds that future revenues together with dedicated or restricted balances are insufficient to fund future obligations and thus retention of current balances is required, it shall identify the amount of current balances necessary for retention. The review shall also detail the projected property tax revenues and other

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general purpose revenues to be received by the successor agency, together with both the amount and timing of the bond debt service payments of the successor agency, for the period in which the oversight board anticipates the successor agency will have insufficient property tax revenue to pay the specified obligations.

(E) An itemized list and analysis of any amounts of current balances that are needed to satisfy obligations that will be placed on the Recognized Obligation Payment Schedules for the current fiscal year.

(6) The review shall total the net balances available after deducting the total amounts described in subparagraphs (B) to (E), inclusive, of paragraph (5). The review shall add any amounts that were transferred as identified in paragraphs (2) and (3) of subdivision (c) if an enforceable obligation to make that transfer did not exist. The resulting sum shall be available for allocation to affected taxing entities pursuant to Section 34179.6. It shall be a rebuttable presumption that cash and cash equivalent balances available to the successor agency are available and sufficient to disburse the amount determined in this paragraph to taxing entities. If the review finds that there are insufficient cash balances to transfer or that cash or cash equivalents are specifically obligated to the purposes described in subparagraphs (B), (D), and (E) of paragraph (5) in such amounts that there is insufficient cash to provide the full amount determined pursuant to this paragraph, that amount shall be demonstrated in an additional itemized schedule.

SEC. 18. Section 34179.6 is added to the Health and Safety Code, to read:

34179.6. The review required pursuant to Section 34179.5 shall be submitted to the oversight board for review. The successor agency shall submit a copy of the Recognized Obligation Payment Schedule to the county administrative officer, the county auditor-controller, and the Department of Finance at the same time that the successor agency submits the review to the oversight board for review.

(a) By October 1, 2012, each successor agency shall provide to the oversight board, the county auditor-controller, the Controller, and the Department of Finance the results of the review conducted pursuant to Section 34179.5 for the Low and Moderate Income Housing Fund and specifically the amount of cash and

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cash equivalents determined to be available for allocation to taxing entities. By December 15, 2012, each successor agency shall provide to the oversight board, the county auditor-controller, the Controller, and the department the results of the review conducted pursuant to Section 34179.5 for all of the other fund and account balances and specifically the amount of cash and cash equivalents determined to be available for allocation to taxing entities. The department may request any supporting documentation and review results to assist in its review under subdivision (d). The department may specify the form and manner information about the review shall be provided to it.

(b) Upon receipt of the review, the oversight board shall convene a public comment session to take place at least five business days before the oversight board holds the approval vote specified in subdivision (c). The oversight board also shall consider any opinions offered by the county auditor-controller on the review results submitted by the successor agencies.

(c) By October 15, 2012, for the Low and Moderate Income Housing Fund and by January 15, 2013, for all other funds and accounts, the oversight board shall review, approve, and transmit to the department and the county auditor-controller the determination of the amount of cash and cash equivalents that are available for disbursement to taxing entities as determined according to the method provided in Section 34179.5. The oversight board may adjust any amount provided in the review to reflect additional information and analysis. The review and approval shall occur in public sessions. The oversight board may request from the successor agency any materials it deems necessary to assist in its review and approval of the determination. The oversight board shall be empowered to authorize a successor agency to retain assets or funds identified in subparagraphs (B) to (E), inclusive, of paragraph (5) of subdivision (c) of Section 34179.5. An oversight board that makes that authorization also shall identify to the department the amount of funds authorized for retention, the source of those funds, and the purposes for which those funds are being retained. The determination and authorization to retain funds and assets shall be subject to the review and approval of the department pursuant to subdivision (d).

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(d) The department may adjust any amount associated with the determination of the resulting amount described in paragraph (6) of subdivision (c) of Section 34179.5 based on its analysis and information provided by the successor agency and others. The department shall consider any findings or opinions of the county auditor-controllers and the Controller. The department shall complete its review of the determinations provided pursuant to subdivision (c) no later than November 9, 2012, for the Low and Moderate Income Housing Fund and also shall notify the oversight board and the successor agency of its decision to overturn any decision of the oversight board to authorize a successor agency to retain assets or funds made pursuant to subdivision (c). The department shall complete its review of the determinations provided pursuant to subdivision (c) no later than April 1, 2013, for the other funds and accounts and also shall notify the oversight board and the successor agency of its decision to overturn any oversight board authorizations made pursuant to subdivision (c). The department shall provide the oversight board and the successor agency an explanation of its basis for overturning or modifying any findings, determinations, or authorizations of the oversight board made pursuant to subdivision (c).

(e) The successor agency and the entity or entities that created the former redevelopment agency may request to meet and confer with the department to resolve any disputes regarding the amounts or sources of funds identified as determined by the department. The request shall be made within five business days of the transmission, and no later than November 16, 2012, for the determination regarding the Low and Moderate Income Housing Fund, to the successor agency or the designated local authority of the department's determination, decisions, and explanations and shall be accompanied by an explanation and documentation of the basis of the dispute. The department shall meet and confer with the requesting party and modify its determinations and decisions accordingly. The department shall either confirm or modify its determinations and decisions within 30 days of the request to meet and confer.

(f) Each successor agency shall transmit to the county auditor-controller the amount of funds required pursuant to the determination of the department within five working days of receipt of the notification under subdivision (c) or (e) if a meet and confer

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request is made. Successor agencies shall make diligent efforts to recover any money determined to have been transferred without an enforceable obligation as described in paragraphs (2) and (3) of subdivision (c) of Section 34179.5. The department shall notify the county auditor-controllers of its actions and the county auditor-controllers shall disburse the funds received from successor agencies to taxing entities pursuant to Section 34188 within five working days of receipt. Amounts received after November 28, 2012, and April 10, 2013, may be held and disbursed with the regular payments to taxing entities pursuant to Section 34183.

(g) By December 1, 2012, the county auditor-controller shall provide the department a report specifying the amount submitted by each successor agency pursuant to subdivision (d) for low- and moderate-income housing funds, and specifically noting those successor agencies that failed to remit the full required amount. By April 20, 2013, the county auditor-controller shall provide the department a report detailing the amount submitted by each successor agency pursuant to subdivision (d) for all other funds and accounts, and specifically noting those successor agencies that failed to remit the full required amount.

(h) If a successor agency fails to remit to the county auditor-controller the sums identified in subdivisions (d) and (f), by the deadlines specified in those subdivisions, the following remedies are available:

(1) (A) If the successor agency cannot promptly recover the funds that have been transferred to another public agency without an enforceable obligation as described in paragraphs (2) and (3) of subdivision (c) of Section 34179.5, the funds may be recovered through an offset of sales and use tax or property tax allocations to the local agency to which the funds were transferred. To recover such funds, the Department of Finance may order the State Board of Equalization to make an offset pursuant to subdivision (a) of Section 34179.8. If the Department of Finance does not order a sales tax offset, the county auditor-controller may reduce the property tax allocations to any local agency in the county that fails to repay funds pursuant to subdivision (c) of Section 34179.8.

(B) The county auditor-controller and the department shall each have the authority to demand the return of funds improperly spent or transferred to a private person or other private entity. If funds

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are not repaid within 60 days, they may be recovered through any lawful means of collection and are subject to a ten percent penalty plus interest at the rate charged for late personal income tax payments from the date the improper payment was made to the date the money is repaid.

(C) If the city, county, or city and county that created the former redevelopment agency is also performing the duties of the successor agency, the Department of Finance may order an offset to the distribution provided to the sales and use tax revenue to that agency pursuant to subdivision (a) of Section 34179.8. This offset shall be equal to the amount the successor fails to remit pursuant to subdivision (f). If the Department of Finance does not order a sales tax offset, the county auditor-controller may reduce the property tax allocations of the city, county, or city and county that created the former redevelopment agency pursuant to subdivision (c) of Section 34179.8.

(D) The department and the county auditor-controller shall coordinate their actions undertaken pursuant to this paragraph.

(2) Alternatively or in addition to the remedies provided in paragraph (1), the department may direct the county auditor-controller to deduct the unpaid amount from future allocations of property tax to the successor agency under Section 34183 until the amount of payment required pursuant to subdivision (d) is accomplished.

(3) If the Department of Finance determines that payment of the full amount required under subdivision (d) is not currently feasible or would jeopardize the ability of the successor agency to pay enforceable obligations in a timely manner, it may agree to an installment payment plan.

(i) (1) If a legal action contesting a withholding effectuated by the State Board of Equalization pursuant to subparagraphs (B), (C), or (B) and (C) of paragraph (2) of subdivision (b) of Section 34183.5 is successful and results in a final judicial determination, the court shall order the state to pay to the prevailing party a penalty equal to a percentage of the amount of funds found by the court to be improperly withheld, as provided in Section 34179.8. This percentage shall be equivalent to the number of months the funds have been found by the court to be improperly withheld, not to exceed 10 percent.

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(2) If a legal action contesting an offset effectuated by the State Board of Equalization or the county auditor-controller pursuant to subdivision (h) is successful and results in a final judicial determination, the court shall order the state or the county auditor-controller to pay to the prevailing party a penalty equal to 10 percent of the amount of funds found by the court to be improperly offset, as provided in Section 34179.8.

(i) If a legal challenge to invalidate any provision in subdivision (h) or subparagraph (B) or (C), or subparagraphs (B) and (C) of paragraph (2) of subdivision (b) of Section 34183.5 is successful and results in a final judicial determination, the invalidated provision shall become inoperative and subdivision (i) shall become inoperative with respect to the invalidated provision.

SEC. 19. Section 34179.7 is added to the Health and Safety Code, to read:

34179.7. Upon full payment of the amounts determined in subdivision (d) or (e) of Section 34179.6 as reported by the county auditor-controller pursuant to subdivision (g) of Section 34179.6 and of any amounts due as determined by Section 34183.5, or upon a final judicial determination of the amounts due and confirmation that those amounts have been paid by the county auditor-controller, the department shall issue, within five business days, a finding of completion of the requirements of Section 34179.6 to the successor agency.

SEC. 20. Section 34179.8 is added to the Health and Safety Code, to read:

34179.8. (a) If an offset or withholding of sales and use tax is ordered by the Department of Finance pursuant to this part, the State Board of Equalization shall reduce the distribution of sales and use taxes collected under Chapter 1 (commencing with Section 7200) of Part 1.5 of Division 2 of the Revenue and Taxation Code to the entity that is the subject of the offset or withholding and shall direct the Controller to issue a warrant in the amount of any offset pursuant to subdivision (h) of Section 34179.6 to the county auditor-controller. The county auditor-controller shall distribute this amount to the taxing entities for the former redevelopment area according to Section 34188.

(b) (1) If a court has issued a final judicial determination or the department determines that some or all of the amount collected through the offset of sales and use tax has been paid by another

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means and no additional amount is owed, the court or the department shall notify the State Board of Equalization of that determination. Upon notification, the State Board of Equalization shall reverse the relevant amount of sales and use tax offset, add any penalty payable under subdivision (i) of Section 34179.6, and adjust the next distribution of sales and use tax to the affected local entity by reducing the allocation of tax to the General Fund and increasing the distribution to the local entity by that sum.

(2) The board shall inform the Controller of the reversal of the offset of sales and use tax undertaken pursuant to paragraph (1). The Controller shall send a demand for payment to the county auditor-controller for the amount of the offset reversal, excluding any penalty amount determined by the court pursuant to subdivision (i) of Section 34179.6 to be applicable to the offset. The auditor-controller shall reduce allocations to taxing entities in the next distributions under Section 34188 until the amount of the reversed offset is recovered and shall pay such recovered amounts to the State Controller for deposit in the General Fund.

(c) (1) If an offset of property tax is ordered by the county auditor-controller pursuant to this part, the auditor-controller shall reduce the distribution of property taxes to the entity that is the subject of the offset and shall distribute the amount to the taxing entities for the former redevelopment area according to Section 34188.

(2) If a court has issued a final judicial determination or the department determines that some or all of the amount collected through the offset made pursuant to paragraph (1) has been paid by another means and no additional amount is owed, the court or the department shall notify the county auditor-controller of that determination. Upon notification, the county auditor-controller shall reverse the relevant amount of property tax revenues offset in the next distribution of property tax to the affected local entity by reducing the allocation of tax to the taxing entities of the former redevelopment area under Section 34188 and increasing the distribution of property taxes to the local entity that was subject to the offset.

SEC. 21. Section 34180 of the Health and Safety Code is amended to read:

34180. All of the following successor agency actions shall first be approved by the oversight board:

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(a) The establishment of new repayment terms for outstanding loans where the terms have not been specified prior to the date of this part. *An oversight board shall not have the authority to reestablish loan agreements between the successor agency and the city, county, or city and county that formed the redevelopment agency except as provided in Chapter 9 (commencing with Section 34191.1).*

~~(b) Refunding of outstanding bonds or other debt of the former redevelopment agency by successor agencies in order to provide for savings or to finance debt service spikes; provided, however, that no additional debt is created and debt service is not accelerated.~~

(b) The issuance of bonds or other indebtedness or the pledge or agreement for the pledge of property tax revenues (formerly tax increment prior to the effective date of this part) pursuant to subdivision (a) of Section 34177.5.

(c) Setting aside of amounts in reserves as required by indentures, trust indentures, or similar documents governing the issuance of outstanding redevelopment agency bonds.

(d) Merging of project areas.

(e) Continuing the acceptance of federal or state grants, or other forms of financial assistance from either public or private sources, ~~where~~ *if that* assistance is conditioned upon the provision of matching funds, by the successor entity as successor to the former redevelopment agency, in an amount greater than 5 percent.

(f) (1) If a city, county, or city and county wishes to retain any properties or other assets for future redevelopment activities, funded from its own funds and under its own auspices, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares of the base property tax, as determined pursuant to Section 34188, for the value of the property retained.

(2) If no other agreement is reached on valuation of the retained assets, the value will be the fair market value as of the 2011 property tax lien date as determined by ~~the county assessor~~ *an independent appraiser approved by the oversight board.*

(g) Establishment of the Recognized Obligation Payment Schedule.

(h) A request by the successor agency to enter into an agreement with the city, county, or city and county that formed the redevelopment agency that it is succeeding. *An oversight board*

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shall not have the authority to reestablish loan agreements between the successor agency and the city, county, or city and county that formed the redevelopment agency except as provided in Chapter 9 (commencing with Section 34191.1). Any actions to reestablish any other agreements that are in furtherance of enforceable obligations, with the city, county, or city and county that formed the redevelopment agency are invalid until they are included in an approved and valid Recognized Obligation Payment Schedule.

(i) A request by a successor agency or taxing entity to pledge, or to enter into an agreement for the pledge of, property tax revenues pursuant to subdivision (b) of Section 34178.

(j) Any document submitted by a successor agency to an oversight board for approval by any provision of this part shall also be submitted to the county administrative officer, the county auditor-controller, and the Department of Finance at the same time that the successor agency submits the document to the oversight board.

SEC. 22. Section 34181 of the Health and Safety Code is amended to read:

34181. The oversight board shall direct the successor agency to do all of the following:

(a) Dispose of all assets and properties of the former redevelopment agency ~~that were funded by tax increment revenues of the dissolved redevelopment agency~~; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, *police* and fire stations, *libraries, and local agency administrative buildings,* to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset. Any compensation to be provided to the successor agency for the transfer of the asset shall be governed by the agreements relating to the construction or use of that asset. Disposal shall be done expeditiously and in a manner aimed at maximizing value. *Asset disposition may be accomplished by a distribution of income to taxing entities proportionate to their property tax share from one or more properties that may be transferred to a public or private agency for management pursuant to the direction of the oversight board.*

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(b) Cease performance in connection with and terminate all existing agreements that do not qualify as enforceable obligations.

(c) Transfer housing ~~responsibilities and all rights, powers, duties, and obligations along with any amounts on deposit in the Low and Moderate Income Housing Fund to the appropriate entity~~ *assets* pursuant to Section 34176.

(d) Terminate any agreement, between the dissolved redevelopment agency and any public entity located in the same county, obligating the redevelopment agency to provide funding for any debt service obligations of the public entity or for the construction, or operation of facilities owned or operated by such public entity, in any instance where the oversight board has found that early termination would be in the best interests of the taxing entities.

(e) Determine whether any contracts, agreements, or other arrangements between the dissolved redevelopment agency and any private parties should be terminated or renegotiated to reduce liabilities and increase net revenues to the taxing entities, and present proposed termination or amendment agreements to the oversight board for its approval. The board may approve any amendments to or early termination of ~~such~~ *those* agreements ~~where~~ *if* it finds that amendments or early termination would be in the best interests of the taxing entities.

(f) All actions taken pursuant to subdivisions (a) and (c) shall be approved by resolution of the oversight board at a public meeting after at least 10 days' notice to the public of the specific proposed actions. The actions shall be subject to review by the Department of Finance pursuant to Section 34179 except that the department may extend its review period by up to 60 days. If the department does not object to an action subject to this section, and if no action challenging an action is commenced within 60 days of the approval of the action by the oversight board, the action of the oversight board shall be considered final and can be relied upon as conclusive by any person. If an action is brought to challenge an action involving title to or an interest in real property, a notice of pendency of action shall be recorded by the claimant as provided in Title 4.5 (commencing with Section 405) of Part 2 of the Code of Civil Procedure within a 60-day period.

SEC. 23. Section 34182 of the Health and Safety Code is amended to read:

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34182. (a) (1) The county auditor-controller shall conduct or cause to be conducted an agreed-upon procedures audit of each redevelopment agency in the county that is subject to this part, to be completed by ~~July~~ *October* 1, 2012.

(2) The purpose of the audits shall be to establish each redevelopment agency's assets and liabilities, to document and determine each redevelopment agency's passthrough payment obligations to other taxing ~~agencies~~ *entities*, and to document and determine both the amount and the terms of any indebtedness incurred by the redevelopment agency ~~and certify~~ *pursuant to* the initial Recognized Obligation Payment Schedule.

(3) The county auditor-controller may charge the Redevelopment Property Tax Trust Fund for any costs incurred by the county auditor-controller pursuant to this part.

(b) By ~~July 15~~ *October 5*, 2012, the county auditor-controller shall provide the Controller's office *and the Department of Finance* a copy of all audits performed pursuant to this section. The county auditor-controller shall maintain a copy of all documentation and working papers for use by the Controller.

(c) (1) The county auditor-controller shall determine the amount of property taxes that would have been allocated to each redevelopment agency in the county had the redevelopment agency not been dissolved pursuant to the operation of the act adding this part. These amounts are deemed property tax revenues within the meaning of subdivision (a) of Section 1 of Article XIII A of the California Constitution and are available for allocation and distribution in accordance with the provisions of the act adding this part. The county auditor-controller shall calculate the property tax revenues using current assessed values on the last equalized roll on August 20, pursuant to Section 2052 of the Revenue and Taxation Code, and pursuant to statutory formulas or contractual agreements with other taxing ~~agencies~~ *entities*, as of the effective date of this section, and shall deposit that amount in the Redevelopment Property Tax Trust Fund.

(2) Each county auditor-controller shall administer the Redevelopment Property Tax Trust Fund for the benefit of the holders of former redevelopment agency enforceable obligations and the taxing entities that receive passthrough payments and distributions of property taxes pursuant to this part.

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(3) In connection with the allocation and distribution by the county auditor-controller of property tax revenues deposited in the Redevelopment Property Tax Trust Fund, in compliance with this part, the county auditor-controller shall prepare estimates of amounts *of property tax* to be allocated and distributed~~;~~ *and the amounts of passthrough payments to be made in the upcoming six-month period,* and provide those estimates to both the entities receiving the distributions and the Department of Finance, no later than ~~November~~ *October* 1 and ~~May~~ *April* 1 of each year.

(4) Each county auditor-controller shall disburse proceeds of asset sales or reserve balances, which have been received from the successor entities pursuant to Sections 34177 and 34187, to the taxing entities. In making such a distribution, the county auditor-controller shall utilize the same methodology for allocation and distribution of property tax revenues provided in Section 34188.

(d) By October 1, 2012, the county auditor-controller shall report the following information to the Controller's office and the Director of Finance:

(1) The sums of property tax revenues remitted to the Redevelopment Property Tax Trust Fund related to each former redevelopment agency.

(2) The sums of property tax revenues remitted to each agency under paragraph (1) of subdivision (a) of Section 34183.

(3) The sums of property tax revenues remitted to each successor agency pursuant to paragraph (2) of subdivision (a) of Section 34183.

(4) The sums of property tax revenues paid to each successor agency pursuant to paragraph (3) of subdivision (a) of Section 34183.

(5) The sums paid to each city, county, and special district, and the total amount allocated for schools pursuant to paragraph (4) of subdivision (a) of Section 34183.

(6) Any amounts deducted from other distributions pursuant to subdivision (b) of Section 34183.

(e) A county auditor-controller may charge the Redevelopment Property Tax Trust Fund for the costs of administering the provisions of this part.

(f) The Controller may audit and review any county auditor-controller action taken pursuant to the act adding this part.

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As such, all county auditor-controller actions shall not be effective for three business days, pending a request for review by the Controller. In the event that the Controller requests a review of a given county auditor-controller action, he or she shall have 10 days from the date of his or her request to approve the county auditor-controller's action or return it to the county auditor-controller for reconsideration and ~~such~~ *the* county ~~auditor-controller~~ *auditor-controller's* action shall not be effective until approved by the Controller. In the event that the Controller returns the county auditor-controller's action to the county auditor-controller for reconsideration, the county auditor-controller must resubmit the modified action for Controller approval and ~~such~~ *the* modified county ~~auditor-controller~~ *auditor-controller's* action shall not become effective until approved by the Controller.

SEC. 24. Section 34182.5 is added to the Health and Safety Code, to read:

34182.5. A county auditor-controller may review the Recognized Obligation Payment Schedules and object to the inclusion of any items that are not demonstrated to be enforceable obligations and may object to the funding source proposed for any items. This review may take place prior to the submission of the Recognized Obligation Payment Schedule to the oversight board or subsequent to oversight board action. The county auditor-controller shall promptly transmit notice of any of those objections to the successor agency, the oversight board, and the Department of Finance. Notice shall be given at least 60 days prior to an allocation date specified in Section 34183, except that for the January 1, 2013 to June 30, 2013 Recognized Obligation Payment Schedule, notice shall be given no later than October 1, 2012. If an oversight board disputes the finding of the county auditor-controller, it may refer the matter to the Department of Finance for a determination of what will be approved for inclusion in the Recognized Obligation Payment Schedule.

SEC. 25. Section 34183 of the Health and Safety Code is amended to read:

34183. (a) Notwithstanding any other law, from February 1, 2012, to July 1, 2012, and for each fiscal year thereafter, the county auditor-controller shall, after deducting administrative costs allowed under Section 34182 and Section 95.3 of the Revenue and

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Taxation Code, allocate moneys in each Redevelopment Property Tax Trust Fund as follows:

(1) Subject to any prior deductions required by subdivision (b), first, the county auditor-controller shall remit from the Redevelopment Property Tax Trust Fund to each local agency and school entity an amount of property tax revenues in an amount equal to that which would have been received under Section 33401, 33492.140, 33607, 33607.5, 33607.7, or 33676, as those sections read on January 1, 2011, or pursuant to any passthrough agreement between a redevelopment agency and a taxing ~~jurisdiction~~ *entity* that was entered into prior to January 1, 1994, that would be in force during that fiscal year, had the redevelopment agency existed at that time. The amount of the payments made pursuant to this paragraph shall be calculated solely on the basis of passthrough payment obligations, existing prior to the effective date of this part and continuing as obligations of successor entities, shall occur no later than May 16, 2012, and no later than June 1, 2012, and each January ~~16~~ *2* and June 1 thereafter. Notwithstanding subdivision (e) of Section 33670, that portion of the taxes in excess of the amount identified in subdivision (a) of Section 33670, which are attributable to a tax rate levied by a taxing ~~agency~~ *entity* for the purpose of producing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing ~~agency~~ *entity. The amount of passthrough payments computed pursuant to this section, including any passthrough agreements, shall be computed as though the requirement to set aside funds for the Low and Moderate Income Housing Fund was still in effect.*

(2) Second, on ~~May 16, 2012, and~~ June 1, 2012, and each January ~~16~~ *2* and June 1 thereafter, to each successor agency for payments listed in its Recognized Obligation Payment Schedule for the six-month fiscal period beginning January 1, 2012, ~~or~~ *and* July 1, 2012, and each January ~~16~~ *2* and June 1 thereafter, in the following order of priority:

(A) Debt service payments scheduled to be made for tax allocation bonds.

(B) Payments scheduled to be made on revenue bonds, but only to the extent the revenues pledged for them are insufficient to make

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the payments and only ~~where~~ *if* the agency's tax increment revenues were also pledged for the repayment of the bonds.

(C) Payments scheduled for other debts and obligations listed in the Recognized Obligation Payment Schedule that are required to be paid from former tax increment revenue.

(3) Third, on ~~May 16, 2012, and~~ June 1, 2012, and each January ~~16~~ *2* and June 1 thereafter, to each successor agency for the administrative cost allowance, as defined in Section 34171, for administrative costs set forth in an approved administrative budget for those payments required to be paid from former tax increment revenues.

(4) Fourth, on ~~May 16, 2012, and~~ June 1, 2012, and each January ~~16~~ *2* and June 1 thereafter, any moneys remaining in the Redevelopment Property Tax Trust Fund after the payments and transfers authorized by paragraphs (1) to (3), inclusive, shall be distributed to local agencies and school entities in accordance with Section 34188.

(b) If the successor agency reports, no later than April 1, 2012, and May 1, 2012, and each December 1 and May 1 thereafter, to the county auditor-controller that the total amount available to the successor agency from the Redevelopment Property Tax Trust Fund allocation to that successor agency's Redevelopment Obligation Retirement Fund, from other funds transferred from each redevelopment agency, and from funds that have or will become available through asset sales and all redevelopment operations, are insufficient to fund the payments required by paragraphs (1) to (3), inclusive, of subdivision (a) in the next six-month fiscal period, the county auditor-controller shall notify the Controller and the Department of Finance no later than 10 days from the date of that notification. The county auditor-controller shall verify whether the successor agency will have sufficient funds from which to service debts according to the Recognized Obligation Payment Schedule and shall report the findings to the Controller. If the Controller concurs that there are insufficient funds to pay required debt service, the amount of the deficiency shall be deducted first from the amount remaining to be distributed to taxing entities pursuant to paragraph (4), and if that amount is exhausted, from amounts available for distribution for administrative costs in paragraph (3). If an agency, pursuant to the provisions of Section 33492.15, 33492.72, 33607.5, 33671.5,

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33681.15, or 33688~~;~~ *or as expressly provided in a passthrough agreement entered into pursuant to Section 33401,* made passthrough payment obligations subordinate to debt service payments required for enforceable obligations, funds for servicing bond debt may be deducted from the amounts for passthrough payments under paragraph (1), as provided in those sections, but only to the extent that the amounts remaining to be distributed to taxing entities pursuant to paragraph (4) and the amounts available for distribution for administrative costs in paragraph (3) have all been exhausted.

(c) The county treasurer may loan any funds from the county treasury *to the Redevelopment Property Tax Trust Fund of the successor agency for the purpose of paying an item approved on the Recognized Obligation Payment Schedule at the request of the Department of Finance* that are necessary to ensure prompt payments of redevelopment agency debts. *An enforceable obligation is created for repayment of those loans.*

(d) The Controller may recover the costs of audit and oversight required under this part from the Redevelopment Property Tax Trust Fund by presenting an invoice therefor to the county auditor-controller who shall set aside sufficient funds for and disburse the claimed amounts prior to making the next distributions to the taxing ~~jurisdictions~~ *entities* pursuant to Section 34188. Subject to the approval of the Director of Finance, the budget of the Controller may be augmented to reflect the reimbursement, pursuant to Section 28.00 of the Budget Act.

(e) Within 10 days of each distribution of property tax, the county auditor-controller shall provide a report to the department regarding the distribution for each successor agency that includes information on the total available for allocation, the passthrough amounts and how they were calculated, the amounts distributed to successor agencies, and the amounts distributed to taxing entities in a manner and form specified by the department. This reporting requirement shall also apply to distributions required under subdivision (b) of Section 34183.5.

SEC. 26. Section 34183.5 is added to the Health and Safety Code, to read:

34183.5. (a) The Legislature hereby finds and declares that due to the delayed implementation of this part due to the California Supreme Court's ruling in the case California Redevelopment

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Association v. Matosantos et al. (2011) 53 Cal.4th 231, some disruption to the intended application of this part and other law with respect to passthrough payments may have occurred.

(1) If a redevelopment agency or successor agency did not pay any portion of an amount owed for the 2011–12 fiscal year to an affected taxing entity pursuant to Section 33401, 33492.140, 33607, 33607.5, 33607.7, or 33676, or pursuant to any passthrough agreement entered into before January 1, 1994, between a redevelopment agency and an affected taxing entity, and to the extent the county auditor-controller did not remit the amounts owed for passthrough payments during the 2011–12 fiscal year, the county auditor-controller shall make the required payments to the taxing entities owed passthrough payments and shall reduce the amounts to which the successor agency would otherwise be entitled pursuant to paragraph (2) of subdivision (a) of Section 34183 at the next allocation of property tax under this part, subject to the provisions of subdivision (b) of Section 34183. If the amount of available property tax allocation to the successor agency is not sufficient to make the required payment, the county auditor-controller shall continue to reduce allocations to the successor agency under paragraph (2) of subdivision (a) of Section 34183 until the time that the owed amount is fully paid. Alternately, the county auditor-controller may accept payment from the successor agency's reserve funds for payments of passthrough payments owed as defined in this subdivision.

(2) If a redevelopment agency did not pay any portion of the amount owed for the 2011–12 fiscal year to an affected taxing entity pursuant to Section 33401, 33492.140, 33607, 33607.5, 33607.7, or 33676, or pursuant to any passthrough agreement entered into before January 1, 1994, between a redevelopment agency and an affected taxing entity, but the county auditor-controller did pay the difference that was owing, the auditor controller shall deduct from the next allocation of property tax to the successor agency under paragraph (2) of subdivision (a) of Section 34183, the amount of the payment made on behalf of the successor agency by the county auditor-controller, not to exceed one-half the amount of passthrough payments owed for the 2011–12 fiscal year. If the amount of available property tax allocation to the successor agency is not sufficient to make the required deduction, the county auditor-controller shall continue

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to reduce allocations to the successor agency under paragraph (2) of subdivision (a) of Section 34183 until the time that the amount is fully deducted. Alternatively, the auditor-controller may accept payment from the successor agency's reserve funds for deductions of passthrough payments owed as defined in this subdivision. Amounts reduced from successor agency payments under this paragraph are available for the purposes of paragraphs (2) to (4), inclusive, of subdivision (a) of Section 34183 for the six-month period for which the property tax revenues are being allocated.

(b) In recognition of the fact that county auditor-controllers were unable to make the payments required by paragraph (4) of subdivision (a) of Section 34183 for the period January 1, 2012, through June 30, 2012, on January 16, 2012, due to the California Supreme Court's ruling in the case of California Redevelopment Association v. Matosantos (2011) 53 Cal.4th 231, in addition to taking the actions specified in Section 34183 with respect to the June 1 property tax allocations, county auditor-controllers should have made allocations as provided in paragraph (1).

(1) From the allocations made on June 1, 2012, for the Recognized Obligation Payment Schedule covering the period July 1, 2012, through December 31, 2012, deduct from the amount that otherwise would be deposited in the Redevelopment Property Tax Trust Fund on behalf of the successor agency an amount equivalent to the amount that each affected taxing entity was entitled to pursuant to paragraph (4) of subdivision (a) of Section 34183 for the period January 1, 2012, through June 30, 2012. The amount to be retained by taxing entities pursuant to paragraph (4) of subdivision (a) of Section 34183 for the January 1, 2012, through June 30, 2012, period is determined based on the Recognized Obligation Payment Schedule approved by the Department of Finance pursuant to subdivision (h) of Section 34179 and any amount determined to be owed pursuant to subdivision (b). Any amounts so computed shall not be offset by any shortages in funding for recognized obligations for the period covering July 1, 2012, through December 31, 2012.

(2) (A) If an affected taxing entity has not received the full amount to which it was entitled pursuant to paragraph (4) of subdivision (a) of Section 34183 of the property tax distributed for the period January 1, 2012, through June 30, 2012, and

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paragraph (1), no later than July 9, 2012, the county auditor-controller shall determine the amount, if any, that is owed by each successor agency to taxing entities and send a demand for payment from the funds of the successor agency for the amount owed to taxing entities if it has distributed the June 1, 2012, allocation to the successor agencies. No later than July 12, 2012, successor agencies shall make payment of the amounts demanded to the county auditor-controller for deposit into the Redevelopment Property Tax Trust Fund and subsequent distribution to taxing entities. No later than July 16, 2012, the county auditor-controller shall make allocations of all money received by that date from successor agencies in amounts owed to taxing entities under this paragraph to taxing entities in accordance with Section 34183. The county auditor-controller shall make allocations of any money received after that date under this paragraph within five business days of receipt. These duties are not discretionary and shall be carried out with due diligence.

(B) If a county auditor-controller fails to determine the amounts owed to taxing entities and present a demand for payment by July 9, 2012, to the successor agencies, the Department of Finance or any affected taxing entity may request a writ of mandate to require the county auditor-controller to immediately perform this duty. Such actions may be filed only in the County of Sacramento and shall have priority over other civil matters. Any county in which the county auditor-controller fails to perform the duties under this paragraph shall be subject to a civil penalty of 10 percent of the amount owed to taxing entities plus 1.5 percent of the amount owed to taxing entities for each month that the duties are not performed. The civil penalties shall be payable to the taxing entities under Section 34183. Additionally, any county in which the county auditor-controller fails to make the required determinations and demands for payment under this paragraph by July 9, 2012, or fails to distribute the full amount of funds received from successor agencies as required by this paragraph shall not receive the distribution of sales and use tax scheduled for July 18, 2012, or any subsequent payment, up to the amount owed to taxing entities, until the county auditor-controller performs the duties required by this paragraph.

(C) If a successor agency fails to make the payment demanded under subparagraph (A) by July 12, 2012, the Department of

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Finance or any affected taxing entity may file for a writ of mandate to require the successor agency to immediately make this payment. Such actions may be filed only in the County of Sacramento and shall have priority over other civil matters. Any successor agency that fails to make payment by July 12, 2012, under this paragraph shall be subject to a civil penalty of 10 percent of the amount owed to taxing entities plus one and one-half percent of the amount owed to taxing entities for each month that the payments are not made. Additionally, the city or county or city and county that created the redevelopment agency shall also be subject to a civil penalty of 10 percent of the amount owed to taxing entities plus 1.5 percent of the amount owed to taxing entities for each month the payment is late. The civil penalties shall be payable to the taxing entities under Section 34183. If the Department of Finance finds that the imposition of penalties will jeopardize the payment of enforceable obligations it may request the court to waive some or all of the penalties. A successor agency that does not pay the amount required under this subparagraph by July 12, 2012, shall not pay any obligations other than bond debt service until full payment is made to the county auditor-controller. Additionally, any city, county or city and county that created the redevelopment agency that fails to make the required payment under this paragraph by July 12, 2012, shall not receive the distribution of sales and use tax scheduled for July 18, 2012, or any subsequent payment, up to the amount owed to taxing entities, until the payment required by this paragraph is made.

(D) The Legislature hereby finds and declares that time is of the essence. Funds that should have been received and were expected and spent in anticipation of receipt by community colleges, schools, counties, cities, and special districts have not been received resulting in significant fiscal impact to the state and taxing entities. Continued delay and uncertainly whether funds will be received warrants the availability of extraordinary relief as authorized herein.

(3) If an affected taxing entity has not received the full amount to which it was entitled pursuant to paragraph (4) of subdivision (a) of Section 34183 for the period January 1, 2012, through June 30, 2012, and paragraph (1), the county auditor-controller shall reapply the provisions of paragraph (1) to each subsequent property tax allocation until such time as the affected taxing entity

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has received the full amount to which it was entitled pursuant to paragraph (4) of subdivision (a) of Section 34183 for the period January 1, 2012, through June 30, 2012.

SEC. 27. Section 34185 of the Health and Safety Code is amended to read:

34185. Commencing on ~~May 16, 2012~~ *June 1, 2012*, and on each January ~~16~~ *2* and June 1 thereafter, the county auditor-controller shall transfer, from the Redevelopment Property Tax Trust Fund of each successor agency into the Redevelopment Obligation Retirement Fund of that agency, an amount of property tax revenues equal to that specified in the Recognized Obligation Payment Schedule for that successor agency as payable from the Redevelopment Property Tax Trust Fund subject to the limitations of ~~Sections 34173 and~~ *subdivision (l) of Section 34177 and Section* 34183.

SEC. 28. Section 34186 of the Health and Safety Code is amended to read:

34186. *(a)* Differences between actual payments and past estimated obligations on recognized obligation payment schedules ~~must~~ *shall* be reported in subsequent recognized obligation payment schedules and shall adjust the amount to be transferred to the Redevelopment Obligation Retirement Fund pursuant to this part. These estimates and accounts shall be subject to audit by county auditor-controllers and the Controller.

(b) Differences between actual passthrough obligations and property tax amounts and the amounts used by the county auditor-controller in determining the amounts to be allocated under Sections 34183 and 34188 for a prior six-month period shall be applied as adjustments to the property tax and passthrough amounts in subsequent periods as they become known. County auditor-controllers shall not delay payments under this part to successor agencies or taxing entities based on pending transactions, disputes, or for any other reason, other than a court order, and shall use the Recognized Obligation Payment Schedule approved by the Department of Finance and the most current data for passthroughs and property tax available prior to the statutory distribution dates to make the allocations required on the dates required.

SEC. 29. Section 34187 of the Health and Safety Code is amended to read:

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34187. *(a) (1)* Commencing May 1, 2012, whenever a recognized obligation that had been identified in the Recognized Payment Obligation Schedule is paid off or retired, either through early payment or payment at maturity, the county auditor-controller shall distribute to the taxing entities, in accordance with the provisions of the Revenue and Taxation Code, all property tax revenues that were associated with the payment of the recognized obligation.

(2) Notwithstanding paragraph (1), the Department of Finance may authorize a successor agency to retain property tax that otherwise would be distributed to affected taxing entities pursuant to this subdivision, to the extent the department determines the successor agency requires those funds for the payment of enforceable obligations. Upon making a determination, the department shall provide the county auditor-controller with information detailing the amounts that it has authorized the successor agency to retain. Upon determining the successor agency no longer requires additional funds pursuant to this subdivision, the department shall notify the successor agency and the county auditor-controller. The county auditor-controller shall then distribute the funds in question to the affected taxing entities in accordance with the provisions of the Revenue and Taxation Code.

(b) When all of the debt of a redevelopment agency has been retired or paid off, the successor agency shall dispose of all remaining assets and terminate its existence within one year of the final debt payment. When the successor agency is terminated, all passthrough payment obligations shall cease and no property tax shall be allocated to the Redevelopment Property Tax Trust Fund for that agency.

SEC. 30. Section 34188 of the Health and Safety Code is amended to read:

34188. For all distributions of property tax revenues and other moneys pursuant to this part, the distribution to each taxing entity shall be in an amount proportionate to its share of property tax revenues in the tax rate area in that fiscal year, as follows:

(a) (1) For distributions from the Redevelopment Property Tax Trust Fund, the share of each taxing entity shall be applied to the amount of property tax available in the Redevelopment Property Tax Trust Fund after deducting the amount of any distributions under paragraphs (2) and (3) of subdivision (a) of Section 34183.

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(2) For each taxing entity that receives passthrough payments, that agency shall receive the amount of any passthrough payments identified under paragraph (1) of subdivision (a) of Section 34183, in an amount not to exceed the amount that it would receive pursuant to this section in the absence of the passthrough agreement. However, to the extent that the passthrough payments received by the taxing entity are less than the amount that the taxing entity would receive pursuant to this section in the absence of a passthrough agreement, the taxing entity shall receive an additional payment that is equivalent to the difference between those amounts.

(b) Property tax shares of local agencies shall be determined based on property tax allocation laws in effect on the date of distribution, without the revenue exchange amounts allocated pursuant to Section 97.68 of the Revenue and Taxation Code, and without the property taxes allocated pursuant to Section 97.70 of the Revenue and Taxation Code.

(c) The total school share, including passthroughs, shall be the share of the property taxes that would have been received by school entities, as defined in subdivision (f) of Section 95 of the Revenue and Taxation Code, in the jurisdictional territory of the former redevelopment agency, including, but not limited to, the amounts specified in Sections 97.68 and 97.70 of the Revenue and Taxation Code.

(d) This section shall not be construed to increase any allocations of excess, additional, or remaining funds that would otherwise have been allocated to cities, counties, cities and counties, or special districts pursuant to clause (i) of subparagraph (B) of paragraph (4) of subdivision (d) of Section 97.2, clause (i) of subparagraph (B) of paragraph (4) of subdivision (d) of Section 97.3, or Article 4 (commencing with Section 98) of Chapter 6 of Part 0.5 of Division 1, of the Revenue and Taxation Code, had this section not been enacted.

SEC. 31. Section 34189 of the Health and Safety Code is amended to read:

34189. (a) Commencing on the effective date of this part, all provisions of the Community Redevelopment Law that depend on the allocation of tax increment to redevelopment agencies, including, but not limited to, Sections 33445, 33640, 33641, 33645, and subdivision (b) of Section 33670, shall be inoperative, except

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as those sections apply to a redevelopment agency operating pursuant to Part 1.9 (commencing with Section 34192).

~~(b) The California Law Revision Commission shall draft a Community Redevelopment Law cleanup bill for consideration by the Legislature no later than January 1, 2013.~~

~~(c)~~

(b) To the extent that a provision of Part 1 (commencing with Section 33000), Part 1.5 (commencing with Section 34000), Part 1.6 (commencing with Section 34050), and Part 1.7 (commencing with Section 34100) conflicts with this part, the provisions of this part shall control. Further, if a provision of Part 1 (commencing with Section 33000), Part 1.5 (commencing with Section 34000), Part 1.6 (commencing with Section 34050), or Part 1.7 (commencing with Section 34100) provides an authority that the act adding this part is restricting or eliminating, the restriction and elimination provisions of the act adding this part shall control.

~~(d)~~

(c) It is intended that the provisions of this part shall be read in a manner as to avoid duplication of payments.

SEC. 32. Section 34189.1 is added to the Health and Safety Code, to read:

34189.1. No party, public or private, may pursue, nor does a court have jurisdiction over, a validation action with respect to any action of a redevelopment agency or a successor agency to a redevelopment agency that took place on or after January 1, 2011, unless the Department of Finance and the Controller, representing interests of the State of California and each of the taxing entities who could be affected financially by the action, has been properly noticed. All actions shall be filed in the County of Sacramento.

SEC. 33. Section 34189.2 is added to the Health and Safety Code, to read:

34189.2. A successor agency or any party to an enforceable obligation as defined under this part shall properly notice the state with respect to a validation action involving any enforceable obligation or matter of title to an asset that belonged to a redevelopment agency. For such an action to be properly filed, both the Controller and the Director of Finance shall be noticed and actions shall be filed in the County of Sacramento.

SEC. 34. Section 34189.3 is added to the Health and Safety Code, to read:

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34189.3. An action contesting any act taken or determinations or decisions made pursuant to this part or Part 1.8 (commencing with Section 34161) may be brought in superior court and shall be filed in the County of Sacramento.

SEC. 35. Chapter 9 (commencing with Section 34191.1) is added to Part 1.85 of Division 24 of the Health and Safety Code, to read:

CHAPTER 9. POSTCOMPLIANCE PROVISIONS

34191.1. The provisions of this chapter shall apply to a successor agency upon that agency's receipt of a finding of completion by the Department of Finance pursuant to Section 34179.7.

34191.3. Notwithstanding Section 34191.1, the requirements specified in subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be suspended, except as those provisions apply to the transfers for governmental use, until the Department of Finance has approved a long-range property management plan pursuant to subdivision (b) of Section 34191.5, at which point the plan shall govern, and supersede all other provisions relating to, the disposition and use of the real property assets of the former redevelopment agency. If the department has not approved a plan by January 1, 2015, subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be operative with respect to that successor agency.

34191.4. The following provisions shall apply to any successor agency that has been issued a finding of completion by the Department of Finance:

(a) All real property and interests in real property identified in subparagraph (C) of paragraph (5) of subdivision (c) of Section 34179.5 shall be transferred to the Community Redevelopment Property Trust Fund of the successor agency upon approval by the Department of Finance of the long-range property management plan submitted by the successor agency pursuant to subdivision (b) of Section 34191.7 unless that property is subject to the requirements of any existing enforceable obligation.

(b) (1) Notwithstanding subdivision (d) of Section 34171, upon application by the successor agency and approval by the oversight board, loan agreements entered into between the redevelopment

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agency and the city, county, or city and county that created by the redevelopment agency shall be deemed to be enforceable obligations provided that the oversight board makes a finding that the loan was for legitimate redevelopment purposes.

(2) If the oversight board finds that the loan is an enforceable obligation, the accumulated interest on the remaining principal amount of the loan shall be recalculated from origination at the interest rate earned by funds deposited into the Local Agency Investment Fund. The loan shall be repaid to the city, county, or city and county in accordance with a defined schedule over a reasonable term of years at an interest rate not to exceed the interest rate earned by funds deposited into the Local Agency Investment Fund. The annual loan repayments provided for in the recognized obligations payment schedules shall be subject to all of the following limitations:

(A) Loan repayments shall not be made prior to the 2013–14 fiscal year. Beginning in the 2013–14 fiscal year, the maximum repayment amount authorized each fiscal year for repayments made pursuant to this subdivision and paragraph (7) of subdivision (e) of Section 34176 combined shall be equal to one-half of the increase between the amount distributed to the taxing entities pursuant to paragraph (4) of subdivision (a) of Section 34183 in that fiscal year and the amount distributed to taxing entities pursuant to that paragraph in the 2012–13 base year. Loan or deferral repayments made pursuant to this subdivision shall be second in priority to amounts to be repaid pursuant to paragraph (7) of subdivision (e) of Section 34176.

(B) Repayments received by the city, county or city and county that formed the redevelopment agency shall first be used to retire any outstanding amounts borrowed and owed to the Low and Moderate Income Housing Fund of the former redevelopment agency for purposes of the Supplemental Educational Revenue Augmentation Fund and shall be distributed to the Low and Moderate Income Housing Asset Fund established by subdivision (d) of Section 34176.

(C) Twenty percent of any loan repayment shall be deducted from the loan repayment amount and shall be transferred to the Low and Moderate Income Housing Asset Fund, after all outstanding loans from the Low and Moderate Income Housing

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Fund for purposes of the Supplemental Educational Revenue Augmentation Fund have been paid.

(c) (1) Bond proceeds derived from bonds issued on or before December 31, 2010, shall be used for the purposes for which the bonds were sold.

(2) (A) Notwithstanding Section 34177.3 or any other conflicting provision of law, bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations shall thereafter be expended in a manner consistent with the original bond covenants. Enforceable obligations may be satisfied by the creation of reserves for projects that are the subject of the enforceable obligation and that are consistent with the contractual obligations for those projects, or by expending funds to complete the projects. An expenditure made pursuant to this paragraph shall constitute the creation of excess bond proceeds obligations to be paid from the excess proceeds. Excess bond proceeds obligations shall be listed separately on the Recognized Obligation Payment Schedule submitted by the successor agency.

(B) If remaining bond proceeds cannot be spent in a manner consistent with the bond covenants pursuant to subparagraph (A), the proceeds shall be used to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation.

34191.5. (a) There is hereby established a Community Redevelopment Property Trust Fund, administered by the successor agency, to serve as the repository of the former redevelopment agency's real properties identified in subparagraph (C) of paragraph (5) of subdivision (c) of Section 34179.5.

(b) The successor agency shall prepare a long-range property management plan that addresses the disposition and use of the real properties of the former redevelopment agency. The report shall be submitted to the oversight board and the Department of Finance for approval no later than six months following the issuance to the successor agency of the finding of completion.

(c) The long-range property management plan shall do all of the following:

(1) Include an inventory of all properties in the trust. The inventory shall consist of all of the following information:

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

MV00173980

(B) The purpose for which the property was acquired.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

(H) A brief history of previous development proposals and activity, including the rental or lease of property.

(2) Address the use or disposition of all of the properties in the trust. Permissible uses include the retention of the property for governmental use pursuant to subdivision (a) of Section 34181, the retention of the property for future development, the sale of the property, or the use of the property to fulfill an enforceable obligation. The plan shall separately identify and list properties in the trust dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation. With respect to the use or disposition of all other properties, all of the following shall apply:

(A) If the plan directs the use or liquidation of the property for a project identified in an approved redevelopment plan, the property shall transfer to the city, county, or city and county.

(B) If the plan directs the liquidation of the property or the use of revenues generated from the property, such as lease or parking revenues, for any purpose other than to fulfill an enforceable obligation or other than that specified in subparagraph (A), the proceeds from the sale shall be distributed as property tax to the taxing entities.

(C) Property shall not be transferred to a successor agency, city, county, or city and county, unless the long-range property management plan has been approved by the oversight board and the Department of Finance.

MV00173981

SEC. 36. The Legislature finds and declares as follows:

(a) Certain provisions of Assembly Bill 26 of the 2011–12 First Extraordinary Session of 2011 (Ch. 5, 2011–12 First Ex. Sess.) are internally inconsistent, or uncertain in their meaning, with regard to the calculation of the amount to be paid by a county auditor-controller from the Redevelopment Property Tax Trust Fund to meet passthrough payment obligations to local agencies and school entities.

(b) Consistent with the statement in Section 34183 of the Health and Safety Code, as added by the measure identified in subdivision (a), that the provisions of that section are to apply "[n]otwithstanding any other law," it was the intent of the Legislature in enacting that measure that the amount of the passthrough payments that are addressed by that section be determined in the manner specified by paragraph (1) of subdivision (a) of Section 34183 of the Health and Safety Code, and that the amount so calculated not be reduced or adjusted pursuant to the operation of any other provision of that measure.

SEC. 37. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application and to this end, the provisions of this act are severable.

SEC. 38. There is hereby appropriated up to twenty-two million dollars ($22,000,000) from the General Fund, for allocation to departments by the Director of Finance in furtherance of the objectives of this act. Up to two million dollars ($2,000,000) of this amount may be allocated to the Director of the Trial Court Trust Fund for allocation by the Administrative Office of the Courts to the Superior Court of California, County of Sacramento for work associated with Part 1.85 (commencing with Section 34170) of Division 24 of the Health and Safety Code. An allocation of funds approved by the Director of Finance under this item shall become effective no sooner than 30 days after the director files written notification thereof with the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the fiscal committees in each house of the Legislature, or no sooner than any lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.

MV00173982

1 *SEC. 39. No reimbursement is required by this act pursuant*
2 *to Section 6 of Article XIII B of the California Constitution because*
3 *this act provides for offsetting savings to local agencies or school*
4 *districts that result in no net costs to the local agencies or school*
5 *districts, within the meaning of Section 17556 of the Government*
6 *Code.*
7 *SEC. 40. This act is a bill providing for appropriations related*
8 *to the Budget Bill within the meaning of subdivision (e) of Section*
9 *12 of Article IV of the California Constitution, has been identified*
10 *as related to the budget in the Budget Bill, and shall take effect*
11 *immediately.*
12 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
13 ~~changes relating to the Budget Act of 2012.~~

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MV00173983

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in their capacity as City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING PROPOSED ADMINISTRATIVE BUDGET FOR THE PERIOD OF JANUARY 1, 2013 TO JUNE 30, 2013

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as Board Members as City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

1. Adopt Resolution No. 2012-72 approving the proposed Administrative Budget for the period of January 1, 2013 to June 30, 2013;

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the proposed Administrative Budget (Exhibit "A") to the Oversight Board for review and approval.

BACKGROUND

The City of Moreno Valley is the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley pursuant to Part 1.85 of Division 24 of the Health and Safety Code. As Successor Agency, the City is responsible for winding down the

affairs of the redevelopment agency including preparing a proposed administrative budget for the six-month period, and submits to the Oversight Board for approval.

The Administrative Budget is to include: (1) estimated amounts for successor agency administrative costs for the six-month fiscal period; (2) proposed sources of payment for the items identified in item (1); and (3) proposals for arrangements for administrative and operations services provided by a city or other entity.

DISCUSSION

The Successor Agency and the Oversight Board are required to adopt administrative budget for the six month period in order to designate the administrative allowance amount to be funded from the distribution of property tax revenues.

Upon approval by the Successor Agency, the proposed administrative budget will be transmitted to the Oversight Board for consideration and approval on August 29, 2012.

SUMMARY

As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations, as well as preparing an administrative budget of the Successor Agency. The proposed Administrative Budget for the period of January 1, 2013 to June 30, 2013 will provide the funding for the administrative and operations services for the period.

NOTIFICATION

No public notice is required prior to the City Council taking action on this item. However, the agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council agendas.

ALTERNATIVES

1. Adopt the attached resolution, which approves the proposed Administrative Budget the period of January 1, 2013 to June 30, 2013, authorizing the Executive Director or his designee to make modifications thereto, and authorizing the transmittal of the certified Schedule to the Oversight Board for review and approval. *Staff recommends this alternative because it allows the City serving as the Successor Agency to make required debt service payments in accordance with the State legislation.*

2. Decline to adopt the attached resolution which would not allow the City, acting as the Successor Agency, to maintain the operations, and fulfill debt obligations of the former RDA as required by law. *Staff does not recommend this alternative.*

FISCAL IMPACT

The Successor Agency has incurred and will incur administrative expenses in the preparation of the materials being presented to the Oversight Board. The Successor Agency will request from to the County-Auditor Controller the costs related to administration of the Successor Agency. The Administrative Budget, as prepared by Successor Agency staff, reflects the current estimates for anticipated costs in the views of Successor Agency staff. Costs are as estimated in the proposed Administrative Budget submitted with this report.

ATTACHMENTS/EXHIBITS

Attachment A - Resolution No. 2012-72
Exhibit A - Proposed Administrative Budget for January 1, 2013 through June 30, 2013.

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Concurred by:
Dante Hall
Redevelopment & Neighborhood Programs Administrator

Concurred by:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY SERVING AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE PROPOSED ADMINISTRATIVE BUDGET AND AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO MAKE MODIFICATIONS THERETO

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011 (which dated has been deemed to be February 1, 2012 pursuant to a decision by the California Supreme Court), and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain

"enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, in connection with the implementation of those provisions of ABX1 26, the Health and Safety Code Section 34177(j) provides, in part, that a Successor Agency is to "Prepare a proposed administrative budget and submit it to the oversight board for its approval", and that such administrative budget is to include: (1) estimated amounts for successor agency administrative costs for the upcoming six-month fiscal period; (2) proposed sources of payment for the items identified in item (1); and (3) proposals for arrangements for administrative and operations services provided by a city or other entity; and

WHEREAS, an oversight board, as provided under ABX1 26 ("Oversight Board") has been established for the former Agency;

WHEREAS, pursuant to ABX1 26 and the implementation thereof, the Sucessor Agency desires to adopt an administrative budget for the period covering January 1, 2013 through June 30, 2013 in the form submitted herewith. The proposed administrative budget is attached hereto, marked as Exhibit "A" and are incorporated herein by reference. By this resolution, the City Council, on behalf of the Successor Agency, approves and authorizes the transmittal of the proposed administrative budget to the Oversight Board;

WHEREAS, given the adoption of ABX1 26, the City Council, on behalf of the City acting in its capacity as Successor Agency to the Agency, has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, in its capacity as Successor Agency to the Agency, and the health, safety, and welfare of the residents of the City, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, SERVING AS THE SUCCESSOR AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That Proposed Administrative Budget (Exhibit "A") is approved for the above-referenced period, together with such augmentation, modification, additions or revisions as the Executive Director of the Successor Agency or his designee may make thereto.

Section 3. The City Clerk shall cause the proposed administrative budget to be transmitted to the Oversight Board.

Section 4. This Resolution shall be effective immediately upon adoption.

Section 5. The City Clerk shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of the Successor Agency

ATTEST:

_____
City Clerk

APPROVE AS TO FORM:

_____
City Attorney

Resolution No. 2012-72
Date Adopted: August 28, 2012

Resolution Jurat

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

City Clerk

Resolution No. 2012-72
Date Adopted: August 28, 2012

SUCESSOR AGENCY ADMINISTRATIVE BUDGET

79110

Obj. Acct	Sub	Account Description	Period Covering July-December 2012
6100		SALARIES AND BENEFITS	
6110		SALARIES	
6111		Salaries/Exempt	$ 49,201
6114		Salaries/Non-exempt	$ 10,359
6116		Salaries/Part-time	$ 4,380
6111		Salaries Other Staff (temp assigned)	$ 65,427
6124		BENEFITS	$ 17,622
6134		Retirement Plan	$ 271
6136		Annuity Program	$ 903
6138		Medicare Insurance	$ 11,383
6144		Benefit Bank	$ 383
6145		Group Life Insurance	$ 602
6146		ST/ LT Disability	$ 985
6147		Add 2, 4, 6% Mgmt Package	$ 1,500
6150		Workers Compensation	$ 4,000
		SALARIES AND BENEFITS	**$ 167,015**
6253		Audit Services	$ 12,000
6255		Other Profess. Services	$ 25,000
6311		Office Supplies	$ 2,500
6313		Printed Supply	$ 1,430
		OPERATING COSTS	**$ 40,930**
		TOTALS	**$ 207,945**

EXHIBIT A

		ROA & Neighborhood Administrator	Sr. Financial Analyst	Sr. Admin Assistant	Sr. Office Assistant	Staff - Temp assigned	Operating Costs	Total		July-Dec 2012 ROPS	Jan-June 2013 ROPS
	Salary Allocation	40%	80%	40%	50%						
	SALARIES										
6111	Salaries/Exempt	37,184	61,218					$ 98,402		$ 49,201	$ 49,201
6114	Salaries/Non-exempt			20,718				$ 20,718		$ 10,359	$ 10,359
6116	Salaries/Part-time				8,759			$ 8,759		$ 4,380	$ 4,380
6111	Salaries Other Staff					154,539		$ 154,539		$ 89,112	$ 65,427
6124	Retirement Plan	10,997	18,112	6,135				$ 35,244		$ 17,622	$ 17,622
6136	Annuity Program	180	362					$ 542		$ 271	$ 271
6138	Medicare Insurance	550	906	350				$ 1,806		$ 903	$ 903
6144	Benefit Bank	5,692	11,382	5,691				$ 22,765		$ 11,383	$ 11,383
6145	Group Life Insurance	238	394	134				$ 766		$ 383	$ 383
6146	ST/ LT Disability	376	619	209				$ 1,204		$ 602	$ 602
6147	Add 2, 4, 6% Mgmt Package	743	1,226					$ 1,969		$ 985	$ 985
6,150	Workers Compensation							$ 3,000		$ 1,500	$ 1,500
6,155	Accrued Benefit Liabilities							$ 4,000			$ 4,000
								$ 353,714	**Salaries/Ben**	**$ 186,700**	**$ 167,015**
6253	Audit Services						16,000	$ 16,000		$ 4,000	$ 12,000
6255	Other Profess. Services						70,000	$ 70,000		$ 45,000	$ 25,000
6311	Office Supplies						5,000	$ 5,000		$ 2,500	$ 2,500
6313	Printed Supply						2,800	$ 2,800		$ 1,370	$ 1,430
								$ 93,800	**Operating Costs**	**$ 52,870**	**$ 40,930**
	TOTAL	$ 55,960	$ 94,219	$ 33,237	$ 8,759	$ 154,539	$ 93,800	$ 447,514	**Total**	**$ 239,570**	**$ 207,945**

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in its capacity as the Legislative Body for Community Facilities District No. 7

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: TERMINATION OF AUTHORITY TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 7, IMPROVEMENT AREA NO. 2 OF THE CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the City Council, acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley approve Resolution No. 2012-73 terminating the authority to annex territory to CFD No. 7, Improvement Area No. 2.

ADVISORY COMMITTEE RECOMMENDATION

NA

BACKGROUND

On April 8, 2008, the City Council approved the Acquisition/Financing Agreement ("Agreement") among the City of Moreno Valley ("City"), acting on behalf of itself and Community Facilities No. 7 ("CFD No. 7" or "District") and FR/CAL Moreno Valley, LLC., First Industrial L.P., and FR/CAL Indian Avenue LLC. The Agreement sets forth the legal obligations among all parties regarding their participation in the formation of CFD No. 7, land use entitlements, description of the improvements to be acquired by the City, general guidelines for the construction bidding process, method of payments and ownership/transfers of the public improvements to the City of Moreno Valley and to Riverside County Flood Control District and Water Conservation District ("RCFCD").

On May 13, 2008, the City Council adopted the following resolutions for CFD No. 7:

- Resolution No. 2008-50 to approve the Boundary map showing the boundaries of CFD No. 7;
- Resolution No. 2008-51 to declare the intention to form the District and authorization to levy a special tax to finance the acquisition and construction of certain public improvements;
- Resolution No. 2008-52 to declare the necessity to incur a bonded indebtedness to be secured by special taxes to pay for the acquisition and construction of the defined public improvements;
- Resolution No. 2008-53 adopting a map showing the boundaries of territory proposed to be annexed in the future to CFD No. 7; and
- Resolution No. 2008-54 declaring intention to provide for future annexation of territory to CFD No. 7.

On June 24, 2008, the City Council conducted the Public Hearing and took the following actions:

- Approved and adopted Resolution No. 2008-82 forming and establishing Community Facilities District No. 7 of the City of Moreno Valley, designating improvement areas therein and authorizing submittal of the levy of special taxes within each improvement area;
- Approved and adopted Resolution No. 2008-83 determining the necessity to incur a bonded indebtedness for each improvement area of Community Facilities District No. 7 of the City of Moreno Valley;
- Approved and adopted Resolution No. 2008-84 declaring the results of a special election in such community facilities district;
- Approved and adopted Resolution No. 2008-85 authorizing the annexation of territory in the future to Community Facilities District No. 7 of the City of Moreno Valley; and
- Introduced Ordinance No. 777 authorizing the levy of a special tax in Improvement Area Nos. 1, 2, and 3 of such community facilities district.

A Joint Community Facilities Agreement ("RCFCD JCFA") among the City of Moreno Valley, FR/CAL Moreno Valley, LLC., First Industrial L.P., and FR/CAL Indian Avenue LLC., and the RCFCD was entered into on September 1, 2009. The RCFCD JCFA provides specific requisites, among others, regarding the construction of the improvements, acquisition of the flood control facilities, maintenance, and indemnification stipulation for the property owners, the City, and RCFCD.

At the June 24, 2008, Public Hearing, City Council conducted the special election and formed CFD No. 7 to allow the property owner to finance public improvements through the issuance of CFD bonds. Ordinance No. 777 was introduced authorizing the levy of a special tax in CFD No. 7 to provide funding for any future bond issuance.

DISCUSSION

In an initial request submitted to the City on April 18, 2011, First Industrial L.P. ("Property Owner") the sole property owner within Improvement Area No. 2, expressed the desire to initiate proceedings to dissolve Improvement Area No. 2 of CFD No. 7. The executed Request for and Consent to Dissolution was received by the City on March 21, 2012. As part of the request, the Property Owner has requested the dissolution of Improvement Area No. 2 along with the filing of an Amended Notice of Special Tax Lien to remove any special tax liens from the properties located within Improvement Area No. 2. No Bonds have been issued for Improvement Area No. 2 and no special taxes have been levied by the City.

On May 22, 2012, the City Council introduced Ordinance 846 dissolving CFD No. 7, Improvement Area No. 2. The adoption of the resolution will terminate the authority to annex territory to Community Facilities District No. 7, Improvement Area No. 2 and complete the dissolution of the Improvement Area No. 2.

ALTERNATIVES

1. **Approve** a resolution terminating the authority to annex territory to Community Facilities District No. 7, Improvement Area No. 2. *Terminating the authority to annex territory to Improvement Area No. 2 is the last step in the dissolution of Improvement Area No. 2.*

2. **Do not approve** and adopt the proposed resolution. *This alternative may delay the development of the property.*

FISCAL IMPACT

There is no General Fund impact by the City Council's adoption of the resolution. The property owner shall continue to be responsible for cost related to the dissolution of Improvement Area No. 2 and the installation of any improvements as required through their conditions of approval.

CITY COUNCIL GOALS

Public Facilities and Capital Projects
The dissolution of the Improvement Area No. 2 will allow the property owner to fund the development of the necessary public improvements through alternative financing methods, once the special tax liens have been removed.

SUMMARY

In 2008, at the request of the property owners within CFD No. 7, the City Council adopted the necessary resolutions for the formation of CFD No. 7, Improvement Area Nos. 1, 2, and 3. The City Council also adopted Ordinance 777 authorizing the levy of a

special tax within CFD No. 7. In March 2012, the Property Owner for parcels located within Improvement Area No. 2 submitted an executed Request for and Consent to Dissolution to initiate proceedings to dissolve Improvement Area No. 2 of the CFD. The adoption of the resolution will complete the dissolution of Improvement Area No. 2 of the CFD.

NOTIFICATION

N.A.

ATTACHMENTS

Attachment 1: A Resolution of the City Council of the City of Moreno Valley, California, acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley, terminating the authority to annex territory to Community Facilities District No. 7 for Improvement Areas No. 2

Attachment 2: Property Owner Request for and Consent to the Dissolution

Attachment 3: Map of the Boundaries of Future Annexation Area of Community Facilities District No. 7 for Improvement Areas No. 1, 2, and 3

Attachment 4: CFD No. 7 Report

Prepared by:
Marshall Eyerman,
Special Districts Program Manager

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-73

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY, TERMINATING THE AUTHORITY TO ANNEX TERRITORY IN THE FUTURE TO IMPROVEMENT AREA NO. 2 OF SUCH COMMUNITY FACILITIES DISTRICT

WHEREAS, the City Council of the City of Moreno Valley, California (the "City Council"), previously declared its intention, conducted proceedings and held a public hearing relating to the authorization to annex territory in the future to Community Facilities District No. 7 of the City of Moreno Valley (the "District") and the improvement areas designated therein as Improvement Area No. 1, Improvement Area No. 2 and Improvement Area No. 3 (each, an "Improvement Area" and collectively, the "Improvement Areas") pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Mello-Roos Act"), and specifically Article 3.5 thereof, to finance the proportionate share of the cost of the acquisition or construction of certain flood control facilities allocable to the territory authorized to be annexed in the future to each Improvement Area; and

WHEREAS, on June 24, 2008, following such public hearing, the City Council, acting as the legislative body of the District, adopted its Resolution No. 2008-85 authorizing the annexation in the future of territory to the District and the Improvement Areas, including Improvement Area No. 2 ("Resolution No. 2008-85"); and

WHEREAS, the territory proposed to be annexed in the future to the District and the Improvement Areas thereof is shown on a map approved by the City Council designated as "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California" (the "Future Annexation Map"), a copy of which was filed in the Office of the County Recorder of the County of Riverside on May 16, 2008, as Instrument No. 2008-0265596, in Book 73, at Pages 9 through 11 of the Book of Maps of Assessment and Community Facilities Districts for the County of Riverside; and

WHEREAS, First Industrial, L.P., the current owner of all of the property within Improvement Area No. 2 (the "Owner") of the District, has, on behalf itself and the Owners' members, successors and/or assigns, requested that the City Council undertake proceedings pursuant to the Mello-Roos Act to dissolve Improvement Area No. 2 and thereby terminate the authority of the District to levy special taxes within Improvement Area No. 2 in order to finance the acquisition or construction the flood control facilities required as a condition of approval of the properties located within Improvement Area No. 2 (the "Improvement Area No. 2 Flood Control Facilities"); and

WHEREAS, pursuant to such request the City Council did undertake such proceedings and did enact Ordinance No. 846 dissolving Improvement Area No. 2; and

WHEREAS, as a result of the termination of the authority of the District to levy special taxes within Improvement Area No. 2 to finance the acquisition or construction of the Improvement Area No. 2 Flood Control Facilities, the City Council finds and determines that it would be appropriate to terminate the authority of the District to annex in the future the territory specified in the Future Annexation Map to be annexed to Improvement Area No. 2.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The above recitals are all true and correct.

SECTION 2. Termination of Authority to Annex Territory in the Future. The authority of the District to annex territory in the future to Improvement Area No. 2 pursuant to Article 3.5 of the Mello-Roos Act as approved by Resolution No. 2008-85 is hereby terminated. The termination of such authority shall in no way terminate or modify in any way whatsoever any obligation to construct or contribute to the cost of constructing flood control facilities heretofore or hereafter imposed on any such territory as a condition of approval of the development of such territory.

SECTION 3. Remaining Terms and Conditions of Resolution No. 2008-85. The remaining terms and conditions of Resolution No. 2008-85 shall remain in full force and effect.

SECTION 4. Effective Date. This Resolution shall become effective upon its adoption.

APPROVED AND ADOPTED this 28 day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-73
Date Adopted: August 28, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-73 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
COMMUNITY FACILITIES DISTRICT NO. 7

REQUEST FOR AND CONSENT TO DISSOLUTION OF IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY AND ACKNOWLEDGEMENT AND WAIVER RELATED THERETO

TO: CITY COUNCIL
CITY OF MORENO VALLEY, CALIFORNIA

The undersigned does hereby CERTIFY under penalty of perjury, that the following statements are all true and correct:

PROPERTY OWNER ACKNOWLEDGEMENT AND REQUEST

1. The undersigned is a duly authorized representative of First Industrial, L.P. (the "Owner"), a Delaware limited liability company, the owner of that certain real property identified in Attachment A attached hereto and incorporated herein by this reference ("Owner's Property"), and is legally authorized to make the representations and the request, give the acknowledgments and the consents and provide the waivers contained herein on behalf of the Owner.

2. Owner has been informed and is aware of and understands that:

(a) In 2008 the City Council of the City of Moreno Valley (the "City"), acting pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (California Government Code Section 53311 and following) (the "Mello-Roos Act"), formed a community facilities district designated as Community Facilities District No. 7 ("CFD No. 7") and designated three improvement areas therein designated as Improvement Area No. 1, Improvement Area No. 2 and Improvement Area No. 3 (each, an "Improvement Area" and collectively, the "Improvement Areas"). Improvement Area No. 2, one of the three improvement areas designated for CFD No. 7, encompasses the Owner's Property.

(b) CFD No. 7 is authorized to levy special taxes (the "Special Taxes") within boundaries of Improvement Area No. 2 pursuant to the rate and method of apportionment thereof as set forth in the Notice of Special Tax Lien attached as Attachment B hereto (the "Notice of Special Tax Lien") and to issue bonds in a principal amount not to exceed $3,500,000 to be secured by the levy of such Special Taxes (the "Improvement Area No. 2 Special Tax Bonds") for the purpose of financing certain facilities (the "Improvement Area No. 2 Improvements"). The Improvement Area No. 2 Improvements are described in Exhibit A to the Notice of Special Tax Lien. The Special Taxes have, however, never been levied within Improvement Area No. 2 and the Improvement Area No. 2 Special Tax Bonds have never been issued.

(c) The Owner and the City entered into the following agreements:

ATTACHMENT 2

(1) Amended and Restated Acquisition/Financing Agreement made and entered into by and among the City, on behalf of itself and CFD No. 7, and FR/Cal Moreno Valley, LLC, the Owner and FR/Cal Indian Avenue, LLC (the "AFA") which became effective on February 3, 2010;

(2) Joint Community Facilities Agreement by and among the City, the Riverside County Flood Control and Water Conservation District (the "Flood Control District"), FR/Cal Moreno Valley, LLC, the Owner and FR/Cal Indian Avenue, LLC, dated as of September 1, 2009 (the "JCFA"); and

(3) Area Drainage Plan Fee Agreement by and among the City, acting for and on behalf of itself and CFD No. 7; FR/Cal Moreno Valley, LLC; the Owner and FR/Cal Indian Avenue, LLC (the "ADP Agreement") which became effective on February 3, 2010; .

(d) Pursuant to the terms and conditions of the AFA, upon the formation of CFD No. 7 and the subsequent sale of the Improvement Area No. 2 Special Tax Bonds the proceeds of which are authorized to be utilized to acquire the Improvement Area No. 2 Improvements identified in Exhibit B-1 of the AFA and the Owner shall be entitled pursuant to the provisions of the AFA to be paid the Purchase Price (as defined in the AFA) for such Improvement Area No. 2 Improvements.

(e) Pursuant to the terms and conditions of the AFA and the JCFA, the Owner agrees to transfer to the Flood Control District each of the Improvement Area No. 2 Flood Control District Facilities (as defined in the JCFA) and CFD No. 7 agrees to pay the Purchase Price (as defined in the JCFA) for such Improvement Area No. 2 Flood Control District Facilities. The JCFA further provides that the Purchase Price of such Improvement Area No. 2 Flood Control District Facilities is to be paid solely from the proceeds of the Improvement Area No. 2 Special Tax Bonds sold and issued by CFD No. 7 for Improvement Area No. 2 and CFD No. 7 shall not be obligated to pay to Owner the Purchase Price for any such Flood Control District Facilities except from the proceeds of such the Improvement Area No. 2 Special Tax Bonds.

(f) Pursuant to the terms and conditions of the ADP Agreement, Owner is entitled to receive a credit against the Local Component (as defined in the ADP Agreement) of the ADP Fees (as defined in the ADP Agreement) applicable to the Owner's Property as a result of the participation of the Owner's Property in CFD No. 7 to finance the acquisition of the Improvement Area No. 2 Flood Control Facilities (as defined in the ADP Agreement) and Owner's obligation to construct such Improvement Area No. 2 Flood Control Facilities.

3. Owner, on behalf of itself and its members, successors and/or assigns, hereby irrevocably requests that the City dissolve Improvement Area No. 2 and any liens established by the recordation of the Notice of Special Tax Lien (the "Dissolution Request").

4. In making the Dissolution Request, the Owner, on behalf of itself and its members, successor and/or assigns:

(a) voluntarily and knowingly waives any and all Owner's rights and benefits to which Owner may be contractually entitled pursuant to the AFA including, but not limited to, payment by the City and/or CFD No. 7, of the Purchase Price for the Improvement Area No. 2

Street Improvements, or any portion thereof, from the proceeds of the Improvement Area No. 2 Special Tax Bonds or the Special Taxes or any other source of funds of the City and/or CFD No. 7 ("Owner's AFA Waiver");

(b) voluntarily and knowingly waives any and all Owner's rights and benefits to which Owner may be contractually entitled pursuant to the AFA and the JCFA including, but not limited to, payment by the City, CFD No. 7 and/or the County, of the Purchase Price for the Improvement Area No. 2 Flood Control Improvements, or any portion thereof, from the proceeds of the Improvement Area No. 2 Special Tax Bonds or the Special Taxes or any other source of funds of the City, CFD No. 7 and/or the County ("Owner's JCFA Waiver");

(c) voluntarily and knowingly waives any and all Owner's rights and benefits to which Owner may be contractually entitled pursuant to the ADP Agreement, but not limited to, a receipt of a credit against the Local Component or any portion of the ADP Fees applicable to the Owner's Property as a result of the participation of the Owner's Property in CFD No. 7 to the date of dissolution of Improvement Area No. 2 (the "Owner's ADP Agreement Waiver" and together with the Owner's AFA Waiver and the Owner's JCFA Waiver, the "Owner's Waivers");

(d) voluntarily and knowingly waives the obligation, if any, of the City and/or CFD No. 7 to issue the Improvement Area No. 2 Special Tax Bonds or to levy the Special Taxes within CFD No. 7;

(e) voluntarily and knowingly waives any protest, complaint or legal action of any nature whatsoever against the City and/or CFD No. 7 pertaining to the dissolution of Improvement Area No. 2 and any liens established by the recordation of the Notice of Special Tax Lien, the failure to issue the Improvement Area No. 2 Special Tax Bonds or to levy the Special Taxes, or any combination thereof.

(f) acknowledges and understands that the making of this Dissolution Request and the provision of Owner's Waivers and the subsequent dissolution of Improvement Area No. 2 and the dissolution of any liens established by the recordation of the Notice of Special Tax Lien, does not in any way whatsoever absolve, terminate, extinguish, reduce or otherwise modify the obligation of the Owner or any successor or assign of the Owner as the owner of the Owner's Property to construct the public improvements required by the City, the County or any other public agency as a condition of approval of the development of the Owner's Property.

5. Owner has had a reasonable opportunity to consult with and to be advised by Owner's legal counsel regarding the matters contained in this document and the attachments hereto.

This REQUEST FOR AND CONSENT TO DISSOLUTION OF IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 7 AND ACKNOWLEDGEMENT AND WAIVER was executed this 6th day of March, 2012 in EL SEGUNDO, California.

First Industrial, L.P., a Delaware limited liability company

By First Industrial Realty Trust, Inc., a Maryland corporation and its sole general partner

By: [signature]

Name: JEFFREY S. EVANS

Its: Operations Director

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles

On 3/6/12 (Date) before me, Linda M. Bauer, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Jeffrey S. Evans (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

LINDA M. BAUER
NOTARY PUBLIC - CALIFORNIA
COMMISSION # 1951453
LOS ANGELES COUNTY
My Comm. Exp. Oct 7, 2015

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Linda M. Bauer (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

ATTACHMENT A

DESCRIPTION OF OWNER'S PROPERTY

Owner's Property is that real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Assessor's Parcel No.

316-200-003

316-200-009

316-200-010

316-200-011

316-200-012

316-200-013

316-200-014

316-200-018

316-200-028

316-200-029

ATTACHMENT B

NOTICE OF SPECIAL TAX LIEN

DOC # 2008-0371941
07/08/2008 08:00A Fee:58.00
Page 1 of 17
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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WHEN RECORDED, RETURN TO:

CITY CLERK
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

59
C
010

NOTICE OF SPECIAL TAX LIEN
COMMUNITY FACILITIES DISTRICT NO. 7 OF
THE CITY OF MORENO VALLEY
IMPROVEMENT AREA NO. 2

Pursuant to the requirements of Section 3114.5 of the Streets and Highways Code and Section 53328.3 of the Government Code, the undersigned CITY CLERK of the CITY OF MORENO VALLEY, acting on behalf of COMMUNITY FACILITIES DISTRICT NO. 7 (the "District"), HEREBY GIVES NOTICE that a lien is hereby imposed on taxable property within Improvement Area No. 2 of the District to secure payment of a special tax which the City Council of the City of Moreno Valley, County of Riverside (the "County"), State of California, is authorized to annually levy for the following purpose:

> To pay directly for the types of facilities described in Exhibit A attached hereto and incorporated herein by this reference, to pay debt service on bonds issued to finance the acquisition or construction of such public facilities, to replenish any reserve fund established for such bonds, and to pay the costs of administering such bonds and the District.

The special tax is authorized to be levied within Improvement Area No. 2 of the District and the lien of the special tax is a continuing lien which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied and canceled in accordance with law or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate and method of apportionment of the authorized special tax is as shown on the attached referenced and incorporated Exhibit "B." The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for ad valorem taxes; provided, however, the District may utilize a direct billing procedure for any special taxes that cannot be collected on the County tax roll or may, by resolution, elect to collect the special taxes at a different time or in a different manner if necessary to meet its financial obligations. Conditions under which the obligation to pay the

special tax may be prepaid and permanently satisfied and the lien of the special tax canceled are set forth in Exhibit "B."

Notice is further given that upon the recording of this notice in the Office of the County Recorder, the obligation to pay the special tax levy shall become a lien upon all non-exempt real property within Improvement Area No. 2 of the District in accordance with Section 3115.5 of the Streets and Highways Code.

The (a) names of the owner(s) of the real property included within Improvement Area No. 2 of the District as they appear on the last secured assessment roll as of the date of recording of this Notice and (b) the Assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included within the District are as set forth on the attached, referenced and incorporated Exhibit "C."

Reference is made to the boundary map of the District recorded on May 16, 2008 at Book 73, Pages 6-8, Document No. 2008-0265595 of Maps of Assessment and Community Facilities Districts in the Office of the County Recorder for the County of Riverside, State of California, which map is now the final boundary map of the District.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the following designated person:

SPECIAL DISTRICTS DIVISION,
PUBLIC WORKS DEPARTMENT
CITY OF MORENO VALLEY
14325 FREDERICK STREET, SUITE 9
MORENO VALLEY, CA 92553
(951) 413-3480

DATED: 7/8/08

Jane Halstead
CITY CLERK
CITY OF MORENO VALLEY
STATE OF CALIFORNIA

COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY
IMPROVEMENT AREA NO. 2
NOTICE OF SPECIAL TAX LIEN
EXHIBIT A

DESCRIPTION OF FACILITIES
(IMPROVEMENT AREA NO. 2)

The Facilities proposed to be financed by the District within Improvement Area No. 2 include the following:

Improvement Area No. 2 Improvements:

Facilities to be financed from the proceeds of Bonds issued for Improvement Area No. 2 (the "Improvement Area No. 2 Improvements") include the following subject to modification based upon the City's final conditions of approval of the Improvement Area No. 2 Street Improvements or the final approval of the plans and specifications therefore or the Flood Control District's final conditions of approval of the Improvement Area No. 2 Flood Control Facilities or the final approval of the plans and specifications therefor:

Improvement Area No. 2 Flood Control Facilities: the Master Plan storm drain facilities identified as Perris Valley Laterals B-1 and B-1.2, including all appurtenant box culverts and laterals.

Improvement Area No. 2 Street Improvements:

Nandina Avenue to First Industrial Property Line - The components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, striping, signage, ADA ramps, drive aprons, local depressions and catch basins.

COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY
IMPROVEMENT AREA NO. 2
NOTICE OF SPECIAL TAX LIEN
EXHIBIT B

RATE AND METHOD OF APPORTIONMENT
OF SPECIAL TAX
IMPROVEMENT AREA NO. 2

(see attached)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY

A special tax as hereinafter defined shall be levied on and collected within Improvement Area No. 2 of Community Facilities District No. 7 of the City of Moreno Valley ("IA No. 2") each Fiscal Year commencing in Fiscal Year 2008-2009, in an amount determined by the City Council of the City of Moreno Valley through the application of the appropriate Special Tax for "Developed Property," "Undeveloped Property," "Provisional Property," and "Taxable Public Property" as described below. All of the real property within IA No. 2, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, or other recorded instrument. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560. The minimum Acreage of Taxable Property is determined in accordance with Section I.

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any actual ordinary and necessary expense of the City, or designee thereof or both, to carry out the administration of IA No. 2 related to the determination of the amount of the levy of Special Taxes, the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures, the administration of Bonds, the payment of a proportional share of salaries and benefits of any City employee whose duties are related to the administration of IA No. 2, fees and expenses for counsel, audits, or other amounts needed to pay rebate to the federal government with respect to the Bonds, costs related to complying with continuing disclosure requirements pursuant to applicable federal and state securities law, costs associated with responding to public inquiries regarding IA No. 2 or the Bonds, and costs otherwise incurred in order to carry out the administration of IA No. 2.

"Annexed Property" means Assessor's Parcels originally identified within the Future Annexation Area that have been annexed to IA No. 2.

"Assessor's Parcel" means a lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of IA No. 2.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Bonds" means any obligation to repay a sum of money, including obligations in the form of bonds, notes, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts, or any refunding thereof, to which the Special Tax has been pledged.

"Boundary Map" means the "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 6-8 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Building Permit" means a permit for new construction for a non-residential structure. For purposes of this definition, "Building Permit" shall not include permits for construction or installation of retaining walls, utility improvements, or other such improvements not intended for human habitation.

"Calendar Year" means the period commencing January 1 of any year and ending the following December 31.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes for IA No. 2.

"CFD No. 7" means Community Facilities District No. 7 of the City of Moreno Valley established by the City under the Act.

"City" means the City of Moreno Valley.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 7, or its designee.

"County" means the County of Riverside.

"Developed Property" means all Assessor's Parcels of Taxable Property for which Building Permits were issued on or before June 1 preceding the Fiscal Year for which Special Taxes are being levied, provided that a Final Map for such Assessor's Parcels was recorded on or before January 1 of the prior Fiscal Year for which Special Taxes may be levied.

"Exempt Property" means all Assessor's Parcels within IA No. 2 which are exempt from the Special Taxes pursuant to law or Section I herein.

"Facilities" means those public facilities authorized to be funded by CFD No. 7 as set forth in the formation documents for CFD No. 7.

"Final Map" means a recorded final map, parcel map, or lot line adjustment, evidencing the subdivision of property pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.).

"Fiscal Year" means the period commencing on July 1 of any year and ending the following June 30.

"Future Annexation Area" means all Assessor's Parcels within the future annexation area of IA No. 2 as determined by reference to the boundary map entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 9-11 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Goals and Policies" means the local goals and policies adopted by the City Council concerning the use of the Act that are in effect at the time of formation of CFD No. 7.

"Improvement Area No. 2" or "IA No. 2" means the area within CFD No. 7 designated as Improvement Area No. 2 by reference to the Boundary Map, as such area may be amended by the addition of Annexed Property.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C, which may be levied by CFD No. 7 in any Fiscal Year on an Assessor's Parcel of Taxable Property.

"Partial Prepayment Amount" means the amount required to prepay a portion of the Special Tax obligation for an Assessor's Parcel, as described in Section G.

"Prepayment Amount" means the amount required to prepay the Special Tax obligation in full for an Assessor's Parcel, as described in Section F.

"Proportionately" means, for Developed Property, the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property. For Provisional Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Provisional Property. For Taxable Public Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Public Property.

"Provisional Property" means all Assessor's Parcels identified under Section I, excluding Public Property, that are not classified as Exempt Property because such classification would reduce the total Acreage of all Taxable Property to less than 33.89 Acres.

"Public Property" means any property within the boundaries of IA No. 2 that is owned by or irrecoverably dedicated to the City, the federal government, the State of California, the County, or any other public agency.

"Special Tax" means the special tax authorized to be levied by CFD No. 7 pursuant to the Act to fund the Special Tax Requirement.

"Special Tax Requirement" means the amount required in any Fiscal Year for IA No. 2 to fund: (i) the debt service or the periodic costs on all outstanding Bonds due in the Calendar Year that commences in such Fiscal Year, (ii) Administrative Expenses, (iii) any amount required to establish or replenish any reserve funds established in association with the Bonds, (iv) any delinquencies in the payment of prior years Special Taxes, (v) a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied, and (vi) the acquisition or construction of eligible Facilities, provided that the inclusion of such amount does not cause an increase in the levy of the Special Tax on Undeveloped Property, less (vii) any amount available to pay debt service or other periodic costs on the Bonds as reasonably determined by the CFD Administrator pursuant to the Indenture.

"Taxable Property" means all Assessor's Parcels that are not exempt from the Special Tax pursuant to law or the Rate and Method of Apportionment of Special Tax.

"Taxable Public Property" means all Assessor's Parcels defined as Public Property that are not classified as Exempt Property under Section I because such classification would reduce the total Acreage of all Taxable Property to less than 33.89 Acres.

"Trustee" means the trustee, fiscal agent, or paying agent under the Indenture.

"Undeveloped Property" means all Assessor's Parcels of Taxable Property, exclusive of Annexed Property, which are not classified as Developed Property, Taxable Public Property, or Provisional Property.

B. CLASSIFICATION OF ASSESSOR'S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2008-2009, each Assessor's Parcel shall be classified as Taxable Property or Exempt Property. In addition, each Fiscal Year, each Assessor's Parcel of Taxable Property shall be further classified as Developed Property, Undeveloped Property, Provisional Property, or Taxable Public Property.

C. MAXIMUM SPECIAL TAXES

1. Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property, exclusive of Annexed Property, shall be subject to a Maximum Special Tax equal to $8,287 per Acre.

The Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 2 of CFD No.7. Once Annexed Property exists within IA No. 2 of CFD No. 7, the Maximum Special Tax shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for IA No. 2 ($8,287 per Acre) by the minimum taxable Acreage originally established for IA No. 2 as defined in Section I (33.89 Acres).

[$8,287 x 33.89 = $280,846]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.2.

3) The new Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall equal the result calculated in Step 1, minus the result calculated in Step 2, and then by dividing such amount by the minimum taxable Acreage originally established for IA No. 2 (33.89 Acres).

[$280,846 - Step 2 result]/33.89 =

Maximum Special Tax per Acre for Taxable Property, exclusive of Annexed Property

2. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A.

D. Administrative Adjustments to the Maximum Special Tax

1. Prior to Issuance of Bonds

Prior to the issuance of the first series of Bonds, the CFD Administrator shall calculate the total tax burden for all Assessor's Parcels of Taxable Property, to determine whether or not any reductions are necessary to the Maximum Special Tax rate(s) identified herein in order to comply with the Goals and Policies. In calculating the total tax burden, the CFD Administrator shall (i) refer to the City's Goals and Policies, any market absorption study or price point analysis dated not earlier than 90 days prior to the date of issuance or other such date approved by the City, and any other document available to the City and/or CFD Administrator, and (ii) calculate the total tax burden considering the Maximum Special Tax rates and other governmental liens. The Maximum Special Tax set forth herein may be reduced if it is reasonably determined by the CFD Administrator and/or City, through review of available information related to IA No. 2, that the total tax burden against Taxable Property results in an amount that would reduce the marketability of the Bonds based on consultations with the City's underwriter, financial advisor, and/or other project team consultants engaged by the City. The City will have the final discretion regarding any reduction in the Maximum Special Tax rates identified herein.

If a mandatory Special Tax reduction is implemented, the amount of Bonds that may be issued will be recalculated and shall not exceed an amount in which the Maximum Special Taxes that could be levied on Taxable Property within IA No. 2 in each Fiscal Year, less Administrative Expenses for such Fiscal Year, shall provide no less than 110% coverage on the annual debt service on all Outstanding Bonds, as defined in Section F herein.

2. Subsequent to Issuance of Bonds

If, in any Fiscal Year after the City has issued the first series of Bonds, either (i) a Final Map is proposed to be recorded or (ii) an existing Final Map is proposed to be amended, that will result in a reduction of total Acreage of Taxable Property to less than 33.89 Acres, then a mandatory prepayment must be made in accordance with Sections F and G. The mandatory prepayment must be made by the landowners of those Assessor's Parcel(s) that are the subject of the proposed Final Map or the landowners of those Assessor's Parcel(s) that will be amended by the amended Final Map.

If a mandatory prepayment is required, the mandatory prepayment shall be paid as a requirement to record such new Final Map or amended Final Map.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing in Fiscal Year 2008-2009 and for each subsequent Fiscal Year until terminated, the City Council shall levy Special Taxes on all Taxable Property until the total amount of Special Taxes levied equals the Special Tax Requirement in accordance with the following steps:

Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Annexed Property and each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Two: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Three: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Four: If additional monies are needed to satisfy the Special Tax Requirement after all previous steps have occurred, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section F:

> **"Facilities Costs"** means either $1.73 million, expressed in 2008 dollars, which shall increase by the Construction Inflation Index on January 1, 2009, and on each January 1 thereafter, or such lower numbers as shall be determined either by (a) the CFD Administrator as sufficient to finance the Facilities, or (b) the City Council concurrently with a covenant that it will not issue any more CFD No. 7 Bonds secured by IA No. 2 (except refunding bonds) to be secured by Special Taxes levied under this Rate and Method of Apportionment.
>
> **"Construction Inflation Index"** means the annual percentage change in the Engineering News-Record Building Cost Index for the City of Los Angeles, measured as of the Calendar Year, which ends in the previous Fiscal Year. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the City that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of Los Angeles.
>
> **"Future Facilities Costs"** means the Facilities Costs minus that (a) portion of the Facilities Costs previously and actually funded (i) from the proceeds of all previously issued Bonds, (ii) from interest earnings on the Improvement Fund actually earned prior to the date of prepayment and (iii) directly from Special Tax revenues and (b) amount of the proceeds of all previously issued Bonds then on deposit in the Improvement Fund.
>
> **"Improvement Fund"** means a fund specifically identified in the Indenture to hold funds, which are currently available for expenditure to acquire or construct the Facilities.
>
> **"Outstanding Bonds"** means all previously issued Bonds secured by the levy of Special Taxes which will remain outstanding after the first interest and/or principal payment date following the current Fiscal Year, excluding Bonds to be redeemed at a later date with the proceeds of prior prepayments of the Maximum Special Tax.

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time that the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor's Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor's Parcel intending to prepay all or a part of the Special Tax obligation shall provide the City with written notice of intent to prepay, and within 10 business days of receipt of such notice, the City shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 7 in calculating the proper amount of a prepayment. Within 30 business days of receipt of such non-refundable deposit, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula (capitalized terms defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance
plus	Administrative Fee
less	Reserve Fund Credit
less	Capitalized Interest Credit
equals	Prepayment Amount

As of the date of prepayment, the Prepayment Amount shall be calculated as follows:

1. For an Assessor's Parcel of Taxable Property, compute the Maximum Special Tax applicable to such Assessor's Parcel.

2. For each Assessor's Parcel intending to prepay, divide the Maximum Special Tax computed pursuant to paragraph 1 for such Assessor's Parcel by the sum of the estimated Maximum Special Tax applicable to all Assessor's Parcels of Taxable Property, excluding the Maximum Special Taxes of any Assessor's Parcels for which the Special Tax obligation has been previously prepaid.

3. For each Assessor's Parcel intending to prepay, multiply the quotient computed pursuant to paragraph 2 by Outstanding Bonds. The product shall be the "Bond Redemption Amount," for such Assessor's Parcels, as applicable.

4. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds on the next available redemption date to be redeemed with the proceeds of the Bond Redemption Amount. This product is the "Redemption Premium."

5. If (a) all the Bonds authorized to be issued by CFD No. 7 for IA No. 2 have not been issued, and (b) the City Council has not restricted its ability to issue additional bonds in the future, then compute the Future Facilities Amount.

6. The "Future Facilities Amount" shall be calculated by multiplying the quotient computed pursuant to paragraph 2, by the amount if any, determined pursuant to paragraph 5. The product shall be the "Future Facilities Amount."

7. Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds, taking into consideration the amount of Special Taxes levied on and paid for the Assessor's Parcel in the current Fiscal Year.

8. Compute the amount the CFD Administrator reasonably expects to be derived from the reinvestment of the Prepayment Amount less the Future Facilities Amount and Administrative Fee (defined in paragraph 10) until the earliest redemption date for the Outstanding Bonds.

9. Subtract the amount computed pursuant to paragraph 8 from the result computed pursuant to paragraph 7. This difference is the "Defeasance."

10. Estimate the administrative fees and expenses associated with the prepayment, including the costs of computation of the Prepayment Amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption. This amount is the "Administrative Fee."

11. Calculate the "Reserve Fund Credit" as the lesser of: (a) the expected reduction in the applicable reserve requirement, if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirement in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the applicable reserve fund on the prepayment date. Notwithstanding the foregoing, if the reserve fund requirement is satisfied by a surety bond or other instrument at the time of the prepayment, then no Reserve Fund Credit shall be given. Notwithstanding the foregoing, the Reserve Fund Credit shall in no event be less than $0.

12. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to step 2 by the expected balance in the capitalized interest fund after such first interest payment (the "Capitalized Interest Credit").

13. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Future Facilities Amount, the Defeasance, and the Administrative Fee, less the Reserve Fund Credit and less the Capitalized Interest Credit.

With respect to the Special Tax obligation that is prepaid pursuant to this Section F, the City Council shall indicate in the records of CFD No. 7 that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such prepayment to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Special Tax shall cease.

Notwithstanding the foregoing, no prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all currently Outstanding Bonds in each future Fiscal Year.

G. PARTIAL PREPAYMENT OF SPECIAL TAX

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be partially prepaid, as calculated in this Section G, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_F - A) \times F + A$$

The terms above have the following meanings:

PP = the Partial Prepayment Amount.

P_F = the Prepayment Amount calculated according to Section F.

F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.

A = Administrative Fees calculated in Section F, step 10

With respect to any Assessor's Parcel that is partially prepaid, the City Council shall indicate in the records of CFD No. 7 that there has been a partial prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such partial prepayment of the Special Tax obligation, to indicate the partial prepayment of the Special Tax obligation and the partial release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such prepaid portion of the Special Tax shall cease.

Notwithstanding the foregoing, no partial prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property after such partial prepayment, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all Bonds outstanding after such partial prepayment in each future Fiscal Year.

H. TERMINATION OF SPECIAL TAX

For each Fiscal Year that any Bonds are outstanding, the Special Tax shall be levied on all Assessor's Parcels of Taxable Property within IA No. 2 in accordance with Section E. If any delinquencies for the Special Tax remain uncollected prior to or after all Bonds are retired, the Special Tax may be levied to the extent necessary to reimburse CFD No. 7 for uncollected Special Taxes, but not later than the 2048-49 Fiscal Year.

I. EXEMPTIONS

The City shall classify as Exempt Property: (i) Public Property, (ii) Assessor's Parcels used or owned exclusively by a property owners' association, or (iii) Assessor's Parcels with public or utility easements, including Assessor's Parcels designated as open space or retention basin, making impractical their utilization for other purposes than those set forth in the easement, provided that such classification would not reduce the Acreage of all Taxable Property to less than 33.89 Acres. Public Property that cannot be classified as Exempt Property will be classified as Taxable Public Property and shall be subject to the Special Tax in accordance with Section E. All other Assessor's Parcels identified within this section that cannot be classified as Exempt Property will be classified as Provisional Property and will be subject to the Special Tax in accordance with Section E.

J. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the City Manager of the City not later than twelve months after having paid the first installment of the Special Tax that is disputed. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made (except for the last year of levy), but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

K. MANNER OF COLLECTION

The annual Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 7 may collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

Exhibit A

IMPROVEMENT AREA NO. 2 OF CITY OF MORENO VALLEY CFD NO. 7 MAXIMUM SPECIAL TAX RATE FOR ANNEXED PROPERTY [1]

Year After Formation	Maximum Special Tax per Acre
1	$674
2	$681
3	$689
4	$697
5	$707
6	$718
7	$729
8	$742
9	$757
10	$773
11	$791
12	$812
13	$835
14	$862
15	$893
16	$928
17	$970
18	$1,019
19	$1,077
20	$1,148
21	$1,235
22	$1,345
23	$1,487
24	$1,678
25	$1,947
26	$2,352
27	$3,029
28	$4,386
29	$8,466

(1) The above Maximum Special Tax rates are based upon the assumed coupon rate of 7.50%, consistent with the other bonding assumptions. These rates will be adjusted based upon the final pricing of the bonds at issuance. Once property is annexed into the CFD, that property's Maximum Special Tax is fixed at the final adjusted amount per acre (after bond issuance) for the year after formation in which the property is annexed.

COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY
IMPROVEMENT AREA NO. 2
EXHIBIT C
NOTICE OF SPECIAL TAX LIEN

PROPERTY OWNER LIST

APN	OWNER
316-200-003	MICHAEL E MALCOM
316-200-009	M4 MANAGEMENT INC
316-200-010	M4 MANAGEMENT INC
316-200-011	GEORGE R ACOSTA
316-200-012	FR CAL NANDINA
316-200-013	MARTIN COVARRUBIAS & GALDINA COVARRUBIAS
316-200-014	GEORGE SCHOFHAUSER & JAY ANN SCHOFHAUSER
316-200-018	SOMCHIT CABE
316-200-028	BRUCE HALE & LISA HALE
316-200-029	HARLEY R KNOX

Copy 73/9

SHEET 1 OF 3

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

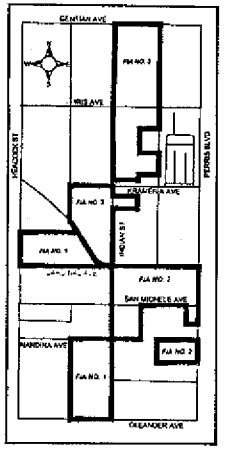

Vicinity Map

ATTACHMENT 3

LEGEND FOR SHEET 1

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 1 OF CFD NO. 7 (FIA NO. 1)

(1) MAP REFERENCE NUMBER

MAP REF NO.	ASSESSOR'S PARCEL NO.
1	315-100-013
2	315-100-045
3	318-210-005
4	315-210-006
5	315-210-007
6	315-210-008
7	315-210-010
8	315-210-011
9	315-210-019
10	315-210-020
11	315-210-026
12	315-210-051
13	315-210-055
14	315-210-057
15	315-210-069
16	315 210-077

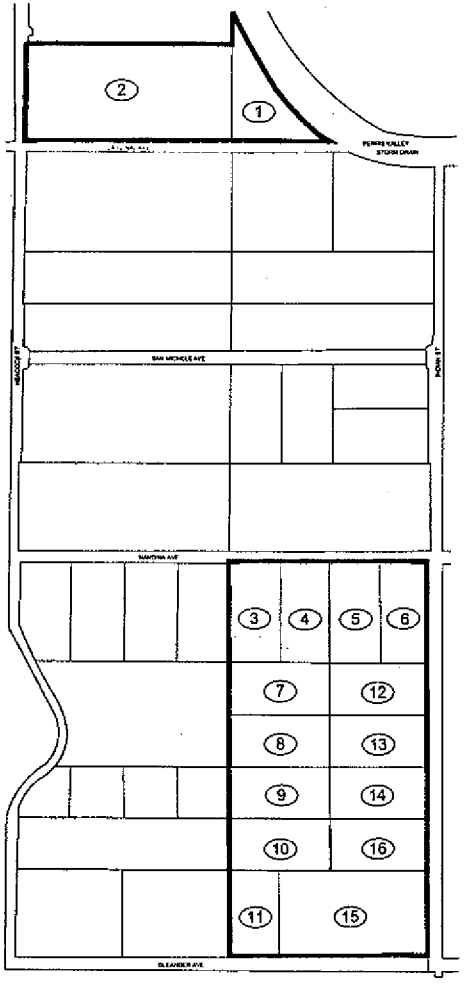

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS 14 DAY OF May 2008.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AT A REGULAR MEETING THEREOF, HELD ON THE 13 DAY OF May, 2008, BY ITS RESOLUTION NO. 2008-53.

Jane Halstead
CITY CLERK
CITY OF MORENO VALLEY

RIVERSIDE COUNTY RECORDER'S CERTIFICATE

FILED THIS 16TH DAY OF MAY, 2008, AT THE HOUR OF 8 O'CLOCK A.M. IN BOOK 73 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) 9-11, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

FEE: $13.00

INSTRUMENT NO.: 2008-0265596

LARRY WARD, ASSESSOR-COUNTY CLERK-RECORDER

M. Garcia
BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

MuniFinancial
27368 Via Industria
Suite 110
Temecula, California 92590-3661
Phone (951) 587-3500 Fax (951) 587-3510

Copy 73/10

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

LEGEND FOR SHEET 2

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 2 OF CFD NO. 7 (FIA NO. 2)

(1) MAP REFERENCE NUMBER

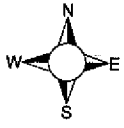

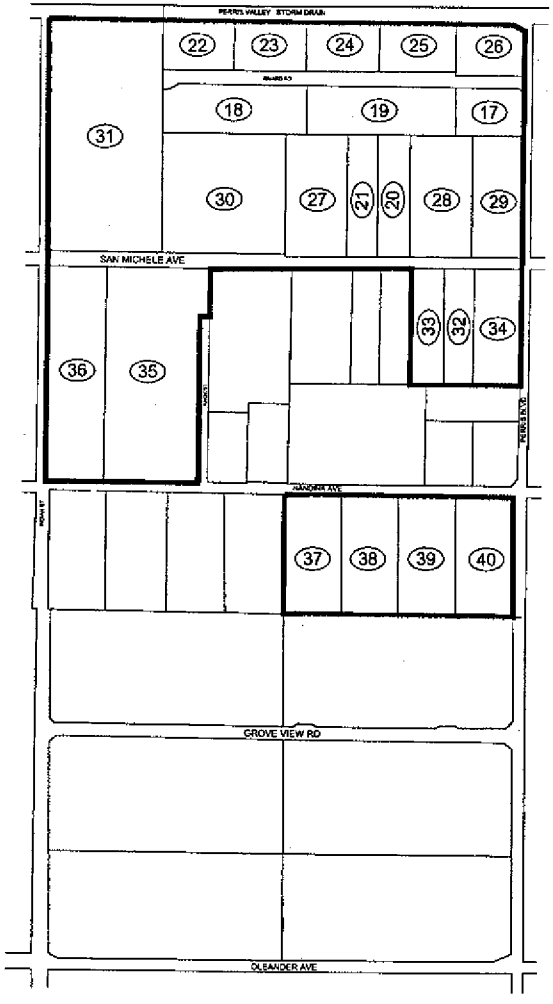

MAP REF NO.	ASSESSOR'S PARCEL NO.
17	316-199-009
18	316-199-011
19	316-199-012
20	316-190-017
21	316-190-018
22	316-190-022
23	316-190-023
24	316-190-024
25	316-190-025
26	316-190-030
27	316-190-035
28	316-190-036
29	316-190-037
30	316-190-043
31	316-190-044
32	316-200-001
33	316-200-015
34	316-200-018
35	316-200-030
36	316-200-031
37	316-210-035
38	316-210-036
39	316-210-037
40	316-210-038

MuniFinancial
27368 Via Industria
Suite 110
Temecula, California 92590-3661
Phone (951) 587-3500 Fax (951) 587-3510

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MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

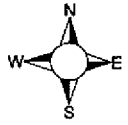

LEGEND FOR SHEET 3

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 3 OF CFD NO. 7 (FIA NO. 3)

(1) MAP REFERENCE NUMBER

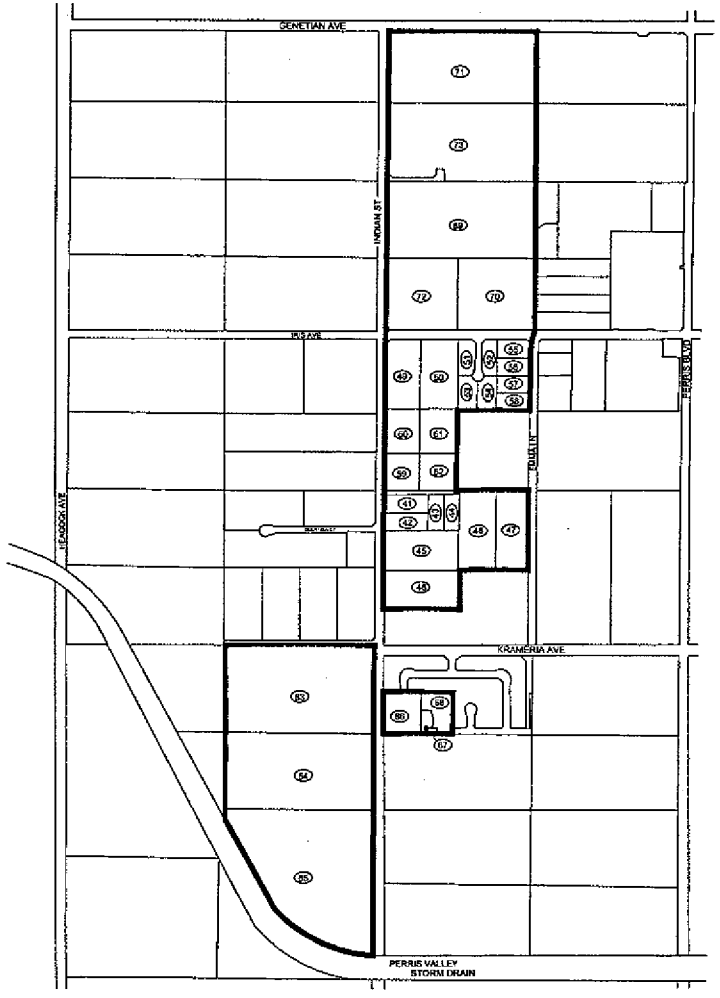

MAP REF NO.	ASSESSOR'S PARCEL NO.
41	316-070-020
42	316-070-021
43	316-070-022
44	316-070-023
45	316-070-024
46	316-070-025
47	316-070-026
48	316-070-027
49	316-030-001
50	316-030-002
51	316-030-003
52	316-030-004
53	316-030-005
54	316-030-006
55	316-030-007
56	316-030-008
57	316-030-009
58	316-030-010
59	316-030-016
60	316-030-017
61	316-030-018
62	316-030-019
63	316-100-010
64	316-100-028
65	316-100-030
66	316-110-003
67	316-110-028
68	316-110-031
69	465-220-012
70	465-220-014
71	465-220-023
72	465-220-028
73	465-220-032

MuniFinancial
27368 Via Industria
Suite 110
Temecula, California 92590-3691
Phone (951) 587-3500 Fax (951) 587-3510

MV00174025

City of Moreno Valley

Community Facilities District No. 7

Community Facilities District Report

June 24, 2008

Corporate Office
27368 Via Industria
Suite 110
Temecula, CA 92590
Tel: (951) 587-3500
Fax: (951) 587-3510

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www.muni.com

ATTACHMENT 4

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B. Boundaries of Future Annexation Areas 2
C. Description of Facilities 3
D. Rate and Method of Apportionment of Special Tax 6
E. Conclusion 12

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EXHIBIT B – COST ESTIMATES B-1

EXHIBIT C – IMPROVEMENT AREA NO. 1 RMA C-2

EXHIBIT D – IMPROVEMENT AREA NO. 2 RMA D-1

EXHIBIT E – IMPROVEMENT AREA NO. 3 RMA E-1

Introduction

WHEREAS, the City Council of the City of Moreno Valley ("City"), in the County of Riverside and State of California, did, pursuant to the terms and provisions of Chapter 2.5 of Part 1, of Division 2, of Title 5 of the Government Code of the State of California commencing with Section 53311, as amended ("Act"), and specifically Section 53321.5 thereof, expressly order the filing of a written Community Facilities District Report ("Report") with the City for a proposed community facilities district, which shall be referred to as Community Facilities District No. 7 of the City of Moreno Valley, (hereinafter referred to as "CFD No. 7"); and

WHEREAS, the Report generally contains the following:

- A brief description of the Facilities by type, which are authorized to be funded through CFD No. 7 and necessary to meet increased demands and needs placed upon the City or the Riverside County Flood Control and Water Conservation District ("Flood Control District") as a result of development within CFD No. 7;
- An estimate of the cost of financing such Facilities, including incidental expenses, determination of the amount of any Special Tax, collection of any Special Tax, and all other related costs as provided for in Section 53345.3 of the Act; and
- The Rate and Method of Apportionment of the Special Tax ("RMA") for each Improvement Area within CFD No. 7 in sufficient detail to allow each property owner within CFD No. 7 to calculate the Maximum Special Tax that may be levied against their property.

For particulars, reference is made to the Resolution of Intention, Resolution No. 2008-51 as previously approved by the City. All capitalized terms not defined herein are defined within the RMA for each Improvement Area and the Resolution of Intention.

NOW THEREFORE MuniFinancial, the appointed responsible firm directed to prepare the Report, pursuant to the provisions of the Act, does hereby submit the following:

A. Boundaries of CFD No. 7

The boundaries of CFD No. 7 are divided into three separate improvement areas identified as Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3.

1. *Improvement Area No. 1*

Improvement Area No. 1 is an industrial area that encompasses a territory of land (approximately 151.45 acres) generally located north of Nandina Avenue, south of Cardinal Avenue, east of Heacock Street, and west of Indian Street and includes fifteen (15) parcels divided into two zones, Zone 1 and Zone 2. As of the writing of this Report, the parcels within this development are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers 316-170-001, 316-170-002, 316-170-004, 316-170-006, 316-170-007, 316-170-010, 316-170-013, 316-170-014, 316-180-002, 316-180-003, 316-180-005, 316-180-006, 316-180-008, 316-180-009, and 316-180-010.

2. Improvement Area No. 2

Improvement Area No. 2 is an industrial area that encompasses a territory of land (approximately 38.99 acres) generally located east of Improvement Area No. 1 (north of Nandina Avenue, east of Knox Street, west of Perris Boulevard, and south of San Michele Avenue) and includes ten (10) parcels. As of the writing of this Report, the parcels within this development are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers 316-200-003, 316-200-009 through 316-200-014, 316-200-018, and 316-200-028 through 316-200-029.

3. Improvement Area No. 3

Improvement Area No. 3 is an industrial area that encompasses a territory of land (approximately 74.88 acres) generally located north of Improvement Area No. 1 (north of Krameria Road, south of Iris Avenue, and west of Indian Street) and includes twelve (12) parcels. As of the writing of this Report, the parcels within this development are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers 316-020-002 through 316-020-005, and 316-020-012 through 316-020-019.

The boundaries of CFD No. 7 include all properties and parcels on which a Special Tax may be levied to pay for the costs and expenses of the authorized Facilities.

A reduced scale map entitled "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California" is set forth in Exhibit A attached hereto, and incorporated herein by this reference. A full-scale map is on file in the Office of the City Clerk of the City and has been recorded with the County Recorder.

B. Boundaries of Future Annexation Areas

The boundary of the Future Annexation Areas of CFD No. 7 includes all properties and parcels whose runoff is tributary to the Flood Control District Facilities proposed to be financed through the CFD, and which may be subject to the Area Drainage Plan ("ADP") fees once developed or redeveloped. The Future Annexation Areas of CFD No. 7 are composed of three distinct and separate boundaries, which correspond to each of the three Improvement Areas and their related storm drain facilities.

1. Future Annexation Area of Improvement Area No. 1

The Future Annexation Area related to Improvement Area No. 1 (FIA No. 1) of CFD No. 7 encompasses two noncontiguous territories of land, totaling approximately 206.16 acres. One of the two territories is generally located north of Cardinal Avenue, east of Heacock Street, and west of the Perris Valley Storm Drain. The second of the two territories is generally located south of Nandina Avenue, west of Indian Street, and north of Oleander Avenue. Collectively, FIA No. 1 includes sixteen (16) parcels. As of the writing of this Report, the parcels within FIA No. 1 are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers: 316-100-013, 316-100-045, 316-210-005 though 316-210-008, 316-210-010, 316-210-011, 316-210-019, 316-210-020, 316-210-026, 316-210-051, 316-210-055, 316-210-057, 316-210-069 and 316-210-077.

2. Future Annexation Area of Improvement Area No. 2

The Future Annexation Area related to Improvement Area No. 2 (FIA No. 2) of CFD No. 7 encompasses two noncontiguous territories of land, totaling approximately 122.83 acres. One of the two territories is generally located east of Indian Street, west of Perris Boulevard, north of Nandina Avenue, and south of the Perris Valley Storm Drain. The second of the two territories is generally located south of Nandina Avenue, north of Grove View Drive, west of Perris Boulevard, and east of Indian Street. Collectively, FIA No. 2 includes twenty-four (24) parcels. As of the writing of this Report, the parcels within FIA No. 2 are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers: 316-190-009, 316-190-011, 316-190-012, 316-190-017, 316-190-018, 316-190-022 through 316-190-025, 316-190-030, 316-190-035 through 316-190-037, 316-190-043, 316-190-044, 316-200-001, 316-200-015, 316-200-019, 316-200-030, 316-200-031 and 316-210-035 through 316-210-038.

3. Future Annexation Area of Improvement Area No. 3

The Future Annexation Area related to Improvement Area No. 3 (FIA No. 3) of CFD No. 7 encompasses two noncontiguous territories of land, totaling approximately 206.16 acres. One of the two noncontiguous territories is generally located northeast of the Perris Valley Strom Drain, south of Krameria Avenue, and west of Indian Street, but also including 3 parcels east of Indian Street. The second of the two territories is generally located south of Genetian Avenue, north of Krameria Avenue, west of Indian Street, and east of Emma Lane. Collectively, FIA No. 3 includes thirty-three (33) parcels. As of the writing of this Report, the parcels within FIA No. 3 are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers: 316-020-020 through 316-020-027, 316-030-001 through 316-030-010, 316-030-016 through 316-030-019, 316-100-010, 316-100-028, 316-100-030, 316-110-003, 316-110-020, 316-110-021, 485-220-012, 485-220-014, 485-220-023, 485-220-028 and 485-220-032.

A reduced scale map entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California" is set forth in Exhibit A attached hereto, and incorporated herein by this reference. A full-scale map is on file in the Office of the City Clerk of the City and has been recorded with the Riverside County Recorder.

C. Description of Facilities

CFD No. 7 is being formed to finance facilities authorized by the Act and necessary to meet increased demands and needs placed upon the City or the Flood Control District as a result of development within CFD No. 7. The facilities authorized for CFD No. 7 are generally described as the Improvement Area No. 1 Improvements, Improvement Area No. 2 Improvements, and Improvement Area No. 3 Improvements (collectively the "Facilities"), set forth in the following sections of this Report. The storm drain facilities will be owned by the Flood Control District and a Joint Community Facilities Agreement will be executed between the City and the Flood Control District as part of these proceedings. A detailed cost estimate of the Facilities is provided in Exhibit B attached hereto and incorporated herein by this reference.

1. Improvement Area No. 1 Improvements:

Improvements to be financed from the proceeds of bonds issued for Improvement Area No. 1 (the "Improvement Area No. 1 Improvements") include the following, subject to modification based upon the City's final conditions of approval of the Improvement Area No. 1 Street Improvements (as defined below) or the final approval of the Plans and Specifications, or the Flood Control District's final conditions of approval of the Improvement Area No. 1 Flood Control Facilities (as defined below) or the final approval of the plans and specifications.

a. Improvement Area No. 1 Street Improvements:

1. Nandina Avenue will be improved from Heacock Street to Indian Street – North Side – the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, traffic signals and appurtenances (at the intersections of Indian Street/Nandina Avenue), striping, signage, ADA ramps, drive aprons, local depressions and catch basins.
2. Heacock Street will be improved from Nandina Street to Komar Property Line – the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, traffic signals and appurtenances (as the intersection of Heacock Street and San Michele Avenue), local depressions and catch basins.
3. Traffic signal installation at the intersection of Indian Street and San Michele Avenue.

b. Improvement Area No. 1 Flood Control Facilities:

The Master Plan storm drain facilities identified as Perris Valley Lateral B-3a through B-3g and Lateral B-3.2, including all appurtenant box culverts, appurtenant laterals, and utility relocations necessary to implement the work.

2. Improvement Area No. 2 Improvements:

Improvements to be financed from the proceeds of bonds issued for Improvement Area No. 2 (the "Improvement Area No. 2 Improvements") include the following subject to modification based upon the City's final conditions of approval of the Improvement Area No. 2 Street Improvements (as defined below) or the final approval of the Plans and Specifications, or the Flood Control District's final conditions of approval of the Improvement Area No. 2 Flood Control Facilities (as defined below) or the final approval of the plans and specifications.

a. Improvement Area No. 2 Street Improvements:

Nandina Avenue to First Industrial Property Line - the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, striping, signage, ADA ramps, drive aprons, local depressions and catch basins.

b. Improvement Area No. 2 Flood Control Facilities:

The Master Drainage Plan for storm drain facilities identified as Perris Valley Laterals B-1 and B-1.2, including all appurtenant box culverts and laterals.

3. Improvement Area No. 3 Improvements:

Improvements to be financed from the proceeds of bonds issued for Improvement Area No. 3 ("Improvement Area No. 3 Improvements") include the following subject to modification based upon the City's final conditions of approval of the Improvement Area No. 3 Street and Utility Improvements (as defined below) or the final approval of the Plans and Specifications, or the Flood Control District's final conditions of approval of the Improvement Area No. 3 Flood Control Facilities (as defined below) or the final approval of the plans and specifications.

a. Improvement Area No. 3 Street Improvements:

1. Indian Street from Iris Avenue to Krameria Avenue - the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, traffic signals and appurtenances (at the intersections of Indian Street and Iris Avenue and Indian Street and Krameria Avenue) striping, signage, ADA ramps, drive aprons, local depressions and catch basins.
2. Iris Avenue from Street "A" to Indian Street - the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, traffic signals and appurtenances (at the intersections of Iris Avenue and Future Street) striping, signage, ADA ramps, drive aprons, local depressions and catch basins.
3. Street "A" from Iris Avenue to Krameria Avenue - the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, striping, signage, ADA ramps, drive aprons, local depressions and catch basins.
4. Krameria Avenue from Indian Street to Street "A" - the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, striping, signage, ADA ramps, drive aprons, local depressions and catch basins.

b. Improvement Area No. 3 Utility Improvements:

Undergrounding of overhead utilities adjacent to or in the Street Improvements for Indian Street described above.

c. Improvement Area No. 3 Flood Control Facilities:

The Master Drainage Plan for storm drain facilities identified as Sunnymead Line D-1, including all appurtenant box culverts and laterals.

D. Rate and Method of Apportionment of Special Tax

The Resolution of Intention sets forth the RMA for each Improvement Area within CFD No. 7, which allows each property owner within CFD No. 7 to calculate the maximum annual amount that would be required for payment if a Special Tax were levied. **The information detailed in this section is a general summary of the RMA for each Improvement Area within CFD No. 7, and is not intended to be, nor interpreted as, complete or authoritative versions of the RMA for each Improvement Area.** The RMAs related to Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 are set forth in Exhibits C, D, and E, respectively, attached hereto, and incorporated herein by this reference. Defined terms in section D of this report are used as defined per the respective RMAs.

Maximum Special Taxes

A. Improvement Area No. 1

1. Zone 1

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property within Zone 1 shall be subject to a Maximum Special Tax equal to $7,999 per Acre. The Maximum Special Tax for Taxable Property within Zone 1 shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to Improvement Area No. 1 (IA No. 1), or if there is an adjustment to the Special Tax in accordance with Section D of the RMA for IA No. 1. The Maximum Special Tax for Taxable Property within Zone 1 shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax within Zone 1, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for Zone 1 ($7,999 per Acre) by the minimum taxable Acreage originally established for Zone 1 (47.92 Acres).

[$7,999 x 47.92 = $383,312]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.3 of the RMA for IA No. 1.

3) The new Maximum Special Tax for Taxable Property within Zone 1 shall equal the result calculated in Step 1, minus the result calculated in Step 2 multiplied by 49.44%, and then by dividing such amount by the minimum taxable Acreage originally established for Zone 1 (47.92 Acres), exclusive of Annexed Property.

[$383,312 – (Step 2 result * 0.4944)]/47.92 =
Maximum Special Tax per Acre for Taxable Property within Zone 1

2. Zone 2

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property within Zone 2 shall be subject to a Maximum Special Tax equal to $4,750 per Acre. The Maximum Special Tax for Taxable Property within Zone 2 shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 1, or if there is an adjustment to the Special Tax in accordance with Section D of the RMA for IA No. 1. The Maximum Special Tax for Taxable Property within Zone 2 shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax within Zone 2, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for Zone 2 ($4,750 per Acre) by the minimum taxable Acreage for Zone 2 (82.53 Acres).

[$4,750 x 82.53 = $392,018]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.3 of the RMA for IA No. 1.

3) The new Maximum Special Tax for Taxable Property within Zone 2 shall equal the result calculated in Step 1, minus the result calculated in Step 2 multiplied by 50.56%, and then by dividing such amount by the minimum taxable Acreage originally established for Zone 2 (82.53 Acres), exclusive of Annexed Property.

[$392,018 – (Step 2 result * 0.5056)]/82.53 =
Maximum Special Tax per Acre for Taxable Property within Zone 2

3. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A of the RMA for IA No. 1, which is attached as Exhibit C and incorporated herein by reference.

B. Improvement Area No. 2

1. Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property, exclusive of Annexed Property, shall be subject to a Maximum Special Tax equal to $8,287 per Acre.

The Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to Improvement Area No. 2 (IA No. 2) of CFD No.7. Once Annexed Property exists within IA No. 2 of CFD No. 7, the Maximum Special Tax shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for IA No. 2 ($8,287 per Acre) by the minimum taxable Acreage originally established for IA No. 2 (33.89 Acres).

[$8,287 x 33.89 = $280,846]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.2 of the RMA for IA No. 2.

3) The new Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall equal the result calculated in Step 1, minus the result calculated in Step 2, and then by dividing such amount by the minimum taxable Acreage originally established for IA No. 2 (33.89 Acres).

[$280,846 - Step 2 result]/33.89 =

Maximum Special Tax per Acre for Taxable Property, exclusive of Annexed Property

2. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A of the RMA for IA No. 2, which is attached as Exhibit D and incorporated herein by reference.

C. *Improvement Area No. 3*

1. *Taxable Property*

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property, exclusive of Annexed Property, shall be subject to a Maximum Special Tax equal to $5,769 per Acre.

The Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to Improvement Area No. 3 (IA No. 3) of CFD No.7. Once Annexed Property exists within IA No. 3 of CFD No. 7, the Maximum Special Tax shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for IA No. 3 ($5,769 per Acre) by the minimum taxable Acreage originally established for IA No. 3 (65.19 Acres).

[$5,769 x 65.19 = $376,081]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.2 of the RMA for IA No. 3.

3) The new Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall equal the result calculated in Step 1, minus the result calculated in Step 2, and then by dividing such amount by the minimum taxable Acreage originally established for IA No. 3 (65.19 Acres).

[$376,081 - Step 2 result]/65.19 =

Maximum Special Tax per Acre for Taxable Property, exclusive of Annexed Property

2. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A of the RMA for IA No. 3, which is attached as Exhibit E and incorporated herein by reference.

Administrative Adjustments to the Maximum Special Tax

1. Prior to Issuance of Bonds

Prior to the issuance of the first series of Bonds, for each respective Improvement Area, the CFD Administrator shall calculate the total tax burden for all Assessor's Parcels of Taxable Property within the applicable Improvement Area, to determine whether or not any reductions are necessary to the Maximum Special Tax rate(s) for the applicable Improvement Area identified herein in order to comply with the Goals and Policies. If a mandatory Special Tax reduction is implemented, the same percent reduction shall be applied to the Maximum Special Tax for each Zone, if applicable, exclusive of the Maximum Special Tax for Annexed Property, and the City Council shall cause an "Amended Notice of Special Tax Lien" to be recorded in compliance with the Act. The amount of Bonds that may be issued for the applicable Improvement Area will be recalculated and shall not exceed an amount, in which, the Maximum Special Taxes that could be levied on Taxable Property within the applicable Improvement Area in each Fiscal Year, less Administrative Expenses for such Fiscal Year, shall provide no less than 110% coverage on the annual debt service on all Outstanding Bonds associated with such Improvement Area.

2. Subsequent to Issuance of Bonds

If, in any Fiscal Year after the City has issued the first series of Bonds, either (i) a Final Map is proposed to be recorded or (ii) an existing Final Map is proposed to be amended, that will result in a reduction of total Acreage of Taxable Property within the applicable Improvement Area to less than the amount identified in Section I of the applicable RMA for such Improvement Area, then a mandatory prepayment must be made in accordance with the Prepayment provisions as set forth under Sections F and G of the RMA for the applicable Improvement Area. The mandatory prepayment must be made by the landowners of those Assessor's Parcel(s) that are the subject of the proposed Final Map or the landowners of those Assessor's Parcel(s) that will be amended by the amended Final Map.

If a mandatory prepayment is required, the mandatory prepayment shall be paid as a requirement to record such new Final Map or amended Final Map.

Method of Apportionment

Special Taxes within each Improvement Area shall be levied to satisfy each Improvement Area's respective Special Tax Requirement, in accordance with the following procedures. Commencing in Fiscal Year 2008-2009 and for each subsequent Fiscal Year until terminated, the City Council shall levy Special Taxes on all Taxable Property within each Improvement Area, independent of the other two Improvement Areas, until the total amount of Special Taxes levied within such Improvement Area equals the applicable Special Tax Requirement in accordance with the following steps:

Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Annexed Property and each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Two: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Three: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Four: If additional monies are needed to satisfy the Special Tax Requirement after all previous steps have occurred, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Prepayment of Special Tax

The Special Tax obligation of an Assessor's Parcel of Taxable Property within CFD No. 7 may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time that the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor's Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor's Parcel intending to prepay all or a part of the Special Tax obligation shall provide the City with written notice of intent to prepay, and within 10 business days of receipt of such notice, the City shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 7 in calculating the proper amount of a prepayment. Within 30 business days of receipt of such non-refundable deposit, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula:

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance
plus	Administrative Fee
less	Reserve Fund Credit
less	Capitalized Interest Credit
equals	Prepayment Amount

The Special Tax obligation of an Assessor's Parcel of Taxable Property may also be partially prepaid, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_F - A) \times F + A$$

The terms above have the following meanings:

PP = the Partial Prepayment Amount.

P_F = the Prepayment Amount calculated above.

F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.

A = Administrative Fees

Termination of Special Tax

For each Fiscal Year that any Bonds are outstanding for the applicable Improvement Area, the Special Tax shall be levied on all Assessor's Parcels of Taxable Property within such Improvement Area. If any delinquencies for the Special Tax remain uncollected prior to or after all Bonds are retired, the Special Tax may be levied to the extent necessary to reimburse CFD No. 7 for uncollected Special Taxes, but not later than the 2048-49 Fiscal Year

Exemptions

The City shall classify as Exempt Property: (i) Public Property, (ii) Assessor's Parcels used or owned exclusively by a property owners' association, or (iii) Assessor's Parcels with public or utility easements, including Assessor's Parcels designated as open space or retention basin, making impractical their utilization for other purposes than those set forth in the easement, provided that such classification would not reduce the Acreage of all Taxable Property within Improvement Area No. 1 to less than 47.92 Acres within Zone 1, or to less than 82.53 Acres within Zone 2; within Improvement Area No. 2, to less than 33.89 Acres; and within Improvement Area No. 3, to less than 65.19 Acres. Public Property that cannot be classified as Exempt Property will be classified as Taxable Public Property and shall be subject to the applicable Maximum Special Tax. All other Assessor's Parcels identified within this section that cannot be classified as Exempt Property will be classified as Provisional Property and will be subject to the applicable Maximum Special Tax.

E. Conclusion

Based on information provided by, and discussions with, the City, Flood Control District, and the property owners, the Facilities are authorized to be financed by the Act and are necessary as a result of development occurring within the boundaries of CFD No. 7. Further, it is my opinion that the Special Taxes per the RMAs for Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 as set forth in Exhibits C, D, and E, respectively, are equitable and are not discriminatory or arbitrary and permits a purchaser of property subject to the Special Tax sufficient means of determining their obligation.

MuniFinancial

By: Chris Fisher, Principal Consultant

Exhibit A – Description of Boundaries

Boundaries of CFD No. 7

The boundaries of CFD No. 7 is comprised of three separate Improvement Areas which will be shown on that certain map to be kept on file in the Office of the City Clerk entitled "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California." This map indicates, by a boundary line, the extent of the territory included in CFD No. 7 at the time of the formation of CFD No. 7. The parcels of real property within CFD No. 7 are described more particularly on the Assessor Parcel Maps that are on file in the office of the Riverside County Assessor or on Maps filed with the County Recorder in connection with lot line adjustments and are incorporated into this Report by reference.

A reduced copy of the boundary map follows. The original of such map has been recorded in the records of the County Recorder, County of Riverside, State of California, recorded May 16, 2008 as Instrument No. 2008-0265595, in Book 73 Pages 6-8 of Maps of Assessment and Community Facilities Districts.

Boundaries of Future Annexation Area of CFD No. 7

The boundaries of the Future Annexation Area of CFD No. 7 is comprised of three separate Improvement Areas which will be shown on that certain map to be kept on file in the Office of the City Clerk entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California." This map indicates, by a boundary line, the extent of the future territory included in CFD No. 7 upon annexation. The parcels of real property within CFD No. 7 are described more particularly on the Assessor Parcel Maps that are on file in the office of the Riverside County Assessor or on Maps filed with the County Recorder in connection with lot line adjustments and are incorporated into this Report by reference.

A reduced copy of the boundary map follows. The original of such map has been recorded in the records of the County Recorder, County of Riverside, State of California, recorded May 16, 2008 as Instrument No. 2008-0265596, in Book 73 Pages 9-11 of Maps of Assessment and Community Facilities Districts.

SHEET 1 OF 3

MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

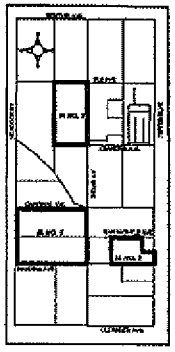

Vicinity Map

MAP REFERENCE	ASSESSOR'S PARCEL NO.
1	[illegible]
2	[illegible]
3	[illegible]
4	[illegible]
5	[illegible]
6	[illegible]
7	[illegible]
8	[illegible]
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15	[illegible]

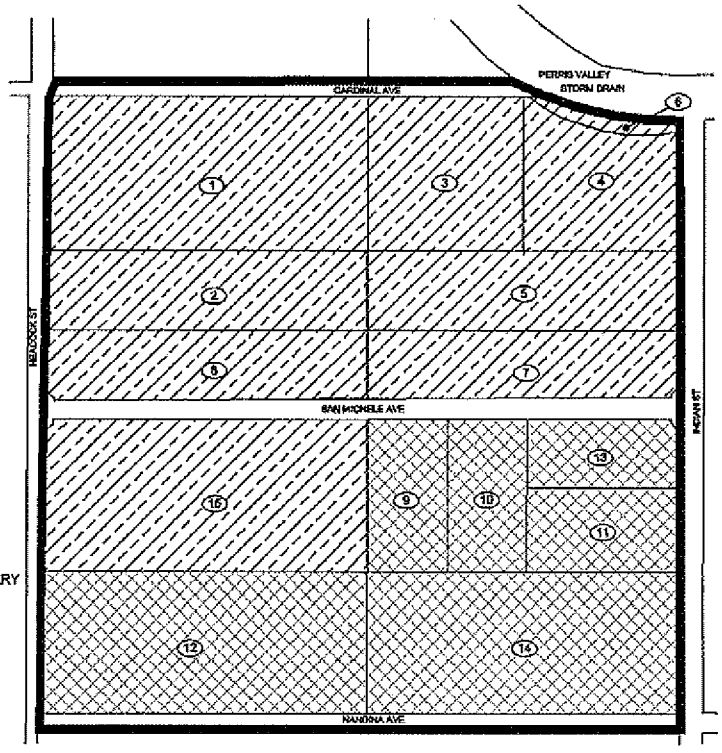

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____ 2006.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 7, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2006, BY ITS RESOLUTION NO. _____.

_____
CITY CLERK
CITY OF MORENO VALLEY

RIVERSIDE COUNTY RECORDER'S CERTIFICATE

FILED THIS _____ DAY OF _____, 2006, AT THE HOUR OF _____ O'CLOCK, ____ M, IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) _____, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

FEE: _____

INSTRUMENT NO.: _____

LARRY WARD, ASSESSOR-COUNTY CLERK-RECORDER

_____
BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

MuniFinancial

LEGEND FOR SHEET 1

- IMPROVEMENT AREA NO. 1 (IA NO. 1) BOUNDARY
- (1) MAP REFERENCE NUMBER
- ZONE 1
- ZONE 2

MV00174041

SHEET 2 OF 3

MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

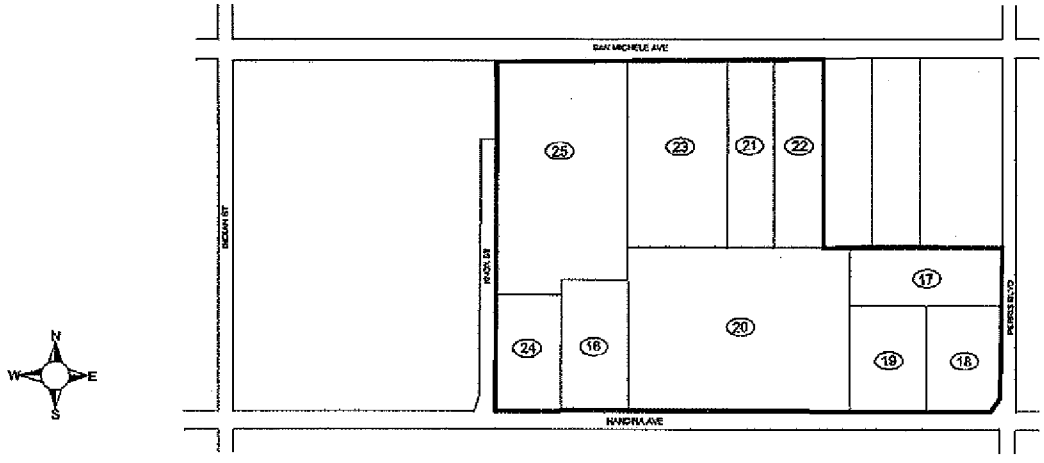

MAP REF NO.	ASSESSOR'S PARCEL NO.
16	316-200-003
17	316-200-009
18	316-200-010
19	316-200-011
20	316-200-012
21	316-200-013
22	316-200-014
23	316-200-015
24	316-200-028
25	316-200-029

LEGEND FOR SHEET 2

IMPROVEMENT AREA NO. 2 (IA NO. 2) BOUNDARY

(1) MAP REFERENCE NUMBER

MuniFinancial

MV00174042

MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

SHEET 3 OF 3

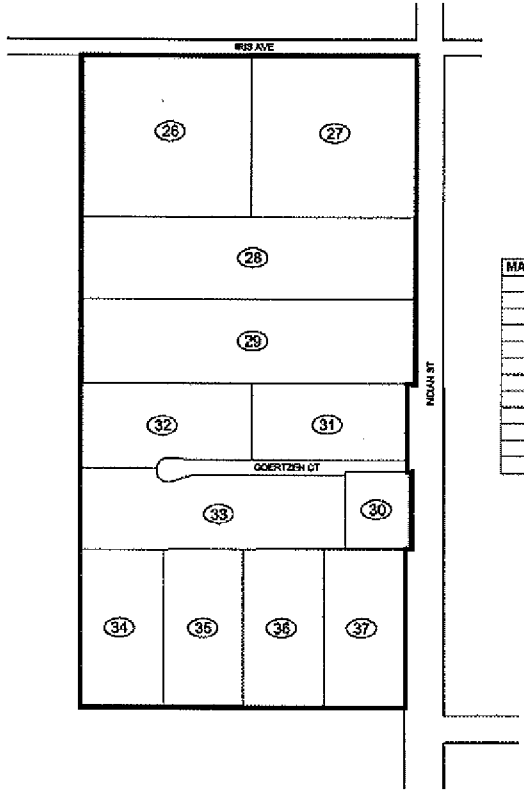

LEGEND FOR SHEET 3

IMPROVEMENT AREA NO. 3 (IA NO. 3) BOUNDARY

(1) MAP REFERENCE NUMBER

MAP REF NO.	ASSESSOR'S PARCEL NO.
26	316-020-002
27	316-020-003
28	316-020-004
29	316-020-005
30	316-020-012
31	316-020-013
32	316-020-014
33	316-020-015
34	316-020-016
35	316-020-017
36	316-020-018
37	316-020-019

MuniFinancial

MV00174043

SHEET 1 OF 3

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

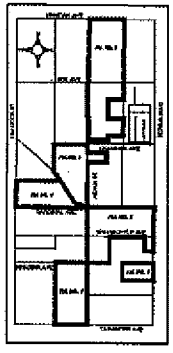

Vicinity Map

LEGEND FOR SHEET 1

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 1 OF CFD NO. 7 (FIA NO. 1)

(1) MAP REFERENCE NUMBER

MAP REF. NO.	ASSESSOR'S PARCEL NO.
1	316-[illegible]
2	316-[illegible]
3	316-[illegible]
4	316-[illegible]
5	316-[illegible]
6	316-[illegible]
7	316-[illegible]
8	316-[illegible]
9	316-[illegible]
10	316-[illegible]
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12	316-[illegible]
13	316-[illegible]
14	316-[illegible]
15	316-[illegible]
16	316-[illegible]

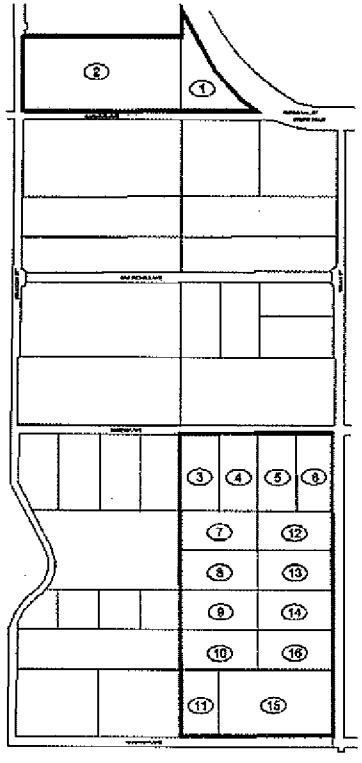

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____ 2006.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2006, BY ITS RESOLUTION NO. _____.

_____
CITY CLERK
CITY OF MORENO VALLEY

RIVERSIDE COUNTY RECORDER'S CERTIFICATE

FILED THIS _____ DAY OF _____, 2006, AT THE HOUR OF _____ O'CLOCK ___ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) _____, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

FEE: _____

INSTRUMENT NO.: _____

LARRY WARD, ASSESSOR-COUNTY CLERK-RECORDER

_____
BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

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MV00174044

SHEET 2 OF 3

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

LEGEND FOR SHEET 2

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 2 OF CFD NO. 7 (FIA NO. 2)

(1) MAP REFERENCE NUMBER

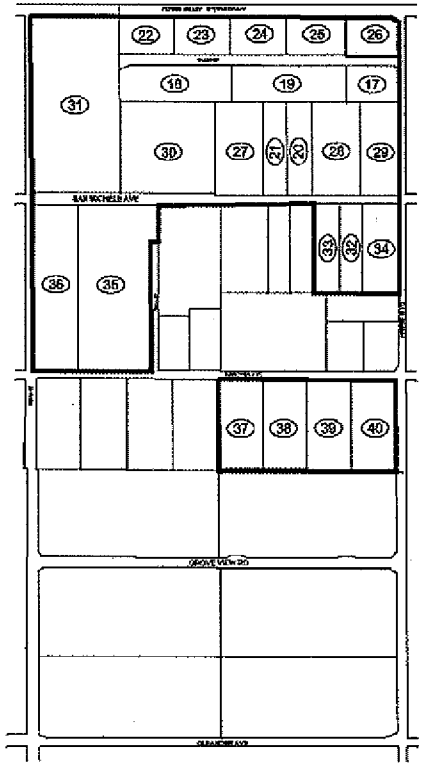

MAP RFT NO.	ASSESSOR'S PARCEL NO.
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35	[illegible]
36	[illegible]
37	[illegible]
38	[illegible]
39	[illegible]
40	[illegible]

MuniFinancial

MV00174045

SHEET 3 OF 3

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

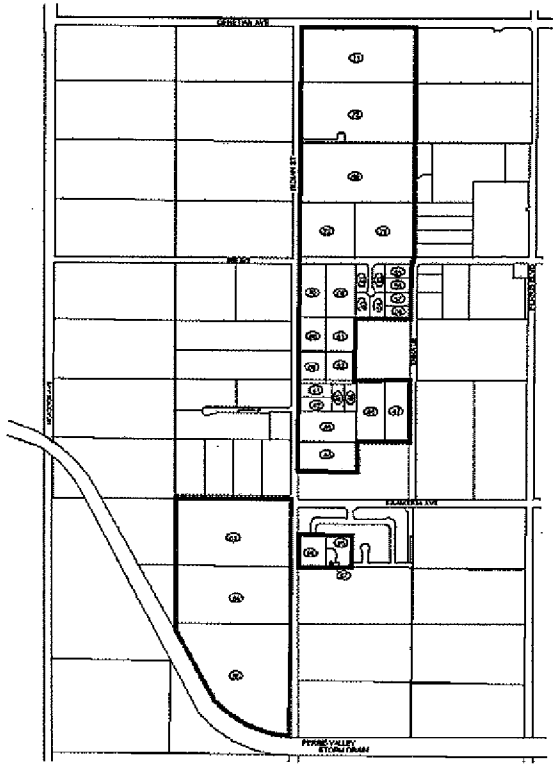

LEGEND FOR SHEET 3

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 3 OF CFD NO. 7 (FIA NO. 3)

(1) MAP REFERENCE NUMBER

MAP REF NO.	ASSESSOR'S PARCEL NO.
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69	[illegible]
70	[illegible]
71	[illegible]
72	[illegible]
73	[illegible]

MuniFinancial

MV00174046

Exhibit B – Cost Estimates

Facilities

It is proposed that CFD No. 7 incur bonded indebtedness, secured by the levy of the Special Tax within CFD No. 7, for the purpose of financing the authorized Facilities within CFD No. 7. The list below should not be interpreted as a hierarchy of which Facilities should be financed first. The priority of the Facilities proposed to be financed shall be determined by the City.

Description	Total Fees, Facilities, and Incidental Costs	Improvement Area 1	Improvement Area 2	Improvement Area 3
CFD Hard Cost				
Storm Drain	$ 6,187,394	$ 3,600,000	$ 1,300,394	$ 1,287,000
Gas Line Relocation for Storm Drain	125,000	125,000	-	-
Street / ROW Improvements	1,627,813	985,906	-	641,907
SUBTOTAL	7,940,207	4,710,906	1,300,394	1,928,907
Hard Cost Contingency (@ 10.00%)	794,021	471,091	130,039	192,891
TOTAL HARD COST	**8,734,228**	**$ 5,181,997**	**$ 1,430,433**	**$ 2,121,798**
CFD Soft Cost				
Civil Engineering (@3.00%)	238,206	141,327	39,012	57,867
Construction Staking (@1.00%)	79,402	47,109	13,004	19,289
Fees-General Contractor (@8.00%)	698,738	414,560	114,435	169,744
General Conditions (@3.00%)	262,027	155,460	42,913	63,654
Landscape Architect	-	-	-	-
Plan check & Permits (@3.00%)	238,206	141,327	39,012	57,867
Soils/Materials Testing (@1.00%)	79,402	47,109	13,004	19,289
SUBTOTAL	1,595,982	946,892	261,379	387,710
Soft Cost Contingency (@2.00%)	31,920	18,938	5,228	7,754
TOTAL SOFT COST	**$ 1,627,901**	**$ 965,830**	**$ 266,607**	**$ 395,465**
TOTAL IMPROVEMENT COSTS	**$ 10,362,129**	**$ 6,147,827**	**$ 1,697,040**	**$ 2,517,262**
Incidental Cost				
Reserve Fund	1,165,410	659,258	209,767	296,385
Capitalized Interest	1,121,418	597,445	225,624	298,349
Underwriter Discount	276,374	157,974	49,069	69,331
Cost of Issuance	977,500	439,000	248,000	290,500
TOTAL INCIDENTAL COSTS	**$ 3,540,701**	**$ 1,853,676**	**$ 732,460**	**$ 954,565**
TOTAL COSTS	**$ 13,902,830**	**$ 8,001,503**	**$ 2,429,500**	**$ 3,471,828**

Exhibit C – Improvement Area No. 1 RMA

IMPROVEMENT AREA No. 1 OF
COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY

A special tax as hereinafter defined shall be levied on and collected within Improvement Area No. 1 of Community Facilities District No. 7 of the City of Moreno Valley ("IA No. 1") each Fiscal Year commencing in Fiscal Year 2008-2009, in an amount determined by the City Council of the City of Moreno Valley through the application of the appropriate Special Tax for "Developed Property," "Undeveloped Property," "Provisional Property," and "Taxable Public Property" as described below. IA No. 1 consists of two zones, designated as Zone 1 and Zone 2. All of the real property within IA No. 1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, or other recorded instrument. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560. The minimum Acreage of Taxable Property is determined in accordance with Section I.

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any actual ordinary and necessary expense of the City, or designee thereof or both, to carry out the administration of IA No. 1 related to the determination of the amount of the levy of Special Taxes, the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures, the administration of Bonds, the payment of a proportional share of salaries and benefits of any City employee whose duties are related to the administration of IA No. 1, fees and expenses for counsel, audits, or other amounts needed to pay rebate to the federal government with respect to the Bonds, costs related to complying with continuing disclosure requirements pursuant to applicable federal and state securities law, costs associated with responding to public inquiries regarding IA No. 1 or the Bonds, and costs otherwise incurred in order to carry out the administration of IA No. 1.

"Annexed Property" means Assessor's Parcels originally identified within the Future Annexation Area that have been annexed to IA No. 1.

"Assessor's Parcel" means a lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of IA No. 1.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Bonds" means any obligation to repay a sum of money, including obligations in the form of bonds, notes, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts, or any refunding thereof, to which the Special Tax has been pledged.

"Boundary Map" means the "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 6-8 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Building Permit" means a permit for new construction for a non-residential structure. For purposes of this definition, "Building Permit" shall not include permits for construction or installation of retaining walls, utility improvements, or other such improvements not intended for human habitation.

"Calendar Year" means the period commencing January 1 of any year and ending the following December 31.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes for IA No. 1.

"CFD No. 7" means Community Facilities District No. 7 of the City of Moreno Valley established by the City under the Act.

"City" means the City of Moreno Valley.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 7, or its designee.

"County" means the County of Riverside.

"Developed Property" means all Assessor's Parcels of Taxable Property for which Building Permits were issued on or before June 1 preceding the Fiscal Year for which Special Taxes are being levied, provided that a Final Map for such Assessor's Parcels was recorded on or before January 1 of the prior Fiscal Year for which Special Taxes may be levied.

"Exempt Property" means all Assessor's Parcels within IA No. 1 which are exempt from the Special Taxes pursuant to law or Section I herein.

"Facilities" means those public facilities authorized to be funded by CFD No. 7 as set forth in the formation documents for CFD No. 7.

"Final Map" means a recorded final map, parcel map, or lot line adjustment, evidencing the subdivision of property pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.).

"Fiscal Year" means the period commencing on July 1 of any year and ending the following June 30.

"Future Annexation Area" means all Assessor's Parcels within the future annexation area of IA No. 1 as determined by reference to the boundary map entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno

Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 9-11 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Goals and Policies" means the local goals and policies adopted by the City Council concerning the use of the Act that are in effect at the time of formation of CFD No. 7.

"Improvement Area No. 1" or "IA No. 1" means the area within CFD No. 7 designated as Improvement Area No. 1 by reference to the Boundary Map, as such area may be amended by the addition of Annexed Property.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C, which may be levied by CFD No. 7 in any Fiscal Year on an Assessor's Parcel of Taxable Property.

"Partial Prepayment Amount" means the amount required to prepay a portion of the Special Tax obligation for an Assessor's Parcel, as described in Section G.

"Prepayment Amount" means the amount required to prepay the Special Tax obligation in full for an Assessor's Parcel, as described in Section F.

"Proportionately" means, for Developed Property, the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property. For Provisional Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Provisional Property. For Taxable Public Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Public Property.

"Provisional Property" means all Assessor's Parcels identified under Section I, excluding Public Property, that are not classified as Exempt Property because such classification would reduce the sum of all Taxable Property to less than 47.92 Acres within Zone 1 or, to less than 82.53 Acres within Zone 2.

"Public Property" means any property within the boundaries of IA No. 1 that is owned by or irrecoverably dedicated to the City, the federal government, the State of California, the County, or any other public agency.

"Special Tax" means the special tax authorized to be levied by CFD No. 7 pursuant to the Act to fund the Special Tax Requirement.

"Special Tax Requirement" means the amount required in any Fiscal Year for IA No. 1 to fund: (i) the debt service or the periodic costs on all outstanding Bonds due in the Calendar Year that commences in such Fiscal Year, (ii) Administrative Expenses, (iii) any amount required to establish or replenish any reserve funds established in association with the Bonds, (iv) any delinquencies in the payment of prior years Special Taxes, (v) a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied, and (vi) the acquisition or construction of eligible Facilities, provided that the inclusion of such amount does not cause an increase in the levy of the Special Tax on Undeveloped Property, less

(vii) any amount available to pay debt service or other periodic costs on the Bonds as reasonably determined by the CFD Administrator pursuant to the Indenture.

"Taxable Property" means all Assessor's Parcels that are not exempt from the Special Tax pursuant to law or the Rate and Method of Apportionment of Special Tax.

"Taxable Public Property" means all Assessor's Parcels defined as Public Property that are not classified as Exempt Property under Section I because such classification would reduce the sum of all Taxable Property to less than 47.92 Acres within Zone 1 or, to less than 82.53 Acres within Zone 2.

"Trustee" means the trustee, fiscal agent, or paying agent under the Indenture.

"Undeveloped Property" means all Assessor's Parcels of Taxable Property, exclusive of Annexed Property, which are not classified as Developed Property, Taxable Public Property, or Provisional Property.

"Zone" means one of the two mutually exclusive geographic areas defined below.

- *"Zone 1"* means the area within IA No. 1 designated as zone 1 by reference to the Boundary Map.
- *"Zone 2"* means the area within IA No. 1 designated as zone 2 by reference to the Boundary Map.

B. CLASSIFICATION OF ASSESSOR'S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2008-2009, each Assessor's Parcel shall be classified as Taxable Property or Exempt Property. In addition, each Fiscal Year, each Assessor's Parcel of Taxable Property shall be further classified as Developed Property, Undeveloped Property, Provisional Property, or Taxable Public Property.

C. MAXIMUM SPECIAL TAXES

1. ZONE 1

Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property within Zone 1 shall be subject to a Maximum Special Tax equal to $7,999 per Acre.

The Maximum Special Tax for Taxable Property within Zone 1 shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 1, or if there is an adjustment to the Special Tax in accordance with Section D. The Maximum Special Tax for Taxable Property within Zone 1 shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax within Zone 1, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for Zone 1 ($7,999 per Acre) by the minimum taxable Acreage originally established for Zone 1 as defined in Section I (47.92 Acres).

[$7,999 x 47.92 = $383,312]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.3.

3) The new Maximum Special Tax for Taxable Property within Zone 1 shall equal the result calculated in Step 1, minus the result calculated in Step 2 multiplied by 49.44%, and then by dividing such amount by the minimum taxable Acreage originally established for Zone 1 (47.92 Acres), exclusive of Annexed Property.

[$383,312 – (Step 2 result * 0.4944)]/47.92 =
Maximum Special Tax per Acre for Taxable Property within Zone 1

2. ZONE 2

Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property within Zone 2 shall be subject to a Maximum Special Tax equal to $4,750 per Acre.

The Maximum Special Tax for Taxable Property within Zone 2 shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 1, or if there is an adjustment to the Special Tax in accordance with Section D. The Maximum Special Tax for Taxable Property within Zone 2 shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax within Zone 2, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for Zone 2 ($4,750 per Acre) by the minimum taxable Acreage for Zone 2 as defined in Section I (82.53 Acres).

[$4,750 x 82.53 = $392,018]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.3.

3) The new Maximum Special Tax for Taxable Property within Zone 2 shall equal the result calculated in Step 1, minus the result calculated in Step 2 multiplied by 50.56%, and then by dividing such amount by the minimum taxable Acreage originally established for Zone 2 (82.53 Acres), exclusive of Annexed Property.

[$392,018 – (Step 2 result * 0.5056)]/82.53 =
Maximum Special Tax per Acre for Taxable Property within Zone 2

3. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A.

D. Administrative Adjustments to the Maximum Special Tax

1. Prior to Issuance of Bonds

Prior to the issuance of the first series of Bonds, the CFD Administrator shall calculate the total tax burden for all Assessor's Parcels of Taxable Property, to determine whether or not any reductions are necessary to the Maximum Special Tax rate(s) identified herein in order to comply with the Goals and Policies. In calculating the total tax burden, the CFD Administrator shall (i) refer to the City's Goals and Policies, any market absorption study or price point analysis dated not earlier than 90 days prior to the date of issuance or other such date approved by the City, and any other document available to the City and/or CFD Administrator, and (ii) calculate the total tax burden considering the Maximum Special Tax rates and other governmental liens. The Maximum Special Tax set forth herein may be reduced if it is reasonably determined by the CFD Administrator and/or City, through review of available information related to IA No. 1, that the total tax burden against Taxable Property results in an amount that would reduce the marketability of the Bonds based on consultations with the City's underwriter, financial advisor, and/or other project team consultants engaged by the City. The City will have the final discretion regarding any reduction in the Maximum Special Tax rates identified herein.

If a mandatory Special Tax reduction is implemented, the same percent reduction shall be applied to the Maximum Special Tax for each Zone, exclusive of the Maximum Special Tax for Annexed Property set forth in Exhibit A, and the City Council shall cause an "Amended Notice of Special Tax Lien" to be recorded in compliance with the Act. The amount of Bonds that may be issued will be recalculated and shall not exceed an amount, in which, the Maximum Special Taxes that could be levied on Taxable Property within IA No. 1 in each Fiscal Year, less Administrative Expenses for such Fiscal Year, shall provide no less than 110% coverage on the annual debt service on all Outstanding Bonds, as defined in Section F herein.

2. Subsequent to Issuance of Bonds

If, in any Fiscal Year after the City has issued the first series of Bonds, either (i) a Final Map is proposed to be recorded or (ii) an existing Final Map is proposed to be amended, that will result in a reduction of total Acreage of Taxable Property to less than 47.92 Acres within Zone 1 or, to less than 82.53 Acres within Zone 2, then a mandatory prepayment must be made in accordance with Sections F and G. The mandatory prepayment must be made by the landowners of those Assessor's Parcel(s) that are the subject of the proposed Final Map or the landowners of those Assessor's Parcel(s) that will be amended by the amended Final Map.

If a mandatory prepayment is required, the mandatory prepayment shall be paid as a requirement to record such new Final Map or amended Final Map.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing in Fiscal Year 2008-2009 and for each subsequent Fiscal Year until terminated, the City Council shall levy Special Taxes on all Taxable Property until the total amount of Special Taxes levied equals the Special Tax Requirement in accordance with the following steps:

Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Annexed Property and each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Two: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Three: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Four: If additional monies are needed to satisfy the Special Tax Requirement after all previous steps have occurred, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section F:

"Facilities Costs" means either $6.15 million, expressed in 2008 dollars, which shall increase by the Construction Inflation Index on January 1, 2009, and on each January 1 thereafter, or such lower numbers as shall be determined either by (a) the CFD Administrator as sufficient to finance the Facilities, or (b) the City Council concurrently with a covenant that it will not issue any more CFD No. 7 Bonds secured by IA No. 1 (except refunding bonds) to be secured by Special Taxes levied under this Rate and Method of Apportionment.

"Construction Inflation Index" means the annual percentage change in the Engineering News-Record Building Cost Index for the City of Los Angeles, measured as of the Calendar Year, which ends in the previous Fiscal Year. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the City that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of Los Angeles.

"Future Facilities Costs" means the Facilities Costs minus that (a) portion of the Facilities Costs previously and actually funded (i) from the proceeds of all previously issued Bonds, (ii) from interest earnings on the Improvement Fund actually earned prior to the date of prepayment and (iii) directly from Special Tax revenues and (b) amount of the proceeds of all previously issued Bonds then on deposit in the Improvement Fund.

"Improvement Fund" means a fund specifically identified in the Indenture to hold funds, which are currently available for expenditure to acquire or construct the Facilities.

"Outstanding Bonds" means all previously issued Bonds secured by the levy of Special Taxes which will remain outstanding after the first interest and/or principal payment date following the current Fiscal Year, excluding Bonds to be redeemed at a later date with the proceeds of prior prepayments of the Maximum Special Tax.

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time that the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor's Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor's Parcel intending to prepay all or a part of the Special Tax obligation shall provide the City with written notice of intent to prepay, and within 10 business days of receipt of such notice, the City shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 7 in calculating the proper amount of a prepayment. Within 30 business days of receipt of such non-refundable deposit, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula (capitalized terms defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance
plus	Administrative Fee
less	Reserve Fund Credit
less	Capitalized Interest Credit
equals	Prepayment Amount

As of the date of prepayment, the Prepayment Amount shall be calculated as follows:

1. For an Assessor's Parcel of Taxable Property, compute the Maximum Special Tax applicable to such Assessor's Parcel.

2. For each Assessor's Parcel intending to prepay, divide the Maximum Special Tax computed pursuant to paragraph 1 for such Assessor's Parcel by the sum of the estimated Maximum Special Tax applicable to all Assessor's Parcels of Taxable Property, excluding the Maximum Special Taxes of any Assessor's Parcels for which the Special Tax obligation has been previously prepaid.

3. For each Assessor's Parcel intending to prepay, multiply the quotient computed pursuant to paragraph 2 by Outstanding Bonds. The product shall be the "Bond Redemption Amount," for such Assessor's Parcels, as applicable.

0. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds on the next available redemption date to be redeemed with the proceeds of the Bond Redemption Amount. This product is the "Redemption Premium."

1. If (a) all the Bonds authorized to be issued by CFD No. 7 for IA No. 1 have not been issued, and (b) the City Council has not restricted its ability to issue additional bonds in the future, then compute the Future Facilities Amount.

2. The "Future Facilities Amount" shall be calculated by multiplying the quotient computed pursuant to paragraph 2, by the amount if any, determined pursuant to paragraph 5. The product shall be the "Future Facilities Amount."

3. Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds, taking into consideration the amount of Special Taxes levied on and paid for the Assessor's Parcel in the current Fiscal Year.

4. Compute the amount the CFD Administrator reasonably expects to be derived from the reinvestment of the Prepayment Amount less the Future Facilities Amount and Administrative Fee (defined in paragraph 10) until the earliest redemption date for the Outstanding Bonds.

5. Subtract the amount computed pursuant to paragraph 8 from the result computed pursuant to paragraph 7. This difference is the "Defeasance."

10. Estimate the administrative fees and expenses associated with the prepayment, including the costs of computation of the Prepayment Amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption. This amount is the "Administrative Fee."

11. Calculate the "Reserve Fund Credit" as the lesser of: (a) the expected reduction in the applicable reserve requirement, if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirement in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the applicable reserve fund on the prepayment date. Notwithstanding the foregoing, if the reserve fund requirement is satisfied by a surety bond or other instrument at the time of the prepayment, then no Reserve Fund Credit shall be given. Notwithstanding the foregoing, the Reserve Fund Credit shall in no event be less than $0.

12. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to step 2 by the expected balance in the capitalized interest fund after such first interest payment (the "Capitalized Interest Credit").

13. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Future Facilities Amount, the Defeasance, and the Administrative Fee, less the Reserve Fund Credit and less the Capitalized Interest Credit.

With respect to the Special Tax obligation that is prepaid pursuant to this Section F, the City Council shall indicate in the records of CFD No. 7 that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such prepayment to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Special Tax shall cease.

Notwithstanding the foregoing, no prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all currently Outstanding Bonds in each future Fiscal Year.

G. PARTIAL PREPAYMENT OF SPECIAL TAX

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be partially prepaid, as calculated in this Section G, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_F - A) \times F + A$$

The terms above have the following meanings:

PP = the Partial Prepayment Amount.

P_F = the Prepayment Amount calculated according to Section F.

F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.

A = Administrative Fees calculated in Section F, step 10

With respect to any Assessor's Parcel that is partially prepaid, the City Council shall indicate in the records of CFD No. 7 that there has been a partial prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such partial prepayment of the Special Tax obligation, to indicate the partial prepayment of the Special Tax obligation and the partial release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such prepaid portion of the Special Tax shall cease.

Notwithstanding the foregoing, no partial prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property after such partial prepayment, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all Bonds outstanding after such partial prepayment in each future Fiscal Year.

H. TERMINATION OF SPECIAL TAX

For each Fiscal Year that any Bonds are outstanding, the Special Tax shall be levied on all Assessor's Parcels of Taxable Property within IA No. 1 in accordance with Section E. If any delinquencies for the Special Tax remain uncollected prior to or after all Bonds are retired, the Special Tax may be levied to the extent necessary to reimburse CFD No. 7 for uncollected Special Taxes, but not later than the 2048-49 Fiscal Year.

I. EXEMPTIONS

The City shall classify as Exempt Property: (i) Public Property, (ii) Assessor's Parcels used or owned exclusively by a property owners' association, or (iii) Assessor's Parcels with public or utility easements, including Assessor's Parcels designated as open space or retention basin, making impractical their utilization for other purposes than those set forth in the easement, provided that such classification would not reduce the Acreage of all Taxable Property to less than 47.92 Acres within Zone 1 or, to less than 82.53 Acres within Zone 2. Public Property that cannot be classified as Exempt Property will be classified as Taxable Public Property and shall be subject to the Special Tax in accordance with Section E. All other Assessor's Parcels identified within this section that cannot be classified as Exempt Property will be classified as Provisional Property and will be subject to the Special Tax in accordance with Section E.

J. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the City Manager of the City not later than twelve months after having paid the first installment of the Special Tax that is disputed. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made (except for the last year of levy), but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

K. MANNER OF COLLECTION

The annual Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 7 may collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

Exhibit A

IMPROVEMENT AREA 1 NO. OF CITY OF MORENO VALLEY CFD NO. 7 MAXIMUM SPECIAL TAX RATE FOR ANNEXED PROPERTY (1)

Year After Formation	Maximum Special Tax per Acre
1	$658
2	$665
3	$673
4	$682
5	$692
6	$702
7	$714
8	$727
9	$742
10	$758
11	$777
12	$798
13	$821
14	$848
15	$879
16	$915
17	$956
18	$1,005
19	$1,064
20	$1,135
21	$1,222
22	$1,332
23	$1,474
24	$1,665
25	$1,934
26	$2,339
27	$3,015
28	$4,371
29	$8,446

(1) The above Maximum Special Tax rates are based upon the assumed coupon rate of 7.25%, consistent with the other bonding assumptions. These rates will be adjusted based upon the final pricing of the bonds at issuance. Once property is annexed into the CFD, that property's Maximum Special Tax is fixed at the final adjusted amount per acre (after bond issuance) for the year after formation in which the property is annexed.

Exhibit D – Improvement Area No. 2 RMA

IMPROVEMENT AREA NO. 2 OF
COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY

A special tax as hereinafter defined shall be levied on and collected within Improvement Area No. 2 of Community Facilities District No. 7 of the City of Moreno Valley ("IA No. 2") each Fiscal Year commencing in Fiscal Year 2008-2009, in an amount determined by the City Council of the City of Moreno Valley through the application of the appropriate Special Tax for "Developed Property," "Undeveloped Property," "Provisional Property," and "Taxable Public Property" as described below. All of the real property within IA No. 2, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, or other recorded instrument. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560. The minimum Acreage of Taxable Property is determined in accordance with Section I.

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any actual ordinary and necessary expense of the City, or designee thereof or both, to carry out the administration of IA No. 2 related to the determination of the amount of the levy of Special Taxes, the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures, the administration of Bonds, the payment of a proportional share of salaries and benefits of any City employee whose duties are related to the administration of IA No. 2, fees and expenses for counsel, audits, or other amounts needed to pay rebate to the federal government with respect to the Bonds, costs related to complying with continuing disclosure requirements pursuant to applicable federal and state securities law, costs associated with responding to public inquiries regarding IA No. 2 or the Bonds, and costs otherwise incurred in order to carry out the administration of IA No. 2.

"Annexed Property" means Assessor's Parcels originally identified within the Future Annexation Area that have been annexed to IA No. 2.

"Assessor's Parcel" means a lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of IA No. 2.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Bonds" means any obligation to repay a sum of money, including obligations in the form of bonds, notes, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts, or any refunding thereof, to which the Special Tax has been pledged.

"Boundary Map" means the "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 6-8 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Building Permit" means a permit for new construction for a non-residential structure. For purposes of this definition, "Building Permit" shall not include permits for construction or installation of retaining walls, utility improvements, or other such improvements not intended for human habitation.

"Calendar Year" means the period commencing January 1 of any year and ending the following December 31.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes for IA No. 2.

"CFD No. 7" means Community Facilities District No. 7 of the City of Moreno Valley established by the City under the Act.

"City" means the City of Moreno Valley.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 7, or its designee.

"County" means the County of Riverside.

"Developed Property" means all Assessor's Parcels of Taxable Property for which Building Permits were issued on or before June 1 preceding the Fiscal Year for which Special Taxes are being levied, provided that a Final Map for such Assessor's Parcels was recorded on or before January 1 of the prior Fiscal Year for which Special Taxes may be levied.

"Exempt Property" means all Assessor's Parcels within IA No. 2 which are exempt from the Special Taxes pursuant to law or Section I herein.

"Facilities" means those public facilities authorized to be funded by CFD No. 7 as set forth in the formation documents for CFD No. 7.

"Final Map" means a recorded final map, parcel map, or lot line adjustment, evidencing the subdivision of property pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.).

"Fiscal Year" means the period commencing on July 1 of any year and ending the following June 30.

"Future Annexation Area" means all Assessor's Parcels within the future annexation area of IA No. 2 as determined by reference to the boundary map entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 9-11 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Goals and Policies" means the local goals and policies adopted by the City Council concerning the use of the Act that are in effect at the time of formation of CFD No. 7.

"Improvement Area No. 2" or "IA No. 2" means the area within CFD No. 7 designated as Improvement Area No. 2 by reference to the Boundary Map, as such area may be amended by the addition of Annexed Property.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C, which may be levied by CFD No. 7 in any Fiscal Year on an Assessor's Parcel of Taxable Property.

"Partial Prepayment Amount" means the amount required to prepay a portion of the Special Tax obligation for an Assessor's Parcel, as described in Section G.

"Prepayment Amount" means the amount required to prepay the Special Tax obligation in full for an Assessor's Parcel, as described in Section F.

"Proportionately" means, for Developed Property, the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property. For Provisional Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Provisional Property. For Taxable Public Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Public Property.

"Provisional Property" means all Assessor's Parcels identified under Section I, excluding Public Property, that are not classified as Exempt Property because such classification would reduce the total Acreage of all Taxable Property to less than 33.89 Acres.

"Public Property" means any property within the boundaries of IA No. 2 that is owned by or irrecoverably dedicated to the City, the federal government, the State of California, the County, or any other public agency.

"Special Tax" means the special tax authorized to be levied by CFD No. 7 pursuant to the Act to fund the Special Tax Requirement.

"Special Tax Requirement" means the amount required in any Fiscal Year for IA No. 2 to fund: (i) the debt service or the periodic costs on all outstanding Bonds due in the Calendar Year that commences in such Fiscal Year, (ii) Administrative Expenses, (iii) any amount required to establish or replenish any reserve funds established in association with the Bonds, (iv) any delinquencies in the payment of prior years Special Taxes, (v) a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied, and (vi) the acquisition or construction of eligible Facilities, provided that the inclusion of such amount does not cause an increase in the levy of the Special Tax on Undeveloped Property, less (vii) any amount available to pay debt service or other periodic costs on the Bonds as reasonably determined by the CFD Administrator pursuant to the Indenture.

"Taxable Property" means all Assessor's Parcels that are not exempt from the Special Tax pursuant to law or the Rate and Method of Apportionment of Special Tax.

"Taxable Public Property" means all Assessor's Parcels defined as Public Property that are not classified as Exempt Property under Section I because such classification would reduce the total Acreage of all Taxable Property to less than 33.89 Acres.

"Trustee" means the trustee, fiscal agent, or paying agent under the Indenture.

"Undeveloped Property" means all Assessor's Parcels of Taxable Property, exclusive of Annexed Property, which are not classified as Developed Property, Taxable Public Property, or Provisional Property.

B. CLASSIFICATION OF ASSESSOR'S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2008-2009, each Assessor's Parcel shall be classified as Taxable Property or Exempt Property. In addition, each Fiscal Year, each Assessor's Parcel of Taxable Property shall be further classified as Developed Property, Undeveloped Property, Provisional Property, or Taxable Public Property.

C. MAXIMUM SPECIAL TAXES

1. Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property, exclusive of Annexed Property, shall be subject to a Maximum Special Tax equal to $8,287 per Acre.

The Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 2 of CFD No.7. Once Annexed Property exists within IA No. 2 of CFD No. 7, the Maximum Special Tax shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for IA No. 2 ($8,287 per Acre) by the minimum taxable Acreage originally established for IA No. 2 as defined in Section I (33.89 Acres).

[$8,287 x 33.89 = $280,846]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.2.

3) The new Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall equal the result calculated in Step 1, minus the result calculated in Step 2, and then by dividing such amount by the minimum taxable Acreage originally established for IA No. 2 (33.89 Acres).

[$280,846 - Step 2 result]/33.89 =

Maximum Special Tax per Acre for Taxable Property, exclusive of Annexed Property

2. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A.

D. Administrative Adjustments to the Maximum Special Tax

1. Prior to Issuance of Bonds

Prior to the issuance of the first series of Bonds, the CFD Administrator shall calculate the total tax burden for all Assessor's Parcels of Taxable Property, to determine whether or not any reductions are necessary to the Maximum Special Tax rate(s) identified herein in order to comply with the Goals and Policies. In calculating the total tax burden, the CFD Administrator shall (i) refer to the City's Goals and Policies, any market absorption study or price point analysis dated not earlier than 90 days prior to the date of issuance or other such date approved by the City, and any other document available to the City and/or CFD Administrator, and (ii) calculate the total tax burden considering the Maximum Special Tax rates and other governmental liens. The Maximum Special Tax set forth herein may be reduced if it is reasonably determined by the CFD Administrator and/or City, through review of available information related to IA No. 2, that the total tax burden against Taxable Property results in an amount that would reduce the marketability of the Bonds based on consultations with the City's underwriter, financial advisor, and/or other project team consultants engaged by the City. The City will have the final discretion regarding any reduction in the Maximum Special Tax rates identified herein.

If a mandatory Special Tax reduction is implemented, the amount of Bonds that may be issued will be recalculated and shall not exceed an amount in which the Maximum Special Taxes that could be levied on Taxable Property within IA No. 2 in each Fiscal Year, less Administrative Expenses for such Fiscal Year, shall provide no less than 110% coverage on the annual debt service on all Outstanding Bonds, as defined in Section F herein.

2. Subsequent to Issuance of Bonds

If, in any Fiscal Year after the City has issued the first series of Bonds, either (i) a Final Map is proposed to be recorded or (ii) an existing Final Map is proposed to be amended, that will result in a reduction of total Acreage of Taxable Property to less than 33.89 Acres, then a mandatory prepayment must be made in accordance with Sections F and G. The mandatory prepayment must be made by the landowners of those Assessor's Parcel(s) that are the subject of the proposed Final Map or the landowners of those Assessor's Parcel(s) that will be amended by the amended Final Map.

If a mandatory prepayment is required, the mandatory prepayment shall be paid as a requirement to record such new Final Map or amended Final Map.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing in Fiscal Year 2008-2009 and for each subsequent Fiscal Year until terminated, the City Council shall levy Special Taxes on all Taxable Property until the total amount of Special Taxes levied equals the Special Tax Requirement in accordance with the following steps:

Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Annexed Property and each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Two: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Three: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Four: If additional monies are needed to satisfy the Special Tax Requirement after all previous steps have occurred, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section F:

"Facilities Costs" means either $1.73 million, expressed in 2008 dollars, which shall increase by the Construction Inflation Index on January 1, 2009, and on each January 1 thereafter, or such lower numbers as shall be determined either by (a) the CFD Administrator as sufficient to finance the Facilities, or (b) the City Council concurrently with a covenant that it will not issue any more CFD No. 7 Bonds secured by IA No. 2 (except refunding bonds) to be secured by Special Taxes levied under this Rate and Method of Apportionment.

"Construction Inflation Index" means the annual percentage change in the Engineering News-Record Building Cost Index for the City of Los Angeles, measured as of the Calendar Year, which ends in the previous Fiscal Year. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the City that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of Los Angeles.

"Future Facilities Costs" means the Facilities Costs minus that (a) portion of the Facilities Costs previously and actually funded (i) from the proceeds of all previously issued Bonds, (ii) from interest earnings on the Improvement Fund actually earned prior to the date of prepayment and (iii) directly from Special Tax revenues and (b) amount of the proceeds of all previously issued Bonds then on deposit in the Improvement Fund.

"Improvement Fund" means a fund specifically identified in the Indenture to hold funds, which are currently available for expenditure to acquire or construct the Facilities.

"Outstanding Bonds" means all previously issued Bonds secured by the levy of Special Taxes which will remain outstanding after the first interest and/or principal payment date following the current Fiscal Year, excluding Bonds to be redeemed at a later date with the proceeds of prior prepayments of the Maximum Special Tax.

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time that the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor's Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor's Parcel intending to prepay all or a part of the Special Tax obligation shall provide the City with written notice of intent to prepay, and within 10 business days of receipt of such notice, the City shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 7 in calculating the proper amount of a prepayment. Within 30 business days of receipt of such non-refundable deposit, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula (capitalized terms defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance
plus	Administrative Fee
less	Reserve Fund Credit
less	Capitalized Interest Credit
equals	Prepayment Amount

As of the date of prepayment, the Prepayment Amount shall be calculated as follows:

1. For an Assessor's Parcel of Taxable Property, compute the Maximum Special Tax applicable to such Assessor's Parcel.

1. For each Assessor's Parcel intending to prepay, divide the Maximum Special Tax computed pursuant to paragraph 1 for such Assessor's Parcel by the sum of the estimated Maximum Special Tax applicable to all Assessor's Parcels of Taxable Property, excluding the Maximum Special Taxes of any Assessor's Parcels for which the Special Tax obligation has been previously prepaid.

3. For each Assessor's Parcel intending to prepay, multiply the quotient computed pursuant to paragraph 2 by Outstanding Bonds. The product shall be the "Bond Redemption Amount," for such Assessor's Parcels, as applicable.

4. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds on the next available redemption date to be redeemed with the proceeds of the Bond Redemption Amount. This product is the "Redemption Premium."

5. If (a) all the Bonds authorized to be issued by CFD No. 7 for IA No. 2 have not been issued, and (b) the City Council has not restricted its ability to issue additional bonds in the future, then compute the Future Facilities Amount.

6. The "Future Facilities Amount" shall be calculated by multiplying the quotient computed pursuant to paragraph 2, by the amount if any, determined pursuant to paragraph 5. The product shall be the "Future Facilities Amount."

7. Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds, taking into consideration the amount of Special Taxes levied on and paid for the Assessor's Parcel in the current Fiscal Year.

8. Compute the amount the CFD Administrator reasonably expects to be derived from the reinvestment of the Prepayment Amount less the Future Facilities Amount and Administrative Fee (defined in paragraph 10) until the earliest redemption date for the Outstanding Bonds.

9. Subtract the amount computed pursuant to paragraph 8 from the result computed pursuant to paragraph 7. This difference is the "Defeasance."

10. Estimate the administrative fees and expenses associated with the prepayment, including the costs of computation of the Prepayment Amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption. This amount is the "Administrative Fee."

11. Calculate the "Reserve Fund Credit" as the lesser of: (a) the expected reduction in the applicable reserve requirement, if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirement in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the applicable reserve fund on the prepayment date. Notwithstanding the foregoing, if the reserve fund requirement is satisfied by a surety bond or other instrument at the time of the prepayment, then no Reserve Fund Credit shall be given. Notwithstanding the foregoing, the Reserve Fund Credit shall in no event be less than $0.

12. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to step 2 by the expected balance in the capitalized interest fund after such first interest payment (the "Capitalized Interest Credit").

13. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Future Facilities Amount, the Defeasance, and the Administrative Fee, less the Reserve Fund Credit and less the Capitalized Interest Credit.

With respect to the Special Tax obligation that is prepaid pursuant to this Section F, the City Council shall indicate in the records of CFD No. 7 that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such prepayment to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Special Tax shall cease.

Notwithstanding the foregoing, no prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all currently Outstanding Bonds in each future Fiscal Year.

G. PARTIAL PREPAYMENT OF SPECIAL TAX

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be partially prepaid, as calculated in this Section G, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_F - A) \times F + A$$

The terms above have the following meanings:

PP = the Partial Prepayment Amount.

P_F = the Prepayment Amount calculated according to Section F.

F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.

A = Administrative Fees calculated in Section F, step 10

With respect to any Assessor's Parcel that is partially prepaid, the City Council shall indicate in the records of CFD No. 7 that there has been a partial prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such partial prepayment of the Special Tax obligation, to indicate the partial prepayment of the Special Tax obligation and the partial release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such prepaid portion of the Special Tax shall cease.

Notwithstanding the foregoing, no partial prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property after such partial prepayment, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all Bonds outstanding after such partial prepayment in each future Fiscal Year.

H. TERMINATION OF SPECIAL TAX

For each Fiscal Year that any Bonds are outstanding, the Special Tax shall be levied on all Assessor's Parcels of Taxable Property within IA No. 2 in accordance with Section E. If any delinquencies for the Special Tax remain uncollected prior to or after all Bonds are retired, the Special Tax may be levied to the extent necessary to reimburse CFD No. 7 for uncollected Special Taxes, but not later than the 2048-49 Fiscal Year.

I. EXEMPTIONS

The City shall classify as Exempt Property: (i) Public Property, (ii) Assessor's Parcels used or owned exclusively by a property owners' association, or (iii) Assessor's Parcels with public or utility easements, including Assessor's Parcels designated as open space or retention basin, making impractical their utilization for other purposes than those set forth in the easement, provided that such classification would not reduce the Acreage of all Taxable Property to less than 33.89 Acres. Public Property that cannot be classified as Exempt Property will be classified as Taxable Public Property and shall be subject to the Special Tax in accordance with Section E. All other Assessor's Parcels identified within this section that cannot be classified as Exempt Property will be classified as Provisional Property and will be subject to the Special Tax in accordance with Section E.

J. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the City Manager of the City not later than twelve months after having paid the first installment of the Special Tax that is disputed. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made (except for the last year of levy), but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

K. MANNER OF COLLECTION

The annual Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 7 may collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

Exhibit A

IMPROVEMENT AREA NO. 2 OF CITY OF MORENO VALLEY CFD NO. 7 MAXIMUM SPECIAL TAX RATE FOR ANNEXED PROPERTY (1)

Year After Formation	Maximum Special Tax per Acre
1	$674
2	$681
3	$689
4	$697
5	$707
6	$718
7	$729
8	$742
9	$757
10	$773
11	$791
12	$812
13	$835
14	$862
15	$893
16	$928
17	$970
18	$1,019
19	$1,077
20	$1,148
21	$1,235
22	$1,345
23	$1,487
24	$1,678
25	$1,947
26	$2,352
27	$3,029
28	$4,386
29	$8,466

(1) The above Maximum Special Tax rates are based upon the assumed coupon rate of 7.50%, consistent with the other bonding assumptions. These rates will be adjusted based upon the final pricing of the bonds at issuance. Once property is annexed into the CFD, that property's Maximum Special Tax is fixed at the final adjusted amount per acre (after bond issuance) for the year after formation in which the property is annexed.

Exhibit E – Improvement Area No. 3 RMA

IMPROVEMENT AREA NO. 3 OF
COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY

A special tax as hereinafter defined shall be levied on and collected within Improvement Area No. 3 of Community Facilities District No. 7 of the City of Moreno Valley ("IA No. 3") each Fiscal Year commencing in Fiscal Year 2008-2009, in an amount determined by the City Council of the City of Moreno Valley through the application of the appropriate Special Tax for "Developed Property," "Undeveloped Property," "Provisional Property," and "Taxable Public Property" as described below. All of the real property within IA No. 3, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, or other recorded instrument. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560. The minimum Acreage of Taxable Property is determined in accordance with Section I.

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any actual ordinary and necessary expense of the City, or designee thereof or both, to carry out the administration of IA No. 3 related to the determination of the amount of the levy of Special Taxes, the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures, the administration of Bonds, the payment of a proportional share of salaries and benefits of any City employee whose duties are related to the administration of IA No. 3, fees and expenses for counsel, audits, or other amounts needed to pay rebate to the federal government with respect to the Bonds, costs related to complying with continuing disclosure requirements pursuant to applicable federal and state securities law, costs associated with responding to public inquiries regarding IA No. 3 or the Bonds, and costs otherwise incurred in order to carry out the administration of IA No. 3.

"Annexed Property" means Assessor's Parcels originally identified within the Future Annexation Area that have been annexed to IA No. 3.

"Assessor's Parcel" means a lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of IA No. 3.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Bonds" means any obligation to repay a sum of money, including obligations in the form of bonds, notes, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts, or any refunding thereof, to which the Special Tax has been pledged.

"Boundary Map" means the "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 6-8 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Building Permit" means a permit for new construction for a non-residential structure. For purposes of this definition, "Building Permit" shall not include permits for construction or installation of retaining walls, utility improvements, or other such improvements not intended for human habitation.

"Calendar Year" means the period commencing January 1 of any year and ending the following December 31.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes for IA No. 3.

"CFD No. 7" means Community Facilities District No. 7 of the City of Moreno Valley established by the City under the Act.

"City" means the City of Moreno Valley.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 7, or its designee.

"County" means the County of Riverside.

"Developed Property" means all Assessor's Parcels of Taxable Property for which Building Permits were issued on or before June 1 preceding the Fiscal Year for which Special Taxes are being levied, provided that a Final Map for such Assessor's Parcels was recorded on or before January 1 of the prior Fiscal Year for which Special Taxes may be levied.

"Exempt Property" means all Assessor's Parcels within IA No. 3 which are exempt from the Special Taxes pursuant to law or Section I herein.

"Facilities" means those public facilities authorized to be funded by CFD No. 7 as set forth in the formation documents for CFD No. 7.

"Final Map" means a recorded final map, parcel map, or lot line adjustment, evidencing the subdivision of property pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.).

"Fiscal Year" means the period commencing on July 1 of any year and ending the following June 30.

"Future Annexation Area" means all Assessor's Parcels within the future annexation area of IA No. 3 as determined by reference to the boundary map entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 9-11 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Goals and Policies" means the local goals and policies adopted by the City Council concerning the use of the Act that are in effect at the time of formation of CFD No. 7.

"Improvement Area No. 3" or "IA No. 3" means the area within CFD No. 7 designated as Improvement Area No. 3 by reference to the Boundary Map, as such area may be amended by the addition of Annexed Property.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C, which may be levied by CFD No. 7 in any Fiscal Year on an Assessor's Parcel of Taxable Property.

"Partial Prepayment Amount" means the amount required to prepay a portion of the Special Tax obligation for an Assessor's Parcel, as described in Section G.

"Prepayment Amount" means the amount required to prepay the Special Tax obligation in full for an Assessor's Parcel, as described in Section F.

"Proportionately" means, for Developed Property, the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property. For Provisional Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Provisional Property. For Taxable Public Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Public Property.

"Provisional Property" means all Assessor's Parcels identified under Section I, excluding Public Property, that are not classified as Exempt Property because such classification would reduce the total Acreage of all Taxable Property to less than 65.19 Acres.

"Public Property" means any property within the boundaries of IA No. 3 that is owned by or irrecoverably dedicated to the City, the federal government, the State of California, the County, or any other public agency.

"Special Tax" means the special tax authorized to be levied by CFD No. 7 pursuant to the Act to fund the Special Tax Requirement.

"Special Tax Requirement" means the amount required in any Fiscal Year for IA No. 3 to fund: (i) the debt service or the periodic costs on all outstanding Bonds due in the Calendar Year that commences in such Fiscal Year, (ii) Administrative Expenses, (iii) any amount required to establish or replenish any reserve funds established in association with the Bonds, (iv) any delinquencies in the payment of prior years Special Taxes, (v) a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied, and (vi) the acquisition or construction of eligible Facilities, provided that the inclusion of such amount does not cause an increase in the levy of the Special Tax on Undeveloped Property, less (vii) any amount available to pay debt service or other periodic costs on the Bonds as reasonably determined by the CFD Administrator pursuant to the Indenture.

"Taxable Property" means all Assessor's Parcels that are not exempt from the Special Tax pursuant to law or the Rate and Method of Apportionment of Special Tax.

"Taxable Public Property" means all Assessor's Parcels defined as Public Property that are not classified as Exempt Property under Section I because such classification would reduce the total Acreage of all Taxable Property to less than 65.19 Acres.

"Trustee" means the trustee, fiscal agent, or paying agent under the Indenture.

"Undeveloped Property" means all Assessor's Parcels of Taxable Property, exclusive of Annexed Property, which are not classified as Developed Property, Taxable Public Property, or Provisional Property.

B. CLASSIFICATION OF ASSESSOR'S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2008-2009, each Assessor's Parcel shall be classified as Taxable Property or Exempt Property. In addition, each Fiscal Year, each Assessor's Parcel of Taxable Property shall be further classified as Developed Property, Undeveloped Property, Provisional Property, or Taxable Public Property.

C. MAXIMUM SPECIAL TAXES

1. Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property, exclusive of Annexed Property, shall be subject to a Maximum Special Tax equal to $5,769 per Acre.

The Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 3 of CFD No.7. Once Annexed Property exists within IA No. 3 of CFD No. 7, the Maximum Special Tax shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for IA No. 3 ($5,769 per Acre) by the minimum taxable Acreage originally established for IA No. 3 as defined in Section I (65.19 Acres).

[$5,769 x 65.19 = $376,081]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.2.

3) The new Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall equal the result calculated in Step 1, minus the result calculated in Step 2, and then by dividing such amount by the minimum taxable Acreage originally established for IA No. 3 (65.19 Acres).

[$376,081 - Step 2 result]/65.19 =

Maximum Special Tax per Acre for Taxable Property, exclusive of Annexed Property

2. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A.

D. Administrative Adjustments to the Maximum Special Tax

1. Prior to Issuance of Bonds

Prior to the issuance of the first series of Bonds, the CFD Administrator shall calculate the total tax burden for all Assessor's Parcels of Taxable Property, to determine whether or not any reductions are necessary to the Maximum Special Tax rate(s) identified herein in order to comply with the Goals and Policies. In calculating the total tax burden, the CFD Administrator shall (i) refer to the City's Goals and Policies, any market absorption study or price point analysis dated not earlier than 90 days prior to the date of issuance or other such date approved by the City, and any other document available to the City and/or CFD Administrator, and (ii) calculate the total tax burden considering the Maximum Special Tax rates and other governmental liens. The Maximum Special Tax set forth herein may be reduced if it is reasonably determined by the CFD Administrator and/or City, through review of available information related to IA No. 3, that the total tax burden against Taxable Property results in an amount that would reduce the marketability of the Bonds based on consultations with the City's underwriter, financial advisor, and/or other project team consultants engaged by the City. The City will have the final discretion regarding any reduction in the Maximum Special Tax rates identified herein.

If a mandatory Special Tax reduction is implemented, the amount of Bonds that may be issued will be recalculated and shall not exceed an amount in which the Maximum Special Taxes that could be levied on Taxable Property within IA No. 3 in each Fiscal Year, less Administrative Expenses for such Fiscal Year, shall provide no less than 110% coverage on the annual debt service on all Outstanding Bonds, as defined in Section F herein.

2. Subsequent to Issuance of Bonds

If, in any Fiscal Year after the City has issued the first series of Bonds, either (i) a Final Map is proposed to be recorded or (ii) an existing Final Map is proposed to be amended, that will result in a reduction of total Acreage of Taxable Property to less than 65.19 Acres, then a mandatory prepayment must be made in accordance with Sections F and G. The mandatory prepayment must be made by the landowners of those Assessor's Parcel(s) that are the subject of the proposed Final Map or the landowners of those Assessor's Parcel(s) that will be amended by the amended Final Map.

If a mandatory prepayment is required, the mandatory prepayment shall be paid as a requirement to record such new Final Map or amended Final Map.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing in Fiscal Year 2008-2009 and for each subsequent Fiscal Year until terminated, the City Council shall levy Special Taxes on all Taxable Property until the total amount of Special Taxes levied equals the Special Tax Requirement in accordance with the following steps:

Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Annexed Property and each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Two: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Three: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Four: If additional monies are needed to satisfy the Special Tax Requirement after all previous steps have occurred, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section F:

"Facilities Costs" means either $2.52 million, expressed in 2008 dollars, which shall increase by the Construction Inflation Index on January 1, 2009, and on each January 1 thereafter, or such lower numbers as shall be determined either by (a) the CFD Administrator as sufficient to finance the Facilities, or (b) the City Council concurrently with a covenant that it will not issue any more CFD No. 7 Bonds secured by IA No. 3 (except refunding bonds) to be secured by Special Taxes levied under this Rate and Method of Apportionment.

"Construction Inflation Index" means the annual percentage change in the Engineering News-Record Building Cost Index for the City of Los Angeles, measured as of the Calendar Year, which ends in the previous Fiscal Year. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the City that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of Los Angeles.

"Future Facilities Costs" means the Facilities Costs minus that (a) portion of the Facilities Costs previously and actually funded (i) from the proceeds of all previously issued Bonds, (ii) from interest earnings on the Improvement Fund actually earned prior to the date of prepayment and (iii) directly from Special Tax revenues and (b) amount of the proceeds of all previously issued Bonds then on deposit in the Improvement Fund.

"Improvement Fund" means a fund specifically identified in the Indenture to hold funds, which are currently available for expenditure to acquire or construct the Facilities.

"Outstanding Bonds" means all previously issued Bonds secured by the levy of Special Taxes which will remain outstanding after the first interest and/or principal payment date following the current Fiscal Year, excluding Bonds to be redeemed at a later date with the proceeds of prior prepayments of the Maximum Special Tax.

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time that the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor's Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor's Parcel intending to prepay all or a part of the Special Tax obligation shall provide the City with written notice of intent to prepay, and within 10 business days of receipt of such notice, the City shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 7 in calculating the proper amount of a prepayment. Within 30 business days of receipt of such non-refundable deposit, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula (capitalized terms defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance
plus	Administrative Fee
less	Reserve Fund Credit
less	Capitalized Interest Credit
equals	Prepayment Amount

As of the date of prepayment, the Prepayment Amount shall be calculated as follows:

1. For an Assessor's Parcel of Taxable Property, compute the Maximum Special Tax applicable to such Assessor's Parcel.

2. For each Assessor's Parcel intending to prepay, divide the Maximum Special Tax computed pursuant to paragraph 1 for such Assessor's Parcel by the sum of the estimated Maximum Special Tax applicable to all Assessor's Parcels of Taxable Property, excluding the Maximum Special Taxes of any Assessor's Parcels for which the Special Tax obligation has been previously prepaid.

3. For each Assessor's Parcel intending to prepay, multiply the quotient computed pursuant to paragraph 2 by Outstanding Bonds. The product shall be the "Bond Redemption Amount," for such Assessor's Parcels, as applicable.

4. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds on the next available redemption date to be redeemed with the proceeds of the Bond Redemption Amount. This product is the "Redemption Premium."

5. If (a) all the Bonds authorized to be issued by CFD No. 7 for IA No. 3 have not been issued, and (b) the City Council has not restricted its ability to issue additional bonds in the future, then compute the Future Facilities Amount.

6. The "Future Facilities Amount" shall be calculated by multiplying the quotient computed pursuant to paragraph 2, by the amount if any, determined pursuant to paragraph 5. The product shall be the "Future Facilities Amount."

7. Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds, taking into consideration the amount of Special Taxes levied on and paid for the Assessor's Parcel in the current Fiscal Year.

8. Compute the amount the CFD Administrator reasonably expects to be derived from the reinvestment of the Prepayment Amount less the Future Facilities Amount and Administrative Fee (defined in paragraph 10) until the earliest redemption date for the Outstanding Bonds.

9. Subtract the amount computed pursuant to paragraph 8 from the result computed pursuant to paragraph 7. This difference is the "Defeasance."

10. Estimate the administrative fees and expenses associated with the prepayment, including the costs of computation of the Prepayment Amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption. This amount is the "Administrative Fee."

11. Calculate the "Reserve Fund Credit" as the lesser of: (a) the expected reduction in the applicable reserve requirement, if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirement in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the applicable reserve fund on the prepayment date. Notwithstanding the foregoing, if the reserve fund requirement is satisfied by a surety bond or other instrument at the time of the prepayment, then no Reserve Fund Credit shall be given. Notwithstanding the foregoing, the Reserve Fund Credit shall in no event be less than $0.

12. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to step 2 by the expected balance in the capitalized interest fund after such first interest payment (the "Capitalized Interest Credit").

13. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Future Facilities Amount, the Defeasance, and the Administrative Fee, less the Reserve Fund Credit and less the Capitalized Interest Credit.

With respect to the Special Tax obligation that is prepaid pursuant to this Section F, the City Council shall indicate in the records of CFD No. 7 that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such prepayment to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Special Tax shall cease.

Notwithstanding the foregoing, no prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all currently Outstanding Bonds in each future Fiscal Year.

G. PARTIAL PREPAYMENT OF SPECIAL TAX

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be partially prepaid, as calculated in this Section G, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_F - A) \times F + A$$

The terms above have the following meanings:

PP = the Partial Prepayment Amount.

P_F = the Prepayment Amount calculated according to Section F.

F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.

A = Administrative Fees calculated in Section F, step 10

With respect to any Assessor's Parcel that is partially prepaid, the City Council shall indicate in the records of CFD No. 7 that there has been a partial prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such partial prepayment of the Special Tax obligation, to indicate the partial prepayment of the Special Tax obligation and the partial release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such prepaid portion of the Special Tax shall cease.

Notwithstanding the foregoing, no partial prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property after such partial prepayment, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all Bonds outstanding after such partial prepayment in each future Fiscal Year.

H. TERMINATION OF SPECIAL TAX

For each Fiscal Year that any Bonds are outstanding, the Special Tax shall be levied on all Assessor's Parcels of Taxable Property within IA No. 3 in accordance with Section E. If any delinquencies for the Special Tax remain uncollected prior to or after all Bonds are retired, the Special Tax may be levied to the extent necessary to reimburse CFD No. 7 for uncollected Special Taxes, but not later than the 2048-49 Fiscal Year.

I. EXEMPTIONS

The City shall classify as Exempt Property: (i) Public Property, (ii) Assessor's Parcels used or owned exclusively by a property owners' association, or (iii) Assessor's Parcels with public or utility easements, including Assessor's Parcels designated as open space or retention basin, making impractical their utilization for other purposes than those set forth in the easement, provided that such classification would not reduce the Acreage of all Taxable Property to less than 65.19 Acres. Public Property that cannot be classified as Exempt Property will be classified as Taxable Public Property and shall be subject to the Special Tax in accordance with Section E. All other Assessor's Parcels identified within this section that cannot be classified as Exempt Property will be classified as Provisional Property and will be subject to the Special Tax in accordance with Section E.

J. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the City Manager of the City not later than twelve months after having paid the first installment of the Special Tax that is disputed. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made (except for the last year of levy), but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

K. MANNER OF COLLECTION

The annual Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 7 may collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

Exhibit A

IMPROVEMENT AREA NO. 3 OF CITY OF MORENO VALLEY CFD NO. 7 MAXIMUM SPECIAL TAX RATE FOR ANNEXED PROPERTY (1)

Year After Formation	Maximum Special Tax per Acre
1	$439
2	$444
3	$449
4	$455
5	$461
6	$468
7	$475
8	$484
9	$493
10	$504
11	$516
12	$529
13	$545
14	$562
15	$582
16	$605
17	$632
18	$664
19	$702
20	$748
21	$805
22	$877
23	$970
24	$1,094
25	$1,269
26	$1,533
27	$1,974
28	$2,859
29	$5,518

(1) The above Maximum Special Tax rates are based upon the assumed coupon rate of 7.50%, consistent with the other bonding assumptions. These rates will be adjusted based upon the final pricing of the bonds at issuance. Once property is annexed into the CFD, that property's Maximum Special Tax is fixed at the final adjusted amount per acre (after bond issuance) for the year after formation in which the property is annexed.

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 28, 2012

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of July 4 – August 21, 2012.

Reports on Reimbursable Activities July 4 – August 21, 2012		
Council Member	Date	Meeting
William H. Batey II		None
Marcelo Co		None
Robin N. Hastings		None
Jesse L. Molina	7/25/12	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
Richard A. Stewart	8/7/12	Moreno Valley Hispanic Chamber of Commerce Adelante

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: A PUBLIC HEARING FOR A CITYWIDE AMENDMENT (PA10-0022) TO TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT", SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, "APPLICATIONS FOR LIGHTING", SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK SKY PROVISIONS FOR LIGHTING. THE APPLICANT IS THE CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no further action is required. Should the City Council choose to adopt the new standards, the following actions are required:

1. **RECOGNIZE** that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. **INTRODUCE** Ordinance No. 851, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

BACKGROUND

On October 20, 2009, the City Council provided direction at a study session meeting to review existing lighting standards and provide proposed dark sky provisions for consideration. The review of existing lighting ordinance standards was a direct result of the settlement agreement reached on January 7, 2010, between the Sierra Club, Highland Fairview and the City regarding approval of the Highland Fairview Corporate Park Project and the Skechers warehouse building.

On April 14, 2011, the item was considered by the Planning Commission. At said public hearing, the proposed dark sky lighting ordinance was not recommended due to a belief that proposed dark sky ordinance revisions could be intrusive to existing residential/commercial projects and may lead to public safety concerns with a night lighting curfew.

On July 12, 2011, City Council conducted a public hearing on a proposed citywide dark sky lighting ordinance. At said meeting, the City Council voted to continue the item to a future study session meeting in order for staff to review updated federal and state requirements on maximum wattage of incandescent and fluorescent bulbs and new more energy efficient lighting.

On April 3, 2012, the item was brought before the City Council at a study session meeting. To address a concern about new state and federal requirements for lighting and their ever changing wattage mandates for light bulbs, staff recommended language within the proposed dark sky lighting ordinance where maximum light bulb wattages are reviewed at the equivalency rate of a 100 watt incandescent light bulb and a 26 watt compact fluorescent light bulb. The Council directed staff to schedule the issue for public hearing in August of 2012.

DISCUSSION

Current City of Moreno Valley Municipal Code lighting requirements include provisions to curb on-site lighting such as the current limit for lighting at property lines to a maximum of 0.5 foot candle and residential lighting fixture limit of twelve feet in height. Some of the current lighting standards however, do not facilitate a dark sky approach or assist in promoting energy efficiency. For example, the City currently requires that parking lots and other public spaces be lit “from dusk to dawn” which exceeds the hours of operation for most retail and non-retail properties, especially office and religious establishments.

Although the settlement agreement suggested utilizing standards from the City of Palm Desert, ordinances from the cities of Palm Desert, Beaumont, Palm Springs, Encinitas, San Diego and other cities were reviewed. Standards within these ordinances and draft guidance standards by the International Dark-Sky Association were the basis for the revised lighting provisions. The recent County of Riverside dark sky lighting ordinance

was also reviewed, however it concentrated on residential light trespass and code enforcement related items.

Reasons for changing current lighting practices and drafting a dark sky ordinance include**:**

- Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night;
- Curtail and reverse any degradation of the nighttime visual environment and the night sky;
- Minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary;
- Conserve energy and resources to the greatest extent possible;
- Help protect the natural environment from the negative effects of night lighting.

The proposed dark sky lighting ordinance is another means of reducing energy on a citywide basis and actually coincides with mandatory measures included in the 2011 Green Building Code. Some of the measures proposed in the ordinance such as full shielding of lights, reducing spillover lighting beyond the property boundary and containing exterior lighting within the property boundaries are consistent with the 2011 Green Building Code. The proposed dark sky ordinance is also consistent with reduced energy consumption measures included as a goal of the City's Energy Efficiency and Climate Action Strategy.

Pursuant to the settlement agreement and direction provided by the City Council, staff developed revised onsite and parking lot lighting, lighting required on streets and rights of way and lighting provided for sports activities within parks and athletic fields for consideration. Based on provisions within the settlement agreement, staff was to report back to City Council with draft lighting requirements and recommendations for consideration without commitment to adopt an ordinance.

Some of the major modifications proposed to the existing lighting standards include:

- Revised development and performance standards including maximum wattage of light bulbs for single-family residential, multiple-family residential (100 watts) and non-residential (commercial and industrial) properties (250 watts);
- All lighting to include full cutoffs to prevent excess trespass for residential-multiple family and all non-residential properties.
- A further reduction of permitted light trespass or spillover lighting on adjacent properties for all non-residential and multi-family residential properties to not

exceed 0.25 foot candle minimum maintained lighting measured from within five (5) feet of any property line consistent with language in the Palm Desert ordinance. This compares with the existing ordinance standard to not exceed 0.50 foot candle at the property line.

- The inclusion of height limits for hillside residential lighting of 8 feet, with all other residential areas not to exceed 12 feet; and non-residential lighting height limits of 30 feet, except within 100 feet of a residential use, where the maximum height would be 20 feet and walkway/courtyard lighting with a maximum of 12 feet in height.

- The addition of lighting curfews for outdoor lighting for non-residential uses requiring all lighting to be reduced by 50 percent beginning at 10:00 p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier.
- The addition of athletic field lighting standards to include horizontal cutoffs to reduce vertical lighting above the fixture for new lighting and retrofit fixtures and a maximum lighting value for lighting recreational athletic fields to be an average maintained 50 foot-candles.

- The modification of existing street light standards to indicate that the installation of street lighting is solely for the purpose of illuminating the public right of way in conformance to the city street lighting standards, which include the provision that the developer will pay all costs related to the installation of street lighting and establish a method for the payment of maintenance and operations.

In the process of updating current lighting standards, staff established a subcommittee with members from Police, Land Development, Transportation, Special Districts, Moreno Valley Utility and Parks and Community Services. All department representatives of the subcommittee assisted in drafting revised lighting language, reviewed draft dark sky lighting standards, and have agreed to the proposed modifications as presented and attached to this report in cross-out/underline and clean copy formats.

ALTERNATIVES

1. **RECOGNIZE** that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and **INTRODUCE** Ordinance No. 851, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide. ***Staff recommends this alternative.***

2. **RECOGNIZE** that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and **INTRODUCE** Ordinance No. 851, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide. ***Staff does not recommend this alternative.***

NOTIFICATION

Public notice of the proposed Municipal Code Amendment was published in the local newspaper as a 1/8 page display ad on August 10, 2012 and was also mailed to the Sierra Club.

ATTACHMENTS

1. Public hearing notice
2. City Council Ordinance, including clean copies of the Ordinance amendment
3. Strikeout/underline version of Chapter 9, Section 9.08.100 "Lighting" of the Municipal Code
4. Strikeout/underline version of Chapter 9, Section 9.08.190, "Street Lighting" of the Municipal Code
5. Strikeout/underline version of Chapter 9.16, Article IV, "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines" of the Municipal Code
6. Strikeout/underline version of Chapter 9.16, "Applications for Lighting" Section 9.16.280 "General Requirements" of the Municipal Code.
7. Strikeout/underline version of Chapter 9.15, Section 9.15.030 "Definitions" of the Municipal Code.

Prepared By:
Mark Gross, AICP
Senior Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER A CITYWIDE AMENDMENT (PA10-0022) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE, TITLE 9 OF THE MORENO VALLEY MUNICIPAL CODE, CHAPTER 9.08, SECTION 9.08.100 "LIGHTING" AND SECTION 9.08.190 "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV "APPLICATIONS FOR HILLSIDE DEVELOPMENT", SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES", ARTICLE VI "APPLICATIONS FOR LIGHTING", SECTION 9.16.280, "GENERAL REQUIREMENTS", AND CHAPTER 9.15, SECTION 9.15.030 "DEFINITIONS" RELATING TO DARK SKY PROVISIONS FOR LIGHTING.

The amendment would modify current lighting standards including, but not limited to the refinement of existing code standards for general site, athletic field and street lighting to provide a further reduction of light spillover onto adjacent properties and a dark sky approach citywide.

The City Council may consider any appropriate modifications or alternatives to the amendment or environmental determination. The amendment is exempt under California Environmental Quality Act Guidelines Section 15061 in that there is no possibility that the proposed activity may have potential for a significant impact upon the environment.

Any person interested in the proposed project may contact Mark Gross at (951) 413-3215 or at the Community & Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Clerk or City Council on or before the following meeting date:

Tuesday, August 28, 2012
6:30 P.M.
City Council Chamber
14177 Frederick Street.
Moreno Valley, CA 92552-0805

ATTACHMENT 1

ORDINANCE NO. 851

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA10-0022 TO AMEND TITLE 9 OF THE MORENO VALLEY MUNICIPAL CODE, CHAPTER 9.08, SECTION 9.08.100 "LIGHTING" AND SECTION 9.08.190 "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV APPLICATIONS FOR HILLSIDE DEVELOPMENT SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES", ARTICLE VI "APPLICATIONS FOR LIGHTING", SECTION 9.16.280, "GENERAL REQUIREMENTS" AND CHAPTER 9.15, SECTION 9.15.030, "DEFINITIONS" RELATING TO MODIFICATIONS OF GENERAL SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING WITH AN EMPHASIS ON DARK SKY STANDARDS CITYWIDE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1: RECITALS

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 The ordinance amendment is attached hereto and incorporated herein as Exhibits A through E.

1.4 The item was first heard as a public hearing by the City Council on July 12, 2011. At said meeting the item was continued to a study session meeting in March/April of 2012.

1.5 The item was discussed at City Council Study Session on April 3, 2012, with Council directing staff to place on an agenda for public hearing in August of 2012.

1.6 A second City Council public hearing was conducted for the project on August 28, 2012.

SECTION 2: FINDINGS

2.1 Based upon substantial evidence presented to this City Council during the above-referenced meeting on August 28, 2012, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modifications to the Municipal Code are consistent with the General Plan, and its goals, objectives, policies and programs.

ATTACHMENT 2

FACT: The citywide project consists of modifications to existing lighting standards established in the City of Moreno Valley Municipal Code. Numerous sections of the Code will be modified regarding lighting for general site, athletic field and street lighting to provide a further reduction of light spillover onto adjacent properties, a dark sky approach and a reduction of overall energy/electricity use. All of the proposed clarifications and modifications included within the Municipal Code amendment are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan. Particularly, Objective 2.10.7 of the General Plan indicates that on-site lighting should not cause nuisance levels of light or glare on adjacent properties.

2. **Conformance with Zoning Regulations –** The proposed modifications to the Municipal Code comply with all applicable zoning and other regulations.

   FACT: The primary purpose of modifying current lighting ordinance practices is to permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night, curtail and reverse any degradation of the nighttime visual environment and the night sky, minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary and conserve energy. The amendments to the Municipal Code are consistent with applicable zoning standards and all other regulations within the Code. The newly established language within the amendment are internally consistent and compatible with the purpose and intent of Title 9, and will refine the language within the existing lighting and design standards within the various sections of the Code. The amendments are also internally compatible with other regulations established within the Moreno Valley Development Code.

3. **Health, Safety and Welfare –** The proposed modifications to the Municipal Code will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The modification and enhancement of existing Municipal Code general and design standards for on-site and street lighting with an emphasis on maintaining dark night skies creates a positive environment for the development of Moreno Valley's future and allows for the preservation of night skies and reduction of glare and light in more environmental sensitive land use areas such as residential hillside and open space areas.

Pursuant to Section 15061 of the CEQA Guidelines, the project meets requirements for project exemption as there is no possibility that the modification of existing light standards to further prevent light spillover into adjacent properties and into the night sky may have a significant effect on the environmental, while the activity is not subject to CEQA requirements. The proposed amendment also does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions.

SECTION 3: ADOPTION

Based on the foregoing recitals and findings, the City Council of the City of Moreno Valley does hereby adopt and approve the ordinance amendment attached hereto as Exhibit A.

SECTION 4: EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 11th day of September, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halsted, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 851 had its first reading on August 28, 2012, and had its second reading on September 11, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 11th day of September, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

9.08.100 Lighting.

A. Purpose and Intent. The purpose of this section is to establish regulations and standards for outdoor lighting which will reduce light pollution and trespass generated by residential and non-residential lighting fixtures and devices, while maintaining dark skies. It is also the intent of this section to encourage, through the regulation of the types, construction, installation and uses of outdoor illuminating devices, lighting practices and systems to conserve energy without decreasing safety, security and productivity.

B. Applicability. Lighting standards included in this chapter shall apply to:

1. All new development

2. Any existing development or parking area providing five or more spaces, which is enlarged, reconstructed, altered or changed from its previous configuration shall be subject to illumination requirements included in this chapter.

3. Existing land uses are exempt from specific lighting requirements included in this chapter, except that they are subject either to general lighting intensity standards (i.e. foot candle requirements) in place prior to the effective date of this ordinance or standards of a prior point by point or photometric lighting plan approved by the City. Any general modifications to existing on-site lighting structures or fixtures and/or intensity of lighting may be subject to the regulations provided in the entirety of this chapter as determined by the submittal and review of a new or revised photometric lighting plan.

C. Minimum Development and Performance Standards. All exterior lighting shall meet the following requirements:

1. Single Family Residential Uses.

a. In all single family residential areas, light should be shielded such that the lamp itself or the lamp image is not directly visible outside the property perimeter.

b. The maximum wattage for residential lighting shall be 100 watts incandescent or equivalent light intensity and 26 watts compact fluorescent or equivalent light intensity, except for recreational courts.

c. Lighting standards for recreational courts are subject to Section 9.09.190 "Swimming pools, spas and recreational courts", while approval of all recreational court lighting is subject to a point by point photometric lighting plan submittal.

EXHIBIT A

2. Multiple Family Residential Uses.

a. All outdoor lighting associated with residential uses shall be fully shielded and directed away from adjacent residential properties. Such lighting shall not exceed one-quarter (0.25) foot candle minimum maintained lighting measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness.

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.

c. The maximum wattage for residential lighting shall be 100 watts incandescent or equivalent light intensity and 26 watts compact fluorescent or equivalent light intensity, except as allowed for parking lot lighting and recreational courts.

d. Parking lot lighting for designated multiple family residential parking areas shall meet the requirements included in item (4) (a-c) below.

3. Non-Residential Uses.

a. All outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses. Such lighting shall not exceed one quarter (0.25) foot candle minimum maintained lighting measured from within five feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for non residential uses shall be 250 watts or equivalent light intensity of high intensity discharge (HID) lighting.

4. Off-Street Parking.

a. All parking lots or structures providing more than five spaces for use by the general public and their pedestrian links shall be provided with a minimum coverage of one (1) foot candle of light with a maximum of eight (8) foot candles on the parking or walkway surface, unless otherwise approved, for visibility and security. Such lighting shall not exceed one quarter (0.25) foot candle minimum maintained lighting measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness. All wiring shall be underground;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for parking lot lighting shall be 250 watts or equivalent light intensity of high intensity discharge (HID) lighting;

5. Public Parks, Trails and Athletic Field Lighting.

a. The illumination of outdoor public recreational (sports) facilities, unless a specific recreational activity requiring the lighting is already in progress is prohibited between midnight and dawn. Lighting shall be provided as specified in this chapter. All lighting shall be designed and installed in compliance with the Parks and Community Services document titled "LIGHTING STANDARDS FOR PARKS AND RELATED PUBLIC FACILITIES".

b. Public Parks: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. New lighting for parks and related facilities should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

c. Trails: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. Lighted trails not incorporated in the roadway shall be illuminated with a minimum maintained twenty-five one-hundredths (0.25) foot-candles of light at ground level during the hours of darkness. New lighting for trails should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

d. Athletic Field Lighting: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. The maximum lighting value that shall be used in lighting recreational athletic fields shall be an average maintained 50 foot candles. Minimum lighting values shall be per Parks and Community Services Standards. New lighting for athletic fields should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

*Where the adjacent property line is another City facility, the foot-candles may exceed the maximum requirements.

6. Street Lighting

a. Purpose. The purpose of this section is to establish a set of guidelines with which to regulate the installation, operation and maintenance of overhead street lighting in the City. The City seeks to make provisions for street lighting that will be

beneficial to City residents, and to provide for this lighting in an orderly, efficient and equitable manner. This section serves to establish a uniform standard for location of lights and illumination levels within the City, and clarifies responsibilities for payment of the various costs involved.

b. General Requirements. Unless otherwise waived by the public works director/city engineer for developments within the OS, HR, RR and R1 districts, the provision of streetlights shall be a requirement of all development proposals. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system. The following specifications apply to all street lighting in the City, on all public and private roadways. The City has adopted the Southern California Edison (SCE) scheduled rates LS-1, LS-2 and LS-3 or comparable Moreno Valley Utility (MVU) rate standards. Prior to any planning, design, or installation of street lighting, the developer shall confirm the applicable rate schedule with the City. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by either SCE or MVU and the public works director/city engineer. (Ord. 359 (part), 1992). The developer will pay all costs related to the installation of the street lighting and establish a method for the payment of maintenance and operations. All street lighting installed shall be solely for the purpose of illuminating the public way and shall conform to the city street lighting standards.

c. Luminaire and Lamp Requirements.

1. All street lighting in residential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

2. All street lighting in nonresidential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

3. All street lighting for arterial roadways shall not exceed 22,000 lumen (two hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

4. All street lighting shall utilize full-cutoff luminaries and be fully shielded.

5. All street lighting shall meet the current City street lighting standards, unless otherwise approved by the public works director/city engineer.

d. Specific Warrants for Lighting Locations.

The City street lighting standards shall be used to determine locations for all street lighting, unless otherwise approved by the public works director/city engineer.

D. Lighting Height Limits

1. Hillside Residential Areas – Outdoor on-site lighting on hillside residential properties, except for street lighting, shall be mounted on a post with full cutoff not to exceed eight (8) feet above finished grade, or on a building wall or structure not to exceed eight (8) feet above finished grade and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to a single family residential structure shall not exceed the height of the roof eave.

2. All Other Residential Areas – Outdoor on-site lighting within all other residential areas, except for street lighting, shall be on poles or other supports not exceeding twelve (12) feet in height and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to all residential structures shall not exceed the height of the roof eave.

3. Non-Residential Areas – Outdoor on-site lighting on commercial and industrial properties, except for street lighting, shall be mounted on a post and fully shielded not to exceed a maximum height of thirty (30) feet, except within 100 feet of a residential use, where the post shall not exceed a maximum height of twenty (20) feet. Posts shall be appropriately scaled for small buildings and lots. All lighting fixtures shall be in scale with the proposed building height. Lighting attached to a building shall not exceed the height of the roof eave or twenty feet, whichever is less.

4. Walkway and Courtyard Lighting - Outdoor on-site lighting for all residential and non-residential walkway and courtyard lighting shall be directed downward and mounted on a post or adjacent structure not to exceed a maximum height of twelve (12) feet or the height of the eaves, whichever is less.

E. Light Trespass Standards. Light trespass shall be minimized by complying with the following standards:

1. Light spillover or trespass for all multiple family residential and non-residential properties shall not exceed one-quarter (0.25) foot candle minimum maintained of illumination measured from within five (5) feet of any property line.

2. All exterior lighting shall be full-cutoff type and fully shielded to prevent spillover onto adjacent properties.

3. All wall pack lighting shall be full-cutoff type and non-adjustable, with light directed away from surrounding properties. Wall packs shall incorporate internal house (wall) side shields, baffles or reflectors to minimize wall brightness.

F. General Guidelines

1. All exterior commercial doors during the hours of darkness shall be illuminated with one (1) to a maximum of three (3) foot candles of maintained lighting.

2. Aisles and passageways related to and within a building complex, during the hours of darkness, shall be illuminated with a maximum of one-half (0.50) to one (1) foot candles of maintained lighting.

3. All lighting shall be enclosed in vandal-resistant fixtures.

4. Lighting shall be adequate to help ensure a safe environment, but not to cause excessive glare or intense light.

5. For safety, identification and convenience, the entrances of building and parking areas shall be illuminated.

6. In multifamily developments, laundry rooms shall be well-lit at all times as they are intended for tenant use. Lights shall be placed on photo cell or automatic timers, and no switches shall be available to tenants to turn the lights off.

G. Lighting Curfew

1. Except as specified elsewhere in this Section, outdoor lighting systems in non-residential areas shall be turned off or reduced by at least fifty percent (50%) beginning at 10:00 p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier. The reduction of lighting shall be determined as an overall average for the parcel. When possible, the lighting system shall be turned off rather than reduced in lighting levels. Lighting shall be equipped with controls for photocell on and timer off.

2. All walkway, security and street lighting may remain on all night.

H. Lighting Prohibitions

1. Overhead roof lighting is prohibited.

2. The installation of mercury vapor outdoor lighting fixtures is prohibited.

3. Adjustable outdoor lighting fixture mounts are prohibited. All fixtures shall be permanently installed so as to maintain shielding requirements, except that landscape and ornamental lighting may use flexible or adjustable mounting systems.

4 Lighting fixtures mounted in such a way as to aim only towards a property line are prohibited.

5. Lighting which interferes with the safe operation of a motor vehicle as determined by the Police Chief or City Engineer is prohibited.

6. Billboard lighting which is pointed upward is prohibited.

I. Lighting Exemptions. The following lighting is exempt from this Chapter:

1. Swimming pool lighting

2. Lighting for exit signs and other illumination required by the building code

3. Lighting for exterior stairs and ramps, as required by the building code

4. Decorative lighting, as approved by the Community and Economic Development Director

5. Holiday and temporary lighting

6. Low voltage landscape lighting

7. Lights used for the illumination of flags as required by law.

8. Portable temporary lighting used by law enforcement or emergency services personnel to protect life or property.

9. Motion detector lighting fixtures are exempt provided that there is no light trespass onto adjacent residential properties.

10. Exposed string outdoor lighting is exempt provided that:

a. Lighting shall consist exclusively of white light with a clear bulb;

b. Installation of such lighting shall be limited to the lighting of living landscape features (shrubs and trees) in outside dining areas or within parking areas of a commercial center or plaza.

J. Lighting plans and evidence of lighting compliance. The application for any required city approval involving residential and non-residential nonexempt outdoor light fixtures shall include evidence that the proposed work will comply with this chapter. The submission shall contain the following:

1. The location of the site where the outdoor light fixtures will be installed;

2. Plans showing the location and type of all fixtures, both existing and proposed, on the premises, including point by point photometric lighting levels;

3. A description of the outdoor light fixtures including, but not limited to manufacturer's catalog cuts, photometric reports with candela distribution, drawings, and shielding information;

4. Submittal drawings shall be signed by a licensed professional engineer or by the licensed electrical contractor that is performing the work. This engineer or contractor shall be held responsible for the content and accuracy of the submittal design. Submittals must contain the name of the company that prepared the drawings and the name, title, and telephone number of the person that performed the design work.

5. All plans resubmitted for approval shall include a written description of all changes and comments attached to the plan check comments.

~~**9.08.190 Street lighting.**~~

~~A. Unless otherwise waived by the public works director for developments within the OS, HR, RR and R1 districts, the provision of street lights shall be a requirement of all development proposals.~~

~~B. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system of either:~~

~~1. A utility-owned ornamental system consisting of standard ornamental electroliers customarily furnished by the utility or other design approved by the utility and the public works director; or~~

~~2. A municipally-owned ornamental system consisting of reinforced concrete or steel standards with underground wiring or other design approved by the public works director.~~

~~C. If a utility-owned ornamental system is installed, the developer shall be liable for and shall pay all charges attributable to such installation.~~

~~D. If a municipally-owned underground ornamental system is installed, the developer shall be liable for and shall pay all costs incurred in installing the entire system.~~

~~E. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by the utility-owned system and the public works director. (Ord. 359 (part), 1992)~~

EXHIBIT B

9.16.235 Hillside design standards.

A. Site Plan Design. Each structure shall be located in the most accessible, least visually prominent, most geologically stable portion or portions of the site, and at the lowest feasible elevation. Structures shall also be aligned with the natural contours of the site. Locating structures in the least prominent locations is particularly important on open hillsides where the high visibility of construction should be minimized by placing structures so that they will be screened by existing vegetation, depressions in topography, or other natural features. In addition, the following standards shall apply:

1. Significantly visible rock outcroppings should be preserved and incorporated into the site plan.

2. All pads and driveways shall, to the fullest extent practicable, follow and utilize the natural contours of the land to minimize disturbance and shall not be located on the crest of a natural ridgeline.

3. Clustering of development on flatter areas of the site is strongly encouraged.

4. Dwelling units and structures shall be sited in a manner that will:

a. Retain outward views from each unit;

b. Preserve or enhance vistas and ridgelines, particularly those seen from public places and rights-of-way in the valley below;

c. Preserve natural hydrology, native plant materials and areas of historic significance.

5. In areas adjacent to a ridgeline or in moderate slope areas, dwelling units and structures shall be sited to:

a. Use the natural ridgeline as a backdrop for structures;

b. Use landscape plant materials as a backdrop;

c. Use the structure to conceal cut slopes;

d. Retain major natural skyline profiles;

e. The topmost point of a proposed structure and all site grading shall be at least thirty (30) feet below the top of the nearest ridge or knoll.

EXHIBIT C

6. Encourage smaller pad to lot size ratios for all dwelling units.

7. Streets, both public and private, shall be developed below the crest of a natural ridgeline.

B. Architectural Design. The following architectural design standards shall apply:

1. Building development color palettes, including roofing, fencing and exterior building materials, shall be "earth tones" compatible with the natural color of the terrain and vegetation, and shall be approved by the community development director.

2. The design of the structure should give consideration to the lot's size and configuration in order to avoid the appearance of overbuilding and to minimize the blocking of views.

3. Large expanses of a single material on walls, roofs or paving areas should be avoided. Create interesting small scale patterns by breaking up building mass, varying building materials, etc. Building plans and elevations should be varied throughout a development to avoid a monotonous "cookie-cutter" look.

4. Horizontal and vertical architecture detailing of building articulation, such as overhangs, projections, alcoves, varied roof-plains, building offsets, etc. should be used to avoid large expanses of a wall in a single plain and to create light and shadow.

5. Brightly colored structures and roofs and reflective glass or building materials are expressly prohibited. Materials and colors shall blend with the natural hillside environment to the greatest degree feasible. Specific materials that are encouraged are those with natural colors and textures, including stone, wood, textured stucco and brick.

6. Where it will not result in increased grading and landform alteration, the limitation of structures to a single story is strongly encouraged.

7. The use of undulating walls that follow the land form are highly encouraged.

8. Detaching the garage shall be encouraged, while retaining walls shall be integrated into the garage walls on sloping lots to reduce grading and minimize visibility of walls.

9. Include architectural enrichments and variations in roof massing. Roofs should have low profiles to minimize their visual impact. On sloping land, the roof pitch should follow the slope of the hillside, instead of being perpendicular to the hillside or opposing hillside slope. Upper stories should not be cantilevered out of the opposite direction of the hillside slope.

C. Lighting Design. The intent of lighting standards for designated hillside properties is to preserve the low light level conditions that are inherently characteristic of hillside areas. The following lighting design standards shall apply:

1. Lights shall not be located on the portion(s) of the site that has not been disturbed.

2. Lights mounted on dwellings, buildings or structures shall be fully shielded and directed away from adjacent developments.

3. All light fixtures should be directed downward and properly aimed on the targeted areas to maximize their effectiveness and minimize the total number of light fixtures.

4. All lighting shall be low scale and low intensity and directed downward and away from the view of others.

5. Road, driveway and walkway lights should be located on the "downhill" side and aimed toward the "uphill" side and should be fully shielded from below and only light the driveway surface.

6. Lighting fixtures on properties should be mounted on a post not to exceed a height of eight (8) feet above finished grade, or on a building wall not to exceed a height of eight (8) feet above finished grade and fully shielded, or on a structure not to exceed a height of eight (8) feet above finished grade and fully shielded for security lighting.

7. Street lighting shall be limited to the greatest degree feasible to maintain a "dark sky" environment. Typically, streetlights should be limited to street intersections or other locations where safety concerns predicate the need for illumination. (Ord. 773 § 3, 2008)

"Land use ordinance" means the city of Moreno Valley development code as amended.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

9.15.030

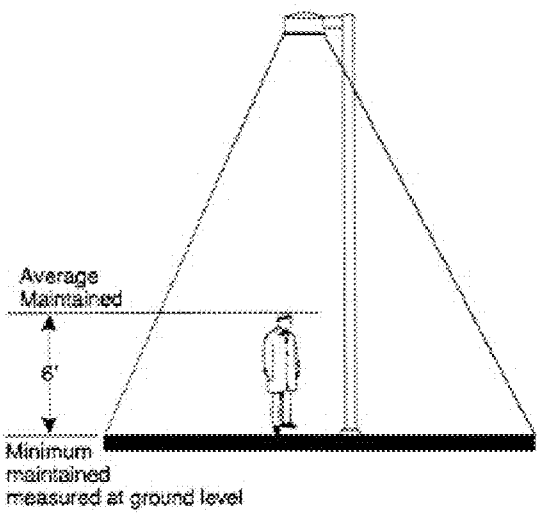

Figure 9.15.030-10

Lighting (Minimum Maintained)

"Light Trespass" means any artificial light or glare from a light fixture onto neighboring property that interferes with viewing of the night sky, or eliminates the ability to have darkness on the adjacent property, or shines into neighboring windows, properties or structures.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

EXHIBIT D

9.16.280 General requirements.

A. Purpose and Intent Lighting shall serves both safety and aesthetic purposes, while reducing unnecessary light pollution and maintaining dark skies. Effective lighting will highlight building features and add emphasis to important spaces and entryways, while limiting glare and light trespass onto adjacent properties. The intent of these guidelines is to encourage effective and innovative lighting as an integral design component of a project.

B. General Guidelines.

1. Exterior lighting should relate to the design the project, highlighting architectural elements and details without deflecting unnecessary light and glare onto surrounding properties.

2. Lighting should improve the visual identification of residences and businesses.

3. Energy efficient lighting of buildings is encouraged.

4. High-intensity security lighting fixtures should be concealed by landscaping or building architectural elements.

5. The location, color and intensity of private lighting should relate to and complement public lighting.

6. Lighting fixture design should complement the overall design theme of the project in which they are located.

7. At hazardous locations such as changes of grade, low level supplemental lighting units should be used.

8. Where low level lighting (below five feet) is used, fixtures should be placed so that they do not produce glare.

EXHIBIT E

9.08.100 Lighting.

A. Purpose and Intent. The purpose of this section is to establish regulations and standards for outdoor lighting which will reduce light pollution and trespass generated by residential and non-residential lighting fixtures and devices, while maintaining dark skies. It is also the intent of this section to encourage, through the regulation of the types, construction, installation and uses of outdoor illuminating devices, lighting practices and systems to conserve energy without decreasing safety, security and productivity.

B. Applicability. Lighting standards included in this chapter shall apply to:

1. All new development

2. ~~Each~~ Any existing development or parking area providing five or more spaces, which is enlarged, reconstructed, altered or changed from its previous configuration shall be subject to ~~these~~ illumination requirements included in this chapter.

3. Existing land uses are exempt from specific lighting requirements included in this chapter, except that they are subject either to general lighting intensity standards (i.e. foot candle requirements) in place prior to the effective date of this ordinance or standards of a prior point by point or photometric lighting plan approved by the City. Any general modifications to existing on-site lighting structures or fixtures and/or intensity of lighting may be subject to the regulations provided in the entirety of this chapter as determined by the submittal and review of a new or revised photometric lighting plan.

C. Minimum Development and Performance Standards. All exterior lighting shall meet the following requirements:

1. Single Family Residential Uses.

a. In all single family residential areas, light should be shielded such that the lamp itself or the lamp image is not directly visible outside the property perimeter.

b. The maximum wattage for residential lighting shall be 100 watts incandescent or equivalent light intensity and 26 watts compact fluorescent or equivalent light intensity, except for recreational courts.

c. Lighting standards for recreational courts are subject to Section 9.09.190 "Swimming pools, spas and recreational courts", while approval of all recreational court lighting is subject to a point by point photometric lighting plan submittal.

ATTACHMENT 3

2. Multiple Family Residential Uses.

a. All outdoor lighting associated with residential uses shall be fully shielded and directed away from adjacent residential properties. Such lighting shall not exceed one-quarter (0.25) foot candle minimum maintained lighting measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness.

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.

c. The maximum wattage for residential lighting shall be 100 watts incandescent or equivalent light intensity and 26 watts compact fluorescent or equivalent light intensity, except as allowed for parking lot lighting and recreational courts.

d. Parking lot lighting for designated multiple family residential parking areas shall meet the requirements included in item (4) (a-c) below.

3. Non-Residential Uses.

~~A.~~ a. All outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses. Such lighting shall not exceed ~~one-half (0.50)~~ one quarter (0.25) foot candle minimum maintained lighting ~~beyond the property containing the nonresidential use~~ measured from within five feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for non residential uses shall be 250 watts or equivalent light intensity of high intensity discharge (HID) lighting.

4. Off-Street Parking.

~~B.~~ a. All parking lots or structures providing more than five spaces for use by the general public and their pedestrian links shall be provided with a minimum coverage of one (1) foot candle of light with a maximum of eight (8) foot candles on the parking or walkway surface ~~from dusk until dawn~~, unless otherwise approved, for visibility and security ~~over the entire parking surface~~. ~~Wiring shall be underground unless existing overhead lines can serve the need without any additional overhead lines~~. ~~Each parking area of five or more spaces existing prior to the effective date of the ordinance codified in this chapter which is enlarged, constructed, altered, or changed from its previous configuration shall be subject to these illumination requirements.~~ Such lighting

shall not exceed ~~one-half (0.50)~~ one quarter (0.25) foot candle minimum maintained lighting ~~beyond the property containing the non-residential use~~ measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness. All wiring shall be underground;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for parking lot lighting shall be 250 watts or equivalent light intensity of high intensity discharge (HID) lighting;

5. Public Parks, Trails and Athletic Field Lighting.

a. The illumination of outdoor public recreational (sports) facilities, unless a specific recreational activity requiring the lighting is already in progress is prohibited between midnight and dawn. Lighting shall be provided as specified in this chapter. All lighting shall be designed and installed in compliance with the Parks and Community Services document titled "LIGHTING STANDARDS FOR PARKS AND RELATED PUBLIC FACILITIES".

b. Public Parks: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. New lighting for parks and related facilities should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

c. Trails: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. Lighted trails not incorporated in the roadway shall be illuminated with a minimum maintained twenty-five one-hundredths (0.25) foot-candles of light at ground level during the hours of darkness. New lighting for trails should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

d. Athletic Field Lighting: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. The maximum lighting value that shall be used in lighting recreational athletic fields shall be an average maintained 50 foot candles. Minimum lighting values shall be per Parks and Community Services Standards. New lighting for athletic fields should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

*Where the adjacent property line is another City facility, the foot-candles may exceed the maximum requirements.

6. Street Lighting

a. Purpose. The purpose of this section is to establish a set of guidelines with which to regulate the installation, operation and maintenance of overhead street lighting in the City. The City seeks to make provisions for street lighting that will be beneficial to City residents, and to provide for this lighting in an orderly, efficient and equitable manner. This section serves to establish a uniform standard for location of lights and illumination levels within the City, and clarifies responsibilities for payment of the various costs involved.

b. General Requirements. Unless otherwise waived by the public works director/city engineer for developments within the OS, HR, RR and R1 districts, the provision of streetlights shall be a requirement of all development proposals. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system. The following specifications apply to all street lighting in the City, on all public and private roadways. The City has adopted the Southern California Edison (SCE) scheduled rates LS-1, LS-2 and LS-3 or comparable Moreno Valley Utility (MVU) rate standards. Prior to any planning, design, or installation of street lighting, the developer shall confirm the applicable rate schedule with the City. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by either SCE or MVU and the public works director/city engineer. (Ord. 359 (part), 1992). The developer will pay all costs related to the installation of the street lighting and establish a method for the payment of maintenance and operations. All street lighting installed shall be solely for the purpose of illuminating the public way and shall conform to the city street lighting standards.

c. Luminaire and Lamp Requirements.

1. All street lighting in residential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

2. All street lighting in nonresidential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

3. All street lighting for arterial roadways shall not exceed 22,000 lumen (two hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

4. All street lighting shall utilize full-cutoff luminaries and be fully shielded.

5. All street lighting shall meet the current City street lighting standards, unless otherwise approved by the public works director/city engineer.

d. Specific Warrants for Lighting Locations.

The City street lighting standards shall be used to determine locations for all street lighting, unless otherwise approved by the public works director/city engineer.

D. Lighting Height Limits

1. Hillside Residential Areas – Outdoor on-site lighting on hillside residential properties, except for street lighting, shall be mounted on a post with full cutoff not to exceed eight (8) feet above finished grade, or on a building wall or structure not to exceed eight (8) feet above finished grade and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to a single family residential structure shall not exceed the height of the roof eave.

2. All Other Residential Areas – Outdoor on-site lighting within all other residential areas, except for street lighting, shall be on poles or other supports not exceeding twelve (12) feet in height and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to all residential structures shall not exceed the height of the roof eave.

3. Non-Residential Areas – Outdoor on-site lighting on commercial and industrial properties, except for street lighting, shall be mounted on a post and fully shielded not to exceed a maximum height of thirty (30) feet, except within 100 feet of a residential use, where the post shall not exceed a maximum height of twenty (20) feet. Posts shall be appropriately scaled for small buildings and lots. All lighting fixtures shall be in scale with the proposed building height. Lighting attached to a building shall not exceed the height of the roof eave or twenty feet, whichever is less.

4. Walkway and Courtyard Lighting - Outdoor on-site lighting for all residential and non-residential walkway and courtyard lighting shall be directed downward and mounted on a post or adjacent structure not to exceed a maximum height of twelve (12) feet or the height of the eaves, whichever is less.

E. Light Trespass Standards. Light trespass shall be minimized by complying with the following standards:

1. Light spillover or trespass for all multiple family residential and non-residential properties shall not exceed one-quarter (0.25) foot candle minimum maintained of illumination measured from within five (5) feet of any property line.

2. All exterior lighting shall be full-cutoff type and fully shielded to prevent spillover onto adjacent properties.

3. All wall pack lighting shall be full-cutoff type and non-adjustable, with light directed away from surrounding properties. Wall packs shall incorporate internal house (wall) side shields, baffles or reflectors to minimize wall brightness.

F. General Guidelines

1. All exterior commercial doors during the hours of darkness shall be illuminated with one (1) to a maximum of three (3) foot candles of ~~minimum~~ maintained lighting.

2. Aisles and passageways ~~and recesses~~ related to and within a building complex, during the hours of darkness, shall be illuminated ~~to~~ with a maximum of one-half (0.50) to one (1) foot candles of ~~minimum~~ maintained lighting.

3. All lighting shall be enclosed in vandal-resistant fixtures.

4. Lighting shall be adequate to help ensure a safe environment, but not to cause excessive glare or intense light.

5. For safety, identification and convenience, the entrances of building and parking areas shall be illuminated.

6. In multifamily developments, laundry rooms shall be well-lit at all times as they are intended for tenant use. Lights shall be placed on photo cell or automatic timers, and no switches shall be available to tenants to turn the lights off.

~~7. All residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be consistently located on each dwelling throughout the development. The numerals shall be no less than four inches in height and shall be of low voltage lighted address fixtures. (Ord. 698 § 3.1(d), 2005; Ord. 359 (part), 1992)~~

G. Lighting Curfew

1. Except as specified elsewhere in this Section, outdoor lighting systems in non-residential areas shall be turned off or reduced by at least fifty percent (50%) beginning at 10:00 p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier. The reduction of lighting shall be determined as an overall average for the parcel. When possible, the lighting system shall be turned off rather than reduced in lighting levels. Lighting shall be equipped with controls for photocell on and timer off.

2. All walkway, security and street lighting may remain on all night.

H. Lighting Prohibitions

1. Overhead roof lighting is prohibited.

2. The installation of mercury vapor outdoor lighting fixtures is prohibited.

3. Adjustable outdoor lighting fixture mounts are prohibited. All fixtures shall be permanently installed so as to maintain shielding requirements, except that landscape and ornamental lighting may use flexible or adjustable mounting systems.

4 Lighting fixtures mounted in such a way as to aim only towards a property line are prohibited.

5. Lighting which interferes with the safe operation of a motor vehicle as determined by the Police Chief or City Engineer is prohibited.

6. Billboard lighting which is pointed upward is prohibited.

I. Lighting Exemptions. The following lighting is exempt from this Chapter:

1. Swimming pool lighting

2. Lighting for exit signs and other illumination required by the building code

3. Lighting for exterior stairs and ramps, as required by the building code

4. Decorative lighting, as approved by the Community and Economic Development Director

5. Holiday and temporary lighting

6. Low voltage landscape lighting

7. Lights used for the illumination of flags as required by law.

8. Portable temporary lighting used by law enforcement or emergency services personnel to protect life or property.

9. Motion detector lighting fixtures are exempt provided that there is no light trespass onto adjacent residential properties.

10. Exposed string outdoor lighting is exempt provided that:

a. Lighting shall consist exclusively of white light with a clear bulb;

b. Installation of such lighting shall be limited to the lighting of living landscape features (shrubs and trees) in outside dining areas or within parking areas of a commercial center or plaza.

J. Lighting plans and evidence of lighting compliance. The application for any required city approval involving residential and non-residential nonexempt outdoor light fixtures shall include evidence that the proposed work will comply with this chapter. The submission shall contain the following:

1. The location of the site where the outdoor light fixtures will be installed;

2. Plans showing the location and type of all fixtures, both existing and proposed, on the premises, including point by point photometric lighting levels;

3. A description of the outdoor light fixtures including, but not limited to manufacturer's catalog cuts, photometric reports with candela distribution, drawings, and shielding information;

4. Submittal drawings shall be signed by a licensed professional engineer or by the licensed electrical contractor that is performing the work. This engineer or contractor shall be held responsible for the content and accuracy of the submittal design. Submittals must contain the name of the company that prepared the drawings and the name, title, and telephone number of the person that performed the design work.

5. All plans resubmitted for approval shall include a written description of all changes and comments attached to the plan check comments.

~~C. Use of the following forms of outdoor lighting shall be prohibited between midnight and dawn:~~

~~1. The operation of searchlights for advertising purposes; and~~

~~2. The illumination of outdoor public recreational facilities, unless a specific recreational activity requiring the lighting is already in progress. Security lighting shall be provided.~~

~~D. Overhead roof lighting is prohibited.~~

~~E. Outdoor lighting within residential areas, except for street lighting, shall be on poles or other supports not exceeding twelve (12) feet in height. Such lighting shall be designed to project downward and shall not create glare on adjacent properties.~~

~~F. All exterior commercial doors during the hours of darkness shall be illuminated with one footcandle, minimum maintained of light on the surface.~~

~~G. Aisles, passageways and recesses related to and within a building complex, during the hours of darkness, shall be illuminated to one-half footcandle, minimum maintained on the surface.~~

~~H. All lighting shall be enclosed in vandal-resistant fixtures.~~

~~I. General Guidelines.~~

~~1. Lighting shall be adequate to help ensure a safe environment, but not to cause excessive glare or intense light.~~

~~2. For safety, identification and convenience, the entrances of building and parking areas shall be illuminated. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.~~

~~3. All exterior lighting shall be shielded to prevent spillover onto adjacent properties.~~

~~4. Industrial and manufacturing developments shall provide adequate lighting for safe and secure on-site parking, loading, storage, receiving and pedestrian areas.~~

~~5. All exterior doors on commercial structures shall be illuminated with a "minimum maintained" of one footcandle of light on the door surface during hours of darkness.~~

~~6. Aisles, passageways and recesses within a building complex shall be illuminated with a "minimum maintained" of one-half footcandle of light during hours of darkness.~~

~~7. All lighting shall be enclosed in vandal-resistant fixtures.~~

~~8. In multifamily developments, laundry rooms shall be well-lit at all times they are intended for tenant use. Lights shall be placed on photo cell or automatic timers, and no switches shall be available to tenants to turn the lights off.~~

~~9. All residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be consistently located on each dwelling throughout the development. The numerals shall be no less than four inches in height and shall be of low voltage lighted address fixtures. (Ord. 698 § 3.1(d), 2005; Ord. 359 (part), 1992)~~

~~**9.08.190 Street lighting.**~~

~~A. Unless otherwise waived by the public works director for developments within the OS, HR, RR and R1 districts, the provision of street lights shall be a requirement of all development proposals.~~

~~B. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system of either:~~

~~1. A utility-owned ornamental system consisting of standard ornamental electroliers customarily furnished by the utility or other design approved by the utility and the public works director; or~~

~~2. A municipally-owned ornamental system consisting of reinforced concrete or steel standards with underground wiring or other design approved by the public works director.~~

~~C. If a utility-owned ornamental system is installed, the developer shall be liable for and shall pay all charges attributable to such installation.~~

~~D. If a municipally-owned underground ornamental system is installed, the developer shall be liable for and shall pay all costs incurred in installing the entire system.~~

~~E. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by the utility-owned system and the public works director. (Ord. 359 (part), 1992)~~

ATTACHMENT 4

9.16.235 Hillside design standards.

A. Site Plan Design. Each structure shall be located in the most accessible, least visually prominent, most geologically stable portion or portions of the site, and at the lowest feasible elevation. Structures shall also be aligned with the natural contours of the site. Locating structures in the least prominent locations is particularly important on open hillsides where the high visibility of construction should be minimized by placing structures so that they will be screened by existing vegetation, depressions in topography, or other natural features. In addition, the following standards shall apply:

1. Significantly visible rock outcroppings should be preserved and incorporated into the site plan.

2. All pads and driveways shall, to the fullest extent practicable, follow and utilize the natural contours of the land to minimize disturbance and shall not be located on the crest of a natural ridgeline.

3. Clustering of development on flatter areas of the site is strongly encouraged.

4. Dwelling units and structures shall be sited in a manner that will:

a. Retain outward views from each unit;

b. Preserve or enhance vistas and ridgelines, particularly those seen from public places and rights-of-way in the valley below;

c. Preserve natural hydrology, native plant materials and areas of historic significance.

5. In areas adjacent to a ridgeline or in moderate slope areas, dwelling units and structures shall be sited to:

a. Use the natural ridgeline as a backdrop for structures;

b. Use landscape plant materials as a backdrop;

c. Use the structure to conceal cut slopes;

d. Retain major natural skyline profiles;

e. The topmost point of a proposed structure and all site grading shall be at least thirty (30) feet below the top of the nearest ridge or knoll.

ATTACHMENT 5

6. Encourage smaller pad to lot size ratios for all dwelling units.

7. Streets, both public and private, shall be developed below the crest of a natural ridgeline.

B. Architectural Design. The following architectural design standards shall apply:

1. Building development color palettes, including roofing, fencing and exterior building materials, shall be "earth tones" compatible with the natural color of the terrain and vegetation, and shall be approved by the community development director.

2. The design of the structure should give consideration to the lot's size and configuration in order to avoid the appearance of overbuilding and to minimize the blocking of views.

3. Large expanses of a single material on walls, roofs or paving areas should be avoided. Create interesting small scale patterns by breaking up building mass, varying building materials, etc. Building plans and elevations should be varied throughout a development to avoid a monotonous "cookie-cutter" look.

4. Horizontal and vertical architecture detailing of building articulation, such as overhangs, projections, alcoves, varied roof-plains, building offsets, etc. should be used to avoid large expanses of a wall in a single plain and to create light and shadow.

5. Brightly colored structures and roofs and reflective glass or building materials are expressly prohibited. Materials and colors shall blend with the natural hillside environment to the greatest degree feasible. Specific materials that are encouraged are those with natural colors and textures, including stone, wood, textured stucco and brick.

6. Where it will not result in increased grading and landform alteration, the limitation of structures to a single story is strongly encouraged.

7. The use of undulating walls that follow the land form are highly encouraged.

8. Detaching the garage shall be encouraged, while retaining walls shall be integrated into the garage walls on sloping lots to reduce grading and minimize visibility of walls.

9. Include architectural enrichments and variations in roof massing. Roofs should have low profiles to minimize their visual impact. On sloping land, the roof pitch should follow the slope of the hillside, instead of being perpendicular to the hillside or opposing hillside slope. Upper stories should not be cantilevered out of the opposite direction of the hillside slope.

C. Lighting Design. The intent of lighting standards for designated hillside properties is to preserve the low light level conditions that are inherently characteristic of hillside areas. The following lighting design standards shall apply:

1. Lights shall not be located on the portion(s) of the site that has not been disturbed.

2. Lights mounted on dwellings, buildings or structures shall be fully shielded and directed away from adjacent developments.

3. All light fixtures should be directed downward and properly aimed on the targeted areas to maximize their effectiveness and minimize the total number of light fixtures.

4. All lighting shall be low scale and low intensity and directed downward and away from the view of others.

5. Road, driveway and walkway lights should be located on the "downhill" side and aimed toward the "uphill" side and should be fully shielded from below and only light the driveway surface.

6. Lighting fixtures on properties should be mounted on a post not to exceed a height of eight (8) feet above finished grade, or on a building wall not to exceed a height of eight (8) feet above finished grade and fully shielded, or on a structure ~~of not more than~~ not to exceed a height of ~~twelve (12~~) eight (8) feet above finished grade and fully shielded for security lighting.

7. Street lighting shall be limited to the greatest degree feasible to maintain a "dark sky" environment. Typically, streetlights should be limited to street intersections or other locations where safety concerns predicate the need for illumination. (Ord. 773 § 3, 2008)

9.16.280 General requirements.

A. Purpose and Intent Lighting shall serves both safety and aesthetic purposes, while reducing unnecessary light pollution and maintaining dark skies. Effective lighting will highlight building features, and add emphasis to important spaces and entryways, while limiting glare and light trespass onto adjacent properties. The intent of these guidelines is to encourage effective and innovative lighting as an integral design component of a project.

B. General Guidelines.

1. Exterior lighting should relate to the design the project, highlighting architectural elements and details without deflecting unnecessary light and glare onto surrounding properties.

~~2. Parking lot and walkway lighting fixture height and brightness should conform to the following table:~~

~~Table 9.16.280A~~

~~Site Lighting~~

-

~~Lamp Types and Characteristics~~

~~**Type**~~	~~**Characteristics**~~
~~Low Level~~	~~Heights below eye level~~
-	~~Very finite patterns with hour wattage capabilities~~
-	~~Incandescent, fluorescent~~
-	~~Lowest maintenance requirements, but highly susceptible to vandals~~
~~Mall and Walkway~~	~~10′ - 15′ heights average~~
-	~~Multi-use because of extreme variety of fixtures and light pattern~~
-	~~Incandescent, high pressure sodium~~
-	~~Susceptible to vandalism~~
~~Special Purpose~~	~~20′ - 30′ heights average~~
-	~~Recreational, commercial, residential, industrial~~
-	~~Metal halide, high or low pressure sodium~~
-	~~Fixtures monitored by sentry~~

ATTACHMENT 6

~~3.~~ 2. Lighting should improve the visual identification of residences and businesses. ~~Within commercial areas, lighting should help to create a festive atmosphere by encouraging nighttime pedestrian use.~~

~~4.~~ 3. Energy efficient lighting of buildings is encouraged.

~~5.~~ 4. High-intensity security lighting fixtures should be concealed by landscaping or building architectural elements. ~~and should be de-signed either to uplight structures from the ground or to downlight structures from projecting or detached architectural elements.~~

~~6.~~ 5. The location, color and intensity of private lighting should relate to and complement public lighting.

~~7.~~ 6. Lighting fixture design should complement the overall design theme of the project in which they are located.

~~8. Fixtures should be placed so that light patterns overlap at a height of seven feet, which is sufficiently high to illuminate a person's body vertically. This is a particularly important consideration now that lighting fixture manufacturers are designing luminaries with highly controlled light patterns.~~

~~9~~ 7. At hazardous locations such as changes of grade, low level supplemental lighting units should be used.

~~10~~ 8. Where low level lighting (below five feet) is used, fixtures should be placed so that they do not produce glare. ~~Most eye levels occur between three feet eight inches (for wheelchair users) and six feet for standing adults.~~

~~11. When walkway lighting is provided primarily by low fixtures, there should be sufficient peripheral lighting to illuminate the immediate surroundings. Peripheral lighting provides for a better feeling of security for individuals because they can see into their surroundings to determine whether passage through an area is safe. Such lighting should be approached from one of two ways:~~

~~a. By lighting the area so that an object or person may be seen directly; or~~

~~b. By lighting the area to place an object or a person in silhouette. (Ord. 698 § 3.1(g), 2005; Ord. 359 (Attach. 2 (part)), 1992)~~

"Land use ordinance" means the city of Moreno Valley development code as amended.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

9.15.030

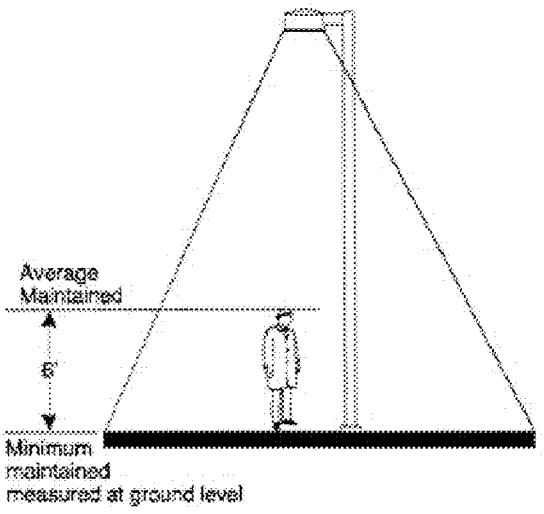

Figure 9.15.030-10

Lighting (Minimum Maintained)

"Light Trespass" means any artificial light or glare from a light fixture onto neighboring property that interferes with viewing of the night sky, or eliminates the ability to have darkness on the adjacent property, or shines into neighboring windows, properties or structures.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: A PUBLIC HEARING (PA11-0013) FOR A CITYWIDE AMENDMENT TO TITLE 9, CHAPTER 9.11, SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENCY WITH THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS REQUIRING LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL AND VANPOOL VEHICLE PARKING FOR ALL NEW NON-RESIDENTIAL USES.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing on the proposed Mandatory Green Building Code item on low-emitting, fuel-efficient and carpool/vanpool parking as follows:

1. **RECOGNIZE** that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. **INTRODUCE** Ordinance No. 2012-852, approving revisions to Title 9 and Section 9.11.040 "Off Street Parking Requirements" to provide consistency with the current 2011 California Green Building Code standards for low-emitting, fuel –efficient and carpool and vanpool vehicle parking for all new non-residential uses citywide.

ADVISORY BOARD RECOMMENDATIONS

The item was considered by the Planning Commission on July 12, 2012. Due to residential and industrial development community concerns and the continued fragile state of the economy, the Planning Commission did not recommend Codes that reach

beyond current Title 24 standards or any other energy efficient local mandatory measures that exceed current building standards. The Planning Commission recommended approval of a modified version of the original Reach Code effort to include only the California Green Building Code requirement for low-emitting, fuel-efficient and carpool/vanpool vehicle parking of the proposed nine (9) mandatory local measures. None of the local measures exceeding the current 2011 California Green Building Code standards were recommended to the City Council.

BACKGROUND

On April 3, 2012, the Planning Division provided the Reach Code item for discussion purposes at a joint City Council/Planning Commission Study Session meeting. At said meeting, City Council and Planning Commission agreed that additional public outreach be provided to the development community to gauge possible concerns with the proposed approach.

On May 10, 2012, the Planning Division provided public outreach to the development community by presenting Reach Codes at the Economic Development Subcommittee Developer Workshop. Based upon concerns of the development community over the continued struggling economy and the fact the building permits for residential subdivisions are almost non-existent, staff has significantly modified the original direction of the Reach Code effort. All references to Performance standards and specific percentages of energy efficiency above current Title 24 standards were dropped in the proposal considered by the Planning Commission.

DISCUSSION

One (1) non-residential mandatory California Green Building Code item for carpool/vanpool parking is now included in the proposal as follows:

- **Eight (8) percent of all required parking shall be designated for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles**.

Staff considered both the Tier 1 approach where 10% of the required vehicle parking would be designated for carpool/vanpool parking and the Tier 2 approach where 12% of the required vehicle parking would be designated for low-emitting, fuel-efficient and carpool/vanpool parking. Based on internal discussion involved with the Reach Code effort, staff determined to include only the base mandatory measure approach requiring 8% of required parking stalls to include preferential designated spaces for carpool/vanpool and fuel efficient vehicles.

The item is not currently addressed within Title 9 of the Municipal Code. This code amendment will ensure consistency with the currently adopted green building code standards.

ALTERNATIVES

1. Recognize that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines and introduce Ordinance No. 852, approving revisions to Title 9 and Section 9.11.040 "Off Street Parking Requirements" to provide consistency with the current 2011 California Green Building Code standards for low-emitting, fuel – efficient and carpool and vanpool vehicle parking for all new non-residential uses citywide. **Staff recommends this alternative.**

2. Do not recognize that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines and do not introduce Ordinance No. 852, approving revisions to Title 9 and Section 9.11.040 "Off Street Parking Requirements" to provide consistency with the current 2011 California Green Building Code standards for low-emitting, fuel –efficient and carpool and vanpool vehicle parking for all new non-residential uses citywide. **Staff does not recommend this alternative.**

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Public Facilities and Capital Projects: Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Public notice of the proposed Municipal Code Amendment was published in the local newspaper as a 1/8 page display ad on August 10, 2012.

ATTACHMENTS/EXHIBITS

1. Public hearing notice
2. City Council Ordinance, including clean copies of the Ordinance amendment
3. Strikeout/underline version of the Ordinance Amendment – 9.11.040 "Off-street parking requirements"

Prepared By:
Mark Gross, AICP
Senior Planner

Department Head Approval:
Barry Foster
Community & Economic
Development Department

Concurred By:
John Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

NOTICE
OF
CITY COUNCIL PUBLIC HEARING

A PUBLIC HEARING (PA11-0013) FOR A CITYWIDE AMENDMENT TO TITLE 9, CHAPTER 9.11, SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENCY WITH THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS REQUIRING LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL AND VANPOOL VEHICLE PARKING FOR ALL NEW NON-RESIDENTIAL USES.

The amendment would modify current Municipal Code Title 9 standards to include low-emitting, fuel-efficient and carpool/ vanpool parking for all non-residential uses citywide.

The City Council may consider any appropriate modifications or alternatives to the amendment or environmental determination. The amendment is exempt under California Environmental Quality Act Guidelines Section 15061 in that there is no possibility that the proposed activity may have potential for a significant impact upon the environment.

Any person interested in the proposed project may contact Mark Gross at (951) 413-3215 or at the Community and Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, August 28, 2012
6:30 P.M.
City Council Chamber
14177 Frederick Street.
Moreno Valley, CA 92552-0805

ATTACHMENT 1

ORDINANCE NO. 852

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, (PA11-0013) AMENDING TITLE 9 CHAPTER 9.11, SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENCY WITH THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS REQUIRING LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL AND VANPOOL VEHICLE PARKING FOR NEW NON-RESIDENTIAL USES CITYWIDE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1: RECITALS

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 The ordinance amendment is attached hereto and incorporated herein as Exhibit A.

SECTION 2: FINDINGS

2.1 Based upon substantial evidence presented to this City Council during the above-referenced meeting on August 28, 2012, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modifications to the Municipal Code are consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed modifications to the existing Municipal Code standards to require low-emitting, fuel efficient and carpool/vanpool vehicle parking for all new non-residential uses provides consistency with the 2011 California Green Building Code standards currently in place. The proposed Municipal Code modification and amendment is consistent with, and does not conflict with the goals, objectives, policies, and programs established within the General Plan.

ATTACHMENT 2

MV00174137

2. **Conformance with Zoning Regulations –** The proposed modifications to the Municipal Code comply with all applicable zoning and other regulations.

   FACT: The primary purpose of modifying current Municipal Code items related to carpool and vanpool vehicle parking provides consistency with the 2011 Green Building Code standards. The amendments and newly established language within the Municipal Code are consistent with applicable zoning standards, all other regulations within the Code and are internally consistent with the purpose and intent of Title 9. The amendments are also internally compatible with other regulations established within the Moreno Valley Development Code.

3. **Health, Safety and Welfare –** The proposed modifications to the Municipal Code will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: Pursuant to Section 15061 of the CEQA Guidelines, the project meets requirements for project exemption, as there is no possibility that the modification of existing Municipal Codes related to present and future energy efficiency may have a significant effect on the environmental, while the activity in this case would not be subject to CEQA requirements. The proposed amendment also does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions.

SECTION 3: ADOPTION

Based on the foregoing recitals and findings, the City Council of the City of Moreno Valley does hereby adopt and approve the ordinance amendment attached hereto as Exhibit A.

SECTION 4: EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 11th day of September, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halsted, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 852 had its first reading on August 28, 2012 and had its second reading on September 11, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 11th day of September, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

9.11.040 Off-street parking requirements. **EXHIBIT A**

A. Automobile Parking Requirements. Off-street automobile parking shall be provided in accordance with the requirements of this chapter. The following tables set forth the required off-street parking requirements and certain notations for various residential, commercial, industrial, public and quasi-public uses. Parking provided above required off-street must be constructed with permeable surfaces and/or enhanced landscaped retention and absorption areas:

Table 9.11.040A-12

Off-Street Parking Requirements

Use	Requirement	Covered Parking	Notes
Residential Uses			
Single-family	2/unit	Within an enclosed garage	
Second units	2/unit	Carport or garage	
Duplex	2/unit	Within an enclosed garage	
3 or more units Studio 1 bedroom 2 bedrooms 3+ bedrooms	 1.25/unit 1.5/unit 2.0/unit 2.5/unit	 1 covered/unit 1 covered/unit 1 covered/unit 2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard.
Senior housing			
Studio 1 bedroom	1.0/unit 1.25/unit	1 covered/unit 1 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A)

2+ bedrooms	1.5/unit	1 covered/unit	of this chapter.
Mobile home parks	2.5/unit		Tandem spaces may be used to meet resident parking requirements.
Residential care homes	Parking requirements shall be determined by the community development director subject to an approved parking study.		

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.
Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	

Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Commercial Uses	**Requirement**	**Notes**
Nail salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	
College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum.
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	

Health club	1/100 sq. ft. of gross floor area	
Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12

Off-Street Parking Requirements

Use	Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

Table 9.11.040D-12

Off-Street Parking Requirements

Use	Requirement	Notes
Public and Quasi-Public Uses		
Libraries, museums and galleries	1/300 sq. ft. of gross floor area	
Public utility facilities without an office on-site	2/employee on the largest shift + 1/company vehicle	A minimum of 2 spaces shall be required.
Auditorium, places of public assembly and places of worship	1/3 fixed seats or 1/35 sq. ft. of gross floor area of the assembly area or 1 space for every 4.5 lineal feet of benches/pews, whichever is greater	
Government offices	To be determined by a parking study approved by the community development director	

B. Schedule of Accessible Parking Requirements. The following requirements for accessible parking are intended to be consistent with the state requirements. Any conflicting provisions or future changes in state or federal requirements shall preempt the standards for provision of accessible parking spaces contained in this title.

1. Accessible parking for residential uses shall be provided at a rate of one space for each dwelling unit that is designed for accessibility and occupancy by the disabled, unless an adjustment is allowed, based on a parking study approved by the community development director.

2. Accessible parking for outpatient units and facilities providing medical care and other services for persons with mobility impairments shall be provided at a rate of ten (10) percent of the total number of parking spaces provided serving such outpatient unit or facility. Accessible parking for units and facilities that specialize in treatment or services for persons with mobility impairments shall be provided at a rate of twenty (20) percent of the total number of parking spaces provided serving each such unit or facility.

3. Accessible parking spaces for other uses shall be provided at the following rates:

No. of Automobile Spaces Provided	No. of Accessible Spaces Provided
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5

151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2 percent of total spaces
1,001 and over	20 plus 1 for each 100 spaces or fraction thereof over 1,001

4. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum of eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

5. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Such space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

6. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

7. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this subsection (B)(7) would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

8. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083% gradient) in any direction.

9. Notwithstanding the off-street parking requirements of subsection A of this section, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

10. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone, as described herein. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.2, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 670 § 3.1 (part), 2004; Ord. 557 §§ 2.2, 2.3, 2000; Ord. 520 § 1.14, 1997; Ord. 475 § 1.4 (part), 1995; Ord. 405 §§ 1.8, 1.13, 1993; Ord. 402 §§ 1.1, 1.2, 1993; Ord. 359, 1992)

C. Low Emitting Fuel Efficient Carpool/Vanpool Vehicle Parking

1. Eight (8) percent of required parking shall be designated for any combination of low-emitting, fuel efficient and carpool /vanpool vehicles for all new non-residential development.

9.11.040 Off-street parking requirements.

A. Automobile Parking Requirements. Off-street automobile parking shall be provided in accordance with the requirements of this chapter. The following tables set forth the required off-street parking requirements and certain notations for various residential, commercial, industrial, public and quasi-public uses. Parking provided above required off-street must be constructed with permeable surfaces and/or enhanced landscaped retention and absorption areas:

Table 9.11.040A-12

Off-Street Parking Requirements

Use	Requirement	Covered Parking	Notes
Residential Uses			
Single-family	2/unit	Within an enclosed garage	
Second units	2/unit	Carport or garage	
Duplex	2/unit	Within an enclosed garage	
3 or more units Studio 1 bedroom 2 bedrooms 3+ bedrooms	 1.25/unit 1.5/unit 2.0/unit 2.5/unit	 1 covered/unit 1 covered/unit 1 covered/unit 2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard.
Senior housing			
Studio 1 bedroom 2+ bedrooms	1.0/unit 1.25/unit 1.5/unit	1 covered/unit 1 covered/unit 1 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.

ATTACHMENT 3

Mobile home parks	2.5/unit		Tandem spaces may be used to meet resident parking requirements.
Residential care homes	Parking requirements shall be determined by the community development director subject to an approved parking study.		

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.
Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.

Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Commercial Uses	**Requirement**	**Notes**
Nail salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	
College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum.
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12

Off-Street Parking Requirements

Use	Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

Table 9.11.040D-12

Off-Street Parking Requirements

Use	Requirement	Notes
Public and Quasi-Public Uses		

Libraries, museums and galleries	1/300 sq. ft. of gross floor area	
Public utility facilities without an office on-site	2/employee on the largest shift + 1/company vehicle	A minimum of 2 spaces shall be required.
Auditorium, places of public assembly and places of worship	1/3 fixed seats or 1/35 sq. ft. of gross floor area of the assembly area or 1 space for every 4.5 lineal feet of benches/pews, whichever is greater	
Government offices	To be determined by a parking study approved by the community development director	

B. Schedule of Accessible Parking Requirements. The following requirements for accessible parking are intended to be consistent with the state requirements. Any conflicting provisions or future changes in state or federal requirements shall preempt the standards for provision of accessible parking spaces contained in this title.

1. Accessible parking for residential uses shall be provided at a rate of one space for each dwelling unit that is designed for accessibility and occupancy by the disabled, unless an adjustment is allowed, based on a parking study approved by the community development director.

2. Accessible parking for outpatient units and facilities providing medical care and other services for persons with mobility impairments shall be provided at a rate of ten (10) percent of the total number of parking spaces provided serving such outpatient unit or facility. Accessible parking for units and facilities that specialize in treatment or services for persons with mobility impairments shall be provided at a rate of twenty (20) percent of the total number of parking spaces provided serving each such unit or facility.

3. Accessible parking spaces for other uses shall be provided at the following rates:

No. of Automobile Spaces Provided	**No. of Accessible Spaces Provided**
1—25	1
26—50	2

51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2 percent of total spaces
1,001 and over	20 plus 1 for each 100 spaces or fraction thereof over 1,001

4. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum of eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

5. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Such space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

6. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

7. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this subsection (B)(7) would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

8. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083% gradient) in any direction.

9. Notwithstanding the off-street parking requirements of subsection A of this section, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

10. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone, as described herein. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.2, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 670 § 3.1 (part), 2004; Ord. 557 §§ 2.2, 2.3, 2000; Ord. 520 § 1.14, 1997; Ord. 475 § 1.4 (part), 1995; Ord. 405 §§ 1.8, 1.13, 1993; Ord. 402 §§ 1.1, 1.2, 1993; Ord. 359, 1992)

C. Low Emitting Fuel Efficient Carpool/Vanpool Vehicle Parking

1. Eight (8) percent of required parking shall be designated for any combination of low-emitting, fuel efficient and carpool /vanpool vehicles for all new non-residential development.

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RH
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: HEARING ON PROPOSED RESOLUTIONS OF NECESSITY TO MAKE FINDINGS AND DETERMINATIONS AND TO AUTHORIZE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE NECESSARY RIGHT-OF-WAY FOR THE SR-60/MORENO BEACH INTERCHANGE PROJECT PHASE 2 – PROJECT NO. 801 0021 70 77

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a hearing, allowing testimony, including property owners who have requested the right to appear and be heard. Close the hearing.

2. Approve and adopt the Planning Division's finding that the Project is consistent with the General Plan.

3. Find the adoption of the proposed Resolutions of Necessity and acquisition of the fee and easement interests necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment and is excluded from NEPA in that this activity cannot individually or cumulatively have a significant effect on the human environment and no environmental assessment is required. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Initial Study/Negative Declaration (IS/ND) and its NEPA/CEQA Re-validation prepared for the Project.

4. Consider and find that the attached "Factual Summary to Support Findings Required in Resolutions Nos. 2012-63, 2012-64, 2012-65, and 2012-66" is true and correct as to each of the proposed Resolutions of Necessity.

5. Consider, find and determine that each of the statements, findings and facts in each of the proposed Resolutions of Necessity is true and correct.

6. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council, Resolution No. 2012-63, A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-080-013].

7. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council, Resolution No. 2012-64, A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APNs: 488-080-014 And 488-080-017].

8. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council, Resolution No. 2012-65, A Resolution Of The City Council Of The City Of Moreno Valley,

California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easement In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-080-016].

9. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interest to be taken, by a vote of two-thirds of all members of the City Council, Resolution No. 2012-66, A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee Interest In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-270-021].

10. Direct the City Attorney and Special Eminent Domain Counsel for the City to file appropriate actions in Eminent Domain, including making Deposits of Probable Compensation and to seek Orders for Prejudgment Possession and for all other appropriate orders.

BACKGROUND

The overall purpose of the Moreno Beach Interchange Project is to provide operational improvements to facilitate traffic movement at and near the SR-60/Moreno Beach Drive interchange, alleviate traffic congestion, and address existing bridge deficiencies. This Project is needed to improve safety, bring the bridge features up to current standards, and provide acceptable levels of service along the facility. The Project is designed and will be constructed in two phases. The subject of this report is for Phase 2 properties, which lie on the north side of SR-60.

On September 25, 2007, the City Council authorized execution of a Project Development Cooperative Agreement with the State of California for project

development activities, including final design, utility relocation engineering, and right-of-way acquisition.

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons Transportation Group for design, right-of-way engineering, and construction support services. In Closed Session on October 20, 2010, the City Council authorized making offers and negotiating with nine property ownerships for the interchange, four of which are the subject of this report.

Caltrans, pursuant to the Project Development Cooperative Agreement and the Caltrans Right-of-Way Manual, Section 17.04.09.01, required that the City Council of Moreno Valley adopt a resolution to later hear Resolutions of Necessity for the Project and subsequently submit it to Caltrans for approval. A Resolution of Necessity is the legally required resolution authorizing condemnation of property necessary for the Project and the filing an eminent domain action to acquire said property through condemnation. On August 24, 2010, the City Council adopted Resolution No. 2010-75 in order to later hear Resolutions of Necessity should acquisition through condemnation become necessary for the SR 60/Moreno Beach Drive Improvements Project, and Caltrans has issued its approval.

DISCUSSION

The City has been progressing in the steps necessary for the acquisition of right-of-way. The Caltrans Right-of-Way Manual details the steps necessary to initiate eminent domain actions, including conducting a hearing and adopting Resolutions of Necessity. Caltrans requires the adoption of a separate Resolution of Necessity and the filing of a separate eminent domain action for each property ownership interest.

Following the City Council's authorization on October 20, 2010, the City submitted written offer letters to the four (4) property ownerships as follows: APN: 488-080-013 – Chado & Chado Moreno Valley, Ltd.; APN: 488-080-014 and 488-080-017 – Equitable Moreno Valley II Partnership; APN: 488-080-016 – Thomas J. Chen, Glendy Liu Chen, Theresa Chen; and APN: 488-270-021 – Jocelyn Sarte McGinniss. The City negotiated extensively with three (3) ownership interests (Chado & Chado, Equitable Partnership and Chen), including negotiating with their counsel, since the offers were made. The fourth owner (McGinniss) refused to acknowledge receipt of the offers and has rebuffed all efforts to be contacted to attempt to purchase the property. In light of possible condemnation, the City had its appraiser prepare new appraisals for each property. On May 15, 2012, new written offers based on the new appraisals were mailed to each property ownership for the acquisition of the fee and easement interests necessary for the Project. These written offers constitute the written offers required by Government Code § 7267.2. To date the City has no "Agreement for Conveyance of Property" with any of the four owners and, thus, it is necessary for the City Council to hold its Hearing and consider adoption of the four (4) proposed Resolutions of Necessity.

If any owner executes an "Agreement for Conveyance of Property" before the Hearing, staff will present the agreement to the City for approval, and if one or more such agreements are approved, it will eliminate the need to adopt Resolutions of Necessity for those properties.

On June 18, 2012 the acquisition agent for the City–Overland, Pacific & Cutler, Inc. ("OPC")–mailed the Notice of Intent Package to all owners of the properties affected by the proposed Resolutions of Necessity. The owners were identified in the last equalized assessment roll of the County and were identified by litigation guarantee reports prepared by the title company for the City, and are known to have an interest in the properties. The Notice of Intent also notified owners of the hearing for the proposed Resolutions of Necessity, giving them the opportunity to appear and be heard by the City Council by sending a written request to the City Clerk. No requests to appear and/or be heard have been received. Pursuant to Code of Civil Procedure § 1245.235(b)(2), failure to file a written request to appear and be heard within 15 days after the Notice was mailed will result in waiver of the right to appear and be heard. Thus the City Council is not required to hear testimony or evidence from owners or owners' representatives who may appear at the hearing since the opportunity to appear and be heard has been waived.

At the Hearing on the proposed Resolutions of Necessity, the City Council will consider evidence presented by staff, property owners who have requested to appear and be heard and other interested parties and decide if the requirements set out below are met. The Council may elect to adopt the Resolutions of Necessity by a two-thirds vote of all members of the City Council. The amount of compensation to be paid will not be an issue at the Hearing nor in determining whether to adopt the Resolutions of Necessity. The issues the City Council must consider to adopt the Resolutions of Necessity are whether:

(a) The public interest and necessity require the Project (the SR-60/Moreno Beach Drive Interchange Improvement Project – Phase 2).

(b) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

(c) The property sought to be acquired is necessary for the Project.

(d) The offer required by Government Code § 7267.2 has been made to the owner of record.

Staff has carefully analyzed the requirement for the proposed Project and, based on that analysis, has concluded the acquisition of the fee and/or easement interests as identified in the proposed Resolutions of Necessity is necessary to implement the Project, the Project is designed in such a manner that it will be most compatible with the greatest public good and least private injury and the property sought to be acquired is necessary for the Project. Each Resolution of Necessity contains as attachments legal

descriptions of the properties and property interests sought to be acquired and right-of-way maps depicting the properties. These acquisitions will go to litigation and City staff and retained counsel will be authorized to substitute plat maps that depict each property interest for the right of way maps as the eminent domain cases proceed in court.

It is also necessary that the Council find that the adoption of the proposed Resolutions of Necessity and the acquisition of the fee and easement interests necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment and is excluded from NEPA in that this activity cannot individually or cumulatively have a significant effect on the human environment and no environmental assessment is required. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Initial Study/Negative Declaration (IS/ND) and its NEPA/CEQA Re-validation prepared for the SR-60/Moreno Beach Interchange Project, and no changes to the circumstances under which the Project is to be undertaken which would alter the determination.

It is also necessary for the City to make the deposit of funds equal to the appraised fair market value of the property interests to be acquired with the State Treasurer for valuation date preservation and for commitment of funds to maintain funding for this Project. It may also be necessary to obtain orders for possession from the Court prior to judgment to allow the work to commence in a timely manner based on obtaining construction funding. All the property in question is vacant and no residents, business or agricultural use will be displaced by the action.

Staff is requesting the adoption of the proposed Resolutions of Necessity for those properties necessary for which the City Council has not approved an "Agreement for Conveyance of Property," authorizing the filing of eminent domain proceedings, making the deposit of funds for the probable amount of compensation and subsequently seeking orders for possession prior to judgment to allow the work for the Project to proceed in a timely manner. Staff is providing the City Council with the "Factual Summary to Support Findings Required in Resolutions Nos. 2012-63, 2012-64, 2012-65 and 2012-66" (Attachment "E") for each of the Resolutions of Necessity, attached to this report as Attachments “A” through "D" to support the findings necessary for the adoption of each respective Resolution of Necessity.

The City has retained the law firm of Singer & Coffin, APC to act as its Special Eminent Domain Counsel relating to preparation and recommended approval of the Resolutions of Necessity and related documents prerequisite to filing the eminent domain actions.

ALTERNATIVES

The City Council may:

1. Approve Recommendations 2 through 10, including adoption of Resolution Nos. 2012-63, 2012-64, 2012-65, and 2012-66 authorizing acquisition of the property interests in question by eminent domain and authorizing the actions set forth in the proposed Resolutions of Necessity. *This alternative will allow necessary actions to be in place so the Project continues to proceed without interruption.*

2. Do not approve Recommendations 2 through 10. *This alternative may delay the construction of needed improvements.*

FISCAL IMPACT

There is no new fiscal impact related to the adoption of these resolutions. Offers were made within previously-budgeted and authorized amounts. Phase 2 right-of-way is funded by Transportation Uniform Mitigation Fee (TUMF) funds. These funds have been allocated for the SR-60/Moreno Beach Interchange Improvements Project (Phase 2) and cannot be utilized for operational activities. The TUMF funds are required to be expended by October 2012 or WRCOG will remove them from this project. There is no impact to the General Fund.

ANTICIPATED PROJECT SCHEDULE
Complete Design and Right-of-Way ..... July 2013

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City Council is asked to adopt Resolution No. 2012-63, Resolution No. 2012-64, Resolution No. 2012-65, and Resolution No. 2012-66 for the acquisition of the property interests and to take the other actions specified to implement the SR-60/Moreno Beach Improvements Project (Phase 2).

ATTACHMENTS/EXHIBITS

Attachment "A" Resolution No. 2012-63 [APN: 488-080-013]

Attachment "B" Resolution No. 2012-64 [APN: 488-080-014 & 488-080-017]

Attachment "C" Resolution No. 2012-65 [APN: 488-080-016]

Attachment "D" Resolution No. 2012-66 [APN: 488-270-021]

Attachment "E" – Factual Summary to Support Findings Required in Resolution Nos. 2012- 63, 2012-64, 2012-65 and 2012-66

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
John Terell
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION N0. 2012-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION OF THE FEE AND THE EASEMENTS IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/MORENO BEACH INTERCHANGE IMPROVEMENT PROJECT – PHASE 2; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY [APN: 488-080-013]

Owner	Assessor Parcel Number/ Caltrans Parcel Number
Chado & Chado/Moreno Valley, Ltd., a California Limited Partnership	488-080-013 / 21449-1, 2, 3, 4

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described property and whose name and address appears on the last equalized assessment roll in compliance with and as required by Code of Civil Procedure § 1245.235(a), relating to whether the public interest and necessity require the herein-described Project; whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; whether the property sought to be

Attachment "A"

acquired is necessary for the Project; and whether the offer required by Government Code § 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 28, 2012, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of all the members of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

Section 1. Pursuant to the provisions of the California Constitution, including Article I Section 19 thereof, and as authorized by California Government Code, §§ 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure, §§ 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee and easement interests in the real property which are shown on the maps attached hereto and described more fully in the legal descriptions attached hereto as follows:

Ownership	**Assessor Parcel No. /Caltrans Parcel No.**	**Exhibits**	**Interests to be Taken**
Chado & Chado/Moreno Valley, Ltd., a California Limited Partnership	488-080-013 / 21449-1	A-1 and B-1	Fee

Ownership	Assessor Parcel No. /Caltrans Parcel No.	Exhibits	Interests to be Taken
Chado & Chado/Moreno Valley, Ltd., a California Limited Partnership	488-080-013 / 21449-2	A-2 and B-2	Slope/Drainage Easement
Chado & Chado/Moreno Valley, Ltd., a California Limited Partnership	488-080-013 / 21449-3	A-3 and B-3	Temporary Construction Easement
Chado & Chado/Moreno Valley, Ltd., a California Limited Partnership	488-080-013 / 21449-4	A-4 and B-4	Roadway Easement

As referenced in the table above, all legal descriptions of the property interests to be acquired have an A prefix and all maps have a B prefix. The fee interest, slope/drainage easement and roadway easement are permanent. The temporary construction easement as described above will be in effect for a period of 18 months after the City gives notice to the owner. Generally all property interests to be acquired are sometimes referred to later in this Resolution as the "property". In relation to the hereinafter described Project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the property, including the fee, the slope/drainage easement, the roadway easement and the temporary construction easement interests therein, being taken.

Section 2. Acquisition of the hereinabove described property sought to be condemned herein or of one or more interest therein, is for a public use, to wit: State Route 60/Moreno Beach Interchange Improvement Project – Phase 2 and for the

construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including bridges, drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress upon, to and from said property, said proposed acquisition and use being herein referred to as the "Project."

Section 3. The interests in the property sought to be condemned herein, which constitute only a portion of larger parcels of real property, are described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The property, or the interests to be acquired therein, is necessary for the Project; and

(d) The offer required by Government Code § 7267.2 has been made to the owner or owners of record.

Section 5. In the event any of the property or the interests to be acquired therein is already appropriated to an existing and different public use, the City Council hereby finds and determines that the herein-described public use or uses are

more necessary than said existing public use, and acquisition hereby is permitted under the provisions of Code of Civil Procedure §§ 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the legal descriptions of the property and also including the substitution of plat maps for the particular property interest or interests to be acquired for the right of way maps that serve as exhibits to this Resolution and in the pleadings to be filed which have been authorized herein, as is deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property or property interests is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property and property interests by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain applicable fee simple interest and easements in, over, under, across, along, through, and within the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and Singer and Coffin, APC, the law firm retained as counsel to represent the City in the proceedings, are hereby authorized and directed to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to accomplish such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, §§ 1230.010 and following) to complete such acquisition.

Section 10. The City is authorized and directed upon instruction from counsel for the City to make or cause to be made the deposit with the State Treasurer or in court out of proper funds of the City for the probable just compensation according to law, for jury fees, reporter's fees and other litigation costs and expenses.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____

Mayor

ATTEST:

_____

City Clerk

APPROVED AS TO FORM:

_____

City Attorney

EXHIBIT "A-1"

FEE

[See Attached]

EXHIBIT "A"

That portion of Lots 3 and 6, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northwest corner of said Lot 3; thence South 00°26'18" West along the west line of said Lots 3 and 6, a distance of 1067.76 feet to the **POINT OF BEGINNING**, also being the beginning of Course "A"; thence North 82°37'34" East along said Course "A", a distance of 177.30 feet to the beginning of Course "B"; thence North 68°07'48" East along said Course "B", a distance of 330.46 feet to the beginning of Course "C"; thence North 09°50'44" East along said Course "C", a distance of 347.77 feet; thence South 89°33'45" East a distance of 85.67 feet to the northwesterly line of Parcel "G" granted to the State of California by Grant Deed recorded December 27, 1962 as Instrument No. 119152, Official Records of Riverside County; thence South 04°28'09" West along said northwesterly line, a distance of 648.53 feet to the northerly line of said Parcel "G"; thence South 89°57'16" West along said northerly line, a distance of 452.99 feet; thence continuing along said northerly line, South 88°39'33" West, a distance of 131.65 feet to said west line of said Lot 6; thence North 00°26'16" East along said west line, a distance of 73.42 feet to the **POINT OF BEGINNING.**

Containing 120,646 square feet of land, more or less.

TOGETHER with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public way (Moreno Beach Drive).

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway, over and across said Courses "A" through "C", inclusive.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date Oct 5, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-Co-RTE-PM 19.08-21449 (21449-1)

L:\177725A-sr60-Moreno_Beach\PARCEL LEGALS\21449-CHADO\21449-1.doc

EXHIBIT "A-2"

SLOPE/DRAINAGE EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 3, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northwest corner of said Lot 3; thence South 00°26'20" West along the west line of said Lot 3 and Lot 6 of said Block 28 a distance of 1067.76 feet; thence North 82°37'34" East a distance of 177.30 feet; thence North 68°07'48" East a distance of 330.46 feet; thence North 09°50'44" East a distance of 347.77 feet; thence South 89°33'45" East a distance of 9.22 feet to the **POINT OF BEGINNING**; thence continuing South 89°33'45" East a distance of 45.71 feet; thence North 00°26'15" East a distance of 82.66 feet; thence North 04°26'54" East a distance of 159.73 feet; thence North 89°33'28" West a distance of 7.98 feet; thence South 14°54'35" West a distance of 113.60 feet; thence South 09°16'01" West a distance of 133.59 feet to the **POINT OF BEGINNING**.

Containing 6,781 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date June 8, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.08-21449 (21449-2)

L:\177725A-sr60-Moreno_Beach\PARCEL LEGALS\21449-CHADO\21449-2.doc

EXHIBIT "A-3"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 3, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northeast corner of said Lot 3; thence North 89°32'50" West, along the north line of said Lot 3, a distance of 2.49 feet to the **POINT OF BEGINNING**; thence South 04°26'54" West, a distance of 333.78 feet; thence North 89°33'28" West, a distance of 7.98 feet; thence North 00°26'31" East, a distance of 157.85 feet; thence North 05°55'16" East, a distance of 175.92 feet to the north line of said Lot 3; thence South 89°32'50" East, along said north line, a distance of 14.51 feet to the **POINT OF BEGINNING**;

Containing 5,070 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date June 8, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.08-21449 (21449-3)

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EXHIBIT "A-4"

ROADWAY EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lots 3 and 6, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northwest corner of said Lot 3; thence South 00°26'18" West along the west line of said Lots 3 and 6, a distance of 1067.76 feet; thence North 82°37'34" East a distance of 177.30 feet; thence North 68°07'48" East a distance of 330.46 feet; thence North 09°50'44 East a distance of 347.77 feet; thence South 89°33'45" East a distance of 54.93 feet to the **POINT OF BEGINNING**; thence North 00°26'15" East a distance of 82.66 feet; thence North 04°26'54" East a distance of 493.51 feet to the north line of said Lot 3; thence South 89°32'50" East along said north line, a distance of 2.49 feet to the east line of said Lot 3; thence South 00°26'15" West along said east line, a distance of 486.17 feet; to the northwesterly line of Parcel "G" granted to the State of California by Grant Deed recorded December 27, 1962 as Instrument No. 119152, Official Records of Riverside County; thence South 04°28'09" West along said northwesterly line, a distance of 89.01 feet ; thence North 89°33'45" West a distance of 30.74 feet to the to the **POINT OF BEGINNING.**

Containing 12,501 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date Oct 5, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.08-21449 (21449-4)

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EXHIBIT "B-1"

FEE

[See Attached]

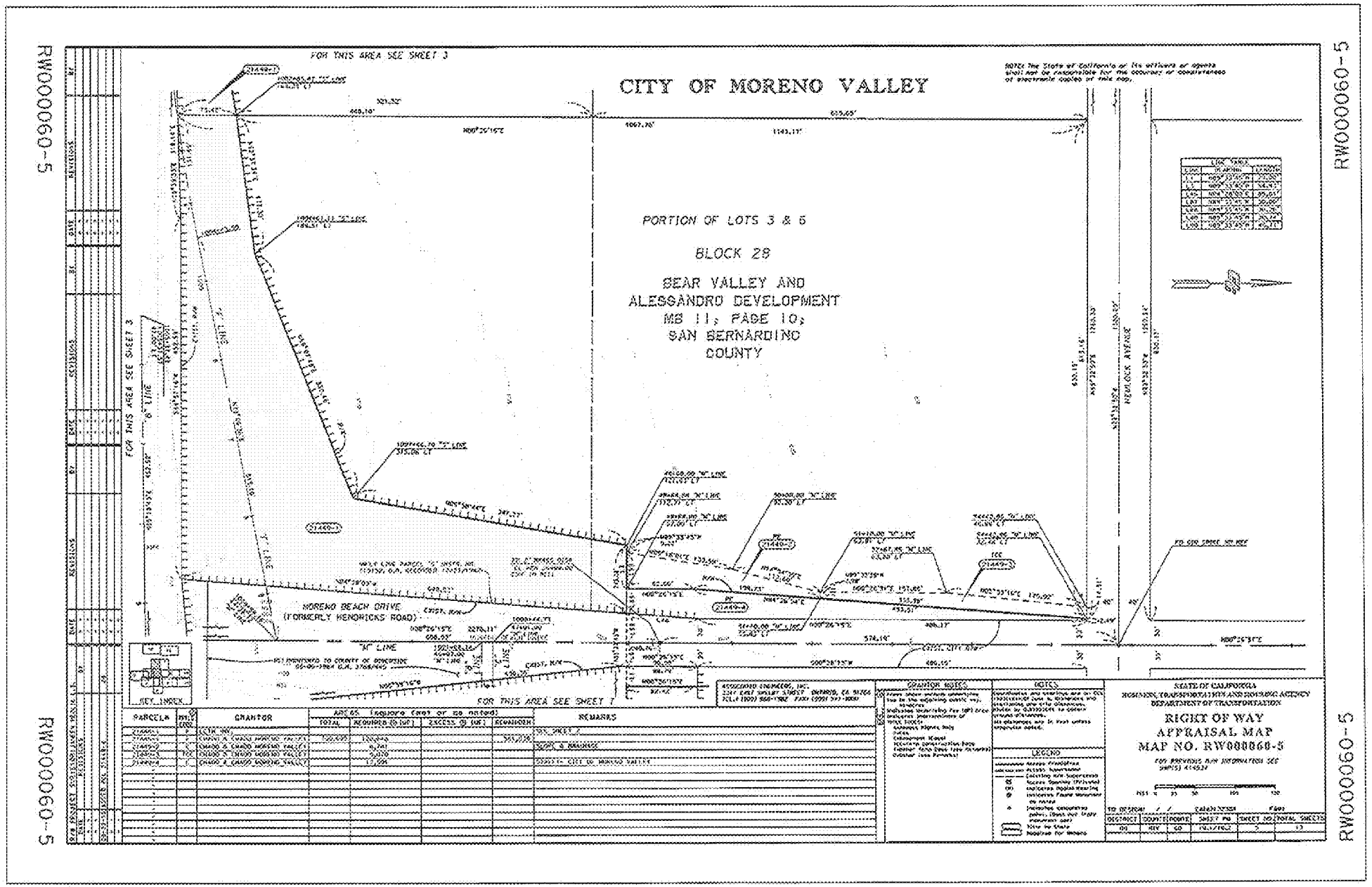
CITY OF MORENO VALLEY
PORTION OF LOTS 3 & 6
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
FOR THIS AREA SEE SHEET 3
FOR THIS AREA SEE SHEET 7
MORENO BEACH DRIVE
(FORMERLY HENDRICKS ROAD)
"A" LINE
"B" LINE
"C" LINE
"E" LINE
"F" LINE
HENDRICKS AVENUE
KEY INDEX
NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this map.
ASSOCIATED ENGINEERS, INC.
GRANTOR NOTES
NOTES
LEGEND
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-5
PARCEL
GRANTOR
AREAS (square feet or as noted)
TOTAL
REQUIRED (R/W)
EXCESS (R/W)
REMAINDER
REMARKS
DISTRICT
COUNTY
ROUTE
SHEET NO.
TOTAL SHEETS
RW000060-5

MV00174179

EXHIBIT "B-2"

SLOPE/DRAINAGE EASEMENT

[See Attached]

MV00174181

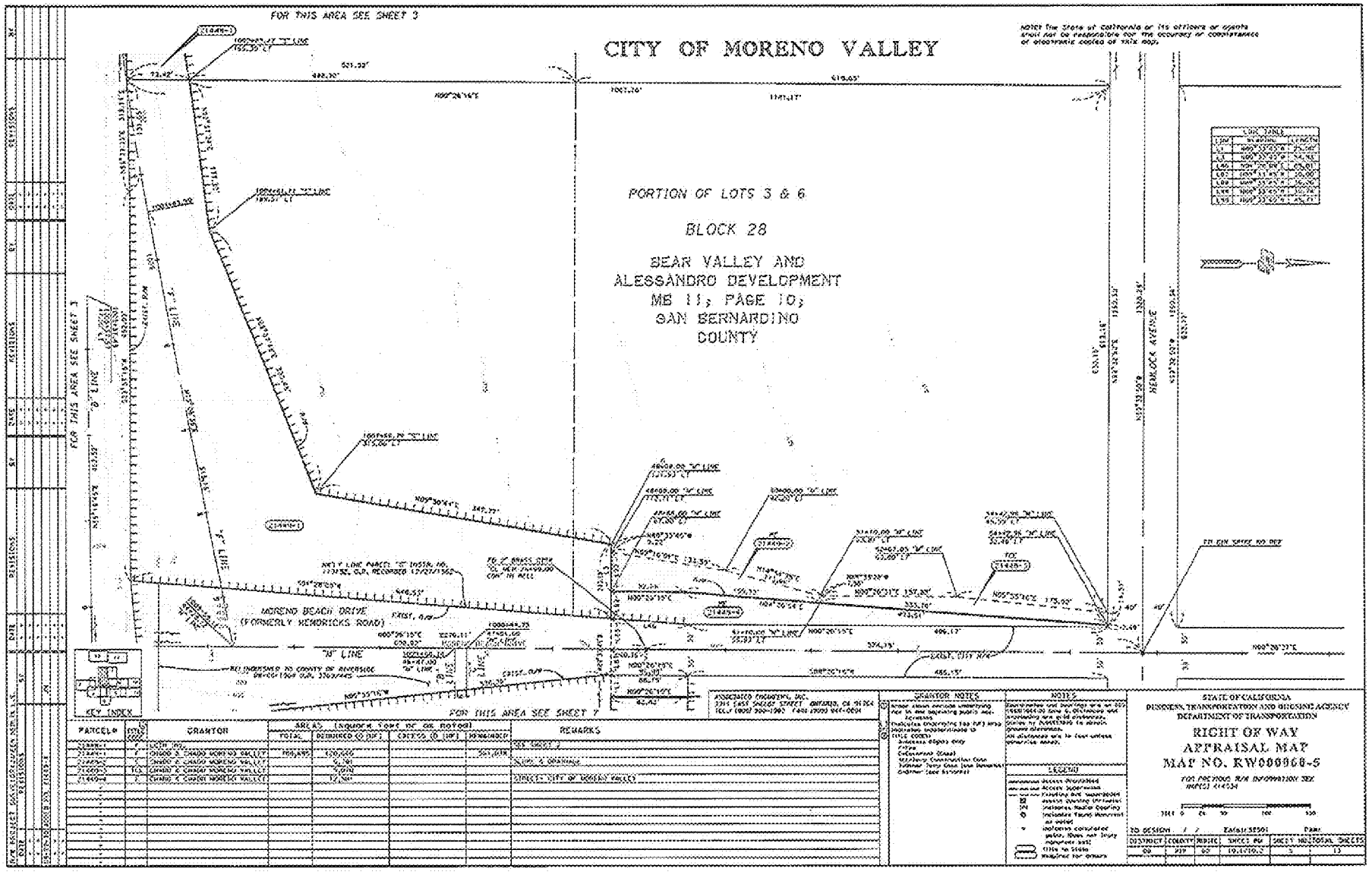
FOR THIS AREA SEE SHEET 3
CITY OF MORENO VALLEY
PORTION OF LOTS 3 & 6
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
HEMLOCK AVENUE
MORENO BEACH DRIVE
(FORMERLY HEMLOCKS ROAD)
"B" LINE
"F" LINE
"W" LINE
KEY INDEX
FOR THIS AREA SEE SHEET 7
PARCEL#
GRANTOR
AREAS (square feet or as noted)
TOTAL
REMAINDER
REMARKS
GRANTOR NOTES
NOTES
LEGEND
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-5
DISTRICT
COUNTY
ROUTE
SHEET NO.
TOTAL SHEETS

EXHIBIT "B-3"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

MV00174183

RW000060-5

CITY OF MORENO VALLEY

PORTION OF LOTS 3 & 6

BLOCK 28

BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY

FOR THIS AREA SEE SHEET 3

MORENO BEACH DRIVE
(FORMERly HENDRICKS ROAD)

HENDRICK AVENUE

"A" LINE

"B" LINE

"C" LINE

"D" LINE

"E" LINE

"F" LINE

FOR THIS AREA SEE SHEET 2

KEY INDEX

PARCEL	GRANTOR	AREAS required (not or no noted) TOTAL	REQUIRED	EXCESS	REMAINDER	REMARKS

ASSOCIATED ENGINEERS, INC.
2351 EAST SHELBY STREET ONTARIO, CA 91764
TEL: (909) 390-1992 FAX: (909) 391-0604

GRANTOR NOTES

NOTES

LEGEND

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-5

FOR PREVIOUS R/W INFORMATION SEE MAP(S) 414504

TO DESIGN	/ /	CHECK BY		RWM	
SEQUENCE	SUBMITS	MONTH	SHEET NO	SHEET NO	TOTAL SHEETS
10	NOV	00	23-3/7/4-2	2	23

RW000060-5

EXHIBIT "B-4"

ROADWAY EASEMENT

[See Attached]

MV00174185

RW000060-5

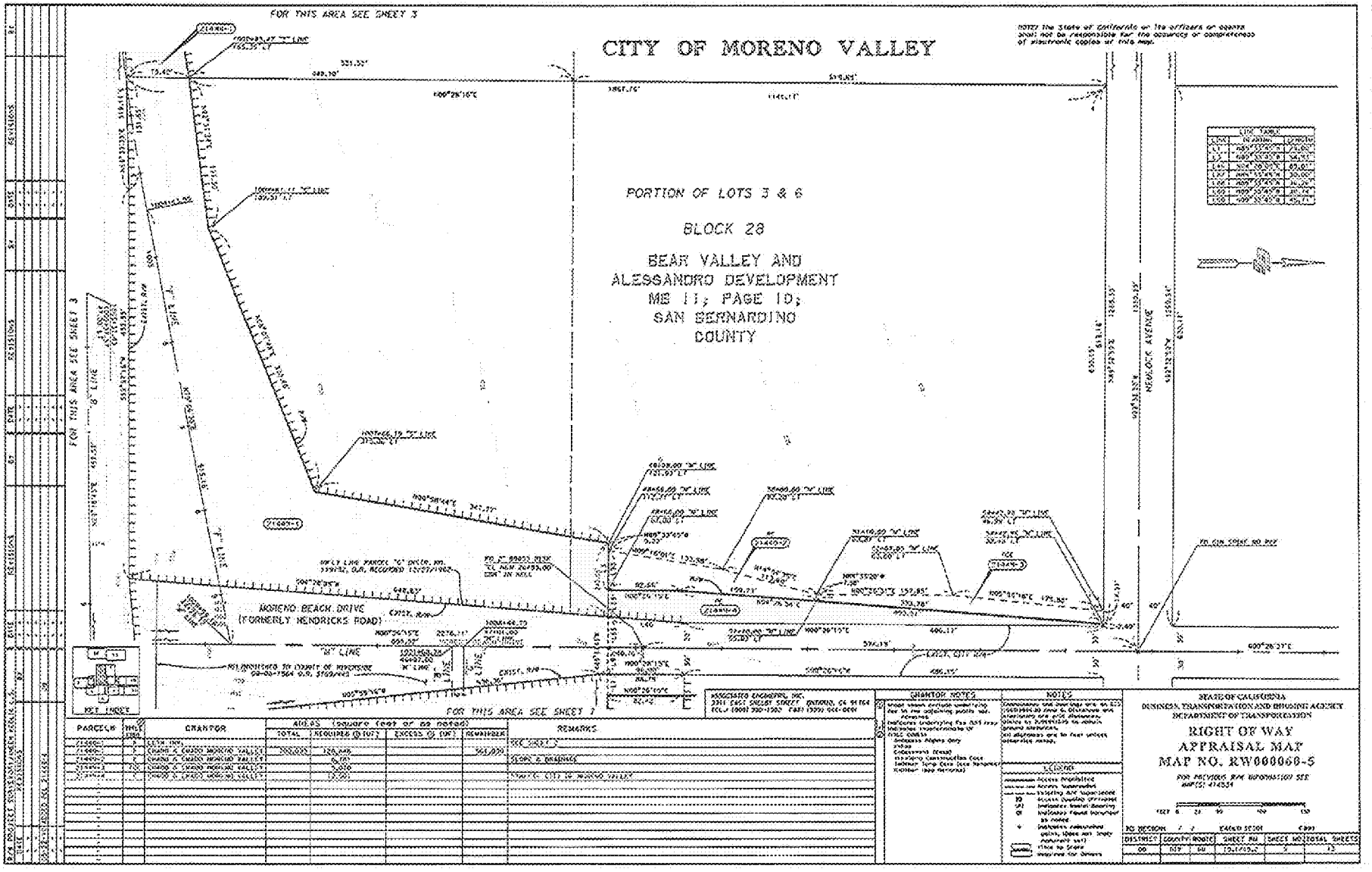

RW000060-5

RESOLUTION N0. 2012-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION OF THE FEE AND THE EASEMENTS IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/MORENO BEACH INTERCHANGE IMPROVEMENT PROJECT – PHASE 2; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY [488-080-014 and 488-080-017]

Owner	Assessor Parcel Numbers/ Caltrans Parcel Numbers
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017 / 21450-1, 2, 3; 21452-1, 2

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described property and whose name and address appears on the last equalized assessment roll in compliance with and as required by Code of Civil Procedure § 1245.235(a), relating to whether the public interest and necessity require the herein-described Project; whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; whether the property sought to be

acquired is necessary for the Project; and whether the offer required by Government Code § 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 28, 2012, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of all the members of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

Section 1. Pursuant to the provisions of the California Constitution, including Article I Section 19 thereof, and as authorized by California Government Code, §§ 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure, §§ 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee, the roadway easement, the slope/drainage easements and the temporary construction easement interests in the real property which are shown on the maps attached hereto and described more fully in the legal descriptions attached hereto as follows:

Ownership	**Assessor Parcel Nos. /Caltrans Parcel Nos.**	**Exhibits**	**Interests to be Taken**
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017 / 21452-1	A-1 and B-1	Fee

Ownership	Assessor Parcel Nos. /Caltrans Parcel Nos.	Exhibits	Interests to be Taken
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017 / 21450-1	A-2 and B-2	Roadway Easement
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017 / 21450-2	A-3 and B-3	Slope/Drainage Easement
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017/ 21452-2	A-4 and B-4	Temporary Construction Easement
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017 / 21450-3	A-5 and B-5	Temporary Construction Easement

As referenced in the table above, all legal descriptions of the property interests to be acquired have an A prefix and all maps have a B prefix. The fee interest, the roadway easement and the slope/drainage easement are permanent. The temporary construction easements as described above will be in effect for a period of 18 months after the City gives notice to the owner. Generally all property interests to be acquired are sometimes referred to later in this Resolution as the "property". In relation to the hereinafter described Project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the property, including the fee, the roadway easement, the slope/drainage easement and the temporary construction easements interests therein, being taken.

Section 2. Acquisition of the hereinabove described property sought to be condemned herein or of one or more interest therein, is for a public use, to wit: State

Route 60/Moreno Beach Interchange Improvement Project – Phase 2 and for the construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including bridges, drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress upon, to and from said property, said proposed acquisition and use being herein referred to as the "Project".

Section 3. The interests in the property sought to be condemned herein, which constitute only a portion of larger parcels of real property, are described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The property, or the interests to be acquired therein, is necessary for the Project; and

(d) The offer required by Government Code § 7267.2 has been made to the owner or owners of record.

Section 5. In the event any of the property or the interests to be acquired therein is already appropriated to an existing and different public use, the City

Council hereby finds and determines that the herein-described public use or uses are more necessary than said existing public use, and acquisition hereby is permitted under the provisions of Code of Civil Procedure §§ 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the legal descriptions of the property and also including the substitution of plat maps for the particular property interest or interests to be acquired for the right of way maps that serve as exhibits to this Resolution and in the pleadings to be filed which have been authorized herein, as is deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property or property interests is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property and property interests by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain applicable fee simple interest and easements in, over, under, across, along, through, and within the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and Singer and Coffin, APC, the law firm retained as counsel to represent the City in the proceedings, are hereby authorized and directed to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to accomplish such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, §§ 1230.010 and following) to complete such acquisition.

Section 10. The City is authorized and directed upon instruction from counsel for the City to make or cause to be made the deposit with the State Treasurer or in court out of proper funds of the City for the probable just compensation according to law, for jury fees, reporter's fees and other litigation costs and expenses.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "A-1"

FEE

[See Attached]

Exhibit "A"

That portion of Lot 8, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, together with a portion of Pettit street lying easterly of said Lot 8, more particularly described as follows:

COMMENCING at the southeast corner of Parcel 4 of Parcel Map No. 18061, Filed in Book 107, Page 73 and 74 of Parcel Maps in the Office of the County Recorder of Riverside County; thence North 00°26'09" East, along the east line of said Parcel 4, a distance of 23.71 feet; thence North 83°25'24" West, a distance of 346.89 feet to a point on the west line of Parcel 3, said Parcel Map No. 18061, also being a point on the centerline of Pettit Street as shown on said Map No. 1, Bear Valley and Alessandro Development Co.; thence continuing North 83°25'24" West, a distance of 30.17 feet to a point on the west line of said Pettit Street, said point being the **POINT OF BEGINNING**; thence continuing North 83°25'24" West, a distance of 63.00 feet to the beginning of a curve concave northeasterly, having a radius of 930.00 feet; thence northwesterly along said curve, through a central angle of 16°44'41", a distance of 271.79 feet; thence North 66°40'44" West, a distance of 106.30 feet; thence North 56°41'18" West, a distance of 246.71 feet to a point on the west line of said Lot 8, said point being distant South 00°26'13" West, along said west line, a distance of 213.50 feet from the northwest corner of said Lot 8; thence South 00°26'13" West, along said west line, a distance of 291.24 feet to the north line of that certain parcel of land described in the Deed to the State of California, recorded December 27, 1962 in Book 3289, Page 186 as Instrument No. 119152, Official Records of said County; thence South 85°45'47" East, along said north line, a distance of 339.25 feet; thence South 89°32'23" East, continuing along said north line, a distance of 291.46 feet to the west line of said Pettit Street; thence North 00°26'09" East, along said west line, a distance of 63.99 feet to the **POINT OF BEGINNING**.

TOGETHER with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public way (Pettit Street).

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 26, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-PM 18.95-21452(21452-1)

EXHIBIT "A-2"

ROADWAY EASEMENT

[See Attached]

Exhibit "A"

That portion of Lot 2, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

BEGINNING at the northwest corner of said Lot 2; thence South 89°32'40" East, along the north line of said Lot 2, a distance of 4.06 feet; thence leaving said north line, South 01°59'48" East, a distance of 486.59 feet to the northerly line of Parcel "H" granted to the State of California by Grant Deed recorded December 27, 1962 in Book 3289, Page 186, Official Records of Riverside County; thence North 89°33'29" West, along said northerly line, a distance of 24.73 feet to the west line of said Lot 2, also being the east right-of-way line of Moreno Beach Drive (30' half-width, formerly Hendricks Road); thence North 00°26'15" East, along said east right-of-way line, a distance of 486.15 feet to the **POINT OF BEGINNING**.

Containing 6,998 square feet of land, more or less.

TOGETHER with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public ways (Hemlock Avenue and Moreno Beach Drive).

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 27, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-PM 19.22-21450(21450-1)

EXHIBIT "A-3"

SLOPE/DRAINAGE EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 2, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northwest corner of said Lot 2; thence South 89°32'40" East, along the north line of said Lot 2, a distance of 4.06 feet; thence leaving said north line, South 01°59'48" East, a distance of 243.17 feet to the **POINT OF BEGINNING**; thence continuing South 01°59'48" East, a distance of 243.42 feet to the northerly line of Parcel "H" granted to the State of California by Grant Deed recorded December 27, 1962 in Book 3289, Page 186, Official Records of Riverside County; thence South 89°33'29" East, along said northerly line, a distance of 19.28 feet to the beginning of a curve concave southerly having a radius of 197.99 feet; thence Easterly along said northerly line and said curve, a distance of 15.40 feet through a central angle of 04°27'28"; thence leaving said northerly line, North 06°44'47" West, a distance of 144.94 feet; thence North 14°36'35" West, a distance of 103.55 feet to the **POINT OF BEGINNING**

Containing 5,232 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 27, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.22-21450 (21450-2)

L:\177725A-sr60-Moreno_Beach\PARCEL LEGALS\21450-EMV\21450-2.doc

EXHIBIT "A-4"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 8, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the intersection of the north line of said Lot 8 and the centerline of Pettit Street as shown on said Map No 1, Bear Valley and Alessandro Development Co.; thence South 00°26'10" West, along said centerline, a distance of 466.35 feet; thence North 83°25'24" West, a distance of 30.17 feet to a point on the west line of said Pettit Street, said point being the **POINT OF BEGINNING**; thence continuing North 83°25'24" West, a distance of 63.00 feet to the beginning of a curve, concave northeasterly, having a radius of 930.00 feet; thence northwesterly along said curve, through a central angle of 03°52'45", a distance of 62.96 feet; thence North 00°26'53" East, non-tangent to said curve, a distance of 50.00 feet; thence South 82°27'15" East, a distance of 125.92 feet to a point on said west line of Pettit Street; thence South 00°26'09" West along said west line, a distance of 50.00 feet to the **POINT OF BEGINNING**.

Containing 6,337 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 26, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.08-21452 (21452-2)

L:\177725A-sr60-Moreno_Beach\PARCEL LEGALS\21452-EMV\21452-2.doc

EXHIBIT "A-5"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 2, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the southeast corner of said Lot 2, Block 28; thence North 89°32'35" West, along the south line of said Lot 2, a distance of 367.13 feet to the **POINT OF BEGINNING**; thence continuing along said south line, North 89°32'35" West, a distance of 31.46 feet to the northeasterly line of Parcel "H" granted to the State of California by Grant Deed recorded December 27, 1962 in Book 3289, Page 186, Official Records of Riverside County, said point being the beginning of a non-tangent curve, concave southwesterly, having a radius of 197.99 feet and having at said point a radial line which bears North 71°34'49" East; thence northwesterly along said northeasterly line and said curve, through a central angle of 66°40'51", a distance of 230.42 feet; thence North 06°44'47" West, a distance of 30.54 feet to the beginning of a non-tangent curve, concave southwesterly, having a radius of 227.99 feet and having at said point a radial line which bears North 03°21'00" East; thence southeasterly along said curve, through a central angle of 70°47'22", a distance of 281.68 feet to the **POINT OF BEGINNING.**

Containing 7,682 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date July 7, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.22-21450 (21450-3)

EXHIBIT "B-1"

FEE

[See Attached]

RW000060-8

FOR THIS AREA SEE SHEET 7

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this map.

CITY OF MORENO VALLEY

PORTION OF LOT 8
BLOCK 28

BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10;
SAN BERNARDINO
COUNTY

PORTION OF LOT 7
BLOCK 28

PARCEL MAP
NO. 18061
PMB 107/73-74

PARCEL 1

PARCEL 2

PARCEL 3

CALLE YSABRA

C/L SR-60 PER CT R/W
MAP NO'S 414533 & 414534

C/L SR-60

"S" LINE

FOR THIS AREA SEE SHEET 9

FOR THIS AREA SEE SHEET 10

PARCELS	TYPE	GRANTOR	AREAS (square feet or as noted) TOTAL	REQUIRED @ 100%	EXCESS @ 100%	REMAINDER	REMARKS
[illegible]	[illegible]	THOMAS J. CHEN					SEE SHEET 7
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	SEE SHEET 7
[illegible]	[illegible]	[illegible]					
[illegible]	[illegible]	[illegible]					
[illegible]	[illegible]	THOMAS J. CHEN					SEE SHEET 10

ASSOCIATED ENGINEERS, INC.
3201 EAST SHELBY STREET ONTARIO, CA 91764
TEL.# (909) 984-7662 FAX# (909) 393-9999

GRANTOR NOTES

NOTES

LEGEND

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-8

FOR PREVIOUS R/W INFORMATION SEE MAPS# 414534 & 414533

NO.	REVISIONS	/ /	FILM/SECTION	FILE

DESIGNED	DRAWN	CHECKED	SHEET NO.	SHEET NO.	TOTAL SHEETS
JOB	JOB	JOB	[illegible]	8	13

RW000060-8

RW000060-8

RW000060-8

MV00174203

EXHIBIT "B-2"

ROADWAY EASEMENT

[See Attached]

RW000060-7

FOR THIS AREA SEE SHEET 5

MORENO BEACH DRIVE

(FORMERLY HENDRICKS ROAD)

PORTION OF LOT 7
BLOCK 28
MB 11, PAGE 10

LOT 2
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY

CITY OF MORENO VALLEY

LOT 7
BLOCK 13
BEAR VALLEY AND
ALESSANDRO
DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY

HEDLOCK AVENUE

FOR THIS AREA SEE SHEET 8

FOR THIS AREA SEE SHEET 8

PARCEL	NO.	GRANTOR	AREAS (Square Feet or as noted) TOTAL	REQUIRED (Inc.)	EXCESS (Inc.)	REMAINDER	REMARKS
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	
[illegible]	[illegible]	[illegible]		[illegible]			SUBJ. DRAINAGE-CITY OF MORENO VALLEY
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	
[illegible]	[illegible]	[illegible]					SEE SHEET 6

ASSOCIATED ENGINEERS, INC.
3011 EAST SOUTER STREET · ONTARIO, CA 91761
TELE (909) 390-1997 · FAX (909) 947-0691

GRANTOR NOTES

NOTES

LEGEND

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000068-7

FOR PREVIOUS RW INFORMATION SEE MAPS 414524 & 414525

DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
08	RIV	60	19.2/20.4	7	13

RW000060-7

RW000060-7

RW000060-7

MV00174205

EXHIBIT "B-3"

SLOPE/DRAINAGE EASEMENT

[See Attached]

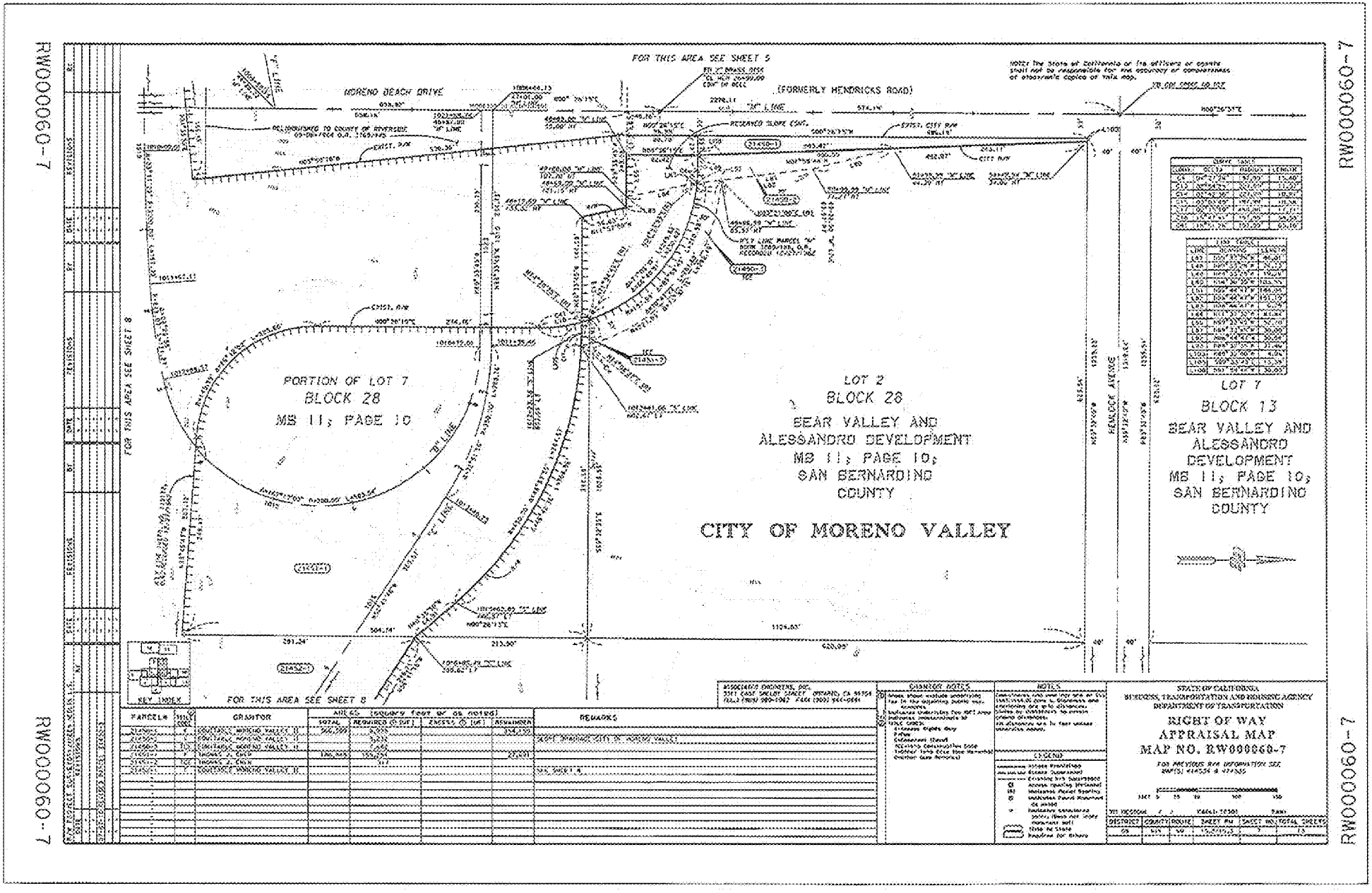
RW0000060-7
FOR THIS AREA SEE SHEET 5
MORENO BEACH DRIVE
(FORMERLY HENDRICKS ROAD)
PORTION OF LOT 7
BLOCK 28
MB 11, PAGE 10
LOT 2
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
CITY OF MORENO VALLEY
LOT 7
BLOCK 13
BEAR VALLEY AND
ALESSANDRO
DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
HENDRICK AVENUE
FOR THIS AREA SEE SHEET 8
KEY INDEX
GRANTOR NOTES
NOTES
LEGEND
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW0000060-7
PARCEL# | GRANTOR | AREAS (SQUARE FEET OR AS NOTED) | REMARKS

MV00174207

EXHIBIT "B-4"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

RW000060-8

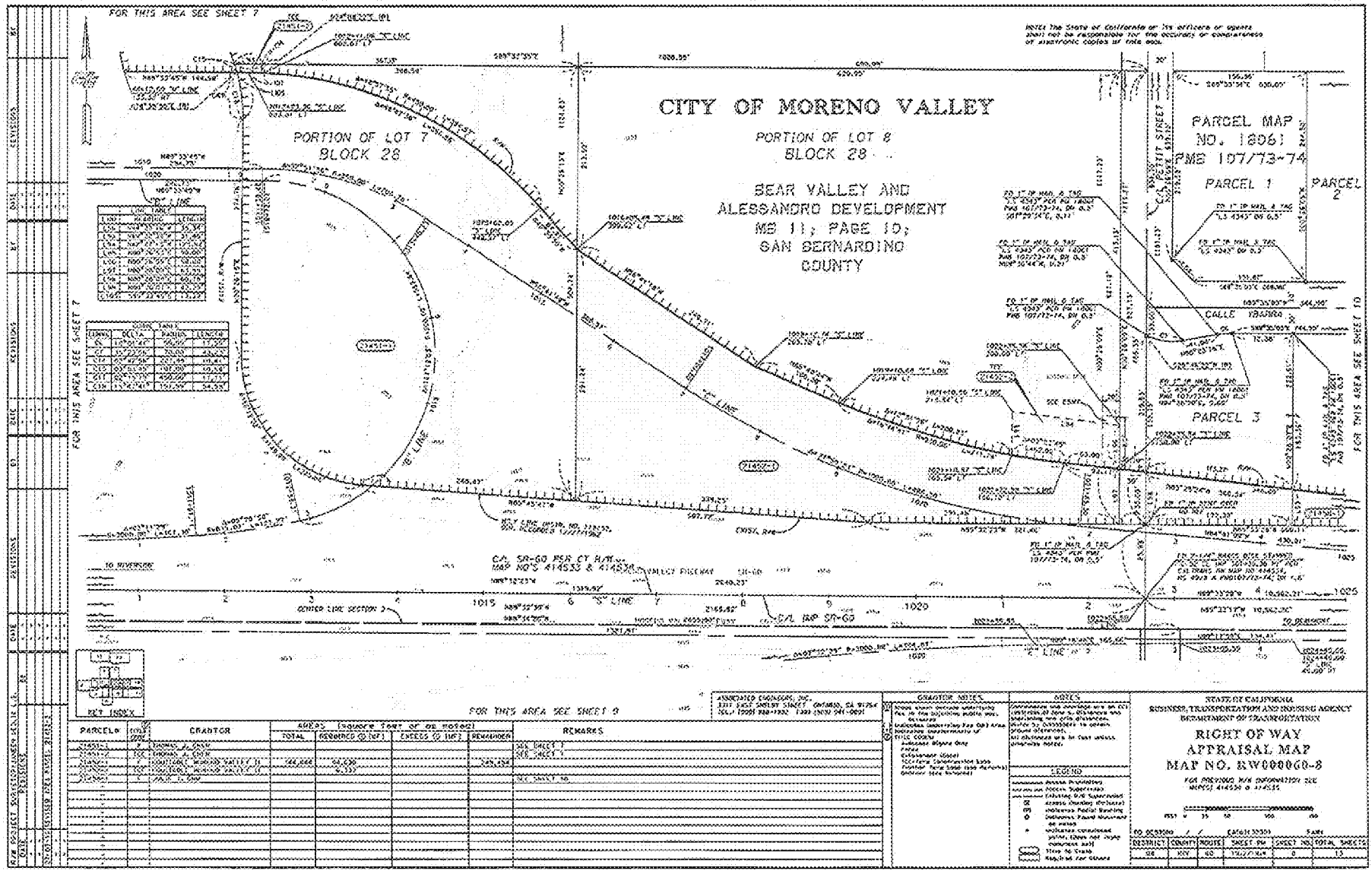

RW000060-8

RW000060-8

RW000060-8

MV00174209

EXHIBIT "B-5"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

RW000060-7

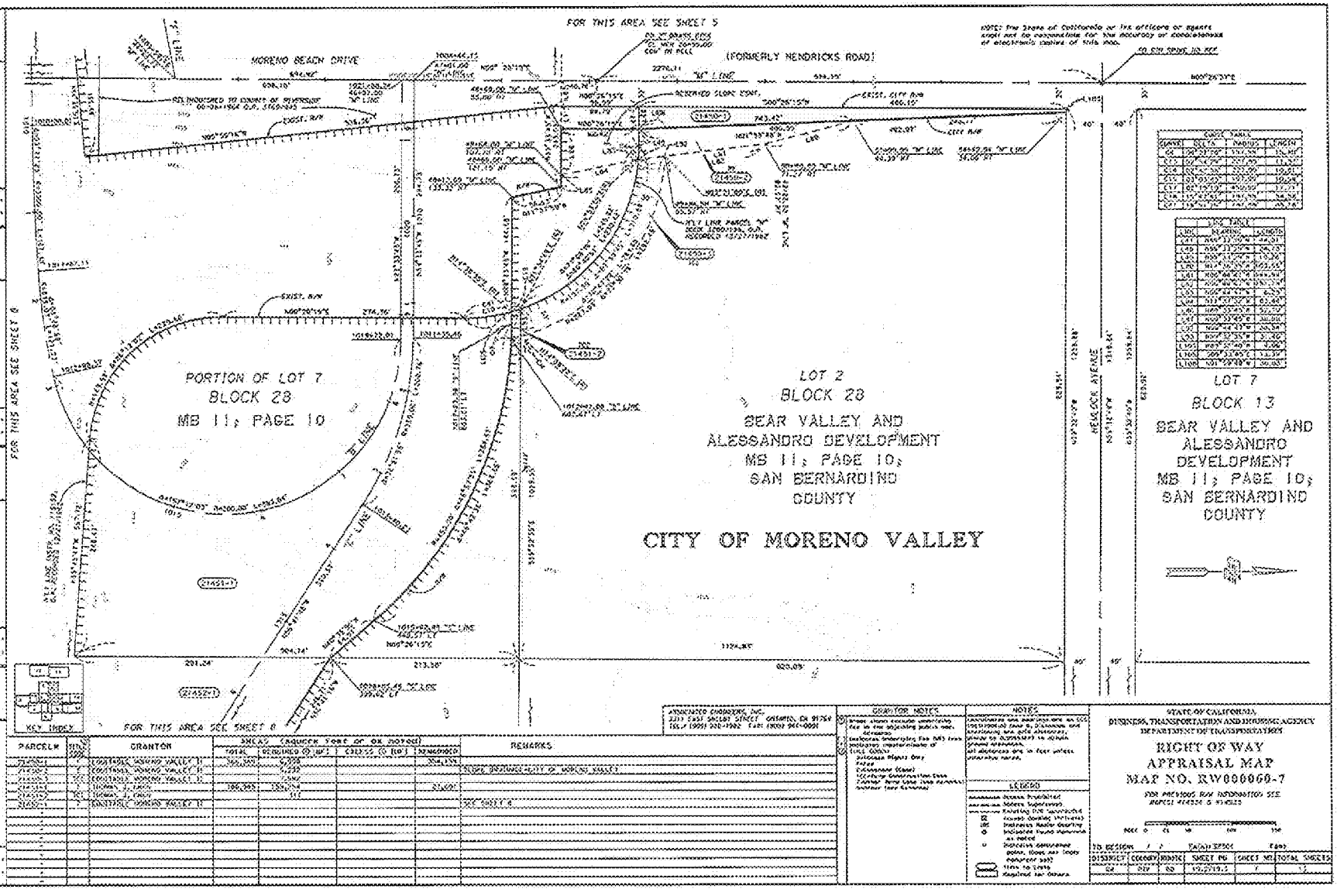

PARCEL #	GRANTOR	AREAS (ACQUIRE FEE OR OR INFORM) TOTAL	REQUIRED (R/W)	CONSTRUCTION (R/W)	MANAGEMENT	REMARKS
[illegible]	CONTINENTAL MORENO VALLEY II	[illegible]	[illegible]			
[illegible]	CONTINENTAL MORENO VALLEY II		[illegible]			
[illegible]	CONTINENTAL MORENO VALLEY II		[illegible]			
[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	
[illegible]	CONTINENTAL MORENO VALLEY II					SEE SHEET 6

RW000060-7

RW000060-7

MV00174211

RESOLUTION N0. 2012-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION OF THE FEE AND THE EASEMENT IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/MORENO BEACH INTERCHANGE IMPROVEMENT PROJECT – PHASE 2; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY [APN: 488-080-016]

Owner	Assessor Parcel Number/ Caltrans Parcel Number
Thomas J. Chen, Glendy Liu Chen, Theresa B. Chen	488-080-016 / 21451-1, 2

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described property and whose name and address appears on the last equalized assessment roll in compliance with and as required by Code of Civil Procedure § 1245.235(a), relating to whether the public interest and necessity require the herein-described Project; whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; whether the property sought to be acquired is necessary for the Project; and whether the offer required by Government

Attachment "C"

Code § 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 28, 2012, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of all the members of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

Section 1. Pursuant to the provisions of the California Constitution, including Article I Section 19 thereof, and as authorized by California Government Code, §§ 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure, §§ 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee and the temporary construction easement interests in the real property which are shown on the maps attached hereto and described more fully in the legal descriptions attached hereto as follows:

Ownership	**Assessor Parcel No./ Caltrans Parcel No.**	**Exhibits**	**Interests to be Taken**
Thomas J. Chen, Glendy Liu Chen, Theresa B. Chen, Owners	488-080-016 / 21451-1	A-1 and B-1	Fee

Ownership	Assessor Parcel No./ Caltrans Parcel No.	Exhibits	Interests to be Taken
Thomas J. Chen, Glendy Liu Chen, Theresa B. Chen, Owners	488-080-016 / 21451-2	A-2 and B-2	Temporary Construction Easement

As referenced in the table above, all legal descriptions of the property interests to be acquired have an A prefix and all maps have a B prefix. The fee interest is permanent. The temporary construction easement as described above will be in effect for a period of 18 months after the City gives notice to the owner. Generally all property interests to be acquired are sometimes referred to later in this Resolution as the "property". In relation to the hereinafter described Project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the property, including the fee and the temporary construction easement interests therein, being taken.

Section 2. Acquisition of the hereinabove described property sought to be condemned herein or of one or more interest therein, is for a public use, to wit: State Route 60/Moreno Beach Interchange Improvement Project – Phase 2 and for the construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including bridges, drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress

upon, to and from said property, said proposed acquisition and use being herein referred to as the "Project".

Section 3. The interests in the property sought to be condemned herein constitute only a portion of a larger parcel of real property, as described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The property, or the interests to be acquired therein, are necessary for the Project; and

(d) The offer required by Government Code § 7267.2 has been made to the owner or owners of record.

Section 5. In the event any of the property or the interests to be acquired therein is already appropriated to an existing and different public use, the City Council hereby finds and determines that the herein-described public use or uses are more necessary than said existing public use, and acquisition hereby is permitted under the provisions of Code of Civil Procedure §§ 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the legal descriptions of the property and also including the substitution of plat maps for the particular property interest or interests to be acquired for the right of way maps that serve as exhibits to this Resolution and in the pleadings to be filed which have been

authorized herein, as is deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property or property interests is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property and property interests by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain applicable fee simple interest and easements in, over, under, across, along, through, and within the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and Singer and Coffin, APC, the law firm retained as counsel to represent the City in the proceedings, are hereby authorized and directed to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to accomplish such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the

property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, §§ 1230.010 and following) to complete such acquisition.

Section 10. The City is authorized and directed upon instruction from counsel for the City to make or cause to be made the deposit with the State Treasurer or in court out of proper funds of the City for the probable just compensation according to law, for jury fees, reporter's fees and other litigation costs and expenses.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00174217

EXHIBIT "A-1"

FEE

[See Attached]

EXHIBIT "A"

That portion of Lot 7, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

BEGINNING at a point on the east line of said Lot 7, distant along said east line South 00°26'13" West, a distance of 213.50 feet from the northeast corner thereof; thence continuing South 00°26'13" West, along said east line, a distance of 291.24 feet to the northerly line of that certain parcel of land described in Grant Deed to the State of California, recorded December 27, 1962 as Instrument No. 119152, Official Records of Riverside County; thence along said northerly line the following four courses:

North 85°45'47" West, a distance of 248.47 feet to the beginning of a curve, concave northeasterly, having a radius of 149.99 feet;

Northwesterly along the arc of said curve through a central angle of 86°12'02", a distance of 225.66 feet;

North 00°26'15" East, a distance of 274.76 feet to the beginning of a curve, concave southwesterly, having a radius of 197.99 feet;

Northwesterly along the arc of said curve, through a central angle of 15°47'41", a distance of 54.58 feet;

thence South 89°33'45" East, a distance of 13.39 feet to the beginning of a curve, concave southwesterly, having a radius of 450.00 feet; thence Southeasterly along the arc of said curve, through a central angle of 48°57'55", a distance of 384.57 feet; thence South 40°35' 50" East, a distance of 64.91 feet to the **POINT OF BEGINNING.**

Containing 3.656 acres of land, more or less.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 27, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-PM 19.25-21451 (21451-1)

L:\177725A-sr60-Moreno_Beach\PARCEL LEGALS\21451-CHEN\21451-1.doc

EXHIBIT "A-2"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 7, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northeast corner of said Lot 7; thence North 89°32'35" West, along the north line of said Lot 7, a distance of 367.13 feet to the **POINT OF BEGINNING**, also being the beginning of a non-tangent curve, concave southwesterly, having a radius of 227.99 feet and having at said point a radial line which bears North 74°08'22" East; thence southeasterly along the arc of said curve, through a central angle of 02°42'56", a distance of 10.81 feet to the beginning of a non-tangent curve, concave southerly, having a radius of 450.00 feet and having at said point a radial line which bears North 02°41'34" East; thence westerly along the arc of said curve, through a central angle of 02°15'19", a distance of 17.71 feet; thence North 89°33'45" West, a distance of 13.39 feet to the beginning of a non-tangent curve, concave westerly, having a radius of 197.99 feet and having at said point a radial line which bears North 74°38'35" East; thence northerly along the arc of said curve, through a central angle of 03°03'45", a distance of 10.58 feet to said north line of Lot 7; thence South 89°32'35" East, along said north line, a distance of 31.46 feet to the **POINT OF BEGINNING**;

Containing 317 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 27, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.08-21451 (21451-2)

EXHIBIT "B-1"

FEE

[See Attached]

RW000060-7

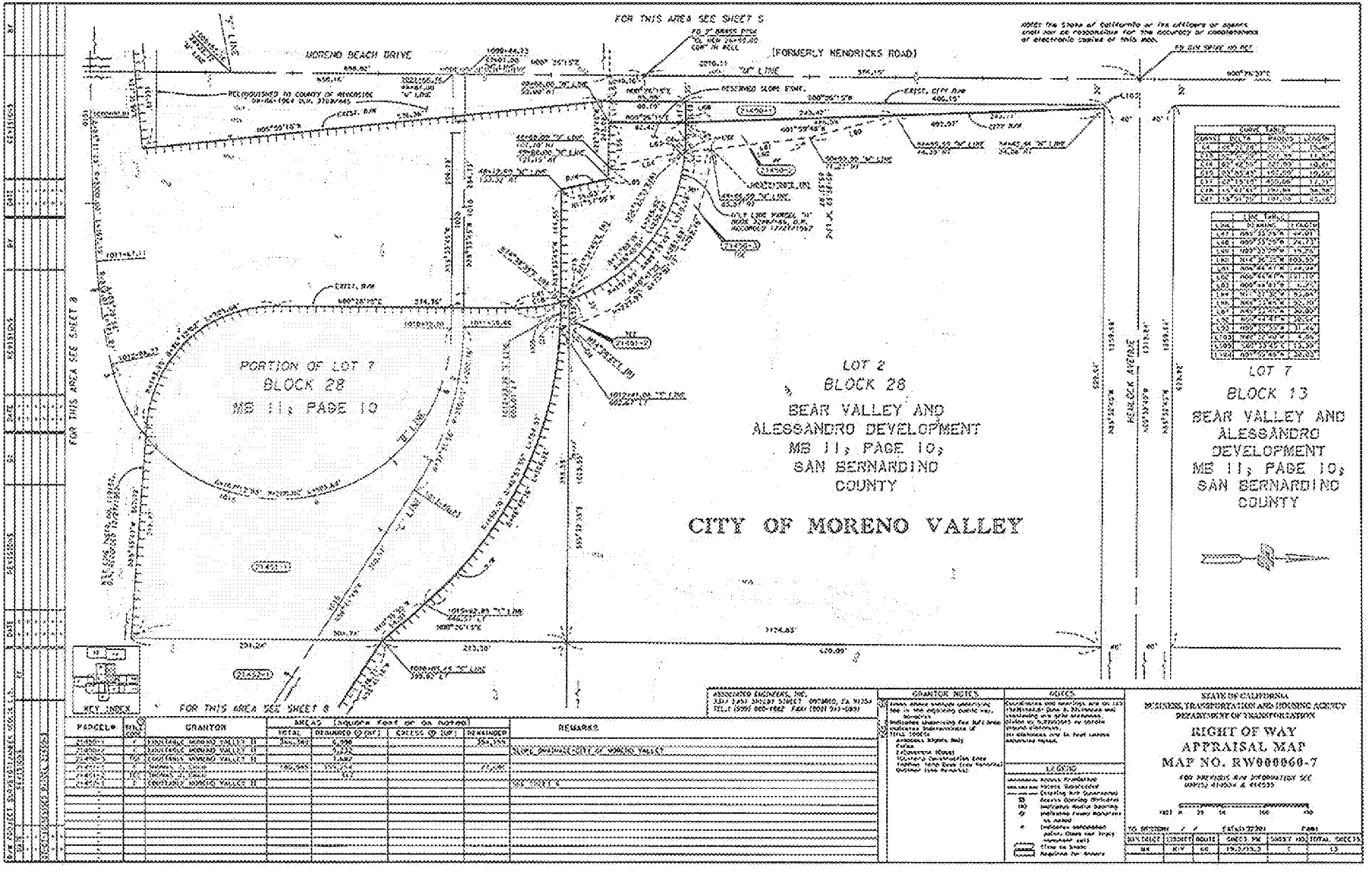

RW000060-7

EXHIBIT "B-2"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

RW000060-7

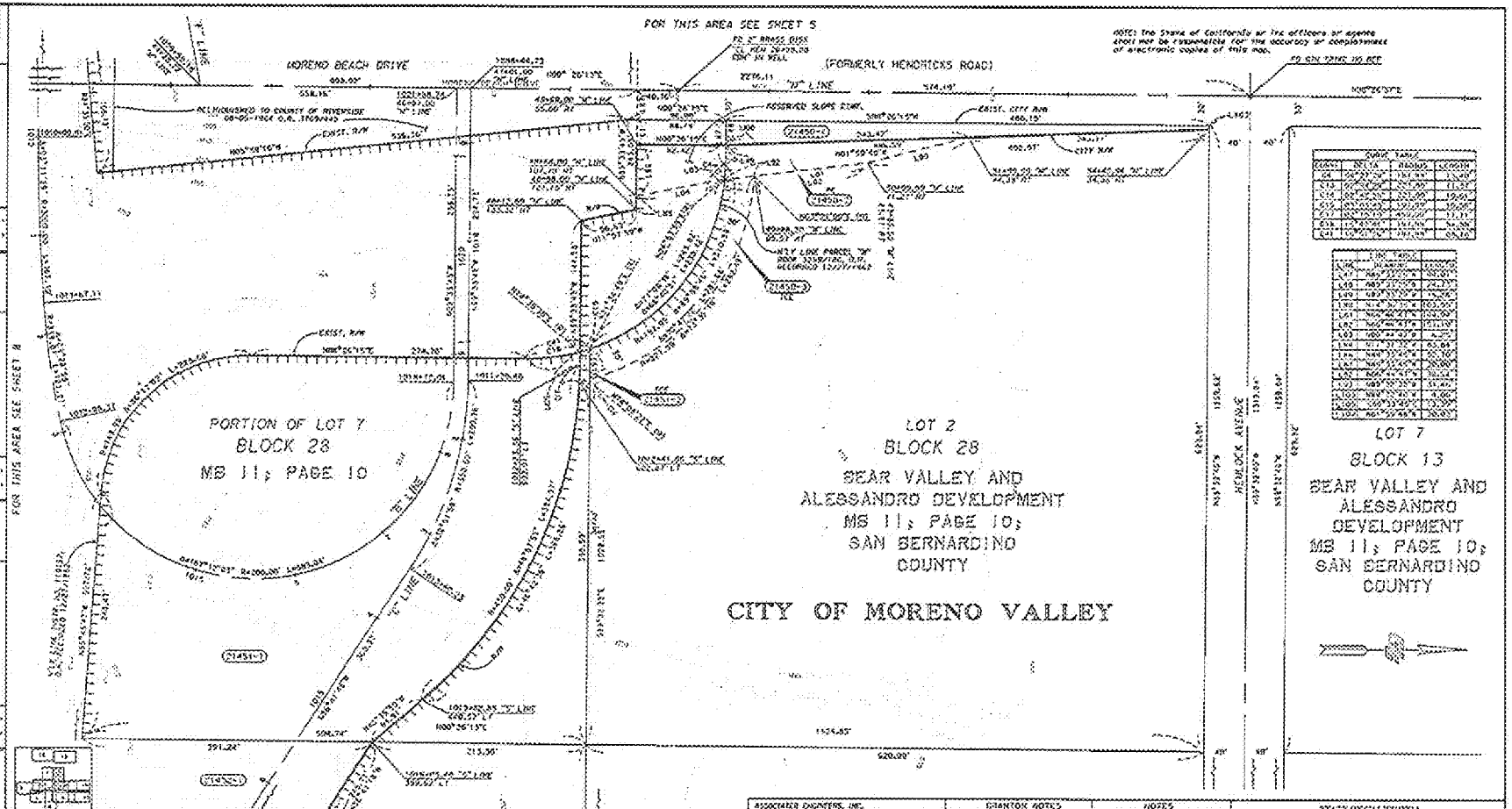

PARCEL		GRANTOR	AREAS (square feet or as noted) TOTAL	REQUIRED	EXCESS	REMAINDER	REMARKS

GRANTOR NOTES

NOTES

LEGEND

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-7

DISTRICT	COUNTY	ROUTE	SHEET NO.	TOTAL SHEETS
08	RIV	60		

RW000060-7

RW000060-7

MV00174225

RESOLUTION N0. 2012-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION OF THE FEE INTEREST IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/MORENO BEACH INTERCHANGE IMPROVEMENT PROJECT – PHASE 2; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY [APN: 488-270-021]

Owner	Assessor Parcel Number/ Caltrans Parcel Number
Jocelyn Sarte McGinniss, Settlor and Trustee under the Jocelyn Sarte McGinniss Living Trust dated October 4, 2002	488-270-021 / 21457-1

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described property and whose name and address appears on the last equalized assessment roll in compliance with and as required by Code of Civil Procedure § 1245.235(a), relating to whether the public interest and necessity require the herein-described Project; whether the Project is planned or located in the manner that will be most compatible with the

greatest public good and the least private injury; whether the property sought to be acquired is necessary for the Project; and whether the offer required by Government Code § 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 28, 2012, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of all the members of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

Section 1. Pursuant to the provisions of the California Constitution, including Article I Section 19 thereof, and as authorized by California Government Code, §§ 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure, §§ 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee interest in the real property which is shown on the map attached hereto and described more fully in the legal description attached hereto as follows:

Ownership	**Assessor Parcel No./ Caltrans Parcel No.**	**Exhibits**	**Interests to be Taken**
Jocelyn Sarte McGinniss, Settlor and Trustee under the Jocelyn Sarte McGinniss Living Trust dated October 4, 2002	488-270-021 / 21457-1	A-1 and B-1	Fee

As referenced in the table above, the legal description of the property to be acquired has an A prefix and the map has a B prefix. The fee interest is permanent. Generally the property interest to be acquired is sometimes referred to later in this Resolution as the "property". In relation to the hereinafter described Project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the property being taken.

Section 2. Acquisition of the hereinabove described property sought to be condemned herein is for a public use, to wit: State Route 60/Moreno Beach Interchange Improvement Project – Phase 2 and for the construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including bridges, drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress upon, to and from said property, said proposed acquisition and use being herein referred to as the "Project".

Section 3. The fee interest in the property sought to be condemned herein, which constitutes only a portion of the larger parcel of real property, is described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The property to be acquired therein, is necessary for the Project; and

(d) The offer required by Government Code § 7267.2 has been made to the owner or owners of record.

Section 5. In the event any of the property to be acquired therein is already appropriated to an existing and different public use, the City Council hereby finds and determines that the herein-described public use or uses are more necessary than said existing public use, and acquisition hereby is permitted under the provisions of Code of Civil Procedure §§ 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the legal descriptions of the property and also including the substitution of plat maps for the particular property interest or interests to be acquired for the right of way maps that serve as exhibits to this Resolution and in the pleadings to be filed which have been authorized herein, as is deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property

by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain applicable fee simple interest in the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and Singer and Coffin, APC, the law firm retained as counsel to represent the City in the proceedings, are hereby authorized and directed to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to accomplish such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, §§ 1230.010 and following) to complete such acquisition.

Section 10. The City is authorized and directed upon instruction from counsel for the City to make or cause to be made the deposit with the State Treasurer or in court out of proper funds of the City for the probable just compensation according to law, for jury fees, reporter's fees and other litigation costs and expenses.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____

Mayor

ATTEST:

_____

City Clerk

APPROVED AS TO FORM:

_____

City Attorney

EXHIBIT "A-1"

FEE

[See Attached]

EXHIBIT "A"

That portion of the East Half of Lot 5, Block 29 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

BEGINNING at the southeast corner of Parcel 4 of Parcel Map No. 18061 in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 107, Page 73 and 74 of Parcel Maps in the Office of the County Recorder of Riverside County, also being a point on the west line of the East Half of said Lot 5; thence North 00°26'09" East, along said west line, a distance of 23.71 feet; thence South 83°25'24" East, a distance of 128.28 feet; thence South 89°33'28" East, a distance of 187.67 feet to the east line of said East Half of Lot 5, also being the west line of Tract 19444, Filed in Book 165, Pages 4 through 5, inclusive of Maps in the Office of the County Recorder of Riverside County; thence South 00°26'01" West, along said east line, a distance of 10.00 feet to the southerly line of that certain parcel of land described in Director's Deed recorded April 28, 1964 as Instrument No. 52475, Official Records of Riverside County; thence North 89°33'28" West, along said southerly line, a distance of 315.21 feet to the **POINT OF BEGINNING**.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway.

Containing 4,026 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date June 2, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-PM 19.08-21457 (21457-1)

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EXHIBIT "B-1"

FEE

[See Attached]

RW000060-10

LOT 1
BLOCK 28

PORTION OF LOT 8
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO, COUNTY

TRACT NO. 19444 MB 165/4-5
LOT 1 LOT 2 LOT 3 LOT 4 LOT 5

PARCEL MAP
NO. 18061
PMB 107/73-74

PARCEL 1
PARCEL 2
PARCEL 3
PARCEL 4

PORTION OF LOT 5
BLOCK 29
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY

TRACT NO. 19444
MB 165/4-5

LOT 26
CITY OF MORENO VALLEY
LOT 27 LOT 28 LOT 29 LOT 30

CALLE IBARRA

"C" LINE
"S" LINE
C/L IMP 57-60
(C/L GREVILLEA AVE)
C/L 50-60 PER CT R/W
MAP NO'S 414533 & 414534
CENTER LINE SECTION 5

FOR THIS AREA SEE SHEET 8

FOR THIS AREA SEE SHEET 11

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this map.

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	130°01'41"	150.00'	340.32'
C2	34°21'00"	150.00'	89.92'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°33'20"E	20.00'
L2	N89°33'20"E	20.00'
L3	N89°33'20"E	20.00'
L4	N89°33'20"E	20.00'
L5	S00°26'39"E	50.00'
L6	S00°26'39"E	50.00'
L7	S00°26'39"E	50.00'
L8	S00°26'39"E	50.00'
L9	S00°26'39"E	50.00'

FACTUAL SUMMARY TO SUPPORT
FINDINGS REQUIRED IN THE RESOLUTION NOS. 2012-63,
2012-64, 2012-65 and 2012-66

a) Notice and reasonable opportunity to appear and be heard has been given to the property owners whose names and addresses are in the last equalized assessment roll or who are known to the City as having an interest in the property affected by the proposed Resolutions of Necessity by the mailing on the Notice of Intent to Adopt Resolution of Necessity to Acquire Certain Real Property or Interest in Property by Eminent Domain on June 18, 2012, in conformance with and as required by statute. No such property owner or owner's representative has submitted a written request to appear and be heard at the designated Hearing to the City Clerk, to the retained acquisition agent or to outside counsel retained to process the eminent domain court cases. The opportunity for these owners to appear and be heard has been waived.

b) The public interest and necessity require this Project:

The SR-60/Moreno Beach Interchange and the adjoining streets have experienced rapid and heavy increases in traffic volume. Future growth of the region and development within the area will further add traffic volume to both SR-60 and the Moreno Beach Interchange. The existing right-of-way for the SR-60 Moreno Beach Interchange and for Moreno Beach Drive in the area of the Project is inadequate and insufficient to allow the full interchange and street improvements as designed. The lack of right-of-way prevents accommodation of a future bridge widening for the Moreno Beach Drive bridge that is necessary to accommodate future increases in anticipate traffic volumes.

It is also necessary to complete the interchange improvements and to improve Moreno Beach Drive to comply with the City's General Plan and Circulation Element and to provide for more efficient and safe vehicular travel.

The proposed acquisition of fee and easement interests will provide sufficient right-of-way to allow the improvement of the SR-60/Moreno Beach Interchange, to improve Moreno Beach Drive and to accommodate the future widening of the Moreno Beach Drive Bridge at the Interchange. Without the acquisition of the fee and the various easement interests the Project cannot be completed as planned and the goals and policies of the General Plan cannot be implemented.

The overall purpose of the SR-60/Moreno Beach Interchange Project is to improve the SR-60/Moreno Beach Interchange ramps through reconstruction and realignment, while providing a design that accommodates future bridge improvements. The SR-60/Moreno Beach Interchange Project will be constructed in phases and when completed will include the construction of Eastbound on/off ramps, Westbound on/off ramps and road improvements on Moreno Beach Drive that will include the replacement of the existing 2-

lane bridge with a 6-lane bridge crossing SR-60. The Project will also include construction of approximately 1,800 feet of storm drain improvements along Ironwood Avenue in the vicinity of Moreno Beach Drive, utility relocation, related drainage and shoulder improvements.

The implementation of this Project will implement the City's General Plan and the City Council's goals to create proper and free flowing streets and highways to further implement the Circulation Element of the General Plan.

It is further necessary to adopt the Resolution of Necessity to permit the City to file an eminent domain proceeding to enable the funding requirements for the Project to be met, to enable the Project to proceed as planned, and if needed to deposit the amount of probable compensation and obtain necessary orders for possession prior to judgment to allow possession of the property necessary for the Project to be obtained in a timely manner to meet the time schedule for construction of the improvements to the SR-60/Moreno Beach Interchange, Phase 2.

c) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury:

The design of the improvements for SR-60/Moreno Beach Interchange Project in the area contemplated has been carefully considered to minimize the impact of the Project on adjacent privately owned property while addressing the need for proper traffic flow, circulation and safety and to accommodate future bridge improvements for the Moreno Beach Drive Bridge. The improvements contemplated by the Project to complete the work of the Project require the acquisition of the fee and the easement interests for the installation, operation and maintenance of the proposed interchange improvements, street improvements and for the future bridge improvements to the Moreno Beach Drive Bridge. The fee and easement interest acquisitions are designed to require the take of only the amount of property and property interests necessary for approvals of the design of the Project to accomplish and permit the construction of the Project. The Project was planned and located in such a manner that the property and property interests to be taken in the actions are vacant and no residents, businesses or agricultural uses will be displaced by the Project - thereby minimizing private injury.

d) The fee and easement interests are necessary to the Project:

The existing right-of-way for the SR-60/Moreno Beach Interchange is not large enough to allow for the construction of the proposed interchange improvements, street and highway and other planned public improvements and to accommodate the future Moreno Beach Drive Bridge improvements. The additional right-of-way is necessary to allow for the construction, operation and maintenance of the proposed interchange and street and highway and other planned public improvements. The Project will improve traffic safety and circulation in the area.

e) All required offers have been made to the property owner or owners of the property to be condemned who were identified in litigation guarantees provided to the City by a title company and whose names and addresses were on the last equalized assessment roll in conformance with and in the manner required by § 7267.2 of the Government Code and the written offers were mailed to the owner or owners on May 15, 2012.

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RS
CITY MANAGER	mst

Report to City Council

TO: Mayor and City Council and the City Council Acting in its Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 485-081-034 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the City Council, acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceeding for APN 485-081-034 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally

mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Conditions of Approval for APN 485-081-034 require that a funding source be provided to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owner of APN 485-081-034 ("Property Owner") the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. The Property Owner is given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 28, 2012 and the Public Hearing on September 11, 2012, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballot is approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory

maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charge was estimated based on the parcel's front linear footage to the existing Perris Blvd. median. Upon approval of the charge, APN 485-081-034 will be subject to the annual charge. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceeding for APN 485-081-034 for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceeding for APN 485-081-034 for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceeding to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2012/13, the NPDES annual regulatory rate and estimated CSD Zone M charge is as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
APN 485-081-034 (and any division thereof)	$218	$850.68

Beginning in FY 2013/14, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APN 485-081-034 is being balloted to provide a funding source for the maintenance costs of an existing median. The CSD Zone M charge will offset a portion of the funds collected from the contributing parcels adjacent to this median. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to maintain the appearance of developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceeding for APN 485-081-034.

NOTIFICATION

The Property Owner was given the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots, instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the August 28, 2012, Public Meeting and September 11, 2012, Public Hearing was published in The Press-Enterprise on August 9, 2012. Additionally, the Public Hearing notification was published on August 23 and will be published again on August 30, 2012.

ATTACHMENTS

Attachment 1: Mail Ballot Packet for APN 485-081-034

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Professors Fund IV
Attention: Bob Emri
990 Highland Dr., Suite 204
Solana Beach, CA 92075

July 5, 2012

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 485-081-034

******* OFFICIAL BALLOTS ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Number (APN) 485-081-034 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and for inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 485-081-034 is subdivided in the future. The charge levied shall not exceed the charge previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2012/13, the NPDES maximum commercial/industrial regulatory rate is $218 per parcel. The total amount of the NPDES rates levied for FY 2011/12 for the program as a whole was $396,356.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2012/13 for the existing Perris Blvd. median is $850.68. The total amount of the CSD Zone M charges levied for FY 2011/12 for the program as a whole was $156,303.84.

Annual Adjustment

NPDES Maximum Commercial/Industrial Regulatory Rate
Beginning in FY 2013/14, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

CSD Zone M Charge
Beginning in FY 2013/14, the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 485-081-034 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	**Public Hearing**
Tuesday, August 28, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 11, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges are Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if the ballot is marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballot is marked in favor of the annual charge.

Effect if Inclusion into and Approval of the Charges are Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If the returned valid ballot is marked opposing the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If the returned valid ballot is marked opposing the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and

return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the two enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 11, 2012**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

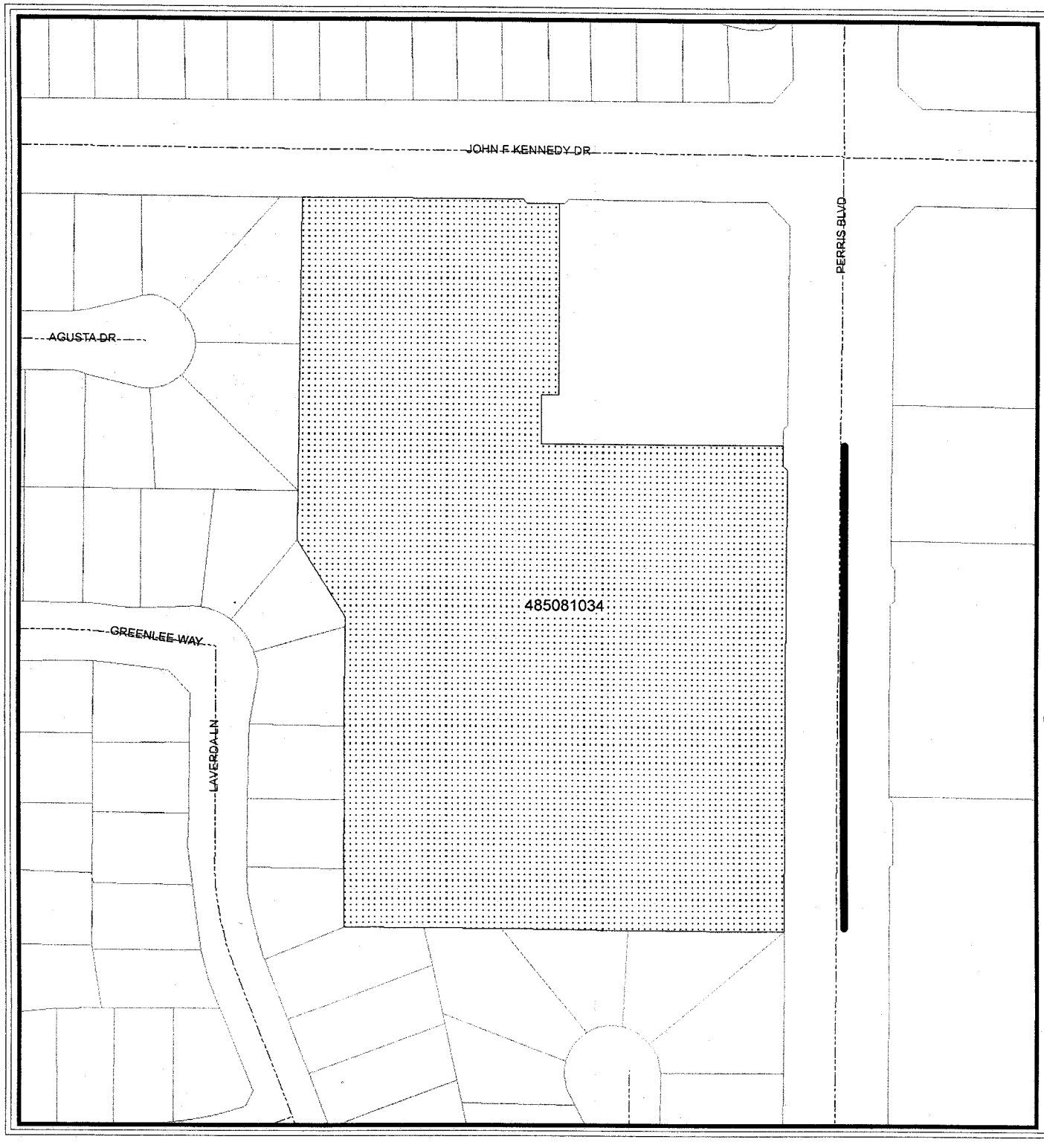

Tentative Parcel Map 36449

Median

Landscaped Areas

APN

485081034

Roads

Parcels

City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of July 2, 2012.

N

0 87 174 261 348 Feet

G:\AVP\SDA\Family Dollar PA11-0041.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY

WHERE DREAMS SOAR

MV00174249

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)
FY 2012/2013 - 2.7% = ($37.00 & $181.00)

MV00174250

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 485-081-034

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 485-081-034, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2012/13, the NPDES maximum commercial/industrial regulatory rate is $218 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2013/14, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 485-081-034, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
485-081-034 (and any division thereof)	☐	☐	$218

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 11, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 485-081-034

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 485-081-034, **I approve** the fiscal year (FY) 2012/13 CSD Zone M charge of $850.68 for the existing Perris Blvd. median. Beginning FY 2013/14, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 485-081-034, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program shall result in noncompliance with the project's Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
485-081-034 (and any division thereof)	☐	☐	$850.68

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 11, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in its Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 485-081-034 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the City Council, acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceeding for APN 485-081-034 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally

mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Conditions of Approval for APN 485-081-034 require that a funding source be provided to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owner of APN 485-081-034 ("Property Owner") the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. The Property Owner is given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 28, 2012 and the Public Hearing on September 11, 2012, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballot is approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory

maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charge was estimated based on the parcel's front linear footage to the existing Perris Blvd. median. Upon approval of the charge, APN 485-081-034 will be subject to the annual charge. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceeding for APN 485-081-034 for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceeding for APN 485-081-034 for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceeding to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2012/13, the NPDES annual regulatory rate and estimated CSD Zone M charge is as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
APN 485-081-034 (and any division thereof)	$218	$850.68

Beginning in FY 2013/14, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APN 485-081-034 is being balloted to provide a funding source for the maintenance costs of an existing median. The CSD Zone M charge will offset a portion of the funds collected from the contributing parcels adjacent to this median. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to maintain the appearance of developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceeding for APN 485-081-034.

NOTIFICATION

The Property Owner was given the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots, instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the August 28, 2012, Public Meeting and September 11, 2012, Public Hearing was published in The Press-Enterprise on August 9, 2012. Additionally, the Public Hearing notification was published on August 23 and will be published again on August 30, 2012.

ATTACHMENTS

Attachment 1: Mail Ballot Packet for APN 485-081-034

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Professors Fund IV
Attention: Bob Emri
990 Highland Dr., Suite 204
Solana Beach, CA 92075

July 5, 2012

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 485-081-034

******* OFFICIAL BALLOTS ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Number (APN) 485-081-034 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and for inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

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The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

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How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 485-081-034 is subdivided in the future. The charge levied shall not exceed the charge previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2012/13, the NPDES maximum commercial/industrial regulatory rate is $218 per parcel. The total amount of the NPDES rates levied for FY 2011/12 for the program as a whole was $396,356.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2012/13 for the existing Perris Blvd. median is $850.68. The total amount of the CSD Zone M charges levied for FY 2011/12 for the program as a whole was $156,303.84.

Annual Adjustment

NPDES Maximum Commercial/Industrial Regulatory Rate
Beginning in FY 2013/14, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

CSD Zone M Charge
Beginning in FY 2013/14, the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 485-081-034 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 28, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 11, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges are Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if the ballot is marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballot is marked in favor of the annual charge.

Effect if Inclusion into and Approval of the Charges are Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If the returned valid ballot is marked opposing the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If the returned valid ballot is marked opposing the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and

return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the two enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 11, 2012**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

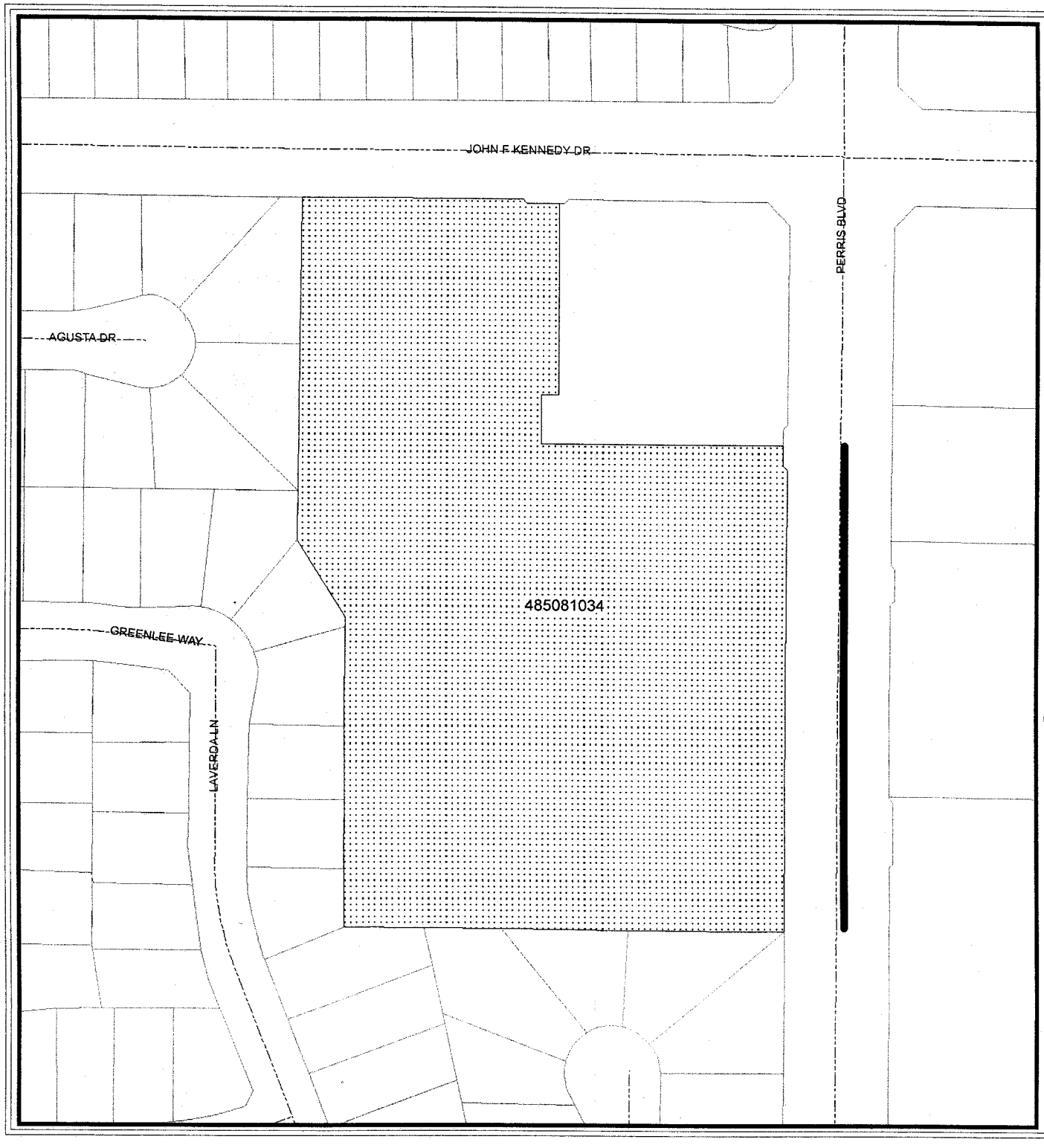

Tentative Parcel Map 36449

Median

Landscaped Areas

APN

485081034

Roads

Parcels

City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of July 2, 2012.

N

0 87 174 261 348 Feet

G:\AVP\SDA\Family Dollar PA11-0041.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00174262

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)
FY 2012/2013 - 2.7% = ($37.00 & $181.00)

MV00174263

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 485-081-034

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 485-081-034, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2012/13, the NPDES maximum commercial/industrial regulatory rate is $218 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2013/14, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 485-081-034, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
485-081-034 (and any division thereof)	☐	☐	$218

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 11, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 485-081-034

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 485-081-034, **I approve** the fiscal year (FY) 2012/13 CSD Zone M charge of $850.68 for the existing Perris Blvd. median. Beginning FY 2013/14, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 485-081-034, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program shall result in noncompliance with the project's Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
485-081-034 (and any division thereof)	☐	☐	$850.68

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 11, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RH
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: DRAFT ENERGY EFFICIENCY AND CLIMATE ACTION STRATEGY

RECOMMENDED ACTION

Staff recommends that the City Council review the policies in the attached Draft Energy Efficiency and Climate Action Strategy Document and provide direction to staff in formulating a final document for consideration and approval.

BACKGROUND

At its Joint Study Session of April 3, 2012, the City Council and the Planning Commission reviewed an early draft and gave direction on the continued preparation of the Energy Efficiency and Climate Action Strategy. The main direction at that meeting was for staff to reach out to the public for input. There was also discussion regarding focusing on policies that will not stunt development, and the City leading by example in implementing best practices for energy efficiency and greenhouse gas reduction. In addition, City Council and Planning Commission asked Staff to present the Strategy document as a discussion item at a Planning Commission meeting and at a City Council meeting for further review before being scheduled as a formal public hearing item.

DISCUSSION

The City received funding under the Federal Stimulus Package Energy Efficiency and Conservation Block Grant to undertake several projects and initiatives to reduce the City organization's energy use and consequently its greenhouse gas emissions. The funding covers the cost of the Energy Efficiency and Climate Action Strategy, including a Greenhouse Gas Analysis for the City.

The Strategy is intended to assist with the City's compliance with State initiatives to address the implementation of Assembly Bill 32 and Senate Bill 375, both aimed at reducing greenhouse gas emissions in California. SB 375 calls for the preparation of a Sustainable Communities Plan (SCS) by each Council of Governments. Moreno Valley is part of the SCS prepared by the Southern California Council of Governments (SCAG). The SCS assesses current development and future plans, as represented in the adopted general plans of communities to ensure a certain level of greenhouse gas emissions on an area-wide basis. AB 32 establishes a statewide greenhouse gas emissions cap which requires emissions to be reduced to 1990 levels by the year 2020. The bill includes mandatory reporting rules, adoption of a plan and regulations to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions, including provisions for using both market mechanisms and alternative compliance mechanisms.

The Energy Efficiency and Climate Action Strategy includes potential programs and policies to reduce overall City energy use, increase the use of renewable energy, and identify the life cycle costs of future City projects. Life cycle cost looks at the full cost of projects including initial construction and long term maintenance to assess the feasibility of energy efficiency upgrades balancing higher upfront costs with lower operational costs. The Strategy prioritizes implementation of programs, policies, and projects based upon energy efficiency, cost efficiency and potential resources. The Greenhouse Gas Analysis provides more of a scientific approach and recommends a target to reduce community-wide GHG emissions by 15% from 2007 levels by 2020, consistent with the State reduction goals in AB 32. The recommendations of the Analysis have been incorporated as programs in the Strategy.

The City direction with the Strategy is to lead by example in the implementation of best practices for energy efficiency. The Strategy is broken up into two main parts: Section I Energy Efficiency (City Facilities) and Section II Climate Action Strategy (Community-wide). Within the Energy Efficiency section, the first category is called out as Current Energy Efficient Practices. These practices are categorized into Electricity, Water, Recycling and Diversion, Alternative Fuels, and Education. The current practices list includes what the City is currently doing to be more energy efficient. Next the Proposed Energy Efficiency Policies section provides a comprehensive table of energy reduction measures. The energy measures are categorized into Energy use, Water use, Recycling and Diversion, Alternative Transportation, Renewable Energy, and Greenhouse Gas Emissions. The anticipated level of Cost Effectiveness and the Lead City Division on the policy is also listed.

In Section II Climate Action Strategy, there is also a comprehensive table of energy reduction measures that apply on a community-wide basis. The energy measures are categorized into the same order as Section I.

The City has been proactive in leading by example in a number of ways. A couple of examples of this are: the City has retrofitted all of the fluorescent bulbs in Internally Illuminated Street Name Signs with LED light engines that enhance visibility, street

safety, and last longer. Annual cost savings of about 50% will be realized with the retrofit due to less use of electricity and less maintenance due to longer life expectancy of the LED. Capital Projects has used rubberized asphalt concrete on City street projects when cost is comparable to regular asphalt concrete. Recycled tires are used. Advantages include reduced road noise, reduced breaking distance, and slightly longer life to road surface. There are some limitations on where it may be installed. Another way the City is being proactive is maintaining its Community Partnership program with Southern California Edison, the Gas Company, and Moreno Valley Electric Utility through the Energy Coalition. The City also provides energy efficiency outreach by placing poster boards in the Parks and Recreation and City Library buildings that promote potential energy rebates, and energy reducing tips. In addition to the partnership with the Energy Coalition the City has created a G.R.E.E.N. (Getting Residents Energy Efficient Now) website that encourages residents to become more energy efficient in their homes, and has web links to other energy websites.

Since the joint study session meeting, public outreach efforts consisted of using the resources that the City has available such as the City website, MVTV3, Environmental Historical Preservation Board (EHPB), and the City's partnership with the Energy Coalition and interaction with WRCOG. Staff first reached out to the local high schools, but the schools likely did not respond due to it being too late in the school year to program class involvement. Staff also met with EHPB on May 14, 2012 to review the Strategy. During the meeting EHPB discussed the possibility of having harvestable landscape on bigger projects such as large industrial projects, the Skechers building was given as an example. Other items discussed were having street signs that direct the public to alternative fueling stations, having the City encourage the use of green building materials, and recognizing businesses that are energy efficient and the products that they produce. These suggestions have been included in the draft Strategy. Later a public outreach meeting was held on June 7, 2012, and promoted by sending a press release, and putting links to the Energy Efficiency and Climate Action Strategy and the Greenhouse Gas Analysis on the City's main website and on the G.R.E.E.N. website. Staff also made flyers to promote future public meetings on the Strategy and had the flyer advertised on MVTV3. Despite these promotional activities, only one person from the public was present at the public outreach meeting.

The Strategy was also put on the Planning Commission agenda as a discussion item on June 28, 2012 and August 23, 2012. The main points that came out of the June 28, 2012, meeting were that document should be focus on the most effective programs and policies and eliminate any repetition. Staff is currently working to further hone in on reducing redundancy in the Strategy. The outcome of the August 23, 2012, meeting will be in staff's presentation to City Council.

The above-referenced activities are an overview of the efforts of the Energy Efficiency and Climate Action Strategy. Staff is looking for any additional direction the City Council may have on the draft Energy Efficiency and Climate Action policies prior to finalizing the Energy Efficiency and Climate Action Strategy for formal public hearings and action by the Planning Commission and City Council.

NOTIFICATION

Listing on the City Council Agenda.

ATTACHMENTS/EXHIBITS

1. Draft Energy Efficiency and Climate Action Strategy Document
2. Greenhouse Gas Analysis

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

August 2012
DRAFT for City Council Review and Comment

City of Moreno Valley
Energy Efficiency and Climate Action Strategy

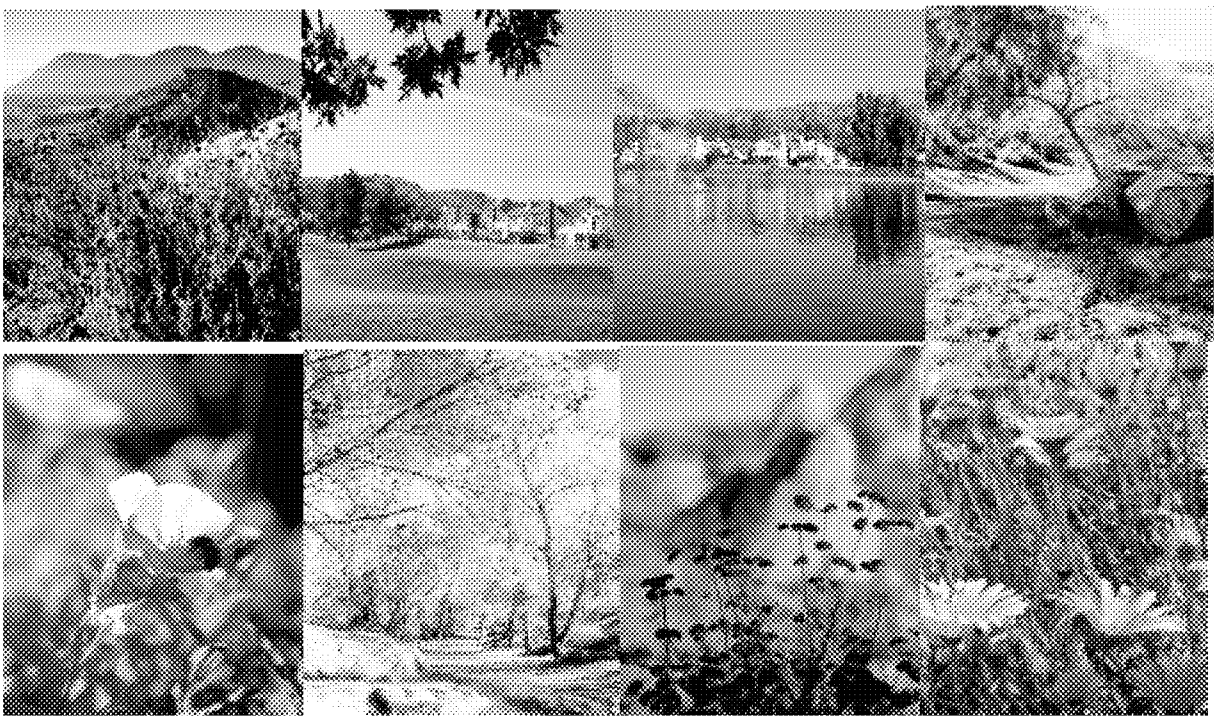

Draft prepared by the City of Moreno Valley Planning Division and the Energy Efficiency and Conservation Task Force

ATTACHMENT 1

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Summary

The City of Moreno Valley recognizes the impact of global climate change from carbon dioxide emissions arising from the activities of the City organization as well as the community's residents, businesses and visitors. Furthermore, the City recognizes the benefits achieved through energy and resource efficiency measures in reducing the community's carbon dioxide emissions as well as improving air quality, energy reliability and economic well-being in the City and region. The City recognizes the need to reduce our energy use and greenhouse gas emissions and become a more sustainable community. The City of Moreno Valley Energy Efficiency and Climate Action Strategy (hereafter referred to as "Strategy") is a policy document which identifies ways that the City of Moreno Valley can reduce energy and water consumption and greenhouse gas emissions as an organization (its employees and the operation of its facilities) and outlines the actions that the City can encourage and community members can employ to reduce their own energy and water consumption and greenhouse gas emissions.

Introduction

The City of Moreno Valley's Energy Efficiency and Climate Action Strategy main objectives are to reduce the environmental impact and fiscal impact of energy usage and greenhouse gas emissions in municipal facilities and within the community. The genesis of the Strategy is the Federal Energy Efficiency and Conservation Block Grant awarded to the City to implement energy efficiency projects and strategies for the City as an organization. At the request of the City Council, the scope of the grant was expanded to include the preparation of a climate action strategy. With City Council support, City staff has applied for energy efficiency grants. In June 2010 the City was awarded a $375,000 (SCE) Southern California Edison Strategic Solicitation for the purpose of expanding the scope of the Strategy and its implementation, including the preparation of a greenhouse gas inventory for the community.

The Strategy is intended to be a comprehensive living policy document for the City organization and the community to address energy and water conservation and effects of climate change. The Strategy is organized into two main sections: Energy Efficiency (City as an organization) and Climate Action (City as a community). The Strategy also contains a Greenhouse Gas Analysis component. The Greenhouse Gas Analysis is also separated into two parts, the City as an organization and the City as a community.

The City realizes the challenges the community may face due to climate change and excess energy and water consumption. With the implementation of energy and water conservation and greenhouse gas reduction measures, training and public awareness, the expected results are the reduction of greenhouse gas emissions and energy and water consumption. In implementing the Strategy, the City's General Plan may need to be updated to reference the Strategy for guidance on energy efficiency and greenhouse gas reduction.

In recent years, the State of California adopted several bills to address energy and climate issues, Assembly Bill 32 and Senate Bill 375.

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Assembly Bill 32 establishes a statewide greenhouse gas emissions cap which requires emissions to be reduced to 1990 levels by the year 2020. The bill includes mandatory reporting rules, adoption of a plan and regulations to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions, including provisions for using both market mechanisms and alternative compliance mechanisms. Greenhouse gases, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The Air Resources Board (ARB) is the State agency charged with monitoring and regulating emissions of greenhouse gases. Under the current "business as usual" scenario, statewide emissions are increasing at a rate of approximately 1% per year as noted below.

California Senate Bill 375 provides emission-reducing goals so regions can plan to integrate disjointed planning and provide incentives for local governments and developers to follow new conscientiously-planned growth patterns. SB 375 enhances the Air Resources Board's (ARB) ability to reach AB 32 goals. For California to reach its greenhouse gas reduction goals, communities must address how they grow. This law directs the ARB to set greenhouse gas reduction targets for regions of the state and work with California's 18 metropolitan planning organizations (MPOs) to align their transportation, housing, and regional land-use plans with greenhouse gas reductions in mind. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce greenhouse gas emissions (GHG); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process to reduce vehicle miles traveled. SB 375 will be responsible for reshaping the face of California's communities into more sustainable, walkable communities with alternative transportation options and increased quality of life.

Overview of Energy Efficiency

The Energy Efficiency section's primary focus is to identify potential energy efficiency measures for the City as an organization, both those that have been implemented and those that could be implemented in the future. In addition, the document provides direction and policies to ensure the most effective, practical, and affordable, energy use practices are implemented.

Overview of Climate Action

The focus of the Climate Action section is to promote measures similar to those identified in the Energy Efficiency section and additional measures that can be implemented by the community's residents and businesses to reduce greenhouse gas emissions on a community-wide basis. The Climate Action Strategy includes an analysis of existing and future greenhouse gas emissions community wide and provides a set of policies to guide efforts to reduce greenhouse gas emissions to meet or exceed State requirements without unduly compromising other community goals.

Overview of the Greenhouse Gas Analysis

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The analysis was completed under the premise that the City and the community it represents are uniquely capable of addressing emissions associated with sources under the City's jurisdiction. The City's emission reduction efforts should coordinate with the state strategies in order to accomplish emission reductions in an efficient and cost effective manner. The City developed this document with the following purposes in mind:

- Create a GHG baseline from which to benchmark GHG reductions;
- Provide a plan that is consistent with and complementary to: the GHG emissions reduction efforts being conducted by the State of California through the Global Warming Solutions Act (AB 32); the Federal Government through the actions of the Environmental Protection Agency; and the global community through the Kyoto Protocol; and
- Guide the development, enhancement, and implementation of actions that reduce GHG emissions.

This report establishes 2010 as the year on which to base the existing inventory; this is the most recent year for which reliable data concerning the City's residential, commercial, and government operations are available. Sources of emissions include transportation, electricity and natural gas use, landscaping, water and wastewater pumping and treatment, and treatment and decomposition of solid waste. The 2007 inventory represents conditions prior to the economic recession and will be used to set the target for reducing emissions by the year 2020. The 2010 inventory was calculated using the most recent data available. The 2010 inventory serves as a reference against which to measure the City's progress towards reducing GHG emissions since 2007 and into the future, and also serves as documentation for potential emission trading opportunities.

Moreno Valley's 2010 municipal operations inventory includes sources and quantities of GHG emissions from government owned or rented buildings, facilities, vehicles, and equipment. The community-wide emissions inventory identifies and categorizes the major sources and quantities of GHG emissions being produced by residents, businesses, and municipal operations taking place in the City of Moreno Valley using the best available data. By having the municipal emissions separated from the community as a whole, the local government can implement reduction strategies where it has direct control, closely monitor the changes in emissions over time, and set an example for the rest of the City.

2010 Municipal Emissions Inventory

Table 3-1 2010 Municipal Data Inputs

Category	Data Input	Data Source
Electricity (kWh)	9,937,015 3,847,738	SCE MVU
Natural Gas (therms)	90,651	SCG
Vehicle Fleet *Gasoline(gallons)* *Diesel (gallons)*	 77,325 28,544	Fleet Manager Special Districts
Equipment *Gasoline(gallons)* *Diesel (gallons)*	 2,118 2,208	Parks Division Special Districts

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Employee Commute (responses)	141	Employee Survey

The community-wide inventory represents all emissions from sources located with the jurisdictional boundaries of the City of Moreno Valley. Therefore, the municipal emissions described in the previous section are a subset of the community-wide inventories presented here. In 2010, the City of Moreno Valley emitted a total of 920,657 MT CO_2e from the community as a whole. The following sections describe the data inputs, emissions by source, and emissions by land use in 2010.

2010 Community-Wide Emissions Inventory

Table 3-5 2010 Community-Wide Data Inputs

Category	Data Input	Data Source
Electricity (kWh)	633,215,207 62,138,000	SCE MVU
Natural Gas (therms)	26,266,326	SCG
Transportation *Annual Vehicle Miles Traveled* *Annual Trips*	 1,077,909,543 110,098,975	 City Traffic Engineer
Area Source (based on land use) *SFR (units)* *MFR (units)* *Commercial (ksf)* *Industrial (ksf)*	 42,642 9,387 8,325 12,695	 City Planning
Solid Waste (tons)	144,824	CIWMB
Water (AF)	26,183 87	EMWD Box Springs Mutual

With the implementation of GHG reduction measures, Moreno Valley is projected to reduce its community-wide emissions to a total of 798,137 MT CO_2e, which is 556 MT CO_2e below the 2020 reduction target. This is a decrease of 38.5 percent from the City's 2020 BAU emissions inventory and 13 percent from the 2010 emissions. The reduction measures reduce GHG emissions from all sources of community-wide GHG emissions including transportation, energy, area sources, water, and solid waste. The following sections describe the emissions by source and land use category for the year 2020.

This report sets a baseline for the City's GHG emissions, projects how these emissions will grow, and includes strategies to reduce emissions to a level consistent with California's emissions reduction target. These strategies complement the City's General Plan policies and are consistent with Moreno Valley's vision for a more sustainable community.

Greenhouse Gas Analysis Reduction Policies

The purpose and intent of these policies is to achieve compliance with AB 32 and reduce GHG by 15% by 2020. In 2020, the City of Moreno Valley is projected to emit a total of 1,298,543 MT CO2e without the incorporation of GHG reduction policies. The statewide

reduction measures would reduce the bulk of Moreno Valley's emissions and make a substantial contribution toward reaching the 2020 reduction target. However, the City would still need to supplement the statewide measures with the implementation of local reduction policies, in order to achieve 15% reduction in GHG by 2020. Future local policy measures will require decision-maker approval. These reduction measures include the following:

- R2-T1: Land Use Based Trips and VMT Reduction Policies. Encourage the development of Transit Priority Projects along High Quality Transit Corridors identified in the SCAG Sustainable Communities Plan, to allow a reduction in vehicle miles traveled.

- R2-T3: Employment-Based Trip Reductions. Require a Transportation Demand Management (TDM) program for new development to reduce automobile travel by encouraging ride-sharing, carpooling, and alternative modes of transportation.

- R2-E1: New Construction Residential Energy Efficiency Requirements. Require energy efficient design for all new residential buildings to be 10% beyond the current Title 24 standards. (Reach Code)

- R2-E2: New Construction Residential Renewable Energy. Facilitate the use of renewable energy (such as solar (photovoltaic) panels or small wind turbines) for new residential developments. Alternative approach would be the purchase of renewable energy resources offsite.

- R2-E5: New Construction Commercial Energy Efficiency Requirements. Require energy efficient design for all new commercial buildings to be 10% beyond the current Title 24 standards. (Reach Code)

- R3-E1: Energy Efficient Development, and Renewable Energy Deployment Facilitation and Streamlining. Updating of codes and zoning requirements and guidelines to further implement green building practices. This could include incentives for energy efficient projects.

- R3-L2: Heat Island Plan. Develop measures that address "heat islands." Potential measures include using strategically placed shade trees, using paving materials with a Solar Reflective Index of at least 29, an open grid pavement system, or covered parking.

- R2-W1: Water Use Reduction Initiative. Consider adopting a per capita water use reduction goal which mandates the reduction of water use of 20 percent per capita with requirements applicable to new development and with cooperative support of the water agencies.

- R3-W1: Water Efficiency Training and Education. Work with EMWD and local water companies to implement a public information and education program that promotes water conservation.

- R2-S1: City Diversion Program. For Solid Waste, consider a target of increasing the waste diverted from the landfill to a total of 75% by 2020.

Examples of current statewide and regional planning efforts to reduce GHG emissions are identified in the GHG analysis. Current City efforts include working with RTA to continue to provide timely and effective transit services, and promoting existing incentive programs for residents that promote residential and commercial energy efficient retro-fits, such as WRCOG's low interest loan programs. These current City efforts wouldn't involve any changes in current City policy or ordinances.

City's Current Goals and Objectives

The City's General Plan includes goals and objectives to achieve energy conservation through land use planning, building design, site planning, compliance with State Title 24 energy savings requirements, and rehabilitation of existing structures. The General Plan also includes measures to reduce traffic congestion and provide more opportunities for walking and bicycling. Other areas of conservation include the use of water efficient irrigation and landscape and coordinated efforts with local water districts to use reclaimed water; recycling; and exterior lighting standards. See Section III Appendix _ for specific General Plan goals and objectives.

SECTION I – ENERGY EFFICIENCY

Current Energy Efficiency Practices

The City currently employs a variety of measures in municipal operations that reduce consumption of energy and water and reduce the amount of solid and green waste sent to a landfill. The City has also purchased alternative fuel vehicles that reduce the consumption of gasoline. The following is an outline of completed energy savings projects and current energy saving practices. Many of these activities have been made possible with grant funding.

<u>Reduced Energy Consumption</u>

	Energy Reduction Measures	Cost Effectiveness	Practice	Policy	Lead Division
A1.	New buildings constructed in City parks use solar tubes for day time lighting.	High	✓		Parks & Community Services
A2.	Photo cells are used for lighting park grounds and buildings along with automatic shutoff timers.	High	✓		Parks & Community Services

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A3.	Park lighting is shut down at 10 p.m. except where needed to address safety issues.	High	✓		Parks & Community Services
A4.	Sport field lights at parks have been replaced with more efficient fixtures with an average energy savings of at least 30%.	High	✓		Parks & Community Services
A5.	Applied window tint/film to City Hall windows to make facility more energy efficient, comfortable, and reduce energy cost. (Completed January 2011)	High	✓		Planning
A6.	Routine maintenance is performed on all City heating, ventilation, and air conditioning (HVAC) units to keep them running efficiently.	High	✓		Purchasing & Facilities
A7.	Replacement of HVAC system at City Hall (completed September 2011) resulting in substantial reduction in energy use and cost, and improved comfort and reliability.	High	✓		Purchasing & Facilities
A8.	Conference and Recreation Center and Public Safety Building have computer systems that allow continuous control of the HVAC systems that can be adjusted offsite and scheduled to go on and off depending on the use of a particular room.	High	✓		Purchasing & Facilities
A9.	T12 florescent light fixtures have been converted to T8 fixtures which use less energy. Retrofit sites are the Senior Center, Library, City Hall, and Fire Stations 6, 48 and 65.	High	✓		Purchasing & Facilities
A10.	Light sensors have been installed in some rooms at City Hall which turn off the lights when the room is not in use.	High	✓		Purchasing & Facilities
A11.	Traffic signals synchronized to improve traffic flow and reduce air pollution and gas consumption.	High	✓		Transportation Engineering
A12.	Traffic signal lights retrofitted in 2006 with LED light fixtures, with a reduction of 60% power usage. Newer traffic signal lights installed with LED fixtures.	High	✓		Transportation Engineering

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A13.	City replaced all fluorescent bulbs in Internally Illuminated Street Name Signs with LED lights that enhance visibility, street safety, and last longer. Annual cost savings of about 50% realized due to less use of electricity and less maintenance due to longer life expectancy of LED.	Medium	✓		Transportation Engineering
A14.	MV Utility analyzed alternative technologies for street lighting. A pilot program for LED street lights is scheduled to begin June 2013, one for induction lighting was completed September 2010, and testing of a device that controls the energy use of the ballast in High Pressure Sodium lighting was completed July 2012.	Medium	✓		Special Districts
A15.	City Hall fans run while the building is occupied to maintain a comfortable temperature and a humidity level of 60%, and reduce carbon dioxide levels, per Title 24.	Low	✓		Purchasing & Facilities

Reduced Water Consumption

	Water Reduction Measures	Cost Effectiveness	Practice	Policy	Lead Division
A16.	Park restrooms and other buildings are installed with automatically shut off faucets.	High	✓		Parks & Community Services
A17.	Reclaimed water for irrigation is used on about 40 acres of City park land.	High	✓		Parks and Community Services
A18.	Newer irrigation systems at City parks utilize smart controllers which are self-regulating and utilize a central weather station or have their own weather stations.	High	✓		Parks and Community Services
A19.	City adopted new landscape standards which require the use of drought tolerant landscape and water efficient irrigation in new installations and most retrofit projects.	High		✓	Planning
A20.	Purchasing & Facilities Division tested 0.5 gallon per minute aerators for restroom faucets. Currently, 2.0 and 2.2 per minute gallon aerators are used. The 0.5 gallon aerators were not installed as faucet ran too long for hot water to flow out.	High	✓		Purchasing & Facilities
A21.	Synthetic turf was installed at Community Park soccer fields to conserve water and increase use time.	Medium	✓		Parks and Community Services
A22.	Facilities staff researched use of waterless urinals. Maintenance requirements and costs were too high to justify use in public restrooms.	Low	✓		Purchasing & Facilities

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Recycling and Diversion

	Recycling and Diversion Measures	Cost Effectiveness	Practice	Policy	Lead Division
A23.	Maintenance & Operations has a program to recycle asphalt concrete. Existing pavement is ground up and used as base for repaving. Unused material is stored for future use.	High	✓		Maintenance & Operations
A24.	All City facilities have recycling programs.	High	✓	✓	Maintenance & Operations
A25.	City recycling programs include: Procurement Policy, City Facilities Recycling Program, Animal Shelter Lonely Hearts Adoption Program, School Recycling Program, Residential Recycling, Curbside & Buy-back, Voluntary Commercial Recycling, C&D Recycling, CIP Program, Community Outreach, Grasscycling, Mulch, and Composting Workshops.	High	✓	✓	Maintenance & Operations
A26.	City staff works with the community, the Chamber of Commerce and City employees on promoting and presenting recycling programs.	High	✓		Maintenance & Operations
A27.	Rubberized asphalt concrete has been used on City street projects when cost is comparable to regular asphalt concrete. Recycled tires are used. Advantages include reduced road noise, reduced braking distance, and longer life to road surface.	Medium	✓		Capital Projects
A28.	Cold in Place Recycling is used as appropriate for street rehabilitation projects. The process removes old pavement, combines it with emulsion, and places it back down as part of the new pavement.	Medium	✓		Capital Projects
A29.	In central plant recycling, reclaimed asphalt pavement is screened, crushed, sized, and mixed with an asphalt rejuvenator. The recycled mix is transported immediately to a job site, or stockpiled for later use.	Medium	✓		Capital Projects
A30.	City uses green recycled janitorial products at City Hall and the Facilities Annex.	Low	✓	✓	Purchasing & Facilities

Alternative Fuel Vehicles

	Alternative Fuel Vehicle Measures	Cost Effectiveness	Practice	Policy	Lead Division
A31.	Retrofit completed of diesel engines vehicles	High	✓		Maintenance &

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	to comply with laws to make diesel engines cleaner burning. Phase I completed December 2009, Phase II completed December 2011.				Operations
A32.	City has one electric vehicle and four natural gas vehicles (two street sweepers, one pick up truck, and one storm drain cleaning truck).	Medium	✓		Maintenance & Operations

Education

The City of Moreno Valley currently promotes education related to energy efficiency by participating in partnerships and organizations that promote energy efficiency and by attending seminars, workshops and trade shows related to green building, water conservation, and facility maintenance.

The City of Moreno Valley participates in the following organizations:

- Community Energy Partnership – this partnership identifies incentives and rebates for City and developer projects.

- Energy Coalition - Facilities Maintenance Division has completed energy audits for five buildings with the Energy Coalition.

- WRCOG Clean Cities – public-private partnership dedicated to achieving improved air quality, energy security, economic development, and transportation goals.

- WRCOG Air Quality Task Force – the task force brings together cities and local resources to share information on efforts and funding opportunities to improve air quality in the region.

- WRCOG Solid Waste Technical Committee – the task force compromised of staff from each of WRCOG's member agencies and meets to discuss solid waste and recycling issues and makes recommendations to the WRCOG's Technical Advisory Committee on matters directly relating to Western Riverside County.

- Riverside County Solid Waste Management Advisory Council (Countywide Local Task Force) – this group provides advisory to the County's Planning Commission and Board on all substantive waste management issues and solid waste facility land use matters, and also assists the County and its cities in meeting AB939 requirements, from the preparation and revision of the Countywide Integrated Waste Management Plan (CIWMP) to reviewing and commenting on solid waste facilities and their expansions for consistency and recycling goals to the Department of Resources, Recycling and Recovery.

Proposed Energy Efficiency Policies

The following energy efficiency measures are suggested as policies and programs for municipal operations. The suggested measures include current practices of the City of Moreno Valley along with recommendations from the City's Energy Efficiency Task Force

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and the practices and policies of other jurisdictions. Many of the policies and programs will require additional study and formal adoption by the City Council prior to becoming effective.

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B1.	Use reclaimed water for City buildings, facilities, parks and parkways where connection to reclaimed water lines is feasible.		✓					High	Capital Projects or Contracting Division / Department
B2.	Participate in Savings by Design or similar program to identify ways to improve the energy efficiency for all new City buildings and facilities.	✓						High	Capital Projects or Contracting Division / Department
B3.	Establish policy to meet a green building rating system standard or standard beyond Title 24 for all new buildings and retrofits over 5,000 square feet.	✓						High	Capital Projects
B4.	Coordinate with Southern California Edison or Moreno Valley Utility, Eastern Municipal Water District, and The Gas Company to maximize rebates for all building projects.	✓						High	Capital Projects or Contracting Division / Department

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B5.	Require life cycle cost for all new facilities and retrofits over 5,000 square feet that compare initial and long-term costs for projects. Include analysis in City Council reports, to inform decision makers of total costs of projects.	✓						High	Capital Projects
B6.	Benchmark all City facilities in the Energy Star web site, to monitor energy use at City facilities.	✓						High	Electric Utility
B7.	Include all City facilities in recycling programs. Establish a 75% diversion rate goal.			✓				High	Maintenance & Operations
B8.	Recycle existing asphalt concrete for used as base for streets whenever feasible. Store recycled material not used immediately.			✓				High	Maintenance & Operations
B9.	Seek funding for alternative fuel and fuel efficient vehicles and diesel retrofits.				✓			High	Maintenance & Operations
B10.	Establish minimum fleet mileage standard for fleet vehicles.				✓			High	Maintenance & Operations
B11.	Promote rideshare program for employees to decrease vehicles miles traveled.				✓			High	Maintenance & Operations

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B12.	Restrict use of turf at City buildings and facilities to gathering areas and useable open space. Replace low use turf areas with drought tolerant plants.		✓					High	Parks & Community Services
B13.	Use smart controllers for all City projects consistent with City Landscape Standards. Retrofit existing controllers as funding is available.		✓					High	Parks & Community Services
B14.	Require new buildings constructed in City parks use solar tubes or equal design for daytime lighting.	✓						High	Parks & Community Services
B15.	Install energy efficient fixtures for all new sport field lights. Retrofit existing lights as funding is available.	✓						High	Parks & Community Services
B16.	Establish an energy efficiency revolving fund to deposit energy savings, rebates and incentives. The policy should consider the following funding sources: 100% of rebate and incentive money and 50% of energy bill savings from energy efficiency projects.	✓						High	Planning

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B17.	Host annual Energy Efficiency Day for employees with demonstrations and literature on energy saving products and practices for work and at home. This activity helps maintain Gold level status with Energy Coalition.	✓					✓	High	Planning
B18.	Encourage employees to submit energy efficiency recommendations for City operations and assess them.	✓						High	Planning
B19.	Install light sensors, which turn off the lights when a room is not in use, wherever practical.	✓						High	Purchasing & Facilities
B20.	Allow for safety concerns for City facilities and reduce or turn off exterior and interior lights when facilities are not in use.	✓						High	Purchasing & Facilities
B21.	Include in all City leases permission to do energy retrofits (e.g. replace light bulbs).	✓						High	Purchasing & Facilities
B22.	Set City building thermostats at Federal and State recommendations, currently 68 degrees (winter) and 78 degrees (summer), wherever possible.	✓						High	Purchasing & Facilities

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B23.	Utilize an energy monitoring system to track electricity use and identify areas/facilities that can be operated more efficiently.	✓						High	Purchasing & Facilities
B24.	Provide routine maintenance of the heating and air conditioning (HVAC) systems at City facilities.	✓						High	Purchasing & Facilities
B25.	Complete periodic energy audits of all City facilities to identify energy efficiency opportunities and implement all cost effective recommendations.	✓						High	Purchasing & Facilities
B26.	Replace interior and exterior lighting fixtures with more energy efficient fixtures as they become available and cost effective, as funding is available.	✓						High	Purchasing & Facilities
B27.	Base purchasing decisions on environmental information and life cycle costs.	✓						High	Purchasing & Facilities
B28.	Install computer monitoring systems in new City facilities to allow continuous control of HVAC systems. Retrofit existing facilities as funding becomes available.	✓						High	Purchasing & Facilities

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B29.	Install automatic shutoff faucets and 0.5 gallon per minute aerators in new City buildings and facilities wherever practical. Replace existing faucets and aerators as funding is available.		✓					High	Purchasing & Facilities
B30.	Review median landscape standards to increase water efficiency, with efficient irrigation, grading that retains water run off and a drought tolerant plant palette.		✓					High	Special Districts
B31.	Seek grants to renovate Alessandro Boulevard medians to reduce or eliminate turf, which would reduce water, electricity and gasoline (maintenance equipment) use, and reduce maintenance cost and green waste.		✓					High	Special Districts
B32.	Establish guideline that identifies criteria for using 'green concrete' or concrete made with recycled aggregate. Use reduces CO_2 emissions and solid waste sent to landfills.			✓				Medium	Capital Projects

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B33.	Document municipal green building efforts and post-occupancy building performance metrics on the City website for use as a resource for the development community.	✓						Medium	Capital Projects
B34.	Establish guideline that identifies criteria for using rubberized asphalt concrete for City projects.			✓				Medium	Capital Projects
B35.	Consider moving City electric load off-peak to reduce peak demand and take advantage of lower rates.	✓						Medium	Electric Utility
B36.	Identify opportunities for on-site renewable energy generation on City-owned and private property.	✓						Medium	Electric Utility
B37.	Establish a zero waste policy to require everything to be recycled, with minimal disposables allowed and encourage composting.			✓				Medium	Maintenance & Operations
B38.	Require use of photo cells and automatic shutoff timers in park buildings wherever practical.	✓						Medium	Parks & Community Services
B39.	Coordinate with near by jurisdictions to implement regional energy efficiency programs.	✓						Medium	Planning
B40.	Use green/recycled janitorial products at City facilities whenever cost effective.			✓				Medium	Purchasing & Facilities

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B41.	Provide bicycle parking at City facilities.				✓			Medium	Purchasing & Facilities
B42.	Research potential savings of synthetic turf and/or low water use plantings in medians, assessing installation, maintenance and water costs.		✓					Medium	Special Districts
B43.	Consider use of timers on street lights to shut off during late evening and early morning hours when traffic volumes are low, pursuant to adoption of a policy regarding hours of operation for streetlights.	✓						Medium	Special Districts
B44.	Provide incentives for City staff to develop expertise and certification in green building strategies.	✓	✓	✓	✓	✓	✓	Low	Building
B45.	Consider adding charge stations and other alternative fuel facilities at City facilities.				✓			Low	Maintenance & Operations
B46.	Assess use of low flow toilets and waterless urinals as performance improves and maintenance costs drop.		✓					Low	Purchasing & Facilities
B47.	Require operation of ventilation fans at all City facilities when occupied to maintain a comfortable temperature, humidity level of 60%, and reduce carbon dioxide levels.	✓						Low	Purchasing & Facilities

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B48.	Replace paper towel dispensers with air dryers in City facilities where practical and cost effective.			✓				Low	Purchasing & Facilities
B49.	Establish LED standard (fixture and spacing) for streetlights for new installations and retrofit existing lights as funding permits.	✓						Low	Transportation Engineering

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SECTION II – CLIMATE ACTION STRATEGY

Proposed Climate Action Policies

The following energy efficiency measures are suggested as policies for the City of Moreno Valley as a community. The suggested measures include recommendations from the City's Energy Efficiency Task Force and the practices and policies of other jurisdictions.

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
C1.	Install light colored "cool" roofs and cool pavements. (Cool roofs are a requirement per State Title 24/CalGreen Building Standards).	✓						High	Building
C2.	Require Energy Star equipment and appliances in new construction & renovations.	✓					✓	High	Building
C3.	Specify no- or low-VOC (Volatile Organic Compound) materials.						✓	High	Building
C4.	Install photovoltaic or other solar technology for city owned facilities wherever feasible.					✓		High	Capital Projects or Contracting Division / Department
C5.	Partner with the largest consumers of energy to encourage and promote their energy efficiency activities.	✓						High	Electric Utility
C6.	Promote and implement programs to encourage load shifting to off-peak house and explore demand response solutions.	✓						High	Electric Utility
C7.	Provide education on energy efficiency to residents, customers and/or tenants.	✓						High	Electric Utility
C8.	Create new Partnership brand to integrate City and Utility marketing campaigns to customers. Develop Marketing Team to coordinate City and Utility marketing.	✓						High	Electric Utility
C9.	Increase marketing efforts by organizing the following community activities: • City sponsored ideas expo and stakeholder meetings;	✓						High	Electric Utility

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	• City presenting program at Chamber of Commerce meetings; • City working with community organizations, local service clubs, HOA's to educate and sign-up participants; • Contractors marketing to residential and business customers; City Council recognizing "energy champions" at televised meetings.								
C10.	Implement low impact development practices that maintain existing site hydrology to manage storm water and protect the environment. (Use of low impact development practices is required by the new regional water quality permit.)		✓					High	Land Development
C11.	Require that developers recycle existing street material for use as base for new streets.			✓				High	Land Development
C12.	Work with Waste Management to utilize billing statements or MVTV-3 to encourage businesses and residents to enroll in recycling programs.			✓				High	Maintenance & Operations
C13.	Explore grants to pay for recycling collection devices and their maintenance to be placed with public trash bins.			✓				High	Maintenance & Operations
C14.	Increase recycling at public events.			✓				High	Maintenance & Operations

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
C15.	Install water-efficient irrigation systems and devices and use water-efficient irrigation methods.		✓					High	Parks & Community Services
C16.	Promote use of City's multi-use trail system.				✓			High	Parks & Community Services
C17.	Establish Energy Efficiency and Conservation baselines. Set municipal and community wide energy demand and usage reduction goals and implement them by leveraging program resources and incentives already committed or potentially available.	✓						High	Planning
C18.	Maintain City's Community Partnership program with Southern California Edison, The Gas Company, and Moreno Valley Electric Utility through the Energy Coalition. This partnership allows for funding the City can use for energy conservation marketing, education, and outreach efforts.	✓						High	Planning & Electric Utility
C19.	City act as a model of energy conservation stewardship. Build upon historical and current energy conservation efforts as the foundation for continued efforts and education of the community on energy efficiency and conservation cost savings and environmental benefits.	✓						High	Planning
C20.	Require new large developments (projects of regional significance) participate in the Savings by Design or similar programs to	✓						High	Planning

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	identify ways to improve energy efficiency of proposed construction.								
C21.	Encourage community use of Southern California Edison, Moreno Valley Utility, Eastern Municipal Water District, and The Gas Company financial incentives and rebate opportunities.	✓						High	Planning
C22.	Adopt a dark sky ordinance and reduce unnecessary outdoor lighting.	✓						High	Planning
C23.	Encourage passive solar design, to maximize passive solar heating during cool seasons, minimize solar heat gain during hot seasons, and enhance natural ventilation. (Existing design guideline).	✓						High	Planning
C24.	Promote customer financing programs that assist with purchasing energy efficiency improvements. WRCOG has established a financing program through property taxes based on the guidelines in Assembly Bill 811. City is a partner in this program.	✓						High	Planning
C25.	Encourage Point-of-Sale Rebates, the simplest methods for customers to qualify for incentives. Pursue adding more retailer participants within community.	✓						High	Planning
C26.	Review and update the landscape ordinance to continue lowering use of potable water for		✓					High	Planning

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	landscape irrigation. (City updated landscape standards in 2009 to further encourage water conservation.)								
C27.	Provide education about water conservation and available programs and incentives.		✓					High	Planning
C28.	Protect existing trees and encourage the planting of new drought tolerant trees. Adopt a tree protection and replacement ordinance.		✓					High	Planning
C29.	Work with developers to increase housing near transit through recently adopted mixed use zones. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			High	Planning
C30.	Designate Transit-Oriented Development district(s). (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			High	Planning
C31.	Explore building footprint, setbacks, height, scale, hardscape requirements to create compact building design techniques.	✓					✓	High	Planning
C32.	Explore reduced parking minimum requirements for mixed-use developments to encourage transit and non-motorized transportation.				✓			High	Planning
C33.	Apply urban planning principles that encourage high density, mixed-use, walkable/bikeable neighborhoods, and coordinate	✓			✓			High	Planning

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	land-use and transportation with open space systems and promote the efficient delivery of services and goods. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)								
C34.	Promote "Energy Efficiency" at City events or events that the City participates in such as 4th of July and the March Air Show.	✓						High	Planning
C35.	Develop original programming on MVTV-3 that promotes energy efficiency, e.g. a program that follows a residential energy audit, to demonstrate how residents can make their homes more energy efficient.	✓						High	Purchasing & Facilities, & Planning
C36.	Work with RTA to expand access to public transit by adding routes and shelters and benches within 1/4 mile of high density residential, commercial, employment areas, schools, and parks.				✓			High	Transportation Engineering
C37.	Promote rideshare and trip reduction ride programs such as carpools/vanpools and preferential parking areas at City facilities and other large employers.				✓			High	Transportation Engineering
C38.	Promote school rideshare programs to assist parents/students forming carpools.				✓			High	Transportation Engineering
C39.	Adopt a Non-Motorized Transportation Plan. With focuses on pedestrian and bicycle				✓			High	Transportation Engineering

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	routes and Master Sidewalk Plan. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)								
C40.	Work with the school districts to improve pedestrian and bike access to schools and to restore or expand school bus service using lower-emitting vehicles.				✓			High	Transportation Engineering
C41.	Set goals consistent with State's Long Term Strategic Plan: All new residential construction in California will be zero net energy by 2020. All new commercial construction in California will be zero net energy by 2030.	✓						Medium	Building
C42.	Encourage installation of solar and wind power systems and solar hot water heaters.					✓		Medium	Building & Planning
C43.	Establish City guideline that identifies criteria for using rubberized asphalt concrete for public streets.			✓				Medium	Capital Projects
C44.	Establish City guideline that identifies criteria for using 'green concrete' that has been made with recycled aggregate for public improvements. Results in reduced CO_2 emissions and reduces solid waste sent to landfills.			✓			✓	Medium	Capital Projects
C45.	Prepare a Master Sidewalk Plan that identifies "missing links" where sidewalks are necessary and identifies streets for which no sidewalk is required.				✓			Medium	Capital Projects
C46.	Adopt and implement a policy to increase the use of renewable	✓						Medium	Electric Utility

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	energy.								
C47.	Promote residential surveys to educate residents on energy saving behaviors, and direct leads and data to appropriate marketing channels to encourage more extensive energy upgrades.	✓						Medium	Electric Utility
C48.	Encourage installation of solar panels on unused roof and ground space and over carports and parking areas.					✓		Medium	Electric Utility & Planning
C49.	Include energy storage where appropriate to optimize renewable energy generation systems and avoid peak energy use.					✓		Medium	Electric Utility
C50.	Conduct gray water, rainfall runoff, and other system research and pilot study.		✓					Medium	Land Development
C51.	Actively explore new items to add to the list of accepted recycled materials with the City's franchised waste hauler.			✓				Medium	Maintenance & Operations
C52.	Implement programs to encourage and increase participation of diverted waste from landfills to meet or exceed state regulation requirements.			✓				Medium	Maintenance & Operations
C53.	Provide easy and convenient recycling opportunities for residents, the public, and businesses.			✓				Medium	Maintenance & Operations
C54.	Provide education and publicity about reducing waste and available recycling services.			✓				Medium	Maintenance & Operations
C55.	Require shaded and accessible pedestrian paths of travel between building entrances and	✓			✓			Medium	Planning

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	parking lots, sidewalks, adjacent properties, and public transportation stops.								
C56.	Increase housing density near transit. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Planning
C57.	Steer development towards infill rather than greenfield areas. Consider differential impact fee system with lower fees for areas with infrastructure.						✓	Medium	Planning
C58.	Revise municipal code to ensure solar access is maintained for future solar electric and solar hot water installations.	✓				✓	✓	Medium	Planning
C59.	Consider a shade tree ordinance and utility incentives for shading south and west faces of dwelling units.	✓					✓	Medium	Planning & Electric Utility
C60.	Designate city staff person responsible for coordinating climate action by city departments.	✓						Medium	Planning
C61.	Promote local demonstration gardens at Western Municipal Water District and the planned garden at the southeast corner of Cactus and Heacock, around the EMWD pump station.		✓					Medium	Parks & Community Services
C62.	Promote free shuttle service connecting to Metrolink station.				✓			Medium	Transportation Engineering
C63.	Create travel routes that ensure destinations may be reached conveniently by public transit, bicycling and walking. (GHG Policy R2-T1 Land Use Based				✓			Medium	Transportation Engineering

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	Trips and VMT Reduction Policies)								
C64.	Work with WRCOG to develop a master plan to encourage use of neighborhood electric vehicles, which are energy efficient street legal vehicles.				✓			Medium	Transportation Engineering
C65.	Coordinate with school districts to adopt the League of America Bicyclists' Cycling curriculum so students learn safest way to bike.				✓			Medium	Transportation Engineering
C66.	Implement "Smart Bus" technology - GPS with electronic displays at stops to provide actual time data to passengers.				✓			Medium	Transportation Engineering
C67.	Develop renewable fuel locations and electric plug-in stations including a map for drivers to find refueling locations.				✓			Medium	Transportation Engineering
C68.	Implement a regional transit program between educational facilities. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
C69.	Incorporate bicycle lanes, routes and facilities into street systems, new subdivisions, and large developments. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
C70.	Explore developing a Smart Growth Development Impact Fee matrix. Fee based on trips generated by project. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)	✓			✓			Medium	Transportation Engineering

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
C71.	Evaluate and update existing General Plan street cross-sections to accommodate "complete streets" design standards.				✓			Medium	Transportation Engineering
C72.	Incorporate public transit into the project's design. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
C73.	Accelerate implementation of solar energy-based technology through permitting process (e.g., reduced permit fees, streamlined permit approval process).					✓		Low	Building
C74.	Where solar systems cannot feasibly be incorporated into the project at the outset, build "solar ready" structures.					✓		Low	Building
C75.	Consider changing existing and future illuminated streetlights to LED. The retrofit cost for LED lighting is not feasible at this point. SCE and MVU do not currently have a separate rate structure for LED.	✓						Low	Special Districts

SECTION III – APPENDICES

General Plan Goals and Objectives

- Chapter 7. Energy conservation is a way to control energy costs, reduce reliance on foreign energy supplies and minimize air pollution. Energy efficiency can be derived in the arrangement of land uses, in the design of developments and the architecture of individual buildings. (GP Issues and Opportunities 7.6.2.)

- Chapter 7. Issues and Opportunities 7.6.2.The amount of energy consumed in automobile travel can be reduced if commercial and recreational opportunities are located near residential uses. Commuter travel can be minimized if there is a reasonable balance between jobs and housing within the area. Placing high intensity uses along transit corridors can also reduce automobile travel.

  Reducing residential street width can affect microclimates and reduce the summer cooling needs of adjacent homes. The orientation of buildings can be arranged to affect the amount of heat gain. Shade trees can also cool microclimates and aid in energy conservation.

  Building construction options are available to reduce energy consumption. Building construction methods include, but are not limited to, insulation of walls and ceilings, insulated windows and solar water heating systems. Many building energy conservation measures have been incorporated into Title 24 of the California Administrative Code and are required of all residential structures. (GP)

- Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk. (GP)

- Chapter 8. **Energy Conservation 8.4.11** The City of Moreno Valley, through its housing rehabilitation programs provides grants or loan funds that include work for energy conservation repairs or replacements. The City of Moreno Valley, through its Neighborhood Preservation division, participates in utility energy conservation programs sponsored by private sector utility companies. When households participating in the City's housing rehabilitation programs require additional assistance in the area of energy conservation, utility discounts or replacement of inefficient appliances, staff provides information on programs available through utility companies. Depending on the availability of funds, utility companies make available weatherization services, replacement of inefficient air conditioners with evaporative coolers, replacement of refrigerators that are over 10 years old, repair or replacement of inefficient furnaces as well as free energy efficient compact fluorescent light bulbs. (GP)

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- **Objective 4.3** Develop a hierarchical system of trails which contribute to environmental quality and energy conservation by providing alternatives to motorized vehicular travel and opportunities for recreational equestrian riding, bicycle riding, and hiking, and that connects with major regional trail systems. (GP)
- 5-13 Implement Transportation Demand Management (TDM) strategies that reduce congestion in the peak travel hours. Examples include carpooling, telecommuting, and flexible work hours. (GP)
- 7.5.2 Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles. (GP)
- 7.5.3 Locate areas planned for commercial, industrial and multiple family density residential development within areas of high transit potential and access. (GP)
- Chapter 5. Transportation Demand Management 5.3.5 Transportation Demand Management (TDM) strategies reduce dependence on the single-occupant vehicle, and increase the ability of the existing transportation system to carry more people. The goal of TDM is to reduce single occupant vehicle trips during peak hours and modify the vehicular demand for travel.

  A reduction in peak hour trips and a decrease in non-attainment pollutants can be achieved through the implementation of TDM strategies. Examples of the strategies include: carpooling, telecommuting, flexible work hours, and electronic commerce that enables people to work and shop from home.

- 7.5.1 Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand. (GP)

  - 7.8.1 Encourage recycling projects by individuals, non-profit organizations, corporations and local businesses, as well as programs sponsored through government agencies. (GP)
  - Chapter 7. Solid Waste 7.3. The City Council adopted a "Source Reduction and Recycling Element" in 1992, describing how Moreno Valley plans to meet the goals mandated by AB939. The element includes strategies to address various components of the solid waste challenge, including the character of the waste stream, source reduction, recycling, composting, special waste (e.g. construction debris, auto bodies, medical waste, tires and appliances), education and public information, disposal facility capacity, funding and integration of the various components.

    Moreno Valley works in concert with the local waste hauling company to meet its waste diversion requirements. Residential customers place recyclable materials at the curb for collection by the waste hauler, Waste Management of the Inland Empire. The waste hauler separates and markets the recyclable materials, including cardboard, paper, tin/metal, aluminum cans, plastics

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and glass. In 2004, fifty-one percent of the solid waste generated in Moreno Valley was diverted from landfills. (GP)

- 7.3.1 Require water conserving landscape and irrigation systems through development review. Minimize the use of lawn within private developments, and within parkway areas. The use of mulch and native and drought tolerant landscaping shall be encouraged. (GP)
- 7.3.2 Encourage the use of reclaimed wastewater, stored rainwater, or other legally acceptable non-potable water supply for irrigation. (GP)
- 7-2 Advocate for natural drainage channels to the Riverside County Flood Control District, in order to assure the maximum recovery of local water, and to protect riparian habitats and wildlife. (GP)
- 7-4 Provide guidelines for preferred planting schemes and specific species to encourage aesthetically pleasing landscape statements that minimize water use. (GP)
- Maintenance of systems for water supply and distribution; wastewater collection, treatment, and disposal; solid waste collection and disposal; and energy distribution which are capable of meeting the present and future needs of all residential, commercial, and industrial customers within the City of Moreno Valley. (GP)
- 7-3 Maintain a close working relationship with EMWD to ensure that EMWD plans for and is aware of opportunities to use reclaimed water in the City. (GP)
- Provide landscaping in automobile parking areas to reduce solar heat and glare. (GP)
- 6.7.6 Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code. (GP)
- 7.5.4 Encourage efficient energy usage in all city public buildings. (GP)
- 7.5.5 Encourage the use of solar power and other renewable energy systems. (GP)
- A dark sky policy
- Chapter 9. 2.10.7 On-site lighting should not cause nuisance levels of light or glare on adjacent properties. (GP)
- Chapter 9. 2.10.8 Lighting should improve the visual identification of structures. Within commercial areas, lighting should also help create a festive atmosphere by outlining buildings and encouraging nighttime use of areas by pedestrians.(GP)

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Resources

- ICLIE - Local Governments for Sustainability (ICLEI) is a membership association of local governments committed to advancing climate protection and sustainable development.
- The Energy Coalition
- Community Energy Partnership
- Southern California Edison
- The Gas Company
- Eastern Municipal Water District
- Energy Star
- WRCOG
- Waste Management
- Moreno Valley Utilities
- Moreno Valley Unified School District
- Val Verde Unified School District

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Final

CITY OF MORENO VALLEY

Greenhouse Gas Analysis

February 2012

Prepared for:

City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552

Prepared by:

formerly PBS&J, an Atkins Company

650 East Hospitality Lane, Suite 450
San Bernardino, California 92408

ATTACHMENT 2

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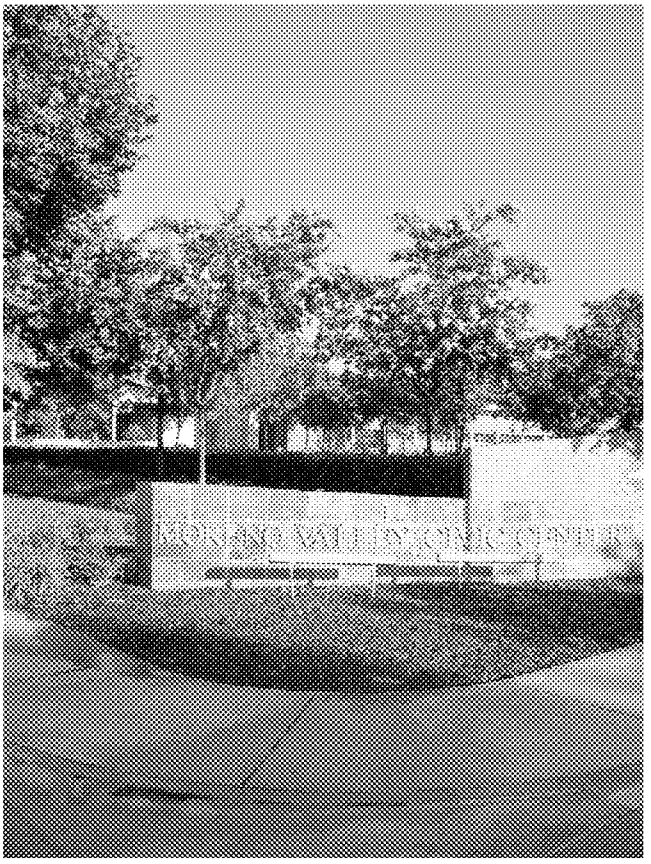

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ACRONYMS

AB 32	Assembly Bill 32, The California Climate Change Solutions Act of 2006
ATMS	Advanced Transportation Management Systems
ADWF	Average Daily Wastewater Flow
BAU	Business-As-Usual scenario
BTU	British thermal unit
CARB	California Air Resources Board
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
Cal EPA	California Environmental Protection Agency
CAS	California Climate Adaption Strategy
CAT	Climate Action Team
CCAT	California Climate Action Team
CCAR	California Climate Action Registry
CCR	California Code of Regulations
CCTP	Climate Change Technology Program
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFC	Chlorofluorocarbons
C_2F_6	Hexafluoroethane
CF_4	Carbon Tetrafluoride
CH_4	Methane
CIWMB	California Integrated Waste Management Board
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon dioxide Equivalent
DPM	Diesel Particulate Matter
EMFAC2007	On-Road Emission Factors published by the CARB in 2007
EMWD	Eastern Metropolitan Water District
GCC	Global Climate Change
GHG	Greenhouse Gas
GWh	Gigawatt Hours
GWP	Global Warming Potential
HFC	Hydrofluorocarbons

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HFC-23	Trifluoromethane
HFC-134	Hydrofluorocarbon 134
HFC-152a	Difluoroethane
IPCC	Intergovernmental Panel on Climate Change
Lbs/year	Pounds per Year
LEED	Leadership in Energy and Environmental Design
MMBTU	Million BTUs
MMT	Million Metric Tons
MMT CO_2e	Million Metric Tons Carbon Dioxide Equivalent
MVU	Moreno Valley Utility
MWD	Metropolitan Water District of Southern California
MWh/year	Megawatt hours per year
MWh	Megawatt hours
N_2O	Nitrous Oxide
O_3	Ozone
OPR	California Office of Planning and Research
PSD	Prevention of Significant Deterioration
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCG	Southern California Gas Company
SIP	State Implementation Plan
SF_6	Sulfur Hexafluoride
SRI	Solar Reflective Index
UNFCCC	United Nations Framework Convention on Climate Change
URBEMIS 2007	Urban Emissions Model, version 9.2 published in June 2007
USEPA	United States Environmental Protection Agency
VMT	Vehicle miles traveled

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EXECUTIVE SUMMARY

The City of Moreno Valley is committed to providing a more livable, equitable, and economically vibrant community through the incorporation of sustainability features and reduction of greenhouse gas (GHG) emissions. By using energy more efficiently, harnessing renewable energy to power our buildings, recycling our waste, conserving water, and enhancing access to sustainable transportation modes, Moreno Valley will keep dollars in our local economy, create new green jobs and improve community quality of life. These efforts toward reducing GHG emissions described in this report must be done in coordination with the City's land use decisions. The foundation of planning land use decisions is found in the General Plan policies and programs.

Through this GHG Analysis, Moreno Valley has established goals and policies that incorporate environmental responsibility into its daily management of residential, commercial and industrial growth, education, energy and water use, air quality, transportation, waste reduction, economic development, and open space and natural habitats to further their commitment.

The first step in completing the Moreno Valley GHG Analysis was to inventory the City's GHG emissions. Moreno Valley's community-wide emissions were calculated for the year 2007 and 2010. Sources of emissions include transportation, electricity and natural gas use, landscaping, water and wastewater pumping and treatment, and treatment and decomposition of solid waste. The 2007 inventory represents conditions prior to the economic recession and will be used to set the target for reducing emissions by the year 2020. The 2010 inventory was calculated using the most recent data available; this inventory serves as a baseline to demonstrate Moreno Valley's progress toward reducing emissions. The City's GHG emissions amounted to 939,639 metric tons (MT) of CO_2e community-wide in 2007 and 920,712 MT CO_2e in 2010.

Following the state's adopted GHG reduction target, Moreno Valley has set a goal to reduce emissions back to 1990 levels by the year 2020. This target was calculated as a 15 percent decrease from 2007 levels. The AB 32 Scoping Plan suggests a 15 percent decrease from existing levels; however, the Scoping Plan was based on 2005 emissions. For Moreno Valley, 2007 was the year closest to 2005 with the best data available. The projected business-as-usual emissions for the year 2020, based on population and housing growth estimates, are 1,298,546 metric tons of CO_2e. In order to reach the reduction target, Moreno Valley must offset this growth in emissions and reduce community-wide emissions to 798,693 metric tons CO_2e by the year 2020.

The City of Moreno Valley has already demonstrated its commitment to sustainability through a variety of programs and policies. These programs include EECBG-funded energy upgrade projects, participation in the Community Energy Partnership, tracking of building energy use through the Energy Star Portfolio Manager, and the Solar Incentive Program for Moreno Valley Utility customers.

Various state policies have enacted programs that will also contribute to reduced GHG emission in Moreno Valley by the year 2020. Some of these policies are: Renewable Portfolio Standard, Pavley Vehicle Emissions Standards, Low Carbon Fuel Standards, and updated Title 24 building standards. By

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supporting the state in the implementation of these measures, Moreno Valley will experience substantial emissions reductions.

In order to reach the reduction target laid out in this GHG Analysis, Moreno Valley needs to implement the additional reduction measures described in this report. These measures encourage energy efficient retrofits, transportation oriented planning, water conservation, and increase recycling and reduced landfill waste. Table ES-1, below, summarizes the community wide emissions for 2007, 2010, 2020 business-as-usual (BAU), and the reduced 2020 inventory with the inclusion of the reduction measures.

Table ES-1 Projected GHG Emissions Comparison

Source Category	Metric tons of CO_2e				% Reduced from BAU
	2007	2010	BAU 2020	Reduced 2020	
Transportation	517,098	513,581	788,267	421,561	46.5
Energy	287,261	277,230	356,192	251,372	29.4
Area Sources	69,390	69,437	84,665	73,046	13.7
Water and Wastewater	21,595	16,831	20,216	14,158	30.0
Solid Waste	44,294	43,633	49,203	38,000	22.8
Total	**939,639**	**920,712**	**1,298,543**	**798,137**	**38.5**
2020 Emission Reduction Target			**798,693**	**798,693**	

Note: Mass emissions of CO_2e shown in the table are rounded to the nearest whole number. Totals shown may not add up due to rounding.

This report sets a baseline for the City's GHG emissions, projects how these emissions will grow, and includes strategies to reduce emissions to a level consistent with California's emissions reduction target. These strategies complement the City's General Plan policies and are consistent with Moreno Valley's vision for a more sustainable community.

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Chapter 1 Introduction

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The City of Moreno Valley is committed to providing a more livable, equitable and economically vibrant community through the reduction of greenhouse gas (GHG) emissions. By using energy more efficiently, harnessing renewable energy to power our buildings, recycling our waste, and enhancing access to sustainable transportation modes, we can keep dollars in our local economy, create new green jobs and improve community quality of life.

This section describes the purpose and goals of this report; describes the relationship of the report to the current City General Plan; provides background information on GHG emissions; and summarizes the regulatory framework surrounding GHG emissions and climate change.

1.1 Purpose

The analysis was completed under the premise that the City and the community it represents are uniquely capable of addressing emissions associated with sources under the City's jurisdiction. The City's emission reduction efforts should coordinate with the state strategies in order to accomplish emission reductions in an efficient and cost effective manner. The City developed this document with the following purposes in mind:

- Create a GHG baseline from which to benchmark GHG reductions;
- Provide a plan that is consistent with and complementary to: the GHG emissions reduction efforts being conducted by the State of California through the Global Warming Solutions Act (AB 32); the Federal Government through the actions of the Environmental Protection Agency; and the global community through the Kyoto Protocol; and
- Guide the development, enhancement, and implementation of actions that reduce GHG emissions.

1.2 Goals

With regards to reducing GHG emissions, the City identified the following achievement goals:

- Provide a list of specific measures that will reduce GHG emissions from community sources and municipal operations.
- Reduce emissions attributable to Moreno Valley to levels at or below 1990 GHG emissions by year 2020 consistent with the target reductions of AB 32.

1.3 Relationship to the City's General Plan

The current Moreno Valley General Plan discusses the City's vision and the realization of this vision the following areas: Community Development; Economic Development; Parks, Recreation, and Open Spaces; Circulation; Safety; Conservation; and Housing. Many of the policies of the General Plan indirectly reduce GHG emissions by conserving energy, promoting the use of alternative transportation,

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and reducing waste sent to landfills. These policies that are related to reducing GHG emissions are summarized in Section 4.1.

1.4 Background

This report achieves the purpose and goals described above by providing: an analysis of GHG emissions and sources attributable to the City of Moreno Valley; estimates on how those emissions are expected to increase to 2020; and recommended policies and actions that can reduce GHG emissions to meet State, Federal and International targets.

The following discussion includes a brief overview regarding the nature of GHG emissions, the climate change impacts anticipated within the City of Moreno Valley, and the international, federal, state, and local regulatory framework designed to address climate change. Additional details about these topics are included in Appendix __ of this document.

1.5 Greenhouse Gases

Parts of the Earth's atmosphere act as an insulating blanket, trapping sufficient solar energy to keep the global average temperature within a suitable range. The 'blanket' is a collection of atmospheric gases called 'greenhouse gases' or GHGs based on the idea that these gases also trap heat like the glass walls of a greenhouse. These gases, mainly water vapor, carbon dioxide, methane, nitrous oxide, ozone, and chlorofluorocarbons (CFCs) all act as effective global insulators, reflecting back to earth infrared radiation. Human activities, such as producing electricity and driving internal combustion vehicles, emit these gases in the atmosphere.

Due to the successful global bans on chlorofluorocarbons (primarily used as refrigerants, aerosol propellants and cleaning solvents), Moreno Valley does not generate significant emissions of these GHGs and therefore, they are not considered any further in this analysis. This also includes other synthesized gases such as HFCs and CF_4 which have been banned and are no longer available on the market. Because of the ban, Moreno Valley will not generate emissions of these GHGs and therefore, they are not considered any further in this analysis.

Another GHG with a high global warming potential is sulfur hexafluoride, which is mainly used as a gaseous dielectric medium in electric switchgear of high voltage electric transmission lines and medical use in retinal detachment surgery and ultrasound imaging. In both uses, sulfur hexafluoride is not released to the atmosphere and therefore, it is not considered further in this analysis.

Because GHGs have variable potencies, a common unit of measurement, the carbon dioxide equivalent (CO_2e) is used to report the combined potency from all of the GHGs. The potency each GHG has in the atmosphere is measured as a combination of the volume of its emissions and its global warming

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potential[1], and is expressed as a function of the potency with respect to the same mass of carbon dioxide. Thus, by multiplying the individual gas by its global warming potential, the emissions of each individual gas can be measured in terms of metric tons of CO_2e (MT CO_2e).

1.6 Regulatory Setting

In an effort to stabilize GHG emissions and reduce impacts associated with climate change, international agreements, as well as federal and State actions were implemented beginning as early as 1988. The international, federal, State, regional, and local government agencies discussed below work jointly, as well as individually, to address GHG emissions through legislation, regulations, planning, policy-making, education, and a variety of programs.

International and Federal

KYOTO PROTOCOL

The United States participated in the United Nations Framework Convention on Climate Change (UNFCCC) signed on March 21, 1994. The Kyoto Protocol is a treaty made under the UNFCCC and was the first international agreement to regulate GHG emissions. It has been estimated that if the commitments outlined in the Kyoto Protocol are met, global GHG emissions could be reduced by an estimated 5 percent from 1990 levels during the first commitment period of 2008–2012 (UNFCCC 1997). It should be noted that although the United States is a signatory to the Kyoto Protocol, Congress has not ratified the Protocol and the United States is not bound by the Protocol's commitments.

In anticipation of providing an updated international treaty for the reduction of GHG emissions, representatives from 170 countries met in Copenhagen in December 2009 to ratify an updated UNFCCC agreement (Copenhagen Accord). The Copenhagen Accord, a voluntary agreement between the United States, China, India, and Brazil, recognizes the need to keep global temperature rise to below 2 ^{0}C and obliges signatories to establish measures to reduce GHG emissions and prepare to help poorer countries in adapting to climate change. The countries met again in Cancun in December 2010 and adopted the Cancun Agreements, which reinforces and builds upon the Copenhagen Accord. The nations agreed to recognize country targets, develop low-carbon development plans and strategies, and report inventories annually. In addition, agreements were made regarding financing for developing countries and technology support and coordination among all nations. The next conference of the parties is scheduled for December 2011 in South Africa.

CLIMATE CHANGE TECHNOLOGY PROGRAM

The United States has opted for a voluntary and incentive-based approach toward emissions reductions in lieu of the Kyoto Protocol's mandatory framework. The Climate Change Technology Program (CCTP) is

[1] The potential of a gas or aerosol to trap heat in the atmosphere.

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a multi-agency research and development coordination effort (led by the Secretaries of Energy and Commerce) that is charged with carrying out the President's National Climate Change Technology Initiative.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

The United States Environmental Protection Agency (USEPA) is responsible for implementing federal policy to address global climate change. The Federal government administers a wide array of public-private partnerships to reduce GHG intensity generated by the United States. These programs focus on energy efficiency, renewable energy, methane and other non-carbon dioxide gases, agricultural practices, and implementation of technologies to achieve GHG reductions. The USEPA implements several voluntary programs that substantially contribute to the reduction of GHG emissions.

In Massachusetts v. Environmental Protection Agency (Docket No. 05–1120), argued November 29, 2006 and decided April 2, 2007, the U.S. Supreme Court held that the USEPA has authority to regulate GHG, and the USEPA's reasons for not regulating this area did not fit the statutory requirements. As such, the U.S. Supreme Court ruled that the USEPA should be required to regulate carbon dioxide and other GHGs as pollutants under Section 202(a)(1) of the federal Clean Air Act (CAA).

EPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufactures of heavy-duty and off-road vehicles and vehicle engines, and requires annual reporting of emissions. The Final Rule was effective December 29, 2009, with data collection to begin on January 1, 2010, and the first annual reports due in September 2011. This rule does not regulate the emission of GHGs—it only requires monitoring and reporting of GHG emissions for those sources above certain thresholds (EPA 2009). EPA adopted a Final Endangerment Finding for the six defined GHGs on December 7, 2009. The Endangerment Finding is required before EPA can regulate GHG emissions under Section 202(a)(1) of the CAA in fulfillment of the U.S. Supreme Court decision.

On May 13, 2010, the USEPA issued a final rule that establishes a common sense approach to addressing GHG emissions from stationary sources under the CAA permitting programs. This final rule sets a threshold of 75,000 tons per year for GHG emissions. New and existing industrial facilities that meet or exceed that threshold will require a permit under the New Source Review Prevention of Significant Deterioration (PSD) and title V Operating Permit programs. This rule took effect on January 2, 2011.

State

CALIFORNIA AIR RESOURCES BOARD

The California Air Resources Board, a part of the California EPA (CalEPA) is responsible for the coordination and administration of both federal and state air pollution control programs within

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California. In this capacity, CARB conducts research, sets state ambient air quality standards (California Ambient Air Quality Standards (CAAQS)), compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions. CARB has primary responsibility for the development of California's State Implementation Plan (SIP), for which it works closely with the federal government and the local air districts.

EXECUTIVE ORDER S-3-05

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following GHG emission reduction targets:

- By 2010, California shall reduce GHG emissions to 2000 levels;
- By 2020, California shall reduce GHG emissions to 1990 levels; and
- By 2050, California shall reduce GHG emissions to 80 percent below 1990 levels.

The first California Climate Action Team (CCAT) Report to the Governor in 2006 contained recommendations and strategies to help meet the targets in Executive Order S-3-05. In April 2010, the Draft California Action Team (CAT) Biennial Report expanded on the policy oriented 2006 assessment. The new information detailed in the CAT Assessment Report includes development of revised climate and sea-level projections using new information and tools that have become available in the last two years; and an evaluation of climate change within the context of broader social changes, such as land-use changes and demographic shifts [2]. The action items in the report focus on the preparation of the Climate Change Adaptation Strategy, required by Executive Order S-13-08, described below.

ASSEMBLY BILL 1493, CLEAN CAR STANDARDS

AB 1493 (also known as the Pavley Bill, in reference to its author Fran Pavley) was enacted in 2002 and requires the "maximum feasible and cost effective reduction" of GHGs from automobiles and light-duty trucks. Subsequently, in 2004, CARB approved the "Pavley I" regulations limiting the amount of GHGs that may be released from new passenger automobiles beginning with model year 2009 through 2016; these regulations would reduce emissions by 30% from 2002 levels by 2016. The second set of regulations ("Pavley II") is currently in development and will cover model years 2017 through 2025 in order to reduce emissions by 45% by the year 2020. The automotive industry legally challenged the bill claiming that the federal gas mileage standards preempted these state regulations. In 2005, California filed a waiver request to the U.S. EPA in order to implement the GHG standards and in March of 2008, the U.S. EPA denied the request. However, in June 2009, the decision was reversed and the U.S. EPA

[2] California Environmental Protection Agency, Climate Action Team Report to Governor Schwarzenegger and the Legislature, March 2006.

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granted California the authority to implement the GHG reduction standards for passenger cars, pickup trucks, and sport utility vehicles.

In September 2009, CARB adopted amendments to the "Pavley I" regulations that cemented California's enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility. The amendments also allowed California to coordinate its rules with the federal rules for passenger vehicles.

ASSEMBLY BILL 32, THE CALIFORNIA GLOBAL WARMING SOLUTIONS ACT OF 2006

In 2006, the California State Legislature adopted AB 32, the California *Global Warming Solutions Act of 2006*. AB 32 focuses on reducing GHG in California. GHGs as defined under AB 32 include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 required CARB to adopt rules and regulations that would achieve GHG emissions equivalent to 1990 statewide levels by 2020. On or before June 30, 2007, CARB was required to publish a list of discrete early action GHG emission reduction measures that would be implemented by 2010. The law further required that such measures achieve the maximum technologically feasible and cost effective reductions in GHGs from sources or categories of sources to achieve the statewide GHG emissions limit for 2020.

CARB published its final report for Proposed Early Actions to Mitigate Climate Change in California in October 2007. This report described recommendations for discrete early action measures to reduce GHG emissions. The measures included are part of California's strategy for achieving GHG reductions under AB 32. Three new regulations are proposed to meet the definition of "discrete early action GHG reduction measures," which include the following: a low carbon fuel standard; reduction of HFC-134a emissions from non-professional servicing of motor vehicle air conditioning systems; and improved landfill methane capture[3]. CARB estimates that by 2020, the reductions from those three measures would be approximately 13-26 million metric tons (MMT) CO_2e.

Under AB 32, CARB has the primary responsibility for reducing GHG emissions. CARB has published a staff report titled California 1990 GHG Emissions Level and 2020 Emissions Limit[4] that determined the statewide levels of GHG emissions in 1990 to be 427 million MT CO_2e. Additionally, in December 2008, CARB adopted the Climate Change Scoping Plan, which outlines the state's strategy to achieve the 2020 GHG limit. This Scoping Plan proposes a comprehensive set of actions designed to reduce overall GHG emissions in California, improve the environment, reduce dependence on oil, diversify energy sources, save energy, create new jobs, and enhance public health. The plan emphasizes a cap-and-trade program, but also includes the discrete early actions.

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[3] California EPA- California Air Resources Board, Proposed Early Actions to Mitigate Climate Change in California, October 2007.

[4] California EPA- California Air Resources Board, California 1990 GHG Emissions Level and 2020 Emissions Limit, November 2007.

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SENATE BILL 97 (SB 97)

SB 97, enacted in 2007, amends the CEQA statute to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. It directed the California Office of Planning and Research (OPR) to develop draft CEQA Guidelines "for the mitigation of GHG emissions or the effects of GHG emissions" and directed the Resources Agency to certify and adopt the State CEQA Guidelines.

On April 13, 2009, OPR submitted the proposed amendments to the Secretary for Natural Resources. The Natural Resources Agency conducted formal rulemaking in 2009, certified, and adopted the amendments in December 2009. The California Office of Administrative Law codified into law the amendments in March 2010. The amendments became effective in June 2010 and provide regulatory guidance with respect to the analysis and mitigation of the potential effects of GHG emissions.

CEQA Guidelines § 15183.5, Tiering and Streamlining the Analysis of GHG Emissions, was added as part of the CEQA Guideline amendments and describes the criteria needed in a Climate Action Plan that would allow for the tiering and streamlining of CEQA analysis for subsequent development projects. The following quote is from the CEQA Guideline amendments:

"§15183.5. Tiering and Streamlining the Analysis of Greenhouse Gas Emissions.

(a) Lead agencies may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level, such as in a general plan, a long range development plan, or a separate plan to reduce greenhouse gas emissions. Later project-specific environmental documents may tier from and/or incorporate by reference that existing programmatic review. Project-specific environmental documents may rely on an EIR containing a programmatic analysis of greenhouse gas emissions as provided in section 15152 (tiering), 15167 (staged EIRs) 15168 (program EIRs), 15175-15179.5 (Master EIRs), 15182 (EIRs Prepared for Specific Plans), and 15183 (EIRs Prepared for General Plans, Community Plans, or Zoning).

(b) Plans for the Reduction of Greenhouse Gas Emissions. Public agencies may choose to analyze and mitigate significant greenhouse gas emissions in a plan for the reduction of greenhouse gas emissions or similar document. A plan to reduce greenhouse gas emissions may be used in a cumulative impacts analysis as set forth below. Pursuant to sections 15064(h)(3) and 15130(d), a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances.

(1) Plan Elements. A plan for the reduction of greenhouse gas emissions should:

(A) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;

(B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;

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(C) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;

(D) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;

(E) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;

(F) Be adopted in a public process following environmental review.

(2) Use with Later Activities. A plan for the reduction of greenhouse gas emissions, once adopted following certification of an EIR or adoption of an environmental document, may be used in the cumulative impacts analysis of later projects. An environmental document that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project. If there is substantial evidence that the effects of a particular project may be cumulatively considerable notwithstanding the project's compliance with the specified requirements in the plan for the reduction of greenhouse gas emissions, an EIR must be prepared for the project."

EXECUTIVE ORDER S-13-08

On November 14, 2008, Governor Schwarzenegger issued Executive Order S-13-08, the Climate Adaptation and Sea Level Rise Planning Directive, which provides clear direction for how the State should plan for future climate impacts. Executive Order S-13-08 calls for the implementation of four key actions to reduce the vulnerability of California to climate change:

- Initiate California's first statewide Climate Change Adaptation Strategy (CAS) that will assess the State's expected climate change impacts, identify where California is most vulnerable, and recommend climate adaptation policies;
- Request that the National Academy of Sciences establish an expert panel to report on sea level rise impacts in California in order to inform State planning and development efforts;
- Issue interim guidance to State agencies for how to plan for sea level rise in designated coastal and floodplain areas for new and existing projects; and
- Initiate studies on critical infrastructure and land-use policies vulnerable to sea level rise.

The 2009 CAS report summarizes the best known science on climate change impacts in the state to assess vulnerability, and outlines possible solutions that can be implemented within and across state

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agencies to promote resiliency. This is the first step in an ongoing, evolving process to reduce California's vulnerability to climate impacts[5].

CALIFORNIA CODE OF REGULATIONS (CCR) TITLE 24, PART 6

CCR Title 24, Part 6: *California's Energy Efficiency Standards for Residential and Nonresidential Buildings* (Title 24) were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Although it was not originally intended to reduce GHG emissions, electricity production by fossil fuels results in GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions.

The Energy Commission adopted 2008 Standards on April 23, 2008 and the Building Standards Commission approved them for publication on September 11, 2008. These updates became effective on August 1, 2009. The Energy Commission adopted the 2008 changes to the Building Energy Efficiency Standards for several reasons:

- To provide California with an adequate, reasonably priced, and environmentally sound supply of energy;
- To respond to AB 32, the Global Warming Solutions Act of 2006, which mandates that California must reduce its GHG emissions to 1990 levels by 2020;
- To pursue California energy policy, which states that energy efficiency is the resource of first choice for meeting California's energy needs;
- To act on the findings of California's Integrated Energy Policy Report (IEPR) that concludes that the Standards are the most cost effective means to achieve energy efficiency, expects the Building Energy Efficiency Standards to continue to be upgraded over time to reduce electricity and peak demand, and recognizes the role of the Standards in reducing energy related to meeting California's water needs and in reducing GHG emissions;
- To meet the West Coast Governors' Global Warming Initiative commitment to include aggressive energy efficiency measures into updates of state building codes; and
- To meet the Executive Order in the Green Building Initiative to improve the energy efficiency of nonresidential buildings through aggressive standards.

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[5] California Natural Resources Agency, 2009 California Climate Adaption Strategy- A Report to the Governor in Response to Executive Order S-13-2008, WWW.Climatechange.Ca.Gov/Adaptation, September 2009

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SENATE BILL 375

Senate Bill 375 (SB 375), which establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions, was adopted by the State on September 30, 2008. On September 23, 2010, CARB adopted the vehicular GHG emissions reduction targets that had been developed in consultation with the metropolitan planning organizations (MPOs); the targets require a 7 to 8 percent reduction by 2020 and between 13 to 16 percent reduction by 2035 for each MPO. SB 375 recognizes the importance of achieving significant GHG reductions by working with cities and counties to change land use patterns and improve transportation alternatives. Through the SB 375 process, MPOs will work with local jurisdictions in the development of sustainable communities strategies (SCS) designed to integrate development patterns and the transportation network in a way that reduces GHG emissions while meeting housing needs and other regional planning objectives. MPOs will prepare their first SCS according to their respective regional transportation plan (RTP) update schedule; to date, no region has adopted an SCS. The first of the RTP updates with SCS strategies are expected in 2012.

The Southern California Association of Governments (SCAG) is the MPO serving the area including Moreno Valley. SCAG is currently in the process of developing the 2012 RTP and SCS for their jurisdiction aimed at attaining the reduction targets of an 8% per capita reduction in GHG emissions from passenger vehicles by the year 2020 and a 13% reduction by 2035. SCAG is currently developing the SCS and expecting to adopt the SCS, RTP, and the associated programmatic EIR in April 2012. Many of the transportation-related reduction measures included in this analysis will coordinate with efforts in SCAG's SCS.

CALIFORNIA GREEN BUILDING CODE 2010

The California Green Building Standards Code referred to as CALGreen went into effect on January 1, 2011. The code sets new mandatory measures with sensible minimum standards for all new structures in the State. Each local jurisdiction can additionally exceed the new standards by adopting CALGreen voluntary measures as mandatory in their jurisdiction. The measures aim to reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

CALGreen has approximately 52 nonresidential mandatory measures and an additional 130 provisions that have been placed in the appendix for optional use. Some key mandatory measures for commercial occupancies include specified parking for clean air vehicles, a 20% reduction of potable water use within buildings, a 50% construction waste diversion from landfills, use of building finish materials that emit low levels of volatile organic compounds (VOCs), and commissioning for new, nonresidential buildings over 10,000 square feet. For residential buildings, some key measures include a 20% reduction in water use, required irrigation controllers for outdoor water use, 50% construction waste diversion from landfills, and required use of low-VOC paints and building materials (CBSC 2010).

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Regional

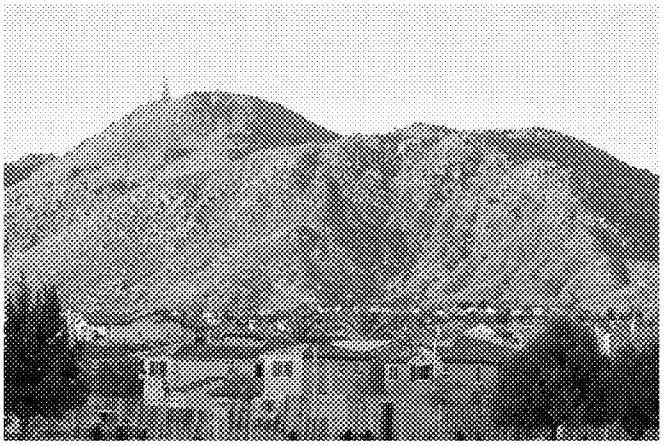

The City of Moreno Valley is located in the South Coast Air Basin, and the South Coast Air Quality Management District (SCAQMD) is the agency principally responsible for comprehensive air pollution control in the Basin. In order to provide GHG emission guidance to the local jurisdictions within the South Coast Air Basin, the SCAQMD has organized a Working Group to develop GHG emission analysis guidance and thresholds.

SCAQMD released a draft guidance document regarding interim CEQA GHG significance thresholds in October 2008, and issued revised interim CEQA GHG significance threshold in January 2009. On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal for an interim GHG significance threshold for projects where the SCAQMD is lead agency. SCAQMD proposed a tiered approach, whereby the level of detail and refinement needed to determine significance increases with a project's total GHG emissions. The tiered approach defines projects that are exempt under CEQA and projects that are within a GHG Reduction Plan as less than significant.

SCAQMD has also begun work on an energy policy that integrates criteria and toxic air contaminants, GHGs, and energy issues to ensure clean air and a healthy economy. The policy includes energy facts and statistics related to the South Coast region, policies for the SCAQMD staff to promote zero emissions and clean energy, and actions for staff to take to develop plans to reduce energy use and air emissions and participate in state regulatory proceedings. The draft policy will be presented to the board on July 8, 2011. (SCAQMD 2011)

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Chapter 2 Methodology

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2.1 Overview

GHG inventories include all major sources of emissions attributable directly or indirectly to the City's municipal operations or activities within the community the City serves. GHG inventories are divided into two broad categories, Municipal GHG inventories and Community-wide GHG inventories. Municipal GHG Inventories are emissions resulting from City municipal operations. Community-wide GHG inventories are a broader measure of emissions associated with both the activities within the community the City serves and the municipal operations. As such, the Municipal GHG inventory is a subset of the larger Community-wide GHG inventory. The methodology for preparing GHG inventories incorporates the protocols, methods, and emission factors found in the California Climate Action Registry (CCAR) *General Reporting Protocol* (version 3.1, January 2009), the *Local Government Operations Protocol* (LGOP) (version 1.1, May 2010), and the *Draft Community-wide GHG Emissions Protocol* under development by the Association of Environmental Professionals (AEP) and the International Council for Local Environmental Initiatives (ICLEI). The LGOP provides the guidance and protocols in the development of the Municipal GHG inventory. Currently, there is not an adopted protocol for the development of Community-wide GHG inventories. However, the AEP/ICLEI Draft Community-wide GHG Emissions Protocols provide draft guidance in the development of the Community-wide inventory.

The LGOP and the draft AEP/ICLEI Draft Community-wide GHG Emissions Protocols categorize GHG emissions into three distinct "scopes" as a way of organizing GHG emissions, as follows:

- **Scope 1 Emissions** – All "direct" sources of community-wide GHG emissions from sources within the jurisdictional boundaries of the City. This includes fuel burned onsite in buildings and equipment such as natural gas or diesel fuel; transportation fuels burned in motor vehicles; and wood-burning emissions from household hearths. For inventories of only municipal operations, these emissions are limited to activities under the operational control of the local government.

- **Scope 2 Emissions** – Encompasses "indirect" sources of GHG emissions resulting from the consumption of purchased electricity, which is electricity used by the residents, businesses, and City's facilities. An "indirect" source is one where the action that generates GHGs is separated from where the GHGs are actually emitted. For example, when a building uses electricity, it necessitates the burning of fossil fuels, such as coal or natural gas (and resultant release of GHGs) to generate electricity by a utility facility located elsewhere. Thus they are distinguished from *direct* emissions (i.e., Scope 1 emissions) from electricity production, which are reported by the utility itself, in order to avoid double counting.

- **Scope 3 Emissions** is an optional reporting category that encompasses all other "indirect emissions" that are a consequence of activities of the City's residents and businesses, but occur from sources out of the jurisdictional control of the local government. The key to this category of emissions is that they must be "indirect or embodied emissions over which the local government exerts significant control or influence." (CCAR 2010) For example, when

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considering GHG emissions from trucks hauling waste under a City contract, the City does not own the waste hauling trucks, but does have significant control over how many pickups the trucks make.

Scope 1 emissions are characterized in this report as "direct emissions" While Scope 2 emissions are characterized as "indirect source emissions."

The analysis herein is tailored to include all existing and projected emission sources within the City to provide, to the fullest extent feasible, a comprehensive analysis of GHG impacts. The Global Warming Solutions Act of 2006 (AB 32) established a comprehensive program of regulatory and market mechanisms to achieve real, quantifiable, cost-effective reductions of GHG emissions. The law mandates the reduction of GHG emissions in California to 1990 levels by 2020.

2.2 Calculation of GHGs

This report establishes 2010 as the year on which to base the existing inventory; this is the most recent year for which reliable data concerning the City's residential, commercial, and government operations are available. This inventory provides a framework on which to design programs and actions that specifically target reductions by emissions sources. Programs and actions already in place within the City are described in Section 4. The 2010 inventory serves as a reference against which to measure the City's progress towards reducing GHG emissions since 2007 and into the future, and also serves as documentation for potential emission trading opportunities.

The methodology used for the calculation GHG emissions differs depending on the emission source, as described below. The emissions calculations follow the CCAR General Reporting Protocol, version 3.1; LGOP, version 1.1; and CARB's Mandatory GHG Reporting Regulations (Title 17, California Code of Regulations, Sections 95100 et seq.). These protocols are consistent with the methodology and emission factors endorsed by CARB and USEPA. In cases where these protocols do not contain specific source emission factors, current industry standards or the USEPA's AP 42 Compilation of Air Pollution Emission Factors were used.

In estimating Moreno Valley's total GHG emissions, data sources from the City, regional, and state agencies were used. Southern California Edison (SCE) and Southern California Gas Company (SCG) provided both municipal and community wide electricity and natural gas data, respectively. Solid waste data was taken from the California Integrated Waste Management Board's (CIWMB) database. Transportation emissions were calculated based on vehicle miles traveled (VMT) modeled by the City's traffic engineer using the TRANSIMS traffic model. Total water use in the City was provided by EMWD. The data used in the calculations for each inventory are summarized in Chapter 3. All of the contributors to GHG emissions (kilowatt-hours of electricity generated by fossil fuel combustion in power plants, natural gas in therms, vehicle travel in VMT, and solid waste in tons) are expressed in the common unit of MT of CO_2e released into the atmosphere in a given year.

In addition, the costs associated with the GHG emissions were calculated for each sector (based on availability of data). The costs were based on the consumer fees for each fuel type included in the

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inventory. By including the costs, the City can assess where consumers are spending the most money and utilize the information in making decisions on reduction measures.

Coefficients, modeling inputs, and other assumptions, used in the calculations of GHGs are included in Appendix __ of this report.

GHG emissions are typically segregated into direct and indirect sources as discussed previously. However, direct and indirect sources are not completely independent of each other and are often combined into other more encompassing categories. For example, although natural gas combustion is a direct source and electricity generation is an indirect source, they both are typically discussed under a heading of "Energy" when policies are put in place to reduce emissions. Therefore, this report discusses emissions with respect to the general source categories of Transportation, Energy, Area Source, Water, Wastewater, and Solid Waste.

Transportation

ON-ROAD VEHICLES

Carbon dioxide emissions from vehicles were calculated utilizing EMFAC2007 emission factors for the existing and 2020 inventories. The Emission Factors (EMFAC) model was developed by CARB and used to calculate emission rates from on-road motor vehicles from light-duty passenger vehicles to heavy-duty trucks that operate on highways, freeways, and local roads in California. Motor vehicle emissions of CH_4, and N_2O were also calculated using USEPA emission factors for on-road vehicles based on the total annual mileage driven multiplied by their respective emission factors by year.

Vehicle miles traveled (VMT) and total number of trips were determined by the City's Transportation Analysis and Simulation System (TRANSIMS) model. TRANSIMS is a transportation model developed by the Federal Highway Administration (FHWA) and tracks individual vehicles second-by-second through the road network. This model is based on the Riverside County Traffic Analysis Model (RivTAM) and the SCAG Regional Transportation Model. TRANSIMS estimates 2007 VMT for all trips that begin and/or end within the City limits. This accounts for traffic entering or exiting Moreno Valley and traffic within the City, but excludes pass-through traffic. Moreno Valley's VMT includes miles from all trips within Moreno Valley and half of the miles from trips that begin or end in Moreno Valley; Moreno Valley is held accountable for all trips within the city limits while the City shares accountability with other jurisdictions for trips that have only one end point in Moreno Valley.

The estimates do not account for electrical, biodiesel (a blend of diesel and vegetable oil), or hydrogen powered systems. Any electrically powered vehicle which draws power from a residence, commercial or industrial land use will be accounted for in the electrical usage for the City. Predicted 2020 (business as usual) BAU vehicle trips were estimated by using predicted land use changes and growth. Costs associated with transportation were based on the diesel and gasoline fuel use and their associated per gallon costs in 2007.

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Energy

ELECTRICITY

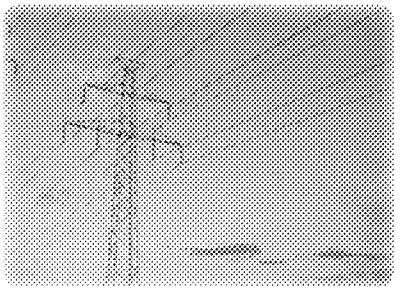

The City emits carbon dioxide, methane, and nitrous oxide indirectly through the use of electricity provided by Southern California Edison (SCE); SCE provided annual energy usage for 2007. 2020 BAU electricity use was estimated based on anticipated growth in the residential and commercial/industrial areas.

SCE provides electricity from a variety of sources including natural gas, nuclear energy, and large hydroelectric systems. Each of these sources of electricity emits different levels of GHGs. The annual usage in megawatt hours per year (MWh/year) was multiplied by the emission factors appropriate to the inventory year for carbon dioxide, methane, and nitrous oxide to determine emissions from these sources.

Costs of electricity calculations were based on the annual kWh use and price per kWh for each rate class. Electricity rates fluctuate throughout the year, so average values were used.

NATURAL GAS COMBUSTION

The City emits GHGs from the combustion of natural gas. The annual natural gas usage for the City in thousand cubic feet (Mcf) was converted to million British Thermal Units (MMBTUs) and multiplied by the respective emissions factors for carbon dioxide, methane, and nitrous oxide to determine the emissions from natural gas combustion, typically used for heating. Natural gas usage for 2007 was obtained from The Southern California Gas Company. Anticipated 2020 natural gas data was based on per unit usage in 2007 and the anticipated unit growth by 2020. The costs associated with natural gas use were calculated using California 2007 average rates obtained from the U.S. Energy Information Administration (EIA). The rates align with the use breakdowns of residential, industrial, and commercial use.

Area Source

LANDSCAPING

Emissions of carbon dioxide, methane, and nitrous oxide are generated by the use of landscape equipment through the combustion of gasoline. Carbon dioxide emissions were determined directly through URBEMIS2007 for the existing and 2020 inventories. URBEMIS2007 is a computer software package that is used for modeling projected emissions of air quality pollutants including carbon dioxide. From the carbon dioxide emissions, the approximate number of gallons of gasoline consumed through landscape equipment use was calculated. This number was then multiplied by emission factors presented in the General Reporting Protocol, version 3.1 to determine both methane and nitrous oxide emissions.

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WOOD BURNING

Direct carbon dioxide emissions are produced from the burning of wood in wood stoves, fireplaces, and natural gas fired stoves. The emissions from natural gas fired stoves are included in the Energy source category. Carbon dioxide, methane, and nitrous oxide emissions from wood stoves and fireplaces are calculated based on the percentage of residential units using each type of hearth and the estimated annual amount of wood burned. The emission coefficients used are taken from the USEPA's AP-42 document. Cost estimates were made for wood burning using the average cost of wood.

Water

POTABLE WATER

Electricity is needed to move and treat water. Moreno Valley residents and businesses currently use approximately 9 billion gallons of potable water. The water for Moreno Valley is provided by the Eastern Municipal Water District (EMWD) and Box Springs Mutual Water Company. A portion of EMWD's water comes from local sources while the remaining water is from the Colorado River and the State Project water originating in Northern California, which is delivered to Southern California via the California aqueduct. Box Springs' water comes primarily from local sources; however, the company does purchase a small amount of water from Western Municipal Water District (WMWD). WMWD water comes from similar sources as those described for EMWD. The emissions associated with the energy used to pump the local water are included in the Electricity section described above. There are additional emissions associated with this purchased water from the Colorado River and the State Water Project due to the electricity used to transport the water over a long distance. Costs associated with water were based on the average rates for residential, commercial, and industrial customers.

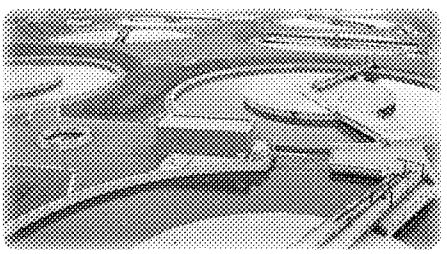

WASTEWATER TREATMENT

EMWD is also the main provider of wastewater and sewer treatment for the City of Moreno Valley. Wastewater-related GHG emissions arise from the electricity used to pump and treat the water, the transportation fuel used to truck the biosolids to an off-site disposal area, and the direct methane emissions from the anaerobic digesters used in the treatment process. The electricity and transportation emissions are included in their respective categories. This category of emissions only represents the direct methane emissions.

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Waste Management

SOLID WASTE

Emissions from solid waste are determined as the sum of emissions generated by transportation from its source to the landfill, the equipment used in its disposal at the landfill, fugitive emissions from decomposition in landfills, and the anthropogenic carbon sink generated by the incomplete decomposition of materials in the landfill.

Emissions from the transportation of solid waste is determined based on the annual lbs/year (pounds per year) of total waste disposed in landfills including biosolids waste from wastewater treatment plants, the density of the waste, the capacity of the hauling trucks, the average number of miles traveled by each truck; and the carbon dioxide, methane, and nitrous oxide emissions generated per mile traveled.

Landfill equipment emissions are only included in the inventory if the landfill is under the direct control of the City or County of interest. As the Badlands landfill used for the disposal of waste for Moreno Valley, is not under the City's direct control, emissions from onsite equipment are not included in this inventory.

Fugitive emissions of methane from the decomposition of solid waste are calculated based on the annual waste generation multiplied by the USEPA emission factor for waste production for methane. The emission factor to determine methane generation varies if the landfill operations are known to operate a methane flare or to generate electricity from methane capture. Carbon dioxide generated by decomposition of waste in landfills is not considered anthropogenic because it would be produced through the natural decomposition process regardless of its disposition in the landfill. Nitrous oxide is not a by-product of decomposition and therefore no fugitive emissions of nitrous oxide are anticipated from this source.

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Chapter 3 Greenhouse Gas Emissions Inventory

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The following sections include Moreno Valley's 2010 municipal operations and community-wide emissions inventories. The municipal operations inventory includes sources and quantities of GHG emissions from government owned or rented buildings, facilities, vehicles, and equipment. The community-wide emissions inventory identifies and categorizes the major sources and quantities of GHG emissions being produced by residents, businesses, and municipal operations taking place in the City of Moreno Valley using the best available data. By having the municipal emissions separated from the community as a whole, the local government can implement reduction strategies where it has direct control, closely monitor the changes in emissions over time, and set an example for the rest of the City.

3.1 2010 Municipal Emissions Inventory

Data Inputs

Data for the municipal inventory was gathered from various City departments. Table 3-1, below, summarizes the data inputs and sources for each of the emission categories included in the inventory.

Table 3-1 2010 Municipal Data Inputs

Category	Data Input	Data Source
Electricity (kWh)	9,937,015 3,847,738	SCE MVU
Natural Gas (therms)	90,651	SCG
Vehicle Fleet *Gasoline(gallons)* *Diesel (gallons)*	 77,325 28,544	Fleet Manager Special Districts
Equipment *Gasoline(gallons)* *Diesel (gallons)*	 2,118 2,208	Parks Division Special Districts
Employee Commute (responses)	141	Employee Survey

With the exception of the employee commute data, each data input was then multiplied by the associated emission factor to calculate the emissions inventory. The data from the employee commute survey was used to estimate total miles traveled, fuel used, and associated GHG emissions for all City employees' commutes. Additionally, where possible, the emissions were categorized by City Department.

Emissions Summary

The City of Moreno Valley emitted 14,529 MT CO_2e through its municipal operations in 2010. The emissions were calculated based on the vehicle and equipment fleet fuel use, energy accounts, waste management, and a survey of the City's employee commutes. The largest portion of the City's 2010 government emissions were from the City's vehicle fleet (57 percent), followed by emissions from electricity (20 percent). Table 3-2 summarizes the City's net 2010 emissions of CO_2e as broken down by

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emissions category. Figure 3-1 is a graphical representation of Table 3-2. A detailed breakdown of 2010 emissions by category is available in Appendix __.

Table 3-2 2010 Total Municipal Emissions

Category	Metric tons of CO_2e
Vehicle Fleet	7,988
Electricity	2,898
Natural Gas	1,712
Employee Commute	1,538
Equipment	41
Total	**14,529**

Figure 3-1 2010 Municipal Emissions by Source (metric tons CO_2e)

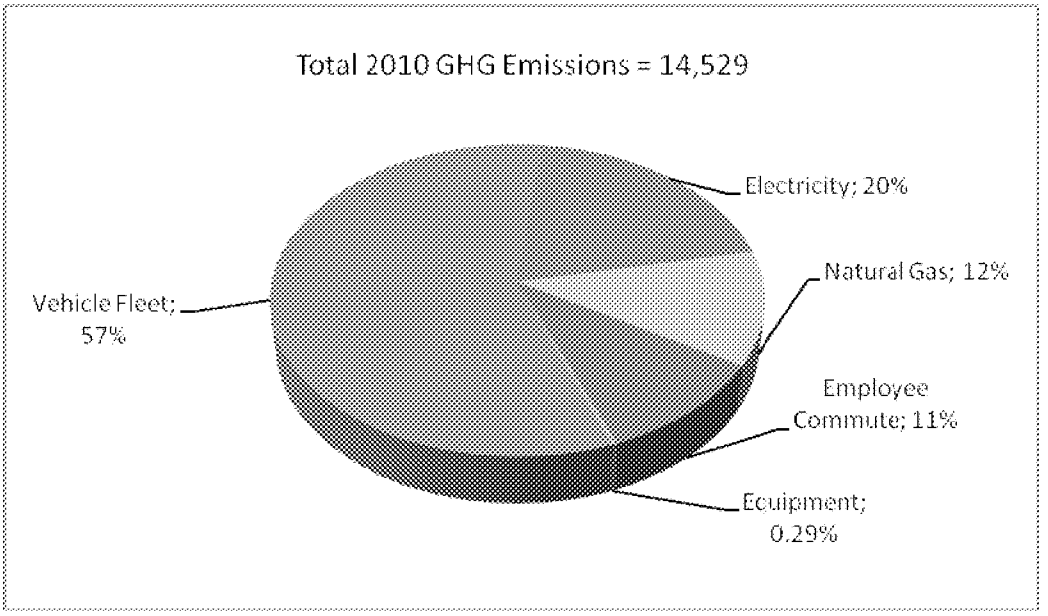

2010 MUNICIPAL DEPARTMENT EMISSIONS AND COSTS

For the municipal inventory it is helpful to see which departments are generating the most emissions. This helps to pinpoint where emissions are coming from and where the focus should be placed for targeting emissions reductions. Table 3-3 and Figure 3-2, below, summarize the electricity, natural gas, and employee commute emissions by department. Vehicle fleet fuel use was not available for each individual department, so those emissions are not included in Table 3-3.

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Table 3-3 2010 Municipal Emissions and Costs by Department

Category	Metric Tons of CO_2e	Cost ($)
Public Works [a]	8,521	$ 561,979
Public Lighting	1,550	$ 1,753,647
Community/Special Districts	1,490	$ 343,743
Public Safety	1,201	$ 210,268
Administration	1,128	$ 310,242
Fire	394	$ 87,132
Parks	214	$ 123,755
MVU [b]	31	$ 27,236
Total	**14,529**	**$ 3,418,004**

Note: Emission sources include electricity, natural gas, and fuel use in vehicle fleet, equipment, and employee commute.

[a] Public Works category includes all vehicle fleet emissions with the exception of park-owned vehicles.

[b] MVU category only represents emissions from indirect electricity use by MVU facilities. See the community-wide inventory for all indirect emissions from MVU electricity used throughout the City of Moreno Valley.

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Figure 3-2 2010 Comparison of Municipal Emissions Generated by Department (MT CO_2e)

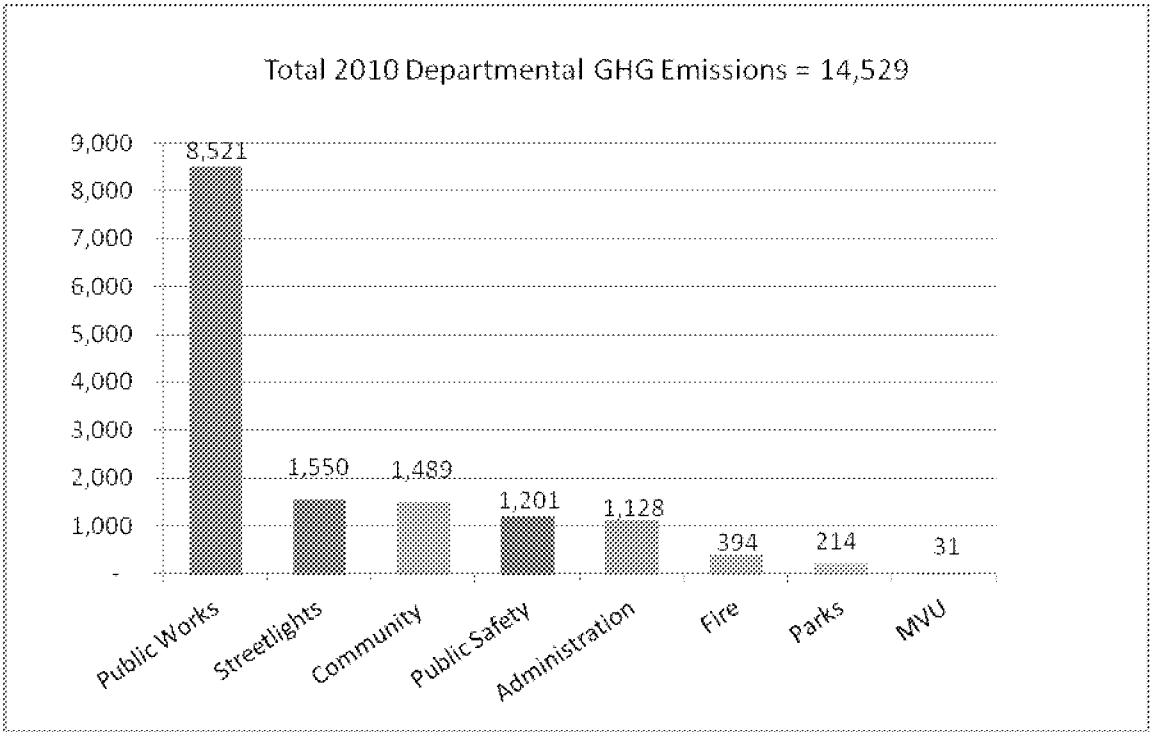

2010 MUNICIPAL COST ESTIMATES

The costs associated with the inventory represent the municipal energy and fuel use costs. These cost estimates give the City a perspective on where the City is spending the most money and help to prioritize reduction measures toward the sectors that have the potential to both reduce emissions and costs. Electricity was the largest source of emissions and cost in 2010, while the employees' commutes followed in emissions and cost. Table 3-4, below, summarizes the cost estimates for 2010.

Table 3-4 Estimated Municipal Energy Costs

Category	Cost
Electricity	$2,634,674
Vehicle Fleet	$ 383,909
Employee Commute	$ 303,339
Natural Gas	$ 79,968
Equipment	$ 16,113
Total	$ 3,418,004

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3.2 2010 Community-Wide Emissions Inventory

The community-wide inventory represents all emissions from sources located with the jurisdictional boundaries of the City of Moreno Valley. Therefore, the municipal emissions described in the previous section are a subset of the community-wide inventories presented here. In 2010, the City of Moreno Valley emitted a total of 920,657 MT CO_2e from the community as a whole. The following sections describe the data inputs, emissions by source, and emissions by land use in 2010.

Data Inputs

Data for the community-wide inventory was gathered from various City departments, SCE, SCG, and EMWD. Table 3-5, below, summarizes the data inputs and sources for each of the emission categories included in the inventory.

Table 3-5 2010 Community-Wide Data Inputs

Category	Data Input	Data Source
Electricity (kWh)	633,215,207 62,138,000	SCE MVU
Natural Gas (therms)	26,266,326	SCG
Transportation		
Annual Vehicle Miles Traveled	1,077,909,543	City Traffic Engineer
Annual Trips	110,098,975	
Area Source (based on land use)		
SFR (units)	42,642	
MFR (units)	9,387	City Planning
Commercial (ksf)	8,325	
Industrial (ksf)	12,695	
Solid Waste (tons)	144,824	CIWMB
Water (AF)	26,183 87	EMWD Box Springs Mutual

Each data input was then multiplied by the associated emission factor to calculate the emissions associated with each source.

Emissions by Source

Table 3-6 includes the total amount of community-wide GHG emissions for the City of Moreno Valley in 2010 by emission source category. The City of Moreno Valley as a whole emitted 920,657 MT CO_2e in 2010. The largest portion of the City's 2010 emissions were from transportation (56 percent), followed by emissions from electricity and natural gas use in buildings (30 percent). Figure 3-3 provides a comparison of GHG emissions by source category.

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Table 3-6 2010 Community-Wide GHG Emissions by Source

Category	Metric tons of CO_2e
Transportation	513,581
Energy	277,230
Area Sources	69,437
Solid Waste	43,633
Water and Wastewater	16,831
Total	**920,712**

Figure 3-3 2010 Emissions Generated by Source

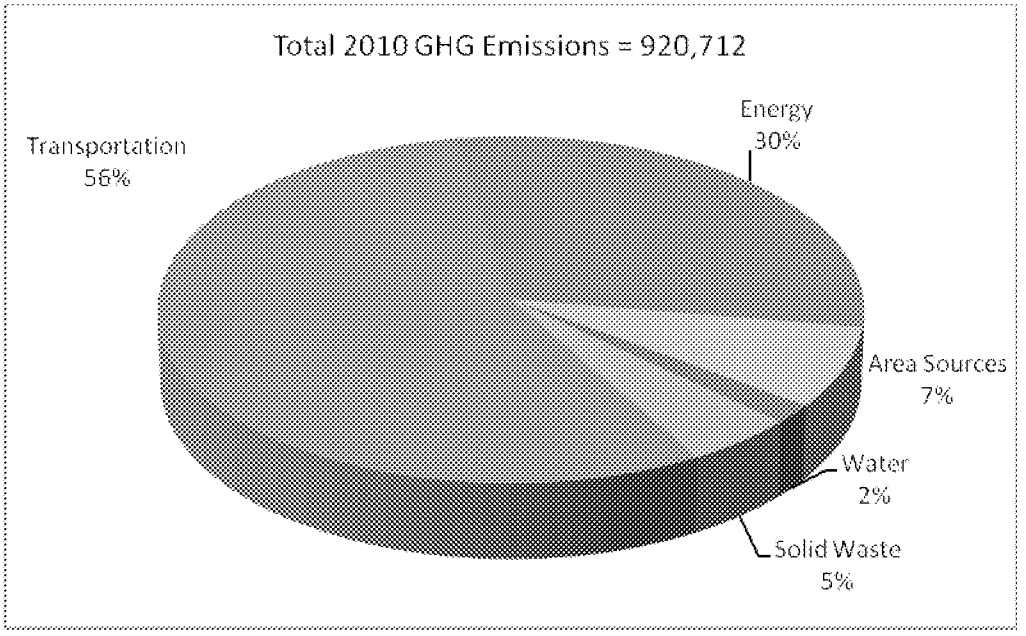

Emissions by Land Use

Table 3-7 summarizes the total amount of community-wide GHG emissions for the City of Moreno Valley in 2010 by land use category. The City of Moreno Valley as a whole emitted 920,712 MT CO_2e in 2010. The largest portion of the City's 2010 emissions were from transportation (56 percent), followed by emissions from residential land uses (31 percent). Due to the nature of mobile emissions, transportation emissions could not be allocated to the individual land use types. Figure 3-4 provides a comparison of GHG emissions by land use category.

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Table 3-7 2010 Community-wide GHG Emissions by Land Use	
Category	**Metric tons of CO_2e**
Transportation	513,581
Residential	283,451
Industrial	60,552
Commercial	63,129
Total	**920,712**
Note: Numbers may not add up to the total due to rounding.	

Figure 3-4 2010 GHG Emissions by Land Use

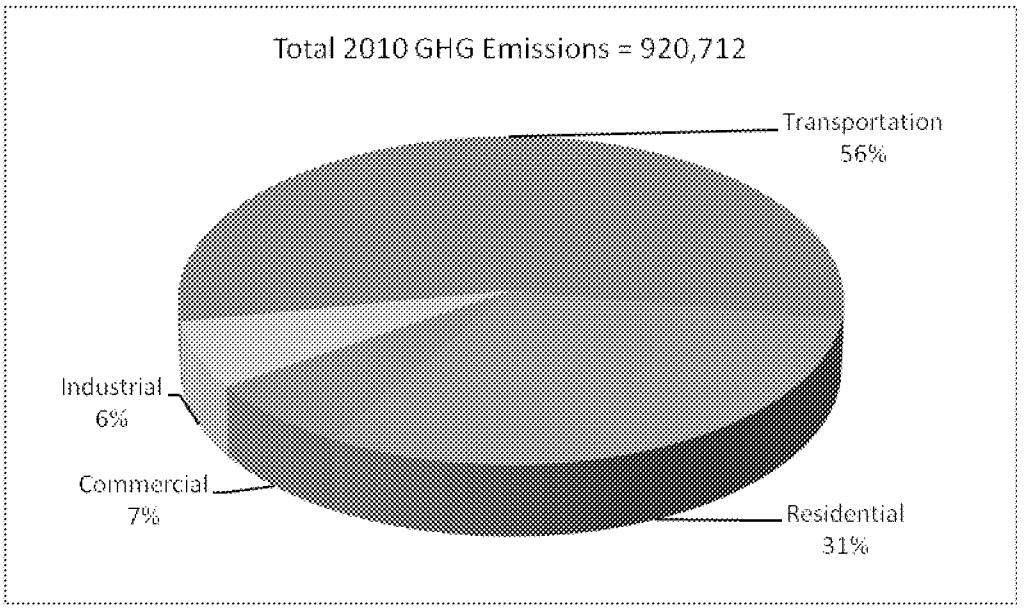

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3.3 2020 Business-as-Usual Community-Wide Emissions Inventory

In 2020, Moreno Valley is projected to emit a total of 1,298,543 MT CO_2e from a BAU standpoint. BAU refers to continued operations and development of the City according to existing approved General Plan policies, without the inclusion of recently-adopted sustainability initiatives or proposed policies included as part of the General Plan Update as described in Chapter 4. As with the 2010 community-wide inventory, these emissions represent all sources within the jurisdictional boundary of the City of Moreno Valley, including emissions due to the municipal operations of the City. The following sections describe the data inputs, emissions by source, and emissions by land use category for the year 2020.

Data Inputs

Data for the 2020 community-wide inventory was estimated based on projected growth rates for the City and the traffic model's forecasts. Table 3-8, below, summarizes the growth rates and annual VMT data for 2020.

Table 3-8 2020 BAU Community-Wide Data Inputs

Category	Data Input	Data Source
Transportation		
Annual VMT	1,585,559,510	City Traffic Engineer
Annual Trips	157,447,088	
Growth Rates [a]		
Population	12.8%	City Planning
Housing	19.8%	
Employment	46.2%	

[a] Note: The growth rates represent the overall growth from 2010 to 2020.

The VMT data from the City's 2035 traffic model was used to extrapolate between 2007 and 2035 in order to estimate 2020 VMT. The growth rates were used to estimate the emissions associated with electricity, natural gas, water, wastewater, area source, and solid waste.

Emissions by Source

The 2020 BAU emissions are estimated based on the projected growth in Moreno Valley from 2010 to 2020. These projections include a 12.8 percent increase in population, 19.8 percent increase in housing, and a 46.2 percent increase employment; these growth rates were applied to 2010 community-wide emissions in order to estimate 2020 BAU emissions. Table 3-9 summarizes the 2020 City emissions of CO_2e as broken down by Emissions category. Figure 3-5 is a graphical representation of Table 3-9. A detailed breakdown of 2020 emissions by category is available in Appendix __.

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Table 3-9 2020 BAU GHG Emissions by Source	
Category	**Metric tons of CO_2e**
Transportation	788,267
Energy	356,192
Area Sources	84,665
Solid Waste	49,203
Water and Wastewater	20,216
Total	**1,298,543**

Figure 3-5 2020 BAU Emissions Generated by Source (MT CO_2e)

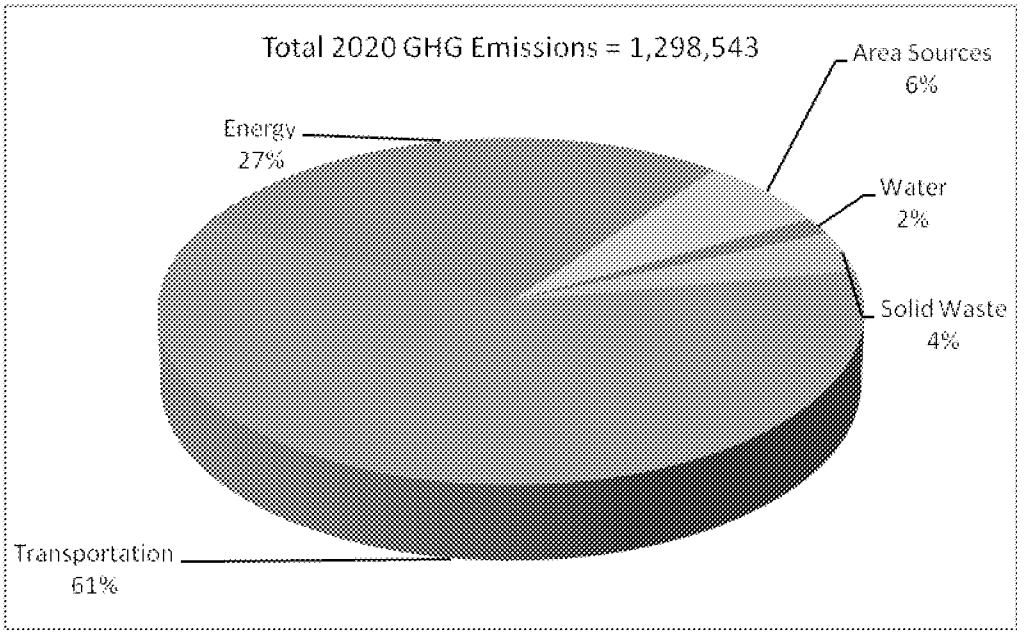

Emissions by Land Use

Table 3-10 summarizes the total amount of community-wide GHG emissions for the City of Moreno Valley in 2020 by land use category. The City of Moreno Valley as a whole is projected to emit 1,298,543 MT CO_2e in 2020. The largest portion of the City's 2020 emissions are projected to be from transportation (61 percent), followed by emissions from residential land uses (26 percent). Due to the nature of mobile emissions, transportation emissions could not be allocated to the individual land use types. Figure 3-6 provides a comparison of GHG emissions by land use category.

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Table 3-10 2020 BAU Community-Wide GHG Emissions by Land Use	
Category	**Metric tons of CO_2e**
Transportation	788,267
Residential	338,360
Commercial	84,178
Industrial	87,737
Total	**1,298,543**
Note: Numbers may not add up to the total due to rounding.	

Figure 3-6 2020 BAU GHG Emissions by Land Use

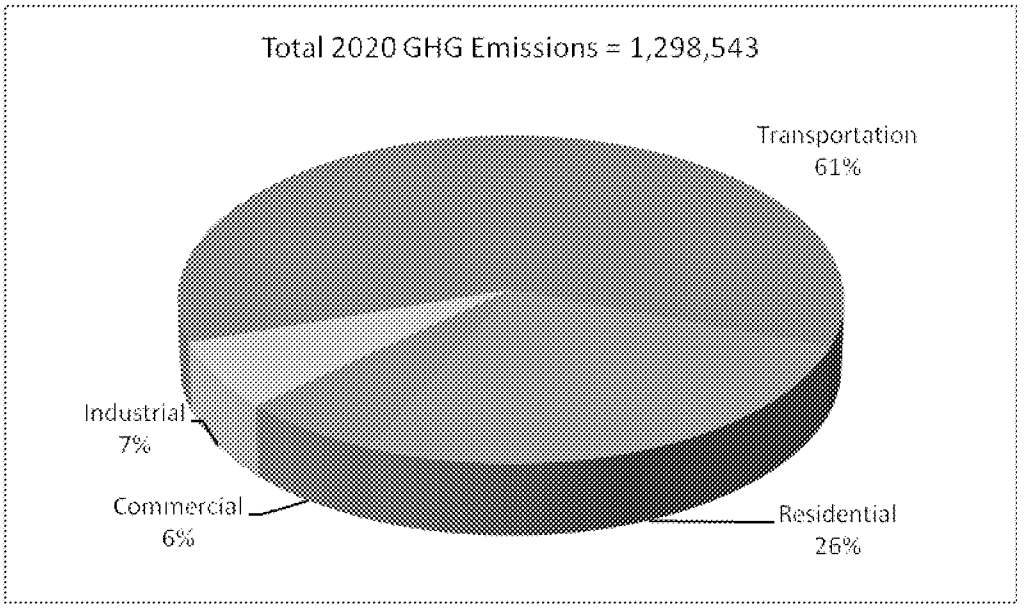

3.4 2020 Reduction Target

In order for California to meet the goals of AB 32, statewide GHG emissions will need to be reduced back to 1990 levels by 2020. To be consistent with the goals of AB 32, the City of Moreno Valley would also need to achieve the same GHG emission reduction target. In the AB 32 Scoping Plan, CARB equated a return to 1990 levels to a 15 percent reduction from "current" levels. CARB states, "… ARB recommended a GHG reduction goal for local governments of 15 percent below today's levels by 2020 to ensure that their municipal and community-wide emissions match the state's reduction target." (CARB 2008) The reduction target calculated in the Scoping Plan was based on an inventory of the state's 2004 GHG emissions (then considered to be "current" levels); these emissions represent a high-point in the economy before the economic recession. For Moreno Valley, the reduction target is based

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on the inventory of the City's 2007 GHG emissions. By using 2007, Moreno Valley is consistent with CARB in using an inventory target that is based on pre-recession conditions.

The reduction target is displayed in Table 3-11. Having one overall reduction target, as opposed to targets for each sector, allows Moreno Valley to have the flexibility to reduce emissions from the sector with the most cost-effective reduction strategies (i.e. the greatest reduction in emissions at the least cost).

Table 3-11 2020 GHG Emissions Reduction Target

	Metric Tons CO_2e
2007 Emissions	939,639
% Reduction	15%
2020 Reduction Target	**798,693**

The 2007 emissions inventory was used to set the GHG emissions reduction target for the year 2020. The 2010 inventory, discussed previously and summarized below, provides a baseline for Moreno Valley to measure future progress toward attaining the 2020 target.

3.5 Emissions Comparison by Year

This report analyzes GHG emissions from the most current year with data available (2010) and estimates the future emissions for the City in 2020. Additionally, this report includes an estimate of 2007 GHG emissions which is used to set the 2020 reduction target for the City. See Table 3-16 for a summary of all inventories.

The 1,298,543 MT CO_2e of GHG emissions for 2020 is an estimated increase of 377,830 MT CO_2e above 2010 levels following BAU projections. The growth from 2007 and 2010 to 2020 is a 38 percent increase and 41 percent increase, respectively. Table 3-12 shows a comparison of total emissions for 2007, 2010, and 2020 BAU emissions.

Table 3-12 GHG Emissions by Source

	Metric Tons CO_2e		
Source	**2007**	**2010**	**2020 BAU**
Transportation	517,098	513,581	788,267
Energy	287,261	277,230	356,120
Area Sources	69,390	69,437	84,665
Water and Wastewater	21,595	16,831	20,216
Solid Waste	44,294	43,633	49,203
Total	**939,639**	**920,712**	**1,298,543**

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The impact of the economic recession is evident in the emission summaries. 2007 emissions represent the peak of the economy with a decline to the levels in 2010; this is consistent with trends in the overall economy.

The AB 32 Scoping Plan suggests local governments estimate a reduction target for 2020 that is 15 percent below 2007 emissions. Table 3-13 shows the 2020 reduction target for the City's community-wide emissions, the 2020 BAU emissions projected for the City, and the difference between the two. This difference represents the total emissions that the City will need to reduce in order to meet the target by 2020.

Table 3-13 2020 GHG Emissions Reduction Target

	Metric Tons CO_2e
2020 BAU Emissions	1,298,543
2020 Reduction Target	798,693
Amount to Reduce from 2020 BAU	**499,850**

With the reduction target set at 798,693 MT CO_2e, the City will need to reduce emissions by 499,850 MT CO_2e from the 2020 BAU emissions. This amounts to a 38 percent decrease from 2020 BAU emissions and a 13 percent decrease from the 2010 community-wide emissions. Chapter 4 describes the efforts currently underway in Moreno Valley and the reduction strategies that would be implemented to reduce emissions in the City in order to reach the 2020 reduction target.

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Chapter 4 GHG Emissions Reduction Programs and Regulations

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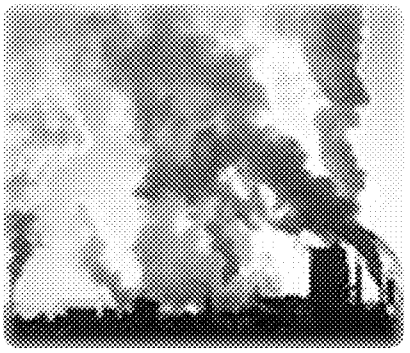

The State of California has set specific targets for reducing GHG emissions from the burning of fossil fuels in both power plants and vehicles by adopting various regulations. In addition, State energy efficiency and renewable requirements provide another level of reductions. In order to provide credit to Moreno Valley for regulatory actions already taken or planned by the State of California, this analysis first evaluates the GHG reductions that will occur within the City as a result of these actions. These will be identified as R1 reduction measures. The R1 measures are included here to show all of the anticipated reduction strategies identified in the AB 32 Scoping Plan for implementation at the State Level that will ultimately result in a reduction of GHG emissions at the City level. The R1 measures are not administered or enforced by the City, but the City - by describing them herein- substantiates the reductions associated with these State Measures.

R2 and R3 reduction measures are measures that will be incorporated at the City level to provide additional reductions in GHG emissions. R2 measures are those measures that can be quantified to show the value of the reduction from the incorporation of those measures. A complete list of assumptions and reductions for each of the R1 and R2 measures is included in Appendix __.

R3 measures are those measures that, although they provide a means through which reductions in emissions will occur, cannot be quantified at this time. The R3 measures are supportive measures or methods of implementation for the R2 measures. For example, R3-E2: Energy Efficiency Training and Public education, is a measure that provides education to inform people of the programs, technology, and potential funding available to them to be more energy efficient, and provides the incentives to participate in the voluntary programs shown in R2-E1 through R2-E7. R3-E2 is supportive of measures R2-E1 through R2-E7 because it will provide more publicity, reduce the perceived challenge of being energy efficient, and provide information on potential rebates and other funding programs which will make retrofits more accessible to everyone. Therefore, although by itself R3-E2 cannot be quantified, its implementation provides a level of assurance that the reduction goals specified in the R2 measures will be achieved.

Also included in the R3 measures are reduction measures that reduce Moreno Valley's government operation emissions. Government operations make up less than 2% of the City's total emissions, but the City can set an example for residents by implementing reduction measures at the municipal level.

Over the last few years Moreno Valley has implemented several programs that have already begun to reduce the City's GHG emissions and will continue to provide reductions through to 2020. Programs that were in place prior to 2010 are accounted for in the existing inventory while programs implemented since 2010 are included below as reduction measures used to reach the 2020 target.

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The following discussion summarizes the existing Moreno Valley programs and the proposed reduction measures to be implemented by the City to further reduce GHG emissions. The reduction measures are organized herein by source category (transportation, energy, area source, water, and solid waste) then by R1, R2, and R3 measure. The convention to be used for numbering the mitigation measures will be to list the R designation (R1, R2, or R3) then an abbreviation of the source category, followed by the order number. So, R1-E1 is the first R1 measure within the energy category, R1-E2 is the second measure within the energy category, and so on. The source category abbreviations are as follows: T – transportation; E – energy; A – area source; W – water; and S - solid waste.

Each of the R2 measures include the GHG reduction potential, estimated cost, estimated savings, and additional community co-benefits. The co-benefits describe the additional community benefits from implementing the reduction measure beyond the GHG emissions reduced. The following icons are used to indicate the co-benefits for each measure:

- Air Quality
- Energy Use/Energy Efficiency
- Land Use/Community Design
- Livable Communities
- Public Health
- Renewable Energy
- Transportation Mobility
- Waste Reduction/Recycling
- Water Quality
- Water Use/Water Conservation

4.1 Existing Moreno Valley Programs

Community Energy Partnership

The Community Energy Partnership (CEP) is a collaboration among seven Southern California cities, Southern California Edison, Southern California Gas Company, and The Energy Coalition. Moreno Valley is one of the member cities participating in CEP. By including in this report an inventory of municipal energy usage, establishing a long term vision and plan for energy efficiency in the City, and identifying policies and funding mechanisms to complete municipal facility energy efficiency projects, Moreno Valley has completed the groundwork for an Energy Action Plan and will soon qualify for Gold Level and an Energy Leader.

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Energy Star Portfolio Manager

The Energy Star Portfolio Manager is an online tool for monitoring energy use in buildings. Moreno Valley has setup their portfolio with all municipal buildings; SCE and SCG automatically update the energy use data electronically into the portfolio on a monthly basis. The Portfolio Manager assists the City in comparing energy use and assessing Energy Star qualifying status across facilities.

EECBG Projects

The City has completed a number of energy saving renovations made possible by the allocation of Energy Efficiency and Conservation Block Grant (EECBG) funding. The EECBG Program was funded for the first time by the American Recovery and Reinvestment Act of 2009. It is intended to assist U.S. cities, counties, states, territories, and Indian tribes to develop, promote, implement, and manage energy efficiency and conservation projects and programs designed to:

- Reduce fossil fuel emissions;
- Reduce the total energy use of eligible entities;
- Improve energy efficiency in the transportation, building, and other appropriate sectors; and
- Create and retain jobs.

Table 4-1 summarizes the projects the City has completed along with the annual kWh saved, the project cost, the incentive received, and the annual emissions reduced.

Table 4-1 Municipal EECBG Projects

Project Name	kWh saved	Project Cost ($)	Incentive ($)	Emissions Reduced (MT CO_2e)
Fire Station 48 Lighting	3,155	$ 3,668	$ 747	0.61
Fire Station 65 Lighting	5,368	$ 3,961	$ 758	1.03
Fire Station 6 Lighting	8,095	$ 10,227	$ 2,225	1.55
Senior Center Lighting	14,687	$ 10,088	$ 2,038	2.82
Library Thermostat	26,460	$ 1,219	$ 785	5.08
Library Lighting and HID	79,109	$ 32,237	$ 13,670	15.18
City Hall A/C	179,079	$ 711,000	$ 32,017	34.36
City Hall Lighting	318,988	$23,817	$25,354	61.21
City Hall Window Film [a]	203,250	$ 43,187	$ 10,927	230.25
Total	**838,191**	**$ 815,587**	**$ 88,521**	**352.09**

[a] The window film installation also saved 1,726 therms of natural gas annually.

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GREEN MoVal

Getting Residents Energy Efficient Now (GREEN) MoVal is a City initiative that encourages residents to become more energy efficient in their homes. The City has a page on their website that connects members of the community to resources related to energy efficiency: http://www.moreno-valley.ca.us/green-mv.shtml

MVU Solar Incentive Program

Moreno Valley Electric Utility offers a Solar Electric Incentive Program, a rebate that can cut the cost of a solar installation. MVU offers a rebate of $2.80 for every watt of solar installed on the roof of a home or business. All incentives are based on limited available funds and verification of installation. The requirements are as follows:

- Incentives are available to MVU electric customers only.
- The qualifying system must be on the same premises as the customer.
- All solar system components must be new and approved by MVU. Panels and inverters must appear on the latest California Energy Commission certified photovoltaic modules list or certified inverters list.
- Panels must have a warrantee for 25 years, and inverters and labor for 10 years. And electric meter must be in place to monitor the system's performance.

Existing General Plan Policies

The City's General Plan lays the framework for continued growth and development in the City. The policies lay the framework for guiding development and land use changes in order to achieve certain goals and objectives. Moreno Valley has goals to create a city that is safe, healthy, and conserves natural resources while accommodating growth and development. While the general plan does not address the reduction of GHGs directly, it does have policies that indirectly reduce emissions. Table 4-2, below, summarizes these relevant polices by emissions category and General Plan element.

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Table 4-2 General Plan Policies Related to Reducing GHG Emissions

Source	Element	Objective	Policies
Energy	Community Development	Residential Opportunities	2.2.15
	Safety	Reduce Air Pollution	6.7.6
	Conservation	Energy Efficiency	7.5.1, 7.5.4, 7.5.5
Transportation	Community Development	Convenient Commercial	2.4.8
		Programs	2-6
	Parks, Recreation, and Open Space Element	Trails System	4.3.1, 4.3.2, 4.3.3, 4.3.4, 4.3.5
		Programs	4-3, 4-10, 4-12, 4-13
	Circulation	Safe Street System	5.1.1, 5.1.2
		Maximize Efficiency	5.4.2, 5.4.5, 5.4.6,
		Retain Rural	5.7.2
		Public Transportation System	5.8.1, 5.8.2, 5.8.3, 5.8.4, 5.8.5
		Pedestrian Facilities	5.9.1, 5.9.2, 5.9.3, 5.9.4
		Encourage Bicycling	5.10.1, 5.10.2, 5.10.3, 5.10.4,
		Eliminate Obstructions	5.11.1, 5.11.2
		School Safety	5.12.1
		Programs	5-10e, 5-10f, 5-11, 5-13, 5-14, 5-15, 5-16, 5-17
	Safety	Reduce Vehicle Trips	6.6.1, 6.6.2, 6.6.3, 6.7.2, 6.7.3
	Conservation	Energy Efficiency	7.5.2, 7.5.3
Water	Conservation	Minimize Water Consumption	7.3.1, 7.3.2
Area Source	Community Development	High Quality Development	2.10.14
	Safety	Reduce Air Pollutants	6.7.1
Solid Waste	Conservation	Adequate Solid Waste System	7.8.1

4.2 Transportation

Transportation accounts for the largest source of emissions in Moreno Valley. Measures to reduce emissions associated with transportation include encouraging mixed use development, developing near transit corridors, offering incentives for alternative fuels, creating pedestrian and bicycle friendly communities, and replacing older vehicles with more fuel-efficient ones. The measures below describe opportunities for Moreno Valley to reduce the emissions from transportation.

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R1 Transportation Measures

The following list of R1 transportation related measures are those measures that California has identified in the AB 32 Scoping Plan that will result in emission reductions within the City.

R1-T1: ASSEMBLY BILL 1493: PAVLEY I

Assembly Bill (AB) 1493 (Pavley) required the California Air Resources Board (CARB) to adopt regulations that will reduce GHG from automobiles and light-duty trucks by 30 percent below 2002 levels by the year 2016, effective with 2009 models. By 2020, this requirement will reduce emissions in California by approximately 16.4 $MMTCO_2e$, representing 17.3 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008). Implementation of Pavley I was delayed by the USEPA's denial of California's waiver request to set State standards that are more stringent than the federal standards, but in June 2009 the denial of the waiver was reversed and California was able to begin enforcing the Pavley requirements.

R1-T2: ASSEMBLY BILL 1493: PAVLEY II

California committed to further strengthening the AB1493 standards beginning in 2017 to obtain a 45 percent GHG reduction from 2020 model year vehicles. This requirement will reduce emissions in California by approximately 4.0 $MMTCO_2e$, representing 2.5 percent of emissions from passenger/light-duty vehicles in the State beyond the reductions from the Pavley I regulations described above (CARB 2008).

R1-T3: EXECUTIVE ORDER S-1-07 (LOW CARBON FUEL STANDARD)

The Low Carbon Fuel Standard (LCFS) will require a reduction of at least ten (10) percent in the carbon intensity of California's transportation fuels by 2020. By 2020, this requirement will reduce emissions in California by approximately 15 $MMTCO_2e$, representing 6.9 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008). The emissions reduced by this strategy overlap with emissions as a result of the Pavley legislation; adding the emissions reductions would be an overestimate of the actual emissions reductions. This is accounted for in the emission reduction calculations following the methodology used by CARB to calculate emissions reductions in the AB 32 Scoping Plan.

R1-T4: TIRE PRESSURE PROGRAM

The AB 32 early action measure involves actions to ensure that vehicle tire pressure is maintained to manufacturer specifications. The State's plan for implementing this measure is directed at automotive service providers. CARB is requiring automotive service providers to check and inflate each vehicle's tires to the recommended tire pressure rating at the time of performing any automotive maintenance or repair service, indicate on the vehicle service invoice that a tired inflation service was completed and the tire pressure measurements after the services were performed, and keep a copy of the service invoice for a minimum of three years, and make the vehicle service invoice available to the ARB, or its authorized representative upon request. By 2020, CARB estimates that this requirement will reduce emissions in California by approximately 0.55 $MMTCO_2e$, representing 0.3 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008).

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R1-T5: LOW ROLLING RESISTANCE TIRES

This AB 32 early action measure would increase vehicle efficiency by creating an energy efficiency standard for automobile tires to reduce rolling resistance. By 2020, this requirement will reduce emissions in California by approximately 0.3 $MMTCO_2e$, representing 0.2 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008).

R1-T6: LOW FRICTION ENGINE OILS

This AB 32 early action measure would increase vehicle efficiency by mandating the use of engine oils that meet certain low friction specifications. By 2020, this requirement will reduce emissions in California by approximately 2.8 $MMTCO_2e$, representing 1.7 percent of emissions from passenger light-duty vehicles in the State (CARB 2008).

R1-T7: GOODS MOVEMENT EFFICIENCY MEASURES

This AB 32 early action measure targets system wide efficiency improvements in goods movement to achieve GHG reductions from reduced diesel combustion. By 2020, this requirement will reduce emissions in California by approximately 3.5 $MMTCO_2e$, representing 1.6 Percent of emissions from all mobile sources (on-road and off-road) in the State (CARB 2008).

R1-T8: HEAVY-DUTY VEHICLE GHG EMISSION REDUCTION (AERODYNAMIC EFFICIENCY)

This AB 32 early action measure would increase heavy-duty vehicle (long-haul trucks) efficiency by requiring installation of best available technology and/or CARB approved technology to reduce aerodynamic drag and rolling resistance. By 2020, this requirement will reduce emissions in California by approximately 0.93 $MMTCO_2e$, representing 1.9 percent of emissions from heavy-duty vehicles in the State (CARB 2008).

R1-T9: MEDIUM AND HEAVY-DUTY VEHICLE HYBRIDIZATION

The implementation approach for this AB 32 measure is to adopt a regulation and/or incentive program that reduce the GHG emissions of new trucks (parcel delivery trucks and vans, utility trucks, garbage trucks, transit buses, and other vocational work trucks) sold in California by replacing them with hybrids. By 2020, this requirement will reduce emissions in California by approximately 0.5 $MMTCO_2e$, representing 0.2 percent of emissions from all on-road mobile sources in the State. This reduction is also equivalent to a 1.0 percent reduction of emissions from all heavy-duty trucks in the State (CARB 2008).

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R2 Transportation Measures

The following list of R2 measures are candidate measures the City can implement to achieve an AB 32 compliant reduction target.

R2-T1: LAND USE BASED TRIPS AND VMT REDUCTION POLICIES

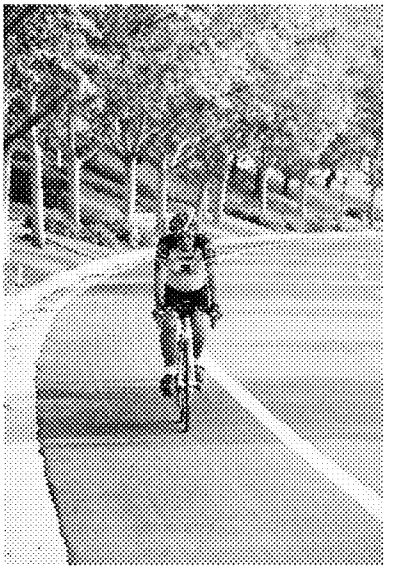

The demand for transportation is influenced by the density and geographic distribution of people and places. Whether neighborhoods have sidewalks or bike paths, whether homes are within walking distance of shops or transit stops will influence the type and amount of transportation that is utilized. By changing the focus of land use from automobile centered transportation, a reduction in vehicle miles traveled will occur.

The forthcoming Sustainable Communities Strategy and Regional Transportation Plan for the SCAG region should include opportunities for Moreno Valley to identify areas for Transit Priority Projects (TPPs). TPPs are eligible for streamlined CEQA review. See Appendix __ for detailed emissions reduction calculations for this strategy and all of the reduction strategies.

GHG Reduction Potential:

20,423 MT CO_2e

4% reduction in passenger vehicle VMT

Community Co-Benefits:

City Costs:

Undetermined costs due to extensive variables in how this is implemented ranging from very modest costs associated with providing incentives to employers to provide commute trip reductions to substantial bicycle and pedestrian infrastructure to facilitate vehicle trip reductions associated with bicycle and pedestrian alternatives.

Private Savings:

$6,959,091 annually, based on fuel savings from fewer, shorter vehicle trips.

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R2-T2: TRANSIT IMPROVEMENTS

The City of Moreno Valley will continue to coordinate with Riverside Transit Agency (RTA) and SCAG in order to provide timely and cost effective transit services. In particular, the City will work to expand the bus system, incorporate rapid bus transit to desirable destinations, and provide adequate facilities and connections to pedestrian and bicycle systems.

GHG Reduction Potential:

120,087 MT CO_2e

25% reduction in passenger vehicle VMT

Community Co-Benefits:

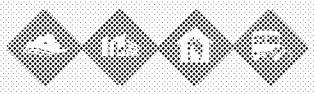

City Costs:

A more detailed cost analysis must be completed in order to assess the costs that the City will incur from these projects.

City Savings:

--

Private Costs:

A more detailed cost analysis must be completed in order to assess the costs that the RTA and private developers will incur to implement these projects.

Private Savings:

$40,919,458 annually, based on fuel savings from using public transit rather than personal vehicles

Potential Funding Sources:

In July 2010, RTA published its *Short Range Transit* Plan, which details the plans for improving the RTA system through Fiscal years 2011-2013. In this Plan, RTA identified the following strategies for service improvements in Moreno Valley:

- Establish a base transit network serving major activity centers including schools, shopping centers, medical centers, and the approved Metrolink station
- Connect Moreno Valley to UCR and Downtown Riverside as well as Perris with direct and frequent transit services
- Provide transit service to the existing and planned major development at March Air Reserve Base and adjacent Joint Powers Authority reuse areas.

SCAG is currently in the process of updating the RTP with the draft to be released in December 2011. The RTP will identify plans for the region to expand transit in Moreno Valley and surrounding areas.

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R2-T3: EMPLOYMENT-BASED TRIP REDUCTIONS

Transportation Demand Management (TDM) programs work to reduce automobile travel by encouraging ride-sharing, carpooling, and alternative modes of transportation.

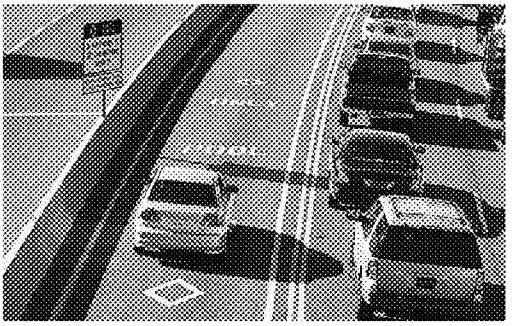

The City of Moreno Valley would implement this strategy by including a TDM strategy as mitigation for New Development.

GHG Reduction Potential:

7,401 MT CO2e

2% reduction in passenger vehicle VMT

Community Co-Benefits:

City Costs:

Undetermined costs depending upon how this is implemented ranging from no costs, to very modest costs associated with providing incentives to employers to provide commute trip reductions.

City Savings:

--

Private Costs:

Minimal administrative fees

Private Savings:

$2,521,975 annually, based on decreased fuel use

Potential Funding Sources:

New businesses can mitigate transportation related emissions by offering programs, facilities and incentives to their employees that would promote carpooling, transit use, and use of other alternative modes.

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R3 Transportation Measures

The following R3 measures enhance and/or ensure the reductions accounted for within the R2 measures through education programs or are measures that will reduce emissions but cannot be quantified. Also, reduction measures implemented at the municipal level are described.

R3-T1: REGIONAL LAND USE AND TRANSPORTATION COORDINATION

Promoting the development and use of transit between Moreno Valley and other jurisdictions including the County and neighboring cities enhances the implementation of R2-T1 and R2-T2 described above.

4.3 Energy

Electricity and natural gas use in buildings represent the second largest source of emissions in the City of Moreno Valley. The state has begun to address this source of emissions by requiring new buildings to attain higher standards for energy efficiency and requiring utilities to use more renewable power sources. At the local level, Moreno Valley can encourage developers to go beyond the state requirements and offer incentives to bring older buildings up to current standards.

R1 Energy Reduction Measures

The following list of R1 building energy efficiency related measures are those measures that California has identified in the AB 32 Scoping Plan that will result in emission reductions within the City.

R1-E1: RENEWABLE PORTFOLIO STANDARD FOR BUILDING ENERGY USE

Senate Bills (SBs) 1075 (2002) and 107 (2006) created the State's Renewable Portfolio Standard (RPS), with an initial goal of 20 percent renewable energy production by 2010. Executive Order (EO) S-14-08 establishes a RPS target of 33 percent by the year 2020 and requires State agencies to take all appropriate actions to ensure the target is met. In April 2011, Governor Jerry Brown signed Senate Bill 2 (2011), which codified the Executive Order and requires the State to reach the 2020 goal (CARB 2008).

R1-E2 AND R1-E3: AB 1109 ENERGY EFFICIENCY STANDARDS FOR LIGHTING (RESIDENTIAL AND COMMERCIAL INDOOR AND OUTDOOR LIGHTING)

Assembly Bill (AB 1109) mandated that the California Energy Commission (CEC) on or before December 31, 2008, adopt energy efficiency standards for general purpose lighting. These regulations, combined with other State efforts, shall be structured to reduce State-wide electricity consumption in the following ways:

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- R1-E2: At least 50 percent reduction from 2007 levels for indoor residential lighting by 2018; and
- R1-E3: At least 25 percent reduction from 2007 levels for indoor commercial and outdoor lighting by 2018 (CARB 2008).

R1-E4: ELECTRICITY ENERGY EFFICIENCY (AB32)

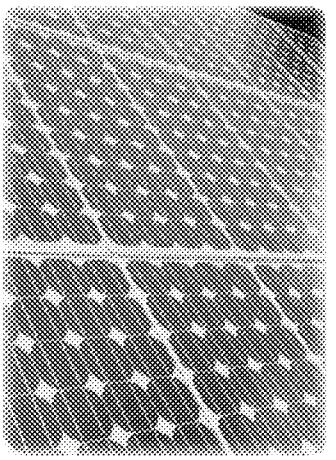

This measure captures the emission reductions associated with electricity energy efficiency activities included in CARB's AB32 Scoping Plan that are not attributed to other R1 or R2 reductions, as described in this report. This measure includes energy efficiency measures that CARB views as crucial to meeting the State-wide 2020 target, and will result in additional emissions reductions beyond those already accounted for in California's Energy Efficiency Standards for Residential and Non-Residential Buildings (Title 24, Part 6 of the California Code of Regulations; hereinafter referred to as, "Title 24 Energy Efficiency Standards") of California's Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations; hereinafter referred to as "CALGreen").

By 2020, this requirement will reduce emissions in California by approximately 21.3 MMTCO2e, representing 17.5 percent of emissions from all electricity in the State (CARB 2008). This measure includes the following strategies:

- "Zero Net Energy" buildings (buildings that combine energy efficiency and renewable generation so that they, based on an annual average, extract no energy from the grid);
- Broader standards for new types of appliances and for water efficiency;
- Improved compliance and enforcement of existing standards;
- Voluntary efficiency and green building targets beyond mandatory codes;
- Voluntary and mandatory whole-building retrofits for existing buildings;
- Innovative financing to overcome first-cost and split incentives for energy efficiency, on-site renewables, and high efficiency distributed generation;
- More aggressive utility programs to achieve long-term savings;
- Water system and water use efficiency and conservation measures;
- Additional industrial and agricultural efficiency initiatives; and
- Providing real time energy information technologies to help consumers conserve and optimize energy performance.

R1-E5: NATURAL GAS ENERGY EFFICIENCY (AB32)

This measure captures the emission reductions associated with natural gas energy efficiency activities included in CARB's AB32 Scoping Plan that are not attributed to other R1 or R2 reductions, as described in this report. This measure includes energy efficiency measures that CARB views as crucial to meeting

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the State-wide 2020 target, and will result in additional emissions reductions beyond those already accounted for in the Title 24 Energy Efficiency Standards or CALGreen. By 2020, this requirement will reduce emissions in California by approximately 4.3 MMTCO2e, representing 6.2 percent of emissions from all natural gas combustion in the State (CARB 2008). This measure includes similar strategies to those listed above for R1-E4.

R1-E6: INCREASED COMBINED HEAT AND POWER (AB32)

This measure captures the reduction in building electricity emissions associated with the increase of combined heat and power activities, as outlined in CARB's AB 32 Scoping Plan. The Scoping Plan suggests that increased combined heat and power systems, which capture "waste heat" produced during power generation for local use, will offset 30,000 GWh State-wide in 2020. Approaches to lowering market barriers include utility-provided incentive payments, a possible CHP portfolio standard, transmission and distribution support systems, or the use of feed-in tariffs. By 2020, this requirement will reduce emissions in California by approximately 6.7 $MMTCO_2e$, representing 7.6 percent of emissions from all electricity in the State (CARB 2008).

R1-E7: INDUSTRIAL EFFICIENCY MEASURES (AB32)

This measure captures the reduction in industrial building energy emissions associated with the energy efficiency measures for industrial sources included in CARB's AB 32 Scoping Plan. By 2020, this requirement will reduce emissions in California by approximately 1.0 $MMTCO_2e$, representing 3.9 percent of emissions from all industrial natural gas combustion in the State (CARB 2008). CARB proposes the following possible State-wide measures:

- Oil and gas extraction regulations and programs to reduce fugitive CH_4 emissions;
- GHG leak reduction from oil and gas transmission;
- Refinery flare recovery process improvements; and
- Removal of methane exemption from existing refinery regulations.

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R2 Energy Reduction Measures

The following list of R2 measures are candidate measures related to building energy efficiency the City can implement to achieve an AB 32 compliant reduction target.

R2-E1: NEW CONSTRUCTION RESIDENTIAL ENERGY EFFICIENCY REQUIREMENTS

This measure would facilitate the implementation of energy efficient design for all new residential buildings to be 10% beyond the current Title 24 Standards. This energy efficiency requirement is equal to that of the LEED for Homes and ENERGY STAR programs.

The 2008 Title 24 Energy Standards were adopted by the Energy Commission on April 23, 2008, with the 2008 Residential Compliance Manual adopted by the Commission on December 17, 2008. Compliance with the 2008 standards went into effect January 1, 2010. In an effort to meet the overall goal of the California Energy Efficiency Strategic Plan of reaching zero net energy for residential buildings by 2020, the stringency of the Title 24 Energy Standards as regulated and required by the State will continue to increase every three years. As energy efficiency standards increase Moreno Valley may want to periodically re-evaluate their percentage beyond Title 24 goal to ensure it is still a feasibly achievable goal. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Install energy efficient appliances, including air conditioning and heating units, dishwashers, water heaters, etc ;
- Install solar water heaters;
- Install top quality windows and insulation;
- Install energy efficient lighting;
- Optimize conditions for natural heating, cooling and lighting by building siting and orientation;
- Use features that incorporate natural ventilation;
- Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes; and
- Incorporate skylights; reflective surfaces, and natural shading in building design and layouts.

GHG Reduction Potential:

3,357 MT CO_2e

10% beyond Title 24 in new residential

Community Co-Benefits:

City Costs:

Administrative costs associated with incorporating energy efficiency mitigation into the development review process

City Savings:

--

Private Costs:

$15.9 million

The cost is based on an estimated $1,500 per residential unit.

Private Savings:

$778,000 annually in reduced energy costs, resulting in an estimated 20 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

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R2-E2: NEW CONSTRUCTION RESIDENTIAL RENEWABLE ENERGY

GHG Reduction Potential:

1,252 MT CO_2e

10% of energy in new residential from on-site renewable energy

Community Co-Benefits:

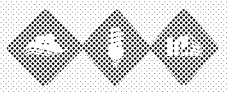

City Costs:

Administrative costs associated with incorporating alternative energy mitigation into the development review process

City Savings:

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Private Costs:

$20 million

Costs assume 10% of units install 2kW solar PV systems at $7,796/kW. (Anders 2009)

Private Savings:

$760,000 annually in reduced energy costs, resulting in an estimated 26 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

This measure would facilitate the incorporation of renewable energy (such as photovoltaic panels or small wind turbines) into new residential developments. For participating developments, renewable energy application should be such that the new home's projected energy use from the grid is reduced by 50%. The California Energy Commissions' New Solar Homes Partnership is a component of the California Solar Initiative and provides rebates to developers of 6 or more units where 50% of the units include solar power. In addition this measure would encourage that all residents be equipped with "solar ready" features where feasible, to encourage future installation of solar energy systems. These features should include the proper solar orientation (south facing roof sloped at 20° to 55° from the horizontal), clear access on south sloped roofs, electrical conduit installed for solar electric system wiring, plumbing installed for solar hot water systems, and space provided for a solar hot water tank. The incentive program should provide enough funding and other incentives as shown in the R3 measures to result in approximately 20% of new residential development participation in this program, thereby resulting in a 10% reduction in electrical consumption from new residential developments.

As an alternative to, or in support of, providing onsite renewable energy, the project proponent can buy into a purchased energy offset program that will allow for the purchase of electricity generated from renewable energy resources offsite. Purchased energy offsets (or a combination of incorporated renewables and purchased offsets) must be equal to 50% of the total projected energy consumption for the development. See R3-E3 for further details on the financing program.

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R2-E3: RESIDENTIAL ENERGY EFFICIENCY RETROFITS

GHG Reduction Potential:

33,418 MT CO_2e

On average, all existing units become 20% more efficient

Community Co-Benefits:

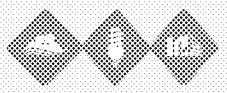

Private Costs:

$49 million

Assumes cost is equal to $0.75/kWh and $4.35/therm saved. (Anders 2009)

Private Savings:

$7.7 million annually in reduced energy costs, resulting in an estimated 6 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

This reduction measure would set a goal for the City to increase energy efficiency in existing homes. With the rebates and incentive programs currently available, this measure could allow for all residential units to become, on average, 20% more efficient. One key program ensuring the achievement of this reduction measures is Moreno Valley's partnership with the Western Riverside Council of Governments (WRCOG) surrounding their Energy Efficiency and Water Conservation Program (WRCOG 2009). The program would provide residences with low-interest loans that can be used to implement energy efficient improvements on their homes. This program has the potential to reduce energy consumption in retrofitted homes by a minimum of 15%. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Replace inefficient air conditioning and heating units with new energy efficient models;
- Replace older, inefficient appliances with new energy efficient models;
- Replace old windows and insulation with top-quality windows and insulation;
- Install solar water heaters;
- Replace inefficient and incandescent lighting with energy efficient lighting; and
- Weatherize the existing building to increase energy efficiency.

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R2-E4: RESIDENTIAL RENEWABLE ENERGY RETROFITS

GHG Reduction Potential:

5,750 MT CO_2e

10% of energy in residential from on-site renewable energy

Community Co-Benefits:

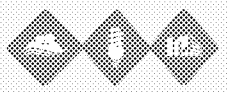

City Costs:

Undetermined costs depending upon how this is implemented ranging from modest administration costs to moderate costs of incentive programs.

City Savings:

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Private Costs:

$81.1 million

Costs assume 10% of units install 2kW solar PV systems at $7,796/kW. (Anders 2009)

Private Savings:

$3.5 million annually in reduced energy costs, resulting in an estimated 23 year payback period on the initial cost.

Potential Funding Sources:

WRCOG, SCE, SEC, MVU Solar Incentive

This measure would set a goal for City residents to retrofit their homes with photovoltaic panels or small wind turbines such that 50% of the home's electrical usage is offset. With the current rebates and incentives available, a participation rate of 20% can be achieved. In particular, the California Energy Commission's Solar Initiative has incentives available to home owners. In addition, WRCOG's Energy Efficiency and Water Conservation Program helps finance solar photovoltaic systems for residents.

Residents may also be eligible for an MVU rebate of $2.80 for every watt of solar installed on the roof of a home.

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R2-E5: NEW CONSTRUCTION COMMERCIAL ENERGY EFFICIENCY REQUIREMENTS

GHG Reduction Potential:

3,357 MT CO_2e

On average, all existing units become 10% more efficient

Community Co-Benefits:

City Costs:

Administrative costs associated with incorporating energy efficiency mitigation into the development review process

City Savings:

--

Private Costs:

$9.7 million

The cost is based on an estimated $1.00 per square foot to achieve 10% beyond Title 24. (Anders 2009)

Private Savings:

$1.3 million annually in reduced energy costs, resulting in an estimated 8 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

This measure would facilitate the implementation of energy efficient design for all new commercial buildings to be 10% beyond the current Title 24 Standards. This energy efficiency requirement meets the minimum requirements of the LEED and ENERGY STAR programs. As energy efficiency standards increase the City may want to periodically re-evaluate their percentage beyond Title 24 goal to ensure it is still a feasibly achievable goal. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Install energy efficient appliances, including air conditioning and heating units, dishwashers, water heaters, etc.;
- Install solar water heaters;
- Install top quality windows and insulation;
- Install energy efficient lighting;
- Optimize conditions for natural heating, cooling and lighting by building siting and orientation;
- Use features that incorporate natural ventilation;
- Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes; and
- Incorporate skylights; reflective surfaces, and natural shading in building design and layouts.

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R2-E6: NEW CONSTRUCTION COMMERCIAL/INDUSTRIAL RENEWABLE ENERGY

GHG Reduction Potential:

2,030 MT CO_2e

10% of energy in commercial is from on-site renewable energy

Community Co-Benefits:

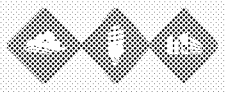

City Costs:

Administrative costs associated with incorporating alternative energy mitigation into the development review process

City Savings:

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Private Costs:

$31.7 million

This cost represents 5kW of solar photovoltaic per 10,000 square feet of new commercial development at an estimated $6,526/kW. (Anders 2009)

Private Savings:

$1.2 million annually in reduced energy costs, resulting in an estimated 26 year payback period on the initial cost.

Potential Funding Sources:

SCE, WRCOG

This measure would facilitate the incorporation of renewable (solar or other renewable) energy generation into the design and construction of new commercial, office, and industrial developments. Renewable energy generation would be incorporated such that a minimum of 10% of the project's total energy needs are offset. In addition, this measure would encourage all facilities be equipped with "solar ready" features where feasible, to facilitate future installation of solar energy systems. These features should include the proper solar orientation, clear access on south sloped roofs, electrical conduit installed for solar electric system wiring, plumbing installed for solar hot water systems, and space provided for a solar hot water tank.

As an alternative to, or in support of, providing onsite renewable energy, the project proponent could buy into an offset program that will allow for the purchase of renewable energy resources offsite. Purchased energy offsets (or a combination of incorporated renewables and purchased offsets) must equal 20% of the total projected energy consumption for the development. See R3-E3 for further details on the financing program.

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R2-E7: COMMERCIAL/INDUSTRIAL ENERGY EFFICIENCY AND RENEWABLE ENERGY RETROFITS

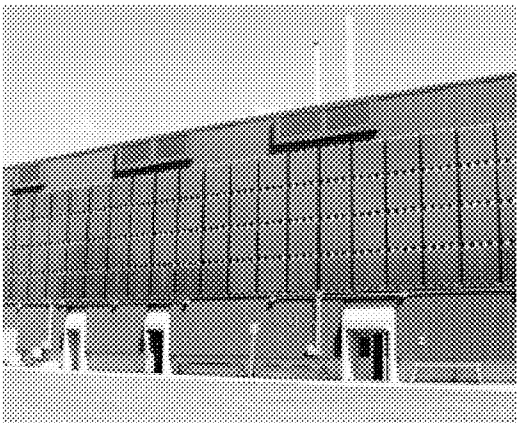

This measure sets a goal for all commercial or industrial buildings undergoing major renovations to reduce their energy consumption by 25%. The State offers incentives and programs that contribute toward the implementation of this goal. Similar to the residential goals described above, WRCOG's Energy Efficiency and Water Conservation Program could help finance energy efficiency and renewable energy projects for commercial buildings. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Replace inefficient air conditioning and heating units with new energy efficient models;
- Replace older, inefficient appliances with new energy efficient models;
- Replace old windows and insulation with top-quality windows and insulation;
- Install solar water heaters;
- Replace inefficient and incandescent lighting with energy efficient lighting; and
- Weatherize the existing building to increase energy efficiency.

GHG Reduction Potential:

18,261 MT CO_2e

Assumes a 25% decrease in energy use through a combination of energy efficiency and renewable energy retrofits.

Community Co-Benefits:

City Costs:

Undetermined costs depending upon how this is implemented ranging from modest administration costs to moderate costs of incentive programs.

City Savings:

--

Private Costs:

$14.6 million

The cost is based on an estimated $1.50 per square foot to achieve the reductions. (Anders 2009)

Private Savings:

$6.9 million annually in reduced energy costs, resulting in an estimated 2 year payback period on the initial cost.

Potential Funding Sources:

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R3 Energy Reduction Measures

The following R3 measures enhance and/or ensure the reductions accounted for within the R2 measures through education programs or are measures that will reduce emissions but cannot be quantified.

R3-E1: ENERGY EFFICIENT DEVELOPMENT, AND RENEWABLE ENERGY DEPLOYMENT FACILITATION AND STREAMLINING

This measure would encourage the City to identify key opportunities for the implementation of green building practices and the incorporation of renewable energy systems. This could include the updating of codes and zoning requirements and guidelines. This measure could be further enhanced by providing incentives for energy efficient projects such as priority in the reviewing, permitting, and inspection process. Additional incentives could include flexibility in building requirements such as height limits or set-backs in exchange for incorporating green building practices or renewable energy systems.

R3-E2: ENERGY EFFICIENCY TRAINING & PUBLIC EDUCATION

This measure would strengthen Moreno Valley General Plan Policy Infrastructure & Utilities 7.6.8 which provides public education and publicity about energy efficiency measures and reduction programs available within the City through a variety of methods including newsletters, brochures, and the City's Website. This measure would enhance this existing program by including rebates and incentives available for residences and businesses as well as providing training in green building materials, techniques, and practices for all plan review and building inspection staff.

R3-E3: ENERGY EFFICIENCY AND SOLAR ENERGY FINANCING

This measure would facilitate the incorporation of innovative, grant funded or low-interest financing programs for energy efficiency and renewable energy projects for both existing and new developments. This would include financing for heating, ventilation, air conditioning, lighting, water heating equipment, insulation, weatherization, and residential and commercial renewable energy. The City is a member of a partnership with WRCOG surrounding their Energy Efficiency and Water Conservation Program. The program would provide property with low-interest loans that would be repaid over time through annual property tax payments.

R3-E4: CROSS-JURISDICTIONAL COORDINATION

Under this reduction measure the City would coordinate with other local governments, special districts, nonprofit, and other organizations in order to optimize energy efficiency and renewable resource development and usage. This would allow for economies of scale and shared resources to more effectively implement these environmental enhancements.

R3-E5: ALTERNATIVE ENERGY DEVELOPMENT PLAN

The accomplishment of this measure would encourage the City and MVU to work with SCE to explore the possibilities for producing energy by renewable means within the built environment. This would be developed to identify appropriate alternative energy facilities (i.e., photovoltaic) for use within residential and commercial developments. The Alternative Energy Development Plan will encourage the

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establishment of City policies and ordinances to address how alternative energy production would be conducted. This measure would identify the most optimal locations and the best means by which to avoid noise, aesthetics and other land use compatibility conflicts. Another provision of this Plan could be to identify possible sites for the production of renewable energy using local renewable sources such as solar, wind, small hydro, and/or biogas. This would encourage adopting measures to protect these resources and providing right-of-way easements, utility easements, or by setting aside land for future development of these potential production sites.

4.4 Area Source

The following list includes measures related to landscaping and wood burning emissions that will reduce emissions and help the City to achieve an AB 32 compliant reduction target.

R1 Area Source Reduction Measure

R1-L1: SCAQMD HEALTHY HEARTHS PROGRAM

AQMD's Rule 445-Wood Burning Devices, adopted on March 7, 2008, applies to residents in the South Coast Air Basin and includes the following key components:

- No permanently installed indoor or outdoor wood burning devices in new developments;
- Establishes a mandatory wood burning curtailment program on high pollution days during November through February, beginning November 1, 2011. Based on current air quality conditions, there may be 10 to 25 mandatory curtailment days in specific areas (AQMD 2008).

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R2 Area Source Reduction Measure

R2-L1: ELECTRIC LANDSCAPING EQUIPMENT

This measure reduces GHG emissions by substituting electric landscaping equipment for the traditional gas-powered equipment. Electric lawn equipment including lawn mowers, leaf blowers and vacuums, shredders, trimmers, and chain saws are available. When electric landscaping equipment in used in place of conventional equipment, direct GHG emissions from natural gas combustion are replaced with indirect GHG emissions associated with the electricity used to power the equipment.

GHG Reduction Potential:

4,207 MT CO_2e

The change out from gas powered equipment to electric powered equipment reduces emissions by 38.5%. The reduction calculations assume all new developments use electricity rather than gas powered equipment.

Community Co-Benefits:

City Costs:

Undetermined costs due to variables ranging from no costs with no city involvement, modest costs associated engaging the public to participate in the program, to moderate costs of teaming with SCE in the incentive program.

City Savings:

--

Private Costs:

There is no additional cost associated with installing external outlets and purchasing electric equipment rather than gas-powered.

Private Savings:

Savings vary depending on fuel used

Potential Funding Sources:

SCAQMD lawn-mower trade-in program

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R3 Area Source Reduction Measures

The following R3 measures are related to landscape strategies that will help reduce GHG emissions and can be incorporated into development projects without additional cost. These measures strategically place trees and other landscape mechanisms that create shade to reduce the heat island effect within parking lots and adjacent to buildings, which in turn, reduces the temperature of buildings and cars during the summer.

R3-L1: EXPAND CITY TREE PLANTING

This program evaluates the feasibility of expanding tree planting within the City. This includes the evaluation of potential carbon sequestration from different tree species, potential reductions of building energy use from shading, and GHG emissions associated with pumping water used for irrigation. Commercial and retail development should be encouraged to exceed shading requirements by a minimum of 10% and to plant low emission trees. In support of Environmental Resources Goal 10.10 from Moreno Valley's General Plan, all future development shall be encouraged to preserve native trees and vegetation to the furthest extent possible.

R3-L2: HEAT ISLAND PLAN

The implementation of this measure would include promoting the use of cool roofs, cool pavements, and parking lot shading by increasing the number of strategically placed shade trees. Further, City wide Design Guidelines should be amended to include that all new developments and major renovations (additions of 25,000 square feet or more) would be encouraged to incorporate the following strategies such that heat gain would be reduced for 50% of the non-roof impervious site landscape (including parking, roads, sidewalks, courtyards, and driveways). The strategies include:

- Strategically placed shade trees;
- Paving materials with a Solar Reflective Index (SRI) of at least 29;
- Open grid pavement system; or
- Covered parking (with shade or cover having an SRI of at least 29).

4.5 Water

Although emissions associated with water represent a small portion of the total emissions for the City, Moreno Valley can still conserve water use in order to reduce the reliance on imported water from the state and encourage the use of recycled water.

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R1 Water Reduction Measure

The following R1 water related reduction measure has been identified in the AB 32 Scoping Plan and will result in emission reductions within the City.

R1-W1: RENEWABLE PORTFOLIO STANDARD (33 PERCENT BY 2020) RELATED TO WATER SUPPLY AND CONVEYANCE

This measure would increase electricity production from eligible renewable power sources to 33 percent by 2020. A reduction in GHG emissions results from replacing natural gas-fired electricity production with zero GHG-emitting renewable sources of power. By 2020, this requirement will reduce emissions from electricity used for water supply and conveyance in California by approximately 21.3 $MMTCO_2e$, representing 15.2 percent of emissions from electricity generation (in-State and imports) (CARB 2008).

R1-W2: CAL GREEN BUILDING STANDARDS

The 2010 California Green Building Standards (CALGreen) went into effect January 1, 2011. The standards include a 20% mandated reduction in indoor water use for all residential and commercial buildings. For outdoor water use, CALGreen requires developers to install landscaping devices that can sense moisture content of soil and restrict landscaping-related water use when moisture content is high.

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R2 Water Reduction Measure

The following R2 measure is a candidate measure related to water that the City can implement to achieve an AB 32 compliant reduction target.

R2-W1: WATER USE REDUCTION INITIATIVE

GHG Reduction Potential:

3,493 MT CO2e

The calculated emission reductions assume all new developments reduce water consumption by 20%.

Community Co-Benefits:

City Costs:

Administrative costs associated with water conservation included in the development review process.

City Savings:

--

Private Costs:

Considered negligible if implemented with new development

Private Savings:

$3.9 million annually in reduced water costs.

Potential Funding Sources:

EMWD rebates

This initiative would reduce emissions associated with electricity consumption for water treatment and conveyance. This measure encourages the City to adopt a per capita water use reduction goal in support of the Governors Executive Order S-14-08 which mandates the reduction of water use of 20 percent per capita. The City's adoption of a water use reduction goal would introduce requirements for new development and would provide cooperative support for water purveyors that are required to implement these reductions for existing developments. The City would also provide internal reduction measures such that City facilities will support this reduction requirement. The following represent potential programs that could be implemented to attain this reduction goal.

WATER CONSERVATION PROGRAM

Under this program the excessive watering of landscaping, excessive fountain operation, watering during peak daylight hours, water of non-permeable surfaces, excessive water use for noncommercial washing, and water use resulting in flooding or runoff would be prohibited. In addition the program would encourage efficient water use for construction activities, the installation of low-flow toilets and showerheads for all new developments, use of drought-tolerant plants with efficient landscape watering systems for all new developments, recycling of water used for cooling systems, use of pool covers, and the posting of water conservation signage at all hotels.

WATER EFFICIENCY RETROFIT PROGRAM

This program would encourage upgrades in water efficiency for renovations or additions of residential, commercial, office, and industrial properties equivalent to that of new developments. The City would work with local water purveyors to achieve consistent standards, and to develop, approve, and review procedures for implementation.

INCREASED RECYCLED WATER USE

Coordinate with EMWD to promote the use of municipal wastewater and graywater for agricultural, industrial and irrigation purposes. This measure would be subject to approval of the State Health Department and compliance with Title 22 provisions. This measure would facilitate the following:

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- Inventory of non-potable water uses that could be substituted with recycled or graywater;
- Determination of the feasibility of producing and distributing recycled water for groundwater replenishment;
- Determine the associated energy/GHG tradeoffs for treatment/use vs. out of basin water supply usage;
- Cooperation and coordination with responsible agencies to encourage the use of recycled water where energy tradeoffs are favorable.

R3 Water Reduction Measure

The following R3 measure enhances and/or ensures the reductions accounted for within the R2 measure identified above.

R3-W1: WATER EFFICIENCY TRAINING AND EDUCATION

Under this measure the City, in coordination with EMWD and local water purveyors would implement a public information and education program that promotes water conservation. The program could include certification programs for irrigation designers, installers, and managers, as well as classes to promote the use of drought tolerant, native species and xeriscaping. This measure supports measure R2-W1 discussed above.

4.6 Solid Waste

The following measures describe ways for the City of Moreno Valley to reduce the amount of waste sent to the landfill and thus reduce the associated GHG emissions.

R1 Solid Waste Measure

The following R1 solid waste related measure is a measure that California has identified in the AB 32 Scoping Plan that will result in emission reductions within the City.

R1-S1: WASTE MEASURES

The CARB AB 32 Scoping Plan recommends three measures for reducing emissions from Municipal Solid Waste at the State level, including: 1) landfill methane control; 2) increase the efficiency of landfill methane capture; and 3) high recycling/zero waste. CARB approved a regulation implementing the discrete early action program for methane recovery (1), which became effective June 17, 2010. This measure is expected to result in a 1.0 MMTCO2e reduction by 2020 (CARB 2008). Other measures proposed by CARB include increasing efficiency of landfill methane capture (2) and instituting high recycling/zero waste policies (3). Potential reductions associated with these measures are still to be determined.

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R1-S2: CAL GREEN CONSTRUCTION WASTE REDUCTION

The 2010 CALGreen Standards also include a measure for the reduction of construction waste. This measure states that at least 50% of non-hazardous construction and demolition debris must be recycled or salvaged. This reduces the amount of waste sent to the landfill and thus reduces GHG emissions associated with the decomposition of solid waste.

R2 Solid Waste Measures

The following R2 measure reduces emissions related to solid waste and helps Moreno Valley to achieve an AB 32 compliant reduction target.

R2-S1: CITY DIVERSION PROGRAM

GHG Reduction Potential:

26,577 MT CO_2e

The emissions reductions account for a 20% decrease in non-construction waste sent to landfills. Non-construction waste represents 87% of Moreno Valley's total waste.

Community Co-Benefits:

City Costs:

Administrative costs of including construction material recycling, interior and exterior recycling storage areas in new development, and recycling at public events.

City Savings:

--

Private Costs:

--

Private Savings:

Undetermined

Potential Funding Sources:

--

The state has set the following targets for Moreno Valley's solid waste disposal: 4.4 pounds per day (PPD) per resident and 31.8 PPD per employee (equating to a diversion rate of 50%). As of 2009, the City is below the target for both categories: 3.3 PPD per resident and 26 PPD per employee. To further reduce the amount of waste disposed, and comply with AB 341, this measure would set a target for the City to increase the waste diverted to 75% by 2020 (this equates to 2.2 PPD per resident and 15.9 PPD per employee). The following is a potential list of waste reduction measures that will further strengthen existing waste reduction/diversion programs along with coordination with Waste Management of the Inland Empire and Riverside County Waste Management.

- Provide outreach and education programs for residential, commercial, and industrial land uses in order to further promote existing City diversion programs;
- Encourage businesses to adopt a voluntary procurement standard and prioritize those products that have less packaging, are reusable, or recyclable;
- Support State level policies that provide incentives for efficient and reduced packaging waste for commercial products;
- Provide waste audits;
- Make recycling mandatory at all public events;
- Support legislation which advocates for extended producer responsibility;
- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard);

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- Require interior and exterior storage areas for recyclables at all buildings associated with new construction;
- Provide adequate recycling containers in public areas, including parks, public golf courses, and City owned facilities; and
- Provide education and publicity about reducing waste and available recycling services.

R3 Solid Waste Measures

The following R3 measures enhance and/or ensure the reductions accounted for within the R2 measure identified above.

R3-S1: ENCOURAGE INCREASED EFFICIENCY OF THE GAS TO ENERGY SYSTEM AT LANDFILLS.

El Sobrante Landfill and the Badlands Landfill, where Moreno Valley's waste is sent, currently have gas-to-energy systems that convert methane released from the decomposition of waste into energy. This measure would encourage Waste Management of the Inland Empire and Riverside County Waste Management Department to keep current with upgrades in efficiencies to waste to energy systems and to upgrade as feasible when significant increases in conversion efficiencies are available. Moreno Valley's waste is deposited in the El Sobrante Landfill and the Badlands Landfill, so the emissions from Moreno Valley's solid waste are dependent on the waste management and methane capture systems in place at El Sobrante and Badlands. Any reductions in emissions from the landfill will, in turn, reduce Moreno Valley's emissions from solid waste generation.

R3-S2: WASTE EDUCATION PROGRAM

This measure would provide public education and increased publicity about commercial and residential recycling. This measure would educate the public about waste reduction options available at both residential and commercial levels, including composting, grass recycling, and waste prevention, and available recycling services.

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Chapter 5 Total Estimated Reductions

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In 2020, the City of Moreno Valley is projected to emit a total of 1,298,543 MT CO_2e without the incorporation of reduction measures. With implementation of the reduction measures discussed in Chapter 4, the City emissions for 2020 would be reduced to 798,137 MT CO_2e. The statewide reduction measures (the R1 Measures in Chapter 4) would reduce the bulk of Moreno Valley's emissions and make a substantial contribution toward reaching the 2020 reduction target. However, the City would need to supplement the state measures with the implementation of the local reduction measures (R2 measures) discussed in Chapter 4.

5.1 Reductions from R1 and R2 Measures

The R1 measures described in Chapter 4 will be implemented at the State level with reductions occurring at the local level in Moreno Valley. The R2measures go beyond the State measures to reduce GHG emissions in order to meet the 2020 reduction target. Table 5-1 summarizes the MT CO_2e and the corresponding percentage of emissions reduced for each of the R1 and R2 measures.

Table 5-1 Measures and Associated Emissions Reduced from 2020 Inventory

Transportation	MT CO_2e Reduced	% of Transportation Emissions
R1-T1 & R1-T2: Pavley I and II	150,196	19.1
R1-T3: Low Carbon Fuel Standard	45,941	5.8
R1-T4: Tire Pressure	1,591	0.2
R1-T5: Low Rolling Resistance Tires	1,058	0.1
R1-T6: Low Friction Oils	8,973	1.1
R1-T7: Goods Movement Efficiency	9,288	1.2
R1-T8: Aerodynamic Efficiency	1,152	0.2
R1-T9: Medium/Heavy Duty Hybridization	595	0.1
R2-T1: Land Use and VMT Reduction Policies	20,423	2.6
R2-T2: Transit Improvements	120,087	15.2
R2-T3: Employment Based Trips	7,401	0.9
Transportation Total	**366,706**	**46.5**
Energy	**MT CO_2e Reduced**	**% of Energy Emissions**
R1-E1: Renewable Portfolio Standard 33%	3,194	0.9
R1-E2: Indoor Residential Lighting	5,900	1.7
R1-E3: Indoor Commercial/Outdoor Lighting	4,380	1.2
R1-E4: Electrical Energy Efficiency	3,060	0.9
R1-E5: Natural Gas Energy Efficiency	1,382	0.4
R1-E6: Combined Heat/Power	12,678	3.6
R1-E7: Industrial Efficiency	791	0.2
R2-E1: New Residential Energy Efficiency	3,357	0.9
R2-E2: New Residential Renewable Energy	1,252	0.4
R2-E3: Residential Energy Efficiency Retrofits	33,418	9.4
R2-E4: Residential Renewable Energy Retrofits	5,750	1.6
R2-E5: New Commercial Energy Efficiency	3,357	0.9
R2-E6: New Commercial Renewable Energy	2,030	0.6
R2-E7: Commercial Energy Retrofits	18,261	5.1
Energy Total	**80,549**	**22.6**

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Table 5-1 Measures and Associated Emissions Reduced from 2020 Inventory		
Area Source	**MT CO_2e Reduced**	**% of Area Source Emissions**
R1-L1: SCAQMD Healthy Hearths Programs	6,244	7.6
R2-A1: Electric Landscaping Equipment	4,207	5.1
Area Source Total	**10,451**	**12.7**
Water	**MT CO_2e Reduced**	**% of Water Emissions**
R1-W1: RPS related to Water Supply	2,535	12.7
R1-W2 & R2-W1: Water Conservation Strategies	3,493	17.5
Water Total	**6,028**	**30.1**
Solid Waste	**MT CO_2e Reduced**	**% of Solid Waste Emissions**
R1-S2: CalGreen Construction Waste	10,618	6.5
R2-S1: Waste Disposal Program	26,577	16.3
Solid Waste Total	**37,196**	**22.8**

With the statewide reduction measures and the implementation of the R2 measures, Moreno Valley would reduce its community-wide emissions to a level below the established 2020 reduction target. Table 5-2 summarizes the 2020 inventory emissions, the GHG reductions associated with the reduction measures, and the reduced 2020 emissions.

Table 5-2 Reduction Summary for 2020 Inventory				
	2020 MT CO_2e	**Reductions MT CO_2e**	**Reduced 2020 MT CO_2e**	**% Reduction**
Transportation	788,267	366,706	421,561	46.5
Energy	356,193	104,820	251,372	29.4
Area Sources	84,665	11,619	73,046	13.7
Water/Wastewater	20,216	6,057	14,158	30.0
Solid Waste	49,203	11,203	38,000	22.8
TOTAL	**1,298,543**	**500,406**	**798,137**	**38.5**

The implementation of the R1 and R2 reduction measures would reduce Moreno Valley's emissions by 38.5 percent to 798,137 MT CO_2e.

5.2 Reduced 2020 Community-Wide Emissions Inventory

With the implementation of GHG reduction measures, Moreno Valley is projected to reduce its emissions to a total of 798,137 MT CO_2e, which is 556 MT CO_2e below the 2020 reduction target. This is a decrease of 38.5 percent from the City's 2020 BAU emissions inventory and 13 percent from the 2010 emissions. The reduction measures reduce GHG emissions from all sources of community-wide GHG emissions including transportation, energy, area sources, water, and solid waste. The following sections describe the emissions by source and land use category for the year 2020.

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Emissions by Source

The emissions by source for the reduced 2020 inventory were calculated by applying a percent reduction to the 2020 emissions for each reduction measure. Table 5-3 summarizes the reduced 2020 City emissions of CO_2e as broken down by emissions category. Figure 5-1 is a graphical representation of Table 5-3. A detailed breakdown of reduced 2020 emissions by category is available in Appendix __.

Table 5-3 Reduced 2020 GHG Emissions by Source

Category	Metric tons of CO_2e
Transportation	421,561
Energy	251,372
Area Sources	73,046
Solid Waste	38,000
Water and Wastewater	14,158
Total	**798,137**

Figure 5-1 Reduced 2020 GHG Emissions Generated by Source

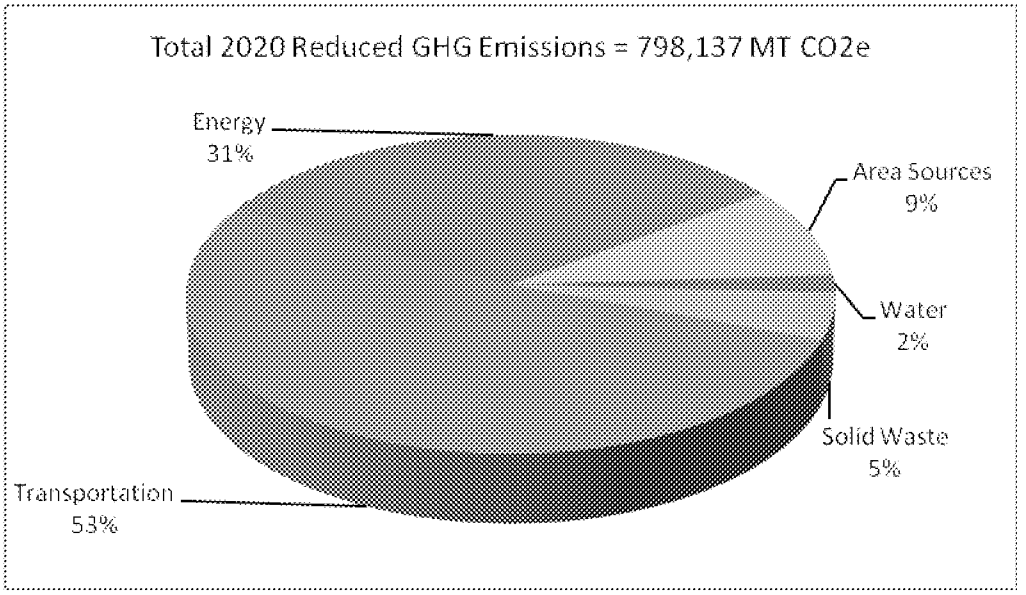

5.3 Emissions Summary

With the implementation of the reduction measures outlined in Chapter 4, the City of Moreno Valley would reduce its emissions to a level below the 2020 reduction target calculated in Chapter 3. This represents a 38.5 percent decrease from the BAU 2020 inventory and is consistent with the State's GHG

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reduction goals. Table 5-4 summarizes the existing 2010 emissions, the 2020 emissions inventory, and the reduced 2020 emissions.

Table 5-4 2020 GHG Emissions Comparison

Source Category	Metric tons of CO_2e			
	2010	BAU 2020	Reduced 2020	% Reduced
Transportation	513,581	788,267	421,561	46.5
Energy	277,230	356,192	251,372	29.4
Area Sources	69,437	84,665	73,046	13.7
Water and Wastewater	16,831	20,216	14,158	30.0
Solid Waste	43,633	49,203	38,000	22.8
Total	**920,712**	**1,298,543**	**798,137**	**38.5**
Emission Reduction Target		**798,693**	**798,639**	
Below Reduction Target?		**No**	**Yes**	

Note: Mass emissions of CO_2e shown in the table are rounded to the nearest whole number. Totals shown may not add up due to rounding.

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Chapter 6 Conclusion

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6.1 Conclusions

This report serves as a guide to help the City implement the objectives of conserving resources and reducing GHG emissions. This document also serves as a technical resource future updates of the City's General Plan and other land use related documents that may require evaluation and documentation of GHG emissions. Figure 6-1 shows a comparison between the emission inventories discussed throughout this report.

Figure 6-1 Moreno Valley GHG Emissions by Year

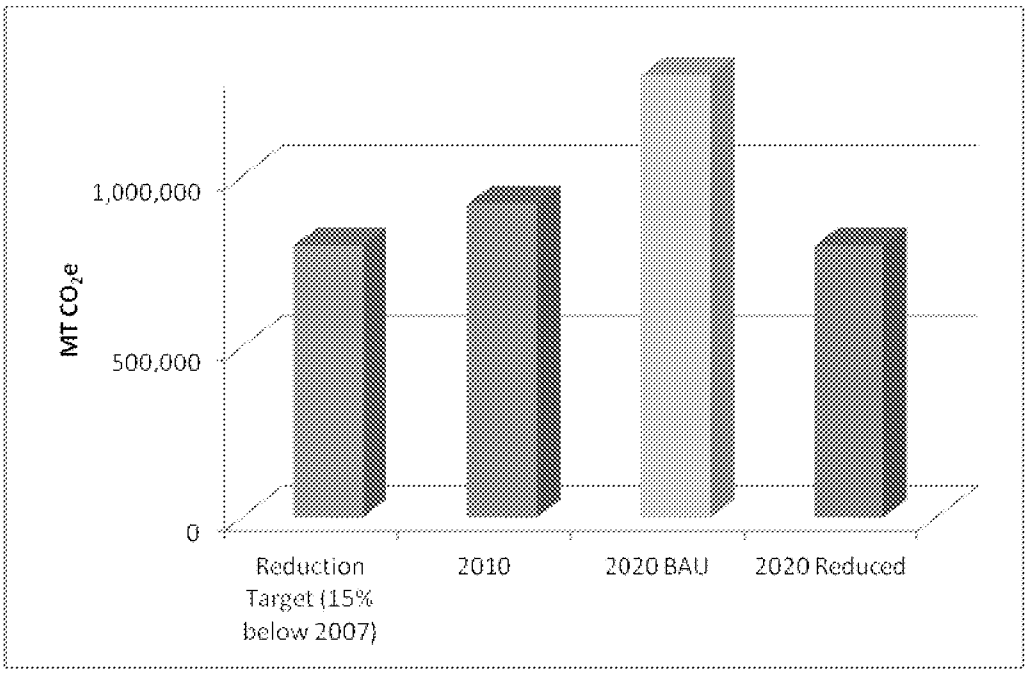

This document sets a target to reduce community-wide GHG emission emissions by 15% from 2007 levels by 2020, consistent with the State reduction goals in AB 32. The CARB Scoping Plan outlines the reduction strategies designed to meet the statewide reduction goal of AB 32. The City has a reduction strategy as described in Chapter 4 that would meet the State reduction goal. Reduction measures provided herein would ensure that Moreno Valley meets the AB 32 reduction target of reducing to 15% below 2007 levels (reduce down to 798,693 MT CO_2e) by 2020. In many cases, implementation of the reduction measures will require the cooperation of other agencies, private businesses, and residents. Even with the anticipated growth, the modernization of vehicle fleets, combined with the continued implementation of the proposed measures, will reduce GHG emissions by approximately 500,406 MT CO_2e from 2020 levels. Therefore, the implementation of the State (R1) measures combined with the City's R2 and R3 measures will reduce GHG emissions down to 798,137 MT CO_2e by year 2020, which is 556 MT CO_2e below the reduction target.

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6.2 Additional Reduction Opportunities

The quantitative analysis of reductions demonstrates that the City can achieve the reduction target by implementing the reduction strategies. The quantitative analysis of future emissions in Moreno Valley also demonstrates that the target is achieved with only 556 MT CO_2e to spare. However, there are many additional opportunities to reduce emissions that cannot be calculated in a quantitative manner at this time.

One class of additional reduction opportunities includes many of the R3 measures which are anticipated to reduce emissions but cannot be calculated due to indeterminate variables. These include cross-jurisdictional coordination on transportation and energy programs that can reap huge additional reduction opportunities beyond what Moreno Valley can do on their own, an Alternative Energy Development Plan coordinated with SCE, City tree planting program that provides additional sequestration and shade, and a Heat Island Plan. Addressing the heat island affect will reduce the energy needed to cool buildings and automobiles, which would result in a reduction in GHG emissions. However, the current state of emission modeling cannot calculate the emissions reductions associated with addressing the heat island effect.

Another class of additional reduction opportunities includes the implementation of the Regional Sustainable Communities Strategy (SCS) within Moreno Valley. The Southern California Association of Governments (SCAG) has released the draft SCS, but has not finalized it or provided the quantitative values to estimate the GHG reductions within Moreno Valley attributable to implementation of the SCS. Once more quantitative data is available, additional reductions due to the SCS within Moreno Valley can be calculated and provided.

The last class of additional reduction opportunities includes the City's ability to implement the R2 measures in a manner that reduces emissions beyond what was calculated in Section 4. As an example, a very modest participation in voluntary energy efficiency retrofits of existing buildings was expected in the calculations that are shown. Increasing participation in these programs will result in additional reductions.

The City should monitor progress of achieving the reduction goal as the R2 measures are implemented and take advantage of these additional reduction opportunities to insure that the target is achieved.

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Chapter 7 Implementation

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CHAPTER 7 IMPLEMENTATION

This GHG Analysis sets a framework for Moreno Valley to reduce its GHG emissions. Through this analysis, the City has set a baseline for emissions, a target for emissions reductions, and a strategy to attain the reductions to a series of reduction measures. The implementation of these measures will depend on development review; coordination with other agencies, businesses, and residents; and availability of funding through rebates and incentives.

Many of the proposed reduction measures will be implemented through the development review process. New construction offers the opportunity to build with energy efficiency and renewable energy integrated from the start. Additionally, making land use decisions based on transit accessibility and proximity to a variety of uses will help to reduce the dependency on vehicles as the main mode of transportation. Reductions from existing development will also be critical in order to reduce emissions in Moreno Valley. These improvements to existing buildings can offer direct energy cost savings and there are a variety of rebates and incentives available at the state and local level to make the upfront costs more affordable.

On a municipal level, the City of Moreno Valley has already begun to implement energy efficiency upgrades with funding from the EECBG grant money. By implementing all of the remaining planned projects, the City can set an example for the rest of the community and demonstrate how these retrofits are saving the City money and reducing GHG emissions. The City has also been monitoring its energy use through the Energy Star Portfolio Manager program. This has allowed the City to assess energy use in its facilities and monitor changes in energy use based on the retrofits described above. In the future, Moreno Valley can also work to identify additional funding for future projects and continue to administrate the Energy Star Portfolio Manager.

This report is the first step in getting Moreno Valley on track with reducing its GHG emissions. Moving forward, the City will need to monitor and evaluate the implementation of the plan, reassess the reduction measures, and continually update the plan in order to address emissions beyond 2020.

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Chapter 8 References

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CHAPTER 8 REFERENCES

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MORENO VALLEY
WHERE DREAMS SOAR

Department Update: City Manager's Office

City Council Meeting, August 28, 2012

MV00174399

Administration

- ☑ City Manager, Assistant City Manager, Assistant to the City Manager, Executive Assistant II

Media & Communications

- ☑ 3 Cable TV Producers in MVTV-3, Sr. Graphics Designer, Customer Service Assistant

MORENO VALLEY
WHERE DREAMS SOAR

City Manager's Office

Prioritized Goals: Council Workshop

- Job Development/Maximizing Vacant Land Opportunities
- Focus on Medical Corridor and Health Services/Educational opportunities
- Maximize Transportation and Infrastructure Opportunities
- Economic and Tax Base Development
- Enhance City Image

MV00174401

MORENO VALLEY
WHERE DREAMS SOAR

City Manager's Office

- Jobs/Education Initiative
- 5 Town Hall Meetings
- Op-Ed pieces in P-E, Black Voice News
- "In God We Trust"
- Media & Communications Strategy
- Mayor's State of the City

MV00174402

MORENO VALLEY
WHERE DREAMS SOAR

City Manager's Office

Groundbreaking Ceremonies

- ☑ Morrison Park Fire Station
- ☑ Heacock Bridge
- ☑ Nason/Cactus Street Improvement

Ribbon Cutting Ceremonies

- ☑ Nason/60 Phase I Interchange Improvements
- ☑ Auto Mall Improvement
- ☑ Nason/60 Ramps "Milestone Celebration"

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MORENO VALLEY
WHERE DREAMS SOAR

City Manager's Office

- MVTV-3 tops in CA & Arizona
- Veteran's Day & Memorial Day
- 138 press releases
- Graphics support for 200 publications
- Live MVTV-3 broadcasts

MV00174404

MORENO VALLEY
WHERE DREAMS SOAR

City Manager's Office

- 3-Year Budget
- 3-Year Economic Development Action Plan
- Resolve Edgemont Water Issue
- Address St. Light Subsidy
- Legislative Program
- Maintain Services/Address Fiscal Challenges

MV00174405

MORENO VALLEY
WHERE DREAMS SOAR

Department Update: City Manager's Office

City Council Meeting, August 28, 2012

MV00174406

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

August 28, 2012

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

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Richard A. Stewart, Mayor
William H. Batey II, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
Marcelo Co, Council Member

MV00174407

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
August 28, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. RECOGNITION OF 2012 SUMMER READING PROGRAM SUPER READERS, BY MORENO VALLEY FRIENDS OF THE LIBRARY

2. EMPLOYEE OF THE QUARTER RECOGNITION, 2ND QUARTER 2012

   a) MaryLou Antero, Accounts Payable Supervisor

   b) Jim White, Accounting Technician

3. RECOGNITION OF MVTV-3 SCAN NATOA STAR AWARDS

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES

THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

REGULAR MEETING - 6:30 PM
AUGUST 28, 2012

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority and the Board of Library Trustees- actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

Pastor Terry A. Harts - Unity Christian Center Church of Moreno Valley

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed

to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, City as Successor Agency for the Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 APPROVAL OF THE CHECK REGISTER FOR MAY, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2012-67, approving the Check Register for the month of May, 2012 in the amount of $13,875,994.96.

Resolution No. 2012-67

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2012.

A.4 APPROVAL OF THE CHECK REGISTER FOR JUNE, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2012-68, approving the Check Register for the month of June, 2012 in the amount of $22,489,803.50.

Resolution No. 2012-68

A Resolution of the City Council of the City of Moreno Valley, California Approving the Check Register for the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of June, 2012

A.5 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO C P CONSTRUCTION CO. INC. FOR THE CORPORATE YARD SEWER IMPROVEMENTS – PROJECT NO. 803 0002 70 77 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to C P Construction Co., Inc. (C P Construction), PO Box 1206, Ontario, CA 91762, the lowest responsible bidder, for the Corporate Yard Sewer Improvements;

2. Authorize the City Manager to execute a contract with C P Construction;

3. Authorize the issuance of a Purchase Order to C P Construction in the amount of $272,710.32 ($227,258.60 plus 20% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C P Construction, up to but not to exceed the $45,451.72 contingency; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to C P Construction if no claims have been filed against the project.

A.6 APPROVAL OF THE AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney;

2. Appoint the Community and Economic Development Director as the primary representative and appoint the Storm Water Program Manager as the alternate representative to the TMDL Task Force;

3. Authorize the Community and Economic Development Director to execute future amendments to the Agreement as approved by the

City Attorney;

4. Authorize the Mayor to execute the Agreement; and

5. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Agreement to the Santa Ana Watershed Project Authority.

A.7 REJECTION OF ALL BIDS FOR CONSTRUCTION OF THE TRANSPORTATION MANAGEMENT CENTER - PROJECT NO. 808 0005 70 76 (Report of: Public Works Department/TED)

Recommendation:

1. Reject all bids opened on July 2, 2012 for the Transportation Management Center project; and

2. Direct staff to re-advertise for construction bids for the Transportation Management Center project.

A.8 PA08-0072 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF RESOURCE WAY FROM CORPORATE STREET TO FREDERICK STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 3, 2012 – OCTOBER 1, 2012 - DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP, SAN ANTONIO, TX 78230 (Report of: Community & Economic Development Department)

Recommendation:

Authorize a full road closure of Resource Way from Corporate Street to Frederick Street for the construction of street improvements from September 3, 2012 – October 1, 2012.

A.9 P11-048, PA08-0072 – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D12-002 FOR P11-048, PA08-0072 IMPROVEMENTS ASSOCIATED WITH THE CONCOURSE AT CENTERPOINT INDUSTRIAL BUILDING; NORTHWEST CORNER OF FREDERICK STREET AND CACTUS AVENUE; DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP, SAN ANTONIO, TX 78230 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D12-002 (DIF Agreement) for P11-048, PA08-0072 improvements and right-of-way dedications; and

2. Authorize the Mayor to execute the DIF Agreement.

A.10 P11-048, PA08-0072 - ACCEPT TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) IMPROVEMENT CREDIT / REIMBURSEMENT AGREEMENT #T12-001 -NORTHWEST CORNER OF FREDERICK STREET AND CACTUS AVENUE DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP 9830 COLONNADE BOULEVARD, SUITE 600, SAN ANTONIO, TX 78230 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Transportation Uniform Mitigation Fee (TUMF) Improvement Credit/Reimbursement Agreement for P11-048, PA08-0072 public improvements;

2. Authorize the Mayor to execute the Agreement; and

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

A.11 PM 35150 – INDUSTRIAL – ACCEPT THE SUBSTITUTION AGREEMENT AND SECURITY FOR PUBLIC IMPROVEMENTS - NORTHWEST CORNER OF INDIAN STREET AND NANDINA AVENUE, DEVELOPER: FR/CAL MORENO VALLEY, LLC 114 PACIFICA, SUITE 220, IRVINE, CA 92618 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and Security for PM 35150;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by FR/CAL Moreno Valley, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.12 ADOPTION OF A RESOLUTION OPPOSING SAN DIEGO COUNTY WATER AUTHORITY'S COST-SHIFT (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2012-69 opposing San Diego County Water Authority's Cost-Shift.

Resolution No. 2012-69

A Resolution of the City Council of the City of Moreno Valley, California, Opposing San Diego County Water Authority's Cost-Shift

A.13 APPROVE RESOLUTION NO. 2012-70 ADOPTING A LOW INCOME PROGRAM AND AMENDING THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY (Report of: Public Works Department)

Recommendation:

1. Approve Resolution No. 2012-70 adopting a Low-Income Assistance Program for the residential customers of Moreno Valley Electric Utility; and

   Resolution No. 2012-70

   A Resolution of the City Council of the City of Moreno Valley Adopting a Low-Income Assistance Program and Amending the Electric Rates for Moreno Valley Electric Utility

2. Adopts the amended Moreno Valley Utility Electric Rates as on file in the Public Works Department.

A.14 APPROVAL OF COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF MORENO VALLEY FOR GILMAN SPRINGS ROAD IMPROVEMENTS - PROJECT NO. 801 0042 70 77 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Cooperative Agreement for the Gilman Springs Road Improvements project between the County of Riverside and the City of Moreno Valley;

2. Authorize the City Manager to execute the Cooperative Agreement;

3. Authorize the Public Works Director/City Engineer to approve any minor changes that may be requested by the County of Riverside subject to the approval of the City Attorney; and

4. Authorize the Public Works Director/City Engineer to execute any future amendments to the Cooperative Agreement subject to the

approval of the City Attorney.

A.15 APPROVAL OF THE AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH WILLDAN ENGINEERING TO PROVIDE UPDATES TO THE PAVEMENT MANAGEMENT PROGRAM - PROJECT NO. 801 0043 70 77 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the Agreement for Professional Consultant Services with Willdan Engineering to provide updates to the Pavement Management Program;

2. Authorize the City Manager to execute the Agreement for Professional Consultant Services with Willdan Engineering;

3. Authorize the issuance of a Purchase Order to Willdan Engineering in the amount of $117,000.00 when the Agreement has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with Willdan Engineering, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

A.16 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO POWELL CONSTRUCTORS INC. FOR SR-60/MORENO BEACH DRIVE INTERCHANGE PHASE 1 IMPROVEMENTS – PROJECT NO. 801 0038 70 77 [FORMERLY PROJECT NO. 07-41570024] (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract for SR-60/Moreno Beach Drive Interchange Phase 1 Improvements to Powell Constructors Inc. (Powell), 8555 Banana Avenue, Fontana, CA 92335, the lowest responsible bidder;

2. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval;

3. Authorize the issuance of a Purchase Order for $6,693,170.50 ($5,354,536.40 bid plus 25% contingency of $1,338,634.10) to Powell when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Powell, up to but not to exceed the Purchase Order's total contingency amount of

$1,338,634.10, subject to the approval of the City Attorney; and

5. Authorize intermittent full road closures of (1) Moreno Beach Drive between Ironwood Avenue and Trail Ridge Way and (2) Eucalyptus Avenue between Fir Avenue and Motor Way for the duration of construction anticipated to start on October 1, 2012 and be completed by October 1, 2013.

A.17 TRACT MAP 32711 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRONTING THE SOUTH SIDE OF JANET K DRIVE AT THE "T" INTERSECTION OF BOGUE STREET DEVELOPER - ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, 1430 TANGELO LANE, LA HABRA HEIGHTS, CA 90631, HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST, 2245 KINGSBRIDGE COURT, SAN DIMAS, CA 91773 (Report of: Community & Economic Development Department)

Recommendation:

1. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32711 to the County Recorder's Office for recordation; and

2. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County Recorder's Office, authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32711 for public improvements.

A.18 TRACT MAP 32710 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, OCALA COURT, NORTH OF IRONWOOD AVENUE AND EAST OF HEACOCK STREET, DEVELOPER - ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, 1430 TANGELO LANE, LA HABRA HEIGHTS, CA 90631, HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST, 2245 KINGSBRIDGE COURT, SAN DIMAS, CA 91773 (Report of: Community & Economic Development Department)

Recommendation:

1. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32710 to the County Recorder's Office for recordation; and

2. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County Recorder's Office,

authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32710 for public improvements.

A.19 AWARD OF CITYWIDE CAMERA SURVEILLANCE PROJECT CONTRACT AND AUTHORIZATION FOR CITY MANAGER TO EXECUTE CONTRACT AND SUPPORT AGREEMENT WITH AVRIO GROUP SURVEILLANCE SOLUTIONS, LLC PROJECT NO. TS-CCSS 2012-02 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Authorize the award of the Citywide Camera Surveillance Project contract to Avrio Group Surveillance Solutions, LLC (Avrio), 3 N. Harrison Street, Suite 100, Easton, Maryland 21601 in an amount not-to-exceed $1,800,000 for installation;

2. Authorize the City Manager to sign the contract with Avrio; and

3. Authorize the City Manager to execute the support agreement with one-year of maintenance with additional one-year options for maintenance as follows:

Year 1 maintenance	Included - No Charge
Year 2 maintenance	$98,000
Year 3 maintenance	$112,000
Year 4 maintenance	$125,000
Year 5 maintenance	$145,000

A.20 RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.21 ACCEPTANCE OF GRANT AWARD FROM THE NATIONAL ANIMAL CONTROL ASSOCIATION & THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (Report of: Financial & Administrative Services Department)

Recommendation:

1. Accept a grant award in the amount of $6,000 from the National Animal Control Association (NACA) and the American Society for the

Prevention of Cruelty to Animals (ASPCA) for the purpose of implementing ASPCA's ID-Me Animal Tagging Project; and

2. Approve revenue and expense appropriations in the grant amount of $6,000 increasing the Animal Services budget for FY 2012-13 to reflect the grant acceptance.

A.22 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO R.I.C. CONSTRUCTION COMPANY, INC., FOR THE CITY ANNEX BUILDING OFFICE RENOVATION PROJECT NO. 803 0004 30 40 (Report of: Human Resources/Facilities)

Recommendation:

1. Award the construction contract to R.I.C. Construction Company, Inc., 10675 "E" Avenue Hesperia, CA 92345 as the lowest responsible bidder, for the Moreno Valley Annex Renovation Project in an amount not to exceed $1,252,000;

2. Authorize the City Manager to execute a contract with R.I.C.;

3. Approve an additional appropriation in the amount of $400,000 increasing the project budget from $1,000,000 currently approved to $1,400,000 based on the actual bids received;

4. Approve a transfer of $400,000 from the City Hall Development Impact Fee (DIF) Fund to the Annex 1 Renovation Project and approve the revenue and expense appropriations respectively to facilitate said transfer;

5. Authorize the issuance of a Purchase Order to R.I.C. in the amount of $1,252,000 ($1,138,000 base bid amount plus 10% contingency) when the contract has been signed by all parties;

6. Authorize the Human Resources Director to execute any subsequent change orders to the contract with R.I.C. up to but not to exceed the Purchase Order contingency of $114,000; and

7. Authorize the Human Resources Director to record the Notice of Completion upon determination that the work is complete, and release the retention to R.I.C. if no claims are filed against the project.

A.23 RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2013 TO JUNE 30, 2013 (Report of: Community &

Economic Development Department)

Recommendation:

1. Acting in their capacity as Board Members as City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley: Adopt Resolution No. 2012-71 approving a Third Recognized Obligation Payment Schedule ("Third ROPS"), for the period of January 1, 2013 to June 30, 2013

   Resolution No. 2012-71

   A Resolution of the City Council of the City of Moreno Valley Serving as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley Approving the Third Recognized Obligation Payment Schedule for the Period of January 1, 2013 through June 30, 2013, and Authorizing the Executive Director or his Designee to make modifications thereto

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the Third ROPS to the Oversight Board for review and approval.

A.24 OVERVIEW OF REDEVELOPMENT TRAILER BILL AB 1484 (Report of: Community & Economic Development Department)

Recommendation:
Receive and file overview report of the Redevelopment Trailer Bill Assembly Bill 1484.

A.25 RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING PROPOSED ADMINISTRATIVE BUDGET FOR THE PERIOD OF JANUARY 1, 2013 TO JUNE 30, 2013 (Report of: Community & Economic Development Department)

Recommendation:

1. Adopt Resolution No. 2012-72 approving the proposed Administrative Budget for the period of January 1, 2013 to June 30, 2013;

   Resolution No. 2012-72

   A Resolution of the City Council of the City of Moreno Valley serving as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley Approving the Proposed Administrative

Budget and Authorizing the Executive Director or his Designee to Make Modifications Thereto

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the proposed Administrative Budget to the Oversight Board for review and approval.

A.26 TERMINATION OF AUTHORITY TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 7, IMPROVEMENT AREA NO. 2 OF THE CITY OF MORENO VALLEY (Report of: Public Works Department)

Recommendation:

That the City Council Acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley approve Resolution No. 2012-73 terminating the authority to annex territory to CFD No. 7, Improvement Area No. 2.

Resolution No. 2012-73

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 7 of the City of Moreno Valley, Terminating the Authority to Annex Territory in the Future to Improvement Area No. 2 of Such Community Facilities District

A.27 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of July 4 – August 21, 2012.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING FOR A CITYWIDE AMENDMENT (PA10-0022) TO TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT", SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, "APPLICATIONS FOR LIGHTING", SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK SKY PROVISIONS FOR LIGHTING. THE APPLICANT IS THE CITY OF MORENO VALLEY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Staff recommends that the City Council conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no further action is required. Should the City Council choose to adopt the new standards, the following actions

are required:
RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 851, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

Ordinance No. 851

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI "Applications for Lighting", Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030, "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

E.2 A PUBLIC HEARING (PA11-0013) FOR A CITYWIDE AMENDMENT TO TITLE 9, CHAPTER 9.11, SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENCY WITH THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS REQUIRING LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL AND VANPOOL VEHICLE PARKING FOR ALL NEW NON-RESIDENTIAL USES (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing, RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 852, approving revisions to Title 9 and Section 9.11.040 "Off Street Parking Requirements" to provide consistency with the current 2011 California Green Building Code standards for low-emitting, fuel–efficient and carpool and vanpool

vehicle parking for all new non-residential uses citywide.

Ordinance No. 852

An Ordinance of the City Council of the City of Moreno Valley, California, (PA11-0013) Amending Title 9 Chapter 9.11, Section 9.11.040, "Off Street Parking Requirements" To Provide Consistency with the Current 2011 California Green Building Code Standards Requiring Low-Emitting, Fuel-Efficient and Carpool and Vanpool Vehicle Parking for New Non-Residential Uses Citywide

E.3 HEARING ON PROPOSED RESOLUTIONS OF NECESSITY TO MAKE FINDINGS AND DETERMINATIONS AND TO AUTHORIZE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE NECESSARY RIGHT-OF-WAY FOR THE SR-60/MORENO BEACH INTERCHANGE PROJECT PHASE 2 - PROJECT NO. 801 0021 70 77 (Report of: Public Works Department/CPD)

Recommendation: That the City Council:

1. Conduct a hearing, allowing testimony, including property owners who have requested the right to appear and be heard. Close the hearing;

2. Approve and adopt the Planning Division's finding that the Project is consistent with the General Plan;

3. Find the adoption of the proposed Resolutions of Necessity and acquisition of the fee and easement interests necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment and is excluded from NEPA in that this activity cannot individually or cumulatively have a significant effect on the human environment and no environmental assessment is required. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Initial Study/Negative Declaration (IS/ND) and its NEPA/CEQA Re-validation prepared for the Project;

4. Consider and find that the "Factual Summary to Support Findings Required in Resolutions Nos. 2012-63, 2012-64, 2012-65, and 2012-66" is true and correct as to each of the proposed Resolutions of Necessity;

5. Consider, find and determine that each of the statements, findings

and facts in each of the proposed Resolutions of Necessity is true and correct;

6. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council.

Resolution No. 2012-63

A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-080-013];

7. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council.

Resolution No. 2012-64

A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To

Obtain An Order For Prejudgment Possession Of The Subject Property [APNs: 488-080-014 And 488-080-017];

8. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council.

Resolution No. 2012-65

A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easement In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-080-016];

9. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interest to be taken, by a vote of two-thirds of all members of the City Council.

Resolution No. 2012-66

A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee Interest In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To

Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-270-021]; and

10. Direct the City Attorney and Special Eminent Domain Counsel for the City to file appropriate actions in Eminent Domain, including making Deposits of Probable Compensation and to seek Orders for Prejudgment Possession and for all other appropriate orders.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

G.2 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 485-081-034 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

G.3 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:
Accept public comments regarding the mail ballot proceeding for APN 485-081-034 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.4 DRAFT ENERGY EFFICIENCY AND CLIMATE ACTION STRATEGY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the policies in the Draft Energy Efficiency and Climate Action Strategy Document and provide direction to staff in formulating a final document for consideration and approval.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

G.5.1 Department Update: City Manager's Office. Verbal report by Assistant City Manager Michelle Dawson.

G.6 CITY ATTORNEY'S REPORT (Informational Oral Presentation - Not for Council Action) (Report of: City Attorney)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT,CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
July 10, 2012

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:41 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street

Mayor Richard A. Stewart announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem William H. Batey II.

INVOCATION

Council Member Jesse L. Molina

ROLL CALL

Council:

Richard A. Stewart	Mayor
William H. Batey II	Mayor Pro Tem
Jesse L. Molina	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director

Item No. A.2

Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Joel Ontiveros	Police Chief
Abdul Ahmad	Fire Chief
Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert A.21 and A.22 (oppose).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 26, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 20 - July 3, 2012.

A.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard, constructed by STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to STI Inc. Trucking and Materials, thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.5 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS, PUNCH-LIST ITEMS, AND CALTRANS ACCEPTANCE ARE COMPLETED FOR THE SR-60/NASON INTERCHANGE, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT IMPROVEMENTS INTO THE CITY-MAINTAINED SYSTEM – PROJECT NO. 98-25897 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements, punch-list items, and Caltrans acceptance are completed for construction of the SR-60/Nason Interchange Improvements, constructed by All American Asphalt, PO Box 2229, Corona, CA 92878;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to All American Asphalt, thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept improvements into the City's maintained system upon acceptance of the improvements as complete.

A.6 AUTHORIZE AWARD OF CONSTRUCTION CONTRACT TO HARDY & HARPER, INC. FOR IRIS AVENUE PAVEMENT RESURFACING - PROJECT NO. 13-22422410 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to include Base Bid Schedule and Additive Bid Schedules A to D to Hardy & Harper, Inc., 1312 Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance a Purchase Order to Hardy & Harper, Inc. for the amount of $1,225,900.00 ($1,066,000.00 Base Bid Schedule and Additive Bid Schedules amount plus 15% contingency of $159,900.00) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order's total contingency amount of $159,900.00, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained roadway system, and release the retention to Hardy & Harper, Inc., if no claims are filed against the project.

A.7 APPROVE RESOLUTION NO. 2012-56, AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR STATE-LOCAL PARTNERSHIP PROGRAM (SLPP) GRANT FUNDING AND APPROPRIATING REQUIRED MATCHING FUNDS FOR THE CACTUS AVENUE WIDENING PROJECT FROM INTERSTATE 215 EASTBOUND OFF-RAMP TO VETERANS WAY PROJECT NO. 07-41678527 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve Resolution No. 2012-56, authorizing the submittal of an application for the California Transportation Commission (CTC) State-Local Partnership Program (SLPP) grant for the requested amount of $560,000 for Cactus Avenue Widening from Interstate 215 Eastbound Off-Ramp to Veterans Way;

Resolution No. 2012-56

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Submittal of an Application for Funds to the California Transportation Commission for the State-Local Partnership Program Grant Under the Proposition 1B Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 for the Cactus Avenue Widening Project from Interstate 215 East Bound Off-Ramp to Veterans Way Project No. 07-41678527

2. Authorize the City Engineer/Public Works Director, on behalf of the City, to accept any SLPP grant funds the CTC may allocate for the Cactus Avenue Widening project; and

3. Authorize the appropriation of funds up to $560,000 SLPP grant funding monies when and if the grant is awarded by the CTC and accepted by the City Engineer/Public Works Director on behalf of the City, and appropriate up to $560,000 in matching funds from Development Impact Fees (DIF, Fund 201) if and when the grant application is accepted by the CTC.

A.8 FIRST AMENDMENT TO AGREEMENT WITH FALCON ENGINEERING SERVICES INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE SR-60/MORENO BEACH PHASE 1 PROJECT – PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the "First Amendment to Agreement for Professional Consultant Services, Transportation Uniform Mitigation Fee (TUMF) – Zonal" (First Amendment) with Falcon Engineering Services, Inc. (Falcon), 1020 Aquino Circle, Corona, CA 92879 to provide construction management and inspection services for the SR-60/Moreno Beach Interchange Project (Phase 1) for $767,821.56;

2. Authorize the City Manager to execute said First Amendment with Falcon;

3. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency

of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board and State Department of Finance approval;

4. Authorize a Change Order to increase Purchase Order No. 42372 with Falcon by $767,821.56 from Account No. 797.79731.7200 once the First Amendment has been signed by all parties; and

5. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the contract with Falcon within the authorized purchase order amount subject to the approval of the City Attorney.

A.9 LICENSE AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND AMERICAN MEDICAL RESPONSE – INLAND EMPIRE FOR THE USE OF FIRE STATION 91 (Report of: Fire Department)

Recommendation:

1. Approve a License Agreement between the City of Moreno Valley and American Medical Response - Inland Empire for the use of Fire Station 91; and

2. Authorize the Mayor to execute the Agreement.

A.10 APPROPRIATION OF EQUIPMENT REPLACEMENT RESERVE FUNDS FOR THE PURCHASE OF A CONFINED SPACE COMMUNICATIONS KIT (Report of: Fire Department)

Recommendation:

Approve an appropriation of $10,500 from Equipment Replacement Reserve Funds to 1010-40-45-30110-660399 for the replacement of a confined space communication kit.

A.11 COMMUNITY ORIENTED POLICING SERVICES (COPS) FUNDING OPPORTUNITY (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the Office of Community Oriented Policing Services (COPS) grant in the amount of $155,384, entitled "Community Policing Development Program;" and

2. Authorize the revenue and expense budgets in the Community Oriented Policing Services (COPS) Fund 2720 for the Community

Policing Development Program in the amounts of $155,384, respectively, upon approval and acceptance of the COPS grant.

A.12 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE WIDENING OF PERRIS BOULEVARD SOUTHBOUND AT STATE ROUTE 60 WESTBOUND ON-RAMP, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM - PROJECT NO. 08-12566627 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Widening of Perris Boulevard Southbound at State Route 60 Westbound On-Ramp constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92878;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Hillcrest Contracting, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and

4. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.13 ACCEPTANCE AND APPROPRIATION OF AN ADDITIONAL $2,000,000 IN SURFACE TRANSPORTATION PROGRAM - LOCAL (STPL) FUNDS FOR THE SR-60/NASON OVERCROSSING IMPROVEMENT PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

Accept and appropriate an additional $2,000,000 of Surface Transportation Program – Local (STPL) funds for the SR-60/Nason Overcrossing Improvement Project.

A.14 AUTHORIZATION OF GRANT APPLICATION SUBMITTALS FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) (Report of: Public Works Department/TED)

Recommendation:
Authorize the submittal of grant applications for the Highway Safety Improvement Program (HSIP).

A.15 AUTHORIZATION TO AWARD CONTRACT TO ALL CITY MANAGEMENT SERVICES FOR THE ADMINISTRATION OF THE CROSSING GUARD PROGRAM (Report of: Public Works/TED)

Recommendation:

1. Authorize the Award of a Crossing Guard Service Contract to All City Management Services to provide adult crossing guard services within the City, commencing with the start of the 2012/2013 school year in mid-August;

2. Authorize the City Manager to execute an agreement with All City Management Services;

3. Authorize the issuance of a Purchase Order to All City Management Services in the amount of $517,258.50 for the first year of the agreement, and subsequent purchase orders as necessary to fund subsequent years of service in accordance with the terms of the agreement; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with All City Management Services, subject to the approval of the City Attorney.

A.16 AUTHORIZE THE NINTH AMENDMENT TO AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR PROFESSIONAL CONSULTANT SERVICES FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the "Ninth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., for the amount of $65,785, to provide additional professional services during close-out from the construction of the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager to execute said "Ninth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc.;

3. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for approval, and authorize the City Manager to access agency funds only after Oversight Board and State Department of Finance approval;

4. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. by $65,785 when the Ninth Amendment has been signed by all parties; and

5. Authorize the Public Works Director/City Engineer to execute any subsequent minor related amendment(s) to the agreement with AECOM Technical Services, Inc. subject to the approval of the City Attorney.

A.17 AUTHORIZE A PURCHASE ORDER TO JOHNSON POWER SYSTEMS FOR THE EMERGENCY OPERATIONS CENTER FAMILY CARE CENTER GENERATOR PROJECT
PROJECT NO. 11-24024011 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the issuance of a Purchase Order in the amount of $245,670 ($228,000 plus applicable taxes) to Johnson Power Systems, 656 E. La Cadena Drive, Riverside, CA 92502, for the purchase of the generator set and tank for the Emergency Operations Center Family Care Center;

2. Authorize the issuance of a Purchase Order in the amount of $73,810 ($68,500 plus applicable taxes) to Johnson Power Systems, 656 E. La Cadena Drive, Riverside, CA 92502, for the purchase of the additional tank for the existing generator at City Hall, if funding is available at the time of construction award; and

3. Authorize the appropriation of the savings in the amount of $458,000 from the 2005 Lease Revenue Bond Fund 501 for the Public Safety Building Conversion project to the Emergency Operations Center Family Care Generator project.

A.18 BALLISTIC GLASS UPGRADES (Report of: Police Department)

Recommendation:

1. Approve the Ballistic Glass Upgrades of the Moreno Valley Public Safety Building's (Police Department) lobby and clerical area with a revised estimated cost of $170,000; and

2. Authorize the use of $100,000 from the Moreno Valley Police Department's operational savings to be used in conjunction with the previously approved $70,000 asset forfeiture fund to complete the Ballistic Glass Upgrades.

A.19 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL STREET IMPROVEMENTS PROJECT NO. 08-89791725, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Auto Mall Street Improvements Project to Sean Malek Engineering and Construction, 43905 Margarita Road, Temecula, CA 92592;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the office of the County Recorder of Riverside County as required by Section 3093 of the California Civil code;

3. Authorize the Financial and Administrative Services Director to release the retention to Sean Malek Engineering and Construction, thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project;

4. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley as included on the Oversight Board approved list of projects;

5. Authorize the Public Works Director/City Engineer to accept the portion of improvements that are within the City's jurisdiction into the

City's maintained system upon acceptance of the improvements as complete; and

6. Authorize the Community and Economic Development Director to release the applicable improvements to the Moreno Valley Auto Mall Landscaping Association for maintenance.

A.20 AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT AND PURCHASE ORDER WITH JD EDGE SOFTWARE (Report of: Financial & Administrative Services Department)

Recommendation:

1. Authorize the City Manager to execute an agreement and purchase order with JD Edge Software for costs not-to-exceed $250,000 ($199,995 quoted costs plus $50,005 (25%) contingency) to assist the City in converting Human Resource and Payroll data for incorporation into the City's new ERP system; and

2. Appropriate $250,000 in FY 2012-13 to the Technology Services Division, Professional Services account from fund balance available from FY 2011-12 savings in the Financial & Administrative Services and Human Resources Departments to fund the contract expenditures for the ERP replacement project.

A.21 ADOPT A RESOLUTION APPROVING THE WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS RECEIVABLE RELATED TO INVESTMENTS WITH LEHMAN BROTHERS HOLDINGS INC. IN THE AMOUNT OF $2,819,046.30 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2012-57, approving the write-off of $2,819,046.30 in uncollectible Accounts Receivable related to investments in Lehman Brothers Holdings Inc.

Resolution No. 2012-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Write-Off of Uncollectible Accounts Receivable related to investments with Lehman Brothers Holdings Inc. in the amount of $2,819,046.30

A.22 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND ELECTRIC RATE SCHEDULE ED – ECONOMIC DEVELOPMENT RATE FOR MORENO VALLEY UTILITY (Report of: Public Works Department/EU)

Recommendation:

1. Approve Resolution No. 2012-58 amending Electric Rate Schedule ED – Economic Development Rate for Moreno Valley Utility; and

Resolution No. 2012-58

A Resolution of the City Council of the City of Moreno Valley, California, to amend Electric Rate Schedule ED – Economic Development Rate and Associated Agreement for Moreno Valley Utility

2. Authorize the City Manager to execute, on behalf of the City Council, the amended Economic Development Rate Agreement for New or Expanded Load Electric Service Customer pursuant to Schedule ED - Economic Development Rate.

A.23 CERTIFICATION OF RIVERSIDE HOUSING DEVELOPMENT CORPORTION AS A DESIGNATED COMMUNITY HOUSING DEVELOPMENT ORGANIZATION FOR FISCAL YEAR 2012-2013 (Report of: Community & Economic Development Department)

Recommendation:

Adopt Resolution 2012-59 certifying Riverside Housing Development Corporation (RHDC) as a city-designated Community Housing Development Organization (CHDO).

Resolution No. 2012-59

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Community Housing Development Organization Under the United States Department of Housing and Urban Development Home Investment Partnership Act

A.24 AFFORDABLE HOUSING AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND RIVERSIDE HOUSING DEVELOPMENT CORPORATION FOR 22877 ALLIES PLACE (Report of: Community & Economic Development Department)

Recommendation:

1. Adopt Resolution No. 2012-60 and approve the Affordable Housing Agreement by and between the City of Moreno Valley and Riverside Housing Development Corporation (RHDC);

Resolution No. 2012-60

A Resolution of the City Council of the City of Moreno Valley

Approving an Affordable Housing Agreement by and Between the City and Riverside Housing Development Corporation, A California Nonprofit Public Benefit Corporation

2. Authorize funding the project from the Program Income generated by the Neighborhood Stabilization Program Grant (197.1970.4595), and approve a budget appropriation of $209,000 for NSP Multi-Family/Rental Rehabilitation (197.19710.6848.001);

3. Authorize funding the project from HOME CHDO Reserve (Fund 176 Fund Balance), and approve a budget appropriation of $285,075 for RHDC Allies Place Project (New Business Unit);

4. Authorize the City Manager to amend the Affordable Housing Agreement (AHA) or undertake any other actions necessary, proper or convenient to the implementation of the AHA, as long as any revisions do not materially or substantially increase the City's stated obligations or materially change the uses or development permitted on the Site; and

5. Authorize the City Manager, or his appointee, to execute the necessary documents.

A.25 ADOPT RESOLUTION NO. 2012-62, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND COUNCIL MEMBERS COUNCIL MEMBER JESSE L. MOLINA AND COUNCIL MEMBER MARCELO CO AS FIRST AND SECOND ALTERNATE DELEGATES RESPECTIVELY, TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING – SEPTEMBER 7, 2012 (Report of: City Clerk Department)

Recommendation:
Adopt Resolution No. 2012-62 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Council Members Council Member Jesse L. Molina and Council Member Marcelo Co as first and second alternate delegates respectively to the League of California Cities 2012 Annual Business Meeting.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 26, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 26, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 26, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve with the exception of A15, which was pulled for separate action by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0-0-0.

E. PUBLIC HEARINGS – NONE

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

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Kenneth Wade (oppose) and Brian Stewart (oppose).

A.15 AUTHORIZATION TO AWARD CONTRACT TO ALL CITY MANAGEMENT SERVICES FOR THE ADMINISTRATION OF THE CROSSING GUARD PROGRAM (Report of: Public Works/TED)

Recommendation:

1. Authorize the Award of a Crossing Guard Service Contract to All City Management Services to provide adult crossing guard services within the City, commencing with the start of the 2012/2013 school year in mid-August;

2. Authorize the City Manager to execute an agreement with All City Management Services;

3. Authorize the issuance of a Purchase Order to All City Management Services in the amount of $517,258.50 for the first year of the agreement, and subsequent purchase orders as necessary to fund subsequent years of service in accordance with the terms of the agreement; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with All City Management Services, subject to the approval of the City Attorney.

Motion to Continue Item A.15 to August 28, 2012 by m/Council Member Jesse L. Molina, s/Council Member Robin N. Hastings

Approved by a vote of 5-0-0-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

Mayor Richard A. Stewart

The Director of March Joint Powers emailed a link to a story about the grand jury investigating Victorville's mismanagement of their money of the Southern California Logistics Airport Authority. March JPA has numerous and frequent audits, and they are very good.

G.2 REGIONAL GOODS MOVEMENT - ENVIRONMENTAL STRATEGY (POWERPOINT PRESENTATION BY ANNIE NAM, MANAGER GOODS MOVEMENT AND TRANSPORTATION FINANCE)

Not for Council action.

G.3 APPROVE THE LONG RANGE BUSINESS PLAN FOR THE PERIOD FY 2010 THROUGH FY 2020 (Report of: Financial & Administrative Services

Department)

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

Recommendation: That the City Council:
The Finance Subcommittee recommends that the City Council approve the Long Range Business Plan (LRBP) for the period FY 2010 through FY 2020.

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Marcelo Co

Approved by a vote of 5-0-0-0.

G.4 ADOPT A RESOLUTION OF THE CITY OF MORENO VALLEY DECLARING ITS OFFICIAL INTENT TO PROCEED WITH THE CALIFORNIA COMMUNITIES TOTAL ROAD IMPROVEMENT PROGRAM (TRIP) AND TO REIMBURSE CERTAIN EXPENDITURES FROM PROCEEDS OF INDEBTEDNESS AND RATIFY THE RETENTION OF ORRICK HERRINGTON TO REPRESENT THE CITY IN LEGAL MATTERS RELATED TO THE TRIP FINANCING (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Adopt Resolution No. 2012-61 approving a resolution declaring the official intent to proceed with the California Communities Total Road Improvement Program (TRIP) and to reimburse certain expenditures from proceeds of indebtedness and ratify the retention of Orrick Herrington (cost expected to be between $50,000 - $100,000) to represent the City in legal matters related to the TRIP financing and authorize the legal fees and costs to be paid from COP proceeds.

Resolution No. 2012-61

Resolution of the City of Moreno Valley, California, declaring its Official Intent to Proceed with the California Communities Total Road Improvement Program (Trip) and to Reimburse Certain Expenditures from Proceeds of Indebtedness

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0-0-0.

G.5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manager Henry T. Garcia

1. A three minute video has been developed to showcase the efforts of the Economic Development Department. Three buildings are under construction with the potential of up to five. Very optimistic about one of the big potential users. There has been activity on the other buildings. Moreno Valley wants to get the jobs going and get the sales tax. (The video is shown.) Moreno Valley is being aggressively marketed. Efforts that are currently underway are in the south industrial part.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

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

H.2.1 ORDINANCE NO. 849 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) ADOPTING WRCOG GOOD NEIGHBOR GUIDELINES; (2) REVISED PARKING STANDARDS FOR RESTAURANTS; (3) REDUCTION OF (CC) COMMUNITY COMMERCIAL FRONT AND STREET SIDE BUILDING SETBACKS, AND REVISIONS TO PARKING AND LANDSCAPE SETBACKS; (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS, BANNING "TOPPING" OF TREES; AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD WITH REVISED SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 26, 2012, BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Adopt Ordinance No. 849, thereby approving PA10-0030, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 849

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1)

Adopting WRCOG Good Neighbor Guidelines; (2) Revised Parking Standards for Restaurants; (3) Reduction of (CC) Community Commercial Front and Street side Building Setbacks, and Revisions to Parking and Landscape Setbacks; (4) Provide for Parking Lot Maintenance Standards, Banning "Topping" of Trees; and (5) Amend the General Parking Design Standard with Revised Safety Features and 24 Foot Wide Drive Aisles

Mayor Richard A. Stewart opened the agenda for public comments; there being none, public comments were closed.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0-0-0.

H.2.2 ORDINANCE NO. 850 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUBSECTION 9.12.050(F) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADDING SUBSECTION 9.12.060(O) TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 26, 2012 BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

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

Recommendation: That the City Council:

Adopt the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way.

Ordinance No. 850

An Ordinance of the City Council of the City of Moreno Valley, California, amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding Sub-Section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code Relating to Signs in the Public Right-Of-Way

Motion to Approve by m/Council Member Jesse L. Molina, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0-0-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Fonzo Dickerson

1. Maintenance of City

Jose Chavez

1. Safety

JulieAnn Cleveland-Stewart

1. 4th of July Youth Stage success

Tom Jerele, Sr.

1. 4th of July success

Daryl Terrell

1. Vision for Moreno Valley

Pete Bleckert

1. Lehman Brothers
2. Completed job

Dino McGloric

1. Proud to live in Moreno Valley
2. Specials at Chicago Pasta House

Chris Prudhome

1. Support for passing H.2.2

Stephanie Jackowski

1. 4th of July Youth Stage

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT,CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Council Member Jesse L. Molina

1. Commended the volunteers and staff for a job well done at the 4th of July event.

2. Thanked Rick Teichert for the long range business plan.

Council Member Robin N. Hastings

1. Staff did a phenomenal job at the community meeting on the Nason Street improvements.

2. The State Route 60 and Nason Street ribbon cutting was last week. It reaffirmed huge strides forward are being taken, and it is a dramatic improvement for the people that live on the east end of town.

3. People were excited to hear Eucalyptus is going through.

4. Everyone did a terrific job with the 4th of July. The fireworks were spectacular. Thank you for giving this back to the community.

Mayor Pro Tem William H. Batey II

1. The 4th of July parade was well attended. Those who put on the event did a great job. It was the best 4th of July in a long time. Thanked Ms. Cleveland for the work she does with the kids.

2. The Mayor was criticized for not being equal. When the utility rates were reduced to assist the businesses, the Mayor sent a letter to Edison asking for the same consideration for those they serve. Edison sent a letter stating they were unable to provide a reduction to the businesses they serve. That's part of the reason Moreno Valley went into the utility business was to be able to offer that and create the jobs that were necessary. It is

something that will need to continue to be worked on with Edison.

3. Received a letter seeking extra funding for Box Springs Mutual Water. There is no funding available for companies looking to improve their water pipes. Moreno Valley is always looking for money to make those improvements.

4. Regarding logistics, it is the first prong to Moreno Valley's economic health. Would like to see Moreno Valley develop the health care corriders and make it a priority. A lot of time and energy has been put into logistics, and now it's time to set in place the foundation for a good solid health care corridor. If Moreno Valley isn't prepared, it will slip through our hands.

5. Moreno Valley is experiencing a heat wave so hydrate and drink lots of water. The heat catches up with you quickly. Check on the elderly daily. They are prone to heat injury. Soccer and sports players please drink lots of water.

6. Wish everyone a great, safe summer.

Council Member Marcelo Co

1. This morning was spent negotiating with a company that is teaching nursing to come to Moreno Valley. They were shown areas in Moreno Valley and told Moreno Valley is the best place to do business. The company wanted to expand eight months ago.

2. Met with a consortium of business people this afternoon that want to manufacture solar paneling. The company would start with 100,000 square feet and in two years go to 500,000 square feet. The consortium would like to put in solar panels for Moreno Valley's use.

3. Moreno Valley is trying to bring in an air freight company. It will be discussed with March Joint Powers.

4. Moreno Valley should bring in as many diverse companies as possible. With the new program of giving incentives and fast track approval, Moreno Valley will beat Perris, San Bernardino and Temecula which are also offering incentives.

5. Thank you for the wonderful 4th of July presentation. Signs should be put in banks and businesses saying Moreno Valley is having a big 4th of July celebration.

Mayor Richard A. Stewart

1. Rode in the 4th of July parade in an old fire engine. Pete

Bleckert helped with the maintenance and getting it ready for the parade, and Larry Baird cleaned it up and drove it.

2. The 4th of July was a great event. Staff worked 17 hours on the holiday. There were a lot of volunteers that didn't get paid. Something will need to be done about illegal fireworks.

3. City Council approved a Waste Management reycling fee, and the bills have gone up hundreds of dollars. Staff will look into it.

4. The T J Maxx/Home Goods ribbon cutting is scheduled for August 5 at 7:45 a.m.

5. If there is a power outage, there should be a contingency plan in place for the elderly and sick.

There being no further business to conduct, the meeting was adjourned at 9:11 p.m. by unanimous informal consent.

CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a) Case: *Los Angeles Engineering v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 524877

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL -

SIGNIFICANT EXPOSURE TO LITIGATION
Number of Cases: 5

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:16 p.m. by unanimous informal consent.

Submitted by:

_____
City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

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

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MV00174452

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 28, 2012

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2012

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2012-67, approving the Check Register for the month of May, 2012 in the amount of $13,875,994.96.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the FY 2011-12 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2012-67
Check Register for Month of May, 2012

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2012

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2012 through May 31, 2012, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2012 through May 31, 2012, in the total amount of $13,875,994.96 is approved.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-67
Date Adopted: August 28, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-67 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

CITY CLERK

Resolution No. 2012-67
Date Adopted: August 28, 2012

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	5/21/2012	212747	574,297.78		
				LOCAL ST. PAVEMNT RESURF. PROJ	493,869.60
				LOCAL ST. PAVEMNT RESURF. PROJ	80,428.18
	Vendor Total		**574,297.78**		
FYTD for ALL AMERICAN ASPHALT, INC.			**6,421,563.53**		
BANC OF AMERICA PUBLIC CAPITAL CORP				Remit to: **ATLANTA**	**GA**
	5/1/2012	1205031	59,918.86		
				SEMI-DBT SVC-2012 PRIV PL REF	59,918.86
	5/1/2012	1205041	53,472.50		
				SEMI-DBT SVC-2012 PRIV PL-COPS	53,472.50
	Vendor Total		**113,391.36**		
FYTD for BANC OF AMERICA PUBLIC CAPITAL CORP			**1,173,350.08**		
CALPERS				Remit to: **SACRAMENTO**	**CA**
	5/14/2012	212666	1,165,000.00		
				ANNUAL REQUIRED CONTRIBUTION	1,165,000.00
	Vendor Total		**1,165,000.00**		
FYTD for CALPERS			**1,184,702.80**		
COMPU COM				Remit to: **RANCHO CORDOVA**	**CA**
	5/29/2012	212860	114,816.24		
				MICROSOFT ENTERPRISE AGREEMENT	114,816.24
	Vendor Total		**114,816.24**		
FYTD for COMPU COM			**115,678.84**		
DEUTSCH, INC				Remit to: **ROCKVILLE**	**MD**
	5/7/2012	212650	29,695.00		
				SALES/USE TAX ACCRUAL	-2,301.36
				30' X 17' AIRSCREEN AEROPRO	29,695.00
				CALIF SALES TAX @ 7.75%	2,301.36
	Vendor Total		**29,695.00**		
FYTD for DEUTSCH, INC			**29,695.00**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/21/2012	212767	51,155.67		
			WATER CHARGES	969.16
			WATER CHARGES	739.92
			WATER CHARGES	549.34
			WATER CHARGES	774.20
			WATER CHARGES	1,766.73
			WATER CHARGES	14,902.19
			WATER CHARGES	1,858.56
			WATER CHARGES	4,829.83
			WATER CHARGES	4,321.47
			WATER CHARGES	2,967.87
			WATER CHARGES	2,635.91
			WATER CHARGES	5,783.18
			WATER CHARGES	54.72
			WATER CHARGES	900.49
			WATER CHARGES	1,962.86
			WATER CHARGES	556.08
			WATER CHARGES	1,390.03
			WATER CHARGES	1,049.83
			WATER CHARGES	383.05
			WATER CHARGES	77.30
			WATER CHARGES	231.37
			WATER CHARGES	306.11
			WATER CHARGES	109.15
			WATER CHARGES	1,216.41
			WATER CHARGES	819.91
	Vendor Total	**51,155.67**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,306,883.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
5/4/2012	3075	31,604.03		
			STATE INCOME TAX W/H 5/4/12	31,604.03
5/29/2012	212871	73,661.77		
			UNEMPLOYMENT INS CLAIMS	73,661.77
5/18/2012	3083	30,232.95		
			STATE INCOME TAX W/H 5/18/12	30,232.95
	Vendor Total	**135,498.75**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,165,841.55**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
5/21/2012	885235	160,013.43		
			NASON TO IRIS NEW SL SYSTEM	103.71
			ENG. REVIEW-SCE PROJ ON CACTUS	145.23
			DISTRIBUTION CHRGS	151,083.45
			SPECIAL CHRGS/TEMP PWR POLES	10,207.00
			BAD DEBT-DEDUCTION	-1,754.86
			ONLINE UTILITY SVCS	228.90
	Vendor Total	**160,013.43**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,449,118.42**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY** **CA**	
5/21/2012	212768	67,073.76		
			AFTERSCHOOL SNACKS-CACFP	54,700.56
			AFTERSCHOOL SNACKS-CACFP	12,373.20
	Vendor Total	**67,073.76**		
FYTD for FAMILY SERVICE ASSOCIATION		**368,796.66**		
GRAFFITI TRACKER, INC.			Remit to: **OMAHA** **NE**	
5/29/2012	885282	30,000.00		
			GRAFFITI TRACKING SVCS-POLICE	30,000.00
	Vendor Total	**30,000.00**		
FYTD for GRAFFITI TRACKER, INC.		**60,000.00**		
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
5/14/2012	885190	71,037.00		
			WIDEN PERRIS BLVD SB LANE @ 60	71,037.00
	Vendor Total	**71,037.00**		
FYTD for HILLCREST CONTRACTING, INC		**936,997.19**		
INTERNAL REVENUE SERVICE			Remit to:	
5/4/2012	3074	123,473.69		
			FED INCOME TAX W/H 5/4/12	123,473.69
5/18/2012	3082	150,377.61		
			FED INCOME TAX W/H 5/18/12	150,377.61
	Vendor Total	**273,851.30**		
FYTD for INTERNAL REVENUE SERVICE		**3,081,135.96**		
KIP INCORPORATED			Remit to: **MURRIETA** **CA**	
5/29/2012	212890	94,287.50		
			HEACOCK ST BRIDGE IMPRV. PROJ	94,287.50
	Vendor Total	**94,287.50**		
FYTD for KIP INCORPORATED		**94,287.50**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LAWYERS TITLE COMPANY			Remit to: **NEWPORT BEACH**	**CA**
5/1/2012	1205021	829,845.12		
			ESCROW CLOSING COSTS	4,845.12
			ESCROW DEPOSIT/LAND-INDUST. FS	825,000.00
	Vendor Total	**829,845.12**		
FYTD for LAWYERS TITLE COMPANY		**1,361,419.24**		
LIM & NASCIMENTO ENGINEERING CORP.			Remit to: **DIAMOND BAR**	**CA**
5/14/2012	212696	38,736.43		
			INDIAN BASIN STORM DRAIN PROJ	38,736.43
	Vendor Total	**38,736.43**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		**83,840.37**		
MORENO VALLEY UTILITY			Remit to: **HEMET**	**CA**
5/21/2012	212786	54,711.97		
			ELECTRICITY	152.82
			ELECTRICITY	1,344.85
			ELECTRICITY	375.13
			ELECTRICITY	1,760.17
			ELECTRICITY	8,895.88
			ELECTRICITY	10,764.25
			ELECTRICITY	2,621.20
			ELECTRICITY	5,469.12
			ELECTRICITY	772.35
			ELECTRICITY	1,588.33
			ELECTRICITY	11,665.79
			ELECTRICITY	7,008.27
			ELECTRICITY	236.38
			ELECTRICITY	146.13
			ELECTRICITY	93.84
			ELECTRICITY	70.51
			ELECTRICITY	70.91
			ELECTRICITY	147.31
			ELECTRICITY	100.44
			ELECTRICITY	1,428.29
	Vendor Total	**54,711.97**		
FYTD for MORENO VALLEY UTILITY		**691,616.65**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS**	**OH**
5/4/2012	3071	25,711.85		
			DEF COMP 457 & 401(A) 5/4/12	25,711.85
5/18/2012	3079	25,630.85		
			DEF COMP 457 & 401(A) 5/18/12	25,630.85
	Vendor Total	**51,342.70**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**685,461.46**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA**	**CA**
5/29/2012	885292	69,610.29		
			PURCHASE ELECTRIC ENERGY	152,576.98
			PRIOR PERIOD ADJUSTMENTS	-82,966.69
	Vendor Total	**69,610.29**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**1,774,531.25**		
OLOSKY, SUSAN M			Remit to: **MORENO VALLEY**	**CA**
5/14/2012	212708	35,791.00		
			RELOCATION ASSISTANCE PYMT	35,791.00
	Vendor Total	**35,791.00**		
FYTD for OLOSKY, SUSAN M		**40,050.00**		
ONE MORENO VALLEY 240, L.P.			Remit to: **GARDENA**	**CA**
5/29/2012	884	750,000.00		
			OAKWOOD AFFORDBLE HOUSING PROJ	750,000.00
	Vendor Total	**750,000.00**		
FYTD for ONE MORENO VALLEY 240, L.P.		**750,000.00**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO**	**CA**
5/9/2012	1205011	195,143.84		
			EMPLOYEE HEALTH INS 5/9/12	195,143.84
	Vendor Total	**195,143.84**		
FYTD for PERS HEALTH INSURANCE		**2,196,752.13**		
PERS RETIREMENT			Remit to: **SACRAMENTO**	**CA**
5/11/2012	3076	215,826.98		
			PERS RETIREMENT 5/11/12	215,826.98
5/25/2012	3084	216,212.99		
			PERS RETIREMENT 5/25/12	216,212.99
	Vendor Total	**432,039.97**		
FYTD for PERS RETIREMENT		**5,164,879.67**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE**	**CA**
5/7/2012	212619	79,736.00		
			FY 11/12 NPDES COST SHARE	79,736.00
	Vendor Total	**79,736.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**212,310.41**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF				Remit to: **RIVERSIDE**	**CA**
	5/7/2012	885146	2,608,719.35		
				CONTRACT LAW ENF BILL #8	44,881.77
				CONTRACT LAW ENF BILL #8	380.97
				CONTRACT LAW ENF BILL #8	1,425,960.31
				CONTRACT LAW ENF BILL #8	58,816.60
				CONTRACT LAW ENF BILL #8	353,139.52
				CONTRACT LAW ENF BILL #8	5,178.20
				CONTRACT LAW ENF BILL #8	74,996.13
				CONTRACT LAW ENF BILL #8	5,542.17
				CONTRACT LAW ENF BILL #8	69,604.19
				CONTRACT LAW ENF BILL #8	1,184.90
				CONTRACT LAW ENF BILL #8	166,288.46
				CONTRACT LAW ENF BILL #8	2,412.30
				CONTRACT LAW ENF BILL #8	310,741.62
				CONTRACT LAW ENF BILL #8	8,869.24
				CONTRACT LAW ENF BILL #8	35,394.55
				CONTRACT LAW ENF BILL #8	375.70
				CONTRACT LAW ENF BILL #8	44,952.72
	5/21/2012	885255	2,716,935.27		
				CONTRACT LAW ENF BILL #9	44,913.12
				CONTRACT LAW ENF BILL #9	434.01
				CONTRACT LAW ENF BILL #9	1,509,346.68
				CONTRACT LAW ENF BILL #9	58,078.12
				CONTRACT LAW ENF BILL #9	375,975.45
				CONTRACT LAW ENF BILL #9	6,233.05
				CONTRACT LAW ENF BILL #9	72,800.24
				CONTRACT LAW ENF BILL #9	8,528.39
				CONTRACT LAW ENF BILL #9	76,334.54
				CONTRACT LAW ENF BILL #9	1,233.35
				CONTRACT LAW ENF BILL #9	193,910.80
				CONTRACT LAW ENF BILL #9	3,505.40
				CONTRACT LAW ENF BILL #9	278,462.13
				CONTRACT LAW ENF BILL #9	7,194.06
				CONTRACT LAW ENF BILL #9	35,365.46
				CONTRACT LAW ENF BILL #9	304.30
				CONTRACT LAW ENF BILL #9	44,316.17
	Vendor Total		**5,325,654.62**		
FYTD for RIVERSIDE COUNTY SHERIFF			**35,660,031.75**		
RIVERSIDE COUNTY SHERIFF'S DEPT.				Remit to: **RIVERSIDE**	**CA**
	5/21/2012	212809	109,505.52		
				FY11/12 FACILITIES EXPENSES	109,505.52
	Vendor Total		**109,505.52**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.			**370,289.15**		

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RMA GROUP				Remit to: **RANCHO CUCAMONGA CA**	
	5/7/2012	212621	41,984.45		
				SR-60/NASON ST INTRCHNG PROJ	6,772.34
				SR-60/NASON ST INTRCHNG PROJ	877.43
				SR-60/NASON ST INTRCHNG PROJ	11,809.16
				SR-60/NASON ST INTRCHNG PROJ	1,530.00
				SR-60/NASON ST INTRCHNG PROJ	18,587.33
				SR-60/NASON ST INTRCHNG PROJ	2,408.19
	Vendor Total		**41,984.45**		
FYTD for RMA GROUP			**147,425.33**		
SHELL ENERGY NORTH AMERICA (US) L.P.				Remit to: **PHILADELPHIA PA**	
	5/14/2012	885207	453,544.00		
				ENERGY PURCHASE FOR MV UTIL.	453,544.00
	Vendor Total		**453,544.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**5,676,776.00**		
SILVER CREEK INDUSTRIES, INC				Remit to: **PERRIS CA**	
	5/29/2012	212907	175,306.99		
				MORRISON PARK FIRE STN PROJ.	175,306.99
	Vendor Total		**175,306.99**		
FYTD for SILVER CREEK INDUSTRIES, INC			**1,217,783.75**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/7/2012	212629	30,750.24		
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	5,443.81
			WDAT CHARGES-GLOBE	7,599.24
			WDAT CHARGES-NANDINA	2,668.43
			WDAT CHARGES-FREDERICK	1,966.23
			WDAT CHARGES-SUBSTATION 115KV	10,447.31
5/7/2012	212630	60,457.67		
			RELOCATION OF EXISTING FACIL.	60,457.67
5/14/2012	212722	100,070.48		
			ELECTRICITY	92.15
			ELECTRICITY	61.32
			ELECTRICITY	45.21
			ELECTRICITY	44.56
			ELECTRICITY	1,246.37
			ELECTRICITY	688.25
			ELECTRICITY	825.43
			ELECTRICITY	337.89
			ELECTRICITY	344.09
			ELECTRICITY	1,021.14
			ELECTRICITY	1,706.72
			ELECTRICITY	92,743.99
			ELECTRICITY	647.75
			ELECTRICITY	131.35
			ELECTRICITY	22.16
			ELECTRICITY	22.42
			ELECTRICITY	89.68
5/14/2012	212743	64,581.38		
			INTERCONNECT FACIL PROJ-GRAHAM	64,581.38
5/21/2012	212818	49,014.01		
			ELECTRICITY	695.09
			ELECTRICITY	1,573.16
			ELECTRICITY	22.54
			ELECTRICITY	622.83
			ELECTRICITY	640.66
			ELECTRICITY	114.49
			ELECTRICITY	2,131.16
			ELECTRICITY	532.50
			ELECTRICITY	923.54
			ELECTRICITY	1,095.35
			ELECTRICITY	1,111.88
			ELECTRICITY	21.91
			ELECTRICITY	35,195.92
			ELECTRICITY	4,152.82
			ELECTRICITY	20.52
			ELECTRICITY	22.28
			ELECTRICITY	44.06
			ELECTRICITY	23.98
			ELECTRICITY	69.32

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	304,873.78		
FYTD for SOUTHERN CALIFORNIA EDISON		3,251,321.81		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
5/21/2012	212820	27,680.27		
			LIFE & DISABILITY INSURANCE	10,797.16
			LIFE & DISABILITY INSURANCE	16,883.11
	Vendor Total	27,680.27		
FYTD for STANDARD INSURANCE CO		327,174.04		
STI, INC., TRUCKING & MATERIALS			Remit to: **RIVERSIDE**	**CA**
5/7/2012	212635	74,778.43		
			IRONWOOD AVE IMPRVMNTS PROJ	74,778.43
	Vendor Total	74,778.43		
FYTD for STI, INC., TRUCKING & MATERIALS		602,984.15		
TCM GROUP			Remit to: **FONTANA**	**CA**
5/14/2012	885213	96,150.09		
			SR-60/NASON ST INTRCHNG PROJ	96,150.09
	Vendor Total	96,150.09		
FYTD for TCM GROUP		1,374,484.89		
TIME WARNER CABLE			Remit to: **LOS ANGELES**	**CA**
5/29/2012	212916	30,000.00		
			COMMERCIAL ADS-USED OIL RECYC.	30,000.00
	Vendor Total	30,000.00		
FYTD for TIME WARNER CABLE		30,000.00		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
5/8/2012	1205051	166,457.25		
			CALCARD PMT CYCLE END 4/27/12	166,457.25
	Vendor Total	166,457.25		
FYTD for U.S. BANK/CALCARDS		1,565,284.37		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212833	39,557.79		
			TUMF REPORT FOR APRIL 2012	39,557.79
	Vendor Total	39,557.79		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		301,667.14		

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WRCRCA				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212649	171,258.12		
				COMMERC/INDUSTR FEES-MARCH '12	171,258.12
	5/21/2012	212834	91,838.00		
				INFRASTRUCTURE PROJ. FEES	91,838.00
	Vendor Total		**263,096.12**		
FYTD for WRCRCA			**679,689.30**		
	Subtotal		**12,525,664.42**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

DEPT OF HEALTH CARE SVCS				Remit to: **SACRAMENTO**	**CA**
	5/29/2012	212845	184.86		
				SETTLEMNT AGREEMNT-RIC10024058	184.86
	Vendor Total		**184.86**		
FYTD for DEPT OF HEALTH CARE SVCS			**184.86**		
FORREST CORMANY				Remit to: **RIVERSIDE**	**CA**
	5/21/2012	212744	0.00		
				BAGPIPER-5/30/12 MEMORIAL DAY	200.00
				VOIDED CHECK #212744 - 6/11/12	-200.00
	Vendor Total		**0.00**		
FYTD for FORREST CORMANY			**0.00**		
WEST, MARIA				Remit to: **MORENO VALLEY**	**CA**
	5/21/2012	212745	77.00		
				REFUND-CLASS REGIS FEE	77.00
	Vendor Total		**77.00**		
FYTD for WEST, MARIA			**77.00**		
A & I REPROGRAPHICS	**2406362**			Remit to: **ONTARIO**	**CA**
	5/14/2012	212656	634.15		
				PERRIS BLVD IMPRV-PLANS &SPECS	634.15
	Vendor Total		**634.15**		
FYTD for A & I REPROGRAPHICS	**2406362**		**11,262.85**		
ABILITY COUNTS, INC				Remit to: **CORONA**	**CA**
	5/14/2012	212657	1,440.00		
				LANDSCAPE MAINT-AQDCT	1,440.00
	5/29/2012	212846	1,440.00		
				LANDSCAPE MAINT-AQDCT	1,440.00
	Vendor Total		**2,880.00**		
FYTD for ABILITY COUNTS, INC			**15,770.00**		
ADAMS, MARK L.				Remit to: **REDLANDS**	**CA**
	5/7/2012	885084	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,506.03**		

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ADDICTION MEDICINE CONSULTANTS, INC.			Remit to: **REDLANDS**	**CA**
5/7/2012	212548	275.00		
			DRUG/ALCOHOL TESTING PRGM	275.00
	Vendor Total	**275.00**		
FYTD for ADDICTION MEDICINE CONSULTANTS, INC.		**1,595.00**		
ADLERHORST INTERNATIONAL INC.			Remit to: **RIVERSIDE**	**CA**
5/21/2012	885225	129.30		
			MISC K-9 SUPPLIES-POLICE	129.30
5/29/2012	885264	1,700.04		
			K-9 TRAINING-POLICE PATROL	283.34
			K-9 TRAINING-PD SPCL ENF	141.67
			K-9 TRAINING-PD SPCL ENF	1,275.03
	Vendor Total	**1,829.34**		
FYTD for ADLERHORST INTERNATIONAL INC.		**5,442.79**		
ADMINSURE			Remit to: **DIAMOND BAR**	**CA**
5/7/2012	212549	2,600.00		
			WORKERS' COMP CLAIMS	2,600.00
5/14/2012	212658	2,600.00		
			WORKERS' COMP CLAIMS	2,600.00
	Vendor Total	**5,200.00**		
FYTD for ADMINSURE		**28,600.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212746	1,088.74		
			ELECTRICAL REPAIRS-CRC	150.33
			ELECTRICAL REPAIRS-CRC	69.67
			ELECTRICAL REPAIRS-CITY HALL	868.74
5/29/2012	212847	858.64		
			ELECTRICAL REPAIRS-SKATE PARK	157.00
			MISSING SALES TAX	2.56
			SALES TAX ACCRUAL	-2.56
			ELECTRICAL REPAIRS-COMM PARK	313.64
			ELECTRICAL REPAIRS-BETHUN PARK	62.00
			ELECTRICAL REPAIRS-TS	326.00
			MISSING SALES TAX	2.95
			SALES TAX ACCRUAL	-2.95
	Vendor Total	**1,947.38**		
FYTD for ADVANCED ELECTRIC		**56,738.21**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AEI-CASC ENGINEERING			Remit to: **COLTON** **CA**	
5/29/2012	885265	770.00		
			IRONWD AVE/DAY ST-BARCLAY PROJ	282.00
			IRONWD AVE/DAY ST-BARCLAY PROJ	488.00
	Vendor Total	**770.00**		
FYTD for AEI-CASC ENGINEERING		**31,808.77**		
AFFORDABLE HOLLOW METAL DOOR			Remit to: **RANCHO CUCAMONGA** **CA**	
5/7/2012	212550	3,449.73		
			REPLACE RSTRM DOOR-JFK&RIDGCST	3,201.60
			SALES TAX	248.13
	Vendor Total	**3,449.73**		
FYTD for AFFORDABLE HOLLOW METAL DOOR		**3,449.73**		
AHN MIKYUNG, SUSAN			Remit to: **MORENO VALLEY** **CA**	
5/29/2012	212848	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for AHN MIKYUNG, SUSAN		**20.00**		
AIR CLEANING SYSTEMS INC.			Remit to: **POMONA** **CA**	
5/14/2012	885175	288.27		
			PLYMOVENT MAINT/REPAIR-STN 91	135.77
			PLYMOVENT PARTS	152.50
	Vendor Total	**288.27**		
FYTD for AIR CLEANING SYSTEMS INC.		**4,342.58**		
ALEX VARGAS & MIRIAN TOLEDO			Remit to: **BELL** **CA**	
5/7/2012	212551	19,806.00		
			FINAL RELOCATION ASSIST. PYMT	19,806.00
	Vendor Total	**19,806.00**		
FYTD for ALEX VARGAS & MIRIAN TOLEDO		**23,515.00**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA** **CA**	
5/31/2012	1205081	8,936.47		
			RETENTN PMT PER ESCRW AGREEMNT	8,936.47
	Vendor Total	**8,936.47**		
FYTD for ALL AMERICAN ASPHALT, INC.		**6,421,563.53**		

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ALLIANT INSURANCE SERVICES, INC.			Remit to: **NEWPORT BEACH**	**CA**
5/7/2012	212552	2,286.42		
			SPECIAL EVENT INSURANCE PREM	2,286.42
	Vendor Total	**2,286.42**		
FYTD for ALLIANT INSURANCE SERVICES, INC.		**12,033.68**		
ALLIANZ LIFE INSURANCE CO			Remit to: **PITTSBURGH**	**PA**
5/7/2012	212553	75.00		
			NON-EXEMPT ANNUITY	75.00
	Vendor Total	**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**825.00**		
ALTERNATIVES TO DOMESTIC VIOLENCE			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212748	3,660.16		
			DOMESTIC VIOLENCE SVCS	1,843.38
			DOMESTIC VIOLENCE SVCS	1,816.78
	Vendor Total	**3,660.16**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**7,501.07**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS**	**CA**
5/14/2012	885176	3,501.00		
			BLOOD DRAWS-POLICE	41.08
			BLOOD DRAWS-POLICE	1,744.96
			BLOOD DRAWS-POLICE	41.08
			BLOOD DRAWS-POLICE	1,673.88
5/29/2012	885266	82.16		
			BLOOD DRAWS-POLICE	82.16
	Vendor Total	**3,583.16**		
FYTD for AMERICAN FORENSIC NURSES		**44,734.72**		
AMERICAN QUICK PRINTING			Remit to: **MORENO VALLEY**	**CA**
5/14/2012	885177	260.76		
			PRINTING-COMPLY FORMS-FIRE	242.00
			SALES TAX	18.76
	Vendor Total	**260.76**		
FYTD for AMERICAN QUICK PRINTING		**591.55**		
AMERICAN TOWERS			Remit to: **CHARLOTTE**	**NC**
5/7/2012	212554	2,676.42		
			TOWER SPACE LEASE	2,676.42
	Vendor Total	**2,676.42**		
FYTD for AMERICAN TOWERS		**29,131.80**		

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ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
5/29/2012	885267	55.00		
			EMERGENCY/AFTER HR VET SVCS	55.00
	Vendor Total	**55.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**1,995.00**		
ANIMAL HEALTH AND SANITARY SUPPLY			Remit to: **RIVERSIDE**	**CA**
5/29/2012	212849	297.05		
			MISC SUPPLIES-ANIMAL SVCS	297.05
	Vendor Total	**297.05**		
FYTD for ANIMAL HEALTH AND SANITARY SUPPLY		**879.61**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
5/29/2012	212850	1,525.50		
			PEST CONTROL-CITY PARKS	600.00
			PEST CONTROL-CONTRACT PARKS	229.50
			PEST CONTROL-MARCH BALLFIELD	300.00
			PEST CONTROL-MARCH FIELD CC	90.00
			PEST CONTROL-CFD #1	144.00
			PEST CONTROL-GOLF COURSE	162.00
	Vendor Total	**1,525.50**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**17,987.50**		
APT US&C - ASSOC PUB TREAS US & CANADA			Remit to: **SILVER SPRING**	**MD**
5/14/2012	212659	200.00		
			INVESTMNT POLICY CERTIFICATION	200.00
	Vendor Total	**200.00**		
FYTD for APT US&C - ASSOC PUB TREAS US & CANADA		**200.00**		
ARANDA, JUAN			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	212555	669.68		
			SETTLEMENT AGREEMENT	669.68
	Vendor Total	**669.68**		
FYTD for ARANDA, JUAN		**669.68**		
ARC OF RIVERSIDE COUNTY, THE			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212749	1,941.72		
			MV RESOURCE CENTER	970.86
			MV RESOURCE CENTER	970.86
	Vendor Total	**1,941.72**		
FYTD for ARC OF RIVERSIDE COUNTY, THE		**4,854.26**		

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ARIAS, TERESA				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212556	128.00		
				REFUND-CANCELLED CONTRCT CLASS	84.80
				REFUND-CANCELLED CONTRCT CLASS	43.20
	Vendor Total		**128.00**		
FYTD for ARIAS, TERESA			**128.00**		
ASSOCIATED ENGINEERS, INC.				Remit to: **LOS ANGELES** **CA**	
	5/7/2012	212557	3,821.50		
				HEACOCK ST WIDENING PROJ SVCS	3,821.50
	Vendor Total		**3,821.50**		
FYTD for ASSOCIATED ENGINEERS, INC.			**14,300.93**		
ASSOCIATED REPRODUCTION SERVICES				Remit to: **WHITTIER** **CA**	
	5/7/2012	212558	1,263.81		
				LEGAL REPRODUCTION SVCS	145.13
				LEGAL REPRODUCTION SVCS	426.34
				LEGAL REPRODUCTION SVCS	514.65
				LEGAL REPRODUCTION SVCS	177.69
	Vendor Total		**1,263.81**		
FYTD for ASSOCIATED REPRODUCTION SERVICES			**1,692.34**		
AT&T NATIONAL COMPLIANCE CENTER				Remit to: **NORTH PALM BEACH** **FL**	
	5/21/2012	212750	125.00		
				CELLULAR TEXT RETRIEVAL-POLICE	125.00
	Vendor Total		**125.00**		
FYTD for AT&T NATIONAL COMPLIANCE CENTER			**425.00**		
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	5/14/2012	212660	183.34		
				COMMUNICATION SVCS-POLICE	183.34
	Vendor Total		**183.34**		
FYTD for AT&T/MCI			**2,015.54**		
ATHALYE CONSULTING ENGINEERING SERVICES				Remit to: **ONTARIO** **CA**	
	5/29/2012	212851	4,604.93		
				HEACOCK ST BRIDGE IMPRVMNTS	4,604.93
	Vendor Total		**4,604.93**		
FYTD for ATHALYE CONSULTING ENGINEERING SERVICES			**4,604.93**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AUDREY PATRICK REPORTING SERVICES				Remit to: **SAN BERNARDINO** **CA**	
	5/14/2012	212661	288.97		
				LEGAL SVCS-CERTIFIED TRANSCRPT	288.97
	Vendor Total		**288.97**		
FYTD for AUDREY PATRICK REPORTING SERVICES			**960.21**		
AVERILL, CAMERON				Remit to: **NUEVO** **CA**	
	5/21/2012	212751	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for AVERILL, CAMERON			**75.00**		
AVILA, ELYSE				Remit to: **CORONA DEL MAR** **CA**	
	5/14/2012	212662	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for AVILA, ELYSE			**75.00**		
AXIS APPAREL				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	885226	1,677.24		
				YOUTH SPORTS UNIFORMS	1,677.24
	Vendor Total		**1,677.24**		
FYTD for AXIS APPAREL			**11,086.91**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212559	152.50		
				PER DIEM-2012 USED OIL CONF.	152.50
	Vendor Total		**152.50**		
FYTD for AYALA, NANNERL A.			**770.27**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	5/7/2012	212560	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,506.03**		
BAISDEN, DOLORES				Remit to: **MORENO VALLEY** **CA**	
	5/29/2012	212852	50.00		
				REFUND-A/C LICENSE FEE	50.00
	Vendor Total		**50.00**		
FYTD for BAISDEN, DOLORES			**50.00**		

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BAKER, JENNA				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212561	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for BAKER, JENNA			**200.00**		
BAPTISTE, KANDACE				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212742	177.50		
				PER DIEM-ICSC RECON CONVENTION	177.50
	Vendor Total		**177.50**		
FYTD for BAPTISTE, KANDACE			**177.50**		
BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	5/7/2012	885085	378.24		
				RETIREE MED FEB-APR 12, PD MAY	378.24
	Vendor Total		**378.24**		
FYTD for BARNES, DARLENE			**1,222.70**		
BARTEL ASSOCIATES, LLC				Remit to: **SAN MATEO** **CA**	
	5/14/2012	212663	3,175.00		
				CONSULTING SVCS-GASB 45 OPEB	1,825.00
				CONSULTING SVCS-GASB 45 OPEB	1,350.00
	5/29/2012	212853	175.00		
				CONSULTING SVCS-GASB 45 OPEB	175.00
	Vendor Total		**3,350.00**		
FYTD for BARTEL ASSOCIATES, LLC			**15,500.00**		
BAUTISTA, JOSEPH C.				Remit to: **FONTANA** **CA**	
	5/7/2012	885086	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for BAUTISTA, JOSEPH C.			**3,476.87**		

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BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/14/2012	885178	12,764.33		
				LANDSCAPE MAINT-MVU SUBSTN	567.00
				LANDSCAPE MAINT-MVU	432.00
				LANDSCAPE MAINT-LIBRARY	468.00
				LANDSCAPE MAINT-ANIMAL SVCS	468.00
				LANDSCAPE MAINT-PSB	1,077.83
				LANDSCAPE MAINT-CRC	1,710.00
				LANDSCAPE MAINT-PATRIOT PARK	57.00
				LANDSCAPE MAINT-PATRIOT PARK	303.00
				LANDSCAPE MAINT-BAY/JFK AQDCT	1,710.00
				LANDSCAPE MAINT-BIKE AQDCT	360.00
				LANDSCAPE MAINT-TOWNGATE CNTR	180.00
				LANDSCAPE MAINT-BIKE AQDCT	635.00
				LANDSCAPE MAINT-PERHAM AQDCT	60.00
				LANDSCAPE MAINT-S AQDCT "B"	662.00
				LANDSCAPE MAINT-SENIOR CNTR	236.00
				LANDSCAPE MAINT-N AQDCT	473.00
				LANDSCAPE MAINT-S AQDCT "A"	765.50
				LANDSCAPE MAINT-SCE/OLD LAKE	1,575.00
				LANDSCAPE MAINT-PAN AM/AQDCT	540.00
				LANDSCAPE MAINT-FORMER STARS	260.00
				LANDSCAPE MAINT-CITY YARD	225.00
	5/21/2012	885227	4,294.30		
				LANDSCAPE MAINT-VETERANS MMRL	225.00
				LANDSCAPE MAINT-ANNEX	221.00
				LANDSCAPE MAINT-CITY HALL	893.30
				LANDSCAPE MAINT-FIRE STNS	2,835.00
				LANDSCAPE WORK-CITY HALL TS	120.00
	5/29/2012	885268	11,526.02		
				LANDSCAPE MAINT-ZONE E-3	10,625.00
				LANDSCAPE MAINT-ZONE E-3A	781.02
				LANDSCAPE MAINT-ZONE E-3A	120.00
	Vendor Total		**28,584.65**		
FYTD for BEMUS LANDSCAPE, INC.			**344,517.59**		
BENESYST				Remit to: **MINNEAPOLIS** **MN**	
	5/7/2012	885087	205.00		
				COBRA ACCOUNT	205.00
	5/29/2012	885269	205.00		
				COBRA ADMIN FEE	205.00
	Vendor Total		**410.00**		
FYTD for BENESYST			**2,140.20**		

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BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	5/7/2012	885088	201.90		
				FSA ADMIN COSTS	201.90
	5/29/2012	885270	201.90		
				FLEX ADMIN SVCS	201.90
	Vendor Total		**403.80**		
FYTD for BENESYST, INC.			**3,287.58**		
BETTY, LARRY				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212664	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BETTY, LARRY			**50.00**		
BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212562	10,335.50		
				TOXICOLOGY TESTS-POLICE	102.69
				TOXICOLOGY TESTS-POLICE	1,310.53
				TOXICOLOGY TESTS-POLICE	58.28
				TOXICOLOGY TESTS-POLICE	8,864.00
	Vendor Total		**10,335.50**		
FYTD for BIO-TOX LABORATORIES			**99,090.74**		
BONAPARTE, CURTIS				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212752	35.00		
				REFUND-PARKS SHELTER ELEC FEE	35.00
	Vendor Total		**35.00**		
FYTD for BONAPARTE, CURTIS			**35.00**		
BOX, MICHAEL				Remit to: **MORENO VALLEY** **CA**	
	5/29/2012	212854	319.50		
				PER DIEM-FIBER OPTICS TRNG	319.50
	Vendor Total		**319.50**		
FYTD for BOX, MICHAEL			**319.50**		
BRAUN BLAISING MCLAUGHLIN				Remit to: **SACRAMENTO** **CA**	
	5/21/2012	212753	24,414.83		
				LEGAL SVCS	11,552.74
				LEGAL SVCS	12,862.09
	Vendor Total		**24,414.83**		
FYTD for BRAUN BLAISING MCLAUGHLIN			**122,030.85**		

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BREITKREUZ, THOMAS F.				Remit to: **REDLANDS** **CA**	
	5/7/2012	212563	956.19		
				RETIREE MED JAN-MAR 12, PD MAY	956.19
	Vendor Total		**956.19**		
FYTD for BREITKREUZ, THOMAS F.			**3,378.00**		
BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	5/7/2012	885089	1,886.41		
				MISC BOOKS-LIBRARY	22.99
				MISC BOOKS-LIBRARY	19.42
				MISC BOOKS-LIBRARY	51.62
				MISC BOOKS-LIBRARY	41.58
				MISC BOOKS-LIBRARY	62.00
				MISC BOOKS-LIBRARY	20.60
				MISC BOOKS-LIBRARY	125.87
				MISC BOOKS-LIBRARY	295.62
				MISC BOOKS-LIBRARY	27.19
				MISC BOOKS-LIBRARY	41.60
				MISC BOOKS-LIBRARY	107.43
				MISC BOOKS-LIBRARY	21.78
				MISC BOOKS-LIBRARY	16.27
				MISC BOOKS-LIBRARY	40.99
				MISC BOOKS-LIBRARY	59.01
				MISC BOOKS-LIBRARY	54.94
				MISC BOOKS-LIBRARY	67.83
				MISC BOOKS-LIBRARY	38.36
				MISC BOOKS-LIBRARY	56.74
				MISC BOOKS-LIBRARY	318.96
				MISC BOOKS-LIBRARY	84.72
				MISC BOOKS-LIBRARY	21.18
				MISC BOOKS-LIBRARY	22.40
				MISC BOOKS-LIBRARY	40.40
				MISC BOOKS-LIBRARY	34.86
				MISC BOOKS-LIBRARY	103.40
				MISC BOOKS-LIBRARY	88.65
	5/14/2012	885179	778.27		
				MISC BOOKS-LIBRARY	248.43
				MISC BOOKS-LIBRARY	26.81
				MISC BOOKS-LIBRARY	249.59
				MISC BOOKS-LIBRARY	22.99
				MISC BOOKS-LIBRARY	32.78
				MISC BOOKS-LIBRARY	111.90
				MISC BOOKS-LIBRARY	21.18
				MISC BOOKS-LIBRARY	22.99
				MISC BOOKS-LIBRARY	41.60
	Vendor Total		**2,664.68**		
FYTD for BRODART CO.			**31,765.99**		

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BROWN, CHRISTOPHER				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212837	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for BROWN, CHRISTOPHER			**150.00**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	5/7/2012	212564	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**3,506.03**		
BURKE, JOHN R.				Remit to: **REDLANDS** **CA**	
	5/7/2012	212565	1,544.00		
				RETIREE MED JB MAR-APR 11, JB	1,544.00
	Vendor Total		**1,544.00**		
FYTD for BURKE, JOHN R.			**3,281.00**		
BURKE, WILLIAMS & SORENSEN, LLP.				Remit to: **LOS ANGELES** **CA**	
	5/21/2012	885228	9,779.95		
				LEGAL SVCS	9,779.95
	5/29/2012	885271	625.00		
				LEGAL SVCS	625.00
	Vendor Total		**10,404.95**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**258,013.94**		
BUTSKO UTILITY DESIGN, INC				Remit to: **MURRIETA** **CA**	
	5/29/2012	212855	375.51		
				CACTUS AVE/NASON ST IMPRVMNTS	375.51
	Vendor Total		**375.51**		
FYTD for BUTSKO UTILITY DESIGN, INC			**375.51**		
CAIN, GREGORY				Remit to: **TAMPA** **FL**	
	5/7/2012	885090	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**3,506.03**		
CALBO-CALIFORNIA BUILDING OFFICIALS				Remit to: **SACRAMENTO** **CA**	
	5/14/2012	212665	75.00		
				WEBSITE JOB ADVERTISEMENT	75.00
	Vendor Total		**75.00**		
FYTD for CALBO-CALIFORNIA BUILDING OFFICIALS			**1,815.00**		

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CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO**	**CA**
5/21/2012	212754	0.00		
			UNCLAIMED PROPERTY (WAGES)	146.22
			UNCLAIMED VENDOR CHECKS	1,280.12
			UNCLAIMED VENDOR CHECKS	3,368.06
			VOIDED CHECK #212754 - 5/22/12	-60.00
			VOIDED CHECK #212754 - 5/22/12	-146.22
			VOIDED CHECK #212754 - 5/22/12	-1,280.12
			VOIDED CHECK #212754 - 5/22/12	-3,368.06
			UNCLAIMED VENDOR CHECKS	60.00
5/23/2012	212838	146.22		
			UNCLAIMED PROPERTY (WAGES)	146.22
5/29/2012	212856	4,588.18		
			UNCLAIMED VENDOR CHECKS	1,280.12
			UNCLAIMED VENDOR CHECKS	3,368.06
			UNCLAIMED VENDOR CHECKS	-60.00
	Vendor Total	**4,734.40**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**4,734.40**		
CANNON, ANA M.			Remit to: **HASLET**	**TX**
5/7/2012	885091	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**3,506.03**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885092	637.46		
			RETIREE MED MAR-APR 12, PD MAY	637.46
	Vendor Total	**637.46**		
FYTD for CARTER, ROSALYN		**3,506.03**		
CASA FOR RIVERSIDE COUNTY, INC.			Remit to: **INDIO**	**CA**
5/21/2012	885229	2,354.98		
			COURT APPOINTED SPECIAL-CDBG	840.89
			COURT APPOINTED SPECIAL-CDBG	620.64
			COURT APPOINTED SPECIAL-CDBG	893.45
	Vendor Total	**2,354.98**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.		**14,117.12**		
CASCADE SUBSCRIPTION SERVICE, INC			Remit to: **SEATTLE**	**WA**
5/14/2012	212667	76.00		
			FIRE ENG'G. PROF MAGAZINE	76.00
	Vendor Total	**76.00**		
FYTD for CASCADE SUBSCRIPTION SERVICE, INC		**152.00**		

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CEMEX				Remit to: **ONTARIO** **CA**	
	5/7/2012	212566	320.26		
				PORTLAND CEMENT-MAIN/OP'S	320.26
	5/14/2012	212668	1,089.63		
				PORTLAND CEMENT-MAIN/OP'S	342.92
				PORTLAND CEMENT-MAIN/OP'S	382.98
				PORTLAND CEMENT-MAIN/OP'S	363.73
	5/29/2012	212857	795.49		
				PORTLAND CEMENT-MAIN/OP'S	362.71
				PORTLAND CEMENT-MAIN/OP'S	432.78
	Vendor Total		**2,205.38**		
FYTD for CEMEX			**11,970.54**		
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885093	135.00		
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	65.00
	5/14/2012	885180	180.00		
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	65.00
	5/29/2012	885272	235.00		
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	45.00
	Vendor Total		**550.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			**4,149.00**		

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CHANCY, CHIZURU				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212755	305.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	60.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	30.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
				INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
				INSTRUCTOR SVCS-HAWAIIAN DANCE	30.00
	5/29/2012	212858	175.20		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
				INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	60.00
	Vendor Total		**480.60**		
FYTD for CHANCY, CHIZURU			**1,782.60**		
CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	5/21/2012	885230	8,622.00		
				FIXED INCOME INVESTMENT MGMT	8,622.00
	Vendor Total		**8,622.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**97,010.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	5/7/2012	212567	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,506.03**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885094	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,506.03**		
CHAVEZ, ESHER				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212756	200.00		
				REFUND-RENTAL DEPOSIT-TWNGTE	200.00
	Vendor Total		**200.00**		
FYTD for CHAVEZ, ESHER			**200.00**		
CHERRY VALLEY FEED				Remit to: **CHERRY VALLEY** **CA**	
	5/14/2012	212669	148.66		
				K-9 MISC SUPPLIES-POLICE	148.66
	Vendor Total		**148.66**		
FYTD for CHERRY VALLEY FEED			**657.08**		

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CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885095	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for CHRISTIAN, OWEN			**2,509.23**		

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CINTAS CORPORATION				Remit to: **ONTARIO** **CA**	
	5/7/2012	885096	422.58		
				UNIFORM RNTL SVC-FACILITIES	17.28
				UNIFORM RNTL SVC-FACILITIES	17.28
				UNIFORM RNTL SVC-VEHICLE MAINT	40.48
				UNIFORM RNTL SVC-VEHICLE MAINT	40.48
				UNIFORM RNTL SVC-TREE MAINT	15.06
				UNIFORM RNTL SVC-TREE MAINT	15.06
				UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
				UNIFORM RNTL SVC-GRAFFITI RMVL	0.71
				UNIFORM RNTL SVC-GRAFFITI RMVL	14.35
				UNIFORM RNTL SVC-CONCRTE MAINT	8.57
				UNIFORM RNTL SVC-CONCRTE MAINT	6.89
				UNIFORM RNTL SVC-CONCRTE MAINT	15.46
				UNIFORM RNTL SVC-ST MAINT	96.16
				UNIFORM RNTL SVC-ST MAINT	91.14
				UNIFORM RNTL SVC-DRAIN MAINT	5.42
				UNIFORM RNTL SVC-DRAIN MAINT	5.42
				UNIFORM RNTL SVC-ST SWEEPING	8.88
				UNIFORM RNTL SVC-ST SWEEPING	8.88
	5/14/2012	885181	348.83		
				UNIFORM RNTL SVC-PARK MAINT	2.79
				UNIFORM RNTL SVC-PARK MAINT	50.20
				UNIFORM RNTL SVC-CFD #1	13.36
				UNIFORM RNTL SVC-VEHICLE MAINT	40.48
				UNIFORM RNTL SVC-TREE MAINT	15.06
				UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
				UNIFORM RNTL SVC-CONCRTE MAINT	15.46
				UNIFORM RNTL SVC-ST MAINT	79.37
				UNIFORM RNTL SVC-ST MAINT	11.77
				UNIFORM RNTL SVC-DRAIN MAINT	5.42
				UNIFORM RNTL SVC-ST SWEEPING	8.88
				UNIFORM RNTL SVC-SIGN/STRIPING	16.19
				UNIFORM RNTL SVC-SIGN/STRIPING	16.19
				UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
				UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
				UNIFORM RNTL SVC-PURCHASING	3.92
				UNIFORM RNTL SVC-PURCHASING	3.92
				UNIFORM RNTL SVC-PURCHASING	3.92
				UNIFORM RNTL SVC-FACILITIES	17.28
				UNIFORM RNTL SVC-PURCHASING	3.92
	5/21/2012	885231	178.99		
				UNIFORM RNTL SVC-PARK MAINT	2.79
				UNIFORM RNTL SVC-PARK MAINT	2.79
				UNIFORM RNTL SVC-PARK MAINT	50.20
				UNIFORM RNTL SVC-PARK MAINT	50.20
				UNIFORM RNTL SVC-CFD #1	13.36
				UNIFORM RNTL SVC-CFD #1	13.36
				UNIFORM RNTL SVC-FACILITIES	17.28
				UNIFORM RNTL SVC-SIGN/STRIPING	16.19
				UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
	5/29/2012	885273	747.50		
				UNIFORM RNTL SVC-TRAFFIC SGNL	12.82

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	138.46
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	95.24
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	91.14
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
	Vendor Total	**1,697.90**		
FYTD for CINTAS CORPORATION		**14,727.35**		

CITY OF FOSTER CITY — Remit to: **FOSTER CITY** **CA**

5/7/2012	212568	1,500.00		
			ANNL FEE-RECRUITNG WEBSITE USE	1,500.00
	Vendor Total	**1,500.00**		
FYTD for CITY OF FOSTER CITY		**1,500.00**		

CITY OF MORENO VALLEY VEBA TRUST — Remit to: **MORENO VALLEY** **CA**

5/7/2012	885097	6,105.00		
			EXEMPT VEBA	6,105.00
5/21/2012	885232	2,030.00		
			EXEMPT VEBA	2,030.00
	Vendor Total	**8,135.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**83,488.82**		

CITY OF PERRIS — Remit to: **PERRIS** **CA**

5/7/2012	212569	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for CITY OF PERRIS		**100.00**		

City of Moreno Valley

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For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLLINS, COLLINS, MUIR & STEWART, LLP			Remit to: **SOUTH PASADENA**	**CA**
5/7/2012	212570	0.00		
			LEGAL SVCS-FINAL BILL-MV1156	170.50
			VOIDED CHECK #212570 - 5/14/12	-170.50
5/14/2012	212670	180.54		
			LEGAL SVCS-FINAL BILL-MV1156	170.50
			LEGAL SVCS-FINAL BILL-MV1156	10.04
	Vendor Total	**180.54**		
FYTD for COLLINS, COLLINS, MUIR & STEWART, LLP		**1,205.88**		
COMMUNICATION SUPPLY CORP.			Remit to: **BUENA PARK**	**CA**
5/14/2012	212671	18,963.80		
			FIBER OPTIC CABLE-TECH SVCS	17,599.81
			SALES TAX	1,363.99
	Vendor Total	**18,963.80**		
FYTD for COMMUNICATION SUPPLY CORP.		**37,389.05**		
COMMUNITY ASSISTANCE PROGRAM - CAP			Remit to: **MORENO VALLEY**	**CA**
5/29/2012	885274	2,509.31		
			CAP FOOD DISTRIBUTION PRGRM	2,509.31
	Vendor Total	**2,509.31**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP		**34,012.21**		
COMMUNITY CONNECT			Remit to: **RIVERSIDE**	**CA**
5/21/2012	212757	362.09		
			"211" CALL CENTER INFO	362.09
	Vendor Total	**362.09**		
FYTD for COMMUNITY CONNECT		**4,805.03**		
COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM**	**CA**
5/7/2012	212571	142.00		
			CHC CONTRIBUTIONS	142.00
5/21/2012	212758	142.00		
			CHC CONTRIBUTIONS	142.00
	Vendor Total	**284.00**		
FYTD for COMMUNITY HEALTH CHARITIES		**5,350.34**		
COMPETITIVE STRIDE			Remit to: **RIVERSIDE**	**CA**
5/29/2012	212859	404.60		
			YOUTH SPORTS AWARDS	404.60
	Vendor Total	**404.60**		
FYTD for COMPETITIVE STRIDE		**3,632.06**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMPEX LEGAL SERVICES, INC.			Remit to: **TORRANCE**	**CA**
5/14/2012	212672	1,372.73		
			LEGAL DEFENSE SVCS-CLAIMS	240.00
			TRANSCRIPTION SVCS	456.40
			LEGAL DEFENSE SVCS-CLAIMS	513.13
			LEGAL DEFENSE SVCS-CLAIMS	163.20
	Vendor Total	**1,372.73**		
FYTD for COMPEX LEGAL SERVICES, INC.		**2,516.08**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO**	**CA**
5/29/2012	212861	6,041.43		
			ASPHALTIC MATERIALS	6,041.43
	Vendor Total	**6,041.43**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**12,793.68**		
CONTINUING EDUCATION OF THE BAR			Remit to: **OAKLAND**	**CA**
5/29/2012	212862	154.95		
			LEGAL PUBLICATIONS	154.95
	Vendor Total	**154.95**		
FYTD for CONTINUING EDUCATION OF THE BAR		**1,492.80**		
CORNELL, CRYSTAL			Remit to: **MORENO VALLEY**	**CA**
5/14/2012	212673	27.00		
			REFUND-CLASS REGIS FEE	27.00
	Vendor Total	**27.00**		
FYTD for CORNELL, CRYSTAL		**27.00**		
COSTCO			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	212572	32.44		
			MISC SUPPLIES-SKATE PARK	32.44
5/29/2012	212863	956.32		
			MISC SUPPLIES-A CHILDS PLACE	907.64
			MISC SUPPLIES-SKATE PARK	48.68
	Vendor Total	**988.76**		
FYTD for COSTCO		**15,994.57**		
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO**	**CA**
5/7/2012	212573	1,250.00		
			EMPLOYEE COUNSELING SVCS	1,250.00
	Vendor Total	**1,250.00**		
FYTD for COUNSELING TEAM, THE		**12,500.00**		

City of Moreno Valley

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
5/14/2012	212674	147.63		
			REFUND-UUT FOR EXEMPT RESIDNTS	74.42
			REFUND-UUT FOR EXEMPT RESIDNTS	73.21
	Vendor Total	**147.63**		
FYTD for COUNTRY SQUIRE ESTATES		**774.36**		
COUNTS UNLIMITED, INC.			Remit to: **CORONA** **CA**	
5/21/2012	212759	1,080.00		
			TRAFFIC COUNT-SUNNYMD BL/SR-60	1,080.00
	Vendor Total	**1,080.00**		
FYTD for COUNTS UNLIMITED, INC.		**1,080.00**		
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
5/14/2012	212675	1,293.07		
			JANITORIAL SUPPLIES FOR PD	1,293.07
5/14/2012	212676	16.69		
			COUNTY BLDG RECORDS COPIES	16.69
5/29/2012	212864	1,675.00		
			JANITORIAL SUPPLIES FOR PD	1,675.00
	Vendor Total	**2,984.76**		
FYTD for COUNTY OF RIVERSIDE		**22,352.81**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
5/14/2012	212677	98.75		
			RECORDATION SVCS-LAND DVLPMT	98.75
	Vendor Total	**98.75**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**581.97**		
CRAWFORD, JENNIFER			Remit to: **YORBA LINDA** **CA**	
5/14/2012	212678	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CRAWFORD, JENNIFER		**75.00**		
CRUZ, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212679	159.84		
			MILEAGE-CFEDWEST 2012 CONF.	159.84
	Vendor Total	**159.84**		
FYTD for CRUZ, MICHAEL		**507.69**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
5/7/2012	212574	336.00		
			HEALTH PERMIT RNWL-CELEB PRK	336.00
	Vendor Total	**336.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**24,420.83**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
5/29/2012	212865	745.00		
			DECEASED ANIMAL RMVL	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**8,195.00**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	885098	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for DALE, KATHLEEN		**3,506.03**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH** **CA**	
5/7/2012	885099	20,459.74		
			THIRD PARTY COLLECTION FEES	822.75
			CITATION PROCESSING-CODE	19,636.99
5/14/2012	885182	7,039.14		
			CITATION PROCESSING-POLICE	4,061.00
			CITATION PROCESSING-ANIMAL SVC	2,978.14
5/21/2012	885233	822.19		
			CITATION PROCESSING-BLDG	538.69
			PARKING CITATION APPLICATION	94.50
			PARKING CITATION APPLICATION	94.50
			PARKING CITATION APPLICATION	94.50
5/29/2012	885275	6,141.81		
			CITATION PROCESSING-ANIMAL SVC	6,141.81
	Vendor Total	**34,462.88**		
FYTD for DATA TICKET, INC.		**271,706.63**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO** **CA**	
5/21/2012	212760	130.50		
			SOFTWARE/ONLINE SUBSCRIPTION	130.50
	Vendor Total	**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**1,435.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DAVY, SELINA				Remit to: **RIVERSIDE** **CA**	
	5/14/2012	212680	95.00		
				REFUND-RABIES & S/N DEPOSIT	20.00
				REFUND-RABIES & S/N DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for DAVY, SELINA			**95.00**		
DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	5/14/2012	212681	274.76		
				BOILER MAINT/REPAIR-PSB	129.30
				BOILER MAINT/REPAIR-CRC	145.46
	Vendor Total		**274.76**		
FYTD for DEBINAIRE COMPANY			**3,232.04**		
DEL REY APPRAISAL SRVCS				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212761	700.00		
				APPRAISAL SVC-22877 ALLIES PL	700.00
	Vendor Total		**700.00**		
FYTD for DEL REY APPRAISAL SRVCS			**1,200.00**		
DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	5/14/2012	885183	10,203.24		
				EMPLOYEE DENTAL INSURANCE	10,203.24
	Vendor Total		**10,203.24**		
FYTD for DELTA DENTAL			**115,126.78**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	5/14/2012	212682	5,768.86		
				EMPLOYEE DENTAL INSURANCE	5,768.86
	Vendor Total		**5,768.86**		
FYTD for DELTACARE USA			**68,310.91**		
DENNING, DARLENE				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212762	200.00		
				REFUND-RENTAL DEPOSIT-TWNGTE	200.00
	Vendor Total		**200.00**		
FYTD for DENNING, DARLENE			**200.00**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	5/7/2012	885100	13,490.00		
				PLAN REVIEW SVCS-FIRE PREVENTN	6,450.00
				FIRE INSPECTION SVCS	7,040.00
	Vendor Total		**13,490.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**148,040.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DGM PEARCE LLC				Remit to: **BURBANK** **CA**	
	5/14/2012	212683	381.00		
				REFUND-ADMIN CITATION FEE	400.00
				REFUND-ADMIN CITATION FEE	-19.00
	Vendor Total		**381.00**		
FYTD for DGM PEARCE LLC			**381.00**		
DIAZ, LYNN				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212763	37.00		
				REFUND-CLASS REGIS FEE	37.00
	Vendor Total		**37.00**		
FYTD for DIAZ, LYNN			**37.00**		
DIXON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212839	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for DIXON, RICHARD			**150.00**		
DLS LANDSCAPE, INC				Remit to: **REDLANDS** **CA**	
	5/29/2012	885276	11,475.00		
				LANDSCAPE MAINT-CFD #1	2,052.00
				LANDSCAPE MAINT-ZONE A	9,423.00
	Vendor Total		**11,475.00**		
FYTD for DLS LANDSCAPE, INC			**129,771.00**		
DMC DESIGN GROUP, INC				Remit to: **CORONA** **CA**	
	5/29/2012	212866	19,106.94		
				STORM DRAIN/ST. IMPRV-TOWNSITE	11,009.19
				CONSULTANT ADMIN SVCS-CAP PROJ	8,097.75
	Vendor Total		**19,106.94**		
FYTD for DMC DESIGN GROUP, INC			**299,270.24**		
DORSETT-NELSON, KARI				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212764	37.00		
				REFUND-CLASS REGIS FEE	37.00
	Vendor Total		**37.00**		
FYTD for DORSETT-NELSON, KARI			**37.00**		
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	5/7/2012	212575	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for DORY, ALLEEN F.			**3,575.43**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DREABON, DAUPHINE/TODD				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212765	65.00		
				REFUND-PARKING CITATION OVRPYT	65.00
	Vendor Total		**65.00**		
FYTD for DREABON, DAUPHINE/TODD			**65.00**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212766	189.00		
				INSTRUCTOR SVCS-FOLK DANCE	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**2,331.00**		
E.R. BLOCK PLUMBING & HEATING, INC.				Remit to: **RIVERSIDE** **CA**	
	5/14/2012	885184	60.00		
				BACKFLOW DEVICE TEST-FS#6	40.00
				BACKFLOW DEVICE TEST-CFD#1	20.00
	5/21/2012	885234	918.93		
				BACKFLOW DEVICE TEST-ZONE D	20.00
				NEW BACKFLOW DEVICE-T19518	636.43
				REPLACE STOLEN BACKFLOW DEVICE	262.50
	5/29/2012	885277	2,360.96		
				BACKFLOW DEVICE TEST-ZONE D	340.00
				ANNUAL BACKFLOW PREVENTER TEST	20.00
				BACKFLOW REPAIR-MATERIAL-ZONEM	576.46
				BACKFLOW REPAIR-LABOR-ZONE M	187.50
				BACKFLOW REPAIR-MATERIAL-ZN D	431.00
				BACKFLOW REPAIR-LABOR-ZONE D	187.50
				BACKFLOW REPAIR-MATERIAL-ZN D	431.00
				BACKFLOW REPAIR-LABOR-ZONE D	187.50
	Vendor Total		**3,339.89**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**40,700.76**		
EARTH TEK ENGINEERING CORP.				Remit to: **CHINO HILLS** **CA**	
	5/29/2012	212867	91.00		
				REFUND-BUS LIC OVERPAYMENT	91.00
	Vendor Total		**91.00**		
FYTD for EARTH TEK ENGINEERING CORP.			**91.00**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/7/2012	212576	11,717.64		
			WATER CHARGES	2,669.87
			WATER CHARGES	205.14
			WATER CHARGES	1,668.42
			WATER CHARGES	3,318.66
			WATER CHARGES	2,743.10
			WATER CHARGES	29.10
			WATER CHARGES	229.86
			WATER CHARGES	172.60
			WATER CHARGES	197.62
			WATER CHARGES	187.65
			WATER CHARGES	295.62
5/14/2012	212684	8,917.17		
			WATER CHARGES	37.93
			WATER CHARGES	193.25
			WATER CHARGES	1,931.13
			WATER CHARGES	34.80
			WATER CHARGES	717.20
			WATER CHARGES	100.05
			WATER CHARGES	648.83
			WATER CHARGES	716.45
			WATER CHARGES	1,127.31
			WATER CHARGES	1,490.94
			WATER CHARGES	176.54
			WATER CHARGES	353.05
			WATER CHARGES	193.54
			WATER CHARGES	228.92
			WATER CHARGES	340.04
			WATER CHARGES	169.03
			WATER CHARGES	458.16
5/29/2012	212868	11,938.53		
			WATER CHARGES	1,177.96
			WATER CHARGES	998.03
			WATER CHARGES	4,256.84
			WATER CHARGES	1,516.46
			WATER CHARGES	3,313.08
			WATER CHARGES	553.45
			WATER CHARGES	122.71
	Vendor Total	**32,573.34**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,306,883.00**		
ECONOMICS & POLITICS, INC.			Remit to: **REDLANDS**	**CA**
5/7/2012	212577	15,000.00		
			RESEARCH ECONOMIC IMPACT	12,500.00
			RESEARCH & POWERPNT PRESENTATN	2,500.00
	Vendor Total	**15,000.00**		
FYTD for ECONOMICS & POLITICS, INC.		**15,000.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EDGELANE MOBILE PARK				Remit to: **LOS ANGELES** **CA**	
	5/14/2012	885185	44.89		
				REFUND-UUT FOR EXEMPT RESIDNTS	44.89
	Vendor Total		**44.89**		
FYTD for EDGELANE MOBILE PARK			**440.03**		
EES CONSULTING, INC.				Remit to: **KIRKLAND** **WA**	
	5/29/2012	212869	2,124.44		
				CONSULTING SVCS-MVU	1,494.44
				CONSULTING SVCS-MVU	630.00
	Vendor Total		**2,124.44**		
FYTD for EES CONSULTING, INC.			**43,876.44**		
EGGERSTEN, ANNE				Remit to: **RANCHO MIRAGE** **CA**	
	5/7/2012	212578	320.43		
				RETIREE MED MAY '12	320.43
	Vendor Total		**320.43**		
FYTD for EGGERSTEN, ANNE			**3,556.11**		
ELMORE, RICK/DONNA				Remit to: **MORENO VALLEY** **CA**	
	5/29/2012	212870	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ELMORE, RICK/DONNA			**20.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
5/14/2012	885186	20,397.66		
			MVU WORK AUTHORIZATION 40-250A	93.35
			MVU WORK AUTHORIZATION 40-254A	192.60
			MVU WORK AUTHORIZATION 40-251B	408.11
			MVU WORK AUTHORIZATION 40-257A	50.61
			MVU WORK AUTHORIZATION 40-243A	149.59
			MVU WORK AUTHORIZATION 40-250B	875.91
			MVU WORK AUTHORIZATION 40-249B	10,879.14
			MVU WORK AUTHORIZATION 40-268A	2,043.98
			MVU WORK AUTHORIZATION 40-242A	2,450.53
			MVU WORK AUTHORIZATION 40-247A	963.51
			MVU WORK AUTHORIZATION 40-247B	50.61
			MVU WORK AUTHORIZATION 40-268B	25.31
			MVU WORK AUTHORIZATION 40-271	711.66
			HEACOCK ST BRIDGE NEW CONDUITS	46.68
			REVIEW RULE 20A UG PROJ-NASON	798.75
			MVU WORK AUTHORIZATION 40-237B	657.32
5/29/2012	885278	1,269.40		
			ENG. REVIEW-SCE PROJ ON CACTUS	1,269.40
	Vendor Total	**21,667.06**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,449,118.42**		
ENTERPRISE MEDIA			Remit to: **RIVERSIDE** **CA**	
5/7/2012	212579	1,700.00		
			LEGAL ADS FOR CDBG	1,700.00
	Vendor Total	**1,700.00**		
FYTD for ENTERPRISE MEDIA		**1,739.60**		
ESKEL/PORTER CONSULTING, INC.			Remit to: **SACRAMENTO** **CA**	
5/21/2012	885236	742.50		
			CRM CONSULTING SVCS	742.50
	Vendor Total	**742.50**		
FYTD for ESKEL/PORTER CONSULTING, INC.		**8,837.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EVANS ENGRAVING & AWARDS				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	885187	68.96		
				EMPLOYEE OF THE QTR PLAQUE	30.17
				2 X 9 WALNUT NAMEPLATE	24.00
				2 X 9 WALNUT NAMEPLATE	12.00
				CALIF SALE TAX @ 7.75%	2.79
	5/21/2012	885237	2,603.24		
				SERVICE AWARD PRGRM	1,500.00
				SERVICE AWARD PRGRM	1,064.45
				NAMEPLATES/BADGES-COMMISSIONS	25.86
				NAMEPLATES/BADGES-COMMISSIONS	0.44
				NAMEPLATES/BADGES-COMMISSIONS	12.49
	Vendor Total		**2,672.20**		
FYTD for EVANS ENGRAVING & AWARDS			**3,915.21**		
EWING IRRIGATION PRODUCTS, INC.				Remit to: **PHOENIX** **AZ**	
	5/14/2012	212685	32.72		
				IRRIGATION PARTS/SUPPLY-PARKS	32.72
	Vendor Total		**32.72**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**10,919.69**		
EXCEL LANDSCAPE, INC				Remit to: **CORONA** **CA**	
	5/29/2012	212872	5,396.99		
				LANDSCAPE MAINT-WQCB	2,365.41
				LANDSCAPE MAINT-WQCB	907.33
				LANDSCAPE MAINT-WQCB	2,124.25
	Vendor Total		**5,396.99**		
FYTD for EXCEL LANDSCAPE, INC			**90,703.60**		
F.A.C.E.				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212580	4,459.00		
				ADVERTISEMENT	1,911.00
				ADVERTISEMENT	2,548.00
	Vendor Total		**4,459.00**		
FYTD for F.A.C.E.			**4,459.00**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	885238	4,843.34		
				FORECLOSURE PREVENTN PRGRM	1,610.02
				LANDLORD/TENANT MEDIATN PRGRM	1,066.28
				FAIR HOUSING DISCRIMINATN PRGR	2,167.04
	Vendor Total		**4,843.34**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**62,605.22**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FALLEN OFFICERS FUND				Remit to: **CHULA VISTA** **CA**	
	5/23/2012	212840	750.00		
				SO. CA GANG CONF/MAY 29-31	125.00
				SO. CA GANG CONF/MAY 29-31	125.00
				SO. CA GANG CONF/MAY 29-31	125.00
				SO. CA GANG CONF/MAY 29-31	125.00
				SO. CA GANG CONF/MAY 29-31	125.00
				SO. CA GANG CONF/MAY 29-31	125.00
	Vendor Total		**750.00**		
FYTD for FALLEN OFFICERS FUND			**830.00**		
FAMILY DOLLAR STORE				Remit to: **CHARLOTTE** **NC**	
	5/29/2012	212873	211.50		
				REFUND-BUS LIC OVERPAYMENT	211.50
	Vendor Total		**211.50**		
FYTD for FAMILY DOLLAR STORE			**211.50**		
FEENSTRA, JOHN				Remit to: **REDLANDS** **CA**	
	5/7/2012	885102	361.25		
				RETIREE MED MAY '12	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		
FIRST CHOICE SERVICES				Remit to: **ONTARIO** **CA**	
	5/21/2012	885239	878.47		
				COFFEE SVCS-EMPLOYEE PAID	201.81
				COFFEE SVCS-EMPLOYEE PAID	56.69
				COFFEE SVCS-EMPLOYEE PAID	46.04
				COFFEE SVCS-EMPLOYEE PAID	165.22
				COFFEE SVCS-EMPLOYEE PAID	149.09
				COFFEE SVCS-EMPLOYEE PAID	66.09
				COFFEE SVCS-EMPLOYEE PAID	94.42
				COFFEE SVCS-EMPLOYEE PAID	67.73
				COFFEE SVCS-EMPLOYEE PAID	31.38
	Vendor Total		**878.47**		
FYTD for FIRST CHOICE SERVICES			**8,317.55**		
FIRST LEGAL NETWORK, LLC				Remit to: **LOS ANGELES** **CA**	
	5/29/2012	212874	186.12		
				PICK UP SVCS-GEN MATTERS	186.12
	Vendor Total		**186.12**		
FYTD for FIRST LEGAL NETWORK, LLC			**186.12**		

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FITNESS 19 CA 155 11C				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212686	0.00		
				GYM MEMBERSHIP DEDUCTIONS	12.00
				VOIDED CHECK #212686 - 5/14/12	-12.00
	5/21/2012	212769	224.00		
				GYM MEMBERSHIP DEDUCTIONS	12.00
				GYM MEMBERSHIP DEDUCTIONS	212.00
	Vendor Total		**224.00**		
FYTD for FITNESS 19 CA 155 11C			**2,480.00**		
FLORES, DAISY				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212770	210.00		
				REFUND-RENTAL DEPOSIT-TWNGTE	210.00
	Vendor Total		**210.00**		
FYTD for FLORES, DAISY			**210.00**		
FOCUS ESTATES, INC				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212581	4,288.64		
				RETENTION RELEASE	4,148.69
				RETENTION RELEASE	139.95
	Vendor Total		**4,288.64**		
FYTD for FOCUS ESTATES, INC			**39,777.14**		
FOSTER, JAMES BARRY				Remit to: **RIVERSIDE** **CA**	
	5/14/2012	212687	177.50		
				PER DIEM-ICSC RECON CONVENTION	177.50
	Vendor Total		**177.50**		
FYTD for FOSTER, JAMES BARRY			**726.05**		
FOSTER, NANCY A.				Remit to: **GRASS VALLEY** **CA**	
	5/7/2012	885103	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for FOSTER, NANCY A.			**3,506.03**		

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FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	5/7/2012	212652	995.66		
				GARNISHMENT	100.00
				GARNISHMENT	153.12
				GARNISHMENT	25.00
				GARNISHMENT	567.54
				GARNISHMENT	150.00
	5/21/2012	212771	996.68		
				GARNISHMENT	996.68
	Vendor Total		**1,992.34**		
FYTD for FRANCHISE TAX BOARD			**11,371.43**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	5/14/2012	212688	186.48		
				MILEAGE REIMBURSEMENT	186.48
	Vendor Total		**186.48**		
FYTD for FRANKLIN, L. C.			**1,894.94**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212582	1,012.37		
				PAINT/SUPPLY-GRAFFITI RMVL	117.67
				PAINT/SUPPLY-GRAFFITI RMVL	894.70
	Vendor Total		**1,012.37**		
FYTD for FRAZEE INDUSTRIES, INC			**44,105.89**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212583	80.00		
				SPORTS OFFICIATING SVCS	80.00
	Vendor Total		**80.00**		
FYTD for FRESQUEZ, JOHN			**1,560.00**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	5/29/2012	212875	1,205.82		
				FREESTANDING COMMUNITY SIGN	1,012.36
				SALES TAX	78.46
				DELIVERY CHG	115.00
	Vendor Total		**1,205.82**		
FYTD for FUSION SIGN AND DESIGN, INC			**29,255.82**		

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GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212584	141.00		
				UNIFORM FOR SECURITY GUARD	141.00
	5/21/2012	212772	692.24		
				UNIFORMS-POLICE TRAFFIC	253.71
				UNIFORMS-POLICE TRAFFIC	438.53
	5/29/2012	212876	97.62		
				UNIFORMS-POP TEAM	97.62
	Vendor Total		**930.86**		
FYTD for GALLS INC., INLAND UNIFORM			**8,793.39**		
GARMAR CARPET				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212585	151.53		
				REFUND-BUS LIC OVERPAYMENT	151.53
	Vendor Total		**151.53**		
FYTD for GARMAR CARPET			**151.53**		
GENERAL SECURITY SERVICES, INC.				Remit to: **WILMINGTON** **CA**	
	5/7/2012	212586	1,043.12		
				SECURITY SVCS-CITY HALL	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC	306.80
	5/14/2012	212689	122.72		
				SECURITY SVCS-LIBRARY	122.72
	5/21/2012	212773	306.80		
				SECURITY SVCS-CRC	306.80
	5/29/2012	212877	2,270.32		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-LIBRARY	490.88
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-LIBRARY	122.72
	Vendor Total		**3,742.96**		
FYTD for GENERAL SECURITY SERVICES, INC.			**45,168.70**		

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GENERATOR SERVICES CO., INC.			Remit to: **RANCHO CUCAMONGA CA**	
5/14/2012	212690	8,353.42		
			REMOVE EXSTNG EXHST SYSTM-FS#2	4,176.71
			REMOVE EXSTNG EXHST SYSTM-FS#6	4,176.71
5/21/2012	212774	231.91		
			REMOVE EXSTNG EXHAUST SYS-FS#2	134.69
			REMOVE EXSTNG EXHAUST SYS-FS#6	97.22
	Vendor Total	**8,585.33**		
FYTD for GENERATOR SERVICES CO., INC.		**8,585.33**		
GHANTIWALA, PRAVIN			Remit to: **WALNUT CA**	
5/21/2012	885240	3,420.00		
			ENGINEERING/DESIGN SVCS-MVU	3,420.00
	Vendor Total	**3,420.00**		
FYTD for GHANTIWALA, PRAVIN		**39,330.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES CA**	
5/21/2012	885241	7,936.86		
			LEGAL SVCS	3,964.03
			LEGAL SVCS	1,422.97
			LEGAL SVCS	1,111.50
			LEGAL SVCS	719.18
			LEGAL SVCS	719.18
5/29/2012	885279	4,535.55		
			LEGAL SVCS	2,440.34
			LEGAL SVCS	2,095.21
	Vendor Total	**12,472.41**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**266,798.82**		
GLOBAL SOFTWARE, INC			Remit to: **RALEIGH NC**	
5/21/2012	885242	4,880.00		
			SPREADSHEET SERVER-2 USER LIC	4,880.00
	Vendor Total	**4,880.00**		
FYTD for GLOBAL SOFTWARE, INC		**14,640.00**		
GOD'S HELPING HAND			Remit to: **MENIFEE CA**	
5/21/2012	885243	712.50		
			RENT/UTILITIES-CDBG GRANT	712.50
5/29/2012	885280	712.50		
			FOOD BANK-CDBG	712.50
	Vendor Total	**1,425.00**		
FYTD for GOD'S HELPING HAND		**10,162.50**		

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GONG ENTERPRISES, INC.				Remit to: **HUNTINGTON BEACH CA**	
	5/7/2012	212587	7,661.00		
				CONSULTANT PLAN CHECK SVCS	560.00
				PLAN CHECK SVCS-LAND DVLPMNT	1,111.00
				PLAN CHECK SVCS-PM 35672	2,190.00
				PLAN CHECK SVCS-PM 36162 DRAIN	3,800.00
	5/29/2012	212878	5,370.00		
				PLAN CHECK SVCS-PM35672	4,320.00
				PLAN CHECK SVCS-PM35672	1,050.00
	Vendor Total		**13,031.00**		
FYTD for GONG ENTERPRISES, INC.			**46,531.00**		
GONZALES, DOMILENA R.				Remit to: **MORENO VALLEY CA**	
	5/7/2012	885104	637.46		
				RETIREE MED MAR-APR 12, PD MAY	637.46
	Vendor Total		**637.46**		
FYTD for GONZALES, DOMILENA R.			**3,506.03**		
GONZALEZ, ESMERALDA				Remit to: **MORENO VALLEY CA**	
	5/21/2012	212775	200.00		
				REFUND-RENTAL DEPOSIT-TWNGTE	200.00
	Vendor Total		**200.00**		
FYTD for GONZALEZ, ESMERALDA			**200.00**		
GONZALEZ, JENNIFER				Remit to: **MORENO VALLEY CA**	
	5/14/2012	212691	95.00		
				REFUND-RABIES & S/N DEPOSIT	20.00
				REFUND-RABIES & S/N DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for GONZALEZ, JENNIFER			**95.00**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY CA**	
	5/7/2012	885105	864.00		
				INSTRUCTOR SVCS-KUNG FU/YOUTH	594.00
				INSTRUCTOR SVCS-KUNG FU/ADULT	270.00
	5/29/2012	885281	702.00		
				INSTRUCTOR SVCS-KUNG FU	513.00
				INSTRUCTOR SVCS-KUNG FU	189.00
	Vendor Total		**1,566.00**		
FYTD for GOZDECKI, DAN			**7,606.13**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GRACE TEMPLE COGIC			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	212588	74.00		
			REFUND-PARK PERMIT FEE	74.00
	Vendor Total	**74.00**		
FYTD for GRACE TEMPLE COGIC		**74.00**		
GREENE, MATTHEW			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	212589	45.00		
			SPORTS OFFICIATING SVCS	36.00
			50% WITHHOLDING FOR CSS ORDER	-18.00
			SPORTS OFFICIATING SVCS	54.00
			50% WITHHOLDING FOR CSS ORDER	-27.00
5/29/2012	212879	27.00		
			SPORTS OFFICIATING SVCS	54.00
			50% WITHHOLDING FOR CSS ORDER	-27.00
	Vendor Total	**72.00**		
FYTD for GREENE, MATTHEW		**1,125.00**		
GRIFFIN, MARLENE C			Remit to: **GREEN VALLEY** **AZ**	
5/7/2012	885106	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for GRIFFIN, MARLENE C		**3,506.03**		
GRONSKI, JODI			Remit to: **CORONA DEL MAR** **CA**	
5/29/2012	212880	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for GRONSKI, JODI		**95.00**		
GROUP DELTA CONSULTANTS, INC			Remit to: **IRVINE** **CA**	
5/7/2012	885107	2,577.50		
			DAY ST IMPRVMNTS PROJECT SVCS	2,577.50
	Vendor Total	**2,577.50**		
FYTD for GROUP DELTA CONSULTANTS, INC		**7,663.98**		
GRUBE, PATTY			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	212590	109.68		
			BOOST CONF. MILEAGE/PARKING	97.68
			BOOST CONF. MILEAGE/PARKING	12.00
	Vendor Total	**109.68**		
FYTD for GRUBE, PATTY		**109.68**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GUARDSMARK				Remit to: **RANCHO CUCAMONGA CA**	
	5/7/2012	212591	1,786.00		
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
	5/14/2012	212692	357.20		
				SECURITY SVCS-CITY HALL	357.20
	5/29/2012	212881	1,071.60		
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
				SECURITY SVCS-CITY HALL	357.20
	Vendor Total		**3,214.80**		
FYTD for GUARDSMARK			**23,338.56**		
GUIDA SURVEYING, INC.				Remit to: **IRVINE CA**	
	5/14/2012	885188	4,932.50		
				PERRIS BLVD WIDENING PROJ SVCS	4,932.50
	Vendor Total		**4,932.50**		
FYTD for GUIDA SURVEYING, INC.			**44,565.50**		
GUILLAN, REBECCA S.				Remit to: **ADVANCE NC**	
	5/7/2012	885108	275.31		
				RETIREE MED MAY 12, PD MAY 12	275.31
	Vendor Total		**275.31**		
FYTD for GUILLAN, REBECCA S.			**3,283.79**		
GUILLEN, RUTH				Remit to: **MORENO VALLEY CA**	
	5/7/2012	885109	61.75		
				RETIREE MED APR 12, PD MAY 12	61.75
	Vendor Total		**61.75**		
FYTD for GUILLEN, RUTH			**669.40**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE CA**	
	5/7/2012	885110	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,506.03**		

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GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	5/14/2012	885189	4,049.00		
				SHOPPING CART RETRIEVAL SVC	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
HAAS, MINA				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212592	132.00		
				INSTRUCTOR SVCS-BODY SCULPTING	72.00
				INSTRUCTOR SVCS-BODY SCULPTING	60.00
	5/29/2012	212882	120.00		
				INSTRUCTOR SVCS-BODY SCULPTING	120.00
	Vendor Total		**252.00**		
FYTD for HAAS, MINA			**2,806.20**		
HABITAT FOR HUMANITY RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	212776	1,143.66		
				MOBILEHOME REPAIR PRGRM	1,143.66
	Vendor Total		**1,143.66**		
FYTD for HABITAT FOR HUMANITY RIVERSIDE			**12,911.67**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	5/7/2012	885111	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,506.03**		
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885112	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HANIGAN BUSINESS FORMS				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885113	2,284.81		
				LABELS, CITY SEAL 12" DIA.	1,995.00
				CA SALES TAX	154.61
				FREIGHT	15.00
				OVERAGE CHRGS INCL TAX/FREIGHT	120.20
	Vendor Total		**2,284.81**		
FYTD for HANIGAN BUSINESS FORMS			**3,405.93**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	5/7/2012	212593	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HARRIS & ASSOCIATES, INC.				Remit to: **IRVINE** **CA**	
	5/29/2012	885283	641.00		
				PLAN CHECK SVCS-52 UNIT APTS	641.00
	Vendor Total		**641.00**		
FYTD for HARRIS & ASSOCIATES, INC.			**23,010.45**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	5/7/2012	212594	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**35,619.30**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	5/7/2012	885114	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,824.76**		
HEASLEY, DANIEL				Remit to: **REDLANDS** **CA**	
	5/21/2012	212777	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for HEASLEY, DANIEL			**75.00**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	5/7/2012	885115	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,506.03**		
HENRICH, CHRIS				Remit to: **PERRIS** **CA**	
	5/29/2012	212883	30.00		
				REFUND-A/C SERVICE FEES	30.00
	Vendor Total		**30.00**		
FYTD for HENRICH, CHRIS			**30.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HERRICK, ROBERT D.			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	212595	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for HERRICK, ROBERT D.		**3,506.03**		
HONDA YAMAHA OF REDLANDS			Remit to: **REDLANDS**	**CA**
5/14/2012	885191	1,976.88		
			MOTORCYCLE MAINT/REPAIR-POLICE	133.75
			MOTORCYCLE PARTS	356.36
			MOTORCYCLE MAINT/REPAIR-POLICE	147.75
			MOTORCYCLE PARTS	348.09
			MOTORCYCLE MAINT/REPAIR-POLICE	105.75
			MOTORCYCLE PARTS	294.39
			MOTORCYCLE MAINT/REPAIR-POLICE	84.00
			MOTORCYCLE PARTS	39.88
			MOTORCYCLE MAINT/REPAIR-POLICE	259.75
			MOTORCYCLE PARTS	207.16
5/29/2012	885284	284.40		
			MOTORCYCLE PARTS-POLICE	20.48
			MOTORCYCLE MAINT/REPAIR-POLICE	62.00
			MOTORCYCLE PARTS	201.92
	Vendor Total	**2,261.28**		
FYTD for HONDA YAMAHA OF REDLANDS		**38,851.63**		
HOUSER, EDITH E.			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	212596	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for HOUSER, EDITH E.		**3,506.03**		
HUNTINGTON COURT REPORTERS			Remit to: **PASADENA**	**CA**
5/29/2012	212884	1,153.95		
			TRANSCRIPTS-CERT COPIES	1,153.95
	Vendor Total	**1,153.95**		
FYTD for HUNTINGTON COURT REPORTERS		**1,153.95**		
ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE**	**MD**
5/4/2012	3073	8,575.01		
			DEF COMP 457 5/4/12	8,575.01
5/18/2012	3081	8,575.01		
			DEF COMP 457 5/18/12	8,575.01
	Vendor Total	**17,150.02**		
FYTD for ICMA RETIREMENT CORP 457		**254,280.83**		

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ICR DOORS				Remit to: **SAN BERNARDINO** **CA**	
	5/7/2012	885116	195.00		
				AUTOMATIC GATE MAINT-FS#58	195.00
	5/14/2012	885192	435.00		
				AUTOMATIC GATE MAINT-FS#2	150.00
				AUTOMATIC GATE MAINT-FS#48	90.00
				AUTOMATIC GATE MAINT-CITY YARD	195.00
	Vendor Total		**630.00**		
FYTD for ICR DOORS			**4,016.60**		
IES COMMERCIAL, INC				Remit to: **TEMPE** **AZ**	
	5/14/2012	212693	487.74		
				REPAIR SVCS-3 CITY HALL EXITS	487.74
	Vendor Total		**487.74**		
FYTD for IES COMMERCIAL, INC			**1,242.73**		
IGNITION ENGINEERING				Remit to: **ANAHEIM** **CA**	
	5/29/2012	212885	102.19		
				REPAIRS-1948 FIRE TRUCK	75.00
				REPAIRS-1948 FIRE TRUCK	27.19
	Vendor Total		**102.19**		
FYTD for IGNITION ENGINEERING			**102.19**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212597	130.70		
				REFUND-UUT FOR EXEMPT RESIDNTS	130.70
	Vendor Total		**130.70**		
FYTD for IL SORRENTO MOBILE PARK			**962.51**		
ING USA ANNUITY & LIFE INSURANCE CO.				Remit to: **DES MOINES** **IA**	
	5/7/2012	212598	400.00		
				NON-EXEMPT ANNUITY	400.00
	Vendor Total		**400.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**4,625.00**		
INLAND CONTRACTORS, INC.				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885117	173.70		
				NUISANCE ABATEMENT SVCS-CODE	173.70
	5/29/2012	885285	12,125.00		
				DEMOLITION SVCS-27913 COTTONWD	12,125.00
	Vendor Total		**12,298.70**		
FYTD for INLAND CONTRACTORS, INC.			**44,505.10**		

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INLAND EMPIRE MAGAZINE			Remit to: **RIVERSIDE** **CA**	
5/29/2012	212886	3,290.00		
			ADVERTISEMENT-APRIL ISSUE	3,290.00
	Vendor Total	**3,290.00**		
FYTD for INLAND EMPIRE MAGAZINE		**5,280.00**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON** **CA**	
5/14/2012	885193	870.72		
			TESTING & MAINT.-FS#2	391.19
			TESTING & MAINT.-FS#91	479.53
	Vendor Total	**870.72**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**2,846.35**		
INSIDE PLANTS, INC.			Remit to: **CORONA** **CA**	
5/21/2012	885244	320.00		
			INDOOR PLANT MAINT-CRC	320.00
	Vendor Total	**320.00**		
FYTD for INSIDE PLANTS, INC.		**3,520.00**		
ITERIS, INC.			Remit to: **SANTA ANA** **CA**	
5/29/2012	885286	9,713.50		
			ENGINEERING SVCS-EVP RETROFIT	9,713.50
	Vendor Total	**9,713.50**		
FYTD for ITERIS, INC.		**9,713.50**		
J D H CONTRACTING			Remit to: **RIVERSIDE** **CA**	
5/7/2012	885118	1,985.00		
			INSTALL NEW SHOWER WALLS	1,985.00
5/21/2012	885245	5,741.00		
			DUCT WORK, T-BAR CEILING	4,000.00
			DUCT WORK, T-BAR CEILING	1,700.00
			DUCT WORK, T-BAR CEILING	41.00
	Vendor Total	**7,726.00**		
FYTD for J D H CONTRACTING		**54,850.50**		
JACKSON, SHIRLEY A.			Remit to: **MORENO VALLEY** **CA**	
5/29/2012	212887	952.76		
			REFUND-VARIOUS PERMIT FEES	753.56
			REFUND-VARIOUS PERMIT FEES	97.60
			REFUND-VARIOUS PERMIT FEES	97.60
			REFUND-VARIOUS PERMIT FEES	3.60
			REFUND-VARIOUS PERMIT FEES	0.40
	Vendor Total	**952.76**		
FYTD for JACKSON, SHIRLEY A.		**952.76**		

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JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212778	75.00		
			COURIER SVCS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,389.00**		
JARRETT, STEPHEN M.			Remit to: **YUCAIPA** **CA**	
5/14/2012	212694	21.53		
			MILEAGE-ESRI ARGIS SERVER TRNG	21.53
	Vendor Total	**21.53**		
FYTD for JARRETT, STEPHEN M.		**519.54**		
JDEDGE SOFTWARE, LLC			Remit to: **KRUGERVILLE** **TX**	
5/8/2012	885174	19,190.00		
			ERP IMPLEMENTATION SVCS	19,190.00
5/29/2012	885287	20,996.16		
			FINANCIALS CONVERSION SUPPORT	11,050.00
			FINANCIALS CONVERSION SUPPORT	9,946.16
	Vendor Total	**40,186.16**		
FYTD for JDEDGE SOFTWARE, LLC		**192,976.22**		
JENSEN, LEILANI			Remit to: **MORENO VALLEY** **CA**	
5/29/2012	212888	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for JENSEN, LEILANI		**20.00**		
JONES, SUSAN			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	885119	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for JONES, SUSAN		**3,506.03**		
JUGO, JOSEPH			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212695	95.09		
			REFUND-MV UTILITY	95.09
	Vendor Total	**95.09**		
FYTD for JUGO, JOSEPH		**95.09**		

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KARBORD				Remit to: **LOS ANGELES** **CA**	
	5/29/2012	212889	4,430.64		
				OIL CHANGE MAT	3,960.00
				EST SHIPPING	163.74
				EST SALES TAX	306.90
		Vendor Total	**4,430.64**		
FYTD for KARBORD			**4,430.64**		
KEPLER, JANELLE				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	212779	280.00		
				INSTRUCTOR SVCS-CHEERLDNG	280.00
		Vendor Total	**280.00**		
FYTD for KEPLER, JANELLE			**280.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	5/7/2012	212599	271.44		
				RETIREE MED MAY '12	271.44
		Vendor Total	**271.44**		
FYTD for KING, PATRICIA A.			**2,964.48**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885120	318.73		
				RETIREE MED MAY '12	318.73
		Vendor Total	**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885121	318.73		
				RETIREE MED MAY '12	318.73
		Vendor Total	**318.73**		
FYTD for KOLLAR, KYLE			**3,506.03**		
KOSER, MATTHEW				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212841	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
		Vendor Total	**150.00**		
FYTD for KOSER, MATTHEW			**150.00**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	5/7/2012	885122	318.73		
				RETIREE MED MAY '12	318.73
		Vendor Total	**318.73**		
FYTD for KYLE, GARY M.			**3,506.03**		

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LA FOLLETTE, JOHNSON, DE HAAS, ET AL			Remit to: **LOS ANGELES**	**CA**
5/7/2012	212600	15,644.09		
			LEGAL SVCS	3,346.09
			LEGAL SVCS	6,743.06
			LEGAL SVCS	771.50
			LEGAL SVCS	4,673.74
			LEGAL SVCS	109.70
5/21/2012	212780	18,321.84		
			LEGAL SVCS	4,890.30
			LEGAL SVCS	13,431.54
	Vendor Total	**33,965.93**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL		**89,224.93**		
LADRIDO, MINCIE MICHELLE			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	212602	3,937.50		
			FED RELOCATION ASSISTANCE	3,937.50
	Vendor Total	**3,937.50**		
FYTD for LADRIDO, MINCIE MICHELLE		**6,425.00**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885123	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,506.03**		
LANGAN ENGINEERING & ENVIRONMENTAL SRVCS			Remit to: **IRVINE**	**CA**
5/21/2012	212781	4,740.00		
			GEOTECHNICAL SVCS-HF PA07-0090	4,740.00
	Vendor Total	**4,740.00**		
FYTD for LANGAN ENGINEERING & ENVIRONMENTAL SRVCS		**4,740.00**		
LANGENDORF, BENJAMIN			Remit to: **PERRIS**	**CA**
5/7/2012	885124	254.59		
			RETIREE MED MAR 12, PD MAY 12	254.59
	Vendor Total	**254.59**		
FYTD for LANGENDORF, BENJAMIN		**2,512.71**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES**	**CA**
5/29/2012	212891	377.50		
			LEGAL SVCS-MAYFLD HOA (TR32505	377.50
	Vendor Total	**377.50**		
FYTD for LATHAM & WATKINS, LLP		**4,178.23**		

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LAW OFFICES OF DARIUSH KIANI			Remit to: **MORENO VALLEY**	**CA**
5/29/2012	212892	1,833.03		
			SETTLEMENT AGREEMENT	516.66
			SETTLEMENT AGREEMENT	1,316.37
5/29/2012	212893	1,000.00		
			SETTLEMENT AGREEMENT	1,000.00
	Vendor Total	**2,833.03**		
FYTD for LAW OFFICES OF DARIUSH KIANI		**2,833.03**		
LA-Z-BOY FURNITURE GALLERIES			Remit to: **RIVERSIDE**	**CA**
5/7/2012	212601	2,397.31		
			# 010553 "ROLAND" RECLINER	2,159.96
			DELIVERY CHARGE	69.99
			CALIF SALES TAX @ 7.75%	167.36
	Vendor Total	**2,397.31**		
FYTD for LA-Z-BOY FURNITURE GALLERIES		**2,397.31**		
LEVERAGE INFORMATION SYSTEMS			Remit to: **ONTARIO**	**CA**
5/7/2012	212603	2,085.00		
			PROF. CONSULTANT SERVICES	2,085.00
	Vendor Total	**2,085.00**		
FYTD for LEVERAGE INFORMATION SYSTEMS		**21,241.65**		
LEWIS, CAROLYN S.			Remit to: **BEAUMONT**	**CA**
5/7/2012	885125	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for LEWIS, CAROLYN S.		**3,506.03**		
LEXISNEXIS			Remit to: **LOS ANGELES**	**CA**
5/29/2012	885288	1,480.00		
			ONLINE LEGAL RESEARCH	740.00
			ONLINE LEGAL RESEARCH	370.00
			ONLINE LEGAL RESEARCH	370.00
	Vendor Total	**1,480.00**		
FYTD for LEXISNEXIS		**16,280.00**		
LINDO, HERMINA G.			Remit to: **TITUSVILLE**	**FL**
5/7/2012	885126	199.80		
			RETIREE MED MAR 12, PD MAY 12	199.80
	Vendor Total	**199.80**		
FYTD for LINDO, HERMINA G.		**2,711.58**		

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LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	5/7/2012	885127	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**3,506.03**		
LONGDYKE, DENNIS				Remit to: **BEAUMONT** **CA**	
	5/7/2012	212604	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for LONGDYKE, DENNIS			**2,868.57**		
LOPEZ, TERESA				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212782	300.00		
				REFUND-RENTAL DEPOSIT-SNR CTR	300.00
	Vendor Total		**300.00**		
FYTD for LOPEZ, TERESA			**300.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	885246	545.00		
				PERRIS BL WIDENING SB LN TO 60	275.00
				PERRIS BL WIDENING SB LN TO 60	270.00
	Vendor Total		**545.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**60,480.80**		
LOUCKS, CHRISTOPHER				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212697	747.34		
				CAR RENTL REIMB-IPTM DATA TRNG	747.34
	Vendor Total		**747.34**		
FYTD for LOUCKS, CHRISTOPHER			**1,147.34**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885128	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,506.03**		
LUTHERAN SOCIAL SERVICES OF SO. CALI F.				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	885247	1,187.50		
				CDBG SVCS-SHELTER PRGM	1,187.50
	Vendor Total		**1,187.50**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**16,937.50**		

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MADRIGAL, ELENA				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212698	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MADRIGAL, ELENA			**20.00**		
MAGANA, VICTOR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212842	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for MAGANA, VICTOR			**150.00**		
MANJARREZ, JOSHUA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212843	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for MANJARREZ, JOSHUA			**150.00**		
MARCH FIELD AIR MUSEUM				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212605	45.00		
				5/6/12 MARCH ON BOB HOPE EVENT	45.00
	5/14/2012	212699	45.00		
				5/6/12 MARCH ON BOB HOPE EVENT	45.00
	Vendor Total		**90.00**		
FYTD for MARCH FIELD AIR MUSEUM			**90.00**		
MARCH JOINT POWERS AUTHORITY				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212606	7.10		
				GAS METER CHARGES	5.80
				GAS METER CHARGES	1.30
	Vendor Total		**7.10**		
FYTD for MARCH JOINT POWERS AUTHORITY			**72.55**		
MARINA LANDSCAPE, INC				Remit to: **ANAHEIM** **CA**	
	5/14/2012	885194	15,271.82		
				LANDSCAPE MAINT-DSG-2N	4,777.65
				LANDSCAPE MAINT-DSG-2S	4,480.83
				LANDSCAPE MAINT-DSG-2S	280.00
				LANDSCAPE MAINT-ZONE-E-1	4,943.58
				LANDSCAPE MAINT-ZONE E-1A	789.76
	Vendor Total		**15,271.82**		
FYTD for MARINA LANDSCAPE, INC			**157,962.18**		

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MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	5/7/2012	885129	279.80		
				RETIREE MED MAR 12, PD MAY 12	279.80
	Vendor Total		**279.80**		
FYTD for MATHIS, NOLAN			**3,159.40**		
MATICH CORPORATION				Remit to: **HIGHLAND** **CA**	
	5/29/2012	885289	13,250.82		
				ASPHALTIC MATERIALS	13,250.82
	Vendor Total		**13,250.82**		
FYTD for MATICH CORPORATION			**27,551.29**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	5/7/2012	885130	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MCKINNEY, MICHAEL				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212783	20.00		
				REFUND-BASKTBL LG FORFT DEP.	20.00
	Vendor Total		**20.00**		
FYTD for MCKINNEY, MICHAEL			**20.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	5/21/2012	885248	120.00		
				SPORTS OFFICIATING SVCS	20.00
				SPORTS OFFICIATING SVCS	20.00
				SPORTS OFFICIATING SVCS	80.00
	5/29/2012	885290	80.00		
				SPORTS OFFICIATING SVCS	40.00
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**200.00**		
FYTD for MEEKS, DANIEL			**3,440.00**		
MENDENHALL, DALE W.				Remit to: **HEMET** **CA**	
	5/14/2012	212700	47.95		
				MILEAGE-ESRI ARGIS SERVER TRNG	47.95
	Vendor Total		**47.95**		
FYTD for MENDENHALL, DALE W.			**90.13**		

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MENDYK CHIROPRACTIC			Remit to: **PERRIS** **CA**	
5/29/2012	212894	1,000.00		
			SETTLEMENT AGREEMENT	1,000.00
	Vendor Total	**1,000.00**		
FYTD for MENDYK CHIROPRACTIC		**1,000.00**		
MENGISTU, YESHIALEM			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212701	128.21		
			MILEAGE REIMBURSEMENT	128.21
	Vendor Total	**128.21**		
FYTD for MENGISTU, YESHIALEM		**1,422.73**		
MERCHANTS LANDSCAPE SERVICES INC			Remit to: **CORONA** **CA**	
5/29/2012	885291	4,140.00		
			LANDSCAPE MAINT-ZONE E-8	900.00
			LANDSCAPE MAINT-ZONE E-14	1,620.00
			LANDSCAPE REPLANTING-ZONE E-12	1,620.00
	Vendor Total	**4,140.00**		
FYTD for MERCHANTS LANDSCAPE SERVICES INC		**47,083.76**		
MESSIN, LOUIS			Remit to: **BULLHEAD CITY** **AZ**	
5/7/2012	885131	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for MESSIN, LOUIS		**3,506.03**		
METROPCS WIRELESS, INC.			Remit to: **DALLAS** **TX**	
5/29/2012	212895	100.00		
			CELLPHONE TEXT RETRIEVAL	100.00
	Vendor Total	**100.00**		
FYTD for METROPCS WIRELESS, INC.		**500.00**		
MICHAEL BRANDMAND ASSOCIATES			Remit to: **IRVINE** **CA**	
5/14/2012	212702	4,234.53		
			MARCH BUSINESS CTR PEER REVIEW	724.53
			MARCH BUSINESS CTR PEER REVIEW	3,510.00
5/29/2012	212896	5,803.20		
			EIR 3RD PRTY REVIEW-VOGEL WRHS	450.00
			EIR 3RD PRTY REVIEW-VOGEL WRHS	5,128.20
			EIR PEER REVIEW-MARCH BUS CNTR	225.00
	Vendor Total	**10,037.73**		
FYTD for MICHAEL BRANDMAND ASSOCIATES		**38,386.93**		

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MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885132	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for MILES, ROBERT			**2,509.23**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	5/7/2012	885133	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,506.03**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CORONA** **CA**	
	5/14/2012	885195	6,928.61		
				PLAYGROUND EQUIPMT-PATRIOT PRK	570.06
				PLAYGROUND EQUIPMT-PATRIOT PRK	1,616.06
				PLAYGROUND EQUIPMT-PATRIOT PRK	2,770.54
				PLAYGROUND EQUIPMT-PATRIOT PRK	1,366.77
				PLAYGROUND EQUIPMT PARTS	605.18
	Vendor Total		**6,928.61**		
FYTD for MIRACLE RECREATION EQUIPMENT			**257,794.98**		
MIRAMONTES, FABIOLA				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212607	461.59		
				SETTLEMENT AGREEMENT	461.59
	Vendor Total		**461.59**		
FYTD for MIRAMONTES, FABIOLA			**461.59**		
MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	5/7/2012	885134	401.42		
				RETIREE MED MAY '12	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,415.62**		
MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212703	275.00		
				PLUMBING REPAIRS-ANIMAL SVCS	150.00
				PLUMBING REPAIRS-ANIMAL SVCS	125.00
	5/21/2012	212784	225.00		
				PLUMBING REPAIRS-PD	225.00
	Vendor Total		**500.00**		
FYTD for MONTGOMERY PLUMBING INC			**19,914.90**		

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MORA, PATRICIA A.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885135	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,506.03**		
MORALES, KAREN R.				Remit to: **PERRIS** **CA**	
	5/29/2012	212898	41.63		
				MILEAGE REIMBURSEMENT	41.63
	Vendor Total		**41.63**		
FYTD for MORALES, KAREN R.			**41.63**		
MORA'S EQUIPMENT & CONSTRUCTION				Remit to: **PICO RIVERA** **CA**	
	5/29/2012	212897	19,506.69		
				RETENT RLS-CITYWD SIDEWLK/RAMP	14,191.80
				RETENT RLS-CITYWD SIDEWLK/RAMP	3,348.35
				RETENT RLS-CITYWD SIDEWLK/RAMP	1,966.54
	Vendor Total		**19,506.69**		
FYTD for MORA'S EQUIPMENT & CONSTRUCTION			**195,066.87**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212608	165.00		
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
				WAKE-UP MEETING-4/25/12	15.00
	Vendor Total		**165.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**23,170.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY** **CA**	
	5/4/2012	3072	1,398.50		
				MVCEA DUES 5/4/12	1,398.50
	5/18/2012	3080	1,398.50		
				MVCEA DUES 5/18/12	1,398.50
	Vendor Total		**2,797.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**33,894.50**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO CA**	
5/21/2012	885249	17,142.59		
			LEASE-FACILITIES ANNEX	2,458.97
			LEASE-TECH SVCS ANNEX	5,475.90
			BUILDING RENTAL/MAINT-MVU/SDA	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**188,568.49**		
MORENO VALLEY HISPANIC CHAMBER			Remit to: **MORENO VALLEY CA**	
5/21/2012	212785	550.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
			REFUND-PARTIAL PERMIT FEES	450.00
	Vendor Total	**550.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER		**1,050.00**		
MORENO VALLEY HISPANIC CHAMBER OF COMMER			Remit to: **MORENO VALLEY CA**	
5/14/2012	212704	70.00		
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
			ATTEND ADELANTE MEETING	10.00
	Vendor Total	**70.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER OF COMMER		**4,030.00**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT			Remit to: **MORENO VALLEY CA**	
5/7/2012	212609	500.00		
			DONATN-MVUSD HONOR BND-JUL 4TH	500.00
	Vendor Total	**500.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**3,810.00**		
MORENO VALLEY UTILITY			Remit to: **HEMET CA**	
5/14/2012	212705	85.75		
			ELECTRICITY-UTILITY FLD OFFICE	85.75
5/29/2012	212899	94.18		
			ELECTRICITY-UTILITY FLD OFFICE	94.18
	Vendor Total	**179.93**		
FYTD for MORENO VALLEY UTILITY		**691,616.65**		

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MORENO, MARIO				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212706	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for MORENO, MARIO			**515.00**		
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	5/7/2012	885136	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,506.03**		
MOSQUEDA, CARMEL/JOSEPH				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212787	128.00		
				REFUND-PARKING CITATION OVRPYT	128.00
	Vendor Total		**128.00**		
FYTD for MOSQUEDA, CARMEL/JOSEPH			**128.00**		
MR. CLEAN, INC.				Remit to: **COLTON** **CA**	
	5/21/2012	212788	428.00		
				PRESSURE WASH SVCS-CRC	428.00
	Vendor Total		**428.00**		
FYTD for MR. CLEAN, INC.			**1,712.00**		
MUNIZ CERVANTES, RUBEN				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212789	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MUNIZ CERVANTES, RUBEN			**20.00**		
MURPHY, ERIN				Remit to: **SUN CITY** **CA**	
	5/21/2012	212790	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MURPHY, ERIN			**75.00**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	212791	629.40		
				INSTRUCTOR SVCS-GUITAR	216.00
				INSTRUCTOR SVCS-GUITAR	216.00
				INSTRUCTOR SVCS-PIANO	197.40
	Vendor Total		**629.40**		
FYTD for MUSICSTAR			**4,957.80**		

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MV BFSA				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212792	500.00		
				REFUND-RENTAL DEPOSIT-CRC	500.00
	Vendor Total		**500.00**		
FYTD for MV BFSA			**500.00**		
NATIONWIDE RETIREMENT SOLUTIONS				Remit to: **COLUMBUS** **OH**	
	5/4/2012	3070	2,270.32		
				PST DEF COMP FOR FICA 5/4/12	2,270.32
	5/18/2012	3078	2,366.00		
				PST DEF COMP FOR FICA 5/18/12	2,366.00
	Vendor Total		**4,636.32**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**685,461.46**		
NAVARRETTE, RALPH				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/7/2012	885137	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for NAVARRETTE, RALPH			**2,686.93**		
NAVCO NETWORKS & SECURITY				Remit to: **ANAHEIM** **CA**	
	5/21/2012	885250	802.92		
				CAMERA SYSTEM REPAIRS-PD	315.00
				CAMERA SYSTEM REPAIRS-PD	487.92
	Vendor Total		**802.92**		
FYTD for NAVCO NETWORKS & SECURITY			**1,842.76**		
NCBW-IEC				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212793	100.00		
				REFUND-RENTAL DEPOSIT-CRC	100.00
	Vendor Total		**100.00**		
FYTD for NCBW-IEC			**100.00**		
NEIFERT, MARY				Remit to: **WEST LAKE VILLAGE** **CA**	
	5/14/2012	212707	95.00		
				REFUND-RABIES & S/N DEPOSIT	20.00
				REFUND-RABIES & S/N DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for NEIFERT, MARY			**95.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NELSON, ROBERT				Remit to: **ONTARIO** **CA**	
	5/7/2012	885138	320.43		
				RETIREE MED MAY '12	320.43
	Vendor Total		**320.43**		
FYTD for NELSON, ROBERT			**3,556.11**		
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	5/7/2012	885139	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	5/7/2012	212610	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEVAREZ, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212794	79.00		
				REFUND-CLASS REGIS FEE	79.00
	Vendor Total		**79.00**		
FYTD for NEVAREZ, CLAUDIA			**79.00**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	5/14/2012	885196	17.72		
				REFUND-UUT FOR EXEMPT RESIDNTS	17.72
	Vendor Total		**17.72**		
FYTD for NEW HORIZON MOBILE HOME PARK			**126.26**		
NEW WORLD SYSTEMS, CORP				Remit to: **TROY** **MI**	
	5/14/2012	885197	2,563.31		
				FM, HR/PY EST. TRAVEL EXPENSES	600.00
				FM, HR/PY EST. TRAVEL EXPENSES	1,963.31
	Vendor Total		**2,563.31**		
FYTD for NEW WORLD SYSTEMS, CORP			**478,646.23**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212611	401.42		
				RETIREE MED MAY '12	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		

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NIELSEN SEGMENTATION & LOCAL MARKET SOL			Remit to: **CHARLOTTE** **NC**	
5/14/2012	212655	500.00		
			RIVERSIDE CTY CENSUS TRCT INFO	500.00
	Vendor Total	**500.00**		
FYTD for NIELSEN SEGMENTATION & LOCAL MARKET SOL		**500.00**		
ODOM, YVONNE			Remit to: **MORENO VALLEY** **CA**	
5/21/2012	212795	200.00		
			REFUND-RENTAL DEPOSIT-TWNGTE	200.00
	Vendor Total	**200.00**		
FYTD for ODOM, YVONNE		**200.00**		
OPERATION SAFEHOUSE, INC.			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212796	1,259.74		
			CDBG SVCS-SHELTER PRGM	512.66
			CDBG SVCS-SHELTER PRGM	747.08
	Vendor Total	**1,259.74**		
FYTD for OPERATION SAFEHOUSE, INC.		**7,600.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE** **CA**	
5/7/2012	885140	3,181.20		
			LEGAL SVCS	1,561.35
			LEGAL SVCS	1,619.85
5/29/2012	885293	722.00		
			LEGAL SVCS	165.86
			LEGAL SVCS	446.14
			LEGAL SVCS	110.00
	Vendor Total	**3,903.20**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**21,612.14**		
ORTEGA, JUAN			Remit to: **MORENO VALLEY** **CA**	
5/21/2012	212797	57.50		
			REFUND-PARKING CITATION OVRPYT	57.50
	Vendor Total	**57.50**		
FYTD for ORTEGA, JUAN		**57.50**		
ORTEGA, MARC			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212709	50.53		
			REISSUE UNCLAIMD CK-MVU RFND	52.53
			REISSUE UNCLAIMD CK-MVU RFND	-2.00
	Vendor Total	**50.53**		
FYTD for ORTEGA, MARC		**50.53**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH**	**CA**
5/7/2012	885141	6,143.75		
			RELOCATION SVCS-MYERS AVE PROJ	593.75
			RELOCATION SVCS-MYERS AVE PROJ	5,550.00
	Vendor Total	**6,143.75**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**142,876.25**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND**	**CA**
5/14/2012	885198	226.91		
			BEE CONTROL SVCS	125.00
			TURF FERTILIZATION-ZONE E-7	84.46
			TURF FERTILIZATION-ZONE E-14	17.45
	Vendor Total	**226.91**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**5,289.71**		
PACIFIC PRODUCTS & SERVICES, INC			Remit to: **HIGHLAND**	**CA**
5/29/2012	212900	8,440.60		
			SIGN POST/ANCHOR/SLEEVES	3,232.50
			SIGN POST/ANCHOR/SLEEVES	5,000.00
			SIGN POST/ANCHOR/SLEEVES	208.10
	Vendor Total	**8,440.60**		
FYTD for PACIFIC PRODUCTS & SERVICES, INC		**8,440.60**		
PACIFIC SAFETY COUNCIL			Remit to: **SAN DIEGO**	**CA**
5/14/2012	885199	380.00		
			SAFETY TRAINING/CONSULTING	380.00
	Vendor Total	**380.00**		
FYTD for PACIFIC SAFETY COUNCIL		**2,051.10**		
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON**	**CA**
5/21/2012	885251	375.84		
			PAYPHONE SVCS-PSB	62.64
			PAYPHONE SVCS-TECH SVCS	313.20
	Vendor Total	**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**4,171.82**		
PAINTING BY ZEB BODE			Remit to: **NORCO**	**CA**
5/14/2012	885200	5,000.00		
			PAINT EXTERIOR-TOWNGATE CNTR	5,000.00
5/29/2012	885294	1,230.00		
			EXTERIOR PAINTING-CELEBRATION	620.00
			EXTERIOR PAINTING-VISTA LOMA	610.00
	Vendor Total	**6,230.00**		
FYTD for PAINTING BY ZEB BODE		**20,480.00**		

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PALACIO, ASHLEY				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212798	200.00		
				REFUND-RENTAL DEPOSIT-TWNGTE	200.00
	Vendor Total		**200.00**		
FYTD for PALACIO, ASHLEY			**200.00**		
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212612	225.99		
				RETIREE MED MAY '12	225.99
	Vendor Total		**225.99**		
FYTD for PATTERSON, ALFREY			**2,509.23**		
PAULEY, JOAN				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212799	77.00		
				REFUND-PARKS CANCELLED CLASS	77.00
	Vendor Total		**77.00**		
FYTD for PAULEY, JOAN			**77.00**		
PEREZ, ELIAS				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212800	750.00		
				REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total		**750.00**		
FYTD for PEREZ, ELIAS			**750.00**		
PERMA				Remit to: **PALM DESERT** **CA**	
	5/7/2012	885142	232.65		
				FINAL AUDIT INVOICE	232.65
	Vendor Total		**232.65**		
FYTD for PERMA			**403,937.79**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	5/7/2012	212613	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	5/7/2012	212614	458.63		
				LONG TERM CARE INSURANCE	458.63
	5/21/2012	212801	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**11,007.12**		

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POIEMA LANDSCAPE, INC.			Remit to: **COLTON** **CA**	
5/14/2012	885201	3,296.01		
			LANDSCAPE MAINT-ZONE E-12	2,131.00
			LANDSCAPE MAINT-ZONE S	1,165.01
	Vendor Total	**3,296.01**		
FYTD for POIEMA LANDSCAPE, INC.		**38,934.25**		
PRICE, GEORGE E.			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	885143	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for PRICE, GEORGE E.		**3,506.03**		
PROFESSIONAL COMMUNICATIONS NETWORK PCN			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212802	484.35		
			LIVE ANSWERING SVC	484.35
	Vendor Total	**484.35**		
FYTD for PROFESSIONAL COMMUNICATIONS NETWORK PCN		**4,850.85**		
PSOMAS			Remit to: **SANTA ANA** **CA**	
5/7/2012	212615	2,899.06		
			STREET IMPRVMNTS-NASON/CACTUS	2,899.06
5/21/2012	212803	3,185.00		
			IRONWOOD AVE IMPRVMNTS PROJ	3,185.00
	Vendor Total	**6,084.06**		
FYTD for PSOMAS		**156,896.56**		
PULLIAM, TRENT D.			Remit to: **MISSION VIEJO** **CA**	
5/7/2012	885144	318.73		
			RETIREE MED MAY '12	318.73
5/29/2012	885295	1,900.00		
			RELEASE OF ALL CLAIMS	1,900.00
	Vendor Total	**2,218.73**		
FYTD for PULLIAM, TRENT D.		**5,406.03**		
PVP COMMUNICATIONS, INC.			Remit to: **TORRANCE** **CA**	
5/14/2012	212710	85.66		
			TRUNK HINGES & CABLES REPLCMNT	85.66
5/21/2012	212804	95.00		
			REPAIR SVCS-MOTOR 2-PD	95.00
	Vendor Total	**180.66**		
FYTD for PVP COMMUNICATIONS, INC.		**4,132.76**		

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PW ENHANCEMENT CENTER				Remit to: **MORENO VALLEY CA**	
	5/16/2012	885224	12,317.00		
				RNTL ASSISTANCE SVCS	12,317.00
	5/21/2012	885252	1,063.00		
				RNTL ASSISTANCE SVCS	1,063.00
	Vendor Total		**13,380.00**		
FYTD for PW ENHANCEMENT CENTER			**32,711.08**		
PYRO SPECTACULARS, INC.				Remit to: **RIALTO CA**	
	5/7/2012	212616	15,000.00		
				FIREWORKS DISPLAY-50% DEPOSIT	15,000.00
	Vendor Total		**15,000.00**		
FYTD for PYRO SPECTACULARS, INC.			**15,000.00**		
QUALITY ASSURANCE INSPECTIONS				Remit to: **IRVINE CA**	
	5/14/2012	212711	99.57		
				REFUND-BUS LIC OVERPAYMENT	99.57
	Vendor Total		**99.57**		
FYTD for QUALITY ASSURANCE INSPECTIONS			**99.57**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA CA**	
	5/21/2012	885253	390.00		
				ROLL-UP DOOR REPAIR-FIRE ST 91	390.00
	Vendor Total		**390.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**11,442.82**		
RALLY MANAGEMENT SERVICES, LLC				Remit to: **RANCHO CUCAMONGA CA**	
	5/14/2012	885202	2,157.84		
				TEMP STAFFING SVCS-R HENDERSON	719.28
				TEMP STAFFING SVCS-R HENDERSON	719.28
				TEMP STAFFING SVCS-R HENDERSON	719.28
	5/29/2012	885296	719.28		
				TEMP STAFFING SVCS-R HENDERSON	719.28
	Vendor Total		**2,877.12**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**14,830.83**		

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RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212617	567.00		
				INSTRUCTOR SVCS-KINDER KARATE	168.00
				INSTRUCTOR SVCS-KINDER KARATE	210.00
				INSTRUCTOR SVCS-BODY & MIND	27.00
				INSTRUCTOR SVCS-TAE KWON DO	162.00
	5/29/2012	212901	783.10		
				INSTRUCTOR SVCS-KINDER KARATE	300.60
				INSTRUCTOR SVCS-KINDER KARATE	294.00
				INSTRUCTOR SVCS-BODY & MIND	31.50
				INSTRUCTOR SVCS-SING/THEATER	49.00
				INSTRUCTOR SVCS-TAE KWON DO	108.00
	Vendor Total		**1,350.10**		
FYTD for RAMOS, ROBERTO			**4,847.50**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212618	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**3,506.03**		
RBF CONSULTING, INC.				Remit to: **IRVINE** **CA**	
	5/29/2012	212929	6,665.13		
				CACTUS AVE/NASON ST. IMPRVMNTS	4,249.26
				CACTUS AVE/NASON ST. IMPRVMNTS	2,415.87
	Vendor Total		**6,665.13**		
FYTD for RBF CONSULTING, INC.			**18,514.22**		
RICK ENGINEERING COMPANY				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885145	450.00		
				STREET IMPRVMNT PRGM SVCS	450.00
	5/21/2012	885254	937.50		
				INDIAN ST. BICYCLE LANES PROJ.	937.50
	5/29/2012	885298	225.00		
				RIGHT OF WAY SVC-JFK@LA BRISIS	225.00
	Vendor Total		**1,612.50**		
FYTD for RICK ENGINEERING COMPANY			**62,827.10**		
RIGHTWAY SITE SERVICES, INC.				Remit to: **LAKE ELSINORE** **CA**	
	5/14/2012	212712	470.71		
				PORTABLE RESTROOM-GOLF COURSE	72.28
				PORTABLE RESTROOMS-EQUEST. CTR	308.88
				PORTABLE TOILET/SVC-CITY YARD	89.55
	Vendor Total		**470.71**		
FYTD for RIGHTWAY SITE SERVICES, INC.			**6,738.71**		

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RIVERA, STEVE				Remit to: **SAN DIEGO** **CA**	
	5/21/2012	212805	97.55		
				REFUND-DEPOSIT FOR DEV RECORDS	97.55
	Vendor Total		**97.55**		
FYTD for RIVERA, STEVE			**97.55**		
RIVERSIDE AREA RAPE CRISIS CENTER				Remit to: **RIVERSIDE** **CA**	
	5/21/2012	212806	612.61		
				CDBG SVCS-CHLD ABUSE PREV PRGM	612.61
	Vendor Total		**612.61**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER			**9,265.39**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH				Remit to: **RIVERSIDE** **CA**	
	5/14/2012	212713	100.00		
				FRA-RABIES TESTS	50.00
				FRA-RABIES TESTS	50.00
	Vendor Total		**100.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			**550.00**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212620	916.00		
				REG.-RECONSTR TRAF. COLL INV.	458.00
				REG.-RECONSTR TRAF. COLL INV.	458.00
	5/21/2012	212807	1,376.00		
				REG.-INTRVW & INTERROG. ADVNCD	361.00
				REG.-INTRVW & INTERROG. ADVNCD	361.00
				REG.-INTRVW & INTERROG. ADVNCD	361.00
				REG.-BASIC CRIMINAL INVESTIG.	179.00
				REG.-CRISIS INTERVENTION TRNG	114.00
	Vendor Total		**2,292.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK			**12,511.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	212653	675.25		
				GARNISHMENT	141.32
				GARNISHMENT	16.32
				GARNISHMENT	517.61
	5/21/2012	212808	966.68		
				GARNISHMENT	966.68
	Vendor Total		**1,641.93**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES			**17,613.45**		

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RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212714	15,300.00		
			RCRMC SX ASSAULT EXAMS REIMB	15,300.00
	Vendor Total	**15,300.00**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**319,610.32**		
RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
5/29/2012	885299	20.50		
			SELF-INKING GREEN STAMP	13.46
			SHIPPING CHARGE	6.00
			CALIF SALES TAX	1.04
	Vendor Total	**20.50**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**233.81**		
ROGERS, EUGENE			Remit to: **PEBBLE BEACH** **CA**	
5/7/2012	885147	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for ROGERS, EUGENE		**3,506.03**		
ROKASKY, GLADYS			Remit to: **MORENO VALLEY** **CA**	
5/21/2012	212810	407.50		
			REFUND-CITATION DISMISSED	407.50
	Vendor Total	**407.50**		
FYTD for ROKASKY, GLADYS		**407.50**		
ROMERO, TANYA			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	212622	37.00		
			REFUND-PARK RESERV. RAINED OUT	37.00
	Vendor Total	**37.00**		
FYTD for ROMERO, TANYA		**37.00**		
ROSS, DAVID T.			Remit to: **MORENO VALLEY** **CA**	
5/7/2012	885148	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for ROSS, DAVID T.		**3,506.03**		
ROSSON, LOUIS A.			Remit to: **PERRIS** **CA**	
5/7/2012	885149	262.31		
			RETIREE MED MAY '12	165.81
			RETIREE MED MAY '12	96.50
	Vendor Total	**262.31**		
FYTD for ROSSON, LOUIS A.		**2,936.35**		

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ROTO-ROOTER PLUMBERS			Remit to: **RANCHO CUCAMONGA CA**	
5/14/2012	885203	1,206.94		
			PLUMBING REPAIRS-EL POTRERO PK	205.00
			PLUMBING REPAIRS-EL POTRERO PK	850.00
			PLUMBING REPAIRS-EL POTRERO PK	151.94
	Vendor Total	**1,206.94**		
FYTD for ROTO-ROOTER PLUMBERS		**2,243.44**		
RUSSO, JOHN			Remit to: **RANCHO MIRAGE CA**	
5/7/2012	885150	225.99		
			RETIREE MED MAY '12	225.99
	Vendor Total	**225.99**		
FYTD for RUSSO, JOHN		**2,509.23**		
RUTH HERNANDEZ AS TRUSTEE FOR BRENDA			Remit to: **MORENO VALLEY CA**	
5/29/2012	212902	483.34		
			SETTLEMENT AGREEMENT	483.34
	Vendor Total	**483.34**		
FYTD for RUTH HERNANDEZ AS TRUSTEE FOR BRENDA		**483.34**		
RUTH HERNANDEZ AS TRUSTEE FOR EDGAR			Remit to: **MORENO VALLEY CA**	
5/29/2012	212903	1,498.77		
			SETTLEMENT AGREEMENT	1,498.77
	Vendor Total	**1,498.77**		
FYTD for RUTH HERNANDEZ AS TRUSTEE FOR EDGAR		**1,498.77**		
SA ASSOCIATES			Remit to: **ARCADIA CA**	
5/7/2012	885151	8,175.00		
			PROF CONSULTANT STAFFING SVCS	8,175.00
	Vendor Total	**8,175.00**		
FYTD for SA ASSOCIATES		**91,275.00**		
SAFEWAY SIGN CO.			Remit to: **ADELANTO CA**	
5/14/2012	885204	1,493.95		
			TRAFFIC SIGNS/HARDWARE	1,493.95
5/21/2012	885256	268.30		
			TRAFFIC SIGNS/HARDWARE	268.30
	Vendor Total	**1,762.25**		
FYTD for SAFEWAY SIGN CO.		**50,521.64**		

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SALSBURY INDUSTRIES			Remit to: **LOS ANGELES** **CA**	
5/21/2012	212811	6,606.60		
			LOCKERS	8,800.00
			CREDIT-30% DISCOUNT	-2,640.00
			CA SALES TAX	446.60
	Vendor Total	**6,606.60**		
FYTD for SALSBURY INDUSTRIES		**6,606.60**		
SANDOVAL, RAFAEL M.			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212812	109.00		
			REFUND-CITATION/TAX INTERCEPT	109.00
	Vendor Total	**109.00**		
FYTD for SANDOVAL, RAFAEL M.		**109.00**		
SARNOFF, A VERITEXT COMPANY			Remit to: **IRVINE** **CA**	
5/14/2012	212715	1,301.40		
			LEGAL SVCS-M. ESCOBAR V. MV	720.50
			LEGAL SVCS-M. ESCOBAR V. MV	580.90
	Vendor Total	**1,301.40**		
FYTD for SARNOFF, A VERITEXT COMPANY		**1,806.52**		
SAT/HUMAN RESOURCES			Remit to: **CARSON** **CA**	
5/14/2012	885205	591.16		
			INTERACTIVE MTG SVCS & REPORT	591.16
	Vendor Total	**591.16**		
FYTD for SAT/HUMAN RESOURCES		**591.16**		
SCHIEFELBEIN, LORI C.			Remit to: **BULLHEAD CITY** **AZ**	
5/14/2012	212716	1,045.00		
			CONSULTANT SVCS-ROT. TOW PRGM	952.55
			CONSULTANT SVCS-ROT. TOW PRGM	92.45
	Vendor Total	**1,045.00**		
FYTD for SCHIEFELBEIN, LORI C.		**12,323.56**		
SCHUMAN, MICHAEL			Remit to: **RIVERSIDE** **CA**	
5/7/2012	885152	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for SCHUMAN, MICHAEL		**1,593.65**		

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SCHWITALLA, JOE/REMY			Remit to: **MORENO VALLEY** **CA**	
5/21/2012	212813	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for SCHWITALLA, JOE/REMY		**20.00**		
SCMAF-INLAND VALLEYS			Remit to: **CHINO HILLS** **CA**	
5/7/2012	212623	525.00		
			YTH BSKTBLL ENTRY FEES, DIV. A	175.00
			YTH BSKTBLL ENTRY FEES, DIV. B	175.00
			YTH BSKTBLL ENTRY FEES, DIV. C	175.00
	Vendor Total	**525.00**		
FYTD for SCMAF-INLAND VALLEYS		**525.00**		
SEARS #0009953			Remit to: **DALLAS** **TX**	
5/14/2012	212717	57.74		
			REFUND-FALSE ALARM OVRPYMT	57.74
	Vendor Total	**57.74**		
FYTD for SEARS #0009953		**57.74**		
SECTRAN SECURITY, INC			Remit to: **LOS ANGELES** **CA**	
5/21/2012	212814	477.00		
			ARMORED TRANSPORT SVCS-UTILITY	159.00
			ARMORED TRANSPORT SVCS-PARKS	159.00
			ARMORED TRANSPORT SVCS-CASHIER	159.00
	Vendor Total	**477.00**		
FYTD for SECTRAN SECURITY, INC		**5,724.00**		
SECURITY & COMMUNICATIONS CONSULTING SVC			Remit to: **CLOVIS** **CA**	
5/29/2012	885300	5,143.20		
			SVCS-CITYWIDE CAMERA SURV. SYS	3,808.80
			SVCS-CITYWIDE CAMERA SURV. SYS	1,334.40
	Vendor Total	**5,143.20**		
FYTD for SECURITY & COMMUNICATIONS CONSULTING SVC		**19,152.70**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
5/14/2012	885206	127.50		
			LOCK REPAIR-LIBRARY	17.50
			LOCK REPAIR-LIBRARY	40.00
			CHANGE OF SAFE COMBINATION	70.00
5/21/2012	885257	158.88		
			LOCKS/SVC-25328 FILAREE ABTMNT	158.88
	Vendor Total	**286.38**		
FYTD for SECURITY LOCK & KEY		**6,509.12**		

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SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	5/7/2012	212624	165.81		
				RETIREE MED MAY '12	165.81
	Vendor Total		**165.81**		
FYTD for SHARRETT, SHARON K.			**1,874.85**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	5/7/2012	212625	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	5/14/2012	212718	70.00		
				FUEL PURCHASE-TECH. SVCS	70.00
	5/29/2012	212904	62.83		
				FUEL PURCHASES-PD SET	62.83
	5/29/2012	212905	2,102.08		
				FUEL PURCHASES-PD MTRCYCLES	2,102.08
	5/29/2012	212906	23.48		
				FUEL PURCHASE-MAINT & OPS	23.48
	Vendor Total		**2,258.39**		
FYTD for SHELL OIL CO.			**23,180.01**		
SINGER & COFFIN, APC				Remit to: **IRVINE** **CA**	
	5/29/2012	885301	3,699.00		
				LEGAL SVCS	221.50
				LEGAL SVCS	3,477.50
	Vendor Total		**3,699.00**		
FYTD for SINGER & COFFIN, APC			**24,625.70**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212626	857.00		
				AD FOR FORECLOSURE PRV SEMINAR	857.00
	5/14/2012	212719	4,650.00		
				1/2 PG AD-BOTTLE/CAN RECYCLING	840.00
				1/2 PG AD-OIL RECYCLING	840.00
				FULL PG AD-EARTH DAY	1,485.00
				FULL PG AD-USED OIL EVENT	1,485.00
	Vendor Total		**5,507.00**		
FYTD for SKY PUBLISHING			**57,923.50**		

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SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES CA**	
	5/14/2012	885208	63.66		
				REFUND-EXEMPT UTIL. USER TAXES	63.66
	Vendor Total		**63.66**		
FYTD for SKY TRAILS MOBILE VILLAGE			**689.08**		
SMITH, KOZUE				Remit to: **MORENO VALLEY CA**	
	5/21/2012	212815	112.00		
				REFUND-ENGLISH CLASS CANCELLED	112.00
	Vendor Total		**112.00**		
FYTD for SMITH, KOZUE			**112.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY CA**	
	5/7/2012	885153	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,506.03**		
SOCO GROUP, INC				Remit to: **PERRIS CA**	
	5/7/2012	885154	23,836.34		
				FUEL PURCH-CITY VEHICLES/EQUIP	7,791.99
				FUEL PURCH-CITY VEHICLES/EQUIP	7,398.71
				FUEL PURCH-CITY VEHICLES/EQUIP	8,645.64
	5/14/2012	885209	8,334.23		
				FUEL PURCH-CITY VEHICLES/EQUIP	8,334.23
	5/29/2012	885302	16,995.11		
				FUEL PURCH-CITY VEHICLES/EQUIP	8,544.28
				FUEL PURCH-CITY VEHICLES/EQUIP	8,450.83
	Vendor Total		**49,165.68**		
FYTD for SOCO GROUP, INC			**357,119.95**		
SOSA, HUGO				Remit to: **ELK GROVE CA**	
	5/21/2012	212816	210.00		
				INSTRUCTOR SVCS-KARATEDO CLASS	210.00
	Vendor Total		**210.00**		
FYTD for SOSA, HUGO			**3,300.00**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
5/7/2012	212627	113.88		
			HOT SPOTS PRGM FEE/JUL11-JUN12	113.88
5/14/2012	212720	113.88		
			HOT SPOTS PRGM FEE/JUL11-JUN12	113.88
5/14/2012	212721	666.33		
			PERMIT APPLIC.-GENERATOR @ EOC	666.33
	Vendor Total	**894.09**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**12,084.63**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/7/2012	212628	3,218.56		
			ELECTRICITY	88.18
			ELECTRICITY	65.78
			ELECTRICITY	1,172.91
			ELECTRICITY	472.87
			ELECTRICITY	213.35
			ELECTRICITY	22.42
			ELECTRICITY	868.24
			ELECTRICITY	144.07
			ELECTRICITY	108.92
			ELECTRICITY	61.82
5/21/2012	212817	15,639.06		
			RELIABILITY SVC-DLAP_SCE_SEES_	388.86
			ELECTRIC CHARGES	401.99
			FERC-115KV PROJ-13571 MOR. BCH	14,146.73
			FERC CHRGS-ADDED FACILITIES	701.48
5/29/2012	212908	16,869.32		
			ELECTRICITY	183.41
			ELECTRICITY	25.77
			ELECTRICITY	4,706.69
			ELECTRICITY	2,461.67
			ELECTRICITY	18.56
			ELECTRICITY	602.79
			ELECTRICITY	1,582.47
			ELECTRICITY	97.79
			ELECTRICITY	3,520.69
			ELECTRICITY	1.23
			ELECTRICITY	74.65
			ELECTRICITY	1,694.35
			ELECTRICITY	280.43
			ELECTRICITY	443.38
			ELECTRICITY	422.00
			ELECTRICITY	204.06
			ELECTRICITY	160.07
			ELECTRICITY	168.69
			ELECTRICITY	150.40
			ELECTRICITY	44.45
			ELECTRICITY	25.77
	Vendor Total	**35,726.94**		
FYTD for SOUTHERN CALIFORNIA EDISON		**3,251,321.81**		

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SOUTHERN CALIFORNIA GAS CO.			Remit to: **MONTEREY PARK**	**CA**
5/21/2012	212819	4,459.99		
			GAS CHARGES	645.56
			GAS CHARGES	1,996.70
			GAS CHARGES	56.94
			GAS CHARGES	45.47
			GAS CHARGES	40.28
			GAS CHARGES	363.94
			GAS CHARGES	121.33
			GAS CHARGES	38.94
			GAS CHARGES	258.45
			GAS CHARGES	101.22
			GAS CHARGES	130.17
			GAS CHARGES	68.32
			GAS CHARGES	90.10
			GAS CHARGES	125.45
			GAS CHARGES	170.42
			GAS CHARGES	26.73
			GAS CHARGES	179.97
	Vendor Total	**4,459.99**		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**74,408.54**		
SPARKLETTS			Remit to: **DALLAS**	**TX**
5/7/2012	212631	5.00		
			WATER SERVICE-GOLF COURSE	5.00
5/14/2012	212723	33.71		
			WATER SERVICE-ARMADA ELEM.	19.91
			WATER SERVICE-CREEKSIDE ELEM.	13.80
5/29/2012	212909	27.81		
			WATER SERVICE-SUNNYMD ELEM.	18.31
			WATER SERVICE-EMERG MGMT SVCS	4.50
			WATER SERVICE-GOLF COURSE	5.00
	Vendor Total	**66.52**		
FYTD for SPARKLETTS		**645.65**		
SPECK, GARY B.			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885155	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for SPECK, GARY B.		**3,506.03**		
SPENCER, MARTHA			Remit to: **MORENO VALLEY**	**CA**
5/7/2012	885156	225.99		
			RETIREE MED MAY '12	225.99
	Vendor Total	**225.99**		
FYTD for SPENCER, MARTHA		**2,509.23**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SPRINT				Remit to: **KANSAS CITY** **MO**	
	5/7/2012	212632	30.00		
				SUBPOENA COMPLNCE-MV120740161	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**600.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	5/7/2012	885157	74.49		
				CELL PHONE SVCS-GANG TASK FRC	74.49
	5/14/2012	885210	643.23		
				CELL PHONE SVCS-PD/SET	643.23
	Vendor Total		**717.72**		
FYTD for SPRINT/NEXTEL			**7,046.47**		
STA STUDENT TRANSPORTATION OF AMERICA				Remit to: **RIVERSIDE** **CA**	
	5/29/2012	212910	244.99		
				FIELD TRIP TRANSPORTATION SVCS	244.99
	Vendor Total		**244.99**		
FYTD for STA STUDENT TRANSPORTATION OF AMERICA			**453.68**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885158	110.00		
				MONITORING SVCS-EOC	45.00
				MONITORING SVCS-EOC	65.00
	Vendor Total		**110.00**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**25,203.58**		
STATE BOARD OF EQUALIZATION				Remit to: **SACRAMENTO** **CA**	
	5/22/2012	43012	4,377.00		
				SALES & USE TAX 4/1-4/30/12	4,377.00
	Vendor Total		**4,377.00**		
FYTD for STATE BOARD OF EQUALIZATION			**60,664.79**		
STATE CONTROLLER'S OFFICE				Remit to: **SACRAMENTO** **CA**	
	5/14/2012	212724	2,414.53		
				ANNUAL STREET REPORT 10/11 FY	2,414.53
	Vendor Total		**2,414.53**		
FYTD for STATE CONTROLLER'S OFFICE			**4,814.97**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO CA**	
5/7/2012	212633	132.00		
			CASE 200000000199597-J. COSEY	132.00
5/3/2012	3069	2,107.64		
			CHILD SUPPORT W/H 5/3/12	2,107.64
5/14/2012	212725	45.00		
			CS#0650464971-01/0650613537-01	45.00
5/17/2012	3077	2,131.38		
			CHILD SUPPORT W/H 5/17/12	2,131.38
5/31/2012	3085	2,004.64		
			CHILD SUPPORT W/H 5/31/12	2,004.64
	Vendor Total	**6,420.66**		
FYTD for STATE DISBURSEMENT UNIT		**52,246.58**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO CA**	
5/29/2012	212911	125.00		
			E. LEWIS-PROF LIC. RENEWAL	125.00
	Vendor Total	**125.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**750.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO CA**	
5/14/2012	212726	1,190.00		
			BLOOD ALCOHOL ANALYSIS FOR PD	1,190.00
5/21/2012	212821	358.00		
			BLOOD ALCOHOL ANALYSIS FOR PD	70.00
			FINGERPRINTING SVCS-BUS. LIC.	128.00
			FINGERPRINTING SVCS-HUM. RES.	96.00
			FINGERPRINTING SVCS-TS VOLUNT.	32.00
			FINGERPRINTING SVCS-PD	32.00
	Vendor Total	**1,548.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**52,033.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO CA**	
5/7/2012	212634	239.52		
			REFUND-MVU/ANDRES GONZALEZ	223.06
			REFUND-MVU/KAREN L BROWN	16.46
5/14/2012	212727	205.21		
			REFUND-MVU/MARIE J LEISS	205.21
	Vendor Total	**444.73**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,769.70**		

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STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
5/14/2012	212728	3,827.20		
			DICTATION & TRANSCRIPTION SVCS	3,827.20
	Vendor Total	**3,827.20**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**21,516.32**		
STEWART TITLE OF CALIFORNIA			Remit to: **HOUSTON** **TX**	
5/14/2012	885211	0.00		
			PRELIMINARY RPT-RNCHO DORADO S	550.00
			VOIDED CHECK #885211 - 5/29/12	-550.00
5/29/2012	212930	550.00		
			PRELIMINARY RPT-RNCHO DORADO S	550.00
	Vendor Total	**550.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**800.00**		
STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
5/7/2012	885159	271.44		
			RETIREE MED MAY '12	271.44
	Vendor Total	**271.44**		
FYTD for STEWART, CLIFFORD		**2,964.48**		
STK ARCHITECTURE, INC.			Remit to: **TEMECULA** **CA**	
5/21/2012	885258	16,308.42		
			ANNEX #1 RE-DESIGN/RENOV. PROJ	16,055.27
			ANNEX #1 RE-DESIGN/RENOV. PROJ	253.15
5/29/2012	885304	24,279.82		
			MORRISON PARK FIRE STN PROJ	24,279.82
	Vendor Total	**40,588.24**		
FYTD for STK ARCHITECTURE, INC.		**327,825.45**		
STOPANI, PRISCILLA			Remit to: **CORONA** **CA**	
5/14/2012	212729	442.89		
			MILEAGE-CA MUNI RATE GRP CONF.	442.89
	Vendor Total	**442.89**		
FYTD for STOPANI, PRISCILLA		**442.89**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH** **CA**	
5/7/2012	212636	13,648.50		
			LEGAL SVCS	13,648.50
	Vendor Total	**13,648.50**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**77,410.34**		

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STRICKLER ASSOCIATION, THE			Remit to: **SAN BERNARDINO** **CA**	
5/14/2012	885212	2,860.00		
			CONSULTING SVCS-EDD	2,860.00
	Vendor Total	**2,860.00**		
FYTD for STRICKLER ASSOCIATION, THE		**37,618.75**		
STRICKLER II, JOHN W.			Remit to: **SAN BERNARDINO** **CA**	
5/7/2012	885160	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for STRICKLER II, JOHN W.		**3,506.03**		
SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212730	21.44		
			MISC SUPPLIES-PD	21.44
5/21/2012	212822	17.15		
			MISC SUPPLIES-PD	17.15
5/29/2012	212912	82.78		
			MISC SUPPLIES-PD	31.34
			MISC SUPPLIES-PD	48.43
			MISC SUPPLIES-PD	3.01
	Vendor Total	**121.37**		
FYTD for SUNNYMEAD ACE HARDWARE		**1,507.53**		
T-34 HERITAGE FOUNDATION, INC			Remit to: **ALISO VIEJO** **CA**	
5/7/2012	212637	750.00		
			MEMORIAL DAY FLYOVER-FUEL COST	250.00
			VETERANS DAY FLYOVER-FUEL COST	500.00
	Vendor Total	**750.00**		
FYTD for T-34 HERITAGE FOUNDATION, INC		**750.00**		
TANITA, JOI			Remit to: **WEST COVINA** **CA**	
5/29/2012	212913	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for TANITA, JOI		**95.00**		
TAX COMPLIANCE SERVICES			Remit to: **THOUSAND OAKS** **CA**	
5/29/2012	212914	5,000.00		
			UUT COMPLIANCE & AUDIT SVCS	5,000.00
	Vendor Total	**5,000.00**		
FYTD for TAX COMPLIANCE SERVICES		**62,500.00**		

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THERMAL COMBUSTION INNOVATORS			Remit to: **COLTON** **CA**	
5/29/2012	212915	70.96		
			MEDICAL/BIOHAZ. WASTE DISPOSAL	70.96
	Vendor Total	**70.96**		
FYTD for THERMAL COMBUSTION INNOVATORS		**424.90**		
THOMPSON, TIFFANY			Remit to: **LONG BEACH** **CA**	
5/14/2012	212731	95.00		
			REFUND-RABIES & SN DEPOSITS	20.00
			REFUND-RABIES & SN DEPOSITS	75.00
	Vendor Total	**95.00**		
FYTD for THOMPSON, TIFFANY		**95.00**		
TIMOTHY KRANTZ ENVIRONMENTAL CONSULTING			Remit to: **REDLANDS** **CA**	
5/7/2012	212651	6,682.50		
			PROFESSIONAL CONSULTANT SVCS	6,682.50
5/14/2012	885214	15,607.50		
			ENVIRONMENTAL CONSULTANT SVCS	15,607.50
	Vendor Total	**22,290.00**		
FYTD for TIMOTHY KRANTZ ENVIRONMENTAL CONSULTING		**22,290.00**		
TKE ENGINEERING INC			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212823	2,101.13		
			DRACAEA AVE SIDEWALK IMPRVMNTS	2,101.13
	Vendor Total	**2,101.13**		
FYTD for TKE ENGINEERING INC		**27,200.74**		
TORRES, ROBERT			Remit to: **RIVERSIDE** **CA**	
5/7/2012	212638	10.55		
			MILEAGE REIMBURSEMENT	10.55
	Vendor Total	**10.55**		
FYTD for TORRES, ROBERT		**10.55**		
TR DESIGN GROUP, INC.			Remit to: **RIVERSIDE** **CA**	
5/21/2012	212836	12,884.71		
			TRANSP MGMT CTR PROJ SVCS	10,000.00
			TRANSP MGMT CTR PROJ SVCS	719.38
			PSB CONVERSION PROJ-PHASE II	1,000.00
			PSB CONVERSION PROJ-PHASE II	1,165.33
	Vendor Total	**12,884.71**		
FYTD for TR DESIGN GROUP, INC.		**56,242.00**		

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TRANSTECH ENGINEERS, INC.				Remit to: **WALNUT** **CA**	
	5/7/2012	212639	7,505.00		
				NASON ST/CACTUS AVE IMPRVMNTS	7,505.00
	Vendor Total		**7,505.00**		
FYTD for TRANSTECH ENGINEERS, INC.			**57,950.00**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212824	2,042.40		
				INSTRUCTOR SVCS-BALLET INTERMD	155.40
				INSTRUCTOR SVCS-BALLET	355.20
				INSTRUCTOR SVCS-BALLET/ACRO	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	177.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	44.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	310.80
				INSTRUCTOR SVCS-HIP HOP DANCE	155.40
	Vendor Total		**2,042.40**		
FYTD for TRICHE, TARA			**23,909.40**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	5/7/2012	885162	25.00		
				LINEN RENTAL FOR CRC	25.00
	5/14/2012	885215	25.00		
				LINEN RENTAL FOR CRC	25.00
	5/21/2012	885260	85.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RNTL FOR EVENT-CTR#19311	60.00
	Vendor Total		**135.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,824.73**		
TROPICAL PLAZA NURSERY, INC.				Remit to: **VILLA PARK** **CA**	
	5/7/2012	212640	6,086.12		
				LANDSCAPE MAINT-ZONE E-2	6,086.12
	Vendor Total		**6,086.12**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**110,323.98**		

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TRUGREEN LANDCARE				Remit to: **RIVERSIDE** **CA**	
	5/14/2012	885216	11,410.86		
				PLANTS INSTALLATION-ZONE E-16	2,250.00
				TREE TRIMMING-CITY HALL ENTRNC	715.00
				LANDSCAPE MAINT-ZONE E-4	7,980.86
				LANDSCAPE MAINT-ZONE E-4A	465.00
	5/29/2012	885305	18,854.29		
				INSTALLATION OF PLANT MATERIAL	3,230.00
				LANDSCAPE MAINT-ZONE M	5,532.72
				LANDSCAPE MAINT-ZONE DSG-1	5,121.57
				LANDSCAPE MAINT-ZONE E-16	2,485.00
				LANDSCAPE MAINT-ZONE E-16	2,485.00
	Vendor Total		**30,265.15**		
FYTD for TRUGREEN LANDCARE			**266,011.16**		
TRUST COMPLETE AUTO REPAIR AND TOWING				Remit to: **HEMET** **CA**	
	5/14/2012	212732	59.68		
				REFUND-BUS. LIC OVRPYMT	59.68
	Vendor Total		**59.68**		
FYTD for TRUST COMPLETE AUTO REPAIR AND TOWING			**59.68**		
TUNTLAND, JAMES				Remit to: **PRESCOTT** **AZ**	
	5/7/2012	885163	271.44		
				RETIREE MED MAY '12	271.44
	Vendor Total		**271.44**		
FYTD for TUNTLAND, JAMES			**2,964.48**		
TW TELECOM				Remit to: **DENVER** **CO**	
	5/7/2012	212641	3,439.94		
				TELECOM SVCS-LOCAL/LONG DIST.	1,524.61
				TELECOM SVCS-LOCAL/LONG DIST.	1,915.33
	5/29/2012	212917	3,118.46		
				TELECOM SVCS-LOCAL/LONG DIST.	3,118.46
	Vendor Total		**6,558.40**		
FYTD for TW TELECOM			**12,350.84**		
TYLER, WILLIAM				Remit to: **MORENO VALLEY** **CA**	
	5/23/2012	212844	150.00		
				PER DIEM-SO CA GANG CONFERENCE	150.00
	Vendor Total		**150.00**		
FYTD for TYLER, WILLIAM			**150.00**		

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U.S. BANK/CALCARDS			Remit to: **ST. LOUIS** **MO**	
5/8/2012	1205061	350.00		
			CALCARD PMT CYCLE END 4/27/12	350.00
	Vendor Total	**350.00**		
FYTD for U.S. BANK/CALCARDS		**1,565,284.37**		
U.S. HEALTHWORKS MEDICAL GROUP			Remit to: **LOS ANGELES** **CA**	
5/7/2012	212642	910.00		
			PRE-EMPLOYMENT PHYSICALS	213.00
			PRE-EMPLOYMENT PHYSICALS	337.00
			PRE-EMPLOYMENT PHYSICALS	360.00
5/29/2012	212918	65.00		
			EMPLOYEE DOT EXAM	65.00
	Vendor Total	**975.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		**1,492.00**		
UNDERGROUND SERVICE ALERT			Remit to: **CORONA** **CA**	
5/21/2012	885261	541.50		
			DIGALERT TICKETS SUBSCRPTN SVC	135.37
			DIGALERT TICKETS SUBSCRPTN SVC	135.38
			DIGALERT TICKETS SUBSCRPTN SVC	135.38
			DIGALERT TICKETS SUBSCRPTN SVC	135.37
	Vendor Total	**541.50**		
FYTD for UNDERGROUND SERVICE ALERT		**6,054.00**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO** **CA**	
5/21/2012	212825	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
	Vendor Total	**291.67**		
FYTD for UNION BANK OF CALIFORNIA		**3,208.37**		
UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
5/7/2012	885164	566.28		
			BROOM KITS FOR ST. SWEEPERS	566.28
5/14/2012	885217	406.57		
			BROOM KITS FOR ST. SWEEPERS	406.57
5/29/2012	885306	1,199.36		
			BROOM KITS FOR ST. SWEEPERS	633.08
			BROOM KITS FOR ST. SWEEPERS	566.28
	Vendor Total	**2,172.21**		
FYTD for UNITED ROTARY BRUSH CORP		**36,768.79**		

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UNITED STATES TREASURY			Remit to: **CINCINNATI** **OH**	
5/7/2012	212654	145.68		
			PAYROLL DEDUCTION AGREEMENT	145.68
5/21/2012	212826	153.57		
			PAYROLL DEDUCTION AGREEMENT	153.57
	Vendor Total	**299.25**		
FYTD for UNITED STATES TREASURY		**2,276.17**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
5/7/2012	212643	335.00		
			UNITED WAY CONTRIBUTIONS	335.00
5/21/2012	212827	335.00		
			UNITED WAY CONTRIBUTIONS	335.00
	Vendor Total	**670.00**		
FYTD for UNITED WAY OF INLAND VALLEYS		**10,187.66**		
US IMMIGRATION LAW OFFICE			Remit to: **MORENO VALLEY** **CA**	
5/14/2012	212733	255.49		
			REFUND-BUS. LIC OVRPYMT	225.00
			REFUND-BUS. LIC OVRPYMT	30.49
	Vendor Total	**255.49**		
FYTD for US IMMIGRATION LAW OFFICE		**255.49**		
USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
5/14/2012	885218	35.69		
			PAGER SVC FOR PARK RANGERS	1.69
			PAGER SVC FOR TRANSP. DIV	4.59
			PAGER SVC FOR ANIMAL SVCS	29.41
	Vendor Total	**35.69**		
FYTD for USA MOBILITY/ARCH WIRELESS		**395.18**		

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VACATE TERMITE & PEST ELIMINATION CO.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885165	1,115.00		
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-TOWNGATE COMM. CTR	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-UTILITY FIELD OFF.	45.00
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-SENIOR CTR	55.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #91	45.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-PUB SAFETY BLDG	75.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-MARB ASES BLDG	45.00
				PEST CNTRL-MARCH FLD PRK C.C.	45.00
				PEST CNTRL-TRANSP. TRAILER	45.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-ANIMAL SHELTER	115.00
	5/14/2012	885219	180.00		
				RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
				RODENT CNTRL-ELECTR UTIL SUBST	40.00
				RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
				RODENT CNTRL-ELECTR UTIL SUBST	40.00
	5/21/2012	885262	55.00		
				PEST CNTRL-EOC	45.00
				PEST CNTRL-EOC	10.00
	Vendor Total		**1,350.00**		
FYTD for VACATE TERMITE & PEST ELIMINATION CO.			**18,350.00**		
VANCE, MIKE/KARI				Remit to: **MORENO VALLEY** **CA**	
	5/14/2012	212734	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for VANCE, MIKE/KARI			**20.00**		
VAS ASSOCIATES, INC.				Remit to: **CORONA** **CA**	
	5/29/2012	885307	20,160.00		
				PROF CONSULTANT STAFFING SVCS	20,160.00
	Vendor Total		**20,160.00**		
FYTD for VAS ASSOCIATES, INC.			**204,960.00**		

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VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
5/14/2012	212735	980.00		
			CONSULTANT ACCOUNTING SVCS	980.00
	Vendor Total	**980.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**57,630.00**		
VERIZON			Remit to: **TRENTON** **NJ**	
5/21/2012	212828	1,773.35		
			BACKBONE COMMUN. CHARGES	1,773.35
	Vendor Total	**1,773.35**		
FYTD for VERIZON		**19,261.28**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
5/14/2012	212736	87.18		
			ANNUAL PHONE DIRECTORY AD	42.85
			PHONE DIRECTORY LISTING-MVU	44.33
5/21/2012	212829	618.34		
			PHONE CHARGES-ERC	618.34
	Vendor Total	**705.52**		
FYTD for VERIZON CALIFORNIA		**7,463.20**		
VERIZON WIRELESS			Remit to: **DALLAS** **TX**	
5/14/2012	212737	329.96		
			CELLULAR SVC-PD TICKET WRITERS	329.96
	Vendor Total	**329.96**		
FYTD for VERIZON WIRELESS		**329.96**		
VERTEX, INC.			Remit to: **BERWYN** **PA**	
5/14/2012	885220	789.28		
			PAYROLL TAX Q SERIES ANNL MNT.	732.50
			CALIF SALES TAX	56.78
	Vendor Total	**789.28**		
FYTD for VERTEX, INC.		**2,367.84**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
5/7/2012	212644	843.14		
			ANIMAL MEDICAL SUPPLIES	843.14
5/21/2012	212830	818.11		
			ANIMAL MEDICAL SUPPLIES	818.11
5/29/2012	212919	1,378.37		
			ANIMAL MEDICAL SUPPLIES	1,378.37
	Vendor Total	**3,039.62**		
FYTD for VICTOR MEDICAL CO		**21,575.74**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885166	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VISTA PAINT CORPORATION				Remit to: **MORENO VALLEY** **CA**	
	5/21/2012	212831	1,823.84		
				TRAFFIC PAINT	1,823.84
	Vendor Total		**1,823.84**		
FYTD for VISTA PAINT CORPORATION			**10,341.77**		
VORTECH PHARMACEUTICALS, LTD				Remit to: **DEARBORN** **MI**	
	5/29/2012	212920	2,955.52		
				SUPPLIES FOR ANIMAL SVCS	2,955.52
				SUPPLIES FOR ANIMAL SVCS	229.05
				SUPPLIES FOR ANIMAL SVCS	-229.05
	Vendor Total		**2,955.52**		
FYTD for VORTECH PHARMACEUTICALS, LTD			**5,908.44**		
VOYAGER FLEET SYSTEM, INC.				Remit to: **HOUSTON** **TX**	
	5/29/2012	885308	2,326.82		
				CNG FUEL PURCHASES	19.36
				CNG FUEL PURCHASES	2,167.28
				CNG FUEL PURCHASES	140.18
	Vendor Total		**2,326.82**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**25,011.06**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VULCAN MATERIALS CO, INC.				Remit to: **SAN BERNARDINO** **CA**	
	5/14/2012	212738	1,089.68		
				ASPHALTIC MATERIALS	215.87
				ASPHALTIC MATERIALS	181.73
				ASPHALTIC MATERIALS	146.17
				ASPHALTIC MATERIALS	109.91
				ASPHALTIC MATERIALS	218.00
				ASPHALTIC MATERIALS	218.00
	5/29/2012	212921	1,127.45		
				ASPHALTIC MATERIALS	145.47
				ASPHALTIC MATERIALS	216.58
				ASPHALTIC MATERIALS	73.64
				ASPHALTIC MATERIALS	109.19
				ASPHALTIC MATERIALS	181.02
				ASPHALTIC MATERIALS	146.17
				ASPHALTIC MATERIALS	109.91
				ASPHALTIC MATERIALS	145.47
	Vendor Total		**2,217.13**		
FYTD for VULCAN MATERIALS CO, INC.			**26,261.50**		
WAGGONER JR., GLENN C.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885167	276.58		
				RETIREE MED APR 12, PD MAY 12	276.58
	Vendor Total		**276.58**		
FYTD for WAGGONER JR., GLENN C.			**2,892.94**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	885168	318.73		
				RETIREE MED MAY '12	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,506.03**		
WAGONER, ROBERT				Remit to: **ZEPHYRHILLS** **FL**	
	5/7/2012	885169	362.80		
				RETIREE MED APR-JUN 12, PD MAY	362.80
	Vendor Total		**362.80**		
FYTD for WAGONER, ROBERT			**2,164.80**		
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	5/7/2012	212645	318.73		
				RETIREE MED APR 12, PD MAY 12	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,824.76**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WALTER'S WHOLESALE ELECTRIC			Remit to: **RIVERSIDE** **CA**	
5/14/2012	212739	20,631.52		
			PG1730B703 PG STYLE PULL BOXES	2,180.96
			PG1730B557 PG STYLE PULL BOXES	1,132.32
			PG2436B996 PG STYLE PULL BOXES	4,959.60
			PG2436B998 PG STYLE PULL BOXES	6,654.90
			PG2436HS00S PG STYLE PULL BOXE	4,219.80
			CALIF SALES TAX @ 7.75%	1,483.94
	Vendor Total	**20,631.52**		
FYTD for WALTER'S WHOLESALE ELECTRIC		**20,631.52**		
WASTE MANAGEMENT OF THE INLAND EMPIRE			Remit to: **PHOENIX** **AZ**	
5/29/2012	212922	592.40		
			ROLL-OFF STORAGE BIN RENTALS	592.40
	Vendor Total	**592.40**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE		**10,641.32**		
WELLS FARGO BANK			Remit to: **MINNEAPOLIS** **MN**	
5/7/2012	212646	2,000.00		
			ANNUAL TRUSTEE FEE-2007 LRB	2,000.00
5/29/2012	212923	2,000.00		
			TRUSTEE ANNL ADMIN CHGS-CFD#5	2,000.00
	Vendor Total	**4,000.00**		
FYTD for WELLS FARGO BANK		**14,030.00**		
WEST			Remit to: **SAINT PAUL** **MN**	
5/29/2012	212924	677.10		
			AUTO TRACK SVCS-PD	677.10
	Vendor Total	**677.10**		
FYTD for WEST		**6,465.29**		
WEST COAST ARBORISTS, INC.			Remit to: **ANAHEIM** **CA**	
5/7/2012	885170	23,015.00		
			TREE TRIMMING/REMOVALS-PARKS	18,395.00
			TREE TRIMMING SVCS-ZONE DSG-2N	1,820.00
			TREE REMOVAL SVCS-ZONE DSG-2N	2,800.00
5/14/2012	885221	6,950.00		
			TREE TRIMMING SVCS-PARKS	6,950.00
	Vendor Total	**29,965.00**		
FYTD for WEST COAST ARBORISTS, INC.		**104,850.00**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
5/29/2012	212925	2,815.82		
			WATER CHARGES	996.26
			WATER CHARGES	34.38
			WATER CHARGES	1,711.36
			WATER CHARGES	73.82
	Vendor Total	**2,815.82**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**26,142.24**		
WESTOVER, MARK			Remit to: **SAN DIEGO** **CA**	
5/7/2012	885171	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for WESTOVER, MARK		**3,276.85**		
WIBERG, CHRISTOPHER			Remit to: **ANAHEIM** **CA**	
5/7/2012	212647	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for WIBERG, CHRISTOPHER		**3,716.47**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
5/7/2012	885172	318.73		
			RETIREE MED MAY '12	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,506.03**		
WILLDAN AND ASSOCIATES			Remit to: **SAN BERNARDINO** **CA**	
5/14/2012	212740	12,247.04		
			BLDG & SAFETY PLAN CHECK SVCS	12,247.04
5/29/2012	212926	6,417.54		
			PROLOGIS PARK EIR REVIEW SVCS	6,417.54
	Vendor Total	**18,664.58**		
FYTD for WILLDAN AND ASSOCIATES		**302,393.80**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	5/7/2012	212648	60.00		
				SPORTS OFFICIATING SVCS	60.00
	5/21/2012	212832	60.00		
				SPORTS OFFICIATING SVCS	60.00
	5/29/2012	212927	120.00		
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**240.00**		
FYTD for WILLIS, ROBERT H			**2,220.00**		
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	5/14/2012	885222	2,545.63		
				JANITORIAL SVCS-CRC RENTALS	1,290.00
				JANITORIAL SVCS-TOWNGT RENTALS	480.00
				JANITORIAL SVCS-SR CTR RENTALS	130.00
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-GANG TSK FORCE	112.82
	5/21/2012	885263	21,547.57		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRAILER	98.40
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-SP DIST ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MRCH FLD PK CC	955.70
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
				UPHOLSTERY CLEANING-FIRE ADMIN	165.00
	5/29/2012	885309	494.29		
				JANITORIAL SVCS-SUNNYMD ELEM	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
	Vendor Total		**24,587.49**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**275,948.22**		

City of Moreno Valley

Check Register

For Period 5/1/2012 through 5/31/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	5/14/2012	212741	1,576.52		
				COPIER RNTL/MAINT/PRNTS-PD	888.97
				COPIER RNTL/MAINT/PRNTS-PD	99.45
				COPIER RNTL/MAINT/PRNTS-PD	588.10
	5/21/2012	212835	817.55		
				LEASE OF XEROX XC550V-GRAPHICS	424.11
				LEASE OF XEROX EX560-GRAPHICS	393.44
	5/29/2012	212928	2,765.26		
				COPIER RNTL/MAINT-PD	76.51
				COPIER RNTL/MAINT-PD	84.38
				COPIER RNTL/MAINT-PD	70.29
				LEASE OF XEROX EX560-PARKS	490.76
				LEASE OF XC550/PRINTS-PARKS	903.61
				COPIER BILLABLE PRINTS-PARKS	1,139.71
	Vendor Total		**5,159.33**		
FYTD for XEROX			**45,814.81**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	5/7/2012	885173	139.90		
				RETIREE MED MAR 12, PD MAY 12	139.90
	Vendor Total		**139.90**		
FYTD for YAMASHITA, JULIA J.			**1,711.70**		
ZEE MEDICAL INC				Remit to: **INDIANAPOLIS** **IN**	
	5/14/2012	885223	295.65		
				SUPPLIES FOR 4 FIRST AID KITS	295.65
	Vendor Total		**295.65**		
FYTD for ZEE MEDICAL INC			**592.01**		

Subtotal **1,350,330.54**

GRAND TOTAL **13,875,994.96**

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MV00174556

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 28, 2012

TITLE: APPROVAL OF CHECK REGISTER FOR JUNE, 2012

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2012-68, approving the Check Register for the month of June, 2012 in the amount of $22,489,803.50.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the FY 2011-12 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2012-68
Check Register for Month of June, 2012

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JUNE, 2012

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period June 1, 2012 through June 30, 2012, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period June 1, 2012 through June 30, 2012, in the total amount of $22,489,803.50 is approved.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-68
Date Adopted: August 28, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-68 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

CITY CLERK

Resolution No. 2012-68
Date Adopted: August 28, 2012

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

TACO BELL INLAND BELLS, INC				Remit to: **MORENO VALLEY**	**CA**
	6/25/2012	213194	84,000.00		
				SOLAR INCENTIVE REBATE	84,000.00
	Vendor Total		**84,000.00**		
FYTD for TACO BELL INLAND BELLS, INC			**84,000.00**		
AFECO INC.				Remit to: **SAN DIEGO**	**CA**
	6/25/2012	213276	36,258.09		
				THERMAL IMAGING MSA 5200 HD2	33,650.20
				SALES TAX	2,607.89
	Vendor Total		**36,258.09**		
FYTD for AFECO INC.			**45,322.61**		
ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	6/4/2012	212933	1,213,454.86		
				SR-60/NASON ST INTRCHNG PROJ	1,074,271.58
				SR-60/NASON ST INTRCHNG PROJ	139,183.28
	6/11/2012	213031	52,469.99		
				LOCAL ST. PAVEMNT RESURF. PROJ	35,859.60
				LOCAL ST. PAVEMNT RESURF. PROJ	3,344.98
				LOCAL ST. PAVEMNT RESURF. PROJ	13,265.41
	6/18/2012	120606	134,828.32		
				RETENTN PMT PER ESCRW AGREEMNT	134,828.32
	6/19/2012	120607	54,874.40		
				RETENTN PMT PER ESCRW AGREEMNT	54,874.40
	Vendor Total		**1,455,627.57**		
FYTD for ALL AMERICAN ASPHALT, INC.			**7,883,021.10**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
6/28/2012	885540	25,625.35		
			LANDSCAPE MAINT-S AQDCT "B"	662.00
			LANDSCAPE MAINT-N AQDCT	473.00
			LANDSCAPE MAINT-PAN AM/AQDCT	540.00
			LANDSCAPE MAINT-SENIOR CNTR	236.00
			LANDSCAPE MAINT-SCE/OLD LAKE	1,575.00
			LANDSCAPE MAINT-CITY YARD	225.00
			LANDSCAPE MAINT-FORMER STARS	260.00
			LANDSCAPE MAINT-CRC	1,710.00
			LANDSCAPE MAINT-MVU	432.00
			LANDSCAPE MAINT-MVU SUBSTN	567.00
			LANDSCAPE MAINT-PSB	1,077.83
			LANDSCAPE MAINT-ANIMAL SVCS	468.00
			LANDSCAPE MAINT-PATRIOT PRK	360.00
			LANDSCAPE MAINT-BAY/JFK AQDCT	1,710.00
			LANDSCAPE MAINT-BIKE AQDCT	360.00
			LANDSCAPE MAINT-LIBRARY	468.00
			LANDSCAPE MAINT-ZONE E-3	10,625.00
			LANDSCAPE MAINT-ZONE E-3A	781.02
			LANDSCAPE MAINT-S AQDCT "A"	765.50
			EMERGENCY REPAIRS-TOWGATE CTR	2,330.00
	Vendor Total	**25,625.35**		
FYTD for BEMUS LANDSCAPE, INC.		**389,345.57**		
BRAUN BLAISING MCLAUGHLIN			Remit to: **SACRAMENTO**	**CA**
6/11/2012	213037	35,022.60		
			LEGAL SVCS-ST LIGHT LITIGATION	33,345.47
			LEGAL SVCS	1,677.13
	Vendor Total	**35,022.60**		
FYTD for BRAUN BLAISING MCLAUGHLIN		**182,332.67**		
COUNTY OF RIVERSIDE AUDITOR			Remit to: **RIVERSIDE**	**CA**
6/11/2012	213044	58,441.52		
			PARKING CONTROL FEES-AB544	2,493.84
			PARKING CONTROL FEES-AB544	1,138.00
			PARKING CONTROL FEES-AB544	24,505.21
			PARKING CONTROL FEES-AB544	1,550.00
			PARKING CONTROL FEES-AB544	28,754.47
6/28/2012	213305	53,313.58		
			TRANSMITTAL OF AB544	892.00
			TRANSMITTAL OF AB544	26,573.95
			TRANSMITTAL OF AB544	846.00
			TRANSMITTAL OF AB544	25,001.63
	Vendor Total	**111,755.10**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**343,681.17**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE FIRE DEPT				Remit to: **PERRIS** **CA**	
	6/11/2012	885418	2,870,326.27		
				FPARC-MV, 231175,11-12,Q3	2,833,972.71
				FPARC-MV, 231175,11-12,Q3	36,353.56
	Vendor Total		**2,870,326.27**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT			**11,772,319.86**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	6/28/2012	885553	37,769.54		
				CITATION PROCESSING SVCS-CODE	17,440.96
				CITATION PROCESSING SVCS-CODE	12,438.04
				THIRD PARTY COLLECTION FEES	2,166.33
				THIRD PARTY COLLECTION FEES	979.70
				THIRD PARTY COLLECTION FEES	581.85
				THIRD PARTY COLLECTION FEES	660.15
				CITATION PROCESSING-CODE	2,752.37
				CITATION PROCESSING-CODE	750.14
	Vendor Total		**37,769.54**		
FYTD for DATA TICKET, INC.			**311,710.82**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	6/28/2012	885554	26,450.00		
				PLAN REVIEW SVCS-FIRE PREVENTN	3,270.00
				PLAN REVIEW SVCS-FIRE PREVENTN	3,225.00
				PLAN REVIEW SVCS-FIRE PREVENTN	8,010.00
				PLAN REVIEW SVCS-FIRE PREVENTN	5,975.00
				PLAN REVIEW SVCS-FIRE PREVENTN	5,970.00
	Vendor Total		**26,450.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**180,650.00**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/4/2012	212951	30,714.96		
			WATER CHARGES	445.38
			WATER CHARGES	285.17
			WATER CHARGES	480.50
			WATER CHARGES	10,649.35
			WATER CHARGES	1,100.13
			WATER CHARGES	7,793.30
			WATER CHARGES	4,198.78
			WATER CHARGES	3,416.48
			WATER CHARGES	39.77
			WATER CHARGES	222.22
			WATER CHARGES	318.20
			WATER CHARGES	214.87
			WATER CHARGES	273.44
			WATER CHARGES	128.87
			WATER CHARGES	402.94
			WATER CHARGES	402.71
			WATER CHARGES	247.41
			WATER CHARGES	95.44
6/11/2012	213050	29,520.00		
			CO# 68357-CROSS/VALVE RELOCAT.	29,520.00
6/11/2012	213051	320,000.00		
			CO# 68357-CROSS/VALVE RELOCAT.	320,000.00
6/11/2012	213052	48,000.00		
			CO# 68357-CROSS/VALVE RELOCAT.	48,000.00
6/18/2012	213128	45,041.06		
			WATER CHARGES	57.77
			WATER CHARGES	254.35
			WATER CHARGES	3,132.98
			WATER CHARGES	40.80
			WATER CHARGES	3,818.17
			WATER CHARGES	122.07
			WATER CHARGES	13,561.01
			WATER CHARGES	264.82
			WATER CHARGES	10,079.03
			WATER CHARGES	2,076.36
			WATER CHARGES	7,695.34
			WATER CHARGES	692.00
			WATER CHARGES	1,020.41
			WATER CHARGES	284.05
			WATER CHARGES	257.58
			WATER CHARGES	348.35
			WATER CHARGES	720.91
			WATER CHARGES	615.06
6/25/2012	213216	66,660.76		
			WATER CHARGES	1,388.63
			WATER CHARGES	904.07
			WATER CHARGES	705.41
			WATER CHARGES	1,004.92
			WATER CHARGES	21,172.35
			WATER CHARGES	5,562.57

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHARGES	3,833.58
			WATER CHARGES	6,581.81
			WATER CHARGES	3,826.82
			WATER CHARGES	8,715.52
			WATER CHARGES	79.10
			WATER CHARGES	1,279.93
			WATER CHARGES	3,506.67
			WATER CHARGES	2,535.27
			WATER CHARGES	1,199.86
			WATER CHARGES	587.00
			WATER CHARGES	128.24
			WATER CHARGES	308.00
			WATER CHARGES	613.74
			WATER CHARGES	144.95
			WATER CHARGES	1,567.82
			WATER CHARGES	1,014.50
6/28/2012	213313	36,454.90		
			WATER CHARGES	447.97
			WATER CHARGES	13,414.89
			WATER CHARGES	2,558.95
			WATER CHARGES	1,261.20
			WATER CHARGES	7,384.33
			WATER CHARGES	3,913.68
			WATER CHARGES	5,004.19
			WATER CHARGES	52.51
			WATER CHARGES	326.77
			WATER CHARGES	185.55
			WATER CHARGES	337.63
			WATER CHARGES	166.06
			WATER CHARGES	589.38
			WATER CHARGES	450.11
			WATER CHARGES	92.36
			WATER CHARGES	269.32
Vendor Total		**576,391.68**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,893,005.22**		

ELITE COMPANIES US, INC. Remit to: **HUNTINGTON BEACH CA**

6/11/2012	213054	30,284.62		
			HEACOCK ST SIDEWLK IMPRV PROJ	30,284.62
6/25/2012	213218	25,998.65		
			HEACOCK ST SIDEWLK IMPRV PROJ	25,998.65
Vendor Total		**56,283.27**		
FYTD for ELITE COMPANIES US, INC.		**134,086.51**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				Remit to:	
	6/1/2012	3090	26,325.94		
				STATE INCOME TAX W/H 6/1/12	26,325.94
	6/15/2012	3098	31,429.93		
				STATE INCOME TAX W/H 6/15/12	31,429.93
	Vendor Total		**57,755.87**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**1,223,597.42**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	6/25/2012	885495	166,428.72		
				ELECTRIC METER CHRGS	1,035.00
				DISTRIBUTION CHRGS	155,950.70
				SPECIAL CHRGS/ TEMP PWR POLES	10,625.00
				BAD DEBT-DEDUCTION	-2,755.10
				ONLINE UTILITY SERVICES	192.05
				NASON TO-IRIS NEW SL SYSTEM	1,381.07
	Vendor Total		**166,428.72**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**2,630,109.02**		
ENVIRONMENTAL CONSTRUCTION, INC.				Remit to: **WOODLAND HILLS** **CA**	
	6/28/2012	213317	617,791.45		
				SUNNYMD BLVD REVIT PROJ SVCS	197,070.16
				SUNNYMD BLVD REVIT PROJ SVCS	164,221.29
				SUNNYMD BLVD REVIT PROJ SVCS	11,278.71
				SUNNYMD BLVD REVIT PROJ SVCS	245,221.29
	Vendor Total		**617,791.45**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.			**617,791.45**		
FAMILY SERVICE ASSOCIATION				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213221	37,467.36		
				SNACKS-ASES PRGRM	37,467.36
	6/28/2012	213321	42,762.84		
				SNACKS-ASES PRGRM	42,762.84
	Vendor Total		**80,230.20**		
FYTD for FAMILY SERVICE ASSOCIATION			**449,026.86**		
FIRST INDUSTRIAL LP				Remit to: **TAMPA** **FL**	
	6/18/2012	213131	44,500.00		
				REFUND-EROSION CONTROL DEPOSIT	44,500.00
	Vendor Total		**44,500.00**		
FYTD for FIRST INDUSTRIAL LP			**49,184.20**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HILLCREST CONTRACTING, INC			Remit to: **CORONA** **CA**	
6/11/2012	885424	91,146.44		
			WIDEN PERRIS BLVD SB LANE @ 60	91,146.44
6/25/2012	885497	137,604.30		
			COTTONWOOD AVE IMPRVMNTS PROJ	137,604.30
	Vendor Total	**228,750.74**		
FYTD for HILLCREST CONTRACTING, INC		**1,165,747.93**		
HUNTINGTON BEACH HONDA			Remit to: **HUNTINGTON BEACH** **CA**	
6/4/2012	212966	110,136.14		
			MOTORCYCLE-4 UNITS	58,720.00
			DOC FEE	220.00
			INSTALLATION & CUSTOM PAINTING	43,261.52
			CA TIRE TAX	14.00
			SALES TAX	7,920.62
	Vendor Total	**110,136.14**		
FYTD for HUNTINGTON BEACH HONDA		**119,730.78**		
INTERNAL REVENUE SERVICE			Remit to:	
6/1/2012	3089	106,962.88		
			FED INCOME TAX W/H 6/1/12	106,962.88
6/15/2012	3097	92,628.08		
			FED INCOME TAX W/H 6/15/12	92,628.08
	Vendor Total	**199,590.96**		
FYTD for INTERNAL REVENUE SERVICE		**3,280,726.92**		
JFL ELECTRIC, INC.			Remit to: **LOS ANGELES** **CA**	
6/25/2012	213228	26,690.76		
			LASSELLE/MARGARET AVE TRAF SIG	15,478.89
			LASSELLE/MARGARET AVE TRAF SIG	11,211.87
	Vendor Total	**26,690.76**		
FYTD for JFL ELECTRIC, INC.		**170,016.24**		
KIMLEY-HORN AND ASSOCIATES, INC			Remit to: **PHOENIX** **AZ**	
6/18/2012	213145	96,961.72		
			TRANSP. MGMT CENTER PROJ SVCS	96,961.72
	Vendor Total	**96,961.72**		
FYTD for KIMLEY-HORN AND ASSOCIATES, INC		**120,624.18**		
KIP INCORPORATED			Remit to: **MURRIETA** **CA**	
6/25/2012	213230	376,793.75		
			HEACOCK ST BRIDGE IMPRV. PROJ	376,793.75
	Vendor Total	**376,793.75**		
FYTD for KIP INCORPORATED		**471,081.25**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LANCE, SOLL & LUNGHARD, LLP			Remit to: **BREA** **CA**	
6/18/2012	213146	26,000.00		
			2012 CITY AUDIT-INTERIM PROCED	7,000.00
			2012 RDA CLOSEOUT AUDIT	8,000.00
			CITY AUDIT/RELATED REPORTS	11,000.00
	Vendor Total	**26,000.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP		**83,690.00**		
LAWYERS TITLE COMPANY			Remit to: **NEWPORT BEACH** **CA**	
6/6/2012	1206031	100,880.06		
			ESCROW CLOSING COSTS	1,720.06
			ESCROW DEP-APN 488-270-022&023	99,160.00
6/18/2012	1206081	416,467.00		
			ESCROW CLOSING COSTS	3,817.00
			ESCROW DEPOSIT APN 297-170-077	412,650.00
	Vendor Total	**517,347.06**		
FYTD for LAWYERS TITLE COMPANY		**1,881,516.30**		
MATICH CORPORATION			Remit to: **HIGHLAND** **CA**	
6/25/2012	885506	25,176.48		
			ASPHALTIC MATERIALS-MAINT/OPS	9,002.97
			ASPHALTIC MATERIALS-MAINT/OPS	16,173.51
	Vendor Total	**25,176.48**		
FYTD for MATICH CORPORATION		**52,727.77**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY				Remit to: **HEMET** **CA**	
	6/18/2012	213159	52,846.61		
				ELECTRICITY	125.08
				ELECTRICITY	1,145.63
				ELECTRICITY	315.39
				ELECTRICITY	1,419.90
				ELECTRICITY	8,496.25
				ELECTRICITY	9,822.25
				ELECTRICITY	2,830.97
				ELECTRICITY	6,799.77
				ELECTRICITY	955.24
				ELECTRICITY	134.17
				ELECTRICITY	11,665.79
				ELECTRICITY	6,784.24
				ELECTRICITY	208.81
				ELECTRICITY	122.67
				ELECTRICITY	76.24
				ELECTRICITY	57.72
				ELECTRICITY	57.31
				ELECTRICITY	136.66
				ELECTRICITY	83.47
				ELECTRICITY	1,609.05
	Vendor Total		**52,846.61**		
FYTD for MORENO VALLEY UTILITY			**744,585.43**		
MUSCO SPORTS LIGHTING, LLC				Remit to: **OSKALOOSA** **IA**	
	6/25/2012	885507	69,275.29		
				FURNISH/INSTALL CONTROL LINK	69,275.29
	Vendor Total		**69,275.29**		
FYTD for MUSCO SPORTS LIGHTING, LLC			**69,275.29**		
MV RANCHO DORADO II LTD. PARTNERSHIP				Remit to: **PALM DESERT** **CA**	
	6/12/2012	120604	1,777,000.00		
				RANCHO DORADO SOUTH PROJ-PMT#1	1,777,000.00
	Vendor Total		**1,777,000.00**		
FYTD for MV RANCHO DORADO II LTD. PARTNERSHIP			**1,777,000.00**		
NATIONWIDE RETIREMENT SOLUTIONS				Remit to: **COLUMBUS** **OH**	
	6/15/2012	3094	25,681.85		
				DEF COMP 457 & 401(A) 6/15/12	25,681.85
	Vendor Total		**25,681.85**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**716,822.12**		

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NEW WORLD SYSTEMS, CORP			Remit to: **TROY** **MI**	
6/4/2012	885375	456,319.39		
			FM, HR/PY EST. TRAVEL EXPENSES	600.00
			HR MGMT BASE SUITE	94,925.00
			HR MGMT BASE SUITE	94,925.00
			FM BASE SUITE	158,520.00
			HR MGMT BASE SUITE	105,680.00
			FM, HR/PY EST. TRAVEL EXPENSES	1,669.39
	Vendor Total	**456,319.39**		
FYTD for NEW WORLD SYSTEMS, CORP		**938,585.76**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
6/28/2012	885607	343,382.46		
			PURCHASED POWER	343,382.46
	Vendor Total	**343,382.46**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**2,117,913.71**		
PARSONS TRANSPORTATION GROUP, INC.			Remit to: **IRVINE** **CA**	
6/25/2012	885512	97,694.58		
			SR-60/MOR BCH DR INTRCHNG PROJ	37,794.93
			SR-60/MOR BCH DR INTRCHNG PROJ	59,899.65
6/28/2012	885610	641,669.41		
			SR-60/MOR. BCH INTRCHNG-PHS. 1	27,054.25
			SR-60/MOR. BCH INTRCHNG-PHS. 1	119,516.96
			SR-60/NASON ST OVRCRSSNG PROJ	84,037.35
			SR-60/NASON ST OVRCRSSNG PROJ	316,069.50
			SR-60/MOR. BCH INTRCHNG-PHS. 1	75,759.11
			SR-60/NASON ST OVRCRSSNG PROJ	19,232.24
	Vendor Total	**739,363.99**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**1,733,391.12**		
PEDERSEN HECK MCQUEEN, APLC			Remit to: **IRVINE** **CA**	
6/28/2012	213376	198,000.00		
			CASE SETTLEMNT/STAT ATTY'S FEE	198,000.00
6/28/2012	213377	212,000.00		
			CASE SETTLEMNT/CLIENT TRST ACT	212,000.00
	Vendor Total	**410,000.00**		
FYTD for PEDERSEN HECK MCQUEEN, APLC		**410,000.00**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
6/11/2012	120601	201,122.81		
			EMPLOYEE HEALTH INS 6/11/12	201,122.81
	Vendor Total	**201,122.81**		
FYTD for PERS HEALTH INSURANCE		**2,397,874.94**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERS RETIREMENT				Remit to: **SACRAMENTO** **CA**	
	6/8/2012	3091	216,222.95		
				PERS RETIREMENT 6/8/12	216,222.95
	6/22/2012	3099	214,123.77		
				PERS RETIREMENT 6/22/12	214,123.77
	Vendor Total		**430,346.72**		
FYTD for PERS RETIREMENT			**5,595,226.39**		
PSOMAS				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212990	30,204.50		
				SR-60/NASON ST INTRCHNG PROJ	26,432.84
				SR-60/NASON ST INTRCHNG PROJ	307.20
				SR-60/NASON ST INTRCHNG PROJ	3,464.46
	Vendor Total		**30,204.50**		
FYTD for PSOMAS			**195,816.06**		
RASMUSSEN BROTHERS CONSTRUCTION				Remit to: **FALLBROOK** **CA**	
	6/25/2012	213249	55,487.60		
				PD TRAF DIV RENOV-PSB PHASE II	55,487.60
	Vendor Total		**55,487.60**		
FYTD for RASMUSSEN BROTHERS CONSTRUCTION			**55,487.60**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
6/4/2012	885382	304,605.45		
			CNTRCT LAW ENF RATE ADJ FY1112	27,768.07
			CNTRCT LAW ENF RATE ADJ FY1112	-89.30
			CNTRCT LAW ENF RATE ADJ FY1112	165,099.14
			CNTRCT LAW ENF RATE ADJ FY1112	20,252.28
			CNTRCT LAW ENF RATE ADJ FY1112	47,967.78
			CNTRCT LAW ENF RATE ADJ FY1112	1,806.03
			CNTRCT LAW ENF RATE ADJ FY1112	367.81
			CNTRCT LAW ENF RATE ADJ FY1112	-298.70
			CNTRCT LAW ENF RATE ADJ FY1112	-8,374.80
			CNTRCT LAW ENF RATE ADJ FY1112	425.43
			CNTRCT LAW ENF RATE ADJ FY1112	17,011.08
			CNTRCT LAW ENF RATE ADJ FY1112	1,054.17
			CNTRCT LAW ENF RATE ADJ FY1112	22,488.51
			CNTRCT LAW ENF RATE ADJ FY1112	1,885.51
			CNTRCT LAW ENF RATE ADJ FY1112	3,780.50
			CNTRCT LAW ENF RATE ADJ FY1112	104.40
			CNTRCT LAW ENF RATE ADJ FY1112	3,357.54
6/25/2012	885514	2,887,134.74		
			CONTRACT LAW ENF BILL #10	44,963.39
			CONTRACT LAW ENF BILL #10	521.73
			CONTRACT LAW ENF BILL #10	1,495,233.09
			CONTRACT LAW ENF BILL #10	60,787.41
			CONTRACT LAW ENF BILL #10	357,823.67
			CONTRACT LAW ENF BILL #10	5,671.20
			CONTRACT LAW ENF BILL #10	83,007.96
			CONTRACT LAW ENF BILL #10	6,175.08
			CONTRACT LAW ENF BILL #10	79,270.63
			CONTRACT LAW ENF BILL #10	1,636.25
			CONTRACT LAW ENF BILL #10	238,296.82
			CONTRACT LAW ENF BILL #10	3,802.90
			CONTRACT LAW ENF BILL #10	465,403.55
			CONTRACT LAW ENF BILL #10	9,065.42
			CONTRACT LAW ENF BILL #10	35,190.89
			CONTRACT LAW ENF BILL #10	284.75
	Vendor Total	**3,191,740.19**		
FYTD for RIVERSIDE COUNTY SHERIFF		**38,851,771.94**		
RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213085	35,169.16		
			CONTRACT SVCS-OTS GRANT #20163	10,224.03
			CONTRACT SVCS-OTS GRANT #20163	1,645.20
			CONTRACT SVCS-OTS GRANT #20163	5,784.41
			CONTRACT SVCS-OTS GRANT #20163	1,421.32
			CONTRACT SVCS-JAG 2010 GRANT	9,141.48
			CONTRACT SVCS-JAG 2010 GRANT	348.48
			CONTRACT SVCS-JAG 2009 GRANT	6,000.56
			CONTRACT SVCS-JAG 2009 GRANT	603.68
	Vendor Total	**35,169.16**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**365,871.15**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
6/11/2012	885434	268,939.00		
			ANNUAL RMS BILLNG FY11/12	268,939.00
	Vendor Total	**268,939.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**639,228.15**		
SEAN MALEK ENGINEERING AND CONSTRUCTION			Remit to: **TEMECULA** **CA**	
6/11/2012	213090	145,872.50		
			AUTO MALL ST. IMPRVMNTS PROJ	145,872.50
6/25/2012	213254	140,001.50		
			AUTO MALL ST. IMPRVMNTS PROJ	140,001.50
	Vendor Total	**285,874.00**		
FYTD for SEAN MALEK ENGINEERING AND CONSTRUCTION		**285,874.00**		
SHEFFIELD FORECLOSURE RENOVATION			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213169	42,420.67		
			PROPERTY REHAB-25472 ORCHID CT	42,420.67
	Vendor Total	**42,420.67**		
FYTD for SHEFFIELD FORECLOSURE RENOVATION		**257,839.53**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA** **PA**	
6/28/2012	885623	526,310.40		
			ENERGY PURCHASE FOR MV UTIL.	526,310.40
	Vendor Total	**526,310.40**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**6,203,086.40**		
SILVER CREEK INDUSTRIES, INC			Remit to: **PERRIS** **CA**	
6/28/2012	213403	257,291.28		
			MORRISON PARK FIRE STN PROJ.	257,291.28
	Vendor Total	**257,291.28**		
FYTD for SILVER CREEK INDUSTRIES, INC		**1,475,075.03**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/11/2012	213096	33,925.38		
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	5,800.93
			WDAT CHARGES-GLOBE	8,804.52
			WDAT CHARGES-NANDINA	3,312.59
			WDAT CHARGES-FREDERICK	2,350.17
			WDAT CHARGES-SUBSTATION 115KV	11,031.95
6/18/2012	213172	144,975.06		
			ELECTRICITY	611.60
			ELECTRICITY	26.78
			ELECTRICITY	1,853.40
			ELECTRICITY	50.01
			ELECTRICITY	24.87
			ELECTRICITY	968.18
			ELECTRICITY	132.98
			ELECTRICITY	2,492.29
			ELECTRICITY	833.77
			ELECTRICITY	1,074.10
			ELECTRICITY	1,607.26
			ELECTRICITY	1,201.27
			ELECTRICITY	1,104.36
			ELECTRICITY	22.89
			ELECTRICITY	92,967.77
			ELECTRICITY	35,475.74
			ELECTRICITY	4,060.46
			ELECTRICITY	207.43
			ELECTRICITY	22.89
			ELECTRICITY	45.65
			ELECTRICITY	26.43
			ELECTRICITY	72.21
			ELECTRICITY	92.72
6/28/2012	213406	37,149.58		
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	5,642.21
			WDAT CHARGES-GLOBE	9,167.22
			WDAT CHARGES-NANDINA	4,262.99
			WDAT CHARGES-FREDERICK	2,666.07
			WDAT CHARGES-SUBSTATION 115KV	12,785.87
	Vendor Total	**216,050.02**		
FYTD for SOUTHERN CALIFORNIA EDISON		**3,533,737.68**		
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
6/11/2012	213098	27,788.15		
			LIFE & DISABILITY INSURANCE	10,824.52
			LIFE & DISABILITY INSURANCE	16,923.37
			LIFE & DISABILITY INSURANCE	40.26
	Vendor Total	**27,788.15**		
FYTD for STANDARD INSURANCE CO		**356,737.31**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STI, INC., TRUCKING & MATERIALS			Remit to: **RIVERSIDE**	**CA**
6/11/2012	213110	104,057.38		
			IRONWOOD AVE IMPRVMNTS PROJ	104,057.38
6/18/2012	885481	151,136.84		
			IRONWOOD AVE IMPRVMNTS PROJ	124,222.34
			IRONWOOD AVE IMPRVMNTS PROJ	26,914.50
	Vendor Total	**255,194.22**		
FYTD for STI, INC., TRUCKING & MATERIALS		**858,178.37**		
STK ARCHITECTURE, INC.			Remit to: **TEMECULA**	**CA**
6/25/2012	885518	26,821.14		
			MORRISON PARK FIRE STN PROJ	26,821.14
	Vendor Total	**26,821.14**		
FYTD for STK ARCHITECTURE, INC.		**356,946.16**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH**	**CA**
6/28/2012	213412	34,757.70		
			LEGAL SVCS	3,128.59
			LEGAL SVCS	1,173.41
			LEGAL SVCS	1,086.10
			LEGAL SVCS	2,064.05
			LEGAL SVCS	585.00
			LEGAL SVCS	184.00
			LEGAL SVCS	500.00
			LEGAL SVCS	2,475.00
			LEGAL SVCS	23,148.75
			LEGAL SVCS	412.80
	Vendor Total	**34,757.70**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**112,168.04**		
THINK TOGETHER, INC			Remit to: **SANTA ANA**	**CA**
6/18/2012	213184	419,690.90		
			ASES GRANT PRGM SVCS	419,690.90
6/28/2012	213419	419,690.90		
			ASES GRANT PRGM SVCS	419,690.90
	Vendor Total	**839,381.80**		
FYTD for THINK TOGETHER, INC		**4,204,293.95**		
TMAD TAYLOR & GAINES			Remit to: **PASADENA**	**CA**
6/4/2012	213016	38,350.00		
			EOC FCC GENERATOR PROJ SVCS	29,414.00
			EOC FCC GENERATOR PROJ SVCS	8,936.00
	Vendor Total	**38,350.00**		
FYTD for TMAD TAYLOR & GAINES		**82,795.00**		

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TRANSTECH ENGINEERS, INC.			Remit to: **WALNUT** **CA**	
6/28/2012	213422	47,889.50		
			CACTUS AVE/NASON ST IMPRV PROJ	47,889.50
	Vendor Total	**47,889.50**		
FYTD for TRANSTECH ENGINEERS, INC.		**105,839.50**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
6/28/2012	885637	36,491.55		
			LANDSCAPE MAINT-ZONE M	5,532.72
			LANDSCAPE MAINT-ZONE DSG-1	5,121.57
			CLEAN UP-FENCED FLOOD CHANNELS	860.00
			INSTALL PLANT MATERIAL-ZONE M	775.00
			LANDSCAPE MAINT-ZONE M	5,532.72
			LANDSCAPE MAINT-ZONE DSG-1	5,121.57
			LANDSCAPE MAINT-ZONE E-4	7,980.86
			LANDSCAPE MAINT-ZONE E-4A	375.98
			LANDSCAPE MAINT-ZONE E-4A	89.02
			CLEAN UP-PLANTER AREAS/CELEBR.	1,300.00
			CLEAN UP-PLANTER AREAS/V LOMAS	1,450.00
			CLEAN UP-PLANTER AREAS/SHD MTN	1,450.00
			IRRIGATION REPAIRS-ZONE E-4	902.11
	Vendor Total	**36,491.55**		
FYTD for TRUGREEN LANDCARE		**310,948.57**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS** **MO**	
6/5/2012	1206021	299,882.82		
			CALCARD PMT CYCLE END 5/28/12	299,882.82
	Vendor Total	**299,882.82**		
FYTD for U.S. BANK/CALCARDS		**1,865,167.19**		
WASTE MANAGEMENT			Remit to: **CORONA** **CA**	
6/28/2012	213433	821,996.47		
			SOLID WASTE DELINQ. PASS THRU	935,468.84
			SOLID WASTE DELINQ. PASS THRU	-113,472.37
	Vendor Total	**821,996.47**		
FYTD for WASTE MANAGEMENT		**1,743,378.78**		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES** **CA**	
6/19/2012	120605	979,149.80		
			DEBT SVC-SPECIAL TAXES	979,149.80
	Vendor Total	**979,149.80**		
FYTD for WELLS FARGO CORPORATE TRUST		**8,630,874.86**		

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WRCRCA				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213190	87,872.04		
				MSHCP FEES REPORT-MAY 2012	87,872.04
	Vendor Total		**87,872.04**		
FYTD for WRCRCA			**767,561.34**		
	Subtotal		**20,800,064.45**		

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CHECKS LESS THAN $25,000

FORREST CORMANY			Remit to: **RIVERSIDE**	**CA**
6/11/2012	213028	200.00		
			BAGPIPER-5/30/12 MEMORIAL DAY	200.00
	Vendor Total	**200.00**		
FYTD for FORREST CORMANY		**200.00**		
JACK HENRY & ASSOCIATES, INC.			Remit to: **MONETT**	**MO**
6/25/2012	213193	386.15		
			MVU ACH-INTERNET SVC	386.15
	Vendor Total	**386.15**		
FYTD for JACK HENRY & ASSOCIATES, INC.		**386.15**		
A & I REPROGRAPHICS	**2406362**		Remit to: **ONTARIO**	**CA**
6/11/2012	213029	748.97		
			PLANS & SPECS-IRIS AVE PROJ	748.97
	Vendor Total	**748.97**		
FYTD for A & I REPROGRAPHICS	**2406362**	**12,011.82**		
A CONE ZONE, INC.			Remit to: **CORONA**	**CA**
6/28/2012	213437	12,087.19		
			ATTENUATOR	10,325.00
			QUICK RELEASE KIT	650.00
			IN-CAB CONTROLLER	150.00
			SHIPPING	100.00
			SALES TAX	862.19
	Vendor Total	**12,087.19**		
FYTD for A CONE ZONE, INC.		**12,087.19**		
ABILITY COUNTS, INC			Remit to: **CORONA**	**CA**
6/28/2012	213279	1,440.00		
			LANDSCAPE MAINT-AQDCT	1,440.00
	Vendor Total	**1,440.00**		
FYTD for ABILITY COUNTS, INC		**17,210.00**		
ABRASIVE BLASTING SERVICE			Remit to: **RIVERSIDE**	**CA**
6/25/2012	213195	8,330.00		
			SANDBLAST ST STRIPING-IRIS	8,330.00
	Vendor Total	**8,330.00**		
FYTD for ABRASIVE BLASTING SERVICE		**8,330.00**		

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ABSOLUTE SURVEILLANCE			Remit to: **CANYON LAKE** **CA**	
6/28/2012	885529	2,511.39		
			GPS TRACKING DEVICES	454.51
			MONTHLY SERVICE PLAN	958.80
			EXTENDED BATTERY KIT	531.90
			CALIF SALES TAX @ 7.75%	111.67
			GPS TRACKING DEVICE	454.51
	Vendor Total	**2,511.39**		
FYTD for ABSOLUTE SURVEILLANCE		**2,511.39**		
ACCESS SECURITY CONTROLS INT., INC.			Remit to: **TEMECULA** **CA**	
6/4/2012	212931	250.00		
			MONITOR BURGLAR ALARM-SUNNYMD	250.00
	Vendor Total	**250.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.		**970.00**		
ACOSTA, ANTHONY			Remit to: **MORENO VALLEY** **CA**	
6/25/2012	213196	134.90		
			4TH OF JULY TEEN STAGE MATERLS	134.90
	Vendor Total	**134.90**		
FYTD for ACOSTA, ANTHONY		**134.90**		
ACTIVE NETWORK, INC., THE			Remit to: **LOS ANGELES** **CA**	
6/4/2012	885310	17,628.61		
			CLASS MAINT/SUPPORT 71269MR	3,750.00
			DEPARTMENT CONNECTOR 71269MR	2,500.00
			CRYSTAL REPORTS 70636MR	600.00
			PYMT SERVER EFT ONLY 70711MR	1,575.00
			DISCOUNT	-1,263.75
			CLASS MAINT/SUPPORT 70670MR	607.76
			FINANCE-LINK FINANCIAL 70680MR	531.78
			CRYSTAL REPORTS 70636MR	150.00
			MULTILIGUAL FRONT DESK 70708MR	75.00
			PAYMENT SERVER 70710MR	1,500.00
			POINT OF SALE 70712MR	1,050.00
			REGISTRATION INCLUDES 70719MR	4,200.00
			REGISTRATION INCLUDES 70721MR	2,625.00
			POINT OF SALE W/O POS 71577MR	1,575.00
			DISCOUNT	-1,847.18
	Vendor Total	**17,628.61**		
FYTD for ACTIVE NETWORK, INC., THE		**17,628.61**		

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ADAMS, DARNEE				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213197	70.00		
				REFUND-CLASS REGIS FEE	70.00
	Vendor Total		**70.00**		
FYTD for ADAMS, DARNEE			**70.00**		
ADAMS, MARK L.				Remit to: **REDLANDS** **CA**	
	6/4/2012	885311	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885530	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for ADAMS, MARK L.			**4,143.49**		
ADLERHORST INTERNATIONAL INC.				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	885446	4,439.88		
				K-9 TRAINING/EQUIPMENT-POLICE	2,639.88
				K-9 TRAINING/EQUIPMENT-POLICE	750.00
				K-9 TRAINING/EQUIPMENT-POLICE	1,050.00
	Vendor Total		**4,439.88**		
FYTD for ADLERHORST INTERNATIONAL INC.			**9,882.67**		
ADVANCE REFRIGERATION & ICE SYSTEMS, INC				Remit to: **RIVERSIDE** **CA**	
	6/25/2012	885488	2,045.00		
				ICE MACHINE MAINT-CRC	195.00
				ICE MACHINE MAINT-EOC	195.00
				ICE MACHINE MAINT-SENIOR CNTR	195.00
				ICE MACHINE MAINT-TOWNGTE CNTR	195.00
				ICE MACHINE MAINT-STN 6	195.00
				ICE MACHINE MAINT-STN 65	114.00
				ICE MACHINE MAINT-STN 65	81.00
				ICE MACHINE MAINT-STN 58	195.00
				ICE MACHINE MAINT-CITY YARD	290.00
				ICE MACHINE MAINT-STN 91	195.00
				ICE MACHINE MAINT-STN 2	195.00
	6/28/2012	885531	200.00		
				ICE MACHINE MAINT-PSB	200.00
	Vendor Total		**2,245.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC			**17,075.83**		

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ADVANCED ELECTRIC				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212932	3,076.60		
				REPAIRED DOME LIGHTS-CITY YARD	2,952.60
				ELECTRICAL REPAIRS-ANIMAL SVCS	124.00
	6/11/2012	213030	62.00		
				SVC CALL TO DEMO 1 PLE WIRING	62.00
	6/28/2012	213280	7,043.94		
				REPLACED LIGHTS/FIXTURES-PSB	3,472.00
				ELECTRICAL REPAIRS-PSB	217.74
				EMERGENCY REPAIRS-VETERANS MEM	1,135.94
				EMERGENCY REPAIRS-CRC	1,467.82
				EMERGENCY REPAIRS-CRC	380.44
				INSTALL ELECTRCL & MOUNT TV-CM	370.00
	Vendor Total		**10,182.54**		
FYTD for ADVANCED ELECTRIC			**66,920.75**		
ADVANTAGE GRAPHICS AND PROMOTIONS				Remit to: **CAPISTRANO BEACH** **CA**	
	6/25/2012	213198	2,487.08		
				PRINT-MV/MVP PARKING CITATIONS	2,487.08
	Vendor Total		**2,487.08**		
FYTD for ADVANTAGE GRAPHICS AND PROMOTIONS			**4,810.21**		
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	6/28/2012	885532	2,084.16		
				PROFESSIONAL SVCS-F-WQMP	2,084.16
	Vendor Total		**2,084.16**		
FYTD for AEI-CASC ENGINEERING			**33,892.93**		
AFECO INC.				Remit to: **SAN DIEGO** **CA**	
	6/28/2012	885533	9,064.52		
				MSA 5200 HD2 THERMAL IMAGING	8,412.55
				CALIF SALE TAX @ 7.75%	651.97
	Vendor Total		**9,064.52**		
FYTD for AFECO INC.			**45,322.61**		
AIR CLEANING SYSTEMS INC.				Remit to: **POMONA** **CA**	
	6/4/2012	885312	438.36		
				PLYMOVENT MAINT/REPAIR	127.50
				PLYMOVENT PARTS	121.60
				PLYMOVENT PARTS	189.26
	Vendor Total		**438.36**		
FYTD for AIR CLEANING SYSTEMS INC.			**4,780.94**		

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ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA** **CA**	
6/19/2012	1206071	4,356.06		
			RETENTN PMT PER ESCRW AGREEMNT	4,356.06
6/19/2012	1206072	1,473.94		
			RETENTN PMT PER ESCRW AGREEMNT	1,473.94
	Vendor Total	**5,830.00**		
FYTD for ALL AMERICAN ASPHALT, INC.		**7,883,021.10**		
ALL COURT COVERS			Remit to: **LONG BEACH** **CA**	
6/11/2012	213107	10,709.50		
			GYM FLOOR COVER	7,381.00
			RACK SYSTEM	1,899.00
			RACK COVER	200.00
			INSIDE DELIVERY	250.00
			LIFT GATE SERVICE	150.00
			SALES TAX	829.50
	Vendor Total	**10,709.50**		
FYTD for ALL COURT COVERS		**10,709.50**		
ALL STATE POLICE EQUIPMENT CO.			Remit to: **CLAREMONT** **CA**	
6/4/2012	212934	3,017.00		
			SUPERVISION STANDARD SV100	2,800.00
			SALES TAX	217.00
	Vendor Total	**3,017.00**		
FYTD for ALL STATE POLICE EQUIPMENT CO.		**3,017.00**		
ALLIANZ LIFE INSURANCE CO			Remit to: **PITTSBURGH** **PA**	
6/18/2012	213112	75.00		
			NON-EXEMPT ANNUITY	75.00
	Vendor Total	**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**900.00**		
ALPHACORP/SIRE TECHNOLOGIES			Remit to: **WEST VALLEY CITY** **UT**	
6/18/2012	885447	11,682.00		
			SIRE EDMS CLIENT LICENSES	2,250.00
			SIRE EDMS SOFTWARE MAINT	450.00
			SIRE CAPTURE STATION LICENSES	7,485.00
			SIRE CAPTURE SOFTWARE MAINT	1,497.00
	Vendor Total	**11,682.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**43,826.00**		

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ALTERNATIVES TO DOMESTIC VIOLENCE			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213113	1,816.14		
			DOMESTIC VIOLENCE SVCS	1,816.14
	Vendor Total	**1,816.14**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**9,317.21**		
AMERICAN FORENSIC NURSES			Remit to: **PALM SPRINGS** **CA**	
6/4/2012	885313	2,895.88		
			BLOOD DRAWS-POLICE	123.24
			BLOOD DRAWS-POLICE	2,772.64
6/18/2012	885448	1,519.96		
			BLOOD DRAWS-POLICE	1,519.96
6/25/2012	885490	41.08		
			BLOOD DRAWS-POLICE	41.08
6/28/2012	885534	1,519.96		
			BLOOD DRAWS-POLICE	1,519.96
	Vendor Total	**5,976.88**		
FYTD for AMERICAN FORENSIC NURSES		**50,711.60**		
AMERICAN TOWERS			Remit to: **CHARLOTTE** **NC**	
6/4/2012	212935	2,676.42		
			TOWER SPACE LEASE	2,676.42
6/11/2012	213032	2,676.42		
			TOWER SPACE LEASE	2,676.42
	Vendor Total	**5,352.84**		
FYTD for AMERICAN TOWERS		**34,484.64**		
AMTECH ELEVATOR SERVICES			Remit to: **ANAHEIM** **CA**	
6/11/2012	213033	221.92		
			ELEVATOR MAINT/REPAIRS-C HALL	121.92
			ELEVATOR MAINT/REPAIRS-EOC	100.00
6/28/2012	213281	221.92		
			ELEVATOR MAINT/REPAIR-C HALL	121.92
			ELEVATOR MAINT/REPAIR-EOC	100.00
	Vendor Total	**443.84**		
FYTD for AMTECH ELEVATOR SERVICES		**4,726.22**		
ANDRADE, ALFREDO			Remit to: **MORENO VALLEY** **CA**	
6/18/2012	213114	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for ANDRADE, ALFREDO		**20.00**		

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ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE**	**CA**
6/28/2012	885535	75.00		
			EMERGENCY/AFTER HR VET SVCS	75.00
	Vendor Total	**75.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**2,070.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO**	**CA**
6/28/2012	213282	1,525.50		
			PEST CONTROL-GOLF CNTR	162.00
			PEST CONTROL-CITY PARKS	600.00
			PEST CONTROL-CONTRACT PARKS	229.50
			PEST CONTROL-MARCH BALLFIELD	300.00
			PEST CONTROL-MARCH FIELD CNTR	90.00
			PEST CONTROL-CFD #1	144.00
	Vendor Total	**1,525.50**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**19,513.00**		
ANSARI, AHMAD			Remit to: **CORONA**	**CA**
6/4/2012	212936	125.00		
			CERT RENEWAL-P.E. LICENSE	125.00
	Vendor Total	**125.00**		
FYTD for ANSARI, AHMAD		**743.47**		
APARTMENT HIGHLAND MEADOWS, LLLP			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213034	76.69		
			REFUND-DUP CITATION PYMNT	30.00
			REFUND-DUP CITATION PYMNT	8.06
			REFUND-DUP CITATION PYMNT	30.00
			REFUND-DUP CITATION PYMNT	8.63
	Vendor Total	**76.69**		
FYTD for APARTMENT HIGHLAND MEADOWS, LLLP		**76.69**		
APWA-AMERICAN PUBLIC WORKS ASSOCIATION			Remit to: **KANSAS CITY**	**MO**
6/25/2012	213199	2,760.00		
			MEMBERSHIP RENEWAL	1,035.00
			MEMBERSHIP RENEWAL	517.50
			MEMBERSHIP RENEWAL	1,207.50
	Vendor Total	**2,760.00**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**5,690.00**		
ARC OF RIVERSIDE COUNTY, THE			Remit to: **RIVERSIDE**	**CA**
6/28/2012	213283	2,010.86		
			MORENO VALLEY RESOURCE CNTR	2,010.86
	Vendor Total	**2,010.86**		
FYTD for ARC OF RIVERSIDE COUNTY, THE		**6,865.12**		

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ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	6/11/2012	885414	24.77		
				WATER PURIF RNTL-EOC	24.77
	6/25/2012	885491	746.19		
				WATER PURIFY UNIT-ANIMAL SVCS	53.86
				WATER PURIFY UNIT-SENIOR CNTR	34.77
				WATER PURIFY UNIT-SDA	26.93
				WATER PURIFY UNIT-TECH SVCS	26.93
				WATER PURIFY UNIT-FACILITIES	26.93
				WATER PURIFY UNIT-CRC	26.93
				WATER PURIFY UNIT-STN 6	24.77
				WATER PURIFY UNIT-STN 48	24.77
				WATER PURIFY UNIT-STN 2	24.77
				WATER PURIFY UNIT-STN 58	15.62
				WATER PURIFY UNIT-STN 91	24.77
				WATER PURIFY UNIT-STN 65	24.77
				WATER PURIFY UNIT-CITY HALL	145.40
				WATER PURIFY UNIT-CITY YARD	26.92
				WATER PURIFY UNIT-CITY YARD	26.93
				WATER PURIFY UNIT-LIBRARY	24.77
				WATER PURIFY UNIT-ANIMAL SVCS	53.86
				WATER PURIFY UNIT-TECH SVCS	26.93
				WATER PURIFY UNIT-FACILITIES	26.93
				WATER PURIFY UNIT-CRC	26.93
				WATER PURIFY UNIT-SENIOR CNTR	24.77
				WATER PURIFY UNIT-SDA	26.93
	Vendor Total		**770.96**		
FYTD for ARROWHEAD WATER			**6,501.91**		
ASSOCIATED REPRODUCTION SERVICES				Remit to: **WHITTIER** **CA**	
	6/28/2012	213284	306.77		
				LEGAL REPRODUCTION SVCS	306.77
	Vendor Total		**306.77**		
FYTD for ASSOCIATED REPRODUCTION SERVICES			**1,999.11**		
AT&T MOBILITY				Remit to: **CAROL STREAM** **IL**	
	6/4/2012	212937	91.50		
				CELL SVCS-POLICE CMND CNTR	91.50
	6/25/2012	213200	92.34		
				CELL SVCS-POLICE CMND CNTR	92.34
	Vendor Total		**183.84**		
FYTD for AT&T MOBILITY			**1,188.07**		

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AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	6/4/2012	212938	183.34		
				COMMUNICATION SVCS	183.34
	Vendor Total		**183.34**		
FYTD for AT&T/MCI			**2,198.88**		
ATHALYE CONSULTING ENGINEERING SERVICES				Remit to: **ONTARIO** **CA**	
	6/25/2012	213201	16,847.30		
				HEACOCK ST BRIDGE IMPRVMNTS	16,847.30
	Vendor Total		**16,847.30**		
FYTD for ATHALYE CONSULTING ENGINEERING SERVICES			**21,452.23**		
AVERILL, CAMERON				Remit to: **NUEVO** **CA**	
	6/18/2012	213115	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for AVERILL, CAMERON			**95.00**		
AVI-CON INC.				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	885536	2,541.84		
				RELEASE-BALANCE OF RETENTION	2,541.84
	Vendor Total		**2,541.84**		
FYTD for AVI-CON INC.			**2,541.84**		
AXIS APPAREL				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	885449	866.15		
				YOUTH SPORTS APPAREL	866.15
	Vendor Total		**866.15**		
FYTD for AXIS APPAREL			**11,953.06**		
AYALA, NANNERL A.				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212939	39.27		
				MILEAGE REIMBURSEMENT	39.27
	Vendor Total		**39.27**		
FYTD for AYALA, NANNERL A.			**809.54**		
AYARS, MARGARET E.				Remit to: **YUCAIPA** **CA**	
	6/28/2012	885537	1,593.65		
				RETIREE MED MAR-JUL'12, PD JUL	1,593.65
	Vendor Total		**1,593.65**		
FYTD for AYARS, MARGARET E.			**4,780.95**		

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BACHER, GRACE				Remit to: **HEMET** **CA**	
	6/4/2012	212940	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213285	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for BACHER, GRACE			**4,143.49**		
BAGLEY, DENISE				Remit to: **HEMET** **CA**	
	6/25/2012	213202	13.00		
				ERC EXTERIOR WINDOW CLEANING	13.00
	Vendor Total		**13.00**		
FYTD for BAGLEY, DENISE			**100.00**		
BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	6/4/2012	885314	126.08		
				RETIREE MED MAY 12, PD JUN 12	126.08
	Vendor Total		**126.08**		
FYTD for BARNES, DARLENE			**1,348.78**		
BAUTISTA, JOSEPH C.				Remit to: **FONTANA** **CA**	
	6/4/2012	885315	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885538	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for BAUTISTA, JOSEPH C.			**4,114.33**		
BECKNER, PATRICK				Remit to: **MURRIETA** **CA**	
	6/28/2012	213438	1,475.60		
				RETIREE MED DENT DEC-FEB, M/C	1,475.60
	Vendor Total		**1,475.60**		
FYTD for BECKNER, PATRICK			**3,009.92**		
BEDOYA, SONIA				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213035	10.00		
				REFUND-TIME 4 TOTS GRAD GOWN	10.00
	Vendor Total		**10.00**		
FYTD for BEDOYA, SONIA			**10.00**		

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BELLAMY, DENISE				Remit to: **MORENO VALLEY**	**CA**
	6/11/2012	213036	650.00		
				REFUND-TOWNGATE CTR	100.00
				REFUND-TOWNGATE CTR	150.00
				REFUND-TOWNGATE CTR	100.00
				REFUND-TOWNGATE CTR	300.00
	Vendor Total		**650.00**		
FYTD for BELLAMY, DENISE			**650.00**		
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE**	**CA**
	6/11/2012	885415	15,028.33		
				TURF & DIRT REMOVAL @ CRC	1,944.00
				LANDSCAPE MAINT-CRC	280.00
				LANDSCAPE MAINT-S AQDCT "A"	662.00
				LANDSCAPE MAINT-SENIOR CNTR	236.00
				LANDSCAPE MAINT-N AQDCT	473.00
				LANDSCAPE MAINT-S AQDCT "A"	765.50
				LANDSCAPE MAINT-SCE/OLD LAKE	1,575.00
				LANDSCAPE MAINT-PATRIOT PARK	360.00
				LANDSCAPE MAINT-BAY/JFK AQDCT	1,710.00
				LANDSCAPE MAINT-BIKE AQDCT	360.00
				LANDSCAPE MAINT-PAN AM/AQDCT	540.00
				LANDSCAPE MAINT-FORMER STARS	260.00
				LANDSCAPE MAINT-MVU SUBSTN	567.00
				LANDSCAPE MAINT-MVU	432.00
				LANDSCAPE MAINT-TOWNGATE CNTR	180.00
				LANDSCAPE MAINT-TOWNGATE AQDCT	735.00
				LANDSCAPE MAINT-LIBRARY	468.00
				LANDSCAPE MAINT-CRC	1,710.00
				LANDSCAPE MAINT-PSB	1,077.83
				LANDSCAPE MAINT-ANIMAL SVCS	468.00
				LANDSCAPE MAINT-CITY YARD	225.00
	6/18/2012	885450	4,174.30		
				LANDSCAPE MAINT-VETERANS MMRL	225.00
				LANDSCAPE MAINT-FIRE STNS	2,835.00
				LANDSCAPE MAINT-CITY HALL	893.30
				LANDSCAPE MAINT-ANNEX	221.00
	Vendor Total		**19,202.63**		
FYTD for BEMUS LANDSCAPE, INC.			**389,345.57**		
BEST, BEST & KRIEGER, LLP				Remit to: **RIVERSIDE**	**CA**
	6/4/2012	885316	8,105.00		
				LEGAL SVCS	8,105.00
	6/28/2012	885541	217.50		
				LEGAL SVCS	60.00
				LEGAL SVCS	157.50
	Vendor Total		**8,322.50**		
FYTD for BEST, BEST & KRIEGER, LLP			**9,443.00**		

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BILL, MONICA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213286	232.50		
				REFUND-CLASS REGIS FEE	232.50
	Vendor Total		**232.50**		
FYTD for BILL, MONICA			**232.50**		
BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212941	6,423.78		
				TOXICOLOGY TESTS-POLICE	1,389.48
				TOXICOLOGY TESTS-POLICE	5,034.30
	Vendor Total		**6,423.78**		
FYTD for BIO-TOX LABORATORIES			**105,514.52**		
BLAIR, CHERYL				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213116	54.00		
				INSTRUCTOR SVCS-BELLY DANCE	54.00
	Vendor Total		**54.00**		
FYTD for BLAIR, CHERYL			**870.00**		
BRAUN BLAISING MCLAUGHLIN				Remit to: **SACRAMENTO** **CA**	
	6/25/2012	213203	22,411.89		
				LEGAL SVCS-ST LIGHT SETTLEMNT	16,169.89
				LEGAL SVCS-ST LIGHT SETTLEMNT	6,242.00
	6/28/2012	213287	2,867.33		
				LEGAL SVCS	2,867.33
	Vendor Total		**25,279.22**		
FYTD for BRAUN BLAISING MCLAUGHLIN			**182,332.67**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	6/4/2012	885317	4,350.44		
				MISC BOOKS-LIBRARY	112.56
				MISC BOOKS-LIBRARY	22.40
				MISC BOOKS-LIBRARY	22.97
				MISC BOOKS-LIBRARY	60.78
				MISC BOOKS-LIBRARY	57.08
				MISC BOOKS-LIBRARY	40.40
				MISC BOOKS-LIBRARY	19.96
				MISC BOOKS-LIBRARY	27.31
				MISC BOOKS-LIBRARY	65.87
				MISC BOOKS-LIBRARY	35.84
				MISC BOOKS-LIBRARY	21.20
				MISC BOOKS-LIBRARY	256.18
				MISC BOOKS-LIBRARY	43.98
				MISC BOOKS-LIBRARY	24.20
				MISC BOOKS-LIBRARY	21.20
				MISC BOOKS-LIBRARY	16.27
				MISC BOOKS-LIBRARY	43.08
				MISC BOOKS-LIBRARY	518.34
				MISC BOOKS-LIBRARY	76.10
				MISC BOOKS-LIBRARY	47.06
				MISC BOOKS-LIBRARY	32.78
				MISC BOOKS-LIBRARY	62.00
				MISC BOOKS-LIBRARY	27.31
				MISC BOOKS-LIBRARY	95.55
				MISC BOOKS-LIBRARY	16.27
				MISC BOOKS-LIBRARY	39.21
				MISC BOOKS-LIBRARY	315.85
				MISC BOOKS-LIBRARY	39.81
				MISC BOOKS-LIBRARY	28.40
				MISC BOOKS-LIBRARY	20.61
				MISC BOOKS-LIBRARY	61.96
				MISC BOOKS-LIBRARY	245.07
				MISC BOOKS-LIBRARY	573.91
				MISC BOOKS-LIBRARY	18.92
				MISC BOOKS-LIBRARY	42.17
				MISC BOOKS-LIBRARY	757.79
				MISC BOOKS-LIBRARY	21.20
				MISC BOOKS-LIBRARY	65.79
				MISC BOOKS-LIBRARY	22.99
				MISC BOOKS-LIBRARY	154.93
				MISC BOOKS-LIBRARY	52.61
				MISC BOOKS-LIBRARY	21.78
				MISC BOOKS-LIBRARY	71.44
				MISC BOOKS-LIBRARY	29.31
	6/28/2012	885542	3,924.99		
				MISC BOOKS-LIBRARY	118.07
				MISC BOOKS-LIBRARY	106.66
				MISC BOOKS-LIBRARY	16.27
				MISC BOOKS-LIBRARY	21.81
				MISC BOOKS-LIBRARY	29.16
				MISC BOOKS-LIBRARY	111.90
				MISC BOOKS-LIBRARY	23.65

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	39.81
			MISC BOOKS-LIBRARY	171.21
			MISC BOOKS-LIBRARY	22.99
			MISC BOOKS-LIBRARY	48.90
			MISC BOOKS-LIBRARY	255.85
			MISC BOOKS-LIBRARY	22.97
			MISC BOOKS-LIBRARY	28.20
			MISC BOOKS-LIBRARY	22.38
			MISC BOOKS-LIBRARY	21.20
			MISC BOOKS-LIBRARY	16.92
			MISC BOOKS-LIBRARY	41.78
			MISC BOOKS-LIBRARY	107.77
			MISC BOOKS-LIBRARY	16.27
			MISC BOOKS-LIBRARY	50.79
			MISC BOOKS-LIBRARY	85.23
			MISC BOOKS-LIBRARY	265.51
			MISC BOOKS-LIBRARY	41.00
			MISC BOOKS-LIBRARY	24.53
			MISC BOOKS-LIBRARY	16.28
			MISC BOOKS-LIBRARY	63.16
			MISC BOOKS-LIBRARY	91.46
			MISC BOOKS-LIBRARY	24.53
			MISC BOOKS-LIBRARY	48.31
			MISC BOOKS-LIBRARY	144.61
			MISC BOOKS-LIBRARY	30.07
			MISC BOOKS-LIBRARY	29.15
			MISC BOOKS-LIBRARY	42.75
			MISC BOOKS-LIBRARY	21.81
			MISC BOOKS-LIBRARY	22.99
			MISC BOOKS-LIBRARY	21.20
			MISC BOOKS-LIBRARY	20.00
			MISC BOOKS-LIBRARY	21.81
			MISC BOOKS-LIBRARY	76.99
			MISC BOOKS-LIBRARY	12.93
			MISC BOOKS-LIBRARY	18.62
			MISC BOOKS-LIBRARY	32.78
			MISC BOOKS-LIBRARY	14.49
			MISC BOOKS-LIBRARY	6.20
			MISC BOOKS-LIBRARY	59.96
			MISC BOOKS-LIBRARY	26.27
			MISC BOOKS-LIBRARY	22.40
			MISC BOOKS-LIBRARY	397.12
			MISC BOOKS-LIBRARY	41.58
			MISC BOOKS-LIBRARY	40.98
			MISC BOOKS-LIBRARY	131.78
			MISC BOOKS-LIBRARY	29.16
			MISC BOOKS-LIBRARY	24.53
			MISC BOOKS-LIBRARY	23.00
			MISC BOOKS-LIBRARY	52.10
			MISC BOOKS-LIBRARY	32.78
			MISC BOOKS-LIBRARY	135.20
			MISC BOOKS-LIBRARY	16.28
			MISC BOOKS-LIBRARY	15.38
			MISC BOOKS-LIBRARY	332.38
			MISC BOOKS-LIBRARY	73.12

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	8,275.43		
FYTD for BRODART CO.		40,041.42		
BUCKINGHAM, STAN			Remit to: **TEMECULA**	**CA**
6/4/2012	212942	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213288	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	637.46		
FYTD for BUCKINGHAM, STAN		4,143.49		
C.A.P.E. ACCOUNTING			Remit to: **SALINAS**	**CA**
6/18/2012	213117	90.00		
			MEMBERSHIP FEES-FY12/13	45.00
			MEMBERSHIP FEES-FY12/13	45.00
	Vendor Total	90.00		
FYTD for C.A.P.E. ACCOUNTING		90.00		
CA CONSTRUCTION & EVOLUTION MECHANICAL			Remit to: **BUENA PARK**	**CA**
6/28/2012	213289	1,990.00		
			RET/STOP NOTICE PYMT-PSB PROJ	1,990.00
	Vendor Total	1,990.00		
FYTD for CA CONSTRUCTION & EVOLUTION MECHANICAL		1,990.00		
CAIN, GREGORY			Remit to: **TAMPA**	**FL**
6/4/2012	885318	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885543	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	637.46		
FYTD for CAIN, GREGORY		4,143.49		
CALDERON, BRENDA/JOSH			Remit to: **MORENO VALLEY**	**CA**
6/28/2012	213290	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	20.00		
FYTD for CALDERON, BRENDA/JOSH		20.00		
CALDERON, ROSA			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213038	60.00		
			REFUND-CLASS REGIS FEE	60.00
	Vendor Total	60.00		
FYTD for CALDERON, ROSA		60.00		

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CALIFORNIA MUNICIPAL STATISTICS, INC. V1			Remit to: **OAKLAND** **CA**	
6/25/2012	213204	0.00		
			SOLID WASTE DELINQ. PASS THRU	935,468.84
			VOIDED CHECK #213204 - 6/26/12	-113,472.37
			VOIDED CHECK #213204 - 6/26/12	-935,468.84
			SOLID WASTE DELINQ. PASS THRU	113,472.37
	Vendor Total	**0.00**		
FYTD for CALIFORNIA MUNICIPAL STATISTICS, INC. V1		**450.00**		
CALIFORNIA MUNICIPAL UTILITIES ASSOC.			Remit to: **SACRAMENTO** **CA**	
6/28/2012	213291	7,000.00		
			ENERGY EFFICIENCY TRGT STUDY	7,000.00
	Vendor Total	**7,000.00**		
FYTD for CALIFORNIA MUNICIPAL UTILITIES ASSOC.		**12,841.82**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
6/4/2012	885319	358.50		
			PLAN CHECK SVCS-WQMP	358.50
	Vendor Total	**358.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**37,525.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
6/4/2012	885320	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885544	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for CANNON, ANA M.		**4,143.49**		
CANON BUSINESS SOLUTIONS, INC.			Remit to: **BURLINGTON** **NJ**	
6/4/2012	885321	23,509.97		
			COPIER SVC	21,819.00
			SALES TAX	1,690.97
	Vendor Total	**23,509.97**		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**84,261.38**		
CARDNO TEC, INC.			Remit to: **TUSCON** **AZ**	
6/25/2012	213205	377.50		
			REFUND-RENTAL DEPOSIT-CRC	377.50
	Vendor Total	**377.50**		
FYTD for CARDNO TEC, INC.		**377.50**		

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CARSON TRAILER, INC.				Remit to: **BEAUMONT** **CA**	
	6/4/2012	213027	2,821.45		
				TRAILER 6'X10' #160612	2,535.00
				DMV DOC FEE	45.00
				TIRE FEE	3.50
				PTI REGISTRATION 5-YR	38.00
				SALES TAX	199.95
	Vendor Total		**2,821.45**		
FYTD for CARSON TRAILER, INC.			**2,821.45**		
CARTER, ROSALYN				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	885545	637.46		
				RETIREE MED MAY-JUN 12, PD JUN	637.46
	Vendor Total		**637.46**		
FYTD for CARTER, ROSALYN			**4,143.49**		
CASA FOR RIVERSIDE COUNTY, INC.				Remit to: **INDIO** **CA**	
	6/18/2012	885451	1,003.76		
				COURT APPOINTED SPECIAL PRGRM	1,003.76
	Vendor Total		**1,003.76**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.			**15,120.88**		
CASON, CHARITY				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213206	175.00		
				REFUND-RENTAL DEPOSIT-TOWNGATE	175.00
	Vendor Total		**175.00**		
FYTD for CASON, CHARITY			**175.00**		
CASTILLO, LUCERO				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213292	8,461.34		
				FEDERAL RELOCATION ASSISTANCE	8,461.34
	Vendor Total		**8,461.34**		
FYTD for CASTILLO, LUCERO			**20,790.02**		
CASTILLO-PEREZ, ELIZABETH				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213293	75.00		
				REFUND-CLASS REGIS FEE	75.00
	Vendor Total		**75.00**		
FYTD for CASTILLO-PEREZ, ELIZABETH			**75.00**		

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CAVENAUGH & ASSOCIATES				Remit to: **YREKA** **CA**	
	6/28/2012	885546	549.00		
				D.U.I. SEMINAR JUL16-20, 2012	549.00
	Vendor Total		**549.00**		
FYTD for CAVENAUGH & ASSOCIATES			**3,044.00**		
CEDILLO, VERONICA				Remit to: **NUEVO** **CA**	
	6/11/2012	213039	300.00		
				REFUND-DEPOSIT SENIOR CTR	100.00
				REFUND-DEPOSIT SENIOR CTR	200.00
	Vendor Total		**300.00**		
FYTD for CEDILLO, VERONICA			**300.00**		
CENTRAL FIRE EXTINGUISHER COMPANY				Remit to: **FONTANA** **CA**	
	6/4/2012	212943	51.00		
				REPAIR/RECHARGE EXTNGHR-STN 91	51.00
	Vendor Total		**51.00**		
FYTD for CENTRAL FIRE EXTINGUISHER COMPANY			**2,188.78**		
CHANCY, CHIZURU				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213040	220.20		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	105.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
	6/28/2012	213294	241.80		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	75.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	120.00
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
	Vendor Total		**462.00**		
FYTD for CHANCY, CHIZURU			**2,244.60**		
CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	6/18/2012	885452	8,649.00		
				FIXED INCOME INVESTMENT MGMT	8,649.00
	Vendor Total		**8,649.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**105,659.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	6/4/2012	212944	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213295	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for CHAPMAN, STEVE			**4,143.49**		

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CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885323	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885547	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for CHAPPELL, ISAAC			**4,143.49**		
CHASE, DONALD				Remit to: **MARCH ARB** **CA**	
	6/28/2012	213296	41.50		
				REFUND-GEN PLAN COPY & DVD	41.50
	Vendor Total		**41.50**		
FYTD for CHASE, DONALD			**41.50**		
CHIPMAN, CARYN				Remit to: **PERRIS** **CA**	
	6/18/2012	213118	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for CHIPMAN, CARYN			**75.00**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885324	225.99		
				RETIREE MED JUN '12	225.99
	6/28/2012	885548	225.99		
				RETIREE MED JUL '12	225.99
	Vendor Total		**451.98**		
FYTD for CHRISTIAN, OWEN			**2,961.21**		

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CINTAS CORPORATION			Remit to: **ONTARIO**	**CA**
6/4/2012	885325	34.55		
			UNIFORM RNTL SVC-FACILITIES	27.10
			UNIFORM RNTL SVC-FACILITIES	7.45
6/11/2012	885416	279.34		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	91.14
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-FACILITIES	17.28
6/18/2012	885453	75.30		
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
6/25/2012	885492	445.66		
			UNIFORM RNTL SVC-FACILITIES	17.28
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-ST MAINT	95.64
			UNIFORM RNTL SVC-ST MAINT	91.54
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-ST SWEEPING	8.88
6/28/2012	885549	727.29		
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-PARK MAINT	2.79

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	91.54
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-PARK MAINT	50.20
			UNIFORM RNTL SVC-TRAFFIC SGNL	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	15.06
			UNIFORM RNTL SVC-VEHICLE MAINT	40.48
			UNIFORM RNTL SVC-TREE MAINT	15.06
			UNIFORM RNTL SVC-CFD #1	13.36
			UNIFORM RNTL SVC-ST SWEEPING	8.88
			UNIFORM RNTL SVC-DRAIN MAINT	5.42
			UNIFORM RNTL SVC-ST MAINT	91.54
			UNIFORM RNTL SVC-PARK MAINT	2.79
			UNIFORM RNTL SVC-CONCRTE MAINT	15.46
			UNIFORM RNTL SVC-FACILITIES	17.28
	Vendor Total	**1,562.14**		
FYTD for CINTAS CORPORATION		**16,289.49**		

CITY OF MORENO VALLEY VEBA TRUST — Remit to: **MORENO VALLEY CA**

6/4/2012	885326	2,030.00		
			EXEMPT VEBA	2,030.00
6/18/2012	885454	6,117.50		
			EXEMPT VEBA	6,117.50
6/28/2012	885550	4,543.98		
				2,020.00
				2,523.98
	Vendor Total	**12,691.48**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**96,180.30**		

CMTA INVESTMENT POLICY CERTIFICATION PRG — Remit to: **SACRAMENTO CA**

6/11/2012	213041	175.00		
			INVESTMENT POLICY CERT. PRGM	175.00
	Vendor Total	**175.00**		
FYTD for CMTA INVESTMENT POLICY CERTIFICATION PRG		**175.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COLD STAR, INC.				Remit to: **CHINO** **CA**	
	6/28/2012	213297	479.48		
				4TH OF JULY SUPPLIES-ICE	479.48
	Vendor Total		**479.48**		
FYTD for COLD STAR, INC.			**479.48**		
COLLINS, COLLINS, MUIR & STEWART, LLP				Remit to: **SOUTH PASADENA** **CA**	
	6/28/2012	213298	5,675.73		
				LEGAL SVCS	743.90
				LEGAL SVCS	4,931.83
	Vendor Total		**5,675.73**		
FYTD for COLLINS, COLLINS, MUIR & STEWART, LLP			**6,881.61**		
COLONIAL SUPPLEMENTAL INSURANCE				Remit to: **COLUMBIA** **SC**	
	6/4/2012	212945	7,241.55		
				SUPPLEMENTAL INSURANCE	7,241.55
	6/25/2012	213207	7,197.05		
				SUPPLEMENTAL INSURANCE	7,197.05
	Vendor Total		**14,438.60**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**88,415.90**		
COMMERCIAL DOOR METAL SYSTEMS, INC.				Remit to: **CHINO** **CA**	
	6/4/2012	212946	1,523.00		
				REMOVE/INSTALL DOOR-ANIMAL SVC	1,523.00
	Vendor Total		**1,523.00**		
FYTD for COMMERCIAL DOOR METAL SYSTEMS, INC.			**1,523.00**		
COMMUNICATION SUPPLY CORP.				Remit to: **BUENA PARK** **CA**	
	6/18/2012	213119	17,370.24		
				MATERIALS-FIBER OPTIC PROJECT	15,651.70
				SALES TAX	1,213.01
				MATERIALS-FIBER OPTIC PROJECT	489.49
				MATERIALS-FIBER OPTIC PROJECT	16.04
	Vendor Total		**17,370.24**		
FYTD for COMMUNICATION SUPPLY CORP.			**54,759.29**		
COMMUNITY ASSISTANCE PROGRAM - CAP				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	885455	2,438.26		
				CAP FOOD DISTRIBUTION PRGRM	2,438.26
	Vendor Total		**2,438.26**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP			**36,450.47**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMMUNITY CONNECT			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213120	94.23		
			"211" CALL CENTER INFORMATION	94.23
	Vendor Total	**94.23**		
FYTD for COMMUNITY CONNECT		**4,899.26**		
COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
6/4/2012	212947	142.00		
			CHC CONTRIBUTIONS	142.00
6/18/2012	213121	142.00		
			CHC CONTRIBUTIONS	142.00
6/28/2012	213299	142.00		
			CHC CONTRIBUTIONS	142.00
	Vendor Total	**426.00**		
FYTD for COMMUNITY HEALTH CHARITIES		**5,776.34**		
COMPETITIVE ASPHALT COATINGS, INC.			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213042	21,268.00		
			SLURRY SEAL & RE-STRIPE-C HALL	19,318.00
			ASPHALT WORK-C HALL PRKNG LOT	1,950.00
	Vendor Total	**21,268.00**		
FYTD for COMPETITIVE ASPHALT COATINGS, INC.		**21,268.00**		
COMPETITIVE STRIDE			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213122	404.60		
			YOUTH/ADULT AWARDS	404.60
6/28/2012	213300	470.06		
			YOUTH AWARDS	450.00
			YOUTH AWARDS	20.06
	Vendor Total	**874.66**		
FYTD for COMPETITIVE STRIDE		**4,506.72**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
6/25/2012	213208	11,298.80		
			ASPHALTIC MATERIALS-MAINT/OPS	3,958.57
			ASPHALTIC MATERIALS-MAINT/OPS	378.11
			ASPHALTIC MATERIALS-MAINT/OPS	6,962.12
6/28/2012	213301	8,349.60		
			ASPHALTIC MATERIALS-MAIN/OP'S	8,349.60
	Vendor Total	**19,648.40**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**32,442.08**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CONTROL TECHNOLOGIES			Remit to: **ANAHEIM** **CA**	
6/11/2012	213043	662.00		
			REPAIR DDC SYSTEM AT EOC	400.00
			REPAIR DDC SYSTEM AT EOC	262.00
	Vendor Total	**662.00**		
FYTD for CONTROL TECHNOLOGIES		**662.00**		
CORNERSTONE RECORDS MANAGEMENT, LLC			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213108	1,281.37		
			OFF-SITE STORAGE	1,281.37
6/18/2012	885456	1,672.86		
			RECORDS OFFSITE STORAGE	1,672.86
	Vendor Total	**2,954.23**		
FYTD for CORNERSTONE RECORDS MANAGEMENT, LLC		**15,906.13**		
COSEY JR., JAMES			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213302	165.00		
			INSTRUCTOR SVCS/T-CAP-YOUTH	198.00
			50% WITHHOLDING FOR CSS ORDER	-99.00
			INSTRUCTOR SVCS/T-CAP-YOUTH	132.00
			50% WITHHOLDING FOR CSS ORDER	-66.00
	Vendor Total	**165.00**		
FYTD for COSEY JR., JAMES		**1,648.50**		
COSIO, VANESSA			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	212948	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for COSIO, VANESSA		**75.00**		
COSTCO			Remit to: **MORENO VALLEY** **CA**	
6/18/2012	213123	453.25		
			MISC SUPPLIES-"A CHILDS PLACE"	243.74
			MISC SUPPLIES-SKATE PARK	209.51
6/25/2012	213209	988.54		
			MISC SUPPLIES-"A CHILDS PLACE"	988.54
6/28/2012	213303	1,610.94		
			MISC SUPPLIES-"A CHILDS PLACE"	295.45
			MISC SUPPLIES-"A CHILDS PLACE"	970.11
			MISC SUPPLIES-SKATE PARK	345.38
	Vendor Total	**3,052.73**		
FYTD for COSTCO		**19,047.30**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE			Remit to: **RIVERSIDE** **CA**	
6/28/2012	213304	921.16		
			JANITORIAL SUPPLIES FOR PD	921.16
	Vendor Total	**921.16**		
FYTD for COUNTY OF RIVERSIDE		**23,273.97**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
6/18/2012	213124	49.37		
			RECORDATION SVCS	49.37
	Vendor Total	**49.37**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**631.34**		
CREATIVE PROMOTIONAL IDEAS			Remit to: **UPLAND** **CA**	
6/28/2012	213306	21,562.38		
			TOTE BAG & ART WORK PROOF	18,015.00
			FREIGHT	2,152.38
			SALES TAX	1,395.00
	Vendor Total	**21,562.38**		
FYTD for CREATIVE PROMOTIONAL IDEAS		**21,562.38**		
CRIME SCENE STERI-CLEAN, LLC			Remit to: **RANCHO CUCAMONGA** **CA**	
6/4/2012	212949	750.00		
			BIO-HAZARD CLEAN-UP FOR PD	750.00
	Vendor Total	**750.00**		
FYTD for CRIME SCENE STERI-CLEAN, LLC		**2,640.00**		
CRUZ, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
6/25/2012	213210	159.84		
			MILEAGE REIMB-CFED WEST CONF.	159.84
	Vendor Total	**159.84**		
FYTD for CRUZ, MICHAEL		**667.53**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213045	871.00		
			ENVIRONMENTAL HEALTH PERMIT	871.00
	Vendor Total	**871.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**25,291.83**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
6/28/2012	213307	745.00		
			DECEASED ANIMAL RMVL	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**8,940.00**		

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DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885327	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885551	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for DALE, KATHLEEN			**4,143.49**		
DALLAS, MELY C.				Remit to: **SUN CITY** **CA**	
	6/25/2012	213277	264.00		
				RETIREE MEDICAL REIMBURSEMENT	264.00
	6/28/2012	885552	288.00		
				RETIREE MED JUN 12, PD JUL 12	288.00
	Vendor Total		**552.00**		
FYTD for DALLAS, MELY C.			**552.00**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	6/4/2012	885328	2,234.65		
				CITATION PROCESSING-POLICE	2,234.65
	Vendor Total		**2,234.65**		
FYTD for DATA TICKET, INC.			**311,710.82**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	6/25/2012	213211	130.50		
				SOFTWARE/ONLINE SUBSCRIPTION	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,566.00**		
DEBINAIRE COMPANY				Remit to: **CORONA** **CA**	
	6/28/2012	213308	140.00		
				BOILER MAINT-EOC	140.00
	Vendor Total		**140.00**		
FYTD for DEBINAIRE COMPANY			**3,372.04**		
DELEOS, EDGARDO				Remit to: **LA MIRADA** **CA**	
	6/25/2012	213212	422.48		
				REFUND-DISMSD ADMIN CITATION	422.48
	Vendor Total		**422.48**		
FYTD for DELEOS, EDGARDO			**422.48**		

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DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	6/11/2012	885419	10,203.24		
				EMPLOYEE DENTAL INSURANCE	10,203.24
	Vendor Total		**10,203.24**		
FYTD for DELTA DENTAL			**125,330.02**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	6/18/2012	213125	5,804.75		
				EMPLOYEE DENTAL INSURANCE	5,804.75
	Vendor Total		**5,804.75**		
FYTD for DELTACARE USA			**74,115.66**		
DENNEY, ANDREW				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213213	100.00		
				TEEN BAND-TEEN STAGE JULY 4TH	100.00
	Vendor Total		**100.00**		
FYTD for DENNEY, ANDREW			**100.00**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	6/4/2012	885329	6,160.00		
				FIRE INSPECTION SVCS	6,160.00
	Vendor Total		**6,160.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**180,650.00**		
DEPARTMENT OF ENVIRONMENTAL HEALTH				Remit to: **HEMET** **CA**	
	6/13/2012	213111	274.00		
				HEALTH PERMIT FEE-JUL 4 EVENT	274.00
	Vendor Total		**274.00**		
FYTD for DEPARTMENT OF ENVIRONMENTAL HEALTH			**274.00**		
DHA CONSULTING				Remit to: **LONG BEACH** **CA**	
	6/11/2012	213046	1,680.00		
				CONSULTING SVC-AB26 COMPLIANCE	1,680.00
	Vendor Total		**1,680.00**		
FYTD for DHA CONSULTING			**4,320.00**		
DIGITAL TELECOMMUNICATIONS CORP.				Remit to: **VAN NUYS** **CA**	
	6/4/2012	885330	10,850.00		
				VOICEMAIL MAINT RENEWAL	10,850.00
	Vendor Total		**10,850.00**		
FYTD for DIGITAL TELECOMMUNICATIONS CORP.			**10,850.00**		

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DIVISION OF LABOR STANDARDS ENFORCMENT			Remit to: **LONG BEACH** **CA**	
6/11/2012	213047	9,018.52		
			SETTLEMENT OF ASSESSMENT	9,018.52
	Vendor Total	**9,018.52**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT		**9,018.52**		
DLS LANDSCAPE, INC			Remit to: **REDLANDS** **CA**	
6/28/2012	885555	11,475.00		
			LANDSCAPE MAINT-CFD #1	2,052.00
			LANDSCAPE MAINT-ZONE A	9,423.00
	Vendor Total	**11,475.00**		
FYTD for DLS LANDSCAPE, INC		**141,246.00**		
DMC DESIGN GROUP, INC			Remit to: **CORONA** **CA**	
6/28/2012	213309	8,280.75		
			CONSULTANT ADMIN SVCS-CAP PROJ	8,280.75
	Vendor Total	**8,280.75**		
FYTD for DMC DESIGN GROUP, INC		**307,550.99**		
DONNA, BELLA			Remit to: **OAK PARK** **CA**	
6/28/2012	213310	2,000.00		
			ENTERTAINMENT FOR 4TH OF JULY	2,000.00
	Vendor Total	**2,000.00**		
FYTD for DONNA, BELLA		**2,000.00**		
DORY, ALLEEN F.			Remit to: **HEMET** **CA**	
6/4/2012	212950	225.99		
			RETIREE MED JUN '12	225.99
6/28/2012	213311	225.99		
			RETIREE MED JUL '12	225.99
	Vendor Total	**451.98**		
FYTD for DORY, ALLEEN F.		**4,027.41**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			Remit to: **SACRAMENTO** **CA**	
6/25/2012	213214	7.50		
			2011 MANIFEST FEE	7.50
	Vendor Total	**7.50**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL		**7.50**		

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DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213048	273.00		
				INSTRUCTOR SVCS-FOLK DANCE	273.00
	6/28/2012	213312	252.00		
				INSTRUCTOR SVCS-FOLK DANCE	252.00
	Vendor Total		**525.00**		
FYTD for DURAN, BLANCA			**2,856.00**		
DUVAL, ROBERTA				Remit to: **SUN CITY** **CA**	
	6/18/2012	213126	396.00		
				INSTRUCTOR SVCS-CPR	396.00
	6/25/2012	213215	360.00		
				INSTRUCTOR SVCS-CPR	360.00
	Vendor Total		**756.00**		
FYTD for DUVAL, ROBERTA			**3,741.00**		
E.R. BLOCK PLUMBING & HEATING, INC.				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	885331	180.00		
				BACKFLOW DEVICE TESTS-ZONE E-2	60.00
				BACKFLOW DEVICE TESTS-ZONE E-3	40.00
				BACKFLOW DEVICE TEST-ZONE E-8	20.00
				BACKFLOW DEVICE TESTS-ZONE M	60.00
	6/11/2012	885420	140.00		
				BACKFLOW DEVICE TEST-CFD#1	40.00
				BACKFLOW DEVICE TEST-FS#6	20.00
				BACKFLOW DEVICE TESTS-ZONE M	80.00
	Vendor Total		**320.00**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**41,020.76**		
EASTERN MUNICIPAL WATER DISTRICT				Remit to: **PERRIS** **CA**	
	6/11/2012	213049	1,773.19		
				WATER CHARGES	27.03
				WATER CHARGES	10.03
				WATER CHARGES	1,736.13
	6/11/2012	213053	2,982.75		
				CO# 68357-CROSS/VALVE RELOCAT.	2,982.75
	6/18/2012	213127	4,974.60		
				SEWER FEE DEPOSIT-CORP YRD PRJ	4,974.60
	Vendor Total		**9,730.54**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**1,893,005.22**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES** **CA**	
6/25/2012	885494	40.54		
			REFUND-UUT FOR EXEMPT RESIDNTS	40.54
6/28/2012	885556	42.94		
			REFUND-UUT FOR EXEMPT RESIDNTS	42.94
	Vendor Total	**83.48**		
FYTD for EDGELANE MOBILE PARK		**523.51**		
EES CONSULTING, INC.			Remit to: **KIRKLAND** **WA**	
6/25/2012	213217	6,749.89		
			CONSULTING SVCS-MVU	6,749.89
	Vendor Total	**6,749.89**		
FYTD for EES CONSULTING, INC.		**50,626.33**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE** **CA**	
6/4/2012	212952	320.43		
			RETIREE MED JUN '12	320.43
6/28/2012	213314	320.43		
			RETIREE MED JUL '12	320.43
	Vendor Total	**640.86**		
FYTD for EGGERSTEN, ANNE		**4,196.97**		
EMPIRE OFFICE MACHINES			Remit to: **SAN BERNARDINO** **CA**	
6/25/2012	213219	112.27		
			REPAIR SVCS-2 IBM TYPEWRITERS	112.27
	Vendor Total	**112.27**		
FYTD for EMPIRE OFFICE MACHINES		**264.27**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
6/4/2012	885332	14,136.88		
			MVU WORK AUTHORIZATION 40-251B	182.58
			MVU WORK AUTHORIZATION 40-250B	347.08
			MVU WORK AUTHORIZATION 40-249B	1,668.04
			MVU WORK AUTHORIZATION 40-243B	121.72
			MVU WORK AUTHORIZATION 40-265	1,120.06
			MVU WORK AUTHORIZATION 40-242A	504.07
			MVU WORK AUTHORIZATION 40-247A	6,159.02
			MVU WORK AUTHORIZATION 40-266	466.75
			MVU WORK AUTHORIZATION 40-270A	632.90
			MVU WORK AUTHORIZATION 40-270B	50.61
			MVU WORK AUTHORIZATION 40-272	2,884.05
6/18/2012	885457	425.00		
			ELECTRIC METER CHARGES	425.00
	Vendor Total	**14,561.88**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,630,109.02**		

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ENTENMANN-ROVIN COMPANY, INC.			Remit to: **LOS ANGELES** **CA**	
6/28/2012	213315	944.96		
			MVPD 153-1 TT DOME BADGES	154.53
			MVPD 153-1 TT POST/PEG BADGES	201.30
			MVPD 153-1 TT DOME BADGES	589.13
	Vendor Total	**944.96**		
FYTD for ENTENMANN-ROVIN COMPANY, INC.		**944.96**		
ENTERPRISE MEDIA			Remit to: **RIVERSIDE** **CA**	
6/28/2012	213316	7,650.48		
			FORECLOSURE PREVNTN ADS-MAY'12	5,816.23
			FORECLOSURE PREVNTN ADS-APR'12	1,609.25
			FORECLOSURE PREVNTN ADS-APR'12	225.00
	Vendor Total	**7,650.48**		
FYTD for ENTERPRISE MEDIA		**9,390.08**		
ENVIRONMENTAL & REGULATORY SPECIALST,INC			Remit to: **NEWPORT BEACH** **CA**	
6/28/2012	885557	2,175.00		
			STREAMBED ALTERATION AGREEMENT	2,175.00
	Vendor Total	**2,175.00**		
FYTD for ENVIRONMENTAL & REGULATORY SPECIALST,INC		**4,495.00**		
ERICSON, ROSE			Remit to: **RIVERSIDE** **CA**	
6/28/2012	213318	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for ERICSON, ROSE		**20.00**		
EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	885333	30.17		
			PLAQUE-STAFF	28.00
			SALES TAX	2.17
6/11/2012	885421	497.81		
			NAMEPLATES & BADGES	32.33
			GOLDPLATED DOUBLE NAMEPLATES	432.00
			CALIF SALE TAX @ 7.75%	33.48
	Vendor Total	**527.98**		
FYTD for EVANS ENGRAVING & AWARDS		**4,443.19**		

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EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX**	**AZ**
6/28/2012	213319	11,530.13		
			IRRIGATION PARTS/SUPPLY-PARKS	6.23
			IRRIGATION PARTS/SUPPLY-PARKS	632.01
			IRRIGATION PARTS/SUPPLY-CFD #1	1,638.25
			IRRIGATION PARTS/SUPPLY-CFD #1	9,000.00
			IRRIGATION PARTS/SUPPLY-PARKS	253.64
	Vendor Total	**11,530.13**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**22,449.82**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA**	**CA**
6/4/2012	212953	2,777.17		
			LANDSCAPE MAINT-ZONE E-7	2,777.17
6/25/2012	213220	2,777.17		
			LANDSCAPE MAINT-ZONE E-7	2,777.17
6/28/2012	213320	5,396.99		
			LANDSCAPE MAINT-WQCB	648.66
			LANDSCAPE MAINT-WQCB	2,667.39
			LANDSCAPE MAINT-WQCB	2,080.94
	Vendor Total	**10,951.33**		
FYTD for EXCEL LANDSCAPE, INC		**101,654.93**		
EXECUTIVE HOUSING			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213055	30.00		
			REFUND-DUP CITATION PYMNT	30.00
	Vendor Total	**30.00**		
FYTD for EXECUTIVE HOUSING		**30.00**		
FAIR HOUSING COUNCIL OF RIV CO, INC.			Remit to: **RIVERSIDE**	**CA**
6/18/2012	885458	3,635.90		
			FAIR HOUSING DISCRIMNTN SVCS	2,371.54
			LANDLORD/TENANT MEDIATN SVCS	1,264.36
6/28/2012	885558	3,870.62		
			FAIR HOUSING DISCRIMNTN SVCS	2,519.78
			LANDLORD/TENANT MEDIATN SVCS	1,350.84
	Vendor Total	**7,506.52**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**70,111.74**		
FARRAR, CINDY			Remit to: **MORENO VALLEY**	**CA**
6/18/2012	213129	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for FARRAR, CINDY		**50.00**		

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FAST SIGNS				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213130	211.19		
				BANNER -VOTER REGIS CAMPAIGN	211.19
	Vendor Total		**211.19**		
FYTD for FAST SIGNS			**372.82**		
FEENSTRA, JOHN				Remit to: **REDLANDS** **CA**	
	6/4/2012	885334	361.25		
				RETIREE MED JUN '12	361.25
	6/28/2012	885559	361.25		
				RETIREE MED JUL '12	361.25
	Vendor Total		**722.50**		
FYTD for FEENSTRA, JOHN			**4,696.25**		
FIRST AMERICAN CORE LOGIC, INC.				Remit to: **SANTA ANA** **CA**	
	6/28/2012	213322	664.00		
				REALQUEST ONLINE ACCESS-CODE	391.00
				REALQUEST ONLINE ACCESS-CEDD	103.00
				REALQUEST ONLINE ACCESS-N PRES	170.00
	Vendor Total		**664.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**7,272.00**		
FIRST AMERICAN TITLE COMPANY				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212954	500.00		
				PRELIMINARY TITLE REPORT	500.00
	Vendor Total		**500.00**		
FYTD for FIRST AMERICAN TITLE COMPANY			**830.00**		
FIRST CHOICE SERVICES				Remit to: **ONTARIO** **CA**	
	6/18/2012	885459	662.14		
				COFFEE SVC-EMPLOYEE PAID	36.88
				COFFEE SVC-EMPLOYEE PAID	76.72
				COFFEE SVC-EMPLOYEE PAID	205.23
				COFFEE SVC-EMPLOYEE PAID	221.27
				COFFEE SVC-EMPLOYEE PAID	122.04
	6/28/2012	885560	85.33		
				COFFEE SVC-EMPLOYEE PAID	85.33
	Vendor Total		**747.47**		
FYTD for FIRST CHOICE SERVICES			**9,065.02**		

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FITNESS 19 CA 155 11C				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213323	201.00		
				GYM MEMBERSHIP DEDUCTIONS	201.00
	Vendor Total		**201.00**		
FYTD for FITNESS 19 CA 155 11C			**2,681.00**		
FLOREZ, ROBERT				Remit to: **SUN CITY** **CA**	
	6/28/2012	213324	148.00		
				TUITION FEE REIMBURSEMENT	148.00
	Vendor Total		**148.00**		
FYTD for FLOREZ, ROBERT			**598.80**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213132	2,368.53		
				PRINT SVCS-CSD ANNUAL NOTICE	473.70
				PRINT SVCS-CSD ANNUAL NOTICE	473.70
				PRINT SVCS-CSD ANNUAL NOTICE	473.71
				PRINT SVCS-CSD ANNUAL NOTICE	473.71
				PRINT SVCS-CSD ANNUAL NOTICE	473.71
	Vendor Total		**2,368.53**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**6,690.50**		
FOSTER, NANCY A.				Remit to: **GRASS VALLEY** **CA**	
	6/4/2012	885335	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885561	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for FOSTER, NANCY A.			**4,143.49**		
FRANCE PUBLICATIONS, INC				Remit to: **ATLANTA** **GA**	
	6/18/2012	213133	3,500.00		
				ADVERTISING SVCS	3,500.00
	Vendor Total		**3,500.00**		
FYTD for FRANCE PUBLICATIONS, INC			**3,500.00**		

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FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	6/4/2012	212955	428.12		
				GARNISHMENT	100.00
				GARNISHMENT	153.12
				GARNISHMENT	25.00
				GARNISHMENT	150.00
	6/18/2012	213134	175.00		
				GARNISHMENT	175.00
	6/28/2012	213325	175.00		
				GARNISHMENT	25.00
				GARNISHMENT	150.00
	Vendor Total		**778.12**		
FYTD for FRANCHISE TAX BOARD			**12,149.55**		
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	6/18/2012	213135	242.54		
				MILEAGE REIMBURSEMENT	242.54
	Vendor Total		**242.54**		
FYTD for FRANKLIN, L. C.			**2,137.48**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213222	1,167.06		
				PAINT/SUPPLIES-GRAFFITI RMVL	1,077.07
				PAINT/SUPPLIES-GRAFFITI RMVL	3,935.38
				CREDIT-PAINT-GRAFFITI RMVL	-3,845.39
	6/28/2012	213326	3,017.34		
				PAINT/SUPPLIES-GRAFFITI RMVL	904.32
				TRAFFIC PAINT	597.37
				TRAFFIC PAINT	1,515.65
	Vendor Total		**4,184.40**		
FYTD for FRAZEE INDUSTRIES, INC			**48,290.29**		
FREDERICK, BARRY				Remit to: **TEMECULA** **CA**	
	6/28/2012	213327	250.00		
				JUDGING SVCS-2012 MV IDOL	50.00
				JUDGING SVCS-2012 MV IDOL	150.00
				JUDGING SVCS-2012 MV IDOL	50.00
	Vendor Total		**250.00**		
FYTD for FREDERICK, BARRY			**250.00**		
FRESH & EASY NEIGHBORHOOD MARKET				Remit to: **EL SEGUNDO** **CA**	
	6/28/2012	213328	2,426.11		
				ENERGY EFFICIENCY INCENTIVE	2,426.11
	Vendor Total		**2,426.11**		
FYTD for FRESH & EASY NEIGHBORHOOD MARKET			**2,426.11**		

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GAIL MATERIALS				Remit to: **CORONA** **CA**	
	6/11/2012	213056	2,034.10		
				DECOMPOSED GRANITE-CFD #1	2,034.10
	Vendor Total		**2,034.10**		
FYTD for GAIL MATERIALS			**2,034.10**		
GALLS INC., INLAND UNIFORM				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	212956	926.65		
				DIGITAL CAMERAS-POLICE	860.00
				SALES TAX	66.65
	6/18/2012	213136	411.90		
				UNIFORMS-POP TEAM	102.50
				UNIFORMS-TRAFFIC POLICE	309.40
	6/25/2012	213223	299.52		
				UNIFORMS-TRAFFIC UNIT	299.52
	Vendor Total		**1,638.07**		
FYTD for GALLS INC., INLAND UNIFORM			**10,431.46**		
GASTELUM, DENISE				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213137	200.00		
				REFUND-RENTAL DEPOSIT-TCC EVNT	200.00
	Vendor Total		**200.00**		
FYTD for GASTELUM, DENISE			**200.00**		

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GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
6/4/2012	212957	276.12		
			SECURITY SVCS-TOWNGATE CNTR	107.38
			SECURITY SVCS-TOWNGATE CNTR	76.70
			SECURITY SVCS-TOWNGATE CNTR	92.04
6/11/2012	213057	490.88		
			SECURITY SVCS-TWNGATE RENTALS	122.72
			SECURITY SVCS-TWNGATE RENTALS	61.36
			SECURITY SVCS-SNR CTR RENTLS	214.76
			SECURITY SVCS-SNR CTR RENTLS	92.04
6/18/2012	213138	1,687.40		
			SECURITY SVCS-CRC SPCL EVENTS	322.14
			SECURITY SVCS-CRC SPCL EVENTS	138.06
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
6/25/2012	213224	705.64		
			SECURITY SVCS-MVU ANNEX	260.78
			SECURITY SVCS-SNR CTR RENTLS	214.76
			SECURITY SVCS-TWNGATE RENTALS	61.36
			SECURITY SVCS-TWNGATE RENTALS	107.38
			SECURITY SVCS-CRC RENTALS	61.36
6/28/2012	213329	782.34		
			SECURITY SVCS-CRC RENTALS	475.54
			SECURITY SVCS-CRC	306.80
	Vendor Total	**3,942.38**		
FYTD for GENERAL SECURITY SERVICES, INC.		**49,111.08**		
GHANTIWALA, PRAVIN			Remit to: **WALNUT**	**CA**
6/4/2012	885336	3,420.00		
			ENGINEERING/DESIGN SVCS-MVU	3,420.00
6/18/2012	885460	2,565.00		
			ELECTRICAL ENGINEER SVCS	2,565.00
6/25/2012	885496	2,565.00		
			ELECTRICAL ENGINEER SVCS-MVU	2,565.00
	Vendor Total	**8,550.00**		
FYTD for GHANTIWALA, PRAVIN		**47,880.00**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
6/4/2012	885337	1,179.75		
			LEGAL SVCS	347.12
			LEGAL SVCS	242.76
			LEGAL SVCS	347.12
			LEGAL SVCS	242.75
6/18/2012	885461	1,549.75		
			LEGAL SVCS	1,260.30
			LEGAL SVCS	42.00
			LEGAL SVCS	247.45
	Vendor Total	**2,729.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**269,528.32**		
GLADWELL GOVERNMENTAL SVCS, INC.			Remit to: **LAKE ARROWHEAD**	**CA**
6/4/2012	212958	740.00		
			LEGAL REVIEW-RECORDS RETNTN	500.00
			ANALYSIS & RECOMMENDATION-SIRE	240.00
	Vendor Total	**740.00**		
FYTD for GLADWELL GOVERNMENTAL SVCS, INC.		**740.00**		
GLOBAL SOFTWARE, INC			Remit to: **RALEIGH**	**NC**
6/11/2012	885422	13,020.00		
			SPREADSHEET SERVER	10,395.00
			EXECUTIVE DASH SOFTWARE MAINT	2,625.00
6/18/2012	885462	7,979.00		
			SERVER/SOFTWARE SUPPORT/MAINT	800.00
			SERVER/SOFTWARE SUPPORT/MAINT	1,600.00
			SERVER/SOFTWARE SUPPORT/MAINT	1,600.00
			SERVER/SOFTWARE SUPPORT/MAINT	800.00
			SERVER-USER LICENSE	2,440.00
			SERVER SUPPORT/MAINT	739.00
	Vendor Total	**20,999.00**		
FYTD for GLOBAL SOFTWARE, INC		**35,639.00**		
GONG ENTERPRISES, INC.			Remit to: **HUNTINGTON BEACH**	**CA**
6/28/2012	213330	1,080.00		
			CONSULTANT PLAN CHECK SVCS	1,080.00
	Vendor Total	**1,080.00**		
FYTD for GONG ENTERPRISES, INC.		**47,611.00**		

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GONZALES, DOMILENA R.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885338	318.73		
				RETIREE MED MAY 12, PD JUN 12	318.73
	6/28/2012	885562	318.73		
				RETIREE MED JUN 12, PD JUL 12	318.73
	Vendor Total		**637.46**		
FYTD for GONZALES, DOMILENA R.			**4,143.49**		
GONZALEZ, SAMUEL				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213139	25.00		
				REFUND-ANIMAL LIC FEES	25.00
	Vendor Total		**25.00**		
FYTD for GONZALEZ, SAMUEL			**25.00**		
GORM INC.				Remit to: **ONTARIO** **CA**	
	6/28/2012	213331	540.03		
				JANITORIAL SUPPLIES-PARKS	540.03
	Vendor Total		**540.03**		
FYTD for GORM INC.			**6,033.29**		
GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	885563	567.00		
				INSTRUCTOR SVCS-KUNG FU/ADULT	378.00
				INSTRUCTOR SVCS-KUNG FU/ADULT	189.00
	Vendor Total		**567.00**		
FYTD for GOZDECKI, DAN			**8,173.13**		
GRAVES, DARRYL				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212959	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for GRAVES, DARRYL			**95.00**		
GREENE, MATTHEW				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213332	54.00		
				SPORTS OFFICIATING SVCS	54.00
				50% WITHHOLDING FOR CSS ORDER	-27.00
				SPORTS OFFICIATING SVCS	54.00
				50% WITHHOLDING FOR CSS ORDER	-27.00
	Vendor Total		**54.00**		
FYTD for GREENE, MATTHEW			**1,179.00**		

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GREENSTONE MATERIALS				Remit to: **PERRIS** **CA**	
	6/28/2012	213333	52.00		
				DISPOSAL OF CONCRETE & ASPHALT	52.00
	Vendor Total		**52.00**		
FYTD for GREENSTONE MATERIALS			**656.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	6/4/2012	885339	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885564	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for GRIFFIN, MARLENE C			**4,143.49**		
GRUBE, PATTY				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213225	17.76		
				MILEAGE REIMBURSEMENT	17.76
	Vendor Total		**17.76**		
FYTD for GRUBE, PATTY			**127.44**		
GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	6/4/2012	885340	275.31		
				RETIREE MED JUN '12	275.31
	6/28/2012	885565	275.31		
				RETIREE MED JUL 12, PD JUL 12	275.31
	Vendor Total		**550.62**		
FYTD for GUILLAN, REBECCA S.			**3,834.41**		
GUILLEN, RUTH				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885341	61.75		
				RETIREE MED MAY 12, PD JUN 12	61.75
	Vendor Total		**61.75**		
FYTD for GUILLEN, RUTH			**731.15**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	6/4/2012	885342	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885566	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for GUTIERREZ, ROBERT			**4,143.49**		

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GUZMAN, DAVID				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213058	31.00		
				REFUND-RETURNED CHECK FEE	31.00
	Vendor Total		**31.00**		
FYTD for GUZMAN, DAVID			**31.00**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	885463	4,049.00		
				SHOPPING CART RETRIVAL SVC	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**48,588.00**		
HAAS, MINA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213334	108.00		
				INSTRUCTOR SVCS-BODY SCULPTING	108.00
	Vendor Total		**108.00**		
FYTD for HAAS, MINA			**2,914.20**		
HAMBURG, IRENE				Remit to: **OTIS** **OR**	
	6/4/2012	885343	637.46		
				RETIREE MED MAR-APR 12, PD JUN	637.46
	Vendor Total		**637.46**		
FYTD for HAMBURG, IRENE			**3,797.22**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	6/4/2012	885344	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885567	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HAMLIN, WILLIAM R.			**4,143.49**		
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885345	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885568	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HANES, MARTIN D.			**4,143.49**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	6/4/2012	212960	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213335	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HARDING, JOHN S.			**4,143.49**		
HARRIS & ASSOCIATES, INC.				Remit to: **IRVINE** **CA**	
	6/28/2012	885569	5,200.00		
				CONSULTANT PLAN CHECK SVCS	2,577.15
				6TH PLAN CK FOR GRADING PLANS	2,622.85
	Vendor Total		**5,200.00**		
FYTD for HARRIS & ASSOCIATES, INC.			**28,210.45**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	6/4/2012	212961	318.73		
				RETIREE MED JUN '12	318.73
	6/11/2012	885423	232.38		
				DEVELOPMENT IMPACT FEE PRGRM	232.38
	6/18/2012	885464	977.50		
				DEVELOPMENT IMPACT FEE PRGRM	977.50
	6/28/2012	213336	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**1,847.34**		
FYTD for HARTMANN, RICK			**37,466.64**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/4/2012	885346	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885570	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HATFIELD, CHARLES			**4,462.22**		
HDL COREN & CONE				Remit to: **DIAMOND BAR** **CA**	
	6/18/2012	213140	4,387.50		
				CONTRACT SVCS-PROPERTY TAX	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**17,550.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HDR ENGINEERING, INC.			Remit to: **IRVINE** **CA**	
6/28/2012	213337	1,645.50		
			CACTUS AVE/NASON ST IMPRV PROJ	1,645.50
	Vendor Total	**1,645.50**		
FYTD for HDR ENGINEERING, INC.		**1,645.50**		
HEADLEY, LADONNA			Remit to: **BEAUMONT** **CA**	
6/4/2012	212962	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for HEADLEY, LADONNA		**75.00**		
HEFFLEY, ROSS W.			Remit to: **HEMET** **CA**	
6/4/2012	885347	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885571	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for HEFFLEY, ROSS W.		**4,143.49**		
HENRY, AMY			Remit to: **RIVERSIDE** **CA**	
6/28/2012	213338	75.00		
			REFUND-SPAY DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for HENRY, AMY		**75.00**		
HERNANDEZ, CARLA			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213339	76.00		
			REFUND-CLASS REGIS FEE	76.00
	Vendor Total	**76.00**		
FYTD for HERNANDEZ, CARLA		**76.00**		
HERNANDEZ, YOJAYRA			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213059	99.20		
			REFUND-EXPLORER & KIDS CAMP	99.20
	Vendor Total	**99.20**		
FYTD for HERNANDEZ, YOJAYRA		**99.20**		
HERRERA, ALFREDO			Remit to: **PERRIS** **CA**	
6/25/2012	213226	100.00		
			TEEN BAND-TEEN STAGE-JULY 4	100.00
	Vendor Total	**100.00**		
FYTD for HERRERA, ALFREDO		**100.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HERRERA, CHARLINE				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213141	75.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	5.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	15.00
				REFUND-VARIOUS A/C FEES	5.00
	Vendor Total		**75.00**		
FYTD for HERRERA, CHARLINE			**75.00**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212963	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213340	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for HERRICK, ROBERT D.			**4,143.49**		
HIGHLAND MEDICAL EQUIPMENT				Remit to: **FALLBROOK** **CA**	
	6/28/2012	213341	306.00		
				SERVICE CALL-A/S VET CLINIC	306.00
	Vendor Total		**306.00**		
FYTD for HIGHLAND MEDICAL EQUIPMENT			**306.00**		
HLP, INC.				Remit to: **LITTLETON** **CO**	
	6/25/2012	885498	85.40		
				WEB-LICENSE SOFTWARE SUPRT	85.40
	Vendor Total		**85.40**		
FYTD for HLP, INC.			**31,510.20**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HONDA YAMAHA OF REDLANDS			Remit to: **REDLANDS**	**CA**
6/4/2012	885348	147.37		
			MOTORCYCLE MAINT/REPAIR-POLICE	105.00
			MOTORCYCLE PARTS	42.37
6/11/2012	885425	160.30		
			MOTORCYCLE MAINT/REPAIR-POLICE	105.00
			MOTORCYCLE PARTS	55.30
6/18/2012	885465	1,700.28		
			MOTORCYCLE MAINT/REPAIR-POLICE	217.00
			MOTORCYCLE PARTS	71.70
			MOTORCYCLE MAINT/REPAIR-POLICE	105.00
			MOTORCYCLE PARTS	85.20
			MOTORCYCLE MAINT/REPAIR-POLICE	280.00
			MOTORCYCLE PARTS	317.62
			MOTORCYCLE MAINT/REPAIR-POLICE	132.00
			MOTORCYCLE PARTS	224.96
			MOTORCYCLE MAINT/REPAIR-POLICE	84.00
			MOTORCYCLE PARTS	182.80
6/25/2012	885499	327.17		
			MOTORCYCLE MAINT/REPAIR-POLICE	140.00
			MOTORCYCLE PARTS	33.82
			MOTORCYCLE MAINT/REPAIR-POLICE	105.00
			MOTORCYCLE PARTS	48.35
6/28/2012	885572	1,144.99		
			MOTORCYCLE MAINT/REPAIR-POLICE	511.75
			MOTORCYCLE PARTS	633.24
	Vendor Total	**3,480.11**		
FYTD for HONDA YAMAHA OF REDLANDS		**42,331.74**		
HOUSER, EDITH E.			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	212964	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213342	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for HOUSER, EDITH E.		**4,143.49**		
HOUSER, TIESHIA			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	212965	45.00		
			REFUND-VARIOUS A/C FEES	19.00
			REFUND-VARIOUS A/C FEES	16.00
			REFUND-VARIOUS A/C FEES	10.00
	Vendor Total	**45.00**		
FYTD for HOUSER, TIESHIA		**45.00**		

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HUNTER, CHRISTINE				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213343	40.25		
				REFUND-CLASS REGIS FEE	40.25
	Vendor Total		**40.25**		
FYTD for HUNTER, CHRISTINE			**40.25**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	6/15/2012	3096	8,575.01		
				DEF COMP 457 6/15/12	8,575.01
	Vendor Total		**8,575.01**		
FYTD for ICMA RETIREMENT CORP 457			**262,855.84**		
ICR DOORS				Remit to: **SAN BERNARDINO** **CA**	
	6/18/2012	885466	2,050.32		
				AUTOMATIC GATE MAINT-PSB	288.75
				AUTOMATIC GATE REPAIRS-PSB	351.25
				AUTOMATIC GATE MAINT-STN 6	154.00
				AUTOMATIC GATE MAINT-STN 6	128.82
				AUTOMATIC GATE REPAIRS-PSB	195.00
				AUTOMATIC GATE REPAIRS-PSB	382.50
				AUTOMATIC GATE REPAIRS-PSB	288.75
				AUTOMATIC GATE MAINT-FS# 6	261.25
	6/25/2012	885500	570.00		
				AUTOMATIC GATE MAINT-PSB	30.50
				AUTOMATIC GATE MAINT-PSB	129.50
				AUTOMATIC GATE MAINT-STN 48	90.00
				AUTOMATIC GATE MAINT-ANIML SVC	80.00
				AUTOMATIC GATE MAINT-STN 2	150.00
				AUTOMATIC GATE MAINT-STN 65	90.00
	6/28/2012	885573	770.00		
				AUTOMATIC GATE MAINT-FS# 6	150.00
				ROLL-UP DOOR MAINT-FACILITIES	33.00
				ROLL-UP DOOR MAINT-TECH SVCS	34.00
				ROLL-UP DOOR MAINT-SDA	33.00
				DOOR REPAIRS (6 UNITS)-FS#91	150.00
				EMERGENCY DOOR REPAIRS-FS#58	245.00
				EMERGENCY DOOR REPAIRS-FS#58	125.00
	Vendor Total		**3,390.32**		
FYTD for ICR DOORS			**7,406.92**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213060	101.55		
				REFUND-UUT FOR EXEMPT RESIDNTS	101.55
	Vendor Total		**101.55**		
FYTD for IL SORRENTO MOBILE PARK			**1,064.06**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
IMAGE DISTRIBUTION SERVICES			Remit to: **IRVINE** **CA**	
6/25/2012	213227	2,512.73		
			PRINT-CITATION BOOKS-POLICE	2,332.00
			SALES TAX	180.73
	Vendor Total	**2,512.73**		
FYTD for IMAGE DISTRIBUTION SERVICES		**2,512.73**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
6/18/2012	213142	400.00		
			NON-EXEMPT ANNUITY	400.00
	Vendor Total	**400.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,025.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
6/11/2012	885426	10,654.69		
			NUISANCE ABATEMENT SVCS	10,654.69
	Vendor Total	**10,654.69**		
FYTD for INLAND CONTRACTORS, INC.		**55,159.79**		
INLAND EMPIRE ECONOMIC PARTNERSHIP INC.			Remit to: **SAN BERNARDINO** **CA**	
6/18/2012	213143	7,500.00		
			ANNUAL MEMBERSHIP	7,500.00
	Vendor Total	**7,500.00**		
FYTD for INLAND EMPIRE ECONOMIC PARTNERSHIP INC.		**7,500.00**		
INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	885427	573.32		
			TIRE HAUL AWAY EVENT	573.32
6/18/2012	885467	960.00		
			NUISANCE ABATEMENT SVC-CODE	650.00
			NUISANCE ABATEMENT SVC-CODE	310.00
6/28/2012	885574	4,292.00		
			WEED ABATEMENT SVCS-CITY PARKS	1,088.00
			WEED ABATEMENT SVCS-CITY PARKS	2,678.00
			WEED ABATEMENT SVCS-CITY PARKS	526.00
	Vendor Total	**5,825.32**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**64,529.78**		

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INLAND PETROLEUM EQUIPMENT & REPAIR, INC			Remit to: **BLOOMINGTON**	**CA**
6/4/2012	885349	1,626.22		
			FUEL CARB TESTS/REPAIRS	500.00
			FUEL CARB TESTS/REPAIRS	108.95
			FUEL CARB TESTS/REPAIRS	500.00
			FUEL CARB TESTS/REPAIRS	517.27
	Vendor Total	**1,626.22**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**4,472.57**		
INSIDE PLANTS, INC.			Remit to: **CORONA**	**CA**
6/18/2012	885468	320.00		
			INDOOR PLANT MAINT-CRC	320.00
	Vendor Total	**320.00**		
FYTD for INSIDE PLANTS, INC.		**3,840.00**		
INTERIOR EXPERTS GENERAL BUILDERS, INC			Remit to: **CHINO**	**CA**
6/11/2012	213061	51.11		
			REFUND-BUS LIC OVERPAYMENT	51.11
	Vendor Total	**51.11**		
FYTD for INTERIOR EXPERTS GENERAL BUILDERS, INC		**51.11**		
INTERPRETERS UNLIMITED			Remit to: **SAN DIEGO**	**CA**
6/4/2012	212967	74.00		
			SPANISH INTERPRETER	74.00
	Vendor Total	**74.00**		
FYTD for INTERPRETERS UNLIMITED		**74.00**		
ISLAS, MARITZA			Remit to: **MORENO VALLEY**	**CA**
6/28/2012	213344	825.00		
			REFUND-RENTAL DEPOSIT-CRC	75.00
			REFUND-RENTAL DEPOSIT-CRC	750.00
	Vendor Total	**825.00**		
FYTD for ISLAS, MARITZA		**825.00**		
ITERIS, INC.			Remit to: **SANTA ANA**	**CA**
6/18/2012	885469	5,276.50		
			ENGINEERING SVCS-EVP RETROFIT	5,276.50
	Vendor Total	**5,276.50**		
FYTD for ITERIS, INC.		**14,990.00**		

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J D H CONTRACTING				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	885350	3,855.00		
				FABRICATE HOLE IN WALL-LIBRARY	2,272.00
				AIR SYSTEM DUCT WORK-PC ROOM	1,583.00
	6/25/2012	885501	279.00		
				REPAIR LOOSE/MISSING LAMINATE	279.00
	6/28/2012	885575	16,073.00		
				CONSTRUCTN REPAIRS-GATEWY PRK	6,000.00
				CONSTRUCTN REPAIRS-GATEWY PRK	2,105.00
				CONSTRUCTN REPAIRS-JFK PRK	7,968.00
	Vendor Total		**20,207.00**		
FYTD for J D H CONTRACTING			**75,057.50**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213144	75.00		
				COURIER SVCS-CITY ATTORNEY	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,464.00**		
JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	6/25/2012	885502	4,358.25		
				ERP IMPLEMENTATION SVCS	4,042.50
				ERP IMPLEMENTATION SVCS	20.70
				ERP IMPLEMENTATION SVCS	295.05
	Vendor Total		**4,358.25**		
FYTD for JDEDGE SOFTWARE, LLC			**197,334.47**		
JOHN DEERE/LANDSCAPE, INC.				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	213345	74.29		
				CREDIT INVOICE	-6.01
				IRRIGATN PARTS/SUPPLIES-PARKS	44.04
				IRRIGATN PARTS/SUPPLIES-PARKS	12.60
				IRRIGATN PARTS/SUPPLIES-PARKS	23.66
	Vendor Total		**74.29**		
FYTD for JOHN DEERE/LANDSCAPE, INC.			**74.29**		
JOHN, MICHAEL				Remit to: **LAS VEGAS** **NV**	
	6/28/2012	213346	2,200.00		
				ENTERTAINMENT FOR 4TH OF JULY	2,200.00
	Vendor Total		**2,200.00**		
FYTD for JOHN, MICHAEL			**2,200.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JOHNSON, HORACE MARIO				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213229	257.00		
				REFUND-VALLEY KIDS CAMP	257.00
	Vendor Total		**257.00**		
FYTD for JOHNSON, HORACE MARIO			**257.00**		
JOHNSON, IVA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213347	20.00		
				REFUND-CLASS REGIS FEE	20.00
	Vendor Total		**20.00**		
FYTD for JOHNSON, IVA			**20.00**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	6/28/2012	213348	228.67		
				MILEAGE REIMBURSEMENT	123.77
				MILEAGE REIMBURSEMENT	104.90
	Vendor Total		**228.67**		
FYTD for JONES III, JOSEPH			**552.30**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885351	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885576	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for JONES, SUSAN			**4,143.49**		
JT ENTERPRISES				Remit to: **ORANGE** **CA**	
	6/28/2012	213349	1,500.00		
				ENTERTAINMENT FOR 4TH OF JULY	1,500.00
	Vendor Total		**1,500.00**		
FYTD for JT ENTERPRISES			**1,500.00**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	6/28/2012	885577	17,940.38		
				ITE PED. COUNT DOWN MODULES	16,650.00
				CALIF SALE TAX @ 7.75%	1,290.38
	Vendor Total		**17,940.38**		
FYTD for JTB SUPPLY CO., INC.			**150,826.55**		

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K-12 SPECIALTIES, INC.				Remit to: **SAN DIMAS** **CA**	
	6/28/2012	885578	86.44		
				CARPET CLEANING SUPPLIES	86.44
	Vendor Total		**86.44**		
FYTD for K-12 SPECIALTIES, INC.			**2,322.90**		
KDM MERIDIAN, INC.				Remit to: **LAKE FOREST** **CA**	
	6/18/2012	885470	18,400.00		
				COTTONWOOD AVE IMPRVMNTS PROJ	4,585.00
				HEACOCK ST SIDEWLK IMPRV PROJ	4,700.00
				CITYWD SIDEWLK/ACC. RAMPS PROJ	9,115.00
	6/28/2012	885579	15,560.00		
				ALESSANDRO BLVD IMPRVMNTS PROJ	15,560.00
	Vendor Total		**33,960.00**		
FYTD for KDM MERIDIAN, INC.			**114,510.00**		
KEPLER, JANELLE				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	213350	560.00		
				INSTRUCTOR SVCS-CHEERLEADING	476.00
				INSTRUCTOR SVCS-CHEERLEADING	84.00
	Vendor Total		**560.00**		
FYTD for KEPLER, JANELLE			**840.00**		
KIL, CAROLINE				Remit to: **CORONA** **CA**	
	6/28/2012	213351	150.00		
				JUDGING SVCS-2012 MV IDOL	50.00
				JUDGING SVCS-2012 MV IDOL	50.00
				JUDGING SVCS-2012 MV IDOL	50.00
	Vendor Total		**150.00**		
FYTD for KIL, CAROLINE			**150.00**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	6/4/2012	212968	271.44		
				RETIREE MED JUN '12	271.44
	6/28/2012	213352	271.44		
				RETIREE MED JUL '12	271.44
	Vendor Total		**542.88**		
FYTD for KING, PATRICIA A.			**3,507.36**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KOLA-FM				Remit to: **REDLANDS** **CA**	
	6/28/2012	213353	4,000.00		
				REMOTE BROADCAST-TALENT FEES	400.00
				COMMERCIALS (32 TOTAL SPOTS)	3,600.00
	Vendor Total		**4,000.00**		
FYTD for KOLA-FM			**4,000.00**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885352	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885580	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for KOLB, CHARLES E.			**4,143.49**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885353	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885581	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for KOLLAR, KYLE			**4,143.49**		
KOSKI, CHARLES				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213354	50.00		
				REFUND-TRAP RNTL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for KOSKI, CHARLES			**50.00**		
KUPSAK, STEVE				Remit to: **CEDAR GLEN** **CA**	
	6/4/2012	885354	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885582	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for KUPSAK, STEVE			**1,912.38**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	6/4/2012	885355	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885583	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for KYLE, GARY M.			**4,143.49**		
LA FOLLETTE, JOHNSON, DE HAAS, ET AL				Remit to: **LOS ANGELES** **CA**	
	6/28/2012	213355	12,152.44		
				LEGAL SVCS	630.00
				LEGAL SVCS	5,938.46
				LEGAL SVCS	5,583.98
	Vendor Total		**12,152.44**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL			**101,377.37**		
LAFATA, JOSEPHINE				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885356	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885584	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for LAFATA, JOSEPHINE			**4,143.49**		
LAKER, WENDEE				Remit to: **CHATSWORTH** **CA**	
	6/4/2012	212969	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LAKER, WENDEE			**75.00**		
LAMBERT, DONNA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213356	170.00		
				REFUND-CLASS REGIS FEE	170.00
	Vendor Total		**170.00**		
FYTD for LAMBERT, DONNA			**170.00**		
LANCE, SOLL & LUNGHARD, LLP				Remit to: **BREA** **CA**	
	6/4/2012	212970	20.00		
				GOVT ACCTNG & AUDIT UPDATE	20.00
	6/25/2012	213231	20.00		
				ACCOUNTG/AUDITG UPDATE CLASS	20.00
	Vendor Total		**40.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP			**83,690.00**		

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LANGAN ENGINEERING & ENVIRONMENTAL SRVCS			Remit to: **IRVINE** **CA**	
6/4/2012	212971	1,680.00		
			CONSULTANT SVCS-HF PA07-0090	1,680.00
	Vendor Total	**1,680.00**		
FYTD for LANGAN ENGINEERING & ENVIRONMENTAL SRVCS		**6,420.00**		
LANGENDORF, BENJAMIN			Remit to: **PERRIS** **CA**	
6/4/2012	885357	254.59		
			RETIREE MED APR 12, PD JUN 12	254.59
6/28/2012	885585	254.59		
			RETIREE MED MAY 12, PD JUL 12	254.59
	Vendor Total	**509.18**		
FYTD for LANGENDORF, BENJAMIN		**3,021.89**		
LANGSTON MOTORSPORTS			Remit to: **PERRIS** **CA**	
6/4/2012	212972	356.96		
			MOTORCYCLE MAINT/REPAIR-POLICE	259.50
			MOTORCYCLE PARTS	97.46
6/11/2012	213062	85.00		
			MOTORCYCLE MAINT/REPAIR-POLICE	85.00
6/25/2012	213232	575.98		
			MOTORCYCLE MAINT/REPAIR-POLICE	387.00
			MOTORCYCLE PARTS	188.98
	Vendor Total	**1,017.94**		
FYTD for LANGSTON MOTORSPORTS		**7,981.36**		
LARA, CHRISTINA			Remit to: **ENCINITAS** **CA**	
6/4/2012	212973	669.23		
			SPOUSAL SUPPORT & ARREARS	669.23
6/18/2012	213147	669.23		
			SPOUSAL SUPPORT & ARREARS	669.23
6/28/2012	213357	669.23		
			SPOUSAL SUPPORT & ARREARS	669.23
	Vendor Total	**2,007.69**		
FYTD for LARA, CHRISTINA		**2,007.69**		
LAW OFFICES OF KATHY M. GANDARA			Remit to: **ONTARIO** **CA**	
6/11/2012	213109	10,000.00		
			LEGAL SVCS	10,000.00
	Vendor Total	**10,000.00**		
FYTD for LAW OFFICES OF KATHY M. GANDARA		**10,000.00**		

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LAWYERS TITLE COMPANY			Remit to: **NEWPORT BEACH** **CA**	
6/11/2012	213063	550.00		
			PRELIM TITLE REPORT	550.00
6/25/2012	213233	2,200.00		
			09305408-PRELIM TITLE RPT/DOCS	550.00
			09305409-PRELIM TITLE RPT/DOCS	550.00
			09305406-PRELIM TITLE RPT/DOCS	550.00
			09305407-PRELIM TITLE RPT/DOCS	550.00
	Vendor Total	**2,750.00**		
FYTD for LAWYERS TITLE COMPANY		**1,881,516.30**		
LEADING EDGE LEARNING CENTER			Remit to: **RIVERSIDE** **CA**	
6/28/2012	213358	264.00		
			INSTRUCTOR SVCS-GED TEST CLASS	264.00
	Vendor Total	**264.00**		
FYTD for LEADING EDGE LEARNING CENTER		**2,337.00**		
LEIGHTON AND ASSOCIATES, INC.			Remit to: **IRVINE** **CA**	
6/18/2012	213192	534.10		
			CACTUS AVE/NASON ST IMPRV PROJ	534.10
	Vendor Total	**534.10**		
FYTD for LEIGHTON AND ASSOCIATES, INC.		**534.10**		
LEIGHTON CONSULTING, INC.			Remit to: **IRVINE** **CA**	
6/25/2012	885503	2,079.93		
			CACTUS AVE/NASON ST IMPRVMNTS	2,079.93
	Vendor Total	**2,079.93**		
FYTD for LEIGHTON CONSULTING, INC.		**2,079.93**		
LEON, ERENDIRA			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213064	200.00		
			REFUND-DEPOSIT TOWNGATE CTR	200.00
	Vendor Total	**200.00**		
FYTD for LEON, ERENDIRA		**200.00**		
LEONGUERRERO, DOLEEN			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213065	85.00		
			REFUND-SOFTBALL LEAGUE	85.00
	Vendor Total	**85.00**		
FYTD for LEONGUERRERO, DOLEEN		**85.00**		

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LEVINSON, STEVAN				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213234	100.00		
				TEEN STAGE-ST LIGHTS-JULY 4	100.00
	Vendor Total		**100.00**		
FYTD for LEVINSON, STEVAN			**100.00**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	6/4/2012	885358	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885586	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for LEWIS, CAROLYN S.			**4,143.49**		
LEXISNEXIS				Remit to: **LOS ANGELES** **CA**	
	6/25/2012	885504	1,480.00		
				LEGAL RESEARCH SVC	740.00
				ONLINE LEGAL RESEARCH	370.00
				LEGAL RESEARCH SVC	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**17,760.00**		
LIGHTS OUT DISPOSAL COMPANY				Remit to: **EL CAJON** **CA**	
	6/28/2012	213359	501.51		
				E WASTE RMVL-LAMPS/LIGHTS	501.51
	Vendor Total		**501.51**		
FYTD for LIGHTS OUT DISPOSAL COMPANY			**1,255.01**		
LINDO, HERMINA G.				Remit to: **TITUSVILLE** **FL**	
	6/4/2012	885359	199.80		
				RETIREE MED APR 12, PD JUN 12	199.80
	6/28/2012	885587	199.80		
				RETIREE MED MAY 12, PD JUL 12	199.80
	Vendor Total		**399.60**		
FYTD for LINDO, HERMINA G.			**3,111.18**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/4/2012	885360	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885588	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for LOGAN, CHARLES			**4,143.49**		

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LOGAN, RACHEL/STUART				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213148	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LOGAN, RACHEL/STUART			**75.00**		
LONGDYKE, DENNIS				Remit to: **BEAUMONT** **CA**	
	6/4/2012	212974	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213360	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for LONGDYKE, DENNIS			**3,506.03**		
LONGEVITY				Remit to: **DANA POINT** **CA**	
	6/18/2012	213149	1,525.00		
				GARNISHMENT	1,525.00
	Vendor Total		**1,525.00**		
FYTD for LONGEVITY			**1,525.00**		
LOPEZ, DORA				Remit to: **FOUNTAIN VALLEY** **CA**	
	6/25/2012	213235	99.99		
				REFUND-CITATION DISMISSED	99.99
	Vendor Total		**99.99**		
FYTD for LOPEZ, DORA			**99.99**		
LOPEZ, LIZ				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213150	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LOPEZ, LIZ			**75.00**		
LOPEZ, LLOYD				Remit to: **PERRIS** **CA**	
	6/25/2012	213236	300.00		
				TEEN BAND-SOUND-JULY 4	300.00
	Vendor Total		**300.00**		
FYTD for LOPEZ, LLOYD			**300.00**		
LUIS RIOS AND EDUARDO GAMAS				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213361	1,547.60		
				RENTAL ASSISTANCE PYMT-FINAL	1,547.60
	Vendor Total		**1,547.60**		
FYTD for LUIS RIOS AND EDUARDO GAMAS			**6,700.45**		

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LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY CA**	
	6/4/2012	885361	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885589	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for LUMLEY, ROBERT C.			**4,143.49**		
LUTHERAN SOCIAL SERVICES OF SO. CALI F.				Remit to: **RIVERSIDE CA**	
	6/28/2012	885590	1,187.50		
				CDBG SVCS-SHELTER PRGM	1,187.50
	Vendor Total		**1,187.50**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**18,125.00**		
M & M CLEANER II				Remit to: **MORENO VALLEY CA**	
	6/28/2012	213362	201.00		
				JULY 4TH DRYCLEANING SVCS	201.00
	Vendor Total		**201.00**		
FYTD for M & M CLEANER II			**201.00**		
MACAULEY, MOLLEY				Remit to: **MORENO VALLEY CA**	
	6/28/2012	213363	200.00		
				REFUND-RENTAL DEPOSIT-TCC	200.00
	Vendor Total		**200.00**		
FYTD for MACAULEY, MOLLEY			**200.00**		
MACIAS JR., ANTHONY				Remit to: **RIALTO CA**	
	6/18/2012	213151	157.00		
				TUITION FEE REIMBURSEMENT	157.00
	Vendor Total		**157.00**		
FYTD for MACIAS JR., ANTHONY			**543.74**		
MARCH JOINT POWERS AUTHORITY				Remit to: **RIVERSIDE CA**	
	6/11/2012	213066	5.68		
				GAS METER CHARGES	4.64
				GAS METER CHARGES	1.04
	Vendor Total		**5.68**		
FYTD for MARCH JOINT POWERS AUTHORITY			**78.23**		

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MARIGOLD FINANCIAL LLC			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213067	87.66		
			REFUND-DUP CITATION PYMNT	120.00
			REFUND-DUP CITATION PYMNT	-32.34
	Vendor Total	**87.66**		
FYTD for MARIGOLD FINANCIAL LLC		**87.66**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
6/4/2012	885362	9,258.48		
			LANDSCAPE MAINT-DSG-2N	4,777.65
			LANDSCAPE MAINT-DSG-2S	4,480.83
6/18/2012	885472	7,558.62		
			LANDSCAPE MAINT-ZONE DSG2-N	391.99
			LANDSCAPE MAINT-ZONE DSG2-S	1,074.66
			LANDSCAPE MAINT-ZONE DSG2-S	858.63
			LANDSCAPE MAINT-ZONE E-1	4,443.58
			LANDSCAPE MAINT-ZONE E-1A	789.76
6/25/2012	885505	473.15		
			LANDSCAPE MAINT-ZONE E-1	473.15
6/28/2012	885591	9,258.48		
			LANDSCAPE MAINT-DSG-2N	4,777.65
			LANDSCAPE MAINT-DSG-2S	4,480.83
	Vendor Total	**26,548.73**		
FYTD for MARINA LANDSCAPE, INC		**184,510.91**		
MARQUEZ, EUFRACIA			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213364	86.86		
			REFUND-CLASS REGIS FEE	86.86
	Vendor Total	**86.86**		
FYTD for MARQUEZ, EUFRACIA		**86.86**		
MASCARELLA, LAUREN			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213068	200.00		
			REFUND-DEPOSIT TOWNGATE CTR	200.00
	Vendor Total	**200.00**		
FYTD for MASCARELLA, LAUREN		**200.00**		
MATHIS, NOLAN			Remit to: **JACKSON** **KY**	
6/4/2012	885363	279.80		
			RETIREE MED APR 12, PD JUN 12	279.80
6/28/2012	885592	279.80		
			RETIREE MED MAY 12, PD JUL 12	279.80
	Vendor Total	**559.60**		
FYTD for MATHIS, NOLAN		**3,719.00**		

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MATTHEWS, LYNETTE				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213069	200.00		
				REFUND-DEPOSIT TOWNGATE CTR	200.00
	Vendor Total		**200.00**		
FYTD for MATTHEWS, LYNETTE			**200.00**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	6/4/2012	885364	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885593	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for MAXINOSKI, SUE A.			**4,143.49**		
MAYBURY, ELODIA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213365	85.00		
				REFUND-CLASS REGIS FEE	85.00
	Vendor Total		**85.00**		
FYTD for MAYBURY, ELODIA			**85.00**		
MAYHALL, DAVID				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212975	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MAYHALL, DAVID			**75.00**		
MCCAIN TRAFFIC SUPPLY				Remit to: **VISTA** **CA**	
	6/11/2012	213070	5,279.75		
				LICENSE & ETHERNET CONVERTER	5,279.75
	6/18/2012	213152	8,519.79		
				TRAFFIC SUPPLIES	1,227.10
				TRAFFIC SUPPLIES	7,292.69
	Vendor Total		**13,799.54**		
FYTD for MCCAIN TRAFFIC SUPPLY			**99,483.45**		
MCCLARY, DON				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213153	4,117.99		
				CLAIM SETTLEMENT-GEN MATTERS	4,117.99
	Vendor Total		**4,117.99**		
FYTD for MCCLARY, DON			**4,117.99**		

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McKINNEY, MYRLINTHA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213366	50.00		
				JUDGING-IDOL COMP 5/7/12	50.00
	Vendor Total		**50.00**		
FYTD for McKINNEY, MYRLINTHA			**50.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	6/28/2012	885594	220.00		
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	60.00
	Vendor Total		**220.00**		
FYTD for MEEKS, DANIEL			**3,660.00**		
MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213154	220.34		
				MILEAGE REIMBURSEMENT	220.34
	Vendor Total		**220.34**		
FYTD for MENGISTU, YESHIALEM			**1,643.07**		
MERCHANTS LANDSCAPE SERVICES INC				Remit to: **CORONA** **CA**	
	6/4/2012	885365	5,367.97		
				LANDSCAPE MAINT-ZONE E-8	1,225.87
				LANDSCAPE MAINT-ZONE E-14	3,045.56
				LANDSCAPE MAINT-ZONE E-15	1,096.54
	Vendor Total		**5,367.97**		
FYTD for MERCHANTS LANDSCAPE SERVICES INC			**52,451.73**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	6/4/2012	885366	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885595	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for MESSIN, LOUIS			**4,143.49**		
METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	6/4/2012	212976	150.00		
				CELLPHONE TEXT RETRIEVAL	100.00
				CELLPHONE TEXT RETRIEVAL	50.00
	6/11/2012	213071	50.00		
				CELLPHONE TEXT RETRIEVAL	50.00
	Vendor Total		**200.00**		
FYTD for METROPCS WIRELESS, INC.			**700.00**		

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MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213072	700.00		
				INSTRUCTOR SVCS-DRAWING 4 KIDS	476.00
				INSTRUCTOR SVCS-PHOTOGRAPHY	224.00
	6/28/2012	213367	420.00		
				INSTRUCTOR SVCS-DRAWING 4 KIDS	420.00
	Vendor Total		**1,120.00**		
FYTD for MEYERS, ROBERT			**2,044.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885367	225.99		
				RETIREE MED JUN '12	225.99
	6/28/2012	885596	225.99		
				RETIREE MED JUL '12	225.99
	Vendor Total		**451.98**		
FYTD for MILES, ROBERT			**2,961.21**		
MILLER, CINDY A.				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213368	742.14		
				CANDY FOR JULY 4TH PARADE	742.14
	Vendor Total		**742.14**		
FYTD for MILLER, CINDY A.			**742.14**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	6/4/2012	885368	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885597	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for MINARD, MARK E.			**4,143.49**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CORONA** **CA**	
	6/28/2012	885598	235.96		
				PLAYGROUND EQUIPMT-PATRIOT PRK	235.96
	Vendor Total		**235.96**		
FYTD for MIRACLE RECREATION EQUIPMENT			**258,030.94**		
MOELLER, DONNA M.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212977	476.08		
				GARNISHMENT REFUND	476.08
	Vendor Total		**476.08**		
FYTD for MOELLER, DONNA M.			**621.83**		

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MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	6/4/2012	885369	401.42		
				RETIREE MED JUN '12	401.42
	6/28/2012	885599	401.42		
				RETIREE MED JUL '12	401.42
	Vendor Total		**802.84**		
FYTD for MOLLICA, MIKE			**5,218.46**		
MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213073	558.00		
				EMERGENCY REPAIRS-FS#58	160.50
				EMERGENCY REPAIRS-FS#91	397.50
	6/18/2012	213155	2,685.00		
				FURNISH/INSTALL 30-GAL WTR HTR	895.00
				FURNISH/INSTALL 30-GAL WTR HTR	895.00
				FURNISH/INSTALL 30-GAL WTR HTR	895.00
	6/25/2012	213237	260.00		
				EMERGENCY PLUMBING SVCS-CH	100.00
				EMERGENCY PLUMBING SVCS-CH	160.00
	6/28/2012	213369	5,505.00		
				REPLACE WATR HEATR-CITY HALL	360.00
				REPLACE WATR HEATR-GOLF CNTR	325.00
				REPLACE WATR HEATR-CRC	310.00
				REPLACE WATR HEATR-STN 2	325.00
				REPLACE WATR HEATR-STN 6	325.00
				REPLACE WATR HEATR-STN 48	325.00
				REPLACE WATR HEATR-STN 58	185.00
				REPLACE WATR HEATR-STN 65	325.00
				REPLACE WATR HEATR-STN 91	670.00
				REPLACE WATR HEATR-MVU FLD OFC	185.00
				REPLACE WATR HEATR-LIBRARY	510.00
				REPLACE WATR HEATR-MARCH CNTR	310.00
				PLUMBING SVCS-FS#65	1,350.00
	Vendor Total		**9,008.00**		
FYTD for MONTGOMERY PLUMBING INC			**28,922.90**		
MONTO, DANIEL				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213156	67.71		
				MILEAGE REIMBURSEMENT	67.71
	Vendor Total		**67.71**		
FYTD for MONTO, DANIEL			**170.11**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORA, PATRICIA A.				Remit to: **MORENO VALLEY CA**	
	6/4/2012	885370	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885600	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for MORA, PATRICIA A.			**4,143.49**		
MORENO VALLEY CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY CA**	
	6/4/2012	212978	105.00		
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
				WAKE-UP MEETING-5/23/12	15.00
	6/11/2012	213074	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**305.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**23,475.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				Remit to: **MORENO VALLEY CA**	
	6/1/2012	3088	1,389.00		
				MVCEA DUES 6/1/12	1,389.00
	6/15/2012	3095	1,389.00		
				MVCEA DUES 6/15/12	1,389.00
	Vendor Total		**2,778.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**36,672.50**		
MORENO VALLEY GATEWAY, LLC				Remit to: **SAN JUAN CAPISTRANO CA**	
	6/18/2012	885473	17,142.59		
				LEASE-FACILITIES ANNEX-JULY12	2,458.97
				LEASE-TECH SVCS ANNEX-JULY12	5,475.90
				LEASE-SPEC DIST ANNEX-JULY12	9,207.72
	Vendor Total		**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC			**205,711.08**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY HISPANIC CHAMBER OF COMMER			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	213075	3,015.00		
			SVCS PER CONTRACT AGREEMENT	3,015.00
6/18/2012	213157	50.00		
			MVHCC ADELANTE MEETING	10.00
			MVHCC ADELANTE MEETING	10.00
			MVHCC ADELANTE MEETING	10.00
			MVHCC ADELANTE MEETING	10.00
			MVHCC ADELANTE MEETING	10.00
	Vendor Total	**3,065.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER OF COMMER		**7,095.00**		
MORENO VALLEY MILITARY AFFAIRS COMMITTEE			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	212979	105.00		
			11TH ANNL RALLY ROUND THE FLAG	35.00
			11TH ANNL RALLY ROUND THE FLAG	35.00
			11TH ANNL RALLY ROUND THE FLAG	35.00
6/18/2012	213158	70.00		
			11TH ANNL RALLY ROUND THE FLAG	35.00
			11TH ANNL RALLY ROUND THE FLAG	35.00
	Vendor Total	**175.00**		
FYTD for MORENO VALLEY MILITARY AFFAIRS COMMITTEE		**175.00**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT			Remit to: **MORENO VALLEY**	**CA**
6/25/2012	213238	100.00		
			REFUND-MSU RENTAL DEPOSIT	100.00
6/25/2012	213239	152.00		
			USE OF SCHOOL FACIL-COMM. MTG	152.00
	Vendor Total	**252.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**4,062.00**		
MORENO VALLEY UTILITY			Remit to: **HEMET**	**CA**
6/25/2012	213240	122.17		
			ELECTRICITY-UTILITY FLD OFFICE	122.17
	Vendor Total	**122.17**		
FYTD for MORENO VALLEY UTILITY		**744,585.43**		
MORENO, BREE'AHNA			Remit to: **MORENO VALLEY**	**CA**
6/18/2012	213160	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for MORENO, BREE'AHNA		**75.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORGAN, LISA A.				Remit to: **MENTONE** **CA**	
	6/4/2012	885371	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885601	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for MORGAN, LISA A.			**4,143.49**		
MORROW, JAMES				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213370	18.00		
				REFUND-A/C LIC FEES	18.00
	Vendor Total		**18.00**		
FYTD for MORROW, JAMES			**18.00**		
MOSS BROS CHRYSLER, JEEP, DODGE MV				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213161	189.65		
				VEHICLE REPAIRS-POLICE	158.91
				VEHICLE PARTS	30.74
	Vendor Total		**189.65**		
FYTD for MOSS BROS CHRYSLER, JEEP, DODGE MV			**9,809.48**		
MUNOZ, ARIEL				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213241	142.64		
				MILEAGE REIMBURSEMENT	97.68
				MILEAGE REIMBURSEMENT	44.96
	Vendor Total		**142.64**		
FYTD for MUNOZ, ARIEL			**619.23**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	6/28/2012	213371	1,674.00		
				INSTRUCTOR SVCS-GUITAR	81.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	54.00
				INSTRUCTOR SVCS-PIANO	81.00
				INSTRUCTOR SVCS-GUITAR	108.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-GUITAR	162.00
				INSTRUCTOR SVCS-PIANO FOR KIDS	216.00
				INSTRUCTOR SVCS-PIANO FOR KIDS	108.00
				INSTRUCTOR SVCS-PIANO FOR KIDS	135.00
				INSTRUCTOR SVCS-PIANO TEENS/AD	81.00
	Vendor Total		**1,674.00**		
FYTD for MUSICSTAR			**6,631.80**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONAL ASSOCIATION OF CHIEFS OF POLICE			Remit to: **TITUSVILLE** **FL**	
6/18/2012	213162	60.00		
			MEMBERSHIP FEES-J. ONTIVEROS	60.00
	Vendor Total	**60.00**		
FYTD for NATIONAL ASSOCIATION OF CHIEFS OF POLICE		**60.00**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
6/1/2012	3086	2,214.75		
			PST DEF COMP FOR FICA 6/1/12	2,214.75
6/1/2012	3087	1,269.51		
			DEF COMP 457 & 401(A) 6/1/12	1,269.51
6/15/2012	3093	2,194.55		
			PST DEF COMP FOR FICA 6/15/12	2,194.55
	Vendor Total	**5,678.81**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**716,822.12**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
6/4/2012	885372	225.99		
			RETIREE MED JUN '12	225.99
6/28/2012	885602	225.99		
			RETIREE MED JUL '12	225.99
	Vendor Total	**451.98**		
FYTD for NAVARRETTE, RALPH		**3,138.91**		
NAVCO NETWORKS & SECURITY			Remit to: **ANAHEIM** **CA**	
6/18/2012	885474	210.00		
			REPAIR SVCS-PD MONITORS	210.00
	Vendor Total	**210.00**		
FYTD for NAVCO NETWORKS & SECURITY		**2,052.76**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
6/4/2012	885373	320.43		
			RETIREE MED JUN '12	320.43
6/28/2012	885603	320.43		
			RETIREE MED JUL '12	320.43
	Vendor Total	**640.86**		
FYTD for NELSON, ROBERT		**4,196.97**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	6/4/2012	885374	165.81		
				RETIREE MED JUN '12	165.81
	6/28/2012	885604	165.81		
				RETIREE MED JUL '12	165.81
	Vendor Total		**331.62**		
FYTD for NELSON, RUTH L.			**3,837.65**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	6/4/2012	212980	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	213372	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for NEUSTAEDTER, CRAIG S			**4,143.49**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	6/25/2012	885508	14.63		
				REFUND-UTILITY USERS TAX	14.63
	6/28/2012	885605	11.79		
				REFUND-UUT FOR EXEMPT RESIDNTS	11.79
	Vendor Total		**26.42**		
FYTD for NEW HORIZON MOBILE HOME PARK			**152.68**		
NEW WORLD SYSTEMS, CORP				Remit to: **TROY** **MI**	
	6/18/2012	885475	1,050.00		
				SOFTWARE ESCROW ANNUAL FEE	1,050.00
	6/25/2012	885509	600.00		
				FM, HR/PY EST TRAVEL EXPENSES	600.00
	6/28/2012	885606	1,970.14		
				FM, HR/PY EST. TRAVEL EXPENSES	1,970.14
	Vendor Total		**3,620.14**		
FYTD for NEW WORLD SYSTEMS, CORP			**938,585.76**		
NGUYEN, QUANG				Remit to: **AZUSA** **CA**	
	6/25/2012	885510	134.87		
				MILEAGE REIMBURSEMENT	134.87
	Vendor Total		**134.87**		
FYTD for NGUYEN, QUANG			**719.66**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NIEBURGER, JUDITH A.			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	212981	401.42		
			RETIREE MED JUN '12	401.42
6/28/2012	213373	401.42		
			RETIREE MED JUL '12	401.42
	Vendor Total	**802.84**		
FYTD for NIEBURGER, JUDITH A.		**5,218.46**		
NIELSEN SEGMENTATION & LOCAL MARKET SOL			Remit to: **CHARLOTTE**	**NC**
6/25/2012	213242	3,090.00		
			ANNUAL MEMBERSHIP	3,090.00
	Vendor Total	**3,090.00**		
FYTD for NIELSEN SEGMENTATION & LOCAL MARKET SOL		**3,590.00**		
OHLINDER, JOANNA			Remit to: **MORENO VALLEY**	**CA**
6/28/2012	213374	95.00		
			REFUND-RABIES DEPOSIT	20.00
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for OHLINDER, JOANNA		**95.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE**	**CA**
6/28/2012	885608	310.50		
			LEGAL SVCS	210.45
			LEGAL SVCS	100.05
	Vendor Total	**310.50**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**21,922.64**		
OUTBACK STEAKHOUSE			Remit to: **LA JOLLA**	**CA**
6/11/2012	213076	39.61		
			REFUND-DUP CITATION PYMNT	30.00
			REFUND-DUP CITATION PYMNT	9.61
	Vendor Total	**39.61**		
FYTD for OUTBACK STEAKHOUSE		**39.61**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH** **CA**	
6/4/2012	885376	3,150.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	3,150.00
6/11/2012	885429	3,722.50		
			RELOCATION SVCS-MYERS AVE PROJ	3,722.50
6/18/2012	885476	3,360.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	3,360.00
6/28/2012	885609	3,465.00		
			RELOCATION SVCS-MYERS AVE PROJ	3,465.00
	Vendor Total	**13,697.50**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**156,573.75**		
OWENS, TIM			Remit to: **HERMOSA BEACH** **CA**	
6/4/2012	212982	9,960.00		
			EMPLOYEE COMPUTER TRAINING	7,500.00
			EMPLOYEE COMPUTER TRAINING	2,460.00
	Vendor Total	**9,960.00**		
FYTD for OWENS, TIM		**9,960.00**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND** **CA**	
6/4/2012	885377	101.91		
			TURF FERTILIZATION-ZONE E-7	84.46
			TURF FERTILIZATION-ZONE E-14	17.45
	Vendor Total	**101.91**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**5,391.62**		
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
6/25/2012	885511	375.84		
			PAYPHONE SVCS	62.64
			PAYPHONE SVCS	313.20
	Vendor Total	**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**4,547.66**		
PAINTING BY ZEB BODE			Remit to: **NORCO** **CA**	
6/18/2012	885477	3,440.00		
			PAINT INTERIOR DRS-TOWNGTE CTR	3,440.00
	Vendor Total	**3,440.00**		
FYTD for PAINTING BY ZEB BODE		**23,920.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PATTERSON, ALFREY				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212983	225.99		
				RETIREE MED JUN '12	225.99
	6/28/2012	213375	225.99		
				RETIREE MED JUL '12	225.99
	Vendor Total		**451.98**		
FYTD for PATTERSON, ALFREY			**2,961.21**		
PB AMERICAS, INC.				Remit to: **SAN BERNARDINO** **CA**	
	6/25/2012	213243	6,168.06		
				SR-60/NASON ST INTRCHNG PROJ	6,168.06
	Vendor Total		**6,168.06**		
FYTD for PB AMERICAS, INC.			**138,462.11**		
PBC COMMERCIAL				Remit to: **BREA** **CA**	
	6/4/2012	212984	68.71		
				REFUND-BUS. LIC OVRPMT	68.71
	Vendor Total		**68.71**		
FYTD for PBC COMMERCIAL			**68.71**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	6/11/2012	885430	5,984.00		
				VETERINARY SVCS-ANIMAL SVCS	5,984.00
	6/28/2012	885611	5,315.00		
				VETERINARY SVCS-ANIMAL SVCS	5,315.00
	Vendor Total		**11,299.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**68,310.25**		
PEGAN, GUY				Remit to: **MURRIETA** **CA**	
	6/4/2012	212985	127.10		
				REIMBURSEMENT-HEACOCK BRDG PRJ	85.47
				REIMBURSEMENT-AUTO MALL PROJ.	41.63
	Vendor Total		**127.10**		
FYTD for PEGAN, GUY			**127.10**		
PEI PEOPLE SHAR PEI RESCUE				Remit to: **LAKE FOREST** **CA**	
	6/28/2012	213378	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for PEI PEOPLE SHAR PEI RESCUE			**75.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PEPE'S TOWING SERVICE INC.			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	212986	648.80		
			REFUND-W/DRAWAL OF APPLICATION	324.40
			REFUND-W/DRAWAL OF APPLICATION	324.40
	Vendor Total	**648.80**		
FYTD for PEPE'S TOWING SERVICE INC.		**648.80**		
PERRIS VALLEY PRINTING CO.			Remit to: **MENIFEE** **CA**	
6/25/2012	213244	652.16		
			PRINTING SUPPLIES	652.16
	Vendor Total	**652.16**		
FYTD for PERRIS VALLEY PRINTING CO.		**830.16**		
PERRY, NORMA			Remit to: **PIONEER** **CA**	
6/4/2012	212987	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213379	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for PERRY, NORMA		**4,143.49**		
PERS LONG TERM CARE PROGRAM			Remit to: **PASADENA** **CA**	
6/4/2012	212988	458.63		
			LONG TERM CARE INSURANCE	458.63
6/18/2012	213163	458.63		
			LONG TERM CARE INSURANCE	458.63
6/28/2012	213380	458.63		
				458.63
	Vendor Total	**1,375.89**		
FYTD for PERS LONG TERM CARE PROGRAM		**12,383.01**		
PETERSON, DARLENE			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213381	9.50		
			REFUND-CLASS REGIS FEE	9.50
	Vendor Total	**9.50**		
FYTD for PETERSON, DARLENE		**9.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PETTY CASH - FINANCE				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212989	1,338.54		
				PETTY CASH FUND REPLENISHMENT	68.75
				PETTY CASH FUND REPLENISHMENT	28.10
				PETTY CASH FUND REPLENISHMENT	31.97
				PETTY CASH FUND REPLENISHMENT	50.99
				PETTY CASH FUND REPLENISHMENT	42.00
				PETTY CASH FUND REPLENISHMENT	38.85
				PETTY CASH FUND REPLENISHMENT	63.83
				PETTY CASH FUND REPLENISHMENT	26.00
				PETTY CASH FUND REPLENISHMENT	79.75
				PETTY CASH FUND REPLENISHMENT	30.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	26.00
				PETTY CASH FUND REPLENISHMENT	17.85
				PETTY CASH FUND REPLENISHMENT	16.55
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.84
				PETTY CASH FUND REPLENISHMENT	8.71
				PETTY CASH FUND REPLENISHMENT	34.55
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	62.00
				PETTY CASH FUND REPLENISHMENT	44.00
				PETTY CASH FUND REPLENISHMENT	51.62
				PETTY CASH FUND REPLENISHMENT	60.00
				PETTY CASH FUND REPLENISHMENT	22.76
				PETTY CASH FUND REPLENISHMENT	29.98
				PETTY CASH FUND REPLENISHMENT	35.00
				PETTY CASH FUND REPLENISHMENT	2.69
				PETTY CASH FUND REPLENISHMENT	11.40
				PETTY CASH FUND REPLENISHMENT	25.83
				PETTY CASH FUND REPLENISHMENT	15.54
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	10.40
				PETTY CASH FUND REPLENISHMENT	19.43
				PETTY CASH FUND REPLENISHMENT	26.09
				PETTY CASH FUND REPLENISHMENT	31.30
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	26.00
				PETTY CASH FUND REPLENISHMENT	35.52
				PETTY CASH FUND REPLENISHMENT	98.24
	Vendor Total		**1,338.54**		

FYTD for PETTY CASH - FINANCE	**7,062.13**

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PETTY CASH -PARKS & RECREATION			Remit to:	
6/25/2012	213245	5,000.00		
			START UP/CHANGE FUND FOR JULY4	5,000.00
	Vendor Total	**5,000.00**		
FYTD for PETTY CASH -PARKS & RECREATION		**5,000.00**		
PHILLIPS, LAURETTA			Remit to: **MORENO VALLEY CA**	
6/28/2012	213382	50.00		
			JUDGING SVCS-2012 MV IDOL	50.00
	Vendor Total	**50.00**		
FYTD for PHILLIPS, LAURETTA		**50.00**		
PLUMMER, THEODORE W			Remit to: **MORENO VALLEY CA**	
6/28/2012	213383	650.00		
			SOUND SYSTEMS FOR 4TH OF JULY	650.00
	Vendor Total	**650.00**		
FYTD for PLUMMER, THEODORE W		**650.00**		
POIEMA LANDSCAPE, INC.			Remit to: **COLTON CA**	
6/18/2012	885478	3,296.01		
			LANDSCAPE MAINT-ZONE E-12	2,131.00
			LANDSCAPE MAINT-ZONE S	1,165.01
	Vendor Total	**3,296.01**		
FYTD for POIEMA LANDSCAPE, INC.		**42,230.26**		
PREMIER PARTY & TENT RENTALS			Remit to: **MORENO VALLEY CA**	
6/25/2012	213246	60.00		
			AUDIO VISUAL EQUIP-EVENT @ CRC	60.00
6/28/2012	213384	3,498.63		
			FORECLOSURE PREV WRKSHP RNTAL	3,498.63
	Vendor Total	**3,558.63**		
FYTD for PREMIER PARTY & TENT RENTALS		**3,558.63**		
PRICE, GEORGE E.			Remit to: **MORENO VALLEY CA**	
6/4/2012	885378	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885612	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for PRICE, GEORGE E.		**4,143.49**		

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PRICHARD, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213385	350.00		
				JUDGING SVCS-2012 MV IDOL	150.00
				JUDGING SVCS-2012 MV IDOL	150.00
				JUDGING SVCS-2012 MV IDOL	50.00
	Vendor Total		**350.00**		
FYTD for PRICHARD, ROBERT			**350.00**		
PROFESSIONAL COMMUNICATIONS NETWORK PCN				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213164	453.00		
				"LIVE" ANSWERING SERVICE	453.00
	Vendor Total		**453.00**		
FYTD for PROFESSIONAL COMMUNICATIONS NETWORK PCN			**5,303.85**		
PSOMAS				Remit to: **RIVERSIDE** **CA**	
	6/11/2012	213077	7,555.00		
				IRONWOOD AVE IMPRVMNTS PROJ	1,960.00
				HEACOCK ST BRIDGE RPLCMNT PROJ	5,595.00
	6/25/2012	213247	1,160.00		
				SR-60/NASON ST INTRCHNG PROJ	1,026.94
				SR-60/NASON ST INTRCHNG PROJ	133.06
	Vendor Total		**8,715.00**		
FYTD for PSOMAS			**195,816.06**		
PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	6/4/2012	885379	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885613	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for PULLIAM, TRENT D.			**6,043.49**		
PW ENHANCEMENT CENTER				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	885431	16,664.00		
				RENTAL ASSISTANCE SVCS-HPRP	16,664.00
	Vendor Total		**16,664.00**		
FYTD for PW ENHANCEMENT CENTER			**49,375.08**		
QUALITY CODE PUBLISHING, LLC				Remit to: **SEATTLE** **WA**	
	6/11/2012	885432	1,433.84		
				SUPPLEMENT MV MUNICIPAL CODE	1,433.84
	Vendor Total		**1,433.84**		
FYTD for QUALITY CODE PUBLISHING, LLC			**6,630.13**		

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RALLY MANAGEMENT SERVICES, LLC			Remit to: **RANCHO CUCAMONGA CA**	
6/4/2012	885380	719.28		
			TEMP STAFFING SVCS-R HENDERSON	719.28
6/28/2012	885614	1,918.08		
			TEMP STAFFING SVCS-R HENDERSON	839.16
			TEMP STAFFING SVCS-R HENDERSON	359.64
			TEMP STAFFING SVCS-R HENDERSON	719.28
	Vendor Total	**2,637.36**		
FYTD for RALLY MANAGEMENT SERVICES, LLC		**17,468.19**		
RAMIREZ, MARISELA			Remit to: **MORENO VALLEY CA**	
6/28/2012	213386	134.00		
			REFUND-DRUMS CLASS CANCELLED	134.00
	Vendor Total	**134.00**		
FYTD for RAMIREZ, MARISELA		**134.00**		
RAMOS, ROBERTO			Remit to: **MORENO VALLEY CA**	
6/25/2012	213248	754.00		
			INSTRUCTOR SVCS-SPANISH	21.00
			INSTRUCTOR SVCS-KINDER KARATE	131.50
			INSTRUCTOR SVCS-KINDER KARATE	162.50
			INSTRUCTOR SVCS-KINDER KARATE	196.00
			INSTRUCTOR SVCS-TAE KWON DO	243.00
	Vendor Total	**754.00**		
FYTD for RAMOS, ROBERTO		**5,601.50**		
RAY-RAMIREZ, DARCY L.			Remit to: **RIVERSIDE CA**	
6/4/2012	212991	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213387	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for RAY-RAMIREZ, DARCY L.		**4,143.49**		
REDBOX AUTOMATED RETAIL, LLC			Remit to: **OAKBROOK TERRACE IL**	
6/11/2012	213078	64.00		
			REFUND-BUS LIC OVERPAYMENT	64.00
	Vendor Total	**64.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC		**351.12**		

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RELIFORD, AUNDRAYA			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213079	109.00		
			REFUND-BASKETBALL LEAGUE	109.00
	Vendor Total	**109.00**		
FYTD for RELIFORD, AUNDRAYA		**109.00**		
REZA, MELANIE			Remit to: **MORENO VALLEY** **CA**	
6/11/2012	213080	124.80		
			REFUND-PARK RESERVATION	124.80
	Vendor Total	**124.80**		
FYTD for REZA, MELANIE		**124.80**		
RGA ENVIRONMENTAL, INC.			Remit to: **IRVINE** **CA**	
6/11/2012	213081	3,450.00		
			ASSESS INDOOR AIR QUAL-LIBRARY	3,450.00
	Vendor Total	**3,450.00**		
FYTD for RGA ENVIRONMENTAL, INC.		**3,450.00**		
RICK ENGINEERING COMPANY			Remit to: **RIVERSIDE** **CA**	
6/4/2012	885381	7,797.50		
			CACTUS AVE/NASON ST. IMPRV PRJ	7,797.50
6/11/2012	885433	20,921.70		
			LOCAL ST. PAVEMNT RESURF. PROJ	11,155.00
			LOCAL ST. PAVEMNT RESURF. PROJ	7,675.00
			INDIAN ST. BICYCLE LANES PROJ.	2,091.70
6/18/2012	885479	15,960.00		
			LOCAL ST. PAVEMNT RESURF. PROJ	8,715.00
			LOCAL ST. PAVEMNT RESURF. PROJ	6,750.00
			RIGHT OF WAY SVC-JFK@LA BRISIS	495.00
6/25/2012	885513	13,790.96		
			CACTUS AVE/NASON ST. IMPRV PRJ	11,560.00
			STREET IMPRVMNT PRGM SVCS	850.00
			INDIAN ST. BICYCLE LANES PROJ.	533.30
			INDIAN ST. BICYCLE LANES PROJ.	847.66
	Vendor Total	**58,470.16**		
FYTD for RICK ENGINEERING COMPANY		**121,297.26**		
RIGHTWAY SITE SERVICES, INC.			Remit to: **LAKE ELSINORE** **CA**	
6/11/2012	213082	470.71		
			PORTABLE RESTROOM-GOLF COURSE	32.54
			PORTABLE RESTROOM-GOLF COURSE	39.74
			PORTABLE RESTROOMS-EQUEST. CTR	308.88
			PORTABLE TOILET/SVC-CITY YARD	89.55
	Vendor Total	**470.71**		
FYTD for RIGHTWAY SITE SERVICES, INC.		**7,209.42**		

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RIVERSIDE AREA RAPE CRISIS CENTER			Remit to: **RIVERSIDE**	**CA**
6/18/2012	213165	463.83		
			CDBG SVCS-CHLD ABUSE PREV PRGM	463.83
Vendor Total		**463.83**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER		**9,729.22**		
RIVERSIDE COMMUNITY COLLEGE			Remit to: **RIVERSIDE**	**CA**
6/28/2012	213388	100.00		
			REFUND-MOBILE STAGE RNTL6/8/12	100.00
Vendor Total		**100.00**		
FYTD for RIVERSIDE COMMUNITY COLLEGE		**100.00**		
RIVERSIDE COUNTY ASSESSOR			Remit to: **RIVERSIDE**	**CA**
6/4/2012	212992	149.42		
			PARCEL MAP REPRODUCTION	149.42
6/28/2012	213389	9.00		
			PARCEL MAP COPY SVCS	2.25
			PARCEL MAP COPY SVCS	2.25
			PARCEL MAP COPY SVCS	2.25
			PARCEL MAP COPY SVCS	2.25
Vendor Total		**158.42**		
FYTD for RIVERSIDE COUNTY ASSESSOR		**263.42**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			Remit to: **RIVERSIDE**	**CA**
6/25/2012	213250	100.00		
			FRA-RABIES TESTS-ANIMAL SVCS	100.00
Vendor Total		**100.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**650.00**		
RIVERSIDE COUNTY EDA			Remit to: **RIVERSIDE**	**CA**
6/11/2012	213083	1,200.00		
			ICSC CONF BOOTH COST-MAY 20-22	1,200.00
Vendor Total		**1,200.00**		
FYTD for RIVERSIDE COUNTY EDA		**1,200.00**		
RIVERSIDE COUNTY HABITAT CONSERVATION			Remit to: **RIVERSIDE**	**CA**
6/18/2012	213166	7,685.00		
			K-RAT MITIGATION FEES	5,000.00
			K-RAT MITIGATION FEES	870.00
			K-RAT MITIGATION FEES	1,815.00
Vendor Total		**7,685.00**		
FYTD for RIVERSIDE COUNTY HABITAT CONSERVATION		**41,840.00**		

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RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE** **CA**	
6/4/2012	212993	1,300.65		
			RADIO SVCS FOR PD MOTORCYCLES	1,300.65
6/18/2012	213167	248.55		
			RADIO LEASE/MAINT-TECH SVCS	174.78
			RADIO LEASE/MAINT-TECH SVCS	9.71
			RADIO LEASE/MAINT-TECH SVCS	34.05
			VPN CONNECTION SVCS-TECH SVCS	30.01
6/25/2012	213251	218.54		
			RADIO LEASE/MAINT-TECH SVCS	174.78
			RADIO LEASE/MAINT-TECH SVCS	9.71
			RADIO LEASE/MAINT-TECH SVCS	34.05
6/28/2012	213390	1,579.21		
			RADIO SVCS FOR PD MOTORCYCLES	1,300.65
			RADIO LEASE/MAINT-TECH SVCS	174.78
			RADIO LEASE/MAINT-TECH SVCS	9.71
			RADIO LEASE/MAINT-TECH SVCS	34.05
			VPN CONNECTION SVCS-TECH SVCS	30.01
			VPN CONNECTION SVCS-TECH SVCS	30.01
	Vendor Total	**3,346.95**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**21,071.58**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213084	274.00		
			REG.-SEARCH WARR PREP COURSE	119.00
			REG.-ADV SEARCH WARR PREP	155.00
	Vendor Total	**274.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**12,785.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
6/4/2012	212994	860.47		
			GARNISHMENT	107.89
			GARNISHMENT	440.40
			GARNISHMENT	312.18
6/18/2012	213168	813.54		
			GARNISHMENT	813.54
6/28/2012	213391	815.11		
			GARNISHMENT	518.13
			GARNISHMENT	296.98
	Vendor Total	**2,489.12**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**20,102.57**		

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RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	212995	11,091.67		
			SPEC BILLING-LAW ENF. OVRTIME	1,378.55
			SPEC BILLING-LAW ENF. OVRTIME	164.90
			SPEC BILLING-LAW ENF. OVRTIME	9,182.72
			SPEC BILLING-LAW ENF. OVRTIME	365.50
	Vendor Total	**11,091.67**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**365,871.15**		
RMA GROUP			Remit to: **RANCHO CUCAMONGA** **CA**	
6/4/2012	212996	10,216.94		
			SR-60/NASON ST INTRCHNG PROJ	9,045.06
			SR-60/NASON ST INTRCHNG PROJ	1,171.88
6/25/2012	213252	597.27		
			SR-60/NASON ST INTRCHNG PROJ	528.76
			SR-60/NASON ST INTRCHNG PROJ	68.51
	Vendor Total	**10,814.21**		
FYTD for RMA GROUP		**158,239.54**		
ROBINSON, LAURA			Remit to: **OCEANSIDE** **CA**	
6/28/2012	213392	95.00		
			REFUND-RABIES & SN DEPOSITS	20.00
			REFUND-RABIES & SN DEPOSITS	75.00
	Vendor Total	**95.00**		
FYTD for ROBINSON, LAURA		**95.00**		
ROCHA, SARA L.			Remit to: **QUEEN CREEK** **AZ**	
6/28/2012	885615	779.70		
			RETIREE MED APR-JUN '12	779.70
	Vendor Total	**779.70**		
FYTD for ROCHA, SARA L.		**4,007.01**		
RODRIGUEZ, ADALBERTO			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	212997	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for RODRIGUEZ, ADALBERTO		**20.00**		
RODRIGUEZ, AUTUMN EARLE			Remit to: **BEAUMONT** **CA**	
6/28/2012	213393	150.00		
			JUDGING SVCS-2012 MV IDOL	50.00
			JUDGING SVCS-2012 MV IDOL	50.00
			JUDGING SVCS-2012 MV IDOL	50.00
	Vendor Total	**150.00**		
FYTD for RODRIGUEZ, AUTUMN EARLE		**150.00**		

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RODRIGUEZ, RICARDO				Remit to: **PERRIS** **CA**	
	6/28/2012	213394	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for RODRIGUEZ, RICARDO			**75.00**		
ROGERS, EUGENE				Remit to: **PEBBLE BEACH** **CA**	
	6/4/2012	885383	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885616	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for ROGERS, EUGENE			**4,143.49**		
ROSENOW SPEVACEK GROUP (RSG, INC.)				Remit to: **SANTA ANA** **CA**	
	6/11/2012	213086	325.00		
				NSP ELIGIBILITY REVIEW SVCS	325.00
	Vendor Total		**325.00**		
FYTD for ROSENOW SPEVACEK GROUP (RSG, INC.)			**5,410.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885384	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885617	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for ROSS, DAVID T.			**4,143.49**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	6/4/2012	885385	165.81		
				RETIREE MED JUN '12	165.81
	6/28/2012	885618	262.31		
				RETIREE MED JUL '12	165.81
				RETIREE MED JUL '12	96.50
	Vendor Total		**428.12**		
FYTD for ROSSON, LOUIS A.			**3,364.47**		
ROUNSLEY, CAROL				Remit to: **TEMECULA** **CA**	
	6/4/2012	212998	500.00		
				REFUND-5/14/12 RENTAL DEPOSIT	500.00
	Vendor Total		**500.00**		
FYTD for ROUNSLEY, CAROL			**500.00**		

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ROUTE 66 FIRE PROTECTION, INC.				Remit to: **LA VERNE** **CA**	
	6/28/2012	213395	54.00		
				REFUND-PLAN CHECK OVRPYMNT	54.00
	Vendor Total		**54.00**		
FYTD for ROUTE 66 FIRE PROTECTION, INC.			**54.00**		
RUIZ, BEATRIZ				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213087	300.00		
				REFUND-DEPOSIT SENIOR CTR	300.00
	Vendor Total		**300.00**		
FYTD for RUIZ, BEATRIZ			**300.00**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	6/4/2012	885386	225.99		
				RETIREE MED JUN '12	225.99
	6/28/2012	885619	225.99		
				RETIREE MED JUL '12	225.99
	Vendor Total		**451.98**		
FYTD for RUSSO, JOHN			**2,961.21**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	6/25/2012	213253	3,845.00		
				REPLACE LIGHT FIXTURES-ZONE M	3,220.00
				LIGHTING MAINT-ZONE E-1	125.00
				LIGHTING MAINT-ZONE E-2	125.00
				LIGHTING MAINT-ZONE E-3	125.00
				LIGHTING MAINT-ZONE E-7	125.00
				LIGHTING MAINT-ZONE M	125.00
	6/28/2012	213396	2,320.83		
				LIGHTING REPAIRS-ZONE E-1	345.70
				LIGHTING REPAIRS-ZONE E-2	301.36
				LIGHTING REPAIRS-ZONE E-3	1,169.17
				LIGHTING REPAIRS-ZONE E-7	189.60
				TROUBLESHOOT IRRIG CNTRL PWR	315.00
	Vendor Total		**6,165.83**		
FYTD for RYMAX ELECTRIC, INC.			**12,768.56**		
S & S CONSTRUCTION				Remit to: **GRAND TERRACE** **CA**	
	6/25/2012	213278	9,900.00		
				INSTALL CONCRETE-CRC PROJECT	8,700.00
				INSTALL CONCRETE-CRC PROJECT	1,200.00
	Vendor Total		**9,900.00**		
FYTD for S & S CONSTRUCTION			**19,970.00**		

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SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	6/11/2012	885435	12,150.00		
				PROF CONSULTANT STAFFING SVCS	12,150.00
	Vendor Total		**12,150.00**		
FYTD for SA ASSOCIATES			**103,425.00**		
SABRE LIGHTING AND SIGNS				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	212999	351.97		
				STICKERS FOR FUEL DISP. TANKS	206.00
				INSTALLATION LABOR	130.00
				CA SALES TAX	15.97
	Vendor Total		**351.97**		
FYTD for SABRE LIGHTING AND SIGNS			**3,845.16**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	6/28/2012	885620	3,175.72		
				TRAFFIC SIGNS/HARDWARE	2,391.60
				TRAFFIC SIGNS/HARDWARE	784.12
	Vendor Total		**3,175.72**		
FYTD for SAFEWAY SIGN CO.			**53,697.36**		
SAGE COLLEGE				Remit to: **MORENO VALLEY** **CA**	
	6/11/2012	213088	38.63		
				REFUND-DUP CITATION PYMNT	30.00
				REFUND-DUP CITATION PYMNT	8.63
	Vendor Total		**38.63**		
FYTD for SAGE COLLEGE			**38.63**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	213000	156.00		
				INSTRUCTOR SVCS-LATIN ZUMBA	36.00
				INSTRUCTOR SVCS-LATIN ZUMBA	120.00
	Vendor Total		**156.00**		
FYTD for SALMAN, CLAUDIA			**744.00**		
SCEC				Remit to: **ORANGE** **CA**	
	6/4/2012	213001	2,113.26		
				PERMIT SVCS-MORRISON PARK FS	2,113.26
	Vendor Total		**2,113.26**		
FYTD for SCEC			**2,113.26**		

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SCHIEFELBEIN, LORI C.				Remit to: **BULLHEAD CITY** **AZ**	
	6/4/2012	213002	637.46		
				RETIREE MED APR-MAY 12, PD JUN	637.46
	6/11/2012	213089	1,141.25		
				CONSULTANT SVCS-ROT. TOW PRGM	1,141.25
	6/28/2012	213397	318.73		
				RETIREE MED JUN 12, PD JUL 12	318.73
	Vendor Total		**2,097.44**		
FYTD for SCHIEFELBEIN, LORI C.			**14,421.00**		
SCHLOSS, JOSEPH				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213398	200.00		
				REFUND-6/15/12 EVENT DEPOSIT	200.00
	Vendor Total		**200.00**		
FYTD for SCHLOSS, JOSEPH			**200.00**		
SCHUMAN, MICHAEL				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	885387	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885621	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for SCHUMAN, MICHAEL			**2,231.11**		
SEARS, MAURICE				Remit to: **MORENO VALLEY** **CA**	
	6/25/2012	213255	300.00		
				TEEN BAND-SOUND-JULY 4	300.00
	Vendor Total		**300.00**		
FYTD for SEARS, MAURICE			**300.00**		
SECTRAN SECURITY, INC				Remit to: **LOS ANGELES** **CA**	
	6/28/2012	213399	477.00		
				ARMORED TRANSPORT SVCS-UTILITY	159.00
				ARMORED TRANSPORT SVCS-PARKS	159.00
				ARMORED TRANSPORT SVCS-CASHIER	159.00
	Vendor Total		**477.00**		
FYTD for SECTRAN SECURITY, INC			**6,201.00**		
SECURITY & COMMUNICATIONS CONSULTING SVC				Remit to: **CLOVIS** **CA**	
	6/28/2012	885622	6,876.30		
				SVCS-CITYWIDE CAMERA SURV. SYS	6,876.30
	Vendor Total		**6,876.30**		
FYTD for SECURITY & COMMUNICATIONS CONSULTING SVC			**26,029.00**		

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SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
6/4/2012	885388	62.50		
			LOCK REPAIR-FAIRWAY PARK	62.50
	Vendor Total	**62.50**		
FYTD for SECURITY LOCK & KEY		**6,571.62**		
SHARRETT, SHARON K.			Remit to: **ONTARIO** **CA**	
6/4/2012	213003	165.81		
			RETIREE MED JUN '12	165.81
6/28/2012	213400	165.81		
			RETIREE MED JUL '12	165.81
	Vendor Total	**331.62**		
FYTD for SHARRETT, SHARON K.		**2,206.47**		
SHEFFIELD FORECLOSURE RENOVATION			Remit to: **RIVERSIDE** **CA**	
6/4/2012	213004	4,139.94		
			FINAL REHAB COSTS-12209 NITA	4,139.94
6/25/2012	213256	5,098.84		
			FINAL REHAB COSTS-25241 TODD	5,098.84
6/28/2012	213401	11,176.56		
			PROPERTY REHAB-11757 MENTZELIA	11,176.56
	Vendor Total	**20,415.34**		
FYTD for SHEFFIELD FORECLOSURE RENOVATION		**257,839.53**		
SHELDON, STUART H.			Remit to: **MURRIETA** **CA**	
6/4/2012	213005	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213402	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for SHELDON, STUART H.		**4,143.49**		
SHELL OIL CO.			Remit to: **COLUMBUS** **OH**	
6/11/2012	213091	62.00		
			FUEL PURCHASE-PARKS	62.00
6/25/2012	213257	64.51		
			FUEL PURCHASES-PD SET	64.51
6/25/2012	213258	2,570.59		
			FUEL PURCHASES-PD MTRCYCLES	2,570.59
	Vendor Total	**2,697.10**		
FYTD for SHELL OIL CO.		**25,877.11**		

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SHOE 4 LESS				Remit to: **LOS ANGELES** **CA**	
	6/11/2012	213092	122.96		
				REFUND-BUS. LIC OVERPMT	122.96
	Vendor Total		**122.96**		
FYTD for SHOE 4 LESS			**122.96**		
SIMPLOT PARTNERS				Remit to: **LOS ANGELES** **CA**	
	6/11/2012	213093	4,280.69		
				FERTILIZER FOR CFD#1 PARKS	4,280.69
	Vendor Total		**4,280.69**		
FYTD for SIMPLOT PARTNERS			**9,636.73**		
SINGER & COFFIN, APC				Remit to: **IRVINE** **CA**	
	6/28/2012	885624	3,481.00		
				LEGAL SVCS	3,481.00
	Vendor Total		**3,481.00**		
FYTD for SINGER & COFFIN, APC			**28,106.70**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213170	840.00		
				SHOP MOVAL ADVERTISING/MAY 3-5	840.00
	Vendor Total		**840.00**		
FYTD for SKY PUBLISHING			**58,763.50**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	6/25/2012	885516	57.26		
				REFUND-EXEMPT UTIL. USER TAXES	57.26
	6/28/2012	885625	50.56		
				REFUND-EXEMPT UTIL. USER TAXES	50.56
	Vendor Total		**107.82**		
FYTD for SKY TRAILS MOBILE VILLAGE			**796.90**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885389	318.73		
				RETIREE MED APR 12, PD JUN 12	318.73
	6/28/2012	885626	637.46		
				RETIREE MED MAY-JUN 12, PD JUL	637.46
	Vendor Total		**956.19**		
FYTD for SLAGERMAN, SUSAN A.			**3,506.03**		

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SMITH FLOORS & INSTALLATIONS			Remit to: **RIVERSIDE** **CA**	
6/28/2012	885627	3,145.00		
			FURNISH/INSTALL CARPET-F.S.#91	3,145.00
	Vendor Total	**3,145.00**		
FYTD for SMITH FLOORS & INSTALLATIONS		**8,705.00**		
SMITH, ERNEST FRANK			Remit to: **FONTANA** **CA**	
6/28/2012	213404	1,912.38		
			RETIREE MED JAN-JUN 12, PD JUL	1,912.38
	Vendor Total	**1,912.38**		
FYTD for SMITH, ERNEST FRANK		**5,737.14**		
SMITH, MARIA A.			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	885390	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885628	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for SMITH, MARIA A.		**4,143.49**		
SOCO GROUP, INC			Remit to: **PERRIS** **CA**	
6/11/2012	885436	15,621.76		
			FUEL PURCH-CITY VEHICLES/EQUIP	8,354.33
			FUEL PURCH-CITY VEHICLES/EQUIP	7,267.43
6/25/2012	885517	6,143.87		
			FUEL PURCH-CITY VEHICLES/EQUIP	6,143.87
6/28/2012	885629	13,489.92		
			FUEL PURCH-CITY VEHICLES/EQUIP	6,474.97
			FUEL PURCH-CITY VEHICLES/EQUIP	7,014.95
	Vendor Total	**35,255.55**		
FYTD for SOCO GROUP, INC		**392,375.50**		
SOSA, HUGO			Remit to: **ELK GROVE** **CA**	
6/25/2012	213259	330.00		
			INSTRUCTOR SVCS-KARATEDO CLASS	210.00
			INSTRUCTOR SVCS-KARATEDO CLASS	120.00
6/28/2012	213405	90.00		
			INSTRUCTOR SVCS-KARATEDO CLASS	90.00
	Vendor Total	**420.00**		
FYTD for SOSA, HUGO		**3,720.00**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT			Remit to: **DIAMOND BAR**	**CA**
6/18/2012	213171	633.87		
			ANNUAL OPERATING FEES-CITY YRD	91.90
			EMISSIONS FLAT FEE-CITY YARD	115.56
			ANNUAL OPERATING FEES-CITY HLL	310.85
			EMISSIONS FEE-CITY HLL GENERTR	115.56
	Vendor Total	**633.87**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**12,718.50**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/4/2012	213006	5,313.70		
			ELECTRICITY	112.69
			ELECTRICITY	22.28
			ELECTRICITY	143.28
			ELECTRICITY	876.06
			ELECTRICITY	1,302.29
			ELECTRICITY	125.94
			ELECTRICITY	209.71
			ELECTRICITY	538.47
			ELECTRICITY	655.61
			ELECTRICITY	156.33
			ELECTRICITY	154.84
			ELECTRICITY	793.54
			ELECTRICITY	172.62
			ELECTRICITY	50.04
6/11/2012	213094	4,848.03		
			ELECTRICITY	69.94
			ELECTRICITY	127.93
			ELECTRICITY	23.01
			ELECTRICITY	1,072.88
			ELECTRICITY	791.60
			ELECTRICITY	1,007.64
			ELECTRICITY	336.46
			ELECTRICITY	397.51
			ELECTRICITY	62.53
			ELECTRICITY	25.00
			ELECTRICITY	664.95
			ELECTRICITY	93.91
			ELECTRICITY	98.90
			ELECTRICITY	75.77
6/11/2012	213095	15,380.43		
			RELOCATE ST LIGHTS-CACT./NASON	15,380.43
6/18/2012	213173	185.13		
			REABILITY SVC-DLAP_SCE_SEES_HV	185.13
6/25/2012	213260	243.21		
			UNMET CONTRACT OBLIGATION FEE	243.21
6/25/2012	213261	20,014.09		
			ELECTRICITY	200.50
			ELECTRICITY	28.23
			ELECTRICITY	24.62
			ELECTRICITY	4,923.66
			ELECTRICITY	784.05
			ELECTRICITY	2,742.02
			ELECTRICITY	18.56
			ELECTRICITY	774.40
			ELECTRICITY	2,098.56
			ELECTRICITY	1,181.90
			ELECTRICITY	41.14
			ELECTRICITY	3,164.56
			ELECTRICITY	30.96
			ELECTRICITY	198.29

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	1,758.45
			ELECTRICITY	352.90
			ELECTRICITY	448.76
			ELECTRICITY	475.05
			ELECTRICITY	194.24
			ELECTRICITY	160.72
			ELECTRICITY	185.15
			ELECTRICITY	150.55
			ELECTRICITY	49.66
			ELECTRICITY	27.16
6/25/2012	213262	15,369.83		
			RELIABILITY SVC-DLAP_SCE_SEES_	174.95
			FERC CHRGS-ADDED FACILITIES	701.48
			ELECTRIC CHARGES	346.67
			FERC-115KV PROJ-13571 MOR. BCH	14,146.73
6/28/2012	213407	5,011.43		
			ELECTRICITY	96.70
			ELECTRICITY	35.13
			ELECTRICITY	24.87
			ELECTRICITY	69.99
			ELECTRICITY	23.52
			ELECTRICITY	135.43
			ELECTRICITY	1,127.47
			ELECTRICITY	980.33
			ELECTRICITY	173.66
			ELECTRICITY	256.49
			ELECTRICITY	1,071.42
			ELECTRICITY	144.53
			ELECTRICITY	643.92
			ELECTRICITY	167.66
			ELECTRICITY	60.31
	Vendor Total	**66,365.85**		

FYTD for SOUTHERN CALIFORNIA EDISON **3,533,737.68**

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SOUTHERN CALIFORNIA GAS CO.			Remit to: **MONTEREY PARK**	**CA**
6/18/2012	213174	3,194.56		
			GAS CHARGES	426.56
			GAS CHARGES	1,648.93
			GAS CHARGES	16.41
			GAS CHARGES	28.05
			GAS CHARGES	15.12
			GAS CHARGES	273.71
			GAS CHARGES	41.46
			GAS CHARGES	20.78
			GAS CHARGES	135.68
			GAS CHARGES	102.85
			GAS CHARGES	64.49
			GAS CHARGES	37.28
			GAS CHARGES	54.39
			GAS CHARGES	40.20
			GAS CHARGES	75.36
			GAS CHARGES	22.57
			GAS CHARGES	190.72
Vendor Total		**3,194.56**		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**77,603.10**		
SPARKLETTS			Remit to: **DALLAS**	**TX**
6/4/2012	213007	39.76		
			WATER SERVICE-CREEKSIDE ELEM.	11.01
			WATER SERVICE-ARMADA ELEM.	28.75
6/25/2012	213263	4.50		
			WATER SERVICE-EMERG MGMT SVCS	4.50
6/28/2012	213408	5.00		
			WATER SERVICE-GOLF COURSE	5.00
Vendor Total		**49.26**		
FYTD for SPARKLETTS		**694.91**		
SPECIALIZED BUSINESS SYSTEMS, INC			Remit to: **LOS ANGELES**	**CA**
6/25/2012	213264	1,531.00		
			LEKTRIEVER SVC AGREEMNT	1,531.00
Vendor Total		**1,531.00**		
FYTD for SPECIALIZED BUSINESS SYSTEMS, INC		**1,531.00**		
SPECK, GARY B.			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	885391	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885630	318.73		
			RETIREE MED JUL '12	318.73
Vendor Total		**637.46**		
FYTD for SPECK, GARY B.		**4,143.49**		

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SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885392	225.99		
				RETIREE MED JUN '12	225.99
	6/28/2012	885631	225.99		
				RETIREE MED JUL '12	225.99
	Vendor Total		**451.98**		
FYTD for SPENCER, MARTHA			**2,961.21**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	6/4/2012	213008	30.00		
				SUBPOENA COMPLNCE SVCS FOR PD	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**630.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	6/4/2012	885393	73.81		
				CELL PHONE SVCS-GANG TASK FRC	73.81
	6/18/2012	885480	643.23		
				CELL PHONE SVCS-GANG TASK FRC	643.23
	Vendor Total		**717.04**		
FYTD for SPRINT/NEXTEL			**7,763.51**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	6/11/2012	213097	1,775.12		
				SUPPLEMENTAL INSURANCE	1,775.12
	Vendor Total		**1,775.12**		
FYTD for STANDARD INSURANCE CO			**356,737.31**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				Remit to: **RIVERSIDE** **CA**	
	6/4/2012	885394	179.35		
				MONITORING SVCS-PARK SNCK BARS	179.35
	Vendor Total		**179.35**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**25,382.93**		
STATE BOARD OF EQUALIZATION				Remit to: **SACRAMENTO** **CA**	
	6/22/2012	53112	1,977.00		
				SALES & USE TAX 5/1-6/15/12	1,977.00
	Vendor Total		**1,977.00**		
FYTD for STATE BOARD OF EQUALIZATION			**62,641.79**		

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STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO CA**	
6/4/2012	213009	27.00		
			CS#0650464971-01/0650613537-01	27.00
6/14/2012	3092	2,137.96		
			CHILD SUPPORT W/H 6/14/12	2,137.96
6/28/2012	3100	2,194.99		
			CHILD SUPPORT W/H 6/28/12	2,194.99
6/28/2012	213409	54.00		
			CS#0650464971-01/0650613537-01	54.00
6/28/2012	213410	165.00		
			CASE 200000000199597-J. COSEY	165.00
	Vendor Total	**4,578.95**		
FYTD for STATE DISBURSEMENT UNIT		**56,825.53**		
STATE OF CALIFORNIA DEPT OF FISH & GAME			Remit to: **ONTARIO CA**	
6/4/2012	213010	168.00		
			SAA MINOR AMENDMENT FEE	168.00
	Vendor Total	**168.00**		
FYTD for STATE OF CALIFORNIA DEPT OF FISH & GAME		**168.00**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO CA**	
6/4/2012	213011	125.00		
			M. LAZARUS-PROF LIC. RENEWAL	125.00
	Vendor Total	**125.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**875.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO CA**	
6/4/2012	213012	4,062.00		
			BLOOD ALCOHOL ANALYSIS FOR PD	980.00
			FINGERPRINTING SVCS-PD	2,666.00
			FINGERPRINTING SVCS-PARKS	96.00
			FINGERPRINTING SVCS-PD	32.00
			FINGERPRINTING SVCS-HUM. RES.	288.00
6/18/2012	213175	35.00		
			BLOOD ALCOHOL ANALYSIS FOR PD	35.00
6/28/2012	213411	3,266.00		
			FINGERPRINTING SVCS-PD	3,266.00
	Vendor Total	**7,363.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**59,396.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
6/11/2012	213099	473.83		
			REFUND-MVU/EDUARDO TORRES	138.05
			REFUND-MVU/KESHANNA PERKINS	131.18
			REFUND-MVU/VANESSA ARROYO	204.60
6/25/2012	213265	394.70		
			REFUND-MVU/APRIL A. ARROYO	371.45
			REFUND-MVU/PATRICK E. O'BRIEN	23.25
	Vendor Total	**868.53**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,638.23**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
6/18/2012	213176	2,920.64		
			DICTATION & TRANSCRIPTION SVCS	2,920.64
	Vendor Total	**2,920.64**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**24,436.96**		
STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
6/4/2012	885395	271.44		
			RETIREE MED JUN '12	271.44
6/28/2012	885632	271.44		
			RETIREE MED JUL '12	271.44
	Vendor Total	**542.88**		
FYTD for STEWART, CLIFFORD		**3,507.36**		
STK ARCHITECTURE, INC.			Remit to: **TEMECULA** **CA**	
6/18/2012	885482	2,299.57		
			ANNEX #1 RE-DESIGN/RENOV. PROJ	2,293.41
			ANNEX #1 RE-DESIGN/RENOV. PROJ	0.20
			ANNEX #1 RE-DESIGN/RENOV. PROJ	5.96
	Vendor Total	**2,299.57**		
FYTD for STK ARCHITECTURE, INC.		**356,946.16**		
STRICKLER ASSOCIATION, THE			Remit to: **SAN BERNARDINO** **CA**	
6/25/2012	885519	4,810.00		
			CONSULTING SVCS-NGHBRHOOD PRGM	4,810.00
	Vendor Total	**4,810.00**		
FYTD for STRICKLER ASSOCIATION, THE		**42,428.75**		

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STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	6/4/2012	885396	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885633	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for STRICKLER II, JOHN W.			**4,143.49**		
STROM, BONNIE				Remit to: **COLTON** **CA**	
	6/4/2012	885397	1,582.00		
				RETIREE MED JAN '11 - April "1	1,582.00
	Vendor Total		**1,582.00**		
FYTD for STROM, BONNIE			**1,582.00**		
STUDIO 33 PRODUCTIONS				Remit to: **COLTON** **CA**	
	6/28/2012	213413	7,017.50		
				DEPOSIT-JULY 4TH EVENT EQUIPMT	7,017.50
	6/28/2012	213414	350.00		
				JUDGING PLATFORM FOR JULY 4TH	350.00
	6/28/2012	213415	7,017.50		
				BAL DUE-JULY 4TH EVENT EQUIPMT	7,017.50
	Vendor Total		**14,385.00**		
FYTD for STUDIO 33 PRODUCTIONS			**14,385.00**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213177	16.67		
				MISC SUPPLIES-FIRE DEPT	16.67
	6/25/2012	213266	37.68		
				MISC SUPPLIES-FIRE DEPT	37.68
	Vendor Total		**54.35**		
FYTD for SUNNYMEAD ACE HARDWARE			**1,561.88**		
SUNNYMEAD ANIMAL HOSPITAL				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213178	686.80		
				PHYSICAL EXAMS/VACC-K9-OZZIE	102.00
				PHYSICAL EXAMS/MEDS-K9-IVAN	285.36
				VACCINATION FEE-K9-IVAN	10.00
				HEATWORM TREATMENT-K-9-IVAN	25.00
				FLEA CONTROL FEE-K-9-IVAN	193.95
				HEARTGARD FEE-K-9-IVAN	70.49
	Vendor Total		**686.80**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL			**735.50**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SUPERIOR TOWING INC			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	213013	450.00		
			TOWING SVCS FOR PD-MV101960162	450.00
	Vendor Total	**450.00**		
FYTD for SUPERIOR TOWING INC		**450.00**		
SUTTON, RODRICK			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213416	49.60		
			REFUND FOR T-BALL	49.60
	Vendor Total	**49.60**		
FYTD for SUTTON, RODRICK		**49.60**		
SWAUNCY, SHERMAN			Remit to: **MORENO VALLEY** **CA**	
6/18/2012	213179	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for SWAUNCY, SHERMAN		**75.00**		
T-34 HERITAGE FOUNDATION, INC			Remit to: **ALISO VIEJO** **CA**	
6/18/2012	213180	500.00		
			MEMORIAL DAY FLYOVER	500.00
	Vendor Total	**500.00**		
FYTD for T-34 HERITAGE FOUNDATION, INC		**1,250.00**		
TAPCO, INC.			Remit to: **BROWN DEER** **WI**	
6/18/2012	213181	11,399.52		
			3670-00010 RETRO REFLECTOMETER	9,229.60
			3670-00002 REMOTE CONTROL	1,350.00
			SALES TAX @ 7.75%	819.92
	Vendor Total	**11,399.52**		
FYTD for TAPCO, INC.		**11,399.52**		
TARGET SPECIALTY PRODUCTS			Remit to: **SANTA FE SPRINGS** **CA**	
6/11/2012	885438	5,006.50		
			ROUNDUP PROMAX HERBICIDE	4,993.50
			ROUNDUP PROMAX HERBICIDE	13.00
	Vendor Total	**5,006.50**		
FYTD for TARGET SPECIALTY PRODUCTS		**10,013.00**		
TAX COMPLIANCE SERVICES			Remit to: **THOUSAND OAKS** **CA**	
6/25/2012	213267	5,000.00		
			UUT COMPLIANCE & AUDIT SVCS	5,000.00
	Vendor Total	**5,000.00**		
FYTD for TAX COMPLIANCE SERVICES		**67,500.00**		

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TAYLOR, STEVE				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213418	150.00		
				REFUND-EVENT DEPOSIT LESS 2 HR	150.00
	Vendor Total		**150.00**		
FYTD for TAYLOR, STEVE			**150.00**		
TAYLOR'S APPLIANCE				Remit to: **RIVERSIDE** **CA**	
	6/18/2012	213182	329.78		
				GAS RANGE REPAIR-FIRE STN #58	84.00
				GAS RANGE REPAIR-FIRE STN #58	89.04
				GAS RANGE REPAIR-FIRE STN #58	156.74
	Vendor Total		**329.78**		
FYTD for TAYLOR'S APPLIANCE			**932.69**		
TERRELL, ZARA				Remit to: **MORENO VALLEY** **CA**	
	6/18/2012	213183	1,500.00		
				TUITION FEE REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TERRELL, ZARA			**1,500.00**		
THOMPSON COBURN LLP				Remit to: **WASHINGTON** **DC**	
	6/28/2012	885634	67.00		
				LEGAL SVCS FOR MVU	67.00
	Vendor Total		**67.00**		
FYTD for THOMPSON COBURN LLP			**19,998.77**		
THOMPSON, MICHAEL				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213420	750.00		
				REFUND-6/9/12 EVENT DEPOSIT	750.00
	Vendor Total		**750.00**		
FYTD for THOMPSON, MICHAEL			**750.00**		
THOMSON REUTERS INC				Remit to: **ENCINO** **CA**	
	6/4/2012	213015	176.72		
				LEGAL PUBLICATIONS SUBSCRPTNS	176.72
	6/28/2012	213421	741.35		
				LEGAL PUBLICATIONS SUBSCRPTNS	741.35
	Vendor Total		**918.07**		
FYTD for THOMSON REUTERS INC			**6,732.40**		

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TIMOTHY KRANTZ ENVIRONMENTAL CONSULTING			Remit to: **REDLANDS** **CA**	
6/18/2012	885483	13,950.00		
			PEER REVIEW-WORLD LOGISTIC CTR	13,950.00
	Vendor Total	**13,950.00**		
FYTD for TIMOTHY KRANTZ ENVIRONMENTAL CONSULTING		**36,240.00**		
T-MOBILE USA			Remit to: **SEATTLE** **WA**	
6/4/2012	213014	400.00		
			E911 LOCATOR TOOL SVCS FOR PD	400.00
6/28/2012	213417	700.00		
			E911 LOCATOR TOOL SVCS FOR PD	400.00
			E911 LOCATOR TOOL SVCS FOR PD	300.00
	Vendor Total	**1,100.00**		
FYTD for T-MOBILE USA		**2,100.00**		
TORRES, ERICKA			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	213017	300.00		
			REFUND-5/12/12 RENTAL DEPOSIT	300.00
	Vendor Total	**300.00**		
FYTD for TORRES, ERICKA		**300.00**		
TORRES, MARIA			Remit to: **MORENO VALLEY** **CA**	
6/25/2012	213268	675.00		
			REFUND-6/2/12 EVENT DEPOSIT	675.00
	Vendor Total	**675.00**		
FYTD for TORRES, MARIA		**675.00**		
TR DESIGN GROUP, INC.			Remit to: **RIVERSIDE** **CA**	
6/25/2012	885520	9,865.00		
			TRANSP MGMT CTR PROJ SVCS	9,865.00
6/28/2012	885635	4,000.00		
			PSB CONVERSION PROJ-PHASE II	1,500.00
			PSB CONVERSION PROJ-PHASE II	2,500.00
	Vendor Total	**13,865.00**		
FYTD for TR DESIGN GROUP, INC.		**70,107.00**		

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TREMCO INCORPORATED			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213100	22,803.00		
			TREMCARE GOLD ROOF MAINT-MFPCC	2,344.00
			TREMCARE GOLD ROOF MAINT-CH	1,628.00
			TREMCARE GOLD ROOF MAINT-PSB	3,358.00
			TREMCARE GOLD ROOF MAINT-SC	3,306.00
			TREMCARE GOLD ROOF MAINT-AS	2,656.00
			TREMCARE GOLD ROOF MAINT-LIBR	2,914.00
			TREMCARE GOLD ROOF MAINT-FS#6	1,241.00
			TREMCARE GOLD ROOF MAINT-FS#65	1,346.00
			TREMCARE GOLD ROOF MAINT-CRC	4,010.00
	Vendor Total	**22,803.00**		
FYTD for TREMCO INCORPORATED		**22,803.00**		
TRICHE, TARA			Remit to: **MORENO VALLEY** **CA**	
6/25/2012	213269	2,419.80		
			INSTRUCTOR SVCS-BALLET INTERMD	88.80
			INSTRUCTOR SVCS-BALLET	222.00
			INSTRUCTOR SVCS-BALLET/ACRO	288.60
			INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
			INSTRUCTOR SVCS-DANCE EXPLOR.	269.20
			INSTRUCTOR SVCS-DANCE EXPLOR.	108.20
			INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
			INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
			INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
			INSTRUCTOR SVCS-HIP HOP DANCE	399.60
	Vendor Total	**2,419.80**		
FYTD for TRICHE, TARA		**26,329.20**		
TRI-CITY LINEN SUPPLY, INC.			Remit to: **RIVERSIDE** **CA**	
6/4/2012	885398	73.83		
			LINEN RENTAL FOR CRC	25.00
			LINEN RNTL FOR EVENT-CTR#20596	48.83
6/11/2012	885439	50.00		
			LINEN RENTAL FOR CRC	25.00
			LINEN RENTAL FOR CRC	25.00
6/18/2012	885484	104.50		
			LINEN RENTAL-CRC 6/1-5/12 EVNT	79.50
			LINEN RENTAL FOR CRC	25.00
6/25/2012	885521	25.00		
			LINEN RENTAL FOR CRC	25.00
6/28/2012	885636	134.15		
			LINEN RENTAL FOR CRC	25.00
			LINEN RENTAL FOR CRC	25.00
			LINEN RNTL FOR EVENT-CTR#21627	45.00
			LINEN RNTL FOR EVENT-CTR#21884	39.15
	Vendor Total	**387.48**		
FYTD for TRI-CITY LINEN SUPPLY, INC.		**2,212.21**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRINITY DIVERSIFIED, INC.			Remit to: **LONG BEACH** **CA**	
6/28/2012	213423	501.14		
			STRIPING/STENCIL TRCK SUPPLIES	501.14
	Vendor Total	**501.14**		
FYTD for TRINITY DIVERSIFIED, INC.		**950.42**		
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK** **CA**	
6/11/2012	213101	6,248.50		
			LANDSCAPE MAINT-ZONE E-2	6,086.12
			IRRIGATION REPAIRS-ZONE E-2	162.38
6/18/2012	213185	227.24		
			IRRIGATION REPAIRS-ZONE E-2	227.24
	Vendor Total	**6,475.74**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**116,799.72**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
6/4/2012	885399	8,445.86		
			LANDSCAPE MAINT-ZONE E-4	7,980.86
			LANDSCAPE MAINT-ZONE E-4A	465.00
	Vendor Total	**8,445.86**		
FYTD for TRUGREEN LANDCARE		**310,948.57**		
TUNTLAND, JAMES			Remit to: **PRESCOTT** **AZ**	
6/4/2012	885400	271.44		
			RETIREE MED JUN '12	271.44
6/28/2012	885638	271.44		
			RETIREE MED JUL '12	271.44
	Vendor Total	**542.88**		
FYTD for TUNTLAND, JAMES		**3,507.36**		
TWRITE, INC.			Remit to: **RIVERSIDE** **CA**	
6/11/2012	213102	14,275.50		
			CITY WEBSITE MAINT.	5,860.50
			CITY WEBSITE MAINT.	8,415.00
	Vendor Total	**14,275.50**		
FYTD for TWRITE, INC.		**24,679.50**		
U.S. POSTAL SERVICE			Remit to: **MORENO VALLEY** **CA**	
6/28/2012	213424	8,000.00		
			PERMIT #153-REC GUIDE POSTAGE	8,000.00
	Vendor Total	**8,000.00**		
FYTD for U.S. POSTAL SERVICE		**35,795.00**		

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UNDERGROUND SERVICE ALERT			Remit to: **CORONA**	**CA**
6/25/2012	885522	496.50		
			DIGALERT TICKETS SUBSCRPTN SVC	107.38
			DIGALERT TICKETS SUBSCRPTN SVC	16.74
			DIGALERT TICKETS SUBSCRPTN SVC	107.37
			DIGALERT TICKETS SUBSCRPTN SVC	16.76
			DIGALERT TICKETS SUBSCRPTN SVC	124.12
			DIGALERT TICKETS SUBSCRPTN SVC	124.13
	Vendor Total	**496.50**		
FYTD for UNDERGROUND SERVICE ALERT		**6,550.50**		
UNION BANK OF CALIFORNIA			Remit to: **SAN DIEGO**	**CA**
6/4/2012	213018	298.00		
			INVESTMENT SAFEKEEPING SVCS	298.00
6/28/2012	213425	291.67		
			INVESTMENT SAFEKEEPING SVCS	291.67
	Vendor Total	**589.67**		
FYTD for UNION BANK OF CALIFORNIA		**3,798.04**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	885440	5,489.50		
			IRONWOOD AVE IMPRVMNTS PROJ	5,489.50
6/25/2012	885523	17,995.00		
			IRONWOOD AVE IMPRVMNTS PROJ	6,718.50
			IRONWOOD AVE IMPRVMNTS PROJ	11,276.50
6/28/2012	885639	2,081.00		
			AUTO MALL STREET IMPRVMNT PROJ	2,081.00
	Vendor Total	**25,565.50**		
FYTD for UNITED INSPECTION & TESTING INC		**32,856.50**		
UNITED POWER GENERATION, INC.			Remit to: **RIVERSIDE**	**CA**
6/25/2012	213270	3,220.26		
			EMERG GENERATOR REPAIRS-C HALL	878.30
			EMERG GENERATOR REPAIRS-C HALL	878.29
			EMERG GENERATOR REPAIRS-C HALL	878.29
			EMERG GENERATOR REPAIRS-FS #91	585.38
	Vendor Total	**3,220.26**		
FYTD for UNITED POWER GENERATION, INC.		**14,950.84**		

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UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
6/11/2012	885441	3,292.07		
			BROOM KITS FOR ST. SWEEPERS	633.08
			PARTS FOR ST. SWEEPERS	2,658.99
6/25/2012	885524	438.26		
			BROOM KITS FOR ST. SWEEPERS	406.57
			PART FOR ST. SWEEPER	31.69
6/28/2012	885640	339.77		
			BROOM KITS FOR ST. SWEEPERS	339.77
	Vendor Total	**4,070.10**		
FYTD for UNITED ROTARY BRUSH CORP		**40,838.89**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
6/4/2012	885401	106.40		
			FENCE RENTAL-ANIMAL SHELTER	86.00
			FENCE RENTAL-ANIMAL SHELTER	20.40
6/11/2012	885442	106.40		
			FENCE RENTAL-ANIMAL SHELTER	106.40
	Vendor Total	**212.80**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**1,534.19**		
UNITED STATES TREASURY			Remit to: **CINCINNATI** **OH**	
6/4/2012	213019	95.64		
			PAYROLL DEDUCTION AGREEMENT	95.64
	Vendor Total	**95.64**		
FYTD for UNITED STATES TREASURY		**2,371.81**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
6/4/2012	213020	335.00		
			UNITED WAY CONTRIBUTIONS	335.00
6/18/2012	213186	335.00		
			UNITED WAY CONTRIBUTIONS	335.00
6/28/2012	213426	335.00		
				335.00
	Vendor Total	**1,005.00**		
FYTD for UNITED WAY OF INLAND VALLEYS		**11,192.66**		
USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
6/25/2012	885525	35.69		
			PAGER SVC FOR PARK RANGERS	1.69
			PAGER SVC FOR TRANSP. DIV	4.59
			PAGER SVC FOR ANIMAL SVCS	29.41
	Vendor Total	**35.69**		
FYTD for USA MOBILITY/ARCH WIRELESS		**430.87**		

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VA CONSULTING, INC.				Remit to: **IRVINE** **CA**	
	6/11/2012	885443	2,214.16		
				HEACOCK ST BRIDGE RPLCMNT PROJ	2,214.16
	6/25/2012	885526	6,522.53		
				AUTO MALL ST. IMPRVMNTS PROJ	2,491.50
				AUTO MALL ST. IMPRVMNTS PROJ	2,266.75
				HEACOCK ST BRIDGE RPLCMNT PROJ	1,764.28
	6/28/2012	885641	3,069.75		
				AUTO MALL ST. IMPRVMNTS PROJ	1,168.50
				AUTO MALL ST. IMPRVMNTS PROJ	1,901.25
	Vendor Total		**11,806.44**		
FYTD for VA CONSULTING, INC.			**46,017.98**		

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VACATE TERMITE & PEST ELIMINATION CO.			Remit to: **MORENO VALLEY**	**CA**
6/11/2012	885444	1,350.00		
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-TOWNGATE COMM. CTR	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-UTILITY FIELD OFF.	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #91	45.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
			PEST CNTRL-TRANSP. TRAILER	45.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-MARB ASES BLDG	45.00
6/28/2012	885642	1,125.00		
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-TOWNGATE COMM. CTR	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-UTILITY FIELD OFF.	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-MARCH FLD PRK C.C.	45.00
			PEST CNTRL-TRANSP. TRAILER	45.00
	Vendor Total	**2,475.00**		
FYTD for VACATE TERMITE & PEST ELIMINATION CO.		**20,825.00**		

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VAL VERDE UNIFIED SCHOOL DISTRICT			Remit to: **PERRIS** **CA**	
6/28/2012	213427	1,387.00		
			T-SHIRTS FOR JULY 4TH EVENT	1,375.00
			FILM CHARGE	12.00
	Vendor Total	**1,387.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT		**1,417.00**		
VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND** **CA**	
6/4/2012	885402	9,380.00		
			PROF CONSULTANT STAFFING SVCS	9,380.00
	Vendor Total	**9,380.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**96,372.50**		
VARIABLE SPEEDS SOLUTIONS INC			Remit to: **HUNTINGTON BEACH** **CA**	
6/4/2012	213021	2,214.86		
			PUMP REPAIR-ZONE E-1	2,214.86
	Vendor Total	**2,214.86**		
FYTD for VARIABLE SPEEDS SOLUTIONS INC		**8,567.76**		
VAS ASSOCIATES, INC.			Remit to: **CORONA** **CA**	
6/28/2012	885643	21,960.00		
			PROF CONSULTANT STAFFING SVCS	21,960.00
	Vendor Total	**21,960.00**		
FYTD for VAS ASSOCIATES, INC.		**226,920.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
6/11/2012	213103	2,030.00		
			CONSULTANT ACCOUNTING SVCS	2,030.00
6/28/2012	213428	1,450.00		
			CONSULTANT ACCOUNTING SVCS	1,450.00
	Vendor Total	**3,480.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**61,110.00**		
VERIZON			Remit to: **TRENTON** **NJ**	
6/25/2012	213271	1,773.35		
			BACKBONE COMMUN. CHARGES	1,773.35
	Vendor Total	**1,773.35**		
FYTD for VERIZON		**21,034.63**		

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VERIZON WIRELESS				Remit to: **DALLAS** **TX**	
	6/11/2012	213104	163.37		
				CELLULAR SVC-PD TICKET WRITERS	163.37
	6/28/2012	213429	168.60		
				CELLULAR SVC-PD TICKET WRITERS	168.60
	Vendor Total		**331.97**		
FYTD for VERIZON WIRELESS			**661.93**		
VICTOR MEDICAL CO				Remit to: **LAKE FOREST** **CA**	
	6/18/2012	213187	149.93		
				ANIMAL MEDICAL SUPPLIES	149.93
	Vendor Total		**149.93**		
FYTD for VICTOR MEDICAL CO			**21,725.67**		
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	885403	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885644	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for VIGIL, ERNEST			**4,143.49**		
VILLEGAS, MARISELA				Remit to: **MORENO VALLEY** **CA**	
	6/28/2012	213430	34.50		
				REFUND-CHILDS PLACE GRANT PGRM	34.50
	Vendor Total		**34.50**		
FYTD for VILLEGAS, MARISELA			**34.50**		
VISION SERVICE PLAN				Remit to: **SAN FRANCISCO** **CA**	
	6/4/2012	885404	3,913.69		
				EMPLOYEE VISION INSURANCE	3,913.69
	Vendor Total		**3,913.69**		
FYTD for VISION SERVICE PLAN			**47,183.58**		
VISTA PAINT CORPORATION				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	213022	9,789.99		
				TRAFFIC PAINT	9,789.99
	Vendor Total		**9,789.99**		
FYTD for VISTA PAINT CORPORATION			**20,131.76**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VOYAGER FLEET SYSTEM, INC.			Remit to: **HOUSTON**	**TX**
6/18/2012	885485	1,828.48		
			CNG FUEL PURCHASES	30.36
			CNG FUEL PURCHASES	1,385.19
			CNG FUEL PURCHASES	412.93
	Vendor Total	**1,828.48**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**26,839.54**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO**	**CA**
6/18/2012	213188	5,072.75		
			ASPHALTIC MATERIALS	3,064.41
			ASPHALTIC MATERIALS	111.33
			ASPHALTIC MATERIALS	109.19
			ASPHALTIC MATERIALS	1,296.91
			ASPHALTIC MATERIALS	380.29
			ASPHALTIC MATERIALS	110.62
6/28/2012	213431	656.22		
			ASPHALTIC MATERIALS	110.62
			ASPHALTIC MATERIALS	144.05
			ASPHALTIC MATERIALS	146.17
			ASPHALTIC MATERIALS	110.62
			ASPHALTIC MATERIALS	144.76
	Vendor Total	**5,728.97**		
FYTD for VULCAN MATERIALS CO, INC.		**31,990.47**		
WAGGONER JR., GLENN C.			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	885405	276.58		
			RETIREE MED MAY 12, PD JUN 12	276.58
6/28/2012	885645	276.58		
			RETIREE MED JUN 12, PD JUL 12	276.58
	Vendor Total	**553.16**		
FYTD for WAGGONER JR., GLENN C.		**3,446.10**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY**	**CA**
6/4/2012	885406	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885646	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for WAGNER, GARY D.		**4,143.49**		

City of Moreno Valley

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For Period 6/1/2012 through 6/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WAGONER, ROBERT				Remit to: **ZEPHYRHILLS** **FL**	
	6/28/2012	885647	362.80		
				RETIREE MED JUN-AUG 12, PD JUL	362.80
	Vendor Total		**362.80**		
FYTD for WAGONER, ROBERT			**2,527.60**		
WAGY, CARYLON				Remit to: **MORENO VALLEY** **CA**	
	6/4/2012	213023	318.73		
				RETIREE MED MAY 12, PD JUN 12	318.73
	6/28/2012	213432	318.73		
				RETIREE MED JUN 12, PD JUL 12	318.73
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**4,462.22**		
WALTERS, SUZANNE				Remit to: **CHINO HILLS** **CA**	
	6/4/2012	213024	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WALTERS, SUZANNE			**75.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	6/18/2012	213189	496.74		
				ROLL-OFF STORAGE BIN RENTALS	496.74
	Vendor Total		**496.74**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**11,138.06**		
WEST				Remit to: **SAINT PAUL** **MN**	
	6/28/2012	213434	677.10		
				AUTO TRACK SVCS-PD	534.71
				AUTO TRACK SVCS-PD	142.39
	Vendor Total		**677.10**		
FYTD for WEST			**7,142.39**		

City of Moreno Valley

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For Period 6/1/2012 through 6/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WEST COAST ARBORISTS, INC.				Remit to: **ANAHEIM** **CA**	
	6/4/2012	885407	18,410.00		
				TREE TRIMMING SVCS-PARKS	16,970.00
				EMERG. TREE TRIM/REMOVAL	1,440.00
	6/11/2012	885445	6,545.00		
				TREE TRIMMING SVCS-ZONE DSG-1	1,155.00
				TREE REMOVAL SVCS-ZONE DSG-1	525.00
				TREE TRIMMING SVCS-ZONE DSG-1	2,240.00
				TREE REMOVAL SVCS-ZONE DSG-1	2,625.00
	6/18/2012	885486	12,680.00		
				TREE INSTALLATION SVCS-ZONE E3	3,650.00
				TREE TRIMMING/RMVL-ZONE DSG-2N	4,620.00
				TREE TRIMMING/RMVL-ZONE DSG-2N	4,095.00
				TREE TRIMMING SVCS-ZONE DSG-2S	315.00
	Vendor Total		**37,635.00**		
FYTD for WEST COAST ARBORISTS, INC.			**142,485.00**		
WESTECH COLLEGE				Remit to: **ONTARIO** **CA**	
	6/28/2012	213435	500.00		
				REFUND-6/7/12 EVENT DEPOSIT	500.00
	Vendor Total		**500.00**		
FYTD for WESTECH COLLEGE			**1,106.14**		
WESTERN MUNICIPAL WATER DISTRICT				Remit to: **RIVERSIDE** **CA**	
	6/25/2012	213272	2,812.76		
				WATER CHARGES	1,581.48
				WATER CHARGES	26.74
				WATER CHARGES	1,130.72
				WATER CHARGES	73.82
	Vendor Total		**2,812.76**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**28,955.00**		
WESTOVER, MARK				Remit to: **SAN DIEGO** **CA**	
	6/4/2012	885408	318.73		
				RETIREE MED JUN '12	318.73
	6/28/2012	885648	318.73		
				RETIREE MED JUL '12	318.73
	Vendor Total		**637.46**		
FYTD for WESTOVER, MARK			**3,914.31**		

City of Moreno Valley

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For Period 6/1/2012 through 6/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WIBERG, CHRISTOPHER			Remit to: **ANAHEIM** **CA**	
6/4/2012	213025	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	213436	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for WIBERG, CHRISTOPHER		**4,353.93**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
6/4/2012	885409	318.73		
			RETIREE MED JUN '12	318.73
6/28/2012	885649	318.73		
			RETIREE MED JUL '12	318.73
	Vendor Total	**637.46**		
FYTD for WIELIN, RONALD A.		**4,143.49**		
WILLIAMS, JANE L.			Remit to: **GRAND FORKS** **ND**	
6/4/2012	885410	192.40		
			RETIREE MED APR 12, PD JUN 12	192.40
6/28/2012	885650	390.74		
			RETIREE MED MAY-JUN 12, PD JUL	390.74
	Vendor Total	**583.14**		
FYTD for WILLIAMS, JANE L.		**2,507.14**		
WILLIS, ROBERT H			Remit to: **PERRIS** **CA**	
6/11/2012	213105	154.00		
			SPORTS OFFICIATING SVCS	54.00
			SPORTS OFFICIATING SVCS	20.00
			SPORTS OFFICIATING SVCS	80.00
6/25/2012	213273	106.00		
			SPORTS OFFICIATING SVCS	6.00
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	60.00
6/25/2012	213274	94.00		
			SPORTS OFFICIATING SVCS	94.00
	Vendor Total	**354.00**		
FYTD for WILLIS, ROBERT H		**2,574.00**		
WOODWORTH, DARRYL			Remit to: **MORENO VALLEY** **CA**	
6/4/2012	213026	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for WOODWORTH, DARRYL		**50.00**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			Remit to: **RIVERSIDE**	**CA**
6/11/2012	213106	2,000.00		
			AGENCY SPONSORSHIP-GEN ASSMBLY	2,000.00
Vendor Total		**2,000.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		**303,667.14**		
WURM'S JANITORIAL SERVICES, INC.			Remit to: **CORONA**	**CA**
6/4/2012	885411	318.83		
			JANITORIAL SVCS-THINK TG BLDG	60.73
			JANITORIAL SVCS-THINK TG BLDG	72.10
			JANITORIAL SVCS-RED MAPLE ELEM	186.00
6/18/2012	885487	22,776.14		
			CEILING TILES CLEANING-TOWNGT	200.00
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
			JANITORIAL SVCS-EOC	688.36
			JANITORIAL SVCS-EMP RES CTR	532.81
			JANITORIAL SVCS-SP DIST ANNEX	735.73
			JANITORIAL SVCS-FACIL. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-MRCH FLD PK CC	955.70
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-RAINBOW RIDGE	310.10
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-SUNNYMD MIDDLE	350.66
			JANITORIAL SVCS-TOWNGATE C.C.	664.65
			JANITORIAL SVCS-TOWNGATE C.C.	26.73
			JANITORIAL SVCS-TS ANNEX	453.43
6/25/2012	885527	832.82		
			JANITORIAL SVCS-GANG TASK FRC	112.82
			JANITORIAL SVCS-TOWNGT RENTALS	720.00
6/28/2012	885651	2,612.10		
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
			JANITORIAL SVCS-SR CTR RENTALS	390.00
			JANITORIAL SVCS-CRC RENTALS	1,970.00
			SPECIAL CARPET CLEANING AT PD	100.00
Vendor Total		**26,539.89**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**302,488.11**		

City of Moreno Valley

Check Register

For Period 6/1/2012 through 6/30/2012

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	6/18/2012	213191	1,919.40		
				LEASE OF XC550/PRINTS-PARKS	1,428.64
				LEASE OF XEROX EX560-PARKS	490.76
	6/25/2012	213275	1,048.73		
				COPIER RNTL/MAINT-PD	76.51
				COPIER RNTL/MAINT-PD	84.38
				COPIER RNTL/MAINT-PD	70.29
				LEASE OF XEROX XC550V-GRAPHICS	424.11
				LEASE OF XEROX EX560-GRAPHICS	393.44
	Vendor Total		**2,968.13**		
FYTD for XEROX			**48,782.94**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	6/4/2012	885412	139.90		
				RETIREE MED APR 12, PD JUN 12	139.90
	6/28/2012	885652	139.90		
				RETIREE MED MAY 12, PD JUL 12	139.90
	Vendor Total		**279.80**		
FYTD for YAMASHITA, JULIA J.			**1,991.50**		

Subtotal	**1,689,739.05**
GRAND TOTAL	**22,489,803.50**

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MV00174690

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director / City Engineer

AGENDA DATE: August 28, 2012

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO C P CONSTRUCTION CO. INC. FOR THE CORPORATE YARD SEWER IMPROVEMENTS – PROJECT NO. 12-41266522

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract to C P Construction Co., Inc. (C P Construction), PO Box 1206, Ontario, CA 91762, the lowest responsible bidder, for the Corporate Yard Sewer Improvements.

2. Authorize the City Manager to execute a contract with C P Construction.

3. Authorize the issuance of a Purchase Order to C P Construction in the amount of $272,710.32 ($227,258.60 plus 20% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C P Construction, up to but not to exceed the $45,451.72 contingency.

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to C P Construction if no claims have been filed against the project.

BACKGROUND

The City retained Gillis + Panichapan Architects, Inc. (GPA) to complete a Space Needs Analysis and Conceptual Design Study for the Corporate Yard Facility. This work was completed in the Fall of 2008.

At its Study Session on April 21, 2009, the findings of the *Corporate Yard Facility Space Needs Analysis, Conceptual Design Study* and proposed project phasing was presented to the City Council for review and discussion. At the presentation, staff noted that the existing facility is served by an under-sized septic system that frequently needs repair.

On January 10, 2010, a design contract was awarded to Pitassi Architects, Inc. (Pitassi) of Rancho Cucamonga to provide architectural and engineering services (A&E) for the design of the Corporate Yard Phase I office building and sewer line.

The design phase was completed by Pitassi, however, due to project re-sequencing as part of the City's Economic Development Plan approved by the City Council on April 26, 2011, the project was placed on hold.

The Planning Division of the Community and Economic Development Department has determined that this project qualifies for a Class 2 Categorical Exemption as defined in Section 15302 of the California Environmental Quality Act (CEQA) Guidelines.

DISCUSSION

The north septic tank serves the Corporate Yard's Big Bay Warehouse and adjoining office facilities. Maintenance and Operations' staff recently reported that the north septic tank system failed. This has resulted in frequent pumping out of the sewage and special handling through contract services. The septic tank has historically needed repair and service.

In response to this critical need, Capital Projects' staff contacted Eastern Municipal Water District (EMWD) to obtain a sewer connection permit allowing the City to replace the existing on-site septic tank systems with new sewer pipes connecting directly to public sewer system. The scope of work also required some minor EMWD sewer pipe upsizing near the intersection of Iris Avenue and Kitching Avenue. An EMWD permit will be granted for this purpose.

Modified design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In July 2012, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 10:00 a.m. on August 7, 2012, for the subject project. Five (5) bids (four responsive bids and one non-responsive bid) were received as follows:

	CONTRACTORS	Bid Amount
1.	C P Construction Co., Inc. – Ontario	$227,258.60
2.	Hemet Mfg. Co. dba Genesis Construction – Hemet	$232,777.00
3.	Noriega Pipeline, Inc.– Rancho Cucamonga	$233,789.00
4.	Atlas Underground Inc. – Pomona*	$248,470.00
5.	4-CON Engineering Inc. – Riverside	$253,804.00

** Non-responsive bid*

Staff has reviewed the bid by C P Construction and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by C P Construction.

ALTERNATIVES

1. By motion, approve and authorize the recommended actions as presented in this staff report. *This alternative will facilitate the timely construction of an adequately functioning sewer disposal system at the Corporate Yard. The existing septic system has failed.*

2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative could result in unsanitary conditions at the Corporate Yard if the existing septic system overflows adjacent to the existing buildings as well as the inability to use the existing restroom facilities.*

FISCAL IMPACT

Design and construction of the Sewer Line was included in the adopted Fiscal Year 2012/2013 Capital Improvement Project. Due to the urgent nature of the improvements needed at the Corporate Yard, the sewer improvements cannot be delayed. The project is funded by the General City Capital Projects Fund (from developer impact fees specifically collected for the Corporate Yard) and the Facilities Fund (internal service funds set aside for replacement of original Corporate Yard facilities).

AVAILABLE BUDGET:

FY 2012/2013 Facility Construction Fund (Account No. 3000-70-77-80003 803 0002 70 77)	$ 190,000
FY 2012/2013 Facilities Fund (Account No. 7310-70-77-80003 803 0002 70 77)	$ 172,000
Total Available Funds	**$ 362,000**

ESTIMATED PROJECT COSTS:

Design-related Costs	$ 10,000
Construction	$273,000
Construction Surveying, Geotechnical, and Inspection Services Costs	$ 47,000
Project Administration*	$ 30,000
Total Estimated Cost	**$360,000**

**Includes City project administration, permits, printing, and other miscellaneous costs.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award..... August 2012
Start Construction..... September 2012
Complete Construction..... December 2012

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT: Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS: Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

This project will replace the Corporate Yard's failing septic tank system with new sewer pipes connecting directly to the public sewer system. Staff recommends awarding the contract to C P Construction and authorizing the issuance of a purchase order in the amount of $272,710.32, inclusive of a 20% contingency, when the agreement has been signed by all parties.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Contract Agreement

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director / Assistant City Engineer

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director / City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

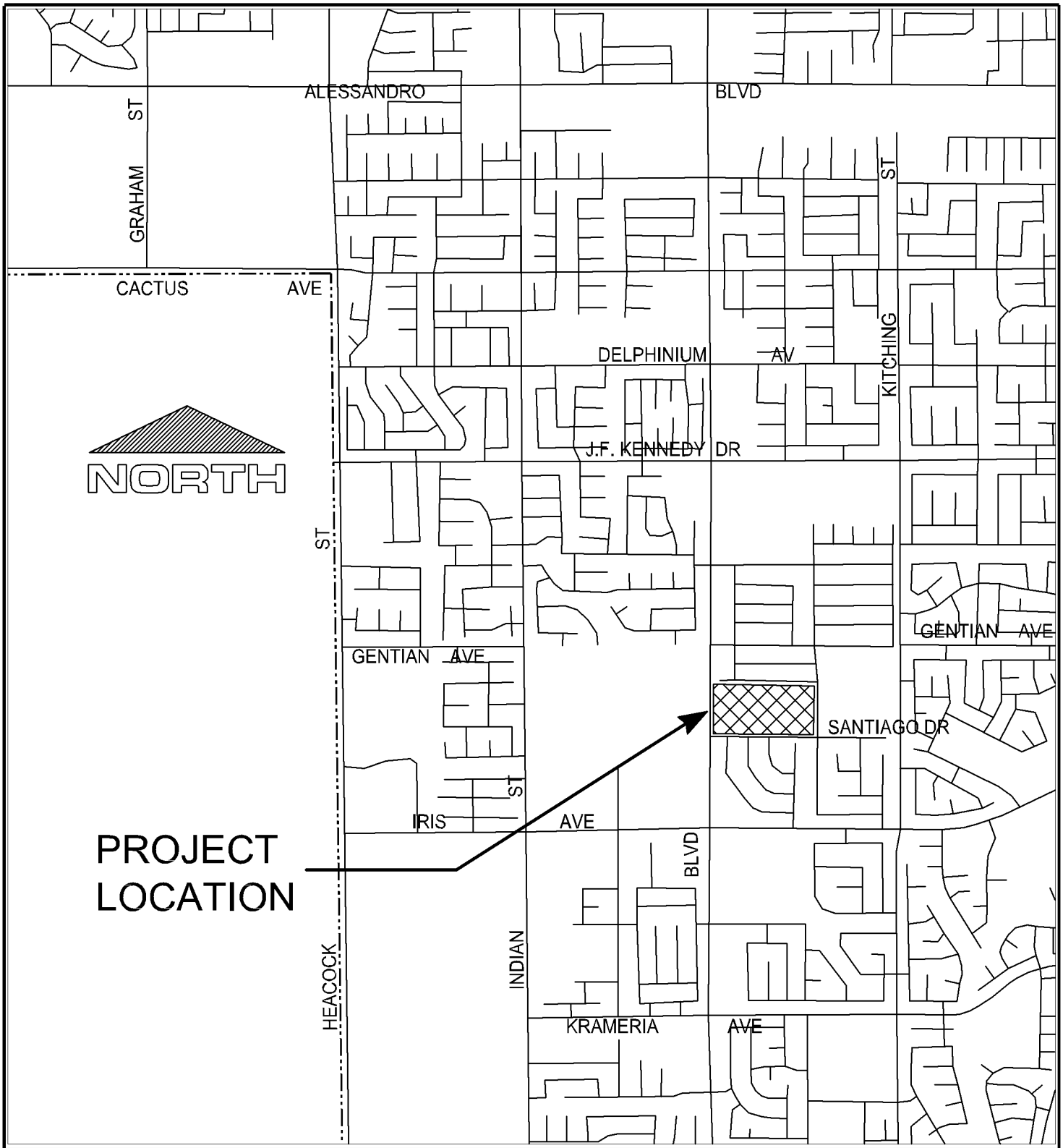

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

CORPORATE YARD FACILITY
PROJECT NUMBER 05-41266522

Item No. A.5

MV00174695

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MV00174696

Agreement No._____

AGREEMENT

PROJECT NO. 12-41261522

CORPORATE YARD SEWER IMPROVEMENTS

THIS Agreement, effective as of the date signed by the City of Moreno Valley by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and _____, hereinafter called the "Contractor."

That the City and the Contractor, for the consideration hereinafter named, agree as follows:

1. **CONTRACT DOCUMENTS.** The Contract Documents consist of the following, which are incorporated herein by this reference:

A. Any and all Contract Change Orders issued after execution of this Agreement
B. Addenda Nos. _____; inclusive, issued prior to the opening of the Bids
C. Bound Bid Documents.
D. Special Provisions, including the General Provisions and Technical Provisions, all of which are part of this Agreement
E. Project Plans
F. Standard Plans
G. Standard Specifications for Public Works Construction ("Greenbook") – latest edition in effect at the Bid Deadline, as modified by the City Special Provisions
H. Reference Specifications/Reference Documents, all of which are part of this Agreement
I. Bidder's Proposal, which includes the Bidder's Bond, Noncollusion Affidavit, and Subcontractor Listing

In the event of conflict between any of the Contract Documents, the provisions placing a more stringent requirement on the Contractor shall prevail. The Contractor shall provide the better quality or greater quantity of Work and/or materials unless otherwise directed by City in writing. In the event none of the Contract Documents place a more stringent requirement or greater burden on the Contractor, the controlling provision shall be that which is found in the document with higher precedence in accordance with the above order of precedence.

2. **REFERENCE DOCUMENTS.** The following Reference Documents are not considered Contract Documents and are provided to the Contractor for informational purposes:

A. SWPPP/WPCP
B. Geotechnical Reports
C. None

3. **SCOPE OF WORK.** The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract Documents, except as otherwise provided in the Plans, Standard Specifications, or City Special Provisions to be the responsibility of others.

4. PAYMENT.

4.1. **Contract Price and Basis for Payment.** In consideration for the Contractor's full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items and Alternate Bid Items, if any, set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items and Alternate Bid Items, if any, awarded by the City is __ _____ Dollars ($_____) ("Contract Price"). The Alternate Bid Items selected by the City and included in the Contract are: _____, _____, and _____. It is understood and agreed that the quantities set forth in the Bidder's Proposal for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of work, the unit prices set forth in the Bidder's Proposal multiplied by the actual number of units performed, constructed, or completed as directed by the City Engineer.

4.2. **Payment Procedures.** Based upon applications for payment submitted by the Contractor to the City, the City shall make payments to the Contractor in accordance with Article 9 of the Standard Specifications, as modified by Article 9 of the City Special Provisions.

5. CONTRACT TIME.

A. Initial Notice to Proceed. After the Agreement has been fully executed by the Contractor and the City, the City shall issue the "Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials." The date specified in the Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials constitutes the date of commencement of the Contract Time of **Sixty (60) Working Days.** The Contract Time includes the time necessary to fulfill preconstruction requirements, place the order of materials, and to complete construction of the Project (except as adjusted by subsequent Change Orders).

The Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials shall further specify that Contractor must complete the preconstruction requirements and order materials within **Fifteen (15) Working Days** after the date of commencement of the Contract Time; this duration is part of the Contract Time.

Critical preconstruction requirements include, but are not limited to, the following:

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan (SWPPP)/Water Pollution Control Plan (WPCP)
- Submitting and obtaining approval of critical required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Bidding Documents
- Completion of all pre-construction activities under Environmental Mitigations

If the City's issuance of a Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials is delayed due to Contractor's failure to return the fully executed Agreement and insurance and bond documents within ten (10) Working Days after

Contract award, then Contractor agrees to the deduction of one (1) Working Day from the number of days to complete the Project for every Working Day of delay in the City's receipt of said documents. This right is in addition to and does not affect the City's right to demand forfeiture of Contractor's Bid Security If Contractor persistently delays in providing the required documentation.

B. Notice to Proceed with Construction. After all preconstruction requirements are met and materials have been ordered in accordance with the Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor shall diligently prosecute the Work, including corrective items of Work, day to day thereafter, within the remaining Contract Time.

6. LIQUIDATED DAMAGES.

6.1. **Liquidated Damages.** The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to order all materials in accordance with the Notice to Proceed with Order of Materials and/or failure to fulfill the preconstruction requirements, and/or failure to complete the Work within the Contract Time. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadline for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to order all materials in accordance with the Notice to Proceed with Order of Materials and/or fails to fulfill the preconstruction requirements and/or fails to complete the Work within the Contract Time, Contractor agrees to pay the City **$370.00 per Calendar day** that completion of the Work is delayed beyond the Contract Time, as adjusted by Contract Change Orders. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

The Contractor and City acknowledge and agree that the foregoing liquidated damages have been set based on an evaluation of damages that the City will incur in the event of late completion of the Work. The Contractor and City acknowledge and agree that the amount of such damages are impossible to ascertain as of the date of execution hereof and have agreed to such liquidated damages to fix the City's damages and to avoid later disputes. It is understood and agreed by Contractor that liquidated damages payable pursuant to this Agreement are not a penalty and that such amounts are not manifestly unreasonable under the circumstances existing as of the date of execution of this Agreement.

It is further mutually agreed that the City will have the right to deduct liquidated damages against progress payments or retainage and that the City will issue a Change Order or Construction Change Directive and reduce the Contract Price accordingly. In the event the remaining unpaid Contract Price is insufficient to cover the full amount of liquidated damages, Contractor shall pay the difference to the City.

6.2. **Owner is Exempt from Liability for Early Completion Delay Damages**. While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to

complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-6 of the Standard Specifications and City Special Provisions regarding compensation for delays.

7. INSURANCE.

7.1. **General.** The Contractor shall procure and maintain at its sole expense and throughout the term of this Agreement, any extension thereof, Commercial General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described herein.

7.2. **Additional Insured Endorsements.** The Contractor shall cause the insurance required by the Contract Document to include the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives as an additional insureds. For the Commercial General Liability coverage, said parties shall be named as additional insureds utilizing either:

1. Insurance Services Office ("ISO") Additional Insured endorsement CG 20 10 (11/85); or

2. ISO Additional Insured endorsement CG 20 10 (10/01) and Additional Insured Completed Operations endorsement CG 20 37 (10/01); or

3. substitute endorsements providing equivalent coverage, approved by the City.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The coverage shall contain no special limitations on the scope of protection afforded to such additional insureds. Coverage for such additional insureds does not extend to liability to the extent prohibited by Insurance Code Section 11580.4.

7.3. **Waivers of Subrogation.** All policies of insurance required by the Contract Documents shall include or be endorsed to provide a waiver by the insurers of any rights of recovery or subrogation that the insurers may have at any time against the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives.

7.4. **Primary Coverage.** All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

7.5. **Coverage Applies Separately to Each Insured and Additional Insured.** Coverage shall state that the Contractor's (and its Subcontractors') insurance shall apply separately to each insured or additional insured against whom claim is made or suit is brought, except with respect to

the limits of the insurer's liability. Coverage shall apply to any claim or suit brought by an additional insured against a named insured or other insured.

7.6. **Self-Insurance**. Any self-insurance (including deductibles or self-insured retention in excess of $50,000) in lieu of liability insurance must be declared by Contractor and approved by the City in writing prior to execution of the Agreement. The City's approval of self-insurance, if any, is within the City's sole discretion and is subject to the following conditions:

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions, maintain and upon Owner's reasonable request provide evidence of:

   (a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property and equipment and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;

   (b) financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill; and

   (c) a claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.

2. If at any time after such self-insurance has been approved Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:

   (a) the Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or

   (b) the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or

   (c) the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

7.7. **Insurer Financial Rating**. Insurance companies providing insurance hereunder shall be rated A-:VII or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

7.8. **Notices to City of Cancellation or Changes**. Each insurance policy described in this Paragraph 7 shall contain a provision or be endorsed to state that coverage will not be cancelled

without **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

7.9. **Commercial General Liability**. Coverage shall be written on an ISO Commercial General Liability "occurrence" form CG 00 01 (10/01 or later edition) or equivalent form approved by the City for coverage on an occurrence basis. The insurance shall cover liability, including, but not limited to, that arising from premises operations, stop gap liability, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The policy shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 (11/85). Coverage shall contain no contractors' limitation or other endorsement limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground (x, c, u) property damage. Contractor shall provide Products/Completed Operations coverage to be maintained continuously for a minimum of **one (1) year** after Final Acceptance of the Work, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: $1,000,000 per occurrence / $2,000,000 aggregate / $2,000,000 products-completed operations.

7.10. **Business Automobile Liability**. Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with $1,000,000 combined single limit per accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.11. **Workers' Compensation.** Contractor shall comply with the applicable sections of the California Labor Code concerning workers' compensation for injuries on the job. Compliance is accomplished in one of the following manners:

1. Provide copy of permissive self-insurance certificate approved by the State of California; or
2. Secure and maintain in force a policy of workers' compensation insurance with statutory limits and Employer's Liability Insurance with a minimal limit of **$1,000,000** per accident; or
3. Provide a "waiver" form certifying that no employees subject to the Labor Code's Workers' Compensation provision will be used in performance of this Contract.

7.12. **Subcontractors' Insurance.** The Contractor shall include all Subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to all of the requirements stated herein.

8. BONDS. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be furnished as a guarantee of the faithful performance of the requirements of the Contact Documents as may be amended from time to time, including, but not limited to, liability for delays and damages (both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the Satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments hall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

Contractor agrees that the Labor and Materials Payment Bond and Faithful Performance Bond attached to this Agreement are for reference purposes only, and shall not be considered a part of this Agreement. Contractor further agrees that said bonds are separate obligations of the

Contractor and its surety, and that any attorney's fee provision contained in any payment bond or performance bond shall not apply to this Agreement. In the event there is any litigation between the parties arising from the breach of this Agreement, each party will bear its own attorneys' fees in the litigation.

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for at least three (3) years after Final Acceptance.

10. INDEMNIFICATION.

10.1. **General.** To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold harmless and defend (even if the allegations are false, fraudulent, or groundless), the City of Moreno Valley, its City Council, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

A. Any activity on or use of the City's premises or facilities;
B. Any liability incurred due to Contractor acting outside the scope of its authority pursuant to the Contract, whether or not caused in part by an Indemnified Party;
C. The failure of Contractor or the Work to comply with any Applicable Law, permit or orders;
D. Any misrepresentation, misstatement or omission with respect to any statement made in the Contract Documents or any document furnished by the Contractor in connection therewith;
E. Any breach of any duty, obligation or requirement under the Contract Documents, including, but not limited to any breach of Contractor's warranties, representations or agreements set forth in the Contract Documents;
F. Any failure to coordinate the Work with City's Separate Contractors;
G. Any failure to provide notice to any party as required under the Contract Documents;
H. Any failure to act in such a manner as to protect the Project from loss, cost, expense or liability;

I. Bodily or personal injury, emotional injury, sickness or disease, or death at any time to any persons including without limitation employees of Contractor;

J. Damage or injury to real property or personal property, equipment and materials (including, but without limitation, property under the care and custody of the Contractor or the City) sustained by any person or persons (including, but not limited to, companies, corporations, utility company or property owner, Contractor and its employees or agents, and members of the general public);

K. Any liability imposed by Applicable Law including, but not limited to criminal or civil fines or penalties;

L. Any dangerous, hazardous, unsafe or defective condition of, in or on the Site, of any nature whatsoever, which may exist by reason of any act, omission, neglect, or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors;

M. Any operation conducted upon or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors under or pursuant to the provisions of the Contract or otherwise;

N. Any acts, errors, omission or negligence of Contractor, its officers, agents, employees, or Subcontractors;

O. Infringement of any patent rights, licenses, copyrights or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and

P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence.** Contractor's obligations to indemnify and hold the Indemnitees harmless **exclude** only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph 11. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

10.3. **Independent Defense Obligation.** The duty of the Contractor to indemnify and hold harmless the Indemnitees includes the separate and independent duty to defend the Indemnitees, which duty arises immediately upon receipt by Contractor of the tender of any Indemnity Claim from an Indemnitee. The Contractor's obligation to defend the Indemnitee(s) shall be at Contractor's sole expense, and not be excused because of the Contractor's inability to evaluate liability or because the Contractor evaluates liability and determines that the Contractor is not liable. This duty to defend shall apply whether or not an Indemnity Claim has merit or is meritless, or which involves claims or allegations that any or all of the Indemnitees were actively, passively, or concurrently negligent, or which otherwise asserts that the Indemnitees are responsible, in whole or in part, for any Indemnity Claim. The Contractor shall respond within thirty (30) Calendar Days to the tender of

any Indemnity Claim for defense and/or indemnity by an Indemnitee, unless the Indemnitee agrees in writing to an extension of this time. The defense provided to the Indemnitees by Contractor shall be by well qualified, adequately insured and experienced legal counsel acceptable to the City.

10.4. **Intent of Parties Regarding Scope of Indemnity.** It is the intent of the parties that the Contractor and its Subcontractors of all tiers shall provide the Indemnitees with the broadest defense and indemnity permitted by Applicable Law. In the event that any of the defense, indemnity or hold harmless provisions in the Contract Documents are found to be ambiguous, or in conflict with one another, it is the parties' intent that the broadest and most expansive interpretation in favor of providing defense and/or indemnity to the Indemnitees be given effect.

10.5. **Waiver of Indemnity Rights Against Indemnitees.** With respect to third party claims against the Contractor, to the fullest extent permitted by law, the Contractor waives any and all rights to any type of express or implied indemnity against the Indemnitees.

10.6. **Subcontractor Requirements.** In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Paragraph 11.

10.7. **No Limitation or Waiver of Rights.** Contractor's obligations under this Paragraph 11 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Paragraph 11 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Paragraph 11 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

10.8. **Withholding to Secure Obligations.** In the event an Indemnity Claim arises prior to final payment to Contractor, the City may, in its sole discretion, reserve, retain or apply any monies due Contractor for the purpose of resolving such Indemnity Claims; provided, however, the City may release such funds if the Contractor provides the City with reasonable assurances of protection of the Indemnitees' interests. The City shall, in its sole discretion, determine whether such assurances are reasonable.

10.9. **Survival of Indemnity Obligations.** Contractor's obligations under this Paragraph 11 are binding on Contractor's and its Subcontractors' successors, heirs and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

11. SUCCESSORS AND ASSIGNS. The Parties bind themselves, their heirs, executors, administrators, successors and assigns the covenants, agreements and obligations contained in the Contract Documents. The Contractor shall not, either voluntarily or by action of law, assign any right or obligation of the Contractor under the Contract Documents without prior written consent of the City.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY:_____
City Manager

DATE:_____

(Name of Contractor)

License No./
Classification:_____

Expiration Date:_____

Federal I.D. No.:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer
(if contract exceeds $15,000)

_____
Date

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

Signature(s) must be accompanied by a completed notary certificate of acknowledgement attached hereto. A general partner must sign on behalf of a partnership. **Two (2)** corporate officers must sign on behalf of a corporation unless the corporation has a corporate resolution that allows one person to sign on behalf of the corporation; if applicable, said resolution must be attached hereto. The corporate seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. A.5

MV00174709

CITY OF MORENO VALLEY
Project No. 12-41266522

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Price)

PROJECT NO. 12-41266522

CORPORATE YARD SEWER IMPROVEMENTS

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to _____, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 12-41266522**, and all Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Documents and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

Contractor and Surety agree that this Faithful Performance Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Faithful Performance Bond is a separate obligation of the Contractor and its Surety, and that any attorneys' fee provision contained in this Faithful Performance Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents or to the Work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California
County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
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  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

Item No. A.5

MV00174713

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 12-41266522

CORPORATE YARD SEWER IMPROVEMENTS

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to _____, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 12-41266522**, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

Contractor and Surety agree that this Labor and Materials Payment Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Labor and Materials Payment Bond is a separate obligation of the Contractor and its Surety, and that any attorneys' fee provision contained in this Labor and Materials Payment Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
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CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- Securely attach this document to the signed document.

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RM
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: Approval of the Agreement to Form the Lake Elsinore and Canyon Lake Total Maximum Daily Load (TMDL) Task Force

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney;

2. Appoint the Community and Economic Development Director as the primary representative and appoint the Storm Water Program Manager as the alternate representative to the TMDL Task Force;

3. Authorize the Community and Economic Development Director to execute future amendments to the Agreement as approved by the City Attorney;

4. Authorize the Mayor to execute the Agreement; and

5. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Agreement to the Santa Ana Watershed Project Authority.

BACKGROUND

A TMDL is the amount of a specific pollutant that can be assimilated by a particular water body without causing impairment to its designated uses, i.e., swimming, fishing, municipal water, etc. If a water body cannot assimilate the specific pollutant the water body is determined "impaired" under the federal Clean Water Act. States are required to identify their impaired water bodies, determine the specific pollutant(s) causing impairment and prepare a TMDL. In the 1990's, the Santa Ana Regional Water Quality

Control Board (Board) complied with the Clean Water Act and identified Lake Elsinore and Canyon Lake as water bodies impaired by two nutrients, nitrogen and phosphorous as well as other pollutants.

In 2000, the Board identified the federal, State and local agencies as well as the special districts and private parties, collectively "Stakeholders" that directly or indirectly discharge nutrients to Canyon Lake and Lake Elsinore. The city was named a stakeholder. At that time the Board organized a TMDL Stakeholder Workgroup in which the city was an active participant. Subsequently, the Board prepared a nutrient TMDL Report and Implementation Plan.

On December 20, 2004, the Board adopted Resolution No. R8-2004-0037 incorporating the nutrient TMDL into the Santa Ana River Basin. On May 19, 2005, the TMDL and its accompanying Implementation Plan was approved by the State Water Resources Control Board per Resolution No. 2005-0038 and by the California Office of Administrative Law on July 26, 2005. On September 30, 2005, the United States Environmental Protection Agency (USEPA) Region IX approved the nutrient TMDL. The nutrient TMDL became law based upon the California Water Code and is now enforceable by the State and USEPA.

On January 30, 2006, the Board sent letters to the Stakeholders setting forth a requirement under the California Water Code Section 13267 for each to submit technical reports, plans and schedules for the implementation of the TMDL. On February 16, 2006, the Riverside County Flood Control and Water Conservation District (FCD) staff briefed the City Managers of the affected cities regarding the proposed task force and to review each city's cost share if they joined the task force. On February 21, 2006, staff updated City Council on the TMDL progress. Staff presented the concept of participating in TMDL Task Force as a way for Moreno Valley to comply with the State and federal TMDL mandate.

On June 26, 2006, the City Council authorized the Mayor to execute the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. The agreement was extended twice before expiring June 30, 2012.

On May 17, 2012, FCD staff briefed the City Managers of the affected cities regarding the progress of the task force. Additionally, FCD staff reviewed each city's TMDL cost share should they continue to remain members of the task force for Fiscal Year (FY) 2012/13.

Through the past agreement, the TMDL Task Force funded and procured professional services to address and complete tasks shared by the Stakeholders. As an active member of the TMDL Task Force, Moreno Valley benefited from the pool of resources assembled to address common TMDL tasks and in-kind services provided on behalf of Moreno Valley that if addressed separately by the city would substantially increase Moreno Valley's costs to comply with the TMDL mandates.

DISCUSSION

Issues

The TMDL Implementation Plan mandates the Stakeholders either individually or collectively perform various tasks and projects to achieve compliance with the TMDL by the end of 2020. Currently, Moreno Valley is in compliance with the TMDL Implementation Plan and its established deadlines by being an active member of the Task Force. Should City Council decide not to approve and execute the agreement the city must individually submit and implement the mandated technical reports, plans, schedules and projects. Because the TMDL is law, ignoring the TMDL mandates and timelines for compliance will subject the city, staff and officials to civil and criminal actions under the State Water Code and the federal Clean Water Act.

Analysis

Continuing to remain an active Task Force member provides the city access to additional professional and fiscal resources for the specific purpose to address common TMDL tasks identified in Recital "B" of the attached agreement. The TMDL Task Force may include one federal agency, two State agencies, one Joint Powers Authority, the County of Riverside, eleven cities, three special districts, and one agricultural coalition representing farming interests and dairy interests. The Lake Elsinore and San Jacinto Watershed Authority (LESJWA) is identified as the TMDL Administrator.

The Administrator will work with the Task Force members to adopt annual budgets for each fiscal year commencing July 1. Annual budgets will include anticipated costs for the compliance of work and projects developed by the task force for the year. The Task Force members identified the estimated costs of each task to determine the FY 2012/13 annual budget for the task force. Through this agreement a cost share formula has been determined. Pooling funds will reduce the each member's costs for tasks of which all members named to complete.

Conclusion

The benefits of joining the TMDL Task Force include;

- Having oversight of the TMDL Administrator and other water quality professionals hired to manage the various contracts necessary for common TMDL tasks that benefit Moreno Valley;
- Performance goals to ensure the Task Force members remain in compliance by producing various reports, schedules, plans and projects by the mandated deadlines that are common to all;
- A greater voice to advocate the city's position to water quality issues affecting the watershed, and;
- Sharing costs for common tasks is sound fiscal management.

ALTERNATIVES

Alternative One--Approve the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. ***Staff recommends this alternative***. Alternative One provides Moreno Valley the opportunity to benefit from a pool of resources to address common TMDL tasks thus reduce overall costs and take credit for in-kind services provided by the FCD.

Alternative Two--Do not approve the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. ***Staff does not recommend this alternative***. The city must perform the tasks outlined in the TMDL and as addressed in the 13267 letter. Undertaking the tasks as an individual stakeholder will substantially increase the city's cost of compliance.

FISCAL IMPACT

As identified on Page 1 of Exhibit "A" to the Agreement, the FY 2012/2013 TMDL Budget is $481,000. Neither the State nor the federal governments have provided funding for the TMDL mandated tasks.

Moreno Valley does not have a designated funding source for TMDLs. County Service Area (CSA) 152 could be expanded to address TMDLs. A city-wide mail ballot proceeding would be necessary to increase the CSA 152 levy to address TMDLs. The NPDES Regulatory Rates for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development do not address TMDLs. The Regulatory Rate Schedules could be reviewed and amended to address TMDL costs associated with new development. Since FY 2006/07 the General Fund has provided the necessary funds for the TMDL mandates.

Alternative One

Moreno Valley's share of the FY 2012/13 budget as a member of the TMDL Task Force is approximately $101,974.00 as indicated on Page 2 of Exhibit "A" to the Agreement. Utilizing accrued credits and in-kind services, Moreno Valley's estimated expense for FY 2012/13 is $30,500.00. Sufficient funds for FY 2012/13 have been appropriated.

Alternative Two

As an individual stakeholder performing the required tasks separately from the TMDL Task Force, Moreno Valley's FY 2012/13 costs are estimated to be $365,000.00. Moreno Valley would be required to fund and perform the same required tasks as the TMDL Task Force, as shown in Exhibit "A" to the Agreement except for line item nos. 1, 2, and 4 ($116,000.00) of, *Part "A": Task Force Regulatory/Administrative Budget*. The

$365,000.00 does not include the costs for additional city Storm Water Management Program staff or consultants needed to prepare requests for proposals and manage professional services contracts to perform the mandated tasks. Utilizing accrued credits and in-kind services from past task force participation and the approved FY2012/13 budget appropriations, at minimum, additional fund transfers of $219,450.00 are necessary for FY 2012/2013 for this alternative.

Following Fiscal Years

At this time, it is not known what Moreno Valley's costs will be in subsequent years. It is unknown because one or more Stakeholders may begin to implement Best Management Practices to achieve compliance with the TMDL or decide not to join the TMDL Task Force. If that is the case, those compliance costs may proportionately shift to the other Stakeholders. Additionally, the City Managers acting as the NPDES Management Steering Committee for the affected cities may determine other cost sharing models to split the shared costs of the cities and the county other than the current method for FY 2012/13.

CITY COUNCIL GOALS

Advocacy. Approval of the attached agreement will assist Moreno Valley to develop cooperative intergovernmental relationships with other Task Force Agencies. Being a Task Force Agency will assist staff to advocate City policies, objectives, and goals related to water quality to appropriate governments and agencies.

Revenue Diversification and Preservation. Approval of the attached agreement will assist in leveraging scarce city funds to provide mandated TMDL reports, plans and schedules.

SUMMARY

The Nutrient TMDL for Lake Elsinore and Canyon Lake is now in effect. The city received a 13267 letter from the Board stating that it must address the TMDL tasks as approved by the State Water Resources Control Board and USEPA. The TMDL Task Force for Lake Elsinore and Canyon Lake is being formed by interested Stakeholders as a vehicle to address the State and federal mandate. By joining the task force Moreno Valley can leverage scarce funds necessary to remain in compliance with the TMDL. Appointing the Community and Economic Development Director and the Storm Water Program Manager to the TMDL Task Force will ensure continuity in the TMDL process.

There is neither State nor federal funds earmarked for the Stakeholders for the mandates. Performing the TMDL mandated tasks as an individual stakeholder will substantially increase the city's costs and ignoring the mandates will result in city non-compliance subjecting the city, staff and/or officials to civil and possible criminal actions by the State and/or federal governments.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1—Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force

Prepared By:
Kent Wegelin
Storm Water Program Manager

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

FINAL 6/18/12

AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE

This Agreement to form the Lake Elsinore and Canyon Lake TMDL Task Force (hereinafter "AGREEMENT") is made and effective this **18th day of June, 2012** by and among the following entities, which are hereinafter sometimes collectively referred to as "TASK FORCE AGENCIES" or individually as "TASK FORCE AGENCY":

- California Department of Fish and Game
- California Department of Transportation
- City of Beaumont
- City of Canyon Lake
- City of Hemet
- City of Lake Elsinore
- City of Menifee
- City of Moreno Valley
- City of Murrieta
- City of Perris
- City of Riverside
- City of San Jacinto
- City of Wildomar
- County of Riverside
- Eastern Municipal Water District
- Elsinore Valley Municipal Water District
- March Joint Powers Authority
- Riverside County Flood Control and Water Conservation District
- U.S. Air Force (March Air Reserve Base)
- Western Riverside County Agriculture Coalition (on behalf of the participating Dairy Operators and participating Agricultural Operators in the San Jacinto River Basin)

I. RECITALS

A. Whereas, in 1998, the Santa Ana Regional Water Quality Control Board (hereinafter "Regional Board") designated Lake Elsinore and Canyon Lake in the Lake Elsinore and San Jacinto Watersheds (Collectively the "Watersheds") as "impaired water bodies" pursuant to Section 303(d) of the federal Clean Water Act because of high levels of algae in both lakes and low dissolved oxygen in Lake Elsinore, attributed to excess phosphorus and nitrogen (Nutrients). As a result of said Section 303 designation, the Clean Water Act and California's Non-point Source Pollution Control Plan requires that total maximum daily loads (hereinafter "TMDLs") be established by the Regional Board for these waterbodies;

B. Whereas, in response to the Section 303(d) designation, the Regional Board adopted a Resolution R8-2004-0037 on December 20, 2004 amending the Water Quality Control Plan for the Santa Ana River Basin (BASIN PLAN AMENDMENT) to incorporate nutrient TMDLs for Canyon Lake and Lake Elsinore. The Basin Plan Amendment specifies, among other things, an Implementation Plan, which holds specified stake holders (TASK FORCE AGENCIES) individually and/or jointly liable for complying with the TMDLs by means of specific tasks to be completed by specified dates under penalty of law. These tasks include development and implementation of a watershed-wide nutrient water quality monitoring program, development of an in-lake nutrient monitoring program for Canyon Lake and Lake Elsinore, development of a plan and schedule for in-lake sediment nutrient reduction for Lake Elsinore, development of a plan and schedule for evaluating in-lake sediment nutrient strategies for Canyon Lake, updating watershed and in-lake nutrient TMDL water quality models, developing a pollutant trading plan, and reviewing and revising the TMDL to reflect updated data and science;

C. Whereas, the purpose of this AGREEMENT is to form a task force (hereinafter "TASK FORCE") to implement certain tasks identified in the TMDL Implementation Plan and to pursue TMDL related tasks agreed upon by TASK FORCE AGENCIES;

D. Whereas, the TASK FORCE AGENCIES agree that the purpose of this TASK FORCE is to (1) review and develop recommendations to update the TMDL BASIN PLAN AMENDMENT based on the best available scientific information, and (2) implement TMDL Implementation Plan Tasks identified below and jointly assigned to TASK FORCE AGENCIES, and (3) propose appropriate revisions to the TMDL BASIN PLAN AMENDMENT to the Santa Ana RWQCB, and (4) allow watershed stakeholders to participate in efforts to meet appropriate water quality standards so that Canyon Lake and/or Lake Elsinore can be de-listed from the Clean Water Act 303(d) list of impaired water bodies;

E. Whereas, hundreds of individual agricultural and dairy operators are subject to the Canyon Lake and Lake Elsinore TMDLs and its component TMDL Implementation Plan;

F. Whereas, the Western Riverside County Agricultural Coalition(WRCAC) is a non-profit organization representing the interests of participating agricultural and dairy operators within the San Jacinto Watershed;

G. Whereas, WRCAC's membership is open to any and all agricultural and dairy operators within the San Jacinto watershed;

H. Whereas, March Air Reserve Base (MARB) is an installation of the United States Air Force on federal lands and, as an agency of the federal government, is therefore subject to limitations in its ability to comply with every provision stated herein to the same extent that other non-federal TASK FORCE AGENCIES are able to comply. These limitations are based upon, but not limited to, those identified in the federal Clean Water Act, the federal Antideficiency Act, the principle of sovereign immunity and the holdings of the Supreme Court of the United States, and other binding federal court decisions, as they interpret those sources of federal law. The limitations so mentioned include, but are not limited to, the availability of federal funding to pay for participation in this program, and the ability of MARB to participate directly in sampling, research or data gathering activities which are not located on or near MARB lands or a point source of water discharge arising on MARB lands, or other activities not specifically authorized by the Federal Clean Water Act section 313. To the extent that the limitations described herein prevent MARB from fully participating in any aspect of this program, they reserve the right, in their sole discretion, to participate in the program as a matter of comity. By entering into this agreement, MARB does not authorize any of the TASK FORCE AGENCIES to exercise regulatory authority over them. MARB agrees that State and federal regulatory agencies that are or may become members of this TASK FORCE have regulatory authority over MARB only to the extent permitted by State or Federal Law;

I. Whereas, the TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE;

J. Whereas, the Riverside County Flood Control and Water Conservation District (RCFC&WCD) serves as the MS4 PRINCIPAL PERMITTEE for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System Permit (MS4) for the Santa Ana Region of Riverside County;

K. Whereas, the County of Riverside and Cities of Beaumont, Canyon Lake, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Perris, Riverside, San Jacinto, Menifee, Wildomar are MS4 CO-PERMITTEES for the NPDES MS4 Permit for the Santa Ana Region of Riverside County;

L. Whereas, the MS4 PRINCIPAL PERMITTEE and MS4 CO-PERMITTEES collectively represent the MS4 PERMITTEES within the San Jacinto Watershed;

M. Whereas, the NPDES MS4 Permit for the Santa Ana Region of Riverside County is regulated by the Regional Board and subject to the requirements of the nutrient TMDLs for Canyon Lake and Lake Elsinore;

N. Whereas RCFC&WCD has agreed to provide services on behalf of itself as MS4 PRINCIPAL PERMITTEE and on behalf of the MS4 CO-PERMITTEES for the purposes of this AGREEMENT;

O. Whereas, the TMDL assigned nutrient waste load allocations for Supplemental Water addition to Lake Elsinore to stabilize the Lake's elevation;

P. Whereas, the nutrient waste load allocation for Supplemental Water, which includes Island Well water, EVMWD treatment plant effluent, and other sources of non-stormwater, may reduce the TMDL waste load allocation and TMDL load allocation of other point and non-point sources because in-lake nutrient capacity was not adjusted to account for increased lake levels associated with the addition of Supplemental Water;

Q. Whereas, the assumptions regarding load allocations for Supplemental Water may not be consistent with the actual operation of Supplemental Water sources;

R. Whereas, the City of Lake Elsinore and EVMWD previously entered into an agreement to equally share the cost of Supplemental Water addition to the Lake under the "Lake Elsinore Comprehensive Water Management Agreement",

S. Whereas, for the purposes of this Agreement, the City of Lake Elsinore shall be acknowledged and recognized as a separate and equal contributor with EVMWD for the cost and voting rights accorded under this Agreement attributed to EVMWD for Supplemental Water addition;

T. Whereas, the TASK FORCE AGENCIES agree that certain nutrient dischargers have been either inappropriately named or not named as responsible parties for various tasks in the BASIN PLAN AMENDMENT;

U. Whereas, the TASK FORCE AGENCIES agree that agricultural and dairy lands are converting to urban and open space lands;

V. Whereas, the TASK FORCE AGENCIES agree that an amendment to the TMDL to address, at minimum, the proper naming of responsible parties for various tasks in the TMDL Implementation Plan, to correct the load allocation and waste load allocations to properly address the impacts of Supplemental Water on Lake Elsinore, and to revise the load allocation and waste load allocations to address the ongoing conversion of agriculture and dairy lands to urban and/or open space should be addressed as part of a revision to the TMDL Implementation Plan; and

W. Whereas, MARB agrees to budget for and to participate in the TASK FORCE, provided that sufficient funds are appropriated by the Congress, and on the condition that funding requirements under this AGREEMENT do not violate the Anti-deficiency Act, and provided that the TASK FORCE AGENCIES agree to relocate the proposed monitoring station from Kitching Channel to the Heacock drainage channel, and use any fees provided by MARB, for participation in this program, to establish and monitor this station.

II. COVENANTS

NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the TASK FORCE AGENCIES agree as follows:

1. Creation of a Task Force. There is hereby created a "Lake Elsinore and Canyon Lake TMDL Task Force" ("TASK FORCE") consisting of the TASK FORCE AGENCIES and certain Non-Voting, Non-Funding Members as more specifically provided for in paragraph 2 below.

2. Representation on the Task Force.

   a. Appointment. Concurrently with the execution of this Agreement, each TASK FORCE AGENCY shall, in accordance with such TASK FORCE AGENCY's own governing provisions, appoint one primary representative to the TASK FORCE and one alternate representative to act in the absence of the primary representative (hereinafter collectively referred to as "REPRESENTATIVES" or individually as "REPRESENTATIVE"). The REPRESENTATIVES

shall have the authority to act on behalf of its appointing TASK FORCE AGENCY. The REPRESENTATIVES shall serve at the pleasure of the appointing TASK FORCE AGENCY and may be removed at any time, with or without cause by such TASK FORCE AGENCY; provided, however, that the TASK FORCE AGENCIES acknowledge and agree the continuity of representation on the TASK FORCE is important to the overall effectiveness of the TASK FORCE, and the TASK FORCE AGENCIES further agree to ensure such continuity whenever possible.

b. Additional Agencies. The TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE. Such agencies may join the TASK FORCE on such written terms and conditions as are acceptable to all then existing TASK FORCE AGENCIES of the TASK FORCE, including, but not limited to, agreed-upon cash contributions for past, present, and/or future work, of the TASK FORCE. The inclusion of such agencies as additional TASK FORCE AGENCIES to the TASK FORCE shall be effected by a written amendment to this AGREEMENT signed by all then existing TASK FORCE AGENCIES. Such additional TASK FORCE AGENCIES shall each appoint their TASK FORCE primary REPRESENTATIVE and alternate REPRESENTATIVE as provided in Section II.2.a above or in said written amendment. The following agencies will be considered for inclusion as additional TASK FORCE AGENCIES in future amendments to this Agreement within the meaning of this section:

Any other named stakeholder in any future amendments of the BASIN PLAN AMENDMENT.

_____.

c. Non-Voting, Non-Funding Members. The Regional Board, Lake Elsinore and San Jacinto Watersheds Authority and the San Jacinto River Watershed council are hereby appointed as Non-Voting, Non-Funding Members of the TASK FORCE. Additional Non-Voting, Non-Funding Members may be appointed by a majority vote of the TASK FORCE representatives. Non-Voting , Non-Funding Members appointed herein, and any appointed in the future are authorized only to make recommendations upon the functioning of this TASK FORCE and the development of this program. Federal, State and local regulatory agencies acting as Non-Voting, Non-Funding Members, now or in the future, retain authority to regulate TASK FORCE MEMBERS only to the extent that they are so authorized under State and Federal law.

d. Dairy and Agricultural Operators. The TASK FORCE AGENCIES acknowledge that the Western Riverside County Agriculture Coalition (WRCAC) shall represent the collective interest of both participating agricultural and dairy operators in the San Jacinto River Watershed in the TASK FORCE at this time. WRCAC shall appoint two primary TASK FORCE REPRESENTATIVES and two alternate REPRESENTATIVES as provided in Section II.2.a. One set of REPRESENTATIVES shall be designated for agricultural operator interests; the other set of REPRESENTATIVES shall be designated for dairy interests for the purposes of this TASK FORCE.

e. Committees. The TASK FORCE may establish subcommittees, consisting of REPRESENTATIVES and Non-Voting, Non-Funding Members who shall be selected by, and serve at the pleasure of, the TASK FORCE.

f. Task Force Administrator. A TASK FORCE administrator (hereinafter "TASK FORCE ADMINISTRATOR") shall be appointed by the TASK FORCE. The TASK FORCE ADMINISTRATOR shall have the following administrative responsibilities:

(1) Organizing and facilitating TASK FORCE meetings;
(2) Secretarial, clerical, and administrative services;
(3) Managing TASK FORCE funds and preparing annual reports of TASK FORCE assets and expenditures;
(4) Retaining TASK FORCE-authorized consultants; and
(5) Seeking funding grants to assist with achieving the work of the TASK FORCE and other goals and objectives approved by TASK FORCE AGENCIES.
(6) Possible administrator of future pollutant trading (water quality trading) agreements.

The TASK FORCE AGENCIES hereby appoint the Lake Elsinore and San Jacinto Watersheds Authority as the initial TASK FORCE ADMINISTRATOR.

g. Meetings of the Task Force.

(i) Frequency and Location. The TASK FORCE shall, by resolution or motion, agree upon the time and place for holding its regular meetings. Special meetings may be called at the request of the TASK FORCE ADMINISTRATOR or by a majority of the TASK FORCE REPRESENTATIVES.

(ii) Task Force Chair. The TASK FORCE REPRESENTATIVES shall select a chair and a vice-chair. The term of the chair and vice-chair shall be one year and shall be rotated among the TASK FORCE REPRESENTATIVES interested in serving as chair.

(iii) Quorum. One half or more of the REPRESENTATIVES of the TASK FORCE shall constitute a Quorum.

(iv) Voting. Actions of the TASK FORCE shall be validly taken only when a Quorum is present and upon the affirmative vote of a MAJORITY of the TASK FORCE REPRESENTATIVES. A MAJORITY of the REPRESENTATIVES shall be determined as follows:

Each TASK FORCE AGENCY shall have one vote assigned for each $1,000 increment of PRO RATA COST SHARE, as described in Paragraph II.5 below, contributed to the TASK FORCE Budget developed for a given fiscal year. A MAJORITY of the REPRESENTATIVES shall consist of greater than 50% of the total votes based on the Budget for the fiscal year during which the action is taken.

(v) All meetings of the TASK FORCE or any of its committees shall be conducted as may be required by any applicable provisions of the Ralph M. Brown Act (California Government Code §§54950 et seq.). The provisions contained in the Ralph M. Brown Act shall prevail in the event of any conflict with provisions contained in this Agreement.

The TASK FORCE may adopt such additional rules and regulations as may be required for the conduct of its affairs so long as such rules and regulations do not conflict with this Agreement.

3. Work of the Task Force. The TASK FORCE shall perform the following tasks in accordance with guidelines established by the Regional Board:

a. To retain consulting services to review scientific and other assumptions contained within the TMDL. Consultant(s) shall provide a report identifying preliminary TMDL opportunities such as site specific objectives, pollutant trading strategies, and integration strategies. The final scope of work shall be approved by the Task Force. The report shall specifically consider assumptions supporting the TMDL. The report should also provide preliminary analysis of the ability to achieve in-lake nutrient reductions and verify that load assignments are appropriate. Upon completion of the report, Consultant(s) shall also review work described herein, and make

recommendations to ensure that work is specifically designed to resolve any deficiencies, where appropriate. Consultant(s) shall also coordinate development of BASIN PLAN AMENDMENT language, in coordination with the Regional Board, which can be used to revise the TMDLs as part of the Regional Board's Triennial Reviews.

b. TMDL IMPLEMENTATION PLAN Task 4 - Implement a Watershed-wide Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDL, and to determine compliance with interim and final nitrogen and phosphorus allocations, and compliance with the nitrogen and phosphorus TMDLs. Monitoring and management of monitoring data to update the Lake Elsinore and Canyon Lake Nutrient TMDL shall commence immediately upon approval of this Agreement. An annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year.

c. TMDL IMPLEMENTATION PLAN Task 4 - Implement a Lake Elsinore and Canyon Lake Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDLs, and to determine compliance with interim and final nitrogen, phosphorus, chlorophyll A and dissolved oxygen numeric targets. In addition, the monitoring program shall determine the relationship between ammonia toxicity and the total nitrogen allocation to ensure that the total nitrogen allocation will prevent ammonia toxicity in Lake Elsinore and Canyon Lake. Lake monitoring and management of lake monitoring data shall be deferred based on agreement with the Regional Board. Thereafter, an annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year.

d. TMDL IMPLEMENTATION PLAN Tasks 9 and 10 - Implement a Plan to Reduce Nutrients from sediments in Lake Elsinore and Canyon Lake. The projects will be based on prepared plans shall evaluate the efficacy of various in-lake treatment technologies to prevent the release of Nutrients from lake sediments as a long-term strategy for control of Nutrients in the sediment. The program may also include a sediment nutrient monitoring program to evaluate the effectiveness of any technologies that may be implemented. Target Date for Completion Date: July 1, 2015 (Interim TMDL targets) July 1, 2020 (Final TMDL targets).

e. TMDL IMPLEMENTATION PLAN Task 11 - Implement a Plan and Schedule for Updating the Existing Lake Elsinore/San Jacinto River Watershed Nutrient Model and the Canyon Lake and Lake Elsinore In-Lake Models. Develop and implement a plan and schedule to update and execute Watersheds and in-lake models to track the progress of TMDL efforts. In-lake models should be analyzed as soon as sufficient data becomes available. Target Date for Completion: December 31, 2018.

f. TMDL IMPLEMENTATION PLAN Task 12 - Investigate, Develop and Implement a Pollutant (Water Quality) Trading Plan. Investigate the feasibility of pollutant trading in the Watersheds, and develop a feasibility plan for Regional Board review and approval. Target Date for Completion: December 31, 2012.

g. Investigate Long Term TMDL Implementation Structure, Cost Sharing Formula and Funding Sources. Investigate possible long term administrative structures, cost sharing formulas and funding sources that can be used to obtain compliance with the TMDL requirements. Target Date for Completion: December 31, 2012.

h. Other Tasks. The TASK FORCE may undertake such other plans, programs and studies as authorized by the TASK FORCE pursuant to II.2.g. of this Agreement.

i. Limitations on MARB. As described above in Section I.h., MARB is an agency of the federal government and is therefore unable to participate in each and every aspect of Section 3 to the same extent as other TASK FORCE MEMBERS. To the extent that it is unable to participate in any tasks under section 3, it reserves the right, in its sole discretion, to participate to the fullest extent that it is able, as a matter of comity.

4. Budgets. The total Annual Budget, adjusted to remove in-kind services, grant funding and funding credits associated with this Agreement shall not exceed $800,000, except as authorized by the TASK FORCE via two-thirds approval via votes based on the Budget for the then current fiscal year pursuant to II.2.g. of this Agreement. The TASK FORCE ADMINSTRATOR shall prepare and submit a proposed Budget for each fiscal year of this Agreement to the TASK FORCE AGENCIES by November 30th. The proposed Budget shall include all anticipated costs for the scope(s) of work developed by the TASK FORCE for the next fiscal year. The TASK FORCE Representatives shall approve the Budget by December 31st. Each TASK FORCE AGENCY shall pay its PRO-RATA SHARE of the approved fiscal year's TASK FORCE Budget and arrears by August 31st of the following year. The Budget for the fiscal year 2012-2013 is included as Exhibit "A" to the Agreement. Approval of this Agreement shall constitute approval of the Budget for fiscal year 2012-2013. Payment of the fiscal year 2012- 2013 Budget shall be by August 31, 2012, or within 30 days of the approval of this Agreement by each TASK FORCE AGENCY, whichever is sooner.

The TASK FORCE ADMINISTRATOR shall endeavor to minimize carry-over fund balances to those necessary to complete work of the TASK FORCE and to maintain contingencies limited to those necessary to ensure work of the TASK FORCE is not impeded. Excess not necessary to complete budgeted work of the TASK FORCE or maintain adequate reserves shall be credited back to the TASK FORCE AGENCIES in the Budget consistent with the PRO-RATA SHARE methodology described in Paragraph II.5 below. THE TASK FORCE AGENCIES shall agree to a reasonable reserve balance as part of each year's Budget.

After September 30th of each year, the TASK FORCE ADMINSTRATOR shall provide an accounting of all PRO RATA SHARES collected via cash or in-kind contributions. If PRO RATA SHARES collected are less than Budget, the TASK FORCE shall meet with Regional Board staff to determine appropriate priorities for scheduled TASK FORCE work and revise Budget based on available funds.

5. Pro-Rata Share Calculation. The annual PRO-RATA SHARE shall be calculated in the following manner:

A. TMDL TASK FORCE costs are identified within the Task Force Budget under Part A: Task Force Regulatory/Administrative Budget (see Exhibit "A") and starting in FY 13-14 shall be shared equally by the TASK FORCE AGENCIES .

B. TMDL TASK FORCE costs identified within the Task Force Budget under Part B: TMDL Implementation Project Budget (see Exhibit "A") shall be shared by the TASK FORCE AGENCIES, based upon participation in the individual program or project. The PRO-RATA SHARE for each TASK FORCE AGENCIES under Part B shall be per an amount agreed upon and/or in kind services among the participating parties.

C. The PRO-RATA SHARE for additional TASK FORCE AGENCIES shall be per in-kind services and/or an amount agreed upon via written amendment of this AGREEMENT per Section II.2.b.

If the estimated funds collected under the PRO-RATA SHARE calculations exceed the BUDGET, the contributions of MS4 CO-PERMITTEES, EVMWD, City of Lake Elsinore, Agricultural Operators, Dairy and other TASK FORCE AGENCIES contributing in excess of the base amount shall be raised or reduced proportionately based on the percentage of their PRO-RATA SHARE, until the estimated total PRO-RATA SHARES equals the BUDGET.

RCFC&WCD shall provide the TASK FORCE ADMINSTRATOR with annual individual MS4 CO-PERMITTEE cost share distribution of the MS4 CO-PERMITTEES PRO-RATA SHARE for each Fiscal Year. The methodology used by RCFC&WCD to calculate the MS4 CO-PERMITEE cost share distribution may be amended at the NPDES MS4 Management Steering Committee.

Pro rata cost shares assigned to TASK FORCE AGENCIES who do not pay shall be considered unfunded portions of the BUDGET, and shall be addressed in Section II.4, paragraph 3 of this Agreement.

6. In-Kind Credits. The TASK FORCE shall accept in-kind contributions or credits for TASK FORCE work defined under this AGREEMENT per Section II.3 as agreed to annually by the TASK FORCE. The PRO-RATA SHARE of a TASK FORCE AGENCY shall be reduced by the value of IN-KIND CREDITS provided toward agreed-upon budgeted tasks by, or on behalf, of the TASK FORCE AGENCY(S). Credits shall be applied to each budget period and adjusted at the end of each budget year based on actual verified costs unless deferred to a future budget year among the TASK FORCE AGENCIES with credits.

7. Modifications to the TASK FORCE PRO-RATA SHARE methodology. The methodology deriving the TASK FORCE PRO-RATA SHARE as provided in Section II.5 of this Agreement may be modified upon written approval of all then existing TASK FORCE AGENCIES who's PRO-RATA SHARE would be affected.

8. The TASK FORCE AGENCIES shall cooperate fully with one another to attain the purposes of this Agreement.

9. Nothing in this Agreement, nor the work set forth in this Agreement, nor any activity approved or carried out by the TASK FORCE AGENCIES hereunder, is intended to be nor shall be interpreted as a waiver by TASK FORCE AGENCIES of the "Maximum Extent Practicable" standard set forth in the Clean Water Act (33 U.S.C. Section 1251 *et seq.)*.

10. Each TASK FORCE AGENCY shall indemnify, defend, and hold each of the other TASK FORCE AGENCIES, including their special districts, officials, agents, officers, and employees, harmless from and against any and all liability and expense arising from any act or omission of such TASK FORCE AGENCY, its officials, agents, officers, and employees, in connection with this Agreement, including but not limited to defense costs, legal fees, claims, actions, and causes of action for damages of any nature whatsoever, including but not limited to bodily injury, death, personal injury, or property damage; provided, however, that no TASK FORCE AGENCY shall indemnify another TASK FORCE AGENCY for that TASK FORCE AGENCY's own negligence or willful misconduct.

    MARB, as an agency of the federal government, is unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB expressly does not indemnify or hold harmless any other TASK FORCE AGENCY for any injuries or liabilities, to itself, to any third party or to MARB, or its employees under this agreement or any activities carried out under authority of this agreement.

11. In light of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each of the TASK FORCE

    AGENCIES hereto, pursuant to the authorization contained in Sections 895.4 and 895.6 of said Code, shall assume the full liability imposed upon it or any of its officers, agents, or employees by law for injury caused by any act or omission occurring in the performance of this Agreement to the same extent that such liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each of the TASK FORCE AGENCIES indemnifies, defends, and holds harmless each other TASK FORCE AGENCY for any liability, cost, or expense that may be imposed upon such other TASK FORCE AGENCY solely by virtue of said Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if incorporated herein.

    MARB, as an agency of the federal government, is unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB expressly does not indemnify or hold harmless any TASK FORCE AGENCY for any injuries or liabilities, to itself, to any third party or to MARB or their employees under this agreement or any activities carried out under authority of this agreement. Tort liability for federal employees, including employees of MARB, is expressly authorized and limited by the Federal Tort Claims Act, which will control liability of MARB and their employees under the terms of this agreement.

12. All obligations of CALTRANS under the terms of this Agreement are subject to the appropriation of the resources by the Legislature and the allocation of resources by the California Transportation Commission. This Agreement has been written before ascertaining the availability of Federal or State legislative appropriation of funds, for the mutual benefit of the TASK FORCE AGENCIES in order to avoid program and fiscal delays that would occur if the Agreement were executed after that determination was made. This Agreement is valid and enforceable as to each of the CALTRANS as if sufficient funds have been made available to CALTRANS by the United States Government or California State Legislature for the purposes set forth in this Agreement. If the United States Government or the California State Legislature does not appropriate sufficient funds for CALTRANS to participate in this Agreement, this Agreement may be amended in writing by the TASK FORCE AGENCIES to reflect any agreed-upon reduction in the percentage of funds contributed by CALTRANS to continue its participation in this Agreement. CALTRANS, however, has the option to withdraw from this Agreement in the event sufficient funds are not appropriated for CALTRANS. Should CALTRANS exercise its option to withdraw from this Agreement, CALTRANS shall remain responsible for its share of liability, if any, incurred while participating in this Agreement.

13. No TASK FORCE AGENCY shall have a financial obligation to any other TASK FORCE AGENCY under this Agreement, except as expressly provided herein.

14. Any notices, invoices, reports, correspondence, or other communication concerning this Agreement shall be directed to the TASK FORCE AGENCY REPRESENTATIVE on file with the TASK FORCE ADMINISTRATOR, except that any TASK FORCE AGENCY may change its name or address by giving the other TASK FORCE AGENCIES at least ten days written notice of the new name or address.

15. The TASK FORCE AGENCIES are, and shall at all times remain as to each other, wholly independent entities. No TASK FORCE AGENCY to this Agreement shall have power to incur any debt, obligation, or liability on behalf of any other TASK FORCE AGENCY unless expressly provided to the contrary by this Agreement. No employee, agent, or officer of a TASK FORCE AGENCY shall be deemed for any purpose whatsoever to be an agent, employee or officer of another TASK FORCE AGENCY.

16. This Agreement shall be binding upon and shall inure to the benefit of the respective successors, heirs, and assigns of each TASK FORCE AGENCY.

17. This Agreement shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California, except as to the March Air Reserve Base to whom federal law is applicable.

18. If any provision of this Agreement shall be determined by any court to be invalid, illegal, or unenforceable to any extent, the remainder of this Agreement shall not be affected and this Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in this Agreement.

19. Each individual TASK FORCE AGENCY has been represented by its own separate counsel in the preparation and negotiation of this Agreement. Accordingly, this Agreement shall be construed according to its fair language and any ambiguities shall not be resolved against the drafting TASK FORCE AGENCY.

20. Each of the persons signing below on behalf of a TASK FORCE AGENCY represents and warrants that he or she is authorized to sign this Agreement on behalf of such TASK FORCE AGENCY.

21. Duration of Agreement. This Agreement shall terminate **June 30, 2017** (unless extended by mutual agreement of all TASK FORCE AGENCIES), provided that all debts and liabilities of the TASK FORCE are satisfied. Notwithstanding the foregoing, each TASK FORCE AGENCY reserves the right to withdraw from the TASK FORCE at any time, upon sixty (60) days prior written notice to the TASK FORCE. TASK FORCE contingency, projects, and studies underway at the time of withdrawal shall continue to be fully funded by the withdrawing TASK FORCE AGENCY until the end of the fiscal year in which the TASK FORCE AGENCY gave notice to withdraw.

22. Counterparts. This Agreement may be executed simultaneously or in counterparts, each of which shall be deemed an original, and together shall constitute one and the same instrument.

23. Amendment. This Agreement may not be amended except in a writing signed by all the TASK FORCE AGENCIES.

IN WITNESS WHEREOF, the TASK FORCE AGENCIES have executed this AGREEMENT on the date set forth below:

CALIFORNIA DEPARTMENT OF FISH AND GAME

BY_____

DATE_____

CALIFORNIA DEPARTMENT OF TRANSPORTATION

BY_____

DATE_____

CITY OF BEAUMONT

BY_____
Mayor

DATE_____

CITY OF CANYON LAKE

BY_____
Mayor

DATE_____

CITY OF HEMET

BY_____
Mayor

DATE_____

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE_____

CITY OF MENIFEE

BY_____
Mayor

DATE_____

CITY OF MORENO VALLEY

BY_____
Mayor

DATE:_____

CITY OF MURRIETA

BY_____
Mayor

DATE_____

CITY OF PERRIS

BY_____
Mayor

DATE_____

CITY OF RIVERSIDE

BY_____
Mayor

DATE_____

CITY OF SAN JACINTO

BY_____
Mayor

DATE_____

CITY OF WILDOMAR

BY_____
Mayor

DATE_____

COUNTY OF RIVERSIDE

BY_____

DATE_____

U.S. AIR FORCE
(MARCH AIR RESERVE BASE)

BY_____

DATE_____

EASTERN MUNICIPAL WATER DISTRICT

BY_____

DATE_____

WESTERN RIVERSIDE COUNTY AGRIGULTURE COALITION

BY_____

DATE_____

ELSINORE VALLEY MUNICIPAL WATER DISTIRCT

BY_____

DATE_____

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY_____

DATE_____

MARCH JOINT POWERS AUTHORITY

BY_____

DATE_____

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BY_____

DATE_____

Approved FY 2012-13 Budget: Lake Elsinore & Canyon Lake TMDL Task Force

Summary Task Force Expenditures

		Budget 2012-13
	Part A: Task Force Regulatory/Administrative Budget	
1.	**Task Force Administration**	$ 50,000
	Task Force Administrator (LESJWA)	
	Annual Water Quality Reporting and Database Management	
	Amend Task Force Agreement	
	Grant Preparation	
2.	**TMDL Compliance Expert**	$ 50,000
	Risk Sciences	
3.	**Pollutant Trading Program Development**	$ 60,000
	TBD	
4.	**Contingency** (approximately 10% of direct stakeholder expenses)	$ 16,000
	TMDL Task Force Regulatory/Administrative Budget	**$ 176,000**
	Part B: TMDL Implementation Project Budget	
1.	**TMDL Compliance Monitoring**	
	Watershed-wide Nutrient Monitoring Program	$ 85,000
	Watershed-wide Nutrient Monitoring & Report Preparation (Weston Solutions)	$ 70,000
	Wet Year Watershed-wide Monitoring (weather dependant) (RCFC&WCD)	$ -
	Lab Analysis, Watershed-wide Monitoring (RCFC&WCD)	$ 15,000
	Stream gauge O&M (RCFC&WCD)	$ -
	Lake Elsinore Nutrient Monitoring Program	$ -
	Lake Elsinore Nutrient Monitoring & Lab Analysis (EVMWD)	$ -
	Canyon Lake Nutrient Monitoring Program	$ -
	Canyon Lake Nutrient Monitoring & Lab Analysis (EVMWD)	$ -
2.	**Lake Elsinore Project Alternatives**	
	Aeration & Destratification System O&M (to be handled by separate agreement)	
	O&M	$ -
	Pollutant Trading Administration (3% of O&M Costs)	$ -
	Fishery Management O&M	$ -
	Carp Removal Program	$ -
	Pollutant Trading Administration (3% of O&M Costs)	$ -
3.	**Canyon Lake Project Alternatives**	$ 220,000
	Permitting	$ 30,000
	O&M Agreement	$ 20,000
	Detailed Design	$ 150,000
	Construction	$ -
	O&M	$ -
	Project Administration (10% of budgeted expenses)	$ 20,000
	Pollutant Trading Administration (3% of O&M Costs)	$ -
		$ -
		$ -
		$ -
	TMDL Task Force Implementation Budget	**$ 305,000**
	TMDL Task Force Budget :	**$ 481,000**

Task Force Agency Contributions Summary

Budget 2012-13

1. Task Force Agency Allocation

	Administrative (Part A)	Project Implementation (Part B)	Total
MS4 Co-Permittees (Total)	**$ 105,600**	**$ 249,988**	**$ 355,588**
Riverside County	$ 18,981	$ 44,935	$ 63,916
City of Beaumont	$ 2,249	$ 5,324	$ 7,574
City of Canyon Lake	$ 1,958	$ 4,636	$ 6,595
City of Hemet	$ 13,087	$ 30,980	$ 44,067
City of Lake Elsinore	$ 6,955	$ 16,466	$ 23,421
City of Moreno Valley	$ 30,284	$ 71,691	$ 101,974
City of Murrieta	$ 375	$ 888	$ 1,263
City of Perris	$ 9,560	$ 22,632	$ 32,192
City of Riverside	$ 1,710	$ 4,047	$ 5,757
City of San Jacinto	$ 6,420	$ 15,197	$ 21,617
City of Menifee	$ 11,796	$ 27,925	$ 39,721
City of Wildomar	$ 2,225	$ 5,267	$ 7,492
Elsinore Valley Municipal Water District (EVMWD)	**$ 8,800**	**$ 4,250**	**$ 13,050**
San Jacinto Agricultural Operators	**$ 8,800**	**$ 19,478**	**$ 28,278**
San Jacinto Dairy & CAFO Operators	**$ 8,800**	**$ 10,034**	**$ 18,834**
CALTRANS - freeway	**$ 8,800**	**$ 4,250**	**$ 13,050**
CA DF&G - San Jacinto Wetlands	**$ 8,800**	**$ 4,250**	**$ 13,050**
Eastern Municipal Water District	**$ 8,800**	**$ 4,250**	**$ 13,050**
March Air Reserve Base Joint Powers Authority	**$ 8,800**	**$ 4,250**	**$ 13,050**
US Air Force (March Air Reserve Base)	**$ 8,800**	**$ 4,250**	**$ 13,050**
Total Funding Required	**$ 176,000**	**$ 305,000**	**$ 481,000**

Notes:

Task Force Administration

a. Organize and facilitate TMDL TASK FORCE and TAC meetings,
b. Perform secretarial, clerical and administrative services, including providing meeting summaries to TMDL TASK FORCE members,
c. Manage TMDL TASK FORCE funds and prepare annual reports of TMDL TASK FORCE assets and expenditures,
d. Serve as the contracting party, for the benefit of the TMDL TASK FORCE, for contracts with all consultants, contractors, vendors and other entities,
e. Seek funding grants to assist with achieving goals and objectives of the TMDL TASK FORCE.
f. Coordinate with other agencies and organizations as necessary to facilitate TMDL TASK FORCE work.
g. Administer the preparation of quarterly and annual reports, as required by the TMDL Implementation Plan, and submit them as required by the TMDL Implementation Plan on behalf of the TMDL TASK FORCE.
h. Possible administrator of future pollutant trading (water quality trading) agreements.

TMDL Compliance Expert

a. Support Task Force Agency as a Regulatory Strategist and Compliance Expert .
b. Develop implementation strategy to address TMDL compliance with nutrient targets
c. Plan and prepare Basin Plan Amendment for TMDL
d. Sub-contract out pollutant trading agreement preparation by consultant

Task Force Agency Contributions Detailed Tables

Part A: Task Force Regulatory/Administrative Budget

Task Force Regulatory/Administrative Expenses

	Allocation
MS4 Co-Permittees	**$ 105,600**
Riverside County	$ 18,981
City of Beaumont	$ 2,249
City of Canyon Lake	$ 1,958
City of Hemet	$ 13,087
City of Lake Elsinore	$ 6,955
City of Moreno Valley	$ 30,284
City of Murrieta	$ 375
City of Perris	$ 9,560
City of Riverside	$ 1,710
City of San Jacinto	$ 6,420
City of Menifee	$ 11,796
City of Wildomar	$ 2,225
Elsinore Valley Municipal Water District (EVMWD)	**$ 8,800**
San Jacinto Agricultural Operators	**$ 8,800**
San Jacinto Dairy & CAFO Operators	**$ 8,800**
CALTRANS - freeway	**$ 8,800**
CA DF&G - San Jacinto Wetlands	**$ 8,800**
Eastern Municipal Water District	**$ 8,800**
March Air Reserve Base Joint Powers Authority	**$ 8,800**
US Air Force (March Air Reserve Base)	**$ 8,800**
Funding Required	**$ 176,000**

Part B: TMDL Implementation Project Budget

TMDL Compliance Monitoring Expenses

Watershed-wide Nutrient Monitoring Program

	Allocation
MS4 Co-Permittees	**$ 51,000**
Riverside County	$ 9,167
City of Beaumont	$ 1,086
City of Canyon Lake	$ 946
City of Hemet	$ 6,320
City of Lake Elsinore	$ 3,359
City of Moreno Valley	$ 14,626
City of Murrieta	$ 181
City of Perris	$ 4,617
City of Riverside	$ 826
City of San Jacinto	$ 3,100
City of Menifee	$ 5,697
City of Wildomar	$ 1,075
Elsinore Valley Municipal Water District (EVMWD)	**$ 4,250**
San Jacinto Agricultural Operators	**$ 4,250**
San Jacinto Dairy & CAFO Operators	**$ 4,250**
CALTRANS - freeway	**$ 4,250**
CA DF&G - San Jacinto Wetlands	**$ 4,250**
Eastern Municipal Water District	**$ 4,250**
March Air Reserve Base Joint Powers Authority	**$ 4,250**
US Air Force (March Air Reserve Base)	**$ 4,250**
Funding Required	**$ 85,000**

Lake Elsinore Nutrient Monitoring Program	Allocation
MS4 Co-Permittees	$ -
Riverside County	$ -
City of Beaumont	$ -
City of Canyon Lake	$ -
City of Hemet	$ -
City of Lake Elsinore	$ -
City of Moreno Valley	$ -
City of Murrieta	$ -
City of Perris	$ -
City of Riverside	$ -
City of San Jacinto	$ -
City of Menifee	$ -
City of Wildomar	$ -
Elsinore Valley Municipal Water District (EVMWD)	$ -
San Jacinto Agricultural Operators	$ -
San Jacinto Dairy & CAFO Operators	$ -
CALTRANS - freeway	$ -
CA DF&G - San Jacinto Wetlands	$ -
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	$ -
US Air Force (March Air Reserve Base)	$ -
Funding Required	**$ -**

Canyon Lake Nutrient Monitoring Program	Allocation
MS4 Co-Permittees	$ -
Riverside County	$ -
City of Beaumont	$ -
City of Canyon Lake	$ -
City of Hemet	$ -
City of Lake Elsinore	$ -
City of Moreno Valley	$ -
City of Murrieta	$ -
City of Perris	$ -
City of Riverside	$ -
City of San Jacinto	$ -
City of Menifee	$ -
City of Wildomar	$ -
Elsinore Valley Municipal Water District (EVMWD)	$ -
San Jacinto Agricultural Operators	$ -
San Jacinto Dairy & CAFO Operators	$ -
CALTRANS - freeway	$ -
CA DF&G - San Jacinto Wetlands	$ -
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	$ -
US Air Force (March Air Reserve Base)	$ -
Funding Required	**$ -**

Lake Elsinore Project Alternatives

Aeration & Destratification System O&M

	Allocation
MS4 Co-Permittees	$ -
Riverside County	$ -
City of Beaumont	$ -
City of Canyon Lake	$ -
City of Hemet	$ -
City of Lake Elsinore	$ -
City of Moreno Valley	$ -
City of Murrieta	$ -
City of Perris	$ -
City of Riverside	$ -
City of San Jacinto	$ -
City of Menifee	$ -
City of Wildomar	$ -
Elsinore Valley Municipal Water District (EVMWD)	$ -
San Jacinto Agricultural Operators	$ -
San Jacinto Dairy & CAFO Operators	$ -
CALTRANS - freeway	$ -
CA DF&G - San Jacinto Wetlands	$ -
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	$ -
US Air Force (March Air Reserve Base)	$ -
Funding Required	**$ -**

Lake Elsinore Project Alternatives

Fishery Management O&M

	Allocation
MS4 Co-Permittees	$ -
Riverside County	$ -
City of Beaumont	$ -
City of Canyon Lake	$ -
City of Hemet	$ -
City of Lake Elsinore	$ -
City of Moreno Valley	$ -
City of Murrieta	$ -
City of Perris	$ -
City of Riverside	$ -
City of San Jacinto	$ -
City of Menifee	$ -
City of Wildomar	$ -
Elsinore Valley Municipal Water District (EVMWD)	$ -
San Jacinto Agricultural Operators	$ -
San Jacinto Dairy & CAFO Operators	$ -
CALTRANS - freeway	$ -
CA DF&G - San Jacinto Wetlands	$ -
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	$ -
US Air Force (March Air Reserve Base)	$ -
Funding Required	**$ -**

Canyon Lake Project Alternatives

	Allocation
MS4 Co-Permittees	$ 198,988
Riverside County	$ 35,767
City of Beaumont	$ 4,238
City of Canyon Lake	$ 3,690
City of Hemet	$ 24,660
City of Lake Elsinore	$ 13,106
City of Moreno Valley	$ 57,065
City of Murrieta	$ 707
City of Perris	$ 18,015
City of Riverside	$ 3,221
City of San Jacinto	$ 12,097
City of Menifee	$ 22,228
City of Wildomar	$ 4,193
Elsinore Valley Municipal Water District (EVMWD)	$ -
San Jacinto Agricultural Operators	$ 15,228
San Jacinto Dairy & CAFO Operators	$ 5,784
CALTRANS - freeway	
CA DF&G - San Jacinto Wetlands	
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	
US Air Force (March Air Reserve Base)	
	$ 220,000

***Cost formula*: based upon the 1:1 ratio of TP to TN contributions from urban and agricultural runoff as projected in the respective Riverside County Comprehensive Nutrient Reduction Plan and San jacinto Agricultural Nutrient Reduction Plan**

Task Force Agency Contributions Detailed Tables

	Allocation
MS4 Co-Permittees (Total)	**$ 355,588**
Task Force Regulatory/Administrative Expenses	$ 105,600
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 51,000
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 198,988
Riverside County	**$ 63,916**
Task Force Regulatory/Administrative Expenses	$ 18,981
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 9,167
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 35,767
	$ -
City of Beaumont	**$ 7,574**
Task Force Regulatory/Administrative Expenses	$ 2,249
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 1,086
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 4,238
	$ -
City of Canyon Lake	**$ 6,595**
Task Force Regulatory/Administrative Expenses	$ 1,958
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 946
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 3,690

City of Hemet	**$**	**44,067**
Task Force Regulatory/Administrative Expenses	$	13,087
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	6,320
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	24,660
City of Lake Elsinore	**$**	**23,421**
Task Force Regulatory/Administrative Expenses	$	6,955
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	3,359
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	13,106
City of Moreno Valley	**$**	**101,974**
Task Force Regulatory/Administrative Expenses	$	30,284
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	14,626
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	57,065
City of Murrieta	**$**	**1,263**
Task Force Regulatory/Administrative Expenses	$	375
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	181
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	707

City of Perris	**$ 32,192**
Task Force Regulatory/Administrative Expenses	$ 9,560
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 4,617
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 18,015
City of Riverside	**$ 5,757**
Task Force Regulatory/Administrative Expenses	$ 1,710
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 826
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 3,221
City of San Jacinto	**$ 21,617**
Task Force Regulatory/Administrative Expenses	$ 6,420
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 3,100
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 12,097
City of Menifee	**$ 39,721**
Task Force Regulatory/Administrative Expenses	$ 11,796
TMDL Compliance Monitoring Expenses	
Watershed-wide Nutrient Monitoring Program	$ 5,697
Lake Elsinore Nutrient Monitoring Program	$ -
Canyon Lake Nutrient Monitoring Program	$ -
Lake Elsinore Project Alternatives	
Aeration & Destratification System O&M	$ -
Fishery Management O&M	$ -
Canyon Lake Project Alternatives	$ 22,228

City of Wildomar	$	**7,492**
Task Force Regulatory/Administrative Expenses	$	2,225
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	1,075
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	4,193
Elsinore Valley Municipal Water District (EVMWD)	$	**13,050**
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
San Jacinto Agricultural Operators	$	**28,278**
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	15,228
San Jacinto Dairy & CAFO Operators	$	**18,834**
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	5,784

CALTRANS - freeway	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
CA DF&G - San Jacinto Wetlands	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
Eastern Municipal Water District	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
March Air Reserve Base Joint Powers Authority	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
US Air Force (March Air Reserve Base)	$	13,050
Task Force Regulatory/Administrative Expenses	$	8,800
TMDL Compliance Monitoring Expenses		
Watershed-wide Nutrient Monitoring Program	$	4,250
Lake Elsinore Nutrient Monitoring Program	$	-
Canyon Lake Nutrient Monitoring Program	$	-
Lake Elsinore Project Alternatives		
Aeration & Destratification System O&M	$	-
Fishery Management O&M	$	-
Canyon Lake Project Alternatives	$	-
Total:	**$**	**481,000**

PROJECTED - Task Force Agency Contributions through FY 2010-11

	Cummulative Credit / (Debit)
MS4 Co-Permittees (Total)	$ 359,205
Riverside County	$ 72,513
City of Beaumont	$ 5,009
City of Canyon Lake	$ 5,384
City of Hemet	$ 33,909
City of Lake Elsinore	$ 106,017
City of Moreno Valley	$ 77,550
City of Murrieta	$ 2,247
City of Perris	$ 23,561
City of Riverside	$ 3,642
City of San Jacinto	$ 15,348
City of Menifee	$ 11,798
City of Wildomar	$ 2,225
Elsinore Valley Municipal Water District (EVMWD)	$ 91,830
San Jacinto Agricultural Operators	$ 28,985
San Jacinto Dairy & CAFO Operators	$ 16,452
CALTRANS - freeway	$ -
CA DF&G - San Jacinto Wetlands	$ -
US Forest Service (USFS)	$ -
Eastern Municipal Water District	$ -
March Air Reserve Base Joint Powers Authority	$ -
US Air Force (March Air Reserve Base)	$ -
Total Credits	**$ 855,677**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: REJECTION OF ALL BIDS FOR CONSTRUCTION OF THE TRANSPORTATION MANAGEMENT CENTER – PROJECT NO. 808 0005 70 76

RECOMMENDED ACTIONS

Staff recommends that the City Council:

1. Reject all bids opened on July 2, 2012 for the Transportation Management Center project.

2. Direct staff to re-advertise for construction bids for the Transportation Management Center project.

BACKGROUND

In 2009, the Transportation Engineering Division completed an ITS Master Plan which provided recommendations for a systems-based approach to updating the City's traffic control infrastructure. The Transportation Management Center (TMC) is an integral component of the ITS Master Plan.

The Transportation Management Center (TMC) project was first approved in the 2008/2009 Capital Improvement Program. The City Council authorized a contract for software procurement for the TMC on July 10, 2011.

On May 8, 2012, the City Council appropriated the necessary funds to complete construction of the Transportation Management Center.

The project consists of reconfiguring existing underutilized space adjacent to the City Council foyer for use as a TMC, including partitioning the space for use of the northernmost portion by Media and Communications. The work also includes an update to

the City Council foyer to provide a media briefing area and new floor and wall treatments.

DISCUSSION

Design and bid documents were completed in June 2012 by TR Design Group. The estimate for the work was $129,000. City staff advertised the Transportation Management Center project on June 13, 2012 and opened bids on July 2, 2012. Five bids were received as follows:

	CONTRACTORS	Total Bid Amounts
1.	Robert D. Gosney Construction, Hesperia	$211,215
2.	Joud Construction Company, Corona	$264,500
3.	Rasmussen Bros. Construction, Inc., Fallbrook	$275,075
4.	Dalke & Sons Construction, Inc., Riverside	$330,230
5.	Avi-Con, Inc. dba CA Construction, Riverside	non-responsive

The lowest responsible bidder was determined by the Base Bid and all additive alternates, as stipulated in the bidding documents. The unofficial apparent low bidder was disqualified due to having an expired contractor's license at the bid deadline. Staff has reviewed the bid from Robert D. Gosney Construction and finds that firm to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Robert D. Gosney Construction in their bid. Thus, the City Council may choose to award to Robert D. Gosney Construction; however, staff does not recommend this option.

Staff recommends that the City Council reject all bids and direct staff to re-advertise the project. The following justification is provided:

1. All bids were substantially above the estimated cost to perform the work ($129,000). Staff believes allocating more time for bidders to review the work would result in improved pricing.
2. The project team has identified several improvements to the plans and specifications that are expected to result in better pricing if the project were re-advertised.

Public Contract Code Section 20166 allows the City Council the discretion to reject any (or all) bids presented and re-advertise. Re-advertising the project with modified plans and specifications is expected to result in bids in line with budgeted funding.

ALTERNATIVES

1. By motion approve and authorize the recommended actions as presented in this staff report. *This alternative is expected to result in completion of the project within available budget.*

2. Award the contract to the lowest responsible bidder, and allocate additional funding. *This alternative would allow the project to be constructed sooner, but at significantly more cost than budgeted. If the City Council authorizes this alternative, staff will prepare a followup report to present a funding plan.*

FISCAL IMPACT

This project is included in the Fiscal Year 2012/2013 Capital Improvements Project Budget and is funded using the Traffic Signals Development Impact Fee Fund (Fund 3302) and the Air Quality Management Fund (Fund 2005). These funds can only be used for traffic signal and air quality improvement purposes. There is no impact to the General Fund.

AVAILABLE FUNDS*

FY 2012/2013 Development Impact Fees—	
G/L Account No. 3302-70-76-80008	
Project No. 808-0005-70-76-3302	$217,578.00
FY 2012/2013 Air Quality Management—	
G/L Account No. 2005-70-76-80008	
Project No. 808-0005-70-76-2005	$14,646.00
Available Funds	**$232,224.00**

*—FY2012/2013 budget estimates do not account for final carryover amounts.

ESTIMATED COSTS (FY12/13 only)

Construction (including 15% contingency)	$149,000.00
City-Furnished Equipment	$58,000.00
Administration/Project Management	$25,000.00
Total Estimated Cost	**$232,000.00**

ANTICIPATED PROJECT SCHEDULE

Re-advertise	September 2012
Award construction contract	October 2012
Construction contract duration	November 2012-March 2013
Installation of furniture and computer equipment	April 2013

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

ATTACHMENT

Attachment "A" – Location Map
Attachment "B" – Floor Plan

Prepared By:
John Kerenyi
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E.
City Traffic Engineer/Transportation Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

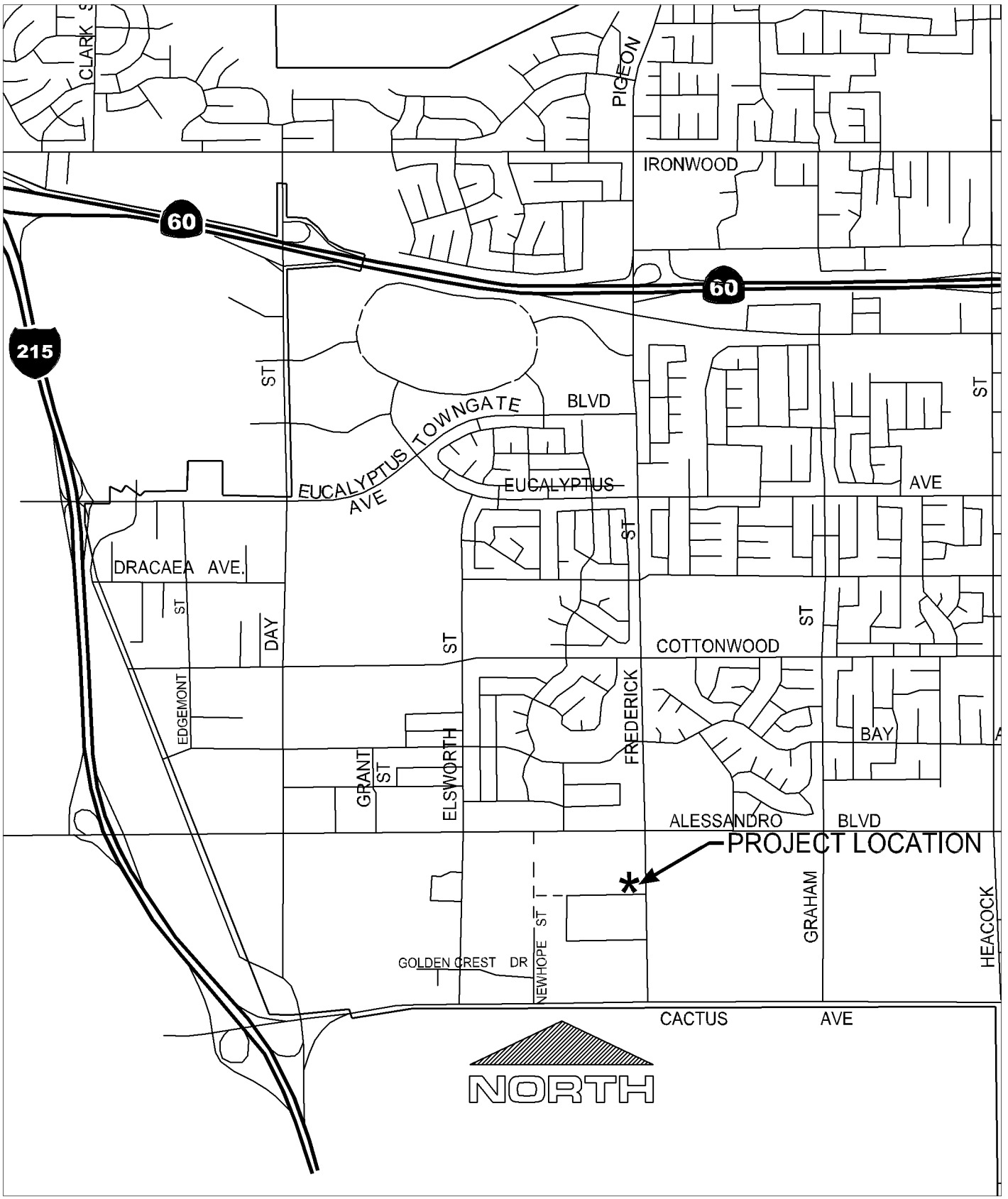

ATTACHMENT "A" — LOCATION MAP

LOCATION MAP
Public Works Department
Transportation Division

ATTACHMENT A

TRANSPORTATION MANAGEMENT CENTER
Project No. 10-1376

Item No. A.7

MV00174751

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MV00174752

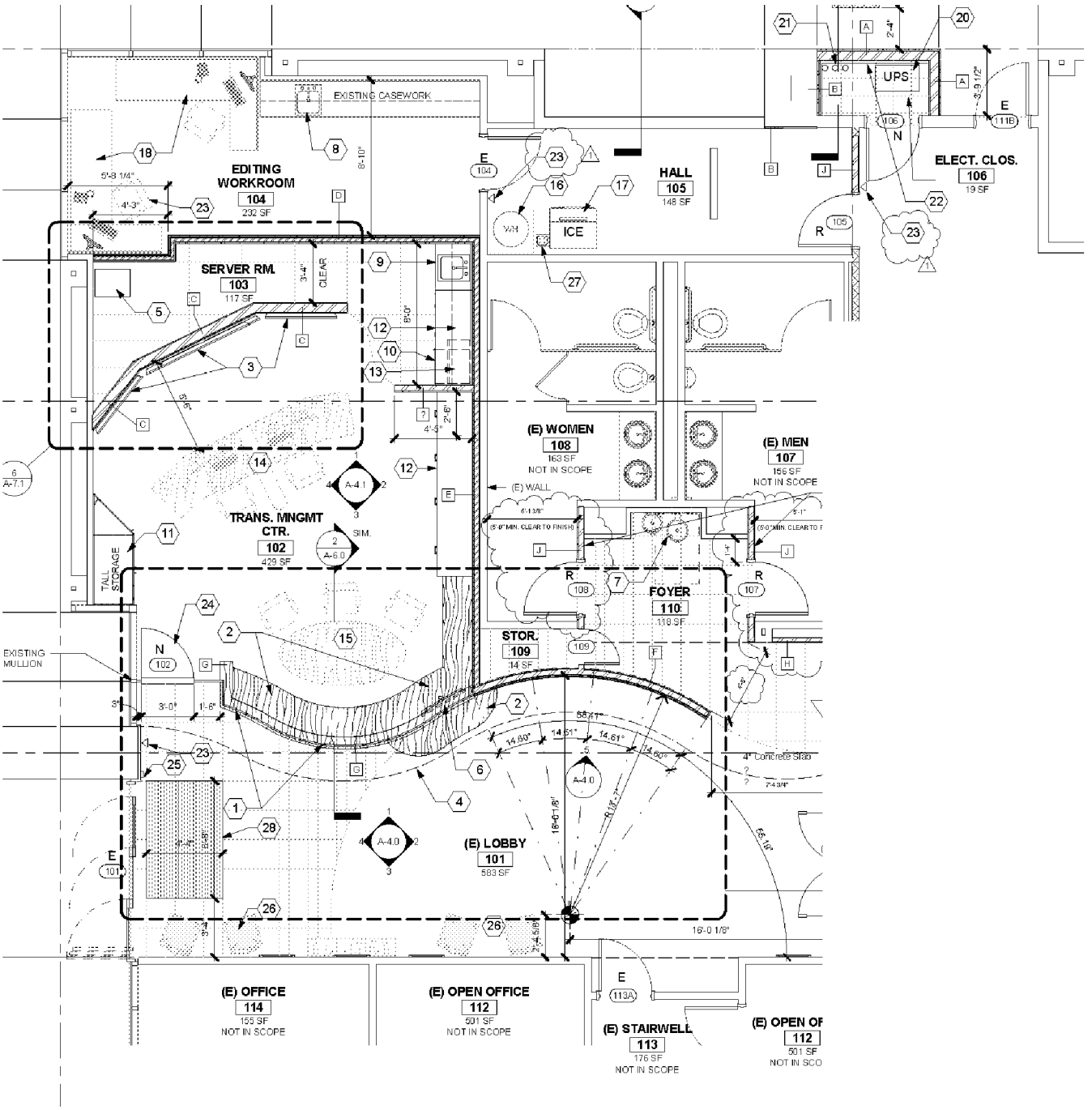

ATTACHMENT B
Floor Plan

MV00174753

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MV00174754

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: PA08-0072 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF RESOURCE WAY FROM CORPORATE STREET TO FREDERICK STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 3, 2012 – OCTOBER 1, 2012

DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP, SAN ANTONIO, TX 78230

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a full road closure of Resource Way from Corporate Street to Frederick Street for the construction of street improvements from September 3, 2012 – October 1, 2012.

BACKGROUND

The Planning Commission approved this project on April 9, 2009. The project consists of a 522,774 square-foot industrial warehouse building to be located on the west side of Frederick Street between Cactus Avenue and Resource Way.

The Conditions of Approval required public improvements along Resource Way, Frederick Street and Cactus Avenue. On March 13, 2012, the City Council of the City of Moreno Valley approved the Public Improvement Agreement along with the corresponding securities. The Agreement and securities include the construction of the public street improvements.

DISCUSSION

As part of the public improvements, the Developer is requesting a full road closure of Resource Way from Corporate Street to Frederick Street. The road closure will be conducted in such a manner that will provide local and emergency vehicle access to affected properties.

The entire duration of road closure will be four (4) weeks or approximately 28 calendar days. The request for the road closure is due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, sidewalk, street lights, landscaping, storm drain culverts, and associated signing and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on October 1, 2012.

There are several commercial parcels in the area of construction. The road closure will affect the ingress or egress of these parcels, and it will require a detour to the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. This included Social Security Administration, City of Moreno Valley Special Districts Division and Moreno Valley Utility. The road closure/detour/traffic control plan for this closure has been reviewed and approved by the City Traffic Engineer.

ALTERNATIVES

1. Authorize a full road closure of Resource Way from Corporate Street to Frederick Street for the construction of street improvements from September 3, 2012 – October 1, 2012. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize a full road closure of Resource Way from Corporate Street to Frederick Street for the construction of street improvements from September 3, 2012 – October 1, 2012. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. There would be no road closure. *This alternative would result in an unsafe work environment and would significantly delay the completion of this project.*

FISCAL IMPACT

The developer will be responsible for all costs associated with this proposal.

CITY COUNCIL GOALS

PUBLIC SAFETY
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses. The public will be notified by special roadside signage showing the dates of closure and detour signs.

EXHIBITS

Exhibit "A" – Road Closure Detour Map

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00174758

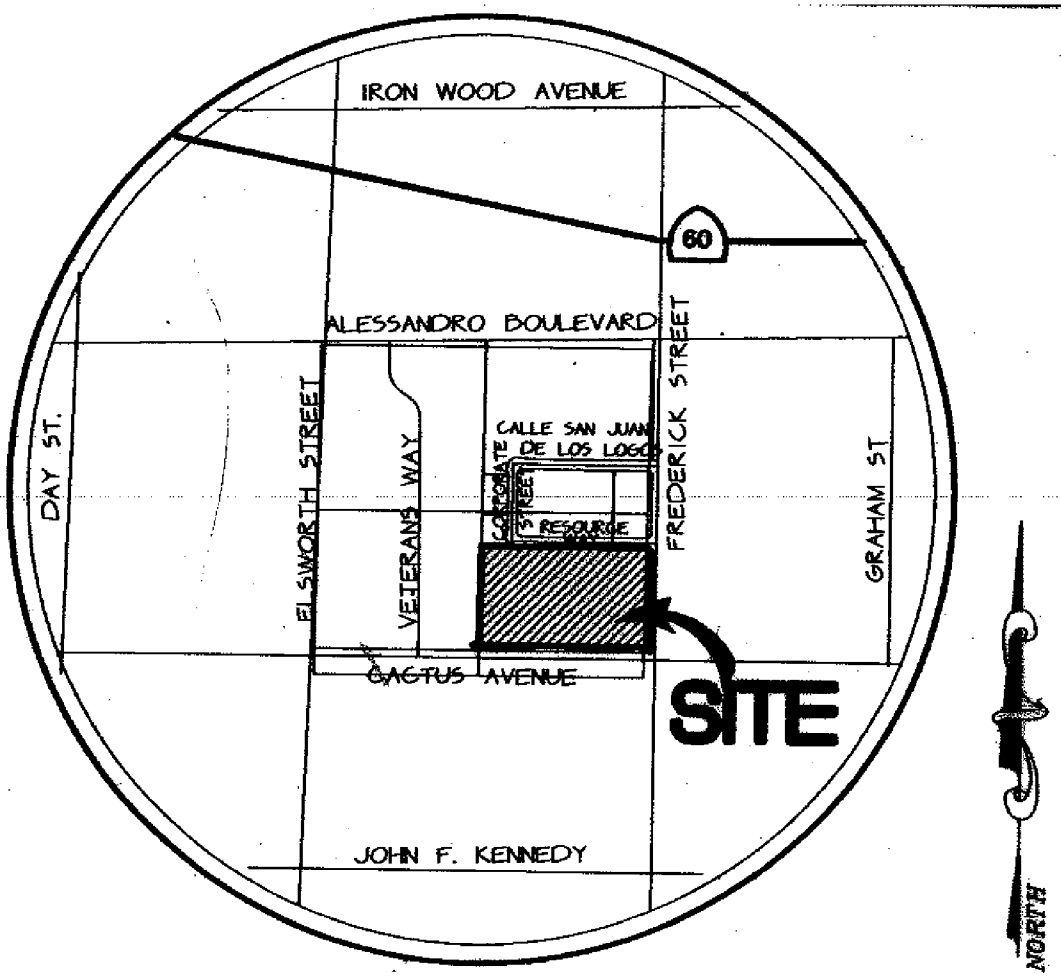

VICINITY MAP

N.T.S.

CITY OF MORENO VALLEY COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT - LAND DEVELOPMENT **EXHIBIT "A"**	**Resource Way** **Road Closure** **PA08-0072**

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MV00174760

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: P11-048, PA08-0072 – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D12-002 FOR P11-048, PA08-0072 IMPROVEMENTS ASSOCIATED WITH THE CONCOURSE AT CENTERPOINT INDUSTRIAL BUILDING

NORTHWEST CORNER OF FREDERICK STREET AND CACTUS AVENUE

DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP
9830 COLONNADE BOULEVARD, SUITE 600
SAN ANTONIO, TX 78230

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Development Impact Fee Improvement Credit Agreement #D12-002 (DIF Agreement) for P11-048, PA08-0072 improvements and right-of-way dedications.

2. Authorize the Mayor to execute the DIF Agreement in the form attached hereto.

BACKGROUND

On April 9, 2009, the Planning Commission of the City of Moreno Valley approved PA08-0072, a Plot Plan for a 522,772 square-foot industrial warehouse building on 26 acres.

On June 30, 2011, the Community Development Department of the City of Moreno Valley approved P11-048 an Amended Plot Plan for the above-mentioned industrial warehouse building. Amendments to the original Plot Plan approval included revision to the parking lot at the four corners of the building, removal of trash enclosures from inside truck courts, relocation of transformer and electrical room from truck court to the building's east elevation, elimination of landscaping from within the truck court, and the shifting of dock doors and stairs within truck courts.

City Council of the City of Moreno Valley executed the Agreement for Public Improvements and bonds as securities for public improvements in the amount of $3,101,000 for Faithful Performance and $1,550,500 for Material and Labor. The bonds were secured by Travelers Casualty & Surety Company of America.

The City's Municipal Code, Chapter 3.42, "Commercial and Industrial Development Impact Fees" requires the developer to pay Development Impact Fees (DIF). The DIF covers the developer's fair share of the costs to construct improvements and right-of-way dedications that help mitigate the traffic impacts and burdens on the City's network of arterial streets and traffic signals generated by the project.

As part of the project conditions of approval, the developer will be constructing some of the required DIF-related public improvements and dedicating right-of-way. In accordance with the City's Municipal Code, Section 3.42.110, the "Credit for Improvements provided by Developer" will allow the developer to receive a credit for qualifying public improvements made to the designated arterial street(s). The developer's initial credit amount is based on the lower of the DIF Study Costs, the Engineer's Cost Estimate provided by the developer, and the DIF Fee Obligation.

If it is determined that the developer constructed improvements above and beyond the project obligation, they may be eligible for a reimbursement in accordance with the current policy in place at that time. Reimbursements may either be paid per the City policy or used as credits towards any other future project's DIF fee obligations.

DISCUSSION

The developer of P11-048, PA08-0072 was required to construct certain improvements on Cactus Avenue, Frederick Street, and Resource Way.

The developer is eligible to receive DIF Credits for specific improvements identified in the DIF Study for Cactus Avenue which have not already been completed by others or that are part of the Western Riverside Council of Governments (WRCOG) Transportation Uniform Mitigation Fee (TUMF) Program. Qualifying DIF improvements that are not covered by the TUMF Program include median curb, sawcut, removal and disposal of existing pavement in the location of the proposed raised median, traffic striping for left turn pocket, and traffic control.

The developer agrees to perform and complete all of the required public improvements in accordance with the Agreement for Public Improvements. Per the DIF Improvement Credit Agreement, the initial credit is the least of the DIF Study Costs, Engineer's Cost Estimate provided by the developer, and DIF Fee Obligation. Refer to Exhibit "C" – DIF Credit Calculation Table of the DIF Improvement Credit Agreement. The DIF Improvement Credit Agreement is attached to this Staff Report as Attachment 1. Based on the information provided by the developer, the initial DIF Credit for this project is $203,203 for Arterial Streets.

If it is determined at the completion of the project that the developer constructed improvements above and beyond the project obligation, a DIF Improvement Reimbursement Agreement will be presented to City Council at that time. Any reimbursements may either be paid per the City policy or used as credits towards any other future project's DIF fee obligations.

ALTERNATIVES

1. Accept the Development Impact Fee Improvement Credit Agreement #D12-002 (DIF Agreement) for P11-048, PA08-0072 and authorize the Mayor to execute the DIF Agreement in the form attached hereto.

2. Do not accept the Development Impact Fee Improvement Credit Agreement #D12-002 (DIF Agreement) for P11-048, PA08-0072 and do not authorize the Mayor to execute the DIF Agreement in the form attached hereto. *Not approving staff's recommendation would result in no DIF credit being provided to the developer.*

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

ATTACHMENTS

Attachment 1 – DIF Improvement Credit Agreement

Prepared By
Clement Jimenez, P.E..
Senior Engineer

Department Head Approval
Barry Foster
Community and Economic Development Director

Concurred By
Mark W. Sambito, P.E..
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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DEVELOPMENT IMPACT FEES

IMPROVEMENT CREDIT AGREEMENT

NUMBER D12-002

P11-048 (PA08-0072) AMENDED PLOT PLAN FOR ONE BUILDING, 522,772 SQ FT)

This Development Impact Fees Improvement Credit Agreement is made and entered into as of the date the City signs this Agreement, by and between the City of Moreno Valley, a municipal corporation, hereinafter referred to as "City" and the undersigned Developer, hereinafter referred to as "Developer."

RECITALS

WHEREAS, Developer and City have entered into an Agreement for Public Improvements (attached hereto as Exhibit "A"), dated March 21, 2012, which Agreement for Public Improvements sets forth all obligations of the Developer for Public Improvements that are a condition of approval for the above-titled development (hereinafter referred to as the "Project"), some of which may be eligible for Development Impact Fees (hereinafter referred to as "DIF") Credit under this Agreement; and

WHEREAS, the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees" and Chapter 3.42 "Commercial and Industrial Development Impact Fees" requires Developer to pay the DIF for projects identified in the most recently adopted DIF study (hereinafter referred to as "DIF Obligation") which covers the Project's fair share of the costs to construct improvements that help mitigate the impacts

and burdens on the City's local systems generated by the Project and that are necessary to provide City services and protect the safety, health, and welfare of residential and non-residential users; and

WHEREAS, certain improvements set forth in the Agreement for Public Improvements are also identified in the City's DIF Program as improvements that are to be funded from DIF, which identified improvements are set forth in Exhibit B attached hereto and hereby incorporated by reference and are hereinafter referred to as the DIF Improvements; and

WHEREAS, if the City or some other third party constructs the DIF improvements set forth in the Agreement for Public Improvements prior to Developer, then this Improvement Credit Agreement shall become null and void and the Developer shall be required to pay the full DIF Obligation of the Project; and

WHEREAS, the City and Developer now desire to enter into this Improvement Credit Agreement to provide a means by which the Developer may receive a Credit for required DIF improvements actually constructed by the Developer for the subject Project subject to the terms and limitations set forth in this Agreement.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

1.0 General Provisions.

1.1 Incorporation of Recitals. The Parties hereby affirm the facts and provisions set forth in the above Recitals and agree to their incorporation herein as though set forth in full.

1.2 Incorporation of the Agreement for Public Improvements. The Parties hereby affirm the terms, conditions and requirements set forth in the Agreement for Public Improvements (Exhibit "A") and agree to their incorporation herein as though set forth in full.

2.0 DIF Obligation.

2.1 Developer's DIF Obligation. Developer hereby agrees and accepts that, as of April 3, 2012, the Developer is obligated to pay DIF for the Project to City in the amount of nine hundred seventy three thousand four hundred one and forty six one hundredths dollars ($973,401.46) (hereinbefore and hereinafter referred to as the "DIF Obligation"), and of that amount $203,203 is the "Street" component of the DIF Obligation for which the developer may be eligible to receive credits.

2.2 Effect of Agreement. Notwithstanding anything in this Agreement, Developer acknowledges that the DIF Obligation is established by the provisions of the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees," or Chapter 3.42 "Commercial and Industrial Development Impact Fees," and that this Agreement does not alter, limit, increase or reduce the obligations under those code

sections nor prevent City from adjusting or correcting the DIF Obligation amount to conform to the requirements of the Municipal Code.

3.0 DIF Credit Limitations.

3.1 Calculation of DIF Credit. Pursuant to City of Moreno Valley Municipal Code Sections 3.38.150 "Credit for Improvements Provided by Developers" (residential), or 3.42.110 "Credit for Improvements Provided by Developers" (commercial and industrial), and in accordance with the City's Development Impact Fee Credit and Reimbursement Policy, as adopted by the City Council on August 26, 2008, (the "Credit and Reimbursement Policy") and in consideration of Developer's obligations under the Conditions of Approval for the Project and the Agreement for Public Improvements to construct the DIF improvements, the maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be as defined in Sections 4.0 of this Agreement and the Credit and Reimbursement Policy.

3.2 Effect of Agreement. Notwithstanding the foregoing, Developer acknowledges that the amounts of DIF Credits are established by the provisions of the City of Moreno Valley Municipal Code and the DIF Credit and Reimbursement Policy and this Agreement shall not prevent City from adjusting or correcting the DIF Credit amounts set forth in this Agreement to conform to the requirements of the Municipal Code and the Credit and Reimbursement policy.

4.0 DIF Credit

4.1 Maximum DIF Credit. City shall apply DIF Credit to offset, in whole or in part, the Project's DIF Obligation. The maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be equal to the least of: (A) the City Engineer's Estimate of the actual cost of the DIF Improvements (hereinafter collectively referred to as "Engineer's Estimate"), or (B) project costs as identified in the DIF study in effect at the time of the issuance of a building permit, or (C) the actual DIF Obligation. In no event shall a DIF Credit exceed the actual DIF Obligation.

4.2 DIF Credit Offset to DIF Obligation. The DIF Credit shall be applied at the time DIF obligation is due and payable. If the project is to be developed by phases, by specific units, or by specific buildings, DIF Credit shall be applied according to a Public Improvements Phasing Schedule approved by the City and attached and incorporated to this agreement.

4.3 Submittal Timeframe. The Developer shall submit to the City Engineer any and all documentation the Developer deems relevant in substantiating the claim for DIF Credit for the DIF Qualifying Improvements to be constructed by the Developer. Such documentation may include contracts, bids, estimates, or any other relevant documents pertaining to the actual cost of the Qualifying Improvements. The City Engineer shall take into consideration, but shall not be bound by, any such documentation submitted by the Developer in formulating the Engineer's Estimate. All such documentation shall be submitted by the Developer to the City Engineer no later than ninety (90) calendar days prior to the date for payment of DIF for the project. The City Engineer will use his or her best efforts and professional judgment in formulating an

Engineer's Estimate and shall endeavor to provide said estimate to the Developer in writing within sixty (60) calendar days after submittal of the last document submitted by the Developer.

4.4 DIF Credit Calculation *(completed by City).*

As of the date hereof, the amount of DIF Credit for which Developer is potentially eligible is set forth in Exhibit C "DIF Credit Calculation Table" attached hereto and hereby incorporated by reference.

4.5 Reconciliation - Final DIF Credit. If the dollar amount of the actual DIF Credit is less than the amount of the actual unpaid DIF Obligation (hereinafter referred to as "DIF Balance"), the City shall notify the Developer in writing of the amount of the DIF Balance and Developer shall pay the DIF Balance to fully satisfy the DIF Obligation at the time DIF payments are due. If the dollar amount of the actual DIF Credit exceeds the amount of the actual DIF Obligation, Developer will be deemed to have fully satisfied the DIF Obligation. If the Developer has actually paid DIF and completed DIF Improvements, but has not received full DIF Credit for which the Developer would have been otherwise eligible under the DIF Credit and Reimbursement Policy, the Developer *may* be eligible for a Reimbursement Agreement, to the extent applicable, as provided in a separate Development Impact Fees Improvement Reimbursement Agreement.

4.6 Credit Transfer for Unfunded DIF Reimbursement Eligibility. To the extent that Developer has Reimbursement Eligibility Amounts which are both unpaid and unfunded by the City and which have not expired under the ten (10) year limitation set forth in the Development Impact Fee Credit and Reimbursement Policy

No. 3.24, Section F – Time Limitation, Developer may apply to receive partial or full DIF Credits for the same component of DIF on another development project within the City owned or controlled by that Developer and which has received all necessary approvals, on a dollar for dollar basis. Written application shall be made to the City and Developer shall provide any and all documentation and other information the City may reasonably request. The City shall not unreasonably withhold approval of such a Credit Transfer.

5.0 No Interest. Developer shall not be entitled to any interest, or any other cost or time value adjustment, for DIF paid to the City whether or not subsequently credited under Section 4.6 or reimbursed.

6.0 Term of Agreement. For purposes of Reimbursement Eligibility and Credit Transfer, this Agreement shall remain in effect for a period not to exceed ten (10) years from the date of execution by the City.

7.0 General.

7.1 Assignment. Except as specifically set forth in this Agreement, this Agreement shall not be assigned by any Party without the prior written consent of the non-assigning Party, which consent shall not be unreasonably withheld. All assignees and successors in interest shall assume and become obligated to perform all obligations and be entitled to all benefits of the original Party.

7.2 Amendment. This Agreement may only be amended in writing signed by the Parties.

7.3 Law, Venue and Jurisdiction. This Agreement shall be governed by the laws of the State of California. Venue and Jurisdiction of all matters arising out, pertaining to, or in any way related to this Agreement shall be vested in the Superior Court of the State of California, in and for the County of Riverside, California.

7.4 Notices. Any notices to be given pursuant to this Agreement shall be in writing and delivered by First Class Mail addressed to the Parties as follows:

City: City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: David Buck, Managing Director Development
USAA Real Estate Company
9830 Colonade Boulevard, Suite 600
San Antonio, TX 78230

7.5 Entire Agreement. This Agreement is the final, complete and exclusive statement of the Agreement of the Parties with respect to the subject matter hereof and supersedes and replaces any prior oral or written agreements between the Parties addressing the same subject matter.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

CITY OF MORENO VALLEY,
a California municipal corporation

By: _____
Mayor

Its: _____

Date: _____

ATTEST: _____
City Clerk

Date: _____

US Real Estate Limited Partnership,
a Texas limited partnership

By: USAA Real Estate Company,
a Delaware corporation
Its: General Partner

By: _____
David J. Buck, Managing Director

Date: 4-17-12

APPROVED AS TO FORM:

_____
City Attorney

Date: _____

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

Developer Signature & Acknowledgement
Development Impact Fees
Improvement Credit Agreement No. D12-002
Centerpointe Logistics Center

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: David J. Buck
Title: Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 17th day of April, 2012.

_____
Notary Public
My Commission Expires: 11/9/2013

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

EXHIBIT "A"

PUBLIC IMPROVEMENT AGREEMENT

WITH BONDS

(ATTACHED BEHIND THIS PAGE)

EXHIBIT "A"

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR
PROJECT NO. PA08-0072

APN NO. 297-150-055

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **US Real Estate Limited Partnership, a Texas Limited Partnership**, herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA08-0072** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **THREE MILLION ONE HUNDRED ONE THOUSAND AND NO/100** Dollars (*****$3,101,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **ONE MILLION FIVE HUNDRED FIFTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$1,550,500.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security in accordance with the City's Municipal Code at anytime during the term of this agreement, subject to approval by the City Engineer and City Attorney.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Developer further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
US Real Estate Limited Partnership,
a Texas Limited Partnership
9830 Colonnade Blvd., Suite 600
San Antonio, TX 78230

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: 3/21/12

US Real Estate Limited Partnership, a Texas Limited Partnership:
Developer

BY: _____
Signature

DAVID BUCK
Print/Type Name Managing Director

_____
Title

BY: _____
Signature
STANLEY R. ALTERMAN
Executive Managing Director
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 20 MAR 2012

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

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EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG
2/15/12

PROJECT: PA08-0072
0
Concourse at Centerpointe

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			2993	C.Y.	29.00	86,797
A.B. Class II - Street 1	1	Thickness (ft.)				
Resource Wy	52476	S.F.	3804	Ton	33.00	125,532
A.C. - Street 1	0.5	Thickness (ft.)				
Resource Wy	52476	S.F.	1902	Ton	80.00	152,160
Roadway Excavation			25	C.Y.	29.00	725
A.B. Class II - Street 2	0.67	Thickness (ft.)				
Frederick St	2110	S.F.	102	Ton	33.00	3,366
A.C. - Street 2	0.45	Thickness (ft.)				
Frederick St	2110	S.F.	68	Ton	80.00	5,440
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			4000	C.Y.	29.00	116,000
A.B. Class II - Street 1	1	Thickness (ft.)				
Cactus Ave	80360	S.F.	5826	Ton	33.00	192,258
A.C. - Street 1	0.5	Thickness (ft.)				
Cactus Ave	80360	S.F.	2913	Ton	80.00	233,040
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	915,318

Item No. A.9

EXHIBIT "A"
ENGINEER'S ESTIMATE

VBG
2/15/12

PROJECT: PA08-0072 0 PUBLIC STREET WORK
Concourse at Centerpointe

DATE: 02/15/12
PREPARED BY: Vince Giron

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15' Frederick St & Resource Wy	33233	S.F.	3.25	108,007
A.C. Cap/Overlay Frederick St & Resource Wy	0	Ton	80.00	0
Grind & Pave 0.15' Cactus Ave	8310	S.F.	3.25	27,008
A.C. Cap/Overlay Cactus Ave	0	Ton	80.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.20	0
Sawcut	2600	L.F.	3.00	7,800
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
Curb Transition	140	L.F.	10.00	1,400
Curb Only - 8"	2576	L.F.	15.00	38,640
Adjust M.H. to Grade	21	EA.	800.00	16,800
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	3.00	0
Remove Existing Curb & Gutter Frederick St & Resource Wy	290	L.F.	12.00	3,480
Remove Existing Curb & Gutter Cactus Ave	84	L.F.	12.00	1,008
Concrete				
P.C.C. Paving - 6"	0	S.F.	6.50	0
P.C.C. Paving - 8"	0	S.F.	10.50	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" Frederick Ave and Resource Wy	25	L.F.	30.00	750
Curb and Gutter - 8" (TUMF Cactus Ave)	1147	L.F.	30.00	34,410
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Cactus Ave)	2576	L.F.	25.00	64,400
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	10.25	0
Sidewalk	0	S.F.	4.25	0
Sidewalk Frederick St & Resource Wy	6272	S.F.	7.00	43,904
Sidewalk (DIF Cactus Ave)	8466	S.F.	7.00	59,262
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 8" Cactus Ave	6164	S.F.	6.50	40,066
Driveway Approach - 8" Frederick St & Resource Wy	2352	S.F.	10.50	24,696
Wheelchair Ramp Cactus Ave	1	EA.	2,600.00	2,600
Alley Approach - 8"	0	S.F.	10.25	0
1/2 Alley Apron	0	S.F.	10.25	0
Barricade	0	L.F.	100.00	0
Bus Bay Cactus Ave	1	EA.	15,000.00	15,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Remove sign	4	EA.	200.00	800
Curb Pocket for Sewer Manhole	0	EA.	5,000.00	0
Remove Existing Driveway Frederick St & Resource Wy	3964	SF	3.00	11,892
Remove Existing Driveway Cactus Ave	1136	SF	3.00	3,408
			SUBTOTAL	505,331
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	1	L.S.	--	7,890
Traffic Striping (DIF Street)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	10000	0
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	9	EA.	800.00	7,200
Metal Guard Rail	0	L.F.	90.00	0
Adjust Existing Traffic Controller	2	EA.	1,500.00	3,000
			SUBTOTAL:	19,090
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	198.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments - Cactus Ave	1	EA.	300.00	300
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	300

Item No. A.9

EXHIBIT "A"
ENGINEER'S ESTIMATE

VBG
2/15/12

PROJECT: PA08-0072 DATE: 02/15/12
PREPARED BY: Vince Giron

0 PUBLIC STREET WORK (CONTINUED)

Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	11384	S.F.	6.00	68,304
Landscaping - Parkways	5325	S.F.	6.00	31,950
Street Lights (9500 lumen)	0	EA.	5,000.00	0
Street Lights (22000 lumen)	7	EA.	6,000.00	42,000
			SPECIAL DISTRICTS SUBTOTAL:	142,254
Moreno Valley Utilities				
Electrical Utility Infrastructure	1	L.S.	136,000.00	136,000
			MVU SUBTOTAL:	136,000
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination	0	EA.	272,000.00	0
Traffic Signal Modification	1	L.S.	45000	45,000
Traffic Signal Interconnect (Existing Signals Only) Frederick St	840	L.F.	30.00	25,200
Traffic Signal Interconnect (Existing Signals Only) Cactus Ave	1415	L.F.	30.00	42,450
			TRANSPORTATION SUBTOTAL:	112,650

Item No. A.9

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG
2/15/12

PROJECT: PA08-0072
0 PUBLIC STORM DRAIN SYSTEM
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	79	L.F.	160.00	12,640
24" Reinforced Concrete Pipe (DIF Cactus Ave)	209	L.F.	160.00	33,440
30" Reinforced Concrete Pipe	688	L.F.	180.00	123,840
36" Reinforced Concrete Pipe	370	L.F.	190.00	70,300
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	47	L.F.	210.00	9,870
48" Reinforced Concrete Pipe	635	L.F.	250.00	158,750
54" Reinforced Concrete Pipe	85	L.F.	300.00	25,500
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
Concrete Backfill	230	L.F.	20.00	4,600
Manholes				
Manhole No. 1	3	EA.	5000.00	15,000
Manhole No. 2	4	EA.	7200.00	28,800
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	2	EA.	10000.00	20,000
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	3	EA.	5500.00	16,500
Catch Basin (10')	0	EA.	6000.00	0
Catch Basin (14')	2	EA.	8000.00	16,000
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	3	EA.	535.00	1,605
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Cactus Ave)	3	EA.	5500.00	16,500
Catch Basin (10') DIF Street Name)	0	EA.	6000.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (28') (DIF Resource)	1	EA.	16000.00	16,000
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Remove Catch Basin	1	EA.	500.00	500
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

Item No. A.9

EXHIBIT "A"
ENGINEER'S ESTIMATE

VBG
2/15/12

PROJECT: PA08-0072 DATE: 02/15/12
PREPARED BY: Vince Giron

0 PUBLIC STORM DRAIN SYSTEM (CONTINUED)

Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	3	EA.	6500.00	19,500
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	4000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	2	EA.	5500.00	11,000
Removal of Headwall	2	EA.	3000.00	6,000
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	1	EA.	1000.00	1,000
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	50	TON	60.00	3,000
Remove Existing 42" Storm Drain	95	L.F.	10.00	950
Remove Existing 36" Storm Drain	85	L.F.	10.00	850
Special Pipe Connection	2	E.A.	1000.00	2,000
Remove Existing AC Pavement	13054	L.F.	3.00	39,162
Sawcut	2354	L.F.	1.00	2,354
Remove Existing 30" RCP	9	L.F.	9.00	81
Relocate Existing Electrical Conduit	180	L.F.	50.00	9,000
Relocate Existing Gas Line	50	L.F.	150.00	7,500
Special Pipe Protection	2	E.A.	0.00	1,250
Remove Existing Catch Basin	1	EA.	500	500
			SUBTOTAL:	676,992

Item No. A.9

EXHIBIT "A"
ENGINEER'S ESTIMATE

VBG
2/15/12

PROJECT: PA08-0072 0 PUBLIC WATER SYSTEMS
Concourse at Centerpointe

DATE: 02/15/12
PREPARED BY: Vince Giron

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	35	L.F.	60.00	2,100
16" CML&C	45	L.F.	90.00	4,050
12" CML&C	10	L.F.	95.00	950
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	2	EA.	1,340.00	2,680
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
Relocate 2" Air Vac Release	1	EA.	4,000.00	4,000
2" Backflow Preventor, Pad & Cover	2	EA.	4,300.00	8,600
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	4	EA.	4,500.00	18,000
Relocate Fire Hydrants	2		0.00	0
Services Connections				
1" Service	1	EA.	800.00	800
1" Service w/ 5/8" Service	0	EA.	2,000.00	0
1 1/2" Service	1	EA.	1,100.00	1,100
2" Service	2	EA.	1,600.00	3,200
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	1		320.00	320
1 1/2" Meter	0		420.00	0
2" Meter	3		525.00	1,575
Relocate Water Meter	2	EA.	1,000.00	2,000
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	2	EA.	2,200.00	4,400
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	2	EA.	1,000.00	
Water Service	2	EA.	330.00	660
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	1	CY	150.00	150
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	3	EA.	235.00	705
Relocate 24" Water Line	55	L.F.	75.00	4,125
Remove 12" Water Line	20	L.F.	20.00	400
Relocate 12" Water Line	45	L.F.	50.00	2,250
Remove and Relocate Existing CTS	1	EA.	2,500.00	2,500
			SUBTOTAL:	64,565

Item No. A.9

EXHIBIT "A"
ENGINEER'S ESTIMATE

VBG
2/15/12

DATE: 02/15/12
PREPARED BY: Vince Giron

PROJECT: PA08-0072
0 PUBLIC SEWER SYSTEMS
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	55	L.F.	40.00	2,200
8" V.C. Pipe	12	L.F.	55.00	660
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	0	L.F.	80.00	0
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	1	EA.	3,140.00	3,140
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	4	EA.	630.00	2,520
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	2	EA.	1,500.00	3,000
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pavement around MH	0	S.F.	14.00	0
	0		0.00	0
Miscellaneous - Sewer System				
Wyes	1	EA.	90.00	90
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	11,610

Item No. A.9

VBG
2/15/12

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PA08-0072
0
Concourse at Centerpointe

DATE: 02/15/12
PREPARED BY: Vince Giron

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$915,318
OFFSITE STREET WORK	:	$505,331
SPECIAL DISTRICTS	:	$142,254
MORENO VALLEY UTILITIES	:	$136,000
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$112,650
STORM DRAIN SYSTEM	:	$676,992
WATER SYSTEM	:	$64,565
SEWER SYSTEM	:	$11,610
TRAFFIC IMPROVEMENTS	:	$19,090
BONDABLE WORK (not plan checked)	:	$300
TOTAL COST (VALUE) OF IMPROVEMENTS:		$2,584,110
+20% CONTINGENCY:		$516,822
GRAND TOTAL:		$3,100,932

BOND AMOUNT: $3,101,000

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $3,101,000.00

Project No. PA08-0072

Bond No. 105700873

Premium

Surety Travelers Casualty & Surety Co. of America (A+(XV) CA)

Principal US Real Estate Limited Partnership a Texas Limited Partnership

Address 1301 E. Collins Blvd., #340

Address 9830 Colonnade Blvd., Suite 600

City/Zip Richardson, TX 75081

City/Zip San Antonio, TX 78230

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **US Real Estate Limited Partnership, a Texas limited partnership,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA08-0072**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty & Surety Co. of America (A+(XV) CA) as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **THREE MILLION ONE HUNDRED ONE THOUSAND AND NO/100** Dollars (*****$3,101,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

RISK MANAGEMENT
Approved

M. Alonzo 3-6-12
By Date

Item No. A.9

MV00174787

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA08-0072

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on February 29, 20 12.

NAME OF PRINCIPAL: US Real Estate Limited Partnership, a Texas limited partnership
Company Name

AUTHORIZED SIGNATURE(S): By

Name — Managing Director
Title

Name — STANLEY R. ALTERMAN
Executive Managing Director
Title

NAME OF SURETY: A+(XV) CA
Travelers Casualty & Surety Co. of America
Company Name

AUTHORIZED SIGNATURE: ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA08-0072 - Faithful Performance Bond.DOC

POWER OF ATTORNEY

TRAVELERS

A+(XV) CA

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704466

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11 Printed in U.S.A.

Principal Signature Page
Faithful Performance Bond
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By: _____
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $1,550,500.00

Project No. PA08-0072

Bond No. 105700874

Premium

Surety Travelers Casualty & Surety Co. of /america A+(XV) CA

Principal US Real Estate Limited Partnership a Texas Limited Partnership

Address 1301 E. Collins Blvd., #340

Address 9830 Colonnade Blvd., Suite 600

City/Zip Richardson, TX 75081

City/Zip San Antonio, TX 78230

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **US Real Estate Limited Partnership, a Texas limited partnership,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA08-0072**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **ONE MILLION FIVE HUNDRED FIFTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$1,550,500.00*****) lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

RISK MANAGEMENT
Approved

By Date 3-6-12

Item No. A.9

MV00174791

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA08-0072

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on February 29, 2012.

NAME OF PRINCIPAL: US Real Estate Limited Partnership, a Texas limited partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

Name — Managing Director
STANLEY R. ALTERMAN
Executive Managing Director
Name — Title

NAME OF SURETY: A+(XV) CA Travelers Casualty & Surety Co. of America
Company Name

AUTHORIZED SIGNATURE: ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA08-0072 - Material Labor Bond.DOC

POWER OF ATTORNEY

TRAVELERS

A+(XV) CA

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704465

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11Printed in U.S.A.

Principal Signature Page
Material and Labor Bond
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By: _____
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

USAA Real Estate Company

March 13, 2012

Sent Via FedEx
Liz Plazola
CEDD/Land Development
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Re: PA08-0072 – Agreement for Public Improvements – M&L Bond

Dear Ms. Plazola:

Enclosed you will find one original of the Rider to the Material and Labor Bond previously submitted to you in connection with the above referenced project. The Bond was intended to be issued under the same Bond Number as the Performance Bond. The enclosed Rider simply amends the Bond to reflect the corrected Bond Number.

Should you have any questions or require any further information, please do not hesitate contacting me direct at (210) 641-8484.

Sincerely,

David J. Buck
Managing Director

Cc: Steve Ames, USAA Real Estate Company
Tony Byron, USAA Real Estate Company
Timur Tecimer, Overton Moore Properties
Denise Woodard, LSA Associates

9830 Colonnade Boulevard, Suite 600 San Antonio, Texas 78230-2239

Principal Signature Page
Material and Labor Bond Rider
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By: _____
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 12th day of March, 2012.

Debra Kasuda
Notary Public
My Commission Expires: 11/9/13

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 12th day of March, 2012.

Debra Kasuda
Notary Public
My Commission Expires: 11/9/13

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

TRAVELERS

License No. _____

RIDER

To be attached to and form part of Bond No. 105700874.

Issued on behalf of US Real Estate Limited Partnership, a Texas Limited Partnership as Principal, and in favor of "City of Moreno Valley, CA" as Obligee.

It is agreed that:

☐ 1. The Surety hereby gives its consent to change the Name:

from: _____

to: _____

☐ 2. The Surety hereby gives its consent to change the Address:

from: _____

to: _____

☒ 3. The Surety hereby gives its consent to change the Bond Number:

from: 105700874

to: 105700873

4. This rider shall become effective as of February 29, 2012

PROVIDED, however, that the liability of the Surety under the attached bond as changed by this Rider shall not be cumulative.

Signed, sealed and dated March 7, 2012.

Travelers Casualty & Surety Co. of America

By: Jennifer Lea Wingfield

Jennifer Lea Wingfield Attorney-in-Fact

Accepted: _____
Obligee

By: _____

or US Real Estate Limited Partnership, a Texas Limited Partnership
Principal

By: "SEE ATTACHED SIGNATURE PAGE"

S-4111 (8/66)

TRAVELERS

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704467

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11Printed in U.S.A.

Item No. A.9

EXHIBIT "B"

DIF IMPROVEMENTS

EXHIBIT "B"

DATE: 10/13/2011

ENGINEER'S ESTIMATE FOR DIF

PROJECT: **P11-048 (PA08-0072)** PREPARED BY: **Duke Aghaian**

STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Curb Only - 8"	2755	L.F.	25.00	68,875
Sawcut existing pavement	2755	S.F.	3.00	8,265
Remove and dispose existing pavement under median	19000	S.F.	3.00	57,000
Traffic Striping for left turn pocket	1	L.S.	1000	1,000
Traffic control	1	L.S.	5000	5,000
			SUBTOTAL:	140,140

DIF ENGINEERS COST ESTIMATE

DATE: **10/13/2011**

PROJECT: **P11-048 (PA08-0072)** PREPARED BY: **Duke Aghaian**

IMPROVEMENT TYPE:

CACTUS AVENUE :	$140,140
TOTAL COST OF IMPROVEMENTS:	$140,140
25% ENGINEERING:	$35,035
10% PLANNING:	$14,014
10% CONTINGENCY:	$14,014
SUBTOTAL:	$203,203
GRAND TOTAL:	$203,203

REGISTERED PROFESSIONAL ENGINEER
HAIDOOK I. AGHAIAN
No. 043293
Exp: 3/31/12
CIVIL
STATE OF CALIFORNIA

Haidook Aghaian 10/19/11

EXHIBIT "C" – DIF Credit Calculation Table

Item	Process for DIF Credit Calculation	Streets	Traffic Signals	Police	Fire	Libraries	Parks	Community / Rec Centers	Public Facilities*	Interchange Improvement	Electric Utility
1	Engineer's Estimate	$203,203	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Project costs as identified in DIF study	$235,890	$0	$0	$0	$0	$0	$0	$0	$0	$0
3	Actual DIF Obligation	$669,671	$101,418	$21,956	$30,321	$0	$0	$0	$48,095	$101,941	$0
3	Developer's Credit Amount** - Least of Lines 1 2 & 3	$203,203	$0	$0	$0	$0	$0	$0	$0	$0	$0

*may include, but not be limited to, City Hall, Corporate Yard, Animal Shelter, and/or maintenance equipment.

** credit amount shall not exceed obligation.

EXHIBIT "C"

MV00174801

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MV00174802

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: P11-048, PA08-0072 - ACCEPT TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) IMPROVEMENT CREDIT / REIMBURSEMENT AGREEMENT #T12-001

NORTHWEST CORNER OF FREDERICK STREET AND CACTUS AVENUE

DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP
9830 COLONNADE BOULEVARD, SUITE 600
SAN ANTONIO, TX 78230

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Transportation Uniform Mitigation Fee (TUMF) Improvement Credit/Reimbursement Agreement for P11-048, PA08-0072 public improvements.

2. Authorize the Mayor to execute the Agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The Transportation Uniform Mitigation Fee (TUMF) Program applies to those jurisdictions in Western Riverside County that have adopted and are implementing the TUMF Program Ordinance. The TUMF Program has been developed pursuant to and consistent with authority provided in the requirements of California Government Code, Chapter 5, Section 66000-66008, "Fees for Development Projects" (also known as California Assembly Bill 1600 [AB1600] or the Mitigation Fee Act) which governs the assessment of development impact fees in California. Pursuant to the City of Moreno Valley Municipal Code 3.44.070, the Western Riverside Council of Governments (WRCOG) has been appointed the Administrator of the Transportation Uniform Mitigation Fee Program.

Developers are required to pay TUMF to the City for projects that impact designated arterial streets. The TUMF Program funds may only be used for capital expenditures associated with the Regional System of Highways and Arterials (RSHA) and for capital expenditures for transit system improvements consistent with the TUMF Nexus Study. These purposes include expenditures for the planning, environmental review, engineering and design costs, right-of-way acquisition, and administrative costs. The TUMF Agreement will allow the developer to be credited and potentially reimbursed for the qualifying improvements.

The TUMF Agreement will allow the developer to be credited/refunded and potentially reimbursed for planning, environmental review, engineering and design costs, right-of-way acquisition, and administrative costs associated with RSHA roads that have been identified in the Nexus Study. In addition, the developer may seek reimbursement from WRCOG, when the developer is required to provide improvements beyond its immediate affect, such as building out the other side of a street. The developer's reimbursement is the lower of the TUMF Nexus Study amount or Verified Actual Construction Cost.

DISCUSSION

On April 9, 2009, the Planning Commission of the City of Moreno Valley approved PA08-0072, a Plot Plan for a 522,774 square-foot industrial warehouse building on 26 acres.

On June 30, 2011, the Community Development Department of the City of Moreno Valley approved P11-048, an Amended Plot Plan for the above-mentioned industrial warehouse building. Amendments to the original Plot Plan approval included revision to the parking lot four corners of the building, removal of trash enclosures from inside truck courts, relocation of transformer and electrical room from truck court to the building's east elevation, elimination of landscaping from within the truck court, and the shifting of dock doors and stairs within truck courts.

City Council of the City of Moreno Valley executed the Agreement for Public Improvements and bonds as securities for public improvements in the amount of $3,101,000 for Faithful Performance and $1,550,500 for Material and Labor. The bonds were secured by Travelers Casualty & Surety Company of America.

The developer agrees to perform and complete all of the required public improvements in accordance with the TUMF Improvement Credit/Reimbursement Agreement and its exhibits. The public improvements covered under the TUMF Improvement Credit Agreement include expenditures for the planning, environmental review, engineering and design costs, right-of-way acquisition, and administrative costs for street segments identified in the Nexus Study. The developer's TUMF obligation to the City is $480,014. The developer's credit is based on City of Moreno Valley Municipal Code 3.44.040. The initial credit is the lower of the Nexus Study amount ($352,425) or the amount of the lowest responsible bid ($820,585) up to the TUMF obligation. In this case, the initial credit is $352,425. Reimbursement can be applied for after actual construction costs are verified. The reimbursement amount will be the difference between the lower of the TUMF Nexus Study amount or Verified Actual Construction Costs less the amount of the initial credit.

ALTERNATIVES

1. Accept the Transportation Mitigation Fee Improvement Credit/Reimbursement Agreement (TUMF Agreement) for P11-048, PA08-0072. Authorize the Mayor to execute the Agreement in the form attached hereto. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation. ***Staff recommends this alternative.***

2. Do not accept the Transportation Mitigation Fee Improvement Credit/Reimbursement Agreement (TUMF Agreement) for P11-048, PA08-0072. Do not authorize the Mayor to execute the Agreement in the form attached hereto. Do not direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation. ***Staff does not recommend this alternative.***

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS
Attachment 1 – TUMF Improvement Credit/Reimbursement Agreement

Prepared By
Clement Jimenez
Senior Engineer, P.E.

Department Head Approval
Barry Foster
Community & Economic Development Director

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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CITY OF MORENO VALLEY

IMPROVEMENT AND CREDIT / REIMBURSEMENT AGREEMENT NO. T12-001

TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM

This **IMPROVEMENT AND CREDIT AGREEMENT** ("Agreement") is entered into this ____ day of _____, 2012, by and between the City of Moreno Valley, California, a municipal corporation ("City"), and US Real Estate Limited Partnership a Texas limited partnership, by its general partner USAA Real Estate Company, a Delaware corporation, with its principal place of business at 9830 Colonnade Boulevard, Suite 600, San Antonio, Texas 78230 ("Developer"). City and Developer are sometimes hereinafter referred to individually as "Party" and collectively as "Parties."

RECITALS

WHEREAS, Developer owns 26 acres of real property located within the City of Moreno Valley, California, identified as P11-048 (PA08-0072), which is more specifically described in the legal description set forth in Exhibit "A," attached hereto and incorporated herein by this reference ("Property");

WHEREAS, Developer has requested from City certain entitlements and/or permits for the construction of improvements on the Property, which are more particularly described as a 522,772 square-foot industrial building and all related infrastructure associated with City project number P11-048 (PA08-0072) ("Project");

WHEREAS, the City of Moreno Valley is a member agency of the Western Riverside Council of Governments ("WRCOG"), a joint powers agency, comprised of the County of Riverside and 16 cities located in Western Riverside County. WRCOG is the administrator for the Transportation Uniform Mitigation Fee ("TUMF") Program;

WHEREAS, as part of the TUMF Program, the City of Moreno Valley has adopted "Transportation Uniform Mitigation Fee Nexus Study: 2009 Update" ("2009 Nexus Study");

WHEREAS, as a condition to City's approval of the Project, City has required Developer to construct certain street and transportation system improvement(s) of regional importance ("TUMF Improvements");

WHEREAS, pursuant to the TUMF Program, the City of Moreno Valley requires Developer to pay the TUMF which covers the Developer's fair share of the costs to deliver those TUMF Improvements that help mitigate the Project's traffic impacts and burdens on the Regional System of Highways and Arterials (also known as the "TUMF Network"), generated by the Project and that are necessary to protect the safety, health, and welfare of persons that travel to and from the Project using the TUMF Network;

Attachment 1

WHEREAS, the TUMF Improvements have been designated as having Regional or Zonal Significance as further described in the 2009 Nexus Study and the 5 year Transportation Improvement Program as may be amended;

WHEREAS, City and Developer now desire to enter into this Agreement for the following purposes: (1) to provide for the timely delivery of the TUMF Improvements, (2) to ensure that delivery of the TUMF Improvements is undertaken as if the TUMF Improvements were constructed under the direction and authority of the City, (3) to provide a means by which the Developer's costs for project delivery of the TUMF Improvements and related right-of-ways is offset against Developer's obligation to pay the applicable TUMF for the Project in accordance with the TUMF Administrative Plan adopted by WRCOG, and (4) to provide a means, subject to the separate approval of WRCOG, for Developer to be reimbursed to the extent the actual and authorized costs for the delivery of the TUMF Improvements exceeds Developer's TUMF obligation.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

TERMS

1.0 Incorporation of Recitals. The Parties hereby affirm the facts set forth in the Recitals above and agree to the incorporation of the Recitals as though fully set forth herein.

2.0 Construction of TUMF Improvements. Developer shall construct or have constructed at its own cost, expense, and liability certain street and transportation system improvements generally described as which may include any of the following improvements, but not limited to, saw cutting and removal of existing pavement, roadway earthwork, pavement, base, asphalt concrete overlay, curb and gutter, removal of signs and asphalt concrete curb, traffic striping, traffic control, and drainage improvements and as shown more specifically on the plans, profiles, and specifications which have been or will be prepared by or on behalf of Developer and approved by City, and which are incorporated herein by this reference ("TUMF Improvements"). Construction of the Improvements shall include any transitions and/or other incidental work deemed necessary for drainage or public safety. Developer shall be responsible for the replacement, relocation, or removal of any component of any existing public or private improvement in conflict with the construction or installation of the TUMF Improvements. Such replacement, relocation, or removal shall be performed to the complete satisfaction of City and the owner of such improvement. Developer further promises and agrees to provide all equipment, tools, materials, labor, tests, design work, and engineering services necessary to fully and adequately complete the Improvements.

2.1 Pre-approval of Plans and Specifications. Developer is prohibited from commencing work on any portion of the TUMF Improvements until all plans and specifications for the TUMF Improvements have been submitted to and approved by City. Approval by City shall not relieve Developer from ensuring that all TUMF

Improvements conform with all other requirements and standards set forth in this Agreement.

2.2 Permits and Notices. Prior to commencing any work, Developer shall, at its sole cost, expense, and liability, obtain all necessary permits and licenses and give all necessary and incidental notices required for the lawful construction of the TUMF Improvements and performance of Developer's obligations under this Agreement. Developer shall conduct the work in full compliance with the regulations, rules, and other requirements contained in any permit or license issued to Developer.

2.3 Public Works Requirements. In order to ensure that the TUMF Improvements will be constructed as if they had been constructed under the direction and supervision, or under the authority of City, Developer shall comply with all of the following requirements with respect to the construction of the TUMF Improvements:

(a) Developer shall obtain bids for the construction of the Improvements, in conformance with the standard procedures and requirements of City with respect to its public works projects, or in a manner which is approved by the Public Works Department.

(b) The contract or contracts for the construction of the TUMF Improvements shall be awarded to the responsible bidder(s) submitting the lowest responsive bid(s) for the construction of the TUMF Improvements.

(c) Developer shall require, and the specifications and bid and contract documents shall require, all such contractors to pay prevailing wages (in accordance with Articles 1 and 2 of Chapter 1, Part 7, Division 2 of the Labor Code) and to otherwise comply with applicable provisions of the Labor Code, the Government Code and the Public Contract Code relating to public works projects of cities/counties and as required by the procedures and standards of City with respect to the construction of its public works projects or as otherwise directed by the Public Works Department.

(d) All such contractors shall be required to provide proof of insurance coverage throughout the term of the construction of the TUMF Improvements which they will construct in conformance with City's standard procedures and requirements.

(e) Developer and all such contractors shall comply with such other requirements relating to the construction of the TUMF Improvements which City may impose by written notification delivered to Developer and each such contractor at any time, either prior to the receipt of bids by Developer for the construction of the TUMF Improvements, or to the extent required as a result of changes in applicable laws, during the progress of construction thereof.

Owner shall provide proof to City, at such intervals and in such form as City may require that the foregoing requirements have been satisfied as to the TUMF Improvements.

2.4 Quality of Work; Compliance with Laws and Codes. The construction plans and specifications for the TUMF Improvements shall be prepared in accordance with all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements. The TUMF Improvements shall be completed in accordance with all approved maps, plans, specifications, standard drawings, and special amendments thereto on file with City, as well as all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements applicable at the time work is actually commenced.

2.5 Standard of Performance. Developer and its contractors, if any, shall perform all work required, constructing the TUMF Improvements in a skillful and workmanlike manner, and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Developer represents and maintains that it or its contractors shall be skilled in the professional calling necessary to perform the work. Developer warrants that all of its employees and contractors shall have sufficient skill and experience to perform the work assigned to them, and that they shall have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the work, and that such licenses, permits, qualifications and approvals shall be maintained throughout the term of this Agreement.

2.6 Alterations to TUMF Improvements. All work shall be done and the TUMF Improvements completed as shown on approved plans and specifications, and any subsequent alterations thereto. If during the course of construction and installation it is determined that the public interest requires alterations in the TUMF Improvements, Developer shall undertake such design and construction changes as may be reasonably required by City. Any and all alterations in the plans and specifications and the TUMF Improvements to be completed may be accomplished without first giving prior notice thereof to Developer's surety for this Agreement.

3.0 Maintenance of TUMF Improvements. City shall not be responsible or liable for the maintenance or care of the Improvements until City approves and accepts them. City shall exercise no control over the TUMF Improvements until accepted. Any use by any person of the TUMF Improvements, or any portion thereof, shall be at the sole and exclusive risk of Developer at all times prior to City's acceptance of the TUMF Improvements. Developer shall maintain all of the TUMF Improvements in a state of good repair until they are completed by Developer and approved and accepted by City, and until the security for the performance of this Agreement is released. It shall be Developer's responsibility to initiate all maintenance work, but if it shall fail to do so, it shall promptly perform such maintenance work when notified to do so by City. If Developer fails to properly prosecute its maintenance obligation under this section, City may do all work necessary for such maintenance and the cost thereof shall be the responsibility of Developer and its surety under this Agreement. City shall not be responsible or liable for any damages or injury of any nature in any way related to or caused by the TUMF Improvements or their condition prior to acceptance.

4.0 Fees and Charges. Developer shall, at its sole cost, expense, and liability, pay all fees, charges, and taxes arising out of the construction of the TUMF

Improvements, including, but not limited to, all plan check, design review, engineering, inspection, sewer treatment connection fees, and other service or impact fees established by City.

5.0 City/County Inspection of TUMF Improvements. Developer shall, at its sole cost, expense, and liability, and at all times during construction of the TUMF Improvements, maintain reasonable and safe facilities and provide safe access for inspection by City of the TUMF Improvements and areas where construction of the TUMF Improvements is occurring or will occur.

6.0 Liens. Upon the expiration of the time for the recording of claims of liens as prescribed by Sections 3115 and 3116 of the Civil Code with respect to the TUMF Improvements, Developer shall provide to City such evidence or proof as City shall require that all persons, firms, and corporations supplying work, labor, materials, supplies, and equipment to the construction of the TUMF Improvements, have been paid, and that no claims of liens have been recorded by or on behalf of any such person, firm or corporation. Rather than await the expiration of the said time for the recording of claims of liens, Developer may elect to provide to City a title insurance policy or other security acceptable to City guaranteeing that no such claims of liens will be recorded or become a lien upon any of the Property.

7.0 Acceptance of TUMF Improvements; As-Built, or Record Drawings. If the TUMF Improvements are properly completed by Developer and approved by City, and if they comply with all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements, City shall be authorized to accept the TUMF Improvements. City may, in its sole and absolute discretion, accept fully completed portions of the TUMF Improvements prior to such time as all of the TUMF Improvements are complete, which shall not release or modify Developer's obligation to complete the remainder of the TUMF Improvements. Upon the total or partial acceptance of the TUMF Improvements by City, Developer shall file with the Recorder's Office of the County of Riverside a notice of completion for the accepted TUMF Improvements in accordance with California Civil Code section 3093 ("Notice of Completion"), at which time the accepted TUMF Improvements shall become the sole and exclusive property of City without any payment therefore. Notwithstanding the foregoing, City may not accept any TUMF Improvements unless and until Developer provides one (1) set of "as-built" or record drawings or plans to the City for all such TUMF Improvements. The drawings shall be certified and shall reflect the condition of the TUMF Improvements as constructed, with all changes incorporated therein.

8.0 Warranty and Guarantee. Developer hereby warrants and guarantees all the TUMF Improvements against any defective work or labor done, or defective materials furnished in the performance of this Agreement, including the maintenance of the TUMF Improvements, for a period of one (1) year following completion of the work and acceptance by City ("Warranty"). During the Warranty, Developer shall repair, replace, or reconstruct any defective or otherwise unsatisfactory portion of the TUMF Improvements, in accordance with the current ordinances, resolutions, regulations, codes, standards, or other requirements of City, and to the approval of City. All repairs, replacements, or reconstruction during the Warranty shall be at the sole cost, expense, and liability of Developer and its surety. As to any TUMF Improvements which have been repaired, replaced, or reconstructed during the Warranty, Developer and its surety hereby agree to extend the Warranty for an additional one (1) year period following City's acceptance of the repaired, replaced, or reconstructed TUMF Improvements. Nothing herein shall relieve Developer from any other liability it may have under federal, state, or local law to repair, replace, or reconstruct any TUMF Improvement following expiration of the Warranty or any extension thereof. Developer's warranty obligation under this section shall survive the expiration or termination of this Agreement.

9.0 Administrative Costs. If Developer fails to construct and install all or any part of the TUMF Improvements, or if Developer fails to comply with any other obligation contained herein, Developer and its surety shall be jointly and severally liable to City for all administrative expenses, fees, and costs, including reasonable attorney's fees and costs, incurred in obtaining compliance with this Agreement or in processing any legal action or for any other remedies permitted by law.

10.0 Default; Notice; Remedies.

10.1 Notice. If Developer neglects, refuses, or fails to fulfill complete any obligation, term, or condition of this Agreement, or if City determines there is a violation of any federal, state, or local law, ordinance, regulation, code, standard, or other requirement, City may at any time thereafter declare Developer to be in default or violation of this Agreement and make written demand upon Developer or its surety, or both, to immediately remedy the default or violation ("Notice"). Developer shall substantially commence the work required to remedy the default or violation within five (5) days of the Notice. If the default or violation constitutes an immediate threat to the public health, safety, or welfare, City may provide the Notice verbally, and Developer shall substantially commence the required work within twenty-four (24) hours thereof. Immediately upon City's issuance of the Notice, Developer and its surety shall be liable to City for all costs of construction and installation of the TUMF Improvements and all other administrative costs expenses as provided for in this Section 10.0 of this Agreement.

10.2 Failure to Remedy; City Action. If the work required to remedy the noticed default or violation is not diligently prosecuted to a completion acceptable to City within the time frame contained in the Notice, City may complete all remaining work, arrange for the completion of all remaining work, and/or conduct such remedial activity as in its sole and absolute discretion it believes is required to remedy the default or

violation. All such work or remedial activity shall be at the sole and absolute cost, expense, and liability of Developer and its surety, without the necessity of giving any further notice to Developer or surety. City's right to take such actions shall in no way be limited by the fact that Developer or its surety may have constructed any of the TUMF Improvements at the time of City's demand for performance. In the event City elects to complete or arrange for completion of the remaining work and the TUMF Improvements, City may require all work by Developer or its surety to cease in order to allow adequate coordination by City.

10.3 Other Remedies. No action by City pursuant to this Section 10.0 et seq. of this Agreement shall prohibit City from exercising any other right or pursuing any other legal or equitable remedy available under this Agreement or any federal, state, or local law. City may exercise its rights and remedies independently or cumulatively, and City may pursue inconsistent remedies. City may institute an action for damages, injunctive relief, or specific performance.

11.0 Security; Surety Bonds. Prior to the commencement of any work on the TUMF Improvements, Developer or its contractor shall provide City with surety bonds in the amounts and under the terms set forth below ("Security"). The amount of the Security shall be based on the estimated actual costs to construct the TUMF Improvements, as determined by City after Developer has awarded a contract for construction of the TUMF Improvements to the lowest responsive and responsible bidder in accordance with this Agreement ("Estimated Costs"). If City determines, in its sole and absolute discretion, that the Estimated Costs have changed, Developer or its contractor shall adjust the Security in the amount requested by City. Developer's compliance with this Section 11.0 et seq. of this Agreement shall in no way limit or modify Developer's indemnification obligation provided in Section 12.0 of this Agreement.

11.1 Performance Bond. To guarantee the faithful performance of the TUMF Improvements and all the provisions of this Agreement, to protect City if Developer is in default as set forth in Section 10.0 et seq. of this Agreement, and to secure the one-year guarantee and warranty of the TUMF Improvements, Developer or its contractor shall provide City a faithful performance bond in an amount which sum shall be not less than one hundred percent (100%) of the Estimated Costs. City may, in its sole and absolute discretion, partially release a portion or portions of the security provided under this section as the TUMF Improvements are accepted by City, provided that Developer is not in default on any provision of this Agreement and the total remaining security is not less than ten percent (10%) of the Estimated Costs. All security provided under this section shall be released at the end of the Warranty period, or any extension thereof as provided in Section 11.0 of this Agreement, provided that Developer is not in default on any provision of this Agreement.

11.2 Labor & Material Bond. To secure payment to the contractors, subcontractors, laborers, materialmen, and other persons furnishing labor, materials, or equipment for performance of the TUMF Improvements and this Agreement, Developer or its contractor shall provide City a labor and materials bond in an amount which sum shall not be less than fifty percent (50%) of the Estimated Costs. The security provided

under this section may be released by written authorization of City after ninety (90) days from the date City accepts the TUMF Improvements. The amount of such security shall be reduced by the total of all stop notice or mechanic's lien claims of which City is aware, plus an amount equal to twenty percent (20%) of such claims for reimbursement of City's anticipated administrative and legal expenses arising out of such claims.

11.3 Additional Requirements. The surety for any surety bonds provided as Security shall have a current A.M. Best rating of at least "A" and FSC-VIII, shall be licensed to do business in California, and shall be satisfactory to City. As part of the obligation secured by the Security and in addition to the face amount of the Security, Developer, its contractor or the surety shall secure the costs and reasonable expenses and fees, including reasonable attorney's fees and costs, incurred by City in enforcing the obligations of this Agreement. Developer, its contractor and the surety shall stipulate and agree that no change, extension of time, alteration, or addition to the terms of this Agreement, the TUMF Improvements, or the plans and specifications for the TUMF Improvements shall in any way affect its obligation on the Security.

11.4 Evidence and Incorporation of Security. Evidence of the Security shall be provided on the forms set forth in Exhibit "B", unless other forms are deemed acceptable by the City, and when such forms are completed to the satisfaction of City, the forms and evidence of the Security shall be attached hereto as Exhibit "B" and incorporated herein by this reference.

12.0 Indemnification. Developer shall defend, indemnify, and hold harmless the City of Moreno Valley and the Moreno Valley Community Services District, and the Moreno Valley Housing Authority, its elected officials, employees, and agents from any and all actual or alleged claims, demands, causes of action, liability, loss, damage, or injury to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any federal, state, or local governmental agency, arising out of or incident to any acts, omissions, negligence, or willful misconduct of Developer, its employees, contractors, or agents in connection with the performance of this Agreement ("Claims"). This indemnification includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorneys fees, and related costs or expenses, and the reimbursement of City, its elected officials, employees, and/or agents for all legal expenses and costs incurred by each of them. This indemnification excludes only such portion of any Claim which is caused solely and exclusively by the negligence or willful misconduct of City as determined by a court or administrative body of competent jurisdiction. Developer's obligation to indemnify shall survive the expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by City, its elected officials, employees, or agents.

13.0 Insurance.

13.1 Types; Amounts. Developer shall procure and maintain, and shall require its contractor(s) to procure and maintain, during performance of this Agreement, insurance of the types and in the amounts described below ("Required Insurance"). If any of the Required Insurance contains a general aggregate limit, such insurance shall

apply separately to this Agreement or be no less than two times the specified occurrence limit.

13.1.1 General Liability. Occurrence version general liability insurance, or equivalent form, with a combined single limit of not less than Two Million Dollars ($2,000,000) per occurrence for bodily injury, personal injury, and property damage.

13.1.2 Business Automobile Liability. Business automobile liability insurance, or equivalent form, with a combined single limit of not less than One Million Dollars ($1,000,000) per occurrence. Such insurance shall include coverage for the ownership, operation, maintenance, use, loading, or unloading of any auto owned, leased, hired, or borrowed by the insured or for which the insured is responsible.

13.1.3 Workers' Compensation. Workers' compensation insurance with limits as required by the Labor Code of the State of California and employers' liability insurance with limits of not less than One Million Dollars ($1,000,000) per occurrence, at all times during which insured retains employees.

13.1.4 Professional Liability. For any consultant or other professional who will engineer or design the TUMF Improvements, liability insurance for errors and omissions with limits not less than Two Million Dollars ($2,000,000) per occurrence, shall be procured and maintained for a period of five (5) years following completion of the TUMF Improvements. Such insurance shall be endorsed to include contractual liability.

13.2 Deductibles. Any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, either: (a) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, its elected officials, officers, employees, agents, and volunteers; or (b) Developer and its contractors shall provide a financial guarantee satisfactory to City guaranteeing payment of losses and related investigation costs, claims, and administrative and defense expenses.

13.3 Additional Insured; Separation of Insureds. The Required Insurance, except for the professional liability and workers' compensation insurance, shall name the City of Moreno Valley, the Moreno Valley Community Services District, and the Moreno Valley Housing Authority, its elected officials, officers, employees, and agents as additional insureds with respect to work performed by or on behalf of Developer or its contractors, including any materials, parts, or equipment furnished in connection therewith. The Required Insurance shall contain standard separation of insureds provisions, and shall contain no special limitations on the scope of its protection to City, its elected officials, officers, employees, or agents.

13.4 Primary Insurance; Waiver of Subrogation. The Required Insurance shall be primary with respect to any insurance or self-insurance programs covering City, its elected officials, officers, employees, or agents. The policy required for workers' compensation insurance shall provide that the insurance company waives

all right of recovery by way of subrogation against City in connection with any damage or harm covered by such policy.

13.5 Certificates; Verification. Developer and its contractors shall furnish City with original certificates of insurance and endorsements effecting coverage for the Required Insurance. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements must be received and approved by City before work pursuant to this Agreement can begin. City reserves the right to require complete, certified copies of all required insurance policies, at any time.

13.6 Term; Cancellation Notice. Developer and its contractors shall maintain the Required Insurance for the term of this Agreement and shall replace any certificate, policy, or endorsement which will expire prior to that date. All policies shall be endorsed to provide that the Required Insurance shall not be suspended, voided, reduced, canceled, or allowed to expire except on thirty (30) days' prior written notice to City.

13.7 Insurer Rating. Unless approved in writing by City, all Required Insurance shall be placed with insurers licensed to do business in the State of California and with a current A.M. Best rating of at least "A" and FSC-VIII.

14.0 TUMF Credit.

14.1 Developer's TUMF Obligation. Developer hereby agrees and accepts that as of the date of this Agreement, the amount Developer is obligated to pay to City pursuant to City's Project PA08-0072 Conditions of Approval No. LD64a and City Municipal Code Section 3.44 as part of the TUMF Program is Four Hundred Eighty Thousand Fourteen and 45/100 Dollars ($480,014.45) ("TUMF Obligation"). This TUMF Obligation shall be initially determined under the nexus study and fee schedule in effect for the City at the time the Developer submits a building permit application for TUMF Improvement. Notwithstanding, this TUMF Obligation does not have to be paid until Certificate of Occupancy is obtained.

14.2 Limited Period of Adjustment. For those participating jurisdictions in WRCOG that have adopted the Addendum to the 2009 Nexus Study, the Developer may still qualify for a pro-rata adjustment of its Maximum TUMF Share if existing or future phases of the TUMF Improvement are completed under a different nexus study and the Developer pays the full TUMF Obligation required under the 2009 Nexus Study. A Developer may also request to pay the full TUMF Obligation under the 2009 Nexus Study if TUMF Improvements started under the Addendum will be completed under a different nexus study. To make either request, the Developer must submit its Amendment No. 1 to this Agreement ("Agreement") attached as Exhibit "G" before WRCOG adopts the following year's Construction Cost Index in February. If the Developer fails to submit an Amendment before February of the following year, the TUMF Obligation as would be otherwise calculated under the Addendum shall remain in effect.

14.3 Fee Adjustments. Notwithstanding the foregoing, the Developer agrees that this Agreement shall not estop City from adjusting the TUMF in accordance with the provisions of City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44. If Section 14.2 is not applicable, Developer agrees and acknowledges that Developer's final TUMF Obligation for the Project shall be calculated when the building permit application is submitted and in accordance with the provisions of City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44 in effect at such time.

14.4 Credit Offset against TUMF Obligation. Pursuant to City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44 and in consideration for Developer's obligation under this Agreement for the delivery of TUMF Improvements, credit shall be applied by City to offset the TUMF Obligation ("Credit") subject to adjustment and reconciliation under Section 14.2 and 14.6 of this agreement. Developer hereby agrees that the amount of the Credit shall be applied after Developer has initiated the process of project delivery of TUMF Improvements to the lowest responsible bidder in accordance with this Agreement. Developer further agrees that the dollar amount of the Credit shall be equal to the lesser of: (A) the bid amount set forth in the contract awarded to the lowest responsible bidder, or (B) the unit cost assumptions for the TUMF Improvements in effect at the time of the contract award, as such assumptions are identified and determined in the 2009 Nexus Study and the TUMF Administrative Plan adopted by WRCOG ("Unit Cost Assumptions").

The bid amount and the Unit Cost Assumptions shall hereafter be collectively referred to as "Estimated Cost". At no time will the Credit exceed the Developer's TUMF Obligation. If the dollar amount of the Estimated Cost exceeds the dollar amount of the TUMF Obligation, Developer will be deemed to have completely satisfied its TUMF Obligation for the Project and may apply for a reimbursement agreement, to the extent applicable, as provided in Section 14.5 of this Agreement. If the dollar amount of the Estimated Cost is less than the dollar amount of the TUMF Obligation, the Developer agrees the Credit shall be applied to offset the TUMF Obligation as follows:

(1) For residential units in the Project, the Credit shall be applied to all residential units to offset and/or satisfy the TUMF Obligation. The residential units for which the TUMF Obligation has been offset and/or satisfied by use of the Credit, and the amount of offset applicable to each unit, shall be identified in the notice provided to the Developer by City pursuant to this section.

(2) For commercial and industrial structures in the Project, the Credit shall be applied to all commercial and industrial development to offset and/or satisfy the TUMF Obligation. The commercial or industrial structure(s) for which the TUMF Obligation has been offset and/or satisfied by use of the Credit, and the amount of offset applicable to such structure(s), shall be identified in the notice provided to the Developer by City pursuant to this section.

City shall provide Developer written notice of the determinations that City makes pursuant to this section, including how the Credit is applied to offset the TUMF Obligation as described above.

14.5 Verified Cost of the Improvements. Upon recordation of the Notice of Completion for the TUMF Improvements and acceptance of the TUMF Improvements by City, Developer shall submit to the City Public Works Director the information set forth in the attached Exhibit "C". The City Public Works Director, or his or her designee, shall use the information provided by Developer to calculate the total actual costs incurred by Developer in delivering the TUMF Improvements covered under this Agreement ("Verified Costs"). The City Public Works Director will use his or her best efforts to determine the amount of the Verified Costs and provide Developer written notice thereof within ninety (90) calendar days of receipt of all the required information from Developer.

14.6 Reconciliation; Final Credit Offset against TUMF Obligation. The Developer is aware and accepts the fact that Credits are speculative and conceptual in nature. The actual amount of Credit that shall be applied by City to offset the TUMF Obligation shall be equal to the lesser of: (A) the Verified Costs or (B) Unit Cost Assumptions for the TUMF Improvements as determined in accordance with Section 14.4 of this Agreement ("Actual Credit"). No Actual Credit will be awarded until the Verified Costs are determined through the reconciliation process. Please be advised that while a Developer may use an engineer's estimate in order to estimate Credits for project planning purposes, the Actual Credit awarded will only be determined by the reconciliation process.

(a) TUMF Balance. If the dollar amount of the Actual Credit is less than the dollar amount of the TUMF Obligation ("TUMF Balance"), the City Public Works Director shall provide written notice to Developer of the amount of the TUMF Balance and Developer shall pay the TUMF Balance in accordance with City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44 to fully satisfy the TUMF Obligation (see Exhibit "F" - Example "A").

(b) TUMF Reimbursement. If the dollar amount of the Actual Credit exceeds the TUMF Obligation, Developer will be deemed to have fully satisfied the TUMF Obligation for the Project and may apply for a reimbursement agreement, to the extent applicable, as provided in Section 14.7 of this Agreement. City shall provide Developer written notice of the determinations that City makes pursuant to this section (see Exhibit "F" - Example "B").

(c) TUMF Overpayment. If the dollar amount of the Actual Credit exceeds the Estimated Cost, but is less than the TUMF Obligation, but the Actual Credit plus additional monies collected by City from Developer for the TUMF Obligation exceed the TUMF Obligation ("TUMF Overpayment"), Developer will be deemed to have fully satisfied the TUMF Obligation for the Project and may be entitled to a refund. The City Public Works Director shall provide written notice to WRCOG and the Developer of the amount of the TUMF Overpayment and WRCOG shall refund the Developer in accordance with City Municipal Code Section 3.44 (see Exhibit "F" - Example C).

14.7 Reimbursement Agreement. If authorized under either Section 14.4 or Section 14.6, Developer may apply to City and WRCOG for a reimbursement agreement for the amount by which the Actual Credit exceeds the TUMF Obligation, as determined pursuant to Section 14.4 of this Agreement, City Municipal Code Section 3.44, and the TUMF Administrative Plan adopted by WRCOG ("Reimbursement Agreement"). If City and WRCOG agree to a Reimbursement Agreement with Developer, the Reimbursement Agreement shall be executed on the form set forth in Exhibit "D", and shall contain the terms and conditions set forth therein. The Parties agree that the Reimbursement Agreement shall be subject to all terms and conditions of this Agreement, and that upon execution, an executed copy of the Reimbursement Agreement shall be attached hereto and shall be incorporated herein as a material part of this Agreement as though fully set forth herein.

15.0 Miscellaneous.

15.1 Assignment. Developer may assign all or a portion of its rights pursuant to this Agreement to a purchaser of a portion or portions of the Property ("Assignment"). Developer and such purchaser and assignee ("Assignee") shall provide to City such reasonable proof as it may require that Assignee is the purchaser of such portions of the Property. Any assignment pursuant to this section shall not be effective unless and until Developer and Assignee have executed an assignment agreement with City in a form reasonably acceptable to City, whereby Developer and Assignee agree, except as may be otherwise specifically provided therein, to the following: (1) that Assignee shall receive all or a portion of Developer's rights pursuant to this Agreement, including such credit as is determined to be applicable to the portion of the Property purchased by Assignee pursuant to Section 14.0 et seq. of this Agreement, and (2) that Assignee shall be bound by all applicable provisions of this Agreement.

15.2 Relationship between the Parties. The Parties hereby mutually agree that this Agreement shall not operate to create the relationship of partnership, joint venture, or agency between City and Developer. Developer's contractors are exclusively and solely under the control and dominion of Developer. Nothing herein shall be deemed to make Developer or its contractors an agent or contractor of City.

15.3 Warranty as to Property Ownership; Authority to Enter Agreement. Developer hereby warrants that it owns fee title to the Property and that it has the legal capacity to enter into this Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

15.4 Prohibited Interests. Developer warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for Developer, to solicit or secure this Agreement. Developer also warrants that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for Developer, any fee, commission, percentage, brokerage fee, gift, or other consideration contingent upon the making of this Agreement. For breach of this warranty, City shall have the right to rescind this Agreement without liability.

15.5 Notices. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other addresses as the Parties may designate by written notice:

To City: City of Moreno Valley
Land Development
Attn: City Engineer
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Fax No. 951.413.3158

To Developer: USAA Real Estate Company
Attn: David Buck
9830 Colonnade Boulevard, Suite 600
San Antonio, TX 78230
Fax No. (210) 641-8463

Depending upon the method of transmittal, notice shall be deemed received as follows: by facsimile, as of the date and time sent; by messenger, as of the date delivered; and by U.S. Mail first class postage prepaid, as of 72 hours after deposit in the U.S. Mail.

15.6 Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate, or convenient to attain the purposes of this Agreement.

15.7 Construction; References; Captions. It being agreed the Parties or their agents have participated in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days, or period for performance shall be deemed calendar days and not work days. All references to Developer include all personnel, employees, agents, and contractors of Developer, except as otherwise specified in this Agreement. All references to City include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

15.8 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

15.9 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual right by custom, estoppel, or otherwise.

15.10 Binding Effect. Each and all of the covenants and conditions shall be binding on and shall inure to the benefit of the Parties, and their successors, heirs, personal representatives, or assigns. This section shall not be construed as an authorization for any Party to assign any right or obligation.

15.11 No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

15.12 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

15.13 Consent to Jurisdiction and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of California. Any legal action or proceeding brought to interpret or enforce this Agreement, or which in any way arises out of the Parties' activities undertaken pursuant to this Agreement, shall be filed and prosecuted in the appropriate California State Court in the County of Riverside, California. Each Party waives the benefit of any provision of state or federal law providing for a change of venue to any other court or jurisdiction including, without limitation, a change of venue based on the fact that a governmental entity is a party to the action or proceeding, or that a federal right or question is involved or alleged to be involved in the action or proceeding. Without limiting the generality of the foregoing waiver, Developer expressly waives any right to have venue transferred pursuant to California Code of Civil Procedure Section 394.

15.14 Time is of the Essence. Time is of the essence in this Agreement, and the Parties agree to execute all documents and proceed with due diligence to complete all covenants and conditions.

15.15 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original and which collectively shall constitute one instrument.

15.16 Entire Agreement. This Agreement contains the entire agreement between City and Developer and supersedes any prior oral or written statements or agreements between City and Developer.

[SIGNATURES OF PARTIES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

DEVELOPER:
US Real Estate Limited Partnership,
a Texas limited partnership

By: USAA Real Estate Company,
a Delaware corporation
Its: General Partner

By: Signature on following page
David J. Buck
Managing Director

ATTEST:
By: _____

Its: _____

City of Moreno Valley

By: _____

Its: _____

ATTEST:
By: _____

Its: _____

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

Developer Signature & Acknowledgement
Improvement and Credit / Reimbursement Agreement No. T12-001
Transportation Uniform Mitigation Fee Program
Centerpointe Logistics Center

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 24th day of April, 2012.

Debra Kasuda
Notary Public
My Commission Expires: 11/9/2013

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

[ATTACHED BEHIND THIS PAGE]

DESCRIPTION

THOSE PORTIONS OF LOT 1 IN BLOCK 15 AND OF LOT 4 IN BLOCK 14 OF ALESSANDRO TRACT, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP RECORDED IN BOOK 6, PAGES 13, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF THE UNNAMED 60.00 FEET WIDE STREET WITHIN SAID BLOCKS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTH LINE OF SAID LOT PROLONGED TO THE WEST LINE OF BLOCK 259 OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., MAP NO. 1, AS SHOWN BY MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE SOUTHERLY ON SAID WEST LINE TO THE NORTH LINE OF THE LAND DESCRIBED TO THE STATE OF CALIFORNIA BY FINAL DECREE OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED NOVEMBER 4, 1957 AS INSTRUMENT NO. 78851, IN BOOK 2172 PAGE 410 OFFICIAL RECORDS.
THENCE WESTERLY ON LAST SAID NORTH LINE TO THE WEST LINE OF SAID LOT 4;
THENCE NORTH ON SAID WEST LINE TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION LYING WITHIN PARCEL MAP 17864 AS SHOWN BY MAP RECORDED IN BOOK 129, PAGES 79 THROUGH 82, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

ALSO EXCEPT THAT PORTION LYING WITHIN PARCEL MAP 23586-1, AS SHOWN BY MAP RECORDED IN BOOK 177, PAGES 18 THROUGH 20, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

APN 297-150-055-2

NOTE: SAID LAND IS ALSO KNOWN AS ALL THAT PROPERTY LYING WITHIN THE BOUNDARIES OF TENTATIVE PARCEL MAP 34572.

EXHIBIT "B"

FORMS FOR SECURITY

[ATTACHED BEHIND THIS PAGE]

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS FOR PROJECT NO. PA08-0072

APN NO. 297-150-055

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **US Real Estate Limited Partnership, a Texas Limited Partnership**, herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA08-0072** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **THREE MILLION ONE HUNDRED ONE THOUSAND AND NO/100** Dollars (*****$3,101,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **ONE MILLION FIVE HUNDRED FIFTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$1,550,500.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security in accordance with the City's Municipal Code at anytime during the term of this agreement, subject to approval by the City Engineer and City Attorney.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Developer further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA08-0072

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
US Real Estate Limited Partnership,
a Texas Limited Partnership
9830 Colonnade Blvd., Suite 600
San Antonio, TX 78230

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: 3/21/12

US Real Estate Limited Partnership, a Texas Limited Partnership:
Developer

BY: _____
Signature

DAVID BUCK
Print/Type Name Managing Director

_____
Title

BY: _____
Signature
STANLEY R. ALTERMAN
Executive Managing Director
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 20 MAR 2012

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA08-0072 - Agreement.doc

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG 2/15/12

PROJECT: PA08-0072
0
Concourse at Centerpointe

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			2993	C.Y.	29.00	86,797
A.B. Class II - Street 1	1	Thickness (ft.)				
Resource Wy	52476	S.F.	3804	Ton	33.00	125,532
A.C. - Street 1	0.5	Thickness (ft.)				
Resource Wy	52476	S.F.	1902	Ton	80.00	152,160
Roadway Excavation			25	C.Y.	29.00	725
A.B. Class II - Street 2	0.67	Thickness (ft.)				
Frederick St	2110	S.F.	102	Ton	33.00	3,366
A.C. - Street 2	0.45	Thickness (ft.)				
Frederick St	2110	S.F.	68	Ton	80.00	5,440
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			4000	C.Y.	29.00	116,000
A.B. Class II - Street 1	1	Thickness (ft.)				
Cactus Ave	80360	S.F.	5826	Ton	33.00	192,258
A.C. - Street 1	0.5	Thickness (ft.)				
Cactus Ave	80360	S.F.	2913	Ton	80.00	233,040
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	915,318

Item No. A.10

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG 2/15/12

PROJECT: PA08-0072 0 PUBLIC STREET WORK
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15' Frederick St & Resource Wy	33233	S.F.	3.25	108,007
A.C. Cap/Overlay Frederick St & Resource Wy	0	Ton	80.00	0
Grind & Pave 0.15' Cactus Ave	8310	S.F.	3.25	27,008
A.C. Cap/Overlay Cactus Ave	0	Ton	80.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.20	0
Sawcut	2600	L.F.	3.00	7,800
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
Curb Transition	140	L.F.	10.00	1,400
Curb Only - 8"	2576	L.F.	15.00	38,640
Adjust M.H. to Grade	21	EA.	800.00	16,800
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	3.00	0
Remove Existing Curb & Gutter Frederick St & Resource Wy	290	L.F.	12.00	3,480
Remove Existing Curb & Gutter Cactus Ave	84	L.F.	12.00	1,008
Concrete				
P.C.C. Paving - 6"	0	S.F.	6.50	0
P.C.C. Paving - 8"	0	S.F.	10.50	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" Frederick Ave and Resource Wy	25	L.F.	30.00	750
Curb and Gutter - 8" (TUMF Cactus Ave)	1147	L.F.	30.00	34,410
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Cactus Ave)	2576	L.F.	25.00	64,400
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	10.25	0
Sidewalk	0	S.F.	4.25	0
Sidewalk Frederick St & Resource Wy	6272	S.F.	7.00	43,904
Sidewalk (DIF Cactus Ave)	8466	S.F.	7.00	59,262
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 8" Cactus Ave	6164	S.F.	6.50	40,066
Driveway Approach - 8" Frederick St & Resource Wy	2352	S.F.	10.50	24,696
Wheelchair Ramp Cactus Ave	1	EA.	2,600.00	2,600
Alley Approach - 8"	0	S.F.	10.25	0
1/2 Alley Apron	0	S.F.	10.25	0
Barricade	0	L.F.	100.00	0
Bus Bay Cactus Ave	1	EA.	15,000.00	15,000
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Remove sign	4	EA.	200.00	800
Curb Pocket for Sewer Manhole	0	EA.	5,000.00	0
Remove Existing Driveway Frederick St & Resource Wy	3964	SF	3.00	11,892
Remove Existing Driveway Cactus Ave	1136	SF	3.00	3,408
			SUBTOTAL	505,331
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	1	L.S.	–	7,890
Traffic Striping (DIF Street)	0	L.S.	–	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	5	EA.	200.00	1,000
Signs and Posts (DIF Street)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	10000	0
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	9	EA.	800.00	7,200
Metal Guard Rail	0	L.F.	90.00	0
Adjust Existing Traffic Controller	2	EA.	1,500.00	3,000
			SUBTOTAL:	19,090
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	198.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments - Cactus Ave	1	EA.	300.00	300
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	300

Item No. A.10

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG 2/15/12

PROJECT: PA08-0072 0 Concourse at Centerpointe

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	11384	S.F.	6.00	68,304
Landscaping - Parkways	5325	S.F.	6.00	31,950
Street Lights (9500 lumen)	0	EA.	5,000.00	0
Street Lights (22000 lumen)	7	EA.	6,000.00	42,000
			SPECIAL DISTRICTS SUBTOTAL:	142,254
Moreno Valley Utilities				
Electrical Utility Infrastructure	1	L.S.	136,000.00	136,000
			MVU SUBTOTAL:	136,000
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination	0	EA.	272,000.00	0
Traffic Signal Modification	1	L.S.	45000	45,000
Traffic Signal Interconnect (Existing Signals Only) Frederick St	840	L.F.	30.00	25,200
Traffic Signal Interconnect (Existing Signals Only) Cactus Ave	1415	L.F.	30.00	42,450
			TRANSPORTATION SUBTOTAL:	112,650

VBG
2/15/12

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

PROJECT: PA08-0072 0 PUBLIC STORM DRAIN SYSTEM
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	79	L.F.	160.00	12,640
24" Reinforced Concrete Pipe (DIF Cactus Ave)	209	L.F.	160.00	33,440
30" Reinforced Concrete Pipe	688	L.F.	180.00	123,840
36" Reinforced Concrete Pipe	370	L.F.	190.00	70,300
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	47	L.F.	210.00	9,870
48" Reinforced Concrete Pipe	635	L.F.	250.00	158,750
54" Reinforced Concrete Pipe	85	L.F.	300.00	25,500
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
6' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
Concrete Backfill	230	L.F.	20.00	4,600
Manholes				
Manhole No. 1	3	EA.	5000.00	15,000
Manhole No. 2	4	EA.	7200.00	28,800
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	2	EA.	10000.00	20,000
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	3	EA.	5500.00	16,500
Catch Basin (10')	0	EA.	6000.00	0
Catch Basin (14')	2	EA.	8000.00	16,000
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	3	EA.	535.00	1,605
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Cactus Ave)	3	EA.	5500.00	16,500
Catch Basin (10') DIF Street Name)	0	EA.	6000.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (28') (DIF Resource)	1	EA.	16000.00	16,000
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Remove Catch Basin	1	EA.	500.00	500
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

Item No. A.10

EXHIBIT "A"
ENGINEER'S ESTIMATE

VBG
2/15/12

DATE: 02/15/12
PREPARED BY: Vince Giron

PROJECT: PA08-0072
0
Concourse at Centerpointe

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	3	EA.	6500.00	19,500
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	4000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	1	EA.	3000.00	3,000
Headwall	2	EA.	5500.00	11,000
Removal of Headwall	2	EA.	3000.00	6,000
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	1	EA.	1000.00	1,000
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	50	TON	60.00	3,000
Remove Existing 42" Storm Drain	95	L.F.	10.00	950
Remove Existing 36" Storm Drain	85	L.F.	10.00	850
Special Pipe Connection	2	E.A.	1000.00	2,000
Remove Existing AC Pavement	13054	L.F.	3.00	39,162
Sawcut	2354	L.F.	1.00	2,354
Remove Existing 30" RCP	9	L.F.	9.00	81
Relocate Existing Electrical Conduit	180	L.F.	50.00	9,000
Relocate Existing Gas Line	50	L.F.	150.00	7,500
Special Pipe Protection	2	E.A.	0.00	1,250
Remove Existing Catch Basin	1	EA.	500	500
			SUBTOTAL:	676,992

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG
2/15/12

PROJECT: PA08-0072
0 PUBLIC WATER SYSTEMS
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	35	L.F.	60.00	2,100
16" CML&C	45	L.F.	90.00	4,050
12" CML&C	10	L.F.	95.00	950
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	2	EA.	1,340.00	2,680
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
Relocate 2" Air Vac Release	1	EA.	4,000.00	4,000
2" Backflow Preventor, Pad & Cover	2	EA.	4,300.00	8,600
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	4	EA.	4,500.00	18,000
Relocate Fire Hydrants	2		0.00	0
Services Connections				
1" Service	1	EA.	800.00	800
1" Service w/ 5/8" Service	0	EA.	2,000.00	0
1 1/2" Service	1	EA.	1,100.00	1,100
2" Service	2	EA.	1,600.00	3,200
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	1		320.00	320
1 1/2" Meter	0		420.00	0
2" Meter	3		525.00	1,575
Relocate Water Meter	2	EA.	1,000.00	2,000
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	2	EA.	2,200.00	4,400
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	2	EA.	1,000.00	
Water Service	2	EA.	330.00	660
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	1	CY	150.00	150
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	3	EA.	235.00	705
Relocate 24" Water Line	55	L.F.	75.00	4,125
Remove 12" Water Line	20	L.F.	20.00	400
Relocate 12" Water Line	45	L.F.	50.00	2,250
Remove and Relocate Existing CTS	1	EA.	2,500.00	2,500
			SUBTOTAL:	64,565

Item No. A.10

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 02/15/12
PREPARED BY: Vince Giron

VBG
2/15/12

PROJECT: PA08-0072 0 PUBLIC SEWER SYSTEMS
Concourse at Centerpointe

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	55	L.F.	40.00	2,200
8" V.C. Pipe	12	L.F.	55.00	660
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	0	L.F.	80.00	0
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0		20.00	0
			0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	1	EA.	3,140.00	3,140
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	4	EA.	630.00	2,520
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	2	EA.	1,500.00	3,000
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pavement around MH	0	S.F.	14.00	0
	0		0.00	0
Miscelleneous - Sewer System				
Wyes	1	EA.	90.00	90
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	11,610

VBG
2/15/12

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PA08-0072
0
Concourse at Centerpointe

DATE: 02/15/12
PREPARED BY: Vince Giron

IMPROVEMENT TYPE:	
PAVEMENT SECTION WORK	$915,318
OFFSITE STREET WORK	$505,331
SPECIAL DISTRICTS	$142,254
MORENO VALLEY UTILITIES	$136,000
WATER QUALITY BASIN	$0
TRANSPORTATION ENGINEERING	$112,650
STORM DRAIN SYSTEM	$676,992
WATER SYSTEM	$64,565
SEWER SYSTEM	$11,610
TRAFFIC IMPROVEMENTS	$19,090
BONDABLE WORK (not plan checked)	$300
TOTAL COST (VALUE) OF IMPROVEMENTS:	$2,584,110
+20% CONTINGENCY:	$516,822
GRAND TOTAL:	$3,100,932
BOND AMOUNT:	$3,101,000

Item No. A.10

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $3,101,000.00

Project No. PA08-0072

Bond No. 105700873

Premium

Surety Travelers Casualty & Surety Co. of America A+(XV) CA

Principal US Real Estate Limited Partnership a Texas Limited Partnership

Address 1301 E. Collins Blvd., #340

Address 9830 Colonnade Blvd., Suite 600

City/Zip Richardson, TX 75081

City/Zip San Antonio, TX 78230

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **US Real Estate Limited Partnership, a Texas limited partnership,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA08-0072**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty & Surety Co. of America A+(XV) CA as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **THREE MILLION ONE HUNDRED ONE THOUSAND AND NO/100** Dollars (*****$3,101,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

RISK MANAGEMENT
Approved

M. Alonzo 3-6-12
By Date

Item No. A.10

MV00174838

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA08-0072

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on February 29, 20 12.

NAME OF PRINCIPAL: US Real Estate Limited Partnership, a Texas limited partnership
Company Name

AUTHORIZED SIGNATURE(S): By _____ Managing Director
Name STANLEY R. ALTERMAN Title

_____ Executive Managing Director
Name Title

NAME OF SURETY: A+(XV) CA Travelers Casualty & Surety Co. of America
Company Name

AUTHORIZED SIGNATURE: _____ ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA08-0072 - Faithful Performance Bond.DOC

WARNING: THIS POWER OF ATTORNEY IS INVALID

POWER OF ATTORNEY

TRAVELERS

A+(XV) CA

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704466

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Item No. A.10

MV00174840

Principal Signature Page
Faithful Performance Bond
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By: _____
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $1,550,500.00

Bond No. 105700874

Surety Travelers Casualty & Surety Co. of A+(XV) CA /america

Address 1301 E. Collins Blvd., #340

City/Zip Richardson, TX 75081

Project No. PA08-0072

Premium

Principal US Real Estate Limited Partnership a Texas Limited Partnership

Address 9830 Colonnade Blvd., Suite 600

City/Zip San Antonio, TX 78230

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **US Real Estate Limited Partnership, a Texas limited partnership,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA08-0072**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **ONE MILLION FIVE HUNDRED FIFTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$1,550,500.00*****) lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

RISK MANAGEMENT
Approved

By

3-6-12
Date

Item No. A.10

MV00174842

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA08-0072

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on February 29, 2012.

NAME OF PRINCIPAL: US Real Estate Limited Partnership, a Texas limited partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

Name — Managing Director
Title

Name — STANLEY R. ALTERMAN
Executive Managing Director
Title

NAME OF SURETY: A+(XV) CA
Travelers Casualty & Surety Co. of America
Company Name

AUTHORIZED SIGNATURE: ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA08-0072 - Material Labor Bond.DOC

POWER OF ATTORNEY

TRAVELERS
A+(XV) CA

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224596

Certificate No. 004704465

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Item No. A.10

MV00174844

Principal Signature Page
Material and Labor Bond
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By: _____
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By: _____
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 1st day of March, 2012.

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Notary Public
My Commission Expires: 11/9/2013

Item No. A.10

MV00174845

USAA

USAA Real Estate Company

March 13, 2012

Sent Via FedEx
Liz Plazola
CEDD/Land Development
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Re: PA08-0072 – Agreement for Public Improvements – M&L Bond

Dear Ms. Plazola:

Enclosed you will find one original of the Rider to the Material and Labor Bond previously submitted to you in connection with the above referenced project. The Bond was intended to be issued under the same Bond Number as the Performance Bond. The enclosed Rider simply amends the Bond to reflect the corrected Bond Number.

Should you have any questions or require any further information, please do not hesitate contacting me direct at (210) 641-8484.

Sincerely,

David J. Buck
Managing Director

Cc: Steve Ames, USAA Real Estate Company
Tony Byron, USAA Real Estate Company
Timur Tecimer, Overton Moore Properties
Denise Woodard, LSA Associates

9830 Colonnade Boulevard, Suite 600 San Antonio, Texas 78230-2239

Principal Signature Page
Material and Labor Bond Rider
Project No. PA08-0072

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation,
Its General Partner

By:
Name: DAVID BUCK
Title: Managing Director

US Real Estate Limited Partnership,
a Texas Limited Partnership

By: USAA Real Estate Company,
a Delaware Corporation
Its General Partner

By:
Name: STANLEY R. ALTERMAN
Title: Executive Managing Director

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared David J. Buck, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 12th day of March, 2012.

Notary Public
My Commission Expires: 11/9/13

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

State of Texas
County of Bexar

Before me, the undersigned notary public, personally appeared Stanley R. Alterman, the within named signatory, with whom I am personally acquainted, and who upon oath acknowledged such person to be the Executive Managing Director of USAA REAL ESTATE COMPANY, who is the general partner of US REAL ESTATE LIMITED PARTNERSHIP, and is authorized by the company to execute this agreement on behalf of the company.

Witness my hand and seal, this 12th day of March, 2012.

Notary Public
My Commission Expires: 11/9/13

DEBRA KASUDA
Notary Public
State of Texas
My Comm. Exp. 11-09-2013

Item No. A.10

MV00174847

TRAVELERS

License No. _____

RIDER

To be attached to and form part of Bond No. 105700874.

Issued on behalf of US Real Estate Limited Partnership, a Texas Limited Partnership as Principal, and in favor of "City of Moreno Valley, CA" as Obligee.

It is agreed that:

☐ 1. The Surety hereby gives its consent to change the Name:

from: _____

to: _____

☐ 2. The Surety hereby gives its consent to change the Address:

from: _____

to: _____

☒ 3. The Surety hereby gives its consent to change the Bond Number:

from: 105700874

to: 105700873

4. This rider shall become effective as of February 29, 2012

PROVIDED, however, that the liability of the Surety under the attached bond as changed by this Rider shall not be cumulative.

Signed, sealed and dated March 7, 2012.

Travelers Casualty & Surety Co. of America

By: Jennifer Lea Wingfield
Jennifer Lea Wingfield Attorney-in-Fact

Accepted: _____
Obligee

By: _____

or US Real Estate Limited Partnership, a Texas Limited Partnership
Principal

By: "SEE ATTACHED SIGNATURE PAGE"

S-4111 (8/66)

WARNING: THIS POWER OF ATTORNEY IS INVALID

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Certificate No. 004704467

Attorney-In Fact No. 224596

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Brenda J. Ernst, Morresa Shepherd, Jennifer Lea Wingfield, Steven C. Barnett, and Shannon Carol

of the City of Dallas, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of January, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 20th day of January, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Item No. A.10

MV00174849

EXHIBIT "C"

DOCUMENTATION TO BE PROVIDED TO CITY BY DEVELOPER FOR DETERMINATION OF CONSTRUCTION COSTS

To assist City in determining the Construction Costs for a completed TUMF Improvement, Developer shall provide the following documents to City:

1. Plans, specifications and Developer's civil engineer's cost estimate;
2. List of bidders from whom bids were requested;
3. Construction schedules and progress reports;
4. Contracts, insurance certificates and change orders with each contractor or vendor;
5. Invoices received from all vendors;
6. Canceled checks for payments made to contractors and vendors (copy both front and back of canceled checks);
7. Spreadsheet showing total costs incurred in and related to the construction of each TUMF Improvement and the check number for each item of cost and invoice;
8. Final lien releases from each contractor and vendor; and
9. Such further documentation as may be reasonably required by City to evidence the completion of construction and the payment of each item of cost and invoice.

EXHIBIT "D"
REIMBURSEMENT AGREEMENT
TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM

NUMBER T12-001

THIS REIMBURSEMENT AGREEMENT ("Agreement") is entered into this _____ day of _____, 20___, by and between the City of Moreno Valley, a California municipal corporation ("City"), and US Real Estate Limited Partnership a Texas limited partnership, by its general partner USAA Real Estate Company, a Delaware corporation, with its principal place of business at 9830 Colonnade Boulevard, Suite 600, San Antonio, Texas 78230 ("Developer"). City and Developer are sometimes hereinafter referred to individually as "Party" and collectively as "Parties."

RECITALS

WHEREAS, City and Developer are parties to an agreement dated _____, 20___, entitled "Improvement and Credit Agreement - Transportation Uniform Mitigation Fee Program" (hereinafter "Credit Agreement");

WHEREAS, Sections 14.1 through 14.4 of the Credit Agreement provide that Developer is obligated to pay City the TUMF Obligation, as defined therein, but shall receive credit to offset the TUMF Obligation if Developer constructs and City accepts the TUMF Improvements in accordance with the Credit Agreement;

WHEREAS, Section 14.5 of the Credit Agreement provides that if the dollar amount of the credit to which Developer is entitled under the Credit Agreement exceeds the dollar amount of the TUMF Obligation, Developer may apply to City and WRCOG for a reimbursement agreement for the amount by which the credit exceeds the TUMF Obligation;

WHEREAS, Section 14.5 additionally provides that a reimbursement agreement executed pursuant to the Credit Agreement (i) shall be executed on the form attached to the Credit Agreement, (ii) shall contain the terms and conditions set forth therein, (iii) shall be subject to all terms and conditions of the Credit Agreement, and (iv) shall be attached upon execution to the Credit Agreement and incorporated therein as a material part of the Credit Agreement as though fully set forth therein; and

WHEREAS, City and WRCOG have consented to execute a reimbursement agreement with Developer pursuant to the Credit Agreement, City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44, and the TUMF Administrative Plan adopted by WRCOG.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, the Parties hereby agree as follows:

TERMS

1.0 Incorporation of Recitals. The Parties hereby affirm the facts set forth in the Recitals above and agree to the incorporation of the Recitals as though fully set forth herein.

2.0 Effectiveness. This Agreement shall not be effective unless and until the Credit Agreement is effective and in full force in accordance with its terms.

3.0 Definitions. Terms not otherwise expressly defined in this Agreement, shall have the meaning and intent set forth in the Credit Agreement.

4.0 Amount of Reimbursement. Subject to the terms, conditions, and limitations set forth in this Agreement, the Parties hereby agree that Developer is entitled to receive the dollar amount by which the Actual Credit exceeds the dollar amount of the TUMF Obligation as determined pursuant to the Credit Agreement, City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44, and the TUMF Administrative Plan adopted by WRCOG ("Reimbursement"). The Reimbursement shall be subject to verification by WRCOG. City and Developer shall provide any and all documentation reasonably necessary for WRCOG to verify the amount of the Reimbursement. The Reimbursement shall be in an amount not exceeding _____ ($_____) ("Reimbursement Amount"). WRCOG shall pay the Reimbursement Amount to City and the City shall be responsible for transmitting the Reimbursement Agreement to the Developer. In no event shall the dollar amount of the Reimbursement exceed the difference between the dollar amount of all credit applied to offset the TUMF Obligation pursuant to Section 14.4, 14.5, and 14.6 of the Credit Agreement, and one hundred (100%) of the approved unit awarded, as such assumptions are indentified and determined in the Nexus Study and the TUMF Administrative Plan adopted by WRCOG.

5.0 Payment of Reimbursement; Funding Contingency. The payment of the Reimbursement Agreement shall be subject to the following conditions:

5.1 Developer shall have no right to receive payment of the Reimbursement unless and until (i) the TUMF Improvements are completed and accepted by City in accordance with the Credit Agreement, (ii) the TUMF Improvements are scheduled for funding pursuant to the five-year Transportation Improvement Program adopted annually by WRCOG, (iii) WRCOG has funds available and appropriated for payment of the Reimbursement amount.

5.2 Developer shall not be entitled to any interest or other cost adjustment for any delay between the time when the dollar amount of the Reimbursement is determined and the time when payment of the Reimbursement is made to Developer by WRCOG through City.

6.0 Affirmation of Credit Agreement. City and Developer represent and warrant to each other that there have been no written or oral modifications or amendments of the Credit

Agreement, except by this Agreement. City and Developer ratify and reaffirm each and every one of their respective rights and obligations arising under the Credit Agreement. City and Developer represent and warrant that the Credit Agreement is currently an effective, valid, and binding obligation.

7.0 Incorporation Into Credit Agreement. Upon execution of this Agreement, an executed original of this Agreement shall be attached as Exhibit "D" to the Credit Agreement and shall be incorporated therein as a material part of the Credit Agreement as though fully set forth therein.

8.0 Terms of Credit Agreement Controlling. Each Party hereby affirms that all provisions of the Credit Agreement are in full force and effect and shall govern the actions of the Parties under this Agreement as though fully set forth herein and made specifically applicable hereto, including without limitation, the following sections of the Credit Agreement: Sections 10.0 through 10.3, Section 12.0, Sections 13.0 through 13.7, Sections 14.0 through 14.7, and Sections 15.0 through 15.17.

[SIGNATURES OF PARTIES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

DEVELOPER:
US Real Estate Limited Partnership,
a Texas limited partnership

By: USAA Real Estate Company,
a Delaware corporation
Its: General Partner

By: _____
David J. Buck
Managing Director

ATTEST:
By: _____

Its: _____

City of Moreno Valley

By: _____

Its: _____

ATTEST:
By: _____

Its: _____

APPROVED AS TO FORM:
CITY ATTORNEY

Date:_____

By:_____
City Attorney

EXHIBIT "E"

TUMF CREDIT / REIMBURSEMENT ELIGIBILITY PROCESS

1. Prior to the construction of any TUMF Improvement, Developer shall follow the steps listed below:
    a. Prepare a separate bid package for the TUMF Improvements.
    b. The plans, cost estimate, specifications and contract document shall require all contractors to pay prevailing wages and to comply with applicable provisions of the Labor Code, Government Code, and Public Contract Code relating to Public Works Projects.
    c. Bids shall be obtained and processed in accordance with the formal public works bidding requirements of the City/County.
    d. The contract(s) for the construction of TUMF Improvements shall be awarded to the lowest responsible bidder(s) for the construction of such facilities in accordance with the City's/County's requirements and guidelines.
    e. Contractor(s) shall be required to provide proof of insurance coverage throughout the duration of the construction.
2. Prior to the determination and application of any Credit pursuant to a TUMF Improvement and Credit Agreement executed between City/County and Developer ("Agreement"), Developer shall provide the City/County and WRCOG with the following:
    a. Copies of all information listed under Item 1 above.
    b. Surety Bond, Letter of Credit, or other form of security permitted under the Agreement and acceptable to the City/County and WRCOG, guaranteeing the construction of all applicable TUMF Improvements.
3. Prior to the City's/County's acceptance of any completed TUMF Improvement, and in order to initiate the construction cost verification process, the Developer shall comply with the requirements as set forth in Sections 7, 14.3 and 14.4 of the Agreement, and the following conditions shall also be satisfied:
    a. Developer shall have completed the construction of all TUMF Improvements in accordance with the approved Plans and Specifications.
    b. Developer shall have satisfied the City's/County's inspection punch list.
    c. After final inspection and approval of the completed TUMF Improvements, the City/County shall have provided the Developer a final inspection release letter.
    d. City/County shall have filed a Notice of Completion with respect to the TUMF Improvements pursuant to Section 3093 of the Civil Code with the County Recorder's Office, and provided a copy of filed Notice of Completion to WRCOG.
    e. Developer shall have provided City/County a copy of the As-Built plans for the TUMF Improvements.
    f. Developer shall have provided City/County copies of all permits or agreements that may have been required by various resource/regulatory agencies for construction, operation and maintenance of any TUMF Improvements.
    g. Developer shall have submitted a documentation package to the City/County to determine the final cost of the TUMF Improvements, which shall include at a minimum, the following documents related to the TUMF Improvements:
        i. Plans, specifications, and Developer's Civil Engineer's cost estimates; or Engineer's Report showing the cost estimates.
        ii. Contracts/agreements, insurance certificates and change orders with each vendor or contractor.
        iii. Invoices from all vendors and service providers.
        iv. Copies of cancelled checks, front and back, for payments made to contractors, vendors and service providers.
        v. Final lien releases from each contractor and vendor (unconditional waiver and release).

vi. Certified contract workers payroll for City/County verification of compliance with prevailing wages.
vii. A total cost summary, in spreadsheet format (MS Excel is preferred) and on disk, showing a breakdown of the total costs incurred. The summary should include for each item claimed the check number, cost, invoice numbers, and name of payee. See attached sample for details.

EXHIBIT "F"

RECONCILIATION EXAMPLES

All examples are based on a single family residential development project of 200 dwelling units:
200 SF dwelling units @ $6,650 / dwelling unit = $1,330,000 in fees (TUMF Obligation)

Example A: "TUMF BALANCE"

CREDIT	
TUMF Obligation:	$1,330,000
Estimated Cost: Bid ($1,500,000) or unit Cost Assumption ($1,600,000) whichever is less	$1,500,000
Potential Reimbursement:	($170,000)
RECONCILIATION	
TUMF Obligation:	$1,330,000
Actual Credit:	$1,200,000
TUMF Balance (Payment to TUMF):	**$130,000**

Example B: "REIMBURSEMENT"

CREDIT	
TUMF Obligation:	$1,330,000
Estimated Cost: Bid ($1,500,000) or unit Cost Assumption ($1,600,000) whichever is less	$1,500,000
Potential Reimbursement:	($170,000)
RECONCILIATION	
TUMF Obligation:	$1,330,000
Actual Credit:	$1,500,000
Reimbursement Agreement with Developer (Based on Priority Ranking):	**($170,000)**

Example C: "TUMF OVERPAYMENT"

CREDIT	
TUMF Obligation:	$1,330,000
Estimated Cost: Bid ($1,200,000) or unit Cost Assumption ($1,500,000) whichever is less	$1,200,000
Remaining TUMF Obligation:	$130,000
Prorated Fee: $130,000 / 200 du =	$650 / du
RECONCILIATION	
Actual Credit:	$1,300,000
TUMF payments from Developer ($650 per unit x 200 units)	$130,000
Actual Credit plus TUMF Payment	$1,430,000
TUMF Obligation:	$1,330,000
Actual Credit plus TUMF Payment	$1,430,000
TUMF Overpayment (Refund to Developer):	**($100,000)**

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

DEVELOPER:
US Real Estate Limited Partnership,
a Texas limited partnership

By: USAA Real Estate Company,
a Delaware corporation
Its: General Partner

By: _____
David J. Buck
Managing Director

ATTEST:
By: Steven A. Waters
Its: Secretary

City of Moreno Valley

By: _____

Its: _____

ATTEST:
By: _____

Its: _____

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: PM 35150 – INDUSTRIAL – ACCEPT THE SUBSTITUTION AGREEMENT AND SECURITY FOR PUBLIC IMPROVEMENTS

NORTHWEST CORNER OF INDIAN STREET AND NANDINA AVENUE

DEVELOPER: FR/CAL MORENO VALLEY, LLC
114 PACIFICA, SUITE 220
IRVINE, CA 92618

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and Security for PM 35150.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by FR/CAL Moreno Valley, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

BACKGROUND

On July 12, 2007, the Planning Commission of the City of Moreno Valley approved the Conditions of Approval and Mitigation Monitoring Program for Tentative Parcel Map 35150. This industrial project is located on approximately 53.27 acres of land located at the southwest corner of Indian Street and San Michele Road.

On July 8, 2008, The City Council of the City of Moreno Valley approved Final Map 35150 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 35150 provided a Faithful Performance Bond in the amount of $7,721,000 and a Material and Labor Bond in the amount of $3,860,500 issued by Travelers Casualty and Surety Company of America.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by the developer upon acceptance of the substitution agreement and cash security.

The Developer has submitted the substitute Agreement for Public Improvements and cash security for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. If the required street improvements are not completed within said timeframe, the City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval.

Accompanying the agreement is a Faithful Performance cash security in the amount of $7,721,000 and a Material and Labor cash security in the amount of 3,860,500. The cash security shall be placed in an escrow account with First American Title Insurance Company and will allow for disbursement of funds in accordance with the details in the Agreement for Public Improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project.

FISCAL IMPACT

No fiscal impact is anticipated.

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Security
Exhibit “D” - Material and Labor Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00174862

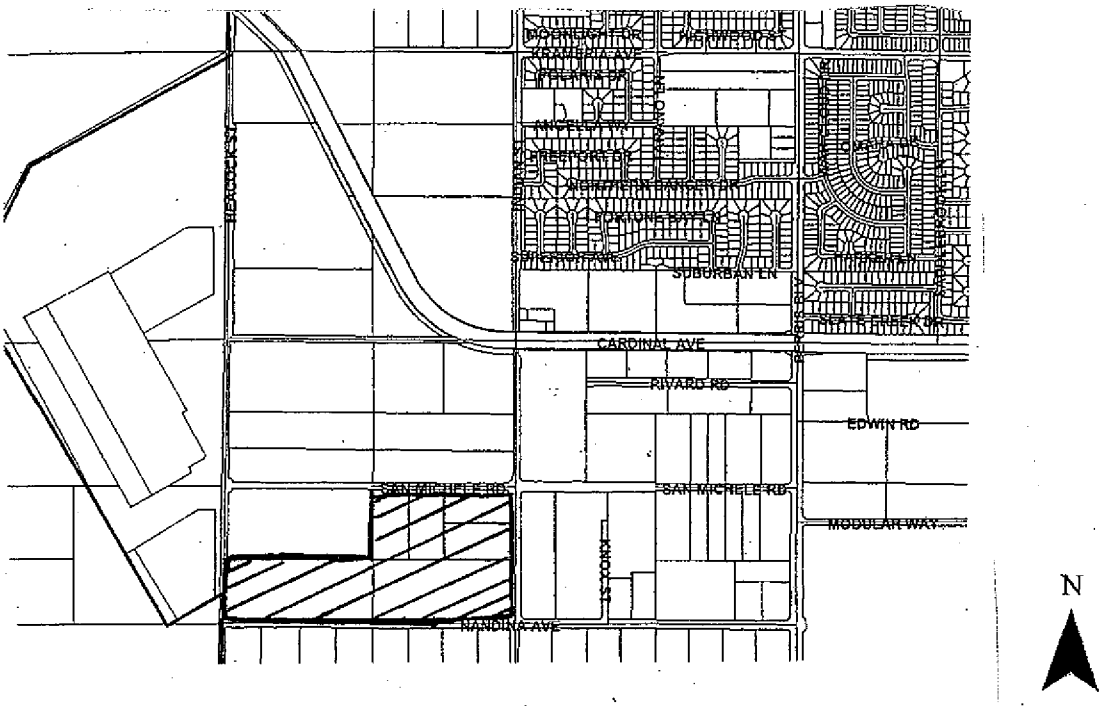

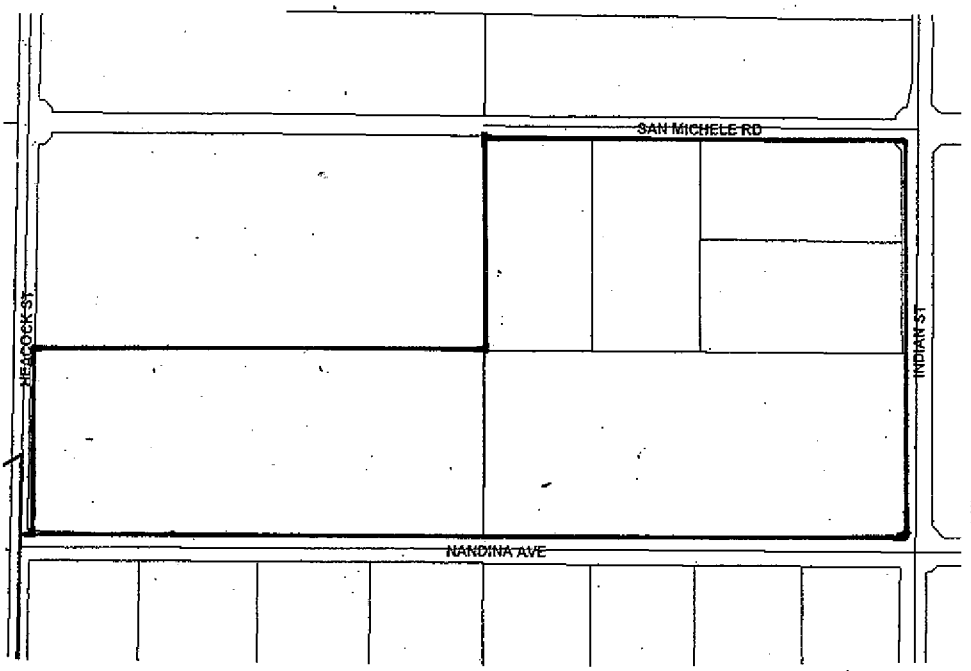

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PARCEL MAP 35150 VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

EXHIBIT "A"

Item No. A.11

MV00174863

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MV00174864

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PM 35150

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **FR/CAL Moreno Valley, LLC,** herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 35150** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **THREE MILLION EIGHT HUNDRED SIXTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$3,860,500.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the perf

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $7,721,000, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: *NCS-548497-LA2-MN*), and 2) the estimated cost of labor and materials, in the amount of $3,860,500, for the payment of labor and materials (First American Title Insurance Company Escrow Number: *NCS-548498-LA2-MN*) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 777 S. Figueroa St., Suite 400, Los Angeles, CA 90017, Attn: Maurice Neri Senior Escrow Officer. Developer agrees to maintain said escrow account(s) with good and sufficient funds or increase the amounts of said escrow account(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at any time during the term of this agreement, subject to approval of the City Engineer and City Attorney. As determined by the City Engineer, the project may receive incremental reductions to the security ensuring the construction of the associated public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the escrow officer shall be instructed by the City Engineer in writing to release an amount in the escrow account to Developer provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the escrow account securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent of the original escrow deposit for the faithful performance shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds without any consent from the Developer. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
FR/CAL Moreno Valley, LLC
~~114 Pacifica, Suite 220~~
~~Irvine, CA 92618~~
c/o IOS REAL ESTATE GROUP
515 So. FIGUEROA St. Ste 1600
LOS ANGELES, CA 90071

Escrow:
First American Title Insurance Company
777 S. Figueroa St. Suite 400
Los Angeles, CA 90017

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

FR/CAL Moreno Valley, LLC:
Developer

BY: _____
Signature

william G. Williams III
Print/Type Name

Investment Director-Asset Management
Title

BY: _____
Signature

Mark Billeci
Print/Type Name

Managing Director - Portfolio Management
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Agreement.doc

[2nd AMENDMENT]
AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR PM35150

Continuation of "White" Signature Page:

FR/CAL MORENO VALLEY, LLC
a Delaware limited liability company

By: **FirstCal Industrial, LLC**
A Delaware limited liability company
Its: Sole Member

By: **California State Teachers Retirement System**
a public entity, its manager

By: **Principal Real Estate Investors, LLC**
a Delaware limited liability company
Its: Authorized Agent

By: _____
William G. Williams III
Investment Director – Asset Management

FR/CAL MORENO VALLEY, LLC
a Delaware limited liability company

By: **FirstCal Industrial, LLC**
A Delaware limited liability company
Its: Sole Member

By: **California State Teachers Retirement System**
a public entity, its manager

By: **Principal Real Estate Investors, LLC**
a Delaware limited liability company
Its: Authorized Agent

By: _____
Mark Billeci
Managing Director – Portfolio Management

STATE OF WASHINGTON)

COUNTY OF KING)

I certify that I know or have satisfactory evidence that on this 25th day of July 2012, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared William G. Williams III, known to me to be the Investment Director-Asset Management of Principal Real Estate Investors, LLC, a Delaware limited liability company, which limited liability company is the Advisor to the California State Teachers' Retirement System, a public entity formed pursuant to the laws of the State of California, which public entity is the manager of FirstCal Industrial, LLC, a Delaware limited liability company, which limited liability company is the sole member of FR/CAL MORENO VALLEY, LLC, a Delaware limited liability company, the limited liability company that executed the within and foregoing instrument, and acknowledged that he was authorized to sign the same on behalf of such limited liability company as the free and voluntary act and deed of said limited liability company for the purpose therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.

Signature

Kathleen Kapis

Print Name

NOTARY PUBLIC in and for the State of Washington, residing at Everett, WA 98208

My commission expires 5/16/16

KATHLEEN KAPIS
COMMISSION EXPIRES
NOTARY PUBLIC
05-16-16
STATE OF WASHINGTON

Item No. A.11

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Placer

On July 24, 2012 (Date) before me, Sandra D. Walters Notary Public (Here Insert Name and Title of the Officer)

personally appeared Mark Billeci (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

SANDRA D. WALTERS
Commission # 1822301
Notary Public - California
Placer County
My Comm. Expires Nov 11, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Sandra D Walters (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: 2nd Amendment - Agreement for Public Improvements for PM35150

Document Date: N/A Number of Pages: 12 (w/exhibits)

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Mark Billeci
☐ Individual
☒ Corporate Officer — Title(s): Managing Director Portfolio Management
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

FINAL
5-5-08

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
			12288	C.Y.	20.00	245,760
A.B. Class II - Street 1	1	Thickness (ft.)				
	331770	S.F.	24053	Ton	55.00	1,322,933
A.C. - Street 1	0.5	Thickness (ft.)				
	331770	S.F.	12027	Ton	90.00	1,082,400
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0.3	Thickness (ft.)				
	29489	S.F.	641	Ton	55.00	35,276
A.C. - Street 2	0.7	Thickness (ft.)				
	29489	S.F.	1497	Ton	90.00	134,691
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	2,821,060

Item No. A.11

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	954	Ton	90.00	85,860
Slurry Seal (Based on $150/Ton Type II)	51934	S.Y.	2.25	116,852
Sawcut & Join Exist. AC Pavement	11611	L.F.	1.50	17,417
Sawcut & Join Exist. Conc Pavement	1611	L.F.	1.50	2,417
Utility Trench	0	L.F.	17.00	0
Backfill Trench with Slurry Concrete	44	C.Y.	100.00	4,400
Trench Repaving	0	S.F.	12.00	0
Redwood Header	5376	L.F.	6.00	32,256
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	27562	S.F.	14.00	385,868
P.C.C. Paving - 8"	0	S.F.	16.00	0
P.C.C. Removal	27562	S.F.	5.00	137,810
Curb and Gutter - 6"	0	L.F.		0
Curb and Gutter - 8"	4770	L.F.	25.00	119,250
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	0	S.F.	15.00	0
Sidewalk	26282	S.F.	7.00	183,834
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	15223	S.F.	16.00	243,568
Wheelchair Ramp	7	EA.	1,200.00	8,400
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Remove Curb & Gutter / Sidewalk	3846	S.F.	2.00	7,692
AC Removal	202050	SY	1.00	202,050
			SUBTOTAL:	1,547,673

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	30	EA.	5,000.00	150,000
Electrical Utility Infrastructure	1	L.S.	563,229.00	563,229
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	713,229
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordinati	1	LS.	307,400.00	307,400
Traffic Signal Interconnect (Existing Signals Only)	1	LS.	140,000.00	140,000
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	4	EA.	100.00	400
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
Relocate Guard Rail	69	L.F.	35	2,415
	0		--	0
			SUBTOTAL:	450,215
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	16	EA.	30,000.00	480,000
Cluster Mail Boxes	0	EA.	4,500.00	0
Erosion Control	0	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	0	EA.	100.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	480,000

Item No. A.11

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	755	L.F.	160.00	120,800
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	668	L.F.	180.00	120,240
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	4	EA.	5000.00	20,000
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	1	EA.	7000.00	7,000
	0		---	0
Catch Basins				
Catch Basin (3.5')	2	EA.	3100.00	6,200
Catch Basin (7')	5	EA.	5500.00	27,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	7	EA.	535.00	3,745
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	1	EA.	5000.00	5,000
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

M. B.

MV00174874

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	7	EA.	6000.00	42,000
Type IX Inlet Structure	3	EA.	2500.00	7,500
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		---	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		---	0
			SUBTOTAL:	365,985

Item No. A.11

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	0		50.00	0
10" PVC C-900	0		55.00	0
12" PVC C-900	0		60.00	0
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.	---	0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	0	EA.	1,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	0	EA.	2,000.00	0
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	0	EA.	3,000.00	0
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	0	EA.	2,500.00	0
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	14	EA.	2,800.00	39,200
6" Super Fire Hydrants	4	EA.	3,000.00	12,000
	0		---	0
Services Connections				
1" Service	0	EA.	500.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	0	EA.	2,800.00	0
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0		---	0
			SUBTOTAL:	51,200

Item No. A.11

MV00174876

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	700.00	0
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,000.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	5	EA.	800.00	4,000
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	4,000

Item No. A.11

MV00174877

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$2,821,060
STREET WORK	:	$2,027,673
STORM DRAIN SYSTEM	:	$365,985
WATER SYSTEM	:	$51,200
SEWER SYSTEM	:	$4,000
ENTERPRISE SERVICES ADMIN	:	$713,229
TRANSPORTATION ENGNRNG	:	$450,215
TOTAL COST (VALUE) OF IMPROVEMENTS:		$6,433,361
+20% CONTINGENCY:		$1,286,672
GRAND TOTAL:		$7,720,033

BOND AMOUNT: $7,721,000

First American Title Insurance Company
National Commercial Services
777 South Figueroa Street, Suite 400, Los Angeles, CA 90017
Ph. 213-271-1700

Maurice Neri
Senior Escrow Officer
Mneri@firstam.com

Date: June 25, 2012

ESCROW NO:NCS-548497-LA2-MN (Holding $7,721,000.00)

First American Title Insurance Company is hereby handed by the undersigned parties, that certain copy of document entitled Agreement for Public Improvements Project No. PM 35150 dated July 8, 2008, as amended by a First and Second Amendment as it relates to "Faithful Performance" by Developer executed by and between City of Moreno Valley, ("City") and FR/CAL Moreno Valley, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Public Improvements Project No. PM 35150" as it relates to the "Faithful Performance" aspect as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

City of Moreno Valley

By:_____

FR/CAL Moreno Valley, LLC

By:_____

Exhibit "C"

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MV00174880

First American Title Insurance Company
National Commercial Services
777 South Figueroa Street, Suite 400, Los Angeles, CA 90017
Ph. 213-271-1700

Maurice Neri
Senior Escrow Officer
Mneri@firstam.com

Date: June 25, 2012

ESCROW NO: NCS-548498-LA2-MN (Holding $3,860,500.00)

First American Title Insurance Company is hereby handed by the undersigned parties, that certain copy of document entitled Agreement for Public Improvements Project No. PM 35150 dated July 8, 2008, as amended by a First and Second Amendment as it relates to "Labor & Materials" to be furnished by Developer executed by and between City of Moreno Valley, ("City") and FR/CAL Moreno Valley, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Public Improvements Project No. PM 35150" as it relates to the "Security for Labor and Materials" aspect as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

City of Moreno Valley

By:_____

FR/CAL Moreno Valley, LLC

By:_____

Exhibit "D"

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MV00174882

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	SMB
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Michelle Dawson, Assistant City Manager

AGENDA DATE: August 28, 2012

TITLE: ADOPTION OF A RESOLUTION OPPOSING SAN DIEGO COUNTY WATER AUTHORITY'S COST-SHIFT

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council adopt Resolution No. 2012-69 opposing San Diego County Water Authority's Cost-Shift.

BACKGROUND

In June 2010 San Diego County Water Authority (SDCWA) filed a lawsuit against Metropolitan Water District of Southern California (MWD) challenging the allocation of costs between the supply and transportation components of MWD's rate structure. According to MWD, SDCWA is seeking to pay less than their fair share of transportation costs for water that they purchase from the Imperial Irrigation District and which is then transferred through MWD's system. SDCWA purchases this water from the Imperial Irrigation District under a 75-year agreement. If successful, SDCWA's lawsuit would shift $3 billion in costs over the life of the agreement from SDCWA ratepayers to the ratepayers of Eastern Municipal Water District (EMWD) and the other MWD member agencies.

DISCUSSION

MWD and EMWD believe the lawsuit is motivated by SDCWA's attempts to mitigate the financial impact of their decisions by shifting costs to the other MWD member agencies. As evidence of this, EMWD points to a Los Angeles Economic Development Corporation report commissioned by MWD member agencies which indicated that SDCWA is paying significantly more for water purchased from Imperial Irrigation District than it would have paid to MWD for the same amount of water. Additionally, the report indicated that SDCWA's overall investment in water infrastructure, combined with

declining water sales, will accelerate water rate increases in San Diego County. An information handout prepared by EMWD and Western Municipal Water District is attached (Attachment C).

SDCWA asserts that MWD, their largest supplier, improperly overcharges for the transportation of water and uses that money to subsidize the cost of MWD water. They believe this to be in violation of state law and standard water utility practice. The Water Authority also believes that MWD's approved rate structure will cause significant financial harm to the San Diego region, estimating that San Diego County will lose up to $40 million in 2012 through MWD's "overcharges." An information handout prepared by SDCWA is attached (Attachment D).

On June 6, 2012, the Board of Directors for EMWD adopted a resolution opposing SDCWA's proposed cost-shift to MWD. The Western Riverside Council of Governments also adopted a resolution opposing SDCWA's lawsuit on June 22. EMWD has requested (see Attachment C) that the City adopt a similar resolution and Mayor Stewart directed staff to place this item on the agenda for consideration.

ALTERNATIVES

1. Adopt Resolution No. 2012-69 opposing San Diego County Water Authority's cost-shift. **Staff recommends this alternative.**

2. Not adopt Resolution No. 2012-69 opposing San Diego County Water Authority's cost-shift. **Staff does not recommend this alternative.**

FISCAL IMPACT

If SDCWA's lawsuit against MWD is successful, EMWD's increased cost of imported water would be borne by the ratepayers within EMWD's service area. This includes all ratepayers in the City of Moreno Valley, with the exception of those served by Box Springs Mutual Water Company. As a customer of EMWD, the City's water costs would therefore increase.

CITY COUNCIL GOALS

Advocacy: Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

ATTACHMENTS/EXHIBITS

Attachment A: Resolution No. 2012-69
Attachment B: Letter from EMWD Requesting the Proposed Resolution
Attachment C: Information Handout Prepared by EMWD and WMWD
Attachment D: Information Handout Prepared by SDCWA

Prepared By:
Michelle Dawson
Assistant City Manager

Department Head Approval:
Michelle Dawson
Assistant City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00174886

RESOLUTION NO. 2012-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, OPPOSING SAN DIEGO COUNTY WATER AUTHORITY'S COST-SHIFT

WHEREAS, the City of Moreno Valley and the majority of its residents and businesses are customers of Eastern Municipal Water District (EMWD); and

WHEREAS, the City joins EMWD in supporting a regional cooperative approach to water supply reliability coupled with an open and transparent rate setting process, as has been demonstrated by the Metropolitan Water District of Southern California (MWD), whereby the rates are adopted by a vote of the MWD Board of Directors, representing every region within MWD's service area; and

WHEREAS, San Diego County Water Authority (SDCWA) filed a lawsuit in June 2010 challenging MWD's water rates and charges and claiming that SDCWA is over-charged, despite their own declaration that they pay 25 percent of MWD's revenue and receive 25 percent of the water supply; and

WHEREAS, EMWD and Western Municipal Water District (WMWD), both of which are WRCOG member agencies along with the City of Moreno Valley, have joined a lawsuit to support MWD's rate structure and protect their rate payers; and

WHEREAS, an outside report from the Los Angeles Economic Development Corporation has found that SDCWA investments in water independence and declining water sales are significantly impacting water rates to SDCWA rate payers; and

WHEREAS, the City supports efforts by water agencies in Western Riverside County to establish local investments that increase regional water supply reliability such as those undertaken by SDCWA, to the extent those costs are not borne disproportionately by ratepayers outside of their local service area; and

WHEREAS, SDCWA has launched a negative public relations campaign associated with their lawsuit to divert attention from their water supply decisions and the increasing opposition to the $3 billion cost-shift that would be forced on MWD Member Agencies and their ratepayers in Riverside, San Bernardino, Orange, Los Angeles and Ventura Counties if SDCWA is successful; and

WHEREAS, if there is legislation introduced that threatens MWD as a regional water supplier the City would oppose such legislative activity; and

WHEREAS, EMWD and WMWD have expressed a responsibility to protect their customer agencies, residents, businesses and communities in Western Riverside County from this unfair and unjust cost-shift that provides no new water supplies or benefits.

Resolution No. 2012-69
Date Adopted: August 28, 2012

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

That the City of Moreno Valley strongly opposes the SDCWA lawsuit against MWD and resolves to support MWD's efforts to protect its customer agencies and their ratepayers from this unfair cost shift which would dramatically increase water rates with no additional benefits.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-69
Date Adopted: August 28, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-69 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00174890

Attachment B

Board of Directors

President and Treasurer
Joseph J. Kuebler, CPA

Vice President
Philip E. Paule

Ronald W. Sullivan
Randy A. Record
David J. Slawson

General Manager
Paul D. Jones II, P.E.

Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

July 3, 2012

City of Moreno Valley
PO Box 88005
Moreno Valley CA 92552

Attention: Mr. Henry Garcia

SUBJECT: Request to Adopt a Resolution Opposing San Diego County Water Authority's Proposed Cost-Shift to Metropolitan Water District's Member Agencies, impacting local water ratepayers

On June 6, 2012, Eastern Municipal Water District's (EMWD) Board of Directors adopted a resolution opposing San Diego County Water Authority's (SDCWA) proposed cost-shift to the Metropolitan Water District of Southern California (MWD), and by extension, most water ratepayers in Southern California. On behalf of the EMWD Board and local water ratepayers, I strongly urge your agency to weigh in on this issue by adopting a similar resolution.

On June 2010, SDCWA filed a lawsuit against The Metropolitan Water District of Southern California, challenging the allocation of costs between the supply and transportation components of MWD's rate structure. SDCWA seeks to pay less than their fair share of transportation costs for water transferred through MWD's system that SDCWA purchases under a 75 year agreement with the Imperial Irrigation District (IID). If successful, SDCWA's lawsuit would shift $3 billion in costs over the life of the IID transfer from SDCWA ratepayers to the ratepayers of Eastern Municipal Water District (EMWD) and the other MWD Member Agencies.

A Los Angeles Economic Development Corporation report commissioned by seven MWD Member Agencies and released April 24, 2012, found that SDCWA is paying significantly more for water purchased from Imperial Irrigation District (IID), than it would have paid for the same amount of water from MWD. The report also found that SDCWA's overall investment in water infrastructure to reduce dependence on MWD, combined with declining water sales will accelerate water rate increases in San Diego County. In short, the report confirms what EMWD believes is SDCWA's motivation behind the lawsuit and associated negative public opinion campaign it is waging against MWD and MWD Member Agencies: that SDCWA is attempting to mitigate the financial impact of its water reliability decisions by shifting costs to the other MWD Member Agencies.

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 F
Location: 2270 Trumble Road P.O. Box 8300 Perris, CA 92570 Internet: www.emwd.org

Item No. A.12

If successful, the cumulative impact on EMWD's purchases of MWD supply from SDCWA's unjustified cost-shift would be over $180 million over the term of the IID transfer. The SDCWA Board recently adopted a policy to distribute the "net refund proceeds" from the lawsuit (the collective cost-shift to other Member Agencies) – minus their legal expenses – to their member agencies should they win the lawsuit. The proceeds would be allocated to their member agencies in proportion to each agency's share of water purchases from SDCWA. EMWD staff believes that the EMWD Board would be forced to consider a similar scenario. EMWD's increased cost of imported water from MWD resulting from the lawsuit would have to be borne by the ratepayers within our service area in some proportional manner. EMWD has an obligation to protect our partnering agencies and ratepayers from this inappropriate expense. I respectfully request you consider taking action, similar to the EMWD resolution (attached), opposing the SDCWA lawsuit against MWD and the resultant cost-shift to local water ratepayers.

If you would like for us to present this topic to your elected officials or provide a staff report, electronic files, and/or other supporting materials, please contact Melanie Nieman, EMWD Director of Interagency Relations, at (951) 928-3777 x4383 or niemanm@emwd.org. She will follow-up with you next week to offer assistance.
We appreciate your support.

Sincerely,

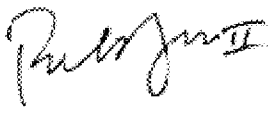

Paul D. Jones, II, P.E.
General Manager

PDJ:mn

Attachment

Cc: Michelle Dawson

Attachment C

San Diego County Water Authority/Metropolitan Water District Rate Challenge and its Impact on MWD Member Agencies

San Diego County Water Authority (San Diego) has filed a lawsuit (San Diego County Water Authority vs. Metropolitan Water District of Southern California, et al.) and is pursuing several strategies to shift costs to MWD's other member agencies. If successful, SDCWA's action would affect MWD's remaining 25 member agencies financially, and by extension, most water ratepayers in Southern California.

MWD's current rate structure and the crux of the lawsuit

- MWD's board adopted rate structure has been in place since 2003. MWD's 37 board members, including those from San Diego, annually review and approve MWD's cost allocation.
- To promote fairness, MWD charges member agencies uniformly for all water supplies transported throughout its system - including San Diego's water transfers from Imperial Irrigation District.
- The crux of the lawsuit seeks to shift San Diego's share of transportation costs to the remaining member agencies.
- MWD's annual water purchases from 2000 through 2009 indicate that San Diego bought 25 percent of MWD's water and provided 25 percent of MWD's revenues.
- Despite this equitable and appropriate proportion, San Diego contests the "fairness" of MWD's cost recovery methods.

San Diego's multipronged effort to shift costs: litigation, legislation, and media campaign

- The most recent litigation that challenges MWD's rate structure was filed by San Diego in 2010; a 1998 San Diego lawsuit opposing MWD's transportation rates failed.
- San Diego is pursuing a general strategy of harassing litigation against MWD and the current lawsuit is fourth against MWD in the past 12 years.
- The current lawsuit is complemented by a public outreach campaign to mislead and influence public opinion against MWD and incorrectly depict San Diego as "victim" that is being forced to pay higher rates.
- San Diego has also made unwarranted attacks on MWD's financial viability, has publicly questioned MWD's ability to support future critical water supply investments, and has begun groundwork for a legislative attack in Sacramento.

Why would San Diego take such extra ordinary measures?

- San Diego has come to realize their water purchase agreement with Imperial Irrigation District is over-priced.
- For the first seven years of the arrangement, San Diego transferred 330,000 acre-feet and spent greater than $200 million more than if they had purchased the water from MWD. This negative cost deficit will continue to rapidly accumulate and if unaddressed, will likely raise serious questions locally about San Diego's water supply decisions.

Why is SDCWA taking such extraordinary measures?

Their transfer water has turned out to be very expensive!

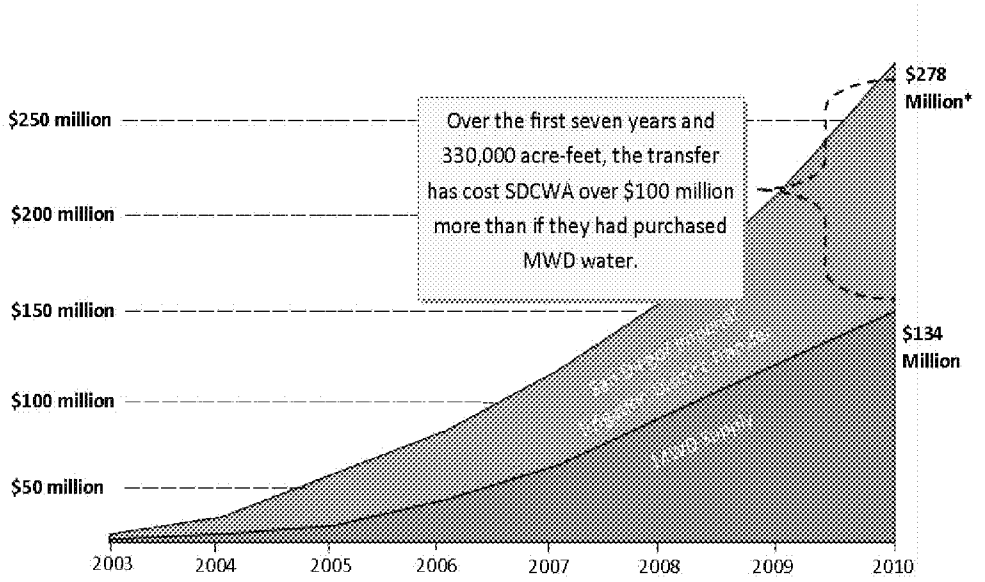

Item No. A.12

Who pays if San Diego wins?

- If San Diego wins, water ratepayers in Los Angeles, Orange, Ventura, Riverside and San Bernardino lose.
- The cumulative costs shifted to other agencies' ratepayers over the 75-year life of the transfer would be a staggering $3 billion.
- The impact to Eastern Municipal Water District's customers can be over $180 million.

Cumulative Cost-shift is $3 billion over the life of the transfer (75 years) if SDCWA is successful

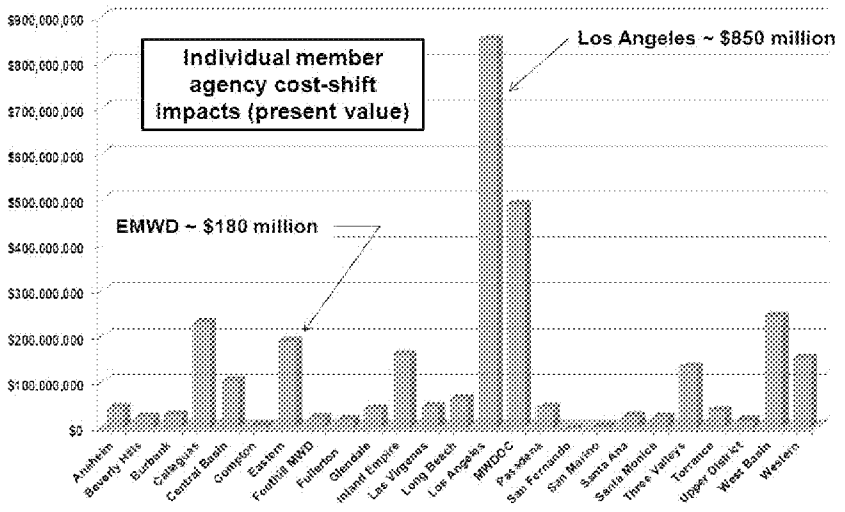

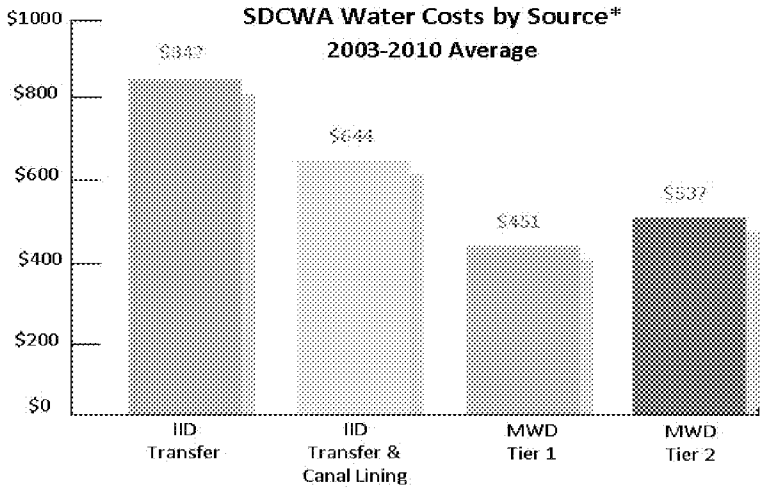

San Diego continues to misrepresent facts as a means to its ends

- San Diego's claim that they are disadvantaged by being "at the end of the pipeline" is deliberate misrepresentation - MWD's system and rate structure is set-up and operated to serve all member agencies equally.
- In fact, San Diego actually enjoys better emergency storage protection due to their proximity to MWD's and southern California's largest storage reservoir, Diamond Valley Lake.
- The claim by the San Diego County Water Authority that it is MWD's largest customer and pays more is also intentionally misleading. A more accurate comparison is on a County-by-County basis which shows both Los Angeles and Orange Counties making greater contributions than San Diego both in terms of water sales and taxes paid.

Contact Information

Eastern Municipal Water District
2270 Trumble Road
Perris, CA 92572
Tel: 951-928-3777
www.emwd.org
Paul D. Jones II, P.E. – General Manager

Western Municipal Water District
14205 Meridian Parkway
Riverside, CA 92518
Tel: 951-571-7100
www.wmwd.com
John Rossi – General Manager

San Diego County Water Authority

Water Authority Fighting for Lawful Water Rates at MWD

Attachment D

Illegal Water Rates Cost San Diego County Ratepayers Billions

Restoring California's Water Supply Reliability

DIVERSIFICATION

Enhancing Water Supply Reliability

The Water Authority is dedicated to providing a safe and reliable water supply for our region at an affordable cost. More than 20 years ago, the Water Authority, along with its member agencies, began taking actions to improve the water supply reliability of the region by lessening reliance on one single source of supply.

One of the cornerstones of that diversification strategy is agreements that were signed in 2003 to secure independent Colorado River supplies. To deliver these supplies to the region, the Water Authority uses pipelines that are owned and operated by the Metropolitan Water District of Southern California.

The Water Authority, however, believes that MWD is improperly classifying hundreds of millions of dollars in water supply costs as transportation costs. This was no accident: they did this to specifically disadvantage the Water Authority, which is the only agency that uses MWD's system to transport large volumes of independent water supplies each year.

MWD's illegal actions siphon money from the local economy and, if left unchecked, will cost ratepayers more than $2 billion over the next four decades.

To protect its ratepayers, the Water Authority filed suit in 2010, over rates MWD adopted for 2011 and 2012. The Water Authority is seeking to ensure that costs are lawfully allocated and assigned to the correct services.

Although the Water Authority hoped for a speedy resolution of the case, MWD has engaged in a series of unsuccessful legal

Impact of MWD Overcharges to Water Authority Ratepayers*

MWD's illegal rate structure charges a disproportionately high rate to transport the Water Authority's independent Colorado River supplies. As the Water Authority's Colorado River water supplies reach the maximum annual amount in 2021, those overcharges will grow to as much as $217 million annually.

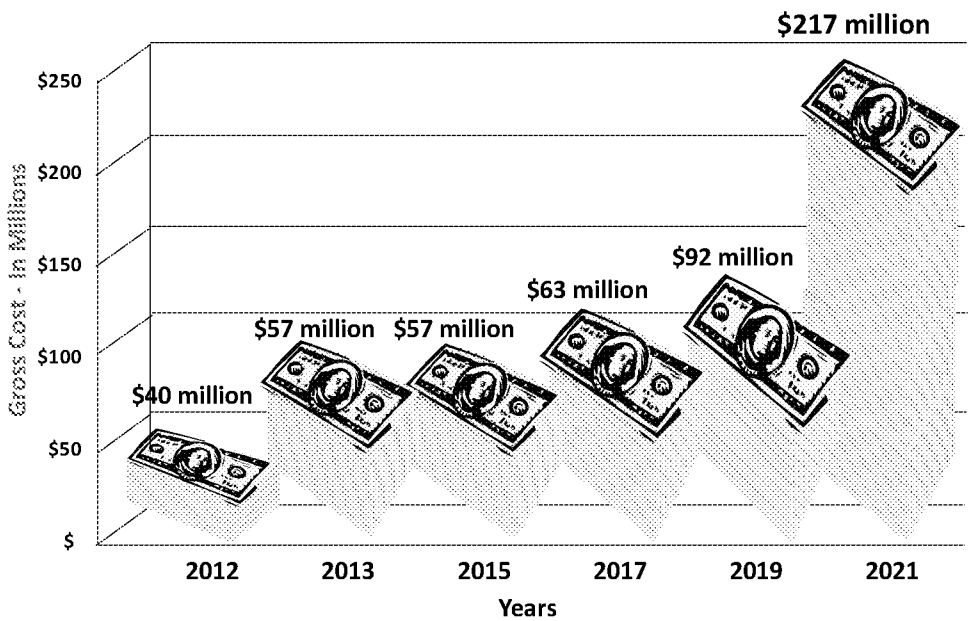

*Based on $40 billion cost to fix the Bay-Delta.

maneuvers designed to impede the progress. Further, MWD refused to address these concerns when it adopted its 2013 and 2014 rates in April 2012, so the Water Authority had no alternative but to file a new suit.

The 2010 case is assigned to San Francisco Superior Court. A decision in the case is not expected until sometime in 2013. The 2012 case was filed in Los Angeles County Superior Court and has not yet been assigned.

Why are MWD's Rates Illegal?

MWD is required by law to charge rates that reflect the actual, reasonable and proportionate costs of serving each class of its customers. The Water Authority's lawsuit claims MWD is improperly charging hundreds of millions of dollars annually in water supply costs to its System Access Rate, System Power Rate and Water Stewardship Rate. These three rate components comprise MWD's transportation charge.

System Access Rate is paid by MWD member agencies that buy MWD water or use MWD's facilities to transport water not purchased from MWD. More than 80 percent of MWD's State Water Project water supply costs – amounting to hundreds of millions of dollars annually – is assigned to this water transportation rate category, in violation of California law. These costs belong in the Water Supply Rate category.

System Power Rate recovers the costs of energy needed to pump water to Southern California. It is a charge applied to every acre-foot of water transported by MWD. The rate currently includes Department of Water Resources' energy costs for the State Water Project, which MWD does not own or operate. The costs of power needed by the state to deliver water supply to MWD's connections in Southern California are a supplier cost and part of the cost of that water supply. However, MWD improperly assigns that cost to its own transportation rate category. These costs belong in the Water Supply Rate.

Water Stewardship Rate recovers the cost of providing financial subsidies to MWD's member agencies for developing new local water supply projects. These subsidies are used for conservation, recycled water, desalination, or other new water supplies. However, MWD charges these water supply costs as a water transportation service. Because this rate pays for water supply development, it should be applied to the Water Supply Rate.

Water Supply Rate is supposed to recover the costs MWD incurs to acquire water supplies. This should include supplies it imports from the Colorado River, State Water Project and money it spends to support the development of new local water supplies and water conservation. All of these water supply costs belong in the Water Supply Rate category.

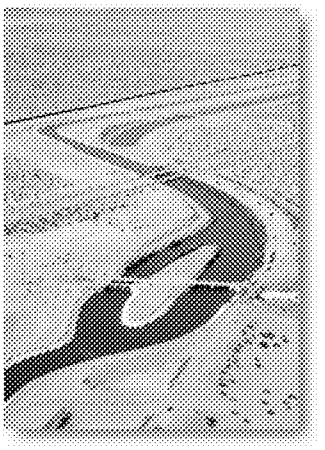

Water conserved by the All-American Canal Lining Project is an important part of the Water Authority's Colorado River water transfer supplies.

MWD's Current Rate Structure

MWD's Rate Structure Misallocates Water Supply Costs to the Transportation Charge

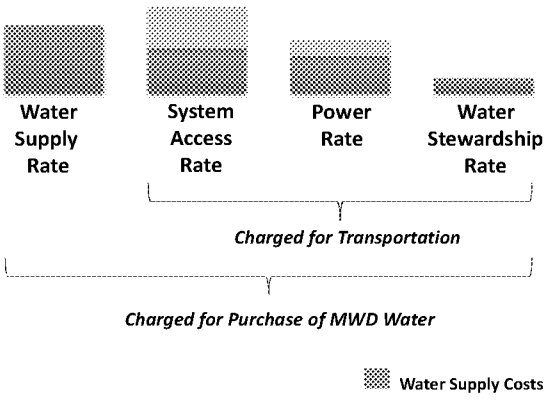

How MWD Rate Structure Should Be

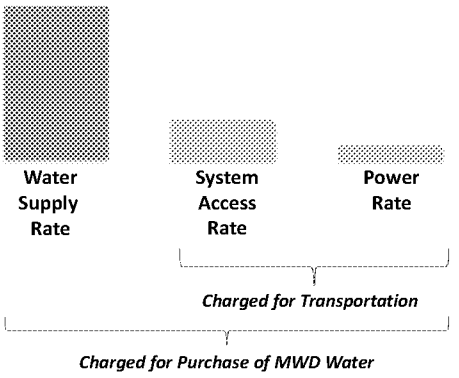

San Diego County Water Authority

4677 Overland Ave.
San Diego, California
92123-1233
858.522.6700

www.sdcwa.org

For more information on this issue, visit www.sdcwa.org/mwdrate-challenge

Printed on recycled paper

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: APPROVE RESOLUTION NO. 2012-XX ADOPTING A LOW INCOME PROGRAM AND AMENDING THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Resolution No. 2012-70 adopting a Low-Income Assistance Program for the residential customers of Moreno Valley Electric Utility.
2. Adopts the amended Moreno Valley Utility Electric Rates as on file in the Public Works Department.

BACKGROUND

Section 386 of the Public Utilities Code refers to rate assistance programs for low-income customers, and requires the following: "(1) Each publicly owned utility shall ensure that low-income families have access to affordable electricity; (2) The current level of assistance reflects the level of need; (3) Low-income families are afforded no-cost and low-cost energy efficiency measures that reduce energy consumption; (4) The local publicly owned electric utility shall consider increasing the level of the discount or raising the eligibility level for any existing rate assistance program to be reflective of customer need; (5) A publicly owned electric utility shall streamline enrollment for low-income programs by collaborating with existing providers for the Low-Income Home Energy Assistance Program (LIHEAP) and other electric or gas providers within the same service territory; (6) A local publicly owned electric utility shall establish participation goals for its rate assistance program participation."

Currently, low-income customers are provided assistance through LIHEAP and are also provided payment arrangements.

DISCUSSION

Staff is proposing a discount program for qualified low-income residential customers, providing a 20% discount on their monthly electric bill. Eligibility for the program will be based on the number of full-time residents in the household and the total gross income of all household members, as described in the table below:

Maximum Household Income (Effective as of July 1, 2012)	
Number of Persons in Household	**Total Combined Gross Income**
1	**Up to $22,340**
2	**Up to $30,260**
3	**Up to $38,180**
4	**Up to $46,100**
5	**Up to $54,020**
6	**Up to $61,940**
7	**Up to $69,860**
8	**Up to $77,780**
Each additional person	**$7,920**

Customers must fill out an application, provide proof of income, and must re-apply annually. The 20% discount is applicable to energy charges only, and excludes the customer charge, public purpose charge, and all taxes. The cost of the program will be paid for from Public Purpose funds, which is allowed under Section 385 of the Public Utilities Code.

ALTERNATIVES

1. Approve proposed resolution adopting a Low Income Assistance Program for Moreno Valley Utility's residential customers. *The Low Income Assistance Program will allow the City's utility to offer low-income families access to affordable electricity, and will allow the City's utility to comply with Section 386 of the California Public Utilities Code.*
2. Do not approve proposed resolution adopting a Low Income Assistance Program for Moreno Valley Utility's residential customers. *This would restrict the City's utility in its ability to offer low-income families access to affordable electricity, and will not allow the City's utility to comply with Section 386 of the California Public Utilities Code.*

FISCAL IMPACT

The average annual customer savings under the Low-Income Assistance Program is estimated to be approximately $240.00. Staff is proposing an initial funding of $50,000 for the balance of fiscal year 2012/2013. Program demand will be monitored and the funding level will be reviewed on a quarterly basis in fiscal year 2012/2013. Additional funding may be recommended if funds are depleted prior to June 30, 2013. After fiscal year 2012/2013, funding will be reviewed on an annual basis. Funds are available in account 6010-70-80-45511-710144.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
The proposed Low-Income Assistance Program helps to create a positive environment within the community. The City of Moreno Valley will provide low-income families access to affordable electricity.

NOTIFICATION

Posting of the Agenda.

Attachments

Attachment 1 – Proposed Resolution
Attachment 2 - Amended Electric Rate Schedule A
Attachment 3 – Low Income Assistance Program Application

Prepared By
Jeannette Olko
Electric Utility Division Manager

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00174900

RESOLUTION NO. 2012-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY ADOPTING A LOW-INCOME ASSISTANCE PROGRAM AND AMENDING THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY

WHEREAS, the City of Moreno Valley (the "City") is authorized under various provisions of the California Constitution and the general laws of California (including, specifically, Article XI, Section 9(a) of the California Constitution, Public Utilities Code Section 10004, and Government Code section 39732(a)) to establish, purchase, and operate a public utility to furnish its inhabitants with, among other things, electricity; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, as a municipal electric utility, the City is generally subject to the legislative and regulatory requirements applicable to local publicly owned electric utilities ("POUs"); and

WHEREAS, California Public Utilities Code Section 385(a) requires local publicly owned utilities to establish a nonbypassable, usage based charge to fund investments by the utility and other parties in the following: (1) cost-effective demand-side management services; (2) new investment in renewable energy resources and technologies consistent with existing statutes and regulations; (3) research, development and demonstration programs for the public interest to advance science and technology which is not adequately provided by competitive markets; and (4) services provided for low-income electricity customers, including, but not limited to energy efficiency services, education, weatherization, and rate discounts; and

WHEREAS, California Public Utilities Code Section 386 requires local publicly owned utilities to ensure that low-income families within the utility's service territory have access to affordable electricity, that the level of assistance reflects the level of need, that low-income families are afforded no-cost and low-cost energy efficiency measures that reduce energy consumption, that the utility streamline enrollment for low-income programs, and that the utility establish participation goals for its rate assistance program participation;

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

1. The Moreno Valley City Council hereby adopts a Low-Income Assistance Program for the residential customers of Moreno Valley Electric Utility, and that this resolution takes effect immediately upon its adoption.
2. The City Council hereby adopts the amended Moreno Valley Utility Electric Rates as on file in the Public Works Department.

PASSED, APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-70
Date Adopted: August 28, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-70 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Resolution No. 2012-70
Date Adopted: August 28, 2012

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MV00174904

SCHEDULE A – RESIDENTIAL SERVICE

Applicability

Applicable to electric service for residential uses.

Territory

Within the designated areas served by the Moreno Valley Utility.

Rates

Basic Charge - $/Day	
Single-Family Residence	$ 0.029
Multi-Family Residence	$ 0.022
Energy Usage Charge - $/kWh	
Summer:	
Tier 1 -Baseline Quantities, all kWh, per kWh	$ 0.10759
Tier 2 – 101% to 130% of Baseline	$ 0.13060
Tier 3 – 131% to 200% of Baseline	$ 0.21227
Tier 4 – 201% to 300% of Baseline	$ 0.24727
Tier 5 – All excess kWh, per kWh	$ 0.28227
Winter	
Tier 1 -Baseline Quantities, all kWh, per kWh	$ 0.10759
Tier 2 – 101% to 130% of Baseline	$ 0.13060
Tier 3 – 131% to 200% of Baseline	$ 0.21227
Tier 4 – 201% to 300% of Baseline	$ 0.24727
Tier 5 – All excess kWh, per kWh	$ 0.28227
Public Purpose Programs	
All kWh per kWh	$0.01444
Monthly Minimum Charge:	$10.00

Energy Cost Adjustment

1. The energy charge may be adjusted each month based upon the percentage of the energy being provided by the Department of Water Resources to the investor owned utility on the billing date monthly. These adjustments could result in slight decreases or increases in the energy charge.

Attachment 2

Special Conditions

1. Baseline Rates: Baseline rates are applicable only to separately metered residential use.

2. Baseline Quantities: The residential allocation shall be 16.0 kWhs per day in the Summer season and 10.5 kWhs per day in the Winter season.

3. Summer and Winter Seasons are defined as follows: The Summer season begins at 12:00 a.m. on the first Sunday in June and will continue until 12:00 a.m. of the first Sunday in October each year. The Winter season begins at 12:00 a.m. on the first Sunday in October and continues until 12:00 a.m. on the first Sunday in June of the following year.

4. Voltage: Service will be supplied at one standard voltage.

5. For the purposes of applying the Basic Charge, the following definitions shall be used:

   Single-Family Residence - A building of single occupancy which does not share common walls, floors, or ceilings with other residential dwelling units.

   Multi-Family Residence - Apartments, mobile homes, condominiums, townhouses, or a building of multiple occupancy which shares common walls and /or floors and ceilings with other residential dwelling units.

6. Medical Baseline Allocation: Upon application and acceptance of a certification from a medical doctor or osteopath licensed to practice medicine in California, eligible residential customers are provided a standard year-round medical baseline allocation of 16.5 kWh per day in addition to the applicable baseline allocation for the season.

	Regular Baseline Daily kWh Allocation	Additional Medical Baseline Daily kWh Allocation	Total Baseline Daily kWh Allocation
Summer	16.0	16.5	32.5
Winter	10.5	16.5	27.0

   Medical Baseline Allocation Eligibility:

   a) Regular use in the customer's home of one or more medical life-support devices essential to maintain the life of a full-time resident of the household; and/or
   b) A full-time resident of the household is: a paraplegic, hemiplegic, quadriplegic, multiple sclerosis or scleroderma patient, being treated for life-threatening illness, and/or has a compromised immune system.

   Life support devices are those devices or equipment that utilize mechanical or artificial means to sustain, restore or supplant a vital function, or mechanical equipment relied upon for mobility both within and outside of buildings.

Life-support devices include:

Aerosol Tent	Ultrasonic Nebulizer
Pressure Pad	Electrostatic Nebulizer
Apnea Monitor	Inhalation Pulmonary Pressure
Pressure Pump	Breather Machine (IPPB)
Compressor	Iron Lung
Concentrator	Dialysis Machine
Respirator (all types)	Hemodialysis Machine
Electronic Nerve Stimulator	Motorized Wheelchair
Suction Machine	Oxygen Generator

Applying for the Medical Baseline Allocation

1. Request application from Moreno Valley Utility by telephone, mail or in person
2. Complete application.
3. The patient's physician will need to fill out the required information on the application and sign it certifying the medical need.
4. The customer can mail or bring the application to Moreno Valley Utility's offices
5. Once the application is reviewed and approved, the Medical Baseline Allocation will be effective on the next regular electric billing.
6. Applications must be renewed every two years.
7. A low-income assistance discount program is offered under this standard residential rate. To be considered for this discount, an application must be filed with Moreno Valley Utility. To be eligible for this discount, the income of the customer, including all members of the household, must meet the income levels of the program and can be no more than 200% of Federal Poverty Guidelines. Under this program a discount for qualified low-income residents of 20% is provided on monthly energy charges. Discount applies to energy charges only. The customer charge, public purpose charge, service fees and all taxes are calculated at the standard rates.

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MV00174908

MORENO VALLEY UTILITY
14325 Frederick Street, Suite 9
Moreno Valley, CA 92552

LOW INCOME ASSISTANCE PROGRAM

About the Moreno Valley Utility (MVU) Low-Income Assistance Program

The MVU Low Income Assistance Program is a discount program for qualified low-income residents, providing a 20% discount on monthly energy charges.

This initial program will run through June 30, 2013 or until funds are depleted. Additional funding may be available but are not guaranteed.

Moreno Valley City Council has approved the use of Public Purpose funds to assist low-income residents with their energy bills.

Eligibility for the program is based on the number of fulltime residents in the household and the total gross income of all household members.

Maximum Household Income (Effective as of July 1, 2012)	
Number of Persons in Household	**Total Combined Gross Income**
1	**Up to $22,340**
2	**Up to $30,260**
3	**Up to $38,180**
4	**Up to $46,100**
5	**Up to $54,020**
6	**Up to $61,940**
7	**Up to $69,860**
8	**Up to $77,780**
Each additional person	**$7,920**

To apply for the program, electric service must be provided in the name of the applicant.

Application must be accompanied by an original Transcript of Tax Return from the US Internal Revenue Service listing each member of the household. Transcript is available free of charge by mailing a completed Form 4506-T to the IRS. Instructions and mailing addresses are listed on the back of the request form.

Applications received without the required Transcript of Tax Return will not be processed.

Initial program enrollment is through June 30, 2013, after which the applicant may re-apply as funds become available.

Allow 4-6 weeks for processing of application.

Discount applies to energy charges only. The customer charge, public purpose charge, service fees and all taxes are calculated at the standard rates.

If you have any questions regarding the program, please call Customer Service toll free at (877) 811-8700

MORENO VALLEY UTILITY
14325 Frederick Street, Suite 9
Moreno Valley, CA 92552

LOW INCOME ASSISTANCE APPLICATION

PLEASE PRINT CLEARLY

Name (First, Middle Initial, Last)

Home Address

Mailing Address (if different from home address) | City | Zip Code

Home Telephone | Work Telephone | Mobile Telephone

PUBLIC ASSISTANCE PROGRAM PARTICIPATION

Do you or someone in your household participate in any of the following assistance programs? If so, please indicate below.

Please check (✓) all assistance programs utilized

- ☐ Medi-Cal/Medicaid
- ☐ Food Stamps/SNAP
- ☐ TANF/Tribal TANF
- ☐ WIC
- ☐ Healthy Families A & B
- ☐ LIHEAP
- ☐ SSI
- ☐ National School Lunch (NSL)
- ☐ Bureau of Indian Affairs General Assistance
- ☐ Head Start Income Eligible (Tribal Only)

HOUSEHOLD MEMBERS AND INCOME ELIGIBILITY

List all fulltime residences of the household and their total gross annual income. Gross income includes all money and non-cash benefits, available for living expenses, from all sources, both taxable and nontaxable, before deductions, for all people living in the home. This includes, but is not limited to, the following:

Please check (✓) all sources of household income.

- ☐ Pensions
- ☐ Social Security
- ☐ SSP or SSDI
- ☐ Interest or Dividends from Savings, Stocks, Bonds, or Retirement Accounts
- ☐ Wages and/or Profits from Self-Employment
- ☐ Rental or Royalty Income
- ☐ Unemployment Benefits
- ☐ Disability or Worker's Compensation Payments
- ☐ Scholarships, Grants or Other Aid Used for Living Expenses
- ☐ Insurance or Legal Settlements
- ☐ Spousal or Child Support
- ☐ Cash and/or Other Income

Full Legal Name	Age	Social Security Number	Gross Income
1.			
2.			
3.			
4.			
5.			
6.			
7.			

Attachment 3

8.			
9.			
List additional household members on a separate sheet		**Total Household Income**	

Declaration: Please sign and date below

I state that the information I have provided in this application is true and correct. I have enclosed an original copy of the Transcript of Income Tax for each person listed above. I agree to inform Moreno Valley Utility if I no longer qualify for the discount. I understand that if I receive a discounted rate without meeting the qualifications of the program, that I will be required to pay back the discount received. I certify:

- The MVU bill is in my name
- I am not claimed on another person's income tax return
- I understand that I must re-apply for the program each year
- I will notify MVU if I no longer qualify for this rate
- I understand MVU may require additional verification of income
- I have enclosed a Transcript of Return for each person listed above

Signature | Date

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MV00174912

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: APPROVAL OF COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF MORENO VALLEY FOR GILMAN SPRINGS ROAD IMPROVEMENTS – PROJECT NO. 801 0042 70 77

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Cooperative Agreement for the Gilman Springs Road Improvements project between the County of Riverside and the City of Moreno Valley.

2. Authorize the City Manager to execute the Cooperative Agreement.

3. Authorize the Public Works Director/City Engineer to approve any minor changes that may be requested by the County of Riverside subject to the approval of the City Attorney.

4. Authorize the Public Works Director/City Engineer to execute any future amendments to the Cooperative Agreement subject to the approval of the City Attorney.

BACKGROUND

In early 2012, the County of Riverside approached the City with its plan to improve the County-owned portion of Gilman Springs Road and offered assistance to the City for improving the City-owned portion of Gilman Springs Road at the same time. The County could help to complete the design, prepare environmental documents and obtain environmental clearance, coordinate utility relocation, and advertise/award and administer the construction contract at no cost to the City. The City would be

responsible only for construction, construction engineering and inspection costs for improving the City-owned portion of Gilman Springs Road.

DISCUSSION

The City-owned portion of Gilman Springs Road is a 4,000-foot long, two-lane roadway, from 150 feet north of Eucalyptus Avenue to 500 feet north of Kevin Road. Gilman Springs Road has been experiencing high volume of traffic, especially trucks, traveling along this roadway. The street pavement has deteriorated with sizable potholes, and City Maintenance and Operations crews have been continuously out repairing the street.

The project will resurface the street by processing the existing asphalt concrete pavement and reusing it as a base material while overlaying the street with new layer of asphalt concrete. The project also includes improvement of the intersection of Gilman Springs Road and Alessandro Boulevard to add a new north-bound left turn lane from Gilman Springs Road onto Alessandro Boulevard, as well as drainage improvements along Gilman Springs Road. The estimated construction, construction-related engineering and inspection cost for the project is approximately at $840,000. The City will realize significant savings from the County's assistance with design, environmental clearance and project administration. Furthermore, because the City's improvements will be contracted out as part of the County's larger project along Gilman Springs Road, good construction bids are expected. Improvement of Gilman Springs Road is necessary to enhance safety for drivers using this road. A Cooperative Agreement with the County of Riverside is a cost-saving solution to construct these much needed improvements.

ALTERNATIVES

1. By motion, approve and authorize the recommended actions as presented in this staff report. *This alternative will facilitate the timely construction of needed improvements.*

2. Do not approve and authorize the recommended acting as presented in this staff report. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The project is included in the Fiscal Year 2012/2013 Capital Improvement Program. There is no impact to the General Fund.

AVAILABLE FUNDS
Gilman Springs Road Improvements
Prop. 42 Replacement Funds – Gas Tax
Account 2002-71-77-80001 801 0042 70 77 ..... $ 850,000

Total Project Budget..... $ 850,000

ESTIMATED PROJECT COST

Preliminary Engineering*	$	3,000
Construction and Construction Engineering/Inspection	$	840,000
Administrative Costs*	$	7,000
Total Estimated Cost	$	850,000

**Includes City staff project coordination and other miscellaneous costs.*

RIVERSIDE COUNTY TRANSPORTATION DEPARTMENT'S PROJECT SCHEDULE

Environmental Clearance Complete.....May 2013
Design Complete..... August 2013
Advertise and Award ..... September 2013 to December 2013
Construction ..... January 2014 to July 2014

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Based on the current condition of Gilman Springs Road, there is a need to improve this street to enhance safety for drivers using this road. A Cooperative Agreement with the County of Riverside is a cost-saving solution to construct these much needed improvements.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement By and Between Riverside County and City of Moreno Valley for Roadway Improvements Along Gilman Springs Road

Prepared By:
Quang D. Nguyen
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

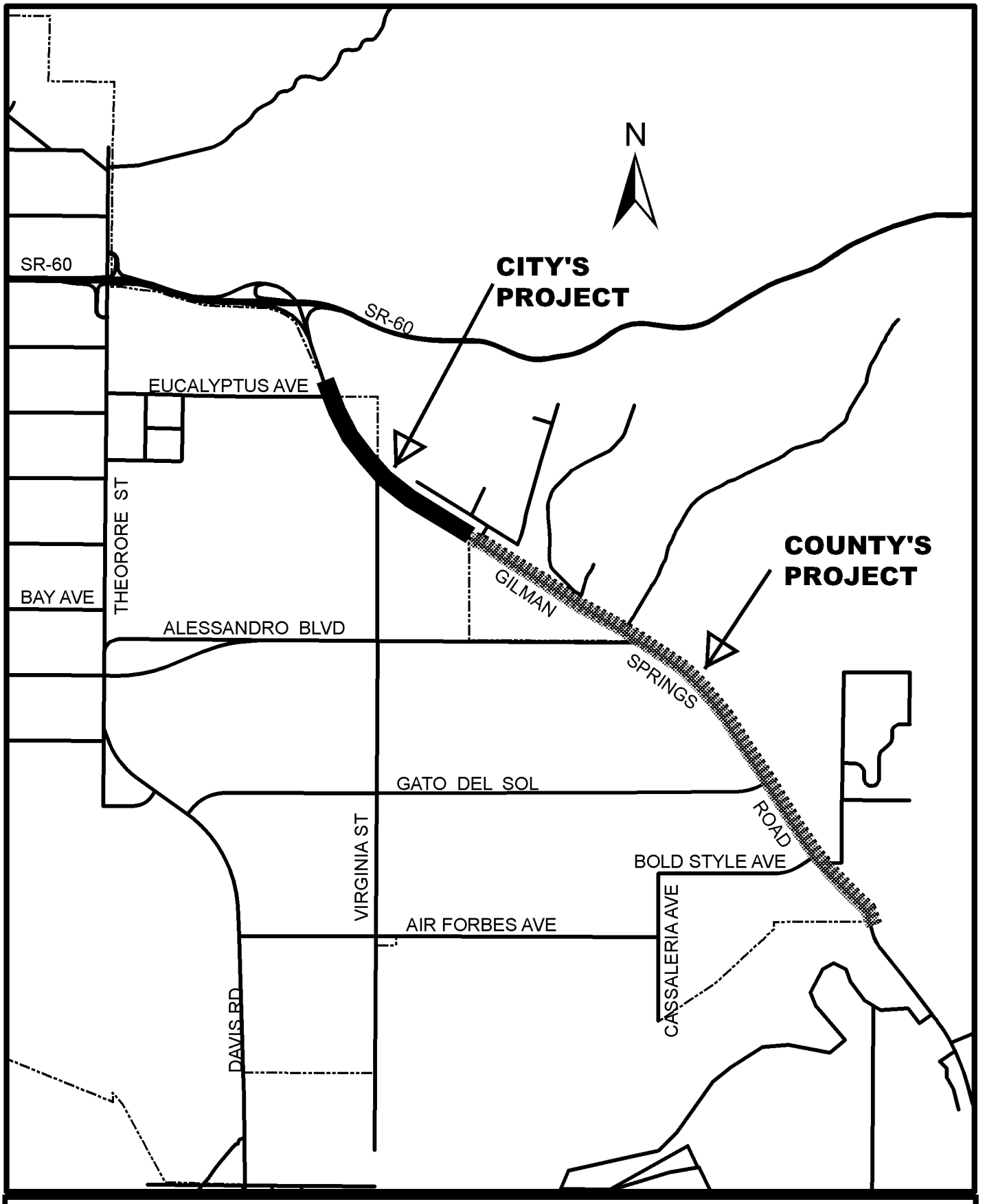

ATTACHMENT A
GILMAN SPRINGS ROAD IMPROVEMENTS - LOCATION MAP

Item No. A.14

MV00174917

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MV00174918

Gilman Springs Road Improvements

AGREEMENT BY AND BETWEEN

RIVERSIDE COUNTY AND

CITY OF MORENO VALLEY

FOR

ROADWAY IMPROVEMENTS ALONG

GILMAN SPRINGS ROAD

This Agreement is entered into this _____ day of _____, 2012, by and between the County of Riverside, (hereinafter "COUNTY"), and the City of Moreno Valley, (hereinafter "CITY") for the provision of certain roadway improvements on various roads located within the jurisdictional boundaries of the COUNTY and CITY.

RECITALS

A. COUNTY and CITY have cooperated on planning the construction of certain roadway improvements that provide benefits to the general motoring public along Gilman Springs Road in the Moreno Valley area of Riverside County. The roadway improvements consist of pulverizing the existing roadway; road resurfacing/overlaying, intersection improvements, drainage improvements and striping, hereinafter referred to as "PROJECT". The location of PROJECT is shown in Exhibit "A".

B. The PROJECT is within the jurisdictional boundaries of both the COUNTY and CITY, as shown in Exhibit "A".

C. COUNTY and CITY desire to cooperate and jointly participate in implementing and funding the PROJECT.

D. COUNTY and CITY desire to have one agency take the lead role in the development and implementation of the PROJECT to coordinate the improvements and to reduce overall costs.

E. COUNTY and CITY have designated COUNTY as the lead agency for the PROJECT and COUNTY will therefore provide the administrative, technical, managerial, and support services necessary to develop and implement the PROJECT.

F. COUNTY and CITY desire to define herein the terms and conditions under which said PROJECT is to be administered, environmentally cleared, engineered, coordinated, constructed, managed, financed and maintained.

Attachment "B"

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

SECTION 1 • COUNTY AGREES:

1. To fund one hundred percent (100%) of the cost of the preparation of plans, specifications and estimates (PS&E), preparation of an environmental document (ED) and obtaining environmental clearance, providing utility coordination and relocation of impacted utilities, and advertising, awarding and administering a public works construction contract necessary to construct PROJECT improvements that are located within the jurisdictional boundaries of the COUNTY as shown in Exhibit "A" attached hereto and incorporated herein:. The estimated costs for COUNTY's improvements are provided in Exhibit "B" attached hereto and incorporated herein. COUNTY agrees that should unforeseen circumstances arise which result in an increase of any costs over those shown in Exhibit "B", COUNTY will in good faith consider an amendment to this Agreement to include any such costs under this agreement.
2. To prepare, or cause to be prepared, detailed PS&E documents for the PROJECT and submit to CITY for review and approval at appropriate stages of development. Final plans for improvements within CITY's right of way shall be prepared to COUNTY standards, and signed by a Civil Engineer registered in the State of California. Deviations from standards shall be coordinated with and approved by CITY. COUNTY shall not solicit construction bids until CITY has approved the PROJECT PS&E documents.
3. To act as the Lead Agency for the design, environmental clearance, advertising, award and administration of a public works contract for the construction of the PROJECT.
4. To identify and locate all utility facilities within the PROJECT area as part of its PROJECT design responsibility. If any existing public and/or private utility facilities conflict with PROJECT construction, COUNTY shall make all necessary arrangements with the owners of such facilities for their protection, relocation, or removal. All utility facilities shall be identified on the PROJECT plans and specifications, and conflicting utilities shall be denoted. COUNTY shall require the utility owner and/or its contractors performing the relocation work within CITY's right of way to obtain a CITY encroachment permit prior to the performance of said relocation work. CITY and COUNTY shall coordinate and cooperate in the effort to establish prior rights related to utility encroachments into each jurisdiction's right-of-way. In the case that any utility

companies are determined to have prior rights, the cost of relocating utilities shall be borne by the jurisdiction in which the conflicting utility resides.

5. To prepare an environmental document and to obtain necessary environmental clearances in accordance with the California Environmental Quality ACT (CEQA).

6. To make written application to CITY for an encroachment permit authorizing entry into CITY's right of way for the purposes of constructing PROJECT.

7. To advertise, award, and administer a public works contract for the construction of PROJECT in accordance with all applicable federal, state or local statutes, ordinances, orders, governmental requirements, laws or regulations, including but not limited to the local agency public construction codes, California Labor Code, and California Public Contract Code.

8. To furnish a representative to perform the function of Resident Engineer during construction of PROJECT. If the PROJECT plans and specifications are prepared by a private engineering company, the Resident Engineer shall not be an employee of that company. The Resident Engineer shall also be independent of the construction contract.

9. To furnish qualified support staff to assist the Resident Engineer in, but not limited to, construction surveys, soils and foundation tests, measurement and computation of quantities, testing of construction materials, checking shop drawings, preparation of estimates and reports, preparation of as-built drawings, and other inspection and staff services necessary to assure that the construction is performed in accordance with the PS&E documents.

10. To construct the PROJECT in accordance with approved PS&E documents.

11. To submit any contract change order that causes the construction contract to exceed 10% of the contract bid amount for PROJECT improvements that are located within the jurisdictional boundaries of the CITY to CITY for review and approval prior to final authorization by COUNTY.

12. To provide material testing and quality control conforming to the Caltrans Standard Testing Methods as provided in Chapter 16 of the Local Assistance Procedures Manual, and to have this testing performed by a certified material tester.

13. To furnish CITY with a complete set of full-sized film positive reproducible as-built plans and all contract records, including survey documents, within ninety (90) days following the completion and acceptance of the

PROJECT construction contract. Electronic copies of completed plans are available if CITY desires. If electronic copies are provided, they will be provided on CD-R media.

14. To furnish CITY a final reconciliation of project expenses within ninety (90) days following the completion and acceptance of the PROJECT construction contract. If final costs associated with the CITY's improvements are in excess of the deposit provided in Section 2, COUNTY shall include a final bill with the financial reconciliation. If final costs associated with the CITY's improvements are less than the deposit provided in Section 2, COUNTY shall include a reimbursement for the difference with the financial reconciliation.

SECTION 2 • CITY AGREES:

1. To fund one hundred percent (100%) of the cost of administering a public works construction contract necessary to construct PROJECT improvements that are located within the jurisdictional boundaries of the CITY as shown in Exhibit "A". The estimated costs for CITY's improvements are provided in Exhibit "B". CITY agrees that should unforeseen circumstances arise which result in an increase of any costs over those shown in Exhibit "B", CITY will in good faith consider an amendment to this Agreement to include any such costs under this Agreement.
2. To deposit with COUNTY, prior to COUNTY awarding the construction contract but after bid opening and analyzing the bids for the PROJECT and upon written request by COUNTY, seven hundred fifty-five thousand five hundred fifty dollars ($755,550)(the "Deposit"), which represents ninety percent (90%) of the CITY's estimated share of the PROJECT costs as provided in Exhibit "B" hereto.
3. To provide, at no cost to COUNTY, oversight of PROJECT and to provide prompt reviews and approvals, as appropriate, of submittals by COUNTY, and to cooperate in timely processing of PROJECT.
4. To issue, at no cost to COUNTY or its contractors, upon proper application by COUNTY or COUNTY's contractor, an encroachment permit authorizing entry onto CITY's right of way for the construction of the PROJECT.
5. To provide a representative to coordinate and assist the COUNTY's Resident Engineer during the construction of PROJECT and to verify CITY facilities are constructed in accordance with the approved PS&E documents as required by this agreement.
6. To pay within 45 days of receipt all invoices submitted by COUNTY for services rendered in accordance with this Agreement.

SECTION 3 • IT IS MUTUALLY AGREED AS FOLLOWS:

1. The total cost of PROJECT is estimated to be $2,323,000 as detailed in Exhibit "B".
2. COUNTY shall not be obligated to award a contract to construct PROJECT until after receipt of CITY's deposit as required in Section 2.
3. If upon opening of bids for construction of the PROJECT the bids indicate a cost overrun of no more than 10% of the construction costs estimate as described in Exhibit "B" will occur, COUNTY may award the contract.
4. If upon opening of bids, it is found that a cost overrun exceeding ten percent (10%) of the Total Estimate Cost will occur, COUNTY and CITY shall endeavor to agree upon an alternative course of action. If, after thirty (30) calendar days from the date of bid opening, an alternative course of action is not agreed upon, this Agreement shall be deemed to be terminated by mutual consent, with each agency sharing incurred costs in accordance with the cost shares as set forth in Section I, Article (1), and Section II, Article (1). COUNTY shall reimburse CITY within forty five (45) days of termination.
5. Construction by COUNTY of improvements referred to herein which lie within CITY rights of way shall not be commenced until an Encroachment Permit to COUNTY, or COUNTY's contractor, authorizing such work has been issued by CITY.
6. COUNTY shall cause COUNTY's contractor to maintain in force, until completion and acceptance of the PROJECT construction contract, a policy of Commercial Liability Insurance, including coverage of Bodily Injury Liability and Property Damage Liability, in the amount of $2,000,000 minimum single limit coverage, and a policy of Automobile Liability Insurance in the amount of $1,000,000 minimum. Endorsements to each policy shall be required which name CITY, its officers, agents and employees, as additionally insured. COUNTY shall also require COUNTY's contractor to maintain Worker's Compensation Insurance. COUNTY shall cause COUNTY's contractor to provide Certificates of Insurance and Additional Insured Endorsements which meet the requirements of this section to CITY prior to the start of construction. The COUNTY shall also cause COUNTY's contractor to furnish a satisfactory Performance Bond and a satisfactory Labor and Material Payment Bond meeting all statutory requirements of the State of California for this project.
7. Ownership and title to all materials, equipment, and appurtenances installed as part of this Agreement will automatically be vested with the jurisdiction in which the improvements reside and no further agreement will be necessary to transfer ownership.

8. Neither COUNTY nor CITY shall be responsible for any maintenance of the improvements provided by PROJECT that are located outside of their respective ownership or right of way boundaries except as specified in this Agreement or future agreements.
9. No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by all parties and no oral understanding or agreement not incorporated herein shall be binding on each party hereto.
10. CITY and COUNTY shall retain or cause to be retained for audit for a period of three (3) years from the date of final payment, all records and accounts relating to PROJECT.
11. Neither COUNTY nor any officer or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement. It is further agreed that pursuant to Government Code Section 895.4, CITY shall fully indemnify and hold COUNTY harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement.
12. Neither CITY nor any officer or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority or jurisdiction delegated to COUNTY under this Agreement. It is further agreed that pursuant to Government Code Section 895.4, COUNTY shall fully indemnify and hold CITY harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority or jurisdiction delegated to COUNTY under this Agreement.
13. This Agreement and the exhibits herein contain the entire agreement between the parties, and are intended by the parties to completely state the agreement in full. Any agreement or representation respecting the matters dealt with herein or the duties of any party in relation thereto, not expressly set forth in this Agreement, is null and void.
14. Nothing in the provisions of Agreement is intended to create duties or obligations to or rights in third parties not parties to this Agreement or affects the legal liability of either party to the Agreement by imposing any standard of care with respect to the maintenance of roads different from the standard of care imposed by law.

15. This Agreement may be executed in one or more counterparts and when a counterpart shall have been signed by each party hereto, each shall be deemed an original, but all of which constitute one and the same instrument.
16. This Agreement shall be terminated 3 months after the filing of a Notice of Completion for the PROJECT or upon mutual agreements of the parties.
17. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other address as the PARTIES may designate:

To County: Riverside County Transportation Department
Attention: Juan C. Perez, Director of Transportation and Land Management
4080 Lemon Street, 8th Floor
Riverside, CA 92501
Phone: (951) 955-6740
Fax: (951) 955-3198

To City: City of Moreno Valley
Attention: Ahmad R. Ansari, Public Works Director/City Engineer
14177 Frederick Street
Moreno Valley, CA 92552
Phone: (951) 413-3130

APPROVALS

Clerk of the Board (SEAL)

COUNTY Approvals

RECOMMENDED FOR APPROVAL:

_____ Dated: _____

JUAN C. PEREZ

Director of Transportation and Land Management

APPROVED AS TO FORM:

COUNTY COUNSEL

_____ Dated: _____

BY: DEPUTY

APPROVAL BY THE BOARD OF SUPERVISORS

_____ Dated: _____

John F. Tavaglione

PRINTED NAME

Chairman, Riverside County Board of Supervisors

ATTEST:

_____ Dated: _____

KECIA HARPER-IHEM

CITY OF MORENO VALLEY Approvals

APPROVED BY:

_____ Dated: _____

PRINTED NAME

City Manager

APPROVED AS TO FORM:

_____ Dated: _____

PRINTED NAME

City Attorney

ATTEST:

_____ Dated: _____

PRINTED NAME

City Clerk

EXHIBIT A • VICINITY/PROJECT MAP

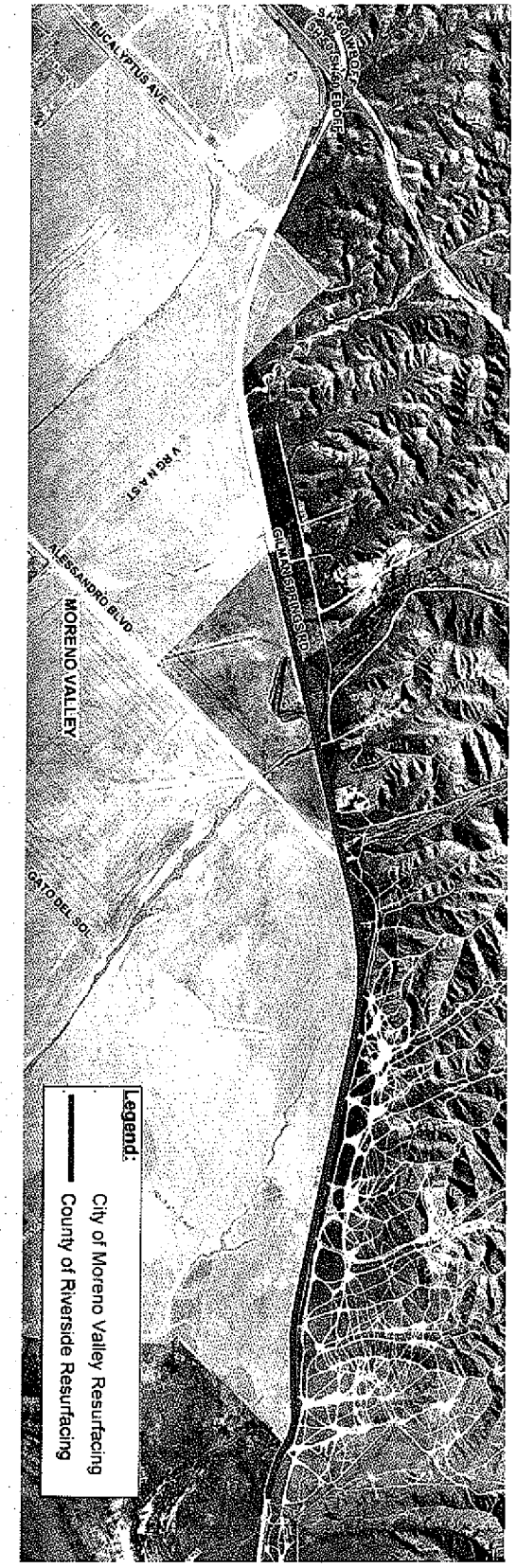

EXHIBIT B • PROJECT BUDGET AND SCHEDULE

COST ESTIMATE:

GILMAN SPRINGS ROAD RESURFACING/OVERLAYING:

TASK	CITY OF MORENO VALLEY	COUNTY OF RIVERSIDE	TOTAL
Construction (including 15% contingency)	$ 560,000	$ 1,290,000	$ 1,850,000
Construction Inspection, Material Testing, Construction Survey (15% of Construction Cost)	$ 84,000	$ 193,500	$ 277,000
TOTAL COST	**$ 644,000**	**$ 1,483,500**	**$ 2,127,500**

GILMAN SPRINGS ROAD AND ALESSANDRO BOULEVARD INTERSECTION IMPROVEMENTS:

TASK	CITY OF MORENO VALLEY	COUNTY OF RIVERSIDE	TOTAL
Construction (including 15% contingency)	$ 135,000	$ 0	$ 135,000
Construction Inspection, Material Testing, Construction Survey (15% of Construction Cost)	$ 20,250	$ 0	$ 20,250
TOTAL COST	**$ 155,250**	**$ 0**	**$ 155,250**

GILMAN SPRINGS ROAD CULVERT REPLACEMENT:

TASK	CITY OF MORENO VALLEY	COUNTY OF RIVERSIDE	TOTAL
Construction (including 15% contingency)	$ 35,000	$ 0	$ 35,000
Construction Inspection, Material Testing, Construction Survey (15% of Construction Cost)	$ 5,250	$ 0	$ 5,250
TOTAL COST	**$ 40,250**	**$ 0**	**$ 40,250**

TOTALFOR ALL PROJECTS:

TASK	CITY OF MORENO VALLEY	COUNTY OF RIVERSIDE	TOTAL
Construction (including 15% contingency)	$ 730,000	$ 1,290,000	$ 2,020,000
Construction Inspection, Material Testing, Construction Survey (15% of Construction Cost)	$ 109,500	$ 193,500	$ 303,000
TOTAL COST	**$ 839,500**	**$ 1,483,500**	**$ 2,323,000**

TENTATIVE PROJECT SCHEDULE

ENVIRONMENTAL CLEARANCE	**JULY 2012 TO MAY 2013**
DESIGN	**JULY 2012 TO AUGUST 2013**
ADVERTISE AND AWARD	**SEPTEMBER 2013 TO DECEMBER 2013**
CONSTRUCTION	**JANUARY 2014 TO JULY 2014**

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MV00174930

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	SMB
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: APPROVAL OF THE AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH WILLDAN ENGINEERING TO PROVIDE UPDATES TO THE PAVEMENT MANAGEMENT PROGRAM – PROJECT NO. 801 0043 70 77

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve the Agreement for Professional Consultant Services with Willdan Engineering to provide updates to the Pavement Management Program.

2. Authorize the City Manager to execute the Agreement for Professional Consultant Services with Willdan Engineering.

3. Authorize the issuance of a Purchase Order to Willdan Engineering in the amount of $117,000.00 when the Agreement has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with Willdan Engineering, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

BACKGROUND

The City of Moreno Valley's maintained street network contains approximately 485 miles of roadways with three classifications: arterial, collector and local streets. To better maintain the network, the City developed the Pavement Management Program (PMP) in 1995 which provided the City with the necessary tools to inventory the street network, to evaluate and analyze pavement conditions, and to prioritize streets for

pavement rehabilitation. The PMP has been a very effective tool in assisting the decision-making process in the allocation of limited funds for street maintenance.

As the City continues to show dynamic growth with its population, infrastructure and maintenance needs, the PMP was last updated in 2009 to capture the changes in the street network. It is recommended that the PMP should again be updated so the City will have the most current information on pavement conditions that can be used in management decision-making for the allocation of limited funds and prioritization of streets for pavement rehabilitation. The Federal Highway Administration requires that the PMP be updated at least once every three years in order to be eligible for federal transportation funding.

DISCUSSION

On June 18, 2012, Request for Proposal letters for professional consulting services were sent to all consultants the City has on its approved on-call list for pavement management services. On July 2, 2012, three (3) consultants submitted their proposals for the project. City staff reviewed and rated the proposals according to the consultant's ability to complete the project requirements. The proposal from Willdan Engineering was selected as the most qualified for the project. An interview of the top firm was conducted, followed by negotiations on scope of services and fees.

The consultant will be responsible for updating the PMP database and street network, performing field surveys to collect and record all pavement conditions and distresses for all street segments, performing an analysis of the street network with the field data to produce an updated Pavement Condition Index (PCI), and preparing a comprehensive report that includes current PCI, work history, pavement rehabilitation recommendations for all streets, and budget recommendations.

ALTERNATIVES

1. By motion, approve and authorize the recommended actions as presented in this staff report. *This recommendation will allow for the much needed updates to the City's PMP and meet the Federal Highway Administration's requirements for eligibility for federal funding.*

2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will delay the much needed updates to the City's PMP and potentially disqualify the City from federal transportation funding.*

FISCAL IMPACT

The City Council approved a budget to update the PMP as part of the Fiscal Year 2012-2013 CIP Budget. The approved budget, in combination with the remaining funding for PMP included in Capital Projects Division Operating Budget (Measure "A" funds),

should provide sufficient funding for the PMP update work. There is no impact to the General Fund.

BUDGETED FUNDS FOR THE PROJECT:

Pavement Management Program (Account No. 2001-70-77-80001 801 0043 70 77)	$ 85,000
Capital Projects Operating Budget (Account No. 2001-70-77-45230)	$ 40,000
Total Available Funds	$125,000

ESTIMATED PROJECT COSTS:

Professional Consultant Services Costs	$117,000
City Staff Project Management Costs	$ 8,000
Total Estimated Project Costs	$125,000

ANTICIPATED PROJECT SCHEDULE

Field Survey of Street Complete	January 2013
Field Data Input and Analysis Complete	March 2013
PMP Database and GIS Updates Complete	April 2013
PMP Comprehensive Report Complete	June 2013

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The contract with Willdan Engineering will enable the City to update the Pavement Management Program database, providing the City with updated information to use in the allocation of funds and prioritization of streets for pavement rehabilitation.

ATTACHMENTS

Attachment "A" – Project-specific Agreement for On-call Professional Consultant Services

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Acting City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES PAVEMENT MANAGEMENT PROGRAM PROJECT NO. 801 0043 70 77

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Willdan Engineering, a California corporation, hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for On-call Consultant work in an Agreement ("On-call Agreement") executed on March 22, 2012, for Pavement Management Services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A."

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement and subsequent Amendments, if any, between City and Consultant are incorporated herein by reference and made a part of this Agreement as if set forth in full and are available for review in the City Engineer's office. Notwithstanding any expiration or termination of the On-call Agreement or Amendment(s), if any, all terms and provisions of the aforementioned On-call Agreement and Amendment(s) incorporated herein shall survive the expiration or termination of such Agreement or Amendment(s) for the duration of this Project Specific Agreement. In the

Attachment "A"

event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for the Pavement Management Program for Pavement Management Services and is described in detail in Exhibit "A" attached hereto and incorporated herein by reference.

3. The Consultant's scope of service is described in detail in Exhibit "B" attached hereto and incorporated herein by reference.

4. The City's responsibility is described in Exhibit "C" attached hereto and incorporated herein by reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $117,000 in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. This agreement will terminate on December 31, 2013, unless the termination date is extended by an amendment to the agreement.

8. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

PROJECT SPECIFIC AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0043 70 77

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer

_____
Date

WILLDAN ENGINEERING

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Enclosures: Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

CITY REQUEST FOR PROPOSAL/SCOPE OF SERVICES

EXHIBIT "A"

TEL: 951.413.3100
FAX: 951.413.3279
WWW.MOVAL.ORG

MORENO VALLEY
WHERE DREAMS SOAR

14177 FREDERICK STREET
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

June 18, 2012

Ms. Roxanne Hughes
Willdan Engineering
650 E. Hospitality Lane, Suite 400
San Bernardino, CA 92408

Subject: Request for Proposal and Not-to-Exceed Fee for Pavement Management Program (PMP) Update Services
Project No. 12-12554150

Dear Ms. Hughes:

The City of Moreno Valley is requesting a proposal for services and not-to-exceed fee for the subject project, in accordance with the On-call Agreement for Professional Consultant Services for Pavement Management Services dated April 16, 2012.

The City is interested in contracting for professional services to evaluate current conditions for all City-maintained streets in the City's network that includes arterials, collectors and local streets; update the MicroPaver database; generate a new pavement condition index (PCI); generate a comprehensive PMP report; and update the City's GIS pavement layer.

The City completed a PMP Update in 2009, and a copy of the PMP report is on file with the Capital Projects Division and available for review by contacting Quang Nguyen at (951) 413-3159. The City's network consists of approximately 133 street centerline miles of arterials, 34 miles of collectors, and 318 miles of local streets. The City is currently using MicroPaver Version 6.5 to manage the PMP.

In general, the following services to be performed by the Consultant shall include, but not be limited to:

Project Meetings: Upon receiving a Notice to Proceed, the Consultant shall have a kick-off meeting to discuss project details and expectations. A project schedule should be generated and submitted for quality control purposes that will include the Consultant periodically meeting with the City's Project Manager for reviewing project status and resolving any issues that may arise during the project.

Field Survey: A field survey shall be conducted on all City-maintained streets to collect all pavement distresses (type, extent, and severity) to include, but not be limited to, longitudinal and transverse cracking, alligator cracking, raveling, rutting/corrugation, patching, block cracking, edge cracking, bleeding/flushing, etc. in accordance with MicroPaver guidelines and accepted

industry standards. Through the use of field data collection, the Consultant shall explain the method(s) that is/are being proposed, how the data is collected and analyzed, and what quality control measures are used to obtain accurate field data. City staff reserves the right to ride along with Consultant field inspectors to verify pavement collection methods and data accuracy. All field operations shall be in accordance with OSHA safety standards.

Inventory: The City's MicroPaver database has a street inventory, which stores such information as street widths, segment and lane lengths, number of lanes, rank, date and type of construction, date and type of last known surface treatment, etc. The Consultant shall update any missing and/or obviously incorrect information in the database as a result of their field survey and review of work history records. The Consultant shall review the existing street segment database and modify the database (breaking up long segments or combining small segments together) as necessary to obtain a more manageable street segment inventory. The Consultant will verify the existing street lengths and pavement widths during the field survey and update the database.

MicroPaver Database Update and Analyses: After the field survey is complete, the data shall be entered into the City's current MicroPaver database and analyzed to provide necessary information for the creation of the pavement performance curves and decision models. The Pavement Condition Index (PCI) shall be calculated for each pavement section of the streets. The Consultant shall also include a provision in the proposal for quality control checks throughout the data entry process, as well as an explanation of the benefits of the quality control method that is employed.

Reporting and Submittals: A comprehensive report shall be prepared to include an executive summary suitable for an audience of managers or City Council members, a short discussion of the City's network and the PMP and methods of collecting and analyzing data, a PCI report, an inventory/condition analysis report, a work history report, an action forecast/maintenance report based on available budget and budget recommendations to maintain and improve existing overall PCI rankings, and all exhibits, tables, and maps supporting these reports.

A draft report shall be submitted to the City for review and quality control prior to submitting the final report. Three hard (3) copies and one (1) digital copy of the final comprehensive report shall be submitted to the City.

PMP-GIS Layer Update: The Consultant shall make necessary modifications to the City's existing PMP/GIS layer to reflect updated PCI values and corrections/updates to the City's network. Roads not already present on the City's existing PMP/GIS layer shall be identified and included as a part of this update. The final deliverable for this task shall be a PMP/GIS shapefile (.shp) that is compatible with ESRI's ArcView 10 software. The Consultant is required to coordinate with the City's GIS Division for other requirements on the format of the electronic files/submittals.

Technical Support: The Consultant shall provide technical support to City staff in the preparation of the budget and Capital Improvement Plan, as well as responding to questions and

inquiries related to the PMP Updates project. This is estimated to be two (2) full days of technical support.

The City's schedule for completing the PMP Update project is as follows:

Proposal Due Date:	July 2, 2012
Proposal Review and Selection by:	July 13, 2012
Kick-off Meeting:	July 30, 2012
Field Survey:	August 6, 2012 to December 28, 2012
PCI Analysis and PMP Report:	January 2, 2013 to May 24, 2013
PMP/GIS Layer Updates:	May 27, 2013 to July 26, 2013

Three copies of your proposal and fee should be submitted **no later than 5:00 p.m. on July 2, 2012,** to:

Quang D. Nguyen, Senior Engineer, P.E.
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street *(hand delivery)*
P.O. Box 88005 *(mail delivery)*
Moreno Valley, California 92552-0805

Proposal review and consultant selection will be based on:

1. Project Understanding – Does the Consultant understand the project's objectives and issues as well as quality control requirements? (20 points)
2. Project Deliverable Plan – Does the Consultant have a sound, executable work plan? (30 points)
3. Project Resource Allocation –Does the proposal reflect efficient utilization of experienced, dedicated project managers, inspectors and staff? (30 points)
4. Project Deliverable Schedule – Does the proposal reflect timely deliverables at appropriate milestones? (20 points)

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract. The City Manager has the authority to determine on a case-by-case basis, based on the guidance provided by the Fair Political Practices Commission (FPPC) whether a particular consultant needs to comply with the disclosure requirements. If compliance is required, the consulting agency will receive an Economic Interest Statement (Form 700) from the City Clerk's office for completion. Please complete and return the three forms.

If you have any questions, please contact Quang Nguyen, Senior Engineer, P.E., at 951.413.3159.

Sincerely,

Quang D. Nguyen, P.E.
Senior Engineer

QDN:db

Enclosures: Forms Regarding Statement of Economic Interest (3 pages)

c: Project File

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CONSULTANT SCOPE OF SERVICES/PROPOSAL

EXHIBIT "B"

WILLDAN Engineering | extending your reach

July 2, 2012
Revised July 26, 2012

Mr. Quang D. Nguyen, Senior Engineer, PE
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: Proposal and Not-to-Exceed Fee for Pavement Management Program (PMP) Update Services
Project No. 12-12554150

Dear Mr. Nguyen:

Willdan appreciates the opportunity to submit this proposal for professional engineering and consulting services to update the City's Pavement Management Program (PMP). Our pavement engineering team has prepared a large number of pavement management programs, and also has extremely strong experience in design and construction management of annual overlay and slurry programs in numerous cities in Southern California. As contract city engineer in many cities over the past 25 years, our team has had the opportunity to review the long-term results from the full range of pavement strategies implemented on thousands of streets in varying conditions. We also have familiarity with many pavement management programs and their varying approaches, and have been involved in custom pavement management program development to enhance the analysis and reporting capabilities as needed to fully address each client's particular needs.

The Willdan MicroPaver Program has very significant customization of data processing and output, though the central base is the MicroPaver program. As you may be aware, MicroPaver does not provide a process for assigning streets to an optimal overlay program or slurry program, and actually has no features to optimize application of the budget to various PCI levels. Willdan has developed automated programs that accomplish all this and also offer excellent graphical representations. We have developed these processes in numerous cities and on numerous updates.

The Willdan team offers the following advantages to facilitate your decision to select Willdan:

- The Willdan Program provides credible determination of current and future needs, with annual and five year cost projections based on customizable CIP budgets that are optimized to increase PCI over time while reducing unfunded maintenance backlog. Willdan has prepared close to 100 pavement management program reports for cities in Southern California, the majority of them MicroPaver based. Since commencing PMP development in 1984, we have continuously improved and adapted our pavement management programs to new construction materials and methods to provide the most cost-effective solutions for maintaining street programs.

- Willdan's field rating technique uses a highly qualified pavement rater that walks each street segment and documents the distresses on specialized rating forms designed to quickly and efficiently capture quantities and severities for all of the required distress patterns. Since the rater is physically walking the street, he also makes notes on the rating forms documenting additional observations such as deficient drainage conditions or needed updates to segment limits based on noted recent construction or other field conditions. This process captures not only the distress data, but also assists the engineer with adjusting rehabilitation strategy assignments to fit identified field conditions and providing quality control updates to the existing data for better accuracy.
- Willdan is adept at providing GIS compatible PMP data. Since 2001, Willdan has provided direct linkage between MicroPaver and GIS on all programs. The City's base PMP-GIS layer will be updated and utilized for color-coded mapping of street characteristics, such as segment ID numbers, Construction History, PCI values and recommended maintenance strategies. Naturally this is extremely helpful for city management staff and city council to visualize and familiarize themselves with various aspects of the street system.
- Our pavement engineers work closely with our contract city engineers and directors of public works in cities with long-term contracts running 20 years or more. This provides the unique opportunity to monitor the performance of virtually all pavement rehabilitation strategies over extended periods to see how they perform and what their expected lifespan will be. This important information is integrated into the Willdan PMP's to provide more cost-effective strategies and to better project long-term performance of the roadway network.

Project Understanding

Experience of Firm and Proposed Team

Willdan, and in particular the project team we offer for this contract, has direct experience with developing, implementing, and updating programs in many cities throughout California. The team has established and updated the MicroPaver programs in the cities of South Gate, Rosemead, Bell Gardens, Paramount, Bellflower, Rolling Hills Estates, Ridgecrest and Hawaiian Gardens. Several of these clients routinely use Willdan to perform their PMP Update on a three-year cycle. Through this depth of experience, the Willdan team offers demonstrated ability to develop cost-effective strategies to optimize the application of available City budget through time in a manner that will result in a decrease in unfunded maintenance backlog and corresponding increase in the network-wide average PCI. The cost parameters are developed in concert with the City staff to ensure that the available City resources, such as the Street Maintenance Division, are leveraged to attain the optimal allocation of funds and resources over time.

Project Understanding

The City of Moreno Valley's existing Pavement Management Program (PMP) was updated using MicroPaver software in 2009; including all public streets. The local streets were actually rated in the summer/fall of 2007, with the arterial/collector street rating conducted in fall/winter of 2009. It is understood that the City requires a single comprehensive program update that includes field rating all public streets, performing quality assurance for both the field data collection and the existing street data inventory in the current PMP, processing the data and providing a draft and final 2012 PMP update report. The City's current PMP-GIS Layer will also

be updated to incorporate the new information. The requested services for the 2012 PMP Update must meet the following two primary objectives:

- Update the existing PMP by evaluating the existing condition of all pavements within the City's roadway network; establish credible determination of current and future maintenance and rehabilitation needs; develop and provide an action forecast/maintenance report identifying recommended budget levels to maintain and improve the overall PCI rankings.
- Update the City's GIS-PMP Layer with the revised PMP data and provide an updated PMP-GIS shape file (.shp) that is compatible with the City's ArcView10 ESRI software.

The City of Moreno Valley desires a pavement management program report with recommendations that are reliable for applicability to each specific street, and not just on the network level. Data and processing must provide accurate quantities and costs, which are fully commensurate with actual field conditions on the individual streets. This applies especially to the division between major maintenance and minor maintenance. The program should be reliable in providing this division such that it is defensible on a rational structural basis and on a basic aesthetic level as well. The City will only find true satisfaction from the pavement management program through the following attributes:

- Accurate CIP priorities and costs that can stand up to scrutiny of City Council and local residents on a line item basis comparison segment-by-segment. Willdan's enhanced data processing provides this level of confidence.
- Reasonably accurate projections of future conditions and maintenance needs based on City selected funding levels which are optimally distributed to various PCI ranges with emphasis on maintaining streets in good condition as opposed to overspending on repair of streets already in very poor or failed condition. Willdan's enhanced budget forecasting procedures provide for iterative adaptation to target the most efficient budget allocation parameters.
- Optimum pavement management priority listing of streets for maintenance and rehabilitation based on an established City budget. Priority listings are provided by benefit/cost ratio as well as PCI.
- A highly efficient and effective data collection system with a high degree of quality control to ensure accurate, repeatable results. Willdan's proprietary rating forms and "boots on the ground" approach to field rating accomplishes this need.
- Ability to store and print reports of full construction history for each street segment.
- Full linkage with GIS for production of graphic exhibits of pavement characteristics for each segment, including budget year, PCI, next maintenance strategy, priority, etc.

Project Approach

The commonly used MicroPaver program, the same in use in Moreno Valley, can store a large array of data and has a very highly developed PCI calculation system. The important aspect here is that priorities, strategies, and costs are fully optimized to produce the desired improvement in overall average PCI. The Willdan enhancements take the MicroPaver network level analysis down to full effectiveness on a segment-by-segment basis. Further, the program can be fine-tuned to identify that most advantageous break point between overlay, patching and slurry specific to the documented condition of the Moreno Valley street system.

Data Comprehensiveness

Data assimilated for a PMP must be reasonably accurate and include all of the information necessary for a meaningful assessment of pavement conditions. An accurate record of quantity and severity of most types of cracking, for example, including singular, alligator, and block and singular cracking, is necessary. These are the keys to identifying the street's present stage in the life cycle curve. Naturally, there are hosts of other deterioration categories that are necessary and useful to develop a meaningful PCI, but at the same time they must not overly affect the PCI. For example, raveling and utility cuts should not push the PCI into an overlay category, when the street is otherwise structurally sound.

Although all of the required distress data for full implementation of MicroPaver guidelines will be collected, emphasis is on crack data. This is the key to cost-effective maintenance. The type of cracks and quantity of cracks and base failure are the factors which determine an overlay or reconstruction or other structural repairs. These are the most costly forms of maintenance, and therefore, the predominant savings can be realized in this area. *Keep in mind that saving money on maintenance is the primary reason for having a PMP.*

System Performance

The Willdan enhanced system is fully automated to produce accurate priorities and costs for individual street segments, which allows for accurate and cost effective budgeting and projection of future performance. The projections can be made substantially more accurate by incorporating Willdan's optional Structural Index, rather than just the PCI.

In summary, the Willdan system approach provides an efficient method that yields a very practical and effective tool for simplifying the complex task of maintaining a roadway network at the least cost. Our team has such depth of expertise that it was possible to set up the system so that the elements of ease of use, efficiency, and accuracy in performance are brought together for the City to enjoy on this project and on many updates to follow. Willdan's approach will use our enhanced system and provide the following essential elements:

1. Update the current pavement inventory for new streets, with categorization parameters, including the characteristics of the roadway such as traffic and pavement types.
2. A convenient and efficient visual rating and data input procedure to provide a cost effective and accurate update. The Willdan field rating system covers the entire street, not just sample segments, so such things as widespread cracking and bleeding near intersections are not neglected in the analysis. Previously recorded PCI information will be checked against actual field conditions such that data that is highly out of correlation with current conditions can be noted early in the process, thereby expediting the QA/QC process.
3. Update of construction history for any project records provided by the City and also based on field observations. During field inspection, previously recorded construction history will be checked against actual field conditions such that erroneous records can be corrected.
4. Preparation of an updated database of condition information established in a manner that will provide a truly effective and meaningful Pavement Condition Index (PCI) for each street. The PCI is the common basis for prioritizing overlay projects; however it can be highly misleading due to the 19 distress types it includes. The Willdan system relies

on using a benefit/cost analysis to bring solid engineering evaluation in the prioritization process.

5. Linkage of new elements of the PMP with the existing GIS-PMP to allow for representation of the full system of PMP street segments in any form or combination desired.
6. A method to accurately determine present and projected future network status and associated funding schedule on graph exhibits. Willdan has developed an enhanced forecast system, which can use not only PCI, as used MicroPaver, but also a Structural Index (SI), which is much more accurate because it projects something that can reliably be estimated. With 19 elements within PCI, projections are inherently inaccurate, simply because things such as bleeding, raveling, bumps, sags, and utility cuts cannot be accurately forecasted over time, but they have a powerful effect on PCI. The SI is a simplified indicator of the actual structural degradation that simply and effectively prioritizes rehabilitation needs.
7. The Willdan forecasting report will be optimized for expenditures at various PCI levels: worst-case conditions, below critical and above critical. City street systems respond to funding of these different levels in different ways. Some cities need a lot of funding at low PCI levels for the fastest catch-up on backlog, while other cities do best with a predominance of funding above the critical level. Other cities lie anywhere in between and the difference of ultimate outcome is quite dramatic. Only Willdan has the capability in its system to run this analysis to find the optimum program.
8. Numerous tabular reports covering major maintenance inventory and minor maintenance inventory by priority and alphabetic; a five-year budget report with streets list by year; and other overall listings of road type, geometry, traffic, and condition to facilitate cross reference to needed information.
9. Construction history listing capabilities for the original construction, previous overlays, and slurries on each street segment (based on available information).

Project Scope of Work

Willdan Engineering shall provide a comprehensive update of the City's existing 2009 MicroPaver database and PMP using Willdan's enhanced MicroPaver PMP system. The existing PMP data will be reviewed for accuracy, then corrected and fully updated and developed to meet the stated project objectives.

Task 1 – Program Management

1. Attend a kick-off meeting with City representatives to review the project in detail, and determine the City's specific requirements.
2. Maintain continuous communication with the City of Moreno Valley Project Manager. Ms. Hughes will provide updates through emails communicating project status every other week. Phone calls will be utilized when an information exchange is necessary between the monthly progress meetings.
3. Provide agendas of special items for discussion and minutes listing actions.

4. Provide a detailed project schedule with updates on a monthly basis. Microsoft Project Schedule will be utilized to track the project. A baseline schedule will be recorded and monthly schedule updates will be provided.
5. Maintain continuous awareness of the status of each task as it proceeds and make provisions to expedite and resolve any difficulties that may impede progress. Ms. Hughes will be the single point of contact with the City's Project Manager with full responsibility for project performance.

City Furnished Services/Information

The City shall furnish all available work history since the 2009 update, field data or maps and existing PMP report dated 2009, and electronic copy of the PMP database files (.mdb).

Deliverables

- Kick-off Meeting
- Bi-Weekly Status Emails
- Monthly Progress Reports
- Monthly Schedule Update

Task 2 – Field Survey

Willdan will collect, evaluate, verify and transfer all data to be incorporated in the pavement management program. The update, as stated in the RFP, includes approximately 485 centerline miles of arterial, collector and residential streets maintained by the City. The current PMP database includes 3,364 individual pavement segments. A field survey shall be conducted over the entire City street network to collect all pavement distresses (type, extent, severity) consistent with the MicroPaver program guidelines and industry standards. The field survey scope of work will include the following:

1. Obtain City's current GIS-PMS Layer and generate Citywide street segment rating maps for the entire street network, divided into four geographical quadrants, using ArcGIS.
2. Export the current PMP access data into Excel and prepare a data entry spreadsheet to correlate with rating forms for future data entry. Prepare a summary table of the existing street inventory for each quadrant for use by the field rater to verify data during field review.
3. For each quadrant of the street network, record in the field quantities of observed distress conditions for existing streets, on pre-printed rating forms using Willdan's enhanced data gathering system. The inspection will be on a block-by-block basis, recording all pavement distresses for the entire paved area as opposed to only small "representative" inspection units. This rating approach has a high degree of repeatability, since it consistently captures all distresses as a ratio of total pavement area.
4. The rater will also review the previously recorded road inventory data and note any discrepancies with field conditions or new information pertinent to rehabilitation strategies directly on the field rating form, on a segment by segment basis.
5. For each quadrant, input the rating data electronically into a spreadsheet matching the rating form, field by field.
6. Upon completion of the initial quadrant, a quality assurance spot check will be conducted. The project manager with randomly select approximately five percent of the

rating forms and conduct an independent field review to document accuracy and repeatability of the collected rating data. This procedure will be completed for each of the four quadrants, such that approximately twenty percent of the total project rating data is field verified in this manner. Documentation of the randomly selected segments, along with the results of the independent review and any corresponding corrective actions, will be submitted in a Field Rating QA/QC Summary Report.

7. Preprocess the data as necessary to upload field data into the Micropaver database (.mdb) for effective processing by MicroPaver.

Deliverables

- Field Rating Forms (scanned .pdf images of field forms)
- Field Rating QA/QC Summary Report

Task 3 – Inventory and Data Upload

Willdan will update any missing or obviously incorrect information in the City's existing PMP database and upload the new distress data into the corrected database. The scope of work for inventory and data upload will include the following:

- Using a combination of annotations on the field rating forms, input from City staff regarding their knowledge of existing deficiencies that they have noted in using the current PMP database, and a quality control review utilizing access database sort and query tools, verify and correct any noted inaccuracies or deficiencies in previously recorded PMP database.
- Update GIS-PMP layer to split or combine segments, and revise street inventory to be consistent with rating data.
- Transfer the preprocessed field rating data from Excel into the corrected Micropaver database (.mdb) and upload interface database into MicroPaver.
- In MicroPaver, update work history since the last PMP report. City staff may furnish a list of construction history for inclusion in the update. The information should include the year of construction, type of work (material and depth for overlays), street location and limits of work. In addition, previously recorded construction history will be proved against field conditions during pavement rating.
- Run Micropaver calculation modules to generate updated Work History and PCI information.

Deliverables

- Updated MicroPaver database including Section, Work History, Inspections, Distresses, Samples, and Conditions data (Microsoft Access .mdb file).
- Updated GIS-PMP layer consistent with revised PMP database inventory

Task 4 – PMP Update and Analysis

The updated database shall be utilized to create updated network level performance projections and decision models using an iterative process designed by Willdan. The scope of work will include the following:

Establish Program Parameters

1. Consult with City and determine maintenance techniques to be utilized:
2. Set maintenance costs for various PCI or structural index ranges, and set parameters required to execute programs in consultation with City.
3. Establish annual budget levels to use for initial comparison, in developing the preferred major maintenance expenditure levels.
4. Prepare family performance curves for street categories as agreed by City to provide for projection of future PCI values.

Deliverables

- Strategy Logic Tree for major maintenance and minor maintenance cutoff parameters
- Summary table of cost basis for selected maintenance strategies

Data Processing and Analysis

1. Process data using Willdan's enhanced PMP system to provide information reports for City's preliminary review as follows:
   - ✓ Run the PCI report, which lists all streets and their present PCI and SI along with certain street data elements.
   - ✓ Quality Control review data output by comparing calculation PCI and SI information to the actual street rating forms. A new random sampling of ten percent of the data will be selected and cross-checked to verify that the calculation information is in alignment with the field rating forms. This is an important QA/QC step, as any processing discrepancies will easily be observed if the recorded distress data does not correlate with the resultant PCI and SI values generated.
   - ✓ Correct any noted deficiencies and re-run the PCI report.
   - ✓ Run the PCI frequency report (number of segments in PCI categories) now and for a selected number of years in the future with no funding, to be run City-wide and in each maintenance zone.
   - ✓ Run the budget condition forecasting report to maintain pavements above selected average PCI values extending 15 years into the future, and more importantly, control and reduce the backlog of major maintenance in the future. (This will be used to gauge appropriate funding levels.)
   - ✓ Optimize application of funding to above critical PCI, below critical PCI and worst-case conditions in order to provide the most cost effective program implementation.
   - ✓ Run the major maintenance projection report for unlimited budget to portray the total backlog at present.
2. Prepare the results of projections as follows:
   - ✓ Bar graph of unfunded backlog over the years of the projection.
   - ✓ Circle charts of condition groupings resulting from future projects.
   - ✓ Line graph of average PCI change over the years.

Task 5 – Reporting and Submittals

A comprehensive 2012 PMP Update report shall be prepared, including a preliminary data report summarizing the results of the initial program parameters and a final report that has been modified to include requested revisions. The scope of work will include the following:

Preliminary PMP Data Report

1. Compile the information from the data processing and analysis into a preliminary report of findings about the street system status.
2. Submit preliminary PMP Data Report to the City. Review the preliminary report with the City staff to decide which budget levels will be most appropriate to investigate projections into the future and refine strategies as needed.
3. Run multi-year projections at selected budget levels agreed to by the City to find the optimal funding approach for proportions applied to worst case, above critical and below critical PCI ranges.
4. Consult with the City to review the updated projection outputs to establish the basic program for a system-wide maintenance.

Deliverables

- Preliminary Draft PMP Report, including list of streets needing restructuring prioritized by benefit/cost ratio with individual cost calculation for each street segment.
- Consultation to review report output

Final PMP Update Report and GIS Update

1. Run the final selected multi-year projection to produce a bar graph of backlog and line graph of average PCI citywide.
2. Prepare a five-year budget for major and minor maintenance as follows:
   - ✓ Generate a spreadsheet from MicroPaver with selected fields of data for strategy, priority, and cost determinations.
   - ✓ Provide customized formulas to generate costs and other information relevant to the next proposed improvement.
   - ✓ Sort list by descending benefit/cost ratio, break the list into respective budget years by sub-totaling the improvement costs to the annual budget amount. The annual budgets will be adjusted to bring the optimal number of streets in various PCI ranges into the funding program.
   - ✓ Provide prioritized slurry seal program based on identified minor maintenance needs.
3. Update the GIS-PMP Layer to link PCI, SI, major and minor maintenance strategy assignments and budget years to the street inventory.
4. Compile all generated information into a report including sections including Executive Summary, Glossary, Pavement Management Programs, The Moreno Valley Pavement Management Program, Findings and Recommendations, Implementation, Future Projections, and Data Retrieval.

5. Provide color coded mapped representations of streets as follows:
   - ✓ Work History
   - ✓ PCI
   - ✓ SI
   - ✓ Budget Year
   - ✓ Minor Maintenance Strategy
   - ✓ Major Maintenance Strategy
6. Provide the City with the updated shape files for their GIS-PMP Layer updated to link to the new pavement management program.

Deliverables

- Three hard copies of the Final 2012 PMP Update Report
- One digital copy of the Final 2012 PMP Update Report
- GIS-PMP shape file (.shp) for Arcview10 ESRI software

Task 6 – Technical Support

Willdan shall be available for assisting City staff in fully implementing the PMP into the City budget and Capital Improvement Program, as well as to respond to inquiries related to the PMP update project overall. As indicated in the RFP, we have provided for two full days of technical support to be provided by our Project Manager, Ms. Roxanne Hughes.

Project Team

Principal Staff

Willdan has key personnel assigned to pavement management services. They are highly experienced in the necessary fields to effectively perform the requirements of pavement management projects. Two key employees, central to producing an excellent PMP are the project manager and pavement field rater. Ms. Roxanne Hughes, Willdan's proposed Project Manager, will serve as the only contact for the City of Moreno Valley and is crucial to ensuring the project remains on-track, within budget and on schedule. She will also run the reports and be the main contact with the City on setting program parameters for optimizing the Moreno Valley PMP budget levels and the five-year street maintenance program.

Willdan Project Manager Commitment

Ms. Roxanne Hughes, PE
374 Poli Street, Suite 101
Ventura, CA 93001
(805) 653-6597, ext. 1010
(805) 643-0791 fax
rhughes@willdan.com

Proposed Team

The Willdan team will provide the City of Moreno Valley with both the professional expertise and the local experience to ensure the project is well executed and meets local needs. Their demonstrated competence in performing related tasks on schedule and within budget is detailed below. The table below briefly summarizes the highly qualified staff assignments for this project. Full project team resumes are also provided in the appendix to this letter.

Willdan agrees that its proposed team will serve the City of Moreno Valley for the duration of the PMP update process. Before substituting for any team member or adding any additional team member(s), Willdan will provide 30 days' notice to the City of Moreno Valley and obtain express permission from the City.

Name/Title	Relevant Experience	Education/Registrations
Project Manager / Pavement Engineer		
Ms. Roxanne Hughes, PE	▪ Principal Project Manager in City Engineering ▪ 14 years of experience in civil engineering with a focus on pavement management and rehabilitation ▪ Expertise with multiple PMP software systems and application of Willdan system enhancements ▪ Solution oriented problem solving capabilities and effective communication skills	▪ B.S. Civil Engineering, California Polytechnic University, SLO ▪ California, CE 62381
Ms. Roxanne Hughes, PE, is a Principal Project Manager for City Engineering at Willdan, with more than 14 years of experience in municipal engineering with a focus on pavement management and roadway rehabilitation. She has overall responsibility for the implementation of the City's PMP Update. As Project Manager, Ms. Hughes will supervise all aspects of system development and personally be involved in all parts of the work including field rating difficult streets, proofing data items, running computer reports, and preparing the program report. Her excellent understanding of pavement life cycle and repair methodologies coupled with her solution oriented problem solving capabilities makes her ideally suited for this assignment.		
QA/QC		
Mr. Adel M. Freij, PE	▪ Principal Project Manager in both Construction Engineering and City Engineering ▪ 22 years of experience with a focus on municipal CIP projects	▪ BS, Civil Engineering, University of Missouri, Kansas City ▪ Resident Engineer Academy ▪ California, CE 55564
Mr. Adel M. Freij, PE, is an accomplished project manager and construction manager for large-scale multi-discipline public works projects who is recognized for providing innovative quality engineering and construction management services and meeting clients' project budgets and schedules. A Deputy Director for City Engineering at Willdan, Mr. Freij has 21 years of engineering and construction management experience on many types of Capital Improvement Projects, including street reconstruction, street widening, overlay and slurry seal, bridge construction, flood control and drainage, water and sewer improvements, traffic signals, signing and striping, and landscape and park improvements. Mr. Freij has provided QA/QC on many of Willdan's PMP Reports and is a valued member of this project team. With his background he is ideally suited to review the output of the program to ensure that it meets the quality and usefulness standards of the City.		

Name/Title	Relevant Experience	Education/Registrations
Senior Advisor		
Mr. Thomas Kirk, PE	• Senior advisor for all pavement engineering at Willdan • Over 30 years experience with pavement management and road rehabilitation engineering and construction • Architect of Willdan's enhanced PMP system software	• University of California, Los Angeles, Bachelor of Science, Civil Engineering, Specialty in Construction Engineering Civil Structures • Graduate Study in Computer Information Systems • Computer Programming Certificate RCE, California, No. 31843
Mr. Thomas Kirk, PE, is a Project Manager and Pavement Engineer at Willdan Engineering and will provide consultation for project implementation. He has been fully involved in research and development of pavement maintenance techniques for the past 25 years. Mr. Kirk keeps abreast of all developments in pavement maintenance methods and pavement management programs. His field of specialization in the civil structural area is applied to determining the practicality of various maintenance methods. He played a central role in the development of the Willdan PMP and its later enhancements. As a Senior Advisor, Mr. Kirk will provide Ms. Hughes with technical support and pavement engineering and design supervision in an as-needed capacity.		
GIS Specialist		
Mr. Rex Miller	• ArcGIS software expert with 23 years of experience in a variety of GIS and GIS related software applications • Performed GIS linkage and mapping on numerous pavement management programs	• GIS Courses from Environmental Systems Research Institute (ESRI) • BS, Civil Engineering, University of Texas, Arlington
Mr. Rex Miller, PE has 13 years of experience as a civil engineer and 8 years experience providing technical support to civil engineering software users. He currently provides GIS consulting services to civil engineering firms and public agencies, and has provided GIS integration with pavement management programs for a number of cities. Mr. Miller will prepare the GIS linkage updates and report exhibits for this project.		
Data Collection/Pavement Rater		
Mr. Mohsen Soumi	• Has rated thousands of miles of pavement utilizing the Willdan enhanced data collection system • 20 years of experience in pavement rating and ACAD drafting	• Glendale Community College and Long Beach Community College Engineering and Architectural Major
Mr. Mohsen Soumi is a highly experienced pavement management program street rater. He has rated well over a thousand miles of local streets, arterials, and alleys using a number of different systems over the past 7 years. Using GIS maps and summary tables prepared by Mr. Miller, Mr. Soumi will collect the field data for the system. The field rating will be comprehensive, accurate, and consistent, with the segments properly defined. Any inaccuracies discovered in the 2009 data set will be identified and corrected for the 2012 update, including combining or splitting existing segments as appropriate based on field conditions.		

Team Availability

Our mission is "to achieve business success by delivering superior quality services to our clients" from initial project analysis through final report. Through all phases of project management, our emphasis is on strong leadership, cost-effectiveness, timely performance, the ability to meet project schedules and consistent reciprocal communication with clients and internal and external resources.

Responsiveness. The goal of the Willdan team is always to manage the project in the manner that agency staff would if they had the time and resources to do so. We respond to the project needs as an extension of the City's staff. In addition, with each project, we seek to understand the objectives of the project or task, the regulatory environment that surrounds it, the community concerns that affect it, and the technical needs that will bring it to a successful conclusion. We will seek to work seamlessly with agency staff and other stakeholders for success.

The following table illustrates the current workload of the project Team and their availability/ commitment for the City of Moreno Valley's project. Each team member is committed to this project for the duration of the contract and has adequate availability and expertise to successfully complete the requested services. The workload and availability summarized below represent a monthly average based on anticipated work assignments that are concurrent with this project schedule. The weekly commitment will vary to meet the project demands as appropriate. For instance, Mr. Soumi will be assigned to Moreno Valley at 100% commitment during the time he is performing the street rating and data upload assignments.

Team Member/Project Role	Current Workload	Availability/ Commitment
Roxanne Hughes, PE – Project Manager/Pavement Engineer	70%	30%
Adel Freij, PE – Quality Assurance	80%	20%
Tom Kirk, PE – Senior Advisor	35%	65%
Rex Miller – GIS Specialist	35%	65%
Mohsen Soumi – Pavement Rater	10%	90%

Quality Control/Quality Assurance

1. Pavement raters are always "retrained" at the beginning of any rating assignment by our pavement engineer in charge of database development. They are coached and tested on ratings the first morning, and their progress rechecked and verified within a few hours thereafter. The process will involve an independent rating by our engineer shortly after ratings by pavement raters. This process of quality assurance rating will continue for the first couple of days, or as needed until the consistency is established.
2. Supervisory proofing is provided on a spot-check basis throughout the assignment by our pavement engineer at a level of 20-25% of mileage. As described in the scope of work, this is accomplished by randomly selecting five percent of the rating forms as each City quadrant is completed and completing and independent field review of these street segments.

3. Data is first output to a spreadsheet to which formulas are attached to verify completeness and reasonableness of data. Sort and search macros are performed along with additional formulas to further verify field contents of the database.
4. After assimilation of the database in the spreadsheet is complete and verified on an automated basis, our pavement engineer scans, and searches for inconsistencies, prior to any use of the data.
5. Various query routines are run to provide groups of streets with same characteristics to verify functionality of the database for consistency in general. A quality assurance backcheck is performed to review the calculated results against the originating field review forms directly in order to ensure that the observed field conditions are in alignment with the calculated results. Only at that point is the data considered usable.
6. After our pavement engineer prepares the information output reports, various staff members review these reports, for overall usefulness and meaningfulness.
7. Independent proofreaders review all written documentation with both laymen and engineering backgrounds prior to publishing.

Project Schedule

The proposed project schedule is provided on the next page. This schedule is based on completing milestones per the City's target dates stated in the RFP, adjusted to the scope of work we have outlined above. Since the City has a MicroPaver based system network that will provide a solid foundation for this update, the progress should be direct and conform to the schedule included in this proposal. Many previous systems have followed this track and generally conformed to their schedules with only minor offsets due to various unforeseen factors.

2012 PAVEMENT MANAGEMENT PROGRAM UPDATE
CITY OF MORENO VALLEY

ID	Task Name	Duration	Start	Finish
1	Program Management	166 days	Mon 9/3/12	Mon 4/22/13
2	Project Management	165 days	Tue 9/4/12	Mon 4/22/13
3	Kick-off Meeting	0 days	Mon 9/3/12	Mon 9/3/12
4	Field Survey	130 days	Mon 9/3/12	Fri 3/1/13
5	Field Rating - ALL STREETS	110 days	Mon 9/3/12	Fri 2/1/13
6	QA/QC Summary Report	65 days	Mon 10/22/12	Fri 2/1/13
7	Inventory and Data Upload	95 days	Mon 10/15/12	Mon 2/25/13
8	Input Field Rating Data - Quadrant 1	2 days	Mon 10/15/12	Fri 10/19/12
9	Input Field Rating Data - Quadrant 2	5 days	Mon 11/05/12	Fri 11/09/12
10	Input Field Rating Data - Quadrant 3	5 days	Mon 12/31/12	Fri 1/4/13
11	Input Field Rating Data - Quadrant 4	7 days	Mon 2/4/13	Tue 2/12/13
12	Update GIS-PMP linkages	5 days	Wed 2/13/13	Tue 2/19/13
13	Upload Database	2 days	Wed 2/20/13	Thu 2/21/13
14	Update Work History	2 days	Fri 2/22/13	Mon 2/25/13
15	PMP Update and Analysis	11 days	Fri 2/22/13	Fri 3/8/13
16	Establish Program Parameters	5 days	Fri 2/22/13	Thu 2/28/13
17	Data Processing and Analysis	9 days	Tue 2/26/13	Fri 3/8/13
18	Reporting and Submittals	15 days	Mon 3/11/13	Wed 4/3/13
19	Preliminary PMP Data Report	5 days	Mon 3/11/13	Fri 3/15/13
20	Analysis and Consultation	3 days	Mon 3/18/13	Wed 3/20/13
21	GIS-PMP Update and Mapping	5 days	Thu 3/21/13	Wed 3/27/13
22	Final PMP Report	5 days	Thu 3/28/13	Wed 4/3/13
23	Technical Support	3 days	Thu 4/18/12	Mon 4/22/13
24	Assist with CIP Preparation	1 day	Thu 4/18/13	Thu 4/18/13
25	Respond to Inquiries	3 days	Thu 4/18/13	Mon 4/22/13

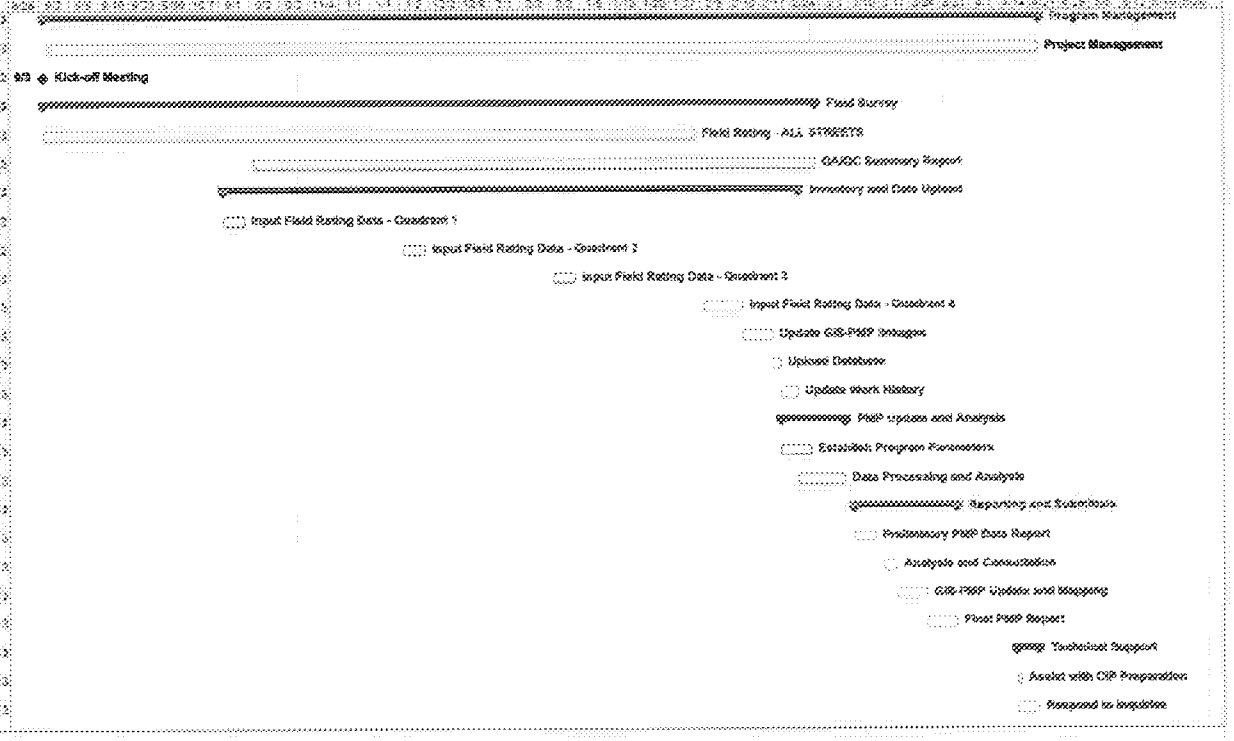

Project: Moreno Valley 2012 PMP
Date: Thu 7/26/12

Task | Critical Task | Progress | Milestone | Summary

Project Fees

Willdan Engineering is please to submit our fee proposal for professional engineering and consulting services to update the City's Pavement Management Program (PMP). We look forward to the opportunity to assisting the City in completing this very important project.

The cost for performing the PMP Update to include inspection of all 486 miles of City streets $117,000. A detailed manpower breakdown by task for this fee is show in the table below.

Detailed Manpower Breakdown by Task

PROJECT FEE	CITY OF MORENO VALLEY 2012 Pavement Management Program Update								
WILLDAN Description	QA/QC Manager $180	Principal Project Manager $170	Senior Advisor $140	GIS Specialist $120	Tech Aide Pavement Rating $68	Clerical $65	Total Hours	Direct Costs	Total Fee
Program Management									
Project Management		34				8	42		$6,300
Kick-off Meeting		4		4		1	9		$1,225
SUBTOTAL	0	38	0	4	0	9	51	$0	$7,525
Field Survey									
Field Rating - ALL STREETS		16	16	12	730		774	500	$56,540
QA/QC Summary Report	2	4	4			2	12	200	$1,930
SUBTOTAL	2	20	20	12	730	2	786	$700	$58,470
Inventory and Data Upload									
Input Field Rating Data		12			144		156		$11,832
Update GIS-PMP linkages		4		12	4		20		$2,392
Upload Database		6		2			8		$1,260
Update Work History		8					8		$1,360
SUBTOTAL	0	30	0	14	148	0	192	$0	$16,844
PMP Update and Analysis									
Establish Program Parameters		8	4			2	14		$2,050
Data Processing and Analysis		28	12	4		2	46		$7,050
SUBTOTAL	0	36	16	4	0	4	60	$0	$9,100
Reporting and Submittals									
Preliminary PMP Data Report	4	12	4			4	24	$50	$3,630
Analysis and Consultation		6	2				8		$1,300
GIS-PMP Update and Mapping		4		40			44		$5,480
Final PMP Report	8	24	2				34	$150	$5,950
SUBTOTAL	12	46	8	40	0	4	110	$200	$16,360
Technical Support									
Assist with CIP Preparation		4		4			8		$1,160
Respond to Inquiries		4		4			8		$1,160
SUBTOTAL	0	8	0	8	0	0	16	$0	$2,320
Additional Work if Requested by the City									$6,381
TOTAL PMS UPDATE FEE	14	178	44	82	878	19	1215	$900	$117,000

This fee is based on 3,364 segments in 486 miles of streets and alleys to be field rated. Unit price per segment for additional segments shall be $200 each.

The individual authorized to make representations to the City is:

Mr. Bill Pagett, PE, City Engineering Director
Willdan Engineering
13191 Crossroads Parkway North, Suite 405
Industry, CA 91746
(562) 908-6214, Email: bpagett@willdan.com

We would be pleased to meet with you or your staff to review more closely the advantages that Willdan can provide for your pavement management program update. Please contact myself at (562) 908-6214 or email bpagett@willdan.com or our Project Manager, Ms. Roxanne Hughes, PE, at (805) 653-2210 or email at rhughes@willdan.com to arrange a mutually convenient time for those discussions.

Respectfully submitted,

WILLDAN ENGINEERING

Bill Pagett, PE
City Engineering Director

Roxanne Hughes, PE
Principal Project Manager

Resume Appendix

Roxanne C. Hughes, PE

Principal Project Manager

Education
B.S. Civil Engineering
California Polytechnic University, SLO

Registration
California, CE 62381

Affiliations
American Society of Civil Engineers
American Public Works Association

14 Years Experience

Ms. Hughes is a Principal Project Manager in the City Engineering Group of Willdan. She has worked in varying aspects of Civil Engineering for over 14 years. Primary responsibilities include city engineering, project management, pavement engineering, street design, stormwater engineering and coordination and oversight of public works plan checking. Ms. Hughes has also served as the Deputy City Engineer for the City of Westlake Village since 2006.

Project Experience

Pavement Management

City of Ridgecrest, Pavement Management Services. Ms. Hughes provided pavement engineering services for conversion to MicroPaver and update of the 2002 citywide pavement management system from Street Saver. Services provided included creation of a citywide database describing all roadway segments with current pavement condition and historical treatment data for upload to MicroPaver, GIS linkage for use in the City's GIS and generating a full pavement management report with a five-year maintenance and rehabilitation strategy using assigned budgets.

City of South Gate, Pavement Management Services. Ms. Hughes is the project manager for the 2011 Pavement Management System update for the City of South Gate. Services include updating the existing a citywide database to include construction history that has occurred since the 2008 PMS was completed, develop and upload current pavement condition for the citywide bus routes, update GIS linkage for use in the City's GIS and generating a full 2011 pavement management report with a five-year maintenance and rehabilitation strategy using assigned budgets. The 2008 inspection data will be used for the streets and alleys that are not included in the pavement condition assessment along the bus routes.

City of Calabasas, Pavement Management Services. Ms. Hughes provided pavement engineering services for preparation of a citywide pavement management system. Services provided included creation of a citywide database describing all roadway segments with current pavement condition and historical treatment data, and generating a full pavement management report with a five-year maintenance and rehabilitation strategy using assigned budgets.

Morongo Band of Mission Indians, Pavement Management and Design Services. Ms. Hughes provided pavement engineering services to include preparation of a reservation-wide roadway pavement management system, projection of alternative roadway rehabilitation strategies, selection of an optimal strategy, and preparation of plans, complete specifications and engineer's cost estimate for implementation of a reservation-wide ARHM overlay project.

City of Westlake Village, Pavement Design and Construction Engineering Services. Ms. Hughes has provided ongoing pavement evaluation and maintenance program management for the City of Westlake Village since year 2000. Services provided include an annual review of the City street network, corresponding update of Capital Improvements Projects and implementation of the CIP street projects from design though construction. Implementation includes provision of complete Plans, Specifications and Cost Estimate, advertisement of bid, award of contract, construction management and project close out through notice of completion and release of retention. In years that STPL funds are programmed, the scope of work also includes full administration of the federal funding process to secure the funds, ensure federal compliance during construction and invoice Caltrans for reimbursement.

City of Calabasas, Annual Street Maintenance Program and Construction Engineering Services. Ms. Hughes prepared the federal Request for Authorization

Roxanne C. Hughes, PE
Continued

to Proceed with Construction, the plans, complete specifications and engineer's cost estimate for the federally funded Las Virgenes Road Overlay project in the City of Calabasas. This project included street repair, ARAM construction and Asphalt Rubberized Hot Mix (ARHM) overlay. Ms. Hughes also provided federal construction administration, labor compliance and construction inspection services for this project.

City of Fillmore, Pavement Management and Construction Engineering Services. Ms. Hughes provided pavement engineering services for updating the city-wide computerized Pavement Management System, preparing PS&E for the Annual Street Maintenance Program, and implementation of the resulting citywide ARHM overlay project. Pavement management services provided include performing pavement inspections, updating the PMS database, generating pavement condition reports, recommending streets for overlay/slurry seal and preparing plans, complete specifications and engineer's cost estimate for the City's FY 2001/02 Street Maintenance Program. The City's street maintenance program includes construction of ARHM overlay on streets selected for rehabilitation and Type II slurry seal on streets selected for maintenance. The project specifications prepared for the City's 2002 Street Overlay Project included implementation of innovative specifications to control asphalt-rubber binder production and mix design selection that resulted in a requirement for high quality ARHM product on this job. Construction engineering services provided include assisting the City with bid package preparation and advertisement, answering questions and issuing addenda during the bid period, conducting the pre-construction meeting, requesting, reviewing and approving all payroll, materials and mix design submittals for conformance with specifications, providing plant inspection and site inspection full time during project start-up and coordinating on-going construction observation, quality assurance testing and plant inspection for the duration of the project, preparing and processing change orders as necessary, tracking final quantities, reviewing and approving contractor invoicing, keeping a complete construction file and providing a final construction engineering report at project completion.

Adel M. Freij, PE

Quality Assurance/Control

Education
BS, Civil Engineering
University of Missouri, Kansas City
Resident Engineer Academy

Registration
Civil Engineer, California, No. 55564

Affiliations
American Society of Civil Engineers
American Public Works Association
Construction Management Association of America
Los Angeles City and County Engineers Association

22 Years Experience

Mr. Freij is an accomplished project manager and construction manager for large-scale multi-discipline public works projects who is recognized for providing innovative quality engineering and construction management services and meeting clients' project budgets and schedules. A Principal Project Manager for Construction Management and City Engineering, Mr. Freij has 22 years of engineering and construction management experience on many types of Capital Improvement Projects, including street reconstruction, street widening, overlay and slurry seal, bridge construction, flood control and drainage, water and sewer improvements, traffic signals, signing and striping, and landscape and park improvements. Mr. Freij is proficient at managing multiple subconsultants and combining various disciplines, often acting as an extension of Agency/City staff to provide close overall supervision of the engineering and construction management services on local, state, and federally funded projects.

Project Experience

City of South Gate, California Avenue Improvements. Project/ Construction Manager for the design and construction management services for the California Avenue Street Improvement project, with limits from the north city limit to the south city limit. The project included asphalt-rubber hot mix (ARHM) overlay, concrete repairs, access curb ramps in compliance with ADA requirements, video detection, LED, communication conduits, street lighting, and signing and striping. California Avenue is a key corridor in the City of South Gate that serves the Civic Center, where City Hall and the Police Department are located, and fronts various residential and commercial properties. Willdan's services included civil and traffic engineering design, pavement engineering, contract administration, construction observation, utility coordination, monument restoration, material testing, and federal labor compliance. The project was funded by STPL federal funds, Proposition C, and Gas Tax funds.

City of South Gate, Otis Street Improvements. Project/Construction Manager for the engineering design and construction management services for the Otis Street Improvement project, with limits from the north City limit to the south City limit. The project included asphalt-rubber hot mix (ARHM) overlay, new concrete gutter, concrete repairs, access curb ramps in compliance with ADA requirements, video detection, LED, communication conduits, signing and striping, and street lighting. Willdan's services included civil and traffic engineering design, pavement engineering, contract administration, construction observation, utility coordination, monument restoration, and material testing.

City of South Gate, Streets and Alleys Improvements. Project/Construction Manager for the engineering design, pavement engineering, design and construction survey, utility coordination, monument restoration, contract administration, construction observation, federal labor compliance, and material quality assurance services for the City's Street Replacement Program Phases I and II, and Alley Replacement Program Phase III. The improvements included reconstruction of alleys with PCC pavement and resurfacing of various City streets with ARHM; installation of concrete gutter where curb only existed; repair of damaged curb, gutter and sidewalk; and installation of curb ramps in compliance with ADA requirements. The project was federally funded utilizing CDBG funds.

City of South Gate, Atlantic Avenue Improvements. Project Manager for the civil and traffic engineering design, pavement engineering, design survey, landscape architectural design, and utility coordination services for Atlantic Avenue improvements between Firestone Boulevard and south city limit. The proposed improvements included asphalt-rubber hot mix overlay, raised landscaped medians,

Adel M. Freij, PE
Continued

irrigation system, ADA access curb ramps, concrete repairs, communication conduits, and signing and striping. The project was federally funded with a construction cost of approximately $4 million.

City of Maywood, Local Street Rehabilitation. Project Manager for construction management services for the Local Streets Rehabilitation project on 52nd Street, from Maywood Avenue to Corona Avenue, and on Randolph Street, from Atlantic Boulevard to west city limit. The project general items of work included Asphalt Rubber Hot Mix (ARHM) overlay, cold milling, concrete repairs, curb ramps in compliance with ADA requirements, roadway striping, and traffic loop replacement. Willdan services included contract administration, construction observation, utility coordination, engineering support, and material testing.

City of La Puente, Street Rehabilitation (ARRA 1 Savings). Project Manager for the design services for the Street Rehabilitation (ARRA 1 Savings) project. The project included engineering design, project management, and funding administration to prepare the request for authorization to proceed with construction (E-76) services for the street improvements on the following streets: Loukelton Street, from Hacienda Boulevard to east City limit; Unruh Avenue, from Amar Road to Hacienda Boulevard. The project included the following improvements: resurfacing of streets with Asphalt-Rubber Hot Mix (ARHM); reconstruction of existing damaged and uplifted concrete sidewalk, curb and gutter, portion of cross gutter, and drive approaches; reconstruction of existing damaged A.C. pavement; installation of new access curb ramps in compliance with the Americans with Disabilities Act (ADA) requirements; including truncated domes; and installation of traffic signal loops and signing and striping.

City of La Puente, Hacienda Boulevard Improvement Project. Project Manager for construction management services for the Hacienda Boulevard Improvement Project, from Nelson Avenue to Amar Road. The project general items of work included Asphalt Rubber Hot Mix (ARHM) overlay, cold milling, pavement reconstruction, concrete repairs, curb ramps in compliance with Americans with Disabilities (ADA) requirements, and pavement markings. Willdan services included contract administration, construction observation, utility coordination, funding administration, federal labor compliance, and material testing. The project was federally funded by the ESPL funds.

Thomas P. Kirk, PE

Senior Engineer

Education
University of California, Los Angeles
Bachelor of Science, Civil Engineering
Specialty in Construction Engineering Civil Structures
Graduate Study in Computer Information Systems
Computer Programming Certificate

Registration
RCE, California, No. 31843

Affiliations
American Public Works Association
Asphalt Road Recyclers Association
Street Superintendents and Maintenance Association

30 Years Experience

Mr. Kirk is a Senior Advisor for Willdan. Mr. Thomas Kirk's responsibilities include pavement management systems, pavement engineering design and pavement construction engineering services. His pavement engineering has been coupled with construction and materials engineering duties on over 300 overlay projects, a large portion of them utilizing the latest state of the art materials to eliminate reconstruction costs. His experience in pavement management systems and pavement design and construction spans 30 years. Mr. Kirk served as Deputy City Engineer of City of Rosemead and City of Monterey Park, and prior to working for Willdan, he served as Director of Public Works for the City of Sierra Madre.

Project Experience

City of Ridgecrest, Pavement Management Services. Mr. Kirk was a senior advisor for providing pavement engineering services for conversion to MicroPaver and update of the 2002 citywide pavement management system from Street Saver. Services provided included providing oversight and consultation for the creation of a citywide database describing all roadway segments with current pavement condition and historical treatment data for upload to MicroPaver, GIS linkage for use in the City's GIS and generating a full pavement management report with a five-year maintenance and rehabilitation strategy using assigned budgets.

City of South Gate, 2008 and 2011 Pavement Management System Update. Mr. Kirk provided professional pavement engineering-management services to update the City of South Gate MicroPaver pavement management system, including over 1,200 street segments. Development of a complete GIS mapping system was also provided for the PMS. Mr. Kirk is also a senior advisor for the 2011 Pavement Management System that is currently under way.

City of Lakewood, Pavement Management System. Mr. Kirk managed the creation of the City's pavement management system within the Cartegraph platform. To expedite the process, the system data was first uploaded into MicroPaver and then was transferred to Pavementview Plus. Mr. Kirk developed a comprehensive system of rehabilitation protocols and carefully structured a logic tree of decision-making. Prioritization of major maintenance was established on a benefit/cost ratio. Network projections with targeted budgets at varying PCI ranges were applied using Cartegraph to arrive at optimal budgets.

City of Rancho Palos Verdes, 2009 Pavement Management System Update. Mr. Kirk provided professional pavement engineering-management services to update the City of Rancho Palos Verdes MicroPaver based pavement management system with over 700 street segments.

City of Brookings, Oregon, 2008 Pavement Management System. Mr. Kirk provided professional pavement engineering-management services and PMS segment definitions to provide for creation of the City of Brookings MicroPaver based pavement management system. Development of a complete GIS mapping system was also provided for the PMS.

City of Temecula, 2008 Pavement Management System Update. Mr. Kirk provided professional pavement engineering-management services to update the City of Temecula MicroPaver pavement management system, including over 2,000 street segments. Development of a complete GIS mapping system was also provided for the PMS.

City of Rolling Hills Estates, 2002, and 2005 and 2008 Updates Pavement Management System. Mr. Kirk provided professional pavement engineering-management services to update the City of Rolling Hills Estates' pavement

management system as part of its conversion to MicroPaver. Development of a complete GIS mapping system was also provided for the PMS.

City of Paramount, Pavement Management System -Three years after Mr. Kirk converted the City's existing Pavement Management System (PMS) to MicroPAVER, the system was updated in 2007. Mr. Kirk managed the entire project, which included extracting data from MicroPAVER to develop prioritized maintenance listings for major and minor maintenance. Network projections of performance under numerous budgeting scenarios targeted and varying PCI ranges were performed to arrive at the optimum budget distribution to various pavement condition levels. (Projection software separate from MicroPAVER was used due to limitations of accuracy and flexibility of the MicroPAVER system.). Development of a complete GIS mapping system was also provided for the PMS.

City of Lomita, Pavement Management System. Mr. Kirk managed the creation of the City's pavement management system within the Cartegraph platform. To expedite the process, the system data was first uploaded into MicroPaver and then was transferred to Pavementview Plus. Mr. Kirk developed a comprehensive system of rehabilitation protocols and carefully structured a logic tree of decision-making. Prioritization of major maintenance was established on a benefit/cost ratio. Network projections with targeted budgets at varying PCI ranges were applied using Cartegraph to arrive at optimal budgets.

City of Rancho Palos Verdes, 2009 and 2006 Update Pavement Management System Update. Mr. Kirk provided professional pavement engineering-management services to update the City of Rancho Palos Verdes MicroPaver based pavement management system with over 700 street segments. Development of a complete GIS mapping system was also provided for the PMS.

City of Bellflower. 2007 Pavement Management System. Mr. Kirk managed the conversion and update of the cities previous PMS to MicroPAVER in 2006. The data then was extracted and processed using macro spreadsheets to develop prioritizations for major rehabilitation based on crack quantities and types. Benefit/cost ratio was used as the basis of priority for major maintenance recommendations. The data collected included crossfall along the parking lanes to allow for varying strategies of rehabilitation based on severity of the crossfall. Network projections with targeted budgets at varying PCI ranges were applied outside of MicroPAVER to arrive at optimal budgets.

Rex B. Miller, EIT

Senior GIS Analyst

Education
BS, Civil Engineering
University of Texas at Arlington

Certification
Engineer in Training
Texas State Board of Registration for Professional Engineers

23 Years Experience

Mr. Miller has 15 years of experience as a civil engineer and 8 years experience providing technical support to civil engineering software users. He currently serves as Sr. GIS Analyst and coordinates all GIS-related activities at Willdan. He is responsible for training engineers and technicians in the use of GIS. He works with the IT Department to acquire, install and configure GIS hardware, software and databases. Mr. Miller is also proficient in the use of CAD systems and provides expertise in CAD/GIS interoperability. He is familiar with software for hydraulic modeling and coordinates geometry calculations and has experience in optimizing GIS databases for use as a data source for analysis and design applications. He uses GIS to support administration, planning and management activities of government agencies. He has experience in linking spreadsheets and databases to interact with GIS. In addition, Mr. Miller provides GIS consulting, training and staffing throughout the Willdan Group of Companies (WGI), which include disciplines such as municipal planning, public agency accounting and financing, geotechnical engineering, environmental engineering, land surveying, traffic analysis, transportation planning, law enforcement, emergency response and disaster management.

Project Experience

Various Cities, Pavement Management System Linkage to GIS. Rex has prepared GIS rating maps and exhibits for Pavement Management System implementation and updates for various clients. When requested the GIS data files are linked with the City's GIS system to provide PMS data availability to City staff. Clients include:

South Gate
Paramount
Bell Gardens
Hawaiian Gardens
Temecula
Rancho Palos Verdes
Rolling Hills Estates
Rosemead
Maywood
Lomita

Mohsen Soumi

Pavement Rater

Education
High School Graduate
Glendale Community College
and
Long Beach Community College
Engineering and Architectural Major

20 Years Experience
CAD Drafting, Pavement Design and Construction Inspection and GIS Development

Mr. Soumi has provided pavement rating and reconstruction repair marking and recording for thousands of miles of streets in many cities throughout Southern California. Mr. Soumi has demonstrated the consistent, methodical and meticulous workmanship on all of his projects.

Prior to and in concurrent years while working for Willdan, Mr. Soumi had numerous CAD drafting assignments over the past 20 years. His experience included design of parking lots with full parking lot lighting and improvements in street public right-of-way. Permit acquisition was also an important duty.

Project Experience

Pavement Management System Project Experience

Mr. Soumi provided pavement rating services to update the following City's pavement management systems.

- City of Ridgecrest, FY2010-11 Pavement Management System Update.
- City of South Gate, 2008 and 2011 Pavement Management System Update.
- City of Temecula, 2008 Pavement Management System Update.
- City of Rancho Palos Verdes, 2008 Pavement Management System Update.
- City of Paramount, 2009 Pavement Management System Update.
- City of Lomita, 2006 Pavement Management System.
- City of Rolling Hills Estates, 2008 Pavement Management System.
- City of Hawaiian Gardens, 2008 Pavement Management System.
- City of Rosemead, 2004 Pavement Management System.
- City of Agoura Hills, 2004 Pavement Management System.
- City of Lakewood, 2008 Centralia Street Rehabilitation Project.
- City of Lakewood, 2008 South Street Rehabilitation Project.
- City of Lakewood, 2009 Citywide ARRA Arterial Street Rehabilitation Project.
- City of Paramount, 2009 Alondra Street ARRA Arterial Rehabilitation Project.
- City of La Puente, 2010 ARRA Various Street Rehabilitation Project.
- City of Paramount, 2009 Alondra Street ARRA Arterial Rehabilitation Project.

Construction Inspection Experience
City of Indian Wells, 2009 Crackfill Project. Provided construction inspection services for the City's Fire Access Maintenance District crackfill project.

City of Indian Wells, 2009 Asphalt Rubber Slurry Project. Mr. Soumi provided construction inspection services for the City's Fire Access Maintenance District project using Tire Rubber Modified Asphalt Slurry.

Cad Drafting Project Experience
City of Rosemead, 2004 Rosemead Boulevard Relinquishment Study. Provided field survey and CAD drafting for the street deficiency inventory and study.

GIS Development Experience
City of Long Beach, 2000 City of Long Beach GIS/PMS Project. Provided computer GIS services to develop the City's GIS system.

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $117,000.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zara@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the

completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at:

http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting as the Successor Agency

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO POWELL CONSTRUCTORS INC. FOR SR-60/MORENO BEACH DRIVE INTERCHANGE PHASE 1 IMPROVEMENTS – PROJECT NO. 801 0038 70 77 [FORMERLY PROJECT NO. 07-41570024]

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for SR-60/Moreno Beach Drive Interchange Phase 1 Improvements to Powell Constructors Inc. (Powell), 8555 Banana Avenue, Fontana, CA 92335, the lowest responsible bidder.

2. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval.

3. Authorize the issuance of a Purchase Order for $6,693,170.50 ($5,354,536.40 bid plus 25% contingency of $1,338,634.10) to Powell when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Powell, up to but not to exceed the Purchase Order's total contingency amount of $1,338,634.10, subject to the approval of the City Attorney.

5. Authorize intermittent full road closures of (1) Moreno Beach Drive between Ironwood Avenue and Trail Ridge Way and (2) Eucalyptus Avenue between Fir Avenue and Motor Way for the duration of construction anticipated to start on October 1, 2012 and be completed by October 1, 2013.

6. Authorize the City Engineer to extend the intermittent full road closures for another 90 days from the anticipated completion date due to unforeseen construction issues.

7. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements, punch-list items, and Caltrans acceptance are completed by Contractor.

8. Authorize the Public Works Director/City Engineer to accept improvements into the City's maintained system upon acceptance of the improvements as complete.

BACKGROUND

The SR-60/Moreno Beach Drive Phase 1 project is one of the key projects in the City Manager's Economic Development Action Plan. Phase 1 improvements are designed to reconstruct the eastbound on- and off-ramps to SR-60 and connect the west leg of Eucalyptus Avenue to Moreno Beach Drive. On November 29, 2007, Caltrans approved the Initial Study/Negative Declaration for the project. The "project" was defined as both SR-60/Moreno Beach Interchange and SR-60/Nason Overcrossing. Caltrans completed two subsequent environmental re-validations. The first re-validation was completed on September 8, 2010, which covered splitting the SR-60/Moreno Beach and the SR-60/Nason improvements into two separate projects. The second re-validation was completed on August 18, 2011, which covered splitting the SR-60/Moreno Beach improvements into Phase 1 (south side) and Phase 2 (north side and overcrossing bridge). On December 13, 2011, the City Council approved a Construction Cooperative Agreement with the State of California for the construction phase, giving the City authority to advertise, award, and administer the construction of Phase 1. Design and right-of-way for Phase 1 have been completed and approved by Caltrans, and the project was advertised for bids.

DISCUSSION

Formal bidding procedures were followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m. on August 13, 2012. Five (5) bids were received as follows:

		Total Bid Amounts
1.	**Powell Constructors Inc. – Fontana***	**$ 5,354,536.40**
2.	Riverside Construction Company – Riverside	$ 5,399,102.50
3.	Yakar – San Dimas*	$ 5,894,997.54
4.	USS Cal Builders – Stanton*	$ 6,052,063.00
5.	Ortiz Enterprises Incorporated – Irvine*	$ 11,258,821.30

** Bid amount differs from Bidder's Proposals due to calculation errors.*

The lowest responsible bidder was determined by the bid amount as stipulated in the bidding documents. Staff reviewed Powell's bid and finds Powell to be the lowest

responsible bidder in possession of a valid license and bid bond. No material issues were identified through review of references submitted by Powell in their bid. All bids received were reviewed for completeness, accuracy and conformance with bidding instructions. During bid analysis, four bidders made calculation errors. As a result, the total bid amounts reflected above include the adjustments made in accordance with the Bid Documents as stipulated in the Bidders Proposal Instructions. The adjustments did not change the determination of the lowest bidder.

The recommended contract award is $5,354,536.40. A 25% contingency is recommended in order to be able to quickly handle potential changes and due to the fact that the low bid was substantially below the engineer's estimate.

The contract duration is two hundred twenty (220) working days, or approximately eleven months, starting from contract award. The timeframe includes pre-construction contractor submittals and permits, and actual construction. Detailed improvements to the SR-60/Moreno Beach Drive Interchange include realigning the SR-60/Moreno Beach eastbound off-and-on-ramps, adding an eastbound auxiliary lane, installation of a new traffic signal at the new intersection of the eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus Avenue and Moreno Beach Drive, utility relocations, irrigation, and related work.

The project staging requires intermittent full closures of the eastbound ramps, Moreno Beach Drive, and Eucalyptus Avenue in the vicinity of the project area. The project specifications limit the closures to overnight and short duration closures. The Public Works Department is requesting intermittent full road closures of Moreno Beach Drive between Ironwood Avenue and Trail Ridge Way, and Eucalyptus Avenue between Fir Avenue and Motor Way as necessary, to facilitate construction for the duration of construction anticipated to start on October 1, 2012 and be completed on or before October 1, 2013. The request for the road closures is due to major improvement work including, but not limited to, reconstructing and realigning the eastbound ramps and Moreno Beach Drive, installing traffic signals, and completing Eucalyptus Avenue from 1000 feet west of Moreno Beach Drive to Moreno Beach Drive, and related improvements. Authorization is also requested for the City Engineer to extend the road closures for 90 days beyond the anticipated completion date due to unforeseen delays.

The project also specifies short-term full closures of up to three days for the eastbound on- and off-ramps, as well as short-term driveway closures to Super Walmart and Panda Express. The closures will be coordinated with the owners and the Contractor will provide alternate access to the facility. The Contractor will notify, and provide safe ingress and egress to, all potentially affected motorists, businesses, law enforcement, the Fire Department, the school district, and other interests, as required by the project's specifications and Traffic Management Plan. The closures and detour plans/traffic control plans have been included in the approved project plans and specifications.

The recommended contract award is an action of the City Council acting as the Successor Agency of the former City of Moreno Valley Redevelopment Authority. The recommended actions are included on the Recognized Obligations Payment Schedule (ROPS) approved by the City Council acting as the Successor Agency on April 10, 2012. The Successor Agency Oversight Board approved the ROPS for the period July 1, 2012 through December 31, 2012 on May 9, 2012, which has subsequently been approved by the State Department of Finance (DOF). This ROPS approval includes "placeholder" line items representing the expenditure of bond proceeds for approval purposes. The Successor Agency approval of this contract is required to move forward toward complete approval and compliance with AB1x 26 law. The contract will be presented to the Successor Agency Oversight Board, along with an updated ROPS that will include the contractor listed as an enforceable obligation. There is a risk that the Oversight Board may not approve the contract or updated ROPS. In addition, the State Department of Finance (DOF) has the authority to challenge actions approved by the Oversight Board within 10 days of the approved action. In light of the current process for approval of the contract and the updated ROPS, the property tax to pay the contracts being recommended has not been authorized to pay the contract obligations. The City Council by approving the recommended contract is assuming the risk that in the event tax increment is not approved to pay the contracts by the Oversight Board or through successful challenge by the State DOF, the City would be obligated to pay the contract commitments from alternative funding sources, most likely the City's General Fund.

ALTERNATIVES

1. By motion, approve and authorize the recommended actions as presented in this staff report. *This alternative will facilitate the timely construction of needed improvements.*

2. Do not approve and authorize the recommended acting as presented in this staff report. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The project is included in the Fiscal Year 2012/2013 Capital Improvement Program. There is no impact to the General Fund.

AVAILABLE FUNDS

Successor Agency 2007 Tax Allocation Bonds	
(Account 4821-70-77-80001 801 0038 70 77)	$ 4,879,000
Transportation Uniform Mitigation Fees	
(Account 3003-70-77-80001 801 0038 70 77)	$ 3,500,000
Total Project Budget	$ 8,379,000

CONSTRUCTION COSTS

Construction (includes contingency)	$ 6,700,000
Construction Management & Inspection Services	$ 788,000
Construction Support Services (Design, Geotechnical & Survey) (est.)	$ 321,000
Administrative Costs*	$ 170,000
Utility and Agency Inspection and Materials Costs**	$ 150,000
Total Estimated Cost	$ 7,979,000

**Includes City project administration, printing and other miscellaneous costs.*
***Includes EMWD, SCE, Caltrans, RCFC&WCD and CHP.*

PROJECT SCHEDULE

Begin Construction	October 2012
Construction Completion and Acceptance	October 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The SR-60/Moreno Beach Interchange Phase 1 Improvements project goal is to improve the interchange through reconstruction and realignment. The project construction is funded utilizing Successor Agency 2007 Tax Allocation Bonds and Transportation Uniform Mitigation Fees (TUMF). City staff recommends awarding a contract for $5,354,536.40 to Powell to construct these improvements.

NOTIFICATION

The Contractor will notify potentially affected businesses, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other interests, as required by the project specifications, the City, and Caltrans. Construction notification signs on SR-60 and streets within the project vicinity will be installed for the duration of the project.

ATTACHMENTS

Attachment "A" – Agreement with Powell

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

AGREEMENT

PROJECT NO. 07-41570024

SR-60/MORENO BEACH DRIVE INTERCHANGE IMPROVEMENTS (PHASE 1)
From 0.3 Mile West to 0.4 Mile East of Moreno Beach Drive Overcrossing

THIS Agreement is by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and Powell Constructors Inc., hereinafter called the "Contractor." This Agreement is effective as of the date signed by the City of Moreno Valley.

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. CONTRACT DOCUMENTS. The Contract Documents consist of the following, which are incorporated herein by this reference:

A. Governmental approvals, including, but not limited to, permits required for the Work
B. Any and all Contract Change Orders issued after execution of this Agreement
C. This Agreement
D. Addenda Nos. 1 & 2, inclusive, issued prior to the opening of the Bids
E. Special Provisions, including the General Provisions and Technical Provisions
F. Standard Specifications of the State of California, Department of Transportation, dated May 2006, as amended by Amendments dated June 20, 2012, as modified by the Special Provisions
G. Reference Specifications
H. Project Plans
I. Caltrans Standard Plans
J. The bound Bidding Documents
K. Contractor's Certificates of Insurance and Additional Insured Endorsements
L. Contractor's Bidder's Proposal and Subcontractor Listing

In the event of conflict or discrepancy between any of the Contract Documents, the provisions placing a more stringent requirement on the Contractor shall prevail. The Contractor shall provide the better quality or greater quantity of Work and/or materials unless otherwise directed by City in writing. In the event none of the Contract Documents place a more stringent requirement or greater burden on the Contractor, the controlling provision shall be that which is found in the document with higher precedence in accordance with Section 5-1.04 of the Special Provisions.

2. REFERENCE DOCUMENTS. Reference Documents are not considered Contract Documents and were made available to the Contractor prior to the Bid Deadline for informational purposes

3. SCOPE OF WORK. The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract

Documents, except as otherwise provided in the Plans, Standard Specifications, or Special Provisions to be the responsibility of others.

4. PAYMENT.

4.1. **Contract Price and Basis for Payment**. In consideration for the Contractor's full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items and Alternate Bid Items, if any, set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items and Alternate Bid Items, if any, awarded by the City is Five Million Three Hundred Fifty-four Thousand Five Hundred Thirty-six and 40/100 Dollars ($5,354,536.40) ("Contract Price"). The Alternate Bid Items selected by the City and included in the Contract are: n/a. It is understood and agreed that the quantities set forth in the Bidder's Proposal for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of work, the unit prices set forth in the Bidder's Proposal multiplied by the actual number of units performed, constructed, or completed as directed by the City Engineer.

4.2. **Payment Procedures**. Based upon applications for payment submitted by the Contractor to the City, the City shall make payments to the Contractor in accordance with Article 9 of the Standard Specifications, as modified by Article 9 of the Special Provisions.

5. CONTRACT TIME.

A. Contract Time and Notice to Proceed with Construction. After the Agreement has been fully executed by the Contractor and the City, the City shall issue the "Notice to Proceed with Construction." The date specified in the Notice to Proceed with Construction constitutes the date of commencement of the Contract Time of **Two Hundred Twenty (220) Working Days**. The Contract Time includes the time necessary to fulfill preconstruction requirements, place the order of materials, and to complete construction of the Project (except as adjusted by subsequent Change Orders).

Critical preconstruction requirements include, but are not limited to, the following:

- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan (SWPPP)
- Submitting and obtaining approval of critical required submittals
- Installation of approved Project Information Signs
- Obtaining an approved no fee Caltrans Encroachment Permit
- Obtaining an approved no fee City Encroachment Permit
- Furnishing the Resident Engineer's office

If the City's issuance of a Notice to Proceed with Construction is delayed due to Contractor's failure to return the fully executed Agreement and insurance and bond documents within ten (10) Working Days after Contract award, then Contractor agrees to the deduction of one (1) Working Day from the number of days to complete the Project for every Working Day of delay in the City's receipt of said documents. This right is in addition to and does not affect the City's right to demand forfeiture of Contractor's Bid Security if Contractor persistently delays in providing the required documentation.

6. LIQUIDATED DAMAGES.

6.1. **Liquidated Damages.** The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to fulfill the preconstruction requirements and/or failure to complete the Work within the Contract Time. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadline for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to fulfill the preconstruction requirements and/or fails to complete the Work within the Contract Time, Contractor agrees to pay the City **$5,400.00 per Calendar Day** that completion of the Work is delayed beyond the Contract Time, as adjusted by Contract Change Orders. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

The Contractor and City acknowledge and agree that the foregoing liquidated damages have been set based on an evaluation of damages that the City will incur in the event of late completion of the Work. The Contractor and City acknowledge and agree that the amount of such damages are impossible to ascertain as of the date of execution hereof and have agreed to such liquidated damages to fix the City's damages and to avoid later disputes. It is understood and agreed by Contractor that liquidated damages payable pursuant to this Agreement are not a penalty and that such amounts are not manifestly unreasonable under the circumstances existing as of the date of execution of this Agreement.

It is further mutually agreed that the City will have the right to deduct liquidated damages against progress payments or retainage and that the City will issue a Change Order or Construction Change Directive and reduce the Contract Price accordingly. In the event the remaining unpaid Contract Price is insufficient to cover the full amount of liquidated damages, Contractor shall pay the difference to the City.

6.2. **Owner is Exempt from Liability for Early Completion Delay Damages**. While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-6 of the Standard Specifications and Special Provisions regarding compensation for delays.

7. INSURANCE.

7.1. **General**. The Contractor shall procure and maintain at its sole expense and throughout the term of this Agreement, any extension thereof, Commercial General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described herein.

7.2. **Additional Insured Endorsements**. The Contractor shall cause the insurance required by the Contract Document to include the State of California, including its officers, directors, agents (excluding agents who are design professionals), and employees, the City of Moreno Valley,

the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), and Western Riverside Council of Governments (WRCOG), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives as an additional insureds. For the Commercial General Liability coverage, said parties shall be named as additional insureds utilizing either:

1. Insurance Services Office ("ISO") Additional Insured endorsement CG 20 10 (11/85); or

2. ISO Additional Insured endorsement CG 20 10 (10/01) and Additional Insured Completed Operations endorsement CG 20 37 (10/01); or

3. substitute endorsements providing equivalent coverage, approved by the City.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The coverage shall contain no special limitations on the scope of protection afforded to such additional insureds. Coverage for such additional insureds does not extend to liability to the extent prohibited by Insurance Code Section 11580.4.

7.3. **Waivers of Subrogation**. All policies of insurance required by the Contract Documents shall include or be endorsed to provide a waiver by the insurers of any rights of recovery or subrogation that the insurers may have at any time against the State of California, including its officers, directors, agents (excluding agents who are design professionals), and employees, the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), and Western Riverside Council of Governments (WRCOG), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives.

7.4. **Primary Coverage**. All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the State of California, including its officers, directors, agents (excluding agents who are design professionals), and employees, the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), and Western Riverside Council of Governments (WRCOG), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

7.5. **Coverage Applies Separately to Each Insured and Additional Insured**. Coverage shall state that the Contractor's (and its Subcontractors') insurance shall apply separately to each insured or additional insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Coverage shall apply to any claim or suit brought by an additional insured against a named insured or other insured.

7.6. **Self-Insurance**. Any self-insurance (including deductibles or self-insured retention in excess of $50,000) in lieu of liability insurance must be declared by Contractor and approved by the City in writing prior to execution of the Agreement. The City's approval of self-insurance, if any, is within the City's sole discretion and is subject to the following conditions:

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions, maintain and upon Owner's reasonable request provide evidence of:

   (a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property and equipment and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;

   (b) financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill; and

   (c) a claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.

2. If at any time after such self-insurance has been approved Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:

   (a) the Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or

   (b) the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or

   (c) the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

7.7. **Insurer Financial Rating**. Insurance companies providing insurance hereunder shall be rated A-:VII or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

7.8. **Notices to City of Cancellation or Changes**. Each insurance policy described herein shall contain a provision or be endorsed to state that coverage will not be cancelled without **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by

Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

7.9. **Commercial General Liability**. Coverage shall be written on an ISO Commercial General Liability "occurrence" form CG 00 01 (10/01 or later edition) or equivalent form approved by the City for coverage on an occurrence basis. The insurance shall cover liability, including, but not limited to, that arising from premises operations, stop gap liability, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The policy shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 (11/85). Coverage shall contain no contractors' limitation or other endorsement limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground (x, c, u) property damage. Contractor shall provide Products/Completed Operations coverage to be maintained continuously for a minimum of **one (1) year** after Final Acceptance of the Work, and any extension of the one-year correction guarantee period in accordance with Section 5-1.16 of the Special Provisions.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: **$1,000,000** per occurrence / **$2,000,000** aggregate / **$2,000,000** products-completed operations.

7.10. **Business Automobile Liability**. Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with **$1,000,000** combined single limit per accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.11. **Workers' Compensation**. Contractor shall comply with the applicable sections of the California Labor Code concerning workers' compensation for injuries on the job. Compliance is accomplished in one of the following manners:

1. Provide copy of permissive self-insurance certificate approved by the State of California; or
2. Secure and maintain in force a policy of workers' compensation insurance with statutory limits and Employer's Liability Insurance with a minimal limit of **$1,000,000** per accident; or
3. Provide a "waiver" form certifying that no employees subject to the Labor Code's Workers' Compensation provision will be used in performance of this Contract.

7.12. **Subcontractors' Insurance**. The Contractor shall include all Subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to all of the requirements stated herein.

8. BONDS. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be furnished as a guarantee of the faithful performance of the requirements of the Contact Documents as may be amended from time to time, including, but not limited to, liability for delays and damages (both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The bonds shall name the City as obligee and the State of California, acting through its Department of Transportation, as an additional obligee. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City or the State of California, acting through its Department of Transportation.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments hall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

Contractor agrees that the Payment Bond and Performance Bond attached to this Agreement are for reference purposes only, and shall not be considered a part of this Agreement. Contractor further agrees that said bonds are separate obligations of the Contractor and its surety, and that any attorneys' fee provision contained in any payment bond or performance bond shall not apply to this Agreement. In the event there is any litigation between the parties arising from the breach of this Agreement, each party will bear its own attorneys' fees in the litigation.

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. See Section 5-1.015 of the April 20, 2012, Amendments to the May 2006 Standard Specifications.

10. INDEMNIFICATION.

10.1. **General**. To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold harmless and defend (even if the allegations are false, fraudulent, or groundless), the State of California, including its officers, directors, agents (excluding agents who are design professionals), and employees, the City of Moreno Valley, its City Council, the Moreno Valley Community Services District (CSD), the Moreno Valley Housing Authority (MVHA), the Eastern Municipal Water District (EMWD), and Western Riverside Council of Governments (WRCOG), and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

A. Any activity on or use of the City's premises or facilities;
B. Any liability incurred due to Contractor acting outside the scope of its authority pursuant to the Contract, whether or not caused in part by an Indemnified Party;
C. The failure of Contractor or the Work to comply with any Applicable Law, permit or orders;
D. Any misrepresentation, misstatement or omission with respect to any statement made in the Contract Documents or any document furnished by the Contractor in connection therewith;
E. Any breach of any duty, obligation or requirement under the Contract Documents, including, but not limited to any breach of Contractor's warranties, representations or agreements set forth in the Contract Documents;
F. Any failure to coordinate the Work with City's Separate Contractors;
G. Any failure to provide notice to any party as required under the Contract Documents;
H. Any failure to act in such a manner as to protect the Project from loss, cost, expense or liability;
I. Bodily or personal injury, emotional injury, sickness or disease, or death at any time to any persons including without limitation employees of Contractor;

J. Damage or injury to real property or personal property, equipment and materials (including, but without limitation, property under the care and custody of the Contractor or the City) sustained by any person or persons (including, but not limited to, companies, corporations, utility company or property owner, Contractor and its employees or agents, and members of the general public);

K. Any liability imposed by Applicable Law including, but not limited to criminal or civil fines or penalties;

L. Any dangerous, hazardous, unsafe or defective condition of, in or on the Site, of any nature whatsoever, which may exist by reason of any act, omission, neglect, or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors;

M. Any operation conducted upon or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors under or pursuant to the provisions of the Contract or otherwise;

N. Any acts, errors, omission or negligence of Contractor, its officers, agents, employees, or Subcontractors;

O. Infringement of any patent rights, licenses, copyrights or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and

P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence**. Contractor's obligations to indemnify and hold the Indemnitees harmless **exclude** only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Section 10. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

10.3. **Independent Defense Obligation.** The duty of the Contractor to indemnify and hold harmless the Indemnitees includes the separate and independent duty to defend the Indemnitees, which duty arises immediately upon receipt by Contractor of the tender of any Indemnity Claim from an Indemnitee. The Contractor's obligation to defend the Indemnitee(s) shall be at Contractor's sole expense, and not be excused because of the Contractor's inability to evaluate liability or because the Contractor evaluates liability and determines that the Contractor is not liable. This duty to defend shall apply whether or not an Indemnity Claim has merit or is meritless, or which involves claims or allegations that any or all of the Indemnitees were actively, passively, or concurrently negligent, or which otherwise asserts that the Indemnitees are responsible, in whole or in part, for any Indemnity Claim. The Contractor shall respond within thirty (30) Calendar Days to the tender of any Indemnity Claim for defense and/or indemnity by an Indemnitee, unless the Indemnitee agrees

in writing to an extension of this time. The defense provided to the Indemnitees by Contractor shall be by well qualified, adequately insured and experienced legal counsel acceptable to the City.

10.4. **Intent of Parties Regarding Scope of Indemnity.** It is the intent of the parties that the Contractor and its Subcontractors of all tiers shall provide the Indemnitees with the broadest defense and indemnity permitted by Applicable Law. In the event that any of the defense, indemnity or hold harmless provisions in the Contract Documents are found to be ambiguous, or in conflict with one another, it is the parties' intent that the broadest and most expansive interpretation in favor of providing defense and/or indemnity to the Indemnitees be given effect.

10.5. **Waiver of Indemnity Rights Against Indemnitees.** With respect to third party claims against the Contractor, to the fullest extent permitted by law, the Contractor waives any and all rights to any type of express or implied indemnity against the Indemnitees.

10.6. **Subcontractor Requirements.** In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Section 10.

10.7. **No Limitation or Waiver of Rights.** Contractor's obligations under this Section 10 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Section 10 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Section 10 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

10.8. **Withholding to Secure Obligations.** In the event an Indemnity Claim arises prior to final payment to Contractor, the City may, in its sole discretion, reserve, retain or apply any monies due Contractor for the purpose of resolving such Indemnity Claims; provided, however, the City may release such funds if the Contractor provides the City with reasonable assurances of protection of the Indemnitees' interests. The City shall, in its sole discretion, determine whether such assurances are reasonable.

10.9. **Survival of Indemnity Obligations.** Contractor's obligations under this Paragraph 11 are binding on Contractor's and its Subcontractors' successors, heirs and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

11. SUCCESSORS AND ASSIGNS. The Parties bind themselves, their heirs, executors, administrators, successors and assigns the covenants, agreements and obligations contained in the Contract Documents. The Contractor shall not, either voluntarily or by action of law, assign any right or obligation of the Contractor under the Contract Documents without prior written consent of the City.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY:_____
City Manager

DATE:_____

Powell Constructors Inc.

License No./
Classification:_____

Expiration Date:_____

Federal I.D. No.:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer

_____
Date

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

Signature(s) must be accompanied by a completed notary certificate of acknowledgement attached hereto. A general partner must sign on behalf of a partnership. **Two (2)** corporate officers must sign on behalf of a corporation unless the corporation has a corporate resolution that allows one person to sign on behalf of the corporation; if applicable, said resolution must be attached hereto. The corporate seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, ~~is~~/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. A.16

MV00174991

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Price)

PROJECT NO. 07-41570024

SR-60/MORENO BEACH DRIVE INTERCHANGE IMPROVEMENTS (PHASE 1)
From 0.3 Mile West to 0.4 Mile East of Moreno Beach Drive Overcrossing

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to _____, as Principal, hereinafter designated as "Contractor," and City and Contractor have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 07-41570024**, and all Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside and the State of California, acting through its Department of Transportation, in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Documents and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, the State of California, acting through its Department of Transportation, and their officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City or the State of California, acting through its Department of Transportation, and judgment is recovered, the Surety shall pay all costs incurred by the City or California Department of Transportation in such suit, including reasonable attorneys' fee to be fixed by the court.

Contractor and Surety agree that this Faithful Performance Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Faithful Performance Bond is a separate obligation of the Contractor and its Surety, and that any attorneys' fee provision contained in this Faithful Performance Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

BOND NO. _____

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents or to the Work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Work or the Provisions.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California
County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 07-41570024

SR-60/MORENO BEACH DRIVE INTERCHANGE IMPROVEMENTS (PHASE 1)
From 0.3 Mile West to 0.4 Mile East of Moreno Beach Drive Overcrossing

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to _____, as Principal, hereinafter designated as "Contractor," and City and Contractor have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 07-41520024**, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, and the State of California, acting through its Department of Transportation, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or the State of California, acting through its Department of Transportation, or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City or California Department of Transportation in such suit, including reasonable attorneys' fee to be fixed by the court.

Contractor and Surety agree that this Labor and Materials Payment Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Labor and Materials Payment Bond is a separate obligation of the Contractor and its Surety, and that any attorneys' fee provision contained in this Labor and Materials Payment Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

BOND NO. _____

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND

(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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MV00174998

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: TRACT MAP 32711 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

FRONTING THE SOUTH SIDE OF JANET K DRIVE AT THE "T" INTERSECTION OF BOGUE STREET

DEVELOPER - ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993
1430 TANGELO LANE
LA HABRA HEIGHTS, CA 90631

HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST
2245 KINGSBRIDGE COURT
SAN DIMAS, CA 91773

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32711 to the County Recorder's Office for recordation.

2. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County Recorder's Office, authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32711 for public improvements.

BACKGROUND

On September 8, 2005, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 32711. The tentative tract map is an infill subdivision that proposes to subdivide 2.32 acres into 9 residential lots.

On July 14, 2009 the City Council of Moreno Valley approved Final Map 32711 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 32711 provided a Faithful Performance Bond in the amount of $297,000 and a Material and Labor Bond in the amount of $148,500 issued by Indemnity Company of California.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32711 to the County Recorder's Office for recordation. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County recorder's Office, authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32711 for public improvements.

2. Do not authorize the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32711 to the County Recorder's Office for recordation. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32711 for public improvements.

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 32711
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community and Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00175002

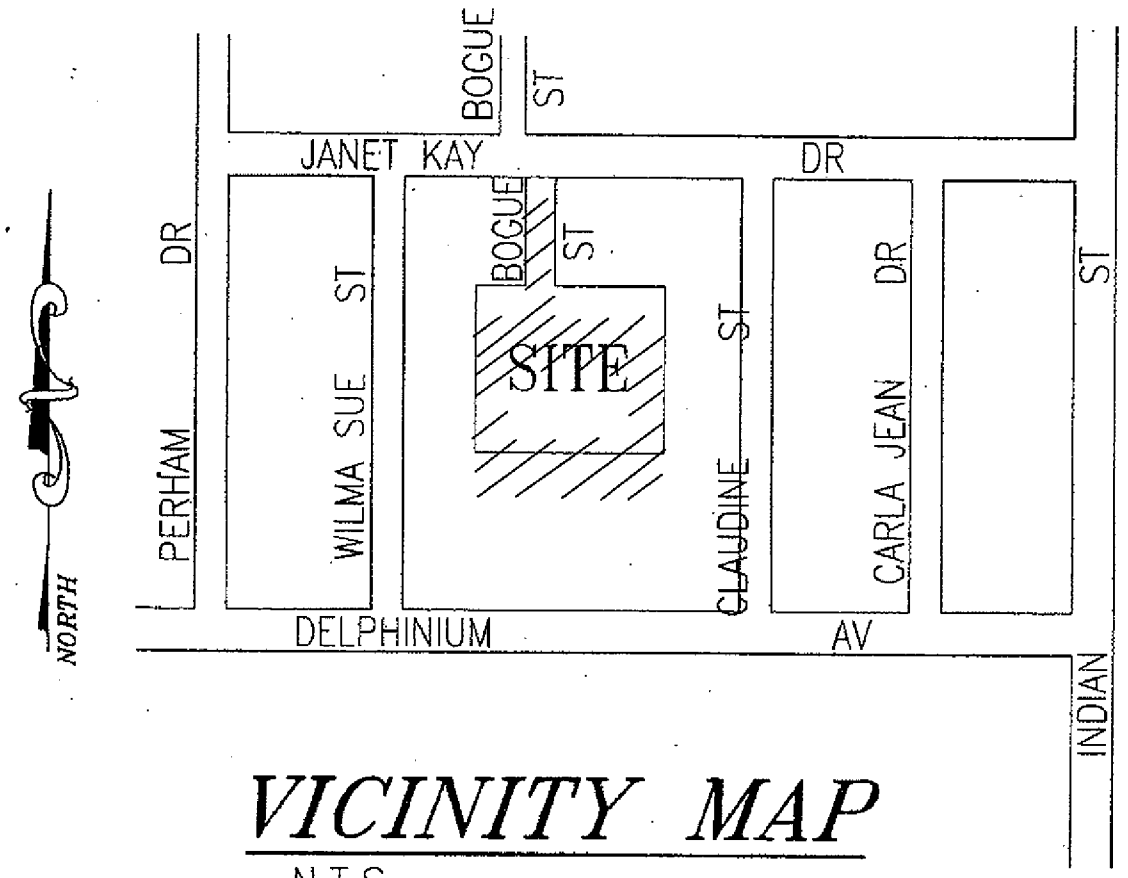

VICINITY MAP

N.T.S

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit A	**TRACT MAP 32711** **VICINITY MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2009 StfRpts\7-14-09 TM 32711 Exhibit A.doc

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MV00175004

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TM 32711

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, AND HANSON A. H. HO 2001 FAMILY TRUST,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TM 32711** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **TWO HUNDRED NINETY-SEVEN THOUSAND AND NO/100** Dollars (*****$297,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Issac Genah and Gloria M. Genah, Trustors and Trustees of the CSA Revocable Trust Dated September 10, 1993, and Hanson A. H. Ho 2001 Family Trust
1430 Tangelo Lane
La Habra Height, CA 90631

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: 7/14/2009

BY Gloria M. Genah

GLORIA M. GENAH

OWNER

BY: _____
Signature

ISAK Genah
Print/Type Name

Owner
Title

Issac Genah and Gloria M. Genah, Trustors and Trustees of the CSA Revocable Trust Dated September 10, 1993, and Hanson A.H. Ho 2001 Family Trust:
Developer

BY: _____
Signature

HANSON A.H. HO
Print/Type Name

OWNER
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 20 JUL 2009

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

ALL PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On May 1, 2009 before me, Erika Magaleon, Notary Public, personally appeared Hanson Ho, Isaac Genah and Gloria Genah, Proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my ~~hand~~ and official seal.

Signature _____ (Seal)

ERIKA MAGALEON
COMM. # 1649613
NOTARY PUBLIC, CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires March 5, 2010

OPTIONAL

Title of Document _____

Document Date _____

Capacity(ies) of Signer(s)

☐ Corporate Officer

☐ Other: _____

Item No. A.17

MV00175008

UK MW 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 08/19/08
PREPARED BY: **Robert Linton**

PROJECT: **PA04-0136 / TM 32711**
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Interior Streets and Perimeter Non DIF Non TUMF Streets						
Roadway Excavation			0	C.Y.	20.00	0
A.B. Class II	0.5	Thickness (ft.)				
	13164	S.F.	477	Ton	55.00	26,246
A.C.	0.333	Thickness (ft.)				
	13164	S.F.	318	Ton	90.00	28,603
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
DIF Streets Only						
Roadway Excavation			0	C.Y.	20.00	0
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
TUMF Streets Only						
Roadway Excavation			0	C.Y.	20.00	0
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
A.C. Cap			0	Ton	90.00	0
A.C. Overlay			0	Ton	90.00	0
Grind & Pave 0.15'			0	S.F.	3.25	0
Curb and Gutter - 6"			670	L.F.	22.00	14,740
Curb and Gutter - 8"			0	L.F.	25.00	0
Curb and Gutter - 8" (DIF Street Name)			0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)			0	L.F.	25.00	0
Curb Only - 6"			0	L.F.	18.00	0
Curb Only - 8"			0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)			0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)			0	L.F.	20.00	0
Cross Gutter and Spandrel			788	S.F.	15.00	11,745
Sidewalk			6703	S.F.	7.00	46,921
Sidewalk (DIF Street Name)			0	S.F.	7.00	0
Sidewalk (TUMF Street Name)			0	S.F.	7.00	0
Driveway Approach - 6"			1485	S.F.	14.00	20,790
Driveway Approach - 8"			0	S.F.	16.00	0
Alley Approach - 8"			0	S.F.	16.00	0
P.C.C. Paving - 6"			0	S.F.	14.00	0
P.C.C. Paving - 8"			0	S.F.	16.00	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	15.00	0
Slurry Seal (Based on $150/Ton Type II)			0	S.Y.	2.25	0
Redwood Header			12	L.F.	6.00	72
Sawcut			110	L.F.	1.50	165
Trench Repaving			0	S.F.	12.00	0
Utility Trench			0	L.F.	17.00	0
Wheelchair Ramp			2	EA.	1,200.00	2,400
Barricade			0	L.F.	100.00	0

Item No. A.17

MW 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **PA04-0136 / TM 32711**

DATE: **08/19/08**
PREPARED BY: **Robert Linton**

STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Bus Bay	0	EA.	20,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Relocate Trees	0	EA.	2,500.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Street Lights (9500 lumen)	2	EA.	4,000.00	8,000
Street Lights (22000 lumen)	0	EA.	5,000.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Relocate Street Lights	1	EA.	1,500.00	1,500
Monuments	0	EA.	100.00	0
			SUBTOTAL:	161,182
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Water Quality Basins	0	S.F.	6.00	0
Electrical Utility Infrastructure	0	L.S.	–	0
Electrical Utility Line Extension	0	L.F.	135.00	0
			SUBTOTAL:	0
Transportation Engineering				
Traffic Signal (Includes Interconnect, Controller, Software	0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
Traffic Striping/raised pavement markers	1	L.S.	–	3,500
Traffic Striping (DIF Street Name)	0	L.S.	–	0
Street Name Sign	1	EA.	500.00	500
Stop Sign	1	EA.	200.00	200
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	0	L.S.	–	0
Traffic Control (DIF Street Name)	0	L.S.	–	0
			SUBTOTAL:	4,200

UK MW 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **PA04-0136 / TM 32711**

DATE: **08/19/08**
PREPARED BY: **Robert Linton**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
50" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	1	EA.	5500.00	5,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
Grated Catch Basin	0	EA.	6000.00	0
Transition Structure	0	EA.	5500.00	0
Inlet Structure (drop)	1	EA.	5000.00	5,000
Type IX Inlet Structure	0	EA.	2500.00	0
Junction Structure	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0
Rip Rap	0	TON	60.00	0
Parkway Drain	1	EA.	3500.00	3,500
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
PCC "U" Shape Channel	190	L.F.	15.00	2,850
			SUBTOTAL:	16,850

Item No. A.17

UK MMW 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **PA04-0136 / TM 32711**

DATE: **08/19/08**
PREPARED BY: **Robert Linton**

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	180.00	0
18" Water Pipe	0	L.F.	135.00	0
16" Water Pipe	0	L.F.	90.00	0
12" Water Pipe	0	L.F.	60.00	0
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	305	L.F.	50.00	15,250
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	5,000.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	0	EA.	1,000.00	0
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	0	EA.	2,800.00	0
6" Super Fire Hydrants	0	EA.	3,000.00	0
Relocate 6" Fire Hydrants	1	EA.	1,450.00	1,450
Relocate Utilities	1	EA.	1,000.00	1,000
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	0	EA.	200.00	0
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	1	EA.	2,500.00	2,500
Blow Off 4"	0	EA.	2,000.00	0
Air Vac & Release 2"	0	EA.	3,000.00	0
Air Vac & Release 1"	1	EA.	2,000.00	2,000
Meter 2" W/O Service	0	EA.	455.00	0
Meter 1 1/2" W/O Service	0	EA.	360.00	0
Meter 1" W/O Service	0	EA.	270.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
Service Connections 2"	0	EA.	1,600.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	9	EA.	500.00	4,500
Hot Tap 8"	1	EA.	2,800.00	2,800
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Thrust Block	0	CY	150.00	0
Pressure Resistance Valve	9	EA.	400.00	3,600
			SUBTOTAL:	33,100

Item No. A.17

UK MW 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **PA04-0136 / TM 32711**

DATE: **08/19/08**
PREPARED BY: **Robert Linton**

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	185.00	0
33" V.C. Pipe	0	L.F.	165.00	0
30" V.C. Pipe	0	L.F.	150.00	0
27" V.C. Pipe	0	L.F.	135.00	0
24" V.C. Pipe	0	L.F.	120.00	0
21" V.C. Pipe	0	L.F.	105.00	0
18" V.C. Pipe	0	L.F.	90.00	0
15" V.C. Pipe	0	L.F.	75.00	0
12" V.C. Pipe	0	L.F.	50.00	0
10" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	298	L.F.	30.00	8,940
6" V.C. Pipe	390	L.F.	25.00	9,750
4" V.C. Pipe	0	L.F.	20.00	0
15" SDR - 35	0	L.F.	60.00	0
12" SDR - 35	0	L.F.	50.00	0
10" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	19.00	0
4" SDR - 35	0	L.F.	13.00	0
Standard Manhole 48"	2	EA.	3,000.00	6,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Tie Into Existing Manhole	0	EA.	1,500.00	0
Raise Manhole to Grade	2	EA.	300.00	600
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
Clean-outs	9	EA.	700.00	6,300
Clean Out Lateral	0	EA.	120.00	0
Wyes	0	EA.	90.00	0
Pavement Replacement	88	S.F.	3.00	264
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
			SUBTOTAL:	31,854

Item No. A.17

OK 9/3/08

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PA04-0136 / TM 32711

DATE: 08/19/08
PREPARED BY: Robert Linton

IMPROVEMENT TYPE:

ROADWORK :	$161,182
STORM DRAIN :	$16,850
WATER SYSTEM :	$33,100
SEWER SYSTEM :	$31,854
SURVEY MONUMENTS :	$0
LANDSCAPING:	$0
WATER QUALITY BASINS:	$0
ELECTRICAL UTILITY INFRASTRUCTURE	$0
ELECTRICAL UTILITY LINE EXTENSION	$0
TRANSPORTATION ENGINEERING IMPROVEMENTS	$4,200
TOTAL COST (VALUE) OF IMPROVEMENTS:	$247,186
+20% CONTINGENCY:	$49,437
GRAND TOTAL:	$296,623

BOND AMOUNT: **$297,000**

Item No. A.17

Recording requested by and when
recorded, mail to:

Public Works/Land Development Division
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Community & Economic Development Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Assessor's Parcel Numbers 482-304-037 through 045, also known as Tract 32711, owned by Isaac Genah and Gloria M. Genah, Trustors and Trustees of the CSA Revocable Trust Dated September 10, 1993, and Hanson A. H. Ho 2001 Family Trust, Jointly and Severally;

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 32711 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the CEDD, Land Development Division (Phone: 951-413-3120, 14177 Frederick Street, Moreno Valley, California, 92552).

By: _____
AHMAD R. ANSARI,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date _____

Exhibit "C"

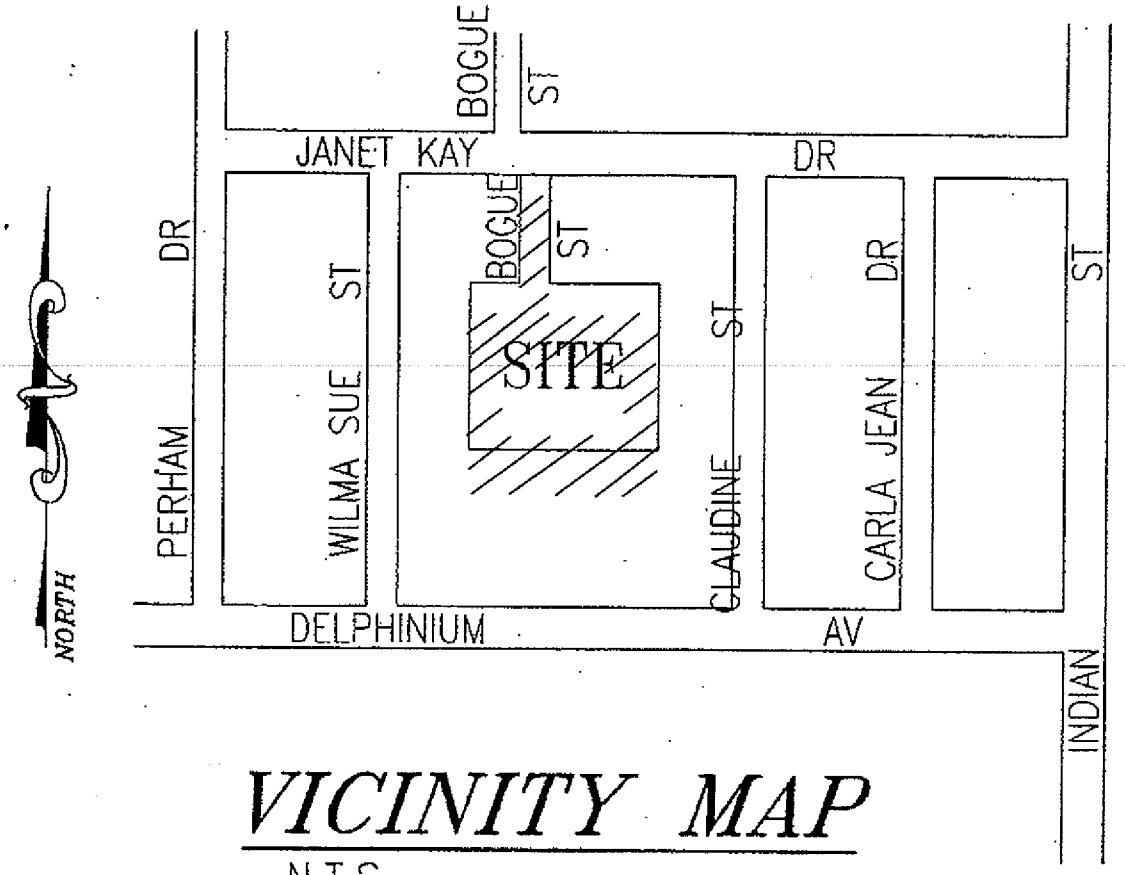

VICINITY MAP

N.T.S

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT Exhibit A	TRACT MAP 32711 VICINITY MAP

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2009 StfRpts\7-14-09 TM 32711 Exhibit A.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: TRACT MAP 32710 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS

OCALA COURT, NORTH OF IRONWOOD AVENUE AND EAST OF HEACOCK STREET

DEVELOPER - ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993
1430 TANGELO LANE
LA HABRA HEIGHTS, CA 90631

HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST
2245 KINGSBRIDGE COURT
SAN DIMAS, CA 91773

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32710 to the County Recorder's Office for recordation.

2. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County Recorder's Office, authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32710 for public improvements.

BACKGROUND

On November 29, 2004, the Planning Commission of the City of Moreno Valley approved Tentative Map 32710. The tentative tract map is a proposal to subdivide 1.73 acres into 6 residential lots.

On November 27, 2007 the City Council of Moreno Valley approved Final Map 32710 and accepted the Public Improvement Agreement and security. The developer was required to construct all public street improvements that included, but are not limited to, asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, landscaping, storm drain, sewer and water. The Agreement for Public Improvements required the developer to provide security for the appropriate improvements. Tract 32710 provided a Faithful Performance Bond in the amount of $213,000 and a Material and Labor Bond in the amount of $106,000 issued by Indemnity Company of California.

DISCUSSION

The Developer has requested that the City exonerate the bonds due to non-development of the tract. The Land Development Division staff reviewed the request and determined that since construction of the public improvements was never initiated, we may exonerate the bonds. Per the Government Code 66462, the Developer shall provide a security for construction of all public improvements prior to final map recordation. Since the map has been recorded, the City will place a Notification of Requirement for Public Improvement Security on the tract. This will inform future developers that a Security and Agreement for Public Improvements is required prior to commencing construction.

ALTERNATIVES

1. Authorize the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32710 to the County Recorder's Office for recordation. Contingent upon recordation of the Notification of Requirement for Public Improvement by the Riverside County recorder's Office, authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32710 for public improvements.

2. Do not authorize the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 32710 to the County Recorder's Office for recordation. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with Tract 32710 for public improvements.

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Public Improvement Agreement for Tract 32710
Exhibit "C" – Notice of Property Non Compliance and Requirement for Public Improvement Security

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

Concurred By
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00175020

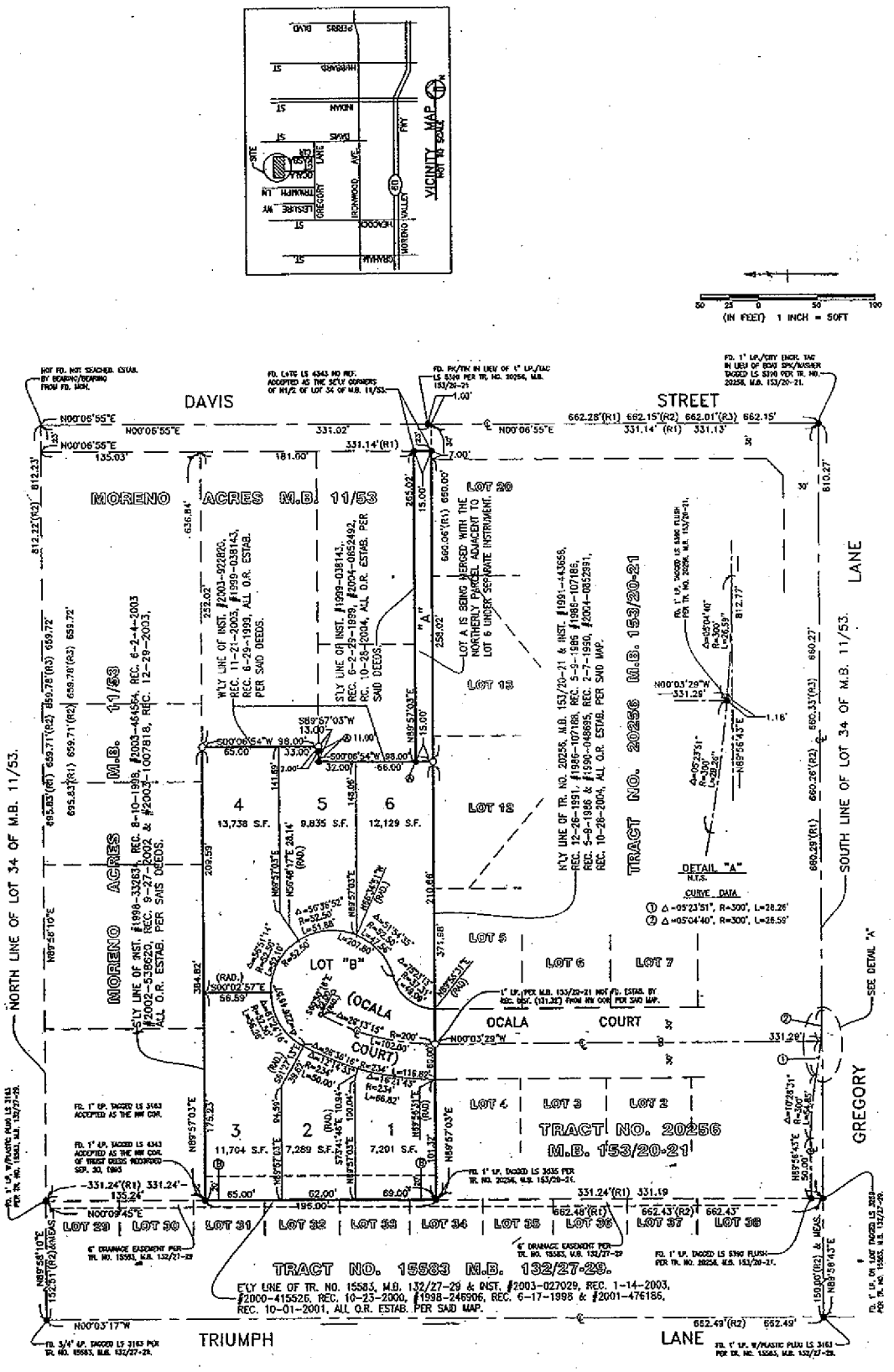

TRACT 32710
VICINITY MAP

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

Item No. A.18

MV00175021

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MV00175022

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. TRACT 32710

Recorded December 12, 2007, Book 427 of Maps, Pages 77-78
No. 2007-0743427

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, AND HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST, JOINTLY AND SEVERALLY,** herein after called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **TRACT 32710** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **TWO HUNDRED AND THIRTEEN THOUSAND AND NO/100** Dollars (*****$213,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

Item No. A.18

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Isaac Genah and Gloria M. Genah, Trustors and Trustees
of the CSA Revocable Trust Dated September 10, 1993
1430 Tangelo Lane
La Habra Heights, CA 90631

Hanson A. H. Ho, Trustee of the Ho 2001 Family Trust
2245 Kingsbridge Court
San Dimas, CA 91773

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: 11/27/07

ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, AND HANSON A. H. HO, TRUSTEE OF THE HO 2001 FAMILY TRUST, JOINTLY AND SEVERALLY

ERIKA MAGALEON
COMM. # 1649613
NOTARY PUBLIC, CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires March 5, 2010

By: _____
Isaac Genah, Trustor and Trustee of the CSA Revocable Trust Dated September 10, 1993

By: Gloria M. Genah
Gloria M. Genah, Trustor and Trustee of the CSA Revocable Trust Dated September 10, 1993

By: _____
Hanson A. H. Ho, Trustee of the Ho 2001 Family Trust

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: Jane Halstead
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: Frank R. White
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 11/27/07

By: RDH
City Attorney

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\Lee Ann\Agreement Bond Packets\TR32710 - Agreement.doc

State of **California**
County of **Los Angeles**

On **September 27, 2007**, before me, **Erika Magaleon, notary public**, personally appeared, **Hanson A.H. Ho, Gloria M. Genah and Isaac Genah**, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument an acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

ERIKA MAGALEON
COMM. # 1649613
NOTARY PUBLIC, CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires March 5, 2010

TRUST CERTIFICATION
(California Probate Code Section 18100.5)

ISAAC GENAH AND GLORIA M. GENAH, Trustors and Trustees of **THE CSA REVOCABLE TRUST, DATED SEPTEMBER 20, 1993**, hereby state and certify but not by way of modification of said Trust:

1. That said Trust is in full force and effect as of the date of this certification. The trust has not been revoked, modified, or amended in any manner which would cause the representations contained herein to be incorrect. The undersigned are all of the currently acting trustees.

2. The Trustors have the right to all trust income, the right to invade trust principal and the power to revoke the Revocable Trust Agreement as to each of their respective separate property and community property interests. All such rights and powers when jointly exercised are without limitations.

3. The Co-Trustees have the power to invest trust assets and pledge the same as they in their discretion deem appropriate, limited by their duty to exercise care and prudence while acting in such fiduciary capacity.

4. Either Trustee named above may act unilaterally to bind the Trust in any transaction except those involving transfers of real property, as to which Co-Trustees must agree in a separate writing or in a specifically limited power of attorney to grant such power.

5. This Certificate of Trust is not intended to modify or represent a true and correct copy of the subject trust agreement, but is intended solely to put third parties on notice of the Trustors and Trustees of said trust and describe in general language their rights and power.

6. That the Trustees have the power to transfer and assign any and all interest that the Trust owns.

7. The tax identification number is 95-7110792.

Executed on Dec. 23, 2000 at LA HABRA, California.

Trustor
Isaac Genah, Trustor

Gloria M. Genah
Gloria M. Genah Trustor

Trustor
Isaac Genah, Trustee

Gloria M. Genah
Gloria M. Genah, Trustee

Item No. A.18

October 18, 2007

To Whom It May Concern:

Please be advised that as trustee of the HO 2001 FAMILY TRUST, I am authorized to sign and act for the behalf of the Ho 2001 Family Trust.

Should you have any questions, please feel free to contact 626 358-6688.

Sincerely,

Hanson A.H. Ho, trustee
HO 2001 FAMILY TRUST
11680 Goldring Rd., Suite A
Arcadia, Ca 91006

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **Tract 32710**

DATE: **03/28/07**
PREPARED BY: **Michael Schuman**

STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			315	C.Y.	20.00	6,300
A.B. Class II	0.5	Thickness (ft.)				
	8650	S.F.	314	Ton	55.00	17,246
A.C.	0.25	Thickness (ft.)				
	8650	S.F.	157	Ton	90.00	14,110
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
A.C. Cap			0	Ton	90.00	0
A.C. Overlay			0	Ton	90.00	0
Grind & Pave 0.15'			0	S.F.	3.25	0
Curb and Gutter - 6"			347	L.F.	22.00	7,634
Curb and Gutter - 8"			0	L.F.	25.00	0
Curb Only - 6"			0	L.F.	18.00	0
Curb Only - 8"			0	L.F.	20.00	0
Cross Gutter and Spandrel			0	S.F.	15.00	0
Sidewalk			1307	S.F.	7.00	9,149
Driveway Approach - 6"			750	S.F.	14.00	10,500
Driveway Approach - 8"			0	S.F.	16.00	0
Alley Approach - 8"			0	S.F.	16.00	0
P.C.C. Paving - 6"			0	S.F.	14.00	0
P.C.C. Paving - 8"			0	S.F.	16.00	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	15.00	0
Slurry Seal (Based on $150/Ton Type II)			961	S.Y.	2.25	2,162
Redwood Header			0	L.F.	6.00	0
Sawcut			40	L.F.	1.50	60
Trench Repaving			0	S.F.	12.00	0
Utility Trench			0	L.F.	17.00	0
Wheelchair Ramp			0	EA.	1,200.00	0
Street Name Sign			0	EA.	500.00	0
Stop Sign			0	EA.	200.00	0
Barricade			0	L.F.	100.00	0
Warning Markers - Type L, Type N			0	EA.	100.00	0
Signs and Posts			0	EA.	200.00	0
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	20,000.00	0
Traffic Striping/raised pavement markers			0	L.S.	–	0
Traffic Signal (Includes Interconnect, Controller, Software,			0	EA.	272,000.00	0
Traffic Signal Interconnect (Existing Signals Only)			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			0	L.F.	100.00	0
Walls - Retaining: 6' Maximum			0	L.F.	150.00	0
Relocate Trees			0	EA.	2,500.00	0
1/2 Alley Apron			0	S.F.	16.00	0
Street Lights (9500 lumen)			2	EA.	4,000.00	8,000
Street Lights (22000 lumen)			0	EA.	5,000.00	0
Adjust M.H. to Grade			0	EA.	800.00	0
Adjust Water Valve to Grade			0	EA.	400.00	0
Erosion Control			2	Ac.	10,000.00	20,000
Cluster Mail Boxes			1	EA.	4,500.00	4,500
Electrical Utility Infrastructure			0	EA.		
Electrical Utility Line Extension			0	L.F.	135.00	
					SUBTOTAL:	99,662
Landscaping			0	S.F.	6.00	0
Water Quality Basins			0	S.F.	6.00	0
					SUBTOTAL:	0
Monuments:			28.00	EA.	100.00	$2,800

Item No. A.18

PROJECT: **Tract 32710**

DATE: **03/28/07**

PREPARED BY: **Anitra Holt**

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
50" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	350	L.F.	25.00	8,750
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	0	EA.	7000.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	7	EA.	2100.00	14,700
6" Wide Strip Basin		EA.	3000.00	0
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	0	S.F	535.00	0
Grated Catch Basin	0	EA.	6000.00	0
Transition Structure	0	EA.	5500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Junction Structure	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0
Rip Rap	0	TON	60.00	0
Parkway Drain	2	EA.	3500.00	7,000
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	2	EA.	250.00	500
"V" Gutter	430	S.F.	10.00	4,300
			SUBTOTAL:	35,250

Item No. A.18

MV00175030

PROJECT: Tract 32710

DATE: 03/28/07
PREPARED BY: Anitra Holt

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	180.00	0
18" Water Pipe	0	L.F.	135.00	0
16" Water Pipe	0	L.F.	90.00	0
12" Water Pipe	0	L.F.	60.00	0
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	130	L.F.	50.00	6,500
6" Water Pipe	36	L.F.	40.00	1,440
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	5,000.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	0	EA.	1,000.00	0
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	1	EA.	800.00	800
6" Butterfly Valve	1	EA.	520.00	520
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	1	EA.	2,800.00	2,800
6" Super Fire Hydrants	0	EA.	3,000.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	0	EA.	200.00	0
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	0	EA.	2,500.00	0
Blow Off 4"	1	EA.	2,000.00	2,000
Air Vac & Release 2"	0	EA.	3,000.00	0
Air Vac & Release 1"	0	EA.	2,000.00	0
Meter 2" W/O Service	0	EA.	455.00	0
Meter 1 1/2" W/O Service	0	EA.	360.00	0
Meter 1" W/O Service	6	EA.	270.00	1,620
Meter 5/8" W/O Service	0	EA.	200.00	0
Service Connections 2"	0	EA.	1,600.00	0
Service Connections 1 1/2"	6	EA.	1,100.00	6,600
Service Connections 1"	0	EA.	500.00	0
Hot Tap 8"	0	EA.	2,800.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	1	EA.	650.00	650
Thrust Block	2	CY	150.00	300
			SUBTOTAL:	23,230

Item No. A.18

PROJECT: Tract 32710

DATE: 03/28/07

PREPARED BY: Anitra Holt

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	185.00	0
33" V.C. Pipe	0	L.F.	165.00	0
30" V.C. Pipe	0	L.F.	150.00	0
27" V.C. Pipe	0	L.F.	135.00	0
24" V.C. Pipe	0	L.F.	120.00	0
21" V.C. Pipe	0	L.F.	105.00	0
18" V.C. Pipe	0	L.F.	90.00	0
15" V.C. Pipe	0	L.F.	75.00	0
12" V.C. Pipe	0	L.F.	50.00	0
10" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	140	L.F.	30.00	4,200
6" V.C. Pipe	0	L.F.	25.00	0
4" V.C. Pipe	243	L.F.	20.00	4,860
15" SDR - 35	0	L.F.	60.00	0
12" SDR - 35	0	L.F.	50.00	0
10" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	19.00	0
4" SDR - 35	0	L.F.	13.00	0
Standard Manhole 48"	1	EA.	3,000.00	3,000
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Tie Into Existing Manhole	1	EA.	1,500.00	1,500
Raise Manhole to Grade	1	EA.	300.00	300
Rechannel Existing Manhole	1	EA.	1,500.00	1,500
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
Clean-outs	0	EA.	700.00	0
Clean Out Lateral	0	EA.	120.00	0
Wyes	6	EA.	90.00	540
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
			SUBTOTAL:	15,900

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 32710**

DATE: **03/28/07**
PREPARED BY: **Anitra Holt**

IMPROVEMENT TYPE:

ROADWORK	:	$99,662
STORM DRAIN	:	$35,250
WATER SYSTEM	:	$23,230
SEWER SYSTEM	:	$15,900
SURVEY MONUMENTS	:	$2,800
LANDSCAPING:		$0
WATER QUALITY BASINS:		$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$176,842
+20% CONTINGENCY:		$35,368
GRAND TOTAL:		$212,210

BOND AMOUNT: **$213,000**

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

- PAGE 3, AND NEXT PAGE NOTARY DOCUMENT (BOTH HAVE SAME NOTARY STAMP)
- WORDING: ERIKA MAGALEON
  COMM. # 1649613
  NOTARY PUBLIC, CALIFORNIA
  LOS ANGELES COUNTY
  MY COMM. EXPIRES MARCH 5, 2010

EAMI

Date: 6/2/08

Signature: Lee Ann Florez

Print Name: LEE ANN FLOREZ

Item No. A.18 9/2005)

MV00175034

Recording requested by and when
recorded, mail to:

Public Works/Land Development Division
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
Community & Economic Development Department

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

PUBLIC WORKS LAND DEVELOPMENT DIVISION
OF THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

NOTICE OF PROPERTY NON COMPLIANCE AND REQUIREMENT FOR PUBLIC IMPROVEMENT SECURITY

In the matter of the Property of Assessor's Parcel Numbers 475-182-048 through 053, also known as Tract 32710, owned by Isaac Genah and Gloria M. Genah, Trustors and Trustees of the CSA Revocable Trust Dated September 10, 1993, and Hanson A. H. Ho 2001 Family Trust, Jointly and Severally;

NOTICE is hereby given that the Property described on Exhibit A attached hereto is in non-compliance with the Subdivision Map Act, Section 66499; because at the time of approval of Final Map Number 32710 public improvements were required to be built and security placed with the City of Moreno Valley guaranteeing the construction of the public improvements and such prerequisites to construction have not been met and are still required. Any purchaser or encumbrances acquiring an interest in said property subsequent to the recording of this notice with the County Recorder shall have such interest subject to the public improvement requirements and the posting of security for the public improvements. An Agreement for Public Improvements and the security for such improvements are required before construction can be commenced. Further details regarding this notice may be obtained by addressing an inquiry to the CEDD, Land Development Division (Phone: 951-413-3120, 14177 Frederick Street, Moreno Valley, California, 92552).

By: _____
AHMAD R. ANSARI,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
CITY OF MORENO VALLEY

Date _____

Exhibit "C"

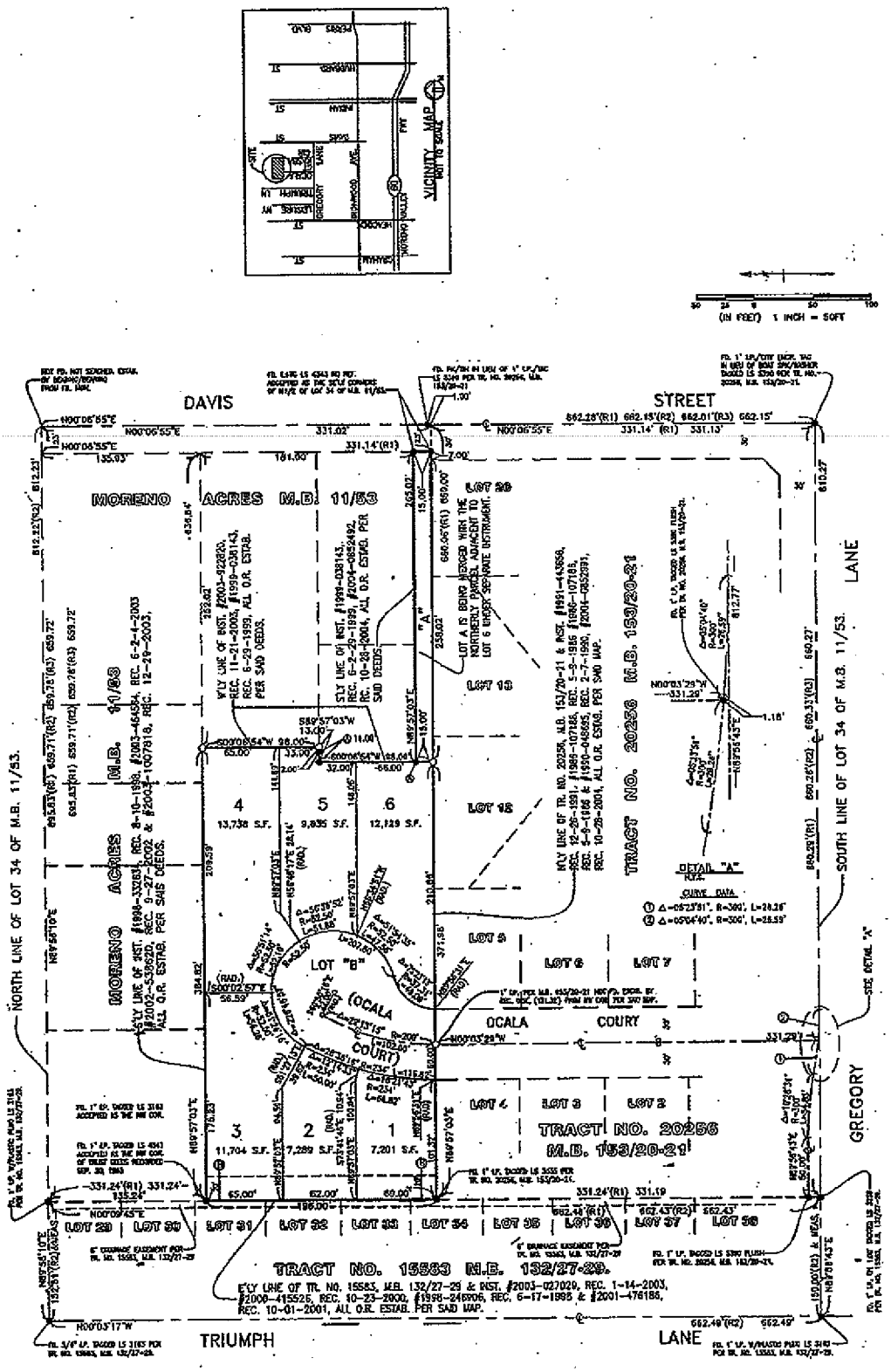

EXHIBIT "A"

TRACT 32710 VICINITY MAP

CITY OF MORENO VALLEY PUBLIC WORKS – LAND DEVELOPMENT

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director
Joel Ontiveros, Chief of Police

AGENDA DATE: August 28, 2012

TITLE: AWARD OF CITYWIDE CAMERA SURVEILLANCE PROJECT CONTRACT AND AUTHORIZATION FOR CITY MANAGER TO EXECUTE CONTRACT AND SUPPORT AGREEMENT WITH AVRIO GROUP SURVEILLANCE SOLUTIONS, LLC PROJECT NO. TS-CCSS 2012-02

RECOMMENDED ACTION

The Public Safety Subcommittee recommends that the City Council take the following actions:

1. Authorize the award of the Citywide Camera Surveillance Project contract to Avrio Group Surveillance Solutions, LLC (Avrio), 3 N. Harrison Street, Suite 100, Easton, Maryland 21601 in an amount not-to-exceed $1,800,000 for installation.

2. Authorize the City Manager to sign the contract with Avrio.

3. Authorize the City Manager to execute the support agreement with one-year of maintenance with additional one-year options for maintenance as follows:

Year 1 maintenance	Included - No Charge
Year 2 maintenance	$98,000
Year 3 maintenance	$112,000
Year 4 maintenance	$125,000
Year 5 maintenance	$145,000

BACKGROUND

The Citywide Camera Surveillance System was first presented to the Public Safety Sub-Committee in a meeting on June 27, 2011. The citywide camera surveillance system

was presented in a Study Session before City Council on September 20, 2011. The Public Safety Sub-Committee recommended that the Police Department continue to move forward with this project at their October 31, 2011 meeting. On November 23, 2011 a Request for Proposals (RFP) was issued for a Project Manager for this project; the RFP process successfully concluded on January 11, 2012. On April 2, 2012 the City issued a RFP concerning the camera surveillance system and eleven proposals were received on May 9, 2012.

Several cities in California, such as the Cities of Redlands, Compton, Bakersfield, Santa Monica, Lynnwood, Fresno, and Vallejo, have camera surveillance systems throughout their cities with varying degrees of coverage. These cameras contribute to the overall safety of the entire community and aid law enforcement's effort in crime prevention and solving crimes.

During the fourth quarter of 2011 and the first quarter of 2012, Police and City Staff reviewed surveillance systems and met with representatives from several Southern California cities concerning their camera system. After evaluating various camera systems, City Staff determined that a citywide camera surveillance system would enhance the law enforcement capabilities of the Moreno Valley Police Department. During this investigation phase, all City Council members expressed support for the citywide camera surveillance system.

DISCUSSION

After eleven proposals were received on May 9, 2012, an evaluation committee was formed to choose a vendor to build the citywide camera surveillance system. The evaluation committee included a Police Lieutenant, a Police Sergeant, the Project Manager, and the City's Technology Services Division Manager. All proposals were read and scored by each member of the evaluation committee, resulting in a ranking of the proposals. The scoring revealed a natural break where four of the proposals were superior to the remaining proposals; these four vendors were considered finalists. A representative from another local city who manages that City's camera system was added to the evaluation committee when finalists were identified.

Proposals from the four finalists were further scrutinized in order to identify the company that staff would recommend to the City Council. A questionnaire, consisting of both common and customized questions, was sent to each finalist. Finalists were asked to both respond to the questionnaire in writing and in person in order to make a presentation to the evaluation committee. Each company was given 4 hours to make their presentation and engage the evaluation committee during the days of May 29 & 30, 2012. After the conclusion of the presentations, the evaluation committee met several additional times. Two of the finalists made proposals that fit the City's needs very well and addressed all of the evaluation criteria. Best and final offers were requested from these two companies. Based on the final offers the committee chose Avrio as the company that best fit the City's requirements.

Avrio submitted a proposal that covers all locations in the City, as identified by the Police Department, in project phases 1, 1a, and 2; the RFP also identifies phase 3 locations. Avrio's proposal covers a total of 67 locations throughout the City; each

location will include at least 3 cameras. The proposal also included 3 mobile camera systems which will be placed as the Police Department identifies an area in need of the use of these cameras.

In addition to cameras the complete system includes two other major components. One of these components is a wireless system to transmit the video images to City Hall and the Police Department. Avrio has proposed a collection of common, well-known wireless equipment placed throughout the city that establishes a network capable of transmitting high quality video images back to storage facilities at City Hall. The exact placement and height of the wireless radios required to be placed remains subject to site surveys, but the proposed system has been designed to require only minimal additions in the future.

The last major component of the system is called the Video Management System (VMS). The VMS is the software responsible for managing all the cameras, stored videos, user permissions, video clip exports, and many other features. Avrio has proposed a common, well-known VMS that has an outstanding list of features.

Avrio's final offer includes price guarantees to the City for any equipment and services that are purchased during the next three years to expand the system. These guarantees give the City a known cost for expanding the coverage of the system to additional locations at a known cost.

Police Department and City staff confidently recommends Avrio based on the merits of their proposal and the checking of several references. The Cities contacted as references for Avrio were very pleased with their camera system and with Avrio's customer service; several of the cities plan to expand their camera systems and view Avrio as the preferred vendor for those expansions.

Project Schedule

The project schedule includes milestones that will enable the Police Department to begin viewing live video from some locations by December of this year. A detailed project schedule is currently being developed and is being heavily influenced by the wireless radio system site surveys.

Project Budget

The City Council, on December 3, 2011, approved the total project funding of $1.9 million, which includes $95,000 for Project Management Services and $1.8 million for the Citywide Camera Surveillance System.

Annual Maintenance

Camera systems, like all hardware and software systems, require annual maintenance agreements in order to continue using the system, to receive enhancements and fixes, and to enable support calls when problems arise. Avrio has agreed to provide the first year of maintenance at no charge; the schedule for annual maintenance is shown below under Alternatives.

The City has budgeted asset depreciation (replacement costs) and annual maintenance for this system at a level that should ensure the success of this on-going system.

ALTERNATIVES

1. Authorize the award of the Citywide Camera Surveillance Project contract to Avrio Group Surveillance Solutions, LLC (Avrio), 3 N. Harrison Street, Suite 100, Easton, Maryland 21601 in an amount not-to-exceed $1,800,000 for installation.

2. Authorize the City Manager to sign the contract with Avrio.

3. Authorize the City Manager to execute the support agreement with one-year of maintenance with additional one-year options for maintenance as follows:

Year 1 maintenance	Included - No Charge
Year 2 maintenance	$98,000
Year 3 maintenance	$112,000
Year 4 maintenance	$125,000
Year 5 maintenance	$145,000

4. Do not authorize the Citywide Camera Surveillance System contract. ***This action would prevent the building of the Citywide Camera Surveillance System and hamper the plans of the Police Department to enhance public safety in the City.***

5. Provide staff with further direction.

Staff recommends Alternative Nos. 1, 2 and 3.

FISCAL IMPACT

Funding for the $1,900,000 Citywide Camera Surveillance System project budget is available in a Technology Services Capital Improvement Project account (7210-30-39-80010) due to the City Council's previous funding of this project.

Due to the availability of the funding source identified above, approval of the Citywide Camera Surveillance System project contract will have no further impact on the City's General Fund operating budget.

CITY COUNCIL GOALS

The Citywide Camera Surveillance System will contribute towards the City Council's goal of Public Safety, which states: Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

SUMMARY

Following an extensive evaluation process, staff has selected Avrio RMS Group (Avrio) as the preferred vendor for a Citywide Camera Surveillance System through a competitively bid Request for Proposals (RFP) process. Avrio has submitted the proposal that best fits the City's needs from among a field of 11 proposals. The Citywide Camera Surveillance System is anticipated to begin in July 2012 and be completed by March, 2013 with the first cameras operational in December 2012. Avrio has also given the City a price guarantee on any equipment and services that are purchased during the next three years. Therefore, it is recommended that the City Council award the project to Avrio, authorize the Mayor to execute the contract, authorize the City Manager to execute a purchase order for one-time project costs not-to-exceed amount $1,800,000, and authorize the City Manager to execute the one-year maintenance options related to the contract starting in year 2 of the contract.

The proposed Citywide Camera Surveillance System has been reviewed and is supported by the Public Safety Subcommittee.

ATTACHMENTS/EXHIBITS

Attachment 1: Citywide Camera Surveillance Project Contract Agreement

Prepared By:
Steve Hargis
Technology Services Division Manager

Department Head Approval by:
Richard Teichert
Financial & Administrative Services Director

Concurred By:
Brandon Ford
Lieutenant

Concurred by:
Joel Ontiveros
Chief of Police

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00175042

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name:	Avrio Group Surveillance Solutions, LLC (aka Avrio RMS Group)
Address:	3 N. Harrison Street, Suite 100
City:	Easton, Maryland 21601
Business Phone:	(410) 820-9334 x101 Fax No.: (410) 820-4304
Other Contact Number:	_____
Business License Number:	_____
Federal Tax I.D. Number:	26-3966298

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference. If there is a conflict between documents incorporated by reference therein, the document highest in precedence shall control. The precedence shall be:
   a. First: This Agreement
   b. Second: City Request for Proposals (RFP)
   c. Third: Contractor Proposal
   d. Fourth: City Finalist Questions
   e. Fifth: Contractor Presentation
   f. Sixth: City Request for Best and Final Offer
   g. Seventh: Contractor Best and Final Offer
   h. Eighth: Support Agreement

   Agreed upon change orders, supplemental agreements, and approved revisions to the specifications become a part of item First.

B. The City's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.

C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.

D. The Contractor Starting Date is August 28, 2012 and the Contractor Ending Date is August 27, 2013. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others (including,

without limitation, the City) or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, (collectively, "Claims") incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage. The City shall promptly notify Contractor of any Claims. The City's failure to provide such notice to Contractor shall limit Contractor's defense or indemnification obligations to the extent that the delay is prejudicial to Contractor. Contractor shall have the right to assume the defense and settlement of any third party Claims for which Contractor is providing indemnification hereunder.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, Claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all Claims which arise from the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the

Contractor, its officers, agent, employees, or subcontractors. Contractor's failure to provide such notice to the City shall limit the City's defense or indemnification obligations to the extent that the delay is prejudicial to the City. The City shall have the right to assume the defense and settlement of any third party Claims for which the City is providing indemnification hereunder.

G. Limitation on Liability. NOTWITHSTANDING ANYTHING IN THIS AGREEMENT TO THE CONTRARY, CONTRACTOR'S AGGREGATE LIABILITY FOR CLAIMS BY THE CITY ARISING FROM A BREACH OF THIS AGREEMENT WITH RESPECT TO NON-PERFORMANCE SHALL NOT EXCEED THE AMOUNTS PAID BY THE CITY TO CONTRACTOR HEREUNDER. CLAIMS ARISING FROM PERSONAL INJURY, PROPERTY DAMAGE, LABOR AND MATERIAL CLAIMS, THIRD-PARTY CLAIMS, AND NON-PERFORMANCE RELATED CLAIMS ARE NOT LIMITED BY THE FOREGOING LIMITATION.

H. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

⊗ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$5,000,000 per occurrence/ $5,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

⊗ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

⊗ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the

execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

I. Intellectual Property. Any system or documents developed, produced or provided by Contractor exclusively for the City under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

J. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

K. Termination.

(a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. In event of any termination of this Agreement, the City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for the value of all non-objected to services performed by the Contractor and all products delivered and accepted in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

L. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

M. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

N. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

O. Bonds. The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the Satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments shall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

Contractor agrees that the Labor and Materials Payment Bond and Faithful Performance Bond attached to this Agreement are for reference purposes only, and shall not be considered a part of this Agreement. Contractor further agrees that said bonds are separate obligations of the Contractor and its surety, and that any attorney's fee provision contained in any payment bond or performance bond shall not apply to this Agreement. In the event there is any litigation between the parties arising from the breach of this Agreement, each party will bear its own attorneys' fees in the litigation.

P. Traffic Control Plans. Contractor shall submit Traffic Control Plans and receive approval from the City of Moreno Valley, Transportation Engineering Division based on the 2012 Work Area Traffic Control Handbook and the 2012 California Manual of Temporary Traffic Controls for Construction and Maintenance Work Zones from the CalTrans Manual. A copy of the above manuals will be provided by the City.

Q. Permits. Contractor shall obtain approved Encroachment Permit from the Land Development Division, Entry Permit from the Parks and Recreation Division, Building Permit from the Building and Safety Division, and approval and Inspection from the Transportation Division as required by City.

R. California Labor Code. For the field installation portions of the contract the City **requires** the payment of prevailing wages, submission of certified payrolls, and compliance with other Labor Code provisions. *This contract is considered a public works contract as defined by the Public Contract Code. (California Code of Regulations starting at section 16000)*

S. Assignment. Contractor may collaterally assign its rights hereunder to a lender or lenders providing financing for Contractor.

T. Disclaimer of Warranties. OTHER THAN FOR THE EXPRESS WARRANTIES OF CONTRACTOR CONTAINED IN THIS AGREEMENT OR THE RFP, CONTRACTOR DISCLAIMS ALL OTHER EXPRESS WARRANTIES AND ALL IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE WITH RESPECT TO ANY GOODS OR SERVICES PROVIDED HEREUNDER. IN NO EVENT CONTRACTOR'S WARRANTIES SHALL APPLY TO GOODS THAT HAVE BEEN SUBJECTED TO ALTERATION, MISBRANDING, MISLABELING, MISUSE, MISHANDLING, ABUSE, NEGLECT, OR ACCIDENTAL DAMAGE CAUSED BY PARTIES OTHER THAN CONTRACTOR.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Henry T. Garcia, City Manager

_____
Date

Avrio Group Surveillance Solutions, LLC

BY: _____
Darrin Lipscomb, President

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Chief of Police

_____
Date

_____
Financial & Administrative Services Director

_____
Date

CITY OF MORENO VALLEY
CITYWIDE CAMERA SURVEILLANCE SYSTEM
PROJECT # TS-CCSS 2012-02

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MORENO VALLEY

REQUEST FOR PROPOSALS

RFP # TT 11/12-10

CITYWIDE CAMERA SURVEILLANCE SYSTEM

PROJECT # TS-CCSS 2012-02

April 2, 2012

Proposals are due Wednesday, May 9, 2012

Before 2:00 p.m. PST

RFP # TT 11/12 10

CITY OF MORENO VALLEY

CITYWIDE CAMERA SURVEILLANCE SYSTEM

PROJECT # TS-CCSS 2012-02

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RFP # TT 11/12 10

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

GENERAL PROPOSAL TERMS AND CONDITIONS

Notify the City if you wish to receive addendums – Contact the Purchasing Division at PurchasingDivision@moval.org if you wish to receive any addendums via e-mail related to this RFP; otherwise all addendums will be posted on the City's web site. Questions relating to this addendum will be received through April 26, 2012; questions received after that will not be answered.

Requirement to Meet All Proposal Provisions - Each proposer shall meet all of the specifications and RFP terms and conditions. By virtue of the proposal submission, the proposer acknowledges agreement with and acceptance of all provisions of the specifications except as expressly qualified in the RFP. Nonsubstantial deviations may be considered provided that the proposer submits a full description and explanation of and justification for the proposed deviations. Whether any proposed deviation is nonsubstantial will be determined by the City of Moreno Valley in its sole discretion.

Communications Regarding Proposal - All timely requests for information submitted in writing will receive a written response from the City. Telephone communications with City staff are not encouraged but will be permitted. However, any such verbal communication shall not be binding on the City. All questions regarding this RFP should be in writing to: PurchasingDivision@moval.org

Proposal Submission – Four (4) printed and one (1) electronic copy of the proposal must be submitted. Each proposal must be submitted on the form(s) provided in the RFP. One (1) Price proposal shall be enclosed in a separate sealed envelope, addressed to:

City of Moreno Valley
City Clerk's Office

(hand or delivery service) **14177 Frederick Street** **Moreno Valley, CA 92552**	***(postal)*** ***PO Box 88005*** **Moreno Valley, CA 92552**

In order to guard against premature opening, the Proposal shall be clearly labeled with the RFP number, title, name of proposer, and date and time proposals are due. If the proposal is delivered to the City in express delivery or other priority mail services, the above information must also be included on the outside shipment envelope.

Submission of One Proposal Only - No individual, or business entity of any kind shall be allowed to make or file or to be interested in more than one proposal, except an alternative proposal when specifically requested. However, an individual who has quoted prices on materials to a proposer submitting a Proposal is not thereby disqualified from quoting prices to other proposers submitting proposals.

Proposal Withdrawal - A proposer may withdraw its Proposal without prejudice prior to the time specified for the proposal opening by submitting a written request to the City's Finance Director/City Treasurer for its withdrawal. If this occurs, the Proposal will be returned to the proposer unopened. No Proposal received after the time specified or at any place other than the place stated in the Request for Proposals will be considered.

Proposal Retention and Award - The City reserves the right to retain all proposals for a period of 30 days after the proposal opening date for examination and comparison. The City also reserves the right to determine and waive nonsubstantial irregularities in any proposal, to reject any or all proposals, to reject one part of a proposal and accept the other, except to the extent that the proposals are qualified by specific limitations, and to make the award as the interest of the City may require based on the criteria identified in this RFP Terms and Conditions.

Contract Requirement - The proposer to whom the award is made shall execute a written contract with the City within ten (10) calendar days after notice of the award has been sent by mail to the address given in the proposal or within ten (10) calendar days after receipt by proposer of oral communication of the intent to award, whichever occurs first. The Contract shall be made in the form adopted by the City and incorporated in these specifications. The proposer warrants that proposer possesses, or has arranged through subcontracts, all capital and other equipment, labor and materials to carry out and complete the work hereunder in compliance with all Federal, State, County, City and Special District Laws, Ordinances, and Regulations which are applicable; and further, proposer shall comply with all Federal, State, County, City and Special District Laws, Ordinances, and Regulations which are applicable.

Failure to Accept Contract - If upon notification of intent to award the contract by the City, the proposer fails to enter into the Contract within the specified time period, the pending award will be annulled. Any proposal security will be forfeited in accordance with these RFP Terms and Conditions if a bond or security is required. An award may be made to the next most qualified proposer who shall fulfill every term and condition of the RFP.

Business License - The City's Business Ordinance requires that a Business License be obtained before any business, trade, profession, enterprise, establishment, occupation, or calling is conducted within the City. The amount of the tax is based on gross receipts resulting from business conducted in the City of Moreno Valley and is required to be paid when business is conducted in the City even though the principal location of the business may be outside of the City or a Business License has been issued to them by another city. Issuance of a Business License is only evidence of the fact that the business license fee and applicable business gross receipts tax has been paid. It does not sanction or approve any operation not otherwise permitted. Verification that the proposer has a valid City of Moreno Valley Business License will be obtained by the City prior to the execution of the contract. Additional information regarding the City's Business License program may be obtained by calling (951) 413-3084.

Submission of References - Each proposer shall submit a statement of qualifications and references on the form provided in the RFP package.

Insurance - The Contractor shall meet the following provisions (Sections 1 through 7) relating to insurance coverage.

1. General Conditions - Without limiting the Contractor's indemnification of City, Contractor shall provide and maintain at its own expense the insurance listed under Section 7 (Evidence of Coverages) covering its operations, subject to the following conditions:

   a) The City, its Boards, Officers, Agents, and Employees shall be included as additional insureds in all liability insurance policies and endorsements thereto except for Workers' Compensation and Professional Errors and Omissions. The City shall be named Loss Payee as its interest may appear in all property insurance.

   b) Such insurance shall be primary with respect to any insurance maintained by City and shall not call on City's insurance for contributions.

   c) With respect to the interests of the City, the Contractor's insurance shall not be canceled nor reduced in coverage or limits until after thirty (30) days written notice shall have been sent by certified mail (return receipt requested) to the City of Moreno Valley, Finance Department, 14177 Frederick Street, PO Box 88005, Moreno Valley, CA 92552-0805, and shall contain an unequivocal clause so stating.

   d) A City approved endorsement or certified copy of insurance policy providing coverage shall be submitted to and approved by the City's Risk Manager prior to commencement of any work or tenancy.

2. Workers' Compensation - The Contractor shall procure and maintain, during the life of the contract, workers' compensation insurance or a valid certificate of consent to self-insure for all its employees engaged on or at the site of the project. In case any of the work is sublet, the Contractor shall require all subcontractors to similarly provide workers' compensation insurance for all the latter's employees unless such employees are covered by protection afforded by workers' compensation insurance carried by the Contractor.

   By submitting a proposal pursuant to these specifications, Contractor hereby certifies that it is aware of the provisions of Section 3700 et seq., of the Labor Code which require every employer to be insured against liability for Workers' Compensation.

3. Aggregate Limits/Blanket Coverage - If any of the required insurance coverages contain aggregate limits or apply to other operations or tenancy of the Contractor outside these specifications, Contractor shall give City prompt, written notice of any incident, occurrence, claim, settlement, or judgment against that insurance which may diminish the protection that such insurance affords the City. Contractor shall further take immediate steps restoring such aggregate limits or shall provide other insurance protection for such aggregate limits.

4. Modification of Coverage - The City reserves the right at any time during the term of any contract executed with the Contractor pursuant to these specifications (Contract) to change the amounts and types of insurance required hereunder by giving Contractor ninety (90) days written notice. If such change should result in a premium increase in excess of ten (10%) percent to Contractor, City agrees to negotiate additional compensation proportional to the increased benefit to the City.

5. Failure to Procure or Maintain Insurance - Contractor's failure to procure or maintain required insurance program shall constitute a material breach of contract under which the City may immediately terminate the Contract or, at its discretion, procure or renew

such insurance to protect the City's interests and pay any and all premiums in connection therewith, and recover all monies so paid from Contractor, or deduct all monies so paid from payments due Contractor.

6. Underlying Insurance - Contractor shall be responsible for requiring indemnification and insurance from its employees receiving mileage allowance, consultants, agents, and subcontractors, if any, to protect the Contractor's and the City's interests, and for ensuring that such persons comply with any applicable insurance statutes. Contractor is encouraged to seek professional advice in this regard.

7. Evidence of Coverages - Evidence of coverages (as checked below) having as a minimum the limits shown must be submitted and approved prior to commencement of work or any tenancy. Amounts shown are Combined Single Limit (CSL). Split limits may be substituted if the total per occurrence equals or exceeds the CSL amount.

Description	Limits
X Workers' Compensation	Statutory
(X) Employer's Liability	$500,000
X General Liability (must be written on an Occurrence Form)	$5,000,000
(X) Premises and Operations	
(X) Contractual Liability	
(X) Independent Contractors	
(X) Products/Completed Operations	
(X) Broad Form Property Damage	
X Automobile Liability (must be written on an Occurrence Form)	$1,000,000
(X) Owned Automobiles	
(X) Nonowned/Hired Automobiles	
X Professional Errors and Omission	$1,000,000

Non-Exclusive Contract - The City reserves the right to purchase the items listed in the Detailed Proposal Specifications/Proposal Submission Form, as well as any supplemental items, from other vendors during the contract term.

RFP # TT 11/12 10

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

BACKGROUND ON CITYWIDE CAMERA SURVEILLANCE PROJECT

The City of Moreno Valley, Police and Financial & Administrative Services Departments, are requesting proposals pursuant to Project # TS-CCSS 2012-02, Citywide Camera Surveillance Installation and Integration. The completed Citywide Camera Surveillance system will be utilized by the City to support public safety, traffic management, and asset protection activities in service to its citizens.

As the City makes cutbacks in the area of public safety, a citywide camera system will aid law enforcement in their efforts to combat crime in the community. Efforts to research the benefits of a City-wide camera surveillance system included staff visiting the cities of Redlands and Santa Monica to view their camera systems. Both Redlands and Santa Monica had very positive feedback on their camera systems. Their Citywide camera systems have allowed them to actively monitor parks, piers, shopping malls, and parking lots from a remote location. While monitoring their Citywide camera surveillance systems, they have witnessed crimes occurring such as vandalism, burglaries, drug deals, and assaults with a deadly weapon. Additionally, officers have been able to deter city ordinance violations, such as being in a park after hours. The use of the citywide camera surveillance system has led to the identification and arrest of suspects in a multitude of crimes. In some of these cases, by the time officers arrived to investigate a crime, if the suspects have disposed of any evidence; the citywide camera surveillance system has aided officers in the recovery of evidence.

Most camera systems offer software analytics; this software lends itself to making law enforcement more efficient. For example, there is technology that allows for the use of virtual trip wires at desired locations. Crossing these virtual trip wires activates an alarm in the monitoring room and leads to quick action by officers and the ability to coordinate a response to apprehend suspects. There is also software available for license plate reading as vehicles pass through intersections. Some cities use add-on capabilities for gunshot sound recognition and locating. Gunshot sound locating, yet another analytical tool, requires equipment and software be placed at the camera locations. When a gunshot sound is detected, the cameras in that area are automatically turned towards the gunshot sound. This technology can aid in coordinating responses by police and medical personnel to safely render aid to victims and to apprehend suspects. These are just a few of the technologies that are available for a Citywide camera surveillance system. Each of these components to the Citywide camera surveillance system is aimed at preventing or reducing crime, and in cases where a crime occurs, documenting it.

In researching Citywide camera surveillance systems staff discovered that the communications infrastructure is an expensive, upfront cost; however, it is a necessary cost in order to correctly build a lasting foundation. Trying to expand infrastructure as the system grows raises costs in the long term. This is a lesson learned from the City of Redlands and they have encouraged our city to avoid the same mistake. Absent fiber communications throughout the City, a wireless backhaul system is envisioned for this project. As existing fiber plans become a reality, the system will be converted from wireless to fiber. With solid infrastructure in place, the Citywide camera surveillance system can expand to add cameras as funding becomes available.

RFP # TT 11/12 10

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

QUALIFICATIONS AND SCOPE OF WORK

The vendor's history of performance and demonstrated ability in providing similar wireless based video surveillance solutions will be assessed. Preference will be given to vendors who are able to provide solid references and who have demonstrated a history of meeting project implementation and long-term maintenance commitments.

The vendor's qualifications and certifications associated with the proposed technologies will be considered.

The total budget for this Citywide Camera Surveillance System is $1.8 million dollars. In order to minimize the City's risk involved with the completion of this project, the successful bidder will be required to either (A) execute a performance bond for $540,000 dollars, or (B) agree to a payment schedule where the final $540,000 is not due until the City has formally accepted the complete system.

There are no contingency funds; respondents are required to meet the functional requirement of this RFP while staying within this budget.

April 11, 2012 1pm	Pre-bid meeting Police Department Main Conference Room 22850 Calle San Juan De Los Lagos Moreno Valley, CA 92552
May 2012	Evaluate RFP responses
June 2012	Negotiate with Finalists
June 12 or 26, 2012 Tuesday 6:30 pm	Award contract
July 2012	Begin implementation of the system
November 30, 2012	Complete implementation of the system

This RFP covers the above estimated schedule through November 2012; the dates are subject to change.

Proposal Content - The City is requesting comprehensive proposals to design, acquire, install, and maintain a city wide surveillance system to serve as a turnkey solution. The City plans to install surveillance cameras on city owned infrastructure including traffic control and lighting poles as well as city owned buildings. In addition the city plans to utilize public – private partnerships which will also allow the use of privately owned infrastructure for camera or wireless radio placement. The City's goal for the system is to provide video technology to

improve overall safety and security to the residents of the city.

The City has little fiber infrastructure at this point and is requiring that a wireless backbone be placed throughout the City. This backbone must meet the broadband requirements of the listed camera locations as indicated on the attached maps. The backbone infrastructure should be designed to allow for the addition of new cameras as they are added by the City. It is our desire to obtain as close to 100% coverage of the City as possible. Vendor will identify locations throughout the City to place access points and backhaul infrastructure to bring the video signals to the City of Moreno Valley Emergency Operations Center (EOC) for recording and distribution for viewing from multiple locations within the City network. Fiber infrastructure is being expanded as the budget allows which will complement the backhaul for the Citywide Camera Surveillance System. The plan to expand the City to the southeast will include the requirement to expand fiber in that area. If fiber is available (see Attachment Q for map of existing fiber) it is the preferred method of providing the video backhaul to the EOC, otherwise the wireless backhaul will have to be used.

The City requires the complete backbone to be built out with as many cameras included in the proposal as the budget will allow. A list (Exhibit A) of the proposed camera locations is attached including cameras located at intersections within the City and at several City Parks. Phases 1 & 1A camera locations are the most important locations for immediate placement and are not in any order of importance. Phase 2 camera locations are listed in descending order of importance. Phase 3 camera locations may be addressed at a later time if the budget does not allow for them now. There are 36 Phase 1 locations listed on the map but this does not necessarily equate to 36 cameras. Most camera locations at intersections could easily include two fixed high definition and/or megapixel cameras and one PTZ camera. The City desires that cameras at park locations make it possible to monitor persons in the vicinity of the restrooms, playgrounds, and the parking lots as well as in common areas. The City also desires that select cameras be placed in locations and at proper heights to make facial recognition possible using software provided by DataWorks Plus (www.dataworksplus.com). Cameras located at intersections should have a clear view of all directions if possible. Cameras should be able to distinguish make, model, color, and number of people in the vehicle passing through the view of the camera. The ability to read a license plate is desired if possible.

The City also desires three portable “camera systems” which can be set up for use on a pole with relative ease. These cameras will be used for emergency situations as well as for gathering potential evidence for police investigations. The “camera system” will include a PTZ camera and necessary equipment to connect into the video backhaul for recording at the EOC. The Vendor shall train selected City personnel, at the request of the City, to move these cameras to desired locations.

In order to assure long term viability of the system the City desires to assure the system is interoperable with a wide variety of component hardware and software applications well into the future. Therefore, solutions which maximize the use of widely available hardware and software from well-established providers are preferred. The City also prefers solutions which can demonstrate interoperability of all proposed system components with equipment and software from a variety of alternate manufacturers.

The selected bidder shall provide all materials and labor required to implement a fully functioning system. The system will be implemented to the extent the budget will allow.

Prevailing Wages - For the field installation portions of the contract the City requires the payment of prevailing wages, submission of certified payrolls, and compliance with other Labor Code provisions. *This contract is considered a public works contract as defined by the Public Contract Code (California Code of Regulations starting at section 16000).*

Evaluation Criteria

The criteria and requirements listed below form the basis for evaluating each proposal; the proposal to which the City awards the contract will offer the best balance of these criteria while achieving the most complete and responsive compliance with the requirements. The City expects the evaluation process to follow 3 steps. Step 1 will include a thorough review of every proposal to identify multiple proposals that will be deemed finalists. Step 2 will result in a ranking of the finalists proposals and may include reference checks, discussions, meetings, presentations, site visits, or demonstrations of the proposed system. Step 3 will involve negotiations with finalists and result in awarding a contract to the successful proposal. Proposal clarifications may occur with multiple vendors simultaneously; however, negotiations resulting in a contract will occur one proposal at a time.

1. Functional Requirements and Characteristics
   a) Wireless coverage of the City with respect to the existing camera locations and the future addition of camera in different areas
   b) Ability to monitor all areas indicated on the location maps
   c) Ability to readily identify objects of interest anywhere within camera range for both live and recorded video
   d) Analytic abilities of the cameras and the Video Management System (VMS)
2. Flexibility, Ease, and Intuitiveness of Use
   a) Ability to utilize the system in all of the scenarios envisioned (e.g., video monitoring from multiple locations)
   b) Thoroughness and practicality of the camera system, including software, integration, analytics, as well as intuitive design
3. System Hardware/Software Environment and System Performance
   a) Ability to integrate 3rd party functionality into the VMS; including the breadth, performance, and ease of use of the tools
   b) Wireless network bandwidth and performance among cameras, VMS, storage, and monitoring locations
   c) Ability of the hardware and software to accommodate growth with minimal disruption and expense

4. Capacity of the Storage
   a) Length of time to store recorded video
   b) Ability to easily add storage capacity
   c) Ability to inexpensively add storage capacity
   d) Ability to manage storage with existing staff and knowledge of SAN management
5. Vendor Responsiveness and Performance
   a) Experience and skills of the organization and personnel
   b) Past performance with the City and on similar projects elsewhere
   c) System implementation plan and schedule
   d) Thoroughness and practicality of backbone design

Technical Requirements - Provide alarming capability for programmable events. Alarm capability shall include at a minimum, on-screen alerts, audible alarms and generate email notifications. The VMS shall support multiple alarms and is desired to integrate with the County of Riverside CAD system, Tiburon.

Manage Internet-Protocol (IP) cameras or analog cameras with encoders from multiple manufacturers. H.264 is a recording requirement and compatibility with high definition and/or megapixel technology is required.

Provide the ability to export video in a variety of common formats as well as a (watermarked) export with a player download which allows the video to be played on most computers without having to download a player onto the users' computer. Copied video must meet District Attorney's Office and Court regulations to be legally admissible in court as evidence and preserve the chain of custody.

Include adequate processing power and speed to comfortably support all system requirements.

Include adequate disk and controller redundancy using an appropriate RAID configuration to assure system will continue to operate in the event of a single disk failure and/or a single controller failure.

VMS must be capable of recording pre-event and post-event footage for cameras set to record on motion only.

A supported Software Development Kit (SDK) to allow custom development of software to provide additional video management features as required. The SDK should include API's which 3rd party products can use to integrate (e.g. Kimley-Horn & Associates, KITS). Indicate whether or not the 3rd party APIs are used by the product to provide core system functionality.

Use of common storage technologies on readily available hardware obtainable from a variety

of well-established manufacturers.

Three portable wireless camera, radio, and antenna assemblies shall be delivered, complete with training on their setup and use. Each shall be deployable, including fully functioning backhaul communications, anywhere in the City with a minimum of effort.

All servers and equipment with the capability to synchronize time will be compatible with a Spectracom time server.

We require a breakdown of cost by location of equipment so if we need to trim cost or add equipment we know what it will take to meet our goal.

The wireless backhaul will be brought back to the City of Moreno Valley EOC building located at 22870 Calle San Juan De Los Lagos.

If any proposed camera site lacks power we will consider moving the camera to a different nearby location or delete that location so it may be addressed at a later date

All contractors and their employees will adhere to all Federal and State of California laws and all county and local codes. Work will be inspected periodically to insure compliance. City personnel may accompany installers at any time.

If a licensed radio channel is to be used the license will be obtained by and issued in the name of the City of Moreno Valley.

All PTZ cameras and the VMS must be capable of receiving alarm triggers for repositioning to a preset or set of co-ordinates. We intend to integrate the VMS with the Riverside County CAD system for alarm triggers. PTZ cameras must have the capability to be set to a preset view and move automatically when an alarm trigger is received. We would like to group cameras for a single alarm trigger so a “Code Alex” scenario (will be explained at pre-bid meeting) would move several cameras to preset locations.

Analytics is a necessary element for the system including but not limited to abandoned object, trip wires, motion, and vandalism detection or hooding, and flow of traffic. We wish to expand the VMS at a later date to also include License Plate Recognition. We desire the capability to follow a suspect or vehicle from camera to camera in the live or recorded view if that technology is available and affordable.

The VMS shall be capable of passing one way audio over the wireless network to allow a monitor to speak to subjects at parks so an officer does not need to be dispatched to the location to contact an individual.

The VMS must allow users to be setup to allow limited to full access to live or recorded video at our discretion. Some cameras will belong to various groups (e.g., Traffic, Police, School District, individual businesses, Facilities, etc.) and the VMS must allow us to give access to live and recorded video from cameras based on group permissions. The group permissions must be able to overlap; for example, the Police group must be able to address and control all cameras but the School District can only access the cameras near schools.

A remote video viewing station will be set up in the Community Room off the lobby of the Police Department. This viewing station must have the capability to have the video stream disconnected immediately by the activation of a "kill" switch located in the main monitoring station within the police department. This "kill" switch may be mechanical or software driven if reliable. A camera to monitor those viewing the system shall be placed in the room to verify who was in the room and observe no recording devices were used while viewing the cameras.

PTZ cameras must have "window blanking" or "masking" of areas within the view of the camera to deal with right to privacy issues.

Current police department cameras and interview room cameras need to be integrated into the new system. There are currently approximately 48 cameras inside the Police Department that terminate in the sergeants office into three i3VR digital video recorders. The video may be brought into the system either by replacing the cameras and wiring and bringing IP video into the system or by use of encoders. Vendor shall propose the best solution.

Synchronized playback is a requirement. A user must be able to synchronize the playback so that events captured by different cameras can be viewed simultaneously on the same timescale.

Mapping of cameras with multiple layers is a must so that the viewer can "drill" down through layers of county, city, area, and maps of building with a hyperlink to video for a specific camera. An ESRI shape file is preferred (City will provide ESRI base shape files if requested). Maps are to be associated with police department beats and zones. A Google Earth or aerial map is acceptable.

Cameras must have true day/night switching capabilities and certain locations may require IR lighting.

Latency when switching from camera to camera on the system must be kept to an absolute minimum and specifically addressed in the proposal with the maximum acceptable latency factor identified in fractions of a second.

Vendor shall document all components in their proposal. This includes manufacturer, model number and specifications. Supporting documentation including User and technical guides, user ids, passwords, license keys, original copies of software, and any other elements required to fully operate, maintain, and upgrade the system shall be provided.

Vendor shall ensure all installation personnel are appropriately licensed and all equipment is installed according to appropriate code requirements.

Vendor is required to provide information regarding potential scalability of proposed system. The entire system shall be capable of adding components to allow for future growth without a major upgrade of components.

During the warranty period, the vendor shall maintain locally or regionally readily available supplies of system spare parts in adequate quantity to ensure the rapid replacement of any

system-related component(s) which may fail. This supply of spare parts will enable the Vendor to perform critical repairs to the system within a four hour time frame. [Project Coordinator, or his designee, may maintain a supply of spare cameras and system components at their sole discretion].

It is desired that cameras be recorded at 15 to 30 frames per second depending on the camera location. We also desire the recording solution to be overbuilt as far as storage is concerned to allow for the expansion of the system. Business partners and the school district may bring many cameras into the system in the near future.

The VMS must have the capability of storing "stills" or "snapshots" from recorded video.

All wiring must be neat and installed to BICSI standards by industry certified personnel.

Desired Technical Specifications/Requirements - It is desirable for the VMS to post thumbnails representing video clips as the result of a search so video may be searched more rapidly. A click of the mouse should cause a selected thumbnail to play the associated video clip.

It is highly desirable to integrate video from third parties such as schools, banks, businesses and other city departments into one system. How this is to be accomplished must be addressed in the proposal.

We desire the capability to integrate with school intercom systems so a monitor can speak to subjects over the school districts' "Bogen" outdoor intercom.

The VMS should have audit ability capable of tracking user login, export of video and it is desired that camera usage be tracked also. This audit log will require the user to enter a reason for the download, such as a police file number or a reason that is in a drop down menu. If a file number is not entered or left blank, or the reason is invalid, it should not allow the recording to be downloaded by the individual user, but it can be overridden by a system administrator.

We desire the ability to record several television channels including audio primarily for news broadcasts.

Preference will be given to video solution that will allow for an unlimited number of users without an associated individual licensing fee.

Cameras must be able to default to a predetermined setting after being idle a specified time period. Preference is to have the ability to change the preset based on time of day and day of the week.

Training Requirements - The vendor shall prepare, administer and conduct an onsite training program designed for designated personnel to fully and efficiently operate and maintain the installed video monitoring system. Training shall be of sufficient scope and depth to ensure all designated personnel who complete the program shall be fully qualified, certified and capable of operation the system as installed including any programming of camera analytics or the VMS.

The vendor shall provide a copy of all training aids to the City.

The vendor shall prepare and provide a complete training and operational manual for all installed systems to the City.

Maintenance/Service Requirements - An ongoing maintenance and service support program is considered integral to this project. The selected vendor shall provide on-call service support 24 hours per day, 365 days per year starting the day the City certifies complete system acceptance. The selected vendor shall also provide, as part of maintenance, preventative care for the cameras and radios no less than twice each year. This includes camera lense or dome cleaning, camera positioning adjustments, and wireless radio adjustments. All cameras and other equipment shall have a warranty of at least one year with cost of all maintenance for first year included. City desires Vendor to bid yearly maintenance cost for five additional years on a year by year basis.

Vendor shall be capable of providing on-site maintenance and repair within 4 hours in the event the wireless network goes down, multiple cameras go off line, or if the monitoring center loses control or video image, or is incapable of viewing or recording video feeds.

Minor problems may be handled on a next business day basis.

Maintenance and service shall not be transferred or assigned to any subcontractor without prior written approval from the City.

Maintenance work shall be performed by competent and qualified personnel under supervision and direct employ of the vendor with proper licensing.

Law Enforcement Background Check - All employees working on the premises will be required to submit and pass a Law Enforcement Background – Criminal History Check. Forms will be provided for your employees. Any work done on the premises will be pre-arranged in order to have police personnel accompany workers. Vendor will assign a designee to be available to attend one hour Community Advisory Meetings held at the police department once a month or less often as required

RFP # TT 11/12 10

City of Moreno Valley
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

SUMMARY PROPOSAL SUBMISSION FORM

Dated:_____

TO: City of Moreno Valley
Purchasing Division
PO Box 88005
Moreno Valley, CA 92552-0805

The undersigned declares that he or she has carefully examined Project # TS-CCSS 2012-02 accompanying the Request for Proposals, and is thoroughly familiar with the contents thereof; and is authorized to represent the proposing firm; and proposes to provide:

Proposal Item: Citywide Camera Surveillance System

Firm Name: _____

Address: _____

_____

Signature: _____ Phone No:_____

RFP # TT 11/12 10

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

STATEMENT OF PROPOSER'S QUALIFICATIONS AND REFERENCES

The proposer is required to state his or her financial ability to undertake these services, and to provide a general description of similar work performed.

Please list the actual years of experience while engaged in providing the type of work included within the scope of work of this request for proposals, and list the business name under which the services were performed:

Actual Years' Experience	Name of firm(s) under which services were performed

List and describe fully the last two contracts performed by your firm that demonstrate your ability to complete the work included within the scope of work of the RFP. Attach additional pages if required. The City reserves the right to contact each of the references listed for additional information regarding your qualifications.

Reference No. 1

Customer Name: _____

Contact Individual: _____ Phone No: _____

Address: _____

Contract Amount: _____ Year: _____

Description of work done: _____

_____

RFP # TT 11/12 10

Reference No. 2

Customer Name: _____

Contact Individual: _____ Phone No: _____

Address: _____

Contract Amount: _____ Year: _____

Description of work done: _____

_____

Reference No. 3

Customer Name: _____

Contact Individual: _____ Phone No: _____

Address: _____

Contract Amount: _____ Year: _____

Description of work done: _____

_____

RFP # TT 11/12 10

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

STATEMENT OF PROPOSER'S QUALIFICATIONS AND REFERENCES

STATE OF CALIFORNIA, COUNTY OF _____

I am the _____ of _____ the proposer herein. I have read the foregoing statement and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

Executed on _____at _____, California
(date) (place)

I declare, under penalty of perjury, that the foregoing is true and correct.

_____
Signature of Proposer

_____
Title

CITY OF MORENO VALLEY
Citywide Camera Surveillance System
Project # TS-CCSS 2012-02

WORKERS' COMPENSATION INSURANCE CERTIFICATE

Sections 1860 and 1861 of the California Labor Code require every contractor to whom a public works contract is awarded to sign and file with the awarding body the following statement:

> "I am aware of the Provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract."

By: _____

Date: _____

Title: _____

IMPORTANT INFORMATION REGARDING TIMELY SUBMITTAL OF PROPOSAL

ON-TIME RECEIPT OF YOUR RESPONSE - The responsibility of ensuring that your time-sensitive document is received by the due date and time AND delivered to the City office stated in our invitation, rests solely with the sender. You may hand deliver your document to the proper office listed in the invitation. Only an official time stamp from the City office listed in our invitation is acceptable as proof of timely delivery. A delivery time stated by a delivery service is not valid as proof of timely delivery. The City of Moreno Valley assumes no responsibility for bids, proposal or quotes which arrive at the City office stated in our invitation beyond the due date and time.

> PLEASE NOTE: Deliveries made to the City by the United States Postal Service, or any other delivery service, will be routed through an internal delivery system. Utilizing any delivery service will delay delivery to the actual addressed City office or individual and may cause your response to be late and unacceptable.

Regardless of the method you choose to submit your time-sensitive document, you must allow for our internal delivery system to process your item to the required office before the due date and time. In order to be fair to all responders, late bids, proposals or quotes will not be accepted and will be returned unopened.

You are encouraged to contact the number listed in the RFP for verification of receipt or contact the City at 951-413-3000 to be connected to the appropriate office.

SAMPLE CITY CONTRACT

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: _____
Address: _____
City: _____ State: ____ Zip: _____
Business Phone: _____ Fax No. _____
Other Contact Number: _____
Business License Number: _____
Federal Tax I.D. Number: _____

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The City's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is _____ and the Contractor Ending Date is _____. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.
B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or

employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all claims which arise from the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

☐ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance

shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$5,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☐ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended

only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley	Insert Name of Contractor
BY: _____ City Manager	BY: _____
	TITLE: _____ (President or Vice President)
	_____ Date
	BY: _____
	TITLE: _____ (Corporate Secretary)
	_____ Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Chief of Police

_____
Date

_____
Financial & Administrative Services Director

_____
Date

EXHIBIT C

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $.....

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the City as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices shall be submitted to the Financial & Administrative Services Department at

   <email address>@moval.org or calls directed to (951) 413-????.

4. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at:
   http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

EXHIBIT C

SAMPLE CITY PERFORMANCE BOND

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
($540,000)

PROJECT NO. TS-CCSS 2012-02

CITYWIDE CAMERA SURVEILLANCE SYSTEM
MORENO VALLEY, CALOFIRNIA

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to XXXXXXXXXXXXXX, Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, dated _____, 2012, and identified as **Project No. TS-CCSS 2012-02**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Agreement is required to furnish a bond guaranteeing the faithful performance of said Contract Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of Five-hundred and Forty-thousand dollars, ($540,000), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Agreement or to the work or the Provisions.

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on

this _____ day of _____ 2012.

CONTRACTOR	SURETY
Name:_____	Name:_____
Address: _____	Address:_____
_____	_____
Telephone No.:_____	Telephone No.:_____
By: _____	By:_____ Attorney-in-Fact

Approved as to Form this

_____ day of _____, 2012

_____
City Attorney
City of Moreno Valley

NOTE: This bond must be executed by both parties. Corporate seal may be affixed hereto. All signatures must be acknowledged before a notary public (attach acknowledgments). The attorney-in-fact for the corporate surety must be registered, as such, in at least one county in the State of California. (Attach one original Power of Attorney sheet for each bond).

RFP # VAG TT 11/12 10

EXHIBIT A

CAMERA LOCATIONS BY PRIORITY

	Location		Phase	Direction	PTZ Included
	Beginning of Phase 1				
1	Ironwood & Pigeon Pass	Red	Phase 1	E/W	Y
2	Ironwood & Graham	Red	Phase 1	E/W	Y
3	Sunnymead Ranch PKY & Old Lake	Red	Phase 1	S/W	Y
4	Sunnymead Ranch PKY & Heacock	Red	Phase 1	N/S	Y
5	Sunnymead Ranch PKY & Perris	Red	Phase 1	N/S	Y
6	Hemlock & Heacock	Red	Phase 1	E/W	Y
7	Hemlock & Pigeon Pass	Red	Phase 1	N/S	Y
8	Sunnymead Blvd. & Heacock	Red	Phase 1	N/S	Y
9	Sunnymead Blvd & Graham	Red	Phase 1	E/W	Y
10	Sunnymead & Perris	Red	Phase 1	N/S	Y
11	Sunnymead & Indian	Red	Phase 1	E/W	Y
12	Frederick & Dracaea	Red	Phase 1	N/S	Y
13	Frederick & Center Point	Red	Phase 1	N/S	Y
14	Frederick & Alessandro	Red	Phase 1	E/W	Y
15	JFK & Perris	Red	Phase 1	N/S	Y
16	Day St. & Campus	Red	Phase 1	S/W	Y
17	Old HWY 215 & Alessandro	Red	Phase 1	E/W	Y
18	Old HWY 215 & Cactus	Red	Phase 1	E/W	Y
19	Iris & Perris	Red	Phase 1	E/W	Y
20	Iris & Lasselle	Red	Phase 1	N/S	Y
21	Iris & Moreno Beach	Red	Phase 1	E/W	Y
22	Alessandro & Perris	Red	Phase 1	E/W	Y
23	Alessandro & Nason	Red	Phase 1	E/W	Y
24	Perris & Hemlock	Red	Phase 1	N/S	Y
25	Heacock & JFK	Red	Phase 1	N/S	Y
26	Lasselle & Cactus	Red	Phase 1	E/W	Y
27	HWY 60 & Nason	Red	Phase 1	N/S	Y
28	HWY 60 & Moreno Beach	Red	Phase 1	N/S	Y
29	West Bluff Park	Red	Phase 1		Y
30	MV Comm Park	Red	Phase 1		Y
31	Sunnymead Park	Red	Phase 1		Y
32	Woodland Park	Red	Phase 1		Y
33	Pedrorena Park	Red	Phase 1		Y
34	Victoriano Park	Red	Phase 1		Y
	End of Phase 1				
	Beginning of Phase 1a				
35	Ironwood & Redlands	Blue	Phase 1a	N/S	Y
36	Perris & Nandina	Blue	Phase 1a	N/S	Y
37	HWY 60 E/B on ramp & Sunnymead	Blue	Phase 1a	E/W	Y
38	Towngate Memorial Park	Blue	Phase 1a		Y
39	Day St. & Box Springs.	Blue	Phase 1a	S/W	Y
	End of Phase 1a				

Item No. A.19

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	Location		Phase		Direction	PTZ Included
			Beginning of Phase 2			
40	HWY 60 N/S & Heacock	Gold	Phase 2		N/S	Y
41	Alessandro & Indian	Gold	Phase 2		N/S	Y
42	Lasselle & Rancho Verde HS	Gold	Phase 2		N/S	Y
43	Heacock & San Michele	Gold	Phase 2		N/S	Y
44	Indian & Nandina	Gold	Phase 2		N/S	Y
45	Frederick & Cottonwood	Gold	Phase 2		E/W	Y
46	Perris & Cottonwood	Gold	Phase 2		N/S	Y
47	Day St. & Eucalyptus	Gold	Phase 2		E/W	Y
48	Perris & Eucalyptus	Gold	Phase 2		N/S	Y
49	Frederick & Sunnymead Blvd	Gold	Phase 2		N/S	Y
50	Indian & Cottonwood	Gold	Phase 2		N/S	Y
51	Alessandro & Heacock	Gold	Phase 2		E/W	Y
52	Pigeon Pass & Old Lake Rd.	Gold	Phase 2		N/S	Y
53	Heacock & Dracaea	Gold	Phase 2		N/S	Y
54	Perris & Dracaea	Gold	Phase 2		N/S	Y
55	JFK & Lasselle	Gold	Phase 2		N/S	Y
56	Heacock & Fir	Gold	Phase 2		N/S	Y
57	Day & Cottonwood	Gold	Phase 2		N/S	Y
58	Indian & Ironwood	Gold	Phase 2		N/S	Y
59	Perris & Ironwood	Gold	Phase 2		E/W	Y
60	Indian & Bay	Gold	Phase 2		N/S	Y
61	Kitching & Alessandro	Gold	Phase 2		E/W	Y
62	HWY 60 E Perris off ramp & Sunnymead	Gold	Phase 2		E/W	Y
63	Camino Flores & Gentian Park	Gold	Phase 2			Y
64	Heacock & Ironwood	Gold	Phase 2		E/W	Y
65	Alessandro & Moreno Beach	Gold	Phase 2		N/S	Y
66	Alessandro & Redlands	Gold	Phase 2		E/W	Y
67	Green Belt	Gold	Phase 2			Y
			End of Phase 2			
			Later Phases			
68	Ironwood & Moreno Beach	Grn	Phase 3		E/W	Y
69	Heacock & Reche Vista	Grn	Phase 3		E/W	Y
70	Indian & Atwood	Grn	Phase 3		E/W	Y
71	Indian & Myers	Grn	Phase 3		N/S	Y
72	Indian & Webster	Grn	Phase 3		N/S	Y
73	Lasselle & Margaret	Grn	Phase 3		N/S	Y
74	Kitching & Elder	Grn	Phase 3		E/W	Y
75	Kitching & Ironwood	Grn	Phase 3		E/W	Y
76	Nason & Cactus	Grn	Phase 3		N/S	Y
77	Nason & Eucalyptus	Grn	Phase 3		N/S	Y
78	Nason & Fir	Purp	Phase 3a		E/W	Y
79	Mountain View & Counrty Gate	Purp	Phase 3a			Y
80	Pigeon Pass & N. Hidden Springs	Grey	Last	No Power	N/S	Y

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	Location		Phase		Direction	PTZ Included
81	HWY 60 & Theodore	Grey	Last	No Power	N/S	Y
82	Poorman's Reservoir	Grey	Last	No Power		Y
83	Shelia & Filaree / Gentian & Shelia	Grey	Last	No Power	E/W	Y
84	Elm & Pepper (Clover)	Grey	Last	No Power	N/S	Y
85	Adrienne/Pride/Allies/Courage SHOE	Grey	Last	No Power	E/W	Y

RFP # VAG TT 11/12 10

EXHIBIT B

CAMERA LOCATIONS DIAGRAMS

Phase 1

Item No. A.19

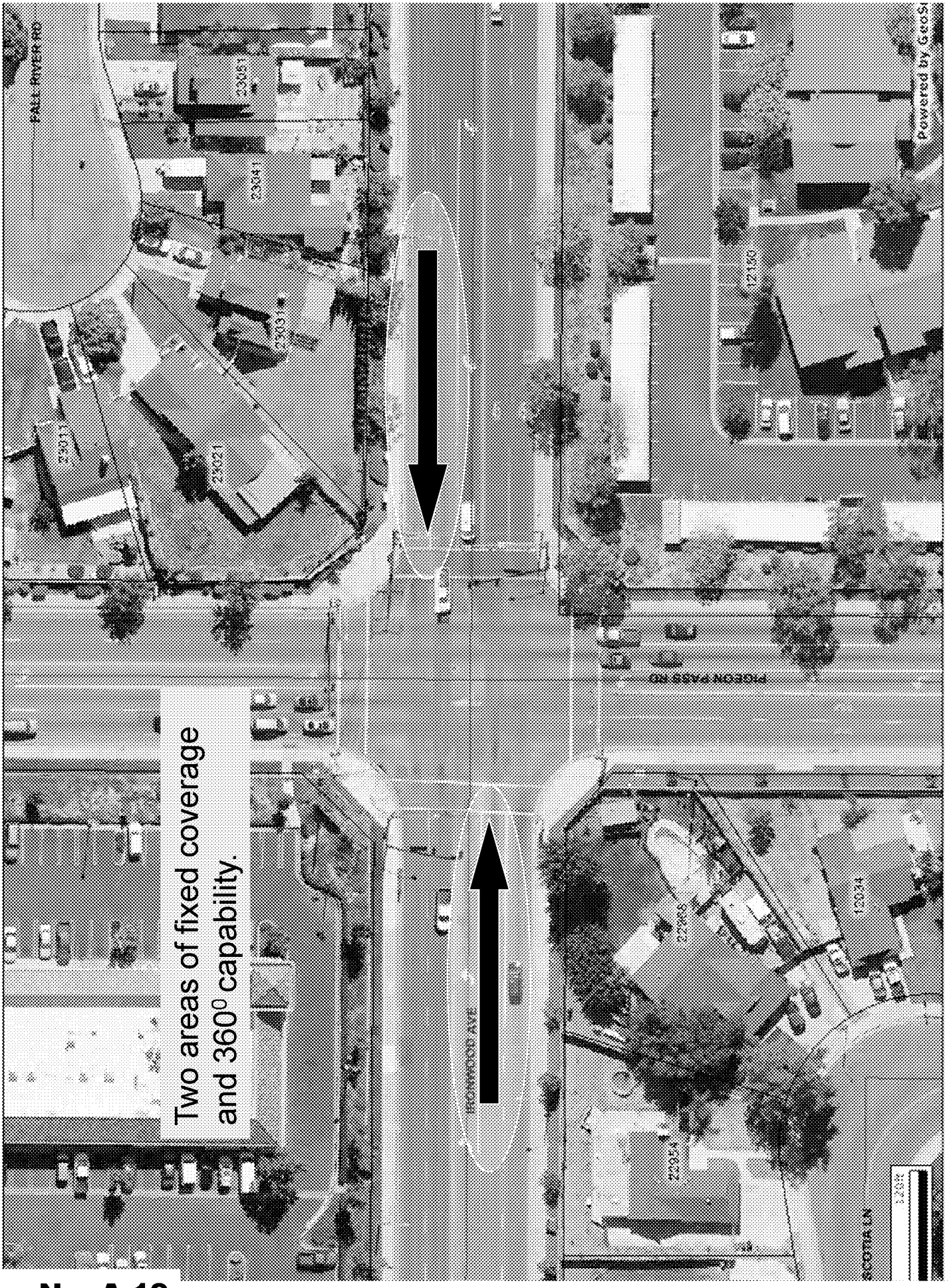
Two areas of fixed coverage and 360⁰ capability.
FALL RIVER RD
PHOENIX PASS RD
BOXWOOD AVE
SCOTTA LN
23011
23021
23031
23041
23051
12160
13134
22964
22966
Powered by GeoSt

Two areas of fixed coverage and 360⁰ capability.
SEAFARER WAY
IRONWOOD AVE
23442
23457
23465
23471
23479
23487
11975
11953
11960
11904
23547
23515
23525
12020
12030
12036
12042
12046

Item No. A.19

Item No. A.19

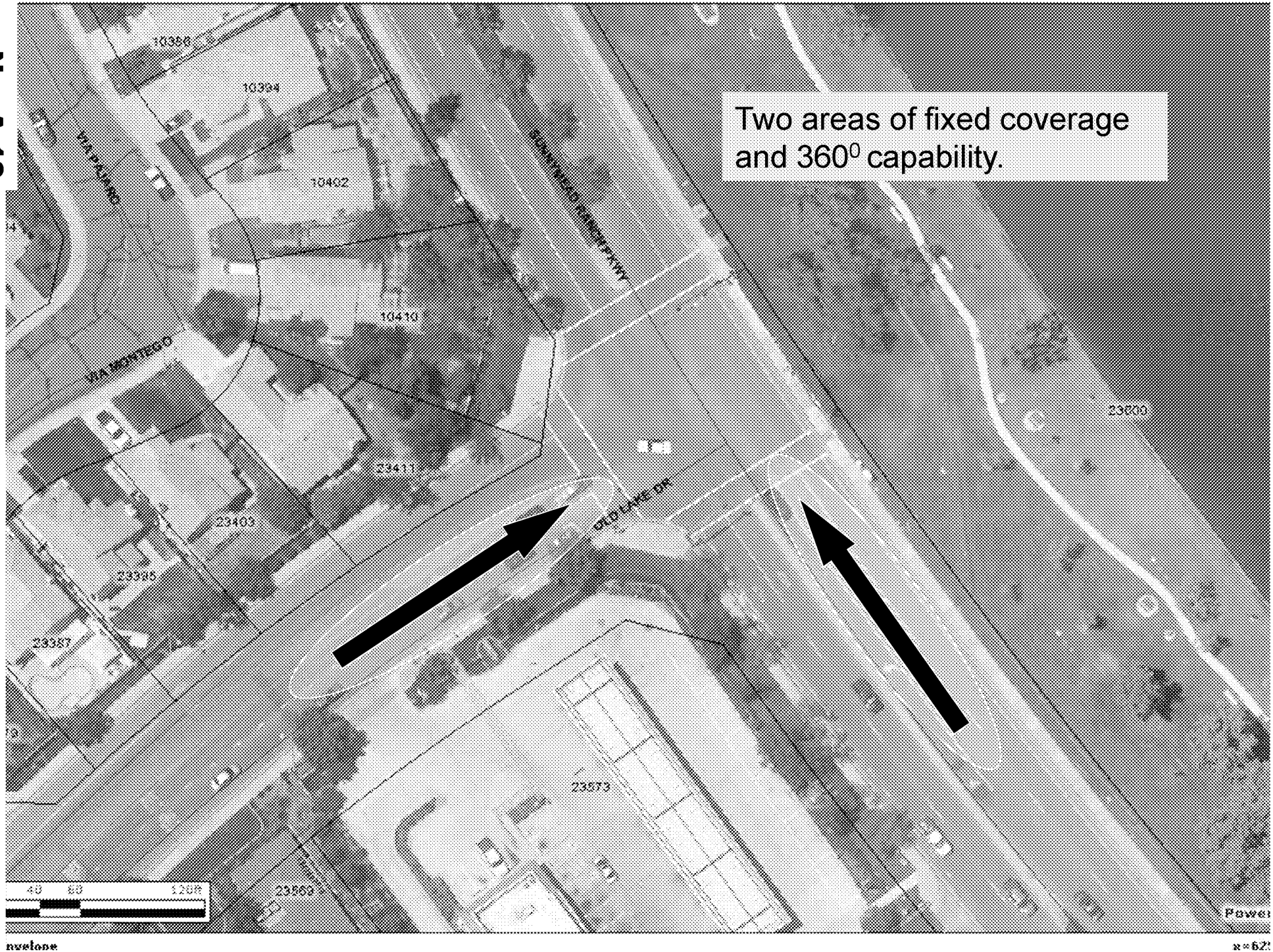
Two areas of fixed coverage and 360⁰ capability.
10350
10394
10402
10410
23411
23403
23395
23387
23379
23373
23359
23709
VAQUERO
SAN MONTEGO
SUNNYVALE RANCH PKWY
OLD LAKE DR
40 80 120ft

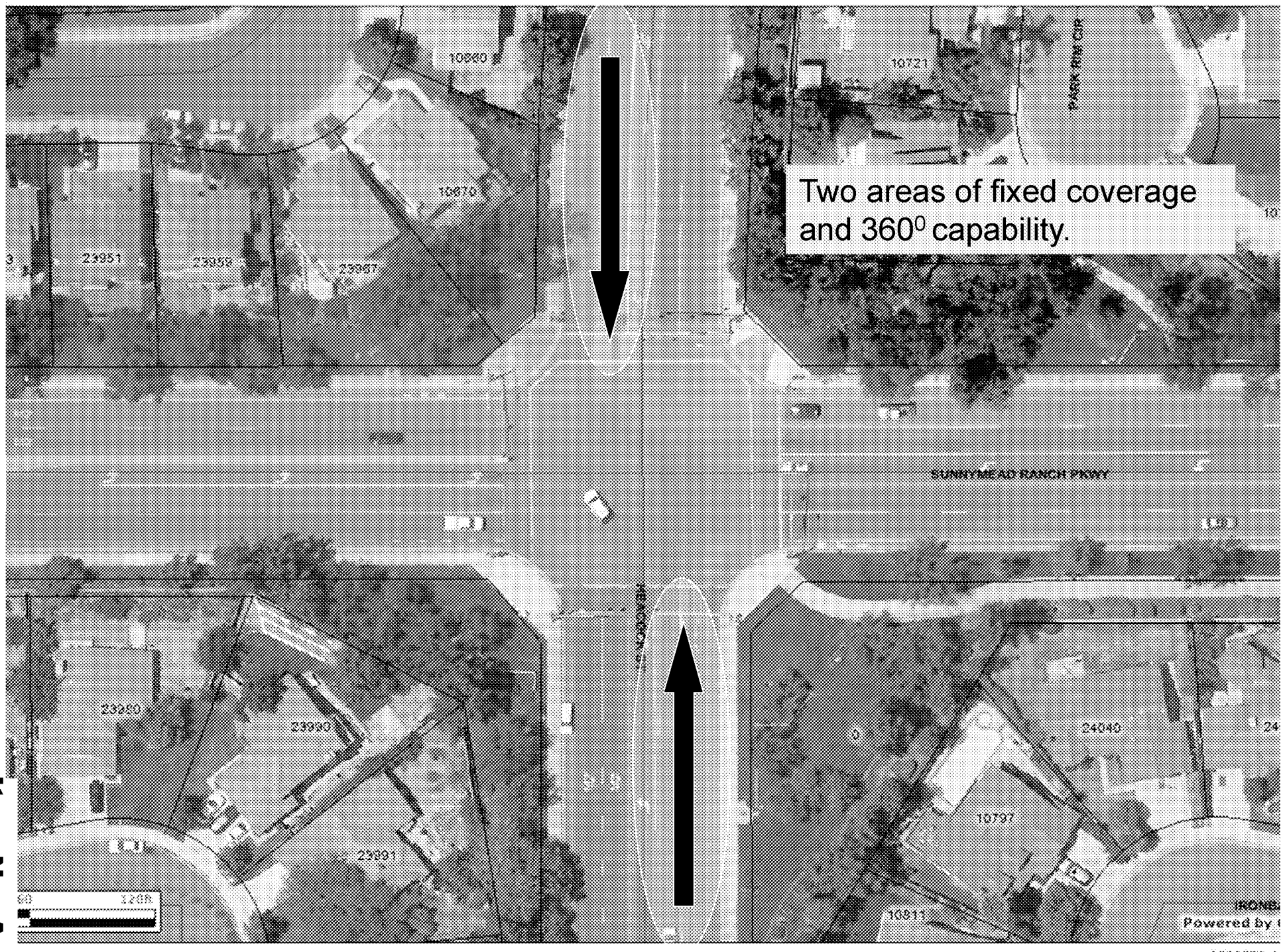
Two areas of fixed coverage and 360⁰ capability.
SUNNYMEAD RANCH PKWY
PARK RIM CIR
10721
10670
23951
23959
23967
23950
23930
23931
24040
10797
10811
Powered by

Item No. A.19

Item No. A.19

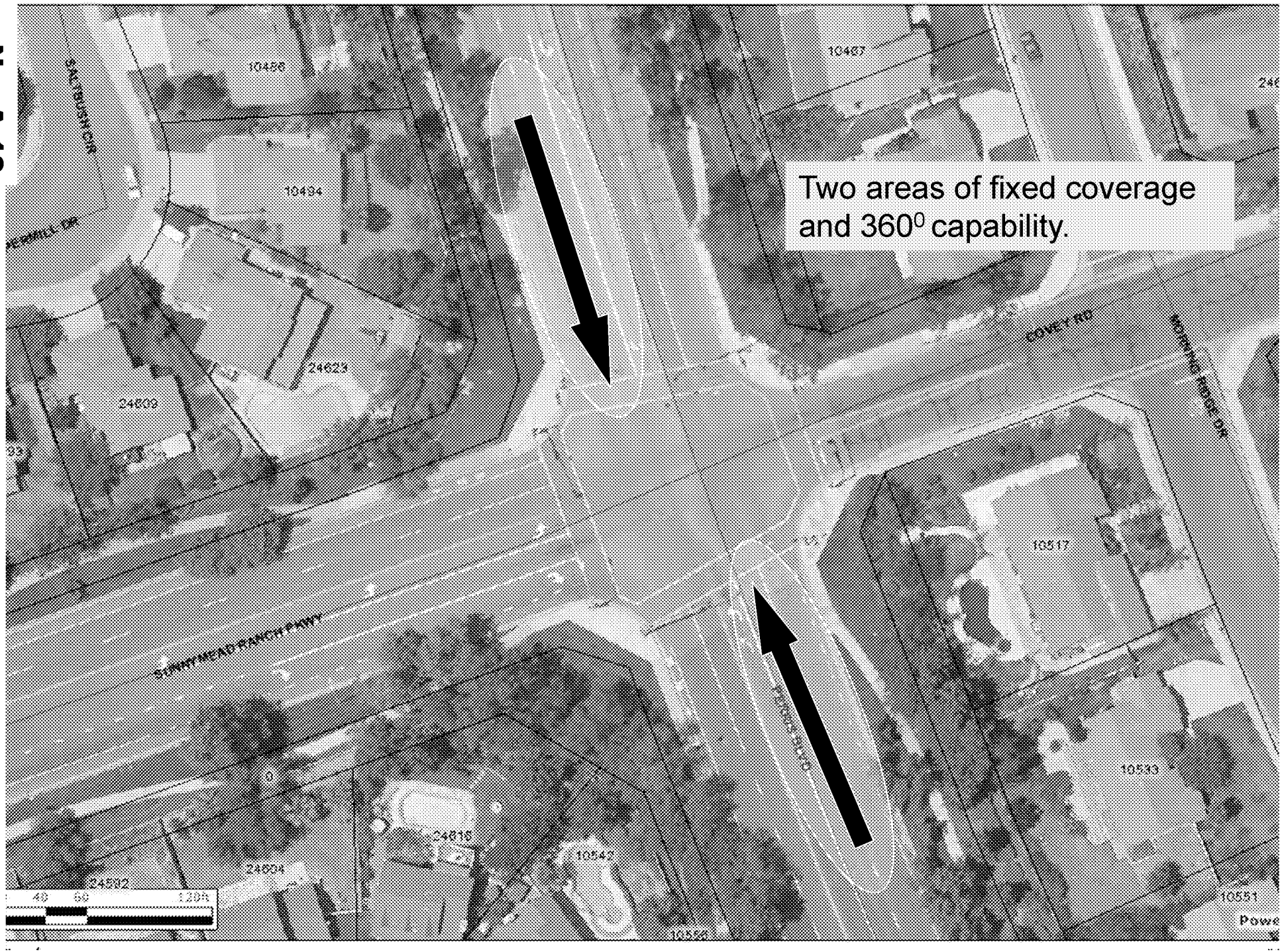

MV00175090

Two areas of fixed coverage and 360⁰ capability.
12208
12246
12255
12275
12280
12441
23961
HEMPSTEAD ST
Pow

Item No. A.19

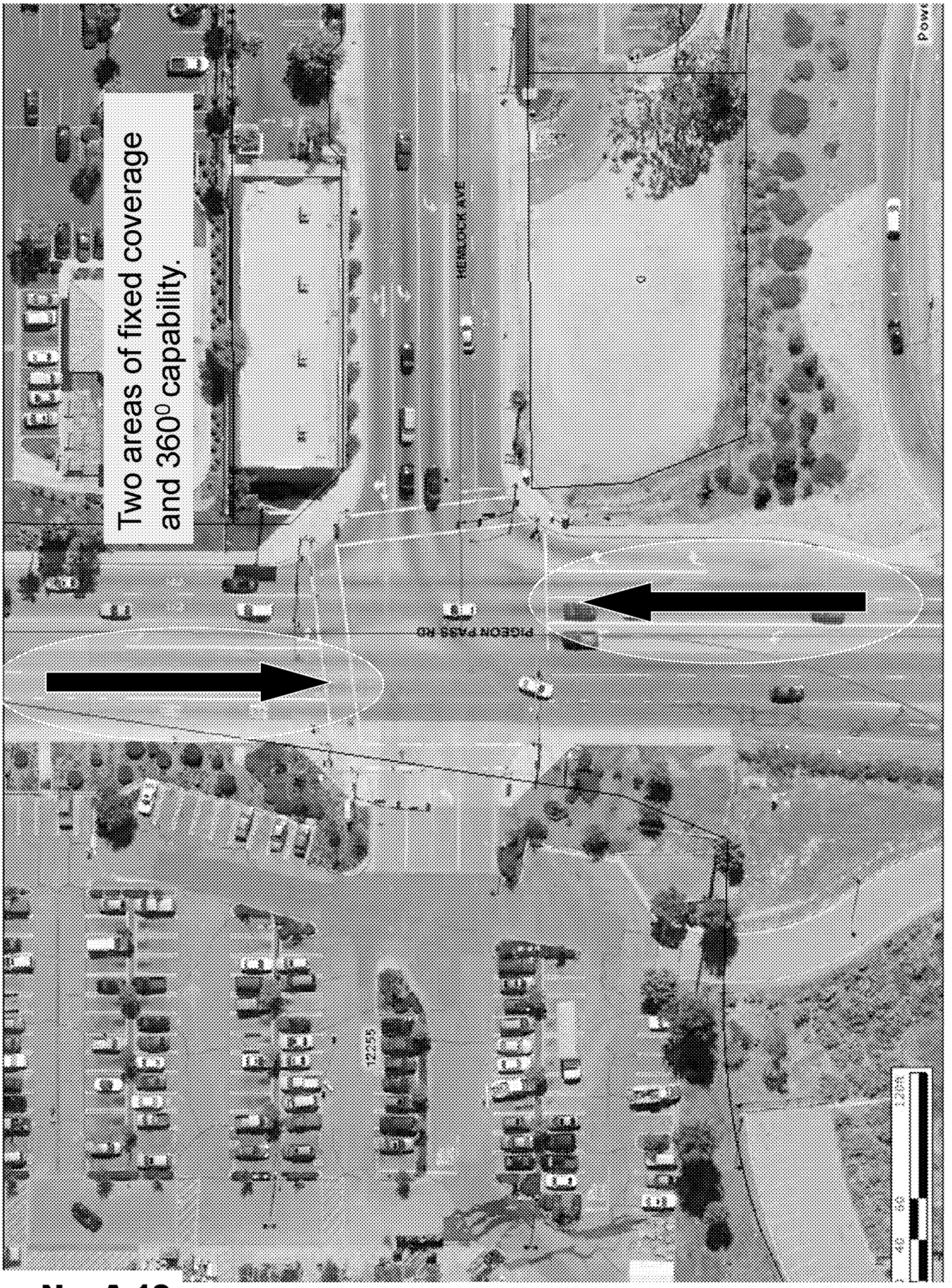
Two areas of fixed coverage and 360⁰ capability.
PIGEON PASS RD
HERLOCK AVE
122.55
40
80
120ft

Two areas of fixed coverage and 360⁰ capability.
Could change to East/West coverage if freeway cameras are obtained.
SUNNYMEAD BLVD
24010
23935
24007
24025
12540

Item No. A.19

Item No. A.19

Two areas of fixed coverage and 360^0 capability.
SUNNYMEADOWS DR
SUNNYMEAD BLVD
COUNTY ST
12541
12541
12517
12511
23550

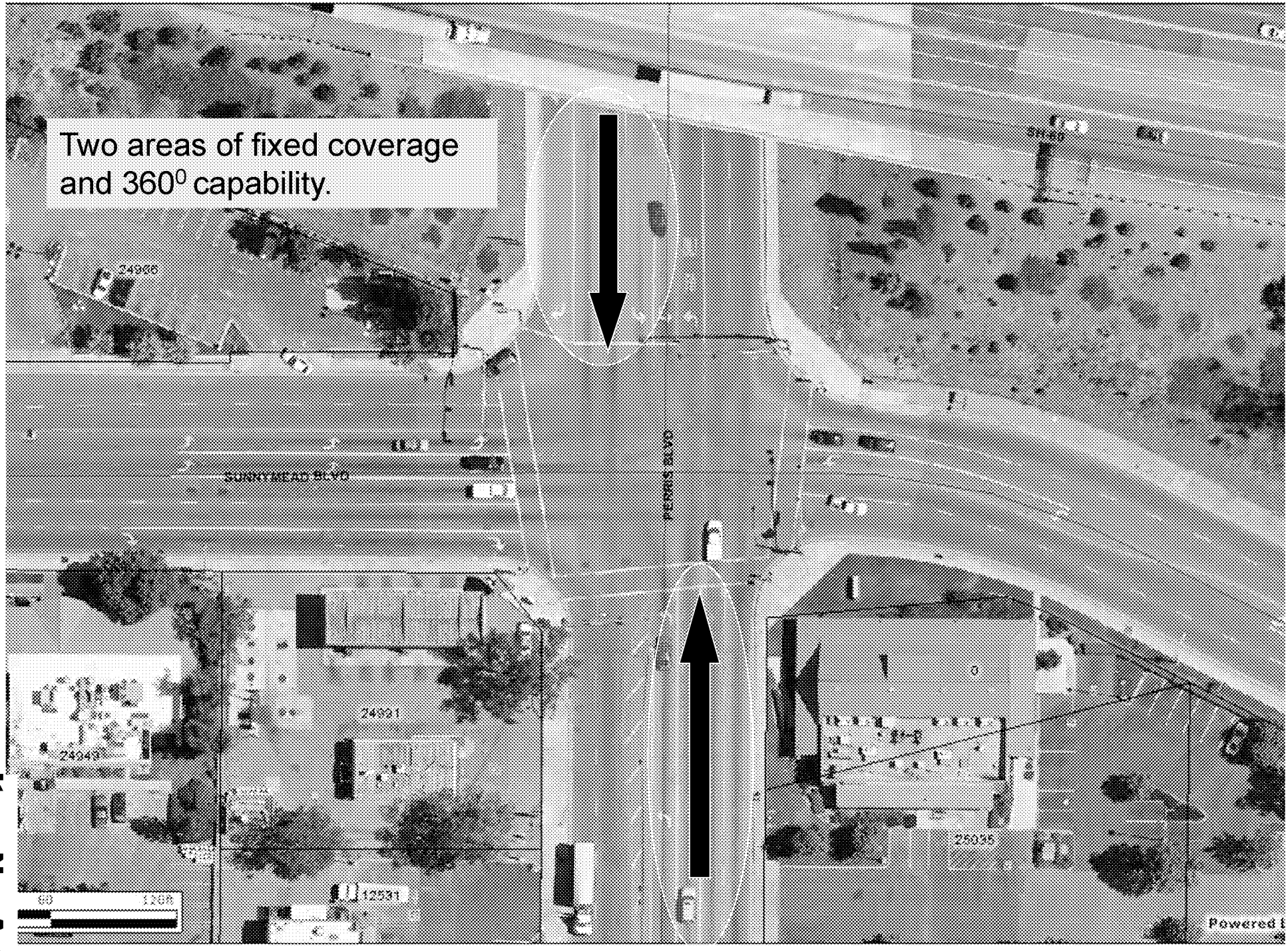
Two areas of fixed coverage and 360⁰ capability.
SUNNYMEAD BLVD
PERRIS BLVD
24966
24931
24949
12531
25035
Powered

Item No. A.19

Item No. A.19

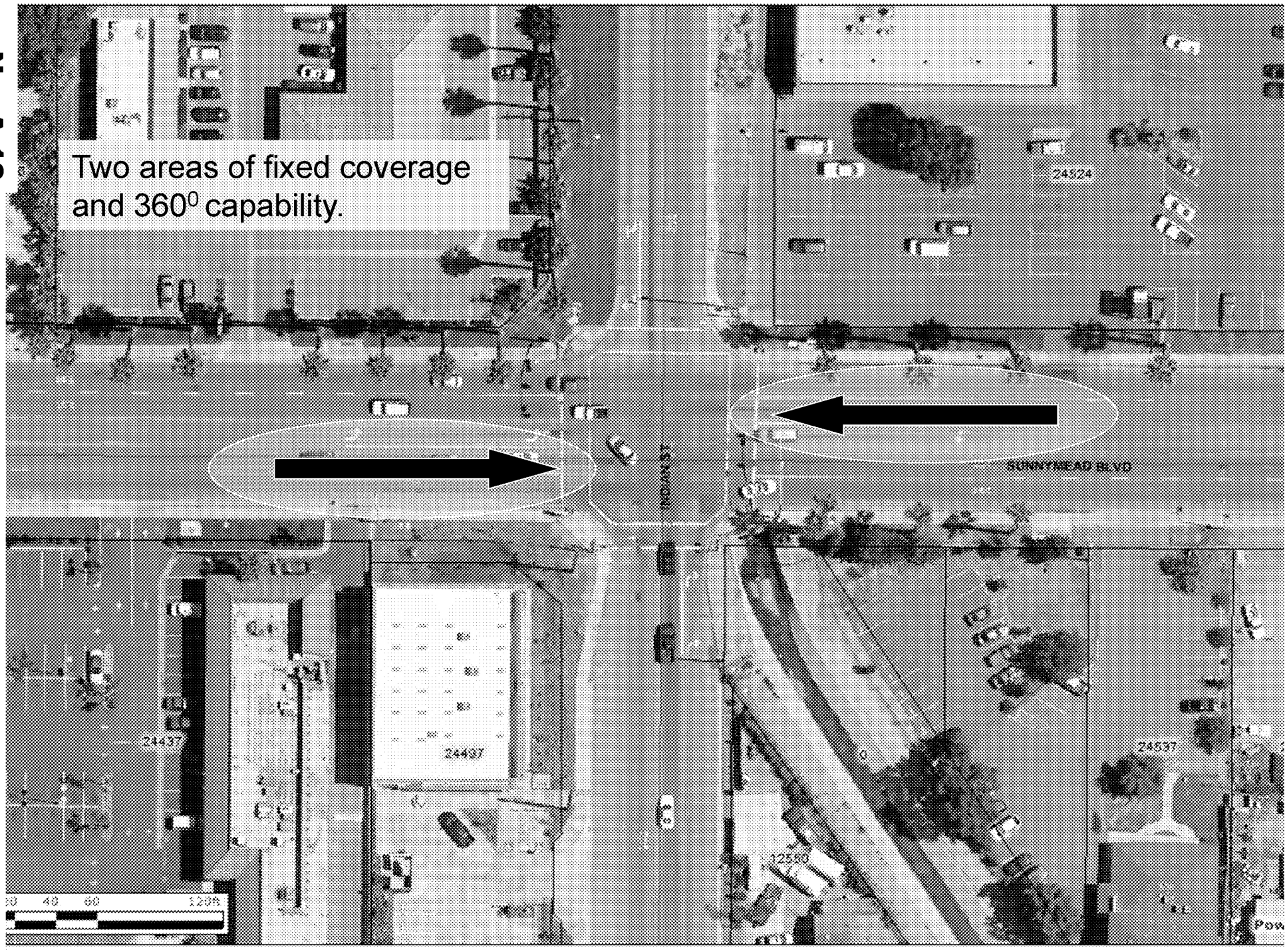

MV00175096

Two areas of fixed coverage and 360⁰ capability.
ORACAEA AVE
ORACAEA AVE
13205
13213
13221
13231
13241
13208
13214
13220
13230
13240
13250
13260
13270
13187
13193
13202
40
80
120ft

Item No. A.19

Item No. A.19

MV00175098

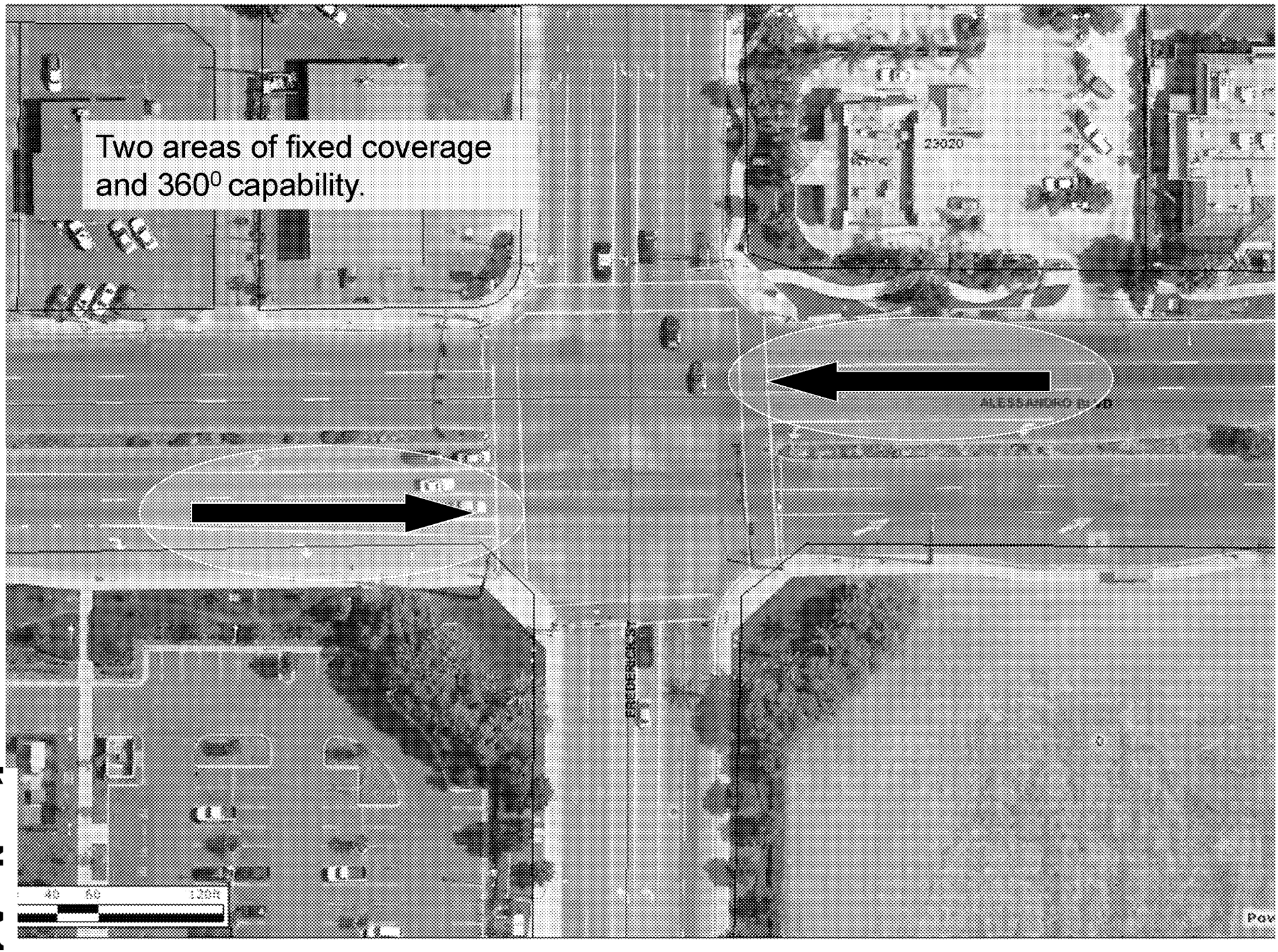

Item No. A.19

MV00175099

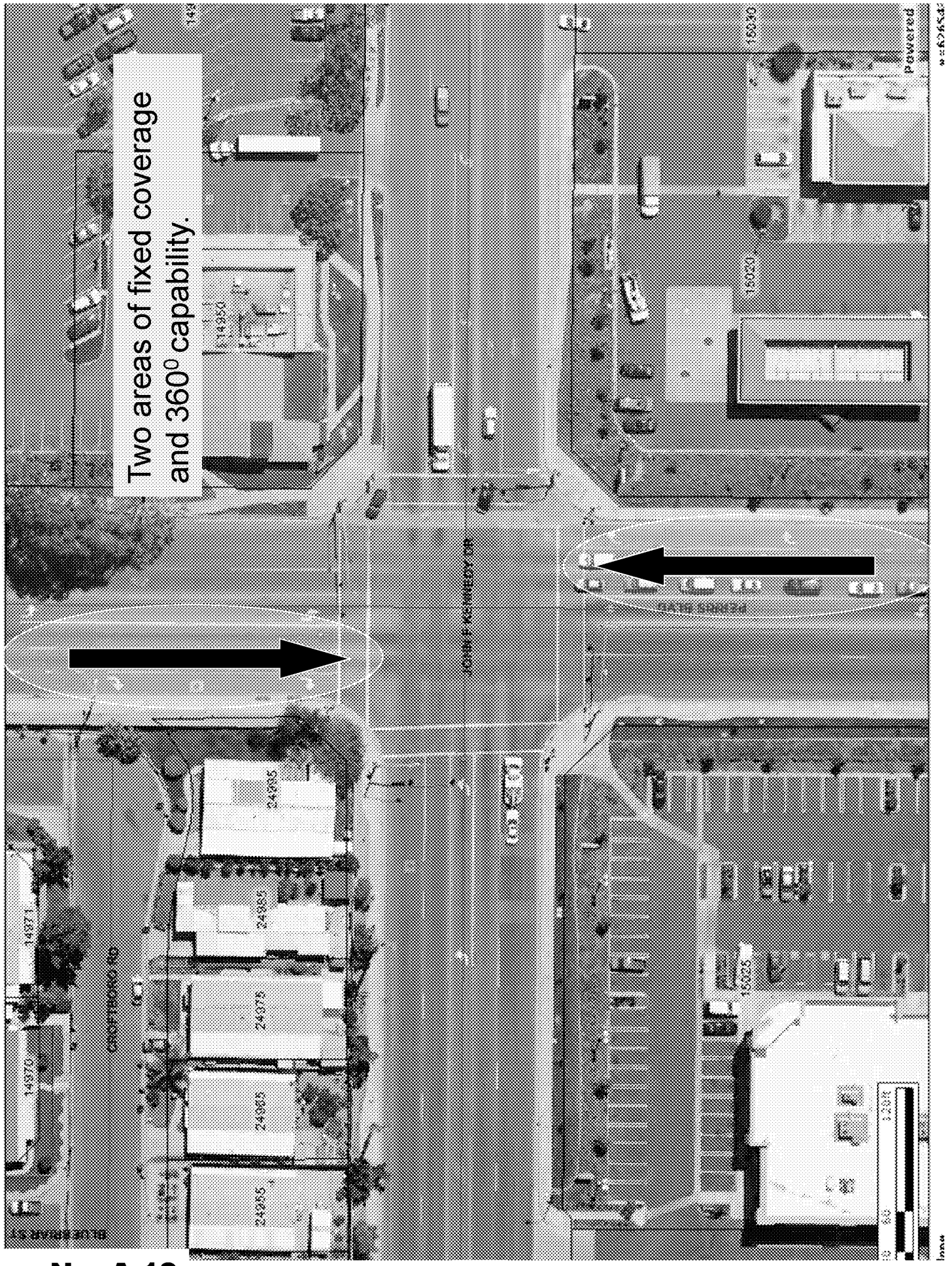
Two areas of fixed coverage and 360⁰ capability.
JOHN F KENNEDY DR
PENNS WAY
CROSSTOWN RD
BLUE BOAR ST
14970
14971
14950
24065
24075
24085
24095
24105
15030
15020
15025
Powered

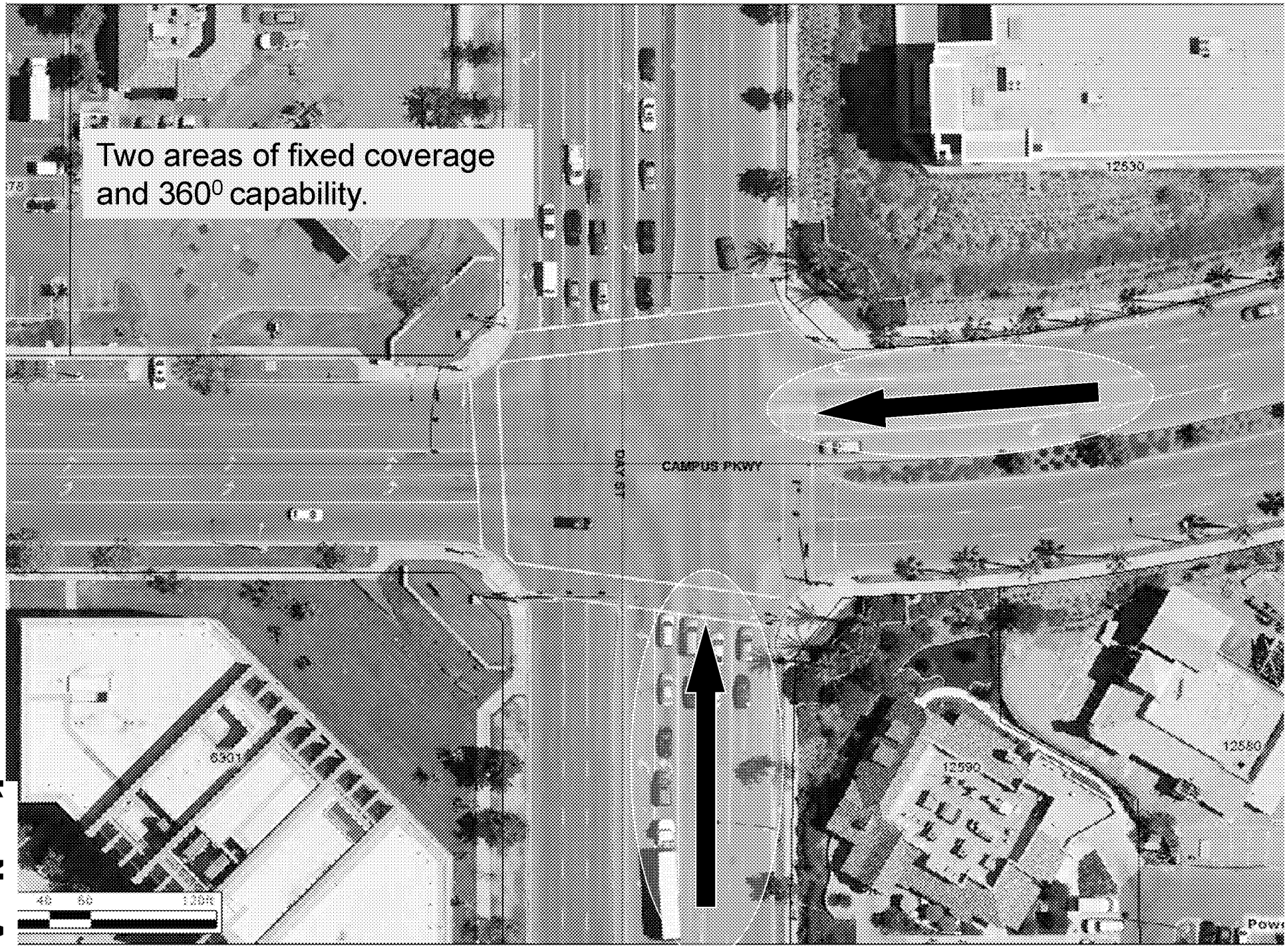

Item No. A.19

MV00175101

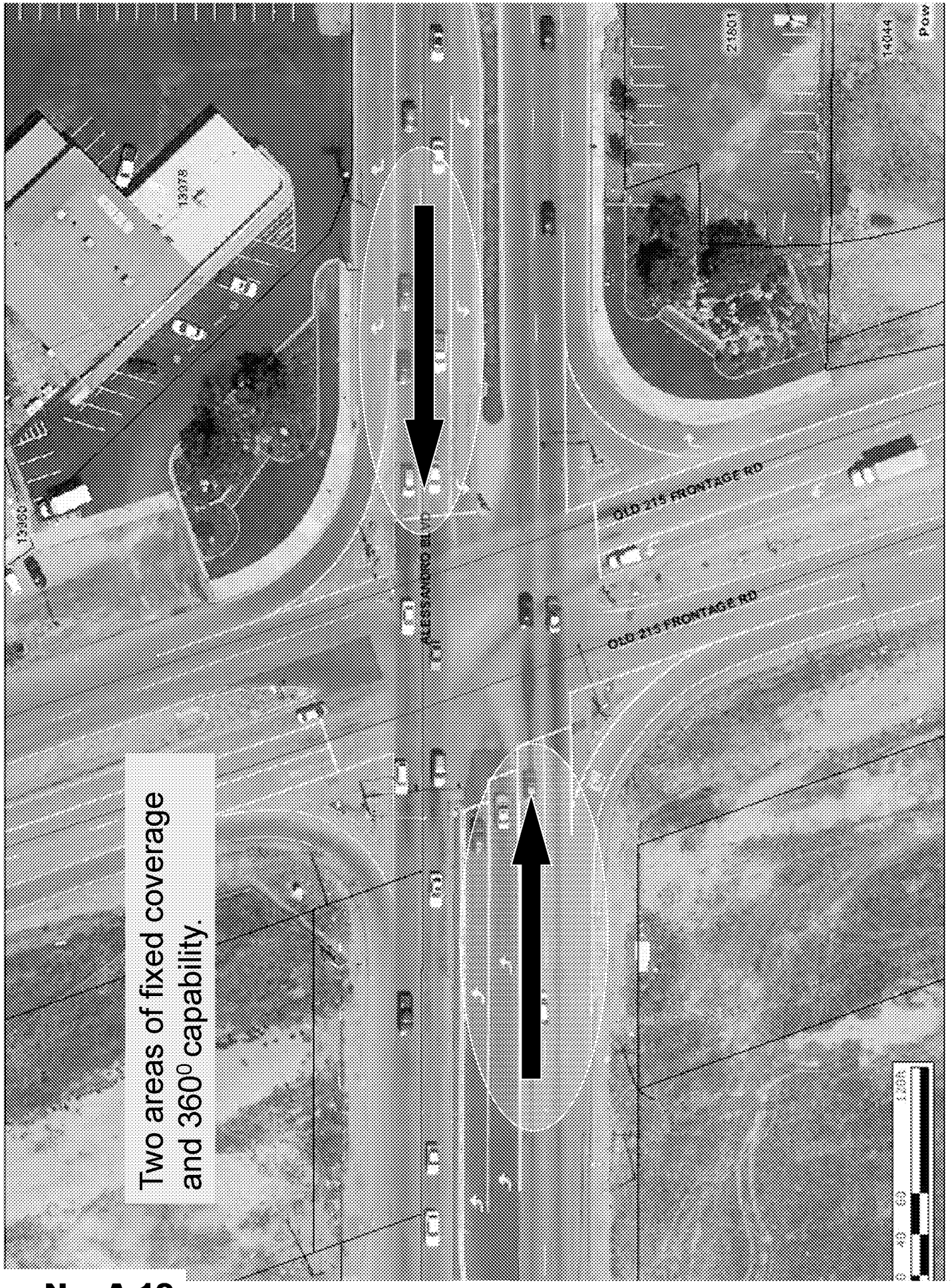
Two areas of fixed coverage and 360⁰ capability.
13078
13080
PLEASANTON RD
OLD 215 FRONTAGE RD
OLD 215 FRONTAGE RD
21001
14044
Poso
0 45 90 180

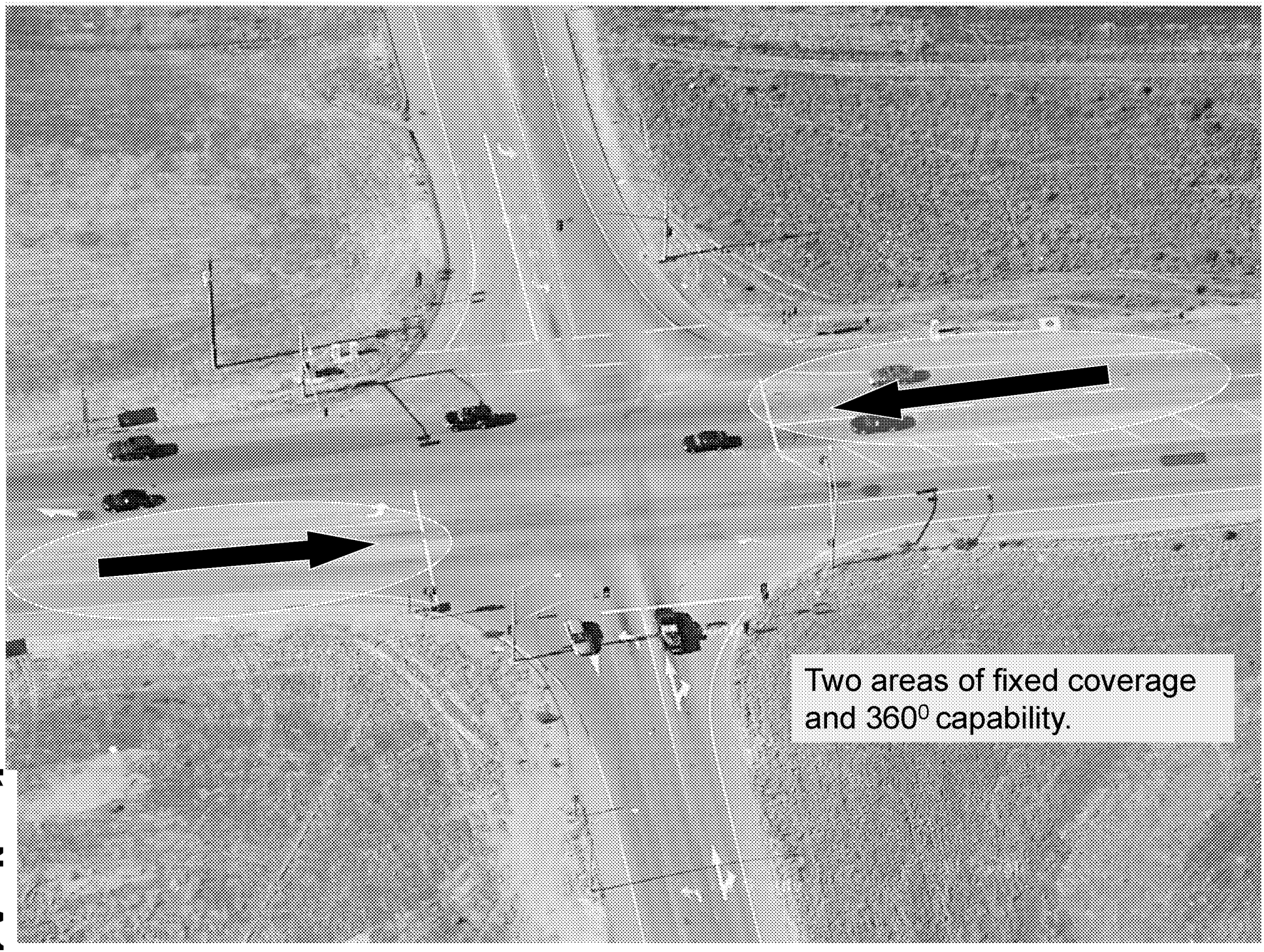

Item No. A.19

MV00175103

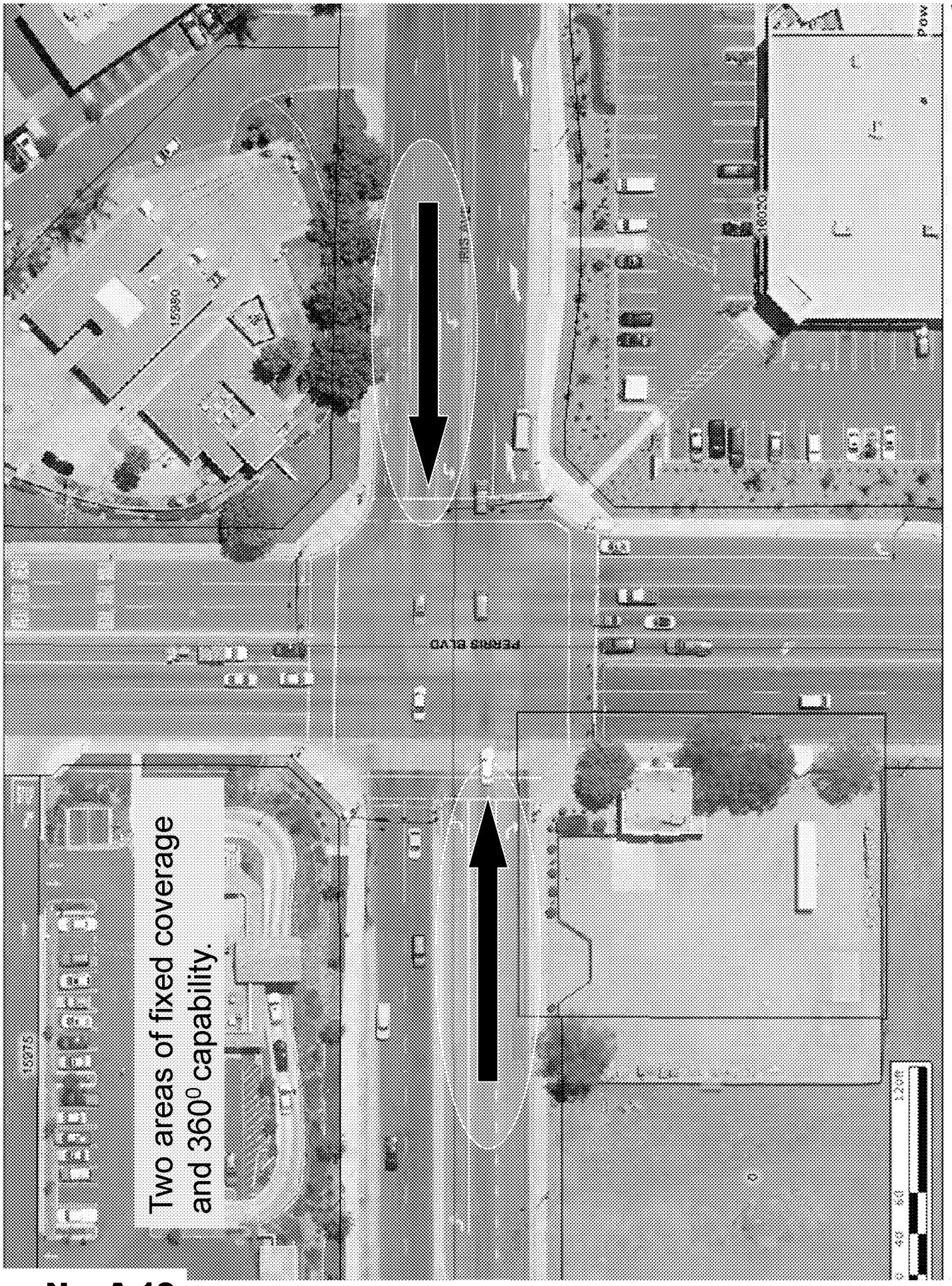
Two areas of fixed coverage and 360^0 capability.
PERRIS BLVD
15290
15270
0 40 80 160 240 Feet

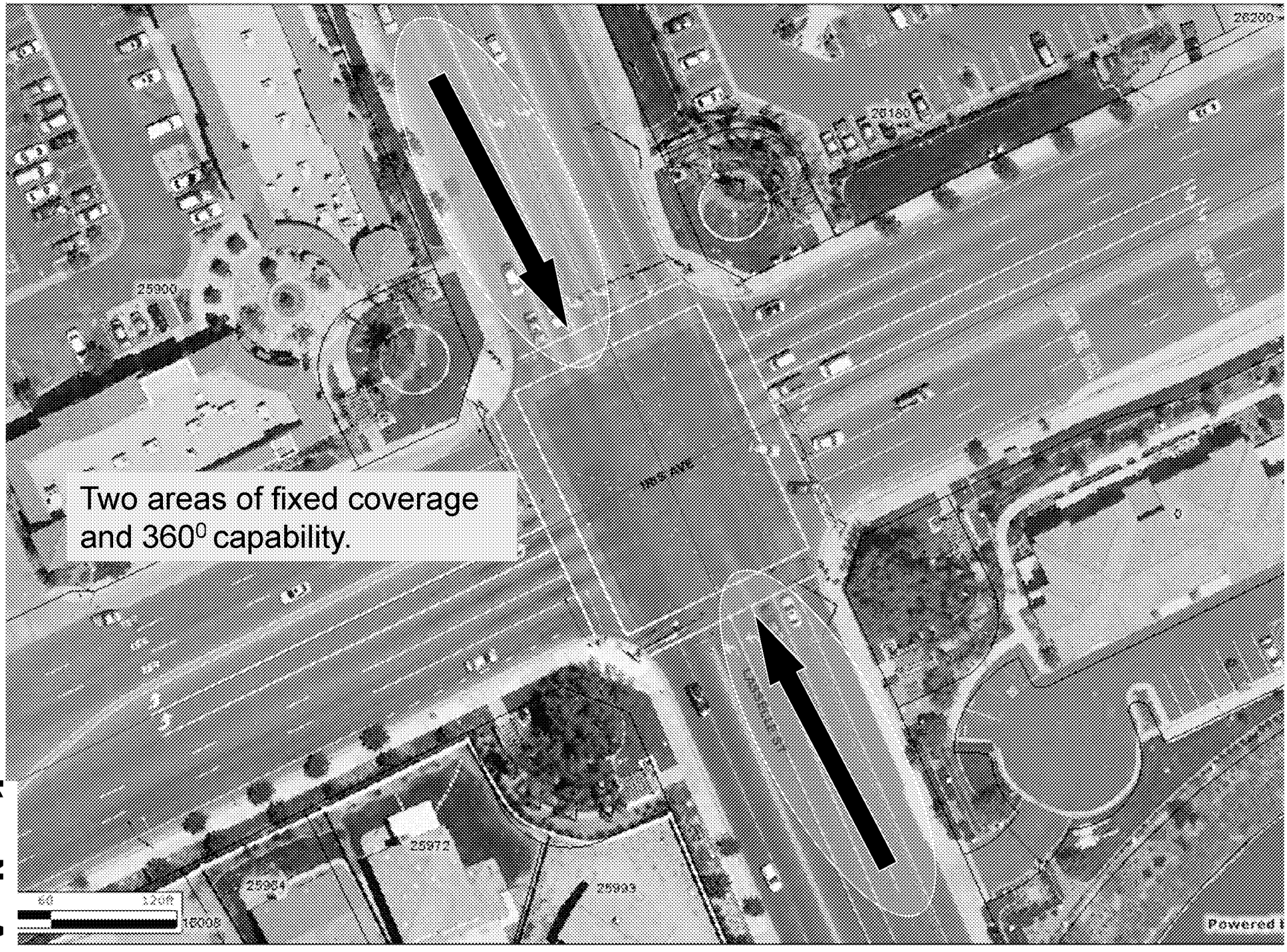
Two areas of fixed coverage and 360⁰ capability.
25900
25160
25200
25872
25884
25903
Powered

Item No. A.19

Item No. A.19

MV00175106

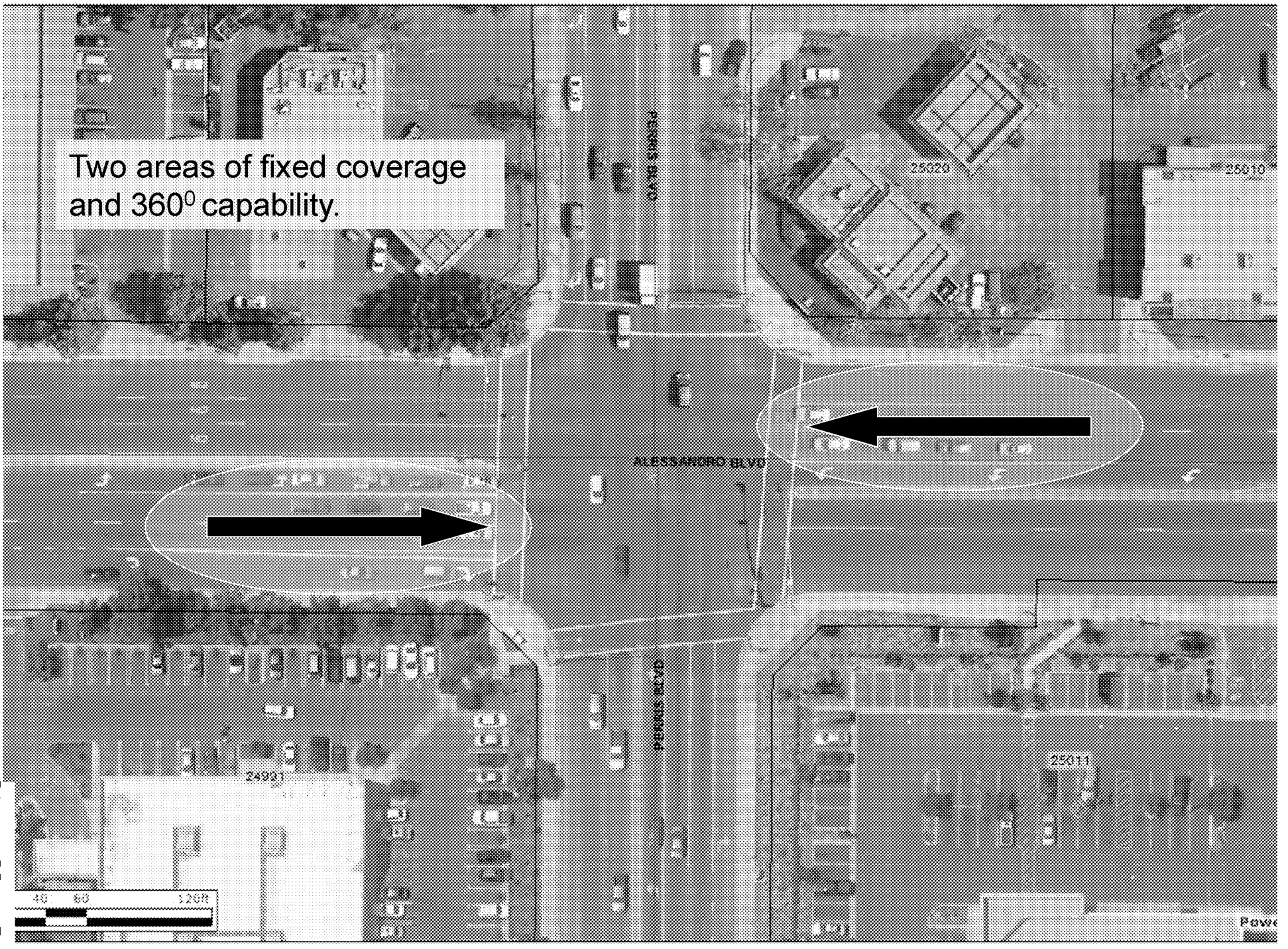
Two areas of fixed coverage and 360⁰ capability.
ALESSANDRO BLVD
PERRIS BLVD
25020
25010
25031
24931
40 80 120ft

Item No. A.19

Item No. A.19

MV00175108

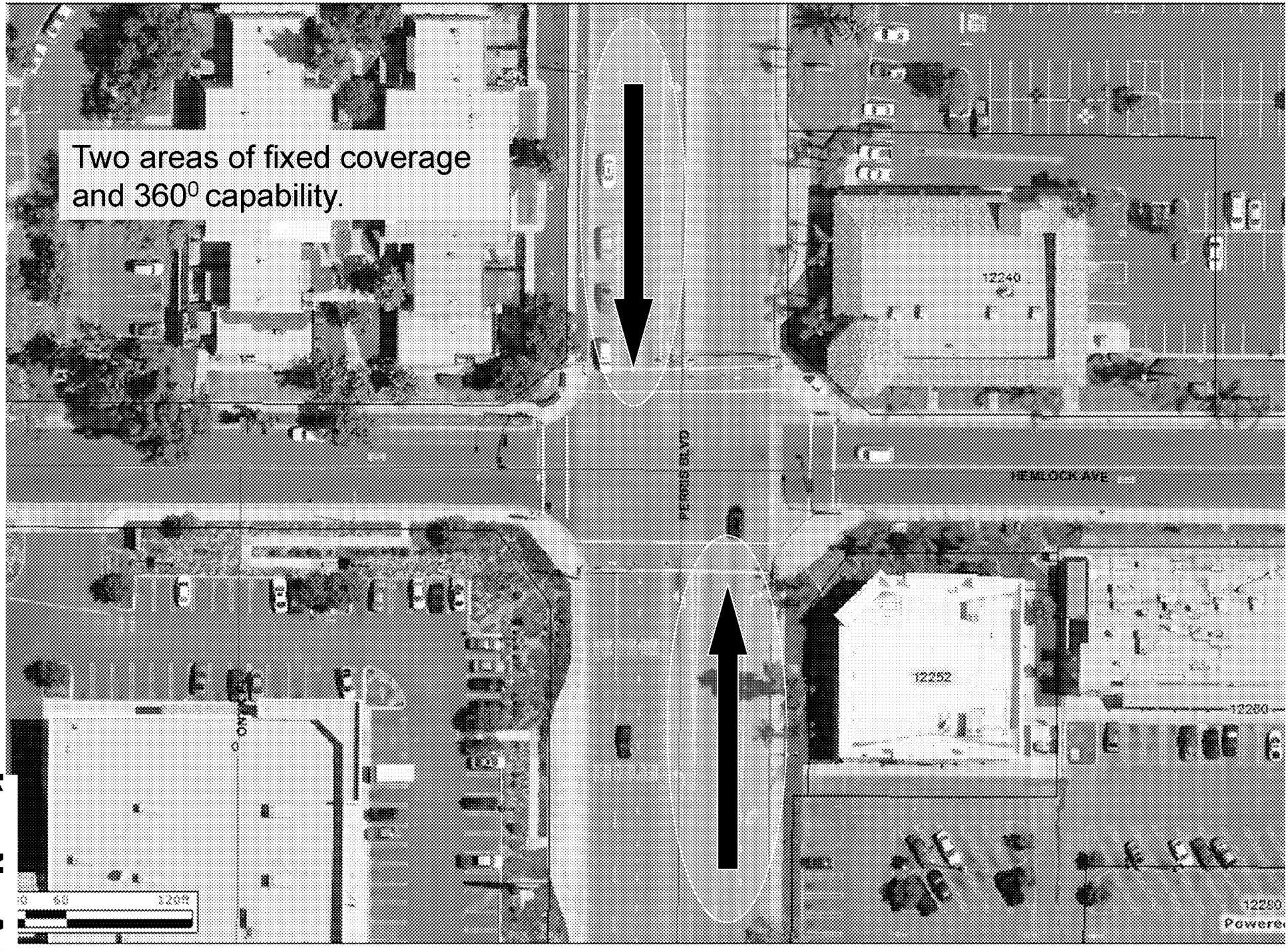
Two areas of fixed coverage and 360⁰ capability.
12240
HEMLOCK AVE
PERRIS BLVD
12252
12280
12290
Powered

Item No. A.19

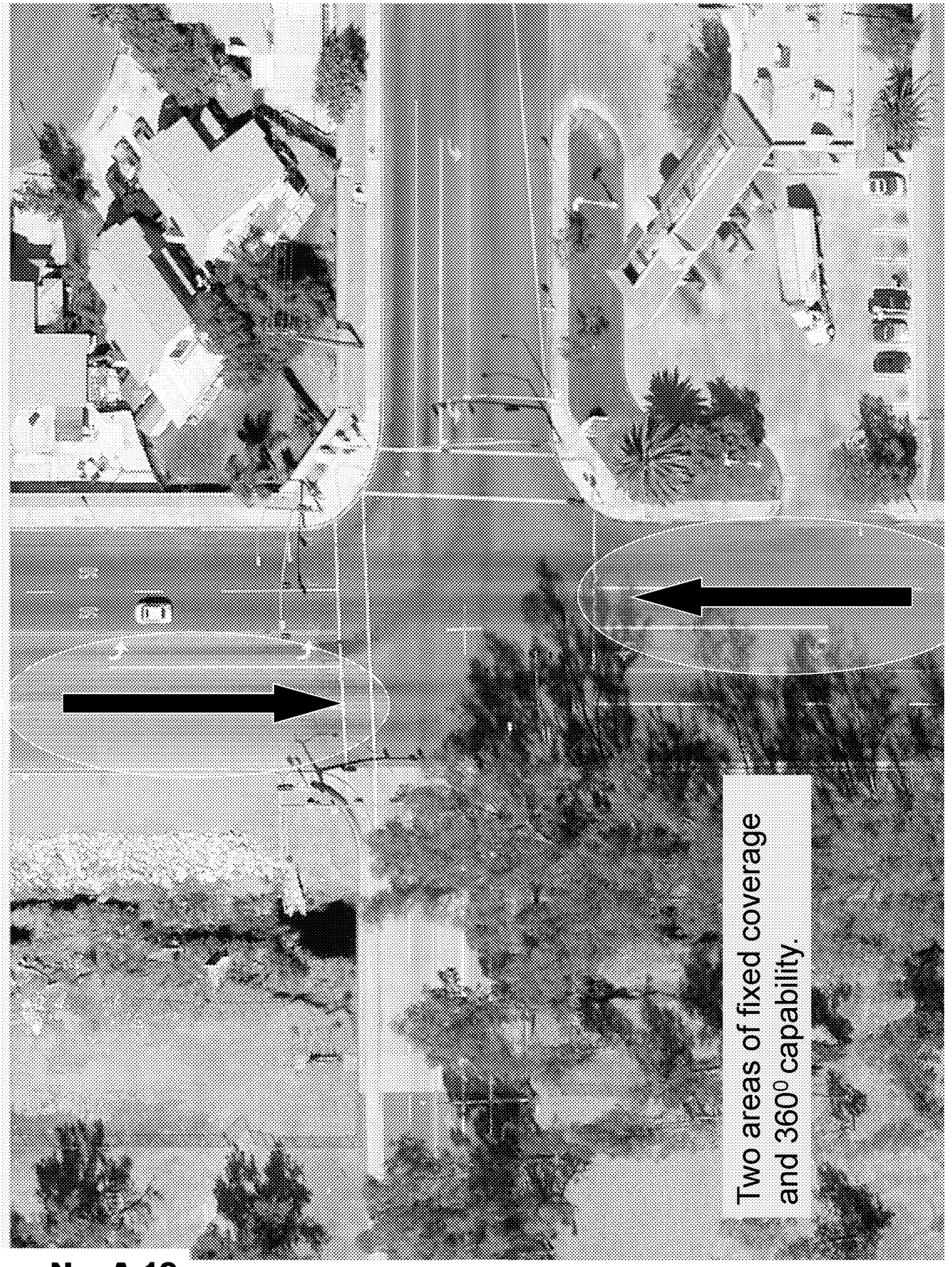

Item No. A.19

Item No. A.19

MV00175111

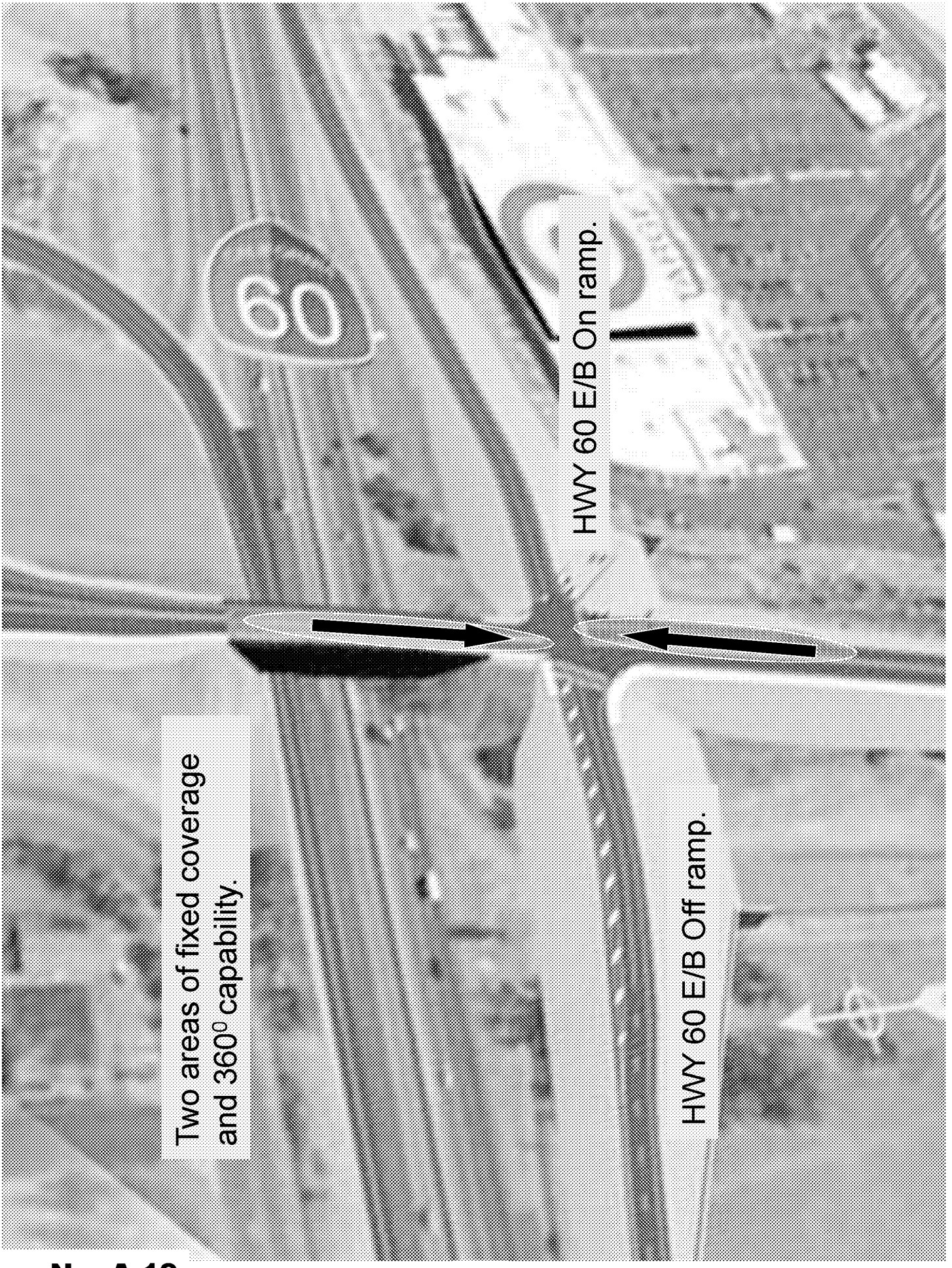
Two areas of fixed coverage and 360⁰ capability.
60
HWY 60 E/B On ramp.
HWY 60 E/B Off ramp.

Item No. A.19

Item No. A.19

MV00175113

Best coverage possible to include restrooms, playgrounds and facial recognition cameras.
PIGEON PASS RD

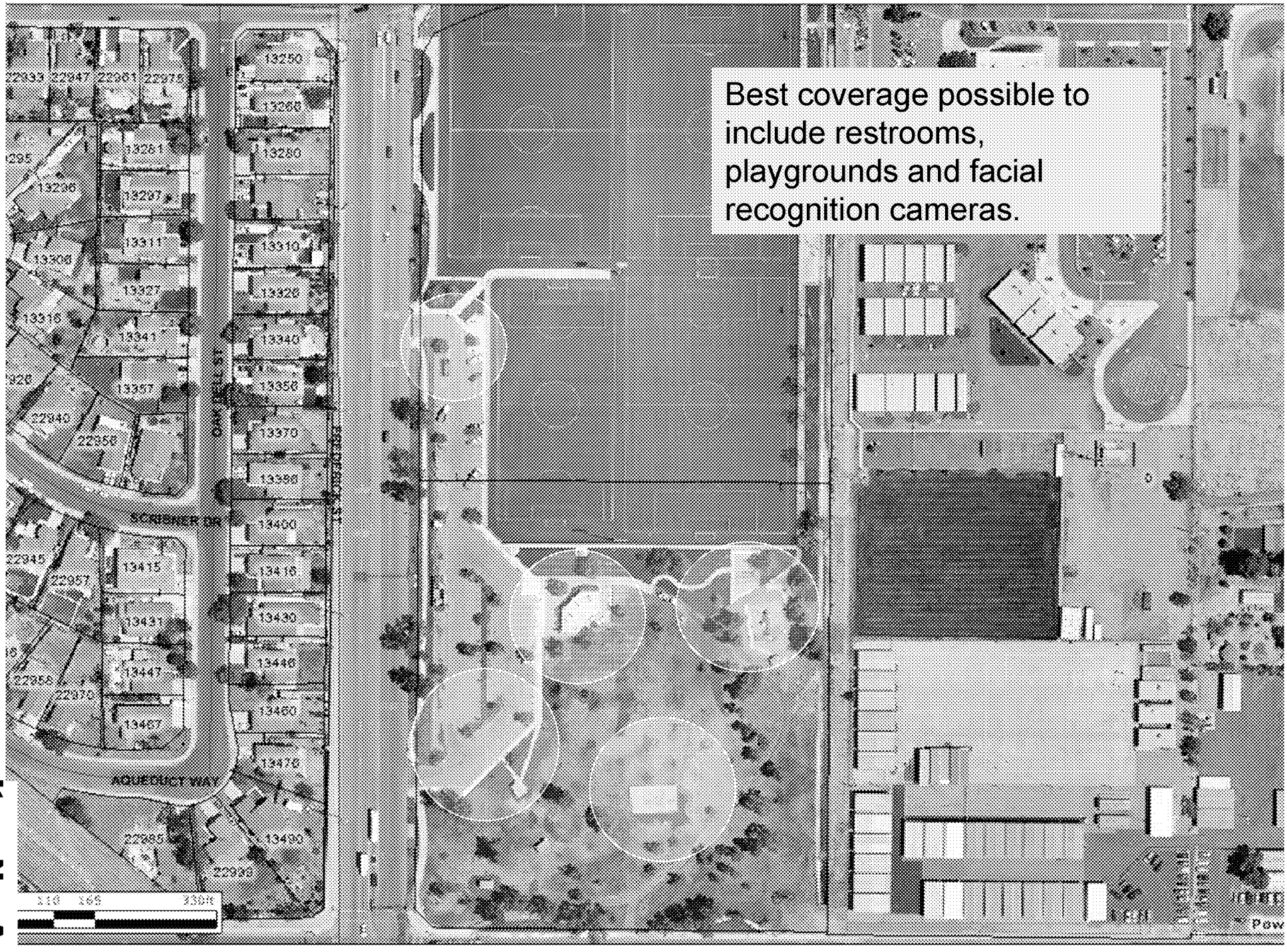
Best coverage possible to include restrooms, playgrounds and facial recognition cameras.
SCRIBNER DR
AQUEDUCT WAY
OAK PLAIN
13250
13260
13280
13287
13311
13310
13327
13420
13341
13340
13357
13350
13370
13390
14400
13415
13410
13431
13430
13447
13440
13460
13470
13490

Item No. A.19

Item No. A.19

MV00175116

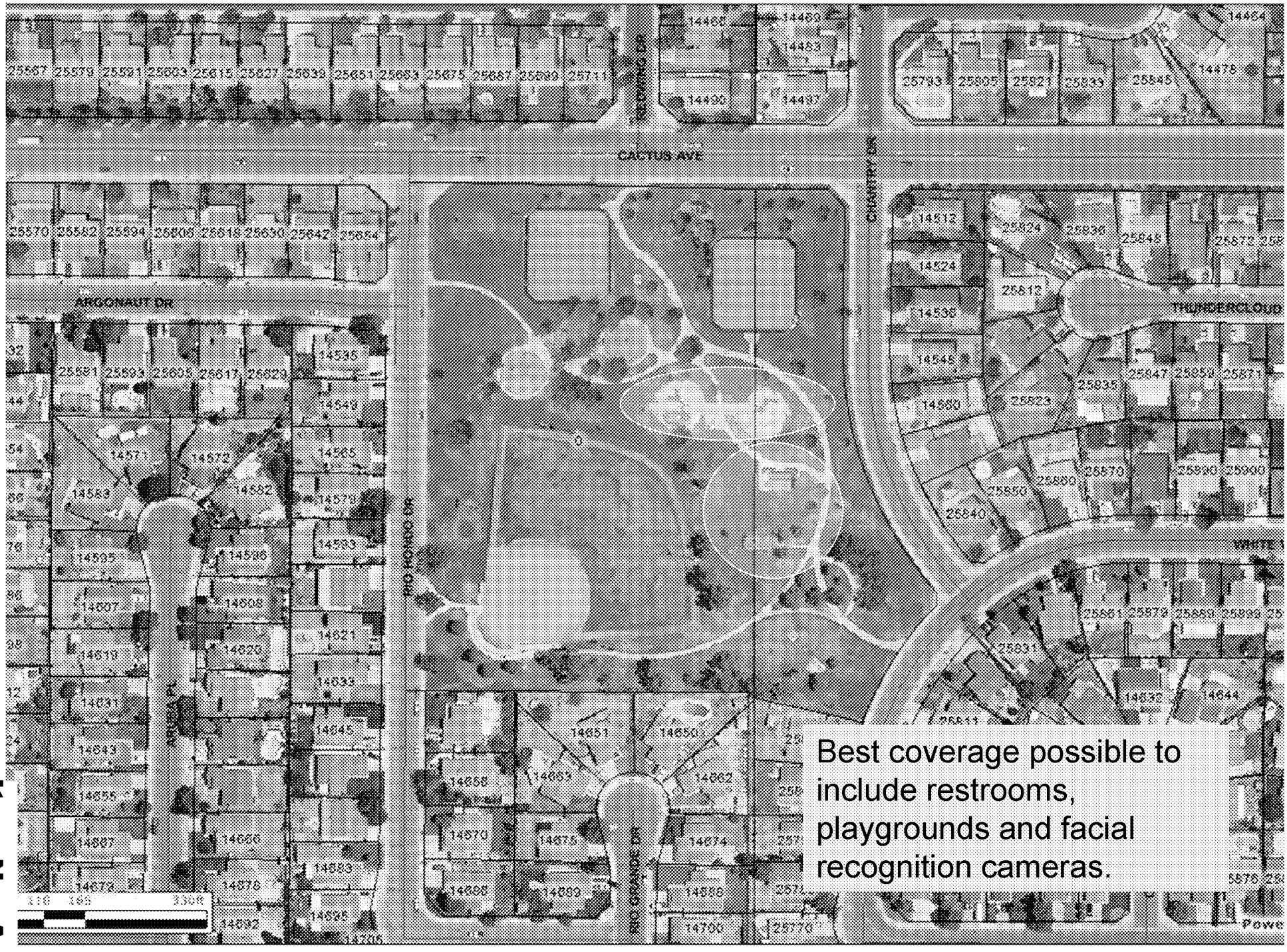
CACTUS AVE
ARGONAUT DR
THUNDERCLOUD
RIO GRANDE DR
Best coverage possible to include restrooms, playgrounds and facial recognition cameras.

Item No. A.19

Best coverage possible to include restrooms, playgrounds and facial recognition cameras.
TONADILLA CIR
RANCHITA CIR
LA FORTUNA DR
PALMITA WAY
ROLLING HILLS RD
PALOS VERDES DR
25570
25582
16000
16010
16020
16030
16040
16050
16060
16105
16125
16130
16140
16135
25587
25598
25618
25630
25640
25678
25690
25711
25753
25755
25642
25654
16005
16015
16025
16035
16045
16055
16065
16075
16085
25730
25779
25757
25741
25731
25707
25695
25650
25662
25674
25686
25710
25811
25823
25835
25847
25859
25871
25883
25895
25907
25919
25931
25943
25955
25967
25979
25991
26003
26015
26027
26039
26051
26063
26075
26087
26099
26111
26123
26135
26147
26159
26171
26183
26195
26207
26219
26231
26243
26255
26267
26279

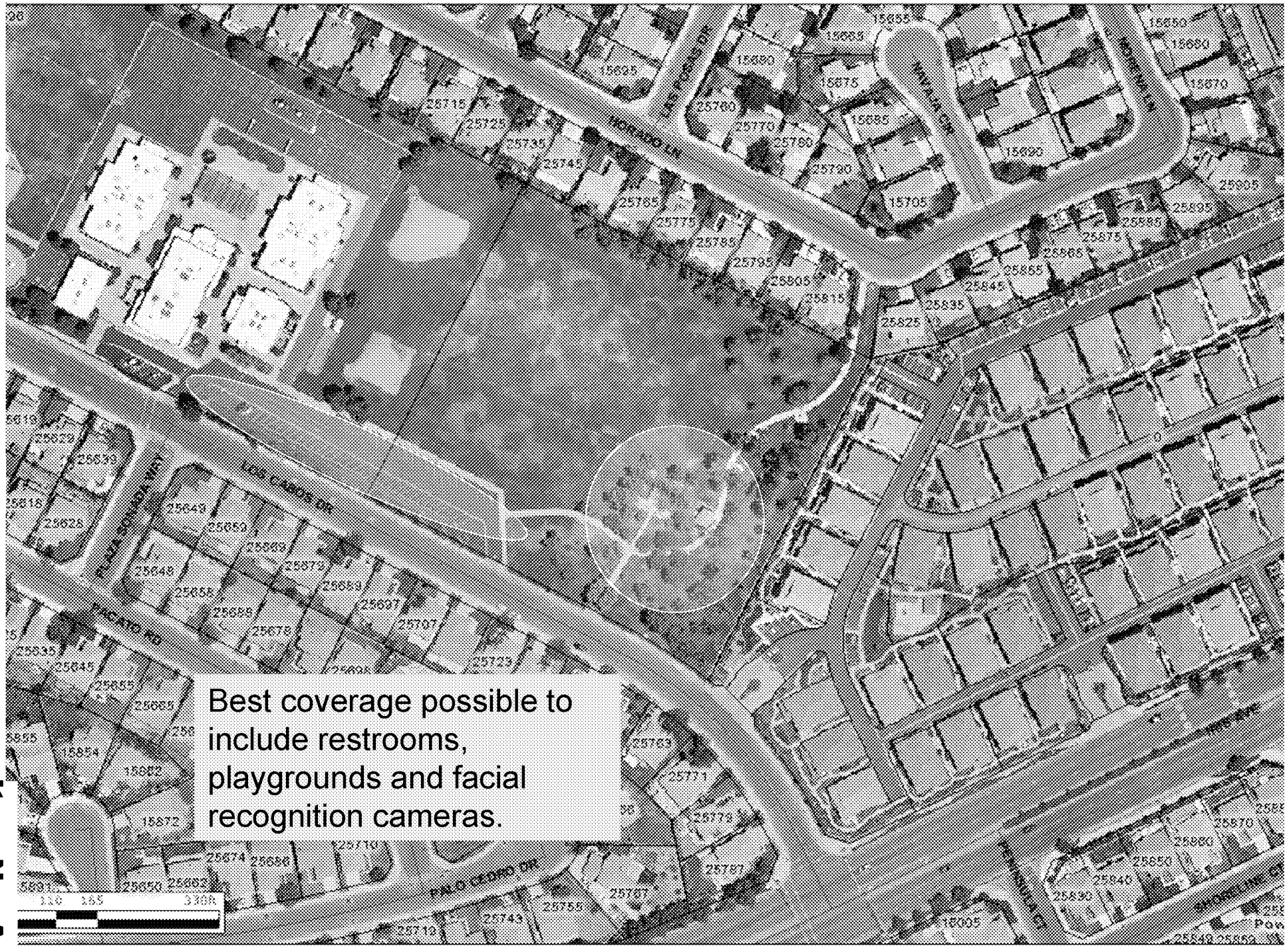
Best coverage possible to include restrooms, playgrounds and facial recognition cameras.
LOS CABOS DR
PACATO RD
PALO CEDRO DR
TORADO LN
BAYLA DR

Item No. A.19

Phase 1a

Item No. A.19

MV00175120

Two areas of fixed coverage and 360⁰ capability.
IRONWOOD AVE
REDLANDS BLVD
26240
40 80 320ft

Item No. A.19

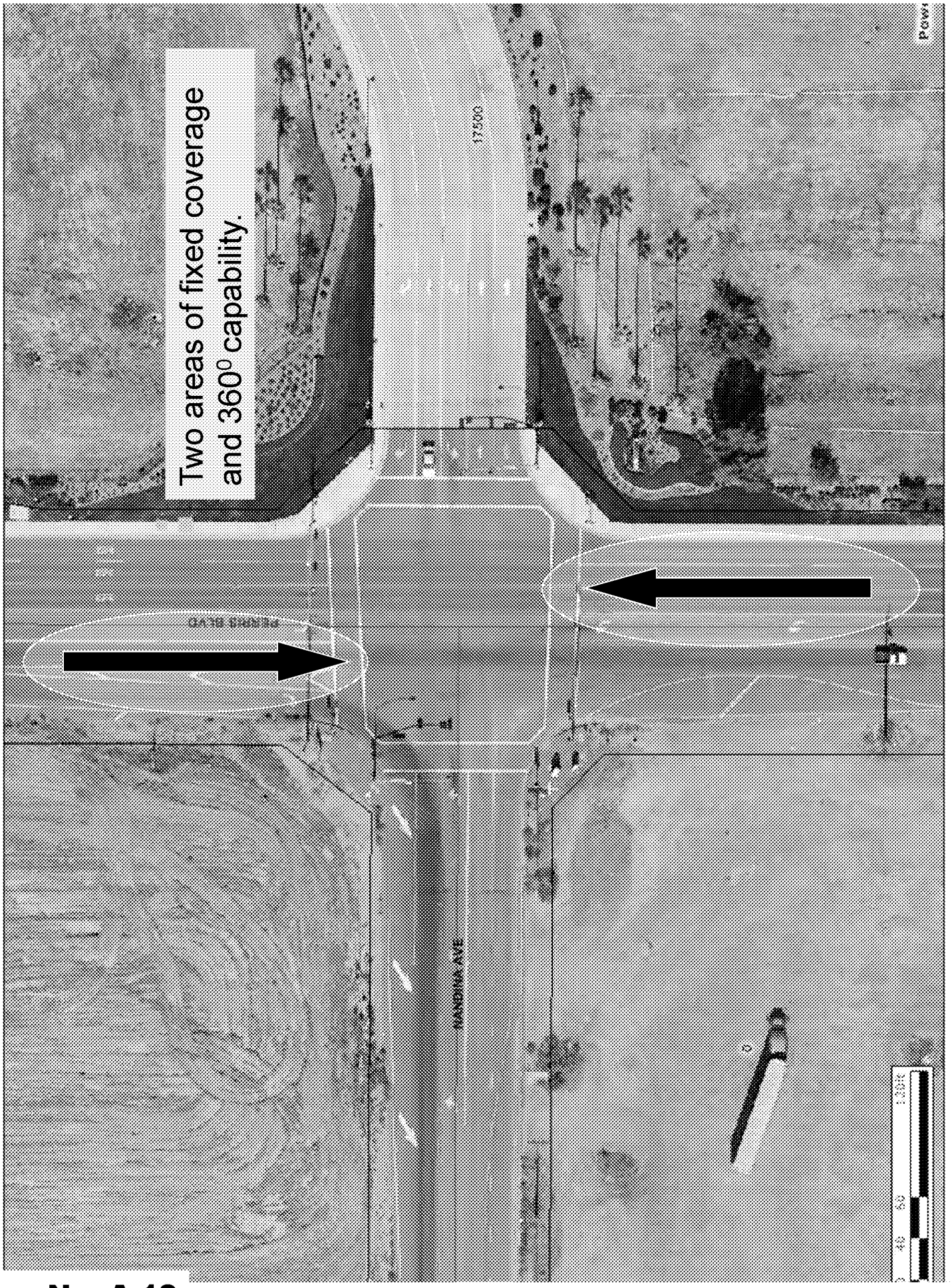
Two areas of fixed coverage and 360⁰ capability.
PERRIN BLVD
SANDRA AVE
17500
40
80
160ft

Item No. A.19

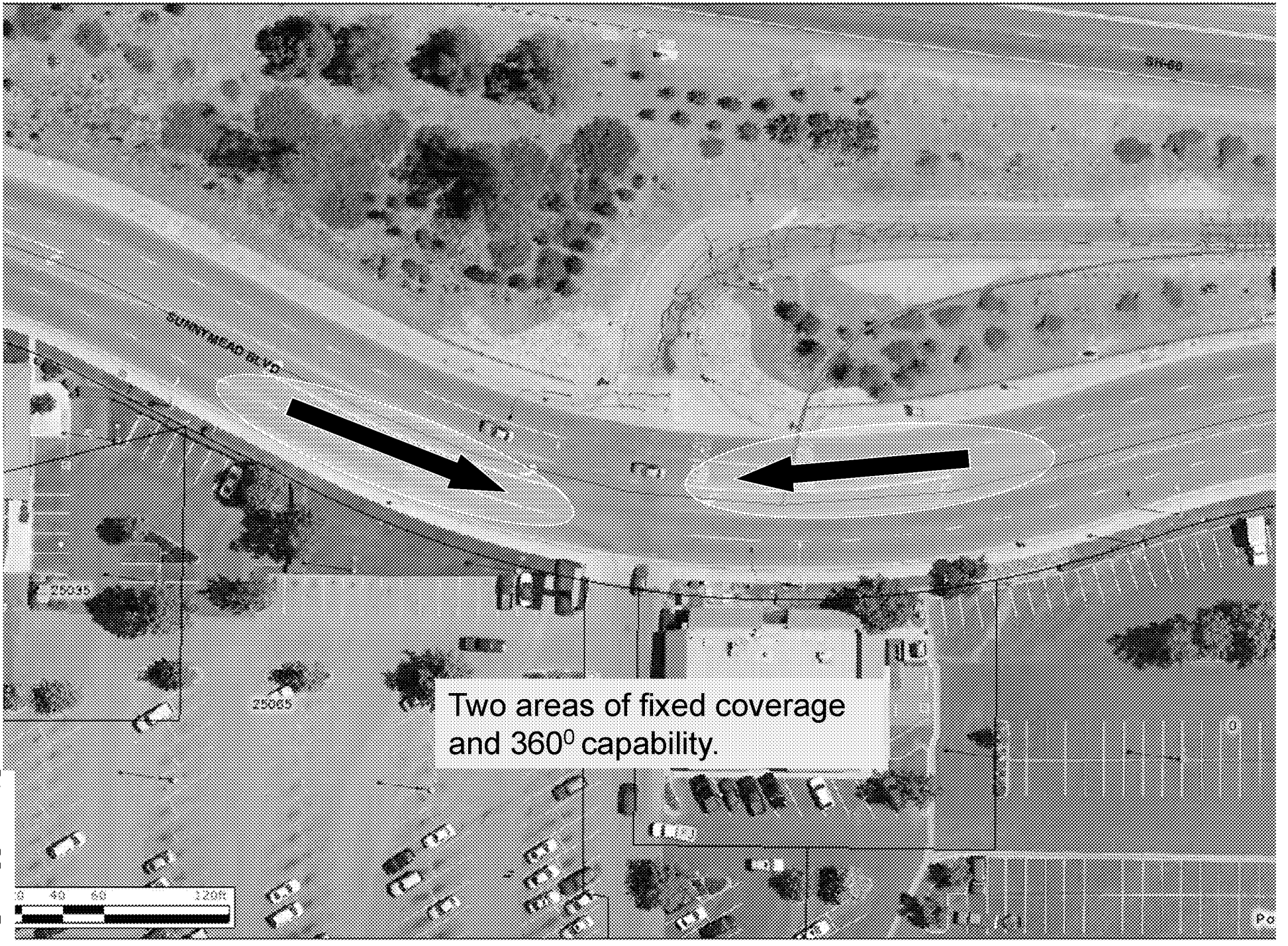
SUNNYMEAD BLVD
25045
25065
Two areas of fixed coverage and 360^0 capability.

Item No. A.19

Best coverage possible to include restrooms, playgrounds and facial recognition cameras.
SUMMER HOLLY AVE
EDGEWORTH ST
WESTLAKE DR
BALBOA LN
PARADISE PL

Two areas of fixed coverage and 360^0 capability.
BOX SPRINGS RD
IRONWOOD AVE
21947
11951
11991
22013
22025
22037
22049
13125
40
60
1,200

Item No. A.19

Phase 2

Item No. A.19

MV00175126

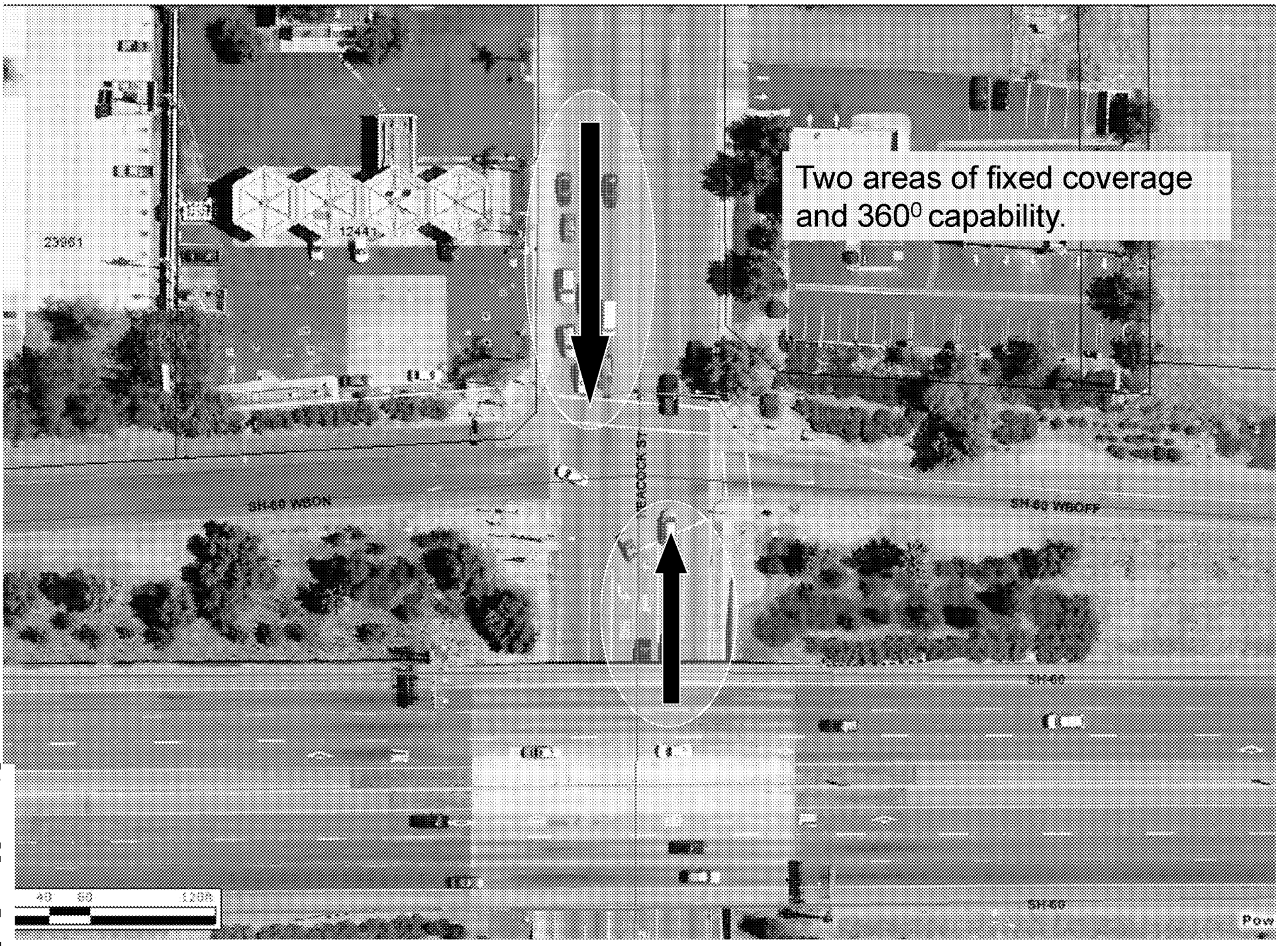
Two areas of fixed coverage and 360⁰ capability.
SH-60 WBON
SH-60 WBOFF
SH-60
SH-60
40 80 120ft

Item No. A.19

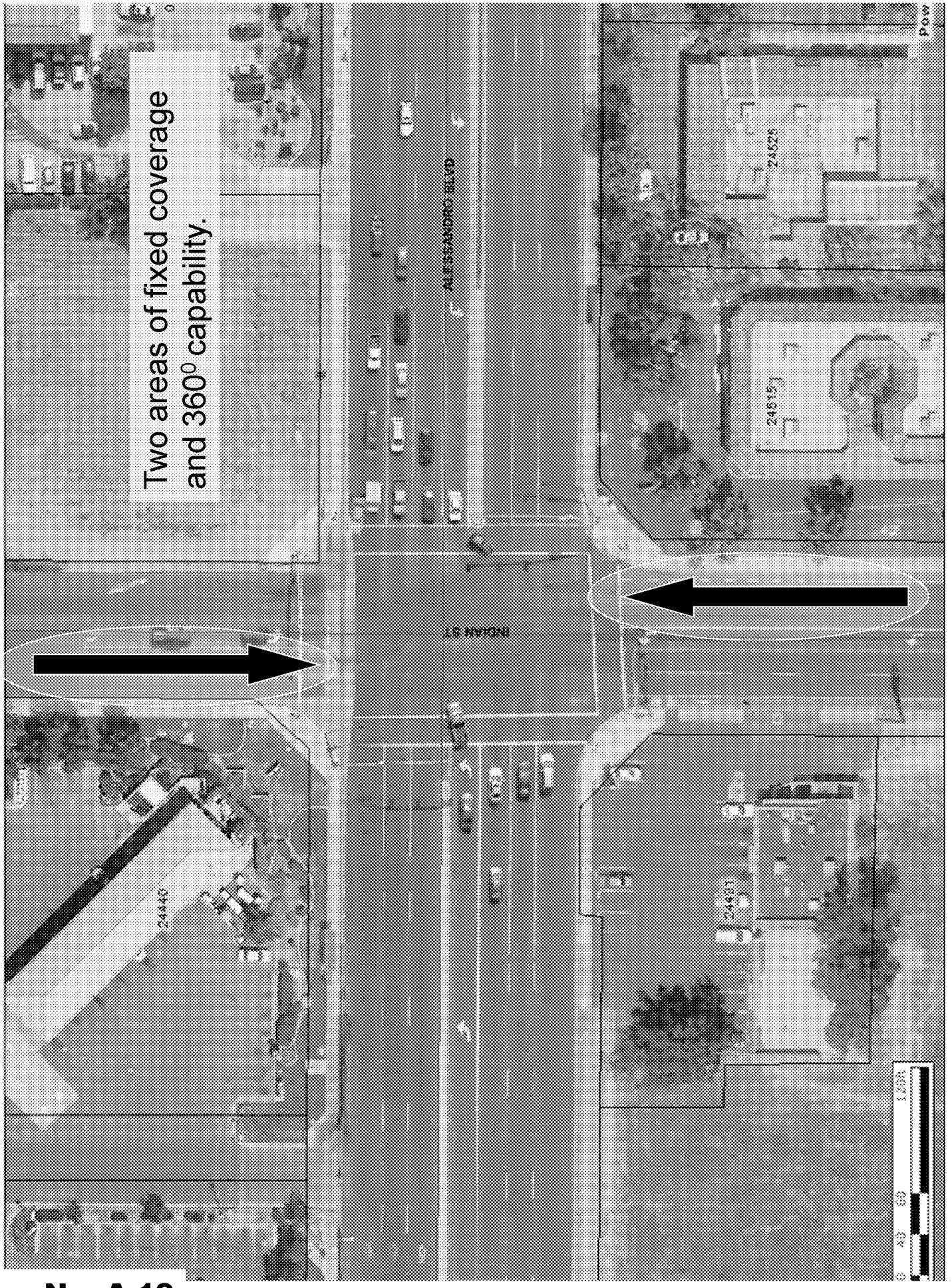

Item No. A.19

MV00175128

Two areas of fixed coverage and 360⁰ capability.
17733
17741
17749
17757
17765
17773
17781
17789
17797
17805
17732
17740
17748
17756
17764
17772
17780
17788
17796
17804
LASSELLE ST
CAMINO SAN SIMEON

Item No. A.19

Item No. A.19

Two areas of fixed coverage and 360^0 capability.
NAHUNA AVE
INDIAN ST
24415
0 60 120ft
Powered

Item No. A.19

Two areas of fixed coverage and 360⁰ capability.
FREDERICK ST
CONCORD AVE

Item No. A.19

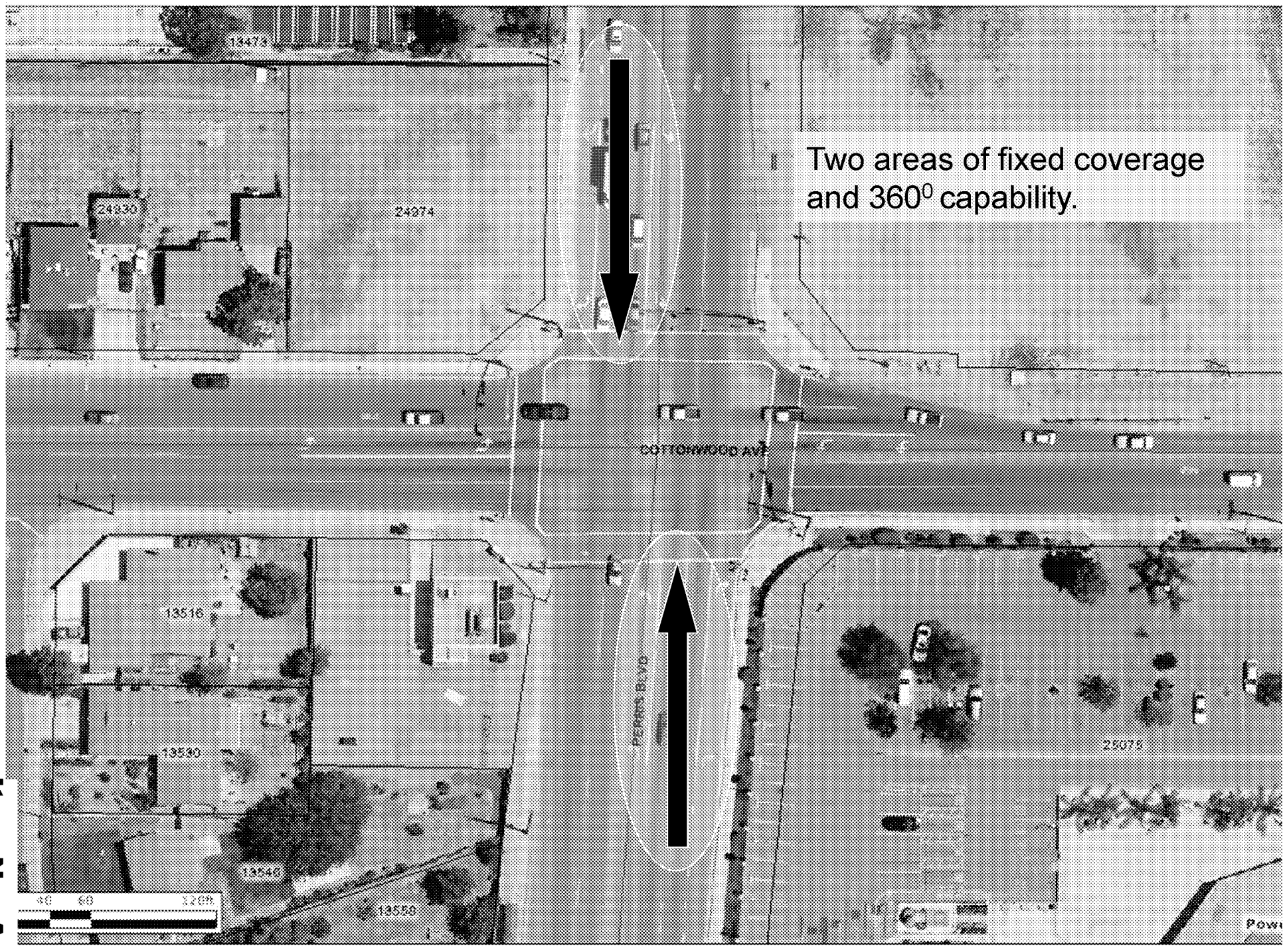

Item No. A.19

MV00175133

Item No. A.19

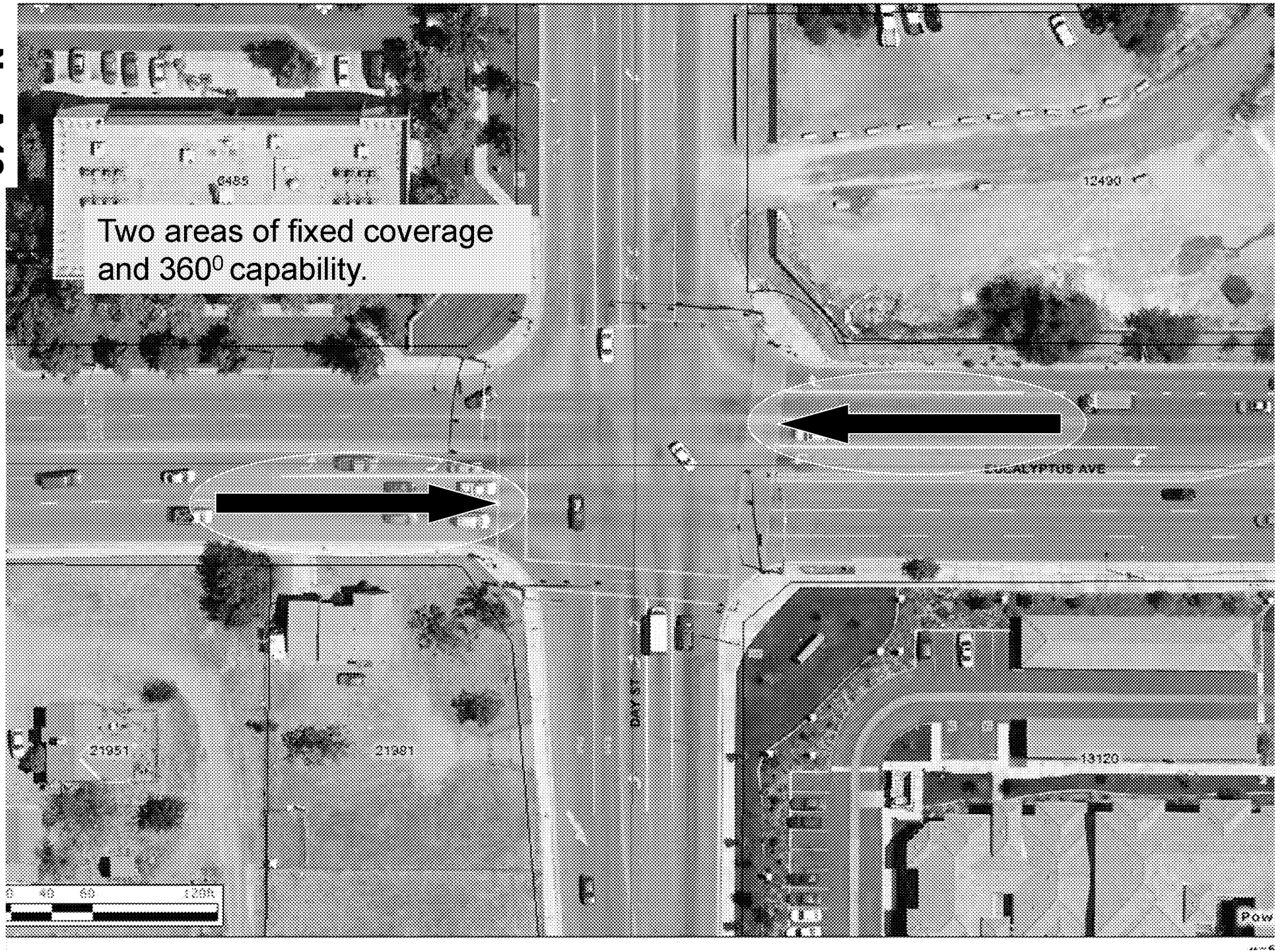

MV00175134

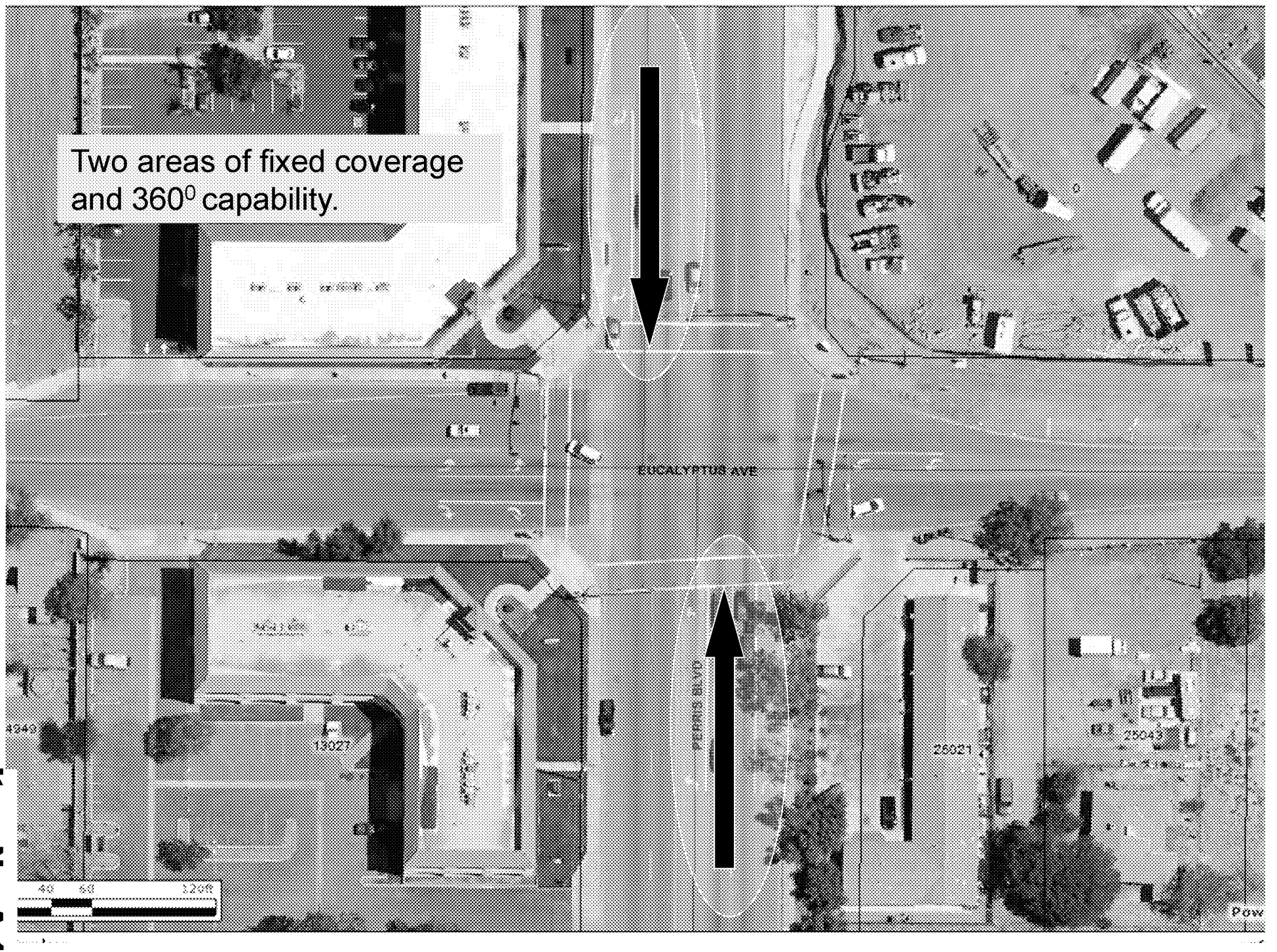
Two areas of fixed coverage and 360⁰ capability.
EUCALYPTUS AVE
PERRIS BLVD
13027
25021
25043
40 80 120ft

Item No. A.19

Two areas of fixed coverage and 360^0 capability.
SUNNYMEAD BLVD
PERRIS BLVD
PERRIS ST
12320
23021
12321
22320

Item No. A.19

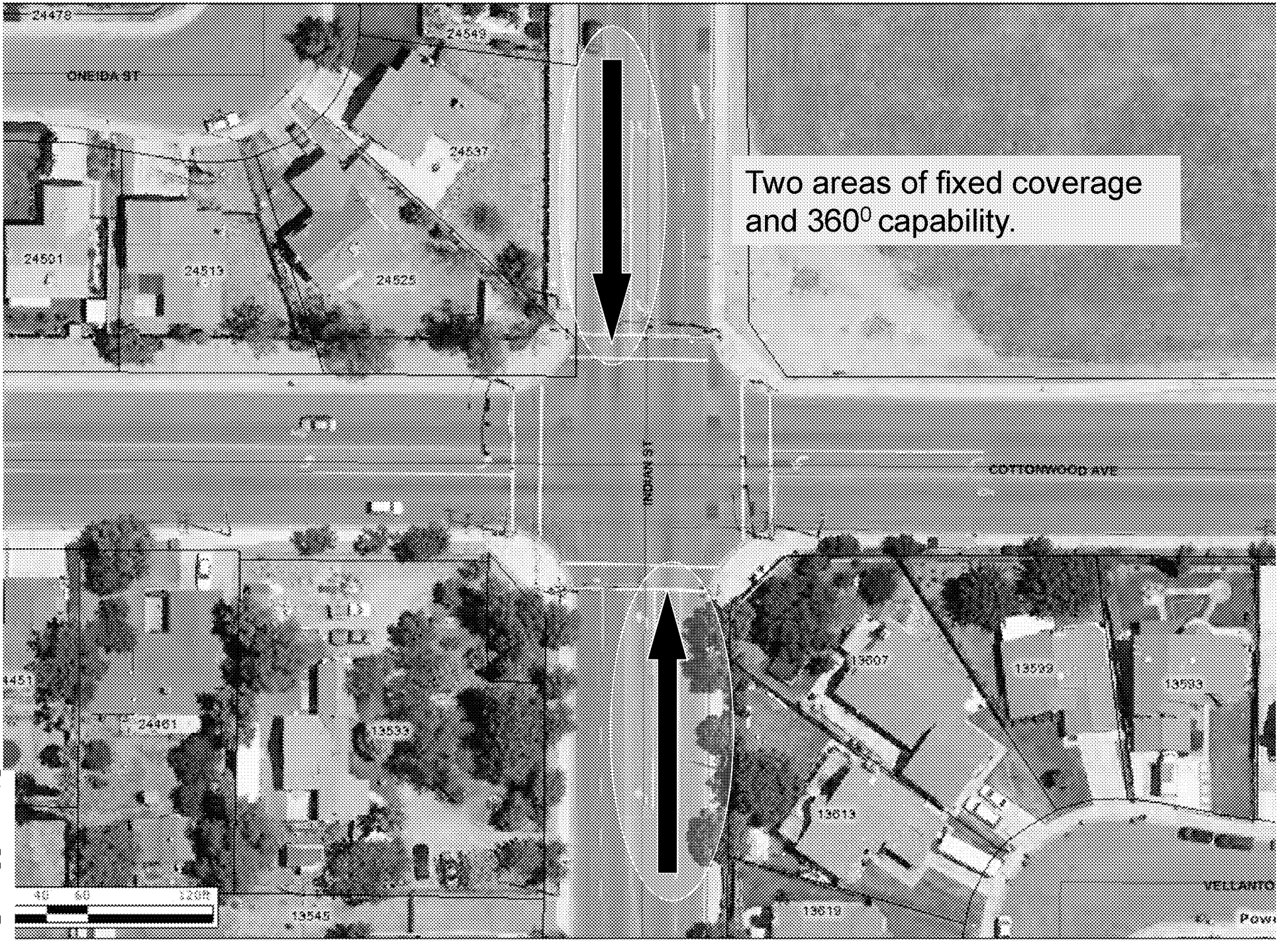

Item No. A.19

MV00175137

Item No. A.19

MV00175138

Two areas of fixed coverage and 360⁰ capability.
SPARROW CT
OLD LAKE DR
PIGEON PASS RD
HOLDEN SPRINGS DR
PIGEON PASS RD
40
80
120

Item No. A.19

Item No. A.19

MV00175140

Item No. A.19

MV00175141

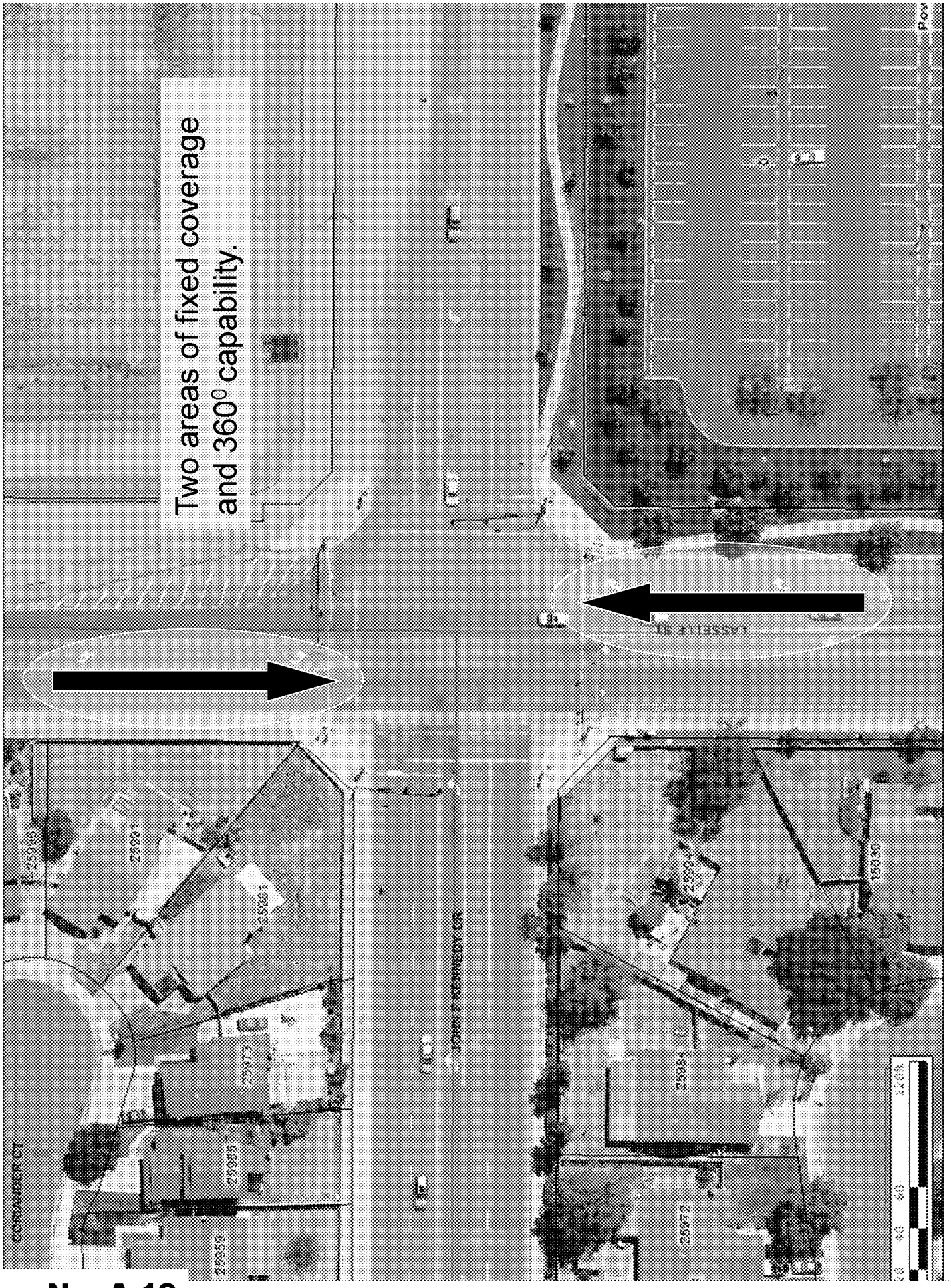

Item No. A.19

MV00175142

Item No. A.19

MV00175143

Two areas of fixed coverage and 360⁰ capability.
COTTONWOOD AVE
DAY ST
22015
22033
21982
21935
13477
13454
13464
13472
13480
0 40 80 160

-739-

Item No. A.19

MV00175145

Item No. A.19

Two areas of fixed coverage and 360^0 capability.
GRADUAR CT
PERRIS BLVD
ODESSA DR
25023
25033
25043
25053
11987
11991
12050
12064
12075
12085
12013
12023
12037
12055

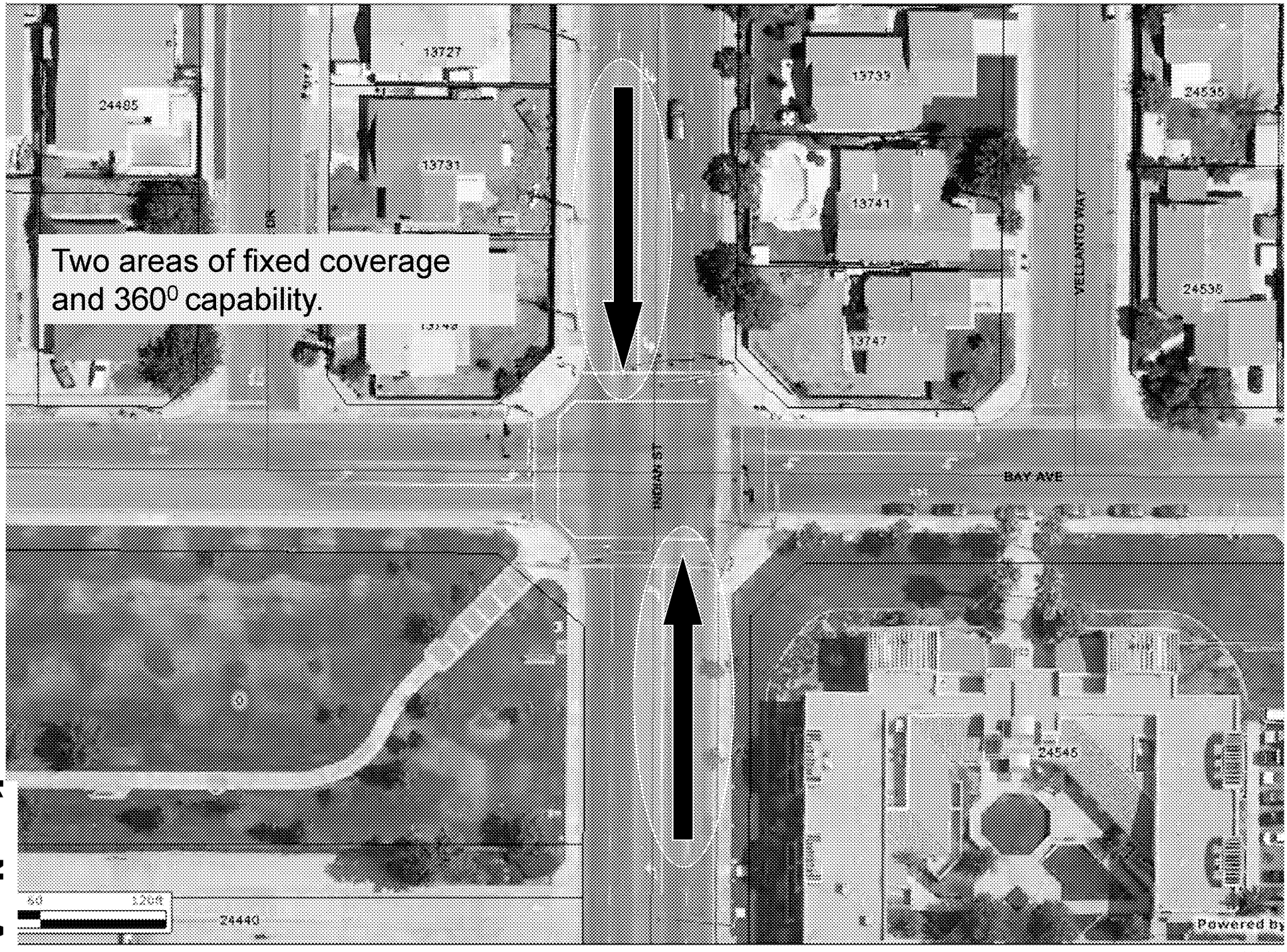
Two areas of fixed coverage and 360^0 capability.
24485
13727
13731
13733
13741
13747
24535
24539
VELLANTO WAY
BAY AVE
24545
24440
Powered by

Item No. A.19

Item No. A.19

MV00175148

Item No. A.19

MV00175149

CALLE ALTO
CAMINO FLORES
BELLO WAY
CAMINO DE
GENTIAN AVE
Best coverage possible to include restrooms, playgrounds and facial recognition cameras.

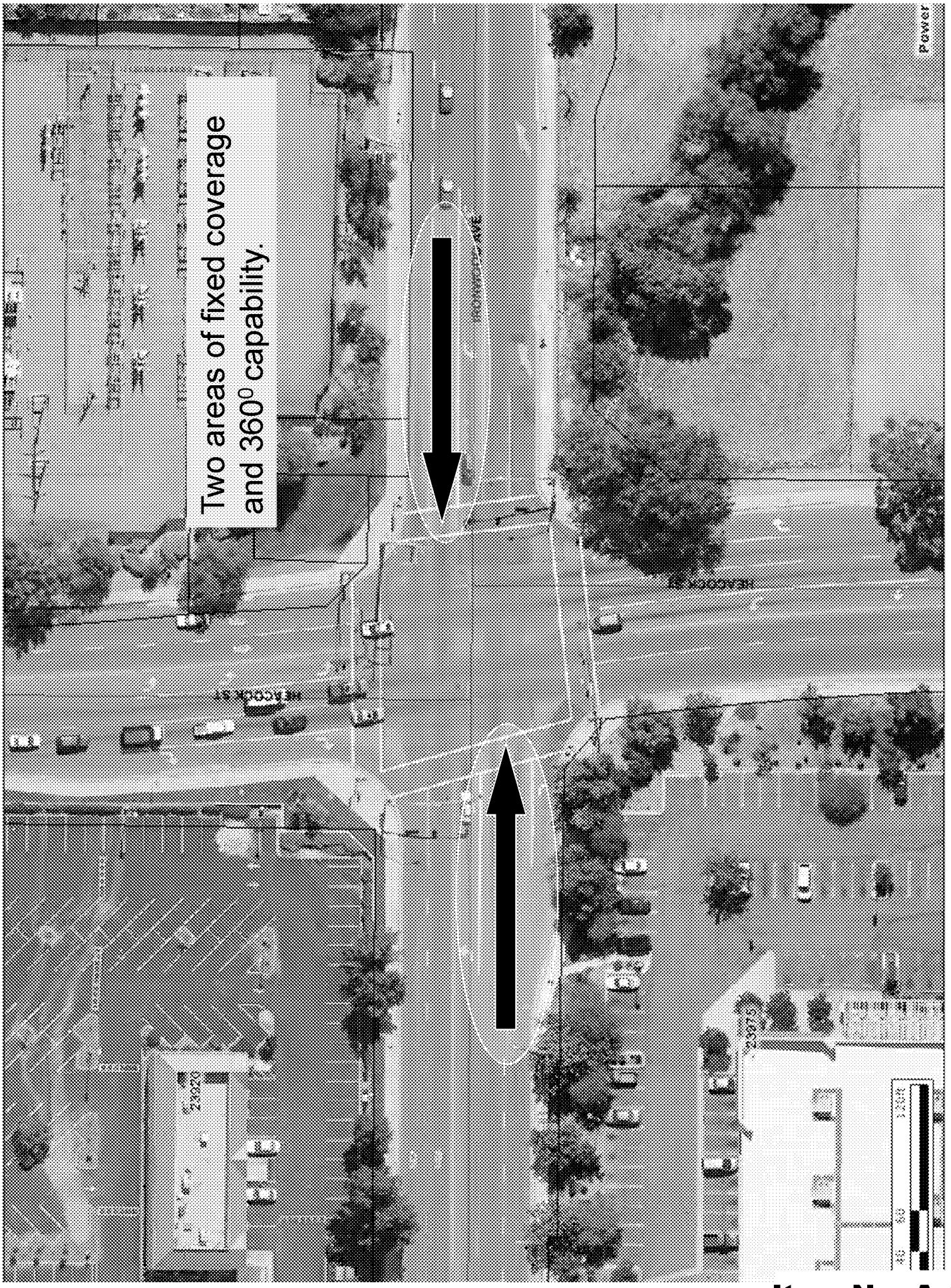

Item No. A.19

MV00175151

Two areas of fixed coverage and 360⁰ capability.
MORENO BEACH DR
ALESSANDRO BLVD
Powered

Item No. A.19

Item No. A.19

MV00175153

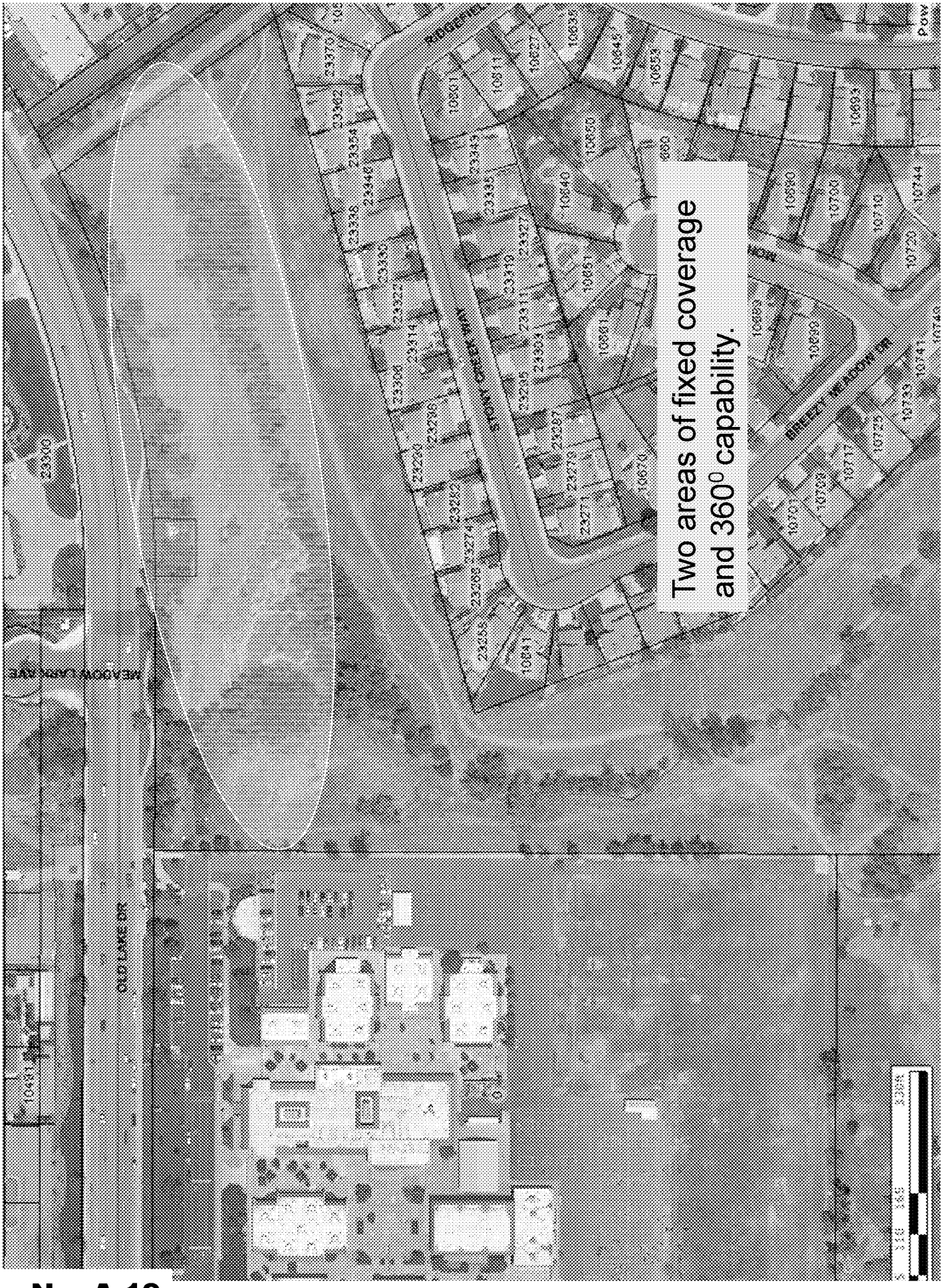
Two areas of fixed coverage and 360⁰ capability.
MEADOW LAKE AVE
OLD LAKE DR
STONY CREEK WAY
BRIDGE WATER DR
RIDGEVIEW
23300
23362
23354
23346
23338
23330
23322
23314
23306
23298
23290
23282
23274
23266
23258
23250
23242
23234
23226
23218
23210
23202
23194
23186
23178
10481
10491
10501
10511
10521
10531
10541
10551
10561
10571
10581
10591
10601
10611
10621
10631

Later Phases

Item No. A.19

MV00175155

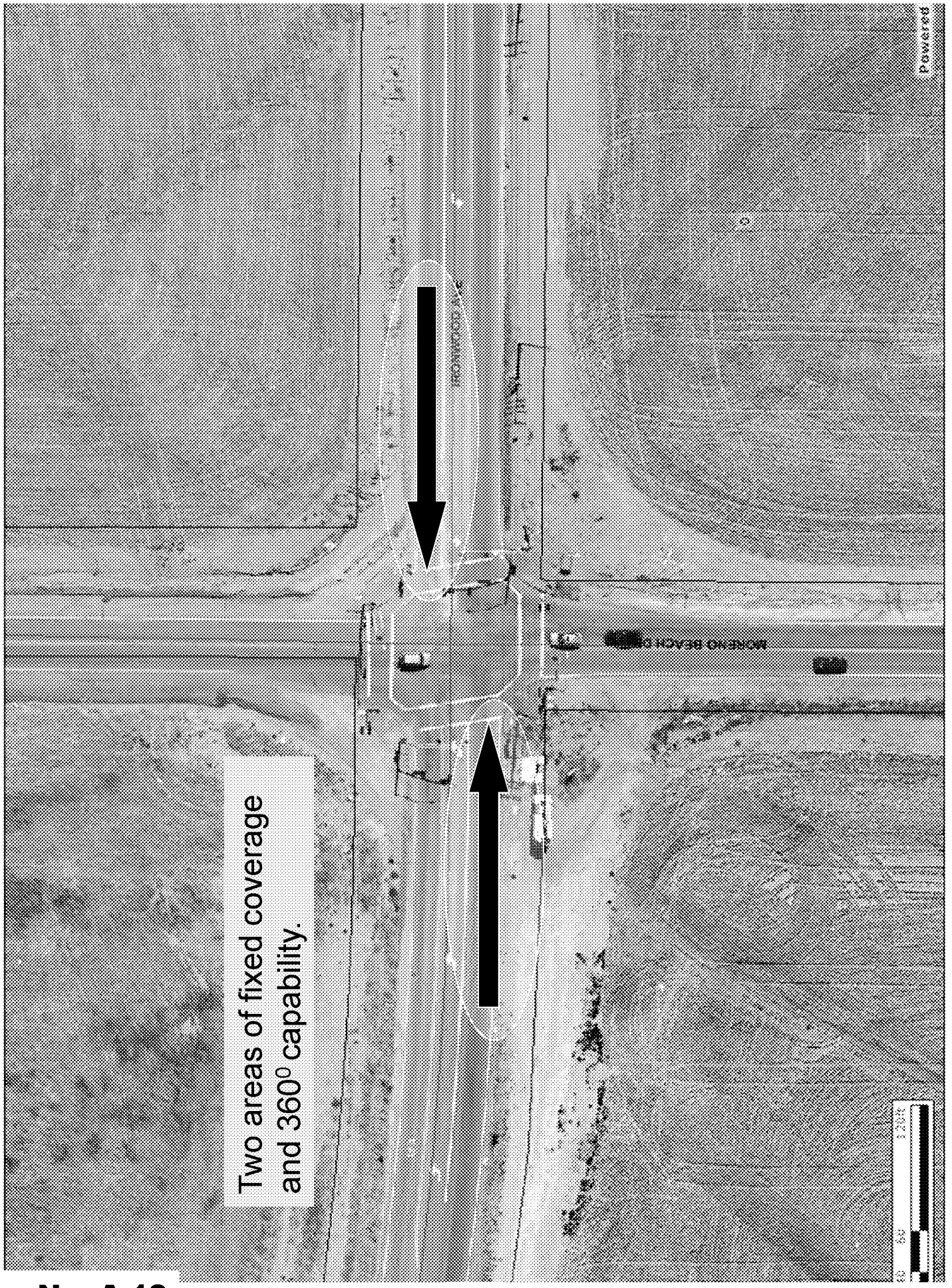
Two areas of fixed coverage and 360^0 capability.
MONTEREY
MONTEREY BEACH
Powered

Item No. A.19

Item No. A.19

MV00175157

Item No. A.19

MV00175158

Two areas of fixed coverage and 360⁰ capability.
12833
12840
12837
12847
12843
24480
24490
12861
12850
24545
24421
24493
24487
24483
24535
12832
24549
12906
12917
12909
Powered

Item No. A.19

Two areas of fixed coverage and 360⁰ capability.
WEBSTER AVE
INDIAN ST
12570
12572
12580
12569
12589
24474
12556
12544
12546
12548
24477
0
60
120

Two areas of fixed coverage and 360⁰ capability.
15184
15188
15210
25946
CANFIELD AVE
MARGARET AVE
CASSELLE ST
25951
25969
25973
25989
25956
25970
15295
Powered by GeoS

Item No. A.19

Item No. A.19

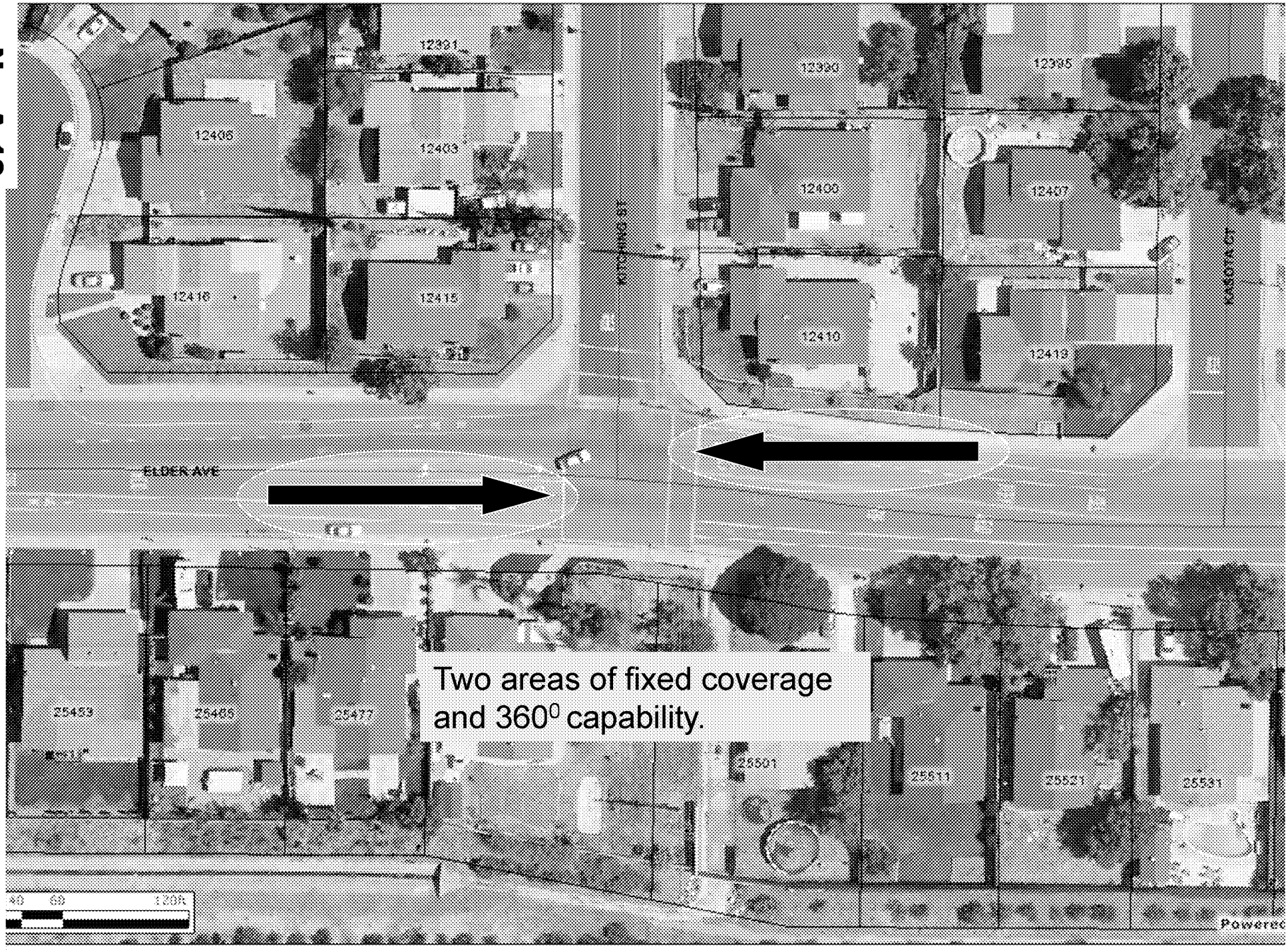

Two areas of fixed coverage and 360^0 capability.

MV00175162

Item No. A.19

MV00175163

Item No. A.19

MV00175164

Two areas of fixed coverage and 360^0 capability.
EUCALYPTUS AVE
12975
12969
12981
12984
13017
13022
13041
13016
13028
Powered

Item No. A.19

Item No. A.19

MV00175166

SHADOWRIDGE LN
MOUNTAIN VIEW RD
COUNTRY CREEK RD
Two areas of fixed coverage and 360^0 capability.

Item No. A.19

Item No. A.19

MV00175168

Item No. A.19

MV00175169

Item No. A.19

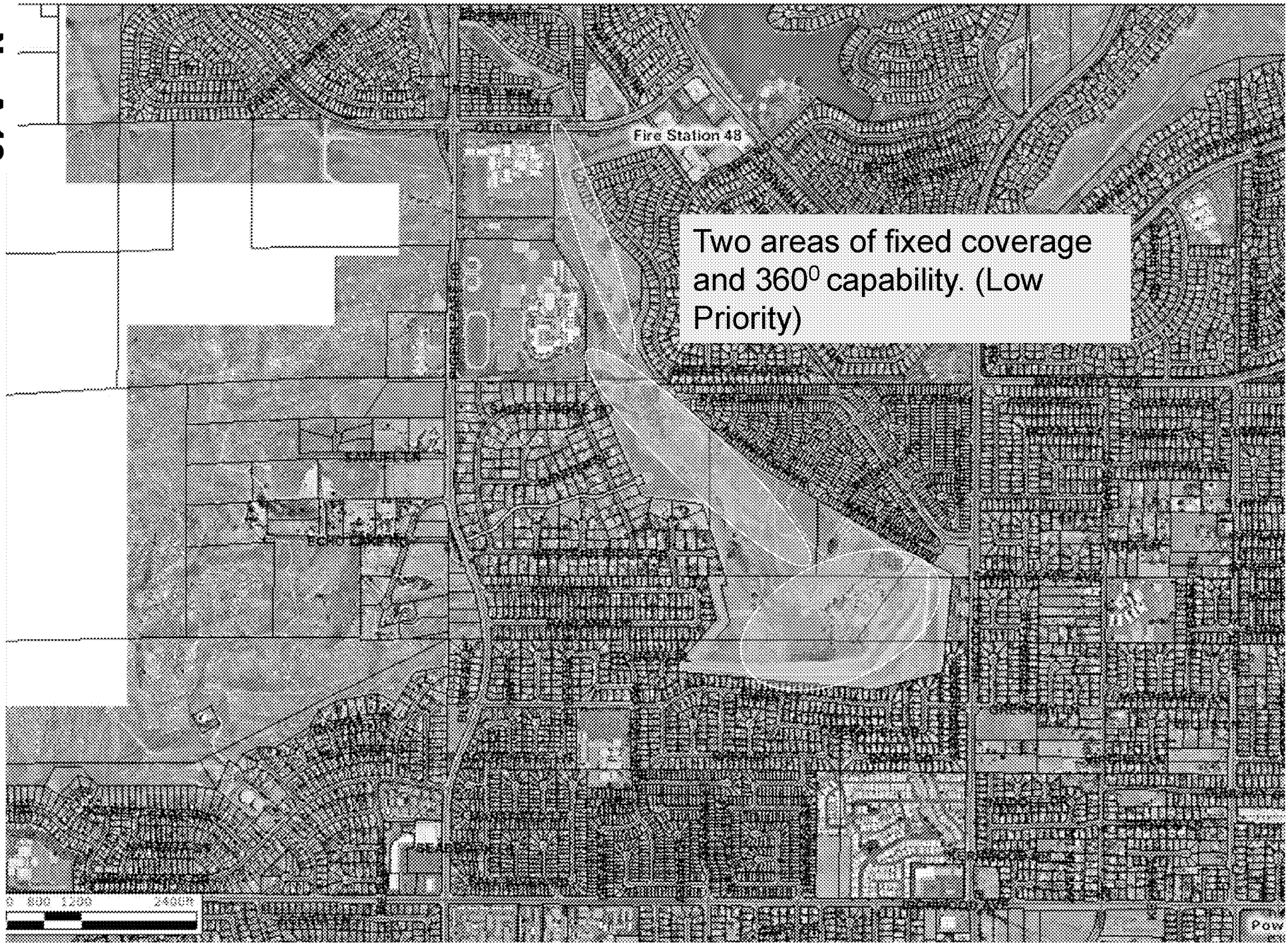

MV00175170

Item No. A.19

MV00175171

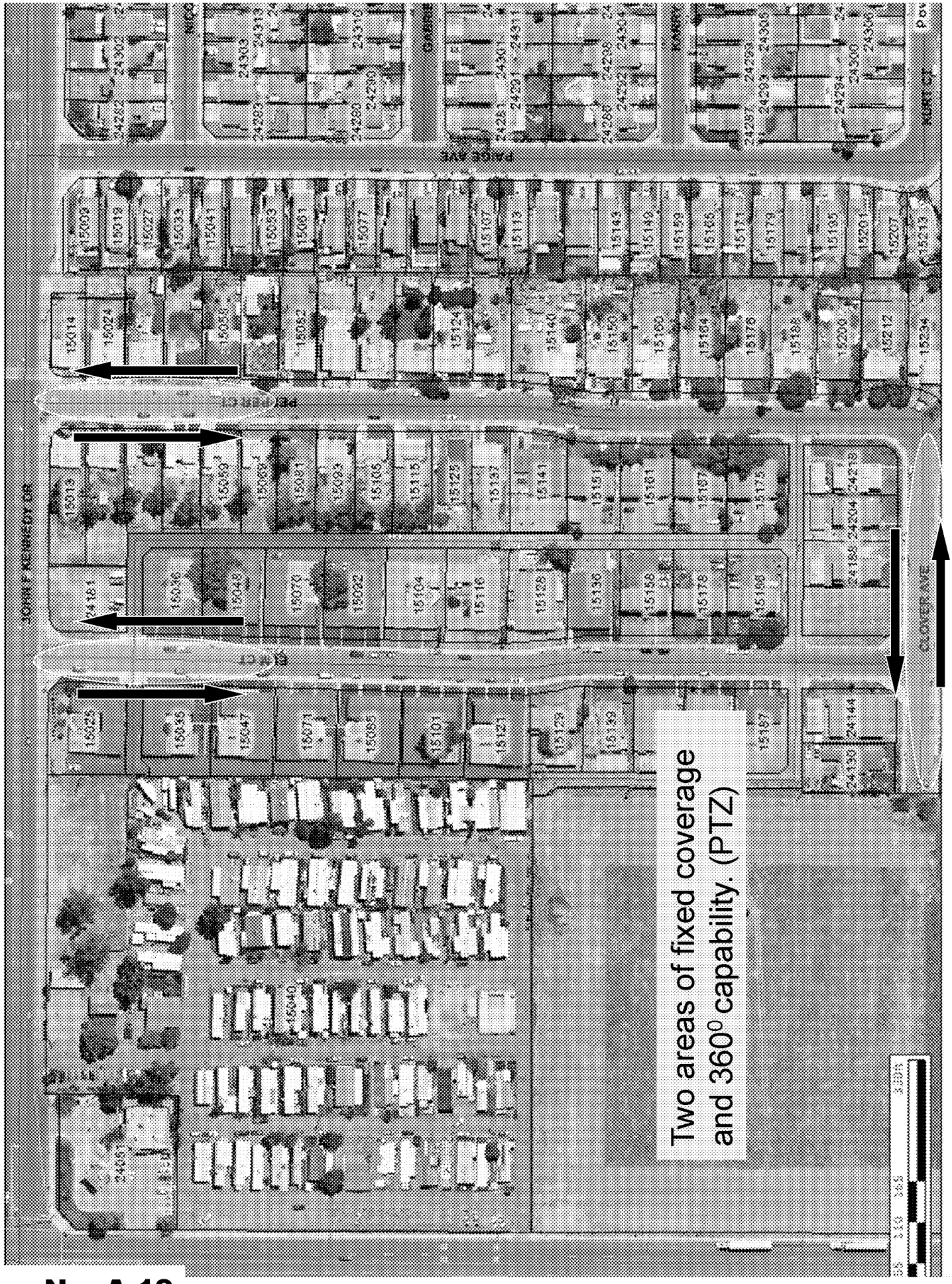
PAIGE AVE
PERFECT
JOHN F KENNEDY DR
CLOVERVIEW
Two areas of fixed coverage
and 360⁰ capability. (PTZ)

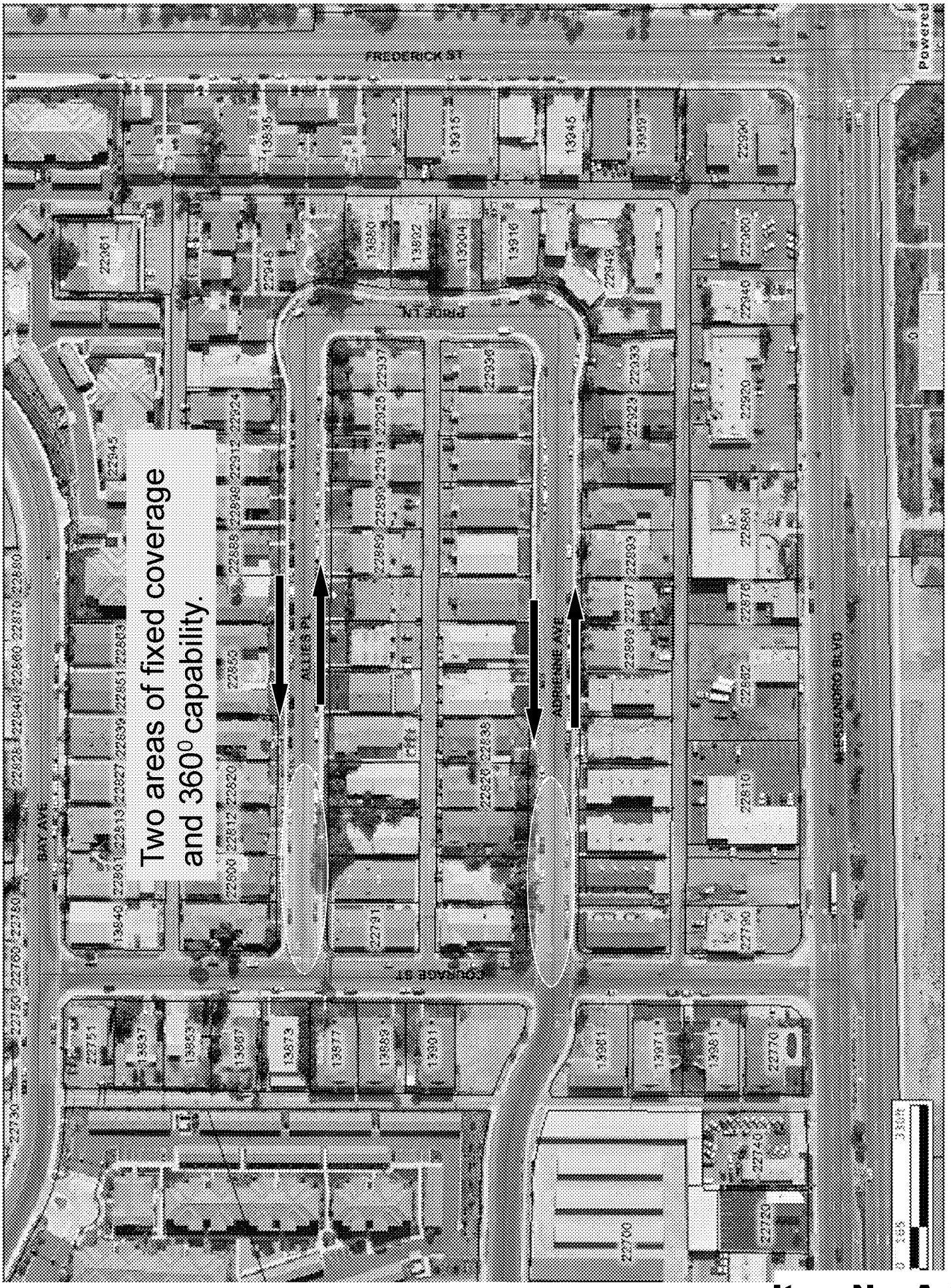
Two areas of fixed coverage and 360⁰ capability.
FREDERICK ST
FRONT ST
ALICE PL
ADRIANNE AVE
FOURAGE ST
BRI AVE
ALESSANDRO BLVD
Powered

Item No. A.19

Pre-Bid Meeting – PD Camera Project
4/11/12 1-2:10pm

Notes while the City addressed the agenda items.

Introductions: Lt. Cheryl Evans, Sgt. John Del Valle, Tom Tucker (Project Manager, City Consultant), Steve Hargis (City Technology Manager); an additional, non-City resource will be used to help evaluate the proposals deemed to be finalists

Purpose, Scope & Vision of this Project

May not be a typical RFP – less specific, perhaps ambiguous; lots of freedom to propose your strengths; NOT an RFQ but a true RFP

City expects to spend its entire project budget so price is not the predominant factor here

Integration: Traffic (Kimley-Horn & Associates KITS) – Facilities (City Hall, EOC, Annex, utility substation) – PD Building

Public Transparency: Community viewing room for live feeds; ongoing discussion about how this will be achieved: extension of monitoring room or w/ viewing software or mirror of monitoring room

Smarter Policing: Only sending Officers when/where they are needed – e.g. Speakers at park locations, view dispatches of lots of officers before dispatching

Funding – Public Funds from PD savings in previous FYs, already budgeted and authorized to be spent across FYs

Approach to RFP development

Address all ideas, conflicts, etc. in RFP

Evaluation Criteria: 1A – We don't expect anyone to meet all requirements; looking for the best fit for our needs and best value (e.g. 100% wireless coverage in City is not possible; so propose a design and coverage; lots of freedom)

1C – Looking for ability to see details of what camera is looking at; don't want a picture of a dark sedan; do want a picture of a green, Ford Taurus, w/ 2 people in the front seats

3A – An SDK or exposed APIs is needed: If vendor has to perform the integration to preserve warranties – say so

3C – We are looking for some headroom/capacity for growth & inexpensive growth; Goal is to have infrastructure built and only add cameras

4 – Want recommendations of storage capacity and video storage parameters (fps, resolution, etc.); 12 months at PD; otherwise 1 month; space to temporarily store video that is set aside; Storage mgmt. should be easy – Know HP EVA SAN tools but we don't expect the exact same solution in the proposal

5C – Quality over speed but City is expecting results quickly. Suggest schedule proposes completing a small section to score a fast win (crime recorded, solved, or thwarted; open Community viewing room) and then build out from there

Timeline

E-mail Purchasing Division for electronic copies of addendums; otherwise, posted on website; Questions taken until April 26 so that we have time to formulate and disseminate answers

June 26 is last chance to award the contract b/f the City Council goes dark/goes on recess until August

Miscellaneous

Site access will be available to finalists only

Reducing City risk: Faithful Performance Bond vs Payment schedule (milestones) & acceptance (need to define)

Remote Project Management will not be favored as much as an onsite PM to expedite decision-making processes

Citywide Camera Surveillance System
Addendum # 1

Questions:

The City strives to keep vendors responding to City needs current with all ancillary information to each specific RFQ/RFP or Bid. As such we will receive questions in writing and respond in writing with answers to the best of our knowledge. When responding with answers we will respond to all registered vendors and post on our website all questions and answers.

Q. How many finalists will be chosen?
A. Six or less

Q. Can the finalists do a presentation/demonstration at the Police Dept., as well as take you to other cities (local)?
A. Yes

Q. Will the City's HP SAN be integrated?
A. Storage will be separate from the City's.

Q. Bid due date?
A. May 9, 2012 by 2:00pm to the City Clerk's office

Q. Any communications with MARB?
A. Yes, we have contacts at MARB and successful experience in obtaining permits and permission to have radio waves on the base.

Q. Where is the existing fiber?
A. Showed map of fiber around City Hall campus. We will be running more fiber south of City Hall to the Corporate Yard. Continuous conduit exists with about 1/4 mile of fiber already run.

Attachment Q was passed out. It will be added as addendum on website. Any vendor whose proposal relies on future availability of fiber in the City should make that assumption very clear in their proposal. The City does not have a high confidence level in the estimated availability dates for fiber projects beyond the City Hall to City Yard fiber extension project (red line on the map).

Q. Is there a listing of possible friendly sites for the wireless backhaul?
A. We have had informal discussions with MVUSD, Sketchers, and Community Hospital and are still working on relationships. Box Springs Mountain is possible but has some definite downsides.

Q. Can we build towers?
A. City is open to the idea. City leases a tower at Box Springs, there is the possibility of putting tower there but that site has problems that site in the City do not have.

Q. Can City assets be used and is there a list?
A. Yes, it will be put on website as an addendum.

List of City building and park addresses will be posted on the website as an addendum.

Q. Will the City asset list include the tower?
A. We will discuss.

Q. What is the water service in the area?
A. City has no water infrastructure. It is separate – EMWD, WMWD and Box Springs.

Q. We there be CalTrans issues?
A. No

Q. Traffic signals owned by the City?
A. Yes. Those identified have a duplex 110 plug on the pole. You can tap into that circuit.

Q. How many cameras are at the Police Department?
A. 48 cameras, analog, record 24/7, watch commander can view, need to encode video, current system is from I3VR, currently store 6 months of video from these cameras.

Q. Will the traffic cameras in the future be running through fiber?
A. The plan is to put them on fiber, but you don't need to worry about the traffic cameras now other than the integration with the Kimley-Horn & Associates KITS software.

Q. Can we have access to the control boxes?
A. We will ask the City's Traffic Division.

Q, Can we go to the camera intersections for line of site?
A. Yes. Contact City if you need help.

Q. After doing due diligence, did you have any cities to use as models?
A. We liked certain things from certain cities, not everything from one city. We want to develop something for us that will meet our needs.

Q. How many TV stations will you need to monitor feeds?
A. We have cable at Police Dept. so we can choose which ones. That video will not be stored long – no more than 2 weeks.

Citywide Camera Surveillance System
Addendum # 1

Q. Will this system be at the squad car level?
A. Not in this project.

Q. Will there be special incidents that will need to be stored permanently?
A. We will put those on DVD for evidence.

Q. Will the fiber map be available in soft copy?
A. Yes, will try to put it in soft copy and add as an addendum.

Q. Performance Bond and Bid Bond both required?
A. Performance bond is required. A bid bond is not required.

Q. What are the contractor license requirements?
A. When installing on light poles need certifications
C10 - for 110 on poles
C7 – for low voltage
BICSI – for data cabling and terminations

Q. Can a C7 contractor bid for the project and sub out the C10 work?
A. Yes
This is a public works project. The field work will require certified payrolls.

Q. Is there an existing VMWare environment?
A. Yes, we have an existing VMware environment using HP blades, and an HP SAN for storage. The City will want to manage the servers.

Q. Will we use existing infrastructure?
A. Yes

Q. Any small business or disabled business set aside for the project?
A. No

Q. Will there be a monitoring room set up?
A. Yes, we will remodel a room. We are looking at furniture, room design and budgets now.

Q. Do you have the dimensions of the monitoring room?
A. Don't know exact dimensions, but it will be approximately 12 x 15.

Q. Are the monitoring room workstations and monitors part of the scope?
A. No, the monitoring station is not part of the RFP.

Q. We are just providing software to the monitoring room?
A. Yes, get it to the monitoring room.

MV00175178

We are investigating sending a video stream to the County.

Q. Do we need a business license before or after the award?
A. After

Q. Are you open to partial responses?
A. We want whole responses.

It will be wise for vendors to leave room for contingencies in their proposal. The City has no contingency budget and will require vendors to meet the functional specifications of the RFP if the initial implementation does not fulfill the specification. For example, if the RFP specified being able to capture video on a specified portion of a park but the video is not clear because birds keep landing on the camera housing, then the City will expect the vendor to solve the problem without requesting a change order.

Q. This is not awarded to lowest bidder?
A. No, the City fully expects to spend its entire project budget. We are more interested in which proposal fits our needs.

Q. Will the City be providing the public viewing room?
A. Yes. There will be one monitor for citizens to look at.
If you have questions after the meeting, send them to PurchasingDivision@moval.org
Look for addendums on the website.
We will also send addendums to the email addresses provided at this meeting.

Q. Will the sign-in sheet be on the website?
A. Yes, we will post it.

Q. Bid Proposal is missing a form for all bid items or lump sum item form page.
A. We do not plan to provide one. We have specified that we do not want a lump sum but we want it itemized

Q. Bid Proposal is missing Bid Bond Form, is Surety Form acceptable?
A. We are only asking for a Faithful Performance Bond (see page 27)

Q. How will cameras transmit data to City Hall or Police Department
Wired or wireless?
A. Because the City has very little fiber in the ground throughout the City we are anticipating that almost all vendors will propose a wireless solution. Please reference the last paragraph on page 5.

Q. Are there any underground conduit installation within the Project?
A. We are not anticipating that any Vendors will propose underground conduit installation.

Q. While we can provide an SDK, allowing people to integrate 3rd party software into our server is a problem. This would remove any WildFire warrantee as to VMS software, so it is not practical to offer.
A. We will take that into consideration when evaluating your proposal.

Q. The requirement to have all servers synchronize in time with a Spectracom time server.
A. Temporal synchronization is important for all servers and for camera systems. Synchronization is a common requirement and we want vendors to know up front that we currently use, and will require to continue using, a Spectracom time server.

Q. All PTZ cameras and VMS must capable of reorienting when alarms trigger.
A. When a certain priority alarm is triggered by a camera, then a possible response to the alarm should be the ability to have a subset of the cameras (obviously only PTZ cameras) change their position/focus automatically. A possible scenario would be a gunshot detected (assuming gunshot detection is part of a solution); the system should have the ability to automatically reorient PTZ cameras towards the detected area. This is an advanced analytical capability that not all proposals will be able to accommodate. Another example is the Code Alex scenario where a system administrator triggers an alarm for a group of cameras that specifies which preset position each camera should immediately turn to. How close to these scenarios can your proposal come?

Q. Integrating existing camera systems into the VMS.
A. The City currently has several islands of existing camera systems. One of the goals of this project is to integrate all of our existing cameras into one system. There are multiple ways to integrate existing cameras; your proposal should outline what types of cameras and/or systems can and cannot be integrated and which integration method(s) you propose.

Q. Don't understand the need to synchronize playback.
A. Cameras have limited fields of vision. In order to view all perspectives of an event it may be helpful to look at several camera views of the same event, perhaps even at the same time. However, in order to accomplish that the cameras must be synchronized and the video management system must have the ability to playback several cameras in a synchronized manner. An example would be a rape in a park where 1 camera is focused on the restrooms and viewing only that camera would miss a lookout person sitting in a car in the parking lot. To piece the whole event together requires synchronized playback.

Q. Integrating video of other parties other than the police department. This means multiple integrations and is highly unlikely.
A. See statement #4 above. Your proposal should explain what is possible and make a recommendation.

Q. Integration into the school's intercom system.
A. Several systems we know about integrate the ability for someone monitoring the cameras to turn on a speaker that is not a physical speaker but is the entire intercom system at a school. We have had preliminary meetings with our school districts and wanted to mention interest in that ability and to mention what we know about the schools intercom system. Tell us if your proposal would accommodate this ability or have any limitations.

Q. Record television stations.
A. Several systems we know about have found it desirable and helpful to be able to record TV station coverage of events that occurred in their City. We would like to have the ability to turn on this recording for several channels when TV coverage warrants it.

Q. It isn't mentioned in the RFP, so I am wondering what you may be looking for in the form of deliverables? Are you looking for engineering plans for the installation of the physical components of the system?
A. No we are not requiring engineering specifications in the proposals. The proposals should be at the level of detail necessary to communicate the vendor thoroughly knows the components of the system he is proposing and convinces the City that his proposal is responsive to our needs. For example, if we say we want to see 2 lanes of traffic, each way, at an intersection, then we would expect the proposal to specify how many of what type of cameras with what features are required and a discussion or diagram of how/where those cameras would be mounted. The proposal reviewers should be convinced that the specified view will be captured, that the video will get back to the VMS, and that any special features, like license plate reading or facial recognition, will actually work in that setting. Detailed engineering diagrams of each component would not be required to demonstrate a viable proposal.

Q. We are asking about after the contract has been awarded. Will plans be required for the actual installation of the components?
A. The City will want as-built documentation at a level of detail that allows us to troubleshoot a wide range of problems. We hesitate to use the term "engineering plan" because the level of detail could be construed to be quite onerous and that is not our intention.

Parks & Facilities

PARK NUMBER	PARK NAME/LOCATION	Soccer Field	Softball/ /Baseball Field	Basketball Court	Volleyball Court	Tennis Courts	Multi-Use Athletic Field	Multi-Purpose Trail	Restrooms	Off-Street Parking	Snack Bar	Water Feature	Tot Lot	Banquet Facilities	Picnic Tables	Barbeques	Security Lighting	Horse Arena and Dog Park	Skate Park/Roller Hockey Rink	Fitness Equipment Stations
*	**Moreno Valley Conference & Recreation Center** *14075 Frederick St.*			●	●				●	●				●			●			
**	**Senior Community Center,** *25075 Fir Av.*								●	●				●			●			
***	**TownGate Community Center,** *13100 Arbor Park Lane*								●	●				●			●			
▲	**Cottonwood Golf Center,** *13671 Frederick St.*								●	●	●									
▲▲	**March Field Park Community Center,** *15325 5th St.*			●					●				●							
1	**Sunnymead Park,** *12655 Perris Blvd.*		4L						●	●	●		●		●	●	●			
2	**Moreno Valley Community Park** *13380 Frederick St.*	4L							●	●	●		●		●	●	●			
3	**John F. Kennedy Park,** *15115 Indian St.*		1L			4L			●	●			●		●	●	●			
4	**Weston Park,** *13170 Lasselle St.*		●				●		●				●		●	●	●			
5	**Gateway Park,** *23975 Manzanita Av.*								●	●			●		●	●	●			
6	**Westbluff Park,** *10750 Pigeon Pass Rd.*		●						●	●			●		●	●	●			
7	**Woodland Park,** *25705 Cactus Av.*		1L	4L		4L			●				●		●	●	●			
8	**Morrison Park,** *26667 Dracaea Av.*	●	4L						●	●	●				●	●	●			
9	**Bethune Park,** *16745 Kitching St.*		●			2L			●	●	●	●	●		●	●	●			
10	**Moreno Valley Equestrian Park & Nature Center** *11150 Redlands Blvd. (includes Hound Town Dog Park)*						●			●								●		
11	**Cottonwood Equestrian Staging Area** *28590 Cottonwood Av.*						●								●		●			
12	**Ridge Crest Park,** *28506 John F. Kennedy Dr.*	●					●		●	●			●		●	●	●			
13	**Fairway Park,** *27891 John F. Kennedy Dr.*	●			●		●		●				●		●	●	●			
14	**Victoriano Park,** *25730 Los Cabos Dr.*						●		●	●					●	●	●			
15	**Pedrorena Park,** *16009 Rancho Del Lago*			●		4	●		●	●			●		●	●	●			
16	**El Potrero Park,** *16901 Lasselle St.*	●					●		●	●			●		●	●	●			
17	**TownGate Memorial Park,** *13051 Elsworth St.*		1L				●		●	●			●		●	●	●			●
18	**Bayside Park,** *24435 Bay Av.*			●									●		●	●	●			
19	**Adrienne Mitchell Memorial Park,** *22631 Bay Av.*			4L									●		●	●	●			
20	**Shadow Mountain Park,** *23239 Presidio Hills Dr.*		2L						●	●					●	●	●			
21	**Hidden Springs Park–Phase I (Open Space)** *9675 Hidden Springs Dr.*						●						●		●	●				
22	**March Field Park and Valley Skate Park,** *15415 6th St.*		2L						●	●	●						●		●	
23	**Parque Amistad,** *26160 Gentian Av.*		●	●									●		●	●	●			
24	**College Park,** *16130 Lasselle St.*	●							●	●			●		●	●	●			
25	**Vista Lomas Park,** *26700 Iris Av.*		●	●						●			●		●	●	●			
26	**Celebration Park,** *14965 Morgan Av.*			●					●	●		●	●		●	●	●			
27	**Rock Ridge Park,** *27119 Waterford Way*												●		●	●	●			
28	**Rancho Verde Staging Area,** *17484 Kentucky Derby Dr.*						●										●			
29	**Patriot Park,** 15310 Perris Blvd.						●						●		●		●			
30	**Cold Creek Trailhead,** *Nason and Dracaea*						●			●					●		●			
aa	**Rancho Verde Park,** *Lasselle St. and Cremello*																			
bb	**Lasselle Sports Complex,** *17155 Lasselle St.*																			

To obtain a map of the City's multi-use trails and bikeways call 413.3702. * All parks and recreation facilities meet current ADA standards. L = Lighted Athletic Field or Court

February 2012

CITY MAINTAINED FACILITIES					
Name	Square Feet	Built	Occupied by City	Address	Comments
Animal Control	16,288	02/01/00	02/01/00	14041 Elsworth	Building & Grounds @ Bus Ctr Dr
Annex #1 1.02 acres	11,668	1989	12/01/06	14331 Frederick	Building & Grounds @ Calle San Juan
City Hall	57,626	1989	09/01/95	14177 Frederick	Building & Grounds @ Calle San Juan
Conference & Rec Ctr 6.3 acres	42,413	05/31/05	05/31/05	14075 Frederick	Building & Grounds @ Alessandro
City Yard, 18.16 acres	57,878	1964	1985	15670 Perris Blvd	Building & Grounds @ Santiago
Emergency Operations Center	8,492	09/10/10	09/10/10	22870 Calle San Juan De Los Lagos	Adjacent to PSB's parking lot
Fire Station #2 (Hemlock)	8,848	11/01/01	11/01/01	24935 Hemlock	Building & Grounds west of Perris
Fire Station #6 (TownGate)	9,490	06/17/96	06/17/96	22250 Eucalyptus	Building & Grounds @ Arbor Park
Fire Station #48 (Sunnymead)	4,754	1984	1984	10511 Village Rd	Building & Grounds @ Snnymd Rnch
Fire Station #58 (Auto Mall)	10,340	06/20/08	06/20/08	28040 Eucalyptus Ave	End of cul-de-sac @ Auto Mall
Fire Station #65 (JFK)	5,022	1984	1984	15111 Indian Ave	Building & Grounds @ JFK Park
Fire Station #91 (College Park)	8,848	06/25/05	06/25/05	16110 Lasselle	Building & Grounds n/o RCC
Fire Station #99 (Morrison)	10,348			13400 Morrison Avenue	Building & Grounds n/o Cottonwood
Library	15,000	1987	07/01/98	25480 Alessandro Blvd	Buildings & Grounds
March Field Park CC	14,524	1959	05/01/03	#938, 15325 5th St.	MARB, 5th & W St
March ASES CC	4,266	1942		#823, 15450 4th St	MARB, 4th & W St
March Fac Hobby Shop	2,000	1976	07/01/03	#941, 941Short St	MARB 4th St & Short St
March Red Cross Bldg	2,400		Historical Site	#641 & #641A, Riverside Dr	MARB, Btwn N St & Short St
Pro Shop/MVTV Annex	9,060	1965	1984	13671 Frederick St	Buildings & Grounds
Public Safety Building 3.3 acres	45,900	06/09/99	06/09/99	22850 Calle San Juan De Los Lagos	Building & Grounds @ Veteran's Way
Rainbow Ridge Portable	1,920		01/01/00	15950 Indian	Modular building @ Iris
Red Maple Portable	1,920		08/04/04	25140 Red Maple Lane	Modular building east of Perris
Senior Center 1.75 acres	14,700	03/08/93	03/08/93	25075 Fir Ave	Building & Grounds east of Perris
Signs & Signal Shop	1,440			15670 Perris Blvd	Building & Grounds @ City Yard
Sunnymead Middle - ASES	960		01/01/99	12875 Heacock	Modular building n/o Eucalyptus
Sunnymead Elem - After-school	720		09/01/07	24050 Dracaea	Modular building @ Heacock
TownGate Community Center	4,000	10/11/03	10/11/03	13100 Arbor Park Ln	Building Only
Utility Field Office	2,000	1991	1991	28020 Bay Ave	Double-wide mobile home
Veteran's Memorial	7,988	06/07/07		Civic Center Roundabout	PSB, CH, CRC
Revised 1/19/12 FacList.xls	380,813				

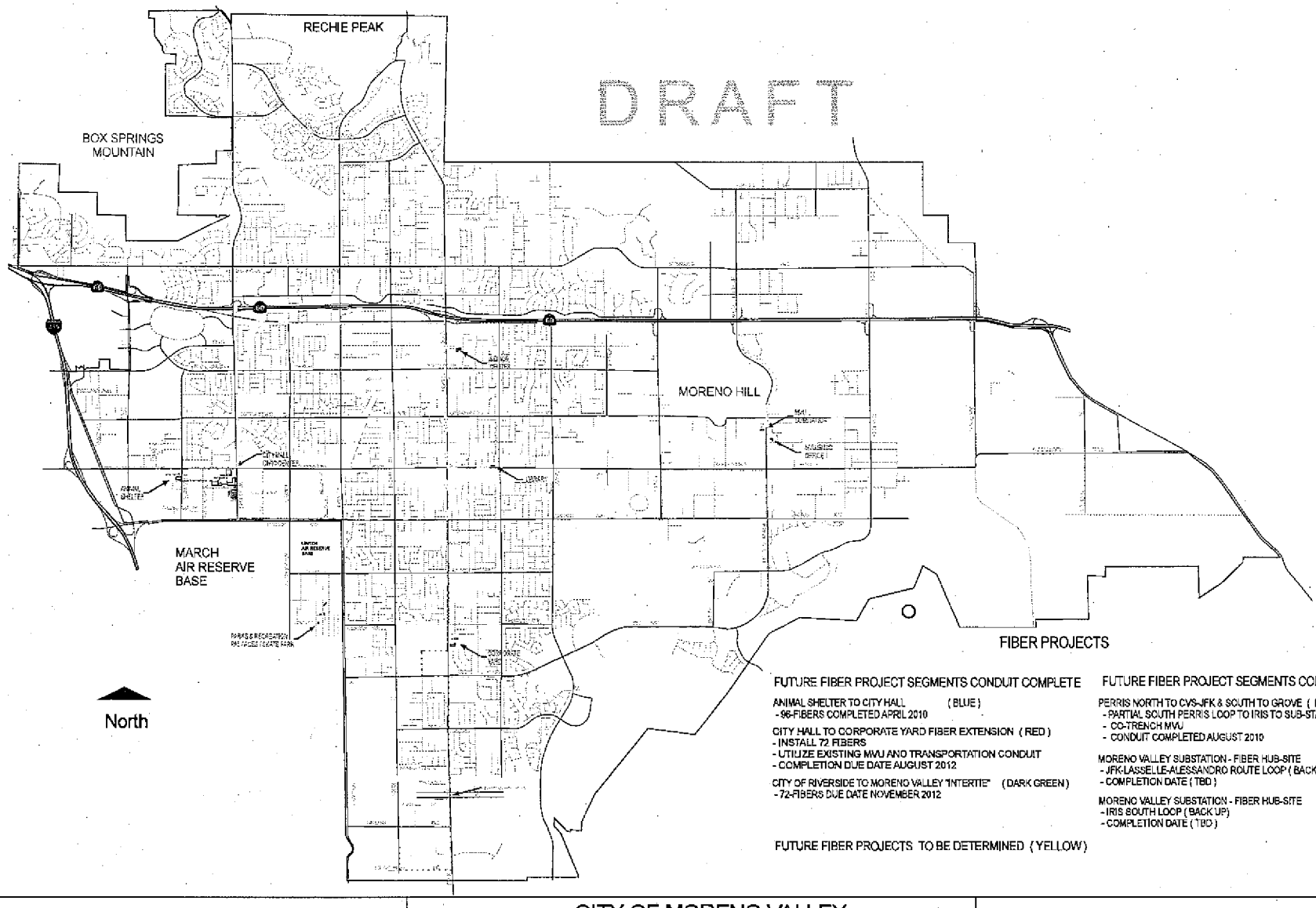

FIBER PROJECTS

FUTURE FIBER PROJECT SEGMENTS CONDUIT COMPLETE

ANIMAL SHELTER TO CITY HALL (BLUE)
- 96-FIBERS COMPLETED APRIL 2010

CITY HALL TO CORPORATE YARD FIBER EXTENSION (RED)
- INSTALL 72 FIBERS
- UTILIZE EXISTING MVU AND TRANSPORTATION CONDUIT
- COMPLETION DUE DATE AUGUST 2012

CITY OF RIVERSIDE TO MORENO VALLEY "INTERTIE" (DARK GREEN)
- 72-FIBERS DUE DATE NOVEMBER 2012

FUTURE FIBER PROJECTS TO BE DETERMINED (YELLOW)

FUTURE FIBER PROJECT SEGMENTS CONDUIT COMPLETE

PERRIS NORTH TO CVS-JFK & SOUTH TO GROVE (BLACK DOTTED LINE)
- PARTIAL SOUTH PERRIS LOOP TO IRIS TO SUB-STATION (BACKUP)
- CO-TRENCH MVU
- CONDUIT COMPLETED AUGUST 2010

MORENO VALLEY SUBSTATION - FIBER HUB-SITE (GREEN)
- JFK-LASSELLE-ALESSANDRO ROUTE LOOP (BACK UP)
- COMPLETION DATE (TBD)

MORENO VALLEY SUBSTATION - FIBER HUB-SITE (MAGENTA)
- IRIS SOUTH LOOP (BACK UP)
- COMPLETION DATE (TBD)

CITY OF MORENO VALLEY
TECHNOLOGY SERVICES TELECOMMUNICATIONS
FIBER OPTIC PROJECTS

#5

City of Moreno Valley Pre-Bid Meeting
RFP #TT 11/12-10 for Project #TS-CCSS 2012-02

4/11/2012
Sign-In Sheet

Name	Company	Email
Tyler Sayles	American Security Group	tsayles@amergroup.com
Jeff Torok	AM-TEC Security	jeff@am-tecsecurity.com
Shawn Lovato	Apple Valley Communications Inc.	slovato@applevalleycommunications.com
Steve Senkle	Astretech, LLC	ssenkle@astretech.com
Mike Graham	Avrio-RMS Group	mgraham@avriormsgroup.com
Mark Jules	Avrio-RMS Group	mjules@ntlpsf.org; mjules@avriormsgroup.com
Tom Bozek	BEC	tbozek@becinc.net
Chad Gordon	Blue Violet Networks	cgordon@blueviolet.net
Ladd Nelson	Blue Violet Networks	ladd@blueviolet.net
Jasper Bruinzeel	CelPlan Technologies	jasper@celplan.com
Todd Byer	Climatec	toddb@climatec.com
Tom McDonnell	Communications Supply Corporation	tmcdonnell@gocsc.com
Sarah Rendich	Communications Supply Corporation	srendich@gocsc.com
Bret Hart	Com-Sec Incorporated	bhart@com-sec.net
Brian Sweet	Convergint Technologies	sweet@convergint.com
Alex Zepeda	Crosstown Electrical & Data, Inc.	alex@crosstowndata.com
Gordon Campbell	Cybertime Network Communications	gordon@cybertimenetwork.com
Ibraim De La Cobas	Datatel Wiring Products, Inc.	datateleb@yahoo.com
David Santana	HCI Systems Inc.	dsantana@hcisystems.net
Randall Dinger	ID Consulting Solutions LLC	rdinger@idconsol.com
Joe Rodeheaver	In the Light Electrical	joe@inthelightelectric.com
Craig Valgean	Kratos HBE	craig.valgean@kratos-hbe.com
Mark Schweitzer	LDM Engineering/Magestyk Comm	mschweitzer@ldmengineering.com
Doug Hicks	Leverage IS	dough@leverageis.com
Ray Leblond	Leverage IS	rayl@leverageis.com
Andrew Lee	Mainline Information Systems	andrew.lee@mainline.com
Chris Steele	MetroVideo Systems, Inc.	chris@metrovideosystems.com
Rob Clement	Motorola Solutions, Inc.	rob.clement@motorolasolutions.com
Les Corriea	Pacific Beach Tower Inc.	les@pbtower.com
Aaron Polk	PC Mall Services	aaron.polk@pcmallservices.com
Gregg Desilets	PC MallGov	gregg.desilets@pcmallgov.com
Yong Kim	PC MallGov	yongk@pcmallgov.com
Sharon Chambers-Feaster	Pechanga Technology Solutions Group	schambers@pechanga.com
Jose Escobedo	Pechanga Technology Solutions Group	jescobedo@ptsg.com
John desGarennes	Pechanga Technology Solutions Group	jdesgarennes@ptsg.com
Rich Dominguez	Pechanga Technology Solutions Group	rdominguez@ptsg.com
Michael Grimsley	Pechanga Technology Solutions Group	mgrimsley@ptsg.com
Mike Niknafs	ProTech Engineering Corporation	mike@protechengineeringcorp.com
Cindy Ford	Security Network Representatives	cindy@securitynetworkrep.com
Leigh Martin	Siemens Industry, Inc.	leigh.martin@siemens.com
Armen Martirosian	Siemens Industry, Inc.	armen.martirosian@siemens.com
William Crawford	SimplexGrinnell	wicrawford@simplexgrinnell.com
Mark Crabtree	Solectek	mcrabtree@solectek.com
Jim Hardie	Superior Alarm Systems	jim.hardie@sassecurity.com
Joe Durbin	Systems Integration Corp	
Joel Larambas	TESSCO	larambasj@tessco.com
Chad Martinell	Transportation & Energy Solutions, Inc.	cmartinell@trans-en.com
Jeff D'Errico	Universal Protection Security Systems	jeff.derrico@universalpro.com
Gary Goodhue	VCI Construction, Inc.	ggoodhue@vcicom.com
Michael Remily	Verizon Wireless	mike.remily@verizonwireless.com
George Barela,	Verizon Wireless	george.barela@verizonwireless.com
Robert Rendon	Veterans Communication Services, Inc.	rrendon@vetcomm.com
Ryan Roybal	Volt Telecom Group	rroybal@volt-telecom.com

Item No. A.19

City of Moreno Valley Request RFP # TT 11/12-10
Citywide Camera Surveillance System. Addendum # 6

The City strives to keep vendors responding to City needs current with all ancillary information to each specific RFQ/RFP or Bid. As such we will receive questions in writing and respond in writing with answers to the best of our knowledge. When responding with answers we will respond to all registered vendors and post on our website all question and answers.

1. What frequencies does the City have available for the project?

No frequencies have been set aside for this project since the City does not know if vendors will propose licensed or unlicensed spectrum.

2. Based on the current allocation of the 700 MHz "D" Block for public safety, can the project use this newly allocated space?

The City does not currently use the 700 MHz "D" block, nor the 4.9 GHz band, that has been set aside for Public Safety uses. Thus it is certainly a possibility to use those frequencies for this project; RFP responses should clearly indicate which frequencies are proposed and plans for any required approvals necessary to use those frequencies.

3. What is the City's standards or requirements for concealment for structures?

The City does not currently have standards for the concealment of structures that may be used for a project like this. If proposals include structures beyond camera housings, radio transmitters, or ground structures larger than 12"x12"x24" then the Public Works Department will want to review the plan for the structure. However, the City does expect discretion to be used in the placement of structures and attempts to blend w/ existing structures.

7

City of Moreno Valley RFP # TT 11/12-10
Citywide Camera Surveillance System
Addendum # 7

The City strives to keep vendors responding to City needs current with all ancillary information to each specific RFQ/RFP or Bid. As such we will receive questions in writing and respond in writing with answers to the best of our knowledge. When responding with answers we will respond to all registered vendors and post on our website all question and answers.

1. Will the selected vendor have the use of the city traffic control boxes at each traffic light location to place the wireless equipment in and use the power within the control box?
The City Traffic Division prefers that power be obtained by direct wiring into the existing duplex boxes on each traffic light pole. They also prefer that wireless equipment and cabling not be mixed with traffic related cabling, so wireless equipment should be in its own enclosure. It is acceptable to mount these enclosures on the traffic light pole.

2. Is there existing conduit from each traffic light location to the control box? If so what size conduit is there? We are assuming so...
Conduit between each traffic light and its control box does exist; however, the City's Traffic Division prefers that it not be used for purposes other than traffic. Refer to question 1 above to understand where power can be obtained and where wireless equipment should be located.

3. What types of existing cameras is the city currently using for their existing surveillance system at the EOC? What resolution are they?
The 7 existing cameras at the EOC are Sony DF80 (2 outdoors) & Sony SNCDS10 (5 indoors).

Please note the question below was addressed in Addendum # 6 but we have added additional comments in green.

Based on the current allocation of the 700 MHz "D" Block for public safety, can the project use this newly allocated space?
The City does not currently use the 700 MHz "D" block, nor the 4.9 GHz band, that has been set aside for Public Safety uses. Thus it is certainly a possibility to use those frequencies for this project; however, some City research into the "D" block indicates that its usage may not be fully settled by the FCC and that it is more likely to be used for audio and interoperability purposes rather than video. RFP responses should clearly indicate which frequencies are proposed and plans for any required approvals necessary to use those frequencies.

#8

City of Moreno Valley RFP # TT 11/12-10
Citywide Camera Surveillance System
Addendum # 8

The City strives to keep vendors responding to City needs current with all ancillary information to each specific RFQ/RFP or Bid. As such we will receive questions in writing and respond in writing with answers to the best of our knowledge. When responding with answers we will respond to all registered vendors and post on our website all questions and answers.

We have a few clarification questions as it relates to the RFP. In the pre-bid meeting addendum 1, a question is asked how many cameras are in the Police Department. The answer is 48 cameras; however, in addendum 7, it says there are 7 cameras in the EOC. My questions are:

1. Are the Police Department and the EOC the same building?
No, they are two separate buildings, but they are next to each other.

2. If they are the same building, then can we get an accurate count on the number of cameras?
See question 1.

3. If they are not the same building, then is the Police Department cameras part of the scope of work for this project?
Yes, the PD has requested in the RFP for the proposals to include some kind of integration of those cameras into this system. The PD is open to any integration ideas. The PD ranks the priority of this integration on par with the Phase 2 locations.

4. If so, how long should the video be retained for?
By state law, video of the interior & exterior PD building must be retained for 1 year. This is the only video in our system that we plan to retain that long.

5. Will recording of audio be a requirement for the Police Department? If so, how many cameras need audio recording capability and how long should audio be retained?
Yes; 4 locations/cameras in the PD. 1 year.

6. If they are not the same building, then is the EOC cameras part of the scope of work for this project?
Integrating the EOC cameras is a low priority for this project.

7. If so, how long should the video be retained for?
We anticipate proposals will recommend keeping this video somewhere around 30 days.

8. Will recording of audio be a requirement for the EOC? If so, how many cameras need audio recording capability and how long should audio be retained?
No.

Also in the pre-bid meeting addendum 1, there is a question regarding existing camera systems into the VMS. The answer says, "The City currently has several islands of existing camera systems. One of the goals of this project is to integrate all of our existing cameras into one system." My questions are:

9. How many "islands" are there?
(1) 48 cameras in the PD building;
(2) 7 cameras in the EOC (5 interior & 2 exterior);
(3) 16 cameras throughout City Hall (12 interior & 4 exterior;);
(4) 20 cameras throughout the Community Recreation Center (13 interior & 7 exterior);
(5) 4 cameras at the Moreno Valley Utility substation (all exterior cameras) at 13575 Moreno Beach Dr., Moreno Valley, CA 92555

Integrating the 48 PD cameras (number 1 above) is ranked on par with the Phase 2 locations, the remaining cameras (numbers 2-5 above) are a lower priority than other components in the RFP. However, we would like some ideas in the proposal for how they might be incorporated into a single system. For example, a proposal that is weak in this area will say that the cameras must be digital and from a narrow set of manufacturer models. A stronger proposal will say any ONVIF-compliant camera will have no problem being integrated. Other possible scenarios might include putting encoders on analog cameras and then integrating them. We are at least looking for what is possible.

10. Do these require wireless access as well or is there fiber at these "island" locations for network connectivity?
None of the existing cameras are wireless and none of them have fiber. They are all wired, some are Ethernet, the bulk of them are cabled directly back to a DVR.

11. How many cameras are at each "island" location and what is the video retention requirement?
See question 2; no more than 30 days.

12. Can you provide the existing manufacture models for the cameras at the island locations?
We have not surveyed all of these island locations for this detail of information.

13. Do the "island" locations require audio capability as well? If so, how long should audio be recorded?
No.

14. In the pre-bid meeting a hospital was mentioned as a possible site for equipment. I did not get the name and address of the hospital. Can you please provide?
There are 2 hospitals in the City:

Riverside County Regional Medical Center
26520 Cactus Avenue
Moreno Valley, CA 92555

Kaiser Permanente
Moreno Valley Medical Center
27300 Iris Ave.
Moreno Valley, CA 92555

15. In the pre-bid meeting it was mentioned that you have 48 analog cameras throughout the PD that you would like to have included within this proposal. Question: If the order of importance is infrastructure, then phases 1, 1A, 2, 3, 3A and last: where would you rank the PD conversion and 366 days of storage?

Integration of the 48 cameras at the existing PD building rank in importance on par with the Phase 2 locations.

16. Clarification please: at locations labeled 80 through 85 it is stated that there is no power currently at these locations. Is it your intention to have the city provide power at these locations or is it the vendors' responsibility?

Power at these locations would be the responsibility of the vendor.

MV00175190

#9

City of Moreno Valley RFP # TT 11/12-10
Citywide Camera Surveillance System
Addendum # 9

The City strives to keep vendors responding to City needs current with all ancillary information to each specific RFQ/RFP or Bid. As such we will receive questions in writing and respond in writing with answers to the best of our knowledge. When responding with answers we will respond to all registered vendors and post on our website all questions and answers.

Can the City define the fiber splice locations on the path for the red and dark green fibers? Are these inside traffic cabinets at those intersections?

We are currently documenting the locations of the splice boxes along the red and dark green paths and recording them electronically; that process has not produced a map yet. Almost all splice boxes on those paths are dedicated to MV Telecommunications; however, if a wired communications link is necessary at an intersection it would be placed inside a traffic control box b/c that is where wired network switches will be located.

The first addendum explains good relations with MARB. It appears a water tower is on the premises of MARB, or at least very close. Can this water tower (just south of the EOC location) be used as possible mount location for wireless equipment?

Maybe; we do not know. We do have a good relationship with MARB and we have succeeded in installing microwave radios on the base. However, without knowing the details of your proposal (locations, frequencies, etc.) and without confirming that the structures are water towers, we do not know.

The first addendum explains that Sketchers is a possible candidate to mount wireless equipment. What is the address of this site?

29800 Eucalyptus Street

Moreno Valley, CA 92555

Although radio towers on Box Springs Mountain are mentioned as possible mount location, it is also mentioned the site has "problems". Are the "problems" specific or unique, or similar in making agreements with other mount sites, such as Sketchers, Community Hospital, etc.? Are there things us vendors should be aware about?

The most salient problems are that the City currently leases space on those towers and there is no budget for additional devices on those towers; the City finds the tower company expensive and difficult to work with; and there have been numerous instances of destructive vandalism and copper theft at that site over the past 3 months.

City of Moreno Valley, CA

Citywide Camera Surveillance System

RFP TT 11/12-10

May 8, 2012

Item No. A.19

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May 8, 2012

Avrio RMS Group (the "Proposer") is pleased to submit the enclosed Proposal in response to the Request for Proposals RFP# TT 11/12-10, from City of Moreno Valley (the "City") for its proposed Citywide Camera Surveillance System, Project #TS-CCSS 2012-02.

Avrio RMS Group is proposing a turnkey wireless citywide camera surveillance network which includes a mix of pan-tilt and zoom (PTZ) and fixed focus cameras running on a high-speed wireless network. This solution includes all equipment, installation, and training along with maintenance that meets the specifications and the majority of the proposed camera locations specified on City of Moreno Valley's RFP #TT 11/12-10 project.

If you have any questions, Avrio RMS Group can be reached by phone (410) 310-3006 or at the address below.

The following individuals have authority to contract with the City of Moreno Valley:

Darrin Lipscomb
Avrio RMS Group
President
3 N. Harrison St., Suite 200
Easton, MD 21601
Office: (410) 820-9334
Fax: (410) 820-4304
dlipscomb@avriormsgroup.com

Bill Vranek
Avrio RMS Group
Chief Financial Officer
1359 Barclay Blvd.
Buffalo Grove, IL 60089
Office: (847) 463-2086
Fax: (847) 637-0443
Email: bvranek@avriormsgroup.com

By_____ By_____

The information contained in this Proposal or any part thereof, including its Exhibits, Schedules, and other documents and instruments delivered or to be delivered to the City, is true, accurate, and complete. This Proposal includes all information necessary to ensure that the statements therein do not in whole or in part mislead the City as to any material facts.

1. Executive Summary

Avrio RMS Group is the leading provider of citywide video surveillance systems in the United States – we deploy our solutions using pure wireless infrastructure or a combination of fiber and wireless where it makes the most economical approach or provides a more robust solution. All of our solutions use non-proprietary commercial off-the-shelf technologies and are highly robust and scalable. We augment our reach through local partnerships with electrical and installation firms – this is a proven approach and is backed up by our successful deployments and ongoing relationships with the customers for which we have deployed solutions. We have over 40 employees spread throughout the country with local field engineers for all of our major deployments. These highly skilled and focused engineers are the key reason for our continued success in this industry. Our main offices are in Chicago and Easton MD, with deployment facilities and additional resources in other major areas including Denver, Fresno and Austin.

Avrio RMS Group has dozens of subcontractors that provide engineering designs, electrical expertise and installation work and bring additional resources to the team including bucket trucks and specialized tools and additional facilities as needed. We typically operate in a prime/subcontractor relationship but always have a definitive agreement in place with fully vetted subcontractors to ensure quality delivery and on-going support for all of our systems.

Avrio RMS Group is a pioneer in crime fighting wireless video surveillance solutions, having deployed the first of its kind for the Chicago Police Department in 2003. In the last nine years, Avrio RMS Group has deployed similar systems for numerous governmental entities around the country and in the Caribbean and learned what technologies work to help reduce crime, provide for increased safety for residents and responders and secure critical infrastructure.

Our portfolio includes network digital video recording and playback, content analysis and video intelligence, wireless and mobile surveillance, systems integration and turnkey surveillance solutions for the municipal and federal government markets. Collectively, we offer turnkey solutions that address complex integrations of disparate systems with the goal of improving response times and situational awareness for the public safety market. We have internally developed and successfully deployed into production the best in class visualization and sensor integration engine on the market today.

Avrio Group has achieved many firsts including:

1. First citywide video over wireless-mesh deployment
2. First IP-Surveillance deployment at Customs and Border Protection.
3. Deployment of the largest wireless camera integration project in the nation with over 900 cameras in Chicago
4. Deployed the largest video interoperability system in the country in Hennepin County, Minnesota with almost 5000 cameras across several municipalities.

5. First to deploy cloud computing/serverless storage with over 100TB of usable storage.

Organizational History

In 2003, Avrio RMS Group designed and built the first Portable Overt Digital Surveillance System (PODSS®) for the Chicago Police Department ("CPD"). The first system included a bullet resistant enclosure (UL Level 1), overt flashing blue light bar, a Pan Tilt Zoom camera and internal recording capability.

Subsequently, we built out a wireless video network covering approximately 200 square miles. This CPD network, the largest of its kind in the U.S., is a hybrid of many technologies.

Where there have been towers or taller structures (buildings, water towers, etc.) available, we have built out a wireless network that is controlled by the CPD and then connected to available fiber.

Where wireless was not available but access to private cable was, cameras have been connected using the cable infrastructure.

Where cable and wireless may not have been an option or very rapid mobile deployments are required, we have deployed cameras using cellular (Verizon, Sprint) 3G connectivity.

Municipalities that have engaged Avrio RMS Group include, among others:

Chicago	Denver
St. Paul	Rochester
Buffalo	Orlando
Indianapolis	Phoenix
Pittsburgh	Cincinnati
Washington D.C.	County of Fresno
Duluth	Austin
Charleston	Port Authority of Pittsburgh
Cayman Islands	City of Wilmington, DE
City of Paterson, NJ	North Little Rock, AR

Record of Performance

Avrio RMS Group has deployed more municipal wireless video surveillance systems throughout the country than any of our competitors. We are fully focused on this industry and do not engage in other activities which would take us away from this focus. We believe this is the reason we have been successful.

Company client profile

The following is a small sample of some of the solutions we have provided:

Local and State Government

Provided dozens of major U.S. cities with wireless video surveillance systems in support of public safety and port security initiatives. Systems included wireless mesh, point to point and microwave technologies as well as IP and analog camera systems with IP-based head-end equipment for a turnkey approach. Avrio RMS Group currently supports these systems on a national basis through a call center located in Chicago.

U.S. Customs and Border Protection

Modernized border patrol remote video surveillance system sites across the southern and northern borders of the United States. Tasks include Remote Video Surveillance (RVS) site microwave path realignment and project completion as well as modernization of head-end and command and control room equipment to convert analog video to IP.

Federal Civilian Agencies

Converted aging analog CCTV systems including hardware matrix switcher to 100% software solution. Leveraged existing analog cameras and provided new IP cameras in areas that required higher resolution and frame rates.

DoD

Provided U.S. Army bases with in-vehicle license plate recognition systems including software, camera, cabling, Toughbook docking stations and electronics.

2. Summary Proposal Submission Form

TO City of Moreno Valley
Purchasing Division
PO Box 88005
Moreno Valley, CA 92552-0805

Dated: May 8, 2012

The undersigned declares that he or she has carefully examined Project # TS-CCSS 2012-02 accompanying the Request for Proposals, and is thoroughly familiar with the contents thereof; and is authorized to represent the proposing firm; and proposes to provide:

Proposal Item: Citywide Camera Surveillance System

Firm Name Avrio RMS Group
Address 3 North Harrison Street, Suite 100
Easton, MD 21601

Signature _____ Phone No: _____

3. Statement of Proposer's Qualifications and References

3.1 Financial Ability to Undertake the Services Described

Avrio RMS Group has the financial strength to successfully complete a project of this size and much greater. Included in our past performance are many projects larger in size and scope. We have been delivering on projects in this space for over 10 years with individual projects ranging from $.5 million to over $7 million in a given year.

Avrio RMS Group was profitable in 2011 on revenues of $13 million, which resulted in a net worth of $13.2 million at 12/31/2011. In addition to the financials, Avrio RMS Group has in place the financial structure to support large projects including a $3 million line of credit for working capital as well as $10 million in bonding capacity.

Additional disclosure of financial information is attached as Appendix **.

3.2 Experience Providing the Services Described.

Table 1, below, lists our experience in providing the type of work included within the scope of work of this Request for Proposals.

Actual Years' Experience	Name of firm(s) under which services were performed
10	AVRIO GROUP and RMS TECHNOLOGY SOLUTIONS
	These two firms merged in 2008 to form Avrio RMS Group

List and describe fully the last two contracts performed by your firm that demonstrate your ability to complete the work included within the scope of work of the RFP. Attach additional pages if required. The City reserves the right to contact each of the references listed for additional information regarding your qualifications.

3.3 Reference No. 1

Customer	Name: County of Fresno, CA		
Contact Individual	Captain Rick Hill	Phone Number:	(559) 488-2913
Contract Amount	$1.2 Million	Year:	2011-2012
Description of work done	Avrio RMS Group installed a high-speed wireless backbone across the county in addition to 35 new IP cameras and integration to an existing 18 cameras.		

3.4 Reference No. 2

Customer	Name: City of Pittsburgh		
Contact Individual	Gwen Moorer	Phone Number	(412) 255-2653
Contract Amount	$4.5 Million	Year:	2009-2012
Description of work done	Avrio RMS Group deployed a unified citywide video management system starting with the G20 Summit in 2009 and culminating with more than 250 cameras running over a wireless network including license plate recognition, mobile cameras for river rescue boats and integration of existing private and public cameras throughout the city.		

3.5 Reference No. 3

Customer	Name: City of Denver		
Contact Individual	Lt. Ernie Martinez	Phone Number:	(720) 913-6856
Contract Amount	$2.5 Million	Year:	2008-2012
Description of work done	Avrio RMS Group deployed a wireless mesh and point-to-point backhaul to support a citywide video surveillance system. The system was deployed ahead of the 2008 DNC and subsequent phases brought the camera count to over 125 cameras across the city.		

3.6 Qualifications and References Signature

STATE OF CALIFORNIA, COUNTY OF _____

I am the President of Avrio RMS Group, the Proposer herein. I have read the foregoing statement and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are herein stated upon my information or belief, and as to those matters I believe to be true.

Executed on May 8th, 2012 at 3 N. Harrison St, Easton MD

(date) (place)

I declare, under penalty of perjury, that the foregoing is true and correct.

_____

Signature of Proposer

4. Scope of Work

Avrio RMS Group is proposing a turnkey wireless citywide camera surveillance network which includes a mixed of pan-tilt and zoom (PTZ) and fixed focus cameras running on a high-speed wireless network. This solution includes all equipment, installation, and training along with maintenance that meets the specifications and many of the proposed camera locations specified on City of Moreno Valley's RFP #TT 11/12-10 project.

The approach Avrio RMS Group is recommending leverages the Fluidmesh MITO Series Radios with the performance of high-speed backhaul radios from Redline, and the capacity of high-speed licensed and unlicensed microwave backhaul radios from BridgeWave. In addition, we are recommending a high-end video management solution composed of highly scalable enterprise class servers running ONSSI's Ocularis video management software. Avrio RMS Group has deployed this solution or very similar configurations in cities across the country including the City of Buffalo, the City of Bayonne, the City of Pittsburgh and County of Fresno.The focus of Avrio RMS Group's design for the City of Moreno Valley resides in achieving high-speed connectivity to ALL locations via a mixed of wireless and fiber connected camera enclosures while providing the City with connectivity to these and many other locations via the City's future fiber backbone.

4.1 Infrastructure Component Descriptions

This section describes the essential features of the major hardware and software components of the system.

Avrio PoleCam

Three different PoleCam enclosure configurations are proposed for this project. Table 1 identifies the types of PTZ and Fixed camera configurations used at each location per phase. You will also note the types of quantities of the three portable "camera system" included as part of the proposal. These enclosures will be configured with one Axis Q6032-E PTZ camera, and one or two Axis P1347-E Megapixel (MP) Fixed Camera according to the location requirements.

Each PoleCam incorporates the switching and radio electronics with the Axis IP video cameras, the system is ideal for outdoor video surveillance applications. Designed for rapid deployment, the PoleCams houses the rugged switching fabric and power over Ethernet (PoE) devices for both the fiber and wireless radio connectivity. The diagram below illustrates the configuration for the one PTZ camera and the 2 Fixed cameras proposed for the City of Moreno Valley. This is the integrated unit that is currently installed and operational in many cities throughout around the country.

The Avrio PoleCam is part of the overall PODSS (Portable Outdoor Digital Surveillance System) approach and is an integrated enclosure, camera, and wireless system complete in one package. The all-aluminum enclosure is weather proof, lockable, and NEMA 3R rated. The PoleCam protects and conceals its cabling and equipment, which includes:

- Power over Ethernet power supplies for the cameras, radios and other peripherals

- An exhaust fan for heat removal behind an aluminum screen and louvers and covered to prevent salt water aerosols from entering
- An AC surge arrestor and AC line noise filter to protect equipment is in front of the power outlet
- A hardened DIN rails switch with up to eight Gigabit Ethernet powers and up to four SFP slots for single or multimode fiber. Spare Ethernet ports allow for the addition of more cameras and network appliances as well as an Ethernet service port
- An on/off switch is also under the lid enabling power to be removed from all the equipment for servicing

With the utilization of the PoleCam, Avrio RMS allows for future expansion within the enclosure for locations that might require options such as;

- Ruggedized mini-computer for local recording and storage
- A high power Wi-Fi AP with WPA2 encrypted and optional WiMax capability for mobile applications, for connected Portable cameras to the network, for police connectivity from a patrol vehicle, or for access for maintenance purposes
- 3G/4-LTE Mobile modem access
- Gunshot detection smart sensor systems
- License plate recognition (LPR) cameras or other fixed or PTZ cameras

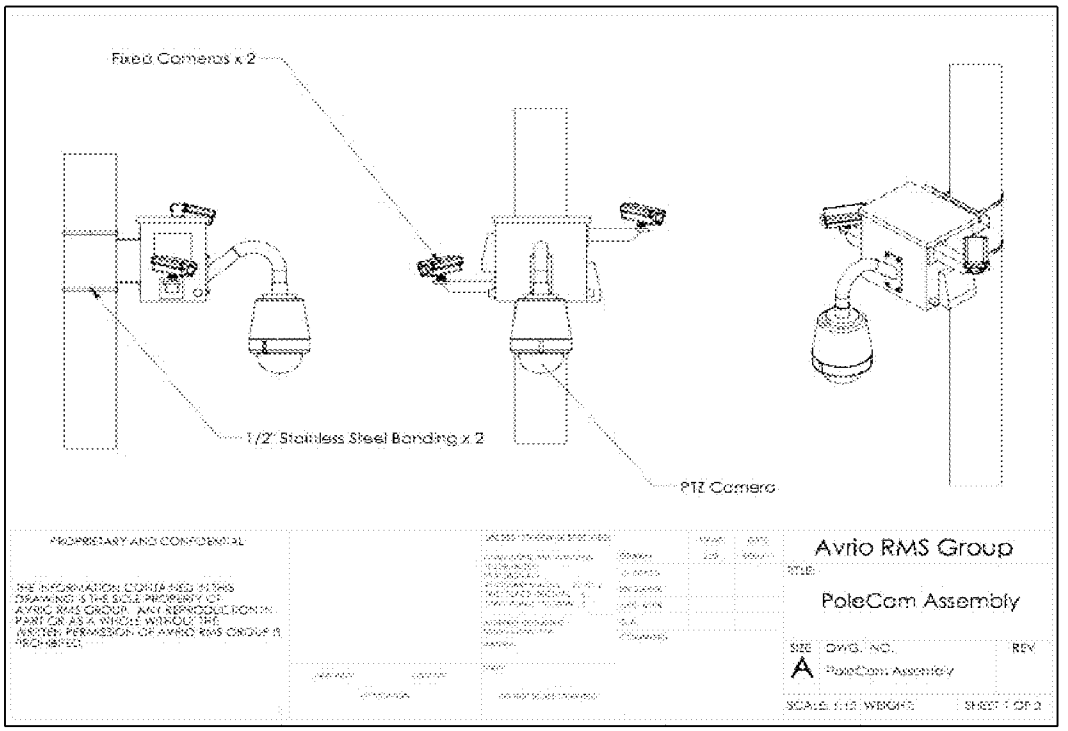

Figure 1: Avrio PoleCam

	Enclosure Configurations		
Location	One PTZ plus (2) Fixed PoleCam	(2) Fixed Cameras PoleCam	One Fixed Camera PoleCam
PHASE 1	●	●	●
PHASE 1a	●	●	
PHASE 2	○		
LATER PHASES			
Green	●		
Purple	●		
Grey	○		
Portable Units	1	1	1

Table 1: PoleCam enclosure configurations proposed by Avrio RMS for this project

PTZ Camera - Axis Q6032-E

For the PTZ camera role, we propose the Axis Q6032-E PTZ network dome camera. This camera employs the H.264 codec with zoom capabilities of 35X optical and 12X optical. License plates can be read from a distance of 160m (525ft) and can distinguish make, color, and number of people in a vehicle passing through the view of the camera. This camera has a fast and precise pan/tilt response with tilt capabilities that extend 20° above the horizon for a total tilt range of 220°. This range in tilt enables better views, especially over uneven terrain and street level conditions.

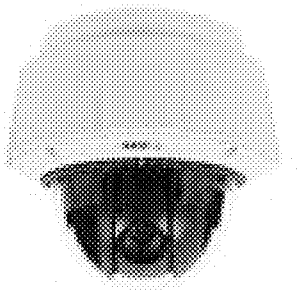

The Axis Q6032-E PTZ camera's low light performance makes this camera an excellent choice for citywide surveillance.

Key Features

- 35x optical zoom and 12x digital zoom
- 128X wide dynamic range
- D1 video quality resolution
- H.264 encoding for efficient use of bandwidth and storage
- 30/25 fps (60/50Hz) in all resolutions
- 220 degree tilt (20 degree above horizon) with 360° endless panning
- Operating Temperature: -40° F to 122° F
- Private Masking capabilities
- Outdoor ready

Fixed HDTV MP Camera – Axis P1347-E

For the Fixed camera, we propose the Axis P1347-E HDTV Megapixel (MP) camera. Every PoleCam configuration includes up to two of these cameras based on the specified area of coverage. This top-of-the-line, 5 Megapixel (MP) outdoor-ready network cameras performs at HDTV resolutions of 1080p. Its precise iris control and H.264 code compression is highly suitable for citywide surveillance where a large coverage area requires extreme detail identification of objects, persons, and vehicles. Its 1/2.5" camera image sensor is capable of covering a four lane intersection while providing all the details needed from each lane of traffic on its view.

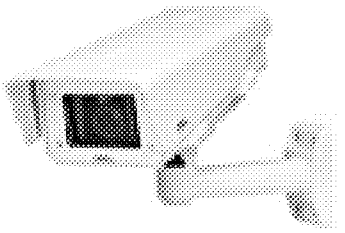

This camera can also deliver 3 MP and 2 MP 4:3 (1600x1200) frames at up to 30 frames per second (FPS) plus support for Motion JPEG.

Key Features

- 3.5 - 10 mm day/night Varifocal lens
- 5 MP resolution HDTV 1080p (2560x1920) resolution
- H.264 encoding for efficient use of bandwidth and storage
- Operating Temperature: -22° F to 122° F
- Outdoor ready
- Two-way full-duplex audio support
- ONVIF compliant to ease integration with a wide range of video management system

Fluidmesh 1100 MITO Series Radios – Access Radios

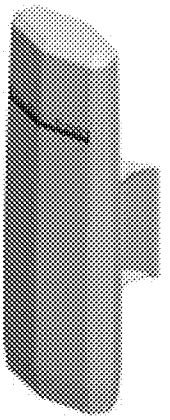

The Fluidmesh MITO Series radios are tri-band wireless Ethernet that offer a unique 2x2 MIMO solution with Ethernet capacities of up to 100Mbps via software plug-in. These radios can operate in the 4.9 GHz and in the 5.1-5.8 GHz with modulations of up to 300 Mbps. These small form factor radios offer integrated directional antennas which do not require the need for coaxial cables, lighting arrestors, and grounding for each radio. Not having to install external antennas at every location is a big advantage for the City as it can easily convert a wireless Fluidmesh location to a fiber location within minutes and relocate these resources at other locations with ease.

The Fluidmesh radios employ a high performance 'intelligent' transmission protocol that overcomes the limitations of standard license-free protocols of other products while delivering a higher level of reliability for data, video and voice.

These radios can be configured in either a mesh ring – loop, point to multipoint configuration (PMP), or point-to-point (PTP) configuration. Point-to-point topology and point-to-multipoint configurations will be used throughout the City PoleCam locations to achieve the highest bandwidth possible for current and future camera requirements all areas.

Several street backhaul locations, depicted in the design by YELLOW dots, will utilize these radios configured back-to-back as PTP as to extend or redirect the RF signal from one PoleCam or node location to the next. Various rooftop mounted installations will also include the deployment of these small form factor radios to provide client (PoleCam) radio connectivity.

Key Features

- Tri-band Operation:
  - 5.15-5.25 and 5.725-5.825 GHz (US, FCC)
  - 5.470 – 5.725 (Europe, ETSI)
  - 4.940 – 4.990 GHz (US, FCC)
- Modulation: OFDM (BPSK, QPSK, 16-QAM, 64-QAM (up to 300 Mbps)
- Antenna Beamwidth: 43°(H-pol), 41°(V-pol), 15°(Elevation)
- Power Consumption: 8W (passive PoE 15VDC)
- Ethernet Capacity up to 100Mbps via software plug-in
- Wind Survivability: 120 mph

Redline Backhaul Radios

The Redline Series of backhaul radios offer the highest speed radios with the lowest low latency characteristics of any radio in their class. Redline radios were built with video surveillance in mind offering excellent capacity, multicast support, wire speed processing power, metadata prioritization, and plenty of buffers to cache burst video frames. Three types of Redline backhaul radios will be used in this project and will serve as the high-speed radios for this project. Their selection per location is based on the distance and capacity requirements at each location.

Avrio RMS Group will perform a spectrum analysis at each high-speed radio backhaul to determine the frequency range requirements for each location prior to deployment.

Redline AN-80i

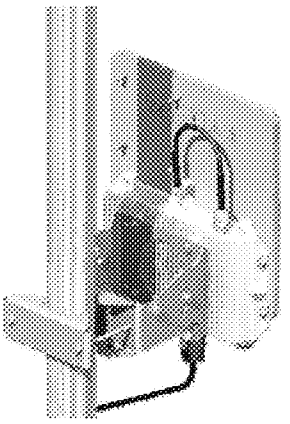

The Redline AN-80i delivers up to 90 Mbps of Ethernet data rate in the PTP configuration and 48 Mbps in the PMP configuration, which is the highest in its class. These radios offers the best The AN-80i can process video packets at over 176,000 PPS (packets/sec) with a latency of less than 3ms when configured as PMP, and less when configured as PTP. A lower latency value improves the video analytics (i.e., LPR, gunshot detection, etc) and a fast and smooth PTZ response.

Key Features

- Low latency: <3ms
- Range of frequencies:
  - 4.9 – 5.8 GHz
  - 3.3 – 3.8 GHz (3.65 GHz FCC)
- Ethernet Data Rate: up to 90 Mbps at PTP; up to 48 Mbps at PMP
- Antenna Beamwidth: 43°(H-pol), 41°(V-pol), 15°(Elevation)
- Processing Speed: 176,000 PPS (packets/sec)
- Operating Temperature: -40° F to 140° F

Redline RDL-2000

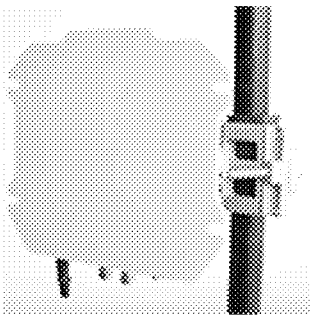

The RDL-2000 PTP broadband radio supports up to 200 Mbps wireless data rate with 2 x 2 MIMO for wire-speed Full Duplex 100Base-T. Its low end-to-end-latency of less than 2ms and adaptive modulation and coding makes this radio the perfect choice for the middle-mile locations where the highest capacity expansion is a must. Several of these radios will be used to aggregate various access links to the core uplink radio location.

BridgeWave BW80 Microwave Core Radio

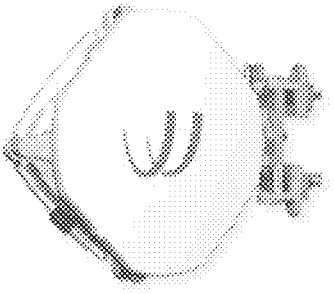

Included in this proposal is one BW80 high-speed 80GHz microwave licensed radio link with an initial capacity of 125 Mbps. This radio operate at full-rate, full-duplex and can be upgraded in steps to up to 1000 Mbps via software keys as budget and additional requirements allow. This carrier-grade radio link provides up to 99.999% availability over a highly secure narrow beamwidth antennas. These narrow beam (<2 degrees) allows these radios to be co-located without interference with other radios. Avrio RMS has deployed this radio in many cities around the country with excellent results.

4.2 Wireless Network Design

The core citywide camera network backbone design proposed for the City of Moreno Valley takes into consideration the existing city fiber backbone and a future conversion from a wireless core to fiber. Our design, as depicted by the drawings in Appendix A, demonstrates the feasibility of connecting to every camera in every phase of the project today wirelessly while interfacing to several fiber POP (point-of-presence) possible splice locations on the **RED** and **DARK GREEN** fiber paths. The proposed design is composed of various wireless and wired networks interconnected at several strategic locations throughout the city to form a highly scalable and resilient citywide camera network capable of supporting and expanding into almost every corner of the city.

Avrio RMS identified three possible Fiber POP locations that can be used as uplink to the city camera network. These locations and the cameras it will serve are depicted in table 2 below.

Fiber POP Location	Address	Fiber	Camera Locations Served
City Yard	15670 Perris Blvd	**RED**	19, 36, 42, 43, and 44
Cactus Ave & Perris Blvd (Street Level)	Intersection	**RED**	15, 22, 25, 41, 46, 48, 50, 51, 54, 60, 61, 83, and 84
Location 65 (Street Level)	Alessandro Blvd and & Moreno Beach Dr. Intersection	**DARK GREEN**	20, 21, 23, 26, 55, 63, 65, 66, 73, and cameras at Park locations 32, 33, and 34

Table 2: Fiber POP locations proposed by Avrio RMS for this project

Table 3 below identifies the proposed building locations where wireless radio equipment is to be rooftop mounted if approved. The list of equipment to be installed at each of these locations is also identified in table 3 below and the affected phase locations.

Building Name	Address	Equipment to Install	Affect Phases
City Yard	15670 Perris Blvd	(1)AN-80i radio, (1)FM-1100 radio	1, 1a, 2
Waste Management Co.	17700 Indian St	(4) FM-1100 radios	1a, 2
Fire Station #58 (Auto Mall)	28040 Eucalyptus Ave	(1)AN-80i radio, (2)FM-1100 radios	1a, LP-Gray
Rancho Verde High School	17750 Lasselle St	(2)FM-1100 radios	2
City Water Reservoir	East Moreno Valley	(1)RDL-2000 radio, (1)AN-80i radio, (1) FM-1100 radio	1, 1a, LP-Green, LP-Purple, LP-Gray
Fire Station #6 (Town Gate)	22250 Eucalyptus Ave	(1)FlexPort23 µwave radio, (2) FM-1100 radios	1, 1b, 2
Fire Station #2 (Hemlock) New Monopole Tower	24935 Hemlock Ave	(1)FlexPort23 µwave radio, (3)RDL-2000 radios, (3)FM-1100 radios	All Phases
Sketchers Factory	29800 Eucalyptus St	(1)AN-80i radio, (2)FM-1100 radios	1b, LP-Gray
The Festival Shopping Ctr	Hemlock Ave	(2)FM-1100 radios	1, 2
Riverside County	26520 Cactus Ave	(1)BW80 µwave radio,	1, 2,

Building Name	Address	Equipment to Install	Affect Phases
Regional Medical Center		(1)AN-80i radio, (3)FM-1100 radios	LP-Green
Kaiser Permanente Moreno Valley Medical Ctr	27300 Iris Ave	(2)FM-1100 radios	1
Moreno Valley College	16130 Lasselle St	(1)AN-80i radio, (3)FM-1100 radios	1, 2
Emergency Operations Center	22870 Calle San Juan De Los Lagos	(1)FlexPort23 µwave radio, (1)AN-80i radio	All phases

Table 3: Wireless Backhaul building locations proposed by Avrio RMS for this project.

In addition, several street pole level backhaul locations are proposed to facilitate connectivity between two distant radio nodes or between non line of sight locations. Table 4 below identifies these locations.

Backhaul Location	Intersection	Equipment to Install	Connects Locations
Iris Ave & Los Cabos Dr	South East corner	(2)FM-1100 radios	20 and Park cameras 24
Alessandro Blvd & Pepper St	South East corner	(2)FM-1100 radios	17 to BH to 14
Alessandro Blvd & Courage St.	North West corner	(2)FM-1100 radios	14 to 85 and BH to 17
Veteran's Memorial Park Light Pole (Cell-site)	Park North West corner	(2)FM-1100 radios	15 and 25
Heacock St (South of Meyer Dr)	East side	(2)FM-1100 radios	25 and 84
Perris Blvd & Filaree Ave	South West corner	(2)FM-1100 radios	15 and 83
Hemlock Ave & Kitching St	South West corner	(2) FM-1100 radios	74 and 75

Table 4: Street Pole Wireless Backhaul locations proposed by Avrio RMS for this project

4.2.1 Core Wireless Network

The proposed wireless core is composed of three BridgeWave FlexPort23 microwave links and two BridgeWave BW90 microwave links. Please refer to Appendix A for the diagram of the Core High Speed Network proposed. Connectivity from one of the towers in the Box Springs antenna site to the city core locations below include the deployment of one BridgeWave FlexPort microwave link to each of the following three sites;

- Emergency Operations Center (EOC) building rooftop
- Fire Station #2 new 40' Monopole
- Fire Station #6 rooftop

An aggregate of 294 Mbps is calculated for the link between the Box Springs Tower (BST) and Fire Station #2. An aggregate of 57 Mbps is calculated between the BST and Fire Station #6, and an aggregate comprised of all the uplink camera traffic from the city camera network calculates to over 350 Mbps between the BST and the EOC core location.

Connectivity between the Fire Station #2 monopole and the East Valley Water Reservoir will be achieved with the use of a BridgeWave BW80 microwave radio link. The aggregate capacity for this link is 63 Mbps. Another BW90 link will be used to extend the city Fiber backbone from Phase 2 location 65 to the rooftop of the Riverside County Hospital.

Avrio RMS is including all conduit rooftop and tower copper/Fiber Ethernet cabling to connect the camera wireless and wired networks for all rooftops and street level locations. Connectivity at the EOC includes Ethernet extension to nearest IDF communications closet.

Core Option B – Box Springs Tower Bypass

Depicted in the Core High Speed Network diagram are two **LIGHT PURPLE** dashed lines that indicate a possible core network design that does not require connectivity to any tower on the Box Springs Mountain. This option will require installing an additional monopole around the EOC / City Hall complex as well as a self-supporting antenna mast at Fire Station #6. This approach provides no wireless path for all locations on the North Valley. An option for the North Valley cameras following this approach may consist on 3G/4G equipped PoleCams. These will not be running at the required 15-30 FPS. This approach is not quoted as part of this proposal but is a viable option if the City cannot facilitate a lease at a Box Springs tower that can achieve a microwave line-of-sight to the core city sites defined on the section above.

4.2.2 Backhaul Wireless Connectivity

The proposed backhaul wireless network, as defined by the drawings on Appendix A, depicts how all wireless connectivity is achieved for all cameras on all phases of the project. As part of this proposal, Avrio RMS is including all links depicted in **YELLOW**, **ORANGE**, and **BLUE** dashed lines which includes all Phase 1, Phase 1a, and Phase 2 locations. Later phases, depicted by **GRAY** color dashed lines indicate that the downlink node(s) (client nodes away from the core) are not included in this phase of the project and have not been budgeted as part of this proposal response. Nevertheless, almost all rooftop and street backhaul locations included as part

will serve to connect to these camera locations in the future. Please refer to Tables 2, 3, and 4 for the correlation of the camera locations included with their uplink site and backhaul connectivity.

As depicted, our design is split in 8 sections of the City. Table 5 below identifies the total locations per Phase and the corresponding equipment included as part of this proposal.

	Total Locations Included			Radio Equipment Included				Parks Loc
Networks	Phase 1	Phase 1a	Phase 2	BW80	RDL-2000	AN-80i	FM-1100	
North Valley	3		2				12	29
South	1	1	3			2	10	
East Valley	2	1				2	6	38
West	1	1	2			1	9	
North Center	10	1	6		4		29	31
South East	4		4	(1) Link		2	21	32, 33, 34
Center	3		8		2		22	
West Center	3		1		1		13	30

Table 5: Street Pole Wireless Backhaul locations proposed by Avrio RMS for this project

Appendix B depicts the locations recommended by Avrio RMS Group for PoleCam and radio(s) installations at each proposed intersection. The intersection locations were determined based on the coverage specific requirements for each intersection and the availability of a street pole light at each corner as surveyed by Avrio RMS engineers.

4.2.3 City Park Networks

Avrio RMS Group is including all park locations specified on this RFP as part of our proposal. A total of 17 PoleCams equating to 41 cameras and 25 wireless radios are included in this proposal in support of the parks. Proposed locations within each park are depicted in Appendix C. The PoleCam locations proposed provide coverage to restrooms, playgrounds, and parking areas as identified by the City in the RFP. Table 5 above identifies the diagram which includes each park's connectivity up to the core. The FM-1100 FluidMesh radios are used to interconnect all of the PoleCams locations used for all parks wireless nodes

Support for full-duplex two-way audio, although not included as part of this proposal, is supported by the Axis P1347-E and has been deployed by Avrio RMS around the country. Avrio RMS has had success with the use of Sony SCA-S30 outdoor speakers and can be easily attached to any PoleCam system at any camera location.

4.3 Video Management System

Ocularis, the IP video surveillance system of ONSSI, is a distributed, video-centric, security software platform that offers central event, user rights, video distribution and systems management. The proposed video management solution includes the base license and support for Ocularis and licenses for all the cameras included in this proposal. ONSSI can be scalable for an unlimited number of cameras and can access video recordings from multiple servers, multiple sites, and video from cameras at schools, banks, businesses, and other City departments. ONSSI supports all leading manufacturers' camera devices (over 900) and every analog camera on the market via the use of analog encoders. An unlimited number of clients are provided and includes map navigation with active camera previews and "drill" down across map layers for video viewing. In addition, the proposed ONSSI version includes shared event handling of events among multiple operators, integration to analytics, and automated push-video alerting, within others. Alerts can be configured to trigger alarms, send notifications to users, an activate outputs for video and audio alarms. Synchronized playback is an inherent feature of ONSSI and facilitates the viewing or live or recorded video simultaneously on the same timescale. ONSSI supports the video wall functionalities for one or more command and control centers which allow EOC backup centers to manage the same video smoothly under a disaster event. With ONSSI, an administrator has the ability to setup users, groups and roles that restrict user access to camera feeds, PTZ controls, etc. All user functions including access, controls, etc, are logged in ONSSI. The VMS system logs all operations. No additional licenses are required for user/client access to the system.

ONSSI provides an open-architecture with non-proprietary technology and has been designed to integrate via integration tools including Data Link Integration events, API commands, Contact Closure and more. A Software Development Kit (SDK) is available to enable integration of 3rd party components via APIs for integration to Kimley-Horn & Associates suite of products.

Although no audio capabilities were added as part of this proposal, Ocularis supports two way audio (from camera/IP device-connected microphones and to camera/IP device-connected PA system) such as the "Bogen" outdoor PA system. Audio from cameras is recorded and included in export of evidence. Audio is enabled in both live and playback mode and can be switched on and off from a menu list. Users may choose to include audio in the bookmarked video on a per camera basis and be exported as evidence.

ONSSI can also store and synchronize audio and video from any TV station broadcast when the necessary tuner and demodulators connect their signals to video encoders. Due to budgetary reasons, this portion of the RFP is not included in this proposal.

Avrio RMS Group has developed and deployed SensorScene™, Avrio RMS' internally developed middleware software which allows "sensors" and alarms to integrate and interface with many CAD systems. Such integration includes acknowledgements by the CAD system to alarms generated by external systems (e.g. gunshot detection, radiation detection, email) with the ability to accept a CAD record with a link to the preserved video from the Ocularis platform.

This proposal includes a total of **216** ONSSI camera licenses and their support which covers all the cameras included in this proposal.

Servers and System Management

Avrio RMS Group is proposing **five** Pivot3 12TB (terabyte) high-definition servers and storage appliances with expansion capabilities for additional servers and storage with self-healing failover capabilities. The system will runs Windows Server 2003 64-bit and host the ONSSI Ocularis video management platform. These servers are rack-mounted and will be installed at EOC's preferred location.

Avrio RMS Group engineers will work with the City's IT Department to configure the VMS for network operation over the City's LAN.

Community Room Public Viewing Station

Avrio RMS Group is including one Dell Workstation running the Ocularis client with a software-based "kill" button that will disconnect the user from viewing the video immediately after the button is pressed.

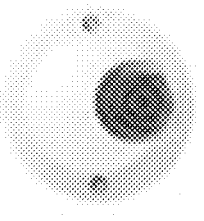

One Axis M3114-R HDTV (high definition) rugged fixed dome is included and will be installed in the monitoring room to facilitate the view of events within that area. This camera has a 2mm wide lens with a resolution of 1MP (1280x800) and can stream at 30 fps full rate in H.264 compression. This camera will be powered via PoE.

4.4 Project Management and Communication

Throughout the project Avrio RMS Group will provide a project manager as a single point of contact that will facilitate communication between internal resources and with the City's designated engagement consultant. The project manager will provide weekly, or as needed, written status reports and conference calls to discuss the project's progress. Additionally, the project manager will be responsible for managing documentation flow during the project ensuring that the designated personnel are working with the correct documentation at all times and will assign a designee to be available to attend the Community Advisory Meetings at the police department.

TESTING (INSTALLATION, USER ACCEPTANCE TESTING, AND PRODUCTION PERFORMANCE)

We implement testing in overlapping stages:

1) Component and Assembly Testing
   We test each component of every PoleCam we assemble during the assembly process to minimize the number of component failures at installation time. Additionally, we test all functions of the assembled PoleCam to detect assembly defects prior to installation.

We extend this testing philosophy to all components of the system – Servers, Storage Arrays, and Radios.

2) Installation Testing
To the extent possible, we repeat the Assembly Testing as soon as the component is installed.
3) Subsystem Testing
When all the components comprising a subsystem – an entire mesh area, hard wired links, and server storage array – have been installed and configured the subsystem is tested to detect configuration and connection errors as soon as possible in the installation process.
4) Systems Testing
Prior to user Acceptance testing, the complete system is fully tested to reveal errors prior to user testing.
5) User Acceptance Testing
In cooperation with the County, all system functions will be tested with County personnel acting as operators. This has the advantage of testing the training.

These testing steps overlap and repeat until all errors are discovered and corrected.

PROCESS IMPROVEMENT

Avrio RMS Group's sole business is providing best of breed wireless network video surveillance solutions. There is no single technical solution that fits all customers -- we understand that every system that we deliver will be custom. In addition, we understand that we need to pay close attention to the requirements of the project but also know that we will also be able to contribute our expertise to deliver much more than the minimum. Some of the attributes to custom oriented solutions are:

a) Vendor agnostic. We have preferred equipment and software manufacturers but do not solely promote any one manufacturer. An excellent example is that we are certified to install four brands of video management software including Pelco, Milestone, ONNSI, and Genetec.
b) Open IP architecture. We always stress to customers the importance of an open IP architecture. In other words, the VMS must have a Software Development Kit for integration into other software platforms, the network should be comprised of off the shelf equipment that is non-proprietary, wireless and wired networking equipment should be Ethernet based (not proprietary), and documents and standards should be either defector or of recognized standards organizations. For example, documents delivered in PDF or DWG, and standards such as IEEE or ETSI.
c) Adaptability, experience, and creativity. There is no other wireless surveillance integrator with more large scale projects than us. One aspect of our success is our ability to adapt to changing customer needs and helping our customers get the most of their investment. As an example, in St. Paul MN, we are leveraging and expanding on the wireless network to

additionally provide archiving of in-car police video through an automatic wireless upload process. This will eliminate the cumbersome process of manual export of video from police vehicle DVRs thereby potentially saving the police department hundreds of thousands of dollars in additional labor costs of the lifespan of the equipment.

d) Maintenance Contracts. Often we our contractually obligated to maintain the networks that we build for customers. It would be foolish for us to deliver an inferior product that requires continual maintenance because of the ongoing labor costs involved. It is in our best interest to always deliver a network that is low maintenance, reliable, and that exceeds customer expectations.

4.5 Maintenance and Support

This proposal includes one year of free maintenance and support. During the maintenance term Avrio will:

- Repair or Replace any failed component needed to restore the system to full operation.
- Provide 24-7-365 Help Desk support with a 4 hour maximum response time for critical repair issues.
- Provide a sparing solution, whereby critical spares inventory is maintained at local facility.
- Advanced RMA for all parts.
- Extended warranty for all system components.
- Remote diagnostics and troubleshooting (requires remote access to system)
- All software and hardware patches and firmware upgrades.

Project Plan			
Milestone Description	**Duration**	**Start**	**End**
Proposal Awarded – June 12th or 26th	**1**		
Milestone #1 - Detail Design & Signoff / Order / Begin PoleCam Production	20	7/2/2012	7/30/2012
Milestone #2 – Monopole, rooftops, tower equipment installations	30	7/30/2012	8/31/2012
Milestone #2 - Installation and Integration of Wired Infrastructure and Head End Equipment	20	9/3/2012	9/28/2012
Milestone #3 - Installation of PoleCams, Wireless Infrastructure and VMS Server	50	9/17/2012	11/16/2012
Milestone #4 - System Testing and Training	5	11/19/2012	11/23/2012
Milestone #5 - Post Installation Documentation /Moreno Valley Project Signoff	5	11/26/2012	11/30/2012

Table 6: Project Plan

4.6 Training Plan

Training will be delivered as part of the overall solution. End user training will primarily be focused on operating the system and using the monitoring client. Topics include log in, monitoring, controlling PTZ functions, understanding hot spots, working with folders and views, browsing, searching archived video, etc. In addition to end user training, system training will cover basic administrative capabilities of the ONSSI system including camera settings, motion configuration, archive settings, etc. Lastly, system administrator training will cover basic aspects of user management and troubleshooting. Avrio RMS will provide a total of 40 hours of training inclusive of camera systems, video management systems, portable camera setup and configuration, and field training. All materials necessary for the training class will be provided.

4.7 Project Team Qualifications

The following is a high-level organization chart for the individual roles on the project team proposed.

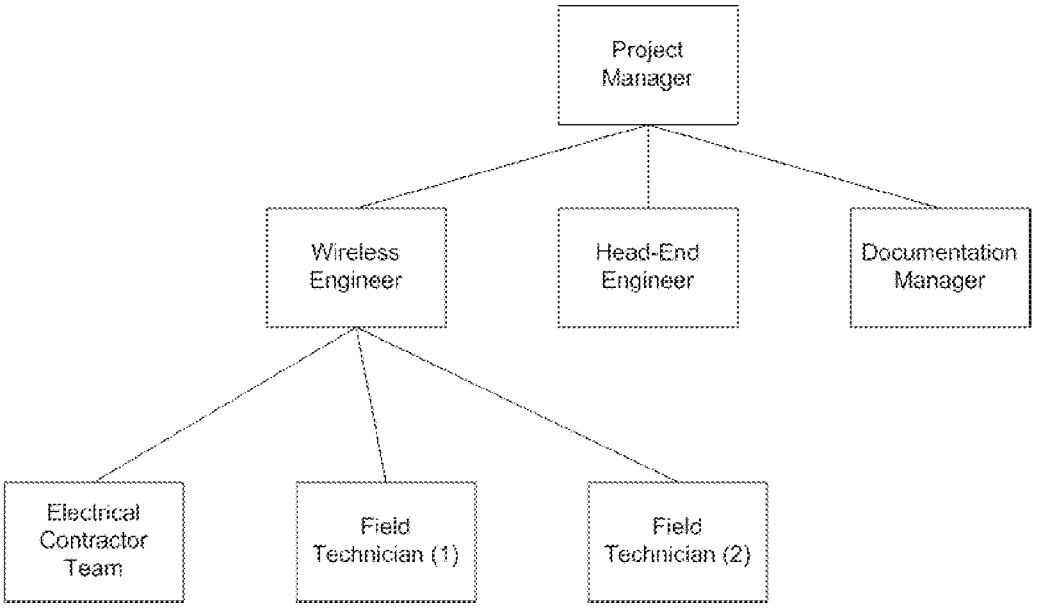

Figure 2: Project Team Structure

The following lists the proposed team members and their background:

PAUL KARASZ
Solution Manager

Paul is a senior level engineer and project manager performing the role of Solution Manager for Avrio RMS Group for key clients across the United States and Caribbean. Paul is experienced in the successful deployment and remediation of complex Integrated IT solutions involving multiple technologies and vendors where typical challenges require a unique combination of diverse IT skill sets, scientific troubleshooting, and the ability to motivate teams. Prior to joining Avrio RMS Group, Paul was a principal consulting engineer with GTSI. At GTSI, Paul was the primary engineer responsible for delivering on wireless video and in-car video systems for the company. Paul has over 15 years' experience in physical security and information technology industries and has deployed dozens of solutions that exceeded client expectations.

Paul maintains the following certifications:

- Cisco Advanced Wireless Field Engineer (642-631), 2012
- Cisco Certified Network Associate (CCNA, 640-802) Wireless, 2011
    - Implementing Cisco Unified Wireless Network Essentials (640-721), 2011
    - Conducting Cisco Unified Wireless Site Survey (642-731), 2011
    - Cisco Lifecycle Services for Advanced Wireless (650-621), 2011
- DataCore Certified Implementation Engineer (DCIE), 2011
- Xiotech Certified Administrator: Emprise 5000, 2011
- Hitachi Data Systems Storage Foundations Enterprise, 2010
- Hitachi Data Systems Storage Foundations Modular, 2010
- Dell Blade Server Solutions (Technical Training DBSSTT0409WBTT), 2010
- Xiotech ISE Sales Certified, 2010
- Genetec Omnicast OCT002-4.6, 2010
- Genetec Omnicast OCT001-4.6, 2010
- Panasonic Arbitrator 360 Certified Integrator, 2010
- Hitachi Data Systems Sales Foundations, 2010
- Milestone ™ Enterprise 6.5, XProtect Corporate 2.0, and XProtect Analytics 2.0 Certification, 2009
- Motorola Point to Point Wireless Products, 2007
- AirMagnet Certified Product Expert, 2007DVTel NVMS 5.0 Technical Training, 2007
- Insight Video Net CMS 3.0 Integrator Certification, 2007
- Insight Video Net CMS 2.5 Integrator Certification, 2006
- Vidient SmartCatch installation and configuration Training, 2006
- Verint nDVR SmartSight Certification, 2006
- Pelco Endura and IP Video Design (PCSD), 2006
- Pelco CCTV Training, 2006
- Object Video Partner Training, 2005

<u>Professional Credentials and Associations</u>

- Virginia DCJS Registered Electronic Security Technician

- Virginia DCJS Registered Electronic Sales Representative

Security Clearance

- Top Secret, Active

JASON NAGY

Senior Project Manager

Mr. Nagy is a seasoned project manager with a strong technical background. Mr. Nagy has directed some of Avrio RMS Group's largest projects including the City of Pittsburgh, Ring of Steel Project. Prior to Avrio Group, Jason was the lead project manager at STS International where he contracted to Cisco for the re-architecture and design of all sales and engineering offices in the Latin America region. Responsible for planning, executing and delivering a 16 million dollar upgrade of technological, logistical and architectural services for the sales and engineering teams in the Latin America Theater to include the following countries: Peru, Costa Rica, Venezuela, Brazil, Colombia, Panama, Argentina and Ecuador. Well versed in working with the countries local and state governments in importing goods and services to the region for deployment. Maintained knowledge of culture and continuing relationships with local workforce for future deployments in the region.

He has handled all aspects of project management as it relates to internal technical infrastructure changes and upgrades for Cisco's sales offices, data centers and campuses. These upgrades include; hardware, software, networking changes, next generation wireless video implementations, VoIP, video conferencing and more. Many of their campus locations required a primary fiber optic link between buildings, with a secondary wireless broadband network built in for redundancy purposes. He managed the budgets, staffing, field engineers, customer satisfaction, accountability and project completion and assurances. Mr. Nagy is a certified Project Management Professional (PMP) with additional certifications including ISO: 90001:2000 and CCNP.

PRASANNA KATTEL

Chief Technology Officer

Mr. Kattel has more than 10 years expertise in designing and deploying enterprise systems for large scale deployments. Mr. Kattel oversees all system designs and is responsible for overall resource allocation and quality of delivery.

At Avrio Group, Prasanna was instrumental in the rollout of both the Democratic National Convention security system and the Republican National Convention security system. He was responsible for all IT related design, procurement, configuration, installation and integration within existing government IT infrastructure. Prasanna is certified in Genetic Omnicast as well as ONSSI, the world's leading video management software platforms.

Prior to Avrio Group, Prasanna has deployed complete Cisco networking and Vo-IP environments for multi-million dollar organizations. In addition, Mr. Kattel has deployed video surveillance solutions including IP and analog cameras for customers around the country. Mr.

Kattel's knowledge of both software and hardware IP-based systems including ONSSI, Genetic, AutoVu and Agent VI for content analysis provide the necessary foundation to ensure quality delivery of complete turn-key solutions.

Mr. Kattel holds a masters degree in Information systems technology from George Washington University.

5. Workers' Compensation Insurance Certificate

The Proposer acknowledges that Sections 1860 and 1861 of the California Labor Code require every contractor to whom a public works contract is awarded to sign the following statement:

> I am aware of the Provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provision of that code, and I will comply with such provisions before commencing the performance of the work of this Contract.

By: _____

Date: _____

Title: _____

6. Independent Contractor Agreement

The Proposer acknowledges the terms set forth in this portion of the RFP, including that this Agreement is made by and between the City of Moreno, California, a municipal corporation, hereinafter referred to as the "City" and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 5306 authorizes the engagement of persons to perform special services as independent contractors; and
B. The Public interest, convenience necessity and general welfare will be service by the Agreement.
C. This Agreement is made and entered into effective the date that the City signs this Agreement.

6.1 Contractor Information

Contractor's Name:	Avrio RMS Group	
Address:	3 North Harrison Street	
City: Easton	State: MD	Zip: 21601
Business Phone:	Fax Number:	
Other Contact Number		
Business License Number		
Federal Tax I.D. Number		

6.2 Contractor Services, Fees and Relevant Dates

A. The Proposer acknowledges that the Contractor's scope of service is described in Exhibit "A" attached to the RFP and incorporated herein by this reference.
B. The Proposer acknowledges The City's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. The Proposer acknowledges that the Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is _____ and the Contractor Ending Date is

_____The proposer recognizes the City's acknowledgement that the City will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

6.3 Standard Terms and Conditions

The Proposer acknowledges and accepts the following elements of the RFP:

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. City Indemnification. The City agrees to indemnify, defend and save the Contractor harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, Housing Authority's and CSD's employees and all claims which arise from the negligent performance or failure to perform the services or other

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obligations of the City under this Agreement, or are caused by the negligent acts of the City, Housing Authority and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, **Workers' Compensation Insurance** in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$5,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/CSD/Housing Authority premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

Insurance requirements waived with Risk Manager's approval.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the

coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

(b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit

inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

Signature Page to Follow

7. Signature Page

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley	Avrio RMS Group
BY:	BY: _____
City Manager	President
	_____
	Date
	BY: _____
	TITLE _____
	(Corporate Secretary)
	_____
	Date

INTERNAL USE ONLY ATTEST:
City Clerk APPROVED AS TO LEGAL FORM City Attorney
Date RECOMMEND FOR APPROVAL
Chief of Police Date
Financial & Administrative Services Director
Date

Appendix A. Wireless Network Design

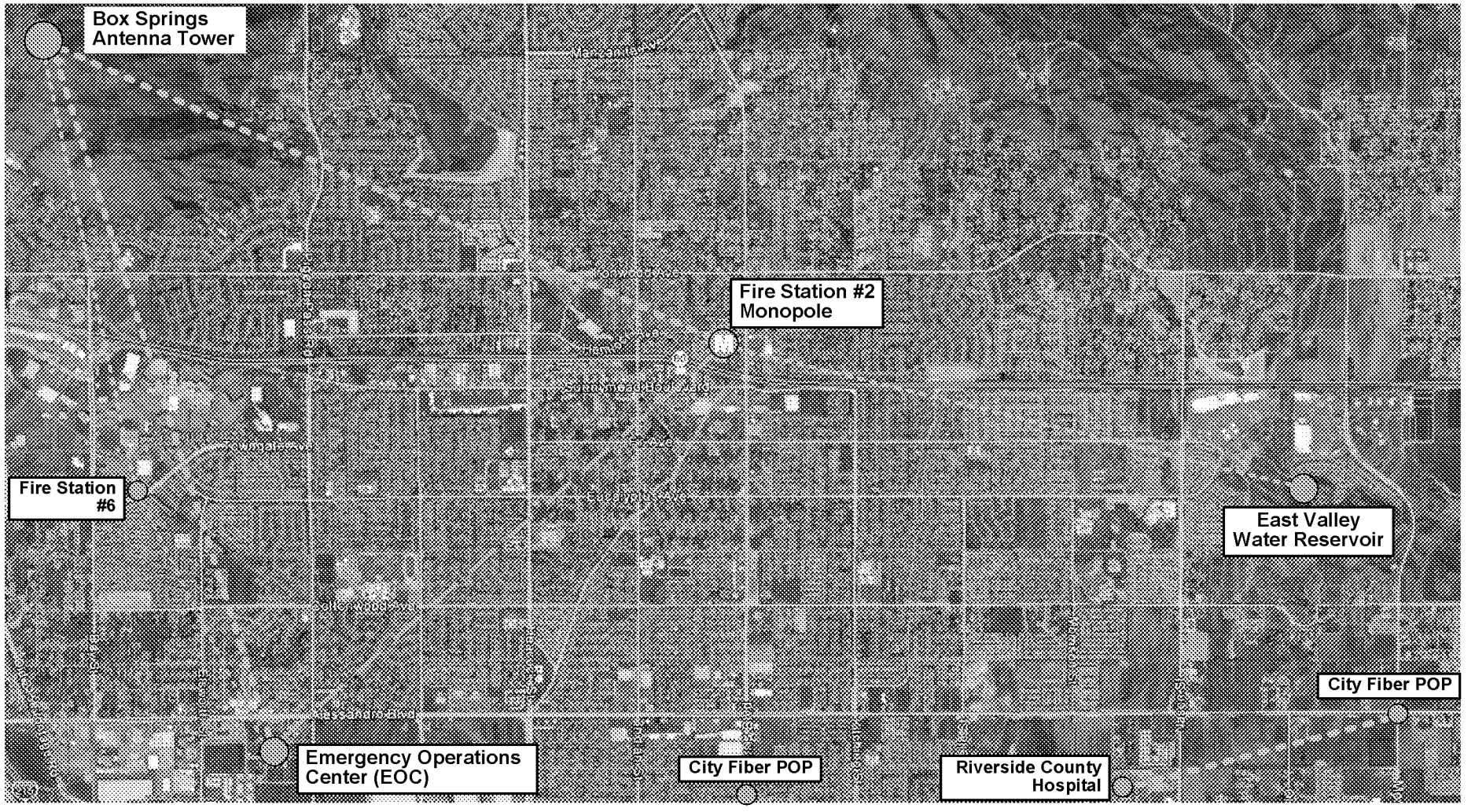

Microwave Wireless Link

High Speed Wireless Link

Core Option B
Box Springs Antenna Bypass

Microwave Wireless Link

High Speed Wireless Link

AVRIO RMS GROUP
A Carrick Bend Company

mer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** Core High Speed Network	MV-Core.vsd Date May 2, 2012	AVRIO RMS Group

PHASE 1
PTZ + 2 Fixed Cameras
Wireless Polecam

PHASE 2
52 PTZ + 2 Fixed Cameras
Wireless Polecam

Later Phase Green
69 PTZ + 2 Fixed Cameras
Wireless Polecam

Later Phase Grey
81 PTZ + 2 Fixed Cameras
Wireless Polecam

Park Camera
Wireless Network

PMP Mesh
Wireless Link

Mesh
Wireless Link

Mesh
Future Link

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** North Valley Network	**MV-NorthValley.vsd** Date **May 2, 2012**	AVRIO RMS Group

PHASE 1
PTZ + 2 Fixed Cameras
Wireless Polecam

PHASE 1a
PTZ + 2 Fixed Cameras
Wireless Polecam

PHASE 2
66 PTZ + 2 Fixed Cameras
Wireless Polecam

High Speed Wireless Link

Mesh Wireless Link

Building Backhaul

Street Pole Backhaul

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** South Network	**MV-South.vsd**	AVRIO RMS
		Date **May 3, 2012**	

Item No. A.19

MV00175231

PHASE 1
PTZ + 2 Fixed Cameras
Wireless Polecam

PHASE 1a
PTZ + 2 Fixed Cameras
Wireless Polecam

Later Phase Green
77 PTZ + 2 Fixed Cameras
Wireless Polecam

Later Phase Purple
78 PTZ + 2 Fixed Cameras
Wireless Polecam

Later Phase Grey
81 PTZ + 2 Fixed Cameras
Wireless Polecam

Building Backhaul

Street Pole Backhaul

Microwave Wireless Link

High Speed Wireless Link

Mesh Wireless Link

Mesh Future Link

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** East Valley Network	MV-EastValley.vsd Date May 2, 2012	AVRIO RMS Group

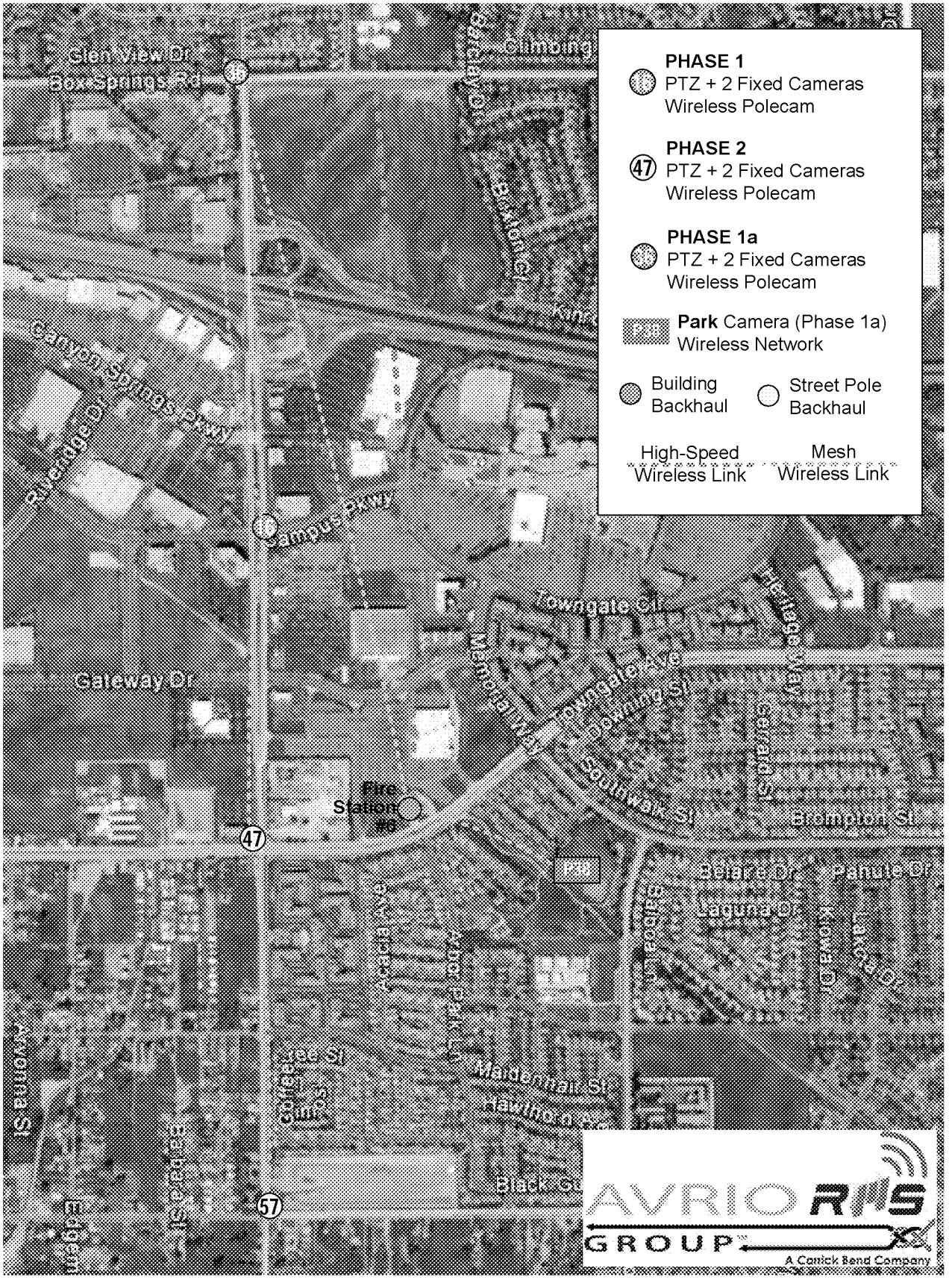

Customer:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** West Network	MV-West.vsd	AVRIO RMS
		Date May 3, 2012	

Item No. A.19

MV00175233

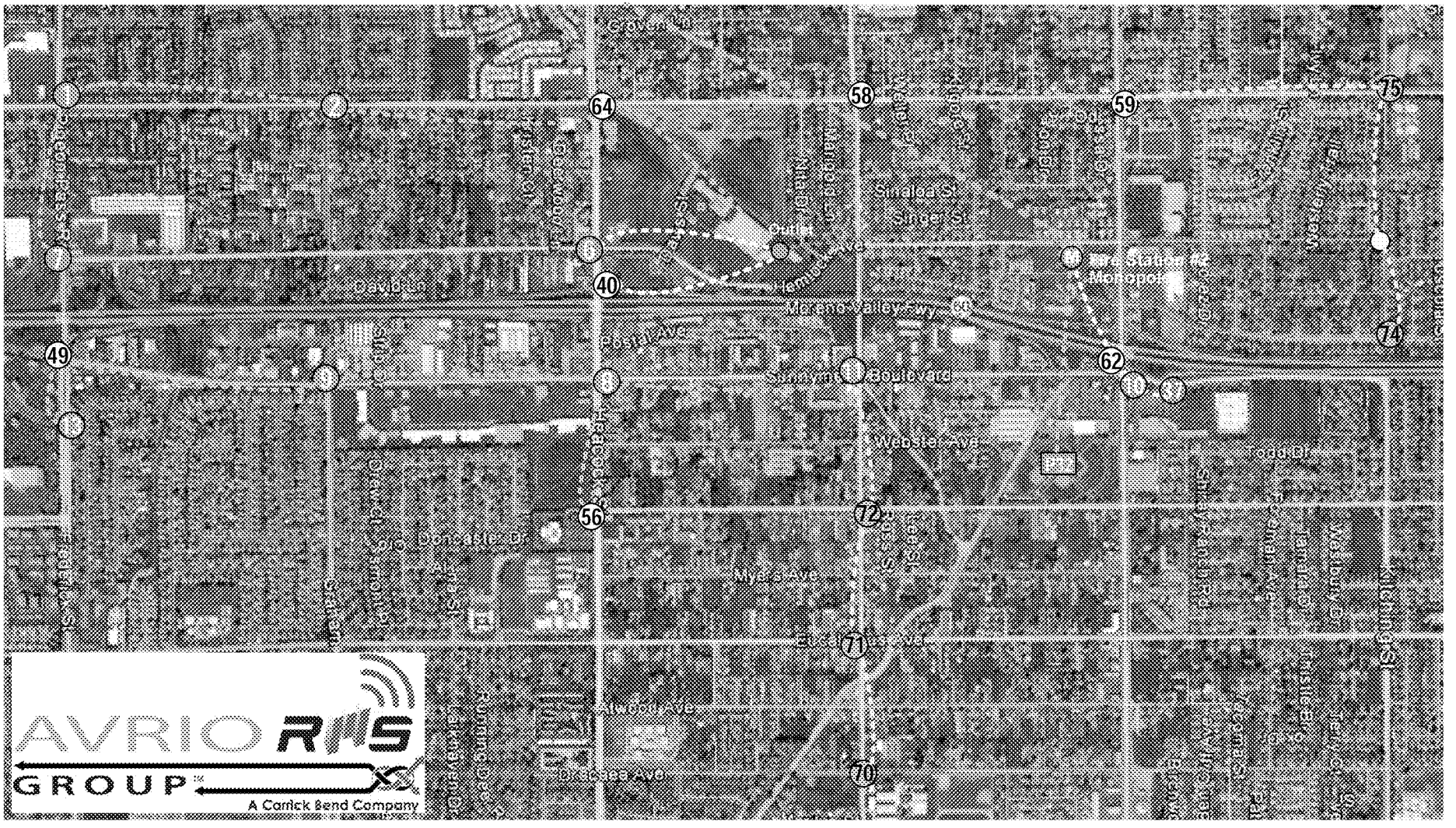
AVRIO RMS
GROUP
A Carrick Bend Company
Davis Rd
Moreno Valley Ave
Sunnymead Boulevard
Webster Ave
Alessandro Blvd
Dracaea Ave
Perris Blvd
Indian St
Heacock St
Frederick St
Nuevo Rd
Cactus Ave
Iris Ave
Ironwood Ave
Eucalyptus Ave
Bay Ave
Sinclair St
Smiley St
Stanley St
Monroe St
Moreno Valley Ranch Blvd
Pigeon Pass Rd
Redlands Blvd
Nandina Ave
Cottonwood Ave
Dracaea Ave
Alessandro Blvd
Nuevo Rd

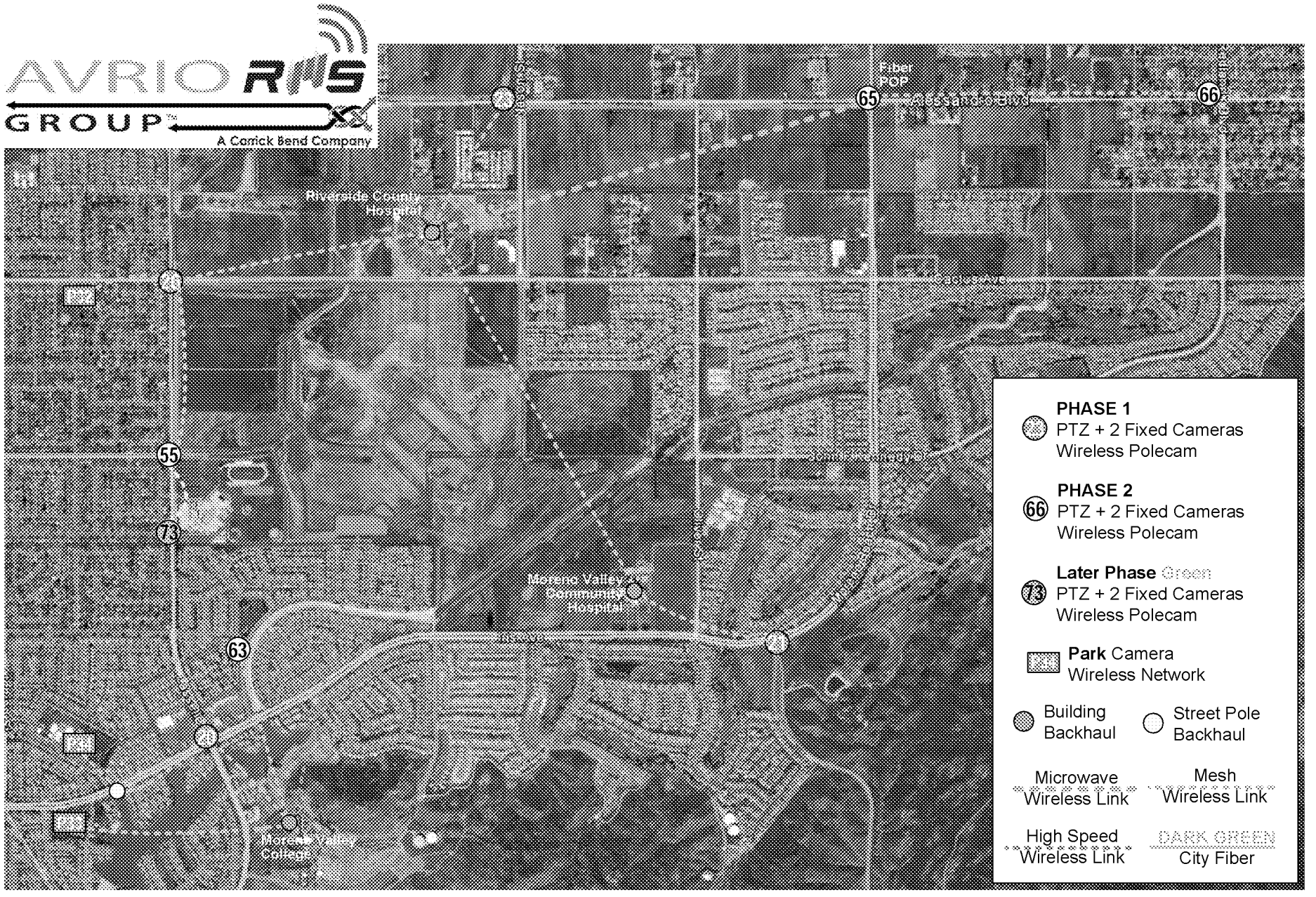

Owner:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** South East Network	MV-SouthEast.vsd Date May 2, 2012	AVRIO RMS Group

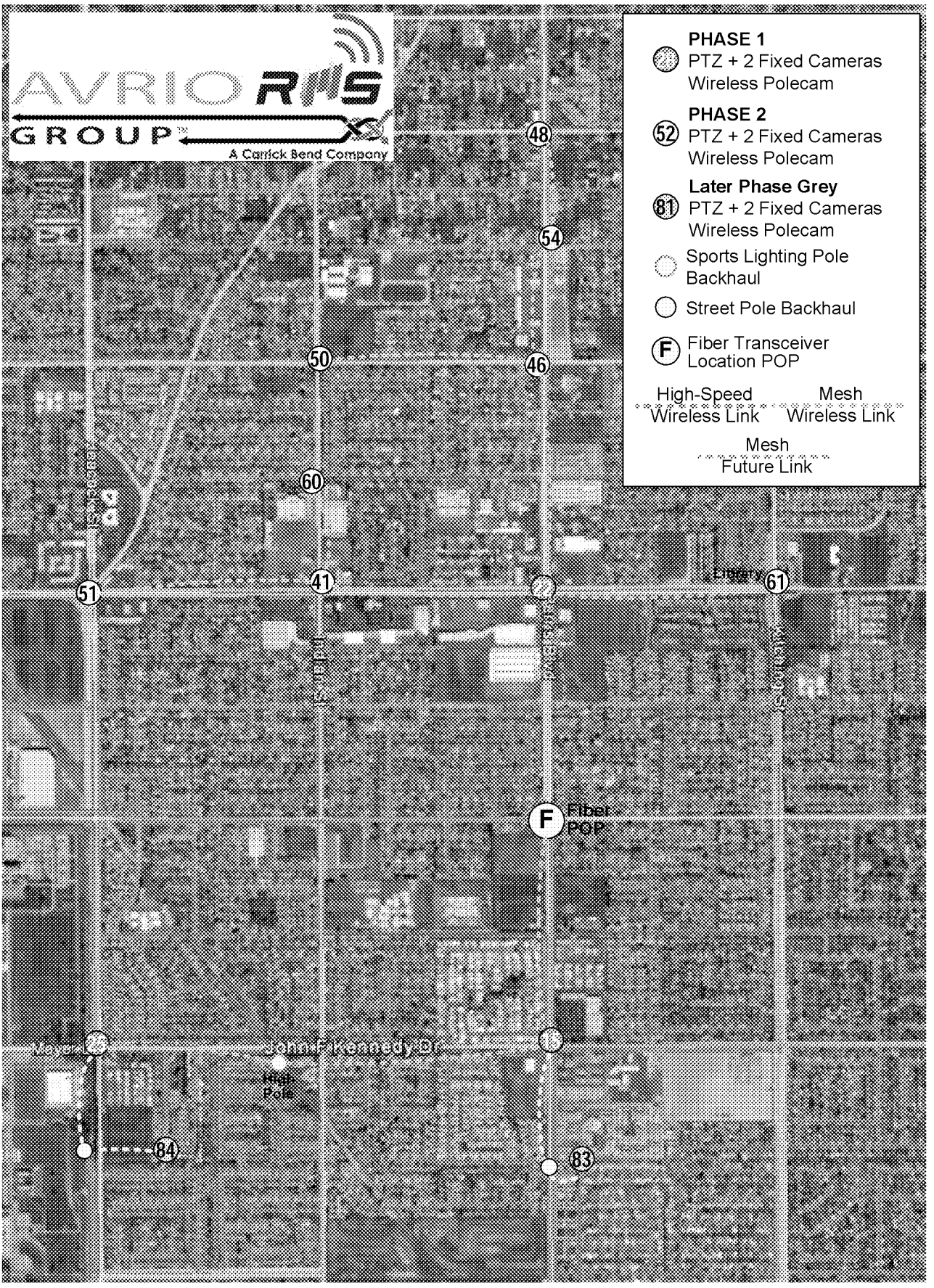

Customer:	Description:	File:	Designed by:
City of Mayer Valley	**Citywide Camera Surveillance System** Center Network	**MV-Center.vsd**	AVRIO RMS Group
		Date **May 3, 2012**	

Item No. A.19

MV00175236

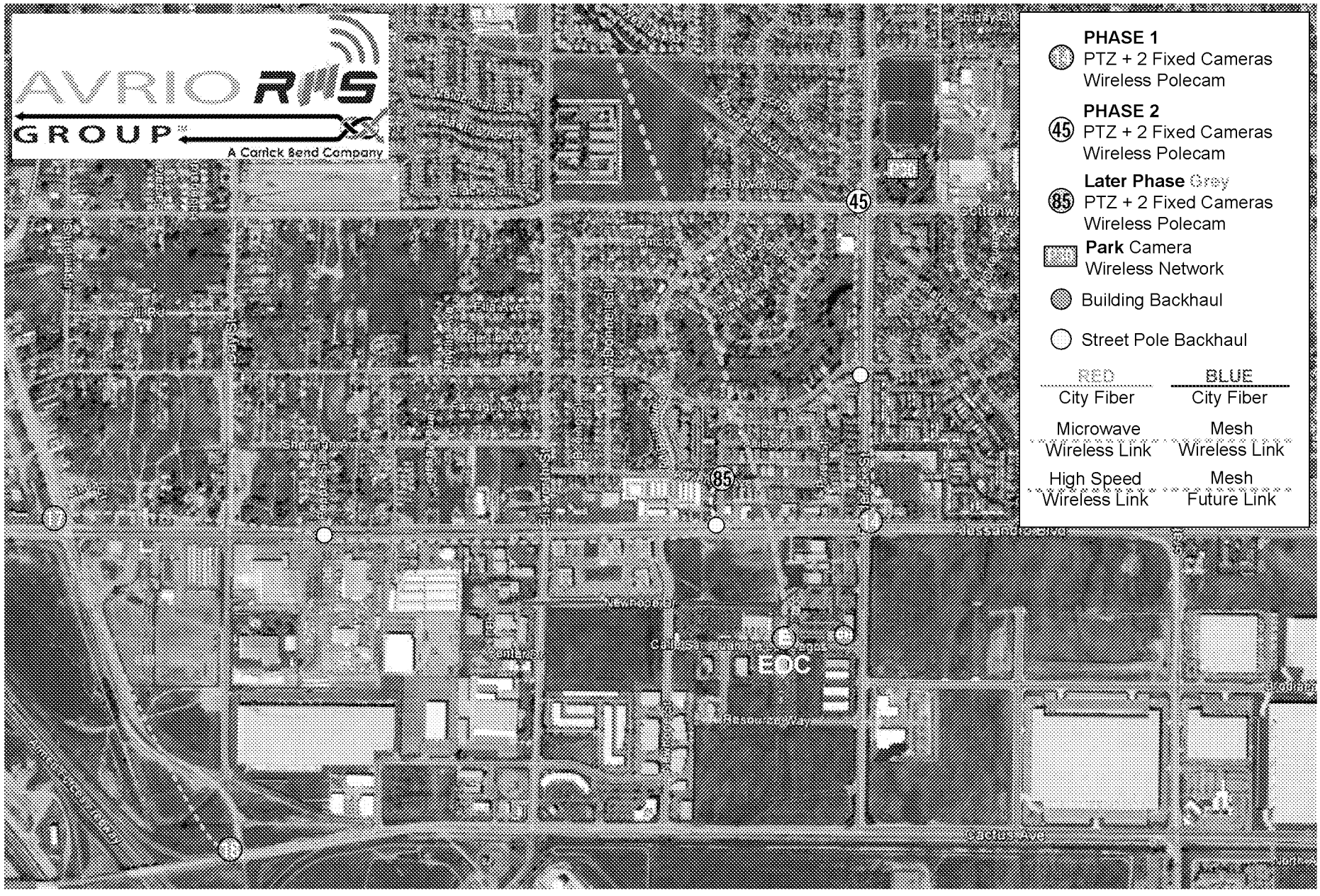

Owner:	Description:	File:	Designed by:
City of Moreno Valley	**Citywide Camera Surveillance System** West Center Network	MV-WestCenter.vsd Date May 3, 2012	AVRIO RMS Group

Appendix B. Camera Locations

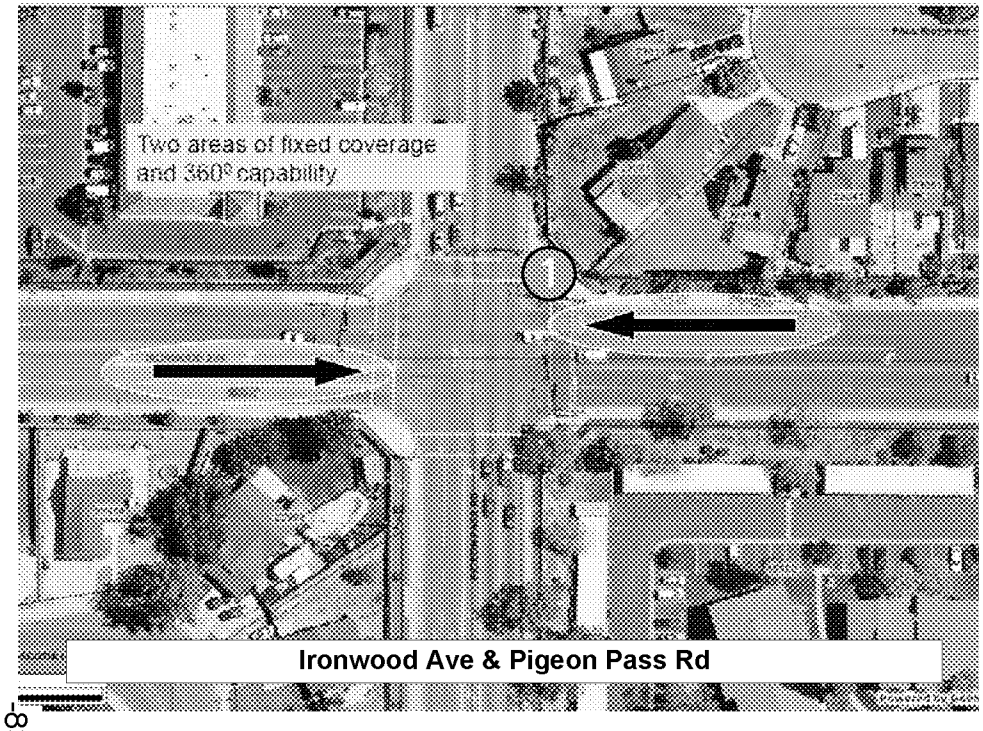

Ironwood Ave & Pigeon Pass Rd

Ironwood Ave & Graham St

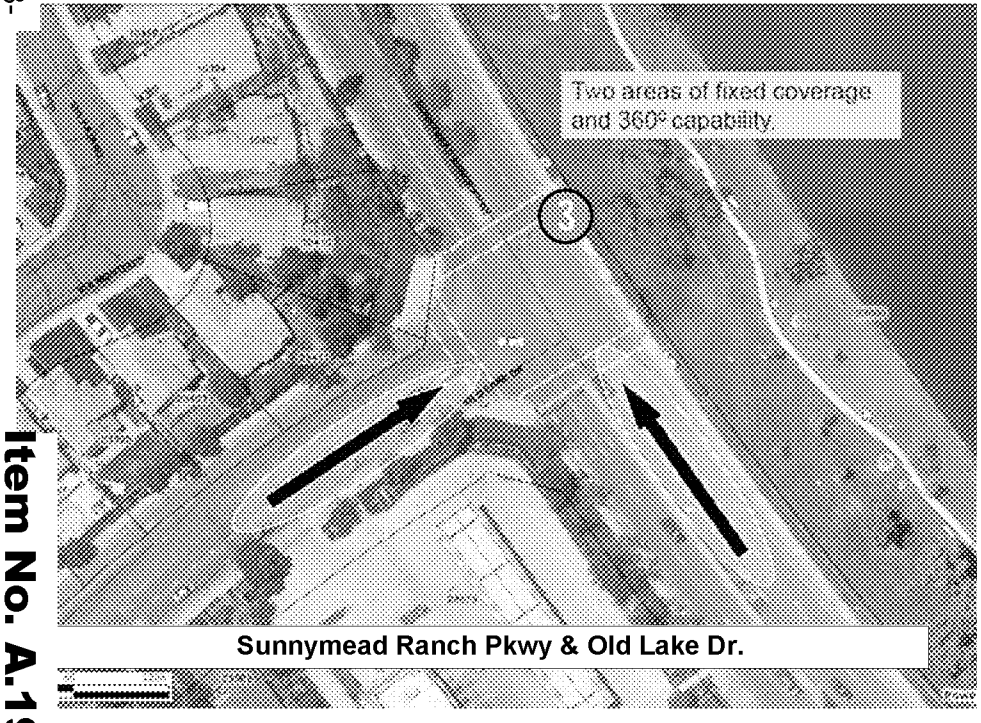

Sunnymead Ranch Pkwy & Old Lake Dr.

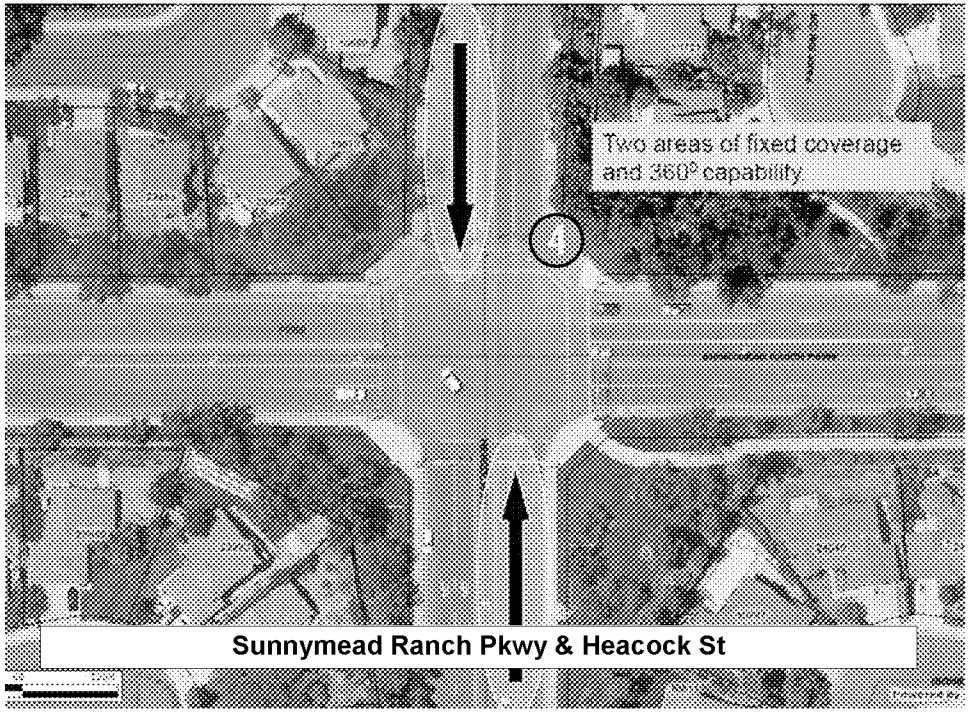

Sunnymead Ranch Pkwy & Heacock St

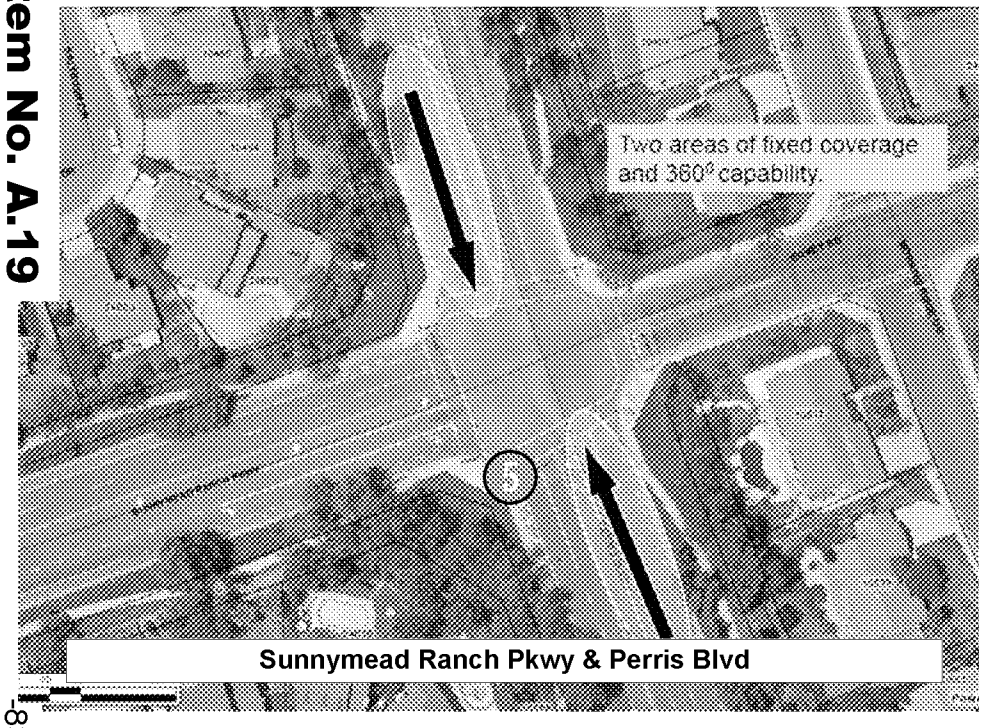

Sunnymead Ranch Pkwy & Perris Blvd

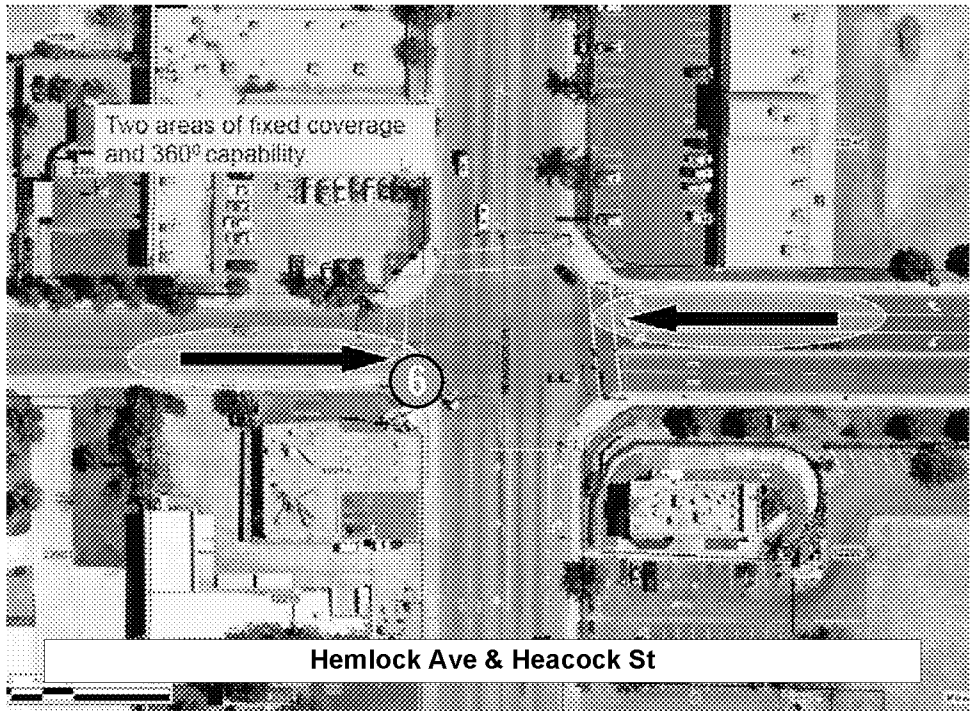

Hemlock Ave & Heacock St

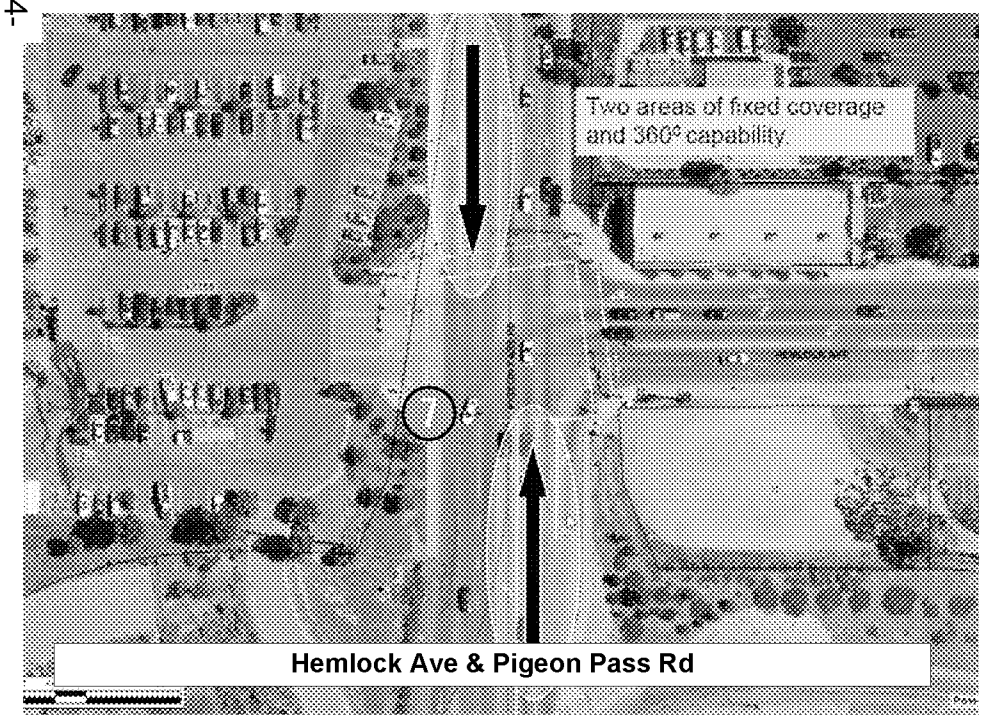

Hemlock Ave & Pigeon Pass Rd

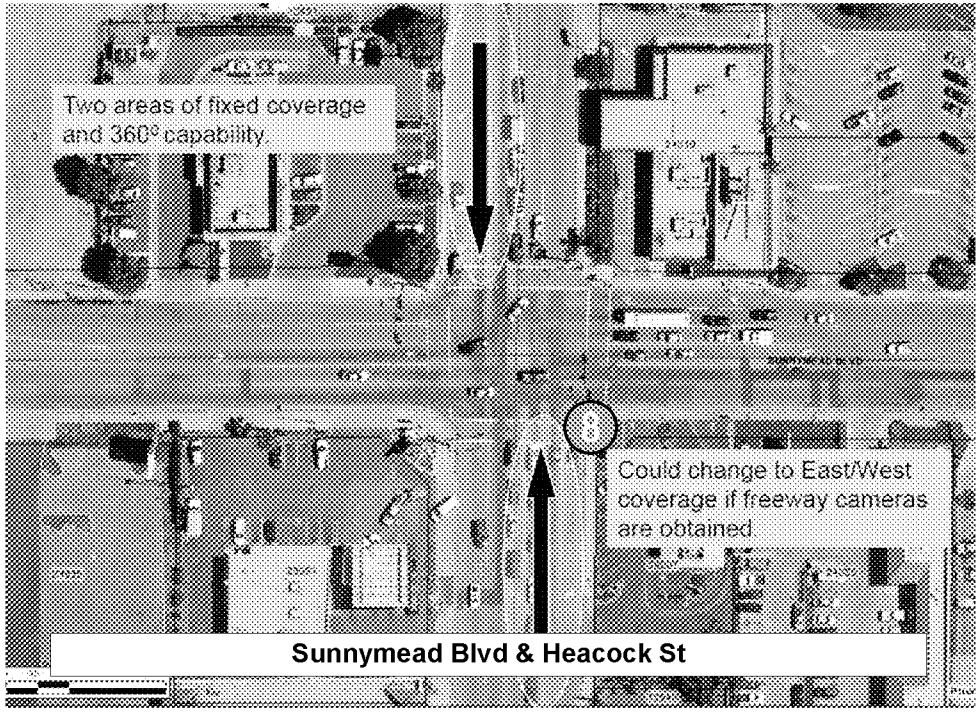

Sunnymead Blvd & Heacock St

MV00175240

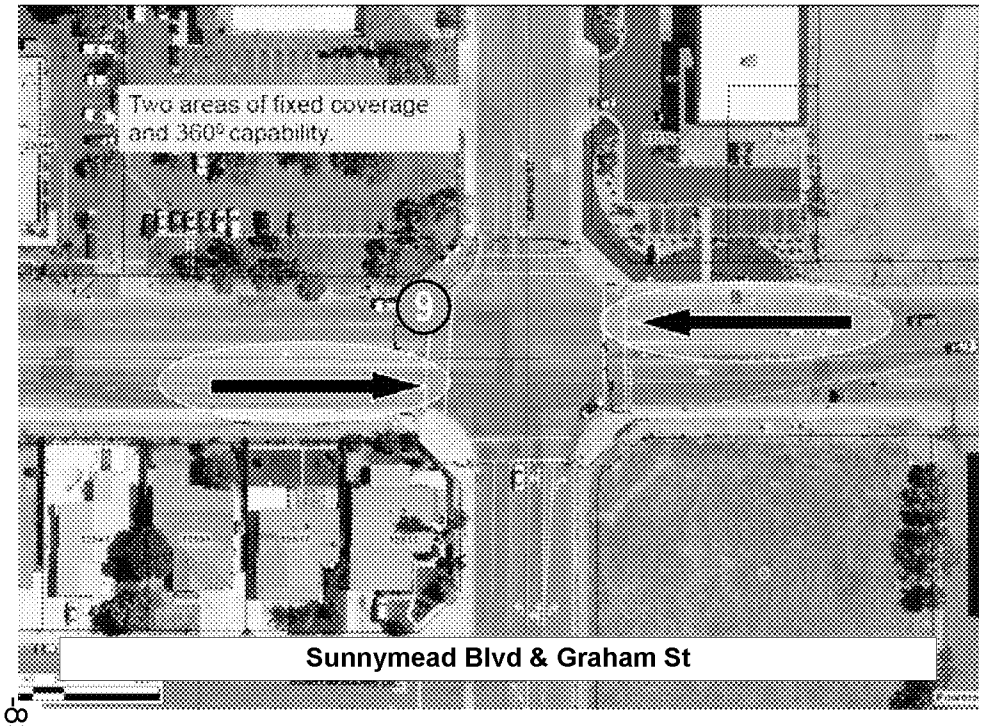

Sunnymead Blvd & Graham St

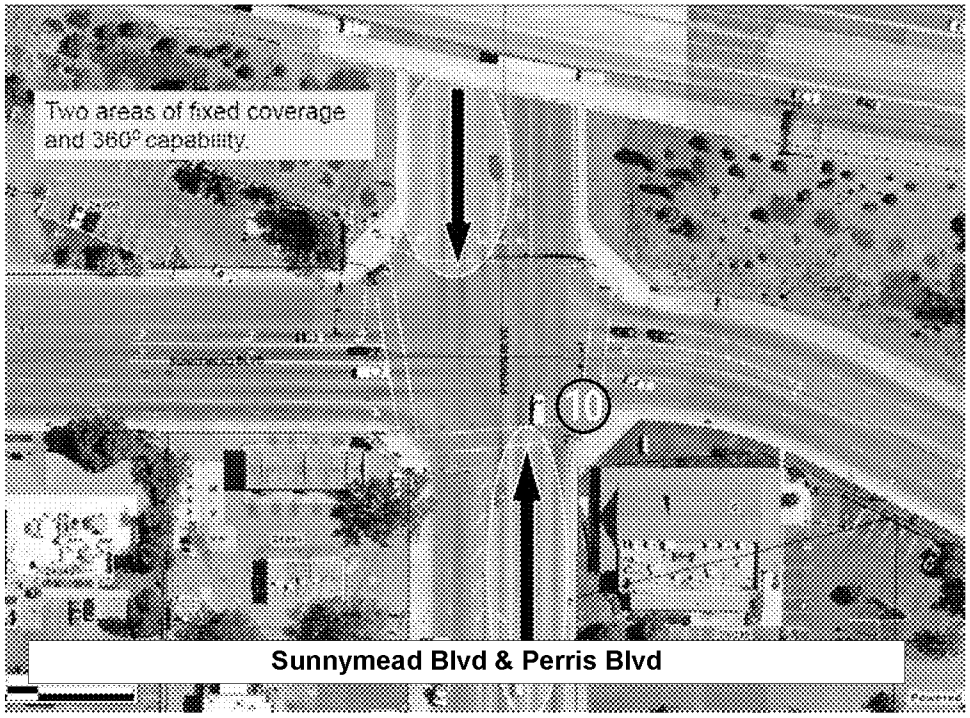

Sunnymead Blvd & Perris Blvd

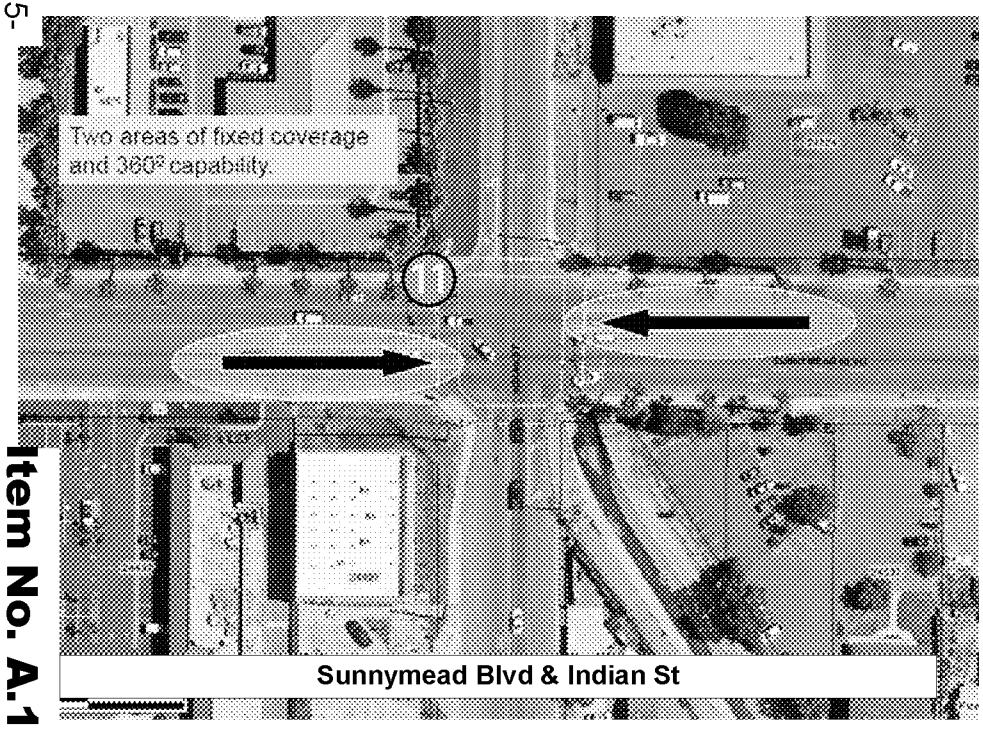

Sunnymead Blvd & Indian St

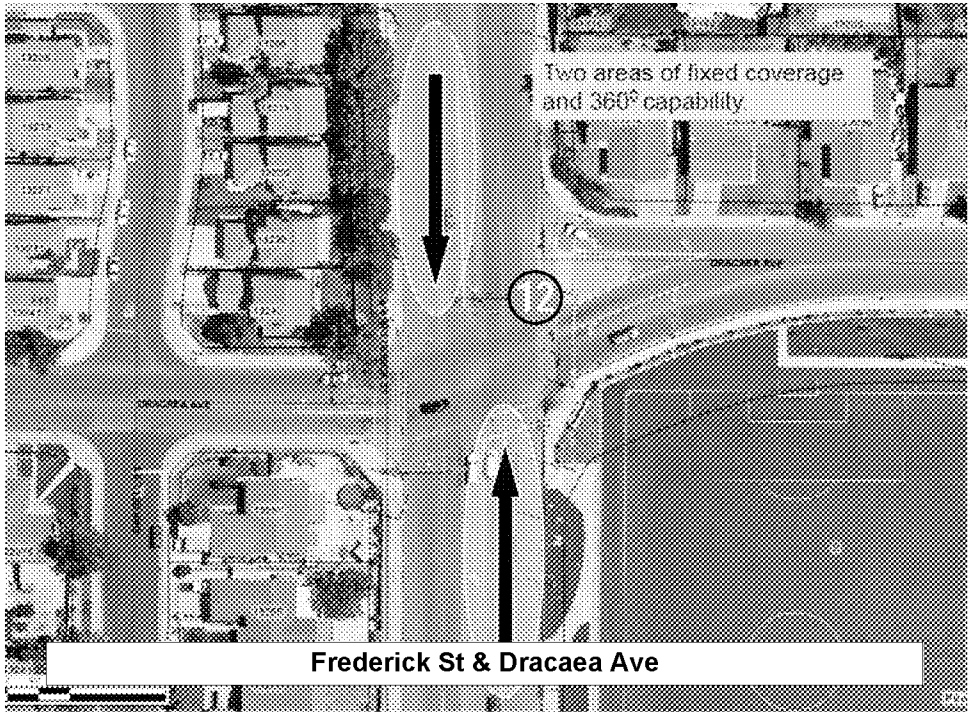

Frederick St & Dracaea Ave

MV00175241

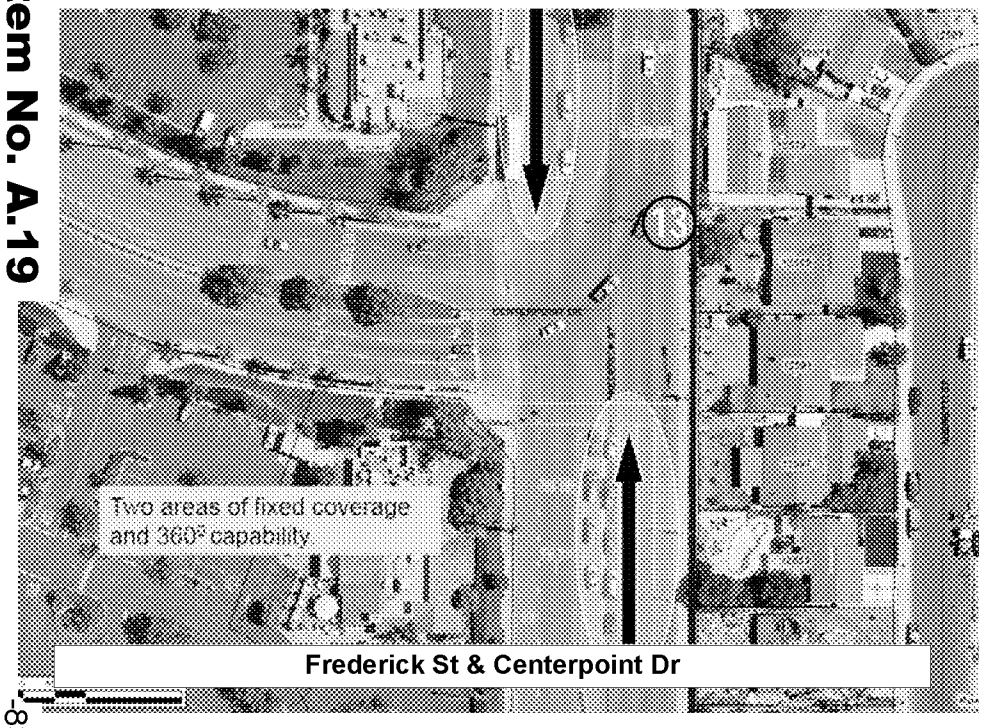

Frederick St & Centerpoint Dr

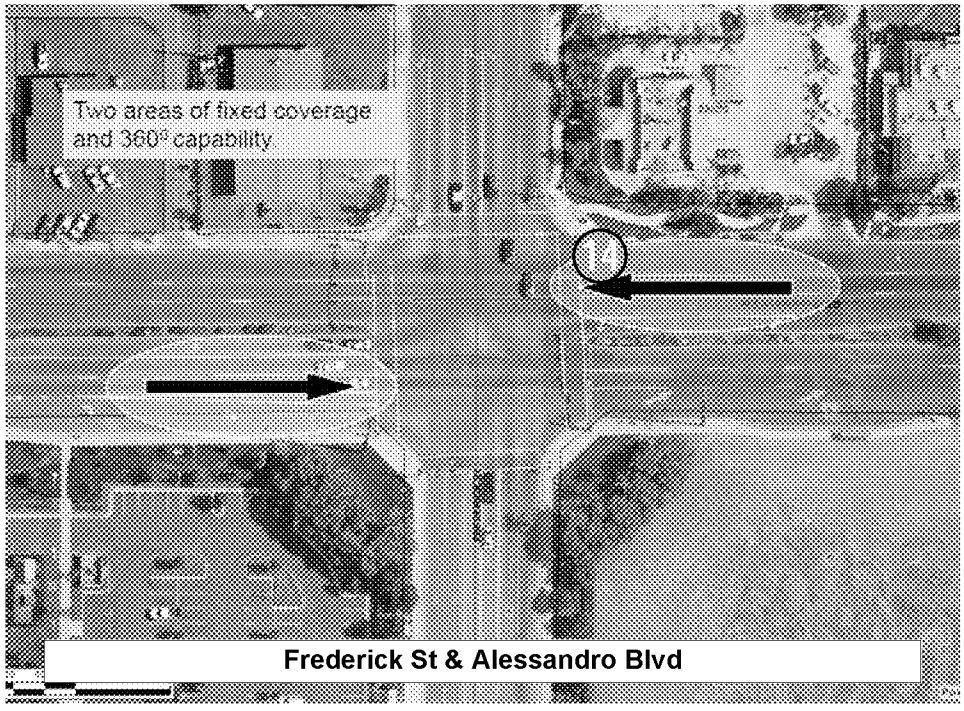

Frederick St & Alessandro Blvd

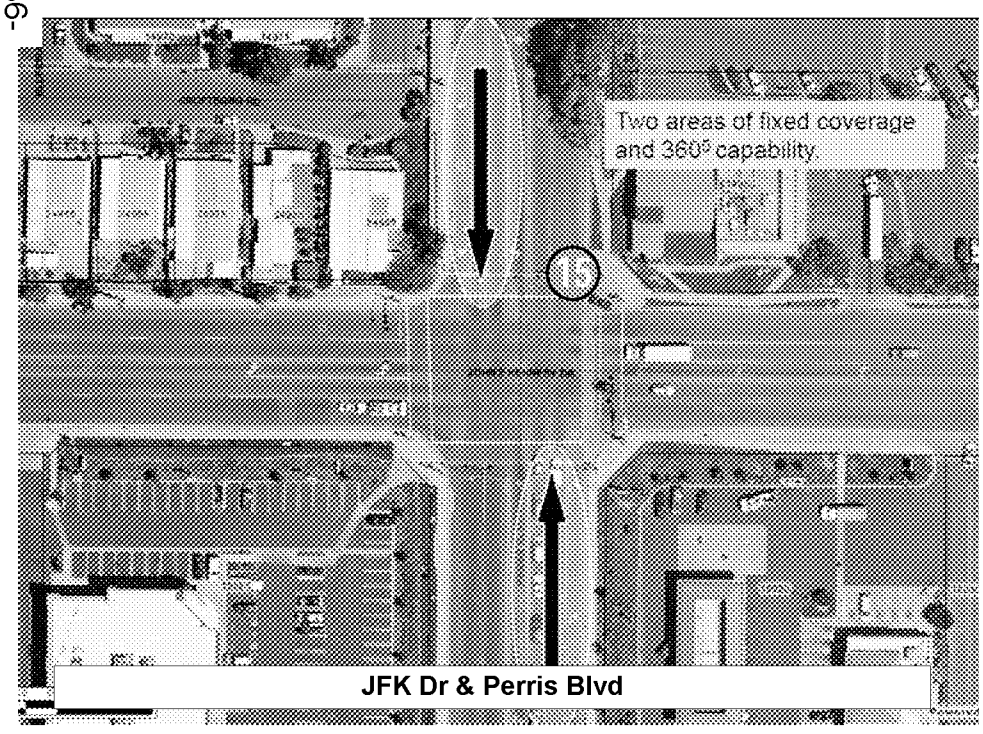

JFK Dr & Perris Blvd

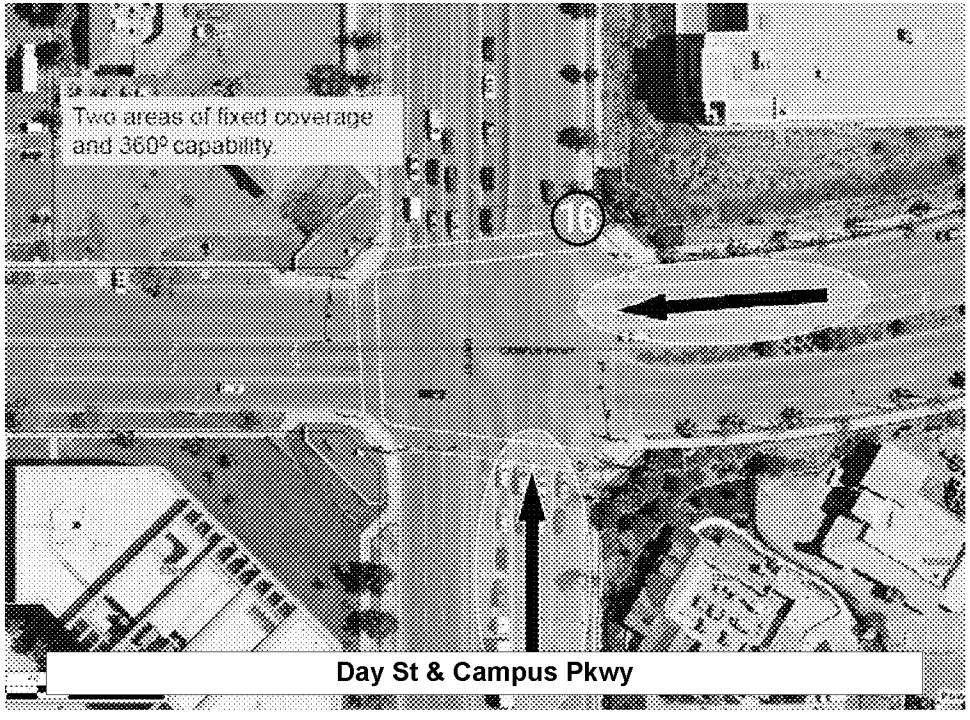

Day St & Campus Pkwy

MV00175242

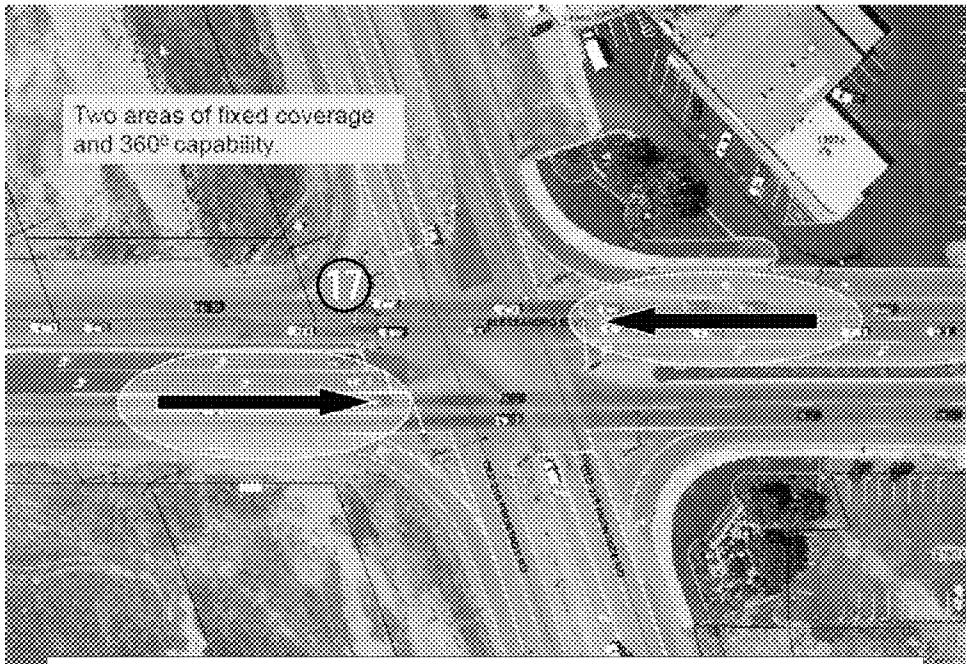

Frederick St & Alessandro Blvd

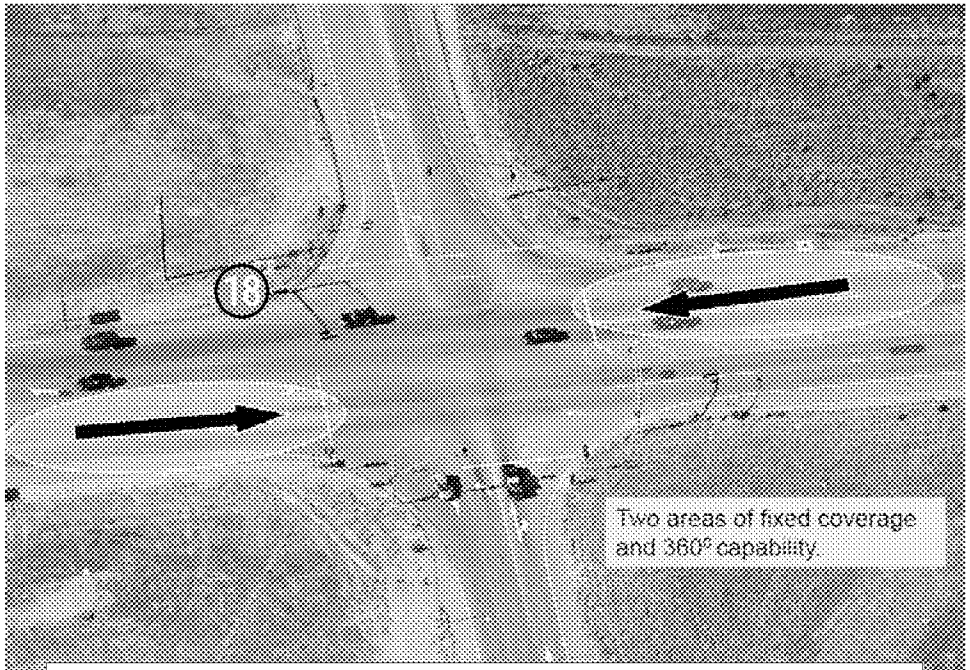

Old Hwy 215 & Cactus Ave

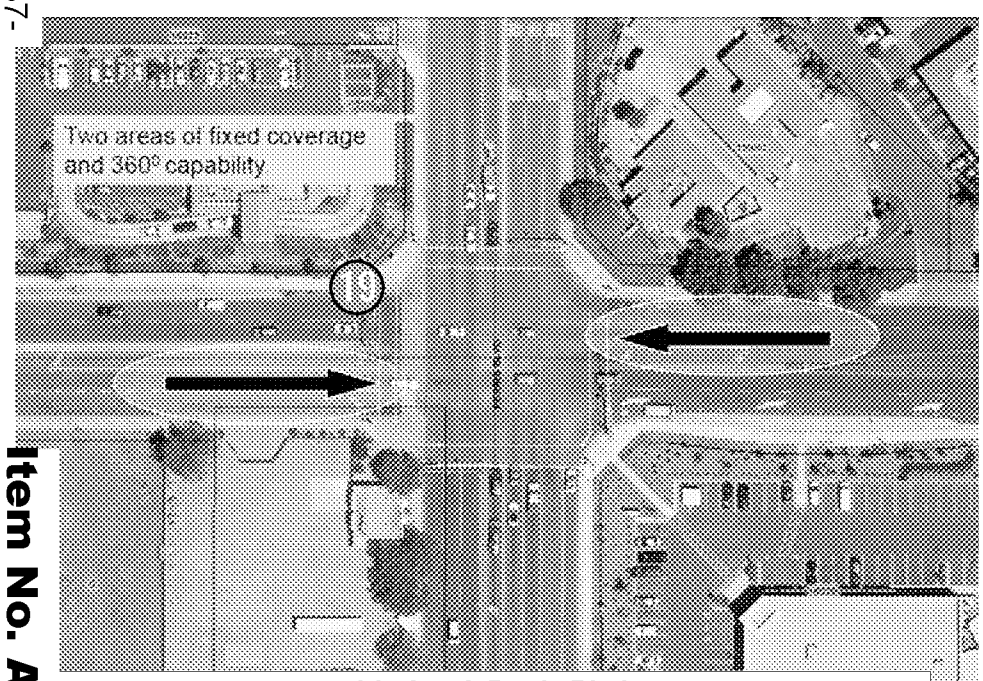

Iris Ave & Perris Blvd

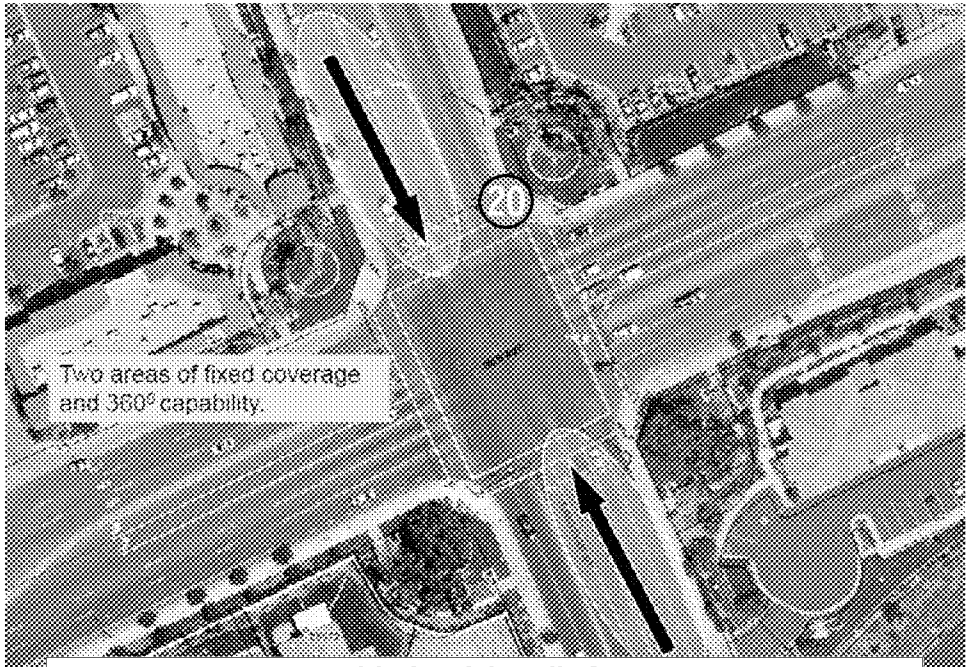

Iris Ave & Lasalle St

MV00175243

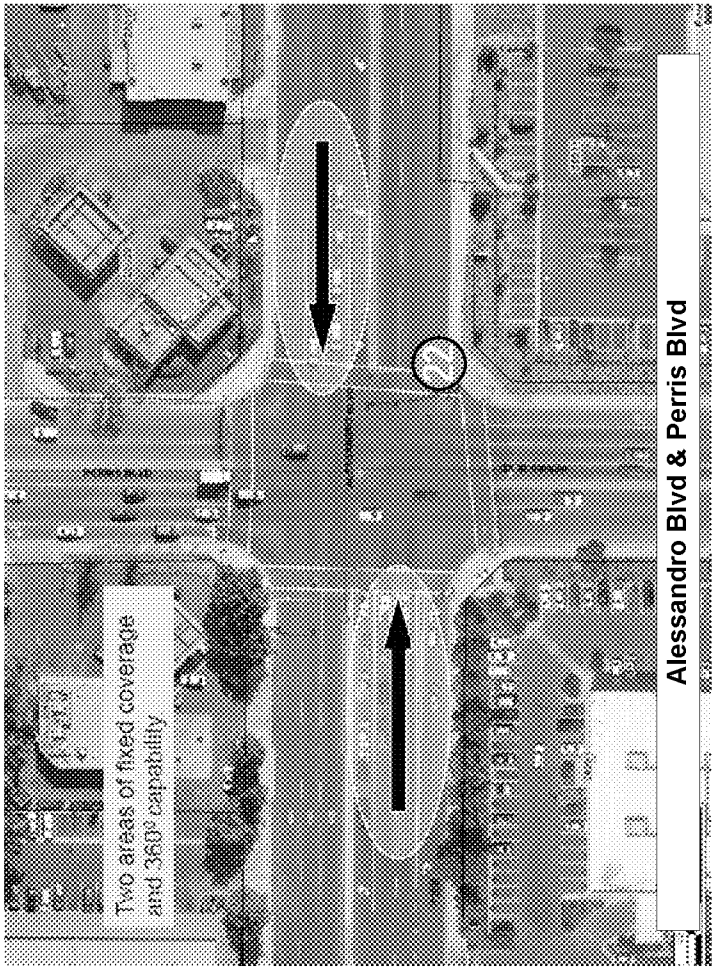

Alessandro Blvd & Perris Blvd

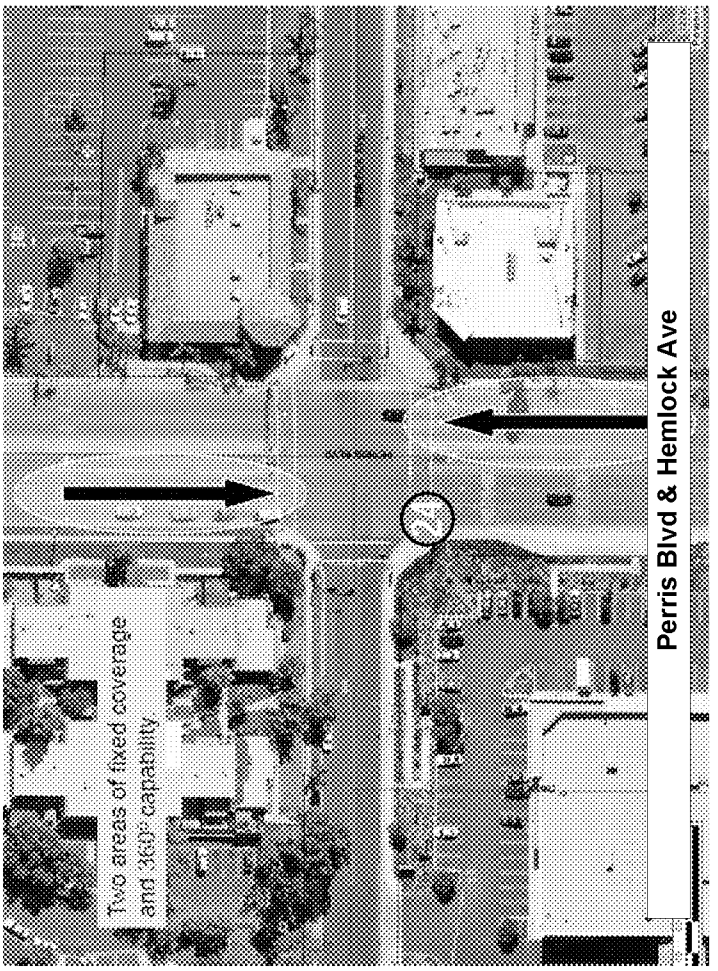

Perris Blvd & Hemlock Ave

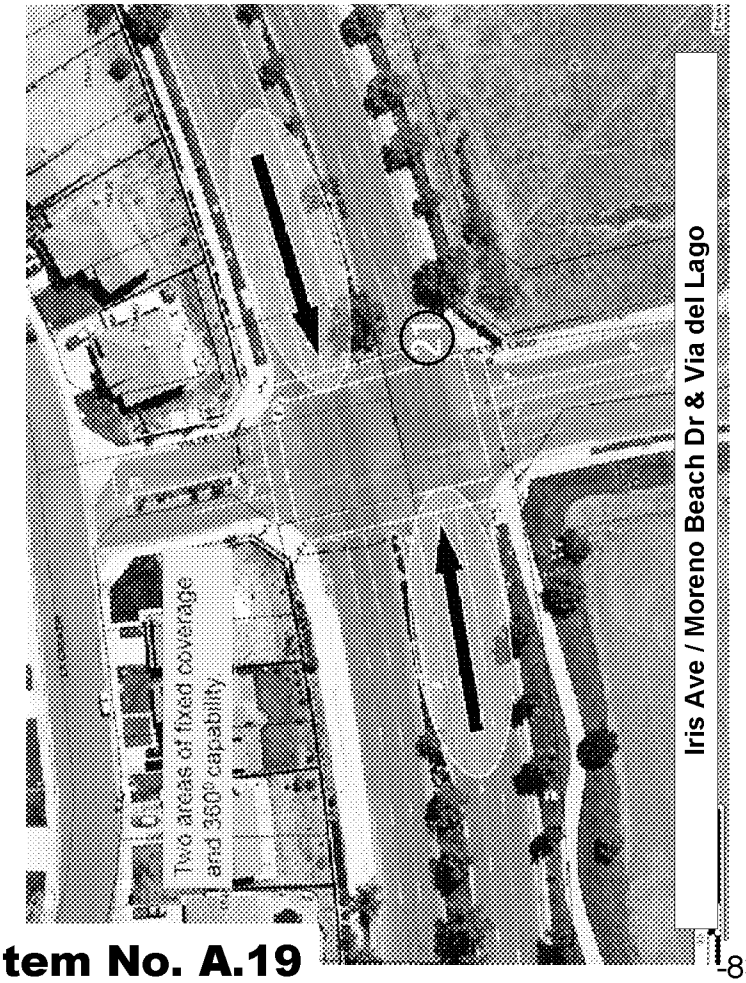

Iris Ave / Moreno Beach Dr & Via del Lago

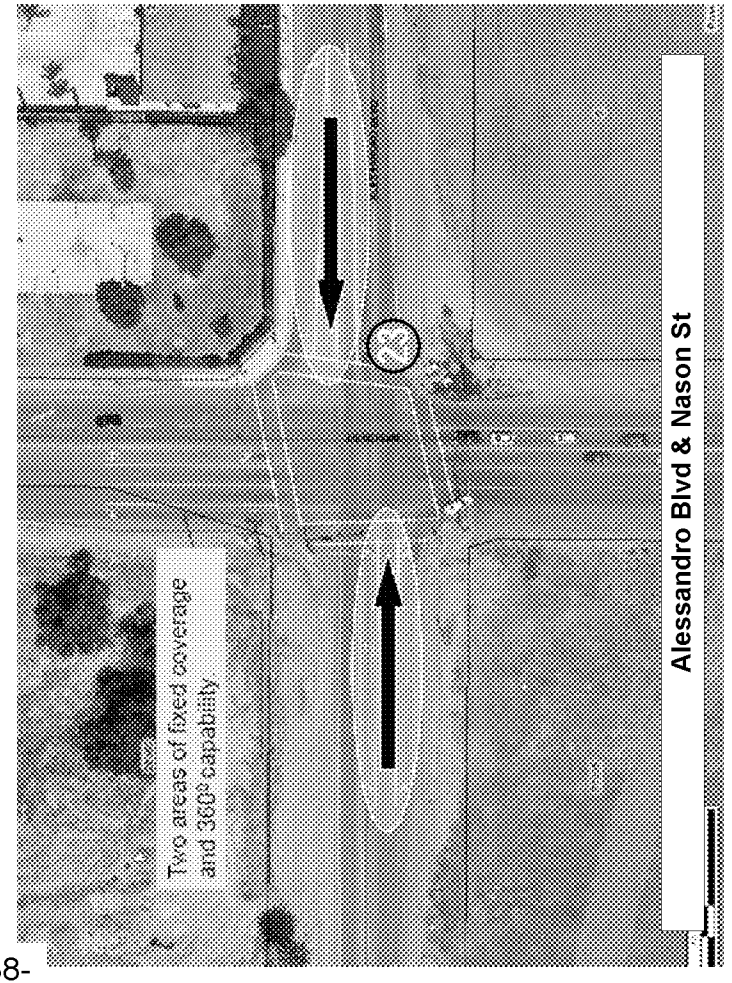

Alessandro Blvd & Nason St

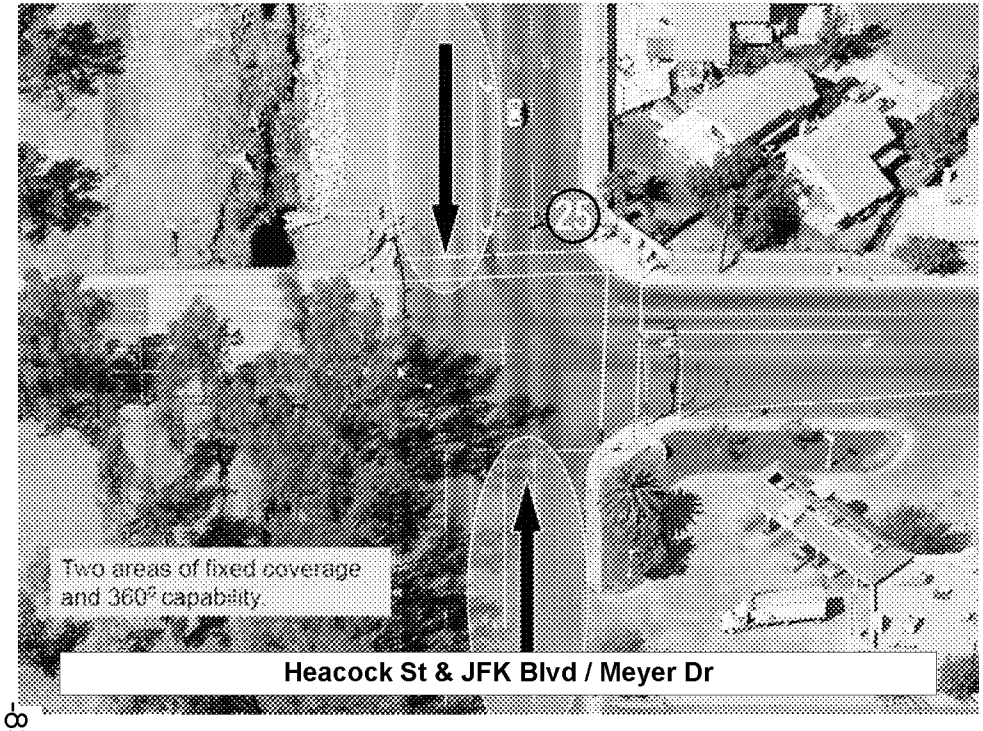

Heacock St & JFK Blvd / Meyer Dr

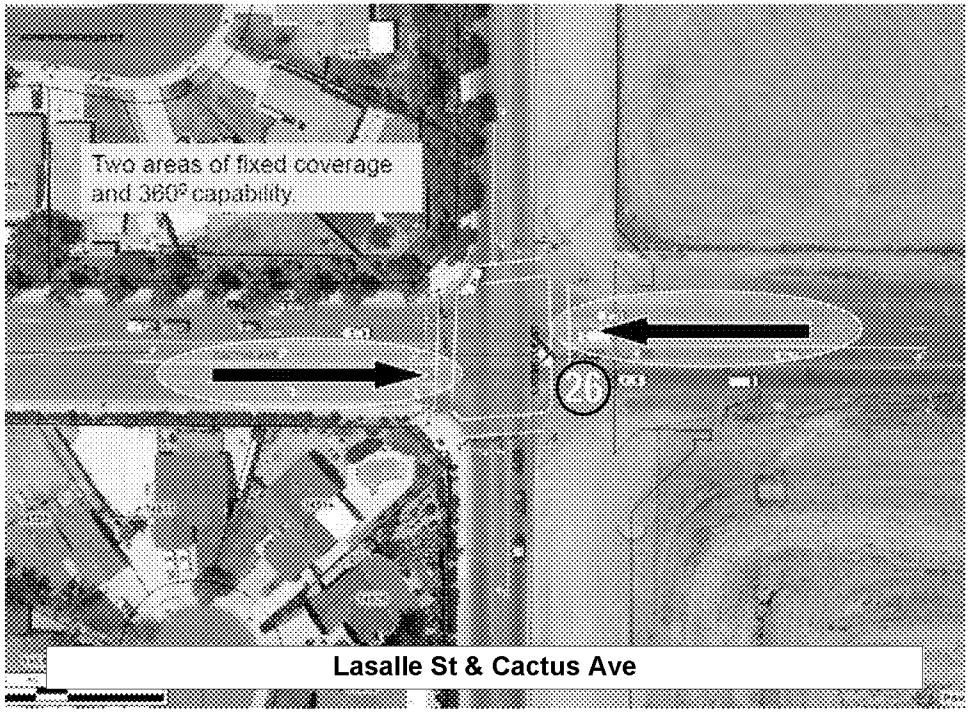

Lasalle St & Cactus Ave

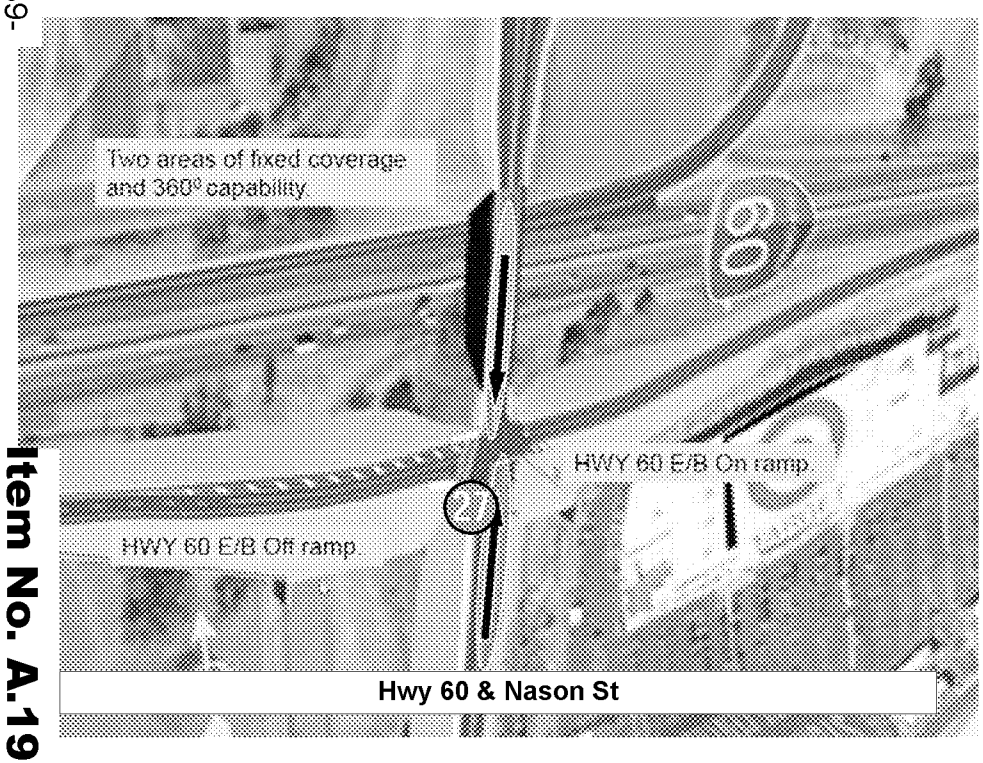

Hwy 60 & Nason St

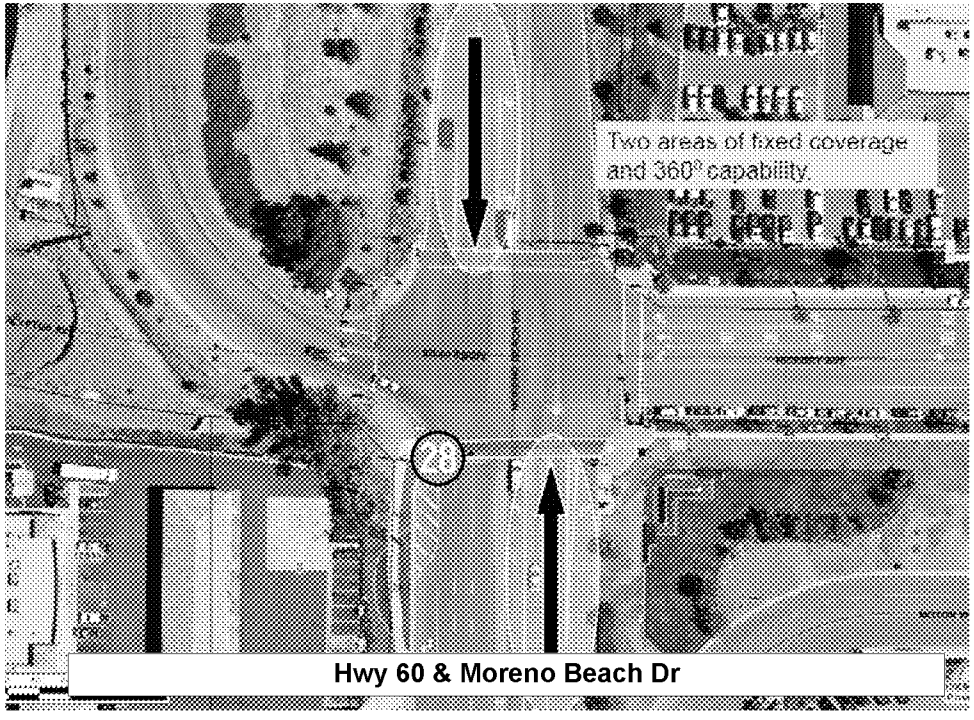

Hwy 60 & Moreno Beach Dr

Item No. A.19

Ironwood Ave & Redlands Blvd

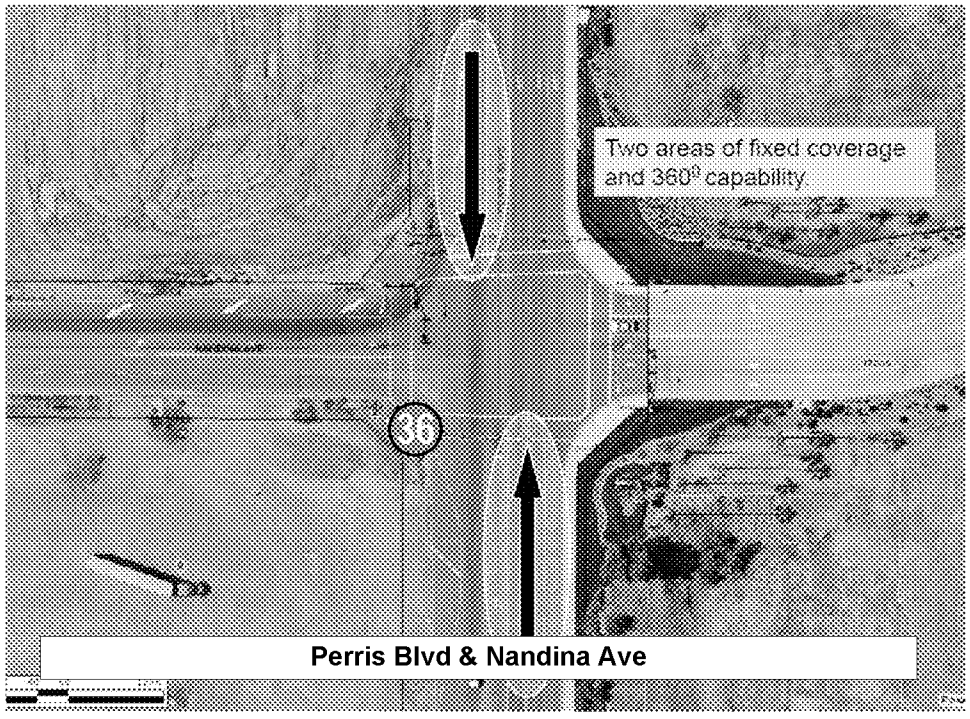

Perris Blvd & Nandina Ave

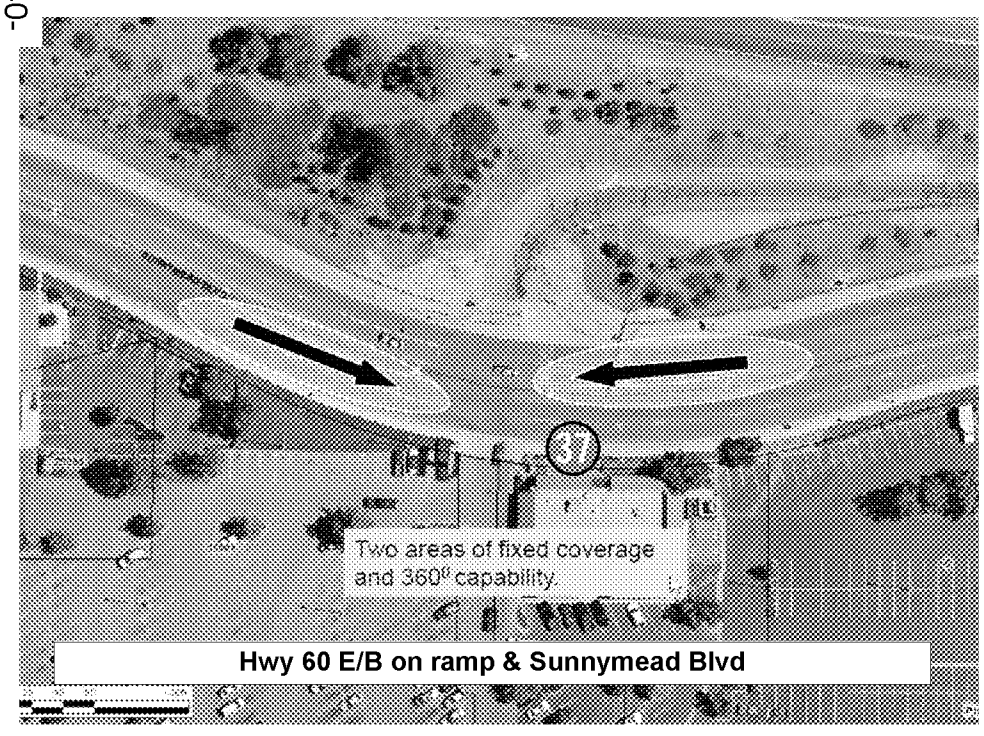

Hwy 60 E/B on ramp & Sunnymead Blvd

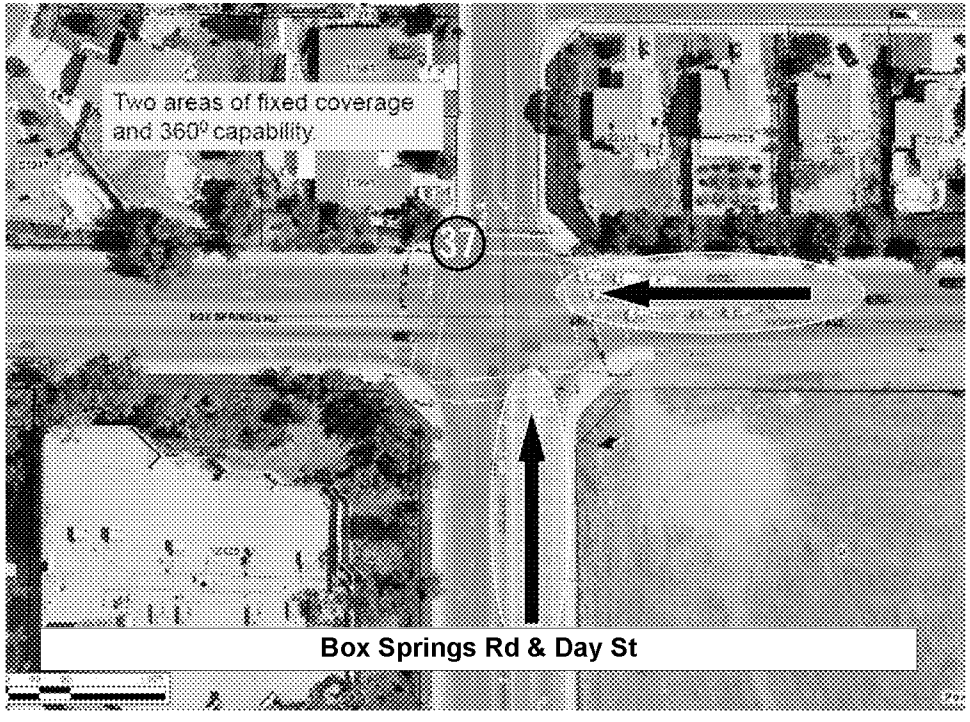

Box Springs Rd & Day St

MV00175246

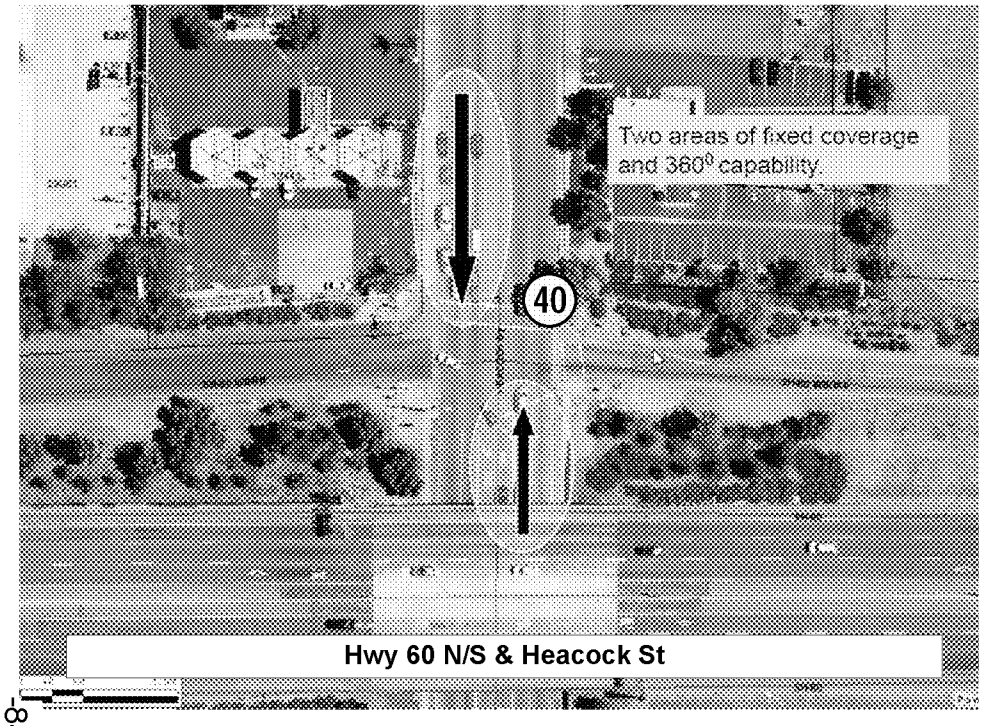

Hwy 60 N/S & Heacock St

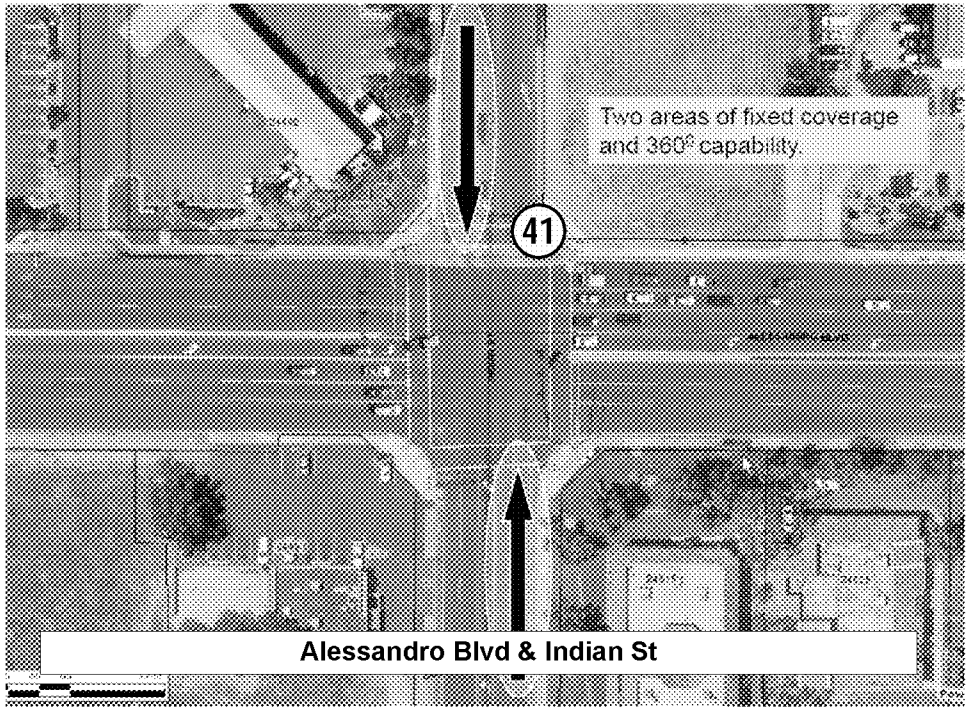

Alessandro Blvd & Indian St

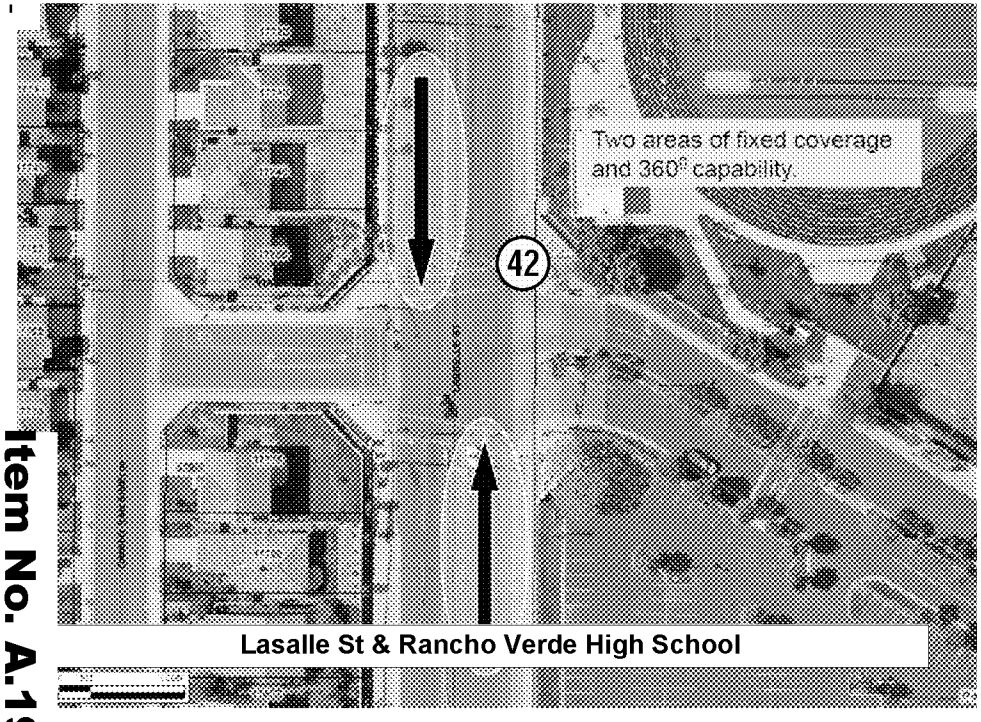

Lasalle St & Rancho Verde High School

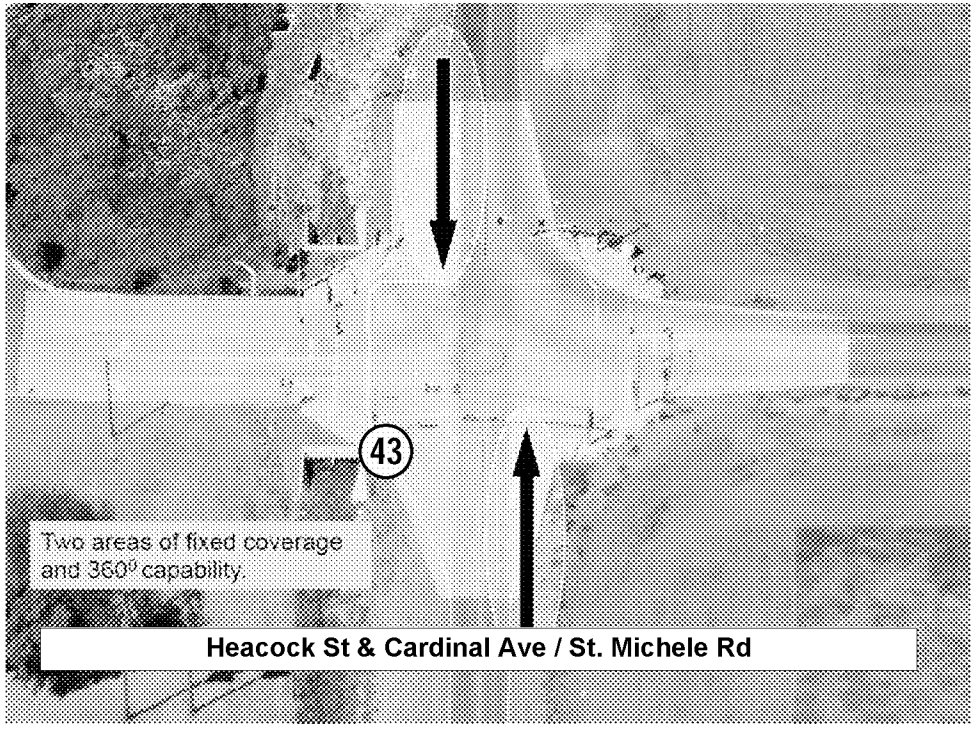

Heacock St & Cardinal Ave / St. Michele Rd

MV00175247

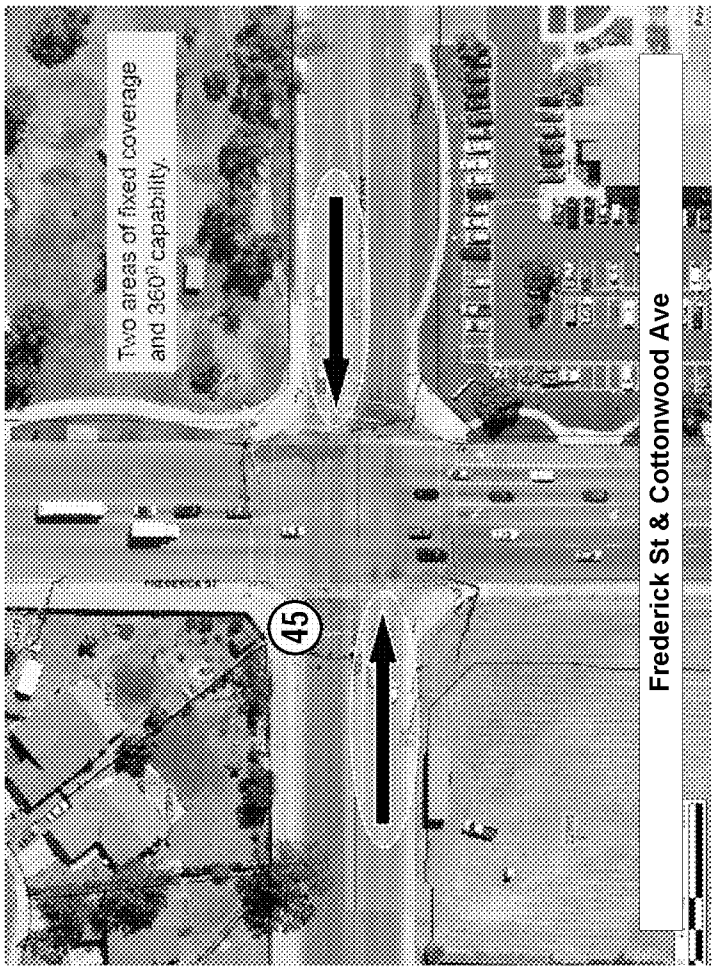
Two areas of fixed coverage
and 360° capability
45
Frederick St & Cottonwood Ave

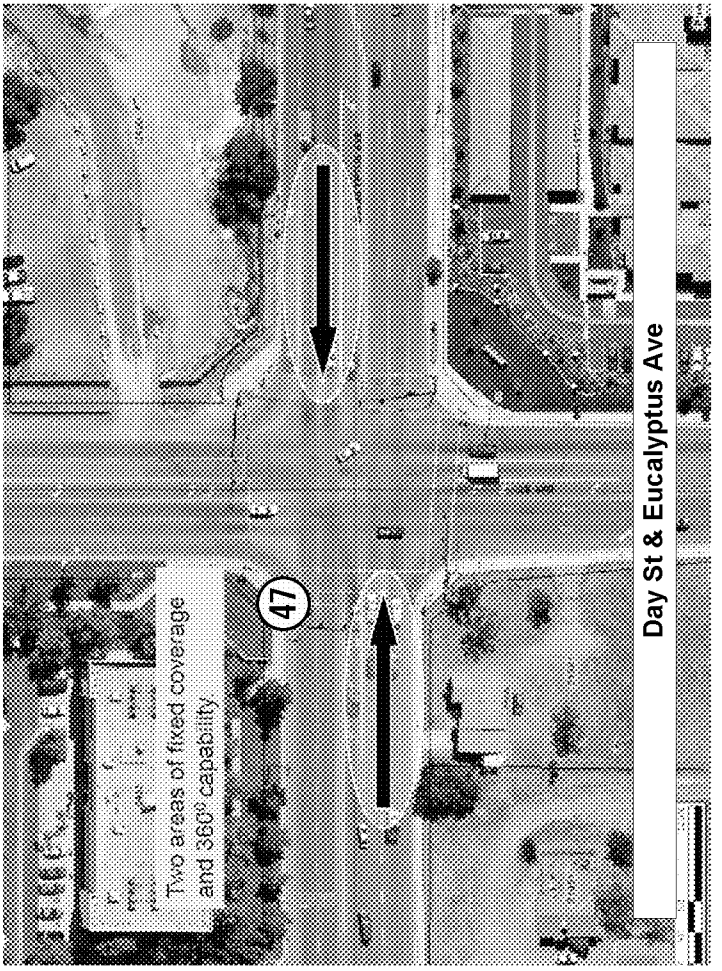
Two areas of fixed coverage
and 360° capability
47
Day St & Eucalyptus Ave

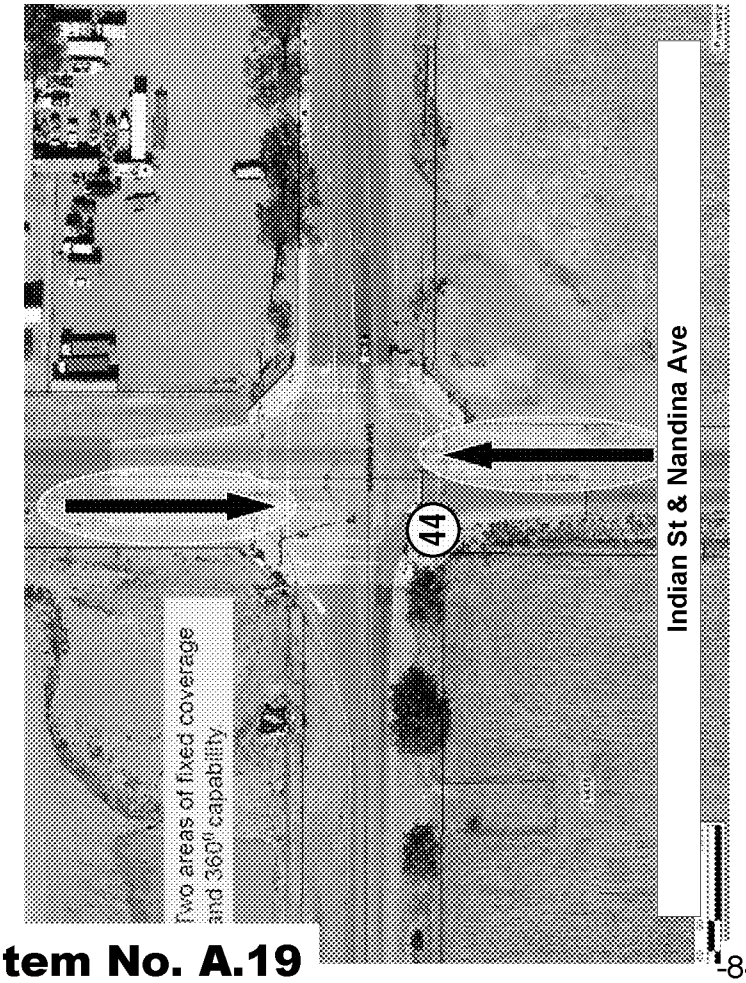
Two areas of fixed coverage
and 360° capability
44
Indian St & Nandina Ave

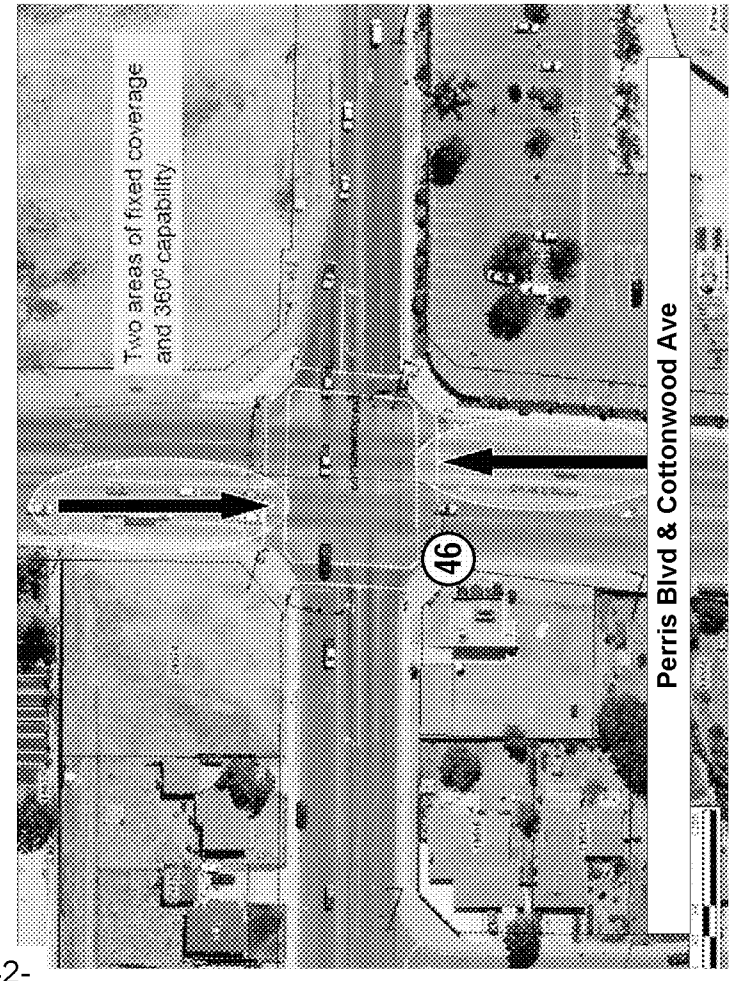
Two areas of fixed coverage
and 360° capability
46
Perris Blvd & Cottonwood Ave

Item No. A.19

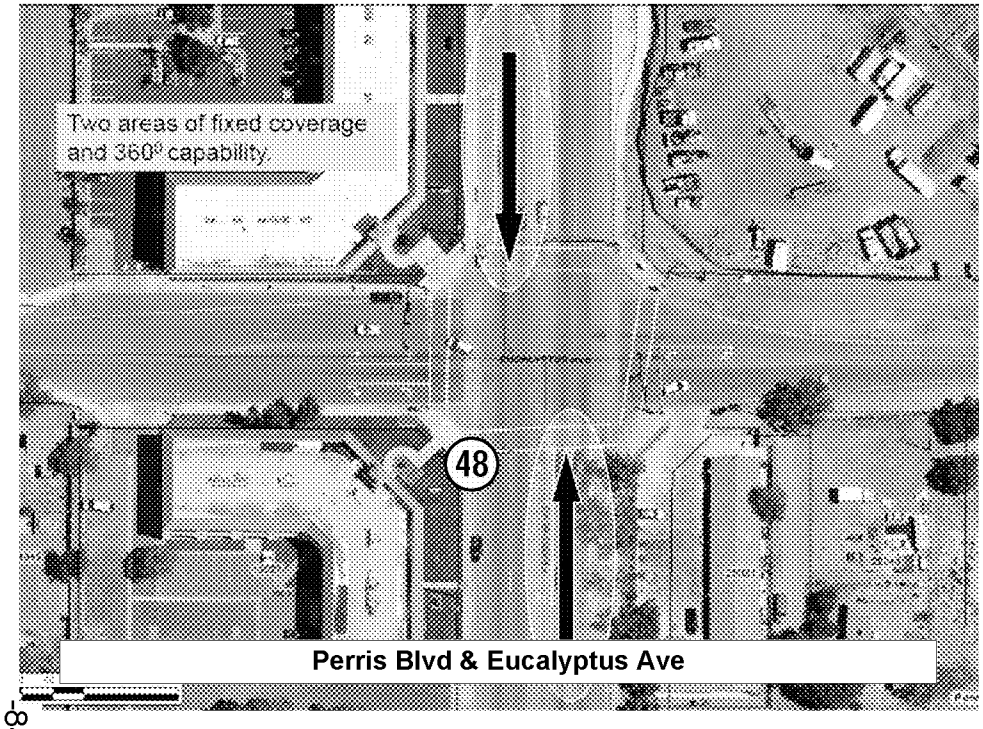

Perris Blvd & Eucalyptus Ave

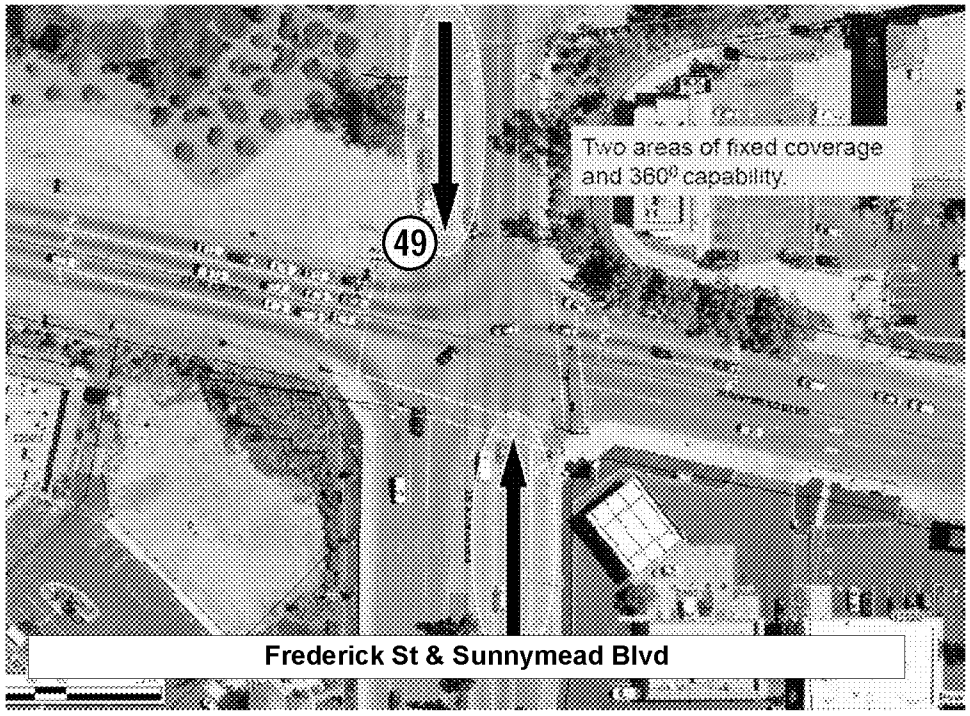

Frederick St & Sunnymead Blvd

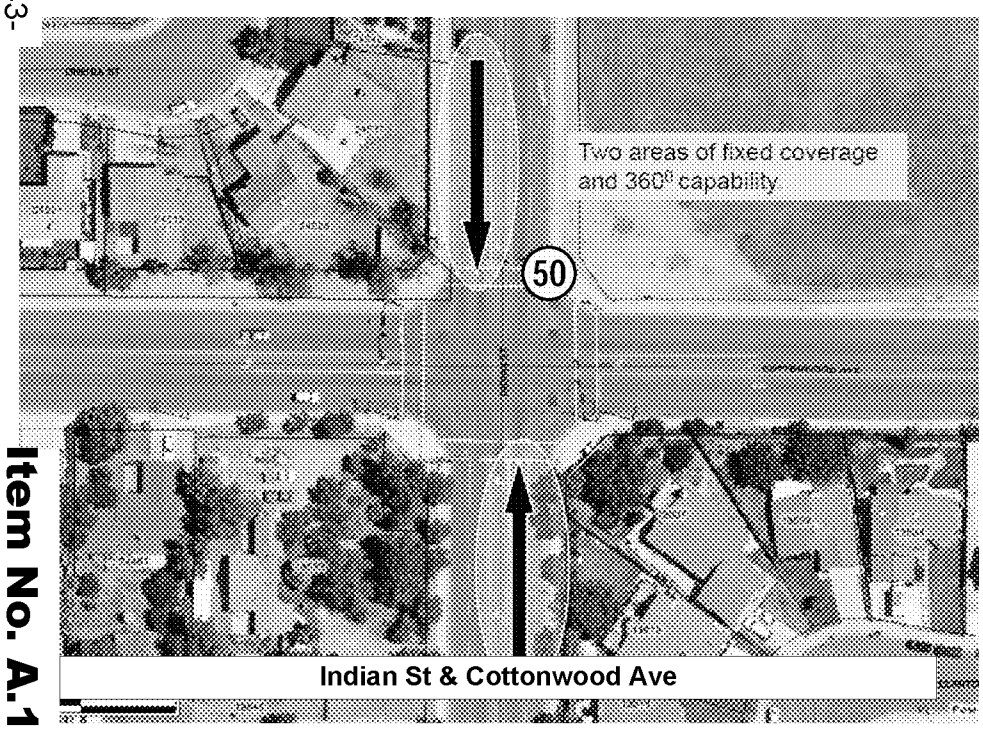

Indian St & Cottonwood Ave

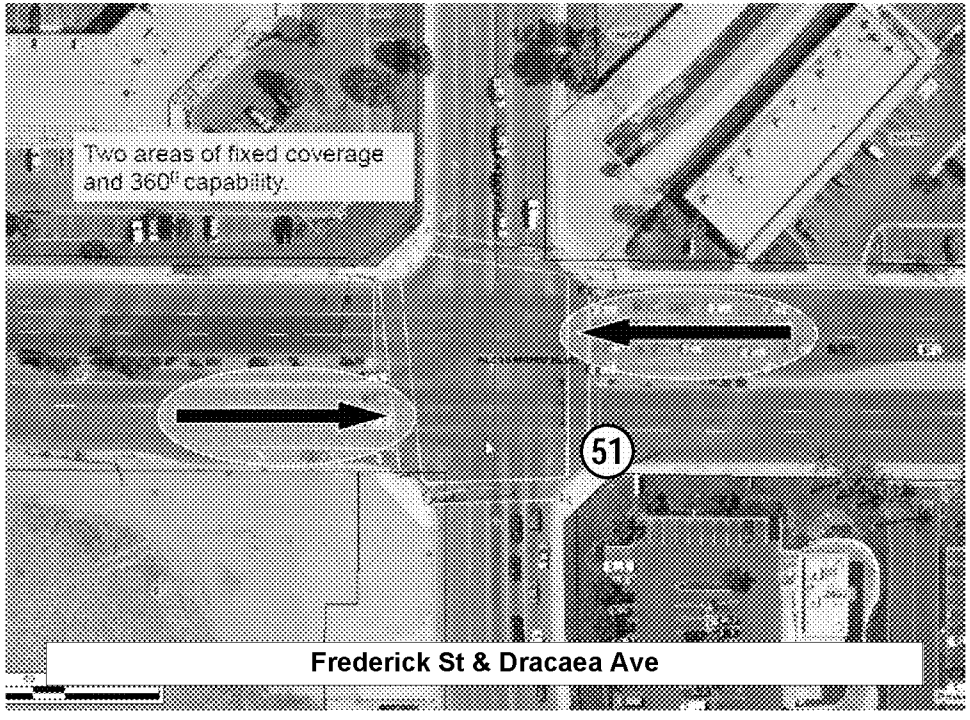

Frederick St & Dracaea Ave

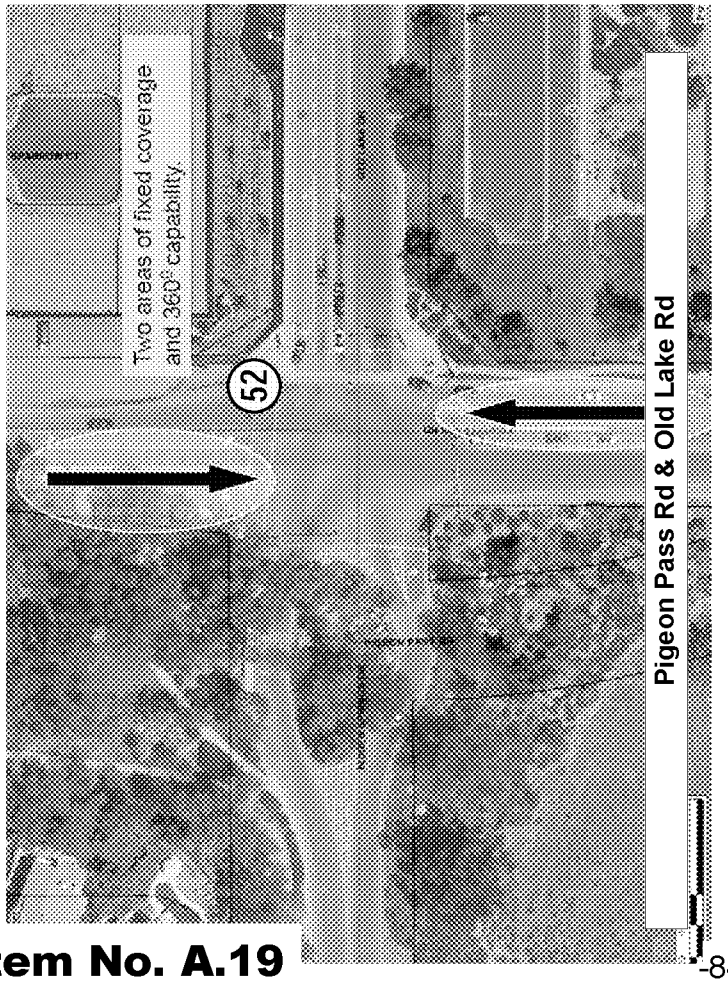
Two areas of fixed coverage
and 360° capability
52
Pigeon Pass Rd & Old Lake Rd

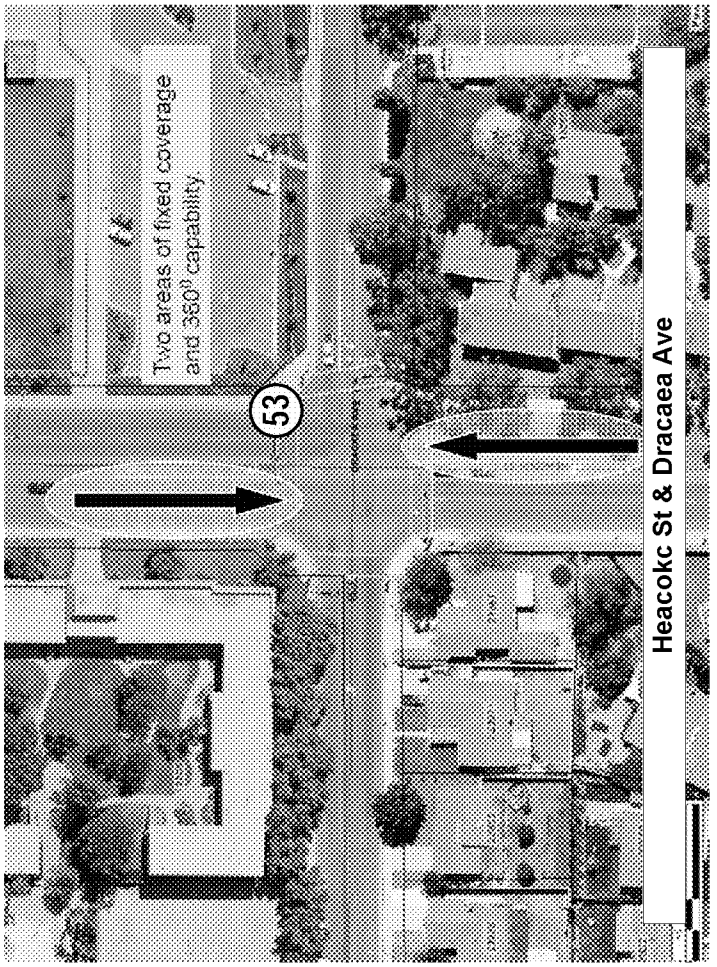
Two areas of fixed coverage
and 360° capability
53
Heacokc St & Dracaea Ave

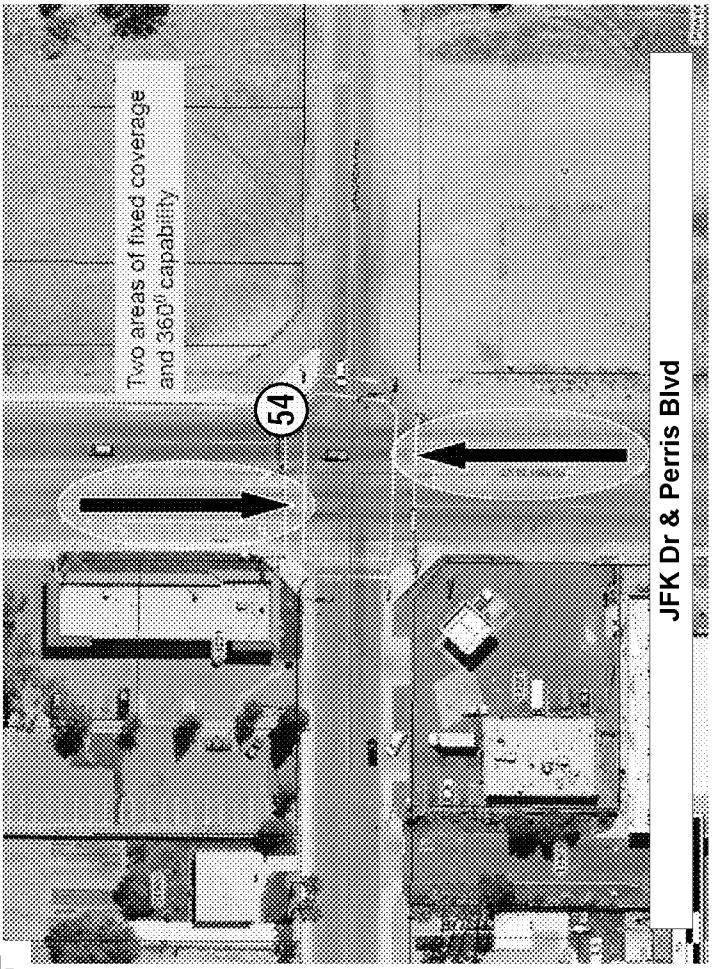
Two areas of fixed coverage
and 360° capability
54
JFK Dr & Perris Blvd

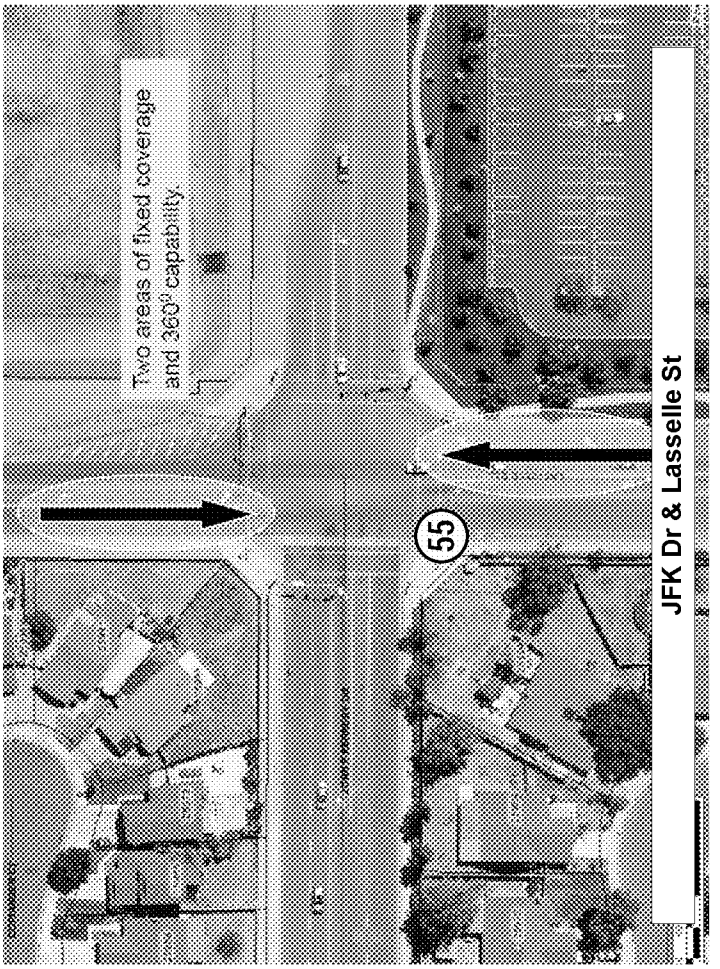
Two areas of fixed coverage
and 360° capability
55
JFK Dr & Lasselle St

Item No. A.19

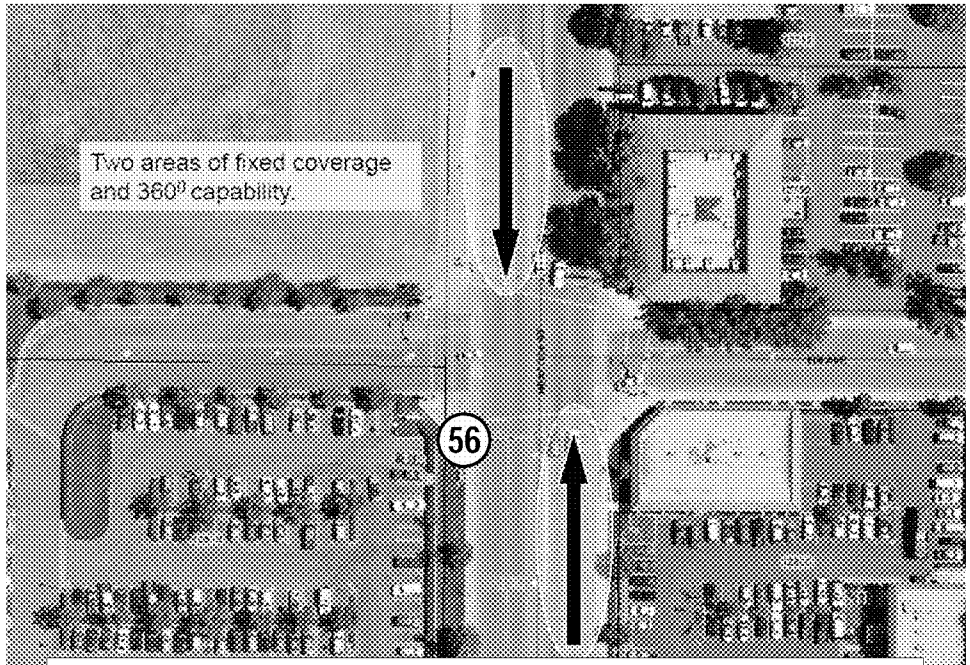

Heacock St & Fir Ave

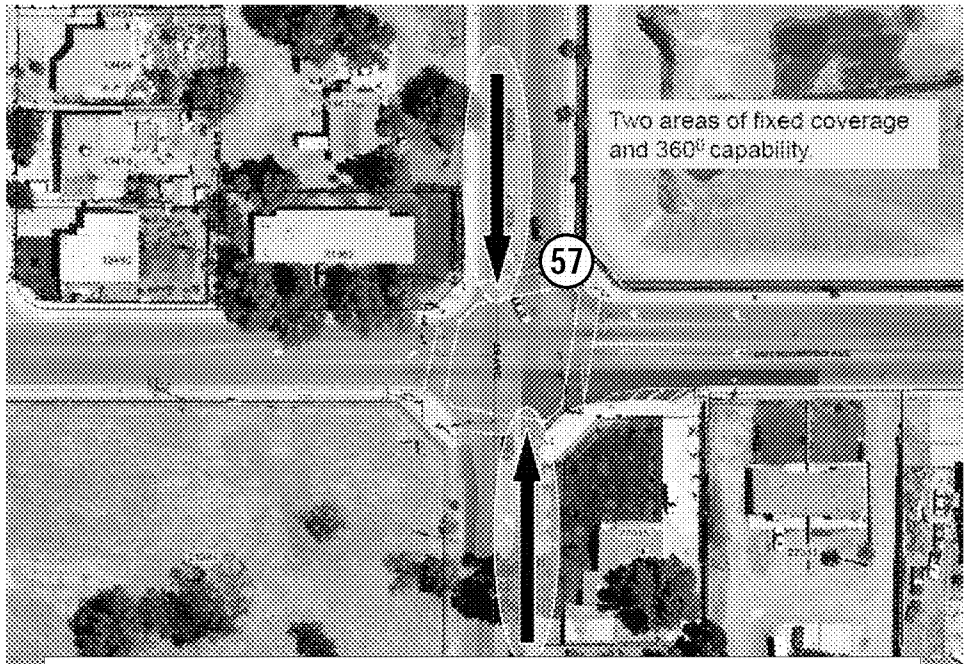

Day St & Cottonwood Ave

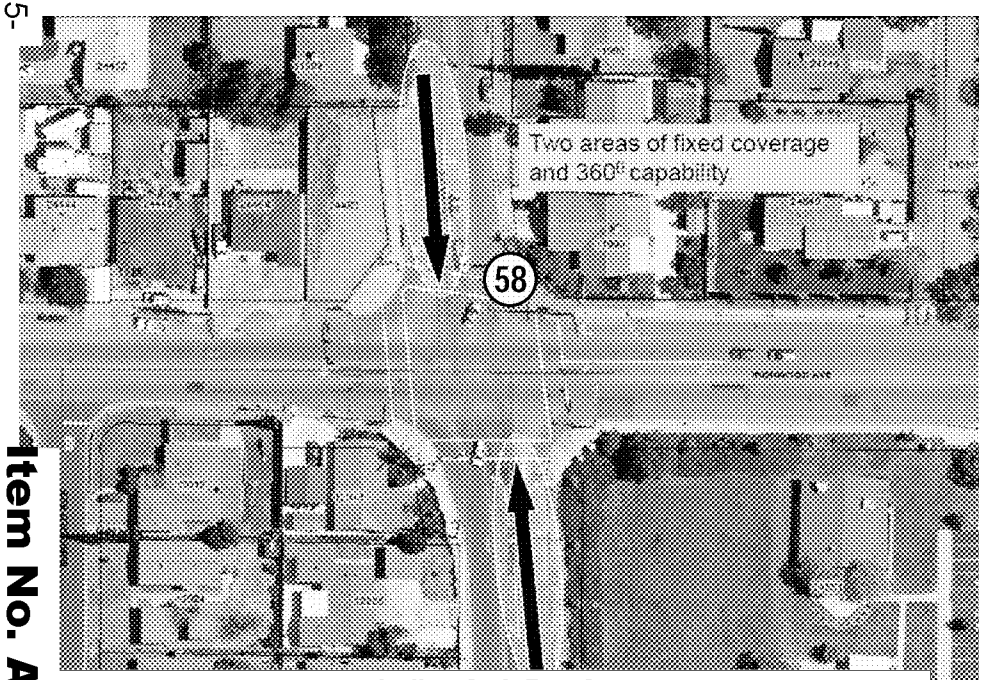

Indian St & Bay St

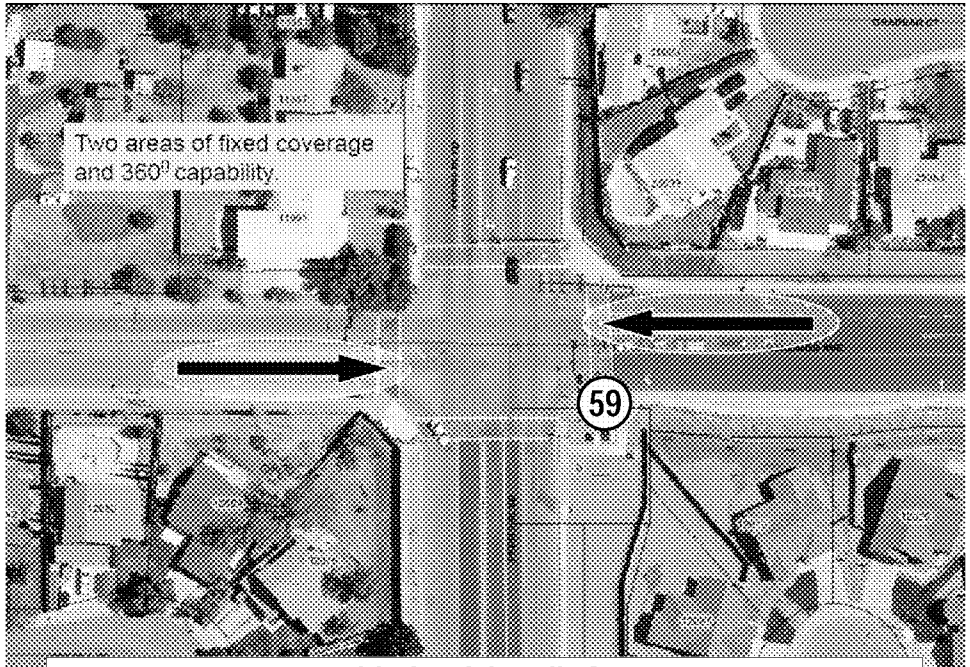

Iris Ave & Lasalle St

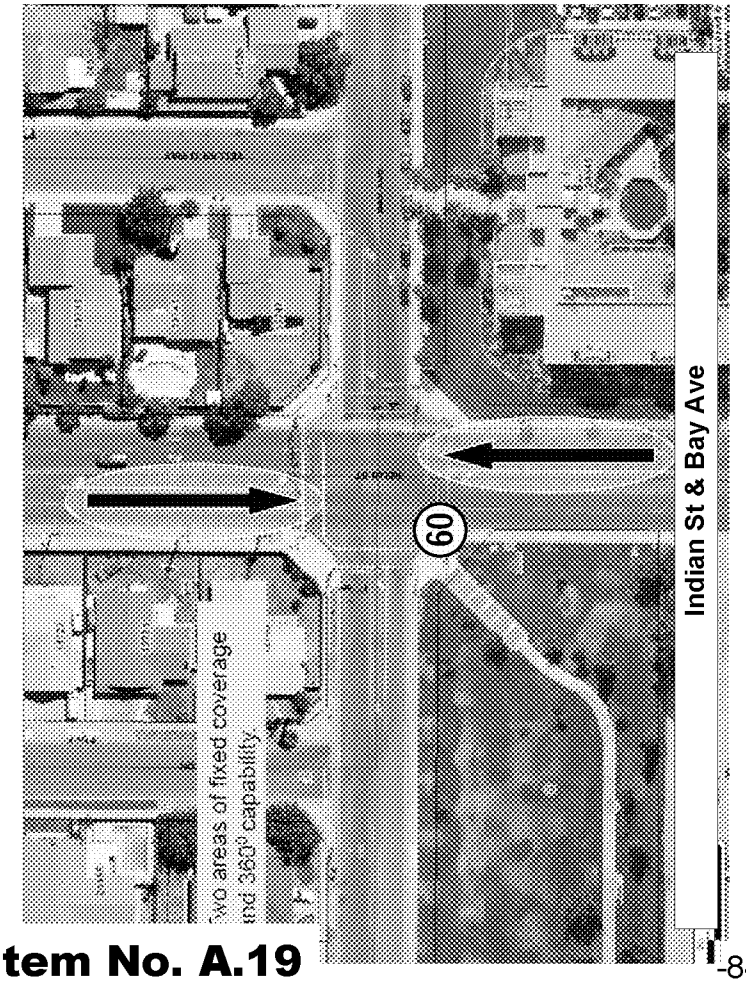

Indian St & Bay Ave

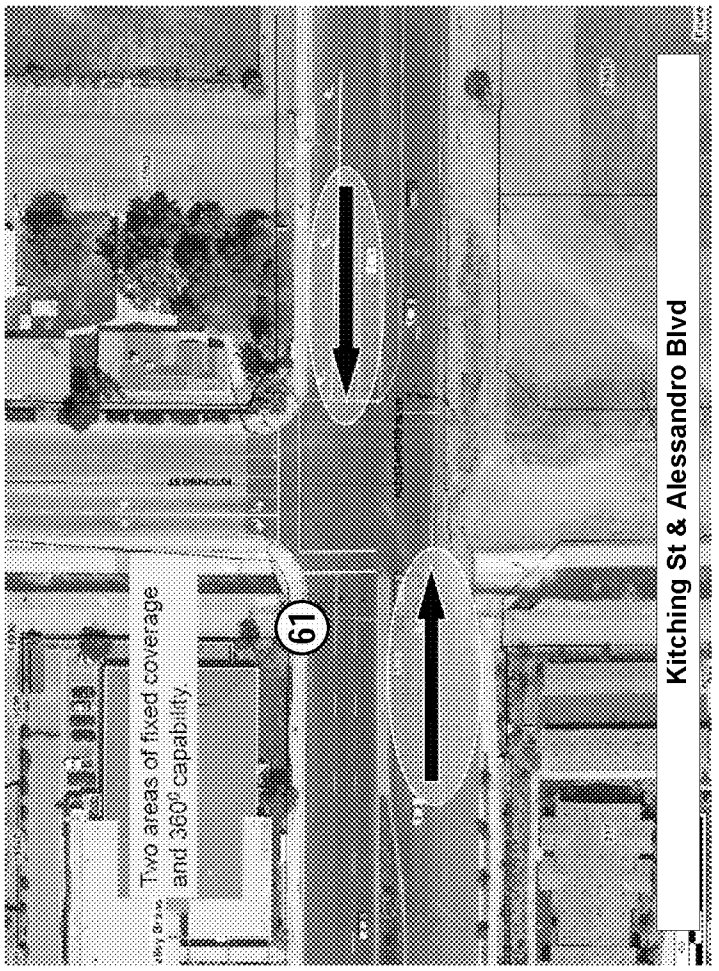

Kitching St & Alessandro Blvd

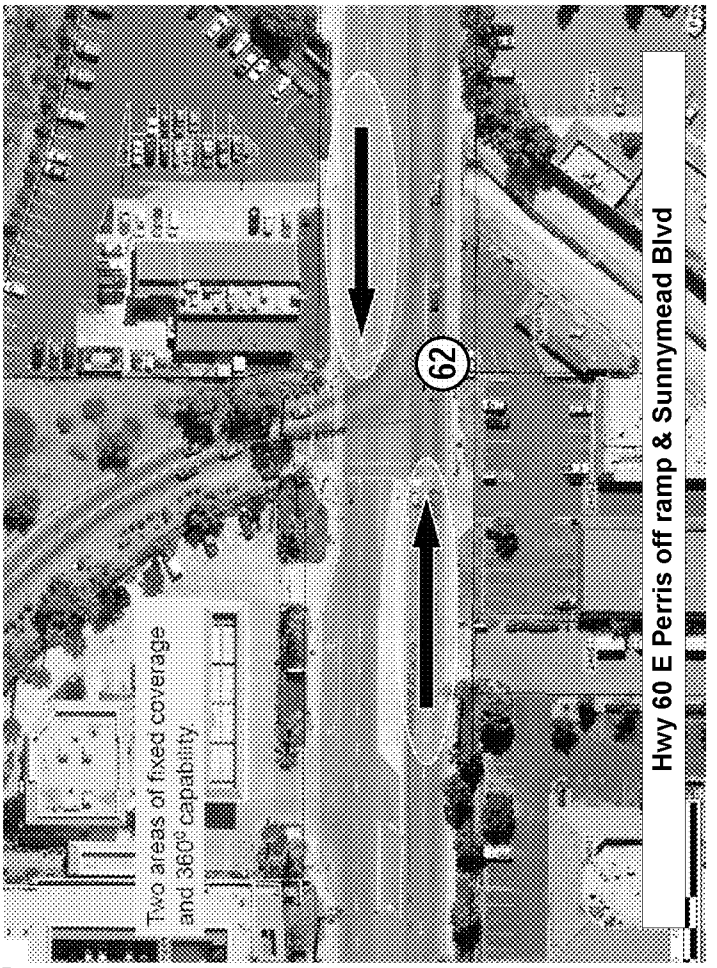

Hwy 60 E Perris off ramp & Sunnymead Blvd

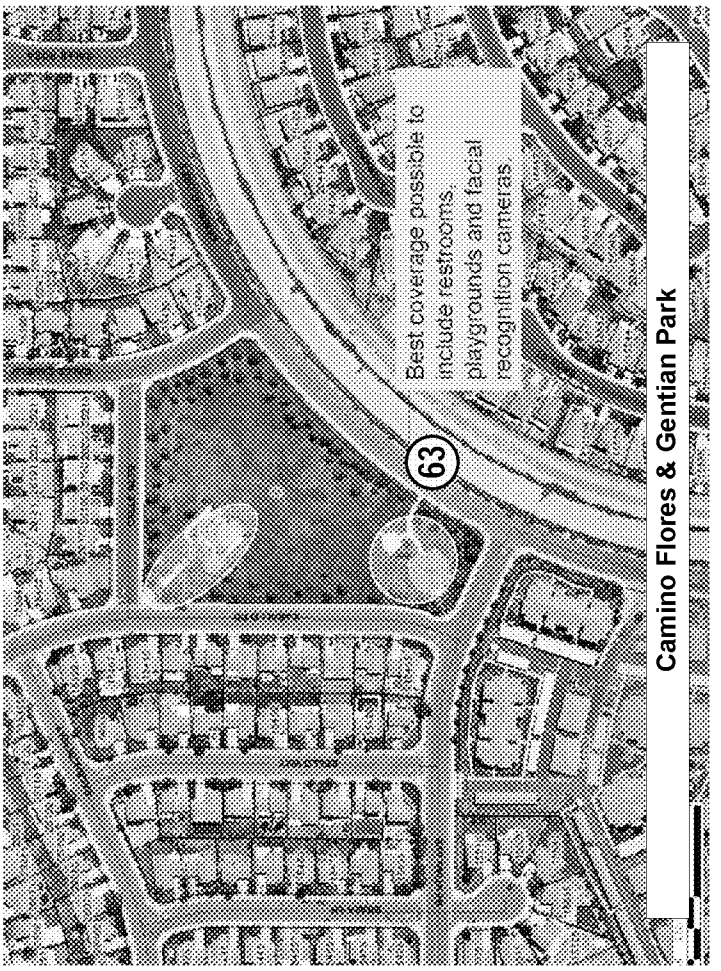

Camino Flores & Gentian Park

Item No. A.19

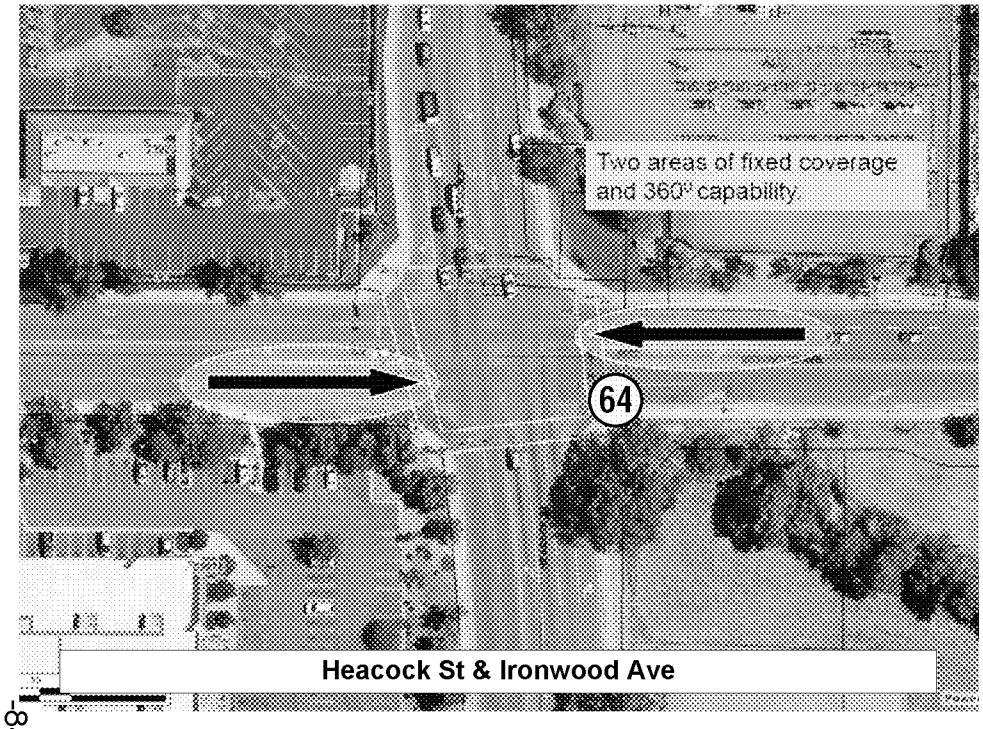

Heacock St & Ironwood Ave

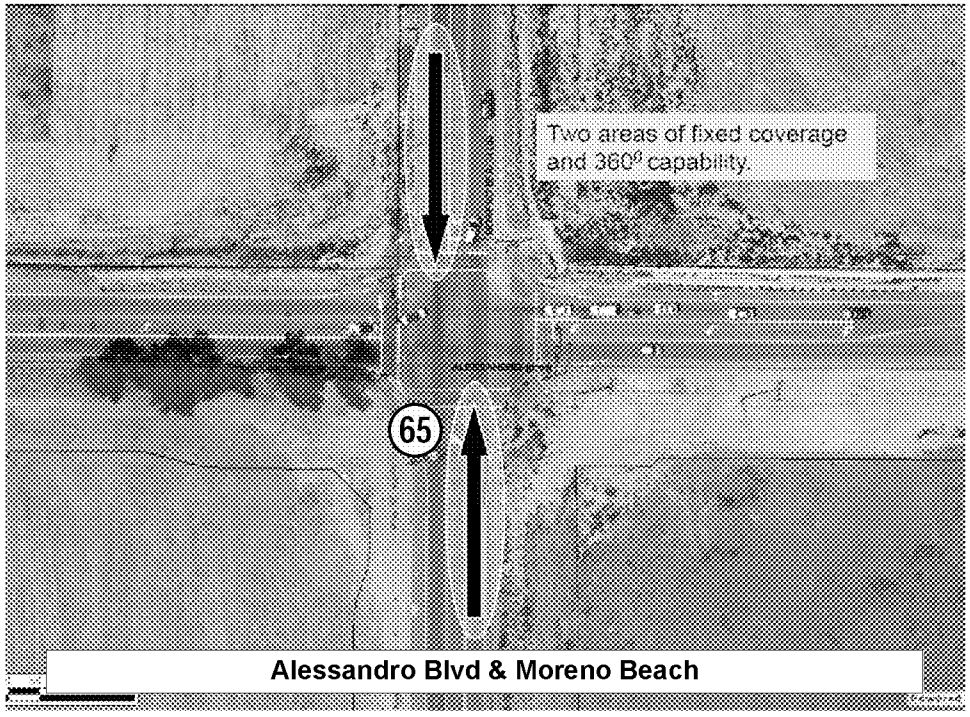

Alessandro Blvd & Moreno Beach

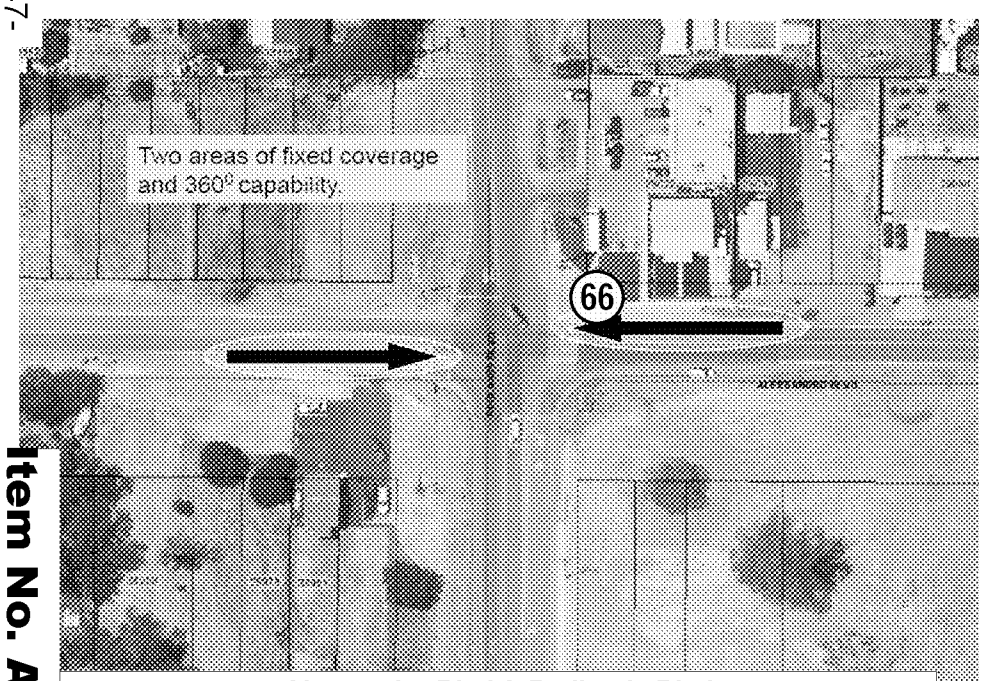

Alessandro Blvd & Redlands Blvd

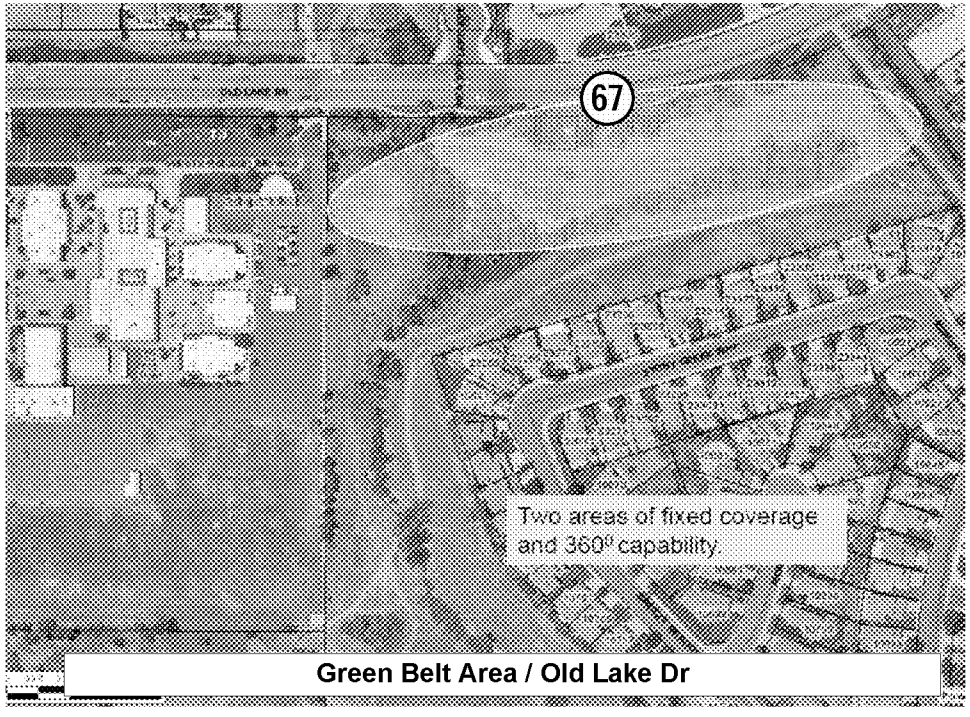

Green Belt Area / Old Lake Dr

MV00175253

Appendix C. Park Camera Locations

West Bluff Park

Item No. A.19

MV00175255

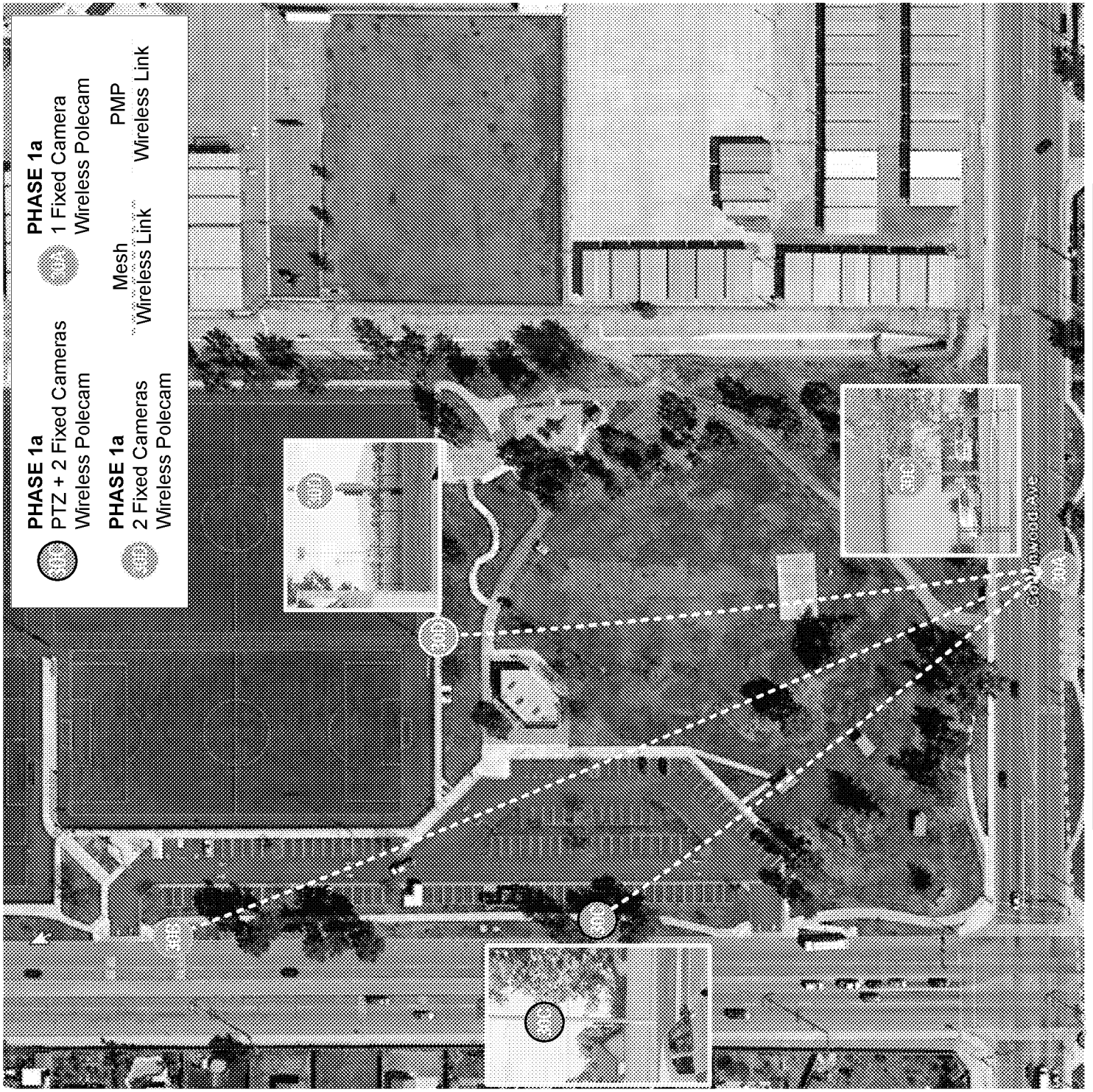

Moreno Valley Community Park

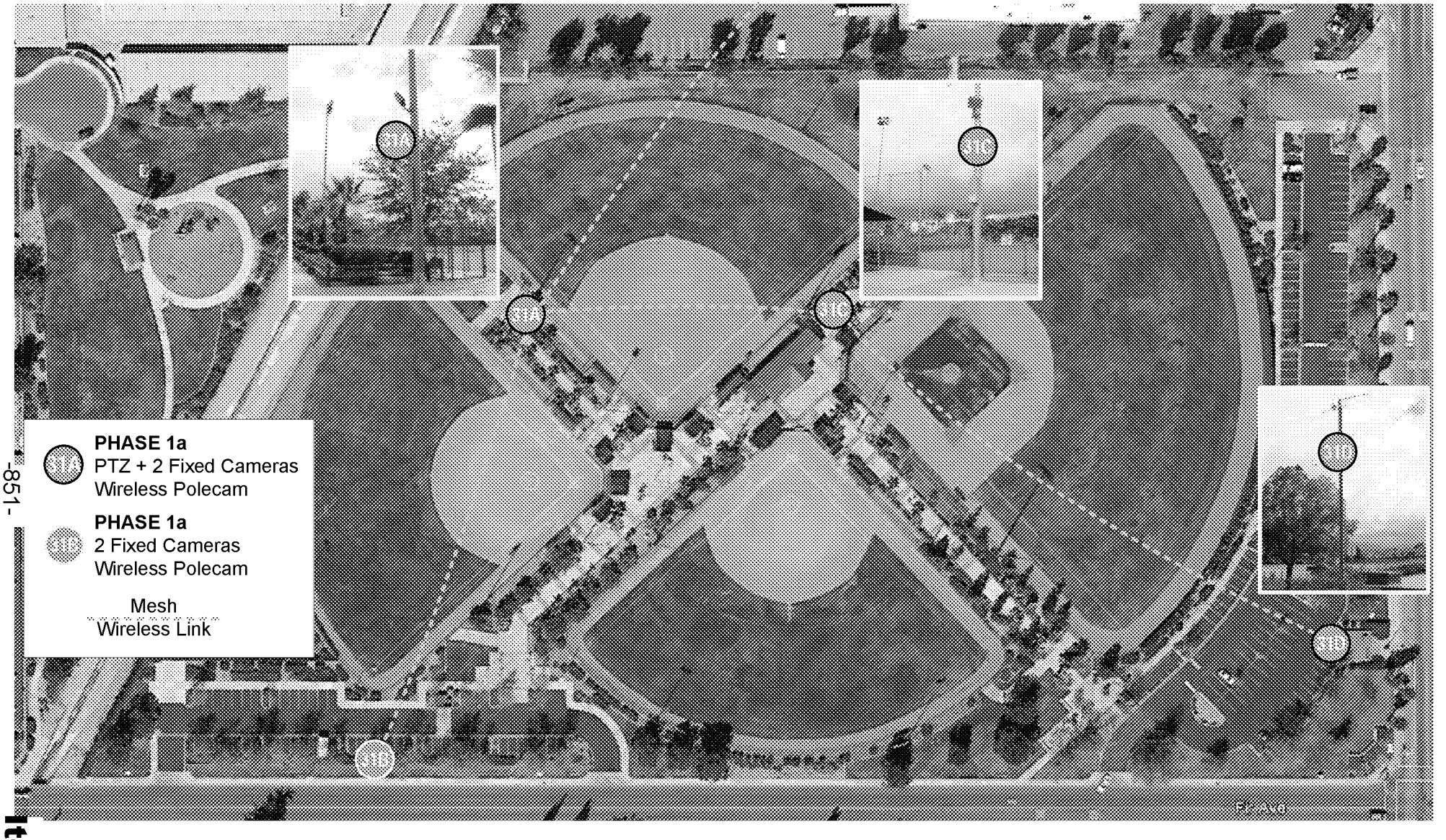

Sunnymead Park

Item No. A.19

MV00175257

Woodland Park

MV00175258

Pedrorena Park

Item No. A.19

Victoriano Park

MV00175260

Towngate Memorial Park

Item No. A.19

GENERAL QUESTIONS:

Thank you for the thought and all the work that went into your proposal.

We are purchasing the CPUs and monitors for the monitoring room inside the police department. What are the specifications needed for the CPUs? How many CPUs will be needed to handle the six monitors per workspace? What is the cabling need from the CPU in the monitoring room to the IT closet?

We are also purchasing the equipment for the viewing room off of the lobby. Will a separate CPU be needed or can we run a cable from a monitor in the monitoring room to the community room? What type of cabling will your camera need for this room (i.e. cat5, cat6, rg59, rg6)?

Lights are not provided all night in the parks. How will this affect your camera solution?

One of the desired functions of the VMS was an audit log to track users logged into the camera system and be able to know what cameras were viewed and who downloaded what video feeds. Please state if your solution will accomplish this.

Explore the availability and use of fiber at the schools (Sunesys fiber).

Please address your on-going maintenance costs and software costs on a yearly basis. Be sure to include two camera cleanings per year as requested in the RFP.

The RFP stated that Cal ID uses DataWorks software for facial recognition. If DataWorks is not your solution please list where you currently have facial recognition software running through the Cal ID system.

Will your project manager be on site or remote only? If they are remote, will you have someone on-sight that can make decisions without checking in with a real decision maker?

At your interview, you will need to provide proof of concept and the viability of your wireless and storage solutions. This will include recent (within a year) video that demonstrates your camera capabilities, VMS and analytics. Please show how

your VMS is user-friendly. The proof of concept must be relevant to our desire that is expressed in the RFP.

How do you purpose to integrate with the County's Tiburon CAD system?

We need a very detailed cost breakdown. The reason for this was to help us determine if we wanted to keep a location or forgo a location based on our needs. This means breaking down the cost by the following:

- Intersections (list of main equipment items) including overall cost
- Parks (list of main equipment) and overall cost
- Storage solution (wherever and however your solution works, include a list of the main equipment and the size of the storage) and cost
- Wireless solution (list the main equipment including model numbers)
- Analytics
- Integration (Whether PD or 3rd party)
- Maintenance
- Staff hours
- Bond or withhold a portion of payment

The above list is not all inclusive and is only meant to aid you in breaking down the cost. This list was provided to all vendors so you may have answered some of these questions in the original RFP.

Please explain how your solution and company should be chosen for this project over the other finalists. The four finalists are listed below with their VMS, recording, wireless, and camera solutions.

Avrio

ONSSI Ocularis, Pivot 3, FluidMesh, Redline, Bridgewave, Axis cameras

CelPlan

Genetec, Dell Server, Radwin and Cellular, Axis cameras

Leverage

Leverage VMS, Leverage LSN radio and storage on edge, Bridgewave and LSN, Indigovision, Pelco, Sony, Axis, Bosch, IQinvision

Pechanga

Ipconfigure, EMC Isilon, Ubiquity, Axis cameras

AVRIO

Please address your solution to record the existing 48 PD cameras and maintain the video for one year. What will the storage needs be and what will it look like.

Explain possible plan for future expansion of edge storage.

Discuss why a D1 (720 x 480) camera resolution. What if we want a higher resolution? How will that effect storage and bandwidth requirements?

Are you confident in FluidMesh integrated antennas, not external, as adequate for the project?

You state one of FluidMesh's radio key features of 100 Mbps via s/w plug-in (p.15). Please explain the purpose of plug-in and requirements to operate at 100 Mbps.

Discuss use of Box Springs as core wireless site and alternatives not on Box Springs that will cover the north valley.

Please provide the specifications for the equipment you wish to place on Box Springs Mountain. How many antennas will you need placed there and what size. Do you need floor space or rack space and how much? Discuss and explain the role of Avrio Sensor Scene as a middleware to CAD integration.

Explain your storage selection of Pivot 3. What makes Pivot 3 the best solution? Is it supported in a Windows Server 2008, not 2003, environment.

Address maintenance and support issues at the Fresno County Sheriff's Office.

Who will provide the four hour response for initial repair issues?

Address one-way communications with the parks. We want to be able to be heard on a speaker at the parks, but not to hear or record the conversations at the parks.

Moreno Valley Citywide Camera Surveillance System

Avrio RMS Group Presentation – May 30, 2012

Avrio RMS Group Solutions

- Wide area wireless video surveillance systems
- Command and Control (C2) video walls and command workstations
- Interoperability and integration software applications including analytics, computer aided dispatch, gunshot detection and other public safety related systems

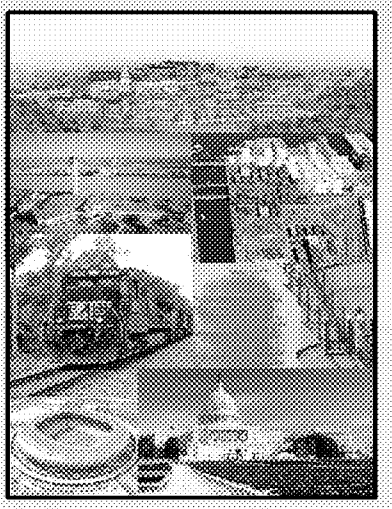

Why Avrio RMS Group

100% Focused on Public Safety Solutions for Municipalities and Government Agencies

- Focused exclusively on Municipal and Federal Government wide area and IP surveillance solutions
- Our depth and breadth of experience in the Public Safety market
- Broad integration experience specifically around IP-Surveillance platforms and analog and/or proprietary camera systems integration
- Highly skilled wireless engineers as well as software engineers ensures total solution works as promised

Proven Performance

Proven Success

- **Chicago**: Largest camera integration project in the Country, 2003 – present.
- 1,200+ cameras connected using mesh, wireless point to point, copper and cellular, over 200+ mi^2
- Thousands of legacy cameras from schools, banks and private businesses integrated within the new network
- Internationally acclaimed, studies have shown a $4.29 savings for The City for every $1 invested*

- **Denver:** Designed and deployed a 75 camera system across the City ahead of the Democratic National Convention in August of 2008.
  - Accommodated venue change with less than 2 weeks notice
- Flexible and scalable design has enabled the City to grow to 200+ cameras since '08
- DPD has shown a 50% reduction in time/cost spent investigating and prosecuting crimes with video evidence.**

- **St. Paul**: Concurrent with '08 DNC in Denver, we built a similar system in St. Paul, presently still expanding.
- Developed custom web application to allow 500 agents from 30 different agencies to simultaneously view any public/private cameras in area.
- Deployed cutting edge wireless mobility network to allow live viewing of dash-mounted cams in squad cars as they move throughout the city.

- **Buffalo**: 100% wireless video network across city supporting over 200 cameras currently
- System elegantly scaled from 30 cameras to 200+ while maximizing equipment utility. (Zero equipment loss)
- Built complete Command & Control room
- Video system integrated with CAD for automatic camera selection and positioning of 911 events.
- Video Analytics for exception based monitoring

**http://www.urban.org/url.cfm?ID=412403

**http://www.public-safety-tech-academy.com/video/funding/funding-grants/

Proven Experience

City of Pittsburgh, PA

- Over 250 Cameras integrated into IP-Surveillance head-end and command and control. Included conversion of analog cameras from PennDOT

Minnesota Department Of Transportation

- Wireless system allowing for the collection and live monitoring of video from moving vehicles

FBI

- National License Plate Recognition system

Department of Homeland Security

- Wireless camera systems on the Northern and Southern borders as well as the integration of disparate systems including ground sensors

Cayman Islands

- Territory-wide wireless video surveillance system across the Cayman Islands

The Solution

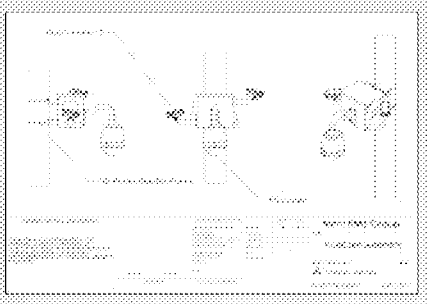

- Hybrid Wired/Wireless Approach
- Proven PODSS with multiple configuration options (77 ~ 215 Cameras)
- High performance Cameras from Axis
- Bridgewave and Redline for Core Backhaul links, Fluidmesh for street level wireless camera clusters
- ONSSI Ocularis head-end and 30 days of minimum storage using Pivot3 RAID 6E servers
- A Proven Approach!

The PODSS

Field Proven Portable Outdoor Digital Surveillance System (PODSS)

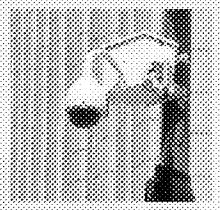

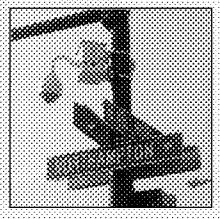

- Cast aluminum enclosure – (PoleCam)
- Installed in dozens of Cities with extreme heat (Phoenix, AZ), humidity (Charleston, SC) and cold weather (Buffalo, NY) conditions
- NEMA 4 Rated
- Surge suppression, dual power supplies, exhaust fan, steel banding
- Multiple configuration options including PTZ w/ dual fixed cameras
- Can house on-board computer, additional radio's e.g., WiFi or 4G LTE, gunshot detection sensors and LPR cameras

PODSS (Continued)

Field Proven Portable Outdoor Digital Surveillance System (PODSS)

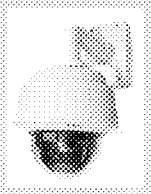

- Axis Q6032-E, 35X optical zoom, 4CIF Resolution
- Tremendous low light capability
- Fast pan/tilt response times
- Proven, field tested, great for patrols
- Can exchange for any camera

- 5 Megapixel (MP) HD Camera 1080p
- 3.5-10 mm day/night varifocal lens
- H.264 encoding
- Two way, full duplex audio support

Wireless Approach

- Carrier Class Backhauls
- Micro-Meshes with unlimited scalability
- Point-to-Multi-point options
- Fiber for improved reliability
- High Quality, Fluid Video
- Quality of Service support for Wi-Fi options

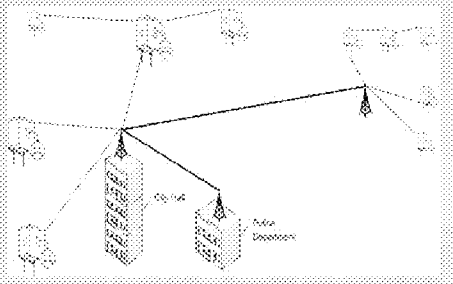

Software Overview

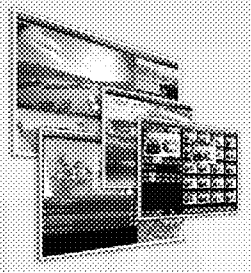

- ONSSI Ocularis with NetEVS recording for 216 cameras
- Open Architecture, Non-Proprietary Video-Centric PSIM (Physical Security Information Management) for Large Enterprise
- Scalable Functionality; NVR to PSIM
- Multiple Recording Platforms and Video Clients
- Universal Camera and Hardware Support
- Modular, Optional Functionality
- Best-of-Breed Solution Integration
- Advanced Human Engineering; Intuitive Functionality

Overview of Training

Full training program for up to 25 City employees and contractors

- Avrio RMS Group will provide all materials custom tailored to DPD's specific solution
- All hardware and software will be covered in the training program
- Administrative training is included and will be in a "train the trainer" format
- Will use certified trainers or instructors for all courses
- Included in price is two (2) classes, each a full day and an additional one (1) day for administrator training

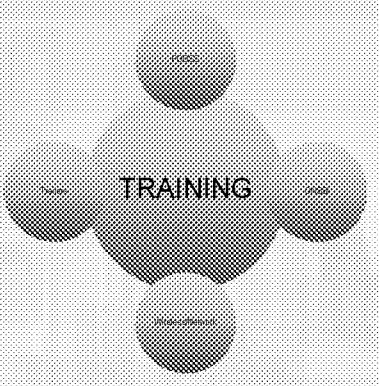

Project Plan

Project Plan			
Milestone Description	**Duration**	**Start**	**End**
Proposal Awarded – June 12th or 26th	1		
Milestone #1 - Detail Design & Signoff / Order / Begin PoleCam Production	20	7/2/2012	7/30/2012
Milestone #2 – Monopole, rooftops, tower equipment installations	30	7/30/2012	8/31/2012
Milestone #2 - Installation and Integration of Wired Infrastructure and Head End Equipment	20	9/3/2012	9/28/2012
Milestone #3 - Installation of PoleCams, Wireless Infrastructure and VMS Server	50	9/17/2012	11/16/2012
Milestone #4 - System Testing and Training	5	11/19/2012	11/23/2012
Milestone #5 - Post Installation Documentation /Moreno Valley Project Signoff	5	11/26/2012	11/30/2012

Support and Maintenance Plan

World-Class Support Built Specifically For These Solutions

- 24x7x365 help desk/remote support
- Guaranteed response times/SLAs
- Field level support
- Sparing solution (complete PODSS, major components, cameras, etc)
- All firmware, patches, software updates included
- Extended Warranty
- Staffed by certified engineers

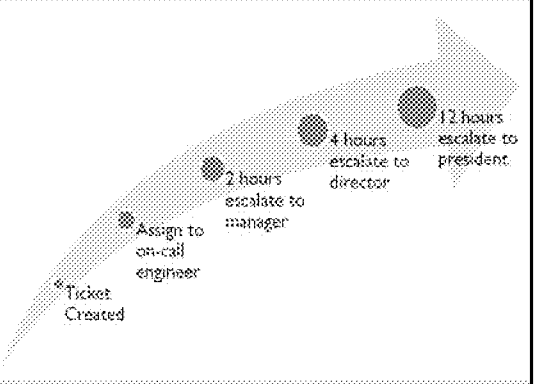

Pricing Structure

Qty	Description	Mfg/PN	Core	North	South	East	West	NorthCtr	SouthEast	Center	WestCtr	Portable									Price	Ext Price
	Connectivity Hardware																					
150	MultiMesh Node	Pulsemesh/PM1000M-NW		22	30	1	5	22	22	10	13	5	1	1	1	2	1	1	1	1	$[illegible]	$[illegible]
38	MultiMesh License	Pulsemesh/PM1000M-30		10	10	3	5	18	17	10	5	1	1	1	1	1	1	1	1	1	$[illegible]	$[illegible]
27	MultiMesh License	Pulsemesh/PM1000M-40		7		2	2	15	4	3											$[illegible]	$[illegible]
	Mounting Hardware and Installation Supplies	Avrio/Shop	4	17	17	11	24	49	32	34	30	6	2	9	21	1	2	3	3		$[illegible]	$[illegible]
1	Radios	Radios AN-80 radio, ant, pwr, Lacradio		1	1	1			1												$[illegible]	$[illegible]
1	Radios	Radios EDG-2000 bda, ants, pwr, Lacradio	1				1			1	1										$[illegible]	$[illegible]
1	Bridgeway	PacPort 2.1 gig 120x64 (Mbps w/2 ant	1																		$[illegible]	$[illegible]
1	Bridgeway	PacPort 2.1 gig 120x64 (Mbps w/2 ant	1																		$[illegible]	$[illegible]
1	Bridgeway	BWM	1																		$[illegible]	$[illegible]
1	Mongoose Kit	M2 Gear (Mongoose, tabs & attachments	1																		$[illegible]	$[illegible]
30	PZ7v2 HD Fixed Polecam	Avrio/Shop		3	3	3	3	27	3	10	4	1	1	1	1	1	1	1	1	1	$[illegible]	$[illegible]
2	HD Fixed Polecam	Avrio/Shop										1			1	1	1			1	$[illegible]	$[illegible]
3	HD Fixed Polecam	Avrio/Shop										1			1				1		$[illegible]	$[illegible]
5	Server	Hikvis 1278 CloudBank VM Appliance																			$[illegible]	$[illegible]
3	Onsite Setup	Onsite Installation	1																		$[illegible]	$[illegible]
20	Onsite Up	Onsite Hardware		15	15	3	12	51	24	10	12	3	3	6	15	5	3	4	7		$[illegible]	$[illegible]
3	Rack Server	Dell R730																			$[illegible]	$[illegible]
3	Fixed Indoor	Dell M3 16-R																			$[illegible]	$[illegible]
3	Switch 10G	ND 1210																			$[illegible]	$[illegible]
3	PC Tower	Dell T3500																			$[illegible]	$[illegible]
3	Switch 10G	Dell 10G																			$[illegible]	$[illegible]
3	Workstation	Dell																			$[illegible]	$[illegible]
3	Fiber Transceiver gear	Fiber to Ethernet			3	3	3		3	3											$[illegible]	$[illegible]
3	Ethernet Gear	Dell Power Connect 7C																			$[illegible]	$[illegible]
		Subtotals																				$1,202,940
	Connectivity Services																					
1	Web Supervisor	Avrio/PM-FIELD-10																			$[illegible]	$[illegible]
1	Wireless Engineering	Avrio/PM-FIELD-10																			$[illegible]	$[illegible]
1	Project Management	Avrio/PM-FIELD-10																			$[illegible]	$[illegible]
1	Training	Avrio/PM-FIELD-10																			$[illegible]	$[illegible]
10	Installation Support	Avrio/PM-FIELD-10	1	5	7	1	5	18	12	10	7	1	1	1	4	1	1	1	2	1	$[illegible]	$[illegible]
	Subcontractor Services																					
2	Poles Installation	Sawden Electric		1	1	1	1	17	1	17	1		1	1	1	1	1	1	1	1	$[illegible]	$[illegible]
2	New Poles Fab/MUNI	Sawden Electric											1	1	1	1	1				$[illegible]	$[illegible]
10	Radios Installation	Sawden Electric			2	1	1	1	1												$[illegible]	$[illegible]
1	Power Work	Sawden Electric	1																		$[illegible]	$[illegible]
1	Miscellaneous Work	Sawden Electric	1																		$[illegible]	$[illegible]
		Subtotals																				$365,365
		Subtotal (Equip + Servi																				$1,768,305

Thank You

QUESTION AND ANSWER

Question 1

- ***What are the specifications needed for the CPUs? How many CPUs will be needed to handle the six monitors per workspace? What is the cabling need from the CPU in the monitoring room to the IT closet?***
  - We recommend that two Workstations be used to power 6 monitors, our normal recommendation is 4 monitors per workstation with minimum 1GB Video Card. Cat 5e or Cat 6e would work for connecting the CPU box(s) to the IT Closet switch. We do recommend that the Switch have GIG Ports.
  - **Recommended Workstation Spec**
  - Intel Core Quad Core 3.0 GHz or better
  - ? 4 GB of RAM or better
  - ? 80 GB hard drive for OS and Security Center/Synergis applications
  - ? [QUAD]3D graphics card required w/ Direct3D support (1.5GB or better, x16)
  - ? 1600 x 1200 or higher screen resolution
  - ? 1000/GIG Ethernet Network Interface Card
  - ? 16x DVD+/- RW Drive1
  - ? Sound Card

Question 2

- ***Will a separate CPU be needed or can we run a cable from a monitor in the monitoring room to the community room? What type of cabling will your camera need for this room (i.e. cat5, cat6, rg59, rg6)?***
  - We recommended that a separate CPU workstation be purchased for this room. This will ensure that performance of the video is not compromised and that camera rights and protocols can be followed. This will make sure that we can implement the "kill" button that will disconnect the user from viewing the video immediately after the button is pressed, and when certain video is not to be shared in the lobby video monitor. The Software also has the feature to push required video from any client location to any client CPU workstation, if necessary. CAT5e/6 cabling is required.

Question 3

- ***Lights are not provided all night in the parks. How will this affect your camera solution?***
  - Since the lights in the park are switched off at some time during the night that is still ok. There has to be a contactor at the pole base which should have a constant hot on the line side and a control circuit coming from either a time clock or some type of energy management system. If that is the case, our electrician will have power at the pole and the only thing we would have to do is to install a step down transformer (already priced by Snowden). If there is no contactor at the base of the pole then there has to be a switch circuit going to the pole from a contactor or relay somewhere in the area. If so, our electricians can then install a constant hot circuit from the contactor or relay to the pole light. If the circuit is not 120-volt then we would have to install a step down transformer (already priced by Snowden).

Question 4

- ***One of the desired functions of the VMS was an audit log to track users logged into the camera system and be able to know what cameras were viewed and who downloaded what video feeds. Please state if your solution will accomplish this.***
  - As stated in page 22 Section 4.3 of our response, ONSSI logs all operations in the Image Server log and Recording Server log. Clients connected with the Ocularis Client have the ability to log to the system thereby providing that functionality.

Question 5

- ***Explore the availability and use of fiber at the schools (Sunesys fiber).***
  - Availability of leased fiber from Sunesys in some Moreno Valley schools can provide an additional gateway for traffic from cameras at locations where access to city fiber or RF line-of-sight surpasses the cost of providing a wireless connectivity solution. According to Sunesys's existing infrastructure map for Moreno Valley, dark fiber does not extend to the EOC. The solution will require extending the Sunesys fiber to the a City Fiber PoP (point-of-presence) or wireless to the core location at the EOC.

Question 6

- ***Please address your on-going maintenance costs and software costs on a yearly basis. Be sure to include two camera cleanings per year as requested in the RFP.***
  - Avrio RMS Group included year 1 costs in our base price for both maintenance and software. Maintenance includes all software SUP renewals as well as 24x7x365 help desk, field level support, sparing solution, advanced RMA's and 2 camera cleanings per year. In essence, all material and labor is included in the annual contract. Subsequent year's pricing was included in the pricing proposal for years 2 through 5.

Question 7

- ***The RFP stated that Cal ID uses DataWorks software for facial recognition. If DataWorks is not your solution please list where you currently have facial recognition software running through the Cal ID system.***
  - The Face Plus product from DataWorksPlus will recognize images gathered by the video surveillance cameras on this proposal. Current FacePlus requires manual entry of images from any source such as ATM machines, scanned images, and video JPEG from any VMS system. DataWorksPlus is currently testing their new case management tool that will allow the user to play a video stream and stop it at an image consider to have the best frame to run against the images in the mug-shot detection database for a facial match. Our solutions will support either mechanism.

Question 8

- ***Will your project manager be on site or remote only? If they are remote, will you have someone on-sight that can make decisions without checking in with a real decision maker?***
  - Yes, Avrio RMS Group will assign an onsite project manager for the duration of the project. The project manager will have decision making rights and will manage our local electricians, wireless, and system engineer(s) as well as all client and consulting subcontractor communications.

Question 9

- ***At your interview, you will need to provide proof of concept and the viability of your wireless and storage solutions. This will include recent (within a year) video that demonstrates your camera capabilities, VMS and analytics. Please show how your VMS is user-friendly. The proof of concept must be relevant to our desire that is expressed in the RFP.***
  - See Demonstrations

Question 10

- ***How do you purpose to integrate with the County's Tiburon CAD system?***
  - Our PantaScene product was built to integrate with any event based system that provides an open interface for listening to XML based events. PantaScene is being used by Cities across the country to integrate various types of systems including computer aided dispatch, gunshot detection, NOAA weather alerts, Web 2.0 hits, and CBRN sensors, etc. Tiburon integration is currently on our roadmap and under development as we are implementing this for several of our customers using the Tiburon CAD system including Allegheny County, PA among others.

Question 11

- ***We need a very detailed cost breakdown. The reason for this was to help us determine if we wanted to keep a location or forgo a location based on our needs.***

Mfg/PN	Core	North	South	East	West	NorthCtr	SouEast	Center	WestCtr	Portable							
Total Nodes		5	5	5	4	17	8	11	4	1	1	4	4	3	1	2	1
Wireless Overhead	$770																
Wireless Equipment	$1,858	$12,531	$13,281	$14,390	$13,970	$12,117	$12,759	$12,947	$13,571	$8,119	$10,461	$8,427	$10,930	$9,871	$10,451	$8,978	$9,678
Services		$5,189	$7,788	$11,687	$6,814	$5,571	$8,274	$5,861	$9,081	$	$8,278	$5,461	$6,006	$5,734	$6,278	$5,189	$5,189
Camera Licensing		$698	$698	$698	$698	$698	$698	$698	$698	$466	$698	$466	$640	$582	$698	$466	$543
Headend Overhead	$1,220																
Cost/node/intersection - All		$22,266	$25,616	$30,673	$25,330	$22,434	$26,580	$22,754	$29,108	$12,452	$21,275	$18,202	$21,424	$20,035	$21,275	$18,080	$19,258
Cost/node/intersection-w/o Core		$20,408	$23,758	$28,765	$23,471	$20,576	$24,721	$20,896	$27,339	$10,594	$19,416	$16,343	$19,566	$18,176	$19,416	$16,222	$17,400
Cost/node/intersection -w/o Core w/o Headend		$19,188	$22,538	$27,545	$22,252	$19,356	$23,501	$19,676	$26,120	$9,374	$18,197	$15,124	$18,346	$16,957	$18,197	$15,002	$16,180

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Question 12

- ***Please explain how your solution and company should be chosen for this project over the other finalists. The four finalists are listed below with their VMS, recording, wireless, and camera solutions.***
- ***Avrio***

  ONSSI Ocularis, Pivot 3, FluidMesh, Redline, Bridgewave, Axis cameras
- ***CelPlan***

  Genetec, Dell Server, Radwin and Cellular, Axis cameras
- ***Leverage***

  Leverage VMS, Leverage LSN radio and storage on edge, Bridgewave and LSN, Indigovision, Pelco, Sony, Axis, Bosch, IQinvision
- ***Pechanga***

  Ipconfigure, EMC Isilon, Ubiquity, Axis cameras

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Question 13

- ***Please address your solution to record the existing 48 PD cameras and maintain the video for one year. What will the storage needs be and what will it look like.***
  - We propose to add H.264 Encoders to convert the analog feed to Digital and add it to the System. The cost would be the camera license and the rack mount encoder blades. Below chart describes the camera bandwidth need and storage requirement based on 1 year storage keep.

Camera Name	Number Cameras	Video Format	Device Resolution	Frames Per Second	Frame Size/ Bitrate	Hours	Motion Percentage	Number of Days	Storage	Bandwidth
48 existing PD Cameras	48	H.264	640*480	30	768 Kbits	24	100%	365	150TB	37 Mbps

Question 14

- ***Explain possible plan for future expansion of edge storage.***
  - Both proposed Server/Storage Pivot3 platforms and ONSSI VMS has the ability to quickly change the design from centralized to a de-centralized architecture. Given the Infrastructure and future growth, we can either add additional Server/Storage Pivot3 capacity centrally to accommodate the camera addition or other Windows Platform with ONSSI on the network. The ONSSI Federation Architecture allows to bring all the Servers into ONE GUI Platform so that they can all be managed from one location and one software interface.

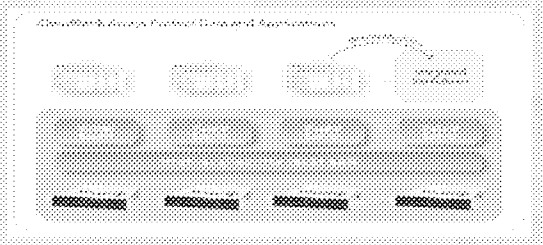

Question 15

- ***Discuss why a D1 (720 x 480) camera resolution. What if we want a higher resolution? How will that effect storage and bandwidth requirements?***
  - The proposed Wireless PTZ Polecams include one Axis Q6032 and two HDTV Megapixel Fixed cameras at those locations. The key feature of the Axis 6032 is it 35X optical zoom and its 128X wide dynamic range. Avrio RMS feels that with two fixed HD cameras and one high-power zoom capable camera at each camera location provides a good balance cost and features at these intersections. Avrio RMS does not object of upgrading the Axis Q6032 to the Axis Q6035 HDTV PTZ camera. The Axis Q6035 has a 20X optical. We would estimate that bandwidth and storage would increase by 30% over the existing 4CIF PTZ cameras proposed.

Question 16

- ***Are you confident in FluidMesh integrated antennas, not external, as adequate for the project?***
  - Yes, we are. By using radios with integrated antennas at the street level we achieve the same results in regards to connectivity as we would when using connectorized radios and their external antenna(s). FluidMesh product line offers a connectorized version which we also use at locations were the radio must be located in a specific location and its antenna in another. Having an integrated radio on a street pole eliminates the needs to have an antenna, its RF cable, lightning arrestors, and connectors exposed to the environment. It also increases the count of items hanging from a pole at each location which adds to the management, installation, support, and further user training. An integrated antenna is also more appealing to the public and less intrusive which has helps many cities obtain permits from their Public Works with ease. Avrio RMS understands that there could be instances where a connectorized radio might be required at one or two intersections of this project, but as needed.

Question 17

- ***You state one of FluidMesh's radio key features of 100 Mbps via s/w plug-in (p.15). Please explain the purpose of plug-in and requirements to operate at 100 Mbps.***

  - As new requirements dictate an increase in bandwidth in areas where a wireless network infrastructure is already in place, Fluidmesh radios can be easily upgraded via software plug-ins as to provide the additional throughput with any physical intervention. This feature allows the user to limit the total cost of ownership of the wireless network by paying only the amount of bandwidth required at any specific time. Avrio RMS design for the Moreno Valley includes a minimum of 30Mbps for every client node link which exceeds the minimum required bandwidth needs from each PoleCam. Various locations require 60Mbps as shown in the pricing sheet. This feature will allow the City of Moreno Valley to add PoleCam nodes in those vicinities and only purchase additional bandwidth if needed.

Question 18

- ***Discuss use of Box Springs as core wireless site and alternatives not on Box Springs that will cover the north valley.***

  - Page 20, Section 4.2.1 of the proposal refers to the Core High Speed Network drawing and explains the equipment and bandwidth requirements for the links that connect at a Box Springs Tower (BST). It also offers a solution which is also described in that section that will require the installation of an additional monopole somewhere within the EOC /City Hall complex and a self-supporting antenna mast at Fire Station #6. That section also offers one of the solutions for the North Valley camera locations which includes using PoleCams with 3G/4G radios for connectivity to the nodes. One additional option is depicted in the drawing below. This option will utilize the Sunesys leased fiber from the Sugarhill Elementary and Vista Heights Middle schools to bring in the video traffic to either another school in the vicinity of the EOC or at an intersection where a Sunesys fiber PoP interconnects to the City Fiber PoP. At that location,camera traffic will be connected/routed to the EOC core site. Avrio RMS will work with the City and the School system's IT to specify and design the layer 2 or layer 3 requirements of connecting to the Sunesys/School fiber link(s).

Question 19

- ***Please provide the specifications for the equipment you wish to place on Box Springs Mountain. How many antennas will you need placed there and what size. Do you need floor space or rack space and how much?***
  - For the core links, a total of three Bridgewave FlexPort23 microwave radios and three HP2-23RR 2ft high performance antenna with their radome will be installed on a tower. Three RMSL348 rack mounted power supplies totaling six rack units (3.5"x3) will need to be installed in the equipment trailer in addition to three DS210-48VDC DIN-rail power supplies.
  - Connectivity to the North Valley locations proposed as part of this response will be achieved by the use of two FluidMesh 1100 series radios. These radios will be powered via PoE by one LNP-1002GN DIN rail mounted switch located inside the equipment trailer.
  - Attached are the specifications for each device identifying the model number and specifications requested.

Question 20

- ***Discuss and explain the role of Avrio Sensor Scene as a middleware to CAD integration.***
  - SensorScene is our integration platform targeted specifically to public safety applications. It has been used in dozens of cities for integrations from Shotspotter to CAD to CBRN type sensors. SensorScene is part of the PantaScene suite of applications. It includes a rules based engine that can be tailored to the end-customer requirements.

Question 21

- **Explain your storage selection of Pivot 3. What makes Pivot 3 the best solution? Is it supported in a Windows Server 2008, not 2003, environment.**
  - Pivot3 has better storage and server protection. For storage, Pivot3 protects systems for more drive failures (5 versus 2), a complete appliance failure (none for Intransa) and introduces predictive sparing to gracefully spare degraded drives before they fail. The Video Interruption Alarm is another feature designed specifically for surveillance customers to ensure that displayed video is in fact recorded.
  - Pivot3 uses virtualization to deliver embedded server failover without dedicated hardware, cabling or licenses. Self-healing servers ensure field failures do not compromise camera uptime or stored video access.
  - Pivot3 uses server virtualization to consolidate the infrastructure required for video surveillance. Pivot3 appliances provide both server and storage in a single appliance.
  - Yes it is supported on both Windows 2003 and Windows 2008 environment.

Question 22

- ***Address maintenance and support issues at the Fresno County Sheriff's Office.***
  - Fresno County Sheriff's Office currently has a 4 hour response Support Agreement with Avrio RMS Group. Anytime a wireless product or cameras goes offline, we are quickly able to address the issue in a 4 hour response time period. We have remote access to the site to fix 90% of the issue, while our local Field Engineer can troubleshoot hardware issues onsite as required.
  - Majority of our issues in the past 6 months have been following:
    - Bad Radio. The radio was immediately replaced using advanced RMA as part of our agreement
    - Bad Camera. The camera was replaced through vendor RMA process
    - County's Network going offline. The county IT was notified and the problem was fixed by working together with the County IT.

Question 23

- ***Who will provide the four hour response for initial repair issues?***

  - Avrio RMS Group will have an assigned field engineer to Moreno Valley during the maintenance period. This individual will be trained and certified on all of the major system components be a local resource. We will also maintain local spares inventory to ensure the system is brought back to 100% operation within the agreed upon SLA.

Question 24

- ***Address one-way communications with the parks. We want to be able to be heard on a speaker at the parks, but not to hear or record the conversations at the parks.***

  - As expressed in page 21 Section 4.2.3 of our proposal, two-way audio can be very easily added to any PoleCam unit on the field. However, we are not proposing a microphone be installed as part of this solution, therefore you will not physically be able to record any audio from any of the camera locations. The ability to speak or make announcements to someone at the park can be achieved by equipping the enclosure with a Sony Speaker. The external speaker for one-way communication will be attached to the pole above the enclosure. We propose the Sony SCAS30. The SCAS30 is a durable active speaker for outdoor environments, specifically designed for audio edge device for security network cameras.

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E-Mail: info@avriormsgroup.com

Avrio RMS Group

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World-class solutions for public safety and transportation markets.

Avrio

Request for Best and Final Offer

Please respond to the following questions in writing by Tuesday June 12, 2012 by 5pm.

1. Please provide the coverage, services, and dollar amount for maintenance each year for the first five years.
2. To provide the best quality recording quality and frame rate possible we see the storage needing to be approx. 100 TB. We required 30 day storage for intersections and parks cameras and 365 day storage for the police department cameras. Please address this in you proposal and include the cost.
3. Using BRS analytics what is the licensing fee per camera or group of cameras? We anticipate initially licensing 1 camera per park with analytics.
4. Please provide the timeline to integrate with the Tiburon CAD to communicate an event and turn cameras to presets that are programmed for such events (i.e. armed robbery).
5. How many TV news stations will we be able to record?
6. Describe how local support will work including timeline when we have a failure of equipment whether it is a camera, radio, or head-end recording device.
7. Describe how engineering support will work, including timelines, if an engineer is required.
8. We would like to be able to expand the system as money is made available. During the time period of the maintenance contract or as far out as you will commit we would like installation and service costs. We would like to be able to add cameras and radios to connect to the system including labor costs for at least a three year period. This formal request will ensure future expansion stays a part of this bid process.
9. How many locations will be covered in the first deployment?
10. Just a reminder, at our meeting you mentioned you would include the speakers at the parks. What type of speakers and cost?

3 N. Harrison St, Suite 100 * Easton, Maryland 21601* Phone: (410) 820-9334 * Fax: (410) 820-4304
E-Mail: dlipscomb@avriormsgroup.com Web: www.avriormsgroup.com

Date: June 12th, 2012

Tom Tucker
City of Moreno Valley, California

RE: RFPSC TT11/12-10, PROJECT TS-CCSS 2012-02

Dear Mr. Tucker:

Attached are our responses/clarifications to the individual pricing and technical components you requested in your email dated June 6, 2012. We are agreeing to the proposed changes at the firm fixed price bid in the original proposal of $1,768,106. Avrio RMS Group will provide the following additional scope at no additional charge to the City of Moreno Valley (the "City"):

1. Speakers in each park.
2. Additional Storage (for a total of 108 TB) to include licensing and storage for existing Police Department ("PD") cameras (365 days).
3. Additional hardware/software to allow up to 4 TV news stations to record video.

Our Company and proposed solution provides the following benefits to the City:

- Centralized management of all system components including servers, storage, network and cameras, improves overall reliability and decreases maintenance costs and allows for ease of scalability in the future.
- A completely open architecture that does not lock the City into any proprietary software or hardware.
- PODSS (PoleCams) are proven to operate with little to no maintenance in extreme weather conditions.
- World-class support and maintenance program ensures long-term system availability.

If you have any questions regarding our pricing or technical solution proposed do not hesitate to contact me at any time on my cell (410) 310-3006 or by email: dlipscomb@avriormsgroup.com. We look forward to a long-term partnership with the City of Moreno Valley to ensure your video surveillance objectives are met now and in years to come.

Sincerely,

Darrin Lipscomb
President

Individual Questions and Answers

1. **Please provide the coverage, services, and dollar amount for maintenance each year for the first five years.**

We included the 1st year maintenance as part of our base bid. Our support program is all inclusive, if anything goes wrong with the system with exception of acts of god, Avrio RMS Group will repair, replace and restore the system to operational condition. Our maintenance and support includes the following:

- Repair or replace any failed component needed to restore the system to full operation.
- Provide 24-7-365 Help Desk support with a 4 hour maximum response time for critical repair issues.
- Provide a sparing solution, whereby critical spares inventory is maintained at local facility.
- Advanced RMA for all parts.
- Extended warranty for all system components.
- Remote diagnostics and troubleshooting (requires remote access to system).
- All software and hardware patches and firmware upgrades.

Years 2 through 5 are priced as below:

Year 2: $98,000
Year 3: $112,000
Year 4: $125,000
Year 5: $145,000

2. **To provide the best quality recording quality and frame rate possible we see the storage needing to be approx. 100 TB. We required 30 day storage for intersections and parks cameras and 365 day storage for the police department cameras. Please address this in you proposal and include the cost.**

An additional four (4) 12TB Pivot3 servers are added to the proposed equipment for a total of nine (9) 12TB Pivot3 servers for a total storage capacity of 108TB. This configuration exceeds the calculated storage requirements as well as the 100TB storage specified above by the City for all the cameras and TV channels on the project. The calculations on the table below estimates 30 frame per second (fps) for all IP cameras and TV station recordings and 15 fps for the 30 cameras at the PD. Calculations use the maximum camera resolution possible for a total of 70TB of calculated storage.

Camera Name	Number of Cameras	Video Format	Device Resolution	Frames Per Second	Frame Size/ Bitrate	Audio	Hours	Motion Percentage	Number of Days	Storage
PTZ	67	H.264	640 x 480	30	256 Kbits	No	24	50%	30	2.7 TB
HD Fixed	151	H.264	2560 x 1920	30	2048 Kbits	No	24	50%	30	50.0 TB
PD Cameras	30	H.264	640 x 480	15	256 Kbits	No	24	50%	365	16.1 TB
(4)TV+Cha+Comm Rm	5	H.264	640 x 480	15	256 Kbits	yes	24	50%	365	2.5 TB

3. Using BRS analytics what is the licensing fee per camera or group of cameras? We anticipate initially licensing 1 camera per park with analytics.

A total of seven (7) BRS AISight channel licenses, one Dell Precision T3600 Quad-Core 2.8GHZ, 32GB DDR3, SATA RAID-1 with two 1-TB 3G drives, and an Intel X520 10GbE NIC dual port system to serve as the BRS Analysis and System Manager server and associate implementation and configuration services would be $30,000.

4. Please provide the timeline to integrate with the Tiburon CAD to communicate an event and turn cameras to presets that are programmed for such events (i.e. armed robbery).

We will be offering this as part of our Version 2.5 Release of PantaScene due for general availability on or about July 30, 2012. Beyond slewing cameras, PantaScene will support video push, alerting e.g., SMS, and automatic video clip generation as well as bookmarking.

5. How many TV news stations will we be able to record?

Included is the capability or recording video and audio for up to four (4) TV broadcast stations. The configuration includes four (4) Extron AVT-100N high-performance analog cable and TV tuner demodulators. Video and audio outputs from the four demodulators will be encoded using one (1) Axis P7410 4-channel video encoder and stored for synchronized playback in the Pivot3 servers. Please refer to question 2 above for the calculated storage for these four TV channels.

6. Describe how local support will work including timeline when we have a failure of equipment whether it is a camera, radio, or head-end recording device.

Upon notification of a failure via toll-free call or email, Avrio RMS Group will open a ticket in CRM and an acknowledgement will be sent to the originator. This is assigned to a help-desk technician initially which will remote into the system to run diagnostics and attempt to resolve the issue remotely. If, after 2 hours the issue is not resolved, the ticket will be escalated to the local field engineer for field level diagnostics which could include swapping out hardware. Our goal is to resolve all issues within a 24 hour period from initial notification. Our average time to repair for systems of this size is roughly 5 hours.

7. Describe how engineering support will work, including timelines, if an engineer is required.

Our local support (Field Engineer) will be trained and certified in all of the major components including hardware (radio's, cameras, peripherals, servers, etc.) and software. If after 24 hours, the local field engineer is unable to resolve the issue, he/she can escalate the ticket to a more senior engineer who will arrive onsite within 48 hours from initial notification of the problem. It is a very rare occurrence when the local field engineer is unable to resolve an issue. They have at their disposal all of our senior staff engineers no matter where they reside in the country.

8. We would like to be able to expand the system as money is made available. During the time period of the maintenance contract or as far out as you will commit we would like installation and service costs. We would like to be able to add cameras and radios to connect to the system including labor costs for at least a three year period. This formal request will ensure future expansion stays a part of this bid process.

Below are the calculated costs for one PoleCam (One PTZ + 2 HD Fixed) system for three types of deployment scenarios. The cost below includes equipment and installation services:

Scenario 1- Cost $22,194 per location – Includes overhead cost for head-end, core equipment, and wireless connectivity. An example of this type of deployment will apply to a new location where additional core, wireless, and head-end equipment services and licenses are required. The above number estimates adding five (5) or more PoleCams to a location served by the new core equipment.

Scenario 2 – Cost $20,333 per location – Includes overhead cost for head-end and wireless connectivity. An example of this type of deployment applies to an installation that utilizes the existing core network.

Scenario 3 – Cost $19,247 per location – Includes just the PoleCam. An example of this type of deployment applies to a new location that will share the available wireless bandwidth of the wireless network. Three camera licenses are included.

9. How many locations will be covered in the first deployment?

This proposal includes **all** camera locations defined on RFP # VAG TT 11/12 10 Exhibit A for phases 1, 1a, and 2. This equates to a total of 77 camera locations: 67 (1 PTZ+ 2 HD Fixed), 7 (2 HD Fixed), and 3 (1 HD Fixed). Ten (10) of these PoleCams will be deployed in the various parks as defined by the Exhibit. In addition, our proposal includes encoding and storage for the existing thirty (30) analog cameras located in the PD, one (1) fixed indoor camera for the Community Public Room, and the demodulation, encoding, and storage for four (4) TV broadcast news stations, for a total of 253 camera licenses and its storage.

Our design considers future deployment scenarios and demonstrates the feasibility of connecting to the cameras in the later phases (e.g. Grn, Purple, and Grey locations defined in Exhibit A). Appendix A of the proposal depicts the complete network wireless design.

10. Just a reminder, at our meeting you mentioned you would include the speakers at the parks. Please specify the speaker model that Avrio proposes to use at the park locations for 1-way communications.

We are proposing adding one (1) Sony SCAS30 speaker per park. The SCAS30 is a durable outdoor IP66 rated speaker with 35W of audio output power. This speaker will be mounted on top of the PoleCam and will be able broadcast live and recorded announcements to each park.

Support Agreement

Unlimited 4 Hour Response Plan

THIS AGREEMENT is made and entered into as of City of Moreno Valley between Avrio Group Surveillance Solutions, LLC (aka Avrio RMS Group), a Delaware limited liability company with its principal place of business at 8 S. West St, Suite 101, Easton, MD 21601 ("Avrio Group"), and the City of Moreno Valley (CUSTOMER) with its principal place of operation being 14177 Frederick Street, Moreno Valley, CA 92552.

For a period of one (1) year from the date hereof (the "Maintenance Term") and any renewal Maintenance Term, Avrio will supply the services described in Section 1 below ("Services") to the CUSTOMER with respect to the products described in Section 4 below ("Products") and referenced in Schedule A.

1. **INCLUDED SERVICES**

- Unlimited number of incidents including 4 hour response 24x7x365, Onsite Support: Next Business Day. All parts and labor included.
- Ability to use telephone, e-mail, chat and screen sharing technology for all support incidents including end-user support:
  - Phone: 1-877-899-9334
  - E-Mail: support@avriormsgroup.com
- Free shipment and installation of all patches and maintenance releases.
- Depot repair and/or RMA's on all equipment under current warranty
- Local spare parts inventory.
- Remote Diagnostics and Incident reporting.
- SNMP monitoring of all supported devices on the video network.
- Free software/firmware patches and upgrades.
- Preventative care for the cameras and radios no less than twice each year. This includes camera lense or dome cleaning, camera positioning adjustments, and wireless radio adjustments.

Notes:

- Avrio Group will not charge for support for up to 30 days after project signoff.
- Pursuant to the terms of this Agreement, any service and labor charges not covered under the terms of this Agreement shall be charged by Avrio Group at the following rates: Mon-Fri $150/hr.; Sat, Sun & Holidays $250/hr. Hours billed after normal working hours (9am-5pm) will be billed at 1.5 times the hourly rate. Travel expenses are additional and charged as 1 way travel time at normal hourly rates.

2. AVRIO GROUP RESPONSIBILITIES

During the Maintenance Term:

- AVRIO GROUP will use commercially reasonable efforts to assist the CUSTOMER to resolve problems in its use of the IP Surveillance solution as described in Section 1. AVRIO GROUP makes no guarantee that it can, or will, solve any problems with respect to the solution presented by the CUSTOMER, and further disclaims any warranties above and beyond the manufacturer's warranty or any limited warranties expressly made by AVRIO GROUP in the statement of work terms and conditions.
- AVRIO GROUP will provide access on its web site and/or FTP site to all Maintenance Updates for software and firmware that is part of the solution to the CUSTOMER as soon as practical in the ordinary course of business after commercial release of the same.
- AVRIO GROUP will provide Customer with Maintenance Updates, which, in AVRIO GROUP'S sole determination, correct application problems that are reasonably likely to prevent substantially full utilization of Product(s).
- AVRIO GROUP will offer Services for the then current release of Product(s). Avrio will also offer Services for the release of Product(s) immediately preceding the then-current release for not less than twelve (12) months from the date of such release.

3. CUSTOMER RESPONSIBILITIES

- CUSTOMER is responsible for (i) hardware, (ii) operating systems, (iii) network setup, (iv) network maintenance and (v) setup and use of any file access control systems.
- CUSTOMER is responsible for providing secure remote broadband access to all servers that require support. Administrative rights and login will be provided to Avrio allowing for support and monitoring of the CUSTOMER installation.
- CUSTOMER is responsible for ensuring that its personnel have sufficient training to attain and maintain competence in the operation of the IP-Surveillance software.
- CUSTOMER shall provide its personnel access to, and require its personnel to review, the IP-Surveillance software user guide before calls are made to Avrio Telephone Support.
- If support requires onsite services, CUSTOMER will be billed for one way travel time and a per diem not to exceed $200/day.
- Customer is responsible for requesting any Maintenance Term extension. In the event that Customer does not request and pay for a Maintenance Term extension, Avrio makes no guarantee that Services will be supplied.
- After expiration, Customer may resume the Services by payment of the then current annual Maintenance and Support Fee.

4. **PRODUCTS COVERED IN AGREEMENT**

ALL PRODUCTS PROVIDED AS PART OF THE ORIGINAL CONTRACT. SEE BILL OF MATERIALS.

5. **ANNUAL MAINTENANCE FEE:** Customer will pay Avrio an annual maintenance fee for the Services in accordance with the fee schedule set forth below ("Maintenance and Support Fee"), which shall be paid within thirty (30) days of the date of invoice. If Customer breaches any of its obligations under this Section 5, Avrio may in its sole discretion terminate this Agreement by providing written notice and/or refusing to provide the Services.

a.	Year 1 maintenance	Included - No Charge
b.	Year 2 maintenance	$98,000
c.	Year 3 maintenance	$112,000
d.	Year 4 maintenance	$125,000
e.	Year 5 maintenance	$145,000

6. **EQUIPMENT MAINTENANCE:** Avrio Group agrees, during the Initial Term of this Agreement, and any extension thereto, subject to the other terms of this Agreement, to keep the CUSTOMER's Equipment, as described on the attached Schedule A (hereinafter referred to as "Equipment"), in satisfactory operation and to make all repairs and adjustments to the Equipment, and to supply such parts as may be required which are incidental to the maintenance of the Equipment. Such maintenance shall be provided to the CUSTOMER at the Equipment's location subject.

7. **EXCLUSIONS FROM COVERED MAINTENANCE**: The following labor and services shall be expressly excluded from the Maintenance provisions of this Agreement: (1) Services required due to change or alterations in Equipment specifications not performed by AVRIO GROUP personnel, (2) Services required due to supply items that do not meet AVRIO GROUP' specifications or standards, (3) Installation, moving, or removing of the Equipment, options, attachments or cables, (4) Replacement of consumable items, supplies or accessories (such as ink cartridges, disks, paper, scanners lamps, pad assemblies, pick rollers, etc.), (5) Replacement of parts, repair of damage or increase in Service Time to Equipment resulting from fire, lightning, flood, wind, accident, theft, abuse, neglect, misuse, natural disaster, or any causes other than ordinary use for which the Equipment was intended, (6) Problems related to software (other than the internal operating system software), whether such software is program files or data files on either tape, floppy disks, hard disks or any other kind of media, (7) Electrical work external to the Equipment or maintenance of accessories, attachments or other devices not listed on the Schedule A, (8) Service or repair due to failure of electrical power, air conditioning or humidity control, (9) Refinishing of Equipment, (10) Work requested by CUSTOMER for rearrangement, such as additional wiring, moving other equipment or cables, relocating Equipment or repairing a previously prepared site or station to make it operational, (11) Specific requests by CUSTOMER for maintenance which is in addition to Covered Maintenance requirements, and (12) labor and services associated with equipment that is no longer covered under the manufacturer's warranty.

8. **SOFTWARE RELATED PROBLEMS**: Upon a determination by a AVRIO GROUP engineer that a problem is related to software (other than internal operating system software), and thereby excluded from the Covered Maintenance provisions of this Agreement, the engineer will immediately notify the CUSTOMER and the CUSTOMER will be

subject only to AVRIO GROUP' minimum charge for service and labor. All further work thereafter regarding such problem, shall be at AVRIO GROUP' normal rates for said service.

9. **CUSTOMER OBLIGATION:** CUSTOMER shall: (1) immediately notify AVRIO GROUP of any Equipment malfunction requiring the services hereunder, (2) only use attachments and supplies which are compatible and suitable for use with the Equipment, (3) allow free and full access to the Equipment in order to allow AVRIO GROUP to provide service, and (4) have a company representative present while the Equipment is being serviced.

10. **CHARGES TO CUSTOMER:** In addition to the Total Contract Amount, the CUSTOMER shall be subject to the following charges: (1) Labor and Service charges for Labor and Service performed which is outside the Covered Maintenance mentioned above, (2) Parts not covered by the Covered Maintenance, (3) All maintenance charges are exclusive of applicable federal, state or local taxes and CUSTOMER shall pay or reimburse AVRIO GROUP for any such taxes and AVRIO GROUP may add such taxes to the invoices submitted to CUSTOMER, and (4) All Maintenance charges are subject to increase or decrease upon any change in specifications for Equipment or upon addition of features or attachments thereto. CUSTOMER shall pay AVRIO GROUP for all supplies and consumables utilized by CUSTOMER in the use of the Equipment or by AVRIO GROUP in the performance of the Covered Maintenance.

11. **UNAUTHORIZED SERVICE OF EQUIPMENT:** The repair of the Equipment by anyone other than an authorized engineer of AVRIO GROUP or a CUSTOMER technician trained by AVRIO GROUP or AVRIO GROUP' designee, will, at AVRIO GROUP' option, be cause to void this Agreement. If such unauthorized repair occurs and AVRIO GROUP chooses to void this Agreement then all payments made by CUSTOMER pursuant to this Agreement shall be forfeited as liquidated damages.

12. **PAYMENT:** The CUSTOMER must pay to AVRIO GROUP the amount shown in section 5 of this agreement within 30 days from the date of the invoice presented to CUSTOMER pursuant to this Agreement. CUSTOMER's failure to deliver payment within this time period shall, at AVRIO GROUP' option, render this Agreement void. Future payments of invoices delivered to CUSTOMER under the terms of this Agreement, shall be due within 30 days from the date of the AVRIO GROUP invoice. In addition to any other remedies allowed by law AVRIO GROUP may assess up to 18% interest per annum for late payment.

13. **DISCLAIMER OF WARRANTY:** AVRIO GROUP makes no warranty of any kind, express or implied, including without limitation, any warranty of merchantability or fitness for a particular use or purpose with respect to the subject matter hereof, maintenance to be performed by AVRIO GROUP pursuant to the terms hereof, or parts to be supplied hereunder.

14. **LIMITATION OF LIABILITY:** Notwithstanding anything in this Agreement to the contrary, AVRIO GROUP's aggregate liability for claims by CUSTOMER arising from a breach of this Agreement shall not exceed the amounts paid by CUSTOMER to AVRIO GROUP hereunder.

15. **FORCE MAJEURE:** AVRIO GROUP shall not be liable to CUSTOMER for any delay or failure by AVRIO GROUP to perform its obligations under this Agreement if such delay or failure arises from any cause(s) beyond the reasonable control of AVRIO GROUP, including but not limited to third party labor disputes, third party strikes, other third party labor or industrial disturbances, act of God, floods, lightning, earthquakes, shortages of materials, rationing, utility or communication failures, casualty, war, acts of public enemy, riots, insurrections, embargoes, blockages, actions, restrictions, new or changed regulations or orders of any governmental agency or subdivision thereof, or temporary unavailability of four (4) hours or less of qualified service personnel at AVRIO GROUP' office due to service call(s) received before CUSTOMER's call.

16. **TERMINATION OF AGREEMENT:** AVRIO GROUP shall have the right, at its option, to terminate this Agreement by written notice to CUSTOMER in the event (1) of an assignment by CUSTOMER to the benefit of the Creditors, (2) CUSTOMER is in voluntary or involuntary Bankruptcy, (3) CUSTOMER is insolvent or otherwise admits insolvency. In addition to any other remedies that AVRIO GROUP may have hereunder or otherwise in accordance with the law, AVRIO GROUP or CUSTOMER may terminate this Agreement at any time with thirty (30) days written notice.

17. **NOTICES:** Any notice, request, instruction or other document pertaining to this Agreement shall be in writing and delivered personally, or by registered or certified mail to the appropriate party at the address specified on the cover page.

18. **MISCELLANEOUS:** CUSTOMER agrees not to relocate any Equipment to another address without AVRIO GROUP' express written approval. Neither this Agreement nor any rights hereunder may be assigned or otherwise transferred by the CUSTOMER without express written approval from AVRIO GROUP. Neither this Agreement nor any rights hereunder may be assigned or otherwise transferred by AVRIO GROUP without express written approval from CUSTOMER.

19. **INDEPENDENT CONTRACTOR STATUS:** AVRIO GROUP shall be in the relationship of independent contractor with CUSTOMER, and nothing herein shall be construed as creating, at any time, the relationship of employer and employee between the parties hereto, nor shall this Agreement be construed as creating any relationship whatsoever between CUSTOMER and AVRIO GROUP employees. AVRIO GROUP has sole authority and responsibility to employ, discharge, and otherwise control its employees, and neither AVRIO GROUP, nor any of its employees are, or shall be deemed to be, employees of CUSTOMER.

20. **ACCEPTANCES**

Avrio Group Surveillance Solutions, LLC	**City of Moreno Valley**
By: (Signature)	By: (Signature)
Name:	Name: Henry T. Garcia
Title:	Title: City Manager
Date	Date

SCHEDULE A (EQUIPMENT LIST)

Qty	*Part Number*	*Serial Number*
	To be completed as the system is built.	

EXHIBIT B

CITY RESPONSIBILITIES

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely City staff liaison with the Contractor when requested and when reasonably needed.

4. Provide one copy of 2012 Work Area Traffic Control Handbook from CalTrans Manual.

5. Provide one copy of 2012 California Manual of Temporary Traffic Controls for Construction and Maintenance Work Zones from CalTrans Manual.

EXHIBIT C

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $1,800,000.00.

2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Contractor will electronically submit an invoice to the City as provided in this Agreement for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

   Accounts Payable questions can be directed to (951) 413-3073.

   Copies of invoices shall be submitted to the Financial & Administrative Services Department to Steve Hargis, Technology Services Division Manager, at

   steveh@moval.org or calls directed to (951) 413-3401.

4. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed

billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

7. Payments will be made based on project milestones achieved and accepted in writing by the City's Technology Services Division Manager. The milestone payment schedule is:

Milestone	**Percentage**	**Amount**
Completion of Project Initiation Meeting and assignment of Avrio Project Manager	15%	$270,000
Completed demonstration of operational backhaul, operational VMS, and recording from all cameras at 4 Phase 1 locations	25%	$450,000
Completed demonstration of recording from all cameras at 20 Phase 1 locations and completed CAD integration	10%	$180,000
Completed demonstration of all City park locations and delivery of the 3 portable camera systems	10%	$180,000
Completed demonstration of all remaining cameras and integration of 48 existing PD cameras	10%	$180,000
Final Acceptance	30%	$540,000
Total (maximum)	**100%**	**$1,800,000**

Final Acceptance shall be defined as all hardware (e.g. cameras, radios, switches, computers, storage devices, etc.) and software (e.g. firmware, video management system, etc.) fully operating with no critical outages/errors and no more than 10 non-critical outages/errors system wide.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. TS-CCSS 2012-02

CITYWIDE CAMERA SURVEILLANCE SYSTEM
City of Moreno Valley

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to Avrio Group Surveillance Solutions, LLC (aka Avrio RMS Group), as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the Mayor/City Manager, and identified as Project No. TS CCSS 2012-02, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, material men, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of one million, eight-hundred thousand dollars, ($1,800,000), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

Contractor and Surety agree that this Labor and Materials Payment Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Labor and Materials Payment Bond is a separate obligation of the Contractor and its Surety, and that

any attorneys' fee provision contained in this Labor and Materials Payment Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

SIGNATURE PAGE FOLLOWS

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this ____ day of _____ 2012.

CONTRACTOR (Principal)	SURETY
Contractor Name: Avrio Group Surveillance Solutions, LLC	Name: _____
Address: 3 N. Harrison Street, Suite 100 Easton, Maryland 21601	Address: _____
Telephone No.: (410) 820-9334 x101	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

____ day of _____ 2012

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by a California admitted surety insurer (CCP 995.311).
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact.
- The bond shall include an attached Notary Certificate for the Bidder.
- The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.
- The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.
- The Bidder's and Surety's corporate seal may be affixed hereto.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, City Treasurer

AGENDA DATE: August 28, 2012

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED June 30, 2012

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

California Government Code Sections 53601 and 53646 establish the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the reporting practices related to the portfolio for local agencies. The City's Investment Policy, adopted on April 24, 2012 is in full compliance with the requirements of both of the above-mentioned Code Sections.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2012. This is the fourth quarterly report submitted for the 2011-12 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City has used Chandler Asset Management as its professional portfolio manager since 2010. Chandler uses an active investment management approach. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 2.21 years.

The investments managed by Chandler Asset Management totaled $167,407,504 at par and achieved a Yield to Maturity (YTM) for June 2012 of 1.31%. This compares to a YTM in March 2012 of 1.40% and a YTM in June 2011 of 1.53% In addition, the City maintained $27,039,703 in the State Local Agency Investment Fund Pool (LAIF) with a YTM of .36%

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds are held and invested by the respective plan administrators with the funds also placed in a trust separate from City funds.

FISCAL IMPACT

Current market rates continue to hover at or near all time lows and based on comments by the Federal Reserve Board we do not expect this to change in the near future. This interest rate environment directly impacts the ability of the portfolio to generate income. The budget for fiscal year 2011-12 projected General Fund investment earnings totaling $2.3 million. Year to date through June 2012 these revenues have totaled $2.2 million.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2012. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section 53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – June 2012
Attachment 2 – Chandler Asset Management Bond Market Review – July 2012

Prepared By:
Brooke McKinney
Treasury Operations Division Manager

Department Head Approval:
Richard Teichert
City Treasurer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00175308

CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report

June 2012

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Yield to Maturity	Average Duration
Bank Accounts	780,652	780,652	780,652			
State of California LAIF Pool	27,039,703	27,039,703	27,039,703	**0.70**	**0.36%**	
Investments	172,324,783	172,548,837	167,407,504	**2.21**	**1.31%**	**2.11**
Total General Portfolio	**200,145,138**	**200,369,192**	**195,227,859**	**Years**		**Years**

Bond Proceeds with Fiscal Agents	Market Value
Construction Funds	3,371,832
Principal & Interest Accounts	620,793
Debt Service Reserve Funds	9,897,019
Custody Accounts	0
Arbitrage Rebate Accounts	0
Other Accounts	190,201
Total Bond Proceeds	**14,079,845**

Deferred Compensation Funds	Market Value as of Mar 31, 2011
Nationwide	9,680,668
ICMA	4,237,069
Total Deferred Compensation Funds	**13,917,737**
Total Investment Portfolio	**228,366,774**

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment advisor, Chandler Asset Management.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Richard Teichert
City Treasurer

Attachment 1

MV00175309

Portfolio Summary

As of 6/30/2012

PORTFOLIO CHARACTERISTICS

Average Duration	2.11
Average Coupon	2.02 %
Average Purchase YTM	1.31 %
Average Market YTM	0.74 %
Average S&P/Moody Rating	AA/Aa1
Average Final Maturity	2.21 yrs
Average Life	2.18 yrs

ACCOUNT SUMMARY

	Beg. Values as of 5/31/12	End Values as of 6/30/12
Market Value	209,997,198	200,369,192
Accrued Interest	985,407	1,002,067
Total Market Value	**210,982,605**	**201,371,258**
Income Earned	214,384	220,476
Cont/WD		
Par	204,715,988	195,227,859
Book Value	206,623,153	197,037,160
Cost Value	209,760,543	200,145,138

TOP ISSUERS

Issuer	% Portfolio
Government of United States	15.4 %
Local Agency Investment Fund	13.4 %
Federal Home Loan Mortgage Corp	10.2 %
Federal National Mortgage Assoc	10.2 %
Federal Farm Credit Bank	9.1 %
Federal Home Loan Bank	8.6 %
Tennessee Valley Authority	3.9 %
General Electric Co FDIC Insure	1.8 %
	72.7 %

SECTOR ALLOCATION

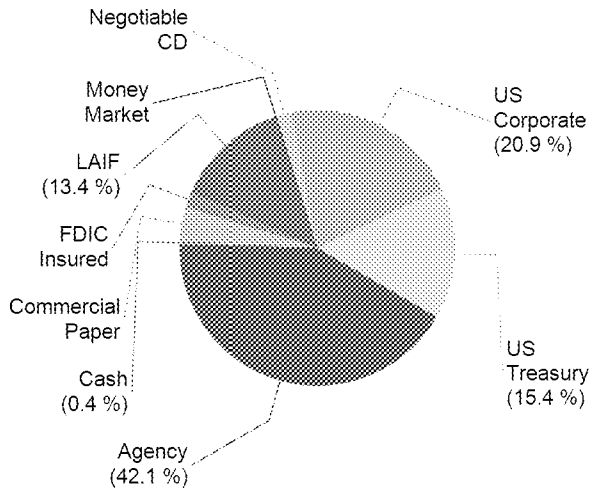

MATURITY DISTRIBUTION

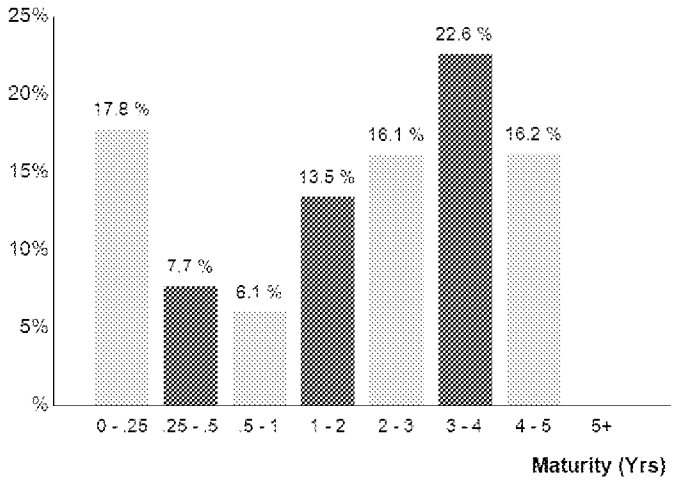

CREDIT QUALITY (S&P)

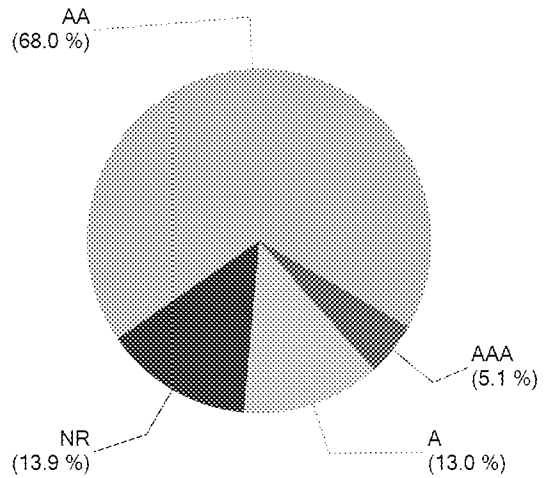

-904-

MV00175310

Holdings Report

As of 6/30/12

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port Gain/Loss	Moody S&P	Maturity Duration
AGENCY									
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	100.26 0.26 %	1,002,617.00 9,391.67	0.50 % 2,617.00	Aaa AA+	0.12 0.12
3133XYWB7	FHLB Note 0.875% Due 8/22/2012	1,600,000.00	11/23/2010 0.51 %	1,610,008.00 1,600,816.98	100.10 0.18 %	1,601,609.60 5,016.67	0.80 % 792.62	Aaa AA+	0.15 0.14
3137EACQ0	FHLMC Note 0.625% Due 12/28/2012	3,450,000.00	12/22/2010 0.75 %	3,441,354.30 3,447,874.01	100.20 0.21 %	3,457,013.85 179.69	1.72 % 9,139.84	Aaa AA+	[illegible] [illegible]
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.88 %	4,194,744.63 3,829,405.07	104.06 0.26 %	3,876,100.90 65,808.34	1.96 % 46,695.83	Aaa AA+	[illegible] [illegible]
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	101.46 0.31 %	1,014,591.00 5,072.22	0.51 % 14,591.00	Aaa AA+	[illegible] [illegible]
880591DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 3,861,459.24	104.84 0.28 %	3,931,680.00 74,218.75	1.99 % 70,220.76	Aaa AA+	[illegible] [illegible]
31331KET3	FFCB Note 0.98% Due 9/23/2013	1,970,000.00	03/28/2011 1.10 %	1,964,227.90 1,967,145.73	100.80 0.33 %	1,985,767.88 5,255.52	0.99 % 18,622.15	Aaa AA+	[illegible] [illegible]
31331GTJ8	FFCB Note 2.625% Due 4/17/2014	1,000,000.00	10/05/2010 1.02 %	1,055,660.00 1,028,283.40	104.05 0.36 %	1,040,523.00 5,395.83	0.52 % 12,239.60	Aaa AA+	1.80 1.76
31331JQA4	FFCB Note 1.9% Due 6/2/2014	4,300,000.00	06/08/2010 1.96 %	4,289,551.00 4,294,944.96	102.93 0.37 %	4,426,033.00 6,581.39	2.20 % 131,088.04	Aaa AA+	1.92 1.89
3137EACD9	FHLMC Note 3% Due 7/28/2014	1,550,000.00	03/15/2010 2.41 %	1,587,771.95 1,567,926.88	105.25 0.46 %	1,631,347.10 19,762.50	0.82 % 63,420.22	Aaa AA+	2.08 2.0[illegible]
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,044,687.88	105.80 0.38 %	4,232,016.00 33,000.00	2.12 % 187,328.12	Aaa AA+	2.[illegible] 2.[illegible]
3136FPLV7	FNMA Callable Note 1X 3/24/2011 1.57% Due 9/24/2014	2,025,000.00	09/26/2011 0.65 %	2,080,181.25 2,066,183.81	102.55 0.42 %	2,076,675.98 8,566.31	1.04 % 10,492.17	Aaa AA+	2.24 2.19
3134G3CM0	FHLMC Callable Note 1X 12/12/12 0.92% Due 12/12/2014	1,120,000.00	12/15/2011 0.83 %	1,121,008.00 1,120,456.66	100.16 0.56 %	1,121,800.96 543.82	0.56 % 1,344.30	Aaa AA+	2.45 0.76
3135G0LC5	FNMA Callable Note Qtrly 11/29/12 0.7% Due 5/29/2015	1,920,000.00	05/09/2012 0.70 %	1,920,000.00 1,920,000.00	99.99 0.70 %	1,919,850.24 1,194.67	0.95 % (149.76)	Aaa AA+	2.91 1.74
3133EADW5	FFCB Note 0.55% Due 8/17/2015	3,450,000.00	04/27/2012 0.60 %	3,444,862.95 3,445,127.48	100.20 0.49 %	3,456,793.05 7,062.92	1.72 % 11,665.57	Aaa AA+	3.13 3.09
313370JB5	FHLB Note 1.75% Due 9/11/2015	3,600,000.00	08/04/2011 1.15 %	3,685,824.00 3,666,860.22	103.34 0.69 %	3,720,232.80 19,250.00	1.86 % 53,372.58	Aaa AA+	3.20 3.10
31331J6C2	FFCB Note 2.35% Due 12/22/2015	2,000,000.00	03/28/2011 2.27 %	2,007,240.00 2,005,313.80	106.80 0.38 %	2,136,066.00 1,175.00	1.06 % 130,752.20	Aaa AA+	3.48 3.36
3136FPDC8	FNMA Callable Note 1X 3/8/2011 2% Due 3/8/2016	1,765,000.00	08/24/2011 1.22 %	1,825,645.40 1,814,262.95	104.67 0.71 %	1,847,497.87 11,080.28	0.92 % 33,234.92	Aaa AA+	3.69 3.54
3135G0AL7	FNMA Note 2.25% Due 3/15/2016	2,875,000.00	07/25/2011 1.69 %	2,947,018.75 2,932,589.46	105.52 0.74 %	3,033,677.00 19,046.88	1.52 % 101,087.54	Aaa AA+	3.71 3.55
313372YS7	FHLB Note 2.45% Due 3/30/2016	2,150,000.00	07/07/2011 1.87 %	2,206,631.00 2,194,858.83	106.30 0.74 %	2,285,501.60 13,315.07	1.14 % 90,642.77	Aaa AA+	3.75 3.58

Holdings Report

As of 6/30/12

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Maturity Duration
AGENCY									
3137EACT4	FHLMC Note 2.5% Due 5/27/2016	3,475,000.00	06/14/2011 1.86 %	3,579,229.15 3,557,298.32	106.69 0.76 %	3,707,303.75 8,204.86	1.85 % 150,005.43	Aaa AA+	3.91 3.73
313373SZ6	FHLB Note 2.125% Due 6/10/2016	3,350,000.00	Various 1.42 %	3,456,779.50 3,439,195.23	105.17 0.79 %	3,523,154.80 4,152.61	1.75 % 83,959.57	Aaa AA+	3.95 3.79
31359MS61	FNMA Note 5.375% Due 7/15/2016	2,700,000.00	10/13/2011 1.29 %	3,206,106.90 3,131,009.05	118.18 0.79 %	3,190,951.80 66,918.75	1.62 % 59,942.75	Aaa AA+	4.04 3.63
3137EACW7	FHLMC Note 2% Due 8/25/2016	3,475,000.00	09/14/2011 1.19 %	3,610,316.50 3,588,587.94	105.08 0.76 %	3,651,401.43 24,325.00	1.83 % 62,813.49	Aaa AA+	4.16 3.97
3135G0CM3	FNMA Note 1.25% Due 9/28/2016	1,300,000.00	Various 1.22 %	1,301,462.70 1,301,410.74	101.75 0.83 %	1,322,700.60 4,197.92	0.66 % 21,289.86	Aaa AA+	4.25 4.12
3135G0ES8	FNMA Note 1.375% Due 11/15/2016	3,400,000.00	01/24/2012 1.17 %	3,431,885.20 3,429,049.34	102.35 0.83 %	3,479,917.00 5,973.61	1.73 % 50,867.66	Aaa AA+	4.38 4.24
3135G0GY3	FNMA Note 1.25% Due 1/30/2017	3,425,000.00	02/09/2012 1.10 %	3,449,368.88 3,447,512.97	101.58 0.90 %	3,478,988.28 17,957.47	1.74 % 31,475.31	Aaa AA+	4.59 4.43
3133787M7	FHLB Note 1.05% Due 2/27/2017	1,720,000.00	02/27/2012 1.03 %	1,721,582.40 1,721,474.94	100.67 0.90 %	1,731,489.60 6,521.67	0.86 % 10,014.66	Aaa AA+	4.67 4.52
3137EADC0	FHLMC Note 1% Due 3/8/2017	3,490,000.00	03/14/2012 1.29 %	3,441,314.50 3,444,205.12	100.54 0.88 %	3,508,877.41 10,954.72	1.75 % 64,672.29	Aaa AA+	4.69 4.56
313378WF4	FHLB Note 1.125% Due 3/10/2017	3,435,000.00	04/24/2012 1.05 %	3,447,228.60 3,446,768.31	100.98 0.91 %	3,468,827.88 9,446.25	1.73 % 22,059.57	Aaa AA+	4.70 4.55
3137EADF3	FHLMC Note 1.25% Due 5/12/2017	3,300,000.00	05/29/2012 1.06 %	3,330,600.90 3,330,059.29	101.32 0.97 %	3,343,612.80 5,614.58	1.66 % 13,553.51	Aaa AA+	4. 4.
Total Agency		**81,320,000.00**	**1.41 %**	**83,545,569.36 82,644,768.61**	**0.60 %**	**84,204,620.18 475,184.97**	**42.05 % 1,559,851.57**	**Aaa AA+**	**3.03 2.88**
CASH									
90CASH$00	Cash Custodial Cash Account	780,652.35	Various 0.00 %	780,652.35 780,652.35	1.00 0.00 %	780,652.35 0.00	0.39 % 0.00	NR NR	0.00 0.00
Total Cash		**780,652.35**	**N/A**	**780,652.35 780,652.35**	**0.00 %**	**780,652.35 0.00**	**0.39 % 0.00**	**NR NR**	**0.00 0.00**
COMMERCIAL PAPER									
06416JH14	Bank of Nova Scotia Discount CP 0.3% Due 8/1/2012	2,800,000.00	01/30/2012 0.30 %	2,795,706.67 2,799,276.67	99.97 0.30 %	2,799,276.67 0.00	1.39 % 0.00	P-1 A-1+	0.09 0.09
69349JHL0	PNC Bank Discount CP 0.2% Due 8/20/2012	1,700,000.00	06/25/2012 0.20 %	1,699,480.55 1,699,527.77	99.97 0.20 %	1,699,527.77 0.00	0.84 % 0.00	P-1 A-1	0.14 0.14
06416JHW6	Bank of Nova Scotia Discount CP 0.185% Due 8/30/2012	750,000.00	05/31/2012 0.19 %	749,649.27 749,768.75	99.97 0.19 %	749,768.75 0.00	0.37 % 0.00	P-1 A-1+	0.17 0.17
89233GKF2	Toyota Motor Credit Discount CP 0.38% Due 10/15/2012	1,300,000.00	04/18/2012 0.39 %	1,297,530.00 1,298,545.44	99.89 0.39 %	1,298,545.44 0.00	0.64 % 0.00	P-1 A-1+	0.29 0.29

Holdings Report

As of 6/30/12

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Maturity Duration
COMMERCIAL PAPER									
89233GLT1	Toyota Motor Credit Discount CP 0.33% Due 11/27/2012	1,600,000.00	05/31/2012 0.34 %	1,597,360.00 1,597,814.67	99.86 0.34 %	1,597,814.67 0.00	0.79 % 0.00	P-1 A-1+	0.41 0.41
Total Commercial Paper		**8,150,000.00**	**0.29 %**	**8,139,726.49 8,144,933.30**	**0.29 %**	**8,144,933.30 0.00**	**4.04 % 0.00**	**P1 A-1**	**0.20 0.20**
FDIC INSURED US CORPORATE									
36967HAV9	GE Capital Corp FDIC Guaranteed Note 2.125% Due 12/21/2012	3,645,000.00	05/19/2010 1.27 %	3,723,710.13 3,659,455.26	100.86 0.31 %	3,676,419.90 2,151.56	1.83 % 16,964.64	Aaa AA+	0 0
Total FDIC Insured US Corporate		**3,645,000.00**	**1.27 %**	**3,723,710.13 3,659,455.26**	**0.31 %**	**3,676,419.90 2,151.56**	**1.83 % 16,964.64**	**Aaa AA+**	**0 0**
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	27,039,702.85	Various 0.35 %	27,039,702.85 27,039,702.85	1.00 0.35 %	27,039,702.85 26,406.91	13.44 % 0.00	NR NR	0 0
Total LAIF		**27,039,702.85**	**0.35 %**	**27,039,702.85 27,039,702.85**	**0.35 %**	**27,039,702.85 26,406.91**	**13.44 % 0.00**	**NR NR**	**0.00 0.00**
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	184,504.13	Various 0.00 %	184,504.13 184,504.13	1.00 0.00 %	184,504.13 0.00	0.09 % 0.00	Aaa AAA	0.00 0.00
Total Money Market Fund FI		**184,504.13**	**N/A**	**184,504.13 184,504.13**	**0.00 %**	**184,504.13 0.00**	**0.09 % 0.00**	**Aaa AAA**	**0.00 0.00**
NEGOTIABLE CD									
89112XWE1	Toronto Dominion Bank CD 0.245% Due 11/9/2012	3,640,000.00	05/07/2012 0.24 %	3,640,000.00 3,640,000.00	100.00 0.24 %	3,640,000.00 1,337.70	1.81 % 0.00	P-1 A-1+	0.36 0.36
Total Negotiable CD		**3,640,000.00**	**0.24 %**	**3,640,000.00 3,640,000.00**	**0.24 %**	**3,640,000.00 1,337.70**	**1.81 % 0.00**	**Aaa AAA**	**0.36 0.36**
US CORPORATE									
931142CL5	Wal-Mart Stores Note 4.25% Due 4/15/2013	3,260,000.00	Various 1.54 %	3,491,366.25 3,328,004.69	102.99 0.46 %	3,357,457.71 29,249.45	1.68 % 29,453.02	Aa2 AA	0.79 0.78
459200GR6	IBM Corp Note 2.1% Due 5/6/2013	1,225,000.00	01/27/2011 1.00 %	1,255,269.75 1,236,282.69	101.33 0.53 %	1,241,268.00 3,930.21	0.62 % 4,985.31	Aa3 AA-	0.85 0.84
91159HGY0	US Bancorp Callable Note Cont 8/13/13 1.375% Due 9/13/2013	2,665,000.00	Various 1.32 %	2,668,966.65 2,666,524.57	100.85 0.61 %	2,687,647.17 10,993.13	1.34 % 21,122.60	Aa3 A	1.21 1.11
254687AW6	Walt Disney Corp Note 4.5% Due 12/15/2013	1,720,000.00	Various 1.23 %	1,873,880.60 1,800,200.35	105.88 0.45 %	1,821,051.73 3,440.00	0.91 % 20,851.38	A2 A	1.46 1.42

Item No. A.20

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MV00175313

Holdings Report

As of 6/30/12

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Maturity Duration
US CORPORATE									
525ESC2W8	Lehman Brothers ESCROW CUSIP - Defaulted Due 2/6/2014	1,000,000.00	04/16/2012 0.22 %	996,000.00 180,000.00	22.75 117.67 %	227,500.00 0.40	0.11 % 47,500.00	NR NR	1.61 1.01
24422ERA9	John Deere Capital Corp Note 1.6% Due 3/3/2014	440,000.00	02/28/2011 1.63 %	439,564.40 439,757.56	101.57 0.65 %	446,922.96 2,307.56	0.22 % 7,165.40	A2 A	1.67 1.65
166751AH0	ChevronTexaco Corp Note 3.95% Due 3/3/2014	2,473,000.00	Various 1.56 %	2,644,928.56 2,569,024.52	105.50 0.64 %	2,609,034.78 32,018.48	1.31 % 40,010.26	Aa1 AA	1.67 1.61
665859AK0	Northern Trust Company Note 4.625% Due 5/1/2014	1,850,000.00	10/20/2010 1.33 %	2,058,421.00 1,958,593.18	107.01 0.77 %	1,979,622.10 14,260.42	0.99 % 21,028.92	A1 A+	1.84 1.77
36962G4C5	General Electric Capital Corp Note 5.9% Due 5/13/2014	3,075,000.00	Various 2.88 %	3,411,681.00 3,237,680.27	108.62 1.22 %	3,340,203.38 24,190.00	1.67 % 102,523.11	A1 AA+	1.87 1.78
74005PAQ7	Praxair Note 5.25% Due 11/15/2014	850,000.00	09/24/2010 1.60 %	973,471.00 920,987.64	110.22 0.89 %	936,895.50 5,702.08	0.47 % 15,907.86	A2 A	2.38 2.25
09247XAD3	Blackrock Inc Note 3.5% Due 12/10/2014	1,630,000.00	Various 2.84 %	1,674,920.75 1,654,387.84	106.07 0.98 %	1,728,978.50 3,327.92	0.86 % 74,590.66	A1 A+	2.45 2.35
713448BM9	Pepsico Inc. Note 3.1% Due 1/15/2015	2,530,000.00	Various 2.04 %	2,641,540.25 2,594,668.16	105.32 0.98 %	2,664,626.36 36,164.95	1.34 % 69,958.20	Aa3 A-	2.55 2.42
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	2,550,000.00	Various 3.34 %	2,584,656.00 2,571,935.00	104.31 1.96 %	2,659,859.10 42,195.42	1.34 % 87,924.10	A2 A	2.56 2.40
459200HB0	IBM Corp Note 0.55% Due 2/6/2015	695,000.00	02/01/2012 0.72 %	691,601.45 692,054.18	99.35 0.80 %	690,490.15 1,539.62	0.34 % (1,564.03)	Aa3 AA-	2.61 2.[illegible]
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	2,475,000.00	Various 3.65 %	2,584,316.50 2,539,964.22	107.17 1.92 %	2,652,442.65 46,371.87	1.34 % 112,478.43	A1 A+	2.[illegible] 2.[illegible]
084670AV0	Berkshire Hathaway Note 3.2% Due 2/11/2015	2,485,000.00	06/09/2010 2.65 %	2,545,012.75 2,518,653.66	106.18 0.81 %	2,638,543.18 30,924.44	1.33 % 119,889.52	Aa2 AA+	2.62 2.49
191216AX8	Coca Cola Company Note 0.75% Due 3/13/2015	2,090,000.00	Various 0.80 %	2,086,645.55 2,086,976.16	100.20 0.67 %	2,094,221.80 4,658.96	1.04 % 7,245.64	Aa3 A+	2.70 2.67
06406JHB4	Bank of New York Mellon Note 4.95% Due 3/15/2015	2,360,000.00	Various 2.11 %	2,645,950.90 2,531,726.82	108.48 1.73 %	2,560,198.80 34,397.01	1.29 % 28,471.98	A1 A	2.71 2.52
717081DA8	Pfizer Inc. Note 5.35% Due 3/15/2015	1,550,000.00	02/18/2011 2.33 %	1,730,497.50 1,670,372.32	111.81 0.93 %	1,733,008.50 24,416.81	0.87 % 62,636.18	A1 AA	2.71 2.52
74005PAR5	Praxair Note 4.625% Due 3/30/2015	740,000.00	Various 2.58 %	807,780.55 778,911.65	110.18 0.87 %	815,299.44 8,651.32	0.41 % 36,387.79	A2 A	2.75 2.58
278642AB9	Ebay Inc Note 1.625% Due 10/15/2015	2,670,000.00	10/22/2010 1.66 %	2,665,327.50 2,666,904.76	102.32 0.91 %	2,732,024.10 9,159.58	1.36 % 65,119.34	A2 A	3.29 3.19
913017BU2	United Tech Corp Note 1.8% Due 6/1/2017	170,000.00	05/24/2012 1.82 %	169,853.80 169,856.20	102.12 1.35 %	173,610.46 255.00	0.09 % 3,754.26	A2 A	4.92 4.69
Total US Corporate		**40,503,000.00**	**2.03 %**	**42,641,652.71 40,813,466.44**	**1.62 %**	**41,790,906.37 368,154.63**	**20.94 % 977,439.93**	**A1 A+**	**2.16 2.05**

Holdings Report

As of 6/30/12

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Maturity Duration
US TREASURY									
912828HE3	US Treasury Note 4.25% Due 9/30/2012	1,775,000.00	03/12/2010 1.22 %	1,909,517.67 1,788,162.48	101.01 0.22 %	1,792,957.68 18,962.43	0.90 % 4,795.20	Aaa AA+	0.25 0.25
912828HM5	US Treasury Note 3.625% Due 12/31/2012	2,550,000.00	03/12/2010 1.35 %	2,708,785.88 2,578,432.31	101.70 0.22 %	2,593,329.60 251.19	1.29 % 14,897.29	Aaa AA+	0.50 0.50
912828JQ4	US Treasury Note 2.75% Due 10/31/2013	2,325,000.00	05/10/2010 1.65 %	2,411,188.48 2,358,076.27	103.25 0.30 %	2,400,653.17 10,772.08	1.20 % 42,576.90	Aaa AA+	1 1
912828NP1	US Treasury Note 1.75% Due 7/31/2015	4,050,000.00	04/06/2011 1.99 %	4,009,355.36 4,020,986.54	103.96 0.46 %	4,210,416.45 29,596.15	2.11 % 189,429.91	Aaa AA+	3 2
912828PE4	US Treasury Note 1.25% Due 10/31/2015	3,600,000.00	Various 1.35 %	3,584,379.25 3,588,174.16	102.49 0.50 %	3,689,719.20 7,581.52	1.84 % 101,545.04	Aaa AA+	3 3
912828PJ3	US Treasury Note 1.375% Due 11/30/2015	3,590,000.00	05/16/2011 1.63 %	3,549,905.00 3,559,807.69	102.95 0.50 %	3,695,736.27 4,180.98	1.84 % 135,928.58	Aaa AA+	3 3
912828PS3	US Treasury Note 2% Due 1/31/2016	3,505,000.00	05/16/2011 1.70 %	3,551,973.24 3,540,790.44	105.22 0.53 %	3,687,918.94 29,272.53	1.85 % 147,128.50	Aaa AA+	3 3
912828QA1	US Treasury Note 2.25% Due 3/31/2016	3,435,000.00	Various 1.33 %	3,578,212.10 3,548,815.44	106.34 0.54 %	3,652,909.53 19,427.45	1.82 % 104,094.09	Aaa AA+	3.75 3.60
912828RU6	US Treasury Note 0.875% Due 11/30/2016	3,425,000.00	12/22/2011 0.89 %	3,423,004.63 3,423,211.93	100.99 0.65 %	3,458,982.85 2,538.34	1.72 % 35,770.92	Aaa AA+	4.42 4.33
912828SC5	US Treasury Note 0.875% Due 1/31/2017	1,710,000.00	06/20/2012 0.70 %	1,723,298.31 1,723,219.39	100.87 0.68 %	1,724,829.12 6,248.08	0.86 % 1,609.73	Aaa AA+	4.59 4.47
Total US Treasury		**29,965,000.00**	**1.43 %**	**30,449,619.92 30,129,676.65**	**0.47 %**	**30,907,452.81 128,830.75**	**15.41 % 777,776.16**	**Aaa AA+**	**3. 2.**
TOTAL PORTFOLIO		**195,227,859.33**	**1.32 %**	**200,145,137.94 197,037,159.59**	**0.74 %**	**200,369,191.89 1,002,066.52**	**100.00 % 3,332,032.30**	**Aa1 AA**	**2.21 2.11**
TOTAL MARKET VALUE PLUS ACCRUED						**201,371,258.41**			

Item No. A.20

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MV00175315

City of Moreno Valley

June 30, 2012

COMPLIANCE WITH INVESTMENT POLICY

Assets managed by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

MV00175316

Holdings Report Glossary

CUSIP (Committee on Uniform Securities Identification Procedures) – A unique identification number assigned to all securities.

Security Description - The issuer name, coupon (periodic interest payment rate) and maturity.

Par Value/Units - The face value or number of units held in the portfolio.

Purchase Date - The settlement date on which the security was purchased.

Book Yield - The YTM that equates the current amortized value of the security to its periodic future cash flows.

Cost Value - The value at which the securities were purchased, excluding purchased interest.

Book Value - The value at which an asset is carried on a balance sheet. To calculate, take the cost of an asset +/- net accretion/amortization.

Mkt Price - The current fair value market price.

Mkt YTM – The internal rate of return that equates the periodic future cash flows (interest payments and redemption value) to the market price, assuming that all cash flows are invested at the YTM rate.

Market Value - The current fair value of an investment as determined by transactions between willing buyers and sellers.

Accrued Int. - The interest that has accumulated on a bond since the last interest payment up to, but not including, the settlement date.

% of Port. - The % of the portfolio that the security represents based on market value, including accrued interest.

Gain/Loss – The unrealized gain or loss on the security, compared to either cost or amortized value, as of the date of the report.

Moody - The Moody's rating for the security.

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Holdings Report Glossary (continued)

S&P - The Standard and Poor's rating for the security.

Term (yrs) - The time, in years, until maturity.

Duration - The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

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CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report

BOND PROCEEDS WITH FISCAL AGENTS

Account Name	Account Number	Investment	Issuer	Purchase Date	Maturity Date	Market Value	Stated Rate	Yield	Price	% of of Portfolio
Wells Fargo	Community Facilities District 87-1 (I.A. 1)									
special tax funds	**22631800**	**money market fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**1,035,858**	**0.01%**	**0.01%**	**1.00000**	**7.357%**
reserve fund	22631804	money market fund	WF Govt Fund	06/30/12	07/01/12	1,028,998	0.01%	0.01%	1.00000	7.308%
admin exp acct	**22631805**	**money market fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**377**	**0.01%**	**0.01%**	**1.00000**	**0.003%**
debt service acct	**22631809**	**money market fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**535,946**	**0.01%**	**0.01%**	**1.00000**	**3.806%**
special tax funds	**22631900**	**money market fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**389,070**	**0.01%**	**0.01%**	**1.00000**	**2.763%**
reserve fund	22631904	money market fund	WF Govt Fund	06/30/12	07/01/12	3,658,414	0.01%	0.01%	1.00000	25.983%
admin exp acct	**22631905**	**money market fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**8**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
						6,648,671				
Wells Fargo	CFD 2-5									
Series B Revenue	**22333500**	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**189,790**	**0.01%**	**0.01%**	**1.00000**	**1.348%**
Series B reserve	22333503	money mkt fund	WF Govt Fund	06/30/12	07/01/12	532,609	0.01%	0.01%	1.00000	3.783%
Series B admin fund	**22333504**	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**127**	**0.01%**	**0.01%**	**1.00000**	**0.001%**
						722,526				
Wells Fargo	2007 Redevelopment Agency Tax Allocation Bonds Series A									
debt service fund	22631700	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**2**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
						2				
Wells Fargo	2005 Lease Revenue Bond									
bond fund	**18042800**	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**22**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
reserve fund	18042804	money mkt fund	WF Govt Fund	06/30/12	07/01/12	2,992,753	0.01%	0.01%	1.00000	21.256%
construction fund	**18042806**	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**1,315,143**	**0.01%**	**0.01%**	**1.00000**	**9.341%**
						4,307,918				30.596%
Wells Fargo	2007 Taxable Lease Revenue Bonds - Electric Utility									
bond fund	**22277600**	**money mkt fund**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**3**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
construction fund	22277604	money mkt fund	WF Govt Fund	06/30/12	07/01/12	2,056,689	0.01%	0.01%	1.00000	14.607%
						2,056,692				
Wells Fargo	Automall Refinancing									
revenue fund	**20350300**	**revenue**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**84,696**	**0.01%**	**0.01%**	**1.00000**	**0.602%**
reserve fund	20350303	reserve	WF Govt Fund	06/30/12	07/01/12	259,314	0.01%	0.01%	1.00000	1.842%
admin fund	**20350304**	**reserve**	**WF Govt Fund**	**06/30/12**	**07/01/12**	**26**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
						344,036				2.443%
			Totals			**14,079,845**				**100.000%**

Type	Summary of Bond Proceeds with Fiscal Agents	
1	Construction Funds	3,371,832
2	**Principal & Interest Accounts**	**620,793**
3	Debt Service Reserve Funds	9,897,019
4	**Custody Accounts**	**0**
5	Arbitrage Rebate Accounts	0
6	**Other Accounts**	**190,201**
	Total Fiscal Agent Funds	**14,079,845**

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DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value as of June 30, 2012
Liquid Savings	**$1,237,104**
Nationwide Fixed (Part Time Employee)	496,984
Liquid Savings (Part Time Employees)	**260,872**
Certificates of Deposit 1 year	20,096
Certificates of Deposit 3 years	**16,296**
Certificates of Deposit 5 years	82,127
Bond Fund of America	**60,504**
Growth Fund of America	77,347
Investment Co. of America	**29,804**
Income Fund of America	115,492
Brown Cap Mgmt Inc SM Co	**43,508**
Fidelity Independence	1,626
Fidelity Equity Income	**31,893**
Fidelity Magellan	200,299
Fidelity Puritan	**85,632**
Fidelity Contrafund	273,275
Janus Fund	**54,361**
Janus Advisor Forty	37,614

Fund	Market Value as of June 30, 2012
Drey SmCap I	**6**
American Century Balanced	32
Am Century Growth	**54,313**
Am Century Select	102,644
JP Morgan Mid Cap Value A	**625,190**
Vanguard Index 500	85,964
Vanguard Institutional Index	**426,173**
Vanguard Wellington	16,436
Vanguard Windsor II	**52,605**
Vanguard Total Bond Index	188,461
Washington Mutual Inv	**62,194**
Templeton Foreign I	0
EuroPacific Growth	**240,266**
Stable Fund C	2,502,591
PBHG Growth Fund	**0**
DWS High Income Fund A	76,558
DWS Eq Divd A	**51,657**
Oppenheimer Global Fund A	202,598

Fund	Market Value as of June 30, 2012
N B Socially Responsive Fund	**19,067**
DFA US Micro Cap Port	66,185
Federated Kaufmann Fund	**83,429**
Invesco Mid Cap Core Equity	20,837
Nationwide Ret Inc Inst Svc	**90**
Nationwide InvDes Mod Cons Fund SC	41,927
Nationwide InvDes Mod Aggr Fund	**703,984**
Nationwide InvDes Aggr Fund	51,676
Nationwide InvDes Mod Fd	**428,484**
Nationwide Inv Des Cons	87,115
Nationwide Large Cap Growth	**46,173**
Nationwide Inter Val Inst Svc	23,873
Nationwide US Sm Cap Val Ins Svc	**1,008**
Nationwide Dest 2020 Inst Svc	104,546
Nationwide Dest 2025 Inst Svc	**82,731**
Nationwide Dest 2030 Inst Svc	34,268
Nationwide Dest 2045 Inst Svc	**2,724**
Total Nationwide Deferred	**$9,610,639**

ICMA

Fund	Market Value as of June 30, 2012
Aggressive Oppor.	**$177,129**
International	167,858
All Equity Growth	**114,671**
Growth and Income	203,441
Broad Market	**60,637**
500 Stock Index	67,063
Equity Income	**306,223**
Asset Allocation	
Core Bond	**76,145**
Cash Management	26,090
Plus Fund	**1,102,670**
Savings Oriented	19,517
Conservative Growth	**153,913**
Traditional Growth	246,010
Long-Term Growth	**342,288**
Milestone 2010	13,614
Milestone 2015	**821**
Milestone 2025	17,584
Milestone 2030	**12,051**
Milestone 2035	14,162
Milestone 2040	**3,990**
Vantage Growth Fund	218,636

Fund	Market Value as of June 30, 2012
VT Royce Premeir	3,815
VT Ranier Small/Mid Cap Eq	**33,753**
VT Fidelity Contrafund	174,010
VT Vantagepoint Overseas Equity Index Fund	**68,123**
VT Fidelity Diversified International	50,273
VT Allianz NIJ Div Value	**43,309**
VT Oppenheimer Main Street	1,827
VT Fidelity Puritan	**5,447**
VT Calvert Equity Portfolio	3
VT TR Price Growth Stock Adv	**18,061**
VT Nuveen Real Estate Secs	31,246
VT TR Price Small Cap Value	**117,361**
VT Vantagepoint MS Ret Inc	34,883
VT Vantagepoint Inflation Protected Securities	**83,507**
VT Vantagepoint Select Value	34
VT Vantagepoint Mid/Sm Index	**13,667**
VT PIMCO Total Return	50,483
VT PIMCO High Yield	**57,646**
VT Harbor International Admi	15,616
VT Harbour Mid Cap Growth Admin	**0**
Total ICMA	**$4,147,577**

Summary by Plan

Deferred Compensation Plan	Market Value as of June 30, 2012
Total Nationwide	$9,610,639
Total ICMA	4,147,577
Total Deferred Compensation Plans	**$13,758,216**

Summary by Investment Type

Investment Type	Market Value as of June 30, 2012
Savings Deposits and CD's	$4,533,943
Mutual Funds	9,224,273
Total Deferred Compensation Plans	**$13,758,216**

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CHANDLER ASSET MANAGEMENT

July 2012

Attachment 2

BOND MARKET REVIEW

A MONTHLY REVIEW OF FIXED INCOME MARKETS

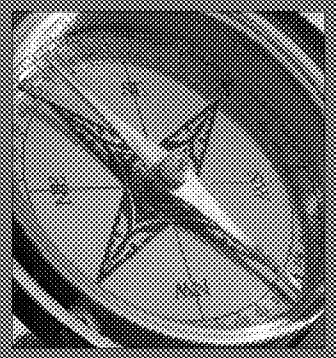

WHAT'S INSIDE

Market Summary 1
Yield Curve
Current Yields

Economic Round-Up 2
Credit Spreads
Economic Indicators

Corporate Credit Ratings 3
Risk of Downgrades Has Increased

Since 1988, Chandler Asset Management has specialized in the management of fixed income portfolios. Chandler's mission is to provide fully customizable, client-centered portfolio management that preserves principal, manages risk and generates income in our clients' portfolios.

Market Summary

Treasury rates moved slightly higher in June in spite of disappointing economic data, ongoing concerns about Europe's sovereign debt crisis, and the extension of Operation Twist. The markets are trading in a tight range despite market speculation that additional measures to stimulate economic growth from global central banks may be forthcoming. Despite the small back-up in rates between May 31st and June 30th, the overall supply of high quality sovereign debt has continued to decrease as the European financial crisis has escalated, which will continue to support U.S. Treasury market valuations.

The domestic economy has slowed and we believe downside risks remain. Uncertainty regarding an ultimate resolution of the European debt crisis continues to create significant volatility in the financial markets, and concerns about the U.S. reaching a "fiscal cliff" have grown here in the U.S. Domestic economic data continued to be mostly disappointing in June, with the exception of some mildly better than expected housing market data. The past four U.S. non-farm payroll reports have been weaker than expected. In June, the economy added just 80,000 jobs, below the consensus forecast of 90,000. The unemployment rate also remained elevated and unchanged at 8.2%. Consumer confidence has recently declined and retail sales trends have weakened. Manufacturing trends have also slowed, according to the most recent ISM manufacturing index report. While we still expect positive U.S. GDP growth over the next few quarters, we believe growth is likely to be quite sluggish.

Monetary policy in the United States remains very accommodative with assurance from the Federal Reserve that the fed funds rate will remain exceptionally low through late 2014. In June, the Federal Open Market Committee left policy rates unchanged at a range of 0-0.25% and acknowledged that the economy has slowed. The FOMC also announced that it would extend Operation Twist (which was supposed to expire at the end of June) through the end of the year. FOMC participants expect modest improvement in the economy in upcoming quarters, but nonetheless downgraded their economic forecasts at the most recent FOMC meeting as the Fed sees significant downside risks to the outlook. Inflation has declined and the Fed believes longer-term inflation expectations are stable. The Fed cut it's expectations for GDP growth for 2012 to a range of 1.9%-2.4% (from its previous forecast of 2.4%-2.9%), and for 2013 to 2.2%-2.8% (from its previous forecast of 2.7%-3.1%). The Fed is now projecting an unemployment rate of 8.0%-8.2% for 2012, and 7.5%-8.0% in 2013.

TREASURY YIELDS ROSE SLIGHTLY IN JUNE

Source: Bloomberg

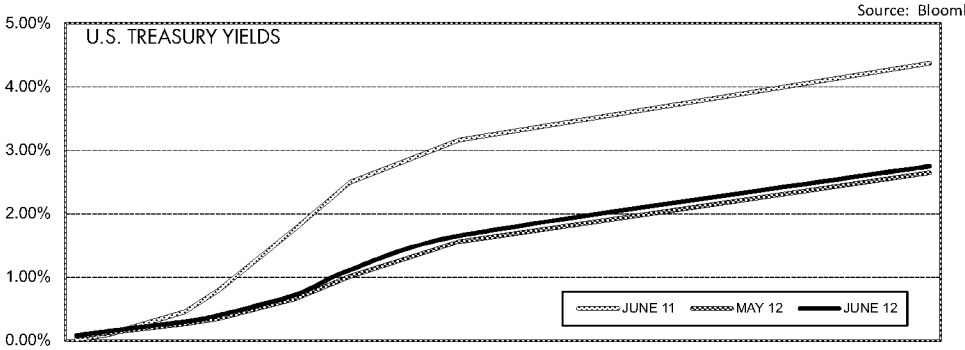

Treasury rates moved slightly higher in June in spite of disappointing economic data, ongoing concerns about Europe's sovereign debt crisis, and the extension of Operation Twist. The markets are trading in a tight range despite market speculation that additional measures to stimulate economic growth from global central banks may be forthcoming.

TREASURY YIELDS	6/30/12	5/31/12	CHANGE
3 Month	0.08	0.07	0.01
2 Year	0.30	0.26	0.04
3 Year	0.40	0.34	0.06
5 Year	0.72	0.66	0.06
7 Year	1.11	1.01	0.10
10 Year	1.65	1.56	0.09
30 Year	2.75	2.64	

Source: Bloomberg

Consumer Prices

In May, overall CPI inflation softened to 1.7% from 2.3% in April on a year-over-year basis, driven primarily by a decline in energy prices. The year-over-year Core CPI (CPI less food and energy) increased at a 2.3% rate in May, consistent with the trend in March and April. The core rate remains slightly higher than the Fed's inflation target of 2%.

Retail Sales

In May, retail sales rose 5.3% on a year-over-year basis. Consumer spending has rebounded from the depths of the recession though recent activity has slowed down. Elevated unemployment levels and a recent decline in consumer confidence are likely restraining consumer spending.

Labor Markets

The June employment report showed that the economy added just 80,000 jobs. The report was once again disappointing, and below the consensus forecast of 90,000. The net revisions for April and May were down by 1,000 jobs. The unemployment rate remained unchanged at 8.2%. The employment report has been disappointing for the past four months and suggests that the pace of the economic recovery is slowing.

Housing Starts

Single-family housing starts rose 3.2% to 516,000 in May compared to 500,000 in April. The housing market remains under pressure, but some data has surprised to the upside this year.

Credit Spreads Were Mixed

CREDIT SPREADS	Spread to Treasuries (%)	One Month Ago (%)	Change
3-month top-rated commercial paper	0.17	0.13	0.04
2-year AA corporate note	0.26	0.30	(0.04)
5-year AA corporate note	0.68	0.75	(0.07)
5-year Agency note	0.34	0.34	0.00

Source: Bloomberg

Data as of 6/30/12

Economic Data Remained Weak

ECONOMIC INDICATOR	Current Release	Prior Release	One Year Ago
Trade Balance	(50.1) $Bln APR 12	(52.6) $Bln MAR 12	(43.6) $Bln APR 11
GDP	1.9% MAR 12	3.0% DEC 11	0.4% MAR 11
Unemployment Rate	8.2% JUN 12	8.2% MAY 12	9.1% JUN 11
Prime Rate	3.25% JUN 12	3.25% MAY 12	3.25% JUN 11
CRB Index	284.19 JUN 12	272.97 MAY 12	338.05 JUN 11
Oil (West Texas Int.)	$84.96 JUN 12	$86.53 MAY 12	$95.42 JUN 11
Consumer Price Index (y/o/y)	1.7% MAY 12	2.3% APR 12	3.6% MAY 11
Producer Price Index (y/o/y)	0.7% MAY 12	1.9% APR 12	7.1% MAY 11
Dollar / EURO	1.27 JUN 12	1.24 MAY 12	1.45 JUN 11

Source: Bloomberg

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The information contained herein was obtained from sources we believe to be reliable, but we do not guarantee its accuracy. Opinions and forecasts regarding industries, companies, and/or the economy are all subject to change at any time, based on market and other conditions, and should not be construed as a recommendation.

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MV00175322

Corporate Credit Ratings - Risk of Downgrades Has Increased

Although corporate credit fundamentals of many high grade bond issuers have improved significantly since the financial crisis and recession, we believe the risk of an increase in the number of corporate credit rating downgrades has recently become more elevated. In some cases, the weakening of corporate credit is directly tied to the rising debt levels of sovereign issuers. For this reason, we believe the outcome of the European debt crisis and the U.S. presidential election later this year (which should provide insight into the fiscal budget outlook for the U.S. and potentially impact the U.S. credit rating), will have a meaningful influence on corporate credit ratings.

Pressure on some corporate credit issuer's fundamentals (from industrials to consumer-related corporations) is rising because of the European sovereign debt crisis, which has strained the overall European economy, and has begun to hinder revenues and earnings of many global corporations. For example, Proctor & Gamble, Ford, and Dover are among some of the companies that have recently lowered their earnings guidance, in part because of lowered demand in Europe. Should the European Union fail to find a resolution to their fiscal crisis, we expect that the corporate credit fundamentals of companies with significant exposure to Europe in particular will come under more pressure.

However, credit ratings of banks and financial institutions are most directly tied to sovereign debt ratings, and likely face the most immediate pressure. Although the intrinsic credit-worthiness of many domestic banks and financial institutions has improved over the past few years, due to increased oversight, higher capital levels, and stronger balance sheets, the implied support from the government has declined. As the credit ratings of many sovereign debt issuers have declined due to soaring government debt levels and poor fiscal management, the credit-worthiness of their homeland banks and financial institutions has also weakened. This is because most banks and financial institutions receive credit rating boosts from implied government support (i.e. in the event of a financial crisis or liquidity event, it is assumed that the government would step in and provide a backstop). Over the past year, we have seen several sovereign credit rating downgrades, which have negatively impacted the credit ratings of many banks.

As the credit ratings of many sovereign debt issuers have declined due to soaring government debt levels and poor fiscal management, the credit-worthiness of their homeland banks and financial institutions has also weakened.

In the month of June, Moody's downgraded fifteen global banks, including high quality issuers such as JP Morgan, Credit Suisse, and HSBC. The downgrades were anticipated by Chandler's portfolio management team, and were driven in part by the perception of diminished government support, and in some cases by the banks' exposure to Europe. S&P has recently taken similar action on financial institutions in Spain due to a decline in implied support from the Spanish government. Recall that S&P downgraded the U.S. sovereign credit rating in August last year, and subsequently lowered the credit ratings of some financial issuers whose ratings reflected government support.

S&P, Moody's, and Fitch each maintain a Negative Outlook on the sovereign credit rating of the U.S. Any potential further downgrade of the U.S. sovereign debt rating would most likely put additional downward pressure on the credit ratings of domestic banks. Moody's has indicated that they plan to update their view on the U.S. after the presidential election. Outside of the U.S., we believe the potential for further sovereign credit rating downgrades in Europe remains high, putting foreign banks at risk for further downgrades as well.

During the second quarter of 2012, the number of credit rating upgrades by Standard & Poor's outnumbered downgrades (S&P upgraded thirteen companies and downgraded five). However, in a report released earlier this month, S&P said that it expects downgrades may outnumber upgrades in the near to intermediate term, since current rating outlooks are somewhat negatively biased. According to S&P, the telecommunications services and financials sectors have the highest downgrade potential over the near to intermediate term. In a separate report, S&P also noted that their rating outlooks remain negative for the majority of large complex banks and trust banks. For most banks, they said that their outlooks reflect the negative outlook on the sovereign rating on the U.S. and the likely impact that a potential downgrade of the U.S. would have on the support factored into bank ratings. Overall, S&P has indicated that the number of potential corporate credit rating downgrades is currently at its highest level since August 2010.

Looking ahead, we believe developments in Europe, and secondarily the outcome of the U.S. presidential election, will have a significant influence on the global and domestic economy, as well as sovereign and corporate credit ratings. Because we think the downward pressure on credit ratings may be rising, the team at Chandler has taken a more conservative stance in selecting securities for our client portfolios in recent months, and we believe a more defensive posturing is prudent over the near- to intermediate-term.

- Shelly Henbest
VP, Credit Analyst

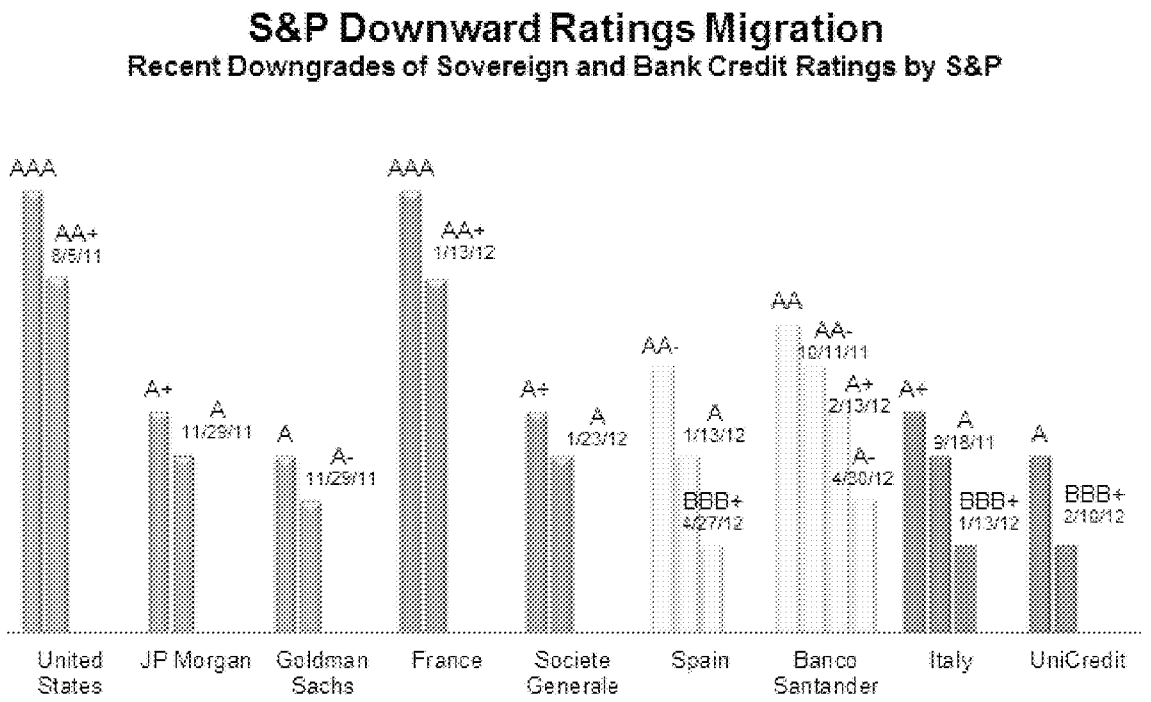

RISKS AND OTHER IMPORTANT CONSIDERATIONS
Past performance is not indicative of future results. This report is provided for general information purposes only and should not be construed as specific legal, tax, or financial planning advice. All opinions and views constitute judgments or relevant information as of the date of writing and such information may become outdated or superseded at any time without notice. Forecasts are inherently limited and should not be relied upon as an indicator of future results. This report is not intended to constitute an offer, solicitation, recommendation or advice regarding any securities or investment strategy. This information should not be regarded by recipients as a substitute for the exercise of their own judgment.

Fixed income investments are subject to interest, credit, and market risk. Interest rate risk: the value of fixed income investments will decline as interest rates rise. Credit risk: the possibility that the borrower may not be able to repay interest and principal. Low rated bonds generally have to pay higher interest rates to attract investors willing to take on greater risk. Market risk: the bond market in general could decline due to economic conditions, ...tes.

MV00175324

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 28, 2012

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE NATIONAL ANIMAL CONTROL ASSOCIATION & THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept a grant award in the amount of $6,000 from the National Animal Control Association (NACA) and the American Society for the Prevention of Cruelty to Animals (ASPCA) for the purpose of implementing ASPCA's ID-Me Animal Tagging Project.

2. Approve revenue and expense appropriations in the grant amount of $6,000 increasing the Animal Services budget for FY 2012-13 to reflect the grant acceptance.

BACKGROUND

In recognition of the valuable work of NACA, the ASPCA provided grant funding to NACA for the implementation of the ID–Me Animal Tagging Project in 25 Municipal/County Animal Care and Control Agencies. The grant project consists of 25 grants in the amount of $6,000.00 each to governmental agencies across the country to cover the cost of an engraver machine, ID tags and collars to participate in the ASPCA ID-Me project.

DISCUSSION

The ASPCA ID-Me Animal Tagging Project is a multi-phase project that investigates the use of ID tags on dogs and cats to facilitate the public's willingness and ability to return lost animals to their owners. The benefits of participating in this program are:

- Allows the public who finds a lost pet the ability to contact the pet's owner for immediate reunification.
- Potentially reduces the animal intakes at the Moreno Valley Animal Shelter, thereby realizing some cost reductions in animal care and control.
- Provides promotional opportunities for Moreno Valley Animal Shelter to highlight its partnership with the ASPCA and thereby enhance the adoption of pets by providing free collars and ID tags for pets adopted by the public.

Having met the eligibility requirements of being a municipal animal care and control program, Moreno Valley Animal Services submitted the grant application to NACA on April 30, 2012. On June 13, 2012 NACA announced the 25 award winners with the City of Moreno Valley being one of three animal care and control agencies in California to receive grant funding with the remaining participating agencies located across the United States.

Grant funds will be used to purchase an engraver machine, ID tags and collars. The Animal Services Division will place these collars and tags on each dog and cat that leaves the Moreno Valley Animal Shelter, either through adoption or return to owner. There is no cost to the pet owner to receive a collar and tag. This project is targeted to begin in September 2012 and run for approximately 12 months. At the conclusion of this project the engraving machine, valued at approximately $2,700.00, will be kept by the Moreno Valley Animal Shelter.

ALTERNATIVES

1) Accept the grant award of $6,000.

2) Reject the grant award of $6,000.

3) Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the $6,000 grant award will increase the Animal Services Division's revenue budget in the amount of $6,000 reflecting receipt of the grant funds and an increase in the expenditure budget for FY 2012-13 as identified below.

BUDGET APPROPRIATIONS:

Account	Type	Description	Current Budget	Grant Award Allocation	Revised Budget
1010-30-38-25310-489000	REVENUE	Other Grant-Operating Revenue	0	$6,000	$6,000
1010-30-38-25310-620620	EXPENSE	Marketing Services-PR/Promotional	0	$6,000	$6,000

SUMMARY

Acceptance of the $6,000 grant award from the NACA & ASPCA will allow the Animal Services Division to provide free collars and ID tags to pet owners reclaiming their lost pets as well as to new pet owners who have adopted a pet from the Moreno Valley Animal Shelter. The benefits of this project are anticipated to help lost pets that are wearing a collar and ID tag become quickly reunited with their owners, reduce the number of owned pets being impounded into the Animal Shelter, and provide a promotional opportunity for the Moreno Valley Animal Shelter to highlight its partnership with the ASPCA enhancing the adoption process by providing free collars and tags on all cats and dogs adopted.

ATTACHMENTS

Attachment A: NACA & ASPCA Grant Award Notice

Prepared By:
Steve Fries
Animal Services Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00175328

Attachment A

John W. Mays, Executive Director
National Animal Control Association
P.O. Box 480851
Kansas City, MO 64148
Phone: 913-768-1319
Fax: 913-768-1378
naca@nacanet.org

June 13, 2012

Re: ASPCA ID ME Animal Tagging Program Grant

Dear Steven Fries,

I am pleased to advise you that the NACA Committee met recently and voted a grant to your organization in the amount of $6,000.00. The purpose of this grant is to cover the cost of an engraver machine, ID tags and collars to participate in the ASPCA ID ME project. The grant recipients must:

- Place these collars and tags on each dog and cat that leaves their facility, either through adoption or return to owner.
- Agree to report back to NACA the number or animals that were tagged and collared during this project.
- Be a Municipal/County Animal Care and Control Agency.

In all public acknowledgments, we prefer that you indicate this gift as being received from the American Society for the Prevention of Cruelty to Animals. In order for funds to be distributed to your agency, recipients must complete and submit:

- W-9 Form (attached)
- Grant Project Timeline Acceptance (attached)

Both documents are due on or before June 30, 2012. Once received, your grant award check will be mailed to your attention to the address provided on your W-9 form.

All grant recipients will be required to write a "thank you" letter regarding your award to the ASPCA, via the address listed below:

American Society for the Prevention of Cruelty to Animals (ASPCA)
Attn: Pam Burney
424 E. 92nd St
New York, NY 10128-6804

Item No. A.21

All Grant Requirements shall be submitted via e-mail or fax to:

John W. Mays, Executive Director
National Animal Control Association
Fax: 913-768-1378
naca@nacanet.org

Any questions regarding the Grant Requirements should be directed to me at the e-mail address listed above. A list of grant recipients will be posted at www.nacanet.org by June 15, 2012.

Sincerely,

John W. Mays

John W. Mays
Executive Director
National Animal Control Association

ASPCA®

GRANTS

WE ARE THEIR VOICE.®

Grant Project Timeline Acceptance

Due Dates	Grant Requirements
June 30, 2012	Submit W-9 Form and acceptance of Grant Project Timeline Requirements.
July 31, 2012	Submit "thank you" letter to the ASPCA regarding your award.
August 31, 2012	Submit a copy of receipt verifying ID engraver machine purchase.
October 1, 2012	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period September 1-30, 2012.
November 1, 2012	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period October 1-31, 2012.
December 1, 2012	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period November 1-30, 2012.
January 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period December 1-31, 2012.
February 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period January 1-31, 2013.
March 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period February 1-28, 2013.
April 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period March 1-31, 2013.
May 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period April 1-30, 2013.
June 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period May 1-31, 2013.
July 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period June 1-30, 2013.
August 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period July 1-31, 2013.
September 1, 2013	Submit a written report regarding the number or animals that were tagged and collared by your agency for the period August 1-31, 2013.

Recipient's acceptance of the Grant Project Timeline:

Signature	Date	Title
	6-21-2012	ANIMAL SERVICES DIVISION MANAGER

Failure to meet the reporting requirements could result in the engraving machine being returned to NACA for dispersal to other agencies.

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MV00175332

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Thomas M. DeSantis, Human Resources Director

AGENDA DATE: August 28, 2012

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO R.I.C. CONSTRUCTION COMPANY, INC. FOR THE CITY ANNEX BUILDING OFFICE RENOVATION PROJECT NO. 803 0004 30 40

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract to R.I.C. Construction Company, Inc., 10675 "E" Avenue Hesperia, CA 92345 as the lowest responsible bidder, for the Moreno Valley Annex Renovation Project in an amount not to exceed $1,252,000;

2. Authorize the City Manager to execute a contract with R.I.C.;

3. Approve an additional appropriation in the amount of $400,000 increasing the project budget from $1,000,000 currently approved to $1,400,000 based on the actual bids received;

4. Approve a transfer of $400,000 from the City Hall Development Impact Fee (DIF) Fund to the Annex 1 Renovation Project and approve the revenue and expense appropriations respectively to facilitate said transfer;

5. Authorize the issuance of a Purchase Order to R.I.C. in the amount of $1,252,000 ($1,138,000 base bid amount plus 10% contingency) when the contract has been signed by all parties;

6. Authorize the Human Resources Director to execute any subsequent change orders to the contract with R.I.C. up to but not to exceed the Purchase Order contingency of $114,000; and

7. Authorize the Human Resources Director to record the Notice of Completion upon determination that the work is complete, and release the retention to R.I.C. if no claims are filed against the project.

BACKGROUND

In December 2006 the City purchased an 11,668 square foot building located at 14331 Frederick Street. The building, known as the City Annex, was initially intended to provide office space for multiple City Departments due to additional space needs for daily operations at that time. Due to the recession, this space was not renovated.

City staff members from four divisions currently operate in leased space located at 14325 Frederick. The four divisions, Technology Services, Facilities, Special Districts and Moreno Valley Utility will move to the City-owned Annex building located at 14331 Frederick after renovations are completed. Annual lease costs of $168,000 will be eliminated as of June 30, 2013.

The project includes the demolition of the entire existing interior partitions from the prior multiple tenant configuration and removal of the non-functioning equipment. Renovation will include construction of new partitions, as well as installation of new tile ceilings, efficient HVAC systems, and a new roofing system. Improvements will also include one large common meeting room and a shared kitchen/lunch room. The Moreno Valley Utility Customer Service Counter will be located on the East end of the facility with signage visible from Frederick Street.

DISCUSSION

On June 14, 2011, the City Council adopted the Fiscal Year 2011/2012 Capital Improvement Plan. Under this plan, $1,000,000 was allocated for the design and construction at the City-owned building located at 14331 Frederick St.

On January 12, 2012 the Financial and Administrative Services Director executed an agreement with STK Architecture Inc. for Professional Consultant Design and Construction Management Services for the City Hall Annex Renovation Project. The design phase was completed in June, 2012; the project was opened for construction bids on June 29, 2012.

Formal bidding procedures have been followed in conformance with the Public Contract Code. A mandatory pre-bid job walk was conducted on July 10, 2012. The City Clerk opened bids at 3:00 p.m. on July 24, 2012, for the subject project. The nine (9) bids received are as follows:

	CONTRACTORS	Bid Amount
1.	Rasmussen Brothers Construction, Inc.	$1,107,000
2.	RC Construction	$1,128,000
3.	**R.I.C. Construction.**	**$1,138,000**
4.	WFC Construction.	$1,157,803
5.	Caltec Corp.	$1,174,174
6.	Hamel Contracting.	$1,188,000
7.	Avi-Con, Inc.	$1,263,000
8.	Silver Creek Industries.	$1,295,193
9.	Plyco Corp.	$1,347,000

Staff has reviewed the bids and determined the bid submitted by R.I.C. to be the lowest-responsible bidder in possession of a valid license. No outstanding issues were identified through review of the references submitted by R.I.C.

The bid received by Rasmussen Brothers Construction, Inc. was considered non-responsive due to not meeting the following requirements as set forth in the bid document:

Page #8, number 27, "Bidders Bid" Criteria

> *"All additional information required by the City regarding any subcontractor who the Bidder is required to list under the Provisions of Sections 4104 and 4107 of the Public Contract Code, other than the subcontractor's name and location (city) of business or State Contractor's License number, may be submitted by the Bidder up to 24 hours after the deadline time and date for receipt of Bids. Failure to timely provide all required subcontractor information shall result in the Bid being determined non-responsive."*

Complete sub-contractor submittal was not received until Sunday, July 29th at 12:35 pm, greater than 96 hours beyond the deadline time and date for receipt of Bids, hence, deemed non-responsive.

Bids received by both Rasmussen Brothers Construction, Inc. and RC Construction were considered non-responsive due to not meeting the following requirement as set forth in the bid document:

Section 2-3.2

> *"If the Bid submitted by the Contractor fails to meet at least fifty (50) percent of the amount of the work required with its own forces, the Bid will be considered non-responsive and will be rejected with no further consideration"*

Bid document calculation states the following sub-contractor amounts:

Rasmussen Brothers Construction, Inc.	100%
Sub-Contractor Usage:	-65%
Prime Contractor Amount:	35%
RC Construction	100%
Sub-Contractor Usage:	-68%
Prime Contractor Amount:	32%

The project was approved by City Council on June 14, 2011 in the amount of $1,000,000 based on initial construction cost estimates. Staff proceeded to hire the design architect and prepare the project for bid. Based on the actual bids received, staff is requesting to increase the project budget to $1,400,000 to provide for the higher actual bid amounts received for the renovations and to provide a 10% contingency for the project. Currently, the City Hall Developer Impact Fee Fund has a balance of about $2.5 million; staff is requesting approval to transfer $400,000 in City Hall DIF fees to the Annex 1 project to complete this qualifying project. Having this space available in early 2013 is also an integral part of moving forward with the current City Hall 2nd Floor flooring repair/replacement project planned for Spring 2013.

ALTERNATIVES

1. Award the construction contract to R.I.C. Construction in an amount not to exceed $1,251,800 as the lowest responsible bidder, for the Moreno Valley Annex Renovation Project, authorize the City Manager to execute a contract with R.I.C. Construction in the form attached hereto, authorize the issuance of a Purchase Order to R.I.C. in the amount of $1,251,800 ($1,138,000 base bid amount plus 10% contingency) when the contract has been signed by all parties, authorize the Human Resources Director to execute any subsequent change orders to the contract with R.I.C. up to but not to exceed the Purchase Order contingency of $113,800, and authorize the Human Resources Director to record the Notice of Completion upon determination that the work is complete, and release the retention to R.I.C. if no claims are filed against the project. *This alternative will allow for required improvements to render the space usable by City functions now occupying leased facilities.*

2. Do not award the construction contract to R.I.C. Construction Company, Inc., 10675 "E" Avenue Hesperia, CA 92345, the lowest responsible bidder, for the Moreno Valley Annex Renovation Project. *This alternative will preclude or delay the completion of much required improvements and will require continued leasing of office space to house four city divisions.*

FISCAL IMPACT

The design and construction of the Moreno Valley Annex Renovation project is included in the adopted Fiscal Year 2012/2013 Capital Improvement Project and was originally appropriated $1 million in the FY 2011/12 budget. Based on the actual construction bids received, staff is requesting a transfer of $400,000 from City Hall DIF to the Annex 1 project. Based on this action, the project is funded in the CIP budget account number 30-40-80003-720199, project number 803 0004 30 40. The funds allocated for the Moreno Valley Annex Renovation project cannot be utilized for operational activities. There is no impact on the General Fund.

BUDGETED PROJECT FUNDS:
City Hall Annex Renovation Project (803 0004 30 40)
FY 2012/2013 Budget (Account No. 3000-30-40-80003-720199) $1,000,000
FY 2012/2013 Recommended Budget Appropriation $400,000

ESTIMATED PROJECT RELATED COSTS:
Architectural Design & Construction Management & Inspection $89,000
Construction Costs*..... $1,252,000
Moving and Logistics Cost $25,000
Parking Lot Re-Surface and Stripe..... $10,000
Lock, Security & Fire Alarm Move $24,000
Total Estimated Project Related Costs..... $1,400,000

* Includes 10% contingency

TRANSFER APPROPRIATIONS

Account	Type	Description	Current Budget	Proposed Increase	Revised Budget
3000-90-99-93000-802909	Revenue – Transfer In	Transfer from DIF – City Hall	$0	$400,000	$400,000
2909-99-95-92909-903000	Expense – Transfer Out	Transfer to Facility Construction Fund	$0	$400,000	$400,000
	Total		$0	$800,000	$800,000

BUDGET APPROPRIATION

Account	Type	Description	Current Budget	Proposed Increase	Revised Budget
3000-30-40-80003-720199	Expense	CIP - Other	$1,000,000	$400,000	$400,000
	Total		$1,000,000	$400,000	$400,000

ANTICIPATED PROJECT SCHEDULE:
Notice of Award..... August 2012
Start Construction..... September 2012
Complete Construction..... January 2013

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

This project will renovate the Moreno Valley Annex to move four divisions from leased space into a city owned facility. Staff recommends awarding the contract to R.C.I. Construction, Inc. and authorizing the issuance of a purchase order in the amount of $1,252,000, inclusive of a 10% contingency when the agreement has been signed by all parties.

ATTACHMENTS

Attachment A: City Annex Building Office Renovation Agreement

Prepared By:
Rix Skonberg
Purchasing & Facilities Division Manager

Concurred By:
Richard Teichert
Financial & Administrative Services Director

Department Head Approval:
Thomas M. DeSantis
Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

AGREEMENT

BID NO. VAG 11/12-14
ANNEX #1 TENANT IMPROVEMENTS
14331 Frederick Street
Moreno Valley, CA 92553

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **R.I.C. Construction Company, Inc.**, hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following: a) any and all Contract Change Orders issued after execution of this Agreement; b) **Addenda Nos. 1 inclusive,** issued prior to the opening of the Bids; c) the Bid Documents; d) the Special Provisions which include the General Provisions and Technical Provisions; e) the project Plans; f) the Standard Plans; g) the Standard Specifications; h) California Building Code; i) California Electrical Code; j) California Energy Code; k) California Fire Code; l) California Mechanical Code; m) California Plumbing Code; n) State of California Code of Regulations Title 24 Building Standards; o) American with Disabilities Act (ADA); p) other codes as applicable; q) Reference Specifications, all of which are essential parts of this Agreement; and r) the Bidder's Bid which includes the Non-collusion Affidavit. In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) in the sum total amount of **$ 1,138,000.00**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ninety (90) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages

will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such liquidated damages shall be presumed to be in the amount of $250.00 per working days, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley (City), the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; **builder's risk insurance (that includes fire and flood coverage)**; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City, MVHA, and CSD, its officers, employees and agents under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, **builder's risk insurance (including fire and flood)** which will reimburse the Contractor or the City for its interests for repairing damaged property owned, leased, held or in the course of construction with coverage limits for replacement of the building; and shall bear an endorsement in addition to the previous endorsements containing the following Provisions:

> The City of Moreno Valley, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District are named as "loss payee" to ensure the settlement proceeds are used to repair damaged buildings or other property. Additionally, the insurer shall waive all rights of subrogation against the City, MVHA, and CSD, its officers, agents or employees.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County of Riverside, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, MVHA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend, and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

15. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

16. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY:_____
Henry Garcia, City Manager

DATE:_____

R.I.C. Construction Company, Inc.

License No./
Classification:_____

Expiration Date:_____

Federal I.D. No.:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

PRINT NAME:_____

SIGNATURE:_____

TITLE:_____

DATE:_____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Human Resources Director

_____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

BID NO. VAG 11/12-14

ANNEX #1 TENANT IMPROVEMENTS
14331 Frederick Street
Moreno Valley, CA 92553

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to _R.I.C. Construction Company, Inc._, as Principal hereinafter designated as "Contractor," and has entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Bid No. VAG 11/12-14** is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

BIDDER	SURETY
Contractor Name:_____	Name:_____
Address: _____	Address: _____
_____	_____
Telephone No.:_____	Telephone No.: _____
Print Name:_____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

BID NO. VAG 11/12-14

ANNEX #1 TENANT IMPROVEMENTS
14331 Frederick Street
Moreno Valley, CA 92553

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **R.I.C. Construction Company, Inc.**, as Principal hereinafter designated as "Contractor," and has entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Bid No. VAG 11/12-14**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, material, men, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this _____ day of_____ 20___.

BIDDER	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.:_____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____, 20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in their capacity as City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2013 TO JUNE 30, 2013

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as Board Members as City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

1. Adopt Resolution No. 2012-71 approving a Third Recognized Obligation Payment Schedule ("Third ROPS"), for the period of January 1, 2013 to June 30, 2013;

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the Third ROPS (Exhibit "A") to the Oversight Board for review and approval.

BACKGROUND

The City of Moreno Valley is the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley (RDA) pursuant to Part 1.85 of Division 24 of the

Health and Safety Code. As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations due for Enforceable Obligations of the former RDA. In order to facilitate the process, on February 28, 2012, the City Council adopted Resolution No. 2012-13 approving a Recognized Obligation Payment Schedule (ROPS) for the period of January 1, 2012 through June 30, 2012, and Resolution No. 2012-22 on April 10, 2012, approving a Second Recognized Obligation Payment Schedule for the period of July 1, 2012 through December 31, 2012.

DISCUSSION

Enforceable Obligation Payment Schedule

In accordance with ABX1 26, the Successor Agency is required to adopt an Enforceable Obligation Payment Schedule ("EOPS"). The EOPS lists all of the Agency's legally binding and enforceable agreement obligations and anticipated payments. Enforceable obligations include bonds, loans, judgments, settlements, any legally binding and enforceable agreements or contracts, and contracts and agreements for agency administration or operation costs.

Section 34177(a)(1) of ABX1 26 provides that upon the dissolution of the Agency, the Successor Agency may only make those payments required pursuant to the most recent Enforceable Obligation Payment Schedule adopted by the Agency and the Successor Agency, and until such time the Recognized Obligation Payment Schedule becomes operative.

Recognized Obligation Payment Schedule

ABX1 26 requires the Successor Agency to approve a Recognized Obligation Payment Schedule ("ROPS"). The ROPS supersedes the EOPS, and is required for each six-month period.

Similar to the EOPS, the required content of the ROPS, set forth in Health and Safety Code Section 34177(l)(1), details all of the Agency's legally binding and enforceable obligations, anticipated payments, and sources of payments. Recognized obligations include bonds, loans, judgments, settlements, any legally binding and enforceable agreements or contracts, and contracts and agreements for agency administration or operation costs. The attached Third ROPS sets forth the enforceable obligations for the period between January 1, 2013 and June 30, 2013.

Once approved, the Third ROPS will be submitted to the Oversight Board for review and approval. Upon approval by the Oversight Board, a copy of the approved ROPS will be transmitted to the County-Auditor Controller, the State Controller's Office, the Department of Finance, and posted to the City's website.

ALTERNATIVES

1. Adopt the attached resolution, which approves the Third Recognized Obligation Payment Schedule for the period of January 1, 2013 to June 30, 2013, authorizing the Executive Director or his designee to make modifications thereto, and authorizing the transmittal of the Schedule to the Oversight Board for review and approval. *Staff recommends this alternative because it allows the City serving as the Successor Agency to make required debt service payments in accordance with the State legislation.*

2. Decline to adopt the attached resolution which would not allow the City, acting as the Successor Agency, to maintain the operations, and fulfill debt obligations of the former RDA as required by law. *Staff does not recommend this alternative.*

FISCAL IMPACT

The Recognized Obligation Payment Schedule provides the details necessary for the City serving as the Successor Agency to fulfill the former RDA's legally binding and enforceable agreements. The Third ROPS will serve as authorization to pay obligations listed during the noted period. There will be some impact to the General Fund to absorb costs that are no longer paid by the former Redevelopment Agency for either RDA administration or operations and for Low and Moderate Income Housing Fund work. Staff estimates that this cost will be approximately $200,000 for fiscal year 2012-2013.

SUMMARY

As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations due for Enforceable Obligations of the former RDA. The Recognized Obligation Payment Schedule for the period of January 1, 2013 to June 30, 2013 provides the details necessary for the City serving as the Successor Agency to fulfill the former RDA's legally binding and enforceable agreements as required by law.

NOTIFICATION

No public notice is required prior to the City Council taking action on this item. However, the agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council agendas.

ATTACHMENTS/EXHIBITS

Attachment A - Resolution No. 2012-71
Exhibit A - Third Recognized Obligation Payment Schedule

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Concurred by:
Dante Hall
Redevelopment & Neighborhood Programs Administrator

Concurred by:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY SERVING AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2013 THROUGH JUNE 30, 2013, AND AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO MAKE MODIFICATIONS THERETO

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011 (which dated has been deemed to be February 1, 2012 pursuant to a decision by the California Supreme Court), and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain

"enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, in connection with the implementation of those provisions of ABX1 26 which require the adoption of an enforceable obligation schedule, the City serving as the Successor Agency has previously adopted an amended enforceable obligation schedule in the form previously submitted (the "Amended Enforceable Obligation Schedule") and has authorized the City Manager or his designee to augment, modify or revise such Amended Enforceable Obligation Schedule; and

WHEREAS, ABX1 26 further requires the adoption of an Initial Recognized Obligation Payment Schedule; such initial Recognized Obligation Payment Schedule was approved by Resolution No. 2012-13 of the City of Moreno Valley serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley ("Successor Agency") on February 28, 2012.

WHEREAS, ABX1 26 further requires the adoption of a Recognized Obligation Payment Schedule for every six month period; such Recognized Obligation Payment Schedule for July 1, 2012 through December 31, 2012, was approved by Resolution No. 2012-22 of the City of Moreno Valley serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley ("Successor Agency") on April 10, 2012.

WHEREAS, an oversight board, as provided under ABX1 26 ("Oversight Board") has been established for the former Agency;

WHEREAS, pursuant to ABX1 26 and the implementation thereof, the Sucessor Agency desires to adopt a Third Recognized Obligation Payment Schedule for the period covering January 1, 2013 through June 30, 2013 ("Third ROPS"), in the form submitted herewith. The Third ROPS is attached hereto, marked as Exhibit "A", and is incorporated herein by reference. By this resolution, the City Council, on behalf of the Successor Agency, approves and authorizes the transmittal of the Third ROPS to the Oversight Board;

WHEREAS, given the adoption of ABX1 26, the City Council, on behalf of the City acting in its capacity as Successor Agency to the Agency, has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, in its capacity as Successor Agency to the Agency, and the health, safety, and welfare of the residents of the City, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

Resolution No. 2012-71
Date Adopted: August 28, 2012

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, SERVING AS THE SUCCESSOR AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That Third ROPS (Exhibit "A") is approved as the Recognized Obligation Payment Schedule as to the Agency for the above-referenced period, together with such augmentation, modification, additions or revisions as the Executive Director of the Successor Agency or his designee may make thereto.

Section 3. The City Clerk shall cause the Third ROPS to be transmitted to the Oversight Board.

Section 4. This Resolution shall be effective immediately upon adoption.

Section 5. The City Clerk shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of the Successor Agency

ATTEST:

_____
City Clerk

APPROVE AS TO FORM:

_____
City Attorney

Resolution No. 2012-71
Date Adopted: August 28, 2012

Resolution Jurat

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-71 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

City Clerk

Resolution No. 2012-71
Date Adopted: August 28, 2012

Successor Agency Contact Information

Name of Successor Agency:	The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley
County:	Riverside
Primary Contact Name:	Annie Clark
Primary Contact Title:	Sr. Financial Analyst
Address	14177 Frederick Street, Moreno Valley, CA 92552
Contact Phone Number:	951.413.3475
Contact E-Mail Address:	anochano@moval.org
Secondary Contact Name:	Richard Teichert
Secondary Contact Title:	Financial & Administrative Services Director
Secondary Contact Phone Number:	951.413.3021
Secondary Contact E-Mail Address:	richardt@moval.org

EXHIBIT A

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the January 1, 2013 to June 30, 2013 Period

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

		Total Outstanding Debt or Obligation
Outstanding Debt or Obligation		$ 161,932,013
Current Period Outstanding Debt or Obligation		**Six-Month Total**
A	Available Revenues Other Than Anticipated RPTTF Funding	15,022,617
B	Anticipated Enforceable Obligations Funded with RPTTF	6,927,229
C	Anticipated Administrative Allowance Funded with RPTTF	208,000
D	Total RPTTF Requested (B + C = D)	7,135,229
	Total Current Period Outstanding Debt or Obligation (A + B + C = E) *Should be the same amount as ROPS form six-month total*	$ - ERROR formula is not computing correctly
E	*Enter Total Six-Month Anticipated RPTTF Funding *(Obtain from county auditor-controller)*	6,835,311.86
F	Variance (E - D = F) *Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding*	$ (299,917)
Prior Period (January 1, 2012 through June 30, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))		
G	**Enter Estimated Obligations Funded by RPTTF *(Should be the lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)*	9,241,398
H	***Enter Actual Obligations Paid with RPTTF	11,866,792
I	Enter Actual Administrative Expenses Paid with RPTTF	117,648
J	Adjustment to Redevelopment Obligation Retirement Fund (G - (H + I) = J)	$ (2,743,042)
K	**Adjusted RPTTF** *(The total RPTTF requested shall be adjusted if actual obligations paid with RPTTF are less than the estimated obligation amount.)*	$ 9,878,271.00

* We have not receive any confirmation of the anticipated RPTTF funding from the County, and therefore, are using the amount received previously from the County Auditor-Controller for the payment of ROPS Fe obligations (primarily the payment received in January 2012).

** Gross Property Tax Amount $9,241,398 (actual amount received from the County Auditor-Controller was $9,833,312 - net of the pass through's and fees of $2,406,0dth.

***Includes amount encumbered to be paid in 2013-2014 per Affordable Housing Agreement and enforceable obligations paid from former RDA fund balance.

Certification of Oversight Board Chairman:
Pursuant to Section 34177(m) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named agency.

Name _____ Title _____

Signature _____ Date _____

8/21/20129:45 AM

MV00175358

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

County: Riverside

Oversight Board Approval Date: _____

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III)

January 1, 2012 through June 30, 2013

Item #	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-13	Funding Source: LMIHF	Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
	Grand Total				$ 161,832,013	$ 26,612,927	$ -	$ 14,216,878	$ 908,068	$ 208,000	$ 6,927,039	$ -	$ -
1	2007 Tax Allocation Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance various capital projects	Original Area	79,412,021.88	2,263,483.76					2,263,483.76		2,263,484
2	2007 Special Tax Refunding Bonds - Towngate 87-1	Wells Fargo Bank	Debt service payments for bonds issued to finance the acquisition of public facilities	Original Area	8,546,333.48	1,162,347.06					1,162,347.06		1,162,347
3	Improvement Area No. 1 Special Tax Refunding Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities	Original Area	2,804,115.00	277,161.38					139,168.01		139,168
4	CFD No. 3 - Auto Mall Refinance	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities	Original Area	2,000,060.81	109,460.50					91,881.66		91,882
5	2011 Refunding of 97 LRB Bonds	Bank of America	Debt service payments for bonds issued to finance the construction of a public facility	Original Area	1,500,000.00	150,000.00					75,000.00		75,000
6	2005 Lease Revenue Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance Sunnymead Blvd project	Original Area	13,595,880.41	390,147.50					195,348.75		195,349
7	On-going Housing Monitoring Requirements	City of Moreno Valley/Successor Agency	Costs to perform the recertification and monitoring of housing units	Original Area	40,000.00	40,000.00					20,000.00		20,000
8	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth	Legal services - General	Original Area	72,000.00	72,000.00					36,000.00		36,000
9	Contract for Legal Services	Rutan & Tucker, LLP	Legal services - Oversight Board Legal Counsel	Original Area	72,000.00	72,000.00					36,000.00		36,000
10	Contract for Abatement of Properties	Fire Prevention/Inland Empire Property Service, Inc	Nuisance/weed abatement of Agency owned properties	Original Area	7,500.00	7,500.00					2,500.00		2,500
11	Contract for Audit Services	Lance Soll & Lunghard, LLP or Approved Audit Firm	Preparation of Required Due Diligent Reviews and Annual Audit	Original Area	15,000.00	15,000.00					15,000.00		15,000
12	Contract for Special Tax Reporting	Willdan/Staff Administration	Preparation of Continuing Disclosure Report	Original Area	5,000.00	5,000.00					2,500.00		2,500
13	CalPERS Retirement Liability	The California Public Employees' Retirement System (CalPERS)	Unfunded PERS Retirement Liability Acct	Original Area	599,992.00	12,858.14					-		-
14	Retiree Medical Trust (CERBT)	Medical	Unfunded Retiree Medical Trust Acct	Original Area	193,221.00	4,461.90					-		-
15	Agency Loans #1 & 2	City of Moreno Valley	City/Agency Loan Agreement	Original Area	2,217,843.00	-					-		-
16	Price Club Acquisition Note	The Price Family Charitable Fund	Participation Agreement	Original Area	1,410,529.85	480,000.00					240,000.00		240,000
17	Towngate Acquisition Note	City of Moreno Valley	Participation Agreement	Original Area	15,658,083.42	480,000.00					240,000.00		240,000
18	Moss Bros. Autogroup Participation Agreement	Moss Bros. Autogroup	Participation Agreement	Original Area	250,000.00	250,000.00					-		-
19	Robertson's Ready Mix, Inc. CPA	Robertson's Ready Mix, Inc	Owner Participation Agreement	Original Area	4,000,000.00	-					-		-
20	Hemlock Family Apartments	Rancho Belago, Inc	Affordable Housing Agreement	Original Area	1,000,000.00						-		-
21	Rancho Dorado Apts - South (Second Phase)	Moreno Valley Housing Authority/MV Rancho Dorado Limited Partnership	Affordable Housing Agreement	Original Area	6,950,000.00	2,875,000.00					2,375,000.00		2,375,000
22		Stradling, Yocca, Carlson & Rauth	Legal services - Specific to Affordable Housing Agreement w/ Rancho Dorado Apts	Original Area	25,000.00	25,000.00					12,500.00		12,500
23		Stridder Association	Title & Closing Costs	Original Area	5,000.00	5,000.00					2,500.00		2,500
24	Payroll Costs/Operating Costs	City of Moreno Valley/Employees	Successor Agency's Payroll & Operating Costs	Original Area	447,514.00	447,514.00				208,000			208,000
25	Sunnymead Blvd CIP 79221	Fucci	Capital Project Contract, CIP 79221	Original Area	50,000.00	50,000.00			50,000.00				50,000
26		Hans & Assoc	Capital Project Contract, CIP 79221	Original Area	178,000.00	178,000.00			178,000.00				178,000
27		City of Moreno Valley, cost allocation, and extra admin costs	Project Management CIP 79221	Original Area	37,300.00	37,300.00			25,000.00				25,000
28		City Consultants	Project Management CIP 79221	Original Area	9,500.00	9,500.00			9,000.00				9,000
29		Gibbs, Giden, Locher, Turner & Senet LLP	Additional Legal Fees - CIP 79221	Original Area	85,099.15	85,099.15			49,099.00				49,099
30	Storm Drain/Day Street to Cottonwood CIP 79222	Gibbs, Giden, Locher, Turner & Senet	Contractual Services PO# 42123 CIP 79222	Original Area	5,174.00	5,174.00							-
31		City of Moreno Valley	Project Management CIP 79222	Original Area									-

Item No. A.23

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

County: Riverside

Oversight Board Approval Date: _____

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III)

January 1, 2013 through June 30, 2013

Item #	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-13	Funding Source: LMIHF	Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
	Grand Total				$ 161,952,013	$ 26,512,927	$ -	$ 14,714,528	$ 308,089	$ 209,000	$ 6,827,228	$ -	$ -
32	Day Street/Alessandro Blvd to Cottonwood CIP 79724	DMC Design	Contractual Services PO#40920 CIP 79724	Original Area	5,980.94	5,980.94							-
33		AEI-CASC	Contractual Services PO#35423 CIP 79724	Original Area	8,775.93	8,775.93							-
34		Group Delta	Contractual Services PO#39328 CIP 79724	Original Area	7,359.00	7,359.00							-
35		KOM Meridian	Contractual Services PO#41865 CIP 79724	Original Area	3,992.50	3,992.50							-
36		STI Inc	Contractual Services PO#41850 CIP 79724	Original Area	73,322.22	73,322.22							-
37		City of Moreno Valley	Project Management CIP 79724	Original Area	20,395.33	20,395.33							-
38	Auto Mall Street Upgrades CIP 79725	VA Consulting	Capital Project Contract, CIP 79725	Original Area	11,083.00	11,083.00							-
39		City of Moreno Valley	Project Management CIP 79725	Original Area	12,000.00	12,000.00							-
40		Justice Inspection (Geotech)	Capital Project Contract, CIP 79725	Original Area	2,294.00	2,294.00							-
41		VA Consulting Inc (Survey)	Capital Project Contract, CIP 79725	Original Area	782.00	782.00							-
42		SMEAC (Contractor)	Capital Project Contract, CIP 79725	Original Area	195,721.00	195,721.00							-
43	Indian Basin, Appurtenant CIP 79728	Lim & Nascimento Engineering	Contractual Services PO#35828 CIP 79728	Original Area	88,528.00	88,528.00		38,528.00					38,528
44		City of Moreno Valley, cost allocation, and minor expenses	Project Management, CIP 79728	Original Area	38,000.00	38,000.00		18,000.00					18,000
45	Ironwood Ave-Day St/Barclay Dr CIP 79727	AEI-CASC Engineering	Capital Project Contract, CIP 79727	Original Area	49,532.11	49,532.11		25,000.00					25,000
46		City of Moreno Valley, cost allocation, and minor expenses	Project Management CIP 79727	Original Area	73,000.00	73,000.00		63,000.00					63,000
47		Contractor	Capital Project Contract, CIP 79727	Original Area	500,000.00	500,000.00		500,000.00					500,000
48		Survey Consultant	Project Management CIP 79727	Original Area	50,000.00	50,000.00		50,000.00					50,000
49		Geotechnical Consultant	Capital Project Contract, CIP 79727	Original Area	50,000.00	50,000.00		50,000.00					50,000
50		Southern California Edison	Project Management CIP 79727	Original Area	50,000.00	50,000.00		50,000.00					50,000
51	Nason/SR-60 Bridge CIP 79718	Singer & Coffin, APC	Legal services CIP 79718	Original Area	2,310.00	-							-
52		City of Moreno Valley	Project Management and associated costs CIP 79718	Original Area	160,000.00	160,000.00		100,000.00					100,000
53		Staff Consultants	Project Management, CIP 79718	Original Area	38,000.00	38,000.00		6,000.00					6,000
54		Moreno Valley Utility	Lighting CIP 79718	Original Area	50,000.00	50,000.00		50,000.00					50,000
55		Caltrans	State-furnished materials CIP 79718	Original Area	50,000.00	50,000.00		50,000.00					50,000
56		Caltrans	State source inspection fees CIP 79718	Original Area	50,000.00	50,000.00		50,000.00					50,000
57		CHP	Construction zone enforcement (COZEEP) CIP 79718	Original Area	30,000.00	12,000.00		12,000.00					12,000
58		Parsons Transportation	Design-related costs CIP 79718	Original Area	222,571.00	222,571.00		98,000.00					98,000
59		Falcon Engineering	Construction mgmt and inspection Services CIP 79718	Original Area	1,847,220.00	950,000.00		840,000.00					840,000
60		Contractor	Construction Contract CIP 79718	Original Area	9,700,000.00	7,000,000.00		7,000,000.00					7,000,000
61		Survey Consultant	Construction Services - Survey CIP 79718	Original Area	145,000.00	80,000.00		80,000.00					80,000
62		Geotechnical Consultant	Construction Services - Geotechnical CIP 79718	Original Area	170,000.00	90,000.00		90,000.00					90,000
63		SCE	Utility relocation CIP 79718	Original Area	20,000.00	20,000.00		20,000.00					20,000
64		EMWD	Permits/Fees, CIP 79718	Original Area	5,000.00	5,000.00		5,000.00					5,000
65		RCFC&WCD	Permits/Fees, CIP 79718	Original Area	5,000.00	5,000.00		5,000.00					5,000

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

County: Riverside

Oversight Board Approval Date: _____

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III)

January 1, 2012 through June 30, 2013

Item #	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-13	Funding Source: LMIHF	Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
	Grand Total				$ 181,932,913	$ 25,013,927	$ -	$ 14,714,528	$ 306,099	$ 206,000	$ 6,927,229	$ -	$ -
66	Moreno Beach Ramps - Phaze 1 CIP 79731	City of Moreno Valley	Project Management and associated costs CIP 79731	Original Area	100,000.00	100,000.00		100,000.00					100,000
67		City of Moreno Valley	City-furnished equipment - CIP 79731	Original Area	10,000.00	10,000.00		10,000.00					10,000
68		City of Moreno Valley	Project Management and associated costs CIP 79731	Original Area	6,000.00	6,000.00		6,000.00					6,000
69		Parsons Transportation	Design-related costs CIP 79731	Original Area	11,331.00	11,331.00							-
70		Parsons Transportation	Construction support CIP 79731	Original Area	130,000.00	130,000.00		54,000.00					54,000
71		Falcon Engineering	Constructability review CIP 79731	Original Area	11,865.00	11,865.00							-
72		Falcon Engineering	Construction Inspd and Inspection Services CIP 79731	Original Area	797,821.98	600,000.00		600,000.00					600,000
73		So. Calif. Edison	Utility Relocation CIP 79731	Original Area	10,000.00	10,000.00		10,000.00					10,000
74		Caltrans	State-furnished materials CIP 79731	Original Area	2,000.00	2,000.00		2,000.00					2,000
75		Caltrans	State source inspection fees CIP 79731	Original Area	50,000.00	50,000.00		50,000.00					50,000
76		CHP	CHP - construction zone enforcement (COZEEP) CIP 79731	Original Area	30,000.00	30,000.00		30,000.00					30,000
77		Contractor	Construction Contract CIP 79731	Original Area	4,500,000.00	4,500,000.00		4,500,000.00					4,500,000
78		Survey Consultant	Construction Svcs - Survey CIP 79731	Original Area	99,000.00	54,000.00		54,000.00					54,000
79		Geotechnical Consultant	Construction Svcs - Geotechnical CIP 79731	Original Area	88,000.00	84,000.00		84,000.00					84,000
80		RCFC&WCD	Permits/Fees, CIP 79731	Original Area	5,000.00	5,000.00		5,000.00					5,000
81		EMWD	Permits/Fees, CIP 79731	Original Area	31,000.00	31,000.00		31,000.00					31,000

Item No. A.23

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley
County: Riverside

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III) -- Notes (Optional)

January 1, 2013 through June 30, 2013

Item #	Notes/Comments			
25	Sunnymead Blvd. CIP 79221	Excel	Pending Litigation	
28		Harris & Assoc		
29		Gibbs, Giden, Locher, Turner & Senet LLP		
19	Storm Drain/Day Street to Cottonwood CIP 79222 (old 77922)	Gibbs, Giden, Locher, Turner & Senet LLP	Pending Litigation	
56	Nason/SR-60 Bridge	Contract/Agreement Termination Date	Note 1: Agreement terminates upon completion of work or upon 30 days' notice	
58				
57				
91	Moreno Beach Ramps - Phase 1	Contract/Agreement Termination Date	Note 2: Contract terminates upon completion of obligation or upon amendment to agreement, whichever occurs first	
92				
93				

Item No. A.23

MV00175362

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

County: Riverside

Pursuant to Health and Safety Code section 34186 (a)
PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS I)
January 1, 2012 through June 30, 2012

Page/Form	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMIHF Estimate	LMIHF Actual	Bond Proceeds Estimate	Bond Proceeds Actual	Reserve Balance Estimate	Reserve Balance Actual	Admin Allowance Estimate	Admin Allowance Actual	RPTTF Estimate	RPTTF Actual	Other Estimate	Other Actual
ROPS I		Grand Total				$ -	$ -	$ 7,067,970	$ 3,558,837	$ 394,290	$ 115,033	$ 307,665	$ 117,648	$ 12,228,290	11,889,792	$ 9,026,101	$ 9,026,101
Page 1 of 8	1	2007 Tax Allocation Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance various capital projects	Original Area									2,268,793.75	2,268,793.75		
Page 1 of 8	2	2007 Special Tax Refunding Bonds - Towngate 87-1	Wells Fargo Bank	Debt service payments for bonds issued to finance the acquisition of public facilities	Original Area									1,175,145.00	1,175,145.00		
Page 1 of 8	3	Improvement Area No. 1 Special Tax Refunding Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities	Original Area									274,445.00	274,445.00		
Page 1 of 8	4	CFD No. 3 - Auto Mall Refinance	Wells Fargo Bank	Debt service payments for bonds issued to finance the construction of public facilities	Original Area									28,292.00	28,292.00		
Page 1 of 8	5	2005 Lease Revenue Bonds	Wells Fargo Bank	Debt service payments for bonds issued to finance Sunnymead Blvd project	Original Area									569,597.50	569,597.50		
Page 1 of 8	6	2011 Refunding of 97 LRB Bonds	Bank of America	Debt service payments for bonds issued to finance the construction of a public facility	Original Area									150,000.00	150,000.00		
Page 1 of 8	7	On going Housing Monitoring Requirements	City of Moreno Valley/Successor Agency	Costs to perform the identification and monitoring of housing units	Original Area									20,000.00	-		
Page 1 of 8	8	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth	Legal services - General	Original Area									108,678.00	50,646.20		
of 8	9	Contract for Legal Services	Kronick Moskovitz Tiedemann & Girard	Legal services - Oversight Board Legal Counsel	Original Area									12,500.00	13,093.50		
of 8	10	Contract for Abatement of Properties	Inland Empire Property Service, Inc.	Nuisance/weed abatement of Agency owned properties	Original Area									7,050.00	-		
of 8	11	Contract for Audit Services	Lance Soll & Lunghard, LLP	Preparation of Financial Statements/RDA Closing Statement	Original Area									10,000.00	8,000.00		
Page 1 of 8	12	Contract for Special Tax Reporting	Willdan/Staff Administration	Preparation of Continuing Disclosure Report	Original Area									2,000.00	2,500.00		
Page 1 of 8	13	CalPERS Retirement Liability	The California Public Employees' Retirement System (CalPERS)	Unfunded PERS Retirement Liability Acct	Original Area									5,371.00	5,371.00		
Page 1 of 8	14	Retiree Medical Trust (CERBT)	California Employers Retiree Medical Trust(CERBT)/CalPERS	Unfunded Retiree Medical Trust Acct	Original Area									1,730.00	1,730.00		
Page 1 of 8	15	Agency Loans #1 & # 2	City of Moreno Valley	City/Agency Loan Agreement	Original Area												
Page 1 of 8	17	Price Club Acquisition Note	The Price Family Charitable Fund	Participation Agreement	Original Area									240,000.00	265,606.00		
Page 1 of 8	18	Towngate Acquisition Note	City of Moreno Valley	Participation Agreement	Original Area									550,000.00	552,180.00		
Page 1 of 8	20	Moss Bros. Autogroup Participation Agreement	Moss Bros. Autogroup	Participation Agreement	Original Area									230,041.00	282,041.00		
Page 1 of 8	21	Robertson's Ready Mix, Inc. OPA	Robertson's Ready Mix, Inc	Owner Participation Agreement	Original Area									-	-		
Page 2 of 8	21	Hemlock Family Apartments	Rancho Belago, Inc.	Affordable Housing Agreement	Original Area									-	-		
8	22	Oakwood Apartments	One Moreno Valley 240, L.P.	Affordable Housing Agreement	Original Area									750,000.00	750,000.00		
8	23	Rancho Dorado Apts - South	Moreno Valley Housing Authority (MVHA)	Affordable Housing Agreement - $2,300,000 is encumbered to be paid in 2013-2014 per Affordable Housing Agreement	Original Area									2,500,000.00	2,300,000.00		
8	24		Stradling, Yocca, Carlson & Rauth	Legal services - Specific to AHA	Original Area									32,000.00	-		
8	25		Stewart Title Association	Title & Closing Costs	Original Area									5,000.00	350.00		
8	1	Day St/Eucalyptus CIP 79230(old 80030)	WRM Meridian, Inc	Capital Project Contract, CIP 79230	Original Area			3,000.00	-								
8	2		Gov Tax Attorneys (Requested)	Capital Project Contract, CIP 79230	Original Area			7,500.00	6,178								

Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Former City Redevelopment Agency of the City of Moreno Valley

Riverside

Pursuant to Health and Safety Code section 34186 (a)
PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS I)
January 1, 2012 through June 30, 2012

	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMIHF Estimate	LMIHF Actual	Bond Proceeds Estimate	Bond Proceeds Actual	Reserve Balance Estimate	Reserve Balance Actual	Admin Allowance Estimate	Admin Allowance Actual	RPTTF Estimate	RPTTF Actual	Other Estimate	Other Actual
		Grand Total				$ -	$ -	$ 7,067,970	$ 3,668,627	$ 394,298	$ 115,033	$ 207,805	$ 117,948	$ 12,229,290	11,668,792	$ 9,026,101	$ 9,026,101
	3		Globs, Gilden, Locher, Turner & Senet	Capital Project Contract, CIP 79221	Original Area					34,096.16	31,757						
	4		Excel	Capital Project Contract, CIP 79221	Original Area					50,000.00	-						
Page 3 of 8	5	Sunnymead Blvd. CIP 79221 (old 80231)	Harris & Assoc.	Capital Project Contract, CIP 79221	Original Area					176,000.00	-						
Page 3 of 8	6		City of Moreno Valley	Project Management CIP 79221	Original Area					15,000.00	30,873						
Page 3 of 8	7		City Consultants	Project Management CIP 79221	Original Area					6,000.00	7,395						
Page 3 of 8	8		Globs, Gilden, Locher, Turner & Senet LLP	Additional Legal Fees - CIP 79221	Original Area					74,700.00	10,811						
Page 3 of 8	9		DMC Design	Contractual Services PO#40820 CIP 79724	Original Area			14,780.84	8,910								
Page 3 of 8	10		AEI-CASC	Contractual Services PO#39423 CIP 79724	Original Area			5,009.61	-								
Page 3 of 8	11		AEI-CASC	Contractual Services PO#40288 CIP 79724	Original Area			360.00	-								
Page 3 of 8	12		Group Delta	Contractual Services PO#39328 CIP 79724	Original Area			11,579.00	4,186								
Page 3 of 8	13		NDM Meridian	Contractual Services PO#41885 CIP 79724	Original Area			13,145.00	9,152								
Page 3 of 8	14	Day Street/Alessandro Blvd CIP 79724 (old 91724)	STI Inc.	Contractual Services PO#41859 CIP 79724	Original Area			240,780.71	189,779								
Page 3 of 8	15		Vali Cooper & Assoc.	Contractual Services PO#39743 CIP 79724	Original Area			10,400.00	-								
Page 3 of 8	16		James & Bertha Patterson	Contractual Services PO#42011 CIP 79724	Original Area			19,884.00	18,884								
of 8	17		Globs, Gilden, Locher, Turner & Senet	Contractual Services PO#40924 CIP 79724	Original Area			8,944.20	8,944								
of 8	18		City of Moreno Valley	Project Management CIP 79724	Original Area			35,363.90	48,482								
of 8	19	Storm Drain/Day Street to Cottonwood CIP 79222 (old 77922)	Globs, Gilden, Locher, Turner & Senet	Contractual Services PO# 42123 CIP 79222	Original Area					20,000.00	14,626						
of 8	20		City of Moreno Valley	Project Management CIP 79222	Original Area					5,000.00	12,993						
Page 4 of 8	21		VA Consulting	Capital Project Contract, CIP 79725	Original Area			10,500.00	7,636								
Page 4 of 8	22		City of Moreno Valley	Project Management CIP 79725	Original Area			57,300.00	41,469								
Page 4 of 8	23		VA Consulting Inc.	Capital Project Contract, CIP 79725	Original Area			14,900.00	3,807								
Page 4 of 8	24	Auto Mall Street Upgrades CIP 79725 (old 91725)	United Inspection (Geotech)	Capital Project Contract, CIP 79725	Original Area			4,725.00	2,431								
Page 4 of 8	25		VA Consulting Inc. (Survey)	Capital Project Contract, CIP 79725	Original Area			4,950.00	4,168								
Page 4 of 8	26		SMBAC (Contractor)	Capital Project Contract, CIP 79725	Original Area			456,641.72	309,920								
Page 4 of 8	27		Gas Tax Allocation (Required)	Capital Project Contract, CIP 79725	Original Area			18,000.00	10,755								
Page 4 of 8	28		Lim & Rascimento Engineering	Contractual Services PO#35828 CIP 79726	Original Area			62,621.73	38,738								
Page 4 of 8	29		Ninyo & Moore Geotech	Contractual Services PO#41060 CIP 79726	Original Area			3,194.50	-								
Page 4 of 8	30	Indian Basin, Appurtenant CIP 79726 (old 91726)	Guida Surveying	Contractual Services PO#40183 CIP 79726	Original Area			936.00	12,926								
Page 4 of 8	31		City of Moreno Valley	Project Management, CIP 79726	Original Area			20,000.00	17,752								
Page 4 of 8	32		City Consultants	Project Management CIP 79726	Original Area			1,000.00	113								
Page 4 of 8	33		Hillcrest Contracting, Inc.	Contractual Services PO#41567 CIP 79726	Original Area			15,076.86	15,078								
Page 4 of 8	34		Federal Emergency Mgmt Agency	Capital Projects Contract CIP Environmental Fees - CIP 79726	Original Area			5,000.00	-								
Page 4 of 8	35		EMWD	Cost-sharing agreement Reconciliation CIP 79727	Original Area			43,720.48	7,630								
Page 4 of 8	36		AEI-CASC Engineering	Capital Project Contract, CIP 79727	Original Area			62,424.79	12,505								
Page 4 of 8	37	Ironwood Ave-Day St/Barclay Dr CIP 79727 (old 91727)	City of Moreno Valley	Project Management CIP 79727	Original Area			30,000.00	14,819								
Page 4 of 8	38		City of Moreno Valley	Secure title reports for ROW dedication CIP 79727	Original Area			1,500.00	2,200								
Page 4 of 8	39		Construction Contractor, Surveyor, Geo-tech Consultant	Capital Project Contract CIP 79727	Original Area			282,700.00	-								

MV00175364

Name of Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

County: Riverside

Pursuant to Health and Safety Code section 34186 (a)
PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS I)
January 1, 2012 through June 30, 2012

Page/Form	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMIHF Estimate	LMIHF Actual	Bond Proceeds Estimate	Bond Proceeds Actual	Reserve Balance Estimate	Reserve Balance Actual	Admin Allowance Estimate	Admin Allowance Actual	RPTTF Estimate	RPTTF Actual	Other Estimate	Other Actual
ROPS I		(Grand Total)				$ -	$ -	$ 7,097,970	$ 3,555,627	$ 394,296	$ 105,000	$ 307,665	$ 117,648	$ 12,229,280	11,666,792	$ 9,026,101	$ 9,026,101
Page 4 of 8	40	Nason/SR-60 Bridge CIP 79728 (old 91728)	Singer & Collis, APC	Legal Services CIP 79728	Original Area			2,000.00	-								
Page 4 of 8	41		Parsons Transportation	Contractual Services CIP 79728	Original Area			25,000.00	25,000								
Page 4 of 8	42		City Consultants	Project Management CIP 79728	Original Area			2,000.00	263								
Page 4 of 8	43		Caltrans	CIP 79728	Original Area			25,000.00	-								
Page 4 of 8	44		City of Moreno Valley	Utility relocation CIP 79728	Original Area			83,642.62	-								
Page 4 of 8	45		City of Moreno Valley	Project Management CIP 79728	Original Area			145,000.00	52,551								
Page 4 of 8	46		Caltrans	Source inspection CIP 79728	Original Area			50,000.00	-								
Page 4 of 8	47		Caltrans	State furnished Materials CIP 79728	Original Area			50,000.00	-								
Page 4 of 8	48		Caltrans	Construction Zone Enforcemt CIP 79728	Original Area			50,000.00	-								
Page 5 of 8	49		Survey Consultant	Capital Project Contract CIP 79728	Original Area			5,000.00	-								
Page 5 of 8	50		Contractor	Capital Project Contract CIP 79728	Original Area			-	-								
Page 5 of 8	51		Falcon Engineering	Capital Project Contract CIP 79728	Original Area			70,000.00	-								
Page 5 of 8	52		Falcon Engineering	Constructability Review CIP 79728	Original Area			32,187.00	27,718								
Page 5 of 8	53		Geotechnical Consultant	Capital Project Contract CIP 79728	Original Area			5,000.00	-								
Page 5 of 8	54		City of Moreno Valley	Project Management CIP 79728	Original Area			70,000.00	-								
Page 5 of 8	55		Parsons Transportation	Contractual Services CIP 79728	Original Area			355,000.00	426,466								
Page 5 of 8	56		City of Moreno Valley	Advertising/Bidding Expenses CIP 79728	Original Area			10,000.00	-								
Page 5 of 8	57		EMWD	Meters - CIP 79728	Original Area			15,000.00	-								
of 8	58		RCFC&WCD	Fees CIP 79728	Original Area			5,000.00	-								
			Globe, Gilden, Locher, Turner & Senet	Advertising/bidding expenses - Spec Revisions CIP 79728	Original Area				7,267								
of 8	59	Morrison Park Fire Station CIP 79729 (old 91729)	City of Moreno Valley	Project Management CIP 79729	Original Area			108,344.00	103,877								
of 8	60		STK Architecture	Capital Project Contract CIP 79729	Original Area			200,000.00	148,764								
Page 5 of 8	61		Silver Creek Industries	Capital Project Contract CIP 79729	Original Area			3,000,000.00	1,849,492								
Page 5 of 8	62		Ence Utility	Capital Project Contract CIP 79729	Original Area			2,100.00	1,260								
Page 5 of 8	63		Riverside County IT	Capital Project Contract CIP 79729	Original Area			13,210.00	4,934								
Page 5 of 8	64		McCain Traffic Supply	Capital Project Contract CIP 79729	Original Area			5,200.00	-								
Page 5 of 8	65		Southern Ca Gas Co	Capital Project Contract CIP 79729	Original Area			5,600.00	11,173								
Page 5 of 8	66		Construction Contract	Construction Costs CIP 79729	Original Area			345,579.49	10,343								
Page 5 of 8	67	Moreno Beach Ramps - Phase 1 CIP 79731 (old 91731)	City of Moreno Valley	Project Management CIP 79731	Original Area			80,000.00	45,560								
Page 5 of 8	68		Parsons Transportation	Capital Project Contract CIP 79731	Original Area			27,054.25	27,054								
Page 5 of 8	69		Staff Consultants	Capital Project Contract CIP 79731	Original Area			10,973.66	210								
Page 5 of 8	70		So. Calif. Edison	Utility relocation CIP 79731	Original Area			249,677.00	-								
Page 5 of 8	71		Caltrans	State Furnished Materials CIP 79731	Original Area			50,000.00	-								
Page 5 of 8	72		Caltrans	Source Inspection CIP 79731	Original Area			50,000.00	-								
Page 5 of 8	73		Survey Consultant	Capital Project Contract CIP 79731	Original Area			5,000.00	-								
Page 5 of 8	74		City of Moreno Valley CM/Inspection	Capital Project Contract CIP 79731	Original Area			30,000.00	-								
3	75		Geotechnical Consultant	Capital Project Contract CIP 79731	Original Area			5,000.00	-								
3	76		Falcon Engineering	Constructability Review CIP 79731	Original Area			35,000.00	7,987								
3	77		City of Moreno Valley	Project Management CIP 79731	Original Area			74,449.00	-								
3	78		RCFC&WCD	Inspection fees CIP 79731	Original Area			10,000.00	-								
3	79		CHP	Const. zone enforcement CIP 79731	Original Area			-	-								
3	80		City of Moreno Valley	Advertising & bidding CIP 79731	Original Area			10,000.00	-								
3	81		EMWD	Inspection fees CIP 79731	Original Area			-	-								
3	82		Parsons Transportation	Capital Project Contract CIP 79731	Original Area			300,000.00	238,718								
			Globe Gilden Locher Turner & Senet	Advertising/bidding expenses - Spec Revisions CIP 79731	Original Area				7,267								
			A&I Reprographics	Advertising/bidding expenses - Spec Revisions CIP 79732	Original Area				3,810								
3	83	Tax Sharing Agreement/Flood Control Agreement	Riverside Flood Control and Water Conservation Dist	Pass Through for the Construction of Storm Drain Projects CIP 89524	Original Area											5,059,404.43	5,059,404
3	84	Acquisition of Properties/Loan	Moreno Valley Housing Authority	Satisfaction of Debt	Original Area											3,366,697.00	3,366,697

MV00175365

Successor Agency: The City of Moreno Valley Serving as the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley

Riverside

Pursuant to Health and Safety Code section 34186 (a)
PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS I)

(January 1, 2013 through June 30, 2013)

	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMIHF Estimate	LMIHF Actual	Bond Proceeds Estimate	Bond Proceeds Actual	Reserve Balance Estimate	Reserve Balance Actual	Admin Allowance Estimate	Admin Allowance Actual	RPTTF Estimate	RPTTF Actual	Other Estimate	Other Actual
		Grand Total				$ -	$ -	$ 7,067,970	$ 3,328,527	$ 394,260	$ 115,593	$ 307,685	$ 117,848	$ 12,223,290	11,896,750	$ 5,028,101	$ 3,026,101
3	1	City/Agency Employee Payroll	City of Moreno Valley/Employees	Payroll Costs	Original Area							247,685.00	111,553.53				
3	2	City/Agency - Operating Costs	City of Moreno Valley	Operating Costs	Original Area							60,000.00	6,294.25				
Page 8 of 8	1	Section 33676 2% Pass Through*	Moreno Valley & Val Verde Unified SDs	Payments per former CRL 33676 - Estimates on ROPS included payments to [illegible] Actual payments made pursuant 2012 RPTTF [illegible]										[illegible]	409,807.97		
Page 8 of 8	2	Section 33676 2% Pass Through*	Riverside City Community College	Payments per former CRL 33676 - Estimates on ROPS included payments to [illegible] Actual payments made from pur. 2012 RPTTF [illegible]										[illegible]	81,264.27		
Page 8 of 8	3	Section 33676 2% Pass Through*	School Funds	Payments per former CRL 33676 - Estimates on ROPS included payments to [illegible] Actual payments made pursuant 2012 RPTTF [illegible]										[illegible]	862.51		
of 8	4	Section 33676 2% Pass Through*	Co. Supt. of Schools	Payments per former CRL 33676 - Estimates on ROPS included payments to [illegible] Actual payments made pursuant 2012 RPTTF [illegible]										[illegible]	85,300.32		
Page 8 of 8	5	Tax Sharing Agreement/County Pass Through Agreement*	County of Riverside	Per Pass Through Agreement - Estimates on ROPS included payments for [illegible] Actual payments made [illegible]										[illegible]	1,815,184.87		
Page 8 of 8	6	SB 2557 County Admin Fees	County of Riverside	County Administrative Fees										238,646.02	238,646.02		
Page 8 of 8	7	Tax Sharing Agreement/Flood Control Agreement	Riverside Flood Control and Water Conservation Dist	Per Pass Through Agreement										781,573.00	781,573.00		

* Pursuant to the original ROPS per Section 1, 2012 through June 30, 2012 indicated pass through payments subject to agency and pass through. Actual payments for the same period were only for January 2012 payments. The June 2012 actual payment was redirected to RPTTF for the period of time July 1, 2012 through December 31, 2012 and is reconciled as such.
* Pass through payments to the Taxing Agencies and to the County of Riverside were made for the Riverside County Auditor Controller.

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rut
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in their capacity as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: OVERVIEW OF REDEVELOPMENT TRAILER BILL AB 1484

RECOMMENDED ACTION

Receive and file overview report of the Redevelopment Trailer Bill Assembly Bill 1484.

BACKGROUND

On June 27, 2012 the California Legislature passed AB 1484. The Governor of California signed the legislation the next day on June 28, 2012. The provisions of this legislation are intended to supplement and replace those contained in last year's AB 26 ("The RDA Dissolution Act"). According to the League of California Cities, the draft bill was expedited through the legislature and appeared in print form only 30 hours before it was formally acted upon by the Assembly.

AB 1484 requires Successor Agencies and Oversight Boards to learn and implement significant new rules of conduct than the rules mandated by last year's ABx1 26. Although AB 1484 provides new flexibility for successor agencies to secure approval of repayment of certain city loans to redevelopment agencies and to use bond proceeds for their original purposes, several provisions may expose the City to penalties and liabilities for the actions and inactions of the Successor Agency. AB 1484 also added many new or modified deadlines that need to be implemented throughout the next several months starting July 12, 2012.

The attachments to this staff report summarize the new major provisions, financial demands, penalties for non-compliance and important deadlines. To date, staff has met all required AB 1484 deadlines and will continue to comply with all provisions.

FISCAL IMPACT

For non-compliance with the provisions of AB 1484, the California Department of Finance (DOF) and Riverside County Auditor have the exclusive authority to withhold future State sales and property tax payments to the City. In addition, the legislation provides for a $10,000 per day penalty for not submitting ROPS by September 1, 2012, regardless of the reason or entity withholding approval authority.

ATTACHMENTS/EXHIBITS

ATTACHMENT A – League of California Cities "Overview of AB 1484"
ATTACHMENT B – League of California Cities "Major Provisions of AB 1484"
ATTACHMENT C – League of California Cities "AB 1484: Important Dates"
ATTACHMENT D – Assembly Bill 1484

Prepared By:
Dante G. Hall
Redevelopment & Neighborhood Programs Administrator

Department Head Approval:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

TO: City Officials

FROM: Chris McKenzie, Executive Director
RE: Overview of Redevelopment Trailer Bill AB 1484 and Next Steps
DATE: June 28, 2012

Executive Summary: The attached documents summarize the provisions and key deadlines contained in the 73-page redevelopment budget trailer bill, AB 1484, approved yesterday. It has many crucial provisions that replace those in last year's AB x1 26, including new and disturbing penalty provisions the League opposed combined with positive provisions requested by the League for repayment of city loans to redevelopment agencies, use of uncommitted bond proceeds, and new procedures for accounting for and disposing of redevelopment real estate assets. We felt it was important to provide you with this information as soon as possible. Updated versions of these documents will be distributed in the next few days and weeks. The League advised the Legislature that the bill's provisions allowing the offset of sales and property tax contain constitutional flaws, and that paired with other provisions will only increase litigation between the state and successor agencies. The League stands ready to assist in the defense of local sales tax and property tax constitutional protections however possible.,

Background: On June 27 the Legislature passed AB 1484, after it appeared in print only 30 hours earlier. While the bill provides important new flexibility (or "safe harbors" provisions) for successor agencies to secure approval of repayment of certain city loans to redevelopment agencies, to use bond proceeds for their original purposes, and to transfer governmental property to the city and other governmental agencies, the bill also contains unacceptable, punitive and unconstitutional provisions designed to force the payment of funds to the counties in a rapid fire fashion. Regrettably, we were not involved in the drafting of the bill, and in the few short hours the League had to review it we offered amendments to remove these disturbing provisions. The Legislature chose to reject the amendments.

As the attached overview and timetable explain, the measure provides that if a local successor agency does not make a payment of property taxes to the county for distribution to other local taxing agencies by no later than July 12, 2012, the successor agency is subject to a civil penalty of 10% of the amount owed (plus a 1.5% per month add-on penalty. Moreover, the bill authorizes the Department of Finance (DOF) to notify the Board of Equalization to suspend sales tax payments to the affected city, effective July 18. Further, a cash penalty of $10,000 per day can be imposed for failure to submit a ROPS by September 1, 2012. This unprecedented delegation of authority to DOF is both excessive and, in some cases, unconstitutional as explained below.

The League thanked the legislators on both sides of the aisle that opposed or abstained from voting on this measure so the League's amendments could be considered. You can see the roll call of the votes at: http://www.cacities.org/Top/News/News-Articles/2012/June/Final-Vote-Count-for-Redevelopment-Trailer-Bill-AB. We urge you to thank them as well.

During our short window to discuss the bill with legislators we pointed out that excluding cities from the drafting of AB 1484 has led to continued drafting errors and distrust at a time when a more collaborative approach would have promoted unity and accuracy. Notwithstanding AB 1484's positive elements, its punitive provisions and the lack of consultation and collaboration has only deepened city officials' distrust of state government.

Constitutional Flaws: The League's Post-Redevelopment Attorney Working Group has already begun discussing the provisions of AB 1484 and its obvious constitutional flaws. The Group will be asked to review and suggest any changes in the attached documents as well. We will send you any updates. Some of the members of the Group have indicated they anticipate the following constitutional claims could figure into future lawsuits concerning the sales tax and property tax clawback provisions.

- Sales Tax Clawback: Article XIII, section 24 says the Legislature may not "reallocate, transfer, borrow, appropriate, restrict the use of, or otherwise use the proceeds of any tax imposed or levied by a local government solely for the local government's purposes." The Bradley-Burns sales and use tax is imposed by a local government solely for local government's purposes. AB 1484 "reallocates" the local sales tax to the taxing entities; "restricts the use of" the local sales tax to payment of a penalty; and "otherwise uses" the sales tax to transfer funds to the taxing entities. There is no exception in Article XIII, section 24 that allows the Legislature to "otherwise use" the sales tax to pay a penalty. The prohibition is clear and complete: the Legislature may not "use" the sales tax for any purpose, including payment of a penalty.

- Property Tax Clawback: Cities, counties, and special districts cumulatively receive a percentage share of the 1% property tax rate. Article XIII, section 25.5(a) (1) (A) prohibits the Legislature from reallocating property tax so as to reduce this cumulative percentage share. Article XIII, section 25.5(a) (3) prohibits the Legislature from reallocating property tax as between cities, counties, and special districts except with a two-thirds vote. AB 1484 was not approved by two-thirds vote, yet it reallocates city (or county) property tax to other taxing entities if a successor agency does not make certain required payments. A portion of the reallocated property tax will go to school districts, thereby reducing the cumulative percentage share received by cities, counties, and special districts. Further, a portion of the reallocated property tax will go to special districts, thereby reallocating property tax as between cities, counties, and special districts with a majority vote. There is no exception in Article XIII, section 25.5 that allows the Legislature to reallocate property tax as a penalty. The prohibition is clear and complete: No reallocation of city, county or special district property taxes to schools is allowed at all, and no reallocation of property tax among cities, counties and special districts is possible without a two-thirds vote.

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Major Provisions of AB 1484[1]

1. **Three payments**: Successor agency must make three payments:

- July 12: Taxing entities' share of December 2011 property tax distribution to redevelopment agency/successor agency
- November 9+/-: Low-Moderate Income Housing Fund
- April 10 +/- : Unencumbered cash

In addition to these three payments, if a successor agency did not make complete 2011-12 pass-through payments, amount of payment not made will be deducted from property tax distribution from auditor-controller.[2]

2. **New audit by October 1:** Successor agency must retain licensed accountant to audit books:[3]

- Audit of LMIHF
- Audit of cash assets
- Audit of cash transfers to public agencies and private parties[4]

3. **New penalties**:

- Failure to make July 12 payment: successor agency subject to civil penalty of 10% of the amount owed plus 1.5% of the amount owed for each month that payment is not made unless DOF finds that payment of penalty will jeopardize payment of enforceable obligations. Until payment is made,

[1]. The League will continue to refine this analysis with the assistance of its RDA Attorney Working Group and other city officials.
[2] Additional information about these payments is found in the Appendix.
[3] Agreed-upon procedures audit completed by auditor-controller can substitute for the licensed accountant audit if it includes all statutory requirements
[4] Successor agency must attempt to recover cash transferred to public agency without an enforceable obligation.

July 2, 2012

successor agency may only pay bond debt. City subject to same civil penalty. City will not receive July 18 sales tax payment (up to amount owed).[5]

- Failure to transfer LMIHF funds: Offset of city sales tax or property tax of the amount required to be transferred[6]

- Failure to transfer cash assets: Offset of city sales tax or property tax of the amount required to be transferred[7]

- Failure to recover cash transferred to local agency without enforceable obligation: Offset of sales tax or property tax of the local agency to which the cash was transferred.[8]

- Failure to submit ROPS by September 1, 2012 and subsequent deadlines: City to pay civil penalty of $10,000 per day for each day beyond deadline

4. **Safe Harbor: Finding of Completion**[9]

The Department of Finance will issue a finding of completion to a successor agency that pays the following amounts:

- ✓ The amount determined in the audit of the LMIHF[10]
- ✓ The amount determined in the audit of all other funds[11]
- ✓ The amount (if any) owing to taxing entities from the December 2011 property tax payment[12]

The following applies to a successor agency that is issued a finding of completion:

- ✓ Loan agreements entered into between the redevelopment agency and the city are deemed to be enforceable obligations if oversight board makes a finding that loan was for legitimate redevelopment purposes. As enforceable obligations, payments are listed on ROPS[13].

  Repayments of loans may not begin prior to 2013-14 fiscal year at maximum amount described in statute. Repayment amounts received by city must first be used to retire outstanding amounts borrowed and owed to LMIHF of the

[5] Section 34183.5(b)(2)
[6] Section 34179.6(h)
[7] Section 34179.6(h)
[8] Section 34179.6(h); see, also 34179.8
[9] Section 34191.1.
[10] Section 34179.6
[11] Section 34179.6
[12] Section 34183.5
[13] DOF continues to retain final authority to approve items listed on ROPS.

former redevelopment agency for purposes of the SERAF payment. 20% of loan repayment amount must be transferred to LMIH Asset Fund.[14]

- ✓ Bond proceeds derived from bonds issued on or before 12/31/10 shall be used for the purposes for which the bonds were sold. Proceeds which cannot be spent consistent with bond covenants shall be used to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation.[15] Use of bond proceeds listed on ROPS.[16]

- ✓ Real property assets: In lieu of the provisions of AB 26 which require disposal of real property assets at the direction of the oversight board, successor agency prepares a long-range property management plan and submits to oversight board and DOF for approval. Permissible uses of property include retention for governmental use; retention for future development; sale of property; use of the property to fulfill enforceable obligations. If plan directs use or liquidation of property for a project identified in an approved redevelopment plan, the property shall transfer to the city. No transfers until plan approved by oversight board and DOF.[17]

- ✓ Statute of Limitations: The longer statutes of limitations (2 years) to challenge actions of the former redevelopment agencies do not apply.[18]

5. New Power of State Controller[19]

AB 1484 directs the Controller to review the activities of successor agencies to determine whether an asset transfer occurred after January 31, 2012, between the successor agency and the city or county that created the redevelopment agency, or any other public agency that was not pursuant to an enforceable obligation on an approved ROPS. The Controller is directed to order the assets returned to the successor agency. "City" is defined very broadly to include any entity which is controlled by the city or for which the city is financially responsible or accountable.[20]

6. Increase in authority for Department of Finance

- DOF may eliminate or modify any item on an oversight board-approved ROPS. The auditor-controller must distribute property tax in accordance with changes made to the ROPS by DOF. If successor agency disputes DOF

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[14] 34191.4(b)(2).

[15] 34191.4(c)

[16] DOF continues to retain final authority to approve items listed on ROPS.

[17] Section 34191.5

[18] Section 33500, 33501

[19] Section 34178.8

[20] Section 34167.10. AB 26 directed the State Controller to review asset transfers from redevelopment agencies to the city or county that created the agency that occurred after January 1, 2011. If the city or county was not contractually committed to a third party for the expenditure or encumbrance of those assets, the Controller was directed to order the return the assets to the redevelopment agency or successor agency.

action, disputed item may be carried on ROPS. If dispute resolved in favor of successor agency in the future, the past allocation of property tax to the successor agency is not changed nor is a "liability" created for any affected taxing entity.[21]

- DOF may review and object to oversight board actions approving (1) establishment of new repayment terms for outstanding loans; and (2) setting aside amounts in reserves as required by bond indentures, and similar documents[22]

7. New restrictions on authority of Successor agency

- No new enforceable obligations except (1) as specifically authorized by the statute; (2) in compliance with enforceable obligations that existed prior to June 28, 2011; or (3) to hire staff, acquire professional services and procure insurance.[23]

- May not transfer revenues or powers to any other public or private party except pursuant to enforceable obligation on an approved ROPS. Any such transfer of authority or revenues are "void" and successor agency required to reverse transfers. Controller may audit and order return of transfers of authority or revenues.[24]

- Actions taken by redevelopment agencies pursuant to VARP (Voluntary Alternative Redevelopment Program in AB 27) are "ultra vires" and do not create enforceable obligations.[25]

- If successor agency exercised power to reenter into agreements with city (section 34178) and agreement was approved by oversight board but rejected by DOF, successor agency and oversight board may not act to restore funding for the reentered agreement.[26]

- No reestablishment of loan agreements between successor agency and city except pursuant to safe harbor provisions.[27]

8. Miscellaneous

- <u>City loans to successor agency</u>: City may loan or grant funds for administrative costs, enforceable obligations or project-related expenses. Receipt and use of these funds shall be reflected on the ROPS or in the

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[21] Section 34179(h)
[22] Section 34181(f)
[23] Section 34177.3(a); 34177.3(b)
[24] Section 34177.3(c)
[25] Section 34177.3(d)
[26] Section 34178(a)
[27] Section 34180(a)

administrative budget subject to oversight board approval. An enforceable obligation is created for repayment of loans.[28]

- New Oversight Board Provisions[29]

✓ Auditor-controller may determine "largest special district"
✓ Section 1090 does not apply to employee representative on oversight board
✓ Oversight board members are protected by immunities applicable to public entities and public employees
✓ Meetings at which oversight board will consider disposal of successor agency assets or allow set-aside of reserves required by bond indentures requires 10 days' public notice.[30]
✓ Written notice and information about all oversight board actions must be provided to DOF by electronic means. DOF has 40 (instead of 10) days to review and approve, reject, or modify oversight board action.
✓ Oversight board may direct successor agency to provide additional legal or financial advice.
✓ Authorized to contract with the county or other public or private agencies for administrative support
✓ On matters within its purview, decisions made by oversight board "supersede those made by the successor agency or the staff of the successor agency."[31]

- New authority for auditor-controller[32]: A county auditor-controller can object to an item on the ROPS or to the funding source listed for an item on the ROPS. Objections are sent to DOF to resolve.

- Polanco Act protection for successor agency: Cleanup plans and liability limits of redevelopment agency transferred to successor agency and to housing entity, upon entity's request.[33]

- Limited authority for successor agency to refinance existing debt.[34]

- Successor agency is separate public entity.[35]

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[28] Section 34175(h)
[29] Section 34180
[30] Section 34181(f)
[31] Section 34179
[32] Section 34182.5
[33] Section 34173(f)
[34] Section 34177.5
[35] Section 34173(g)

Appendix – Successor Agency Required Payments/Fund Transfers

✓ Transfer of Unencumbered Balances[36]

AB 26 requires that a successor agency transfer unencumbered cash balances and low and moderate income housing funds to the county auditor-controller for distribution to the taxing entities. AB 1484 requires a successor agency to retain the services of a licensed accountant to audit (1) the balance in the LMIHF; (2) the balance in other cash funds; (3) cash payments that were made in compliance with an enforceable obligation; and (4) cash transfers that were made without an enforceable obligation. In addition to transferring the balances in the LMIHF and other cash funds, a successor agency must make efforts to recover the cash transferred without an enforceable obligation.

✓ Payment of December 2011 Taxing Entity Property Tax[37]

AB 26 distributes property tax through a "waterfall" of payments which includes passthrough payments, payments to successor agencies for enforceable obligations, payments to successor agencies for administrative costs, and payments to taxing entities. The waterfall for the December 2011 property tax payment did not operate as intended because of the stay imposed by the Court in *Matosantos*. The property tax payment to taxing entities was not made. AB 1484 requires successor agencies to make those payments by July 12.

✓ Payment of 2011-12 Passthrough Payments

Some successor agencies made 2011-12 passthrough payments and some did not. AB 1484 requires the auditor-controller to reduce property tax payments to those successor agencies that did not make pass through payments in 2011-12.

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[36] Section 34179.5; 34179.6
[37] Section 34183.5

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AB 1484: Important Dates

July 9: County auditor-controller notifies successor agency of amount of funds owing taxing entities based upon December 2011 property tax payment[1]

July 12: Successor agency must make payment to auditor-controller for deposit into Redevelopment Property Tax Trust Fund and distribution to taxing entities.[2]

July 16: Auditor-controller distributes money received from successor agencies to taxing entities. Monies received after July 12 date distributed within 5 days of receipt.[3]

July 18: **City sales tax payment suspended if successor agency doesn't make July 12 payment.**[4]

August 1: Successor housing entity must submit to DOF a list of housing assets that contains explanation of how assets meet criteria set forth in the law. DOF will prescribe format for list. DOF may object to any of the assets within 30 days. If after meet and confer, DOF continues to object, asset must be returned to the successor agency.[5]

August 10: Successor housing entity notifies successor agency of any designations of use or commitments of funds that successor housing entity authorizes successor agency to retain.[6]

August 15 +/-: Oversight board meets to consider ROPS for January 1, 2013 through June 30, 2013 which must be submitted to DOF by September 1.

September 1: ROPS for January 1, 2013 through June 30, 2013 must be submitted electronically to DOF after oversight board approval.[7] DOF makes determinations within 45 days. Within 5 days of determination, successor agency may request additional review and meet and confer.

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[1] Section 34183.5(b)(2)(A). Note: The statute, that may be drafted in error, states that if June 1 property tax payment has not been made to successor agencies, the amount owing to taxing entities will be deducted from that same June 1 payment (34183.5(b)(1)).
[2] Section 34183.5(b)(2)(A).
[3] Section 34183.5(b)(2)(A).
[4] Section 34183.5(b)(2)(A)
[5] Section 34176(a)(2). Definition of "housing asset" found at section 34176(e).
[6] Section 34179.6(c)
[7] Section 34177(m). Future ROPS must be submitted to DOF 90 days prior to property tax distribution. **City subject to civil penalty of $10,000 per day for successor agency's failure to timely submit ROPS (Section 34177(m)(2)).**

July 2, 2012

October 1: Auditor-controller may provide notice to successor agency of any objections to items on January – June 2013 ROPS.[8]

October 1: Successor agency submits to oversight board, county auditor-controller, State Controller, and DOF results of the review of the LMIHF conducted by the licensed accountant agency must retain.[9] Note: licensed accountant must be approved by the county auditor-controller.

October 1: County auditor-controller completes agreed-upon procedures audit of each redevelopment agency.[10] Auditor-controller provides estimate of property tax payments to successor agency for upcoming six-month period.[11]

October 15: Oversight Board must review, approve, and transmit LMIHF audit to DOF, auditor-controller. Note that oversight board must hold a public session to consider audit at least five business days prior to the meeting of oversight board in which LMIHF audit is considered for approval.[12]

November 9: Last day for DOF to complete review of LMIHF audit and reports findings, determinations, and decision to overturn oversight board decision to allow retention of successor agency assets.[13]

W/in 5 days of receipt of DOF audit findings: Successor agency may request meet and confer to resolve disputes with DOF findings on LMIHF audit.[14] DOF must confirm or modify its determination and decisions within 30 days.

W/in 5 days of receipt of DOF final audit determination: Successor agency to transfer LMIHF funds to auditor-controller.[15] **City sales tax/property tax may be offset for unfunded amounts.**

December 1: Successor agency may report to auditor-controller that total amount of available revenues will be insufficient to fund enforceable obligations.[16]

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[8] Section 34182.5.

[9] Section 34179.6(a). The requirement to retain a licensed accountant is found in section 34179.5. The audit provided by the county auditor-controller can be substituted for an audit by a licensed accountant if it contains the information required by Section 34179.5.

[10] Section 34182(a)(1).

[11] Section 34182(c)(3)

[12] Section 34179.6(c) and (b)

[13] Section 34179.6(d)

[14] Section 34179.6(e)

[15] Section 34179.6(f)

[16] Section 34183(b)

December 15: Successor agency submits to oversight board, county auditor-controller, State Controller, and DOF results of the review of all other fund and account balances by licensed accountant.[17]

2013

January 2: Auditor-controller makes distributions of property tax for January – June 2013 ROPS.[18]

January 15: Oversight board must review, approve, and transmit other funds audit to DOF, auditor-controller.[19]

March 3: Successor agency submits ROPS for July 1, 2013 through December 31, 2013 to DOF after oversight board approval.[20]

April 1: County auditor-controller provides estimate of property tax payments to successor agency for upcoming six-month period.[21]

April 1: DOF completes review of other funds audit and reports findings, determinations, and decision to overturn oversight board decision to allow retention of successor agency assets.[22]

April 6 +/-: No later than 5 days after receiving DOF determination on other funds audit, successor agency may request meet and confer to resolve disputes with DOF findings. DOF must confirm or modify its determination and decisions within 30 days.

April 10: +/- Successor agency to transfer other "cash and assets" audit payment to auditor-controller if meet and confer process complete.[23] **City sales tax/property tax may be offset for unfunded amounts.**

May 1: Successor agency reports to auditor-controller if total amount of available revenues will be insufficient to fund enforceable obligations.[24]

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[17] Section 34179.6(a).

[18] Section 34183(b).

[19] Section 34179.6(a).

[20] Section 34177(m).

[21] Section 34182(c)(3)

[22] Section 34179.6(a)

[23] Section 34179.6(f). The statute does not allow sufficient time between completion of DOF review on April 1 and required payment on April 10.

[24] Section 34183(b).

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MV00175380

AMENDED IN SENATE JUNE 25, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL No. 1484

Introduced by Committee on Budget (Blumenfield (Chair), Alejo, Bonilla, Brownley, Buchanan, Butler, Cedillo, Chesbro, Dickinson, Feuer, Gordon, Huffman, Mitchell, Monning, and Swanson)

January 10, 2012

~~An act relating to the Budget Act of 2012.~~ *An act to amend Section 53760.1 of the Government Code, and to amend Sections 33500, 33501, 34163, 34171, 34173, 34175, 34176, 34177, 34178, 34179, 34180, 34181, 34182, 34183, 34185, 34186, 34187, 34188, and 34189 of, to add Sections 34167.10, 34177.3, 34177.5, 34178.8, 34179.5, 34179.6, 34179.7, 34179.8, 34182.5, 34183.5, 34189.1, 34189.2, and 34189.3 to, to add Chapter 9 (commencing with Section 34191.1) to Part 1.85 of Division 24 of, and to add and repeal Section 34176.5 of, the Health and Safety Code, relating to community redevelopment, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1484, as amended, Committee on Budget. ~~Budget Act of 2012.~~ *Community redevelopment.*

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, and, among other things, provides that an action may be brought to review the validity of specified agency actions, findings, or determinations that occurred after January 1, 2011, within 2 years of the triggering event.

This bill would toll the time limit for bringing an action until the Department of Finance issues a finding of completion to the successor agency.

Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, make payments due for enforceable obligations, as defined, perform obligations required pursuant to any enforceable obligation, dispose of all assets of the former redevelopment agency, and to remit unencumbered balances of redevelopment agency funds, including housing funds, to the county auditor-controller for distribution to taxing entities.

Existing law authorizes the city, county, or city and county that authorized the creation of a redevelopment agency to retain the housing assets, functions, and powers previously performed by the redevelopment agency, excluding amounts on deposit in the Low and Moderate Income Housing Fund.

The bill would modify provisions relating to the transfer of housing responsibilities associated with dissolved redevelopment agencies and would define the term "housing asset" for these purposes. The bill would impose new requirements on successor agencies with regard to the submittal of the Recognized Obligation Payment Schedule, the conducting of a due diligence review to determine the unobligated balances available for transfer to affected taxing entities, and the recovery and subsequent remittance of funds determined to have been transferred absent an enforceable obligation. The bill would authorize the Department of Finance to issue a finding of completion to a successor agency that completes the due diligence review and meets other requirements. Upon receiving a finding of completion, the bill would authorize the successor agency to participate in a loan repayment program and limited property management activities.

Existing law authorizes the Department of Finance and the Controller to require any documents associated with enforceable obligations to be provided to them in a manner of their choosing.

The bill would authorize the county auditor-controller and the department, under specified circumstances, to require the return of funds improperly spent or transferred to a public entity and would authorize the department and the Controller to require the State Board of Equalization and the county auditor-controller to offset sales and

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use tax and property tax allocations, respectively, to the local agency. The bill would authorize the Controller to review the activities of a successor agency to determine if an improper asset transfer had occurred between the successor agency and the city or county that created the former redevelopment agency, and would require the Controller to order the return of these assets if such an asset transfer did occur.

The bill would impose new requirements on the county auditor-controller relating to the allocation of property tax revenues to affected taxing entities during a specified timeframe. By imposing additional duties upon local public officials, the bill would create a state-mandated local program.

The bill would appropriate up to $22,000,000 to the Department of Finance from the General Fund for costs associated with the bill, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2012.~~

Vote: majority. Appropriation: ~~no~~ *yes*. Fiscal committee: ~~no~~ *yes*. State-mandated local program: ~~no~~ *yes*.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 53760.1 of the Government Code is*
2 *amended to read:*
3 53760.1. As used in this article the following terms have the
4 following meanings:
5 (a) "Chapter 9" means Chapter 9 (commencing with Section
6 901) of Title 11 of the United States Code.
7 (b) "Creditor" means either of the following:
8 (1) An entity that has a noncontingent claim against a
9 municipality that arose at the time of or before the commencement
10 of the neutral evaluation process and whose claim represents at

least five million dollars ($5,000,000) or comprises more than 5 percent of the local public entity's debt or obligations, whichever is less.

(2) An entity that would have a noncontingent claim against the municipality upon the rejection of an executory contract or unexpired lease in a Chapter 9 case and whose claim would represent at least five million dollars ($5,000,000) or comprises more than 5 percent of the local public entity's debt or obligations, whichever is less.

(c) "Debtor" means a local public entity that may file for bankruptcy under Chapter 9.

(d) "Good faith" means participation by a party in the neutral evaluation process with the intent to negotiate toward a resolution of the issues that are the subject of the neutral evaluation process, including the timely provision of complete and accurate information to provide the relevant parties through the neutral evaluation process with sufficient information, in a confidential manner, to negotiate the readjustment of the municipality's debt.

(e) "Interested party" means a trustee, a committee of creditors, an affected creditor, an indenture trustee, a pension fund, a bondholder, a union that, under its collective bargaining agreements, has standing to initiate contract or debt restructuring negotiations with the municipality, or a representative selected by an association of retired employees of the public entity who receive income from the public entity convening the neutral evaluation. A local public entity may invite holders of contingent claims to participate as interested parties in the neutral evaluation if the local public entity determines that the contingency is likely to occur and the claim may represent five million dollars ($5,000,000) or comprise more than 5 percent of the local public entity's debt or obligations, whichever is less.

(f) "Local public entity" means any county, city, district, public authority, public agency, or other entity, without limitation, that is a municipality as defined in Section 101(40) of Title 11 of the United States Code (bankruptcy), or that qualifies as a debtor under any other federal bankruptcy law applicable to local public entities, *and also includes a successor agency to a redevelopment agency created pursuant to Part 1.85 (commencing with Section 34170) of Division 24 of the Health and Safety Code*. For purposes of this article, "local public entity" does not include a school district.

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(g) "Local public entity representative" means the person or persons designated by the local public agency with authority to make recommendations and to attend the neutral evaluation on behalf of the governing body of the municipality.

(h) "Neutral evaluation" is a form of alternative dispute resolution that may be known as mandatory mediation. A "neutral evaluator" may also be known as a mediator.

SEC. 2. Section 33500 of the Health and Safety Code is amended to read:

33500. (a) Notwithstanding any other provision of law, including Section 33501, an action may be brought to review the validity of the adoption or amendment of a redevelopment plan at any time within 90 days after the date of the adoption of the ordinance adopting or amending the plan, if the adoption of the ordinance occurred prior to January 1, 2011.

(b) Notwithstanding any other provision of law, including Section 33501, an action may be brought to review the validity of any findings or determinations by the agency or the legislative body at any time within 90 days after the date on which the agency or the legislative body made those findings or determinations, if the findings or determinations occurred prior to January 1, 2011.

(c) Notwithstanding any other law, including Section 33501, an action may be brought to review the validity of the adoption or amendment of a redevelopment plan at any time within two years after the date of the adoption of the ordinance adopting or amending the plan, if the adoption of the ordinance occurred after January 1, 2011.

(d) Notwithstanding any other law, including Section 33501, an action may be brought to review the validity of any findings or determinations by the agency or the legislative body at any time within two years after the date on which the agency or the legislative body made those findings or determinations, if the findings or determinations occurred after January 1, 2011.

(e) The time limit for bringing an action under subdivision (c) or (d) shall be tolled with respect to the adoptions, findings, and determinations of any former redevelopment agency or its legislative body until the Department of Finance has issued a finding of completion to the successor agency of that former redevelopment agency pursuant to Section 34179.7. Subdivisions (c) and (d) shall not apply to any adoption, finding, or

determination of any former redevelopment agency or its legislative body after the department has issued a finding of completion to the successor agency of that former redevelopment agency pursuant to Section 34179.7.

SEC. 3. Section 33501 of the Health and Safety Code is amended to read:

33501. (a) An action may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure to determine the validity of bonds and the redevelopment plan to be financed or refinanced, in whole or in part, by the bonds, or to determine the validity of a redevelopment plan not financed by bonds, including without limiting the generality of the foregoing, the legality and validity of all proceedings theretofore taken for or in any way connected with the establishment of the agency, its authority to transact business and exercise its powers, the designation of the survey area, the selection of the project area, the formulation of the preliminary plan, the validity of the finding and determination that the project area is predominantly urbanized, and the validity of the adoption of the redevelopment plan, and also including the legality and validity of all proceedings theretofore taken and (as provided in the bond resolution) proposed to be taken for the authorization, issuance, sale, and delivery of the bonds, and for the payment of the principal thereof and interest thereon.

(b) Notwithstanding subdivision (a), an action to determine the validity of a redevelopment plan, or amendment to a redevelopment plan that was adopted prior to January 1, 2011, may be brought within 90 days after the date of the adoption of the ordinance adopting or amending the plan.

(c) Any action that is commenced on or after January 1, 2011, which is brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure to determine the validity or legality of any issue, document, or action described in subdivision (a), may be brought within two years after any triggering event that occurred after January 1, 2011. *The time limit for bringing an action under this subdivision shall be tolled with respect to the validity or legality of any issue, document, or action described in subdivision (a) of any former redevelopment agency or its legislative body until the Department of Finance has issued a finding of completion to the successor agency of that*

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former redevelopment agency pursuant to Section 34179.7. This subdivision shall not apply to any adoption, finding, or determination of any former redevelopment agency or its legislative body after the department has issued a finding of completion to the successor agency of that former redevelopment agency pursuant to Section 34179.7.

(d) For the purposes of protecting the interests of the state, the Attorney General and the Department of Finance are interested persons pursuant to Section 863 of the Code of Civil Procedure in any action brought with respect to the validity of an ordinance adopting or amending a redevelopment plan pursuant to this section.

(e) For purposes of contesting the inclusion in a project area of lands that are enforceably restricted, as that term is defined in Sections 422 and 422.5 of the Revenue and Taxation Code, or lands that are in agricultural use, as defined in subdivision (b) of Section 51201 of the Government Code, the Department of Conservation, the county agricultural commissioner, the county farm bureau, the California Farm Bureau Federation, and agricultural entities and general farm organizations that provide a written request for notice, are interested persons pursuant to Section 863 of the Code of Civil Procedure, in any action brought with respect to the validity of an ordinance adopting or amending a redevelopment plan pursuant to this section.

SEC. 4. Section 34163 of the Health and Safety Code is amended to read:

34163. Notwithstanding Part 1 (commencing with Section 33000), Part 1.5 (commencing with Section 34000), Part 1.6 (commencing with Section 34050), and Part 1.7 (commencing with Section 34100), or any other law, commencing on the effective date of this part, an agency shall not have the authority to, and shall not, do any of the following:

(a) Make loans or advances or grant or enter into agreements to provide funds or provide financial assistance of any sort to any entity or person for any purpose, including, but not limited to, all of the following:

(1) Loans of moneys or any other thing of value or commitments to provide financing to nonprofit organizations to provide those organizations with financing for the acquisition, construction, rehabilitation, refinancing, or development of multifamily rental

housing or the acquisition of commercial property for lease, each pursuant to Chapter 7.5 (commencing with Section 33741) of Part 1.

(2) Loans of moneys or any other thing of value for residential construction, improvement, or rehabilitation pursuant to Chapter 8 (commencing with Section 33750) of Part 1. These include, but are not limited to, construction loans to purchasers of residential housing, mortgage loans to purchasers of residential housing, and loans to mortgage lenders, or any other entity, to aid in financing pursuant to Chapter 8 (commencing with Section 33750).

(3) The purchase, by an agency, of mortgage or construction loans from mortgage lenders or from any other entities.

(b) Enter into contracts with, incur obligations, or make commitments to, any entity, whether governmental, tribal, or private, or any individual or groups of individuals for any purpose, including, but not limited to, loan agreements, passthrough agreements, regulatory agreements, services contracts, leases, disposition and development agreements, joint exercise of powers agreements, contracts for the purchase of capital equipment, agreements for redevelopment activities, including, but not limited to, agreements for planning, design, redesign, development, demolition, alteration, construction, reconstruction, rehabilitation, site remediation, site development or improvement, removal of graffiti, land clearance, and seismic retrofits.

(c) Amend or modify existing agreements, obligations, or commitments with any entity, for any purpose, including, but not limited to, any of the following:

(1) Renewing or extending term of leases or other agreements, except that the agency may extend lease space for its own use to a date not to exceed six months after the effective date of the act adding this part and for a rate no more than 5 percent above the rate the agency currently pays on a monthly basis.

(2) Modifying terms and conditions of existing agreements, obligations, or commitments.

(3) Forgiving all or any part of the balance owed to the agency on existing loans or extend the term or change the terms and conditions of existing loans.

(4) ~~Increasing its~~ *Making any future* deposits to the Low and Moderate Income Housing Fund created pursuant to Section

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33334.3 ~~beyond the minimum level that applied to it as of January 1, 2011~~.

(5) Transferring funds out of the Low and Moderate Income Housing Fund, except to meet the minimum housing-related obligations that existed as of January 1, 2011, to make required payments under Sections 33690 and 33690.5, and to borrow funds pursuant to Section 34168.5.

(d) Dispose of assets by sale, long-term lease, gift, grant, exchange, transfer, assignment, or otherwise, for any purpose, including, but not limited to, any of the following:

(1) Assets, including, but not limited to, real property, deeds of trust, and mortgages held by the agency, moneys, accounts receivable, contract rights, proceeds of insurance claims, grant proceeds, settlement payments, rights to receive rents, and any other rights to payment of whatever kind.

(2) Real property, including, but not limited to, land, land under water and waterfront property, buildings, structures, fixtures, and improvements on the land, any property appurtenant to, or used in connection with, the land, every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage, or otherwise, and the indebtedness secured by the liens.

(e) Acquire real property by any means for any purpose, including, but not limited to, the purchase, lease, or exercising of an option to purchase or lease, exchange, subdivide, transfer, assume, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise acquire any real property, any interest in real property, and any improvements on it, including the repurchase of developed property previously owned by the agency and the acquisition of real property by eminent domain; provided, however, that nothing in this subdivision is intended to prohibit the acceptance or transfer of title for real property acquired prior to the effective date of this part.

(f) Transfer, assign, vest, or delegate any of its assets, funds, rights, powers, ownership interests, or obligations for any purpose to any entity, including, but not limited to, the community, the legislative body, another member of a joint powers authority, a trustee, a receiver, a partner entity, another agency, a nonprofit corporation, a contractual counterparty, a public body, a

limited-equity housing cooperative, the state, a political subdivision of the state, the federal government, any private entity, or an individual or group of individuals.

(g) Accept financial or other assistance from the state or federal government or any public or private source if the acceptance necessitates or is conditioned upon the agency incurring indebtedness as that term is described in this part.

SEC. 5. Section 34167.10 is added to the Health and Safety Code, to read:

34167.10. (a) Notwithstanding any other law, for purposes of this part and Part 1.85 (commencing with Section 34170), the definition of a city, county, or city and county includes, but is not limited to, the following entities:

(1) Any reporting entity of the city, county, or city and county for purposes of its comprehensive annual financial report or similar report.

(2) Any component unit of the city, county, or city and county.

(3) Any entity which is controlled by the city, county, or city and county, or for which the city, county, or city and county is financially responsible or accountable.

(b) The following factors shall be considered in determining that an entity is controlled by the city, county, or city and county, and are therefore included in the definition of a city, county, or city and county for purposes of this part and Part 1.85 (commencing with Section 34170):

(1) The city, county, or city and county exercises substantial municipal control over the entity's operations, revenues, or expenditures.

(2) The city, county, or city and county has ownership or control over the entity's property or facilities.

(3) The city, county, or city and county and the entity share common or overlapping governing boards, or coterminous boundaries.

(4) The city, county, or city and county was involved in the creation or formation of the entity.

(5) The entity performs functions customarily or historically performed by municipalities and financed thorough levies of property taxes.

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(6) The city, county, or city and county provides administrative and related business support for the entity, or assumes the expenses incurred in the normal daily operations of the entity.

(c) For purposes of this section, it shall not be relevant that the entity is formed as a separate legal entity, nonprofit corporation, or otherwise, or is not subject to the constitution debt limitation otherwise applicable to a city, county, or city and county. The provisions in this section are declarative of existing law as the entities described herein are and were intended to be included within the requirements of this part and Part 1.85 (commencing with Section 34170) and any attempt to determine otherwise would thwart the intent of these two parts.

SEC. 6. Section 34171 of the Health and Safety Code is amended to read:

34171. The following terms shall have the following meanings:

(a) "Administrative budget" means the budget for administrative costs of the successor agencies as provided in Section 34177.

(b) "Administrative cost allowance" means an amount that, subject to the approval of the oversight board, is payable from property tax revenues of up to 5 percent of the property tax allocated to the successor agency ~~for the 2011–12 fiscal year~~ *on the Recognized Obligation Payment Schedule covering the period January 1, 2012, through June 30, 2012,* and up to 3 percent of the property tax allocated to the Redevelopment Obligation Retirement Fund money that is allocated to the successor agency for each fiscal year thereafter; provided, however, that the amount shall not be less than two hundred fifty thousand dollars ($250,000), *unless the oversight board reduces this amount,* for any fiscal year or such lesser amount as agreed to by the successor agency. However, the allowance amount shall exclude, *and shall not apply to,* any administrative costs that can be paid from bond proceeds or from sources other than property tax. *Administrative cost allowances shall exclude any litigation expenses related to assets or obligations, settlements and judgments, and the costs of maintaining assets prior to disposition. Employee costs associated with work on specific project implementation activities, including, but not limited to, construction inspection, project management, or actual construction, shall be considered project-specific costs and shall not constitute administrative costs.*

(c) "Designated local authority" shall mean a public entity formed pursuant to subdivision (d) of Section 34173.

(d) (1) "Enforceable obligation" means any of the following:

(A) Bonds, as defined by Section 33602 and bonds issued pursuant to ~~Section 53583~~ *Chapter 10.5 (commencing with Section 5850) of Division 6 of Title 1* of the Government Code, including the required debt service, reserve set-asides, and any other payments required under the indenture or similar documents governing the issuance of the outstanding bonds of the former redevelopment agency. *A reserve may be held when required by the bond indenture or when the next property tax allocation will be insufficient to pay all obligations due under the provisions of the bond for the next payment due in the following half of the calendar year.*

(B) Loans of moneys borrowed by the redevelopment agency for a lawful purpose, to the extent they are legally required to be repaid pursuant to a required repayment schedule or other mandatory loan terms.

(C) Payments required by the federal government, preexisting obligations to the state or obligations imposed by state law, other than passthrough payments that are made by the county auditor-controller pursuant to Section 34183, or legally enforceable payments required in connection with the agencies' employees, including, but not limited to, pension payments, pension obligation debt service, unemployment payments, or other obligations conferred through a collective bargaining agreement. *Costs incurred to fulfill collective bargaining agreements for layoffs or terminations of city employees who performed work directly on behalf of the former redevelopment agency shall be considered enforceable obligations payable from property tax funds. The obligations to employees specified in this subparagraph shall remain enforceable obligations payable from property tax funds for any employee to whom those obligations apply if that employee is transferred to the entity assuming the housing functions of the former redevelopment agency pursuant to Section 34176. The successor agency or designated local authority shall enter into an agreement with the housing entity to reimburse it for any costs of the employee obligations.*

(D) Judgments or settlements entered by a competent court of law or binding arbitration decisions against the former

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redevelopment agency, other than passthrough payments that are made by the county auditor-controller pursuant to Section 34183. Along with the successor agency, the oversight board shall have the authority and standing to appeal any judgment or to set aside any settlement or arbitration decision.

(E) Any legally binding and enforceable agreement or contract that is not otherwise void as violating the debt limit or public policy. However, nothing in this act shall prohibit either the successor agency, with the approval or at the direction of the oversight board, or the oversight board itself from terminating any existing agreements or contracts and providing any necessary and required compensation or remediation for such termination. *Titles of or headings used on or in a document shall not be relevant in determining the existence of an enforceable obligation.*

(F) Contracts or agreements necessary for the administration or operation of the successor agency, in accordance with this part, including, but not limited to, *agreements concerning litigation expenses related to assets or obligations, settlements and judgements, and the costs of maintaining assets prior to disposition, and* agreements to purchase or rent office space, equipment and supplies, and pay-related expenses pursuant to Section 33127 and for carrying insurance pursuant to Section 33134.

(G) Amounts borrowed from, or payments owing to, the Low and Moderate Income Housing Fund of a redevelopment agency, which had been deferred as of the effective date of the act adding this part; provided, however, that the repayment schedule is approved by the oversight board. *Repayments shall be transferred to the Low and Moderate Income Housing Asset Fund established pursuant to subdivision (d) of Section 34176 as a housing asset and shall be used in a manner consistent with the affordable housing requirements of the Community Redevelopment Law (Part 1 (commencing with Section 33000)).*

(2) For purposes of this part, "enforceable obligation" does not include any agreements, contracts, or arrangements between the city, county, or city and county that created the redevelopment agency and the former redevelopment agency. However, written agreements entered into (A) at the time of issuance, but in no event later than December 31, 2010, of indebtedness obligations, and (B) solely for the purpose of securing or repaying those indebtedness obligations may be deemed enforceable obligations

for purposes of this part. Notwithstanding this paragraph, loan agreements entered into between the redevelopment agency and the city, county, or city and county that created it, within two years of the date of creation of the redevelopment agency, may be deemed to be enforceable obligations.

(3) Contracts or agreements between the former redevelopment agency and other public agencies, to perform services or provide funding for governmental or private services or capital projects outside of redevelopment project areas that do not provide benefit to the redevelopment project and thus were not properly authorized under Part 1 (commencing with Section 33000) shall be deemed void on the effective date of this part; provided, however, that such contracts or agreements for the provision of housing properly authorized under Part 1 (commencing with Section 33000) shall not be deemed void.

(e) "Indebtedness obligations" means bonds, notes, certificates of participation, or other evidence of indebtedness, issued or delivered by the redevelopment agency, or by a joint exercise of powers authority created by the redevelopment agency, to third-party investors or bondholders to finance or refinance redevelopment projects undertaken by the redevelopment agency in compliance with the Community Redevelopment Law (Part 1 (commencing with Section 33000)).

(f) "Oversight board" shall mean each entity established pursuant to Section 34179.

(g) "Recognized obligation" means an obligation listed in the Recognized Obligation Payment Schedule.

(h) "Recognized Obligation Payment Schedule" means the document setting forth the minimum payment amounts and due dates of payments required by enforceable obligations for each six-month fiscal period as provided in subdivision (m) of Section 34177.

(i) "School entity" means any entity defined as such in subdivision (f) of Section 95 of the Revenue and Taxation Code.

(j) "Successor agency" means the ~~county, city, or city and county that authorized the creation of each redevelopment agency or another entity~~ *successor entity to the former redevelopment agency* as ~~provided~~ *described* in Section 34173.

(k) "Taxing entities" means cities, counties, a city and county, special districts, and school entities, as defined in subdivision (f)

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of Section 95 of the Revenue and Taxation Code, that receive passthrough payments and distributions of property taxes pursuant to the provisions of this part.

(l) "Property taxes" include all property tax revenues, including those from unitary and supplemental and roll corrections applicable to tax increment.

(m) "Department" means the Department of Finance unless the context clearly refers to another state agency.

(n) "Sponsoring entity" means the city, county, or city and county, or other entity that authorized the creation of each redevelopment agency.

(o) "Final judicial determination" means a final judicial determination made by any state court that is not appealed, or by a court of appellate jurisdiction that is not further appealed, in an action by any party.

SEC. 7. Section 34173 of the Health and Safety Code is amended to read:

34173. (a) Successor agencies, as defined in this part, are hereby designated as successor entities to the former redevelopment agencies.

(b) Except for those provisions of the Community Redevelopment Law that are repealed, restricted, or revised pursuant to the act adding this part, all authority, rights, powers, duties, and obligations previously vested with the former redevelopment agencies, under the Community Redevelopment Law, are hereby vested in the successor agencies.

(c) (1) ~~Where~~ *If* the redevelopment agency was in the form of a joint powers authority, and ~~where~~ *if* the joint powers agreement governing the formation of the joint powers authority addresses the allocation of assets and liabilities upon dissolution of the joint powers authority, then each of the entities that created the former redevelopment agency may be a successor agency within the meaning of this part and each shall have a share of assets and liabilities based on the provisions of the joint powers agreement.

(2) ~~Where~~ *If* the redevelopment agency was in the form of a joint powers authority, and ~~where~~ *if* the joint powers agreement governing the formation of the joint powers authority does not address the allocation of assets and liabilities upon dissolution of the joint powers authority, then each of the entities that created the former redevelopment agency may be a successor agency

within the meaning of this part, a proportionate share of the assets and liabilities shall be based on the assessed value in the project areas within each entity's jurisdiction, as determined by the county assessor, in its jurisdiction as compared to the assessed value of land within the boundaries of the project areas of the former redevelopment agency.

(d) (1) A city, county, city and county, or the entities forming the joint powers authority that authorized the creation of each redevelopment agency may elect not to serve as a successor agency under this part. A city, county, city and county, or any member of a joint powers authority that elects not to serve as a successor agency under this part must file a copy of a duly authorized resolution of its governing board to that effect with the county auditor-controller no later than January 13, 2012.

(2) The determination of the first local agency that elects to become the successor agency shall be made by the county auditor-controller based on the earliest receipt by the county auditor-controller of a copy of a duly adopted resolution of the local agency's governing board authorizing such an election. As used in this section, "local agency" means any city, county, city and county, or special district in the county of the former redevelopment agency.

(3) *(A)* If no local agency elects to serve as a successor agency for a dissolved redevelopment agency, a public body, referred to herein as a "designated local authority" shall be immediately formed, pursuant to this part, in the county and shall be vested with all the powers and duties of a successor agency as described in this part. The Governor shall appoint three residents of the county to serve as the governing board of the authority. The designated local authority shall serve as successor agency until a local agency elects to become the successor agency in accordance with this section.

(B) Designated local authority members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.

(4) A city, county, or city and county, or the entities forming the joint powers authority that authorized the creation of a redevelopment agency and that elected not to serve as the successor

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agency under this part, may subsequently reverse this decision and agree to serve as the successor agency pursuant to this section. Any reversal of this decision shall not become effective for 60 days after notice has been given to the current successor agency and the oversight board and shall not invalidate any action of the successor agency or oversight board taken prior to the effective date of the transfer of responsibility.

(e) The liability of any successor agency, acting pursuant to the powers granted under the act adding this part, shall be limited to the extent of the total sum of property tax revenues it receives pursuant to this part and the value of assets transferred to it as a successor agency for a dissolved redevelopment agency.

(f) Any existing cleanup plans and liability limits authorized under the Polanco Redevelopment Act (Article 12.5 (commencing with Section 33459) of Chapter 4 of Part 1) shall be transferred to the successor agency and may be transferred to the successor housing entity at that entity's request.

(g) A successor agency is a separate public entity from the public agency that provides for its governance and the two entities shall not merge. The liabilities of the former redevelopment agency shall not be transferred to the sponsoring entity and the assets shall not become assets of the sponsoring entity. A successor agency has its own name, can be sued, and can sue. All litigation involving a redevelopment agency shall automatically be transferred to the successor agency. The separate former redevelopment agency employees shall not automatically become sponsoring entity employees of the sponsoring entity and the successor agency shall retain its own collective bargaining status. As successor entities, successor agencies succeed to the organizational status of the former redevelopment agency, but without any legal authority to participate in redevelopment activities, except to complete any work related to an approved enforceable obligation. Each successor agency shall be deemed to be a local entity for purposes of the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

(h) The city, county, or city and county that authorized the creation of a redevelopment agency may loan or grant funds to a successor agency for administrative costs, enforceable obligations, or project-related expenses at the city's discretion, but the receipt

and use of these funds shall be reflected on the Recognized Obligation Payment Schedule or the administrative budget and therefore are subject to the oversight and approval of the oversight board. An enforceable obligation shall be deemed to be created for the repayment of those loans.

(i) At the request of the city, county, or city and county, notwithstanding Section 33205, all land use related plans and functions of the former redevelopment agency are hereby transferred to the city, county, or city and county that authorized the creation of a redevelopment agency; provided, however, that the city, county, or city and county shall not create a new project area, add territory to, or expand or change the boundaries of a project area, or take any action that would increase the amount of obligated property tax (formerly tax increment) necessary to fulfill any existing enforceable obligation beyond what was authorized as of June 27, 2011.

SEC. 8. Section 34175 of the Health and Safety Code is amended to read:

34175. (a) It is the intent of this part that pledges of revenues associated with enforceable obligations of the former redevelopment agencies are to be honored. It is intended that the cessation of any redevelopment agency shall not affect either the pledge, the legal existence of that pledge, or the stream of revenues available to meet the requirements of the pledge.

(b) All assets, properties, contracts, leases, books and records, buildings, and equipment of the former redevelopment agency are transferred on February 1, 2012, to the control of the successor agency, for administration pursuant to the provisions of this part. This includes all cash or cash equivalents and amounts owed to the redevelopment agency as of February 1, 2012. *Any legal or contractual restrictions on the use of these funds or assets shall also be transferred to the successor agency.*

SEC. 9. Section 34176 of the Health and Safety Code is amended to read:

34176. (a) *(1)* The city, county, or city and county that authorized the creation of a redevelopment agency may elect to retain the housing assets and functions previously performed by the redevelopment agency. If a city, county, or city and county elects to retain the ~~responsibility for performing~~ *authority to perform* housing functions previously performed by a

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redevelopment agency, all rights, powers, duties, ~~and~~ obligations, *and housing assets, as defined in subdivision (e),* excluding any amounts on deposit in the Low and Moderate Income Housing Fund *and enforceable obligations retained by the successor agency,* shall be transferred to the city, county, or city and county.

(2) The entity assuming the housing functions of the former redevelopment agency shall submit to the Department of Finance by August 1, 2012, a list of all housing assets that contains an explanation of how the assets meet the criteria specified in subdivision (e). The Department of Finance shall prescribe the format for the submission of the list. The list shall include assets transferred between February 1, 2012, and the date upon which the list is created. The department shall have up to 30 days from the date of receipt of the list to object to any of the assets or transfers of assets identified on the list. If the Department of Finance objects to assets on the list, the entity assuming the housing functions of the former redevelopment agency may request a meet and confer process within five business days of receiving the department objection. If the transferred asset is deemed not to be a housing asset as defined in subdivision (e), it shall be returned to the successor agency and the provision of Section 34178.8 may apply. If a housing asset has been previously pledged to pay for bonded indebtedness, the successor agency shall maintain control of the asset in order to pay for the bond debt.

(b) If a city, county, or city and county does not elect to retain the responsibility for performing housing functions previously performed by a redevelopment agency, all rights, powers, assets, ~~liabilities,~~ duties, and obligations associated with the housing activities of the agency, excluding *enforceable obligations retained by the successor agency and* any amounts in the Low and Moderate Income Housing Fund, shall be transferred as follows:

(1) ~~Where~~ *If* there is no local housing authority in the territorial jurisdiction of the former redevelopment agency, to the Department of Housing and Community Development.

(2) ~~Where~~ *If* there is one local housing authority in the territorial jurisdiction of the former redevelopment agency, to that local housing authority.

(3) ~~Where~~ *If* there is more than one local housing authority in the territorial jurisdiction of the former redevelopment agency, to

the local housing authority selected by the city, county, or city and county that authorized the creation of the redevelopment agency.

(c) Commencing on the operative date of this part, the entity ~~assuming~~ *that assumes* the housing functions formerly performed by the redevelopment agency *and receives the transferred housing assets* may enforce affordability covenants and perform related activities pursuant to applicable provisions of the Community Redevelopment Law (Part 1 (commencing with Section ~~33000)~~ *33000))*, including, but not limited to, Section 33418.

(d) Except as specifically provided in Section 34191.4, any funds transferred to the city, county, or city and county or designated entity pursuant to this section, together with any funds generated from housing assets, as defined in subdivision (e), shall be maintained in a separate Low and Moderate Income Housing Asset Fund which is hereby created in the accounts of the entity assuming the housing functions pursuant to this section. Funds in this account shall be used in accordance with applicable housing-related provisions of the Community Redevelopment Law (Part 1 (commencing with Section 33000)).

(e) For purposes of this part, "housing asset" includes all of the following:

(1) Any real property, interest in, or restriction on the use of real property, whether improved or not, and any personal property provided in residences, including furniture and appliances, all housing-related files and loan documents, office supplies, software licenses, and mapping programs, that were acquired for low- and moderate-income housing purposes, either by purchase or through a loan, in whole or in part, with any source of funds.

(2) Any funds that are encumbered by an enforceable obligation to build or acquire low- and moderate-income housing, as defined by the Community Redevelopment Law (Part 1 (commencing with Section 33000)) unless required in the bond covenants to be used for repayment purposes of the bond.

(3) Any loan or grant receivable, funded from the Low and Moderate Income Housing Fund, from homebuyers, homeowners, nonprofit or for-profit developers, and other parties that require occupancy by persons of low or moderate income as defined by the Community Redevelopment Law (Part 1 (commencing with Section 33000)).

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(4) Any funds derived from rents or operation of properties acquired for low- and moderate-income housing purposes by other parties that were financed with any source of funds, including residual receipt payments from developers, conditional grant repayments, cost savings and proceeds from refinancing, and principal and interest payments from homebuyers subject to enforceable income limits.

(5) A stream of rents or other payments from housing tenants or operators of low- and moderate-income housing financed with any source of funds that are used to maintain, operate, and enforce the affordability of housing or for enforceable obligations associated with low- and moderate-income housing.

(6) (A) Repayments of loans or deferrals owed to the Low and Moderate Income Housing Fund pursuant to subparagraph (G) of paragraph (1) of subdivision (d) of Section 34171, which shall be used consistent with the affordable housing requirements in the Community Redevelopment Law (Part 1 (commencing with Section 33000)).

(B) Loan or deferral repayments shall not be made prior to the 2013–14 fiscal year. Beginning in the 2013–14 fiscal year, the maximum repayment amount authorized each fiscal year for repayments made pursuant to this paragraph and subdivision (b) of Section 34191.4 combined shall be equal to one-half of the increase between the amount distributed to taxing entities pursuant to paragraph (4) of subdivision (a) of Section 34183 in that fiscal year and the amount distributed to taxing entities pursuant to that paragraph in the 2012–13 base year. Loan or deferral repayments made pursuant to this paragraph shall take priority over amounts to be repaid pursuant to subdivision (b) of Section 34191.4.

(f) If a development includes both low- and moderate-income housing that meets the definition of a housing asset under subdivision (e) and other types of property use, including, but not limited to, commercial use, governmental use, open space, and parks, the oversight board shall consider the overall value to the community as well as the benefit to taxing entities of keeping the entire development intact or dividing the title and control over the property between the housing successor and the successor agency or other public or private agencies. The disposition of those assets may be accomplished by a revenue-sharing arrangement as

approved by the oversight board on behalf of the affected taxing entities.

(g) (1) (A) The entity assuming the housing functions pursuant to this section may designate the use of and commit indebtedness obligation proceeds that remain after the satisfaction of enforceable obligations that have been approved in a Recognized Obligation Payment Schedule and that are consistent with the indebtedness obligation covenants. The proceeds shall be derived from indebtedness obligations that were issued for the purposes of affordable housing prior to January 1, 2011, and were backed by the Low and Moderate Income Housing Fund. Enforceable obligations may be satisfied by the creation of reserves for the projects that are the subject of the enforceable obligation that are consistent with the contractual obligations for those projects, or by expending funds to complete the projects.

(B) The entity assuming the housing functions pursuant to this section shall provide notice to the successor agency of any designations of use or commitments of funds specified in subparagraph (A) that it wishes to make at least 20 days before the deadline for submission of the Recognized Obligation Payment Schedule to the oversight board. Commitments and designations shall not be valid and binding on any party until they are included in an approved and valid Recognized Obligation Payment Schedule. The review of these designations and commitments by the successor agency, oversight board, and Department of Finance shall be limited to a determination that the designations and commitments are consistent with bond covenants and that there are sufficient funds available.

(2) Funds shall be used and committed in a manner consistent with the purposes of the Low and Moderate Income Housing Asset Fund. Notwithstanding any other law, the successor agency shall retain and expend the excess housing obligation proceeds at the discretion of the succeeding housing entity, provided that the successor agency ensures that the proceeds are expended in a manner consistent with the indebtedness obligation covenants and with any requirements relating to the tax status of those obligations. The amount expended shall not exceed the amount of indebtedness obligation proceeds available and such expenditure shall constitute the creation of excess housing proceeds expenditures to be paid from the excess proceeds. Excess housing

proceeds expenditures shall be listed separately on the Recognized Obligation Payment Schedule submitted by the successor agency.

SEC. 10. Section 34176.5 is added to the Health and Safety Code, to read:

34176.5. (a) Notwithstanding any other law, the Director of Finance is authorized to contract with auditors, lawyers, and other types of advisors and consultants to assist, advise, and represent the director and the Department of Finance in any matter or action arising out of or contemplated by this part or Part 1.8 (commencing with Section 34161). In furtherance of this authorization, Sections 14827.1, 14827.2, and 14838 of the Government Code, and Article 4 (commencing with Section 10335) of Chapter 2 of Part 2 of Division 2 of and Section 10295 of, the Public Contract Code shall not apply to any agreement entered into by the director pursuant to this section.

(b) In addition to the waivers of statute provided in subdivision (a), Section 6072 of the Business and Professions Code shall not apply to the legal services agreement entered into by the director pursuant to this section.

(c) This section shall remain in effect only until January 1, 2014, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2014, deletes or extends that date.

SEC. 11. Section 34177 of the Health and Safety Code is amended to read:

34177. Successor agencies are required to do all of the following:

(a) Continue to make payments due for enforceable obligations.

(1) On and after February 1, 2012, and until a Recognized Obligation Payment Schedule becomes operative, only payments required pursuant to an enforceable obligations payment schedule shall be made. The initial enforceable obligation payment schedule shall be the last schedule adopted by the redevelopment agency under Section 34169. However, payments associated with obligations excluded from the definition of enforceable obligations by paragraph (2) of subdivision ~~(e)~~ *(d)* of Section 34171 shall be excluded from the enforceable obligations payment schedule and be removed from the last schedule adopted by the redevelopment agency under Section 34169 prior to the successor agency adopting it as its enforceable obligations payment schedule pursuant to this subdivision. The enforceable obligation payment schedule may

be amended by the successor agency at any public meeting and shall be subject to the approval of the oversight board as soon as the board has sufficient members to form a quorum. *In recognition of the fact that the timing of the California Supreme Court's ruling in the case California Redevelopment Association v. Matosantos (2011) 53 Cal.4th 231 delayed the preparation by successor agencies and the approval by oversight boards of the January 1, 2012, through June 30, 2012, Recognized Obligation Payment Schedule, a successor agency may amend the Enforceable Obligation Payment Schedule to authorize the continued payment of enforceable obligations until the time that the January 1, 2012, through June 30, 2012, Recognized Obligation Payment Schedule has been approved by the oversight board and by the Department of Finance.*

(2) The Department of Finance and the Controller shall each have the authority to require any documents associated with the enforceable obligations to be provided to them in a manner of their choosing. Any taxing entity, the department, and the Controller shall each have standing to file a judicial action to prevent a violation under this part and to obtain injunctive or other appropriate relief.

(3) Commencing on ~~May 1, 2012~~ *the date the Recognized Obligation Payment Schedule is valid pursuant to subdivision (l)*, only those payments listed in the Recognized Obligation Payment Schedule may be made by the successor agency from the funds specified in the Recognized Obligation Payment Schedule. In addition, ~~commencing May 1, 2012~~ *after it becomes valid*, the Recognized Obligation Payment Schedule shall supersede the Statement of Indebtedness, which shall no longer be prepared nor have any effect under the Community Redevelopment Law *(Part 1 (commencing with Section 33000))*.

(4) Nothing in the act adding this part is to be construed as preventing a successor agency, with the prior approval of the oversight board, as described in Section 34179, from making payments for enforceable obligations from sources other than those listed in the Recognized Obligation Payment Schedule.

(5) From February 1, 2012, to July 1, 2012, a successor agency shall have no authority and is hereby prohibited from accelerating payment or making any lump-sum payments that are intended to

prepay loans unless such accelerated repayments were required prior to the effective date of this part.

(b) Maintain reserves in the amount required by indentures, trust indentures, or similar documents governing the issuance of outstanding redevelopment agency bonds.

(c) Perform obligations required pursuant to any enforceable obligation.

(d) Remit unencumbered balances of redevelopment agency funds to the county auditor-controller for distribution to the taxing entities, including, but not limited to, the unencumbered balance of the Low and Moderate Income Housing Fund of a former redevelopment agency. In making the distribution, the county auditor-controller shall utilize the same methodology for allocation and distribution of property tax revenues provided in Section 34188.

(e) Dispose of assets and properties of the former redevelopment agency as directed by the oversight board; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of certain assets pursuant to subdivision (a) of Section 34181. The disposal is to be done expeditiously and in a manner aimed at maximizing value. Proceeds from asset sales and related funds that are no longer needed for approved development projects or to otherwise wind down the affairs of the agency, each as determined by the oversight board, shall be transferred to the county auditor-controller for distribution as property tax proceeds under Section 34188. *The requirements of this subdivision shall not apply to a successor agency that has been issued a finding of completion by the Department of Finance pursuant to Section 34179.7.*

(f) Enforce all former redevelopment agency rights for the benefit of the taxing entities, including, but not limited to, continuing to collect loans, rents, and other revenues that were due to the redevelopment agency.

(g) Effectuate transfer of housing functions and assets to the appropriate entity designated pursuant to Section 34176.

(h) Expeditiously wind down the affairs of the redevelopment agency pursuant to the provisions of this part and in accordance with the direction of the oversight board.

(i) Continue to oversee development of properties until the contracted work has been completed or the contractual obligations

of the former redevelopment agency can be transferred to other parties. Bond proceeds shall be used for the purposes for which bonds were sold unless the purposes can no longer be achieved, in which case, the proceeds may be used to defease the bonds.

(j) Prepare a proposed administrative budget and submit it to the oversight board for its approval. The proposed administrative budget shall include all of the following:

(1) Estimated amounts for successor agency administrative costs for the upcoming six-month fiscal period.

(2) Proposed sources of payment for the costs identified in paragraph (1).

(3) Proposals for arrangements for administrative and operations services provided by a city, county, city and county, or other entity.

(k) Provide administrative cost estimates, from its approved administrative budget that are to be paid from property tax revenues deposited in the Redevelopment Property Tax Trust Fund, to the county auditor-controller for each six-month fiscal period.

(*l*) (1) Before each six-month fiscal period, prepare a Recognized Obligation Payment Schedule in accordance with the requirements of this paragraph. For each recognized obligation, the Recognized Obligation Payment Schedule shall identify one or more of the following sources of payment:

(A) Low and Moderate Income Housing Fund.

(B) Bond proceeds.

(C) Reserve balances.

(D) Administrative cost allowance.

(E) The Redevelopment Property Tax Trust Fund, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation or by the provisions of this part.

(F) Other revenue sources, including rents, concessions, asset sale proceeds, interest earnings, and any other revenues derived from the former redevelopment agency, as approved by the oversight board in accordance with this part.

(2) A Recognized Obligation Payment Schedule shall not be deemed valid unless all of the following conditions have been met:

(A) A ~~draft~~ Recognized Obligation Payment Schedule is prepared by the successor agency for the enforceable obligations of the former redevelopment agency ~~by March 1, 2012. From October 1, 2011, to July 1, 2012, the~~. *The* initial ~~draft of that~~

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schedule shall project the dates and amounts of scheduled payments for each enforceable obligation for the remainder of the time period during which the redevelopment agency would have been authorized to obligate property tax increment had ~~such~~ *the* a redevelopment agency not been dissolved~~, and shall be reviewed and certified, as to its accuracy, by an external auditor designated pursuant to Section 34182~~.

(B) The ~~certified~~ Recognized Obligation Payment Schedule is submitted to and duly approved by the oversight board. *The successor agency shall submit a copy of the Recognized Obligation Payment Schedule to the county administrative officer, the county auditor-controller, and the Department of Finance at the same time that the successor agency submits the Recognized Obligation Payment Schedule to the oversight board for approval.*

(C) A copy of the approved Recognized Obligation Payment Schedule is submitted to the county auditor-controller and both the Controller's office and the Department of Finance and be posted on the successor agency's Internet Web site.

(3) The Recognized Obligation Payment Schedule shall be forward looking to the next six months. The first Recognized Obligation Payment Schedule shall be submitted to the Controller's office and the Department of Finance by April 15, 2012, for the period of January 1, 2012, to June 30, 2012, inclusive. *This Recognized Obligation Payment Schedule shall include all payments made by the former redevelopment agency between January 1, 2012, through January 31, 2012, and shall include all payments proposed to be made by the successor agency from February 1, 2012, through June 30, 2012.* Former redevelopment agency enforceable obligation payments due, and reasonable or necessary administrative costs due or incurred, prior to January 1, 2012, shall be made from property tax revenues received in the spring of 2011 property tax distribution, and from other revenues and balances transferred to the successor agency.

(m) The Recognized Obligation Payment Schedule for the period of January 1, 2013, to June 30, 2013, shall be submitted by the successor agency, after approval by the oversight board, no later than September 1, 2012. Commencing with the Recognized Obligation Payment Schedule covering the period July 1, 2013, through December 31, 2013, successor agencies shall submit an oversight board-approved Recognized Obligation Payment

Schedule to the Department of Finance and to the county auditor-controller no fewer than 90 days before the date of property tax distribution. The Department of Finance shall make its determination of the enforceable obligations and the amounts and funding sources of the enforceable obligations no later than 45 days after the Recognized Obligation Payment Schedule is submitted. Within five business days of the department's determination, a successor agency may request additional review by the department and an opportunity to meet and confer on disputed items. The meet and confer period may vary; an untimely submittal of a Recognized Obligation Payment Schedule may result in a meet and confer period of less than 30 days. The department shall notify the successor agency and the county auditor-controllers as to the outcome of its review at least 15 days before the date of property tax distribution.

(1) The successor agency shall submit a copy of the Recognized Obligation Payment Schedule to the Department of Finance electronically, and the successor agency shall complete the Recognized Obligation Payment Schedule in the manner provided for by the department. A successor agency shall be in noncompliance with this paragraph if it only submits to the department an electronic message or a letter stating that the oversight board has approved a Recognized Obligation Payment Schedule.

(2) If a successor agency does not submit a Recognized Obligation Payment Schedule by the deadlines provided in this subdivision, the city, county, or city and county that created the redevelopment agency shall be subject to a civil penalty equal to ten thousand dollars ($10,000) per day for every day the schedule is not submitted to the department. The civil penalty shall be paid to the county auditor-controller for allocation to the taxing entities under Section 34183. If a successor agency fails to submit a Recognized Obligation Payment Schedule by the deadline, any creditor of the successor agency or the Department of Finance or any affected taxing entity shall have standing to and may request a writ of mandate to require the successor agency to immediately perform this duty. Those actions may be filed only in the County of Sacramento and shall have priority over other civil matters. Additionally, if an agency does not submit a Recognized Obligation Payment Schedule within ten days of the deadline, the maximum

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administrative cost allowance for that period shall be reduced by 25 percent.

(3) If a successor agency fails to submit to the department an oversight board-approved Recognized Obligation Payment Schedule that complies with all requirements of this subdivision within five business days of the date upon which the Recognized Obligation Payment Schedule is to be used to determine the amount of property tax allocations, the department may determine if any amount should be withheld by the county auditor-controller for payments for enforceable obligations from distribution to taxing entities, pending approval of a Recognized Obligation Payment Schedule. The county auditor-controller shall distribute the portion of any of the sums withheld pursuant to this paragraph to the affected taxing entities in accordance with paragraph (4) of subdivision (a) of Section 34183 upon notice by the department that a portion of the withheld balances are in excess of the amount of enforceable obligations. The county auditor-controller shall distribute withheld funds to the successor agency only in accordance with a Recognized Obligation Payment Schedule approved by the department. County auditor-controllers shall lack the authority to withhold any other amounts from the allocations provided for under Section 34183 or 34188 unless required by a court order.

(n) Cause a postaudit of the financial transactions and records of the successor agency to be made at least annually by a certified public accountant.

SEC. 12. Section 34177.3 is added to the Health and Safety Code, to read:

34177.3. (a) Successor agencies shall lack the authority to, and shall not, create new enforceable obligations under the authority of the Community Redevelopment Law (Part 1 (commencing with Section 33000)) or begin new redevelopment work, except in compliance with an enforceable obligation that existed prior to June 28, 2011.

(b) Successor agencies may create enforceable obligations to conduct the work of winding down the redevelopment agency, including hiring staff, acquiring necessary professional administrative services and legal counsel, and procuring insurance.

(c) Successor agencies shall lack the authority to, and shall not, transfer any powers or revenues of the successor agency to any

other party, public or private, except pursuant to an enforceable obligation on a Recognized Obligation Payment Schedule approved by the department. Any such transfers of authority or revenues that are not made pursuant to an enforceable obligation on a Recognized Obligation Payment Schedule approved by the Department of Finance are hereby declared to be void, and the successor agency shall take action to reverse any of those transfers. The Controller may audit any transfer of authority or revenues prohibited by this section and may order the prompt return of any money or other things of value from the receiving party.

(d) Redevelopment agencies that resolved to participate in the Voluntary Alternative Redevelopment Program under Chapter 6 of the First Extraordinary Session of the Statutes of 2011 were and are subject to the provisions of Part 1.8 (commencing with Section 34161). Any actions taken by redevelopment agencies to create obligations after June 27, 2011, are ultra vires and do not create enforceable obligations.

(e) The Legislature finds and declares that the provisions of this section are declaratory of existing law.

SEC. 13. Section 34177.5 is added to the Health and Safety Code, to read:

34177.5. (a) In addition to the powers granted to each successor agency, and notwithstanding anything in the act adding this part, including, but not limited to, Sections 34162 and 34189, a successor agency shall have the authority, rights, and powers of the redevelopment agency to which it succeeded solely for the following purposes:

(1) For the purpose of issuing bonds or incurring other indebtedness to refund the bonds or other indebtedness of its former redevelopment agency or of the successor agency to provide savings to the successor agency, provided that (A) the total interest cost to maturity on the refunding bonds or other indebtedness plus the principal amount of the refunding bonds or other indebtedness shall not exceed the total remaining interest cost to maturity on the bonds or other indebtedness to be refunded plus the remaining principal of the bonds or other indebtedness to be refunded, and (B) the principal amount of the refunding bonds or other indebtedness shall not exceed the amount required to defease the refunded bonds or other indebtedness, to establish customary debt service reserves, and to pay related costs of issuance. If the

foregoing conditions are satisfied, the initial principal amount of the refunding bonds or other indebtedness may be greater than the outstanding principal amount of the bonds or other indebtedness to be refunded. The successor agency may pledge to the refunding bonds or other indebtedness the revenues pledged to the bonds or other indebtedness being refunded, and that pledge, when made in connection with the issuance of such refunding bonds or other indebtedness, shall have the same lien priority as the pledge of the bonds or other obligations to be refunded, and shall be valid, binding, and enforceable in accordance with its terms.

(2) For the purpose of issuing bonds or other indebtedness to finance debt service spikes, including balloon maturities, provided that (A) the existing indebtedness is not accelerated, except to the extent necessary to achieve substantially level debt service, and (B) the principal amount of the bonds or other indebtedness shall not exceed the amount required to finance the debt service spikes, including establishing customary debt service reserves and paying related costs of issuance.

(3) For the purpose of amending an existing enforceable obligation under which the successor agency is obligated to reimburse a political subdivision of the state for the payment of debt service on a bond or other obligation of the political subdivision, or to pay all or a portion of the debt service on the bond or other obligation of the political subdivision to provide savings to the successor agency, provided that (A) the enforceable obligation is amended in connection with a refunding of the bonds or other obligations of the political subdivision so that the enforceable obligation will apply to the refunding bonds or other refunding indebtedness of the political subdivision, (B) the total interest cost to maturity on the refunding bonds or other indebtedness plus the principal amount of the refunding bonds or other indebtedness shall not exceed the total remaining interest cost to maturity on the bonds or other indebtedness to be refunded plus the remaining principal of the bonds or other indebtedness to be refunded, and (C) the principal amount of the refunding bonds or other indebtedness shall not exceed the amount required to defease the refunded bonds or other indebtedness, to establish customary debt service reserves and to pay related costs of issuance. The pledge set forth in that amended enforceable

obligation, when made in connection with the execution of the amendment of the enforceable obligation, shall have the same lien priority as the pledge in the enforceable obligation prior to its amendment and shall be valid, binding, and enforceable in accordance with its terms.

(4) For the purpose of issuing bonds or incurring other indebtedness to make payments under enforceable obligations when the enforceable obligations include the irrevocable pledge of property tax increment, formerly tax increment revenues prior to the effective date of this part, or other funds and the obligation to issue bonds secured by that pledge. The successor agency may pledge to the bonds or other indebtedness the property tax revenues and other funds described in the enforceable obligation, and that pledge, when made in connection with the issuance of the bonds or the incurring of other indebtedness, shall be valid, binding, and enforceable in accordance with its terms. This paragraph shall not be deemed to authorize a successor agency to increase the amount of property tax revenues pledged under an enforceable obligation or to pledge any property tax revenue not already pledged pursuant to an enforceable obligation. This paragraph does not constitute a change in, but is declaratory of, the existing law.

(b) The refunding bonds authorized under this section may be issued under the authority of Article 11 (commencing with Section 53580) of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code, and the refunding bonds may be sold at public or private sale, or to a joint powers authority pursuant to the Marks-Roos Local Bond Pooling Act (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code).

(c) (1) Prior to incurring any bonds or other indebtedness pursuant to this section, the successor agency may subordinate to the bonds or other indebtedness the amount required to be paid to an affected taxing entity pursuant to paragraph (1) of subdivision (a) of Section 34183, provided that the affected taxing entity has approved the subordinations pursuant to this subdivision.

(2) At the time the successor agency requests an affected taxing entity to subordinate the amount to be paid to it, the successor agency shall provide the affected taxing entity with substantial evidence that sufficient funds will be available to pay both the debt

service on the bonds or other indebtedness and the payments required by paragraph (1) of subdivision (a) of Section 34183, when due.

(3) Within 45 days after receipt of the agency's request, the affected taxing entity shall approve or disapprove the request for subordination. An affected taxing entity may disapprove a request for subordination only if it finds, based upon substantial evidence, that the successor agency will not be able to pay the debt service payments and the amount required to be paid to the affected taxing entity. If the affected taxing entity does not act within 45 days after receipt of the agency's request, the request to subordinate shall be deemed approved and shall be final and conclusive.

(d) An action may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure to determine the validity of bonds or other obligations authorized by this section, the pledge of revenues to those bonds or other obligations authorized by this section, the legality and validity of all proceedings theretofore taken and, as provided in the resolution of the legislative body of the successor agency authorizing the bonds or other obligations authorized by this section, proposed to be taken for the authorization, execution, issuance, sale, and delivery of the bonds or other obligations authorized by this section, and for the payment of debt service on the bonds or the payment of amounts under other obligations authorized by this section. Subdivision (c) of Section 33501 shall not apply to any such action. The Department of Finance shall be notified of the filing of any action as an affected party.

(e) Notwithstanding any other law, including, but not limited to, Section 33501, an action to challenge the issuance of bonds, the incurrence of indebtedness, the amendment of an enforceable obligation, or the execution of a financing agreement by a successor agency shall be brought within 30 days after the date on which the oversight board approves the resolution of the successor agency approving the issuance of bonds, the incurrence of indebtedness, the amendment of an enforceable obligation, or the execution of a financing agreement authorized under this section.

(f) The actions authorized in this section shall be subject to the approval of the oversight board, as provided in Section 34180. Additionally, an oversight board may direct the successor agency

to commence any of the transactions described in subdivision (a) so long as the successor agency is able to recover its related costs in connection with the transaction. After a successor agency, with approval of the oversight board, issues any bonds, incurs any indebtedness, or executes an amended enforceable obligation pursuant to subdivision (a), the oversight board shall not unilaterally approve any amendments to or early termination of the bonds, indebtedness, or enforceable obligation. If, under the authority granted to it by subdivision (h) of Section 34179, the Department of Finance either reviews and approves or fails to request review within five business days of an oversight board approval of an action authorized by this section, the scheduled payments on the bonds or other indebtedness shall be listed in the Recognized Obligation Payment Schedule and shall not be subject to further review and approval by the department or the Controller. The department may extend its review time to 60 days for actions authorized in this section and may seek the assistance of the Treasurer in evaluating proposed actions under this section.

(g) Any bonds, indebtedness, or amended enforceable obligation authorized by this section shall be considered indebtedness incurred by the dissolved redevelopment agency, with the same legal effect as if the bonds, indebtedness, financing agreement, or amended enforceable obligation had been issued, incurred, or entered into prior to June 29, 2011, in full conformity with the applicable provisions of the Community Redevelopment Law that existed prior to that date, shall be included in the successor agency's Recognized Obligation Payment Schedule, and shall be secured by a pledge of, and lien on, and shall be repaid from moneys deposited from time to time in the Redevelopment Property Tax Trust Fund established pursuant to subdivision (c) of Section 34172, as provided in paragraph (2) of subdivision (a) of Section 34183. Property tax revenues pledged to any bonds, indebtedness, or amended enforceable obligations authorized by this section are taxes allocated to the successor agency pursuant to subdivision (b) of Section 33670 and Section 16 of Article XVI of the California Constitution.

(h) The successor agency shall make diligent efforts to ensure that the lowest long-term cost financing is obtained. The financing shall not provide for any bullets or spikes and shall not use variable rates. The successor agency shall make use of an independent

financial advisor in developing financing proposals and shall make the work products of the financial advisor available to the Department of Finance at its request.

(i) If an enforceable obligation provides for an irrevocable commitment of property tax revenue and where allocation of such revenues is expected to occur over time, the successor agency may petition the Department of Finance to provide written confirmation that its determination of such enforceable obligation as approved in a Recognized Obligation Payment Schedule is final and conclusive, and reflects the department's approval of subsequent payments made pursuant to the enforceable obligation. If the confirmation is granted, then the department's review of such payments in future Recognized Obligation Payment Schedules shall be limited to confirming that they are required by the prior enforceable obligation.

(j) The successor agency may request that the department provide a written determination to waive the two-year statute of limitations on an action to review the validity of the adoption or amendment of a redevelopment plan pursuant to subdivision (c) of Section 33500 or on any findings or determinations made by the agency pursuant to subdivision (d) of Section 33500. The department at its discretion may provide a waiver if it determines it is necessary for the agency to fulfill an enforceable obligation.

SEC. 14. Section 34178 of the Health and Safety Code is amended to read:

34178. (a) Commencing on the operative date of this part, agreements, contracts, or arrangements between the city or county, or city and county that created the redevelopment agency and the redevelopment agency are invalid and shall not be binding on the successor agency; provided, however, that a successor entity wishing to enter or reenter into agreements with the city, county, or city and county that formed the redevelopment agency that it is succeeding may do so upon obtaining the approval of its oversight board. *A successor agency or an oversight board shall not exercise the powers granted by this subdivision to restore funding for an enforceable obligation that was deleted or reduced by the Department of Finance pursuant to subdivision (h) of Section 34179 unless it reflects the decisions made during the meet and confer process with the Department of Finance or pursuant to a court order.*

(b) Notwithstanding subdivision (a), any of the following agreements are not invalid and may bind the successor agency:

(1) A duly authorized written agreement entered into at the time of issuance, but in no event later than December 31, 2010, of indebtedness obligations, and solely for the purpose of securing or repaying those indebtedness obligations.

(2) A written agreement between a redevelopment agency and the city, county, or city and county that created it that provided loans or other startup funds for the redevelopment agency that were entered into within two years of the formation of the redevelopment agency.

(3) A joint exercise of powers agreement in which the redevelopment agency is a member of the joint powers authority. However, upon assignment to the successor agency by operation of the act adding this part, the successor agency's rights, duties, and performance obligations under that joint exercise of powers agreement shall be limited by the constraints imposed on successor agencies by the act adding this part.

SEC. 15. Section 34178.8 is added to the Health and Safety Code, to read:

34178.8. Commencing on the effective date of the act adding this section, the Controller shall review the activities of successor agencies in the state to determine if an asset transfer has occurred after January 31, 2012, between the successor agency and the city, county, or city and county that created a redevelopment agency, or any other public agency, that was not made pursuant to an enforceable obligation on an approved and valid Recognized Obligation Payment Schedule. If such an asset transfer did occur, to the extent not prohibited by state and federal law, the Controller shall order the available assets to be returned to the successor agency. Upon receiving that order from the Controller, an affected local agency shall, as soon as practicable, reverse the transfer and return the applicable assets to the successor agency. This section shall not apply to housing assets as defined in subdivision (e) of Section 34176.

SEC. 16. Section 34179 of the Health and Safety Code is amended to read:

34179. (a) Each successor agency shall have an oversight board composed of seven members. The members shall elect one of their members as the chairperson and shall report the name of

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the chairperson and other members to the Department of Finance on or before May 1, 2012. Members shall be selected as follows:

(1) One member appointed by the county board of supervisors.

(2) One member appointed by the mayor for the city that formed the redevelopment agency.

(3) *(A)* One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188.

(B) On or after the effective date of this subparagraph, the county auditor-controller may determine which is the largest special district for purposes of this section.

(4) One member appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public appointed by the county board of supervisors.

(7) One member representing the employees of the former redevelopment agency appointed by the mayor or chair of the board of supervisors, as the case may be, from the recognized employee organization representing the largest number of former redevelopment agency employees employed by the successor agency at that time. *In the case where city or county employees performed administrative duties of the former redevelopment agency, the appointment shall be made from the recognized employee organization representing those employees. If a recognized employee organization does not exist for either the employees of the former redevelopment agency or the city or county employees performing administrative duties of the former redevelopment agency, the appointment shall be made from among the employees of the successor agency. In voting to approve a contract as an enforceable obligation, a member appointed pursuant to this paragraph shall not be deemed to be interested in the contract by virtue of being an employee of the successor*

agency or community for purposes of Section 1090 of the Government Code.

(8) If the county or a joint powers agency formed the redevelopment agency, then the largest city by acreage in the territorial jurisdiction of the former redevelopment agency may select one member. If there are no cities with territory in a project area of the redevelopment agency, the county superintendent of education may appoint an additional member to represent the public.

(9) If there are no special districts of the type that are eligible to receive property tax pursuant to Section 34188, within the territorial jurisdiction of the former redevelopment agency, then the county may appoint one member to represent the public.

(10) ~~Where~~ *If* a redevelopment agency was formed by an entity that is both a charter city and a county, the oversight board shall be composed of seven members selected as follows: three members appointed by the mayor of the city, ~~where such~~ *if that* appointment is subject to confirmation by the county board of supervisors, one member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is the type of special district that is eligible to receive property tax revenues pursuant to Section 34188, one member appointed by the county superintendent of education to represent schools, one member appointed by the Chancellor of the California Community Colleges to represent community college districts, and one member representing employees of the former redevelopment agency appointed by the mayor of the city ~~where such an~~ *if that* appointment is subject to confirmation by the county board of supervisors, to represent the largest number of former redevelopment agency employees employed by the successor agency at that time.

(b) The Governor may appoint individuals to fill any oversight board member position described in subdivision (a) that has not been filled by May 15, 2012, or any member position that remains vacant for more than 60 days.

(c) The oversight board may direct the staff of the successor agency to perform work in furtherance of the oversight board's duties and responsibilities under this part. The successor agency shall pay for all of the costs of meetings of the oversight board and may include such costs in its administrative budget. Oversight

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board members shall serve without compensation or reimbursement for expenses.

(d) Oversight board members ~~shall have personal immunity from suit for their actions taken within the scope of their responsibilities as oversight board members.~~ *are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.*

(e) A majority of the total membership of the oversight board shall constitute a quorum for the transaction of business. A majority vote of the total membership of the oversight board is required for the oversight board to take action. The oversight board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974. *All actions taken by the oversight board shall be adopted by resolution.*

(f) All notices required by law for proposed oversight board actions shall also be posted on the successor agency's Internet Web site or the oversight board's Internet Web site.

(g) Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.

(h) The Department of Finance may review an oversight board action taken pursuant to ~~the act adding~~ this part. ~~As such, all oversight board actions shall not be effective for three business days, pending a request for review by the department.~~ *Written notice and information about all actions taken by an oversight board shall be provided to the department by electronic means and in a manner of the department's choosing. An action shall become effective five business days after notice in the manner specified by the department is provided unless the department requests a review.* Each oversight board shall designate an official to whom the department may make ~~such~~ *those* requests and who shall provide the department with the telephone number and e-mail contact information for the purpose of communicating with the department pursuant to this subdivision. ~~In~~ *Except as otherwise provided in this part, in* the event that the department requests a review of a given oversight board action, it shall have ~~10~~ *40* days from the date of its request to approve the oversight board action or return it to the oversight board for reconsideration and ~~such~~ *the*

oversight board action shall not be effective until approved by the department. In the event that the department returns the oversight board action to the oversight board for reconsideration, the oversight board shall resubmit the modified action for department approval and the modified oversight board action shall not become effective until approved by the department. *If the department reviews a Recognized Obligation Payment Schedule, the department may eliminate or modify any item on that schedule prior to its approval. The county auditor-controller shall reflect the actions of the department in determining the amount of property tax revenues to allocate to the successor agency. The department shall provide notice to the successor agency and the county auditor-controller as to the reasons for its actions. To the extent that an oversight board continues to dispute a determination with the department, one or more future recognized obligation schedules may reflect any resolution of that dispute. The department may also agree to an amendment to a Recognized Obligation Payment Schedule to reflect a resolution of a disputed item; however, this shall not affect a past allocation of property tax or create a liability for any affected taxing entity.*

(i) Oversight boards shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188. Further, the provisions of Division 4 (commencing with Section 1000) of the Government Code shall apply to oversight boards. Notwithstanding Section 1099 of the Government Code, or any other law, any individual may simultaneously be appointed to up to five oversight boards and may hold an office in a city, county, city and county, special district, school district, or community college district.

(j) Commencing on and after July 1, 2016, in each county where more than one oversight board was created by operation of the act adding this part, there shall be only one oversight board appointed as follows:

(1) One member may be appointed by the county board of supervisors.

(2) One member may be appointed by the city selection committee established pursuant to Section 50270 of the Government Code. In a city and county, the mayor may appoint one member.

(3) One member may be appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, for the types of special districts that are eligible to receive property tax revenues pursuant to Section 34188.

(4) One member may be appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member may be appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public may be appointed by the county board of supervisors.

(7) One member may be appointed by the recognized employee organization representing the largest number of successor agency employees in the county.

(k) The Governor may appoint individuals to fill any oversight board member position described in subdivision (j) that has not been filled by July 15, 2016, or any member position that remains vacant for more than 60 days.

(*l*) Commencing on and after July 1, 2016, in each county where only one oversight board was created by operation of the act adding this part, then there will be no change to the composition of that oversight board as a result of the operation of subdivision (b).

(m) Any oversight board for a given successor agency shall cease to exist when all of the indebtedness of the dissolved redevelopment agency has been repaid.

(n) An oversight board may direct a successor agency to provide additional legal or financial advice than what was given by agency staff.

(o) An oversight board is authorized to contract with the county or other public or private agencies for administrative support.

(p) On matters within the purview of the oversight board, decisions made by the oversight board supersede those made by the successor agency or the staff of the successor agency.

SEC. 17. Section 34179.5 is added to the Health and Safety Code, to read:

34179.5. (a) In furtherance of subdivision (d) of Section 34177, each successor agency shall employ a licensed accountant,

approved by the county auditor-controller and with experience and expertise in local government accounting, to conduct a due diligence review to determine the unobligated balances available for transfer to taxing entities. As an alternative, an audit provided by the county auditor-controller that provides the information required by this section may be used to comply with this section with the concurrence of the oversight board.

(b) For purposes of this section the following terms shall have the following meanings:

(1) "Cash" and "cash equivalents" includes, but is not limited to, cash in hand, bank deposits, Local Agency Investment Fund deposits, deposits in the city or county treasury or any other pool, marketable securities, commercial paper, United States Treasury bills, banker's acceptances, payables on demand and amounts due from other parties as defined in subdivision (c), and any other money owned by the successor agency.

(2) "Enforceable obligation" includes any of the items listed in subdivision (d) of Section 34171, contracts detailing specific work to be performed that were entered into by the former redevelopment agency prior to June 28, 2011, with a third party that is other than the city, county, or city and county that created the former redevelopment agency, and indebtedness obligations as defined in subdivision (e) of Section 34171.

(3) "Transferred" means the transmission of money to another party that is not in payment for goods or services or an investment or where the payment is de minimus. Transfer also means where the payments are ultimately merely a restriction on the use of the money.

(c) At a minimum, the review required by this section shall include the following:

(1) The dollar value of assets transferred from the former redevelopment agency to the successor agency on or about February 1, 2012.

(2) The dollar value of assets and cash and cash equivalents transferred after January 1, 2011, through June 30, 2012, by the redevelopment agency or the successor agency to the city, county, or city and county that formed the redevelopment agency and the purpose of each transfer. The review shall provide documentation of any enforceable obligation that required the transfer.

(3) The dollar value of any cash or cash equivalents transferred after January 1, 2011, through June 30, 2012, by the redevelopment agency or the successor agency to any other public agency or private party and the purpose of each transfer. The review shall provide documentation of any enforceable obligation that required the transfer.

(4) The review shall provide expenditure and revenue accounting information and identify transfers and funding sources for the 2010–11 and 2011–12 fiscal years that reconciles balances, assets, and liabilities of the successor agency on June 30, 2012 to those reported to the Controller for the 2009–10 fiscal year.

(5) A separate accounting for the balance for the Low and Moderate Income Housing Fund for all other funds and accounts combined shall be made as follows:

(A) A statement of the total value of each fund as of June 30, 2012.

(B) An itemized statement listing any amounts that are legally restricted as to purpose and cannot be provided to taxing entities. This could include the proceeds of any bonds, grant funds, or funds provided by other governmental entities that place conditions on their use.

(C) An itemized statement of the values of any assets that are not cash or cash equivalents. This may include physical assets, land, records, and equipment. For the purpose of this accounting, physical assets may be valued at purchase cost or at any recently estimated market value. The statement shall list separately housing-related assets.

(D) An itemized listing of any current balances that are legally or contractually dedicated or restricted for the funding of an enforceable obligation that identifies the nature of the dedication or restriction and the specific enforceable obligation. In addition, the successor agency shall provide a listing of all approved enforceable obligations that includes a projection of annual spending requirements to satisfy each obligation and a projection of annual revenues available to fund those requirements. If a review finds that future revenues together with dedicated or restricted balances are insufficient to fund future obligations and thus retention of current balances is required, it shall identify the amount of current balances necessary for retention. The review shall also detail the projected property tax revenues and other

general purpose revenues to be received by the successor agency, together with both the amount and timing of the bond debt service payments of the successor agency, for the period in which the oversight board anticipates the successor agency will have insufficient property tax revenue to pay the specified obligations.

(E) An itemized list and analysis of any amounts of current balances that are needed to satisfy obligations that will be placed on the Recognized Obligation Payment Schedules for the current fiscal year.

(6) The review shall total the net balances available after deducting the total amounts described in subparagraphs (B) to (E), inclusive, of paragraph (5). The review shall add any amounts that were transferred as identified in paragraphs (2) and (3) of subdivision (c) if an enforceable obligation to make that transfer did not exist. The resulting sum shall be available for allocation to affected taxing entities pursuant to Section 34179.6. It shall be a rebuttable presumption that cash and cash equivalent balances available to the successor agency are available and sufficient to disburse the amount determined in this paragraph to taxing entities. If the review finds that there are insufficient cash balances to transfer or that cash or cash equivalents are specifically obligated to the purposes described in subparagraphs (B), (D), and (E) of paragraph (5) in such amounts that there is insufficient cash to provide the full amount determined pursuant to this paragraph, that amount shall be demonstrated in an additional itemized schedule.

SEC. 18. Section 34179.6 is added to the Health and Safety Code, to read:

34179.6. The review required pursuant to Section 34179.5 shall be submitted to the oversight board for review. The successor agency shall submit a copy of the Recognized Obligation Payment Schedule to the county administrative officer, the county auditor-controller, and the Department of Finance at the same time that the successor agency submits the review to the oversight board for review.

(a) By October 1, 2012, each successor agency shall provide to the oversight board, the county auditor-controller, the Controller, and the Department of Finance the results of the review conducted pursuant to Section 34179.5 for the Low and Moderate Income Housing Fund and specifically the amount of cash and

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cash equivalents determined to be available for allocation to taxing entities. By December 15, 2012, each successor agency shall provide to the oversight board, the county auditor-controller, the Controller, and the department the results of the review conducted pursuant to Section 34179.5 for all of the other fund and account balances and specifically the amount of cash and cash equivalents determined to be available for allocation to taxing entities. The department may request any supporting documentation and review results to assist in its review under subdivision (d). The department may specify the form and manner information about the review shall be provided to it.

(b) Upon receipt of the review, the oversight board shall convene a public comment session to take place at least five business days before the oversight board holds the approval vote specified in subdivision (c). The oversight board also shall consider any opinions offered by the county auditor-controller on the review results submitted by the successor agencies.

(c) By October 15, 2012, for the Low and Moderate Income Housing Fund and by January 15, 2013, for all other funds and accounts, the oversight board shall review, approve, and transmit to the department and the county auditor-controller the determination of the amount of cash and cash equivalents that are available for disbursement to taxing entities as determined according to the method provided in Section 34179.5. The oversight board may adjust any amount provided in the review to reflect additional information and analysis. The review and approval shall occur in public sessions. The oversight board may request from the successor agency any materials it deems necessary to assist in its review and approval of the determination. The oversight board shall be empowered to authorize a successor agency to retain assets or funds identified in subparagraphs (B) to (E), inclusive, of paragraph (5) of subdivision (c) of Section 34179.5. An oversight board that makes that authorization also shall identify to the department the amount of funds authorized for retention, the source of those funds, and the purposes for which those funds are being retained. The determination and authorization to retain funds and assets shall be subject to the review and approval of the department pursuant to subdivision (d).

(d) The department may adjust any amount associated with the determination of the resulting amount described in paragraph (6) of subdivision (c) of Section 34179.5 based on its analysis and information provided by the successor agency and others. The department shall consider any findings or opinions of the county auditor-controllers and the Controller. The department shall complete its review of the determinations provided pursuant to subdivision (c) no later than November 9, 2012, for the Low and Moderate Income Housing Fund and also shall notify the oversight board and the successor agency of its decision to overturn any decision of the oversight board to authorize a successor agency to retain assets or funds made pursuant to subdivision (c). The department shall complete its review of the determinations provided pursuant to subdivision (c) no later than April 1, 2013, for the other funds and accounts and also shall notify the oversight board and the successor agency of its decision to overturn any oversight board authorizations made pursuant to subdivision (c). The department shall provide the oversight board and the successor agency an explanation of its basis for overturning or modifying any findings, determinations, or authorizations of the oversight board made pursuant to subdivision (c).

(e) The successor agency and the entity or entities that created the former redevelopment agency may request to meet and confer with the department to resolve any disputes regarding the amounts or sources of funds identified as determined by the department. The request shall be made within five business days of the transmission, and no later than November 16, 2012, for the determination regarding the Low and Moderate Income Housing Fund, to the successor agency or the designated local authority of the department's determination, decisions, and explanations and shall be accompanied by an explanation and documentation of the basis of the dispute. The department shall meet and confer with the requesting party and modify its determinations and decisions accordingly. The department shall either confirm or modify its determinations and decisions within 30 days of the request to meet and confer.

(f) Each successor agency shall transmit to the county auditor-controller the amount of funds required pursuant to the determination of the department within five working days of receipt of the notification under subdivision (c) or (e) if a meet and confer

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request is made. Successor agencies shall make diligent efforts to recover any money determined to have been transferred without an enforceable obligation as described in paragraphs (2) and (3) of subdivision (c) of Section 34179.5. The department shall notify the county auditor-controllers of its actions and the county auditor-controllers shall disburse the funds received from successor agencies to taxing entities pursuant to Section 34188 within five working days of receipt. Amounts received after November 28, 2012, and April 10, 2013, may be held and disbursed with the regular payments to taxing entities pursuant to Section 34183.

(g) By December 1, 2012, the county auditor-controller shall provide the department a report specifying the amount submitted by each successor agency pursuant to subdivision (d) for low- and moderate-income housing funds, and specifically noting those successor agencies that failed to remit the full required amount. By April 20, 2013, the county auditor-controller shall provide the department a report detailing the amount submitted by each successor agency pursuant to subdivision (d) for all other funds and accounts, and specifically noting those successor agencies that failed to remit the full required amount.

(h) If a successor agency fails to remit to the county auditor-controller the sums identified in subdivisions (d) and (f), by the deadlines specified in those subdivisions, the following remedies are available:

(1) (A) If the successor agency cannot promptly recover the funds that have been transferred to another public agency without an enforceable obligation as described in paragraphs (2) and (3) of subdivision (c) of Section 34179.5, the funds may be recovered through an offset of sales and use tax or property tax allocations to the local agency to which the funds were transferred. To recover such funds, the Department of Finance may order the State Board of Equalization to make an offset pursuant to subdivision (a) of Section 34179.8. If the Department of Finance does not order a sales tax offset, the county auditor-controller may reduce the property tax allocations to any local agency in the county that fails to repay funds pursuant to subdivision (c) of Section 34179.8.

(B) The county auditor-controller and the department shall each have the authority to demand the return of funds improperly spent or transferred to a private person or other private entity. If funds

are not repaid within 60 days, they may be recovered through any lawful means of collection and are subject to a ten percent penalty plus interest at the rate charged for late personal income tax payments from the date the improper payment was made to the date the money is repaid.

(C) If the city, county, or city and county that created the former redevelopment agency is also performing the duties of the successor agency, the Department of Finance may order an offset to the distribution provided to the sales and use tax revenue to that agency pursuant to subdivision (a) of Section 34179.8. This offset shall be equal to the amount the successor fails to remit pursuant to subdivision (f). If the Department of Finance does not order a sales tax offset, the county auditor-controller may reduce the property tax allocations of the city, county, or city and county that created the former redevelopment agency pursuant to subdivision (c) of Section 34179.8.

(D) The department and the county auditor-controller shall coordinate their actions undertaken pursuant to this paragraph.

(2) Alternatively or in addition to the remedies provided in paragraph (1), the department may direct the county auditor-controller to deduct the unpaid amount from future allocations of property tax to the successor agency under Section 34183 until the amount of payment required pursuant to subdivision (d) is accomplished.

(3) If the Department of Finance determines that payment of the full amount required under subdivision (d) is not currently feasible or would jeopardize the ability of the successor agency to pay enforceable obligations in a timely manner, it may agree to an installment payment plan.

(i) (1) If a legal action contesting a withholding effectuated by the State Board of Equalization pursuant to subparagraphs (B), (C), or (B) and (C) of paragraph (2) of subdivision (b) of Section 34183.5 is successful and results in a final judicial determination, the court shall order the state to pay to the prevailing party a penalty equal to a percentage of the amount of funds found by the court to be improperly withheld, as provided in Section 34179.8. This percentage shall be equivalent to the number of months the funds have been found by the court to be improperly withheld, not to exceed 10 percent.

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(2) If a legal action contesting an offset effectuated by the State Board of Equalization or the county auditor-controller pursuant to subdivision (h) is successful and results in a final judicial determination, the court shall order the state or the county auditor-controller to pay to the prevailing party a penalty equal to 10 percent of the amount of funds found by the court to be improperly offset, as provided in Section 34179.8.

(i) If a legal challenge to invalidate any provision in subdivision (h) or subparagraph (B) or (C), or subparagraphs (B) and (C) of paragraph (2) of subdivision (b) of Section 34183.5 is successful and results in a final judicial determination, the invalidated provision shall become inoperative and subdivision (i) shall become inoperative with respect to the invalidated provision.

SEC. 19. Section 34179.7 is added to the Health and Safety Code, to read:

34179.7. Upon full payment of the amounts determined in subdivision (d) or (e) of Section 34179.6 as reported by the county auditor-controller pursuant to subdivision (g) of Section 34179.6 and of any amounts due as determined by Section 34183.5, or upon a final judicial determination of the amounts due and confirmation that those amounts have been paid by the county auditor-controller, the department shall issue, within five business days, a finding of completion of the requirements of Section 34179.6 to the successor agency.

SEC. 20. Section 34179.8 is added to the Health and Safety Code, to read:

34179.8. (a) If an offset or withholding of sales and use tax is ordered by the Department of Finance pursuant to this part, the State Board of Equalization shall reduce the distribution of sales and use taxes collected under Chapter 1 (commencing with Section 7200) of Part 1.5 of Division 2 of the Revenue and Taxation Code to the entity that is the subject of the offset or withholding and shall direct the Controller to issue a warrant in the amount of any offset pursuant to subdivision (h) of Section 34179.6 to the county auditor-controller. The county auditor-controller shall distribute this amount to the taxing entities for the former redevelopment area according to Section 34188.

(b) (1) If a court has issued a final judicial determination or the department determines that some or all of the amount collected through the offset of sales and use tax has been paid by another

means and no additional amount is owed, the court or the department shall notify the State Board of Equalization of that determination. Upon notification, the State Board of Equalization shall reverse the relevant amount of sales and use tax offset, add any penalty payable under subdivision (i) of Section 34179.6, and adjust the next distribution of sales and use tax to the affected local entity by reducing the allocation of tax to the General Fund and increasing the distribution to the local entity by that sum.

(2) The board shall inform the Controller of the reversal of the offset of sales and use tax undertaken pursuant to paragraph (1). The Controller shall send a demand for payment to the county auditor-controller for the amount of the offset reversal, excluding any penalty amount determined by the court pursuant to subdivision (i) of Section 34179.6 to be applicable to the offset. The auditor-controller shall reduce allocations to taxing entities in the next distributions under Section 34188 until the amount of the reversed offset is recovered and shall pay such recovered amounts to the State Controller for deposit in the General Fund.

(c) (1) If an offset of property tax is ordered by the county auditor-controller pursuant to this part, the auditor-controller shall reduce the distribution of property taxes to the entity that is the subject of the offset and shall distribute the amount to the taxing entities for the former redevelopment area according to Section 34188.

(2) If a court has issued a final judicial determination or the department determines that some or all of the amount collected through the offset made pursuant to paragraph (1) has been paid by another means and no additional amount is owed, the court or the department shall notify the county auditor-controller of that determination. Upon notification, the county auditor-controller shall reverse the relevant amount of property tax revenues offset in the next distribution of property tax to the affected local entity by reducing the allocation of tax to the taxing entities of the former redevelopment area under Section 34188 and increasing the distribution of property taxes to the local entity that was subject to the offset.

SEC. 21. Section 34180 of the Health and Safety Code is amended to read:

34180. All of the following successor agency actions shall first be approved by the oversight board:

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(a) The establishment of new repayment terms for outstanding loans where the terms have not been specified prior to the date of this part. *An oversight board shall not have the authority to reestablish loan agreements between the successor agency and the city, county, or city and county that formed the redevelopment agency except as provided in Chapter 9 (commencing with Section 34191.1).*

~~(b) Refunding of outstanding bonds or other debt of the former redevelopment agency by successor agencies in order to provide for savings or to finance debt service spikes; provided, however, that no additional debt is created and debt service is not accelerated.~~

(b) The issuance of bonds or other indebtedness or the pledge or agreement for the pledge of property tax revenues (formerly tax increment prior to the effective date of this part) pursuant to subdivision (a) of Section 34177.5.

(c) Setting aside of amounts in reserves as required by indentures, trust indentures, or similar documents governing the issuance of outstanding redevelopment agency bonds.

(d) Merging of project areas.

(e) Continuing the acceptance of federal or state grants, or other forms of financial assistance from either public or private sources, ~~where~~ *if that* assistance is conditioned upon the provision of matching funds, by the successor entity as successor to the former redevelopment agency, in an amount greater than 5 percent.

(f) (1) If a city, county, or city and county wishes to retain any properties or other assets for future redevelopment activities, funded from its own funds and under its own auspices, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares of the base property tax, as determined pursuant to Section 34188, for the value of the property retained.

(2) If no other agreement is reached on valuation of the retained assets, the value will be the fair market value as of the 2011 property tax lien date as determined by ~~the county assessor~~ *an independent appraiser approved by the oversight board.*

(g) Establishment of the Recognized Obligation Payment Schedule.

(h) A request by the successor agency to enter into an agreement with the city, county, or city and county that formed the redevelopment agency that it is succeeding. *An oversight board*

shall not have the authority to reestablish loan agreements between the successor agency and the city, county, or city and county that formed the redevelopment agency except as provided in Chapter 9 (commencing with Section 34191.1). Any actions to reestablish any other agreements that are in furtherance of enforceable obligations, with the city, county, or city and county that formed the redevelopment agency are invalid until they are included in an approved and valid Recognized Obligation Payment Schedule.

(i) A request by a successor agency or taxing entity to pledge, or to enter into an agreement for the pledge of, property tax revenues pursuant to subdivision (b) of Section 34178.

(j) Any document submitted by a successor agency to an oversight board for approval by any provision of this part shall also be submitted to the county administrative officer, the county auditor-controller, and the Department of Finance at the same time that the successor agency submits the document to the oversight board.

SEC. 22. Section 34181 of the Health and Safety Code is amended to read:

34181. The oversight board shall direct the successor agency to do all of the following:

(a) Dispose of all assets and properties of the former redevelopment agency ~~that were funded by tax increment revenues of the dissolved redevelopment agency~~; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, *police* and fire stations, *libraries, and local agency administrative buildings,* to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset. Any compensation to be provided to the successor agency for the transfer of the asset shall be governed by the agreements relating to the construction or use of that asset. Disposal shall be done expeditiously and in a manner aimed at maximizing value. *Asset disposition may be accomplished by a distribution of income to taxing entities proportionate to their property tax share from one or more properties that may be transferred to a public or private agency for management pursuant to the direction of the oversight board.*

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(b) Cease performance in connection with and terminate all existing agreements that do not qualify as enforceable obligations.

(c) Transfer housing ~~responsibilities and all rights, powers, duties, and obligations along with any amounts on deposit in the Low and Moderate Income Housing Fund to the appropriate entity~~ *assets* pursuant to Section 34176.

(d) Terminate any agreement, between the dissolved redevelopment agency and any public entity located in the same county, obligating the redevelopment agency to provide funding for any debt service obligations of the public entity or for the construction, or operation of facilities owned or operated by such public entity, in any instance where the oversight board has found that early termination would be in the best interests of the taxing entities.

(e) Determine whether any contracts, agreements, or other arrangements between the dissolved redevelopment agency and any private parties should be terminated or renegotiated to reduce liabilities and increase net revenues to the taxing entities, and present proposed termination or amendment agreements to the oversight board for its approval. The board may approve any amendments to or early termination of ~~such~~ *those* agreements ~~where~~ *if* it finds that amendments or early termination would be in the best interests of the taxing entities.

(f) All actions taken pursuant to subdivisions (a) and (c) shall be approved by resolution of the oversight board at a public meeting after at least 10 days' notice to the public of the specific proposed actions. The actions shall be subject to review by the Department of Finance pursuant to Section 34179 except that the department may extend its review period by up to 60 days. If the department does not object to an action subject to this section, and if no action challenging an action is commenced within 60 days of the approval of the action by the oversight board, the action of the oversight board shall be considered final and can be relied upon as conclusive by any person. If an action is brought to challenge an action involving title to or an interest in real property, a notice of pendency of action shall be recorded by the claimant as provided in Title 4.5 (commencing with Section 405) of Part 2 of the Code of Civil Procedure within a 60-day period.

SEC. 23. Section 34182 of the Health and Safety Code is amended to read:

34182. (a) (1) The county auditor-controller shall conduct or cause to be conducted an agreed-upon procedures audit of each redevelopment agency in the county that is subject to this part, to be completed by ~~July~~ *October* 1, 2012.

(2) The purpose of the audits shall be to establish each redevelopment agency's assets and liabilities, to document and determine each redevelopment agency's passthrough payment obligations to other taxing ~~agencies~~ *entities*, and to document and determine both the amount and the terms of any indebtedness incurred by the redevelopment agency ~~and certify~~ *pursuant to* the initial Recognized Obligation Payment Schedule.

(3) The county auditor-controller may charge the Redevelopment Property Tax Trust Fund for any costs incurred by the county auditor-controller pursuant to this part.

(b) By ~~July 15~~ *October 5*, 2012, the county auditor-controller shall provide the Controller's office *and the Department of Finance* a copy of all audits performed pursuant to this section. The county auditor-controller shall maintain a copy of all documentation and working papers for use by the Controller.

(c) (1) The county auditor-controller shall determine the amount of property taxes that would have been allocated to each redevelopment agency in the county had the redevelopment agency not been dissolved pursuant to the operation of the act adding this part. These amounts are deemed property tax revenues within the meaning of subdivision (a) of Section 1 of Article XIII A of the California Constitution and are available for allocation and distribution in accordance with the provisions of the act adding this part. The county auditor-controller shall calculate the property tax revenues using current assessed values on the last equalized roll on August 20, pursuant to Section 2052 of the Revenue and Taxation Code, and pursuant to statutory formulas or contractual agreements with other taxing ~~agencies~~ *entities*, as of the effective date of this section, and shall deposit that amount in the Redevelopment Property Tax Trust Fund.

(2) Each county auditor-controller shall administer the Redevelopment Property Tax Trust Fund for the benefit of the holders of former redevelopment agency enforceable obligations and the taxing entities that receive passthrough payments and distributions of property taxes pursuant to this part.

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(3) In connection with the allocation and distribution by the county auditor-controller of property tax revenues deposited in the Redevelopment Property Tax Trust Fund, in compliance with this part, the county auditor-controller shall prepare estimates of amounts *of property tax* to be allocated and distributed~~;~~ *and the amounts of passthrough payments to be made in the upcoming six-month period,* and provide those estimates to both the entities receiving the distributions and the Department of Finance, no later than ~~November~~ *October* 1 and ~~May~~ *April* 1 of each year.

(4) Each county auditor-controller shall disburse proceeds of asset sales or reserve balances, which have been received from the successor entities pursuant to Sections 34177 and 34187, to the taxing entities. In making such a distribution, the county auditor-controller shall utilize the same methodology for allocation and distribution of property tax revenues provided in Section 34188.

(d) By October 1, 2012, the county auditor-controller shall report the following information to the Controller's office and the Director of Finance:

(1) The sums of property tax revenues remitted to the Redevelopment Property Tax Trust Fund related to each former redevelopment agency.

(2) The sums of property tax revenues remitted to each agency under paragraph (1) of subdivision (a) of Section 34183.

(3) The sums of property tax revenues remitted to each successor agency pursuant to paragraph (2) of subdivision (a) of Section 34183.

(4) The sums of property tax revenues paid to each successor agency pursuant to paragraph (3) of subdivision (a) of Section 34183.

(5) The sums paid to each city, county, and special district, and the total amount allocated for schools pursuant to paragraph (4) of subdivision (a) of Section 34183.

(6) Any amounts deducted from other distributions pursuant to subdivision (b) of Section 34183.

(e) A county auditor-controller may charge the Redevelopment Property Tax Trust Fund for the costs of administering the provisions of this part.

(f) The Controller may audit and review any county auditor-controller action taken pursuant to the act adding this part.

As such, all county auditor-controller actions shall not be effective for three business days, pending a request for review by the Controller. In the event that the Controller requests a review of a given county auditor-controller action, he or she shall have 10 days from the date of his or her request to approve the county auditor-controller's action or return it to the county auditor-controller for reconsideration and ~~such~~ *the* county ~~auditor-controller~~ *auditor-controller's* action shall not be effective until approved by the Controller. In the event that the Controller returns the county auditor-controller's action to the county auditor-controller for reconsideration, the county auditor-controller must resubmit the modified action for Controller approval and ~~such~~ *the* modified county ~~auditor-controller~~ *auditor-controller's* action shall not become effective until approved by the Controller.

SEC. 24. Section 34182.5 is added to the Health and Safety Code, to read:

34182.5. A county auditor-controller may review the Recognized Obligation Payment Schedules and object to the inclusion of any items that are not demonstrated to be enforceable obligations and may object to the funding source proposed for any items. This review may take place prior to the submission of the Recognized Obligation Payment Schedule to the oversight board or subsequent to oversight board action. The county auditor-controller shall promptly transmit notice of any of those objections to the successor agency, the oversight board, and the Department of Finance. Notice shall be given at least 60 days prior to an allocation date specified in Section 34183, except that for the January 1, 2013 to June 30, 2013 Recognized Obligation Payment Schedule, notice shall be given no later than October 1, 2012. If an oversight board disputes the finding of the county auditor-controller, it may refer the matter to the Department of Finance for a determination of what will be approved for inclusion in the Recognized Obligation Payment Schedule.

SEC. 25. Section 34183 of the Health and Safety Code is amended to read:

34183. (a) Notwithstanding any other law, from February 1, 2012, to July 1, 2012, and for each fiscal year thereafter, the county auditor-controller shall, after deducting administrative costs allowed under Section 34182 and Section 95.3 of the Revenue and

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Taxation Code, allocate moneys in each Redevelopment Property Tax Trust Fund as follows:

(1) Subject to any prior deductions required by subdivision (b), first, the county auditor-controller shall remit from the Redevelopment Property Tax Trust Fund to each local agency and school entity an amount of property tax revenues in an amount equal to that which would have been received under Section 33401, 33492.140, 33607, 33607.5, 33607.7, or 33676, as those sections read on January 1, 2011, or pursuant to any passthrough agreement between a redevelopment agency and a taxing ~~jurisdiction~~ *entity* that was entered into prior to January 1, 1994, that would be in force during that fiscal year, had the redevelopment agency existed at that time. The amount of the payments made pursuant to this paragraph shall be calculated solely on the basis of passthrough payment obligations, existing prior to the effective date of this part and continuing as obligations of successor entities, shall occur no later than May 16, 2012, and no later than June 1, 2012, and each January ~~16~~ *2* and June 1 thereafter. Notwithstanding subdivision (e) of Section 33670, that portion of the taxes in excess of the amount identified in subdivision (a) of Section 33670, which are attributable to a tax rate levied by a taxing ~~agency~~ *entity* for the purpose of producing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing ~~agency~~ *entity. The amount of passthrough payments computed pursuant to this section, including any passthrough agreements, shall be computed as though the requirement to set aside funds for the Low and Moderate Income Housing Fund was still in effect.*

(2) Second, on ~~May 16, 2012, and~~ June 1, 2012, and each January ~~16~~ *2* and June 1 thereafter, to each successor agency for payments listed in its Recognized Obligation Payment Schedule for the six-month fiscal period beginning January 1, 2012, ~~or~~ *and* July 1, 2012, and each January ~~16~~ *2* and June 1 thereafter, in the following order of priority:

(A) Debt service payments scheduled to be made for tax allocation bonds.

(B) Payments scheduled to be made on revenue bonds, but only to the extent the revenues pledged for them are insufficient to make

the payments and only ~~where~~ *if* the agency's tax increment revenues were also pledged for the repayment of the bonds.

(C) Payments scheduled for other debts and obligations listed in the Recognized Obligation Payment Schedule that are required to be paid from former tax increment revenue.

(3) Third, on ~~May 16, 2012, and~~ June 1, 2012, and each January ~~16~~ *2* and June 1 thereafter, to each successor agency for the administrative cost allowance, as defined in Section 34171, for administrative costs set forth in an approved administrative budget for those payments required to be paid from former tax increment revenues.

(4) Fourth, on ~~May 16, 2012, and~~ June 1, 2012, and each January ~~16~~ *2* and June 1 thereafter, any moneys remaining in the Redevelopment Property Tax Trust Fund after the payments and transfers authorized by paragraphs (1) to (3), inclusive, shall be distributed to local agencies and school entities in accordance with Section 34188.

(b) If the successor agency reports, no later than April 1, 2012, and May 1, 2012, and each December 1 and May 1 thereafter, to the county auditor-controller that the total amount available to the successor agency from the Redevelopment Property Tax Trust Fund allocation to that successor agency's Redevelopment Obligation Retirement Fund, from other funds transferred from each redevelopment agency, and from funds that have or will become available through asset sales and all redevelopment operations, are insufficient to fund the payments required by paragraphs (1) to (3), inclusive, of subdivision (a) in the next six-month fiscal period, the county auditor-controller shall notify the Controller and the Department of Finance no later than 10 days from the date of that notification. The county auditor-controller shall verify whether the successor agency will have sufficient funds from which to service debts according to the Recognized Obligation Payment Schedule and shall report the findings to the Controller. If the Controller concurs that there are insufficient funds to pay required debt service, the amount of the deficiency shall be deducted first from the amount remaining to be distributed to taxing entities pursuant to paragraph (4), and if that amount is exhausted, from amounts available for distribution for administrative costs in paragraph (3). If an agency, pursuant to the provisions of Section 33492.15, 33492.72, 33607.5, 33671.5,

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33681.15, or 33688~~;~~ *or as expressly provided in a passthrough agreement entered into pursuant to Section 33401,* made passthrough payment obligations subordinate to debt service payments required for enforceable obligations, funds for servicing bond debt may be deducted from the amounts for passthrough payments under paragraph (1), as provided in those sections, but only to the extent that the amounts remaining to be distributed to taxing entities pursuant to paragraph (4) and the amounts available for distribution for administrative costs in paragraph (3) have all been exhausted.

(c) The county treasurer may loan any funds from the county treasury *to the Redevelopment Property Tax Trust Fund of the successor agency for the purpose of paying an item approved on the Recognized Obligation Payment Schedule at the request of the Department of Finance* that are necessary to ensure prompt payments of redevelopment agency debts. *An enforceable obligation is created for repayment of those loans.*

(d) The Controller may recover the costs of audit and oversight required under this part from the Redevelopment Property Tax Trust Fund by presenting an invoice therefor to the county auditor-controller who shall set aside sufficient funds for and disburse the claimed amounts prior to making the next distributions to the taxing ~~jurisdictions~~ *entities* pursuant to Section 34188. Subject to the approval of the Director of Finance, the budget of the Controller may be augmented to reflect the reimbursement, pursuant to Section 28.00 of the Budget Act.

(e) Within 10 days of each distribution of property tax, the county auditor-controller shall provide a report to the department regarding the distribution for each successor agency that includes information on the total available for allocation, the passthrough amounts and how they were calculated, the amounts distributed to successor agencies, and the amounts distributed to taxing entities in a manner and form specified by the department. This reporting requirement shall also apply to distributions required under subdivision (b) of Section 34183.5.

SEC. 26. Section 34183.5 is added to the Health and Safety Code, to read:

34183.5. (a) The Legislature hereby finds and declares that due to the delayed implementation of this part due to the California Supreme Court's ruling in the case California Redevelopment

Association v. Matosantos et al. (2011) 53 Cal.4th 231, some disruption to the intended application of this part and other law with respect to passthrough payments may have occurred.

(1) If a redevelopment agency or successor agency did not pay any portion of an amount owed for the 2011–12 fiscal year to an affected taxing entity pursuant to Section 33401, 33492.140, 33607, 33607.5, 33607.7, or 33676, or pursuant to any passthrough agreement entered into before January 1, 1994, between a redevelopment agency and an affected taxing entity, and to the extent the county auditor-controller did not remit the amounts owed for passthrough payments during the 2011–12 fiscal year, the county auditor-controller shall make the required payments to the taxing entities owed passthrough payments and shall reduce the amounts to which the successor agency would otherwise be entitled pursuant to paragraph (2) of subdivision (a) of Section 34183 at the next allocation of property tax under this part, subject to the provisions of subdivision (b) of Section 34183. If the amount of available property tax allocation to the successor agency is not sufficient to make the required payment, the county auditor-controller shall continue to reduce allocations to the successor agency under paragraph (2) of subdivision (a) of Section 34183 until the time that the owed amount is fully paid. Alternately, the county auditor-controller may accept payment from the successor agency's reserve funds for payments of passthrough payments owed as defined in this subdivision.

(2) If a redevelopment agency did not pay any portion of the amount owed for the 2011–12 fiscal year to an affected taxing entity pursuant to Section 33401, 33492.140, 33607, 33607.5, 33607.7, or 33676, or pursuant to any passthrough agreement entered into before January 1, 1994, between a redevelopment agency and an affected taxing entity, but the county auditor-controller did pay the difference that was owing, the auditor controller shall deduct from the next allocation of property tax to the successor agency under paragraph (2) of subdivision (a) of Section 34183, the amount of the payment made on behalf of the successor agency by the county auditor-controller, not to exceed one-half the amount of passthrough payments owed for the 2011–12 fiscal year. If the amount of available property tax allocation to the successor agency is not sufficient to make the required deduction, the county auditor-controller shall continue

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to reduce allocations to the successor agency under paragraph (2) of subdivision (a) of Section 34183 until the time that the amount is fully deducted. Alternatively, the auditor-controller may accept payment from the successor agency's reserve funds for deductions of passthrough payments owed as defined in this subdivision. Amounts reduced from successor agency payments under this paragraph are available for the purposes of paragraphs (2) to (4), inclusive, of subdivision (a) of Section 34183 for the six-month period for which the property tax revenues are being allocated.

(b) In recognition of the fact that county auditor-controllers were unable to make the payments required by paragraph (4) of subdivision (a) of Section 34183 for the period January 1, 2012, through June 30, 2012, on January 16, 2012, due to the California Supreme Court's ruling in the case of California Redevelopment Association v. Matosantos (2011) 53 Cal.4th 231, in addition to taking the actions specified in Section 34183 with respect to the June 1 property tax allocations, county auditor-controllers should have made allocations as provided in paragraph (1).

(1) From the allocations made on June 1, 2012, for the Recognized Obligation Payment Schedule covering the period July 1, 2012, through December 31, 2012, deduct from the amount that otherwise would be deposited in the Redevelopment Property Tax Trust Fund on behalf of the successor agency an amount equivalent to the amount that each affected taxing entity was entitled to pursuant to paragraph (4) of subdivision (a) of Section 34183 for the period January 1, 2012, through June 30, 2012. The amount to be retained by taxing entities pursuant to paragraph (4) of subdivision (a) of Section 34183 for the January 1, 2012, through June 30, 2012, period is determined based on the Recognized Obligation Payment Schedule approved by the Department of Finance pursuant to subdivision (h) of Section 34179 and any amount determined to be owed pursuant to subdivision (b). Any amounts so computed shall not be offset by any shortages in funding for recognized obligations for the period covering July 1, 2012, through December 31, 2012.

(2) (A) If an affected taxing entity has not received the full amount to which it was entitled pursuant to paragraph (4) of subdivision (a) of Section 34183 of the property tax distributed for the period January 1, 2012, through June 30, 2012, and

paragraph (1), no later than July 9, 2012, the county auditor-controller shall determine the amount, if any, that is owed by each successor agency to taxing entities and send a demand for payment from the funds of the successor agency for the amount owed to taxing entities if it has distributed the June 1, 2012, allocation to the successor agencies. No later than July 12, 2012, successor agencies shall make payment of the amounts demanded to the county auditor-controller for deposit into the Redevelopment Property Tax Trust Fund and subsequent distribution to taxing entities. No later than July 16, 2012, the county auditor-controller shall make allocations of all money received by that date from successor agencies in amounts owed to taxing entities under this paragraph to taxing entities in accordance with Section 34183. The county auditor-controller shall make allocations of any money received after that date under this paragraph within five business days of receipt. These duties are not discretionary and shall be carried out with due diligence.

(B) If a county auditor-controller fails to determine the amounts owed to taxing entities and present a demand for payment by July 9, 2012, to the successor agencies, the Department of Finance or any affected taxing entity may request a writ of mandate to require the county auditor-controller to immediately perform this duty. Such actions may be filed only in the County of Sacramento and shall have priority over other civil matters. Any county in which the county auditor-controller fails to perform the duties under this paragraph shall be subject to a civil penalty of 10 percent of the amount owed to taxing entities plus 1.5 percent of the amount owed to taxing entities for each month that the duties are not performed. The civil penalties shall be payable to the taxing entities under Section 34183. Additionally, any county in which the county auditor-controller fails to make the required determinations and demands for payment under this paragraph by July 9, 2012, or fails to distribute the full amount of funds received from successor agencies as required by this paragraph shall not receive the distribution of sales and use tax scheduled for July 18, 2012, or any subsequent payment, up to the amount owed to taxing entities, until the county auditor-controller performs the duties required by this paragraph.

(C) If a successor agency fails to make the payment demanded under subparagraph (A) by July 12, 2012, the Department of

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Finance or any affected taxing entity may file for a writ of mandate to require the successor agency to immediately make this payment. Such actions may be filed only in the County of Sacramento and shall have priority over other civil matters. Any successor agency that fails to make payment by July 12, 2012, under this paragraph shall be subject to a civil penalty of 10 percent of the amount owed to taxing entities plus one and one-half percent of the amount owed to taxing entities for each month that the payments are not made. Additionally, the city or county or city and county that created the redevelopment agency shall also be subject to a civil penalty of 10 percent of the amount owed to taxing entities plus 1.5 percent of the amount owed to taxing entities for each month the payment is late. The civil penalties shall be payable to the taxing entities under Section 34183. If the Department of Finance finds that the imposition of penalties will jeopardize the payment of enforceable obligations it may request the court to waive some or all of the penalties. A successor agency that does not pay the amount required under this subparagraph by July 12, 2012, shall not pay any obligations other than bond debt service until full payment is made to the county auditor-controller. Additionally, any city, county or city and county that created the redevelopment agency that fails to make the required payment under this paragraph by July 12, 2012, shall not receive the distribution of sales and use tax scheduled for July 18, 2012, or any subsequent payment, up to the amount owed to taxing entities, until the payment required by this paragraph is made.

(D) The Legislature hereby finds and declares that time is of the essence. Funds that should have been received and were expected and spent in anticipation of receipt by community colleges, schools, counties, cities, and special districts have not been received resulting in significant fiscal impact to the state and taxing entities. Continued delay and uncertainly whether funds will be received warrants the availability of extraordinary relief as authorized herein.

(3) If an affected taxing entity has not received the full amount to which it was entitled pursuant to paragraph (4) of subdivision (a) of Section 34183 for the period January 1, 2012, through June 30, 2012, and paragraph (1), the county auditor-controller shall reapply the provisions of paragraph (1) to each subsequent property tax allocation until such time as the affected taxing entity

has received the full amount to which it was entitled pursuant to paragraph (4) of subdivision (a) of Section 34183 for the period January 1, 2012, through June 30, 2012.

SEC. 27. Section 34185 of the Health and Safety Code is amended to read:

34185. Commencing on ~~May 16, 2012~~ *June 1, 2012*, and on each January ~~16~~ *2* and June 1 thereafter, the county auditor-controller shall transfer, from the Redevelopment Property Tax Trust Fund of each successor agency into the Redevelopment Obligation Retirement Fund of that agency, an amount of property tax revenues equal to that specified in the Recognized Obligation Payment Schedule for that successor agency as payable from the Redevelopment Property Tax Trust Fund subject to the limitations of ~~Sections 34173 and~~ *subdivision (l) of Section 34177 and Section* 34183.

SEC. 28. Section 34186 of the Health and Safety Code is amended to read:

34186. *(a)* Differences between actual payments and past estimated obligations on recognized obligation payment schedules ~~must~~ *shall* be reported in subsequent recognized obligation payment schedules and shall adjust the amount to be transferred to the Redevelopment Obligation Retirement Fund pursuant to this part. These estimates and accounts shall be subject to audit by county auditor-controllers and the Controller.

(b) Differences between actual passthrough obligations and property tax amounts and the amounts used by the county auditor-controller in determining the amounts to be allocated under Sections 34183 and 34188 for a prior six-month period shall be applied as adjustments to the property tax and passthrough amounts in subsequent periods as they become known. County auditor-controllers shall not delay payments under this part to successor agencies or taxing entities based on pending transactions, disputes, or for any other reason, other than a court order, and shall use the Recognized Obligation Payment Schedule approved by the Department of Finance and the most current data for passthroughs and property tax available prior to the statutory distribution dates to make the allocations required on the dates required.

SEC. 29. Section 34187 of the Health and Safety Code is amended to read:

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34187. *(a) (1)* Commencing May 1, 2012, whenever a recognized obligation that had been identified in the Recognized Payment Obligation Schedule is paid off or retired, either through early payment or payment at maturity, the county auditor-controller shall distribute to the taxing entities, in accordance with the provisions of the Revenue and Taxation Code, all property tax revenues that were associated with the payment of the recognized obligation.

(2) Notwithstanding paragraph (1), the Department of Finance may authorize a successor agency to retain property tax that otherwise would be distributed to affected taxing entities pursuant to this subdivision, to the extent the department determines the successor agency requires those funds for the payment of enforceable obligations. Upon making a determination, the department shall provide the county auditor-controller with information detailing the amounts that it has authorized the successor agency to retain. Upon determining the successor agency no longer requires additional funds pursuant to this subdivision, the department shall notify the successor agency and the county auditor-controller. The county auditor-controller shall then distribute the funds in question to the affected taxing entities in accordance with the provisions of the Revenue and Taxation Code.

(b) When all of the debt of a redevelopment agency has been retired or paid off, the successor agency shall dispose of all remaining assets and terminate its existence within one year of the final debt payment. When the successor agency is terminated, all passthrough payment obligations shall cease and no property tax shall be allocated to the Redevelopment Property Tax Trust Fund for that agency.

SEC. 30. Section 34188 of the Health and Safety Code is amended to read:

34188. For all distributions of property tax revenues and other moneys pursuant to this part, the distribution to each taxing entity shall be in an amount proportionate to its share of property tax revenues in the tax rate area in that fiscal year, as follows:

(a) (1) For distributions from the Redevelopment Property Tax Trust Fund, the share of each taxing entity shall be applied to the amount of property tax available in the Redevelopment Property Tax Trust Fund after deducting the amount of any distributions under paragraphs (2) and (3) of subdivision (a) of Section 34183.

(2) For each taxing entity that receives passthrough payments, that agency shall receive the amount of any passthrough payments identified under paragraph (1) of subdivision (a) of Section 34183, in an amount not to exceed the amount that it would receive pursuant to this section in the absence of the passthrough agreement. However, to the extent that the passthrough payments received by the taxing entity are less than the amount that the taxing entity would receive pursuant to this section in the absence of a passthrough agreement, the taxing entity shall receive an additional payment that is equivalent to the difference between those amounts.

(b) Property tax shares of local agencies shall be determined based on property tax allocation laws in effect on the date of distribution, without the revenue exchange amounts allocated pursuant to Section 97.68 of the Revenue and Taxation Code, and without the property taxes allocated pursuant to Section 97.70 of the Revenue and Taxation Code.

(c) The total school share, including passthroughs, shall be the share of the property taxes that would have been received by school entities, as defined in subdivision (f) of Section 95 of the Revenue and Taxation Code, in the jurisdictional territory of the former redevelopment agency, including, but not limited to, the amounts specified in Sections 97.68 and 97.70 of the Revenue and Taxation Code.

(d) This section shall not be construed to increase any allocations of excess, additional, or remaining funds that would otherwise have been allocated to cities, counties, cities and counties, or special districts pursuant to clause (i) of subparagraph (B) of paragraph (4) of subdivision (d) of Section 97.2, clause (i) of subparagraph (B) of paragraph (4) of subdivision (d) of Section 97.3, or Article 4 (commencing with Section 98) of Chapter 6 of Part 0.5 of Division 1, of the Revenue and Taxation Code, had this section not been enacted.

SEC. 31. Section 34189 of the Health and Safety Code is amended to read:

34189. (a) Commencing on the effective date of this part, all provisions of the Community Redevelopment Law that depend on the allocation of tax increment to redevelopment agencies, including, but not limited to, Sections 33445, 33640, 33641, 33645, and subdivision (b) of Section 33670, shall be inoperative, except

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as those sections apply to a redevelopment agency operating pursuant to Part 1.9 (commencing with Section 34192).

~~(b) The California Law Revision Commission shall draft a Community Redevelopment Law cleanup bill for consideration by the Legislature no later than January 1, 2013.~~

~~(c)~~

(b) To the extent that a provision of Part 1 (commencing with Section 33000), Part 1.5 (commencing with Section 34000), Part 1.6 (commencing with Section 34050), and Part 1.7 (commencing with Section 34100) conflicts with this part, the provisions of this part shall control. Further, if a provision of Part 1 (commencing with Section 33000), Part 1.5 (commencing with Section 34000), Part 1.6 (commencing with Section 34050), or Part 1.7 (commencing with Section 34100) provides an authority that the act adding this part is restricting or eliminating, the restriction and elimination provisions of the act adding this part shall control.

~~(d)~~

(c) It is intended that the provisions of this part shall be read in a manner as to avoid duplication of payments.

SEC. 32. Section 34189.1 is added to the Health and Safety Code, to read:

34189.1. No party, public or private, may pursue, nor does a court have jurisdiction over, a validation action with respect to any action of a redevelopment agency or a successor agency to a redevelopment agency that took place on or after January 1, 2011, unless the Department of Finance and the Controller, representing interests of the State of California and each of the taxing entities who could be affected financially by the action, has been properly noticed. All actions shall be filed in the County of Sacramento.

SEC. 33. Section 34189.2 is added to the Health and Safety Code, to read:

34189.2. A successor agency or any party to an enforceable obligation as defined under this part shall properly notice the state with respect to a validation action involving any enforceable obligation or matter of title to an asset that belonged to a redevelopment agency. For such an action to be properly filed, both the Controller and the Director of Finance shall be noticed and actions shall be filed in the County of Sacramento.

SEC. 34. Section 34189.3 is added to the Health and Safety Code, to read:

34189.3. An action contesting any act taken or determinations or decisions made pursuant to this part or Part 1.8 (commencing with Section 34161) may be brought in superior court and shall be filed in the County of Sacramento.

SEC. 35. Chapter 9 (commencing with Section 34191.1) is added to Part 1.85 of Division 24 of the Health and Safety Code, to read:

CHAPTER 9. POSTCOMPLIANCE PROVISIONS

34191.1. The provisions of this chapter shall apply to a successor agency upon that agency's receipt of a finding of completion by the Department of Finance pursuant to Section 34179.7.

34191.3. Notwithstanding Section 34191.1, the requirements specified in subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be suspended, except as those provisions apply to the transfers for governmental use, until the Department of Finance has approved a long-range property management plan pursuant to subdivision (b) of Section 34191.5, at which point the plan shall govern, and supersede all other provisions relating to, the disposition and use of the real property assets of the former redevelopment agency. If the department has not approved a plan by January 1, 2015, subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be operative with respect to that successor agency.

34191.4. The following provisions shall apply to any successor agency that has been issued a finding of completion by the Department of Finance:

(a) All real property and interests in real property identified in subparagraph (C) of paragraph (5) of subdivision (c) of Section 34179.5 shall be transferred to the Community Redevelopment Property Trust Fund of the successor agency upon approval by the Department of Finance of the long-range property management plan submitted by the successor agency pursuant to subdivision (b) of Section 34191.7 unless that property is subject to the requirements of any existing enforceable obligation.

(b) (1) Notwithstanding subdivision (d) of Section 34171, upon application by the successor agency and approval by the oversight board, loan agreements entered into between the redevelopment

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agency and the city, county, or city and county that created by the redevelopment agency shall be deemed to be enforceable obligations provided that the oversight board makes a finding that the loan was for legitimate redevelopment purposes.

(2) If the oversight board finds that the loan is an enforceable obligation, the accumulated interest on the remaining principal amount of the loan shall be recalculated from origination at the interest rate earned by funds deposited into the Local Agency Investment Fund. The loan shall be repaid to the city, county, or city and county in accordance with a defined schedule over a reasonable term of years at an interest rate not to exceed the interest rate earned by funds deposited into the Local Agency Investment Fund. The annual loan repayments provided for in the recognized obligations payment schedules shall be subject to all of the following limitations:

(A) Loan repayments shall not be made prior to the 2013–14 fiscal year. Beginning in the 2013–14 fiscal year, the maximum repayment amount authorized each fiscal year for repayments made pursuant to this subdivision and paragraph (7) of subdivision (e) of Section 34176 combined shall be equal to one-half of the increase between the amount distributed to the taxing entities pursuant to paragraph (4) of subdivision (a) of Section 34183 in that fiscal year and the amount distributed to taxing entities pursuant to that paragraph in the 2012–13 base year. Loan or deferral repayments made pursuant to this subdivision shall be second in priority to amounts to be repaid pursuant to paragraph (7) of subdivision (e) of Section 34176.

(B) Repayments received by the city, county or city and county that formed the redevelopment agency shall first be used to retire any outstanding amounts borrowed and owed to the Low and Moderate Income Housing Fund of the former redevelopment agency for purposes of the Supplemental Educational Revenue Augmentation Fund and shall be distributed to the Low and Moderate Income Housing Asset Fund established by subdivision (d) of Section 34176.

(C) Twenty percent of any loan repayment shall be deducted from the loan repayment amount and shall be transferred to the Low and Moderate Income Housing Asset Fund, after all outstanding loans from the Low and Moderate Income Housing

Fund for purposes of the Supplemental Educational Revenue Augmentation Fund have been paid.

(c) (1) Bond proceeds derived from bonds issued on or before December 31, 2010, shall be used for the purposes for which the bonds were sold.

(2) (A) Notwithstanding Section 34177.3 or any other conflicting provision of law, bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations shall thereafter be expended in a manner consistent with the original bond covenants. Enforceable obligations may be satisfied by the creation of reserves for projects that are the subject of the enforceable obligation and that are consistent with the contractual obligations for those projects, or by expending funds to complete the projects. An expenditure made pursuant to this paragraph shall constitute the creation of excess bond proceeds obligations to be paid from the excess proceeds. Excess bond proceeds obligations shall be listed separately on the Recognized Obligation Payment Schedule submitted by the successor agency.

(B) If remaining bond proceeds cannot be spent in a manner consistent with the bond covenants pursuant to subparagraph (A), the proceeds shall be used to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation.

34191.5. (a) There is hereby established a Community Redevelopment Property Trust Fund, administered by the successor agency, to serve as the repository of the former redevelopment agency's real properties identified in subparagraph (C) of paragraph (5) of subdivision (c) of Section 34179.5.

(b) The successor agency shall prepare a long-range property management plan that addresses the disposition and use of the real properties of the former redevelopment agency. The report shall be submitted to the oversight board and the Department of Finance for approval no later than six months following the issuance to the successor agency of the finding of completion.

(c) The long-range property management plan shall do all of the following:

(1) Include an inventory of all properties in the trust. The inventory shall consist of all of the following information:

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

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(B) The purpose for which the property was acquired.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

(H) A brief history of previous development proposals and activity, including the rental or lease of property.

(2) Address the use or disposition of all of the properties in the trust. Permissible uses include the retention of the property for governmental use pursuant to subdivision (a) of Section 34181, the retention of the property for future development, the sale of the property, or the use of the property to fulfill an enforceable obligation. The plan shall separately identify and list properties in the trust dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation. With respect to the use or disposition of all other properties, all of the following shall apply:

(A) If the plan directs the use or liquidation of the property for a project identified in an approved redevelopment plan, the property shall transfer to the city, county, or city and county.

(B) If the plan directs the liquidation of the property or the use of revenues generated from the property, such as lease or parking revenues, for any purpose other than to fulfill an enforceable obligation or other than that specified in subparagraph (A), the proceeds from the sale shall be distributed as property tax to the taxing entities.

(C) Property shall not be transferred to a successor agency, city, county, or city and county, unless the long-range property management plan has been approved by the oversight board and the Department of Finance.

SEC. 36. The Legislature finds and declares as follows:

(a) Certain provisions of Assembly Bill 26 of the 2011–12 First Extraordinary Session of 2011 (Ch. 5, 2011–12 First Ex. Sess.) are internally inconsistent, or uncertain in their meaning, with regard to the calculation of the amount to be paid by a county auditor-controller from the Redevelopment Property Tax Trust Fund to meet passthrough payment obligations to local agencies and school entities.

(b) Consistent with the statement in Section 34183 of the Health and Safety Code, as added by the measure identified in subdivision (a), that the provisions of that section are to apply "[n]otwithstanding any other law," it was the intent of the Legislature in enacting that measure that the amount of the passthrough payments that are addressed by that section be determined in the manner specified by paragraph (1) of subdivision (a) of Section 34183 of the Health and Safety Code, and that the amount so calculated not be reduced or adjusted pursuant to the operation of any other provision of that measure.

SEC. 37. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application and to this end, the provisions of this act are severable.

SEC. 38. There is hereby appropriated up to twenty-two million dollars ($22,000,000) from the General Fund, for allocation to departments by the Director of Finance in furtherance of the objectives of this act. Up to two million dollars ($2,000,000) of this amount may be allocated to the Director of the Trial Court Trust Fund for allocation by the Administrative Office of the Courts to the Superior Court of California, County of Sacramento for work associated with Part 1.85 (commencing with Section 34170) of Division 24 of the Health and Safety Code. An allocation of funds approved by the Director of Finance under this item shall become effective no sooner than 30 days after the director files written notification thereof with the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the fiscal committees in each house of the Legislature, or no sooner than any lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.

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1 *SEC. 39. No reimbursement is required by this act pursuant*
2 *to Section 6 of Article XIII B of the California Constitution because*
3 *this act provides for offsetting savings to local agencies or school*
4 *districts that result in no net costs to the local agencies or school*
5 *districts, within the meaning of Section 17556 of the Government*
6 *Code.*
7 *SEC. 40. This act is a bill providing for appropriations related*
8 *to the Budget Bill within the meaning of subdivision (e) of Section*
9 *12 of Article IV of the California Constitution, has been identified*
10 *as related to the budget in the Budget Bill, and shall take effect*
11 *immediately.*
12 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
13 ~~changes relating to the Budget Act of 2012.~~

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Item No. A.24

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in their capacity as City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING PROPOSED ADMINISTRATIVE BUDGET FOR THE PERIOD OF JANUARY 1, 2013 TO JUNE 30, 2013

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as Board Members as City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley:

1. Adopt Resolution No. 2012-72 approving the proposed Administrative Budget for the period of January 1, 2013 to June 30, 2013;

2. Authorize the Executive Director or his designee to make modifications to the Schedule; and

3. Authorize the transmittal of the proposed Administrative Budget (Exhibit "A") to the Oversight Board for review and approval.

BACKGROUND

The City of Moreno Valley is the Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley pursuant to Part 1.85 of Division 24 of the Health and Safety Code. As Successor Agency, the City is responsible for winding down the

affairs of the redevelopment agency including preparing a proposed administrative budget for the six-month period, and submits to the Oversight Board for approval.

The Administrative Budget is to include: (1) estimated amounts for successor agency administrative costs for the six-month fiscal period; (2) proposed sources of payment for the items identified in item (1); and (3) proposals for arrangements for administrative and operations services provided by a city or other entity.

DISCUSSION

The Successor Agency and the Oversight Board are required to adopt administrative budget for the six month period in order to designate the administrative allowance amount to be funded from the distribution of property tax revenues.

Upon approval by the Successor Agency, the proposed administrative budget will be transmitted to the Oversight Board for consideration and approval on August 29, 2012.

SUMMARY

As Successor Agency, the City is responsible for winding down the affairs of the redevelopment agency including disposing of its assets; making payments and performing other obligations, as well as preparing an administrative budget of the Successor Agency. The proposed Administrative Budget for the period of January 1, 2013 to June 30, 2013 will provide the funding for the administrative and operations services for the period.

NOTIFICATION

No public notice is required prior to the City Council taking action on this item. However, the agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council agendas.

ALTERNATIVES

1. Adopt the attached resolution, which approves the proposed Administrative Budget the period of January 1, 2013 to June 30, 2013, authorizing the Executive Director or his designee to make modifications thereto, and authorizing the transmittal of the certified Schedule to the Oversight Board for review and approval. *Staff recommends this alternative because it allows the City serving as the Successor Agency to make required debt service payments in accordance with the State legislation.*

2. Decline to adopt the attached resolution which would not allow the City, acting as the Successor Agency, to maintain the operations, and fulfill debt obligations of the former RDA as required by law. *Staff does not recommend this alternative.*

FISCAL IMPACT

The Successor Agency has incurred and will incur administrative expenses in the preparation of the materials being presented to the Oversight Board. The Successor Agency will request from to the County-Auditor Controller the costs related to administration of the Successor Agency. The Administrative Budget, as prepared by Successor Agency staff, reflects the current estimates for anticipated costs in the views of Successor Agency staff. Costs are as estimated in the proposed Administrative Budget submitted with this report.

ATTACHMENTS/EXHIBITS

Attachment A - Resolution No. 2012-72
Exhibit A - Proposed Administrative Budget for January 1, 2013 through June 30, 2013.

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Concurred by:
Dante Hall
Redevelopment & Neighborhood Programs Administrator

Concurred by:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2012-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY SERVING AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE PROPOSED ADMINISTRATIVE BUDGET AND AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO MAKE MODIFICATIONS THERETO

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011 (which dated has been deemed to be February 1, 2012 pursuant to a decision by the California Supreme Court), and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain

"enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, in connection with the implementation of those provisions of ABX1 26, the Health and Safety Code Section 34177(j) provides, in part, that a Successor Agency is to "Prepare a proposed administrative budget and submit it to the oversight board for its approval", and that such administrative budget is to include: (1) estimated amounts for successor agency administrative costs for the upcoming six-month fiscal period; (2) proposed sources of payment for the items identified in item (1); and (3) proposals for arrangements for administrative and operations services provided by a city or other entity; and

WHEREAS, an oversight board, as provided under ABX1 26 ("Oversight Board") has been established for the former Agency;

WHEREAS, pursuant to ABX1 26 and the implementation thereof, the Sucessor Agency desires to adopt an administrative budget for the period covering January 1, 2013 through June 30, 2013 in the form submitted herewith. The proposed administrative budget is attached hereto, marked as Exhibit "A" and are incorporated herein by reference. By this resolution, the City Council, on behalf of the Successor Agency, approves and authorizes the transmittal of the proposed administrative budget to the Oversight Board;

WHEREAS, given the adoption of ABX1 26, the City Council, on behalf of the City acting in its capacity as Successor Agency to the Agency, has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, in its capacity as Successor Agency to the Agency, and the health, safety, and welfare of the residents of the City, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, SERVING AS THE SUCCESSOR AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That Proposed Administrative Budget (Exhibit "A") is approved for the above-referenced period, together with such augmentation, modification, additions or revisions as the Executive Director of the Successor Agency or his designee may make thereto.

Resolution No. 2012-72
Date Adopted: August 28, 2012

Section 3. The City Clerk shall cause the proposed administrative budget to be transmitted to the Oversight Board.

Section 4. This Resolution shall be effective immediately upon adoption.

Section 5. The City Clerk shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of the Successor Agency

ATTEST:

_____
City Clerk

APPROVE AS TO FORM:

_____
City Attorney

Resolution No. 2012-72
Date Adopted: August 28, 2012

Resolution Jurat

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of April, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

City Clerk

Resolution No. 2012-72
Date Adopted: August 28, 2012

SUCESSOR AGENCY ADMINISTRATIVE BUDGET

79110

Obj. Acct	Sub	Account Description	Period Covering July-December 2012
6100		SALARIES AND BENEFITS	
6110		SALARIES	
6111		Salaries/Exempt	$ 49,201
6114		Salaries/Non-exempt	$ 10,359
6116		Salaries/Part-time	$ 4,380
6111		Salaries Other Staff (temp assigned)	$ 65,427
6124		BENEFITS	$ 17,622
6134		Retirement Plan	$ 271
6136		Annuity Program	$ 903
6138		Medicare Insurance	$ 11,383
6144		Benefit Bank	$ 383
6145		Group Life Insurance	$ 602
6146		ST/ LT Disability	$ 985
6147		Add'l 2, 4, 6% Mgmt Package	$ 1,500
6150		Workers Compensation	$ 4,000
		SALARIES AND BENEFITS	$ 167,015
6253		Audit Services	$ 12,000
6255		Other Profess. Services	$ 25,000
6311		Office Supplies	$ 2,500
6313		Printed Supply	$ 1,430
		OPERATING COSTS	$ 40,930
		TOTALS	$ 207,945

EXHIBIT A

		ROA & Neighborhood Administrator	Sr. Financial Analyst	Sr. Admin Assistant	Sr. Office Assistant	Staff - Temp assigned	Operating Costs	Total		July-Dec 2012 ROPS	Jan-June 2013 ROPS
	Salary Allocation	40%	80%	40%	50%						
	SALARIES										
6111	Salaries/Exempt	37,184	61,218					$ 98,402		$ 49,201	$ 49,201
6114	Salaries/Non-exempt			20,718				$ 20,718		$ 10,359	$ 10,359
6116	Salaries/Part-time				8,759			$ 8,759		$ 4,380	$ 4,380
6111	Salaries Other Staff					154,539		$ 154,539		$ 89,112	$ 65,427
6124	Retirement Plan	10,997	18,112	6,135				$ 35,244		$ 17,622	$ 17,622
6136	Annuity Program	180	362					$ 542		$ 271	$ 271
6138	Medicare Insurance	550	906	350				$ 1,806		$ 903	$ 903
6144	Benefit Bank	5,692	11,382	5,691				$ 22,765		$ 11,383	$ 11,383
6145	Group Life Insurance	238	394	134				$ 766		$ 383	$ 383
6146	ST/ LT Disability	376	619	209				$ 1,204		$ 602	$ 602
6147	Add'l 2, 4, 6% Mgmt Package	743	1,226					$ 1,969		$ 985	$ 985
6,150	Workers Compensation							$ 3,000		$ 1,500	$ 1,500
6,155	Accrued Benefit Liabilities							$ 4,000			$ 4,000
								$ 353,714	Salaries/Ben	$ 186,700	$ 167,015
6253	Audit Services						16,000	$ 16,000		$ 4,000	$ 12,000
6255	Other Profess. Services						70,000	$ 70,000		$ 45,000	$ 25,000
6311	Office Supplies						5,000	$ 5,000		$ 2,500	$ 2,500
6313	Printed Supply						2,800	$ 2,800		$ 1,370	$ 1,430
								$ 93,800	Operating Costs	$ 52,870	$ 40,930
	TOTAL	$ 55,960	$ 94,219	$ 33,237	$ 8,759	$ 154,539	$ 93,800	$ 447,514	Total	$ 239,570	$ 207,945

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in its capacity as the Legislative Body for Community Facilities District No. 7

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: TERMINATION OF AUTHORITY TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 7, IMPROVEMENT AREA NO. 2 OF THE CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the City Council, acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley approve Resolution No. 2012-73 terminating the authority to annex territory to CFD No. 7, Improvement Area No. 2.

ADVISORY COMMITTEE RECOMMENDATION

NA

BACKGROUND

On April 8, 2008, the City Council approved the Acquisition/Financing Agreement ("Agreement") among the City of Moreno Valley ("City"), acting on behalf of itself and Community Facilities No. 7 ("CFD No. 7" or "District") and FR/CAL Moreno Valley, LLC., First Industrial L.P., and FR/CAL Indian Avenue LLC. The Agreement sets forth the legal obligations among all parties regarding their participation in the formation of CFD No. 7, land use entitlements, description of the improvements to be acquired by the City, general guidelines for the construction bidding process, method of payments and ownership/transfers of the public improvements to the City of Moreno Valley and to Riverside County Flood Control District and Water Conservation District ("RCFCD").

On May 13, 2008, the City Council adopted the following resolutions for CFD No. 7:

- Resolution No. 2008-50 to approve the Boundary map showing the boundaries of CFD No. 7;
- Resolution No. 2008-51 to declare the intention to form the District and authorization to levy a special tax to finance the acquisition and construction of certain public improvements;
- Resolution No. 2008-52 to declare the necessity to incur a bonded indebtedness to be secured by special taxes to pay for the acquisition and construction of the defined public improvements;
- Resolution No. 2008-53 adopting a map showing the boundaries of territory proposed to be annexed in the future to CFD No. 7; and
- Resolution No. 2008-54 declaring intention to provide for future annexation of territory to CFD No. 7.

On June 24, 2008, the City Council conducted the Public Hearing and took the following actions:

- Approved and adopted Resolution No. 2008-82 forming and establishing Community Facilities District No. 7 of the City of Moreno Valley, designating improvement areas therein and authorizing submittal of the levy of special taxes within each improvement area;
- Approved and adopted Resolution No. 2008-83 determining the necessity to incur a bonded indebtedness for each improvement area of Community Facilities District No. 7 of the City of Moreno Valley;
- Approved and adopted Resolution No. 2008-84 declaring the results of a special election in such community facilities district;
- Approved and adopted Resolution No. 2008-85 authorizing the annexation of territory in the future to Community Facilities District No. 7 of the City of Moreno Valley; and
- Introduced Ordinance No. 777 authorizing the levy of a special tax in Improvement Area Nos. 1, 2, and 3 of such community facilities district.

A Joint Community Facilities Agreement ("RCFCD JCFA") among the City of Moreno Valley, FR/CAL Moreno Valley, LLC., First Industrial L.P., and FR/CAL Indian Avenue LLC., and the RCFCD was entered into on September 1, 2009. The RCFCD JCFA provides specific requisites, among others, regarding the construction of the improvements, acquisition of the flood control facilities, maintenance, and indemnification stipulation for the property owners, the City, and RCFCD.

At the June 24, 2008, Public Hearing, City Council conducted the special election and formed CFD No. 7 to allow the property owner to finance public improvements through the issuance of CFD bonds. Ordinance No. 777 was introduced authorizing the levy of a special tax in CFD No. 7 to provide funding for any future bond issuance.

DISCUSSION

In an initial request submitted to the City on April 18, 2011, First Industrial L.P. ("Property Owner") the sole property owner within Improvement Area No. 2, expressed the desire to initiate proceedings to dissolve Improvement Area No. 2 of CFD No. 7. The executed Request for and Consent to Dissolution was received by the City on March 21, 2012. As part of the request, the Property Owner has requested the dissolution of Improvement Area No. 2 along with the filing of an Amended Notice of Special Tax Lien to remove any special tax liens from the properties located within Improvement Area No. 2. No Bonds have been issued for Improvement Area No. 2 and no special taxes have been levied by the City.

On May 22, 2012, the City Council introduced Ordinance 846 dissolving CFD No. 7, Improvement Area No. 2. The adoption of the resolution will terminate the authority to annex territory to Community Facilities District No. 7, Improvement Area No. 2 and complete the dissolution of the Improvement Area No. 2.

ALTERNATIVES

1. **Approve** a resolution terminating the authority to annex territory to Community Facilities District No. 7, Improvement Area No. 2. *Terminating the authority to annex territory to Improvement Area No. 2 is the last step in the dissolution of Improvement Area No. 2.*

2. **Do not approve** and adopt the proposed resolution. *This alternative may delay the development of the property.*

FISCAL IMPACT

There is no General Fund impact by the City Council's adoption of the resolution. The property owner shall continue to be responsible for cost related to the dissolution of Improvement Area No. 2 and the installation of any improvements as required through their conditions of approval.

CITY COUNCIL GOALS

Public Facilities and Capital Projects
The dissolution of the Improvement Area No. 2 will allow the property owner to fund the development of the necessary public improvements through alternative financing methods, once the special tax liens have been removed.

SUMMARY

In 2008, at the request of the property owners within CFD No. 7, the City Council adopted the necessary resolutions for the formation of CFD No. 7, Improvement Area Nos. 1, 2, and 3. The City Council also adopted Ordinance 777 authorizing the levy of a

special tax within CFD No. 7. In March 2012, the Property Owner for parcels located within Improvement Area No. 2 submitted an executed Request for and Consent to Dissolution to initiate proceedings to dissolve Improvement Area No. 2 of the CFD. The adoption of the resolution will complete the dissolution of Improvement Area No. 2 of the CFD.

NOTIFICATION

N.A.

ATTACHMENTS

Attachment 1: A Resolution of the City Council of the City of Moreno Valley, California, acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley, terminating the authority to annex territory to Community Facilities District No. 7 for Improvement Areas No. 2

Attachment 2: Property Owner Request for and Consent to the Dissolution

Attachment 3: Map of the Boundaries of Future Annexation Area of Community Facilities District No. 7 for Improvement Areas No. 1, 2, and 3

Attachment 4: CFD No. 7 Report

Prepared by:
Marshall Eyerman,
Special Districts Program Manager

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-73

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY, TERMINATING THE AUTHORITY TO ANNEX TERRITORY IN THE FUTURE TO IMPROVEMENT AREA NO. 2 OF SUCH COMMUNITY FACILITIES DISTRICT

WHEREAS, the City Council of the City of Moreno Valley, California (the "City Council"), previously declared its intention, conducted proceedings and held a public hearing relating to the authorization to annex territory in the future to Community Facilities District No. 7 of the City of Moreno Valley (the "District") and the improvement areas designated therein as Improvement Area No. 1, Improvement Area No. 2 and Improvement Area No. 3 (each, an "Improvement Area" and collectively, the "Improvement Areas") pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Mello-Roos Act"), and specifically Article 3.5 thereof, to finance the proportionate share of the cost of the acquisition or construction of certain flood control facilities allocable to the territory authorized to be annexed in the future to each Improvement Area; and

WHEREAS, on June 24, 2008, following such public hearing, the City Council, acting as the legislative body of the District, adopted its Resolution No. 2008-85 authorizing the annexation in the future of territory to the District and the Improvement Areas, including Improvement Area No. 2 ("Resolution No. 2008-85"); and

WHEREAS, the territory proposed to be annexed in the future to the District and the Improvement Areas thereof is shown on a map approved by the City Council designated as "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California" (the "Future Annexation Map"), a copy of which was filed in the Office of the County Recorder of the County of Riverside on May 16, 2008, as Instrument No. 2008-0265596, in Book 73, at Pages 9 through 11 of the Book of Maps of Assessment and Community Facilities Districts for the County of Riverside; and

WHEREAS, First Industrial, L.P., the current owner of all of the property within Improvement Area No. 2 (the "Owner") of the District, has, on behalf itself and the Owners' members, successors and/or assigns, requested that the City Council undertake proceedings pursuant to the Mello-Roos Act to dissolve Improvement Area No. 2 and thereby terminate the authority of the District to levy special taxes within Improvement Area No. 2 in order to finance the acquisition or construction the flood control facilities required as a condition of approval of the properties located within Improvement Area No. 2 (the "Improvement Area No. 2 Flood Control Facilities"); and

WHEREAS, pursuant to such request the City Council did undertake such proceedings and did enact Ordinance No. 846 dissolving Improvement Area No. 2; and

WHEREAS, as a result of the termination of the authority of the District to levy special taxes within Improvement Area No. 2 to finance the acquisition or construction of the Improvement Area No. 2 Flood Control Facilities, the City Council finds and determines that it would be appropriate to terminate the authority of the District to annex in the future the territory specified in the Future Annexation Map to be annexed to Improvement Area No. 2.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The above recitals are all true and correct.

SECTION 2. Termination of Authority to Annex Territory in the Future. The authority of the District to annex territory in the future to Improvement Area No. 2 pursuant to Article 3.5 of the Mello-Roos Act as approved by Resolution No. 2008-85 is hereby terminated. The termination of such authority shall in no way terminate or modify in any way whatsoever any obligation to construct or contribute to the cost of constructing flood control facilities heretofore or hereafter imposed on any such territory as a condition of approval of the development of such territory.

SECTION 3. Remaining Terms and Conditions of Resolution No. 2008-85. The remaining terms and conditions of Resolution No. 2008-85 shall remain in full force and effect.

SECTION 4. Effective Date. This Resolution shall become effective upon its adoption.

APPROVED AND ADOPTED this 28 day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-73
Date Adopted: August 28, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-73 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 28th day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Resolution No. 2012-73
Date Adopted: August 28, 2012

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MV00175472

CITY OF MORENO VALLEY
COMMUNITY FACILITIES DISTRICT NO. 7

REQUEST FOR AND CONSENT TO DISSOLUTION OF IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY AND ACKNOWLEDGEMENT AND WAIVER RELATED THERETO

TO: CITY COUNCIL
CITY OF MORENO VALLEY, CALIFORNIA

The undersigned does hereby CERTIFY under penalty of perjury, that the following statements are all true and correct:

PROPERTY OWNER ACKNOWLEDGEMENT AND REQUEST

1. The undersigned is a duly authorized representative of First Industrial, L.P. (the "Owner"), a Delaware limited liability company, the owner of that certain real property identified in Attachment A attached hereto and incorporated herein by this reference ("Owner's Property"), and is legally authorized to make the representations and the request, give the acknowledgments and the consents and provide the waivers contained herein on behalf of the Owner.

2. Owner has been informed and is aware of and understands that:

(a) In 2008 the City Council of the City of Moreno Valley (the "City"), acting pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (California Government Code Section 53311 and following) (the "Mello-Roos Act"), formed a community facilities district designated as Community Facilities District No. 7 ("CFD No. 7") and designated three improvement areas therein designated as Improvement Area No. 1, Improvement Area No. 2 and Improvement Area No. 3 (each, an "Improvement Area" and collectively, the "Improvement Areas"). Improvement Area No. 2, one of the three improvement areas designated for CFD No. 7, encompasses the Owner's Property.

(b) CFD No. 7 is authorized to levy special taxes (the "Special Taxes") within boundaries of Improvement Area No. 2 pursuant to the rate and method of apportionment thereof as set forth in the Notice of Special Tax Lien attached as Attachment B hereto (the "Notice of Special Tax Lien") and to issue bonds in a principal amount not to exceed $3,500,000 to be secured by the levy of such Special Taxes (the "Improvement Area No. 2 Special Tax Bonds") for the purpose of financing certain facilities (the "Improvement Area No. 2 Improvements"). The Improvement Area No. 2 Improvements are described in Exhibit A to the Notice of Special Tax Lien. The Special Taxes have, however, never been levied within Improvement Area No. 2 and the Improvement Area No. 2 Special Tax Bonds have never been issued.

(c) The Owner and the City entered into the following agreements:

ATTACHMENT 2

(1) Amended and Restated Acquisition/Financing Agreement made and entered into by and among the City, on behalf of itself and CFD No. 7, and FR/Cal Moreno Valley, LLC, the Owner and FR/Cal Indian Avenue, LLC (the "AFA") which became effective on February 3, 2010;

(2) Joint Community Facilities Agreement by and among the City, the Riverside County Flood Control and Water Conservation District (the "Flood Control District"), FR/Cal Moreno Valley, LLC, the Owner and FR/Cal Indian Avenue, LLC, dated as of September 1, 2009 (the "JCFA"); and

(3) Area Drainage Plan Fee Agreement by and among the City, acting for and on behalf of itself and CFD No. 7; FR/Cal Moreno Valley, LLC; the Owner and FR/Cal Indian Avenue, LLC (the "ADP Agreement") which became effective on February 3, 2010; .

(d) Pursuant to the terms and conditions of the AFA, upon the formation of CFD No. 7 and the subsequent sale of the Improvement Area No. 2 Special Tax Bonds the proceeds of which are authorized to be utilized to acquire the Improvement Area No. 2 Improvements identified in Exhibit B-1 of the AFA and the Owner shall be entitled pursuant to the provisions of the AFA to be paid the Purchase Price (as defined in the AFA) for such Improvement Area No. 2 Improvements.

(e) Pursuant to the terms and conditions of the AFA and the JCFA, the Owner agrees to transfer to the Flood Control District each of the Improvement Area No. 2 Flood Control District Facilities (as defined in the JCFA) and CFD No. 7 agrees to pay the Purchase Price (as defined in the JCFA) for such Improvement Area No. 2 Flood Control District Facilities. The JCFA further provides that the Purchase Price of such Improvement Area No. 2 Flood Control District Facilities is to be paid solely from the proceeds of the Improvement Area No. 2 Special Tax Bonds sold and issued by CFD No. 7 for Improvement Area No. 2 and CFD No. 7 shall not be obligated to pay to Owner the Purchase Price for any such Flood Control District Facilities except from the proceeds of such the Improvement Area No. 2 Special Tax Bonds.

(f) Pursuant to the terms and conditions of the ADP Agreement, Owner is entitled to receive a credit against the Local Component (as defined in the ADP Agreement) of the ADP Fees (as defined in the ADP Agreement) applicable to the Owner's Property as a result of the participation of the Owner's Property in CFD No. 7 to finance the acquisition of the Improvement Area No. 2 Flood Control Facilities (as defined in the ADP Agreement) and Owner's obligation to construct such Improvement Area No. 2 Flood Control Facilities.

3. Owner, on behalf of itself and its members, successors and/or assigns, hereby irrevocably requests that the City dissolve Improvement Area No. 2 and any liens established by the recordation of the Notice of Special Tax Lien (the "Dissolution Request").

4. In making the Dissolution Request, the Owner, on behalf of itself and its members, successor and/or assigns:

(a) voluntarily and knowingly waives any and all Owner's rights and benefits to which Owner may be contractually entitled pursuant to the AFA including, but not limited to, payment by the City and/or CFD No. 7, of the Purchase Price for the Improvement Area No. 2

Street Improvements, or any portion thereof, from the proceeds of the Improvement Area No. 2 Special Tax Bonds or the Special Taxes or any other source of funds of the City and/or CFD No. 7 ("Owner's AFA Waiver");

(b) voluntarily and knowingly waives any and all Owner's rights and benefits to which Owner may be contractually entitled pursuant to the AFA and the JCFA including, but not limited to, payment by the City, CFD No. 7 and/or the County, of the Purchase Price for the Improvement Area No. 2 Flood Control Improvements, or any portion thereof, from the proceeds of the Improvement Area No. 2 Special Tax Bonds or the Special Taxes or any other source of funds of the City, CFD No. 7 and/or the County ("Owner's JCFA Waiver");

(c) voluntarily and knowingly waives any and all Owner's rights and benefits to which Owner may be contractually entitled pursuant to the ADP Agreement, but not limited to, a receipt of a credit against the Local Component or any portion of the ADP Fees applicable to the Owner's Property as a result of the participation of the Owner's Property in CFD No. 7 to the date of dissolution of Improvement Area No. 2 (the "Owner's ADP Agreement Waiver" and together with the Owner's AFA Waiver and the Owner's JCFA Waiver, the "Owner's Waivers");

(d) voluntarily and knowingly waives the obligation, if any, of the City and/or CFD No. 7 to issue the Improvement Area No. 2 Special Tax Bonds or to levy the Special Taxes within CFD No. 7;

(e) voluntarily and knowingly waives any protest, complaint or legal action of any nature whatsoever against the City and/or CFD No. 7 pertaining to the dissolution of Improvement Area No. 2 and any liens established by the recordation of the Notice of Special Tax Lien, the failure to issue the Improvement Area No. 2 Special Tax Bonds or to levy the Special Taxes, or any combination thereof.

(f) acknowledges and understands that the making of this Dissolution Request and the provision of Owner's Waivers and the subsequent dissolution of Improvement Area No. 2 and the dissolution of any liens established by the recordation of the Notice of Special Tax Lien, does not in any way whatsoever absolve, terminate, extinguish, reduce or otherwise modify the obligation of the Owner or any successor or assign of the Owner as the owner of the Owner's Property to construct the public improvements required by the City, the County or any other public agency as a condition of approval of the development of the Owner's Property.

5. Owner has had a reasonable opportunity to consult with and to be advised by Owner's legal counsel regarding the matters contained in this document and the attachments hereto.

This REQUEST FOR AND CONSENT TO DISSOLUTION OF IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 7 AND ACKNOWLEDGEMENT AND WAIVER was executed this 6th day of March, 2012 in EL SEGUNDO, California.

First Industrial, L.P., a Delaware limited liability company

By First Industrial Realty Trust, Inc., a Maryland corporation and its sole general partner

By: [signature]

Name: JEFFREY S. EVANS

Its: Operations Director

MV00175476

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles

On 3/6/12 (Date) before me, Linda M. Bauer, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Jeffrey S. Evans (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

LINDA M. BAUER
NOTARY PUBLIC - CALIFORNIA
COMMISSION # 1951453
LOS ANGELES COUNTY
My Comm. Exp. Oct 7, 2015

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Linda M. Bauer (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

ATTACHMENT A

DESCRIPTION OF OWNER'S PROPERTY

Owner's Property is that real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

Assessor's Parcel No.

316-200-003

316-200-009

316-200-010

316-200-011

316-200-012

316-200-013

316-200-014

316-200-018

316-200-028

316-200-029

ATTACHMENT B

NOTICE OF SPECIAL TAX LIEN

DOC # 2008-0371941
07/08/2008 08:00A Fee:58.00
Page 1 of 17
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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WHEN RECORDED, RETURN TO:

CITY CLERK
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

59
C
010

NOTICE OF SPECIAL TAX LIEN
COMMUNITY FACILITIES DISTRICT NO. 7 OF
THE CITY OF MORENO VALLEY
IMPROVEMENT AREA NO. 2

Pursuant to the requirements of Section 3114.5 of the Streets and Highways Code and Section 53328.3 of the Government Code, the undersigned CITY CLERK of the CITY OF MORENO VALLEY, acting on behalf of COMMUNITY FACILITIES DISTRICT NO. 7 (the "District"), HEREBY GIVES NOTICE that a lien is hereby imposed on taxable property within Improvement Area No. 2 of the District to secure payment of a special tax which the City Council of the City of Moreno Valley, County of Riverside (the "County"), State of California, is authorized to annually levy for the following purpose:

> To pay directly for the types of facilities described in Exhibit A attached hereto and incorporated herein by this reference, to pay debt service on bonds issued to finance the acquisition or construction of such public facilities, to replenish any reserve fund established for such bonds, and to pay the costs of administering such bonds and the District.

The special tax is authorized to be levied within Improvement Area No. 2 of the District and the lien of the special tax is a continuing lien which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied and canceled in accordance with law or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate and method of apportionment of the authorized special tax is as shown on the attached referenced and incorporated Exhibit "B." The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for ad valorem taxes; provided, however, the District may utilize a direct billing procedure for any special taxes that cannot be collected on the County tax roll or may, by resolution, elect to collect the special taxes at a different time or in a different manner if necessary to meet its financial obligations. Conditions under which the obligation to pay the

special tax may be prepaid and permanently satisfied and the lien of the special tax canceled are set forth in Exhibit "B."

Notice is further given that upon the recording of this notice in the Office of the County Recorder, the obligation to pay the special tax levy shall become a lien upon all non-exempt real property within Improvement Area No. 2 of the District in accordance with Section 3115.5 of the Streets and Highways Code.

The (a) names of the owner(s) of the real property included within Improvement Area No. 2 of the District as they appear on the last secured assessment roll as of the date of recording of this Notice and (b) the Assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included within the District are as set forth on the attached, referenced and incorporated Exhibit "C."

Reference is made to the boundary map of the District recorded on May 16, 2008 at Book 73, Pages 6-8, Document No. 2008-0265595 of Maps of Assessment and Community Facilities Districts in the Office of the County Recorder for the County of Riverside, State of California, which map is now the final boundary map of the District.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the following designated person:

SPECIAL DISTRICTS DIVISION,
PUBLIC WORKS DEPARTMENT
CITY OF MORENO VALLEY
14325 FREDERICK STREET, SUITE 9
MORENO VALLEY, CA 92553
(951) 413-3480

DATED: 7/8/08

Jane Halstead
CITY CLERK
CITY OF MORENO VALLEY
STATE OF CALIFORNIA

COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY
IMPROVEMENT AREA NO. 2
NOTICE OF SPECIAL TAX LIEN
EXHIBIT A

DESCRIPTION OF FACILITIES
(IMPROVEMENT AREA NO. 2)

The Facilities proposed to be financed by the District within Improvement Area No. 2 include the following:

Improvement Area No. 2 Improvements:

Facilities to be financed from the proceeds of Bonds issued for Improvement Area No. 2 (the "Improvement Area No. 2 Improvements") include the following subject to modification based upon the City's final conditions of approval of the Improvement Area No. 2 Street Improvements or the final approval of the plans and specifications therefore or the Flood Control District's final conditions of approval of the Improvement Area No. 2 Flood Control Facilities or the final approval of the plans and specifications therefor:

Improvement Area No. 2 Flood Control Facilities: the Master Plan storm drain facilities identified as Perris Valley Laterals B-1 and B-1.2, including all appurtenant box culverts and laterals.

Improvement Area No. 2 Street Improvements:

Nandina Avenue to First Industrial Property Line - The components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, striping, signage, ADA ramps, drive aprons, local depressions and catch basins.

COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY
IMPROVEMENT AREA NO. 2
NOTICE OF SPECIAL TAX LIEN
EXHIBIT B

RATE AND METHOD OF APPORTIONMENT
OF SPECIAL TAX
IMPROVEMENT AREA NO. 2

(see attached)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY

A special tax as hereinafter defined shall be levied on and collected within Improvement Area No. 2 of Community Facilities District No. 7 of the City of Moreno Valley ("IA No. 2") each Fiscal Year commencing in Fiscal Year 2008-2009, in an amount determined by the City Council of the City of Moreno Valley through the application of the appropriate Special Tax for "Developed Property," "Undeveloped Property," "Provisional Property," and "Taxable Public Property" as described below. All of the real property within IA No. 2, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, or other recorded instrument. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560. The minimum Acreage of Taxable Property is determined in accordance with Section I.

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any actual ordinary and necessary expense of the City, or designee thereof or both, to carry out the administration of IA No. 2 related to the determination of the amount of the levy of Special Taxes, the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures, the administration of Bonds, the payment of a proportional share of salaries and benefits of any City employee whose duties are related to the administration of IA No. 2, fees and expenses for counsel, audits, or other amounts needed to pay rebate to the federal government with respect to the Bonds, costs related to complying with continuing disclosure requirements pursuant to applicable federal and state securities law, costs associated with responding to public inquiries regarding IA No. 2 or the Bonds, and costs otherwise incurred in order to carry out the administration of IA No. 2.

"Annexed Property" means Assessor's Parcels originally identified within the Future Annexation Area that have been annexed to IA No. 2.

"Assessor's Parcel" means a lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of IA No. 2.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Bonds" means any obligation to repay a sum of money, including obligations in the form of bonds, notes, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts, or any refunding thereof, to which the Special Tax has been pledged.

"Boundary Map" means the "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 6-8 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Building Permit" means a permit for new construction for a non-residential structure. For purposes of this definition, "Building Permit" shall not include permits for construction or installation of retaining walls, utility improvements, or other such improvements not intended for human habitation.

"Calendar Year" means the period commencing January 1 of any year and ending the following December 31.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes for IA No. 2.

"CFD No. 7" means Community Facilities District No. 7 of the City of Moreno Valley established by the City under the Act.

"City" means the City of Moreno Valley.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 7, or its designee.

"County" means the County of Riverside.

"Developed Property" means all Assessor's Parcels of Taxable Property for which Building Permits were issued on or before June 1 preceding the Fiscal Year for which Special Taxes are being levied, provided that a Final Map for such Assessor's Parcels was recorded on or before January 1 of the prior Fiscal Year for which Special Taxes may be levied.

"Exempt Property" means all Assessor's Parcels within IA No. 2 which are exempt from the Special Taxes pursuant to law or Section I herein.

"Facilities" means those public facilities authorized to be funded by CFD No. 7 as set forth in the formation documents for CFD No. 7.

"Final Map" means a recorded final map, parcel map, or lot line adjustment, evidencing the subdivision of property pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.).

"Fiscal Year" means the period commencing on July 1 of any year and ending the following June 30.

"Future Annexation Area" means all Assessor's Parcels within the future annexation area of IA No. 2 as determined by reference to the boundary map entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 9-11 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Goals and Policies" means the local goals and policies adopted by the City Council concerning the use of the Act that are in effect at the time of formation of CFD No. 7.

"Improvement Area No. 2" or "IA No. 2" means the area within CFD No. 7 designated as Improvement Area No. 2 by reference to the Boundary Map, as such area may be amended by the addition of Annexed Property.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C, which may be levied by CFD No. 7 in any Fiscal Year on an Assessor's Parcel of Taxable Property.

"Partial Prepayment Amount" means the amount required to prepay a portion of the Special Tax obligation for an Assessor's Parcel, as described in Section G.

"Prepayment Amount" means the amount required to prepay the Special Tax obligation in full for an Assessor's Parcel, as described in Section F.

"Proportionately" means, for Developed Property, the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property. For Provisional Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Provisional Property. For Taxable Public Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Public Property.

"Provisional Property" means all Assessor's Parcels identified under Section I, excluding Public Property, that are not classified as Exempt Property because such classification would reduce the total Acreage of all Taxable Property to less than 33.89 Acres.

"Public Property" means any property within the boundaries of IA No. 2 that is owned by or irrecoverably dedicated to the City, the federal government, the State of California, the County, or any other public agency.

"Special Tax" means the special tax authorized to be levied by CFD No. 7 pursuant to the Act to fund the Special Tax Requirement.

"Special Tax Requirement" means the amount required in any Fiscal Year for IA No. 2 to fund: (i) the debt service or the periodic costs on all outstanding Bonds due in the Calendar Year that commences in such Fiscal Year, (ii) Administrative Expenses, (iii) any amount required to establish or replenish any reserve funds established in association with the Bonds, (iv) any delinquencies in the payment of prior years Special Taxes, (v) a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied, and (vi) the acquisition or construction of eligible Facilities, provided that the inclusion of such amount does not cause an increase in the levy of the Special Tax on Undeveloped Property, less (vii) any amount available to pay debt service or other periodic costs on the Bonds as reasonably determined by the CFD Administrator pursuant to the Indenture.

"Taxable Property" means all Assessor's Parcels that are not exempt from the Special Tax pursuant to law or the Rate and Method of Apportionment of Special Tax.

"Taxable Public Property" means all Assessor's Parcels defined as Public Property that are not classified as Exempt Property under Section I because such classification would reduce the total Acreage of all Taxable Property to less than 33.89 Acres.

"Trustee" means the trustee, fiscal agent, or paying agent under the Indenture.

"Undeveloped Property" means all Assessor's Parcels of Taxable Property, exclusive of Annexed Property, which are not classified as Developed Property, Taxable Public Property, or Provisional Property.

B. CLASSIFICATION OF ASSESSOR'S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2008-2009, each Assessor's Parcel shall be classified as Taxable Property or Exempt Property. In addition, each Fiscal Year, each Assessor's Parcel of Taxable Property shall be further classified as Developed Property, Undeveloped Property, Provisional Property, or Taxable Public Property.

C. MAXIMUM SPECIAL TAXES

1. Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property, exclusive of Annexed Property, shall be subject to a Maximum Special Tax equal to $8,287 per Acre.

The Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 2 of CFD No.7. Once Annexed Property exists within IA No. 2 of CFD No. 7, the Maximum Special Tax shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for IA No. 2 ($8,287 per Acre) by the minimum taxable Acreage originally established for IA No. 2 as defined in Section I (33.89 Acres).

[$8,287 x 33.89 = $280,846]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.2.

3) The new Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall equal the result calculated in Step 1, minus the result calculated in Step 2, and then by dividing such amount by the minimum taxable Acreage originally established for IA No. 2 (33.89 Acres).

[$280,846 - Step 2 result]/33.89 =

Maximum Special Tax per Acre for Taxable Property, exclusive of Annexed Property

2. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A.

D. Administrative Adjustments to the Maximum Special Tax

1. Prior to Issuance of Bonds

Prior to the issuance of the first series of Bonds, the CFD Administrator shall calculate the total tax burden for all Assessor's Parcels of Taxable Property, to determine whether or not any reductions are necessary to the Maximum Special Tax rate(s) identified herein in order to comply with the Goals and Policies. In calculating the total tax burden, the CFD Administrator shall (i) refer to the City's Goals and Policies, any market absorption study or price point analysis dated not earlier than 90 days prior to the date of issuance or other such date approved by the City, and any other document available to the City and/or CFD Administrator, and (ii) calculate the total tax burden considering the Maximum Special Tax rates and other governmental liens. The Maximum Special Tax set forth herein may be reduced if it is reasonably determined by the CFD Administrator and/or City, through review of available information related to IA No. 2, that the total tax burden against Taxable Property results in an amount that would reduce the marketability of the Bonds based on consultations with the City's underwriter, financial advisor, and/or other project team consultants engaged by the City. The City will have the final discretion regarding any reduction in the Maximum Special Tax rates identified herein.

If a mandatory Special Tax reduction is implemented, the amount of Bonds that may be issued will be recalculated and shall not exceed an amount in which the Maximum Special Taxes that could be levied on Taxable Property within IA No. 2 in each Fiscal Year, less Administrative Expenses for such Fiscal Year, shall provide no less than 110% coverage on the annual debt service on all Outstanding Bonds, as defined in Section F herein.

2. Subsequent to Issuance of Bonds

If, in any Fiscal Year after the City has issued the first series of Bonds, either (i) a Final Map is proposed to be recorded or (ii) an existing Final Map is proposed to be amended, that will result in a reduction of total Acreage of Taxable Property to less than 33.89 Acres, then a mandatory prepayment must be made in accordance with Sections F and G. The mandatory prepayment must be made by the landowners of those Assessor's Parcel(s) that are the subject of the proposed Final Map or the landowners of those Assessor's Parcel(s) that will be amended by the amended Final Map.

If a mandatory prepayment is required, the mandatory prepayment shall be paid as a requirement to record such new Final Map or amended Final Map.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing in Fiscal Year 2008-2009 and for each subsequent Fiscal Year until terminated, the City Council shall levy Special Taxes on all Taxable Property until the total amount of Special Taxes levied equals the Special Tax Requirement in accordance with the following steps:

Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Annexed Property and each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Two: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Three: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Four: If additional monies are needed to satisfy the Special Tax Requirement after all previous steps have occurred, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section F:

"Facilities Costs" means either $1.73 million, expressed in 2008 dollars, which shall increase by the Construction Inflation Index on January 1, 2009, and on each January 1 thereafter, or such lower numbers as shall be determined either by (a) the CFD Administrator as sufficient to finance the Facilities, or (b) the City Council concurrently with a covenant that it will not issue any more CFD No. 7 Bonds secured by IA No. 2 (except refunding bonds) to be secured by Special Taxes levied under this Rate and Method of Apportionment.

"Construction Inflation Index" means the annual percentage change in the Engineering News-Record Building Cost Index for the City of Los Angeles, measured as of the Calendar Year, which ends in the previous Fiscal Year. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the City that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of Los Angeles.

"Future Facilities Costs" means the Facilities Costs minus that (a) portion of the Facilities Costs previously and actually funded (i) from the proceeds of all previously issued Bonds, (ii) from interest earnings on the Improvement Fund actually earned prior to the date of prepayment and (iii) directly from Special Tax revenues and (b) amount of the proceeds of all previously issued Bonds then on deposit in the Improvement Fund.

"Improvement Fund" means a fund specifically identified in the Indenture to hold funds, which are currently available for expenditure to acquire or construct the Facilities.

"Outstanding Bonds" means all previously issued Bonds secured by the levy of Special Taxes which will remain outstanding after the first interest and/or principal payment date following the current Fiscal Year, excluding Bonds to be redeemed at a later date with the proceeds of prior prepayments of the Maximum Special Tax.

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time that the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor's Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor's Parcel intending to prepay all or a part of the Special Tax obligation shall provide the City with written notice of intent to prepay, and within 10 business days of receipt of such notice, the City shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 7 in calculating the proper amount of a prepayment. Within 30 business days of receipt of such non-refundable deposit, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula (capitalized terms defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance
plus	Administrative Fee
less	Reserve Fund Credit
less	Capitalized Interest Credit
equals	Prepayment Amount

As of the date of prepayment, the Prepayment Amount shall be calculated as follows:

1. For an Assessor's Parcel of Taxable Property, compute the Maximum Special Tax applicable to such Assessor's Parcel.

2. For each Assessor's Parcel intending to prepay, divide the Maximum Special Tax computed pursuant to paragraph 1 for such Assessor's Parcel by the sum of the estimated Maximum Special Tax applicable to all Assessor's Parcels of Taxable Property, excluding the Maximum Special Taxes of any Assessor's Parcels for which the Special Tax obligation has been previously prepaid.

3. For each Assessor's Parcel intending to prepay, multiply the quotient computed pursuant to paragraph 2 by Outstanding Bonds. The product shall be the "Bond Redemption Amount," for such Assessor's Parcels, as applicable.

4. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds on the next available redemption date to be redeemed with the proceeds of the Bond Redemption Amount. This product is the "Redemption Premium."

5. If (a) all the Bonds authorized to be issued by CFD No. 7 for IA No. 2 have not been issued, and (b) the City Council has not restricted its ability to issue additional bonds in the future, then compute the Future Facilities Amount.

6. The "Future Facilities Amount" shall be calculated by multiplying the quotient computed pursuant to paragraph 2, by the amount if any, determined pursuant to paragraph 5. The product shall be the "Future Facilities Amount."

7. Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds, taking into consideration the amount of Special Taxes levied on and paid for the Assessor's Parcel in the current Fiscal Year.

8. Compute the amount the CFD Administrator reasonably expects to be derived from the reinvestment of the Prepayment Amount less the Future Facilities Amount and Administrative Fee (defined in paragraph 10) until the earliest redemption date for the Outstanding Bonds.

9. Subtract the amount computed pursuant to paragraph 8 from the result computed pursuant to paragraph 7. This difference is the "Defeasance."

10. Estimate the administrative fees and expenses associated with the prepayment, including the costs of computation of the Prepayment Amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption. This amount is the "Administrative Fee."

11. Calculate the "Reserve Fund Credit" as the lesser of: (a) the expected reduction in the applicable reserve requirement, if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirement in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the applicable reserve fund on the prepayment date. Notwithstanding the foregoing, if the reserve fund requirement is satisfied by a surety bond or other instrument at the time of the prepayment, then no Reserve Fund Credit shall be given. Notwithstanding the foregoing, the Reserve Fund Credit shall in no event be less than $0.

12. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to step 2 by the expected balance in the capitalized interest fund after such first interest payment (the "Capitalized Interest Credit").

13. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Future Facilities Amount, the Defeasance, and the Administrative Fee, less the Reserve Fund Credit and less the Capitalized Interest Credit.

With respect to the Special Tax obligation that is prepaid pursuant to this Section F, the City Council shall indicate in the records of CFD No. 7 that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such prepayment to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Special Tax shall cease.

Notwithstanding the foregoing, no prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all currently Outstanding Bonds in each future Fiscal Year.

G. PARTIAL PREPAYMENT OF SPECIAL TAX

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be partially prepaid, as calculated in this Section G, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_F - A) \times F + A$$

The terms above have the following meanings:

PP = the Partial Prepayment Amount.

P_F = the Prepayment Amount calculated according to Section F.

F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.

A = Administrative Fees calculated in Section F, step 10

With respect to any Assessor's Parcel that is partially prepaid, the City Council shall indicate in the records of CFD No. 7 that there has been a partial prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such partial prepayment of the Special Tax obligation, to indicate the partial prepayment of the Special Tax obligation and the partial release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such prepaid portion of the Special Tax shall cease.

Notwithstanding the foregoing, no partial prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property after such partial prepayment, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all Bonds outstanding after such partial prepayment in each future Fiscal Year.

H. TERMINATION OF SPECIAL TAX

For each Fiscal Year that any Bonds are outstanding, the Special Tax shall be levied on all Assessor's Parcels of Taxable Property within IA No. 2 in accordance with Section E. If any delinquencies for the Special Tax remain uncollected prior to or after all Bonds are retired, the Special Tax may be levied to the extent necessary to reimburse CFD No. 7 for uncollected Special Taxes, but not later than the 2048-49 Fiscal Year.

I. EXEMPTIONS

The City shall classify as Exempt Property: (i) Public Property, (ii) Assessor's Parcels used or owned exclusively by a property owners' association, or (iii) Assessor's Parcels with public or utility easements, including Assessor's Parcels designated as open space or retention basin, making impractical their utilization for other purposes than those set forth in the easement, provided that such classification would not reduce the Acreage of all Taxable Property to less than 33.89 Acres. Public Property that cannot be classified as Exempt Property will be classified as Taxable Public Property and shall be subject to the Special Tax in accordance with Section E. All other Assessor's Parcels identified within this section that cannot be classified as Exempt Property will be classified as Provisional Property and will be subject to the Special Tax in accordance with Section E.

J. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the City Manager of the City not later than twelve months after having paid the first installment of the Special Tax that is disputed. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made (except for the last year of levy), but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

K. MANNER OF COLLECTION

The annual Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 7 may collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

Exhibit A

IMPROVEMENT AREA NO. 2 OF CITY OF MORENO VALLEY CFD NO. 7 MAXIMUM SPECIAL TAX RATE FOR ANNEXED PROPERTY [1]

Year After Formation	Maximum Special Tax per Acre
1	$674
2	$681
3	$689
4	$697
5	$707
6	$718
7	$729
8	$742
9	$757
10	$773
11	$791
12	$812
13	$835
14	$862
15	$893
16	$928
17	$970
18	$1,019
19	$1,077
20	$1,148
21	$1,235
22	$1,345
23	$1,487
24	$1,678
25	$1,947
26	$2,352
27	$3,029
28	$4,386
29	$8,466

(1) The above Maximum Special Tax rates are based upon the assumed coupon rate of 7.50%, consistent with the other bonding assumptions. These rates will be adjusted based upon the final pricing of the bonds at issuance. Once property is annexed into the CFD, that property's Maximum Special Tax is fixed at the final adjusted amount per acre (after bond issuance) for the year after formation in which the property is annexed.

COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY
IMPROVEMENT AREA NO. 2
EXHIBIT C
NOTICE OF SPECIAL TAX LIEN

PROPERTY OWNER LIST

APN	OWNER
316-200-003	MICHAEL E MALCOM
316-200-009	M4 MANAGEMENT INC
316-200-010	M4 MANAGEMENT INC
316-200-011	GEORGE R ACOSTA
316-200-012	FR CAL NANDINA
316-200-013	MARTIN COVARRUBIAS & GALDINA COVARRUBIAS
316-200-014	GEORGE SCHOFHAUSER & JAY ANN SCHOFHAUSER
316-200-018	SOMCHIT CABE
316-200-028	BRUCE HALE & LISA HALE
316-200-029	HARLEY R KNOX

MV00175496

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SHEET 1 OF 3

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

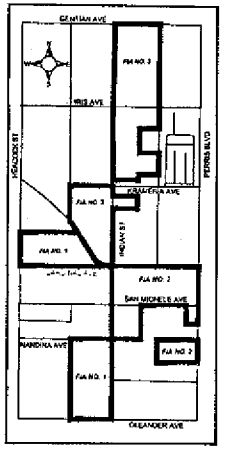

Vicinity Map

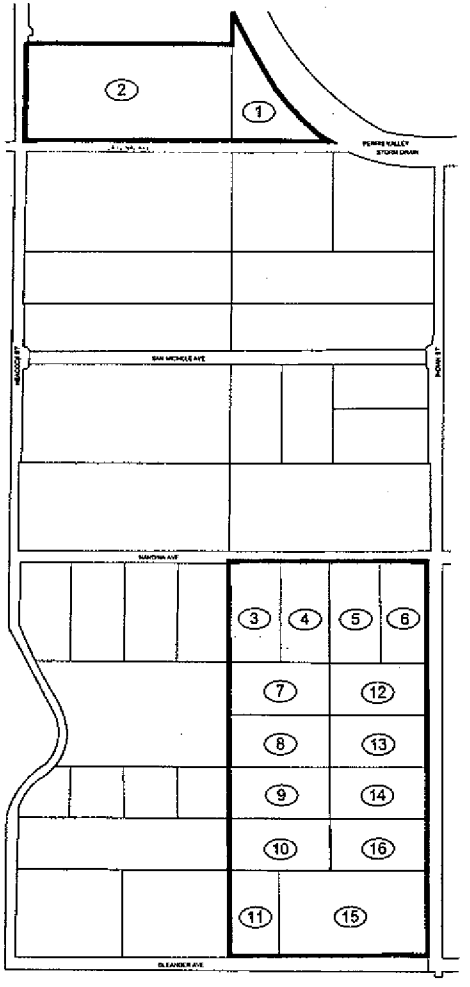

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS 14 DAY OF May 2008.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AT A REGULAR MEETING THEREOF, HELD ON THE 13 DAY OF May, 2008, BY ITS RESOLUTION NO. 2008-53.

Jane Halstead
CITY CLERK
CITY OF MORENO VALLEY

RIVERSIDE COUNTY RECORDER'S CERTIFICATE

FILED THIS 16TH DAY OF MAY, 2008, AT THE HOUR OF 8 O'CLOCK A.M. IN BOOK 73 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) 9-11, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

FEE: $ 13.00

INSTRUMENT NO.: 2008-0265596

LARRY WARD, ASSESSOR-COUNTY CLERK-RECORDER

M. Garcia
BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

ATTACHMENT 3

LEGEND FOR SHEET 1

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 1 OF CFD NO. 7 (FIA NO. 1)

(1) MAP REFERENCE NUMBER

MAP REF NO.	ASSESSOR'S PARCEL NO.
1	315-100-013
2	315-100-045
3	318-210-005
4	315-210-006
5	315-210-007
6	315-210-008
7	315-210-010
8	315-210-011
9	315-210-019
10	315-210-020
11	315-210-026
12	315-210-051
13	315-210-055
14	315-210-057
15	315-210-069
16	315 210-077

MuniFinancial
27368 Via Industria
Suite 110
Temecula, California 92590-3661
Phone (951) 587-3500 Fax (951) 587-3510

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SHEET 2 OF 3

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

LEGEND FOR SHEET 2

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 2 OF CFD NO. 7 (FIA NO. 2)

(1) MAP REFERENCE NUMBER

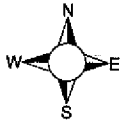

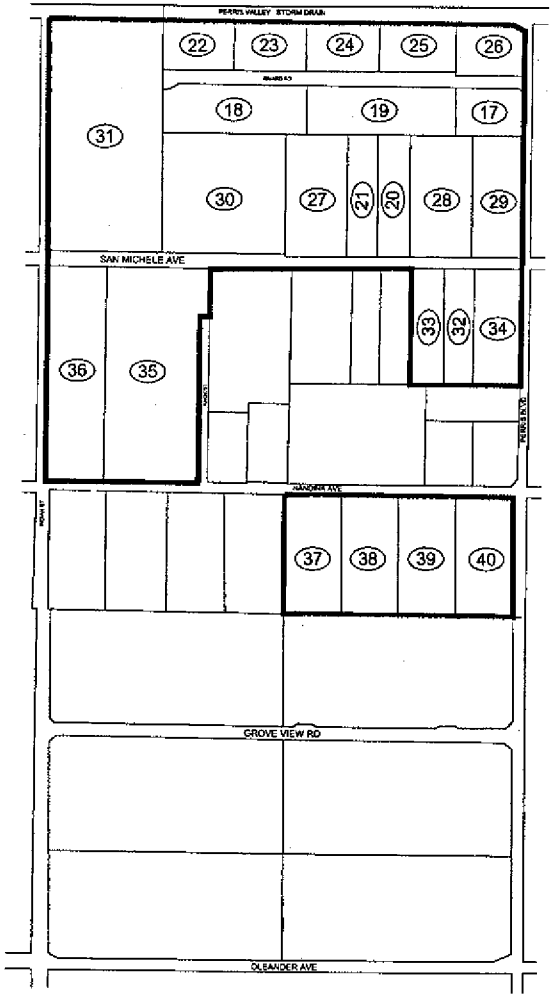

MAP REF NO.	ASSESSOR'S PARCEL NO.
17	316-190-009
18	316-190-011
19	316-190-012
20	316-190-017
21	316-190-018
22	316-190-022
23	316-190-023
24	316-190-024
25	316-190-025
26	316-190-030
27	316-190-035
28	316-190-036
29	316-190-037
30	316-190-043
31	316-190-044
32	316-200-001
33	316-200-015
34	316-200-018
35	316-200-030
36	316-200-031
37	316-210-035
38	316-210-036
39	316-210-037
40	316-210-038

MuniFinancial
27368 Via Industria
Suite 110
Temecula, California 92590-3661
Phone (951) 587-3500 Fax (951) 587-3510

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SHEET 3 OF 3

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

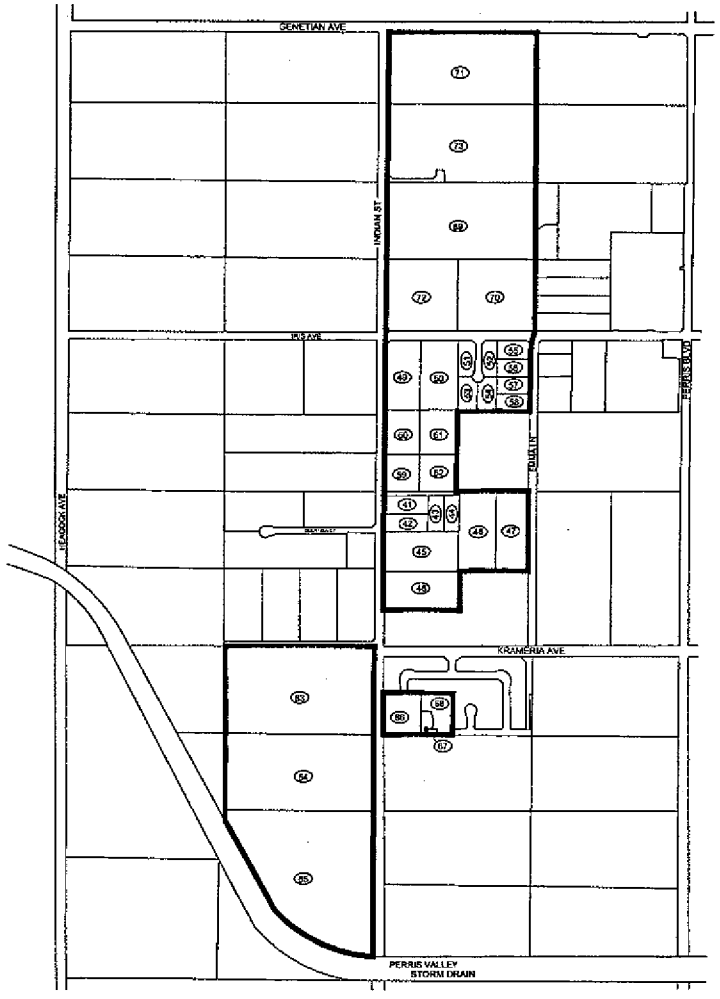

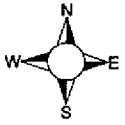

LEGEND FOR SHEET 3

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 3 OF CFD NO. 7 (FIA NO. 3)

(1) MAP REFERENCE NUMBER

MAP REF NO.	ASSESSOR'S PARCEL NO.
41	316-070-020
42	316-070-021
43	316-070-022
44	316-070-023
45	316-070-024
46	316-070-025
47	316-070-026
48	316-070-027
49	316-030-001
50	316-030-002
51	316-030-003
52	316-030-004
53	316-030-005
54	316-030-006
55	316-030-007
56	316-030-008
57	316-030-009
58	316-030-010
59	316-030-016
60	316-030-017
61	316-030-018
62	316-030-019
63	316-100-010
64	316-100-028
65	316-100-030
66	316-110-003
67	316-110-028
68	316-110-031
69	465-220-012
70	465-220-014
71	465-220-023
72	465-220-028
73	465-220-032

MuniFinancial
27368 Via Industria
Suite 110
Temecula, California 92590-3691
Phone (951) 587-3500 Fax (951) 587-3510

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MV00175500

City of Moreno Valley

Community Facilities District No. 7

Community Facilities District Report

MORENO VALLEY
WHERE DREAMS SOAR

June 24, 2008

MuniFinancial

Corporate Office
27368 Via Industria
Suite 110
Temecula, CA 92590
Tel: (951) 587-3500
Fax: (951) 587-3510

Office Locations
Anaheim, CA
Oakland, CA
Lancaster, CA
Temecula, CA
Orlando, FL
Phoenix, AZ
Fresno, CA
Seattle, WA

www.muni.com

ATTACHMENT 4

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C. Description of Facilities 3
D. Rate and Method of Apportionment of Special Tax 6
E. Conclusion 12

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EXHIBIT B – COST ESTIMATES B-1

EXHIBIT C – IMPROVEMENT AREA NO. 1 RMA C-2

EXHIBIT D – IMPROVEMENT AREA NO. 2 RMA D-1

EXHIBIT E – IMPROVEMENT AREA NO. 3 RMA E-1

Introduction

WHEREAS, the City Council of the City of Moreno Valley ("City"), in the County of Riverside and State of California, did, pursuant to the terms and provisions of Chapter 2.5 of Part 1, of Division 2, of Title 5 of the Government Code of the State of California commencing with Section 53311, as amended ("Act"), and specifically Section 53321.5 thereof, expressly order the filing of a written Community Facilities District Report ("Report") with the City for a proposed community facilities district, which shall be referred to as Community Facilities District No. 7 of the City of Moreno Valley, (hereinafter referred to as "CFD No. 7"); and

WHEREAS, the Report generally contains the following:

- A brief description of the Facilities by type, which are authorized to be funded through CFD No. 7 and necessary to meet increased demands and needs placed upon the City or the Riverside County Flood Control and Water Conservation District ("Flood Control District") as a result of development within CFD No. 7;
- An estimate of the cost of financing such Facilities, including incidental expenses, determination of the amount of any Special Tax, collection of any Special Tax, and all other related costs as provided for in Section 53345.3 of the Act; and
- The Rate and Method of Apportionment of the Special Tax ("RMA") for each Improvement Area within CFD No. 7 in sufficient detail to allow each property owner within CFD No. 7 to calculate the Maximum Special Tax that may be levied against their property.

For particulars, reference is made to the Resolution of Intention, Resolution No. 2008-51 as previously approved by the City. All capitalized terms not defined herein are defined within the RMA for each Improvement Area and the Resolution of Intention.

NOW THEREFORE MuniFinancial, the appointed responsible firm directed to prepare the Report, pursuant to the provisions of the Act, does hereby submit the following:

A. Boundaries of CFD No. 7

The boundaries of CFD No. 7 are divided into three separate improvement areas identified as Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3.

1. *Improvement Area No. 1*

Improvement Area No. 1 is an industrial area that encompasses a territory of land (approximately 151.45 acres) generally located north of Nandina Avenue, south of Cardinal Avenue, east of Heacock Street, and west of Indian Street and includes fifteen (15) parcels divided into two zones, Zone 1 and Zone 2. As of the writing of this Report, the parcels within this development are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers 316-170-001, 316-170-002, 316-170-004, 316-170-006, 316-170-007, 316-170-010, 316-170-013, 316-170-014, 316-180-002, 316-180-003, 316-180-005, 316-180-006, 316-180-008, 316-180-009, and 316-180-010.

2. Improvement Area No. 2

Improvement Area No. 2 is an industrial area that encompasses a territory of land (approximately 38.99 acres) generally located east of Improvement Area No. 1 (north of Nandina Avenue, east of Knox Street, west of Perris Boulevard, and south of San Michele Avenue) and includes ten (10) parcels. As of the writing of this Report, the parcels within this development are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers 316-200-003, 316-200-009 through 316-200-014, 316-200-018, and 316-200-028 through 316-200-029.

3. Improvement Area No. 3

Improvement Area No. 3 is an industrial area that encompasses a territory of land (approximately 74.88 acres) generally located north of Improvement Area No. 1 (north of Krameria Road, south of Iris Avenue, and west of Indian Street) and includes twelve (12) parcels. As of the writing of this Report, the parcels within this development are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers 316-020-002 through 316-020-005, and 316-020-012 through 316-020-019.

The boundaries of CFD No. 7 include all properties and parcels on which a Special Tax may be levied to pay for the costs and expenses of the authorized Facilities.

A reduced scale map entitled "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California" is set forth in Exhibit A attached hereto, and incorporated herein by this reference. A full-scale map is on file in the Office of the City Clerk of the City and has been recorded with the County Recorder.

B. Boundaries of Future Annexation Areas

The boundary of the Future Annexation Areas of CFD No. 7 includes all properties and parcels whose runoff is tributary to the Flood Control District Facilities proposed to be financed through the CFD, and which may be subject to the Area Drainage Plan ("ADP") fees once developed or redeveloped. The Future Annexation Areas of CFD No. 7 are composed of three distinct and separate boundaries, which correspond to each of the three Improvement Areas and their related storm drain facilities.

1. Future Annexation Area of Improvement Area No. 1

The Future Annexation Area related to Improvement Area No. 1 (FIA No. 1) of CFD No. 7 encompasses two noncontiguous territories of land, totaling approximately 206.16 acres. One of the two territories is generally located north of Cardinal Avenue, east of Heacock Street, and west of the Perris Valley Storm Drain. The second of the two territories is generally located south of Nandina Avenue, west of Indian Street, and north of Oleander Avenue. Collectively, FIA No. 1 includes sixteen (16) parcels. As of the writing of this Report, the parcels within FIA No. 1 are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers: 316-100-013, 316-100-045, 316-210-005 though 316-210-008, 316-210-010, 316-210-011, 316-210-019, 316-210-020, 316-210-026, 316-210-051, 316-210-055, 316-210-057, 316-210-069 and 316-210-077.

2. Future Annexation Area of Improvement Area No. 2

The Future Annexation Area related to Improvement Area No. 2 (FIA No. 2) of CFD No. 7 encompasses two noncontiguous territories of land, totaling approximately 122.83 acres. One of the two territories is generally located east of Indian Street, west of Perris Boulevard, north of Nandina Avenue, and south of the Perris Valley Storm Drain. The second of the two territories is generally located south of Nandina Avenue, north of Grove View Drive, west of Perris Boulevard, and east of Indian Street. Collectively, FIA No. 2 includes twenty-four (24) parcels. As of the writing of this Report, the parcels within FIA No. 2 are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers: 316-190-009, 316-190-011, 316-190-012, 316-190-017, 316-190-018, 316-190-022 through 316-190-025, 316-190-030, 316-190-035 through 316-190-037, 316-190-043, 316-190-044, 316-200-001, 316-200-015, 316-200-019, 316-200-030, 316-200-031 and 316-210-035 through 316-210-038.

3. Future Annexation Area of Improvement Area No. 3

The Future Annexation Area related to Improvement Area No. 3 (FIA No. 3) of CFD No. 7 encompasses two noncontiguous territories of land, totaling approximately 206.16 acres. One of the two noncontiguous territories is generally located northeast of the Perris Valley Strom Drain, south of Krameria Avenue, and west of Indian Street, but also including 3 parcels east of Indian Street. The second of the two territories is generally located south of Genetian Avenue, north of Krameria Avenue, west of Indian Street, and east of Emma Lane. Collectively, FIA No. 3 includes thirty-three (33) parcels. As of the writing of this Report, the parcels within FIA No. 3 are identified by the Riverside County Assessor's Office as Assessor's Parcel Numbers: 316-020-020 through 316-020-027, 316-030-001 through 316-030-010, 316-030-016 through 316-030-019, 316-100-010, 316-100-028, 316-100-030, 316-110-003, 316-110-020, 316-110-021, 485-220-012, 485-220-014, 485-220-023, 485-220-028 and 485-220-032.

A reduced scale map entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California" is set forth in Exhibit A attached hereto, and incorporated herein by this reference. A full-scale map is on file in the Office of the City Clerk of the City and has been recorded with the Riverside County Recorder.

C. Description of Facilities

CFD No. 7 is being formed to finance facilities authorized by the Act and necessary to meet increased demands and needs placed upon the City or the Flood Control District as a result of development within CFD No. 7. The facilities authorized for CFD No. 7 are generally described as the Improvement Area No. 1 Improvements, Improvement Area No. 2 Improvements, and Improvement Area No. 3 Improvements (collectively the "Facilities"), set forth in the following sections of this Report. The storm drain facilities will be owned by the Flood Control District and a Joint Community Facilities Agreement will be executed between the City and the Flood Control District as part of these proceedings. A detailed cost estimate of the Facilities is provided in Exhibit B attached hereto and incorporated herein by this reference.

1. Improvement Area No. 1 Improvements:

Improvements to be financed from the proceeds of bonds issued for Improvement Area No. 1 (the "Improvement Area No. 1 Improvements") include the following, subject to modification based upon the City's final conditions of approval of the Improvement Area No. 1 Street Improvements (as defined below) or the final approval of the Plans and Specifications, or the Flood Control District's final conditions of approval of the Improvement Area No. 1 Flood Control Facilities (as defined below) or the final approval of the plans and specifications.

a. Improvement Area No. 1 Street Improvements:

1. Nandina Avenue will be improved from Heacock Street to Indian Street – North Side – the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, traffic signals and appurtenances (at the intersections of Indian Street/Nandina Avenue), striping, signage, ADA ramps, drive aprons, local depressions and catch basins.
2. Heacock Street will be improved from Nandina Street to Komar Property Line – the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, traffic signals and appurtenances (as the intersection of Heacock Street and San Michele Avenue), local depressions and catch basins.
3. Traffic signal installation at the intersection of Indian Street and San Michele Avenue.

b. Improvement Area No. 1 Flood Control Facilities:

The Master Plan storm drain facilities identified as Perris Valley Lateral B-3a through B-3g and Lateral B-3.2, including all appurtenant box culverts, appurtenant laterals, and utility relocations necessary to implement the work.

2. Improvement Area No. 2 Improvements:

Improvements to be financed from the proceeds of bonds issued for Improvement Area No. 2 (the "Improvement Area No. 2 Improvements") include the following subject to modification based upon the City's final conditions of approval of the Improvement Area No. 2 Street Improvements (as defined below) or the final approval of the Plans and Specifications, or the Flood Control District's final conditions of approval of the Improvement Area No. 2 Flood Control Facilities (as defined below) or the final approval of the plans and specifications.

a. Improvement Area No. 2 Street Improvements:

Nandina Avenue to First Industrial Property Line - the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, striping, signage, ADA ramps, drive aprons, local depressions and catch basins.

b. Improvement Area No. 2 Flood Control Facilities:

The Master Drainage Plan for storm drain facilities identified as Perris Valley Laterals B-1 and B-1.2, including all appurtenant box culverts and laterals.

3. Improvement Area No. 3 Improvements:

Improvements to be financed from the proceeds of bonds issued for Improvement Area No. 3 ("Improvement Area No. 3 Improvements") include the following subject to modification based upon the City's final conditions of approval of the Improvement Area No. 3 Street and Utility Improvements (as defined below) or the final approval of the Plans and Specifications, or the Flood Control District's final conditions of approval of the Improvement Area No. 3 Flood Control Facilities (as defined below) or the final approval of the plans and specifications.

a. Improvement Area No. 3 Street Improvements:

1. Indian Street from Iris Avenue to Krameria Avenue - the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, traffic signals and appurtenances (at the intersections of Indian Street and Iris Avenue and Indian Street and Krameria Avenue) striping, signage, ADA ramps, drive aprons, local depressions and catch basins.
2. Iris Avenue from Street "A" to Indian Street - the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, traffic signals and appurtenances (at the intersections of Iris Avenue and Future Street) striping, signage, ADA ramps, drive aprons, local depressions and catch basins.
3. Street "A" from Iris Avenue to Krameria Avenue - the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, striping, signage, ADA ramps, drive aprons, local depressions and catch basins.
4. Krameria Avenue from Indian Street to Street "A" - the components of this Street Improvement will include but not be limited to curb and gutter, sidewalk, structural section and paving of roadways, street lighting, striping, signage, ADA ramps, drive aprons, local depressions and catch basins.

b. Improvement Area No. 3 Utility Improvements:

Undergrounding of overhead utilities adjacent to or in the Street Improvements for Indian Street described above.

c. Improvement Area No. 3 Flood Control Facilities:

The Master Drainage Plan for storm drain facilities identified as Sunnymead Line D-1, including all appurtenant box culverts and laterals.

D. Rate and Method of Apportionment of Special Tax

The Resolution of Intention sets forth the RMA for each Improvement Area within CFD No. 7, which allows each property owner within CFD No. 7 to calculate the maximum annual amount that would be required for payment if a Special Tax were levied. **The information detailed in this section is a general summary of the RMA for each Improvement Area within CFD No. 7, and is not intended to be, nor interpreted as, complete or authoritative versions of the RMA for each Improvement Area.** The RMAs related to Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 are set forth in Exhibits C, D, and E, respectively, attached hereto, and incorporated herein by this reference. Defined terms in section D of this report are used as defined per the respective RMAs.

Maximum Special Taxes

A. Improvement Area No. 1

1. Zone 1

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property within Zone 1 shall be subject to a Maximum Special Tax equal to $7,999 per Acre. The Maximum Special Tax for Taxable Property within Zone 1 shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to Improvement Area No. 1 (IA No. 1), or if there is an adjustment to the Special Tax in accordance with Section D of the RMA for IA No. 1. The Maximum Special Tax for Taxable Property within Zone 1 shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax within Zone 1, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for Zone 1 ($7,999 per Acre) by the minimum taxable Acreage originally established for Zone 1 (47.92 Acres).

[$7,999 x 47.92 = $383,312]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.3 of the RMA for IA No. 1.

3) The new Maximum Special Tax for Taxable Property within Zone 1 shall equal the result calculated in Step 1, minus the result calculated in Step 2 multiplied by 49.44%, and then by dividing such amount by the minimum taxable Acreage originally established for Zone 1 (47.92 Acres), exclusive of Annexed Property.

[$383,312 – (Step 2 result * 0.4944)]/47.92 =
Maximum Special Tax per Acre for Taxable Property within Zone 1

2. Zone 2

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property within Zone 2 shall be subject to a Maximum Special Tax equal to $4,750 per Acre. The Maximum Special Tax for Taxable Property within Zone 2 shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 1, or if there is an adjustment to the Special Tax in accordance with Section D of the RMA for IA No. 1. The Maximum Special Tax for Taxable Property within Zone 2 shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax within Zone 2, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for Zone 2 ($4,750 per Acre) by the minimum taxable Acreage for Zone 2 (82.53 Acres).

[$4,750 x 82.53 = $392,018]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.3 of the RMA for IA No. 1.

3) The new Maximum Special Tax for Taxable Property within Zone 2 shall equal the result calculated in Step 1, minus the result calculated in Step 2 multiplied by 50.56%, and then by dividing such amount by the minimum taxable Acreage originally established for Zone 2 (82.53 Acres), exclusive of Annexed Property.

[$392,018 – (Step 2 result * 0.5056)]/82.53 =
Maximum Special Tax per Acre for Taxable Property within Zone 2

3. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A of the RMA for IA No. 1, which is attached as Exhibit C and incorporated herein by reference.

B. Improvement Area No. 2

1. Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property, exclusive of Annexed Property, shall be subject to a Maximum Special Tax equal to $8,287 per Acre.

The Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to Improvement Area No. 2 (IA No. 2) of CFD No.7. Once Annexed Property exists within IA No. 2 of CFD No. 7, the Maximum Special Tax shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for IA No. 2 ($8,287 per Acre) by the minimum taxable Acreage originally established for IA No. 2 (33.89 Acres).

[$8,287 x 33.89 = $280,846]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.2 of the RMA for IA No. 2.

3) The new Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall equal the result calculated in Step 1, minus the result calculated in Step 2, and then by dividing such amount by the minimum taxable Acreage originally established for IA No. 2 (33.89 Acres).

[$280,846 - Step 2 result]/33.89 =

Maximum Special Tax per Acre for Taxable Property, exclusive of Annexed Property

2. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A of the RMA for IA No. 2, which is attached as Exhibit D and incorporated herein by reference.

C. *Improvement Area No. 3*

1. *Taxable Property*

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property, exclusive of Annexed Property, shall be subject to a Maximum Special Tax equal to $5,769 per Acre.

The Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to Improvement Area No. 3 (IA No. 3) of CFD No.7. Once Annexed Property exists within IA No. 3 of CFD No. 7, the Maximum Special Tax shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for IA No. 3 ($5,769 per Acre) by the minimum taxable Acreage originally established for IA No. 3 (65.19 Acres).

[$5,769 x 65.19 = $376,081]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.2 of the RMA for IA No. 3.

3) The new Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall equal the result calculated in Step 1, minus the result calculated in Step 2, and then by dividing such amount by the minimum taxable Acreage originally established for IA No. 3 (65.19 Acres).

[$376,081 - Step 2 result]/65.19 =

Maximum Special Tax per Acre for Taxable Property, exclusive of Annexed Property

2. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A of the RMA for IA No. 3, which is attached as Exhibit E and incorporated herein by reference.

Administrative Adjustments to the Maximum Special Tax

1. Prior to Issuance of Bonds

Prior to the issuance of the first series of Bonds, for each respective Improvement Area, the CFD Administrator shall calculate the total tax burden for all Assessor's Parcels of Taxable Property within the applicable Improvement Area, to determine whether or not any reductions are necessary to the Maximum Special Tax rate(s) for the applicable Improvement Area identified herein in order to comply with the Goals and Policies. If a mandatory Special Tax reduction is implemented, the same percent reduction shall be applied to the Maximum Special Tax for each Zone, if applicable, exclusive of the Maximum Special Tax for Annexed Property, and the City Council shall cause an "Amended Notice of Special Tax Lien" to be recorded in compliance with the Act. The amount of Bonds that may be issued for the applicable Improvement Area will be recalculated and shall not exceed an amount, in which, the Maximum Special Taxes that could be levied on Taxable Property within the applicable Improvement Area in each Fiscal Year, less Administrative Expenses for such Fiscal Year, shall provide no less than 110% coverage on the annual debt service on all Outstanding Bonds associated with such Improvement Area.

2. Subsequent to Issuance of Bonds

If, in any Fiscal Year after the City has issued the first series of Bonds, either (i) a Final Map is proposed to be recorded or (ii) an existing Final Map is proposed to be amended, that will result in a reduction of total Acreage of Taxable Property within the applicable Improvement Area to less than the amount identified in Section I of the applicable RMA for such Improvement Area, then a mandatory prepayment must be made in accordance with the Prepayment provisions as set forth under Sections F and G of the RMA for the applicable Improvement Area. The mandatory prepayment must be made by the landowners of those Assessor's Parcel(s) that are the subject of the proposed Final Map or the landowners of those Assessor's Parcel(s) that will be amended by the amended Final Map.

If a mandatory prepayment is required, the mandatory prepayment shall be paid as a requirement to record such new Final Map or amended Final Map.

Method of Apportionment

Special Taxes within each Improvement Area shall be levied to satisfy each Improvement Area's respective Special Tax Requirement, in accordance with the following procedures. Commencing in Fiscal Year 2008-2009 and for each subsequent Fiscal Year until terminated, the City Council shall levy Special Taxes on all Taxable Property within each Improvement Area, independent of the other two Improvement Areas, until the total amount of Special Taxes levied within such Improvement Area equals the applicable Special Tax Requirement in accordance with the following steps:

Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Annexed Property and each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Two: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Three: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Four: If additional monies are needed to satisfy the Special Tax Requirement after all previous steps have occurred, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Prepayment of Special Tax

The Special Tax obligation of an Assessor's Parcel of Taxable Property within CFD No. 7 may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time that the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor's Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor's Parcel intending to prepay all or a part of the Special Tax obligation shall provide the City with written notice of intent to prepay, and within 10 business days of receipt of such notice, the City shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 7 in calculating the proper amount of a prepayment. Within 30 business days of receipt of such non-refundable deposit, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula:

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance
plus	Administrative Fee
less	Reserve Fund Credit
less	Capitalized Interest Credit
equals	Prepayment Amount

The Special Tax obligation of an Assessor's Parcel of Taxable Property may also be partially prepaid, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_F - A) \times F + A$$

The terms above have the following meanings:

PP = the Partial Prepayment Amount.

P_F = the Prepayment Amount calculated above.

F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.

A = Administrative Fees

Termination of Special Tax

For each Fiscal Year that any Bonds are outstanding for the applicable Improvement Area, the Special Tax shall be levied on all Assessor's Parcels of Taxable Property within such Improvement Area. If any delinquencies for the Special Tax remain uncollected prior to or after all Bonds are retired, the Special Tax may be levied to the extent necessary to reimburse CFD No. 7 for uncollected Special Taxes, but not later than the 2048-49 Fiscal Year

Exemptions

The City shall classify as Exempt Property: (i) Public Property, (ii) Assessor's Parcels used or owned exclusively by a property owners' association, or (iii) Assessor's Parcels with public or utility easements, including Assessor's Parcels designated as open space or retention basin, making impractical their utilization for other purposes than those set forth in the easement, provided that such classification would not reduce the Acreage of all Taxable Property within Improvement Area No. 1 to less than 47.92 Acres within Zone 1, or to less than 82.53 Acres within Zone 2; within Improvement Area No. 2, to less than 33.89 Acres; and within Improvement Area No. 3, to less than 65.19 Acres. Public Property that cannot be classified as Exempt Property will be classified as Taxable Public Property and shall be subject to the applicable Maximum Special Tax. All other Assessor's Parcels identified within this section that cannot be classified as Exempt Property will be classified as Provisional Property and will be subject to the applicable Maximum Special Tax.

E. Conclusion

Based on information provided by, and discussions with, the City, Flood Control District, and the property owners, the Facilities are authorized to be financed by the Act and are necessary as a result of development occurring within the boundaries of CFD No. 7. Further, it is my opinion that the Special Taxes per the RMAs for Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 as set forth in Exhibits C, D, and E, respectively, are equitable and are not discriminatory or arbitrary and permits a purchaser of property subject to the Special Tax sufficient means of determining their obligation.

MuniFinancial

By: Chris Fisher, Principal Consultant

Exhibit A – Description of Boundaries

Boundaries of CFD No. 7

The boundaries of CFD No. 7 is comprised of three separate Improvement Areas which will be shown on that certain map to be kept on file in the Office of the City Clerk entitled "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California." This map indicates, by a boundary line, the extent of the territory included in CFD No. 7 at the time of the formation of CFD No. 7. The parcels of real property within CFD No. 7 are described more particularly on the Assessor Parcel Maps that are on file in the office of the Riverside County Assessor or on Maps filed with the County Recorder in connection with lot line adjustments and are incorporated into this Report by reference.

A reduced copy of the boundary map follows. The original of such map has been recorded in the records of the County Recorder, County of Riverside, State of California, recorded May 16, 2008 as Instrument No. 2008-0265595, in Book 73 Pages 6-8 of Maps of Assessment and Community Facilities Districts.

Boundaries of Future Annexation Area of CFD No. 7

The boundaries of the Future Annexation Area of CFD No. 7 is comprised of three separate Improvement Areas which will be shown on that certain map to be kept on file in the Office of the City Clerk entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California." This map indicates, by a boundary line, the extent of the future territory included in CFD No. 7 upon annexation. The parcels of real property within CFD No. 7 are described more particularly on the Assessor Parcel Maps that are on file in the office of the Riverside County Assessor or on Maps filed with the County Recorder in connection with lot line adjustments and are incorporated into this Report by reference.

A reduced copy of the boundary map follows. The original of such map has been recorded in the records of the County Recorder, County of Riverside, State of California, recorded May 16, 2008 as Instrument No. 2008-0265596, in Book 73 Pages 9-11 of Maps of Assessment and Community Facilities Districts.

SHEET 1 OF 3

MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

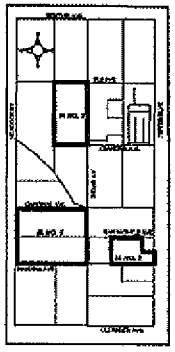

Vicinity Map

MAP REFERENCE	ASSESSOR'S PARCEL NO.
1	[illegible]
2	[illegible]
3	[illegible]
4	[illegible]
5	[illegible]
6	[illegible]
7	[illegible]
8	[illegible]
9	[illegible]
10	[illegible]
11	[illegible]
12	[illegible]
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14	[illegible]
15	[illegible]

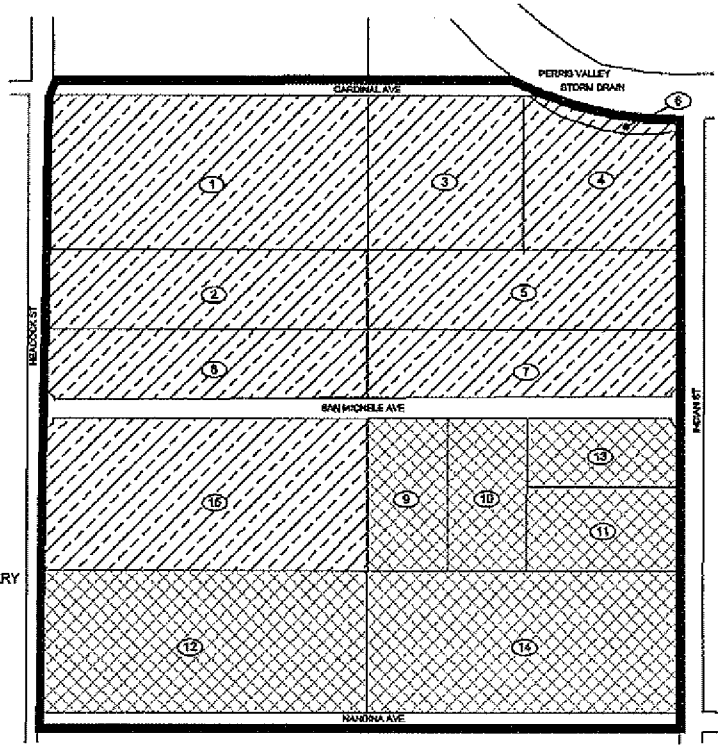

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____ 2006.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 7, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2006, BY ITS RESOLUTION NO. _____

_____
CITY CLERK
CITY OF MORENO VALLEY

RIVERSIDE COUNTY RECORDER'S CERTIFICATE

FILED THIS _____ DAY OF _____, 2006, AT THE HOUR OF _____ O'CLOCK, ____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) _____, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

FEE: _____

INSTRUMENT NO.: _____

LARRY WARD, ASSESSOR-COUNTY CLERK-RECORDER

_____
BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

LEGEND FOR SHEET 1

- IMPROVEMENT AREA NO. 1 (IA NO. 1) BOUNDARY
- (1) MAP REFERENCE NUMBER
- ZONE 1
- ZONE 2

MuniFinancial

SHEET 2 OF 3

MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

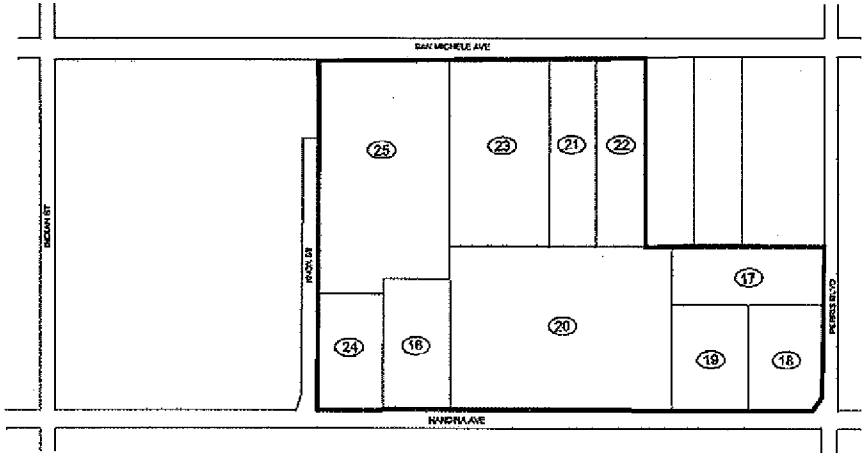

MAP REF NO.	ASSESSOR'S PARCEL NO.
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17	316-200-009
18	316-200-010
19	316-200-011
20	316-200-012
21	316-200-013
22	316-200-014
23	316-200-015
24	316-200-028
25	316-200-029

LEGEND FOR SHEET 2

IMPROVEMENT AREA NO. 2 (IA NO. 2) BOUNDARY

(1) MAP REFERENCE NUMBER

MuniFinancial

MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

SHEET 3 OF 3

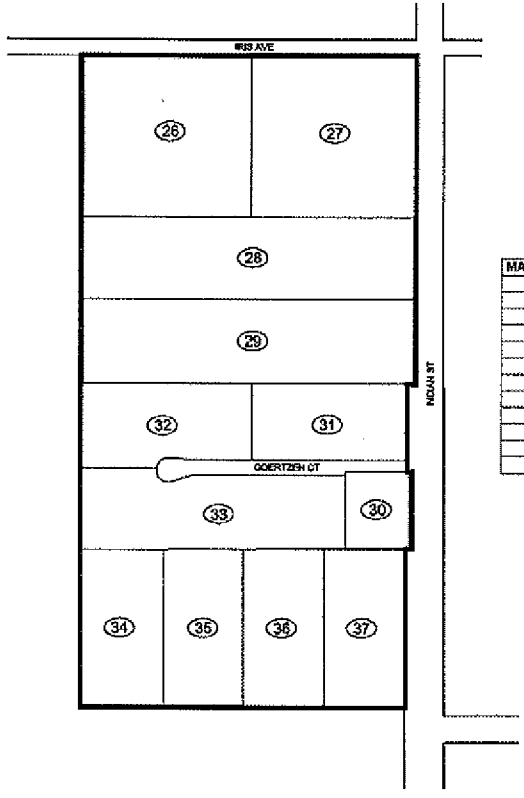

LEGEND FOR SHEET 3

IMPROVEMENT AREA NO. 3 (IA NO. 3) BOUNDARY

(1) MAP REFERENCE NUMBER

MAP REF NO.	ASSESSOR'S PARCEL NO.
26	316-020-002
27	316-020-003
28	316-020-004
29	316-020-005
30	316-020-012
31	316-020-013
32	316-020-014
33	316-020-015
34	316-020-016
35	316-020-017
36	316-020-018
37	316-020-019

MuniFinancial

SHEET 1 OF 3

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

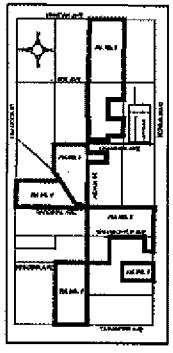

Vicinity Map

LEGEND FOR SHEET 1

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 1 OF CFD NO. 7 (FIA NO. 1)

(1) MAP REFERENCE NUMBER

MAP REF. NO.	ASSESSOR'S PARCEL NO.
1	316-[illegible]
2	316-[illegible]
3	316-[illegible]
4	316-[illegible]
5	316-[illegible]
6	316-[illegible]
7	316-[illegible]
8	316-[illegible]
9	316-[illegible]
10	316-[illegible]
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12	316-[illegible]
13	316-[illegible]
14	316-[illegible]
15	316-[illegible]
16	316-[illegible]

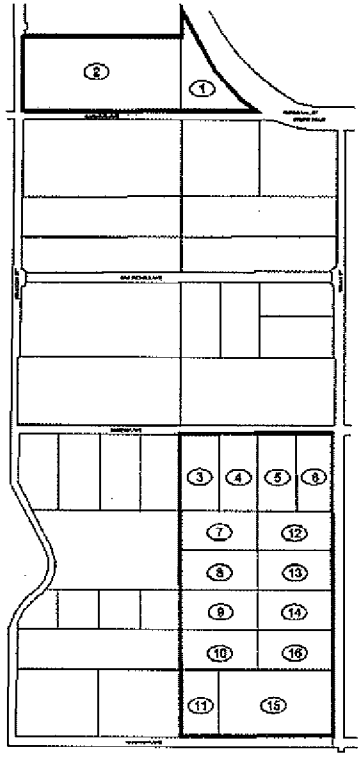

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____ 2006.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2006, BY ITS RESOLUTION NO. _____.

_____
CITY CLERK
CITY OF MORENO VALLEY

RIVERSIDE COUNTY RECORDER'S CERTIFICATE

FILED THIS _____ DAY OF _____, 2006, AT THE HOUR OF _____ O'CLOCK ___ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) _____, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

FEE: _____

INSTRUMENT NO.: _____

LARRY WARD, ASSESSOR-COUNTY CLERK-RECORDER

_____
BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

MuniFinancial

SHEET 2 OF 3

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

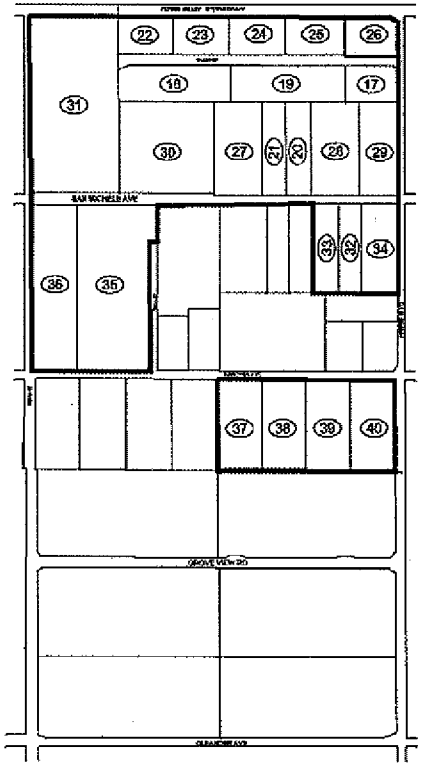

LEGEND FOR SHEET 2

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 2 OF CFD NO. 7 (FIA NO. 2)

(1) MAP REFERENCE NUMBER

MAP REF NO.	ASSESSOR'S PARCEL NO.
17	[illegible]
18	[illegible]
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29	[illegible]
30	[illegible]
31	[illegible]
32	[illegible]
33	[illegible]
34	[illegible]
35	[illegible]
36	[illegible]
37	[illegible]
38	[illegible]
39	[illegible]
40	[illegible]

MuniFinancial

SHEET 3 OF 3

MAP OF PROPOSED BOUNDARIES OF FUTURE ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 7

CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

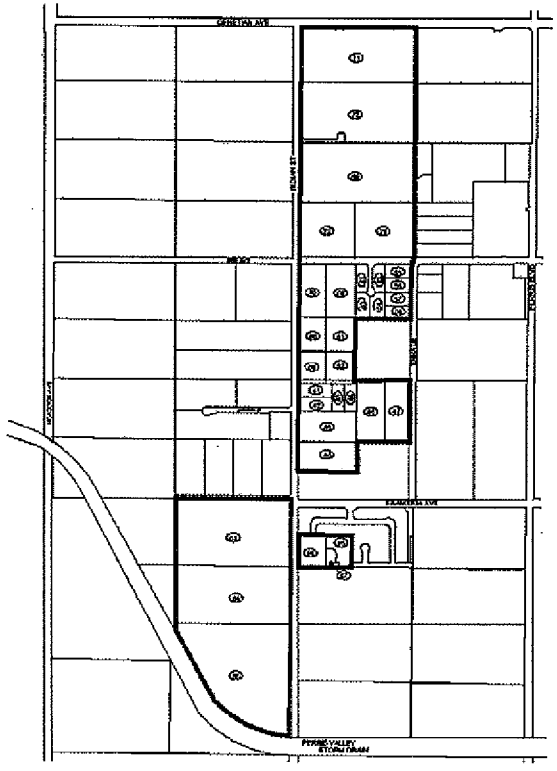

LEGEND FOR SHEET 3

BOUNDARIES OF FUTURE ANNEXATION AREA OF IA NO. 3 OF CFD NO. 7 (FIA NO. 3)

(1) MAP REFERENCE NUMBER

MAP REF NO	ASSESSOR'S PARCEL NO
41	[illegible]
42	[illegible]
43	[illegible]
44	[illegible]
45	[illegible]
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69	[illegible]
70	[illegible]
71	[illegible]
72	[illegible]
73	[illegible]

MuniFinancial

Exhibit B – Cost Estimates

Facilities

It is proposed that CFD No. 7 incur bonded indebtedness, secured by the levy of the Special Tax within CFD No. 7, for the purpose of financing the authorized Facilities within CFD No. 7. The list below should not be interpreted as a hierarchy of which Facilities should be financed first. The priority of the Facilities proposed to be financed shall be determined by the City.

Description	Total Fees, Facilities, and Incidental Costs	Improvement Area 1	Improvement Area 2	Improvement Area 3
CFD Hard Cost				
Storm Drain	$ 6,187,394	$ 3,600,000	$ 1,300,394	$ 1,287,000
Gas Line Relocation for Storm Drain	125,000	125,000	-	-
Street / ROW Improvements	1,627,813	985,906	-	641,907
SUBTOTAL	7,940,207	4,710,906	1,300,394	1,928,907
Hard Cost Contingency (@ 10.00%)	794,021	471,091	130,039	192,891
TOTAL HARD COST	**8,734,228**	**$ 5,181,997**	**$ 1,430,433**	**$ 2,121,798**
CFD Soft Cost				
Civil Engineering (@3.00%)	238,206	141,327	39,012	57,867
Construction Staking (@1.00%)	79,402	47,109	13,004	19,289
Fees-General Contractor (@8.00%)	698,738	414,560	114,435	169,744
General Conditions (@3.00%)	262,027	155,460	42,913	63,654
Landscape Architect	-	-	-	-
Plan check & Permits (@3.00%)	238,206	141,327	39,012	57,867
Soils/Materials Testing (@1.00%)	79,402	47,109	13,004	19,289
SUBTOTAL	1,595,982	946,892	261,379	387,710
Soft Cost Contingency (@2.00%)	31,920	18,938	5,228	7,754
TOTAL SOFT COST	**$ 1,627,901**	**$ 965,830**	**$ 266,607**	**$ 395,465**
TOTAL IMPROVEMENT COSTS	**$ 10,362,129**	**$ 6,147,827**	**$ 1,697,040**	**$ 2,517,262**
Incidental Cost				
Reserve Fund	1,165,410	659,258	209,767	296,385
Capitalized Interest	1,121,418	597,445	225,624	298,349
Underwriter Discount	276,374	157,974	49,069	69,331
Cost of Issuance	977,500	439,000	248,000	290,500
TOTAL INCIDENTAL COSTS	**$ 3,540,701**	**$ 1,853,676**	**$ 732,460**	**$ 954,565**
TOTAL COSTS	**$ 13,902,830**	**$ 8,001,503**	**$ 2,429,500**	**$ 3,471,828**

Exhibit C – Improvement Area No. 1 RMA

IMPROVEMENT AREA No. 1 OF
COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY

A special tax as hereinafter defined shall be levied on and collected within Improvement Area No. 1 of Community Facilities District No. 7 of the City of Moreno Valley ("IA No. 1") each Fiscal Year commencing in Fiscal Year 2008-2009, in an amount determined by the City Council of the City of Moreno Valley through the application of the appropriate Special Tax for "Developed Property," "Undeveloped Property," "Provisional Property," and "Taxable Public Property" as described below. IA No. 1 consists of two zones, designated as Zone 1 and Zone 2. All of the real property within IA No. 1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, or other recorded instrument. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560. The minimum Acreage of Taxable Property is determined in accordance with Section I.

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any actual ordinary and necessary expense of the City, or designee thereof or both, to carry out the administration of IA No. 1 related to the determination of the amount of the levy of Special Taxes, the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures, the administration of Bonds, the payment of a proportional share of salaries and benefits of any City employee whose duties are related to the administration of IA No. 1, fees and expenses for counsel, audits, or other amounts needed to pay rebate to the federal government with respect to the Bonds, costs related to complying with continuing disclosure requirements pursuant to applicable federal and state securities law, costs associated with responding to public inquiries regarding IA No. 1 or the Bonds, and costs otherwise incurred in order to carry out the administration of IA No. 1.

"Annexed Property" means Assessor's Parcels originally identified within the Future Annexation Area that have been annexed to IA No. 1.

"Assessor's Parcel" means a lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of IA No. 1.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Bonds" means any obligation to repay a sum of money, including obligations in the form of bonds, notes, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts, or any refunding thereof, to which the Special Tax has been pledged.

"Boundary Map" means the "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 6-8 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Building Permit" means a permit for new construction for a non-residential structure. For purposes of this definition, "Building Permit" shall not include permits for construction or installation of retaining walls, utility improvements, or other such improvements not intended for human habitation.

"Calendar Year" means the period commencing January 1 of any year and ending the following December 31.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes for IA No. 1.

"CFD No. 7" means Community Facilities District No. 7 of the City of Moreno Valley established by the City under the Act.

"City" means the City of Moreno Valley.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 7, or its designee.

"County" means the County of Riverside.

"Developed Property" means all Assessor's Parcels of Taxable Property for which Building Permits were issued on or before June 1 preceding the Fiscal Year for which Special Taxes are being levied, provided that a Final Map for such Assessor's Parcels was recorded on or before January 1 of the prior Fiscal Year for which Special Taxes may be levied.

"Exempt Property" means all Assessor's Parcels within IA No. 1 which are exempt from the Special Taxes pursuant to law or Section I herein.

"Facilities" means those public facilities authorized to be funded by CFD No. 7 as set forth in the formation documents for CFD No. 7.

"Final Map" means a recorded final map, parcel map, or lot line adjustment, evidencing the subdivision of property pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.).

"Fiscal Year" means the period commencing on July 1 of any year and ending the following June 30.

"Future Annexation Area" means all Assessor's Parcels within the future annexation area of IA No. 1 as determined by reference to the boundary map entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno

Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 9-11 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Goals and Policies" means the local goals and policies adopted by the City Council concerning the use of the Act that are in effect at the time of formation of CFD No. 7.

"Improvement Area No. 1" or "IA No. 1" means the area within CFD No. 7 designated as Improvement Area No. 1 by reference to the Boundary Map, as such area may be amended by the addition of Annexed Property.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C, which may be levied by CFD No. 7 in any Fiscal Year on an Assessor's Parcel of Taxable Property.

"Partial Prepayment Amount" means the amount required to prepay a portion of the Special Tax obligation for an Assessor's Parcel, as described in Section G.

"Prepayment Amount" means the amount required to prepay the Special Tax obligation in full for an Assessor's Parcel, as described in Section F.

"Proportionately" means, for Developed Property, the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property. For Provisional Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Provisional Property. For Taxable Public Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Public Property.

"Provisional Property" means all Assessor's Parcels identified under Section I, excluding Public Property, that are not classified as Exempt Property because such classification would reduce the sum of all Taxable Property to less than 47.92 Acres within Zone 1 or, to less than 82.53 Acres within Zone 2.

"Public Property" means any property within the boundaries of IA No. 1 that is owned by or irrecoverably dedicated to the City, the federal government, the State of California, the County, or any other public agency.

"Special Tax" means the special tax authorized to be levied by CFD No. 7 pursuant to the Act to fund the Special Tax Requirement.

"Special Tax Requirement" means the amount required in any Fiscal Year for IA No. 1 to fund: (i) the debt service or the periodic costs on all outstanding Bonds due in the Calendar Year that commences in such Fiscal Year, (ii) Administrative Expenses, (iii) any amount required to establish or replenish any reserve funds established in association with the Bonds, (iv) any delinquencies in the payment of prior years Special Taxes, (v) a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied, and (vi) the acquisition or construction of eligible Facilities, provided that the inclusion of such amount does not cause an increase in the levy of the Special Tax on Undeveloped Property, less

(vii) any amount available to pay debt service or other periodic costs on the Bonds as reasonably determined by the CFD Administrator pursuant to the Indenture.

"Taxable Property" means all Assessor's Parcels that are not exempt from the Special Tax pursuant to law or the Rate and Method of Apportionment of Special Tax.

"Taxable Public Property" means all Assessor's Parcels defined as Public Property that are not classified as Exempt Property under Section I because such classification would reduce the sum of all Taxable Property to less than 47.92 Acres within Zone 1 or, to less than 82.53 Acres within Zone 2.

"Trustee" means the trustee, fiscal agent, or paying agent under the Indenture.

"Undeveloped Property" means all Assessor's Parcels of Taxable Property, exclusive of Annexed Property, which are not classified as Developed Property, Taxable Public Property, or Provisional Property.

"Zone" means one of the two mutually exclusive geographic areas defined below.

- *"Zone 1"* means the area within IA No. 1 designated as zone 1 by reference to the Boundary Map.
- *"Zone 2"* means the area within IA No. 1 designated as zone 2 by reference to the Boundary Map.

B. CLASSIFICATION OF ASSESSOR'S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2008-2009, each Assessor's Parcel shall be classified as Taxable Property or Exempt Property. In addition, each Fiscal Year, each Assessor's Parcel of Taxable Property shall be further classified as Developed Property, Undeveloped Property, Provisional Property, or Taxable Public Property.

C. MAXIMUM SPECIAL TAXES

1. ZONE 1

Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property within Zone 1 shall be subject to a Maximum Special Tax equal to $7,999 per Acre.

The Maximum Special Tax for Taxable Property within Zone 1 shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 1, or if there is an adjustment to the Special Tax in accordance with Section D. The Maximum Special Tax for Taxable Property within Zone 1 shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax within Zone 1, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for Zone 1 ($7,999 per Acre) by the minimum taxable Acreage originally established for Zone 1 as defined in Section I (47.92 Acres).

[$7,999 x 47.92 = $383,312]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.3.

3) The new Maximum Special Tax for Taxable Property within Zone 1 shall equal the result calculated in Step 1, minus the result calculated in Step 2 multiplied by 49.44%, and then by dividing such amount by the minimum taxable Acreage originally established for Zone 1 (47.92 Acres), exclusive of Annexed Property.

[$383,312 – (Step 2 result * 0.4944)]/47.92 =
Maximum Special Tax per Acre for Taxable Property within Zone 1

2. ZONE 2

Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property within Zone 2 shall be subject to a Maximum Special Tax equal to $4,750 per Acre.

The Maximum Special Tax for Taxable Property within Zone 2 shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 1, or if there is an adjustment to the Special Tax in accordance with Section D. The Maximum Special Tax for Taxable Property within Zone 2 shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax within Zone 2, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for Zone 2 ($4,750 per Acre) by the minimum taxable Acreage for Zone 2 as defined in Section I (82.53 Acres).

[$4,750 x 82.53 = $392,018]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.3.

3) The new Maximum Special Tax for Taxable Property within Zone 2 shall equal the result calculated in Step 1, minus the result calculated in Step 2 multiplied by 50.56%, and then by dividing such amount by the minimum taxable Acreage originally established for Zone 2 (82.53 Acres), exclusive of Annexed Property.

[$392,018 – (Step 2 result * 0.5056)]/82.53 =
Maximum Special Tax per Acre for Taxable Property within Zone 2

3. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A.

D. Administrative Adjustments to the Maximum Special Tax

1. Prior to Issuance of Bonds

Prior to the issuance of the first series of Bonds, the CFD Administrator shall calculate the total tax burden for all Assessor's Parcels of Taxable Property, to determine whether or not any reductions are necessary to the Maximum Special Tax rate(s) identified herein in order to comply with the Goals and Policies. In calculating the total tax burden, the CFD Administrator shall (i) refer to the City's Goals and Policies, any market absorption study or price point analysis dated not earlier than 90 days prior to the date of issuance or other such date approved by the City, and any other document available to the City and/or CFD Administrator, and (ii) calculate the total tax burden considering the Maximum Special Tax rates and other governmental liens. The Maximum Special Tax set forth herein may be reduced if it is reasonably determined by the CFD Administrator and/or City, through review of available information related to IA No. 1, that the total tax burden against Taxable Property results in an amount that would reduce the marketability of the Bonds based on consultations with the City's underwriter, financial advisor, and/or other project team consultants engaged by the City. The City will have the final discretion regarding any reduction in the Maximum Special Tax rates identified herein.

If a mandatory Special Tax reduction is implemented, the same percent reduction shall be applied to the Maximum Special Tax for each Zone, exclusive of the Maximum Special Tax for Annexed Property set forth in Exhibit A, and the City Council shall cause an "Amended Notice of Special Tax Lien" to be recorded in compliance with the Act. The amount of Bonds that may be issued will be recalculated and shall not exceed an amount, in which, the Maximum Special Taxes that could be levied on Taxable Property within IA No. 1 in each Fiscal Year, less Administrative Expenses for such Fiscal Year, shall provide no less than 110% coverage on the annual debt service on all Outstanding Bonds, as defined in Section F herein.

2. Subsequent to Issuance of Bonds

If, in any Fiscal Year after the City has issued the first series of Bonds, either (i) a Final Map is proposed to be recorded or (ii) an existing Final Map is proposed to be amended, that will result in a reduction of total Acreage of Taxable Property to less than 47.92 Acres within Zone 1 or, to less than 82.53 Acres within Zone 2, then a mandatory prepayment must be made in accordance with Sections F and G. The mandatory prepayment must be made by the landowners of those Assessor's Parcel(s) that are the subject of the proposed Final Map or the landowners of those Assessor's Parcel(s) that will be amended by the amended Final Map.

If a mandatory prepayment is required, the mandatory prepayment shall be paid as a requirement to record such new Final Map or amended Final Map.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing in Fiscal Year 2008-2009 and for each subsequent Fiscal Year until terminated, the City Council shall levy Special Taxes on all Taxable Property until the total amount of Special Taxes levied equals the Special Tax Requirement in accordance with the following steps:

Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Annexed Property and each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Two: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Three: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Four: If additional monies are needed to satisfy the Special Tax Requirement after all previous steps have occurred, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section F:

"Facilities Costs" means either $6.15 million, expressed in 2008 dollars, which shall increase by the Construction Inflation Index on January 1, 2009, and on each January 1 thereafter, or such lower numbers as shall be determined either by (a) the CFD Administrator as sufficient to finance the Facilities, or (b) the City Council concurrently with a covenant that it will not issue any more CFD No. 7 Bonds secured by IA No. 1 (except refunding bonds) to be secured by Special Taxes levied under this Rate and Method of Apportionment.

"Construction Inflation Index" means the annual percentage change in the Engineering News-Record Building Cost Index for the City of Los Angeles, measured as of the Calendar Year, which ends in the previous Fiscal Year. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the City that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of Los Angeles.

"Future Facilities Costs" means the Facilities Costs minus that (a) portion of the Facilities Costs previously and actually funded (i) from the proceeds of all previously issued Bonds, (ii) from interest earnings on the Improvement Fund actually earned prior to the date of prepayment and (iii) directly from Special Tax revenues and (b) amount of the proceeds of all previously issued Bonds then on deposit in the Improvement Fund.

"Improvement Fund" means a fund specifically identified in the Indenture to hold funds, which are currently available for expenditure to acquire or construct the Facilities.

"Outstanding Bonds" means all previously issued Bonds secured by the levy of Special Taxes which will remain outstanding after the first interest and/or principal payment date following the current Fiscal Year, excluding Bonds to be redeemed at a later date with the proceeds of prior prepayments of the Maximum Special Tax.

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time that the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor's Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor's Parcel intending to prepay all or a part of the Special Tax obligation shall provide the City with written notice of intent to prepay, and within 10 business days of receipt of such notice, the City shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 7 in calculating the proper amount of a prepayment. Within 30 business days of receipt of such non-refundable deposit, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula (capitalized terms defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance
plus	Administrative Fee
less	Reserve Fund Credit
less	Capitalized Interest Credit
equals	Prepayment Amount

As of the date of prepayment, the Prepayment Amount shall be calculated as follows:

1. For an Assessor's Parcel of Taxable Property, compute the Maximum Special Tax applicable to such Assessor's Parcel.

2. For each Assessor's Parcel intending to prepay, divide the Maximum Special Tax computed pursuant to paragraph 1 for such Assessor's Parcel by the sum of the estimated Maximum Special Tax applicable to all Assessor's Parcels of Taxable Property, excluding the Maximum Special Taxes of any Assessor's Parcels for which the Special Tax obligation has been previously prepaid.

3. For each Assessor's Parcel intending to prepay, multiply the quotient computed pursuant to paragraph 2 by Outstanding Bonds. The product shall be the "Bond Redemption Amount," for such Assessor's Parcels, as applicable.

0. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds on the next available redemption date to be redeemed with the proceeds of the Bond Redemption Amount. This product is the "Redemption Premium."

1. If (a) all the Bonds authorized to be issued by CFD No. 7 for IA No. 1 have not been issued, and (b) the City Council has not restricted its ability to issue additional bonds in the future, then compute the Future Facilities Amount.

2. The "Future Facilities Amount" shall be calculated by multiplying the quotient computed pursuant to paragraph 2, by the amount if any, determined pursuant to paragraph 5. The product shall be the "Future Facilities Amount."

3. Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds, taking into consideration the amount of Special Taxes levied on and paid for the Assessor's Parcel in the current Fiscal Year.

4. Compute the amount the CFD Administrator reasonably expects to be derived from the reinvestment of the Prepayment Amount less the Future Facilities Amount and Administrative Fee (defined in paragraph 10) until the earliest redemption date for the Outstanding Bonds.

5. Subtract the amount computed pursuant to paragraph 8 from the result computed pursuant to paragraph 7. This difference is the "Defeasance."

10. Estimate the administrative fees and expenses associated with the prepayment, including the costs of computation of the Prepayment Amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption. This amount is the "Administrative Fee."

11. Calculate the "Reserve Fund Credit" as the lesser of: (a) the expected reduction in the applicable reserve requirement, if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirement in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the applicable reserve fund on the prepayment date. Notwithstanding the foregoing, if the reserve fund requirement is satisfied by a surety bond or other instrument at the time of the prepayment, then no Reserve Fund Credit shall be given. Notwithstanding the foregoing, the Reserve Fund Credit shall in no event be less than $0.

12. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to step 2 by the expected balance in the capitalized interest fund after such first interest payment (the "Capitalized Interest Credit").

13. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Future Facilities Amount, the Defeasance, and the Administrative Fee, less the Reserve Fund Credit and less the Capitalized Interest Credit.

With respect to the Special Tax obligation that is prepaid pursuant to this Section F, the City Council shall indicate in the records of CFD No. 7 that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such prepayment to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Special Tax shall cease.

Notwithstanding the foregoing, no prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all currently Outstanding Bonds in each future Fiscal Year.

G. PARTIAL PREPAYMENT OF SPECIAL TAX

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be partially prepaid, as calculated in this Section G, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_F - A) \times F + A$$

The terms above have the following meanings:

PP = the Partial Prepayment Amount.

P_F = the Prepayment Amount calculated according to Section F.

F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.

A = Administrative Fees calculated in Section F, step 10

With respect to any Assessor's Parcel that is partially prepaid, the City Council shall indicate in the records of CFD No. 7 that there has been a partial prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such partial prepayment of the Special Tax obligation, to indicate the partial prepayment of the Special Tax obligation and the partial release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such prepaid portion of the Special Tax shall cease.

Notwithstanding the foregoing, no partial prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property after such partial prepayment, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all Bonds outstanding after such partial prepayment in each future Fiscal Year.

H. TERMINATION OF SPECIAL TAX

For each Fiscal Year that any Bonds are outstanding, the Special Tax shall be levied on all Assessor's Parcels of Taxable Property within IA No. 1 in accordance with Section E. If any delinquencies for the Special Tax remain uncollected prior to or after all Bonds are retired, the Special Tax may be levied to the extent necessary to reimburse CFD No. 7 for uncollected Special Taxes, but not later than the 2048-49 Fiscal Year.

I. EXEMPTIONS

The City shall classify as Exempt Property: (i) Public Property, (ii) Assessor's Parcels used or owned exclusively by a property owners' association, or (iii) Assessor's Parcels with public or utility easements, including Assessor's Parcels designated as open space or retention basin, making impractical their utilization for other purposes than those set forth in the easement, provided that such classification would not reduce the Acreage of all Taxable Property to less than 47.92 Acres within Zone 1 or, to less than 82.53 Acres within Zone 2. Public Property that cannot be classified as Exempt Property will be classified as Taxable Public Property and shall be subject to the Special Tax in accordance with Section E. All other Assessor's Parcels identified within this section that cannot be classified as Exempt Property will be classified as Provisional Property and will be subject to the Special Tax in accordance with Section E.

J. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the City Manager of the City not later than twelve months after having paid the first installment of the Special Tax that is disputed. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made (except for the last year of levy), but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

K. MANNER OF COLLECTION

The annual Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 7 may collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

Exhibit A

IMPROVEMENT AREA 1 NO. OF CITY OF MORENO VALLEY CFD NO. 7 MAXIMUM SPECIAL TAX RATE FOR ANNEXED PROPERTY (1)

Year After Formation	Maximum Special Tax per Acre
1	$658
2	$665
3	$673
4	$682
5	$692
6	$702
7	$714
8	$727
9	$742
10	$758
11	$777
12	$798
13	$821
14	$848
15	$879
16	$915
17	$956
18	$1,005
19	$1,064
20	$1,135
21	$1,222
22	$1,332
23	$1,474
24	$1,665
25	$1,934
26	$2,339
27	$3,015
28	$4,371
29	$8,446

(1) The above Maximum Special Tax rates are based upon the assumed coupon rate of 7.25%, consistent with the other bonding assumptions. These rates will be adjusted based upon the final pricing of the bonds at issuance. Once property is annexed into the CFD, that property's Maximum Special Tax is fixed at the final adjusted amount per acre (after bond issuance) for the year after formation in which the property is annexed.

Exhibit D – Improvement Area No. 2 RMA

IMPROVEMENT AREA NO. 2 OF
COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY

A special tax as hereinafter defined shall be levied on and collected within Improvement Area No. 2 of Community Facilities District No. 7 of the City of Moreno Valley ("IA No. 2") each Fiscal Year commencing in Fiscal Year 2008-2009, in an amount determined by the City Council of the City of Moreno Valley through the application of the appropriate Special Tax for "Developed Property," "Undeveloped Property," "Provisional Property," and "Taxable Public Property" as described below. All of the real property within IA No. 2, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, or other recorded instrument. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560. The minimum Acreage of Taxable Property is determined in accordance with Section I.

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any actual ordinary and necessary expense of the City, or designee thereof or both, to carry out the administration of IA No. 2 related to the determination of the amount of the levy of Special Taxes, the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures, the administration of Bonds, the payment of a proportional share of salaries and benefits of any City employee whose duties are related to the administration of IA No. 2, fees and expenses for counsel, audits, or other amounts needed to pay rebate to the federal government with respect to the Bonds, costs related to complying with continuing disclosure requirements pursuant to applicable federal and state securities law, costs associated with responding to public inquiries regarding IA No. 2 or the Bonds, and costs otherwise incurred in order to carry out the administration of IA No. 2.

"Annexed Property" means Assessor's Parcels originally identified within the Future Annexation Area that have been annexed to IA No. 2.

"Assessor's Parcel" means a lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of IA No. 2.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Bonds" means any obligation to repay a sum of money, including obligations in the form of bonds, notes, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts, or any refunding thereof, to which the Special Tax has been pledged.

"Boundary Map" means the "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 6-8 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Building Permit" means a permit for new construction for a non-residential structure. For purposes of this definition, "Building Permit" shall not include permits for construction or installation of retaining walls, utility improvements, or other such improvements not intended for human habitation.

"Calendar Year" means the period commencing January 1 of any year and ending the following December 31.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes for IA No. 2.

"CFD No. 7" means Community Facilities District No. 7 of the City of Moreno Valley established by the City under the Act.

"City" means the City of Moreno Valley.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 7, or its designee.

"County" means the County of Riverside.

"Developed Property" means all Assessor's Parcels of Taxable Property for which Building Permits were issued on or before June 1 preceding the Fiscal Year for which Special Taxes are being levied, provided that a Final Map for such Assessor's Parcels was recorded on or before January 1 of the prior Fiscal Year for which Special Taxes may be levied.

"Exempt Property" means all Assessor's Parcels within IA No. 2 which are exempt from the Special Taxes pursuant to law or Section I herein.

"Facilities" means those public facilities authorized to be funded by CFD No. 7 as set forth in the formation documents for CFD No. 7.

"Final Map" means a recorded final map, parcel map, or lot line adjustment, evidencing the subdivision of property pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.).

"Fiscal Year" means the period commencing on July 1 of any year and ending the following June 30.

"Future Annexation Area" means all Assessor's Parcels within the future annexation area of IA No. 2 as determined by reference to the boundary map entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 9-11 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Goals and Policies" means the local goals and policies adopted by the City Council concerning the use of the Act that are in effect at the time of formation of CFD No. 7.

"Improvement Area No. 2" or "IA No. 2" means the area within CFD No. 7 designated as Improvement Area No. 2 by reference to the Boundary Map, as such area may be amended by the addition of Annexed Property.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C, which may be levied by CFD No. 7 in any Fiscal Year on an Assessor's Parcel of Taxable Property.

"Partial Prepayment Amount" means the amount required to prepay a portion of the Special Tax obligation for an Assessor's Parcel, as described in Section G.

"Prepayment Amount" means the amount required to prepay the Special Tax obligation in full for an Assessor's Parcel, as described in Section F.

"Proportionately" means, for Developed Property, the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property. For Provisional Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Provisional Property. For Taxable Public Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Public Property.

"Provisional Property" means all Assessor's Parcels identified under Section I, excluding Public Property, that are not classified as Exempt Property because such classification would reduce the total Acreage of all Taxable Property to less than 33.89 Acres.

"Public Property" means any property within the boundaries of IA No. 2 that is owned by or irrecoverably dedicated to the City, the federal government, the State of California, the County, or any other public agency.

"Special Tax" means the special tax authorized to be levied by CFD No. 7 pursuant to the Act to fund the Special Tax Requirement.

"Special Tax Requirement" means the amount required in any Fiscal Year for IA No. 2 to fund: (i) the debt service or the periodic costs on all outstanding Bonds due in the Calendar Year that commences in such Fiscal Year, (ii) Administrative Expenses, (iii) any amount required to establish or replenish any reserve funds established in association with the Bonds, (iv) any delinquencies in the payment of prior years Special Taxes, (v) a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied, and (vi) the acquisition or construction of eligible Facilities, provided that the inclusion of such amount does not cause an increase in the levy of the Special Tax on Undeveloped Property, less (vii) any amount available to pay debt service or other periodic costs on the Bonds as reasonably determined by the CFD Administrator pursuant to the Indenture.

"Taxable Property" means all Assessor's Parcels that are not exempt from the Special Tax pursuant to law or the Rate and Method of Apportionment of Special Tax.

"Taxable Public Property" means all Assessor's Parcels defined as Public Property that are not classified as Exempt Property under Section I because such classification would reduce the total Acreage of all Taxable Property to less than 33.89 Acres.

"Trustee" means the trustee, fiscal agent, or paying agent under the Indenture.

"Undeveloped Property" means all Assessor's Parcels of Taxable Property, exclusive of Annexed Property, which are not classified as Developed Property, Taxable Public Property, or Provisional Property.

B. CLASSIFICATION OF ASSESSOR'S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2008-2009, each Assessor's Parcel shall be classified as Taxable Property or Exempt Property. In addition, each Fiscal Year, each Assessor's Parcel of Taxable Property shall be further classified as Developed Property, Undeveloped Property, Provisional Property, or Taxable Public Property.

C. MAXIMUM SPECIAL TAXES

1. Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property, exclusive of Annexed Property, shall be subject to a Maximum Special Tax equal to $8,287 per Acre.

The Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 2 of CFD No.7. Once Annexed Property exists within IA No. 2 of CFD No. 7, the Maximum Special Tax shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for IA No. 2 ($8,287 per Acre) by the minimum taxable Acreage originally established for IA No. 2 as defined in Section I (33.89 Acres).

[$8,287 x 33.89 = $280,846]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.2.

3) The new Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall equal the result calculated in Step 1, minus the result calculated in Step 2, and then by dividing such amount by the minimum taxable Acreage originally established for IA No. 2 (33.89 Acres).

[$280,846 - Step 2 result]/33.89 =

Maximum Special Tax per Acre for Taxable Property, exclusive of Annexed Property

2. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A.

D. Administrative Adjustments to the Maximum Special Tax

1. Prior to Issuance of Bonds

Prior to the issuance of the first series of Bonds, the CFD Administrator shall calculate the total tax burden for all Assessor's Parcels of Taxable Property, to determine whether or not any reductions are necessary to the Maximum Special Tax rate(s) identified herein in order to comply with the Goals and Policies. In calculating the total tax burden, the CFD Administrator shall (i) refer to the City's Goals and Policies, any market absorption study or price point analysis dated not earlier than 90 days prior to the date of issuance or other such date approved by the City, and any other document available to the City and/or CFD Administrator, and (ii) calculate the total tax burden considering the Maximum Special Tax rates and other governmental liens. The Maximum Special Tax set forth herein may be reduced if it is reasonably determined by the CFD Administrator and/or City, through review of available information related to IA No. 2, that the total tax burden against Taxable Property results in an amount that would reduce the marketability of the Bonds based on consultations with the City's underwriter, financial advisor, and/or other project team consultants engaged by the City. The City will have the final discretion regarding any reduction in the Maximum Special Tax rates identified herein.

If a mandatory Special Tax reduction is implemented, the amount of Bonds that may be issued will be recalculated and shall not exceed an amount in which the Maximum Special Taxes that could be levied on Taxable Property within IA No. 2 in each Fiscal Year, less Administrative Expenses for such Fiscal Year, shall provide no less than 110% coverage on the annual debt service on all Outstanding Bonds, as defined in Section F herein.

2. Subsequent to Issuance of Bonds

If, in any Fiscal Year after the City has issued the first series of Bonds, either (i) a Final Map is proposed to be recorded or (ii) an existing Final Map is proposed to be amended, that will result in a reduction of total Acreage of Taxable Property to less than 33.89 Acres, then a mandatory prepayment must be made in accordance with Sections F and G. The mandatory prepayment must be made by the landowners of those Assessor's Parcel(s) that are the subject of the proposed Final Map or the landowners of those Assessor's Parcel(s) that will be amended by the amended Final Map.

If a mandatory prepayment is required, the mandatory prepayment shall be paid as a requirement to record such new Final Map or amended Final Map.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing in Fiscal Year 2008-2009 and for each subsequent Fiscal Year until terminated, the City Council shall levy Special Taxes on all Taxable Property until the total amount of Special Taxes levied equals the Special Tax Requirement in accordance with the following steps:

Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Annexed Property and each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Two: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Three: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Four: If additional monies are needed to satisfy the Special Tax Requirement after all previous steps have occurred, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section F:

"Facilities Costs" means either $1.73 million, expressed in 2008 dollars, which shall increase by the Construction Inflation Index on January 1, 2009, and on each January 1 thereafter, or such lower numbers as shall be determined either by (a) the CFD Administrator as sufficient to finance the Facilities, or (b) the City Council concurrently with a covenant that it will not issue any more CFD No. 7 Bonds secured by IA No. 2 (except refunding bonds) to be secured by Special Taxes levied under this Rate and Method of Apportionment.

"Construction Inflation Index" means the annual percentage change in the Engineering News-Record Building Cost Index for the City of Los Angeles, measured as of the Calendar Year, which ends in the previous Fiscal Year. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the City that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of Los Angeles.

"Future Facilities Costs" means the Facilities Costs minus that (a) portion of the Facilities Costs previously and actually funded (i) from the proceeds of all previously issued Bonds, (ii) from interest earnings on the Improvement Fund actually earned prior to the date of prepayment and (iii) directly from Special Tax revenues and (b) amount of the proceeds of all previously issued Bonds then on deposit in the Improvement Fund.

"Improvement Fund" means a fund specifically identified in the Indenture to hold funds, which are currently available for expenditure to acquire or construct the Facilities.

"Outstanding Bonds" means all previously issued Bonds secured by the levy of Special Taxes which will remain outstanding after the first interest and/or principal payment date following the current Fiscal Year, excluding Bonds to be redeemed at a later date with the proceeds of prior prepayments of the Maximum Special Tax.

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time that the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor's Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor's Parcel intending to prepay all or a part of the Special Tax obligation shall provide the City with written notice of intent to prepay, and within 10 business days of receipt of such notice, the City shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 7 in calculating the proper amount of a prepayment. Within 30 business days of receipt of such non-refundable deposit, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula (capitalized terms defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance
plus	Administrative Fee
less	Reserve Fund Credit
less	Capitalized Interest Credit
equals	Prepayment Amount

As of the date of prepayment, the Prepayment Amount shall be calculated as follows:

1. For an Assessor's Parcel of Taxable Property, compute the Maximum Special Tax applicable to such Assessor's Parcel.

1. For each Assessor's Parcel intending to prepay, divide the Maximum Special Tax computed pursuant to paragraph 1 for such Assessor's Parcel by the sum of the estimated Maximum Special Tax applicable to all Assessor's Parcels of Taxable Property, excluding the Maximum Special Taxes of any Assessor's Parcels for which the Special Tax obligation has been previously prepaid.

3. For each Assessor's Parcel intending to prepay, multiply the quotient computed pursuant to paragraph 2 by Outstanding Bonds. The product shall be the "Bond Redemption Amount," for such Assessor's Parcels, as applicable.

4. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds on the next available redemption date to be redeemed with the proceeds of the Bond Redemption Amount. This product is the "Redemption Premium."

5. If (a) all the Bonds authorized to be issued by CFD No. 7 for IA No. 2 have not been issued, and (b) the City Council has not restricted its ability to issue additional bonds in the future, then compute the Future Facilities Amount.

6. The "Future Facilities Amount" shall be calculated by multiplying the quotient computed pursuant to paragraph 2, by the amount if any, determined pursuant to paragraph 5. The product shall be the "Future Facilities Amount."

7. Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds, taking into consideration the amount of Special Taxes levied on and paid for the Assessor's Parcel in the current Fiscal Year.

8. Compute the amount the CFD Administrator reasonably expects to be derived from the reinvestment of the Prepayment Amount less the Future Facilities Amount and Administrative Fee (defined in paragraph 10) until the earliest redemption date for the Outstanding Bonds.

9. Subtract the amount computed pursuant to paragraph 8 from the result computed pursuant to paragraph 7. This difference is the "Defeasance."

10. Estimate the administrative fees and expenses associated with the prepayment, including the costs of computation of the Prepayment Amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption. This amount is the "Administrative Fee."

11. Calculate the "Reserve Fund Credit" as the lesser of: (a) the expected reduction in the applicable reserve requirement, if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirement in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the applicable reserve fund on the prepayment date. Notwithstanding the foregoing, if the reserve fund requirement is satisfied by a surety bond or other instrument at the time of the prepayment, then no Reserve Fund Credit shall be given. Notwithstanding the foregoing, the Reserve Fund Credit shall in no event be less than $0.

12. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to step 2 by the expected balance in the capitalized interest fund after such first interest payment (the "Capitalized Interest Credit").

13. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Future Facilities Amount, the Defeasance, and the Administrative Fee, less the Reserve Fund Credit and less the Capitalized Interest Credit.

With respect to the Special Tax obligation that is prepaid pursuant to this Section F, the City Council shall indicate in the records of CFD No. 7 that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such prepayment to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Special Tax shall cease.

Notwithstanding the foregoing, no prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all currently Outstanding Bonds in each future Fiscal Year.

G. PARTIAL PREPAYMENT OF SPECIAL TAX

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be partially prepaid, as calculated in this Section G, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_F - A) \times F + A$$

The terms above have the following meanings:

PP = the Partial Prepayment Amount.

P_F = the Prepayment Amount calculated according to Section F.

F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.

A = Administrative Fees calculated in Section F, step 10

With respect to any Assessor's Parcel that is partially prepaid, the City Council shall indicate in the records of CFD No. 7 that there has been a partial prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such partial prepayment of the Special Tax obligation, to indicate the partial prepayment of the Special Tax obligation and the partial release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such prepaid portion of the Special Tax shall cease.

Notwithstanding the foregoing, no partial prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property after such partial prepayment, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all Bonds outstanding after such partial prepayment in each future Fiscal Year.

H. TERMINATION OF SPECIAL TAX

For each Fiscal Year that any Bonds are outstanding, the Special Tax shall be levied on all Assessor's Parcels of Taxable Property within IA No. 2 in accordance with Section E. If any delinquencies for the Special Tax remain uncollected prior to or after all Bonds are retired, the Special Tax may be levied to the extent necessary to reimburse CFD No. 7 for uncollected Special Taxes, but not later than the 2048-49 Fiscal Year.

I. EXEMPTIONS

The City shall classify as Exempt Property: (i) Public Property, (ii) Assessor's Parcels used or owned exclusively by a property owners' association, or (iii) Assessor's Parcels with public or utility easements, including Assessor's Parcels designated as open space or retention basin, making impractical their utilization for other purposes than those set forth in the easement, provided that such classification would not reduce the Acreage of all Taxable Property to less than 33.89 Acres. Public Property that cannot be classified as Exempt Property will be classified as Taxable Public Property and shall be subject to the Special Tax in accordance with Section E. All other Assessor's Parcels identified within this section that cannot be classified as Exempt Property will be classified as Provisional Property and will be subject to the Special Tax in accordance with Section E.

J. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the City Manager of the City not later than twelve months after having paid the first installment of the Special Tax that is disputed. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made (except for the last year of levy), but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

K. MANNER OF COLLECTION

The annual Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 7 may collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

Exhibit A

IMPROVEMENT AREA NO. 2 OF CITY OF MORENO VALLEY CFD NO. 7 MAXIMUM SPECIAL TAX RATE FOR ANNEXED PROPERTY (1)

Year After Formation	Maximum Special Tax per Acre
1	$674
2	$681
3	$689
4	$697
5	$707
6	$718
7	$729
8	$742
9	$757
10	$773
11	$791
12	$812
13	$835
14	$862
15	$893
16	$928
17	$970
18	$1,019
19	$1,077
20	$1,148
21	$1,235
22	$1,345
23	$1,487
24	$1,678
25	$1,947
26	$2,352
27	$3,029
28	$4,386
29	$8,466

(1) The above Maximum Special Tax rates are based upon the assumed coupon rate of 7.50%, consistent with the other bonding assumptions. These rates will be adjusted based upon the final pricing of the bonds at issuance. Once property is annexed into the CFD, that property's Maximum Special Tax is fixed at the final adjusted amount per acre (after bond issuance) for the year after formation in which the property is annexed.

Exhibit E – Improvement Area No. 3 RMA

IMPROVEMENT AREA NO. 3 OF
COMMUNITY FACILITIES DISTRICT NO. 7
OF THE CITY OF MORENO VALLEY

A special tax as hereinafter defined shall be levied on and collected within Improvement Area No. 3 of Community Facilities District No. 7 of the City of Moreno Valley ("IA No. 3") each Fiscal Year commencing in Fiscal Year 2008-2009, in an amount determined by the City Council of the City of Moreno Valley through the application of the appropriate Special Tax for "Developed Property," "Undeveloped Property," "Provisional Property," and "Taxable Public Property" as described below. All of the real property within IA No. 3, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, or other recorded instrument. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560. The minimum Acreage of Taxable Property is determined in accordance with Section I.

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any actual ordinary and necessary expense of the City, or designee thereof or both, to carry out the administration of IA No. 3 related to the determination of the amount of the levy of Special Taxes, the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures, the administration of Bonds, the payment of a proportional share of salaries and benefits of any City employee whose duties are related to the administration of IA No. 3, fees and expenses for counsel, audits, or other amounts needed to pay rebate to the federal government with respect to the Bonds, costs related to complying with continuing disclosure requirements pursuant to applicable federal and state securities law, costs associated with responding to public inquiries regarding IA No. 3 or the Bonds, and costs otherwise incurred in order to carry out the administration of IA No. 3.

"Annexed Property" means Assessor's Parcels originally identified within the Future Annexation Area that have been annexed to IA No. 3.

"Assessor's Parcel" means a lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of IA No. 3.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Bonds" means any obligation to repay a sum of money, including obligations in the form of bonds, notes, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts, or any refunding thereof, to which the Special Tax has been pledged.

"Boundary Map" means the "Map of Proposed Boundaries of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 6-8 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Building Permit" means a permit for new construction for a non-residential structure. For purposes of this definition, "Building Permit" shall not include permits for construction or installation of retaining walls, utility improvements, or other such improvements not intended for human habitation.

"Calendar Year" means the period commencing January 1 of any year and ending the following December 31.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes for IA No. 3.

"CFD No. 7" means Community Facilities District No. 7 of the City of Moreno Valley established by the City under the Act.

"City" means the City of Moreno Valley.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 7, or its designee.

"County" means the County of Riverside.

"Developed Property" means all Assessor's Parcels of Taxable Property for which Building Permits were issued on or before June 1 preceding the Fiscal Year for which Special Taxes are being levied, provided that a Final Map for such Assessor's Parcels was recorded on or before January 1 of the prior Fiscal Year for which Special Taxes may be levied.

"Exempt Property" means all Assessor's Parcels within IA No. 3 which are exempt from the Special Taxes pursuant to law or Section I herein.

"Facilities" means those public facilities authorized to be funded by CFD No. 7 as set forth in the formation documents for CFD No. 7.

"Final Map" means a recorded final map, parcel map, or lot line adjustment, evidencing the subdivision of property pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.).

"Fiscal Year" means the period commencing on July 1 of any year and ending the following June 30.

"Future Annexation Area" means all Assessor's Parcels within the future annexation area of IA No. 3 as determined by reference to the boundary map entitled "Map of Proposed Boundaries of Future Annexation Area of Community Facilities District No. 7, City of Moreno Valley, County of Riverside, State of California," filed May 16, 2008 in Book 73, Pages 9-11 of Maps of Assessments and Community Facilities Districts in the office of the County Recorder.

"Goals and Policies" means the local goals and policies adopted by the City Council concerning the use of the Act that are in effect at the time of formation of CFD No. 7.

"Improvement Area No. 3" or "IA No. 3" means the area within CFD No. 7 designated as Improvement Area No. 3 by reference to the Boundary Map, as such area may be amended by the addition of Annexed Property.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C, which may be levied by CFD No. 7 in any Fiscal Year on an Assessor's Parcel of Taxable Property.

"Partial Prepayment Amount" means the amount required to prepay a portion of the Special Tax obligation for an Assessor's Parcel, as described in Section G.

"Prepayment Amount" means the amount required to prepay the Special Tax obligation in full for an Assessor's Parcel, as described in Section F.

"Proportionately" means, for Developed Property, the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property. For Provisional Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Provisional Property. For Taxable Public Property, it means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Public Property.

"Provisional Property" means all Assessor's Parcels identified under Section I, excluding Public Property, that are not classified as Exempt Property because such classification would reduce the total Acreage of all Taxable Property to less than 65.19 Acres.

"Public Property" means any property within the boundaries of IA No. 3 that is owned by or irrecoverably dedicated to the City, the federal government, the State of California, the County, or any other public agency.

"Special Tax" means the special tax authorized to be levied by CFD No. 7 pursuant to the Act to fund the Special Tax Requirement.

"Special Tax Requirement" means the amount required in any Fiscal Year for IA No. 3 to fund: (i) the debt service or the periodic costs on all outstanding Bonds due in the Calendar Year that commences in such Fiscal Year, (ii) Administrative Expenses, (iii) any amount required to establish or replenish any reserve funds established in association with the Bonds, (iv) any delinquencies in the payment of prior years Special Taxes, (v) a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied, and (vi) the acquisition or construction of eligible Facilities, provided that the inclusion of such amount does not cause an increase in the levy of the Special Tax on Undeveloped Property, less (vii) any amount available to pay debt service or other periodic costs on the Bonds as reasonably determined by the CFD Administrator pursuant to the Indenture.

"Taxable Property" means all Assessor's Parcels that are not exempt from the Special Tax pursuant to law or the Rate and Method of Apportionment of Special Tax.

"Taxable Public Property" means all Assessor's Parcels defined as Public Property that are not classified as Exempt Property under Section I because such classification would reduce the total Acreage of all Taxable Property to less than 65.19 Acres.

"Trustee" means the trustee, fiscal agent, or paying agent under the Indenture.

"Undeveloped Property" means all Assessor's Parcels of Taxable Property, exclusive of Annexed Property, which are not classified as Developed Property, Taxable Public Property, or Provisional Property.

B. CLASSIFICATION OF ASSESSOR'S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2008-2009, each Assessor's Parcel shall be classified as Taxable Property or Exempt Property. In addition, each Fiscal Year, each Assessor's Parcel of Taxable Property shall be further classified as Developed Property, Undeveloped Property, Provisional Property, or Taxable Public Property.

C. MAXIMUM SPECIAL TAXES

1. Taxable Property

Each Fiscal Year commencing in Fiscal Year 2008-2009, each Assessor's Parcel of Taxable Property, exclusive of Annexed Property, shall be subject to a Maximum Special Tax equal to $5,769 per Acre.

The Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall be recalculated as Assessor's Parcels within the Future Annexation Area are annexed to IA No. 3 of CFD No.7. Once Annexed Property exists within IA No. 3 of CFD No. 7, the Maximum Special Tax shall be recalculated as follows:

1) Calculate the total amount of Special Taxes that can be generated through the levy of the Maximum Special Tax, exclusive of Annexed Property, by multiplying the original Maximum Special Tax established for IA No. 3 ($5,769 per Acre) by the minimum taxable Acreage originally established for IA No. 3 as defined in Section I (65.19 Acres).

[$5,769 x 65.19 = $376,081]

2) Calculate the total amount of Special Taxes that can be generated by Annexed Property through the levy of the Maximum Special Tax for Annexed Property in accordance with Section C.2.

3) The new Maximum Special Tax for Taxable Property, exclusive of Annexed Property, shall equal the result calculated in Step 1, minus the result calculated in Step 2, and then by dividing such amount by the minimum taxable Acreage originally established for IA No. 3 (65.19 Acres).

[$376,081 - Step 2 result]/65.19 =

Maximum Special Tax per Acre for Taxable Property, exclusive of Annexed Property

2. Annexed Property

The Maximum Special Tax for Annexed Property shall be equal to the Maximum Special Tax set forth in Exhibit A.

D. Administrative Adjustments to the Maximum Special Tax

1. Prior to Issuance of Bonds

Prior to the issuance of the first series of Bonds, the CFD Administrator shall calculate the total tax burden for all Assessor's Parcels of Taxable Property, to determine whether or not any reductions are necessary to the Maximum Special Tax rate(s) identified herein in order to comply with the Goals and Policies. In calculating the total tax burden, the CFD Administrator shall (i) refer to the City's Goals and Policies, any market absorption study or price point analysis dated not earlier than 90 days prior to the date of issuance or other such date approved by the City, and any other document available to the City and/or CFD Administrator, and (ii) calculate the total tax burden considering the Maximum Special Tax rates and other governmental liens. The Maximum Special Tax set forth herein may be reduced if it is reasonably determined by the CFD Administrator and/or City, through review of available information related to IA No. 3, that the total tax burden against Taxable Property results in an amount that would reduce the marketability of the Bonds based on consultations with the City's underwriter, financial advisor, and/or other project team consultants engaged by the City. The City will have the final discretion regarding any reduction in the Maximum Special Tax rates identified herein.

If a mandatory Special Tax reduction is implemented, the amount of Bonds that may be issued will be recalculated and shall not exceed an amount in which the Maximum Special Taxes that could be levied on Taxable Property within IA No. 3 in each Fiscal Year, less Administrative Expenses for such Fiscal Year, shall provide no less than 110% coverage on the annual debt service on all Outstanding Bonds, as defined in Section F herein.

2. Subsequent to Issuance of Bonds

If, in any Fiscal Year after the City has issued the first series of Bonds, either (i) a Final Map is proposed to be recorded or (ii) an existing Final Map is proposed to be amended, that will result in a reduction of total Acreage of Taxable Property to less than 65.19 Acres, then a mandatory prepayment must be made in accordance with Sections F and G. The mandatory prepayment must be made by the landowners of those Assessor's Parcel(s) that are the subject of the proposed Final Map or the landowners of those Assessor's Parcel(s) that will be amended by the amended Final Map.

If a mandatory prepayment is required, the mandatory prepayment shall be paid as a requirement to record such new Final Map or amended Final Map.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing in Fiscal Year 2008-2009 and for each subsequent Fiscal Year until terminated, the City Council shall levy Special Taxes on all Taxable Property until the total amount of Special Taxes levied equals the Special Tax Requirement in accordance with the following steps:

Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Annexed Property and each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Two: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Three: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

Step Four: If additional monies are needed to satisfy the Special Tax Requirement after all previous steps have occurred, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section F:

"Facilities Costs" means either $2.52 million, expressed in 2008 dollars, which shall increase by the Construction Inflation Index on January 1, 2009, and on each January 1 thereafter, or such lower numbers as shall be determined either by (a) the CFD Administrator as sufficient to finance the Facilities, or (b) the City Council concurrently with a covenant that it will not issue any more CFD No. 7 Bonds secured by IA No. 3 (except refunding bonds) to be secured by Special Taxes levied under this Rate and Method of Apportionment.

"Construction Inflation Index" means the annual percentage change in the Engineering News-Record Building Cost Index for the City of Los Angeles, measured as of the Calendar Year, which ends in the previous Fiscal Year. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the City that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of Los Angeles.

"Future Facilities Costs" means the Facilities Costs minus that (a) portion of the Facilities Costs previously and actually funded (i) from the proceeds of all previously issued Bonds, (ii) from interest earnings on the Improvement Fund actually earned prior to the date of prepayment and (iii) directly from Special Tax revenues and (b) amount of the proceeds of all previously issued Bonds then on deposit in the Improvement Fund.

"Improvement Fund" means a fund specifically identified in the Indenture to hold funds, which are currently available for expenditure to acquire or construct the Facilities.

"Outstanding Bonds" means all previously issued Bonds secured by the levy of Special Taxes which will remain outstanding after the first interest and/or principal payment date following the current Fiscal Year, excluding Bonds to be redeemed at a later date with the proceeds of prior prepayments of the Maximum Special Tax.

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time that the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor's Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor's Parcel intending to prepay all or a part of the Special Tax obligation shall provide the City with written notice of intent to prepay, and within 10 business days of receipt of such notice, the City shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 7 in calculating the proper amount of a prepayment. Within 30 business days of receipt of such non-refundable deposit, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula (capitalized terms defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance
plus	Administrative Fee
less	Reserve Fund Credit
less	Capitalized Interest Credit
equals	Prepayment Amount

As of the date of prepayment, the Prepayment Amount shall be calculated as follows:

1. For an Assessor's Parcel of Taxable Property, compute the Maximum Special Tax applicable to such Assessor's Parcel.

2. For each Assessor's Parcel intending to prepay, divide the Maximum Special Tax computed pursuant to paragraph 1 for such Assessor's Parcel by the sum of the estimated Maximum Special Tax applicable to all Assessor's Parcels of Taxable Property, excluding the Maximum Special Taxes of any Assessor's Parcels for which the Special Tax obligation has been previously prepaid.

3. For each Assessor's Parcel intending to prepay, multiply the quotient computed pursuant to paragraph 2 by Outstanding Bonds. The product shall be the "Bond Redemption Amount," for such Assessor's Parcels, as applicable.

4. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds on the next available redemption date to be redeemed with the proceeds of the Bond Redemption Amount. This product is the "Redemption Premium."

5. If (a) all the Bonds authorized to be issued by CFD No. 7 for IA No. 3 have not been issued, and (b) the City Council has not restricted its ability to issue additional bonds in the future, then compute the Future Facilities Amount.

6. The "Future Facilities Amount" shall be calculated by multiplying the quotient computed pursuant to paragraph 2, by the amount if any, determined pursuant to paragraph 5. The product shall be the "Future Facilities Amount."

7. Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds, taking into consideration the amount of Special Taxes levied on and paid for the Assessor's Parcel in the current Fiscal Year.

8. Compute the amount the CFD Administrator reasonably expects to be derived from the reinvestment of the Prepayment Amount less the Future Facilities Amount and Administrative Fee (defined in paragraph 10) until the earliest redemption date for the Outstanding Bonds.

9. Subtract the amount computed pursuant to paragraph 8 from the result computed pursuant to paragraph 7. This difference is the "Defeasance."

10. Estimate the administrative fees and expenses associated with the prepayment, including the costs of computation of the Prepayment Amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption. This amount is the "Administrative Fee."

11. Calculate the "Reserve Fund Credit" as the lesser of: (a) the expected reduction in the applicable reserve requirement, if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirement in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the applicable reserve fund on the prepayment date. Notwithstanding the foregoing, if the reserve fund requirement is satisfied by a surety bond or other instrument at the time of the prepayment, then no Reserve Fund Credit shall be given. Notwithstanding the foregoing, the Reserve Fund Credit shall in no event be less than $0.

12. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to step 2 by the expected balance in the capitalized interest fund after such first interest payment (the "Capitalized Interest Credit").

13. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Future Facilities Amount, the Defeasance, and the Administrative Fee, less the Reserve Fund Credit and less the Capitalized Interest Credit.

With respect to the Special Tax obligation that is prepaid pursuant to this Section F, the City Council shall indicate in the records of CFD No. 7 that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such prepayment to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Special Tax shall cease.

Notwithstanding the foregoing, no prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all currently Outstanding Bonds in each future Fiscal Year.

G. PARTIAL PREPAYMENT OF SPECIAL TAX

The Special Tax obligation of an Assessor's Parcel of Taxable Property may be partially prepaid, as calculated in this Section G, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_F - A) \times F + A$$

The terms above have the following meanings:

PP = the Partial Prepayment Amount.

P_F = the Prepayment Amount calculated according to Section F.

F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.

A = Administrative Fees calculated in Section F, step 10

With respect to any Assessor's Parcel that is partially prepaid, the City Council shall indicate in the records of CFD No. 7 that there has been a partial prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such partial prepayment of the Special Tax obligation, to indicate the partial prepayment of the Special Tax obligation and the partial release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such prepaid portion of the Special Tax shall cease.

Notwithstanding the foregoing, no partial prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property after such partial prepayment, net of reasonably estimated annual Administrative Expenses, shall be at least 1.10 times the regularly scheduled annual interest and principal payments on all Bonds outstanding after such partial prepayment in each future Fiscal Year.

H. TERMINATION OF SPECIAL TAX

For each Fiscal Year that any Bonds are outstanding, the Special Tax shall be levied on all Assessor's Parcels of Taxable Property within IA No. 3 in accordance with Section E. If any delinquencies for the Special Tax remain uncollected prior to or after all Bonds are retired, the Special Tax may be levied to the extent necessary to reimburse CFD No. 7 for uncollected Special Taxes, but not later than the 2048-49 Fiscal Year.

I. EXEMPTIONS

The City shall classify as Exempt Property: (i) Public Property, (ii) Assessor's Parcels used or owned exclusively by a property owners' association, or (iii) Assessor's Parcels with public or utility easements, including Assessor's Parcels designated as open space or retention basin, making impractical their utilization for other purposes than those set forth in the easement, provided that such classification would not reduce the Acreage of all Taxable Property to less than 65.19 Acres. Public Property that cannot be classified as Exempt Property will be classified as Taxable Public Property and shall be subject to the Special Tax in accordance with Section E. All other Assessor's Parcels identified within this section that cannot be classified as Exempt Property will be classified as Provisional Property and will be subject to the Special Tax in accordance with Section E.

J. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the City Manager of the City not later than twelve months after having paid the first installment of the Special Tax that is disputed. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made (except for the last year of levy), but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

K. MANNER OF COLLECTION

The annual Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 7 may collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

Exhibit A

IMPROVEMENT AREA NO. 3 OF CITY OF MORENO VALLEY CFD NO. 7 MAXIMUM SPECIAL TAX RATE FOR ANNEXED PROPERTY (1)

Year After Formation	Maximum Special Tax per Acre
1	$439
2	$444
3	$449
4	$455
5	$461
6	$468
7	$475
8	$484
9	$493
10	$504
11	$516
12	$529
13	$545
14	$562
15	$582
16	$605
17	$632
18	$664
19	$702
20	$748
21	$805
22	$877
23	$970
24	$1,094
25	$1,269
26	$1,533
27	$1,974
28	$2,859
29	$5,518

(1) The above Maximum Special Tax rates are based upon the assumed coupon rate of 7.50%, consistent with the other bonding assumptions. These rates will be adjusted based upon the final pricing of the bonds at issuance. Once property is annexed into the CFD, that property's Maximum Special Tax is fixed at the final adjusted amount per acre (after bond issuance) for the year after formation in which the property is annexed.

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MV00175560

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 28, 2012

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of July 4 – August 21, 2012.

Reports on Reimbursable Activities July 4 – August 21, 2012		
Council Member	Date	Meeting
William H. Batey II		None
Marcelo Co		None
Robin N. Hastings		None
Jesse L. Molina	7/25/12	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
Richard A. Stewart	8/7/12	Moreno Valley Hispanic Chamber of Commerce Adelante

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00175562

MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00175564

MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00175566

MINUTES - REGULAR MEETING OF JULY 10, 2012 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00175568

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: A PUBLIC HEARING FOR A CITYWIDE AMENDMENT (PA10-0022) TO TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT", SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, "APPLICATIONS FOR LIGHTING", SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK SKY PROVISIONS FOR LIGHTING. THE APPLICANT IS THE CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no further action is required. Should the City Council choose to adopt the new standards, the following actions are required:

1. **RECOGNIZE** that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. **INTRODUCE** Ordinance No. 851, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

BACKGROUND

On October 20, 2009, the City Council provided direction at a study session meeting to review existing lighting standards and provide proposed dark sky provisions for consideration. The review of existing lighting ordinance standards was a direct result of the settlement agreement reached on January 7, 2010, between the Sierra Club, Highland Fairview and the City regarding approval of the Highland Fairview Corporate Park Project and the Skechers warehouse building.

On April 14, 2011, the item was considered by the Planning Commission. At said public hearing, the proposed dark sky lighting ordinance was not recommended due to a belief that proposed dark sky ordinance revisions could be intrusive to existing residential/commercial projects and may lead to public safety concerns with a night lighting curfew.

On July 12, 2011, City Council conducted a public hearing on a proposed citywide dark sky lighting ordinance. At said meeting, the City Council voted to continue the item to a future study session meeting in order for staff to review updated federal and state requirements on maximum wattage of incandescent and fluorescent bulbs and new more energy efficient lighting.

On April 3, 2012, the item was brought before the City Council at a study session meeting. To address a concern about new state and federal requirements for lighting and their ever changing wattage mandates for light bulbs, staff recommended language within the proposed dark sky lighting ordinance where maximum light bulb wattages are reviewed at the equivalency rate of a 100 watt incandescent light bulb and a 26 watt compact fluorescent light bulb. The Council directed staff to schedule the issue for public hearing in August of 2012.

DISCUSSION

Current City of Moreno Valley Municipal Code lighting requirements include provisions to curb on-site lighting such as the current limit for lighting at property lines to a maximum of 0.5 foot candle and residential lighting fixture limit of twelve feet in height. Some of the current lighting standards however, do not facilitate a dark sky approach or assist in promoting energy efficiency. For example, the City currently requires that parking lots and other public spaces be lit “from dusk to dawn” which exceeds the hours of operation for most retail and non-retail properties, especially office and religious establishments.

Although the settlement agreement suggested utilizing standards from the City of Palm Desert, ordinances from the cities of Palm Desert, Beaumont, Palm Springs, Encinitas, San Diego and other cities were reviewed. Standards within these ordinances and draft guidance standards by the International Dark-Sky Association were the basis for the revised lighting provisions. The recent County of Riverside dark sky lighting ordinance

was also reviewed, however it concentrated on residential light trespass and code enforcement related items.

Reasons for changing current lighting practices and drafting a dark sky ordinance include:

- Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night;
- Curtail and reverse any degradation of the nighttime visual environment and the night sky;
- Minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary;
- Conserve energy and resources to the greatest extent possible;
- Help protect the natural environment from the negative effects of night lighting.

The proposed dark sky lighting ordinance is another means of reducing energy on a citywide basis and actually coincides with mandatory measures included in the 2011 Green Building Code. Some of the measures proposed in the ordinance such as full shielding of lights, reducing spillover lighting beyond the property boundary and containing exterior lighting within the property boundaries are consistent with the 2011 Green Building Code. The proposed dark sky ordinance is also consistent with reduced energy consumption measures included as a goal of the City's Energy Efficiency and Climate Action Strategy.

Pursuant to the settlement agreement and direction provided by the City Council, staff developed revised onsite and parking lot lighting, lighting required on streets and rights of way and lighting provided for sports activities within parks and athletic fields for consideration. Based on provisions within the settlement agreement, staff was to report back to City Council with draft lighting requirements and recommendations for consideration without commitment to adopt an ordinance.

Some of the major modifications proposed to the existing lighting standards include:

- Revised development and performance standards including maximum wattage of light bulbs for single-family residential, multiple-family residential (100 watts) and non-residential (commercial and industrial) properties (250 watts);
- All lighting to include full cutoffs to prevent excess trespass for residential-multiple family and all non-residential properties.
- A further reduction of permitted light trespass or spillover lighting on adjacent properties for all non-residential and multi-family residential properties to not

exceed 0.25 foot candle minimum maintained lighting measured from within five (5) feet of any property line consistent with language in the Palm Desert ordinance. This compares with the existing ordinance standard to not exceed 0.50 foot candle at the property line.

- The inclusion of height limits for hillside residential lighting of 8 feet, with all other residential areas not to exceed 12 feet; and non-residential lighting height limits of 30 feet, except within 100 feet of a residential use, where the maximum height would be 20 feet and walkway/courtyard lighting with a maximum of 12 feet in height.

- The addition of lighting curfews for outdoor lighting for non-residential uses requiring all lighting to be reduced by 50 percent beginning at 10:00 p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier.
- The addition of athletic field lighting standards to include horizontal cutoffs to reduce vertical lighting above the fixture for new lighting and retrofit fixtures and a maximum lighting value for lighting recreational athletic fields to be an average maintained 50 foot-candles.

- The modification of existing street light standards to indicate that the installation of street lighting is solely for the purpose of illuminating the public right of way in conformance to the city street lighting standards, which include the provision that the developer will pay all costs related to the installation of street lighting and establish a method for the payment of maintenance and operations.

In the process of updating current lighting standards, staff established a subcommittee with members from Police, Land Development, Transportation, Special Districts, Moreno Valley Utility and Parks and Community Services. All department representatives of the subcommittee assisted in drafting revised lighting language, reviewed draft dark sky lighting standards, and have agreed to the proposed modifications as presented and attached to this report in cross-out/underline and clean copy formats.

ALTERNATIVES

1. **RECOGNIZE** that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and **INTRODUCE** Ordinance No. 851, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide. ***Staff recommends this alternative.***

2. **RECOGNIZE** that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and **INTRODUCE** Ordinance No. 851, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide. ***Staff does not recommend this alternative.***

NOTIFICATION

Public notice of the proposed Municipal Code Amendment was published in the local newspaper as a 1/8 page display ad on August 10, 2012 and was also mailed to the Sierra Club.

ATTACHMENTS

1. Public hearing notice
2. City Council Ordinance, including clean copies of the Ordinance amendment
3. Strikeout/underline version of Chapter 9, Section 9.08.100 "Lighting" of the Municipal Code
4. Strikeout/underline version of Chapter 9, Section 9.08.190, "Street Lighting" of the Municipal Code
5. Strikeout/underline version of Chapter 9.16, Article IV, "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines" of the Municipal Code
6. Strikeout/underline version of Chapter 9.16, "Applications for Lighting" Section 9.16.280 "General Requirements" of the Municipal Code.
7. Strikeout/underline version of Chapter 9.15, Section 9.15.030 "Definitions" of the Municipal Code.

Prepared By:
Mark Gross, AICP
Senior Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER A CITYWIDE AMENDMENT (PA10-0022) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE, TITLE 9 OF THE MORENO VALLEY MUNICIPAL CODE, CHAPTER 9.08, SECTION 9.08.100 "LIGHTING" AND SECTION 9.08.190 "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV "APPLICATIONS FOR HILLSIDE DEVELOPMENT", SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES", ARTICLE VI "APPLICATIONS FOR LIGHTING", SECTION 9.16.280, "GENERAL REQUIREMENTS", AND CHAPTER 9.15, SECTION 9.15.030 "DEFINITIONS" RELATING TO DARK SKY PROVISIONS FOR LIGHTING.

The amendment would modify current lighting standards including, but not limited to the refinement of existing code standards for general site, athletic field and street lighting to provide a further reduction of light spillover onto adjacent properties and a dark sky approach citywide.

The City Council may consider any appropriate modifications or alternatives to the amendment or environmental determination. The amendment is exempt under California Environmental Quality Act Guidelines Section 15061 in that there is no possibility that the proposed activity may have potential for a significant impact upon the environment.

Any person interested in the proposed project may contact Mark Gross at (951) 413-3215 or at the Community & Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Clerk or City Council on or before the following meeting date:

Tuesday, August 28, 2012
6:30 P.M.
City Council Chamber
14177 Frederick Street.
Moreno Valley, CA 92552-0805

ATTACHMENT 1

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MV00175576

ORDINANCE NO. 851

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA10-0022 TO AMEND TITLE 9 OF THE MORENO VALLEY MUNICIPAL CODE, CHAPTER 9.08, SECTION 9.08.100 "LIGHTING" AND SECTION 9.08.190 "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV APPLICATIONS FOR HILLSIDE DEVELOPMENT SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES", ARTICLE VI "APPLICATIONS FOR LIGHTING", SECTION 9.16.280, "GENERAL REQUIREMENTS" AND CHAPTER 9.15, SECTION 9.15.030, "DEFINITIONS" RELATING TO MODIFICATIONS OF GENERAL SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING WITH AN EMPHASIS ON DARK SKY STANDARDS CITYWIDE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1: RECITALS

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 The ordinance amendment is attached hereto and incorporated herein as Exhibits A through E.

1.4 The item was first heard as a public hearing by the City Council on July 12, 2011. At said meeting the item was continued to a study session meeting in March/April of 2012.

1.5 The item was discussed at City Council Study Session on April 3, 2012, with Council directing staff to place on an agenda for public hearing in August of 2012.

1.6 A second City Council public hearing was conducted for the project on August 28, 2012.

SECTION 2: FINDINGS

2.1 Based upon substantial evidence presented to this City Council during the above-referenced meeting on August 28, 2012, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modifications to the Municipal Code are consistent with the General Plan, and its goals, objectives, policies and programs.

ATTACHMENT 2

FACT: The citywide project consists of modifications to existing lighting standards established in the City of Moreno Valley Municipal Code. Numerous sections of the Code will be modified regarding lighting for general site, athletic field and street lighting to provide a further reduction of light spillover onto adjacent properties, a dark sky approach and a reduction of overall energy/electricity use. All of the proposed clarifications and modifications included within the Municipal Code amendment are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan. Particularly, Objective 2.10.7 of the General Plan indicates that on-site lighting should not cause nuisance levels of light or glare on adjacent properties.

2. **Conformance with Zoning Regulations –** The proposed modifications to the Municipal Code comply with all applicable zoning and other regulations.

   FACT: The primary purpose of modifying current lighting ordinance practices is to permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night, curtail and reverse any degradation of the nighttime visual environment and the night sky, minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary and conserve energy. The amendments to the Municipal Code are consistent with applicable zoning standards and all other regulations within the Code. The newly established language within the amendment are internally consistent and compatible with the purpose and intent of Title 9, and will refine the language within the existing lighting and design standards within the various sections of the Code. The amendments are also internally compatible with other regulations established within the Moreno Valley Development Code.

3. **Health, Safety and Welfare –** The proposed modifications to the Municipal Code will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The modification and enhancement of existing Municipal Code general and design standards for on-site and street lighting with an emphasis on maintaining dark night skies creates a positive environment for the development of Moreno Valley's future and allows for the preservation of night skies and reduction of glare and light in more environmental sensitive land use areas such as residential hillside and open space areas.

Pursuant to Section 15061 of the CEQA Guidelines, the project meets requirements for project exemption as there is no possibility that the modification of existing light standards to further prevent light spillover into adjacent properties and into the night sky may have a significant effect on the environmental, while the activity is not subject to CEQA requirements. The proposed amendment also does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions.

SECTION 3: ADOPTION

Based on the foregoing recitals and findings, the City Council of the City of Moreno Valley does hereby adopt and approve the ordinance amendment attached hereto as Exhibit A.

SECTION 4: EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 11th day of September, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halsted, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 851 had its first reading on August 28, 2012, and had its second reading on September 11, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 11th day of September, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00175582

9.08.100 Lighting.

A. Purpose and Intent. The purpose of this section is to establish regulations and standards for outdoor lighting which will reduce light pollution and trespass generated by residential and non-residential lighting fixtures and devices, while maintaining dark skies. It is also the intent of this section to encourage, through the regulation of the types, construction, installation and uses of outdoor illuminating devices, lighting practices and systems to conserve energy without decreasing safety, security and productivity.

B. Applicability. Lighting standards included in this chapter shall apply to:

1. All new development

2. Any existing development or parking area providing five or more spaces, which is enlarged, reconstructed, altered or changed from its previous configuration shall be subject to illumination requirements included in this chapter.

3. Existing land uses are exempt from specific lighting requirements included in this chapter, except that they are subject either to general lighting intensity standards (i.e. foot candle requirements) in place prior to the effective date of this ordinance or standards of a prior point by point or photometric lighting plan approved by the City. Any general modifications to existing on-site lighting structures or fixtures and/or intensity of lighting may be subject to the regulations provided in the entirety of this chapter as determined by the submittal and review of a new or revised photometric lighting plan.

C. Minimum Development and Performance Standards. All exterior lighting shall meet the following requirements:

1. Single Family Residential Uses.

a. In all single family residential areas, light should be shielded such that the lamp itself or the lamp image is not directly visible outside the property perimeter.

b. The maximum wattage for residential lighting shall be 100 watts incandescent or equivalent light intensity and 26 watts compact fluorescent or equivalent light intensity, except for recreational courts.

c. Lighting standards for recreational courts are subject to Section 9.09.190 "Swimming pools, spas and recreational courts", while approval of all recreational court lighting is subject to a point by point photometric lighting plan submittal.

EXHIBIT A

2. Multiple Family Residential Uses.

a. All outdoor lighting associated with residential uses shall be fully shielded and directed away from adjacent residential properties. Such lighting shall not exceed one-quarter (0.25) foot candle minimum maintained lighting measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness.

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.

c. The maximum wattage for residential lighting shall be 100 watts incandescent or equivalent light intensity and 26 watts compact fluorescent or equivalent light intensity, except as allowed for parking lot lighting and recreational courts.

d. Parking lot lighting for designated multiple family residential parking areas shall meet the requirements included in item (4) (a-c) below.

3. Non-Residential Uses.

a. All outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses. Such lighting shall not exceed one quarter (0.25) foot candle minimum maintained lighting measured from within five feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for non residential uses shall be 250 watts or equivalent light intensity of high intensity discharge (HID) lighting.

4. Off-Street Parking.

a. All parking lots or structures providing more than five spaces for use by the general public and their pedestrian links shall be provided with a minimum coverage of one (1) foot candle of light with a maximum of eight (8) foot candles on the parking or walkway surface, unless otherwise approved, for visibility and security. Such lighting shall not exceed one quarter (0.25) foot candle minimum maintained lighting measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness. All wiring shall be underground;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for parking lot lighting shall be 250 watts or equivalent light intensity of high intensity discharge (HID) lighting;

5. Public Parks, Trails and Athletic Field Lighting.

a. The illumination of outdoor public recreational (sports) facilities, unless a specific recreational activity requiring the lighting is already in progress is prohibited between midnight and dawn. Lighting shall be provided as specified in this chapter. All lighting shall be designed and installed in compliance with the Parks and Community Services document titled "LIGHTING STANDARDS FOR PARKS AND RELATED PUBLIC FACILITIES".

b. Public Parks: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. New lighting for parks and related facilities should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

c. Trails: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. Lighted trails not incorporated in the roadway shall be illuminated with a minimum maintained twenty-five one-hundredths (0.25) foot-candles of light at ground level during the hours of darkness. New lighting for trails should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

d. Athletic Field Lighting: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. The maximum lighting value that shall be used in lighting recreational athletic fields shall be an average maintained 50 foot candles. Minimum lighting values shall be per Parks and Community Services Standards. New lighting for athletic fields should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

*Where the adjacent property line is another City facility, the foot-candles may exceed the maximum requirements.

6. Street Lighting

a. Purpose. The purpose of this section is to establish a set of guidelines with which to regulate the installation, operation and maintenance of overhead street lighting in the City. The City seeks to make provisions for street lighting that will be

beneficial to City residents, and to provide for this lighting in an orderly, efficient and equitable manner. This section serves to establish a uniform standard for location of lights and illumination levels within the City, and clarifies responsibilities for payment of the various costs involved.

b. General Requirements. Unless otherwise waived by the public works director/city engineer for developments within the OS, HR, RR and R1 districts, the provision of streetlights shall be a requirement of all development proposals. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system. The following specifications apply to all street lighting in the City, on all public and private roadways. The City has adopted the Southern California Edison (SCE) scheduled rates LS-1, LS-2 and LS-3 or comparable Moreno Valley Utility (MVU) rate standards. Prior to any planning, design, or installation of street lighting, the developer shall confirm the applicable rate schedule with the City. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by either SCE or MVU and the public works director/city engineer. (Ord. 359 (part), 1992). The developer will pay all costs related to the installation of the street lighting and establish a method for the payment of maintenance and operations. All street lighting installed shall be solely for the purpose of illuminating the public way and shall conform to the city street lighting standards.

c. Luminaire and Lamp Requirements.

1. All street lighting in residential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

2. All street lighting in nonresidential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

3. All street lighting for arterial roadways shall not exceed 22,000 lumen (two hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

4. All street lighting shall utilize full-cutoff luminaries and be fully shielded.

5. All street lighting shall meet the current City street lighting standards, unless otherwise approved by the public works director/city engineer.

d. Specific Warrants for Lighting Locations.

The City street lighting standards shall be used to determine locations for all street lighting, unless otherwise approved by the public works director/city engineer.

D. Lighting Height Limits

1. Hillside Residential Areas – Outdoor on-site lighting on hillside residential properties, except for street lighting, shall be mounted on a post with full cutoff not to exceed eight (8) feet above finished grade, or on a building wall or structure not to exceed eight (8) feet above finished grade and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to a single family residential structure shall not exceed the height of the roof eave.

2. All Other Residential Areas – Outdoor on-site lighting within all other residential areas, except for street lighting, shall be on poles or other supports not exceeding twelve (12) feet in height and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to all residential structures shall not exceed the height of the roof eave.

3. Non-Residential Areas – Outdoor on-site lighting on commercial and industrial properties, except for street lighting, shall be mounted on a post and fully shielded not to exceed a maximum height of thirty (30) feet, except within 100 feet of a residential use, where the post shall not exceed a maximum height of twenty (20) feet. Posts shall be appropriately scaled for small buildings and lots. All lighting fixtures shall be in scale with the proposed building height. Lighting attached to a building shall not exceed the height of the roof eave or twenty feet, whichever is less.

4. Walkway and Courtyard Lighting - Outdoor on-site lighting for all residential and non-residential walkway and courtyard lighting shall be directed downward and mounted on a post or adjacent structure not to exceed a maximum height of twelve (12) feet or the height of the eaves, whichever is less.

E. Light Trespass Standards. Light trespass shall be minimized by complying with the following standards:

1. Light spillover or trespass for all multiple family residential and non-residential properties shall not exceed one-quarter (0.25) foot candle minimum maintained of illumination measured from within five (5) feet of any property line.

2. All exterior lighting shall be full-cutoff type and fully shielded to prevent spillover onto adjacent properties.

3. All wall pack lighting shall be full-cutoff type and non-adjustable, with light directed away from surrounding properties. Wall packs shall incorporate internal house (wall) side shields, baffles or reflectors to minimize wall brightness.

F. General Guidelines

1. All exterior commercial doors during the hours of darkness shall be illuminated with one (1) to a maximum of three (3) foot candles of maintained lighting.

2. Aisles and passageways related to and within a building complex, during the hours of darkness, shall be illuminated with a maximum of one-half (0.50) to one (1) foot candles of maintained lighting.

3. All lighting shall be enclosed in vandal-resistant fixtures.

4. Lighting shall be adequate to help ensure a safe environment, but not to cause excessive glare or intense light.

5. For safety, identification and convenience, the entrances of building and parking areas shall be illuminated.

6. In multifamily developments, laundry rooms shall be well-lit at all times as they are intended for tenant use. Lights shall be placed on photo cell or automatic timers, and no switches shall be available to tenants to turn the lights off.

G. Lighting Curfew

1. Except as specified elsewhere in this Section, outdoor lighting systems in non-residential areas shall be turned off or reduced by at least fifty percent (50%) beginning at 10:00 p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier. The reduction of lighting shall be determined as an overall average for the parcel. When possible, the lighting system shall be turned off rather than reduced in lighting levels. Lighting shall be equipped with controls for photocell on and timer off.

2. All walkway, security and street lighting may remain on all night.

H. Lighting Prohibitions

1. Overhead roof lighting is prohibited.

2. The installation of mercury vapor outdoor lighting fixtures is prohibited.

3. Adjustable outdoor lighting fixture mounts are prohibited. All fixtures shall be permanently installed so as to maintain shielding requirements, except that landscape and ornamental lighting may use flexible or adjustable mounting systems.

4 Lighting fixtures mounted in such a way as to aim only towards a property line are prohibited.

5. Lighting which interferes with the safe operation of a motor vehicle as determined by the Police Chief or City Engineer is prohibited.

6. Billboard lighting which is pointed upward is prohibited.

I. Lighting Exemptions. The following lighting is exempt from this Chapter:

1. Swimming pool lighting

2. Lighting for exit signs and other illumination required by the building code

3. Lighting for exterior stairs and ramps, as required by the building code

4. Decorative lighting, as approved by the Community and Economic Development Director

5. Holiday and temporary lighting

6. Low voltage landscape lighting

7. Lights used for the illumination of flags as required by law.

8. Portable temporary lighting used by law enforcement or emergency services personnel to protect life or property.

9. Motion detector lighting fixtures are exempt provided that there is no light trespass onto adjacent residential properties.

10. Exposed string outdoor lighting is exempt provided that:

a. Lighting shall consist exclusively of white light with a clear bulb;

b. Installation of such lighting shall be limited to the lighting of living landscape features (shrubs and trees) in outside dining areas or within parking areas of a commercial center or plaza.

J. Lighting plans and evidence of lighting compliance. The application for any required city approval involving residential and non-residential nonexempt outdoor light fixtures shall include evidence that the proposed work will comply with this chapter. The submission shall contain the following:

1. The location of the site where the outdoor light fixtures will be installed;

2. Plans showing the location and type of all fixtures, both existing and proposed, on the premises, including point by point photometric lighting levels;

3. A description of the outdoor light fixtures including, but not limited to manufacturer's catalog cuts, photometric reports with candela distribution, drawings, and shielding information;

4. Submittal drawings shall be signed by a licensed professional engineer or by the licensed electrical contractor that is performing the work. This engineer or contractor shall be held responsible for the content and accuracy of the submittal design. Submittals must contain the name of the company that prepared the drawings and the name, title, and telephone number of the person that performed the design work.

5. All plans resubmitted for approval shall include a written description of all changes and comments attached to the plan check comments.

~~9.08.190 Street lighting.~~

~~A. Unless otherwise waived by the public works director for developments within the OS, HR, RR and R1 districts, the provision of street lights shall be a requirement of all development proposals.~~

~~B. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system of either:~~

~~1. A utility-owned ornamental system consisting of standard ornamental electroliers customarily furnished by the utility or other design approved by the utility and the public works director; or~~

~~2. A municipally-owned ornamental system consisting of reinforced concrete or steel standards with underground wiring or other design approved by the public works director.~~

~~C. If a utility-owned ornamental system is installed, the developer shall be liable for and shall pay all charges attributable to such installation.~~

~~D. If a municipally-owned underground ornamental system is installed, the developer shall be liable for and shall pay all costs incurred in installing the entire system.~~

~~E. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by the utility-owned system and the public works director. (Ord. 359 (part), 1992)~~

EXHIBIT B

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MV00175592

9.16.235 Hillside design standards.

A. Site Plan Design. Each structure shall be located in the most accessible, least visually prominent, most geologically stable portion or portions of the site, and at the lowest feasible elevation. Structures shall also be aligned with the natural contours of the site. Locating structures in the least prominent locations is particularly important on open hillsides where the high visibility of construction should be minimized by placing structures so that they will be screened by existing vegetation, depressions in topography, or other natural features. In addition, the following standards shall apply:

1. Significantly visible rock outcroppings should be preserved and incorporated into the site plan.

2. All pads and driveways shall, to the fullest extent practicable, follow and utilize the natural contours of the land to minimize disturbance and shall not be located on the crest of a natural ridgeline.

3. Clustering of development on flatter areas of the site is strongly encouraged.

4. Dwelling units and structures shall be sited in a manner that will:

a. Retain outward views from each unit;

b. Preserve or enhance vistas and ridgelines, particularly those seen from public places and rights-of-way in the valley below;

c. Preserve natural hydrology, native plant materials and areas of historic significance.

5. In areas adjacent to a ridgeline or in moderate slope areas, dwelling units and structures shall be sited to:

a. Use the natural ridgeline as a backdrop for structures;

b. Use landscape plant materials as a backdrop;

c. Use the structure to conceal cut slopes;

d. Retain major natural skyline profiles;

e. The topmost point of a proposed structure and all site grading shall be at least thirty (30) feet below the top of the nearest ridge or knoll.

EXHIBIT C

6. Encourage smaller pad to lot size ratios for all dwelling units.

7. Streets, both public and private, shall be developed below the crest of a natural ridgeline.

B. Architectural Design. The following architectural design standards shall apply:

1. Building development color palettes, including roofing, fencing and exterior building materials, shall be "earth tones" compatible with the natural color of the terrain and vegetation, and shall be approved by the community development director.

2. The design of the structure should give consideration to the lot's size and configuration in order to avoid the appearance of overbuilding and to minimize the blocking of views.

3. Large expanses of a single material on walls, roofs or paving areas should be avoided. Create interesting small scale patterns by breaking up building mass, varying building materials, etc. Building plans and elevations should be varied throughout a development to avoid a monotonous "cookie-cutter" look.

4. Horizontal and vertical architecture detailing of building articulation, such as overhangs, projections, alcoves, varied roof-plains, building offsets, etc. should be used to avoid large expanses of a wall in a single plain and to create light and shadow.

5. Brightly colored structures and roofs and reflective glass or building materials are expressly prohibited. Materials and colors shall blend with the natural hillside environment to the greatest degree feasible. Specific materials that are encouraged are those with natural colors and textures, including stone, wood, textured stucco and brick.

6. Where it will not result in increased grading and landform alteration, the limitation of structures to a single story is strongly encouraged.

7. The use of undulating walls that follow the land form are highly encouraged.

8. Detaching the garage shall be encouraged, while retaining walls shall be integrated into the garage walls on sloping lots to reduce grading and minimize visibility of walls.

9. Include architectural enrichments and variations in roof massing. Roofs should have low profiles to minimize their visual impact. On sloping land, the roof pitch should follow the slope of the hillside, instead of being perpendicular to the hillside or opposing hillside slope. Upper stories should not be cantilevered out of the opposite direction of the hillside slope.

C. Lighting Design. The intent of lighting standards for designated hillside properties is to preserve the low light level conditions that are inherently characteristic of hillside areas. The following lighting design standards shall apply:

1. Lights shall not be located on the portion(s) of the site that has not been disturbed.

2. Lights mounted on dwellings, buildings or structures shall be fully shielded and directed away from adjacent developments.

3. All light fixtures should be directed downward and properly aimed on the targeted areas to maximize their effectiveness and minimize the total number of light fixtures.

4. All lighting shall be low scale and low intensity and directed downward and away from the view of others.

5. Road, driveway and walkway lights should be located on the "downhill" side and aimed toward the "uphill" side and should be fully shielded from below and only light the driveway surface.

6. Lighting fixtures on properties should be mounted on a post not to exceed a height of eight (8) feet above finished grade, or on a building wall not to exceed a height of eight (8) feet above finished grade and fully shielded, or on a structure not to exceed a height of eight (8) feet above finished grade and fully shielded for security lighting.

7. Street lighting shall be limited to the greatest degree feasible to maintain a "dark sky" environment. Typically, streetlights should be limited to street intersections or other locations where safety concerns predicate the need for illumination. (Ord. 773 § 3, 2008)

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MV00175596

"Land use ordinance" means the city of Moreno Valley development code as amended.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

9.15.030

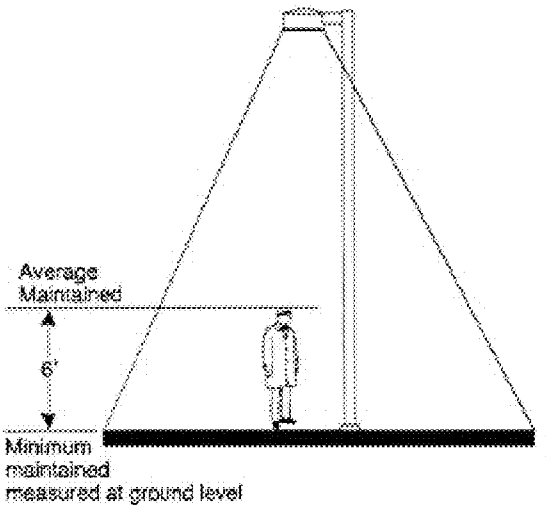

Figure 9.15.030-10

Lighting (Minimum Maintained)

"Light Trespass" means any artificial light or glare from a light fixture onto neighboring property that interferes with viewing of the night sky, or eliminates the ability to have darkness on the adjacent property, or shines into neighboring windows, properties or structures.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

EXHIBIT D

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MV00175598

9.16.280 General requirements.

A. Purpose and Intent Lighting shall serves both safety and aesthetic purposes, while reducing unnecessary light pollution and maintaining dark skies. Effective lighting will highlight building features and add emphasis to important spaces and entryways, while limiting glare and light trespass onto adjacent properties. The intent of these guidelines is to encourage effective and innovative lighting as an integral design component of a project.

B. General Guidelines.

1. Exterior lighting should relate to the design the project, highlighting architectural elements and details without deflecting unnecessary light and glare onto surrounding properties.

2. Lighting should improve the visual identification of residences and businesses.

3. Energy efficient lighting of buildings is encouraged.

4. High-intensity security lighting fixtures should be concealed by landscaping or building architectural elements.

5. The location, color and intensity of private lighting should relate to and complement public lighting.

6. Lighting fixture design should complement the overall design theme of the project in which they are located.

7. At hazardous locations such as changes of grade, low level supplemental lighting units should be used.

8. Where low level lighting (below five feet) is used, fixtures should be placed so that they do not produce glare.

EXHIBIT E

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MV00175600

9.08.100 Lighting.

A. Purpose and Intent. The purpose of this section is to establish regulations and standards for outdoor lighting which will reduce light pollution and trespass generated by residential and non-residential lighting fixtures and devices, while maintaining dark skies. It is also the intent of this section to encourage, through the regulation of the types, construction, installation and uses of outdoor illuminating devices, lighting practices and systems to conserve energy without decreasing safety, security and productivity.

B. Applicability. Lighting standards included in this chapter shall apply to:

1. All new development

2. ~~Each~~ Any existing development or parking area providing five or more spaces, which is enlarged, reconstructed, altered or changed from its previous configuration shall be subject to ~~these~~ illumination requirements included in this chapter.

3. Existing land uses are exempt from specific lighting requirements included in this chapter, except that they are subject either to general lighting intensity standards (i.e. foot candle requirements) in place prior to the effective date of this ordinance or standards of a prior point by point or photometric lighting plan approved by the City. Any general modifications to existing on-site lighting structures or fixtures and/or intensity of lighting may be subject to the regulations provided in the entirety of this chapter as determined by the submittal and review of a new or revised photometric lighting plan.

C. Minimum Development and Performance Standards. All exterior lighting shall meet the following requirements:

1. Single Family Residential Uses.

a. In all single family residential areas, light should be shielded such that the lamp itself or the lamp image is not directly visible outside the property perimeter.

b. The maximum wattage for residential lighting shall be 100 watts incandescent or equivalent light intensity and 26 watts compact fluorescent or equivalent light intensity, except for recreational courts.

c. Lighting standards for recreational courts are subject to Section 9.09.190 "Swimming pools, spas and recreational courts", while approval of all recreational court lighting is subject to a point by point photometric lighting plan submittal.

ATTACHMENT 3

2. Multiple Family Residential Uses.

a. All outdoor lighting associated with residential uses shall be fully shielded and directed away from adjacent residential properties. Such lighting shall not exceed one-quarter (0.25) foot candle minimum maintained lighting measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness.

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.

c. The maximum wattage for residential lighting shall be 100 watts incandescent or equivalent light intensity and 26 watts compact fluorescent or equivalent light intensity, except as allowed for parking lot lighting and recreational courts.

d. Parking lot lighting for designated multiple family residential parking areas shall meet the requirements included in item (4) (a-c) below.

3. Non-Residential Uses.

~~A.~~ a. All outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses. Such lighting shall not exceed ~~one-half (0.50)~~ one quarter (0.25) foot candle minimum maintained lighting ~~beyond the property containing the nonresidential use~~ measured from within five feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for non residential uses shall be 250 watts or equivalent light intensity of high intensity discharge (HID) lighting.

4. Off-Street Parking.

~~B.~~ a. All parking lots or structures providing more than five spaces for use by the general public and their pedestrian links shall be provided with a minimum coverage of one (1) foot candle of light with a maximum of eight (8) foot candles on the parking or walkway surface ~~from dusk until dawn~~, unless otherwise approved, for visibility and security ~~over the entire parking surface~~. ~~Wiring shall be underground unless existing overhead lines can serve the need without any additional overhead lines~~. ~~Each parking area of five or more spaces existing prior to the effective date of the ordinance codified in this chapter which is enlarged, constructed, altered, or changed from its previous configuration shall be subject to these illumination requirements.~~ Such lighting

shall not exceed ~~one-half (0.50)~~ one quarter (0.25) foot candle minimum maintained lighting ~~beyond the property containing the non-residential use~~ measured from within five (5) feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness. All wiring shall be underground;

b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass;

c. The maximum wattage for parking lot lighting shall be 250 watts or equivalent light intensity of high intensity discharge (HID) lighting;

5. Public Parks, Trails and Athletic Field Lighting.

a. The illumination of outdoor public recreational (sports) facilities, unless a specific recreational activity requiring the lighting is already in progress is prohibited between midnight and dawn. Lighting shall be provided as specified in this chapter. All lighting shall be designed and installed in compliance with the Parks and Community Services document titled "LIGHTING STANDARDS FOR PARKS AND RELATED PUBLIC FACILITIES".

b. Public Parks: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. New lighting for parks and related facilities should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

c. Trails: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. Lighted trails not incorporated in the roadway shall be illuminated with a minimum maintained twenty-five one-hundredths (0.25) foot-candles of light at ground level during the hours of darkness. New lighting for trails should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

d. Athletic Field Lighting: New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. The maximum lighting value that shall be used in lighting recreational athletic fields shall be an average maintained 50 foot candles. Minimum lighting values shall be per Parks and Community Services Standards. New lighting for athletic fields should have a maximum of twenty-five one-hundredths (.25) foot-candles at five (5) feet from property line*. Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths (0.5) foot-candles of light at ground level at property line may be utilized.

*Where the adjacent property line is another City facility, the foot-candles may exceed the maximum requirements.

6. Street Lighting

a. Purpose. The purpose of this section is to establish a set of guidelines with which to regulate the installation, operation and maintenance of overhead street lighting in the City. The City seeks to make provisions for street lighting that will be beneficial to City residents, and to provide for this lighting in an orderly, efficient and equitable manner. This section serves to establish a uniform standard for location of lights and illumination levels within the City, and clarifies responsibilities for payment of the various costs involved.

b. General Requirements. Unless otherwise waived by the public works director/city engineer for developments within the OS, HR, RR and R1 districts, the provision of streetlights shall be a requirement of all development proposals. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system. The following specifications apply to all street lighting in the City, on all public and private roadways. The City has adopted the Southern California Edison (SCE) scheduled rates LS-1, LS-2 and LS-3 or comparable Moreno Valley Utility (MVU) rate standards. Prior to any planning, design, or installation of street lighting, the developer shall confirm the applicable rate schedule with the City. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by either SCE or MVU and the public works director/city engineer. (Ord. 359 (part), 1992). The developer will pay all costs related to the installation of the street lighting and establish a method for the payment of maintenance and operations. All street lighting installed shall be solely for the purpose of illuminating the public way and shall conform to the city street lighting standards.

c. Luminaire and Lamp Requirements.

1. All street lighting in residential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

2. All street lighting in nonresidential areas shall not exceed 9,500 lumen (one hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

3. All street lighting for arterial roadways shall not exceed 22,000 lumen (two hundred watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.

4. All street lighting shall utilize full-cutoff luminaries and be fully shielded.

5. All street lighting shall meet the current City street lighting standards, unless otherwise approved by the public works director/city engineer.

d. Specific Warrants for Lighting Locations.

The City street lighting standards shall be used to determine locations for all street lighting, unless otherwise approved by the public works director/city engineer.

D. Lighting Height Limits

1. Hillside Residential Areas – Outdoor on-site lighting on hillside residential properties, except for street lighting, shall be mounted on a post with full cutoff not to exceed eight (8) feet above finished grade, or on a building wall or structure not to exceed eight (8) feet above finished grade and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to a single family residential structure shall not exceed the height of the roof eave.

2. All Other Residential Areas – Outdoor on-site lighting within all other residential areas, except for street lighting, shall be on poles or other supports not exceeding twelve (12) feet in height and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to all residential structures shall not exceed the height of the roof eave.

3. Non-Residential Areas – Outdoor on-site lighting on commercial and industrial properties, except for street lighting, shall be mounted on a post and fully shielded not to exceed a maximum height of thirty (30) feet, except within 100 feet of a residential use, where the post shall not exceed a maximum height of twenty (20) feet. Posts shall be appropriately scaled for small buildings and lots. All lighting fixtures shall be in scale with the proposed building height. Lighting attached to a building shall not exceed the height of the roof eave or twenty feet, whichever is less.

4. Walkway and Courtyard Lighting - Outdoor on-site lighting for all residential and non-residential walkway and courtyard lighting shall be directed downward and mounted on a post or adjacent structure not to exceed a maximum height of twelve (12) feet or the height of the eaves, whichever is less.

E. Light Trespass Standards. Light trespass shall be minimized by complying with the following standards:

1. Light spillover or trespass for all multiple family residential and non-residential properties shall not exceed one-quarter (0.25) foot candle minimum maintained of illumination measured from within five (5) feet of any property line.

2. All exterior lighting shall be full-cutoff type and fully shielded to prevent spillover onto adjacent properties.

3. All wall pack lighting shall be full-cutoff type and non-adjustable, with light directed away from surrounding properties. Wall packs shall incorporate internal house (wall) side shields, baffles or reflectors to minimize wall brightness.

F. General Guidelines

1. All exterior commercial doors during the hours of darkness shall be illuminated with one (1) to a maximum of three (3) foot candles of ~~minimum~~ maintained lighting.

2. Aisles and passageways ~~and recesses~~ related to and within a building complex, during the hours of darkness, shall be illuminated ~~to~~ with a maximum of one-half (0.50) to one (1) foot candles of ~~minimum~~ maintained lighting.

3. All lighting shall be enclosed in vandal-resistant fixtures.

4. Lighting shall be adequate to help ensure a safe environment, but not to cause excessive glare or intense light.

5. For safety, identification and convenience, the entrances of building and parking areas shall be illuminated.

6. In multifamily developments, laundry rooms shall be well-lit at all times as they are intended for tenant use. Lights shall be placed on photo cell or automatic timers, and no switches shall be available to tenants to turn the lights off.

~~7. All residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be consistently located on each dwelling throughout the development. The numerals shall be no less than four inches in height and shall be of low voltage lighted address fixtures. (Ord. 698 § 3.1(d), 2005; Ord. 359 (part), 1992)~~

G. Lighting Curfew

1. Except as specified elsewhere in this Section, outdoor lighting systems in non-residential areas shall be turned off or reduced by at least fifty percent (50%) beginning at 10:00 p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier. The reduction of lighting shall be determined as an overall average for the parcel. When possible, the lighting system shall be turned off rather than reduced in lighting levels. Lighting shall be equipped with controls for photocell on and timer off.

2. All walkway, security and street lighting may remain on all night.

H. Lighting Prohibitions

1. Overhead roof lighting is prohibited.

2. The installation of mercury vapor outdoor lighting fixtures is prohibited.

3. Adjustable outdoor lighting fixture mounts are prohibited. All fixtures shall be permanently installed so as to maintain shielding requirements, except that landscape and ornamental lighting may use flexible or adjustable mounting systems.

4 Lighting fixtures mounted in such a way as to aim only towards a property line are prohibited.

5. Lighting which interferes with the safe operation of a motor vehicle as determined by the Police Chief or City Engineer is prohibited.

6. Billboard lighting which is pointed upward is prohibited.

I. Lighting Exemptions. The following lighting is exempt from this Chapter:

1. Swimming pool lighting

2. Lighting for exit signs and other illumination required by the building code

3. Lighting for exterior stairs and ramps, as required by the building code

4. Decorative lighting, as approved by the Community and Economic Development Director

5. Holiday and temporary lighting

6. Low voltage landscape lighting

7. Lights used for the illumination of flags as required by law.

8. Portable temporary lighting used by law enforcement or emergency services personnel to protect life or property.

9. Motion detector lighting fixtures are exempt provided that there is no light trespass onto adjacent residential properties.

10. Exposed string outdoor lighting is exempt provided that:

a. Lighting shall consist exclusively of white light with a clear bulb;

b. Installation of such lighting shall be limited to the lighting of living landscape features (shrubs and trees) in outside dining areas or within parking areas of a commercial center or plaza.

J. Lighting plans and evidence of lighting compliance. The application for any required city approval involving residential and non-residential nonexempt outdoor light fixtures shall include evidence that the proposed work will comply with this chapter. The submission shall contain the following:

1. The location of the site where the outdoor light fixtures will be installed;

2. Plans showing the location and type of all fixtures, both existing and proposed, on the premises, including point by point photometric lighting levels;

3. A description of the outdoor light fixtures including, but not limited to manufacturer's catalog cuts, photometric reports with candela distribution, drawings, and shielding information;

4. Submittal drawings shall be signed by a licensed professional engineer or by the licensed electrical contractor that is performing the work. This engineer or contractor shall be held responsible for the content and accuracy of the submittal design. Submittals must contain the name of the company that prepared the drawings and the name, title, and telephone number of the person that performed the design work.

5. All plans resubmitted for approval shall include a written description of all changes and comments attached to the plan check comments.

~~C. Use of the following forms of outdoor lighting shall be prohibited between midnight and dawn:~~

~~1. The operation of searchlights for advertising purposes; and~~

~~2. The illumination of outdoor public recreational facilities, unless a specific recreational activity requiring the lighting is already in progress. Security lighting shall be provided.~~

~~D. Overhead roof lighting is prohibited.~~

~~E. Outdoor lighting within residential areas, except for street lighting, shall be on poles or other supports not exceeding twelve (12) feet in height. Such lighting shall be designed to project downward and shall not create glare on adjacent properties.~~

~~F. All exterior commercial doors during the hours of darkness shall be illuminated with one footcandle, minimum maintained of light on the surface.~~

~~G. Aisles, passageways and recesses related to and within a building complex, during the hours of darkness, shall be illuminated to one-half footcandle, minimum maintained on the surface.~~

~~H. All lighting shall be enclosed in vandal-resistant fixtures~~.

~~I. General Guidelines.~~

~~1. Lighting shall be adequate to help ensure a safe environment, but not to cause excessive glare or intense light.~~

~~2. For safety, identification and convenience, the entrances of building and parking areas shall be illuminated. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.~~

~~3. All exterior lighting shall be shielded to prevent spillover onto adjacent properties.~~

~~4. Industrial and manufacturing developments shall provide adequate lighting for safe and secure on-site parking, loading, storage, receiving and pedestrian areas.~~

~~5. All exterior doors on commercial structures shall be illuminated with a "minimum maintained" of one footcandle of light on the door surface during hours of darkness.~~

~~6. Aisles, passageways and recesses within a building complex shall be illuminated with a "minimum maintained" of one-half footcandle of light during hours of darkness.~~

~~7. All lighting shall be enclosed in vandal-resistant fixtures.~~

~~8. In multifamily developments, laundry rooms shall be well-lit at all times they are intended for tenant use. Lights shall be placed on photo cell or automatic timers, and no switches shall be available to tenants to turn the lights off.~~

~~9. All residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be consistently located on each dwelling throughout the development. The numerals shall be no less than four inches in height and shall be of low voltage lighted address fixtures. (Ord. 698 § 3.1(d), 2005; Ord. 359 (part), 1992)~~

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MV00175610

~~9.08.190 Street lighting.~~

~~A. Unless otherwise waived by the public works director for developments within the OS, HR, RR and R1 districts, the provision of street lights shall be a requirement of all development proposals.~~

~~B. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system of either:~~

~~1. A utility-owned ornamental system consisting of standard ornamental electroliers customarily furnished by the utility or other design approved by the utility and the public works director; or~~

~~2. A municipally-owned ornamental system consisting of reinforced concrete or steel standards with underground wiring or other design approved by the public works director.~~

~~C. If a utility-owned ornamental system is installed, the developer shall be liable for and shall pay all charges attributable to such installation.~~

~~D. If a municipally-owned underground ornamental system is installed, the developer shall be liable for and shall pay all costs incurred in installing the entire system.~~

~~E. Installation of street lighting shall comply with the provisions of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by the utility-owned system and the public works director. (Ord. 359 (part), 1992)~~

ATTACHMENT 4

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MV00175612

9.16.235 Hillside design standards.

A. Site Plan Design. Each structure shall be located in the most accessible, least visually prominent, most geologically stable portion or portions of the site, and at the lowest feasible elevation. Structures shall also be aligned with the natural contours of the site. Locating structures in the least prominent locations is particularly important on open hillsides where the high visibility of construction should be minimized by placing structures so that they will be screened by existing vegetation, depressions in topography, or other natural features. In addition, the following standards shall apply:

1. Significantly visible rock outcroppings should be preserved and incorporated into the site plan.

2. All pads and driveways shall, to the fullest extent practicable, follow and utilize the natural contours of the land to minimize disturbance and shall not be located on the crest of a natural ridgeline.

3. Clustering of development on flatter areas of the site is strongly encouraged.

4. Dwelling units and structures shall be sited in a manner that will:

a. Retain outward views from each unit;

b. Preserve or enhance vistas and ridgelines, particularly those seen from public places and rights-of-way in the valley below;

c. Preserve natural hydrology, native plant materials and areas of historic significance.

5. In areas adjacent to a ridgeline or in moderate slope areas, dwelling units and structures shall be sited to:

a. Use the natural ridgeline as a backdrop for structures;

b. Use landscape plant materials as a backdrop;

c. Use the structure to conceal cut slopes;

d. Retain major natural skyline profiles;

e. The topmost point of a proposed structure and all site grading shall be at least thirty (30) feet below the top of the nearest ridge or knoll.

ATTACHMENT 5

6. Encourage smaller pad to lot size ratios for all dwelling units.

7. Streets, both public and private, shall be developed below the crest of a natural ridgeline.

B. Architectural Design. The following architectural design standards shall apply:

1. Building development color palettes, including roofing, fencing and exterior building materials, shall be "earth tones" compatible with the natural color of the terrain and vegetation, and shall be approved by the community development director.

2. The design of the structure should give consideration to the lot's size and configuration in order to avoid the appearance of overbuilding and to minimize the blocking of views.

3. Large expanses of a single material on walls, roofs or paving areas should be avoided. Create interesting small scale patterns by breaking up building mass, varying building materials, etc. Building plans and elevations should be varied throughout a development to avoid a monotonous "cookie-cutter" look.

4. Horizontal and vertical architecture detailing of building articulation, such as overhangs, projections, alcoves, varied roof-plains, building offsets, etc. should be used to avoid large expanses of a wall in a single plain and to create light and shadow.

5. Brightly colored structures and roofs and reflective glass or building materials are expressly prohibited. Materials and colors shall blend with the natural hillside environment to the greatest degree feasible. Specific materials that are encouraged are those with natural colors and textures, including stone, wood, textured stucco and brick.

6. Where it will not result in increased grading and landform alteration, the limitation of structures to a single story is strongly encouraged.

7. The use of undulating walls that follow the land form are highly encouraged.

8. Detaching the garage shall be encouraged, while retaining walls shall be integrated into the garage walls on sloping lots to reduce grading and minimize visibility of walls.

9. Include architectural enrichments and variations in roof massing. Roofs should have low profiles to minimize their visual impact. On sloping land, the roof pitch should follow the slope of the hillside, instead of being perpendicular to the hillside or opposing hillside slope. Upper stories should not be cantilevered out of the opposite direction of the hillside slope.

C. Lighting Design. The intent of lighting standards for designated hillside properties is to preserve the low light level conditions that are inherently characteristic of hillside areas. The following lighting design standards shall apply:

1. Lights shall not be located on the portion(s) of the site that has not been disturbed.

2. Lights mounted on dwellings, buildings or structures shall be fully shielded and directed away from adjacent developments.

3. All light fixtures should be directed downward and properly aimed on the targeted areas to maximize their effectiveness and minimize the total number of light fixtures.

4. All lighting shall be low scale and low intensity and directed downward and away from the view of others.

5. Road, driveway and walkway lights should be located on the "downhill" side and aimed toward the "uphill" side and should be fully shielded from below and only light the driveway surface.

6. Lighting fixtures on properties should be mounted on a post not to exceed a height of eight (8) feet above finished grade, or on a building wall not to exceed a height of eight (8) feet above finished grade and fully shielded, or on a structure ~~of not more than~~ not to exceed a height of ~~twelve (12~~) eight (8) feet above finished grade and fully shielded for security lighting.

7. Street lighting shall be limited to the greatest degree feasible to maintain a "dark sky" environment. Typically, streetlights should be limited to street intersections or other locations where safety concerns predicate the need for illumination. (Ord. 773 § 3, 2008)

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MV00175616

9.16.280 General requirements.

A. Purpose and Intent Lighting shall serves both safety and aesthetic purposes, while reducing unnecessary light pollution and maintaining dark skies. Effective lighting will highlight building features, and add emphasis to important spaces and entryways, while limiting glare and light trespass onto adjacent properties. The intent of these guidelines is to encourage effective and innovative lighting as an integral design component of a project.

B. General Guidelines.

1. Exterior lighting should relate to the design the project, highlighting architectural elements and details without deflecting unnecessary light and glare onto surrounding properties.

~~2. Parking lot and walkway lighting fixture height and brightness should conform to the following table:~~

~~Table 9.16.280A~~

~~Site Lighting~~

-

~~Lamp Types and Characteristics~~

~~Type~~	~~Characteristics~~
~~Low Level~~	~~Heights below eye level~~
-	~~Very finite patterns with hour wattage capabilities~~
-	~~Incandescent, fluorescent~~
-	~~Lowest maintenance requirements, but highly susceptible to vandals~~
~~Mall and Walkway~~	~~10′ – 15′ heights average~~
-	~~Multi-use because of extreme variety of fixtures and light pattern~~
-	~~Incandescent, high pressure sodium~~
-	~~Susceptible to vandalism~~
~~Special Purpose~~	~~20′ – 30′ heights average~~
-	~~Recreational, commercial, residential, industrial~~
-	~~Metal halide, high or low pressure sodium~~
-	~~Fixtures monitored by sentry~~

ATTACHMENT 6

~~3.~~ 2. Lighting should improve the visual identification of residences and businesses. ~~Within commercial areas, lighting should help to create a festive atmosphere by encouraging nighttime pedestrian use.~~

~~4.~~ 3. Energy efficient lighting of buildings is encouraged.

~~5~~. 4. High-intensity security lighting fixtures should be concealed by landscaping or building architectural elements. ~~and should be de-signed either to uplight structures from the ground or to downlight structures from projecting or detached architectural elements.~~

~~6.~~ 5. The location, color and intensity of private lighting should relate to and complement public lighting.

~~7~~. 6. Lighting fixture design should complement the overall design theme of the project in which they are located.

~~8. Fixtures should be placed so that light patterns overlap at a height of seven feet, which is sufficiently high to illuminate a person's body vertically. This is a particularly important consideration now that lighting fixture manufacturers are designing luminaries with highly controlled light patterns.~~

~~9~~ 7. At hazardous locations such as changes of grade, low level supplemental lighting units should be used.

~~10~~ 8. Where low level lighting (below five feet) is used, fixtures should be placed so that they do not produce glare. ~~Most eye levels occur between three feet eight inches (for wheelchair users) and six feet for standing adults.~~

~~11. When walkway lighting is provided primarily by low fixtures, there should be sufficient peripheral lighting to illuminate the immediate surroundings. Peripheral lighting provides for a better feeling of security for individuals because they can see into their surroundings to determine whether passage through an area is safe. Such lighting should be approached from one of two ways:~~

~~a. By lighting the area so that an object or person may be seen directly; or~~

~~b. By lighting the area to place an object or a person in silhouette. (Ord. 698 § 3.1(g), 2005; Ord. 359 (Attach. 2 (part)), 1992)~~

"Land use ordinance" means the city of Moreno Valley development code as amended.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

9.15.030

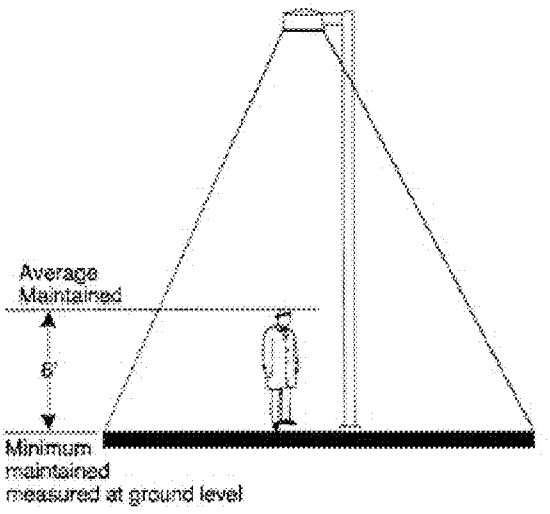

Figure 9.15.030-10

Lighting (Minimum Maintained)

"Light Trespass" means any artificial light or glare from a light fixture onto neighboring property that interferes with viewing of the night sky, or eliminates the ability to have darkness on the adjacent property, or shines into neighboring windows, properties or structures.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

ATTACHMENT 7

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MV00175620

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: A PUBLIC HEARING (PA11-0013) FOR A CITYWIDE AMENDMENT TO TITLE 9, CHAPTER 9.11, SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENCY WITH THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS REQUIRING LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL AND VANPOOL VEHICLE PARKING FOR ALL NEW NON-RESIDENTIAL USES.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing on the proposed Mandatory Green Building Code item on low-emitting, fuel-efficient and carpool/vanpool parking as follows:

1. **RECOGNIZE** that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. **INTRODUCE** Ordinance No. 2012-852, approving revisions to Title 9 and Section 9.11.040 "Off Street Parking Requirements" to provide consistency with the current 2011 California Green Building Code standards for low-emitting, fuel –efficient and carpool and vanpool vehicle parking for all new non-residential uses citywide.

ADVISORY BOARD RECOMMENDATIONS

The item was considered by the Planning Commission on July 12, 2012. Due to residential and industrial development community concerns and the continued fragile state of the economy, the Planning Commission did not recommend Codes that reach

beyond current Title 24 standards or any other energy efficient local mandatory measures that exceed current building standards. The Planning Commission recommended approval of a modified version of the original Reach Code effort to include only the California Green Building Code requirement for low-emitting, fuel-efficient and carpool/vanpool vehicle parking of the proposed nine (9) mandatory local measures. None of the local measures exceeding the current 2011 California Green Building Code standards were recommended to the City Council.

BACKGROUND

On April 3, 2012, the Planning Division provided the Reach Code item for discussion purposes at a joint City Council/Planning Commission Study Session meeting. At said meeting, City Council and Planning Commission agreed that additional public outreach be provided to the development community to gauge possible concerns with the proposed approach.

On May 10, 2012, the Planning Division provided public outreach to the development community by presenting Reach Codes at the Economic Development Subcommittee Developer Workshop. Based upon concerns of the development community over the continued struggling economy and the fact the building permits for residential subdivisions are almost non-existent, staff has significantly modified the original direction of the Reach Code effort. All references to Performance standards and specific percentages of energy efficiency above current Title 24 standards were dropped in the proposal considered by the Planning Commission.

DISCUSSION

One (1) non-residential mandatory California Green Building Code item for carpool/vanpool parking is now included in the proposal as follows:

- **Eight (8) percent of all required parking shall be designated for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles**.

Staff considered both the Tier 1 approach where 10% of the required vehicle parking would be designated for carpool/vanpool parking and the Tier 2 approach where 12% of the required vehicle parking would be designated for low-emitting, fuel-efficient and carpool/vanpool parking. Based on internal discussion involved with the Reach Code effort, staff determined to include only the base mandatory measure approach requiring 8% of required parking stalls to include preferential designated spaces for carpool/vanpool and fuel efficient vehicles.

The item is not currently addressed within Title 9 of the Municipal Code. This code amendment will ensure consistency with the currently adopted green building code standards.

ALTERNATIVES

1. Recognize that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines and introduce Ordinance No. 852, approving revisions to Title 9 and Section 9.11.040 "Off Street Parking Requirements" to provide consistency with the current 2011 California Green Building Code standards for low-emitting, fuel – efficient and carpool and vanpool vehicle parking for all new non-residential uses citywide. **Staff recommends this alternative.**

2. Do not recognize that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines and do not introduce Ordinance No. 852, approving revisions to Title 9 and Section 9.11.040 "Off Street Parking Requirements" to provide consistency with the current 2011 California Green Building Code standards for low-emitting, fuel –efficient and carpool and vanpool vehicle parking for all new non-residential uses citywide. **Staff does not recommend this alternative.**

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Public Facilities and Capital Projects: Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Public notice of the proposed Municipal Code Amendment was published in the local newspaper as a 1/8 page display ad on August 10, 2012.

ATTACHMENTS/EXHIBITS

1. Public hearing notice
2. City Council Ordinance, including clean copies of the Ordinance amendment
3. Strikeout/underline version of the Ordinance Amendment – 9.11.040 "Off-street parking requirements"

Prepared By:
Mark Gross, AICP
Senior Planner

Department Head Approval:
Barry Foster
Community & Economic
Development Department

Concurred By:
John Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

NOTICE
OF
CITY COUNCIL PUBLIC HEARING

A PUBLIC HEARING (PA11-0013) FOR A CITYWIDE AMENDMENT TO TITLE 9, CHAPTER 9.11, SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENCY WITH THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS REQUIRING LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL AND VANPOOL VEHICLE PARKING FOR ALL NEW NON-RESIDENTIAL USES.

The amendment would modify current Municipal Code Title 9 standards to include low-emitting, fuel-efficient and carpool/ vanpool parking for all non-residential uses citywide.

The City Council may consider any appropriate modifications or alternatives to the amendment or environmental determination. The amendment is exempt under California Environmental Quality Act Guidelines Section 15061 in that there is no possibility that the proposed activity may have potential for a significant impact upon the environment.

Any person interested in the proposed project may contact Mark Gross at (951) 413-3215 or at the Community and Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, August 28, 2012
6:30 P.M.
City Council Chamber
14177 Frederick Street.
Moreno Valley, CA 92552-0805

ATTACHMENT 1

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MV00175626

ORDINANCE NO. 852

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, (PA11-0013) AMENDING TITLE 9 CHAPTER 9.11, SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENCY WITH THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS REQUIRING LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL AND VANPOOL VEHICLE PARKING FOR NEW NON-RESIDENTIAL USES CITYWIDE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1: RECITALS

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 The ordinance amendment is attached hereto and incorporated herein as Exhibit A.

SECTION 2: FINDINGS

2.1 Based upon substantial evidence presented to this City Council during the above-referenced meeting on August 28, 2012, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modifications to the Municipal Code are consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed modifications to the existing Municipal Code standards to require low-emitting, fuel efficient and carpool/vanpool vehicle parking for all new non-residential uses provides consistency with the 2011 California Green Building Code standards currently in place. The proposed Municipal Code modification and amendment is consistent with, and does not conflict with the goals, objectives, policies, and programs established within the General Plan.

ATTACHMENT 2

2. **Conformance with Zoning Regulations –** The proposed modifications to the Municipal Code comply with all applicable zoning and other regulations.

   FACT: The primary purpose of modifying current Municipal Code items related to carpool and vanpool vehicle parking provides consistency with the 2011 Green Building Code standards. The amendments and newly established language within the Municipal Code are consistent with applicable zoning standards, all other regulations within the Code and are internally consistent with the purpose and intent of Title 9. The amendments are also internally compatible with other regulations established within the Moreno Valley Development Code.

3. **Health, Safety and Welfare –** The proposed modifications to the Municipal Code will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: Pursuant to Section 15061 of the CEQA Guidelines, the project meets requirements for project exemption, as there is no possibility that the modification of existing Municipal Codes related to present and future energy efficiency may have a significant effect on the environmental, while the activity in this case would not be subject to CEQA requirements. The proposed amendment also does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions.

SECTION 3: ADOPTION

Based on the foregoing recitals and findings, the City Council of the City of Moreno Valley does hereby adopt and approve the ordinance amendment attached hereto as Exhibit A.

SECTION 4: EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 11th day of September, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halsted, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 852 had its first reading on August 28, 2012 and had its second reading on September 11, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 11th day of September, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

A. Automobile Parking Requirements. Off-street automobile parking shall be provided in accordance with the requirements of this chapter. The following tables set forth the required off-street parking requirements and certain notations for various residential, commercial, industrial, public and quasi-public uses. Parking provided above required off-street must be constructed with permeable surfaces and/or enhanced landscaped retention and absorption areas:

Table 9.11.040A-12

Off-Street Parking Requirements

Use	Requirement	Covered Parking	Notes
Residential Uses			
Single-family	2/unit	Within an enclosed garage	
Second units	2/unit	Carport or garage	
Duplex	2/unit	Within an enclosed garage	
3 or more units Studio 1 bedroom 2 bedrooms 3+ bedrooms	 1.25/unit 1.5/unit 2.0/unit 2.5/unit	 1 covered/unit 1 covered/unit 1 covered/unit 2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard.
Senior housing			
Studio 1 bedroom	1.0/unit 1.25/unit	1 covered/unit 1 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A)

2+ bedrooms	1.5/unit	1 covered/unit	of this chapter.
Mobile home parks	2.5/unit		Tandem spaces may be used to meet resident parking requirements.
Residential care homes	Parking requirements shall be determined by the community development director subject to an approved parking study.		

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.
Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	

Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Commercial Uses	**Requirement**	**Notes**
Nail salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	
College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum.
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	

Health club	1/100 sq. ft. of gross floor area	
Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12

Off-Street Parking Requirements

Use	Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

Table 9.11.040D-12

Off-Street Parking Requirements

Use	Requirement	Notes
Public and Quasi-Public Uses		
Libraries, museums and galleries	1/300 sq. ft. of gross floor area	
Public utility facilities without an office on-site	2/employee on the largest shift + 1/company vehicle	A minimum of 2 spaces shall be required.
Auditorium, places of public assembly and places of worship	1/3 fixed seats or 1/35 sq. ft. of gross floor area of the assembly area or 1 space for every 4.5 lineal feet of benches/pews, whichever is greater	
Government offices	To be determined by a parking study approved by the community development director	

B. Schedule of Accessible Parking Requirements. The following requirements for accessible parking are intended to be consistent with the state requirements. Any conflicting provisions or future changes in state or federal requirements shall preempt the standards for provision of accessible parking spaces contained in this title.

1. Accessible parking for residential uses shall be provided at a rate of one space for each dwelling unit that is designed for accessibility and occupancy by the disabled, unless an adjustment is allowed, based on a parking study approved by the community development director.

2. Accessible parking for outpatient units and facilities providing medical care and other services for persons with mobility impairments shall be provided at a rate of ten (10) percent of the total number of parking spaces provided serving such outpatient unit or facility. Accessible parking for units and facilities that specialize in treatment or services for persons with mobility impairments shall be provided at a rate of twenty (20) percent of the total number of parking spaces provided serving each such unit or facility.

3. Accessible parking spaces for other uses shall be provided at the following rates:

No. of Automobile Spaces Provided	No. of Accessible Spaces Provided
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5

151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2 percent of total spaces
1,001 and over	20 plus 1 for each 100 spaces or fraction thereof over 1,001

4. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum of eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

5. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Such space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

6. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

7. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this subsection (B)(7) would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

8. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083% gradient) in any direction.

9. Notwithstanding the off-street parking requirements of subsection A of this section, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

10. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone, as described herein. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.2, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 670 § 3.1 (part), 2004; Ord. 557 §§ 2.2, 2.3, 2000; Ord. 520 § 1.14, 1997; Ord. 475 § 1.4 (part), 1995; Ord. 405 §§ 1.8, 1.13, 1993; Ord. 402 §§ 1.1, 1.2, 1993; Ord. 359, 1992)

C. Low Emitting Fuel Efficient Carpool/Vanpool Vehicle Parking

1. Eight (8) percent of required parking shall be designated for any combination of low-emitting, fuel efficient and carpool /vanpool vehicles for all new non-residential development.

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9.11.040 Off-street parking requirements.

A. Automobile Parking Requirements. Off-street automobile parking shall be provided in accordance with the requirements of this chapter. The following tables set forth the required off-street parking requirements and certain notations for various residential, commercial, industrial, public and quasi-public uses. Parking provided above required off-street must be constructed with permeable surfaces and/or enhanced landscaped retention and absorption areas:

Table 9.11.040A-12

Off-Street Parking Requirements

Use	Requirement	Covered Parking	Notes
Residential Uses			
Single-family	2/unit	Within an enclosed garage	
Second units	2/unit	Carport or garage	
Duplex	2/unit	Within an enclosed garage	
3 or more units Studio 1 bedroom 2 bedrooms 3+ bedrooms	 1.25/unit 1.5/unit 2.0/unit 2.5/unit	 1 covered/unit 1 covered/unit 1 covered/unit 2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard.
Senior housing			
Studio 1 bedroom 2+ bedrooms	1.0/unit 1.25/unit 1.5/unit	1 covered/unit 1 covered/unit 1 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.

ATTACHMENT 3

Mobile home parks	2.5/unit		Tandem spaces may be used to meet resident parking requirements.
Residential care homes	Parking requirements shall be determined by the community development director subject to an approved parking study.		

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.
Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.

Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Commercial Uses	**Requirement**	**Notes**
Nail salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	
College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum.
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12

Off-Street Parking Requirements

Use	Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

Table 9.11.040D-12

Off-Street Parking Requirements

Use	Requirement	Notes
Public and Quasi-Public Uses		

Libraries, museums and galleries	1/300 sq. ft. of gross floor area	
Public utility facilities without an office on-site	2/employee on the largest shift + 1/company vehicle	A minimum of 2 spaces shall be required.
Auditorium, places of public assembly and places of worship	1/3 fixed seats or 1/35 sq. ft. of gross floor area of the assembly area or 1 space for every 4.5 lineal feet of benches/pews, whichever is greater	
Government offices	To be determined by a parking study approved by the community development director	

B. Schedule of Accessible Parking Requirements. The following requirements for accessible parking are intended to be consistent with the state requirements. Any conflicting provisions or future changes in state or federal requirements shall preempt the standards for provision of accessible parking spaces contained in this title.

1. Accessible parking for residential uses shall be provided at a rate of one space for each dwelling unit that is designed for accessibility and occupancy by the disabled, unless an adjustment is allowed, based on a parking study approved by the community development director.

2. Accessible parking for outpatient units and facilities providing medical care and other services for persons with mobility impairments shall be provided at a rate of ten (10) percent of the total number of parking spaces provided serving such outpatient unit or facility. Accessible parking for units and facilities that specialize in treatment or services for persons with mobility impairments shall be provided at a rate of twenty (20) percent of the total number of parking spaces provided serving each such unit or facility.

3. Accessible parking spaces for other uses shall be provided at the following rates:

No. of Automobile Spaces Provided	No. of Accessible Spaces Provided
1—25	1
26—50	2

51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2 percent of total spaces
1,001 and over	20 plus 1 for each 100 spaces or fraction thereof over 1,001

4. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum of eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

5. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Such space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

6. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

7. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this subsection (B)(7) would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

8. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083% gradient) in any direction.

9. Notwithstanding the off-street parking requirements of subsection A of this section, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

10. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone, as described herein. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.2, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 670 § 3.1 (part), 2004; Ord. 557 §§ 2.2, 2.3, 2000; Ord. 520 § 1.14, 1997; Ord. 475 § 1.4 (part), 1995; Ord. 405 §§ 1.8, 1.13, 1993; Ord. 402 §§ 1.1, 1.2, 1993; Ord. 359, 1992)

C. Low Emitting Fuel Efficient Carpool/Vanpool Vehicle Parking

1. Eight (8) percent of required parking shall be designated for any combination of low-emitting, fuel efficient and carpool /vanpool vehicles for all new non-residential development.

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: HEARING ON PROPOSED RESOLUTIONS OF NECESSITY TO MAKE FINDINGS AND DETERMINATIONS AND TO AUTHORIZE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE NECESSARY RIGHT-OF-WAY FOR THE SR-60/MORENO BEACH INTERCHANGE PROJECT PHASE 2 – PROJECT NO. 801 0021 70 77

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a hearing, allowing testimony, including property owners who have requested the right to appear and be heard. Close the hearing.

2. Approve and adopt the Planning Division's finding that the Project is consistent with the General Plan.

3. Find the adoption of the proposed Resolutions of Necessity and acquisition of the fee and easement interests necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment and is excluded from NEPA in that this activity cannot individually or cumulatively have a significant effect on the human environment and no environmental assessment is required. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Initial Study/Negative Declaration (IS/ND) and its NEPA/CEQA Re-validation prepared for the Project.

4. Consider and find that the attached "Factual Summary to Support Findings Required in Resolutions Nos. 2012-63, 2012-64, 2012-65, and 2012-66" is true and correct as to each of the proposed Resolutions of Necessity.

5. Consider, find and determine that each of the statements, findings and facts in each of the proposed Resolutions of Necessity is true and correct.

6. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council, Resolution No. 2012-63, A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-080-013].

7. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council, Resolution No. 2012-64, A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APNs: 488-080-014 And 488-080-017].

8. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interests to be taken, by a vote of two-thirds of all members of the City Council, Resolution No. 2012-65, A Resolution Of The City Council Of The City Of Moreno Valley,

California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee And The Easement In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-080-016].

9. If the City has not approved the "Agreement for Conveyance of Property" for the property identified in this proposed Resolution, adopt the following Resolution, which identifies the property by Assessor Parcel Number and the interest to be taken, by a vote of two-thirds of all members of the City Council, Resolution No. 2012-66, A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition Of The Fee Interest In The Herein-Described Property Is Necessary For The State Route 60/Moreno Beach Interchange Improvement Project – Phase 2; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-270-021].

10. Direct the City Attorney and Special Eminent Domain Counsel for the City to file appropriate actions in Eminent Domain, including making Deposits of Probable Compensation and to seek Orders for Prejudgment Possession and for all other appropriate orders.

BACKGROUND

The overall purpose of the Moreno Beach Interchange Project is to provide operational improvements to facilitate traffic movement at and near the SR-60/Moreno Beach Drive interchange, alleviate traffic congestion, and address existing bridge deficiencies. This Project is needed to improve safety, bring the bridge features up to current standards, and provide acceptable levels of service along the facility. The Project is designed and will be constructed in two phases. The subject of this report is for Phase 2 properties, which lie on the north side of SR-60.

On September 25, 2007, the City Council authorized execution of a Project Development Cooperative Agreement with the State of California for project

development activities, including final design, utility relocation engineering, and right-of-way acquisition.

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons Transportation Group for design, right-of-way engineering, and construction support services. In Closed Session on October 20, 2010, the City Council authorized making offers and negotiating with nine property ownerships for the interchange, four of which are the subject of this report.

Caltrans, pursuant to the Project Development Cooperative Agreement and the Caltrans Right-of-Way Manual, Section 17.04.09.01, required that the City Council of Moreno Valley adopt a resolution to later hear Resolutions of Necessity for the Project and subsequently submit it to Caltrans for approval. A Resolution of Necessity is the legally required resolution authorizing condemnation of property necessary for the Project and the filing an eminent domain action to acquire said property through condemnation. On August 24, 2010, the City Council adopted Resolution No. 2010-75 in order to later hear Resolutions of Necessity should acquisition through condemnation become necessary for the SR 60/Moreno Beach Drive Improvements Project, and Caltrans has issued its approval.

DISCUSSION

The City has been progressing in the steps necessary for the acquisition of right-of-way. The Caltrans Right-of-Way Manual details the steps necessary to initiate eminent domain actions, including conducting a hearing and adopting Resolutions of Necessity. Caltrans requires the adoption of a separate Resolution of Necessity and the filing of a separate eminent domain action for each property ownership interest.

Following the City Council's authorization on October 20, 2010, the City submitted written offer letters to the four (4) property ownerships as follows: APN: 488-080-013 – Chado & Chado Moreno Valley, Ltd.; APN: 488-080-014 and 488-080-017 – Equitable Moreno Valley II Partnership; APN: 488-080-016 – Thomas J. Chen, Glendy Liu Chen, Theresa Chen; and APN: 488-270-021 – Jocelyn Sarte McGinniss. The City negotiated extensively with three (3) ownership interests (Chado & Chado, Equitable Partnership and Chen), including negotiating with their counsel, since the offers were made. The fourth owner (McGinniss) refused to acknowledge receipt of the offers and has rebuffed all efforts to be contacted to attempt to purchase the property. In light of possible condemnation, the City had its appraiser prepare new appraisals for each property. On May 15, 2012, new written offers based on the new appraisals were mailed to each property ownership for the acquisition of the fee and easement interests necessary for the Project. These written offers constitute the written offers required by Government Code § 7267.2. To date the City has no "Agreement for Conveyance of Property" with any of the four owners and, thus, it is necessary for the City Council to hold its Hearing and consider adoption of the four (4) proposed Resolutions of Necessity.

If any owner executes an "Agreement for Conveyance of Property" before the Hearing, staff will present the agreement to the City for approval, and if one or more such agreements are approved, it will eliminate the need to adopt Resolutions of Necessity for those properties.

On June 18, 2012 the acquisition agent for the City–Overland, Pacific & Cutler, Inc. ("OPC")–mailed the Notice of Intent Package to all owners of the properties affected by the proposed Resolutions of Necessity. The owners were identified in the last equalized assessment roll of the County and were identified by litigation guarantee reports prepared by the title company for the City, and are known to have an interest in the properties. The Notice of Intent also notified owners of the hearing for the proposed Resolutions of Necessity, giving them the opportunity to appear and be heard by the City Council by sending a written request to the City Clerk. No requests to appear and/or be heard have been received. Pursuant to Code of Civil Procedure § 1245.235(b)(2), failure to file a written request to appear and be heard within 15 days after the Notice was mailed will result in waiver of the right to appear and be heard. Thus the City Council is not required to hear testimony or evidence from owners or owners' representatives who may appear at the hearing since the opportunity to appear and be heard has been waived.

At the Hearing on the proposed Resolutions of Necessity, the City Council will consider evidence presented by staff, property owners who have requested to appear and be heard and other interested parties and decide if the requirements set out below are met. The Council may elect to adopt the Resolutions of Necessity by a two-thirds vote of all members of the City Council. The amount of compensation to be paid will not be an issue at the Hearing nor in determining whether to adopt the Resolutions of Necessity. The issues the City Council must consider to adopt the Resolutions of Necessity are whether:

(a) The public interest and necessity require the Project (the SR-60/Moreno Beach Drive Interchange Improvement Project – Phase 2).

(b) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

(c) The property sought to be acquired is necessary for the Project.

(d) The offer required by Government Code § 7267.2 has been made to the owner of record.

Staff has carefully analyzed the requirement for the proposed Project and, based on that analysis, has concluded the acquisition of the fee and/or easement interests as identified in the proposed Resolutions of Necessity is necessary to implement the Project, the Project is designed in such a manner that it will be most compatible with the greatest public good and least private injury and the property sought to be acquired is necessary for the Project. Each Resolution of Necessity contains as attachments legal

descriptions of the properties and property interests sought to be acquired and right-of-way maps depicting the properties. These acquisitions will go to litigation and City staff and retained counsel will be authorized to substitute plat maps that depict each property interest for the right of way maps as the eminent domain cases proceed in court.

It is also necessary that the Council find that the adoption of the proposed Resolutions of Necessity and the acquisition of the fee and easement interests necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment and is excluded from NEPA in that this activity cannot individually or cumulatively have a significant effect on the human environment and no environmental assessment is required. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Initial Study/Negative Declaration (IS/ND) and its NEPA/CEQA Re-validation prepared for the SR-60/Moreno Beach Interchange Project, and no changes to the circumstances under which the Project is to be undertaken which would alter the determination.

It is also necessary for the City to make the deposit of funds equal to the appraised fair market value of the property interests to be acquired with the State Treasurer for valuation date preservation and for commitment of funds to maintain funding for this Project. It may also be necessary to obtain orders for possession from the Court prior to judgment to allow the work to commence in a timely manner based on obtaining construction funding. All the property in question is vacant and no residents, business or agricultural use will be displaced by the action.

Staff is requesting the adoption of the proposed Resolutions of Necessity for those properties necessary for which the City Council has not approved an "Agreement for Conveyance of Property," authorizing the filing of eminent domain proceedings, making the deposit of funds for the probable amount of compensation and subsequently seeking orders for possession prior to judgment to allow the work for the Project to proceed in a timely manner. Staff is providing the City Council with the "Factual Summary to Support Findings Required in Resolutions Nos. 2012-63, 2012-64, 2012-65 and 2012-66" (Attachment "E") for each of the Resolutions of Necessity, attached to this report as Attachments “A” through "D" to support the findings necessary for the adoption of each respective Resolution of Necessity.

The City has retained the law firm of Singer & Coffin, APC to act as its Special Eminent Domain Counsel relating to preparation and recommended approval of the Resolutions of Necessity and related documents prerequisite to filing the eminent domain actions.

ALTERNATIVES

The City Council may:

1. Approve Recommendations 2 through 10, including adoption of Resolution Nos. 2012-63, 2012-64, 2012-65, and 2012-66 authorizing acquisition of the property interests in question by eminent domain and authorizing the actions set forth in the proposed Resolutions of Necessity. *This alternative will allow necessary actions to be in place so the Project continues to proceed without interruption.*

2. Do not approve Recommendations 2 through 10. *This alternative may delay the construction of needed improvements.*

FISCAL IMPACT

There is no new fiscal impact related to the adoption of these resolutions. Offers were made within previously-budgeted and authorized amounts. Phase 2 right-of-way is funded by Transportation Uniform Mitigation Fee (TUMF) funds. These funds have been allocated for the SR-60/Moreno Beach Interchange Improvements Project (Phase 2) and cannot be utilized for operational activities. The TUMF funds are required to be expended by October 2012 or WRCOG will remove them from this project. There is no impact to the General Fund.

ANTICIPATED PROJECT SCHEDULE
Complete Design and Right-of-Way ..... July 2013

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City Council is asked to adopt Resolution No. 2012-63, Resolution No. 2012-64, Resolution No. 2012-65, and Resolution No. 2012-66 for the acquisition of the property interests and to take the other actions specified to implement the SR-60/Moreno Beach Improvements Project (Phase 2).

ATTACHMENTS/EXHIBITS

Attachment "A" Resolution No. 2012-63 [APN: 488-080-013]

Attachment "B" Resolution No. 2012-64 [APN: 488-080-014 & 488-080-017]

Attachment "C" Resolution No. 2012-65 [APN: 488-080-016]

Attachment "D" Resolution No. 2012-66 [APN: 488-270-021]

Attachment "E" – Factual Summary to Support Findings Required in Resolution Nos. 2012- 63, 2012-64, 2012-65 and 2012-66

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
John Terell
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00175656

RESOLUTION N0. 2012-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION OF THE FEE AND THE EASEMENTS IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/MORENO BEACH INTERCHANGE IMPROVEMENT PROJECT – PHASE 2; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY [APN: 488-080-013]

Owner	Assessor Parcel Number/ Caltrans Parcel Number
Chado & Chado/Moreno Valley, Ltd., a California Limited Partnership	488-080-013 / 21449-1, 2, 3, 4

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described property and whose name and address appears on the last equalized assessment roll in compliance with and as required by Code of Civil Procedure § 1245.235(a), relating to whether the public interest and necessity require the herein-described Project; whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; whether the property sought to be

Attachment "A"

acquired is necessary for the Project; and whether the offer required by Government Code § 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 28, 2012, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of all the members of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

Section 1. Pursuant to the provisions of the California Constitution, including Article I Section 19 thereof, and as authorized by California Government Code, §§ 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure, §§ 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee and easement interests in the real property which are shown on the maps attached hereto and described more fully in the legal descriptions attached hereto as follows:

Ownership	**Assessor Parcel No. /Caltrans Parcel No.**	**Exhibits**	**Interests to be Taken**
Chado & Chado/Moreno Valley, Ltd., a California Limited Partnership	488-080-013 / 21449-1	A-1 and B-1	Fee

Ownership	Assessor Parcel No. /Caltrans Parcel No.	Exhibits	Interests to be Taken
Chado & Chado/Moreno Valley, Ltd., a California Limited Partnership	488-080-013 / 21449-2	A-2 and B-2	Slope/Drainage Easement
Chado & Chado/Moreno Valley, Ltd., a California Limited Partnership	488-080-013 / 21449-3	A-3 and B-3	Temporary Construction Easement
Chado & Chado/Moreno Valley, Ltd., a California Limited Partnership	488-080-013 / 21449-4	A-4 and B-4	Roadway Easement

As referenced in the table above, all legal descriptions of the property interests to be acquired have an A prefix and all maps have a B prefix. The fee interest, slope/drainage easement and roadway easement are permanent. The temporary construction easement as described above will be in effect for a period of 18 months after the City gives notice to the owner. Generally all property interests to be acquired are sometimes referred to later in this Resolution as the "property". In relation to the hereinafter described Project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the property, including the fee, the slope/drainage easement, the roadway easement and the temporary construction easement interests therein, being taken.

Section 2. Acquisition of the hereinabove described property sought to be condemned herein or of one or more interest therein, is for a public use, to wit: State Route 60/Moreno Beach Interchange Improvement Project – Phase 2 and for the

construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including bridges, drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress upon, to and from said property, said proposed acquisition and use being herein referred to as the "Project."

Section 3. The interests in the property sought to be condemned herein, which constitute only a portion of larger parcels of real property, are described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The property, or the interests to be acquired therein, is necessary for the Project; and

(d) The offer required by Government Code § 7267.2 has been made to the owner or owners of record.

Section 5. In the event any of the property or the interests to be acquired therein is already appropriated to an existing and different public use, the City Council hereby finds and determines that the herein-described public use or uses are

more necessary than said existing public use, and acquisition hereby is permitted under the provisions of Code of Civil Procedure §§ 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the legal descriptions of the property and also including the substitution of plat maps for the particular property interest or interests to be acquired for the right of way maps that serve as exhibits to this Resolution and in the pleadings to be filed which have been authorized herein, as is deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property or property interests is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property and property interests by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain applicable fee simple interest and easements in, over, under, across, along, through, and within the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and Singer and Coffin, APC, the law firm retained as counsel to represent the City in the proceedings, are hereby authorized and directed to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to accomplish such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, §§ 1230.010 and following) to complete such acquisition.

Section 10. The City is authorized and directed upon instruction from counsel for the City to make or cause to be made the deposit with the State Treasurer or in court out of proper funds of the City for the probable just compensation according to law, for jury fees, reporter's fees and other litigation costs and expenses.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "A-1"

FEE

[See Attached]

EXHIBIT "A"

That portion of Lots 3 and 6, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northwest corner of said Lot 3; thence South 00°26'18" West along the west line of said Lots 3 and 6, a distance of 1067.76 feet to the **POINT OF BEGINNING**, also being the beginning of Course "A"; thence North 82°37'34" East along said Course "A", a distance of 177.30 feet to the beginning of Course "B"; thence North 68°07'48" East along said Course "B", a distance of 330.46 feet to the beginning of Course "C"; thence North 09°50'44" East along said Course "C", a distance of 347.77 feet; thence South 89°33'45" East a distance of 85.67 feet to the northwesterly line of Parcel "G" granted to the State of California by Grant Deed recorded December 27, 1962 as Instrument No. 119152, Official Records of Riverside County; thence South 04°28'09" West along said northwesterly line, a distance of 648.53 feet to the northerly line of said Parcel "G"; thence South 89°57'16" West along said northerly line, a distance of 452.99 feet; thence continuing along said northerly line, South 88°39'33" West, a distance of 131.65 feet to said west line of said Lot 6; thence North 00°26'16" East along said west line, a distance of 73.42 feet to the **POINT OF BEGINNING.**

Containing 120,646 square feet of land, more or less.

TOGETHER with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public way (Moreno Beach Drive).

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway, over and across said Courses "A" through "C", inclusive.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date Oct 5, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-Co-RTE-PM 19.08-21449 (21449-1)

EXHIBIT "A-2"

SLOPE/DRAINAGE EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 3, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northwest corner of said Lot 3; thence South 00°26'20" West along the west line of said Lot 3 and Lot 6 of said Block 28 a distance of 1067.76 feet; thence North 82°37'34" East a distance of 177.30 feet; thence North 68°07'48" East a distance of 330.46 feet; thence North 09°50'44" East a distance of 347.77 feet; thence South 89°33'45" East a distance of 9.22 feet to the **POINT OF BEGINNING**; thence continuing South 89°33'45" East a distance of 45.71 feet; thence North 00°26'15" East a distance of 82.66 feet; thence North 04°26'54" East a distance of 159.73 feet; thence North 89°33'28" West a distance of 7.98 feet; thence South 14°54'35" West a distance of 113.60 feet; thence South 09°16'01" West a distance of 133.59 feet to the **POINT OF BEGINNING**.

Containing 6,781 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date June 8, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.08-21449 (21449-2)

EXHIBIT "A-3"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 3, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northeast corner of said Lot 3; thence North 89°32'50" West, along the north line of said Lot 3, a distance of 2.49 feet to the **POINT OF BEGINNING**; thence South 04°26'54" West, a distance of 333.78 feet; thence North 89°33'28" West, a distance of 7.98 feet; thence North 00°26'31" East, a distance of 157.85 feet; thence North 05°55'16" East, a distance of 175.92 feet to the north line of said Lot 3; thence South 89°32'50" East, along said north line, a distance of 14.51 feet to the **POINT OF BEGINNING**;

Containing 5,070 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date June 8, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.08-21449 (21449-3)

L:\1777256A-sr60-Moreno_Beach\PARCEL LEGALS\21449-CHADO\21449-3.doc

EXHIBIT "A-4"

ROADWAY EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lots 3 and 6, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northwest corner of said Lot 3; thence South 00°26'18" West along the west line of said Lots 3 and 6, a distance of 1067.76 feet; thence North 82°37'34" East a distance of 177.30 feet; thence North 68°07'48" East a distance of 330.46 feet; thence North 09°50'44 East a distance of 347.77 feet; thence South 89°33'45" East a distance of 54.93 feet to the **POINT OF BEGINNING**; thence North 00°26'15" East a distance of 82.66 feet; thence North 04°26'54" East a distance of 493.51 feet to the north line of said Lot 3; thence South 89°32'50" East along said north line, a distance of 2.49 feet to the east line of said Lot 3; thence South 00°26'15" West along said east line, a distance of 486.17 feet; to the northwesterly line of Parcel "G" granted to the State of California by Grant Deed recorded December 27, 1962 as Instrument No. 119152, Official Records of Riverside County; thence South 04°28'09" West along said northwesterly line, a distance of 89.01 feet ; thence North 89°33'45" West a distance of 30.74 feet to the to the **POINT OF BEGINNING.**

Containing 12,501 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date Oct 5, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.08-21449 (21449-4)

L:\177725A-sr60-Moreno_Beach\PARCEL LEGALS\21449-CHADO\21449-4.doc

EXHIBIT "B-1"

FEE

[See Attached]

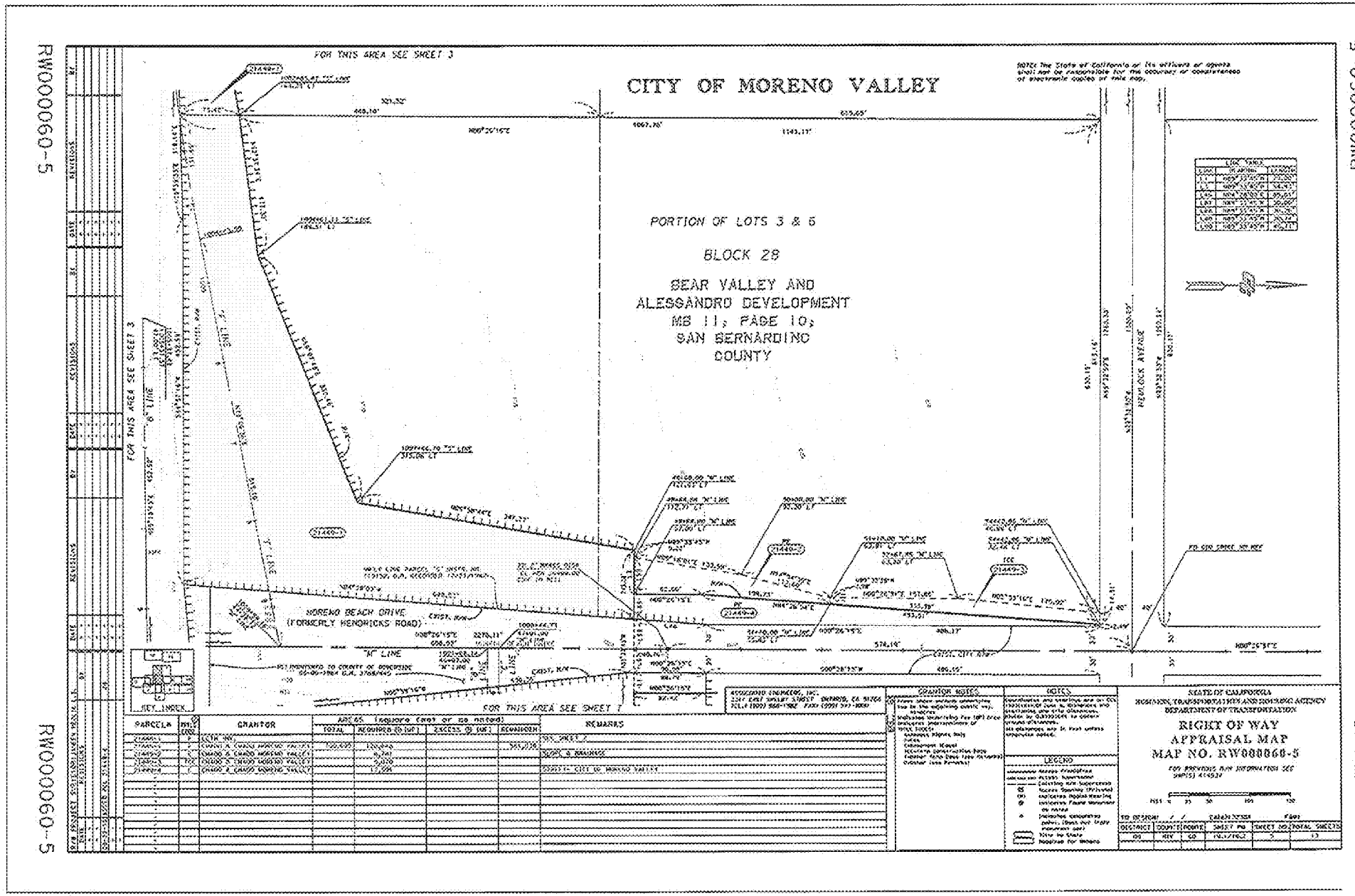

RW000060-5

RW000060-5

RW000060-5

EXHIBIT "B-2"

SLOPE/DRAINAGE EASEMENT

[See Attached]

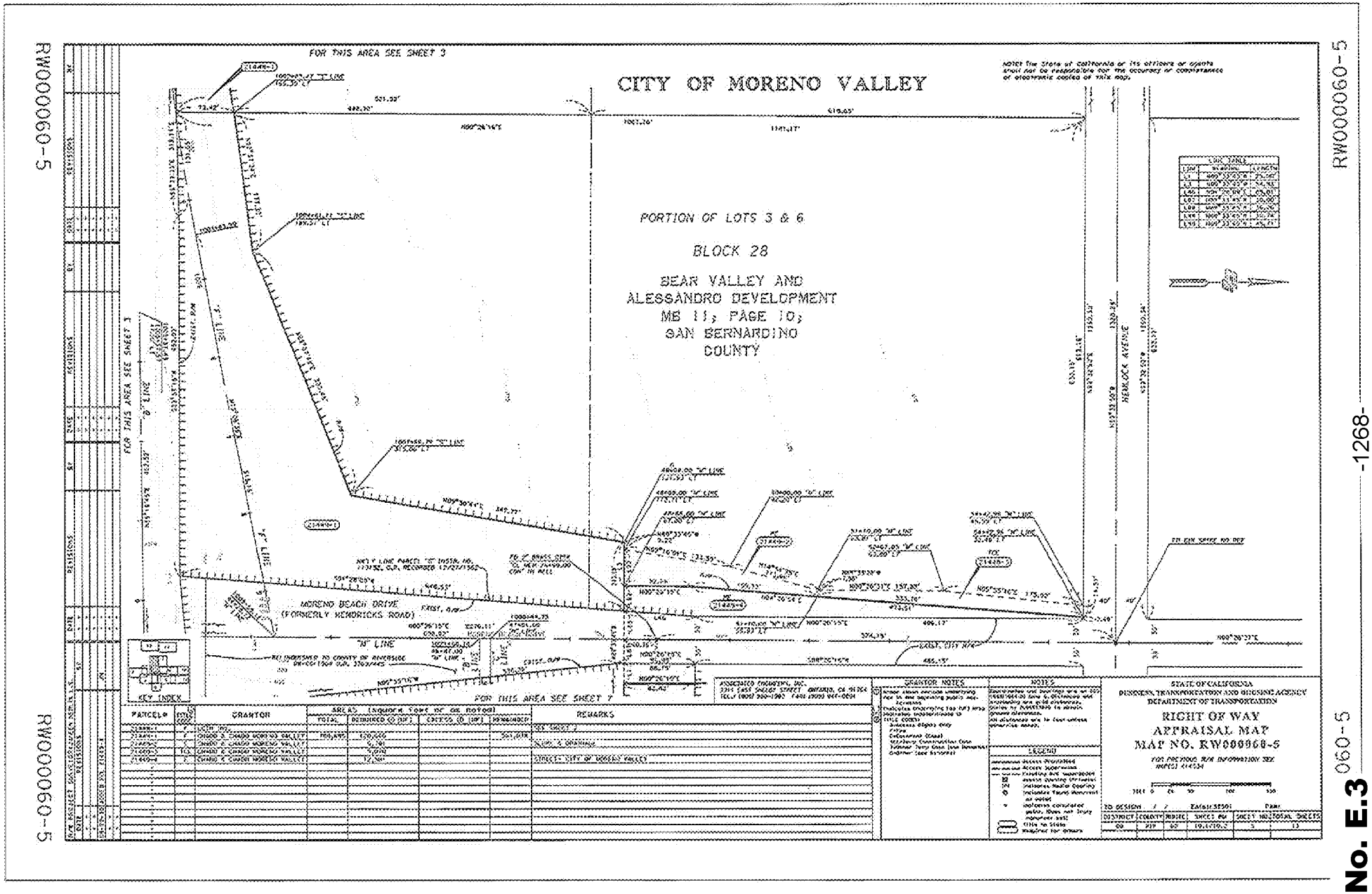
CITY OF MORENO VALLEY
PORTION OF LOTS 3 & 6
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
FOR THIS AREA SEE SHEET 3
MORENO BEACH DRIVE
(FORMERLY HENDRICKS ROAD)
HEMLOCK AVENUE
"W" LINE
"Y" LINE
"B" LINE
KEY INDEX
PARCEL#
GRANTOR
REMARKS
GRANTOR NOTES
NOTES
LEGEND
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-5
RW000060-5

EXHIBIT "B-3"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

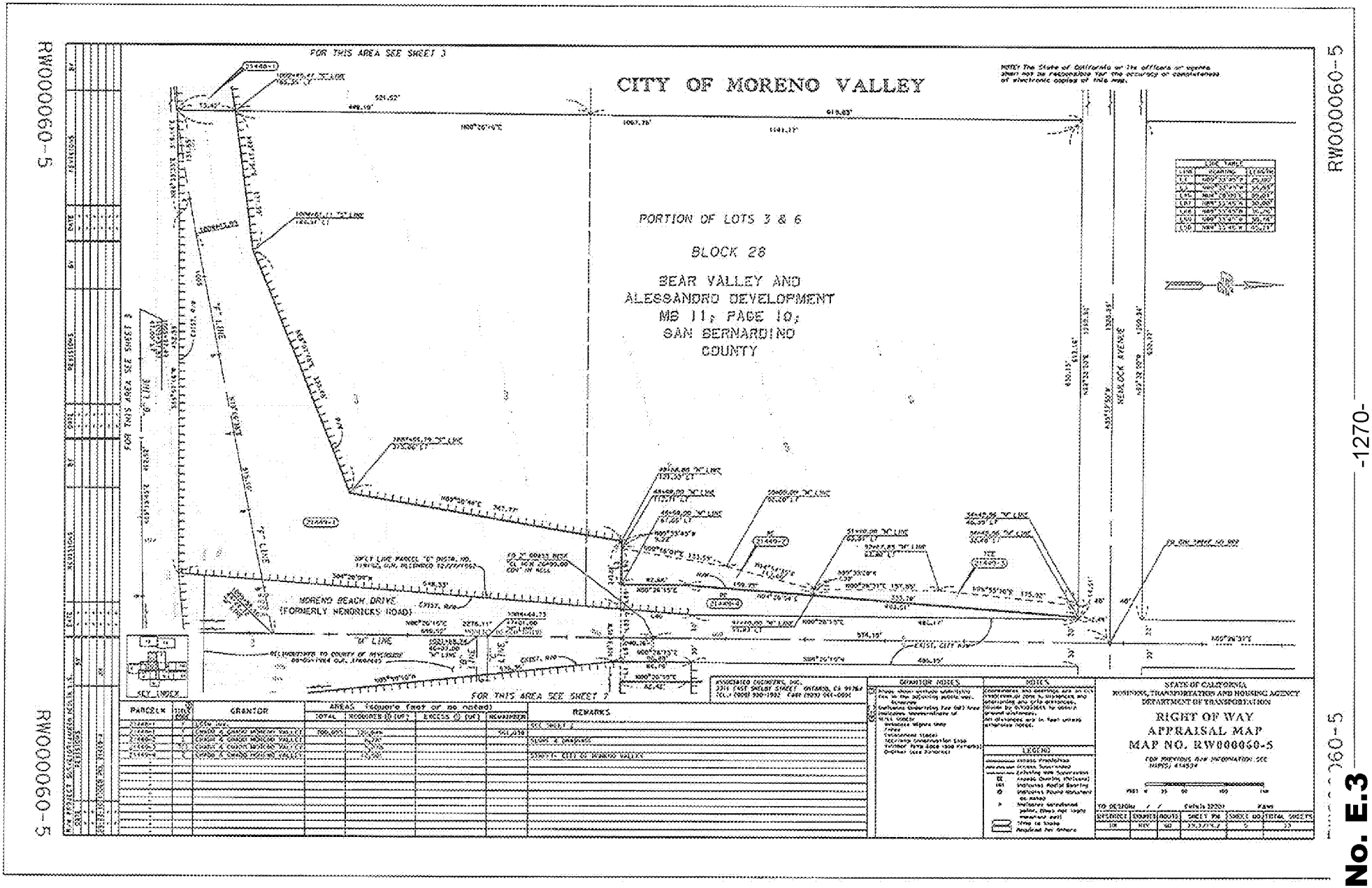
CITY OF MORENO VALLEY
PORTION OF LOTS 3 & 6
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
FOR THIS AREA SEE SHEET 3
FOR THIS AREA SEE SHEET 2
MORENO BEACH DRIVE
(FORMERly HENDRICKS ROAD)
HENDRICK AVENUE
"A" LINE
"B" LINE
"C" LINE
KEY INDEX
PARCEL
GRANTOR
AREAS (square feet or no noted)
TOTAL
REQUIRED
EXCESS
REMAINDER
REMARKS
GENERAL NOTES
NOTES
LEGEND
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-5
RW000060-5

Item No. E.3

EXHIBIT "B-4"

ROADWAY EASEMENT

[See Attached]

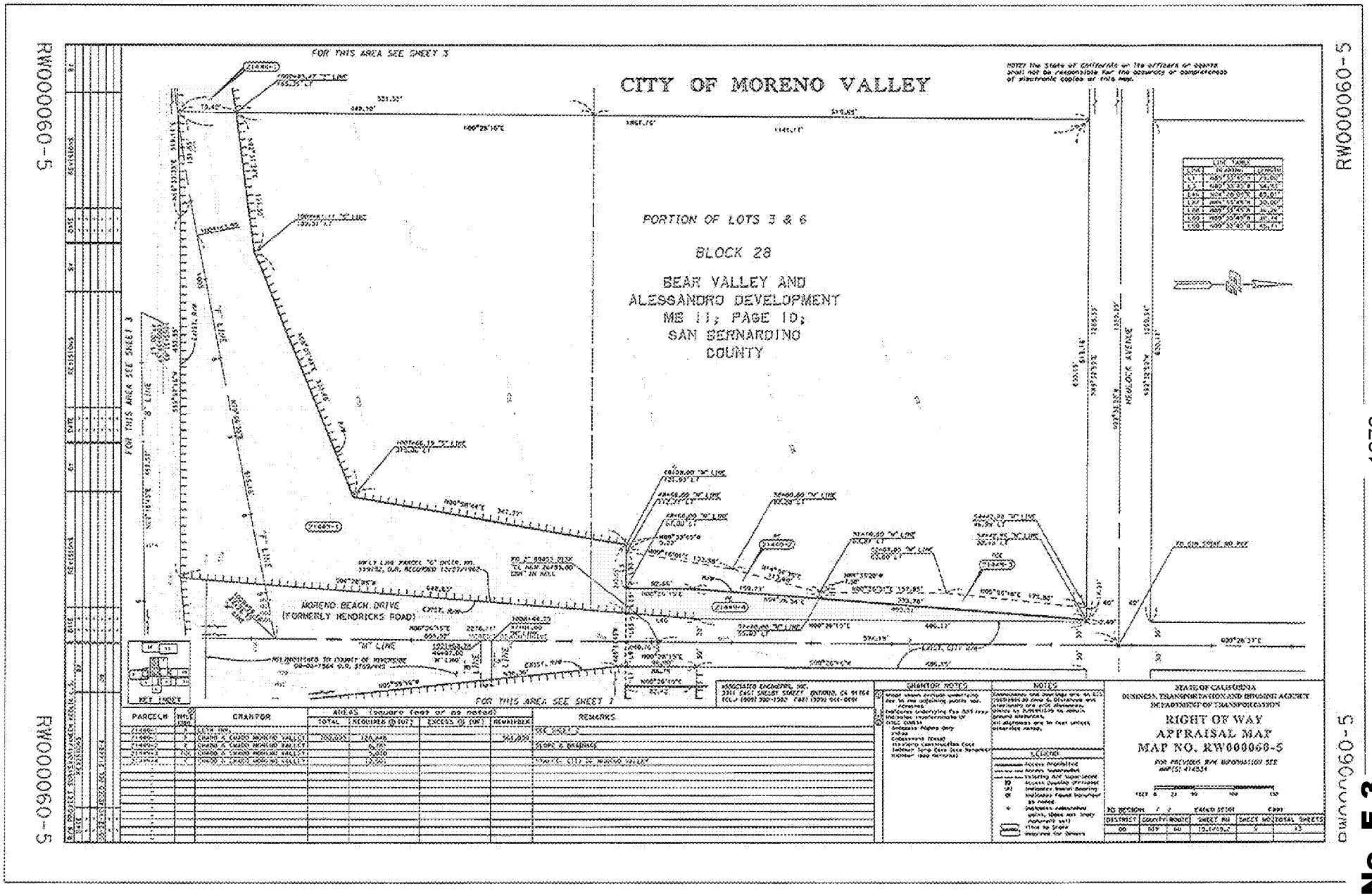

Item No. E.3

MV00175678

RESOLUTION N0. 2012-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION OF THE FEE AND THE EASEMENTS IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/MORENO BEACH INTERCHANGE IMPROVEMENT PROJECT – PHASE 2; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY [488-080-014 and 488-080-017]

Owner	Assessor Parcel Numbers/ Caltrans Parcel Numbers
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017 / 21450-1, 2, 3; 21452-1, 2

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described property and whose name and address appears on the last equalized assessment roll in compliance with and as required by Code of Civil Procedure § 1245.235(a), relating to whether the public interest and necessity require the herein-described Project; whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; whether the property sought to be

acquired is necessary for the Project; and whether the offer required by Government Code § 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 28, 2012, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of all the members of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

Section 1. Pursuant to the provisions of the California Constitution, including Article I Section 19 thereof, and as authorized by California Government Code, §§ 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure, §§ 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee, the roadway easement, the slope/drainage easements and the temporary construction easement interests in the real property which are shown on the maps attached hereto and described more fully in the legal descriptions attached hereto as follows:

Ownership	**Assessor Parcel Nos. /Caltrans Parcel Nos.**	**Exhibits**	**Interests to be Taken**
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017 / 21452-1	A-1 and B-1	Fee

Ownership	Assessor Parcel Nos. /Caltrans Parcel Nos.	Exhibits	Interests to be Taken
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017 / 21450-1	A-2 and B-2	Roadway Easement
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017 / 21450-2	A-3 and B-3	Slope/Drainage Easement
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017/ 21452-2	A-4 and B-4	Temporary Construction Easement
Equitable Moreno Valley II Partnership, a California Limited Partnership	488-080-014 and 488-080-017 / 21450-3	A-5 and B-5	Temporary Construction Easement

As referenced in the table above, all legal descriptions of the property interests to be acquired have an A prefix and all maps have a B prefix. The fee interest, the roadway easement and the slope/drainage easement are permanent. The temporary construction easements as described above will be in effect for a period of 18 months after the City gives notice to the owner. Generally all property interests to be acquired are sometimes referred to later in this Resolution as the "property". In relation to the hereinafter described Project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the property, including the fee, the roadway easement, the slope/drainage easement and the temporary construction easements interests therein, being taken.

Section 2. Acquisition of the hereinabove described property sought to be condemned herein or of one or more interest therein, is for a public use, to wit: State

Route 60/Moreno Beach Interchange Improvement Project – Phase 2 and for the construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including bridges, drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress upon, to and from said property, said proposed acquisition and use being herein referred to as the "Project".

Section 3. The interests in the property sought to be condemned herein, which constitute only a portion of larger parcels of real property, are described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The property, or the interests to be acquired therein, is necessary for the Project; and

(d) The offer required by Government Code § 7267.2 has been made to the owner or owners of record.

Section 5. In the event any of the property or the interests to be acquired therein is already appropriated to an existing and different public use, the City

Council hereby finds and determines that the herein-described public use or uses are more necessary than said existing public use, and acquisition hereby is permitted under the provisions of Code of Civil Procedure §§ 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the legal descriptions of the property and also including the substitution of plat maps for the particular property interest or interests to be acquired for the right of way maps that serve as exhibits to this Resolution and in the pleadings to be filed which have been authorized herein, as is deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property or property interests is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property and property interests by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain applicable fee simple interest and easements in, over, under, across, along, through, and within the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and Singer and Coffin, APC, the law firm retained as counsel to represent the City in the proceedings, are hereby authorized and directed to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to accomplish such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, §§ 1230.010 and following) to complete such acquisition.

Section 10. The City is authorized and directed upon instruction from counsel for the City to make or cause to be made the deposit with the State Treasurer or in court out of proper funds of the City for the probable just compensation according to law, for jury fees, reporter's fees and other litigation costs and expenses.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "A-1"

FEE

[See Attached]

Exhibit "A"

That portion of Lot 8, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, together with a portion of Pettit street lying easterly of said Lot 8, more particularly described as follows:

COMMENCING at the southeast corner of Parcel 4 of Parcel Map No. 18061, Filed in Book 107, Page 73 and 74 of Parcel Maps in the Office of the County Recorder of Riverside County; thence North 00°26'09" East, along the east line of said Parcel 4, a distance of 23.71 feet; thence North 83°25'24" West, a distance of 346.89 feet to a point on the west line of Parcel 3, said Parcel Map No. 18061, also being a point on the centerline of Pettit Street as shown on said Map No. 1, Bear Valley and Alessandro Development Co.; thence continuing North 83°25'24" West, a distance of 30.17 feet to a point on the west line of said Pettit Street, said point being the **POINT OF BEGINNING**; thence continuing North 83°25'24" West, a distance of 63.00 feet to the beginning of a curve concave northeasterly, having a radius of 930.00 feet; thence northwesterly along said curve, through a central angle of 16°44'41", a distance of 271.79 feet; thence North 66°40'44" West, a distance of 106.30 feet; thence North 56°41'18" West, a distance of 246.71 feet to a point on the west line of said Lot 8, said point being distant South 00°26'13" West, along said west line, a distance of 213.50 feet from the northwest corner of said Lot 8; thence South 00°26'13" West, along said west line, a distance of 291.24 feet to the north line of that certain parcel of land described in the Deed to the State of California, recorded December 27, 1962 in Book 3289, Page 186 as Instrument No. 119152, Official Records of said County; thence South 85°45'47" East, along said north line, a distance of 339.25 feet; thence South 89°32'23" East, continuing along said north line, a distance of 291.46 feet to the west line of said Pettit Street; thence North 00°26'09" East, along said west line, a distance of 63.99 feet to the **POINT OF BEGINNING**.

TOGETHER with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public way (Pettit Street).

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 26, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-PM 18.95-21452(21452-1)

EXHIBIT "A-2"

ROADWAY EASEMENT

[See Attached]

Exhibit "A"

That portion of Lot 2, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

BEGINNING at the northwest corner of said Lot 2; thence South 89°32'40" East, along the north line of said Lot 2, a distance of 4.06 feet; thence leaving said north line, South 01°59'48" East, a distance of 486.59 feet to the northerly line of Parcel "H" granted to the State of California by Grant Deed recorded December 27, 1962 in Book 3289, Page 186, Official Records of Riverside County; thence North 89°33'29" West, along said northerly line, a distance of 24.73 feet to the west line of said Lot 2, also being the east right-of-way line of Moreno Beach Drive (30' half-width, formerly Hendricks Road); thence North 00°26'15" East, along said east right-of-way line, a distance of 486.15 feet to the **POINT OF BEGINNING**.

Containing 6,998 square feet of land, more or less.

TOGETHER with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public ways (Hemlock Avenue and Moreno Beach Drive).

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 27, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-PM 19.22-21450(21450-1)

EXHIBIT "A-3"

SLOPE/DRAINAGE EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 2, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northwest corner of said Lot 2; thence South 89°32'40" East, along the north line of said Lot 2, a distance of 4.06 feet; thence leaving said north line, South 01°59'48" East, a distance of 243.17 feet to the **POINT OF BEGINNING**; thence continuing South 01°59'48" East, a distance of 243.42 feet to the northerly line of Parcel "H" granted to the State of California by Grant Deed recorded December 27, 1962 in Book 3289, Page 186, Official Records of Riverside County; thence South 89°33'29" East, along said northerly line, a distance of 19.28 feet to the beginning of a curve concave southerly having a radius of 197.99 feet; thence Easterly along said northerly line and said curve, a distance of 15.40 feet through a central angle of 04°27'28"; thence leaving said northerly line, North 06°44'47" West, a distance of 144.94 feet; thence North 14°36'35" West, a distance of 103.55 feet to the **POINT OF BEGINNING**

Containing 5,232 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 27, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.22-21450 (21450-2)

EXHIBIT "A-4"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 8, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the intersection of the north line of said Lot 8 and the centerline of Pettit Street as shown on said Map No 1, Bear Valley and Alessandro Development Co.; thence South 00°26'10" West, along said centerline, a distance of 466.35 feet; thence North 83°25'24" West, a distance of 30.17 feet to a point on the west line of said Pettit Street, said point being the **POINT OF BEGINNING**; thence continuing North 83°25'24" West, a distance of 63.00 feet to the beginning of a curve, concave northeasterly, having a radius of 930.00 feet; thence northwesterly along said curve, through a central angle of 03°52'45", a distance of 62.96 feet; thence North 00°26'53" East, non-tangent to said curve, a distance of 50.00 feet; thence South 82°27'15" East, a distance of 125.92 feet to a point on said west line of Pettit Street; thence South 00°26'09" West along said west line, a distance of 50.00 feet to the **POINT OF BEGINNING**.

Containing 6,337 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 26, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.08-21452 (21452-2)

EXHIBIT "A-5"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 2, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the southeast corner of said Lot 2, Block 28; thence North 89°32'35" West, along the south line of said Lot 2, a distance of 367.13 feet to the **POINT OF BEGINNING**; thence continuing along said south line, North 89°32'35" West, a distance of 31.46 feet to the northeasterly line of Parcel "H" granted to the State of California by Grant Deed recorded December 27, 1962 in Book 3289, Page 186, Official Records of Riverside County, said point being the beginning of a non-tangent curve, concave southwesterly, having a radius of 197.99 feet and having at said point a radial line which bears North 71°34'49" East; thence northwesterly along said northeasterly line and said curve, through a central angle of 66°40'51", a distance of 230.42 feet; thence North 06°44'47" West, a distance of 30.54 feet to the beginning of a non-tangent curve, concave southwesterly, having a radius of 227.99 feet and having at said point a radial line which bears North 03°21'00" East; thence southeasterly along said curve, through a central angle of 70°47'22", a distance of 281.68 feet to the **POINT OF BEGINNING.**

Containing 7,682 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date July 7, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.22-21450 (21450-3)

EXHIBIT "B-1"

FEE

[See Attached]

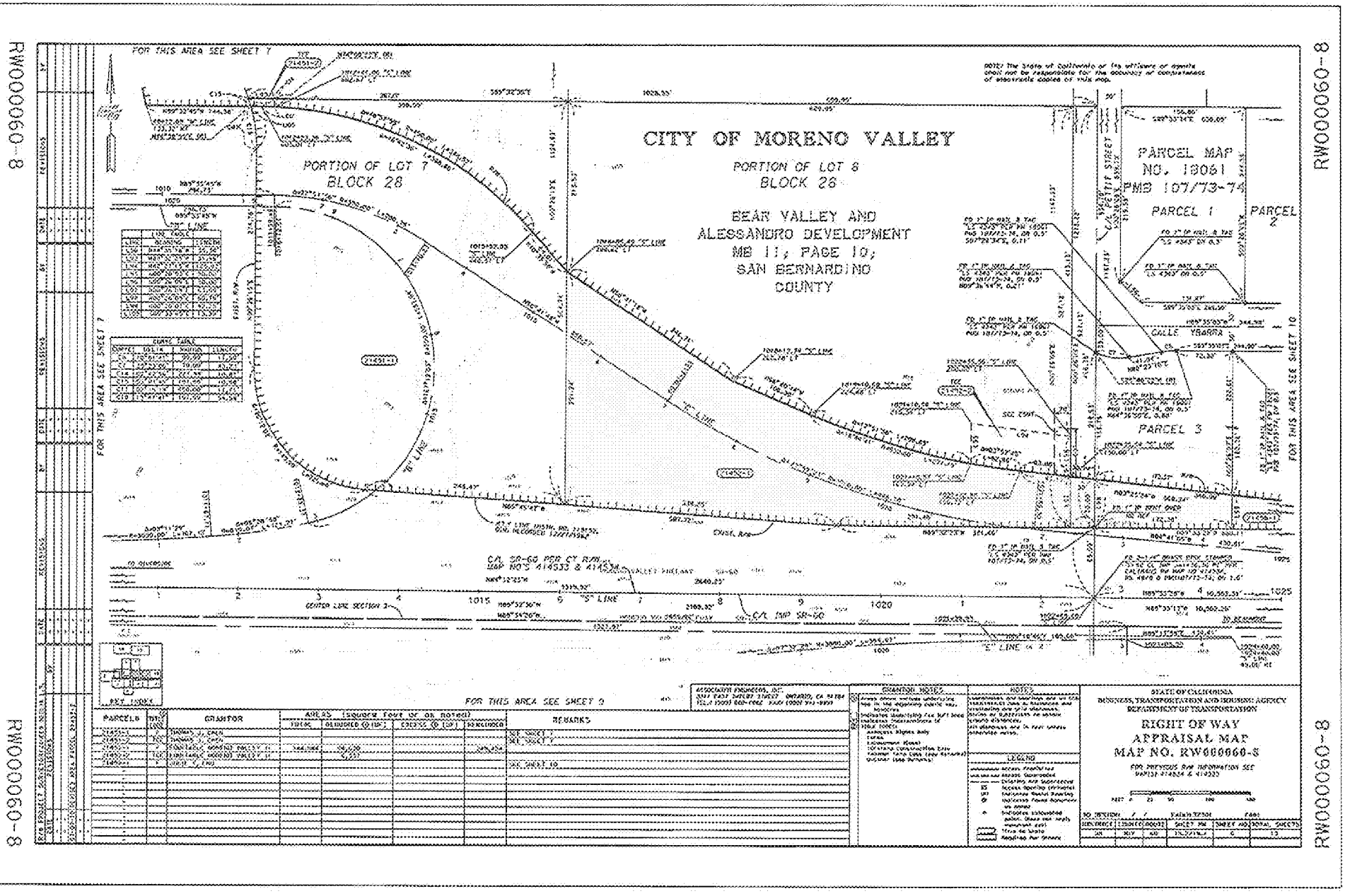
CITY OF MORENO VALLEY
PORTION OF LOT 8
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
PORTION OF LOT 7
BLOCK 28
PARCEL MAP
NO. 18061
PMB 107/73-74
PARCEL 1
PARCEL 2
PARCEL 3
CALLE YSABRA
FOR THIS AREA SEE SHEET 7
FOR THIS AREA SEE SHEET 9
FOR THIS AREA SEE SHEET 10
FOR THIS AREA SEE SHEET 9
RW000060-8
RW000060-8
RW000060-8
RW000060-8
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-8
PARCELS
GRANTOR
REMARKS
LEGEND

EXHIBIT "B-2"

ROADWAY EASEMENT

[See Attached]

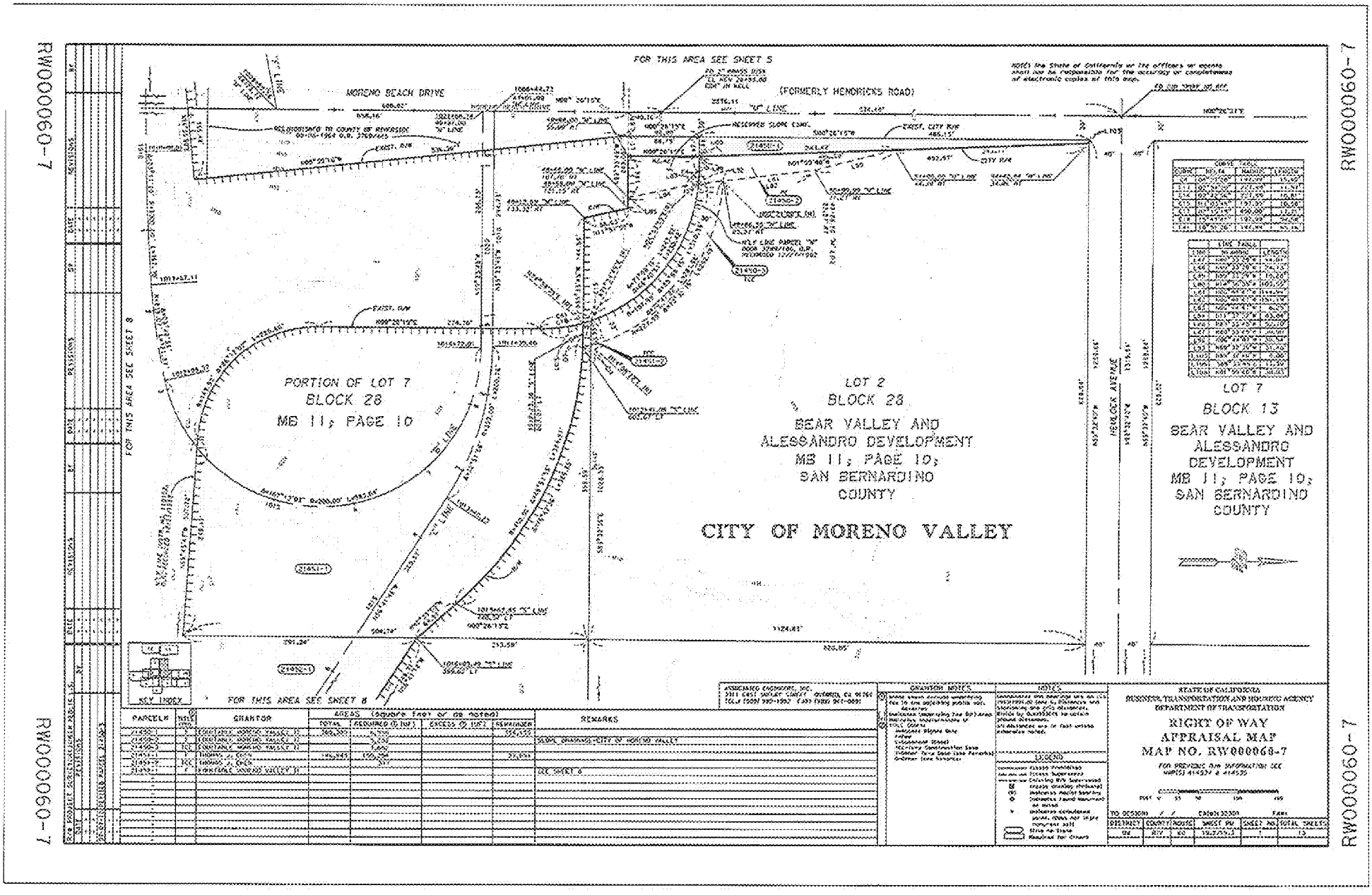
RW000060-7
FOR THIS AREA SEE SHEET 5
MORENO BEACH DRIVE
(FORMERLY HENDRICKS ROAD)
PORTION OF LOT 7
BLOCK 28
MB 11, PAGE 10
LOT 2
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
CITY OF MORENO VALLEY
LOT 7
BLOCK 13
BEAR VALLEY AND
ALESSANDRO
DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
HEDLOCK AVENUE
FOR THIS AREA SEE SHEET 8
NOT INDEX
PARCEL
GRANTOR
AREAS (Square Feet or as noted)
REMARKS
GRANTOR NOTES
NOTES
LEGEND
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-7

EXHIBIT "B-3"

SLOPE/DRAINAGE EASEMENT

[See Attached]

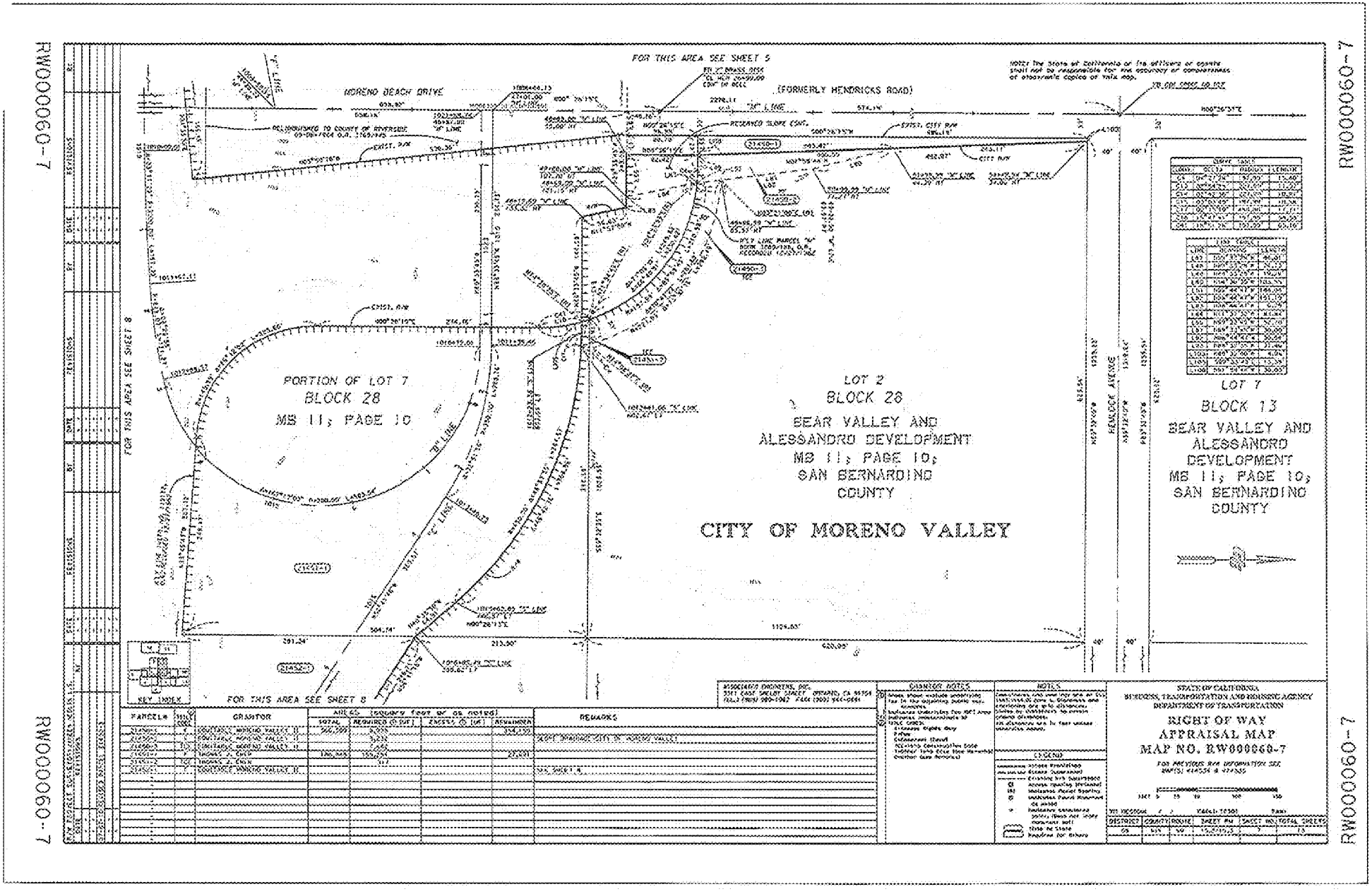
RW0000060-7
FOR THIS AREA SEE SHEET 5
MORENO BEACH DRIVE
(FORMERLY HENDRICKS ROAD)
PORTION OF LOT 7
BLOCK 28
MB 11, PAGE 10
LOT 2
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
CITY OF MORENO VALLEY
LOT 7
BLOCK 13
BEAR VALLEY AND
ALESSANDRO
DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
HENDRICK AVENUE
FOR THIS AREA SEE SHEET 8
KEY INDEX
PARCEL#
GRANTOR
AREAS
REMARKS
GRANTOR NOTES
NOTES
LEGEND
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW0000060-7
DISTRICT
COUNTY
ROUTE
SHEET NO.
TOTAL SHEETS

MV00175700

EXHIBIT "B-4"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

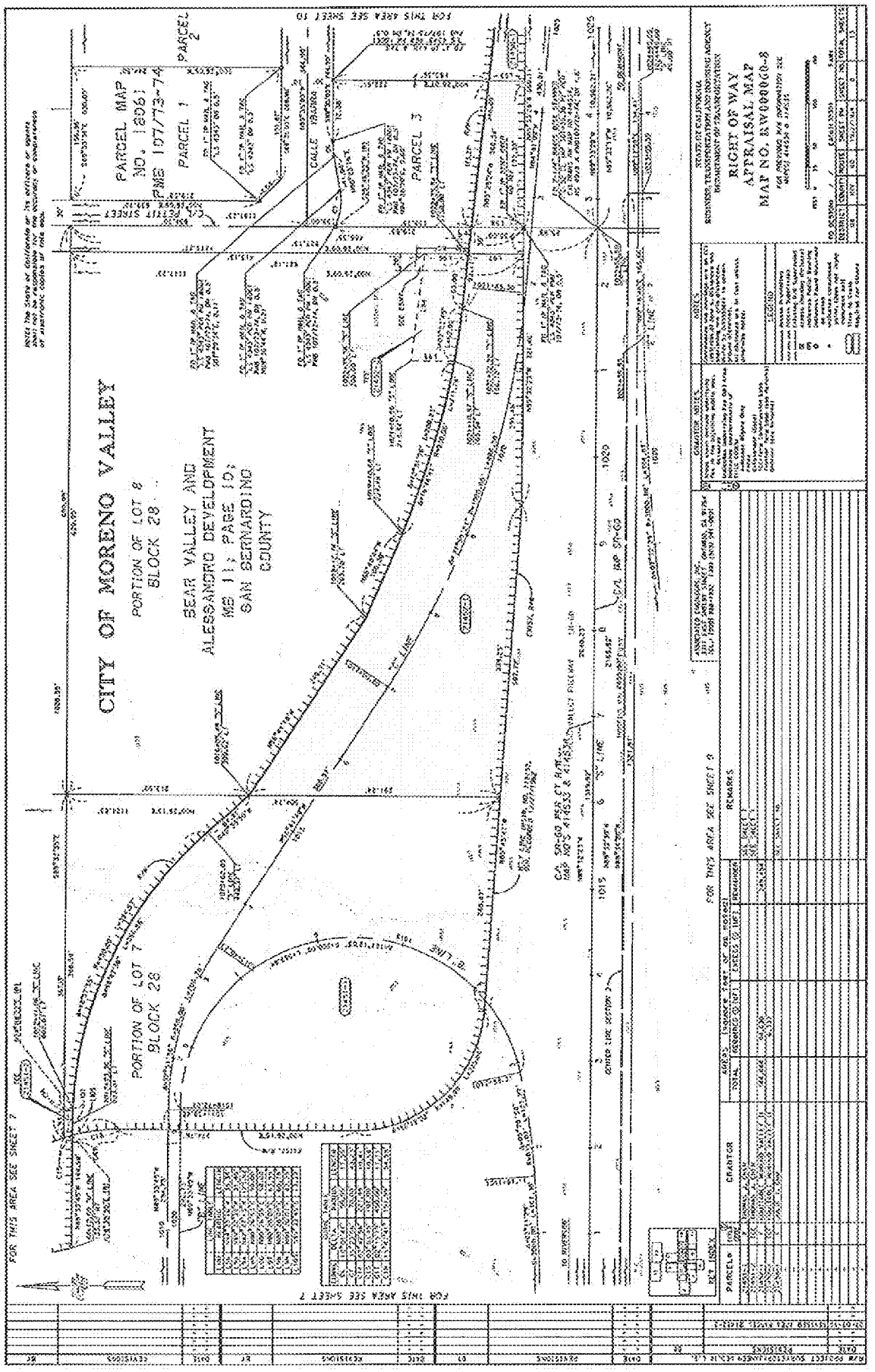
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-8
CITY OF MORENO VALLEY
PORTION OF LOT 8
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
PARCEL MAP
NO. 16961
PMB 187/73-74
PARCEL 1
PARCEL 2
PARCEL 3
PORTION OF LOT 7
BLOCK 28
FOR THIS AREA SEE SHEET 7
FOR THIS AREA SEE SHEET 10
FOR THIS AREA SEE SHEET 9
CALLE
CENTER LINE SECTION 2
REMARKS
GRANTOR
PARCELS

EXHIBIT "B-5"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

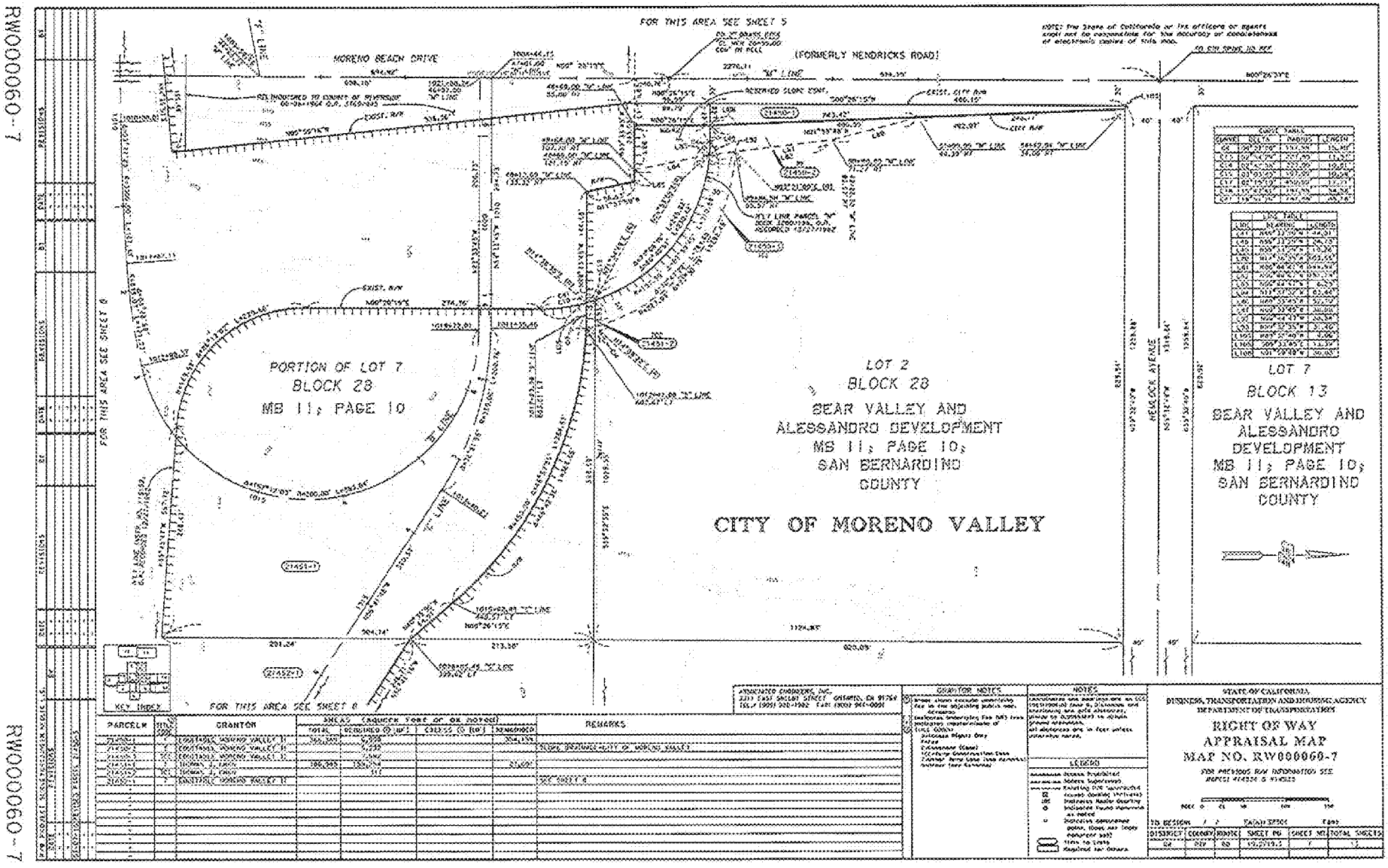
RW000060-7
FOR THIS AREA SEE SHEET 5
MORENO BEACH DRIVE
(FORMERLY HENDRICKS ROAD)
FOR THIS AREA SEE SHEET 8
PORTION OF LOT 7
BLOCK 28
MB 11; PAGE 10
LOT 2
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11; PAGE 10;
SAN BERNARDINO
COUNTY
CITY OF MORENO VALLEY
LOT 7
BLOCK 13
BEAR VALLEY AND
ALESSANDRO
DEVELOPMENT
MB 11; PAGE 10;
SAN BERNARDINO
COUNTY
HENDRICK AVENUE
KEY INDEX
FOR THIS AREA SEE SHEET 8
PARCEL#
GRANTOR
REMARKS
GRANTOR NOTES
NOTES
LEGEND
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-7
DISTRICT
COUNTY
ROUTE
SHEET NO.
TOTAL SHEETS

RESOLUTION N0. 2012-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION OF THE FEE AND THE EASEMENT IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/MORENO BEACH INTERCHANGE IMPROVEMENT PROJECT – PHASE 2; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY [APN: 488-080-016]

Owner	Assessor Parcel Number/ Caltrans Parcel Number
Thomas J. Chen, Glendy Liu Chen, Theresa B. Chen	488-080-016 / 21451-1, 2

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described property and whose name and address appears on the last equalized assessment roll in compliance with and as required by Code of Civil Procedure § 1245.235(a), relating to whether the public interest and necessity require the herein-described Project; whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; whether the property sought to be acquired is necessary for the Project; and whether the offer required by Government

Code § 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 28, 2012, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of all the members of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

Section 1. Pursuant to the provisions of the California Constitution, including Article I Section 19 thereof, and as authorized by California Government Code, §§ 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure, §§ 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee and the temporary construction easement interests in the real property which are shown on the maps attached hereto and described more fully in the legal descriptions attached hereto as follows:

Ownership	**Assessor Parcel No./ Caltrans Parcel No.**	**Exhibits**	**Interests to be Taken**
Thomas J. Chen, Glendy Liu Chen, Theresa B. Chen, Owners	488-080-016 / 21451-1	A-1 and B-1	Fee

Ownership	Assessor Parcel No./ Caltrans Parcel No.	Exhibits	Interests to be Taken
Thomas J. Chen, Glendy Liu Chen, Theresa B. Chen, Owners	488-080-016 / 21451-2	A-2 and B-2	Temporary Construction Easement

As referenced in the table above, all legal descriptions of the property interests to be acquired have an A prefix and all maps have a B prefix. The fee interest is permanent. The temporary construction easement as described above will be in effect for a period of 18 months after the City gives notice to the owner. Generally all property interests to be acquired are sometimes referred to later in this Resolution as the "property". In relation to the hereinafter described Project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the property, including the fee and the temporary construction easement interests therein, being taken.

Section 2. Acquisition of the hereinabove described property sought to be condemned herein or of one or more interest therein, is for a public use, to wit: State Route 60/Moreno Beach Interchange Improvement Project – Phase 2 and for the construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including bridges, drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress

upon, to and from said property, said proposed acquisition and use being herein referred to as the "Project".

Section 3. The interests in the property sought to be condemned herein constitute only a portion of a larger parcel of real property, as described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The property, or the interests to be acquired therein, are necessary for the Project; and

(d) The offer required by Government Code § 7267.2 has been made to the owner or owners of record.

Section 5. In the event any of the property or the interests to be acquired therein is already appropriated to an existing and different public use, the City Council hereby finds and determines that the herein-described public use or uses are more necessary than said existing public use, and acquisition hereby is permitted under the provisions of Code of Civil Procedure §§ 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the legal descriptions of the property and also including the substitution of plat maps for the particular property interest or interests to be acquired for the right of way maps that serve as exhibits to this Resolution and in the pleadings to be filed which have been

authorized herein, as is deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property or property interests is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property and property interests by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain applicable fee simple interest and easements in, over, under, across, along, through, and within the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and Singer and Coffin, APC, the law firm retained as counsel to represent the City in the proceedings, are hereby authorized and directed to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to accomplish such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the

property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, §§ 1230.010 and following) to complete such acquisition.

Section 10. The City is authorized and directed upon instruction from counsel for the City to make or cause to be made the deposit with the State Treasurer or in court out of proper funds of the City for the probable just compensation according to law, for jury fees, reporter's fees and other litigation costs and expenses.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "A-1"

FEE

[See Attached]

EXHIBIT "A"

That portion of Lot 7, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

BEGINNING at a point on the east line of said Lot 7, distant along said east line South 00°26'13" West, a distance of 213.50 feet from the northeast corner thereof; thence continuing South 00°26'13" West, along said east line, a distance of 291.24 feet to the northerly line of that certain parcel of land described in Grant Deed to the State of California, recorded December 27, 1962 as Instrument No. 119152, Official Records of Riverside County; thence along said northerly line the following four courses:

North 85°45'47" West, a distance of 248.47 feet to the beginning of a curve, concave northeasterly, having a radius of 149.99 feet;

Northwesterly along the arc of said curve through a central angle of 86°12'02", a distance of 225.66 feet;

North 00°26'15" East, a distance of 274.76 feet to the beginning of a curve, concave southwesterly, having a radius of 197.99 feet;

Northwesterly along the arc of said curve, through a central angle of 15°47'41", a distance of 54.58 feet;

thence South 89°33'45" East, a distance of 13.39 feet to the beginning of a curve, concave southwesterly, having a radius of 450.00 feet; thence Southeasterly along the arc of said curve, through a central angle of 48°57'55", a distance of 384.57 feet; thence South 40°35' 50" East, a distance of 64.91 feet to the **POINT OF BEGINNING.**

Containing 3.656 acres of land, more or less.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 27, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-PM 19.25-21451 (21451-1)

h\PARCEL LEGALS\21451-CHEN\21451-1.doc

EXHIBIT "A-2"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

EXHIBIT "A"

That portion of Lot 7, Block 28 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

COMMENCING at the northeast corner of said Lot 7; thence North 89°32'35" West, along the north line of said Lot 7, a distance of 367.13 feet to the **POINT OF BEGINNING**, also being the beginning of a non-tangent curve, concave southwesterly, having a radius of 227.99 feet and having at said point a radial line which bears North 74°08'22" East; thence southeasterly along the arc of said curve, through a central angle of 02°42'56", a distance of 10.81 feet to the beginning of a non-tangent curve, concave southerly, having a radius of 450.00 feet and having at said point a radial line which bears North 02°41'34" East; thence westerly along the arc of said curve, through a central angle of 02°15'19", a distance of 17.71 feet; thence North 89°33'45" West, a distance of 13.39 feet to the beginning of a non-tangent curve, concave westerly, having a radius of 197.99 feet and having at said point a radial line which bears North 74°38'35" East; thence northerly along the arc of said curve, through a central angle of 03°03'45", a distance of 10.58 feet to said north line of Lot 7; thence South 89°32'35" East, along said north line, a distance of 31.46 feet to the **POINT OF BEGINNING**;

Containing 317 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date May 27, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-MP 19.08-21451 (21451-2)

EXHIBIT "B-1"

FEE

[See Attached]

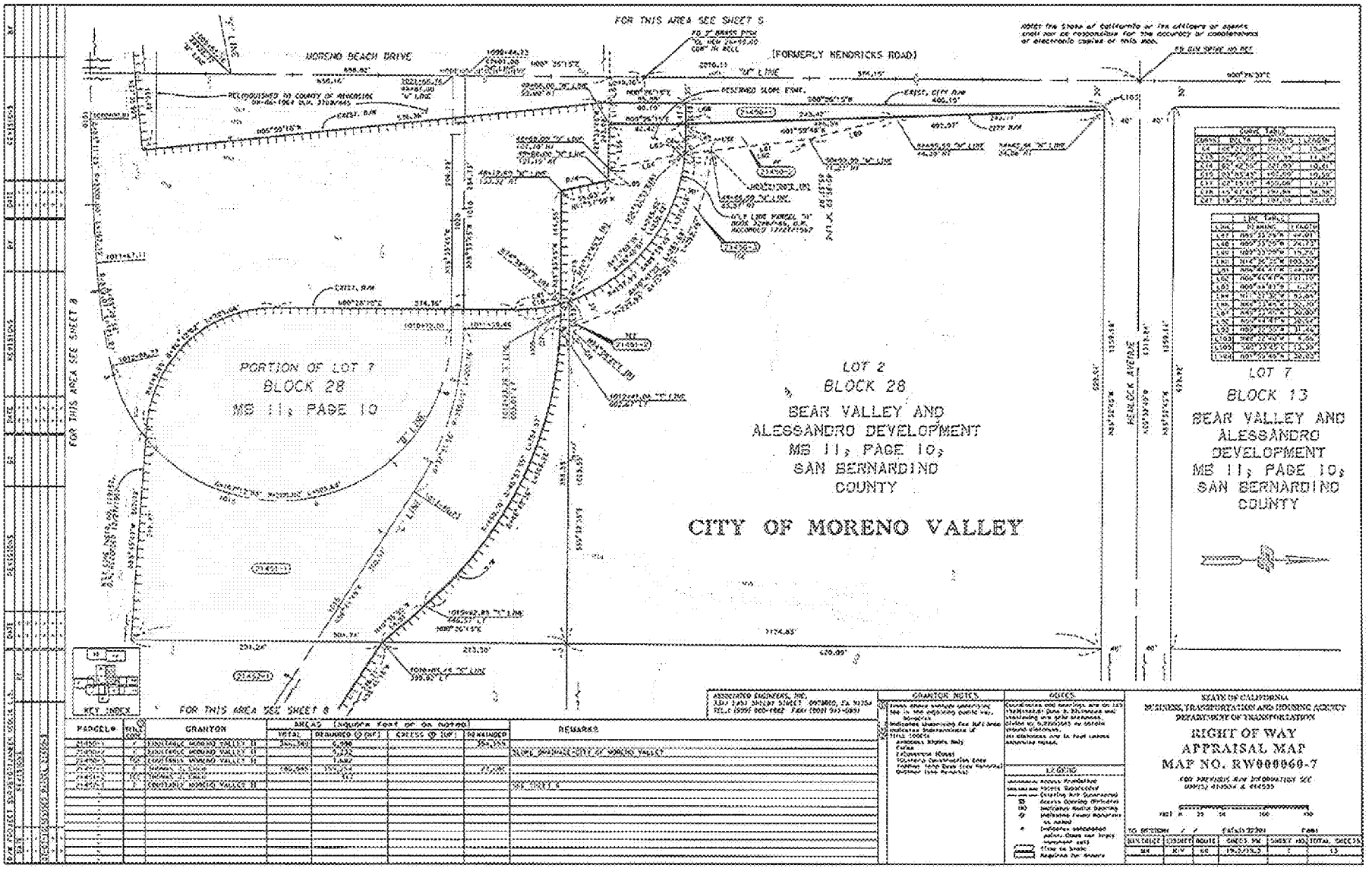
RW000060-7
MORENO BEACH DRIVE
(FORMERLY HENDRICKS ROAD)
FOR THIS AREA SEE SHEET 5
FOR THIS AREA SEE SHEET 8
PORTION OF LOT 7
BLOCK 28
MB 11, PAGE 10
LOT 2
BLOCK 28
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
CITY OF MORENO VALLEY
LOT 7
BLOCK 13
BEAR VALLEY AND
ALESSANDRO
DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
HEMLOCK AVENUE
KEY INDEX
GRANTOR NOTICE
NOTES
LEGEND
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-7
PARCEL#
GRANTOR
AREAS
REMARKS

EXHIBIT "B-2"

TEMPORARY CONSTRUCTION EASEMENT

[See Attached]

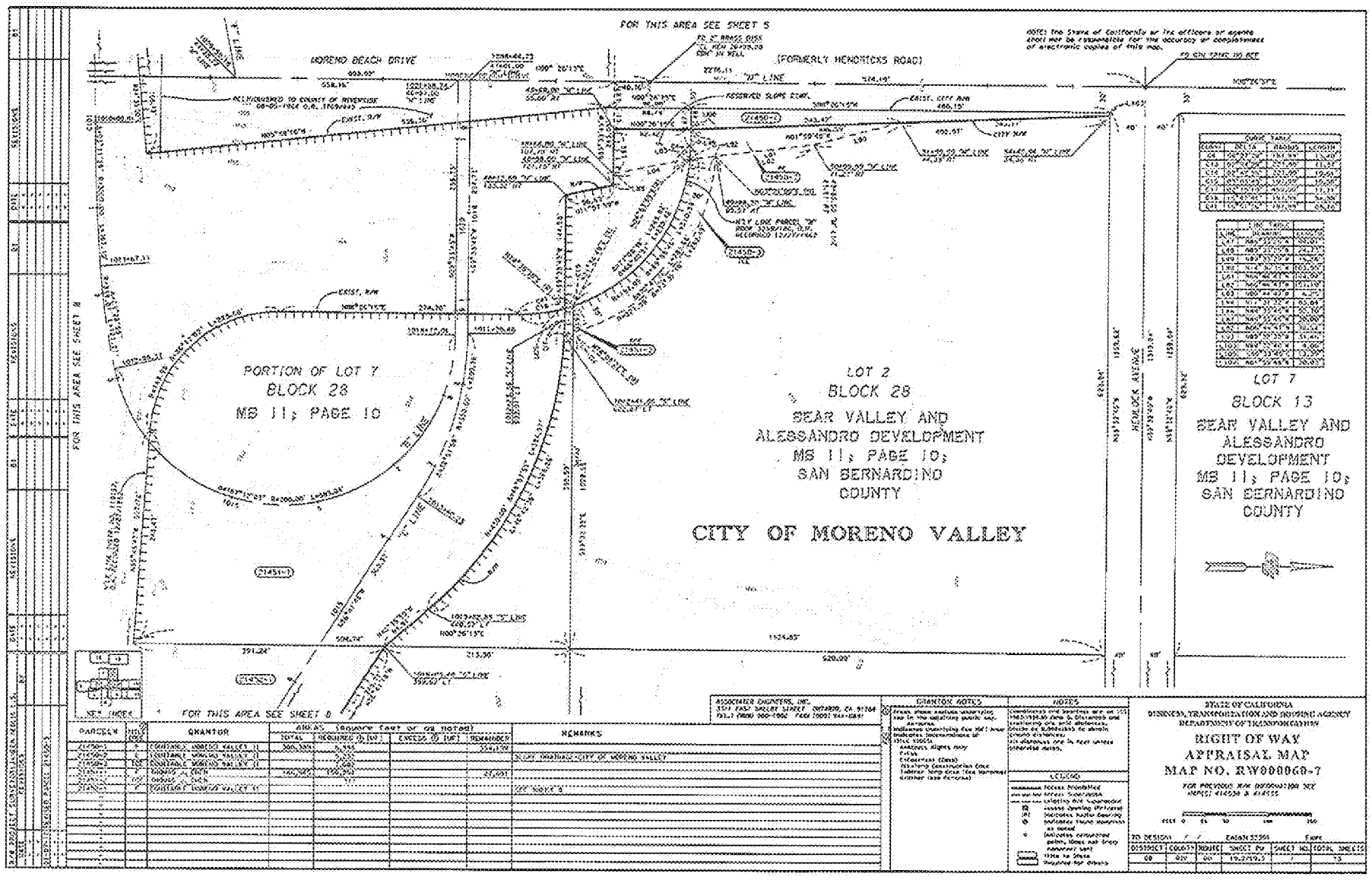
RW000060-7
MORENO BEACH DRIVE
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FOR THIS AREA SEE SHEET 5
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ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
CITY OF MORENO VALLEY
LOT 7
BLOCK 13
BEAR VALLEY AND
ALESSANDRO
DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
HEMLOCK AVENUE
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-7
PARCEL
GRANTOR
REMARKS

MV00175718

RESOLUTION N0. 2012-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION OF THE FEE INTEREST IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/MORENO BEACH INTERCHANGE IMPROVEMENT PROJECT – PHASE 2; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY [APN: 488-270-021]

Owner	Assessor Parcel Number/ Caltrans Parcel Number
Jocelyn Sarte McGinniss, Settlor and Trustee under the Jocelyn Sarte McGinniss Living Trust dated October 4, 2002	488-270-021 / 21457-1

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described property and whose name and address appears on the last equalized assessment roll in compliance with and as required by Code of Civil Procedure § 1245.235(a), relating to whether the public interest and necessity require the herein-described Project; whether the Project is planned or located in the manner that will be most compatible with the

greatest public good and the least private injury; whether the property sought to be acquired is necessary for the Project; and whether the offer required by Government Code § 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 28, 2012, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of all the members of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

Section 1. Pursuant to the provisions of the California Constitution, including Article I Section 19 thereof, and as authorized by California Government Code, §§ 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure, §§ 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee interest in the real property which is shown on the map attached hereto and described more fully in the legal description attached hereto as follows:

Ownership	**Assessor Parcel No./ Caltrans Parcel No.**	**Exhibits**	**Interests to be Taken**
Jocelyn Sarte McGinniss, Settlor and Trustee under the Jocelyn Sarte McGinniss Living Trust dated October 4, 2002	488-270-021 / 21457-1	A-1 and B-1	Fee

As referenced in the table above, the legal description of the property to be acquired has an A prefix and the map has a B prefix. The fee interest is permanent. Generally the property interest to be acquired is sometimes referred to later in this Resolution as the "property". In relation to the hereinafter described Project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the property being taken.

Section 2. Acquisition of the hereinabove described property sought to be condemned herein is for a public use, to wit: State Route 60/Moreno Beach Interchange Improvement Project – Phase 2 and for the construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including bridges, drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress upon, to and from said property, said proposed acquisition and use being herein referred to as the "Project".

Section 3. The fee interest in the property sought to be condemned herein, which constitutes only a portion of the larger parcel of real property, is described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The property to be acquired therein, is necessary for the Project; and

(d) The offer required by Government Code § 7267.2 has been made to the owner or owners of record.

Section 5. In the event any of the property to be acquired therein is already appropriated to an existing and different public use, the City Council hereby finds and determines that the herein-described public use or uses are more necessary than said existing public use, and acquisition hereby is permitted under the provisions of Code of Civil Procedure §§ 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the legal descriptions of the property and also including the substitution of plat maps for the particular property interest or interests to be acquired for the right of way maps that serve as exhibits to this Resolution and in the pleadings to be filed which have been authorized herein, as is deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property

by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain applicable fee simple interest in the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and Singer and Coffin, APC, the law firm retained as counsel to represent the City in the proceedings, are hereby authorized and directed to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to accomplish such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, §§ 1230.010 and following) to complete such acquisition.

Section 10. The City is authorized and directed upon instruction from counsel for the City to make or cause to be made the deposit with the State Treasurer or in court out of proper funds of the City for the probable just compensation according to law, for jury fees, reporter's fees and other litigation costs and expenses.

APPROVED AND ADOPTED this 28th day of August, 2012.

_____

Mayor

ATTEST:

_____

City Clerk

APPROVED AS TO FORM:

_____

City Attorney

EXHIBIT "A-1"

FEE

[See Attached]

EXHIBIT "A"

That portion of the East Half of Lot 5, Block 29 of Map No. 1, Bear Valley and Alessandro Development Co. in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, more particularly described as follows:

BEGINNING at the southeast corner of Parcel 4 of Parcel Map No. 18061 in the City of Moreno Valley, County of Riverside, State of California, Filed in Book 107, Page 73 and 74 of Parcel Maps in the Office of the County Recorder of Riverside County, also being a point on the west line of the East Half of said Lot 5; thence North 00°26'09" East, along said west line, a distance of 23.71 feet; thence South 83°25'24" East, a distance of 128.28 feet; thence South 89°33'28" East, a distance of 187.67 feet to the east line of said East Half of Lot 5, also being the west line of Tract 19444, Filed in Book 165, Pages 4 through 5, inclusive of Maps in the Office of the County Recorder of Riverside County; thence South 00°26'01" West, along said east line, a distance of 10.00 feet to the southerly line of that certain parcel of land described in Director's Deed recorded April 28, 1964 as Instrument No. 52475, Official Records of Riverside County; thence North 89°33'28" West, along said southerly line, a distance of 315.21 feet to the **POINT OF BEGINNING**.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway.

Containing 4,026 square feet of land, more or less.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Janeen Nedlik
Janeen Nedlik, L.S. 7563
Expires 12/31/11

Date June 2, 2010

LICENSED LAND SURVEYOR
JANEEN NEDLIK
EXP. 12-31-11
No. 7563
STATE OF CALIFORNIA

08-RIV-60-PM 19.08-21457 (21457-1)

EXHIBIT "B-1"

FEE

[See Attached]

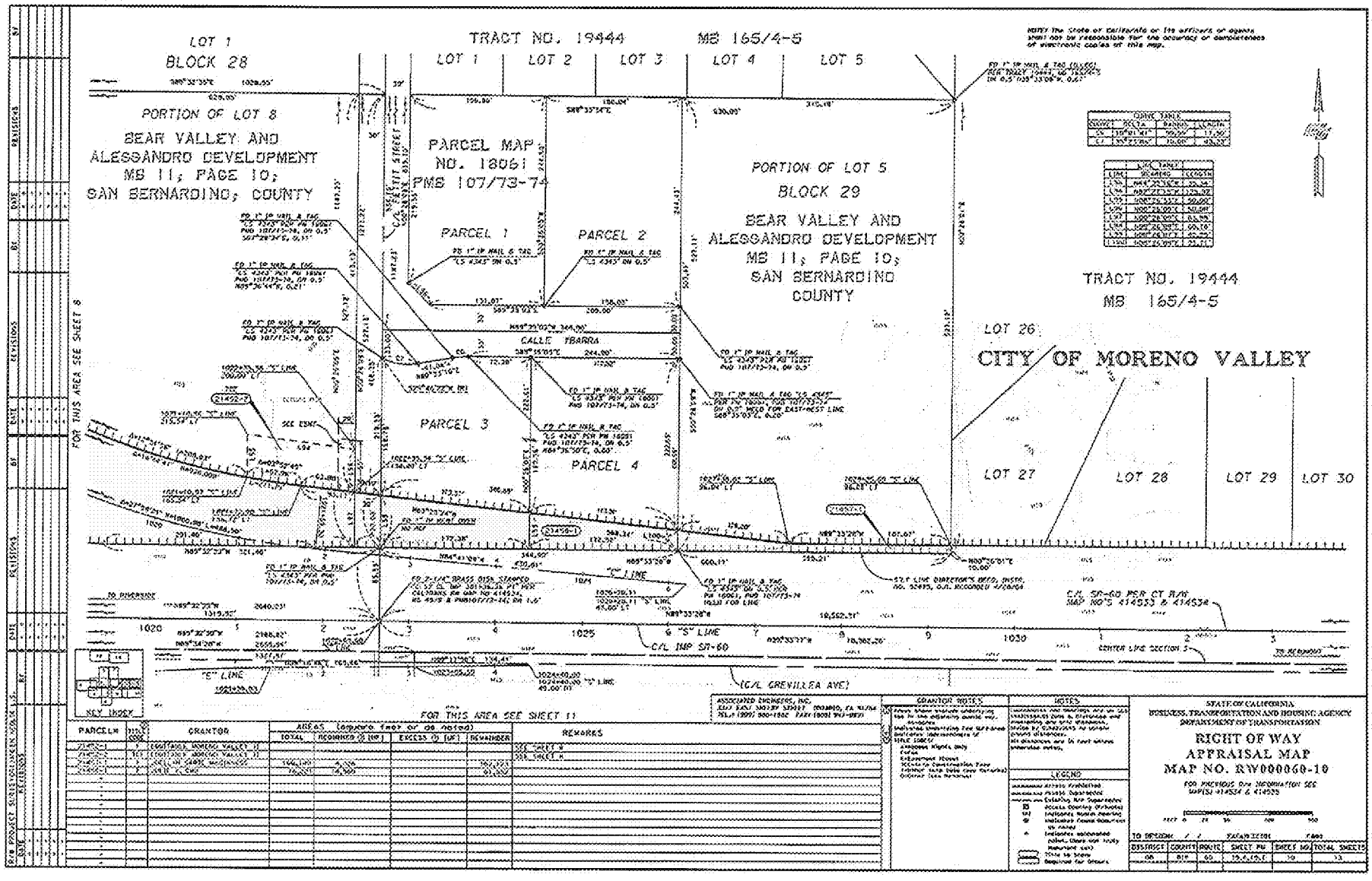
RW000060-10
LOT 1
BLOCK 28
TRACT NO. 19444
MB 165/4-5
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
PORTION OF LOT 8
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO, COUNTY
PARCEL MAP
NO. 18061
PMB 107/73-74
PARCEL 1
PARCEL 2
PORTION OF LOT 5
BLOCK 29
BEAR VALLEY AND
ALESSANDRO DEVELOPMENT
MB 11, PAGE 10,
SAN BERNARDINO
COUNTY
TRACT NO. 19444
MB 165/4-5
LOT 26
CITY OF MORENO VALLEY
CALLE IBARRA
PARCEL 3
PARCEL 4
LOT 27
LOT 28
LOT 29
LOT 30
FOR THIS AREA SEE SHEET 8
FOR THIS AREA SEE SHEET 11
"S" LINE
C/L IMP 57-60
(C/L GREVILLEA AVE)
CENTER LINE SECTION 5
NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this map.
PARCEL
GRANTOR
AREAS
REMARKS
GRANTOR NOTES
NOTES
LEGEND
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
APPRAISAL MAP
MAP NO. RW000060-10
DISTRICT
COUNTY
ROUTE
SHEET NO
TOTAL SHEETS

FACTUAL SUMMARY TO SUPPORT
FINDINGS REQUIRED IN THE RESOLUTION NOS. 2012-63,
2012-64, 2012-65 and 2012-66

a) Notice and reasonable opportunity to appear and be heard has been given to the property owners whose names and addresses are in the last equalized assessment roll or who are known to the City as having an interest in the property affected by the proposed Resolutions of Necessity by the mailing on the Notice of Intent to Adopt Resolution of Necessity to Acquire Certain Real Property or Interest in Property by Eminent Domain on June 18, 2012, in conformance with and as required by statute. No such property owner or owner's representative has submitted a written request to appear and be heard at the designated Hearing to the City Clerk, to the retained acquisition agent or to outside counsel retained to process the eminent domain court cases. The opportunity for these owners to appear and be heard has been waived.

b) The public interest and necessity require this Project:

The SR-60/Moreno Beach Interchange and the adjoining streets have experienced rapid and heavy increases in traffic volume. Future growth of the region and development within the area will further add traffic volume to both SR-60 and the Moreno Beach Interchange. The existing right-of-way for the SR-60 Moreno Beach Interchange and for Moreno Beach Drive in the area of the Project is inadequate and insufficient to allow the full interchange and street improvements as designed. The lack of right-of-way prevents accommodation of a future bridge widening for the Moreno Beach Drive bridge that is necessary to accommodate future increases in anticipate traffic volumes.

It is also necessary to complete the interchange improvements and to improve Moreno Beach Drive to comply with the City's General Plan and Circulation Element and to provide for more efficient and safe vehicular travel.

The proposed acquisition of fee and easement interests will provide sufficient right-of-way to allow the improvement of the SR-60/Moreno Beach Interchange, to improve Moreno Beach Drive and to accommodate the future widening of the Moreno Beach Drive Bridge at the Interchange. Without the acquisition of the fee and the various easement interests the Project cannot be completed as planned and the goals and policies of the General Plan cannot be implemented.

The overall purpose of the SR-60/Moreno Beach Interchange Project is to improve the SR-60/Moreno Beach Interchange ramps through reconstruction and realignment, while providing a design that accommodates future bridge improvements. The SR-60/Moreno Beach Interchange Project will be constructed in phases and when completed will include the construction of Eastbound on/off ramps, Westbound on/off ramps and road improvements on Moreno Beach Drive that will include the replacement of the existing 2-

lane bridge with a 6-lane bridge crossing SR-60. The Project will also include construction of approximately 1,800 feet of storm drain improvements along Ironwood Avenue in the vicinity of Moreno Beach Drive, utility relocation, related drainage and shoulder improvements.

The implementation of this Project will implement the City's General Plan and the City Council's goals to create proper and free flowing streets and highways to further implement the Circulation Element of the General Plan.

It is further necessary to adopt the Resolution of Necessity to permit the City to file an eminent domain proceeding to enable the funding requirements for the Project to be met, to enable the Project to proceed as planned, and if needed to deposit the amount of probable compensation and obtain necessary orders for possession prior to judgment to allow possession of the property necessary for the Project to be obtained in a timely manner to meet the time schedule for construction of the improvements to the SR-60/Moreno Beach Interchange, Phase 2.

c) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury:

The design of the improvements for SR-60/Moreno Beach Interchange Project in the area contemplated has been carefully considered to minimize the impact of the Project on adjacent privately owned property while addressing the need for proper traffic flow, circulation and safety and to accommodate future bridge improvements for the Moreno Beach Drive Bridge. The improvements contemplated by the Project to complete the work of the Project require the acquisition of the fee and the easement interests for the installation, operation and maintenance of the proposed interchange improvements, street improvements and for the future bridge improvements to the Moreno Beach Drive Bridge. The fee and easement interest acquisitions are designed to require the take of only the amount of property and property interests necessary for approvals of the design of the Project to accomplish and permit the construction of the Project. The Project was planned and located in such a manner that the property and property interests to be taken in the actions are vacant and no residents, businesses or agricultural uses will be displaced by the Project - thereby minimizing private injury.

d) The fee and easement interests are necessary to the Project:

The existing right-of-way for the SR-60/Moreno Beach Interchange is not large enough to allow for the construction of the proposed interchange improvements, street and highway and other planned public improvements and to accommodate the future Moreno Beach Drive Bridge improvements. The additional right-of-way is necessary to allow for the construction, operation and maintenance of the proposed interchange and street and highway and other planned public improvements. The Project will improve traffic safety and circulation in the area.

e) All required offers have been made to the property owner or owners of the property to be condemned who were identified in litigation guarantees provided to the City by a title company and whose names and addresses were on the last equalized assessment roll in conformance with and in the manner required by § 7267.2 of the Government Code and the written offers were mailed to the owner or owners on May 15, 2012.

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MV00175732

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

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MV00175734

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rut
CITY MANAGER	mst

Report to City Council

TO: Mayor and City Council and the City Council Acting in its Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 485-081-034 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the City Council, acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceeding for APN 485-081-034 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally

mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Conditions of Approval for APN 485-081-034 require that a funding source be provided to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owner of APN 485-081-034 ("Property Owner") the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. The Property Owner is given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 28, 2012 and the Public Hearing on September 11, 2012, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballot is approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory

maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charge was estimated based on the parcel's front linear footage to the existing Perris Blvd. median. Upon approval of the charge, APN 485-081-034 will be subject to the annual charge. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceeding for APN 485-081-034 for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceeding for APN 485-081-034 for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceeding to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2012/13, the NPDES annual regulatory rate and estimated CSD Zone M charge is as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
APN 485-081-034 (and any division thereof)	$218	$850.68

Beginning in FY 2013/14, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APN 485-081-034 is being balloted to provide a funding source for the maintenance costs of an existing median. The CSD Zone M charge will offset a portion of the funds collected from the contributing parcels adjacent to this median. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to maintain the appearance of developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceeding for APN 485-081-034.

NOTIFICATION

The Property Owner was given the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots, instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the August 28, 2012, Public Meeting and September 11, 2012, Public Hearing was published in The Press-Enterprise on August 9, 2012. Additionally, the Public Hearing notification was published on August 23 and will be published again on August 30, 2012.

ATTACHMENTS

Attachment 1: Mail Ballot Packet for APN 485-081-034

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00175740

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Professors Fund IV
Attention: Bob Emri
990 Highland Dr., Suite 204
Solana Beach, CA 92075

July 5, 2012

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 485-081-034

******* OFFICIAL BALLOTS ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Number (APN) 485-081-034 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and for inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City. Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006.

ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 485-081-034 is subdivided in the future. The charge levied shall not exceed the charge previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2012/13, the NPDES maximum commercial/industrial regulatory rate is $218 per parcel. The total amount of the NPDES rates levied for FY 2011/12 for the program as a whole was $396,356.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2012/13 for the existing Perris Blvd. median is $850.68. The total amount of the CSD Zone M charges levied for FY 2011/12 for the program as a whole was $156,303.84.

Annual Adjustment

NPDES Maximum Commercial/Industrial Regulatory Rate
Beginning in FY 2013/14, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

CSD Zone M Charge
Beginning in FY 2013/14, the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 485-081-034 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	**Public Hearing**
Tuesday, August 28, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 11, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges are Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if the ballot is marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballot is marked in favor of the annual charge.

Effect if Inclusion into and Approval of the Charges are Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If the returned valid ballot is marked opposing the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If the returned valid ballot is marked opposing the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and

return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the two enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 11, 2012**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

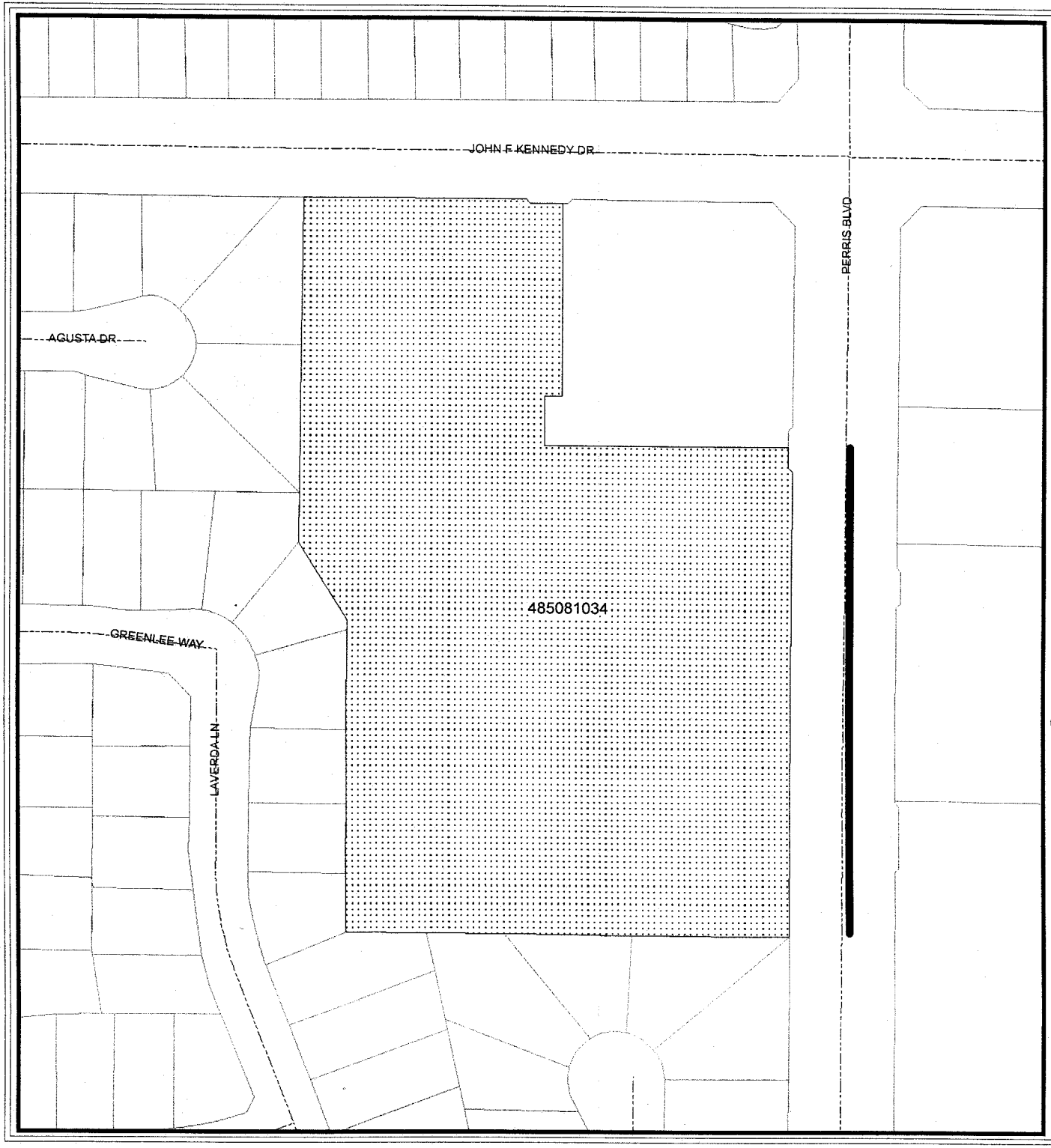

Tentative Parcel Map 36449

Median
Landscaped Areas

APN

485081034
Roads
Parcels
City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of July 2, 2012.

N

0 87 174 261 348 Feet

G:\AVP\SDA\Family Dollar PA11-0041.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)
FY 2012/2013 - 2.7% = ($37.00 & $181.00)

MV00175746

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 485-081-034

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 485-081-034, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2012/13, the NPDES maximum commercial/industrial regulatory rate is $218 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2013/14, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 485-081-034, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
485-081-034 (and any division thereof)	☐	☐	$218

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 11, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 485-081-034

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 485-081-034, **I approve** the fiscal year (FY) 2012/13 CSD Zone M charge of $850.68 for the existing Perris Blvd. median. Beginning FY 2013/14, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 485-081-034, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program shall result in noncompliance with the project's Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
485-081-034 (and any division thereof)	☐	☐	$850.68

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 11, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in its Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: August 28, 2012

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 485-081-034 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the City Council, acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceeding for APN 485-081-034 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to participate in the appropriate NPDES regulatory rate to fund federally

mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Conditions of Approval for APN 485-081-034 require that a funding source be provided to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

DISCUSSION

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, a mail ballot proceeding is being conducted to give the property owner of APN 485-081-034 ("Property Owner") the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. The Property Owner is given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 28, 2012 and the Public Hearing on September 11, 2012, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the Property Owner, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. Provided the mail ballot is approved, the City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory

maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charge was estimated based on the parcel's front linear footage to the existing Perris Blvd. median. Upon approval of the charge, APN 485-081-034 will be subject to the annual charge. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceeding for APN 485-081-034 for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceeding for APN 485-081-034 for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceeding to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2012/13, the NPDES annual regulatory rate and estimated CSD Zone M charge is as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
APN 485-081-034 (and any division thereof)	$218	$850.68

Beginning in FY 2013/14, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APN 485-081-034 is being balloted to provide a funding source for the maintenance costs of an existing median. The CSD Zone M charge will offset a portion of the funds collected from the contributing parcels adjacent to this median. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to maintain the appearance of developed areas within the City.

Revenue Diversification and Preservation
The CSD Zone M annual charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public comments regarding the mail ballot proceeding for APN 485-081-034.

NOTIFICATION

The Property Owner was given the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots, instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Newspaper advertising for the August 28, 2012, Public Meeting and September 11, 2012, Public Hearing was published in The Press-Enterprise on August 9, 2012. Additionally, the Public Hearing notification was published on August 23 and will be published again on August 30, 2012.

ATTACHMENTS

Attachment 1: Mail Ballot Packet for APN 485-081-034

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Ahmad R. Ansari, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00175754

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

Professors Fund IV
Attention: Bob Emri
990 Highland Dr., Suite 204
Solana Beach, CA 92075

July 5, 2012

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 485-081-034

******* OFFICIAL BALLOTS ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Number (APN) 485-081-034 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and for inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

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ATTACHMENT 1

Services Provided

NPDES Maximum Commercial/Industrial Regulatory Rate
In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

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How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 485-081-034 is subdivided in the future. The charge levied shall not exceed the charge previously approved by the property owner.

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CSD Zone M Charge
The CSD Zone M annual charge for FY 2012/13 for the existing Perris Blvd. median is $850.68. The total amount of the CSD Zone M charges levied for FY 2011/12 for the program as a whole was $156,303.84.

Annual Adjustment

NPDES Maximum Commercial/Industrial Regulatory Rate
Beginning in FY 2013/14, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

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Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 485-081-034 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 28, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 11, 2012 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges are Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if the ballot is marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballot is marked in favor of the annual charge.

Effect if Inclusion into and Approval of the Charges are Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If the returned valid ballot is marked opposing the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If the returned valid ballot is marked opposing the CSD Zone M annual charge, then the annual charge will not be levied on the property tax bill and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and

return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the two enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 11, 2012**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

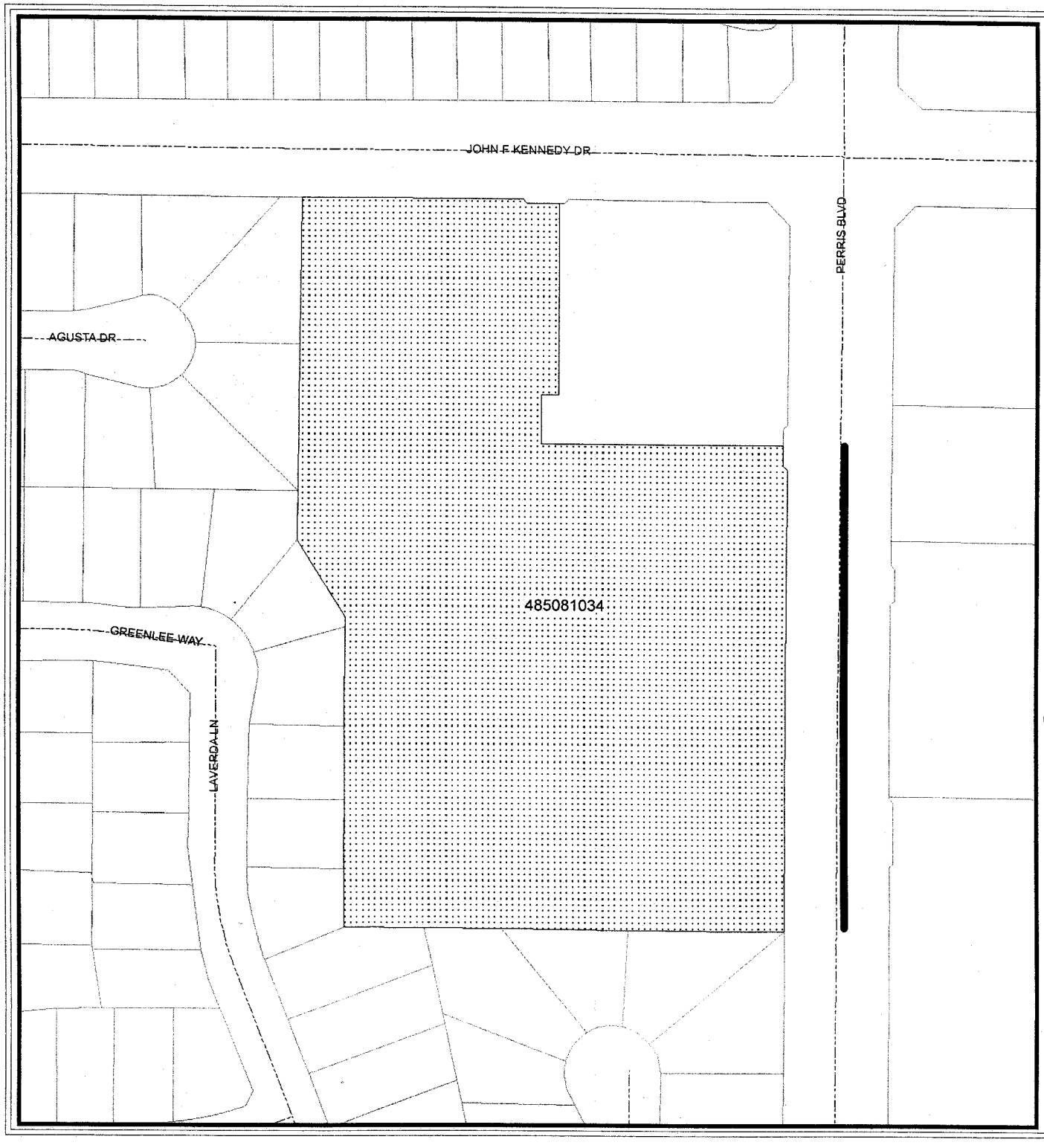

Tentative Parcel Map 36449

Median

Landscaped Areas

APN

485081034

Roads

Parcels

City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of July 2, 2012.

N

0 87 174 261 348 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)
FY 2012/2013 - 2.7% = ($37.00 & $181.00)

MV00175760

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 485-081-034

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 485-081-034, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2012/13, the NPDES maximum commercial/industrial regulatory rate is $218 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2013/14, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will annually inspect site design, source and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

NO** — as property owner of APN 485-081-034, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
485-081-034 (and any division thereof)	☐	☐	$218

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on September 11, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

OFFICIAL MAIL BALLOT for
Assessor Parcel Number (APN) 485-081-034

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 485-081-034, **I approve** the fiscal year (FY) 2012/13 CSD Zone M charge of $850.68 for the existing Perris Blvd. median. Beginning FY 2013/14, the annual CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval, the CSD Zone M charge shall be placed on the Riverside County property tax bill. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 485-081-034, **I do not approve** the CSD Zone M annual parcel charge. I understand that not incorporating said APN into the CSD Zone M program shall result in noncompliance with the project's Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
485-081-034 (and any division thereof)	☐	☐	$850.68

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 11, 2012, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 28, 2012

TITLE: DRAFT ENERGY EFFICIENCY AND CLIMATE ACTION STRATEGY

RECOMMENDED ACTION

Staff recommends that the City Council review the policies in the attached Draft Energy Efficiency and Climate Action Strategy Document and provide direction to staff in formulating a final document for consideration and approval.

BACKGROUND

At its Joint Study Session of April 3, 2012, the City Council and the Planning Commission reviewed an early draft and gave direction on the continued preparation of the Energy Efficiency and Climate Action Strategy. The main direction at that meeting was for staff to reach out to the public for input. There was also discussion regarding focusing on policies that will not stunt development, and the City leading by example in implementing best practices for energy efficiency and greenhouse gas reduction. In addition, City Council and Planning Commission asked Staff to present the Strategy document as a discussion item at a Planning Commission meeting and at a City Council meeting for further review before being scheduled as a formal public hearing item.

DISCUSSION

The City received funding under the Federal Stimulus Package Energy Efficiency and Conservation Block Grant to undertake several projects and initiatives to reduce the City organization's energy use and consequently its greenhouse gas emissions. The funding covers the cost of the Energy Efficiency and Climate Action Strategy, including a Greenhouse Gas Analysis for the City.

The Strategy is intended to assist with the City's compliance with State initiatives to address the implementation of Assembly Bill 32 and Senate Bill 375, both aimed at reducing greenhouse gas emissions in California. SB 375 calls for the preparation of a Sustainable Communities Plan (SCS) by each Council of Governments. Moreno Valley is part of the SCS prepared by the Southern California Council of Governments (SCAG). The SCS assesses current development and future plans, as represented in the adopted general plans of communities to ensure a certain level of greenhouse gas emissions on an area-wide basis. AB 32 establishes a statewide greenhouse gas emissions cap which requires emissions to be reduced to 1990 levels by the year 2020. The bill includes mandatory reporting rules, adoption of a plan and regulations to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions, including provisions for using both market mechanisms and alternative compliance mechanisms.

The Energy Efficiency and Climate Action Strategy includes potential programs and policies to reduce overall City energy use, increase the use of renewable energy, and identify the life cycle costs of future City projects. Life cycle cost looks at the full cost of projects including initial construction and long term maintenance to assess the feasibility of energy efficiency upgrades balancing higher upfront costs with lower operational costs. The Strategy prioritizes implementation of programs, policies, and projects based upon energy efficiency, cost efficiency and potential resources. The Greenhouse Gas Analysis provides more of a scientific approach and recommends a target to reduce community-wide GHG emissions by 15% from 2007 levels by 2020, consistent with the State reduction goals in AB 32. The recommendations of the Analysis have been incorporated as programs in the Strategy.

The City direction with the Strategy is to lead by example in the implementation of best practices for energy efficiency. The Strategy is broken up into two main parts: Section I Energy Efficiency (City Facilities) and Section II Climate Action Strategy (Community-wide). Within the Energy Efficiency section, the first category is called out as Current Energy Efficient Practices. These practices are categorized into Electricity, Water, Recycling and Diversion, Alternative Fuels, and Education. The current practices list includes what the City is currently doing to be more energy efficient. Next the Proposed Energy Efficiency Policies section provides a comprehensive table of energy reduction measures. The energy measures are categorized into Energy use, Water use, Recycling and Diversion, Alternative Transportation, Renewable Energy, and Greenhouse Gas Emissions. The anticipated level of Cost Effectiveness and the Lead City Division on the policy is also listed.

In Section II Climate Action Strategy, there is also a comprehensive table of energy reduction measures that apply on a community-wide basis. The energy measures are categorized into the same order as Section I.

The City has been proactive in leading by example in a number of ways. A couple of examples of this are: the City has retrofitted all of the fluorescent bulbs in Internally Illuminated Street Name Signs with LED light engines that enhance visibility, street

safety, and last longer. Annual cost savings of about 50% will be realized with the retrofit due to less use of electricity and less maintenance due to longer life expectancy of the LED. Capital Projects has used rubberized asphalt concrete on City street projects when cost is comparable to regular asphalt concrete. Recycled tires are used. Advantages include reduced road noise, reduced breaking distance, and slightly longer life to road surface. There are some limitations on where it may be installed. Another way the City is being proactive is maintaining its Community Partnership program with Southern California Edison, the Gas Company, and Moreno Valley Electric Utility through the Energy Coalition. The City also provides energy efficiency outreach by placing poster boards in the Parks and Recreation and City Library buildings that promote potential energy rebates, and energy reducing tips. In addition to the partnership with the Energy Coalition the City has created a G.R.E.E.N. (Getting Residents Energy Efficient Now) website that encourages residents to become more energy efficient in their homes, and has web links to other energy websites.

Since the joint study session meeting, public outreach efforts consisted of using the resources that the City has available such as the City website, MVTV3, Environmental Historical Preservation Board (EHPB), and the City's partnership with the Energy Coalition and interaction with WRCOG. Staff first reached out to the local high schools, but the schools likely did not respond due to it being too late in the school year to program class involvement. Staff also met with EHPB on May 14, 2012 to review the Strategy. During the meeting EHPB discussed the possibility of having harvestable landscape on bigger projects such as large industrial projects, the Skechers building was given as an example. Other items discussed were having street signs that direct the public to alternative fueling stations, having the City encourage the use of green building materials, and recognizing businesses that are energy efficient and the products that they produce. These suggestions have been included in the draft Strategy. Later a public outreach meeting was held on June 7, 2012, and promoted by sending a press release, and putting links to the Energy Efficiency and Climate Action Strategy and the Greenhouse Gas Analysis on the City's main website and on the G.R.E.E.N. website. Staff also made flyers to promote future public meetings on the Strategy and had the flyer advertised on MVTV3. Despite these promotional activities, only one person from the public was present at the public outreach meeting.

The Strategy was also put on the Planning Commission agenda as a discussion item on June 28, 2012 and August 23, 2012. The main points that came out of the June 28, 2012, meeting were that document should be focus on the most effective programs and policies and eliminate any repetition. Staff is currently working to further hone in on reducing redundancy in the Strategy. The outcome of the August 23, 2012, meeting will be in staff's presentation to City Council.

The above-referenced activities are an overview of the efforts of the Energy Efficiency and Climate Action Strategy. Staff is looking for any additional direction the City Council may have on the draft Energy Efficiency and Climate Action policies prior to finalizing the Energy Efficiency and Climate Action Strategy for formal public hearings and action by the Planning Commission and City Council.

NOTIFICATION

Listing on the City Council Agenda.

ATTACHMENTS/EXHIBITS

1. Draft Energy Efficiency and Climate Action Strategy Document
2. Greenhouse Gas Analysis

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

August 2012
DRAFT for City Council Review and Comment

City of Moreno Valley
Energy Efficiency and Climate Action Strategy

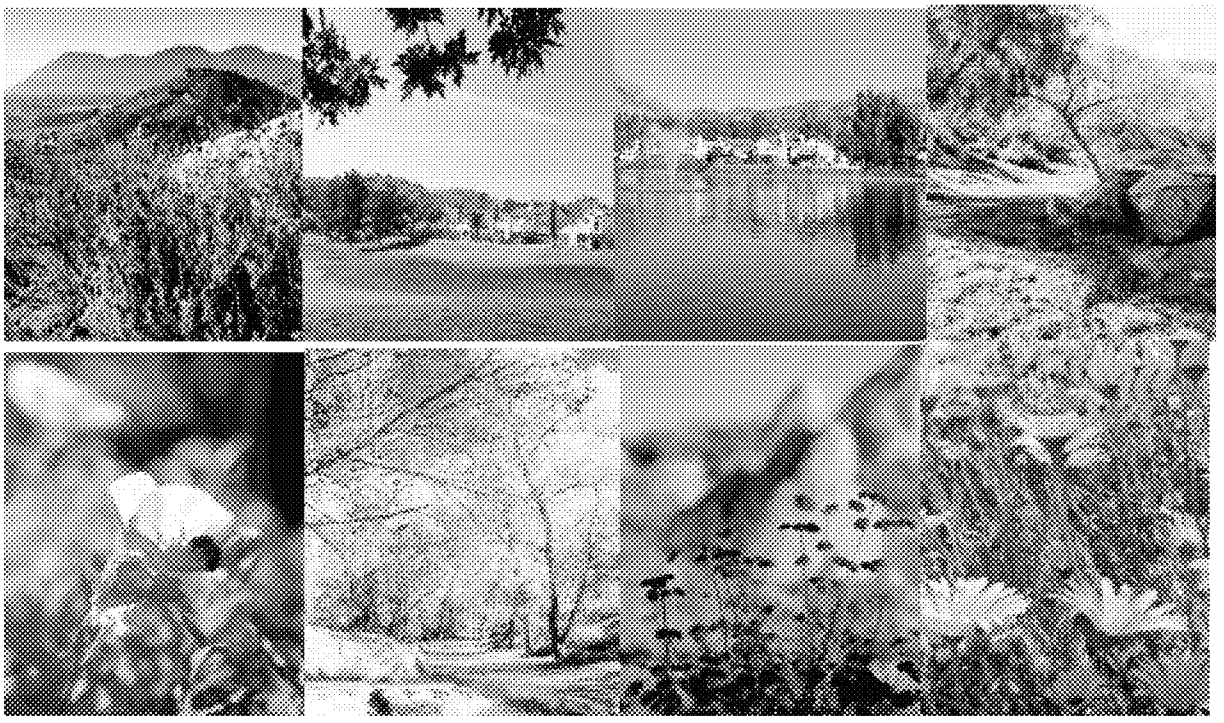

Draft prepared by the City of Moreno Valley Planning Division and the Energy Efficiency and Conservation Task Force

ATTACHMENT 1

Item No. G.4

MV00175767

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Summary

The City of Moreno Valley recognizes the impact of global climate change from carbon dioxide emissions arising from the activities of the City organization as well as the community's residents, businesses and visitors. Furthermore, the City recognizes the benefits achieved through energy and resource efficiency measures in reducing the community's carbon dioxide emissions as well as improving air quality, energy reliability and economic well-being in the City and region. The City recognizes the need to reduce our energy use and greenhouse gas emissions and become a more sustainable community. The City of Moreno Valley Energy Efficiency and Climate Action Strategy (hereafter referred to as "Strategy") is a policy document which identifies ways that the City of Moreno Valley can reduce energy and water consumption and greenhouse gas emissions as an organization (its employees and the operation of its facilities) and outlines the actions that the City can encourage and community members can employ to reduce their own energy and water consumption and greenhouse gas emissions.

Introduction

The City of Moreno Valley's Energy Efficiency and Climate Action Strategy main objectives are to reduce the environmental impact and fiscal impact of energy usage and greenhouse gas emissions in municipal facilities and within the community. The genesis of the Strategy is the Federal Energy Efficiency and Conservation Block Grant awarded to the City to implement energy efficiency projects and strategies for the City as an organization. At the request of the City Council, the scope of the grant was expanded to include the preparation of a climate action strategy. With City Council support, City staff has applied for energy efficiency grants. In June 2010 the City was awarded a $375,000 (SCE) Southern California Edison Strategic Solicitation for the purpose of expanding the scope of the Strategy and its implementation, including the preparation of a greenhouse gas inventory for the community.

The Strategy is intended to be a comprehensive living policy document for the City organization and the community to address energy and water conservation and effects of climate change. The Strategy is organized into two main sections: Energy Efficiency (City as an organization) and Climate Action (City as a community). The Strategy also contains a Greenhouse Gas Analysis component. The Greenhouse Gas Analysis is also separated into two parts, the City as an organization and the City as a community.

The City realizes the challenges the community may face due to climate change and excess energy and water consumption. With the implementation of energy and water conservation and greenhouse gas reduction measures, training and public awareness, the expected results are the reduction of greenhouse gas emissions and energy and water consumption. In implementing the Strategy, the City's General Plan may need to be updated to reference the Strategy for guidance on energy efficiency and greenhouse gas reduction.

In recent years, the State of California adopted several bills to address energy and climate issues, Assembly Bill 32 and Senate Bill 375.

Assembly Bill 32 establishes a statewide greenhouse gas emissions cap which requires emissions to be reduced to 1990 levels by the year 2020. The bill includes mandatory

reporting rules, adoption of a plan and regulations to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions, including provisions for using both market mechanisms and alternative compliance mechanisms. Greenhouse gases, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The Air Resources Board (ARB) is the State agency charged with monitoring and regulating emissions of greenhouse gases. Under the current "business as usual" scenario, statewide emissions are increasing at a rate of approximately 1% per year as noted below.

California Senate Bill 375 provides emission-reducing goals so regions can plan to integrate disjointed planning and provide incentives for local governments and developers to follow new conscientiously-planned growth patterns. SB 375 enhances the Air Resources Board's (ARB) ability to reach AB 32 goals. For California to reach its greenhouse gas reduction goals, communities must address how they grow. This law directs the ARB to set greenhouse gas reduction targets for regions of the state and work with California's 18 metropolitan planning organizations (MPOs) to align their transportation, housing, and regional land-use plans with greenhouse gas reductions in mind. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce greenhouse gas emissions (GHG); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process to reduce vehicle miles traveled. SB 375 will be responsible for reshaping the face of California's communities into more sustainable, walkable communities with alternative transportation options and increased quality of life.

Overview of Energy Efficiency

The Energy Efficiency section's primary focus is to identify potential energy efficiency measures for the City as an organization, both those that have been implemented and those that could be implemented in the future. In addition, the document provides direction and policies to ensure the most effective, practical, and affordable, energy use practices are implemented.

Overview of Climate Action

The focus of the Climate Action section is to promote measures similar to those identified in the Energy Efficiency section and additional measures that can be implemented by the community's residents and businesses to reduce greenhouse gas emissions on a community-wide basis. The Climate Action Strategy includes an analysis of existing and future greenhouse gas emissions community wide and provides a set of policies to guide efforts to reduce greenhouse gas emissions to meet or exceed State requirements without unduly compromising other community goals.

Overview of the Greenhouse Gas Analysis

The analysis was completed under the premise that the City and the community it represents are uniquely capable of addressing emissions associated with sources under the City's jurisdiction. The City's emission reduction efforts should coordinate with the

state strategies in order to accomplish emission reductions in an efficient and cost effective manner. The City developed this document with the following purposes in mind:

- Create a GHG baseline from which to benchmark GHG reductions;
- Provide a plan that is consistent with and complementary to: the GHG emissions reduction efforts being conducted by the State of California through the Global Warming Solutions Act (AB 32); the Federal Government through the actions of the Environmental Protection Agency; and the global community through the Kyoto Protocol; and
- Guide the development, enhancement, and implementation of actions that reduce GHG emissions.

This report establishes 2010 as the year on which to base the existing inventory; this is the most recent year for which reliable data concerning the City's residential, commercial, and government operations are available. Sources of emissions include transportation, electricity and natural gas use, landscaping, water and wastewater pumping and treatment, and treatment and decomposition of solid waste. The 2007 inventory represents conditions prior to the economic recession and will be used to set the target for reducing emissions by the year 2020. The 2010 inventory was calculated using the most recent data available. The 2010 inventory serves as a reference against which to measure the City's progress towards reducing GHG emissions since 2007 and into the future, and also serves as documentation for potential emission trading opportunities.

Moreno Valley's 2010 municipal operations inventory includes sources and quantities of GHG emissions from government owned or rented buildings, facilities, vehicles, and equipment. The community-wide emissions inventory identifies and categorizes the major sources and quantities of GHG emissions being produced by residents, businesses, and municipal operations taking place in the City of Moreno Valley using the best available data. By having the municipal emissions separated from the community as a whole, the local government can implement reduction strategies where it has direct control, closely monitor the changes in emissions over time, and set an example for the rest of the City.

2010 Municipal Emissions Inventory

Table 3-1 2010 Municipal Data Inputs

Category	Data Input	Data Source
Electricity (kWh)	9,937,015 3,847,738	SCE MVU
Natural Gas (therms)	90,651	SCG
Vehicle Fleet *Gasoline(gallons)* *Diesel (gallons)*	 77,325 28,544	Fleet Manager Special Districts
Equipment *Gasoline(gallons)* *Diesel (gallons)*	 2,118 2,208	Parks Division Special Districts
Employee Commute (responses)	141	Employee Survey

The community-wide inventory represents all emissions from sources located with the jurisdictional boundaries of the City of Moreno Valley. Therefore, the municipal emissions described in the previous section are a subset of the community-wide inventories presented here. In 2010, the City of Moreno Valley emitted a total of 920,657 MT CO_2e from the community as a whole. The following sections describe the data inputs, emissions by source, and emissions by land use in 2010.

2010 Community-Wide Emissions Inventory

Table 3-5 2010 Community-Wide Data Inputs		
Category	**Data Input**	**Data Source**
Electricity (kWh)	633,215,207 62,138,000	SCE MVU
Natural Gas (therms)	26,266,326	SCG
Transportation		
Annual Vehicle Miles Traveled	1,077,909,543	City Traffic Engineer
Annual Trips	110,098,975	
Area Source (based on land use)		
SFR (units)	42,642	
MFR (units)	9,387	City Planning
Commercial (ksf)	8,325	
Industrial (ksf)	12,695	
Solid Waste (tons)	144,824	CIWMB
Water (AF)	26,183 87	EMWD Box Springs Mutual

With the implementation of GHG reduction measures, Moreno Valley is projected to reduce its community-wide emissions to a total of 798,137 MT CO_2e, which is 556 MT CO_2e below the 2020 reduction target. This is a decrease of 38.5 percent from the City's 2020 BAU emissions inventory and 13 percent from the 2010 emissions. The reduction measures reduce GHG emissions from all sources of community-wide GHG emissions including transportation, energy, area sources, water, and solid waste. The following sections describe the emissions by source and land use category for the year 2020.

This report sets a baseline for the City's GHG emissions, projects how these emissions will grow, and includes strategies to reduce emissions to a level consistent with California's emissions reduction target. These strategies complement the City's General Plan policies and are consistent with Moreno Valley's vision for a more sustainable community.

Greenhouse Gas Analysis Reduction Policies

The purpose and intent of these policies is to achieve compliance with AB 32 and reduce GHG by 15% by 2020. In 2020, the City of Moreno Valley is projected to emit a total of 1,298,543 MT CO2e without the incorporation of GHG reduction policies. The statewide reduction measures would reduce the bulk of Moreno Valley's emissions and make a substantial contribution toward reaching the 2020 reduction target. However, the City would still need to supplement the statewide measures with the implementation of local reduction policies, in order to achieve 15% reduction in GHG by 2020. Future local policy

measures will require decision-maker approval. These reduction measures include the following:

- R2-T1: Land Use Based Trips and VMT Reduction Policies. Encourage the development of Transit Priority Projects along High Quality Transit Corridors identified in the SCAG Sustainable Communities Plan, to allow a reduction in vehicle miles traveled.

- R2-T3: Employment-Based Trip Reductions. Require a Transportation Demand Management (TDM) program for new development to reduce automobile travel by encouraging ride-sharing, carpooling, and alternative modes of transportation.

- R2-E1: New Construction Residential Energy Efficiency Requirements. Require energy efficient design for all new residential buildings to be 10% beyond the current Title 24 standards. (Reach Code)

- R2-E2: New Construction Residential Renewable Energy. Facilitate the use of renewable energy (such as solar (photovoltaic) panels or small wind turbines) for new residential developments. Alternative approach would be the purchase of renewable energy resources offsite.

- R2-E5: New Construction Commercial Energy Efficiency Requirements. Require energy efficient design for all new commercial buildings to be 10% beyond the current Title 24 standards. (Reach Code)

- R3-E1: Energy Efficient Development, and Renewable Energy Deployment Facilitation and Streamlining. Updating of codes and zoning requirements and guidelines to further implement green building practices. This could include incentives for energy efficient projects.

- R3-L2: Heat Island Plan. Develop measures that address “heat islands.” Potential measures include using strategically placed shade trees, using paving materials with a Solar Reflective Index of at least 29, an open grid pavement system, or covered parking.

- R2-W1: Water Use Reduction Initiative. Consider adopting a per capita water use reduction goal which mandates the reduction of water use of 20 percent per capita with requirements applicable to new development and with cooperative support of the water agencies.

- R3-W1: Water Efficiency Training and Education. Work with EMWD and local water companies to implement a public information and education program that promotes water conservation.

- R2-S1: City Diversion Program. For Solid Waste, consider a target of increasing the waste diverted from the landfill to a total of 75% by 2020.

Examples of current statewide and regional planning efforts to reduce GHG emissions are identified in the GHG analysis. Current City efforts include working with RTA to continue to provide timely and effective transit services, and promoting existing incentive

programs for residents that promote residential and commercial energy efficient retro-fits, such as WRCOG's low interest loan programs. These current City efforts wouldn't involve any changes in current City policy or ordinances.

City's Current Goals and Objectives

The City's General Plan includes goals and objectives to achieve energy conservation through land use planning, building design, site planning, compliance with State Title 24 energy savings requirements, and rehabilitation of existing structures. The General Plan also includes measures to reduce traffic congestion and provide more opportunities for walking and bicycling. Other areas of conservation include the use of water efficient irrigation and landscape and coordinated efforts with local water districts to use reclaimed water; recycling; and exterior lighting standards. See Section III Appendix _ for specific General Plan goals and objectives.

SECTION I – ENERGY EFFICIENCY

Current Energy Efficiency Practices

The City currently employs a variety of measures in municipal operations that reduce consumption of energy and water and reduce the amount of solid and green waste sent to a landfill. The City has also purchased alternative fuel vehicles that reduce the consumption of gasoline. The following is an outline of completed energy savings projects and current energy saving practices. Many of these activities have been made possible with grant funding.

<u>Reduced Energy Consumption</u>

	Energy Reduction Measures	Cost Effectiveness	Practice	Policy	Lead Division
A1.	New buildings constructed in City parks use solar tubes for day time lighting.	High	✓		Parks & Community Services
A2.	Photo cells are used for lighting park grounds and buildings along with automatic shutoff timers.	High	✓		Parks & Community Services
A3.	Park lighting is shut down at 10 p.m. except where needed to address safety issues.	High	✓		Parks & Community Services
A4.	Sport field lights at parks have been replaced with more efficient fixtures with an average energy savings of at least 30%.	High	✓		Parks & Community Services

A5.	Applied window tint/film to City Hall windows to make facility more energy efficient, comfortable, and reduce energy cost. (Completed January 2011)	High	✓		Planning
A6.	Routine maintenance is performed on all City heating, ventilation, and air conditioning (HVAC) units to keep them running efficiently.	High	✓		Purchasing & Facilities
A7.	Replacement of HVAC system at City Hall (completed September 2011) resulting in substantial reduction in energy use and cost, and improved comfort and reliability.	High	✓		Purchasing & Facilities
A8.	Conference and Recreation Center and Public Safety Building have computer systems that allow continuous control of the HVAC systems that can be adjusted offsite and scheduled to go on and off depending on the use of a particular room.	High	✓		Purchasing & Facilities
A9.	T12 florescent light fixtures have been converted to T8 fixtures which use less energy. Retrofit sites are the Senior Center, Library, City Hall, and Fire Stations 6, 48 and 65.	High	✓		Purchasing & Facilities
A10.	Light sensors have been installed in some rooms at City Hall which turn off the lights when the room is not in use.	High	✓		Purchasing & Facilities
A11.	Traffic signals synchronized to improve traffic flow and reduce air pollution and gas consumption.	High	✓		Transportation Engineering
A12.	Traffic signal lights retrofitted in 2006 with LED light fixtures, with a reduction of 60% power usage. Newer traffic signal lights installed with LED fixtures.	High	✓		Transportation Engineering
A13.	City replaced all fluorescent bulbs in Internally Illuminated Street Name Signs with LED lights that enhance visibility, street safety, and last longer. Annual cost savings of about 50% realized due to less use of electricity and less maintenance due to longer life expectancy of LED.	Medium	✓		Transportation Engineering

A14.	MV Utility analyzed alternative technologies for street lighting. A pilot program for LED street lights is scheduled to begin June 2013, one for induction lighting was completed September 2010, and testing of a device that controls the energy use of the ballast in High Pressure Sodium lighting was completed July 2012.	Medium	✓		Special Districts
A15.	City Hall fans run while the building is occupied to maintain a comfortable temperature and a humidity level of 60%, and reduce carbon dioxide levels, per Title 24.	Low	✓		Purchasing & Facilities

Reduced Water Consumption

	Water Reduction Measures	Cost Effectiveness	Practice	Policy	Lead Division
A16.	Park restrooms and other buildings are installed with automatically shut off faucets.	High	✓		Parks & Community Services
A17.	Reclaimed water for irrigation is used on about 40 acres of City park land.	High	✓		Parks and Community Services
A18.	Newer irrigation systems at City parks utilize smart controllers which are self-regulating and utilize a central weather station or have their own weather stations.	High	✓		Parks and Community Services
A19.	City adopted new landscape standards which require the use of drought tolerant landscape and water efficient irrigation in new installations and most retrofit projects.	High		✓	Planning
A20.	Purchasing & Facilities Division tested 0.5 gallon per minute aerators for restroom faucets. Currently, 2.0 and 2.2 per minute gallon aerators are used. The 0.5 gallon aerators were not installed as faucet ran too long for hot water to flow out.	High	✓		Purchasing & Facilities
A21.	Synthetic turf was installed at Community Park soccer fields to conserve water and increase use time.	Medium	✓		Parks and Community Services
A22.	Facilities staff researched use of waterless urinals. Maintenance requirements and costs were too high to justify use in public restrooms.	Low	✓		Purchasing & Facilities

Recycling and Diversion

	Recycling and Diversion Measures	Cost Effectiveness	Practice	Policy	Lead Division
A23.	Maintenance & Operations has a program to recycle asphalt concrete. Existing pavement is ground up and used as base for repaving. Unused material is stored for future use.	High	✓		Maintenance & Operations
A24.	All City facilities have recycling programs.	High	✓	✓	Maintenance & Operations
A25.	City recycling programs include: Procurement Policy, City Facilities Recycling Program, Animal Shelter Lonely Hearts Adoption Program, School Recycling Program, Residential Recycling, Curbside & Buy-back, Voluntary Commercial Recycling, C&D Recycling, CIP Program, Community Outreach, Grasscycling, Mulch, and Composting Workshops.	High	✓	✓	Maintenance & Operations
A26.	City staff works with the community, the Chamber of Commerce and City employees on promoting and presenting recycling programs.	High	✓		Maintenance & Operations
A27.	Rubberized asphalt concrete has been used on City street projects when cost is comparable to regular asphalt concrete. Recycled tires are used. Advantages include reduced road noise, reduced braking distance, and longer life to road surface.	Medium	✓		Capital Projects
A28.	Cold in Place Recycling is used as appropriate for street rehabilitation projects. The process removes old pavement, combines it with emulsion, and places it back down as part of the new pavement.	Medium	✓		Capital Projects
A29.	In central plant recycling, reclaimed asphalt pavement is screened, crushed, sized, and mixed with an asphalt rejuvenator. The recycled mix is transported immediately to a job site, or stockpiled for later use.	Medium	✓		Capital Projects
A30.	City uses green recycled janitorial products at City Hall and the Facilities Annex.	Low	✓	✓	Purchasing & Facilities

Alternative Fuel Vehicles

	Alternative Fuel Vehicle Measures	Cost Effectiveness	Practice	Policy	Lead Division
A31.	Retrofit completed of diesel engines vehicles to comply with laws to make diesel engines cleaner burning. Phase I completed December 2009, Phase II completed December 2011.	High	✓		Maintenance & Operations
A32.	City has one electric vehicle and four natural gas vehicles (two street sweepers, one pick up truck, and one storm drain cleaning truck).	Medium	✓		Maintenance & Operations

Education

The City of Moreno Valley currently promotes education related to energy efficiency by participating in partnerships and organizations that promote energy efficiency and by attending seminars, workshops and trade shows related to green building, water conservation, and facility maintenance.

The City of Moreno Valley participates in the following organizations:

- Community Energy Partnership – this partnership identifies incentives and rebates for City and developer projects.

- Energy Coalition - Facilities Maintenance Division has completed energy audits for five buildings with the Energy Coalition.

- WRCOG Clean Cities – public-private partnership dedicated to achieving improved air quality, energy security, economic development, and transportation goals.

- WRCOG Air Quality Task Force – the task force brings together cities and local resources to share information on efforts and funding opportunities to improve air quality in the region.

- WRCOG Solid Waste Technical Committee – the task force compromised of staff from each of WRCOG's member agencies and meets to discuss solid waste and recycling issues and makes recommendations to the WRCOG's Technical Advisory Committee on matters directly relating to Western Riverside County.

- Riverside County Solid Waste Management Advisory Council (Countywide Local Task Force) – this group provides advisory to the County's Planning Commission and Board on all substantive waste management issues and solid waste facility land use matters, and also assists the County and its cities in meeting AB939 requirements, from the preparation and revision of the Countywide Integrated Waste Management Plan (CIWMP) to reviewing and commenting on solid waste facilities and their expansions for consistency and recycling goals to the Department of Resources, Recycling and Recovery.

Proposed Energy Efficiency Policies

The following energy efficiency measures are suggested as policies and programs for municipal operations. The suggested measures include current practices of the City of Moreno Valley along with recommendations from the City's Energy Efficiency Task Force and the practices and policies of other jurisdictions. Many of the policies and programs will require additional study and formal adoption by the City Council prior to becoming effective.

	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B1.	Use reclaimed water for City buildings, facilities, parks and parkways where connection to reclaimed water lines is feasible.		✓					High	Capital Projects or Contracting Division / Department
B2.	Participate in Savings by Design or similar program to identify ways to improve the energy efficiency for all new City buildings and facilities.	✓						High	Capital Projects or Contracting Division / Department
B3.	Establish policy to meet a green building rating system standard or standard beyond Title 24 for all new buildings and retrofits over 5,000 square feet.	✓						High	Capital Projects
B4.	Coordinate with Southern California Edison or Moreno Valley Utility, Eastern Municipal Water District, and The Gas Company to maximize rebates for all building projects.	✓						High	Capital Projects or Contracting Division / Department
B5.	Require life cycle cost for all new facilities and retrofits over 5,000 square feet that compare initial and long-term costs for projects. Include analysis in City Council reports, to inform decision makers of total costs of projects.	✓						High	Capital Projects

	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B6.	Benchmark all City facilities in the Energy Star web site, to monitor energy use at City facilities.	✓						High	Electric Utility
B7.	Include all City facilities in recycling programs. Establish a 75% diversion rate goal.			✓				High	Maintenance & Operations
B8.	Recycle existing asphalt concrete for used as base for streets whenever feasible. Store recycled material not used immediately.			✓				High	Maintenance & Operations
B9.	Seek funding for alternative fuel and fuel efficient vehicles and diesel retrofits.				✓			High	Maintenance & Operations
B10.	Establish minimum fleet mileage standard for fleet vehicles.				✓			High	Maintenance & Operations
B11.	Promote rideshare program for employees to decrease vehicles miles traveled.				✓			High	Maintenance & Operations
B12.	Restrict use of turf at City buildings and facilities to gathering areas and useable open space. Replace low use turf areas with drought tolerant plants.		✓					High	Parks & Community Services
B13.	Use smart controllers for all City projects consistent with City Landscape Standards. Retrofit existing controllers as funding is available.		✓					High	Parks & Community Services

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B14.	Require new buildings constructed in City parks use solar tubes or equal design for daytime lighting.	✓						High	Parks & Community Services
B15.	Install energy efficient fixtures for all new sport field lights. Retrofit existing lights as funding is available.	✓						High	Parks & Community Services
B16.	Establish an energy efficiency revolving fund to deposit energy savings, rebates and incentives. The policy should consider the following funding sources: 100% of rebate and incentive money and 50% of energy bill savings from energy efficiency projects.	✓						High	Planning
B17.	Host annual Energy Efficiency Day for employees with demonstrations and literature on energy saving products and practices for work and at home. This activity helps maintain Gold level status with Energy Coalition.	✓					✓	High	Planning
B18.	Encourage employees to submit energy efficiency recommendations for City operations and assess them.	✓						High	Planning
B19.	Install light sensors, which turn off the lights when a room is not in use, wherever practical.	✓						High	Purchasing & Facilities

	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
20.	Allow for safety concerns for City facilities and reduce or turn off exterior and interior lights when facilities are not in use.	✓						High	Purchasing & Facilities
B21.	Include in all City leases permission to do energy retrofits (e.g. replace light bulbs).	✓						High	Purchasing & Facilities
B22.	Set City building thermostats at Federal and State recommendations, currently 68 degrees (winter) and 78 degrees (summer), wherever possible.	✓						High	Purchasing & Facilities
B23.	Utilize an energy monitoring system to track electricity use and identify areas/facilities that can be operated more efficiently.	✓						High	Purchasing & Facilities
B24.	Provide routine maintenance of the heating and air conditioning (HVAC) systems at City facilities.	✓						High	Purchasing & Facilities
B25.	Complete periodic energy audits of all City facilities to identify energy efficiency opportunities and implement all cost effective recommendations.	✓						High	Purchasing & Facilities
B26.	Replace interior and exterior lighting fixtures with more energy efficient fixtures as they become available and cost effective, as funding is available.	✓						High	Purchasing & Facilities

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	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B27.	Base purchasing decisions on environmental information and life cycle costs.	✓						High	Purchasing & Facilities
B28.	Install computer monitoring systems in new City facilities to allow continuous control of HVAC systems. Retrofit existing facilities as funding becomes available.	✓						High	Purchasing & Facilities
B29.	Install automatic shutoff faucets and 0.5 gallon per minute aerators in new City buildings and facilities wherever practical. Replace existing faucets and aerators as funding is available.		✓					High	Purchasing & Facilities
B30.	Review median landscape standards to increase water efficiency, with efficient irrigation, grading that retains water run off and a drought tolerant plant palette.		✓					High	Special Districts
B31.	Seek grants to renovate Alessandro Boulevard medians to reduce or eliminate turf, which would reduce water, electricity and gasoline (maintenance equipment) use, and reduce maintenance cost and green waste.		✓					High	Special Districts

	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
32.	Establish guideline that identifies criteria for using 'green concrete' or concrete made with recycled aggregate. Use reduces CO_2 emissions and solid waste sent to landfills.			✓				Medium	Capital Projects
B33.	Document municipal green building efforts and post-occupancy building performance metrics on the City website for use as a resource for the development community.	✓						Medium	Capital Projects
B34.	Establish guideline that identifies criteria for using rubberized asphalt concrete for City projects.			✓				Medium	Capital Projects
335.	Consider moving City electric load off-peak to reduce peak demand and take advantage of lower rates.	✓						Medium	Electric Utility
B36.	Identify opportunities for on-site renewable energy generation on City-owned and private property.	✓						Medium	Electric Utility
B37.	Establish a zero waste policy to require everything to be recycled, with minimal disposables allowed and encourage composting.			✓				Medium	Maintenance & Operations
B38.	Require use of photo cells and automatic shutoff timers in park buildings wherever practical.	✓						Medium	Parks & Community Services

	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B39.	Coordinate with near by jurisdictions to implement regional energy efficiency programs.	✓						Medium	Planning
B40.	Use green/recycled janitorial products at City facilities whenever cost effective.			✓				Medium	Purchasing & Facilities
B41.	Provide bicycle parking at City facilities.				✓			Medium	Purchasing & Facilities
B42.	Research potential savings of synthetic turf and/or low water use plantings in medians, assessing installation, maintenance and water costs.		✓					Medium	Special Districts
B43.	Consider use of timers on street lights to shut off during late evening and early morning hours when traffic volumes are low, pursuant to adoption of a policy regarding hours of operation for streetlights.	✓						Medium	Special Districts
B44.	Provide incentives for City staff to develop expertise and certification in green building strategies.	✓	✓	✓	✓	✓	✓	Low	Building
B45.	Consider adding charge stations and other alternative fuel facilities at City facilities.				✓			Low	Maintenance & Operations
B46.	Assess use of low flow toilets and waterless urinals as performance improves and maintenance costs drop.		✓					Low	Purchasing & Facilities

	Reduction Measures Section I	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
47.	Require operation of ventilation fans at all City facilities when occupied to maintain a comfortable temperature, humidity level of 60%, and reduce carbon dioxide levels.	✓						Low	Purchasing & Facilities
B48.	Replace paper towel dispensers with air dryers in City facilities where practical and cost effective.			✓				Low	Purchasing & Facilities
B49.	Establish LED standard (fixture and spacing) for streetlights for new installations and retrofit existing lights as funding permits.	✓						Low	Transportation Engineering

SECTION II – CLIMATE ACTION STRATEGY

Proposed Climate Action Policies

The following energy efficiency measures are suggested as policies for the City of Moreno Valley as a community. The suggested measures include recommendations from the City's Energy Efficiency Task Force and the practices and policies of other jurisdictions.

	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
.	Install light colored "cool" roofs and cool pavements. (Cool roofs are a requirement per State Title 24/CalGreen Building Standards).	✓						High	Building
C2.	Require Energy Star equipment and appliances in new construction & renovations.	✓					✓	High	Building
C3.	Specify no- or low-VOC (Volatile Organic Compound) materials.						✓	High	Building
C4.	Install photovoltaic or other solar technology for city owned facilities wherever feasible.					✓		High	Capital Projects or Contracting Division / Department
C5.	Partner with the largest consumers of energy to encourage and promote their energy efficiency activities.	✓						High	Electric Utility
6.	Promote and implement programs to encourage load shifting to off-peak house and explore demand response solutions.	✓						High	Electric Utility
C7.	Provide education on energy efficiency to residents, customers and/or tenants.	✓						High	Electric Utility
C8.	Create new Partnership brand to integrate City and Utility marketing campaigns to customers. Develop Marketing Team to coordinate City and Utility marketing.	✓						High	Electric Utility
C9.	Increase marketing efforts by organizing the following community activities: • City sponsored ideas expo and stakeholder meetings; • City presenting program	✓						High	Electric Utility

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	at Chamber of Commerce meetings; • City working with community organizations, local service clubs, HOA's to educate and sign-up participants; • Contractors marketing to residential and business customers; City Council recognizing "energy champions" at televised meetings.								
C10.	Implement low impact development practices that maintain existing site hydrology to manage storm water and protect the environment. (Use of low impact development practices is required by the new regional water quality permit.)		✓					High	Land Development
C11.	Require that developers recycle existing street material for use as base for new streets.			✓				High	Land Development
C12.	Work with Waste Management to utilize billing statements or MVTV-3 to encourage businesses and residents to enroll in recycling programs.			✓				High	Maintenance & Operations
C13.	Explore grants to pay for recycling collection devices and their maintenance to be placed with public trash bins.			✓				High	Maintenance & Operations
C14.	Increase recycling at public events.			✓				High	Maintenance & Operations

	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
.	Install water-efficient irrigation systems and devices and use water-efficient irrigation methods.		✓					High	Parks & Community Services
.	Promote use of City's multi-use trail system.				✓			High	Parks & Community Services
C17.	Establish Energy Efficiency and Conservation baselines. Set municipal and community wide energy demand and usage reduction goals and implement them by leveraging program resources and incentives already committed or potentially available.	✓						High	Planning
C18.	Maintain City's Community Partnership program with Southern California Edison, The Gas Company, and Moreno Valley Electric Utility through the Energy Coalition. This partnership allows for funding the City can use for energy conservation marketing, education, and outreach efforts.	✓						High	Planning & Electric Utility
C19.	City act as a model of energy conservation stewardship. Build upon historical and current energy conservation efforts as the foundation for continued efforts and education of the community on energy efficiency and conservation cost savings and environmental benefits.	✓						High	Planning
C20.	Require new large developments (projects of regional significance) participate in the Savings by Design or similar programs to identify ways to improve energy	✓						High	Planning

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	efficiency of proposed construction.								
C21.	Encourage community use of Southern California Edison, Moreno Valley Utility, Eastern Municipal Water District, and The Gas Company financial incentives and rebate opportunities.	✓						High	Planning
C22.	Adopt a dark sky ordinance and reduce unnecessary outdoor lighting.	✓						High	Planning
C23.	Encourage passive solar design, to maximize passive solar heating during cool seasons, minimize solar heat gain during hot seasons, and enhance natural ventilation. (Existing design guideline).	✓						High	Planning
4.	Promote customer financing programs that assist with purchasing energy efficiency improvements. WRCOG has established a financing program through property taxes based on the guidelines in Assembly Bill 811. City is a partner in this program.	✓						High	Planning
C25.	Encourage Point-of-Sale Rebates, the simplest methods for customers to qualify for incentives. Pursue adding more retailer participants within community.	✓						High	Planning
C26.	Review and update the landscape ordinance to continue lowering use of potable water for landscape irrigation. (City		✓					High	Planning

	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	updated landscape standards in 2009 to further encourage water conservation.)								
.	Provide education about water conservation and available programs and incentives.		✓					High	Planning
C28.	Protect existing trees and encourage the planting of new drought tolerant trees. Adopt a tree protection and replacement ordinance.		✓					High	Planning
C29.	Work with developers to increase housing near transit through recently adopted mixed use zones. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			High	Planning
C30.	Designate Transit-Oriented Development district(s). (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			High	Planning
C31.	Explore building footprint, setbacks, height, scale, hardscape requirements to create compact building design techniques.	✓					✓	High	Planning
C32.	Explore reduced parking minimum requirements for mixed-use developments to encourage transit and non-motorized transportation.				✓			High	Planning
C33.	Apply urban planning principles that encourage high density, mixed-use, walkable/bikeable neighborhoods, and coordinate land-use and transportation with open space systems and promote	✓			✓			High	Planning

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	the efficient delivery of services and goods. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)								
C34.	Promote "Energy Efficiency" at City events or events that the City participates in such as 4th of July and the March Air Show.	✓						High	Planning
C35.	Develop original programming on MVTV-3 that promotes energy efficiency, e.g. a program that follows a residential energy audit, to demonstrate how residents can make their homes more energy efficient.	✓						High	Purchasing & Facilities, & Planning
C36.	Work with RTA to expand access to public transit by adding routes and shelters and benches within 1/4 mile of high density residential, commercial, employment areas, schools, and parks.				✓			High	Transportation Engineering
C37.	Promote rideshare and trip reduction ride programs such as carpools/vanpools and preferential parking areas at City facilities and other large employers.				✓			High	Transportation Engineering
C38.	Promote school rideshare programs to assist parents/students forming carpools.				✓			High	Transportation Engineering
C39.	Adopt a Non-Motorized Transportation Plan. With focuses on pedestrian and bicycle routes and Master Sidewalk Plan. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction				✓			High	Transportation Engineering

	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	Policies)								
.	Work with the school districts to improve pedestrian and bike access to schools and to restore or expand school bus service using lower-emitting vehicles.				✓			High	Transportation Engineering
C41.	Set goals consistent with State's Long Term Strategic Plan: All new residential construction in California will be zero net energy by 2020. All new commercial construction in California will be zero net energy by 2030.	✓						Medium	Building
C42.	Encourage installation of solar and wind power systems and solar hot water heaters.					✓		Medium	Building & Planning
C43.	Establish City guideline that identifies criteria for using rubberized asphalt concrete for public streets.			✓				Medium	Capital Projects
4.	Establish City guideline that identifies criteria for using 'green concrete' that has been made with recycled aggregate for public improvements. Results in reduced CO_2 emissions and reduces solid waste sent to landfills.			✓			✓	Medium	Capital Projects
C45.	Prepare a Master Sidewalk Plan that identifies "missing links" where sidewalks are necessary and identifies streets for which no sidewalk is required.				✓			Medium	Capital Projects
C46.	Adopt and implement a policy to increase the use of renewable energy.	✓						Medium	Electric Utility
C47.	Promote residential surveys to educate residents on energy	✓						Medium	Electric Utility

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	saving behaviors, and direct leads and data to appropriate marketing channels to encourage more extensive energy upgrades.								
C48.	Encourage installation of solar panels on unused roof and ground space and over carports and parking areas.					✓		Medium	Electric Utility & Planning
C49.	Include energy storage where appropriate to optimize renewable energy generation systems and avoid peak energy use.					✓		Medium	Electric Utility
C50.	Conduct gray water, rainfall runoff, and other system research and pilot study.		✓					Medium	Land Development
C51.	Actively explore new items to add to the list of accepted recycled materials with the City's franchised waste hauler.			✓				Medium	Maintenance & Operations
2.	Implement programs to encourage and increase participation of diverted waste from landfills to meet or exceed state regulation requirements.			✓				Medium	Maintenance & Operations
C53.	Provide easy and convenient recycling opportunities for residents, the public, and businesses.			✓				Medium	Maintenance & Operations
C54.	Provide education and publicity about reducing waste and available recycling services.			✓				Medium	Maintenance & Operations
C55.	Require shaded and accessible pedestrian paths of travel between building entrances and parking lots, sidewalks, adjacent properties, and public transportation stops.	✓			✓			Medium	Planning

	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
.	Increase housing density near transit. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Planning
C57.	Steer development towards infill rather than greenfield areas. Consider differential impact fee system with lower fees for areas with infrastructure.						✓	Medium	Planning
C58.	Revise municipal code to ensure solar access is maintained for future solar electric and solar hot water installations.	✓				✓	✓	Medium	Planning
C59.	Consider a shade tree ordinance and utility incentives for shading south and west faces of dwelling units.	✓					✓	Medium	Planning & Electric Utility
C60.	Designate city staff person responsible for coordinating climate action by city departments.	✓						Medium	Planning
C61.	Promote local demonstration gardens at Western Municipal Water District and the planned garden at the southeast corner of Cactus and Heacock, around the EMWD pump station.		✓					Medium	Parks & Community Services
C62.	Promote free shuttle service connecting to Metrolink station.				✓			Medium	Transportation Engineering
C63.	Create travel routes that ensure destinations may be reached conveniently by public transit, bicycling and walking. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
C64.	Work with WRCOG to develop a				✓			Medium	Transportation

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	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	master plan to encourage use of neighborhood electric vehicles, which are energy efficient street legal vehicles.								Engineering
C65.	Coordinate with school districts to adopt the League of America Bicyclists' Cycling curriculum so students learn safest way to bike.				✓			Medium	Transportation Engineering
C66.	Implement "Smart Bus" technology - GPS with electronic displays at stops to provide actual time data to passengers.				✓			Medium	Transportation Engineering
C67.	Develop renewable fuel locations and electric plug-in stations including a map for drivers to find refueling locations.				✓			Medium	Transportation Engineering
C68.	Implement a regional transit program between educational facilities. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
C69.	Incorporate bicycle lanes, routes and facilities into street systems, new subdivisions, and large developments. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
C70.	Explore developing a Smart Growth Development Impact Fee matrix. Fee based on trips generated by project. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)	✓			✓			Medium	Transportation Engineering
C71.	Evaluate and update existing General Plan street cross-sections to accommodate "complete streets" design				✓			Medium	Transportation Engineering

	Reduction Measures Section II	Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	standards.								
.	Incorporate public transit into the project's design. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
C73.	Accelerate implementation of solar energy-based technology through permitting process (e.g., reduced permit fees, streamlined permit approval process).					✓		Low	Building
C74.	Where solar systems cannot feasibly be incorporated into the project at the outset, build "solar ready" structures.					✓		Low	Building
C75.	Consider changing existing and future illuminated streetlights to LED. The retrofit cost for LED lighting is not feasible at this point. SCE and MVU do not currently have a separate rate structure for LED.	✓						Low	Special Districts

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SECTION III – APPENDICES

General Plan Goals and Objectives

- Chapter 7. Energy conservation is a way to control energy costs, reduce reliance on foreign energy supplies and minimize air pollution. Energy efficiency can be derived in the arrangement of land uses, in the design of developments and the architecture of individual buildings. (GP Issues and Opportunities 7.6.2.)

- Chapter 7. Issues and Opportunities 7.6.2.The amount of energy consumed in automobile travel can be reduced if commercial and recreational opportunities are located near residential uses. Commuter travel can be minimized if there is a reasonable balance between jobs and housing within the area. Placing high intensity uses along transit corridors can also reduce automobile travel.

  Reducing residential street width can affect microclimates and reduce the summer cooling needs of adjacent homes. The orientation of buildings can be arranged to affect the amount of heat gain. Shade trees can also cool microclimates and aid in energy conservation.

  Building construction options are available to reduce energy consumption. Building construction methods include, but are not limited to, insulation of walls and ceilings, insulated windows and solar water heating systems. Many building energy conservation measures have been incorporated into Title 24 of the California Administrative Code and are required of all residential structures. (GP)

- Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk. (GP)

- Chapter 8. **Energy Conservation 8.4.11** The City of Moreno Valley, through its housing rehabilitation programs provides grants or loan funds that include work for energy conservation repairs or replacements. The City of Moreno Valley, through its Neighborhood Preservation division, participates in utility energy conservation programs sponsored by private sector utility companies. When households participating in the City's housing rehabilitation programs require additional assistance in the area of energy conservation, utility discounts or replacement of inefficient appliances, staff provides information on programs available through utility companies. Depending on the availability of funds, utility companies make available weatherization services, replacement of inefficient air conditioners with evaporative coolers, replacement of refrigerators that are over 10 years old, repair or replacement of inefficient furnaces as well as free energy efficient compact fluorescent light bulbs. (GP)

- **Objective 4.3** Develop a hierarchical system of trails which contribute to environmental quality and energy conservation by providing alternatives to motorized vehicular travel and opportunities for recreational equestrian riding, bicycle riding, and hiking, and that connects with major regional trail systems. (GP)
- 5-13 Implement Transportation Demand Management (TDM) strategies that reduce congestion in the peak travel hours. Examples include carpooling, telecommuting, and flexible work hours. (GP)
- 7.5.2 Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles. (GP)
- 7.5.3 Locate areas planned for commercial, industrial and multiple family density residential development within areas of high transit potential and access. (GP)
- Chapter 5. Transportation Demand Management 5.3.5 Transportation Demand Management (TDM) strategies reduce dependence on the single-occupant vehicle, and increase the ability of the existing transportation system to carry more people. The goal of TDM is to reduce single occupant vehicle trips during peak hours and modify the vehicular demand for travel.

  A reduction in peak hour trips and a decrease in non-attainment pollutants can be achieved through the implementation of TDM strategies. Examples of the strategies include: carpooling, telecommuting, flexible work hours, and electronic commerce that enables people to work and shop from home.

- 7.5.1 Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand. (GP)

  - 7.8.1 Encourage recycling projects by individuals, non-profit organizations, corporations and local businesses, as well as programs sponsored through government agencies. (GP)
  - Chapter 7. Solid Waste 7.3. The City Council adopted a “Source Reduction and Recycling Element” in 1992, describing how Moreno Valley plans to meet the goals mandated by AB939. The element includes strategies to address various components of the solid waste challenge, including the character of the waste stream, source reduction, recycling, composting, special waste (e.g. construction debris, auto bodies, medical waste, tires and appliances), education and public information, disposal facility capacity, funding and integration of the various components.

    Moreno Valley works in concert with the local waste hauling company to meet its waste diversion requirements. Residential customers place recyclable materials at the curb for collection by the waste hauler, Waste Management of the Inland Empire. The waste hauler separates and markets the recyclable materials, including cardboard, paper, tin/metal, aluminum cans, plastics

and glass. In 2004, fifty-one percent of the solid waste generated in Moreno Valley was diverted from landfills. (GP)

- 7.3.1 Require water conserving landscape and irrigation systems through development review. Minimize the use of lawn within private developments, and within parkway areas. The use of mulch and native and drought tolerant landscaping shall be encouraged. (GP)
- 7.3.2 Encourage the use of reclaimed wastewater, stored rainwater, or other legally acceptable non-potable water supply for irrigation. (GP)
- 7-2 Advocate for natural drainage channels to the Riverside County Flood Control District, in order to assure the maximum recovery of local water, and to protect riparian habitats and wildlife. (GP)
- 7-4 Provide guidelines for preferred planting schemes and specific species to encourage aesthetically pleasing landscape statements that minimize water use. (GP)
- Maintenance of systems for water supply and distribution; wastewater collection, treatment, and disposal; solid waste collection and disposal; and energy distribution which are capable of meeting the present and future needs of all residential, commercial, and industrial customers within the City of Moreno Valley. (GP)
- 7-3 Maintain a close working relationship with EMWD to ensure that EMWD plans for and is aware of opportunities to use reclaimed water in the City. (GP)
- Provide landscaping in automobile parking areas to reduce solar heat and glare. (GP)
- 6.7.6 Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code. (GP)
- 7.5.4 Encourage efficient energy usage in all city public buildings. (GP)
- 7.5.5 Encourage the use of solar power and other renewable energy systems. (GP)
- A dark sky policy
- Chapter 9. 2.10.7 On-site lighting should not cause nuisance levels of light or glare on adjacent properties. (GP)
- Chapter 9. 2.10.8 Lighting should improve the visual identification of structures. Within commercial areas, lighting should also help create a festive atmosphere by outlining buildings and encouraging nighttime use of areas by pedestrians.(GP)

Resources

- ICLIE - Local Governments for Sustainability (ICLEI) is a membership association of local governments committed to advancing climate protection and sustainable development.
- The Energy Coalition
- Community Energy Partnership
- Southern California Edison
- The Gas Company
- Eastern Municipal Water District
- Energy Star
- WRCOG
- Waste Management
- Moreno Valley Utilities
- Moreno Valley Unified School District
- Val Verde Unified School District

Final

CITY OF MORENO VALLEY

Greenhouse Gas Analysis

February 2012

Prepared for:

City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552

Prepared by:

formerly PBS&J, an Atkins Company

650 East Hospitality Lane, Suite 450
San Bernardino, California 92408

ATTACHMENT 2

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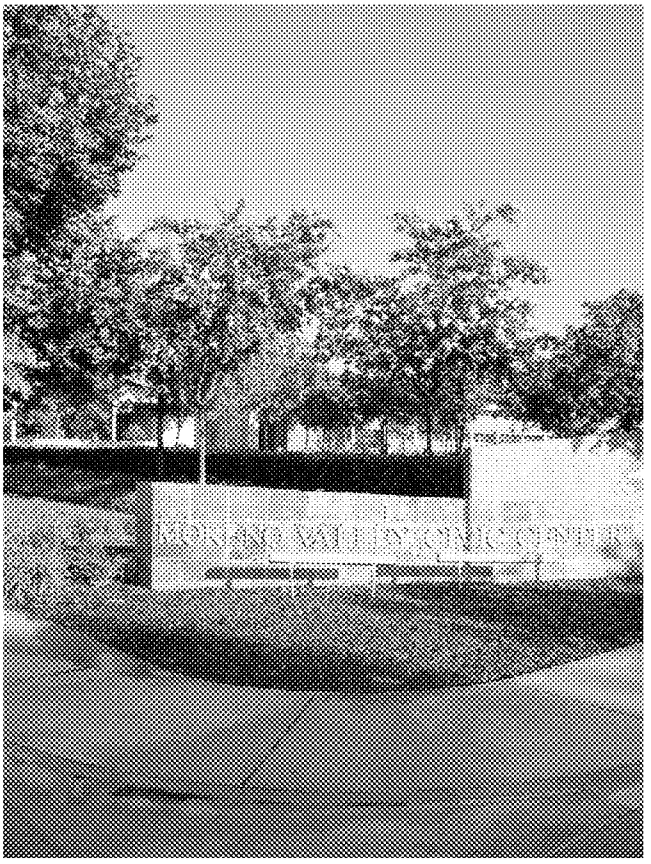

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ACRONYMS

AB 32	Assembly Bill 32, The California Climate Change Solutions Act of 2006
ATMS	Advanced Transportation Management Systems
ADWF	Average Daily Wastewater Flow
BAU	Business-As-Usual scenario
BTU	British thermal unit
CARB	California Air Resources Board
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
Cal EPA	California Environmental Protection Agency
CAS	California Climate Adaption Strategy
CAT	Climate Action Team
CCAT	California Climate Action Team
CCAR	California Climate Action Registry
CCR	California Code of Regulations
CCTP	Climate Change Technology Program
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFC	Chlorofluorocarbons
C_2F_6	Hexafluoroethane
CF_4	Carbon Tetrafluoride
CH_4	Methane
CIWMB	California Integrated Waste Management Board
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon dioxide Equivalent
DPM	Diesel Particulate Matter
EMFAC2007	On-Road Emission Factors published by the CARB in 2007
EMWD	Eastern Metropolitan Water District
GCC	Global Climate Change
GHG	Greenhouse Gas
GWh	Gigawatt Hours
GWP	Global Warming Potential
HFC	Hydrofluorocarbons

HFC-23	Trifluoromethane
HFC-134	Hydrofluorocarbon 134
HFC-152a	Difluoroethane
IPCC	Intergovernmental Panel on Climate Change
Lbs/year	Pounds per Year
LEED	Leadership in Energy and Environmental Design
MMBTU	Million BTUs
MMT	Million Metric Tons
MMT CO_2e	Million Metric Tons Carbon Dioxide Equivalent
MVU	Moreno Valley Utility
MWD	Metropolitan Water District of Southern California
MWh/year	Megawatt hours per year
MWh	Megawatt hours
N_2O	Nitrous Oxide
O_3	Ozone
OPR	California Office of Planning and Research
PSD	Prevention of Significant Deterioration
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCG	Southern California Gas Company
SIP	State Implementation Plan
SF_6	Sulfur Hexafluoride
SRI	Solar Reflective Index
UNFCCC	United Nations Framework Convention on Climate Change
URBEMIS 2007	Urban Emissions Model, version 9.2 published in June 2007
USEPA	United States Environmental Protection Agency
VMT	Vehicle miles traveled

EXECUTIVE SUMMARY

The City of Moreno Valley is committed to providing a more livable, equitable, and economically vibrant community through the incorporation of sustainability features and reduction of greenhouse gas (GHG) emissions. By using energy more efficiently, harnessing renewable energy to power our buildings, recycling our waste, conserving water, and enhancing access to sustainable transportation modes, Moreno Valley will keep dollars in our local economy, create new green jobs and improve community quality of life. These efforts toward reducing GHG emissions described in this report must be done in coordination with the City's land use decisions. The foundation of planning land use decisions is found in the General Plan policies and programs.

Through this GHG Analysis, Moreno Valley has established goals and policies that incorporate environmental responsibility into its daily management of residential, commercial and industrial growth, education, energy and water use, air quality, transportation, waste reduction, economic development, and open space and natural habitats to further their commitment.

The first step in completing the Moreno Valley GHG Analysis was to inventory the City's GHG emissions. Moreno Valley's community-wide emissions were calculated for the year 2007 and 2010. Sources of emissions include transportation, electricity and natural gas use, landscaping, water and wastewater pumping and treatment, and treatment and decomposition of solid waste. The 2007 inventory represents conditions prior to the economic recession and will be used to set the target for reducing emissions by the year 2020. The 2010 inventory was calculated using the most recent data available; this inventory serves as a baseline to demonstrate Moreno Valley's progress toward reducing emissions. The City's GHG emissions amounted to 939,639 metric tons (MT) of CO_2e community-wide in 2007 and 920,712 MT CO_2e in 2010.

Following the state's adopted GHG reduction target, Moreno Valley has set a goal to reduce emissions back to 1990 levels by the year 2020. This target was calculated as a 15 percent decrease from 2007 levels. The AB 32 Scoping Plan suggests a 15 percent decrease from existing levels; however, the Scoping Plan was based on 2005 emissions. For Moreno Valley, 2007 was the year closest to 2005 with the best data available. The projected business-as-usual emissions for the year 2020, based on population and housing growth estimates, are 1,298,546 metric tons of CO_2e. In order to reach the reduction target, Moreno Valley must offset this growth in emissions and reduce community-wide emissions to 798,693 metric tons CO_2e by the year 2020.

The City of Moreno Valley has already demonstrated its commitment to sustainability through a variety of programs and policies. These programs include EECBG-funded energy upgrade projects, participation in the Community Energy Partnership, tracking of building energy use through the Energy Star Portfolio Manager, and the Solar Incentive Program for Moreno Valley Utility customers.

Various state policies have enacted programs that will also contribute to reduced GHG emission in Moreno Valley by the year 2020. Some of these policies are: Renewable Portfolio Standard, Pavley Vehicle Emissions Standards, Low Carbon Fuel Standards, and updated Title 24 building standards. By

supporting the state in the implementation of these measures, Moreno Valley will experience substantial emissions reductions.

In order to reach the reduction target laid out in this GHG Analysis, Moreno Valley needs to implement the additional reduction measures described in this report. These measures encourage energy efficient retrofits, transportation oriented planning, water conservation, and increase recycling and reduced landfill waste. Table ES-1, below, summarizes the community wide emissions for 2007, 2010, 2020 business-as-usual (BAU), and the reduced 2020 inventory with the inclusion of the reduction measures.

Table ES-1 Projected GHG Emissions Comparison

Source Category	Metric tons of CO_2e				% Reduced from BAU
	2007	2010	BAU 2020	Reduced 2020	
Transportation	517,098	513,581	788,267	421,561	46.5
Energy	287,261	277,230	356,192	251,372	29.4
Area Sources	69,390	69,437	84,665	73,046	13.7
Water and Wastewater	21,595	16,831	20,216	14,158	30.0
Solid Waste	44,294	43,633	49,203	38,000	22.8
Total	**939,639**	**920,712**	**1,298,543**	**798,137**	**38.5**
2020 Emission Reduction Target			**798,693**	**798,693**	

Note: Mass emissions of CO_2e shown in the table are rounded to the nearest whole number. Totals shown may not add up due to rounding.

This report sets a baseline for the City's GHG emissions, projects how these emissions will grow, and includes strategies to reduce emissions to a level consistent with California's emissions reduction target. These strategies complement the City's General Plan policies and are consistent with Moreno Valley's vision for a more sustainable community.

Chapter 1 Introduction

The City of Moreno Valley is committed to providing a more livable, equitable and economically vibrant community through the reduction of greenhouse gas (GHG) emissions. By using energy more efficiently, harnessing renewable energy to power our buildings, recycling our waste, and enhancing access to sustainable transportation modes, we can keep dollars in our local economy, create new green jobs and improve community quality of life.

This section describes the purpose and goals of this report; describes the relationship of the report to the current City General Plan; provides background information on GHG emissions; and summarizes the regulatory framework surrounding GHG emissions and climate change.

1.1 Purpose

The analysis was completed under the premise that the City and the community it represents are uniquely capable of addressing emissions associated with sources under the City's jurisdiction. The City's emission reduction efforts should coordinate with the state strategies in order to accomplish emission reductions in an efficient and cost effective manner. The City developed this document with the following purposes in mind:

- Create a GHG baseline from which to benchmark GHG reductions;
- Provide a plan that is consistent with and complementary to: the GHG emissions reduction efforts being conducted by the State of California through the Global Warming Solutions Act (AB 32); the Federal Government through the actions of the Environmental Protection Agency; and the global community through the Kyoto Protocol; and
- Guide the development, enhancement, and implementation of actions that reduce GHG emissions.

1.2 Goals

With regards to reducing GHG emissions, the City identified the following achievement goals:

- Provide a list of specific measures that will reduce GHG emissions from community sources and municipal operations.
- Reduce emissions attributable to Moreno Valley to levels at or below 1990 GHG emissions by year 2020 consistent with the target reductions of AB 32.

1.3 Relationship to the City's General Plan

The current Moreno Valley General Plan discusses the City's vision and the realization of this vision the following areas: Community Development; Economic Development; Parks, Recreation, and Open Spaces; Circulation; Safety; Conservation; and Housing. Many of the policies of the General Plan indirectly reduce GHG emissions by conserving energy, promoting the use of alternative transportation,

and reducing waste sent to landfills. These policies that are related to reducing GHG emissions are summarized in Section 4.1.

1.4 Background

This report achieves the purpose and goals described above by providing: an analysis of GHG emissions and sources attributable to the City of Moreno Valley; estimates on how those emissions are expected to increase to 2020; and recommended policies and actions that can reduce GHG emissions to meet State, Federal and International targets.

The following discussion includes a brief overview regarding the nature of GHG emissions, the climate change impacts anticipated within the City of Moreno Valley, and the international, federal, state, and local regulatory framework designed to address climate change. Additional details about these topics are included in Appendix __ of this document.

1.5 Greenhouse Gases

Parts of the Earth's atmosphere act as an insulating blanket, trapping sufficient solar energy to keep the global average temperature within a suitable range. The 'blanket' is a collection of atmospheric gases called 'greenhouse gases' or GHGs based on the idea that these gases also trap heat like the glass walls of a greenhouse. These gases, mainly water vapor, carbon dioxide, methane, nitrous oxide, ozone, and chlorofluorocarbons (CFCs) all act as effective global insulators, reflecting back to earth infrared radiation. Human activities, such as producing electricity and driving internal combustion vehicles, emit these gases in the atmosphere.

Due to the successful global bans on chlorofluorocarbons (primarily used as refrigerants, aerosol propellants and cleaning solvents), Moreno Valley does not generate significant emissions of these GHGs and therefore, they are not considered any further in this analysis. This also includes other synthesized gases such as HFCs and CF_4 which have been banned and are no longer available on the market. Because of the ban, Moreno Valley will not generate emissions of these GHGs and therefore, they are not considered any further in this analysis.

Another GHG with a high global warming potential is sulfur hexafluoride, which is mainly used as a gaseous dielectric medium in electric switchgear of high voltage electric transmission lines and medical use in retinal detachment surgery and ultrasound imaging. In both uses, sulfur hexafluoride is not released to the atmosphere and therefore, it is not considered further in this analysis.

Because GHGs have variable potencies, a common unit of measurement, the carbon dioxide equivalent (CO_2e) is used to report the combined potency from all of the GHGs. The potency each GHG has in the atmosphere is measured as a combination of the volume of its emissions and its global warming

potential[1], and is expressed as a function of the potency with respect to the same mass of carbon dioxide. Thus, by multiplying the individual gas by its global warming potential, the emissions of each individual gas can be measured in terms of metric tons of CO_2e (MT CO_2e).

1.6 Regulatory Setting

In an effort to stabilize GHG emissions and reduce impacts associated with climate change, international agreements, as well as federal and State actions were implemented beginning as early as 1988. The international, federal, State, regional, and local government agencies discussed below work jointly, as well as individually, to address GHG emissions through legislation, regulations, planning, policy-making, education, and a variety of programs.

International and Federal

KYOTO PROTOCOL

The United States participated in the United Nations Framework Convention on Climate Change (UNFCCC) signed on March 21, 1994. The Kyoto Protocol is a treaty made under the UNFCCC and was the first international agreement to regulate GHG emissions. It has been estimated that if the commitments outlined in the Kyoto Protocol are met, global GHG emissions could be reduced by an estimated 5 percent from 1990 levels during the first commitment period of 2008–2012 (UNFCCC 1997). It should be noted that although the United States is a signatory to the Kyoto Protocol, Congress has not ratified the Protocol and the United States is not bound by the Protocol's commitments.

In anticipation of providing an updated international treaty for the reduction of GHG emissions, representatives from 170 countries met in Copenhagen in December 2009 to ratify an updated UNFCCC agreement (Copenhagen Accord). The Copenhagen Accord, a voluntary agreement between the United States, China, India, and Brazil, recognizes the need to keep global temperature rise to below 2 ^{0}C and obliges signatories to establish measures to reduce GHG emissions and prepare to help poorer countries in adapting to climate change. The countries met again in Cancun in December 2010 and adopted the Cancun Agreements, which reinforces and builds upon the Copenhagen Accord. The nations agreed to recognize country targets, develop low-carbon development plans and strategies, and report inventories annually. In addition, agreements were made regarding financing for developing countries and technology support and coordination among all nations. The next conference of the parties is scheduled for December 2011 in South Africa.

CLIMATE CHANGE TECHNOLOGY PROGRAM

The United States has opted for a voluntary and incentive-based approach toward emissions reductions in lieu of the Kyoto Protocol's mandatory framework. The Climate Change Technology Program (CCTP) is

[1] The potential of a gas or aerosol to trap heat in the atmosphere.

a multi-agency research and development coordination effort (led by the Secretaries of Energy and Commerce) that is charged with carrying out the President's National Climate Change Technology Initiative.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

The United States Environmental Protection Agency (USEPA) is responsible for implementing federal policy to address global climate change. The Federal government administers a wide array of public-private partnerships to reduce GHG intensity generated by the United States. These programs focus on energy efficiency, renewable energy, methane and other non-carbon dioxide gases, agricultural practices, and implementation of technologies to achieve GHG reductions. The USEPA implements several voluntary programs that substantially contribute to the reduction of GHG emissions.

In Massachusetts v. Environmental Protection Agency (Docket No. 05–1120), argued November 29, 2006 and decided April 2, 2007, the U.S. Supreme Court held that the USEPA has authority to regulate GHG, and the USEPA's reasons for not regulating this area did not fit the statutory requirements. As such, the U.S. Supreme Court ruled that the USEPA should be required to regulate carbon dioxide and other GHGs as pollutants under Section 202(a)(1) of the federal Clean Air Act (CAA).

EPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufactures of heavy-duty and off-road vehicles and vehicle engines, and requires annual reporting of emissions. The Final Rule was effective December 29, 2009, with data collection to begin on January 1, 2010, and the first annual reports due in September 2011. This rule does not regulate the emission of GHGs—it only requires monitoring and reporting of GHG emissions for those sources above certain thresholds (EPA 2009). EPA adopted a Final Endangerment Finding for the six defined GHGs on December 7, 2009. The Endangerment Finding is required before EPA can regulate GHG emissions under Section 202(a)(1) of the CAA in fulfillment of the U.S. Supreme Court decision.

On May 13, 2010, the USEPA issued a final rule that establishes a common sense approach to addressing GHG emissions from stationary sources under the CAA permitting programs. This final rule sets a threshold of 75,000 tons per year for GHG emissions. New and existing industrial facilities that meet or exceed that threshold will require a permit under the New Source Review Prevention of Significant Deterioration (PSD) and title V Operating Permit programs. This rule took effect on January 2, 2011.

State

CALIFORNIA AIR RESOURCES BOARD

The California Air Resources Board, a part of the California EPA (CalEPA) is responsible for the coordination and administration of both federal and state air pollution control programs within

California. In this capacity, CARB conducts research, sets state ambient air quality standards (California Ambient Air Quality Standards (CAAQS)), compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions. CARB has primary responsibility for the development of California's State Implementation Plan (SIP), for which it works closely with the federal government and the local air districts.

EXECUTIVE ORDER S-3-05

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following GHG emission reduction targets:

- By 2010, California shall reduce GHG emissions to 2000 levels;
- By 2020, California shall reduce GHG emissions to 1990 levels; and
- By 2050, California shall reduce GHG emissions to 80 percent below 1990 levels.

The first California Climate Action Team (CCAT) Report to the Governor in 2006 contained recommendations and strategies to help meet the targets in Executive Order S-3-05. In April 2010, the Draft California Action Team (CAT) Biennial Report expanded on the policy oriented 2006 assessment. The new information detailed in the CAT Assessment Report includes development of revised climate and sea-level projections using new information and tools that have become available in the last two years; and an evaluation of climate change within the context of broader social changes, such as land-use changes and demographic shifts [2]. The action items in the report focus on the preparation of the Climate Change Adaptation Strategy, required by Executive Order S-13-08, described below.

ASSEMBLY BILL 1493, CLEAN CAR STANDARDS

AB 1493 (also known as the Pavley Bill, in reference to its author Fran Pavley) was enacted in 2002 and requires the "maximum feasible and cost effective reduction" of GHGs from automobiles and light-duty trucks. Subsequently, in 2004, CARB approved the "Pavley I" regulations limiting the amount of GHGs that may be released from new passenger automobiles beginning with model year 2009 through 2016; these regulations would reduce emissions by 30% from 2002 levels by 2016. The second set of regulations ("Pavley II") is currently in development and will cover model years 2017 through 2025 in order to reduce emissions by 45% by the year 2020. The automotive industry legally challenged the bill claiming that the federal gas mileage standards preempted these state regulations. In 2005, California filed a waiver request to the U.S. EPA in order to implement the GHG standards and in March of 2008, the U.S. EPA denied the request. However, in June 2009, the decision was reversed and the U.S. EPA

[2] California Environmental Protection Agency, Climate Action Team Report to Governor Schwarzenegger and the Legislature, March 2006.

granted California the authority to implement the GHG reduction standards for passenger cars, pickup trucks, and sport utility vehicles.

In September 2009, CARB adopted amendments to the "Pavley I" regulations that cemented California's enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility. The amendments also allowed California to coordinate its rules with the federal rules for passenger vehicles.

ASSEMBLY BILL 32, THE CALIFORNIA GLOBAL WARMING SOLUTIONS ACT OF 2006

In 2006, the California State Legislature adopted AB 32, the California *Global Warming Solutions Act of 2006*. AB 32 focuses on reducing GHG in California. GHGs as defined under AB 32 include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 required CARB to adopt rules and regulations that would achieve GHG emissions equivalent to 1990 statewide levels by 2020. On or before June 30, 2007, CARB was required to publish a list of discrete early action GHG emission reduction measures that would be implemented by 2010. The law further required that such measures achieve the maximum technologically feasible and cost effective reductions in GHGs from sources or categories of sources to achieve the statewide GHG emissions limit for 2020.

CARB published its final report for Proposed Early Actions to Mitigate Climate Change in California in October 2007. This report described recommendations for discrete early action measures to reduce GHG emissions. The measures included are part of California's strategy for achieving GHG reductions under AB 32. Three new regulations are proposed to meet the definition of "discrete early action GHG reduction measures," which include the following: a low carbon fuel standard; reduction of HFC-134a emissions from non-professional servicing of motor vehicle air conditioning systems; and improved landfill methane capture[3]. CARB estimates that by 2020, the reductions from those three measures would be approximately 13-26 million metric tons (MMT) CO_2e.

Under AB 32, CARB has the primary responsibility for reducing GHG emissions. CARB has published a staff report titled California 1990 GHG Emissions Level and 2020 Emissions Limit[4] that determined the statewide levels of GHG emissions in 1990 to be 427 million MT CO_2e. Additionally, in December 2008, CARB adopted the Climate Change Scoping Plan, which outlines the state's strategy to achieve the 2020 GHG limit. This Scoping Plan proposes a comprehensive set of actions designed to reduce overall GHG emissions in California, improve the environment, reduce dependence on oil, diversify energy sources, save energy, create new jobs, and enhance public health. The plan emphasizes a cap-and-trade program, but also includes the discrete early actions.

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[3] California EPA- California Air Resources Board, Proposed Early Actions to Mitigate Climate Change in California, October 2007.

[4] California EPA- California Air Resources Board, California 1990 GHG Emissions Level and 2020 Emissions Limit, November 2007.

SENATE BILL 97 (SB 97)

SB 97, enacted in 2007, amends the CEQA statute to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. It directed the California Office of Planning and Research (OPR) to develop draft CEQA Guidelines "for the mitigation of GHG emissions or the effects of GHG emissions" and directed the Resources Agency to certify and adopt the State CEQA Guidelines.

On April 13, 2009, OPR submitted the proposed amendments to the Secretary for Natural Resources. The Natural Resources Agency conducted formal rulemaking in 2009, certified, and adopted the amendments in December 2009. The California Office of Administrative Law codified into law the amendments in March 2010. The amendments became effective in June 2010 and provide regulatory guidance with respect to the analysis and mitigation of the potential effects of GHG emissions.

CEQA Guidelines § 15183.5, Tiering and Streamlining the Analysis of GHG Emissions, was added as part of the CEQA Guideline amendments and describes the criteria needed in a Climate Action Plan that would allow for the tiering and streamlining of CEQA analysis for subsequent development projects. The following quote is from the CEQA Guideline amendments:

"§15183.5. Tiering and Streamlining the Analysis of Greenhouse Gas Emissions.

(a) Lead agencies may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level, such as in a general plan, a long range development plan, or a separate plan to reduce greenhouse gas emissions. Later project-specific environmental documents may tier from and/or incorporate by reference that existing programmatic review. Project-specific environmental documents may rely on an EIR containing a programmatic analysis of greenhouse gas emissions as provided in section 15152 (tiering), 15167 (staged EIRs) 15168 (program EIRs), 15175-15179.5 (Master EIRs), 15182 (EIRs Prepared for Specific Plans), and 15183 (EIRs Prepared for General Plans, Community Plans, or Zoning).

(b) Plans for the Reduction of Greenhouse Gas Emissions. Public agencies may choose to analyze and mitigate significant greenhouse gas emissions in a plan for the reduction of greenhouse gas emissions or similar document. A plan to reduce greenhouse gas emissions may be used in a cumulative impacts analysis as set forth below. Pursuant to sections 15064(h)(3) and 15130(d), a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances.

(1) Plan Elements. A plan for the reduction of greenhouse gas emissions should:

(A) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;

(B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;

(C) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;

(D) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;

(E) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;

(F) Be adopted in a public process following environmental review.

(2) Use with Later Activities. A plan for the reduction of greenhouse gas emissions, once adopted following certification of an EIR or adoption of an environmental document, may be used in the cumulative impacts analysis of later projects. An environmental document that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project. If there is substantial evidence that the effects of a particular project may be cumulatively considerable notwithstanding the project's compliance with the specified requirements in the plan for the reduction of greenhouse gas emissions, an EIR must be prepared for the project."

EXECUTIVE ORDER S-13-08

On November 14, 2008, Governor Schwarzenegger issued Executive Order S-13-08, the Climate Adaptation and Sea Level Rise Planning Directive, which provides clear direction for how the State should plan for future climate impacts. Executive Order S-13-08 calls for the implementation of four key actions to reduce the vulnerability of California to climate change:

- Initiate California's first statewide Climate Change Adaptation Strategy (CAS) that will assess the State's expected climate change impacts, identify where California is most vulnerable, and recommend climate adaptation policies;
- Request that the National Academy of Sciences establish an expert panel to report on sea level rise impacts in California in order to inform State planning and development efforts;
- Issue interim guidance to State agencies for how to plan for sea level rise in designated coastal and floodplain areas for new and existing projects; and
- Initiate studies on critical infrastructure and land-use policies vulnerable to sea level rise.

The 2009 CAS report summarizes the best known science on climate change impacts in the state to assess vulnerability, and outlines possible solutions that can be implemented within and across state

agencies to promote resiliency. This is the first step in an ongoing, evolving process to reduce California's vulnerability to climate impacts[5].

CALIFORNIA CODE OF REGULATIONS (CCR) TITLE 24, PART 6

CCR Title 24, Part 6: *California's Energy Efficiency Standards for Residential and Nonresidential Buildings* (Title 24) were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Although it was not originally intended to reduce GHG emissions, electricity production by fossil fuels results in GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions.

The Energy Commission adopted 2008 Standards on April 23, 2008 and the Building Standards Commission approved them for publication on September 11, 2008. These updates became effective on August 1, 2009. The Energy Commission adopted the 2008 changes to the Building Energy Efficiency Standards for several reasons:

- To provide California with an adequate, reasonably priced, and environmentally sound supply of energy;
- To respond to AB 32, the Global Warming Solutions Act of 2006, which mandates that California must reduce its GHG emissions to 1990 levels by 2020;
- To pursue California energy policy, which states that energy efficiency is the resource of first choice for meeting California's energy needs;
- To act on the findings of California's Integrated Energy Policy Report (IEPR) that concludes that the Standards are the most cost effective means to achieve energy efficiency, expects the Building Energy Efficiency Standards to continue to be upgraded over time to reduce electricity and peak demand, and recognizes the role of the Standards in reducing energy related to meeting California's water needs and in reducing GHG emissions;
- To meet the West Coast Governors' Global Warming Initiative commitment to include aggressive energy efficiency measures into updates of state building codes; and
- To meet the Executive Order in the Green Building Initiative to improve the energy efficiency of nonresidential buildings through aggressive standards.

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[5] California Natural Resources Agency, 2009 California Climate Adaption Strategy- A Report to the Governor in Response to Executive Order S-13-2008, WWW.Climatechange.Ca.Gov/Adaptation, September 2009

SENATE BILL 375

Senate Bill 375 (SB 375), which establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions, was adopted by the State on September 30, 2008. On September 23, 2010, CARB adopted the vehicular GHG emissions reduction targets that had been developed in consultation with the metropolitan planning organizations (MPOs); the targets require a 7 to 8 percent reduction by 2020 and between 13 to 16 percent reduction by 2035 for each MPO. SB 375 recognizes the importance of achieving significant GHG reductions by working with cities and counties to change land use patterns and improve transportation alternatives. Through the SB 375 process, MPOs will work with local jurisdictions in the development of sustainable communities strategies (SCS) designed to integrate development patterns and the transportation network in a way that reduces GHG emissions while meeting housing needs and other regional planning objectives. MPOs will prepare their first SCS according to their respective regional transportation plan (RTP) update schedule; to date, no region has adopted an SCS. The first of the RTP updates with SCS strategies are expected in 2012.

The Southern California Association of Governments (SCAG) is the MPO serving the area including Moreno Valley. SCAG is currently in the process of developing the 2012 RTP and SCS for their jurisdiction aimed at attaining the reduction targets of an 8% per capita reduction in GHG emissions from passenger vehicles by the year 2020 and a 13% reduction by 2035. SCAG is currently developing the SCS and expecting to adopt the SCS, RTP, and the associated programmatic EIR in April 2012. Many of the transportation-related reduction measures included in this analysis will coordinate with efforts in SCAG's SCS.

CALIFORNIA GREEN BUILDING CODE 2010

The California Green Building Standards Code referred to as CALGreen went into effect on January 1, 2011. The code sets new mandatory measures with sensible minimum standards for all new structures in the State. Each local jurisdiction can additionally exceed the new standards by adopting CALGreen voluntary measures as mandatory in their jurisdiction. The measures aim to reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

CALGreen has approximately 52 nonresidential mandatory measures and an additional 130 provisions that have been placed in the appendix for optional use. Some key mandatory measures for commercial occupancies include specified parking for clean air vehicles, a 20% reduction of potable water use within buildings, a 50% construction waste diversion from landfills, use of building finish materials that emit low levels of volatile organic compounds (VOCs), and commissioning for new, nonresidential buildings over 10,000 square feet. For residential buildings, some key measures include a 20% reduction in water use, required irrigation controllers for outdoor water use, 50% construction waste diversion from landfills, and required use of low-VOC paints and building materials (CBSC 2010).

Regional

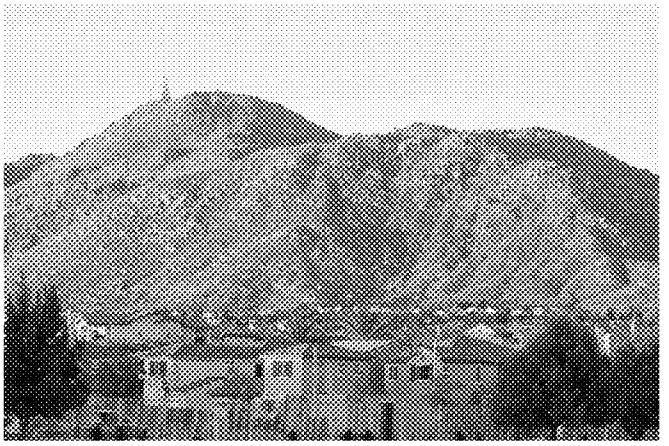

The City of Moreno Valley is located in the South Coast Air Basin, and the South Coast Air Quality Management District (SCAQMD) is the agency principally responsible for comprehensive air pollution control in the Basin. In order to provide GHG emission guidance to the local jurisdictions within the South Coast Air Basin, the SCAQMD has organized a Working Group to develop GHG emission analysis guidance and thresholds.

SCAQMD released a draft guidance document regarding interim CEQA GHG significance thresholds in October 2008, and issued revised interim CEQA GHG significance threshold in January 2009. On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal for an interim GHG significance threshold for projects where the SCAQMD is lead agency. SCAQMD proposed a tiered approach, whereby the level of detail and refinement needed to determine significance increases with a project's total GHG emissions. The tiered approach defines projects that are exempt under CEQA and projects that are within a GHG Reduction Plan as less than significant.

SCAQMD has also begun work on an energy policy that integrates criteria and toxic air contaminants, GHGs, and energy issues to ensure clean air and a healthy economy. The policy includes energy facts and statistics related to the South Coast region, policies for the SCAQMD staff to promote zero emissions and clean energy, and actions for staff to take to develop plans to reduce energy use and air emissions and participate in state regulatory proceedings. The draft policy will be presented to the board on July 8, 2011. (SCAQMD 2011)

Chapter 2 Methodology

2.1 Overview

GHG inventories include all major sources of emissions attributable directly or indirectly to the City's municipal operations or activities within the community the City serves. GHG inventories are divided into two broad categories, Municipal GHG inventories and Community-wide GHG inventories. Municipal GHG Inventories are emissions resulting from City municipal operations. Community-wide GHG inventories are a broader measure of emissions associated with both the activities within the community the City serves and the municipal operations. As such, the Municipal GHG inventory is a subset of the larger Community-wide GHG inventory. The methodology for preparing GHG inventories incorporates the protocols, methods, and emission factors found in the California Climate Action Registry (CCAR) *General Reporting Protocol* (version 3.1, January 2009), the *Local Government Operations Protocol* (LGOP) (version 1.1, May 2010), and the *Draft Community-wide GHG Emissions Protocol* under development by the Association of Environmental Professionals (AEP) and the International Council for Local Environmental Initiatives (ICLEI). The LGOP provides the guidance and protocols in the development of the Municipal GHG inventory. Currently, there is not an adopted protocol for the development of Community-wide GHG inventories. However, the AEP/ICLEI Draft Community-wide GHG Emissions Protocols provide draft guidance in the development of the Community-wide inventory.

The LGOP and the draft AEP/ICLEI Draft Community-wide GHG Emissions Protocols categorize GHG emissions into three distinct "scopes" as a way of organizing GHG emissions, as follows:

- **Scope 1 Emissions** – All "direct" sources of community-wide GHG emissions from sources within the jurisdictional boundaries of the City. This includes fuel burned onsite in buildings and equipment such as natural gas or diesel fuel; transportation fuels burned in motor vehicles; and wood-burning emissions from household hearths. For inventories of only municipal operations, these emissions are limited to activities under the operational control of the local government.

- **Scope 2 Emissions** – Encompasses "indirect" sources of GHG emissions resulting from the consumption of purchased electricity, which is electricity used by the residents, businesses, and City's facilities. An "indirect" source is one where the action that generates GHGs is separated from where the GHGs are actually emitted. For example, when a building uses electricity, it necessitates the burning of fossil fuels, such as coal or natural gas (and resultant release of GHGs) to generate electricity by a utility facility located elsewhere. Thus they are distinguished from *direct* emissions (i.e., Scope 1 emissions) from electricity production, which are reported by the utility itself, in order to avoid double counting.

- **Scope 3 Emissions** is an optional reporting category that encompasses all other "indirect emissions" that are a consequence of activities of the City's residents and businesses, but occur from sources out of the jurisdictional control of the local government. The key to this category of emissions is that they must be "indirect or embodied emissions over which the local government exerts significant control or influence." (CCAR 2010) For example, when

considering GHG emissions from trucks hauling waste under a City contract, the City does not own the waste hauling trucks, but does have significant control over how many pickups the trucks make.

Scope 1 emissions are characterized in this report as "direct emissions" While Scope 2 emissions are characterized as "indirect source emissions."

The analysis herein is tailored to include all existing and projected emission sources within the City to provide, to the fullest extent feasible, a comprehensive analysis of GHG impacts. The Global Warming Solutions Act of 2006 (AB 32) established a comprehensive program of regulatory and market mechanisms to achieve real, quantifiable, cost-effective reductions of GHG emissions. The law mandates the reduction of GHG emissions in California to 1990 levels by 2020.

2.2 Calculation of GHGs

This report establishes 2010 as the year on which to base the existing inventory; this is the most recent year for which reliable data concerning the City's residential, commercial, and government operations are available. This inventory provides a framework on which to design programs and actions that specifically target reductions by emissions sources. Programs and actions already in place within the City are described in Section 4. The 2010 inventory serves as a reference against which to measure the City's progress towards reducing GHG emissions since 2007 and into the future, and also serves as documentation for potential emission trading opportunities.

The methodology used for the calculation GHG emissions differs depending on the emission source, as described below. The emissions calculations follow the CCAR General Reporting Protocol, version 3.1; LGOP, version 1.1; and CARB's Mandatory GHG Reporting Regulations (Title 17, California Code of Regulations, Sections 95100 et seq.). These protocols are consistent with the methodology and emission factors endorsed by CARB and USEPA. In cases where these protocols do not contain specific source emission factors, current industry standards or the USEPA's AP 42 Compilation of Air Pollution Emission Factors were used.

In estimating Moreno Valley's total GHG emissions, data sources from the City, regional, and state agencies were used. Southern California Edison (SCE) and Southern California Gas Company (SCG) provided both municipal and community wide electricity and natural gas data, respectively. Solid waste data was taken from the California Integrated Waste Management Board's (CIWMB) database. Transportation emissions were calculated based on vehicle miles traveled (VMT) modeled by the City's traffic engineer using the TRANSIMS traffic model. Total water use in the City was provided by EMWD. The data used in the calculations for each inventory are summarized in Chapter 3. All of the contributors to GHG emissions (kilowatt-hours of electricity generated by fossil fuel combustion in power plants, natural gas in therms, vehicle travel in VMT, and solid waste in tons) are expressed in the common unit of MT of CO_2e released into the atmosphere in a given year.

In addition, the costs associated with the GHG emissions were calculated for each sector (based on availability of data). The costs were based on the consumer fees for each fuel type included in the

inventory. By including the costs, the City can assess where consumers are spending the most money and utilize the information in making decisions on reduction measures.

Coefficients, modeling inputs, and other assumptions, used in the calculations of GHGs are included in Appendix __ of this report.

GHG emissions are typically segregated into direct and indirect sources as discussed previously. However, direct and indirect sources are not completely independent of each other and are often combined into other more encompassing categories. For example, although natural gas combustion is a direct source and electricity generation is an indirect source, they both are typically discussed under a heading of "Energy" when policies are put in place to reduce emissions. Therefore, this report discusses emissions with respect to the general source categories of Transportation, Energy, Area Source, Water, Wastewater, and Solid Waste.

Transportation

ON-ROAD VEHICLES

Carbon dioxide emissions from vehicles were calculated utilizing EMFAC2007 emission factors for the existing and 2020 inventories. The Emission Factors (EMFAC) model was developed by CARB and used to calculate emission rates from on-road motor vehicles from light-duty passenger vehicles to heavy-duty trucks that operate on highways, freeways, and local roads in California. Motor vehicle emissions of CH_4, and N_2O were also calculated using USEPA emission factors for on-road vehicles based on the total annual mileage driven multiplied by their respective emission factors by year.

Vehicle miles traveled (VMT) and total number of trips were determined by the City's Transportation Analysis and Simulation System (TRANSIMS) model. TRANSIMS is a transportation model developed by the Federal Highway Administration (FHWA) and tracks individual vehicles second-by-second through the road network. This model is based on the Riverside County Traffic Analysis Model (RivTAM) and the SCAG Regional Transportation Model. TRANSIMS estimates 2007 VMT for all trips that begin and/or end within the City limits. This accounts for traffic entering or exiting Moreno Valley and traffic within the City, but excludes pass-through traffic. Moreno Valley's VMT includes miles from all trips within Moreno Valley and half of the miles from trips that begin or end in Moreno Valley; Moreno Valley is held accountable for all trips within the city limits while the City shares accountability with other jurisdictions for trips that have only one end point in Moreno Valley.

The estimates do not account for electrical, biodiesel (a blend of diesel and vegetable oil), or hydrogen powered systems. Any electrically powered vehicle which draws power from a residence, commercial or industrial land use will be accounted for in the electrical usage for the City. Predicted 2020 (business as usual) BAU vehicle trips were estimated by using predicted land use changes and growth. Costs associated with transportation were based on the diesel and gasoline fuel use and their associated per gallon costs in 2007.

Energy

ELECTRICITY

The City emits carbon dioxide, methane, and nitrous oxide indirectly through the use of electricity provided by Southern California Edison (SCE); SCE provided annual energy usage for 2007. 2020 BAU electricity use was estimated based on anticipated growth in the residential and commercial/industrial areas.

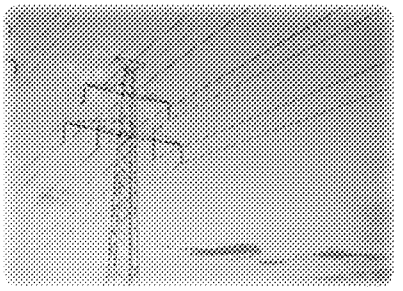

SCE provides electricity from a variety of sources including natural gas, nuclear energy, and large hydroelectric systems. Each of these sources of electricity emits different levels of GHGs. The annual usage in megawatt hours per year (MWh/year) was multiplied by the emission factors appropriate to the inventory year for carbon dioxide, methane, and nitrous oxide to determine emissions from these sources.

Costs of electricity calculations were based on the annual kWh use and price per kWh for each rate class. Electricity rates fluctuate throughout the year, so average values were used.

NATURAL GAS COMBUSTION

The City emits GHGs from the combustion of natural gas. The annual natural gas usage for the City in thousand cubic feet (Mcf) was converted to million British Thermal Units (MMBTUs) and multiplied by the respective emissions factors for carbon dioxide, methane, and nitrous oxide to determine the emissions from natural gas combustion, typically used for heating. Natural gas usage for 2007 was obtained from The Southern California Gas Company. Anticipated 2020 natural gas data was based on per unit usage in 2007 and the anticipated unit growth by 2020. The costs associated with natural gas use were calculated using California 2007 average rates obtained from the U.S. Energy Information Administration (EIA). The rates align with the use breakdowns of residential, industrial, and commercial use.

Area Source

LANDSCAPING

Emissions of carbon dioxide, methane, and nitrous oxide are generated by the use of landscape equipment through the combustion of gasoline. Carbon dioxide emissions were determined directly through URBEMIS2007 for the existing and 2020 inventories. URBEMIS2007 is a computer software package that is used for modeling projected emissions of air quality pollutants including carbon dioxide. From the carbon dioxide emissions, the approximate number of gallons of gasoline consumed through landscape equipment use was calculated. This number was then multiplied by emission factors presented in the General Reporting Protocol, version 3.1 to determine both methane and nitrous oxide emissions.

WOOD BURNING

Direct carbon dioxide emissions are produced from the burning of wood in wood stoves, fireplaces, and natural gas fired stoves. The emissions from natural gas fired stoves are included in the Energy source category. Carbon dioxide, methane, and nitrous oxide emissions from wood stoves and fireplaces are calculated based on the percentage of residential units using each type of hearth and the estimated annual amount of wood burned. The emission coefficients used are taken from the USEPA's AP-42 document. Cost estimates were made for wood burning using the average cost of wood.

Water

POTABLE WATER

Electricity is needed to move and treat water. Moreno Valley residents and businesses currently use approximately 9 billion gallons of potable water. The water for Moreno Valley is provided by the Eastern Municipal Water District (EMWD) and Box Springs Mutual Water Company. A portion of EMWD's water comes from local sources while the remaining water is from the Colorado River and the State Project water originating in Northern California, which is delivered to Southern California via the California aqueduct. Box Springs' water comes primarily from local sources; however, the company does purchase a small amount of water from Western Municipal Water District (WMWD). WMWD water comes from similar sources as those described for EMWD. The emissions associated with the energy used to pump the local water are included in the Electricity section described above. There are additional emissions associated with this purchased water from the Colorado River and the State Water Project due to the electricity used to transport the water over a long distance. Costs associated with water were based on the average rates for residential, commercial, and industrial customers.

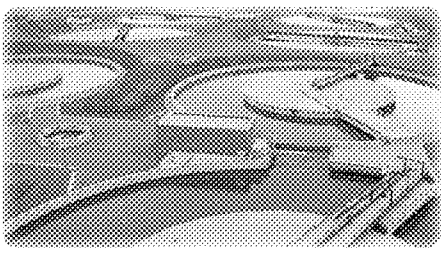

WASTEWATER TREATMENT

EMWD is also the main provider of wastewater and sewer treatment for the City of Moreno Valley. Wastewater-related GHG emissions arise from the electricity used to pump and treat the water, the transportation fuel used to truck the biosolids to an off-site disposal area, and the direct methane emissions from the anaerobic digesters used in the treatment process. The electricity and transportation emissions are included in their respective categories. This category of emissions only represents the direct methane emissions.

Waste Management

SOLID WASTE

Emissions from solid waste are determined as the sum of emissions generated by transportation from its source to the landfill, the equipment used in its disposal at the landfill, fugitive emissions from decomposition in landfills, and the anthropogenic carbon sink generated by the incomplete decomposition of materials in the landfill.

Emissions from the transportation of solid waste is determined based on the annual lbs/year (pounds per year) of total waste disposed in landfills including biosolids waste from wastewater treatment plants, the density of the waste, the capacity of the hauling trucks, the average number of miles traveled by each truck; and the carbon dioxide, methane, and nitrous oxide emissions generated per mile traveled.

Landfill equipment emissions are only included in the inventory if the landfill is under the direct control of the City or County of interest. As the Badlands landfill used for the disposal of waste for Moreno Valley, is not under the City's direct control, emissions from onsite equipment are not included in this inventory.

Fugitive emissions of methane from the decomposition of solid waste are calculated based on the annual waste generation multiplied by the USEPA emission factor for waste production for methane. The emission factor to determine methane generation varies if the landfill operations are known to operate a methane flare or to generate electricity from methane capture. Carbon dioxide generated by decomposition of waste in landfills is not considered anthropogenic because it would be produced through the natural decomposition process regardless of its disposition in the landfill. Nitrous oxide is not a by-product of decomposition and therefore no fugitive emissions of nitrous oxide are anticipated from this source.

Chapter 3 Greenhouse Gas Emissions Inventory

The following sections include Moreno Valley's 2010 municipal operations and community-wide emissions inventories. The municipal operations inventory includes sources and quantities of GHG emissions from government owned or rented buildings, facilities, vehicles, and equipment. The community-wide emissions inventory identifies and categorizes the major sources and quantities of GHG emissions being produced by residents, businesses, and municipal operations taking place in the City of Moreno Valley using the best available data. By having the municipal emissions separated from the community as a whole, the local government can implement reduction strategies where it has direct control, closely monitor the changes in emissions over time, and set an example for the rest of the City.

3.1 2010 Municipal Emissions Inventory

Data Inputs

Data for the municipal inventory was gathered from various City departments. Table 3-1, below, summarizes the data inputs and sources for each of the emission categories included in the inventory.

Table 3-1 2010 Municipal Data Inputs

Category	Data Input	Data Source
Electricity (kWh)	9,937,015 3,847,738	SCE MVU
Natural Gas (therms)	90,651	SCG
Vehicle Fleet *Gasoline(gallons)* *Diesel (gallons)*	 77,325 28,544	Fleet Manager Special Districts
Equipment *Gasoline(gallons)* *Diesel (gallons)*	 2,118 2,208	Parks Division Special Districts
Employee Commute (responses)	141	Employee Survey

With the exception of the employee commute data, each data input was then multiplied by the associated emission factor to calculate the emissions inventory. The data from the employee commute survey was used to estimate total miles traveled, fuel used, and associated GHG emissions for all City employees' commutes. Additionally, where possible, the emissions were categorized by City Department.

Emissions Summary

The City of Moreno Valley emitted 14,529 MT CO_2e through its municipal operations in 2010. The emissions were calculated based on the vehicle and equipment fleet fuel use, energy accounts, waste management, and a survey of the City's employee commutes. The largest portion of the City's 2010 government emissions were from the City's vehicle fleet (57 percent), followed by emissions from electricity (20 percent). Table 3-2 summarizes the City's net 2010 emissions of CO_2e as broken down by

emissions category. Figure 3-1 is a graphical representation of Table 3-2. A detailed breakdown of 2010 emissions by category is available in Appendix __.

Table 3-2 2010 Total Municipal Emissions

Category	Metric tons of CO_2e
Vehicle Fleet	7,988
Electricity	2,898
Natural Gas	1,712
Employee Commute	1,538
Equipment	41
Total	**14,529**

Figure 3-1 2010 Municipal Emissions by Source (metric tons CO_2e)

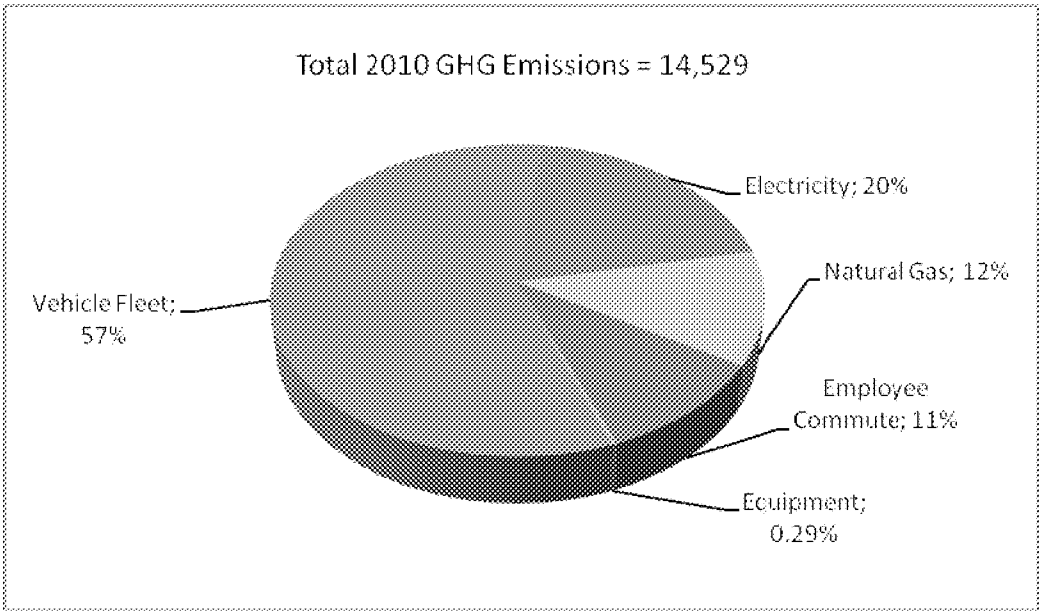

2010 MUNICIPAL DEPARTMENT EMISSIONS AND COSTS

For the municipal inventory it is helpful to see which departments are generating the most emissions. This helps to pinpoint where emissions are coming from and where the focus should be placed for targeting emissions reductions. Table 3-3 and Figure 3-2, below, summarize the electricity, natural gas, and employee commute emissions by department. Vehicle fleet fuel use was not available for each individual department, so those emissions are not included in Table 3-3.

Table 3-3 2010 Municipal Emissions and Costs by Department

Category	Metric Tons of CO_2e	Cost ($)
Public Works [a]	8,521	$ 561,979
Public Lighting	1,550	$ 1,753,647
Community/Special Districts	1,490	$ 343,743
Public Safety	1,201	$ 210,268
Administration	1,128	$ 310,242
Fire	394	$ 87,132
Parks	214	$ 123,755
MVU [b]	31	$ 27,236
Total	**14,529**	**$ 3,418,004**

Note: Emission sources include electricity, natural gas, and fuel use in vehicle fleet, equipment, and employee commute.

[a] Public Works category includes all vehicle fleet emissions with the exception of park-owned vehicles.

[b] MVU category only represents emissions from indirect electricity use by MVU facilities. See the community-wide inventory for all indirect emissions from MVU electricity used throughout the City of Moreno Valley.

Figure 3-2 2010 Comparison of Municipal Emissions Generated by Department (MT CO_2e)

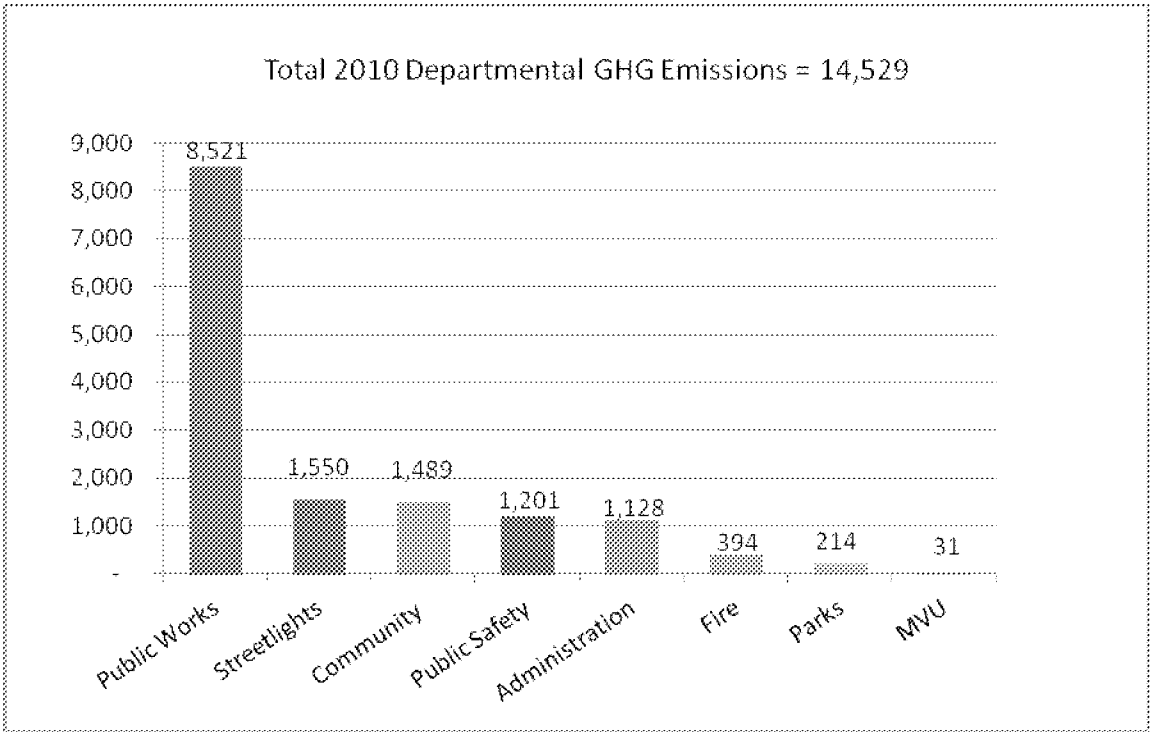

2010 MUNICIPAL COST ESTIMATES

The costs associated with the inventory represent the municipal energy and fuel use costs. These cost estimates give the City a perspective on where the City is spending the most money and help to prioritize reduction measures toward the sectors that have the potential to both reduce emissions and costs. Electricity was the largest source of emissions and cost in 2010, while the employees' commutes followed in emissions and cost. Table 3-4, below, summarizes the cost estimates for 2010.

Table 3-4 Estimated Municipal Energy Costs

Category	Cost
Electricity	$2,634,674
Vehicle Fleet	$ 383,909
Employee Commute	$ 303,339
Natural Gas	$ 79,968
Equipment	$ 16,113
Total	$ 3,418,004

3.2 2010 Community-Wide Emissions Inventory

The community-wide inventory represents all emissions from sources located with the jurisdictional boundaries of the City of Moreno Valley. Therefore, the municipal emissions described in the previous section are a subset of the community-wide inventories presented here. In 2010, the City of Moreno Valley emitted a total of 920,657 MT CO_2e from the community as a whole. The following sections describe the data inputs, emissions by source, and emissions by land use in 2010.

Data Inputs

Data for the community-wide inventory was gathered from various City departments, SCE, SCG, and EMWD. Table 3-5, below, summarizes the data inputs and sources for each of the emission categories included in the inventory.

Table 3-5 2010 Community-Wide Data Inputs

Category	Data Input	Data Source
Electricity (kWh)	633,215,207 62,138,000	SCE MVU
Natural Gas (therms)	26,266,326	SCG
Transportation *Annual Vehicle Miles Traveled* *Annual Trips*	 1,077,909,543 110,098,975	 City Traffic Engineer
Area Source (based on land use) *SFR (units)* *MFR (units)* *Commercial (ksf)* *Industrial (ksf)*	 42,642 9,387 8,325 12,695	 City Planning
Solid Waste (tons)	144,824	CIWMB
Water (AF)	26,183 87	EMWD Box Springs Mutual

Each data input was then multiplied by the associated emission factor to calculate the emissions associated with each source.

Emissions by Source

Table 3-6 includes the total amount of community-wide GHG emissions for the City of Moreno Valley in 2010 by emission source category. The City of Moreno Valley as a whole emitted 920,657 MT CO_2e in 2010. The largest portion of the City's 2010 emissions were from transportation (56 percent), followed by emissions from electricity and natural gas use in buildings (30 percent). Figure 3-3 provides a comparison of GHG emissions by source category.

Table 3-6 2010 Community-Wide GHG Emissions by Source	
Category	**Metric tons of CO_2e**
Transportation	513,581
Energy	277,230
Area Sources	69,437
Solid Waste	43,633
Water and Wastewater	16,831
Total	**920,712**

Figure 3-3 2010 Emissions Generated by Source

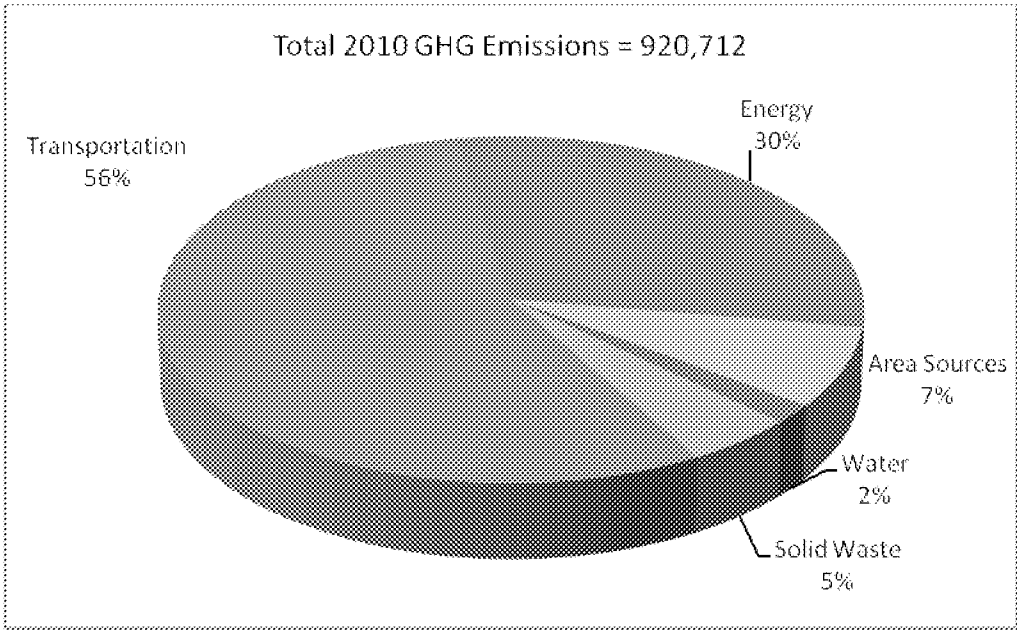

Emissions by Land Use

Table 3-7 summarizes the total amount of community-wide GHG emissions for the City of Moreno Valley in 2010 by land use category. The City of Moreno Valley as a whole emitted 920,712 MT CO_2e in 2010. The largest portion of the City's 2010 emissions were from transportation (56 percent), followed by emissions from residential land uses (31 percent). Due to the nature of mobile emissions, transportation emissions could not be allocated to the individual land use types. Figure 3-4 provides a comparison of GHG emissions by land use category.

Table 3-7 2010 Community-wide GHG Emissions by Land Use	
Category	**Metric tons of CO_2e**
Transportation	513,581
Residential	283,451
Industrial	60,552
Commercial	63,129
Total	**920,712**
Note: Numbers may not add up to the total due to rounding.	

Figure 3-4 2010 GHG Emissions by Land Use

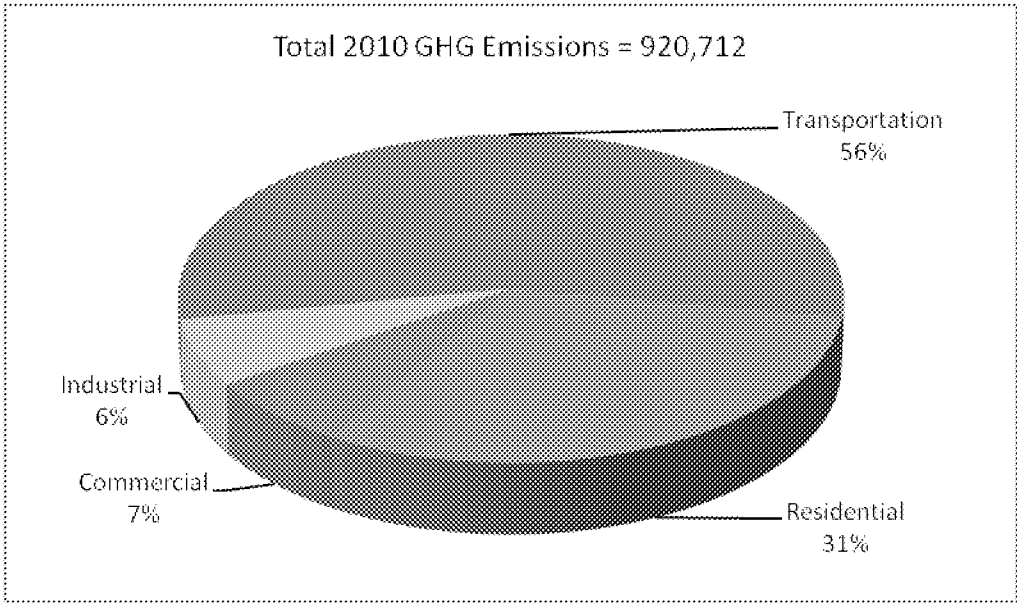

3.3 2020 Business-as-Usual Community-Wide Emissions Inventory

In 2020, Moreno Valley is projected to emit a total of 1,298,543 MT CO_2e from a BAU standpoint. BAU refers to continued operations and development of the City according to existing approved General Plan policies, without the inclusion of recently-adopted sustainability initiatives or proposed policies included as part of the General Plan Update as described in Chapter 4. As with the 2010 community-wide inventory, these emissions represent all sources within the jurisdictional boundary of the City of Moreno Valley, including emissions due to the municipal operations of the City. The following sections describe the data inputs, emissions by source, and emissions by land use category for the year 2020.

Data Inputs

Data for the 2020 community-wide inventory was estimated based on projected growth rates for the City and the traffic model's forecasts. Table 3-8, below, summarizes the growth rates and annual VMT data for 2020.

Table 3-8 2020 BAU Community-Wide Data Inputs

Category	Data Input	Data Source
Transportation		
Annual VMT	1,585,559,510	City Traffic Engineer
Annual Trips	157,447,088	
Growth Rates [a]		
Population	12.8%	City Planning
Housing	19.8%	
Employment	46.2%	

[a] Note: The growth rates represent the overall growth from 2010 to 2020.

The VMT data from the City's 2035 traffic model was used to extrapolate between 2007 and 2035 in order to estimate 2020 VMT. The growth rates were used to estimate the emissions associated with electricity, natural gas, water, wastewater, area source, and solid waste.

Emissions by Source

The 2020 BAU emissions are estimated based on the projected growth in Moreno Valley from 2010 to 2020. These projections include a 12.8 percent increase in population, 19.8 percent increase in housing, and a 46.2 percent increase employment; these growth rates were applied to 2010 community-wide emissions in order to estimate 2020 BAU emissions. Table 3-9 summarizes the 2020 City emissions of CO_2e as broken down by Emissions category. Figure 3-5 is a graphical representation of Table 3-9. A detailed breakdown of 2020 emissions by category is available in Appendix __.

Table 3-9 2020 BAU GHG Emissions by Source	
Category	**Metric tons of CO_2e**
Transportation	788,267
Energy	356,192
Area Sources	84,665
Solid Waste	49,203
Water and Wastewater	20,216
Total	**1,298,543**

Figure 3-5 2020 BAU Emissions Generated by Source (MT CO_2e)

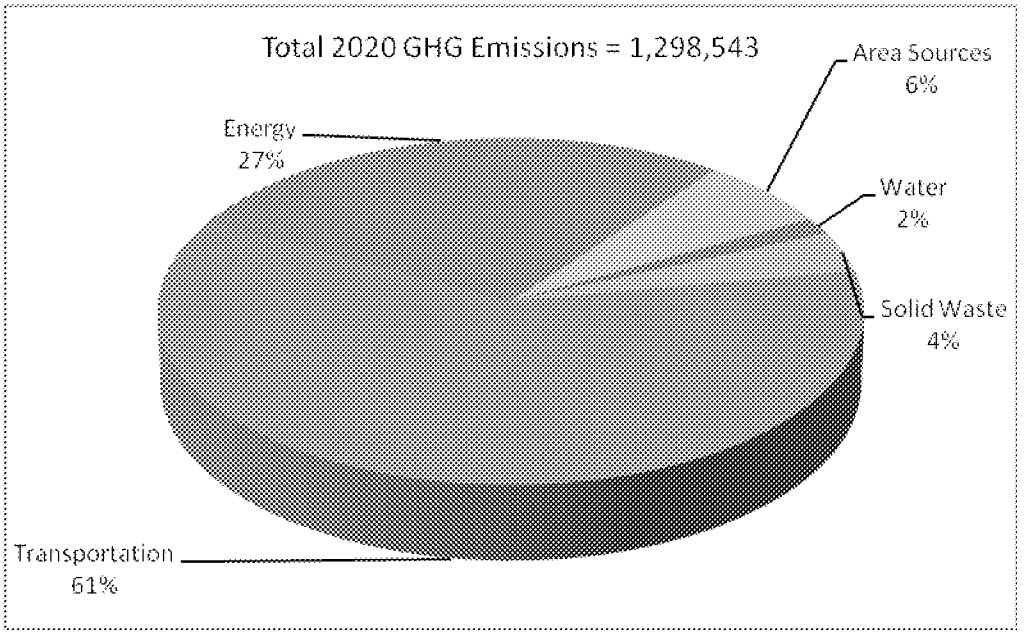

Emissions by Land Use

Table 3-10 summarizes the total amount of community-wide GHG emissions for the City of Moreno Valley in 2020 by land use category. The City of Moreno Valley as a whole is projected to emit 1,298,543 MT CO_2e in 2020. The largest portion of the City's 2020 emissions are projected to be from transportation (61 percent), followed by emissions from residential land uses (26 percent). Due to the nature of mobile emissions, transportation emissions could not be allocated to the individual land use types. Figure 3-6 provides a comparison of GHG emissions by land use category.

Table 3-10 2020 BAU Community-Wide GHG Emissions by Land Use	
Category	**Metric tons of CO_2e**
Transportation	788,267
Residential	338,360
Commercial	84,178
Industrial	87,737
Total	**1,298,543**
Note: Numbers may not add up to the total due to rounding.	

Figure 3-6 2020 BAU GHG Emissions by Land Use

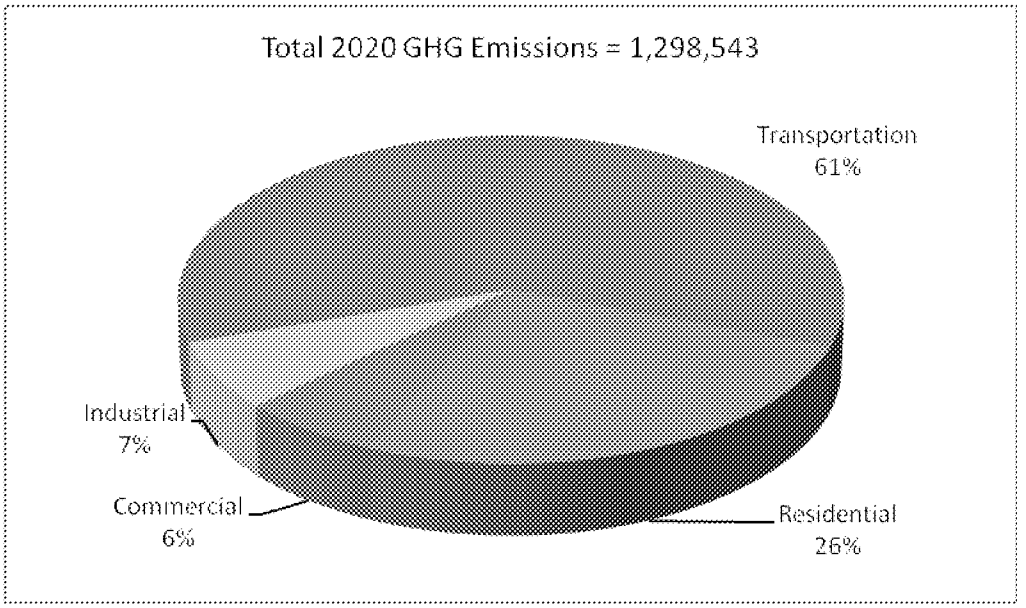

3.4 2020 Reduction Target

In order for California to meet the goals of AB 32, statewide GHG emissions will need to be reduced back to 1990 levels by 2020. To be consistent with the goals of AB 32, the City of Moreno Valley would also need to achieve the same GHG emission reduction target. In the AB 32 Scoping Plan, CARB equated a return to 1990 levels to a 15 percent reduction from "current" levels. CARB states, "… ARB recommended a GHG reduction goal for local governments of 15 percent below today's levels by 2020 to ensure that their municipal and community-wide emissions match the state's reduction target." (CARB 2008) The reduction target calculated in the Scoping Plan was based on an inventory of the state's 2004 GHG emissions (then considered to be "current" levels); these emissions represent a high-point in the economy before the economic recession. For Moreno Valley, the reduction target is based

on the inventory of the City's 2007 GHG emissions. By using 2007, Moreno Valley is consistent with CARB in using an inventory target that is based on pre-recession conditions.

The reduction target is displayed in Table 3-11. Having one overall reduction target, as opposed to targets for each sector, allows Moreno Valley to have the flexibility to reduce emissions from the sector with the most cost-effective reduction strategies (i.e. the greatest reduction in emissions at the least cost).

Table 3-11 2020 GHG Emissions Reduction Target

	Metric Tons CO_2e
2007 Emissions	939,639
% Reduction	15%
2020 Reduction Target	**798,693**

The 2007 emissions inventory was used to set the GHG emissions reduction target for the year 2020. The 2010 inventory, discussed previously and summarized below, provides a baseline for Moreno Valley to measure future progress toward attaining the 2020 target.

3.5 Emissions Comparison by Year

This report analyzes GHG emissions from the most current year with data available (2010) and estimates the future emissions for the City in 2020. Additionally, this report includes an estimate of 2007 GHG emissions which is used to set the 2020 reduction target for the City. See Table 3-16 for a summary of all inventories.

The 1,298,543 MT CO_2e of GHG emissions for 2020 is an estimated increase of 377,830 MT CO_2e above 2010 levels following BAU projections. The growth from 2007 and 2010 to 2020 is a 38 percent increase and 41 percent increase, respectively. Table 3-12 shows a comparison of total emissions for 2007, 2010, and 2020 BAU emissions.

Table 3-12 GHG Emissions by Source

	Metric Tons CO_2e		
Source	**2007**	**2010**	**2020 BAU**
Transportation	517,098	513,581	788,267
Energy	287,261	277,230	356,120
Area Sources	69,390	69,437	84,665
Water and Wastewater	21,595	16,831	20,216
Solid Waste	44,294	43,633	49,203
Total	**939,639**	**920,712**	**1,298,543**

The impact of the economic recession is evident in the emission summaries. 2007 emissions represent the peak of the economy with a decline to the levels in 2010; this is consistent with trends in the overall economy.

The AB 32 Scoping Plan suggests local governments estimate a reduction target for 2020 that is 15 percent below 2007 emissions. Table 3-13 shows the 2020 reduction target for the City's community-wide emissions, the 2020 BAU emissions projected for the City, and the difference between the two. This difference represents the total emissions that the City will need to reduce in order to meet the target by 2020.

Table 3-13 2020 GHG Emissions Reduction Target

	Metric Tons CO_2e
2020 BAU Emissions	1,298,543
2020 Reduction Target	798,693
Amount to Reduce from 2020 BAU	**499,850**

With the reduction target set at 798,693 MT CO_2e, the City will need to reduce emissions by 499,850 MT CO_2e from the 2020 BAU emissions. This amounts to a 38 percent decrease from 2020 BAU emissions and a 13 percent decrease from the 2010 community-wide emissions. Chapter 4 describes the efforts currently underway in Moreno Valley and the reduction strategies that would be implemented to reduce emissions in the City in order to reach the 2020 reduction target.

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Chapter 4 GHG Emissions Reduction Programs and Regulations

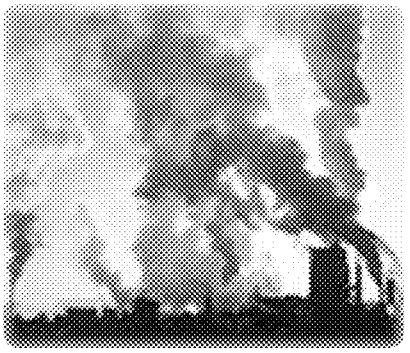

The State of California has set specific targets for reducing GHG emissions from the burning of fossil fuels in both power plants and vehicles by adopting various regulations. In addition, State energy efficiency and renewable requirements provide another level of reductions. In order to provide credit to Moreno Valley for regulatory actions already taken or planned by the State of California, this analysis first evaluates the GHG reductions that will occur within the City as a result of these actions. These will be identified as R1 reduction measures. The R1 measures are included here to show all of the anticipated reduction strategies identified in the AB 32 Scoping Plan for implementation at the State Level that will ultimately result in a reduction of GHG emissions at the City level. The R1 measures are not administered or enforced by the City, but the City - by describing them herein- substantiates the reductions associated with these State Measures.

R2 and R3 reduction measures are measures that will be incorporated at the City level to provide additional reductions in GHG emissions. R2 measures are those measures that can be quantified to show the value of the reduction from the incorporation of those measures. A complete list of assumptions and reductions for each of the R1 and R2 measures is included in Appendix __.

R3 measures are those measures that, although they provide a means through which reductions in emissions will occur, cannot be quantified at this time. The R3 measures are supportive measures or methods of implementation for the R2 measures. For example, R3-E2: Energy Efficiency Training and Public education, is a measure that provides education to inform people of the programs, technology, and potential funding available to them to be more energy efficient, and provides the incentives to participate in the voluntary programs shown in R2-E1 through R2-E7. R3-E2 is supportive of measures R2-E1 through R2-E7 because it will provide more publicity, reduce the perceived challenge of being energy efficient, and provide information on potential rebates and other funding programs which will make retrofits more accessible to everyone. Therefore, although by itself R3-E2 cannot be quantified, its implementation provides a level of assurance that the reduction goals specified in the R2 measures will be achieved.

Also included in the R3 measures are reduction measures that reduce Moreno Valley's government operation emissions. Government operations make up less than 2% of the City's total emissions, but the City can set an example for residents by implementing reduction measures at the municipal level.

Over the last few years Moreno Valley has implemented several programs that have already begun to reduce the City's GHG emissions and will continue to provide reductions through to 2020. Programs that were in place prior to 2010 are accounted for in the existing inventory while programs implemented since 2010 are included below as reduction measures used to reach the 2020 target.

The following discussion summarizes the existing Moreno Valley programs and the proposed reduction measures to be implemented by the City to further reduce GHG emissions. The reduction measures are organized herein by source category (transportation, energy, area source, water, and solid waste) then by R1, R2, and R3 measure. The convention to be used for numbering the mitigation measures will be to list the R designation (R1, R2, or R3) then an abbreviation of the source category, followed by the order number. So, R1-E1 is the first R1 measure within the energy category, R1-E2 is the second measure within the energy category, and so on. The source category abbreviations are as follows: T – transportation; E – energy; A – area source; W – water; and S - solid waste.

Each of the R2 measures include the GHG reduction potential, estimated cost, estimated savings, and additional community co-benefits. The co-benefits describe the additional community benefits from implementing the reduction measure beyond the GHG emissions reduced. The following icons are used to indicate the co-benefits for each measure:

- Air Quality
- Energy Use/Energy Efficiency
- Land Use/Community Design
- Livable Communities
- Public Health
- Renewable Energy
- Transportation Mobility
- Waste Reduction/Recycling
- Water Quality
- Water Use/Water Conservation

4.1 Existing Moreno Valley Programs

Community Energy Partnership

The Community Energy Partnership (CEP) is a collaboration among seven Southern California cities, Southern California Edison, Southern California Gas Company, and The Energy Coalition. Moreno Valley is one of the member cities participating in CEP. By including in this report an inventory of municipal energy usage, establishing a long term vision and plan for energy efficiency in the City, and identifying policies and funding mechanisms to complete municipal facility energy efficiency projects, Moreno Valley has completed the groundwork for an Energy Action Plan and will soon qualify for Gold Level and an Energy Leader.

Energy Star Portfolio Manager

The Energy Star Portfolio Manager is an online tool for monitoring energy use in buildings. Moreno Valley has setup their portfolio with all municipal buildings; SCE and SCG automatically update the energy use data electronically into the portfolio on a monthly basis. The Portfolio Manager assists the City in comparing energy use and assessing Energy Star qualifying status across facilities.

EECBG Projects

The City has completed a number of energy saving renovations made possible by the allocation of Energy Efficiency and Conservation Block Grant (EECBG) funding. The EECBG Program was funded for the first time by the American Recovery and Reinvestment Act of 2009. It is intended to assist U.S. cities, counties, states, territories, and Indian tribes to develop, promote, implement, and manage energy efficiency and conservation projects and programs designed to:

- Reduce fossil fuel emissions;
- Reduce the total energy use of eligible entities;
- Improve energy efficiency in the transportation, building, and other appropriate sectors; and
- Create and retain jobs.

Table 4-1 summarizes the projects the City has completed along with the annual kWh saved, the project cost, the incentive received, and the annual emissions reduced.

Table 4-1 Municipal EECBG Projects

Project Name	kWh saved	Project Cost ($)	Incentive ($)	Emissions Reduced (MT CO_2e)
Fire Station 48 Lighting	3,155	$ 3,668	$ 747	0.61
Fire Station 65 Lighting	5,368	$ 3,961	$ 758	1.03
Fire Station 6 Lighting	8,095	$ 10,227	$ 2,225	1.55
Senior Center Lighting	14,687	$ 10,088	$ 2,038	2.82
Library Thermostat	26,460	$ 1,219	$ 785	5.08
Library Lighting and HID	79,109	$ 32,237	$ 13,670	15.18
City Hall A/C	179,079	$ 711,000	$ 32,017	34.36
City Hall Lighting	318,988	$23,817	$25,354	61.21
City Hall Window Film [a]	203,250	$ 43,187	$ 10,927	230.25
Total	**838,191**	**$ 815,587**	**$ 88,521**	**352.09**

[a] The window film installation also saved 1,726 therms of natural gas annually.

GREEN MoVal

Getting Residents Energy Efficient Now (GREEN) MoVal is a City initiative that encourages residents to become more energy efficient in their homes. The City has a page on their website that connects members of the community to resources related to energy efficiency: http://www.moreno-valley.ca.us/green-mv.shtml

MVU Solar Incentive Program

Moreno Valley Electric Utility offers a Solar Electric Incentive Program, a rebate that can cut the cost of a solar installation. MVU offers a rebate of $2.80 for every watt of solar installed on the roof of a home or business. All incentives are based on limited available funds and verification of installation. The requirements are as follows:

- Incentives are available to MVU electric customers only.
- The qualifying system must be on the same premises as the customer.
- All solar system components must be new and approved by MVU. Panels and inverters must appear on the latest California Energy Commission certified photovoltaic modules list or certified inverters list.
- Panels must have a warrantee for 25 years, and inverters and labor for 10 years. And electric meter must be in place to monitor the system's performance.

Existing General Plan Policies

The City's General Plan lays the framework for continued growth and development in the City. The policies lay the framework for guiding development and land use changes in order to achieve certain goals and objectives. Moreno Valley has goals to create a city that is safe, healthy, and conserves natural resources while accommodating growth and development. While the general plan does not address the reduction of GHGs directly, it does have policies that indirectly reduce emissions. Table 4-2, below, summarizes these relevant polices by emissions category and General Plan element.

Table 4-2 General Plan Policies Related to Reducing GHG Emissions

Source	Element	Objective	Policies
Energy	Community Development	Residential Opportunities	2.2.15
	Safety	Reduce Air Pollution	6.7.6
	Conservation	Energy Efficiency	7.5.1, 7.5.4, 7.5.5
Transportation	Community Development	Convenient Commercial	2.4.8
		Programs	2-6
	Parks, Recreation, and Open Space Element	Trails System	4.3.1, 4.3.2, 4.3.3, 4.3.4, 4.3.5
		Programs	4-3, 4-10, 4-12, 4-13
	Circulation	Safe Street System	5.1.1, 5.1.2
		Maximize Efficiency	5.4.2, 5.4.5, 5.4.6,
		Retain Rural	5.7.2
		Public Transportation System	5.8.1, 5.8.2, 5.8.3, 5.8.4, 5.8.5
		Pedestrian Facilities	5.9.1, 5.9.2, 5.9.3, 5.9.4
		Encourage Bicycling	5.10.1, 5.10.2, 5.10.3, 5.10.4,
		Eliminate Obstructions	5.11.1, 5.11.2
		School Safety	5.12.1
		Programs	5-10e, 5-10f, 5-11, 5-13, 5-14, 5-15, 5-16, 5-17
	Safety	Reduce Vehicle Trips	6.6.1, 6.6.2, 6.6.3, 6.7.2, 6.7.3
	Conservation	Energy Efficiency	7.5.2, 7.5.3
Water	Conservation	Minimize Water Consumption	7.3.1, 7.3.2
Area Source	Community Development	High Quality Development	2.10.14
	Safety	Reduce Air Pollutants	6.7.1
Solid Waste	Conservation	Adequate Solid Waste System	7.8.1

4.2 Transportation

Transportation accounts for the largest source of emissions in Moreno Valley. Measures to reduce emissions associated with transportation include encouraging mixed use development, developing near transit corridors, offering incentives for alternative fuels, creating pedestrian and bicycle friendly communities, and replacing older vehicles with more fuel-efficient ones. The measures below describe opportunities for Moreno Valley to reduce the emissions from transportation.

R1 Transportation Measures

The following list of R1 transportation related measures are those measures that California has identified in the AB 32 Scoping Plan that will result in emission reductions within the City.

R1-T1: ASSEMBLY BILL 1493: PAVLEY I

Assembly Bill (AB) 1493 (Pavley) required the California Air Resources Board (CARB) to adopt regulations that will reduce GHG from automobiles and light-duty trucks by 30 percent below 2002 levels by the year 2016, effective with 2009 models. By 2020, this requirement will reduce emissions in California by approximately 16.4 $MMTCO_2e$, representing 17.3 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008). Implementation of Pavley I was delayed by the USEPA's denial of California's waiver request to set State standards that are more stringent than the federal standards, but in June 2009 the denial of the waiver was reversed and California was able to begin enforcing the Pavley requirements.

R1-T2: ASSEMBLY BILL 1493: PAVLEY II

California committed to further strengthening the AB1493 standards beginning in 2017 to obtain a 45 percent GHG reduction from 2020 model year vehicles. This requirement will reduce emissions in California by approximately 4.0 $MMTCO_2e$, representing 2.5 percent of emissions from passenger/light-duty vehicles in the State beyond the reductions from the Pavley I regulations described above (CARB 2008).

R1-T3: EXECUTIVE ORDER S-1-07 (LOW CARBON FUEL STANDARD)

The Low Carbon Fuel Standard (LCFS) will require a reduction of at least ten (10) percent in the carbon intensity of California's transportation fuels by 2020. By 2020, this requirement will reduce emissions in California by approximately 15 $MMTCO_2e$, representing 6.9 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008). The emissions reduced by this strategy overlap with emissions as a result of the Pavley legislation; adding the emissions reductions would be an overestimate of the actual emissions reductions. This is accounted for in the emission reduction calculations following the methodology used by CARB to calculate emissions reductions in the AB 32 Scoping Plan.

R1-T4: TIRE PRESSURE PROGRAM

The AB 32 early action measure involves actions to ensure that vehicle tire pressure is maintained to manufacturer specifications. The State's plan for implementing this measure is directed at automotive service providers. CARB is requiring automotive service providers to check and inflate each vehicle's tires to the recommended tire pressure rating at the time of performing any automotive maintenance or repair service, indicate on the vehicle service invoice that a tired inflation service was completed and the tire pressure measurements after the services were performed, and keep a copy of the service invoice for a minimum of three years, and make the vehicle service invoice available to the ARB, or its authorized representative upon request. By 2020, CARB estimates that this requirement will reduce emissions in California by approximately 0.55 $MMTCO_2e$, representing 0.3 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008).

R1-T5: LOW ROLLING RESISTANCE TIRES

This AB 32 early action measure would increase vehicle efficiency by creating an energy efficiency standard for automobile tires to reduce rolling resistance. By 2020, this requirement will reduce emissions in California by approximately 0.3 $MMTCO_2e$, representing 0.2 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008).

R1-T6: LOW FRICTION ENGINE OILS

This AB 32 early action measure would increase vehicle efficiency by mandating the use of engine oils that meet certain low friction specifications. By 2020, this requirement will reduce emissions in California by approximately 2.8 $MMTCO_2e$, representing 1.7 percent of emissions from passenger light-duty vehicles in the State (CARB 2008).

R1-T7: GOODS MOVEMENT EFFICIENCY MEASURES

This AB 32 early action measure targets system wide efficiency improvements in goods movement to achieve GHG reductions from reduced diesel combustion. By 2020, this requirement will reduce emissions in California by approximately 3.5 $MMTCO_2e$, representing 1.6 Percent of emissions from all mobile sources (on-road and off-road) in the State (CARB 2008).

R1-T8: HEAVY-DUTY VEHICLE GHG EMISSION REDUCTION (AERODYNAMIC EFFICIENCY)

This AB 32 early action measure would increase heavy-duty vehicle (long-haul trucks) efficiency by requiring installation of best available technology and/or CARB approved technology to reduce aerodynamic drag and rolling resistance. By 2020, this requirement will reduce emissions in California by approximately 0.93 $MMTCO_2e$, representing 1.9 percent of emissions from heavy-duty vehicles in the State (CARB 2008).

R1-T9: MEDIUM AND HEAVY-DUTY VEHICLE HYBRIDIZATION

The implementation approach for this AB 32 measure is to adopt a regulation and/or incentive program that reduce the GHG emissions of new trucks (parcel delivery trucks and vans, utility trucks, garbage trucks, transit buses, and other vocational work trucks) sold in California by replacing them with hybrids. By 2020, this requirement will reduce emissions in California by approximately 0.5 $MMTCO_2e$, representing 0.2 percent of emissions from all on-road mobile sources in the State. This reduction is also equivalent to a 1.0 percent reduction of emissions from all heavy-duty trucks in the State (CARB 2008).

R2 Transportation Measures

The following list of R2 measures are candidate measures the City can implement to achieve an AB 32 compliant reduction target.

R2-T1: LAND USE BASED TRIPS AND VMT REDUCTION POLICIES

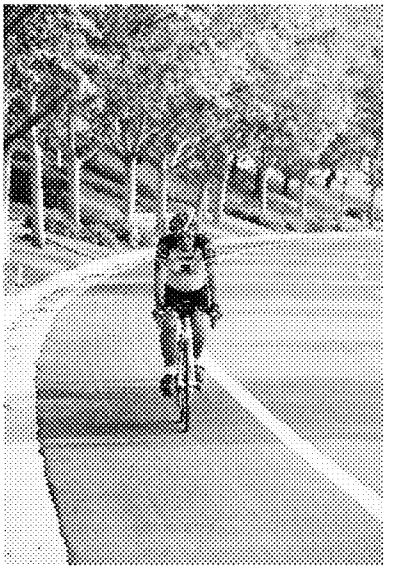

The demand for transportation is influenced by the density and geographic distribution of people and places. Whether neighborhoods have sidewalks or bike paths, whether homes are within walking distance of shops or transit stops will influence the type and amount of transportation that is utilized. By changing the focus of land use from automobile centered transportation, a reduction in vehicle miles traveled will occur.

The forthcoming Sustainable Communities Strategy and Regional Transportation Plan for the SCAG region should include opportunities for Moreno Valley to identify areas for Transit Priority Projects (TPPs). TPPs are eligible for streamlined CEQA review. See Appendix __ for detailed emissions reduction calculations for this strategy and all of the reduction strategies.

GHG Reduction Potential:

20,423 MT CO_2e

4% reduction in passenger vehicle VMT

Community Co-Benefits:

City Costs:

Undetermined costs due to extensive variables in how this is implemented ranging from very modest costs associated with providing incentives to employers to provide commute trip reductions to substantial bicycle and pedestrian infrastructure to facilitate vehicle trip reductions associated with bicycle and pedestrian alternatives.

Private Savings:

$6,959,091 annually, based on fuel savings from fewer, shorter vehicle trips.

R2-T2: TRANSIT IMPROVEMENTS

The City of Moreno Valley will continue to coordinate with Riverside Transit Agency (RTA) and SCAG in order to provide timely and cost effective transit services. In particular, the City will work to expand the bus system, incorporate rapid bus transit to desirable destinations, and provide adequate facilities and connections to pedestrian and bicycle systems.

GHG Reduction Potential:

120,087 MT CO2e

25% reduction in passenger vehicle VMT

Community Co-Benefits:

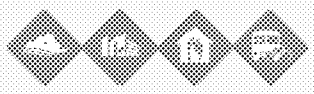

City Costs:

A more detailed cost analysis must be completed in order to assess the costs that the City will incur from these projects.

City Savings:

--

Private Costs:

A more detailed cost analysis must be completed in order to assess the costs that the RTA and private developers will incur to implement these projects.

Private Savings:

$40,919,458 annually, based on fuel savings from using public transit rather than personal vehicles

Potential Funding Sources:

In July 2010, RTA published its *Short Range Transit* Plan, which details the plans for improving the RTA system through Fiscal years 2011-2013. In this Plan, RTA identified the following strategies for service improvements in Moreno Valley:

- Establish a base transit network serving major activity centers including schools, shopping centers, medical centers, and the approved Metrolink station
- Connect Moreno Valley to UCR and Downtown Riverside as well as Perris with direct and frequent transit services
- Provide transit service to the existing and planned major development at March Air Reserve Base and adjacent Joint Powers Authority reuse areas.

SCAG is currently in the process of updating the RTP with the draft to be released in December 2011. The RTP will identify plans for the region to expand transit in Moreno Valley and surrounding areas.

R2-T3: EMPLOYMENT-BASED TRIP REDUCTIONS

Transportation Demand Management (TDM) programs work to reduce automobile travel by encouraging ride-sharing, carpooling, and alternative modes of transportation.

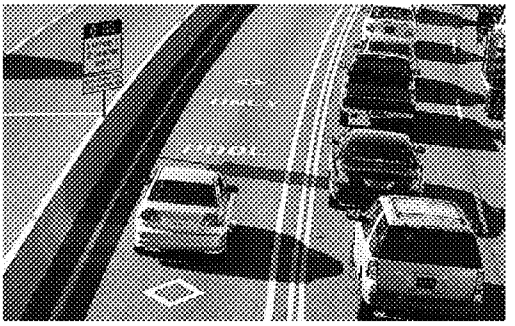

The City of Moreno Valley would implement this strategy by including a TDM strategy as mitigation for New Development.

GHG Reduction Potential:

7,401 MT CO2e

2% reduction in passenger vehicle VMT

Community Co-Benefits:

City Costs:

Undetermined costs depending upon how this is implemented ranging from no costs, to very modest costs associated with providing incentives to employers to provide commute trip reductions.

City Savings:

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Private Costs:

Minimal administrative fees

Private Savings:

$2,521,975 annually, based on decreased fuel use

Potential Funding Sources:

New businesses can mitigate transportation related emissions by offering programs, facilities and incentives to their employees that would promote carpooling, transit use, and use of other alternative modes.

R3 Transportation Measures

The following R3 measures enhance and/or ensure the reductions accounted for within the R2 measures through education programs or are measures that will reduce emissions but cannot be quantified. Also, reduction measures implemented at the municipal level are described.

R3-T1: REGIONAL LAND USE AND TRANSPORTATION COORDINATION

Promoting the development and use of transit between Moreno Valley and other jurisdictions including the County and neighboring cities enhances the implementation of R2-T1 and R2-T2 described above.

4.3 Energy

Electricity and natural gas use in buildings represent the second largest source of emissions in the City of Moreno Valley. The state has begun to address this source of emissions by requiring new buildings to attain higher standards for energy efficiency and requiring utilities to use more renewable power sources. At the local level, Moreno Valley can encourage developers to go beyond the state requirements and offer incentives to bring older buildings up to current standards.

R1 Energy Reduction Measures

The following list of R1 building energy efficiency related measures are those measures that California has identified in the AB 32 Scoping Plan that will result in emission reductions within the City.

R1-E1: RENEWABLE PORTFOLIO STANDARD FOR BUILDING ENERGY USE

Senate Bills (SBs) 1075 (2002) and 107 (2006) created the State's Renewable Portfolio Standard (RPS), with an initial goal of 20 percent renewable energy production by 2010. Executive Order (EO) S-14-08 establishes a RPS target of 33 percent by the year 2020 and requires State agencies to take all appropriate actions to ensure the target is met. In April 2011, Governor Jerry Brown signed Senate Bill 2 (2011), which codified the Executive Order and requires the State to reach the 2020 goal (CARB 2008).

R1-E2 AND R1-E3: AB 1109 ENERGY EFFICIENCY STANDARDS FOR LIGHTING (RESIDENTIAL AND COMMERCIAL INDOOR AND OUTDOOR LIGHTING)

Assembly Bill (AB 1109) mandated that the California Energy Commission (CEC) on or before December 31, 2008, adopt energy efficiency standards for general purpose lighting. These regulations, combined with other State efforts, shall be structured to reduce State-wide electricity consumption in the following ways:

- R1-E2: At least 50 percent reduction from 2007 levels for indoor residential lighting by 2018; and
- R1-E3: At least 25 percent reduction from 2007 levels for indoor commercial and outdoor lighting by 2018 (CARB 2008).

R1-E4: ELECTRICITY ENERGY EFFICIENCY (AB32)

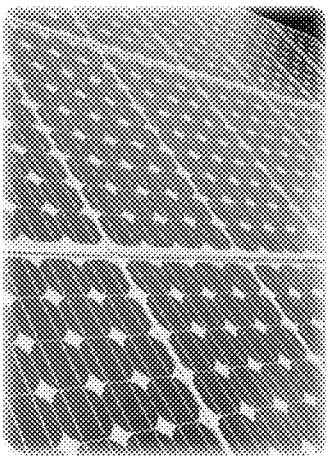

This measure captures the emission reductions associated with electricity energy efficiency activities included in CARB's AB32 Scoping Plan that are not attributed to other R1 or R2 reductions, as described in this report. This measure includes energy efficiency measures that CARB views as crucial to meeting the State-wide 2020 target, and will result in additional emissions reductions beyond those already accounted for in California's Energy Efficiency Standards for Residential and Non-Residential Buildings (Title 24, Part 6 of the California Code of Regulations; hereinafter referred to as, "Title 24 Energy Efficiency Standards") of California's Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations; hereinafter referred to as "CALGreen").

By 2020, this requirement will reduce emissions in California by approximately 21.3 MMTCO2e, representing 17.5 percent of emissions from all electricity in the State (CARB 2008). This measure includes the following strategies:

- "Zero Net Energy" buildings (buildings that combine energy efficiency and renewable generation so that they, based on an annual average, extract no energy from the grid);
- Broader standards for new types of appliances and for water efficiency;
- Improved compliance and enforcement of existing standards;
- Voluntary efficiency and green building targets beyond mandatory codes;
- Voluntary and mandatory whole-building retrofits for existing buildings;
- Innovative financing to overcome first-cost and split incentives for energy efficiency, on-site renewables, and high efficiency distributed generation;
- More aggressive utility programs to achieve long-term savings;
- Water system and water use efficiency and conservation measures;
- Additional industrial and agricultural efficiency initiatives; and
- Providing real time energy information technologies to help consumers conserve and optimize energy performance.

R1-E5: NATURAL GAS ENERGY EFFICIENCY (AB32)

This measure captures the emission reductions associated with natural gas energy efficiency activities included in CARB's AB32 Scoping Plan that are not attributed to other R1 or R2 reductions, as described in this report. This measure includes energy efficiency measures that CARB views as crucial to meeting

the State-wide 2020 target, and will result in additional emissions reductions beyond those already accounted for in the Title 24 Energy Efficiency Standards or CALGreen. By 2020, this requirement will reduce emissions in California by approximately 4.3 MMTCO2e, representing 6.2 percent of emissions from all natural gas combustion in the State (CARB 2008). This measure includes similar strategies to those listed above for R1-E4.

R1-E6: INCREASED COMBINED HEAT AND POWER (AB32)

This measure captures the reduction in building electricity emissions associated with the increase of combined heat and power activities, as outlined in CARB's AB 32 Scoping Plan. The Scoping Plan suggests that increased combined heat and power systems, which capture "waste heat" produced during power generation for local use, will offset 30,000 GWh State-wide in 2020. Approaches to lowering market barriers include utility-provided incentive payments, a possible CHP portfolio standard, transmission and distribution support systems, or the use of feed-in tariffs. By 2020, this requirement will reduce emissions in California by approximately 6.7 $MMTCO_2e$, representing 7.6 percent of emissions from all electricity in the State (CARB 2008).

R1-E7: INDUSTRIAL EFFICIENCY MEASURES (AB32)

This measure captures the reduction in industrial building energy emissions associated with the energy efficiency measures for industrial sources included in CARB's AB 32 Scoping Plan. By 2020, this requirement will reduce emissions in California by approximately 1.0 $MMTCO_2e$, representing 3.9 percent of emissions from all industrial natural gas combustion in the State (CARB 2008). CARB proposes the following possible State-wide measures:

- Oil and gas extraction regulations and programs to reduce fugitive CH_4 emissions;
- GHG leak reduction from oil and gas transmission;
- Refinery flare recovery process improvements; and
- Removal of methane exemption from existing refinery regulations.

R2 Energy Reduction Measures

The following list of R2 measures are candidate measures related to building energy efficiency the City can implement to achieve an AB 32 compliant reduction target.

R2-E1: NEW CONSTRUCTION RESIDENTIAL ENERGY EFFICIENCY REQUIREMENTS

This measure would facilitate the implementation of energy efficient design for all new residential buildings to be 10% beyond the current Title 24 Standards. This energy efficiency requirement is equal to that of the LEED for Homes and ENERGY STAR programs.

The 2008 Title 24 Energy Standards were adopted by the Energy Commission on April 23, 2008, with the 2008 Residential Compliance Manual adopted by the Commission on December 17, 2008. Compliance with the 2008 standards went into effect January 1, 2010. In an effort to meet the overall goal of the California Energy Efficiency Strategic Plan of reaching zero net energy for residential buildings by 2020, the stringency of the Title 24 Energy Standards as regulated and required by the State will continue to increase every three years. As energy efficiency standards increase Moreno Valley may want to periodically re-evaluate their percentage beyond Title 24 goal to ensure it is still a feasibly achievable goal. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Install energy efficient appliances, including air conditioning and heating units, dishwashers, water heaters, etc ;
- Install solar water heaters;
- Install top quality windows and insulation;
- Install energy efficient lighting;
- Optimize conditions for natural heating, cooling and lighting by building siting and orientation;
- Use features that incorporate natural ventilation;
- Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes; and
- Incorporate skylights; reflective surfaces, and natural shading in building design and layouts.

GHG Reduction Potential:

3,357 MT CO_2e

10% beyond Title 24 in new residential

Community Co-Benefits:

City Costs:

Administrative costs associated with incorporating energy efficiency mitigation into the development review process

City Savings:

--

Private Costs:

$15.9 million

The cost is based on an estimated $1,500 per residential unit.

Private Savings:

$778,000 annually in reduced energy costs, resulting in an estimated 20 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

R2-E2: NEW CONSTRUCTION RESIDENTIAL RENEWABLE ENERGY

GHG Reduction Potential:

1,252 MT CO_2e

10% of energy in new residential from on-site renewable energy

Community Co-Benefits:

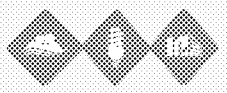

City Costs:

Administrative costs associated with incorporating alternative energy mitigation into the development review process

City Savings:

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Private Costs:

$20 million

Costs assume 10% of units install 2kW solar PV systems at $7,796/kW. (Anders 2009)

Private Savings:

$760,000 annually in reduced energy costs, resulting in an estimated 26 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

This measure would facilitate the incorporation of renewable energy (such as photovoltaic panels or small wind turbines) into new residential developments. For participating developments, renewable energy application should be such that the new home's projected energy use from the grid is reduced by 50%. The California Energy Commissions' New Solar Homes Partnership is a component of the California Solar Initiative and provides rebates to developers of 6 or more units where 50% of the units include solar power. In addition this measure would encourage that all residents be equipped with "solar ready" features where feasible, to encourage future installation of solar energy systems. These features should include the proper solar orientation (south facing roof sloped at 20° to 55° from the horizontal), clear access on south sloped roofs, electrical conduit installed for solar electric system wiring, plumbing installed for solar hot water systems, and space provided for a solar hot water tank. The incentive program should provide enough funding and other incentives as shown in the R3 measures to result in approximately 20% of new residential development participation in this program, thereby resulting in a 10% reduction in electrical consumption from new residential developments.

As an alternative to, or in support of, providing onsite renewable energy, the project proponent can buy into a purchased energy offset program that will allow for the purchase of electricity generated from renewable energy resources offsite. Purchased energy offsets (or a combination of incorporated renewables and purchased offsets) must be equal to 50% of the total projected energy consumption for the development. See R3-E3 for further details on the financing program.

R2-E3: RESIDENTIAL ENERGY EFFICIENCY RETROFITS

GHG Reduction Potential:

33,418 MT CO_2e

On average, all existing units become 20% more efficient

Community Co-Benefits:

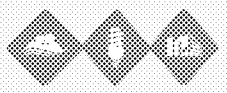

Private Costs:

$49 million

Assumes cost is equal to $0.75/kWh and $4.35/therm saved. (Anders 2009)

Private Savings:

$7.7 million annually in reduced energy costs, resulting in an estimated 6 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

This reduction measure would set a goal for the City to increase energy efficiency in existing homes. With the rebates and incentive programs currently available, this measure could allow for all residential units to become, on average, 20% more efficient. One key program ensuring the achievement of this reduction measures is Moreno Valley's partnership with the Western Riverside Council of Governments (WRCOG) surrounding their Energy Efficiency and Water Conservation Program (WRCOG 2009). The program would provide residences with low-interest loans that can be used to implement energy efficient improvements on their homes. This program has the potential to reduce energy consumption in retrofitted homes by a minimum of 15%. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Replace inefficient air conditioning and heating units with new energy efficient models;
- Replace older, inefficient appliances with new energy efficient models;
- Replace old windows and insulation with top-quality windows and insulation;
- Install solar water heaters;
- Replace inefficient and incandescent lighting with energy efficient lighting; and
- Weatherize the existing building to increase energy efficiency.

R2-E4: RESIDENTIAL RENEWABLE ENERGY RETROFITS

GHG Reduction Potential:

5,750 MT CO_2e

10% of energy in residential from on-site renewable energy

Community Co-Benefits:

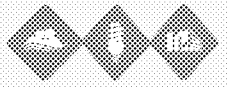

City Costs:

Undetermined costs depending upon how this is implemented ranging from modest administration costs to moderate costs of incentive programs.

City Savings:

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Private Costs:

$81.1 million

Costs assume 10% of units install 2kW solar PV systems at $7,796/kW. (Anders 2009)

Private Savings:

$3.5 million annually in reduced energy costs, resulting in an estimated 23 year payback period on the initial cost.

Potential Funding Sources:

WRCOG, SCE, SEC, MVU Solar Incentive

This measure would set a goal for City residents to retrofit their homes with photovoltaic panels or small wind turbines such that 50% of the home's electrical usage is offset. With the current rebates and incentives available, a participation rate of 20% can be achieved. In particular, the California Energy Commission's Solar Initiative has incentives available to home owners. In addition, WRCOG's Energy Efficiency and Water Conservation Program helps finance solar photovoltaic systems for residents.

Residents may also be eligible for an MVU rebate of $2.80 for every watt of solar installed on the roof of a home.

R2-E5: NEW CONSTRUCTION COMMERCIAL ENERGY EFFICIENCY REQUIREMENTS

GHG Reduction Potential:

3,357 MT CO_2e

On average, all existing units become 10% more efficient

Community Co-Benefits:

City Costs:

Administrative costs associated with incorporating energy efficiency mitigation into the development review process

City Savings:

--

Private Costs:

$9.7 million

The cost is based on an estimated $1.00 per square foot to achieve 10% beyond Title 24. (Anders 2009)

Private Savings:

$1.3 million annually in reduced energy costs, resulting in an estimated 8 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

This measure would facilitate the implementation of energy efficient design for all new commercial buildings to be 10% beyond the current Title 24 Standards. This energy efficiency requirement meets the minimum requirements of the LEED and ENERGY STAR programs. As energy efficiency standards increase the City may want to periodically re-evaluate their percentage beyond Title 24 goal to ensure it is still a feasibly achievable goal. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Install energy efficient appliances, including air conditioning and heating units, dishwashers, water heaters, etc.;
- Install solar water heaters;
- Install top quality windows and insulation;
- Install energy efficient lighting;
- Optimize conditions for natural heating, cooling and lighting by building siting and orientation;
- Use features that incorporate natural ventilation;
- Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes; and
- Incorporate skylights; reflective surfaces, and natural shading in building design and layouts.

R2-E6: NEW CONSTRUCTION COMMERCIAL/INDUSTRIAL RENEWABLE ENERGY

GHG Reduction Potential:

2,030 MT CO_2e

10% of energy in commercial is from on-site renewable energy

Community Co-Benefits:

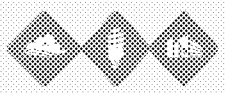

City Costs:

Administrative costs associated with incorporating alternative energy mitigation into the development review process

City Savings:

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Private Costs:

$31.7 million

This cost represents 5kW of solar photovoltaic per 10,000 square feet of new commercial development at an estimated $6,526/kW. (Anders 2009)

Private Savings:

$1.2 million annually in reduced energy costs, resulting in an estimated 26 year payback period on the initial cost.

Potential Funding Sources:

SCE, WRCOG

This measure would facilitate the incorporation of renewable (solar or other renewable) energy generation into the design and construction of new commercial, office, and industrial developments. Renewable energy generation would be incorporated such that a minimum of 10% of the project's total energy needs are offset. In addition, this measure would encourage all facilities be equipped with "solar ready" features where feasible, to facilitate future installation of solar energy systems. These features should include the proper solar orientation, clear access on south sloped roofs, electrical conduit installed for solar electric system wiring, plumbing installed for solar hot water systems, and space provided for a solar hot water tank.

As an alternative to, or in support of, providing onsite renewable energy, the project proponent could buy into an offset program that will allow for the purchase of renewable energy resources offsite. Purchased energy offsets (or a combination of incorporated renewables and purchased offsets) must equal 20% of the total projected energy consumption for the development. See R3-E3 for further details on the financing program.

R2-E7: COMMERCIAL/INDUSTRIAL ENERGY EFFICIENCY AND RENEWABLE ENERGY RETROFITS

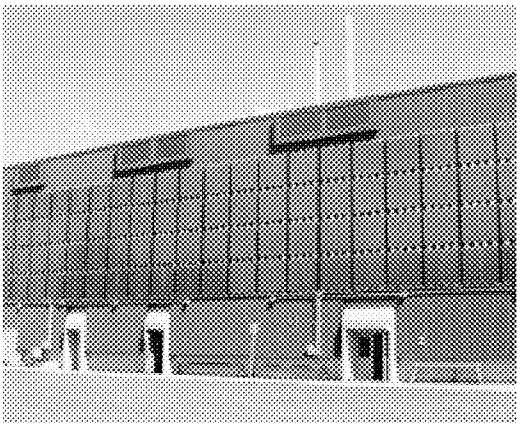

This measure sets a goal for all commercial or industrial buildings undergoing major renovations to reduce their energy consumption by 25%. The State offers incentives and programs that contribute toward the implementation of this goal. Similar to the residential goals described above, WRCOG's Energy Efficiency and Water Conservation Program could help finance energy efficiency and renewable energy projects for commercial buildings. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Replace inefficient air conditioning and heating units with new energy efficient models;
- Replace older, inefficient appliances with new energy efficient models;
- Replace old windows and insulation with top-quality windows and insulation;
- Install solar water heaters;
- Replace inefficient and incandescent lighting with energy efficient lighting; and
- Weatherize the existing building to increase energy efficiency.

GHG Reduction Potential:

18,261 MT CO_2e

Assumes a 25% decrease in energy use through a combination of energy efficiency and renewable energy retrofits.

Community Co-Benefits:

City Costs:

Undetermined costs depending upon how this is implemented ranging from modest administration costs to moderate costs of incentive programs.

City Savings:

--

Private Costs:

$14.6 million

The cost is based on an estimated $1.50 per square foot to achieve the reductions. (Anders 2009)

Private Savings:

$6.9 million annually in reduced energy costs, resulting in an estimated 2 year payback period on the initial cost.

Potential Funding Sources:

R3 Energy Reduction Measures

The following R3 measures enhance and/or ensure the reductions accounted for within the R2 measures through education programs or are measures that will reduce emissions but cannot be quantified.

R3-E1: ENERGY EFFICIENT DEVELOPMENT, AND RENEWABLE ENERGY DEPLOYMENT FACILITATION AND STREAMLINING

This measure would encourage the City to identify key opportunities for the implementation of green building practices and the incorporation of renewable energy systems. This could include the updating of codes and zoning requirements and guidelines. This measure could be further enhanced by providing incentives for energy efficient projects such as priority in the reviewing, permitting, and inspection process. Additional incentives could include flexibility in building requirements such as height limits or set-backs in exchange for incorporating green building practices or renewable energy systems.

R3-E2: ENERGY EFFICIENCY TRAINING & PUBLIC EDUCATION

This measure would strengthen Moreno Valley General Plan Policy Infrastructure & Utilities 7.6.8 which provides public education and publicity about energy efficiency measures and reduction programs available within the City through a variety of methods including newsletters, brochures, and the City's Website. This measure would enhance this existing program by including rebates and incentives available for residences and businesses as well as providing training in green building materials, techniques, and practices for all plan review and building inspection staff.

R3-E3: ENERGY EFFICIENCY AND SOLAR ENERGY FINANCING

This measure would facilitate the incorporation of innovative, grant funded or low-interest financing programs for energy efficiency and renewable energy projects for both existing and new developments. This would include financing for heating, ventilation, air conditioning, lighting, water heating equipment, insulation, weatherization, and residential and commercial renewable energy. The City is a member of a partnership with WRCOG surrounding their Energy Efficiency and Water Conservation Program. The program would provide property with low-interest loans that would be repaid over time through annual property tax payments.

R3-E4: CROSS-JURISDICTIONAL COORDINATION

Under this reduction measure the City would coordinate with other local governments, special districts, nonprofit, and other organizations in order to optimize energy efficiency and renewable resource development and usage. This would allow for economies of scale and shared resources to more effectively implement these environmental enhancements.

R3-E5: ALTERNATIVE ENERGY DEVELOPMENT PLAN

The accomplishment of this measure would encourage the City and MVU to work with SCE to explore the possibilities for producing energy by renewable means within the built environment. This would be developed to identify appropriate alternative energy facilities (i.e., photovoltaic) for use within residential and commercial developments. The Alternative Energy Development Plan will encourage the

establishment of City policies and ordinances to address how alternative energy production would be conducted. This measure would identify the most optimal locations and the best means by which to avoid noise, aesthetics and other land use compatibility conflicts. Another provision of this Plan could be to identify possible sites for the production of renewable energy using local renewable sources such as solar, wind, small hydro, and/or biogas. This would encourage adopting measures to protect these resources and providing right-of-way easements, utility easements, or by setting aside land for future development of these potential production sites.

4.4 Area Source

The following list includes measures related to landscaping and wood burning emissions that will reduce emissions and help the City to achieve an AB 32 compliant reduction target.

R1 Area Source Reduction Measure

R1-L1: SCAQMD HEALTHY HEARTHS PROGRAM

AQMD's Rule 445-Wood Burning Devices, adopted on March 7, 2008, applies to residents in the South Coast Air Basin and includes the following key components:

- No permanently installed indoor or outdoor wood burning devices in new developments;
- Establishes a mandatory wood burning curtailment program on high pollution days during November through February, beginning November 1, 2011. Based on current air quality conditions, there may be 10 to 25 mandatory curtailment days in specific areas (AQMD 2008).

R2 Area Source Reduction Measure

R2-L1: ELECTRIC LANDSCAPING EQUIPMENT

This measure reduces GHG emissions by substituting electric landscaping equipment for the traditional gas-powered equipment. Electric lawn equipment including lawn mowers, leaf blowers and vacuums, shredders, trimmers, and chain saws are available. When electric landscaping equipment in used in place of conventional equipment, direct GHG emissions from natural gas combustion are replaced with indirect GHG emissions associated with the electricity used to power the equipment.

GHG Reduction Potential:

4,207 MT CO_2e

The change out from gas powered equipment to electric powered equipment reduces emissions by 38.5%. The reduction calculations assume all new developments use electricity rather than gas powered equipment.

Community Co-Benefits:

City Costs:

Undetermined costs due to variables ranging from no costs with no city involvement, modest costs associated engaging the public to participate in the program, to moderate costs of teaming with SCE in the incentive program.

City Savings:

--

Private Costs:

There is no additional cost associated with installing external outlets and purchasing electric equipment rather than gas-powered.

Private Savings:

Savings vary depending on fuel used

Potential Funding Sources:

SCAQMD lawn-mower trade-in program

R3 Area Source Reduction Measures

The following R3 measures are related to landscape strategies that will help reduce GHG emissions and can be incorporated into development projects without additional cost. These measures strategically place trees and other landscape mechanisms that create shade to reduce the heat island effect within parking lots and adjacent to buildings, which in turn, reduces the temperature of buildings and cars during the summer.

R3-L1: EXPAND CITY TREE PLANTING

This program evaluates the feasibility of expanding tree planting within the City. This includes the evaluation of potential carbon sequestration from different tree species, potential reductions of building energy use from shading, and GHG emissions associated with pumping water used for irrigation. Commercial and retail development should be encouraged to exceed shading requirements by a minimum of 10% and to plant low emission trees. In support of Environmental Resources Goal 10.10 from Moreno Valley's General Plan, all future development shall be encouraged to preserve native trees and vegetation to the furthest extent possible.

R3-L2: HEAT ISLAND PLAN

The implementation of this measure would include promoting the use of cool roofs, cool pavements, and parking lot shading by increasing the number of strategically placed shade trees. Further, City wide Design Guidelines should be amended to include that all new developments and major renovations (additions of 25,000 square feet or more) would be encouraged to incorporate the following strategies such that heat gain would be reduced for 50% of the non-roof impervious site landscape (including parking, roads, sidewalks, courtyards, and driveways). The strategies include:

- Strategically placed shade trees;
- Paving materials with a Solar Reflective Index (SRI) of at least 29;
- Open grid pavement system; or
- Covered parking (with shade or cover having an SRI of at least 29).

4.5 Water

Although emissions associated with water represent a small portion of the total emissions for the City, Moreno Valley can still conserve water use in order to reduce the reliance on imported water from the state and encourage the use of recycled water.

R1 Water Reduction Measure

The following R1 water related reduction measure has been identified in the AB 32 Scoping Plan and will result in emission reductions within the City.

R1-W1: RENEWABLE PORTFOLIO STANDARD (33 PERCENT BY 2020) RELATED TO WATER SUPPLY AND CONVEYANCE

This measure would increase electricity production from eligible renewable power sources to 33 percent by 2020. A reduction in GHG emissions results from replacing natural gas-fired electricity production with zero GHG-emitting renewable sources of power. By 2020, this requirement will reduce emissions from electricity used for water supply and conveyance in California by approximately 21.3 $MMTCO_2e$, representing 15.2 percent of emissions from electricity generation (in-State and imports) (CARB 2008).

R1-W2: CAL GREEN BUILDING STANDARDS

The 2010 California Green Building Standards (CALGreen) went into effect January 1, 2011. The standards include a 20% mandated reduction in indoor water use for all residential and commercial buildings. For outdoor water use, CALGreen requires developers to install landscaping devices that can sense moisture content of soil and restrict landscaping-related water use when moisture content is high.

R2 Water Reduction Measure

The following R2 measure is a candidate measure related to water that the City can implement to achieve an AB 32 compliant reduction target.

R2-W1: WATER USE REDUCTION INITIATIVE

GHG Reduction Potential:

3,493 MT CO2e

The calculated emission reductions assume all new developments reduce water consumption by 20%.

Community Co-Benefits:

City Costs:

Administrative costs associated with water conservation included in the development review process.

City Savings:

--

Private Costs:

Considered negligible if implemented with new development

Private Savings:

$3.9 million annually in reduced water costs.

Potential Funding Sources:

EMWD rebates

This initiative would reduce emissions associated with electricity consumption for water treatment and conveyance. This measure encourages the City to adopt a per capita water use reduction goal in support of the Governors Executive Order S-14-08 which mandates the reduction of water use of 20 percent per capita. The City's adoption of a water use reduction goal would introduce requirements for new development and would provide cooperative support for water purveyors that are required to implement these reductions for existing developments. The City would also provide internal reduction measures such that City facilities will support this reduction requirement. The following represent potential programs that could be implemented to attain this reduction goal.

WATER CONSERVATION PROGRAM

Under this program the excessive watering of landscaping, excessive fountain operation, watering during peak daylight hours, water of non-permeable surfaces, excessive water use for noncommercial washing, and water use resulting in flooding or runoff would be prohibited. In addition the program would encourage efficient water use for construction activities, the installation of low-flow toilets and showerheads for all new developments, use of drought-tolerant plants with efficient landscape watering systems for all new developments, recycling of water used for cooling systems, use of pool covers, and the posting of water conservation signage at all hotels.

WATER EFFICIENCY RETROFIT PROGRAM

This program would encourage upgrades in water efficiency for renovations or additions of residential, commercial, office, and industrial properties equivalent to that of new developments. The City would work with local water purveyors to achieve consistent standards, and to develop, approve, and review procedures for implementation.

INCREASED RECYCLED WATER USE

Coordinate with EMWD to promote the use of municipal wastewater and graywater for agricultural, industrial and irrigation purposes. This measure would be subject to approval of the State Health Department and compliance with Title 22 provisions. This measure would facilitate the following:

- Inventory of non-potable water uses that could be substituted with recycled or graywater;
- Determination of the feasibility of producing and distributing recycled water for groundwater replenishment;
- Determine the associated energy/GHG tradeoffs for treatment/use vs. out of basin water supply usage;
- Cooperation and coordination with responsible agencies to encourage the use of recycled water where energy tradeoffs are favorable.

R3 Water Reduction Measure

The following R3 measure enhances and/or ensures the reductions accounted for within the R2 measure identified above.

R3-W1: WATER EFFICIENCY TRAINING AND EDUCATION

Under this measure the City, in coordination with EMWD and local water purveyors would implement a public information and education program that promotes water conservation. The program could include certification programs for irrigation designers, installers, and managers, as well as classes to promote the use of drought tolerant, native species and xeriscaping. This measure supports measure R2-W1 discussed above.

4.6 Solid Waste

The following measures describe ways for the City of Moreno Valley to reduce the amount of waste sent to the landfill and thus reduce the associated GHG emissions.

R1 Solid Waste Measure

The following R1 solid waste related measure is a measure that California has identified in the AB 32 Scoping Plan that will result in emission reductions within the City.

R1-S1: WASTE MEASURES

The CARB AB 32 Scoping Plan recommends three measures for reducing emissions from Municipal Solid Waste at the State level, including: 1) landfill methane control; 2) increase the efficiency of landfill methane capture; and 3) high recycling/zero waste. CARB approved a regulation implementing the discrete early action program for methane recovery (1), which became effective June 17, 2010. This measure is expected to result in a 1.0 MMTCO2e reduction by 2020 (CARB 2008). Other measures proposed by CARB include increasing efficiency of landfill methane capture (2) and instituting high recycling/zero waste policies (3). Potential reductions associated with these measures are still to be determined.

R1-S2: CAL GREEN CONSTRUCTION WASTE REDUCTION

The 2010 CALGreen Standards also include a measure for the reduction of construction waste. This measure states that at least 50% of non-hazardous construction and demolition debris must be recycled or salvaged. This reduces the amount of waste sent to the landfill and thus reduces GHG emissions associated with the decomposition of solid waste.

R2 Solid Waste Measures

The following R2 measure reduces emissions related to solid waste and helps Moreno Valley to achieve an AB 32 compliant reduction target.

R2-S1: CITY DIVERSION PROGRAM

GHG Reduction Potential:

26,577 MT CO_2e

The emissions reductions account for a 20% decrease in non-construction waste sent to landfills. Non-construction waste represents 87% of Moreno Valley's total waste.

Community Co-Benefits:

City Costs:

Administrative costs of including construction material recycling, interior and exterior recycling storage areas in new development, and recycling at public events.

City Savings:

--

Private Costs:

--

Private Savings:

Undetermined

Potential Funding Sources:

--

The state has set the following targets for Moreno Valley's solid waste disposal: 4.4 pounds per day (PPD) per resident and 31.8 PPD per employee (equating to a diversion rate of 50%). As of 2009, the City is below the target for both categories: 3.3 PPD per resident and 26 PPD per employee. To further reduce the amount of waste disposed, and comply with AB 341, this measure would set a target for the City to increase the waste diverted to 75% by 2020 (this equates to 2.2 PPD per resident and 15.9 PPD per employee). The following is a potential list of waste reduction measures that will further strengthen existing waste reduction/diversion programs along with coordination with Waste Management of the Inland Empire and Riverside County Waste Management.

- Provide outreach and education programs for residential, commercial, and industrial land uses in order to further promote existing City diversion programs;
- Encourage businesses to adopt a voluntary procurement standard and prioritize those products that have less packaging, are reusable, or recyclable;
- Support State level policies that provide incentives for efficient and reduced packaging waste for commercial products;
- Provide waste audits;
- Make recycling mandatory at all public events;
- Support legislation which advocates for extended producer responsibility;
- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard);

- Require interior and exterior storage areas for recyclables at all buildings associated with new construction;
- Provide adequate recycling containers in public areas, including parks, public golf courses, and City owned facilities; and
- Provide education and publicity about reducing waste and available recycling services.

R3 Solid Waste Measures

The following R3 measures enhance and/or ensure the reductions accounted for within the R2 measure identified above.

R3-S1: ENCOURAGE INCREASED EFFICIENCY OF THE GAS TO ENERGY SYSTEM AT LANDFILLS.

El Sobrante Landfill and the Badlands Landfill, where Moreno Valley's waste is sent, currently have gas-to-energy systems that convert methane released from the decomposition of waste into energy. This measure would encourage Waste Management of the Inland Empire and Riverside County Waste Management Department to keep current with upgrades in efficiencies to waste to energy systems and to upgrade as feasible when significant increases in conversion efficiencies are available. Moreno Valley's waste is deposited in the El Sobrante Landfill and the Badlands Landfill, so the emissions from Moreno Valley's solid waste are dependent on the waste management and methane capture systems in place at El Sobrante and Badlands. Any reductions in emissions from the landfill will, in turn, reduce Moreno Valley's emissions from solid waste generation.

R3-S2: WASTE EDUCATION PROGRAM

This measure would provide public education and increased publicity about commercial and residential recycling. This measure would educate the public about waste reduction options available at both residential and commercial levels, including composting, grass recycling, and waste prevention, and available recycling services.

Chapter 5 Total Estimated Reductions

In 2020, the City of Moreno Valley is projected to emit a total of 1,298,543 MT CO_2e without the incorporation of reduction measures. With implementation of the reduction measures discussed in Chapter 4, the City emissions for 2020 would be reduced to 798,137 MT CO_2e. The statewide reduction measures (the R1 Measures in Chapter 4) would reduce the bulk of Moreno Valley's emissions and make a substantial contribution toward reaching the 2020 reduction target. However, the City would need to supplement the state measures with the implementation of the local reduction measures (R2 measures) discussed in Chapter 4.

5.1 Reductions from R1 and R2 Measures

The R1 measures described in Chapter 4 will be implemented at the State level with reductions occurring at the local level in Moreno Valley. The R2measures go beyond the State measures to reduce GHG emissions in order to meet the 2020 reduction target. Table 5-1 summarizes the MT CO_2e and the corresponding percentage of emissions reduced for each of the R1 and R2 measures.

Table 5-1 Measures and Associated Emissions Reduced from 2020 Inventory

Transportation	MT CO_2e Reduced	% of Transportation Emissions
R1-T1 & R1-T2: Pavley I and II	150,196	19.1
R1-T3: Low Carbon Fuel Standard	45,941	5.8
R1-T4: Tire Pressure	1,591	0.2
R1-T5: Low Rolling Resistance Tires	1,058	0.1
R1-T6: Low Friction Oils	8,973	1.1
R1-T7: Goods Movement Efficiency	9,288	1.2
R1-T8: Aerodynamic Efficiency	1,152	0.2
R1-T9: Medium/Heavy Duty Hybridization	595	0.1
R2-T1: Land Use and VMT Reduction Policies	20,423	2.6
R2-T2: Transit Improvements	120,087	15.2
R2-T3: Employment Based Trips	7,401	0.9
Transportation Total	**366,706**	**46.5**
Energy	**MT CO_2e Reduced**	**% of Energy Emissions**
R1-E1: Renewable Portfolio Standard 33%	3,194	0.9
R1-E2: Indoor Residential Lighting	5,900	1.7
R1-E3: Indoor Commercial/Outdoor Lighting	4,380	1.2
R1-E4: Electrical Energy Efficiency	3,060	0.9
R1-E5: Natural Gas Energy Efficiency	1,382	0.4
R1-E6: Combined Heat/Power	12,678	3.6
R1-E7: Industrial Efficiency	791	0.2
R2-E1: New Residential Energy Efficiency	3,357	0.9
R2-E2: New Residential Renewable Energy	1,252	0.4
R2-E3: Residential Energy Efficiency Retrofits	33,418	9.4
R2-E4: Residential Renewable Energy Retrofits	5,750	1.6
R2-E5: New Commercial Energy Efficiency	3,357	0.9
R2-E6: New Commercial Renewable Energy	2,030	0.6
R2-E7: Commercial Energy Retrofits	18,261	5.1
Energy Total	**80,549**	**22.6**

Table 5-1 Measures and Associated Emissions Reduced from 2020 Inventory		
Area Source	**MT CO_2e Reduced**	**% of Area Source Emissions**
R1-L1: SCAQMD Healthy Hearths Programs	6,244	7.6
R2-A1: Electric Landscaping Equipment	4,207	5.1
Area Source Total	**10,451**	**12.7**
Water	**MT CO_2e Reduced**	**% of Water Emissions**
R1-W1: RPS related to Water Supply	2,535	12.7
R1-W2 & R2-W1: Water Conservation Strategies	3,493	17.5
Water Total	**6,028**	**30.1**
Solid Waste	**MT CO_2e Reduced**	**% of Solid Waste Emissions**
R1-S2: CalGreen Construction Waste	10,618	6.5
R2-S1: Waste Disposal Program	26,577	16.3
Solid Waste Total	**37,196**	**22.8**

With the statewide reduction measures and the implementation of the R2 measures, Moreno Valley would reduce its community-wide emissions to a level below the established 2020 reduction target. Table 5-2 summarizes the 2020 inventory emissions, the GHG reductions associated with the reduction measures, and the reduced 2020 emissions.

Table 5-2 Reduction Summary for 2020 Inventory				
	2020 MT CO_2e	**Reductions MT CO_2e**	**Reduced 2020 MT CO_2e**	**% Reduction**
Transportation	788,267	366,706	421,561	46.5
Energy	356,193	104,820	251,372	29.4
Area Sources	84,665	11,619	73,046	13.7
Water/Wastewater	20,216	6,057	14,158	30.0
Solid Waste	49,203	11,203	38,000	22.8
TOTAL	**1,298,543**	**500,406**	**798,137**	**38.5**

The implementation of the R1 and R2 reduction measures would reduce Moreno Valley's emissions by 38.5 percent to 798,137 MT CO_2e.

5.2 Reduced 2020 Community-Wide Emissions Inventory

With the implementation of GHG reduction measures, Moreno Valley is projected to reduce its emissions to a total of 798,137 MT CO_2e, which is 556 MT CO_2e below the 2020 reduction target. This is a decrease of 38.5 percent from the City's 2020 BAU emissions inventory and 13 percent from the 2010 emissions. The reduction measures reduce GHG emissions from all sources of community-wide GHG emissions including transportation, energy, area sources, water, and solid waste. The following sections describe the emissions by source and land use category for the year 2020.

Emissions by Source

The emissions by source for the reduced 2020 inventory were calculated by applying a percent reduction to the 2020 emissions for each reduction measure. Table 5-3 summarizes the reduced 2020 City emissions of CO_2e as broken down by emissions category. Figure 5-1 is a graphical representation of Table 5-3. A detailed breakdown of reduced 2020 emissions by category is available in Appendix __.

Table 5-3 Reduced 2020 GHG Emissions by Source

Category	Metric tons of CO_2e
Transportation	421,561
Energy	251,372
Area Sources	73,046
Solid Waste	38,000
Water and Wastewater	14,158
Total	**798,137**

Figure 5-1 Reduced 2020 GHG Emissions Generated by Source

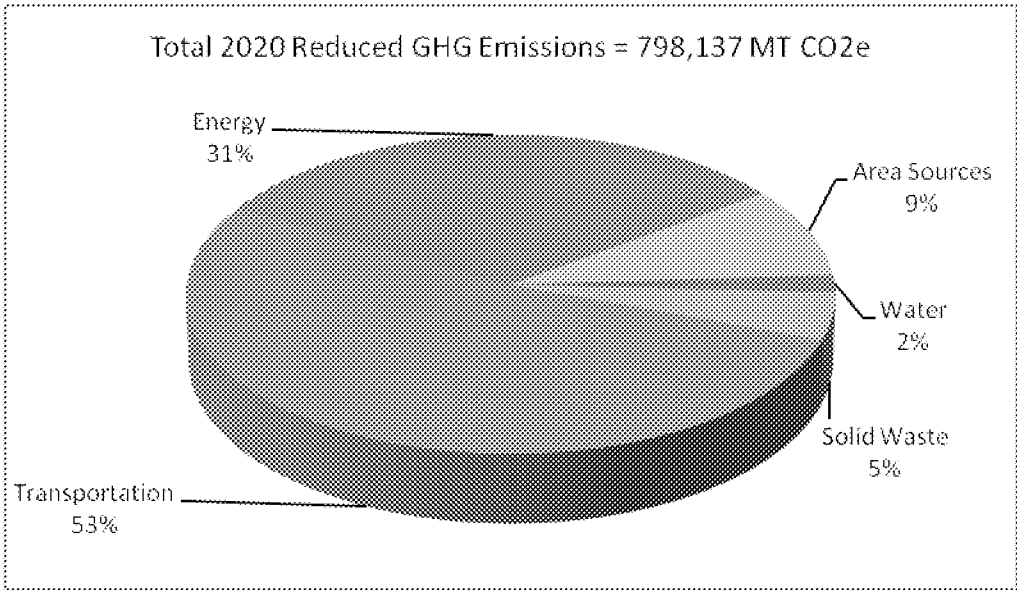

5.3 Emissions Summary

With the implementation of the reduction measures outlined in Chapter 4, the City of Moreno Valley would reduce its emissions to a level below the 2020 reduction target calculated in Chapter 3. This represents a 38.5 percent decrease from the BAU 2020 inventory and is consistent with the State's GHG

reduction goals. Table 5-4 summarizes the existing 2010 emissions, the 2020 emissions inventory, and the reduced 2020 emissions.

Table 5-4 2020 GHG Emissions Comparison

Source Category	Metric tons of CO_2e			
	2010	BAU 2020	Reduced 2020	% Reduced
Transportation	513,581	788,267	421,561	46.5
Energy	277,230	356,192	251,372	29.4
Area Sources	69,437	84,665	73,046	13.7
Water and Wastewater	16,831	20,216	14,158	30.0
Solid Waste	43,633	49,203	38,000	22.8
Total	**920,712**	**1,298,543**	**798,137**	**38.5**
Emission Reduction Target		**798,693**	**798,639**	
Below Reduction Target?		**No**	**Yes**	

Note: Mass emissions of CO_2e shown in the table are rounded to the nearest whole number. Totals shown may not add up due to rounding.

Chapter 6 Conclusion

6.1 Conclusions

This report serves as a guide to help the City implement the objectives of conserving resources and reducing GHG emissions. This document also serves as a technical resource future updates of the City's General Plan and other land use related documents that may require evaluation and documentation of GHG emissions. Figure 6-1 shows a comparison between the emission inventories discussed throughout this report.

Figure 6-1 Moreno Valley GHG Emissions by Year

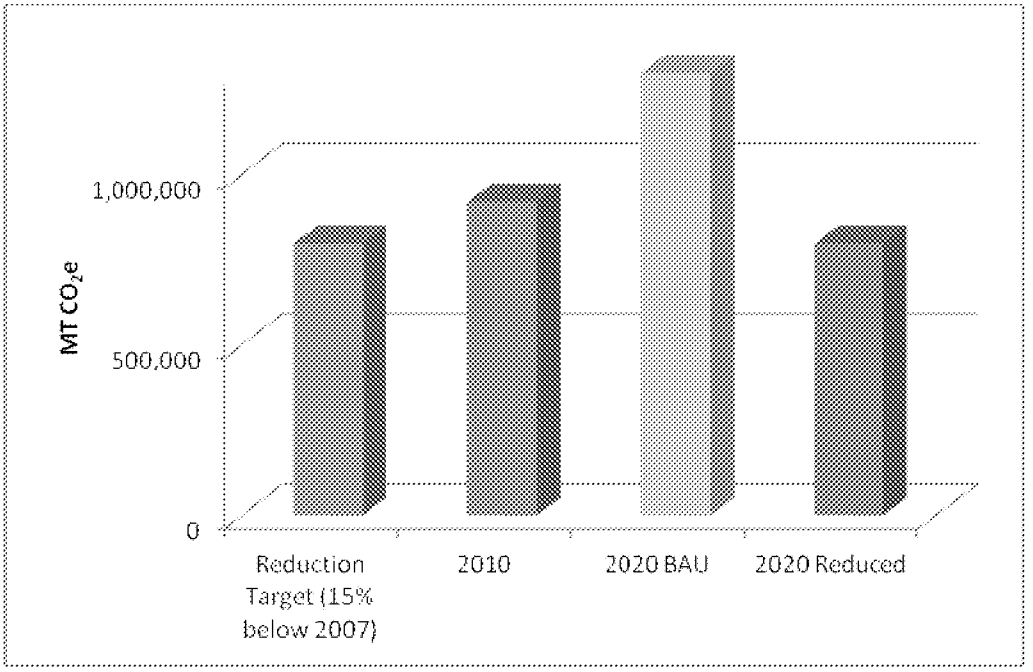

This document sets a target to reduce community-wide GHG emission emissions by 15% from 2007 levels by 2020, consistent with the State reduction goals in AB 32. The CARB Scoping Plan outlines the reduction strategies designed to meet the statewide reduction goal of AB 32. The City has a reduction strategy as described in Chapter 4 that would meet the State reduction goal. Reduction measures provided herein would ensure that Moreno Valley meets the AB 32 reduction target of reducing to 15% below 2007 levels (reduce down to 798,693 MT CO_2e) by 2020. In many cases, implementation of the reduction measures will require the cooperation of other agencies, private businesses, and residents. Even with the anticipated growth, the modernization of vehicle fleets, combined with the continued implementation of the proposed measures, will reduce GHG emissions by approximately 500,406 MT CO_2e from 2020 levels. Therefore, the implementation of the State (R1) measures combined with the City's R2 and R3 measures will reduce GHG emissions down to 798,137 MT CO_2e by year 2020, which is 556 MT CO_2e below the reduction target.

6.2 Additional Reduction Opportunities

The quantitative analysis of reductions demonstrates that the City can achieve the reduction target by implementing the reduction strategies. The quantitative analysis of future emissions in Moreno Valley also demonstrates that the target is achieved with only 556 MT CO_2e to spare. However, there are many additional opportunities to reduce emissions that cannot be calculated in a quantitative manner at this time.

One class of additional reduction opportunities includes many of the R3 measures which are anticipated to reduce emissions but cannot be calculated due to indeterminate variables. These include cross-jurisdictional coordination on transportation and energy programs that can reap huge additional reduction opportunities beyond what Moreno Valley can do on their own, an Alternative Energy Development Plan coordinated with SCE, City tree planting program that provides additional sequestration and shade, and a Heat Island Plan. Addressing the heat island affect will reduce the energy needed to cool buildings and automobiles, which would result in a reduction in GHG emissions. However, the current state of emission modeling cannot calculate the emissions reductions associated with addressing the heat island effect.

Another class of additional reduction opportunities includes the implementation of the Regional Sustainable Communities Strategy (SCS) within Moreno Valley. The Southern California Association of Governments (SCAG) has released the draft SCS, but has not finalized it or provided the quantitative values to estimate the GHG reductions within Moreno Valley attributable to implementation of the SCS. Once more quantitative data is available, additional reductions due to the SCS within Moreno Valley can be calculated and provided.

The last class of additional reduction opportunities includes the City's ability to implement the R2 measures in a manner that reduces emissions beyond what was calculated in Section 4. As an example, a very modest participation in voluntary energy efficiency retrofits of existing buildings was expected in the calculations that are shown. Increasing participation in these programs will result in additional reductions.

The City should monitor progress of achieving the reduction goal as the R2 measures are implemented and take advantage of these additional reduction opportunities to insure that the target is achieved.

Chapter 7 Implementation

This GHG Analysis sets a framework for Moreno Valley to reduce its GHG emissions. Through this analysis, the City has set a baseline for emissions, a target for emissions reductions, and a strategy to attain the reductions to a series of reduction measures. The implementation of these measures will depend on development review; coordination with other agencies, businesses, and residents; and availability of funding through rebates and incentives.

Many of the proposed reduction measures will be implemented through the development review process. New construction offers the opportunity to build with energy efficiency and renewable energy integrated from the start. Additionally, making land use decisions based on transit accessibility and proximity to a variety of uses will help to reduce the dependency on vehicles as the main mode of transportation. Reductions from existing development will also be critical in order to reduce emissions in Moreno Valley. These improvements to existing buildings can offer direct energy cost savings and there are a variety of rebates and incentives available at the state and local level to make the upfront costs more affordable.

On a municipal level, the City of Moreno Valley has already begun to implement energy efficiency upgrades with funding from the EECBG grant money. By implementing all of the remaining planned projects, the City can set an example for the rest of the community and demonstrate how these retrofits are saving the City money and reducing GHG emissions. The City has also been monitoring its energy use through the Energy Star Portfolio Manager program. This has allowed the City to assess energy use in its facilities and monitor changes in energy use based on the retrofits described above. In the future, Moreno Valley can also work to identify additional funding for future projects and continue to administrate the Energy Star Portfolio Manager.

This report is the first step in getting Moreno Valley on track with reducing its GHG emissions. Moving forward, the City will need to monitor and evaluate the implementation of the plan, reassess the reduction measures, and continually update the plan in order to address emissions beyond 2020.

Chapter 8 References

CHAPTER 8 REFERENCES

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MV00175894

MORENO VALLEY
WHERE DREAMS SOAR

Department Update: City Manager's Office

City Council Meeting, August 28, 2012

Administration
City Manager, Assistant City
Manager, Assistant to the City
Manager, Executive Assistant II
Media & Communications
3 Cable TV Producers in MVTV-3,
Sr. Graphics Designer, Customer
Service Assistant

MORENO VALLEY
WHERE DREAMS SOAR

City Manager's Office

Prioritized Goals: Council Workshop

- Job Development/Maximizing Vacant Land Opportunities
- Focus on Medical Corridor and Health Services/Educational opportunities
- Maximize Transportation and Infrastructure Opportunities
- Economic and Tax Base Development
- Enhance City Image

MORENO VALLEY
WHERE DREAMS SOAR

City Manager's Office

- Jobs/Education Initiative
- 5 Town Hall Meetings
- Op-Ed pieces in P-E, Black Voice News
- "In God We Trust"
- Media & Communications Strategy
- Mayor's State of the City

MV00175898

MORENO VALLEY
WHERE DREAMS SOAR

City Manager's Office

Groundbreaking Ceremonies

- ☑ Morrison Park Fire Station
- ☑ Heacock Bridge
- ☑ Nason/Cactus Street Improvement

Ribbon Cutting Ceremonies

- ☑ Nason/60 Phase I Interchange Improvements
- ☑ Auto Mall Improvement
- ☑ Nason/60 Ramps "Milestone Celebration"

MORENO VALLEY
WHERE DREAMS SOAR

City Manager's Office

- MVTV-3 tops in CA & Arizona
- Veteran's Day & Memorial Day
- 138 press releases
- Graphics support for 200 publications
- Live MVTV-3 broadcasts

MORENO VALLEY
WHERE DREAMS SOAR

City Manager's Office

- 3-Year Budget
- 3-Year Economic Development Action Plan
- Resolve Edgemont Water Issue
- Address St. Light Subsidy
- Legislative Program
- Maintain Services/Address Fiscal Challenges

MORENO VALLEY
WHERE DREAMS SOAR
Department Update:
City Manager's Office
City Council Meeting, August 28, 2012

MV00175902

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

September 25, 2012

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3705 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

William H. Batey II, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
Marcelo Co, Council Member

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES

THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

REGULAR MEETING - 6:30 PM
SEPTEMBER 25, 2012

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority and the Board of Library Trustees- actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

Pastor Diane Gardner, Beautiful Women of God - Diane Gardner Ministries

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is

MV00176628

a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, City as Successor Agency for the Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 APPROVAL OF PAYMENT REGISTER FOR JULY, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2012-74, approving the Payment Register for the month of July, 2012 in the amount of $13,987,791.35.

Resolution No. 2012-74

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Payment Register for the Month of July, 2012.

A.4 PA06-0021 (PM 34577) – INDUSTRIAL – ACCEPT FINAL MAP, AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF HEACOCK STREET AND CARDINAL AVENUE, DEVELOPER: I-215 LOGISTICS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, NEWPORT BEACH, CA 92660 (Report of: Community & Economic Development Department)

Recommendation:

1. Approve Parcel Map 34577, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

2. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA06-0021(PM 34577);

3. Authorize the Mayor to execute the agreement;

4. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.5 FIRST AMENDMENT TO AGREEMENT WITH DMC DESIGN GROUP FOR MORENO TOWNSITE AREA STORM DRAIN AND MISCELLANEOUS STREET IMPROVEMENTS BETWEEN ALESSANDRO BOULEVARD AND DRAINAGE FACILITY LINE F - PROJECT NO. 801 0011 70 77-2001 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the First Amendment to Agreement for Professional Consultant Services with DMC Design Group to revise and complete the design for the Moreno Townsite Area Storm Drain and Miscellaneous Street Improvements;

2. Authorize the City Manager or his designee to continue negotiating the cost proposal and then execute said Amendment to Agreement for Professional Consultant Services with DMC Design Group, subject to approval of the City Attorney; and

3. Authorize an increase in the Purchase Order to DMC Design Group in the amount of up to but not to exceed $57,820 once the final cost negotiations are concluded and the amendment to agreement has been signed by all parties.

A.6 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO GLOBAL POWER GROUP, INC. FOR THE EMERGENCY OPERATIONS CENTER FAMILY CARE CENTER GENERATOR PROJECT - PROJECT NO. 803 0016 70 77 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to Global Power Group, Inc. (GPG),

MV00176630

12060 Woodside Avenue, Lakeside, CA 92040, the lowest responsible bidder, for Emergency Operations Center Family Care Center Generator project;

2. Authorize the City Manager to execute a contract with GPG;

3. Authorize the issuance of a Purchase Order for $386,811.70 ($351,647.00 bid plus 10% contingency of $35,164.70) to GPG when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with GPG, up to but not to exceed the Purchase Order's total contingency amount of $35,164.70, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines that all contract requirements and punch-list items are completed by GPG, accept the improvements into the City's maintained system, and release the retention to Contractor if no claims have been filed against the project.

A.7 APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION GEOTECHNICAL SERVICES WITH NINYO & MOORE FOR MORENO BEACH INTERCHANGE IMPROVEMENTS PHASE 1 - PROJECT NO. 801 0038 70 77-4821 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the "Agreement for Professional Consultant Services" with Ninyo & Moore (Ninyo & Moore), 11650 Mission Park Drive, Suite 101, Rancho Cucamonga, CA 91730, to provide professional geotechnical and materials testing services during construction of the SR-60/Moreno Beach Interchange Improvements Phase 1 project for a total agreement amount not to exceed $109,110;

2. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board approval;

3. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with Ninyo & Moore; and

4. Authorize the issuance of a Purchase Order totaling $109,110 to Ninyo & Moore when the contract has been signed by all parties.

A.8 APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION SURVEY SERVICES WITH COORY ENGINEERING FOR MORENO BEACH INTERCHANGE IMPROVEMENTS PHASE 1 - PROJECT NO. 801 0038 70 77-4821 (FORMERLY PROJECT NO. 07-41570024) (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the "Agreement for Professional Consultant Services" with Coory Engineering (Coory), 1718 N. Neville Street, Orange, CA 92865, to provide professional survey services during construction of the SR-60/Moreno Beach Interchange Improvements Phase 1 project for a total agreement amount not to exceed $100,805;

2. That the City Council Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board approval;

3. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with Coory; and

4. Authorize the issuance of a Purchase Order totaling $100,805 to Coory when the contract has been signed by all parties.

A.9 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of September 5-18, 2012.

A.10 BIENNIAL UPDATE TO THE PUBLIC RIGHT OF WAY ACCESS AMERICANS WITH DISABILITIES ACT TRANSITION PLAN (Report of: Public Works Department/CPD)

Recommendation:
Receive and file this Biennial Update on Public Right of Way Access Americans with Disabilities Act Transition Plan.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING REGARDING PA08-0033 (GENERAL PLAN AMENDMENT), PA08-0034 (CHANGE OF ZONE) AND PA08-0035 (CUP) FOR A SMOG INSPECTION STATION AND TIRE SALES COMMERCIAL BUSINESS AT 22184 ALESSANDRO BOULEVARD. THE PROPOSED GENERAL PLAN AMENDMENT WILL CHANGE THE LAND USE DESIGNATION OF A 0.54 ACRE PORTION OF A PARCEL LOCATED AT

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22184 ALESSANDRO BOULEVARD FROM RESIDENTIAL/OFFICE (R/O) TO COMMERCIAL (C). THE CHANGE OF ZONE WILL CHANGE THE ZONING OF THE PARCEL FROM OFFICE COMMERCIAL (OC) TO COMMUNITY COMMERCIAL (CC). THE APPLICANT IS SOCRATES URENA (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for General Plan Amendment PA08-0033, Change of Zone PA08-0034 and Conditional Use Permit PA08-0035 and subsequent to the public hearing:

   ADOPT a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts);

2. ADOPT City Council Resolution No. 2012-75 thereby APPROVING General Plan Amendment PA08-0033, based on the findings in the City Council Resolution;

   Resolution No. 2012-75

   A Resolution of the City Council of the City of Moreno Valley, California, approving an Amendment to the General Plan Land Use Element (PA08-0033) to change the Land Use Designation of a 0.54 acre portion of a parcel located at 22184 Alessandro Boulevard (portion of Assessor's Parcel Number 291-190-025) from Residential/Office (R/O) to Commercial (C)

3. INTRODUCE Ordinance No. 854 thereby APPROVING Zone Change PA08-0034, based on the findings in the City Council Ordinance; and

   Ordinance No. 854

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA08-0034 (Zone Change) to change the Land Use District for approximately 0.54 acres of 22184 Alessandro Boulevard (portion of Assessor Parcel Number 291-190-025) from Office Commercial (OC) to Community Commercial (CC)

4. ADOPT City Council Resolution No. 2012-76 thereby APPROVING Conditional Use Permit PA08-0035 for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, based on the findings in the Resolution, and the conditions of approval to the resolution as Exhibit A.

Resolution No. 2012-76

A Resolution of the City Council of the City of Moreno Valley, California, Approving Conditional Use Permit (PA08-0035) for the conversion of an existing Single Family Residence into Smog Inspection Station and Tire Sales Commercial Business at 22184 Alessandro Boulevard (APN: 291-190-025)

E.2 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION'S JULY 12, 2012, APPROVAL OF PLOT PLAN PA09-0004 AND TENTATIVE PARCEL MAP NO. 36162 (PA09-0012) AND THE RELATED ENVIRONMENTAL IMPACT REPORT FOR THE VIP MORENO VALLEY PROJECT. THE PROJECT PROPOSES A 1,616,133 SQUARE FOOT WAREHOUSE DISTRIBUTION BUILDING ON APPROXIMATELY 80 ACRES. THE BUILDING INCLUDES 268 DOCK HIGH DOORS AND 44,000 SQUARE FEET OF OFFICE AREA. THE MAP WOULD COMBINE FOUR EXISTING PARCELS INTO A SINGLE PARCEL. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF GROVE VIEW ROAD BETWEEN PERRIS BOULEVARD AND INDIAN STREET AT THE CITY'S SOUTHERN BOUNDARY, IN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP 208). THE APPLICANT IS VOGEL ENGINEERS, INC. THE APPELLANT IS JOHNSON & SEDLACK ATTORNEYS AT LAW ON BEHALF OF RESIDENTS FOR A LIVABLE MORENO VALLEY AND THE SIERRA CLUB (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for Environmental Impact Report (P11-020), Plot Plan PA09-0004, and Tentative Parcel Map 36362 (PA09-0012) and subsequent to the public hearing:

   APPROVE Resolution No. 2012-77 and CERTIFY that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and

   Resolution No. 2012-77

   A Resolution of the City Council of the City of Moreno Valley, California, certifying the Final Environmental Impact Report (P11-020), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the VIP Moreno Valley Project, generally located in the Moreno Valley Industrial Area Plan (SP 208), on the South side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

2. APPROVE Resolution No. 2012-78 and APPROVE Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the attached conditions of approval included as Exhibits A and B.

Resolution No. 2012-78

A Resolution of the City Council of the City of Moreno Valley, California, for approval of Plot Plan PA09-0004 for development of a 1,616,133 square foot Warehouse Distribution Facility on 80 acres located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 and PA09-0012 (Tentative Parcel Map No. 36162) to combine four parcels into a single parcel.

E.3 GENERAL PLAN AMENDMENT TO MODIFY THE CIRCULATION PLAN FOR NASON STREET BETWEEN ALESSANDRO BOULEVARD AND FIR AVENUE (PA12-0026) - (Report of: Public Works Department/CPD)

Recommendation:

1. Conduct a public hearing to consider the action taken by the Planning Commission on August 23, 2012, recommending approval of a General Plan Amendment (PA12-0026) (Project); and subsequent to the public hearing; and

2. APPROVE City Council Resolution No. 2012-79 thereby adopting a Negative Declaration for PA12-0026 in that the project will not result in significant environmental impacts, and approving the General Plan Amendment (PA12-0026), based on the findings in the City Council Resolution.

Resolution No. 2012-79

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA12-0026) to Modify the City Circulation Plan and Circulation Exhibit, Respectively

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

G.2 UPDATE OF ECONOMIC DEVELOPMENT ACTION PLAN (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of the Economic Development Action Plan.

G.3 UPDATE ON AB 32 AND THE CAP AND TRADE PROGRAM (Report of: Public Works Department/EU)

Recommendation: That the City Council:
Receive and file the update.

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

G.4.1 Human Resources Department Update - Report by: Tom DeSantis, Human Resources Director

G.5 CITY ATTORNEY'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2.1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 1.10.080 OF CHAPTER 1.10 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE COLLECTION OF CIVIL FINES AND PENALTIES (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 11, 2012, BY A 5-0 VOTE) (Report of: City Attorney)

Recommendation: That the City Council:
Adopt Ordinance No. 853 that would clarify the method by which interest is calculated on delinquent civil citations.

Ordinance No. 853

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 1.10.080 of Chapter 1.10 of the City of Moreno Valley Municipal Code Relating to the Collection of Civil Fines and Penalties

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H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00176639

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 11, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Southern California Edison's Recognition of City of Moreno Valley's Energy Leader Gold Tier Status

2. Presentation of Award for Excellence in Information Technology Practices to the City's Technology Services Division

3. Proclamation Recognizing Constitution Week, September 17 - 23, 2012

4. Proclamation Presentation Recognizing Mayor Richard A. Stewart's 20 Years of Service as a Moreno Valley Reserve Police Officer

5. Spotlight on Moreno Valley Business
   a) O'Reilly Automotive DC
   b) Sunnymead Village Dental Group

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 11, 2012

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:40 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street

Mayor Richard A. Stewart announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem William H. Batey II

INVOCATION - Reverend O. J. Philpot, Christ Community Church

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Council Member
William H. Batey II	Mayor Pro Tem
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager

Joel Ontiveros	Police Chief
Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Human Resources Director
Mike McCarty	Parks & Community Services Director
Michele Patterson	Assistant to the City Manager

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

A. CONSENT CALENDAR-CITY COUNCIL

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (A.2).

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF AUGUST 28, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 COOPERATIVE AGREEMENT WITH THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE SUNNYMEAD MASTER DRAINAGE PLAN LINE P-6, STAGE 2 (PROJECT NO. 4-0-00716) (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District (the District) for the Sunnymead Master Drainage Plan Line P-6, Stage 2;

2. Authorize the City Manager to execute the Cooperative Agreement; and

3. Direct the City Clerk to forward the signed Cooperative Agreement to the District.

A.4 APPROVE THE AMENDMENT TO THE JOINT POWERS AGREEMENT OF THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS TO

PERMIT THE PROVISION OF PACE SERVICES STATEWIDE (Report of: City Manager's Office)

Recommendation:
Approve an amendment to the Joint Powers Agreement of the Western Riverside Council of Governments to permit the provision of PACE services statewide.

A.5 ORDINANCE NO. 851 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA10-0022 TO AMEND TITLE 9 OF THE MORENO VALLEY MUNICIPAL CODE, CHAPTER 9.08, SECTION 9.08.100 "LIGHTING" AND SECTION 9.08.190 "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV APPLICATIONS FOR HILLSIDE DEVELOPMENT SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES", ARTICLE VI "APPLICATIONS FOR LIGHTING", SECTION 9.16.280, "GENERAL REQUIREMENTS" AND CHAPTER 9.15, SECTION 9.15.030, "DEFINITIONS" RELATING TO MODIFICATIONS OF GENERAL SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING WITH AN EMPHASIS ON DARK SKY STANDARDS CITYWIDE (RECEIVED FIRST READING AND INTRODUCTION ON AUGUST 28, 2012, BY A 5-0 VOTE) (REPORT OF: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT)

Recommendation:

Adopt Ordinance No. 851, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

Ordinance No. 851

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI "Applications for Lighting", Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030, "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

A.6 ORDINANCE NO. 852 - AN ORDINANCE OF THE CITY COUNCIL OF

THE CITY OF MORENO VALLEY, CALIFORNIA, (PA11-0013) AMENDING TITLE 9 CHAPTER 9.11, SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENCY WITH THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS REQUIRING LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL AND VANPOOL VEHICLE PARKING FOR NEW NON-RESIDENTIAL USES CITYWIDE (RECEIVED FIRST READING AND INTRODUCTION ON AUGUST 28, 2012, BY A 5-0 VOTE) (REPORT OF: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT)

Recommendation:

Adopt Ordinance No. 852, approving revisions to Title 9 and Section 9.11.040 "Off Street Parking Requirements" to provide consistency with the current 2011 California Green Building Code standards for low-emitting, fuel–efficient and carpool and vanpool vehicle parking for all new non-residential uses citywide.

Ordinance No. 852

An Ordinance of the City Council of the City of Moreno Valley, California, (PA11-0013) Amending Title 9 Chapter 9.11, Section 9.11.040, "Off Street Parking Requirements" To Provide Consistency with the Current 2011 California Green Building Code Standards Requiring Low-Emitting, Fuel-Efficient and Carpool and Vanpool Vehicle Parking for New Non-Residential Uses Citywide

A.7 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of August 22 – September 4, 2012.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 28, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF AUGUST 28, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF AUGUST 28, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A.1 through D.2 by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:

1. After conducting the Public Hearing and accepting public testimony, direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 485-081-034;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

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4. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APN 485-081-034.

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:

1. After conducting the Public Hearing and accepting public testimony, direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 485-081-034;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 485-081-034.

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

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

None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

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

Mayor Richard A. Stewart stated that two parcels are in escrow from Riverside Medical Clinic as part of the March Health Care project.

G.2 RECAP OF JULY 4th AND DISBAND JULY 4th ADVISORY COMMITTEE (Report: Parks and Community Services Department)

Recommendation: That the City Council:
Acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District authorize disbanding the City's July 4th Advisory Committee.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Deanna Reeder (Opposed), Scott Heveran (Opposed), Tom Jerele, Sr. (Opposed), Diana Giardina, Georgette Segura (Opposed), JulieAnn Stewart-Cleveland (Opposed), and LaDonna Jempson (Opposed).

Motion to Recognize that under Council rules the Ad Hoc Committee has been disbanded and to direct staff to come back at the earliest opportunity with plans to organize a standing committee for the 4th of July celebration by m/Mayor Richard A. Stewart, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

G.3 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 1.10.080 OF CHAPTER

1.10 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE COLLECTION OF CIVIL FINES AND PENALTIES (Report of: City Attorney)

Recommendation: That the City Council:
Introduce Ordinance No. 853 that would clarify the method by which interest is calculated on delinquent civil citations.

Ordinance No. 853

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 1.10.080 of Chapter 1.10 of the City of Moreno Valley Municipal Code Relating to the Collection of Civil Fines and Penalties

Motion to Approve Introduction of Ordinance No. 853 and bring back the percentage rate for discussion at a later date. by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

G.4 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review and approve the annual Agreements for Services with the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Oscar Valdepena, Marshall C. Scott, Tom Jerele Sr., and Pete Bleckert.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

G.5 APPOINTMENTS TO THE ARTS COMMISSION, THE SENIOR CITIZENS' BOARD AND THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk Department)

Recommendation: That the City Council:

1. After reviewing the ballot provided by the City Clerk:
   Appoint one member to the Arts Commission with a term expiring June 30, 2015; and

2. Appoint one member to the Senior Citizens' Board with a term expiring June 30, 2015; and

3. Appoint one member to the Traffic Safety Commission with a term expiring June 30, 2014; and

4. Confirm the appointment of Shor Denny to the Traffic Safety Commission as the Moreno Valley Parent Teacher Council (MV-PTA) representative for a term expiring June 30, 2013; or

5. Confirm the appointment of Lorey Ann Hargo to the Traffic Safety Commission as the Val Verde Parent Teacher Council (VVUSD-PTO) representative for a term expiring June 30, 2015; or

6. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Deanna Reeder.

Motion to Approve the appointments of April Lyn Holliverse to the Arts Commission for a term expiring June 30, 2015; Corey A. Jackson to the Traffic Safety Commission for a term expiring June 30, 2014; and Liz Williams to the Senior Citizens' Board for a term expiring June 30, 2015 and Recommendations Nos. 4 and 5, by m/Mayor Pro Tem William H. Batey II, s/Council Member Marcelo Co

Approved by a vote of 5-0.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manager reported on the August 30th severe thunderstorm and flash flooding that occured in the City between the hours of 2:00 p.m. and 5:00 p.m., providing statistics and response times from City's various departments (Community & Economic Development, Fire, Police, and Public Works) as well as the California Highway Patrol.

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

G.7 CITY ATTORNEY'S REPORT (Informational Oral Presentation - not for Council Action)

None

H. LEGISLATIVE ACTIONS - none

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Jose Chavez

1. Tow trucks and lost/stolen medical equipment

2. Police Department

3. New Ideas

Tom Jerele Sr.

1. Thanked the Mayor & Council for allowing additional speakers on the 4th of July item

2. Chamber Idea - get MVTV involved at Chamber

3. Public Works - Petroleum Pipeline

4. City's Building Official - Very responsive and fair to work with

5. 9/11 Remembrance on all of our Public Service

Vince Lauro

1. November 6 Election - District 5 Candidate

Deanna Reeder

1. Upcoming November Elections - very important to vote

2. Ad Hoc Committee to select City Manager

3. Rancho Belago Signs

4. Campaign Signs

Oscar Valdepeña (representing Moreno Valley Chamber)

1. Thanked the Council for approval of Chamber contract

2. Chamber holds an informative morning event called Adelante

3. Meet the Military Mixer will be held Thursday, September 13 at March Air Field Museum - Free to attend

4. Business Expo will be held on October 11; free to the community

5. Edible Arrangements in Moreno Valley is #1 in their chain (non-member of the Chamber)

Pete Bleckert

1. Glad to hear from City Manager regarding the floods

2. Spoke on history of other floods in the area over the years

3. Sinclair Basin

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

Council Member Jesse L. Molina

1. Thanked the Fire and Police Departments for their actions taken during the flood; it was pretty bad

2. Emphasized that we, as community, need to try being cordial and understanding; stated that his goal is to unite the people of Moreno Valley

3. Attended California League of Cities, where financial condition of cities was discussed; every city was hit hard during the last four years; considering everything, our city is not doing bad

4. Doesn't want Ad Hoc Committee to be dissolved as very talented people are serving on it; feels that July 4th parade was the best

Council Member Robin N. Hastings

1. With staff, attended Round 1 Grand Opening at the mall; it was a very good turnout - this venue is desperately needed for Moreno Valley, for families and our youth; Moreno Valley is the second location in the U.S; encouraged residents to visit it

2. Flooding - appreciates Public Works, Robert Lemon and the City Manager for their patience, dedication and quick responses to many emergency calls; several streets were under water, and power was lost from Nason all the way east; a meeting with the residents regarding flood control generated very creative ways to address this issue; will contact Pete Bleckert, the newly reappointed Flood Control Commissioner representing District 5, to provide some assistance

4. Moreno Valley Diamond Girls Softball event was held last Saturday - 300 people attended the opening ceremony; it was a great event

5. Appreciates all the hard work that everybody is doing on behalf of the City and the residents

Mayor Pro Tem William H. Batey II

1. Apologized to Mr. Chavez for issues not resolved to his satisfaction

2. Commended all the City Staff for the great job during the flooding; storm came unexpectedly and calls were coming quick; there were not enough people to handle the situation

3. Announced that last week we lost a long time business owner who used to own Moreno Valley Tire Pros, Mark Williams; he will be missed

4. Youth Fest - commended Parks & Community Services Director Mike McCarty and staff for putting this great event

5. Everyone remembers 9/11 and people lost on that day 11 years ago - a lot of fire departments hold ceremonies for 350 firefighters who were killed along with police officers involved in rescue - they will never be forgotten

Council Member Marcelo Co

1. Congratulated everyone who participated in the 4th of July celebration; great job

2. 9/11 has to be kept in our minds and our kids' minds - we must never let it happen again; we should promote visiting the sites

3. Congratulated the Public Works Director and Eric Lewis for the quick action they did to protect our children and having the study to install new crosswalks near the school on Dracaea and nearby Fire Station; several kids nearly got run over

4. Thanked everyone for giving him an opportunity to attend the League of California Cities; we are in the same boat as everyone else, lacking funds

and having a lot of demands from citizens; if we work together, we can find ways and means to be successful; was very impressed with this convention; Assistant City Manager made a good presentation

5. This is an Election Year - Citizens should know that the candidates' signs must be respected; requested not to tear them down or destroy them; please report anybody doing it; violators will be prosecuted

6. Congratulations to all of you for doing a great job in moving us forward in everyday things - our staff is here to do the best they can to help the community

Mayor Richard A. Stewart

1. Stated that at the last televised meeting, he mentioned that he gets invited to many events - invitations are spread out so there is coverage. As a City's representative, he was invited to greet a Hindu group to welcome them to the City. Stated that he welcomes all different religions and all the people and we will continue to represent all the people and go to different churches and places when we have the opportunity as part of the duties to represent the people

2. Commended staff, the Fire and Police Departments and residents for their efforts concerning the floods

3. Boy Scouts Distinguished Citizen Dinner will be held on November 9 at the March Museum

4. Mayor's Event will be held on October 26 with a theme of Italian Comedy Wedding – it will benefit Laura Froehlich's efforts and the Boy Scouts

5. It's very sad that Fire Chief Abdul Ahmad's wife, Rosalinda, passed away. She was an Air Force veteran; will adjourn the meeting in her memory

6. Round 1 is great

7. Advised City Manager and Assistant City Managers that he forwarded an email received on City's network from a constituent on a possible traffic hazard to them

8. On Saturday, attended Youth Fest, Million Father March with Bishop Sykes at Crossword Church at March and Military Appreciation Picnic at March

9. Stated that every time we have a complain about tow trucks, we aggressively and diligently examine them; if we can do anything, we will do

it

CLOSED SESSION - canceled

ADJOURNMENT

Motion to Adjourn the meeting in Memory of Rosalinda Ahmad by m/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

There being no further business to conduct, the meeting was adjourned at 9:33 p.m. by unanimous informal consent.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Secretary, Moreno Valley Housing Authority
Secretary, Board of Library Trustees

Approved by:

_____

Mayor Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Moreno Valley Housing Authority
Chairperson, Board of Library Trustees

MV00176654

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 25, 2012

TITLE: APPROVAL OF PAYMENT REGISTER FOR JULY, 2012

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2012-74, approving the Payment Register for the month of July, 2012 in the amount of $13,987,791.35.

DISCUSSION

The payment register is using a standard format from the City's new LOGOS General Ledger system. This standard format lists all payments in check number order, followed by a listing of all electronic fund transfers (EFT) in fund transfer order, thus eliminating the need for a separate fund transfer register. Staff is working on possible alternate sorting options as we become fully operational with the features of the new system.

FISCAL IMPACT

The disbursements itemized in the attached Payment Register are reflected in the FY 2012-13 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2012-74
Payment Register for Month of July, 2012

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE PAYMENT REGISTER FOR THE MONTH OF JULY, 2012

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Payment Register for the period July 1, 2012 through July 31, 2012, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Payment Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Payment Register for the period July 1, 2012 through July 31, 2012, in the total amount of $13,987,791.35 is approved.

APPROVED AND ADOPTED this 25th day of September, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-74
Date Adopted: September 25, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

CITY CLERK

Resolution No. 2012-74
Date Adopted: September 25, 2012

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
Check						
213439	07/11/2012			Accounts Payable	ADMINSURE	$5,200.00
	Invoice	Date	Description			Amount
	5850	05/15/2012	WORKERS' COMP CLAIMS ADMINISTRATION			$2,600.00
	5895	06/18/2012	WORKERS' COMP CLAIMS-JUL-12			$2,600.00
213440	07/11/2012			Accounts Payable	ADVANCED ELECTRIC	$186.00
	Invoice	Date	Description			Amount
	10094	06/27/2012	ELECTRICAL INSTALLATION SVCS			$186.00
213441	07/11/2012			Accounts Payable	AMERICAN TOWERS	$5,352.84
	Invoice	Date	Description			Amount
	150357936AU	06/26/2012	TOWER SPACE LEASE			$2,676.42
	150357936SE	06/26/2012	TOWER SPACE LEASE			$2,676.42
213442	07/11/2012			Accounts Payable	ANHEUSER-BUSCH SALES CO.	$958.72
	Invoice	Date	Description			Amount
	479529	07/04/2012	JULY 4TH SUPPLIES			$958.72
213443	07/11/2012			Accounts Payable	ARS BILLIARDS	$706.87
	Invoice	Date	Description			Amount
	06042012	07/10/2012	REFELT BILLIARD TABLE-SENIOR CTR			$706.87
213444	07/11/2012			Accounts Payable	BIO-TOX LABORATORIES	$10,229.98
	Invoice	Date	Description			Amount
	25253	06/07/2012	TOXICOLOGY TESTS-POLICE			$2,457.78
	25254	06/07/2012	TOXICOLOGY TESTS-POLICE			$7,772.20

MV00176659

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213445	07/11/2012			Accounts Payable	CEMEX	$1,466.75
	Invoice	Date	Description			Amount
	9423975154	06/19/2012	PORTLAND CEMENT-MAIN/OP'S			$320.30
	9423941912	06/14/2012	PORTLAND CEMENT-MAIN/OP'S			$423.41
	9423923739	06/12/2012	PORTLAND CEMENT-MAIN/OP'S			$320.26
	9423888348	06/07/2012	PORTLAND CEMENT-MAIN/OP'S			$402.78
213446	07/11/2012			Accounts Payable	COSTCO	$298.10
	Invoice	Date	Description			Amount
	18910	06/24/2012	MISC SUPPLIES-"A CHILDS PLACE"			$298.10
213447	07/11/2012			Accounts Payable	COUNSELING TEAM, THE	$2,500.00
	Invoice	Date	Description			Amount
	18772	05/03/2012	EMPLOYEE COUNSELING SVCS			$1,250.00
	18899	06/01/2012	EMPLOYEE COUNSELING SVCS			$1,250.00
213448	07/11/2012			Accounts Payable	EASTERN MUNICIPAL WATER DISTRICT	$27,822.52
	Invoice	Date	Description			Amount
	JUN-12	06/30/2012	WATER CHARGES			$27,822.52
213449	07/11/2012			Accounts Payable	GUARDSMARK	$1,071.60
	Invoice	Date	Description			Amount
	5221120	05/19/2012	SECURITY SVCS-CITY HALL			$357.20
	5222124	05/26/2012	SECURITY SVCS-CITY HALL			$357.20
	5220125	05/12/2012	SECURITY SVCS-CITY HALL			$357.20
213450	07/11/2012			Accounts Payable	LARA, JOSEPH R.	$240.33
	Invoice	Date	Description			Amount
	7/18-7/20/12	07/02/2012	PER DIEM/MILEAGE-CRESTRON TRNG CLASS			$240.33

MV00176660

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213451	07/11/2012			Accounts Payable	MCAFEE, WAYNE PH.D.	$2,450.00
	Invoice	Date	Description			Amount
	06062012	06/06/2012	CONSULTATION SVCS			$2,450.00
213452	07/11/2012			Accounts Payable	RIGHTWAY SITE SERVICES, INC.	$89.55
	Invoice	Date	Description			Amount
	710031	06/22/2012	PORTABLE TOILET/SVC-CITY YARD			$89.55
213453	07/11/2012			Accounts Payable	SC SIGNS	$4,180.00
	Invoice	Date	Description			Amount
	July 2011-	06/26/2012	SIGN POSTINGS FOR PLANNING DEPT			$4,180.00
213454	07/11/2012			Accounts Payable	SCHIEFELBEIN, LORI C.	$1,086.25
	Invoice	Date	Description			Amount
	JUN-2012	06/28/2012	CONSULTANT SVCS-ROTATIONAL TOW PRGM			$1,086.25
213455	07/11/2012			Accounts Payable	STANDARD INSURANCE CO	$1,935.98
	Invoice	Date	Description			Amount
	120701	07/01/2012	SUPPLEMENTAL INSURANCE			$1,935.98
213456	07/11/2012			Accounts Payable	STATE OF CALIFORNIA DEPT. OF JUSTICE	$630.00
	Invoice	Date	Description			Amount
	915616	06/15/2012	BLOOD ALCOHOL ANALYSIS SVCS-PD			$630.00
213457	07/11/2012			Accounts Payable	TRACSYSTEMS, INC.	$1,895.00
	Invoice	Date	Description			Amount
	842	06/21/2012	INSTALL PHAROS WIRELESS ON TRACSPOT			$1,895.00

MV00176661

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213458	07/11/2012			Accounts Payable	TROPICAL PLAZA NURSERY, INC.	$11,900.00
	Invoice	Date	Description			Amount
	M50255	06/20/2012	ANNUAL WEED ABATEMENT-ZONE E-2			$11,900.00
213459	07/11/2012			Accounts Payable	TW TELECOM	$3,075.34
	Invoice	Date	Description			Amount
	04902946	06/10/2012	TELECOM SVCS-LOCAL/LONG DIST.			$3,075.34
213460	07/11/2012			Accounts Payable	XEROX CAPITAL SERVICES, LLC	$130.68
	Invoice	Date	Description			Amount
	119720839	06/16/2012	STAPLES FOR COPIER			$130.68
213461	07/11/2012			Accounts Payable	STEIGELMAN, DEBRA	$75.00
	Invoice	Date	Description			Amount
	R11-042614	06/21/2012	REFUND SPAY/NEUTER DEPOSIT			$75.00
213462	07/12/2012			Accounts Payable	KEEP AMERICA BEAUTIFUL, INC.	$2,000.00
	Invoice	Date	Description			Amount
	062712	06/11/2012	CERTIFICATION & ANNUAL FEES			$2,000.00
213463	07/12/2012			Accounts Payable	NIGHT OPTICS USA, INC.	$10,079.17
	Invoice	Date	Description			Amount
	501163	07/12/2012	THERMAL MONOCULARS INSIGHT TECH			$10,079.17
213464	07/12/2012			Accounts Payable	PAUL DAVIS RESTORATION	$125.00
	Invoice	Date	Description			Amount
	MV1258	06/11/2012	CLAIM SETTLEMENT			$125.00
213465	07/12/2012			Accounts Payable	SOUTHERN CALIFORNIA EDISON	$7,788.58
	Invoice	Date	Description			Amount
	JUN-12	07/12/2012	ELECTRICITY			$7,788.58

MV00176662

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213466	07/12/2012			Accounts Payable	WALKER, JASON		$125.00
	Invoice	Date	Description			Amount	
	MV1257	06/11/2012	CLAIM SETTLEMENT			$125.00	
213467	07/16/2012			Accounts Payable	ALLIANZ LIFE INSURANCE CO		$75.00
	Invoice	Date	Description			Amount	
	120712	07/16/2012	NON-EXEMPT ANNUITY			$75.00	
213468	07/16/2012			Accounts Payable	AVI-CON INC.		$2,541.84
	Invoice	Date	Description			Amount	
	06.08.12RET	07/16/2012	REISSUE ACH#8855836 DTD 6/28/12			$2,541.84	
213469	07/16/2012			Accounts Payable	BRAUN BLAISING MCLAUGHLIN		$10,543.63
	Invoice	Date	Description			Amount	
	14339	07/04/2012	LEGAL SVCS-STREETLIGHT SETTLEMENT-CASL			$10,543.63	
213470	07/16/2012			Accounts Payable	BRODART CO.		$344.99
	Invoice	Date	Description			Amount	
	B2508883	06/19/2012	MISC BOOKS-LIBRARY			$74.41	
	B2508881	06/19/2012	MISC BOOKS-LIBRARY			$39.80	
	B2508880	06/19/2012	MISC BOOKS-LIBRARY			$210.82	
	B2508879	06/19/2012	MISC BOOKS-LIBRARY			$19.96	

MV00176663

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213471	07/16/2012			Accounts Payable	BWI - BOOK WHOLESALERS, INC.	$2,792.79

Invoice	Date	Description	Amount
125361E	06/07/2012	MISC BOOKS/MATERIALS-LIBRARY	$25.96
122467E	06/04/2012	MISC BOOKS/MATERIALS-LIBRARY	$15.15
126157E	06/01/2012	MISC BOOKS/MATERIALS-LIBRARY	$20.94
119076E	05/29/2012	MISC BOOKS/MATERIALS-LIBRARY	$360.75
119077E	05/29/2012	MISC BOOKS/MATERIALS-LIBRARY	$414.27
121158E	05/31/2012	MISC BOOKS/MATERIALS-LIBRARY	$15.15
119074E	05/18/2012	MISC BOOKS/MATERIALS-LIBRARY	$448.71
120744E	05/22/2012	MISC BOOKS/MATERIALS-LIBRARY	$24.53
104172E	05/09/2012	MISC BOOKS/MATERIALS-LIBRARY	$15.15
108633E	05/14/2012	MISC BOOKS/MATERIALS-LIBRARY	$15.15
119079E	05/25/2012	MISC BOOKS/MATERIALS-LIBRARY	$306.78
119078E	05/25/2012	MISC BOOKS/MATERIALS-LIBRARY	$80.49
119075E	05/25/2012	MISC BOOKS/MATERIALS-LIBRARY	$44.16
111003E	05/15/2012	MISC BOOKS/MATERIALS-LIBRARY	$184.78
121689E	05/31/2012	MISC BOOKS/MATERIALS-LIBRARY	$264.49
105559E	05/10/2012	MISC BOOKS/MATERIALS-LIBRARY	$158.48
108385E	07/14/2012	MISC BOOKS/MATERIALS-LIBRARY	$14.50
107962E	05/14/2012	MISC BOOKS/MATERIALS-LIBRARY	$43.37
125022E	05/31/2012	MISC BOOKS/MATERIALS-LIBRARY	$20.74
118776E	05/25/2012	MISC BOOKS/MATERIALS-LIBRARY	$81.11
117669E	05/16/2012	MISC BOOKS/MATERIALS-LIBRARY	$55.50
100211E	04/19/2012	MISC BOOKS/MATERIALS-LIBRARY	$28.64
127961E	06/13/2012	MISC BOOKS/MATERIALS-LIBRARY	$153.99

213472	07/16/2012			Accounts Payable	CALIFORNIA BUILDING STANDARDS	$1,489.50

Invoice	Date	Description	Amount
2ND QTR	07/12/2012	SB1473 FEES COLLECTED 4/1-6/30/12	$1,489.50

MV00176664

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213473	07/16/2012			Accounts Payable	COMMUNITY HEALTH CHARITIES	$142.00
	Invoice	Date	Description			Amount
	120712	07/12/2012	CHC CONTRIBUTIONS			$142.00
213477	07/16/2012			Accounts Payable	DDL TRAFFIC	$26,634.44
	Invoice	Date	Description			Amount
	2221	06/18/2012	IDC 1520 SPEED CONTROL SIGN-4 UNITS			$26,634.44
213478	07/16/2012			Accounts Payable	DEPARTMENT OF CONSERVATION	$9,649.93
	Invoice	Date	Description			Amount
	2ND QTR	07/12/2012	SMI FEES FOR THE QTR PERIOD 4/1-6/30/12			$9,649.93
213479	07/16/2012			Accounts Payable	DISTINCTIVELY YOURS	$4,981.40
	Invoice	Date	Description			Amount
	4872	06/20/2012	JR FIREFIGHTER BADGES & STICKERS			$4,981.40
213480	07/16/2012			Accounts Payable	ECONOMIC DEVELOPMENT AGENCY	$33,275.00
	Invoice	Date	Description			Amount
	2012-3	06/07/2012	LIBRARY AUTOMATION SVCS-JAN-JUNE 2012			$33,275.00
213481	07/16/2012			Accounts Payable	FRANCHISE TAX BOARD	$175.00
	Invoice	Date	Description			Amount
	120712	07/12/2012	GARNISHMENT			$175.00
213482	07/16/2012			Accounts Payable	GENERAL SECURITY SERVICES, INC.	$322.14
	Invoice	Date	Description			Amount
	170795	05/23/2012	SECURITY SVCS-TOWNGATE RENTALS			$61.36
	170796	05/23/2012	SECURITY SVCS-TOWNGATE RENTALS			$92.04
	170798	06/19/2012	SECURITY SVCS-TOWNGATE RENTALS			$92.04
	170859	06/22/2012	SECURITY SVCS-TOWNGATE RENTALS			$76.70

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213483	07/16/2012			Accounts Payable	GONG ENTERPRISES, INC.	$810.00
	Invoice	Date	Description			Amount
	6869	06/13/2012	CONSULTANT PLAN CHECK SVCS-PM34577/PA06-			$810.00
213484	07/16/2012			Accounts Payable	ING USA ANNUITY & LIFE INSURANCE CO.	$400.00
	Invoice	Date	Description			Amount
	120701	07/01/2012	NON-EXEMPT ANNUITY			$400.00
213485	07/16/2012			Accounts Payable	LARA, CHRISTINA	$669.23
	Invoice	Date	Description			Amount
	120712	07/12/2012	SPOUSAL SUPPORT & ARREARS			$669.23
213486	07/16/2012			Accounts Payable	LEAGUE OF CALIFORNIA CITIES-RIV CNTY DIV	$70.00
	Invoice	Date	Description			Amount
	07092012	07/09/2012	MEMBERSHIP MEETING			$70.00
213487	07/16/2012			Accounts Payable	MORENO VALLEY CHAMBER OF COMMERCE	$150.00
	Invoice	Date	Description			Amount
	3293	06/27/2012	WAKE-UP MEETING-6/27/12			$150.00
213488	07/16/2012			Accounts Payable	PERS LONG TERM CARE PROGRAM	$458.63
	Invoice	Date	Description			Amount
	120712	07/12/2012	LONG TERM CARE INSURANCE			$458.63
213489	07/16/2012			Accounts Payable	RIVERSIDE COUNTY SHERIFF COURT SERVICES	$822.29
	Invoice	Date	Description			Amount
	120712	07/12/2012	GARNISHMENT			$822.29

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213490	07/16/2012			Accounts Payable	ROSENOW SPEVACEK GROUP (RSG, INC.)	$1,321.48
	Invoice	Date	Description			Amount
	0028168	05/31/2012	NSP ELIGIBILITY REVIEW SVCS			$346.48
	0028169	05/31/2012	ELIGIBILITY REVIEW SVCS			$325.00
	0028170	05/31/2012	ELIGIBILITY REVIEW SVCS			$325.00
	0028174	05/24/2012	ELIGIBILITY REVIEW SVCS			$325.00
213491	07/16/2012			Accounts Payable	SABRE LIGHTING AND SIGNS	$662.12
	Invoice	Date	Description			Amount
	4936	06/20/2012	REFURBISH WELCOME SIGNS			$662.12
213492	07/16/2012			Accounts Payable	SOUTHERN CALIFORNIA GAS CO.	$3,504.50
	Invoice	Date	Description			Amount
	JUN-12	07/06/2012	GAS CHARGES			$3,504.50
213493	07/16/2012			Accounts Payable	STANDARD INSURANCE CO	$27,649.90
	Invoice	Date	Description			Amount
	120701a	07/16/2012	LIFE & DISABILITY INSURANCE			$27,649.90
213494	07/16/2012			Accounts Payable	SUNNYMEAD ACE HARDWARE	$67.73
	Invoice	Date	Description			Amount
	46901	05/17/2012	MISC. SUPPLIES FOR PD			$20.46
	47333	06/19/2012	MISC. SUPPLIES FOR PD			$17.75
	47426	06/26/2012	MISC. SUPPLIES FOR PD			$16.65
	47466	06/28/2012	MISC. SUPPLIES FOR PD			$12.87
213496	07/16/2012			Accounts Payable	THERMAL COMBUSTION INNOVATORS	$213.12
	Invoice	Date	Description			Amount
	90724	03/13/2012	MEDICAL/BIOHAZ. WASTE DISPOSAL			$71.05
	90712	04/10/2012	MEDICAL/BIOHAZ. WASTE DISPOSAL			$71.00
	90660	05/08/2012	MEDICAL/BIOHAZ. WASTE DISPOSAL			$71.07

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213497	07/16/2012			Accounts Payable	THERMAL-COOL INC.		$215.00
	Invoice	Date	Description			Amount	
	30498	06/01/2012	EMERG REPAIR TO HVAC UNIT			$215.00	
213498	07/16/2012			Accounts Payable	TROPICAL PLAZA NURSERY, INC.		$2,850.00
	Invoice	Date	Description			Amount	
	M50258	06/22/2012	LANDSCAPE SVCS-BUFFER ZONE BEHIND			$2,850.00	
213499	07/16/2012			Accounts Payable	UNITED WAY OF INLAND VALLEYS		$335.00
	Invoice	Date	Description			Amount	
	120712	07/12/2012	U W CONTRIBUTIONS			$335.00	
213500	07/16/2012			Accounts Payable	VERIZON CALIFORNIA		$618.34
	Invoice	Date	Description			Amount	
	951 UH2-	06/04/2012	PHONE CHARGES-ERC			$618.34	
213501	07/16/2012			Accounts Payable	VULCAN MATERIALS CO, INC.		$256.79
	Invoice	Date	Description			Amount	
	767926	06/18/2012	ASPHALTIC MATERIALS			$146.17	
	769954	06/20/2012	ASPHALTIC MATERIALS			$110.62	
213502	07/16/2012			Accounts Payable	WILLDAN FINANCIAL SERVICES		$5,820.00
	Invoice	Date	Description			Amount	
	010-18121	06/29/2012	MORENO VALLEY CSD REVIEW SVCS			$5,820.00	
213503	07/16/2012			Accounts Payable	XEROX CAPITAL SERVICES, LLC		$1,800.26
	Invoice	Date	Description			Amount	
	062509313	07/01/2012	COPIER LEASE/BILLABLE PRINTS FOR PARKS			$1,800.26	

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213504	07/16/2012			Accounts Payable	AVILA, JOSEPH	$75.00
	Invoice	Date	Description			Amount
	R12-050468	06/21/2012	REFUND-SPAY/NEUTER DEPOSIT			$75.00
213505	07/16/2012			Accounts Payable	DELGADO, ANDREA	$20.00
	Invoice	Date	Description			Amount
	R12-051061	06/12/2012	REFUND-RABIES DEPOSIT			$20.00
213506	07/16/2012			Accounts Payable	OLDENBURGER, TOM	$75.00
	Invoice	Date	Description			Amount
	R12-050362	06/27/2012	REFUND-SPAY/NEUTER DEPOSIT			$75.00
213507	07/16/2012			Accounts Payable	PETERSMEYER, ANGIE	$95.00
	Invoice	Date	Description			Amount
	R12-048745	06/20/2012	REFUND-RABIES & SPAY/NEUTER DEPOSIT			$95.00
213508	07/16/2012			Accounts Payable	SULLIVAN, BRANDY	$75.00
	Invoice	Date	Description			Amount
	R12-050617	06/23/2012	REFUND-SPAY/NEUTER DEPOSIT			$75.00
213509	07/16/2012			Accounts Payable	TRAN, KIM	$20.00
	Invoice	Date	Description			Amount
	R12-049722	06/21/2012	REFUND-RABIES DEPOSIT			$20.00
213510	07/16/2012			Accounts Payable	VERA, JESUS, MENDOZA	$150.00
	Invoice	Date	Description			Amount
	R12-048303	06/23/2012	REFUND-SPAY/NEUTER DEPOSIT			$150.00
213511	07/16/2012			Accounts Payable	WARNICK, LAURA	$20.00
	Invoice	Date	Description			Amount
	R12-051347	06/25/2012	REFUND-RABIES DEPOSIT			$20.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213512	07/16/2012			Accounts Payable	ZHANG, FEI		$75.00
	Invoice	Date	Description			Amount	
	R12-050715	06/23/2012	REFUND SPAY/NEUTER DEPOSIT			$75.00	
213513	07/17/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP		$15.00
	Invoice	Date	Description			Amount	
	10732	06/21/2012	PARCEL MAP COPY SVCS			$15.00	
213514	07/17/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP		$1,300.65
	Invoice	Date	Description			Amount	
	9990085000-	07/01/2012	RADIO SVCS FOR PD MOTORCYCLES			$1,300.65	
213515	07/17/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP		$45,736.82
	Invoice	Date	Description			Amount	
	SH000001949	06/22/2012	SPEC BILLING-LAW ENF OVRTIME-JAG 2009			$3,364.80	
	SH000001950	06/22/2012	SPEC BILLING-LAW ENF OVRTIME-JAG 2010			$9,794.13	
	SH000001950	06/22/2012	CONTRACT LAW ENF SVCS-DUI CHKPT 5/4/12			$11,989.71	
	SH000001950	06/25/2012	CONTRACT LAW ENF SVCS-SOBRIETY CHKPT			$8,282.37	
	SH000001950	06/25/2012	CONTRACT LAW ENF SVCS-DUI SAT PATROL			$1,701.17	
	SH000001950	06/25/2012	CONTRACT LAW ENF SVCS-DUI CHKPT 5/25/12			$9,349.08	
	SH000001950	06/25/2012	CONTRACT LAW ENF SVCS-DUI CHKPT 5/26/12			$801.24	
	SH000001951	06/26/2012	CONTRACT LAW ENF SVCS-AVOID THE 30			$454.32	
213516	07/17/2012			Accounts Payable	JARRETT, STEPHEN M.		$420.90
	Invoice	Date	Description			Amount	
	7/22-7/26/12	07/16/2012	PER DIEM/MILEAGE-ESRI INTL UC CONFERENCE			$420.90	
213517	07/17/2012			Accounts Payable	MENDENHALL, DALE W.		$93.35
	Invoice	Date	Description			Amount	
	7/26/12	07/17/2012	MILEAGE-ESRI INTL UC CONFERENCE			$93.35	

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213518	07/17/2012			Accounts Payable	NOLLAR, JANICE		$279.51
	Invoice	Date	Description			Amount	
	7/23-7/25/12	07/16/2012	PER DIEM/MILEAGE-ESRI INTL UC CONFERENCE			$279.51	
213519	07/17/2012			Accounts Payable	SOUTHERN CALIFORNIA EDISON		$96,381.08
	Invoice	Date	Description			Amount	
	JUN-12	07/07/2012	ELECTRICITY			$96,381.08	
213520	07/17/2012			Accounts Payable	SOUTHERN CALIFORNIA EDISON		$15,307.95
	Invoice	Date	Description			Amount	
	721-3449 JUN-	07/03/2012	WDAT CHARGES-FERC-115KV PROJ-13571			$14,146.73	
	587-9520 JUN-	07/03/2012	WDAT CHARGES-FERC CHRGS-ADDED			$701.48	
	707-6081 JUN-	07/05/2012	ELECTRIC CHARGES			$459.74	
213521	07/17/2012			Accounts Payable	VULCAN MATERIALS CO, INC.		$1,071.38
	Invoice	Date	Description			Amount	
	765770	06/15/2012	ASPHALTIC MATERIALS			$1,071.38	
213522	07/17/2012			Accounts Payable	WALTER'S WHOLESALE ELECTRIC		$2,171.61
	Invoice	Date	Description			Amount	
	1448267-01	06/08/2012	PG STYLE BOLT DOWN PULL BOXES			$2,171.61	

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213523	07/23/2012			Accounts Payable	ARROWHEAD WATER	$563.84
	Invoice	Date	Description			Amount
	02F00289909	06/12/2012	WATER PURIF UNIT RENTAL-CITY HALL			$134.63
	02F00296480	06/12/2012	WATER PURIF UNIT RENTAL-FS#65			$24.77
	02F00296479	06/12/2012	WATER PURIF UNIT RENTAL-FS#6			$24.77
	02F00296479	06/12/2012	WATER PURIF UNIT RENTAL-FS#48			$24.77
	02F00296479	06/12/2012	WATER PURIF UNIT RENTAL-FS#58			$15.62
	02F00296480	06/12/2012	WATER PURIF UNIT RENTAL-FS#91			$24.77
	02F00291151	06/12/2012	WATER PURIF UNIT RENTAL-LIBRARY			$24.77
	02F00291151	06/12/2012	WATER PURIF UNIT RENTAL-CITY YARD			$53.85
	02F00296479	06/12/2012	WATER PURIF UNIT RENTAL-FS#2			$24.77
	02F00308782	06/08/2012	WATER PURIF UNIT RENTAL-EOC			$24.77
	02F00291153	07/26/2012	WATER PURIF UNIT RENTAL-CRC			$26.93
	02F00291152	06/26/2012	WATER PURIF UNIT RENTAL-SENIOR CTR			$24.77
	02F00291151	06/26/2012	WATER PURIF UNIT RENTAL-ANIMAL SHLTR			$53.86
	02F00291153	06/26/2012	WATER PURIF UNIT RENTAL-FACILITY ANNEX			$26.93
	02F00291152	06/26/2012	WATER PURIF UNIT RENTAL-TS ANNEX			$26.93
	02F00291152	06/26/2012	WATER PURIF UNIT RENTAL-ESA ANNEX			$26.93
213524	07/23/2012			Accounts Payable	AT&T/MCI	$183.33
	Invoice	Date	Description			Amount
	3456369	06/13/2012	TELEPHONE SVCS-JUN-12/PD			$183.33
213526	07/23/2012			Accounts Payable	CALIFORNIA TRANSCRIPTION, LLC	$923.72
	Invoice	Date	Description			Amount
	1467	06/09/2012	TRANSCRIPTION SERVICES			$923.72
213527	07/23/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP	$49.37
	Invoice	Date	Description			Amount
	10759	06/27/2012	RECORDATION SVCS			$49.37

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213528	07/23/2012			Accounts Payable	EASTERN MUNICIPAL WATER DISTRICT	$109,860.43
	Invoice	Date	Description			Amount
	JUN-12	06/30/2012	WATER CHARGES			$109,860.43
213529	07/23/2012			Accounts Payable	ELITE JANITORIAL, INC.	$428.00
	Invoice	Date	Description			Amount
	8853	06/19/2012	PRESSURE WASH SVCS-CRC			$428.00
213530	07/23/2012			Accounts Payable	EXCEL LANDSCAPE, INC	$5,396.99
	Invoice	Date	Description			Amount
	73469	06/20/2012	LANDSCAPE MAINT-WQCB			$5,396.99
213531	07/23/2012			Accounts Payable	GENERAL SECURITY SERVICES, INC.	$843.70
	Invoice	Date	Description			Amount
	170752	06/15/2012	SECURITY SVCS-CRC			$306.80
	170816	06/20/2012	SECURITY SVCS-CRC			$306.80
	170857	06/08/2012	SECURITY SVCS-CRC			$230.10
213532	07/23/2012			Accounts Payable	GUARDSMARK	$982.30
	Invoice	Date	Description			Amount
	5225122	06/16/2012	SECURITY SVCS-CITY HALL			$357.20
	5223121	06/02/2012	SECURITY SVCS-CITY HALL			$267.90
	5224122	07/09/2012	SECURITY SVCS-CITY HALL			$357.20
213533	07/23/2012			Accounts Payable	IL SORRENTO MOBILE PARK	$128.10
	Invoice	Date	Description			Amount
	MAY 2012	07/11/2012	REFUND-UUT FOR EXEMPT RESIDENTS			$128.10
213534	07/23/2012			Accounts Payable	KNORR SYSTEMS, INC	$851.92
	Invoice	Date	Description			Amount
	SI137250	06/27/2012	SPLASH PAD SUPPLIES-CFD #1			$851.92

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213535	07/23/2012			Accounts Payable	LANGSTON MOTORSPORTS	$1,268.23
	Invoice	Date	Description			Amount
	37259	07/13/2012	MOTORCYCLE MAINT/REPAIR & PARTS-POLICE			$903.11
	37319	06/20/2012	MOTORCYCLE MAINT/REPAIR & PARTS-POLICE			$365.12
213536	07/23/2012			Accounts Payable	LAW ENFORCEMENT ASSOCIATES	$4,951.31
	Invoice	Date	Description			Amount
	1103495-IN	06/13/2012	WIRE SYSTEM-PD			$4,951.31
213537	07/23/2012			Accounts Payable	LIEBERT, CASSIDY, WHITMORE	$420.00
	Invoice	Date	Description			Amount
	149958	04/30/2012	LEGAL SVCS-HR			$120.00
	152258	05/31/2012	LEGAL SVCS-HR			$300.00
213538	07/23/2012			Accounts Payable	MARCH JOINT POWERS AUTHORITY	$3.50
	Invoice	Date	Description			Amount
	0024240	06/12/2012	GAS METER CHARGES-MAY-12			$0.64
	0024235	06/12/2012	GAS METER CHARGES-MAY-12			$2.86
213539	07/23/2012			Accounts Payable	MERCHANTS LANDSCAPE SERVICES INC	$10,735.94
	Invoice	Date	Description			Amount
	36398	02/01/2012	LANDSCAPE MAINT-ZONE E			$5,367.97
	37385	07/20/2012	LANDSCAPE MAINT-ZONE E			$5,367.97
213540	07/23/2012			Accounts Payable	MORENO VALLEY UTILITY	$79,567.30
	Invoice	Date	Description			Amount
	JUL-12	07/09/2012	ELECTRICITY			$79,567.30

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213541	07/23/2012			Accounts Payable	MOSS BROS CHRYSLER, JEEP, DODGE MV	$420.38
	Invoice	Date	Description			Amount
	DOCS482895	06/29/2012	VEHICLE REPAIRS & PARTS-POLICE			$420.38
213542	07/23/2012			Accounts Payable	MOUNTED INTERNATIONAL	$4,864.91
	Invoice	Date	Description			Amount
	1613	06/02/2012	UNIFORMS & MISC SUPPLIES			$4,864.91
213543	07/23/2012			Accounts Payable	NORMAN A. TRAUB ASSOCIATES	$7,346.86
	Invoice	Date	Description			Amount
	12037	05/16/2012	INVESTIGATION SVCS-HR			$3,255.86
	12037.1	06/13/2012	INVESTIGATION SVCS-HR			$4,091.00
213544	07/23/2012			Accounts Payable	PSOMAS	$5,687.50
	Invoice	Date	Description			Amount
	81772	06/20/2012	IRONWOOD AVE IMPRVMNTS/HEACOCK TO			$5,687.50
213545	07/23/2012			Accounts Payable	PYRO SPECTACULARS, INC.	$15,000.00
	Invoice	Date	Description			Amount
	49427	06/30/2012	FIREWORKS DISPLAY-JUL 4TH-FULL PYMT			$15,000.00
213546	07/23/2012			Accounts Payable	RASMUSSEN BROTHERS CONSTRUCTION	$83,704.50
	Invoice	Date	Description			Amount
	MVPD 2	07/07/2012	PUB SAFETY BLDG RENOVATION PROJ-PHASE II			$83,704.50
213547	07/23/2012			Accounts Payable	SPARKLETTS	$11.07
	Invoice	Date	Description			Amount
	7364596	07/02/2012	BOTTLED WATER/SVC-CREEKSIDE			$11.07

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213548	07/23/2012			Accounts Payable	STATE OF CALIFORNIA DEPT. OF JUSTICE	$210.00
	Invoice	Date	Description			Amount
	915748	06/28/2012	BLOOD ALCOHOL ANALYSIS SVCS FOR PD			$140.00
	915772	06/29/2012	BLOOD ALCOHOL ANALYSIS SVCS FOR PD			$70.00
213549	07/23/2012			Accounts Payable	STENO SOLUTIONS TRANSCRIPTION SVCS., IN	$3,606.40
	Invoice	Date	Description			Amount
	42383	07/01/2012	DICTATION & TRANSCRIPTION SVCS FOR PD			$3,606.40
213550	07/23/2012			Accounts Payable	WAHLQUIST, DAVE	$240.00
	Invoice	Date	Description			Amount
	070112	07/01/2012	CONSULTANT SVCS FOR LAND DEV DIVISION			$240.00
213551	07/23/2012			Accounts Payable	WASTE MANAGEMENT, INC.	$452.55
	Invoice	Date	Description			Amount
	3461361-2371-	07/01/2012	ROLL-OFF STORAGE BIN RENTALS			$452.55
213552	07/23/2012			Accounts Payable	WEST PAYMENT CENTER	$476.28
	Invoice	Date	Description			Amount
	825309941	07/04/2012	LEGAL PUBLICATIONS SUBSCRIPTIONS			$476.28
213553	07/23/2012			Accounts Payable	WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.	$1,512.59
	Invoice	Date	Description			Amount
	JUN-12 TUMF	07/18/2012	TUMF FEES COLLECTED 6/1-6/30/12			$1,512.59
213554	07/23/2012			Accounts Payable	XEROX CAPITAL SERVICES, LLC	$550.76
	Invoice	Date	Description			Amount
	062509314	07/01/2012	COPIER LEASE OF XEROX EX560-PARKS			$490.76
	062509312	07/01/2012	COPIER RNTL/MAINT-PD			$60.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213556	07/24/2012			Accounts Payable	DELTA DENTAL OF CALIF	$10,203.24
	Invoice	Date	Description			Amount
	120701	07/01/2012	EMPLOYEE DENTAL INSURANCE			$10,203.24
213557	07/24/2012			Accounts Payable	DELTACARE USA	$5,787.52
	Invoice	Date	Description			Amount
	120701	07/01/2012	EMPLOYEE DENTAL INSURANCE			$5,787.52
213558	07/24/2012			Accounts Payable	GUEST SERVICES	$240.48
	Invoice	Date	Description			Amount
	RANDALL	07/09/2012	MEAL TICKET - COURSE: R306/AUG. 6-17, 2012			$240.48
213559	07/24/2012			Accounts Payable	RAYMOND, DENISE M.	$57,514.70
	Invoice	Date	Description			Amount
	07242012	07/24/2012	SETTLEMENT AGREEMENT			$57,514.70
213560	07/24/2012			Accounts Payable	SO CAL FIRE PREVENTION OFFICERS ASSOC.	$55.00
	Invoice	Date	Description			Amount
	FY 12/13-R.	06/25/2012	ANNUAL MEMBERSHIP RENEWAL			$55.00
213561	07/24/2012			Accounts Payable	SOUTHERN CALIFORNIA EDISON	$80,396.61
	Invoice	Date	Description			Amount
	JUN-12	07/16/2012	ELECTRICITY			$80,396.61
213562	07/24/2012			Accounts Payable	SPARKLETTS	$62.14
	Invoice	Date	Description			Amount
	7364551	05/23/2012	BOTTLED WATER/SVC-SUNNYMEAD			$15.52
	7364551	06/23/2012	BOTTLED WATER/SVC-SUNNYMEAD			$9.82
	7364596	06/02/2012	BOTTLED WATER/SVC-CREEKSIDE			$16.77
	7363683	06/02/2012	BOTTLED WATER/SVC-ARMADA ELEMENTARY			$20.03

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213563	07/24/2012			Accounts Payable	STATE BOARD OF EQUALIZATION	$8,150.78
	Invoice	Date	Description			Amount
	2ND QTR	07/17/2012	ACCT# 31-000177 - ELECTR. ENERGY			$8,150.78
213564	07/24/2012			Accounts Payable	STATE OF CALIFORNIA DEPT. OF JUSTICE	$1,088.00
	Invoice	Date	Description			Amount
	906810	05/04/2012	FINGERPRINTING SVCS			$448.00
	911764	06/06/2012	FINGERPRINTING SVCS			$640.00
213565	07/24/2012			Accounts Payable	SULLY- MILLER CONTRACTING CO., INC.	$1,016,788.04
	Invoice	Date	Description			Amount
	1	06/21/2012	NASON ST/CACTUS AVE STREET IMPRVMNTS			$1,016,788.04
213566	07/24/2012			Accounts Payable	THINK TOGETHER, INC	$5,786.75
	Invoice	Date	Description			Amount
	7373	06/27/2012	REIMB. TRANSPORTATION FOR ASES			$5,786.75
213567	07/24/2012			Accounts Payable	WILLIS, ROBERT H	$80.00
	Invoice	Date	Description			Amount
	062412	06/24/2012	SPORTS OFFICIATING SVCS			$80.00
213568	07/24/2012			Accounts Payable	BOUYER, CAROL	$119.30
	Invoice	Date	Description			Amount
	953568	07/09/2012	REFUND-SUMMER BASKETBALL LEAGUE			$119.30
213569	07/24/2012			Accounts Payable	MARZETT, DEBRA, LYNN	$57.50
	Invoice	Date	Description			Amount
	MV312040602	07/10/2012	REFUND-CITATION DISMISSED AT HEARING			$57.50

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213570	07/30/2012			Accounts Payable	ALCORN FENCE COMPANY		$7,075.00
	Invoice	Date	Description			Amount	
	00469	06/26/2012	INSTALL GUARDRAIL-S/S CACTUS, E/O			$7,075.00	
213571	07/30/2012			Accounts Payable	AMTECH ELEVATOR SERVICES		$753.50
	Invoice	Date	Description			Amount	
	DVB31097001	06/29/2012	REPLACE WHEELCHAIR DOOR LOCK COIL			$483.00	
	DVB27504001	06/28/2012	WHEELCHAIR LIFT MAINT/REPAIR-SENIOR CNTR			$270.50	
213572	07/30/2012			Accounts Payable	ANTHONY ACOSTA		$300.00
	Invoice	Date	Description			Amount	
	07092012	07/09/2012	TEEN STAGE-SOUND TECH-JULY 4TH			$300.00	
213573	07/30/2012			Accounts Payable	ARROWHEAD WATER		$352.72
	Invoice	Date	Description			Amount	
	02G00296479	07/11/2012	WATER PURIF UNIT RENTAL-FS#2			$24.77	
	02G00296479	07/11/2012	WATER PURIF UNIT RENTAL-FS#6			$24.77	
	02G00296479	07/11/2012	WATER PURIF UNIT RENTAL-FS#48			$24.77	
	02G00296479	07/11/2012	WATER PURIF UNIT RENTAL-FS#58			$15.62	
	02G00296480	07/11/2012	WATER PURIF UNIT RENTAL-FS#65			$24.77	
	02G00296480	07/11/2012	WATER PURIF UNIT RENTAL-FS#91			$24.77	
	02G00289909	07/11/2012	WATER PURIF UNIT RENTAL-CITY HALL			$134.63	
	02G00291151	07/11/2012	WATER PURIF UNIT RENTAL-LIBRARY			$24.77	
	02G00291151	07/11/2012	WATER PURIF UNIT RENTAL-CITY YARD			$53.85	
213574	07/30/2012			Accounts Payable	AT&T MOBILITY		$92.16
	Invoice	Date	Description			Amount	
	872455379X0	07/06/2012	CELLULAR PHONE SVCS-PD COMND CTR			$92.16	

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213575	07/30/2012			Accounts Payable	BIO-TOX LABORATORIES	$5,609.93
	Invoice	Date	Description			Amount
	25409	07/09/2012	TOXICOLOGY TESTING-POLICE			$5,592.40
	25398	07/09/2012	TOXICOLOGY TESTING-POLICE			$17.53
213576	07/30/2012			Accounts Payable	BRAUN BLAISING MCLAUGHLIN	$6,184.50
	Invoice	Date	Description			Amount
	14342	07/16/2012	LEGAL SVCS			$6,184.50
213577	07/30/2012			Accounts Payable	CARE ANIMAL HOSPITAL	$431.20
	Invoice	Date	Description			Amount
	162474	06/25/2012	WELLNESS EXAM FOR K-9 DUKE			$431.20
213578	07/30/2012			Accounts Payable	COLLINS, COLLINS, MUIR & STEWART, LLP	$1,171.20
	Invoice	Date	Description			Amount
	273580	07/05/2012	LEGAL SERVICES			$1,171.20
213579	07/30/2012			Accounts Payable	COMMUNITY HEALTH CHARITIES	$142.00
	Invoice	Date	Description			Amount
	120726	07/26/2012	CHC CONTRIBUTIONS			$142.00
213580	07/30/2012			Accounts Payable	CONTRERAS, BIANCA	$70.00
	Invoice	Date	Description			Amount
	070812	07/08/2012	SPORTS OFFICIATING SVCS			$70.00
213581	07/30/2012			Accounts Payable	CONTRERAS, JOSE	$70.00
	Invoice	Date	Description			Amount
	070812	07/08/2012	SPORTS OFFICIATING SVCS			$70.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213582	07/30/2012			Accounts Payable	COUNSELING TEAM, THE	$1,250.00
	Invoice	Date	Description			Amount
	19001	06/30/2012	EMPLOYEE SUPPORT SVCS-HR			$1,250.00
213584	07/30/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP	$4,533.64
	Invoice	Date	Description			Amount
	SR201934	06/14/2012	INFRASTRUCTURE ENGINEERING SVCS-			$4,533.64
213585	07/30/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP	$1,720.88
	Invoice	Date	Description			Amount
	SH000001968	06/30/2012	SPEC BILLING-LAW ENF OVRTIME-JAG 2010			$1,720.88
213586	07/30/2012			Accounts Payable	COUNTY OF RIVERSIDE 2	$1,339.88
	Invoice	Date	Description			Amount
	PU000000248	06/30/2012	JANITORIAL SUPPLIES FOR PD			$1,339.88
213587	07/30/2012			Accounts Payable	COUNTY OF RIVERSIDE SHERIFF	$2,851,347.97
	Invoice	Date	Description			Amount
	SH000001929	05/25/2012	CONTRACT LAW ENF BILL #11			$2,851,347.97
213588	07/30/2012			Accounts Payable	CRIME SCENE STERI-CLEAN, LLC	$750.00
	Invoice	Date	Description			Amount
	31223	07/03/2012	BIOHAZARD CLEANING SVCS FOR PD			$750.00
213589	07/30/2012			Accounts Payable	DAN'S FEED & SEED	$4,005.55
	Invoice	Date	Description			Amount
	071312	07/13/2012	VARIOUS ANIMAL SVCS SUPPLIES			$4,005.55
213590	07/30/2012			Accounts Payable	DATAQUICK CORPORATE HEADQUARTERS	$130.50
	Invoice	Date	Description			Amount
	B1-2053544	07/02/2012	SOFTWARE & ONLINE SUBSCRIPTION			$130.50

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213591	07/30/2012			Accounts Payable	DMC DESIGN GROUP, INC	$9,190.09
	Invoice	Date	Description			Amount
	2012-060	06/01/2012	STREET IMPRVMNTS PRGM HMPG GRANT			$4,743.00
	2012-075	07/15/2012	STREET IMPRVMNTS PRGM HMPG GRANT			$4,447.09
213592	07/30/2012			Accounts Payable	ECONOMIC DEVELOPMENT AGENCY	$1,425.00
	Invoice	Date	Description			Amount
	07122012	07/12/2012	RIVERSIDE COUNTY 5TH DISTRICT SYMPOSIUM			$1,425.00
213593	07/30/2012			Accounts Payable	FAST SIGNS	$2,819.82
	Invoice	Date	Description			Amount
	70-33032	07/09/2012	SPONSOR BANNERS/CAR MAGNETS-JULY 4TH			$2,819.82
213594	07/30/2012			Accounts Payable	FITNESS 19 CA 155 11C	$201.00
	Invoice	Date	Description			Amount
	120726	07/26/2012	GYM MEMBERSHIP DEDUCTIONS			$201.00
213595	07/30/2012			Accounts Payable	FRANCHISE TAX BOARD	$175.00
	Invoice	Date	Description			Amount
	120726	07/26/2012	GARNISHMENT			$175.00
213596	07/30/2012			Accounts Payable	GENERAL SECURITY SERVICES, INC.	$1,273.22
	Invoice	Date	Description			Amount
	170881	06/21/2012	SECURITY SVCS-CRC			$306.80
	170858	06/08/2012	SECURITY SVCS-CRC RENTALS			$490.88
	170753	06/15/2012	SECURITY SVCS-CRC RENTALS			$475.54

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213597	07/30/2012			Accounts Payable	GONG ENTERPRISES, INC.	$1,246.32
	Invoice	Date	Description			Amount
	6871	07/07/2012	PLAN CHECK SVCS-LAND DVLPMNT			$686.32
	6872	07/07/2012	PLAN CHECK SVCS-PM34577/PA06-0021			$560.00
213598	07/30/2012			Accounts Payable	HDL/HINDERLITER DE LLAMAS & ASSOCIATES	$1,300.00
	Invoice	Date	Description			Amount
	0019549-IN	07/12/2012	AUDIT SERVICES-SALES TAX			$1,300.00
213599	07/30/2012			Accounts Payable	HDR ENGINEERING, INC.	$143.00
	Invoice	Date	Description			Amount
	2133-B	06/13/2012	CACTUS AVE/NASON STREET IMPRVMNTS			$143.00
213600	07/30/2012			Accounts Payable	KRUEGER, KIMBERLEE	$440.78
	Invoice	Date	Description			Amount
	8/5-8/10/12	08/01/2012	PER DIEM/MILEAGE-BUSINESS INTELLIGENCE			$440.78
213601	07/30/2012			Accounts Payable	LA FOLLETTE, JOHNSON, DE HAAS, ET AL	$25,120.99
	Invoice	Date	Description			Amount
	266072	07/10/2012	LEGAL SERVICES			$19,934.98
	266074	07/10/2012	LEGAL SERVICES			$5,186.01
213602	07/30/2012			Accounts Payable	LARA, CHRISTINA	$669.23
	Invoice	Date	Description			Amount
	120726	07/26/2012	SPOUSAL SUPPORT & ARREARS			$669.23
213603	07/30/2012			Accounts Payable	LAWSON PRODUCTS, INC.	$820.39
	Invoice	Date	Description			Amount
	9300921074	06/21/2012	MISC SUPPLIES-PARK MAINT			$820.39

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213604	07/30/2012			Accounts Payable	MELAD & ASSOCIATES, INC	$2,162.66
	Invoice	Date	Description			Amount
	MV12-005	06/05/2012	PLAN CHECK SVCS-BLDG			$1,125.00
	MV12-004	05/14/2012	PLAN CHECK SVCS-BLDG			$1,037.66
213605	07/30/2012			Accounts Payable	METZ, RANDALL	$248.50
	Invoice	Date	Description			Amount
	8/6-8/17/12	08/01/2012	PER DIEM-NATIONAL FIRE ACADEMY TRAINING			$248.50
213606	07/30/2012			Accounts Payable	MORENO VALLEY HISPANIC CHAMBER OF	$70.00
	Invoice	Date	Description			Amount
	7/3/12	07/05/2012	ADELANTE MEETING ATTENDANCE			$70.00
213607	07/30/2012			Accounts Payable	NINYO & MOORE GEOTECHNICAL	$9,783.75
	Invoice	Date	Description			Amount
	165981	06/29/2012	STREET IMPRVMNT PROJECT FOR KENTLAND			$8,318.25
	165984	06/29/2012	CITYWIDE SIDEWALKS & ACCESS RAMPS PHASE			$1,465.50
213608	07/30/2012			Accounts Payable	PERS LONG TERM CARE PROGRAM	$458.63
	Invoice	Date	Description			Amount
	120726	07/26/2012	LONG TERM CARE INSURANCE			$458.63
213609	07/30/2012			Accounts Payable	PROFESSIONAL COMMUNICATIONS NETWORK	$478.95
	Invoice	Date	Description			Amount
	085900534	07/03/2012	LIVE ANSWERING SVC			$478.95
213610	07/30/2012			Accounts Payable	RIGHTWAY SITE SERVICES, INC.	$381.16
	Invoice	Date	Description			Amount
	709965	06/21/2012	PORTABLE RESTROOMS-EQUESTRIAN CTR			$308.88
	709964	06/21/2012	PORTABLE RESTROOMS-COTTONWOOD GOLF			$72.28

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213611	07/30/2012			Accounts Payable	RIVERSIDE AREA RAPE CRISIS CENTER	$542.45
	Invoice	Date	Description			Amount
	MAY 2012	06/14/2012	CDBG SVCS-CHILD ABUSE PREVENTION			$354.18
	JUNE 2012	07/03/2012	CDBG SVCS-CHILD ABUSE PREVENTION			$188.27
213612	07/30/2012			Accounts Payable	RIVERSIDE COUNTY SHERIFF COURT SERVICES	$310.22
	Invoice	Date	Description			Amount
	120726	07/26/2012	GARNISHMENT			$310.22
213613	07/30/2012			Accounts Payable	SILVER CREEK INDUSTRIES, INC	$474,458.62
	Invoice	Date	Description			Amount
	9	07/09/2012	MORRISON PARK FIRE STATION PROJECT SVCS			$474,458.62
213614	07/30/2012			Accounts Payable	SIMPLOT PARTNERS	$3,202.76
	Invoice	Date	Description			Amount
	205004023	06/28/2012	SUPER TURF FERTILIZER FOR CITY PARKS			$3,202.76
213615	07/30/2012			Accounts Payable	SKY PUBLISHING	$857.00
	Invoice	Date	Description			Amount
	12_4_57	05/17/2012	1/2 PG ADVERTISEMENT FOR 5/12/12			$857.00
213616	07/30/2012			Accounts Payable	SODEN ENTERPRISES, INC. DBA EASY YOGA	$51.60
	Invoice	Date	Description			Amount
	43750	06/05/2012	INSTRUCTOR SVCS-YOGA			$51.60
213617	07/30/2012			Accounts Payable	STATE OF CALIFORNIA DEPT. OF JUSTICE	$2,614.00
	Invoice	Date	Description			Amount
	917093	06/30/2012	FINGERPRINTING SVCS-PD			$2,614.00

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213618	07/30/2012			Accounts Payable	STRADLING, YOCCA, CARLSON & RAUTH	$8,369.00
	Invoice	Date	Description			Amount
	272914-0035	07/13/2012	LEGAL SERVICES			$5,744.00
	272920-0000	07/13/2012	LEGAL SERVICES			$75.00
	272922-0000	07/13/2012	LEGAL SERVICES			$2,550.00
213619	07/30/2012			Accounts Payable	SULLY- MILLER CONTRACTING CO., INC.	$1,242,362.74
	Invoice	Date	Description			Amount
	2	06/25/2012	NASON ST/CACTUS AVE STREET IMPRVMNTS			$1,242,362.74
213620	07/30/2012			Accounts Payable	SUNNYMEAD ACE HARDWARE	$29.05
	Invoice	Date	Description			Amount
	47612	07/11/2012	MISC. SUPPLIES FOR PD			$29.05
213621	07/30/2012			Accounts Payable	TMAD TAYLOR & GAINES	$5,921.70
	Invoice	Date	Description			Amount
	00071315	06/08/2012	EOC FCC GENERATOR/PSB CONVERSION			$5,921.70
213622	07/30/2012			Accounts Payable	TRANSTECH ENGINEERS, INC.	$106,174.38
	Invoice	Date	Description			Amount
	12062157	06/01/2012	CACTUS AVE/NASON STREET IMPRVMNTS			$57,308.75
	12070653	07/02/2012	CACTUS AVE/NASON STREET IMPRVMNTS			$48,865.63
213623	07/30/2012			Accounts Payable	UNITED WAY OF INLAND VALLEYS	$335.00
	Invoice	Date	Description			Amount
	120726	07/26/2012	U W CONTRIBUTIONS			$335.00
213624	07/30/2012			Accounts Payable	WILLDAN AND ASSOCIATES	$15,518.87
	Invoice	Date	Description			Amount
	002-12262	05/22/2012	PLAN CHECK SERVICES-BLDG & SAFETY DEPT			$15,518.87

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213625	07/30/2012			Accounts Payable	WILLIS, ROBERT H		$120.00
	Invoice	Date	Description			Amount	
	070812	07/08/2012	SPORTS OFFICIATING SVCS			$40.00	
	071512	07/15/2012	SPORTS OFFICIATING SVCS			$80.00	
213626	07/30/2012			Accounts Payable	XEROX CAPITAL SERVICES, LLC		$1,821.96
	Invoice	Date	Description			Amount	
	062731082	07/13/2012	COPIER RENTAL/MAINT./BILLABLE PRINTS FOR			$1,004.08	
	062731084	07/13/2012	COPIER RENTAL/MAINT. FOR PD			$84.38	
	062731086	07/13/2012	COPIER RENTAL/MAINT./BILLABLE PRINTS FOR			$733.50	
213627	07/30/2012			Accounts Payable	ALLEN, ROBERT		$95.00
	Invoice	Date	Description			Amount	
	R12-050660	07/12/2012	REFUND-RABIES & SPAY/NEUTER DEPOSIT			$95.00	
213628	07/30/2012			Accounts Payable	AMERICAN ELECTRIC		$180.53
	Invoice	Date	Description			Amount	
	B1000514	07/16/2012	REFUND-BUILDING PERMIT-CANCELLED PROJ			$180.53	
213630	07/30/2012			Accounts Payable	ANITA, LAWRENCE PERETTE		$460.00
	Invoice	Date	Description			Amount	
	MV211072100	07/10/2012	REFUND-CIT			$460.00	
213631	07/30/2012			Accounts Payable	AUSTIN, SABRINA		$10.00
	Invoice	Date	Description			Amount	
	952954	07/05/2012	REFUND-CAMP T-SHIRT PAYMENT			$10.00	
213632	07/30/2012			Accounts Payable	BULLEY, JOSEPH		$20.00
	Invoice	Date	Description			Amount	
	R12-050923	07/16/2012	REFUND-RABIES DEPOSIT			$20.00	

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213633	07/30/2012			Accounts Payable	CHAVEZ, SIRENIA		$200.00
	Invoice	Date	Description			Amount	
	952693	07/03/2012	REFUND-RENTAL DEPOSIT RETURN-TWNGATE			$200.00	
213634	07/30/2012			Accounts Payable	COLE, GEORGINA RODRIGUEZ		$60.00
	Invoice	Date	Description			Amount	
	953608	07/09/2012	REFUND-SUMMER BASKETBLL LEAGUE			$60.00	
213635	07/30/2012			Accounts Payable	CORDOVA, MIRIAM		$300.00
	Invoice	Date	Description			Amount	
	949899	06/25/2012	REFUND-RENTAL DEPOSIT RETURN-SNR CTR			$300.00	
213636	07/30/2012			Accounts Payable	CROCKETT, TOINETTE		$317.00
	Invoice	Date	Description			Amount	
	MV290610009	07/10/2012	REFUND-CIT			$317.00	
213637	07/30/2012			Accounts Payable	CURIEL PELAYO, RAMON, A.		$1,093.00
	Invoice	Date	Description			Amount	
	291262002-8	07/25/2012	REFUND-DUP PYMNT NUISANCE ABATEMENT			$1,093.00	
213638	07/30/2012			Accounts Payable	DELBRUEGGE, LOUIS, DON		$58.00
	Invoice	Date	Description			Amount	
	MV312020702	07/25/2012	REFUND-CITATION OVRPYMNT			$58.00	
213639	07/30/2012			Accounts Payable	FLORES, ALEXANDER		$25.00
	Invoice	Date	Description			Amount	
	MV311111500	07/25/2012	REFUND-CITATION DISMISSED			$25.00	
213640	07/30/2012			Accounts Payable	FLORES, KIM		$75.00
	Invoice	Date	Description			Amount	
	R12-049205	07/25/2012	REFUND-NEUTER DEPOSIT			$75.00	

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213641	07/30/2012			Accounts Payable	GASTON, DERRICK	$60.00
	Invoice	Date	Description			Amount
	953610	07/25/2012	REFUND-BASKETBALL CLASS			$60.00
213642	07/30/2012			Accounts Payable	GERBITZ, LAVONDA	$20.00
	Invoice	Date	Description			Amount
	R12-048647	07/25/2012	REFUND-RABIES DEPOSIT			$20.00
213644	07/30/2012			Accounts Payable	GLASSMAN, YEN	$57.50
	Invoice	Date	Description			Amount
	MV312060504	07/18/2012	REFUND-PARKING FEE CHARGED IN ERROR			$57.50
213645	07/30/2012			Accounts Payable	GOC-ONG, WALTER	$60.00
	Invoice	Date	Description			Amount
	953579	07/09/2012	REFUND-SUMMER BASKETBALL LEAGUE			$60.00
213646	07/30/2012			Accounts Payable	GOLD, ANGELA	$32.50
	Invoice	Date	Description			Amount
	MV212011902	07/25/2012	REFUND-CITATION DISMISSED			$32.50
213647	07/30/2012			Accounts Payable	GROUT, SHAWN	$25.00
	Invoice	Date	Description			Amount
	RCT#463297	07/03/2012	REFUND-CLASS LATE FEE PYMNT			$25.00
213648	07/30/2012			Accounts Payable	GUTIERREZ, CELIA	$50.00
	Invoice	Date	Description			Amount
	R12-052031	07/25/2012	REFUND-TRAP DEPOSIT			$50.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213649	07/30/2012			Accounts Payable	HEADLEE, DIANNE	$57.50
	Invoice	Date	Description			Amount
	MV212010502	07/25/2012	REFUND-CITATION DISMISSED			$57.50
213650	07/30/2012			Accounts Payable	HIGHLAND MEADOWS APARTMENT	$30.00
	Invoice	Date	Description			Amount
	MV-	07/18/2012	REFUND-FALSE ALARM CITATION NON-BILLABLE			$30.00
213651	07/30/2012			Accounts Payable	LOPEZ, LETICIA	$95.00
	Invoice	Date	Description			Amount
	R12-049968	06/25/2012	REFUND-RABIES & SPAY/NEUTER DEPOSIT			$95.00
213652	07/30/2012			Accounts Payable	LUCIO, MARIBEL	$31.00
	Invoice	Date	Description			Amount
	950764	07/25/2012	REFUND-DEPOSIT PARK USE			$31.00
213653	07/30/2012			Accounts Payable	MORAN, GILBERT, ZAUL	$1.00
	Invoice	Date	Description			Amount
	MVP62424	07/25/2012	REFUND-CITATION OVRPYMNT			$1.00
213654	07/30/2012			Accounts Payable	NAVARRETE, ELBIA	$750.00
	Invoice	Date	Description			Amount
	952053	07/25/2012	REFUND-DEPOSIT CRC			$750.00
213655	07/30/2012			Accounts Payable	ORDONEZ, ABEL, A ZAMORA	$86.00
	Invoice	Date	Description			Amount
	MVP61759	07/25/2012	REFUND-CITATION OVRPYMNT			$86.00
213656	07/30/2012			Accounts Payable	RAY, CURTIS, LONNIE	$109.00
	Invoice	Date	Description			Amount
	MV100910077	07/10/2012	REFUND-CITATION OVERPAYMENT			$109.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213657	07/30/2012			Accounts Payable	RENTERIA, CRYSTAL	$75.00
	Invoice	Date	Description			Amount
	R12-051335	07/25/2012	REFUND-SPAY DEPOSIT			$75.00
213658	07/30/2012			Accounts Payable	RICE, JOSEPH	$32.50
	Invoice	Date	Description			Amount
	MV311112905	07/10/2012	REFUND-CITATION DISMISSED AT HEARING			$32.50
213659	07/30/2012			Accounts Payable	ROBUCK, DIXIE	$77.00
	Invoice	Date	Description			Amount
	954243	07/11/2012	REFUND-DOG TRAINING CLASS CANCELLED			$77.00
213660	07/30/2012			Accounts Payable	SALGADO, CRYSTAL/JULIO JR.	$57.50
	Invoice	Date	Description			Amount
	MV211060902	07/10/2012	REFUND-CITATION OVERPAYMENT			$57.50
213661	07/30/2012			Accounts Payable	SERVIN, HAZEL	$115.00
	Invoice	Date	Description			Amount
	950582	07/25/2012	REFUND-DEPOSIT PARK USE			$115.00
213662	07/30/2012			Accounts Payable	VARONA, LUIS, DEGANTE	$112.00
	Invoice	Date	Description			Amount
	952982	07/25/2012	REFUND-ENGLISH LANGUAGE CLASS			$112.00
213663	07/30/2012			Accounts Payable	WILKISON, BEVERLY	$75.00
	Invoice	Date	Description			Amount
	R12-051528	07/25/2012	REFUND-SPAY DEPOSIT			$75.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213664	07/30/2012			Accounts Payable	WISEMON, SHARRON, SYDNEY		$75.00
	Invoice	Date	Description			Amount	
	R12-048314	07/25/2012	REFUND-SPAY DEPOSIT			$75.00	
213665	07/30/2012			Accounts Payable	YANG, CHING		$300.00
	Invoice	Date	Description			Amount	
	951972	07/25/2012	REFUND-DEPOSIT SENIOR RNTL			$300.00	
213666	07/30/2012			Accounts Payable	CALIFORNIA WATERSHED ENGINEERING CORP.		$2,308.00
	Invoice	Date	Description			Amount	
	12582	07/06/2012	PLAN CHECK SVCS-LAND DVLPMNT			$2,308.00	
Type Check Totals:				**219 Transactions**			**$6,752,229.90**

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
Electronic Funds Transfer (EFT)						
7001	07/11/2012			Accounts Payable	RALLY MANAGEMENT SERVICES, LLC	$719.28
	Invoice	Date	Description			Amount
	19342	06/18/2012	TEMP STAFFING SVCS-R. HENDERSON			$719.28
7002	07/11/2012			Accounts Payable	TRUGREEN LANDCARE	$2,485.00
	Invoice	Date	Description			Amount
	7321974	05/31/2012	LANDSCAPE MAINT-ZONE E-16			$2,485.00
7003	07/16/2012			Accounts Payable	ADLERHORST INTERNATIONAL INC.	$425.01
	Invoice	Date	Description			Amount
	16811	05/31/2012	K-9 TRAINING/EQUIPMENT-POLICE			$141.67
	16810	05/31/2012	K-9 TRAINING/EQUIPMENT-POLICE			$141.67
	16812	05/31/2012	K-9 TRAINING/EQUIPMENT-POLICE			$141.67
7004	07/16/2012			Accounts Payable	AMERICAN FORENSIC NURSES	$82.16
	Invoice	Date	Description			Amount
	61638	05/31/2012	BLOOD DRAWS-POLICE			$82.16
7005	07/16/2012			Accounts Payable	AXIS APPAREL	$4,660.09
	Invoice	Date	Description			Amount
	06192012	06/19/2012	YOUTH SPORTS APPAREL			$4,660.09
7006	07/16/2012			Accounts Payable	BEMUS LANDSCAPE, INC.	$5,089.30
	Invoice	Date	Description			Amount
	230421	06/25/2012	LANDSCAPE MAINT-VETERANS MEMRL			$225.00
	230434	06/25/2012	LANDSCAPE MAINT-FIRE STATIONS			$2,835.00
	230422	06/25/2012	LANDSCAPE MAINT-ANNEX			$221.00
	230433	06/25/2012	LANDSCAPE MAINT-CITY HALL			$893.30
	230428	06/25/2012	LANDSCAPE MAINT-TOWNGATE COMM CTR			$180.00
	230427	06/25/2012	LANDSCAPE MAINT-TOWNGATE BIKE			$735.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7007	07/16/2012			Accounts Payable	CINTAS CORPORATION	$414.36
	Invoice	Date	Description			Amount
	150643209	06/26/2012	UNIFORM RENTAL SVC			$15.06
	150643210	06/26/2012	UNIFORM RENTAL SVC			$40.48
	150643211	06/26/2012	UNIFORM RENTAL SVC			$15.06
	150643213	06/26/2012	UNIFORM RENTAL SVC			$8.88
	150643214	06/26/2012	UNIFORM RENTAL SVC			$5.42
	150643215	06/26/2012	UNIFORM RENTAL SVC			$186.18
	150643216	06/26/2012	UNIFORM RENTAL SVC			$15.46
	150643212	06/26/2012	UNIFORM RENTAL SVC			$13.36
	150643219	06/26/2012	UNIFORM RENTAL SVC			$2.29
	150643205	06/26/2012	UNIFORM RENTAL SVC			$50.20
	150638719	06/19/2012	UNIFORM RENTAL SVC			$3.92
	150629881	06/05/2012	UNIFORM RENTAL SVC			$3.92
	150634332	06/12/2012	UNIFORM RENTAL SVC			$3.92
	150643206	06/26/2012	UNIFORM RENTAL SVC			$3.92
	150638730	06/19/2012	UNIFORM RENTAL SVC			$17.28
	150643208	06/26/2012	UNIFORM RENTAL SVC			$16.19
	150643207	06/26/2012	UNIFORM RENTAL SVC			$12.82
7008	07/16/2012			Accounts Payable	CITY OF MORENO VALLEY VEBA TRUST	$6,145.00
	Invoice	Date	Description			Amount
	120712	07/12/2012	EXEMPT VEBA			$6,145.00
7009	07/16/2012			Accounts Payable	DENNIS GRUBB & ASSOCIATES, LLC	$7,920.00
	Invoice	Date	Description			Amount
	1138	05/01/2012	FIRE INSPECTION SVCS			$7,920.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7010	07/16/2012			Accounts Payable	E.R. BLOCK PLUMBING & HEATING, INC.	$2,621.40
	Invoice	Date	Description			Amount
	109788	06/27/2012	BACKFLOW REPAIRS-ZN D			$1,657.45
	109794	06/27/2012	BACKFLOW REPAIRS-ZN D			$963.95
7011	07/16/2012			Accounts Payable	FIRST CHOICE SERVICES	$410.02
	Invoice	Date	Description			Amount
	507273	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$121.91
	507276	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$93.78
	507277	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$60.15
	507275	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$134.18
7012	07/16/2012			Accounts Payable	PACIFIC GREEN HORTICULTURAL SVC	$600.00
	Invoice	Date	Description			Amount
	14090	06/07/2012	BEE CONTROL-PIGEON PASS RD			$125.00
	14091	06/07/2012	BEE CONTROL-CASA ENCANTADOR			$125.00
	14092	06/08/2012	BEE CONTROL-IRIS AVE			$125.00
	14120	06/27/2012	BEE CONTROL SVCS			$113.00
	14121	06/27/2012	BEE CONTROL SVCS			$112.00
7013	07/16/2012			Accounts Payable	POIEMA LANDSCAPE, INC.	$3,296.01
	Invoice	Date	Description			Amount
	1073	07/05/2012	LANDSCAPE MAINT-ZONE E-12			$2,131.00
	1074	07/05/2012	LANDSCAPE MAINT-ZONE S			$1,165.01
7014	07/16/2012			Accounts Payable	R & S OVERHEAD DOORS, INC.	$393.25
	Invoice	Date	Description			Amount
	02843	06/19/2012	TROUBLE SHOOT ROLL-UP DOOR PROBLEMS AT			$393.25

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
7015	07/16/2012			Accounts Payable	RALLY MANAGEMENT SERVICES, LLC		$719.28
	Invoice	Date	Description			Amount	
	19491	06/26/2012	TEMP STAFFING SVCS-R. HENDERSON			$719.28	
7016	07/16/2012			Accounts Payable	SECURITY LOCK & KEY		$224.70
	Invoice	Date	Description			Amount	
	25285	05/24/2012	LOCK REPAIRS FOR ERC			$97.50	
	25299	06/04/2012	DUPLICATE KEYS FOR TCC			$52.20	
	25275	05/17/2012	LOCK REPAIRS-RIDGE CREST PARK			$75.00	
7017	07/16/2012			Accounts Payable	SOCO GROUP, INC		$14,706.91
	Invoice	Date	Description			Amount	
	669629	06/20/2012	FUEL PURCHASE FOR CITY			$7,050.48	
	670137	06/27/2012	FUEL PURCHASE FOR CITY			$7,656.43	
7018	07/16/2012			Accounts Payable	SPRINT		$713.87
	Invoice	Date	Description			Amount	
	417544340-	06/20/2012	CELL PHONE SVC FOR PD GANG TASK FORCE			$70.07	
	634235346-	03/29/2012	CELL PHONE SVC FOR PD SET			$643.80	
7019	07/16/2012			Accounts Payable	STRICKLER ASSOCIATION, THE		$2,177.50
	Invoice	Date	Description			Amount	
	3700	07/01/2012	NEIGHBORHOOD STABILIZATION PGRM SVCS			$2,177.50	
7020	07/16/2012			Accounts Payable	TRUGREEN LANDCARE		$19,100.15
	Invoice	Date	Description			Amount	
	7334498	06/30/2012	LANDSCAPE MAINT-ZONE M			$5,532.72	
	7334499	06/30/2012	LANDSCAPE MAINT-ZONE DSG-1			$5,121.57	
	7334501	06/30/2012	LANDSCAPE MAINT-ZONE E-4 & E-4A			$8,445.86	

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7021	07/16/2012			Accounts Payable	TURBOSCAPE, INC.	$6,424.80
	Invoice	Date	Description			Amount
	3425	06/27/2012	MULCH FOR CFD #1 PARKS INCL DELIVERY &			$6,424.80
7022	07/16/2012			Accounts Payable	UNITED ROTARY BRUSH CORP	$2,239.00
	Invoice	Date	Description			Amount
	271592	06/14/2012	BROOM KITS/RECONDITIONING FOR ST			$406.57
	271684	06/21/2012	BROOM KITS/RECONDITIONING FOR ST			$746.33
	271783	06/28/2012	BROOM KITS/RECONDITIONING FOR ST			$1,086.10
7023	07/16/2012			Accounts Payable	VISION SERVICE PLAN	$3,893.49
	Invoice	Date	Description			Amount
	120701	07/01/2012	EMPLOYEE VISION INSURANCE			$3,893.49
7024	07/16/2012			Accounts Payable	VOYAGER FLEET SYSTEM, INC.	$1,930.30
	Invoice	Date	Description			Amount
	86921161520	06/24/2012	CNG FUEL PURCHASES			$1,930.30
7025	07/17/2012			Accounts Payable	SA ASSOCIATES	$10,725.00
	Invoice	Date	Description			Amount
	69	07/05/2012	CONSULTANT STAFFING SVCS			$10,725.00
7026	07/17/2012			Accounts Payable	SHELL ENERGY NORTH AMERICA (US) L.P.	$629,977.60
	Invoice	Date	Description			Amount
	1116819	07/02/2012	ENERGY PURCHASE FOR MV UTILITY			$629,977.60
7027	07/17/2012			Accounts Payable	STANDARD & POOR'S RATINGS SERVICES	$10,500.00
	Invoice	Date	Description			Amount
	10295926	04/20/2012	ANALYTICAL SVCS FOR COPS SERIES 2012B			$10,500.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7028	07/17/2012			Accounts Payable	VACATE PEST ELIMINATION COMPANY	$225.00
	Invoice	Date	Description			Amount
	24541	06/01/2012	RODENT CNTRL-AQUEDUCT BIKEWAY			$50.00
	24543	06/01/2012	RODENT CNTRL-ELECTR UTIL SUBST			$40.00
	24921	06/15/2012	RODENT CNTRL-AQUEDUCT BIKEWAY			$50.00
	24924	06/15/2012	RODENT CNTRL-ELECTR UTIL SUBST			$40.00
	24944	06/18/2012	PEST CNTRL-MARB ASES BLDG			$45.00
7030	07/09/2012			Accounts Payable	PERS HEALTH INSURANCE	$196,684.50
	Invoice	Date	Description			Amount
	W120701	07/06/2012	EMPLOYEE HEALTH INSURANCE			$196,684.50
7031	07/05/2012			Accounts Payable	U.S. BANK/CALCARDS	$270,319.53
	Invoice	Date	Description			Amount
	W120702	07/05/2012	CALCARD PAYMENT FOR CYCLE END 06/27/12			$270,319.53
7032	07/12/2012			Accounts Payable	MV RANCHO DORADO II LTD. PARTNERSHIP	$2,400,000.00
	Invoice	Date	Description			Amount
	W120703	07/12/2012	RANCHO DORADO SOUTH PROJECT PAYMENT			$2,400,000.00
7038	07/23/2012			Accounts Payable	ADLERHORST INTERNATIONAL INC.	$425.01
	Invoice	Date	Description			Amount
	16894	06/27/2012	K-9 TRAINING-PD SPCL ENF			$141.67
	16893	06/27/2012	K-9 TRAINING-PD SPCL ENF			$141.67
	16892	06/27/2012	K-9 TRAINING-PD SPCL ENF			$141.67
7039	07/23/2012			Accounts Payable	AEI-CASC ENGINEERING	$378.00
	Invoice	Date	Description			Amount
	0028280	05/31/2012	CONSULTANT SVCS-PWQMP			$378.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7040	07/23/2012			Accounts Payable	BENESYST	$201.90
	Invoice	Date	Description			Amount
	0712146	07/02/2012	FLEX ADMINISTRATIVE SVCS			$201.90
7041	07/23/2012			Accounts Payable	CHANDLER ASSET MANAGEMENT, INC	$8,661.00
	Invoice	Date	Description			Amount
	11387	07/03/2012	FIXED INCOME INVESTMENT MGMT			$8,661.00
7042	07/23/2012			Accounts Payable	DATA TICKET, INC.	$2,153.83
	Invoice	Date	Description			Amount
	41587	06/13/2012	CITATION PROCESSING-POLICE			$2,153.83
7043	07/23/2012			Accounts Payable	E.R. BLOCK PLUMBING & HEATING, INC.	$160.00
	Invoice	Date	Description			Amount
	109673	06/27/2012	BACKFLOW DEVICE TESTS-ZONE M			$80.00
	109792	06/27/2012	BACKFLOW DEVICE TEST-PSB			$20.00
	109791	06/27/2012	BACKFLOW DEVICE TEST-FS#58			$20.00
	109790	06/27/2012	BACKFLOW DEVICE TEST-FS#65			$40.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7044	07/23/2012			Accounts Payable	ENCO UTILITY SERVICES MORENO VALLEY LLC	$161,630.21
	Invoice	Date	Description			Amount
	40-275-01	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$186.70
	40-272-02	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$323.20
	40-268A-02	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$25.31
	40-266-02	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$233.38
	40-249B-07	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$445.64
	40-263A-01	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$1,622.72
	40-250B-08	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$49.52
	40-249A-07	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$101.22
	40-247A-03	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$2,063.10
	40-243A-07	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$37.96
	40-242A-03	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$25.31
	0405-1-99R	06/12/2012	DISTRIBUTION CHARGES			$156,516.15
7045	07/23/2012			Accounts Payable	EVANS ENGRAVING & AWARDS	$141.32
	Invoice	Date	Description			Amount
	62812-26	06/28/2012	ENGRAVING/HANDCUFFS-POLICE			$125.00
	61412-7	06/14/2012	ENGRAVING/BRASS NAMEPLATES-POLICE			$16.32
7046	07/23/2012			Accounts Payable	FIRST CHOICE SERVICES	$167.52
	Invoice	Date	Description			Amount
	507262	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$31.38
	507264	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$136.14
7047	07/23/2012			Accounts Payable	GHANTIWALA, PRAVIN	$3,420.00
	Invoice	Date	Description			Amount
	13-12M	06/27/2012	ELECTRICAL ENGINEER SVCS-MVU			$3,420.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7048	07/23/2012			Accounts Payable	GIBBS, GIDEN, LOCHER, TURNER & SENET LLP	$6,700.30
	Invoice	Date	Description			Amount
	215902-001	06/01/2012	LEGAL SVCS			$6,700.30
7049	07/23/2012			Accounts Payable	GUZMAN'S CART SERVICE	$4,049.00
	Invoice	Date	Description			Amount
	1118	06/30/2012	SHOPPING CART RETRIVAL SVC			$4,049.00
7050	07/23/2012			Accounts Payable	HILLCREST CONTRACTING, INC	$2,016.85
	Invoice	Date	Description			Amount
	PB 22014	06/19/2012	COTTONWOOD AVE IMPRVMNTS PROJECT			$2,016.85
7051	07/23/2012			Accounts Payable	HONDA YAMAHA OF REDLANDS	$3,099.68
	Invoice	Date	Description			Amount
	120282	06/26/2012	MOTORCYCLE MAINT/REPAIR & PARTS-PD			$2,491.55
	123212	06/28/2012	MOTORCYCLE MAINT/REPAIR &PARTS-PD			$608.13
7052	07/23/2012			Accounts Payable	INSIDE PLANTS, INC.	$320.00
	Invoice	Date	Description			Amount
	43554	06/25/2012	INDOOR PLANT MAINT-CRC			$320.00
7053	07/23/2012			Accounts Payable	J D H CONTRACTING	$7,702.60
	Invoice	Date	Description			Amount
	061212-01	06/12/2012	PSB-CH MONUMENT SIGNS EXTERIOR REPAIRS			$7,702.60
7054	07/23/2012			Accounts Payable	KDM MERIDIAN, INC.	$26,500.00
	Invoice	Date	Description			Amount
	3120	06/21/2012	CITYWIDE PEDESTRIAN ENHANCEMNTS/INDIAN-			$26,500.00

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From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7055	07/23/2012			Accounts Payable	LOR GEOTECHNICAL GROUP, INC.	$378.80
	Invoice	Date	Description			Amount
	14276	07/02/2012	COMPACTION SVCS FOR CRC PATIO			$378.80
7056	07/23/2012			Accounts Payable	MARINA LANDSCAPE, INC	$5,733.34
	Invoice	Date	Description			Amount
	8216051200	05/31/2012	LANDSCAPE MAINT-ZONE E-1 & E-1A			$5,733.34
7057	07/23/2012			Accounts Payable	N P G CORPORATION	$18,089.00
	Invoice	Date	Description			Amount
	1110979	06/09/2012	INFIL CONCRETE PROJECT-CRC			$18,089.00
7058	07/23/2012			Accounts Payable	OVERLAND PACIFIC & CUTLER, INC.	$4,200.00
	Invoice	Date	Description			Amount
	1205114	06/13/2012	RIGHT OF WAY SVCS			$4,200.00
7059	07/23/2012			Accounts Payable	PACIFIC GREEN HORTICULTURAL SVC	$203.82
	Invoice	Date	Description			Amount
	14119	06/27/2012	TURF FERTILIZATION-ZONE E-7 & E-14			$101.91
	14052	06/10/2012	TURF FERTILIZATION-ZONE E-7 & E-14			$101.91
7060	07/23/2012			Accounts Payable	PAINTING BY ZEB BODE	$6,100.00
	Invoice	Date	Description			Amount
	061912	06/19/2012	PAINTING SVCS-ANIMAL SHLTR			$2,650.00
	061912	07/19/2012	PAINTING SVCS-ANIMAL SHLTR			$3,450.00

MV00176702

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7061	07/23/2012			Accounts Payable	PARSONS TRANSPORTATION GROUP, INC.	$641,669.41
	Invoice	Date	Description			Amount
	1205A007	05/14/2012	SR-60/MORENO BEACH INTERCHANGE-PHASE 1			$146,571.21
	1205A008	05/25/2012	SR-60/NASON ST. OVERCROSSING PROJECT			$400,106.85
	1206A063	06/01/2012	SR-60/MORENO BEACH INTERCHANGE-PHASE 1			$75,759.11
	1206A064	06/01/2012	SR-60/NASON ST. OVERCROSSING PROJECT			$19,232.24
7062	07/23/2012			Accounts Payable	PEDLEY SQUARE VETERINARY CLINIC	$4,642.00
	Invoice	Date	Description			Amount
	JUN-12	07/01/2012	VETERINARY SVCS-ANIMAL SVCS			$4,642.00
7063	07/23/2012			Accounts Payable	RALLY MANAGEMENT SERVICES, LLC	$929.07
	Invoice	Date	Description			Amount
	19591	07/02/2012	TEMP STAFFING SVCS-R. HENDERSON			$929.07
7064	07/23/2012			Accounts Payable	STANLEY CONVERGENT SECURITY SOLUTNS,	$110.00
	Invoice	Date	Description			Amount
	9195287	05/06/2012	ALARM SYSTEM MONITORING SVCS-EOC			$110.00
7065	07/23/2012			Accounts Payable	STI, INC., TRUCKING & MATERIALS	$165,271.45
	Invoice	Date	Description			Amount
	11-901-7	06/27/2012	IRONWOOD AVE IMPRVMNTS PROJECT			$165,271.45
7066	07/23/2012			Accounts Payable	TR DESIGN GROUP, INC.	$226.58
	Invoice	Date	Description			Amount
	1586	06/01/2012	TRANSPORTATION MGMT CTR PROJECT SVCS			$226.58
7067	07/23/2012			Accounts Payable	URBAN LOGIC CONSULTANTS, INC	$3,310.00
	Invoice	Date	Description			Amount
	2012-167	06/22/2012	PEER REVIEW SVCS RELATED TO HARBOR			$3,310.00

MV00176703

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7068	07/23/2012			Accounts Payable	WURM'S JANITORIAL SERVICES, INC.	$5,721.89
	Invoice	Date	Description			Amount
	21247	06/29/2012	JANITORIAL SVCS-CITY HALL			$4,588.23
	21248	06/29/2012	JANITORIAL SVCS-CITY YARD/TRANSP TRAILER			$445.30
	21250	06/29/2012	JANITORIAL SVCS-EOC			$688.36
7069	07/23/2012			Accounts Payable	WURM'S JANITORIAL SERVICES, INC.	$12,481.85
	Invoice	Date	Description			Amount
	21252	06/29/2012	JANITORIAL SVCS-ESA ANNEX			$735.73
	21253	06/29/2012	JANITORIAL SVCS-FACILITIES ANNEX			$124.29
	21254	06/29/2012	JANITORIAL SVCS-LIBRARY			$1,771.79
	21256	06/29/2012	JANITORIAL SVCS-PUB SAFETY BLDG			$5,564.25
	21260	06/29/2012	JANITORIAL SVCS-SENIOR CTR			$1,916.18
	21263	06/29/2012	JANITORIAL SVCS-TS ANNEX			$453.43
	21294	09/01/2011	JANITORIAL SVCS-SENIOR CTR			$1,916.18
7070	07/24/2012			Accounts Payable	NEW WORLD SYSTEMS, CORP	$119,680.00
	Invoice	Date	Description			Amount
	019462	05/15/2012	SW MAIN.(SSMA) 6/1/12-5/31/13			$119,680.00
7071	07/24/2012			Accounts Payable	SPRINT	$643.23
	Invoice	Date	Description			Amount
	634235346-	06/29/2012	CELL PHONE SVC FOR PD SET			$643.23
7072	07/30/2012			Accounts Payable	ADLERHORST INTERNATIONAL INC.	$404.06
	Invoice	Date	Description			Amount
	16858	06/01/2012	NARCOTIC DETECTION KIT-SET K-9 TEAM			$404.06

MV00176704

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7073	07/30/2012			Accounts Payable	AMERICAN FORENSIC NURSES	$3,943.16
	Invoice	Date	Description			Amount
	61740	06/15/2012	BLOOD DRAW-POLICE			$41.08
	61739	06/15/2012	BLOOD DRAW-POLICE			$1,981.72
	61800	06/30/2012	BLOOD DRAWS-POLICE			$1,879.28
	61716	06/15/2012	BLOOD DRAWS-POLICE			$41.08
7074	07/30/2012			Accounts Payable	ARCHIVE MANAGEMENT SERVICE	$1,773.25
	Invoice	Date	Description			Amount
	0186488	06/23/2012	RECORDS OFFSITE STORAGE			$1,773.25
7075	07/30/2012			Accounts Payable	AXIS APPAREL	$2,762.28
	Invoice	Date	Description			Amount
	06262012	06/26/2012	YOUTH/ADULT UNIFORMS			$2,762.28
7076	07/30/2012			Accounts Payable	BEMUS LANDSCAPE, INC.	$11,472.39
	Invoice	Date	Description			Amount
	230436	06/25/2012	LANDSCAPE MAINT-ZONE E-3 & E-3A			$11,406.02
	231687	07/03/2012	LANDSCAPE MAINT PARTS-ZONE E-3			$66.37
7077	07/30/2012			Accounts Payable	BENESYST	$406.90
	Invoice	Date	Description			Amount
	0612286	06/02/2012	COBRA ADMIN SVC-HR			$205.00
	0612145	06/02/2012	FLEX ADMIN SVC-HR			$201.90
7078	07/30/2012			Accounts Payable	CITY OF MORENO VALLEY VEBA TRUST	$1,995.00
	Invoice	Date	Description			Amount
	120726	07/26/2012	EXEMPT VEBA			$1,995.00

MV00176705

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7079	07/30/2012			Accounts Payable	COMMUNITY ASSISTANCE PROGRAM - CAP	$3,785.02
	Invoice	Date	Description			Amount
	MAY-12	05/30/2012	CAP FOOD DISTRIBUTION PROGRAM			$2,625.74
	JUN-12	06/30/2012	CAP FOOD DISTRIBUTION PROGRAM			$1,159.28
7080	07/30/2012			Accounts Payable	E.R. BLOCK PLUMBING & HEATING, INC.	$240.00
	Invoice	Date	Description			Amount
	109676	06/27/2012	BACKFLOW DEVICE TESTS-ZONE D			$240.00
7081	07/30/2012			Accounts Payable	ENCO UTILITY SERVICES MORENO VALLEY LLC	$610.37
	Invoice	Date	Description			Amount
	40-255A-04	06/07/2012	WORK AUTHORIZATION-NASON BRIDGE			$50.61
	40-259A-04	06/07/2012	WORK AUTHORIZATION-EUCALYPTUS AVE ST.			$12.65
	40-254B-01	06/07/2012	WORK AUTHORIZATION-CACTUS AVE LIGHTS			$173.30
	40-264-04	06/07/2012	WORK AUTHORIZATION-ENGIN./DESIGN REVIEW			$323.20
	40-256B-02	06/07/2012	WORK AUTHORIZATION- INSTALLATION OF NEW			$50.61
7082	07/30/2012			Accounts Payable	EVANS ENGRAVING & AWARDS	$28.02
	Invoice	Date	Description			Amount
	62812-26A	06/27/2012	PLAQUE			$28.02
7083	07/30/2012			Accounts Payable	EXPRESS PIPE & SUPPLY, INC.	$9,498.19
	Invoice	Date	Description			Amount
	S4423514.001	06/20/2012	RESTROOM EQUIPMENT FOR PARKS ADA			$9,498.19
7084	07/30/2012			Accounts Payable	GIBBS, GIDEN, LOCHER, TURNER & SENET LLP	$9,439.11
	Invoice	Date	Description			Amount
	215902-005	06/01/2012	LEGAL SVCS			$2,643.61
	215902-002	06/01/2012	LEGAL SERVICES			$4,066.80
	215902-003	06/01/2012	LEGAL SERVICES			$110.50
	215902-004	06/01/2012	LEGAL SERVICES			$2,618.20

MV00176706

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7085	07/30/2012			Accounts Payable	ICR DOORS	$394.51
	Invoice	Date	Description			Amount
	307	06/08/2012	EMERGENCY DOOR REPAIR-CITY YARD			$244.51
	309	06/08/2012	EMERGENCY DOOR REPAIR-STN 58			$150.00
7086	07/30/2012			Accounts Payable	INLAND EMPIRE PROPERTY SERVICE, INC	$10,508.00
	Invoice	Date	Description			Amount
	3098	06/08/2012	NUISANCE ABATEMENT SVC-CODE			$102.00
	3097	06/04/2012	NUISANCE ABATEMENT SVC-CODE			$8,000.00
	3096	05/30/2012	NUISANCE ABATEMENT SVC-CODE			$924.00
	3095	05/29/2012	NUISANCE ABATEMENT SVC-CODE			$1,482.00
7087	07/30/2012			Accounts Payable	JDEDGE SOFTWARE, LLC	$18,765.00
	Invoice	Date	Description			Amount
	266	07/16/2012	HR & PAYROLL DATA CONVERSION INTO NEW			$5,280.00
	267	07/30/2012	HR & PAYROLL DATA CONVERSION INTO NEW			$13,485.00
7088	07/30/2012			Accounts Payable	LEXISNEXIS PRACTICE MGMT.	$1,480.00
	Invoice	Date	Description			Amount
	1206083501	06/30/2012	LEGAL RESEARCH SVC			$1,480.00
7089	07/30/2012			Accounts Payable	LOR GEOTECHNICAL GROUP, INC.	$3,216.00
	Invoice	Date	Description			Amount
	14235	05/29/2012	PERRIS BLVD SB LANE TO SR-60 WB WIDENING			$2,656.00
	14290	07/02/2012	PERRIS BLVD SB LANE TO SR-60 WB WIDENING			$560.00
7090	07/30/2012			Accounts Payable	MATICH CORPORATION	$16,014.70
	Invoice	Date	Description			Amount
	155335	06/12/2012	ASPHALTIC MATERIALS			$16,014.70

MV00176707

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7091	07/30/2012			Accounts Payable	MEEKS, DANIEL	$60.00
	Invoice	Date	Description			Amount
	071512	07/15/2012	SPORTS OFFICIATING SVCS			$60.00
7092	07/30/2012			Accounts Payable	MISTRETTA, ARTHUR	$100.00
	Invoice	Date	Description			Amount
	070812	07/08/2012	SPORTS OFFICIATING SVCS			$60.00
	070912	07/08/2012	SPORTS OFFICIATING SVCS			$40.00
7093	07/30/2012			Accounts Payable	NOBLE AMERICAS ENERGY SOLUTIONS	$145,307.23
	Invoice	Date	Description			Amount
	12194000243	07/12/2012	PURCHASED POWER			$145,307.23
7094	07/30/2012			Accounts Payable	PARSONS TRANSPORTATION GROUP, INC.	$45,547.33
	Invoice	Date	Description			Amount
	1207A580	07/13/2012	SR-60/MORENO BEACH DR. INTERCHANGE-			$2,154.95
	1207A581	07/13/2012	SR-60/MORENO BEACH DR. INTERCHANGE-			$43,392.38
7095	07/30/2012			Accounts Payable	STK ARCHITECTURE, INC.	$30,527.83
	Invoice	Date	Description			Amount
	19499	06/02/2012	ANNEX #1 RE-DESIGN/RENOVATION PROJECT			$2,085.10
	19500	07/02/2012	ANNEX #1 RE-DESIGN/RENOVATION PROJECT			$408.32
	19501	07/02/2012	CITY HALL SECOND LEVEL FLOORING			$1,475.10
	19508	07/02/2012	MORRISON PARK FIRE STATION PROJECT SVCS			$26,559.31
7096	07/30/2012			Accounts Payable	TRUGREEN LANDCARE	$2,260.00
	Invoice	Date	Description			Amount
	7343547	06/28/2012	EMERGENCY TREE TRIMMING AT CELEBRATION			$1,960.00
	7343857	06/27/2012	EMERGENCY TREE TRIMMING AT SENIOR CTR			$300.00

MV00176708

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7097	07/30/2012			Accounts Payable	UNITED INSPECTION & TESTING INC	$5,980.50
	Invoice	Date	Description			Amount
	006036	07/03/2012	CITYWIDE SIDEWALKS & ACCESS RAMPS			$1,173.00
	006035	07/03/2012	CITYWIDE SIDEWALKS & ACCESS RAMPS			$3,554.50
	006034	07/03/2012	CITYWIDE SIDEWALKS & ACCESS RAMPS			$1,253.00
7098	07/30/2012			Accounts Payable	VA CONSULTING, INC.	$147.00
	Invoice	Date	Description			Amount
	30471	07/06/2012	AUTO MALL STREET IMPROVEMENTS PROJECT			$147.00
7099	07/30/2012			Accounts Payable	WURM'S JANITORIAL SERVICES, INC.	$112.82
	Invoice	Date	Description			Amount
	21257	06/29/2012	JANITORIAL SVCS-GANG TASK FORCE OFFICE			$112.82
7237	07/31/2012			Accounts Payable	INTERNAL REVENUE SERVICE	$2,000.00
	Invoice	Date	Description			Amount
	F120701	07/02/2012	DEPOSIT TO FEDERAL ACCOUNT			$2,000.00
7238	07/31/2012			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	$500.00
	Invoice	Date	Description			Amount
	S120701	07/02/2012	DEPOSIT TO STATE ACCOUNT			$500.00
7239	07/31/2012			Accounts Payable	PERS RETIREMENT	$213,310.76
	Invoice	Date	Description			Amount
	P120622	07/06/2012	PERS RETIREMENT			$213,310.76
7240	07/31/2012			Accounts Payable	STATE DISBURSEMENT UNIT	$2,466.25
	Invoice	Date	Description			Amount
	CS120628	07/12/2012	CHILD SUPPORT WITHHOLDING			$2,466.25

MV00176709

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7241	07/31/2012			Accounts Payable	NATIONWIDE RETIREMENT SOLUTIONS	$2,786.67
	Invoice	Date	Description			Amount
	DC457120712	07/13/2012	PST DEF COMP FOR FICA			$2,786.67
7242	07/31/2012			Accounts Payable	NATIONWIDE RETIREMENT SOLUTIONS CP	$25,728.46
	Invoice	Date	Description			Amount
	NW45712007	08/13/2012	DEF COMP 457 & 401(a)			$25,728.46
7243	07/31/2012			Accounts Payable	MORENO VALLEY CITY EMPLOYEES ASSOC.	$1,379.50
	Invoice	Date	Description			Amount
	M0120712	07/13/2012	MVCEA DUES			$1,379.50
7244	07/31/2012			Accounts Payable	ICMA RETIREMENT CORP	$8,575.01
	Invoice	Date	Description			Amount
	DC457120712	07/13/2012	DEF COMP 457			$8,575.01
7245	07/31/2012			Accounts Payable	INTERNAL REVENUE SERVICE	$134,842.43
	Invoice	Date	Description			Amount
	F120712	07/13/2012	FEDERAL INCOME TAX WITHHELD			$134,842.43
7246	07/31/2012			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	$34,635.24
	Invoice	Date	Description			Amount
	S120712	07/13/2012	STATE INCOME TAX WITHHELD			$34,635.24
7247	07/31/2012			Accounts Payable	PERS RETIREMENT	$212,946.18
	Invoice	Date	Description			Amount
	P120706	07/20/2012	PERS RETIREMENT			$212,946.18
7248	07/31/2012			Accounts Payable	STATE DISBURSEMENT UNIT	$2,548.20
	Invoice	Date	Description			Amount
	CS120726	07/26/2012	CHILD SUPPORT WITHHOLDING			$2,548.20

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City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7249	07/31/2012			Accounts Payable	NATIONWIDE RETIREMENT SOLUTIONS	$3,052.92
	Invoice	Date	Description			Amount
	DC457120726	07/27/2012	PST DEF COMP FOR FICA			$3,052.92
7250	07/31/2012			Accounts Payable	NATIONWIDE RETIREMENT SOLUTIONS CP	$26,637.92
	Invoice	Date	Description			Amount
	NW45712007	07/27/2012	DEF COMP 457 & 401(a)			$26,637.92
7251	07/31/2012			Accounts Payable	MORENO VALLEY CITY EMPLOYEES ASSOC.	$1,368.50
	Invoice	Date	Description			Amount
	M0120726	07/27/2012	MVCEA DUES			$1,368.50
7252	07/31/2012			Accounts Payable	ICMA RETIREMENT CORP	$8,575.01
	Invoice	Date	Description			Amount
	DC457120726	07/27/2012	DEF COMP 457			$8,575.01
7253	07/31/2012			Accounts Payable	INTERNAL REVENUE SERVICE	$130,473.99
	Invoice	Date	Description			Amount
	F120726	07/27/2012	FEDERAL INCOME TAX WITHHELD			$130,473.99
7254	07/31/2012			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	$33,374.66
	Invoice	Date	Description			Amount
	S120726	07/27/2012	STATE INCOME TAX WITHHELD			$33,374.66
7255	07/31/2012			Accounts Payable	WELLS FARGO CORPORATE TRUST	$1,239,639.91
	Invoice	Date	Description			Amount
	W120704	07/25/2012	2007 TAX ALLOCATN BNDS, A SERIES DBT SVC			$1,239,639.91

MV00176711

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7256	07/31/2012			Accounts Payable	STATE BOARD OF EQUALIZATION 1	$1,001.00

Invoice	Date	Description	Amount
063012	07/30/2012	SALES & USE TAX 4/1/12-6/30/12	$1,001.00

Type EFT Totals:	**113 Transactions**	**$7,235,561.45**

Grand Totals:

Checks		Count	Transaction Amount
	Total	**219**	**$6,752,229.90**

EFTs		Count	Transaction Amount
	Total	**113**	**$7,235,561.45**

All		Count	Transaction Amount
	Checks	**219**	**$6,752,229.90**
	EFTs	**113**	**$7,235,561.45**
	Total	**332**	**$13,987,791.35**

MV00176712

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster, Community & Economic Development Director

AGENDA DATE: September 25, 2012

TITLE: PA06-0021 (PM 34577) – INDUSTRIAL – ACCEPT FINAL MAP, AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS

SOUTHEAST CORNER OF HEACOCK STREET AND CARDINAL AVENUE

DEVELOPER: I-215 LOGISTICS, LLC,
A DELAWARE LIMITED LIABILITY COMPANY
3501 JAMBOREE ROAD, SUITE 230
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Parcel Map 34577, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

2. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA06-0021(PM 34577).

3. Authorize the Mayor to execute the agreement.

4. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation.

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

BACKGROUND

On January 11, 2007, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map No. 34577 (PA06-0021) along with Plot Plan (PA06-0022) for two industrial warehouse buildings. On November 28, 2011, Amended Plot Plan P11-090 (Building #1; 455,000 square feet) and Amended Plot Plan P11-091 (Building #2; 1,250,000 square feet) were approved by the Planning Director as amendments to the original plot plan. The parcel map is a proposal to subdivide 76.4 gross acres into two parcels. The project is bounded by Indian Street to the east, Heacock Street to the west, San Michelle Road to the south, and Cardinal Avenue to the north.

DISCUSSION

Final Map 34577 is in substantial conformance with the tentative parcel map, and the developer has requested that the map be approved for recordation. The Conditions of Approval for this project require that the developer provide surety for the required improvements.

The developer of this project has completed and submitted an Agreement for Public Improvements. The developer agrees to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The street improvements include but are not limited to: asphalt concrete, curb, gutter, sidewalk, driveway approaches, wheelchair ramp, signage, traffic signal and traffic signal modifications, street lights, storm drain, water, and sewer. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe.

Accompanying the agreement is an Irrevocable Letters of Credit as Faithful Performance security in the amount of $5,365,000 and an Irrevocable Letter of Credit as Labor and Material security in the amount of $2,682,500 issued by Wells Fargo Bank.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Agreement for Public Improvements
Exhibit "C" – Irrevocable Letter of Credit as Faithful Performance Security
Exhibit "D" – Irrevocable Letter of Credit as Labor and Material Security

Prepared By
Liz Plazola
Senior Administrative Assist.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E
Engineering Division Manager

Department Head Approval
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

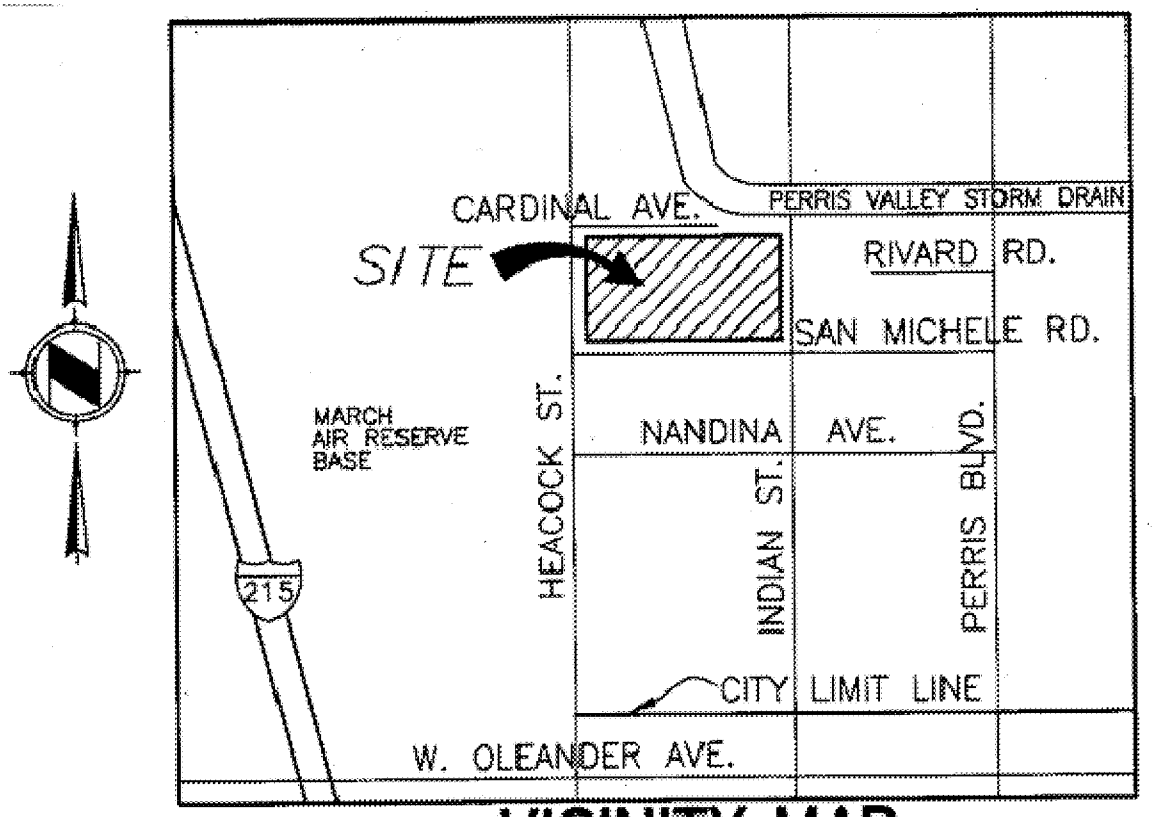

VICINITY MAP

NTS

CITY OF MORENO VALLEY COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT - LAND DEVELOPMENT **EXHIBIT "A"**	**PA06-0021** **(PM 34577)**

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR
PROJECT NO. PA06-0021 (PM 34577)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **I-215 Logistics, LLC A Delaware limited liability company**, herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA06-0021 (PM 34577)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **FIVE MILLION THREE HUNDRED SIXTY-FIVE THOUSAND AND NO/100** Dollars (*****$5,365,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **TWO MILLION SIX HUNDRED EIGHTY-TWO THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$2,682,500.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

Exhibit "B"

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security in accordance with the City's Municipal Code at anytime during the term of this agreement, subject to approval by the City Engineer and City Attorney.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Developer further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
I-215 Logistics, LLC
A Delaware limited liability company
3501 Jamboree Road, Suite 230
Newport Beach, CA 92660

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

I-215 Logistics, LLC A Delaware limited liability company:
Developer

BY: _____
Signature

THOMAS A. BAK
Print/Type Name

Vice President
Title

BY: _____
Signature

David Nazeryk
Print/Type Name

VP
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

ACKNOWLEDGMENT

State of California
County of Orange)

On August 23, 2012 before me, R. Flandez, Notary Public
(insert name and title of the officer)

personally appeared David Nazary K,
who proved to me on the basis of satisfactory evidence to be the pers on(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to m e that he/~~she/the~~y executed the same in his/~~her/the~~ir authorized capacity(~~ies~~), and that by his/~~her/the~~ir signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the pers on(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Cali fornia that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

R. FLANDEZ
Commission # 1916162
Notary Public - California
Orange County
My Comm. Expires Jan 6, 2015

ACKNOWLEDGMENT

State of California
County of Orange)

On August 23, 2012 before me, R. Flandez, Notary Public
(insert name and title of the officer)

personally appeared Thomas A. Bak ,
who proved to me on the basis of satisfactory evidence to be the pers on(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to m e that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(i~~es~~), and that by his/~~her/the~~ir signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the pers on(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

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Signature _____ (Seal)

R. FLANDEZ
Commission # 1916162
Notary Public - California
Orange County
My Comm. Expires Jan 6, 2015

EXHIBIT "A"
ENGINEER'S ESTIMATE

CMJ

PROJECT: PA06-0021
PM 34577
Trammell Crow

DATE: 8/22/12
PREPARED BY: C. Jimenez

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF					
Roadway Excavation			2440 C.Y.	29.00	70,760
A.B. Class II - Cardinal	1	Thickness (ft.)			
	39694	S.F.	2877 Ton	33.00	94,941
A.C. - Cardinal	0.5	Thickness (ft.)			
	39694	S.F.	1438 Ton	80.00	115,040
Roadway Excavation			0 C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)			
	0	S.F.	0 Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)			
	0	S.F.	0 Ton	80.00	0
Street Work - DIF					
Roadway Excavation			4000 C.Y.	29.00	116,000
A.B. Class II - San Michele	1	Thickness (ft.)			
	54879	S.F.	3978 Ton	33.00	131,274
A.C. - San Michele	0.5	Thickness (ft.)			
	54879	S.F.	1989 Ton	80.00	159,120
Roadway Excavation			930 C.Y.	29.00	26,970
A.B. Class II - Indian	0.75	Thickness (ft.)			
	13610	S.F.	740 Ton	33.00	24,420
A.C. - Indian	0.45	Thickness (ft.)			
	13610	S.F.	444 Ton	80.00	35,520
Roadway Excavation			0 C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)			
	0	S.F.	0 Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)			
	0	S.F.	0 Ton	80.00	0
Street Work - TUMF					
Roadway Excavation			3700 C.Y.	29.00	107,300
A.B. Class II - Heacock	1	Thickness (ft.)			
	65409	S.F.	4742 Ton	33.00	156,486
A.C. - Heacock	0.5	Thickness (ft.)			
	65409	S.F.	2371 Ton	80.00	189,680
Roadway Excavation			0 C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)			
	0	S.F.	0 Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)			
	0	S.F.	0 Ton	80.00	0
Roadway Excavation			0 C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)			
	0	S.F.	0 Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)			
	0	S.F.	0 Ton	80.00	0
				SUBTOTAL:	1,227,511

REGISTERED PROFESSIONAL ENGINEER
C047255
Exp 12/31/13
CIVIL
STATE OF CALIFORNIA

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PA06-0021
PM 34577
Trammell Crow

PUBLIC STREET WORK

DATE: 8/22/12
PREPARED BY: C. Jimenez

CMJ

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	80.00	0
Slurry Seal (Based on $150/Ton Type II)	4450	S.Y.	2.25	10,013
Paving Fabric	0	S.Y.	1.20	0
Sawcut	3800	L.F.	3.00	11,400
Edge Taper AC Pavement	1720	S.F.	5.30	9,116
Trench Repaving	0	S.F.	12.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
Remove Existing Barrier	20	L.F.	45.00	900
Adjust M.H. to Grade	11	EA.	800.00	8,800
Remove Existing Access Ramp	996	S.F.	4.00	3,984
Remove & Dispose Existing Pavement & Base	78739	S.F.	3.00	236,217
Remove Existing Cross Gutter	420	S.F.	4.00	1,680
Concrete				
P.C.C. Paving - 6"	0	S.F.	6.50	0
P.C.C. Paving - 8.5"	1575	S.F.	11.20	17,640
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	4630	L.F.	30.00	138,900
Curb and Gutter - 6" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 6" (TUMF Street Name)	0	L.F.	30.00	0
Cross Gutter and Spandrel	830	S.F.	10.25	8,508
Sidewalk	41320	S.F.	4.25	175,610
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	0	S.F.	6.50	0
Driveway Approach - 8"	1290	S.F.	10.50	13,545
Wheelchair Ramp	4	EA.	2,600.00	10,400
Barricade	90	L.F.	100.00	9,000
Bus Bay	0	EA.	15,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Relocate Existing Pullbox (City Specified Location)	11	EA.	250.00	2,750
				0
			SUBTOTAL	668,462
Traffic Improvements				
Traffic Striping (DIF Street)	0	L.S.	–	0
Street Name Sign	1	EA.	500.00	500
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Traffic Control	1	L.S.	10000	10,000
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Type "F" Pavement Delineator @ 20' Along Taper	300	L.F.	25.00	7,500
			SUBTOTAL:	10,500
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	1200	L.F.	198.00	237,600
Monuments	10	EA.	300.00	3,000
			SUBTOTAL:	240,600

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PA06-0021
PM 34577
Trammell Crow

PUBLIC STREET WORK (CONTINUED)

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	5,000.00	0
Street Lights (22000 lumen)	35	EA.	6,000.00	210,000
			SPECIAL DISTRICTS SUBTOTAL:	210,000
Moreno Valley Utilities				
Electrical Utility Infrastructure	1	L.S.	1,000,000.00	1,000,000
			MVU SUBTOTAL:	1,000,000
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination,	1	EA.	272,000.00	272,000
Traffic Signal Modification	1	L.S.	100000	100,000
Traffic Signal Interconnect (Existing Signals Only)	1200	L.F.	30.00	36,000
			TRANSPORTATION SUBTOTAL:	408,000

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EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

PROJECT: PA06-0021
PM 34577
Trammell Crow

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	1580	L.F.	160.00	252,800
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	180	L.F.	190.00	34,200
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	600.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	4	EA.	5000.00	20,000
Manhole No. 2	0	EA.	7200.00	0
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	7	EA.	5500.00	38,500
Catch Basin (10')	0	EA.	6000.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	7	EA.	535.00	3,745
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (10') DIF Street Name)	0	EA.	6000.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

PROJECT: PA06-0021
PM 34577
Trammell Crow

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	1	EA.	5500.00	5,500
Junction Structure	8	EA.	6500.00	52,000
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	4000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	6500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	3	EA.	1000.00	3,000
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	409,745

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

EXHIBIT "A"
ENGINEER'S ESTIMATE

PUBLIC WATER SYSTEMS

PROJECT: PA06-0021
PM 34577
Trammell Crow

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
2" PVC Service Line Recyled Water System	109	L.F.	25.00	2,725
6" PVC C-900	33	L.F.	30.00	990
8" PVC C-900	240	L.F.	35.00	8,400
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	1495	L.F.	60.00	89,700
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
8" PVC C-900 Recycled Water System	2863	L.F.	35	100,205
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve Recycled Water System	4	EA.	1,340.00	5,360
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	4	EA.	2,300.00	9,200
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	11	EA.	4,500.00	49,500
	0		0.00	0
Services Connections				
1" Service	0	EA.	800.00	0
1" Service w/ 5/8" Service	0	EA.	2,000.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service Recycled Water System	2	EA.	1,600.00	3,200
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8" Recycled Water System	4		200.00	800
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	4		750.00	3,000
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
	0		0.00	0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	4	EA.	3,150.00	12,600
Hot Tap Service Clamp	0	EA.	1,000.00	0
Water Service	0	EA.	330.00	0
	0		0.00	0

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

MV00176727

CMJ

Miscellaneous - Water System			
Thrust Block	0 CY	150.00	0
Jack & Bore	0 L.F.	300.00	0
Joint at Existing 8"	0 EA.	650.00	0
Adjust Water Meter Box to Grade	0 EA.	235.00	0
	0	0.00	0
		SUBTOTAL:	285,680

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

EXHIBIT "A"
ENGINEER'S ESTIMATE

PUBLIC SEWER SYSTEMS

PROJECT: PA06-0021
PM 34577
Trammell Crow

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	180	L.F.	55.00	9,900
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	0	L.F.	80.00	0
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	3	EA.	3,140.00	9,420
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	630.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pavement around MH	0	S.F.	14.00	0
	0		0.00	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	200	S.F.	5.00	1,000
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	20,320

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PA06-0021
PM 34577
Trammell Crow

DATE:
PREPARED BY: C. Jimenez

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$1,227,511
OFFSITE STREET WORK	:	$558,462
SPECIAL DISTRICTS	:	$210,000
MORENO VALLEY UTILITIES	:	$1,000,000
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$408,000
STORM DRAIN SYSTEM	:	$409,745
WATER SYSTEM & RECYCLED	:	$285,680
SEWER SYSTEM	:	$20,320
TRAFFIC IMPROVEMENTS	:	$10,600
BONDABLE WORK (not plan checked)	:	$240,600
TOTAL COST (VALUE) OF IMPROVEMENTS:		$4,470,818
+20% CONTINGENCY:		$894,164
TOTAL WITH STANDARD CONTINGENCY:		$5,364,982

BOND AMOUNT: $5,365,000

REGISTERED PROFESSIONAL ENGINEER
STEVEN ELLIS
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

WELLS FARGO

Wells Fargo Bank, N.A.
U.S. Trade Services
Standby Letters of Credit
MAC A0195-212
One Front Street, 21st Floor
San Francisco, California 94111
Phone: 1(800)798-2815 Option 1
E-Mail: sftrade@wellsfargo.com

IRREVOCABLE LETTER OF CREDIT AS FAITHFUL PERFORMANCE BOND

Irrevocable Letter of Credit No.IS0014770U

Project No. PA06-0021 (PM 34577)

Dated: SEPTEMBER 07, 2012

Public R/W
Improvements US $5,365,000.00

City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Irrevocable Letter of Credit Delivered as Improvement Security Pursuant to California Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley

Gentlemen:

Wells Fargo Bank, N.A., a financial institution subject to regulation by the State of California and the United States Government, establishes and delivers to the City of Moreno Valley this irrevocable letter of credit in your favor for the account of I-215 Logistics, LLC A Delaware Limited Liability Company located at 3501 Jamboree Rd., Suite 230 Newport Beach, CA 92660 up to an aggregate sum of Five Million Three Hundred Sixty Five Thousand and No/100Dollars (US $5,365,000.00) as "Improvement Security" as required by Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley, for Project No. PA06-0021 (PM 34577).

All or any portion of the funds available pursuant to this irrevocable letter of credit will be paid upon the written demand of the City of Moreno Valley. The written demand need not present documentation of any type as a condition of payment, including proof of loss, but will be available by your draft at sight drawn on us and accompanied by your signed certification stating either that:

1. "I-215 Logistics, LLC A Delaware Limited Liability Company has not complied with the performance requirements as set forth in the agreements entered into with the City of Moreno Valley."

Exhibit "C"

Together we'll go far

WELLS FARGO

OR

2. "I-215 Logistics, LLC A Delaware Limited Liability Company has not maintained the offsite improvements as set forth in the agreements entered into with the City of Moreno Valley for the one year guarantee and warranty period provided, however, that the maximum amount which may be drawn under this subparagraph 2. shall be limited to 10% of the letter of credit.

This irrevocable letter of credit expires at the institution's counter on September 05, 2013; however, it is a condition of this letter of credit that it shall be deemed automatically extended without amendment for successive one year periods from the present and all future expiration dates thereof unless 60 days prior to any such date the institution shall notify the City in writing that the institution elects not to consider this letter of credit renewed for any such additional period.

Upon our sending you such notice of the non-extension of the expiration date of this Letter of Credit, you may also draw under this Letter of Credit, on or before the Final Expiration Date specified in such notice, by presentation of the following documents to us at our above address:

1. A draft drawn on us at sight marked "Drawn under Wells Fargo Bank, N.A. Standby Letter of Credit No. IS0014770U."

2. The original of this Standby Letter of Credit and any amendments thereto.

3. Your signed and dated statement worded as follows (with the instructions in brackets therein complied with):

The undersigned, an authorized representative of the beneficiary of Wells Fargo Bank, N. A. Letter of Credit No. IS0014770U, hereby certifies that it has received notification from Wells Fargo Bank, N.A. that this letter of credit will not be extended past its current expiration date. The undersigned further certifies that (i) as of the date of this statement, it has not received a letter of credit or other instrument acceptable to it as a replacement; and (ii) I-215 Logistics, LLC a Delaware Limited Liability Co. has not been released from its obligations."
I.L.O.C (FP) NO. IS0014770U

WELLS FARGO

When the work is completed to the satisfaction of the City, the City Engineer of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this security will be reduced by 90% with the remaining 10% will be held as security for a one year guarantee period and warranty period provided for in the agreements.

As a part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

This Letter of Credit is Irrevocable.

Wells Fargo Bank, N.A.
(TYPE/PRINT - INSTITUTION)

By: Sharon Peace-Smoot

Sharon Peace-Smoot, AVP
(TYPE/PRINT – NAME & TITLE)

By: Angie Mendenhall

Angie Mendenhall, Operations Officer
(TYPE/PRINT – NAME & TITLE)

ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF Forsyth; TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7th DAY OF September, 2012 BY NAME AND TITLE Sharon Peace-Smoot, AVP + Angie Mendenhall, Operations Officer.

(NOTARY PUBLIC)

OFFICIAL SEAL
Notary Public, North Carolina
COUNTY OF STOKES
LINDA A. HAMPTON
My Commission Expires 11-30-16

MY COMMISSION EXPIRES: 11-30-2016

Together we'll go far

WELLS FARGO

Wells Fargo Bank, N.A.
U.S. Trade Services
Standby Letters of Credit
MAC A0195-212
One Front Street, 21st Floor
San Francisco, California 94111
Phone: 1(800)798-2815 Option 1
E-Mail: sftrade@wellsfargo.com

IRREVOCABLE LETTER OF CREDIT AS FAITHFUL PERFORMANCE BOND

Irrevocable Letter of Credit No.IS0014767U

Project No. PA06-0021 (PM 34577)

Dated: SEPTEMBER 07, 2012

Public R/W
Improvements US $2,682,500.00

City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Irrevocable Letter of Credit Delivered as Security for Labor and Materials Pursuant to Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley

Gentlemen:

Wells Fargo Bank, N.A., a financial institution subject to regulation by the State of California and the United States Government, establishes and delivers to the City of Moreno Valley this irrevocable letter of credit in your favor for the account of I-215 Logistics, LLC A Delaware Limited Liability Company located at 3501 Jamboree Rd., Suite 230 Newport Beach, CA 92660 up to an aggregate sum of Two Million Six Hundred Eighty Two Thousand Five Hundred and No/100Dollars (US $2,682,500.00) as "ISecurity for Labor and Materials" as required by Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley, for Project No. PA06-0021 (PM 34577).

All or any portion of the funds available pursuant to this irrevocable letter of credit will be paid upon the written demand of the City of Moreno Valley. The written demand need not present documentation of any type as a condition of payment, including proof of loss, but will be available by your draft at sight drawn on us and accompanied by your signed certification stating either that:

1. "I-215 Logistics, LLC A Delaware Limited Liability Company has not complied with the labor and material payment requirements as set forth in the agreements entered into with the City of Moreno Valley."

Exhibit "D"

Together we'll go far

WELLS FARGO

This irrevocable letter of credit expires at the institution's counter on September 05, 2013; however, it is a condition of this letter of credit that it shall be deemed automatically extended without amendment for successive one year periods from the present and all future expiration dates thereof unless 60 days prior to any such date the institution shall notify the City in writing that the institution elects not to consider this letter of credit renewed for any such additional period.

Upon our sending you such notice of the non-extension of the expiration date of this Letter of Credit, you may also draw under this Letter of Credit, on or before the Final Expiration Date specified in such notice, by presentation of the following documents to us at our above address:

1. A draft drawn on us at sight marked "Drawn under Wells Fargo Bank, N.A. Standby Letter of Credit No. IS0014767U."

2. The original of this Standby Letter of Credit and any amendments thereto.

3. Your signed and dated statement worded as follows (with the instructions in brackets therein complied with):

The undersigned, an authorized representative of the beneficiary of Wells Fargo Bank, N. A. Letter of Credit No. IS0014767U, hereby certifies that it has received notification from Wells Fargo Bank, N.A. that this letter of credit will not be extended past its current expiration date. The undersigned further certifies that (i) as of the date of this statement, it has not received a letter of credit or other instrument acceptable to it as a replacement; and (ii) I-215 Logistics, LLC a Delaware Limited Liability Co. has not been released from its obligations."

As a part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney fees incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

This Letter of Credit is Irrevocable.

Together we'll go far

WELLS FARGO

...C (FP) NO. IS0014767U
PROJECT NO. PA06-0021 (PM 34577)

Wells Fargo Bank, N.A.
(TYPE/PRINT - INSTITUTION)

By: Sharon Peace-Smoot

Sharon Peace-Smoot, AVP
(TYPE/PRINT – NAME & TITLE)

By: Angie Mendenhall

Angie Mendenhall, Operations officer
(TYPE/PRINT – NAME & TITLE)

ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF Forsyth; TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7th DAY OF September, 2012 BY NAME AND TITLE Sharon Peace Smoot, AVP + Angie Mendenhall, Operations Officer

(NOTARY PUBLIC)

OFFICIAL SEAL
Notary Public, North Carolina
COUNTY OF STOKES
LINDA A. HAMPTON
My Commission Expires 11-30-16

MY COMMISSION EXPIRES: 11-30-2016

Together we'll go far

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: FIRST AMENDMENT TO AGREEMENT WITH DMC DESIGN GROUP FOR MORENO TOWNSITE AREA STORM DRAIN AND MISCELLANEOUS STREET IMPROVEMENTS BETWEEN ALESSANDRO BOULEVARD AND DRAINAGE FACILITY LINE F - PROJECT NO. 801 0011 70 77 - 2001

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve the First Amendment to Agreement for Professional Consultant Services with DMC Design Group to revise and complete the design for the Moreno Townsite Area Storm Drain and Miscellaneous Street Improvements.

2. Authorize the City Manager or his designee to continue negotiating the cost proposal and then execute said Amendment to Agreement for Professional Consultant Services with DMC Design Group, subject to approval of the City Attorney.

3. Authorize an increase in the Purchase Order to DMC Design Group in the amount of up to but not to exceed $57,820 once the final cost negotiations are concluded and the amendment to agreement has been signed by all parties.

BACKGROUND

This project involves the design and construction of a storm drain system in Redlands Boulevard south of Alessandro Boulevard to mitigate flooding within the Moreno Townsite Area. The project also includes miscellaneous street improvements associated with construction of the storm drain.

On February 8, 2011, the City Council accepted the initial Hazard Mitigation Grant Program (HMGP) funds in the amount of $1,178,000 from the Federal Emergency Management Agency (FEMA).

On April 26, 2011, the City Council approved an agreement with DMC Design Group (DMC) to provide design services, various environmental technical studies, and right-of-way engineering support for the project, as well as accepted additional HMGP funds in the amount of $322,000 from FEMA.

On January 10, 2012, the City Council adopted a Mitigated Negative Declaration (MND) for this project with mitigation measures to be included in the project's specifications to reduce all potential environmental impacts related to the project's construction phase to an acceptable level.

DISCUSSION

A portion of the proposed storm drain system was originally proposed to be designed and constructed in the middle of the Moreno Townsite Area, from Alessandro Boulevard to Campbell Avenue. With this alignment, the proposed storm drain would be in the same location of the existing low laying drainage swale called the Russell's Ditch that runs north-south through side yards of ten private properties in the neighborhood. Construction of these storm drain improvements necessitated the acquisition of storm drain easements from ten property owners.

Staff tried in earnest to acquire the required storm drain easements but was not able to obtain the easements necessary for construction and maintenance of the storm drain due to various property owners' concerns. In addition, because the storm drain easements cross private properties, there are existing improvements and obstructions within the proposed easements that will prevent Riverside County Flood Control and Water Conservation District (District) from accepting and maintaining the storm drain when construction is completed. In order to keep the project moving forward, the design needs to be modified to change a portion of the storm drain alignment.

DMC, with the District's concurrence, proposes to revise the design so that the storm drain mainline would be installed in Redlands Boulevard with laterals extending into Alessandro Boulevard, Kimberly Avenue, Maltby Avenue, and Campbell Avenue to convey storm water from the low lying areas. DMC proposes a not-to-exceed cost of $57,820 to complete additional design survey, hydrology and hydraulic studies, utility conflict investigations, coordination with the District, plans and bid documents for advertising for constructions bids. However, as this time, the Public Works Director/City Engineer as the City Manager's designee continues to negotiate the cost proposal with DMC.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. Because FEMA grant funds are involved, the project must continue in an expeditious manner. *This alternative will allow for the project to keep its design momentum necessary for the construction of much needed storm drain and street improvements within the Moreno Townsite Area.*

2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will delay much needed storm drain and street improvements within the Moreno Townsite Area and may significantly affect the disposition of the FEMA grant funds.*

FISCAL IMPACT

This project is included in Fiscal Year 2012-2013 Capital Improvements Project Budget and financed by FEMA-HMGP Grant Funds and Measure "A" as local match funds. There is no impact to the General Fund.

BUDGETED FUNDS FOR THE PROJECT:
Street Improvement Program (Account No. 2001-70-77-80001 801 0011 70 77) $1,694, 953

ESTIMATED PROJECT COSTS:

Design Cost*	$ 40,000
Additional Design Cost	$ 58,000
Construction	$1,450,000
Construction Geotechnical Services and Survey Services	$ 60,000
Project Management, Administration and Inspection	$ 60,000
Total	$1,668,000

**Balance of previous funding authorization*

ANTICIPATED PROJECT SCHEDULE

Design Complete	March 2013
Advertise and Award Construction Contract	April 2013
Construction Complete	November 2013

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff recommends approval of the First Amendment to Agreement for Professional Consultant Services and an increase to the purchase order with DMC Design Group up to $57,820 for completion of the design for the Moreno Townsite Area Storm Drain and Miscellaneous Street Improvements project. These improvements will help to mitigate the flooding for this area.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – First Amendment to Agreement for Professional Consultant Services

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Asst. City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

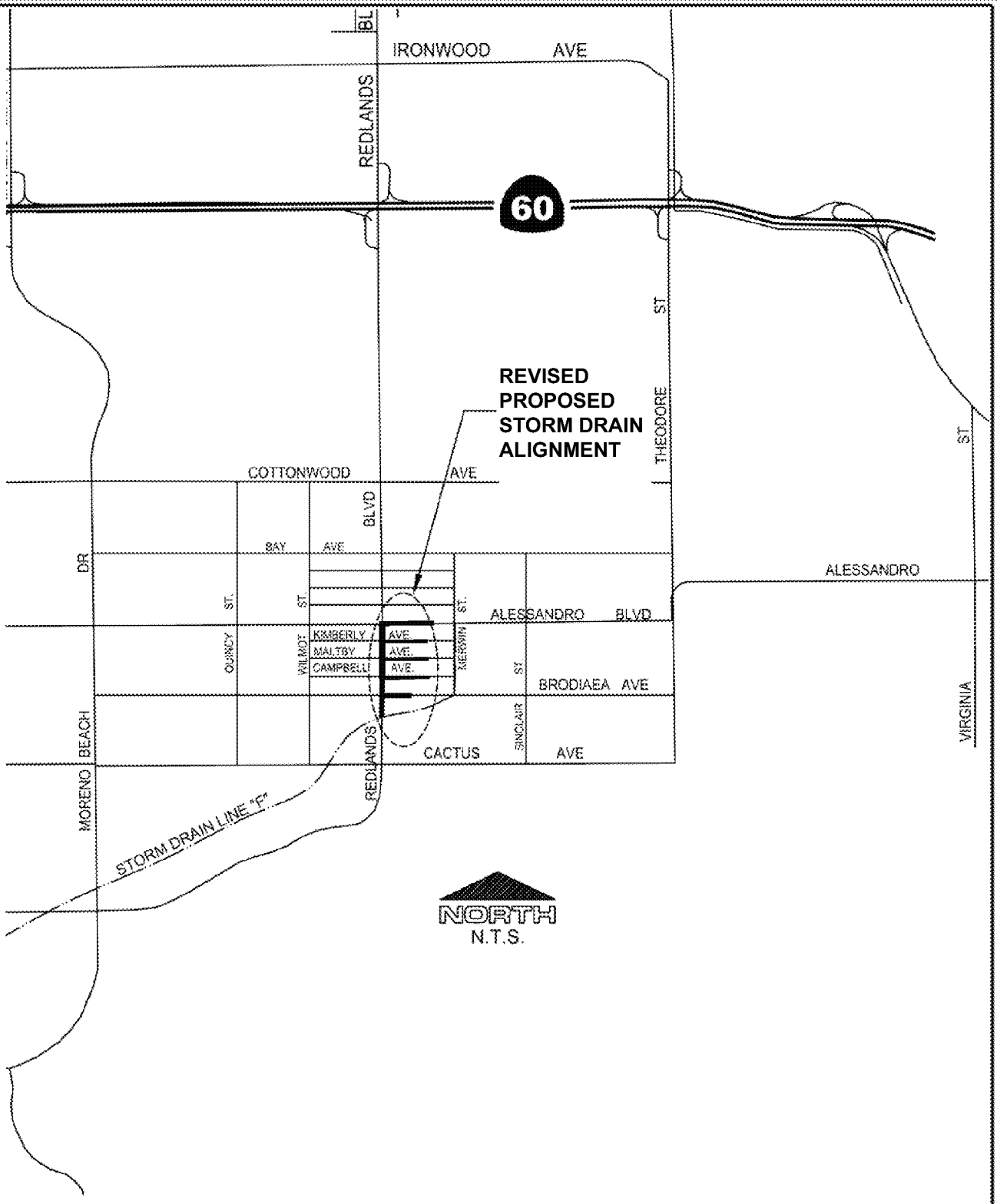

LOCATION MAP

Public Works Department
Capital Projects Division

MORENO TOWNSITE AREA STORM DRAIN AND MISCELLANEOUS STREET IMPROVEMENTS

ATTACHMENT "A"

PROJECT NO. 801 0011 70 77-2001

MV00176742

Exhibit "A"

FIRST AMENDMENT TO AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 801 0011 70 77-2001

This First Amendment to Agreement is by and between the City of Moreno Valley, a municipal corporation, hereinafter referred to as "City," and DMC Design Group, Inc., a California corporation, hereinafter referred to as "Consultant." This First Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Design Professional Consultant Services," hereinafter referred to as "Agreement," dated May 19, 2011.

Whereas, the Consultant is providing consultant design services for Moreno Townsite Area Storm Drain and Miscellaneous Street Improvements between Alessandro Boulevard and Drainage Facility Line F.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this First Amendment.

Whereas, the Consultant has submitted a Proposal dated September 10, 2012, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A -- First Amendment" and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT

1.1 The Agreement termination date is extended from May 31, 2013 to May 31, 2014, unless the termination date is further extended by an Amendment to the Agreement.

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0011 70 77-2001

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A – First Amendment," entitled "Proposed for Additional Professional Design Consultant Services for the Realignment of Storm Drain Improvements in the Moreno Townsite Area between Alessandro Boulevard and Drainage Facility Line F."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal in the amount of $57,820 as described in said "Exhibit A -- First Amendment."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $57,820, in consideration of the Consultant's performance of the work set forth in "Exhibit A -- First Amendment."

1.5 The total "Not to Exceed" fee for this contract is $229,836 ($172,016 for the original Agreement plus $57,820 for the First Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0011 70 77-2001

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

DMC Design Group, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – First Amendment"

DMC Design Group, Inc.
Maple Centre
140 N. Maple St., Suite 104
Corona, CA 92880

(951) 549-8100 Fax (951) 549-8102

DMC DESIGN GROUP

Exhibit "A" First Amendment

September 11, 2012

Quang Nguyen, P.E.—Senior Engineer
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE Proposal for Additional Professional Design Consultant Services for the Realignment of Storm Drain Improvements in the Moreno Townsite Area between Alessandro Boulevard and Drainage Facility Line F (Project No. 11-12566730)

Dear Mr. Nguyen:

On August 27, 2012, revised storm drain alignment/conceptual plan for proposed drainage improvements in the Moreno Townsite Area were submitted to the City and Riverside County Flood Control and Water Conservation District. The revised alignment was required to avoid the acquisition of permanent drainage easements for the box culvert structure through properties within the Moreno Townsite community. To comply with this new alignment, it will be necessary to revise construction plans, specifications and estimates completed to date before proceeding to preparation of final bid ready construction documents.

Based upon the August 27, 2012 alignment plan submitted to the City/RCFC, DMC estimates the following effort will be required to revise the existing plans, specifications and estimates:

• **Task 3 Topographic Survey** 16 hrs @ $200/hr (2 man survey team) + 4 hrs @ $115/hr (Survey Manager)	**$3,660**
• **Task 4 Base Map** 16 hrs @ $90/hr (CAD Op)	**$1,440**
• **Task 5 Utility Coordination** 20 Utility Pot Holes @ $1,100/pothole + 16 hrs @ $90/hr (CAD Operator)	**$23,440**
• **Task 6 Right of Way Support** 16 hrs @ $90/hr (CAD Operator)	**$1,440**
• **Task 9.02 Special Studies** (Drainage) 24 hrs @ $110/hr (Design Engineer)	**$2,640**
• **Task 10 PS&E** 160 hrs @ $90/hr (CAD Op.) + 24 hrs @ $110 (Design Engr.) + 4 hrs @ $130/hr (Proj. Engr.)	**$17,560**
• **Task 11 Coordination W/RCFC** 12 hrs @ $110/hr (Design Engr.)	**$1,320**
Total Additional Costs to Current Contract	**$51,500**

The additional costs outlined above are to revise existing plans to complete level based upon the new alignment. DMC will immediately begin this work once it receives written authorization to proceed from the City.

Should you have any questions or concerns, do not hesitate to contact me.

Sincerely,
DMC Design Group, Inc.

David M. Cosper, P.E., Q.S.D.
Principal Engineer

MV00176747

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief
Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO GLOBAL POWER GROUP, INC. FOR THE EMERGENCY OPERATIONS CENTER FAMILY CARE CENTER GENERATOR PROJECT – PROJECT NO. 803 0016 70 77

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract to Global Power Group, Inc. (GPG), 12060 Woodside Avenue, Lakeside, CA 92040, the lowest responsible bidder, for Emergency Operations Center Family Care Center Generator project.

2. Authorize the City Manager to execute a contract with GPG.

3. Authorize the issuance of a Purchase Order for $386,811.70 ($351,647.00 bid plus 10% contingency of $35,164.70) to GPG when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with GPG, up to but not to exceed the Purchase Order's total contingency amount of $35,164.70, subject to the approval of the City Attorney.

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines that all contract requirements and punch-list items are completed by GPG, accept the improvements into the City's maintained system, and release the retention to Contractor if no claims have been filed against the project.

BACKGROUND

On December 14, 2010, City Council authorized the acceptance of the FY 2010 Emergency Operations Center (EOC) Grant in the amount of $400,000. City Council also approved the expenditure of the FY 2010 EOC Grant for the Generator Project, EOC Workstation/Peripheral Project, GIS Equipment Project, Traffic Management Display Wall Project, and WebEOC/Security Display Project. The portion of the grant awarded for the EOC Family Care Center Generator project expenditure is $229,600. The City's Conference and Recreation Center (CRC) is designated as the EOC Family Care Center.

On June 6, 2011, the City retained TMAD Taylor & Gaines (TTG) to provide Professional Consultant Services for the EOC Family Care Center Emergency Generator Analysis and Study.

At the September 26, 2011 Public Safety Subcommittee meeting, the Subcommittee recommended proceeding with constructing a new Emergency Generator for the EOC Family Care Center. Due to budget constraints, the Subcommittee also recommended upgrading the fuel tank at the existing generator as an additive alternate bid item subject to availability in funding. Staff was directed to bring this issue forward to the City Council for approval.

On October 25, 2011, City Council authorized the design of a new Emergency Generator for the EOC Family Care Center per the "Analysis and Study for the Existing and Proposed Generator for Civic Center Buildings" that was prepared by TTG. The City Council also authorized the upgrade of the fuel tank at the existing generator as an additive alternate bid item subject to the availability in funding.

On July 10, 2012, City Council authorized the equipment purchase from Johnson Power Systems for the 700 kw generator set and 5,000 gallon fuel tank at the EOC Family Care Center and the purchase of a new 5,000 gallon fuel tank for the existing generator at City Hall contingent upon available funding. City Council also authorized the appropriation of the savings in the amount of $458,000 from the 2005 Lease Revenue Bond Fund 3401 (previously Fund 501) for the Public Safety Building Conversion project to the EOC Family Care Center Generator.

The Planning Division has determined that this project qualifies for a Class 2 Categorical Exemption as defined in Section 15302 of the California Environmental Quality Act (CEQA) Guidelines.

DISCUSSION

On August 1, 2012, the Notice Inviting Bids was issued for the construction of the EOC Family Care Center Generator project which consists of the construction and installation of a new 700kW generator and accompanying 5,000 gallon fuel tank at the EOC Family

Care Center with an additive alternate bid for the installation of the 5,000 gallon fuel tank at the existing generator located at City Hall.

Formal bidding procedures were followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m. on September 11, 2012. Two (2) bids were received as follows:

		Total Bid Amounts
1.	Global Power Group, Inc., Imperial, CA	$ 351,647
2.	Dalke & Sons Construction, Inc.	$ 598,160

The lowest responsible bidder was determined by the bid amount as stipulated in the bidding documents. Staff reviewed the GPG's bid and finds GPG to be the lowest responsible bidder in possession of a valid license and bid bond. No material issues were identified through review of references submitted by GPG in their bid.

The contract duration is one hundred & ten (110) working days, after the date of commencement specified in the Notice to Proceed to Fulfill Preconstruction Requirements. The timeframe includes pre-construction contractor submittals and permits, and actual construction. The base bid includes the demolition of the existing structure, construction of the new enclosure, and installation of the new 700 KW generator and 5,000 gallon diesel fuel tank, fuel day tank, and re-circulating pump system at the EOC Family Care Center. Additive Alternate "A" includes the demolition of the existing trash enclosure, construction of the new structure, and the installation of a 5,000 gallon fuel tank at the existing generator at City Hall. This new tank will bring the existing generator into compliance with the National Fire Prevention Association (NFPA) code 110-5.1.2 which requires adequate fuel capacity to run the generator for 96 hours. A new trash enclosure will also be constructed. Staff recommends authorizing both the Base Bid and Additive Alternate "A".

ALTERNATIVES

1. Authorize the recommended actions as presented in this staff report. *This alternative would facilitate the construction of needed EOC Family Care Center generator facilities, and upgrade the fuel tank to meet National Fire Prevention Association (NFPA) code.*

2. Do not authorize the recommended actions as presented in this staff report. *This alternative would delay the construction of needed facilities and delay the upgrade the fuel tank to meet National Fire Prevention Association (NFPA) code.*

FISCAL IMPACT

This project is funded in part with FY 2010 Emergency Operations Center Grant Fund (Fund 2511) and 2005 Lease Revenue Bond (Fund 3401) monies resulting in total available funding of $826,000.

There is no impact to the General Fund.

Fiscal Year 2012 / 2013 Available Budget:

EOC Grant Funds – Operating Budget	
(Account No. 2511-40-47-80003 803 0016 70 77)	$179,000
2005 Lease Revenue Bond	
(Account No. 3401-70-77-80003 803 0016 70 77)	$647,000
Total Available Budget	**$826,000**

ESTIMATED DESIGN AND CONSTRUCTION RELATED COSTS:

Project Design	$59,000
Generator System Cost at the EOC Family Care Center	$246,000
Upgrade Fuel Tank Cost at City Hall	$74,000
Construction Contract (with 10% contingency)	**$387,000**
Construction Administration *	$60,000
Total Estimated Design and Construction Related Costs	**$826,000**

* Public Works and consultant staff will provide Project Management and Construction Administration.

ANTICIPATED PROJECT SCHEDULE:

Start Construction	November 2012
End Construction	May 2013
Generator Commission	May 2013

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

This construction project will install a new 700kW generator with an above-ground 5,000 gallon tank dedicated to EOC Family Care Center as the base bid and the new 5,000 gallon fuel tank next to the existing generator at City Hall as additive alternate bid. Staff recommends awarding a contract to GPG to construct these improvements.

NOTIFICATION

Adequate advance notification will be provided to all affected building tenants, all emergency response services, the public utilizing the services within the Emergency Operations Center Family Care Center and City Hall, Waste Management of the Inland Empire, and other interested parties, as required.

ATTACHMENTS

Attachment "A" – Agreement with Global Power Group, Inc.

Prepared By:
Henry Ngo
Senior Engineer, P.E,

Concurred By:
LeAnn Coletta, CEM
Office of Emergency Management and
Volunteer Services Program Manager

Concurred By:
Prem Kumar, P.E.,
Deputy Public Works Director / Assistant City Engineer

Department Head Concurrence:
Ahmad R. Ansari, P.E.
Public Works Director / City Engineer

Department Head Approval:
Abdul Ahmad
Fire Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Agreement No._____

AGREEMENT

PROJECT NO. 803 0016 70 77
CITY OF MORENO VALLEY
EOC FAMILY CARE CENTER GENERATOR PROJECT

THIS Agreement, effective as of the date signed by the City of Moreno by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Global Power Group, Inc.**, hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. **CONTRACT DOCUMENTS**. The Contract Documents consist of the following, which are incorporated herein by this reference:

A. Governmental approvals, including, but not limited to, permits required for the Work
B. Any and all Contract Change Orders issued after execution of this Agreement
C. This Agreement
D. Addenda Nos. 1 and 2 inclusive, issued prior to the opening of the Bids
E. City Special Provisions, including the General Provisions and Technical Provisions
F. Standard Specifications for Public Works Construction ("Greenbook") – latest edition in effect at the Bid Deadline, as modified by the City Special Provisions
G. Reference Specifications/Reference Documents
H. Project Plans
I. City Standard Plans
J. The bound Bidding Documents
K. Contractor's Certificates of Insurance and Additional Insured Endorsements
L. Contractor's Bidder's Proposal and Subcontractor Listing

In the event of conflict between any of the Contract Documents, the provisions placing a more stringent requirement on the Contractor shall prevail. The Contractor shall provide the better quality or greater quantity of Work and/or materials unless otherwise directed by City in writing. In the event none of the Contract Documents place a more stringent requirement or greater burden on the Contractor, the controlling provision shall be that which is found in the document with higher precedence in accordance with the above order of precedence.

2. **REFERENCE DOCUMENTS**. The following Reference Documents are not considered Contract Documents and were provided to the Contractor for informational purposes:

A. None

3. **SCOPE OF WORK**. The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract Documents, except as otherwise provided in the Plans, Standard Specifications, or City Special Provisions to be the responsibility of others.

4. PAYMENT.

4.1. **Contract Price and Basis for Payment**. In consideration for the Contractor's full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items and Alternate Bid Items, if any, set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items and Alternate Bid Items, if any, awarded by the City is Three Hundred Fifty One Thousand Six Hundred Forty Seven and 00/100 Dollars ($351,647.00) ("Contract Price"). It is understood and agreed that the quantities set forth in the Bidder's Proposal for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of work, the unit prices set forth in the Bidder's Proposal multiplied by the actual number of units performed, constructed, or completed as directed by the City Engineer.

4.2. **Payment Procedures**. Based upon applications for payment submitted by the Contractor to the City, the City shall make payments to the Contractor in accordance with Article 9 of the Standard Specifications, as modified by Article 9 of the City Special Provisions.

5. CONTRACT TIME.

A. **Initial Notice to Proceed.** After the Agreement has been fully executed by the Contractor and the City, the City shall issue the "Notice to Proceed to Fulfill Preconstruction Requirements." The date specified in the Notice to Proceed to Fulfill Preconstruction Requirements constitutes the date of commencement of the Contract Time of One Hundred and Ten **(110) Working Days**. The Contract Time includes the time necessary to fulfill preconstruction requirements, and to complete construction of the Project (except as adjusted by subsequent Change Orders).

The Notice to Proceed to Fulfill Preconstruction shall further specify that Contractor must complete the preconstruction requirements within Twenty **(20) Working Days** after the date of commencement of the Contract Time; this duration is part of the Contract Time.

Critical preconstruction requirements include, but are not limited to, the following:

- Submitting and obtaining approval of critical required submittals/ deferred submittals
- Obtaining Building Permit and other Deferred Permits
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Bidding Documents
- Completion of all pre-construction activities.

If the City's issuance of a Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials is delayed due to Contractor's failure to return the fully executed Agreement and insurance and bond documents within ten (10) Working Days after Contract award, then Contractor agrees to the deduction of one (1) Working Day from the number of days to complete the Project for every Working Day of delay in the City's receipt of said documents. This right is in addition to and does not affect the City's right to demand forfeiture of Contractor's Bid Security of Contractor persistently delays in providing the required documentation.

B. **Notice to Proceed with Construction.** After all preconstruction requirements are met in accordance with the Notice to Proceed to Fulfill Preconstruction Requirements, the City shall

issue the "Notice to Proceed with Construction," at which time the Contractor shall diligently prosecute the Work, including corrective items of Work, day to day thereafter, within the remaining Contract Time.

6. LIQUIDATED DAMAGES

6.1. **Liquidated Damages.** The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to fulfill the preconstruction requirements, and/or failure to complete the Work within the Contract Time. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadline for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to fulfill the preconstruction requirements and/or fails to complete the Work within the Contract Time, Contractor agrees to pay the City **$500.00 per Calendar day** that completion of the Work is delayed beyond the Contract Time, as adjusted by Contract Change Orders. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

The Contractor and City acknowledge and agree that the foregoing liquidated damages have been set based on an evaluation of damages that the City will incur in the event of late completion of the Work. The Contractor and City acknowledge and agree that the amount of such damages are impossible to ascertain as of the date of execution hereof and have agreed to such liquidated damages to fix the City's damages and to avoid later disputes. It is understood and agreed by Contractor that liquidated damages payable pursuant to this Agreement are not a penalty and that such amounts are not manifestly unreasonable under the circumstances existing as of the date of execution of this Agreement.

It is further mutually agreed that the City will have the right to deduct liquidated damages against progress payments or retainage and that the City will issue a Change Order or Construction Change Directive and reduce the Contract Price accordingly. In the event the remaining unpaid Contract Price is insufficient to cover the full amount of liquidated damages, Contractor shall pay the difference to the City.

6.2. **Owner is Exempt from Liability for Early Completion Delay Damages**. While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-6 of the Standard Specifications and City Special Provisions regarding compensation for delays.

7. INSURANCE.

7.1. **General**. The Contractor shall procure and maintain at its sole expense and throughout the term of this Agreement, any extension thereof, Commercial General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described herein.

7.2. **Additional Insured Endorsements**. The Contractor shall cause the insurance required by the Contract Document to include the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives as an additional insureds. For the Commercial General Liability coverage, said parties shall be named as additional insureds utilizing either:

1. Insurance Services Office ("ISO") Additional Insured endorsement CG 20 10 (11/85); or

2. ISO Additional Insured endorsement CG 20 10 (10/01) and Additional Insured Completed Operations endorsement CG 20 37 (10/01); or

3. substitute endorsements providing equivalent coverage, approved by the City.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The coverage shall contain no special limitations on the scope of protection afforded to such additional insureds. Coverage for such additional insureds does not extend to liability to the extent prohibited by Insurance Code Section 11580.4.

7.3. **Waivers of Subrogation**. All policies of insurance required by the Contract Documents shall include or be endorsed to provide a waiver by the insurers of any rights of recovery or subrogation that the insurers may have at any time against the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives.

7.4. **Primary Coverage**. All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

7.5. **Coverage Applies Separately to Each Insured and Additional Insured**. Coverage shall state that the Contractor's (and its Subcontractors') insurance shall apply separately to each insured or additional insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Coverage shall apply to any claim or suit brought by an additional insured against a named insured or other insured.

7.6. **Self-Insurance**. Any self-insurance (including deductibles or self-insured retention in excess of $50,000) in lieu of liability insurance must be declared by Contractor and approved by the

City in writing prior to execution of the Agreement. The City's approval of self-insurance, if any, is within the City's sole discretion and is subject to the following conditions:

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project maintain and upon Owner's reasonable request provide evidence of:

   (a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property and equipment and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;

   (b) financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill; and

   (c) a claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.

2. If at any time after such self-insurance has been approved Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:

   (a) the Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or

   (b) the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or

   (c) the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

7.7. **Insurer Financial Rating**. Insurance companies providing insurance hereunder shall be rated A-:VII or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

7.8. **Notices to City of Cancellation or Changes**. Each insurance policy described in this Paragraph 7 shall contain a provision or be endorsed to state that coverage will not be cancelled without **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the

same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

7.9. **Commercial General Liability**. Coverage shall be written on an ISO Commercial General Liability "occurrence" form CG 00 01 (10/01 or later edition) or equivalent form approved by the City for coverage on an occurrence basis. The insurance shall cover liability, including, but not limited to, that arising from premises operations, stop gap liability, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The policy shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 (11/85). Coverage shall contain no contractors' limitation or other endorsement limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground (x, c, u) property damage. Contractor shall provide Products/Completed Operations coverage to be maintained continuously for a minimum of **one (1) year** after Final Acceptance of the Work.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: $1,000,000 per occurrence / $2,000,000 aggregate / $2,000,000 products-completed operations.

7.10. **Business Automobile Liability**. Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with $1,000,000 combined single limit per accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.11. **Workers' Compensation**. Contractor shall comply with the applicable sections of the California Labor Code concerning workers' compensation for injuries on the job. Compliance is accomplished in one of the following manners:

1. Provide copy of permissive self-insurance certificate approved by the State of California; or
2. Secure and maintain in force a policy of workers' compensation insurance with statutory limits and Employer's Liability Insurance with a minimal limit of **$1,000,000** per accident; or
3. Provide a "waiver" form certifying that no employees subject to the Labor Code's Workers' Compensation provision will be used in performance of this Contract.

7.12. **Subcontractors' Insurance**. The Contractor shall include all Subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to all of the requirements stated herein.

8. BONDS. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be furnished as a guarantee of the faithful performance of the requirements of the Contact Documents

as may be amended from time to time, including, but not limited to, liability for delays and damages (both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the Satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments hall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for at least three (3) years after Final Acceptance.

10. INDEMNIFICATION.

10.1. **General**. To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold

harmless and defend (even if the allegations are false, fraudulent, or groundless), the City of Moreno Valley, its City Council, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

A. Any activity on or use of the City's premises or facilities;
B. Any liability incurred due to Contractor acting outside the scope of its authority pursuant to the Contract, whether or not caused in part by an Indemnified Party;
C. The failure of Contractor or the Work to comply with any Applicable Law, permit or orders;
D. Any misrepresentation, misstatement or omission with respect to any statement made in the Contract Documents or any document furnished by the Contractor in connection therewith;
E. Any breach of any duty, obligation or requirement under the Contract Documents, including, but not limited to any breach of Contractor's warranties, representations or agreements set forth in the Contract Documents;
F. Any failure to coordinate the Work with City's Separate Contractors;
G. Any failure to provide notice to any party as required under the Contract Documents;
H. Any failure to act in such a manner as to protect the Project from loss, cost, expense or liability;
I. Bodily or personal injury, emotional injury, sickness or disease, or death at any time to any persons including without limitation employees of Contractor;
J. Damage or injury to real property or personal property, equipment and materials (including, but without limitation, property under the care and custody of the Contractor or the City) sustained by any person or persons (including, but not limited to, companies, corporations, utility company or property owner, Contractor and its employees or agents, and members of the general public);
K. Any liability imposed by Applicable Law including, but not limited to criminal or civil fines or penalties;
L. Any dangerous, hazardous, unsafe or defective condition of, in or on the Site, of any nature whatsoever, which may exist by reason of any act, omission, neglect, or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors;
M. Any operation conducted upon or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors under or pursuant to the provisions of the Contract or otherwise;

N. Any acts, errors, omission or negligence of Contractor, its officers, agents, employees, or Subcontractors;

O. Infringement of any patent rights, licenses, copyrights or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and

P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence**. Contractor's obligations to indemnify and hold the Indemnitees harmless **exclude** only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph 11. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

10.3. **Independent Defense Obligation.** The duty of the Contractor to indemnify and hold harmless the Indemnitees includes the separate and independent duty to defend the Indemnitees, which duty arises immediately upon receipt by Contractor of the tender of any Indemnity Claim from an Indemnitee. The Contractor's obligation to defend the Indemnitee(s) shall be at Contractor's sole expense, and not be excused because of the Contractor's inability to evaluate liability or because the Contractor evaluates liability and determines that the Contractor is not liable. This duty to defend shall apply whether or not an Indemnity Claim has merit or is meritless, or which involves claims or allegations that any or all of the Indemnitees were actively, passively, or concurrently negligent, or which otherwise asserts that the Indemnitees are responsible, in whole or in part, for any Indemnity Claim. The Contractor shall respond within thirty (30) Calendar Days to the tender of any Indemnity Claim for defense and/or indemnity by an Indemnitee, unless the Indemnitee agrees in writing to an extension of this time. The defense provided to the Indemnitees by Contractor shall be by well qualified, adequately insured and experienced legal counsel acceptable to the City.

10.4. **Intent of Parties Regarding Scope of Indemnity.** It is the intent of the parties that the Contractor and its Subcontractors of all tiers shall provide the Indemnitees with the broadest defense and indemnity permitted by Applicable Law. In the event that any of the defense, indemnity or hold harmless provisions in the Contract Documents are found to be ambiguous, or in conflict with one another, it is the parties' intent that the broadest and most expansive interpretation in favor of providing defense and/or indemnity to the Indemnitees be given effect.

10.5. **Waiver of Indemnity Rights Against Indemnitees.** With respect to third party claims against the Contractor, to the fullest extent permitted by law, the Contractor waives any and all rights to any type of express or implied indemnity against the Indemnitees.

10.6. **Subcontractor Requirements.** In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's

Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Paragraph 11.

10.7. **No Limitation or Waiver of Rights.** Contractor's obligations under this Paragraph 11 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Paragraph 11 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Paragraph 11 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

10.8. **Withholding to Secure Obligations.** In the event an Indemnity Claim arises prior to final payment to Contractor, the City may, in its sole discretion, reserve, retain or apply any monies due Contractor for the purpose of resolving such Indemnity Claims; provided, however, the City may release such funds if the Contractor provides the City with reasonable assurances of protection of the Indemnitees' interests. The City shall, in its sole discretion, determine whether such assurances are reasonable.

10.9. **Survival of Indemnity Obligations.** Contractor's obligations under this Paragraph 11 are binding on Contractor's and its Subcontractors' successors, heirs and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

11. SUCCESSORS AND ASSIGNS. The Parties bind themselves, their heirs, executors, administrators, successors and assigns the covenants, agreements and obligations contained in the Contract Documents. The Contractor shall not, either voluntarily or by action of law, assign any right or obligation of the Contractor under the Contract Documents without prior written consent of the City.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY: _____
City Manager

DATE: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer
(if contract exceeds $15,000)

_____
Date

Global Power Group, Inc.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

Signature(s) must be accompanied by a completed notary certificate of acknowledgement attached hereto. A general partner must sign on behalf of a partnership. **Two (2)** corporate officers must sign on behalf of a corporation unless the corporation has a corporate resolution that allows one person to sign on behalf of the corporation; if applicable, said resolution must be attached hereto. The corporate seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____.
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Other _____

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Price)

PROJECT NO. 803 0016 70 77
CITY OF MORENO VALLEY
EOC FAMILY CARE CENTER GENERATOR PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to Global Power Group, Inc., as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Project No. 803 0016 70 77**, and all Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Documents and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents or to the Work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20_____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California
County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 803 0016 70 77
CITY OF MORENO VALLEY
EOC FAMILY CARE CENTER GENERATOR PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Global Power Group, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Project No. 803 0016 70 77**, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20____

_____

City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, ~~is/are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Securely attach this document to the signed document.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting as the Successor Agency

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION GEOTECHNICAL SERVICES WITH NINYO & MOORE FOR MORENO BEACH INTERCHANGE IMPROVEMENTS PHASE 1 – PROJECT NO. 801 0038 70 77-4821 [FORMERLY PROJECT NO. 07-41570024]

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the "Agreement for Professional Consultant Services" with Ninyo & Moore (Ninyo & Moore), 11650 Mission Park Drive, Suite 101, Rancho Cucamonga, CA 91730, to provide professional geotechnical and materials testing services during construction of the SR-60/Moreno Beach Interchange Improvements Phase 1 project for a total agreement amount not to exceed $109,110.

2. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board approval.

3. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with Ninyo & Moore.

4. Authorize the issuance of a Purchase Order totaling $109,110 to Ninyo & Moore when the contract has been signed by all parties.

BACKGROUND

The SR-60/Moreno Beach Drive Phase 1 project is one of the key projects in the City Manager's Economic Development Action Plan. Phase 1 improvements are designed to reconstruct the eastbound on- and off-ramps to SR-60 and connect the west leg of Eucalyptus Avenue to Moreno Beach Drive. On December 13, 2011, the City Council approved a Construction Cooperative Agreement with the State of California for the construction phase, giving the City authority to advertise, award, and administer the construction of Phase 1. Design and right-of-way for Phase 1 were completed, the project was advertised, and bids were opened on August 13, 2012. On August 28, 2012, the City Council awarded the construction contract.

DISCUSSION

The Construction Cooperative Agreement with Caltrans requires that the City meet Caltrans material testing requirements on the project. The City issued a Request for Proposal (RFP) to provide geotechnical and materials testing services based on the construction plans, specifications, and Caltrans methods. On August 1, 2012, staff received fourteen (14) proposals. A selection team of City and Caltrans staff reviewed the eleven (11) qualified proposals and ranked them in order, based on firm experience and qualifications, experience of key personnel, and project approach.

Staff has completed negotiations with the top-ranked geotechnical firm and is recommending awarding a professional services agreement for construction-related geotechnical and materials testing services to Ninyo & Moore. Services performed will be on an as-needed basis and consist of geotechnical testing and sampling performed under the direction of a licensed Geotechnical Engineer, use of a nuclear gauge for compaction tests, and Caltrans certified laboratory testing with results in 48 hours. A purchase order for $109,110 will be issued for this agreement.

The recommended contract award is an action of the City Council with a funding source from the assets of the former City of Moreno Valley Redevelopment Agency. The recommended actions are included on the Recognized Obligations Payment Schedule (ROPS) approved by the City Council acting as the Successor Agency on February 14, 2012. The Successor Agency Oversight Board approved the ROPS for the period January through June 2012 on May 23, 2012, which has subsequently been approved by the State Department of Finance (DOF). This ROPS approval includes “placeholder” line items representing the expenditure of bond proceeds for approval purposes. The Successor Agency approval of this contract is required to move forward toward complete approval and compliance with ABx1 26 law. The contract will be presented to the Successor Agency Oversight Board, along with an updated ROPS that will include the contractor listed as an enforceable obligation. After Oversight Board approval, the contract and updated ROPS will be sent to the DOF for review. There is a risk that the Oversight Board may not approve the contract or updated ROPS. In addition, the State Department of Finance (DOF) has the authority to challenge actions approved by the Oversight Board within 10 days of the approved action. In light of the current process for

approval of the contract and the updated ROPS, the property tax to pay the contracts being recommended has not been authorized to pay the contract obligations. The City Council by approving the recommended contract is assuming the risk that in the event tax increment is not approved to pay the contracts by the Oversight Board or through successful challenge by the State DOF, the City would be obligated to pay the contract commitments from alternative funding sources, most likely the City's General Fund.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will comply with the Caltrans Construction Cooperative Agreement requiring the City to meet Caltrans professional materials testing requirements and facilitate the timely construction of needed improvements.*

2. Do not approve and authorize the recommended acting as presented in this staff report. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The project is included in the Fiscal Year 2012/2013 Capital Improvement Program. There is no impact to the General Fund.

AVAILABLE FUNDS

Successor Agency 2007 Tax Allocation Bonds (Account 4821-70-77-80001 801 0038 70 77)	$ 4,879,000
Transportation Uniform Mitigation Fees (Account 3003-70-77-80001 801 0038 70 77)	$ 3,500,000
Total Project Budget	$ 8,379,000

CONSTRUCTION COSTS

Construction (includes contingency)	$ 6,700,000
Construction Management & Inspection Services	$ 788,000
Construction Support Services (Design)	$ 129,000
Construction Support Services (Survey)	$ 101,000
Construction Support Services (Geotechnical)	$ 110,000
Administrative Costs*	$ 170,000
Utility and Agency Inspection and Materials Costs**	$ 150,000
Total Estimated Cost	$ 8,148,000

**Includes City project administration, printing and other miscellaneous costs.*
***Includes EMWD, SCE, Caltrans, RCFC&WCD and CHP.*

PROJECT SCHEDULE

Begin Construction	October 2012
Construction Completion and Acceptance	October 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The SR-60/Moreno Beach Interchange Phase 1 Improvements project goal is to improve the interchange through reconstruction and realignment. The project construction is funded utilizing Successor Agency 2007 Tax Allocation Bonds and Transportation Uniform Mitigation Fees (TUMF). City staff recommends awarding a contract for $109,110 to Ninyo & Moore to provide geotechnical and materials testing services for the project.

ATTACHMENTS

Attachment "A" – Agreement for Professional Consultant Services with Ninyo & Moore

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) - ZONAL
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and **Ninyo & Moore,** a California corporation, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "A"

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

DESCRIPTION OF PROJECT

1. The project is described as professional consultant **geotechnical and materials testing services** for:

SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$109,110** in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **December 31, 2014** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Western Riverside Council of Governments (WRCOG), the State of California, Eastern Municipal Water District (EMWD), and Riverside County Flood Control and Water Conservation District (RCFC & WCD) and their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, the State's, MVHA's, CSD's, WRCOG's, EMWD's, and RCFC & WCD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the City, the State, MVHA, CSD, WRCOG, EMWD, and RCFC & WCD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such Public Liability and Property Damage Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum general liability limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, the State, MVHA, CSD, WRCOG, EMWD, and RCFC & WCD, against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) A Certificate of Insurance, or an appropriate insurance binder evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(h) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Western Riverside Council of Governments (WRCOG), the State of California, Eastern Municipal Water District (EMWD), and Riverside County Flood Control and Water Conservation District (RCFC & WCD), their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, its officers, employees and agents, under any third party liability policy."

(i) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(j) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and

coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain for its files copies of any and all materials, including drawings, documents, and specifications produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(d) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's

time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree, that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

DATE: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Ninyo & Moore

BY: _____

TITLE: _____
(President or Vice President)

BY: _____

TITLE: _____
(Corporate Secretary)

Enclosures: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

REQUEST FOR PROPOSAL
PROFESSIONAL CONSULTANT MATERIALS TESTING AND GEOTECHNICAL SERVICES
SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT
FOR THE CITY OF MORENO VALLEY'S CAPITAL PROJECTS DIVISION
EA 32301
PROJECT ACCOUNT NO. 797.79731

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Construction **Material Testing and Geotechnical Services** associated with the SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT as shown on the Plans and Specifications.

Five (5) copies (one of the copies will be unbound and paper clipped, with no tabs, holes, perforations, or cardboard inserts, suitable for copying with an automatic-feed copy machine and one copy shall be on compact disk) of your Proposal shall be submitted no later than **5:00 p.m., August 1, 2012** addressed to Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (mail delivery), Attention: Margery Lazarus, Senior Engineer, P.E.

II. PROJECT DESCRIPTIONS

The SR-60/Moreno Beach Drive Phase 1 project site is located at the State Route (SR) 60 Interchange and Moreno Beach Drive in the City of Moreno Valley, CA. The work of this project generally includes realigning the SR-60/Moreno Beach eastbound off-and-on-ramps, adding an eastbound auxiliary lane, installation of new traffic signal at the new intersection of the eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus and Moreno Beach Drive, coordination of utility relocations, irrigation, and related work.

Work lies within and in the vicinity of State of California (Caltrans) and City of Moreno Valley rights of way. The work includes earthwork, grading, asphalt concrete (AC) paving, concrete retaining walls, tree removal roadway excavation, imported borrow, drainage pipes and minor concrete structures, concrete curb and gutter, protection, drainage, traffic control, signing, striping, traffic and ramp meter signals, irrigation, erosion control, EMWD water line relocation, overhead SCE relocation, and related work.

III. PROJECT BUDGET AND SCHEDULE

The City of Moreno Valley will fund the construction with Local Funds consisting of TUMF and Successor Agency to RDA Funds (Account 797.79731), and Local Funds.

The Consultant shall be required to meet or exceed the following timeline for this contract:

Anticipated Award of Consultant Contract	September 2012
Public Bid for SR-60/Moreno Beach Phase 1 Construction Contract	July 2012
Award of Construction Contract	October 2012
Construction Duration for SR-60/Moreno Beach Phase 1	189 Working Days (9 months)

Exhibit "A"

IV. SCOPE OF ENGINEERING SERVICES

The selected Consultant will be required to have personnel available for assignment to this project who have successfully provided professional services as it relates to all activities of public works field and laboratory construction materials testing, geotechnical and soils inspection services of the contractor's work and office support services. The Consultant selected shall provide **Materials Testing and Geotechnical Inspection Services** with personnel trained and experienced in the geotechnical inspection, field and laboratory materials testing of public works improvements, and particularly the types of construction and materials utilized for this project. The project is located within Caltrans Right of Way and all testing methods, procedures, frequencies shall comply with the contract specifications, Caltrans Materials Testing Manuals and Guidelines, and the Quality Assurance Plan. The Selected Consultant is required to prepare a Quality Management Plan detailing required testing procedures and frequencies in compliance with Caltrans Local Assistance Procedures Manuals and Construction contract requirements. The minimum experience required includes five (5) years of geotechnical inspection and materials testing on increasingly complex public works and Caltrans projects. The Consultant firm selected must also provide all equipment and supplies necessary to perform the services assigned and support services necessary to complete the scope of work. It is expected that the Consultant selected to fulfill this contract will be able to provide qualified personnel on an on-demand basis with 24-hour notice for geotechnical inspection, sampling and testing for the duration of the construction project, and as needed for preconstruction activities and as necessary to closeout the project.

The Consultant must have recent experience working within the Caltrans Right-of-Way and shall be required to follow all Caltrans safety procedures when executing the work.

The Consultant geotechnical personnel shall have the necessary training, knowledge and experience related to the materials, methods, and workmanship for the specific construction work to be performed for this project. Additionally the Consultant geotechnical personnel must be familiar with the safe practices required when working around all types of construction equipment which will be utilized on this project including equipment for roadway construction, storm drain construction (including trench shoring and safety), and grading. The Consultant geotechnical personnel shall be familiar with the industry standards of practice for the execution of quality public works construction projects and shall be able to understand and interpret public works construction plans and specifications; Caltrans Standard Plans and Specifications; City codes, ordinances and standards; Eastern Municipal Water District (EMWD) standards; Riverside County Flood Control and Water Conservation District (RCFCD) standards; and California Occupational Safety and Health Administration (OSHA) Construction Safety Orders. The Consultant geotechnical personnel shall be able to interact professionally with contractors, engineers, surveyors, property owners, business owners, and the public at large; coordinate with other City personnel, Caltrans personnel and consultants; promote quality customer service and a professional image of the City; and respond promptly and courteously to requests. The Consultant geotechnical personnel shall be able to follow verbal and written instructions and communicate clearly and concisely, both orally and in writing.

The Consultant geotechnical personnel must be under the responsible charge of a person registered by the California State Board of Registration for Professional Engineers and Land Surveyors as a Geotechnical Engineer and as a Civil Engineer.

Please be reminded that the Consultant is required to have a current City business license if the firm is awarded the work.

The Consultant shall perform public works geotechnical inspection and materials testing services for this project to include, but not be limited to, the following:

- Expertise in geotechnical matters related to storm drain and roadway construction and grading, and knowledge of the local area soils and geology, City, Caltrans practices and generally accepted industry standards for work associated with this type of project.
- Safe and proper use of Nuclear Gauge for compaction testing.
- Proper procedures and protocols for field sampling and testing of graded earth materials, backfill materials, sub-grade, base, AC and PCC.
- Ability to provide field test results immediately to the City's Consultant Resident Engineer and Inspector, and laboratory test results within 48-hours, unless test procedures and protocols require longer.
- Review of contractor material submittals, sample/test frequency protocols and criteria for acceptable results and provision of materials and compaction reports.

***Office Activities*:**

1. Review and thoroughly understand all contract documents, including construction drawings, specifications, and referenced testing methods and protocols.
2. Review and thoroughly understand geotechnical and soils reports, materials testing lab reports, contractor submitted mix reports, and other like documentation.
3. Review and thoroughly understand project schedules and related sampling, testing, and submittal requirements (field sampling and testing, compliance certificates, materials samples, etc.) from the contractor for conformance to the plans and specifications.
4. Participate in pre-construction meetings, field meetings, construction progress meetings, final walk-through meetings, as-built plan completion meetings, equal opportunity meetings, and other administrative meetings as necessary.
5. Monitor and report on the Contractor's extra work as it relates to geotechnical sampling, testing and reporting, field and laboratory materials testing.
6. Assist in the negotiation of change orders as they relate to geotechnical sampling, testing, and reporting, as requested by the City.
7. Review all unknown, unforeseen, and changed conditions that occur, and all disputed work claims from the Contractor as it relates to geotechnical responsibilities and field testing, and recommend a course of action to the Engineer.
8. Prepare and maintain all geotechnical files, daily inspection records, including site photographs, project status reports, and all geotechnical inspection and testing records as they relate to earthwork materials testing and compaction testing.
9. Prepare and maintain records of geotechnical work requested and completed, geotechnical related computer files, daily geotechnical field work (when on-site),

geotechnical inspections, samples and test records, field and laboratory test results, and all geotechnical related records and files.

10. Provide labor compliance reports and certified payroll for the Consultant's field work.

Field Activities:

1. Coordinate with the Contractor, City personnel, and City's selected Consultant Resident Engineer on the job site as needed.
2. Coordinate ongoing geotechnical field and laboratory testing, as required, including reviewing and monitoring the Contractor's requests for re-testing.
3. Conduct on-demand field geotechnical inspections for quality of materials and installation and workmanship, including quality, placement, and compaction of earthen materials, for conformance to plans and specifications pursuant to all applicable City codes, ordinances, and directives.
4. Keep daily (when on-site) geotechnical field notes and take photographs of the field sampling and geotechnical inspection work, including photographic evidence of non-complying materials or work. A daily report identifying work done by the geotechnical technician, including photographs, shall be submitted to the Project Inspector by the next business day for review and filing.
5. During the course of field work, if the Consultant geotechnical personnel observe an unsafe situation, he/she shall immediately advise the Contractor's nearest available personnel and notify the City's Inspector and the City's Consultant Resident Engineer.
6. Any retests not due to the Consultant's errors will be identified separately on the invoice. Ten (10) re-tests (allow a maximum of two hours per trip) should be estimated for proposal purposes.

General:

1. Participate with the City in meetings with contractors, public utility agencies, and other government agency representatives as requested.

SUBMITTAL SCHEDULE

Proposals Due	5:00 p.m., August 1, 2012
Consultant Selection	On or before August 30, 2012
Notice to Proceed (Tentative)	Week of September 17, 2012

V. CONSULTANT'S PROPOSAL AND COMPENSATION

The Consultant's Proposal shall be no more than 20 pages, excluding a cover letter of up to two pages, dividers, and certificates. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services and failing to comply with requirements and conditions of the RFP will not be given further consideration. The Consultant's Proposal shall include the following:

A. A statement that this Request For Proposal shall be incorporated in its entirety as a part of the Consultant's Proposal.

B. A statement that this Request For Proposal and the Consultant's Proposal will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley.

C. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's Request For Proposal except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

D. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedence over this Request For Proposal.

E. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact. If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.

F. A resource allocation matrix must be submitted with the Proposal. The resource allocation matrix shall list detailed tasks in rows and the appropriate individual (Job Title Only) as well as the number of hours that these individuals will be working on each task listed, included in adjacent columns. The resource allocation matrix is required of both the primary consultant, as well as any sub-consultant. In addition, the applicable construction support services consultant must list the type and number of hours of Material Testing & Geotechnical work within the Proposal. Failure to do so will result in the Consultant's Proposal being deemed incomplete and it will not receive further consideration. Construction support services Consultants are not required to provide a Project Schedule with milestones. The resource allocation matrix, in addition to any tasks the consultant chooses to list, shall include but not limited to meetings, specific deliverables, and other relevant milestones.

G. A rate schedule must be submitted with the proposal. The rate schedule must list titles, names, roles, and hourly billing rates in rows. A statement that said hourly rate schedules in part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred shall also be included. All extra work will require prior approval from the City. COST PROPOSAL DETAILS MUST BE IN A SEALED ENVELOPE.

H. A statement of sub-consultant's qualifications (including relief personnel) applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.

A statement that the Consultant acknowledges and understands that the consultant will not be allowed to change a sub-consultant without written permission from the City.

I. A statement that all charges for Consultant (construction) services is a "Not-to-Exceed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.

J. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

K. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

L. A copy of the Consultant's hourly rate schedule and a statement that said hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this Request For Proposal. **An itemized cost breakdown for the work described herein must be submitted in a separate sealed envelope as part of your Proposal submittal.** All extra work will require prior approval from the City. The City requests the consultant to provide in the proposal the number of hours on the job, in addition to the cost proposal. The Cost Proposal must be in a sealed envelope.

M. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

N. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

O. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.

P. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.

Q. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.

R. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

S. This solicitation and resultant Contract is not financed in whole or part with federal funds, but the City encourages Bidders to follow Title 49, Code of Federal Regulations, Part 26 (49 CFR 26) entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Bidders who obtain DBE participation on this Contract will assist the City in meeting its DBE goals for the Project.

DBEs and other small businesses are strongly encouraged to participate in the performance of this Contract. The City encourages Bidders to give DBEs and other small businesses the opportunity to participate in the performance of the Work that is the subject of this solicitation and to take all necessary and reasonable steps for this assurance. The Bidder shall not discriminate on the basis of race, color, national origin, sex, age, or physical or mental disability, sexual orientation or retaliation in the award and performance of subcontracts.

A Race Neutral program is one that, while benefiting DBEs, is not solely focused on DBE firms. A Race Neutral program utilizes measures that can assist a wide variety of small businesses, including DBEs, such as arranging solicitations, times for the presentation of proposals, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces). Race Neutral DBE participation includes: a DBE obtaining a prime contract through customary competitive procurement procedures; a DBE being awarded a subcontract on a prime contract, whether or not the prime contract has a DBE goal; and a DBE being awarded a subcontract from a prime contractor that did not consider its DBE status in making the award.

The Consultant is encouraged to include DBE firms in the proposal. Complete the forms listed in "Attachments" at the end of this RFP.

VI. GENERAL COMPLIANCE WITH LAWS AND WAGE RATES

A. The Consultant shall be required to comply with all federal, state, and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

B. The Consultant is required to submit certified payrolls weekly. This applies to all applicable field personnel working on the project. In accordance with Section 1771.5 (b) (5) of the California Labor Code, the City will withhold payments when the payroll records are delinquent or inadequate.

VII. FEDERAL EMPLOYEE BENEFIT

No member of, or delegate to, the Congress of the United States, and no Resident Commissioner shall be admitted to any share or part of the Agreement to the said project or to any benefit to arise from the same.

The Consultant shall complete and include the "Certification for Contracts, Grants, Loans, and Cooperative Agreements" and "Disclosure of Lobbying Activities" forms with the Proposal.

VIII. PAYMENT TO CONSULTANT

A. This work is to be performed for a "Not-to-Exceed Fixed Fee."

B. The Consultant shall provide a "Project Fee Schedule" indicating the fee for individual tasks with a "Not-to-Exceed Fixed Fee" which shall be the sum of all tasks, by part, phase, and milestone and shall be submitted in a separate sealed envelope with cost proposal.

C. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

D. The City will pay the Consultant for work completed based on milestones completed and accepted by the City. These milestones are:.

1. Project Bidding, Advertise and Award.
2. Any other additional authorized work on a task successfully completed and accepted monthly basis.

The City shall make the sole and final determination if a milestone as described above is complete and acceptable for payment.

E. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

F. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fee."

G. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

H. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services."

I. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services," an "Amendment to the Agreement" will be executed between the City and Consultant.

J. The Consultant shall receive no compensation for any re-work necessary as result of the Consultant's errors or oversight.

IX. INSURANCE

A. The Consultant shall provide Errors and Omissions Professional Insurance. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

B. The Consultant shall have Public Liability and Property Damage Insurance in the amounts as follows:

GENERAL LIABILITY		
Bodily Injury	$1,000,000	per occurrence
Property Damage	$ 1,000,000	per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

C. The Consultant shall have Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment in the amount of not less than $1,000,000.

D. The Consultant shall have Workers' Compensation Insurance in the amounts that fully comply with the laws of the State of California and employer's liability insurance with limits of not less than $1,000,000 each accident.

E. A Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), Western Riverside Council of Governments (WRCOG),and the Moreno Valley Community Services District, its officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), Western Riverside Council of Governments (WRCOG), and the Moreno Valley Community Services District, its officers and employees and agents, under any third party liability policy."

F. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

G. The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverage's nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the

Agency, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amount established.

H. It is the consultant's responsibility to ensure that all subconsultants comply with the following: Each subconsultant that encroaches within the City's right-of-way and affects (i.e., damages or impacts) City infrastructure must comply with the liability insurance requirements of the City's Land Development Division. Examples of such subconsultant work include soil sample borings, utility potholing, etc.

The "Application for Encroachment Permit" form (four pages), including "Application for Encroachment Permit Liability Insurance Requirements," is available in the Land Development Division and must be completed and submitted in full to the City.. It is the Consultant's responsibility to ensure that all subconsultants submit the appropriate encroachment permit and insurance documentation at the same time that the Consultant's insurance documentation is submitted.

X. INDEMNIFICATION

A. To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the City of Moreno Valley Housing Authority(MVHA), the Moreno Valley Community Services District (CSD), and the Western Riverside Council of Governments (WRCOG}, their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and .all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its sub consultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, MVHA, CSD, and WRCOG; their officers, agents or employees.

B. The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority(MVHA), the Moreno Valley Community Services District (CSD), and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless 'from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its sub consultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, CSD, and WRCOG, their officers, agents or employees.

C. The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or

injuries to any person, including injury to the City's, MVHA, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA, CSD, and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees

XI. TERMINATION FOR CONVENIENCE OF THE CITY

The City reserves the right to terminate the "Agreement for Professional Consultant Services" for the "convenience of the City" at any time by giving ten (10) days written notice to the Consultant of such termination and specifying the effective date thereof. All finished or unfinished drawings, maps, documents, field notes and other materials produced and procured by the Consultant under the said aforementioned Agreement is, at the option of the City, City property and shall be delivered to the City by the Consultant within ten (10) working days from the date of such termination. The City will reimburse the Consultant for all acceptable work performed as set forth in the executed Agreement.

XII. INDEPENDENT CONTRACTOR

The Consultant's relationship to the City in the performance of the Consultant's services for this project is that of an independent Contractor. The personnel performing said Construction Materials Testing & Geotechnical Services shall at all times be under the Consultant's exclusive direction and control and shall be employees of the Consultant and not employees of the City. The Consultant shall pay all wages, salaries and other amounts due his employees in connection with the performance of said work and shall be responsible for all employee reports and obligations, including but not necessarily restricted to, social security, income tax withholding, unemployment compensation, and Workers' Compensation.

XIII. CONTRACT

The Contract includes the Agreement for Professional Consultant Services, City's Request for Proposal, Consultant's Proposal, and Exhibits.

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract.

XIV. GENERAL CONDITIONS

A. Pre-contractual expenses are defined as expenses incurred by the Consultant in: (1) preparing the Proposal; (2) submitting the Proposal to the City; (3) presentation during selection interview; (4) negotiating with the City any matter related to this

Proposal; (5) any other expenses incurred by the Consultant prior to an executed Agreement.

The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Consultant.

B. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any Agreement will be awarded to any Consultant responding to this RFP. The City expressly reserves the right to postpone reviewing the Proposal for its own convenience and to reject any and all Proposals responding to this RFP without indicating any reasons for such rejection(s).

C. The City reserves the right to reject any or all Proposals submitted. Any Contract awarded for these Consultant engagements will be made to the Consultant who, in the opinion of the City, is best qualified.

XV. SELECTION CRITERIA

It is the City's intent to select and utilize one Consultant firm for the project. The City may award the services in part and/or phases. The Consultant may be invited to a selection interview. The Proposals will be rated/ranked according to the following criteria:

A. The Firm's General Experience and Qualification Information (20 points) – Information about the company (and all sub-consultants) including professional licenses held; ability to furnish required insurance and meet stipulations of the City's "boiler plate" agreement; details about comparable projects completed by the firm, as well as local experience; and its ability to provide the required services in an efficient and expeditious manner.

B. Experience of Key Personnel (40 points) – Background on key personnel (including all sub-consultants) qualifications, abilities, familiarity with state and federal procedures, local experience on comparable projects and length of service with the firm, reference information preferably with municipal agencies, and proven track record and depth of understanding/knowledge of the proposed Project Manager and key personnel.

C. Project Approach/Understanding (40 points) – Understanding of Project, discussion of major issues identified on the project and how the consultant team plans to address them; the management approach and organization necessary to complete the specific project; and outline quality control measures to ensure delivery of a quality product on time and within budget that provides a cost efficient, timely and predictable execution of the project construction.

XVI. Other Requirements

A. Conflict of Interest

1. The Consultant shall disclose any financial, business, or other relationship with City that may have an impact upon the outcome of this contract, or any ensuing City Construction project. The Consultant shall also list current clients who may have financial interest in the outcome of this Agreement, or any ensuing City construction project, which will follow.

2. The Consultant hereby certifies that it does not now have, nor shall it acquire any financial or business interest that would conflict with the performance of services under this Agreement.

3. Any subcontract in excess of $25,000 entered into as a result of this Agreement, shall contain all of the provisions of this Agreement.

4. The Consultant hereby certifies that neither the Consultant, its employees, nor any firm affiliated with the Consultant providing services on this project prepared the Plans, Specifications, and Estimates for any construction project included within this contract . An affiliated firm is one, which is subject to the control of the same persons through joint-ownership, or otherwise.

5. The Consultant further certifies that neither Consultant, nor any firm affiliated with the Consultant, will bid on any construction subcontracts included within the construction contract. Additionally, Consultant certifies that no person working under this Agreement is also employed by the construction contractor for any project included within this agreement.

6. Except for subcontractors whose services are limited to materials testing, no subcontractor who is providing services on this Agreement shall have provided services on the design of any project within this contract.

Attachments (incorporated by reference)

Attachment "A"	Plan Title Sheet
Attachment "B"	City Standard Consultant Agreement (no changes to this agreement will be allowed)
Attachment "C"	Caltrans/City Cooperative Agreement for SR-60Moreno Beach Drive Phase-1 Improvements
Attachment "D"	Disclosure of Lobbying Activities (Form LLL)
Attachment "E"	List of Subconsultants
Attachment "F"	Proposer's List of Subconsultants (DBE and Non-DBE) Parts I and II
Attachment "G"	Exhibit 10-02- Local Agency Proposer DBE Information
Attachment "H"	Compilation of Plans based on current status of completion - CD available upon request

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
08	Riv	60	18.8/19.6	1	155

STATE OF CALIFORNIA

DEPARTMENT OF TRANSPORTATION

PROJECT PLANS FOR CONSTRUCTION ON

STATE HIGHWAY

IN RIVERSIDE COUNTY
IN MORENO VALLEY
FROM 0.3 MILE WEST TO 0.4 MILE EAST OF MORENO BEACH DRIVE OVERCROSSING

TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2006

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	Title and Location Map
2-7	Typical Cross Sections
8	Key Map and Line Index
9-11	Layouts
12-16	Profiles and Superelevation Diagrams
17-38	Construction Details
39-42	Temporary Water Pollution Control Plan, Details and Quantities
43-45	Erosion Control Plans
46-48	Contour Grading
49-73	Drainage Plan, Profiles, Details and Quantities
74-77	Utility Plans
78-79	Construction Area Signs
80-84	Stage Construction Plans
85-99	Traffic Handling and Quantities
100	Detour Plans
101-107	Pavement Delineation Plans, Details and Quantities
108-120	Sign Plans, Details and Quantities
121-124	Summary of Quantities
125	Irrigation Plan
126-145	Electrical Plans
146-149	Water Pipeline Relocation Plans
150-205	Revised and New Standard Plans

STRUCTURE PLANS

206-211	Retaining Wall RW 3805R

LOCATION MAP

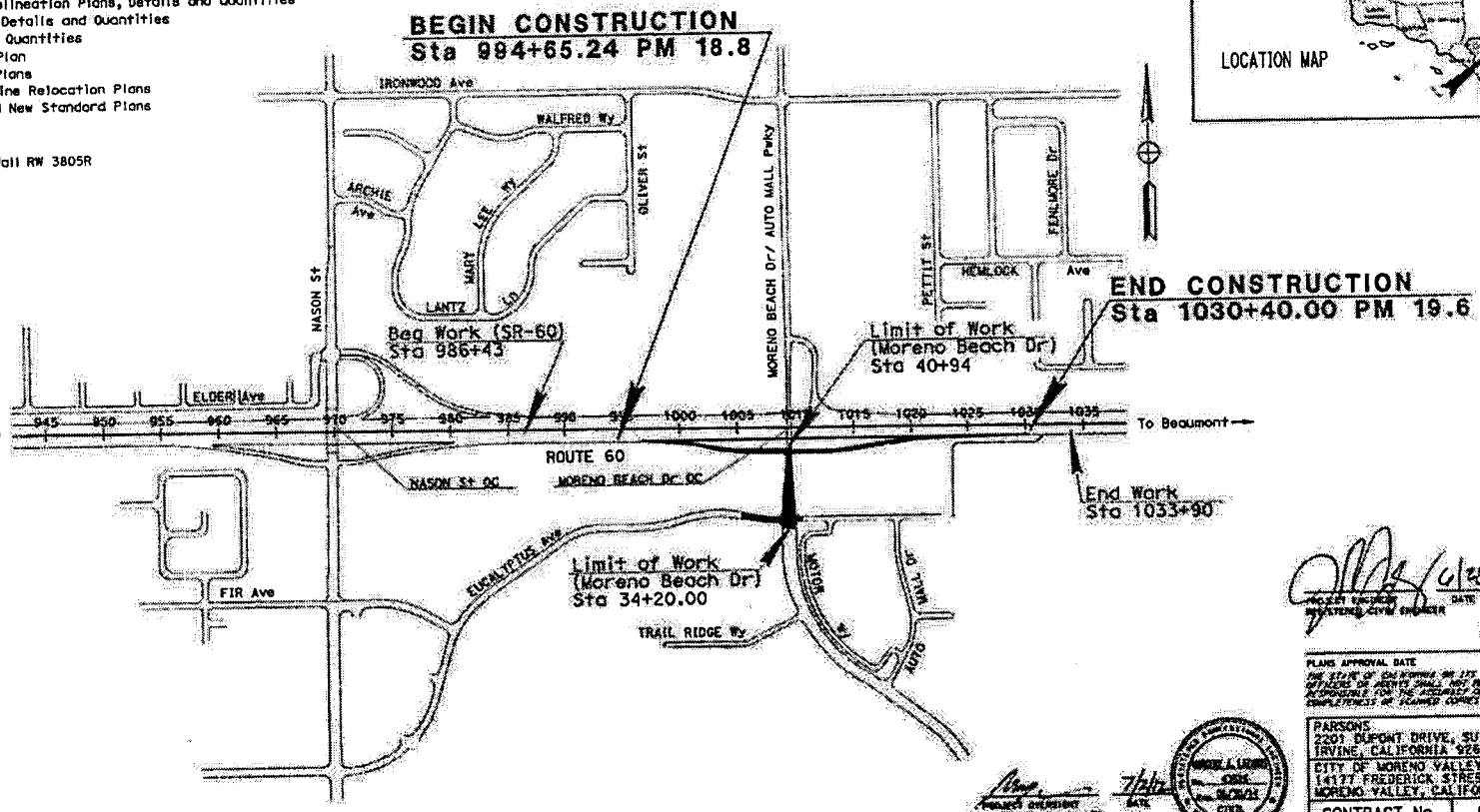

NO SCALE

PROJECT ENGINEER
REGISTERED CIVIL ENGINEER
DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF COPIES OF THIS PLAN SHEET.

PROJECT OVERSIGHT
CITY OF MORENO VALLEY
REGISTERED CIVIL ENGINEER
DATE

PARSONS
2201 DUPONT DRIVE, SUITE 200
IRVINE, CALIFORNIA 92612

CITY OF MORENO VALLEY
14177 FREDERICK STREET
MORENO VALLEY, CALIFORNIA 92552

CONTRACT No.	08-323014
PROJECT ID	0800000593

APPROVED AS TO IMPACT ON STATE FACILITIES AND CONFORMANCE WITH APPLICABLE STATE STANDARDS AND POLICIES AND THAT TECHNICAL OVERSIGHT WAS PERFORMED

DATE SIGNED	LICENSE EXP. DATE	REGISTRATION No.	CALTRANS DESIGN OVERSIGHT APPROVAL	CONSULTANT DESIGN ENGINEER
	12/31/12	C60886	DU LU	DAVID SPEIRS

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

BORDER LAST REVISED 7/2/2010 | CALTRANS WEB SITE IS: HTTP//WWW.DOT.CA.GOV/ | RELATIVE BORDER SCALE IS IN INCHES | UNIT 2232 | PROJECT NUMBER & PHASE 08000005931

Attachment "A"

MV00176802

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) - ZONAL
PROJECT NO. XX-XXXXX

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and **Consultant Company**, a (California corporation, partnership, sole ownership) hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

SAMPLE

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. XX-XXXXX

DESCRIPTION OF PROJECT

1. The project is described as professional consultant _____ services for:

Project Name

Project No. XX-XXXXX

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $_____ in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **Month Date, Year** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

Or

SAMPLE

MV00176804

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary

SAMPLE

consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

[for Non-design contracts]

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to

SAMPLE

any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the City, RDA, CSD and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction.

Or [for Design contracts]

15. (a) To the maximum extent allowable by law, the Consultant agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA, CSD and WRCOG, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, CSD and WRCOG, their officers, agents or

SAMPLE

MV00176807

employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

Or [for Design/CM contracts]

15. (a) To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA, CSD, and WRCOG, their officers, agents or employees.

(b) The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are

SAMPLE

caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, CSD, and WRCOG, their officers, agents or employees.

(c) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, CSD, and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any

SAMPLE

MV00176809

person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such Public Liability and Property Damage Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum general liability limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of

SAMPLE

California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, RDA, CSD and WRCOG against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) A Certificate of Insurance, or an appropriate insurance binder evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(h) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, its officers, employees and agents, under any third party liability policy."

(i) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed

SAMPLE

and qualified to conduct insurance business in the State of California.

(j) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project.

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(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain for its files copies of any and all materials, including drawings, documents, and specifications produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his

SAMPLE

files and his subconsultants, if any.

(d) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis,

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the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree, that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement.

SIGNATURE PAGE FOLLOWS

SAMPLE

MV00176815

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. XX-XXXXX

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Department Head/Mayor/City Manager
(Select only one please)

DATE: _____

Consultant Company

BY: _____

TITLE: _____
(President or Vice President)

BY: _____

TITLE: _____
(Corporate Secretary)

ATTEST:

_____
City Clerk *(not needed if City Manager signs)*

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Enclosures: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule

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MV00176816

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

SAMPLE

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $_____.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zara@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees,

SAMPLE

late charges, or other penalties. The ACH Authorization Form is located at:

http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

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EXHIBIT "D"

CONSTRUCTION COOPERATIVE AGREEMENT

This agreement, effective on January 4, 2012, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Moreno Valley, a body politic and municipal corporation or chartered city of the State of California, referred to as CITY.

For the purpose of this agreement, the term PARTNERS collectively refers to CALTRANS and CITY (all signatory parties to this agreement). The term PARTNER refers to any one of those signatory parties individually.

RECITALS

1. California Streets and Highways Code sections 114 and 130 authorize PARTNERS to enter into a cooperative agreement for performance of work within the State Highway System (SHS) right of way.

2. This agreement outlines the terms and conditions of cooperation between PARTNERS to complete the construction capital phase to improve the eastbound ramp configuration at Moreno Beach Drive on State Route 60 (SR-60) in the City of Moreno Valley and construct auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing.

   For the purpose of this agreement, improvements to the eastbound ramp configuration at Moreno Beach Drive on SR-60 in the City of Moreno Valley and construction of auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing will be referred to as PROJECT. All responsibilities assigned in this agreement to complete the construction capital phase of PROJECT will be referred to as OBLIGATIONS.

3. This agreement is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between PARTNERS regarding PROJECT.

4. Prior to this agreement, the CITY developed the Project Report; Plans, Specifications and Estimate; and the Right of Way Certification (Cooperative Agreement No. 8-1314).

5. CITY prepared the environmental documentation for PROJECT.

6. The estimated date for OBLIGATION COMPLETION is December 31, 2014.

7. In this agreement capitalized words represent defined terms and acronyms. The Definitions section contains a complete definition for each capitalized term.

8. From this point forward, PARTNERS define in this agreement the terms and conditions under which they will accomplish OBLIGATIONS.

RESPONSIBILITIES

9. CITY is SPONSOR for 100% of PROJECT.

10. CALTRANS will provide IQA for the portions of WORK within existing and proposed SHS right of way. CALTRANS retains the right to reject noncompliant WORK, protect public safety, preserve property rights, and ensure that all WORK is in the best interest of the SHS.

11. CITY may provide IQA for the portions of WORK outside existing and proposed SHS right of way.

12. CITY is the only FUNDING PARTNER for this agreement. CITY's funding commitment is defined in the FUNDING SUMMARY.

13. CALTRANS is the CEQA lead agency for PROJECT.

14. CALTRANS is the NEPA lead agency for PROJECT.

15. CITY is IMPLEMENTING AGENCY for CONSTRUCTION.

SCOPE

Scope: General

16. PARTNERS will perform all OBLIGATIONS in accordance with federal and California laws, regulations, and standards; FHWA STANDARDS; and CALTRANS STANDARDS.

17. IMPLEMENTING AGENCY for a PROJECT COMPONENT will provide a Quality Management Plan (QMP) for that component as part of the PROJECT MANAGEMENT PLAN. The District Construction Division, with input from Structure Construction must approve the Quality Management Plan (QMP) before the encroachment permit for construction is issued.

18. Any PARTNER may, at its own expense, have representatives observe any OBLIGATIONS performed by another PARTNER. Observation does not constitute authority over those OBLIGATIONS.

19. Each PARTNER will ensure that all of its personnel participating in OBLIGATIONS are appropriately qualified, and if necessary licensed, to perform the tasks assigned to them.

20. IMPLEMENTING AGENCY shall retain consultants and shall invite CALTRANS to participate in the selection and retention of consultants that participate in OBLIGATIONS. At least one representative from the Construction Division of CALTRANS shall participate in the selection process. A construction management firm shall not be selected without the approval by this representative.

21. If WORK is done under contract (not completed by a PARTNER's own employees) and is governed by the California Labor Code's definition of "public works" (section 1720(a)(a)), that PARTNER will conform to sections 1720 – 1815 of the California Labor Code and all applicable regulations and coverage determinations issued by the Director of Industrial Relations.

22. IMPLEMENTING AGENCY for each PROJECT COMPONENT included in this agreement will be available to help resolve problems generated by that component for the entire duration of PROJECT.

23. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within SHS right of way.

    Contractors and/or agents, and utility owners will not perform WORK without an encroachment permit issued in their name.

24. If any PARTNER discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTNER will notify all PARTNERS within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and a plan is approved for its removal or protection.

25. PARTNERS will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for PROJECT in confidence to the extent permitted by law. Where applicable, the provisions of California Government Code section 6254.5(e) will govern the disclosure of such documents in the event that PARTNERS share said documents with each other.

    PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete PROJECT without the written consent of the PARTNER authorized to release them, unless required or authorized to do so by law.

26. If any PARTNER receives a public records request, pertaining to OBLIGATIONS, that PARTNER will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any disclosed public records. PARTNERS will consult with each other prior to the release of any public documents related to the PROJECT.

27. If HM-1 or HM-2 is found during a PROJECT COMPONENT, IMPLEMENTING AGENCY for that PROJECT COMPONENT will immediately notify PARTNERS.

28. CALTRANS, independent of PROJECT, is responsible for any HM-1 found within the existing SHS right of way. CALTRANS will undertake HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to PROJECT schedule.

29. CITY, independent of PROJECT, is responsible for any HM-1 found within PROJECT limits and outside the existing SHS right of way. CITY will undertake or cause to be undertaken HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to PROJECT schedule.

30. If HM-2 is found within PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM MANAGEMENT ACTIVITIES related to HM-2.

31. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

32. PARTNERS will comply with all of the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each PARTNER's responsibilities in this agreement.

33. IMPLEMENTING AGENCY for each PROJECT COMPONENT will furnish PARTNERS with written quarterly progress reports during the implementation of OBLIGATIONS in that component.

34. Upon OBLIGATION COMPLETION, ownership or title to all materials and equipment constructed or installed for the operations and/or maintenance of the SHS within SHS right of way as part of WORK become the property of CALTRANS.

    CALTRANS will not accept ownership or title to any materials or equipment constructed or installed outside SHS right of way.

35. IMPLEMENTING AGENCY for a PROJECT COMPONENT will accept, reject, compromise, settle, or litigate claims of any non-agreement parties hired to do WORK in that component.

36. PARTNERS will confer on any claim that may affect OBLIGATIONS or PARTNERS' liability or responsibility under this agreement in order to retain resolution possibilities for potential future claims. No PARTNER will prejudice the rights of another PARTNER until after PARTNERS confer on claim.

37. PARTNERS will maintain, and will ensure that any party hired by PARTNERS to participate in OBLIGATIONS will maintain, a financial management system that

conforms to Generally Accepted Accounting Principles (GAAP), and that can properly accumulate and segregate incurred PROJECT costs, and provide billing and payment support.

38. PARTNERS will comply with the appropriate federal cost principles and administrative requirements outlined in the Applicable Cost Principles and Administrative Requirements table below. These principles and requirements apply to all funding types included in this agreement.

39. PARTNERS will ensure that any party hired to participate in OBLIGATIONS will comply with the appropriate federal cost principles and administrative requirements outlined in the Applicable Cost Principles and Administrative Requirements table below.

Applicable Cost Principles and Administration Requirements		
The federal cost principles and administrative requirements associated with each organization type apply to that organization.		
Organization Type	**Cost Principles**	**Administrative Requirements**
Federal Governments	2 CFR Part 225	OMB A-102
State and Local Government	2 CFR, Part 225	49 CFR, Part 18
Educational Institutions	2 CFR, Part 220	2 CFR, Part 215
Non-Profit Organizations	2 CFR, Part 230	2 CFR, Part 215
For Profit Organizations	48 CFR, Chapter 1, Part 31	49 CFR, Part 18
CFR (Code of Federal Regulations) **OMB (Office of Management and Budget)**		
Related URLs: • Various OMB Circular: http://www.whitehouse.gov/omb/grants_circulars • Code of Federal Regulations: http://www.gpoaccess.gov/CFR		

40. PARTNERS will maintain and make available to each other all OBLIGATIONS-related documents, including financial data, during the term of this agreement.

41. PARTNERS will retain all OBLIGATIONS-related records for three (3) years after the final voucher.

42. PARTNERS have the right to audit each other in accordance with generally accepted governmental audit standards.

CALTRANS, the state auditor, FHWA, and CITY will have access to all OBLIGATIONS-related records of each PARTNER, and any party hired by a PARTNER to participate in OBLIGATIONS, for audit, examination, excerpt, or transcription.

The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of

operation. The auditing PARTNER will be permitted to make copies of any OBLIGATIONS-related records needed for the audit.

The audited PARTNER will review the draft audit, findings, and recommendations, and provide written comments within 30 calendar days of receipt.

Upon completion of the final audit, PARTNERS have 30 days to refund or invoice as necessary in order to satisfy the obligation of the audit.

Any audit dispute not resolved by PARTNERS is subject to dispute resolution. Any costs arising out of the dispute resolution process will be paid within 30 calendar days of the final audit or dispute resolution findings.

43. Any PARTNER that hires another party to participate in OBLIGATIONS will conduct a pre-award audit of that party in accordance with the *Local Assistance Procedures Manual*.

44. PARTNERS will not incur costs beyond the funding commitments in this agreement. If IMPLEMENTING AGENCY anticipates that funding for WORK will be insufficient to complete WORK, IMPLEMENTING AGENCY will promptly notify SPONSOR.

    IMPLEMENTING AGENCY has no obligation to perform WORK if funds to perform WORK are unavailable.

45. If WORK stops for any reason, IMPLEMENTING AGENCY will place all facilities impacted by WORK in a safe and operable condition acceptable to CALTRANS.

46. If WORK stops for any reason, each PARTNER will continue to implement all of its applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each PARTNER's responsibilities in this agreement, in order to keep PROJECT in environmental compliance until WORK resumes.

47. Each PARTNER accepts responsibility to complete the activities that it selected on the SCOPE SUMMARY. Activities marked with "N/A" on the SCOPE SUMMARY are not included in the scope of this agreement.

48. Contract administration procedures shall conform to CALTRANS' Construction Manual, Local Assistance Procedures Manual (if Federal funds are used), and the PROJECT encroachment permits.

49. If the Resident Engineer is not also a registered Landscape Architect, CITY will furnish, at CITY expense and subject to approval of CALTRANS Landscape Architecture, a registered Landscape Architect to perform work related to architecture treatment and landscaping and to perform the function of an Assistant Resident Engineer/Inspector who is responsible for both daily on-site inspections and final decisions including, but not

limited to, any highway planting and the irrigation systems that comprise a portion of the PROJECT work. Final decisions shall continue to be subject to the satisfaction and approval of CALTRANS.

50. Within one hundred eighty (180) days following the completion and acceptance of the PROJECT construction contract, to furnish CALTRANS with a complete set of "As-Built" plans (hard copy and electronic formats) in accordance with CALTRANS' then current CADD Users Manual, Plans Preparation Manual, and CALTRANS practice. The submittal must also include all CALTRANS requested contract records, including survey documents and Records of Surveys (to include monument perpetuation per the Land Surveyor Act, section 8771, including but not limited to preconstruction monumentation documents and a post construction Record of Survey). CITY shall also submit corrected full-sized hardcopy structure plans.

Scope: Environmental Permits, Approvals and Agreements

51. Each PARTNER identified in the Environmental Permits table below accepts the responsibility to complete the assigned activities.

Environmental Permits

Permit	Coordinate	Prepare	Obtain	Implement	Renew	Amend
404 USACOE	CITY	CITY	CITY	CITY	CITY	CITY
401 RWQCB	CITY	CITY	CITY	CITY	CITY	CITY
NPDES SWRCB	CITY	CITY	CITY	CITY	CITY	CITY
1602 DFG	CITY	CITY	CITY	CITY	CITY	CITY

Scope: CONSTRUCTION

52. CITY will advertise, open bids, award, approve, and administer the construction contract in accordance with the California Public Contract Code and the California Labor Code.

CITY will not advertise the construction contract until CALTRANS completes or accepts the final plans, specifications, and estimate package; CALTRANS approves the Right of Way Certification; and SPONSOR verifies full funding of CONSTRUCTION SUPPORT and CONSTRUCTION CAPITAL.

By accepting responsibility to advertise and award the construction contract, CITY also accepts responsibility to administer the construction contract.

PARTNERS agree that CITY is designated as the Legally Responsible Person and the Approved Signatory Authority pursuant to the Construction General Permit, State Water Resources Control Board (SWRCB) Order Number 2009-0009-DWQ, as defined in Appendix 5, Glossary, and assumes all roles and responsibilities assigned to the Legally

Responsible Person and the Approved Signatory Authority as mandated by the Construction General Permit.

53. IMPLEMENTING AGENCY will implement changes to the construction contract through contract change orders (CCOs). PARTNERS will review and concur on all CCOs over $50,000.

CALTRANS must approve all CCOs affecting public safety or the preservation of property, all design and specification changes, and all major changes as defined in the CALTRANS Construction Manual prior to implementing the CCO.

54. If the lowest responsible construction contract bid is greater than the funding commitment to CONSTRUCTION CAPITAL, all PARTNERS must be involved in determining how to proceed. If PARTNERS do not agree in writing on a course of action within 15 working days, this agreement will terminate.

55. CITY will require the construction contractor to furnish payment and performance bonds naming CITY as obligee, and CALTRANS as additional obligee, and to carry liability insurance in accordance with CALTRANS specifications.

56. CITY will submit a written request to CALTRANS for any SFM identified in the PROJECT plans, specifications, and estimate a minimum of 45 days prior to the bid advertisement date for PROJECT construction contract. CITY will submit a written request to CALTRANS for any additional SFM deemed necessary during PROJECT construction.

57. CALTRANS will make SFM available at a CALTRANS-designated location after CITY requests SFM and pays CALTRANS' invoice for estimated SFM costs.

58. As IMPLEMENTING AGENCY for CONSTRUCTION, CITY is responsible for maintenance within PROJECT limits as part of the construction contract.

59. PARTNERS will execute a separate maintenance agreement prior to OBLIGATION COMPLETION.

COST

Cost: General

60. The cost of any awards, judgments, or settlements generated by OBLIGATIONS is an OBLIGATIONS COST.

61. CALTRANS, independent of PROJECT, will pay all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within the existing SHS right of way.

62. CITY, independent of PROJECT, will pay, or cause to be paid, all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within PROJECT limits and outside of the existing SHS right of way.

63. HM MANAGEMENT ACTIVITIES costs related to HM-2 are CONSTRUCTION SUPPORT and CONSTRUCTION CAPITAL costs.

64. The cost to comply with and implement the commitments set forth in the environmental documentation is an OBLIGATIONS COST.

65. The cost to ensure that PROJECT remains in environmental compliance is an OBLIGATIONS COST.

66. The cost of any legal challenges to the CEQA or NEPA environmental process or documentation is an OBLIGATIONS COST.

67. Independent of OBLIGATIONS COST, CALTRANS will fund the cost of its own IQA for WORK done within existing or proposed future SHS right of way.

68. Independent of OBLIGATIONS COST, CITY will fund the cost of its own IQA for WORK done outside existing or proposed future SHS right of way.

69. CALTRANS will provide encroachment permits at no cost to PARTNERS, their contractors, consultants and agents, and the following utility companies: Southern California Edison, Moreno Valley Utility, and Eastern Municipal Water District.

70. Fines, interest, or penalties levied against a PARTNER will be paid, independent of OBLIGATIONS COST, by the PARTNER whose actions or lack of action caused the levy. That PARTNER will indemnify and defend each other PARTNER.

71. Travel, per diem, and third-party contract reimbursements are an OBLIGATIONS COST only after those hired by PARTNERS to participate in OBLIGATIONS incur and pay those costs.

    Payments for travel and per diem will not exceed the rates paid rank and file state employees under current California Department of Personnel Administration (DPA) rules current at the effective date of this agreement.

    If CITY invoices for rates in excess of DPA rates, CITY will fund the cost difference and reimburse CALTRANS for any overpayment.

72. The cost of non-IQA engineering support performed by CALTRANS includes all direct and applicable indirect costs. CALTRANS calculates indirect costs based solely on the type of funds used to pay support costs. State and federal funds are subject to the current Program Functional Rate. Local funds are subject to the current Program Functional Rate

and the current Administration Rate. CALTRANS periodically adjusts the Program Functional Rate and the Administration Rate.

73. If CALTRANS reimburses CITY for any costs later determined to be unallowable, CITY will reimburse those funds.

74. The cost to place PROJECT right of way in a safe and operable condition and meet all environmental commitments is an OBLIGATIONS cost.

75. Because IMPLEMENTING AGENCY is responsible for managing the scope, cost, and schedule of a project component, if there are insufficient funds available in this agreement to place the right of way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

76. If there are insufficient funds in this agreement to implement applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, each PARTNER implementing commitments or conditions accepts responsibility to fund these activities, as they apply to each PARTNER's responsibilities, until such time as PARTNERS amend this agreement.

    Each PARTNER may request reimbursement for these costs during the amendment process.

77. PARTNERS will pay invoices within 30 calendar days of receipt of invoice.

Cost: Environmental Permits, Approvals and Agreements

78. The cost of coordinating, obtaining, complying with, implementing, and if necessary renewing and amending resource agency permits, agreements, and/or approvals is an OBLIGATIONS COST.

Cost: CONSTRUCTION Support

79. The cost to maintain the SHS within PROJECT limits is an OBLIGATIONS COST until PARTNERS execute a separate maintenance agreement.

80. Each PARTNER listed below may submit invoices for CONSTRUCTION Support for source inspection:
    - CALTRANS may invoice CITY

81. PARTNERS will exchange funds for actual costs up to a maximum of $65,000.

CALTRANS will invoice CITY for $10,000 initial deposit 30 working days prior to the construction contract bid advertisement date. This deposit represents two (2) months' estimated support costs for source inspection.

Thereafter, CALTRANS will submit to CITY monthly invoices for estimated monthly costs based on the prior month's actual expenditures.

After PARTNERS agree that all WORK is complete, CALTRANS will submit a final accounting for all OBLIGATIONS COSTS. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the financial commitments of this agreement.

Cost: CONSTRUCTION Capital

82. The cost of all SFM is a CONSTRUCTION CAPITAL cost.

CALTRANS will invoice CITY for the actual cost of any SFM as a CONSTRUCTION CAPITAL cost.

After PARTNERS agree that all WORK is complete, CALTRANS will submit a final accounting for all SFM costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the financial commitments of this agreement.

SCHEDULE

83. PARTNERS will manage the schedule for OBLIGATIONS through the work plan included in the PROJECT MANAGEMENT PLAN. The Project Manager must approve the PROJECT MANAGEMENT PLAN before the encroachment permit for construction is issued.

GENERAL CONDITIONS

84. PARTNERS understand that this agreement is in accordance with and governed by the Constitution and laws of the State of California. This agreement will be enforceable in the State of California. Any PARTNER initiating legal action arising from this agreement will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this agreement resides, or in the Superior Court of the county in which PROJECT is physically located.

85. All OBLIGATIONS of CALTRANS under the terms of this agreement are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.

86. Any PARTNER performing IQA does so for its own benefit. No one can assign liability to that PARTNER due to its IQA activities.

87. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this agreement.

It is understood and agreed that CALTRANS will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under this agreement.

88. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY under this agreement.

It is understood and agreed that CITY will fully defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under this agreement.

89. PARTNERS do not intend this agreement to create a third party beneficiary or define duties, obligations, or rights in parties not signatory to this agreement. PARTNERS do not intend this agreement to affect their legal liability by imposing any standard of care for fulfilling OBLIGATIONS different from the standards imposed by law.

90. PARTNERS will not assign or attempt to assign OBLIGATIONS to parties not signatory to this agreement.

91. PARTNERS will not interpret any ambiguity contained in this agreement against each other. PARTNERS waive the provisions of California Civil Code section 1654.

92. A waiver of a PARTNER's performance under this agreement will not constitute a continuous waiver of any other provision. An amendment made to any article or section of this agreement does not constitute an amendment to or negate all other articles or sections of this agreement.

93. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

94. If any PARTNER defaults in its OBLIGATIONS, a non-defaulting PARTNER will request in writing that the default be remedied within 30 calendar days. If the defaulting PARTNER fails to do so, the non-defaulting PARTNER may initiate dispute resolution.

95. PARTNERS will first attempt to resolve agreement disputes at the PROJECT team level. If they cannot resolve the dispute themselves, the CALTRANS district director and the Director of Public Works/City Engineer of CITY will attempt to negotiate a resolution. If PARTNERS do not reach a resolution, PARTNERS' legal counsel will initiate mediation. PARTNERS agree to participate in mediation in good faith and will share equally in its costs.

    Neither the dispute nor the mediation process relieves PARTNERS from full and timely performance of OBLIGATIONS in accordance with the terms of this agreement. However, if any PARTNER stops fulfilling OBLIGATIONS, any other PARTNER may seek equitable relief to ensure that OBLIGATIONS continue.

    Except for equitable relief, no PARTNER may file a civil complaint until after mediation, or 45 calendar days after filing the written mediation request, whichever occurs first.

    PARTNERS will file any civil complaints in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides. The prevailing PARTNER will be entitled to an award of all costs, fees, and expenses, including reasonable attorney fees as a result of litigating a dispute under this agreement or to enforce the provisions of this article including equitable relief.

96. PARTNERS maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

97. If any provisions in this agreement are deemed to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other agreement provisions invalid, inoperative, or unenforceable, and PARTNERS will automatically sever those provisions from this agreement.

98. PARTNERS intend this agreement to be their final expression and supersede any oral understanding or writings pertaining to OBLIGATIONS.

99. If during performance of WORK additional activities or environmental documentation is necessary to keep PROJECT in environmental compliance, PARTNERS will amend this agreement to include completion of those additional tasks.

100. PARTNERS will execute a formal written amendment if there are any changes to OBLIGATIONS.

101. This agreement will terminate upon OBLIGATION COMPLETION or an amendment to terminate this agreement, whichever occurs first.

However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, and ownership articles will remain in effect until terminated or modified in writing by mutual agreement.

102. The following documents are attached to, and made an express part of this agreement: SCOPE SUMMARY, FUNDING SUMMARY.

DEFINITIONS

CALTRANS – The California Department of Transportation

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

CEQA (California Environmental Quality Act) – The act (California Public Resources Code, sections 21000 et seq.) that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

CFR (Code of Federal Regulations) – The general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

CONSTRUCTION CAPITAL – See PROJECT COMPONENT.

CONSTRUCTION SUPPORT – See PROJECT COMPONENT.

COOPERATIVE AGREEMENT CLOSURE STATEMENT – A document signed by PARTNERS that verifies the completion of all OBLIGATIONS included in this agreement and in all amendments to this agreement.

COST – The responsibility for cost responsibilities in this agreement can take one of three assignments:

- **OBLIGATIONS COST** – A cost associated with fulfilling OBLIGATIONS that will be funded as part of this agreement. The responsibility is defined by the funding commitments in this agreement.
- **PROJECT COST** – A cost associated with PROJECT that can be funded outside of OBLIGATIONS. A PROJECT COST may not necessarily be part of this agreement. This responsibility is defined by the PARTNERS' funding commitments at the time the cost is incurred.
- **PARTNER COST** – A cost that is the responsibility of a specific PARTNER, independent of PROJECT.

FHWA – Federal Highway Administration

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at www.fhwa.dot.gov/topics.htm.

FUNDING PARTNER – A PARTNER that commits a defined dollar amount to fulfill OBLIGATIONS. Each FUNDING PARTNER accepts responsibility to provide the funds identified on the FUNDING SUMMARY under its name.

FUNDING SUMMARY – The table that designates an agreement's funding sources, types of funds, and the PROJECT COMPONENT in which the funds are to be spent. Funds listed on the FUNDING SUMMARY are "not-to-exceed" amounts for each FUNDING PARTNER.

GAAP (Generally Accepted Accounting Principles) – Uniform minimum standards and guidelines for financial accounting and reporting issued by the Federal Accounting Standards Advisory Board that serve to achieve some level of standardization. See http://www.fasab.gov/accepted.html.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The PARTNER responsible for managing the scope, cost, and schedule of a PROJECT COMPONENT to ensure the completion of that component.

IQA (Independent Quality Assurance) – Ensuring that IMPLEMENTING AGENCY's quality assurance activities result in WORK being developed in accordance with the applicable standards and within an established Quality Management Plan (QMP). IQA does not include any work necessary to actually develop or deliver WORK or any validation by verifying or rechecking work performed by another partner.

NEPA (National Environmental Policy Act of 1969) – The federal act that establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

OBLIGATION COMPLETION – PARTNERS have fulfilled all OBLIGATIONS included in this agreement, and all amendments to this agreement, and have signed a COOPERATIVE AGREEMENT CLOSURE STATEMENT.

OBLIGATIONS – All responsibilities included in this agreement.

OBLIGATIONS COST – See COST.

OMB (Office of Management and Budget) – The federal office that oversees preparation of the federal budget and supervises its administration in Executive Branch agencies.

PARTNER – Any individual signatory party to this agreement.

PARTNERS – The term that collectively references all of the signatory agencies to this agreement. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one PARTNER's individual actions legally bind the other partners.

PROJECT – The undertaking to improve the eastbound ramp configuration at Moreno Beach Drive on SR-60 in the city of Moreno Valley and construct auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing.

PROJECT COMPONENT – A distinct portion of the planning and project development process of a capital project as outlined in California Government Code, section 14529(b).

- **PID (Project Initiation Document)** – The activities required to deliver the project initiation document for PROJECT.
- **PA&ED (Project Approval and Environmental Document)** – The activities required to deliver the project approval and environmental documentation for PROJECT.
- **PS&E (Plans, Specifications, and Estimate)** – The activities required to deliver the plans, specifications, and estimate for PROJECT.
- **R/W (Right of Way) SUPPORT** –The activities required to obtain all property interests for PROJECT.
- **R/W (Right of Way) CAPITAL** – The funds for acquisition of property rights for PROJECT.
- **CONSTRUCTION SUPPORT** – The activities required for the administration, acceptance, and final documentation of the construction contract for PROJECT.
- **CONSTRUCTION CAPITAL** – The funds for the construction contract.

PROJECT COST – See COST.

PROJECT MANAGEMENT PLAN – A group of documents used to guide a project's execution and control throughout that project's lifecycle.

QMP (Quality Management Plan) – An integral part of the Project Management Plan that describes IMPLEMENTING AGENCY's quality policy and how it will be used.

RESIDENT ENGINEER – A civil engineer licensed in the State of California who is responsible for construction contract administration activities. Said engineer must be independent of the design engineering company and the construction contractor.

SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users

SCOPE SUMMARY – The attachment in which each PARTNER designates its commitment to specific scope activities within each PROJECT COMPONENT as outlined by the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

SHS (State Highway System) – All highways, right of way, and related facilities acquired, laid out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization.

SPONSOR – Any PARTNER that accepts the responsibility to establish scope of PROJECT and the obligation to secure financial resources to fund PROJECT. SPONSOR is responsible for adjusting the PROJECT scope to match committed funds or securing additional funds to fully fund the PROJECT scope. If a PROJECT has more than one SPONSOR, funding adjustments will be made by percentage (as outlined in Responsibilities). Scope adjustments must be developed through the project development process and must be approved by CALTRANS as the owner/operator of the SHS.

SFM (State Furnished Material) – Any materials or equipment supplied by CALTRANS.

WORK – All scope activities included in this agreement.

CONTACT INFORMATION

The information provided below indicates the primary contact data for each PARTNER to this agreement. PARTNERS will notify each other in writing of any personnel or location changes. Contact information changes do not require an amendment to this agreement.

The primary agreement contact person for CALTRANS is:
Jamal Elsaleh, Program/Project Management Office Chief
464 W. Fourth Street
San Bernardino, California 92401-1400
Office Phone: (909) 383-6710
Email: jamal.elsaleh@dot.ca.gov

The primary agreement contact person for CITY is:
Margery Lazarus, Senior Engineer, P.E.
P.O. Box 88005
Moreno Valley, California 92552-0805
Office Phone: (951) 413-3133
Email: margeryl@moval.org

SIGNATURES

PARTNERS declare that:

1. Each PARTNER is an authorized legal entity under California state law.
2. Each PARTNER has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

APPROVED

By: _____
RAYMOND W. WOLFE, PhD
Deputy District Director

P.D. Date: 1/4/12

CERTIFIED AS TO FUNDS:

By: _____
LISA PACHECO
District Budget Manager

Date: 12/23/11

CITY OF MORENO

APPROVED

By: _____
HENRY GARCIA
for City Manager

Date: 12/19/11

APPROVED AS TO FORM AND PROCEDURE

By: _____
ROBERT L. HANSEN
for City Attorney

Date: 12-15-11

08-RIV-60-18.9/19.6
EA: 32301
District Agreement 08-1514
Project Number 0800000593

SCOPE SUMMARY

4	5	6	7	8	Description	CALTRANS	CITY	N/A
5	270				Construction Engineering and General Contract Administration		X	
		10			Construction Staking Package and Control		X	
		15			Construction Stakes		X	
		20			Construction Engineering Work		X	
		25			Construction Contract Administration Work		X	
			05		Secured Lease for Resident Engineer Office Space or Trailer		X	
			10		Set Up Construction Project Files		X	
			15		Pre-Construction Meeting		X	
			20		Progress Pay Estimates		X	
			25		Weekly Statement of Working Days		X	
			30		Construction Project Files and General Field Office Clerical Work		X	
			35		Labor Compliance Activities		X	
			40		Approved Subcontractor Substitutions		X	
			45		Coordination		X	
			50		Civil Rights Contract Compliance		X	
			99		Other Construction Contract Administration Products		X	
		30			Contract Item Work Inspection		X	
		35			Construction Material Sampling and Testing		X	
			05		Materials Sampling and Testing for Quality Assurance		X	
			10		Plant Inspection for Quality Assurance		X	
			15		Independent Assurance Sampling and Testing		X	
			20		Source Inspection	X		
		40			Safety and Maintenance Reviews		X	
		45			Relief From Maintenance Process		X	
		55			Final Inspection and Acceptance Recommendation		X	
		60			Plant Establishment Administration		X	
		65			Transportation Management Plan Implementation During Construction		X	
		80			Long-Term Environmental Mitigation/Mitigation Monitoring During Construction Contract		X	
		99			Other Construction Engineering and General Contract Administration		X	
5	275				Construction Engineering and General Contract Administration of Structures Work		X	
5	285				Contract Change Order Administration		X	
5	290				Resolve Contract Claims		X	
5	295				Accept Contract, Prepare Final Construction Estimate, and Final Report		X	
4	300				Final Right of Way Engineering		X	

PACT Version 10.1.2011_02_17

Initials / Date:
City Attorney: BMB Date: 1-9-12
City Manager: TMD Date: 1/10/12

FUNDING SUMMARY

Funding Source	Funding Partner	Fund Type	CON Capital	CON Support	Subtotal Support	Subtotal Capital	Subtotal Funds Type
LOCAL	CITY	City	$8,800,000	$450,000	$450,000	$8,800,000	$9,250,000
		Subtotals by Component	$8,800,000	$450,000	$450,000	$8,800,000	$9,250,000

MV00176840

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action: ☐ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**2. Status of Federal Action:** ☐ a. bid/offer/application b. initial award c. post-award	**3. Report Type:** ☐ a. initial filing b. material change **For Material Change Only:** year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: ☐ Prime ☐ Subawardee Tier _____, *if known*: **Congressional District**, *if known*: 4c	**5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:** **Congressional District**, *if known*:	
6. Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____	
8. Federal Action Number, *if known*:	**9. Award Amount**, *if known*: $	
10. a. Name and Address of Lobbying Registrant (*if individual, last name, first name, MI*):	**b. Individuals Performing Services** (*including address if different from No. 10a*) (*last name, first name, MI*):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Attachment "D"

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

    (b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

LIST OF SUBCONSULTANTS

PROJECT NAME: _____

PROJECT NO: _____

CONSULTANT NAME: _____

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

Duplicate this form as necessary to report all subconsultant(s) information

Attachment "E"

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART I

The proposer shall list all subconsultants (both DBE and non-DBE) in accordance with Section 2-1.054 of the Standard Specifications and per Title 49, Section 26.11 of the Code of Federal Regulations. This listing is required in addition to listing DBE subconsultants elsewhere in the proposal. **Photocopy this form for additional firms.**

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Certified DBE?
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*

Distribution: 1) Original – Local Agency File

Attachment "F"

MV00176844

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART II

The proposer shall list all subconsultants who provided a quote or proposal but were not selected to participate as a subconsultant on this project. This is required fc compliance with Title 49, Section 26 of the Code of Federal Regulations. **Photocopy this form for additional firms.**

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Certified DBE?
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*

Distribution: 1) Original – Local Agency File

MV00176845

EXHIBIT 10-O2 Local Agency Proposer DBE Information (Consultant Contracts)

NOTE: PLEASE REFER TO INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM

LOCAL AGENCY: _____ LOCATION: _____

PROJECT DESCRIPTION: _____

TOTAL CONTRACT AMOUNT ($): _____

PROPOSER'S NAME: _____

WORK ITEM NO.	DESCRIPTION OR SERVICES TO BE SUBCONTRACTED (or contracted if the proposer is a DBE)	DBE CERT NO. AND EXPIRATION DATE	NAME OF EACH DBE (Must be certified at the time proposals are due - include DBE address and phone number)	DOLLAR AMOUN T OF EACH DBE

For Local Agency to Complete:

Local Agency Contract Number: _____

Federal-Aid Project Number: _____

Federal Share: _____

Contarct Award: _____

Total Claimed DBE Participation $ _____ _____ %

Local Agency certifies that the DBE certifications have been verified and all informations is complete and accurate.

Print Name Signature Date
Local Agency Representative

(Area Code) Telephone Number:

Signature of Proposer

Date (Area Code) Tel. No.

Person to Contact (Please Type or Print)

For Caltrans Review:

Print Name Signature Date
Caltrans District Local Assistance Engineer

Local Agency Proposer DBE Information (Consultant Contracts)
(Rev 6/27/09)

Distribution: (1) Copy - Fax or scan a copy to the Caltrans District Local Assistance Engineer (DLAE) within 15 days after contract execution. Failure to send a copy to the DLAE within 15 days after contract execution may result in deobligation of funds for this project.
(2) Original - Local agency files

MV00176846

INSTRUCTIONS - LOCAL AGENCY PROPOSER DBE INFORMATION (CONSULTANT CONTRACTS)

SUCCESSFUL PROPOSER:

The form requires specific information regarding the consultant or other contract: Local Agency, Location, Project Description, Total Contract Amount, Proposal Date, and successful Proposer's Name.

The form has a column for the Work Item Number and Description or Services to be Subcontracted to DBEs. The prime consultant shall indicate all work to be performed by DBEs including, if the prime consultant is a DBE, work performed by its own forces, if a DBE. The DBE shall provide a certification number to the prime consultant. Enter DBE prime consultant's and subconsultant's certification number. The form has a column for the Names of DBE certified contractors to perform the work (must be certified on or before the proposals are due and include DBE address and phone number).

Enter the Total Claimed DBE Participation dollar amount of items of work in the total DBE Dollar Amount column. (If 100% of item is not to be performed by the DBE, describe exact portion of time to be performed by the DBE.) See "Notice to Proposers Disadvantaged Business Enterprise Information," (Exhibit 10-I) to determine how to count the participation of DBE firms.

Exhibit 10-O2 must be signed and dated by the successful proposer at contract execution. Also list a phone number in the space provided and print the name of the person to contact.

Local agencies should complete the Contract Number, Federal-aid Project Number, Federal Share, and Contarct Award fields and verify that all information is complete and accurate before signing and sending a copy of the form to the District Local Assistance Engineer within 15 days of contract execution. Failure to submit a completed and accurate form within the 15-day time period may result in the deobligation of funds on this project.

District DBE Coordinator should verify that all information is complete and accurate. Once the information has been verified, the **District Local Assistance Engineer** signs and dates the form.

MV00176847

Ninyo & Moore
Geotechnical and Environmental Sciences Consultants

PROPOSAL FOR
MATERIALS TESTING AND GEOTECHNICAL SERVICES
SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT
EA 32301 / PROJECT NO. 07-41570024

PREPARED FOR:
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, California 92552-0805

PREPARED BY:
Ninyo & Moore
Geotechnical and Environmental Sciences Consultants
11650 Mission Park Drive, Suite 101
Rancho Cucamonga, California 91730

August 1, 2012
Proposal No. P-15614

Exhibit "B"

MV00176848

August 1, 2012
Proposal No. P-15614

City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, California 92552-0805

Attn: Margery Lazerus, P.E., Senior Engineer

Subject: **Proposal for Materials Testing and Geotechnical Services**
SR-60/Moreno Beach Drive Phase 1 Improvements Program
EA 32301 / Project No. 07-41570024
City of Moreno Valley, California

Ninyo & Moore Geotechnical and Environmental Sciences Consultants is pleased to submit our proposal to provide materials testing and geotechnical consulting services to the City of Moreno Valley for the SR-60/Moreno Beach Drive Phase 1 Improvements Project. We fully understand the City's needs and desires for these services and are committed to providing the City with high quality and cost-effective geotechnical consulting services. We are ready to meet the City's requirements by making available a tailored team of dedicated professionals who have the resources and requisite experience with similar projects to meet your needs.

Some of the advantages Ninyo & Moore provides the City of Moreno Valley include:

- A proven track record as the geotechnical on-call consultant for many other cities in southern California, including the cities of Moreno Valley, Fontana (since 1995), Rancho Cucamonga, Irvine, Mission Viejo, and Rialto. Under these contracts Ninyo & Moore has performed geotechnical, environmental, and soils and materials testing services on numerous projects that are similar in type and scope to the City of Moreno Valley's planned Public Works/Capital Projects.

- Through the years of providing on-call services to public agencies, Ninyo & Moore has developed an effective and efficient approach to management of on-call/as-needed services contracts. Our approach, described in this Proposal, will be utilized on this contract to benefit the City of Moreno Valley.

- A team composed of highly experienced geotechnical engineers, geologists, inspectors, and field and laboratory technicians. Dr. Jalal Vakili, a Principal Engineer of Ninyo & Moore, will lead the team, and has the authority to draw on the entire resources of Ninyo & Moore for the timely and successful completion of the projects.

- Ninyo & Moore has maintained an office in the Inland Empire since 1993 and has performed many projects in the area. Our services will be coordinated from our Rancho Cucamonga office and geotechnical laboratory located at 11650 Mission Park Drive, Suite 101.

MV00176849

- As one of the largest geotechnical consulting firms in Southern California, Ninyo & Moore employs over 380 professionals, including numerous California-registered engineers and geologists and certified inspectors and technicians.

- Our field and laboratory technicians with certifications from ICC, NICET, ACI, and Caltrans. Our fully-equipped, in-house soil and material testing laboratories are accredited by Caltrans, American Association of State Highway and Transportation Officials (AASHTO), Cement and Concrete Reference Laboratory (CCRL), the City of Los Angeles, the Division of the State Architect, and many other public agencies.

- Ninyo & Moore is a Minority Business Enterprise bringing 100% MBE participation to this contract.

We are fully prepared to make every possible commitment needed for the successful and timely completion of any project assigned to us. Your favorable consideration of this proposal is appreciated, and we look forward to being of service to the City of Moreno Valley.

Sincerely,
NINYO & MOORE

Jalal Vakili, Ph.D., P.E.
Principal Engineer

JBR/AR/JV/glw

Distribution: (5) Addressee (1 unbound, 3 bound, 1 Compact Disc)

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INTRODUCTION

Ninyo & Moore is pleased to submit this proposal for materials testing and geotechnical consulting services during construction of the State Route 60/Moreno Beach Drive Phase 1 Improvement Project in Moreno Valley, California. We have prepared our proposal based on the RFP dated July 3, 2012. Based on our review of the project plans and special provisions, we understand that the project will generally consist of realigning the SR-60/Moreno Beach eastbound off-and-on-ramps, adding an eastbound auxiliary lane, installation of a new traffic signal at the new intersection of the eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus and Moreno Beach Drive, coordination of utility relocations, irrigation, and related work. We understand that our services will include sampling and testing during embankment construction (earthwork), structure backfill, trench backfill, wall backfill, subgrade preparation, aggregate base placement, asphalt concrete pavement placement, structural concrete placement, and batch plant inspections. Testing will be performed in general accordance with Caltrans test methods and test frequencies as described in the Caltrans Construction Manual and Standard Specifications, City of Moreno Valley Specifications, Eastern Municipal Water District (EMWD), Riverside County Flood Control and Water Conservation District (RCFCD), and California Occupational Safety and Health Administration (OSHA) Construction Safety Orders.

Our services to the City of Moreno Valley will be provided from our Rancho Cucamonga office and soils and materials laboratory, located at 11650 Mission Park Drive, Suite 101, Rancho Cucamonga, California 91730. The telephone number for our Rancho Cucamonga office is (951) 758-5960, and the fax number is (951) 758-5966. Dr. Jalal, Vakili, a Principal Engineer for Ninyo & Moore, has the authorization to negotiate and enter into contracts on behalf of Ninyo & Moore and will serve as the point-of-contact during the proposal evaluation period. Dr. Vakili's e-mail address is jvakili@ninyoandmoore.com.

REQUIRED STATEMENTS

As required in the City of Moreno Valley's RFP, we are providing the following required statements.

"Ninyo & Moore incorporates the City of Moreno Valley's Request for Proposal for Professional Consultant Services SR-60 / Moreno Beach Drive Phase 1 Improvements Project, EA 32301, Project No. 07-41570024 in its entirety into this Proposal for materials testing and geotechnical services."

"The City of Moreno Valley's Request for Proposal for Professional Materials Testing Geotechnical Services and this Proposal will jointly become part of the Agreement for Professional Materials Testing and Geotechnical Services for this project when the said agreement is fully executed by Ninyo & Moore and the Mayor or City Manager of Moreno Valley."

"Our services to be provided, and fees therefore, will be in accordance with the City of Moreno Valley's Request for Proposal for Professional Materials Testing and Geotechnical Services except as otherwise specified in our proposal under the heading "Additions or Exceptions to the City's Request for Proposal for Professional Materials Testing and Geotechnical Services."

"Ninyo & Moore acknowledges and understands that it will not be allowed to change its subconsultant without written permission from the City."

"Our services for geotechnical and materials testing services will be performed on an hourly basis with a not-to-exceed fee, based on assumed scope of services and detailed man-hour and laboratory testing estimates."

"Ninyo & Moore will document and provide the results of our work to the satisfaction of the City of Moreno Valley in accordance with the contract documents."

"Ninyo & Moore will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work".

"Ninyo & Moore will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin."

"Ninyo & Moore will comply with federal, state and local laws and regulations in performing our services. In case of conflict between federal, state, and local laws or regulations, the strictest shall be adhered to."

"Ninyo & Moore will allow all authorized federal, state, county and City officials access to place of work, books, documents, papers, fiscal, payroll materials, and other relevant contract records pertinent to the special project. All relevant records shall be retained by Ninyo & Moore for at least three years."

"Ninyo & Moore will comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to said regulations, entitled 'Federal Labor Standards Provisions,' 'Federal Prevailing Wage Decision' and State of California prevailing rates, respectively."

"Ninyo & Moore will comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulations (29 CFR 3) issued pursuant thereto, and any amendments thereof."

"Ninyo & Moore offers and agrees to assign to the City of Moreno Valley all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works of the subcontract. This agreement shall be made and become effective at the time the City tenders final payment to Ninyo & Moore, without further acknowledgement by the parties."

ADDITIONS OR EXCEPTIONS TO THE CITY RFP

Ninyo & Moore takes no exceptions and has no additions to the City of Moreno Valley's Request for Proposal for Professional Geotechnical and Materials Testing Services, SR-60 / Moreno Beach Drive Phase 1 Improvement Project, EA 32301, Project No. 07-41570024.

GENERAL EXPERIENCE AND QUALIFICATIONS

Ninyo & Moore, a California Corporation, is a minority-owned, multidisciplinary consulting firm that provides high-quality geotechnical and environmental consulting, as well as materials testing and inspection services. The firm was incorporated in 1986 to provide consulting services in geotechnical engineering, construction inspection and testing, engineering geology, hydrogeology, hazardous waste remediation and environmental assessment. Ninyo & Moore has the necessary professional personnel and equipment to perform the requested professional. Ninyo & Moore will utilize the services of Axiom Engineering & Science Corporation, Inc. (Axiom), a certified UDBE/DBE for this project. Axiom will provide materials testing services that will complement our team and resources by bringing their expertise as well as their certified inspectors and technicians. Having graduated from the DBE program, Ninyo & Moore acknowledges the importance of opportunities provided to DBE firms by the larger firms working on major public works projects. We will also utilize the services of drilling subcontractors for exploratory field explorations, if these services are requested.

Ninyo & Moore has the financial resources and organizational capabilities to conduct and complete the proposed work for the City of Moreno Valley and is financially strong, as rated by Dun and Bradstreet (Number 15-410-4079). We are committed to being responsive, thorough, technically sound, and active in the business community. Ninyo & Moore serves its clients through offices located in:

- Rancho Cucamonga
- Irvine
- Los Angeles
- San Diego
- Oakland
- San Francisco
- Sacramento
- San Jose
- Phoenix, Arizona
- Prescott, Arizona
- Las Vegas, Nevada
- Carson City, Nevada
- El Paso, Texas
- Denver, Colorado

The quality of Ninyo & Moore's personnel base of over 400 employees is widely recognized. Our staff of professionals includes experienced and California licensed geotechnical engineers, civil engineers, environmental engineers, engineering geologists, hydrogeologists, environmental scientists, certified technicians and field inspectors, and hazardous waste and regulatory compliance specialists. Our materials testing and inspection personnel are certified by various agencies including Caltrans, International Code Council (ICC), American Welding Society (AWS), California Division of the State Architect (DSA), American Concrete Institute (ACI) as well as other certifying organizations.

The experience of Ninyo & Moore's geotechnical staff encompasses projects throughout the southwestern United States, including evaluations for roads, bridges, highways, municipal and commercial structures, educational, medical and recreational facilities, pipelines, tunnels, reservoirs, treatment plants, power plants, dams, waste-to-energy facilities, tanks, transmission towers, harbors and offshore structures, railroads, airports, low- and high-rise struc-

tures, landfills, and other public and private works. Our environmental staff has diverse experience in environmental assessments, water quality evaluations, environmental audits, regulatory compliance studies, water resources development, soil and groundwater contamination studies, and site remediation.

Ninyo & Moore performs the necessary geotechnical laboratory testing in-house, in one of our three fully-equipped, certified geotechnical and construction materials laboratory facilities in southern California. We have included certifications for our Irvine and Rancho Cucamonga laboratories in an Appendix to this proposal. Our laboratories are supervised by registered engineers and are certified by the City of Los Angeles, Caltrans, California Division of the State Architect (DSA), American Association of State Highway and Transportation Officials (AASHTO), Cement and Concrete Reference Laboratories (CCRL), the U.S. Army Corps of Engineers, and other regulatory agencies. As part of our laboratory accreditation, we have written quality control procedures for laboratory testing, which includes training and certification of both our laboratory personnel and testing equipment.

Ninyo & Moore also has both geotechnical and environmental quality assurance/quality control programs which facilitate compliance with project performance standards, schedules and budgets. These comprehensive quality assurance plans utilize management approach procedural manuals that delineate the interrelationship between management and design team components and describe specific quality control procedures to be used. The programs address data generation, management, and quality assessment guidelines for sampling and analysis procedures, as well as methods of corrective action. The quality assurance program manuals are available for review upon request.

Ninyo & Moore is committed to a policy of equal opportunity for applicants and employees in all areas of the employer-applicant and employer-employee relationship. This policy includes affirmative recruiting as well as hiring, promotion, transfer, discipline, layoff, recall, and termination of all persons on the basis of qualifications, competence, and merit without regard to any individual's sex, race, color, religion, national origin, ancestry, pregnancy, age, marital status, medical condition, veteran status, sexual orientation, or mental or physical disability, including AIDS or HIV-positive status.

Capacity to Accomplish Work Assignments and the Availability of Personnel

The firm's large base of professionals enables Ninyo & Moore to be responsive to client needs and to successfully complete project tasks on time. Current and anticipated work loads are such that there are more than an adequate number of experienced personnel that can be assigned to complete services for any size project. Currently, backlog for geotechnical and environmental professionals is less than 75 percent of current capacity.

Ninyo & Moore has established effective management control systems, have integrated them for efficient project administration, and have trained staff to respond quickly and efficiently to task orders and project situations as they arise in order to meet project deadlines. Having completed many complex projects within strict time constraints, Ninyo & Moore has developed flexible management systems which allow project managers to draw on experienced technical and administrative personnel throughout the company. This allows the use of a wide-ranging personnel base at reduced cost to the project and has resulted in efficient budget control and adherence to project schedules. Contract needs are met by assigning appropriate resources (experienced personnel and equipment) as needed to meet specific project requirements. To further meet these project schedules, personnel are available for weekend and/or around-the-clock efforts. Ninyo & Moore's proposed project personnel possess the appropriate licenses and certifications needed for this project.

Ninyo & Moore has assembled a team of highly qualified and experienced personnel for this important contract. Ninyo & Moore has the personnel resources to replace one or more of our key personnel with equal competency with written City approval, in the unlikely event that one our key personnel become unavailable. As previously mentioned, we have developed an on-call contract management approach that has been developed to respond efficiently to our client's needs through our project manager. As indicated on our organization chart, our project manager will be the single point-of-contact for the City.

Ninyo & Moore's field staff is highly experienced and qualified to provide testing and inspection services for an extensive range of project requirements. Ninyo & Moore's field and laboratory technicians maintain certifications with Caltrans, ACI, ICC, DSA, OSHA, and NICET, and possess a working knowledge of the requirements and procedures as specified by these agencies. Our proposed field and laboratory technicians are extensively experienced at providing geotechnical soils and materials testing services for construction projects and are fully available for this contract.

Resource Allocation Matrix

Tasks	Individual	Hours Available
Project Coordination and Technical Support	Principal Engineer/Geologist	2 hours
	Project Engineer/Geologist	80 hours
Pre-Construction Meeting	Project Engineer	2 hours
Field Services:		
Earthwork and Embankment	Field Technician	200 hours
Structure Backfill and Trench Backfill	Field Technician	120 hours
Subgrade and Aggregate Base	Field Technician	120 hours

Tasks	Individual	Hours Available
Hot Mix Asphalt (HMA)	Field Technician	140 hours
Portland Cement Concrete	Field Technician	20 hours
Batch Plant Inspector	Field Technician	160 hours
Sample Pick Up	Field Technician	10 hours
Report Preparation	Principal Engineer/Geologist	2 hours
	Project Engineer/Geologist	6 hours
	Secretarial/Clerical	6 hours

Project Experience

Based on our review of the RFP, the following are some of Ninyo & Moore's relevant projects successfully completed by our staff that demonstrates our competence to perform work similar in scope and magnitude required for the City of Moreno Valley.

City of Moreno Valley/Indian at Bay Traffic Signals, Moreno Valley, California
Client: City of Moreno Valley Public Works Department,
14177 Frederick Street, Moreno Valley, CA 92552
Contact: Margery Lazarus, 951/413-3133

Ninyo & Moore was retained to provide "On-Call" Geotechnical services for the construction of the Traffic Signals at Indian Street and Bay Avenue project. Improvements consisted of removal and reconstruction of sections of the roadway, new curb & gutter, sidewalk, signing, striping, and traffic signalization improvements. The new pavement section was 4 inches asphalt concrete over 8 inches of aggregate base. Our services included project coordination and management with the client construction manager. Our field services included field sampling and testing during earthwork construction, aggregate base placement, and asphalt concrete placement in order to evaluate the materials conformance with the project specifications. Our laboratory services included maximum density/optimum moisture content, and asphalt concrete maximum density. Our test data and daily field reports were submitted to the client.

City of Moreno Valley/ Lasselle at JFK Traffic Signals, Moreno Valley, California
Client: City of Moreno Valley Public Works Department,
14177 Frederick Street, Moreno Valley, CA 92552
Contact: Margery Lazarus, 951/413-3133

Ninyo & Moore was retained to provide "On-Call" Geotechnical services for the construction of the Traffic Signals at Lasselle Street and John F. Kennedy Drive project. Improvements consisted of removal and reconstruction of sections of the roadway, new curb & gutter, sidewalk, signing, striping, and traffic signalization improvements. The new pavement section was 4 inches asphalt concrete over 8 inches of aggregate base. Our services included project coordination and management with the client construction manager. Our field services included field sampling and testing during earthwork construction, aggregate base placement, and asphalt concrete placement in order to evaluate the materials conformance with the project specifications. Our laboratory services included

maximum density/optimum moisture content, Extraction, % asphalt, including gradation, and asphalt concrete maximum density. Our test data and daily field reports were submitted to the client.

Nutmeg Overcrossing at Interstate 15, Murrieta, California

Client: City of Murrieta , Department of Public Works
26442 Beckman Court, Murrieta, CA 92562

Contact: Mr. Russ Napier; 951-798-1040 *(no longer with agency)*

Ninyo & Moore was retained by the City of Murrieta to provide soils and materials testing services during the construction of the Nutmeg Overcrossing at the Interstate 15 (I-15) freeway in Murrieta, California. The overcrossing, designed in accordance with Caltrans specifications, will have four travel lanes (two lanes in each direction) and consists of a two-span, cast-in-place, prestressed box girder structure supported by two abutments and a center three-column bent. The bent is supported by on spread footing and each abutment is supported on 21 driven steel piles. Ninyo & Moore's services during construction included Quality Assurance and acceptance testing utilizing standard California Test Methods, in accordance with the Caltrans Construction Manual, Standard Specifications, Standard Plans, and the project's Special Provisions. Our services included providing Caltrans certified batch plant inspectors, field technicians, and laboratory technicians to perform the required materials sampling and testing. Our batch plant inspection services included inspection and sampling at the plants during production of asphalt and Portland cement concrete materials. Field sampling and testing of concrete for structures, pavement and miscellaneous items was also in our scope of services. Our field services included soil compaction testing during the abutment embankment construction, structure backfill, utility trench backfill, aggregate base, and asphalt concrete pavement placement operations. Collected construction material samples were tested in our Caltrans certified laboratory by our Caltrans certified laboratory technicians. Laboratory test results were reported and filed in accordance with Caltrans documentation procedures, as well as daily reports of our plant inspections and field testing services.

SR 215 Segments 1 & 2 Project, San Bernardino, California

Client: San Bernardino Associated Governments
1170 W. 3rd Street, 2nd Floor, San Bernardino, California 92410-1715

Contact: Mr. Sagar Pandey; 909/884-8276

Ninyo & Moore was retained to provide materials testing and inspection services during construction of the SR 215 Segments 1 & 2 project in San Bernardino, California. The project consists of widening and realignment of approximately 2.4 miles of the existing SR 215. The construction will accommodate 4 mixed flow lanes and 1 high occupancy vehicle lane in each direction. The project is anticipated to be constructed in several phases and will include site improvements including 39 CIP and MSE retaining walls, 8 new bridges, 5 bridge replacements, 2 bridge widenings, 1 connector replacement, 1 new connector, and 9 bridge removals, masonry block walls, sound walls, concrete flatwork, Portland cement concrete paving, asphalt concrete paving, drainage structures, utility relocations, striping, lighting, and signage improvements.over an approximately 4 year period. Services include construction observation and intermittent field and laboratory testing of the construction materials used in the proposed project. Services also include observation, sampling and testing during embankment construction (earthwork), structure backfill, trench backfill, subgrade prepararation, aggregate base placement, lean concrete base placement, Portland cement concrete pavement, asphalt concrete pavement placement, structural concrete placement, and batch plant inspections. Testing is being performed in general accordance with Caltrans test methods and test frequencies as described in the Caltrans Testing is being performed in general accordance with Caltrans test methods and test frequencies as described in the Caltrans Construction Manual and Standard Specifications.

I-5 Gateway Project, (Orange County to Los Angeles County)

Client: Caltrans c/o Caltrop
1851 East First Street, Suite 1260, Santa Ana, CA 92705

Contact: Mr. Derich Sukow, 714-426-0595

The project consisted of reconstructing and widening the existing I-5 Freeway from the 91 Freeway interchange to the Los Angeles County line. The construction included removal and replacement of 4 bridges including the Artesia Boulevard Bridge, Western Avenue Bridge, Beach Boulevard Bridge and Stanton Avenue Bridge. The project also included construction of 10 new retaining walls. The retaining wall designs included driven piles, cast-in-drilled-hole (CIDH) piles, spread footings, tie-back anchors and decorative concrete. The adjacent on-ramps and off-ramps were also widened and/or reconstructed. The I-5 main line was reconstructed and lowered in some areas by approximately one meter and raised in other areas by up to approximately four meters. Several of the new foundations had to be constructed near or below the ground water elevation. The working hours often included night shift and weekends.

Our services included project coordination, management and technical support. Our field services included sampling and testing of structural concrete, asphalt concrete (AC), asphalt treated permeable base (ATPB), embankment fill, lean concrete base (LCB), cement treated base (CTB), aggregate base (AB) and polymer concrete overlay. Our services included batch plant inspection during production of asphalt concrete and structural concrete. A mobile lab was set up on-site to help speed up the turn around time on some of the lab tests. Our laboratory testing services included California Impact Test, R-Value, sieve analysis, sand equivalent, AC extraction and gradation, AC maximum density, aggregate cleanness value, durability, percent crushed particles and LA rattler, concrete compressive strength and flexural strength testing and mix design review. Our testing services were performed in general accordance with Caltrans and ASTM test methods and test frequencies.

EXPERIENCE OF KEY PERSONNEL

Dr. Jalal Vakili will serve as Principal-in-Charge for the duration of the contract. Dr. Vakili has a Ph.D. in Geotechnical Engineering, a M.S. degree in Applied Mechanics, and a B.S. degree in Civil Engineering. He is a California-registered civil engineer with over 44 years experience in providing geotechnical services for public work and infrastructure projects for cities, counties, Caltrans, and other State and municipal agencies. His experience includes street improvements; bridges and retaining walls; highways and major transportation corridors; sewers, pipelines, dams and flood control structures; and residential and commercial developments. Dr. Vakili's background includes teaching and performing quality research in the field of geotechnical engineering. Dr. Vakili has been a Principal Engineer at Ninyo & Moore for over 16 years and has been the Principal-in-Charge for many of Ninyo & Moore's on-call contracts with the cities of Moreno Valley, Fontana, Rancho Cucamonga, Rialto, Pasadena, Irvine, and Mission Viejo, Riverside County Transportation Commission (RCTC), Caltrans, the Los Angeles County Department of Public Works, Orange County Sanitation District, Orange County Transportation Authority (OCTA), and John Wayne Airport.

Our project manger will be Mr. Kurt Yoshii. Mr. Yoshii graduated from the University of California, Berkeley with a B.S. degree in Civil Engineering and is a licensed Civil and Geotechnical Engineer in California with over 21 years of experience. For the past 15 years, Mr. Yoshii has been employed at Ninyo & Moore where he has personally

performed various aspects of geotechnical engineering, from site development and planning through construction, field exploration, including sampling and logging, laboratory testing, geotechnical analyses and report preparation. He has also managed numerous construction services projects, which have included mass grading operations, deep excavations, de-watering, ground modification, deep foundation construction, roadway, highway and bridge construction, as well as construction materials testing and inspection services for DSA and OSHPD projects. Mr. Yoshii will be the single point-of-contact for the City on this contract and can be contacted at our Rancho Cucamonga office and laboratory located at 11650 Mission Park Drive, Suite 101, Rancho Cucamonga, California, (909) 758-5960. Mr. Yoshii will be responsible for performing the requested services in accordance with the contract requirements and budget of the specific task order assignments. Mr. Yoshii has managed contracts for public agencies which include Caltrans, the Los Angeles County, Department of Public Works, Orange County Transportation Authority (OCTA), Riverside County Transportation Commission (RCTC), John Wayne Airport, Newport-Mesa Unified School District, and City of Fontana. His geotechnical design experience includes roadways, highways, and bridges, transportation facilities for Caltrans, utility lines, power plants, cell towers, public facilities, including schools, which are performed under technical review of the Division of the State Architect (DSA), and health care facilities and hospitals, under the technical review of the Office of Statewide Heath Planning Development (OSHPD). Mr. Yoshii's strengths lie in establishing and maintaining open communication lines with his clients and effectively managing our in-house and subconsultant resources to deliver high quality and prompt services to our clients.

Ninyo & Moore's commitment to quality is evidenced by our written Quality Assurance Manual, which is administered internally by Mr. Lawrence Lovett, Principal Engineer, who is a licensed Quality Engineer in California as well as a licensed Civil Engineer. Mr. Lovett holds a B.S. degree in Civil Engineering from the University of Maryland as well as a Masters Degree in Business Administration from the City University of New York, and has over 40 years of experience.

A summary of our Key Technical personnel is provided in the following table. Comprehensive resumes can be provided on request.

Table 1 – Key Project Team

Team Members	Function	Education	Registrations/Certifications	Years Exp.
Jalal Vakili	Principal-in-Charge	Ph.D. Geotechnical Engineering M.S. Applied Mechanics B.S. Civil Engineering Construction Quality Management for Contractors, Corps of Engineers Training Course	Registered Civil Engineer, CA, RCE 45350 (Exp. 6/30/12) Professional Engineer, Nevada, PE 12269 (Exp. 6/30/12) Professional Engineer, Utah PE 9734155932202 Professional Engineer, Arizona PE 33062 Professional Engineer, Idaho PE4470	44
Kurt Yoshii	Project Manager	B.S. Civil Engineering	Registered Civil Engineer, CA RCE 54759 (Exp. 12/31/11) Registered Geotechnical Engineer, CA, GE 2508 (Exp. 12/31/11)	21
Lawrence Lovett	Technical Advisor	B.S. Civil Engineering M.B.A.	Registered Civil Engineer, CA, RCE 50994 (Exp. 09/30/11) Registered Quality Engineer, CA, QE 3960 (Exp. 03/31/11)	48
Phil Nekoranec	Field Operations Manager	Caltrans TL-0111 Certification Pacific Nuclear Gauge Operator Certification ACI Concrete Field Technician OSHA 40-hour Hazardous Waste Operations and Emergency Response Certification		13
Phil Allen	Lead Inspector	ACI Field Testing Technician Grade 1 Nuclear Gauge Use Operator ICC Reinforced Concrete ICC Prestress Concrete ICC Masonry ICC Structural Steel Welding and Bolts ICC Fireproofing		6

Subconsultant

Ninyo & Moore maintains a comprehensive list of certified D/M/W/DVBE firms and contacts these firms on a regular basis for subcontracting needs. Ninyo & Moore will utilize the subcontractor, listed in the following table, to successfully complete the project services.

Firm Name/Address	Contact	Project Experience
Axiom Engineering & Science Corporation (DBE) 1322 Bell Avenue, Suite 1G Tustin, California 92780	Mr. Johnathan Hou, P.E, G.E. 714/247-1002	• **Blue Line Operations and Maintenance Facilities Expansion Project** – Provided preliminary engineering services **Client:** Los Angeles Metropolitan Transportation Authority **Contact:** Mr. David Chong, 213/922-3629 • **NASA / Jet Propulsion Laboratory (JPL):** Provided renovation and redesign of 2 ½ miles of NASA Road. **Client:** NASA/Jet Propulsion Laboratory **Contact:** Mr. Sunil Gera, 626/305-6334 • **Various School Projects, Southern California:** In Coordination with DSA review and approval **Client:** Los Angeles Unified School District **Contact:** Mr. Albert Leung, 213/241-5134 • **I-5 and I-805 Bridge Inspections Project** - Provided construction inspection services for several bridges on this project. **Client:** Morrison-Knudsen (no longer in business)

Axiom, a certified DBE, is a full service professional engineering, architectural, construction management, inspectors, and materials testing company established in 1984. Axiom has successfully completed over hundreds of major projects since its exception of the firm. The projects include transportation facilities, bridges, educational, commercial, industrial and power generation facilities, and public works projects. Axiom maintains a materials testing laboratory which provides soils and concrete testing in accordance with the ASTM and acceptable industry standards. Their laboratory is certified by Caltrans under its IA Program for testing laboratories.

Ninyo & Moore hereby acknowledges and understands that it will not change the subconsultant without written permission from the City.

Project Approach and Understanding

Our approach to service contracts begins with the assignment of a highly qualified and experienced project manager with technical knowledge required for this contract. Our project manager will be the single point-of-contact for the City during the contract period and will be responsible for contract administration and technical coordination of our staff to perform the required tasks on time and within budget. The overall contract budget is tracked and maintained, and reported to the client on a monthly basis. Our Project Manager will meet with the City's representative(s) as needed to discuss the details of the project, as well as to clarify the project-specific issues to be addressed through our materials testing and geotechnical services.

Based on our review of the project plans and special provisions, we understand that the project will generally consist realigning the SR-60/Moreno Beach Eastbound off-and-on-ramps, adding an Eastbound auxiliary lane, installation of new traffic signal at the new intersection of the Eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus Avenue to Moreno Beach Drive, coordination of utility relocations, irrigation and related work. We understand that our services will include, sampling and testing during embankment construction (earthwork), structure backfill, trench backfill, wall backfill, subgrade preparation, aggregate base placement, asphalt concrete pavement placement, structural concrete placement, and batch plant inspections. Testing will be performed in general accordance with Caltrans test methods and test frequencies as described in the Caltrans Construction Manual and Standard Specifications, City of Moreno Valley Specifications, Eastern Municipal Water District (EMWD) and Riverside county Flood Control and Water Conservation District (RCFCD).

Based on our understanding of the proposed construction and project plans, our scope of services will be as follows:

- Project coordination and management, including reviewing the project geotechnical reports, plans, specifications and special provisions, and providing test data summary reports
- Review project schedules and related sampling, testing and submittal requirements from the contractor for conformance to the plans and specifications.
- Attendance at pre-construction meetings and as-needed field meetings, as requested.
- Assist with monitoring and reporting of the contractor's extra work related to sampling, testing and reporting along with assisting with change orders as they relate.
- Review unknown, unforeseen and changed conditions that occur, and disputed work claims from the contractor as it relates and recommend a course of action to the engineer.
- Provide labor compliance reports and certified payroll on a weekly basis.
- On-site materials testing during construction performed by our certified personnel, on an as-requested basis. Our materials testing services for this project are anticipated to include the following:
    - Field technician services for observation, sampling, and density testing of earthwork, including during embankment construction, structure backfill, trench backfill, subgrade preparation, aggregate base and asphalt concrete placement.
    - Field technician services during the placement of Portland cement concrete for structures. In addition, site observations will also be performed for concrete structures, including field inspection, sampling, and testing of concrete placed at the site, as requested by the Resident Engineer. Field testing of the concrete may include casting cylinders for compressive strength, and testing for penetration, air content, unit weight, and temperature.
    - Performance of off-site batch plant inspection and sampling for Portland cement and asphalt concrete during construction, as outlined in the Caltrans Construction Manual.
    - Preparation of daily reports and test data sheets.

- Laboratory testing including, but not limited to, sieve analysis, sand equivalent, cleanness value, maximum density testing, R-value, durability index, expansion index, maximum theoretical unit weight, stability, extraction and gradation of asphalt aggregate, and concrete compressive strength.

Assumptions

Based on our experience with similar projects, the following assumptions have been made in the preparation of our scope of services:

- Our services are subject to prevailing wage requirements.
- Our estimated fee is based on the assumptions outlined above and does not include stand-by time or costs associated with retesting or reinspecting materials that were found not to be in compliance with the project plans or specifications. Our services, including field hours and number of laboratory tests performed, will depend on the actual construction schedule and the contractor's operations. Hours spent that exceed those in the attached tables will be billed on a time-and-materials basis.

Schedule

Ninyo & Moore is prepared to begin our services upon receipt of your authorization to proceed. It is our understanding that the project construction is estimated to be completed in August of 2013 and that our services will be requested and coordinated on a daily basis by the construction management team.

Laboratory Materials Testing and/or Monitoring Approach

Ninyo & Moore performs the necessary geotechnical laboratory testing in-house, in one of our three fully-equipped, certified geotechnical and construction materials laboratory facilities in southern California. Our materials laboratory testing capabilities include conformance and characterization testing of structural steel, concrete, masonry, asphalt, soils, and aggregate materials, including chemical testing, petrographic analyses, destructive and non-destructive testing methods. Our laboratories are supervised by registered engineers and are accredited/certified by the City of Los Angeles, Caltrans, California Division of the State Architect (DSA), American Association of State Highway and Transportation Officials (AASHTO), Cement and Concrete Reference Laboratories (CCRL), the U.S. Army Corps of Engineers, and other regulatory agencies. Our materials testing services for the City will be performed primarily from our certified Rancho Cucamonga laboratory. Supporting our Rancho Cucamonga laboratory will be our certified materials testing laboratories located in Irvine and San Diego, California.

Ninyo & Moore's in-house laboratories are capable of performing a wide variety of geotechnical and materials inspection and testing services, including soils and aggregates, asphalt concrete, reinforced concrete, masonry, prestressed concrete, structural steel, welding, roofing, and fireproofing, and meet the requirements of ASTM E329, ASTM C1077, ASTM D3740, and ASTM D3666. Ninyo & Moore's testing equipment is calibrated annually by representatives utilizing equipment traceable to the National Institute of Standards and Technology, and is regularly

inspected by the ASHTO Materials Reference Laboratory (AMRL) for soils and asphalt and by the Cement and Concrete Reference Laboratory (CCRL) for concrete and aggregates. As part of our laboratory accreditation, we have written quality control procedures for laboratory testing, which includes training and certification of both our laboratory personnel and testing equipment. We have included copies of our Rancho Cucamonga laboratory certifications, accreditations in the Appendix. We are confident our laboratories will meet or exceed the requirements for any task assigned under the proposed contract.

Field Vehicle Resources

Time is a key factor of efficiency for materials sampling and testing during construction. Standard test methods require standard times for test procedures that cannot be changed. Our field technicians are equipped with calibrated sampling and field testing equipment that enable them to perform the necessary testing in the field, as applicable. Depending on the project requirements, certain tests must be run in the laboratory. In order to reduce sample transportation time, Ninyo & Moore has in the past utilized field laboratories set up at a construction site in order to eliminate transporting of samples to an off-site laboratory. This service can be provided to the City upon request.

Schedule, Quality, and Cost Control

Ninyo & Moore recognizes that a major element of project success is the degree to which schedules and budgets are met. Our project manager will be responsible for the overall schedule, quality, budget control, staff assignments, and client coordination. Project management is an on-going task, and our project manager will be committed to this project. Our project management approach includes the following key elements:

- A detailed and accurate Project Work Plan prepared with the client's input.
- Acceptance of the Work Plan by the client.
- Communication of the roles and responsibilities of team members.
- Cost and schedule control monitoring/forecasting procedures.
- A project-specific Quality Assurance/Quality Control (QA/QC) plan.
- Regularly scheduled meetings with project team and client.
- Commitment of the project principal to client satisfaction and providing the resources to meet that commitment.
- Taking immediate corrective action to remedy project impediments to complete client satisfaction.

Our project manager will communicate to the members of the project team the organization and communication procedures, task description and assignments, schedule requirements, cost and budgets, and project guidelines. The ability to clearly communicate information such as scope, costs, schedules, and technical matters is a vital element of any project. A coordinated effort among the team members is required to achieve an integrated program which, in turn, is necessary to deliver quality services within strict budgetary and time constraints for this project.

Most of the management controls to monitor project progress are pre-established prior to the beginning of the project during the proposal preparation and contract negotiations. These controls include:

- **Communication** – Both written and verbal communications are keys to successful on-call contract management. Each task order assignment will be maintained in a separate project file and we will utilize our in-house data records management systems for file records. Project-related documents will be maintained in our files and are available for our client's review at any time.
- **Quality System Approach** -- Ninyo & Moore maintains quality assurance/quality control programs for our geotechnical, environmental, and construction materials testing and inspection services, which facilitate compliance with project performance standards, schedules and budgets. These comprehensive quality assurance programs utilize management approach procedural manuals that delineate the interrelationship between management and design team components and describe specific quality control procedures to be used. The programs address training, data generation, management, and quality assessment guidelines for sampling and analysis procedures, as well as methods of corrective action. The quality assurance program manuals are available for review upon request.

FEE SCHEDULES AND COST ESTIMATES

As requested in the RFP, we are providing our fee in a separated sealed envelope.

INSURANCE

To provide safeguards and to meet the requirements of our clients, we carry the following types of insurance.

Insurance Type	Amount	Carrier
Professional Liability	$ 5 Million/claim $ 5 Million aggregate	Alterra Excess & Surplus Insurance
General Liability	$ 1 Million/claim $ 2 Million aggregate	Travelers Property Casualty Co. of America
Excess Liability	$ 9 Million	Travelers Property Casualty Co. of America
Worker's Compensation	$ 1 Million	American Automobile Insurance Company
Automobile	$ 1 Million	American Automobile Insurance Company

We have read the City of Moreno Valley's indemnification and insurance requirements, and will meet the requirements upon selection of our firm.

ATTACHMENT

REQUIRED FORMS

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action:	2. Status of Federal Action:	3. Report Type:
[ ] a. contract b. grant c. cooperative agreement d. loan e. loan guarantee N/A f. loan insurance	[ ] a. bid/offer/application b. initial award c. post-award N/A	[ ] a. initial filing b. material change **For Material Change Only:** year _____ quarter _____ date of last report N/A

4. Name and Address of Reporting Entity:	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:
[X] Prime [ ] Subawardee Tier _____, *if known*: **Congressional District**, *if known*: 4c	**Congressional District**, *if known*:
6. Federal Department/Agency: N/A	**7. Federal Program Name/Description:** N/A CFDA Number, *if applicable*: _____
8. Federal Action Number, *if known*: N/A	**9. Award Amount**, *if known*: $ N/A
10. a. Name and Address of Lobbying Registrant (*if individual, last name, first name, MI*): N/A	**b. Individuals Performing Services** (*including address if different from No. 10a*) (*last name, first name, MI*): N/A
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	Signature: [signature] Print Name: Jalal Vakili Title: Principal Engineer Telephone No.: 909/758-5960 Date: July 31, 2012
Federal Use Only:	Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Attachment "D"

LIST OF SUBCONSULTANTS

PROJECT NAME: SR-60 / Moreno Beach Drive Phase 1 Improvement Project

PROJECT NO: 07-41570024

CONSULTANT NAME: Ninyo & Moore

NAME Axiom Engineering & Science Corporation	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE 714/247-1002	Materials Testing
ADDRESS 1322 Bell Avenue, Suite 1G	
CITY, STATE ZIP Tustin, California 92780	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

Duplicate this form as necessary to report all subconsultant(s) information

Attachment "E"

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART I

The proposer shall list all subconsultants (both DBE and non-DBE) in accordance with Section 2-1.054 of the Standard Specifications and per Title 49, Section 26.11 of the Code of Federal Regulations. This listing is required in addition to listing DBE subconsultants elsewhere in the proposal. **Photocopy this form for additional firms.**

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Certified DBE?
Name Axiom Engineering	*Phone* 714/247-1002	☐ < $1 million	Materials Testing	☒ YES
		☒ < $5 million		☐ NO
Address 1322 Bell Ave., Suite 1G		☐ < $10 million		*If YES list DBE #:* CUCP #33641
	Fax	☐ < $15 million		
City State ZIP Tustin, CA 92780		☐ > $15 million		*Age of Firm (Yrs.)* 28
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*

Distribution: 1) Original – Local Agency File

Attachment "F"

EXHIBIT 10-O2 Local Agency Proposer DBE Information (Consultant Contracts)

NOTE: PLEASE REFER TO INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM

LOCAL AGENCY: City of Moreno Valley LOCATION: Moreno Valley, California

PROJECT DESCRIPTION: SR-60 / Moreno Beach Drive Phase 1 Improvement Project

TOTAL CONTRACT AMOUNT ($): TBD

PROPOSER'S NAME: Ninyo & Moore

WORK ITEM NO.	DESCRIPTION OR SERVICES TO BE SUBCONTRACTED (or contracted if the proposer is a DBE)	DBE CERT NO. AND EXPIRATION DATE	NAME OF EACH DBE (Must be certified at the time proposals are due - include DBE address and phone number)	DOLLAR AMOUNT OF EACH DBE
	Materials Testing	CPUC #33641	Axiom Engineering & Science	TBD

For Local Agency to Complete:

Local Agency Contract Number: _____

Federal-Aid Project Number: _____

Federal Share: _____

Contarct Award: _____

Total Claimed DBE Participation: $ TBD

TBD %

Local Agency certifies that the DBE certifications have been verified and all informations is complete and accurate.

Print Name _____ Signature _____ Date _____

Local Agency Representative

(Area Code) Telephone Number:

Signature of Proposer

July 31, 2012 — Date

909/758-5960 — (Area Code) Tel. No.

Jalal Vakili — Person to Contact

Principal Engineer — (Please Type or Print)

For Caltrans Review:

Print Name _____ Signature _____ Date _____

Caltrans District Local Assistance Engineer

Local Agency Proposer DBE Information (Consultant Contracts) (Rev 6/27/09)

Distribution: (1) Copy - Fax or scan a copy to the Caltrans District Local Assistance Engineer (DLAE) within 15 days after contract execution. Failure to send a copy to the DLAE within 15 days after contract execution may result in deobligation of funds for this project.
(2) Original - Local agency files

APPENDIX

CERTIFICATIONS

FORNIA UNIFIED CERTIFICATION PROGRAM
ANTAGED BUSINESS ENTERPRISE CERTIFICATE

AXIOM ENGINEERING & SCIENCE CORP

1322 BELL AVE. STE. 1G
TUSTIN, CA 92780

Owner: JOHNATHAN HOU
Business Structure: CORPORATION

aid firm is approved by the California Unified Certification Program (CUCP) as a Disadvantaged Business Enterprise (DBE) as defined by lion (DOT) CFR 49 Part 26, as may be amended, for the following NAICS codes:

ry NAICS code

	541380 Testing Laboratories
rvices	541330 Engineering Services
ting Services	541370 Surveying and Mapping (except Geophysical) Services

ON STAKING	C8703	TRAFFIC ENGINEER
STUDIES	C8715	CONSULTANT, ENGINEERING
RAL ENGINEER	C8720	CIVIL ENGINEERING

UNIFIED CERTIFICATION PROGRAM

EGT Geotechnical Engineer

UCP Firm Number : 33641

TRANSPORTATION AUTHORITY (MTA)

November 9, 2011

CUCP OFFICER

State of California Department of Transportation

LABORATORY QUALIFIED LABORATORY INSPECTION REPORT

Form TL-0113 (12 IA, 02-06)

Expiration Date: July 2, 2013
Inspected by: John D.Warrick
IA No.: 57
Phone: (949) 279-8730
File: Materials Category 500

Laboratory: Ninyo & Moore **RSP # 177**

Address: 475 Goddard Suite 200

City: Irvine **State:** Ca. **Zip:** 92618

Lab QC Mgr: John M. Krobetzky **e-mail:** jkrobetzky@ninyoandmoore.com

Telephone: (949) 753-7070 **Fax:** (949) 753-7071

A certified Independent Assurance (IA) visited this laboratory on (Date) July 2, 2012
Only the equipment to be used on Caltrans Construction projects and/or local construction projects on the National Highway System was checked for qualification.

At the time of Caltrans Qualification, this laboratory had all necessary equipment to perform the tests methods indicated below. Testing personnel shall be Caltrans Qualified and possess a current Caltrans Certificate of Proficiency Form TL-0111 prior to performing any sampling or testing.

105	125	201	202	206	207	208
216	217	226	227	231	229	301
304	308	309	366	367	370	375
382	417	422	504	518	521	523
533	539	540	552	556	557	
204	205		368	D4791	643	

A visual check was performed and documents provided as necessary for the following items:

X Facility Safety Manual
X Laboratory Procedures Manual
X Laboratory Quality Control Manual
X Proper test equipment
X Copies of current applicable test procedures
X Calibration and service documentation
X Calibration stickers affixed to equipment (dated within the 12 months)

On July 2, 2012 (Date) this laboratory was Catrans Qualified by John D.Warrick (Printed name of IA person)

(Signature of IA person)

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
District 08 – Materials Engineering
464 W. Fourth Street, 6th Floor
San Bernardino, CA 92401-1400

CALTRANS QUALIFIED LABORATORY INSPECTION REPORT

Form TL-0113 (Southern IA, 01-06)

Expiration date: May 11, 2013
Inspection by: Robby Rodriguez
IA No.: 74
Phone: (909) 383-4619
File: Materials Category 500

Laboratory: Ninyo & Moore
Address: 11650 Mission Park Drive, Suite 101
City: Rancho Cucamonga State: CA Zip: 91730
Lab Manager: Kurt S. Yoshii, P.E., G.E. e-mail: kyoshii@ninyoandmoore.com
Phone #: (909) 758-5960 Fax #: (909) 758-5966

A certified Independent Assurance (IA) Sampler and Tester visited this laboratory on May 1, 2012. Only equipment to be used on Caltrans construction projects and/or local construction projects on the National Highway System projects was checked for qualification.

At the time of Caltrans Qualification, this laboratory had all necessary equipment to perform the tests methods indicated below. Testing personnel shall be Caltrans Qualified and possess a current Caltrans Certificate of Proficiency Form TL-0111 prior to performing any sampling or testing.

CT 105	CT 106	CT 125	CT 201	CT 202	CT 205	CT 206	CT 207	CT 216
CT 217	CT 226	CT 227	CT 229	CT 231	CT 234	CT 235	CT 504	CT 518
CT 521	CT 523	CT 524	CT 533	CT 539	CT 540	CT556	CT 557	

A visual check was performed and documents provided as necessary for the following items;

- ☒ Facility Safety Manual
- ☒ Laboratory Procedures Manual
- ☒ Laboratory Quality Control Manual
- ☒ Proper Test Equipment
- ☒ Copies of current applicable test procedures
- ☒ Calibration and Service Documentation
- ☒ Calibration/Service stickers affixed to test equipment

Laboratory Qualification is valid for one year

On May 1, 2012 this laboratory was qualified by:

Robby Rodriguez
District 08, Independent Assurance

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY Jerry Brown, Governor

DEPARTMENT OF TRANSPORTATION
District 11 – Materials Engineering
7177 Opportunity Rd
San Diego, CA 92111

CALTRANS QUALIFIED LABORATORY INSPECTION REPORT

Form TL-0113 (Southern IA, 01-06)

Expiration date: October 12, 2012
Inspection by: Roy E Denner Jr
IA No.: 049
Phone: 858-467-4067
File: Materials Category 500

Laboratory: Ninyo & Moore
Address: 5710 Ruffin Rd.
City: San Diego State: CA Zip: 92123-1013
Lab Manager: Ronald Buckley e-mail: rbuckley@ninyoandmoore.com
Phone #: 858-576-1000 Fax #: 858-576-9600

A certified Independent Assurance (IA) Sampler and Tester visited this laboratory on October 11,2011. Only equipment to be used on Caltrans construction projects and/or local construction projects on the National Highway System projects was checked for qualification.

At the time of Caltrans Qualification, this laboratory had all necessary equipment to perform the tests methods indicated below. Testing personnel shall be Caltrans Qualified and possess a current Caltrans Certificate of Proficiency Form TL-0111 prior to performing any sampling or testing.

CT105	CT106	CT125	CT201	CT202	CT206	CT207	CT208	CT209
CT212	CT213	CT214	CT216	CT217	CT219	CT226	CT227	CT229
CT231	CT234	CT235	CT301	CT304	CT308	CT309	CT366	CT370
CT371	CT375	CT382	CT504	CT518	CT521	CT523	CT533	CT539
CT540	CT556	CT557	LP-2	LP-3	LP-4	LP-9		

A visual check was performed and documents provided as necessary for the following items:

- ☒ Facility Safety Manual
- ☒ Laboratory Procedures Manual
- ☒ Laboratory Quality Control Manual
- ☒ Proper Test Equipment
- ☒ Copies of current applicable test procedures
- ☒ Calibration and Service Documentation
- ☒ Calibration/Service stickers affixed to test equipment

Laboratory Qualification is valid for one year

On October 11,2011 this laboratory was qualified by: {Roy E Denner Jr}
District 11, Independent Assurance

September 5, 2012
Project No. P-15614

Ms. Margery A. Lazarus, Senior Engineer, P.E.
City of Moreno Valley
Public Works Department - Capital Projects Division
14177 Frederick Street
Moreno Valley, California 92552-0805

Subject: **Addendum to Proposal for Construction Materials Testing and Geotechnical Services for SR-60/Moreno Beach Drive Phase 1 Improvements Project**
Project No. 07-41570024
City of Moreno Valley, California

Dear Ms. Lazarus:

Based on our discussion today, the following items are clarifications and additions to our proposal for the subject project:

- Laboratory test result turn-around-time will be within 48 hours unless the written testing procedure dictates additional time.
- Daily reports will be prepared and submitted for review and signature at the end of each work day.
- Stand-by time is not anticipated for this contract.
- The contingency fee will not be used unless approved by the City.
- We assume that pile driving for the retaining wall observation will be performed by others.

Ninyo & Moore appreciates the opportunity to submit this proposal and we look forward to working with you. If you have any questions regarding our cost proposal or require additional information, please contact me at your convenience.

Respectfully submitted,
NINYO & MOORE

Jalal Vakili, Ph.D., P.E.
Principal Engineer

AR/JV/rad

Attachments: None

Distribution: (1) Addressee

MV00176878

TABLE 1 – COST PROPOSAL

PROJECT COORDINATION AND TECHNICAL SUPPORT							
Principal Engineer/Geologist	2 hours	@	$	139.00	/hour	$	278.00
Project Engineer/Geologist	80 hours	@	$	123.00	/hour	$	9,840.00
Subtotal						**$**	**10,118.00**

FIELD SERVICES							
Project Engineer (Pre-Construction Meeting)	2 hours	@	$	123.00	/hour	$	246.00
Field Technician							
Earthwork and Embankement	200 hours	@	$	73.00	/hour	$	14,600.00
Structure Backfill and Trench Backfill	120 hours	@	$	76.00	/hour	$	9,120.00
Subgrade and Aggregate Base	120 hours	@	$	73.00	/hour	$	8,760.00
Hot Mix Asphalt (HMA)	100 hours	@	$	73.00	/hour	$	7,300.00
Portland Cement Concrete	40 hours	@	$	73.00	/hour	$	2,920.00
Batch Plant Inspector	160 hours	@	$	73.00	/hour	$	11,680.00
Sample Pick Up	10 hours	@	$	73.00	/hour	$	730.00
Field Vehicle and Equipment Usage	752 hours	@	$	8.00	/hour	$	6,016.00
Subtotal						**$**	**61,372.00**

LABORATORY ANALYSES							
Calfiornia Impact Test/Maximum Density	25 tests	@	$	180.00	/test	$	4,500.00
Sieve Analsysis	10 tests	@	$	105.00	/test	$	1,050.00
Sand Equivalent	10 tests	@	$	90.00	/test	$	900.00
Durability	5 tests	@	$	130.00	/test	$	650.00
R-Value	5 tests	@	$	250.00	/test	$	1,250.00
Cleaness Value	10 tests	@	$	120.00	/test	$	1,200.00
Los Angeles Abrasion	5 tests	@	$	180.00	/test	$	900.00
Percent of Crushed Particles	5 tests	@	$	140.00	/test	$	700.00
Moisture	5 tests	@	$	30.00	/test	$	150.00
Extraction & Gradation	6 tests	@	$	215.00	/test	$	1,290.00
Maximum Theoretical Unit Weight	6 tests	@	$	120.00	/test	$	720.00
Unit Weight	10 tests	@	$	90.00	/test	$	900.00
Hveem Stability and Unit Weight	6 tests	@	$	195.00	/test	$	1,170.00
Asphalt Concrete Mix Design Caltrans	2 tests	@	$	2,200.00	/test	$	4,400.00
Cement Concrete Mix Design Review	2 tests	@	$	140.00	/test	$	280.00
Compressive Strength (Concrete)	20 tests	@	$	22.00	/test	$	440.00
Subtotal						**$**	**20,500.00**

TABLE 1 – COST PROPOSAL

REPORT PREPARATION							
		2 hours	@	$ 139.00	/hour	$	278.00
Project Engineer/Geologist		6 hours	@	$ 123.00	/hour	$	738.00
Secretarial/Clerical		6 hours	@	$ 44.00	/hour	$	264.00
	Subtotal					**$**	**1,280.00**

RETESTING SERVICES						
Field Technician	20 hours	@	$ 73.00	/hour	$	1,460.00
Field Vehicle and Equipment Usage	20 hours	@	$ 8.00	/hour	$	160.00
					$	**1,620.00**

AXIOM (SBE SUB CONSULTANT) LABORATORY ANALYSES						
Calfiornia Impact Test/Maximum Density	25 tests	@	$ 180.00	/test	$	4,500.00
					$	**4,500.00**

TOTAL FEE	**$**	**99,390.00**

OPTIONAL CONTINGENCY SERVICES						
Field Technician	120 hours	@	$ 73.00	/hour	$	8,760.00
Field Vehicle and Equipment Usage	120 hours	@	$ 8.00	/hour	$	960.00
					$	**9,720.00**

TOTAL FEE INCLUDING CONTINGENCY	**$**	**109,110.00**

Ninyo & Moore

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $109,110.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant shall notify the City in writing ten (10) days in advance of incurring costs at the following milestones: 50%, 75%, and 90% of expended budget. The City will monitor Consultant's expenditure levels in comparison to the physical construction work completed, and if progress is satisfactory in the judgment of the City, City will provide written authorization to proceed to the next milestone. City reserves the right to adjust staffing levels and personnel as appropriate. Consultant shall not change any personnel or subconsultants without prior authorization by the City.

4. The Consultant will electronically submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed

and the City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zara@moval.org or calls directed to (951) 413-3131.

5. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

6. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City Purchase Order Number
   E. City-provided Reference Number (e.g. Project, Activity)
   F. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

7. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting as the Successor Agency

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION SURVEY SERVICES WITH COORY ENGINEERING FOR MORENO BEACH INTERCHANGE IMPROVEMENTS PHASE 1 – PROJECT NO. 801 0038 70 77 [FORMERLY PROJECT NO. 07-41570024]

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the "Agreement for Professional Consultant Services" with Coory Engineering (Coory), 1718 N. Neville Street, Orange, CA 92865, to provide professional survey services during construction of the SR-60/Moreno Beach Interchange Improvements Phase 1 project for a total agreement amount not to exceed $100,805.

2. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board approval.

3. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with Coory.

4. Authorize the issuance of a Purchase Order totaling $100,805 to Coory when the contract has been signed by all parties.

BACKGROUND

The SR-60/Moreno Beach Drive Phase 1 project is one of the key projects in the City's Economic Development Action Plan. Phase 1 improvements are designed to reconstruct the eastbound on- and off-ramps to SR-60 and connect the west leg of Eucalyptus Avenue to Moreno Beach Drive. On December 13, 2011, the City Council approved a Construction Cooperative Agreement with the State of California for the construction phase, giving the City authority to advertise, award, and administer the construction of Phase 1. Design and right-of-way for Phase 1 were completed, the project was advertised, and bids were opened on August 13, 2012. On August 28, 2012, the City Council awarded the construction contract.

DISCUSSION

The Construction Cooperative Agreement with Caltrans requires that the City meet Caltrans field survey requirements on the project. The City issued a Request for Proposal (RFP) to provide survey services based on the construction plans, specifications, and Caltrans requirements. On August 1, 2012, staff received five (5) proposals. A selection team of City and Caltrans staff reviewed the four (4) qualified proposals and ranked them in order, based on firm experience and qualifications, experience of key personnel, and project approach.

Staff has completed negotiations with the top-ranked survey firm and is recommending awarding a professional services agreement for construction-related survey services to Coory. Services performed will be on an as-needed basis, and will consist of field survey layout under the direction of a licensed Land Surveyor, providing all required survey equipment and experienced staff within 48 hours' notice, setting monument ties and staking all proposed improvements in accordance with the Caltrans Survey Manual. A purchase order for $100,805 will be issued for this agreement.

The recommended contract award is an action of the City Council with a funding source from the assets of the former City of Moreno Valley Redevelopment Agency. The recommended actions are included on the Recognized Obligations Payment Schedule (ROPS) approved by the City Council acting as the Successor Agency on February 14, 2012. The Successor Agency Oversight Board approved the ROPS for the period January through June 2012 on May 23, 2012, which has subsequently been approved by the State Department of Finance (DOF). This ROPS approval includes “placeholder” line items representing the expenditure of bond proceeds for approval purposes. The Successor Agency approval of this contract is required to move forward toward complete approval and compliance with ABx1 26 law. The contract will be presented to the Successor Agency Oversight Board, along with an updated ROPS that will include the contractor listed as an enforceable obligation. After Oversight Board approval, the contract and updated ROPS will be sent to the DOF for review. There is a risk that the Oversight Board may not approve the contract or updated ROPS. In addition, the State Department of Finance (DOF) has the authority to challenge actions approved by the Oversight Board within 10 days of the approved action. In light of the current process for

approval of the contract and the updated ROPS, the property tax to pay the contracts being recommended has not been authorized to pay the contract obligations. The City Council by approving the recommended contract is assuming the risk that in the event tax increment is not approved to pay the contracts by the Oversight Board or through successful challenge by the State DOF, the City would be obligated to pay the contract commitments from alternative funding sources, most likely the City's General Fund.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will comply with the Caltrans Construction Cooperative Agreement requiring the City to meet Caltrans professional survey requirements and facilitate the timely construction of needed improvements.*

2. Do not approve and authorize the recommended acting as presented in this staff report. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The project is included in the Fiscal Year 2012/2013 Capital Improvement Program. There is no impact to the General Fund.

AVAILABLE FUNDS

Successor Agency 2007 Tax Allocation Bonds (Account 4821-70-77-80001 801 0038 70 77)	$ 4,879,000
Transportation Uniform Mitigation Fees (Account 3003-70-77-80001 801 0038 70 77)	$ 3,500,000
Total Project Budget	$ 8,379,000

CONSTRUCTION COSTS

Construction (includes contingency)	$ 6,700,000
Construction Management & Inspection Services	$ 788,000
Construction Support Services (Design)	$ 129,000
Construction Support Services (Survey)	$ 101,000
Construction Support Services (Geotechnical)	$ 110,000
Administrative Costs*	$ 170,000
Utility and Agency Inspection and Materials Costs**	$ 150,000
Total Estimated Cost	$ 8,148,000

**Includes City project administration, printing and other miscellaneous costs.*
***Includes EMWD, SCE, Caltrans, RCFC&WCD and CHP.*

PROJECT SCHEDULE

Begin Construction	October 2012
Construction Completion and Acceptance	October 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The SR-60/Moreno Beach Interchange Phase 1 Improvements project goal is to improve the interchange through reconstruction and realignment. The project construction is funded utilizing Successor Agency 2007 Tax Allocation Bonds and Transportation Uniform Mitigation Fees (TUMF). City staff recommends awarding a contract for $100,805 to Coory Engineering to provide construction survey services for the project.

ATTACHMENTS

Attachment "A" – Agreement for Professional Consultant Services with Coory Engineering

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) - ZONAL
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and **Coory Engineering,** a California corporation, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "A"

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

DESCRIPTION OF PROJECT

1. The project is described as professional consultant **survey services** for:

SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$100,805** in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **December 31, 2014** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be

subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Western Riverside Council of Governments (WRCOG), the State of California, Eastern Municipal Water District (EMWD), and Riverside County Flood Control and Water Conservation District (RCFC & WCD) and their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, the State's, MVHA's, CSD's, WRCOG's, EMWD's, and RCFC & WCD's employees and all claims which arise from or are connected with the negligent

performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the City, the State, MVHA, CSD, WRCOG, EMWD, and RCFC & WCD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such Public Liability and Property Damage Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence

Property Damage $ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum general liability limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, the State, MVHA, CSD, WRCOG, EMWD, and RCFC & WCD, against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) A Certificate of Insurance, or an appropriate insurance binder evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(h) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Western Riverside Council of Governments (WRCOG), the State of California, Eastern Municipal Water District (EMWD), and Riverside County Flood Control and Water Conservation District (RCFC & WCD), their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, its officers, employees and agents, under any third party liability policy."

(i) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(j) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior

to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain for its files copies of any and all materials, including drawings, documents, and specifications produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(d) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be

maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree, that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

DATE: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Ninyo & Moore

BY: _____

TITLE: _____
(President or Vice President)

BY: _____

TITLE: _____
(Corporate Secretary)

Enclosures: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

REQUEST FOR PROPOSAL
FOR PROFESSIONAL CONSULTANT CONSTRUCTION SURVEYING SERVICES
SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT
FOR
THE CITY OF MORENO VALLEY'S CAPITAL PROJECTS DIVISION
EA 08-32301
PROJECT ACCOUNT NO.797.79731

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Construction **Surveying Services** associated with the SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT as shown on the Plans and Specifications.

Five (5) copies (one of the copies will be unbound and paper clipped, with no tabs, holes, perforations, or cardboard inserts, suitable for copying with an automatic-feed copy machine and one copy shall be on compact disk) of your Proposal shall be submitted no later than **5:00p.m, August 1, 2012** addressed to Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (mail delivery), Attention: Margery Lazarus, Senior Engineer, PE.

II. PROJECT DESCRIPTION

The SR-60/Moreno Beach Drive Phase-1 project site is located at the State Route (SR) 60 Interchange and Moreno Beach Drive in the City of Moreno Valley, CA. The work of this project generally includes realigning the SR-60/Moreno Beach eastbound off-and-on-ramps, adding an eastbound auxiliary lane, installation of a new traffic signal at the new intersection of the eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus Avenue and Moreno Beach Drive, coordination of utility relocations, irrigation, and related work. The work lies within State of California (Caltrans) right of way. The work includes earthwork, grading, Asphalt Concrete (AC) paving, concrete retaining walls, roadway excavation, , imported borrow, drainage pipes and minor concrete structures, concrete curb and gutter, traffic control, signing, striping, traffic and ramp meter signals, irrigation, erosion control, EMWD water line relocation, overhead SCE relocation, and related work.

III. PROJECT BUDGET AND SCHEDULE

The City of Moreno Valley will fund the construction with Local Funds consisting of TUMF and Successor Agency to RDA Funds (Account 797.79731).

The Consultant shall be required to meet or exceed the following timeline for this contract:

Anticipated Award of Consultant Contract	September 2012
Public Bid for SR-60/Moreno Beach Phase 1 Construction Contract	July 2012
Award of Construction Contract	October 2012
Construction Duration for SR-60/Moreno Beach Phase 1	189 Working Days (9 months)

Exhibit "A"

IV. SCOPE OF ENGINEERING SERVICES

The selected Consultant will be required to have personnel available for assignment to this project who have successfully provided professional services as it relates to all activities of public works construction surveying. . The Consultant selected shall provide Construction Surveying Services with personnel trained and experienced in survey layout for construction of public works improvements and, particularly, Caltrans.. The project is located within Caltrans Right of Way and all Surveying methods, procedures, frequencies shall comply with the contract specifications, and Caltrans Surveying Manuals and Guidelines. The minimum experience required includes five (5) years of construction surveying on increasingly complex public works and Caltrans projects. The Consultant firm selected must also provide all equipment and supplies necessary to perform the surveying services for the construction of the improvements and support services necessary to complete the scope of work. It is expected that the Consultant selected to fulfill this contract will be able to provide qualified personnel on an on-demand basis with 48-hour notice for construction surveying for the duration of the construction project and, as necessary, to close out the project.

The Consultant must have recent experience working within the Caltrans Right of Way and shall be required to follow all Caltrans safety procedures when executing the work. The Consultant surveyors shall be familiar with the industry standards of practice for the execution of quality public works construction projects and shall be able to understand and interpret public works construction plans and specifications; Caltrans Standard Plans and Specifications; City codes, ordinances and standards; Eastern Municipal Water District (EMWD) standards; Riverside County Flood Control and Water Conservation District (RCFCD) standards; and California Occupational Safety and Health Administration (OSHA) Construction Safety Orders. The Consultant surveyors shall be able to interact professionally with contractors, engineers, inspectors , property owners, business owners, and the public at large; coordinate with other City personnel, Caltrans personnel and consultants; promote quality customer service and a professional image of the City; and respond promptly and courteously to requests. The Consultant surveyors personnel shall be able to follow verbal and written instructions and communicate clearly and concisely, both orally and in writing.

The Consultant surveyors personnel must be under the responsible charge of a person registered by the California State Board of Registration for Professional Engineers and Land Surveyors as a Land Surveyor. (Registration as a Civil Engineer prior to 1982 may be substituted for the registration as a Land Surveyor).

Please be reminded that the Consultant is required to have a current City business license if the firm is awarded the work.

The Consultant shall provide public works construction surveying services to generally include, but not limited to, the following:

- Attend the pre-construction meeting
- Establish and confirm horizontal and vertical control, as required.
- Set monument ties, prior to the beginning of construction, all monuments must be researched, tied out, and submitted to the Project Engineer. Monuments that are destroyed during construction shall be replaced per the 1997 Land Survey Act,

Article 4, Section 464-Corner Record. Ties shall be submitted per the City of Moreno Valley Tie-Out Standard 601C and 601D on Mylar. Original monument tie-out sheets, corner records, and/or record of survey shall be provided to the City prior to the release of the final progress Payment. Assume two (2) monuments will need to be set for this project.

- Construction staking shall consist of stakes for proposed roadways, waterline improvements, utility improvements, storm drain improvements, cross gutter, sidewalk, concrete curb and gutter, AC pavement limits and grade control, AC berm (or dike), traffic signal equipment locations, fence, wall and related improvements as shown on the plans. Re-staking is to be identified separately on the invoice. Ten (10) trips for on-site re-staking time (allow a maximum of two hours per trip) should be estimated for Proposal purposes.
- Construction Surveying deliverables require performing construction surveying in accordance with the Caltrans Construction Manual, Caltrans Standard Plans, Caltrans Surveying Manual, and the various industry standards stated above in the "Scope of Engineering Services."
- The required work effort will ultimately be initiated through an itemized survey request from the City's Consultant Resident Engineer. The City expects the consultant's field response time to each survey request not to exceed 48 hours as specified in the Caltrans Standard Specifications.

SUBMITTAL SCHEDULE

Proposals Due	5:00 p.m., August 1, 2012
Consultant Selection	On or before September 4, 2012
Notice to Proceed (Tentative)	Week of September 18, 2012

V. CONSULTANT'S PROPOSAL AND COMPENSATION

The Consultant's Proposal shall be no more than 20 pages, excluding a cover letter of up to two pages, dividers, and certificates. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services and failing to comply with requirements and conditions of the RFP will not be given further consideration. The Consultant's Proposal shall include the following:

A. A statement that this Request For Proposal shall be incorporated in its entirety as a part of the Consultant's Proposal.

B. A statement that this Request For Proposal and the Consultant's Proposal will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley.

C. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's Request For Proposal except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

D. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedence over this Request For Proposal.

E. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact. If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.

F. A resource allocation matrix must be submitted with the Proposal. The resource allocation matrix shall list detailed tasks in rows and the appropriate individual (Job Title Only) as well as the number of hours that these individuals will be working on each task listed, included in adjacent columns. The resource allocation matrix is required of both the primary consultant, as well as any sub-consultant. . Failure to do so will result in the Consultant's Proposal being deemed incomplete and it will not receive further consideration. Title Reports shall be a separate line item under the right-of-way task. Construction support services Consultants are not required to provide a Project Schedule with milestones.

G. A rate schedule must be submitted with the proposal. The rate schedule must list titles, names, roles, and hourly billing rates in rows. A statement that said hourly rate schedules in part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred shall also be included. All extra work will require prior approval from the City. COST PROPOSAL DETAILS MUST BE IN A SEALED ENVELOPE.

H. A statement of sub-consultant's qualifications (including relief personnel) applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.

A statement that the Consultant acknowledges and understands that the consultant will not be allowed to change a sub-consultant without written permission from the City.

I. A statement that all charges for Consultant (construction) services is a "Not-to-Exceed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.

J. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports or similar evidence of attainment of the Agreement objectives.

K. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

L. A copy of the Consultant's hourly rate schedule and a statement that said hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this Request For Proposal. **An itemized cost breakdown for the work described herein must be submitted in a separate sealed envelope as part of your Proposal submittal.** All extra work will require prior approval from the City. . The City requests the consultant to provide in the proposal the number of hours on the job, in addition to the cost proposal. The Cost Proposal must be in a sealed envelope.

M. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

N. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

O. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this specific project. All relevant records shall be retained for at least three years.

P. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.

Q. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.

R. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

S. This solicitation and resultant Contract is not financed in whole or part with federal funds, but the City encourages Bidders to follow Title 49, Code of Federal Regulations, Part 26 (49 CFR 26) entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs."

Bidders who obtain DBE participation on this Contract will assist the City in meeting its DBE goals for the Project.

DBEs and other small businesses are strongly encouraged to participate in the performance of this Contract. The City encourages Bidders to give DBEs and other small businesses the opportunity to participate in the performance of the Work that is the subject of this solicitation and to take all necessary and reasonable steps for this assurance. The Bidder shall not discriminate on the basis of race, color, national origin, sex, age, or physical or mental disability, sexual orientation or retaliation in the award and performance of subcontracts.

A Race Neutral program is one that, while benefiting DBEs, is not solely focused on DBE firms. A Race Neutral program utilizes measures that can assist a wide variety of small businesses, including DBEs, such as arranging solicitations, times for the presentation of proposals, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces). Race Neutral DBE participation includes: a DBE obtaining a prime contract through customary competitive procurement procedures; a DBE being awarded a subcontract on a prime contract, whether or not the prime contract has a DBE goal; and a DBE being awarded a subcontract from a prime contractor that did not consider its DBE status in making the award.

The Consultant is encouraged to include DBE firms in the proposal. Complete the forms listed in "Attachments" at the end of this RFP.

VI. GENERAL COMPLIANCE WITH LAWS AND WAGE RATES

A. The Consultant shall be required to comply with all federal, state, and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

B. The Consultant is required to submit certified payrolls weekly. This applies to all applicable field personnel working on the project. In accordance with Section 1771.5 (b) (5) of the California Labor Code, the City will withhold payments when the payroll records are delinquent or inadequate.

VII. FEDERAL EMPLOYEE BENEFIT

No member of, or delegate to, the Congress of the United States, and no Resident Commissioner shall be admitted to any share or part of the Agreement to the said project or to any benefit to arise from the same.

The Consultant shall complete and include the "Certification for Contracts, Grants, Loans, and Cooperative Agreements" and "Disclosure of Lobbying Activities" forms with the Proposal.

VIII. PAYMENT TO CONSULTANT

A. This work is to be performed for a "Not-to-Exceed Fixed Fee."

B. The Consultant shall provide a "Project Fee Schedule" indicating the fee for individual tasks with a "Not-to-Exceed Fixed Fee" which shall be the sum of all tasks, by part, phase, and milestone and shall be submitted in a separate sealed envelope with cost proposal.

C. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

D. The City will pay the Consultant for work completed based on milestones completed and accepted by the City. These milestones are:

1. Project Bidding, Advertise and Award.

2. Any other additional authorized work on a task successfully completed and accepted monthly basis.

The City shall make the sole and final determination if a milestone as described above is complete and acceptable for payment.

E. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

F. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fee."

G. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

H. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services."

I. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services," an "Amendment to the Agreement" will be executed between the City and Consultant.

J. The Consultant shall receive no compensation for any re-work necessary as result of the Consultant's errors or oversight.

IX. INSURANCE

A. The Consultant shall provide Errors and Omissions Professional Insurance. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

B. The Consultant shall have Public Liability and Property Damage insurance in the amounts as follows:

GENERAL LIABILITY		
Bodily Injury	$1,000,000	per occurrence
Property Damage	$ 1,000,000	per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

C. The Consultant shall have Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment in the amount of not less than $1,000,000.

D. The Consultant shall have Workers' Compensation Insurance in the amounts that fully comply with the laws of the State of California and employer's liability insurance with limits of not less than $1,000,000 each accident.

E. A Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA) , Western Riverside Council of Governments (WRCOG), and the Moreno Valley Community Services District, its officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority , Western Riverside Council of Governments (WRCOG),and the Moreno Valley Community Services District, its officers and employees and agents, under any third party liability policy."

F. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

G. The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverage's nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the Agency, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amount established.

H. It is the consultant's responsibility to ensure that all subconsultants comply with the following: Each subconsultant that encroaches within the City's right-of-way and

affects (i.e., damages or impacts) City infrastructure must comply with the liability insurance requirements of the City's Land Development Division. Examples of such subconsultant work include soil sample borings, utility potholing, etc.

The "Application for Encroachment Permit" form (four pages), including "Application for Encroachment Permit Liability Insurance Requirements," is available in the Land Development Division and must be completed and submitted in full to the City.. It is the Consultant's responsibility to ensure that all subconsultants submit the appropriate encroachment permit and insurance documentation at the same time that the Consultant's insurance documentation is submitted.

X. INDEMNIFICATION

A. To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the City of Moreno Valley Housing Authority(MVHA), the Moreno Valley Community Services District (CSD), and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and .all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its sub consultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, MVHA, CSD, and WRCOG; their officers, agents or employees.

B. The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority(MVHA), the Moreno Valley Community Services District (CSD), and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless 'from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its sub consultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, CSD, and WRCOG, their officers, agents or employees.

C. The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA, CSD, and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction;

provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

XI. TERMINATION FOR CONVENIENCE OF THE CITY

The City reserves the right to terminate the "Agreement for Professional Consultant Services" for the "convenience of the City" at any time by giving ten (10) days written notice to the Consultant of such termination and specifying the effective date thereof. All finished or unfinished drawings, maps, documents, field notes and other materials produced and procured by the Consultant under the said aforementioned Agreement is, at the option of the City, City property and shall be delivered to the City by the Consultant within ten (10) working days from the date of such termination. The City will reimburse the Consultant for all acceptable work performed as set forth in the executed Agreement.

XII. INDEPENDENT CONTRACTOR

The Consultant's relationship to the City in the performance of the Consultant's services for this project is that of an independent Contractor. The personnel performing said Construction Materials Testing & Geotechnical Services shall at all times be under the Consultant's exclusive direction and control and shall be employees of the Consultant and not employees of the City. The Consultant shall pay all wages, salaries and other amounts due his employees in connection with the performance of said work and shall be responsible for all employee reports and obligations, including but not necessarily restricted to, social security, income tax withholding, unemployment compensation, and Workers' Compensation.

XIII. CONTRACT

The Contract includes the Agreement for Professional Consultant Services, City's Request for Proposal, Consultant's Proposal, and Exhibits.

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract.

XIV. GENERAL CONDITIONS

A. Pre-contractual expenses are defined as expenses incurred by the Consultant in: (1) preparing the Proposal; (2) submitting the Proposal to the City; (3) presentation during selection interview; (4) negotiating with the City any matter related to this Proposal; (5) any other expenses incurred by the Consultant prior to an executed Agreement.

The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Consultant.

B. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any Agreement will be awarded to any Consultant responding to this RFP. The City expressly reserves the right to postpone reviewing the Proposals for its own convenience and to reject any and all Proposals responding to this RFP without indicating any reasons for such rejection(s).

C. The City reserves the right to reject any or all Proposals submitted. Any Contracts awarded for these Consultant engagements will be made to the Consultant who, in the opinion of the City, is best qualified.

XV. SELECTION CRITERIA

It is the City's intent to select and utilize one Consultant firm for the project. The City may award the services in part and/or phases. The Consultant may be invited to a selection interview. The Proposals will be rated/ranked according to the following criteria:

A. The Firm's General Experience and Qualification Information (20 points) – Information about the company (and all sub-consultants) including professional licenses held; ability to furnish required insurance and meet stipulations of the City's "boiler plate" agreement; details about comparable projects completed by the firm, as well as local experience; and its ability to provide the required services in an efficient and expeditious manner.

B. Experience of Key Personnel (40 points) – Background on key personnel (including all sub-consultants) qualifications, abilities, familiarity with state and federal procedures, local experience on comparable projects and length of service with the firm, reference information preferably with municipal agencies, and proven track record and depth of understanding/knowledge of the proposed Project Manager and key personnel.

C. Project Approach/Understanding (40 points) – Understanding of Project, discussion of major issues identified on the project and how the consultant team plans to address them; the management approach and organization necessary to complete the specific project; and outline quality control measures to ensure delivery of a quality product on time and within budget that provides a cost efficient, timely and predictable execution of the project construction.

XVI. Other Requirements

A. Conflict of Interest

1. The Consultant shall disclose any financial, business, or other relationship with City that may have an impact upon the outcome of this contract, or any ensuing City Construction project. The Consultant shall also list current clients who may have financial interest in the outcome of this Agreement, or any ensuing City construction project, which will follow.

2. The Consultant hereby certifies that it does not now have, nor shall it acquire any financial or business interest that would conflict with the performance of services under this Agreement.

3. Any subcontract in excess of $25,000 entered into as a result of this Agreement, shall contain all of the provisions of this Agreement.

4. The Consultant hereby certifies that neither the Consultant, its employees, nor any firm affiliated with the Consultant providing services on this project prepared the Plans, Specifications, and Estimates for any construction project included within this contract . An affiliated firm is one, which is subject to the control of the same persons through joint-ownership, or otherwise.

5. The Consultant further certifies that neither Consultant, nor any firm affiliated with the Consultant, will bid on any construction subcontracts included within the construction contract. Additionally, Consultant certifies that no person working under this Agreement is also employed by the construction contractor for any project included within this agreement.

6. Except for subcontractors whose services are limited to materials testing, no subcontractor who is providing services on this Agreement shall have provided services on the design of any project within this contract.

Attachments (incorporated by reference)

Attachment "A"	Plan Title Sheet
Attachment "B"	City Standard Consultant Agreement (no changes to this agreement will be allowed)
Attachment "C"	Caltrans/City Cooperative Agreement for SR-60Moreno Beach Drive Phase-1 Improvements
Attachment "D"	Disclosure of Lobbying Activities (Form LLL)
Attachment "E"	List of Subconsultants
Attachment "F"	Proposer's List of Subconsultants (DBE and Non-DBE) Parts I and II
Attachment "G"	Exhibit 10-02- Local Agency Proposer DBE Information
Attachment "H"	Compilation of Plans based on current status of completion - CD available upon request

Attachment "A"

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

PROJECT PLANS FOR CONSTRUCTION ON
STATE HIGHWAY

IN RIVERSIDE COUNTY
IN MORENO VALLEY
FROM 0.3 MILE WEST TO 0.4 MILE EAST
OF MORENO BEACH DRIVE OVERCROSSING

TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2006

District	County	Route	Post Mileage	Total Sheets	Sheet No.
08	Riv	60	18.8/19.6	1	155

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	Title and Location Map
2-7	Typical Cross Sections
8	Key Map and Line Index
9-11	Layouts
12-16	Profiles and Superelevation Diagrams
17-38	Construction Details
39-42	Temporary Water Pollution Control Plan, Details and Quantities
43-45	Erosion Control Plans
46-48	Contour Grading
49-73	Drainage Plan, Profiles, Details and Quantities
74-77	Utility Plans
78-79	Construction Area Signs
80-84	Stage Construction Plans
85-98	Traffic Handling and Quantities
100	Detour Plans
101-107	Pavement Delineation Plans, Details and Quantities
108-120	Sign Plans, Details and Quantities
121-124	Summary of Quantities
125	Irrigation Plan
126-145	Electrical Plans
146-149	Water Pipeline Relocation Plans
150-205	Revised and New Standard Plans

STRUCTURE PLANS

206-211	Retaining Wall RW 38058

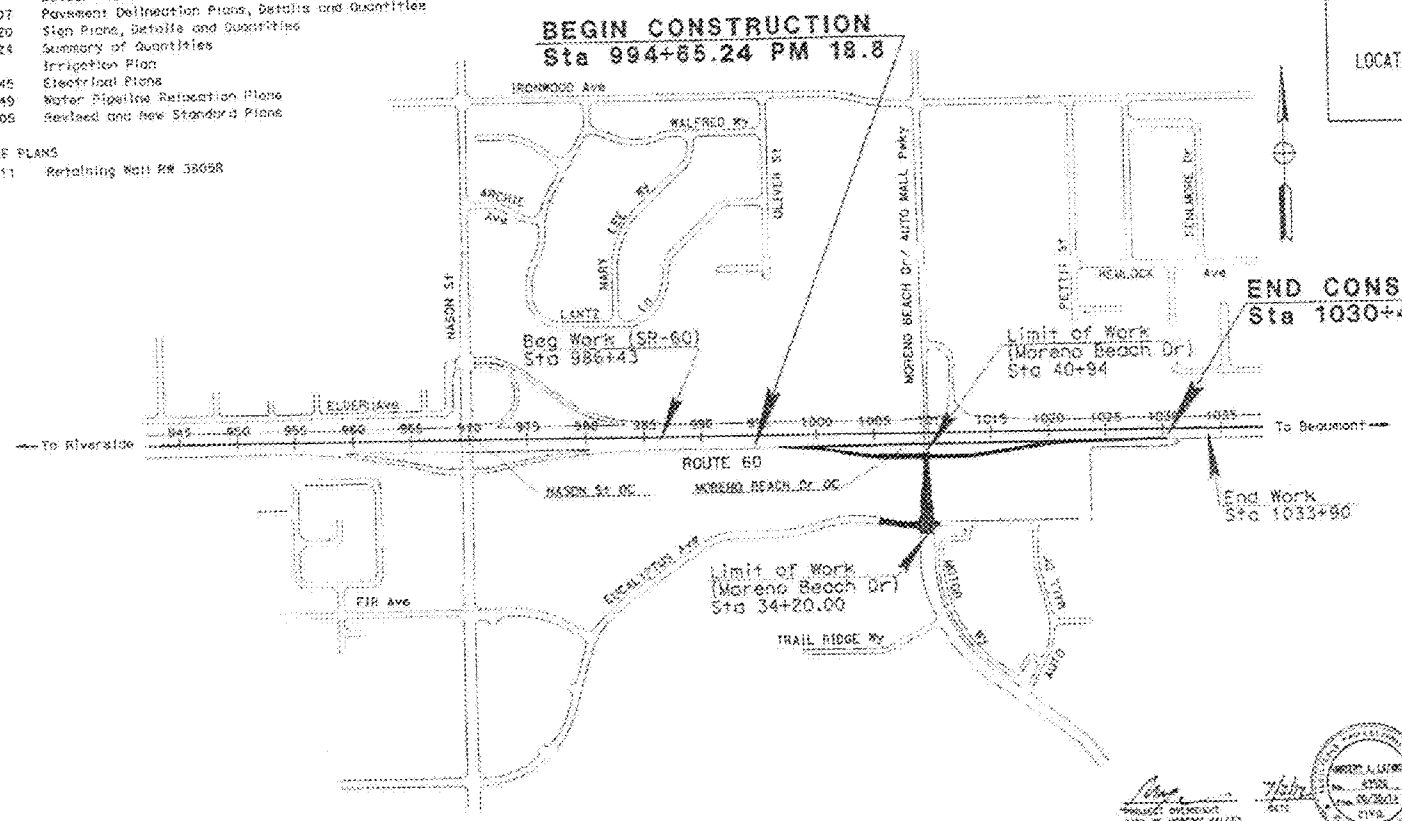

NO SCALE

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

PLANS APPROVAL DATE

PROJECT ENGINEER
CITY OF MORENO VALLEY
REGISTERED CIVIL ENGINEER

PARSONS
2201 DUPONT DRIVE, SUITE 200
IRVINE, CALIFORNIA 92612
CITY OF MORENO VALLEY
14177 FREDERICK STREET
MORENO VALLEY, CALIFORNIA 92552

CONTRACT NO.	08-323014
PROJECT ID	0800000593

CONSULTANT DESIGN ENGINEER: PARSONS
CALTRANS DESIGN-SUPERVISOR: DU LU
REGISTRATION No. C45586
LICENSING EXPIRATION DATE: 12/31/12
DATE SIGNED:

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

BORDER LAST REVISED 1/2/2008 | CALTRANS WEB SITE IS: HTTP://WWW.DOT.CA.GOV/ | RELATIVE BORDER SCALE IN INCHES 0 1 2 | USERNAME => DIN0319B | DGN FILE => 0800000593.DGN | UNIT 2252 | PROJECT NUMBER & PHASE 0800000593

MV00176913

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) - ZONAL PROJECT NO. XX-XXXXX

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and **Consultant Company,** a (California corporation, partnership, sole ownership) hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

SAMPLE

AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES
PROJECT NO. XX-XXXXX

DESCRIPTION OF PROJECT

1. The project is described as professional consultant _____ services for:

Project Name

Project No. XX-XXXXX

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $_____ in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **Month Date, Year** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

Or

SAMPLE

MV00176915

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary

SAMPLE

consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

[for Non-design contracts]

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to

SAMPLE

any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the City, RDA, CSD and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction.

Or [for Design contracts]

15. (a) To the maximum extent allowable by law, the Consultant agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA, CSD and WRCOG, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, CSD and WRCOG, their officers, agents or

SAMPLE

MV00176918

employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

Or [for Design/CM contracts]

15. (a) To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA, CSD, and WRCOG, their officers, agents or employees.

(b) The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are

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caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, CSD, and WRCOG, their officers, agents or employees.

(c) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, CSD, and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any

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person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such Public Liability and Property Damage Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum general liability limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of

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California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, RDA, CSD and WRCOG against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) A Certificate of Insurance, or an appropriate insurance binder evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(h) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, its officers, employees and agents, under any third party liability policy."

(i) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed

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and qualified to conduct insurance business in the State of California.

(j) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project.

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(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain for its files copies of any and all materials, including drawings, documents, and specifications produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his

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files and his subconsultants, if any.

(d) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis,

SAMPLE

the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree, that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement.

SIGNATURE PAGE FOLLOWS

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MV00176926

AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES
PROJECT NO. XX-XXXXX

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Department Head/Mayor/City Manager
(Select only one please)

DATE: _____

Consultant Company

BY: _____

TITLE: _____
(President or Vice President)

BY: _____

TITLE: _____
(Corporate Secretary)

ATTEST:

_____
City Clerk *(not needed if City Manager signs)*

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Enclosures: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule

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CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

SAMPLE

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $_____.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zara@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees,

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late charges, or other penalties. The ACH Authorization Form is located at:

http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

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EXHIBIT "D"

CONSTRUCTION COOPERATIVE AGREEMENT

This agreement, effective on January 4, 2012, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Moreno Valley, a body politic and municipal corporation or chartered city of the State of California, referred to as CITY.

For the purpose of this agreement, the term PARTNERS collectively refers to CALTRANS and CITY (all signatory parties to this agreement). The term PARTNER refers to any one of those signatory parties individually.

RECITALS

1. California Streets and Highways Code sections 114 and 130 authorize PARTNERS to enter into a cooperative agreement for performance of work within the State Highway System (SHS) right of way.

2. This agreement outlines the terms and conditions of cooperation between PARTNERS to complete the construction capital phase to improve the eastbound ramp configuration at Moreno Beach Drive on State Route 60 (SR-60) in the City of Moreno Valley and construct auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing.

   For the purpose of this agreement, improvements to the eastbound ramp configuration at Moreno Beach Drive on SR-60 in the City of Moreno Valley and construction of auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing will be referred to as PROJECT. All responsibilities assigned in this agreement to complete the construction capital phase of PROJECT will be referred to as OBLIGATIONS.

3. This agreement is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between PARTNERS regarding PROJECT.

4. Prior to this agreement, the CITY developed the Project Report; Plans, Specifications and Estimate; and the Right of Way Certification (Cooperative Agreement No. 8-1314).

5. CITY prepared the environmental documentation for PROJECT.

6. The estimated date for OBLIGATION COMPLETION is December 31, 2014.

7. In this agreement capitalized words represent defined terms and acronyms. The Definitions section contains a complete definition for each capitalized term.

8. From this point forward, PARTNERS define in this agreement the terms and conditions under which they will accomplish OBLIGATIONS.

RESPONSIBILITIES

9. CITY is SPONSOR for 100% of PROJECT.

10. CALTRANS will provide IQA for the portions of WORK within existing and proposed SHS right of way. CALTRANS retains the right to reject noncompliant WORK, protect public safety, preserve property rights, and ensure that all WORK is in the best interest of the SHS.

11. CITY may provide IQA for the portions of WORK outside existing and proposed SHS right of way.

12. CITY is the only FUNDING PARTNER for this agreement. CITY's funding commitment is defined in the FUNDING SUMMARY.

13. CALTRANS is the CEQA lead agency for PROJECT.

14. CALTRANS is the NEPA lead agency for PROJECT.

15. CITY is IMPLEMENTING AGENCY for CONSTRUCTION.

SCOPE

Scope: General

16. PARTNERS will perform all OBLIGATIONS in accordance with federal and California laws, regulations, and standards; FHWA STANDARDS; and CALTRANS STANDARDS.

17. IMPLEMENTING AGENCY for a PROJECT COMPONENT will provide a Quality Management Plan (QMP) for that component as part of the PROJECT MANAGEMENT PLAN. The District Construction Division, with input from Structure Construction must approve the Quality Management Plan (QMP) before the encroachment permit for construction is issued.

18. Any PARTNER may, at its own expense, have representatives observe any OBLIGATIONS performed by another PARTNER. Observation does not constitute authority over those OBLIGATIONS.

19. Each PARTNER will ensure that all of its personnel participating in OBLIGATIONS are appropriately qualified, and if necessary licensed, to perform the tasks assigned to them.

20. IMPLEMENTING AGENCY shall retain consultants and shall invite CALTRANS to participate in the selection and retention of consultants that participate in OBLIGATIONS. At least one representative from the Construction Division of CALTRANS shall participate in the selection process. A construction management firm shall not be selected without the approval by this representative.

21. If WORK is done under contract (not completed by a PARTNER's own employees) and is governed by the California Labor Code's definition of "public works" (section 1720(a)(a)), that PARTNER will conform to sections 1720 – 1815 of the California Labor Code and all applicable regulations and coverage determinations issued by the Director of Industrial Relations.

22. IMPLEMENTING AGENCY for each PROJECT COMPONENT included in this agreement will be available to help resolve problems generated by that component for the entire duration of PROJECT.

23. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within SHS right of way.

    Contractors and/or agents, and utility owners will not perform WORK without an encroachment permit issued in their name.

24. If any PARTNER discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTNER will notify all PARTNERS within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and a plan is approved for its removal or protection.

25. PARTNERS will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for PROJECT in confidence to the extent permitted by law. Where applicable, the provisions of California Government Code section 6254.5(e) will govern the disclosure of such documents in the event that PARTNERS share said documents with each other.

    PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete PROJECT without the written consent of the PARTNER authorized to release them, unless required or authorized to do so by law.

26. If any PARTNER receives a public records request, pertaining to OBLIGATIONS, that PARTNER will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any disclosed public records. PARTNERS will consult with each other prior to the release of any public documents related to the PROJECT.

27. If HM-1 or HM-2 is found during a PROJECT COMPONENT, IMPLEMENTING AGENCY for that PROJECT COMPONENT will immediately notify PARTNERS.

28. CALTRANS, independent of PROJECT, is responsible for any HM-1 found within the existing SHS right of way. CALTRANS will undertake HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to PROJECT schedule.

29. CITY, independent of PROJECT, is responsible for any HM-1 found within PROJECT limits and outside the existing SHS right of way. CITY will undertake or cause to be undertaken HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to PROJECT schedule.

30. If HM-2 is found within PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM MANAGEMENT ACTIVITIES related to HM-2.

31. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

32. PARTNERS will comply with all of the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each PARTNER's responsibilities in this agreement.

33. IMPLEMENTING AGENCY for each PROJECT COMPONENT will furnish PARTNERS with written quarterly progress reports during the implementation of OBLIGATIONS in that component.

34. Upon OBLIGATION COMPLETION, ownership or title to all materials and equipment constructed or installed for the operations and/or maintenance of the SHS within SHS right of way as part of WORK become the property of CALTRANS.

    CALTRANS will not accept ownership or title to any materials or equipment constructed or installed outside SHS right of way.

35. IMPLEMENTING AGENCY for a PROJECT COMPONENT will accept, reject, compromise, settle, or litigate claims of any non-agreement parties hired to do WORK in that component.

36. PARTNERS will confer on any claim that may affect OBLIGATIONS or PARTNERS' liability or responsibility under this agreement in order to retain resolution possibilities for potential future claims. No PARTNER will prejudice the rights of another PARTNER until after PARTNERS confer on claim.

37. PARTNERS will maintain, and will ensure that any party hired by PARTNERS to participate in OBLIGATIONS will maintain, a financial management system that

conforms to Generally Accepted Accounting Principles (GAAP), and that can properly accumulate and segregate incurred PROJECT costs, and provide billing and payment support.

38. PARTNERS will comply with the appropriate federal cost principles and administrative requirements outlined in the Applicable Cost Principles and Administrative Requirements table below. These principles and requirements apply to all funding types included in this agreement.

39. PARTNERS will ensure that any party hired to participate in OBLIGATIONS will comply with the appropriate federal cost principles and administrative requirements outlined in the Applicable Cost Principles and Administrative Requirements table below.

Applicable Cost Principles and Administration Requirements		
The federal cost principles and administrative requirements associated with each organization type apply to that organization.		
Organization Type	Cost Principles	Administrative Requirements
Federal Governments	2 CFR Part 225	OMB A-102
State and Local Government	2 CFR, Part 225	49 CFR, Part 18
Educational Institutions	2 CFR, Part 220	2 CFR, Part 215
Non-Profit Organizations	2 CFR, Part 230	2 CFR, Part 215
For Profit Organizations	48 CFR, Chapter 1, Part 31	49 CFR, Part 18
CFR (Code of Federal Regulations) **OMB (Office of Management and Budget)**		
Related URLs: • Various OMB Circular: http://www.whitehouse.gov/omb/grants_circulars • Code of Federal Regulations: http://www.gpoaccess.gov/CFR		

40. PARTNERS will maintain and make available to each other all OBLIGATIONS-related documents, including financial data, during the term of this agreement.

41. PARTNERS will retain all OBLIGATIONS-related records for three (3) years after the final voucher.

42. PARTNERS have the right to audit each other in accordance with generally accepted governmental audit standards.

CALTRANS, the state auditor, FHWA, and CITY will have access to all OBLIGATIONS-related records of each PARTNER, and any party hired by a PARTNER to participate in OBLIGATIONS, for audit, examination, excerpt, or transcription.

The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of

operation. The auditing PARTNER will be permitted to make copies of any OBLIGATIONS-related records needed for the audit.

The audited PARTNER will review the draft audit, findings, and recommendations, and provide written comments within 30 calendar days of receipt.

Upon completion of the final audit, PARTNERS have 30 days to refund or invoice as necessary in order to satisfy the obligation of the audit.

Any audit dispute not resolved by PARTNERS is subject to dispute resolution. Any costs arising out of the dispute resolution process will be paid within 30 calendar days of the final audit or dispute resolution findings.

43. Any PARTNER that hires another party to participate in OBLIGATIONS will conduct a pre-award audit of that party in accordance with the *Local Assistance Procedures Manual.*

44. PARTNERS will not incur costs beyond the funding commitments in this agreement. If IMPLEMENTING AGENCY anticipates that funding for WORK will be insufficient to complete WORK, IMPLEMENTING AGENCY will promptly notify SPONSOR.

    IMPLEMENTING AGENCY has no obligation to perform WORK if funds to perform WORK are unavailable.

45. If WORK stops for any reason, IMPLEMENTING AGENCY will place all facilities impacted by WORK in a safe and operable condition acceptable to CALTRANS.

46. If WORK stops for any reason, each PARTNER will continue to implement all of its applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each PARTNER's responsibilities in this agreement, in order to keep PROJECT in environmental compliance until WORK resumes.

47. Each PARTNER accepts responsibility to complete the activities that it selected on the SCOPE SUMMARY. Activities marked with "N/A" on the SCOPE SUMMARY are not included in the scope of this agreement.

48. Contract administration procedures shall conform to CALTRANS' Construction Manual, Local Assistance Procedures Manual (if Federal funds are used), and the PROJECT encroachment permits.

49. If the Resident Engineer is not also a registered Landscape Architect, CITY will furnish, at CITY expense and subject to approval of CALTRANS Landscape Architecture, a registered Landscape Architect to perform work related to architecture treatment and landscaping and to perform the function of an Assistant Resident Engineer/Inspector who is responsible for both daily on-site inspections and final decisions including, but not

limited to, any highway planting and the irrigation systems that comprise a portion of the PROJECT work. Final decisions shall continue to be subject to the satisfaction and approval of CALTRANS.

50. Within one hundred eighty (180) days following the completion and acceptance of the PROJECT construction contract, to furnish CALTRANS with a complete set of "As-Built" plans (hard copy and electronic formats) in accordance with CALTRANS' then current CADD Users Manual, Plans Preparation Manual, and CALTRANS practice. The submittal must also include all CALTRANS requested contract records, including survey documents and Records of Surveys (to include monument perpetuation per the Land Surveyor Act, section 8771, including but not limited to preconstruction monumentation documents and a post construction Record of Survey). CITY shall also submit corrected full-sized hardcopy structure plans.

Scope: Environmental Permits, Approvals and Agreements

51. Each PARTNER identified in the Environmental Permits table below accepts the responsibility to complete the assigned activities.

Environmental Permits

Permit	Coordinate	Prepare	Obtain	Implement	Renew	Amend
404 USACOE	CITY	CITY	CITY	CITY	CITY	CITY
401 RWQCB	CITY	CITY	CITY	CITY	CITY	CITY
NPDES SWRCB	CITY	CITY	CITY	CITY	CITY	CITY
1602 DFG	CITY	CITY	CITY	CITY	CITY	CITY

Scope: CONSTRUCTION

52. CITY will advertise, open bids, award, approve, and administer the construction contract in accordance with the California Public Contract Code and the California Labor Code.

CITY will not advertise the construction contract until CALTRANS completes or accepts the final plans, specifications, and estimate package; CALTRANS approves the Right of Way Certification; and SPONSOR verifies full funding of CONSTRUCTION SUPPORT and CONSTRUCTION CAPITAL.

By accepting responsibility to advertise and award the construction contract, CITY also accepts responsibility to administer the construction contract.

PARTNERS agree that CITY is designated as the Legally Responsible Person and the Approved Signatory Authority pursuant to the Construction General Permit, State Water Resources Control Board (SWRCB) Order Number 2009-0009-DWQ, as defined in Appendix 5, Glossary, and assumes all roles and responsibilities assigned to the Legally

Responsible Person and the Approved Signatory Authority as mandated by the Construction General Permit.

53. IMPLEMENTING AGENCY will implement changes to the construction contract through contract change orders (CCOs). PARTNERS will review and concur on all CCOs over $50,000.

CALTRANS must approve all CCOs affecting public safety or the preservation of property, all design and specification changes, and all major changes as defined in the CALTRANS Construction Manual prior to implementing the CCO.

54. If the lowest responsible construction contract bid is greater than the funding commitment to CONSTRUCTION CAPITAL, all PARTNERS must be involved in determining how to proceed. If PARTNERS do not agree in writing on a course of action within 15 working days, this agreement will terminate.

55. CITY will require the construction contractor to furnish payment and performance bonds naming CITY as obligee, and CALTRANS as additional obligee, and to carry liability insurance in accordance with CALTRANS specifications.

56. CITY will submit a written request to CALTRANS for any SFM identified in the PROJECT plans, specifications, and estimate a minimum of 45 days prior to the bid advertisement date for PROJECT construction contract. CITY will submit a written request to CALTRANS for any additional SFM deemed necessary during PROJECT construction.

57. CALTRANS will make SFM available at a CALTRANS-designated location after CITY requests SFM and pays CALTRANS' invoice for estimated SFM costs.

58. As IMPLEMENTING AGENCY for CONSTRUCTION, CITY is responsible for maintenance within PROJECT limits as part of the construction contract.

59. PARTNERS will execute a separate maintenance agreement prior to OBLIGATION COMPLETION.

COST

Cost: General

60. The cost of any awards, judgments, or settlements generated by OBLIGATIONS is an OBLIGATIONS COST.

61. CALTRANS, independent of PROJECT, will pay all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within the existing SHS right of way.

62. CITY, independent of PROJECT, will pay, or cause to be paid, all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within PROJECT limits and outside of the existing SHS right of way.

63. HM MANAGEMENT ACTIVITIES costs related to HM-2 are CONSTRUCTION SUPPORT and CONSTRUCTION CAPITAL costs.

64. The cost to comply with and implement the commitments set forth in the environmental documentation is an OBLIGATIONS COST.

65. The cost to ensure that PROJECT remains in environmental compliance is an OBLIGATIONS COST.

66. The cost of any legal challenges to the CEQA or NEPA environmental process or documentation is an OBLIGATIONS COST.

67. Independent of OBLIGATIONS COST, CALTRANS will fund the cost of its own IQA for WORK done within existing or proposed future SHS right of way.

68. Independent of OBLIGATIONS COST, CITY will fund the cost of its own IQA for WORK done outside existing or proposed future SHS right of way.

69. CALTRANS will provide encroachment permits at no cost to PARTNERS, their contractors, consultants and agents, and the following utility companies: Southern California Edison, Moreno Valley Utility, and Eastern Municipal Water District.

70. Fines, interest, or penalties levied against a PARTNER will be paid, independent of OBLIGATIONS COST, by the PARTNER whose actions or lack of action caused the levy. That PARTNER will indemnify and defend each other PARTNER.

71. Travel, per diem, and third-party contract reimbursements are an OBLIGATIONS COST only after those hired by PARTNERS to participate in OBLIGATIONS incur and pay those costs.

    Payments for travel and per diem will not exceed the rates paid rank and file state employees under current California Department of Personnel Administration (DPA) rules current at the effective date of this agreement.

    If CITY invoices for rates in excess of DPA rates, CITY will fund the cost difference and reimburse CALTRANS for any overpayment.

72. The cost of non-IQA engineering support performed by CALTRANS includes all direct and applicable indirect costs. CALTRANS calculates indirect costs based solely on the type of funds used to pay support costs. State and federal funds are subject to the current Program Functional Rate. Local funds are subject to the current Program Functional Rate

and the current Administration Rate. CALTRANS periodically adjusts the Program Functional Rate and the Administration Rate.

73. If CALTRANS reimburses CITY for any costs later determined to be unallowable, CITY will reimburse those funds.

74. The cost to place PROJECT right of way in a safe and operable condition and meet all environmental commitments is an OBLIGATIONS cost.

75. Because IMPLEMENTING AGENCY is responsible for managing the scope, cost, and schedule of a project component, if there are insufficient funds available in this agreement to place the right of way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

76. If there are insufficient funds in this agreement to implement applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, each PARTNER implementing commitments or conditions accepts responsibility to fund these activities, as they apply to each PARTNER's responsibilities, until such time as PARTNERS amend this agreement.

    Each PARTNER may request reimbursement for these costs during the amendment process.

77. PARTNERS will pay invoices within 30 calendar days of receipt of invoice.

Cost: Environmental Permits, Approvals and Agreements

78. The cost of coordinating, obtaining, complying with, implementing, and if necessary renewing and amending resource agency permits, agreements, and/or approvals is an OBLIGATIONS COST.

Cost: CONSTRUCTION Support

79. The cost to maintain the SHS within PROJECT limits is an OBLIGATIONS COST until PARTNERS execute a separate maintenance agreement.

80. Each PARTNER listed below may submit invoices for CONSTRUCTION Support for source inspection:
    - CALTRANS may invoice CITY

81. PARTNERS will exchange funds for actual costs up to a maximum of $65,000.

CALTRANS will invoice CITY for $10,000 initial deposit 30 working days prior to the construction contract bid advertisement date. This deposit represents two (2) months' estimated support costs for source inspection.

Thereafter, CALTRANS will submit to CITY monthly invoices for estimated monthly costs based on the prior month's actual expenditures.

After PARTNERS agree that all WORK is complete, CALTRANS will submit a final accounting for all OBLIGATIONS COSTS. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the financial commitments of this agreement.

Cost: CONSTRUCTION Capital

82. The cost of all SFM is a CONSTRUCTION CAPITAL cost.

CALTRANS will invoice CITY for the actual cost of any SFM as a CONSTRUCTION CAPITAL cost.

After PARTNERS agree that all WORK is complete, CALTRANS will submit a final accounting for all SFM costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the financial commitments of this agreement.

SCHEDULE

83. PARTNERS will manage the schedule for OBLIGATIONS through the work plan included in the PROJECT MANAGEMENT PLAN. The Project Manager must approve the PROJECT MANAGEMENT PLAN before the encroachment permit for construction is issued.

GENERAL CONDITIONS

84. PARTNERS understand that this agreement is in accordance with and governed by the Constitution and laws of the State of California. This agreement will be enforceable in the State of California. Any PARTNER initiating legal action arising from this agreement will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this agreement resides, or in the Superior Court of the county in which PROJECT is physically located.

85. All OBLIGATIONS of CALTRANS under the terms of this agreement are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.

86. Any PARTNER performing IQA does so for its own benefit. No one can assign liability to that PARTNER due to its IQA activities.

87. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this agreement.

It is understood and agreed that CALTRANS will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under this agreement.

88. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY under this agreement.

It is understood and agreed that CITY will fully defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under this agreement.

89. PARTNERS do not intend this agreement to create a third party beneficiary or define duties, obligations, or rights in parties not signatory to this agreement. PARTNERS do not intend this agreement to affect their legal liability by imposing any standard of care for fulfilling OBLIGATIONS different from the standards imposed by law.

90. PARTNERS will not assign or attempt to assign OBLIGATIONS to parties not signatory to this agreement.

91. PARTNERS will not interpret any ambiguity contained in this agreement against each other. PARTNERS waive the provisions of California Civil Code section 1654.

92. A waiver of a PARTNER's performance under this agreement will not constitute a continuous waiver of any other provision. An amendment made to any article or section of this agreement does not constitute an amendment to or negate all other articles or sections of this agreement.

93. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

94. If any PARTNER defaults in its OBLIGATIONS, a non-defaulting PARTNER will request in writing that the default be remedied within 30 calendar days. If the defaulting PARTNER fails to do so, the non-defaulting PARTNER may initiate dispute resolution.

95. PARTNERS will first attempt to resolve agreement disputes at the PROJECT team level. If they cannot resolve the dispute themselves, the CALTRANS district director and the Director of Public Works/City Engineer of CITY will attempt to negotiate a resolution. If PARTNERS do not reach a resolution, PARTNERS' legal counsel will initiate mediation. PARTNERS agree to participate in mediation in good faith and will share equally in its costs.

    Neither the dispute nor the mediation process relieves PARTNERS from full and timely performance of OBLIGATIONS in accordance with the terms of this agreement. However, if any PARTNER stops fulfilling OBLIGATIONS, any other PARTNER may seek equitable relief to ensure that OBLIGATIONS continue.

    Except for equitable relief, no PARTNER may file a civil complaint until after mediation, or 45 calendar days after filing the written mediation request, whichever occurs first.

    PARTNERS will file any civil complaints in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides. The prevailing PARTNER will be entitled to an award of all costs, fees, and expenses, including reasonable attorney fees as a result of litigating a dispute under this agreement or to enforce the provisions of this article including equitable relief.

96. PARTNERS maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

97. If any provisions in this agreement are deemed to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other agreement provisions invalid, inoperative, or unenforceable, and PARTNERS will automatically sever those provisions from this agreement.

98. PARTNERS intend this agreement to be their final expression and supersede any oral understanding or writings pertaining to OBLIGATIONS.

99. If during performance of WORK additional activities or environmental documentation is necessary to keep PROJECT in environmental compliance, PARTNERS will amend this agreement to include completion of those additional tasks.

100. PARTNERS will execute a formal written amendment if there are any changes to OBLIGATIONS.

101. This agreement will terminate upon OBLIGATION COMPLETION or an amendment to terminate this agreement, whichever occurs first.

However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, and ownership articles will remain in effect until terminated or modified in writing by mutual agreement.

102. The following documents are attached to, and made an express part of this agreement: SCOPE SUMMARY, FUNDING SUMMARY.

DEFINITIONS

CALTRANS – The California Department of Transportation

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

CEQA (California Environmental Quality Act) – The act (California Public Resources Code, sections 21000 et seq.) that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

CFR (Code of Federal Regulations) – The general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

CONSTRUCTION CAPITAL – See PROJECT COMPONENT.

CONSTRUCTION SUPPORT – See PROJECT COMPONENT.

COOPERATIVE AGREEMENT CLOSURE STATEMENT – A document signed by PARTNERS that verifies the completion of all OBLIGATIONS included in this agreement and in all amendments to this agreement.

COST – The responsibility for cost responsibilities in this agreement can take one of three assignments:

- **OBLIGATIONS COST** – A cost associated with fulfilling OBLIGATIONS that will be funded as part of this agreement. The responsibility is defined by the funding commitments in this agreement.
- **PROJECT COST** – A cost associated with PROJECT that can be funded outside of OBLIGATIONS. A PROJECT COST may not necessarily be part of this agreement. This responsibility is defined by the PARTNERS' funding commitments at the time the cost is incurred.
- **PARTNER COST** – A cost that is the responsibility of a specific PARTNER, independent of PROJECT.

FHWA – Federal Highway Administration

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at www.fhwa.dot.gov/topics.htm.

FUNDING PARTNER – A PARTNER that commits a defined dollar amount to fulfill OBLIGATIONS. Each FUNDING PARTNER accepts responsibility to provide the funds identified on the FUNDING SUMMARY under its name.

FUNDING SUMMARY – The table that designates an agreement's funding sources, types of funds, and the PROJECT COMPONENT in which the funds are to be spent. Funds listed on the FUNDING SUMMARY are "not-to-exceed" amounts for each FUNDING PARTNER.

GAAP (Generally Accepted Accounting Principles) – Uniform minimum standards and guidelines for financial accounting and reporting issued by the Federal Accounting Standards Advisory Board that serve to achieve some level of standardization. See http://www.fasab.gov/accepted.html.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The PARTNER responsible for managing the scope, cost, and schedule of a PROJECT COMPONENT to ensure the completion of that component.

IQA (Independent Quality Assurance) – Ensuring that IMPLEMENTING AGENCY's quality assurance activities result in WORK being developed in accordance with the applicable standards and within an established Quality Management Plan (QMP). IQA does not include any work necessary to actually develop or deliver WORK or any validation by verifying or rechecking work performed by another partner.

NEPA (National Environmental Policy Act of 1969) – The federal act that establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

OBLIGATION COMPLETION – PARTNERS have fulfilled all OBLIGATIONS included in this agreement, and all amendments to this agreement, and have signed a COOPERATIVE AGREEMENT CLOSURE STATEMENT.

OBLIGATIONS – All responsibilities included in this agreement.

OBLIGATIONS COST – See COST.

OMB (Office of Management and Budget) – The federal office that oversees preparation of the federal budget and supervises its administration in Executive Branch agencies.

PARTNER – Any individual signatory party to this agreement.

PARTNERS – The term that collectively references all of the signatory agencies to this agreement. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one PARTNER's individual actions legally bind the other partners.

PROJECT – The undertaking to improve the eastbound ramp configuration at Moreno Beach Drive on SR-60 in the city of Moreno Valley and construct auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing.

PROJECT COMPONENT – A distinct portion of the planning and project development process of a capital project as outlined in California Government Code, section 14529(b).

- **PID (Project Initiation Document)** – The activities required to deliver the project initiation document for PROJECT.
- **PA&ED (Project Approval and Environmental Document)** – The activities required to deliver the project approval and environmental documentation for PROJECT.
- **PS&E (Plans, Specifications, and Estimate)** – The activities required to deliver the plans, specifications, and estimate for PROJECT.
- **R/W (Right of Way) SUPPORT** –The activities required to obtain all property interests for PROJECT.
- **R/W (Right of Way) CAPITAL** – The funds for acquisition of property rights for PROJECT.
- **CONSTRUCTION SUPPORT** – The activities required for the administration, acceptance, and final documentation of the construction contract for PROJECT.
- **CONSTRUCTION CAPITAL** – The funds for the construction contract.

PROJECT COST – See COST.

PROJECT MANAGEMENT PLAN – A group of documents used to guide a project's execution and control throughout that project's lifecycle.

QMP (Quality Management Plan) – An integral part of the Project Management Plan that describes IMPLEMENTING AGENCY's quality policy and how it will be used.

RESIDENT ENGINEER – A civil engineer licensed in the State of California who is responsible for construction contract administration activities. Said engineer must be independent of the design engineering company and the construction contractor.

SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users

SCOPE SUMMARY – The attachment in which each PARTNER designates its commitment to specific scope activities within each PROJECT COMPONENT as outlined by the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

SHS (State Highway System) – All highways, right of way, and related facilities acquired, laid out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization.

SPONSOR – Any PARTNER that accepts the responsibility to establish scope of PROJECT and the obligation to secure financial resources to fund PROJECT. SPONSOR is responsible for adjusting the PROJECT scope to match committed funds or securing additional funds to fully fund the PROJECT scope. If a PROJECT has more than one SPONSOR, funding adjustments will be made by percentage (as outlined in Responsibilities). Scope adjustments must be developed through the project development process and must be approved by CALTRANS as the owner/operator of the SHS.

SFM (State Furnished Material) – Any materials or equipment supplied by CALTRANS.

WORK – All scope activities included in this agreement.

CONTACT INFORMATION

The information provided below indicates the primary contact data for each PARTNER to this agreement. PARTNERS will notify each other in writing of any personnel or location changes. Contact information changes do not require an amendment to this agreement.

The primary agreement contact person for CALTRANS is:
Jamal Elsaleh, Program/Project Management Office Chief
464 W. Fourth Street
San Bernardino, California 92401-1400
Office Phone: (909) 383-6710
Email: jamal.elsaleh@dot.ca.gov

The primary agreement contact person for CITY is:
Margery Lazarus, Senior Engineer, P.E.
P.O. Box 88005
Moreno Valley, California 92552-0805
Office Phone: (951) 413-3133
Email: margeryl@moval.org

SIGNATURES

PARTNERS declare that:

1. Each PARTNER is an authorized legal entity under California state law.
2. Each PARTNER has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

APPROVED

By: Ray Wolfe
RAYMOND W. WOLFE, PhD
Deputy District Director

P.D.

Date: 1/4/12

CERTIFIED AS TO FUNDS:

By: Lisa M Pacheco
LISA PACHECO
District Budget Manager

Date: 12/23/11

CITY OF MORENO

APPROVED

By: Michelle Dawson
for HENRY GARCIA
City Manager

Date: 12/19/11

APPROVED AS TO FORM AND PROCEDURE

By: Suzanne Burke
for ROBERT L. HANSEN
City Attorney

Date: 12-15-11

08-RIV-60-18.9/19.6
EA: 32301
District Agreement 08-1514
Project Number 0800000593

SCOPE SUMMARY

4	5	6	7	8	Description	CALTRANS	CITY	N/A
5	270				Construction Engineering and General Contract Administration		X	
		10			Construction Staking Package and Control		X	
		15			Construction Stakes		X	
		20			Construction Engineering Work		X	
		25			Construction Contract Administration Work		X	
			05		Secured Lease for Resident Engineer Office Space or Trailer		X	
			10		Set Up Construction Project Files		X	
			15		Pre-Construction Meeting		X	
			20		Progress Pay Estimates		X	
			25		Weekly Statement of Working Days		X	
			30		Construction Project Files and General Field Office Clerical Work		X	
			35		Labor Compliance Activities		X	
			40		Approved Subcontractor Substitutions		X	
			45		Coordination		X	
			50		Civil Rights Contract Compliance		X	
			99		Other Construction Contract Administration Products		X	
		30			Contract Item Work Inspection		X	
		35			Construction Material Sampling and Testing		X	
			05		Materials Sampling and Testing for Quality Assurance		X	
			10		Plant Inspection for Quality Assurance		X	
			15		Independent Assurance Sampling and Testing		X	
			20		Source Inspection	X		
		40			Safety and Maintenance Reviews		X	
		45			Relief From Maintenance Process		X	
		55			Final Inspection and Acceptance Recommendation		X	
		60			Plant Establishment Administration		X	
		65			Transportation Management Plan Implementation During Construction		X	
		80			Long-Term Environmental Mitigation/Mitigation Monitoring During Construction Contract		X	
		99			Other Construction Engineering and General Contract Administration		X	
6	275				Construction Engineering and General Contract Administration of Structures Work		X	
5	285				Contract Change Order Administration		X	
5	290				Resolve Contract Claims		X	
6	295				Accept Contract, Prepare Final Construction Estimate, and Final Report		X	
4	300				Final Right of Way Engineering		X	

PACT Version 10.1.2011_02_17

Initials / Date:
City Attorney: BMB Date: 1-9-12
City Manager: JMD Date: 1/10/12

FUNDING SUMMARY

Funding Source	Funding Partner	Fund Type	CON Capital	CON Support	Subtotal Support	Subtotal Capital	Subtotal Funds Type
LOCAL	CITY	City	$8,800,000	$450,000	$450,000	$8,800,000	$9,250,000
		Subtotals by Component	$8,800,000	$450,000	$450,000	$8,800,000	$9,250,000

MV00176951

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action: ☐ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**2. Status of Federal Action:** ☐ a. bid/offer/application b. initial award c. post-award	**3. Report Type:** ☐ a. initial filing b. material change **For Material Change Only:** year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: ☐ Prime ☐ Subawardee Tier _____, *if known*: **Congressional District**, *if known*: 4c	**5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:** **Congressional District**, *if known*:	
6. Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____	
8. Federal Action Number, *if known*:	**9. Award Amount**, *if known*: $	
10. a. Name and Address of Lobbying Registrant (*if individual, last name, first name, MI*):	**b. Individuals Performing Services** (*including address if different from No. 10a*) (*last name, first name, MI*):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Attachment "D"

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

    (b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

LIST OF SUBCONSULTANTS

PROJECT NAME: _____

PROJECT NO: _____

CONSULTANT NAME: _____

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

Duplicate this form as necessary to report all subconsultant(s) information

Attachment "E"

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART I

The proposer shall list all subconsultants (both DBE and non-DBE) in accordance with Section 2-1.054 of the Standard Specifications and per Title 49, Section 26.11 of the Code of Federal Regulations. This listing is required in addition to listing DBE subconsultants elsewhere in the proposal. **Photocopy this form for additional firms.**

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Certified DBE?
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*

Distribution: 1) Original – Local Agency File

Attachment "F"

MV00176955

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART II

The proposer shall list all subconsultants who provided a quote or proposal but were not selected to participate as a subconsultant on this project. This is required fc compliance with Title 49, Section 26 of the Code of Federal Regulations. **Photocopy this form for additional firms.**

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Certified DBE?
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*

Distribution: 1) Original – Local Agency File

MV00176956

EXHIBIT 10-O2 Local Agency Proposer DBE Information (Consultant Contracts)

NOTE: PLEASE REFER TO INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM

LOCAL AGENCY: _____ LOCATION: _____

PROJECT DESCRIPTION: _____

TOTAL CONTRACT AMOUNT ($): _____

PROPOSER'S NAME: _____

WORK ITEM NO.	DESCRIPTION OR SERVICES TO BE SUBCONTRACTED (or contracted if the proposer is a DBE)	DBE CERT NO. AND EXPIRATION DATE	NAME OF EACH DBE (Must be certified at the time proposals are due - include DBE address and phone number)	DOLLAR AMOUNT OF EACH DBE

For Local Agency to Complete:

Local Agency Contract Number: _____

Federal-Aid Project Number: _____

Federal Share: _____

Contarct Award: _____

Total Claimed DBE Participation $ _____ _____ %

Local Agency certifies that the DBE certifications have been verified and all informations is complete and accurate.

Print Name Signature Date
Local Agency Representative

(Area Code) Telephone Number:

Signature of Proposer

Date (Area Code) Tel. No.

Person to Contact (Please Type or Print)

For Caltrans Review:

Print Name Signature Date
Caltrans District Local Assistance Engineer

Local Agency Proposer DBE Information (Consultant Contracts)
(Rev 6/27/09)

Distribution: (1) Copy - Fax or scan a copy to the Caltrans District Local Assistance Engineer (DLAE) within 15 days after contract execution. Failure to send a copy to the DLAE within 15 days after contract execution may result in deobligation of funds for this project
(2) Original - Local agency files

MV00176957

INSTRUCTIONS - LOCAL AGENCY PROPOSER DBE INFORMATION (CONSULTANT CONTRACTS)

SUCCESSFUL PROPOSER:

The form requires specific information regarding the consultant or other contract: Local Agency, Location, Project Description, Total Contract Amount, Proposal Date, and successful Proposer's Name.

The form has a column for the Work Item Number and Description or Services to be Subcontracted to DBEs. The prime consultant shall indicate all work to be performed by DBEs including, if the prime consultant is a DBE, work performed by its own forces, if a DBE. The DBE shall provide a certification number to the prime consultant. Enter DBE prime consultant's and subconsultant's certification number. The form has a column for the Names of DBE certified contractors to perform the work (must be certified on or before the proposals are due and include DBE address and phone number).

Enter the Total Claimed DBE Participation dollar amount of items of work in the total DBE Dollar Amount column. (If 100% of item is not to be performed by the DBE, describe exact portion of time to be performed by the DBE.) See "Notice to Proposers Disadvantaged Business Enterprise Information," (Exhibit 10-I) to determine how to count the participation of DBE firms.

Exhibit 10-O2 must be signed and dated by the successful proposer at contract execution. Also list a phone number in the space provided and print the name of the person to contact.

Local agencies should complete the Contract Number, Federal-aid Project Number, Federal Share, and Contarct Award fields and verify that all information is complete and accurate before signing and sending a copy of the form to the District Local Assistance Engineer within 15 days of contract execution. Failure to submit a completed and accurate form within the 15-day time period may result in the deobligation of funds on this project.

District DBE Coordinator should verify that all information is complete and accurate. Once the information has been verified, the **District Local Assistance Engineer** signs and dates the form.

MV00176958

MORENO VALLEY
WHERE DREAMS SOAR

CITY of MORENO VALLEY

CAPITAL PROJECTS DIVISION

Professional Consultant
Construction Surveying Services
for Project EA 08-32301
SR-60 / MORENO BEACH DRIVE - PHASE 1 IMPROVEMENTS PROJECT
Project Account No. 797.79731

PRESENTED BY:

COORY ENGINEERING
1718 N. Neville Street, Orange, CA 92865
TEL.: (714) 202-8700 FAX: (714) 202-8701

August 1, 2012

Exhibit "B"

COORY ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING

Capital Projects Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

August 1, 2012

Subject: **Construction Survey Services**
SR-60 / Moreno Beach Drive
Phase 1 Improvements Project
Moreno Valley, CA

Ladies and Gentlemen:

Coory Engineering is pleased to submit this proposal, and offer our company resources to the City of Moreno Valley in response to your Request for Proposal for the Construction Survey Services for the SR-60 / Moreno Beach Drive, Phase 1 Improvements Project. Our team is assembled with commitment and discipline to partner with the City of Moreno Valley and to implement this project on time and within a low budget. **Our overhead is very low and our fees are reasonable.**

Over the years, **our company completed similar projects for local agencies within Caltrans right-of-way and in compliance with CT encroachment permit, plans & specifications, and CT / local agencies survey staking manual and guidelines as applicable. Our field staff has excellent working relationship with Project Resident Engineers, Agency Representatives, and Caltrans Oversight Engineers. We are also looking forward to propose the survey work on the upcoming Nason Street project. If we are successful to be selected to perform the two projects at the same time, we will even bring in more savings to the City.**

We commit our resources acquired over thirty two years of successful execution of public and private projects, and offer our experienced and skilled project managers and surveyors for the execution of this project. We assign our top personnel to the key positions on the project. The assigned **Project Manager** for this project will be the undersigned, **Samir M. Khoury, a surveyor and a registered civil engineer with over thirty years of experience** as detailed later on in this proposal. Moreover, all other assigned personnel have superior knowledge of the ins and outs of various city improvement projects.

1718 N. Neville Street, Orange, CA 92865
TEL: (714) 202-8700 FAX: (714) 202-8701

MV00176960

August 1, 2012

Construction Survey Services
SR-60 / Moreno Beach Drive
Phase 1 Improvements Project
Moreno Valley, CA

We appreciate the opportunity to present our proposal and look forward to collaborative development of seamless delivery of this project, in a successful manner. **Our proposal meets or exceeds all requirements outlined in the City's RFP.**

Should you have any technical or contractual questions, please contact the undersigned at (714) 202-8700 or email skhoury@cooryengineering.com.

Sincerely,

Samir M. Khoury, PE
President, Coory Engineering

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Appendix 19

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Company Information

- Coory Engineering is certified by the State of California as a Small Business Enterprise **(SBE)**.
- Address: 1718 N. Neville Street
  Orange, CA 92865,
  Telephone: (714) 202-8700,
  Fax: (714) 202-8701.
- The company is a sole proprietorship, owned by Samir M. Khoury.
- Our firm was established in April of 1980.
- We specialize in the practice of General Civil Engineering, Land Surveying and Construction Management. Municipal projects comprise the majority of our work load.

Company contact person:

Mr. Samir M. Khoury
Telephone: (714) 202-8700
Email: Skhoury@cooryengineering.com

Samir M. Khoury is the responsible party for entering into contracts, signing agreements and entering into potential negotiation points.

MV00176963

A. Project Understanding

It is our understanding that the City of Moreno Valley is looking for a consulting firm that can provide Construction Survey services for the SR-60 / Moreno Beach Drive Phase 1 Improvements Project in the City of Moreno Valley.

Per the project plans and the RFP, the project in general is proposing the re-alignment of the SR-60/Moreno Beach eastbound off and on ramps, adding an eastbound auxiliary lane, installation of a new traffic signal at the new intersection of the eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus Avenue and Moreno Beach Drive, coordination of utility relocations, irrigation, and related work. The work lies within Caltrans right of way, the work includes earthwork, grading, asphalt concrete paving, concrete retaining walls, roadway excavation, imported borrow, drainage pipes and minor concrete structures, concrete curb and gutter, EMWD water line relocation, overhead SCE relocation and related work.

Possible typical issue areas in a construction surveying project like this are the following:

- The availability of sufficient survey control
- Communication
- Lost stakes/ Re-staking
- Documentation
- Multiple concurrent tasks
- Utility coordination
- As-builts

The above items of possible typical project's issues do not pose a problem for us. We understand the parameters and nature of a project of this type and magnitude and are familiar with its complexities and the typical difficulties that are encountered. As part of the scope of delivering this project, Coory Engineering is familiar with the project plans, specifications and contract documents. This task is more of a second nature to us as a Survey company than it might be for other surveying outfits because of the nature of the services we provide as a whole. In addition to surveying services, we are also heavily involved in the preparation and delivery of construction documents and specifications for municipal projects such as this one. As such, there is no learning curve when our firm is involved.

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B. Project Approach

Over the years our experience has led us to the following approach in dealing with projects such as this one:

1. Research:

1.1 Research Control: Since there is already a design in place for this project, our first task would be to request that the City share with us the survey control that was used in the design phase. This will ensure that we are working within the same parameters as the intended design. As a routine however, we would still conduct our own independent research through City, County and Caltrans records in search for surveying monuments to be used in establishing horizontal and vertical control. Based on our research, our survey crew search for and locate these monuments in the field.

1.2 Construction Documents: A crucial step in this research process is the physical studying of the project plans and specifications to be fully familiar with the project intentions, needs, requirements and methodologies.

2. Site Preparation: Based on the research, the project plans and our assessment of the physical project parameters, we will locate and set a vertical and horizontal field survey control network. The control network will be verified for closure and accuracy, and will be placed in areas outside the construction zone areas, and posted with warnings not to be disturbed. This control will also be available for use by the contractors using laser equipment for purposes of rough-grading operation.

3. Electronic Files: We expect to receive from the City electronic files of the project design. These files will be used by our office engineer for the preparation of staking calculations. Portions of these electronic plans will also be downloaded into the data collectors for field use by the surveyors (as needed) along with the survey calculations.

4. Survey Request Form: Typically, to set a construction surveying task into motion, a survey request form needs to be filled out.
Our standard survey request form is clear in indicating the type of survey needed, the desired offsets, when the area will be ready for staking, when the survey stakes will be used and the order of priority if there is more than one area to be staked.
Unless the City has its own survey request form/ format, we will provide the contractor and/or the project manager with ours. A minimum notice of 24 hours is requested.

5. Minimum Hours: Typical industry minimum hours for a "move-in" is 4 hours. However, Coory Engineering does not have a minimum hour condition in place for this project. We are available to serve you with your maximum and minimal needs. Of course, better planning would slate a full day of work for a move-in if possible.

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6. Record Keeping: We are a highly organized company. Cut sheets will be provided on the same day that our work is done. The City will receive a copy of the cut sheets. The surveyor will retain a copy at all times and one copy will be delivered to our project files in the office. For speed, cut sheets are delivered to the City on the same day that a survey is conducted. However, our office copy will be verified for accuracy upon receipt from the field crew. In cases where a conflict is discovered in the cut sheets, the conflict is communicated with the field immediately.
Our cut sheets for any day of work are numbered 1, 2, 3 etc. However, for better filing and an easier re-tracing system, each page will have a continuous serial number.
All other project related paperwork will be filed and maintained up to date, readily available for delivery to the City upon request or upon audit.

7. Design Errors: If design errors are discovered by our surveyors or our office engineer while preparing the staking calculations, the errors will be reported to the City immediately. Plans will not be revised until permitted by the City and/or its designer.

8. Safety Issues: Our crews are used to working in a busy construction environment. They are well versed on safety and safety procedures are strictly enforced and followed.

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C. Project Management Plan

The following is a summary of tasks/ services that we will perform for this project:

- Our survey staff will work under the direction of the City's Resident Engineer / Project Manager and perform services in strict compliance with the contract plans, specifications, and Caltrans survey staking manual / guidelines.
- Meet with the City's Project Manager, CM Resident Engineer, CT Oversight Engineer and contractor to coordinate survey staking activities, notifications, and survey notes.
- Identify conflicts, provide field survey data to the Resident Engineer and designer, recommend solutions, document field changes for As-Built.
- Review contract documents, plans and specifications and become thoroughly familiar with the project.
- Research records and establish survey control.
- Participate in pre-construction, field, construction progress, contractors, public utility agencies and other governmental agency meetings.
- Coordinate with field contractors to determine the work to be completed and the status of the completed work.
- Maintain daily communication with City representatives and establish upcoming workload and schedule. Adjust schedule as necessary.
- Define in-house project team responsibilities & establish a system of checks & balances.
- Conduct in-house meetings with the survey crews to layout the planned work, delegate daily activities, deliverables and schedule.
- Establish a filing system & maintain a log.
- Conduct field construction surveying.
- Coordinate ongoing construction surveys and staking as required.
- Review and monitor contractor's request for re-staking.
- Submit reports of completed work to field inspector.
- Maintain copies of all survey documents (Field notes, Cut Sheets, etc...).
- Keep copies of construction surveying documents on-site.
- Provide measurement of contractor's extra work when requested by the City.

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- Provide labor compliance reports and certified payroll of field work.
- Participate in final walk-through meetings, as-built plan completion meetings and administrative meetings as necessary.

A project of this nature will require constant open communication and support. It needs the leadership of a project manager with experience who can communicate, anticipate, plan ahead and execute the plan seamlessly on time and within budget. Coory engineering will offer the services of Samir Khoury to act as Project Manager for this project. Samir is a surveyor and a registered civil engineer. He is an ex-employee of the Cities of Lynwood and Santa Fe Springs, and currently serves as a consultant to various cities.

Samir will be involved in City meetings with contractors, public utility agencies and other government agency representatives as requested. He will also attend pre-construction meetings, field meetings, construction progress meetings, equal opportunity meetings, final walk-through meetings, as-built plan completion meetings and other administrative meetings as necessary. Samir will be communicating and coordinating with the City project manager, construction manager and project engineer daily, to keep track of the remaining project budget versus the remaining project work on a regular basis.

Samir will be in charge of in-house meetings with the survey crews to layout the planned work, establish the tasks of the day, the methods of surveying to be employed and the order in which they are to be delivered.

Samir will prepare and maintain a log of survey work requested and completed, survey related computer files, daily survey work, survey field notes, survey grade sheets and survey related records and files. He will be providing labor compliance reports and certified payroll of Coory Engineering's field work.

We assign the following key personnel to provide the requested surveying services: Samir Khoury/ Project Administrator and Project Manager, Nader Ghashghai/ Project Surveyor, Karim Khoury/ (1st Backup) Project Surveyor, Roger Licea/ (2nd Backup) Project Surveyor and Steve Sarley/ Office Engineer for Staking Calculations. Other staff members are available to assist on the project as needed. Below is a project specific organizational chart.

Project-specific Organizational Chart:

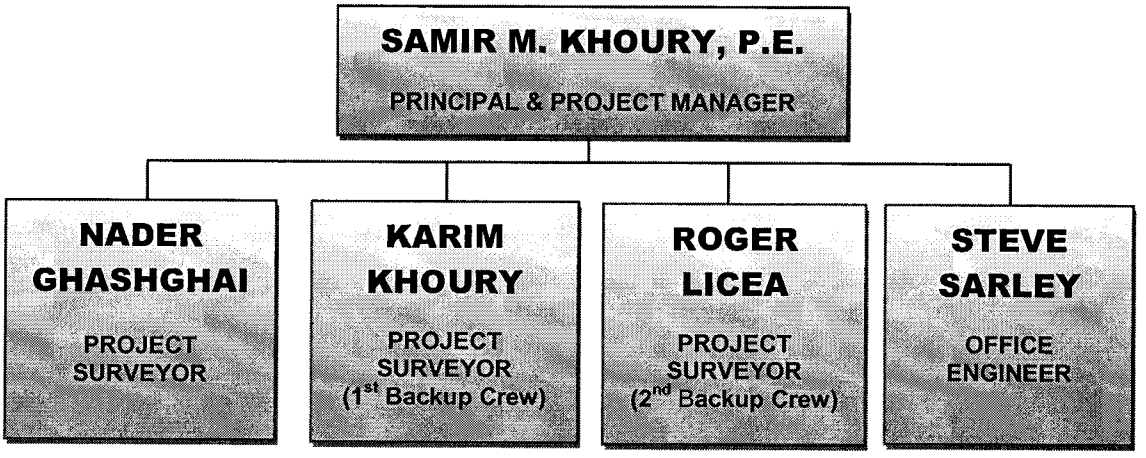

Key Personnel for This Project:

Samir M. Khoury / Project Manager:

Samir has over 30 years of experience, is a surveyor and a registered civil engineer in the State of California and he is an ex-employee of the Cities of Santa Fe Springs and Lynwood. He managed many projects for these cities and other cities within Caltrans right-of-way, coordinating work from the design stage through construction and completion. His experience ranges from involvement with heavy construction activities to simple routine street improvement projects. He will be responsible for entering into contract with the city, will oversee the project at large and will be responsible for quality control and quality assurance.

Nader Ghashghai / Project Surveyor
Primary Project Crew:

Nader holds a B.S. degree in Geomatics Engineering and Photogrammetry from Fresno State University. He has over 27 years of experience working in the field of surveying. Nader has been associated with Coory Engineering for the past 17 years. He will be in charge of the primary surveying crew assigned to this project.

Karim Khoury / Project Surveyor
1st Backup Project Crew:

Karim has over 20 years of experience working in the field of Surveying, Civil Engineering and land development. His background in Civil Design is what gives him an edge and makes him an asset in the field of Surveying. He has been associated with Coory Engineering for the past 20 years. He will be in charge of one of the surveying crews assigned to this project.

Roger Licea / Project Surveyor
2nd Backup Project Crew:

Roger has 20 years of experience working in the field of surveying, civil engineering design & land development. Roger is experienced in the use of GPS & Robotic instruments. Roger's experience includes field data collection, construction staking, ALTA surveys, Topographic & Boundary surveys, Flood Certificates, Earthwork Volume surveying. Roger is experienced working with Geologists. He has headed various surveys on many military bases from Coronado base in San Diego to Alameda Point.

Other personnel:

Other personnel assigned to this project are Survey Technicians, draftsmen and clerical staff as needed.

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D. Qualifications and Experience

Qualifications:

i. Coory Engineering has no outstanding or pending complaints as determined through the state of California Department of Consumer Affairs.

ii. Among the other personnel, we currently employ 4 Professional Engineers licensed in the state of California and 3 survey crews.

iii. Coory Engineering has been providing design, Survey and Construction Management services for the development of Capital Improvement projects for over 32 years.

Firm Background and Experience:

Coory Engineering is a General Civil Engineering, Surveying and Construction Management company with a major emphasis on Public Works/ Capital Improvement projects. Our firm is located in the City of Orange. Established in 1980, we have been in business for 32 years and are currently staffed with 19 employees. Many of our employees are ex-City employees that are familiar with City work and environment.

Over the years, our firm has repeatedly delivered one successful project after another, and we have done so for a number of public agencies.

In general, street improvement type projects represent the majority of public agencies' project work load. As a result, our work load has predominantly been dedicated to street improvement projects; new streets, street rehabilitation, sewer, water, storm drain, traffic signals, signing and striping, street lighting, utility work and utility coordination, NPDES, irrigation and landscaping, retaining walls, paving, and all associated construction staking.

Below is a partial list of Cities for whom we have performed Design, Construction Management and Construction Surveying services over the years:

Santa Fe Springs	Whittier	Norwalk	Pico Rivera
Montebello	Irwindale	Calabasas	West Covina
La Habra	Alhambra	Lynwood	Huntington Park
Azusa	Buena Park	Cerritos	Chino
Commerce	Downey	El-Monte	El Segundo

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Comparable Examples of previous work:

We were the engineering company of choice for the Cities mentioned below. These projects are similar in scope to the subject Project. We performed all the construction surveying:

- **LIVE OAK / ARROW HIGHWAY REHABILITATION PROJECT**

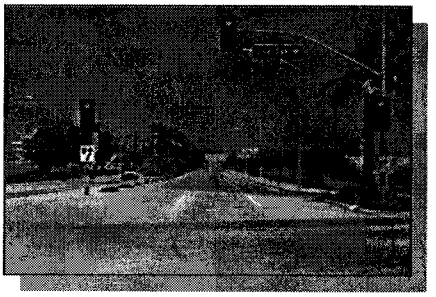

  - Overall Cost: $14,000,000.
  - 4.5 Miles Long.
  - Included Street Reconstruction and Landscaping.
  - **Caltrans ramps and bridge repair. (605 Freeway).**
  - Various types of infrastructures including Water, Sewer, Storm Drain, Signals & Lighting.
  - Completed – 2009.

- **GLADSTONE STREET REHABILITATION PROJECT**

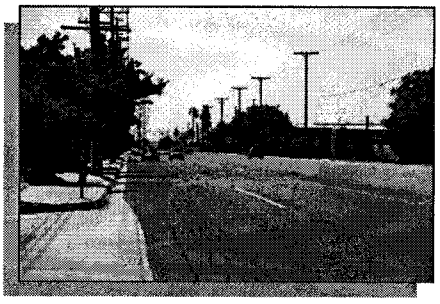

  - Overall Cost: $600,000. **(Stimulus Fund).**
  - 0.7 Miles Long.
  - Complete Reconstruction.
  - Completed – 2010.

- **KNOTT AVENUE REHABILITATION PROJECT**

  - Overall Cost: $1,950,000. **(Stimulus Fund).**
  - 1.0 Mile Long.
  - Reconstruction & Cold Milling.
  - Concrete Repairs.
  - Artificial Turf in Medians.
  - Completed – 2011.

- **LOS ANGELES ST. REHABILITATION PROJECT**

  - Cost: $1,500,000.
  - 0.7 Miles Long.
  - Complete Street Reconstruction.
  - **Caltrans Freeway Off-ramps and bridge repair.**
  - New & Modified Traffic Signals.
  - Completed – 2011.

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References:

i. **City of Irwindale**

Contact:
Mr. Kwok Tam, P.E.
Public Works Director/City Engineer
(626) 430-2212
5050 North Irwindale Avenue
Irwindale, CA 91706
ktam@ci.irwindale.ca.us.

Services Provided: Construction Surveying and Design for various public works projects such as Street Rehabilitation, Street Improvement, Storm Drain, Signing & Striping, Traffic Signal, Street Lighting, NPDES, including Specifications, Construction Management & Inspection. Also, we provided public works engineering support to relieve city staff as needed.

ii. **City of Santa Fe Springs**

Contact:
Mr. Don Jensen, P.E.
Director of Public Works/ City Engineer
(562) 868-0511
11710 Telegraph Road
Santa Fe Springs, CA 90670
djensen@santafesprings.org.

Services Provided: Construction Surveying and Design for various public works projects such as Street Rehabilitation, Street Improvement, Storm Drain, Signing & Striping, Traffic Signal, Street Lighting, NPDES, including Specifications, Construction Management & Inspection. Also, we provided public works engineering support to relieve city staff as needed, especially, to cover traffic engineering.

iii. **City of Buena Park**

Contact:
Mr. Nabil Henein, P.E.
Deputy City Engineer
(714) 562-3685
P.O. Box 5009
Buena Park, CA 90622-5009
nhenein@buenapark.com.

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Services Provided: Construction Surveying and Design for various public works projects such as Street Rehabilitation, Street Improvement, Storm Drain, Signing & Striping, Traffic Signal, Street Lighting, NPDES, including Specifications, Construction Management & Inspection.

E. Staffing Plan

We are committing 3 crews to be dedicated to this project. Each crew is made up of two persons, a party Chief and a Chainman. Nader Ghashghai's crew will be the primary crew deployed for the project surveying services. If additional crews are needed to satisfy the workload on any given day, then additional crews will be deployed. Each crew is self-sufficient. Each crew is furnished with a fully equipped, fully stocked survey truck. Our crews can be in three separate locations at the same time, performing separate or related tasks.

Approach:

A typical survey task is initiated in one of two ways; pre-scheduled per a project master schedule, or 24 hours in advance of the requested task by an authorized person who makes this request in writing by completing a "Request for Surveying" form. The form is received by Samir Khoury (the Project Manager) who passes it on to Steve Sarley (the Office Engineer). Steve prepares the calculations and an exhibit of the work to be done. The survey crew is prepared and deployed. When additional survey crews are needed, the protocol to follow is the same. Samir deploys the needed number of crews to the job site as necessary.

With 3 crews available to this project, enough resources are available to ensure project needs are met seamlessly and on time.

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EXPERIENCE / ALLOCATION MATRIX

Survey Team	AVAILABILITY (%)	Experience (Years)	Education	Street Improvement	FWY Projects	Road Rehabilitation	Storm Drain	Open Channels	Dry Utilities	Wet Utilities	Traffic Control	On-ramps/ Off-ramps	Retaining Walls	Piles	Boundary Surveys
Samir Khoury (Project Manager)	100%	32	BS	√	√	√	√	√	√	√	√	√	√	√	√
Steve Sarley (Office Engineer)	100%	25	AA	√	√	√	√	√	√	√	√	√	√	√	√
Nader Ghashghai (Party Chief)	100%	27	BS	√	√	√	√	√	√	√	√	√	√	√	√
Karim Khoury (Party Chief)	100%	20	LBCC ITT HASP	√	√	√	√	√	√	√	√	√	√	√	√
Roger Licea (Party Chief)	100%	20	RCC LATT ITT	√	√	√	√	√	√	√	√	√	√	√	√

F. Work Plan and Schedule

Within one week of the City's Notice to Proceed, Coory Engineering will be available to meet with the City staff to initiate the Project. The meeting will establish clear lines of communications and will cover the review and revision of the project schedule and scope of work. The meeting will be used as a platform to establish general guidelines and to discuss project parameters and constraints and to obtain any additional data.

Coory Engineering will meet with City staff on a regular basis to review the cost, schedule, status and progress of the work, as well as anticipated problems and potential solutions. Coory Engineering will submit status reports on various tasks as needed to keep the City informed.

Coory Engineering shall be available for meetings with City staff, utility agencies and project contractor as needed to complete the project.

Coory Engineering will attend the preconstruction meeting and provide recommendations as necessary.

Coory Engineering will follow and adhere to the agreed-upon construction schedule. We will prepare calculations and conduct construction surveying tasks within 24 hours of notice to provide services, or at a pre-scheduled timeline within the agreed-upon working days.

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G. Quality Control and Assurance

We at Coory Engineering have developed and implemented a system of checks and balances that delivers value engineering, constructability, budget control, design completeness and timely delivery.

Before kicking off a project, the project manager and surveyors are issued construction documents, plans and specifications to be fully informed and familiar with the project. Project team members are invited to an in-house project kickoff meeting. The entire team from Principal to technicians is fully informed on the project parameters, scope and schedule expectations. Items that are identified as potential problems are addressed and solutions to the problems are shared. With the combined collaborative input of the team, we are able to review, discuss, share and plan the procedures and project guidelines to be followed. We establish responsibilities and expectations for deliverables. By discussing the project and airing out solutions, we are able to identify and avoid shortfalls or conflicts.

Over the years, the track record of this system of in-house peer review speaks for itself. This system of project development has been proven to deliver timely quality and budget control.

We have a long history of delivering capital improvement projects to our clients on time and within budget. We strive on minimizing change orders to our clients. You are welcome to contact our listed references.

H. Additional Relevant Information

Our team is assembled with commitment and discipline to partner with the City of Moreno Valley and implement the subject project on time and within budget. Our staff members have superior knowledge of the ins and outs of city improvement projects and they have a long track record of successfully completing projects on time and budget.

The following is our company's organizational chart.

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COMPANY'S ORGANIZATIONAL CHART

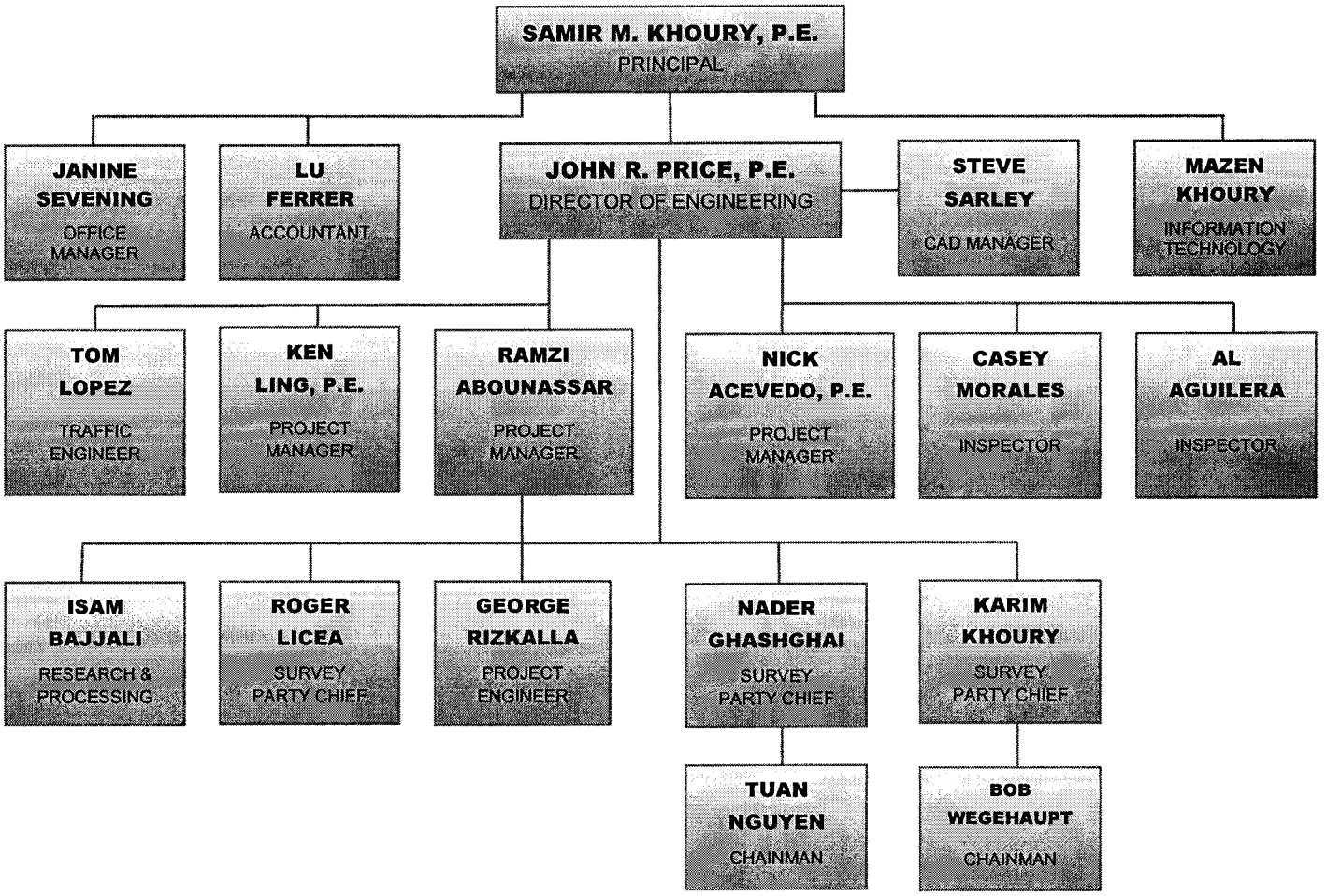

WHY COORY ENGINEERING

Coory Engineering is distinguished for the following reasons:

- **Our Overhead is very low and our fees are reasonable.**
- **We have been in this business for many years (established in 1980). Therefore, in our 32 years of service, we have acquired allot of experience and have served all types of projects, ranging from simple to the very complex.**
- **Our crews are supervised by Samir Khoury who was formally educated as a surveyor and then as an engineer, acquiring RCE license No. 30567 in 1979. Samir worked in the field and in the office for over thirty years.**
- **Coory Engineering is a design/survey company. We also offer inspection and construction management services. Therefore, we have a strong understanding of the design message that needs to be applied in the field. This ability gives us a strong tool to quickly identify technical conflicts and the ability to offer quick solutions without delaying the job. We have a strong understanding of the various industry standards including the Green Book, LAPM, EMWD, CALTRANS, CALDOT, WATCH, ETC.**
- **We are punctual, fast, fully equipped and properly insured. Our errors and omissions insurance exceed City requirements.**
- **We respect and follow construction protocol and the chain of command.**
- **Coory Engineering is experienced with and accustomed in serving public agencies. We are familiar with public works. 70% of our work load is dedicated to public agencies.**
- **We are known for our integrity as can be verified from our numerous references.**

MV00176978

I. Proposal Statements

1. Moreno Valley's Request for Proposal for Professional Consultant Construction Survey Services for Project No. EA 08-32301 (Account No. 797.79731) shall be incorporated in its entirety as part of Coory Engineering's Proposal to perform these services.

2. Moreno Valley's Request for Proposal for Professional Consultant Construction Survey Services for Project No. EA 08-32301 (Account No. 797.79731) and Coory Engineering's Proposal to provide these services will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by Coory Engineering and the Mayor or City Manager of Moreno Valley.

3. Coory Engineering's Services to be provided, and fees therefore, will be in accordance with the City of Moreno Valley's Request for Proposal except as otherwise specified in the Consultant's proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL", if any.

4. The Hourly Rate Schedule included in the separate sealed envelope is hereby made a part of Coory Engineering's Proposal for use in invoicing for progress payments and for extra work incurred. All extra work will require prior approval from the City of Moreno Valley.

5. No Sub-consultants are proposed at this time. It is acknowledged and understood that Coory Engineering will not be allowed to introduce or change a sub-consultant without written permission from the City of Moreno Valley.

6. All charges for Coory Engineering's services are a "Not-to-Exceed Fee" and include conservatively estimated reimbursable expenses, as submitted with and made a part of this proposal.

7. Coory Engineering will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

8. Coory Engineering will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during or after the construction work.

9. The Hourly Rate Schedule included in the separate sealed envelope is hereby made a part of Coory Engineering's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of Moreno Valley's Request for Proposal for Professional Consultant Construction Survey Services for Project No. EA 08-32301 (Account No. 797.79731). All extra work will require prior approval from the City of Moreno Valley.

An itemized cost breakdown for the work described herein is included in a sealed envelope as part of our Proposal submittal.

10. Coory Engineering does not and will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

11. All Federal laws and regulations shall be adhered to, notwithstanding any State or local laws or regulations. In case of conflict between Federal, State or local laws or regulations, the strictest shall be adhered to.

12. Coory Engineering shall allow all authorized Federal, State, County, and City officials access to our place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.

13. Coory Engineering shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decisions" and State of California prevailing wage rates, respectively.

14. Coory Engineering shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFT 3) issued pursuant thereto, and amendments thereof.

15. Coory Engineering offers and agrees to assign to the City all right, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 13700] of Part 2 if Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parities.

16. Coory Engineering shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts. Coory Engineering will take all necessary and reasonable steps to make sure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is subject to solicitation (if other consultants are deemed necessary for the performance of this proposal).

17. A Completed "Disclosure of Lobbying Activities" form is included in the appendix of this proposal.

18. No Sub-consultants are proposed for this project at this time. We have 3 survey crews available for this project as needed.

J. Additions or Exceptions to the City's Request for Proposal

Coory Engineering takes no Exceptions to the provisions and conditions of the City of Moreno Valley's Request for Proposal for Professional Consultant Construction Survey Services for Project No. EA 08-32301 (Account No. 797.79731).

APPENDIX

1. **Resource Allocation Matrix**

2. **Lobbying Disclosure Form**

Note: The company Rate Schedule mentioned in city's RFP item "G", Page 4 of 12 is included in the "FEES Sealed Envelope" in order to protect the confidential nature of consultant's selection based on qualifications.

MV00176981

RESOURCE ALLOCATION MATRIX

Item #	Description	Project Manager	Office Engineer	2-men Survey Crew
1.	Research	4	4	-
2.	Monument Tie-Outs and Mark-ups for replacement	1	1	8
3.	Set site Control	-	-	6
4.	Meetings	60	-	20
5.	Mark Removals	1	2	8
6.	Mark Roadway Excavation	1	2	8
7.	Retaining Walls	1	2	8
8.	Staking for Piles	1	4	36
9.	Curb & Gutter	4	12	50
10.	Dykes	1	4	24
11.	Driveways	1	1	6
12.	Sidewalks, if needed	-	1	16
13.	Curb Ramps	-	2	12
14.	Local Depressions	-	2	8
15.	24" RCP - Storm Drain	1	3	24
16.	84" RCP - Storm Drain	1	1	4
16.	Pipe Culvert	1	1	4
17.	Water Lines	1	2	12
18.	Staking for Paving	3	8	40
19.	Chain Link Fence	1	2	12
20.	Guard Rail	1	2	14
21.	Beam Barrier	-	1	2
22.	Cable Railing	-	1	4
23.	Concrete Barrier	-	1	3
24.	Ramp Metering	-	1	4
25.	Staking for Signals and Lighting	1	2	16
26.	Staking for Sign Locations	1	2	16
27.	Miscellaneous Staking	2	8	40
28.	Re-Staking Due to Damaged Stakes	2	4	20
	Totals	**90**	**76**	**425**

Not Applicable (No lobbying activities)

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

1. Type of Federal Action: a. contract ____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**2. Status of Federal Action:** a. bid/offer/application _____ b. initial award c. post-award	**3. Report Type:** a. initial filing _____ b. material change

4. Name and Address of Reporting Entity: ____ Prime _____ Subawardee Tier_____, if Known: **Congressional District, if known:**	**5. If Reporting Entity in No. 4 is Subawardee,** Enter Name and Address of Prime: **Congressional District, if known:**
6. Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____
7. **Federal Action Number,** *if known:*	**9. Award Amount,** *if known:* **$**
10. a. Name and Address of Lobbying Registrant *(if individual, last name, first name, MI):*	**b. Individuals Performing Services** *(including address if different from No. 10a)* *(last name, first name, MI):*
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	**Signature:** _____ **Print Name:** Samir M. Khoury **Title:** Principal **Telephone No.:** (714) 202-8700 **Date:** August 1, 2012
Federal Use Only	**Authorized for Local Reproduction** **Standard Form - LLL (Rev. 7-97)**

COORY ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING

Ms. Margery Lazarus, PE
Senior Engineer
Capital Projects Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

September 6, 2012

Subject: **Construction Survey Services**
SR-60 / Moreno Beach Drive
Phase 1 Improvements Project
Moreno Valley, CA

Dear Ms. Lazarus:

Thank you for discussing the subject project with me in regards to the details of the required services.

In accordance with our discussion, attached, please find our updated fee schedule.

We are looking forward to serving the City of Moreno Valley.

Sincerely,

Samir M. Khoury

Samir M. Khoury, PE
President, Coory Engineering

1718 N. Neville Street, Orange, CA 92865
TEL: (714) 202-8700 FAX: (714) 202-8701

FEE SCHEDULE

Item #	Description	Project Manager $180/Hr.	Office Engineer $125/Hr.	2-men Survey Crew $215/Hr.	Amount
1.	Research	2 Hrs	3 Hrs	0 Hrs	$735.00
2.	Monument Tie-Outs and Mark-ups for replacement	1	1	6	1,595.00
3.	Set site Control	0	0	6	1,290.00
4.	Meetings	8	0	0	1,440.00
5.	Mark Removals	1	2	8	2,150.00
6.	Mark Roadway Excavation	1	2	8	2,150.00
7.	Retaining Walls	1	2	8	2,150.00
8.	Moreno Beach, Eucalyptus, Ramps and Auxiliary Lane Alignments and curbs	4	12	90	21,570.00
9.	Dykes	1	4	16	4,120.00
10.	Driveways	1	1	6	1,595.00
11.	Curb Ramps	0	2	12	2,830.00
12.	24" RCP - Storm Drain	1	3	18	4,425.00
13.	84" RCP - Storm Drain	1	1	4	1,165.00
14.	Pipe Culvert	1	1	4	1,165.00
15.	Water Lines / Utilities	1	2	20	4,730.00
16.	Staking for Rough Grading & Fine Grading / Roadways	3	8	30	7,990.00
17.	Staking for R/W - Chain- Link Fence	1	2	12	3,010.00
18.	Guard Rail	1	2	14	3,440.00
19.	Beam Barrier	0	1	2	555.00
20.	Concrete Barrier	0	1	3	770.00
21.	Staking for Sign Locations	1	2	16	3,870.00
22.	Miscellaneous Staking	2	6	30	7,560.00
23.	Re-Staking Due to Damaged Stakes	-	-	20	4,300.00
24.	Reimbursables	-	-	-	7,000.00
	Totals	**32 Hrs.**	**58 Hrs.**	**333 Hrs.**	**$91,605.00**
				SUB-TOTAL NOT TO EXCEED	**$91,605.00**
				Additional Services Only as Authorized by the City	**9,200.00**
				TOTAL NOT TO EXCEED	**$100,805.00**

Coory Engineering

By: *Samir M. Khoury*

Samir M. Khoury, PE

Note: The following company's rate schedule shall be used for invoicing for progress payments and for extra work incurred. All extra work will require prior City approval.

COORY ENGINEERING

CIVIL ENGINEERING & LAND SURVEYING

COMPANY'S RATE SCHEDULE

Professional Consultant
Construction Surveying Services
For Project EA 08-32301
SR-60 / MORENO BEACH DRIVE - PHASE 1 IMPROVEMENTS PROJECT
Project Account No. 797.79731

- **OFFICE:**

PRINCIPAL ENGINEER (Samir M. Khoury, Project Manager):	$180.00/HR
OFFICE ENGINEER (Steve Sarley, Office Engineer / Staking Calculations):	125.00

- **SURVEYING:**

1-MAN PARTY: (Nader Ghashghai, Party Chief):	$125.00/HR
2-MEN PARTY: (Any of our 3 survey crews):	215.00

Coory Engineering

By: *Samir M. Khoury*

Samir M. Khoury, PE

1718 N. Neville Street, Orange, CA 92865

TEL: (714) 202-8700 FAX: (714) 202-8701

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $100,805.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant shall notify the City in writing ten (10) days in advance of incurring costs at the following milestones: 50%, 75%, and 90% of expended budget. The City will monitor Consultant's expenditure levels in comparison to the physical construction work completed, and if progress is satisfactory in the judgment of the City, City will provide written authorization to proceed to the next milestone. City reserves the right to adjust staffing levels and personnel as appropriate. Consultant shall not change any personnel or subconsultants without prior authorization by the City.

4. The Consultant will submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the

EXHIBIT "D"

City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zara@moval.org or calls directed to (951) 413-3131.

5. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

6. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City Purchase Order Number
   E. City-provided Reference Number (e.g. Project, Activity)
   F. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

7. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: September 28, 2012

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of September 5-18, 2012.

Reports on Reimbursable Activities September 5-18, 2012		
Council Member	Date	Meeting
William H. Batey II		None
Marcelo Co	9/5/12 – 9/7/12	League of California Cities Annual Conference
Robin N. Hastings		None
Jesse L. Molina	9/5/12 – 9/7/12	League of California Cities Annual Conference
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: BIENNIAL UPDATE ON PUBLIC RIGHT OF WAY ACCESS AMERICANS WITH DISABILITIES ACT TRANSITION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council receive and file this Biennial Update on Public Right of Way Access Americans with Disabilities Act Transition Plan.

BACKGROUND

The City's "Americans with Disabilities Act Transition Plan" (ADATP) approved by Council on January 10, 1995, created a plan to bring public buildings, facilities, and access infrastructure into ADA compliance. This included ADA compliance within the public right of way as was required at the time. Since the original ADATP was approved, changes in the law require a more comprehensive approach to public right of way ADA compliance. City staff drafted the Public Right of Way Access Americans with Disabilities Act Transition Plan (PROWADATP) focusing on infrastructure compliance within the public right of way only and presented it to the City Council at its Study Session meeting on August 17, 2010. City Council approved the plan and passed Resolution No. 2010-81 to approve and adopt said plan on September 14, 2010. The PROWADATP serves as an extension of the original 1995 ADATP. Resolution No. 2010-81 requires staff to update the City Council biennially on the progress of the PROWADATP.

DISCUSSION

The PROWADATP requires self-evaluation of the City's infrastructure ADA compliance and accommodation within the public right of way. The PROWADATP adopted the ADA Accessibility Guidelines (ADAAG) for infrastructure compliance within the public right of way which includes but is not limited to sidewalks, curbs, gutters, ramps, access to public transit facilities (bus stops), and traffic signals.

Due to the magnitude of the work effort, staff uses a three phased approach to determine initial priority classification of the infrastructure needs.

- Phase One: Review and prioritize accommodation requests from persons with disabilities.
- Phase Two: Evaluate existing infrastructure and creates a citywide priority database.
- Phase Three: Evaluate the new curb ramp and sidewalk infill where no infrastructure currently exists.

The prioritization is further refined by a location-based 5-Tier system. Tier 1 includes locations nearest to bus stops and routes. Tier 2 includes locations fronting public facilities. Tier 3 locations are adjacent to privately-owned public accommodations. Tier 4 locations do not fall into any other Tiers but are within 50 feet of a existing sidewalk network. Tier 5 locations do not fall into any other Tiers and are greater than 50 feet from an existing sidewalk network.

A 100-point system based on pedestrian safety, use, missing infrastructure, accessibility, vehicle volume and speeds, pedestrian volume and alternative access routing for an ADA total compliance is also used in refining the prioritization.

City staff identified over 3,630 intersections as part of the PROWADATP self evaluation process within Tiers 1 through 5 as a focused priority work effort. Based on the public feedback, monitoring, and inventory process established by the PROWADATP, staff has assessed the following:

- Tier 1: Completed 202 inventoried intersections (approximately 628 corners)
- Tier 2: Completed 382 inventoried intersections (approximately 1,190 corners) with 243 intersections remaining to be inventoried
- Tiers 3, 4, and 5: 2,803 intersections to be inventoried

During Fiscal Year 2012/2013, staff will continue to build the City's ADA compliance database.

As a separate parallel effort, City staff constructed 182 ramps which included five (5) ADA funded project locations (18 intersection corners) in Fiscal Years 2010/20111 and 2011/2012. Approximately 18,000 square feet of infill sidewalk has also been

constructed. Staff anticipates completing an additional five (5) intersections (14 intersection corners) in Fiscal Year 2012-2013. Those locations are:

- Blueberry and John F. Kennedy Drive
- Edgemont Street and Eucalyptus Avenue
- Heacock Street and Bay Avenue
- Heacock Street and Dracaea Avenue
- Kochi and Eucalyptus Avenue

Staff encourages public feedback and recommendations by interested parties such as persons with disabilities and/or organizations representing persons with disabilities. Since the PROWADATP approval, City staff has held Advisory Committee Meetings on June 13, 2011 and August 29, 2012 as well as a Public Outreach Meeting on July 31, 2012. The public was notified and invited to these meetings. The City has established an ADA website where the public can access information on the City's ADA activities and link to other local, state and federal sites. The website also links viewers to the City's PROWADATP and the complaint/grievance form with instruction for processing. The City will continue to improve its outreach efforts with the disabled community.

FISCAL IMPACT

The PROWADATP establishes a dedicated annual program called the Annual ADA Compliance Curb Ramp Upgrades that allocates $200,000 per fiscal year to address ADA compliance issues. The annual funding comes from Gas Tax (Fund 2000) monies and is restricted to transportation related improvements and activities within the public right of way and cannot be used for other purposes. As an aggregate, in Fiscal Years 2010/2011 and 2011/2012, the City spent approximately $353,000 of Gas Tax monies, $142,000 of SB 821 Funds and $1.25 million of other various CIP Funds on ramp and sidewalk construction. The CIP Funds included Measure A (Fund 2001), Safe Routes to School (SR2S) Grant monies, Community Development Block Grant (CDBG) monies (Fund 2512), 2005 Lease Revenue Bonds (Fund 3401), DIF Arterial Streets (Fund 3301), and TUMF Capital Projects (Fund 3003).

CITY COUNCIL GOALS

ADVOCACY:
Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, and neighborhood restoration.

SUMMARY

Resolution 2010-81 provides for a biennial update of the PROWADATP efforts and to City Council.

ATTACHMENTS

None

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 25, 2012

TITLE: A PUBLIC HEARING REGARDING PA08-0033 (GENERAL PLAN AMENDMENT), PA08-0034 (CHANGE OF ZONE) AND PA08-0035 (CUP) FOR A SMOG INSPECTION STATION AND TIRE SALES COMMERCIAL BUSINESS AT 22184 ALESSANDRO BOULEVARD. THE PROPOSED GENERAL PLAN AMENDMENT WILL CHANGE THE LAND USE DESIGNATION OF A 0.54 ACRE PORTION OF A PARCEL LOCATED AT 22184 ALESSANDRO BOULEVARD FROM RESIDENTIAL/OFFICE (R/O) TO COMMERCIAL (C). THE CHANGE OF ZONE WILL CHANGE THE ZONING OF THE PARCEL FROM OFFICE COMMERCIAL (OC) TO COMMUNITY COMMERCIAL (CC). THE APPLICANT IS SOCRATES URENA.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for General Plan Amendment PA08-0033, Change of Zone PA08-0034 and Conditional Use Permit PA08-0035 and subsequent to the public hearing:

1. ADOPT a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts);

2. ADOPT City Council Resolution No. 2012-75 thereby APPROVING General Plan Amendment PA08-0033, based on the findings in the City Council Resolution;

3. INTRODUCE Ordinance No. 854 thereby APPROVING Zone Change PA08-0034, based on the findings in the City Council Ordinance; and

4. ADOPT City Council Resolution No. 2012-76 thereby APPROVING Conditional Use Permit PA08-0035 for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission at its May 10, 2012, meeting approved Planning Commission Resolution No. 2012-09 by a 7-0 vote, recommending that the City Council adopt a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts and approve PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit).

BACKGROUND

The proposed project requires a Conditional Use Permit (CUP) for a Smog Inspection Station and Tire Sales business (minor auto repair). The smog aspect of the business is as a "testing center" only, no engine repairs are to be conducted on site. The existing residential structure will be converted into the main office. The building's facade will be modified to emphasize the main business entrance and to eliminate the two doors on the east side of the building. The front windows will be reduced by one and repositioned in order to make the structure more commercial in appearance. The garage will be used as service bays for the smog inspection testing as well as tire service. The proposed project will provide onsite parking for 10 vehicles and have a security gate.

The project requires the front 1/3 of the parcel's zoning to be changed from Office Commercial (OC) to Community Commercial (CC). The rest of the parcel will remain in the Residential 10 (R10) zoning district. Approximately .54 acres of the 1.46 acre site will be rezoned to CC and approximately .92 acres will remain R10.

The project site is surrounded by a mix of land uses including Residential/Office (R/O) to the north, east and west of the parcel. There is some Residential 5 (R5) to the northeast of the project site. The neighboring parcels along the front of Alessandro Boulevard are Commercial (C) with Business Park (BP) to the south (across the street along Alessandro Boulevard).

The project site is presently the only Office/Commercial (OC) parcel in the surrounding neighborhood. The Residential zoning is a mix of Residential 15 (R15), Residential 10 (R10) and Residential 5 (R5). Along Alessandro Boulevard from the Old 215 Frontage Road east to Elsworth Street the zoning is Commercial (CC).

The project is located on the edge of the Edgemont neighborhood. The majority of the structures within this area are older single and small multiple-family residences. The project site has an existing older single-family residence with a separate garage structure that currently is vacant located in the front 1/3 of the parcel. The remaining 2/3 of the parcel is currently vacant.

There was a previous approved application (PA03-0037) for the same business that expired, requiring a new application to be submitted. The project was approved back in October 2003 when the site was zoned Community Commercial (CC). During the 2006 General Plan Update, the parcel was rezoned to Office/Commercial (OC). This appears to have been done in recognition of the split zoning on the property and the potential incompatibility of general commercial and residential uses on the same parcel. To avoid potential conflicts, the conditions of approval require a parcel split prior to any residential development of the northerly residential portion of the parcel.

DISCUSSION

The General Plan Amendment, Zone Change and Conditional Use Permit applications were submitted in April 2008. The major issue with this project was a lack of fire flow water pressure on site, as the parcel is located within the Box Springs Mutual Water Company (BSMWC) service area. The applicant worked with both the BSMWS and Eastern Municipal Water District to meet the Fire Prevention's development requirements. The applicant also installed a fire hydrant onsite, which was reviewed and accepted by the Fire Prevention Division.

Public notice was sent to all property owners of record within 300' of the project for the May 10, 2012, Planning Commission meeting. The public hearing notice for this project was also posted on the project site and published in the Press Enterprise on April 19, 2012. Prior to the public hearing, staff had received two phone calls in response to the noticing for this project. The calls were positive towards the project. No members of the public were present at the May 10, 2012, Planning Commission meeting.

The environmental impacts of the proposed change have been considered as part of the review of the project and have been determined to be less than significant. It has been determined that the impacts of the proposed Change of Zone would be essentially the same as the existing zoning. Impacts in the area of traffic, and related areas such as potential for noise would also be comparable under the current General Plan designation.

An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

ALTERNATIVES

1. Adopt a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts); **and** adopt City Council Resolution No. 2012-75 thereby approving General Plan Amendment PA08-0033, based on the findings in the City Council Resolution; **and** introduce Ordinance No. 854 thereby approving Zone Change PA08-0034, based on the findings in the City Council Ordinance; **and** adopt City Council Resolution No. 2012-76 thereby approving Conditional Use Permit PA08-0035 for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A. **Staff recommends this alternative.**

2. Do not adopt a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts); **and** do not adopt City Council Resolution No. 2012-75 thereby approving General Plan Amendment PA08-0033, based on the findings in the City Council Resolution; **and** do not introduce Ordinance No. 854 thereby approving Zone Change PA08-0034, based on the findings in the City Council Ordinance; **and** do not ADOPT City Council Resolution No. 2012-76 thereby approving Conditional Use Permit PA08-0035 for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A. **Staff does not recommend this alternative**.

FISCAL IMPACT

Not applicable.

SUMMARY

The proposed Smog Inspection Station and Tire Sales commercial business requires both a General Plan Amendment and Change of Zone for approval of the Conditional Use Permit. The proposed General Plan Amendment will change the land use designation of a 0.54 acre portion of a parcel located at 22184 Alessandro Boulevard (Assessor's Parcel Number 291-190-025) from Residential/Office (R/O) to Commercial (C). The Change of Zone will change the zoning of the parcel from Office Commercial (OC) to Community Commercial (CC).

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted onsite (one along each frontage – Alessandro Boulevard and Sherman Avenue). Notices were also sent to adjacent property owners within 300 feet of the project.

As of the date of report preparation, staff had received no public inquiries in response to the noticing for the City Council public hearing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Resolution for General Plan Amendment PA08-0033 (Resolution 2012-75)
3. Ordinance for Change of Zone PA08-0034 (Ordinance No.854)
4. Resolution for Conditional Use Permit PA08-0035 (Resolution 2012-76)
5. Planning Commission Staff Report dated May 10, 2012 (excluding exhibits)
6. Planning Commission Minutes for May 10, 2012
7. Negative Declaration
8. Initial Study
9. Aerial Photograph of Project Site
10. General Plan Amendment (Land Use) Map
11. Change of Zone (Zoning) Map
12. Site Plan
13. Conceptual Grading Plan
14. Office Elevations
15. Garage Elevations

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE(S): **PA08-0033 (General Plan Amendment)**
PA08-0034 (Change of Zone)
PA08-0035 (Conditional Use Permit)

APPLICANT/OWNER: Socrates Urena

REPRESENTATIVE: Socrates Urena

LOCATION: 22184 Alessandro Boulevard

PROPOSAL: A Conditional Use Permit (CUP) for a Smog Inspection Station and Tire Sales commercial business in an existing structure. The CUP requires a General Plan Amendment from Residential/Office (R/O) to Commercial (C) and Change of Zone from Office Commercial (OC) to Community Commercial (CC).

ENVIRONMENTAL DETERMINATION: Negative Declaration

COUNCIL DISTRICT: 5

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

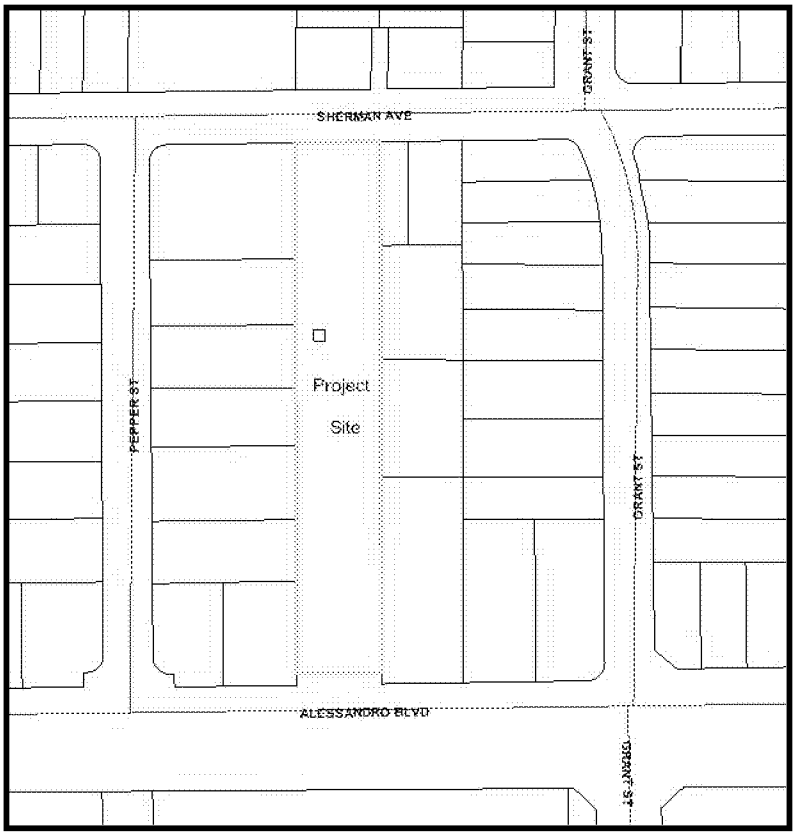

LOCATION **N** ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: September 25, 2012 at 6:30 PM

CONTACT PLANNER: Claudia Manrique

PHONE: (951) 413-3225

ATTACHMENT 1

RESOLUTION NO. 2012-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT (PA08-0033) TO CHANGE THE LAND USE DESIGNATION OF A 0.54 ACRE PORTION OF A PARCEL LOCATED AT 22184 ALESSANDRO BOULEVARD (PORTION OF ASSESSOR'S PARCEL NUMBER 291-190-025) FROM RESIDENTIAL/OFFICE (R/O) TO COMMERCIAL (C).

WHEREAS, the applicant, Socrates Urena, has filed an application for approval of PA08-0033, requesting an amendment to the General Plan Land Use. The requested amendment to the Land Use Element changes approximately 0.54 of an acre of Residential/Office (R/O) land use to Commercial (C) as described in the title of this resolution and the attached Exhibit A. This General Plan Amendment is being processed concurrently with a Zone Change (PA08-0034).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA08-0033 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 10, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA08-0033). At said meeting, the Planning Commission recommended approval of General Plan Amendment PA08-0033 to the City Council, and;

WHEREAS, on September 25, 2012, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

ATTACHMENT 2

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA08-0033:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project includes two applications, a General Plan Amendment and Zone Change to change the existing land use for 22184 Alessandro Boulevard (Assessor's Parcel Number 291-190-025). The project site current land use designation is Residential/Office (R/O). This project proposes to change the General Plan and Zoning designation from Residential/Office (R/O) to Commercial (C). There a development application associated with the proposed land use change. The Conditional Use Permit PA08-0035 proposes a Smog Inspection Station and Tire Sales commercial business. Commercial zoning would permit such a development.

   Since the proposed General Plan Amendment is compatible in intensity with the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public

health or be materially injurious to surrounding properties or the environment as a whole.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2012-_____ approving PA08-0033, thereby establishing General Plan Land Use as described in the Resolution, and the revised General Plan map attached to the Resolution as Exhibit A .

APPROVED AND ADOPTED this 25th day of September 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. _____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

GENERAL PLAN AMENDMENT

Application No. PA08-0033
RESOLUTION NO. 2012-

Assessor's Parcel Number 291-190-025
(Southern end of parcel – approximately 0.54 acres)

ADOPTED: 9-25-12

EFFECTIVE: 10-25-12

N

LEGEND

C

EXHIBIT A

From R/O to:

ORDINANCE NO. 854

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0034 (ZONE CHANGE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 0.54 ACRES OF 22184 ALESSANDRO BOULEVARD (PORTION OF ASSESSOR PARCEL NUMBER 291-190-025) FROM OFFICE COMMERCIAL (OC) TO COMMUNITY COMMERCIAL (CC).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 81 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0034).

1.4. An Initial Study has been completed for PA08-0034 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 81 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on September 25, 2012, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project includes three applications, a General Plan Amendment, Change of Zone and Conditional Use Permit to change the existing land use for 0.54 acres Assessor's Parcel Number 291-190-025 (southern end closest to Alessandro Boulevard) and approve a Smog Inspection Station and Tire Sales commercial business. The project site current land use designation is Office Commercial.

ATTACHMENT 3

This project proposes to change the General Plan from Residential/Office (R/O) to Commercial (C) and the Zoning designation from Office Commercial (OC) to Community Commercial (CC). There is a development application (CUP PA08-0035) associated with the proposed land use change for a Smog Inspection Station and Tire Sales commercial business. The proposed zoning would permit such a development.

Since the proposed General Plan Amendment, as well as the Change of Zone, is compatible in intensity with the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office Commercial (OC) to Community Commercial (CC) is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office Commercial (OC) to Community Commercial (CC) for the approximately 0.54 acres located at 22184 Alessandro Boulevard, subject to the revised zoning designations depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 9th day of October, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on September 25, 2012 and had its second reading on October 9, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 9th day of October, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CHANGE OF ZONE

Application No. PA08-0034
ADOPTED BY ORDINANCE NO.

Assessor's Parcel Number 291-190-025
(Southern end of parcel – approximately 0.54 acres)

ADOPTED: 10-09-12

EFFECTIVE: 11-06-12

N

LEGEND

CC

EXHIBIT A

MV00177015

From OC to:

RESOLUTION NO. 2012-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (PA08-0035) FOR THE CONVERSION OF AN EXISTING SINGLE FAMILY RESIDENCE INTO SMOG INSPECTION STATION AND TIRE SALES COMMERCIAL BUSINESS AT 22184 ALESSANDRO BOULEVARD (APN: 291-190-025).

WHEREAS, the applicant, Socrates Urena, has filed applications for the approval of PA08-0035 (Conditional Use Permit) for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, as described in the title of this Resolution. This conditional use permit is being processed concurrently with a General Plan Amendment (PA08-0033) and Change of Zone (PA08-0034).

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project(s) is subject to certain fees, dedications, reservations and other exactions as provided herein.

WHEREAS, there is hereby imposed on the subject development project(s) certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, an environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with applications PA08-0033, PA08-0034 and PA08-0035 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA).

WHEREAS, a public hearing was held before the Planning Commission on May 10, 2012, regarding the General Plan Amendment, Change of Zone and Conditional Use Permit. The Planning Commission recommended that the City Council approve and adopt negative declarations for this project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA08-0035:

ATTACHMENT 4

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on September 25, 2012, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The proposal for the a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard will be consistent with the General Plan, its goals, objectives, policies and programs with the approval of PA08-0033.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

FACT: The proposed project site is located in an "OC" Office Commercial land use district. However, an application for a Change of Zone from OC (Office Commercial) to CC (Community Commercial), is being processed concurrently with this proposal (PA08-0034) and therefore, the proposed project would be in compliance with the applicable regulations.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed project would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the surrounding. An Environmental Initial Study was prepared in accordance with the Guidelines of the California Environmental Quality Act (CEQA) concluded that this project would not have a negative impact on public health, safety or welfare or improvements in the vicinity.

4. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: With the approval of the proposed General Plan Amendment and Change of Zone requests, the proposed use would be in conformance with the existing surrounding land uses. The location, design and operation will also be consistent with the other existing commercial and mixed uses in the immediate vicinity.

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY APPROVE CONDITIONAL USE PERMIT (PA08-0035), SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL INCLUDED AS EXHIBIT A.

APPROVED AND ADOPTED this 25th day of September 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-76 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PA08-0035 - CONDITIONAL USE PERMIT
APN: 291-190-025

APPROVAL DATE: **May 10, 2012**
EXPIRATION DATE: **May 10, 2015**

_X__ Planning (P), including School District (S), Post Office (PO), Building (B)
_X__ Fire Prevention Bureau (F)
_X__ Public Works, Land Development (LD)
_X__ Public Works, Special Districts (SD)
_X__ Public Works – Transportation Engineering (TE)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

For questions regarding any Planning condition of approval, please contact the Planning Division at (951) 413-3206.

GENERAL CONDITIONS

P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P2. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

EXHIBIT A

P3. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)

P4. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P6. Any signs indicated on the submitted plans are not included with this approval. Any signs**, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag),** proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. **No signs are permitted in the public right of way.** (MC 9.12)

P7. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

P8. **The site at 22184 Alessandro Boulevard has been approved for a Smog Inspection Station and Tire Sales commercial business. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit.**

Prior to Issuance of Grading Permits

P9.(GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource.

Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered**, no further disturbance shall occur until** the County Coroner **has made necessary findings as to origin**. If **the County Coroner** determine**s** that the remains are potentially Native American, the California Native American Heritage Commission **shall be contacted within a reasonable timeframe to identify the "most likely descendant." The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98).** (GP Objective 23.3, CEQA).

P10. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P11. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be shown on the plan, be a minimum size of 24 inch box, and meet a ratio of three replacement trees for each mature tree removed or as approved by the **Planning Official**. (GP Objective 4.4, 4.5, DG)

P12. **(GP) Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division, and Public Works Department – Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW- Special Districts.**

P13. **(GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Planning Division for review and approval.**

P14. **(GP) Decorative pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)**

P15. **(GP) Prior to the issuance of building permits, the site plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project.**

P16. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

- **A. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement and design will be based on a site specific review of the project. All walls are subject to the approval of the Planning Official. (DC 9.08.070)**
- **B. Show location and elevations of the trash enclosure.**
- **C. Landscaping on three sides of the trash enclosure.**

PRIOR TO BUILDING PERMITS

39. (BP) Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30, DG)

40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's

specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

42. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

43. (BP) Prior to issuance of building permits, for multi-family projects that will be phased, a phasing plan submitted to the Planning Division will be required if occupancy is proposed to be phased.

44. **(BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and shall include:**

    A. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
    B. Diamond planters shall be provided every 3 parking stalls.
    C. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas.
    D. Street trees shall be provided every 40 feet on center in the right of way.
    E. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
    F. Enhanced landscaping shall be provided at all driveway entries and street corner locations
    G. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
    H. Landscaping on three sides of the trash enclosure.
    I. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).

45. (BP) Prior to the issuance of building permits, the site plan shall include landscape for trash enclosures to include landscape on three sides, while elevation plans for trash enclosures shall be provided that include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed buildings on the site, subject to the approval of the Planning Division.

46. (BP) Prior to the issuance of building permits, the plot plan shall include decorative concrete pavers for all driveway ingress/egress locations for the project.

PRIOR TO CERTIFICATE OF OCCUPANCY

50. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (DC 9.03.040)

51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

52. **(BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be inspected by the Planning Division. All on-site and common area landscaping shall be installed in accordance with the City's Landscape Standards and the approved project landscape plans and all site clean-up shall be completed.**

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as city ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building and Safety Division as a separate submittal. The 2010 edition of the California Codes became effective for all permits issued after January 1, 2011.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING.

B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building and Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B3. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall

remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community and Economic Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

PD4. Addresses needs to be in plain view visible from the street and visible at night. It needs to have a backlight, so the address will reflect at night or a lighted address will be sufficient.

PD5. All exterior doors in the rear and the front of the buildings need an address or suite number on them.

PD6. All rear exterior doors should have an overhead low sodium light or a light comparable to the same.

PD7. The exterior of the building should have high-pressure sodium lights and or Metal halide lights installed and strategically placed throughout the exterior of the building. The parking lots should have adequate lighting to insure a safe environment for customers and or employees.

PD8. All landscape cover should not exceed over 3' from the ground in the parking lot.

PD9. Bushes that are near the exterior of the building should not exceed 4' and should not be planted directly in front of the buildings or walkways.

PD10. Trees, which exceed 20', should have a 7' visibility from the ground to the bottom half of the tree. This is so that patrons or employees can view the whole parking lot while parking their vehicles in the parking lot.

PD11. Cash registers shall be placed near the front entrance of the store.

PD12. Window coverings shall comply with the city ordinance.

PD13. No loitering signs shall be posted in plain view throughout the building.

PD14. A monument address is to be located in front of the main entrance.

PD15. Landscape screening is to be located no closer than six feet from the covered parking spaces.

FIRE PREVENTION BUREAU

1. Fire lane shall meet conditions F6, F7, F8, AND F9.
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 1500 GPM for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D).

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 ½") and super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer

than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less the twenty–four (24) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F18. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation.

Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and

h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.

F34. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA08-0035 Conditional Use Permit for Smog Inspection Station and Tire Sales
APN 291-190-025

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC).

LD2. (G) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the conditional use permit correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD7. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD8. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD9. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD10. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD11. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be

submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD12. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD13. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD14. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD15. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD16. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD17. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD18. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD19. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD20. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a

guarantee of the completion of the improvements required as a condition of approval of the project.

LD21. (IPA) The street improvement plans shall comply with all applicable City standards.

LD22. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD23. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD24. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD25. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD26. (BP) Prior to issuance of building permits for non-subdivision projects, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (BP) Prior to issuance of building permits for non-subdivisions, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (BP) Prior to issuance of a building permit, this project is subject to requirements under the current permit for storm water activities required as part of the National

Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of permit issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
   i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
   ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to obtain a building permit 90 days prior to the City's issuance of a building permit and the financial option selected. (California Government Code & Municipal Code)

LD29. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

~~Prior to Certificate of Occupancy~~

LD30. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD31. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD32. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD33. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, sidewalks, drive approaches, signing, striping, under sidewalk drains, landscaping and irrigation, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: open channel ("u" channel), undersidewalk drain.

c. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

d. Under grounding of existing and proposed utility lines less than 115,000 volts.

LD34. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD35. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

LD36. Prior to grading plan approval, the following shall be shown on the plans and dedications made, via separate instrument and submitted to the City for review and approval: A 4-foot pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on Alessandro Boulevard and Sherman Avenue, along the project frontage.

LD37. Prior to grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD38. Prior to grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD39. Prior to grading plan approval, the plans shall clearly show that the developer has made every attempt to treat runoff, prior to the runoff reaching the treatment control Best Management Practice(s) (BMPs), via maximum use of site design and source control BMPs.

LD40. Prior to grading plan approval, the plans shall show a 24-foot wide fire lane to be constructed per City Standard No. 108E.

LD41. Prior to issuance of a building permit, the offer of dedication for the four-foot additional right-of-way at the proposed driveway approaches per City Standard No. 118C shall be recorded at the Riverside County Recorder's Office.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA08-0035
(CUP for a Smog Inspection Station and Tire Sales)
APN: 291-190-025
09.29.11 Revised

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA08-0035**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services). All assessable parcels therein shall be subject to the annual Zone A charge for operations and capital improvements.

SD-2 Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD-3 (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park

Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD-4 (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **existing Alessandro Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD-5 *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD-6 (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable

for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division. For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL
PA08-0033/0034/0035

GPA, Change of Zone, and CUP for smog inspection station and tire sales located at 22184 Alessandro Boulevard.

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Alessandro Boulevard is classified as a Divided Major Arterial (134'RW/110'CC). Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE2. Conditions of approval may be modified if project is phased or altered from any approved plans.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE3. The driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code - Design Guidelines and shall be Commercial type per City of Moreno Valley Standard No. 118C.

TE4. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125 A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE5. Prior to issuance of a construction permit, traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

TE6. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

PLANNING COMMISSION
STAFF REPORT

Case(s):	PA08-0033 (General Plan Amendment) PA08-0034 (Change of Zone) PA08-0035 (CUP)
Date:	May 10, 2012
Applicant:	Socrates Urena
Representative:	Socrates Urena
Location:	22184 Alessandro Boulevard
Proposal:	A Conditional Use Permit (CUP) for a Smog Inspection Station and Tire Sales commercial business, which requires a General Plan Amendment and Change of Zone.
Council District:	5
Recommendation:	Approval

SUMMARY

The proposed Smog Inspection Station and Tire Sales commercial business requires both a General Plan Amendment and Change of Zone for approval of the Conditional Use Permit. The proposed General Plan Amendment will change the land use designation of a 0.54 acre portion of a parcel located at 22184 Alessandro Boulevard (Assessor's Parcel Number 291-190-025) from Residential/Office (R/O) to Commercial (C). The Change of Zone will change the zoning of the parcel from Office Commercial (OC) to Community Commercial (CC).

ATTACHMENT 5

Project

The proposed project requires a Conditional Use Permit (CUP) for a Smog Inspection Station and Tire Sales business. The smog aspect of the business is as a "testing center" only, no auto repairs are to be conducted on site. The existing residential structure will be converted into the main office. The building's facade will be modified to emphasize the main business entrance and to eliminate the two doors on the east side of the building. The front windows will be reduced by one and repositioned in order to make the structure more commercial in appearance. The garage will be used as service bays for the smog inspection testing as well as tire service. The proposed project will provide onsite parking for 10 vehicles and have a security gate.

The project requires the front 1/3 of the parcel's zoning to be changed from Office Commercial (OC) to Community Commercial (CC). The rest of the parcel will remain in the Residential 10 (R10) zoning district. Approximately .54 acres of the 1.46 acre site will be rezoned to CC and approximately .92 acres will remain R10.

There was a previous approved application (PA03-0037) for the same business that expired, requiring a new application to be submitted. The project was approved back in October 2003 when the site was zoned Community Commercial (CC). During the 2006 General Plan Update, the parcel was rezoned to Office/Commercial (OC). This appears to have been done in recognition of the split zoning on the property and the potential incompatibility of general commercial and residential uses on the same parcel. To avoid potential conflicts, the conditions of approval require a parcel split prior to any residential development of the northerly residential portion of the parcel.

Land Use Change

The existing General Plan designation for the project site is Residential/Office (R/O). The applicant proposes a change from the Residential/Office (R/O) designation to Commercial (C) under the General Plan. The project requires the front 1/3 of the parcel's zoning to be changed from Office Commercial (OC) to Community Commercial (CC). The rest of the parcel will remain in the Residential 10 (R10) zoning district. Approximately .54 acres of the 1.46 acre site will be rezoned to CC and approximately .92 acres will remain R10. If the General Plan Amendment and Change of Zone are approved, the CUP for the Smog Inspection Station and Tire Sales business can be approved as well.

Based upon the information presented above, the proposed change in land use is compatible with existing land uses and would not conflict with the goals, objectives, policies or programs of the General Plan.

Site

The project site is surrounded by mixed group of land uses including Residential/Office (R/O) to the north, east and west of the parcel. There is some Residential 5 (R5) to the northeast of the project site. The neighboring parcels along the front of Alessandro Boulevard are Commercial (C) with Business Park (BP) to the south (across the street along Alessandro Boulevard).

As far as zoning, the project site is the only Office/Commercial (OC) parcel in the surrounding neighborhood. The Residential zoning is a mix of Residential 10 (R10) and Residential 15 (R15) with some Residential 5 (R5). Along Alessandro Boulevard from the Old 215 Frontage Road east to Elsworth Street is zoned Commercial (CC).

The project is located in an area of Moreno Valley referenced to as "Edgemont". The majority of the structures within this area are older single and small multiple-family residences. The project site has an existing older single-family residence with a separate garage structure that currently is vacant located in the front 1/3 of the parcel. The remaining 2/3 of the parcel is currently vacant.

Access

Access to the project site is off Alessandro Boulevard, directing customers to parking in the rear section of the lot. There is an emergency only gate off Sherman Way (north end of the property).

Design

The existing single family dwelling will be converted into office space with a waiting room, cashier's and storage areas. The building's facade will be modified to emphasize the main business entrance and to make the structure more commercial in appearance. The structure will be freshly painted and have a stone veneer place along the bottom sections of the front and side elevations. The garage will be used as the service bay for the smog inspection testing and storage of tires. The proposed project will provide onsite parking for 10 vehicles and have a security gate.

A five-foot landscaped planter will be along the eastern property boundary. The rear of the proposed Community Commercial (CC) section of the parcel will be conditioned to provide a five-foot landscaped planter as well. The existing "front yard" area of the property will be landscaped, including the addition of two Mondell Pine (*Pinus eldarica*) street trees planted 40-feet on-center with unspecified accent trees in between. The project will also be conditioned to provide a two bin trash enclosure that meets the City's requirements as well as landscaping along three sides.

A chain-link fence with metal or plastic slats has been required to separate the portions of the site to be developed from those intended to remain vacant. A block wall is required along any property line with existing residential units.

Review Process

The General Plan Amendment, Zone Change and Conditional Use Permit applications were submitted in April 2008. The biggest issue with this project was its lack of enough fire flow demand/ water pressure on site as the parcel is located within the Box Springs Water District. The applicant worked with both the Box Springs Water District and Eastern Municipal Water District to meet Fire Prevention Bureau's requirements. The applicant also installed a fire hydrant onsite, which was reviewed and accepted by the Moreno Valley Fire Prevention Bureau.

Environmental

The site is currently had a vacant residential structure with a separate garage and is not an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. The majority of the property is covered by weeds and dead vegetation.

A review of the FEMA maps for this area indicated that the project site is located outside of the 100-year flood plain.

Based upon review of the Cultural Resources Inventory prepared for the City of Moreno Valley by the Archaeological Research Unit of the University of California in October 1987, there are no known archaeological resources on the site.

With consideration given to the preceding information, an Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

Notification

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no inquiries in response to the noticing for this project.

Staff Recommendation

Staff recommends that the Planning Commission take the following action:

APPROVE Resolution No. 2012-09, and thereby:

1. **RECOMMEND** that the City Council adopt a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts);

2. **RECOMMEND** that the City Council approve PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit).

Prepared by:

Claudia Manrique
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2012-09, including conditions of approval attached as Exhibit A
3. Negative Declaration
4. Initial Study
5. Aerial Photograph of Project Site
6. General Plan Amendment (Land Use) Map
7. Change of Zone (Zoning) Map
8. Site Plan
9. Conceptual Grading Plan
10. Office Elevations
11. Garage Elevations

TO BE PROVIDED UNDER SEPARATE COVER

ATTACHMENT 6

PLANNING COMMISSION MINUTES
MAY 10, 2012

NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBERS: PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit)
PROJECT APPLICANT: Socrates Urena **TELEPHONE NUMBER:** (951) 313-2924
PROJECT LOCATION: 22184 Alessandro Boulevard, Moreno Valley, CA 92553
PROJECT DESCRIPTION: The proposed Smog Inspection Station and Tire Sales commercial business requires both a General Plan Amendment and Change of Zone for approval of the Conditional Use Permit. The proposed General Plan Amendment will change the land use designation of a 0.54 acre portion of a parcel located at 22184 Alessandro Boulevard (Assessor's Parcel Number 291-190-025) from Residential/Office (R/O) to Commercial (C). The Change of Zone will change the zoning of the parcel from Office Commercial (OC) to Community Commercial (CC).

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

[X] The proposed project will not have a significant effect on the environment.

[ ] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) at the City of Moreno Valley, Community Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY: Claudia Manrique, Associate Planner	DATE: 5/1/2012

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED: 9/25/2012	BY: City Council

ATTACHMENT 7

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1.	Project Title:	PA08-0033 (General Plan Amendment) PA08-0034 (Change of Zone) PA08-0035 (CUP)
2.	Lead Agency Name and Address:	City of Moreno Valley 14177 Frederick Street Moreno Valley, CA 92552
3.	Contact Person and Phone Number:	Claudia Manrique, Associate Planner (951) 413-3225
4.	Project Location:	22184 Alessandro Blvd (APN: 291-190-025)
5.	Project Sponsor's Name and Address:	Socrates Urena 20620 Avenida Hacienda Riverside, CA 92508
6.	General Plan Designation:	Residential/Office (R/O)
7.	Zoning:	Office Commercial (OC) and Residential 10 (R10)

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

The proposed project requires a Conditional Use Permit (CUP) for a Smog Inspection Station and Tire Sales commercial complex. The smog aspect of the business is as a "testing center" only, no auto repairs are to be conducted on site. The existing residential structure will be converted into the main office. The building's facade will be modified to emphasize the main business entrance and to eliminate the two doors on the east side of the building. The front windows will be reduced by one and repositioned in order to make the structure more commercial in appearance. The garage will be used as service bays for the smog inspection testing as well as tire service. The proposed project will provide onsite parking for 10 vehicles and have a security gate.

ATTACHMENT 8

MV00177056

The project requires the front 1/3 of the parcel's zoning to be changed from Office Commercial (OC) to Community Commercial (CC). The rest of the parcel will remain in the Residential 10 (R10) zoning district. Approximately .54 acres of the 1.46 acre site will be rezoned to CC and approximately .92 acres will remain R10.

There was a previous approved application (PA03-0037) for the same business that unfortunately expired. The project was approved back in October 2003 when the site was zoned Community Commercial (CC). During the 2006 General Plan Update, the parcel was rezoned to Office/Commercial (OC).

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The project site is surrounded by mixed group of land uses including Residential/Office (R/O) to the north, east and west of the parcel. There is some Residential 5 (R5) to the northeast of the project site. The neighboring parcels along the front of Alessandro Boulevard are Commercial (C) with Business Park (BP) to the south (across the street along Alessandro Boulevard).

As far as zoning, the project site is the only Office/Commercial (OC) parcel in the surrounding neighborhood. The Residential zoning is a mix of Residential 10 (R10) and Residential 15 (R15) with some Residential 5 (R5). Along Alessandro Boulevard from the Old 215 Frontage Road east to Elsworth Street is zoned Commercial (CC).

The project is located in an area of Moreno Valley referenced to as "Edgemont". The majority of the structures within this area are older single and small multiple-family residences. The project site has an existing older single-family residence with a separate garage structure that currently is vacant located in the front 1/3 of the parcel. The remaining 2/3 of the parcel is currently vacant.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

None

MV00177057

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature Date

Printed Name For

MV00177058

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

MV00177059

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
The site is located within an area with several developments nearby and would not have an adverse effect on a scenic vista.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
The site has a vacant single-family residence with a separate garage structure that would benefit from change of use to a commercial office. The house and garage structures have not been well maintained.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
The site has a vacant single-family residence with a separate garage structure that would benefit from change of use to a commercial office. The house and garage structures have not been well maintained.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
The site has a vacant single-family residence with a separate garage structure that would benefit from change of use to a commercial office. Any new lighting will have to meet the City's municipal code, which requires lighting sources to be shielded.				
II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The site is not designated as prime farmland on current maps. The project site is designated as "URBAN OR BUILT OUT LAND" on the 2010 current map. The project site has historically been used as single-family residential with an existing, but vacant single-family house and separate garage structure located in the front 1/3 of the parcel (nearest to Alessandro Blvd). As a residential neighborhood, there are no existing agricultural uses or operations within the project boundaries or in the vicinity.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed warehouse facility does not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
As a residential neighborhood, there are no existing agricultural uses or operations within the project boundaries or in the vicinity.				
III. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
The Air Quality Management Plan (AQMP) sets forth a comprehensive program that will lead the air basin into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections, or evaluation of assumed emissions. The existing 2007 AQMP was developed based on SCAG (Southern California Association of Governments) population projections for the region. The population projections made by SCAG are based on existing and planned land uses as set forth in the various general plans of local governmental jurisdictions within the region. The proposed project is consistent with the land use designation that has been in place for the last several iterations of the regional population projections and the AQMP. Since the project will be developed in accordance with the underlying assumptions of the AQMP, the project would not conflict with or obstruct implementation of the SCAQMD AQMP.				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
The project's land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for			X	

MV00177060

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
The project's land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
As a commercial project, the development would not be expected to produce significant concentrations of pollutants on-site except during construction. Standard conditions of approval provide mitigation from construction related dust products. The nearest sensitive receptors include existing single-family residences to the north, northeast, east, northwest and west of the proposed project. Considering the direction of the prevailing winds from northwest to southeast, dispersion of the pollutants, and the quantity of pollutants generated, the project will not expose sensitive receptors to substantial pollutant concentrations. Once the Smog and Tire Sales business is in operation, no auto repairs are to be conducted on site. The smog aspect of the business is as a "testing center" only.				
e) Create objectionable odors affecting a substantial number of people?			X	
The proposal would have no direct impact in creating objectionable odors. Any commercial development projects under the proposed designations would be required to mitigate or address objectionable odors.				
IV. **BIOLOGICAL RESOURCES**. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
The project site is comprised of one parcel totaling 1.46 acres at 22184 Alessandro Boulevard. The site has an existing substandard single-family residence with a separate garage structure. The residence is currently not occupied and the last date of occupation is no known. The parcel is not within an area that the Riverside County Integrated Plan (RCIP) has identified as needing required studies such as a Burrowing Owl Habitat Assessment. The project site has been disturbed in the past through disking for weed abatement and illegal dumping. Therefore, the proposed project will result in less than significant impacts to Fish and Wildlife resources.				
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?			X	
There are no major riparian habitat or other sensitive community on the site. The site was free from standing water or condensed riparian vegetation that could warrant a habitat area for sensitive or endangered species. It is not anticipated that the proposed development would have a substantial adverse effect on existing land use condition on the site as the existing structure will be used.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
The project as proposed would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. The site has been previously graded and has an existing single-family residence and separate garage structure. There are no federally protected wetland areas such as marsh or vernal pools evident at the site. The project is consistent with the General Plan or local policies pertaining to the protection of biological resources. The project is consistent with the goals and objectives of the General Plan under the current land use designation which allows commercial uses.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
The project as proposed would not interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
The proposed project will not conflict with any General Plan or local policy pertaining to the protection of biological resources.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?			X	

MV00177061

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The MSHCP fee is currently $1938.00 per lot.				
V. **CULTURAL RESOURCES**. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
No known human remains have been identified at the project site. Conditions of approval address the issue of inadvertent discoveries. A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources uncovered on the project site.				
VI. **GEOLOGY AND SOILS**. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
Based on City's environmental resources, the project site is not on, or close to, any known earthquake fault. There is no new information that would indicate the existence of a fault or fault tract in proximity of the site. There is no risk of ground rupture due to faulting at the proposed project site.				
(ii) Strong seismic ground shaking?			X	
According to the City's environmental information, the project site is not on, or close to, any known earthquake fault. The nearest fault is the San Jacinto fault system, which is located approximately 8-miles to the northeast. The inferred Casa Loma fault system also lies approximately 10-miles to the northeast. It should be noted, that within the City of Moreno Valley, the Casa Loma fault is an inferred unsubstantiated fault trace. The San Andreas fault system is more than 25 miles from the site. The active Sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles, respectively, to the southwest of the site. This faulting is not considered a significant constraint to development on the site with the use of current building codes. Ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. There is no new information that would indicate the existence of a fault on the site.				
(iii) Seismic-related ground failure, including liquefaction?			X	
According to the City's environmental resources, the project site is not on, or close to, any known earthquake fault. However, ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. Water table and soil conditions are not conducive of seismic related failure.				
(iv) Landslides?			X	

MV00177062

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
This site is not near or adjacent to the mountainside areas and landslides will not be an issue. There is no potentially significant impact from landslides.				
(b) Result in substantial soil erosion or the loss of topsoil?			X	
The development of the site will likely result in the reduction of erosion with the placement of buildings and landscaping on the site. During construction, there is the potential for less than significant impacts for short-term soil erosion from minimal excavation and grading. This will be addressed as part of standard construction, such as watering to reduce dust and sandbagging, if required, during raining periods.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
The geologic unit or soil is not known to be unstable based on current resources. If required by the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
According to the City's environmental information, the geologic unit or soil is not known to be unstable. If required by the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
The project will operate on a sewer system that will be reviewed, approved and installed according to Eastern Municipal Water District requirements. The proposed project will not be introducing septic tanks or alternative water disposal systems.				
VII. **GREENHOUSE GAS EMISSIONS.** Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth's surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth's surface. The City of Moreno Valley is currently in the process of preparing a Climate Action Strategy. However, at this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. This project was submitted in July 2008 before the greenhouse gas emissions section was added to the Initial Study Checklist and is consistent of the project with the City's adopted General Plan and zoning, therefore the City has chosen to rely on a qualitative analysis. The proposed project is located at 22184 Alessandro Boulevard and includes three applications: General Plan Amendment, Change of Zone and Conditional Use Permit. To the extent possible based on scientific and factual data available, it has been determined that this project will not result in generating greenhouse gas emissions that will either directly or indirectly have a significant impact on the environment.				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
The project would not be in conflict with an applicable plan for reducing the emissions of greenhouse gases as there are no adopted plans for the purpose of reducing greenhouse gases in effect at the time of this Initial Study.				
VIII. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	
The proposed project, a commercial smog and tire shop consisting of an office building with separate garage (both structures are existing and will be remodeled). The smog aspect of the business is as a "testing center" only, no auto repairs are to be conducted on site. There will be no significant hazard to the public or the environment. There will be no known hazardous emissions or handling of hazardous materials related to this project.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous			X	

MV00177063

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
materials into the environment?				
The proposed project, a commercial smog and tire shop consisting of an office building with separate garage (both structures are existing and will be remodeled). The smog aspect of the business is as a "testing center" only, no auto repairs are to be conducted on site. There will be no significant hazard to the public or the environment. There will be no known hazardous emissions or handling of hazardous materials related to this project.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
The proposed project, a commercial smog and tire shop consisting of an office building with separate garage (both structures are existing and will be remodeled). The smog aspect of the business is as a "testing center" only, no auto repairs are to be conducted on site. There will be no significant hazard to the public or the environment. There will be no known hazardous emissions or handling of hazardous materials related to this project. The nearest school, Towngate Elementary School, is over a mile away from the project site (northwest).				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
The nearest airport is the March Air Reserve Base located to the south. The distance to the runway is approximately 4-miles. The project site is not within the crash zones or the noise contours identified in the most recent Air Installation Compatible Use Zone (AICUZ) study (Municipal Code Section 9.07.060). The site is not within an airport land use plan.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
The project is not located within an airport land use plan. The project is located approximately 1 mile north of March Air Reserve Base.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City has an adopted Hazardous Waste Management Plan as part of its General Plan, which addresses emergency response pertaining to hazardous materials. The City's emergency plans are also consistent with the General Plan. Since the proposed project is consistent with the General Plan, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans. The project is not located within a designated wildland area where fires are possible.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The proposed project site is not adjacent to wildlands, and as such would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. In addition, the project is not located within a designated wildland area.				
IX. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board, a project specific Water Quality Management Plan (WQMP) is required of certain projects involving discretionary approval. This project did not require a WQMP to address pollutants of concern which include nutrients, oxygen demanding substances, and pathogens (bacteria and viruses) due to the size of the project parcel (under 5 acres). Proposed grading activities may temporarily expose soils to wind and water erosion that would contribute to downstream sedimentation. The proposed project would comply with all permits and development guidelines associated with urban water runoff and discharge set forth by the City of Moreno Valley and the Regional Water Quality Control Board. With the approval of the storm drainage facilities by the City Engineer and Riverside County Flood Control District, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	

MV00177064

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
This project is located within the Box Springs Water District, which has capacity issues with regards to fire flow requirements. The applicant has received permission from Box Springs Water District to allow the project to connect to Eastern Municipal Water District (EMWD) in order to meet the fire flow demands required by the City of Moreno Valley's Fire Prevention Bureau. With the onsite fire hydrant serviced by EMWD, water supplies are adequate to serve the proposed project. Although the project would cover a majority of the site with impervious surfaces, the landscaped areas would still provide a means for groundwater recharge. Impacts would be less than significant.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
During construction of the project, there is the potential for some sediments to be discharged within the storm water system. Erosion plans are required for projects prior to issuance of grading permits for prevention substantial erosion. The site is within the 100-year flood plain. However, there is no streambed or river on the project site, so the project will not cause a change in the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Therefore, project implementation would not result in modifications that could ultimately result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X
A river or streambed were not evident on the site. Runoff patterns will not be altered to the result of flooding on or off-site.				
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently 2/3 of the lot is unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion. The rear section of the parcel will be left undeveloped under this CUP application.				
f) Otherwise substantially degrade water quality?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently 2/3 of the lot is unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion. The rear section of the parcel will be left undeveloped under this CUP application.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that a small section of the site is in a flood zone (FIRMette map Panel # 745 dated August 28, 2008). The small section of the rear of the parcel is within "Zone X", which is defined by FEMA as "area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods." The existing structures (old single-family residence and separate garage) will be used for a commercial smog and tire shop, not as a residence.				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that a small section of the site is in a flood zone (FIRMette map Panel # 745 dated August 28, 2008). The small section of the rear of the parcel is within "Zone X", which is defined by FEMA as "area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods." The majority of the parcel (and where the existing structures are located) are not within a flood zone.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X

MV00177065

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir.				
j) Inundation by seiche, tsunami, or mudflow?				X
The site is not identified in the General Plan as a location subject to seiche, or mudflow.				
X. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X
The project site is surrounded by mixed group of land uses including Residential/Office (R/O) to the north, east and west of the parcel. There is some Residential 5 (R5) to the northeast of the project site. The neighboring parcels along the front of Alessandro Boulevard are Commercial (C) with Business Park (BP) to the south (across the street along Alessandro Boulevard). As far as zoning, the project site is the only Office/Commercial (OC) parcel in the surrounding neighborhood. The Residential zoning is a mix of Residential 10 (R10) and Residential 15 (R15) with some Residential 5 (R5). Along Alessandro Boulevard from the Old 215 Frontage Road east to Elsworth Street is zoned Commercial (CC). The project is located in an area of Moreno Valley referenced to as "Edgemont". The majority of the structures within this area are older single and small multiple-family residences with a few commercial and office uses along the major corridor of Alessandro Boulevard. The project site has an existing older single-family residence with a separate garage structure that currently is vacant located in the front 1/3 of the parcel. The remaining 2/3 of the parcel is currently vacant.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
There are no conflicts associated with any land use plans with the approval of the General Plan Amendment and Change of Zone. The proposed project is consistent with the proposed "Community Commercial" zoning within the City's Municipal Code and General Plan. The project requires the front 1/3 of the parcel's zoning to be changed from Office Commercial (OC) to Community Commercial (CC). The rest of the parcel will remain in the Residential 10 (R10) zoning district. Approximately .54 acres of the 1.46 acre site will be rezoned to CC and approximately .92 acres will remain R10. There was a previous approved application (PA03-0037) for the same business that unfortunately expired. The project was approved back in October 2003 when the site was zoned Community Commercial (CC). During the 2006 General Plan Update, the parcel was rezoned to Office/Commercial (OC). Changing the zoning back to Community Commercial (CC) will not cause any conflicts of land use as all the parcels along Alessandro Boulevard are also Community Commercial (CC). Leaving the rear 2/3 of the parcel R10, will create a buffer for the neighboring residential uses.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
The City of Moreno Valley is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the MSHCP criteria areas, PQP land, or any special survey areas.				
XI. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
XII. **NOISE.** Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of			X	

MV00177066

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
other agencies?				
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
Development of the project may result in ground-borne vibrations or noise generated infrequently through the construction phase. However, this type of effect would be temporary and infrequent and is not expected to occur during project operation.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
The project is located near the March Air Reserve Base but outside the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is located outside the mapped noise contours associated with aircraft operations at the MARB airfield, indicating noise exposure due to aircraft operations in less than 60 decibels (CNEL). This is well below the accepted noise exposure level for industrial uses. March JPA identified that the project is restricted by FAA Part 77, which limits building heights in this area to 85-feet. The project as proposed has a maximum height of 36-feet and will not be in conflict with height restrictions from adjacent March Air Reserve Base.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley.				
XIII. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
As the site is considered a commercial site, with population and housing growth opportunities indirectly related, the project will be planned consistent with the Citywide plan.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

MV00177067

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
While there is an existing residence on the site, it has been vacant for some time now (application submitted in 2008).				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
No - While there is an existing residence on the site, it has been vacant for some time now (application submitted in 2008).				
XIV. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
b) Police protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
c) Schools?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
d) Parks?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
e) Other public facilities?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
XV. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the commercial fees will go towards recreation facilities within the City of Moreno Valley.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the commercial fees will go towards recreation facilities within the City of Moreno Valley.				
XVI. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
The project is consistent with the proposed general plan, circulation plan and land use designation of Commercial (C) and the zoning district of Community Commercial (CC), and would not conflict with any applicable plans, ordinances or policies".				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
A traffic study was not required by the Transportation Department for this project.				

MV00177068

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
The project is located near the March Air Reserve Base, but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
As designed, the project will not result in hazards. The project is not adjacent to any potential incompatible uses.				
e) Result in inadequate emergency access?				X
The project has been designed in a manner consistent with City standards. The site will be readily accessible for emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The project does not conflict with adopted policies, plans and programs regarding public transit, bicycle or pedestrian facilities or decrease the safety performance of such facilities.				
XVII. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The project would not exceed the existing or planned capacity of the Moreno Water Reclamation Facility.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not exceed wastewater treatment capacity of the Moreno Water Reclamation Facility.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not require or result in the construction of unplanned storm water drainage facilities or expansion of existing facilities.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
This project was determined to not be a project of regional significance per CEQA guidelines, so the preparation of a Water Supply Assessment was not required.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
EMWD, the wastewater treatment provider, has adequate capacity to serve the project in addition to the provider's existing commitments. EMWD has plans for major expansions of the Moreno Water Reclamation Facility. Source: EIR for the General Plan Update.				
f)) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
The General Plan Amendment and Change of Zone itself has no direct impacts on solid waste. There is adequate in landfills to accommodate the future development.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The City is complying with State and Federal regulations regarding solid waste. All future projects will comply with the current policies regarding solid waste.				
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	

MV00177069

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. There are no historic structures on the site, and there will be no impact to historic resources. The project will not eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project and cumulative impacts would be less than significant. Finally, the project consists of a tentative tract map that would result in no substantial adverse health effects on human beings.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
This project will not create any impacts, that when viewed in connection with existing land uses, and other recently approved projects, would be considered cumulatively considerable. It is not expected that the proposed project would result in incremental effects. The analysis in this Initial Study demonstrates that the proposed project cumulative impacts would be less than significant.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
The project consists of a General Plan Amendment, Change of Zone and Conditional Use Permit (CUP). The project as designed and conditioned will not cause substantial adverse effects on human beings, either directly or indirectly for the reasons described in this checklist/initial study.				

MV00177070

Aerial Photograph

PA08-0033, PA08-0034 & PA08-0035

Legend

- Selected Features
- Parcels
- Roads

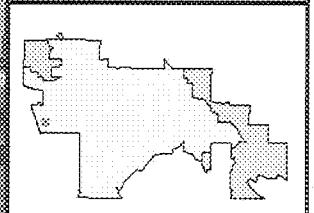

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

N

0 75 150 300ft

Powered By GeoSmart.net

Printed: 5/1/2012 8:08:51 AM

MORENO VALLEY

ATTACHMENT 9

MV00177071

General Plan Amendment (PA08-0033)

From Residential Office (R/O) to Commercial (C)

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

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0 150 300 600ft

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MORENO VALLEY

ATTACHMENT 10

MV00177072

Change of Zone (PA08-0034)

From Office Commercial to Community Commercial

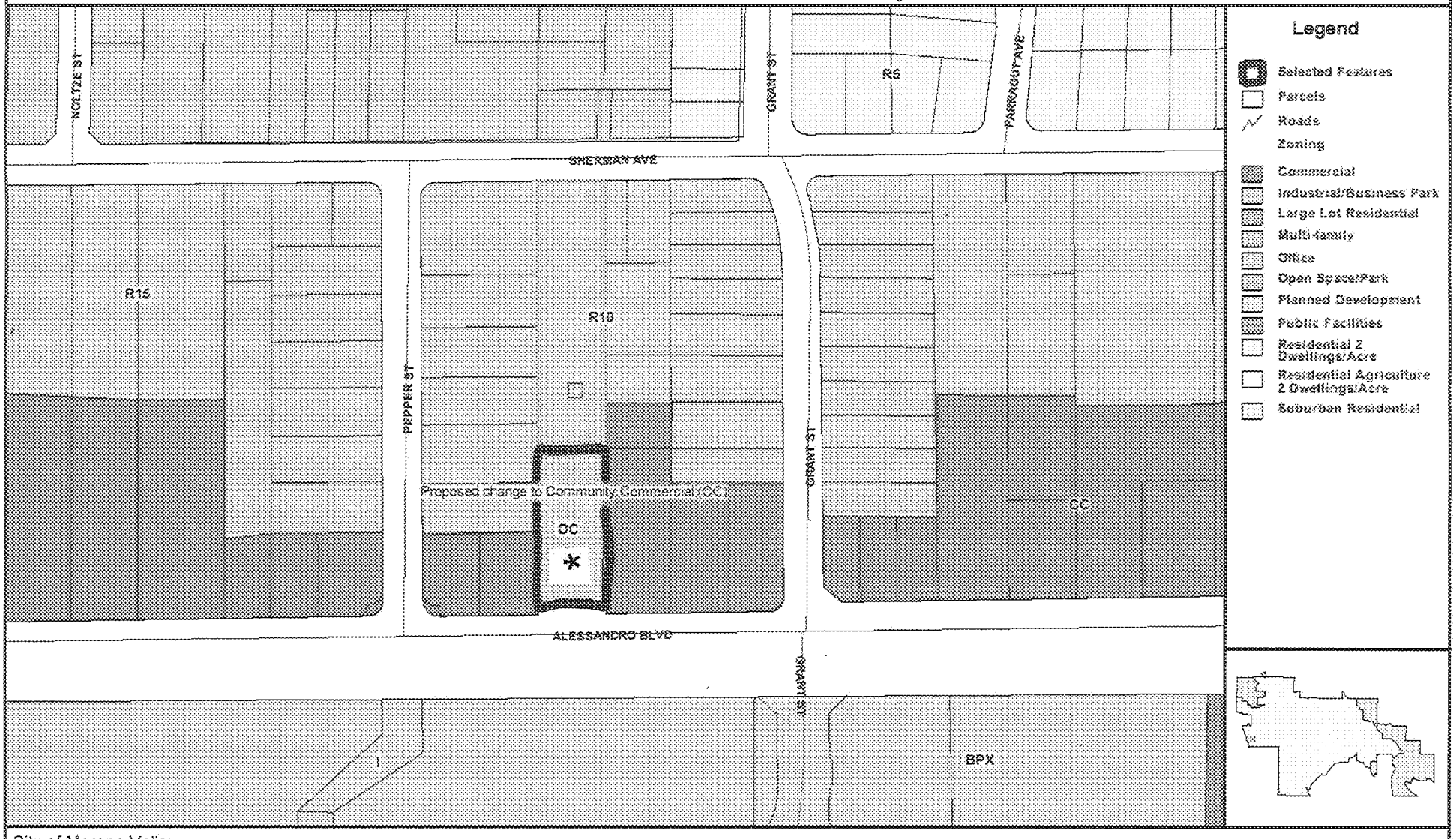

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY

ATTACHMENT 11

MV00177073

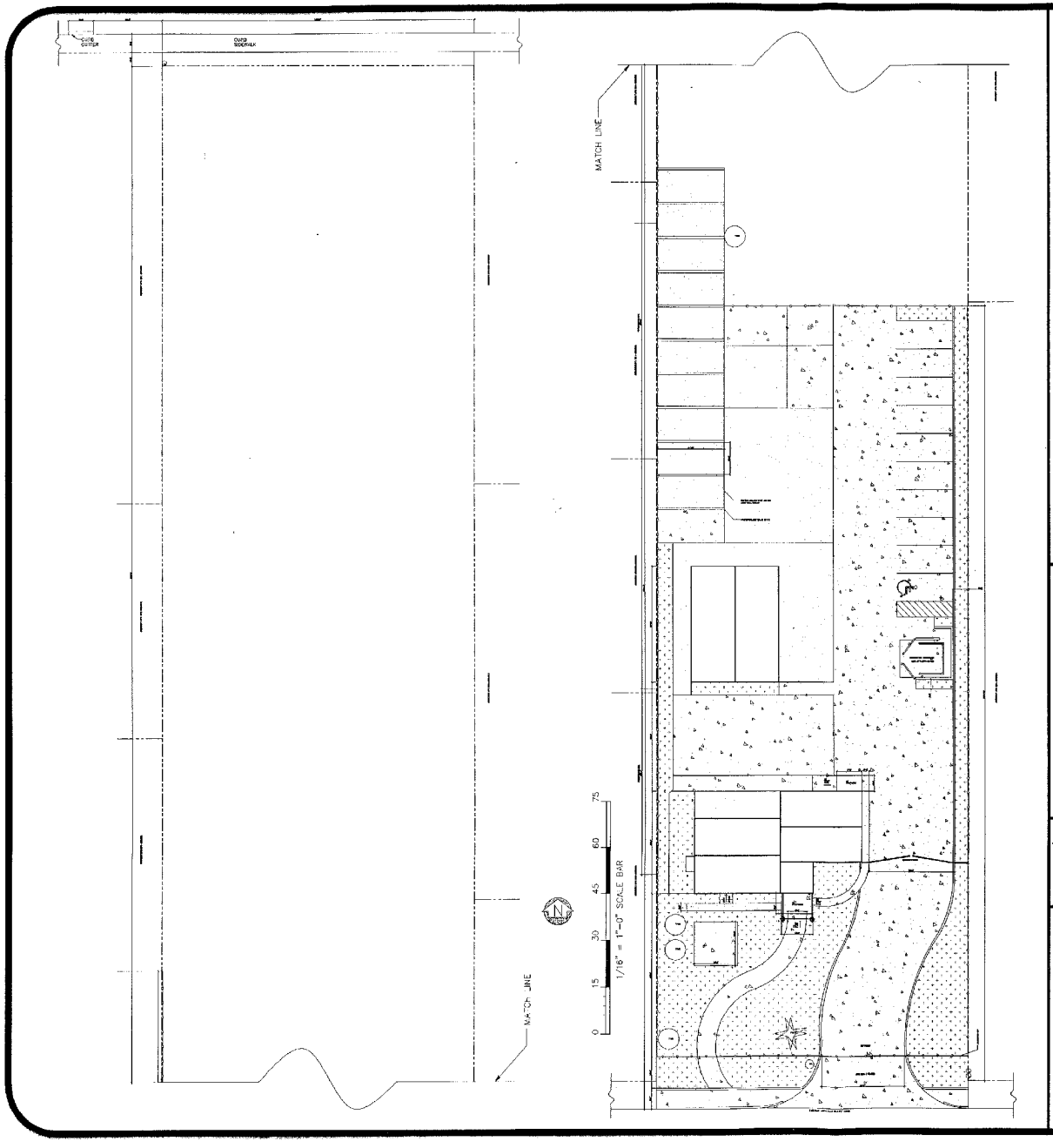

NOTES:

1. CONTRACTOR SHALL, PRIOR TO COMMENCEMENT OF WORK, FIELD VERIFY ALL EXISTING PROJECT CONDITIONS, INCLUDING DIMENSIONS AND UTILITY LOCATIONS AND UTILITY SIZES.

   FOR DISCRIPTION OF DISCREPANCIES SHALL BE RECORDED ON A REPRODUCIBLE DOCUMENT AND THE ENTIRETY TRANSMITTED TO ARCHITECT FOR PROJECT RECORD, CLARIFICATION AND NECESSARY RESOLUTION PRIOR TO CONTINUING WITH WORK.

   CONTRACTOR SHALL VERIFY, AND BE RESPONSIBLE FOR, ALL WORK AND MATERIALS - INCLUDING THOSE FURNISHED BY SUBCONTRACTORS.

   WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES; DO NOT SCALE DRAWINGS TO DETERMINE ANY LOCATIONS.

   ALL DIMENSIONS ON PLANS ARE TO CENTER LINE OF WALLS / COLUMNS, AND FACE OF STUD (F.O.S.) OR FACE OF MASONRY (F.O.M.) UNLESS NOTED OTHERWISE.

2. ALL WORK SHALL CONFORM TO THE LATEST ADOPTED EDITIONS OF CBC, CEC, CPC, CMC BUILDING CODES.

3. ALL ELECTRICAL, MECHANICAL AND PLUMBING WORK SHALL CONFORM TO THE REQUIREMENTS OF ALL LEGALLY CONSTITUTED AUTHORITIES HAVING JURISDICTION.

4. THE GENERAL BUILDING PERMITS SHALL BE PAID FOR BY THE OWNER AND SECURED BY THE GENERAL CONTRACTOR. ALL OTHER REQUIRED PERMITS SHALL BE SECURED AND PAID FOR BY THE CONTRACTOR OR SUBCONTRACTOR DIRECTLY RESPONSIBLE.

   ALL REQUIRED CITY AND COUNTY LICENSES SHALL BE ACQUIRED AND PAID FOR BY THE INDIVIDUAL TRADES.

   ALL CONTRACTORS SHALL HAVE VALID CERTIFICATES OF WORKMAN'S COMPENSATION ON FILE WITH THE APPROPRIATE AGENCIES.

5. CONTRACTOR SHALL ASSIST OWNER IN OBTAINING FINAL APPROVAL OF LOCAL HEALTH DEPARTMENT AND THE TEMPORARY AND FINAL CERTIFICATES OF OCCUPANCY.

6. CONTRACTOR SHALL PROVIDE BACKING FOR SUPPORT OF ALL WALL, CEILING, AND FURNITURE MOUNTED ITEMS (SUCH AS LIGHT FIXTURES, SHELVING, EQUIPMENT, AND TELEVISIONS). COORDINATE LOCATIONS AND REQUIREMENTS WITH THE PLUMBING, MECHANICAL, ELECTRICAL DRAWINGS.

7. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, OTHER OBSTACLES WHICH MAY BE HIDDEN AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BE WHOLLY RESPONSIBLE FOR THE REPAIR OR REPLACEMENT OF UTILITIES AND ALL OTHER PROPERTY DAMAGED BY OPERATIONS IN CONJUNCTION WITH EXECUTION OF WORK.

8. CONTRACTOR SHALL PROVIDE PEDESTRIAN PROTECTION IN ACCORDANCE WITH ALL APPLICABLE BUILDING CODES.

9. INTERIOR WALL AND CEILING FINISHES SHALL NOT EXCEED FLAME SPREAD CLASSIFICATIONS LISTED BY ALL APPLICABLE BUILDING CODES.

10. GYPSUM BOARD AND SUSPENDED CEILING SYSTEMS SHALL CONFORM TO ALL LOCAL GOVERNING BUILDING CODES AND ORDINANCES.

11. ALL GLASS AND GLAZING SHALL COMPLY WITH ALL 2008 BUILDING CODES AS WELL AS THE CONSUMER PRODUCT SAFETY COMMISSION'S SAFETY STANDARDS FOR ARCHITECTURAL GLAZING MATERIALS (16CFR, PART TITLE NO. 16, CHAPTER II, PART 1201)

12. PIPES, CONDUITS, OR DUCTS EXCEEDING ONE THIRD OF THE SLAB OR MEMBER THICKNESS SHALL NOT BE PLACED IN STRUCTURAL CONCRETE UNLESS SPECIFICALLY DETAILED. REFER TO MECHANICAL, ELECTRICAL, PLUMBING, AND STRUCTURAL DRAWINGS FOR LOCATION OF SLEEVES AND THICK ACCESSORIES.

13. AUTOMATIC FIRE SPRINKLER SYSTEM DESIGN AND INSTALLATION IS THE COMPLETE SECTION SHALL INCORPORATE, IT IS THE CONTRACTOR'S PRIORITY TO INSTALL A FINAL SHOP DRAWING TO THE ARCHITECT FOR REVIEW, COMPLETE FIRE SPRINKLER SYSTEM DRAWINGS WITH APPROVAL BY ALL AGENCIES HAVING JURISDICTION INDICATED ON ALL SHEETS.

    THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATION OF SYSTEM HEADS, PLUMBING LINES, AND VALVES THAT MAY BE IN CONFLICT WITH OTHER SYSTEMS OR THE INTERIOR DESIGN, AND STILL BE LOCATED AS DIVERSED BY FIRE SPRINKLER CODES AND SYSTEM ENGINEERING.

    DRAWINGS SHALL BE SUBMITTED TO ARCHITECT FOR REVIEW BY THE CONTRACTOR'S CORPORATION OF SYSTEM WITH ENGINEERING WEIGHT OF THE PROJECT PRIOR TO INSTALLATION.

14. FIRE SPRINKLERS SHALL BE AUTOMATIC TO PROVIDE MORE COVERAGE AND SHALL COMPLY WITH THE RECOMMENDATIONS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 13 AND NFPA 13 R, THE LATEST EDITION AND THE OWNER'S INSURANCE UNDERWRITERS.

15. EXISTING BUILDINGS SHALL COMPLY WITH ALL SECURITY REQUIREMENTS AS OUTLINED IN ALL LOCAL BUILDING CODES AND ORDINANCES.

16. ACCURATE AS-BUILT DRAWINGS SHALL BE GENERATED BY CONTRACTOR DURING CONSTRUCTION AND SUBMITTED TO OWNER UPON COMPLETION OF FINAL PUNCH LIST, BUT PRIOR TO RELEASE OF FINAL PAYMENT.

17. ROOF OVERHANGS SHOWN AS ELEVATION AWNINGS, SOLAR PANELS, AND CUT WORKS ARE NOT INCLUDED FROM INSTALLATION. CONSTRUCT SUCH A WAY AS TO PREVENT FIRE DEPARTMENT ACCESS TO CURES IN THE EVENT OF A FIRE.

18. BUILDING ROOF RUNOFF SHALL BE DIRECTED TO SURROUNDING LANDSCAPING.

UTILITIES:

ELECTRIC: SOUTHERN CALIFORNIA EDISON
P.O. BOX 800
ROSEMEAD, CA 91770
1-800-655-4555

WATER: MOR. DESERT MUTUAL WATER COMPANY
21740 BRADSHAW AVE
MORENO VALLEY, CA 92553
(951) 653-4288

EASTERN MUNICIPAL WATER COMPANY
P.O. BOX 8300
PERRIS, CA 92572-8300
1-800-426-5687

GAS: THE GAS COMPANY
P.O. BOX 3150
SAN DIMAS, CA 91773
1-800-427-2200

TELEPHONE: VERIZON
1095 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036
800-621-9900

AT&T
1-800-310-2355 RESIDENTIAL
1-800-746-2366 COMMERCIAL

TV/SAT/CABLE: DIRECT SAT TV
240 CORDWAINER AVE, SUITE 00
SOUTHERN PINES, NCC, 28387
1-800-583-4101
cs@directsatv.com

WASTE: WASTE MANAGEMENT
1001 FANNIN, SUITE 4000
HOUSTON, TEXAS 77002
(713) 512-6345
wmcorp@wm.com

ZONING:

EXISTING ZONING: OFFICE COMMERCIAL

PROPOSED ZONING: COMMUNITY COMMERCIAL

LEGEND

- LANDSCAPING
- EXISTING CONCRETE
- PROPOSED CONCRETE
- BLOCK WALL
- PLASTIC-SLOTTED CHAIN-LINK FENCE
- PROPERTY LINE
- POWER POLE
- HANDICAP
- FIRE HYDRANT

SHEET INDEX

1. TITLE SHEET/PLOT PLAN
2. EXISTING OFFICE FLOOR PLAN / ELECTRICAL PLAN
3. ELEVATIONS (OFFICE)
4. GARAGE FLOOR PLAN/FOUNDATION PLAN/ROOF PLAN
5. FRAMING PLAN AND SECTION
6. ELEVATIONS (GARAGE)

VICINITY MAP

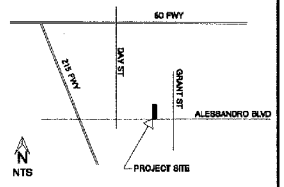

NOTES

EXISTING HOUSE AREA = 1450.00 SQUARE FEET
EXISTING GARAGE AREA = 1040.00 SQUARE FEET

REMODEL OF EXISTING HOUSE TO ACCOMODATE SMOG CHECK SHOP OFFICE.

REMODEL EXISTING GARAGE TO USE AS A SMOG SHOP

EMPLOYEES ON SITE:
3 OR LESS

OCCUPANT LOAD:
S-3
OL= 1040 ×4
300
B
OL= 1450 ×15
100
TOTAL OCCUPANT LOAD: 19

LEGAL DESCRIPTION

LOT	38
BLOCK	--
TRACT	0425.05
MAP BOOK	--
CITY	MORENO VALLEY
COUNTY	RIVERSIDE
STATE	CA
A.P.N.	291-192-025
ACRES	1.46

LEGAL DESCRIPTION

BUILDING ZONE	CC, PREVIOUSLY OC
CONSTRUCTION TYPE	
BUILDING	V-N
GARAGE	V-N
OCCUPANCY	B/S-3
BUILDING	B
GARAGE	S-3
BUILDING CODE	--
NUMBER OF STORIES	
BUILDING	1
GARAGE	1

REVISIONS

NO.	DATE	BY:

HOSEEIN ZAND & ASSOCIATES
5175 CHAPALA DR
RIVERSIDE, CA 92507
(951) 784-2424

SITE PLAN PLAN

1/16" = 1'-0"

Drawn By: SOCRATES VARELA

Date: 06/08/09

Project Name and Address:
SMOG CHECK SHOP
22184 ALESSANDRO BLVD
MORENO VALLEY, CA 92553
PHONE: (951) 313-2024

JOB NO.
05-04
CASE NO.
PA08-0033 GPA
PA08-0034 CZ
PA08-0035 CUP
Sheet
1

ATTACHMENT 12

MV00177074

OWNER: ALBERTO URENA AND CONSUELO URENA
22194 Alessandro Boulevard
Moreno Valley, CA
Ph. 909-822-3411

Total Area: Gross: 1.49 acres (65,100 SF)
Net: 1.49 acres (65100 SF

OPEN SPACE: 0.69% 1.03 ACRES (44850 SF)
COVERED SPACE: 0.21% 0.32 ACRES (14036 SF)
LANDSCAPING: 0.10% 0.14 ACRES (6214 SF)
PARKING REQUIRED: 7 SPACES
PARKING PROVIDED: 10 SPACES
FEMA FLOOD ZONE DESIGNATION: OUTSIDE FLOOD ZONE X
(SEE ATTACHED LETTER)

CITY OF MORENO VALLEY
SITE PLAN
SMOG INSPECTION STATION AND TIRE SALES
APN 291-192-25

UTILITY COMPANIES	EMERGENCY NUMBERS
EASTERN MUNICIPAL WATER DISTRICTS	1-800-698-0400
SCE	1-800-611-1911
THE GAS COMPANY	1-800-427-2200
WASTE MANAGEMENT OF INLAND VALLEY	1-800-423-9986

LEGAL: THE WESTERLY HALF OF LOT 38 OF EDGEMONT TRACT NO. 3, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS PER MAP ON FILE IN BOOK 16, PAGE 49 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPT THEREFROM THE NORTHERLY RECTANGULAR 20.00 FEET AS CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED DATED FEBRUARY 18, 1946 AND RECORDED JUNE 19, 1946, OFFICIAL RECORDS. ALSO EXCEPT THE SOUTHERLY RECTANGULAR 14.00 FEET OF THE WEST HALF OF LOT 38 AS CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED SEPTEMBER 4, 1981, IN BOOK 1981, PAGE 180110, OFFICIAL RECORDS.

EAST PROPERTY LINE PROFILE
SCALE: 1"=40'

WEST PROPERTY LINE PROFILE
SCALE: 1"=40'

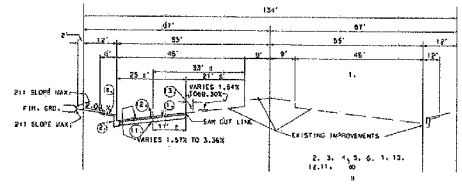

TYPICAL SECTION
ALESSANDRO BOULEVARD

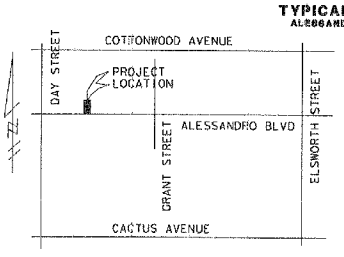

VICINITY MAP

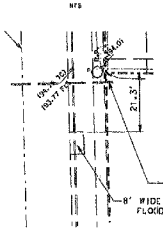

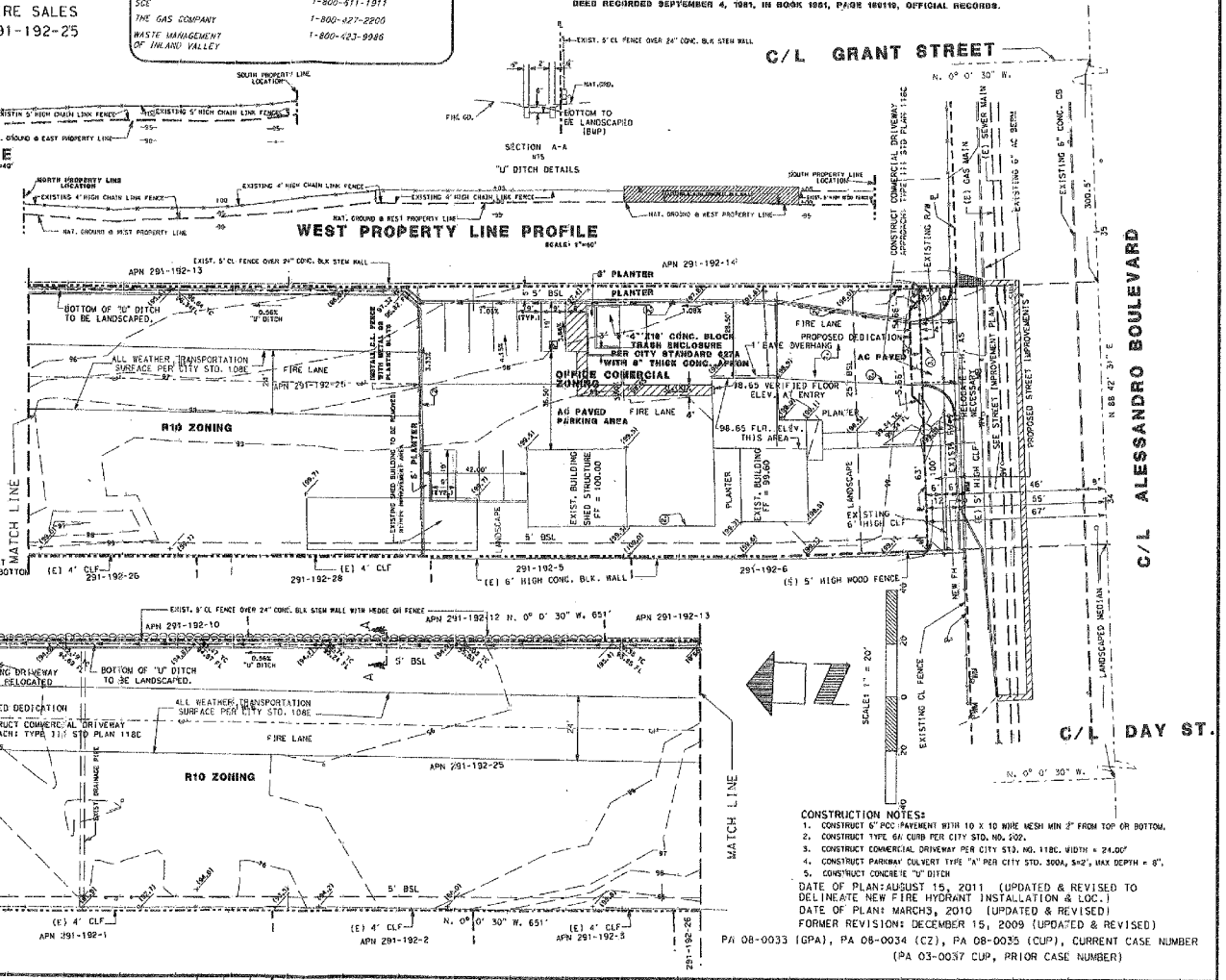

CONSTRUCTION NOTES:
1. CONSTRUCT 6" PCC PAVEMENT WITH 10 X 10 WIRE MESH MIN 2" FROM TOP OR BOTTOM.
2. CONSTRUCT TYPE 6A CURB PER CITY STD. NO. 202.
3. CONSTRUCT COMMERCIAL DRIVEWAY PER CITY STD. NO. 118C. WIDTH = 24.00'
4. CONSTRUCT PARKWAY CULVERT TYPE "A" PER CITY STD. 300A, S=2', MAX DEPTH = 8".
5. CONSTRUCT CONCRETE "U" DITCH

DATE OF PLAN: AUGUST 15, 2011 (UPDATED & REVISED TO DELINEATE NEW FIRE HYDRANT INSTALLATION & LOC.)
DATE OF PLAN: MARCH3, 2010 (UPDATED & REVISED)
FORMER REVISION: DECEMBER 15, 2009 (UPDATED & REVISED)
PA 08-0033 (GPA), PA 08-0034 (CZ), PA 08-0035 (CUP), CURRENT CASE NUMBER
(PA 03-0037 CUP, PRIOR CASE NUMBER)

BENCH MARK	BASIS OF BEARING
BR. DISK IN TOP OF CONC. POST AT N.W. COR FREDERICK ST. & ALESSANDRO BLVD. 75' W. OF FREDR. ST. 48' N. OF ALESS. BLVD. ELEV: 1569.96	C.L. ALESSANDRO BLVD. PER PM NO. 27752 BEARING: N. 88°42'31"E.

REVIEW BY CITY STAFF	INITIAL	DATE
OFFICE		
LAND DEVELOPMENT		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
CAPITAL PROJECT		
PARK AND RECREATION		

MARK	DATE	INITIAL	DESCRIPTION	REC.	APPR	DATE
			REVISION			

CITY OF MORENO VALLEY APPROVALS
PREM KUMAR — DATE
ASSISTANT CITY ENGINEER
R.C.E. NO. 62863 (EXP. 12/31/2008)
CHRIS A. VOJT — DATE
PUBLIC WORKS DIRECTOR/CITY ENGINEER
R.C.E. NO. C44236 (EXP. 06/30/2007)

DRAWN BY
DESIGN BY
CHECKED BY

RALPH J. SOLIS
CONSULTING CIVIL ENGINEER
1611 LAUREL AVENUE
REDLANDS, CALIFORNIA
PHONE/FAX 909-793-8106
CELL 909-213-7114
PREPARED BY OR UNDER THE SUPERVISION OF
NAME RALPH J. SOLIS R.C.E. 35480 DATE

CITY OF MORENO VALLEY
SITE PLAN
PROJECT DESCRIPTION: COMMERCIAL GRADING PLAN
LOCATION: 22194 ALESSANDRO AVE, MORENO VALLEY, CA
LEGAL: EDGEMONT 3 LOT 38
APN 291-192-25

ACCT. NO.
SHEET 1 NO. 1
CITY I. D. NO. 2726

REVISE SEPT. 2006

ATTACHMENT 13

MV00177075

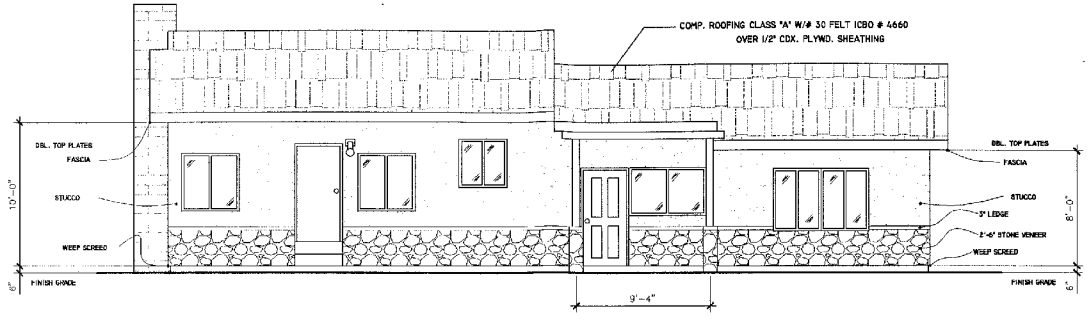

FRONT ELEVATION

SCALE: 1/4" = 1'-0"

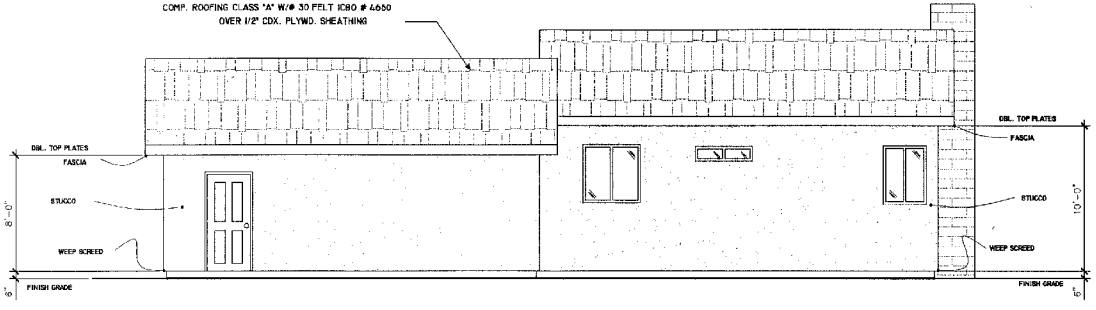

REAR ELEVATION

SCALE: 1/4" = 1'-0"

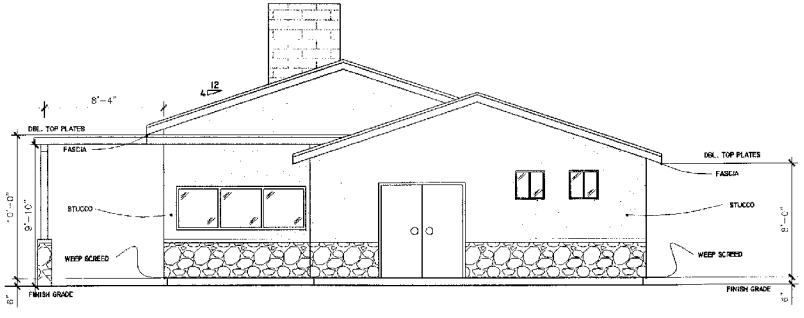

RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

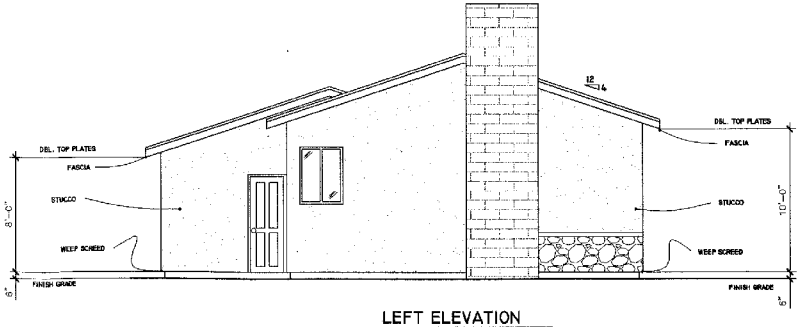

LEFT ELEVATION

SCALE: 1/4" = 1'-0"

ATTACHMENT 14

REVISIONS

NO.	DATE	BY:
△		

HOSEEIN ZAND & ASSOCIATES
5175 CHAPALA DR
RIVERSIDE, CA 92507
(951) 784-2424

OFFICE ELEVATIONS

SCALE: 1/4" = 1'-0"

Drawn By: SOCRATES URBINA

Date: 06/8/09

Project Name and Address:
SMOG CHECK SHOP
22184 ALESSANDRO BLVD
MORENO VALLEY, CA 92553
PHONE: (951) 313-2824

JOB NO.
05-04

CASE NO.
PA08-0033 GPA
PA08-0034 CZ
PA08-0035 CUP

Sheet
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MV00177076

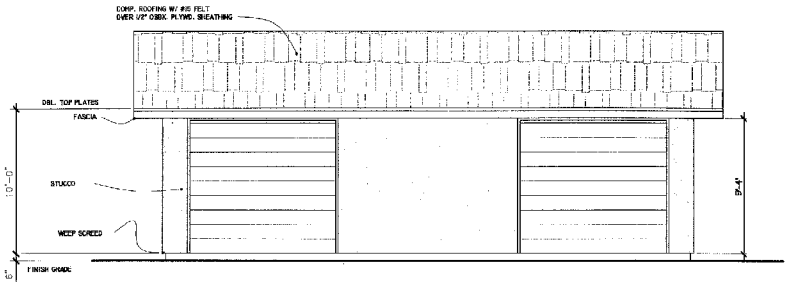

FRONT ELEVATION

SCALE: 1/4"= 1'-0"

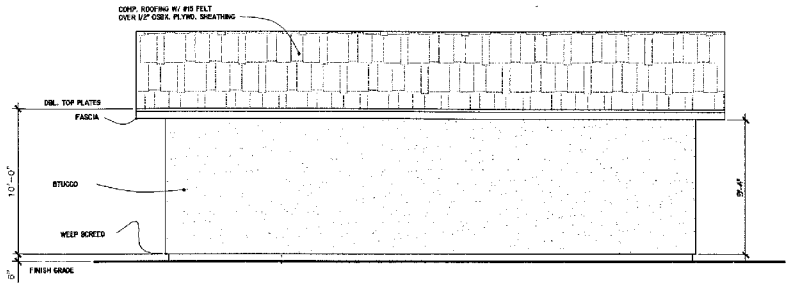

REAR ELEVATION

SCALE: 1/4"= 1'-0"

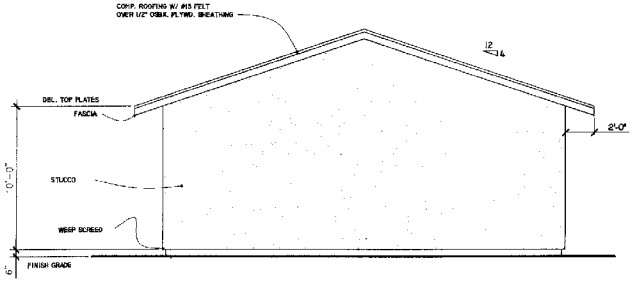

RIGHT ELEVATION

SCALE: 1/4"= 1'-0"

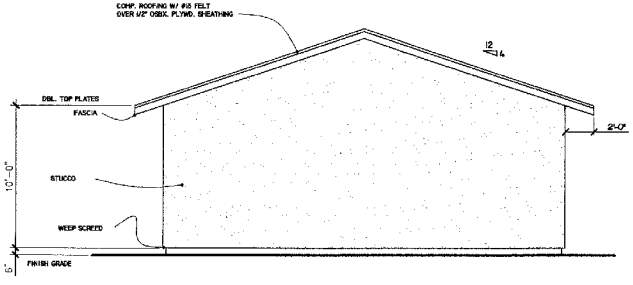

LEFT ELEVATION

SCALE: 1/4"= 1'-0"

ATTACHMENT 15

REVISIONS

NO.	DATE	BY:
△		

HOSEEIN ZAND & ASSOCIATES
5175 CHAPALA DR
RIVERSIDE, CA 92507
(951) 784-2424

GARAGE ELEVATIONS

SCALE: 1/4" = 1'-0"

Drawn By: SOCRATES UREWI

Date: 06/8/09

Project Name and Address:
SMOG CHECK SHOP
22184 ALESSANDRO BLVD
MORENO VALLEY, CA 92553
PHONE: (951) 313-2824

JOB NO.
05-04
CASE NO.
PA08-0033 GPA
PA08-0034 CZ
PA08-0035 CUP
Sheet

MV00177077

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 25, 2012

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION'S JULY 12, 2012, APPROVAL OF PLOT PLAN PA09-0004 AND TENTATIVE PARCEL MAP NO. 36162 (PA09-0012) AND THE RELATED ENVIRONMENTAL IMPACT REPORT FOR THE VIP MORENO VALLEY PROJECT. THE PROJECT PROPOSES A 1,616,133 SQUARE FOOT WAREHOUSE DISTRIBUTION BUILDING ON APPROXIMATELY 80 ACRES. THE BUILDING INCLUDES 268 DOCK HIGH DOORS AND 44,000 SQUARE FEET OF OFFICE AREA. THE MAP WOULD COMBINE FOUR EXISTING PARCELS INTO A SINGLE PARCEL. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF GROVE VIEW ROAD BETWEEN PERRIS BOULEVARD AND INDIAN STREET AT THE CITY'S SOUTHERN BOUNDARY, IN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP 208). THE APPLICANT IS VOGEL ENGINEERS, INC. THE APPELLANT IS JOHNSON & SEDLACK ATTORNEYS AT LAW ON BEHALF OF RESIDENTS FOR A LIVABLE MORENO VALLEY AND THE SIERRA CLUB

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for Environmental Impact Report (P11-020), Plot Plan PA09-0004, and Tentative Parcel Map 36362 (PA09-0012) and subsequent to the public hearing:

1. **APPROVE** Resolution No. 2012-77 and **CERTIFY** that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Resolution No. 2012-78 and **APPROVE** Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the attached conditions of approval included as Exhibits A and B.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission at its July 12, 2012, meeting approved Planning Commission Resolution No. 2012-16 by a of 7-0 vote, certifying the Environmental Impact Report for the VIP Moreno Valley project approved Planning Commission Resolution No. 2012-17 by a of 7-0 vote, approving Plot Plan PA09-0004 and Tentative Parcel Map No. 36162 (PA09-0012).

Appeal

An appeal of the Planning Commission's approval was submitted on July 26, 2012, by Johnson & Sedlack Attorneys at Law on behalf of Residents for a Livable Moreno Valley and the Sierra Club. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 18.

The letter listed the following reasons for the appeal:

- The appellant believes that the project's Environmental Impact Report (EIR) is inadequate;
- The appellant believes that the impacts under the CEQA topics of agriculture, air quality, aesthetics, biology, cultural resources, geology, hydrology, GHG's, and transportation are inadequately analyzed;
- The appellant believes that the EIR fails to adopt all feasible mitigation measures and ensure that mitigation measures are fully enforceable; and
- The appellant believes that the findings made by the City and the Statement of Overriding Considerations adopted for the project is unsupported by the record.

BACKGROUND

VIP Moreno Valley Project

The applicant, Vogel Engineers, Inc. has submitted three applications for development of the VIP Moreno Valley Project, which include a plot plan, a tentative parcel map, and an EIR, in order to develop a 1,616,133 square foot warehouse facility on an approximate 80 acre site (Assessor's Parcel Numbers 316-210-071, -073, -075 and -076) located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

Plot Plan

The Plot Plan is for a 1,616,133 square foot warehouse distribution facility. The warehouse facility is a permitted use in the Industrial zone of the Moreno Valley Industrial Area Plan (SP #208). The east and west elevations of the building are set back 125 from the property line along Perris Boulevard and Indian Street while the truck courts on the north elevation is set back 271 feet from the property line along Grove

View Road and the south elevation is set back 261 feet from the Perris Valley Storm Channel.

The warehouse facility includes 268 loading docks with roll-up doors, truck staging and parking areas for 368 trailers within the enclosed truck court, two office areas and 589 parking spaces for employees and visitors. Proposed parking exceeds the City's minimum requirement for trucks (1 per loading dock) and meets the minimum employee/visitor parking required for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations of the building. The truck courts are screened by perimeter concrete tilt-up walls on the north, east and west. A chain link fence with slats is provided along the project's southern property line to screen the truck loading and parking area from the Perris Valley Storm Channel, as permitted by the Specific Plan.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover, shrubs and trees. The project's Perris Boulevard, Indian Street and Grove View Road will be developed with standard curb, gutter, parkway, and sidewalk.

Tentative Parcel Map

Tentative Parcel Map No. 36162 is proposed to combine the four parcels located within the project site into a single parcel of approximately 80 acres, as well as provide all required street dedications and utility easements.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was distributed with the public comment period beginning on August 26, 2011 and ending on September 26, 2011. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on September 19, 2011.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by LSA Associates, Inc. and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the

document, the Draft EIR was circulated for a 45-day public review period, starting on April 20, 2012, and ending on June 4, 2012.

The Draft EIR was sent to all required State and local agencies and numerous interested parties on April 19, 2012, as well as to the City's Environmental and Historical Preservation Board. Eight comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the eight comments received during the 45 day review period are included in the Response to Comments. Comment letters were received after the comment period from Eastern Municipal Water District (EMWD) and from the State Clearinghouse. These letters did not include comments on the project but were instead sent in recognition of the receipt of the Draft EIR. Responses to these letters were also provided and are included in the Final EIR.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on June 29, 2012, to allow for their review prior to Planning Commission hearing, and to meet the notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects, on agricultural resources, air quality, climate change, and traffic. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, the potential impacts noted impacts above are considered to be significant and unavoidable.

Although impacts to agricultural resources, air quality, climate change and traffic cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions and Global Climate Change, Hydrology and Water Quality, Noise, and Traffic and Circulation. All other environmental effects evaluated in the EIR are considered to be less than significant without mitigation. With mitigation, anticipated impacts to Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality and Noise are anticipated to be below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The City Council will take public testimony on the EIR and project. Before the proposed project can be acted upon, the City Council will need to review the final environmental document and either certify or reject the EIR and project Mitigation Monitoring Program.

DISCUSSION

Planning Commission Public Hearing

The day of the July 12, 2012 Planning Commission public hearing, staff received letters from the Sierra Club and Johnson & Sedlack commenting on the project EIR. Copies of the referenced correspondence were provided to the Planning Commission and have been included with the staff report as Attachments 16 and 17. Also included as Attachment 18 are responses to those letters prepared by LSA Associates, Inc. for this appeal hearing.

The public hearing for the project was conducted on July 12, 2012. Following presentation of the staff report, the environmental consulting team spoke and answered Commissioner questions related to circulation, air quality and climate change. The applicant's representative also spoke.

The environmental consultant presented information to the Planning Commission in response to concerns raised by the Sierra Club and Johnson & Sedlack in their comment letters. The focus was internal inconsistencies in the Final EIR and the related mitigation monitoring program. The consultant read into the record recommended changes to correct the inconsistencies in the Final EIR.

The applicant's representative, following some discussion with the Planning Commission, agreed to add two additional mitigation measures to the project to address

concerns raised by the Sierra Club and Johnson & Sedlack related to potential impacts under the topic of climate change. The additional measures were as follows:

- The project shall be designed and constructed to meet LEED Silver (as of July 12, 2012) or comparable design standards; and
- The building roof shall be designed and constructed to accommodate future solar panels.

The above measures have been added to the project's mitigation monitoring program included with the staff report as Exhibit B to Attachment 2.

There was one public speaker at this meeting who was supportive of the energy efficiency design of the project but still had concerns with the potential impact to air quality from future truck trips to the facility.

Following public testimony, the Planning Commissioners discussed the project, and then voted 7-0 to certify the project EIR and to approve the project subject to making corrections to the Final EIR and adding the two mitigation measures as noted above.

ALTERNATIVES

1. Approve Resolution No. 2012-77 and Certify that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act, **and** approve Resolution No. 2012-78 approving Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the attached conditions of approval included as Exhibits A and B. **Staff recommends this alternative.**

2. Do not approve Resolution No. 2012-77 and Certify that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act, **and** do not approve Resolution No. 2012-78 approving Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the attached conditions of approval included as Exhibits A and B. **Staff does not recommend this alternative**.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

This report addresses the appeal of the Planning Commission's July 12, 2012, Certification of the VIP Moreno Valley project Final EIR and approval of Plot Plan PA09-0004 for a 1,616,133 square foot warehouse facility on 80 acres and Tentative Parcel Map No. 36162 (PA09-0012) to create a single parcel. An Environmental Impact Report has been prepared for the proposal.

NOTIFICATION

A notice was published in the newspaper and a public notice was posted at required City locations and at the project site. The Final EIR was also re-circulated 10 days in advance of the City Council public hearing to responsible agencies and interested parties that had commented on the Draft EIR.

As of the date of report preparation, staff had received no public inquiries in response to the noticing for the City Council public hearing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Resolution No. 2012-77
   Exhibit A – Statement of Overriding Considerations
   Exhibit B – Mitigation Monitoring Program
3. City Council Resolution No. 2012-78
4. Exhibit A - Plot Plan Conditions of Approval
   Exhibit B – Parcel Map Conditions of Approval
4. Errata to Final EIR
5. Final EIR
6. Draft EIR
7. Color Site Plan
8. Color Elevations
9. Color and Materials Board
10. Sight Line Exhibit
11. Conceptual Landscape Plan
12. Tentative Parcel Map 36162
13. Preliminary Grading Plan
14. Screenwall and Elevations
15. Aerial Photograph
16. Letter from Sierra Club to the Planning Commission
17. Letter from Johnson & Sedlack to the Planning Commission
18. Response memo to Sierra Club and Johnson & Sedlack comment letters
19. Appeal letter from Johnson & Sedlack
20. Planning Commission minutes from July 12, 2012 meeting

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT 1

Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: PA09-0004 – Plot Plan
PA09-0012 – Tentative Parcel Map No. 36162
P11-020 – Environmental Impact Report

APPLICANT: Vogel Engineers, Inc.

OWNER: Vogel Engineers, Inc.

REPRESENTATIVE: RKZ, Inc.

LOCATION: Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

PROPOSAL: Plot Plan for a 1,616,133 square foot warehouse distribution building to be developed on approximately 80 acres. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. The project is located at the City's southern boundary on the north side of the Perris Valley storm channel. Water quality features include five sandfilter basins and an infiltration swale. Tentative Parcel Map No. 36162 proposes to combine four existing parcels into a single 80 acre parcel for development of the project. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 4

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE/TIME: September 25, 2012 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 2

RESOLUTION NO. 2012-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P11-020), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE VIP MORENO VALLEY PROJECT, GENERALLY LOCATED IN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP 208), ON THE SOUTH SIDE OF GROVE VIEW ROAD BETWEEN PERRIS BOULEVARD AND INDIAN STREET AT THE CITY'S SOUTHERN BOUNDARY.

WHEREAS, on September 25, 2012, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 1,616,133 square foot distribution warehouse facility on approximately 80 acres. The warehouse building includes 268 dock doors and 44,000 square feet of office area in four potential office locations. The project is located at the City's southern boundary on the north side of the Perris Valley storm channel. Water quality features include five sand filter basins and an infiltration swale. Tentative Parcel Map No. 36162 proposes to combine four existing parcels into a single 80 acre parcel for development of the project;

WHEREAS, the project includes applications for a plot plan (PA09-0004) and a tentative parcel map (PA09-0012). All the applications are related but shall not be approved unless the Environmental Impact Report (P11-020) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on April 20, 2012, while the review period ended on June 4, 2012. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on September 14, 2012, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

WHEREAS, on September 25, 2012, the City Council held a public hearing to

consider a Final EIR for this project.

WHEREAS on September 25, 2012, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed VIP Moreno Valley Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, Final EIR includes a review of potential impacts associated with the implementation of the VIP Moreno Valley Project, including, but not limited to agricultural resources, air quality, climate change and traffic;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the VIP Moreno Valley Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the VIP Moreno Valley Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed VIP Moreno Valley Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this 25th day of September, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No.2012-77
Date Adopted: September 25, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-77 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Resolution No.2012-77
Date Adopted: September 25, 2012

EXHIBIT A

Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the VIP Moreno Valley Project (State Clearinghouse No. 2011081084)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the VIP Moreno Valley Project and approving Tentative Parcel Map 36162 and a Site Plan authorizing the construction of up to approximately 1,616,133 square feet of distribution warehouse space (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the southwest portion of the City of Moreno Valley. The Project site consists of four parcels totaling approximately 71 net acres located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary. The site is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the Project site.

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The Project site is currently vacant, consisting of gently sloping land that has been used historically for agricultural purposes but currently lies fallow. It was most recently used as a sod farm that ceased operating in August 2005. The major roads that provide access to the Project site are Perris Boulevard, Indian Street, Grove View Road, and Harley Knox Boulevard, with the nearest I-215 interchanges at Harley Knox Boulevard and Ramona Expressway.

2. Project Description

The Project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses.

The Project site is currently designated Business Park/Light Industrial in the City's General Plan. The site is zoned Industrial (I) in the Moreno Valley Industrial Area Plan (SP 208), which was originally adopted in 1989, and amended in 2001 and 2002. The proposed high-cube logistics warehouse project is consistent with the existing General Plan land use, the Moreno Valley Industrial Area Plan Specific Plan (SP 208), and zoning for the site.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- Tentative Parcel Map approval (PM 36162);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;

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- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development and minimize conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;

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- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On August 26, 2011, the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On September 19, 2011, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from August 26, 2011 to September 26, 2011. Written comments on the NOP were received from 12 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: Air Quality, Alternatives Analysis, Biological Resources, Cultural Resources/Sacred Sites, Greenhouse Gas Emissions (GHG)/Global Climate Change, Hazardous Materials/Contamination, Traffic, and Water Availability and Quality.

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- Based on the Initial Study included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information, analysis, and mitigation to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Aesthetics; (2) Biological Resources; (3) Cultural Resources; (4) Geology and Soils; (5) Hazards and Hazardous Materials; (6) Hydrology and Water Quality; (7) Land Use Planning; (8) Mineral Resources; (9) Population/Housing; (10) Public Services; (11) Recreation; and, (12) Utilities and Service Systems.

- On April 20, 2012, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review period, which ended June 4, 2012.

- The City received a total of seven (7) comment letters from public agencies; one (1) from a community organization; and two (2) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.

- On June 29, 2012 in accordance with *California Public Resources Code* Section 21092.5, the City provided written responses to public agencies that commented on the DEIR.

- On June 29, 2012, Notice of the Planning Commission hearing to consider the Project was provided in the *Press Enterprise*, a newspaper of general and/or regional circulation.

- On July 12, 20012, the City Planning Commission held a public hearing to consider the Project and staff recommendations. The Planning Commission, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, the City Planning Commission voted unanimously to certify the EIR, adopt Facts, Findings and the Statement of Overriding Considerations, adopt the

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recommendations in the Staff Report, and approve the Project, including the PM 36162 (collectively the "Approvals").

- On July 26, 2012, an appeal letter (dated July 25, 2012) was submitted to the City by the Residents for a Livable Moreno Valley and the Sierra Club, appealing the Planning Commission's certification of the EIR and approval of the Project to the City Council.

- On September 14, 2012, an errata to the Final EIR approved by the Planning Commission dated June 27, 2012 was provided to the public that included changes to the Mitigation Monitoring and Reporting Plan approved by the Planning Commission and changes to Sierra Club Response to Comment E-9 and E-16 to clarify changes that were made to mitigation measures.

- On September 14, 2012, Notice of the City Council hearing to consider the Project was provided in the *Press Enterprise*, a newspaper of general and/or regional circulation.

- On September 25, 2012, this Council held a public hearing to consider the Project and staff recommendations. The City Council, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding Considerations, and the further recommendations in the Staff Report, and approved the Project, including PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of LSA Associates, Inc. ("LSA") to prepare the EIR for the Project. LSA has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Michael Brandman Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA *California Public Resources Code* Section 21067 as amended. The City Council

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has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *California Public Resources Code* Section 21082.1(c) (3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose of the measure.

Finding: Unless specifically stated to the contrary in these Findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these Facts, Findings and Statement of Overriding Considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

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The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 of the DEIR and Section 3.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Section 2.0 of the FEIR. Comments on the FEIR were submitted at the Planning Commission hearing on July 12, 2012 from the Sierra Club and Johnson and Sedlack. Responses to those comments, along with copies of the comments, are also provided as attachments to the staff report to the City Council. The comments and the responses to the comments do not constitute additional significant new information that would require recirculation of the EIR.

The EIR evaluated five major environmental categories for potential impacts including Agricultural Resources, Air Quality, GHGs and Climate Change, Noise, and Transportation. Both Project-specific and cumulative impacts were evaluated. Of these five major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V(A) and V(B) below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. Agricultural Resources

a. Conflict with existing zoning or a Williamson Act Contract

Potential Significant Impact: Whether the Project would conflict with existing zoning for agricultural use, or a Williamson Act contract.

Findings: Potential impacts of the Project related to conflicts with existing zoning or a Williamson Act Contract is discussed in detail in Section 4.1 of the DEIR. Based on the entire record, this

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Council finds that no significant impacts related to existing zoning or Williamson Act will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: As identified in Section 4.1 of the DEIR, the Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. The uses proposed for the Project site are consistent with the existing underlying General Plan and Zoning designations. In addition, the Project site is not subject to a Williamson Act Contract. The Project site is not zoned for agricultural uses and is not being used for agricultural purposes. No impact would occur and no mitigation is required.

b. Conflict with/Loss of Existing Forest Land or Timberland Zoning

Potential Significant Impact: Whether the Project would conflict with existing zoning for, or cause rezoning of, forest land (as defined in *California Public Resources Code* Section 12220(g)), timberland (as defined by *California Public Resources Code* Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)), and whether the Project would result in the loss of forest land or conversion of forest land to non-forest uses.

Findings: Potential impacts of the Project related to conflict with/loss of existing forest land or timberland zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to loss of forest or timberland will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Section 4.1 identifies no forest or timberland resources located within the Project site nor is the Project site zoned for forest land or timberland. Implementation of the Project would not require any rezoning or General Plan Amendments as the proposed uses are consistent with the existing underlying General Plan land use designation and zoning designation. The Project would not conflict with existing forest zoning, cause rezoning of forest land, or result in the loss or conversion of forest lands to non-forest uses as no such resources exist in the City. No impacts associated with this issue would occur and no mitigation is required.

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2. Air Quality

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during the construction phase. While operational emissions will be generated in excess of SCAQMD□s regional threshold criteria (DEIR, pg. 4.2-26), these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and were incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.2-14 to 4.2-15) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

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b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. Project-related operational odor sources such as vehicle exhaust and routine painting/maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required. (DEIR, pg. 4.2-15)

c. Long-Term Microscale (CO Hot Spot) Emissions

Potential Significant Impact: Whether the Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation. For CO, the applicable thresholds are:

- California State one-hour CO standard of 20.0 ppm; and
- California State eight-hour CO standard of 9.0 ppm.

Findings: Potential impacts of the Project related to long-term microscale emissions are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that development of

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the Project will not result in significant impacts related to long-term microscale emissions and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the highest one-hour CO concentration experienced at any of the intersections in the Project vicinity would not exceed the one hour CO State standard of 20 ppm. Based on the *Air Quality Analysis* prepared for the Project, the Project would contribute, at most, a 0.2 ppm increase to the one-hour CO concentrations for all scenarios. This is below the 1.0 ppm increase threshold. Also the highest eight-hour CO concentration experienced at any of the intersections in the Project vicinity would not exceed the eight-hour CO state standard of 35 ppm. Based on the Air Quality Analysis prepared for the Project, the Project would contribute, at most, a 0.2 ppm increase to the eight-hour CO concentrations for all scenarios. This is below the 0.45 ppm increase threshold. Since the Project would not exceed the one-hour or eight-hour CO concentration standards, it is reasonable to conclude that no CO hot spots would occur. Therefore, the Project would not have a significant impact on local air quality for CO and no mitigation measures would be required. (DEIR, pgs. 4.2-15 to 4.2-17)

d. Localized Operational Emissions

Potential Significant Impact: Whether the Project would violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants.

For long-term operation, the applicable localized daily thresholds are:

- 12,083 pounds per day of CO;
- 585 pounds per day of NO_X;
- 32 pounds per day of PM_{10}; and
- 14 pounds per day of $PM_{2.5}$.

Findings: Potential impacts of the Project related to localized operational emissions are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that operations of the Project will not result in significant impacts related to localized operational emissions and, therefore, no mitigation is required.

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Facts in Support of the Findings: According to Section 4.2 of the DEIR, the operational emissions rates of NO_X, CO, PM_{10}, and $PM_{2.5}$ are less than 10 percent of the LST thresholds for the applicable pollutant. None of the criteria pollutant emissions would exceed localized thresholds during the operation of the Project. Therefore, the Project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. (DEIR, pgs. 4.2-15 to 4.2-17)

e. Operational-Acute Health Risk

Potential Significant Impact: Whether the Project would expose sensitive receptors to substantial pollutant concentrations.

Findings: Potential impacts of the Project related to operational-acute health risks are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that development of the Project will not result in significant impacts related to operational-acute health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998)[1], the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. Therefore, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required. (DEIR, pg. 4.2-18)

[1] http://www.arb.ca.gov/regact/diesltac/diesltac.htm, accessed August 30, 2012.

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f. Operational-Chronic Health Risk

Potential Significant Impact: Whether the Project would expose sensitive receptors to substantial pollutant concentrations.

For Maximum Individual Cancer Risk, the applicable thresholds are:

- An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or

For non-cancer chronic hazard indices (HI); the applicable threshold is:

- A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

Findings: Potential impacts of the Project related to operational-chronic health risks are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that development of the Project will not result in significant impacts related to operational-chronic health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, a screening level health risk assessment was performed for the operational emissions associated with the Project based on the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* guidance. The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with state and federal handling regulations will bring emissions to below a level of significance. The nearest residences (approximately 1,000 feet) would experience a cancer risk of 6.6 in 1 million, which is below the 10 in 1 million threshold. The nearest residences would also experience a chronic hazard index of 0.0041, which is below the 1.0 threshold. The peak off-site worker cancer risk level is 4.5 in a million, which is also below the 10 in 1 million threshold. Chronic hazard index for the peak off-site worker would be 0.0029, which is below the 1.0 threshold. Since the operational phase of the Project would not exceed any of the operational related health risk assessment thresholds, a less than significant impact would occur and no mitigation is required. (EIR, pgs. 4.2-18 to 4.2-19)

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3. Climate Change and Greenhouse Gas Emissions

a. Greenhouse Gas Plan, Policy, Regulation Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to greenhouse gas plan, policy, and regulation consistency are discussed in detail in Section 4.3 of the DEIR. Based on the entire record, this Council finds that development of the Project will not result in significant impacts related to greenhouse gas plan, policy, or regulation consistency and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project would implement appropriate GHG reduction strategies and would ensure that it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHG levelsTherefore, the Project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions resulting in a less than significant impact. (DEIR, pgs. 4.3-16 to 4.2-21)

4. Noise

a. Airport Noise

Potential Significant Impacts: Whether a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would results in exposure of people residing or working in the project area to excessive noise levels. Or if a project within the vicinity of a private airstrip, would expose people residing or working in the project area to excessive noise levels.

Findings: Potential impacts of the Project relating to airport noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to airport noise will occur as a result of development of the Project and, therefore, no mitigation is required.

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Facts in Support of the Findings: According to Section 4.4 of the DEIR, the nearest airport is the March Air Reserve Base, which is located approximately 0.75 mile northwest of the Project site. The Project is not identified as being within the noise or safety contours delineated for the March Air Reserve Base Airport. While the Project is located within two miles of a public airport, it is outside of the 60 dBA CNEL contour of the March Air Reserve Air Base, and therefore, the Project would not have the potential to expose people working on the Project site to excessive noise levels from airport operations as the Project site is located outside of the noise and safety contours of March Air Reserve Base. A less than significant impact would occur with implementation of the Project. Additionally, the Project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue would occur and no mitigation is required. (DEIR, pgs. 4.4-9 to 4.4-10)

b. Ground-Borne Vibrations

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. The Project site is not located near steel-wheeled trains. Additionally, roadways in the project area are either paved or would be paved and would not result in traffic driving over rough roads. Construction activities for the project site do not include blasting or pile driving. The primary vibratory source during the construction of the Project would be large bulldozers. Based on published data, typical bulldozer activities generate an approximate vibration level of 0.089 in/sec at a distance of 25 feet. At the distance of the nearest residence to the project boundary (approximately 1,000 feet) the estimated vibration level would not be discernible. While heavy-duty earthmoving equipment would be used during the construction phase of the project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs.

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Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required. (DEIR, pg. 4.4-10)

c. Long-Term Traffic Noise

Potential Significant Impact: Whether the project would result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Findings: Potential impacts of the Project related to long-term noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to long-term noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, project-related traffic noise level increases would be 0.8 dBA or less along all roadway segments analyzed. Noise level increases within this range are small and are not perceptible by the human ear. Therefore, no significant traffic noise impacts would occur to off-site land uses with implementation of the Project. Also the proposed warehouse distribution center uses would not be impacted by the projected 75 dBA CNEL noise contour from Indian Street (within 50 feet of the roadway centerline), Oleander Avenue (within 50 feet of the roadway centerline), or Perris Boulevard (98 feet from the roadway centerline) in 2035. Therefore, noise levels at the on-site uses are below the City's 75 dBA CNEL noise standard for industrial uses. No significant noise impacts to on-site industrial uses would occur and no mitigation measures are required. (DEIR, pgs. 4.4-10 to 4.4-13)

d. Long-Term Operational Noise

Potential Significant Impact: Whether the project would cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies.

Findings: Potential impacts of the Project related to long-term operational noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to long-term operational noise will occur as a result of development of the Project and, therefore, no mitigation is required.

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Facts in Support of the Findings: The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project's northern boundary. There are also nonconforming residential dwelling units within commercial and industrial uses on property zoned for commercial or industrial uses approximately 0.5 mile southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

The warehouse distribution use has loading docks on the north and south sides of the building, more than 1,000 feet from the existing residences to the north. Noise associated with loading/unloading activities would potentially affect these existing residential uses. Other on-site, noise-producing activities may include traffic and activity within the parking lot (load talking, horn blowing, vehicle door slamming, truck idling, etc.). Although individual activity may generate relatively high and intermittent noise, when added to the typically lower ambient noise and averaged over a longer period of time, the cumulative noise level would be much lower and less than the City's exterior noise standards at the nearest noise-sensitive land uses, and would be considered to have a less than significant impact. (DEIR, pg. 4.4-14)

The project would have rooftop heating, ventilating, and air conditioning (HVAC) equipment, as well as ground floor garbage compactors. Rooftop HVAC units generate noise levels of approximately 62 dBA at 50 feet. The closest noise-sensitive land uses are existing residences which are located more than 1,000 feet to the north from the nearest potential on-site rooftop HVAC equipment location. With the effect of distance divergence, noise generated by HVAC equipment would be reduced by 26 dBA at the closest residences when compared with the noise level measured at 50 feet. Additionally, the roof edge (parapet) creates a noise barrier that reduces noise levels from rooftop HVAC units by an additional 3 to 5 dBA or more for ground floor receptors. Because of the attenuation achieved, nearest residences located to the north of the project site would be exposed to an exterior noise level of 33 dBA L_{max} or lower. This range of noise levels is substantially lower than traffic noise on roadways in the project vicinity and the truck movement and loading/unloading noise. Therefore, because the City's exterior noise standard of 60 dBA L_{dn}/CNEL for HVAC equipment in residential district (Planning and Zoning Code, Chapter 9.03.040) would not be exceeded at the nearest sensitive noise receptors, no significant noise impact resulting from the operation of rooftop HVAC equipment would occur and no mitigation is required. (DEIR, pg. 4.4-15)

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Garbage compactors generate approximately 70 dBA L_{max} at 6 feet. With the effect of distance divergence, noise generated by garbage compactors would be reduced to 26 dBA L_{max} or lower at the closest residences. Because the City's exterior noise standard of 60 dBA L_{max} during the day and 55 dBA L_{max} during the night would not be exceeded, no significant noise impacts from the on-site garbage compactors would occur. In the absence of any significant impact, no mitigation is required. (DEIR, pg. 4.4-15)

It is anticipated that the proposed uses would have some sort of speaker system at the truck loading docks. Typical loud speakers generate a sound level of 75 dBA L_{max} at 50 feet. With the distance attenuation of 26 dBA the speaker noise at the nearest residences will be at or below 49 dBA L_{max}. This range of maximum noise levels is lower than the City's nighttime exterior noise standards of 55 dBA L_{max} standard. Therefore, noise associated with loading dock speakers at the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast and no mitigation measures are required. (DEIR, pg. 4.4-15)

The typical maximum allowable interior noise levels for residential uses are 45 dBA between 10:01 p.m. and 7:59 a.m. and 50 dBA between 8:00 a.m. and 10:00 p.m. Typical southern California homes with windows open would achieve up to 12 dBA in exterior to interior noise reduction. When windows are closed, the noise attenuation increases to 24 dBA. Additionally, distance divergence of 1,000 feet provides 26 dBA of noise attenuation. Interior noise levels at the nearest residential homes to the north, attributable to loading/unloading activities from the nearest on-site loading areas, would be reduced to 37 dBA L_{max} with windows open and to 25 dBA L_{max} with windows closed. This range of noise level is compatible with or lower than typical household activity noise. Therefore, no significant interior noise impacts for the nearest sensitive receptors would occur and no mitigation is required. (DEIR, pg. 4.4-16)

5. <u>Transportation</u>

a. Design Features or Incompatible Uses

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

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Findings: Potential impacts of the Project related to design features or incompatible uses are discussed in detail in Section 4.5 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to the design features or incompatible uses will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and around the Project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to site access requirements.

The final design of all roadways and intersections within the Project site access would be reviewed by a licensed professional civil engineer to ensure adequate safety when traveling to and from the Project site. The Project circulation plan does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City of Moreno Valley consistent with the City's Circulation Element Objectives 5.1 (create a safe, efficient, and neighborhood-friendly street system), 5.5 (maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways), and 5.11 (eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians) and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required. (DEIR, pgs. 4.4-15 to 4.4-16)

b. Inadequate Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access.

Findings: Potential impacts of the Project related to inadequate emergency access are discussed in detail in Section 4.5 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to inadequate emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the developers of the Project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Construction activities, which may

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temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. The Project design would be submitted to and approved by the City's Fire and Police Departments prior the issuance of building permits. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required. (DEIR, pg. 4.4-16)

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.5 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the design of the Project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation, including but not limited to pedestrian pathways and sidewalks consistent with the City's Circulation Element Objective 5.8 (encourage development of an efficient public transportation system for the entire community). Through the City's project review process, policies, plans, and/or programs supporting alternative transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur as a result of the Project and no mitigation is required. (DEIR, pgs. 4.4-16 to 4.4-17)

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.5 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

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Facts in Support of the Findings: According to Section 4.5 of the DEIR, airport facilities within the vicinity of the Project site include the March Air Field, which is part of the March Air Reserve Base (MARB). The Project site is located approximately 0.75 mile east of March Air Field and is entirely within Airport Influence Area II. As part of the standard process for development within Airport Influence Areas for MARB, projects are required to be reviewed by the ALUC for consistency with the ALUP. As a standard condition imposed during ALUC reviews, developments located within the boundaries of Influence Area III are required to provide avigation easements. To ensure consistency with the ALUC recommendations is maintained, avigation easements will be required as part of a condition of approval for the Project site. Development that would occur within Airport Influence II of MIP would not include any features that would alter air traffic patterns or the level of air traffic at the MIP; therefore, a less than significant air traffic safety impact would occur and no mitigation is required. (DEIR, pgs. 4.4-17 to 4.4-18)

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

California Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including biological resources, paleontological resources, geology and soils, hydrology and water quality, noise (short-term construction), and transportation (local intersections and roadways) were

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found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *California Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. Biological Resources

a. Adverse Effects to Sensitive or Special Status Species

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on candidate, sensitive, or special status species.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts to sensitive or special status species to less than significant:

Mitigation Measure BIO-1: *No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, Mitigation Measure BIO-3 shall apply.*

Mitigation Measure BIO-2: *No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in Mitigation Measure BIO-1. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the*

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event burrowing owls are identified within the limits of ground disturbance, Mitigation Measures BIO-3 and BIO-4 shall apply.

Mitigation Measure BIO-3: *If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.*

Mitigation Measure BIO-4: *If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.*

Facts in Support of the Finding: According to Section 2.5.2 of the DEIR, the site is characterized as a regularly disked field that supports little to no standing vegetation and is not located within a Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Criteria Area. However, the site is located in an area that requires habitat assessments for burrowing owl, five Narrow Endemic Plant Species (NEPS), and nine Criteria Area Plant Species (CAPS) in accordance with the MSHCP. During the habitat assessment surveys and focused surveys no sign of burrowing owls were observed. The Project site is not an optimal habitat for burrowing owl. However, because burrowing owls have been known to occur on land that has been disturbed and are considered a mobile and opportunistic species, implementation of **Mitigation Measures BIO-1 through BIO-4** are necessary to reduce the potential impact to less than significant. The five NEPS and nine CAPS were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the Project site lacks suitable habitat for these species due to historic agricultural activities. Nonetheless, focused surveys were conducted to cover the four depressed areas and the ditch. No special status plants were observed during the focused surveys. Because of the absence of members of the species and suitable habitat, a less than significant impact to other special status plants would occur. (DEIR, pg. 2-9)

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2. Cultural Resources

a. Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on significant fossil resources.

Finding: Implementation of the following mitigation measures will reduce the impact to unique paleontological resources and site or unique geological features to less than significant:

Mitigation Measure CUL-1: *Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. In the event fossiliferous deposits are encountered, the following measures shall be implemented:*

- *Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*

- *Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed*

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sediments are buried, but not otherwise disturbed, will not be monitored.

- *Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.*
- *Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.*
- *Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.*

Facts in Support of the Finding: Based on the paleontological resources analysis contained in Section 2.5.3 of the DEIR, the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the Project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. **Mitigation Measure CUL-1** has been identified to reduce the significance of paleontological resource impacts. Adherence to this measure would reduce impacts to paleontological resources to a less than significant level. (DEIR, pgs. 2-12 to 2-13)

3. <u>Geology and Soils</u>

a. Unstable Soils

Potential Significant Impact: The EIR evaluated and concluded that the Project site could experience soil shrinkage during excavation and recompaction.

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Finding: Implementation of the following mitigation measures will reduce the potential impact of lateral spreading, subsidence, and collapse to less than significant:

Mitigation Measure GEO-1: *Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.*

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

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The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

Facts in Support of the Finding: Section 2.5.4 of the DEIR included a geotechnical analysis that performed in-place soil density tests, which revealed that soil shrinkage that may occur would be approximately 10 percent to 15 percent due to excavation and recompaction. This is based on the assumption that the fill would be compacted to 90 percent of the dry density per ASTM standards. As a result subsidence is estimated at 0.2 feet due to earthwork operations. Impacts are considered potentially significant and mitigation measures are required. The geotechnical analysis determined that there is no potential for landslides or liquefaction. Additionally, potential impacts related to lateral spreading would be reduced to less than significant level through adherence to the California Building Code. **Mitigation Measure GEO-1** would reduce potential impacts associated with unstable soils to a less than significant level. (DEIR, pgs. 2-15 to 2-16)

b. Expansive Soils

Potential Significant Impact: The EIR evaluated and concluded that expansive soils could occur.

Finding: Implementation of the following mitigation measures will reduce to potential impact of expansive soils to less than significant:

Mitigation Measure GEO-2: *Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive*

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Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Facts in Support of the Finding: According to Section 2.5.4 of the DEIR, soils on site include Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2). As detailed in the Project's geotechnical analysis, expansive soils were observed on the Project site. Exploratory trenches revealed the existing earth materials on site to consist of a disturbed soil/fill and natural soil. A fill/disturbed natural soil classifying as a brown, sandy to clayey silt to a silty sand was encountered across the site and ranged in depth from 1 foot to 1½ feet. These soils were noted to be soft to loose and damp. An undisturbed alluvium soil classifying as a brown sandy to clayey silt to a silty sand was encountered beneath the disturbed top soils and fill. These native soils were noted to be firm to stiff, medium dense to dense, and moist. Development of the Project site would be required to adhere to California Building Code and City design and engineering standards. However, because expansive soils are present on site, impacts associated with this issue are potentially significant and mitigation measures are required. **Mitigation Measure GEO-2** would reduce potential impacts associated with expansive soils to a less than significant level. (DEIR, pgs. 2-16 to 2-17)

4. <u>Hydrology and Water Quality</u>

a. Water Quality Standards and Waste Discharge Requirements

Potential Significant Impact: The EIR evaluated and concluded that the Project could violate water quality or waste discharge requirements, substantially increase the rate of surface runoff causing flooding, create substantial additional sources of polluted runoff, or otherwise substantially degrade water quality.

Finding: Implementation of the following mitigation measures will reduce the potential impacts related to compliance with water quality standards and waste discharge requirements to less than significant:

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Mitigation Measure HYD-01: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.*

Mitigation Measure HYD-02: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:*

- *Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.*

- *Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.*

- *All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.*

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- *The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.*
- *Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.*
- *The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.*

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

Mitigation Measure HYD-03: *Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:*

- *The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.*

Mitigation Measure HYD-04: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that*

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shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.

Facts in Support of the Finding: According to Section 2.5.6 of the DEIR, development of the Project is required to obtain coverage under an NPDES permit, which includes the submittal of a Notice of Intent (NOI) application to the State Water Resources Control Board (SWRCB), the receipt of a Waste Discharge Identification Number (WDID) from SWRCB, and the preparation of an SWPPP for construction wastewater discharges. During the construction period, the Project would use a series of Best Management Practices (BMPs) to reduce erosion and sedimentation. These measures may include the use of gravel bags, silt fences, hay bales, check dams, hydroseed, and soil binders. The construction contractor would be required to operate and maintain these controls throughout the duration of on-site activities. In addition, the construction contractor would be required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the RWQCB. Adherence to **Mitigation Measures HYD-01 through HYD-04** will ensure that these practices and measures take place and would reduce the potential impacts related to compliance with water quality standards and waste discharge requirements to less than significant. (DEIR, pgs. 2-19 to 2-24)

b. Erosion

Potential Significant Impact: The EIR evaluated and concluded that the Project could significantly alter drainage patterns that would result in erosion or siltation.

Finding: Implementation of the following mitigation measures will reduce the potential impacts to less than significant:

Mitigation Measure HYD-05: *Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and*

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that the post-development flows exiting the project site are less than or equal to pre-development flows.

Facts in Support of the Finding: According to Section 2.5.6 of the DEIR, the majority of storm flows associated with the Project will be collected by a series of drop inlet catch basins. While the increase in impervious surfaces attributable to the Project would contribute to a greater volume and higher velocity of storm water flows, the Project's drainage system would accept and accommodate runoff that would result from Project construction at or below pre-Project conditions. Therefore, the post-development flows generated on the Project site would not exceed the capacity of the planned storm water drainage systems. To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified. With adherence to this mitigation measure, impacts associated with effects on existing drainage patterns are reduced to less than significant. (DEIR, pgs. 2-24 to 2-25)

5. <u>Noise</u>

a. Short-Term Construction Noise

Potential Significant Impact: The EIR evaluated and concluded that noise levels from grading and other construction activities for the Project may range up to 65 dBA at the closest residences north of the Project site for very limited times when construction occurs near the Project's boundary. Construction-related noise impacts from the Project would be potentially significant.

Finding: Implementation of the following mitigation measures will reduce potential short-term construction noise impacts to less than significant:

4.4.6.1A *During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.*

4.4.6.1B *The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.*

4.4.6.1C *The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.*

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4.4.6.1D *During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in noise to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays.*

Facts in Support of the Finding: According to Section 4.4 of the DEIR, two types of short-term noise impacts could occur during the construction of the Project. First, construction crew commutes and the transport of construction equipment and materials to the site for the Project would incrementally increase noise levels on access roads leading to the site. The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the Project site. Construction of the Project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings. The maximum noise level generated by each scraper on the Project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA Lmax at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations to the Project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the Project site. The ambient noise associated with vehicular traffic and industrial uses in the Project area would mask the majority of the construction noise from the Project site. No significant construction

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noise impacts would occur if construction of the Project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on Sundays and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

With adherence to the City's designated construction hours and with implementation of the proposed mitigation measures, potential short-term construction noise impacts would be reduced below the level of significance. (DEIR, pgs. 4.4-16 to 4.4-18)

6. Transportation

a. Existing Plus Project Roadway Segments

Potential Significant Impact: The EIR evaluated and concluded that two roadway segments are forecasted to exceed satisfactory levels of service in the existing plus project conditions.

Finding: Implementation of the following mitigation measures will reduce project-specific roadway segment impacts to less than significant:

4.5.6.1A. *Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.*

4.5.6.1B. *Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno*

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Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.

Facts in Support of the Finding: According to Section 4.5 of the DEIR, Perris Boulevard north of Grove View Road (southbound); and Perris Boulevard south of South Project Driveway (northbound and southbound) are projected to operate at unsatisfactory levels of service in the existing plus project scenario. The DEIR determined that this roadway currently operates at unsatisfactory levels of service without the project. The City is currently in the process of implementing a Capital Improvement Project to widen Perris Boulevard from Cactus Avenue south to city limits. The improvement project will widen Perris Boulevard to a six-lane street section, consistent with the General Plan. The project is under construction and is scheduled to be completed in May 2013. The widening will encompass the improvements defined in the DEIR to improve operations of the roadway to the City's level of service standard and mitigate the Project's contribution to the impact. With implementation of the City's improvements to Perris Boulevard and implementation of **Mitigation Measures 4.5.6.1A and 4.5.6.1B** requiring that the Project applicant pay traffic impact fees, project-specific impacts will be reduced to less than significant levels. (DEIR, pgs. 4.5-18 to 4.5-19)

b. Year 2013 Cumulative With Project Conditions Intersection and Roadway Segments

Potential Significant Impact: The EIR evaluated and concluded that eleven intersections and four roadway segments are forecasted to exceed satisfactory levels of service in the year 2013 cumulative plus project conditions.

Finding: Implementation of the following mitigation measures will reduce the Project's contribution to cumulatively considerable intersection and roadway segment impacts to a less than significant level:

4.5.6.2A. *Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.*

Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

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Facts in Support of the Finding: According to Section 4.5 of the DEIR, an intersection and roadway segment level of service analysis was conducted for the year 2013 cumulative with project condition to determine the Project's contribution to cumulative traffic impacts to local intersections and roadway segments. As identified in Table 4.5.E in the DEIR, the addition of Project traffic to the year 2013 cumulative scenario would result in conditions exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

The Project contributes to the failure to meet the level of service standard at ten of the eleven intersections resulting in a significant cumulative impact. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a Project-specific impact because the need for the intersection is exclusively for project access.

As identified in Table 4.5.E in the DEIR, the addition of Project traffic to the year 2013 cumulative scenario would result in conditions exceeding the established LOS standard at the following roadway segments:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and

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- Perris Boulevard south of South Project Driveway (northbound and southbound).

Section 4.5 of the DEIR identifies the improvements necessary to maintain the level of service standard at the intersections and roadways impacted in the year 2013 plus project condition. The roadway and intersection improvements are consistent with the City's General Plan and DIF program and are included in the County's TUMF program. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element.

The following improvements were identified in the DEIR to maintain or improve the operational level of service of the impacted intersections and roadways. The improvements required to maintain or to improve the level of service operations of transportation facilities affected by the project will be constructed through the City's DIF as supplemented by the County's TUMF program. The impact will occur in the future when traffic volumes at the impacted intersections and roadways reach the volumes projected for the Year 2013 Cumulative with Project traffic scenario. As part of its Capital Improvement Program (CIP), the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents. The project will participate with these programs as part of Mitigation Measures 4.5.6.1A and 4.5.6.1B. The list of improvements is as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard: Restripe the left-most westbound through lane as a left-turn lane. Restripe the off-ramp to provide two left-turn lanes and a shared through/right-turn lane. This improvement is part of the TUMF program.

- I-215 Northbound Ramps/Harley Knox Boulevard: Restripe the northbound shared through/left-turn lane as a shared left-turn/through/right-turn lane. Add an eastbound free right-turn lane. This improvement is part of the TUMF program.

- Indian Street/Harley Knox Boulevard: Add an eastbound through lane. Provide overlap phasing for the southbound right-turn lane. These improvements are consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.

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- Perris Boulevard/Gentian Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. Perris Boulevard/Iris Avenue: Add a second westbound left-turn lane and an eastbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Krameria Avenue: Add two southbound through lanes, a northbound through lane, and a northbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Nandina Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Grove View Road: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/South This improvement is part of the City DIF and County TUMF programs.

- Project Driveway: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of City DIF and TUMF programs.

- Perris Boulevard/Harley Knox Boulevard: Add two southbound through lanes, one northbound through lane, a second eastbound left-turn lane, and overlap phasing for the southbound right-turn lane. These improvements are part of the TUMF program.

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- Harley Knox Boulevard west of Indian Street: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.

- Indian Street south of South Project Driveway: Widen to a four-lane Undivided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City of Moreno Valley DIF and TUMF programs.

- Perris Boulevard north of Grove View Road: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City's DIF and TUMF programs.

- Perris Boulevard south of South Project Driveway: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley and City of Perris General Plan Circulation Elements. This improvement is part of the City of Moreno Valley DIF and County TUMF programs.

With implementation of these improvements, all intersections and roadway segments would operate at the applicable performance standard or better during peak hours for year 2013 cumulative with project conditions resulting in a less than significant impact.

The project will contribute toward these future intersection and roadway improvements to maintain the applicable level of service standard through payment of frees required as part of the DIF and TUMF programs. Because the impact will occur in the future when traffic volumes at the impacted intersections and roadways reach the volumes projected for the Year 2013 Cumulative with Project traffic scenario, the City will determine the implementation schedule of the necessary roadway improvements as part of the CIP. As part of its Capital Improvement Program (CIP), the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents. The CIP projects are funded by a variety of sources including the County TUMF program and the City's DIF program and general fund. (DEIR, pgs. 4.54-19 to 4.5-28)

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C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: agricultural resources (individually and cumulative), air quality (individually and cumulative), cumulative climate change and greenhouse gas emissions, transportation (existing plus project and cumulative). In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the Project unless it first finds (1) under *California Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Agricultural Resources (Individual and Cumulative Impacts)

a. Conversion of State Designated Farmland

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could impact 16.89 acres of Prime Farmland, 16.23 acres of Farmland of Local Importance, and 38.69 acres of Farmland of Local Importance.

Finding: Based on the entire record, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to state designated farmland will remain significant and unavoidable.

Facts in Support of the Finding: Section 4.1 of the DEIR identifies several potential agricultural conservation measures contained in the City's General Plan that include: enrolling productive agricultural land into a Williamson Act Contract; providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development; protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights; purchasing conservation easements on existing agricultural land to ensure that

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the land is never converted to urban uses; and donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

The potential agricultural conservation measures identified in the DEIR are not considered to be feasible by the City for the following reasons:

Williamson Act Contracts: Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. In addition, Williamson Act contracts will result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. No such contracts exist on the property.

Protecting Existing Agricultural Operations: Providing protection for ongoing agricultural activities from new developments, such as buffers between agricultural operations and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties, will not permanently protect agricultural land. There is usually a conflict that occurs when urban development is built adjacent to active agricultural land. Ultimately, there is pressure to convert the land to urban land uses.

Transfer of Development Rights, Conservation Easements, or Agricultural Conservation Bank: The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. Farming of the project site stopped over seven years ago. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." For this reason, the City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The existing and continued reduction in productive agricultural operations within the City is produced by several factors including; urbanization in the City and Inland Empire resulting in dramatically increasing land prices; high water and labor costs; environmental regulation (e.g., insects, odors, groundwater contamination, and solid waste removal); and competition from

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Kern County and the Central Valley with lower land costs and reduced regulations. (DEIR, pgs. 4.1-10 to 4.1-14)

The purchase of agricultural conservation easements is "economically infeasible" "[b]ased on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See Fourth District Court of Appeal, Cherry Valley Pass Acres and Neighbors v. City of Beaumont (2010) 190 Cal.App.4th 316 (Cherry Valley). (See FEIR, p. 57, emph. add.)

The City has determined that these measures are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified.

b. Conversion of Farmland to a Non-Agricultural Use

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would result in the development of industrial uses on land that has historically been utilized for sod production.

Finding: Based on the entire record, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts from the conversion of farmland to a non-agricultural use will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the DEIR, the Project site has historically been in agricultural production and was most recently used to grow sod, and the sod production ceased operations in in August 2005 and has not been in agricultural production since that time. The conversion of the Project site to a non-agricultural use is a result of various economic and demographic factors. Increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion. A LESA model was also used to evaluate the site. It was determined that the Project LESA score is

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64.38, which is considered significant. The Project would convert land that was previously used for agriculture. However, the Project is a logical extension of development in the City and does not create leapfrog development or islands of agricultural land that would be difficult to farm. The City recognizes development pressures within the City, and that these pressures will increase as the City continues to build out. Additionally, while the Project would not directly cause the conversion of adjacent agricultural land to non-agricultural uses because in has lied fallow for seven years, it would contribute to development pressure within the City that could potentially lead to the conversion of agricultural land off site. However, as stated in the previous discussion of these Findings regarding the conversion of state designated farmland, the City has determined the agricultural conservation measures identified by the City are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified. (DEIR, pgs. 4.1-10 to 4.1-15)

c. Cumulative Agricultural Resource Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would have a significant cumulative impact on agricultural resources in Riverside County.

Finding: Based on the entire record, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to cumulative state designated farmland will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the DEIR, the Project-related impacts to Farmland of Statewide Importance and the conversion of agricultural land to a non-agricultural use cannot be mitigated through a local or regional program to mitigate impacts to agricultural resources. As stated previously, the City does not maintain a General Plan or zoning designation for agricultural uses and there are no Project-level feasible mitigation measures that would help reduce cumulative impacts. During the last reporting period (2006–2008), 6,540 acres of Prime Farmland, 2,366 acres of Farmland of Statewide Importance, and 8,873 acres of Farmland of Local Importance were converted to other uses. The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance is a finite resource, the conversion of approximately 71 acres to industrial uses, combined with planned and future

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development in the City and region, represents a significant cumulative impact to agricultural operations and resources. (DEIR, pg. 4.1-16) As stated in the previous discussion of these Findings regarding the conversion of state designated farmland and conversion of agricultural land to a non-agricultural use, the City has determined the agricultural conservation measures identified by the City are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified.

2. Air Quality (Project-Specific and Cumulative Impact)

a. Short-Term Construction Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality.

Finding: Based on the entire record, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.2.6.1A through 4.2.6.1T** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of the following mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.2.6.1A *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the project construction documents, which shall be reviewed by the City.*

4.2.6.1B *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators. Contract specifications shall be included in the project construction documents, which shall be reviewed by the City.*

4.2.6.1C *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board*

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(CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the project construction documents, which shall be reviewed by the City.

4.2.6.1D *All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*

4.2.6.1E *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*

4.2.6.1F *The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.*

4.2.6.1G *Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).*

4.2.6.1H *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).*

4.2.6.1I *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.2.6.1J *If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with*

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South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

4.2.6.1K *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High-pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*

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- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch vendor services shall be permitted on site during construction to minimize the need for off-site vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered; and*
- *Suspend use of all construction equipment operations during second stage smog alerts.*

4.2.6.1L *Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues within one working day.*

4.2.6.1M *All project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

4.2.6.1N *When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.*

4.2.6.1O *All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.*

4.2.6.1P *Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for*

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these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

4.2.6.1Q *Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*

4.2.6.1R *All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.*

4.2.6.1S *Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

4.2.6.1T *Reroute construction trucks away from congested streets and sensitive receptor areas.*

These measures shall be enforced by the on-site facilities manager (or equivalent.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of **Mitigation Measures 4.2.6.1A through 4.2.6.1T**, Project construction activities would temporarily exceed SCAQMD regional and localized emissions thresholds for oxides of nitrogen (NO_x) and particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.2-I and 4.2-J) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.2-19 through 4.2-25). Additional mitigation measures were considered and determined to be infeasible based on the facts in the staff report and in the FEIR Response to Comments D-34 (FEIR, pgs. 64-69).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed applicable daily thresholds for operational activities.

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Finding: Based on the entire record, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.2.6.3A and 4.2.6.3B** is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

4.2.6.3A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. The following combination of design features may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:*

- *Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.*
- *Increase in insulation such that heat transfer and thermal bridging is minimized.*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.*
- *Incorporate dual-paned or other energy efficient windows.*
- *Incorporate energy efficient space heating and cooling equipment.*
- *Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed.*
- *To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site.*
- *Use paint and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings.*

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- *Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.*
- *Reduce energy demand associated with potable water conveyance using the following:*
  - *Landscaping palette emphasizing drought-tolerant plants;*
  - *Use of water-efficient irrigation techniques; and,*
  - *U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.*
- *Provide secure, weather-protected, on-site bicycle storage/parking.*
- *Provide on-site showers (one for males and one for females). Lockers for employees shall be provided.*
- *Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.*
- *Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.*
- *Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.*

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- *Implement compressed workweek schedules.*
- *Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks;*
- *Use of SmartWay 1.25 rated trucks.*
- *Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.*
- *Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*

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4.2.6.3B *The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of **Mitigation Measures 4.2.6.3A and 4.2.6.3**B, Project operational activities will exceed SCAQMD daily emissions thresholds for ROG, NO_x, CO, and PM_{10}. (DEIR Table 4.2.K) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.2-26 to 4.2.28) Additional mitigation measures were considered and determined to be infeasible based on the facts in the staff report and in the FEIR Response to Comments D-45 (FEIR, pgs. 71-76).

c. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts cumulative air quality impacts will remain significant and unavoidable.

Facts in Support of the Finding: Included in Section 4.2 of the DEIR, Table 4.2.K indicates that the long-term operation of the Project would contribute to long-term regional air pollutants despite implementation of mitigation measures. The Basin is in nonattainment for NO_X, PM_{10}, $PM_{2.5}$, and ozone at the present time; therefore, the operation of the Project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts.

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Implementation of the Project would unavoidably contribute to significant long-term cumulative air quality impacts. (DEIR, pg. 4.2-29)

3. Climate Change and Greenhouse Gas

a. Cumulative Impacts of Climate Change and Greenhouse Gas

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have a cumulative impact related to climate change and greenhouse gas emissions.

Finding: Based on the entire record, this Council finds that the Project's impacts related to climate change and greenhouse gas emissions is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.2.6.3A, 4.3.6.1A, 4.3.6.1B, and 4.3.6.1C** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.6.1A *Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:*

- *Exterior windows in the office areas shall utilize window treatments for efficient energy conservation.*
- *Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.*
- *Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority.*

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- *Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.*

4.3.6.1B *Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:*

- *Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.*
- *Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.*
- *Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.*
- *Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.*
- *Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:*
    - *Increase insulation such that heat transfer and thermal bridging is minimized.*
    - *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.*
    - *Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas.*

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- *Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:*
    - *Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.*
    - *Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.*
- *Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.*
- *Install light-colored "cool" roof and cool pavements.*
- *Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.*
- *Install solar or light-emitting diodes (LEDs) for outdoor lighting.*
- *Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.*

4.3.6.1C *Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project:*

- *The project applicant shall use low Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment.*
- *Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.*

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- *Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:*
- *Install drought tolerant plants for landscaping.*
- *Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.*
- *Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.*
- *Provide employee education about reducing waste and available recycling services.*

4.3.6.1D *The building roof shall be designed and constructed to accommodate future solar panels.*

4.3.6.1E *The project shall be designed and constructed to meet LEED Silver (as of July 12, 2012) or comparable design standards.*

Facts in Support of the Finding: According to Section 4.3 of the DEIR, the Project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, the Project's GHG emission contribution would result in a cumulative impact regarding climate change and greenhouse gas emissions and the cumulative impacts of the Project on climate change and greenhouse gas emissions are considered to be significant and unavoidable (DEIR, pgs. 4.3-21 - 4.3-27). Additional mitigation measures were considered and determined to be infeasible based on the facts in the staff report and the FEIR Response to Comments D-45 and E-51 (FEIR pgs 71-76 and 125-127). In addition carbon-offsets as mitigation was considered and determined to be infeasible because:

- California has not established any generally applicable standards for requiring offsets for GHG emissions; and

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- Most cities and counties in California have not required offsets for GHG emissions on projects of the scale of the proposed project. Since this is a cumulative rather than a project level impact, mitigation for the cumulative level impact will be ineffective unless it is applied to all the cumulative projects.

Using such carbon offsets to mitigate for cumulative impacts is fraught with uncertainty. As the comment implies ("… offsets purchased are real…"), but there is considerable controversy regarding whether offsets that are available today will actually mitigate this cumulative effect.

First, it requires an accurate measure of the emissions to be offset and the offsets to be provided. That calculation turns out to be riddled with uncertainty on both ends. As noted above in the example cited by the commenter, this initial offset of $7 million for the Rodeo refinery was later reduced to $4.4 million due to revised calculations of GHG emissions. The UN's Intergovernmental Panel on Climate Change found a margin of error of 10% with measuring emissions from making cement or fertilizer; 60% with the oil, gas and coal industries; and 100% with some agricultural processes.

Second, the provision of offsets requires an accurate measure of the carbon saved elsewhere. Most of the earliest offset projects involved planting trees, which naturally ingest carbon, a complex and unpredictable process which forbids accurate measurement.

Finally, the very idea of offsetting relies on what is known as additionally - evidence that a carbon reduction would not have occurred in the natural order of commercial life. For example, one of the biggest UK companies that sells offsets, Climate Care, distributed 10,000 energy-efficient light bulbs in a South African township; offered the carbon reductions as offsets; and then discovered that an energy company was distributing the same kind of light bulbs free to masses of customers, including their township, so the reduction would have happened anyway.

To accurately calculate the amount of credit for each of the above actions, the offset program must make a number of critical assumptions:

- What is the baseline of emissions for the existing facilities that would be retrofitted to reduce their energy consumption? Would they ultimately be retrofitted in any case, thus limiting the

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actual resulting reduction in GHG emissions?

- Is the development of the alternative energy source actually dependent on the external funding provided by the offset? Or is the alternative energy developer simply achieving another subsidy?

- How much extra energy (and GHG emissions) is required to construct the alternative energy facility? What period of time should this be amortized over? For example, the development of the California High Speed Rail Project is estimated to reduce energy consumption in the long run. However, the extra energy involved with construction is estimated to have a 40 year payback.

As such, the actual amount of mitigation provided by an offset program can be speculative, based upon the actual performance of the program.

While the above cited issues with offsets are problematic, even if they are successful, they are based upon the assumption that a 1:1 reduction in emissions will actually result in the same reduction in global CO2 values. This static analysis fails to take into account the dynamic nature of energy consumption worldwide. When energy consumption (a proxy for GHG emissions) is reduced in one location, there are powerful economic reasons to assert that the same energy consumption (GHG emissions) will simply be shifted to another location.

There is a global marketplace for fossil fuel energy based upon a market between buyers and sellers. The sellers, those who own the sources and production of fossil fuel energy, have a powerful economic interest to keep and increase their income stream from the production of fossil fuels.

To the extent that the actions cited above as potential offset measures, in combination with other conservation measures, reduce the demand for fossil fuels in the countries where they are implemented, the owners of these fossil fuel supplies will still want to preserve and enhance their income as much as possible. And there is a large unmet need (unmet as defined by consumer actions) for increased energy consumption in developing countries. For example the average annual energy consumption of a citizen of China or sub-Saharan Africa, at 4.5 metric tons, is far less than that of the

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average US citizen, at 20 metric tons. To the extent that the US and other countries reduce energy consumption based upon energy efficiency measures, the owners of fossil fuel resources will seek to sell the same energy, perhaps at a lower price, to the less developed countries. If the energy is sold at a lower price, then more energy would need to be sold to generate the same income, and the resulting energy consumption and GHG emissions could actually increase.

There is uncertainty regarding the efficacy, reliability and legal standing of carbon off-sets at this time. For this reason, such mitigation is considered to be infeasible.

4. Transportation

a. Existing Plus Project and Cumulative Plus Project Freeway Segments and Freeway Merge/Diverge Areas

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would contribute to two freeway merge/diverge areas failing to maintain the level of service standard in the existing plus project condition. The EIR evaluated and concluded that the Project would contribute to four freeway segments and merge diverge areas failing to maintain the level of service standard in the year 2013 plus project condition.

Finding: Based on the entire record, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to freeway segments will remain significant and unavoidable.

Facts in Support of the Finding: As indicated in Section 4.5 of the DEIR, the following two freeway segments are projected to operate at unsatisfactory levels of service in the existing plus project analysis:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

The following four freeway segments and freeway merge/diverge areas are projected to operate at unsatisfactory levels of service in the cumulative year 2013 plus project analysis:

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- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. and p.m. peak hours);
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour); and
- Freeway segment south of Harley Knox Boulevard (a.m. peak hour).

Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed. (DEIR, pgs. 4.5-18 4.5-28)

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed four alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. The No Project Alternative, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed yet the site would be developed in a similar manner to the Project and consistent with existing zoning for the site. A Reduced Intensity Alternative, a Commercial Center (mixed retail/office) Alternative, and an Off-site Alternative were also selected for analysis. CEQA requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Specific Plan 208 zoning designation, consisting of an underlying land use of Business Park/Industrial. To allow for quantified comparison of potential

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impacts, the No Project Alternative was assumed to result in the development of approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. The commercial service component of this alternative would be located along the frontage of Perris Boulevard while the industrial warehouse uses would occupy the remaining portion of the site. (DEIR, pg. 6-12)

Impacts: The No Project Alternative, as referenced in Section 6.0 of the DEIR, would result in similar impacts when compared to the Project. Similar to the Project, the No Project Alternative would result in less than significant impacts in the following areas: Aesthetics; Williamson Act Contracts/Agricultural Zoning and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use; Mineral Resources; Noise; Population and Housing; Public Services; Recreation and Parks; and Utilities and Service Systems. The Project's significant and unavoidable agricultural impacts, air quality impacts, climate change and GHG impacts, and transportation impacts would also occur in the same manner as the proposed project. However, under the No Project Alternative, potential air quality, climate change, and traffic/transportation impacts would be greater than the proposed project because of the higher trip generation potential of the commercial uses.

Objectives: Under the No Project Alternative, the subject site would develop in a similar manner as the Project, and most of the Project Objectives would be achieved. However, the objectives specifically oriented towards warehouse and industrial uses would be met at a reduced level due to the commercial component included in this Alternative.

Finding: Under the No Project Alternative, the project site would be developed with approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres. This Alternative would result in the same significant and unavoidable impacts associated with agricultural resources, air quality, climate change and greenhouse gases, and traffic that have been identified within the DEIR. However, potential air quality, climate change, and traffic/transportation impacts would be greater than the proposed project because of the higher trip generation potential of the commercial uses. Because the No Project Alternative results in an increase in potential significant and unavoidable impacts in comparison to the Project, the City Council hereby rejects the No Project Alternative.

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2. Alternative 2 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for air pollution and greenhouse gas emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent but at a reduced level. Implementation of the Reduced Intensity Alternative would yield approximately 1,212,100 square feet of development, a reduction of approximately 25 percent or approximately 434,033 square feet, when compared to the approximately 1,616,133 square-foot Project analyzed in the EIR.

Impacts: Under the Reduced Intensity Alternative, impacts related to agricultural resources would be similar to the Project as the same amount of land would be disturbed. Similarly, impacts related to short-term construction-related air quality would be similar to the Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the Project; however, long-term traffic impacts to state freeway segments and merge/diverge areas would remain significant and unavoidable. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the Project but would remain significant and unavoidable. Impacts associated with the generation of greenhouse gas emissions would also be reduced proportionate to the reduction in building area in comparison to the proposed project, but would remain significant and unavoidable.

Objectives: : The Reduced Intensity Alternative (environmentally superior alternative) will result in reduced air pollution and greenhouse gas (GHG) emissions but the significance of these impacts remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project. The significant and unavoidable project impacts associated with GHG emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. The significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold). The Reduced Intensity Alternative would, to some degree, realize the Project Objectives as follows:

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- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and

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- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

However, because the scale of the development would be diminished under the Reduced Density Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project.

The applicant is selling the property at a price that reflects the current market value for similar industrial-zoned properties in this region. The value of warehouse/industrial property is typically based on an assumed minimum building coverage (FAR) of 50%. The subject project FAR (51.5%) supports the seller's price for the land while meeting the minimum return on investment required to finance the development. The economic viability of the reduced density alternate has been studied which assumes a 25% reduction in FAR or approximately 404,033 square feet. This would result in a 38.6% FAR for the Reduced Density Alternative. The financial analysis for the reduced density project demonstrates that the project is not economically feasible. The estimated net proceeds after costs drop 73% when compared with the original project. Further, the Internal Rate of Return (IRR), commonly used as a metric to finance the real estate, plunges by nearly 60% for the less-dense alternative. This financial analysis demonstrates that the reduced density project alternative is not economically viable when industry standard development costs and minimum thresholds for financing are analyzed.

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 25 percent (or 434,033 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable agricultural resources impacts, construction and operational air quality impacts, and cumulative greenhouse gas impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to

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provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as fully as the Project. The Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

3. Alternative 3—Commercial Center (Mixed Commercial/Office)

Description: As identified in Section 6.0 of the DEIR, the Commercial Center Alternative would result in the development of commercial service and office uses on the Project site, although business and professional offices, financial institutions, and medical clinics are permitted in SP 208.

208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP 208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.

Impacts: As identified in Section 6.0 of the DEIR, the Commercial Center Alternative would result in similar impacts for the following eight environmental issues: Agriculture and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; and Mineral Resources. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the Project. Long-term traffic impacts to state freeway mainline segments and merge/diverge areas would remain significant and unavoidable. Under the Commercial Center Alternative, impacts related to short-term construction emissions would be similar to the Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude because of the increase in vehicle trips when compared to the Project and would remain significant and unavoidable. Traffic-related noise would be

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increased in magnitude but would be similarly mitigated like the Project and would remain less than significant.

Objectives: Under this alternative, some of the Project objectives are not met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley, but not within the industrial employment sector.

Findings: Under the Commercial Center Alternative, development of commercial service and office uses would occur. This Alternative would have similar impacts that have been identified within the DEIR. However, the Commercial Center Alternative would result in an increase in trip generation in comparison to the Project, and would result in an increase in the severity of the significant and unavoidable impacts to construction and operational air pollution emissions, climate change and greenhouse gas emission, and traffic. The City Council finds that the Commercial Center Alternative would fulfill some but not all of the Project Objectives. Moreno Valley residents would have more opportunities for employment but a warehouse would not be built. Because the Commercial Center Alternative will not fulfill the primary objective of the Project and the severity of significant and unavoidable impacts would be increased in comparison to the Project, the Council hereby rejects the Commercial Center Alternative.

4. Alternative 4—Off-Site Location

Description: As identified in Section 6.0 of the DEIR, this alternative would result in the same intensity of development of approximately 1,616,133 square feet of warehouse uses on approximately 70.3 acres. The alternative Project site identified by the City is bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.0 miles northwest of the Project site and is within the same Industrial Area Specific Plan as the Project. This alternative off-site property is not owned or under the control of the applicant. The off-site location is currently zoned SP 208 I and is designated Business Park in the City's General Plan, identical to the Project development of this site would not require soil import, inherently reducing impacts form air pollution emissions during construction.

Impacts: Section 6.0 of the DEIR, identifies nine environmental issues that would have similar impacts as the Project. These issues are: Cultural Resources; Geology and Soils; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Population and Housing; Public

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Services; Recreation; and Utilities and Service Systems. With the Off-Site Location Alternative, impacts related to air quality and traffic impacts would be similar to those identified with the Project. Short-term construction and long-term air quality operational and climate change/greenhouse gas emissions impacts under this alternative would remain significant and unavoidable and would result in similar conditions as identified for the Project. Additionally, due to adjacent sensitive receptors, potential impacts to these receptors would be greater in magnitude when compared to the Project. Similarly, noise impacts would be greater in magnitude due to the adjacent sensitive receptors. Operational traffic would result in increased traffic on vanity roadways and may impact different intersection and roadways in comparison to the Project. Under this Alternative, impacts to agricultural resources would be eliminated.

Objectives: The Off-Site Alternative would meet most of the Project objectives. The location of the Off-Site Alternative further north of Harley Knox Boulevard would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system.

Finding: Under the Off-Site Alternative, development of the warehouse would occur in a different location. This Alternative would have similar impacts that have been identified within the DEIR. And most of the objectives of the Project would be met, would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system. The Council finds that the Off-Site Alternative would have similar impacts to all environmental issues except for agriculture because this Alternative would eliminate the significant and unavoidable impacts to agricultural resources. Because the Off-Site Alternative will not substantially reduce the environmental impact of the Project and it would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system, the Council hereby rejects the Off-Site Alternative.

5. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 6-3 through 6-5) Three possible alternatives were considered and rejected because they could not accomplish the basic objectives of the Project or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated project

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objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the Project is to provide for and expand employment and revenue opportunities within the City of Moreno Valley. The Project would expand employment options in a location that is convenient to existing transportation corridors, convenient to existing and future City residents and would augment the City's economic base. The following provides and discussion of the three development scenarios that were considered and rejected as potential alternatives to implementation of the Project based on Section 15126.6 of the *CEQA Guidelines* because they did not feasibly attaining most of the basic objectives of the Project while reducing or avoiding any of the significant effects of the Project:

- No Build Alternative: No development would take place within the Project limits and no impacts would occur. However, disallowing development of the site, as suggested by this alternative, would not fulfill the primary objectives of the Project and the site would likely be developed in accordance with existing zoning should the Project not move forward. Retention of the project site in its current condition would not expand employment opportunities to residents of the City. Retaining the site in its current undeveloped condition would not generate the revenue (e.g., property tax) that could augment the City's current revenue stream. Therefore, the No Build Alternative was rejected from further consideration in the EIR.

- Residential Alternative: The Residential Alternative would develop the 71-acre project site with approximately 355 single-family units based on the City's R5 zone. The R5 zone was utilized as this is the zoning designation of the nearest residential uses to the north along Perris Boulevard and north of the Perris Valley Storm Drain channel. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and Industrial Area Plan (SP208 I) zoning designation to a residential R5 designation. Furthermore, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. Since the Residential Alternative consists only of residential uses, employment-generating opportunities would not occur aside from temporary construction work, which would be filled predominantly by those already residing in the area. The residential uses would produce demand for public services that would exceed the amount of municipal revenues it would generate. The project's full potential to utilize the area's close proximity to various freeways and transportation corridors

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would not be realized as only residential uses would occur under the Residential Alternative. Additionally, the development of the entire 71-acre project site under this alternative would result in the placement of the residential uses within an area planned for industrial uses which could result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City employment generating objectives for development of the Project site.

- Mixed Commercial/Residential Alternative: The Mixed Commercial/Residential Alternative would develop the 71-acre project site with approximately 690,000 square feet of Community Commercial uses and 532 multiple-family units. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and SP208 I zoning designation to a residential designation and commercial designation. Additionally, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. While the commercial component of this Alternative would utilize the project site's close proximity to nearby transportation corridors, the development of the remainder of the site with residential uses would not provide the varied employment and service uses and revenue associated with the proposed project. The development of approximately half of the project site under this alternative with residential uses would result in the placement of the residential uses adjacent to SP208 I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. The residential component of this alternative would produce demand for public services that would exceed the amount of municipal revenues it would generate, and there would be little to no employment opportunities created. Therefore, the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City employment generating objectives for development of the project site.

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6. Environmentally Superior Alternative

As explained by Section 6.0 in the DEIR, Alternative 2 (Reduced Intensity Alternative) reduces the severity of Project related air quality impacts. However, long-term air quality impacts would remain significant after mitigation for this alternative for ROG, NO_x, PM_{10} and $PM_{2.5}$. In a similar manner, Alternative 2 would reduce the volume of daily traffic trips when compared to the Project; however, such impacts to state freeway mainline segments and merge/diverge areas would remain significant and unavoidable until freeway improvements are completed by the state. Alternative 2 would also reduce the quantity of greenhouse gas emission when compared to the Project; however, impacts to Climate Change would remain significant and unavoidable. Although the environmentally superior alternative (reduced density) would result in reduced air pollution and greenhouse gas (GHG) emissions and traffic generation, the significance of these impacts would remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project. The significant and unavoidable project impacts associated with GHG emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. The significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold), which is clearly an unreasonable alternative that would be unable to meet most of the project objectives and this Council therefore rejects. The remaining environmental issues would ultimately be similar to the Project through adherence to existing standards and mitigation measures. Based on the analysis in Section 6.0 and the summary contained in Table 6.K, Alternative 2, the Reduced Intensity Alternative, is the environmentally superior alternative. The amount of development under this alternative would be reduced when compared to the Project; however, the Alternative 2 would not satisfy several of the Project objectives because it would reduce the level at which it meets the employment generating Project objectives. Because the Reduced Intensity Alternative allows the development of warehouse uses and the provision of new employment opportunities, it meets many of the City's stated Project objectives, while at the same time reduces the impacts associated with the Project. However, because of the lower industrial density, the Alternative fails to meet several key employment generating objectives related to density efficiencies in the same manner as the Project. These objectives include: "Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of

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income levels" and "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources reduces impacts to air quality, global climate change, and traffic." This is due to the fact that the reduced intensity alternative would develop only a portion of the project site resulting in an inefficient development density and resulting in negative effects such as sprawl in conflict with these objectives.

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

Section 5.0 of the DEIR identifies the extent to which the new jobs created by a Project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. Construction of the Project will create short-term construction jobs. Due to the existing high unemployment levels that exist in the City, the potential exists for these short-term positions to be filled by workers who, for the most part, reside in the City or neighboring communities to the Project area. Therefore, construction of the Project will not generate a permanent increase in population within the Project area.

As previously identified, the Project is expected to employ approximately 646 people. These full-time positions are also anticipated to be filled by workers who, for the most part, reside in the Project area due to high unemployment levels that exist in the City. Operations of the Project will not generate a permanent increase in population within the Project area.

The area surrounding the Project site is governed by the City of Moreno Valley General Plan and the area is guided by Specific Plan 208. Specific Plan 208 guides land use within the Project area to ensure that new development and redevelopment is implemented consistent with the land use policies, controls, and standards contained in Specific Plan 208. Any development of remaining undeveloped land adjacent to the Project site would require its own discretionary approvals and is not reliant on the Project. However, development of the Project site may lead to indirect growth in the Specific Plan area by making available the extension of infrastructure such as water, sewer, drainage, etc. This growth has been planned for and is guided by Specific Plan 208.

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The Project would occur within an area currently designated for industrial uses. The Project would not require a General Plan Amendment nor does it require a change in the underlying zoning designation. In addition, the Project reflects the City of Moreno Valley's vision for the area and is consistent with Specific Plan 208. Land uses surrounding the Project site would be in conformance with the City's General Plan and Specific Plan 208. Impacts to population and housing are less than significant; see Section 13 Population and Housing of the Initial Study (Appendix A of the DEIR).

The Project would not eliminate a constraint for development of an approved Project within the City of Moreno Valley. There are no projects in the City of Moreno Valley or surrounding cities that have been approved but are conditioned or dependent on additional improvements at the Project site. Specific Plan 208 guides land uses surrounding the Project site to ensure compatibility between existing operations and adjacent surrounding development. Additionally, the Project would not add capacity to urban services or infrastructure that would be utilized by other project proponents in the surrounding area.

The Project would not result in any significant pressure to redevelop the area around the Project site at a higher density. As previously stated, the development of remaining undeveloped land adjacent to the Project site is independent and not reliant on the Project. Therefore, implementation of the Project would not result in redevelopment of adjacent lands at a higher intensity than already prescribed in the City of Moreno Valley's General Plan and Specific Plan 208.

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

California Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

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(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project does not trigger any of the conditions cited in Guidelines §15127. Nonetheless, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or
- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Determining whether the proposed project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The project site is generally fallow agricultural land with the site historically used for sod farming operations. However, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the proposed project would permanently alter the site by converting predominantly agricultural uses to urban uses. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the proposed project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is justified in

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supporting the City's planned use of the site and is not expected to negatively impact the availability of these resources.

In addition, this industrial warehouse project, in concert with the other built or approved industrial warehouse projects, will fundamentally change the character and land use pattern of this portion of the City. Many of the project-specific impacts are addressed, as outlined above, but the change in the use of the land from agricultural to industrial represents a substantial irreversible change for this area. However, this is an intended change a verified by the City's General Plan land use designations and zoning for the area. (DEIR pgs. 5-2 and 5-3)

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Agricultural Impacts - Conversion of State Designated Farmland;
2. Agricultural Impacts - Conversion to a Non-Agricultural Use;
3. Cumulative Agricultural Impacts
4. Air Quality Impact - Construction Air Pollutant Emissions;
5. Air Quality Impact - Operational Air Pollutant Emissions;
6. Cumulative Air Pollutant Emissions;
7. Cumulative GHG Emissions;
8. Transportation - Existing Year (2007) with Project Level of Service; and
9. Transportation - Cumulative Impacts to State Freeway Segments and Freeway Merge/Diverge Areas

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the Project against any significant and unavoidable environmental impacts in determining whether to approve the Project. If the benefits of

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the Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(C) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they are not capable of being accomplished in a successful manner within a reasonable time period, taking into account economic, environmental, legal, social, and technological factors.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives or the other alternatives do not substantively reduce the severity of unavoidable and significant impacts.

The City Council has determined that steps to preserve agricultural land are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly. All of these factors result in an inability to make farming profitable.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

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- The Project will provide development consistent with the General Plan and in conformance with SP 208, municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- Based on the square footage of the Project an estimated 646 jobs would be created for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the Project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

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The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies, amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. Findings

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

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2. Significant Unavoidable Impacts/Statement of Overriding Considerations

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(C) of these Findings: Agricultural Impacts—Conversion of State Designated Farmland; Agricultural Impacts—Conversion to a Non-Agricultural Use; Cumulative Agricultural Impacts; Air Quality Impact—Construction Air Pollutant Emissions; Air Quality Impact—Operational Air Pollutant Emissions; Cumulative Air Pollutant Emissions; Cumulative Climate Change and GHG Emissions; Transportation—Existing Year (2007) with Project Level of Service; and Transportation—Existing and Cumulative Impacts to State Freeway Segments and Freeway Merge/Diverge Areas.

The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the Project have been identified in the EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(C) above.

b. Other reasonable alternatives to the Project that could feasibly achieve the basic objectives of the Project have been considered and rejected in favor of the Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the Project override and make infeasible any alternatives to the Project or further mitigation measures beyond those incorporated into the Project.

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VII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *California Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the Mitigation Monitoring and Reporting Plan (MMRP) set forth in Section 4.0 of the FEIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

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EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

VIP Moreno Valley Project

The program has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2011081084) prepared for the project by the City of Moreno Valley.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the Initial Study and the Final EIR.

MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: VIP Moreno Valley Project **Applicant:** Vogel Engineers, Inc.

Date: September 2012

AIR QUALITY						
4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.						
4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During grading	Review of construction documents and on-site inspection		Issuance of a Stop Work Order
4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

construction areas (previously graded areas inactive for ten days or more).	Planning Division					
4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction	City of Moreno Valley Engineering and Building and Safety	Prior to Grading and during grading operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order

equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible;	Planning Division					

• Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical; including providing information on available park and ride programs; • Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be						

electric or natural gas powered. • Suspend use of all construction equipment operations during second stage smog alerts.						
4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues within 2 days.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1M All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1N When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1O All streets shall be swept at least once a day using SCAQMD Rule	City of Moreno Valley Engineering	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	and Building and Safety					
4.2.6.1P Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1R All roadways, driveways, sidewalks, etc., shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1T Reroute construction trucks away from congested streets and	City of Moreno Valley Engineering and Building and	Prior to Grading and during grading and	Prior to Issuance of Grading Permit	Review of construction documents and on-		Withhold Grading Permit or Issuance of a

sensitive receptor areas.	Safety and Planning Division	construction operations.		site inspection		Stop Work Order
4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of the following design features may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space	City of Moreno Valley Building and Safety Planning Division	Prior to Construction (once)	Prior to Issuance of Building Permits	Review of building plans and on-site inspection		Withhold Building Permits

heating and cooling equipment. • Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed. • To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site. • Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings. • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • Reduce energy demand associated with potable water conveyance using the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation						

techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements. • Provide on-site showers (one for males and one for females). Provide lockers for employees. • Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and						

vanpools on the project site plan. • Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans. • Implement compressed workweek schedules; • Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. • Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;						

• Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; • Provision of preferential parking for EV and CNG vehicles; • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; • Use of electric (instead of diesel or gasoline-powered) yard trucks; • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.						
4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard,	City of Moreno Valley Building and Safety	Prior to Construction (once)	Prior to Issuance of Building Permits and Final Site Plan Approval	Review of final site plan and building plans and on-site inspection		Withhold Building Permits

glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.						
BIOLOGICAL RESOURCES						
Mitigation Measure BIO-1: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.	City of Moreno Valley Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Submittal of Evidence that the pre-construction survey has been completed.		Withhold Grading Permit
Mitigation Measure BIO-2: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Submittal of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Submittal of a report of the survey findings.		Withhold Grading Permit

burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.						
Mitigation Measures BIO-3. If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit			Withhold Grading Permit
Mitigation Measure BIO-4: If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that the passive relocation plan has been approved by CDFG and USFWS.		Withhold Grading Permit
CULTURAL RESOURCES						
Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface	City of Moreno Valley Planning Division	Prior to grading and on-going during ground	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified		Withhold Grading Permit/ Issuance of a Stop Work

grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a		disturbing activities.		paleontologist has been retained, and that the paleontologist(s) will be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. A report of findings shall be submitted to the City after the finalization of construction.		Order

qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources						
GEOLOGY AND SOILS						
Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	• Review of construction documents and on-	•	• Withhold Grading Permit

shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent	Engineering			site inspection		

relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.						
Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California,	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of grading and construction documents and on-site inspection		Withhold Grading Permit

NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.						
GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE						
4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents and on-site inspection		Withhold Building Permit

prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.						
4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project: • Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents/building plans and on-site inspection		Withhold Building Permit

• Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
• Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
  ○ Increase insulation such that heat transfer and thermal bridging is minimized.
  ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
  ○ Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas.
• Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape						

architect who will consider the following: ○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored “cool” roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape						

maintenance equipment.						
4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project: • The project applicant shall use low Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: • Install drought tolerant plants for landscaping. • Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. • Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation	City of Moreno Valley Building and Safety Planning Division	Prior to building permit and occupancy	Prior to issuance of occupancy permit	Review of construction documents and on-site inspection		Withhold Occupancy Permit

controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.						
4.3.6.1D The building roof structure shall be designed and constructed to accommodate future solar panels.	City of Moreno Valley Building and Safety Planning Division	Prior to building permit issuance	Prior to issuance of building permit	Review of construction documents		Withhold Building Permits
4.3.6.1E The project shall be designed and constructed to meet LEED Silver (as of July 12, 2012) or comparable design standards.	City of Moreno Valley Building and Safety Planning Division	Prior to building permit	Prior to issuance of building permit	The developer shall submit to the City proof from a LEED specialist that the building and project design meets the LEED Silver design standards prior to City approval of the building and landscape plans.		Withhold Building Permits
HYDROLOGY AND WATER QUALITY						
Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Submittal of copy of Notice of Intent to City filed with the RWQCB		Withhold Grading Permits

under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.						
Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: • Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP. • Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Review and approval of SWPPP		Withhold Grading Permits

drainage ways and must be contained, elevated, and placed in temporary storage containment areas. • All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences. • The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance. • Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. • The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.						
Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction	City of Moreno Engineering	During grading and construction	Prior to Grading	Review of construction documents and on-site inspection		Withhold Grading Permit

contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.						
Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permit	Submittal of WQMP to City for review and approval		Withhold Grading Permit
Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permits	Submittal of evidence that all requirements are fulfilled		Withhold Grading Permit

on the City's existing drainage requirements.						
NOISE						
4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit
4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.4.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high	City of Moreno Valley Building and Safety	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order

noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	Engineering Planning Division					
TRANSPORTATION						
4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	City of Moreno Valley Building and Safety Engineering Planning Division	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of City DIF fees		Withhold Certificate of Occupancy
4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of Riverside County TUMF fees		Withhold Certificate of Occupancy

timeframe established by the County of Riverside TUMF Program.						
4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	City of Moreno Valley Engineering	Once after construction	Prior to the Issuance of Occupancy Permits	Review of construction documents and on-site inspection		Withhold Occupancy Permits

MV00177202

ATTACHMENT 3

RESOLUTION NO. 2012-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA09-0004 FOR DEVELOPMENT OF A 1,616,133 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 80 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026 AND PA09-0012 (TENTATIVE PARECEL MAP NO. 36162) TO COMBINE FOUR PARCELS INTO A SINGLE PARCEL.

Section 1:

WHEREAS, Vogel Engineers, Inc., has filed an application for the approval of PA09-0004, a plot plan for a 1,616,133 square foot warehouse distribution facility on 80 acres, as described in the title of this Resolution.

WHEREAS, on September 25, 2012, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on September 25, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.
   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities. Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is currently zoned Industrial. The proposed use will comply with all applicable zoning regulations and the requirements of the Moreno Valley Industrial Area Plan (SP #208). The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 1,616,133 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

   Land uses to the north include a Waste Management facility and a 426,700 square foot warehouse building. Land uses to the west include the 360,440 square foot i-Herb warehouse building,

approximately 20 acres of vacant Industrial zoned land and a site currently used for container storage. Further to the west is the southern approach to the runways at March Air Reserve Base. Land uses to the east include a ministorage facility, the approximately 255,000 square foot Masonite Door factory, and the approximate 1.2 million square foot Ross Dress For Less distribution facility.

The project site is located at the southerly City limits with a mixture of vacant Industrial zoned land and developed distribution land uses within the City of Perris on the south side of the Perris Valley Storm Drain.

The proposed warehouse distribution facility is a permitted use in the project site's Industrial zone. As designed and conditioned the project is compatible with existing and proposed land uses in the vicinity.

Section 2:

WHEREAS, the applicant, Vogel Engineers, Inc., has filed an application for the approval of PA09-0012 or Tentative Parcel Map No. 36162 to combine the existing four parcels located within the project site into a single 80 acre.

WHEREAS, on September 25, 2012, the City Council of the City of Moreno Valley held a public hearing to consider the subject applications and the environmental documentation prepared for the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on September 25, 2012, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing four parcels located within the project site into a single 80 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary. Land uses to the north include a Waste Management facility and a 426,700 square foot warehouse building. Land uses to the west include the 360,440 square foot i-Herb warehouse building, approximately 20 acres of vacant Industrial zoned land and a site currently used for container storage. Further to the west is the southern approach to the runways at March Air Reserve Base. Land uses to the east include a ministorage facility, the approximately 255,000 square foot Masonite Door factory, and the approximate 1.2 million square foot Ross Dress For Less distribution facility.

The project site is located at the southerly City limits with a mixture of vacant Industrial zoned land and developed distribution land uses within the City of Perris on the south side of the Perris Valley Storm Drain.

Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Perris Boulevard, Indian Street and Grove View Road. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

   FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

    FACT: The project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

Section 3:

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

   Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu

Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0004 and PA09-0012, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2012-78

1. APPROVING PA09-0004 (Plot Plan), subject to the attached conditions of approval included as Exhibit A; and

2. APPROVING PA09-0012 (Tentative Parcel Map No. 36162), subject to the attached conditions of approval included as Exhibit B.

APPROVED AND ADOPTED this 25th day of September, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-78 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Resolution No. 2012-78
Date Adopted: September 25, 2012

CITY OF MORENO VALLEY EXHIBIT A
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA09-0004 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 316-210-071, -073, -075 and -076

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA09-0004 is subject to certification of an Environmental Impact Report by the City of Moreno Valley.

P2. Plot Plan PA09-0004 has been approved for development of a 1,616,133 square foot warehouse distribution facility, to be built on a 80 acre site within Assessor's Parcel Numbers 316-210-071, -073, -075 and -076. The facility includes 268 dock doors and 44,000 square feet of office. Required parking for this use equates to a total of 589 employee/visitor parking spaces and 368 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36162 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office

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Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation | GP - Grading Permits | CO - Certificate of Occupancy or building final
WP - Water Improvement Plans | BP - Building Permits | P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan | MC - Municipal Code | CEQA - California Environmental Quality Act
Ord - Ordinance | DG - Design Guidelines | Ldscp - Landscape Development Guidelines and Specs
Res - Resolution | UFC - Uniform Fire Code | UBC - Uniform Building Code
SBM - Subdivision Map Act

area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Perris Boulevard, Indian Street and Grove View Road.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA09-0004 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the

Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P26. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P27. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P28. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P29. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative treatment for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P30. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P31. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P32. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by a POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

P33. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:

- **A. A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C. A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Perris Boulevard, Indian Street and Grove View Road.**
- **D. An 8 foot tall chain link fence with slats is required along the southern property line along the Riverside County Flood Control maintenance road.**

<u>Prior to Issuance of Building Permits</u>

P34. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will

provide complete screening upon maturity. (GP Objective 43.30, DG)

P35. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P36. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P37. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P38. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project

site.

E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.

F. **Enhanced landscaping shall be included at all driveway and corner locations.**

G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.

H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. **Street trees planted at 40 feet on center spacing shall be provided along the site's Perris Boulevard, Indian Street and Grove View Road frontages.**

J. **Along property boundaries visible from the public view and accessible to the general public, trees shall be planted at a rate of one tree per 30 linear feet of the interior property line. Tree clusters may satisfy this requirement.**

K. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits, a final map for Tentative Parcel Map No. 36162 (PA09-0012) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

Prior to Issuance of Certificate of Occupancy or Building Final

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the public rights of way.

MITIGATION MEASURES

Air Quality

P54. 4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P55. 4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P56. 4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air

Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P57. **4.2.6.1D** All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

P58. **4.2.6.1E** The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.

P59. **4.2.6.1F** The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

P60. **4.2.6.1G** Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).

P61. **4.2.6.1H** The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P62. **4.2.6.1I** The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P63. **4.2.6.1J** If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

P64. **4.2.6.1K** Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips;
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
- Suspend use of all construction equipment operations during second stage smog alerts.

P65. **4.2.6.1L** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P66. **4.2.6.1M** All project entrances shall be posted with signs which state:

- Truck drivers shall turn off engines when not in use;
- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and
- Telephone numbers of the building facilities manager and CARB, to report violations.

P67. **4.2.6.1N** When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

P68. **4.2.6.1O** All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.

P69. **4.2.6.1P** Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

P70. **4.2.6.1Q.** Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.

P71. **4.2.6.1R** All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

P72. **4.2.6.1S** Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.

P73. **4.2.6.1T** Reroute construction trucks away from congested streets and sensitive receptor areas.

P74. **4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent.

Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of the following design features, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed.
- To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site.
- Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings.
- Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.
- Reduce energy demand associated with potable water conveyance using the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
- Provide on-site showers (one for males and one for females). Provide lockers for employees.
- Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of

project completion that outlines the measures implemented by the TMA, as well as contact information.

- Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.
- Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.
- Implement compressed workweek schedules;
- Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.
- Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.
- Use of fleet vehicles conforming to 2010 air quality standards or better.
- Installation of catalytic converters on gasoline-powered equipment.
- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;
- Provision of preferential parking for EV and CNG vehicles;
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;
- Use of electric (instead of diesel or gasoline-powered) yard trucks;
- Use of SmartWay 1.25 rated trucks.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.
- Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.

P75. 4.2.6.3B The project shall be designed to facilitate the reduction of waste generated

by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.

Biological Resources

P76. **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.

P77. **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.

P78. **Mitigation Measures BIO-3.** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.

P79. **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.

Cultural Resources

P80. **Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.
- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources

Geology and Soils

P81. **Mitigation Measure GEO-1:** Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum

of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.

P82. **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Greenhouse Gases and Global Climate Change

P83. **4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated

in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows in the office areas shall utilize window treatments for efficient energy conservation.
- Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.
- Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority.
- Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.

P84. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
  - Increase insulation such that heat transfer and thermal bridging is minimized.
  - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
  - Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:

- Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.
- Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.

- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.
- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

P85. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project:

- The project applicant shall use low Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment.
- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.
- Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
- Install drought tolerant plants for landscaping.
- Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.
- Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.
- Provide employee education about reducing waste and available recycling services.

***P86.** **4.3.6.1D** The building roof shall be designed and constructed to accommodate future solar panels.

***P87. 4.3.6.1E** The project shall be designed and constructed to meet LEED Silver (as of July 12, 2012) or comparable design standards.

***Mitigation Measures added by the Planning Commission at the July 12, 2012 public hearing.**

Hydrology and Water Quality

P88. Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.

P89. Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:

Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.

Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.

All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.

The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.

Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.

The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

P90. **Mitigation Measure HYD-03:** Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.

P91. **Mitigation Measure HYD-04:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.

P92. **Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.

Noise

P93. **4.4.6.1A** During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

P94. **4.4.6.1B** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.

P95. **4.4.6.1C** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.

P96. **4.9.6.1D** During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

Transportation

P97. **4.5.6.1A.** Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.

P98. **4.5.6.1B.** Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.

P99. **4.5.6.2A.** Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.

Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will

also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Please complete and return attached fire flow letter.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F18. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F19. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F21. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F22. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F23. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F24. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F25. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F26. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F27. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F28. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F29. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F30. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F31. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F32. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F33. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F34. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F35. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date:	02/24/2009	Address:	
Case Number:	PA09-0004	A.P.N.:	316-210-071, 073, 075, 076

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 4000 G.P.M. for duration of 4-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/ Developer: _____

By: _____ **Date:** _____

Title: _____

WATER AGENCY APPROVAL

Name of Agency: _____

Address: _____

Telephone: _____ **Date:** _____

By: _____ **Title:** _____

NOTE: **THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.**

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD3. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD8. (G) Prior to occupancy, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Indian Street** improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD9. (G) Prior to occupancy, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Perris Boulevard** improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD11. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD12. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD13. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD14. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD21. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

<u>Prior to Map Approval or Recordation</u>

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such

offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD29. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD30. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD31. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD32. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD33. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

LD34. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD35. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD36. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD37. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD38. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD39. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD40. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD41. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD42. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD43. (BP) Prior to issuance of a building permit, if the project involves a non-residential subdivision, the map shall be recorded.

LD44. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD45. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD46. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the

developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD47. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD48. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
   i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
   ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD53. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

<u>SPECIAL CONDITIONS</u>

LD54. Prior to parcel map approval, the map shall show the following:

a. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on Perris Boulevard, Indian Street, and Grove View Road.

b. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along Perris Boulevard and Indian Street.

c. The appropriate additional right-of-way required for a bus turn-out on Perris Boulevard as depicted on the approved project plans and as conditioned by the City's Transportation Department.

d. Corner cutback right-of-way dedications per City Standard 208 at the southeast corner of Indian Street and Grove View Road and the southwest corner of Perris Boulevard and Grove View Road.

LD55. Prior to parcel map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Perris Boulevard, Divided Arterial, City Standard 103C (110-foot RW / 86-foot CC) shall be constructed to half-width plus an additional 18 feet east of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Indian Street, Minor Arterial, Modified City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 18 feet west of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. Grove View Road, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet north of the centerline, along the entire project's north frontage. Additional right-of-way dedications at driveway approaches along the project's north property line, shall be shown on the parcel map.. Improvements shall consist of, but not be limited to, pavement, base,

curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite, streetlights, pedestrian ramps, dry and wet utilities.

d. Driveway approaches shall be constructed per City Standard No. 118C or as modified as shown on the project plans. The parcel map shall show an additional 4-foot minimum right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Certain project entrance(s) may be required to be constructed as a public street intersection.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD56. Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show all driveway approaches to be constructed per City Standard Plan 118C modified, as accepted by the City. There shall be 4-foot minimum wide pedestrian sidewalk area at 2% maximum behind the conventional right-of-way. A minimum 4-foot pedestrian right-of-way dedication shall be made on the final parcel map PM 35672.

LD57. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD58. Prior to precise grading plan approval, the grading plan shall show that the lowest finished floor elevation is a minimum of one foot above the base flood elevation.

LD59. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD60. Prior to occupancy, the developer shall obtain an encroachment permit from Riverside County Flood Control & Water Conservation District in order to connect proposed onsite storm drain to the Perris Valley Channel Lateral B.

LD61. Prior to occupancy, the developer shall make a good faith effort to cause Riverside County Flood Control & Water Conservation District to dedicate additional public street right-of-way on Indian Street and Perris Boulevard along their property frontage between the project's south property line and the bridges.

LD62. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code.

LD63. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD64. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site.

LD65. The Applicant <u>has proposed to incorporate the use of vegetated swales, hydrodynamic separators, and sand filters</u>. Final design details of the treatment control BMPs must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD66. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD67. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA09-0004**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD5. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation

into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD6. (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Perris Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or

b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD7. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD8. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD9. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by

the Community Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD10. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD11. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD12. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Perris Boulevard is classified as a Divided Arterial (110'RW/86'CC) per City Standard Plan No. 103C. The sidewalk shall be curb-separated. Any modifications or improvements undertaken by this project shall be consistent

with the City's standards for this facility.

TE3. Indian Street is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Grove View Road is designated as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE5. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE11 as well as Indian Street for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE6. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE7. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE9. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design Perris Boulevard to include a bus bay per City Standard Plan No. 121 in the southbound direction, south of Grove View Road. The bus bay may be designed to serve as a combination right turn lane/bus bay to the satisfaction of the City Engineer.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection/traffic signal at Perris Boulevard and the South Project Driveway to provide the following (at a minimum):

Northbound: One left turn lane, one shared through/right turn lane

Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

NOTE: The curb return radii on the northwest/southwest corners shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design and modify the intersection of Perris Boulevard at Grove View Road to include a 200' northbound left turn lane with raised median. This modification may include relocation of the traffic detector loops and other traffic signal modifications.

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersections:

- **Perris Boulevard at South Project Driveway (signal modifications).**
- **Perris Boulevard at Grove View Road (signal modifications).**

TE14. (BP) Prior to issuance of a building permit, the project applicant shall make a fair-share contribution in the amount of $45,150 to the City of Moreno Valley for the construction of a traffic signal at Perris Boulevard and Suburban Lane. As this traffic signal is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance shall be provided with the following, or as approved by the City Traffic Engineer:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic.
b) Appropriate signing and striping.

All of these features must be kept in working order.

TE17. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal modifications identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE18. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE10, TE11, and TE12 per the approved plans.

TE19. (CO) Prior to the issuance of a certificate of occupancy for the project, driveway access at the following locations will be installed as follows:

- **North Perris Boulevard Driveway: Right-in, right-out access by means of a raised median.**
- **South Perris Boulevard Driveway: Full access by means of a traffic signal.**
- **Grove View Road Driveways: Full access.**
- **Indian Street Driveways: Full access.**

NOTE: All truck driveways shall have curb return radii of 50 feet.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE20. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA09-0004 & PA09-0012; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the

installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district

established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This Project is **subject** to a Reimbursement Agreement. The Project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the Project. The developer shall be responsible to pay to the City of Moreno Valley the sum of **$423,150.00** for this electrical distribution infrastructure prior to the issuance of building permits.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

EXHIBIT B

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0012
TENTATIVE PARCEL MAP NO. 36162
ASSESSOR'S PARCEL NUMBERS: 316-210-071, -073, -075 and -076

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36162 is approved for the purposes of re-configuring the existing four parcels located within the project site and creating a single 80 acre parcel.

P2. Development within Tentative Parcel Map No. 36162 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This project shall comply with the project mitigation measures listed in the conditions of approval for PA09-0004 and the mitigation monitoring program for the VIP Moreno Valley Project.

P4. This approval shall comply with all applicable requirements of the City of Moreno

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Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

Valley Municipal Code.

P5. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P6. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P7. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P8. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P10. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P11. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission

and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P12. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P13. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P14. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative treatments for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P15. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P16. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl pre-construction survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

Prior to Recordation of Final Map

P17. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Please complete and return attached fire flow letter.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and

c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F18. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F19. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F21. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F22. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F23. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F24. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F25. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install

equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F26. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F27. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F28. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by

departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F29. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F30. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F31. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F32. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F33. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F34. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F35. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date:	02/24/2009	Address:	
Case Number:	PA09-0004	A.P.N.:	316-210-071, 073, 075, 076

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 4000 G.P.M. for duration of 4-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/ Developer: _____

By: _____ **Date:** _____

Title: _____

WATER AGENCY APPROVAL

Name of Agency: _____

Address: _____

Telephone: _____ **Date:** _____

By: _____ **Title:** _____

NOTE: **THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.**

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD3. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD8. (G) Prior to occupancy, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Indian Street** improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD9. (G) Prior to occupancy, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and

reimbursement for the construction of applicable **Perris Boulevard** improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

<u>Prior to Grading Plan Approval or Grading Permit</u>

LD11. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD12. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD13. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD14. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land

Development Division of the Public Works Department

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD21. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD29. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD30. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD31. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD32. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a

guarantee of the completion of the improvements required as a condition of approval of the project.

LD33. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

LD34. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD35. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD36. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD37. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for

street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD38. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD39. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD40. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD41. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD42. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

<u>Prior to Building Permit</u>

LD43. (BP) Prior to issuance of a building permit, if the project involves a non-residential subdivision, the map shall be recorded.

LD44. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD45. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD46. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

<u>Prior to Certificate of Occupancy</u>

LD47. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD48. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation,

maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.

i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD53. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

LD54. Prior to parcel map approval, the map shall show the following:

a. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on Perris Boulevard, Indian Street, and Grove View Road.

b. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along Perris Boulevard and Indian Street.

c. The appropriate additional right-of-way required for a bus turn-out on Perris Boulevard as depicted on the approved project plans and as conditioned by the City's Transportation Department.

d. Corner cutback right-of-way dedications per City Standard 208 at the southeast corner of Indian Street and Grove View Road and the southwest corner of Perris Boulevard and Grove View Road.

LD55. Prior to parcel map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior

to occupancy of the first building or as otherwise determined by the City Engineer.

a. Perris Boulevard, Divided Arterial, City Standard 103C (110-foot RW / 86-foot CC) shall be constructed to half-width plus an additional 18 feet east of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Indian Street, Minor Arterial, Modified City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 18 feet west of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. Grove View Road, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet north of the centerline, along the entire project's north frontage. Additional right-of-way dedications at driveway approaches along the project's north property line, shall be shown on the parcel map.. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite, streetlights, pedestrian ramps, dry and wet utilities.

d. Driveway approaches shall be constructed per City Standard No. 118C or as modified as shown on the project plans. The parcel map shall show an additional 4-foot minimum right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Certain project entrance(s) may be required to be constructed as a public street intersection.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD56. Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show all driveway approaches to be constructed per City Standard Plan 118C modified, as accepted by the City. There shall be 4-foot minimum wide pedestrian sidewalk area at 2% maximum behind the conventional right-of-way. A minimum 4-foot pedestrian right-of-way dedication shall be made on the final parcel map PM 35672.

LD57. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD58. Prior to precise grading plan approval, the grading plan shall show that the lowest finished floor elevation is a minimum of one foot above the base flood elevation.

LD59. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD60. Prior to occupancy, the developer shall obtain an encroachment permit from Riverside County Flood Control & Water Conservation District in order to connect proposed onsite storm drain to the Perris Valley Channel Lateral B.

LD61. Prior to occupancy, the developer shall make a good faith effort to cause Riverside County Flood Control & Water Conservation District to dedicate additional public street right-of-way on Indian Street and Perris Boulevard

along their property frontage between the project's south property line and the bridges.

LD62. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code.

LD63. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD64. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site.

LD65. The Applicant has proposed to incorporate the use of vegetated swales, hydrodynamic separators, and sand filters. Final design details of the treatment control BMPs must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD66. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD67. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA09-0004**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD5. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control

services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD6. (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Perris Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or

b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD7. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD8. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD9. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD10. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD11. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD12. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Based on the information contained in our standard review process we recommend

the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Perris Boulevard is classified as a Divided Arterial (110'RW/86'CC) per City Standard Plan No. 103C. The sidewalk shall be curb-separated. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE3. Indian Street is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Grove View Road is designated as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE5. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE11 as well as Indian Street for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE6. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE7. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE9. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design Perris Boulevard to include a bus bay per City Standard Plan No. 121 in the southbound direction, south of Grove View Road. The bus bay may be designed to serve as a combination right turn lane/bus bay to the satisfaction of the City Engineer.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection/traffic signal at Perris Boulevard and the South Project Driveway to provide the following (at a minimum):

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

NOTE: The curb return radii on the northwest/southwest corners shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design and modify the intersection of Perris Boulevard at Grove View Road to include a 200' northbound left turn lane with raised median. This modification may include relocation of the traffic detector loops and other traffic signal modifications.

<u>PRIOR TO BUILDING PERMIT</u>

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersections:

- **Perris Boulevard at South Project Driveway (signal modifications).**
- **Perris Boulevard at Grove View Road (signal modifications).**

TE14. (BP) Prior to issuance of a building permit, the project applicant shall make a fair-share contribution in the amount of $45,150 to the City of Moreno Valley for the construction of a traffic signal at Perris Boulevard and Suburban Lane. As this traffic signal is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance shall be provided with the following, or as approved by the City Traffic Engineer:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic.
b) Appropriate signing and striping.

All of these features must be kept in working order.

TE17. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal modifications identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE18. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE10, TE11, and TE12 per the approved plans.

TE19. (CO) Prior to the issuance of a certificate of occupancy for the project, driveway access at the following locations will be installed as follows:

- **North Perris Boulevard Driveway: Right-in, right-out access by means of a raised median.**
- **South Perris Boulevard Driveway: Full access by means of a traffic signal.**
- **Grove View Road Driveways: Full access.**
- **Indian Street Driveways: Full access.**

NOTE: All truck driveways shall have curb return radii of 50 feet.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE20. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA09-0004 & PA09-0012; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all

utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This Project is **subject** to a Reimbursement Agreement. The Project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the Project. The developer shall be responsible to pay to the City of Moreno Valley the sum of **$423,150.00** for this electrical distribution infrastructure prior to the issuance of building permits.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

Errata to the VIP Moreno Valley Final EIR dated June 27, 2012

In responding to the comments to the Sierra Club letter to the Planning Commission dated July 11, 2012 and the Johnson and Sedlack letter to the Planning Commission dated July 12, 2012 there were some inconsistencies found in the VIP Moreno Valley Final EIR that are being corrected in this errata. In an effort to correct an inadvertent errors contained in the Final EIR that was approved by the Planning Commission, corrections to Final EIR Response to Comments E-9 and E-16 are necessary to provide consistency with the Mitigation Monitoring and Reporting Program (MMRP) as approved by the Planning Commission. These changes are contained herein.

During the Planning Commission meeting on July 12, 2012, the Planning Commission approved the project subject to two conditions of approval related to designing and constructing the project to accommodate future solar panels and obtain LEED Silver design standards. These conditions of approval have been added to the MMRP as Mitigation Measures 4.3.6.1D and 4.3.6.1E as follows:

4.3.6.1D The building roof shall be designed and constructed to accommodate future solar panels.

4.3.6.1E The project shall be designed and constructed to meet LEED Silver design standards.

It should be noted that regardless of the language for Mitigation Measure (MM) 4.2.6.3A found in any of the responses to comments to the Draft EIR provided in the Final EIR dated June 27, 2012, the Planning Commission in its hearing on July 12, 2012 approved the following language for MM 4.2.6.3A which supersedes the responses:

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of the following design features ~~including but not limited to the following list~~ may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: *[Note the rest of the MM remains the same as was presented in the Mitigation Monitoring and Reporting Program and a Conditions of Approval adopted by the Planning Commission on July 12, 2012].*

Response to Comment E-9.[1] Mitigation Measure 4.2.6.3A already provides for preferential parking for alternative fueled cars. This mitigation located in the Draft EIR, Section 4.2 Air Quality, pages 4.2-26, 4.2-27, and 4.2-28 reads as follows with changes proposed in Section 3.0 Errata in the Final EIR to address other commentor concerns:

> ***4.2.6.3A*** *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~,~~*

[1] As presented to the Planning Commission on July 12, 2012, which was incorrect in the Response to Comments but correct in the Mitigation Monitoring and Reporting Program (MMRP).

~~including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
  - *Provision of preferential parking for EV and CNG vehicles.*

Response to Comment E-9.[1] Mitigation Measure 4.2.6.3A already provides for preferential parking for alternative fueled cars. This mitigation located in the Draft EIR, Section 4.2 Air Quality, pages 4.2-26, 4.2-27, and 4.2-28 reads as follows with changes proposed in Section 3.0 Errata in the Final EIR to address other commentor concerns:

4.2.6.3A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City.* The following ~~Any~~ combination of design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~*Lease/purchase documents shall identify that tenants are encouraged to promote the following:*~~
  - *Provision of preferential parking for EV and CNG vehicles.*

Response to Comment E-16.[2] Draft EIR, Section 4.2 Air Quality contains the following Mitigation Measure 4.2.6.1K that provides for electric or alternative fuel construction equipment and forklifts and Section 4.3 Greenhouse Gas Emissions and Climate Change contains Mitigation Measure 4.2.6.3A which specifies electric trucks and yard trucks in Mitigation Measures 4.2.6.3A. Changes proposed to Mitigation Measure 4.2.6.1K are provided in Section 3.0 Errata in the Final EIR to address other commentor concerns. The measures are as follows:

4.2.6.1K *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
- Use electric construction equipment where feasible.
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

4.2.6.3A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part*

[1] The response is revised to be consistent with the MMRP as presented to the Planning Commission on July 12, 2012.

[2] As presented to the Planning Commission on July 12, 2012, which was incorrect in the Response to Comments but correct in the Mitigation Monitoring and Reporting Program (MMRP).

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6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
  - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
  - *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
  - *Use of electric (instead of diesel or gasoline-powered) yard trucks.*

Response to Comment E-16.[12] Draft EIR, Section 4.2 Air Quality contains the following Mitigation Measure 4.2.6.1K that provides for electric or alternative fuel construction equipment and forklifts and Section 4.3 Greenhouse Gas Emissions and Climate Change contains Mitigation Measure 4.2.6.3A which specifies electric trucks and yard trucks in Mitigation Measures 4.2.6.3A and 4.2.6.1K. ~~Changes proposed to Mitigation Measure 4.2.6.1K are provided in Section 3.0 Errata in the Final EIR to address other commentor concerns.~~ The measures are as follows:

4.2.6.1K *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
- Use electric construction equipment where feasible.
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

4.2.6.3A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City.* The following ~~Any~~ combination of design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~*Lease/purchase documents shall identify that tenants are encouraged to promote the following:*~~
  - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
  - *Use of electrical equipment (instead of gasoline-powered equipment) for*

[1] The response is revised to be consistent with the MMRP as presented to the Planning Commission on July 12, 2012.

landscape maintenance.

- *Use of electric (instead of diesel or gasoline-powered) yard trucks.*

Final

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY

STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

LSA

June 27, 2012

Final

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY

STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

Lead Agency:

City of Moreno Valley Community and Economic Development Department
Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552
Attn: Jeff Bradshaw, Associate Planner
(951) 413-3224

Prepared by:

LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, California 92507
(951) 781-9310

LSA Project No. VOG1001

LSA

June 27, 2012

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1. INTRODUCTION

The Final Environmental Impact Report (EIR) for the proposed VIP Moreno Valley project is composed of the Draft EIR State Clearinghouse No. 2011081084 and Appendices; the Response to Comments; and the Findings, Statement of Overriding Considerations, Staff Reports, and Resolutions. Specifically, this document portion of the EIR includes the Comments and Responses volume of the Final EIR, EIR modifications or errata, and the Mitigation Monitoring and Reporting Program (MMRP). The purpose of this document is to respond to all comments received by the City of Moreno Valley (City) regarding the environmental information and analyses contained in the Draft EIR. Additionally, any corrections to the text and figures of the Draft EIR, generated either from responses to comments or independently by the City, are stated in this volume of the Final EIR. The Draft EIR text has not been modified to reflect these clarifications.

1.1 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters, Section 3.of this document contains corrections and errata to the Draft EIR. Section 4.0 contains the Mitigation Monitoring and Reporting Plan, which includes additional measures developed as a part of this Final EIR.

1.2 PUBLIC REVIEW OF THE DRAFT EIR

As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) of the Draft EIR State Clearinghouse No. 2011081084 for the VIP Moreno Valley project was filed with the State Clearinghouse on April 20, 2012 and the Notice of Availability (NOA) of the Draft EIR was filed with the Riverside County Clerk on April 20, 2012

The Draft EIR was circulated for public review for a period of 45 days, from April 20, 2012 to June 4, 2012. Copies of the Draft EIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the Draft EIR were also made available for public review at the City Planning Department, at one area library, and on the internet.

A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter was received from a citizen group and two letters from individuals. All ten letters have been responded to within this document. Comments that address environmental issues are thoroughly responded to in Section 2.0.

1.3 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley, Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92553
Phone: (951) 413-3224
e-mail: jeffreyb@moval.com

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1.4 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.4.1 Project Location

The project site is located in the City of Moreno Valley, Riverside County. The approximately 71-acre site is generally located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary.

1.4.2 Proposed Project

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses.

1.4.3 Project Objectives

The purpose of the proposed project is to provide a new facility specializing in warehouse distribution services. Upon development, the proposed project will achieve the following:

Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;

Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;

Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;

Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner;

Encourage new development consistent with the capacity and municipal service capabilities;

Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;

Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;

Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;

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Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;

Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;

Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;

Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and

Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

1.4.4 Required Permits and Discretionary Actions

The following discretionary actions are anticipated to be taken by the City of Moreno Valley as part of the proposed project:

Tentative Parcel Map approval (TPM 36162);

Certification of Environmental Impact Report; and

Site Plan approval.

Other non-discretionary actions anticipated to be taken by the City at the Staff level as part of the proposed project include the following:

Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction. Approval of a Water Quality Management Plan (WQMP) to mitigate for post-construction runoff flows.

Issuance of a Grading permit that requires approval of a grading plan, approval of the final drainage study, approval of the Final WQMP, obtaining an NOI and WDID number, and satisfying those conditions of approval required prior to grading.

Issuance of an Encroachment permit for any construction work done in any City-controlled right-of-way. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.

Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits.

Approvals and permits required by other agencies include:

A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that downstream water quality is not worsened.

Approval of water and sewer improvement plans by the Eastern Municipal Water District.

Approval from the City and Riverside County Flood Control and Water Conservation District to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions.

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2. RESPONSE TO COMMENTS

A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter was received from a citizen group and two letters from individuals. All ten letters have been responded to within this document. Comments that address environmental concerns have been thoroughly addressed. Comments that (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise environmental issues; or (3) do request the incorporation of additional information not relevant to environmental issues do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines.

Section 15088 of the State CEQA Guidelines, Evaluation of and Response to Comments, states:

a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.

b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

c) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:

   1. Revise the text in the body of the EIR; or
   2. Include marginal notes showing that the information is revised in the responses to comments.

Information provided in this volume of the Final EIR clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

An Errata to the EIR (Section 3.0) has been prepared to make minor corrections and clarifications to the Draft EIR as a result of City review and comments received during the public review period. Therefore, this Response to Comments document, along with the Errata is included as part of the Final EIR for consideration by the Planning Commission prior to a vote to certify the Final EIR.

2.1 LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING ON THE DRAFT EIR

The persons, organizations, and public agencies that submitted comments regarding the Draft EIR through June 4, 2012, are listed below. A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter

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was received from a citizen group and two letters from individuals. Each comment letter received is indexed with a number below.

Comment Letters Received Regarding the Draft EIR

A **California Native American Heritage Commission (May 14, 2012)**
Dave Singleton, Program Analyst

B **California Department of Fish and Game (May 21, 2012)**
Jeff Brandt, Senior Environmental Specialist

C **Gerald M. Budlong (May 31, 2012)**

D **Johnson & Sedlack (June 1, 2012)**
Ray Johnson, AICP, Esq.

E **Sierra Club, San Gorgonio Chapter (June 3, 2012)**
George Hague, Conservation Chair
Moreno Valley Chapter

F **California Department of Transportation, District 8 (June 4, 2012)**
Daniel Kopulsky, Office Chief
Community Planning/IGR-CEQA

G **Eastern Municipal Water District (June 4, 2012)**
Joseph B. Lewis
Director of Engineering Services

H **United States Fish and Wildfire Service (e-mail June 4, 2012)**
Nicole Ronan, Fish and Wildfire Service

I **Riverside County Flood Control and Water Conservation District**
Mekbib Degaga, Engineering Project Manager

J **California Governor's Office of Planning and Research, State Clearinghouse**
Scott Morgan, Director State Clearinghouse

2.2 FORMAT OF RESPONSES TO COMMENTS

Aside from the courtesy statements, introductions, and closings, individual comments within the body of each letter have been identified and numbered. A copy of each comment letter and the City's responses are included in this section. Brackets delineating the individual comments and an alphanumeric identifier have been added to the right margin of the letter. Responses to each comment identified are included on the page(s) following each comment letter. Responses to comments were sent to the agencies that provided comments.

In the process of responding to the comments, there were minor revisions to the Environmental Impact Report. None of the comments or responses constitutes "significant new information" (*CEQA Guidelines* Section 15073.5) that would require recirculation of the Environmental Impact Report.

MV00177312

Letter A

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

May 11, 2012

RECEIVED
MAY 14 2012
CITY OF MORENO VALLEY
Planning Division

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley Community & Economic Development Department
14177 Frederick Street
Moreno Valley, CA 92552

Re: SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the **"VIP Moreno Valley Project – PA09-0004 (plot Plan) PA09-0012 (TPM 36162) P11-020 (EIR);"** located in the City of Moreno Valley; Riverside, California.

Dear Mr. Bradshaw:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. 1

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. 2 The NAHC did conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE) with the following results: Native American cultural resources were not found within the APE. However, the absence of archaeological resources does not preclude their existence at the subsurface level and may be exposed during construction activity. 3

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r). 4

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. 5

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources. 5

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.' 6

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity. 7

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'. 8

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects. 9

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a). 10

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Letter A

Native American Contacts
Riverside County
May 11, 2012

Los Coyotes Band of Mission Indians
Shane Chapparosa, Chairman
P.O. Box 189 Cahuilla
Warner , CA 92086
(760) 782-0711
(760) 782-2701 - FAX

Soboba Band of Mission Indians
Scott Cozaet, Chairperson; Attn: Carrie Garcia
P.O. Box 487 Luiseno
San Jacinto , CA 92581
carrieg@soboba-nsn.gov
(951) 654-2765
(951) 654-4198 - Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(949) 488-3294 - FAX
(530) 354-5876 - cell

San Manuel Band of Mission Indians
James Ramos, Chairperson
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the VIP Moreno Valley Project; located in the City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside County
May 11, 2012

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

William J. Pink
48310 Pechanga Road Luiseno
Temecula , CA 92592
wjpink@hotmail.com
(909) 936-1216
Prefers e-mail contact

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the VIP Moreno Valley Project; located in the City of Moreno Valley; Riverside County, California.

2.4 RESPONSE TO LETTER A

California Native American Heritage Commission

Response to Comment A-1. The comment is introductory and states that the Native American Heritage Commission (NAHC) is the State "trustee agency" pursuant to Public Resources Code Section 21070 for the protection and preservation of the State's Native American resources. The comment also states that the letter contains state and federal statutes relating to Native American historic properties of religious and cultural significance.

The comment is introductory in nature and outlines the NAHC's authority and role as a commenting agency. The NAHC's introduction in this comment is noted, and no further response is required.

Response to Comment A-2. The comment states that CEQA requires that any project that causes a substantial adverse change in the significance of a historical resource, which includes archaeological resources, is a "significant effect" requiring the preparation of an EIR. A Draft EIR was prepared for the proposed project and circulated for public review on April 20, 2012. Based on the *Phase I Cultural Resources Assessment and Paleontological Records Review* prepared for the proposed project, the site contains a historic site and a historic isolate, which were recorded and evaluated for significance in accordance with CEQA. Based on the study, it was determined that the historic resource and historic isolate were not considered to be significant. Consequently, construction and grading of the proposed project site will not affect significant historic resources, resulting in a less than significant impact.

Response to Comment A-3. The comment states that the NAHC Sacred Lands File (SLF) search found that no Native American cultural resources were identified within the project area. Similarly, the Draft EIR determined that there were no cultural resources (historic or prehistoric) identified on the project site as a result of records searches or during on site reconnaissance. The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

Response to Comment A-4. The comment states that NAHC Sacred Sites are confidential and exempt from the Public Records Act pursuant to California Government Code Section 6254. The City acknowledges the sensitivity and confidentiality of the information contained in the cultural resources report. No records maps have been made public nor will they be made public in association with the City's consideration of the proposed project.

Response to Comment A-5. The comment states that pursuant to California Public Resources Code Section 5097.95, the NAHC requests that pertinent project information be provided to Native American consulting parties, and that Native American consultation is a matter of environmental justice. The comment letter states that early consultation with Native American Tribes in the area of the project site is the best way to avoid unanticipated discoveries once a project is underway. The letter includes a list of Native American contacts and recommends obtaining their recommendations concerning the proposed project.

Appendix B-5 of the Draft EIR contains the Phase I Cultural Resource Assessment and Paleontological Records Review, (Michael Brandman Associate., March 27, 2012) prepared for the proposed project in which Native American consultation was conducted. On February 15, 2007, Michael Brandman Associates sent a letter to the NAHC in an effort to determine whether any sacred sites were listed on the Scared Lands Files for this area of Moreno Valley containing the project site.

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In response to the Sacred Land Record Search request, the NAHC identified fourteen Native American contacts that may have knowledge of cultural resources in the project area.

Letters dated February 28, 2007, were sent by MBA to the fourteen Native American contacts provided by the NAHC. The letters notified the parties of the proposed project and requested that the tribes respond with information concerning cultural resources that might be affected.

Response to Comment A-6. The comment states that consultation with Tribes and interested Native American consulting parties on the NAHC list should be conducted in compliance with the requirements of federal National Environmental Policy Act (NEPA), Sections 106 and 4(f) of the National Historic Preservation Act, and the Native American Grave Protection and Repatriation Act (NAGPRA), as appropriate.

The project is not a federal undertaking as defined under Section 106 of the National Historic Preservation Act (NHPA) or 36 Code of Federal Regulations (CFR) Part 800 regulations implementing Section 106. The project does not use federal funds and will not require any federal permits. Therefore, the project does not fall under the regulatory oversight of Section 106. The project is not a federal transportation project, so it also does not fall under the jurisdiction of Section 4(f) of the Department of Transportation Act of 1966. Finally, since there is no federal involvement in the project, the requirements of NAGPRA do not apply.

As described in Response to Comment A-5, above, the City conducted consultation with fourteen local tribes and interested Native American individuals for the project. Consultation included providing those parties with pertinent project and location information.

Response to Comment A-7. The comment states that historic properties of religious and cultural significance are confidential and protected by California Government Code Section 6254. The comment further states that the confidentiality of such resources may also be protected by section 304 of the NHPA. The City acknowledges the sensitivity and confidentiality of any identified resources. The SLF and any associated records maps are not for public distribution. In addition, because the project is not a federal undertaking, it is not regulated under Section 304 of the NHPA.

Response to Comment A-8. The comment identifies State laws regarding the accidental discovery of human remains. In in the unlikely event that human remains are encountered during project grading, the County Coroner and the City Planning Division would be notified immediately, and no further disturbance would occur until the County Coroner makes a determination of origin and disposition. If the remains are determined to be Native American, the County Coroner would notify the NAHC, which will determine and notify the most likely descendant (MLD). Implementation of state law reduces potential impacts related to the discovery of human remains on the proposed project site to a less than significant level, and no additional mitigation is required.

Response to Comment A-9. The comment states that effective consultation, in the opinion of the NAHC, is the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors. The City agrees that effective consultation is desired. The City has reached out to Native American tribes through the consultation process (as detailed in the Draft EIR in Appendix B-5).The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

Response to Comment A-10. The comment states that the NAHC recommends avoidance when a project would damage or destroy Native American cultural resources. The comment further states that documentation and data recovery of such resources is required pursuant to the CEQA

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Guidelines. Based on the *Phase I Cultural Resources Assessment and Paleontological Records Review* prepared for the proposed project, the site has a low potential for containing archeological resources due to the lack of such resources previously discovered in the surrounding area and the disturbed nature of the project site. Consequently, construction and grading of the proposed project site will have a low probability of damaging archeological resources. Impacts to archeological resources are considered to be less than significant.

State of California -The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
1416 9th Street
Sacramento, CA 95814
http://www.dfg.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

May 16, 2012

RECEIVED
MAY 21 2012
CITY OF MORENO VALLEY
Planning Division

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92551

Subject: Draft Environmental Impact Report for the VIP Moreno Valley Project
City of Moreno Valley, Riverside County -- SCH #2011081084

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report for the VIP Moreno Valley Project. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections §711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section §15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section §15381), such as a Lake and Streambed Alteration Agreement (California Fish and Game Code Sections §1600 et seq.) and/or a Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (Fish and Game Code Sections 2080 and 2080.1).

The proposed Project consists of the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on a 71-acre site. The Project is located in the City of Moreno Valley and is bounded on the west by Indian Street, on the east by Perris Boulevard, on the north by Grove View Road and on the south by the Perris Valley Storm Drain. The March Air Reserve Base and the Interstate-215 (I-215) are located in the vicinity to the west. The site has been used for dryland farming and is disked. There is vegetation (mostly non-native) on the periphery of the site but the major part of the site is disked.

Western Riverside Multiple Species Habitat Conservation Plan (MSHCP)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the Natural Community Conservation Plan Program (NCCP Program). On June 22, 2004, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section §2800, et seq., of the California Fish and Game Code. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. The City of Moreno Valley is the Lead Agency and is signatory to the 1

Implementing agreement of the MSHCP. Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the DEIR discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements.

The Project is located in the Reche Canyon/Badlands Area Plan but does not contain any Criteria Cells and the site is not necessary for reserve assembly. MSHCP policies and procedures that apply to the proposed Project include Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP section 6.1.2 pp 6-20; "Riparian/Riverine and Vernal Pool Policy"), Protection of Narrow Endemic Plant Species (MSHCP section 6.1.3 pp 6-28; "NEPPSA"), and Additional Survey Needs and Procedures (MSHCP section 6.3.2, Additional Survey Needs and Procedures). 1

A) Special Survey Areas

The Project is located within the survey area for the western burrowing owl (WBO). WBO is a State Species of Special Concern and is a species subject to the Migratory Bird Treaty Act (MBTA). Focused surveys for the WBO were conducted in 2009. The results of the focused surveys indicate that there were no direct observations or sign of the WBO. 2

B) Protection of Narrow Endemic Plant Species

Plant species requiring habitat assessments include: San Diego ambrosia, many-stemmed dudleya, spreading navarretia, California Orcutt grass, Wrights trichocoronis, Coulter's goldfields, Davidson's saltscale, little mousetail, mud nama, Parish's brittlescale, round-leaved filaree, San Jacinto Valley crownscale, smooth tarplant, and threat-leaved brodiaea. Focused NEPS and Criteria Area surveys were conducted in 2009. The 2009 surveys determined that the NEPS and Criteria Area Plants have a low potential for occurrence because of the absence of suitable habitat and the disking of the site. The DEIR conclusions are supported by the surveys for the Perris Boulevard Widening Project. 3

C) Riparian/Riverine Areas, Vernal Pools, and Fairy Shrimp

A narrow, north-south trending agricultural drainage ditch bisects the center of the site and terminates at a culvert entering the Perris Valley Storm Drain. The document states that the "drainage ditch" does not meet the requirements of this MSHCP policy. The Department reserves the right to determine whether the on-site channel is jurisdictional. 4

<u>Impacts to the species</u>

The biological report states that the only vegetation on the site is located on the periphery because of ongoing disking and consists primarily of non-native plants. Wildlife on the site includes: red-tailed hawk, American kestrel, common raven, American crow, Brewer's blackbird, Say's phoebe, western kingbird, western meadowlark, mourning dove, side-blotched lizard, western fence lizard, California ground squirrel, desert cottontail and pocket gopher. 5

Proposed mitigation

Impacts to wildlife are covered by the MSHCP and the mitigation requirements in the MSHCP. The DEIR states that preconstruction surveys will be conducted for WBO and nesting birds. If WBO are found on the site the Resource Conservation Agency and the Department should be notified to determine whether additional mitigation measures are required. 6

Department Concerns

The Department reserves the right to determine whether the channel on site is subject to Section 1600 *et seq.* in the Fish and Game Code. A Determination of Biologically Equivalent or Superior Preservation (DBESP) alternative is not required, according to the DEIR. The Department needs to be notified prior to commencement of grading if bird nests or burrowing owl are identified in pre-construction surveys. In addition, a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) may be required. No mitigation has been provided for the loss of this channel. 7

Lake and Streambed Alteration Agreement

Although the proposed Project is within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is not subject to Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, a Lake and Streambed Alteration Agreement Notification may still be required by the Department should the site contain jurisdictional waters. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2.

A routine delineation was conducted in 2009 and the consultants determined that there were no jurisdictional wetlands or streams on the site. However, the Department retains the right to determine whether the resources on site are jurisdictional waters and subject to the Lake and Streambed Alteration Agreement program. A new streambed jurisdictional delineation needs to be conducted to determine whether the channel (i.e., "drainage ditch") conveys water across the site, particularly during the rainy season, and how many linear feet or acres comprise the channel. 8

The Department recommends submitting a notification early on, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924 or go to http://www.dfg.ca.gov/habcon/1600/forms.html. 9

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. Permit negotiations conducted after and outside of the CEQA process are not CEQA-compliant because they deprive the public and agencies of their right to know what project impacts are and how they are being mitigated (CEQA Section 15002). 10

The Department opposes the elimination of ephemeral, intermittent and perennial stream channels, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays: 11

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

Please refer to section 15370 of the CEQA guidelines for the definition of mitigation. If the project does not include the criteria listed above, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources.

We recommend that the Department's concerns be addressed in the Final Environmental Impact Report.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: State Clearinghouse

2.6 RESPONSE TO LETTER B

California Department of Fish and Game

Response to Comment B-1. The commentor accurately summarizes both the CEQA requirement for an analysis of the proposed project's consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the MSHCP policies and procedures applicable to the proposed project.

Response to Comment B-2. The commentor accurately summarizes both the MSHCP requirement for a burrowing owl survey and that the surveys conducted for the project showed no burrowing owl sign or observations.

Response to Comment B-3. The commentor accurately summarizes both the MSHCP requirement for survey of narrow endemic plant species and that the surveys conducted for the project determined there is a low potential for occurrence of the species due to lack of suitable habitat and disking of the site. The commentor also notes these conclusions are consistent with the surveys conducted for the Perris Boulevard Widening Project (which is a City of Moreno Valley capital improvement project) and not related to the VIP Moreno Valley Project.

Response to Comment B-4. The commentor notes the Draft EIR statement that the agricultural ditch running north-south across the center of the site is not jurisdictional and indicates CDFG reserves the right to determine whether the on-site ditch is jurisdictional. As stated in the Draft EIR (pages 2-10 and 2-11), the ditch no longer contains the characteristics of jurisdictional waters. This is due to the construction of Grove View Road and storm drains on the north side of the site, resulting in the elimination of an abundant supply of off-site water flow from the north onto the site. Because the ditch no longer carries the abundant supply off-site water flow, it no longer supports the one riparian species (willow) that exists in the ditch. This condition has become even more evident over the past several years, resulting in no jurisdictional waters on the site.

Response to Comment B-5. The commentor accurately summarizes the vegetation and wildlife observed on the site.

Response to Comment B-6. The commentor accurately summarizes the Draft EIR mitigation measure prescribing preconstruction surveys for burrowing owl and nesting birds, and requests that the Regional Conservation Authority and CDFG be contacted should burrowing owl be found on the site in order to determine the need for additional mitigation. This is standard operating procedure, and the project proponent's biological consultant will comply.

Response to Comment B-7. The commentor identifies CDFG's concerns which are summarized as follows: 1) Regarding the on-site ditch that runs north-south through the center of the project site, CDFG states that they reserve the right to determine whether the site is jurisdictional, and if so, a Section 1600 permit would be required for the loss of the on-site ditch; and 2) CDFG requests that they be notified prior to grading activities if bird nests or burrowing owls or observed during the pre-construction surveys required as part of Mitigation Measures BIO-1 through BIO-4.

Response to Comment B-8. The commentor notes that CDFG's criteria for determining jurisdictional waters are more comprehensive than the MSHCP criteria and requests that a new jurisdictional delineation be conducted.. As stated in the Response to Comment B-4, the Draft EIR has already identified that the on-site ditch no longer accepts off-site water flows during storm events because off-site flows now are conveyed to a storm drain located in Grove View Road. The eastern section of Grove View Road between Perris Boulevard and Indian Street was constructed in 2007 while the

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western section was constructed in 2009 as part of the two warehouse projects located across the street and north of the proposed project. The conditions observed in the 2009 jurisdictional delineation prepared by Ecological Sciences are still valid, and in fact, the lack of jurisdictional waters has become more obvious due to the lack of off-site water conveyance.

Response to Comment B-9. The commentor provides contact information regarding submittals for Section 1600 permit. Refer to Responses to Comments B-4 and B-9. The project contains no jurisdictional waters, a Section 1600 Streambed Alteration Agreement is not required, and this information is therefore not applicable.

Response to Comment B-10. Refer to Responses to Comments B-4, B-9, and B-10.

Response to Comment B-11. Refer to Responses to Comments B-4, B-9, and B-10.

MV00177326

Letter C

RECEIVED
MAY 3 1 2012
CITY OF MORENO VALLEY
Planning Division

Gerald M. Budlong
24821 Metric Drive
Moreno Valley, CA 92557
May 31, 2012

Subject: Proposed VIP Moreno Valley Distribution Center DEIR

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
14177 Frederick Street, Moreno Valley City Hall
Moreno Valley, CA 92553

Dear Mr. Bradshaw:

The proposed VIP Moreno Valley Distribution Center project is consistent with the present specific plan as well as the superseded Oleander Specific Plan of the Moreno Valley General Plan and the zoning ordinance. My opinion of this industrial site concerning prime farmland, remains the same since 1989. The land has been designated as industrial in the specific plans and the zoning ordinance. The land has not met the state definition of prime farmland for the last 20 years or more due to the lack of acreage remaining of the land designated prime farmland on the state map. Viable crops grown on prime farmland have not been commercially possible for quite some time. Much of the site is already developed into industrial uses. 1

My only concern of the subject DEIR is the omission of groundwater levels and associated adverse impacts such as liquefaction. Why are high groundwater levels and liquefaction issues missing from this EIR?

The environmental cleanup program, called the Installation Restoration Program (IRP),at March Field, incorporating the former March AFB and present March ARB, has monitored the groundwater levels on and off base since the start of this program in the late 1980s. The groundwater levels have been rising an average of one to two feet annually. To date local groundwater levels are as high as 10 feet or less from the ground surface. Projects such as the new MWD water pipeline parallel to I-215 and near the March Field Museum has undergone high groundwater conditions which has prevented completion of approximately 400 linear yards of the project. A new bidding process inviting contractors with expertise in high groundwater conditions was initiated. The Air Force is concerned that the high groundwater conditions may adversely impact foundations at the base. The Air Force is concerned about potential adverse impacts from liquefaction in the event of a future earthquake. It was reported at the April 2012 March Field IRP Board meeting, that underground cement utility vaults at the former DHL airfreight building was experiencing flooding. I inquired whether the flooding was caused by high groundwater conditions. Staff promised they will make inquiries and report back at the October IRP meeting. 2

Are the building foundations for the proposed project engineered for high groundwater level conditions and potential liquefaction events from major earthquakes? 3

Sincerely,

Gerald M. Budlong

Gerald M. Budlong.

2.8 RESPONSE TO LETTER C

Gerald M. Budlong

Response to Comment C-1. The City appreciates the comments provided on the proposed project regarding the project being consistent with the City's General Plan and zoning code as well as comments on prime farmland and the area not being viable for farming since 1989. The comments are part of the public record and will be forwarded to the City's decision makers for their consideration prior to approving the project and certifying the EIR.

Response to Comment C-2. Appendix B-6 of the Draft EIR contains the *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California (*NorCal Engineering, May 7, 2007) prepared for the proposed project. The geotechnical investigation consisted of forty (40) subsurface exploratory trenches by a backhoe to depths ranging 5-15 feet below current elevations. The report stated "no ground water was encountered in any of the trenches (page 2). This study indicated that the groundwater levels are greater than 100 feet below the surface and the site has a low potential for liquefaction (page 5). The Draft EIR also provided this information in Section 2.5.4 Geology and Soils, page 2-14 which states *"Liquefaction typically occurs in areas where groundwater is shallower than approximately 30 feet, and where there is the presence of loose, sandy soils. According to the City's General Plan, liquefaction is not considered to be a local hazard since groundwater levels in Moreno Valley are far below the surface.*[1] *The project's geotechnical analysis*[2] *indicates that the depth of groundwater within the project vicinity is in excess of 100 feet. The proposed project site is not located in an area identified as being prone to liquefaction. The potential for earthquake-induced liquefaction within the proposed project is considered very low.*[3] *Because liquefaction at the project site is considered to be very low, a less than significant impact related to liquefaction would occur."*

Response to Comment C-3. The proposed project will be built per the City's and State's building code requirements and those contained in the geotechnical study prepared for the proposed project. The building code includes provisions for seismic safety.

---

1 *Chapter 6 Safety*, City of Moreno Valley General Plan, July 11, 2006.
2 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
3 *Figure 5.6-2 Seismic Hazards*, Moreno Valley General Plan Final Program EIR, July 2006.

MV00177328

Letter D

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Carl T. Sedlack, Esq. Retired

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

June 1, 2012

VIA EMAIL

Jeff Bradshaw
Associate Planner
City of Moreno Valley, Planning Division
Community & Economic Development Dept.
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92553
(951) 413-3224
jeffreyb@moval.com

RE: Moreno Valley Vogel Industrial Park (VIP) Draft Environmental Impact Report Comments

Greetings:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Livable Moreno Valley, I hereby submit these comments on the Moreno Valley VIP Draft Environmental Impact Report (DEIR). (PA09-0004, PA09-0012, TPM No. 36162)

Project Summary:

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. See Figure 1.2. 1

The project is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the project site. Residences are located to the west of the site.

Letter D

General Comments:

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document. 2

Unfortunately, the Draft EIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. On top of these inadequacies, the Draft EIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. Moreover, the EIR evaluates only impacts to Agricultural and Forest Resources, Air Quality, Greenhouse Gas Emissions and Global Climate Change, Noise, and Traffic. The EIR determines, without basis in CEQA, to *not* evaluate in detail impacts which *are potentially significant* but which will be mitigated below a level of significance, including impacts to Biological Resources, Cultural Resources, Geology and Soils, and Hydrology and Water Quality. While effects determined not be significant need not be discussed in detail in the EIR, effects which may be significant must be evaluated, and then the mitigation measures or alternatives which would reduce or avoid that effect must be described. (Public Res. C. § 21002.1(a), (e); State CEQA Guidelines § 15128, 15126, 15123) The EIR fails as an informational document by failing to analyze and evaluate **all potentially significant environmental effects of the project,** relying instead on the cursory evaluation performed for the environmental assessment. By failing to provide information on the potentially significant effects of the project that can be mitigated below a level of significance, the EIR fails as an informational document. The findings are also not supported by substantial evidence in the record, but rather only by the baseless conclusions cited in the EIR. 3 4

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. For instance, the EIR fails to require *any* mitigation for the project's significant impacts to agricultural resources. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. 5 6

Letter D

For instance, several "alternatives" listed in the EIR will not satisfy the actual mitigation required, while other mitigation measures merely require the incorporation of writings, not actions. 7

The Moreno Valley VIP project purports to be a "green project" that is environmentally forward thinking; this is simply not the case, and in fact, the Moreno Valley VIP industrial building will be the *least* green building constructed in Moreno Valley in the past 3 years. The EIR provides examples of typical green building features, but fails to require each of those features for this project. The project only requires LEED certification and does not explain why requiring a gold or platinum LEED certification is infeasible, despite having significant air quality and greenhouse gas impacts. 8

Correspondingly, while most of the project's environmental effects will be a result of its use as a distribution center and corresponding traffic and air quality impacts, not the effects of the warehouse building itself, little if any mitigation is required to reduce these impacts. Regarding traffic effects, the EIR relies heavily on TUMF and DIF programs and concludes that significant effects will be either immediately or promptly reduced by these programs. To the contrary, a significant amount of the streets impacted are not currently planned or funded for improvements, and given the underfunding of these programs are unlikely to see any improvement in the near term. The EIR accordingly understates the traffic and air quality impacts of the project and fails to require all feasible mitigation. 9 10

The EIR also fails to make adequate findings, based on substantial evidence, that the environmentally superior alternative is infeasible. In fact, the environmentally superior alternative satisfies most, if not all project objectives and significant reduces project impacts, particularly with regards to air quality in an area known to have some of the worst air quality in the nation. At the least, the environmentally superior alternative must be implemented in lieu of the project. 11

Further shortcomings of the EIR are detailed below.

Aesthetics

The finding of less than significant impact is not supported regarding lighting. The EIR acknowledges that the project will create a new source of substantial light, but fails to discuss this impact on nighttime views. 12

Agricultural Resources

The project will result in a significant and unmitigated individual and cumulative impact to agricultural resources by converting ***Prime Farmland, Unique Farmland, and Farmland of Statewide Importance***, to non-agricultural use; and would involve other changes in the existing environment which would result in the conversion of Farmland to non-agricultural use. 13

Specifically, the project site is entirely identified as Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Loss of State Designated Farmland as a result of this project is a significant impact, and accounts for a substantial percent of farmland conversion for Riverside County. The project site's Land Evaluation and Site Assessment score further demonstrates a significant impact from the conversion of quality land and agricultural resources. 14

The EIR plays down the effect of development and operation of industrial uses in increasing development pressure on adjacent agricultural properties. The EIR does not disclose the predicted impacts on properties adjacent to the project site or along the truck routes used to access the project site, as well as city wide impacts. 15

No mitigation is required to reduce the significant adverse impacts of this project to agriculture. While the EIR identifies many mitigation measures that may be implemented, it fails to require any mitigation. The fact that the General Plan EIR found mitigation to be infeasible on a citywide scale does not mean that project level mitigation here is infeasible.

Mitigation measures identified by the CDC to reduce agricultural impacts include: 16

- The purchase of agricultural conservation easements;
- Transfer of development rights;
- Acquisition of farmland by the city or county;
- mitigation banking;
- the establishment of "urban limits," greenbelts, and buffers;
- the payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements;
- and planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.

While the measures regarding planning have been determined to be infeasible by the City, ***the EIR does not provide evidence to support the finding of infeasibility with regard to the purchase or transfer of development rights, conservation easements, or donation of funds to assist in the preservation of agricultural lands.*** The conclusion of the EIR that these measures for mitigation of agricultural land are contrary to the City's vision and therefore not feasible is unsupported. The purchase of conservation easements must be required as mitigation barring evidence of infeasibility. The purchase of a permanent agricultural conservation easement of land of at least 2:1 of equal quality must be required to mitigate for impacts from the direct and growth inducing/cumulative loss of agricultural land by either the outright purchase of easements or donation of mitigation fees to a local, regional, or statewide organization that provides for acquisition and stewardship of agricultural conservation easements. Such mitigation is not found to be infeasible. 17

Air Quality

The project will result in significant and unavoidable impacts to air quality during construction and operation. 18

Several of the construction air quality impact "mitigation measures" are required by law, and therefore do not qualify as "mitigation." 19

Existing air quality in the project vicinity generally exceeds state and federal air quality standards for Ozone, Coarse Particulate Matter (PM10), Fine Particulate Matter (PM2.5) for the year. The nearest sensitive receptors to the project are rural residences located approximately 1,000ft north of the project site and 0.5 miles southwest of the project site. 20

The EIR fails to disclose all Moreno Valley General Plan Policies relevant to air pollutant emissions. Such omitted policies and objectives include:

- Ultimate Goal VII: achieve a community which "Emphasizes public health and safety…" 21
- Goal 6.1: "To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property."
- Objective 7.5 "Encourage efficient use of energy resources."
- Policies 7.5.1; 7.5.2; 7.5.5 regarding energy efficiency.

The EIR finds that the project would, "add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community." This potential may not be recognized and is unsupported by evidence in the record and are countered by recent projects within Moreno Valley. For instance, the Sketchers project nearby likewise promised job opportunities for local Moreno Valley workers. However, when all was said and done the facility resulted in a net job loss, and most employees were transferred from Ontario, increasing vehicle miles travelled. (*See, "Moreno Valley: Sketchers' warehouse has caused net job loss,"* The Press Enterprise, Jack Katzanek, February 1, 2012. < http://www.pe.com/business/business-headlines/20120201-moreno-valley-skechers-warehouse-has-caused-net-job-loss.ece>) 22

The project use will also be truck distribution; hence despite any local employment at the warehouse, the project will not minimize VMT and will not minimize air pollutant emissions consistent with the AQMP, but will instead drastically increase mobile source emissions. In fact, the focus of the AQMP is to attain PM 2.5 standards, which this project will specifically add to through the use of diesel trucks. (See AQMP 4-1.)The finding that the project is consistent with the AQMP is entirely unsupported. 23

Health Risks

The EIR finds that the project will have less than significant operational-acute health risk impacts on the basis that, "studies …have not provided sufficient information to establish a short-term non-cancer health risk guidance value for respiratory impacts." This ignores entirely the threshold of significance which asks "Would the proposed project expose sensitive receptors to substantial pollutant concentrations?" and does not necessarily require a health risk guidance value. 24

Operational-Chronic Health Risk Impacts are determined to be less than significant. It is unclear 25

from the EIR that levels at the sensitive receptors of Table 4.2.H were measured, as the EIR states, "Sensitive receptors were placed in a general grid extending in all directions to characterize the risk level surrounding the project site." In the immediate vicinity of the project site are residences, the Rancho Verde High School (one mile to the east of the project site), and El Potrero Elementary School (one mile to the northeast of the project). The EIR does not demonstrate that impacts at these and other locations were evaluated, particularly given the increased susceptibility of infants, children, and the elderly to health impacts from diesel PM. 25

Moreover, the HRA accounts only for the cancer risk and temporary respiratory impacts caused by this project. In addition to the risk of cancer, diesel PM is known to cause immune system effects; reproductive, developmental, and endocrine effects; nervous system effects; and lung health problems, as recognized by the County in the General Plan. Immune system effects include increased allergic inflammatory responses and suppression of infection fighting ability. Diesel PM has also been associated with reproductive effects such as decreased sperm production, changes in fetal development, low birth weight and other impacts. Diesel PM exposure may also cause impairment to the central nervous system. (*The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>; *See also, Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf>) 26

SCAQMD has stated with regards to the health effects from diesel PM:

> "Diesel particles consist mainly of elemental carbon and other carbon-containing compounds… Diesel particles are microscopic…Due to their minute size, diesel particles can penetrate deeply into the lung. There is evidence that once in the lung, diesel particles may stay there for a long time.
>
> In addition to particles, diesel exhaust contains several gaseous compounds including carbon monoxide, nitrogen oxides, sulfur dioxide and organic vapors, for example formaldehyde and 1,3-butadiene. Formaldehyde and 1,3-butadiene have been classified as toxic and hazardous air pollutants. Both have been shown to cause tumors in animal studies and there is evidence that exposure to high levels of 1,3-butadiene can cause cancer in humans…
>
> Diesel emissions may also be a problem for asthmatics. Some studies suggest that children with asthma who live near roadways with high amounts of diesel truck traffic have more asthma attacks and use more asthma medication.
>
> Some human volunteers, exposed to diesel exhaust in carefully controlled laboratory studies, reported symptoms such as eye and throat irritation, coughing, phlegm production, difficulty breathing, headache, lightheadedness, nausea and perception of unpleasant odors. Another laboratory study, in which volunteers were exposed to relatively high levels of diesel particles for about an hour, showed that such exposures could cause lung inflammation." (*The Health Effects of Air Pollution on Children, supra*; *See also, Mira Loma Commerce Center EIR No. 450, Air Quality, Section 4.*) 27

Furthermore, infants, children, and the elderly are more susceptible to diesel PM and its associated health impacts. Given this project's close proximity to two schools, the Rancho Verde High school (1 mile east) and El Potrero Elementary School (1 mile northeast) this increased susceptibility is extremely relevant. With regards to infants and children, increased susceptibility to TACs and diesel PM exists for a variety of reasons. Children are generally more active than adults, have higher respiration rates, and inhale more pollutants deeper into the lung. Children also have more lung surface area in proportion to their body size and inhale more air pound for pound when compared to adults, taking in 20 to 50 percent more air and associated air pollutants than adults. When compared to adults, children spend more active time outdoors in polluted air environments and exert themselves harder than adults when playing outside. Importantly, this exposure to high pollutant levels in children occurs while their lungs are still developing, and therefore has more severe impacts on this sensitive group. (*The Health Effects of Air Pollution on Children, supra.*) 28

This increased susceptibility to air pollutant emissions for children has resulted in the California EPA Office of Environmental Health Hazard Assessment ("OEHHA") weighting cancer risk by a factor of 10 for exposures to carcinogens from birth to two years old, and by a factor of 3 for exposures from 2 years old to 15 years old. (*Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>) It is unclear that these increased risks were accounted for in the EIR. Additionally, recent studies conducted by SCAQMD's Brain and Lung Tumor and Air Pollution Foundation have found a specific connection between exposure to diesel PM and brain cancer in children. (Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>) 29

In addition to an increased risk of cancer, the effects of diesel PM on children include slowed lung function and growth, increased emergency room visits, increased incidences of asthma and bronchitis, crib death, asthma respiratory infections, allergic symptoms, and asthma hospitalizations. (*Diesel and Health in America: the Lingering Threat*, *supra.*)

This project will contribute to an already dire TAC situation in Riverside County. The Riverside County Planning Commission recently considered GPA 1096, an amendment to the General Plan to add a Healthy Communities Element which seeks to reduce hazardous air quality impacts to environmental and human health. The Healthy Communities Element of the General Plan was approved in view of the following significant health impacts resulting from already poor air quality in Riverside County: 30

- ***Asthma-Related Hospitalizations***: In 2005, the greatest percentage of asthma-related hospitalizations were among those under age 18 (38%) followed by those over 65 (19%). Blacks experienced the greatest rate of hospitalizations in 2005 at 225.7 per 100,000 population, versus 99.5 and 81.2 for Hispanics and whites, respectively. 31
- ***Risk of Cancer from Diesel Soot and Other Toxic Air Pollutants: Whereas the regional risk of cancer from diesel soot and other toxic air pollutants dropped by 8 percent between 1998 and 2005, the cancer risk in Riverside County increased by 2 percent.*** 32

- Poor air quality costs Riverside and San Bernardino around ***$6.3 billion annually*** in health care expenses.
- 19% of private schools, 11% of public schools, an 21% of licensed child care centers in Riverside County are located within a quarter (1/4) mile of a major highway.
- Around 350,000 Riverside County residents live within a half (1/2) mile of a major highway, including about 40,000 children under age 5.
- Five schools in Riverside County rank in the 10th percentile for air quality, meaning that 90 percent of the schools in the country had better air. Twenty-five schools ranked in the 50th percentile or below. 32

Recognizing these present and unacceptable consequences of air pollution to the health of Riverside's residents, particularly children and the elderly, the County General Plan and recently approved Healthy Communities Element have adopted General Plan policies pertinent to this project.

Construction Impacts

The EIR erroneously categorizes construction impacts as "Construction Equipment Exhaust Emissions." While some construction air quality impacts arise from construction equipment exhaust, other emissions exceed the threshold of significance from architectural coatings (ROG), paving, and fugitive dust during site preparation and grading, including the importations of 220,000cy of soil (NOx and PM10). 33

Table 4.2.1 relies on construction phasing not required of the project. For example, paving will result in 3434lbs/day of NOX emissions, 34 times the SCAQMD threshold. However, the EIR finds that, on a "Peak Day," NOX emissions will be only 390 lbs/day. This reduction is unsupported. Also, paving emissions for ROG are unclear (5.95.9?), but divide into 90 lbs/day on a peak day. Hence, while the EIR correctly finds that construction air quality impacts are significant and require mitigation, it fails to disclose the severity of that impact. Additional mitigation measures are also feasible to further reduce construction air quality emissions including the following:

1. Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.
2. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (eg. Install wheel shakers, wheel washers, and limit site access.) 34
3. All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
4. Pave all construction roads.
5. Pave all construction access roads at least 100 feet on to the site from the main road.
6. Limit fugitive dust sources to 20 percent opacity.
7. Require a dust control plan for earthmoving operations.
8. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of

the container shall be maintained.

9. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.
10. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
11. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
12. Extend grading period sufficiently to reduce air quality impacts below a level of significance.
13. The simultaneous disturbance of the site shall be limited to five acres per day.
14. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
15. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.
16. Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.
17. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period. 34
18. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*
19. Develop a trip reduction plan to achieve a 1.5 AVR for construction employees
20. Require high pressure injectors on diesel construction equipment.*
21. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.*
22. Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.*
23. Utilize only CARB certified equipment for construction activities.*
24. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.*
25. Restrict engine size of construction equipment to the minimum practical size.*
26. Use electric construction equipment where technically feasible.*
27. Substitute gasoline-powered for diesel-powered construction equipment.*
28. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
29. Use methanol-fueled pile drivers.*
30. Install catalytic converters on gasoline-powered equipment.*
31. Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel

formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

32. Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.*
33. All forklifts shall be electric or natural gas powered.*
34. Suspend use of all construction equipment operations during second stage smog alerts.*
35. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
36. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
37. Reroute construction trucks away from congested streets and sensitive receptor areas.*
38. Configure construction parking to minimize traffic interference.*
39. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
40. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
41. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
42. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
43. Require the use of Zero-VOC paints, coatings, and solvents.

(* Would reduce impacts to GHGs as well) 34

Mitigation measure (MM) 4.2.6.1B is uncertain and vague, requiring that contractors "utilize power sources…" This should be amended to read that contractors shall utilize electricity from power poles rather than temporary diesel or gasoline power generators. It is further unclear what is considered to be a "clean-fuel." 35

MM 4.2.6.1C requires that, during construction, contractors utilize Tier II equipment. This measure does not go far enough. At least Tier III equipment is feasible and must be required where such equipment is available. 36

MM 4.2.6.1K does not require any mitigation, only that "construction specifications and bid documents" include "notations." This language must specify that: "the following mitigation shall be required to be implanted and, to ensure implementation, included in grading plans, construction specifications, and bid documents…" Several of the mitigation measures recommended above are included in this section but are not required of the project due to this language. 37

MM 4.2.6.3A does not go far enough. The EIR does not demonstrate that implementation of all of the design features mentioned would be infeasible. Each of these measures must be required. 38

Furthermore, it is misleading. Title 24 deals with building energy efficiency, so SmartWay partnerships and other mitigation measures concerning mobile emissions and vehicle standards will not be required to be implemented. ***As most of this project's operational emissions will be derived from mobile sources, and no mitigation measures pertain to reducing these emissions, the mitigation required of this project does not incorporate all feasible mitigation***. The measures under the bullet "Lease purchase documents shall identify that tenants are encouraged to promote the following" should simply be *required* mitigation for the project unless shown to be infeasible. 39

Operational Emissions

Impact 4.2.6.3 is unclear. 40

The Operational Emissions generated by this project are substantial. For instance, the project's NOX emissions will be 990 lbs/day, 18 times the threshold of significance of a 55lb/day increase; CO emissions will well exceed the threshold of significance at 830 lbs/day, one and a half times the threshold of significance of 550; ROG emissions of 143 lbs/day are 2.6 times the 55 lb threshold, and PM10 well exceeds the 150lbs/day threshold at 170lbs/day. (Note: the rounding of emissions downward where such totals are, for instance, 990.93 for NOx, but this number is rounded down to 990, fails to disseminate the *maximum* daily emissions caused by this project.) 41

The mitigation measures adopted to reduce operational emissions fail to reduce mobile emissions, by far the main source of this project's operational emission. (*See,* Table 4.2.K) The project's non-mobile source operational emissions are essentially limited to ROG emissions, yet the mitigation measures focus on the energy efficiency of the building. (e.g. MM 4.2.6.3A) 42

MM 4.2.6.3A does not go far enough and is misleading. All this mitigation measure requires is that the project's building energy efficiency exceed Title 24 by 20 percent. This mitigation does not in any way require the implementation of each of the alternatives listed below. Moreover, as Title 24 deals with building energy efficiency, SmartWay partnerships and other mitigation measures concerning mobile emissions and vehicle standards **will not be required to be implemented in order to satisfy the actual requirement of this mitigation**. The listing of alternatives to satisfy this mitigation measure is misleading and causes the EIR to fail as an informational document. 43

The EIR does not demonstrate that requiring that the project implement each of the alternatives listed at MM 4.2.6.3A is infeasible. Each of these alternatives must be required of the project. 44

With regards to operational mobile source emissions, most of this project's operational emissions will be derived from mobile sources, and no mitigation measures directly pertain to reducing these emissions. ***The mitigation required of this project to reduce operational air quality impacts does not incorporate all feasible mitigation*** as it fails to require the mitigation listed at MM 4.2.6.3A under the bullet "Lease purchase documents shall identify that tenants are encouraged to promote the following" yet does not find such mitigation to be infeasible. These measures must simply be *required* mitigation for the project as these measures will actually 45

reduce the project's mobile source operational emissions. Likewise, as discussed above, each of the other alternatives listed at MM4.2.6.3 is feasible and must be required of this project.

The following mitigation measures are feasible and must be required of this project:

1. The operator of the primary facilities shall become SmartWay Partner.*
2. The Project shall meet SmartWay 1.25 ratings.*
3. The project shall use only freight companies that meet SmartWay 1.25 ratings.*
4. (ALTERNATIVELY from 2,3 above) The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
6. All fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.* 45
8. Install catalytic converters on gasoline-powered equipment.*
9. Where diesel powered vehicles are necessary, require the use of alternative diesel fuels. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
10. Electrical powered equipment should be utilized in-lieu of gasoline-powered engines where technically feasible.*
11. Utilize electrical equipment for landscape maintenance.*
12. All forklifts shall be electric or natural gas powered.*
13. Utilize electric yard trucks.*
14. Prohibit idling of trucks for periods exceeding three minutes.*

15. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
16. Charge reduced or no parking fee for EVs and CNG vehicles.*
17. Install EV charging facilities for a minimum of 10% of all parking spaces.*
18. Install a CNG fueling facility.*
19. Provide preferential parking locations for EVs and CNG vehicles.*
20. Implement parking fee for single-occupancy vehicle commuters.*
21. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
22. Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.*
23. Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.*
24. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.*
25. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.*
26. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.* 45
27. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*
28. Provide a complimentary cordless electric lawnmower to each residential buyer.
29. Implement parking cash-out program for non-driving employees.*
30. Require each user to establish a carpool/vanpool program.*
31. Create a car sharing program within the planned community.*
32. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.*
33. Provide preferential parking for carpool/vanpool vehicles.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Provide secure, weather-protected bicycle parking for employees.*
36. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
37. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
38. Provide showers and lockers for employees bicycling or walking to work.*
39. Short-term bicycle parking for retail customers and other non-commute trips.*
40. Connect bicycle lanes/paths to city-wide network.*
41. Design and locate buildings to facilitate transit access, e.g., locate building entrances near

transit stops, eliminate building setbacks, etc.*

42. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
43. Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents.
44. Provide shuttle service to food service establishments/commercial areas.*
45. Provide shuttle service to transit stations/multimodal centers.*
46. Provide on-site child care or contribute to off-site child care within walking distance.*
47. Implement a compressed workweek schedule.*
48. Implement home-based telecommunicating program, alternate work schedules, and satellite work centers.*
49. All buildings shall be constructed to LEED Platinum standards.*
50. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.*
51. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.*
52. Install an ozone destruction catalyst on all air conditioning systems.*
53. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project. *
54. Purchase only green/ renewable power from the electric company.*
55. Install solar water heating systems to generate all hot water requirements.*

45

Cumulative Impacts

The finding of less than significant short-term cumulative impacts is unsupported by evidence in the record. The EIR finds that project individual construction emissions will be significant, and that other projects construction simultaneously will result in short term pollutant impacts. However, the EIR then states that because each project will have to comply with SCAQMD measures such cumulative impact is less than significant. This conclusion is unsupported by the EIR or any reasoning. In fact, here compliance with SCAQMD measures did not reduce short-term air quality impacts below a level of significance, and the presumption that it would for other area projects and the cumulative impact is completely unsupported by any evidence.

The project will result in significant and unmitigated cumulative operational impacts, yet not all feasible mitigation was adopted to reduce this impact. As discussed above, additional mitigation measures must be implemented to reduce operational impacts.

46

Biological Resources

The EIR finds that impacts to biological resources will be less than significant with mitigation based on outdated and limited surveys. The EIR therefore fails as an informational document.

47

Cultural Resources

The EIR finds that impacts to cultural resources would be less than significant with mitigation with regards to paleontological resource or unique geologic feature. The project site has a "high

48

potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits." The finding of less than significant impacts with mitigation is unsupported as the mitigation required for this potentially significant impact is deficient and fails to incorporate all feasible mitigation. 48

First, MM Cul-1 provides for discontinuing monitoring if "the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached." This mitigation measure is impermissibly vague as it fails to state what portion of the site must be excavated to maximum depth before this determination of "no evidence" is made. 49

Second, a qualified paleontological monitor may only "salvage fossils" or temporarily halt or divert equipment to remove large specimens while avoiding construction delays. This salvage of fossils fails to account for the potential importance associated with the placement of those fossils across the site or any study or documentation of the specimens at the site. The salvaging will also likely result in the loss of many paleontological resources as the purpose of the mitigation is demonstrated by this method to be, primarily, to "avoid construction delays" and not to avoid damaging paleontological resources. 50

MM Cul-1 also uses the qualification: "If too few fossil remains are found…"; this is impermissibly vague. There is no quantification of "too few" or objective way to determine whether this has occurred. 51

Overall, the mitigation required for archaeological resources fails to reduce impacts below a level of significance through vagueness and inherent deficiencies. Salvaging fossils also fails to further Objective 7.6 of the General Plan to "Identify and preserve Moreno Valley's unique historical and archaeological resources for future generations." The mitigation and potential impacts conflict with Policy 7.6.1 and 7.6.2 will not ensure that the archaeological resources are preserved or mitigated. It is also unclear from the EIR whether Conservation Element Programs, General Plan 9.7.3, program 7-6 has been incorporated where such program requires: "In areas where archaeological or paleontological resources are known or reasonably expected to exist, based upon the citywide survey conducted by the UCR Archaeological Research Unit, incorporate the recommendations and determinations of that report to reduce potential impacts to levels of insignificance." The EIR therefore fails to require all feasible mitigation, ensure enforceable mitigation, and fails as an informational document. 52

Geology and Soils

The project will require excavation, fill, and recompaction. The project description states that approximately 220,000 cubic yards of additional fill will be required. It is unclear whether the EIR considered impacts from the import of fill, such as traffic and air quality impacts from truck trips to and from the project site to the fill import site, an unknown location at this time. Some 80,000 cy of fill has already been imported to the site, yet the impacts from this fill dirt have 53

been segregated from the remainder for the project. Again, project impacts have been underestimated and improperly segmented. 53

The project is also located on a geologic unit or soil that is unstable as soil shrinkage and expansion may occur. The mitigation for expansive soils, MM Geo-2 is deferred and vague. Specifically, such mitigation requires that the project proponent "inform" engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the geotechnical analysis and that such guidelines "shall be reviewed and considered." The guidelines must be required of the project in order for such mitigation to certain and enforceable. 54

GHGs

The EIR finds that the project is consistent with GHG plans, policies, and regulations. The reasoning behind several of these findings is unsupported. For instance with regards to transportation, as discussed above, the project is unlikely does not reduce VMT. 55

Compliance with GHG reduction strategies is also unsupported. For instance, the EIR fails to delineate how an energy efficient building features support achieving a 33 percent renewable energy mix statewide, unless the building will be reliant on renewable energy. Similarly, the EIR fails to show how the project is compliant with engine efficiency measures where the project does not require the use of fuel efficient trucks. 56

There is no GHG reduction plan as part of the City of Moreno Valley's General Plan, hence Tier 2 SCAQMD criteria are improperly applied. Tier 2 criteria is intended for a plan that may be part of a local general plan, for example. Comparing the impacts from this project to statewide emissions in order to find such emissions to be less than significant is improper.

Tier 3 is more properly applied to the industrial project at hand. The screening level for Tier 3 per the December 5, 2008 the SCAQMD Governing Board adoption of interim GHG significance thresholds is less than 10,000 MTCO2eq/yr. CARB's threshold for the same is less than 7,000MTCO2eq/yr and meets construction and transportation performance standards. Applying these interim thresholds to this project, the project is far in exceedence with emissions in the range of 44,000 MTCO2eq/yr. The finding that the project will have a less than significant individual impact on GHGs and climate change is unsupported in light of the interim numerical thresholds established for industrial projects by SCAQMD and ARB, and these omissions cause the EIR to fail as an informational document. Notably, the GHG appendix E delineates these standards at page 22 (from 2010), but they are neither applied nor mentioned in the EIR. 57

The mitigation measure requiring the devising of a comprehensive water conservation strategy is vague and defers mitigation. There is no requirement that the alternatives listed be incorporated 58

or that the conservation strategy meet any performance standards. 58

Mitigation measure 4.3.6.1A is not mitigation, but a requirement of the California Code of Regulations. 59

Notwithstanding the above deficiencies, the EIR finds cumulative GHG impacts of the project to be significant and unavoidable. 60

Hazards and HazMat

The EIR finds, based on no substantial evidence, that this impact is less than significant. The EIR explains that "potentially hazardous materials…may be used and/or stored on site during the construction and/or occupancy of the proposed industrial facilities." As the tenant of the proposed industrial building is unknown, this impact should be considered potentially significant. Compliance with applicable laws does not necessarily reduce this impact below a level of significance. 61

Hydrology and Water Quality

The project will have a significant impact to water quality which will be mitigated below a level of significance, yet the EIR fails to undertake an evaluation of this impact beyond the cursory review done for the Environmental Assessment. 62

The project will alter the existing drainage onsite. Mitigation Measure Hyd-05 improperly defers mitigation as the EIR fails to provide any reason why the grading plan and/or drainage report cannot be presently prepared but, instead, must be deferred. Deferred mitigation is only permissible where, for practical reasons, it is not feasible to prescribe specific mitigation measures in the EIR. (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 94.) This caveat is not demonstrated here, and a grading plan and drainage report must be contemporaneously prepared for the EIR. 63

Land Use

The project will conflict with an applicable habitat conservation plan or natural community conservation plan. It is unclear how MM Bio-1 through MM Bio-4 will reduce this impact below a level of significance. The EIR thereby fails as an informational document and impacts to land use should be considered significant and unmitigated. 64

Noise

The EIR arbitrarily creates a threshold for significance for noise of a 3dbA increase, stating that only this level of increase is considered potentially significant and that a 3 dbA change is used as a threshold of significance. This 3dbA change is ***not*** a threshold of significance adopted by the City of Moreno Valley. (Guidelines § 15064.7) Furthermore, the statement that only audible 65

changes in existing ambient or background noise levels are considered potentially significant is unsupported except by further conclusory statements. 65

The EIR also relies on the City's Municipal Code with regards to prohibited acts and noise disturbances. These figures too are not a threshold of significance and are not noise standards adopted by the City. Rather, they represent punishable acts and violations of the law. Exemptions from sound regulations likewise refer to punishable sound violations and not noise standards adopted by the City. 66

The noise standards adopted by the City are described in the General Plan, Section 6.4, which states that acceptable residential exterior noise standards are within 60-65 CNEL, and interior at 45 dbA CNEL. The City's municipal code sets limits for a noise disturbance as well at the limits of Table 4.4.F, at Residential 60 dBA daytime, 55 dBA nighttime; Commercial 65 dBA daytime, 60dBA nighttime. 67

The EIR states that the noise analysis was done using "the soft site propagation for noise" on the basis that the ground is not pavement in the project vicinity. However, the site itself will be paved, in addition to the roads that vehicles will travel to and from the site. Other uses surrounding the site are also paved and include industrial/warehouse uses to the north, industrial/warehouse and undeveloped property to the south, industrial/warehouse and a self-storage facility to the east, and warehouses, vehicle storage, residences, and undeveloped property to the west. While these uses are interspersed with vacant uses, agricultural and undeveloped land in the project vicinity is zoned for development and will be hastened towards that end through the development of this project and surrounding areas. Overall, the use of soft site analysis is unsupported by the EIR, and noise levels are likely to be much higher than those predicted by the EIR. 68

The noise study relies on a standard vehicle mix to determine traffic noise. This is unsupported given the locale and proposed project use as a distribution facility. 69

The EIR find that the project will increase traffic noise at 5 study roadway segments where four of these segments already exceed the level of significance for noise. This must be considered a significant impact as the project will result in an increase in ambient noise and such noise levels are and will be unacceptable at off-site land uses. 70

The project will also cause exposure and generation of noise levels in excess of General Plan and Municipal Code standards for construction and operation noise. The EIR wrongly looks at noise impacts at the nearest residence, where the proper measure is to look at noise generation at the property line. 71

The EIR concludes that loading and unloading will be "intermittent" and therefore less than significant. However, the warehouse will be a distribution warehouse, with trucks coming and 72

going, loading and unloading throughout the day. Accordingly, as noise levels will be 75 dBA at 50 feet, the noise impact is significant. 72

The EIR finds long-term traffic and operational noise impacts to be less than significant. However, the entire discussion in the EIR regarding noise is very conclusory and fails to provide any sources for the figures relied upon. 73

The Construction noise analysis is fatally flawed, as the source for typical construction equipment noise is quite outdated, from 1987. It is impossible that construction noise sources from 1987 have not been altered in 25 years. The EIR fails as an informational document by failing to rely on contemporary studies and data. The noise exposure during construction will be much greater than predicted by the EIR. (*See,* attached "Construction Noise Handbook," Chapters 3, 4, and 9, Federal Highway Administration, August 2006, <http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm>; and" Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis," Electronic Library of Construction Occupational Safety and Health, November/December 2002.) Nonetheless, the EIR concludes that noise levels during construction will be up to 91 dBA at 50 feet. 74

The project will have a significant impact from construction noise that is said to be mitigated below a level of significance. However, as discussed above, such mitigation may not be sufficient after analysis based on contemporary studies. Furthermore, the EIR relies on noise occurring between the hours required by the City. This is not mitigation but the law. 75

As it is uncertain that mitigation will reduce project impacts below a level of significance, the following additional mitigation must be required of the project: 76

1. Temporary noise barriers must be installed during project construction.
2. Where technically feasible, utilize only electrical construction equipment
3. During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.
4. Provide a "windows closed" condition requiring a means of mechanical ventilation (e.g. air conditioning) for all buildings.
5. Provide upgraded windows with a minimum Sound Transmission Class (STC) rating of 34 for all buildings, and/or require the installation of double-paned windows.
6. Keep new transportation facilities away from vibration sensitive areas.
7. When dealing with existing transportation facilities, obvious vibration causes, such as pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc., may be eliminated by resurfacing.
8. Require the use of rubberized asphalt for construction of all roadways and parking areas.
9. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.
10. Require resurfacing of roads.

11. Ban heavy trucks near vibration sensitive uses.
12. Use alternate construction methods and tools to reduce construction vibrations. Examples are predrilling of pile holes, avoiding cracking and seating methods for resurfacing concrete pavements near vibration sensitive areas, using rubber tired as opposed to tracked vehicles, placing haul roads away from vibration sensitive areas. 76
13. Scheduling construction activities (particularly pile driving) for times when it does not interfere with vibration sensitive operations (e.g. night time).

Mitigation Measure 4.9.6.1D does not mitigate for noise impacts during construction hours. 77

Cumulative noise impacts were found to be "No Impact." This conclusion is unsupported. The discussion of cumulative traffic noise impacts is unsupported. 78

Transportation

Traffic counts from the project are low given the project's 264 dock doors, parking for 368 trucks and trailers, and parking for 589 passenger vehicles. 79

The EIR fails to study many intersections that will be impacted by the project, particularly along Harley Knox Boulevard en route to I-215. Also, no freeway connection to the north was evaluated at Cactus, and no evaluation of impacts to the south to the Ramona Expressway was conducted. The EIR fails as an informational document by failing to study impacts to these intersections. The EIR also fails to look at future traffic impacts. 80

The EIR attempts to minimize the project's significant and unmitigated traffic impacts by segregating impacts to existing versus 2013 and local intersections and roadways versus freeway segments. 81

The project will result in significant and unmitigated cumulative traffic impacts, resulting in less 10 intersections and 4 roadway segments operating as below the City's LOS standard. Additionally, 3 freeway segments and ramp merge/diverge areas would operate at unsatisfactory levels of service. Despite these impacts, the project does not require any additional mitigation at these intersections or roadways beyond contribution to the DIF and TUMF. 82

The EIR finds that impacts to intersections and roadway segments within the DIF and TUMF programs will be reduced below a level of significance despite the fact that many of these improvements are not yet funded and will likely not be funded for some time. Mitigation is therefore uncertain and deferred. It appears that the only improvement currently planned is widening of Perris Boulevard, to be completed in May 2013. Nonetheless, the EIR finds that impacts based on Opening year 2013 plus project will be mitigated to less than significant at all significantly impacted roadway segments and intersections other than the I-215 segments and ramps. The fact that an improvement is part of the DIF or TUMF program does not ensure that it will soon be planned or funded, and surely does not ensure that it will be planned, funded, and 83

built by 2013 to reduce impacts to less than significant. 83

In fact, the roadways reliant on TUMF funds are not presently scheduled for improvement nor are the improvements funded. (*See, e.g., 2011 Annual Report, Transportation Uniform Mitigation Fee Program,* Western Riverside Council of Governments, "Five Year Transportation Improvement Program," <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>, p.39, *See, also,* <http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf> [detailing funded expenditures in the Central Zone]) Furthermore, TUMF improvements can take up to 9 years to become a reality from a local jurisdiction developing a project to completion of construction. (*2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra,* p.7) Project prioritization, programming, and allocation of funds may also be a barrier to improvements on the roadways impacted by this project. (*2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra,* p.10) The EIR's conclusion that project transportation impacts on local roadways and intersections is less than significant after mitigation is simply not supported by evidence and the realities of these fair share programs. 84

With regards to DIF funding, the EIR even states that, "As part of its Capital Improvement program, the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents." The finding of less than significant impact after mitigation at these impacted intersections and roadway segments is therefore unsupported as such reduction to a level below significance may not occur in the short-term, long-term, or ever if these roadways are not given priority. 85

Mitigation requiring direct funding and completion of improvements at impacted roadways and intersections must be required of the project unless demonstrated to be infeasible. As the project currently stands, not all feasible mitigation has been required of this project to reduce traffic related impacts below a level of significance, and mitigation is uncertain and deferred. 86

Consistency with Local and Regional Plans

The EIR finds that the project is consistent with the SCAQMD AQMP, however the EIR previously found that the project failed to meet SCAQMD's requirements with regard to air quality control for mobile sources and construction emissions. 87

Consistency with the Transportation chapter of the 2008 RCP is unsupported. The statement that the proposed project will "limit[] the need for vehicle travel" and therefore satisfy the goal of "A more efficient transportation system that reduces and better manages vehicle activity" is erroneous. As discussed above, the project will have significant and unmitigated traffic impacts, and reliance on the TUMF and DIF programs provides for uncertain mitigation for traffic impacts. 88

Consistency with the Economy Chapter is likewise unsupported by the EIR. The Goal of 89

"diversifying the region's economy" is not satisfied by "add[ing] to the City's portfolio of industrial services." Said another way, the project will add more industrial services to already existing/proposed industrial services, the opposite of diversifying the region's economy. 89

The EIR finds that the project is consistent with the Compass Growth Vision Principles, yet fails to evaluate how the project is consistent with these principles. The evaluation provides is generalized and fails to discuss how the project is, in fact, consistent with principles 1, 2, and 4 re: improving mobility, fostering livability, and promoting sustainability for future generations. The finding of inconsistency is unsupported by the EIR and, again, the EIR fails as an informational document. 90

Segmentation

The project site has already received 80,000 cubic yards of fill of the total 300,000 cubic yards required onsite. The impact from this fill importation was segmented from the project as a whole. Such importation, upon evaluation in the EIR, would likely push the project construction impacts further above several threshold of significance and would likely lead to the exceedance of PM2.5, among perhaps others. 91

Alternatives

Where there is an environmentally superior alternative that significantly decreases the significant impacts of the Project then that alternative must be approved rather than the Project if that alternative is feasible, even if the alternative would impede to some degree the attainment of the project objectives, or would be more costly. [(PRC§ 21002; *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 597, State CEQA Guidelines § 15126.6(b)]

In this case, both the no project alternative and the reduced intensity alternative would reduce impacts when compared with the project. The reduced intensity alternative would reduce several impacts below a threshold of significance when compared to the proposed project. The reduced intensity alternative would also satisfy most of the project objectives. Accordingly the reduced intensity alternative must be approved over the project. 92

The EIR undermines the reduced intensity alternative by claiming that impacts would be similar; this claim is entirely unsupported by the facts and figures provided in comparison. For instance, with regards to traffic impacts, the EIR finds that impacts to roadways and intersections would be reduces. The EIR then, however, finds that the impact "would be similar." The EIR also finds that the reduced intensity alternative fails to satisfy several project objectives; these findings are likewise unsupported by the evidence. For instance, the EIR states that the reduced intensity alternative fails to meet the objective of clustering industrial warehouses near efficient access points. However, the reduced intensity alternative does not move the project. Nonetheless, the reduced intensity alternative substantially reduces impacts and meets most 93 94 95

project objectives. Accordingly, it must be approved rather than the project. 95

Lastly, the final line of the environmentally superior alternative pertains to an alternative site. There is no discussion of an alternative site with regards to the reduced intensity alternative. The EIR is misleading and fails as an informational document by claiming that the reduced intensity alternative fails to meet objectives related to location because of an alternative site. 96

Conclusion

Thank you for your consideration of these comments and the attached and/or referenced material.

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

Attachments and Electronic Citations

(1) Western Riverside Council of Governments, *2011 Annual Report, Transportation Uniform Mitigation Fee Program,* <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>

(2) Western Riverside Council of Governments, *Funded Expenditures in the Central Zone,* <http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf.>

(3) The Press Enterprise, Jack Katzanek (February 1, 2012) *"Moreno Valley: Sketchers' warehouse has caused net job loss,"* <http://www.pe.com/business/business-headlines/20120201-moreno-valley-skechers-warehouse-has-caused-net-job-loss.ece>

(4) *The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>

(5) *Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf> 97

(6) Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>

(7) *Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>

(8) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

(9) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapters 3, 4, and 9* <http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm>

(10) Electronic Library of Construction Occupational Safety and Health (November/December 2002) *Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis.*

(11) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(12) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects*. 97

Letter D

RAYMOND W. JOHNSON, Esq., AICP LEED GA
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Thirty years subdivision design: residential, commercial and industrial
- Thirty years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

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General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

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- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals
- Member, U.S. Green Building Council, LEED GA

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants. 97

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co. 97
Lee's Summit, MO 6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO 9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.
Project Coordinator 6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

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2.10 RESPONSE TO LETTER D

Johnson & Sedlack

Response to Comment D-1. The commentor has accurately summarized the general aspects of the proposed project. No further response is necessary.

Response to Comment D-2. The City agrees that the major tenent of CEQA is that it is a disclosure process; therefore, your letter along with all the other comments and responses will be forwarded to the City decision makers for their consideration in the review of the EIR. No further response is necessary.

Response to Comment D-3. The commentor's opinions on the quality of the environmental assessment that was done will be forwarded to the decision-makers for their consideration. The City disagrees with the commentor's generalized assertions regarding the adequacy of the VIP Moreno Valley Draft EIR. The comment that the conclusions in the EIR are not based in fact is erroneous. The Draft EIR is based on the findings of technical studies that were prepared for the project that were included in their entirety in the appendices to the Draft EIR. Those studies are:

- General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., August 1, 2010.
- Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009.
- Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 9, 2009.
- Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 11, 2009.
- Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California, Michael Brandman Associates, March 22, 2007.
- Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007.
- Phase I Environmental for the Evaluation of Potentially Hazardous Materials, Centec Engineering, February 23, 2007.
- Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., March 27, 2009.
- Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., July 24, 2009.
- Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004, Eastern Municipal Water District, January 20, 2010.
- LESA Modeling Worksheets, LSA Associates, Inc., August 2011.
- Air Quality Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.
- Health Risk Assessment VIP Moreno Valley, LSA Associates, Inc., March 2012.

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- Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., December 2011.
- Noise Impact Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.
- Traffic Study VIP Moreno Valley, LSA Associates, Inc., April 9, 2012.

The Initial Study that was prepared for the proposed project determined that impacts on biological resources, cultural resources, geology, and hydrology and water quality would be less than significant with the implementation of mitigation not potentially significant requiring further analysis in an EIR. Those specific mitigation measures are identified in the Initial Study, Section 2.0 of the EIR and are also included in the Mitigation Monitoring and Reporting Plan (MMRP) attached to the Final EIR. The City formally initiated the environmental process with circulation of an NOP along with the Initial Study , which it sent to responsible agencies and interested individuals for a 30-day review period from August 26 to September 26, 2011. At the close of the public review period, the City had received 12 letters on the NOP. The NOP disclosed that an EIR would be prepared and the issues that would be addressed are agricultural and forest resources, air quality, greenhouse gases and global climate change, noise and transportation. None of the responses to the NOP asked that biological resources, cultural resources, geology, and hydrology and water quality be evaluated in the EIR. As a result the City is not concealing information from the public on the significance of impacts.

Response to Comment D-4. The City respectfully disagrees with the commentor's opinion that the findings in the EIR are not supported by substantial evidence. (also refer to Response to Comment D-3).

Response to Comment D-5. As appropriate, a portion of the mitigation measures suggested by the commentor (refer to Response to Comment D-45) have been incorporated in the Final EIR to further reduce impacts but these mitigation measures do not change the conclusions or analysis in the Draft EIR. All mitigation measures that are in the Draft EIR and mitigation added as a result of responses to D-45, D-34 and E-51 through D– 53 have been included in the MMRP (Section 4.0 of the Final EIR) to ensure that they are being implemented.

Response to Comment D-6. It is the commentor's opinion that the mitigation measures in the EIR are vague, uncertain, and unenforceable and are not based in fact nor does the commentor provide any examples. As detailed in the following responses, appropriate and enforceable mitigation of the project's significant individual and cumulative impacts have been identified in the Draft EIR.

Response to Comment D-7. It is not clear as to what the commentor is referring to in stating "several "alternatives" listed in the EIR will not satisfy the actual mitigation required, while other mitigation measures merely require the incorporation of writings, not actions."

The alternatives (Section 6.0 of the Draft EIR) are in compliance with *CEQA Guidelines* Section 15126.6(a), where the Draft EIR describes "a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (*CEQA Guidelines* Section 15126.6(b)). The discussion of project alternatives must "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." The alternatives are to "substantially lessen the significant effects of the project", not to satisfy the actual mitigation required.

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It is not clear by what the commentor means as to the mitigation measures "merely require incorporation of writings" and no examples were provided by the commentor to clarify the meaning of the statement.

Response to Comment D-8. The commentor inaccurately suggests that the project should be required to obtain a LEED gold or platinum rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions impacts. The process of obtaining a LEED rating of any level (LEED ratings levels are Certified, Silver, Gold, and Platinum, with Platinum being the highest) is not mitigation. However, the specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. As stated in Mitigation Measure 4.2.6.3.A (Draft EIR page 4.2-26): *"Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:"* With implementation of this measure, the building will meet the 20% performance standard which will render greenhouse gas emissions impacts to a less than significant level on a project-specific basis.

Regarding air quality impacts, many of the suggested mitigation measures have been added in the Final EIR, are incorporated in the Draft EIR already, or were determined to be infeasible. For a list of those mitigation measures please refer to the Tables contained in Response to Comments D-34 regarding construction mitigation measures and D-45 regarding operational mitigation measures.

For clarification purposes, the Level of Significance After Mitigation conclusion regarding the project-specific impact associated with climate change and greenhouse gas emissions that appears on page 4.3-26 has been modified as shown below and as indicated in Section 3.0 Errata in the Final EIR:

Draft EIR, Section 4.3.6.1 Greenhouse Gas Emissions, Page 4.3-26

> **Level of Significance After Mitigation.** The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~ on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable.

Response to Comment D-9. Please see Response to Comment D-8. In addition, a portion of the air quality mitigation measures suggested by the commentor have been incorporated to further reduce air quality and impacts. Please refer to the Table contained in Response to Comment D-45. However, these mitigation measures do not change the conclusions or analysis in the Draft EIR.

Response to Comment D-10. The commentor incorrectly asserts that the project's traffic impacts are not fully mitigated through contribution to TUMF and DIF. As elaborated in Responses to Comments D-82 through D-85, the project's payment of these fees will result in full and complete mitigation.

Response to Comment D-11. The commentor incorrectly asserts that the environmentally superior alternative meets most project objectives and must be approved instead of the proposed project. Although the environmentally superior alternative (reduced density) will result in reduced air pollution and GHG emissions, impacts associated with these issues would remain significant and unavoidable for air quality, greenhouse gas emissions, and traffic in the same manner as the proposed project (see Draft EIR Section 6.4 Comparison of Project Alternatives, Table 6.K, page 6-31). Also refer to Responses to Comments D-92 through D-95 for further elaboration on this subject.

Response to Comment D-12. While the Draft EIR does acknowledge that "*Development of the project site would introduce a new source of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings*" the Draft EIR does not state that the project would result in the introduction of a substantial new source of light as asserted by the commentor. The Draft EIR includes an analysis of potential light and glare impacts that may occur as a result of project implementation.

As noted in the Draft EIR, "*project-related lighting impacts were determined to be less than significant because all development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses. Therefore, impacts associated with this issue are less than significant and no mitigation is required.*"

Response to Comment D-13. The commentor misidentifies the existing farmland designations on-site. As detailed in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-5), "*Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland,*[1] *16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance.*" No Unique Farmland exists on-site. Additionally, the Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of farmland to a non-agricultural use (Draft EIR Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-14).

Response to Comment D-14. The comment is noted. As described in Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-10 of the Draft EIR, "*The conversion of the 16.89 acres of on-site Prime Farmland would be equivalent to 0.03 percent of the total loss of Prime Farmland in the County during this period. Similarly, the conversion of the 16.23 acres of on-site Farmland of Statewide Importance would be equivalent to 0.07 percent of the total loss of Farmland of Statewide Importance in the County during this period. The conversion of the 38.69 acres of on-site Farmland of Local Importance would be equivalent to 1.89 percent of the total loss of Farmland of Local Importance in the County during this period.*" This level of conversion expressed in percentages that would occur with project implementation over the course of a two-year reporting period for the County

[1] Important Farmland Map Riverside County, Farmland Mapping and Monitoring Program, 2004.

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does not represent a substantial conversion of farmland within the County. Furthermore, the Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of on-site farmland to a non-agricultural use (Draft EIR, Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-14).

Response to Comment D-15. There are no agricultural land uses designated or zoned adjacent to the proposed project site. As described in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-1), "*Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north; industrial/warehouse and undeveloped property to the south; industrial/warehouses and a self-storage facility to the east; and warehouses, vehicle storage, residences, and undeveloped property to the west. Active agricultural operations (alfalfa) take place on properties located to the southwest of the project site, west of Indian Street and south of Harley Knox Boulevard*". The active agricultural uses identified in the Draft EIR are approximately 1,000 feet away.

The Draft EIR does not play down the effect of on-site development on adjacent agricultural uses or on properties along truck routes or citywide. As identified in the Draft EIR (Section, 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12), "*the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the '…orderly conversion of agricultural lands.' The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development.*" As described in the Draft EIR, the City's General Plan and General Plan EIR have considered and evaluated the eventual and expected conversion of agricultural activity within the City. The City has already anticipated the eventual conversion of all agricultural activity within the City.

Furthermore, to predict potential impacts of the conversion of active agricultural operations that are occurring citywide as a result of the implementation of the proposed project is speculative and outside the scope of the Draft EIR and CEQA. Agricultural activity within the City is an interim use until such time a development proposal is submitted for a particular project, which cannot be predicted.

Response to Comment D-16. The potential mitigation measures identified in this comment are not considered to be feasible by the City of Moreno Valley as determined in the City's General Plan EIR. As identified in the Draft EIR (Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-13), "*Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. The City does have the ability to encourage property owners to participate in Williamson Act programs; however, this is expected to result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. The land would then be available to be developed with urban uses.*

Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land.

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The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified."

The Table below contains the suggested mitigation measures by the commentor. The responses determine whether the Draft EIR contains the mitigation measure, if the mitigation will be added mitigation as part of the Final EIR, or if it will not be included and why.

Suggested Mitigation Measure	Response
1. The purchase of agricultural conservation easements;	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*)
2. Transfer of development rights;	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable.
3. Acquisition of farmland by the city or county;	**Economically infeasible**. Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations.
4. Mitigation banking;	**Economically infeasible**. Neither the City of Moreno Valley or the County have a mechanism in place for mitigation banking. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. In addition, there is not any agricultural zoned land in the City for the City or County to purchase.

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Suggested Mitigation Measure	Response
5. The establishment of "urban limits," greenbelts, and buffers;	**Not sufficient.** Will not result in permanent protection of agricultural lands. There is no mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations.
6. The payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements;	**Economically infeasible**. Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See (Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) In addition, there is not any agricultural zoned land in the City for the City or County to purchase and there is no existing fee program for farm land in the City.
7. Planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. In addition the project is an industrial project which the site is planned for in the City's General Plan since 1987. In addition, this is not a residential project. The proposed mitigation is not applicable. The project won't promote "leapfrog" development since the area surrounding the project site is developed.

Response to Comment D-17. Please refer to Response to Comment D-16.

Response to Comment D-18. This comment is noted. The commentor has correctly identified potential air quality impacts of the proposed project. The Draft EIR also identifies the same significant and unavoidable air quality impacts as occurring during construction and operation of the project (Draft EIR Section 4.2 Air Quality, pages 4.3-23, 4.2-25 and 4.3-28 through 4.3-29).

Response to Comment D-19. The Draft EIR Section 4.2 Air Quality includes a discussion of the applicable SCAQMD regional rules that are required of all development within the South Coast Air Basin as well as project-specific mitigation measures. The Draft EIR distinguishes between measures that are required by rules enforced by the SCAQMD and proposed mitigation measures identified to reduce potential impacts. The Draft EIR then presents data reflecting the anticipated reduction of emissions achieved as a result of both rules enforced by the SCAQMD and project-specific mitigation measures. The Draft EIR includes text on page 4.2-21 stating, "*To facilitate monitoring and compliance, applicable SCAQMD regulatory requirements are restated in the following mitigation. These measures shall be incorporated in all project plans, specifications, and contract documents.*" No further discussion is required.

Response to Comment D-20. This comment is noted. The commentor has correctly identified existing ambient air quality conditions in the project vicinity and the location of the nearest sensitive receptors. The Draft EIR Section 4.2 Air Quality, Table 4.2.D page 4.2-5 and page 4.2-6 (Section 4.2.1.5 Sensitive Land Uses in the Project Vicinity) also identifies the same ambient air quality conditions and locations of the nearest sensitive receptors.

Response to Comment D-21. The Draft EIR Section 4.2.3.4 Local Policies, page 4.2-9, includes a discussion of the City's General Plan and the policies relevant to air quality. The goals, objectives, and policies cited by the commentor are in portions of the General Plan that deal with public safety and energy conservation, but are included here to address the comment:

Ultimate Goal VII: Emphasizes public health and safety, including, but not limited to, police, fire, emergency and animal services and protection from floods and other hazards.

> *Response:* Section 2.5.10 of the Draft EIR addressed public health and safety relative to the cited public services, and Section 2.5.12 of the Draft EIR addressed utilities including energy use (i.e., the wise use of energy is considered energy conservation). The Draft EIR evaluated these issues and determined that the proposed project would not have significant impacts related to public health and safety (public services) and energy use/conservation with implementation of the project as proposed with the recommended mitigation. Therefore, the proposed project is consistent with this goal.

Goal 6.1: To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property.

> *Response:* Section 4.2 of the Draft EIR addresses health impacts related to air quality (i.e., health risk assessment), Section 2.5.5 of the Draft EIR addresses hazards and hazardous materials, Section 2.5.4 of the Draft EIR addresses geotechnical hazards, and Section 2.5.6 addresses water-related hazards. The EIR concluded that these impacts would be less than significant based on the design of the project and implementation of recommended mitigation measures except for specific daily thresholds for construction and operational air pollutants.
>
> NOTE: The project's consistency with Objective 7.5 and Policies 7.5.1, 7.5.2, and 7.5.5 regarding energy efficiency is included in Chapter 4.3 Climate Change and Greenhouse Gases, which begins on Draft EIR page 4.3-1. However, the following information is provided for the reader's convenience.

OBJECTIVE 7.5: ENCOURAGE EFFICIENT USE OF ENERGY RESOURCES.

> *Response:* Section 2.5.12 of the Draft EIR examines the project's use of energy resources such as electricity and natural gas and concludes that the potential impacts will be less than significant after compliance with the State's new "Green Building Code" (Title 24) including strict energy conservation requirements. In addition, Mitigation Measure 4.2.6.3A (under Air Quality) also addresses energy conservation.

Policy 7.5.1: Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand.

> *Response:* Sections 2.5.12 (Utilities) and 4.2 (Air Quality) of the Draft EIR addresses the design of the project relative to wise energy use (i.e., energy conservation) and determined that impacts in this regard would be less than significant with implementation of the state Green Building Code as well as implementation of Mitigation Measures 4.2.6.3A.

Policy 7.5.2: Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles.

> *Response:* The proposed project does implement the recommended improvements related to private development in this policy (i.e., bicycle racks, pedestrian access).

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Policy 7.5.5: Encourage the use of solar power and other renewable energy systems.

Response: The proposed project does not have a specific end user at this point, but the building design will allow for future installation of solar photovoltaic and solar hot water heating for the office area.

Summary. As stated in section 15002 of the CEQA Guidelines, the basic purposes of CEQA are to 1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities; 2) Identify ways that environmental damage can be avoided or significant reduced; 3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternative or mitigation measures when the governmental agency find the changes to be feasible; and 4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved. While the suggested goals are not cited in the Draft EIR for reasons stated previously, this Draft EIR meets the basic purposes of CEQA and adequately discloses potential project-related effects to human health and the environment within Sections 4.2 Air Quality (beginning on page 4.2-1), 4.3 Climate Change and Greenhouse Gases (beginning on page 4.3-1), 4.4 Noise (beginning on page 4.4-1), and 4.5 Transportation (beginning on page 4.5-1).
Based on project design, compliance with existing regulations and implementation of the recommended mitigation measures protects public health and safety and achieves responsible energy conservation to the extent required by the lead agency under CEQA. Therefore, the proposed project is consistent with these General Plan goals, objectives, and policies.

Response to Comment D-22. Since there is no specific end user identified at this time, it is not known if employees will be relocated from another facility. It should be noted that even relocation of an existing use from elsewhere in the region still benefits the local economy. The relocation of employees may have an indirect employment impact in other jurisdictions but an overall neutral effect on the region (likely the jobs would still stay within the region). It is speculative to predict such employment changes since the end user is not known at this time. The cited online article makes no assertion that vehicle miles travelled (VMT) were increased due to an employee transfer and the commentor provides no evidence that this was the case in that example. The context of the analysis the commentor is commenting on relates to the project's consistency with the Air Quality Management Plan (AQMP) and how the project may accommodate the expected increase in population and employment in the City. The project is consistent with existing General Plan and Zoning designations and therefore it is reasonable to assume that given the proximity of existing homes and existing commercial uses in the area coupled with the City's existing low jobs-to-housing ratio (i.e., below the existing SCAG jobs-to-housing ratio), the project has the potential to minimize the VMT within the community.

Response to Comment D-23. The Draft EIR does not find that the project will minimize VMT compared to a "typical" large industrial/warehouse type project. However, this project provides the opportunity for a reduction in employee-related VMT because the proposed project will create jobs and provide the opportunity for City of Moreno Valley residents to find employment close to their homes. Because of the high unemployment levels in the City of Moreno Valley, this potential is real. However, the commute travel reduction is virtually impossible to calculate. Nonetheless, the project will create the potential for reduction in commuting distances for employees that reside in the City or in other municipalities near the project site.

Response to Comment D-24. The conclusion referenced in this comment is based on the previous assessment of localized operational impacts to sensitive receptors (Section 4.2.5.4). Because the project would not result in any exceedances of localized operational emissions thresholds,

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operational acute health risk impacts are expected to be less than significant. Additional language has been added to Section 4.2.5.5 of the Section 3.0 Errata Final EIR to refer the reader back to the previous Section 4.2.5.4 to clarify this point.

Draft EIR Section 4.2.5.5, Operational-Acute Health Risk Impacts Page 4.2-18

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. As previously identified in Section 4.2.5.4, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. Similarly ~~Therefore~~, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

Response to Comment D-25. The HRA analysis provided in the Draft EIR Section 4.2.5.5 Operational-Acute Health Risk Impacts, page 4.2-18, evaluated the health risk levels at all locations within the area covered by the receptor grid which covers the area surrounding the project and extends out to beyond where the project contribution to ambient air quality is measurable. As stated in the technical Health Risk Analysis (HRA) prepared for the project: Receptors were placed at a grid approximately five by five miles to characterize the regional risk levels and at locations of all identified sensitive receptors" (see page 12 of the HRA contained in Appendix D-2 of the Draft EIR). Within the accuracy of the air dispersion model, using a grid of receptors to allow the display of area-wide distributions and wind effects is a much better indication of predicted pollutant concentrations than only placing a single receptor at a location of interest. This is in accordance with SCAQMD HRA methodology. Furthermore, the HRA considers a worst-case scenario (i.e., health risks at the nearest receptors); therefore, it can be expected that health risks at locations further away would be less than that at the nearest receptors.

Response to Comment D-26. This comment is noted. The HRA analysis provided in the Draft EIR Section 4.2.5.5 Operational-Acute Health Risk Impacts and Section 4.2.5.6 Operational-Chronic Health Risk Impacts, page 4.2-18 includes all health risks for which there are accepted analysis methods. The health effects described in the comment do not have methodologies to support inclusion.

Response to Comment D-27. This commentor is stating the facts on diesel emissions provided by the SCAQMD and is noted. No response is required.

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Response to Comment D-28. This comment is a statement of fact and is noted. No response is required.

Response to Comment D-29. The HRA analysis provided in the Draft EIR, Section 4.2.5.6 Operational-Chronic Health Risk Impacts, page 4.2-18 accounted for the health risks to all the populations affected by the predicted emissions from the project operations including children. In addition the Draft EIR, Section 4.2.1.5 Sensitive Land Uses in the Project Vicinity, page 4.2-6 identifies those sensitive receptors in the area of the proposed project that are sensitive to air pollutants, which includes residences, schools, medical offices, convalescent facilities, and similar uses. The susceptibility of various portions of the population, including infants and children as well as older people are all considered and analyzed, which includes diesel emissions, in both the air quality and HRA sections of the Draft EIR (Sections 4.2 and 4.3, respectively).

Response to Comment D-30. This comment is a statement of fact and is noted. The City of Moreno Valley General Plan is the governing body for the proposed project not the Riverside County General Plan. Consistency of the project with the Riverside General Plan is not required.

Response to Comment D-31. This comment is a statement of fact and is noted. The commentor does not provide a reference for the statement and there is confusion as to how the bullet item relates to the analysis in the Draft EIR. No response is required.

Response to Comment D-32. This comment is a statement of fact and is noted. The commentor does not provide a reference for the statement and there is confusion as to how the bullet item relates to the analysis in the Draft EIR. The proposed project and the respective HRA prepared for the project and summarized in the Draft EIR, complies with the City of Moreno Valley General Plan policies. The City of Moreno Valley General Plan is the governing body for the proposed project not the Riverside County General Plan. Consistency of the project with the Riverside County General Plan is not required.

Response to Comment D-33. The section title has been changed to reflect that the analysis considers all construction emissions and the change is provided in Section 3.0 Errata in the Final EIR.

Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-19

4.2.6.1 Construction ~~Equipment~~ Emissions

Response to Comment D-34. The data shown in Table 4.2.I of the Draft EIR contains typographical errors; however, Table G: Short-Term Regional Construction Emissions in the Air Quality report (Appendix D-1) in the Draft EIR is correct. The 5.95.9 lbs/day of ROG is a typographical error; the actual emission value is 5.9. The 3434 lbs/day of NO_x is also a typographical error; the actual emission value is 34 lbs/day (see Draft EIR Appendix D-1, Air Quality Study). The numbers in Table 4.2.1 under Fugitive Dust PM_{10}, Exhaust PM_{10}, Fugitive $PM_{2.5}$ and Exhaust $PM_{2.5}$ are also typographical errors and now match the table in the Air Quality Report in Appendix D-1inthe Draft EIR. The amendments to Table 4.2.1 do not change the analysis or the conclusions in the Section 4.2 Air Quality in the Draft EIR. The changes to Table 4.2.I have been included in Section 3.0 Errata in the Final EIR.

Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-20.

Table 4.2.I: Short-Term Regional Construction Emissions

Construction Phase	Pollutant Emissions (lbs/day)							
	ROG	NO_X	CO	SO_2	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	~~1.8~~ 11	~~0.33~~ 4.1	~~0.02~~ 0.18	~~0.32~~ 3.9
Architectural Coating	72	3.7	11	0.01	~~0.2~~ 1.8	~~2.9~~ 0.33	~~0~~ 0.02	~~2.9~~ 0.32
Paving	5.95~~.9~~	34~~34~~	22	0.03	~~329~~ 0.2	~~17~~ 2.9	~~4.4~~ 0	~~16~~ 2.9
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the mitigation measures suggested for inclusion by the commentor and if it is already included in the Draft EIR, if will be added mitigation as part of the Final EIR, or if will not be included and why.

Suggested Mitigation Measure	Response
1. Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
2. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (eg. Install wheel shakers, wheel washers, and limit site access.)	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
3. All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1R** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
4. Pave all construction roads.	**Not Included**. All roads surrounding the site are already paved. This suggested mitigation measure is not warranted.
5. Pave all construction access roads at least 100 feet on to the site from the main road.	**Not Included.** This suggested mitigation measure is not included in Section 4.2 Air Quality of the Draft EIR because it is impractical to pave construction roads onsite. It is infeasible and ineffective to pave roads within the site as the

Suggested Mitigation Measure	Response
	entire site will be graded to process the 220,000 cubic yards of fill to be imported. Such temporary pavement would present unnecessary obstacles and would be destroyed in the process of construction. Paving construction roads within construction areas unnecessarily increase VOC generation, with little or no discernible reduction in other air pollutant emissions. Fugitive dust control is already addressed by **Mitigation Measures 4.2.6.1E** and **4.2.6.1F**.
6. Limit fugitive dust sources to 20 percent opacity.	**Not Included.** The context of this suggested mitigation measure is unclear. It is not feasible to limit fugitive dust *sources* to 20 percent opacity. It is inferred that the commentor is suggesting that fugitive dust *emissions* should be limited to 20 percent opacity consistent with SCAQMD Rule 403. SCAQMD Rule 403 is a regional requirement required of all development within its jurisdiction; therefore, the project is required to adhere to this requirement.
7. Require a dust control plan for earthmoving operations.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** and **4.2.6.1L** on page 4.2-23.
8. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-24) of the Air Quality Section as **Mitigation Measure 4.2.6.1N** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
9. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1O** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
10. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
11. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
12. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Not Included.** This suggested mitigation measure is not included in Section 4.2 Air Quality of the Draft EIR because extending the grading period would not likely achieve a level of reduction great enough to reduce air quality impacts during the grading phase. In fact, extending the grading period would result in an increase in worker vehicle and construction equipment-related emissions, increasing the severity of the impact. In addition, the same quantity of fugitive dust would be emitted to the air basin under this suggestion and impacts associated with regional emissions would not be reduced. Also refer to the response to #13 below.
13. The simultaneous disturbance of the site shall be limited to five acres per day.	**Not Included.** As noted in the CalEEMod manual, "*In order to properly grade a piece of land multiple passes with equipment may be required. The acres is based on the*

Suggested Mitigation Measure	Response
	equipment list and days in grading or site preparation phase according to the anticipated maximum number of acres a given piece of equipment can pass over in an 8-hour workday. The equipment specific grading rates are given in the table below as determined by SCAQMD in consultation with building estimator references." Thus, the CalEEMod calculates a total grading disturbed area many times the size of the project site based on the idea that there are multiple graders, dozers, scrapers, etc. making multiple passes during any one day. This suggested measure to limit simultaneous disturbance of the site to 5 acres per day would not change the results of the air quality modeling and projected air emissions identified in the Draft EIR and in fact may increase emissions due to the grading inefficiencies created by this restriction. By grading a smaller area it prolongs the grading process and releases dust and vehicular emissions (grading construction workers going back and forth to the site over a greater period of time and grading equipment moving around the site) into the air basin over a longer period of time. By grading five acres a day of a minimum grading of 7 days based on a 71 acre site at 10 acres a day the grading would be prolonged to 14 days. There are also logistical considerations getting construction equipment and people back and forth to the site. In addition, there are no sensitive receptors located in close proximity to the project site that would be affected by the dust.
14. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1P** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
15. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measures 4.2.6.1E** and **4.2.6.1G** on page 4.2-22.
16. Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.	**Not Included.** It is not clear what is being suggested by this measure. Trackout (i.e., dirt deposition) is addressed through adherence to **Mitigation Measure 4.1.6.1K**.
17. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1D** on page 4.2-22. While **Mitigation Measure 4.2.6.1D** does not specify the formulation of a high wind response plan as suggested, this mitigation measures requires that clearing, grading, earthmoving, or excavation activities cease upon 25 mph winds or greater. This requirement in combination with other dust control measures outlined in the Draft EIR will accomplish the intent of the suggested mitigation measures stated here.
18. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1S** and summarized in the Errata Section of the Final EIR to include a similar requirement regarding

Suggested Mitigation Measure	Response
large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	scheduling truck trips during non-peak hours as suggested. Approval of a truck haul route is already required prior to grading permit approval. commentor
19. Develop a trip reduction plan to achieve a 1.5 AVR for construction employees	**Not Included.** This suggested mitigation measure is not feasible because construction of this type typically requires a large number of small contractors rather than one large contractor such as for large public works projects. Having multiple small contractors means that workers come from many areas and do not work for the same company, therefore, making efforts to coordinate their carpooling ineffective and infeasible. As noted in **Mitigation Measure 4.2.6.1K**, documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs. In addition, it should be noted that California Public Health and Safety Code Section 40717.9 states that a "public agency shall not require an employer to implement an employee trip reduction program unless the program is expressly required by federal law and the elimination of the program will result in the imposition of federal sanctions, including, but not limited to, the loss of federal funds for transportation purposes."
20. Require high pressure injectors on diesel construction equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
21. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.	**Not Included. Mitigation Measure 4.2.6.1C** which requires CARB Tier II Certified equipment or better (page 4.2-21) is identified in the Draft EIR. Where feasible, CARB Tier II Certified equipment or better will be used during construction of the project. The suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
22. Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.	**Not Included. Mitigation Measure 4.2.6.1C** which requires CARB Tier II Certified equipment or better (page 4.2-21) is identified in the Draft EIR. Where feasible, CARB Tier II Certified equipment or better will be used during construction of the project. infeasible because of CARB off-road regulation changes approved in 2011 making exhaust retrofits of particulate traps no longer mandatory that requiring their use is not feasible.
23. Utilize only CARB certified equipment for construction activities.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1C** on page 4.2-21.
24. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1M** on page 4.2-23.
25. Restrict engine size of construction	**Included.** This suggested mitigation measure is already

Suggested Mitigation Measure	Response
equipment to the minimum practical size.	included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
26. Use electric construction equipment where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
27. Substitute gasoline-powered for diesel-powered construction equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
28. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
29. Use methanol-fueled pile drivers.	**Not Included.** Project construction does not require use of pile drivers.
30. Install catalytic converters on gasoline-powered equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-23.
31. Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM_{10} and NO_x reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NO_x and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Not Included.** It has been determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Additionally, SCAQMD has previously confirmed that PuriNox is not expected to be commercially available in the foreseeable future. Thus, the suggested mitigation measure is not capable of being accomplished in a successful manner within a reasonable period of time because PuriNox is not available commercially. In addition, the requirement to use alternative diesel fuel depends on the availability of such fuel which according to the SCAQMD is not available.
32. Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
33. All forklifts shall be electric or natural gas powered.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
34. Suspend use of all construction equipment operations during second stage smog alerts.	**Incorporated.** As noted on the SCAQMD website (http://www.aqmd.gov/aqmd/index.html), the Basin has not experienced a Stage II smog alert since the 1980's. This is due to cleaner burning fuels in vehicles and more stringent rules BY AQMD regarding PM_{10} and $PM_{2.5}$. While the occurrence of a Stage II smog alert cannot be predicted. It is reasonable to assume that a Stage II smog alert would not occur during the construction phase of this project. However, as precaution the mitigation measure has been added to the Errata Section of the Final EIR as a bullet item under **Mitigation Measure 4.2.6.1K.**
35. Provide temporary traffic controls such as a	**Incorporated.** Additional text has been added to Section

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Suggested Mitigation Measure	Response
flag person, during all phases of construction to maintain smooth traffic flow.	4.2.6.1 (page 4.2-24) of the Air Quality Section as **Mitigation Measure 4.2.6.1Q** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
36. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Not Included.** The project site is bounded by Perris Boulevard to the east, Grove View Road to the north, Indian Street to the west, and Perris Valley Storm Channel (PVSC Lateral D unimproved service road) to the south. Perris Boulevard and Grove View Road are improved with curb and gutter on lanes adjacent to the project site, while Indian Street contains a strip of unimproved right-of-way adjacent to the project site. Perris Boulevard contains a raise center median, so left-turn access to/from the site is not possible. Access onto the project site is readily available along Grove View Road and Indian Street. Grove View Road is a low-volume street containing a center two-way left turn lane and already contains adequate provisions for truck access to the site. It is anticipated that the truck haul route permit will require that trucks access the site via Gove View Road.
37. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1T** and summarized in the Errata Section of the Final EIR as suggested. Approval of a truck haul route is already required prior to grading permit approval.
38. Configure construction parking to minimize traffic interference.	**Not Included.** The project site is bounded by Perris Boulevard to the east, Grove View Road to the north, Indian Street to the west, and Oleander Avenue (PVSC Lateral D unimproved service road). Perris Boulevard and Grove View Road are improved with curb and gutter on lanes adjacent to the project site, while Indian Street contains a strip of unimproved right-of-way adjacent to the project site. Access onto the project site is readily available along Perris Boulevard, Grove View Road and Indian Street. Construction parking is expected to be onsite at the discretion of the construction contractor to facilitate construction of the site.
39. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
40. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
41. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Not Included.** This suggested measure is counterproductive to the suggested measures identified in row 40 above and **Mitigation Measure 4.2.6.1K**. In addition, construction workers tend bring their own lunch because they take a limited lunch break. For this reason, the suggested measure will result in additional vehicular emission as compared to without the suggested measure. Thus, this suggested measure is not warranted.
42. Provide shuttle service to transit stations/multimodal centers for the	**Not included. .** This mitigation measure is not practical since the nearest multimodal center is in downtown Riverside

Suggested Mitigation Measure	Response
construction crew.	located 14.5 miles northwest of the project site. In addition, the Riverside Transit Authority (RTA) has an established bus route, No. 19, which services the project area and the site. The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary.
43. Require the use of Zero-VOC paints, coatings, and solvents.	**Included.** To the extent feasible, this suggested mitigation measure is partially included (low-VOC vs. zero-VOC) in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1J** on page 4.2-23 in accordance with SCAQMD Rule 1113.

~~* Would reduce impacts to GHGs as well~~

Response to Comment D-35. The language in Mitigation Measure 4.2.6.1.B in the Draft EIR is as specific as is possible, while still allowing the possibility that the construction contractor can implement it. Requiring the project contractor to utilize electricity from power poles may result in infeasibility if power poles do not exist on-site. Clean-fuel is fuel other than diesel or gasoline. Clarification of the term "clean-fuel" has been incorporated into the Final EIR.

Draft EIR Section 4.2.6.1 Construction Equipment Exhaust Emissions Page 4.2-21.

> **4.2.6.1B**. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

Response to Comment D-36. The air quality analysis of construction shows that there will be exceedances of ROG, NO_X and PM_{10}. Tier III applies to equipment produced from 2006 to 2008. As of 2012, equipment produced since 2006 are becoming more readily available, but not to the extent that requiring their use is considered feasible mitigation. Tier II specifications result in a substantial reduction in PM_{10} and $PM_{2.5}$ (62.5% to 72.5%, depending on horsepower) over Tier I equipment, which is the basis of the mitigation measure. Tier III specifications are identical to Tier II for PM_{10} and $PM_{2.5}$, thus requiring this more stringent mitigation would have no benefit to the reduction in PM_{10} and $PM_{2.5}$ and was not required.

Response to Comment D-37. Mitigation Measure 4.2.6.1.K as written in the Draft EIR requires that the listed measures be included in "grading plans, construction specifications and bid documents". Once in these documents, they become requirements, enforceable by the City or other regulatory agencies. However, the wording of this and similar measures will be reworded to strengthen the implementation requirement of each measure.

Response to Comment D-38. Although the exact effects of the measures listed are not fully quantifiable at this time, the language of the measure will be changed to require implementation of all the listed design features, rather than a future combination of features, as shown below:

Draft EIR Section 4.2.6.3 Long-Term Operational Emissions, Page 4.2-26.

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent which is considered sufficient by CARB and the SCAQMD to achieve the AB 32 conservation goals for 2020. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any~~ combination of design features, ~~including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: *(note: the list of design features remains the same except for changes outlined in Response D-39 below)*

Changes to this mitigation measure are provided in Section 3.0 Errata of the Final EIR.

The significant impact that these mitigation measures apply to are almost entirely from mobile sources. The emissions exceed the thresholds by up to 1,700%. There are no feasible mitigation measures available to reduce these emissions to anywhere close to the thresholds, therefore; 20% was proposed by the project as a good-faith effort to make a meaningful reduction.

Response to Comment D-39. The only agencies that have any control over the production of vehicles used with this project, and therefore the emissions controls installed on those vehicles, is the California Air Resources Board and the United States EPA. The indirect control the City has over vehicle operations associated with land use decisions cannot not have a substantial effect on the project's air quality impact as the vehicle emissions of concern are from trucks traveling throughout the Air Basin, far outside the City limits.

Response to Comment D-40. Impact 4.2.6.3 is the air quality impact from operational emissions of the project to the regional air quality. This impact statement includes a typographical error and Section 3.0 Errata of the Final EIR incorporates the amended language to clarify the impact statement.

Draft EIR Section 4.2.6.3 Long-Term Operational Emissions, Page 4.2-25.

> **Impact 4.2.6.3:** *Implementation of the proposed project may ~~occur~~ have the potential to exceed applicable daily thresholds for operational activities.*

Response to Comment D-41. This comment reiterates the conclusions presented in the Draft EIR. The rounding of the results is entirely appropriate. It is not inaccurate to report that emissions would be 990.93 lbs/day when all that can really be reported is that the peak emissions could be anywhere between 970 and 990 lbs/day and will be far less for most of the time.

Response to Comment D-42. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39. In addition, the mitigation measures focus on the only project emissions that the project has any ability to reduce.

Response to Comment D-43. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39.

Response to Comment D-44. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39.

Response to Comment D-45. It is not feasible to mandate mitigation on equipment that is controlled by the State and federal governments. As the EIR is only for the construction of the project and the operator has not been identified, the EIR can only specify mitigation that can be implemented by the builder. At the time the operator is known, it is at the City's discretion to impose operating parameters to the operator of the facility.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the operational emissions mitigation measures suggested for inclusion by the commentor. If the measure is included in the Draft EIR the response indicates "included". If the mitigation is being added as part of the Final EIR the response indicates "incorporated", or if the measure is not included the response discusses why the Final EIR does not contain the measure.

Suggested Mitigation Measure	Response
1. The operator of the primary facilities shall become SmartWay Partner.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
2. The Project shall meet SmartWay 1.25 ratings.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
3. The project shall use only freight companies that meet SmartWay 1.25 ratings.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. (ALTERNATIVELY from 2,3 above) The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
5. The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
6. All fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
7. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration	**Incorporated.** Similar language has been added to Section 4.2.6.3 (page 4.2-27) of the Air Quality Section under **Mitigation Measure 4.2.6.3A** and summarized in

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Suggested Mitigation Measure	Response
units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.	the Errata Section of the Final EIR to include a portion of the suggested requirement.
8. Install catalytic converters on gasoline-powered equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-23.
9. Where diesel powered vehicles are necessary, require the use of alternative diesel fuels. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Not Included.** It has been determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Additionally, SCAQMD has previously confirmed that PuriNox is not expected to be commercially available in the foreseeable future. Thus, the suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is therefore infeasible. Heavy duty trucks using other types of alternative fuels are not yet widely available on the market at this time. In addition, there is no specific end user at this time, and a future user may already have a truck fleet that would make implementation of alternative fuel vehicles economically infeasible. As alternative fuel trucks become more widely available (e.g., compressed or liquefied natural gas) and are required in higher numbers at the SoCal ports, it is likely that project trucks will utilize alternative fuels.
10. Electrical powered equipment should be utilized in-lieu of gasoline-powered engines where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
11. Utilize electrical equipment for landscape maintenance.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
12. All forklifts shall be electric or natural gas powered.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
13. Utilize electric yard trucks.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
14. Prohibit idling of trucks for periods exceeding three minutes.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1M** on page 4.2-23.
15. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.

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Suggested Mitigation Measure	Response
16. Charge reduced or no parking fee for EVs and CNG vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28. While **Mitigation Measure 4.2.6.3A** does not specify reduce or no parking fees for these vehicles, it does specify the "provision of preferential parking."
17. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Included.** To the extent feasible, a similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
18. Install a CNG fueling facility.	**Not Included.** The facility will not be able to take advantage of alternative fuel trucks as outlined previously in Item 9. The number of trucks this project would support does not justify the additional cost of installing a CNG fueling facility, and would likely be only one end user so the cost of such a facility could not be shared among a larger group of industrial users. Therefore, this measure is infeasible.
19. Provide preferential parking locations for EVs and CNG vehicles.*	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
20. Implement parking fee for single-occupancy vehicle commuters.	**Included.** To the extent feasible, a similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
21. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26.
22. Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.	**Incorporated.** The suggested measure to plant low-ozone forming potential trees and shrubs has been added to the project mitigation under **Mitigation Measure 4.3.6.1B**.
23. Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.	**Incorporated.**. The suggested measure to plant low-ozone forming potential trees and shrubs has been added to the project mitigation under **Mitigation Measure 4.3.6.1B**.
24. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.	**Not Included** The suggested mitigation measure to orient buildings north or south is not applicable to a warehouse building due to the size and shape of the project site and the resulting size and orientation of the proposed industrial building.
25. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.	**A Portion of the Measure is Included.** Tree shading of parking areas is a requirement of all projects and is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26. Grass paving is not practical in the City's climate and to date not accepted by the Fire Prevention Bureau

Suggested Mitigation Measure	Response
	in addition heavy trucks cannot park on a grass surface.
26. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.	**Incorporated.** The suggested mitigation measure has been added to reduce air quality emissions as a bulleted item to **Mitigation Measure 4.2.6.3A**.
27. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.	**Incorporated.** The suggested mitigation measure has been added to reduce greenhouse gas emissions as a bulleted item to **Mitigation Measure 4.2.6.3A**.
28. Provide a complimentary cordless electric lawnmower to each residential buyer.	**Not Included.** As stated, the suggested mitigation measure applies to home buyers and is therefore inappropriate.
29. Implement parking cash-out program for non-driving employees.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
30. Require each user to establish a carpool/vanpool program.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
31. Create a car sharing program within the planned community.	**Not Included.** The suggested mitigation measure applies to a planned community and is therefore inappropriate.
32. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.*	**Not Included.** The suggested mitigation measure applies to a residential neighborhood and is therefore inappropriate.
33. Provide preferential parking for carpool/vanpool vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
35. Provide secure, weather-protected bicycle parking for employees.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
36. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Not Included.** Pedestrian access to and from the project will take place from the adjacent streets on associated sidewalks that are already provided in the area.
37. Provide direct safe, direct bicycle access to adjacent bicycle routes.	**Not Included.** Bicycle access from the project will take place to and from the project site on the adjacent streets which already exist in the project area.
38. Provide showers and lockers for employees	**Included.** This suggested mitigation measure is already

Suggested Mitigation Measure	Response
bicycling or walking to work.	included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
39. Short-term bicycle parking for retail customers and other non-commute trips.	**Not Included.** As stated, the suggested mitigation measure applies to a retail uses and is therefore inappropriate.
40. Connect bicycle lanes/paths to city-wide network.	**Not Included.** The suggested mitigation measure applies citywide bicycle planning, and is therefore inapplicable.
41. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.	**Included as a Part of Site Design**. The project site design includes a bus bay along the site's Perris frontage.
42. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Included as a Part of Site Design.** The project site design includes a bus bay along the site's Perris frontage.
43. Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents.	**Incorporated** The suggested mitigation measure has been incorporated as suggested in the Errata to the Final EIR as a bullet to **Mitigation Measure 4.2.6.3A**.
44. Provide shuttle service to food service establishments/commercial areas.	**Not Included.** Warehouse workers tend bring their own lunch because they take a limited lunch break. For this reason, the suggested measure will result in additional vehicular emission as compared to without the suggested measure. Thus, this suggested measure is not warranted.
45. Provide shuttle service to transit stations/multimodal centers.	**Not Included.** The suggested mitigation measure has not been included. The project site design includes a bus bay along the site's Perris frontage. In addition
46. Provide on-site child care or contribute to off-site child care within walking distance.	**Not Included.** The suggested mitigation measure applies to areas with high number of employment and is therefore inapplicable.
47. Implement a compressed workweek schedule.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.
48. Implement home-based telecommunicating program, alternate work schedules, and satellite work centers.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.
49. All buildings shall be constructed to LEED Platinum standards.	**Not Included.** The process of obtaining a LEED rating of any level (LEED ratings levels are Certified, Silver, Gold, and Platinum, with Platinum being the highest) is not mitigation. However, the specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency.
50. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.

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Suggested Mitigation Measure	Response
51. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.	**Included.** A similar mitigation measure is provided in **Mitigation Measure 4.2.6.3A** in the Final EIR Errata. It reads as follows: "The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs."
52. Install an ozone destruction catalyst on all air conditioning systems.	**Not Included.** The suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
53. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project.	**Not Included.** The suggested mitigation measure includes implementing carbon offsets in an amount equivalent to 100% of all project mobile source greenhouse gas emission. See Response to Comment E-54. This suggested mitigation measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
54. Purchase only green/ renewable power from the electric company.	**Included.** A similar mitigation measure is provided in **Mitigation Measure 4.2.6.3A** in the Final EIR Errata. It reads as follows: "The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs."
55. Install solar water heating systems to generate all hot water requirements.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26.

Response to Comment D-46. As indicated in the Draft EIR (Section 4.2.5.1, Air Quality Plan Management Plan Consistency, pages 4.2-14 and 4.2-15), the project is consistent with the City's General Plan and zoning. Therefore, regional planning agencies, including SCAG and the SCAQMD, have already accounted for future industrial use on the proposed project site as part of the land use projections contained in the AQMP and other regional planning documents/programs (i.e., Regional Transportation Plan, etc). Implementation of the AQMP and the modified project-related mitigation measures will help to improve air quality levels in the future. Since the proposed project will contribute to full attainment of national and state ambient air quality standards, future cumulative impacts associated with the proposed and cumulative projects will not make a significant contribution to cumulatively considerable air quality impacts in the region. For clarification purposes, Section 4.2.7.1 Short-Term Air Quality Impacts on page 4.2-25 of the Draft EIR has been modified as shown below and as indicated in Section 3.0 Errata in the Final EIR:

Draft EIR, Section 4.2.7.1 Short-Term Air Quality Impacts, Page 4.2-25

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. In addition, implementation of the AQMP will result in improved air quality levels in the future and full attainment of national and state ambient air quality standards, resulting in less than significant cumulative impacts from all short-term and long-term air pollution sources. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

Response to Comment D-47. The commentor states that the biological report that was prepared for the project is outdated and limited in survey coverage, concluding that the EIR fails as an informational document. As indicated in *CEQA Guidelines*, Section 15151, "… an EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. … The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."

The August 2010 biological report *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010, referenced in August 2011 Initial Study and the April 2012 Draft EIR is one of several biological studies that have been conducted on the project site and vicinity. While the August 2010 Initial Study and April 2012 Draft EIR incorporated portions of the 2007 biological resource reports (refer to Response to Comment D-3 for a list of all biological technical reports) in describing site conditions, the environmental documents also included substantial additional biological survey data that was collected subsequent to the 2007 biological reports. In fact, additional surveys for burrowing owl, special status plant species, and wetland determination were conducted on the project site by the applicant's biologist in August 2009 and covered the entire project site. This data was revisited in August 2010 and confirmed as still valid. Biological survey reports often have a limited window within which the stated conclusions are considered valid. However, it must be emphasized that the conditions described in the various biological resource reports were verified and updated where necessary during the environmental process. Therefore, contrary to the commentor's opinion, the collective body of survey data for the project site is current, which accounts for the identification and full disclosure of any biological resources of concern on the project site.

2.7.1.1 **Response to Comment D-48.** The Draft EIR (Section 2.5 Effects Found Not to be Significant, 2.5.3 Cultural Resources, pages 2-12 – 2-13) did find that the proposed project would have a less than significant impact on paleontological resources (fossils) with the implementation of Mitigation Measure CUL-1. This determination was based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project. In that study it was determined that the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources are the fossilized biotic remains of ancient environments valued for the information they yield about the history of the earth and its past ecological settings.

These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the proposed project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. Mitigation Measure CUL-1 has been identified to reduce the significance of paleontological resource impacts.

Response to Comment D-49. The commentor is correct the mitigation measure does state that there would be a discontinuation of monitoring once maximum depth of excavation is met. If there is no excavation of soils there would not be disturbance of fossils (if they are on-site); therefore, why would monitoring be required. It is not the intent of CEQA to excavate the entire site below 4 feet in the case of this project to find fossils if they are there. If construction excavation is only going to a maximum depth of 10 feet and no fossils are found 10 feet below ground surface it can be assumed that the fossils are not within the first 10 feet below ground surface. With the deletion, the monitoring will continue below 4 feet. For clarification purposes that sentence of the Mitigation Measure CUL-1 has been deleted as indicated in Section 3.0 Errata in the Final EIR.

Draft EIR, Section 2.5.3 Cultural Resources, Page 2-13.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
  - ~~If too few fossil remains are found after 50 percent of the planned for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~
  - Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
  - Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.

- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Response to Comment D-50. The City disagrees with the commentor. Mitigation Measure CUL-1 clearly states **"...***Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates and identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage."* Paleontologists are professional scientists and their salvaging efforts would not destroy fossils. The paleontologist's intent and that of the mitigation measure is for construction to stop so the paleontologist can recover the fossil(s) to identify and curate specimens into a professional, fully accredited museum repository with permanent retrievable storage.

Response to Comment D-51. In response to the commentor's comment that portion of Mitigation Measure CUL-1 has been deleted, refer to Response to Comment D-49.

Response to Comment D-52. There is an inherent misunderstanding as to the meaning of archeological and historic resources verses paleontological resources the definition of which is a follows:

Archaeology studies "human cultures" through the recovery, documentation, and analysis of material remains and environmental data, including architecture, artifacts, biofacts, human remains, and landscapes. The main goal of archaeology is to create the most thorough understanding of how and why both historical and prehistoric people lived, to understand the evolution of human society and civilizations, and to use knowledge of ancestors' history to discover insights into modern-day societies.[1]

An **historic resource** is building, structure, site, district, or object which is significant in American history, architecture, archaeology, engineering, and culture.[2]

Paleontology is the scientific study of life forms that existed in the earth's distant past as revealed though the examination of fossils of plants, animals, and other organisms. Included is the study of body "fossils", tracks (ichnites), burrows, cast-off parts, fossilized feces (coprolites), palynomorphs (tiny organic particle of a size between five and 500 micrometers), and chemical residues.[3]

Objective 7.6 and Policies 7.6.1 and 7.6.2 of the City's General Plan are referring to historic and archaeological resources not paleontological resources. As far as General Plan Program 9.7.3 and 7-6, a Phase I Cultural Resources Assessment and Paleontological Records Review (refer to Response to Comment D-49) was prepared for the proposed project that determined that the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. As a result the Draft EIR includes Mitigation Measure CUL-1 to ensure that there paleontological resources are protected. The City disagrees with the commentor in that the Draft EIR does include feasible enforceable mitigation. To ensure monitoring and enforcement, Mitigation Measure CUL-1 is included in the MMRP (Final EIR Section 4.0).

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1 http://www.newworldencyclopedia.org/entry/Archaeology, website accessed June 5, 2012.

2 http://www.paroute23.com/about_project/glossary.htm#H, website accessed June 5, 2012.

3 http://www.newworldencyclopedia.org/entry/Paleontology, website accessed June 5, 2012.

Response to Comment D-53. The import of fill (220,000 cubic yards) to the project site was considered in the evaluation of the proposed project in the Draft EIR in Sections 4.2 (Air Quality, page 4.2-20), 4.3 (Greenhouse Gas Emissions, calculated using same model as used for Air Quality), and 4.4 (Noise, page 4.4-18). The 80,000 cubic yards of fill that is currently on-site is considered the baseline (existing on-site conditions) and this fill was imported to the project site as part of a previously approved stockpile permit (page 3-3) that predated the proposed project. Traffic impacts associated with the soil import operations were not addressed because the operations would result in negligible effects on the local and regional circulation systems due to low trip generation anticipated for the haul trucks and the temporary in nature of the activity.

Response to Comment D-54. Mitigation Measure GEO-2 has been revised to eliminate any perception of vagueness. To ensure monitoring and enforcement, revised Mitigation Measure GEO-2 is included in the MMRP (Final EIR Section 4.0).
Draft EIR, Section 2.4.4 Geology and Soils, Page 2-16.

> **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be ~~reviewed and considered~~ implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties ~~to determine~~ in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Response to Comment D-55. This comment is only a statement of opinion. GHG plans, policies, and regulations are still overall vague and difficult to analyze compliance with. While VMT is a factor of GHG emissions, it is not clear how that relates to GHG plans, policies and regulations. As stated in CEQA Guidelines section 15151, "*An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*" The EIR meets the standards of adequacy of an EIR in accordance with CEQA Guidelines section 15151.

Response to Comment D-56. New development projects derive (most of) their energy from the existing energy grids (mainly electricity and natural gas), so the consumption from one individual development project cannot determine the percentage of energy production/generation from the entire energy grid, or what percentage comes from renewable sources. The achievement of renewable energy goals must be set and achieved at a regional or state level, and cannot be assigned to any individual project. The proposed project is designed to allow onsite solar (photovoltaic) electrical generation, but there is no specific end user defined yet. In addition, a number of changes have been made to the recommended Mitigation Measure 4.2.6.3A that addresses greenhouse gases and sustainability. Improvement in project operations that reduces energy consumption results in lowered GHG emissions from area power production facilities. The discussion that follows Table 4.3.B in Draft EIR Section 4.3.5.1 Greenhouse Gas Plan, Policy, and Regulation Consistency supports the EIR's conclusion of consistency.

Response to Comment D-57. The cited SCAQMD tiered thresholds are still only guidance as proposed draft thresholds and do not carry the force of law or adopted regulations. In addition, the commentor has misinterpreted the application of the 5-tier review system recommended by the SCAQMD. The cited thresholds indicate when a particular project under evaluation should move to the next stage of the evaluation (i.e., the next tier) – they are not thresholds against which to specifically determine a significant impact. In addition, as described in the Draft EIR, the greenhouse gas emissions produced by the project do not in themselves represent a project-level significant impact related to greenhouse gases. That conclusion is consistent with guidance provided by CARB and the SCAQMD. The EIR does correctly conclude that the proposed project would make a significant contribution to cumulatively considerable greenhouse gas impacts, even with implementation of the recommended mitigation, including Mitigation Measure 4.2.6.3A as revised in Responses to Comments D-38 and D-39 in this document.

Response to Comment D-58. A more precise water conservation strategy cannot be described at this point in the project development. This Mitigation Measure is included so that some sort of water conservation strategy will be included, when appropriate (i.e., prior to issuance of occupancy permits).

Response to Comment D-59. This comment is only a statement of fact, requiring no response. As there are no quantifiable reductions supplied, there is no reason not to specify these measures.

Response to Comment D-60. This comment is a statement of fact and is noted. No response is required.

Response to Comment D-61. The commentor incorrectly asserts that impacts associated with transport and storage of hazardous materials cannot be mitigated through applicable laws because the tenant is not known. The comment appears to suggest that a future tenant may not abide by applicable laws that regulate hazardous materials. The City assumes, as a reasonable and legitimate part of the CEQA process, that any future tenant of the project building is required to abide by all state and local laws that regulate the transport, use, and storage of hazardous materials. In addition, this project involves warehousing, not heavy or light industrial uses, and so the potential for onsite uses to handle, store, or transport materials that would be hazardous to public health or safety are relatively low, but would ultimately depend on the end user selected to ultimately occupy the project building.

Response to Comment D-62. The commentor states that the EIR fails to undertake an evaluation of water quality impacts beyond the cursory review done for the Environmental Assessment (i.e. Initial Study). The City disagrees with this statement. As identified in the Draft EIR, Section 2.5.6 (Hydrology and Water Quality, page 2-19 – 2-25), the analysis provides a detailed discussion regarding construction and operational activities in relation to water quality and recommends mitigation measures that would ensure that any water pollutants generated during these phases are treated appropriately. The analysis also describes in detail the proposed drainage features and drainage paths that would be constructed on the project site as well as any flooding impacts that the site would be prone to. These discussions and conclusions are based on a project-specific preliminary water quality management plan and hydrology/hydraulic analysis[1]. The water quality analysis was provided as part of the Initial Study subject to public review and comment as part of the NOP process. Based on the input received from the NOP, no additional concerns regarding water quality were identified by

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1 *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009, and *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.

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an interested member of the public, including the commentor. While the commentor opines that the evaluation of water quality impacts is cursory, the commentor does not provide any meaningful input as to how the analysis can be further evaluated. The water quality analysis included in the Initial Study and Draft EIR represents a good faith effort at full disclosure and no further response is required.

Response to Comment D-63. Section 2.5.6 (Hydrology and Water Quality) of the Draft EIR discussed potential drainage-related impacts resulting from development of the proposed project. As reflected therein, as well as the detailed preliminary Hydrologic and Hydraulic Analysis included as Appendix B-8 *(Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road,* Robert A. Bebensee, R.C.E., March 27, 2009) to the Draft EIR, development of the proposed project would result in the construction of impermeable surfaces that will alter the natural drainage of the project site.

As stated in Draft EIR page 2-24, "…storm flows generated from the northerly portion of the proposed building and truck court would be collected by a series of drop inlet catch basins. Storm water runoff generated on site would be routed to three Austin sand filters and pre-treatment hydro-dynamic clarifiers that are intended to remove and reduce the amount of oils, sediment and trash from the storm water. The treated water from these sand filters is pumped into an adjacent on-site storm drain. The on-site storm drain system has been designed to accept a full 100-year storm event and flows would ultimately be routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard that connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from the westerly side of the proposed building would be collected by a drop inlet catch basin and routed by pipe to a landscaped swale that would be located along the southerly portion of the property. In the event that the landscape swale receives excess flows, the excess flows would be then routed to a second drop inlet catch basin. From the second drop inlet catch basin, flows would continue to an off-site catch basin and ultimately be routed to the Perris Valley ADP Lateral B-3 in Indian Street, which connects to the Perris Valley Storm Drain Lateral B channel. Storm water runoff generated from the easterly side of the building would be collected by a drop inlet catch basin and route via pipe to a hydro-dynamic clarifier then to an Austin sand filter located in the southeasterly corner of the project site. In the event that the clarifier and sand filter receive excess storm flows, these excess storm flows would be routed to an off-site catch basin and ultimately routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard, which connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from would also be routed to a landscaped swale running along the southerly portion of the project site. Flows would then be routed to an Austin sand filter located near the center of the site and ultimately routed to four existing 36-inch diameter reinforced concrete pipes (RCPs) that connect to Lateral B of the Perris Valley Channel. The Austin sand filter located in the southeasterly corner of the project site would also accept stormwater flows from the project site. In the event that flows are in excess of what the sand filter can handle, the excess flows would be directed back to the southerly landscaped swale, and ultimately to an existing 30-inch diameter RCP that connects to Lateral B of the Perris Valley Channel."

The purpose of including Mitigation Measure HYD-05 was to ensure that the preliminary Hydrologic and Hydraulic Analysis was finalized by the City's Engineer and that the calculations contained in the analysis met City requirements. The Draft EIR does not improperly defer mitigation in this regard as an existing preliminary Hydrologic and Hydraulic Analysis has already been prepared for the project. Furthermore, the finalization of hydraulic calculations is a requirement of all projects in the City. Therefore, the inclusion of this requirement as Mitigation Measure HYD-05 is designed to track both the standard requirements and mitigation measures as part of the project's MMRP. Mitigation Measure HYD-05 has been revised accordingly to clarify the finalization of the Hydrologic and Hydraulic Analysis. No further response is required.

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Draft EIR, Section 2.5.6 Hydrology and Water Quality Hydrology, Page. 2-24:

> To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. Although adherence to the City's drainage requirements, which includes the preparation of drainage sizing calculations, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-05** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. ~~To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified.~~ With adherence to this mitigation measure, impacts associated with this issue are less than significant.
>
> ***Mitigation Measure HYD-05:*** *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements.* ~~*submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.*~~

Response to Comment D-64. The commentor opines that the project would conflict with an applicable habitat conservation plan or natural community conservation yet does not provide any specific comment as to how the project does conflict. As stated in *CEQA Guidelines,* Section 15151, "… an evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate." The comment posed is identified as being part of the land use discussion. As identified in Draft EIR Section 2.5.7 Land Use, page 2-25 the discussion of the project's consistency with applicable habitat conservation plans is provided in Draft EIR Section 2.5.2, Biological Resources, pages 2-8 – 2-12. The applicable habitat conservation plan for the area is the Western Riverside County MSHCP.

As stated on Draft EIR Section 2.5.2, Biological Resources page. 2-9, "*The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (Athene cunicularia), five Narrow Endemic Plant Species (NEPS), and nine Criteria Area Plant Species (CAPS). A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.*"

Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site. It

is unlikely that burrowing owls would be located on site as burrowing owls tend to avoid heavily disked areas because of potential burrows occlude/collapse. However, in the event that burrowing owls are found on site, the inclusion of the Mitigation Measures BIO-1 through BIO-4 (which requires pre-construction surveys for burrowing owl), would fulfill MSHCP requirements. The fulfillment of MSHCP requirements would enable the project to be consistent with the Riverside County MSHCP.

Based on the information contained in the Draft EIR, the five Narrow Endemic Plant Species (NEPS) and nine Criteria Area Plant Species (CAPS) were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the project site lacks suitable habitat for these species due to historic agricultural activities. Because of the absence of members of the species and suitable habitat, a less than significant impact to special status plants would occur. Since the project would not impact any of the plants identified in the MSHCP, the project is consistent with this component.

The potential for agency jurisdiction of the on-site drainage ditch was assessed as part of the previously referenced Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation prepared for the project. The ditch does not meet the three-parameter test for jurisdiction (vegetation, hydrology, and soils). Therefore, the project would not impact jurisdictional waters and would be consistent with the requirements identified in the MSHCP for this component. Based on the analysis contained in the Draft EIR, the project is consistent with the MSHCP, is supported by project specific biological data and survey work, and represents a good faith effort at full disclosure. No further response is required.

Response to Comment D-65. The 3 dBA increase was not identified in the noise impact analysis as a threshold. Rather, it was stated that "audible impacts that refer to increases in noise levels noticeable to humans generally refer to a change of 3 dB or greater, since this level has been found to be barely perceptible in exterior environment;" For noise level changes that are not perceptible by the human ear, they would not cause any audible change and would therefore not result in any significant noise impacts.

Response to Comment D-66. Noise standards identified in the City's Municipal Code are used to determine if projected noise levels from the proposed on-site operations would result in any significant stationary sources noise impacts on sensitive uses in the project vicinity. Failing to comply with these noise standards would cause project operations, after project implementation, to violate the City's Municipal Code. Therefore, it is appropriate to use the City's Municipal Code noise standards to evaluate potential on-site noise-generating operations.

Response to Comment D-67. The City's noise standards in terms of the 24-hour weighted Community Noise Equivalent Level (CNEL), identified in the General Plan Noise Element, are applicable for land use planning purposes to avoid placing noise-sensitive land uses within the high noise impact zones. Use of these noise standards are adequate when proposing noise-sensitive land uses such as residences near airport, railroad tracks, or heavily traveled highways/freeways. Noise standards included in the City's Municipal Code are typically used for enforcement purposes to determine if noise associated with a stationary source would exceed or violate the City's noise standards from stationary sources. They were used in the noise impact analysis (Draft EIR Section 4.4.2.1 City of Moreno Valley General Plan Policies, page 4.4-5) to determine the potential impacts from on-site operations.

Response to Comment D-68. Use of "hard site" is appropriate in an urban area where the majority of the ground surface is paved, and most sound energy is reflected back up in the air. In suburban or rural areas where almost half of the ground surface between the traffic and the receptor location is either vacant land or planted with landscaping vegetation, the use of "soft site" is more appropriate.

Nevertheless, the choice of hard site or soft site for ground reflection only affects the potential noise level on the project site. Project-related changes would be the same under both scenarios. On off-site land uses, the 2013 with project traffic noise levels showed that project-related traffic noise level increases would be 0.8 dBA or less. This range of traffic noise level changes in an outdoor environment gradually over a time period would not be perceptible by the human ear and would not result in any significant noise impacts. As the proposed land use is not noise-sensitive, the use of soft site or hard site for noise reflection would not have any effect on the project findings.

Response to Comment D-69. The proposed project would generate approximately 2,731 vehicular trips a day, and about half of these vehicles are trucks. These project-related vehicles would be 7.5 to 15 percent of the projected 2012 cumulative traffic volumes along roadway segments that would be used by these vehicles. An increase of 7.5 to 15 percent vehicles along these roadway segments would result in an increase of approximately 0.3 to 0.6 dBA on these roads. Even though the proposed project is a distribution facility with higher truck percentage, the change in overall vehicle mix along these affected roadway segments would not be substantial. The resulting traffic noise level changes or increases on off-site land uses would remain small and less than significant. Since the proposed on-site land use is not considered noise-sensitive, and the project-related traffic noise level increases would be the same under both scenarios, this factor would not affect the findings of the noise impact analysis.

Response to Comment D-70. As stated in the Responses to Comments D-65 and D-68, project-related traffic noise level increases would be small and not perceptible by the human ear. The four study roadway segments that have noise levels that already exceed the City's noise standards, with or without the proposed project, have pre-existing conditions that are not a consequence of the proposed project, and therefore, the proposed project is not responsible for the noise level existing noise exceedance on those roadway segments.

Response to Comment D-71. The noise impact analysis for the proposed project (*Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., March 2012) evaluated the long-term operational traffic noise impact in terms of CNEL and the on-site operations noise impact comparing them to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. The project site is surrounded by vacant land which is planned for light/industrial uses and commercial/light industrial uses to the south or other existing non-noise-sensitive industrial uses to the north, east and west. The City's Municipal Code states that the noise standards shall apply "*when measured at a distance of 200 feet or more from the real property line of the source of the sound if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property*." In this case, evaluating the potential noise levels at the property line of the nearest existing noise-sensitive land uses (i.e., residences) that are at a distance of 200 feet or more would adequately determine the project's potential noise impacts. Future noise-sensitive land uses, if proposed in the vicinity of the project site, will be required to mitigate noise associated with all neighboring sources, including the proposed project.

Response to Comment D-72. As stated in the Response to Comment D-71, the project site is surrounded by vacant land that is planned for light industrial/business park in the City of Moreno Valley and to the south in the City of Perris for light industrial/commercial uses or other non-noise-sensitive land uses (refer to Figure in the Draft EIR Section 1.0 page 1-3). These land uses that are directly adjacent to the project would not be significantly affected by the project noise. Noise from on-site operations, including loading/unloading and onsite maneuvering, have been adequately evaluated at the nearest noise-sensitive land uses and no significant noise impacts were identified. Truck noise from trucks driving on public streets is not regulated by the local governments (city or county).

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Response to Comment D-73. As stated in the Response to Comment D-71, the noise impact analysis evaluated the traffic noise impact in terms of CNEL and the on-site operations were compared to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. All potential noise impact sources were identified and properly evaluated. Please refer to Appendix F (*Noise Impact Analysis VIP Moreno Valley,* LSA Associates, Inc., March 2012) of the Draft EIR for more detailed analysis and discussion on these impacts.

Response to Comment D-74. The noise levels obtained from the 1987 edition of Noise Control for Buildings and Manufacturing Plants (Bolt, Beranek & Newman, 1987) represent a conservative analysis for construction equipment. Because of technology advancement, most current day construction equipment emits lower noise levels compared to the 1987 version. In addition, the project site is surrounded by vacant land or other non-noise-sensitive land uses such as industrial uses. Noise from the on-site construction activity would not result in any significant impacts to adjacent uses (Draft EIR, Section 4.4.5.4 Long-Term Operational Noise Impacts. Page 4.4-13).

Response to Comment D-75. As demonstrated in the Responses to Comments D-65 through D-74, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction and in addition the requirement of the applicant/contractor to follow the City's Municipal Code Mitigation is provided to reduce construction impacts as well. The land uses that are directly adjacent to the project site are not noise-sensitive and would not be significantly affected by project construction noise. Potential construction noise impacts on the nearest noise-sensitive receptor locations, i.e., existing residences approximately 1,000 feet to the north of the project site, have been adequately evaluated and no significant noise impacts were identified.

It should be noted that the *Moreno Valley Municipal Code* in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

The City's Municipal Code, Section 8.14.040.E, specifies the hours of any construction within the City to occur only as follows: Monday through Friday (except for holidays that occur on weekdays), 6:00 a.m. to 8:00 p.m.; weekends and holidays (as observed by the City and described in Chapter 2.55 of the Municipal Code), 7:00 a.m. to 8:00 p.m., unless written approval is obtained from the City building official or City engineer. According to the City's Municipal Code Ordinance 8.21.050, grading permit requirements, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

In addition the Draft EIR, page 4.4-17 states "*The nearest noise-sensitive receptor locations to the project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures [Mitigation Measures 4.4.6A – 4.4.6D] have been identified to reduce the noise*

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levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards."

Response to Comment D-76. As demonstrated in the Responses to Comment D-74, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction. Therefore, it is not warranted to include these additional mitigation measures, because none of them would apply to this project.

Suggested Mitigation Measure	Response
1. Temporary noise barriers must be installed during project construction.	**Not required.** As indicated in the noise impact study, there are no noise-sensitive land uses in the immediate project neighborhood and no noise barriers would be required during project construction. The proposed project will comply with all mitigation measures identified and comply with applicable federal, State, and City guidelines.
2. Where technically feasible, utilize only electrical construction equipment.	**Not required.** As evaluated in the noise impact study, practical procedures will be taken for the onsite operations. There are no noise-sensitive land uses located in the immediate neighborhood of the project site. No noise impacts would occur.
3. During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.	**Not required.** Construction equipment will be turned off when not in use. Idling for delivery vehicles will be limited to no more than 5 minutes per truck per trip per day, according to the requirements established by the California Air Resources Board.
4. Provide a "windows closed" condition requiring a means of mechanical ventilation (e.g. air conditioning) for all buildings.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operation noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
5. Provide upgraded windows with a minimum Sound Transmission Class (STC) rating of 34 for all buildings, and/or require the installation of double-paned windows.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
6. Keep new transportation facilities away from vibration sensitive areas.	**Not required, no nexus to the impact.** This comment does not apply to the project because no transportation facilities are being proposed.
7. When dealing with existing transportation facilities, obvious vibration causes, such as pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc., may be eliminated by resurfacing.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
8. Require the use of rubberized asphalt for construction of all roadways and parking areas.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
9. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures

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Suggested Mitigation Measure	Response
	are required.
10. Require resurfacing of roads.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
11. Ban heavy trucks near vibration sensitive uses.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
12. Use alternate construction methods and tools to reduce construction vibrations. Examples are predrilling of pile holes, avoiding cracking and seating methods for resurfacing concrete pavements near vibration sensitive areas, using rubber tired as opposed to tracked vehicles, placing haul roads away from vibration sensitive areas.	**Not required.** There are no noise sensitive land uses in the immediate project vicinity. Noise and vibration associated with the proposed project would not result in any significant impacts to adjacent uses.
13. Scheduling construction activities (particularly pile driving) for times when it does not interfere with vibration sensitive operations (e.g. night time).	**Not required.** There are no noise sensitive land uses in the immediate project vicinity. Noise and vibration associated with the proposed project would not result in any significant impacts to adjacent uses.

Response to Comment D-77. Refer to Responses to Comments D-74 and D-76, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction. Mitigation Measure 4.4.6.1D "*During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays,"* is provided to ensure that the Municipal Code is implemented.

Response to Comment D-78. As demonstrated in the noise impact analysis, project-related traffic noise increases in the project vicinity would be small and not perceptible by the human ear (Draft EIR, Section 4.4.5.3 Long-Term Traffic Noise Impacts, page 4.4-10). Project on-site operational noise impacts were also found to be less than significant (Draft EIR Section 4.4.5.4 Long-Term Operational Noise Impacts, page 4.4-13). Since the projected 2013 traffic volumes include traffic trips from other cumulative projects in the project area, no significant project-related long term cumulative noise impacts would occur.

Response to Comment D-79. The commentor's referral to "traffic counts" is erroneous and is assumed he was referring to the "trip generation" of the project. The trip generation rates for High-Cube Warehouse were the modified National Association of Industrial and Office Properties (NAIOP) rates (based on a 2007 NAIOP letter summarizing the trip generation studies of 13 high-cube warehouses located in western Riverside County) that was approved by the City of Moreno Valley Transportation Engineering staff. The City's modified NAIOP rates are higher than the Institute of Transportation Engineers (ITE) *Trip Generation, 8th Edition* rates for High-Cube Warehouse, therefore the air pollution, greenhouse gas, and trip generation estimates for the proposed project are overstated resulting in a conservative analysis.

ITE *Trip Generation 8th Edition* is the standard used by City of Moreno Valley in determining project trip generation for new developments. When the initial version of the traffic study for the project was first prepared, the previous version, *7th Edition,* of *Trip Generation* was available. In the previous version, the high-cube warehouse category (land use 152) was not utilized because only p.m. peak hour data was available and the sample size was too small. Due to the lack of data with the high-cube warehouse rates, the City analyzed the 2007 NAIOP trip generation rate data and developed reasonable trip generation rates for high-cube warehouse reflecting a full standard deviation above the average rates disclosed in the 2007 NAIOP trip generation study. As stated above, the City's modified NAIOP rates are higher than the current ITE *Trip Generation 8th Edition* rates for high-cube warehouses. Further, the rate for High-Cube warehouse is dependent on the square footage of the building and not the number of dock doors or parking stalls.

Response to Comment D-80. The intersections analyzed in the EIR were based on discussion with City of Moreno Valley Transportation Engineering staff during the scoping process. Furthermore, intersections on Harley Knox Boulevard from Indian Street to Interstate 215 are not part of the 2010 Riverside County Congestion Management Program and were not included in the analysis. The traffic study did not include the intersection of Patterson Avenue/Harley Knox Boulevard in the analysis because project passenger vehicles and trucks will travel eastbound and westbound on Harley Knox Boulevard and would not make left- or right-hand turns to/from Patterson Avenue. For this reason, potential project impacts to the intersection were determined to be not substantial and the intersection was not included as a study intersection.

Caltrans requires analysis to a State highway facility if a project generates over 100 peak hour trips. The project generates over 100 peak hour trips at the Interstate 215/Harley Knox Boulevard interchange and was included in the Project's Traffic Impact Analysis. Project traffic at Cactus Avenue and Ramona Expressway are less than 100 peak hour trips and were not included in the Draft EIR. Based on the City of Moreno Valley Traffic Impact Analysis guidelines, a General Plan Build-out analysis was not required since the project did not propose a General Plan Amendment or Zone Change.

Response to Comment D-81. It appears the commentor is incorrectly stating that analysis of local intersections, local roadways, freeway mainline segments, and freeway merge/diverage areas as conducted in the EIR constitutes segmenting. The comment is therefore unclear and needs refinement to warrant a response.

Nonetheless, the traffic analysis conducted for the project examined project impacts on existing baseline conditions and year 2013 cumulative conditions. For the each time horizon, a.m and p.m. peak hour impacts were assessed based on a level of service analysis of local intersections, local roadways, freeway mainline segments, and freeway merge/diverage areas.

Response to Comment D-82. As stated in the Project TIA *(Traffic Study VIP Moreno Valley,* LSA Associates, Inc., April 9, 2012*)*, the payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts. The timing to use the TUMF and DIF fees is established through the capital improvement plan (CIP) overseen by the City, which uses traffic counts, trends, and review of traffic accidents to determine the project priority of the improvements. Project priority categories in the City's CIP include essential (start within 1 year), necessary (start within 1 to 3 years), desirable (start within 3 to 5 years), and deferrable (start within 5 to 10 years).

As stated in the Level of Significance After Mitigation following Mitigation Measures 4.5.6.1A and 4.5.6.1B (see page 4.5-19 of the Draft EIR), improvements to Perris Boulevard are out to bid to potential construction contractors, with construction of the improvement anticipated to finish in May of

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2013. Page 4.5-19 of the of the Draft EIR also notes that these improvements to Perris Boulevard for the existing plus project condition are consistent with the City's General Plan and are included in the County's TUMF program. The Draft EIR goes on to note that a portion of the City's DIF is allocated toward funding improvements to the City's transportation system, and the specific improvements are based on the General Plan Circulation Element. For these reasons, the Draft EIR concluded that the project's impacts to affected roadway segments (Perris Boulevard) will be mitigated through payment of the City's DIF and the County's TUMF.

As stated in the Level of Significance After Mitigation following Mitigation Measures 4.5.6.2A (see page 4.5-27 of the of the Draft EIR), the improvements defined to maintain the applicable level of service standard at local intersections and roadways in the 2013 cumulative plus project condition will be built per the City's DIF and County's TUMF programs. Payment of these fees in accordance with Mitigation Measures 4.5.6.1A and 4.5.6.1B was therefore determined to be full and complete mitigation of project impacts to roadway segments and intersections in the 2013 cumulative plus project condition. The intersections and roadway segments on Perris Boulevard and Indian Street are included in the City of Moreno Valley's CIP and are planned to be funded by DIF and TUMF. The intersections and roadway segments on Harley Knox Boulevard are included in the City of Perris' "North Perris Road and Bridge Benefit District" and are also planned to be funded by DIF and TUMF. However, the Draft EIR notes that the necessary improvements to freeway segments are outside the City's jurisdiction and therefore the City has no control over when or how these improvements will be put in place, the impacts to freeways would remain significant and unavoidable until such improvements are built.

It should also be noted that the City also uses other funding sources for future roadway improvements such as Measure "A" (Fund 125), gas tax fund (Fund 121), SCAG Article 3 (SB 821 Grant Awards), proposition 42 replacement funds (Fund 224), CDBG (Fund 285), general city capital projects fund (Fund 412), and public works general capital projects fund (Fund 414). Furthermore, the Perris Boulevard widening project that is expected to begin construction in July 2012 is anticipated to be 100% paid for by TUMF funding (CIP 2012-2013). Improvements in the City that are covered by DIF funds in the CIP 2012-2013 include Cactus Avenue EB improvements/I-215 to Veterans Way, Cactus Avenue EB improvements/Veterans Way to Heacock Street, and Day Street Widening, Heacock Street/Perris Valley Storm Drain to Cactus Avenue, and Ironwood Avenue/Perris Boulevard to Nason Street.

The commentor assumes that all cumulative projects will be built by 2013 and therefore all roadway improvements recommended in the project TIA will be required by 2013. However, the cumulative (2013) scenario analyzed in the project's TIA analysis is a scenario required by the City and doesn't represent real world conditions where most cumulative projects won't be built by 2013 and therefore all improvements won't be required.

Response to Comment D-83. Please refer to the Response to Comment D-82.

Response to Comment D-84. Please refer to the Response to Comment D-82.

Response to Comment D-85. Please refer to the Response to Comment D-82.

Response to Comment D-86. Please refer to the Response to Comment D-82.

Response to Comment D-87. The commentor appears to be suggesting that, because the proposed project exceeds SCAQMD construction and operational emission thresholds, it cannot be consistent with SCAQMD's AQMP. The purpose of the daily thresholds is to provide benchmarks against which to examine a project's short-term (construction) and long-term (operational) air quality impacts as part

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of the CEQA process. The purpose of the AQMP is to provide regulation and guidance for achieving federal and state criteria attainment status in the future. The daily thresholds and the AQMP therefore serve two separate and distinct purposes. The land uses proposed by this project are consistent with the local and regional plans that form the basis for the AQMP (i.e., the City's General Plan and SCAG's Regional Comprehensive Plan and Regional Transportation Plan). Therefore, the proposed project is consistent with the AQMP. However, the SCAQMD has also established daily thresholds for construction and operational air pollutant emissions that, if exceeded, represent a significant air quality impact under CEQA. As described in the project's air quality study and the EIR Section 4.2 Air Quality, the proposed project exceeds one or more daily thresholds for both construction and operations. Therefore, the project can be consistent with the AQMP as well as exceed daily thresholds for construction and operational air pollutant emissions. Also refer to Response to Comment D-46 for a discussion on the project's consistency with the AQMP.

Response to Comment D-88. The proposed project will create jobs, providing the opportunity for City of Moreno Valley residents to find employment close to their homes. Although the quantity of commute travel reduction is virtually impossible to calculate, the project will create the potential for reduction in commuting distances for employees that reside in the City or in other municipalities near the project site. Regarding traffic impacts, see Response to Comment D-83. The City has determined that payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts.

Response to Comment D-89. The commentor opines that the goal of "diversifying the region's economy" is not satisfied by "add[ing] to the City's portfolio of industrial services." As stated in *CEQA Guidelines,* Section 15151, "… an evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate." The commentor is selective in which part of the goal is focused on and fails to take the entirety of all the economy goals into consideration. The full goal from which "diversifying the region's economy" was pulled from is as follows:

"**Goal** Promote sustained economic health through diversifying the region's economy, strengthening local self-reliance and expanding competitiveness."

The EIR does not make the assertion that the addition of the project would diversify the region's economy. Furthermore, it appears that the goal is to promote sustained economic health through a three pronged approach – diversifying the region's economy, strengthening local self-reliance, and expanding competitiveness. As stated on Draft EIR page 5-10, "…*the proposed project would add to the City's portfolio of industrial services, which would enable the City to be more self-reliant through the provision of goods and services to residents within the City. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.*"

These statements are supported by analysis contained in the Draft EIR. Specifically, the analysis contained in the Economy Chapter (Draft EIR page 5-10) identifies the number of jobs that would be created as part of the project and the balancing of the jobs to housing ratio in the City which generally would allow for the City to be more self-reliant. As identified in Table 2.C of the Draft EIR (Cumulative Projects List page 2-34), there are multiple warehousing projects within adjacent jurisdictions (e.g. City of Perris, City of Riverside, and County of Riverside). The addition of the proposed project would enable the City to offer a similar type of warehousing stock in comparison to other areas in the region.

Lastly, the commentor does not offer any specific detail as to how the analysis contained in this section is unsupported. The analysis contained in the Draft EIR represents a good faith effort at full disclosure and no further response is required.

Response to Comment D-90. The commentor states that Draft EIR fails to evaluate how the project is consistent with the Compass Growth Vision Principles. Table 5.D has been added to the EIR (Section 3.0 Errata in the Final EIR) indicating the proposed project's consistency with the Compass Growth Vision Principles. No further response is required.

Draft EIR, Section 5 5.4 Consistency With Local And Regional Plans, Page 5-12:

> ~~The proposed project is consistent with the four principles identified above. The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.~~

In addition, a new table (Table 5.D: Compass Growth Vision Report Consistency) has been added as follows.

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 1: Improve mobility for all residents. • Encourage transportation investments and land use decisions that are mutually supportive. • Locate new housing near existing jobs and new jobs near existing housing. • Promote a variety of travel choices.	The project is consistent with this principle. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial uses and would encourage a reduction of vehicle miles traveled within the City. Implementation of the project would create approximately 646 jobs. Existing housing is located approximately 1 mile to the north and 2 miles to the south of the project site. The project is consistent with this portion of Principle 1. There are a number of transit-oriented strategies that could be implemented by the proposed project to encourage alternate modes of travel, including informational strategies, incentives, and services. (Refer to Mitigation Measure 4.2.6.3A).

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 2: Foster livability in all communities. • Promote developments which provide a mix of uses. • Promote "people scaled, "walkable communities. • Support the preservation of stable, single-family neighborhoods.	The project is consistent with the applicable portions of this principle. The proposed project is a warehousing project and does not include any residential uses. Therefore, the project is not considered to be a mixed use project and this portion of Principle 2 is not applicable to the project. The project site is located in an industrial warehouse area. The project would include sidewalks so that the opportunity of being walkable within this warehouse area is possible. Therefore, the project is consistent with this portion of Principle 2. The proposed project is a warehousing project and does not include any residential uses. Therefore this portion of Principle 2 is not applicable to the project.
Principle 3: Enable prosperity for all people. • Provide in each community a variety of housing types to meet the housing needs of all income levels. • Support educational opportunities that promote balanced growth. • Ensure environmental justice regardless of race, ethnicity, or income class. • Support local and state fiscal policies that encourage balanced growth. • Encourage civic engagement.	Based on the information provided below, this principle is not applicable to the project. The proposed project is a warehousing project and does not include any residential or educational uses. Therefore this portion of Principle 3 is not applicable to the project. The project site is vacant and the project located in an area identified for industrial and commercial uses. Therefore, this issue not applicable to the project. The supporting of local and state fiscal policies and the encouragement of civic engagement is at the City level not the project level. Therefore, this portion of the principle is not applicable to the project.
Principle 4: Promote sustainability for future generations. • Focus development in urban centers and existing cities. • Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste. • Utilize "green" development techniques.	The project is consistent with this principle. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. Mitigation Measure 4.3.1.6B requires the project to implement various sustainability strategies and "green" development techniques that uses resources efficiently, eliminates pollution, and reduces waste.

Response to Comment D-91. See Response to Comment D-53. The import of fill (220,000 cubic yards) to the project site was considered in the evaluation of the air quality impacts attributable to the proposed project (Section 4.2 Air Quality, page 4.2-20) The 80,000 cubic yards of fill that is currently on-site is considered the baseline (existing on-site conditions) and this fill was imported to the project site as part of a previously approved stockpile permit (page 3-3) that predated the proposed project.

Response to Comment D-92. As noted in Response to Comment D-11, the commentor incorrectly asserts that the environmentally superior alternative meets most project objectives and must be approved instead of the proposed project. Although the City concedes that the environmentally superior alternative (reduced density) will result in reduced air pollution and GHG emissions, it bears

noting that impacts associated with these issues would remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project (see Table 6.K, page 6-31). The significant and unavoidable project impacts associated with greenhouse gas emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. However, the significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold).

The commentor mistakenly claims that the reduced intensity alternative (Alternative 2) would meet the following project objectives: "Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels" and "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources reduces impacts to air quality, global climate change, and traffic." This is due to the fact that reduced-intensity development patterns are in concept diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development. Said another way, the reduced intensity alternative would result in use of the entire project site in an inefficient manner with associated negative effects such as sprawl.

Response to Comment D-93. The commentor mistakenly claims that there is no basis for the Draft EIR statement that the reduced intensity alternative would have impacts similar to the proposed project. As shown in Table 6.K, the reduced intensity alternative (Alternative 3) would reduce impacts to air quality, global climate change, and traffic. This is due to the reduction in the air pollution emissions, greenhouse gas emissions, and trip generation attributable to the alternative linearly related to the reduction in building square footage (1,616,133 square feet versus 1,212,100 square feet). However, the significant and unavoidable impacts associated with this alternative would remain, similar to the proposed project.

Response to Comment D-94. See Response to Comment D-92.

Response to Comment D-95. See Response to Comment D-93. The significant and unavoidable air quality, global climate change, and traffic impacts associated with the reduced intensity alternative would remain, similar to the proposed project.

Response to Comment D-96. It is not clear as to what the commentor is attempting to point out. If the commentor is suggesting that an alternative be examined that couples both a reduction in development intensity and at an alternative site, the City disagrees. The purpose of the alternative site is to examine the possibility of reducing project impacts by moving it to an alternate location.

Response to Comment E-97. The commentor has attached various references. No response is required.

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SAN GORGONIO CHAPTER

4079 Mission Inn Avenue
Riverside, CA 92501
(951) 684-6203 Fax (951) 684-6172
Membership/Outings (951) 686-6112

Regional Groups Serving Riverside and San Bernardino Counties:
Big Bear, Los Serranos, Mojave, Moreno Valley, Mountains, Tahquitz.

Jeff Bradshaw
Associate Planner
P.O. Box 88005
Moreno Valley, CA 92552

June 3, 2012

RE: VIP Moreno Valley project's Draft Environmental Impact Report (DEIR).

The Sierra Club appreciates this opportunity to comment on this DEIR. Much of what you will read below was in our NOP comments, but we feel they were not adequately addressed. We hope to read your responses in the FEIR which do fully answer our comments, concerns, suggestions and questions. Most of our concerns are about Global Warming, Climate Change, Greenhouse Gas Pollution and Air Pollutant emissions. These concerns can be read below and we expect this project to do everything possible to mitigate these problems in our non-attainment area. Your NOP mentions that the consumption of electricity by this warehouse "would generate air pollutant emissions." While the Sierra Club understands that you "expect to reach LEED certified rating", we do not understand why you do not match the higher Gold LEED certification recently agreed to by the Alessandro Business Center warehouse in the City of Riverside or even the LEED Silver of Skechers. In fact your words do not guarantee anything about even reaching the lowest level of LEED certification. The City needs to require you to hire a LEED expert and then require you to become LEED certified--hopefully higher than just certified. You could pay less than $1,000 and lock in current LEED standards for your building. Through the installation of solar panels and other LEED ideas you could avoid generating air pollutants with the electricity you consume. This warehouse and all warehouses need to be required to have their roofs built to accommodate the maximum number of solar panels. You are now able to sell excess energy back and earn money as well as do right for our non-attainment area. The DEIR indicates that the "proposed project would unavoidably contribute to significant long-term cumulative air quality impacts."(p 4.2-29) The Sierra Club does not believe it is totally unavoidable. The fact you are given a cafeteria list of mitigations to chose from shows that there is more that could and should be done to protect the health of area residents. Why isn't there a requirement to exceed Title 24 by at least 25% instead of just "exceed" Title 24? (p 4.3-25) Agreeing to require 90% of your off road construction equipment meet Tier III standards would also significantly help our non-attainment city and county. Your DEIR only mentions Tier II and therefor it shows you are not serious about the health of the area's residents.

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Continuing to pave over Prime Agricultural lands as well as those of Local and State Importance must be mitigated. Having locally grown products also cuts down on the Climate Change problems mentioned above and below. Recently a developer donated $100,000 to the Riverside Land Conservancy to help mitigate for the loss of Ag Lands. The San Jacinto Basin Resource Conservation District is another entity which would use your monetary donation to mitigate the loss of important Ag lands as well as the loss of lands for raptor foraging. It is therefore incorrect to say that "no feasible mitigation is available." Please consider how your project will seriously mitigate you impacts to Agriculture. You should also make sure your parking provides ample reserved spaces for several form of cars using alternative fuels. Their parking lot also needs to be made of porous material to help with ground water recharge and to lessen run off. 7 8 9

The Sierra Club appreciates that you have the World Logistic Center on your Cumulative Project List. We, however, do not believe all of your analysis have included this massive project. The FEIR will be inadequate unless this and all other projects are part of the analysis in each area of the FEIR. I also did not see the Pro Logis project listed which would be located near the Moreno Valley Auto Mall. Since some of Moreno Valley's designated truck routes pass by schools and their playgrounds, the Sierra Club expects the FEIR to explain what requirements will be placed on the tenants to avoid this very toxic situation as well as the truckers who will deliver/pickup products for your warehouse. The FEIR needs to show the walking/bicycling routes students take to and from school as well as show how this project's diesel truck traffic will impact the health of these students. There are two schools which are only about one mile from the project as well as others which may have students impacted by VIP's toxic diesel trucks. The projects distance from homes needs to be easily understood as well as all the paths trucks could take to the warehouse. Requiring staging areas for diesel equipment to be only a couple of hundred feet from sensitive receptors is inadequate for the health of Moreno Valley Residents. How will you protect the warehouse workers from the long term health affects of breathing toxic diesel emissions throughout their workday and employment? What equipment will you make sure is electric instead of diesel or gasoline in order to lessen pollution and better protect the workers--this includes gardening equipment? The FEIR needs to explain how noise barriers used during construction and use of the warehouse could lessen impacts identified in the Initial Study. Impacts to our local streets as well as our very crowded freeways need to be explained so the average citizen will understand. The FEIR-not just appendices- needs to show the length of trips the diesel trucks will be taking when driving to and from the warehouse as well as their routes. We need to know the maximum number of tucks which will use this warehouse each workday and not just after the first year, but when the warehouse is being used to its maximum capacity during peak times of the year. Your traffic analysis is inadequate unless it includes all of SR 60 which border any part of Moreno Valley. This two and three lane roadway will be significantly affected by VIP traffic-especially when part of cumulative impacts. Decision makers have a right to know before they vote that the section of SR 60 passing through Moreno Valley will become a parking lot with significant pollution. Even your own analysis of some major intersection in our City show they will become LOS F by 2013. Simply paying into a pot of money which may not be used in the impacted part of Moreno Valley does not mitigate your traffic. 10 11 12 13 14 15 16 17 18 19 20

The land should not be disced or graded for at least six months prior to doing the Burrowing Owl survey otherwise many will believe you are just making it difficult on this special animal as well as making it more likely it will be listed as endangered. The Sierra Club believes the FEIR will 21 22

be inadequate unless our concerns and issues found throughout this letter are thoroughly addressed within the document. 22

I. THE DEIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

As a potential significant impact, the Final EIR (FEIR) must more thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code ¤¤ 21000 et seq., 14 Cal. Code Regs. ¤ 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. 23

A. THE DEIR MUST ADEQUATELY SET FORTH THE THREAT OF GREENHOUSE GAS POLLUTION AND GLOBAL WARMING

The FEIR must discuss the grave threats posed by global warming to California and the world. Current scientific consensus on climate change has now determined that the link between greenhouse gas emissions and global warming is highly certain. In California, elected leaders, through Executive Order S-03-05 and the California Global Warming Solutions Act of 2006 (AB 32), have also squarely linked greenhouse gases with global warming. 24

In order to conform to CEQA's informational mandates and properly inform the public and decision makers of the significance of the Project's contribution to greenhouse gases, the DEIR must first adequately discuss the threat posed by greenhouse gas emissions and avoid minimizing or discounting the severity of global warming's impacts. *See* Guidelines ¤ 15151. *See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* ("Laurel Heights I"), 47 Cal.3d 376, 392 (1988) (EIR is intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action."); Guidelines ¤ 15151 (requiring an FEIR be detailed, complete, and reflect a good faith effort at full disclosure). A discussion of global warming impacts need not be lengthy, but should, at a minimum, convey the magnitude of the threat posed by global warming to humans and the environment. For the City's convenience, a scientific background on global warming and the specific threats posed to California is provided below. 25 26

i. Scientific Background on Climate Change

There is no longer credible scientific dispute that the climate is warming. In its most recent assessment, the Intergovernmental Panel on Climate Change ("IPCC") concluded that "[w]arming of the climate is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting snow and ice, and rising mean sea level." (IPCC 2007a). Expressed as a global average, surface temperatures have increased by about 0.74°C over the last hundred years, with 11 of the 12 warmest years on record having occurred in the past 12 years (IPCC 2007a). In September 2007, Arctic sea ice plummeted to a record-low level not anticipated by most climate models until 2050, leading scientists to predict 27

that the Arctic could be ice-free in summer by 2030 (National Snow & Ice Data Center 2007).[1] Other observed consequences of the warming climate include sea level rise, increased frequency of droughts, floods, and heat waves and substantial increases in the duration and intensity of hurricanes (IPCC 2007a).

The IPCC now states with "very high confidence" that most of the warming observed over the past 50 years is the result of human generation of greenhouse gases, including carbon dioxide, methane, and nitrous oxide[2] (IPCC 2007a). The rapid warming observed since the 1970s has occurred in a period when the increase in greenhouse gases has dominated over all other factors (IPCC 2007a). The largest known contribution to global warming is from carbon dioxide (IPCC 2007a). Fossil fuel combustion is responsible for more than 75% of human caused carbon dioxide emissions with the remainder due to land-use change (primarily deforestation) (IPCC 2007a). The global atmospheric concentration of carbon dioxide has increased from a pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005, a level that has not been exceeded during the past 650,000 years (during which carbon dioxide concentrations remained between 180 and 300 ppm). (IPCC 2007a; Canadell et al. 2007). In 2006, carbon dioxide concentrations reached a new high of 381.2 ppm (World Metrological Organization 2007). As greenhouse gas concentrations increase, more heat reflected from the earth's surface is absorbed by these greenhouse gases and radiated back into the atmosphere and to the earth's surface.[3] Consequently, the higher the level of greenhouse gas concentrations, the larger the degree of warming experienced.

At current growth rates and continued reliance on fossil fuels, atmospheric concentrations of carbon dioxide would likely exceed 1,000 ppm by the end of the century, resulting in an average global temperature increase of more than 5°C (United Nations Foundation & Sigma XI 2007). This is equivalent to the change in temperature since the last ice age – an era in which Europe and North America was under more than one kilometer of ice (United Nations Foundation & Sigma XI 2007). The growing consensus among climate scientists is that the threshold for dangerous climate change, whereupon a potential "tipping point" is reached and ecological changes become dramatically more rapid and out of control, is estimated at a temperature increase of around 2°C from pre-industrial levels, or an atmospheric concentration of carbon dioxide of approximately 450 ppm (United Nations Foundation & Sigma XI 2007; IPCC 2007c). In 2006, Dr. James E. Hansen, Director of the NASA Goddard Institute for Space Studies, and NASA's top climate scientist, stated: "In my opinion there is no significant doubt (probability > 99%) that . . . additional global warming of 2° C would push the earth beyond the tipping point and cause dramatic climate impacts including eventual sea level rise of at least several meters, extermination of a substantial fraction of the animal and plant species on the planet, and major regional climate disruptions" (Hansen et al. 2006). More recently however, given the recent unpredicted and extreme rate of loss of arctic ice observed in 2007, Dr. Hansen

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[1] Based on the startling loss of sea ice in 2007, some scientists have predicted that "the Artic Ocean could be nearly ice-free at the end of the summer by 2012." Seth Borenstein, *Ominous Arctic Melt Worries Experts*, Associated Press, Dec. 11, 2007.

[2] *IPCC, 2007: Summary for Policymakers, in* CLIMATE CHANGE 2007: THE PHYSICAL SCIENCE BASIS, CONTRIBUTION OF WORKING GROUP I TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE at 4 (Susan Solomon et al. eds., Cambridge Univ. Press 2007) at 2-3. "Very high confidence" is defined at "at least a 9 out of 10 chance of being correct." *Id.* at 3 n.7.

[3] Greenhouse gases have a warming effect because, when solar radiation is reflected by the earth, greenhouse gases capture this thermal radiation and reradiate it back to earth, much like the effect of a common garden greenhouse resulting in the "greenhouse effect."

concluded that "the safe upper limit for atmospheric CO_2 is no more than 350 ppm" (McKibben 2007). Moreover, according to Hansen, just 10 more years of "business-as-usual" global emissions will make it difficult, if not impossible, to keep atmospheric concentrations of greenhouse gases at levels necessary to avoid a temperature increase above 2°C (Hansen et al. 2007).

Keeping the climate within the 2°C threshold requires significant reductions in the world's greenhouse gas emissions. To reach this objective, it is estimated that developed countries would have to target an emissions peak between 2012 and 2015, with 30 percent cuts by 2020 and 80 percent cuts from 1990 levels by 2050 (United Nations Foundation & Sigma XI 2007). In recognition of need for immediate action, California has committed itself though Executive Order S-3-05 and the California Global to reduce the state's emissions to 1990 levels by 2020 and by 80% reductions from 1990 levels by 2050. Ca. Health & Safety Code ¤ 38550; Cal. Executive Order S-3-05 (2005).

The costs of taking no action to reduce greenhouse gas emissions far outweigh the costs of stabilizing emissions. The Stern Review of the Economics of Climate Change, a comprehensive report commissioned by the British government, recently concluded that allowing current emissions trajectories to continue unabated would eventually cost the global economy between 5 to 20 percent of GDP each year within a decade, or up to $7 trillion, and warned that these figures should be considered conservative estimates (Stern 2006). By contrast, measures to mitigate global warming by reducing emissions were estimated to cost about one percent of global GDP each year, and could save the world up to $2.5 trillion per year (Stern 2006). The Stern Report determined that if no action is taken to control greenhouse gas emissions, each ton of CO_2 emitted causes damage worth at least $85 (Stern 2006). 27

ii. Impacts to California from Global Warming

Climate change poses enormous risks to California. Scientific literature on the impact of greenhouse gas emissions on California is well developed.[4] The California Climate Change Center ("CCCC") has evaluated the present and future impacts of climate change to California and the project area in research sponsored by the California Energy Commission and the California Environmental Protection Agency (Cayan et al. 2007). The severity of the impacts facing California is directly tied to atmospheric concentrations of greenhouse gases (Cayan et al. 2007; Hayhoe et al. 2004). According to the CCCC aggressive action to cut greenhouse gas emissions today can limit impacts, such as loss of the Sierra snow pack to 30%, while a businessas-usual approach could result in as much as a 90% loss of the snowpack by the end of the century. As aptly noted in a report commissioned by the California EPA:

Because most global warming emissions remain in the atmosphere for decades or centuries, the choices we make today will greatly influence the climate our children and grandchildren inherit. The quality of life they experience will depend on if and how rapidly California and the rest of the world reduce greenhouse gas emissions (Cayan et al. 2007).

Some of the types of impacts to California and estimated ranges of severity – in large part dependent on the extent to which emissions are reduced – are summarized as follows:

• A 30 to 90 percent reduction of the Sierra snowpack during the next 100 years, including earlier melting and runoff.

• An increase in water temperatures at least commensurate with the increase in air

[4] Additional reports issued by California agencies are available at http://www.climatechange.ca.gov, and IPCC

temperatures.
• A 6 to 30 inch rise in sea level, before increased melt rates from the dynamical properties of ice-sheet melting are taken into account.
• An increase in the intensity of storms, the amount of precipitation and the proportion of precipitation as rain versus snow.
• Profound impacts to ecosystem and species, including changes in the timing of life events, shifts in range, and community abundance shifts. Depending on the timing and interaction of these impacts, they can be catastrophic.
• A 200 to 400 percent increase in the number of heat wave days in major urban centers.
• An increase in the number of days meteorologically conducive to ozone (O_3) formation.
• A 55 percent increase in the expected risk of wildfires (Cayan et al. 2007).
By providing details as to the ranges of proposed impacts, and indicating that the higher-range of impact estimates are projected if greenhouse gas emissions continue to increase under a "business as usual" scenario, decision-makers and the public will be better informed of the magnitude of the climate crisis and the urgency with which it must be addressed. 27

Finally, the DEIR should also include a brief discussion of other laws to address climate change, including California's mandate to reduce emissions to 1990 levels by 2020 and goal of further reducing emissions to 80% below 1990 levels by 2050. Achievement of state mandated emissions reductions will be severely impeded if agencies across the state continue to approve *new* projects without incorporating measures to reduce the added emissions created by these. 28

B. The EIR the Project Must Include an Inventory and Analysis of the Project's Projected Greenhouse Gas Emissions

The first step in determining a project's greenhouse gas pollution impact is to complete a full inventory of all emissions sources. In conducting such an inventory, all phases of the proposed project must be considered. *See* 14 Cal. Code Regs. ¤ 15126. 29 A basic requirement of CEQA is that "[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences." 14 Cal. Code Regs. ¤ 15151. 30 The greenhouse gas inventory for a project must include a complete analysis of all of a project's substantial sources of greenhouse gas emissions, from building materials and construction emissions to operational energy use, vehicle trips, water supply and waste disposal. 31

A greenhouse gas inventory for the project must include the project's direct and indirect greenhouse gas emissions. *See* 14 Cal. Code Regs ¤ 15358(a)(1) (Indirect or secondary effects may include effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.). 32 Consequently, a complete inventory of a project's emissions should include, at minimum, an estimate of emissions from the following:
• Fugitive emissions of greenhouses gases, such as methane, from the proposed project;
• Emissions during construction from vehicles and machinery;
• Manufacturing and transport of building materials;
• Electricity generation and transmission for the heating, cooling, lighting, and other energy demands of the project;
• Water supply and transportation to the project; 33

• Vehicle trips and transportation emissions generated by the project;
• Wastewater and solid waste storage or disposal, including transport where applicable; and
• Outsourced activities and contracting. 33

Methodologies are readily available to inventory the emissions from the proposed project. In its recent white paper, CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (Jan. 2008), the California Air Pollution Control Officers Association (CAPCOA) set forth methodologies for analyzing greenhouse gas pollution (CAPCOA 2008) The California Office of Planning and Research ("OPR") has also released technical guidance on the preferred approach for analyzing greenhouse gas emissions and climate change entitled "Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review" (California OPR 2008). OPR also provides references to methodologies to quantify greenhouse gas emissions. In addition to the methodologies set forth by CAPCOA and OPR, ICLEI's Clean Air/Climate Protection (CACP) software allows cities to calculate emissions reductions, track and quantify emission outputs, and develop emissions scenarios to inform the planning process.[5] As noted in the ICLEI Climate Action Handbook, "Expertise in climate science is not necessary" to conduct an emissions inventory and compare this inventory against a forecast year (ICLEI). "A wide range of government staff members, from public works to environment and facilities departments, can conduct an inventory" (ICLEI). ICLEI also provides technical assistance and training to local government using the CACP software. It is incumbent on the City to "disclose all it can" about project impacts and educate itself on methodologies that are available to measure project emissions. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm'rs ("Berkeley Jets")*, 91 Cal. App. 4th 1344, 1370 (2001). 34

As with any other project under CEQA, the baseline used for analyzing the impacts of a project is the existing on the ground environmental conditions at the time of the NOP. *See Environmental Planning & Information Council v. County of El Dorado (EPIC)*, 131 Cal.App.3d 350, 355 (1982) (effect of general plan amendment must be compared against actual environment, not assumptions in existing general plan). Accordingly, the DEIR should compare emissions from existing conditions with those that would result from the development of the project, as well as those that would occur under any proposed alternative scenarios. Because the Project envisions development over a long period, the EIR should also provide data on the trajectory for emissions in the planned community and under each proposed alternative in five-year increments. 35 36

Without a complete inventory, the DEIR cannot adequately inform the public and decision-makers about the Project's impacts. Similarly, without a complete inventory and analysis of greenhouse gas emissions that will result from the project, there is simply no way that The EIR can then adequately discuss alternatives, avoidance, and mitigation measures to reduce those impacts. 37

C. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE

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[5] ICELI's Clean Air/Climate Protection software is available at http://www.cacpsoftware.org/ ICLEI-Local Governments for Sustainability is an international association of more than 650 local governments. Cities, counties, towns and villages around the world are members of ICLEI. ICLEI's mission is to improve the global environment through local action. On the issue of global warming, for example, ICLEI provides resources, tools, peer networking, best practices, and technical assistance to help local governments measure and reduce greenhouse gas emissions in their communities.

ON THE PROJECT

California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced.

(Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). 38

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review. 39

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and 40

quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). 40

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project would significantly understate Project impacts. 41

D. THE PROJECT'S GREENHOUSE GAS IMPACTS ARE CLEARLY SIGNIFICANT

The greenhouse gas emissions generated by a project of this size and scope will have a clearly significant cumulative impact. An impact is considered significant where its "effects are individually limited but cumulatively considerable." Guidelines ¤ 15065(a)(3). Climate change is the classic example of a cumulative effects problem; emissions from numerous sources combine to create the most pressing environmental and societal problem of out time. *Ctr. for Biological Diversity*, 508 F.3d 508, 550 (9th Cir. 2007) ("the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct."); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 720 (1990) ("Perhaps the best example [of a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). While a particular project's greenhouse gas emissions represent a fraction of California's total emissions, courts have flatly rejected the notion that the incremental impact of a project is not cumulatively considerable because it is so small that it would make only a de minimis contribution to the problem as a whole. *Communities for a Better Environment v. California Resources Agency*. 103 Cal.App.4th 98, 117 (2002); see also *Kings County Farm Bureau,* 221 Cal. App. 3d at 720 ("[p]erhaps the best example of [a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). 42

In addition. there is nothing speculative about the fact that higher levels of greenhouse gas pollution will lead to greater impacts, which is why the State of California has prioritized greenhouse gas pollution reductions under AB 32. Moreover, in the analogous context of the National Environmental Policy Act (NEPA), the Ninth Circuit has already rejected the argument that "global warming is too speculative to warrant NEPA analysis." *Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, 508 F.3d at 554. 43

In addition, lack of established significance thresholds does not excuse an agency from its obligation under CEQA to determine the significance of a Project's impacts. CEQA routinely calls for an agency to evaluate impacts in the absence of thresholds or to exercise its individual discretion in determining the significance of an impact. *See, e.g., Protect the Historic Amador Waterways*, 116 Cal. App. 4th at 1111 (agency required to assess potential impact not listed in CEQA checklist). The development of significance thresholds is "encouraged" and not a prerequisite for an impact analysis. Guidelines ¤ 15064.7. Indeed, as noted in the CAPCOA white paper on CEQA and Climate Change, "[t]he absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA" (CAPCOA 2008). In fact, CEQA may require additional analysis even if a project meets an adopted standard, if other evidence indicates the project may nonetheless have a significant 44

impact. *See Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344, 1380-82 (2001). 44

As the lead agency, CEQA requires the City to determine the significance of the Project's emissions with or without established significance thresholds. Guidelines ¤ 15064. CAPCOA provides various means by which a lead agency can determine the significance of project emissions (CAPCOA 2008). Importantly, a universally adopted methodology is *not* necessary to analyze project impacts. *Berkeley Keep Jets*, 91 Cal.App.4th at 1370 ("the fact that a single methodology does not exist…requires the [respondent] to do the necessary work to educate itself about the different methodologies that *are* available.").

"The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." Guidelines ¤ 15064(b). Any determination of whether there is a fair argument that the project may have a significant impact must include the consideration of the California Global Warming Solutions Act of 2006 (AB 32), wherein the State of California recognized that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California" and required that existing levels of greenhouse gases be reduced to 1990 levels by 2020. Health & Safety Code ¤¤ 38501(a), 38550. Because AB 32 establishes that existing greenhouse gas levels are unacceptable and must be substantially reduced within a fixed timeframe, any additional emissions that contribute to existing levels frustrate California's ability to meet its ambitious and critical emissions reduction mandate. Ignoring emissions from smaller sources would be neglecting a major portion of the greenhouse gas inventory. 45

In accordance with the scientific and factual data, the City should adopt a zero significance threshold for the Project's greenhouse gas emissions. As noted by the Ninth Circuit in *Center for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*:

[W]e cannot afford to ignore even modest contributions to global warming. If global warming is the result of the cumulative contributions of myriad sources, any one modest in itself, is there not a danger of losing the forest by closing our eyes to the felling of the individual trees? 46

508 F.3d 508, 550 (9th Cir. 2007). Accordingly, the City must unequivocally consider Project emissions to be a potentially significant impact.

E. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code ¤ 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code ¤ 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will 47

actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).
To the extent that the project moves forward as planned, there are many mitigation measures the City can consider, as described below. This is not an exhaustive list and the EIR should explore these and all other feasible mitigation measures that will reduce the project's greenhouse gas emissions (CAPCOA 2008; California Office of the Attorney General 2008). 47

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Additionally, the FEIR should analyze ways of including pedestrian and bicycle only streets and plazas within the development and create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking. 48

ii. Land Use and Energy

The FEIR should consider mitigation measures that will ensure the planned community will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008). 49

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). 50

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and 51

multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals.
Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:
• Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.
• Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
• Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
• Reducing the use of pavement and impermeable surfaces;
• Requiring water re-use systems;
• Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting
• Limiting the hours of operation of outdoor lighting
• Maximizing water conservation measures in buildings and landscaping, using droughttolerant plants in lieu of turf, planting shade trees;
• Ensure that the Project is fully served by full recycling and composting services;
• Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
• Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
• Installing solar water heating systems to generate all of the Project's hot water requirements;
• Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.

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iii. Mitigation Related to Project Construction
• Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
• Minimize, reuse, and recycle construction-related waste;
• Minimize grading, earth-moving, and other energy-intensive construction practices;
• Landscape to preserve natural vegetation and maintain watershed integrity;
• Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

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iv. Transportation Mitigation Measures
• Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
• Create a car sharing program within the planned community;
• Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;

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• Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission
vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
Provide a shuttle service to public transit within and beyond the planned community; • Incorporate bicycle lanes and routes into the planned community's street systems. 53

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets must be discussed in the FEIR. As demonstrated by the Office of the Attorney General offsets are a feasible CEQA mitigation measures[6] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. 54

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR must consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code ¤ 21002; Guidelines ¤¤ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo* , 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted). In analyzing the no-project alternative, the EIR must discuss the need for this project andwhether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). 55 56

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water 57

[6] The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

availability, and traffic resulting from each proposed alternative. Where is the alternative which mentions agricultural uses in total or part? The quality of this land is such that even I could become a successful farmer. The less dense alternative two is by far superior than this project if one is serious about lessening one's impact on the environment. 57 58 59

CONCLUSION

Thank you for your attention to these comments. We look forward to working with the City to assure that the FEIR conforms to the requirements of CEQA to assure that all significant impacts to the environment are fully analyzed, mitigated or avoided. I hope the FEIR will fully address the concerns found within this letter as I did not see that within the DEIR. The Sierra Club wishes to be placed on the mailing list for all future notices and documents regarding this project. Please mail all notices to Sierra Club, San Gorgonio Chapter, Moreno Valley Group, 26711 Ironwood Ave, Moreno Valley, CA. 92555. 60 61

Thank you,

George Hague
Conservation Chair
Moreno Valley Group
San Gorgonio Chapter
Sierra Club
951.924.0816

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2.12 RESPONSE TO LETTER E

Sierra Club

Response to Comment E-1. This comment suggests that the Draft EIR did not adequately address the concerns raised in their NOP response letter. The comment also requests that their concerns be addressed in the Final EIR, which they advise focuses on global warming, climate change, greenhouse gas pollution, and air pollutant emissions. Lastly, the commentor requests that the project do everything possible to mitigate these issues due to the non-attainment status of the air basin. The commentor notes that their specific issues follow in their letter.

Short-term and long-term project specific and cumulative effects of the proposed project on air quality are evaluated in Section 4.2 Air Quality pages 4.2-1 through 4.2-29 in the Draft EIR. Greenhouse gas emissions and climate change were evaluated in Section 4.3 Climate Change and Greenhouse Gas Emissions pages 4.3-1 through 4.3-27 in the Draft EIR. Where the proposed project's impacts were determined to be significant mitigation was provided to lessen those impacts. It was determined that even with the implementation of feasible mitigation measures the proposed project will have a significant and unavoidable impact on short-term construction air quality, long-term operational air quality impacts, cumulative air quality, and cumulative greenhouse gas emissions.

The concerns raised by the commentor have been responded to in Response to Comments E-1 though E-62. Any comments that were raised by the Commentor that required additions or revisions to the language in the Draft EIR are provided in Section 3.0 Errata to the Draft EIR in the Final EIR.

Response to Comment E-2. This comment states that the NOP mentions consumption of electricity by the warehouse would generate air pollutant emissions. The air quality emissions of the proposed project are analyzed in Section 4.2 Air Quality and also energy use (electricity) is analyzed in Section 4.3 Global Climate Change and Greenhouse Gas Emissions in the Draft EIR.

Response to Comment E-3. Please see Response to Comment D-8. The commentor inaccurately suggests that the project should be required to obtain a LEED Gold rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions. The process of obtaining a LEED rating is not mitigation. The specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions associated with operations of a building.

However, additional air quality related mitigation measures have been added in the Final EIR (refer to Section 3.0 Errata). Please refer to the Table contained in Response to Comment D-45 regarding operational mitigation measures that have been added. The added measures are also in the Mitigation Monitoring and Reporting Plan in Section 4.0 in the Final EIR to ensure they are implemented

Response to Comment E-4. This comment suggests that the roof of the warehouse be built to accommodate solar panels. This measure is included as part of Mitigation Measure 4.2.6.3A has been changed as follows to ensure that solar or other renewable energy source. The mitigation measure has been added in the Final EIR (refer to Section 3.0 Errata. The added measures are also in the Mitigation Monitoring and Reporting Plan in Section 4.0 in the Final EIR to ensure they are implemented

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-27

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4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City~~.~~ The following ~~Any~~ combination of design features, ~~including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~

- The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

Response to Comment E-5. This commentor opines that they disagree with the significant and unavoidable impact associated with long-term (operational) air quality impacts. This impact is related to SCAQMD's thresholds of significance. Mitigation Measures 4.2.6.1A through 4.2.6.1M and 4.2.6.3A and 4.2.6.3B set forth a comprehensive list of measures designed to reduce the quantity of air pollution emissions from project construction as well as project operations. These construction and operational mitigation measures have been supplemented in this Final EIR with the feasible mitigation measures suggested by this commentor and comments received from Johnson & Sedlack (Letter D). It bears noting that there is no readily available way to calculate the air pollution emission reductions associated with these mitigations measures and therefore show that long-term emissions cannot be reduced to below the threshold based on this technical limitation even with implementation of unlimited mitigation.

Response to Comment E-6. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. The 20% energy efficiency improvement over and above 2008 CBC building requirements has been established by air quality and climate change technicians as the project-specific energy efficiency improvement (and associated reduction in GHGs) necessary to meet the Statewide mandate of obtaining a 30% reduction in GHG emissions in comparison to 1990 levels by year 2020. In 2006, the California Legislature passed and Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act of 2006, which set a 2020 greenhouse gas emissions reduction goal into law. AB 32 requires California to reduce GHG emissions to 1990 levels (estimated at 426.6 million metric tons) by 2020 (forecast to be 600 million metric tons under "business as usual"), requiring a 30% reduction in emissions in comparison to the "business as usual" scenario. Since that time, the energy efficiency requirements contained in the 2008 and 2010 updates to the CBC now require that new buildings obtain energy efficiencies that exceed the "business as usual" scenario. For this reason, the City has determined that the appropriate performance standard to meet the statewide GHG emissions reduction goals is a 20% improvement over the 2008 CBC.

Response to Comment E-7. This comment is noted. As identified in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-5), "*Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland, 16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance*." The Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of farmland to a non-agricultural use (Section 4.1 Agriculture and Forestry Resources, page 4.1-15). The project site was historically used for agricultural operations but currently lies fallow and has been fallow for a number of years. The site was most recently used as a sod farm that ceased operating in

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August 2005 and has not been in agricultural production since that time. Thus no existing agricultural operation exists onsite. The project site has not been utilized to grow agricultural products in the last seven years and it is therefore not reasonable to assume that this land is available for cultivation of crops that can be grown locally to reduce potential climate change problems as cited in Comment Letter E.

This commentor also states that a developer recently donated $100,000.00 to the Riverside Land Conservancy to help mitigate for the loss of agricultural lands but fails to appropriately cite the information and identify the basis for determining the amount of agricultural lands lost in relation to this monetary amount. The City disagrees with the commentor and relys on the Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) decision that concerned a challenge to an EIR for a project that would convert agricultural land to residential uses. Though recognizing the potential for mitigation in the form of agricultural "*conservation easements, Williamson Act preserve status, or temporary protection or conservation plans*," the EIR noted the long-term trend in agricultural land conversion in the region and concluded that mitigation was not feasible. The court upheld the City's determination regarding the feasibility of mitigation on the grounds it was supported by substantial evidence in the record. The court also examined the City and County General Plans, which acknowledged that development pressures were constraining the continued viability of agriculture and included the expansion of housing, commercial and industrial land uses. The court then determined that the project was compatible with these planning documents. The court concluded the particular circumstances surrounding the project such mitigation was infeasible and therefore was not required to be adopted. As with this project the site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required.

The trend of the reduction in agriculture in the Inland Empire is discussed in *Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire* prepared by Justin L. Adams, Ph.D. of Chang & Adams Consulting, September 2011 and *Economic Viability of Agriculture in the East Inland Empire* report prepared by CBRE Consulting, March 18, 2009. Both reports are provided in Appendices B and C to the Final EIR. This reduction in "farming" is due to pressures of the growth in the demand for housing and development and the transportation and warehousing sector; increased restrictions on water deliveries for agricultural uses after several consecutive drought seasons; higher wages in other industries in the region; strong agricultural competition from the southern Central Valley for dairies; increased regulatory pressures from air quality and local jurisdictions regarding particulate matter emissions and land use adjacency issues; and the trend in Riverside and San Bernardino Counties is for agricultural operations to continue to shift to places like Kern County regardless independent of land use policy due to the economic issues.

As stated on Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12 of the Draft EIR, "*the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the '…orderly conversion of agricultural lands.' The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development*." As described in the Draft EIR, the City's General Plan and General Plan EIR have considered and evaluated the eventual and expected conversion of agricultural activity within the City

(Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12) Therefore, the City has already anticipated the eventual conversion of all agricultural activity within the City.

As stated in the Draft EIR, mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding considerations. To be feasible, mitigation must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account the economic, environmental, legal, social, and technological factors. Identification as to the infeasibility of mitigation measures suggested by the commentor has been provided in the Draft EIR. No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development.

The potential mitigation measures identified by the City in its General Plan EIR and California Department of Conservation (CDC), which are listed in the Draft EIR (Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-11), are not considered to be feasible by the City of Moreno Valley as determined in the City's General Plan EIR. Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land. As identified in the Draft EIR, the City supports agriculture as an interim use within the City and no land is dedicated or designated for agricultural use or agricultural preservation within the City's jurisdiction. With no such dedication or designation in place at this time, the establishment of urban limits, greenbelts, and buffers would not result in permanent protection of agricultural land as none exists within the City. Areas where agriculture land use designations may exist that are outside of the City limits cannot be preserved as it is outside of the City's jurisdiction.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. The City does not have a funding source for the acquisition of farmland. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The City of Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified.

Response to Comment E-8. Refer to Response to Comment E-7.

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Response to Comment E-9. Mitigation Measure 4.2.6.3A already provides for preferential parking for alternative fueled cars. This mitigation located in the Draft EIR, Section 4.2 Air Quality, pages 4.2-26, 4.2-27, and 4.2-28 reads as follows with changes proposed in Section 3.0 Errata in the Final EIR to address other commentor concerns:

> ***4.2.6.3A*** *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:*
>
> - *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
> - *Provision of preferential parking for EV and CNG vehicles.*

This comment also suggests that the parking lot be required to include porous materials for groundwater recharge. As identified in Table 1.B on page 1-34 of the Draft EIR, impacts associated with groundwater supplies were determined to be less than significant and no mitigation is required. Therefore, there would be no nexus to require this mitigation measure.

Response to Comment E-10. This comment suggests that the World Logistics Project identified as a cumulative project in the Draft EIR was not included in the analysis of the proposed project. The City acknowledges that the World Logistics Project 41,500,000 SF high cube warehouse uses (refer to Table 2.C in Section 2.7 Cumulative Projects on page 2-38 of the Draft EIR). This cumulative project was considered along with the other cumulative projects in Table 2.C in the consideration of traffic impacts on the highway mainline, air quality, greenhouse gas emissions, and loss of agricultural lands in the Draft EIR.

Response to Comment E-11. The ProLogis project is contained in the Draft EIR. It is referred to as the Eucalyptus Industrial Park, cumulative project number 67, shown in Table 2.A and Figure 2.1.

Table 2.C of the Draft EIR identifies the Eucalyptus Industrial Park as A-67, while Figure 2.1 identifies it as M-67. The project is in the City, so the table entry will be modified as follows and as indicated in Section 3.0 Errata in the Final EIR.

Draft EIR, Section 2.7 Cumulative Projects, Table 2.C, Page 34

~~A~~M-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses

Response to Comment E-12. The nearest schools to the project site are located approximately one mile to the east and northeast of the project site. Because the primary truck route between the project and I-215 will be Harley Knox Boulevard to the west, the trucks will not be passing by a school. In addition, the project is in an area of the City that has been zoned for industrial uses and the proposed project is consistent with this zoning. This sensitive receptor is a residence located at Patterson Avenue and Harley Knox Boulevard in the City of Perris. It should be noted that the entire area surrounding and adjacent to the proposed project has been previously designated and zoned by the City for future industrial uses. Similarly, the entire area surrounding and adjacent to Harley Knox Boulevard between Perris Boulevard and I-215 has been previously designated and zoned by the City of Perris for future commercial and industrial uses. This means that the single residence located

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adjacent to Harley Knox Boulevard in the study area is a legally nonconforming land use. Because this residence on Harley Knox Boulevard is a legally nonconforming use, it is highly unlikely that the residence will exist in the area in the future. Thus, in light of these factors, it is highly unlikely that the currently existing residential use will be exposed to diesel over the course of a long period of time, such as a 70 year exposure used to calculate health risks from diesel particulates.

Response to Comment E-13. The project will not impact the health of students walking or riding their bicycles to school because the majority of the residential areas are located to the east of Perris Boulevard and north and northwest and northeast of Perris Boulevard where it passes over the Perris Valley Storm Drain. This area is more than one mile north of the project site. As noted above the primary trucking route will be Harley Knox Boulevard to the west to the I-215 which does not pass by any schools.

Response to Comment E-14. See Response to Comments E-13. There are no sensitive receptors in close proximity to the project site that would be impacted during project construction or by project truck use of the local roadway system. Nonetheless, the EIR contains a measure requiring a 200 foot buffer between construction staging areas and sensitive receptors (Draft EIR Mitigation Measure 4.2.6.1A, page 4.2-21).

Response to Comment E-15. A *Health Risk Assessment (HRA) VIP Moreno Valley*, LSA Associates, Inc., March 2012 was prepared for the proposed project and included in Appendix D-2 to the Draft EIR. The HRA examined the short-term and long-term potential health effects from project-related emissions of toxic air pollutants (TAP) in the exhaust of diesel-powered delivery trucks on existing surrounding sensitive receptors, including single- and multifamily residences. Onsite workers will be protected by the requirements established by the Occupational Safety and Health Administration (OSHA) and are not considered sensitive receptors in accordance to the California Air Resources Board (CARB). The CARB defines "sensitive" land uses, as homes, medical facilities, daycare centers, schools, and playgrounds.

According to the HRA prepared for the proposed project, "*Toxic air pollution emissions associated with the project would occur from a variety of activities related to the project operations. The only significant amount of TAP known to be released from the proposed distribution facility is contained in the exhaust of project-related vehicles. While there may be other toxic air pollutants in use on site, compliance with City, SCAQMD, State, and federal handling regulations will keep those emissions below a level of significance.*

Page 13 of the HRA states, "*As evaluated in the air quality/health risk assessment, practical procedures will be taken for the onsite operations. The results of the conservative modeling are shown in Table C for carcinogenic and chronic inhalation health risks at the sensitive receptors. Even with the conservative modeling technique used (assuming that an individual stays outdoors at his or her residence 24 hours per day for 70 years, which is the State-required period of time that all HRAs must assess), the nearest sensitive receptor would be exposed to an unmitigated inhalation cancer risk of no more than 3.5 in 1 million, less than the threshold of 10 in a million. ……"The highest worker exposure occurs at the facility to the west of the project, at the corner of Indian Street and E. Oleander Avenue. The unmitigated inhalation cancer risk at that facility will be no more than 0.36 in 1 million, also less than the threshold of 10 in a million. The Chronic Hazard Index would be 0.0022, less than the threshold of 1.0. These risk levels are much higher than are actually expected to occur. No significant health risk would occur from project-related truck traffic, and no mitigation is necessary.*"

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Table C: Long-Term Health Risk Levels from Project Operations

Location	*Maximum Cancer Risk (risk per million)*	*Maximum Noncancer Risk (risk per million)*
SCAQMD Threshold	*10*	*1*
School 1	*0.11*	*0.000069*
School 2	*0.79*	*0.00050*
School 3	*0.26*	*0.00016*
Nearest Residential to the north	*6.6*	*0.0041*
Nearest Residential to the east	*5.0*	*0.0031*
Nearest Residential to the south	*1.2*	*0.00074*
Workers at facility to the west	*4.5*	*0.0029*
Significant?	***No***	***No***

Source: LSA Associates, Inc., March 2012.

Response to Comment E-16. The Draft EIR, Section 4.2 Air Quality contains the following Mitigation Measure 4.2.6.1K that provides for electric or alternative fuel construction equipment and forklifts and Section 4.3 Greenhouse Gas Emissions and Climate Change contains Mitigation Measure 4.2.6.3A which specifies electric trucks and yard trucks in Mitigation Measure 4.2.6.3A. Changes proposed to Mitigation Measure 4.2.6.1K are provided in Section 3.0 Errata in the Final EIR to address other commentor concerns. The measures are as follows:

> ***4.2.6.1K*** *Grading plans, construction specifications and bid documents shall also include the following notations:*
>
> - *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
> - Use electric construction equipment where feasible.
> - All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
>
> ***4.2.6.3A*** *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:*
>
> - *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
> - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
> - *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
> - *Use of electric (instead of diesel or gasoline-powered) yard trucks.*

Response to Comment E-17. The Draft EIR, Section 4.4.6.1 Short-Term Construction Noise Impacts page 4.4-17 states "*The nearest noise-sensitive receptor locations to the project site are*

existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures [Mitigation Measures 4.4.6A – 4.4.6D] have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards."

The noise impact analysis for the proposed project (*Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., March 2012, Appendix F to the Draft EIR) evaluated the traffic noise impact in terms of CNEL and the on-site operations noise impact comparing to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. The project site is surrounded by vacant land or other non-noise-sensitive land uses such as industrial or commercial uses. Although the City's Municipal Code states that the noise standards shall apply "when measured at a distance of 200 feet or more from the real property line of the source of the sound if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property", in this case, evaluating the potential noise levels at the property line of the nearest noise-sensitive land uses (i.e., residences) would adequately determine the project's potential noise impacts.

As indicated in the noise impact study, no noise barriers would be required during project construction nor are they required during operation of the proposed project. The proposed project will comply with all mitigation measures identified and comply with applicable federal, State, and City guidelines.

Response to Comment E-18. A Traffic Impact Analysis (*Traffic Study VIP Moreno Valley*, LSA Associates, Inc., April 9, 2012) was prepared for the proposed project that analyzed the proposed project's impacts to area roadways during construction and operation of the project. Draft EIR Section 4.5 Traffic and Circulation, pages 4.5-1 – 4.5-28 analyzed the construction and operational impacts to not only area roadways but on the freeway system as well. It was determined that the proposed project would be expected to generate 327 passenger car equivalent (PCE) trips in the a.m. peak hour, 388 PCE trips in the p.m. peak hour, and 5,052 daily PCE trips when built. It was determined that the proposed project upon build out in the year 2013 would have impacts that are cumulative resulting in exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);

- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

This is a significant impact and mitigation was provided. It is important to note that ten of the eleven intersections also operate at unsatisfactory levels of service under year 2013 cumulative without the project conditions. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a project-specific impact.

The air quality/health risk assessment has discussed the number of truck trips per day that will visit the project site. Trip length assumptions and the truck routes have also been identified in the analysis. Figure 3 of the Health Risk Assessment report (Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., March 2012) shows the location of all the truck emissions sources modeled. As described in the report; *"An approximate representation of the roadway was obtained by placing a number of volume sources at equal intervals along the roads on site and far enough off site to characterize the emissions at the sensitive receptors near the project site. For other sensitive receptors further from the project site but near the roads the trucks will travel, it is assumed that the health risk levels from the project traffic will be low compared to the total risk from all existing road traffic."*

The Air Quality Study Table I page 26 Appendix D of the Draft EIR indicates the average trip length is 17 miles. This section of the Air Quality study is provided as follows:

5.2.1 Long-Term Project Operational Emissions

Long-term air pollutant emission impacts are those associated with stationary sources and mobile sources involving any project-related changes. The proposed project would result in a net increase in the number of employees in the project area; therefore, the proposed project would result in net increases in both stationary and mobile source emissions. The stationary source emissions would come from additional natural gas consumption for on-site buildings and electricity for the lighting in the buildings and at the parking area. The proposed project is a warehouse/distribution in the Inland Empire area of Southern California. Average truck trip length in this area has been shown to be greater than the default trip length in the CalEEMod model. Table I lists the potential origin and destination points for the truck trips that would be associated with the proposed project. The average trip length for the employee commute is assumed to be 17 mi. This is also greater than the default commute trip length included in the CalEEMod model for the Inland Empire area.

Table I: Average Truck Trips Lengths

Truck Route	*Route Length (miles)*	*Percentage of Trucks on Route*
East on State Route 60 to Basin Boundary	*30*	*10%*
Port of Los Angeles/Long Beach	*80*	*50%*
South on the I-215 to San Diego	*50*	*20%*
Inland Empire (i.e., Ontario, Mira Loma, Fontana)	*50*	*10%*
Perris Destinations	*40*	*5%*
Moreno Valley Destinations	*20*	*5%*
Average Truck Trip (54% of trips)	***61***	

Source: Project Plans

Response to Comment E-19. The trip generation for daily trucks is listed in Table 4.5.D in the Draft EIR, Section 4.5.3.1 Project Trip Generation, page 4.5-14. As shown in Table 4.5.D, the total number of daily trips (total raw trucks) is 1,475. The number of daily truck trips is based on NAIOP rates for High-Cube Warehouse that were approved by the City of Moreno Valley.

Response to Comment E-20. Freeway segment and merge/diverge analysis locations are based on Caltrans guidelines which requires analysis to a State highway facility if a project generates over 100 peak hour trips[1]. The project generates over 100 peak hour trips at the Interstate 215/Harley Knox Boulevard interchange and was included in the Draft EIR. Project traffic at freeway segments on SR-60 are less than 100 peak hour trips and were not included in the Draft EIR.

Regarding commenters opinion that payment of DIF and TUMF is inadequate mitigation, please refer to Response to Comment D-82. The payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts.

Response to Comment E-21. The commentor opines that the project site should not be disced or graded for at least six months prior to doing the burrowing owl survey. Mitigation Measures BIO-1 through BIO-4 require pre-construction surveys and establish what actions must be taken if the burrowing owl is found on-site during the pre-construction surveys that are in accordance with the Burrowing Owl Consortium 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines[2] and referred to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) survey instructions[3] to complete the pre-construction burrowing owl survey.

Response to Comment E-22. This comment states that the Final EIR will be inadequate unless the concerns and issues identified in the comment letter are addressed within the document. This comment does not raise any specific issue associated with the Draft EIR. In addition, any concerns and issues identified in the comment letter have been addressed through Responses E-1 through E-62 of the Final EIR. No further response is required.

Response to Comment E-23. Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27 provides an analysis of the proposed project's impact on greenhouse gas emissions and climate change. The analysis is based on the *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011 included as an Appendix D in the Draft EIR. Responses to Comments E-24 through E-54 include specific responses to the commentor's assertions that the Draft EIR did not thoroughly evaluate alternatives and mitigation measures that would reduce greenhouse gas emissions. Where appropriate additional mitigation measures have been add to the Section 3.0 Errata in the Final EIR.

Response to Comment E-24. The commentor opines that global warming poses a grave threat to California and the Draft EIR is obligated to discuss the threats posed by greenhouse gas emissions for the public and decision makers. Page 4.3-1 through 4.3-3 in the Draft EIR (Section 4.3 Climate Change and Greenhouse Gas Emissions) already established the existing background information related to climate change as requested in this comment.

The commenter suggests that there is consensus among scientists regarding the link between GHG and global warming. However, there is still considerable debate about the existence of anthropogenic global warming, and about the long term environmental effects of anthropogenic global warming if in fact such warming is occurring and will occur long term. (*See, e.g., U.S. Senate Minority Report; More Than 700 International Scientists Dissent Over Man-Made Global Warming Claims*; March 16, 2009.)

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1 *Guide for the Preparation of Traffic Impact Studies*, State of California Department of Transportation, December 2002, page 2.

2 http://www2.ucsc.edu/scpbrg/burrowingowls.htm.

3 http://www.tlma.co.riverside.ca.us/epd/documents/survey_protocols/burrowing_owl_survey_instructions.pdf.

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This body of scientific literature argues that (i) there is no scientific consensus on the existence of anthropogenic global warming; (ii) that the Intergovernmental Panel on Climate Change (IPCC) literature is deeply flawed; (iii) that scientists and research grant funding sources have deliberatively ignored other possible explanations in global temperature variations.

In addition, quantitative data published by the State Air Resources Board and the IPPC demonstrates that even if California achieved the specified AB 32 greenhouse reduction goals, that this may have no effect on climate increases based on greenhouse gas emissions because emissions from China, Russia, Indonesia and other developing countries have and will greatly surpass the emissions of California.

Response to Comment E-25. Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27 provides an analysis of the proposed project's impact on greenhouse gas emissions and climate change. The analysis is based on the *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011 included as an Appendix D in the Draft EIR. In addition, the commentor asserts that the "ecological implications of its actions" must be discussed. Also refer to Response to Comment E-38 for an explanation on a recent court case regarding global climate change. As set forth in Response to Comment E-38, the courts have confirmed the longstanding tenant of CEQA that impacts from the environment onto a project need not be analyzed.

Response to Comment E-26. Please see Responses to Comments E-25, E-27, and E-38.

Response to Comment E-27. The commentor is providing information relating to the scientific background on climate change and global warming. See Response to Comment E-24 regarding an alternative view of greenhouse gas emissions and the effect of such emissions.

Response to Comment E-28. Section 4.3 Climate Change and Greenhouse Gas Emissions, Subsection 4.3.2 Regulatory Setting in the Draft EIR pages 4.3-7 through 4.3-11 contains a discussion on the various federal, state, local and City laws, regulations and policies concerning greenhouse gas.

Response to Comment E-29. The greenhouse gas impact study (*Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011) provided emissions from both construction and operation periods. During the construction period, emissions from both equipment exhaust and other area sources were calculated. During the operational period, emissions associated with vehicular (including automobiles and trucks) trips, water and energy usage, waste treatment, and other known sources have been calculated and identified in the study.

Response to Comment E-30. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-31. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-32. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated. If the commentor is suggesting that an exhaustive "life-cycle" inventory of the project's greenhouse gas

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emissions be prepared, the State Office of Planning and Research provided guidance on this issue and clarified that a life-cycle analysis is not required.[1]

Response to Comment E-33. Please see Response to Comment E-29.All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-34. Please see the Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated. The preparer of the greenhouse gas impact study has followed the guidelines provided by the OPR and CAPCOA and has provided an adequate analysis. It is the City's opinion that it has disclosed the impacts of the proposed project adequately and mitigated the impacts of greenhouse gas emissions where applicable (Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

Response to Comment E-35. The commentor points out that existing conditions must be utilized as the environmental baseline throughout the Draft EIR. The Draft EIR does just this by calculating and presenting the air pollution and greenhouse gas emissions attributable to the proposed project. Because there is currently no land use activity on the project site, existing baseline emissions are zero. Consequently, the calculated emissions represent the emissions associated with the project.

Response to Comment E-36. The project will not be built over a long period of time. There is no phasing proposed with the development. The commentor is confused, the project is not a planned community, it is an approximately 1,616,133 square feet of distribution warehouse (refer to Draft EIR, Section 3.0 Project Description). There is no reason to evaluate the emissions of the proposed project over five year increments since the building will be built all within the same year.

Response to Comment E-37. It is the commentor's opinion that the Draft EIR does not provide a complete inventory of impacts. The Draft EIR evaluated the impacts of the project on air quality (Section 4.2) and greenhouse gas emissions and global climate change (Section 4.3). In addition a full air quality study and greenhouse gas emissions study were prepared for the proposed project and included in their entirety in the Appendix to the Draft EIR. No further response is required.

Response to Comment E-38. According to the greenhouse gas impact study (*Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011), "*Global climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other significant changes in climate (such as precipitation or wind) that last for an extended period of time. The term "global climate change" is often used interchangeably with the term "global warming," but "global climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures."* The Draft EIR did analyze the project's effects on greenhouse gas emissions which is a component of global climate change or global warming (Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

In addition, the California requires mandatory measures to be implemented on all new construction projects that consist of a wide array of green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources. The Cal Green Building Code refers to Title 24, Part 6 compliance with respect to energy efficiency; however, it encourages 15 percent energy use reduction over the required in Part 6. The Cal Green Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG

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1 *Transmittal of the Governor's Office of Planning and Research's Proposed SB97 CEQA Guidelines Amendments to the Natural Resources Agency*, California Governor's Office of Planning and Research, April 13, 2009, page 2.

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emissions from the Business as Usual Scenario (California Building Code). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.

If the commentor is suggesting that the Draft EIR should analyze global warming on the proposed project there is a a recent CEQA Case *Ballona Wetlands Land Trust v. City of Los Angeles and Ballona Ecosystem Education Project v City of Los Angeles,* No.B231965 (Cal. Ct. App 2d Dist., November 9, 2011) where the opponents claimed that the EIR was inadequate because it did not analyze the effects of sea rise due to global warming on the project. The Court held that CEQA did not require the EIR to analyze this risk, concluding that "the purpose of an EIR is to identify the environmental effects of the project on the environment and not the significant effects of the environment on the project." The court reasoned: "[w]e believe that identifying the environmental effects of attracting development and people to an area is consistent with CEQA's legislative purpose and statutory requirements, but identifying the effects on the project and its users of locating the project in a particular environmental setting is neither consistent with CEQA's legislative purpose not required by CEQA statutes." Therefore an analysis of the effects of global climate change on the project is not appropriate and is not required.

Response to Comment E-39. Refer to Response to Comment E-38.

Response to Comment E-40. Refer to Response to Comment E-38.

Response to Comment E-41. As stated in Response to Comment E-38, CEQA does not require that the effects of global climate change on the project and other environmental resources must be analyzed in the EIR. CEQA does require that the proposed project's effects on greenhouse gas emissions and global climate change must be addressed. This analysis was provided in Section 4.3 Greenhouse Gas Emissions and Global Climate Change in the Draft EIR. The Draft EIR did analyze the significant effects on air quality (Section 4.2), water supply (Section 2.0), flood hazards (Section 2.0) and biological resources (Section 2.0) and provided mitigation to reduce those impacts where feasible.

Response to Comment E-42. The Draft EIR analyzed the cumulative effects of the project on greenhouse gas emissions (Section 4.3.7 Cumulative Impacts, page 4.3-26) and it was determined that "*While it is not possible to determine whether the project individually will have a significant impact on global warming or climate change, it will contribute to cumulative GHG emissions in California. Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of CEQA Guidelines Sections 15065(a)(3) and 15130. The CARB is currently in the process of designing regulations to monitor, limit, and ultimately reduce California GHG emissions but there are as yet no adopted standards for assessing the significance of cumulative impacts from projects.*

Cumulatively, the emissions from electricity production would comprise approximately 3.4 percent of the project's total CO_2e emissions. Water usage and solid waste disposal emissions comprise approximately 18 percent of the project's total CO_2e emissions while the emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO_2e emissions are primarily associated with building systems. The proposed project is required to comply with existing State and Federal regulations regarding the energy efficiency

of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy efficient than older buildings.

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable."

The Draft EIR did analyze the cumulative effects of the project on greenhouse gas emissions and determined the impacts on global climate change are considered to be significant and unavoidable.

Response to Comment E-43. To clarify, the project is not subject to NEPA and the environmental documentation that was completed is under CEQA. The findings or rulings under NEPA do not apply in this case; however, State CEQA Guidelines Section 15064(b) provides that "…the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting." The State CEQA Guidelines further indicate that even when thresholds are established, they may include "identifiable quantitative, qualitative or performance level of a particular environmental effect" (State CEQA Guidelines, Section 15064.7).

Furthermore, the Draft EIR page 4.3-26 as modified in this Final EIR, determined "*project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~* <u>on a project specific basis</u> *because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.*

The Draft EIR (Section 4.3) made a determination that the proposed project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases and no mitigation is required. However, it was determined that the proposed project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and mitigation was proposed to reduce these project-specific effects to less that significant (Draft EIR, page 4.3-21 – 4.3-26).

It should be noted that any GHG emissions reductions achieved locally and within the State may be offset by emissions increases in developing countries such as Brazil, Russia, India and China. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects from greenhouse gas emissions will be fully mitigated because significant impacts from greenhouse gas emissions may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan.

Response to Comment E-44. Refer to Response to Comment E-43.

Response to Comment E-45. Refer to Responses to Comments E-42 and E-43.

Response to Comment E-46. As the comment is the opinion of the commentor the City is not in the position nor is it reasonable to adopt a "zero" significance threshold. SCAQMD and other air quality

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agencies agree that GHG and climate change should be assessed as a potentially significant "cumulative impact" rather than a "project-specific" impact. SCAQMD is considering the adoption of a numeric plan-level efficiency target of 6.6 MTCO2E per service population.

The intent of CEQA is to determine the significant effects of a project on the environment and provide feasible and reasonable mitigation to reduce impacts to less than significant. In instances where the impact of the project cannot be reduced to less than significant and it is determined the impact is significant and unavoidable, the Lead Agency, must adopt a Statement of Overriding Considerations that finds (1) under Public Resources Code Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the Final EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093. CEQA does have a provision as stated above that an impact can be significant and unavoidable if the City makes findings as to why it is willing to accept the significant impact; therefore, it was not CEQA's intent to not allow any tolerance for impacts on the environment as long a good faith effort is made to reduce the impacts where reasonable.

Response to Comment E-47. See Response to Comment D-8. Mitigation Measure 4.2.6.3.A (Draft EIR page 4.2-26) requires "Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:" With implementation of this measure, the building will meet a 20% reduction in energy performance standard which will render greenhouse gas emissions impacts to a less than significant level on a project-specific basis and consistent with the intention of AB32. It should be noted, however, that many new mitigation measures have been added in the Final EIR. Please refer to the Table contained in Response to Comment D-45 regarding air quality operational mitigation measures as well as indicated in Section 3.0 Errata in the Final EIR.

Response to Comment E-48. Riverside Transit Authority (RTA) has an established bus route, No. 19, which services the project area and the site. The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary. However, a bus bay has been included in the project design along the site's Perris frontage.

The commentor is erroneously confusing this project which is a distribution warehouse with a mixed use or commercial project that would have residents living within the project area. It is not appropriate to include plazas and pedestrian and bicycle only streets within the project and to create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking as suggested by the commentor. The project is not building transportation routes. The project is located on existing roadways, Perris Boulevard, Indian Street, and Grove View Road.

Response to Comment E-49. The commentor is erroneously confusing the proposed project, which is a high-cube logistics distribution warehouse, by inferring that it is a planned community with a residential component. Nonetheless, the warehouse building will be required to incorporate many green building techniques required as part of Mitigation Measures 4.2.6.3A-4.2.6.3B and 4.3.6.1A-4.3.6.1C.

Response to Comment E-50. The commentor is erroneously confusing the proposed project, which is a high-cube logistics distribution warehouse, by inferring that it is a residential project. Nonetheless,

please see the response to Comments E-29 and E-32. All known emissions during construction and operations of the proposed project have been identified and calculated (Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

Response to Comment E-51. See Response to Comments D-8 and E-47.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" in the following Table have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the greenhouse gas reduction measures suggested for inclusion by the commentor and if it is already included, if will be added mitigation as part of the Final EIR, or if will not be included and why.

Suggested Mitigation Measure	Response
1. Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.	**Incorporated.** The project description states In recognition of the trend towards Green Building, the proposed project will pursue the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. LEED is a voluntary, consensus-based standard to support and certify successful green building design, construction, and operations.
2. Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
3. Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. Reducing the use of pavement and impermeable surfaces.	**Included where appropriate.** Impermeable surfaces will be installed were appropriate but it is not feasible to use impermeable surfaces in the truck parking area since a soft permeable surface will not support the weight of a large truck.
5. Requiring water re-use systems.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1C** on page 4.3-25.
6. Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
7. Limiting the hours of operation of outdoor lighting.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
8. Maximizing water conservation measures in buildings and landscaping, using drought tolerant plants in lieu of turf, planting shade trees.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
9. Ensure that the Project is fully served by full recycling and composting services.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3B** on page 4.2-28.
10. Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Infeasible.** The site is served by public entities for wastewater and solid waste, Neither the City nor the project proponent has control over those facilities.

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Suggested Mitigation Measure	Response
11. Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
Mitigation Related to Construction	
1. Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1B** on page 4.3-25.
2. Minimize, reuse, and recycle construction-related waste.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
3. Minimize grading, earth-moving, and other energy-intensive construction practices.	**Infeasible.** The entire site must be graded to accommodate the building structure and parking lot.
4. Landscape to preserve natural vegetation and maintain watershed integrity.	**Infeasible.** The site does not contain natural/native vegetation**.**
5. Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measures 4.2.6.1B, 4.2.6.1I, and 4.2.6.1K** on pages 4.2-21- 4.2.22.
6. Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1B** on page 4.3-25.
Transportation Mitigation Measures	
1. Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
2. Create a car sharing program within the planned community;	**Not required.** The project is not a planned community. . As noted in **Mitigation Measure 4.2.6.1K**, documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs.
3. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. Provide necessary facilities and infrastructure to encourage residents to use low or zeroemission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27. The mitigation measure the commentor suggests relates to "residents". This project is a high-cube warehouse not a residential development.
5. Provide a shuttle service to public transit within and beyond the planned community.	**Not required.** The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary. However, a bus bay has been included in the project design along the site's Perris frontage.

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Suggested Mitigation Measure	Response
6. Incorporate bicycle lanes and routes into the planned community's street systems.	**Not required.** Bicycle access to and from the project will take place from the adjacent streets In addition the project is not a planned community.

Response to Comment E-52. See the Table included in the Response to Comment E-51 under "Mitigation Related to Construction" Items 1-6.

Response to Comment E-53. See the Table included in the Response to Comment E-51 under "Transportation Mitigation Measures" Items 1-6.

Response to Comment E-54. The use of carbon offsets are infeasible because:

- The cited precedent is a negotiated settlement for a major oil refinery in Contra Costa County, rather than a warehouse development in Riverside County;
- The cited precedent was for the period prior to 2012;
- California has not established any generally applicable standards for requiring offsets for GHG emissions; and
- Most cities and counties in California have not required offsets for GHG emissions on projects of the scale of the proposed project. Since this is a cumulative rather than a project level impact, mitigation for the cumulative level impact will be ineffective unless it is applied to all the cumulative projects.

Using such carbon offsets to mitigate for cumulative impacts is fraught with uncertainty. As the comment implies ("… offsets purchased are real…"), but there is considerable controversy regarding whether offsets that are available today will actually mitigate this cumulative effect.

First, it requires an accurate measure of the emissions to be offset and the offsets to be provided. That calculation turns out to be riddled with uncertainty on both ends. As noted above in the example cited by the commenter, this initial offset of $7 million for the Rodeo refinery was later reduced to $4.4 million due to revised calculations of GHG emissions. The UN's Intergovernmental Panel on Climate Change found a margin of error of 10% with measuring emissions from making cement or fertilizer; 60% with the oil, gas and coal industries; and 100% with some agricultural processes.

Second, the provision of offsets requires an accurate measure of the carbon saved elsewhere. Most of the earliest offset projects involved planting trees, which naturally ingest carbon, a complex and unpredictable process which forbids accurate measurement.

Finally, the very idea of offsetting relies on what is known as additionally - evidence that a carbon reduction would not have occurred in the natural order of commercial life. For example, one of the biggest UK companies that sells offsets, Climate Care, distributed 10,000 energy-efficient light bulbs in a South African township; offered the carbon reductions as offsets; and then discovered that an energy company was distributing the same kind of light bulbs free to masses of customers, including their township, so the reduction would have happened anyway.

To accurately calculate the amount of credit for each of the above actions, the offset program must make a number of critical assumptions:

- What is the baseline of emissions for the existing facilities that would be retrofitted to reduce their energy consumption? Would they ultimately be retrofitted in any case, thus limiting the actual resulting reduction in GHG emissions?

- Is the development of the alternative energy source actually dependent on the external funding provided by the offset? Or is the alternative energy developer simply achieving another subsidy?

- How much extra energy (and GHG emissions) is required to construct the alternative energy facility? What period of time should this be amortized over? For example, the development of the California High Speed Rail Project is estimated to reduce energy consumption in the long run. However, the extra energy involved with construction is estimated to have a 40 year payback.

As such, the actual amount of mitigation provided by an offset program can be speculative, based upon the actual performance of the program.

While the above cited issues with offsets are problematic, even if they are successful, they are based upon the assumption that a 1:1 reduction in emissions will actually result in the same reduction in global CO2 values. This static analysis fails to take into account the dynamic nature of energy consumption worldwide. When energy consumption (a proxy for GHG emissions) is reduced in one location, there are powerful economic reasons to assert that the same energy consumption (GHG emissions) will simply be shifted to another location.

There is a global marketplace for fossil fuel energy based upon a market between buyers and sellers. The sellers, those who own the sources and production of fossil fuel energy, have a powerful economic interest to keep and increase their income stream from the production of fossil fuels.

To the extent that the actions cited above as potential offset measures, in combination with other conservation measures, reduce the demand for fossil fuels in the countries where they are implemented, the owners of these fossil fuel supplies will still want to preserve and enhance their income as much as possible. And there is a large unmet need (unmet as defined by consumer actions) for increased energy consumption in developing countries. For example the average annual energy consumption of a citizen of China or sub-Saharan Africa, at 4.5 metric tons, is far less than that of the average US citizen, at 20 metric tons. To the extent that the US and other countries reduce energy consumption based upon energy efficiency measures, the owners of fossil fuel resources will seek to sell the same energy, perhaps at a lower price, to the less developed countries. If the energy is sold at a lower price, then more energy would need to be sold to generate the same income, and the resulting energy consumption and GHG emissions could actually increase.

There is uncertainty regarding the efficacy, reliability and legal standing of carbon off-sets at this time. For this reason, such mitigation is considered to be infeasible.

Response to Comment E-55. The commentor is correct in stating that the EIR must contain a "*reasonable*" [emphasis added] range of alternatives to the proposed project that avoid or lessen the significant impacts to the proposed project (Pub. Res. Code §21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126.6(d)). According to CEQA Guidelines §15126.6(a) "[A]n EIR need not consider every conceivable alternative to a project. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of

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reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376)."

The Draft EIR does include an analysis of a reasonable range of alternatives to the proposed project (Section 6.0 Alternatives, pages. 6-1 – 6-33) incompliance with CEQA. The Draft EIR discusses the No Project Alternative (Section 6.3.2.1) and an Off-Site Alternative (Section 6.3.2.4) as suggested by the commentor.

Response to Comment E-56. The commentor is misinterpreting the Draft EIR or has failed to understand that the proposed project is not a higher density mixed use commercial/residential project. The project analyzed in the Draft EIR is an industrial project (refer to Draft EIR Section 3.0 Project Description) which is consistent with the General Plan Designation of Business Park/Light Industrial. Zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, which is known as the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002. The entire area surrounding the project site is zoned SP 208 which has planned the area for business park and industrial uses since 1989 (23 years). The area to the south in the City of Perris is also planned for industrial and commercial uses. Clearly, the Cities of Moreno Valley and Perris have planned this area for industrial/business park and commercial uses in their respective General Plans for years. The City has already determined the appropriate lands uses for the area and conducted the appropriate CEQA review for that determination. This project implements that prior determination consistent with the existing general plan and specific plan.

If the commentor is suggesting that a high density mixed use commercial/residential project be considered as an alternative to the proposed project, the Draft EIR Section 6.3.2.3, page 6-22 does include an analysis of Alternative 3 Mixed Use Commercial Office Center. A Mixed Commercial/Residential Alternative was analyzed in Section 6.2.3 and it was determined *[t]hat the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site.*

Also refer to Response to Comment D-96.

Response to Comment E-57. The Draft EIR does analyze the various alternatives impacts on greenhouse gas emissions (Table 6.G page 6-16) biological resources, water resources including water quality and water availability(Table 6.E page 6-16) and traffic (Table 6.C page 6-15). In addition, detailed analysis for each of the alternatives is proposed in Draft EIR Sections 6.3.1.1, 6.3.1.2, 6.3.1.3 and 6.3.1.4 on pages. 6-12 – 6-31 as it related to the environmental issues listed by the commentor. An agricultural alternative was not considered because the site has been planned by the City since 1987 for industrial land uses. In addition the current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." Therefore, an agricultural use as an alternative is not a practical alternative that requires analysis. No further analysis is necessary and the comment does not change the conclusion in the Draft EIR.

Response to Comment E-58. This is the commentor's opinion and is not relevant to the analysis in the Draft EIR. However, the Draft EIR, Section 3.0 Project Description, page 3-1, states that "*The proposed project site has been used historically for agricultural purposes but currently lies fallow. It*

was most recently used as a sod farm growing that ceased operating in August 2005." The site has not been farmed over the last seven years.

Response to Comment E-59. A less dense alternative (which is to assume an alternative that considers a building of less square footage) is analyzed in the Draft EIR as Alternative 2. In this Alternative, warehouse uses would be reduced to 1,212,100 square feet on 71 acres. It was determines that Alternative 2 would be the environmentally superior alternative and it would have similar impacts as the proposed project on: agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources and recreation (Draft EIR Section 6.3.2.2 Alternative 2: Reduced Intensity , pages 6-17 – 6-22). It was concluded on page 6-21 that [*U]nder the Reduced Intensity Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the project but would remain significant and unavoidable. The decrease in warehouse uses would result in a reduction of permanent jobs that would be created. This alternative would have a reduced demand on public services and utilities and service systems. However, similar to the proposed project, the payment of fees and adherence to utility requirements would reduce these impacts to a less than significant level.*

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed project; however, long-term traffic impacts would remain significant and unavoidable. Construction-related noise would be similarly mitigated like the proposed project and would remain less than significant. Water use for this alternative would be less than the proposed project and would generate less wastewater and solid waste. Under this alternative, the proposed project objectives are met and warehouse uses would still be built, but on a smaller scale.

As stated above, the Reduced Intensity Alternative would reduce the intensity of some impacts of the proposed project. However; loss of farmland, long-term air quality, greenhouse gas emissions cumulative impacts, and long-term traffic impacts would remain significant and unavoidable. The Reduced Intensity Alternative is a reduction in actual size of the warehouse but the significant unavoidable impacts of the proposed project are not reduced to less than significant.

Additionally, the Reduced Intensity Alternative would not meet the following project objectives: "Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels" and "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources reduces impacts to air quality, global climate change, and traffic." This is due to the fact that reduced-intensity development patterns are in concept diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development. Development of the project site in such an inefficient manner would result in negative effects such as sprawl leading to increased VMT and associated air pollution and greenhouse gas emissions.

Response to Comment E-60. The City has fully responded to the commentor's concerns and comments and others who had submitted comments on the Draft EIR. The Final EIR is conformance with CEQA Guidelines §§ 15090, 15091, and 15132. In addition, the significant impacts of the proposed project have been analyzed in Section 4.1 through Section 4.5 in the Draft EIR and mitigation proposed for those impacts that were found to be significant. For those impacts for agriculture, air quality, greenhouse gas emissions, and traffic that were determined to be significant and unavoidable the City would have to adopt findings and a statement of overriding considerations

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that the state the specific economic, legal, social technological, or other considerations, outweigh the significant unavoidable effects of the proposed project.

Response to Comment E-61. The City has included the Sierra Club on its mailing list for all future notices and documents regarding this project.

Response to Comment E-62. The commentor has attached various references. No response is required.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY EDMUND G. BROWN Jr. Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

June 4, 2012

Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

Notice of availability DEIR for the VIP Moreno Valley. Riv-215-PM 32.62

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is a 1,616,133 square foot warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. Located within the Moreno Valley Industrial Area Plan (SP 208) at the City's southern boundary, between Perris Boulevard and Indian Street and between Grove View Road and the Perris Valley storm channel Tentative Parcel Map No. 36162 is proposed to combine four existing parcels into a single parcel for development of the 1.6 million square warehouse facilities. 1

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Moreno Valley due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. 2

We recommend the following: however, additional comments maybe forth coming. 3

Traffic Forecasting

Appendix G- Traffic Study VIP Moreno Valley page 6, Under section "Existing Without Project Traffic Volumes" please use year 2007 for Caltrans AADT volume data which can be found online. This will keep the consistency in traffic volume projections.

Appendix G- Traffic Study VIP Moreno Valley page 7, Under section "Existing Without Project Traffic Volumes" please specify which year(s) have been used to determine the D and K factors derived from Caltrans data. 4

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 383-6908 or myself at (909) 383-4557 for assistance.

"Caltrans improves mobility across California"

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

2.14 RESPONSE TO LETTER F

California Department of Transportation, District 8

Response to Comment F-1. The commentor has accurately summarized the general aspects of the proposed project.

Response to Comment F-2. The comment is introductory and states that the California Department of Transportation (Caltrans) is the owner and operator of the State Highway System as is a "responsible agency" pursuant to Public Resources Code Section 21070 for making recommendations to offset associated traffic impacts with the proposed project.

The comment is introductory in nature and outlines Caltrans' authority and role as a commenting agency. Caltrans' introduction in this comment is noted, and no further response is required.

Response to Comment F-3. Response to Comment F-3. The project Traffic Impact Analysis used 2009 Caltrans Annual Average Daily Traffic (AADT) volume data because it was the most current data available and was comparable to the 2007 AADT. In addition, 2007 counts for the intersection analysis were used because it was determined that the volumes in 2007 were significantly higher at some locations than in 2009 and would represent the worst-case scenario.

Response to Comment F-4. The project Traffic Impact Analysis used 2009 Caltrans data for K and D factors to be consistent with the 2009 Caltrans AADT volume data that was used in the analysis.

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EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

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General Manager
Paul D. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

June 4, 2012

Jeff Bradshaw, Associate Planner
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

SUBJECT: VIP Moreno Valley
Notice of Availability (NOA) of a
Draft Environmental Impact Report

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Notice of Availability (NOA) for the above referenced project. The project proposes to develop approximately 1,616,133 square feet of distribution warehouse space on an approximately 71 acre site. The single building will be constructed with 264 vertical-lift dock-high roll-up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The project is estimated to be constructed by the year 2013. Eastern Municipal Water District (EMWD) offers the following comments. 1

The subject project requires water, sewer and recycled water services from EMWD. The details of said service connection points will be further detailed in a separate document, known as EMWD's Plan of Service, which is still not yet developed by the project proponent. To that end, EMWD requires dialog with the project proponent, to develop the EMWD Plan of Service, as clarified in the attached letter. 2

Again, EMWD appreciates the opportunity to comment on this project. Please forward the Final Environmental Impact Report to the attention of Helen Stratton at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Helen Stratton at 951 928-3777, Ext. 4545, or Eli Rodriguez at Ext. 4450.

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:hs
Cc: Eli Rodriguez
Encls.

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

Letter G

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

June 4, 2012

Board of Directors

President and Treasurer
Joseph J. Kuebler, CPA

Vice President
Philip E. Paule

Ronald W. Sullivan
Randy A. Record
David J. Slawson

General Manager
Paul E. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

City Of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re. NOP of DEIR, VIP Moreno Valley, TPM 36162

Attn. Jeff Bradshaw, Associate Planner, City Of Moreno Valley

In order to receive water, sewer or recycled water service(s) from Eastern Municipal Water District (EMWD), the following information will be helpful to the project proponent:

EMWD requires beginning dialogue with the project proponent at an early stage in site design and development, via a one-hour complimentary Due Diligence meeting. To set up this meeting, the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our "New Development Process" web page, under the "Businesses" tab, at www.emwd.org. This meeting will offer the following benefits:

1. Describe EMWD's development work-flow process
2. Identify project scope and parameters
3. Preliminary, high level review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service

Following the Due Diligence meeting, to proceed with this project, a Plan Of Service (POS) will need to be developed by the developer's engineer, and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The POS process will provide the following:

1- Technical evaluation of the project's preliminary design
2- Defined facility requirements, i.e. approved POS
3- Exception: for feasibility evaluation of a purchase acquisition, only a conceptual facilities assessment may be developed.

2

If you have questions or concerns, please do not hesitate to contact me.

Sincerely,

Eli Rodriguez
New Business Development Department
(951) 928-3777 x4450
rodrigue@emwd.org

2.16 RESPONSE TO LETTER G

Eastern Municipal Water District

Response to Comment G-1. The commentor has accurately summarized the general aspects of the proposed project.

Response to Comment G-2. Eastern Municipal Water District is providing information to the City and applicant that the applicant must submit a Plan of Services prior to construction of the project. The attachment letter outlines what is required of the applicant prior to construction. The comment does not directly refer to the Draft EIR but is provided for informational purposes.

MV00177445

From: Noelle_Ronan@fws.gov [mailto:Noelle_Ronan@fws.gov]
Sent: Monday, June 04, 2012 4:00 PM
To: Jeffrey Bradshaw
Cc: CLandry@wrcrca.org; Karin_Cleary-Rose@fws.gov
Subject: VIP Moreno Valley Draft Environmental Impact Report (DEIR) [FWS-WRIV-12B0233-12CPA0244]

Mr. Bradshaw,
The City of Moreno Valley submitted the above-mentioned DEIR to identify the proposed project's direct, indirect, and cumulative environmental impacts, to discuss alternatives, and to propose mitigation measures that avoid, minimize, or offset significant environmental impacts. The Service is providing the following comments as they relate to the project's consistency with the Western Riverside County Multiple Species Conservation Plan (MSHCP).

Focused surveys for special status plants and burrowing owls were conducted on the project site in 2009. We typically prefer that surveys for sensitive species are updated (i.e., no more than 1 year old) to demonstrate that the project is consistent with the MSHCP. However; given the disturbed condition of the project site (e.g., annual disking), we acknowledge that the focused surveys for sensitive plants and burrowing owls are sufficient. 1

We appreciate the inclusion of mitigation measures (Mitigation Measure BIO-1 through BIO-4) to avoid or minimize impacts to birds protected by the Migratory Bird Treaty Act (MBTA) and burrowing owls. Mitigation Measure BIO-3 specifies that if nesting special status avian species or burrowing owls occupy an area of disturbance, no construction activity will take place within 500 feet of an active nest/burrow until it has been determined that it is no longer active and all juveniles have fledged. In addition, we recommend that a biological monitor be present to monitor the effects of construction on any active nests and to ensure that there is no encroachment into the 500 foot nest buffer zones. 2

Thank you for the opportunity to review the DEIR. If you have any questions or comments please contact me at 760-322-2070 ext. 215.

Noelle Ronan
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Palm Springs Fish and Wildlife Office
777 E. Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92262
760-322-2070 ext. 215

2.18 RESPONSE TO LETTER H

United States Fish and Wildlife Service

Response to Comment H-1. The City concurs with the United States Fish and Wildlife Service's conclusion that the site is disturbed and that updated focused surveys for sensitive plants and the burrowing owl are not necessary even if the original surveys are now 3 years old.

Response to Comment H-2. The United States Fish and Wildlife Service concurs with the mitigation in the Draft EIR for the burrowing owl and recommends that a biological monitor be present during construction to monitor any active nests to ensure that there is no encroachment into the 500 foot nest buffer zone. The City concurs with this recommendation and mitigation Measure BIO-3 has been amended as follows:

> ***Mitigation Measure BIO-3:*** *If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.*

Letter I

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

51183

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RECEIVED
JUN 06 2012
CITY OF MORENO VALLEY
Planning Division

City of Moreno Valley
Community Development Department -
Planning Division
Post Office Box 88005
Moreno Valley, California 92552-0805

Attention: JEFF BRADSHAW

Ladies and Gentlemen: Re: PM 36162 (PA 09-0012) + PP 09-0005

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

_____ No comment.

_____ This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

_____ This project involves District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

_____ This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

_____ This project is located within the limits of the District's _____ Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

_____ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266.

✓ The Districts previous comments are still valid. 1

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

Date: 5/22/2012

c: Riverside County Planning Department
Attn: Kristi Lovelady

ATTACHED

5)

Letter 1

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.floodcontrol.co.riverside.ca.us
51183_6

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

City of Moreno Valley
Community Development Department -
Planning Division
Post Office Box 88005
Moreno Valley, California 92552-0805

Attention: JEFF Bradshaw

Ladies and Gentlemen: Re: PA09-0004

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

____ No comment.

____ This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

X This project involves District Master Plan facilities. ~~The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.~~ — 2

____ This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

X This project is located within the limits of the District's Perris Valley Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit. — 3

X An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266. — 4

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

DALE V. ANDERSON
Engineering Project Manager

Date: 03/00/09

c: Riverside County Planning Department
Attn: Kathleen Browne

J.G.

2.20 RESPONSE TO LETTER I

Riverside County Flood Control and Water Conservation District

Response to Comment I-1. The City acknowledged that the previous comments that were provided to the City during the NOP comment period are still valid and are provided in the second page of the response letter and included in Appendix A to the Draft EIR. The comments do not reflect the analysis in the Draft EIR and provide the City with facts that relate to the construction of the project and the project's responsibility to meet the Riverside County Flood Control and Water Conservation District's requirements.

Response to Comment I-2. The City acknowledges the project involves the District's Master Plan of Facilities. Refer to Response to Comment I-1.

Response to Comment I-3. The City acknowledges the project is located in the District's Perris Valley Area Drainage Plan and fees must be paid to the District by the project proponent prior to the issuance of grading permits. Refer to Response to Comment I-1.

Response to Comment I-4. The City acknowledges the project proponent is required to obtain an encroachment permit for any construction in the District's right of way or facilities. Refer to Response to Comment I-1.

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Letter J

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

June 5, 2012

RECEIVED
JUN 11 2012
CITY OF MORENO VALLEY
Planning Division

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: PA09-0004 (Plot Plan), PA09-0012 (Tentative Parcel Map No. 36162), and P11-020 (EIR)
SCH#: 2011081084

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 4, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. J-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Letter J

Document Details Report
State Clearinghouse Data Base

SCH# 2011081084
Project Title PA09-0004 (Plot Plan), PA09-0012 (Tentative Parcel Map No. 36162), and P11-020 (EIR)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The project is generally described as a Plot Plan for development of a 1,616,133 s.f. warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 s.f. of office area in four potential office locations. Tentative Parcel Map No. 36162 is proposed to combine four existing parcels into a single parcel for development of the 1.6 million square warehouse facility.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone 951 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92552-0805

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 51' 39.5" N / 117° 13' 49.5" W
Cross Streets Southwest corner of Grove View road and Perris Boulevard
Parcel No. 316-210-071, -073, -075, and -076
Township 3S **Range** 3W **Section** 31 **Base** SBB&M

Proximity to:

Highways I-215
Airports March Air Reserve Base
Railways B.N.S.F.
Waterways Perris Valley Storm Channel - Lateral B
Schools Rancho Verde H.S.
Land Use The current General Plan designation is Business Park and the current zoning is Industrial within SP 208.

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Biological Resources; Noise; Traffic/Circulation; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 6; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 04/20/2012 **Start of Review** 04/20/2012 **End of Review** 06/04/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

2.22 RESPONSE TO LETTER J

California Governor's Office of Planning and Research, State Clearinghouse

Response to Comment J-1. The City recognizes the receipt of comments from State agencies and the State Clearinghouse's acknowledgement that it has complied with review requirements for environmental documents.

3. EIR ERRATA

Any corrections to the Draft Environmental Impact Report (EIR) text and figures generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. The Draft EIR text and figures have not been modified to reflect these EIR modifications.

These EIR errata are provided to clarify, refine, and provide supplemental information for the Starcrest Distribution Facility Project Draft EIR. Changes may be corrections or clarifications to the text and figures of the original Draft EIR. Other changes to the EIR clarify the analysis in the EIR based upon the information and concerns raised by commentors during the public review period. None of the information contained in these EIR modifications constitutes significant new information or changes to the analysis or conclusions of the Draft EIR.

The information included in this EIR erratum that resulted from the public comment process does not constitute substantial new information that requires recirculation of the Draft EIR. The California Environmental Quality Act (CEQA) Guidelines, Section 15088.5, states in part:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

   (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

   (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

   (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.

   (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The changes to the Draft EIR included in these EIR modifications do not constitute "significant" new information because:

No new significant environmental impact would result from the project or from a new mitigation measure;

There is no substantial increase in the severity of an environmental impact that would result unless mitigation measures are adopted that reduce the identified significant impacts to a level of insignificance;

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No feasible project alternative or mitigation measure considerably different from others previously analyzed has been proposed or identified that would clearly lessen the significant environmental impacts of the project; and

The Draft EIR is not fundamentally or basically inadequate or conclusory in nature such that meaningful public review and comment were precluded.

Therefore, recirculation of the Draft EIR is not required because the new information added to the EIR through these modifications clarifies or amplifies information already provided or makes insignificant modifications to the already adequate Draft EIR.

For simplicity, the EIR modifications contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by double underlining (<u>underline</u>) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for easy reference.

Draft EIR, Section 1.0 Executive Summary, Table 1.B: VIP Moreno Valley - Environmental Summary, pages 1-11 through 1-41

Table 1.B: VIP Moreno Valley - Environmental Summary in the Draft EIR has been updated to be consistent with changes that have been made, as a result of the responses to comments. Changes have been made to mitigation measures for air quality, biological resources, cultural resources, geology and soils, hydrology and water quality. These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
AIR QUALITY		
Construction ~~Equipment Exhaust~~ Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.	**4.2.6.1B**. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel <u>(e.g., fuel other than diesel or gasoline)</u> generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1K** Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access	Significant and unavoidable

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	• Lunch vendor services shall be ~~provided~~ permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. • Suspend use of all construction equipment operations during second stage smog alerts. **4.2.6.1N**. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. **4.2.6.1O.** All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets. **4.2.6.1P.** Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil. **4.2.6.1Q**. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. **4.2.6.1R** All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. **4.2.6.1S** Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period;	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	and d) phasing of construction activities. **4.2.6.1T** Reroute construction trucks away from congested streets and sensitive receptor areas.	
Long-Term Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NOX; - 550 pounds of CO; - 150 pounds of PM10; - 55 pounds of PM2.5; and - 150 pounds of SOX.	**4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any-combination of design features, including but not limited to the following list, may shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • ~~Buildings shall e~~Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • ~~Interior~~Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards~~ shall be installed~~, as deemed acceptable by the City. ~~Automatic~~ Use automatic devices to turn off lights when they are not needed~~ shall be implemented~~. • To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved	Significant and Unavoidable

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	surfaces such as streets and parking lots and buildings ~~shall be planted~~ at the project site. • ~~Paint~~ Use paint and a surface color palette for the project ~~shall~~ emphasizing light and off-white colors which reflect heat away from the buildings. • ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~ • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • ~~To r~~ Reduce energy demand associated with potable water conveyance~~, the project shall implement~~ using the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • ~~The project shall p~~ Provide secure, weather-protected, on-site bicycle storage/parking. • ~~The project shall p~~ Provide on-site showers (one for males and one for females). ~~L~~ Provide lockers for employees ~~shall be provided~~.	
	• ~~The project will e~~ Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	of project completion that outlines the measures implemented by the TMA, as well as contact information. • ~~The project shall p~~Provide preferential parking for carpools~~ and vanpool~~, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools ~~shall be delineated~~ on the project site plan. • ~~The project shall p~~Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations ~~shall be indicated~~ on the project building plans. • Implement compressed workweek schedules. • Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. • Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets. • Establishment and use of carpool/vanpool programs, complemented by parking fees	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	for single-occupancy vehicles. • Provision of preferential parking for EV and CNG vehicles. • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance. • Use of electric (instead of diesel or gasoline-powered) yard trucks. • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes. ~~• Lease/purchase documents shall identify that tenants are encouraged to promote the following:~~ ~~○ Implementation of compressed workweek schedules.~~ ~~○ SmartWay partnership;~~ ~~○ Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.~~ ~~○ Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater~~	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	~~carriers.~~ ~~○ Use of fleet vehicles conforming to 2010 air quality standards or better.~~ ~~○ Installation of catalytic converters on gasoline-powered equipment.~~ ~~○ Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.~~ ~~○ Establishment and use of carpool/vanpool programs, complemented by parking fees for single occupancy vehicles.~~ ~~○ Provision of preferential parking for EV and CNG vehicles.~~ ~~○ Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.~~ ~~○ Use of electric (instead of diesel or gasoline-powered) yard trucks.~~ ~~○ Use of SmartWay 1.25 rated trucks.~~	
BIOLOGICAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	**Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.	Less Than Significant
CULTURAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • ~~If too few fossil remains are found after 50 percent of the planned for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~ • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.	
GEOLOGY AND SOILS (FROM THE INITIAL STUDY [APPENDIX A])		
Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	**Mitigation Measure GEO-1:** Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report. **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	
GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE		
Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	**4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the	Less than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Use Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the 2008 California Building Code's (CBC) Title 24 energy standard by 20%, including, but not limited to, any combination of the following: • Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project: • The project applicant shall use less than 3,900 low Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.	
HYDROLOGY AND WATER QUALITY (FROM THE INITIAL STUDY [APPENDIX A])		
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	**Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements. ~~submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and~~	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	~~report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.~~	

Draft EIR, Section 2.2.4 Technical Reports, Page 2-4.

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the air quality and noise studies. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

2.2.4 Technical Reports

Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Draft EIR. The technical reports and other information included as appendices to this EIR include the following:

Appendix A: *Initial Study, NOP, and NOP Comment Letters*, August 2011.

Appendix B: Initial Study Technical Reports

- Appendix B-1: *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010.
- Appendix B-2: *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 1, 2009.
- Appendix B-3: *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 9, 2009.
- Appendix B-4: *Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 11, 2009.
  - Appendix B-5: *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California,* Michael Brandman Associates, March 22, 2007.
  - Appendix B-6: *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
  - Appendix B-7: *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.

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- Appendix B-8: *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.
- Appendix B-9: *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.
- Appendix B-10: *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

Appendix C: *LESA Modeling Worksheets*, LSA Associates, Inc., August 2011.

Appendix D-1: *Air Quality Analysis VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012

Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012.

Appendix E: *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., ~~August 2011~~ December 2011.

Appendix F: *Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012.

Appendix G: *Traffic Study VIP Moreno Valley*, LSA Associates, Inc., ~~January~~ April 9, 2012.

Draft EIR, Section 2.5.2 Biological Resources, Page. 2-9.

The last sentence in paragraph 3 has been deleted because jurisdictional delineation was prepared for the proposed project (Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009). Therefore the sentence was deleted because it was an error. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Thirty-one species in western Riverside County have special status under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). These include species that are listed as “endangered” or “threatened” under the FESA or that have been “proposed” or are “candidates” for such listing. These also include species that are listed as “endangered,” “threatened,” or “rare” under the CESA or that have been petitioned (i.e., are “candidates”) for listing. The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) provides for the long-term survival of protected and sensitive species by designating a contiguous system of habitat to be added to existing public/quasi-public lands. The Plan includes an impact fee collected by the 16 member cities and other local agencies, including the City of Moreno Valley, used to acquire these lands. Depending on the location of a private or public development project, certain biological studies may be required to comply with the MSHCP. The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (Athene cunicularia), five Narrow Endemic Plant Species (NEPS), and nine Criteria

Area Plant Species (CAPS). ~~A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.~~

Draft EIR, Section 2.5.2 Biological Resources, Page. 2-10.

Consistent with the comments provided by Letter H (Fish and Wildlife Service), the text in Draft EIR of Mitigation Measure BIO-3 is amended. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR

Mitigation Measure BIO-3: If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.

Draft EIR, Section 2.5.3 Cultural Resources, Page 2-13.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR of Mitigation Measure CUL-1 is amended. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
- ~~If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~
- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.

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- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Draft EIR, Section 2.4.4 Geology and Soils, Page 2-16.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR of Mitigation Measure GEO-2 is amended for clarification purposes. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.

Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be ~~reviewed and considered~~ implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties ~~to determine~~ in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Draft EIR, Section 2.5.6 Hydrology and Water Quality Hydrology, Page. 2-24.

Mitigation Measure HYD-05 has been revised to clarify the finalization of the Hydrologic and Hydraulic Analysis. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. Although adherence to the City's drainage requirements, which includes the preparation of drainage sizing calculations, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-05** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. ~~To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified.~~ With adherence to this mitigation measure, impacts associated with this issue are less than significant.

Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements. ~~submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.~~

Draft EIR, Section 2.7 Cumulative Projects, Table 2.C, Page 34

There was a topographical error in Table 2.C of the Draft EIR indicating the incorrect map number. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

~~A~~M-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses

Draft EIR Section 4.2 Air Quality, Page 4.2-1

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the air quality, health risk assessment and traffic studies. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

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4.2 AIR QUALITY

This section analyzes the proposed project's potential air quality impacts based on the comprehensive *Air Quality Analysis* contained in Appendix D-1 (LSA Associates, Inc. ~~December 2011~~ March 2012) and the *Health Risk Assessment* (LSA Associates, Inc. ~~December 2011~~ March 2012) contained in Appendix D-2 to this EIR. The air quality analysis evaluates potential air quality impacts and mitigation measures by examining the short-term construction and long-term operational impacts associated with the project and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. Additionally, the analysis provides a discussion of the proposed project, the physical setting of the project area, and the air quality regulatory framework. Modeled air quality levels are based upon vehicle data and project trip generation included in the project's Traffic Study (LSA Associates, Inc. ~~November 2011~~ January 2012, Appendix G of EIR) and peak turn volumes generated for the proposed project combined with emission factors from the California Air Resources Board (ARB). The evaluation was prepared in accordance with appropriate standards, utilizing procedures and methodologies in the South Coast Air Quality Management District (SCAQMD) *CEQA Air Quality Handbook* (SCAQMD 1993). Air quality data posted by the ARB and the U.S. Environmental Protection Agency (EPA) Web sites are included to document the local air quality environment.

Draft EIR Section 4.2.5.5, Operational-Acute Health Risk Impacts Page 4.2-18

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR Section 4.2.5.5, Page 4.2-18 is amended to refer the reader back to the previous section (4.2.5.4) to further substantiate the conclusions identified in Section 4.2.5.5. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. As previously identified in Section 4.2.5.4, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. Similarly ~~Therefore,~~ the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

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Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-19

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text at Draft EIR Section 4.2.6.1, Page 4.2-19 is amended to clarify that the proceeding analysis evaluates all construction emissions. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1 Construction ~~Equipment Exhaust~~ Emissions

Draft EIR Section 4.2.6.1 Construction Emissions, Table 4.2.I, Page 4.2-20.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the data in Table 4.2.I in Draft EIR Section 4.2.6.1, Page 4.2-20 is amended to correct typographical errors in the Draft EIR. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Table 4.2.I: Short-Term Regional Construction Emissions

Construction Phase	Pollutant Emissions (lbs/day)							
	ROG	NO_X	CO	SO_2	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	~~1.8~~ 11	~~0.33~~ 4.1	~~0.02~~ 0.18	~~0.32~~ 3.9
Architectural Coating	72	3.7	11	0.01	~~0.2~~ 1.8	~~2.9~~ 0.33	~~0~~ 0.02	~~2.9~~ 0.32
Paving	~~5.95.9~~ 5.9	~~3434~~ 34	22	0.03	~~329~~ 0.2	~~17~~ 2.9	~~4.4~~ 0	~~16~~ 2.9
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

Draft EIR Section 4.2.6.1, Construction Emissions Page 4.2-21.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text at Mitigation Measure 4.2.6.1B in Draft EIR Section 4.2.6.1, Page 4.2-21 is amended to clarify that clean-fuel means fuel other than diesel or gasoline. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

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4.2.6.1B. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

Draft EIR Section 4.2.6.1, Construction Emissions Page 4.2-23.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been added to Draft EIR Section 4.2.6.1, Page 4.2-23 to further reduce construction air quality impacts. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;

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- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;

- Lunch vendor services shall be ~~provided~~ permitted onsite during construction to minimize the need for offsite vehicle trips;

- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

- Suspend use of all construction equipment operations during second stage smog alerts.

4.2.6.1N. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

4.2.6.1O. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.

4.2.6.1P. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.

4.2.6.1R All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.

4.2.6.1T Reroute construction trucks away from congested streets and sensitive receptor areas.

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Impact 4.2.6.1 in Draft EIR Section 4.2.6.3, Page 4.2-25 is amended to clarify the impact statement. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

> **Impact 4.2.6.3:** *Implementation of the proposed project may ~~occur~~ have the potential to exceed applicable daily thresholds for operational activities.*

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-27

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been amended and added to Draft EIR Section 4.2.6.3, Page 4.2-27 to further reduce construction air quality impacts. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~Buildings shall e~~ Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- ~~Interior~~ Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards ~~shall be installed~~, as deemed acceptable by the City. ~~Automatic~~ Use automatic devices to turn off lights when they are not needed ~~shall be implemented~~.
- To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings ~~shall be planted~~ at the project site.
- ~~Paint~~ Use paint and a surface color palette for the project ~~shall~~ emphasizing~~e~~ light and off-white colors which reflect heat away from the buildings.
- ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~
- Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.
- ~~To r~~Reduce energy demand associated with potable water conveyance~~, the project shall implement~~ using the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- ~~The project shall p~~ Provide secure, weather-protected, on-site bicycle storage/parking.
- ~~The project shall p~~ Provide on-site showers (one for males and one for females). ~~L~~Provide lockers for employees ~~shall be provided~~.

- ~~The project will e~~ Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- ~~The project shall p~~ Provide preferential parking for carpools ~~and vanpool~~, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools ~~shall be delineated~~ on the project site plan.
- ~~The project shall p~~ Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations ~~shall be indicated~~ on the project building plans.
- Implement compressed workweek schedules;
- Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.
- Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.
- Use of fleet vehicles conforming to 2010 air quality standards or better.
- Installation of catalytic converters on gasoline-powered equipment.
- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;
- Provision of preferential parking for EV and CNG vehicles;
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;
- Use of electric (instead of diesel or gasoline-powered) yard trucks;
- Use of SmartWay 1.25 rated trucks.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.
- Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.
- ~~Lease/purchase documents shall identify that tenants are encouraged to promote the following:~~
    - ~~Implementation of compressed workweek schedules.~~
    - ~~SmartWay partnership;~~

- ~~Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.~~
- ~~Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.~~
- ~~Use of fleet vehicles conforming to 2010 air quality standards or better.~~
- ~~Installation of catalytic converters on gasoline-powered equipment.~~
- ~~Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.~~
- ~~Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.~~
- ~~Provision of preferential parking for EV and CNG vehicles.~~
- ~~Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.~~
- ~~Use of electric (instead of diesel or gasoline-powered) yard trucks.~~
- ~~Use of SmartWay 1.25 rated trucks.~~

Draft EIR, Section 4.2.7.1 Short-Term Air Quality Impacts, Page 4.2-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR Section 4.2.7.1, Page 4.2-25 is amended to clarify that the short-term and long-term air quality impacts are cumulative. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. In addition, implementation of the AQMP will result in improved air quality levels in the future and full attainment of national and state ambient air quality standards, resulting in less than significant cumulative impacts from all short-term and long-term air pollution sources. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

Draft EIR Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-24 and 25

The Mitigation Measures in the Draft EIR Section 4.3.6.1, Page 4.3-24 and 25 have been clarified. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows in the office areas shall utilize window treatments for efficient energy conservation.

Draft EIR Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been added to Draft EIR Section 4.3.6.1, Page 4.2-25 to further reduce greenhouse gas emissions. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- ~~Use~~ Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- ~~Use~~ Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the 2008 California Building Code's (CBC) Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
- Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:
    - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.

- Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.

- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

Draft EIR, Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-26, Mitigation Measure 4.3.6.1C

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text for the conclusion of Impact 4.3.6.1 in Draft EIR Section 4.2.6.3, Page 4.3-16 is amended to clarify the impact statement. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:

- The project applicant shall use ~~less than 3,900~~ low Global Warming ~~Potential (GWP) hydrofluorocarbon (HCF)~~ refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment.

- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.

Level of Significance After Mitigation. The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~ on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable.

Draft EIR Section 4.4 Noise, Page 4.4-1

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the noise study. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.4 NOISE

This analysis is intended to satisfy the City's requirements for a project-specific noise impact analysis by examining the short-term and long-term noise impacts of the proposed project on sensitive uses adjacent to the proposed project site and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. This includes the potential for the proposed project to result in impacts associated with a substantial temporary and/or permanent increase in ambient noise levels in the vicinity of the project area; exposure of people to excessive noise levels, groundborne vibration, or groundborne noise levels. The analysis contained in this section is based on a comprehensive *Noise Impact Analysis* contained in Appendix E (LSA Associates, Inc., ~~December 2011~~ March 2012), which examines existing ambient noise conditions and project-related impacts.

Draft EIR, Section 5.4 Consistency With Local And Regional Plans, Page 5-12

A new table (Table 5.D: Compass Growth Vision Report Consistency) has been added as a response to a comment received on the Draft EIR. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Compass Growth Vision. The Compass Growth Vision plan provides a framework for local and regional decision-making regarding growth, transportation, land use, and economic development. The framework includes principles and a specific set of strategies intended to achieve and improve a quality of life that promotes and sustains for future generations the region's mobility, livability, and prosperity. The main objective of the Compass Growth Vision is to manage the forecast growth while improving future living conditions for all people within the SCAG area, including live, work, and play activities. The following discussion includes the principles within the Compass Growth Vision plan and their association to the proposed project.

Principle 1: Improve mobility for all residents.

Principle 2: Foster livability in all communities.

Principle 3: Enable prosperity for all people.

Principle 4: Promote sustainability for future generations.

The proposed project is consistent with the four principles identified above (refer to Table 5.D). ~~The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.~~

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 1: Improve mobility for all residents. • Encourage transportation investments and land use decisions that are mutually supportive. • Locate new housing near existing jobs and new jobs near existing housing. • Promote a variety of travel choices.	The project is consistent with this principle. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial uses and would encourage a reduction of vehicle miles traveled within the City. Implementation of the project would create approximately 646 jobs. Existing housing is located approximately 1 mile to the north and 2 miles to the south of the project site. The project is consistent with this portion of Principle 1. There are a number of transit-oriented strategies that could be implemented by the proposed project to encourage alternate modes of travel, including informational strategies, incentives, and services. (Refer to Mitigation Measure 4.2.6.3A).
Principle 2: Foster livability in all communities. • Promote developments which provide a mix of uses. • Promote "people scaled, "walkable communities. • Support the preservation of stable, single-family neighborhoods.	The project is consistent with the applicable portions of this principle. The proposed project is a warehousing project and does not include any residential uses. Therefore, the project is not considered to be a mixed use project and this portion of Principle 2 is not applicable to the project. The project site is located in an industrial warehouse area. The project would include sidewalks so that the opportunity of being walkable within this warehouse area is possible. Therefore, the project is consistent with this portion of Principle 2. The proposed project is a warehousing project and does not include any residential uses. Therefore this portion of Principle 2 is not applicable to the project.
Principle 3: Enable prosperity for all people. • Provide in each community a variety of housing types to meet the housing needs of all income levels. • Support educational opportunities that promote balanced growth. • Ensure environmental justice regardless of race, ethnicity, or income class. • Support local and state fiscal policies that	Based on the information provided below, this principle is not applicable to the project. The proposed project is a warehousing project and does not include any residential or educational uses. Therefore this portion of Principle 3 is not applicable to the project. The project site is vacant and the project located in an area identified for industrial and commercial uses. Therefore, this issue not applicable to the project. The supporting of local and state fiscal policies and the encouragement of civic engagement is at the City level not the

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
encourage balanced growth. • Encourage civic engagement.	project level. Therefore, this portion of the principle is not applicable to the project.
Principle 4: Promote sustainability for future generations. • Focus development in urban centers and existing cities. • Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste. • Utilize "green" development techniques.	The project is consistent with this principle. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. Mitigation Measure 4.3.1.6B requires the project to implement various sustainability strategies and "green" development techniques that uses resources efficiently, eliminates pollution, and reduces waste.

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

VIP Moreno Valley Project

The program has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2011081084) prepared for the project by the City of Moreno Valley.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the Initial Study and the Final EIR.

4.2 MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

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4.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: VIP Moreno Valley Project **Applicant:** Vogel Engineers, Inc.
Date: June 2012

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
AIR QUALITY						
4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading and during grading operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.						
4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During grading	Review of construction documents and on-site inspection		Issuance of a Stop Work Order
4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
construction areas (previously graded areas inactive for ten days or more).	Planning Division					
4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1K Grading plans, construction specifications and bid documents shall	City of Moreno Valley Engineering	Prior to Grading and during	Prior to Issuance of Grading Permit	Review of construction		Withhold Grading Permit

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction	and Building and Safety Planning Division	grading operations.		documents and on-site inspection		or Issuance of a Stop Work Order

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Suspend use of all construction equipment operations during second stage smog alerts.						
4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1M All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1N When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1O All streets shall be swept at least	City of Moreno	Throughout	During	On-site inspection		Issuance of a

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	Valley Engineering and Building and Safety	construction	Construction			Stop Work Order
4.2.6.1P Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1R All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1T Reroute construction trucks	City of Moreno	Prior to Grading	Prior to Issuance	Review of		Withhold

MV00177493

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
away from congested streets and sensitive receptor areas.	Valley Engineering and Building and Safety and Planning Division	and during grading and construction operations.	of Grading Permit	construction documents and on-site inspection		Grading Permit or Issuance of a Stop Work Order
4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to	City of Moreno Valley Building and Safety Planning Division	Prior to Construction (once)	Prior to Issuance of Building Permits	Review of building plans and on-site inspection		Withhold Building Permits

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed. • To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site. • Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings. • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • Reduce energy demand associated with potable water conveyance using						

MV00177495

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements. • Provide on-site showers (one for males and one for females). Provide lockers for employees. • Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • Provide preferential parking for carpools, vanpools or other						

MV00177496

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan. • Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans. • Implement compressed workweek schedules; • Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.						

MV00177497

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; • Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; • Provision of preferential parking for EV and CNG vehicles; • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; • Use of electric (instead of diesel or gasoline-powered) yard trucks; • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no						

MV00177498

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
more than three years prior to date of use or any combination of these two themes.						
4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	City of Moreno Valley Building and Safety	Prior to Construction (once)	Prior to Issuance of Building Permits and Final Site Plan Approval	Review of final site plan and building plans and on-site inspection		Withhold Building Permits
BIOLOGICAL RESOURCES						
Mitigation Measure BIO-1: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance,	City of Moreno Valley Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Submittal of Evidence that the pre-construction survey has been completed.		Withhold Grading Permit

MV00177499

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Mitigation Measure BIO-3 shall apply.						
Mitigation Measure BIO-2: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Submittal of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Submittal of a report of the survey findings.		Withhold Grading Permit
Mitigation Measures BIO-3. If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit			Withhold Grading Permit
Mitigation Measure BIO-4: If active burrowing owl burrows are detected outside the breeding season, then	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that the passive relocation		Withhold Grading Permit

MV00177500

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.				plan has been approved by CDFG and USFWS.		
CULTURAL RESOURCES						
Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be	City of Moreno Valley Planning Division	Prior to grading and on-going during ground disturbing activities.	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified paleontologist has been retained, and that the paleontologist(s) will be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. A report of findings shall be submitted to the City after the finalization of construction.		Withhold Grading Permit/ Issuance of a Stop Work Order

MV00177501

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written						

MV00177502

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources						
GEOLOGY AND SOILS						
Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and	City of Moreno Valley Planning Division Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

MV00177503

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to						

MV00177504

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.						
Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of grading and construction documents and on-site inspection		Withhold Grading Permit

MV00177505

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE						
4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents and on-site inspection		Withhold Building Permit

MV00177506

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
runoff.						
4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents/building plans and on-site inspection		Withhold Building Permit

MV00177507

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following: ○ Increase insulation such that heat transfer and thermal bridging is minimized. ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. ○ Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following: ○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-						

MV00177508

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.						
4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project: • The project applicant shall use low	City of Moreno Valley Building and Safety Planning Division	Prior to building permit and occupancy	Prior to issuance of occupancy permit	Review of construction documents and on-site inspection		Withhold Occupancy Permit

MV00177509

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: • Install drought tolerant plants for landscaping. • Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. • Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.						

MV00177510

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
HYDROLOGY AND WATER QUALITY						
Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Submittal of copy of Notice of Intent to City filed with the RWQCB		Withhold Grading Permits
Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Review and approval of SWPPP		Withhold Grading Permits

MV00177511

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.						
Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.						
All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.						
The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.						
Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.						
The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.						
In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination						

MV00177512

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
that other BMPs will provide equivalent or superior treatment either on or off site.						
Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.	City of Moreno Engineering	During grading and construction	Prior to Grading	Review of construction documents and on-site inspection		Withhold Grading Permit
Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permit	Submittal of WQMP to City for review and approval		Withhold Grading Permit

MV00177513

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.						
Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permits	Submittal of evidence that all requirements are fulfilled		Withhold Grading Permit
NOISE						
4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit
4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is	City of Moreno Valley Building and Safety	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-		Withhold Grading Permit or Stop Work

MV00177514

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
directed away from sensitive receptors nearest to the project site.	Engineering Planning Division			site inspection		Order
4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
TRANSPORTATION						
4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of City DIF fees		Withhold Certificate of Occupancy

MV00177515

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	Planning Division					
4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of Riverside County TUMF fees		Withhold Certificate of Occupancy
4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	City of Moreno Valley Engineering	Once after construction	Prior to the Issuance of Occupancy Permits	Review of construction documents and on-site inspection		Withhold Occupancy Permits

MV00177516

APPENDIX A:

ATTACHMENTS TO JOHNSON & SEDLACK COMMENT LETTER DATED JUNE 1, 2012

Highway Traffic Noise

Construction Noise
Handbook
RCNM Version 1.1
Special Report
Measurement
Noise Barriers
Noise Compatible Planning
Noise Effect on Wildlife
Regulation and Guidance
Tire Pavement Noise
Traffic Noise Model
Training

Contruction Noise Handbook

3.0 Effects of Construction Noise

3.1 Introduction

Construction noise in the community may not pose a health risk or damage peoples' sense of hearing, but it can adversely affect peoples' quality of life. To some degree, construction noise can be a contributing factor to the degradation of someone's health in that it can cause people to be irritated and stressed and can interrupt their ability to sleep - all of which may lead to higher blood pressure, anxiety, and feelings of animosity toward the people or agencies responsible for producing the noise.

In fact, several of the traditional definitions of "noise" (i.e. unwanted or undesirable sound) can be associated with construction noise. Construction noise can be considered to:

- be too loud;
- be impulsive;
- contain annoying pure tones;
- occur unexpectedly;
- occur at undesirable times of day; and/or
- interrupt people's activities.

Construction noise has the potential to disturb people at home in their residences, in office buildings or retail businesses, in public institutional buildings, at locations of religious services, while attending sporting events, or when on vacation.

Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

MV00177518

Adopted February 6, 2012

2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
Forecast Revenues				$ 1,096,752	$ 1,096,752	$ 1,118,687	$ 1,141,061	$ 1,163,882	$ 30,277,463	$ (25,912,959)	$ 64,184,922
Carryover Revenues (As of 6/30/2011)				$ 24,353,353	$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)			
Availiable Revenue				$ 25,450,105	$ 13,942,881	$ 1,168,732	$ 197,924	$ 247,700			
Funded Expenditures		*Status**	*Phase***								
County of Riverside											
06-CN-RCY-1103	Cajalco Rd, Alexander St to I-215 (3.280 mi. 2 to 4 lanes)	STD	PA&ED	$ 0					$ 0	$ (259,263)	$ 259,263
		PLN	ENG			$ 1,000,000			$ 1,000,000	$ -	$ 1,000,000
05-CN-RCY-1006	Pigeon Pass Rd.(Cantarini), Hidden Springs Dr to Center St.(4.213 mi. 0 to 4 lanes)	STD	PA&ED	$ (0)					$ (0)	$ (649,865)	$ 649,865
05-CN-RCY-1007	Reche Canyon Rd./Reche Vista Dr., Heacock St.to S.B.C. (4.757 mi. 2 to 4 lanes)	STD	PA&ED	$ 905,260	$ 314,000				$ 1,219,260	$ (415,050)	$ 1,634,310
		STD	ROW	$ (0)					$ (0)	$ (661,119)	$ 661,118
City of Menifee/County of Riverside											
05-CN-RCY-1003	Murrieta Rd, Ethanac Rd to McCall Blvd (1.982 mi. 2 to 4 lanes)	CPL	PA&ED	$ 0					$ 0	$ (599,406)	$ 599,406
		CPL	ENG	$ 0					$ 0	$ (398,938)	$ 398,938
05-CN-RCY-1004	Newport Road/I-215 Interchange (CFD)	STD	PA&ED	$ 1,604,317					$ 1,604,317	$ (1,234,012)	$ 2,838,329
		PLN	ENG		$ 1,440,340				$ 1,440,340	$ -	$ 1,440,340
08-SW-RCY-1128	Newport Road, Murrieta Rd to Goetz Rd North (2.06 mi. 0 to 4 lanes)	STD	CON	$ 856,511					$ 856,511	$ (3,023,489)	$ 3,880,000

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2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
Forecast Revenues				**$ 1,096,752**	**$ 1,096,752**	**$ 1,118,687**	**$ 1,141,061**	**$ 1,163,882**	**$ 30,277,463**	**$ (25,912,959)**	**$ 64,184,922**
Carryover Revenues (As of 6/30/2011)				**$ 24,353,353**	**$ 12,846,128**	**$ 50,044**	**$ (943,137)**	**$ (916,182)**			
Availiable Revenue				**$ 25,450,105**	**$ 13,942,881**	**$ 1,168,732**	**$ 197,924**	**$ 247,700**			
Funded Expenditures, continued											
City of Moreno Valley											
06-CN-MOR-1107	Ironwood Ave(Seg A), Heacock St to Perris Blvd. (0.980 mi. 2 to 4 lanes)	CPL	PA&ED	$ -					$ -	$ (124,000)	$ 124,000
		CPL	ENG	$ 21,378					$ 21,378	$ (232,322)	$ 253,700
		CPL	ROW	$ 176,512					$ 176,512	$ (1,480,610)	$ 1,657,122
06-CN-MOR-1113	Ironwood Ave (Seg B), Perris Blvd to Nason St. (2.130 mi. 2 to 4 lanes)	CPL	PA&ED	$ (0)					$ (0)	$ (511,833)	$ 511,833
05-CN-MOR-1012	Moreno Beach/SR-60 Interchange Phase I	CPL	PA&ED	$ 0					$ 0	$ (500,000)	$ 500,000
		PND	ENG	$ 505,141					$ 505,141	$ (2,227,339)	$ 2,732,480
		STD	ROW	$ 2,413,708	$ 1,000,000				$ 3,413,708	$ (2,212,292)	$ 5,626,000
		PLN	CON		$ 3,500,000				$ 3,500,000	$ -	$ 3,500,000
[1]05-CN-MOR-1013	Nason/SR-60 Interchange w/Bridge	CPL	PA&ED	$ -					$ -	$ (500,000)	$ 500,000
		PND	ENG	$ 138,145					$ 138,145	$ (1,243,306)	$ 1,381,451
		PND	ROW	$ 59,619					$ 59,619	$ (881)	$ 60,500
		PLN	CON	$ 133,500		$ 1,000,000	$ 1,000,000	$ 1,000,000	$ 3,133,500	$ -	$ 11,128,000
City of Perris											
05-CN-PER-1015	Evans Rd, 700' N/of Placentia Ave to Nuevo Rd.(Phasel&II) (1.655 mi. 0 to 4 lanes)	CPL	PA&ED	$ 71,132					$ 71,132	$ (60,559)	$ 131,691
		STD	ENG	$ 523,636					$ 523,636	$ (72,131)	$ 595,767
		STD	CON		$ 879,015				$ 879,015	$ (1,205,799)	$ 2,084,814
05-CN-PER-1019	Nuevo, Murrieta Rd. to Dunlap (0.979 mi. 2 to 4 lanes)	PLN	PA&ED	$ -	$ 50,000				$ 50,000	$ -	$ 50,000
05-CN-PER-1072	Ramona Expressway, I-215 to Evans Road (1.505 mi. 4 to 6 lanes)	CPL	PA&ED	$ 0					$ 0	$ (63,133)	$ 63,133
		CPL	ENG	$ (0)					$ (0)	$ (324,045)	$ 324,045
		CPL	CON	$ -	$ 199,806				$ 199,806	$ (1,742,550)	$ 1,942,356
City of Perris/ City of Menifee											
05-CN-PER-1001	Ethanac Road, Goetz Rd to I-215 (1.936 mi. 2 to 4 lanes)	PLN	PA&ED	$ -	$ 50,000				$ 50,000	$ -	$ 50,000
City of Moreno Valley/ March JPA											
05-CN-JPA-1021	Heacock Ave, Perris Valley Drain to San Michele Rd, Phase I (0.890 mi. 2 to 4 lanes)	CPL	PA&ED	$ -					$ -	$ (65,600)	$ 65,600
		CPL	ENG	$ -					$ -	$ (91,167)	$ 91,167
		CPL	ROW	$ (0)					$ (0)	$ (32,959)	$ 32,959
		STD	CON	$ 229,676					$ 229,676	$ (7,526)	$ 237,202

[1]***Nason/SR-60 CON funding in FY13/14, FY14/15, FY15/16 are illustrative only and not actual commitment.***

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Adopted February 6, 2012

2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
Forecast Revenues				$ 1,096,752	$ 1,096,752	$ 1,118,687	$ 1,141,061	$ 1,163,882	$ 30,277,463	$ (25,912,959)	$ 64,184,922
Carryover Revenues (As of 6/30/2011)				$ 24,353,353	$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)			
Availiable Revenue				$ 25,450,105	$ 13,942,881	$ 1,168,732	$ 197,924	$ 247,700			
Funded Expenditures, continued											
RCTC/City of Perris											
05-CN-PER-1018	SR-74 (4th)/I-215 Interchange	CPL	PA&ED						$ -	$ (1,050,000)	$ 1,050,000
		PND	ENG	$ 72,345					$ 72,345	$ (648,953)	$ 721,298
		PND	ROW	$ 456,429					$ 456,429	$ (1,656,847)	$ 2,113,276
		STD	CON	$ 2,229,993	$ 2,850,000				$ 5,079,993	$ (1,720,007)	$ 6,800,000
County of Riverside/City of Perris											
07-CN-PER-1120	Ramona Expressway/I-215 Interchange	STD	ENG	$ 97,000					$ 97,000	$ (897,959)	$ 994,959
		STD	CON	$ 2,000,000	$ 3,500,000				$ 5,500,000	$ -	$ 5,500,000
Reimbursements (10% of revenue)***				$ 109,675	$ 109,675	$ 111,869	$ 114,106	$ 116,388			
Total Funded Capital Expenditures				$ 12,603,977	$ 13,892,837	$ 2,111,869	$ 1,114,106	$ 1,116,388			
Total Funded Balance Carryover*				$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)	$ (868,688)			

Summary Table								
Fiscal Year	**FY11/12**	**FY12/13**	**FY13/14**	**FY14/15**	**FY15/16**	5-Year Total Available Forecast Cash	5-Year Total Programmed plus 3%	5-Year Balance
Available Revenue	$ 25,450,105	$ 13,942,881	$ 1,168,732	$ 197,924	$ 247,700			
Total Funded/Obligated Expenditures	$ 12,603,977	$ 13,892,837	$ 2,111,869	$ 1,114,106	$ 1,116,388	$ 30,793,842	$ 31,902,557	$ (1,108,715)
Carryover Balance	$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)	$ (868,688)			
10% Reimbursement Tracking Summary								
Available 10% Reimbursements	$ 933,029	$ 745,401	$ 559,967	$ 376,771	$ 195,856	5-Year Total Available	5-Year Total Programmed	5-Year Balance Available
Programmed Reimbursements	$ 297,303	$ 297,303	$ 297,303	$ 297,303	$ 435,883	$ 1,625,094	$ -	$ 1,625,094
Reimbursement Carryover Balance	$ 635,726	$ 448,098	$ 262,664	$ 79,468	$ (240,027)			

NOTES:

Total Funded Carryover Balance does not reflect total available cash - October 29 Zone TAC approved reducing each funded phase of each funded project by 3% on TIP.
Phase: planning=PA&ED, engineering=ENG, right-of-way=ROW,construction=CON.
Status: PLN=planned, STD=started, PND=pending final invoice, CPL=completed, TER=terminated.
10% Reimbursement Reimbursement Detail Tracked on Separate Spreadsheet.
Actual Forecasts, Carryover, and Payments thru 6/30/11.
Yellow highlight = obligated funds and over-program alert.

MV00177521

Technical Support Document for Cancer Potency Factors:

Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures.

April 2009

California Environmental Protection Agency

Office of Environmental Health Hazard Assessment

Air Toxicology and Epidemiology Branch

MV00177522

Prepared by:

John D. Budroe, Ph.D.

James F. Collins, Ph.D.

Melanie A. Marty, Ph.D.

Andrew G. Salmon, M.A., D. Phil.

Joseph P. Brown, Ph.D.

Air Toxicology and Epidemiology Branch

and

Martha S. Sandy, Ph.D., M.P.H.

Claire D. Sherman, Ph.D.

Rajpal S. Tomar, Ph.D.

Lauren Zeise, Ph.D.

Reproductive and Cancer Hazard Assessment Branch,

Office of Environmental Health Hazard Assessment

Reviewed By

George V. Alexeeff, Ph.D., Deputy Director

Melanie A. Marty, Ph.D., Chief, Air Toxicology and Epidemiology Branch

Lauren Zeise, Ph.D., Chief, Reproductive and Cancer Hazard Assessment Branch

EXECUTIVE SUMMARY

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly) was enacted in September 1987. Under this Act, stationary sources of air pollution are required to report the types and quantities of certain substances their facilities routinely release into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks posed by those facilities, notify nearby residents of significant risks and reduce emissions from significant sources.

The Technical Support Document for Cancer Potency Factors (TSD) contains cancer unit risks and potency factors for 107 of the 201 carcinogenic substances or groups of substances for which emissions must be quantified in the Air Toxics Hot Spots program. These unit risks are used in the cancer risk assessment of facility emissions.

The purposes of this revision to the TSD is to provide updated calculation procedures used to derive the estimated unit risk and cancer potency factors, and to describe the procedures used to consider the increased susceptibility of infants and children compared to adults to carcinogens. This updates cancer risk assessment methods originally laid out in the California Department of Health Services' Guidelines for Chemical Carcinogen Risk Assessment (CDHS, 1985), and more recently summarized in the previous Hot Spots technical support document Part II (OEHHA, 2005a). Summaries of cancer potency factors and the underlying data are provided in Appendix A and B. [these did not undergo revision and are not included in this review package.]

The procedures used to consider the increased susceptibility to carcinogens of infants and children as compared to adults include the use of age-specific weighting factors in calculating cancer risks from exposures of infants, children and adolescents, to reflect their anticipated special sensitivity to carcinogens

This document is one part of the Air Toxics Hot Spots Program Risk Assessment Guidelines. The other documents originally included in the Guidelines are Part I: Technical Support Document for the Determination of Acute Toxicity Reference Exposure Levels for Airborne Toxicants; Part III: Technical Support Document for Determination of Noncancer Chronic Reference Exposure Levels; Part IV: Technical Support Document for Exposure Assessment and Stochastic Analysis; Part V: Air Toxic Hot Spots Program Risk Assessment Guidelines. As a part of the same revision process which led to production of this revised TSD on cancer potencies, the original TSDs for Acute and Chronic Reference Exposure Levels have been replaced with a new unified TSD for Acute, 8-hour and Chronic Reference Exposure Levels.

The major changes to the TSD include the following:

> Based on the OEHHA analysis of the potency by lifestage at exposure, OEHHA proposes weighting cancer risk by a factor of 10 for exposures that occur from birth to 2 years of age, and by a factor of 3 for exposures that occur from 2 years through 15 years of age. We propose to apply this weighting factor to all carcinogens, regardless of purported mechanism of action, unless chemical-specific data exist to the contrary. In cases where

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there are adequate data for a specific carcinogen of potency by age, we would use the data to make any adjustments to risk.

OEHHA proposes to use the Benchmark Dose method to compute potency factors rather than the more traditional linearized multistage model (LMS), although the LMS will still be used in some instances. The BMDL model essentially uses an empirical fit to the data (usually best with the multistage model), and then extrapolates with a straight line from the 95 % lower confidence limit of the BMD (BMDL) to zero. This method is simpler and does not assume any underlying theoretical mechanisms at the low dose range. The BMDL method results in very similar estimates of potency as the LMS method.

OEHHA will use scaling based on body weight to the ¾ power, rather than to the 2/3 power.

OEHHA's evaluations of the carcinogenicity of chemicals generally follow the guidelines laid out by IARC for identification and classification of potential human carcinogens, which are described in detail in the most recent revision of the *Preamble* to the IARC monographs series (IARC, 2006).

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PREFACE

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly) was enacted in September 1987. Under this Act, stationary sources are required to report the types and quantities of certain substances their facilities routinely release into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks posed by those facilities, notify nearby residents of significant risks and reduce emissions from significant sources.

The Technical Support Document for Cancer Potency Factors (TSD) contains cancer unit risks and potency factors for 107 of the 201 carcinogenic substances or groups of substances for which emissions must be quantified in the Air Toxics Hot Spots program. These unit risks are used in risk assessment of facility emissions. The TSD provides updated calculation procedures used to derive the estimated unit risk and cancer potency factors, and procedures to consider early-life susceptibility to carcinogens. Summaries of cancer potency factors and the underlying data are provided in Appendix A and B. [these did not undergo revision and are not included in this review package.]

In this document, OEHHA is responding to the requirements of the 1999 Children's Environmental Health Protection Act, (SB25, Escutia) by revising the procedures for derivation and application of cancer potency factors to take account of general or chemical-specific information which suggests that children may be especially susceptible to certain carcinogens (OEHHA, 2001a). The revised cancer potency derivation procedures described will not be used to impose any overall revisions of the existing cancer potencies, although they do reflect updated methods of derivation. However, individual cancer potency values will be reviewed as part of the ongoing re-evaluation of health values mandated by SB 25, and revised values will be listed in updated versions of the appendices to this document as necessary. The revisions also include the use of weighting factors in calculating cancer risks from exposures of infants, children and adolescents, to reflect their anticipated special sensitivity to carcinogens. Similar legal mandates to update risk assessment methodology and cancer potencies apply to the OEHHA program for development of Public Health Goals (PHGs) for chemicals in drinking water, and Proposition 65 No Significant Risk Levels (NSRLs). The NSRLs may also be revised to reflect concerns for children's health. Revising these numbers will require the originating program to reconsider the value in an open public process. For example, OEHHA would need to release any revised potency factors for public comment and review by the Scientific Review Panel on Toxic Air Contaminants (SRP) prior to adoption under the TAC program. The procedures for outside parties to request reevaluation of cancer potency values by the programs which originated those values are listed in Appendix G.

Appendices A and B provide previously adopted Cal/EPA values which were included in the previous version of the TSD for Cancer Potency Factors (OEHHA, 2005a). Cal/EPA values were developed under the Toxic Air Contaminant (TAC) program, the PHG program, the Proposition 65 program, or in some cases specifically for the Air Toxics Hot Spots program. All the Cal/EPA values are submitted for public comments and external peer review prior to adoption by the program of origin. In the future, new values developed by the Toxic Air

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Contaminants or Hot Spots programs or other suitable sources will be added as these are approved.

Some U.S. EPA IRIS cancer unit risk values were adopted under the previous versions of these guidelines, and these values will continue to be used unless and until revised by Cal/EPA. U.S. EPA has recently revised its cancer risk assessment guidelines (U.S. EPA, 2005a). Some of the recommended changes in methodology could result in slightly different potency values compared to those calculated by the previous methodology, although in practice a number of the recommendations (for example, the use of ¾ power of the body weight ratio rather than ⅔ power for interspecies scaling) have been available in draft versions of the revised policy for some time and appear in many more recent assessments. U.S. EPA has stated that cancer potency values listed in IRIS will not be revisited solely for the purpose of incorporating changes in cancer potency value calculation methods contained in the revised cancer risk assessment guidelines. U.S. EPA has also issued supplementary guidelines on assessing cancer risk from early-life exposure (U.S. EPA, 2005b).

OEHHA uses a toxic equivalency factor procedure for dioxin-like compounds, including polychlorinated dibenzo-*p*-dioxins, dibenzofurans and polychlorinated biphenyls (PCBs). The Toxicity Equivalency Factor scheme (TEF_{WHO-97}) developed by the World Health Organization/European Center for Environmental Health (WHO-ECEH) is used for determining cancer unit risk and potency values for these chemicals where individual congener emissions are available (Appendix C).

This document is one part of the Air Toxics Hot Spots Program Risk Assessment Guidelines. The other documents originally included in the Guidelines are Part I: Technical Support Document for the Determination of Acute Toxicity Reference Exposure Levels for Airborne Toxicants; Part III: Technical Support Document for Determination of Noncancer Chronic Reference Exposure Levels; Part IV: Technical Support Document for Exposure Assessment and Stochastic Analysis; Part V: Air Toxic Hot Spots Program Risk Assessment Guidelines. As a part of the same revision process which led to production of this revised TSD on cancer potencies, the original TSDs for Acute and Chronic Reference Exposure Levels have been replaced with a new unified TSD for Acute, 8-hour and Chronic Reference Exposure Levels.

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APPENDICES

Appendix A. A lookup table containing unit risk and cancer potency values.

Appendix B. Chemical-specific summaries of the information used to derive unit risk and cancer potency values.

Appendix C. A description of the use of toxicity equivalency factors for determining unit risk and cancer potency factors for polychlorinated dibenzo-*p*-dioxins, dibenzofurans and dioxin-like polychlorinated biphenyls.

Appendix D. A listing of Toxic Air Contaminants identified by the California Air Resources Board.

Appendix E. Descriptions of the International Agency for Research on Cancer (IARC) and U.S. Environmental Protection Agency (U.S. EPA) carcinogen classifications.

Appendix F. An asbestos quantity conversion factor for calculating asbestos concentrations expressed as 100 fibers/m^3 from asbestos concentrations expressed as $\mu g/m^3$.

Appendix G. Procedures for revisiting or delisting cancer potency factors by the program of origin.

Appendix H. Exposure routes and studies used to derive cancer unit risks and slope factors.

Appendix I. "Assessing susceptibility from early-life exposure to carcinogens": Barton *et al.*, 2005 (from *Environmental Health Perspectives)*.

Appendix J. "In Utero and Early Life Susceptibility to Carcinogens: The Derivation of Age-at-Exposure Sensitivity Measures" – conducted by OEHHA's Reproductive and Cancer Hazard Assessment Branch.

Appendix K. Additions and corrections from prior document versions.

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INTRODUCTION

The Technical Support Document (TSD) for Describing Available Cancer Potency Factors provides technical information support for the Air Toxics Hot Spots Program Risk Assessment Guidelines. The TSD consists of 12 sections:

1. The TSD introduction.
2. A description of the methodologies used to derive the unit risk and cancer potency values listed in the lookup table.
3. A lookup table containing unit risk and cancer potency values. (Appendix A)
4. Chemical-specific summaries of the information used to derive unit risk and cancer potency values. (Appendix B).
5. A description of the use of toxicity equivalency factors for determining unit risk and cancer potency factors for polychlorinated dibenzo-*p*-dioxins, dibenzofurans and dioxin-like polychlorinated biphenyls (Appendix C).
6. A listing of Toxic Air Contaminants identified by the California Air Resources Board (Appendix D).
7. Descriptions of the International Agency for Research on Cancer (IARC) and U.S. Environmental Protection Agency (U.S. EPA) carcinogen classifications (Appendix E).
8. An asbestos quantity conversion factor for calculating asbestos concentrations expressed as 100 fibers/m^3 from asbestos concentrations expressed as $\mu g/m^3$ (Appendix F).
9. Procedures for revisiting or delisting cancer potency factors by the program of origin (Appendix G).
10. Exposure routes and studies used to derive cancer unit risks and slope factors (Appendix H).
11. "Assessing susceptibility from early-life exposure to carcinogens": Barton *et al.*, 2005 (from *Environmental Health Perspectives)* (Appendix I).
12. "In Utero and Early Life Susceptibility to Carcinogens: The Derivation of Age-at-Exposure Sensitivity Measures" – conducted by OEHHA's Reproductive and Cancer Hazard Assessment Branch (Appendix J)

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SELECTION OF CANCER POTENCY VALUES

The Office of Environmental Health Hazard Assessment (OEHHA) has developed a number of cancer potencies for use in the Toxic Air Contaminants and Air Toxics Hot Spots programs. This document also provides summaries of cancer potency factors which were originally developed for other California Environmental Protection Agency (Cal/EPA) programs, or by the U.S. EPA. These were reviewed for accuracy, reliance on up-to-date data and methodology, and applicability in the context of the Air Toxics Hot Spots program. Values found appropriate were adopted after public and peer review rather than devoting the resources necessary for a full *de novo* assessment. Thus, cancer potency values (CPF) included in the Technical Support Document (TSD) for Cancer Potency Factors were from the following sources:

1. Toxic Air Contaminant documents
2. Standard Proposition 65 documents
3. U.S.EPA Integrated Risk Information Systems (Office of Health and Environmental Assessment, U.S.EPA)
4. Expedited Proposition 65 documents
5. Other OEHHA assessments , for example for the drinking water program.

All the cancer potency value sources used generally follow the recommendations of the National Research Council on cancer risk assessment (NRC, 1983, 1994). All Cal/EPA program documents undergo a process of public comment and scientific peer review prior to adoption, although the procedures used vary according to the program. The publication procedure for Toxic Air Contaminant documents includes a public comment period and review by the Scientific Review Panel on Toxic Air Contaminants (SRP) before identification of a Toxic Air Contaminant by the Air Resources Board of the California Environmental Protection Agency (Cal/EPA). Furthermore, a petition procedure is available to initiate TAC document review and revision if appropriate because of new toxicity data. Documents developed for the Air Toxics Hot Spots program similarly undergo public comment and peer review by the SRP before adoption by the Director of OEHHA. The standard Proposition 65 document adoption procedure includes a public comment and external peer review by the Proposition 65 Carcinogen Identification Committee. The expedited Proposition 65 document adoption procedure included a public comment period. Risk assessments prepared for development of Public Health Goals (PHGs) for chemicals in drinking water are subject to two public comment periods before the final versions and responses to comments are published on the OEHHA Web site. PHG documents may also receive external peer review. Documents from U.S. EPA's Integrated Risk Information System (IRIS) receive external peer review and are posted on the Internet for public viewing during the external peer review period, and any public comments submitted are considered by the originating office. Additionally, public comment may be solicited during the document posting period. Future preference for use of developed cancer potency factors/unit risks will be done on a case by case basis. Preference will be given to those assessments most relevant to inhalation exposures of the California population, to the most recent derivations using the latest data sets and scientific methodology, and to those having undergone the most open and extensive peer review process.

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CANCER RISK ASSESSMENT METHODOLOGIES

This section describes in general the methodologies used to derive the cancer unit risk and potency factors listed in this document. As noted in the Preface to this document, no new cancer unit risks or potency factors were developed for this document. All of the values contained here were previously developed in documents by Cal/EPA or U.S. EPA. Following the recommendations of the National Academy of Sciences (NRC, 1983), Cal/EPA and U.S. EPA have both used formalized cancer risk assessment guidelines, the original versions of which (California Department of Health Services, 1985; U.S. EPA, 1986) were published some time ago. Both these guidelines followed similar methodologies.

In the twenty years since these original guidelines were published there have been a number of advances in the methodology of cancer risk assessment. There have additionally been considerable advances in the quantity of data available not only from animal carcinogenesis bioassays and epidemiological studies, but also from mechanistic studies of carcinogenesis and related phenomena. Some of these advances have been incorporated into newer risk assessments by both agencies on a more or less *ad hoc* basis. There has also been an ongoing effort to provide updated risk assessment guidance documents. In 1995, U.S. EPA released for public comment the "Proposed and Interim Guidelines for Carcinogen Risk Assessment", which was the first of several drafts released for public comment. Many risk assessments appearing since then have used elements of the recommendations contained in that document, in spite of its draft status. A final version of the U.S. EPA's revised cancer risk assessment guidelines has now been released (U.S. EPA, 2005a). Although these new guidelines incorporate a number of substantial changes from their predecessors (U.S. EPA, 1986; 1995), U.S. EPA has stated that cancer potency values listed in IRIS will not be revisited solely for the purpose of incorporating changes in cancer potency value calculation methods.

Cal/EPA has not produced a revised cancer risk assessment guideline document to replace the original version (DHS, 1985). Rather, Cal/EPA has relied on incorporating new data and methodologies as these became available, and described the methods used on a case by case basis in the individual risk assessment documents where these went beyond the original guidance. However, this revision of the TSD for cancer potencies provides a convenient opportunity to summarize the current status of the methodology used by OEHHA for the air toxics programs, and also to highlight points of similarity to, and difference from, the recommendations of U.S. EPA (2005a).

In this document, OEHHA intends to follow the recommendations of the NRC (1994) in describing a set of clear and consistent principles for choosing and departing from default cancer risk assessment options. NRC identified a number of objectives that should be taken into account when considering principles for choosing and departing from default options. These include, "protecting the public health, ensuring scientific validity, minimizing serious errors in estimating risks, maximizing incentives for research, creating an orderly and predictable process, and fostering openness and trustworthiness". The OEHHA cancer risk methodologies discussed in this document are intended to generally meet those objectives cited above.

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Hazard Identification

This section will describe: 1) how weight of evidence evaluations are used in hazard evaluation; 2) guidelines for inferring causality of effect; 3) the use of human and animal carcinogenicity data, as well as supporting evidence (e.g. genetic toxicity and mechanistic data); 4) examples of carcinogen identification schemes.

Evaluation of Weight of Evidence

In evaluating the range of evidence on the toxicity and carcinogenicity of a compound, mixture or other agent, a "weight-of-evidence" approach is generally used to describe the body of evidence on whether or not exposure to the agent causes a particular effect. Under this approach, the number and quality of toxicological and epidemiological studies, as well as the consistency of study results and other sources of data on biological plausibility, are considered. Diverse and sometimes conflicting data need to be evaluated with respect to possible explanations of differing results. Consideration of methodological issues in the review of the toxicological and epidemiological literature is important in evaluating associations between exposure to an agent and animal or human health effects. This aspect of the evaluation process has received particular emphasis with respect to epidemiological data, where concerns as to the statistical and biological significance and reliability of the data and the impacts of confounding and misclassification are pressing. Such concerns are also relevant to some extent in the interpretation of animal bioassay data and mechanistic studies. Although the test animals, laboratory environment and characterization of the test agent are usually much better controlled than the equivalent parameters in an epidemiological study, the small sample size can be problematic. In addition, there are uncertainties associated with extrapolation of biological responses from test animal species to humans.

Criteria for Causality

There has been extensive discussion over the last two centuries on causal inference. This has been particularly with regard to epidemiological data, but is also relevant to interpretation of animal studies. Most epidemiologists utilize causal inference guidelines based on those proposed by Bradford Hill (1971). OEHHA has relied on these and on recommendations by IARC (2006), the Institute of Medicine (2004), the Surgeon General's Reports on Smoking (U.S. DHHS, 2004) and standard epidemiologic texts (*e.g.* Lilienfeld and Lilienfeld, 1980; Rothman and Greenland, 1998). The criteria for determination of causality used by OEHHA have been laid out in various risk assessment documents. The summary below is adapted from the Health Effects section of the document prepared to support the identification of environmental tobacco smoke (ETS) as a Toxic Air Contaminant (OEHHA, 2005b).

1. *Strength of Association.* A statistically significant strong association, which is easier to detect if there is a high relative risk, between a factor and a disease is often viewed as an important criterion for inferring causality because, all other things being equal, a strong and statistically significant association makes alternative explanations for the disease less likely. However, as discussed in Rothman and Greenland (1998), the fact that a relative risk is small in magnitude does not exclude a casual association between the risk factor

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and the outcome in question. Since it is more difficult to detect (i.e., reach statistical significance) a small magnitude risk, ~~they are~~it is just as likely to ~~be causal~~indicate causality as a larger magnitude risk~~s~~.

When assessing all evidence, it is important to consider the strength of the study design (particularly controlling for confounding variables, obtaining an unbiased sample, measurement error) and the level of statistical significance (i.e., the ability to exclude a Type I [false positive] error). The power of the study to detect biologically meaningful effects (i.e., the risk of a Type II [false negative] error) is important in considering studies that do not reach traditional (i.e., P<.05) statistical significance, particularly if the biological endpoint is serious. If the outcome is serious and the study small (i.e., low power), a larger P value (e.g., P<.10) may be adequate evidence for identifying an effect.

There are a number of examples of statistically significant, small magnitude associations that are widely accepted as causal, such as causal links between air pollution and cardiovascular/pulmonary mortality and between second-hand smoke exposure and various cancers and heart disease. From a public health perspective, even a small magnitude increase in risk for a common disease can mean large numbers of people affected by the health outcome when exposure is frequent and widespread, as measured by the population attributable risk or attributable fraction. Small magnitude of association must not be confused with statistical significance, which is much more important.

2. *Consistency of Association.* If several investigations find an association between a factor and a disease across a range of populations, geographic locations, times, and under different circumstances, then the factor is more likely to be causal. Consistency argues against hypotheses that the association is caused by some other factor(s) that varies across studies. Unmeasured confounding is an unlikely explanation when the effect is observed consistently across a number of studies in different populations.

   Associations that are replicated in several studies of the same design or using different epidemiological approaches or considering different sources of exposure and in a number of geographical regions are more likely to represent a causal relationship than isolated observations from single studies (IARC, 2006). If there are inconsistent results among investigations, possible reasons are sought, such as adequacy of sample size or control group, methods used to assess exposure, or range in levels of exposure. The results of studies judged to be rigorous are emphasized over those of studies judged to be methodologically less rigorous. For example, studies with the best exposure assessment are more informative for assessing the association between ETS and breast cancer than studies with limited exposure assessment, all else being equal.

3. *Temporality.* Temporality means that the factor associated with causing the disease occurs in time prior to development of the disease. The adverse health effect should occur at a time following exposure that is consistent with the nature of the effect. For example, respiratory irritation immediately following exposure to an irritant vapor is temporally consistent, whereas ~~effects~~ irritation noted only years later may not be. On the other hand, tumors, noted immediately following exposure, might be temporally

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inconsistent with a causal relationship, but tumors arising after a latency period of months (in rodents) or years (in rodents or humans) would be temporally consistent.

4. *Coherence and Biological Plausibility.* A causal interpretation cannot conflict with what is known about the biology of the disease. The availability of experimental data or mechanistic theories consistent with epidemiological observations strengthens conclusions of causation. For example, the presence of known carcinogens in tobacco smoke supports the concept that exposure to tobacco smoke could cause increased cancer risk. Similarly, if the mechanism of action for a toxicant is consistent with development of a specific disease, then coherence and biological plausibility can be invoked. It should be noted that our understanding of the biology of disease, and therefore biological plausibility, changes in light of new information which is constantly emerging from molecular biology (including epigenetics), and from new clinical and epidemiological investigations revealing effects influenced by genetic polymorphisms, pre-existing disease, and so forth.

5. *Dose-Response.* A basic tenet of toxicology is that increasing exposure or dose generally increases the response to the toxicant. While dose-response curves vary in shape and are not necessarily always monotonic, an increased gradient of response with increased exposure makes it difficult to argue that the factor is not associated with the disease. To argue otherwise necessitates that an unknown factor varies consistently with the dose of the substance and the response under question. While increased risk with increasing levels of exposure is considered to be a strong indication of causality, absence of a graded response does not exclude a causal relationship (IARC, 2006).

   The dose-response curves for specific toxic effects may be non-monotonic. Under appropriate circumstances, where the dose response shows saturation, the effect of exposures could be nearly maximal, with any additional exposure having little or no effect. In some instances, a response is seen strongly in susceptible subpopulations, and the dose-response is masked by mixing susceptible and non-susceptible individuals in a sample. Further, there are examples of U-shaped or inverted U-shaped dose-response curves, (e.g., for endocrine disrupters) (Almstrup et al., 2002; Lehmann et al., 2004). Finally, timing of exposure during development may mask an overall increase in risk with increasing dose.

6. *Specificity.* Specificity is generally interpreted to mean that a single cause is associated with a single effect. It may be useful for determining which microorganism is responsible for a particular disease, or associating a single carcinogenic chemical with a rare and characteristic tumor (e.g., liver angiosarcoma and vinyl chloride, or mesothelioma and asbestos). However, the concept of specificity is not helpful when studying diseases that are multifactorial, or toxic substances that contain a number of individual constituents, each of which may have several effects and/or target sites.

7. *Experimental evidence.* While experiments are often conducted over a short period of time or under artificial conditions (compared to real-life exposures), experiments offer the opportunity to collect data under highly controlled conditions that allow strong causal conclusions to be drawn. Experimental data that are consistent with epidemiological

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results strongly support conclusions of causality. There are also "natural experiments" that can be studied with epidemiological methods, such as when exposure of a human population to a substance declines or ceases; if the effect attributed to that exposure decreases, then there is evidence of causality. One example of this is the drop in heart disease death and lung cancer risk after smoking cessation.

It should be noted that the causal criteria are guidelines for judging whether a causal association exists between a factor and a disease, rather than hard-and-fast rules. Lilienfeld and Lilienfeld (1980) note that "*In medicine and public health, it would appear reasonable to adopt a pragmatic concept of causality. A causal relationship would be recognized to exist whenever evidence indicates that the factors form part of the complex of circumstances that increases the probability of the occurrence of disease and that a diminution of one or more of these factors decreases the frequency of that disease. After all, the reason for determining the etiological factors of a disease is to apply this knowledge to prevent the disease.*" Rothman and Greenland (2005) discuss the complexities of causation and the use of rules and deductive methods in causal inference. They also concur with Bradford Hill and others that a determination of causality is a pragmatic conclusion rather than an absolute verdict, and advocate that these criteria should be seen as "*deductive tests of causal hypotheses*".

Data sources

Human studies: epidemiology, ecological studies and case reports

The aim of a risk assessment for the California Air Toxics programs is to determine potential impact on human health. Ideally therefore, the hazard identification would rely on studies in humans to demonstrate the nature and extent of the hazard. However, apart from clinical trials of drugs, experimental studies of toxic effects in human subjects are rarely undertaken or justifiable. Pharmacokinetic studies using doses below the threshold for any toxic effect have been undertaken for various environmental and occupational agents, but are not usually regarded as appropriate for suspected carcinogens.

The human data on carcinogens available to the risk assessor therefore mostly consist of epidemiological studies of existing occupational or environmental exposures. It is easier to draw reliable inferences in situations where both the exposures and the population are substantial and well-defined, and accessible to direct measurement rather than recall. Thus, many important findings of carcinogenicity to humans are based on analysis of occupational exposures. Problems in interpretation of occupational epidemiological data include simultaneous exposure to several different known or suspected carcinogens, imprecise quantification of exposures and confounding exposures such as active or passive tobacco smoking. The historical database of occupational data has a bias towards healthy white adult males. Thus, the hazard analysis of these studies may not accurately characterize effects on women, infants, children or the elderly, or on members of minority ethnic groups. Nevertheless, the analysis of occupational epidemiological studies, including meta-analyses, has proved an important source for unequivocal identification of human carcinogens.

Epidemiological evidence may also be obtained where a substantial segment of a general population is exposed to the material of interest in air, drinking water or food sources. Rigorous

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cohort and case-control studies may sometimes be possible, in which exposed individuals are identified, their exposure and morbidity or mortality evaluated, and compared to less exposed but otherwise similar controls. More often at least the initial investigation is a cross-sectional study, where prevalence of exposures and outcomes is compared in relatively unexposed and exposed populations. Such studies are hypothesis-generating, but are important sources of information nevertheless, and can often also justify more costly and labor-intensive follow-up cohort and/or case-control studies.

The clinical medical literature contains many case reports where a particular health outcome is reported along with unusual exposures that might have contributed to its occurrence. These reports typically describe a single patient or a small group, and have no statistical significance. They are nevertheless useful as indications of possible associations that deserve follow-up using epidemiological methods, and as supporting evidence, addressing the plausibility of associations measured in larger studies.

Animal studies

Although the observation of human disease in an exposed population can provide definitive hazard identification, adequate data of this type are not always available. More often, risk estimates have to be based on studies in experimental animals, and extrapolation of these results to predict human toxicity. The animals used are mostly rodents, typically the common laboratory strains of rat and mouse.

Rats and mice have many similarities to humans. Physiology and biochemistry are similar for all mammals, especially at the fundamental levels of xenobiotic metabolism, DNA replication and DNA repair that are of concern in identifying carcinogens. However, there are also several important differences between rodents and humans. Rodents, with a short life span, have differences in cell growth regulation compared to longer-lived species such as the human. For instance, whereas laboratory investigations have suggested that mutations in two regulatory genes (*e.g.* H-ras and p-53) are sometimes sufficient to convert a rodent cell to a tumorigenic state, many human cancers observed clinically have seven or eight such mutations. In addition, cultured normal human cells have a very stable karyotype, whereas cultured rodent cells facilely undergo tetraploidization and then aneuploidization in cell culture. Further, cultured human cells senesce and rarely undergo spontaneous immortalization (frequency is 10^{-7} or less), whereas cultured rodent cells facilely undergo immortalization at frequencies on the order of 10^{-3}. The use of genomics to study chemical carcinogenesis is relatively new, but the differences at present appear to be a matter of degree rather than kind.

Differences in regulation of cell division are another likely reason for variation between species in the site of action of a carcinogen, or its potency at a particular site. A finding of carcinogenesis in the mouse liver, for instance, is a reasonably good indicator of potential for carcinogenesis at some site in the human, but not usually in human liver (Huff, 1999). The mouse liver (and to a lesser extent that of the rat) is a common site of spontaneous tumors. It is also relatively sensitive to chemical carcinogenesis. The human liver is apparently more resistant to carcinogenesis; human liver tumors are unusual except when associated with additional predisposing disease, such as hepatitis B or alcoholic cirrhosis, or exposure to aflatoxin B1, or simultaneous exposure to hepatitis B virus and aflatoxin B1. Conversely, other

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tumor sites are more sensitive in the human than in experimental animals. Interspecies variation in site and sensitivity to carcinogenesis may also arise from differences in pharmacokinetics and metabolism, especially for carcinogens where metabolic activation or detoxification is important. This variability may cause important differences in sensitivity between individuals in a diverse population such as humans. Variability between individuals in both susceptibility and pharmacokinetics or metabolism is probably less in experimental animal strains that are bred for genetic homogeneity.

Animal carcinogenesis studies are often designed to maximize the chances of detecting a positive effect, and do not necessarily mimic realistic human exposure scenarios. Thus extrapolation from an experimentally accessible route to that of interest for a risk assessment may be necessary. Even for studies by realistic routes such as oral or inhalation, doses may be large compared to those commonly encountered in the environment, in order to counter the limitation in statistical power caused by the relatively small size of an animal experiment. Whereas the exposed population of an epidemiological study might number in the thousands, a typical animal study might have fifty individuals per exposure group. With this group size any phenomenon with an incidence of less than about 5% is likely to be undetectable. Statistically significant results may be obtained even with groups as small as ten animals per dose group, when incidence of a tumor that is rare in the controls approached 100% in a treated group. The consensus experimental design for animal carcinogenesis studies, which has evolved over the last 50 years of investigation, is represented by the protocol used by the U.S. National Toxicology Program (NTP) for studies using oral routes (diet, gavage or drinking water) or inhalation. These carcinogenesis bioassays usually involve both sexes of an experimental species, and most often two species. NTP has standardized the use of the C57BlxC3H F_1 hybrid mouse, and the Fischer 344 rat as the standard test species, although NTP has announced plans to substitute use of the Wistar Han rat for the Fisher 344 rat. There is now an extensive database of background tumor incidences, normal physiology, biochemistry, histology and anatomy for these strains, which aids in the interpretation of pathological changes observed in experiments. Nevertheless, there is enough variation in background rates of common tumors that the use of concurrent controls is essential for hazard identification or dose-response assessment. "Historical control" data are mainly used to reveal anomalous outcomes in the concurrent controls. The fact that a significantly elevated incidence of a tumor relative to the concurrent control group is within the range of historical controls at that site for the test sex and strain is not necessarily grounds for dismissing the biological significance of the finding.

Groups of fifty animals of each sex and species are used, with control groups, and several dose groups, the highest receiving the maximum tolerated dose (MTD). Recent study designs have emphasized the desirability of at least three dose levels covering a decade with "logarithmic" spacing (*i.e.* MTD, 1/2 MTD or 1/3 MTD, and 1/10 MTD). This extended design is aimed at providing better dose-response information, and may contribute important additional information, such as mechanistic insights, for the hazard identification phase.

Supporting evidence: genetic toxicity, mechanistic studies

Investigators have developed additional data sources that can support or modify the conclusions of animal carcinogenesis bioassays, and provide information on mechanisms of action of agents suspected of being carcinogenic based on epidemiological studies or animal bioassays.

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Genetic damage in exposed organisms includes both gene mutations (point or frameshift), and larger scale effects such as deletions, gene amplification, sister-chromatid exchanges, translocations and loss or duplication of segments or whole chromosomes. These genetic effects of chemical exposures are deleterious in their own right. In addition, since carcinogenesis results from somatic mutations and similar genetic alterations, agents that cause genetic damage generally have carcinogenic potential. Conversely, many known carcinogens are also known to be genotoxic, although there is also a significant class of carcinogens that are not directly genotoxic according to the usual tests. These latter agents presumably work by some other mechanism, such as methylation of tumor suppressor genes or demethylation of cellular proto-oncogenes, although recent genetic studies have shown that even tumors induced by these agents may show mutations, deletions or amplification of growth regulatory genes.

Experimental procedures to demonstrate and measure genetic toxicity may involve exposure of intact animals, and examination of genetic changes in, for example, bone marrow cells (or cells descended from these e.g. the micronucleus test, which detects remnants of chromosomal fragments in immature erythrocytes), mutations in flies (*Drosophila)*, or appearance of color spots in the coat of mice. However, many tests have employed single celled organisms or mammalian cells in culture. The best known of these tests is the *Salmonella* reverse mutation assay, popularly known as the Ames test after its inventor. This is representative of a larger class of tests for mutagenic activity in prokaryotic organisms (bacteria), which necessarily only look at gene-level mutations. Similar tests in eukaryotic microorganisms (yeasts, *Aspergillus*) and cultured mammalian cells also detect chromosomal effects. Many tests using microorganisms *in vitro* involve addition of activating enzymes (*e.g.* liver postmitochondrial supernatant – "S9") to mimic the metabolism of promutagenic chemicals *in vivo*. Another type of test examines the induction in mammalian cells of morphological transformation or anchorage-independent growth. These two chemically induced, *in vitro* changes are considered two of the many changes that fibroblastic cells must undergo on their route to neoplastic transformation (tumorigenicity). These various genetic tests contribute different information, which may be used to amplify and confirm conclusions drawn from human studies or animal bioassays, or to draw conclusions in the absence of epidemiological or bioassay data. In the latter case they have also been used in prioritizing agents for further evaluation by means of bioassays.

Carcinogen Identification schemes

Some regulatory programs, such as California's Safe Drinking Water and Toxics Enforcement Act ("Proposition 65") and various activities of the U.S. EPA, require that explicit lists of substances having the potential to act as human carcinogens be maintained. Other such lists are developed by non-regulatory research organizations, such as the U.S. National Toxicology Program and the International Agency for Research on Cancer (IARC), an international program of the World Health Organization. The California air toxics programs do not have any statutory requirement to "identify" carcinogens. The requirement instead is to identify hazardous substances as Toxic Air Contaminants, and to determine whether or not a threshold concentration, below which no adverse effects are expected, is likely to exist:

HEALTH AND SAFETY CODE, Division 26 (Air Resources), § 39660.

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(2) The evaluation shall also contain an estimate of the levels of exposure that may cause or contribute to adverse health effects. If it can be established that a threshold of adverse health effects exists, the estimate shall include both of the following factors:

(A) The exposure level below which no adverse health effects are anticipated.

(B) An ample margin of safety that accounts for the variable effects that heterogeneous human populations exposed to the substance under evaluation may experience, the uncertainties associated with the applicability of the data to human beings, and the completeness and quality of the information available on potential human exposure to the substance. In cases in which there is no threshold of significant adverse health effects, the office shall determine the range of risk to humans resulting from current or anticipated exposure to the substance.

In practice however this requirement amounts to the need to establish whether or not a substance is carcinogenic. Any such effects are clearly harmful. Whereas the great majority of non-cancer health effects of chemicals are regarded as having a threshold, the default assumption for carcinogens is that there is no threshold (as described below). OEHHA follows the guidelines laid out by IARC for identification and classification of potential human carcinogens, which are described in detail in the most recent revision of the *Preamble* to the IARC monographs series (IARC, 2006). The IARC Monograph series provides evaluations of the carcinogenicity of individual substances or commonly occurring mixtures. The evaluation guidelines used are similar to those used by other scientific or regulatory authorities, including U.S.EPA.

The data inputs to hazard identification for carcinogens are human epidemiological studies, animal bioassays, along with supporting evidence such as mechanistic and genotoxicity data and structure-activity comparisons. IARC also assembles data on the structure and identity of the agent. The list of agents considered includes specific chemicals and also complex mixtures, occupational and lifestyle factors, physical and biological agents, and other potentially carcinogenic exposures.

IARC evaluations determine the quality of evidence for both animal and human evidence as falling into one of four categories: sufficient evidence of carcinogenicity, limited evidence of carcinogenicity, inadequate evidence of carcinogenicity and evidence suggesting lack of carcinogenicity. Stringent requirements for data quality are imposed. In view of their crucial importance, these definitions are quoted directly from the *Preamble* (IARC 2006):

"(a) Carcinogenicity in humans

Sufficient evidence of carcinogenicity: The Working Group considers that a causal relationship has been established between exposure to the agent and human cancer. That is, a positive relationship has been observed between the exposure and cancer in studies in which chance, bias and confounding could be ruled out with reasonable confidence. A statement that there is *sufficient evidence* is followed by a separate sentence that identifies the target organ(s) or tissue(s) where an increased risk of cancer was observed in humans. Identification of a specific target organ or tissue does not preclude the possibility that the agent may cause cancer at other sites.

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***Limited evidence of carcinogenicity*:** A positive association has been observed between exposure to the agent and cancer for which a causal interpretation is considered by the Working Group to be credible, but chance, bias or confounding could not be ruled out with reasonable confidence.

Inadequate evidence of carcinogenicity: The available studies are of insufficient quality, consistency or statistical power to permit a conclusion regarding the presence or absence of a causal association between exposure and cancer, or no data on cancer in humans are available.

Evidence suggesting lack of carcinogenicity: There are several adequate studies covering the full range of levels of exposure that humans are known to encounter, which are mutually consistent in not showing a positive association between exposure to the agent and any studied cancer at any observed level of exposure. The results from these studies alone or combined should have narrow confidence intervals with an upper limit close to the null value (e.g. a relative risk of 1.0). Bias and confounding should be ruled out with reasonable confidence, and the studies should have an adequate length of follow-up. A conclusion of *evidence suggesting lack of carcinogenicity* is inevitably limited to the cancer sites, conditions and levels of exposure, and length of observation covered by the available studies. In addition, the possibility of a very small risk at the levels of exposure studied can never be excluded.

(b) Carcinogenicity in experimental animals

Carcinogenicity in experimental animals can be evaluated using conventional bioassays, bioassays that employ genetically modified animals, and other in-vivo bioassays that focus on one or more of the critical stages of carcinogenesis. In the absence of data from conventional long-term bioassays or from assays with neoplasia as the end-point, consistently positive results in several models that address several stages in the multistage process of carcinogenesis should be considered in evaluating the degree of evidence of carcinogenicity in experimental animals.

The evidence relevant to carcinogenicity in experimental animals is classified into one of the following categories:

***Sufficient evidence of carcinogenicity*:** The Working Group considers that a causal relationship has been established between the agent and an increased incidence of malignant neoplasms or of an appropriate combination of benign and malignant neoplasms in (a) two or more species of animals or (b) two or more independent studies in one species carried out at different times or in different laboratories or under different protocols. An increased incidence of tumours in both sexes of a single species in a well-conducted study, ideally conducted under Good Laboratory Practices, can also provide *sufficient evidence*.

A single study in one species and sex might be considered to provide *sufficient evidence of carcinogenicity* when malignant neoplasms occur to an unusual degree with regard to incidence, site, type of tumour or age at onset, or when there are strong findings of tumours at multiple sites.

***Limited evidence of carcinogenicity*:** The data suggest a carcinogenic effect but are limited for making a definitive evaluation because, e.g. (a) the evidence of carcinogenicity is

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restricted to a single experiment; (b) there are unresolved questions regarding the adequacy of the design, conduct or interpretation of the studies; (c) the agent increases the incidence only of benign neoplasms or lesions of uncertain neoplastic potential; or (d) the evidence of carcinogenicity is restricted to studies that demonstrate only promoting activity in a narrow range of tissues or organs.

***Inadequate evidence of carcinogenicity*:** The studies cannot be interpreted as showing either the presence or absence of a carcinogenic effect because of major qualitative or quantitative limitations, or no data on cancer in experimental animals are available.

***Evidence suggesting lack of carcinogenicity*:** Adequate studies involving at least two species are available which show that, within the limits of the tests used, the agent is not carcinogenic. A conclusion of *evidence suggesting lack of carcinogenicity* is inevitably limited to the species, tumour sites, age at exposure, and conditions and levels of exposure studied."

IARC utilizes the evaluations of animal and human data, along with supporting evidence including genotoxicity, structure-activity relationships, and identified mechanisms, to reach an overall evaluation of the potential for carcinogenicity in humans. The revised *Preamble* (IARC, 2006) includes a description of the data evaluation criteria for this supporting evidence, and indications as to the situations where the availability of supporting evidence may be used to modify the overall conclusion from that which would be reached on the basis of bioassay and/or epidemiological evidence alone. The overall evaluation is expressed as a numerical grouping, the categories of which are described below, as before by directly quoting IARC (2006):

"Group 1: The agent is *carcinogenic to humans*.

This category is used when there is *sufficient evidence of carcinogenicity* in humans. Exceptionally, an agent may be placed in this category when evidence of carcinogenicity in humans is less than *sufficient* but there is *sufficient evidence of carcinogenicity* in experimental animals and strong evidence in exposed humans that the agent acts through a relevant mechanism of carcinogenicity.

Group 2.

This category includes agents for which, at one extreme, the degree of evidence of carcinogenicity in humans is almost *sufficient*, as well as those for which, at the other extreme, there are no human data but for which there is evidence of carcinogenicity in experimental animals. Agents are assigned to either Group 2A (*probably carcinogenic to humans*) or Group 2B (*possibly carcinogenic to humans*) on the basis of epidemiological and experimental evidence of carcinogenicity and mechanistic and other relevant data. The terms *probably carcinogenic* and *possibly carcinogenic* have no quantitative significance and are used simply as descriptors of different levels of evidence of human carcinogenicity, with *probably carcinogenic* signifying a higher level of evidence than *possibly carcinogenic*.

Group 2A: The agent is *probably carcinogenic to humans*.

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This category is used when there is *limited evidence of carcinogenicity* in humans and *sufficient evidence of carcinogenicity* in experimental animals. In some cases, an agent may be classified in this category when there is *inadequate evidence of carcinogenicity* in humans and *sufficient evidence of carcinogenicity* in experimental animals and strong evidence that the carcinogenesis is mediated by a mechanism that also operates in humans. Exceptionally, an agent may be classified in this category solely on the basis of *limited evidence of carcinogenicity* in humans. An agent may be assigned to this category if it clearly belongs, based on mechanistic considerations, to a class of agents for which one or more members have been classified in Group 1 or Group 2A.

Group 2B: The agent is *possibly carcinogenic to humans.*

This category is used for agents for which there is *limited evidence of carcinogenicity* in humans and less than *sufficient evidence of carcinogenicity* in experimental animals. It may also be used when there is *inadequate evidence of carcinogenicity* in humans but there is *sufficient evidence of carcinogenicity* in experimental animals. In some instances, an agent for which there is *inadequate evidence of carcinogenicity* in humans and less than *sufficient evidence of carcinogenicity* in experimental animals together with supporting evidence from mechanistic and other relevant data may be placed in this group. An agent may be classified in this category solely on the basis of strong evidence from mechanistic and other relevant data.

Group 3: The agent is *not classifiable as to its carcinogenicity to humans.*

This category is used most commonly for agents for which the evidence of carcinogenicity is *inadequate* in humans and *inadequate* or *limited* in experimental animals.

Exceptionally, agents for which the evidence of carcinogenicity is *inadequate* in humans but *sufficient* in experimental animals may be placed in this category when there is strong evidence that the mechanism of carcinogenicity in experimental animals does not operate in humans.

Agents that do not fall into any other group are also placed in this category.

An evaluation in Group 3 is not a determination of non-carcinogenicity or overall safety. It often means that further research is needed, especially when exposures are widespread or the cancer data are consistent with differing interpretations.

Group 4: The agent is *probably not carcinogenic to humans.*

This category is used for agents for which there is *evidence suggesting lack of carcinogenicity* in humans and in experimental animals. In some instances, agents for which there is *inadequate evidence of carcinogenicity* in humans but *evidence suggesting lack of carcinogenicity* in experimental animals, consistently and strongly supported by a broad range of mechanistic and other relevant data, may be classified in this group."

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The IARC hazard evaluation system provides a detailed and generally accepted scheme to classify the strength of evidence as to the possible human carcinogenicity of chemicals and other agents. This includes careful consideration of mechanistic data and other supporting evidence, the evaluation of which is also important to inform selection of models or defaults used in dose response assessment, as is described below. The extended consideration of supporting evidence is in fact the primary difference between more recent versions of the guidance from IARC, and also by other organizations including U.S. EPA, and the original versions of that guidance. In fact, the basic criteria for hazard identification based on bioassay and epidemiological data have not changed substantially in other respects from earlier guidance documents, including that originally published by California (DHS, 1985). Although as noted earlier the California Air Toxics programs do not categorize identified carcinogens, it has generally been the practice to regard any agent with an IARC overall classification in Group 1 or Group 2 as a known or potential human carcinogen. This implies the selection of various policy-based default options, including absence of a threshold in the dose-response curve, unless specific data are available to indicate otherwise. The same basic identification criteria are used by OEHHA scientific staff to determine the appropriate treatment of agents not evaluated by IARC, or for which newer data or revised interpretations suggest that an earlier IARC determination is no longer appropriate.

U.S. EPA has also proposed a scheme for carcinogen hazard identification and strength of evidence classification in their recently finalized Guidelines for Carcinogen Risk Assessment (U.S. EPA, 2005). These principally differ from the IARC guidance in recommending a more extensive narrative description rather than simply a numerical identifier for the identified level of evidence, and also to some degree in the weight accorded to various types of supporting evidence. However, for most purposes they may be regarded as broadly equivalent to the scheme used by IARC, and OEHHA has chosen to cite the IARC (2006) *Preamble* as representing the most up-to-date and generally accepted guidance on this issue.

Dose Response Assessment

The dose-response phase of a cancer risk assessment aims to characterize the relationship between an applied dose of a carcinogen and the risk of tumor appearance in a human. This is usually expressed as a cancer slope factor [“potency” – in units of reciprocal dose - usually $(\text{mg/kg-body weight.day})^{-1}$ or “unit risk” – reciprocal air concentration – usually $(\mu g/m^3)^{-1}$] for the lifetime tumor risk associated with lifetime continuous exposure to the carcinogen at low doses. Cancer potency factors may also be referred to as “cancer slope factors”. (As will be described later, additional algorithms may need to be applied to determine risk for specific age groups, or at higher doses where toxicokinetic factors have significant effect.) The basic methodologies recommended in this document are similar to those described by U.S. EPA (2005a) in their Carcinogen Risk Assessment Guidelines. This document therefore refers to U.S. EPA (2005a) for explanation of detailed procedures, and will provide only a brief summary except in cases where OEHHA recommendations are different from or more explicit than those of U.S. EPA.

The following descriptions of methods for dose response assessment, and considerations in their application, apply in principle to the analysis of both animal and human (epidemiological) cancer incidence data. Indeed, the original formulation of the multistage model (Armitage and Doll, 1954) described below was developed based on human cancer incidence. Nevertheless, the

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number and quality of human cancer incidence datasets is limited. The more complex analyses have usually only been possible for animal experimental data, where the interindividual variability and the exposure conditions can be both measured and controlled. Most commonly, epidemiological studies have necessarily used a form of multivariate analysis to separate the effects of several different variables relating to exposure, demographics and behaviors (e.g. smoking). In these analyses it is usually assumed that the effect measure(s) vary linearly with the exposure: any more complex variance assumptions might exceed the power of the data to determine the required model parameters. However, there are exceptions, especially for occupational studies where the critical exposure is measured as a continuous variable (rather than just categorical) and where the effect of this exposure is substantial relative to other confounding factors. For example, OEHHA (1998) used a multistage model dealing with both exposure intensity and duration in the analysis of cancer incidence in railroad workers exposure to diesel exhaust (Garshick et al., 1988)

Interspecies Extrapolation

The procedures used to extrapolate low-dose human cancer risk from epidemiological or animal carcinogenicity data are generally health-protective in that they determine an upper confidence bound on the risk experienced by an exposed population. As statistical estimates they cannot be regarded as definite predictions of the risk faced by any one specific individual, who might for a variety of reasons, including individual exposure and susceptibility, experience a risk different from the estimate. The risk assessment procedures used aim to include the majority of variability in the general human population within the confidence bound of the estimate, although the possibility that some individuals might experience either lower or even no risk, or a considerably higher risk, cannot be excluded. Additionally, differences may exist between the characteristics of the general public and those of studied populations. For example, healthy workers, the subject of most epidemiological studies, are often found to have lower rates of morbidity and mortality than the general population (Wen et al., 1983; Monson, 1986; Rothman and Greenland, 1998). Most human data are derived from studies of largely male adult workers and risk estimates cannot take into account specific physiological factors of women, children, and older populations that may affect the potency of a carcinogen, including early age-at-exposure.

Dose-response assessment based on environmental epidemiological studies may involve evaluation of health impacts at exposure levels within the range of those measured in the study population. However, more usually the source data are studies of occupationally exposed humans or of animals, in which case the exposures in the study are likely to be much higher than those of concern for risk assessments relating to community or ambient exposures. Further, even when extrapolation from animal species to humans is not required, the general population to which the URF is applied may differ in characteristics relative to the occupational population studied. It is therefore necessary to extrapolate from the available data to the population and exposure range of concern, which is done by using a dose-response model derived from the source data. The models used fall into three main classes; mechanistically based models, empirical models and (where data are lacking to support a true data-based model) default assumptions. The factors affecting the dose-response relationships for carcinogenesis may also be divided into those relating to absorption, distribution, metabolism and excretion on the one hand (*i.e.* toxicokinetics), and those relating to the underlying dose-response characteristics of carcinogenesis at the tissue or cellular level (*i.e.* toxicodynamics). In this sense the problem of

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dose response assessment for carcinogens is similar to that for non-cancer toxic effects. The toxicokinetic models used may in fact be similar for both situations, but the toxicodynamic models are generally different.

Intraspecies Extrapolation and Inter-individual Variability

In estimating the impact of a particular level of exposure to a carcinogen on a target human population, it is necessary to consider the range of susceptibility in the target population. In the present case this is typically defined as the general population of the State of California, including of course women (some of whom are pregnant), infants and children, the elderly, the sick, and those with genetic polymorphisms or acquired differences which affect their susceptibility to carcinogens. In general it has been assumed that the upper-bound risk estimates obtained from the standard toxicodynamic models described below are sufficiently health-protective to cover the intrinsic variability of the adult human target population, in spite of the fact that these models do not explicitly address this type of variability, except in the few cases where an estimate is based on epidemiological data from a large and unselected study group (U.S. EPA, 2005a). However, various analyses (Drew et al., 1983; Barton et al., 2005; Appendix J) have suggested that this assumption is inadequate to cover the expected variability within a human population that includes infants and children. Accordingly both U.S. EPA (2005b) and this document ~~(page 30 *et seq.*)~~ now offer guidance on the use of age-specific adjustment factors to allow for the potentially greater sensitivity of infants and children to chemical carcinogenesis.

The ability to accommodate human variability with regard to the toxicokinetic factors affecting susceptibility to carcinogens varies with the level of detail used in the particular assessment. If the generic interspecies extrapolation approach based on body weight is used without any explicit toxicokinetic model then the assumption is made, as in the case of toxicodynamic variability, that the overall health-protective assumptions made are sufficient to cover the toxicokinetic variability. On the other hand if explicit models such as those referenced in the following paragraph are used, this variability may be more explicitly accommodated by using parameter values which are taken as point estimates from measured distributions of population values, or by using Monte Carlo techniques to include those distributions in the model (Bois et al., 1996; OEHHA, 1992; 2001b).

Toxicokinetic Models

Considerable literature exists showing the importance of understanding the toxicokinetics of carcinogens in understanding their mechanism of action, sites of impact and dose-response relationships. U.S. EPA (2005) in Section 3.1 refers to the importance of identifying an appropriate dose metric for the dose-response analysis. Early cancer risk assessments typically used applied dose as the dose metric, which is adequate in simple cases provided appropriate correction factors are applied for interspecies extrapolation. However, it is often observed that the uptake, metabolism and elimination of the carcinogenic substance (and/or a procarcinogen and metabolites) is non-linear, especially at the higher doses employed in experimental animal studies (Hoel *et al.*, 1983, Gaylor *et al.*, 1994). Extrapolation to lower doses where such relationships tend to linearity (Hattis, 1990) is aided by the use of toxicokinetic models. These may be relatively simple compartment models, or sophisticated "physiologically based pharmacokinetic (PBPK) models" which to a greater or lesser degree model the actual

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biochemical and physiological events of toxicokinetic importance. Applications of both types of model may be found in various risk assessment documents prepared for the Toxic Air Contaminants program (and other OEHHA risk assessments). Since the details vary widely according to the nature of the chemical and the availability of appropriate kinetic data these general guidelines will defer to those examples rather than attempt a fuller exposition here. Further analysis of the use of toxicokinetic modeling in extrapolation from animals to humans, and in accounting for interindividual variability among adult humans, infants and children is presented in the Air Toxics Hot Spots *Technical Support Document for the Derivation of Noncancer Reference Exposure Levels* (OEHHA, ~~2007: Public Review Draft~~2008). Although this refers to the use of toxicokinetic modeling in non-cancer risk assessment, the primary considerations are similar for cancer risk assessment.

Toxicodynamic Models

An early use of mechanistic analysis to support risk assessment was the development of the Armitage-Doll multistage model of dose-response for carcinogenesis. The multistage model was initially developed on theoretical grounds, and by examination of epidemiological and animal data on time to tumor incidence. Subsequent discovery of the molecular biology of proto-oncogenes has provided a basis for explaining the model in terms of actual biological events and systems (Barrett and Wiseman, 1987). This model was developed by Crump and others into the "linearized multistage model", which has been extensively used for carcinogen risk assessment. It leads to a number of partially verifiable predictions, including linearity of the dose-response relationship at low doses, which is observed for many genotoxic carcinogens. It also predicts the form of the dose-response relationship at higher doses, which generally follow a polynomial form (subject to sampling and background corrections) except where other identifiable factors such as pharmacokinetics intervene.

It has been argued that the simple linearized form of the multistage model has limitations as a description of carcinogenic mechanisms, which detract from its usefulness and generality. Cell proliferation is known to be important in the progression of cancer. It may actually be the primary mechanism of action for a few carcinogens, as opposed to the direct modification of DNA by the carcinogen or a metabolite which is assumed to cause the mutational event at each stage in the original multistage description. A cell proliferation model has been developed (Moolgavkar and Knudson, 1981), which retains the concept of an initiating mutational event (in most cases caused by interaction of the chemical with DNA, although it could also be a spontaneous mutation) as in the original multistage model, but also considers proliferation, death or terminal differentiation of both normal and initiated cells. This model is thought to better describe the biological events in carcinogenesis. However, it has not been used extensively in risk assessment because it requires many parameters that are difficult to define and measure (such as proliferation and death rates for various classes of cell). If these cannot be accurately determined, the model has too many free parameters and is not helpful in defining extrapolated values for risk assessment purposes. This highlights a general problem in using mechanistic models in carcinogen risk assessment, which is that the carcinogenesis data themselves are generally insufficient to define fully the dose response curve shape at low doses or provide much mechanistic information. The analysis is therefore supplemented with policy-based assumptions (such as the expectation of linearity at low doses) and, wherever possible, additional

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experimental measurements relating to the mechanism of action, in order to make meaningful prediction of risk from environmental exposures to humans.

Because of the difficulties in validating simplified mechanistic models such as the basic multistage model, and the additional difficulty of parameter estimation with more complex mechanistic models, the new U.S. EPA guidelines (U.S. EPA, 2005a) and some recent California risk assessments have chosen instead to use a less overtly mechanistic approach. This approach combines benchmark dose methodology (described below) with an explicit choice of the method for low-dose extrapolation, either assuming low-dose linearity or, for certain carcinogens where data indicate that this is appropriate, a "margin of exposure" or safety/uncertainty factor based approach. This benchmark method is now normally recommended for carcinogen dose response analysis, and the results generally differ little from those derived by the linearized multistage model. Although the linearized multistage method is no longer recommended as the default approach for cancer potency estimation it remains a plausible alternative in many cases, and still has useful applications, such as for time-to-tumor analyses for which benchmark methods are not yet widely available. Additionally, a considerable number of existing cancer potencies in Appendices A and B, and used in the Air Toxics Hot Spots program were derived by this method. Many of these would not be significantly different if calculated by the benchmark approach, and are unlikely to be replaced soon by newly calculated values. The linearized multistage method will therefore also be briefly described here.

Benchmark dose methodologies

The use of benchmark dose methodology has been explored by various investigators [including Gaylor et al. (1998); van Landingham et al. (2001) and Crump (1984, 1995, 2002)] as a tool for dose response extrapolation. This has been recommended in regulatory guidelines for both carcinogenic (U.S. EPA, 2005a) and non-carcinogenic (U.S. EPA, 1995) endpoints. The basic approach is to fit an arbitrary function to the observed incidence data, and to select a "point of departure" (POD) (benchmark dose) *within the range of the observed data.* From this a low dose risk estimate or assumed safe level may be obtained by extrapolation, using an assumed function (usually linear) or by application of uncertainty factors. The critical issue here is that no assumptions are made about the nature of the underlying process in fitting the data. The assumptions about the shape of the dose response curve (linear, threshold, etc.) are explicitly confined to the second step of the estimation process, and are chosen on the basis of policy, mechanistic evidence or other supporting considerations. The benchmark chosen is a point at the low end of the observable dose-response curve. Usually a dose at which the incidence of the tumor is 10% is chosen for animal studies, although lower effect levels may be appropriate for large epidemiological data sets. Because real experimental data include variability in the response of individual subjects, and measurement errors, likelihood methodology is applied in fitting the data. A lower confidence bound (usually 95%) of the effective dose (LED_{10}), rather than its maximum likelihood estimate (MLE), is used as the point of departure. This properly reflects the uncertainty in the estimate, taking a cautious interpretation of highly variable or error-prone data. It also reflects the instability of MLE values from complex curve-fitting routines, which has been recognized as a problem also with the linearized multistage model.

For cancer dose-response estimation using the benchmark dose method, either animal bioassay data or epidemiological data provide a suitable basis. In the absence of a pharmacokinetic model

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(which could provide tissue-specific dose metrics), the potency would ordinarily be based on the time-weighted average exposure during the exposure or dosing period. The model used to fit the data can be chosen from a range of available alternative quantal models, depending on which provides the best fit to the data in the observable range. In practice, the multistage polynomial fit developed for the linearized multistage model works well for most tumor data sets. Here it is being used merely as a mathematical curve-fitting tool, where the model well fits the data set, without making assumptions about its validity as a biological model of carcinogenesis.

Suitable polynomial fits and estimates of the benchmark may be obtained using U.S. EPA's BMDS software. The benchmark often used is the 95% lower confidence bound on the dose producing 10% tumor incidence. However, if data are available which include a significant dose-response at less than 10% tumor incidence, then that lower benchmark should be used (e.g. LED_{05} or LED_{01}). Other software such as Tox_Risk, which was used for the linearized multistage model, has been used successfully, although the earlier GLOBAL program and its relatives are less suitable as curve-fitting tools for benchmark dose analysis.

Since it is usually assumed in cancer risk estimation that the low-dose response relationship is linear, risk estimates and a potency value (slope factor) may be obtained by linear extrapolation from an appropriate benchmark dose. The potency is the slope of that line ($0.1/LED_{10}$). The low dose linearity assumption is a general default for any carcinogen, and it is unlikely to be altered for genotoxic carcinogens.

A calculation using the benchmark dose approach (using a polynomial model with exponents restricted to zero or positive values), and linear extrapolation from the LED_{10} to obtain a potency estimate is shown in Figure 1 (the figure was generated by the U.S. EPA's BMDS program). This is based on tumor incidence data from an actual experiment with vinyl bromide in rats (Benya *et al.*, 1982), with metabolized dose calculated by means of a pharmacokinetic model (Salmon *et al.,* 1992). The value of q_1* obtained by this calculation would then be corrected for the duration of the experiment if it had lasted for less than the standard rat lifetime, and for bodyweight and route-specific pharmacokinetic factors as described below. This is in addition to the correction for exposure duration that would be necessary if the study had not lasted for 105 weeks, and the interspecies correction, both of which are described below.

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Figure 1. Benchmark dose calculation for tumor data in rats exposed to vinyl bromide

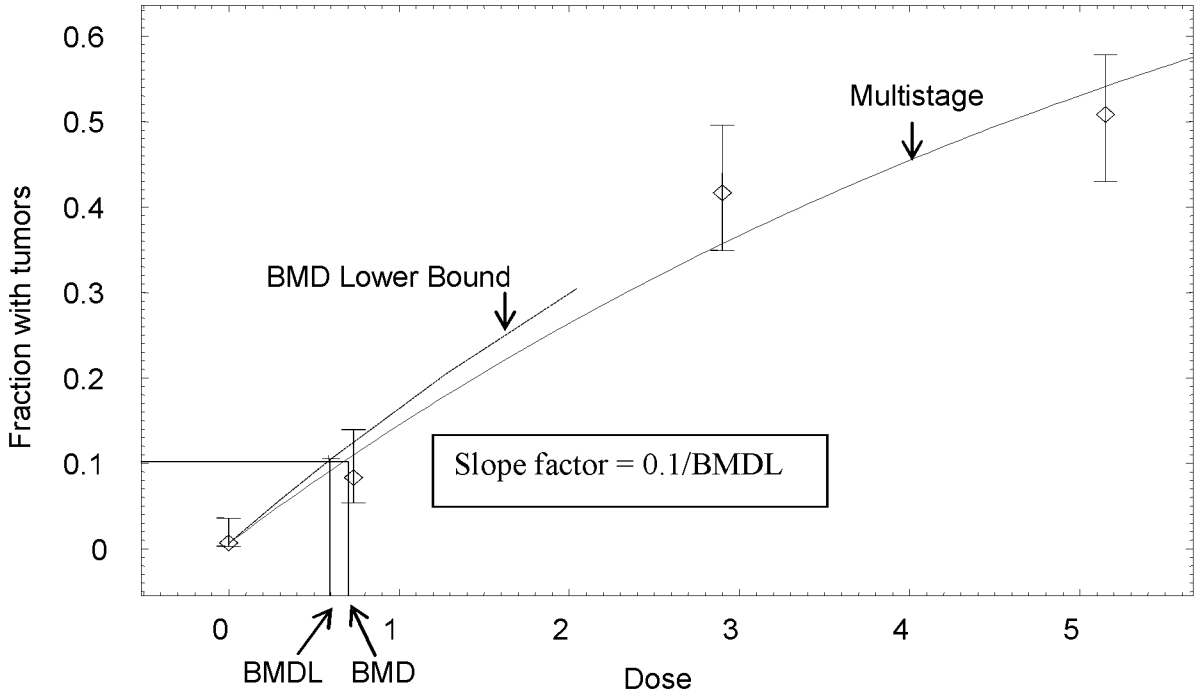

From Salmon *et al.* (1992), based on data from Benya *et al.* (1982)

Linearized Multistage Model

Quantal analyses

A "multistage" polynomial (U.S. EPA, 1986, 2005a; Anderson *et al.*, 1983), based on the mechanistic insights of the original Armitage and Doll model of cancer induction and progression, has been used extensively by U.S. EPA, OEHHA and other risk assessors to model the dose response for lifetime risk of cancer. It usually is used for analysis of animal bioassay data, although related approaches have occasionally been used with epidemiological data. In mathematical terms, the probability of dying with a tumor (P) induced by an average daily dose (d) is:

$$P(d) = 1 - \exp[-(q_0 + q_1 d + q_2 d^2 + \ldots + q_j d^j)]$$

with constraints

$$q_i \geq 0 \text{ for all i.}$$

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Equivalently, $A(d) = 1 - \exp[-(q_1 d + q_2 d^2 + \cdots + q_k d^k)]$,

where $A(d) = \dfrac{P(d) - P(0)}{1 - P(0)}$ is the extra risk over background at dose d.

The q_i model parameters are constants that can be estimated by fitting the polynomial to the data from the bioassay, *i.e.* the number of tumor bearing animals (as a fraction of the total at risk) at each dose level, including the controls. The fit is optimized using likelihood methodology, assuming that the deviations from expected values follow a χ^2 distribution, with the number of degrees of freedom (and hence the maximum number of terms allowed in the polynomial) determined by the number of points in the data set. All the coefficients of the terms are constrained to be zero or positive, so the curve is required to be straight or upward curving, with no maxima, minima or other points of inflection. In addition to the maximum likelihood estimates of the parameters, the upper 95% confidence ~~bounds~~ limits on these parameters are calculated.

The parameter q_0 represents the background lifetime incidence of the tumor. The 95% upper confidence limit of the slope factor q_1~~, or more usually its upper bound~~ (q_1^*), is termed the cancer potency. The maximum likelihood estimate (MLE) of q_1 is not usually regarded as a reliable estimate for several reasons. First, it fails to reflect the uncertainty and variability in the data which affect the value of the estimate. This is an important issue for protection of public health, which is emphasized by current regulatory guidelines. Secondly, due to the variable order of the polynomial and the effect of some terms being zero as opposed to having a small but finite value, the MLE is unstable, and may show large and unpredictable changes in response to very slight changes in the input data. It may also erratically have a zero value, even when the data imply a significant positive dose-response relationship. The MLE is not a measure of central tendency for this estimate distribution (which is always asymmetrical and often multi-peaked). For small doses, the cancer potency is the ratio of excess lifetime cancer risk to the average daily dose received. Details of the estimation procedure are given in Crump (1981) and Crump, Guess, and Deal (1977). Several software programs are available to perform the necessary calculations, including U.S. EPA's BMDS, Tox_Risk and the earlier GLOBAL programs by Crump and colleagues, and Mstage, written by Crouch (1987).

When dose is expressed in units of mg/kg-d, the potency is given in units of $(\text{mg/kg-d})^{-1}$. Likewise, when the model input is in units of concentration ($\mu g/m^3$, ppb), the potency is given in units of $\mu g/m^3)^{-1}$ pr $(\text{ppb})^{-1}$. As in the case of potencies obtained by the benchmark approach, the experiment-based potency value needs to be corrected for less-than lifetime or intermittent exposure, and extrapolated from the test species to humans. Risk calculations using potency value estimated using the linearized multistage model predict the cancer risk at low doses only, with the higher order terms of the fitted polynomial being ignored since their contribution is negligible at low doses.

Selection of Site and Tumor Type

In developing cancer potency estimates from animal data, standard practice has been to use dose-response data for the most sensitive tumor site as the basis of the estimate (CDHS, 1985). Where tumors of more than one histological type (e.g. adenomas and carcinomas) are observed at a single site, the combined incidence, i.e. proportion of animals affected with at least one tumor of

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any of the relevant types, is used for dose-response assessment. The same rules for combining tumor types are generally applied in determining statistical significance for carcinogen identification (IARC, 2006). Tumor types considered to represent different stages of progression following initiation of a common original normal cell type are combined, whereas tumor types having different cellular origins are generally not combined by this procedure. Other considerations that may influence choice of site for dose response estimation include the quality of the data (especially, the statistical impact of a high or variable rate of a particular tumor type and site in control animals), and biological relevance to humans. However, it is an important principle that, just as for the hazard identification phase, concordance of site or tumor type between animal models and human health effects may occur but is not assumed or required.

Carcinogens inducing tumors at multiple sites

For most carcinogens, the selection of the most sensitive site in the animal studies is recognized as providing a risk estimate which is appropriate to protect human health. However, for chemicals that induce tumors at multiple sites, the single-site approach may underestimate the true carcinogenic potential. For example, the overall assessment of cancer risk from cigarette smoking (U.S. DHHS, 1982) or ionizing radiation (NRC, 1990) is not based on risk at one site, such as lung cancer. Instead, total cancer risk is estimated from all the sites at which agent-induced tumors are observed (lung, bladder, leukemia, etc), combined.

For carcinogens that induce tumors at multiple sites and/or with different cell types in a particular species and sex, OEHHA derives the animal cancer potency by probabilistically summing the potencies from the different sites and/or cell types. Using the combined potency distribution takes into account the multisite tumorigenicity and provides a basis for estimating the cumulative risk of all treatment-related tumors.

The linear term (q_1) of either the multistage model or the multistage-in-dose, Weibull-in-time model is first estimated based on the dose-response data for each of the treatment-related tumor sites. Statistical distributions, rather than point estimates, are generated at each site by tracing the profile likelihood of the linear term (q_1) (Zeise et al., 1991). The distributions of q_1 for each of the treatment-related sites are then statistically summed using a Monte Carlo approach and assuming independence (Figure 2). The sum is created by adding the linear term for each tumor site, according to its distribution, through random sampling. The upper 95 percent confidence limit on the summed distribution is taken as the multisite animal cancer potency estimate (McDonald et al., 2003, McDonald and Komulainen, 2005).

OEHHA has applied this approach in several recent dose-response analyses, including that for naphthalene presented in Appendix B of this document.

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Figure 2. Addition of potency distributions for multi-site cancer potency derivations.

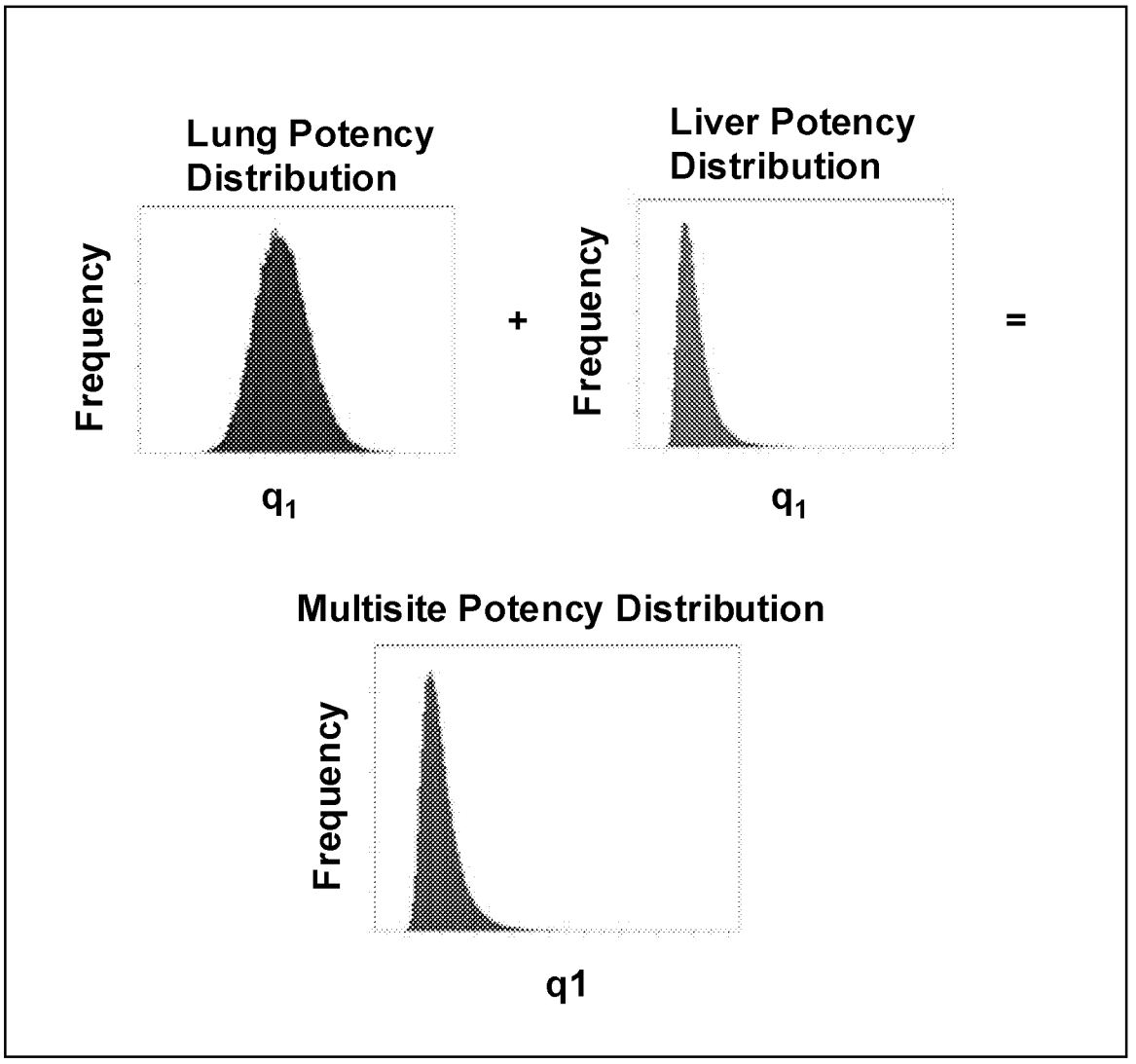

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Early-Lifestage Cancer Potency Adjustments

In recent years, there have been growing concerns regarding the exposure of children to environmental chemicals, including the possibility that they may be more susceptible than adults to injury caused by those chemicals. The California Legislature passed the Children's Environmental Health Protection Act (Senate Bill 25, Escutia; Chapter 731, Statutes of 1999; "SB 25") to help address these concerns. Under SB25, OEHHA is mandated to consider infants and children specifically, where data permit, in evaluating the health effects of Toxic Air Contaminants (TACs).

The development of cancer is one of the adverse health effects that may occur in children as a result of exposure to environmental chemicals. The document "Prioritization of Toxic Air Contaminants under the Children's Environmental Health Protection Act" (OEHHA, 2001a) noted that risks of cancer from exposures to carcinogens occurring from conception through puberty can be different than those from exposures occurring in adulthood. Exposure to a carcinogen early in life may result in a greater lifetime risk of cancer for several reasons:

1. Cancer is a multistage process and the occurrence of the first stages in childhood increases the chance that the entire process will be completed, and a cancer produced, within an individual's lifetime.
2. Tissues undergoing rapid growth and development may be especially vulnerable to carcinogenic agents. During periods of increased cell proliferation there is rapid turnover of DNA, and more opportunity for misrepair of damage (e.g., DNA breaks, crosslinks, adducts) or alterations to result in permanent changes to the DNA (e.g., mutations, altered DNA methylation) that may ultimately lead to cancer.
3. During early development, a greater proportion of the body's cells are relatively undifferentiated stem cells, and as such represent a large target population of somatic cells capable of passing along permanent changes to the DNA during future cell divisions.
4. There may be greater sensitivity to hormonal carcinogens early in life since the development of many organ systems is under hormonal control (e.g., male and female reproductive systems, thyroid control of CNS development).
5. Other factors that may play a role in increased cancer risk from exposures during critical developmental periods include differences in immunological activity, intestinal absorption, biliary and kidney excretion, blood and fat distribution, and expression of enzyme systems that activate or detoxify carcinogens.

Data in humans and animals for a variety of carcinogens suggest that exposures to such carcinogens early in life may result in a greater lifetime risk of cancer compared to exposures later in life. Examples of this effect in humans are carcinogenicity due to ionizing radiation, diethylstilbestrol (DES), chemotherapeutic agents, and tobacco smoke.
Ionizing radiation exposure carries an increased risk of cancer when exposures occur early in life compared to adult exposures for a number of tumor types. Children exposed to ionizing radiation (diagnostic X-rays) *in utero* demonstrate a larger excess of leukemia cases than

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children exposed to ionizing radiation postnatally (NRC, 1990). Exposure to radioisotopes (^{131}I, ^{137}Cs, ^{134}Cs, ^{90}Sr) as a consequence of the 1986 Chernobyl nuclear accident resulted in an elevated thyroid cancer incidence in children but not adults (Moysich, 2002). Treatment of children for Hodgkins lymphoma with both chemotherapeutic agents and irradiation has been shown to increase the risk of secondary tumors (Swerdlow et al., 2000; Franklin et al., 2006). Age at irradiation in Hodgkin's disease patients treated with radiotherapy strongly influenced the risk of developing breast cancer. The relative risk (RR) of developing breast cancer was 136 for women treated before 15 years of age, 19 for women 15-24 years of age, and 7 for those 24-29 years of age. In women above 30 years of age, the risk was not increased (Hancock *et al.*, 1993).

DES was administered to pregnant women in the 1940s-1960s for the purpose of preventing pregnancy loss. In 1970, Herbst and Scully described 7 cases of vaginal adenocarcinoma (6 cases of the clear-cell type) in women aged 15-22 years. This type of cancer is extremely rare in that age range. A follow-up epidemiological study included an additional case, and noted the fact that the mothers of 7 of the 8 patients had been treated with DES during their pregnancy (Herbst *et al.*, 1971). Reports by other investigators confirmed the association between maternal use of DES during pregnancy and the development of vaginal adenocarcinoma in their female offspring (Preston-Martin, 1989). It was observed that *in utero* DES exposure resulted in female genital tract morphological changes which correlated with both dose and duration of exposure, and those changes were not related to the maternal conditions which were the reason for the DES administration. Additionally, the risk of occurrence of those morphological changes declined with increasing gestational age at first exposure (O'Brien *et al.*, 1979; Preston-Martin, 1989). In contrast, vaginal adenocarcinoma incidence did not increase in the exposed mothers themselves, indicating an increased early-life susceptibility to the carcinogenic effects of DES.

There is evidence in the epidemiological literature indicating that exposure to tobacco smoke during puberty may increase risk of breast cancer later in life, particularly among women who are NAT2 slow deacetylators (Marcus *et al.*, 2000; Morabia *et al.*, 2000; Lash and Aschengrau, 1999). Wiencke et al. (1999) report that early age at initiation of smoking is associated with a higher level of DNA adducts in lung tissue of former-smokers with lung cancer.

It has also been observed by Smith *et al.* (2006) that human *in utero* or early childhood exposure to arsenic in drinking water results in significantly increased lung cancer incidences during adult life.

Data from animal studies provide additional examples of increased sensitivity to early life (typically postnatal and juvenile) exposures. These effects span a range of target tissues, including the liver (vinyl chloride, safrole), brain (methylnitrosourea), reproductive tract (DES, tamoxifen), and lung (urethane) (OEHHA, 2001a).

In the following sections we summarize two efforts to evaluate quantitatively the effect of lifestage at exposure on carcinogenic response in experimental animal studies. The first section provides a description of OEHHA's analysis of data on the effect of age at exposure on carcinogenic potency. (Details of this analysis are in Appendix J.) The second section describes U.S. EPA's work in this area. (We also provide the published paper in Appendix I that presents the U.S. EPA analyses.) Both analyses used extant data available in the published literature. U.S. EPA used their analysis to modify the procedures they have used to estimate cancer risk by

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weighting risk by specific factors for childhood exposures. The weighting factors are a policy choice supported by U.S. EPA's data analysis. The results of OEHHA's analysis, summarized below and described in detail in Appendix J, support the decision to modify policy to weight risk when exposure occurs during childhood. Thus, OEHHA is also proposing to weight risk when exposure occurs in childhood.

OEHHA Analysis of the Effect of Age at Exposure on Cancer Potency

The analysis of animal cancer studies which include early life exposure by the Reproductive and Cancer Hazard Assessment Branch (RCHAB) of OEHHA also supports the application of lifestage-specific cancer potency factor adjustments. This analysis is provided in detail as Appendix J of this document.

Early-in-life susceptibility to carcinogens has long been recognized by the scientific community and clinicians as a public health concern. Numerous scientific publications and symposia have addressed this issue over the years and the scientific literature contains a number of human clinical findings and epidemiological studies of early life cancer susceptibility. While there are many indications of increased human cancer susceptibility in early life, the magnitude of the impact has been difficult to gauge. Until recently risk assessment procedures have not in general addressed the issue. As described in the next section, in 2005 the U.S. EPA adopted an approach to weight carcinogens by age at exposure if they act via a mutagenic mode of action. The California legislature in 2000 directed OEHHA to assess methodologies used in addressing early-in-life risk, compile animal data to evaluate those methods, and develop methods to adequately address carcinogenic exposures to the fetus, infants, and children (Children's Environmental Health Initiative [AB 2872, Shelly]; California Health and Safety Code [HSC] section 901 [a] through [e]).

OEHHA assessed cancer risk assessment methodologies, and found that the existing risk assessment approaches did not adequately address the possibility that risk from early-in-life and adult exposures may differ. OEHHA further concluded that there was a need to address early-in-life cancer risk, and undertook studies to develop methods for doing so. Age-related cancer susceptibility data were identified from published animal cancer bioassays in which these issues were addressed. Two types of studies with early-in-life exposures were compiled. The first type are "multi-lifestage exposure studies." These studies have at least two groups exposed during different lifestages: One dose group is exposed to a chemical only during one of the following lifestages (Figure 3):

prenatal (from conception to birth),

postnatal (from birth to weaning),

juvenile (from weaning to sexual maturity).

The second dose group is exposed for some period of time at an older age, preferably during the adult lifestage, that is, after sexual maturity. This group served as the reference group. In some cases where there was no adult exposure group, animals exposed as juveniles served as the reference group. Multi-lifestage exposure studies are available for many chemicals, enabling the exploration of patterns in early-life susceptibility across chemicals.

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Figure 3. Definition of Rodent Lifestage Adopted in the OEHHA Analyses

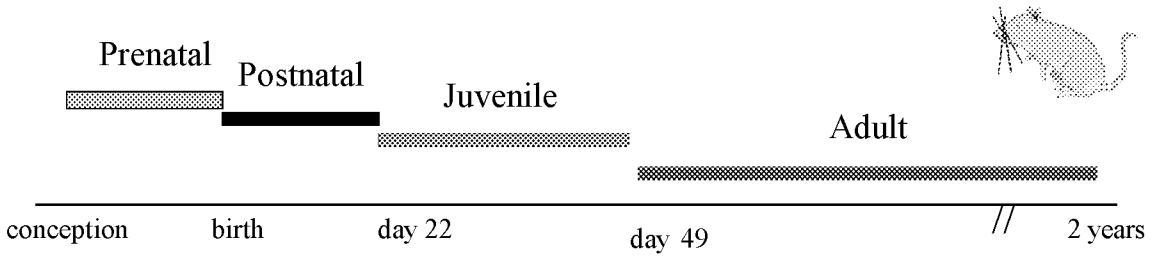

OEHHA also conducted "chemical-specific case studies" of early-life sensitivity for two carcinogens, ethyl-N-nitrosoamine (DEN) and N-ethyl-N-nitrosourea (ENU) that combine data from a number of studies. These "chemical-specific case studies" were conducted to explore the feasibility of analyzing chemical-specific data on age susceptibility from single-lifestage exposure experiments. For these chemicals, OEHHA compiled from the literature a second type of study, "single-lifestage exposure experiments." In these experiments dose groups were exposed only during a particular lifestage and, unlike the "multi-lifestage exposure studies," there was no requirement that the same study also include groups exposed during a different lifestage. Thus, single-lifestage exposure experiments were identified as being either prenatal, postnatal, juvenile, or adult exposure studies. For each of the two chemicals, there were many prenatal studies conducted that were compiled, analyzed, and grouped together. Postnatal studies from different publications were similarly compiled, analyzed and grouped together, as were juvenile studies. Adult studies were not available for either DEN or ENU, thus for both chemicals juvenile exposure studies served as the referent for prenatal studies, and for postnatal studies.

Typical cancer bioassays such as those conducted in rats and mice by NTP involve exposing animals starting at six to eight weeks of age, which is the time at which these animals reach sexual maturity (late teenagers relative to humans). The experiments are run for two years, ending when the animal is in late middle age. Thus, early and very late life exposures are not included in the typical rodent bioassay (see Figure 4). If the NTP bioassay is used as a basis for estimating cancer potency, the potency and resulting risk estimates may be too low. Thus OEHHA focused on finding studies that evaluated early in life exposures.

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Figure 4. Dosing Period for Typical Rodent Bioassays.

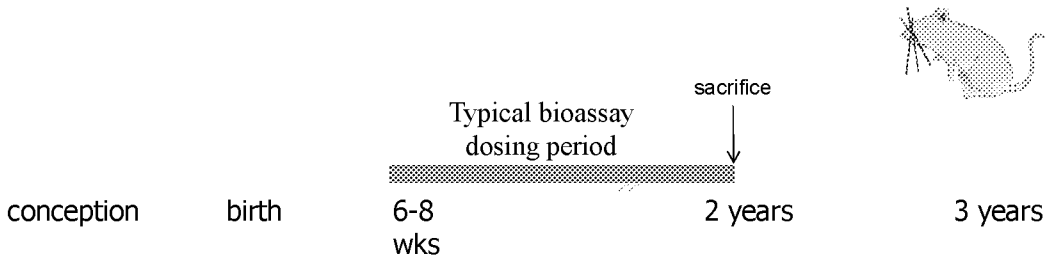

Since bioassays examining the effect of age at exposure on carcinogenesis were conducted by various investigators for different purposes, there is a great deal of variation across studies in terms of dose selection, duration of exposure, number of animals, and length of study duration. To be included in the compilation of studies with early life exposure, a study or an experimental group in a study had to meet minimum requirements.

The criteria for study inclusion are as follows:

Treated groups were exposed to a single chemical carcinogen or a single carcinogenic chemical mixture.

Study groups were not compromised by severe treatment-related non-cancer toxicity.

Overall the duration of exposure period plus observation period exceeded 40 weeks, unless animals died of tumor.

For included dose groups, the study must report age at dosing, age at sacrifice, and site-specific tumor incidence.

Each lifestage exposure treatment group has an appropriate concurrent control group, or, for rare tumors only, an appropriate historical control.

The studies were on mammals.

Each treatment and control group consists of at least ten animals, unless the conduct and design of the study was well done in all other aspects (e.g., the length of the study was sufficiently long to observe treatment-related tumors) and tumor incidence was high in treated groups and very low in controls.

Site specific tumor data were reported, not only total number of tumor bearing animals.

The test compound was administered in the diet, water, via gavage, or by intraperitoneal (i.p.), intravenous (i.v.), or subcutaneous (s.c.) injection. For dermal and subcutaneous injection studies, distal tumor findings are utilized (for dermal, other than skin tumors; for injection, non-injection site tumors).

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While studies designed to histopathologically examine tumors at multiple sites were preferred, studies that examined only a select set of organ/tissue sites were not excluded if the sites examined were known with confidence to be the only target tissues for the chemical and lifestage in question in that particular strain of animal.

Different approaches were taken to identify animal cancer studies that included groups of animals exposed during early life stages. First, MEDLINE and TOXLINE (National Library of Medicine) databases were searched using combinations of various key words for cancer (e.g., tumor(s), neoplasm(s), cancer, neoplasia, cancerous, neoplasms-chemically induced) and for early-life exposure (e.g., age, age-at-exposure, development (al), prenatal, *in utero*, gestation (al), postnatal, neonatal, juvenile, weaning, weanling, adolescent, adolescence, young). Second, the extensive compilation of bioassays in the *Survey of Compounds which have been Tested for Carcinogenic Activity*, was reviewed. This survey, formerly maintained by the National Cancer Institute as Public Health Service Publication Number 149, or PHS 149, is now available from a private source electronically as CancerChem, 2000. Third, from bibliographies from relevant published papers additional studies were identified. Finally the Single Dose Database developed by Calabrese and Blain (1999) was obtained and utilized to identify additional publications that appeared to contain potentially useful data. All of these publications were evaluated to determine if the study dosed separate groups of animals early in life and at or near adulthood. A total of 145 publications, providing data on 84 chemicals, were identified as meeting the criteria for study inclusion. A subset of these met the criteria for inclusion in the multi-lifestage exposure analysis.

Finally, for the OEHHA multi-lifestage analyses, we define "experiment" as a study component consisting of a control group as well as a treated group(s) exposed during the same lifestage (i.e., prenatal, postnatal, juvenile or adult), and using the same experimental protocol (e.g., route of exposure, strain, species, laboratory). Thus, by our definition one publication may report multiple experiments.

In the OEHHA analysis, data from studies on 23 unique carcinogens, 20 of which are considered to act via primarily genotoxic modes of action, were analyzed. Of these 20 carcinogens, 15 are thought to require metabolic activation to the ultimate carcinogenic species (Table 1~~Table 1Table 1~~). Fourteen carcinogens, including one thought to act via primarily nongenotoxic modes of action, were included in the prenatal multi-lifestage exposure studies. Eighteen carcinogens, including two thought to act via primarily nongenotoxic modes of action, were included in the postnatal multi-lifestage exposure studies. Five carcinogens were included in the juvenile multi-lifestage exposure studies. The case study chemicals, DEN and ENU, are both genotoxic. ENU is a direct acting alkylating agent, while DEN requires metabolic activation.

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Table 1. Carcinogens for which studies with multi-lifestage exposures in animal studies are available

Genotoxic carcinogens requiring metabolic activation
Benzidine
Benzo[a]pyrene
Dibutylnitrosamine
Diethylnitrosamine (DEN)
7,12-Dimethylbenz[a]anthracene (DMBA)
Dimethylnitrosamine (DMN)
Di-n-propylnitrosamine (DPN)
1 -Ethyl-nitrosobiuret
2-Hydroxypropylnitrosamine
3-Hydroxyxanthine
3-Methylcholanthrene (3-MC)
4-(Methylnitrosamino)-1-(3-pyridyl)-1-butanone (NNK)
Safrole
Urethane
Vinyl chloride
Genotoxic carcinogens not requiring metabolic activation
Butylnitrosourea
1,2-Dimethylhydrazine
Ethylnitrosourea (ENU)
Methylnitrosourea (MNU)
ß-Propiolactone
Nongenotoxic carcinogens
1,1-Bis(p-chlorophenol)-2,2,2-trichloroethane (DDT)
Diethylstilbestrol (DES)
2,3,7,8-Tetrachlorodibenzodioxin (TCDD)

Cancer Potency Estimation

Statistical methods were developed and used to analyze the data and derive measures of early-life susceptibility. These are described in detail in Appendix J. In brief, a cancer potency (the slope of the dose response curve) was developed for each of the experiments selected using the linearized multistage model. This model was chosen because of widespread use in risk assessment, and its flexibility in being able to fit many different data sets needed to evaluate the effect of lifestage-at-exposure on cancer potency. The dose metric used for the potency analyses is cumulative dose normalized to body weight. The cancer potency is thus expressed as the increase in tumor probability with increasing cumulative dose in units of mg/kg body weight.

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To take into account uncertainty in potency estimation, cancer potencies are depicted by a statistical distribution, rather than by a single, fixed value, using methods described in Appendix J. While these methods have typically been used to obtain and report the 95th percentile of the cancer slope parameter for cancer risk assessment purposes, here OEHHA utilized the full distribution of the cancer slope parameter to derive measures of early-life susceptibility to carcinogens. This was done to systematically take into account uncertainty in the analysis.

For experiments where treatment related tumors were observed at multiple sites or at the same site but arising from different cell types, slopes from these sites were statistically combined by summing across the potency distributions (assuming independence across the sites that were observed) to create an overall multisite cancer potency. It is not uncommon that a carcinogen causes more than one type of cancer or causes tumors at different sites depending on lifestage at exposure. For example, in humans tobacco smoke causes cancers of the lung, bladder, and certain other organs. This multi-site carcinogenicity is frequently observed in animal experiments as well. In order to account for this, all treatment-related tumors that were observed in a given lifestage were taken into account in estimating cancer potency from that particular experiment.

Addressing Early-Age Sensitivity in Estimating Cancer Risk: Age Sensitivity Factors

Inherent Sensitivity of Lifestages – Lifestage Potency Ratios

For this analysis, OEHHA calculates the ratio of cancer potency derived from an early lifestage exposure experiment(s) to that derived from an experiment(s) conducted in adult animals. OEHHA used the potency distributions for the individual lifestage exposures, rather than a point estimate, to derive the ratios. The lifestage cancer potency ratio is then described as a distribution and one can select specific percentiles from the distribution to better understand and bound the uncertainty (Figure 5). Of particular importance is the location of the ratio distribution in relation to the reference value of 1.0, which would mean no difference in risk from exposures at early versus adult lifestages. A lifestage cancer potency ratio distribution that primarily lies above the value of 1.0 indicates early life exposures to a carcinogen result in a stronger tumor response relative to adult exposure. Conversely, a lifestage cancer potency ratio distribution that mainly lies below the value of 1.0 indicates early life exposure to a carcinogen results in a weaker tumor response relative to adult exposure.

A lifestage potency (LP) ratio distribution was derived for each multi-lifestage study, resulting in 22 prenatal ratio distributions representing 14 unique carcinogens, 55 postnatal LP ratio distributions representing 18 unique carcinogens, and seven juvenile LP ratio distributions representing five unique carcinogens. The LP ratio distributions for a given early lifestage were combined into a single "LP ratio mixture distribution," in order to show the range of susceptibilities of that lifestage to the carcinogens studied.

LP ratio mixture distributions for a given early lifestage were developed by (1) obtaining a single LP ratio distribution for each chemical (when a chemical is represented by more than one study) and then (2) equally sampling across all chemicals. When a chemical is represented by more than one study, then the LP ratio distributions from all studies of that chemical were combined by equally sampling from each LP ratio distribution via Monte Carlo methods to obtain a single

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LP ratio distribution for that chemical. (Appendix J describes this in more detail, as well as a sensitivity analysis that included two alternative sampling methods.) Once each chemical is represented by a single LP ratio distribution, then the LP ratio mixture distribution for each early lifestage (prenatal, postnatal, and juvenile) is obtained by equally sampling across all of the chemicals via Monte Carlo methods.

Figure 5. Lifestage Potency Ratio (LPR) distribution.

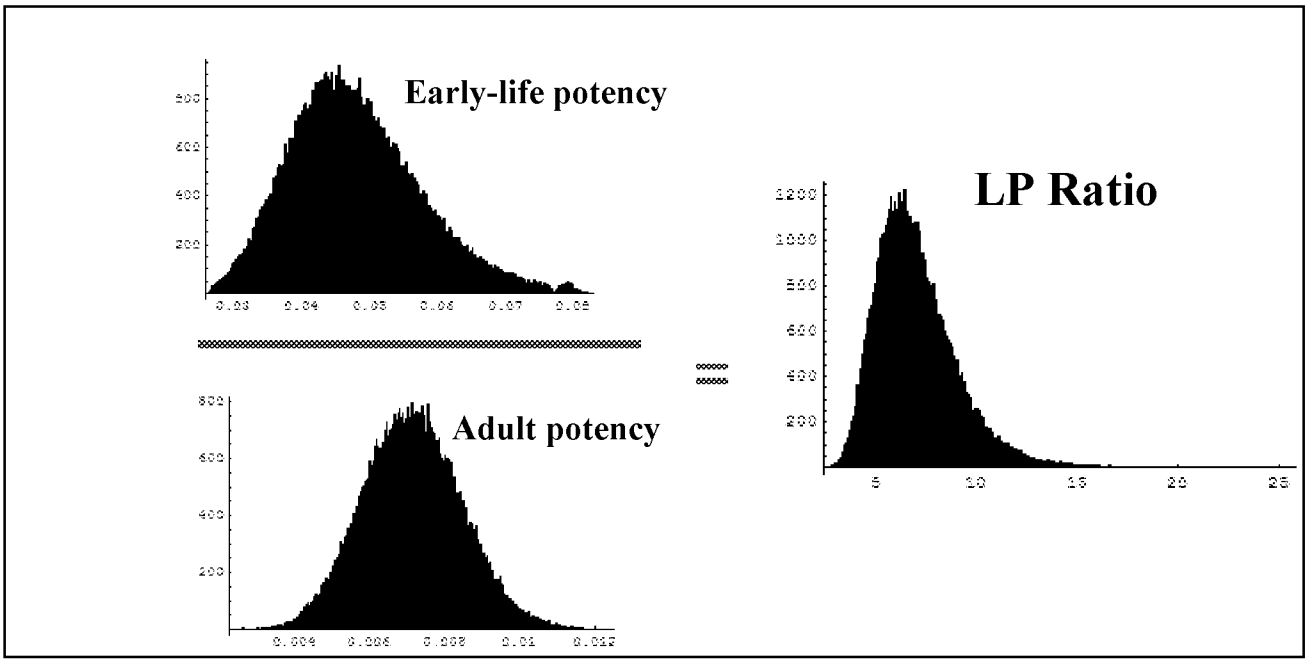

Effect of longer time period for cancer to manifest

The LP ratios described above characterize the inherent susceptibility of early lifestages to carcinogen exposure, by comparing potencies for individuals followed for similar periods of time and similarly exposed, but exposed during different lifestages. Age-specific adjustments to the cancer potency must also take into account the longer period of time that carcinogen exposure to the young has to manifest as cancer. Empirical data from studies of both humans and animals demonstrate that, for many cancers, cancer risk increases with age, or time since first exposure. While some cancers have been seen to increase by as much as the sixth power of age, a general approach taken for example by the National Toxicology Program in analyzing tumor incidences in its chronic bioassays is to assume that cancer risk increases by the third power of age. Thus, consistent with the approach used by the NTP in analyzing rodent cancer bioassay data, the longer period of time that exposed young have to develop tumors is addressed by taking into account time-of-dosing. This was done by multiplying the LP ratio by a time-of-dosing factor, to yield an age sensitivity factor (ASF). Specifically, the prenatal LP ratio is multiplied by a factor of 3.0, the postnatal LP ratio is multiplied by a factor of 2.9, and the juvenile LP ratio is multiplied by 2.7. Thus, ASFs were developed for each experiment, by first calculating the LP ratio to address inherent susceptibility of early lifestages relative to adults, and then accounting for the effect of years available to manifest a tumor following carcinogen exposure. (see Figure

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6). Note that we are not using the term "sensitivity" in the immunologic sense (e.g., sensitization), but rather are using the term more generically.

Figure 6. Issues addressed by the Age-Sensitivity Factor (ASF)

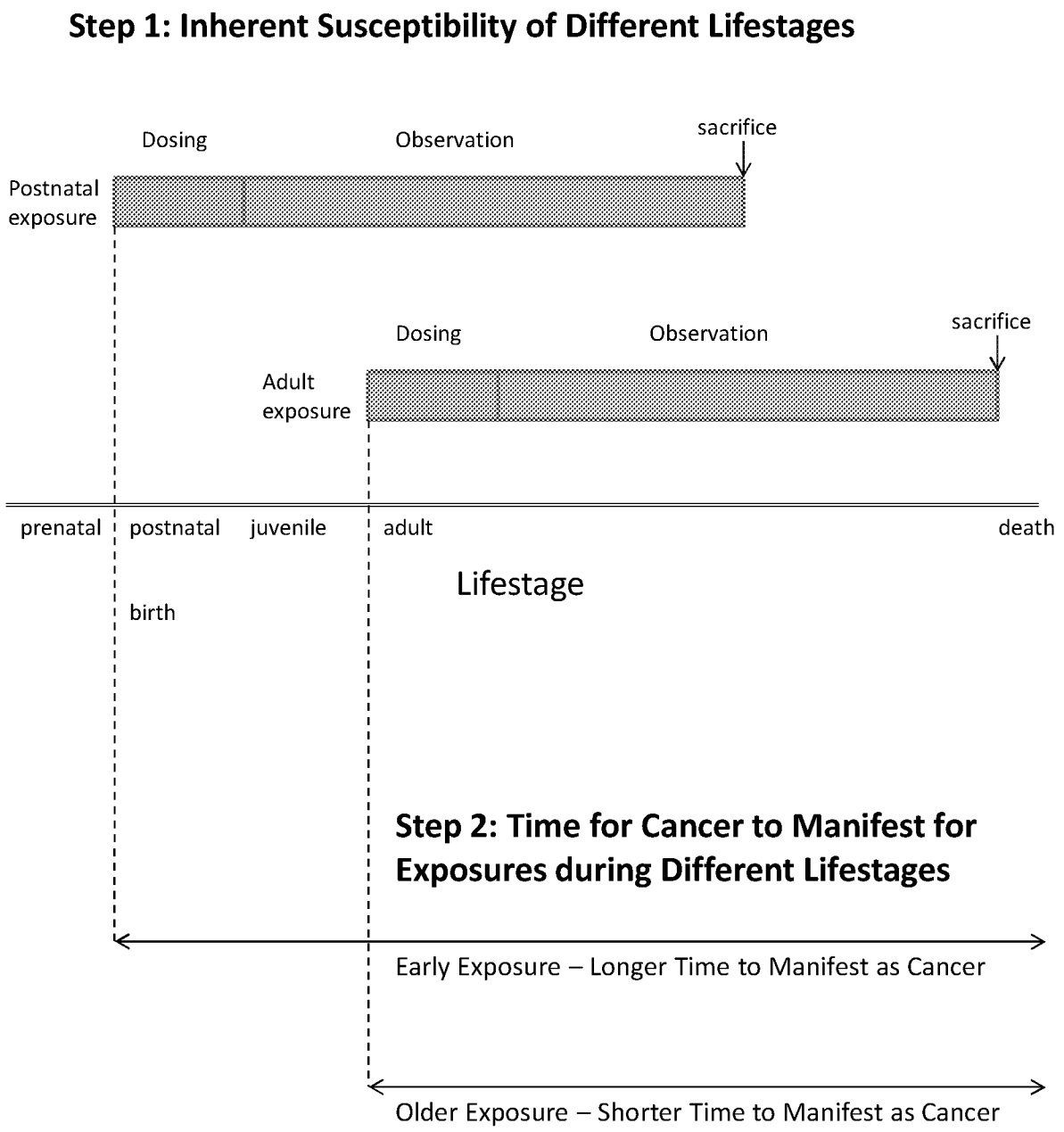

Application of this approach for risk associated with lifetime exposures would include an ASF of less than 1 for exposures during the latter part of adult life for carcinogens that act on early stages. Therefore, the addition of this adjustment to the younger lifestages but not to the later part of the adult period could overestimate the risk of whole-life exposures. On the other hand, the 70 year "lifetime" used in estimating lifetime cancer risk does not reflect the longer lifespan of the U.S. population. Further, as noted above, the animal bioassays on which potency was based typically exclude pre-weaning dosing and sacrifice animals during their late middle-age. Use of cancer potencies calculated from standard assays can therefore understate lifetime cancer risk. The ASF calculated for carcinogens includes both inherent sensitivity of developing animals and the available time since exposure to develop cancer.

Results of OEHHA Analysis

The analyses indicate that both the prenatal and postnatal lifestages can be, but are not always, much more susceptible to developing cancer than the adult lifestage. The analyses also indicated that the ASFs for these age windows vary by chemical, gender and species.

Regarding prenatal lifestage exposure, few cases were indicative of equal inherent adult and prenatal susceptibility, with an LP ratio of unity. The LP ratio distribution was roughly bimodal, with LP ratios for several studies significantly greater than unity and several others significantly less than unity. Figure 7 below shows the ASFs from each of the prenatal multi-lifestage exposure studies, displayed as a cumulative frequency profile. The median of the prenatal ASF mixture distribution was 2.9 (see also Table 6 in Appendix J),

The modality in the prenatal LP ratio distribution was reflected in the DEN and ENU case studies, with results for DEN suggesting inherently less sensitivity than older animals from exposure *in utero*, and for ENU just the opposite. For the DEN and ENU case studies, the referent groups were juvenile rather than adult animals, and the results may have underestimated the LP ratio and ASF, to the extent that some of the apparent sensitivity for DEN and ENU in the prenatal period carries through to the juvenile period. ENU is a direct acting carcinogen that does not require metabolic activation, whereas DEN can not be metabolized to any significant extent by fetal tissues until relatively late in gestation. This may explain the lower fetal susceptibility of DEN. However, prenatal metabolic status is not the sole determinant of prenatal susceptibility; e.g., benzidine and safrole require metabolic activation and exhibit greater susceptibility from prenatal exposure.

The median of the postnatal ASF mixture distribution was 13.5 (see Table 7 in Appendix J). Figure 8 below shows the ASFs from each of the postnatal multi-lifestage exposure studies, displayed as a cumulative frequency profile. Thus, for the chemicals studied, there was generally greater susceptibility to carcinogens during the early postnatal compared to the adult period, particularly when the ASF accounts for the longer period cancer has to manifest when exposure occurs early in life. The DEN and ENU case studies also exhibited substantial extra susceptibility during the postnatal period. To summarize, for most of the carcinogens studied here, animals are inherently more sensitive in the postnatal period, as indicated by Figure 8.

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Figure 7. Prenatal ASF Cumulative Frequency Profile

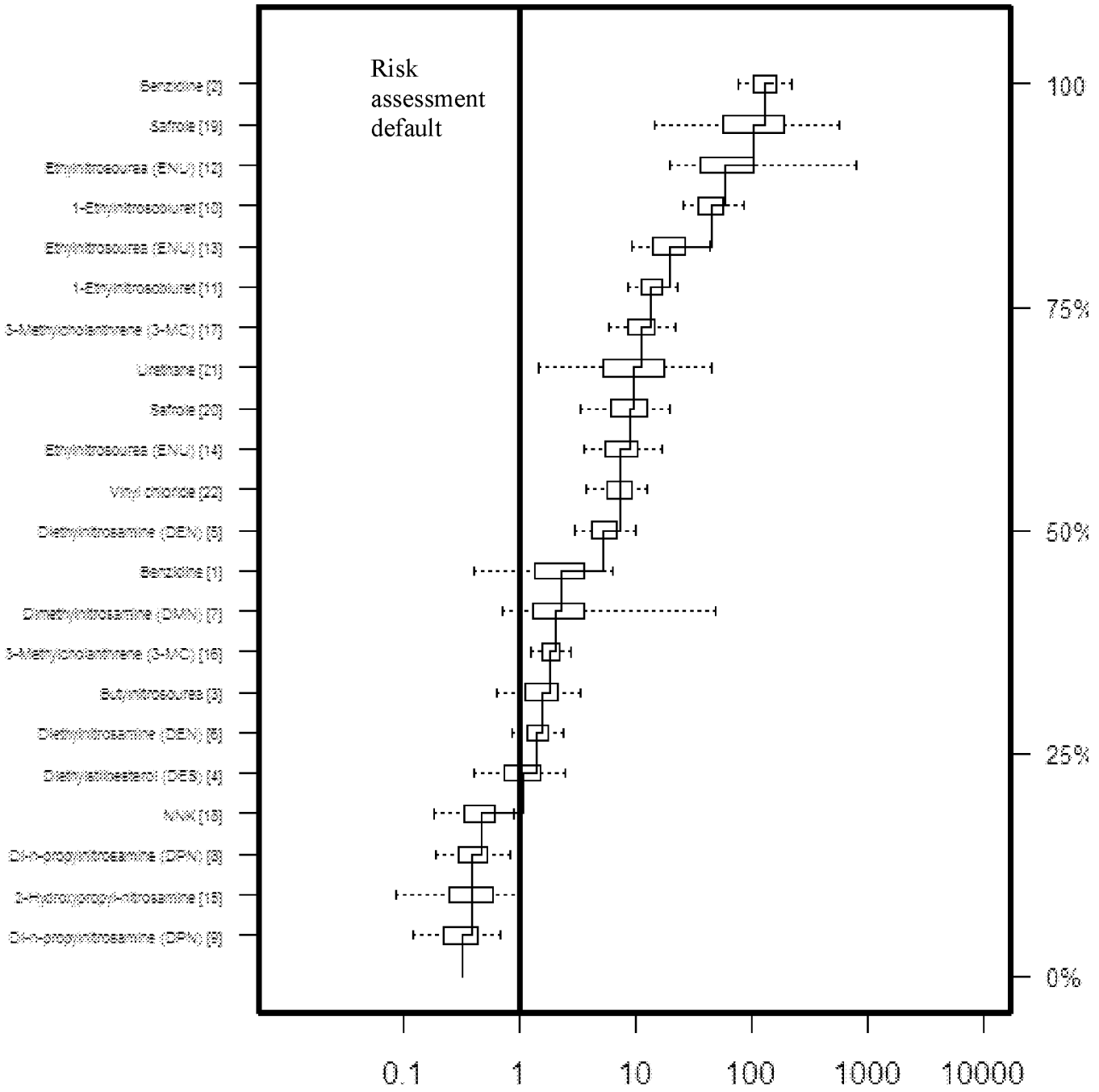

The median of the prenatal ASF mixture distribution was 2.9 (see also Table 6 in Appendix J). References are given in the legend on the next page

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Figure 7 Legend (References as in Appendix J)

1. Vesselinovitch *et al*. (1979a), mouse, B6C3F$_1$, F, day -9 to 21
2. Ibid, M, day -9 to 21
3. Zeller *et al*. (1978), rat, Sprague Dawley, M/F day -2
4. Turusov *et al*. (1992), mouse, CBA, F, day -2
5. Mohr et al. (1975), hamster, Syrian Golden, day -15 to -1
6. Mohr *et al*. (1995), hamster, Syrian Golden, F, day -3
7. Althoff *et al*. (1977), hamster, Syrian Golden, M/F, day -9 to -3
8. Ibid, day -9 to -3
9. Althoff and Grandjean (1979), hamster, Syrian Golden, F, day -9 to -3
10. Druckrey and Landschutz (1971), rat, BD IX, M/F, day -10
11. Ibid, day -3
12. Naito *et al*. (1981), rat, Wistar, day -9
13. Ibid, day -9
14. Tomatis *et al*. (1977), rat, BDVi, F, day -5
15. Althoff and Grandjean (1979), hamster, Syrian Golden, M/F, day -9 to -3
16. Tomatis *et al*. (1971), mouse, CF-1, F day -4 to -1
17. Turusov *et al*. (1973), mouse, CF-1, F, day -2
18. Anderson *et al.* (1989), mouse, C3H & B6C3 F$_1$,M/F day -8 to -4
19. Vesselnovitch *et al.* (1979a), mouse, B6C3 F$_1$, M, day -9 to -3
20. Vesselnovitch *et al.* (1979b), mouse, B6C3 F$_1$, F day -9 to -3
21. Choudari Kommineni *et al*. (1970), rat, MRC, M/F, day -4
22. Maltoni *et al.* (1981), rat, Sprague Dawley, M/F day -13 to -7

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Figure 8. Postnatal ASF Cumulative Frequency Profile

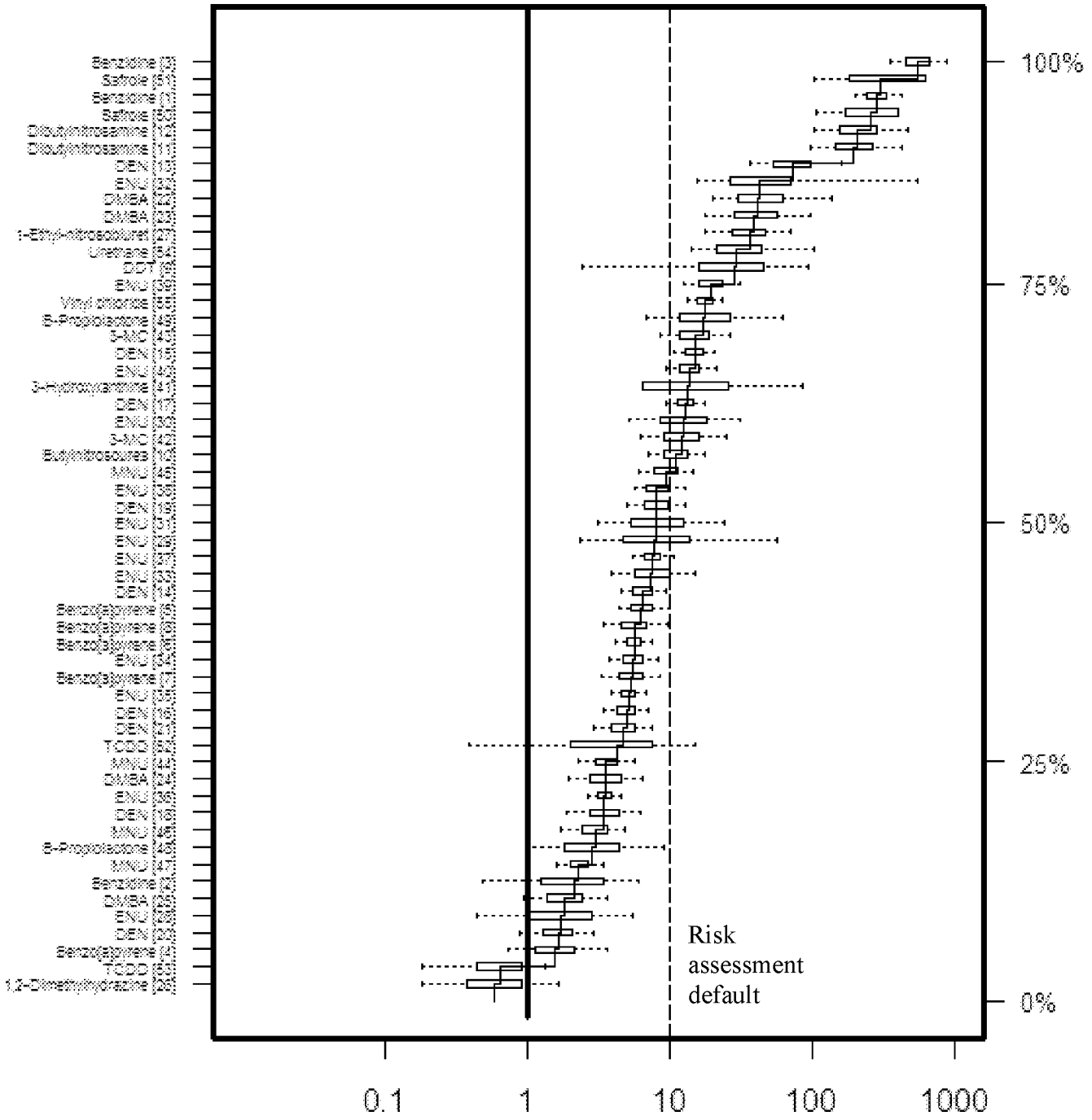

The median of the postnatal ASF mixture distribution is 13.5. The dotted line represents the default ASF for weighting risk for carcinogen exposures between birth and 2 years of age (see next section). References are given in the legend on the next page.

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Figure 8~~Figure 8Figure 8~~ Legend (References as in Appendix J)

1 Vesselinovitch *et al.* (1975b), mouse, B6C3F$_1$, M, day 7-27
2 Vesselinovitch *et al.* (1979), mouse, B6C3F$_1$, F, day 1-21
3 Ibid, M, day 1-21
4 Truhaut *et al.* (1966), mouse, swiss, M/F, day 1
5 Vesselinovitch *et al.* (1975a), mouse, B6C3F$_1$, F, day 1
6 Ibid, M, day 1
7 Ibid, C3A F$_1$, F, day 1
8 Ibid, M, day 1
9 Vesselinovitch *et al.* (1979a), mouse, B6C3F$_1$, M, day 1-28
10 Zeller *et al.* (1978), rat, Sprague Dawley, M/F, day 2
11 Wood *et al.* (1970), mouse, IF x C57, F, day 1-15
12 Ibid, M, day 1-15
13 Rao and Vesselinovitch (1973), mouse, B6C3F$_1$, M, day 15
14 Vesselinovitch *et al.* (1984), mouse, B6C3F$_1$, F, day 1
15 Ibid, M, day 1
16 Ibid, F, day 15
17 Ibid, F, day 15
18 Ibid, C3A F$_1$, F, day 1
19 Ibid, M, day 1
20 Ibid, F, day 15
21 Ibid, M, day 15
22 Meranze *et al.* (1969), rat, Fels-Wistar, F, day 10
23 Ibid, M, day 10
24 Walters (1966), mouse, BALB/c, F, day 17
25 Ibid, M, day 17
26 Martin *et al.* (1974), rat, BDIX, M/F, day 10
27 Druckrey and Landschutz (1971), rat, BDIX, M/F, day 10
28 Naito *et al.* (1985), gerbil, mongolian, F, day 1
29 Ibid, M, day 1
30 Bosch (1977), rat, WAG, F, day 8
31 Ibid, M, day 8
32 Naito *et al.* (1981), rat, Wistar, F, day 7
33 Ibid, M, day 7
34 Vesselinovitch *et al.* (1974), mouse, B6C3F$_1$, F, day 1
35 Ibid, M, day 1
36 Ibid, F, day 15
37 Ibid, M, day 15
38 Ibid, C3A F$_1$, F, day 1
39 Ibid, M, day 1
40 Ibid, M, day 15
41 Anderson *et al.* (1978), rat, Wistar, F, day 9
42 Klein (1959), mouse, A/He, F, day 8-31
43 Ibid, M, day 8-31
44 Terracini and Testa (1970), mouse, B6C3F$_1$, F, day 1
45 Ibid, M, day 1
46 Terracini *et al.* (1976), mouse, C3Hf/Dp, F, day 1
47 Ibid, M, day 1
48 Chernozemski and Warwick (1970), mouse, B6A F$_1$, F, day 9
49 Ibid, M, day 9
50 Vesselinovitch *et al.* (1979a), mouse, B6C3F$_1$, M, day 1-21
51 Vesselinovitch *et al.* (1979b), mouse, B6C3F$_1$, M, day 1-21
52 Della Porta *et al.* (1987), mouse, B6C3F$_1$, F, day 10-45
53 Ibid, M, day 10-45
54 Choudari Kommineni *et al.* (1970), rat, MRC, M/F, day 1-17
55 Maltoni *et al.* (1981), rat, Sprague Dawley, M/F, day 1-35

There were only five chemicals and seven studies, two of which were not independent, available to examine susceptibility in the juvenile period. The juvenile LP ratios indicated significantly greater susceptibility in this period for three independent studies, with the remaining studies consistent with equal inherent susceptibility to adult animals (see Figure 16 in Appendix J). Figure 9~~Figure 9Figure 9~~ below shows the ASFs from each of the juvenile multi-lifestage exposure studies, displayed as a cumulative frequency profile. The median of the juvenile ASF mixture distribution was 4.5 (see Table 8 in Appendix J) .

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Figure 9. Juvenile ASF Cumulative Frequency Profile

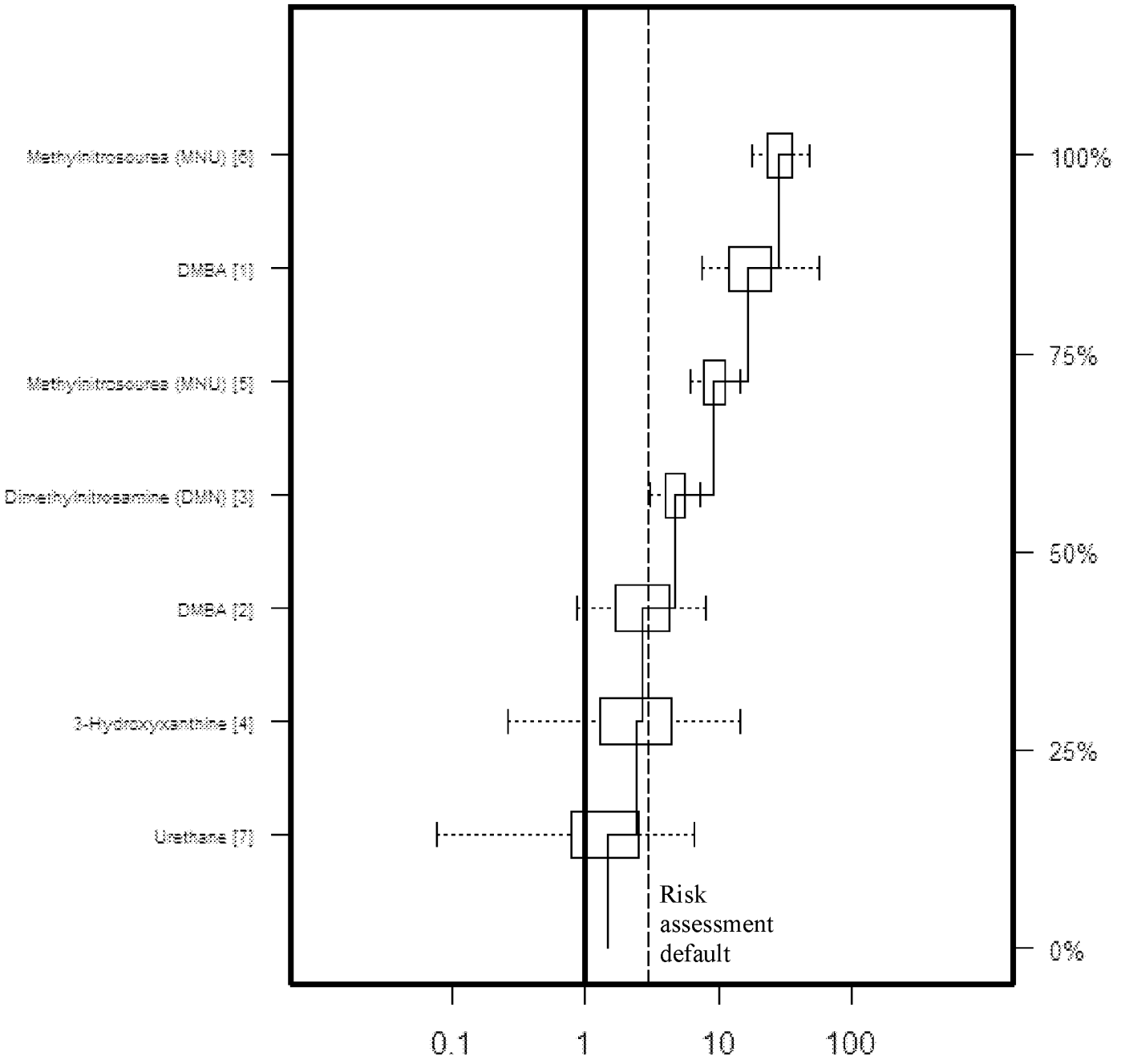

The median of the juvenile ASF mixture distribution is 4.5. The dotted line represents the default value for weighting risk from carcinogen when exposures occur between 2 and 15 years of age (see next section).

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Figure 9 Legend (References as in Appendix J)

1.Meranze *et al.* (1969), rat, Fels-Wistar, F, day 45
2. Ibid, M, day 451
3.Noronha and Goodall (1984), rat, CRL/CDF, M, day 46
4. Anderson *et al.* (1978), rat, Wistar, F, day 28
5. Grubbs *et al.* (1983), rat, Sprague Dawley, F, day 50-57
6. Ibid, M, day 50-57
7. Choudari Kommineni *et al.* (1970), rat, MRC, M/F, day 28-43

The studies that comprise the set of multi-lifestage exposure studies available for these analyses were not homogeneous. That is, they do not represent observations from the same distribution. Sensitivity analyses were conducted to test the robustness of the findings to different procedures for analyzing data and combining results. Of the methods used to combine the LC ratio distributions for underlying studies within each lifestage, the method of equally weighting studies within a chemical appeared to best represent the available data.

In calculating the ASF, to take into account the longer period of time for early carcinogen exposures to result in tumors, the hazard function was assumed to increase with the third power of age. This assumption is standard and has been borne out by a number of observations (Bailer and Portier, 1988) If the true rate of increase with age is greater than that, then the use of these ASFs may result in underestimates of the true sensitivity of these early life stages.

As the multi-lifestage exposure and case studies show, there appears to be considerable variability in age-at-exposure related susceptibility across carcinogens. There is also variability in age-at-exposure related susceptibility among studies of the same carcinogen. The sources of variability evident in the analyzed studies include timing of exposure within a given age window, and gender, strain, and species differences in tumor response. The set of studies identified and analyzed was not sufficiently robust to fully describe the variability quantitatively. This variability raises concerns that selection of the median (the 50th percentile) estimates may considerably underestimate effects for certain agents or population groups. Relatively large variability in humans in response to carcinogens is expected to be common (Finkel, 1995). On the other hand, the numbers of carcinogens represented in the available data are limited and may not be representative of the population of carcinogens to which we are exposed (e.g., greater than 500 on the Proposition 65 list alone). Thus, the size of the weighting factors used to weight risk by age at exposure is a policy decision.

Several of the carcinogens studied induced tumors at multiple sites in the same experiment, and at different sites, depending upon the lifestage during which exposure occurred. For these cases the combined multisite potency distribution referred to above was the basis for the lifestage comparison. This approach differs from other researchers investigating early vs. late in life differences who focused on tumor site-specific measures of carcinogenic activity (e.g., Barton *et al.*, 2005; Hattis *et al.*, 2004, 2005). OEHHA believes that use of combined multisite potency distributions provides a more complete approach for considering age specific differences in carcinogenic activity. However, the observation that early life is generally a period of increased susceptibility was similarly found using the tumor site-specific approach by these other researchers.

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One limitation of the approach was the focus on lifestages, without attempting to describe changes in susceptibility that occur within a lifestage. Timing of carcinogen exposure within a given age window can affect the cancer outcome. For example, experiments with 1-ethyl-1-nitroso-biuret in prenatal and adult rats showed a three-fold difference in activity between groups exposed on prenatal day -10 versus prenatal day -3. In a second example, female rats exposed early in the adult period were more than three times as sensitive to the breast cancer effects of MNU as females exposed six weeks later. In general, the adult comparison groups in the multi-lifestage exposure studies were fairly young. The extent to which this may result in an overall bias of the results presented here is unclear. Also for several cases, juvenile animals were used as the later life exposure group. In these cases the ASFs are likely underestimates of the relative sensitivity of the prenatal and postnatal lifestages, compared to that of the adult lifestage.

Excluded from the analysis were early in life studies in which the period of exposure for a specific exposure group crossed multiple lifestages. An example of results from studies of this type is provided by mouse studies for two non-genotoxic carcinogens, diphenylhydantoin (Chhabra *et al.*, 1993a) and polybrominated biphenyls (PBBs) (Chhabra *et al.*, 1993b), in which exposures began prior to conception, and continued throughout the prenatal, postnatal, and post-weaning period, up to the age of eight weeks. The data demonstrate an increased sensitivity of the early life period. Some studies that crossed multiple lifestages were included in the analyses of Barton *et al.* (2005) (Appendix I), which are consistent with the general conclusions discussed above.

Selection of Default Age-Sensitivity Factors (ASF)

Selection of appropriate values to use to weight exposures that occur early in life using default ASFs for prenatal, postnatal and juvenile exposures is complicated by the limited database of chemicals and studies available for analysis, and the broad distribution of results for different chemicals as is shown in Figure 7, Figure 8, and Figure 9~~Figure 9Figure 9~~ (see also Appendix J). In view of the variability thus shown, and the considerable uncertainty in applying conclusions from this relatively small set of chemicals to the much larger number of chemicals of concern, it is probably unreasonable to specify a default ASF with greater than half-log precision (*i.e.* values of 1, 3, 10, 30 etc.). Therefore, in the absence of chemical-specific data, OEHHA ~~will~~ proposes to apply a default ASF of 10 for ages birth to 2 years, and a factor of 3 for ages 2 through 15 years to account for potential increased sensitivity to carcinogens during childhood. A factor of 10 for postnatal exposures falls just below the median estimate of the ASF for postnatal studies. This is also the value selected by U.S. EPA; while it is consistent with the OEHHA analysis, it may underestimate risk for some chemicals. The broad distribution of observed chemical-specific sensitivity ratios clearly indicates ~~certain number of~~that there are some chemicals for which the sensitivity ratio is much larger than 10. Further research is needed to develop criteria for identifying these cases. Similarly, a factor of 3 for juvenile exposures is consistent with the range of estimates derived from the multi-lifestage exposure studies, and falls close to the median juvenile ASF estimate. It is acknowledged that there are few data available on which to base an estimate for the juvenile period. A factor of 3 adjusts for the longer time available for cancer to manifest, but may not fully account for some inherent differences in susceptibility to cancer, for example ~~those observed~~the observed susceptibility of ~~in~~ breast tissue of pubescent girls exposed to radiation. For specific carcinogens where data indicate enhanced sensitivity during lifestages other than the immediate postnatal and juvenile periods, or demonstrate ASFs

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different from the default ASFs, the chemical-specific data should be used in order to adequately protect public health.

The ASFs will be applied to all carcinogens, regardless of the theorized mode of action. While U.S. EPA currently intends to apply weighting factors only to those carcinogens with "a mutagenic mode of action"(U.S.EPA, 2005), OEHHA notes that there is evidence that early life is a susceptible time for carcinogens that are thought to act via non-mutagenic mode of action (DES is a prime example). Defining a mutagenic mode of action may be problematic if approached narrowly (ERG, 2008). Further, carcinogens may have multiple modes of action and one mode may predominant over other modes at different lifestages. The complexity of carcinogenesis argues against restricting the ASF to chemicals acting via a mutagenic mode of action.

Figure 10~~Figure 10Figure 10~~ provides a visual comparison of the ASF mixture distributions for the three early-life stages, prenatal, postnatal, and juvenile. In this figure, which is in log space, the policy choice for weighting factors of 10 for birth to age 2 years and 3 for the period of life from 2 to 15 years of age are indicated on the figure. ~~The x-axis represents the exponent (the figure is in log space).~~ It is apparent from this figure that weighting risk from exposures to carcinogens early in life is well-supported.

Figure 10. Prenatal, Postnatal, and Juvenile ASF Mixture Distributions and relation to default ASFs

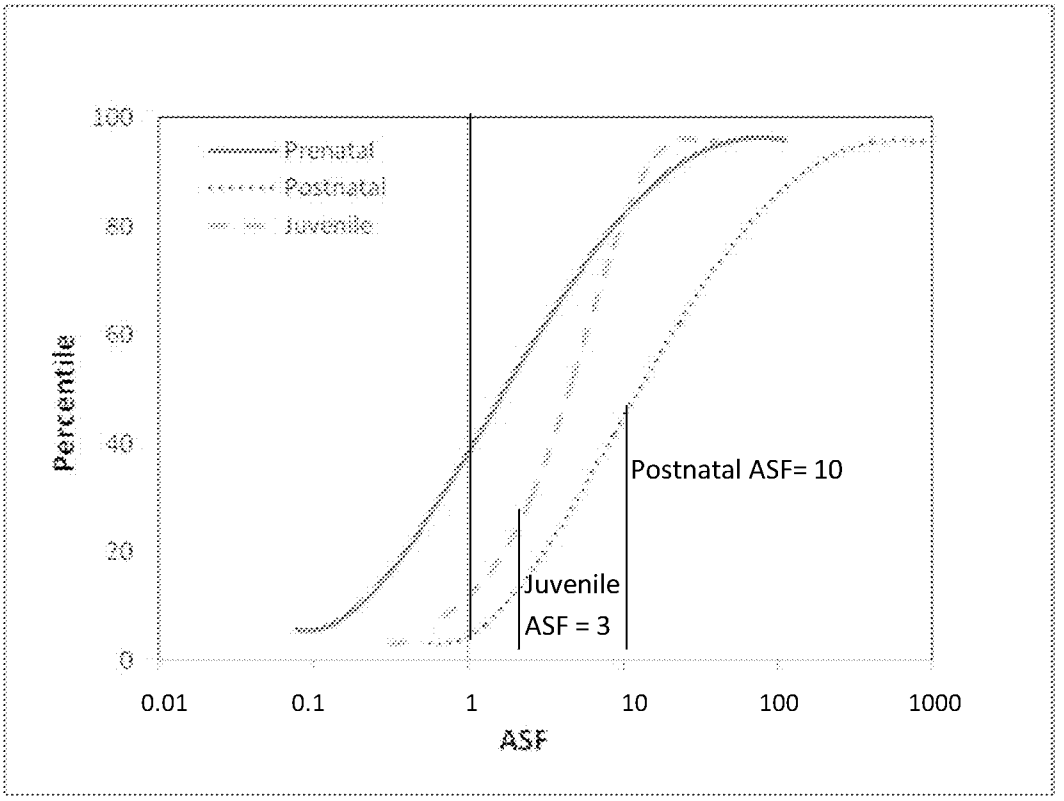

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OEHHA recognizes the limitations in the data and analyses presented, as discussed above. However, the analyses do provide some guidance on the extent risk may be over or underestimated by current approaches. While there is a great deal of variability across chemicals in the prenatal ASFs, the data indicate that the potency associated with prenatal carcinogen exposure is not zero. A factor of 3 is close to the median ASF, while a factor of 10 falls roughly at the 70th percentile of the prenatal ASF estimate. ~~This value~~An ASF could be applied as a default ~~ASF to the potency estimate~~ when calculating lifetime cancer risk in humans arising from carcinogen exposures that occur *in utero*. In view of the considerable variability in the data for different carcinogens and the limited database available for analysis, OEHHA is not ~~including~~ proposing the application of ~~this~~ a specific factor to cancer potency estimates for prenatal exposures as a default position in these Guidelines. However, given that the rodent is born at a stage of maturation similar to a third trimester fetus, it may be reasonable to include the third trimester in the potency weighting proposed for birth to age 2 years. T~~t~~he applicability of a cancer potency adjustment factor for prenatal exposure will be evaluated on a case-by-case basis, and may be used as evidence develops that supports such use. The consideration of prenatal exposures, including application of an appropriate susceptibility factor, would not make a large difference for risk estimates based on continuous lifetime exposures, due to the relatively short duration of gestation. However, risk estimates for short-term or intermittent exposures ~~might~~ would be ~~significantly~~ slightly increased by inclusion of the risks to the fetus during the prenatal period. Thus, risk may be underestimated when this lifestage is excluded from the analysis.

Age Bins for Application of ASFs

The choice of human ages to which the ASFs apply is based on toxicodynamic ~~information on functional maturation of major organ systems~~ and toxicokinetic considerations. Important toxicodynamic factors related to susceptibility to carcinogens include ~~and the concept that~~ the rate of cellular proliferation and differentiation, which is quite high during organ maturation ~~processes renders the tissue more susceptible to carcinogenesis~~. In addition, toxicokinetic differences by age are important, ~~as noted earlier,~~ due to impacts on detoxification and clearance of ~~xenobiotics~~carcinogens (see following section). ~~OEHHA's analysis of the influence of age-at-exposure on carcinogenesis broke the experimental rodent age bins~~data into age bins that we ~~termed "lifestages" into~~ including prenatal, "postnatal" (birth to weaning, about day 21) and "juvenile" (weaning to sexual maturation, or about day 22 to about day 49). Experiments were placed into the lifestage bins if exposure occurred at some time during the experimental rodent age bin. ~~The investigations of age at exposure and cancer potency used in OEHHA's analysis were all done with dissimilar protocols, and the windows of susceptibility are quite varied by chemical and organ system.~~

There is no simple way to compare the rodent age groups used in the OEHHA analysis of available data to equivalent age groups in humans. Complicating factors include variations in organ system structural and functional maturation both within and between species. Further, the rodent age bins were chosen by gross indicators of development namely birth, weaning and sexual maturation, not on the basis of known susceptibility to carcinogenesis. Thus, critical factors relating to carcinogen susceptibility by age are the focus of the choice of human age bins to which the ASFs of 10 and 3 apply, rather than an attempt at exact correlation of rodent lifestage bin with human age.

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~~The investigations of age at exposure and cancer potency used in OEHHA's analysis were~~ not conducted by standardized protocol. Further, the windows of susceptibility are quite varied by chemical and organ system, even within the lifestages defined in the OEHHA analysis. ~~Additional complications in~~ This complicates choosing a default ASF and the human age bin to which it applies ~~are associated with changes in the potency by age-at-exposure that can be large for specific chemicals~~. Examples from animal studies provided in the appendix include the chemical diethylnitrosamine (DEN). The cancer potency varied over several orders of magnitude depending on when during gestation and postnatal life the exposure occurred. While the inability to metabolize DEN in early gestation influences the carcinogenicity of the compound, it is unlikely the only explanation. Benzidine and safrole also require metabolic activation but are more potent with prenatal exposure. A three-fold difference in potency between exposure on postnatal day 3 and postnatal day 10 is noted for 1-ethyl-1-nitrosobiuret in rats. There are also human examples of extensive variation of potency by age at exposure, including radiation, DES, and chemotherapeutic agents. The diversity of responses to different agents obviously underscores uncertainty in the choice of age bins to apply the default ASFs. However, the ASFs are a ***default*** to use when you have no chemical-specific data on influence of age-at-exposure on potency in order to protect public health. There will always be specific chemical examples where the ASF for either the birth-<2 yrs or 2-<16 yrs age bin is quite a bit larger or quite a bit smaller than the default.

In the following sections, we discuss our logic in ~~choosing~~proposing age bins of birth to age <2 years, and 2 to age <16 years to which the ASFs of 10 and 3 apply, respectively, and offer risk estimate results from other possible age bins.

Toxicokinetic Factors Relevant to Age Bins

Choice of the age-bins to which the default ASFs are applied is based on our understanding of the two primary drivers of age-related sensitivity to carcinogens, namely age-related toxicokinetic factors and toxicodynamic factors. In the case of toxicokinetics, the largest postnatal differences in xenobiotic metabolic capability occur between infants and adults. As noted in OEHHA (2001) and reviewed in detail elsewhere (e.g., Cresteil et al., 1998; Ginsberg et al., 2004), hepatic drug metabolism by the cytochrome p450 family of enzymes and the Phase II conjugating enzymes undergoes a maturation process during the first few years of life. The hepatic cytochrome p450 enzymes exist in fetal isoforms at birth, and progressively change to adult isoforms at a relatively early stage of postnatal development. Thus, in humans the metabolic capability towards prototypical substrates develops over the first year of life towards adult levels. Similarly, the largest differences in metabolic capability of Phase II enzymes (conjugation of xenobiotic metabolites prior to excretion) tend to be between infants and adults. Other factors such as renal capability also are most different between neonates and adults. Thus, the first 2 years of life would encompass the increased sensitivity of early life stages due to toxicokinetic differences between early life and adulthood.

Ontogeny of cytochrome P-450 Enzymes in Humans.

Cresteil (1998) describes three groups of neonatal cytochrome P450: Cyp3A7 and Cyp4A1 present in fetal liver and active on endogenous substrates; an early neonatal group including Cyp2D6 and 2E1 which surge within hours of birth; and a later developing group, Cyp3A4,

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Cyp2Cs, and Cyp1A2. Total Cyp 3A protein, a major cytochrome p450 enzyme responsible for biotransformation of many xenobiotics, is relatively constant in neonates and adults. However, Cyp3A7 is the primary fetal form (Hakkola et al., 1998), while Cyp3A4 is the primary adult hepatic form of the 3A series. At one month there is about one-third of the Cyp3A4 activity as an adult liver (Lacroix et al., 1997; Hakkola et al., 1998). Allegaert *et al.* (2007) stated that Cyp3A4 (testosterone-6ß-hydroxylase) activity equaled or exceeded adult activity after 1 year of age. Cyp2E1, which metabolizes benzene, trichloroethylene and toluene, among others, increases gradually postnatally, reaching about one-third of adult levels by one year of age and attains adult levels by 10 years of age (Vieira et al., 1996; Cresteil, 1998). Cyp1A2, and Cyp2C9 and 2C19, the most abundant Cyp2 enzymes in adult human liver, appear in the weeks after birth, and reach 30%to 50% of adult levels at about 1 year of age (Treluyer et al., 1997; Hines and McCarver, 2002). Cyp1A1 is expressed in fetal liver where it can activate such xenobiotics as benzo[a]pyrene and aflatoxin B1 (Shimada et al., 1996), but is less important in adult liver (Hakkola et al., 1998).

Ontogeny of cytochrome P-450 Enzymes in Rodents.

Hart et al. (2009) report developmental profiles of a number of cytochrome P-450 enzymes (measured as levels of mRNA transcripts of the specific genes) in mice. They identified three groups of isoforms. Group 1 (Cyp3A16 in both sexes; Cyp3A41b in males) appeared rapidly after birth but declined to essentially zero at 15-20 days, which is the period of weaning in mice. A second group (Cyp2E1, Cyp3A11 and Cyp4A10 in both sexes; Cyp3A41b in females) also increased rapidly after birth, but reached a stable maximal level by postnatal day 5. The third group (Cyp1A2, Cyp2A4, Cyp2B10, Cyp2C29, Cyp2D22, Cyp2F2, Cyp3A13 and Cyp3A25) were expressed only at low levels until days 10 to 15, but reached high stable levels by day 20.

ElBarbry et al. (2007) examined the developmental profiles of two toxicologically significant cytochrome P-450 enzymes, Cyp1A2 and Cyp2E1 in rats. mRNA transcripts of these genes were very low postnatally, but thereafter increased to reach a peak at weaning (postnatal day 21 - 28 for rats). Immunoreactive Cyp1A2 and Cyp2E1 proteins were first detectable at postnatal day 3 and reached 50% of adult levels at weaning and adult levels at puberty. Differences in profiles between gene expression as MmRNA and appearance of specific proteins as determined by immunoassay may reflect changes in the relative importance of transcription and translation control process at various phases in development. Enzyme activities characteristic of Cyp1A2 and Cyp2E1 were found to parallel gene expression levels (ElBarbry et al., 2007) rather than immunodetectable protein levels, so there may also be issues of cross-reactivity between these two isoenzymes and others for which gene expression was not measured in these experiments.

In summary, the gene expression data in rats and mice show differences in details, but broadly resemble one another in that the main changes occur in the early postnatal period, with the major adjustments completed at or around the time of weaning, although the adult pattern may not be completely established until puberty. There do not appear to be substantive data for experimental species other than rats and mice, although the situation in humans appears similar in general outline and one may conclude that this pattern or some variant of it is a characteristic of mammalian species in general.

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Ontogeny of Phase II enzymes

Phase II conjugating enzymes are generally less active in the neonate than the adult (Milsap and Jusko, 1994). Hence, there is concern that detoxification and elimination of chemicals is slower in infants. Expression of some of the UGT enzymes matures to adult levels in two months after birth, although glucuronidation of some drugs by the UGT1A subfamily does not reach adult levels until puberty (Levy et al., 1975; Snodgrass, 1992; McCarver and Hines, 2002). Reduced glucuronidation in neonates slows the clearance of *N*-hydroxyarylamines, phenol, and benzene metabolites. Acetylation by the N-acetyltransferases and sulfation by sulfotransferases are generally somewhat comparable to adult levels, although it varies by tissue and by specific sulfotransferase (McCarver and Hines, 2002). Glutathione (GSH) sulfotransferase (GST) is present as a fetal isoform which decreases postnatally, while GST-alpha and GST-mu increase over the first few years of life to adult levels (McCarver and Hines, 2002). Epoxide hydrolase, important in detoxifying reactive epoxide metabolites, is present in neonatal liver although at much reduced activity relative to adults (McCarver and Hines, 2002).

Clearances of drugs in infants and children *vs.* adults

Several investigators have evaluated age-related drug disposition (Renwick, 1998; Renwick et al., 2000; Ginsberg et al., 2002; Hattis et al., 2003). Renwick et al. (2000) noted higher internal doses in neonates and young infants versus adults for seven drugs that are substrates for glucuronidation, one with substrate specificity for CYP1A2, and four with substrate specificity for CYP3A4 metabolism. Ginsberg et al (2002) evaluated toxicokinetic information on 45 drugs in children and adults metabolized by different cytochrome P450 pathways, Phase II conjugations, or eliminated unchanged by the kidney. These authors noted half-lives in infants 3-9-fold longer than those of adults. It was also shown that the bulk of the elevated child/adult half-life ratios occurred primarily in the 0 to 6 month age range, and that for some compounds the clearance is actually higher in the 6 month to 2 year age grouping. In evaluating the interindividual variability by age, Hattis et al (2003) note that the largest interindividual variability occurs in the youngest children, apparently due to variability in development of critical metabolism and elimination pathways. Anderson and Holford (2008) noted that a comparison of three early-life drug clearance models (surface area, allometric ¾ power and per kilogram scaling) all demonstrated an increase in clearance over the first year of life due to the maturation of metabolic capacity.

Renal elimination depends on maturity of processes related to tubular reabsorption and secretion, and glomerular filtration rates. At birth, the glomerular filtration rate (GFR) is low (2-4 ml/min), increases in the first few days (8-20 ml/min) and slowly increases to adult values in 8-12 month old infants (Plunkett et al., 1992; Kearns et al, 2003).

Newborn and young animals have less capacity to excrete chemicals into the bile than do adult animals. A number of chemicals are excreted more slowly via bile in neonates than adult rats, including ouabain, the glucuronide conjugate of sulfobromophthalein (Klaassen, 1973), and methyl mercury (Ballatori and Clarkson, 1982), resulting in a longer half-life in neonates.

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Toxicodynamic Factors Relevant to Age Bins

Important as the developmental changes in toxicokinetics are in determining sensitivity to carcinogens and other toxicants, it is likely that the toxicodynamic differences, i.e. intrinsic differences in susceptibility to carcinogenesis at the tissue or cellular level are even more influential. Changes in cell division rates and differentiation, which are thought to be important toxicodynamic determinants of susceptibility to carcinogenesis, peak in the first 2 years of life for most major organ systems. Cell division continues to accommodate growth throughout childhood and adolescence, extending in some cases even into the young adult period in both humans and experimental animals. Adolescence is an important period for organ cell division and differentiation for the mammary gland and reproductive organs.

As noted above, one of the key factors influencing susceptibility to carcinogenesis is believed to be cell division rate, which acts both by forcing error-prone repair which fixes DNA damage as mutated gene sequences (McLean et al, 1982) and by promoting expansion of mutated clones (Moolgavkar and Knudson, 1981). Actual cell division rates as a function of age are hard to determine for practical and (in the human case) ethical reasons. However, growth curves expressed as the proportional increment in body weight with time may be regarded as a reasonable although not perfect surrogate since for most tissues of the body cell size does not change markedly during growth. Both humans and rodents show remarkably high growth rates in infancy, which then drop steeply to a lower but still significant period during childhood. A growth spurt at the beginning of adolescence is noticeable in its absolute magnitude, especially in males, but does not approach the proportional growth rate seen in infancy. The time intervals proposed to reflect the period of highest sensitivity to carcinogenesis (birth to weaning, about 21 days in rodents, up to 24 months in humans) encompass the period of highest growth rate and thus is is assumed the highest cell division rates, as show in the following charts:

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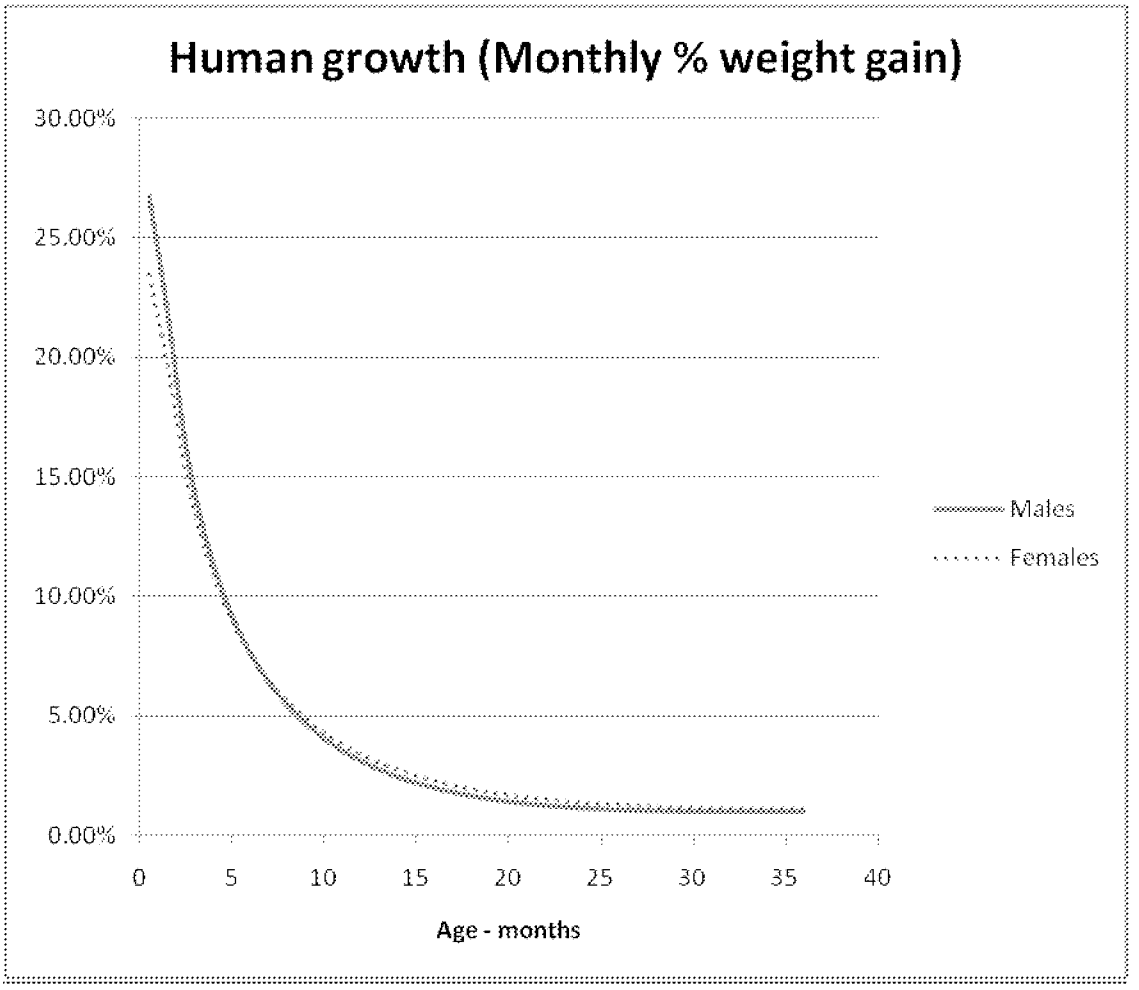

Data from CDC NHANES 2000:
http://www.cdc.gov/nchs/about/major/nhanes/growthcharts/datafiles.htm

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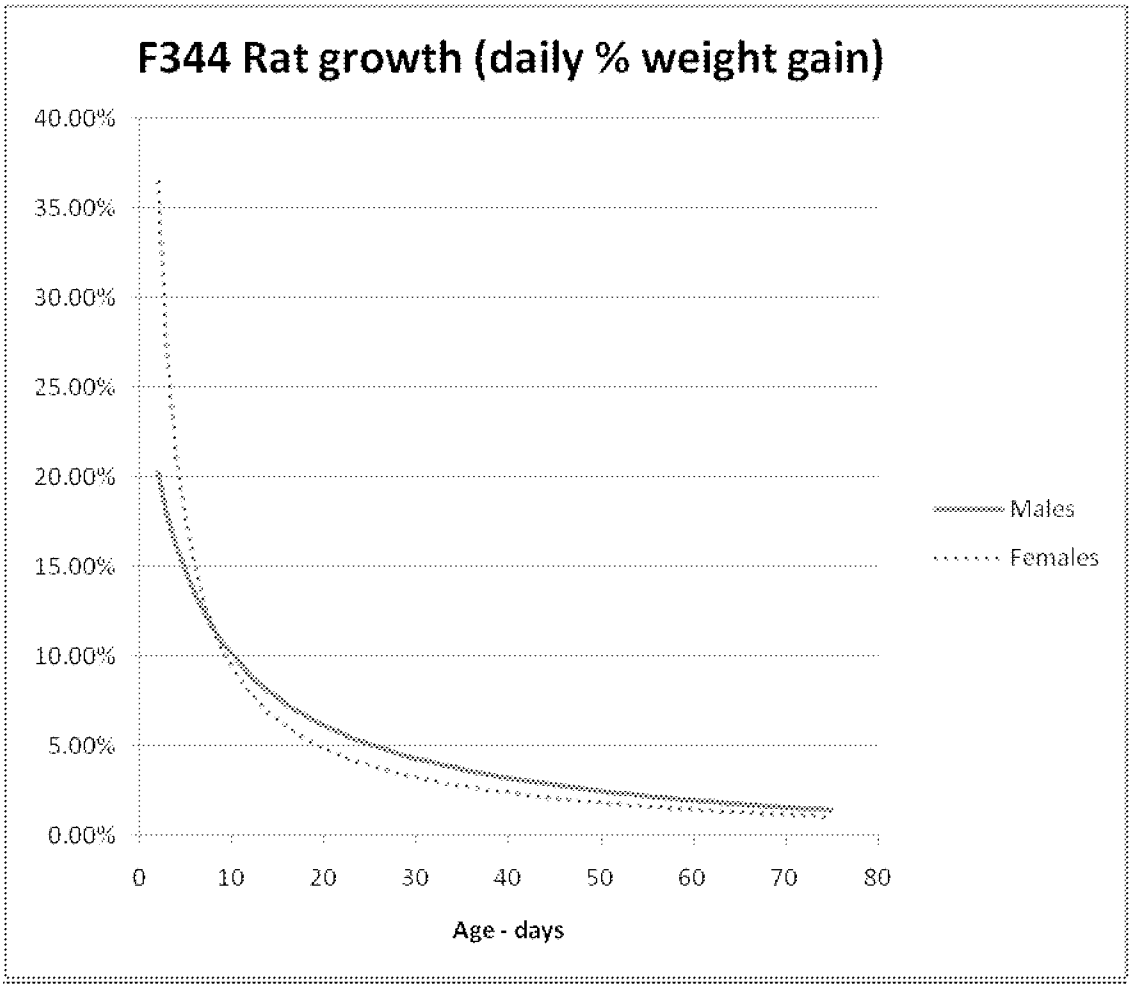

Data from Tables A3 and A4 of Appendix J

Cell division rates in adult rodents and humans are harder to relate to growth curves since at least some tissues retain active cell division as part of their ongoing functionality and repair. In humans growth in body weight slows to essentially zero at the end of adolescence (and any later increments represent tissue specific changes such as increase in muscle or adipose tissue mass rather than overall growth). On the other hand, rodents continue to increase in body size (at a modest rate compared to that seen in earlier lifestages) throughout the adult period. However, it appears reasonable to conclude from the body weight data that an essentially adult pattern of overall cell division is established by the late adolescent period (age six weeks in rodents; 16 years in humans). This clearly does not include the marked growth and increases in cell division and physiological activities seen in the reproductive system and its accessories during puberty.

Organ development

The age intervals chosen for the ASFs are generally supported by human organ system development data. Examples of supporting data are available for the lung, brain, immune system and liver. Zeltner and Burri (1987) stated that postnatal lung development consists of an alveolar stage, which lasts to about 1-1.5 years of age, and a stage of microvascular maturation, which

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exists from the first months after birth to the age of 2-3 years. Pinkerton and Joad (2006) describe alveolar proliferation as occurring most prominently in the 0-2 year age range, with alveolar expansion continuing in the 2-8 year age range. Ballinoti et al. (2008) demonstrated that addition of alveoli rather than expansion is a major mode of lung growth in infants and toddlers by measuring a constant carbon monoxide diffusion capacity to lung volume from 3 through 23 months of age. Kajekar (2007) also considered the 0-2 age range to be the primary period of alveolar development, although there is continued cellular proliferation resulting in lung growth and expansion up to approximately 18 years of age.

Rice and Barone (2000) note that most of the cell proliferation phase of human radial glia and neuronal growth is finished by 2 years of age, based on evidence in Bayer et al. (1993). They note further that numerous studies have shown actively proliferating brain regions are more susceptible to anti-mitotic agents than the same structures after active proliferation ceases. Peak brain growth as a percentage of body weight occurs at birth and around post-natal day (PND) 7-8 in humans and rats, respectively (Watson *et al.*, 2006). De Graaf-Peters and Hadders-Algra (2006) reviewed the ontogeny of the human central nervous system and found that a large amount of axon and dendrite sprouting and synapse formation and the major part of telencephalic myelination take place during the first year after birth. While the brain continues to remodel itself throughout life, cellular proliferation in the whole brain peaks by about one year of age and is relatively complete by age 2. Development of the blood-brain barrier (BBB) appears to continue in humans until approximately 6 months of age. Rat BBB functionality is essentially complete by approximately two weeks after birth (Watson *et al.*, 2006).

The immune system development occurs in stages primarily prenatally in primates and both pre- and post-natally in rodents (Dietert et al., 2000). Formation and expansion of hematopoetic stem cells is followed by expansion of lineage-specific stem cells, colonization of bone marrow and thymus, and maturation of cells to immunocompetence. In the primate, this is largely complete by 1 to 2 years of age (Holsapple et al., 2003), although establishment of immune memory develops throughout childhood and beyond. In the rodent, maturation to immunocompetence occurs postnatally from birth to about 30 days of age. In terms of carcinogenesis, perhaps one of the more important immune cells is the NK cell, thought to be responsible for immune surveillance and killing of circulating transformed cells. Based on immunohistochemistry, the principal cell lines including NK cells are present at gestation day 100 in the monkey and are at about 60% of adult values at birth (Holladay and Smialowicz, 2000).

As noted above, renal and hepatic clearance are both lower in humans at birth than in adults. Nephrogenesis is complete by 35 ~~month~~weeks gestation in humans and before birth in the mouse (but after birth in the rat). The ability to concentrate urine and the development of acid-base equilibrium ~~occur~~appear in the first few months after birth (Zoetis and Hurtt, 2003). Renal clearance of drugs, a function of a number of processes in the kidney, appears to be comparable to adults within the first few months of life (Hattis et al., 2003; Ginsberg et al., 2002) , while glomerular filtration, which rises rapidly over the first few postnatal months, is at adult values by two years of age (Zoetis and Hurtt, 2003). While complete anatomic maturity of the human liver is noted by 5 years of age (Walthall et al, 2005), liver function also appears to mature within the first year of life as seen by drug clearance studies cited above.

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Critical Windows of Susceptibility to Carcinogens

It has been shown that there are critical windows during development both pre-and postnatally where enhanced susceptibility to carcinogenesis occurs (Anderson et al, 2000). Some of these observations relate to factors affecting the incidence of cancers in childhood, resulting from prenatal or preconception mutational events. For example, prenatal exposure to ionizing radiation and DES can result in leukemia and vaginal carcinoma, respectively, in childhood. Although obviously a source of great concern, these cancers appearing during childhood are relatively rare compared to cancers appearing later in life. Thus the concern in risk assessment for early in life exposures is to address the lifetime cancer incidence as a result of these exposures, including both cancers appearing during childhood and those appearing later.

OEHHA (see Appendix J) and other investigators (U.S. EPA, 2005; Barton et al, 2005; Hattis et al., 2004) have examined the available rodent data on sensitivity to carcinogenic exposures early in life. All these investigators found substantial increases in sensitivity to carcinogens in animal studies where exposures to young animals were compared to similar exposures to adults. Hattis et al. (2004) reported maximum likelihood estimates for the ratio of carcinogenic potency during the period from birth to weaning to the adult potency of between 8.7 and 10.5, whereas Barton et al (2005) reported a weighted geometric mean of 10.4 for the ratio of juvenile (less than 6-8 weeks) to adult potency in rodents. However, the number of experiments which provide information of this type, and the carcinogenic agents which have been studied, are relatively limited. Hattis examined several different datasets and study designs, but these covered only 13 different chemicals, while Barton et al. reported analyses for six of the 18 chemicals which they examined. OEHHA's analysis included data in rodents on 23 chemicals, and found median potency ratios of 13.5 for the postnatal period (birth to day 22) and 4.5 for the juvenile period (postnatal days 22 to 49) relative to adults (day 49 to 2 years). These potency ratios include the adjustment for time to manifest tumor (e.g., age to the power of three), unlike the earlier investigations. All these investigations identified variations in the observed lifetime potency ratio depending on the type of experimental design, the sex of the animals, the time of exposure and especially between chemicals. Nevertheless these analyses, although falling far short of a comprehensive evaluation of the age dependence of carcinogenic potency for all the chemicals of interest, do show a consistent overall trend of increasing potency for exposures early in life, especially soon after birth.

An evaluation of cancer induction by ionizing radiation also provides support for the concept of enhanced sensitivity to carcinogenesis at younger ages. Various studies of this phenomenon have been undertaken in animal models, but the important point for the present discussion is that epidemiological data exist which indicate age-dependent sensitivity in humans (U.S. EPA, 1994; 1999). The most extensive data set showing age-dependent effects is that for Japanese survivors of the atomic bomb explosions at Hiroshima and Nagasaki. Analysis of these data shows linear increases in tumor incidence at a number of sites with increasing radiation dose and younger age at exposure. There are other data suggesting humans are more susceptible to chemical carcinogens when exposure occurs in childhood. These data exist for tobacco smoke (Marcus et al., 2000; Wiencke et al., 1999) and chemotherapy and radiation (Mauch et al., 1996; Swerdlow et al., 2000; Franklin et al., 2006).

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Proposed Aage bins for application of default age sensitivity factors

In developing a default science-based risk assessment policy to address this general conclusion, one key variable to define is the age interval or intervals over which age-dependent sensitivity factors should be applied. Different investigators have considered different age ranges, but in general the more sensitive period has at least been defined as including the time from birth up to mid-adolescence when the major phases of growth and hormonal change are complete. This can be somewhat consistently defined in the case of laboratory rodents whose genetic and environmental factors are relatively constant: a transition point in the range of 6 to 8 weeks is generally identified as the start of adulthood. For humans there is inevitably a lot more variation in the timing of developmental landmarks. The comparison of human development with that of rodents is complicated by the fact that the various organ systems have markedly different pre-and postnatal timetables, both between species and between organ systems. Thus there is no single timeline of developmental equivalence for humans and rodents. Nevertheless there is a general similarity for all mammals.

It is also recognized that, apart from the dramatic prenatal developmental events, the earliest postnatal stages represent the greatest differences in physiology and biochemistry from the adult. This reflectsing the immaturity of many organ systems, extremely rapid growth and the incomplete maturation of various metabolic capabilities. In animal studies, as reflected in the analysis of carcinogenesis by OEHHA, an important developmental milestone is generally identified at the time of weaning, which in rodents occurs at or about postnatal day 21.As noted earlier, the rodent age bins in OEHHA's analysis were based on gross developmental milestones (birth, weaning, sexual maturity). OEHHA's analysis of studies that included exposure sometime between birth and weaning indicated this period as having the highest sensitivity to carcinogenesis. The data for the later juvenile period (postnatal days 22 to 49) are somewhat sparse, covering only three carcinogens and only one where there are corresponding data for both infant and juvenile lifestages. However, it appears based on the overall range of potency ratios observed for the juvenile period that sensitivity to many carcinogens is elevated in this period also, but to a lesser extent than during the first 22 days. [Hattis et al. (2005) and Barton et al. (2005) report analyses for exposures at any time during the juvenile period, i.e. up to 6-8 weeks, and do not separate by additional age bins].

Weaning is not such an obvious or consistently timed transition for humans, being subject to a wide range of cultural and economic variables. However, it is generally considered that the human infant period encompasses the first two years of life. This period includes the most rapid periods of cellular division and differentiation for the major organ systems (excluding the breast and reproductive organs). Although there is linear growth between 2 and 8 years of age, the organ development is largely although not entirely complete.

Thus, considering both the development of major organ systems and the associated differences in toxicodynamic and toxicokinetic factors, OEHHA choseproposes to apply the postnatal ASF derived from rodent studies (birth to ~21 days) to the human age intervals of 1birth - <2years. Similarly, OEHHA chose to apply the "juvenile" ASF derived from rodent studies (~22- ~49 days) to the human ages 2 - <16 years. This timetable was also selected by U.S. EPA (2005) in their supplemental guidance for assessing early-life susceptibility to carcinogens. They describe their choice of critical periods as follows:

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> "The adjustments described below reflect the potential for early-life exposure to make a greater contribution to cancers appearing later in life. The 10-fold adjustment represents an approximation of the weighted geometric mean tumor incidence ratio from juvenile or adult exposures in the repeated dosing studies (see Table 8). This adjustment is applied for the first 2 years of life, when toxicokinetic and toxicodynamic differences between children and adults are greatest (Ginsberg et al., 2002; Renwick, 1998). Toxicokinetic differences from adults, which are greatest at birth, resolve by approximately 6 months to 1 year, while higher growth rates extend for longer periods. The 3-fold adjustment represents an intermediate level of adjustment that is applied after 2 years of age through <16 years of age. This upper age limit represents middle adolescence following the period of rapid developmental changes in puberty and the conclusion of growth in body height in NHANES data (Hattis et al., 2005). Efforts to map the approximate start of mouse and rat bioassays (i.e., 60 days) to equivalent ages in humans ranged from 10.6 to 15.1 years (Hattis et al., 2005)."

There is general agreement that rodents are born at a maturational stage approximately equivalent to a third trimester human fetus. Thus, there is good rationale to include the third trimester of pregnancy in the age bin for application of the ASF of 10.

While there is strong evidence that growth and therefore cell proliferation rates and cell differentiation are extremely high prior to age 2, there is still residual uncertainty with respect to the cutpoint for application of the ASFs of 10 and 3. Thus, another possible approach is to move the cut point for the application of the ASF of 10 to a later age to account for this uncertainty. We present the effect on risk estimates of varying cutpoints in Tables 2 and 3.

Special consideration of puberty

In addition to the general concerns over increased sensitivity to carcinogenesis during infancy and childhood, there are specific concerns for exposure during the period when hormonal and developmental changes associated with puberty are in process, especially for carcinogens with hormonal modes of action or with impacts on the reproductive system and its accessory organs. At puberty, there is increased development of breast and reproductive organs that clearly involves rapid cellular division and differentiation. Thus, for carcinogens that induce mammary and reproductive organ cancers, puberty represents a time of increased sensitivity. As noted in the section on Selection of Default Age-Sensitivity Factors (page 48), if the risk assessor is evaluating a chemical with the potential for more than usually enhanced potency during this period, such as those which induce mammary or reproductive organ tumors (e.g., a polycyclic aromatic hydrocarbon), then the risk assessment may use a larger ASF to calculate risk from exposure during puberty. OEHHA may recommend chemical-specific ASFs for puberty to the local air quality management districts for use in the Air Toxics Hot Spots program.

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Application of ASFs in Risk Assessment

The effect of using the proposed default ASFs in calculating cancer risk over a 70 year lifetime, and for a 9 year exposure common in the Hot Spots program risk assessments is demonstrated in Table 2 and Table 3 below. Ignoring for the moment the increased exposures to carcinogens that children experience, the effect of the weighting factors is to increase the lifetime cancer risk by about 2. For risks from shorter exposures, such as the commonly used 9 year exposure scenario, OEHHA proposes to evaluate risk starting at age 0 in the surrounding general population. The weighting factors in this case increase the risk to a larger extent. Depending on the exposure scenario, the use of age-specific distributions for uptake rates for air, food and water would also increase the risk estimates significantly independent of any application of ASFs. This is because the uptake rates for all these media per unit of body weight are higher in children and, especially, infants.

Assessing risks to short-term exposures to carcinogens involves additional uncertainties. The cancer potency factors are generally based on long-term exposures. However, in reality, the local air districts in California are frequently assessing risk from short term activities related to construction, mitigation of contaminated soils, and so forth. OEHHA recommends that when assessing such shorter term projects, the districts assume a minimum of 2 years of exposure and apply the slope factors and the 10 fold ASF to such assessments. Exposure durations longer than 2 years would use the method for the remaining years as noted above.

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Table 2. Example of default ASF use for a lifetime exposure (not adjusted for age-specific exposure)

Carcinogen Potency = 1 $(mg/kg\text{-}d)^{-1}$
Exposure = 0.0001 mg/kg-d
No consideration of differences of exposure

No adjustment: Lifetime Risk = potency × dose			Risk
70 year Lifetime risk = 1 × 0.0001			**1.0×10^{-4}**

With proposed default ASF of 10 for birth to age 2 and 3 for age 2 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 2 yrs)	10	2/70	0.286×10^{-4}
R (age 2 to 16 yrs)	3	13/70	0.557×10^{-4}
R (age 16 to 70 yrs)	1	55/70	0.786×10^{-4}
70 year Lifetime Risk			**1.6×10^{-4}**

With proposed default ASF of 10 for third trimester to age 2 and 3 for ages 2 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (third trimester to age 2yrs)	10	2.25/70.25	0.320×10^{-4}
R (age 2 to age 16 yrs)	3	13/70.25	0.555×10^{-4}
R (age 16 to 70 yrs)	1	55/70.25	0.783×10^{-4}
70 year Lifetime Risk			**1.66×10^{-4}**

With proposed default ASF of 10 for birth to age 5 and 3 for the ages 5 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 5)	10	4/70	0.571×10^{-4}
R (age 5 to 16 yrs)	3	11/70	0.471×10^{-4}
R (age 16 to 70 yrs)	1	55/70	0.786×10^{-4}
70 year Lifetime Risk			**1.8×10^{-4}**

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Table 3. Example of default ASF use for a 9-year exposure

Carcinogen Potency = 1 $(mg/kg\text{-}d)^{-1}$
Exposure = 0.0001 mg/kg-d
No consideration of differences of exposure

No adjustment: Total Risk = potency × dose x fraction of lifetime		Duration	Risk
9-year Total Risk		9/70	**0.13×10^{-4}**
With default ASF of 10 for birth to age 2, and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 2 yrs)	10	2/70	0.286×10^{-4}
R (age 3 to 9 yrs)	3	7/70	0.300×10^{-4}
9 year Total Risk			**0.59×10^{-4}**
With default ASF of 10 for third trimester to age 2 and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (third trimester to age 2yrs)	10	2.25/70.25	0.325×10^{-4}
R (age 2 to 9 yrs)	3	7/70.25	0.300×10^{-4}
9 year Total Risk			**0.625×10^{-4}**
With default ASF of 10 to age 5 and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 5 yrs)	10	4/70	0.571×10^{-4}
R (age 5 to 9 yrs)	3	5/70	0.214×10^{-4}
9 year Total Risk			**0.785×10^{-4}**

U.S.EPA Analysis of the Effect of Age at Exposure on Cancer Potency

U.S. EPA addressed the potential for increased susceptibility to cancer caused by environmental chemicals when the exposure occurs during an early lifestage in "Supplemental Guidance for Assessing Susceptibility from Early-Life Exposure to Carcinogens" (U.S. EPA, 2005b) (referred to henceforth as the Supplemental Guidance). This document is intended to be a companion to the revised "Guidelines for Carcinogen Risk Assessment" (U.S. EPA, 2005a). We present a summary of their analysis, which support the policy decision to weight cancer potency and therefore risk by age-at-exposure. As previously noted, there are several methodological differences between the U.S. EPA analysis and the OEHHA analysis. Of note, in the OEHHA analysis all treatment-related tumors that were observed in a given lifestage exposure experiment were taken into account in estimating cancer potency. Thus in comparing cancer potencies

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associated with early life vs. adult exposure, OEHHA compared the total cancer risk associated with exposure during a given lifestage, rather than comparing the risk for cancers at one single site in each lifestage, as the U.S. EPA did. In addition, the age groupings are a bit different in the U.S. EPA analysis than those used by OEHHA in their analysis (described above). For example, prenatal (*in utero*) exposures were not part of the analysis performed by U.S. EPA, and that Agency's analyses did not distinguish between postnatal and juvenile exposures.

U.S. EPA oral exposure cancer risk methodology relies on estimation of the lifetime average daily dose, which can account for exposure factor differences between adults and children (e.g. eating habits and body weight). However, early lifestage susceptibility differences have not been taken into consideration when cancer potency factors were calculated. The Supplemental Guidance document focused on studies that define the potential duration and degree of increased susceptibility that may arise from early-life exposures. An analysis of those studies including a detailed description of the procedures used was published in Barton *et al.* (2005) (included as Appendix I). The criteria used to decide if a study could be included in the quantitative analysis are as follows (excerpted from U.S. EPA, 2005b):

1. Exposure groups at different post-natal ages in the same study or same laboratory, if not concurrent (to control for a large number of potential cross-laboratory experimental variables including pathological examinations),
2. Same strain/species (to eliminate strain-specific responses confounding age-dependent responses),
3. Approximately the same dose within the limits of diets and drinking water intakes that obviously can vary with age (to eliminate dose-dependent responses confounding age-dependent responses),
4. Similar latency period following exposures of different ages (to control for confounding latency period for tumor expression with age-dependent responses), arising from sacrifice at >1 year for all groups exposed at different ages, where early-life exposure can occur up to about 7 weeks. Variations of around 10 to 20% in latency period are acceptable,
5. Postnatal exposure for juvenile rats and mice at ages younger than the standard 6 to 8 week start for bioassays; prenatal (*in utero*) exposures are not part of the current analysis. Studies that have postnatal exposure were included (without adjustment) even if they also involved prenatal exposure,
6. "Adult" rats and mice exposure beginning at approximately 6 to 8 weeks old or older, i.e. comparable to the age at initiation of a standard cancer bioassay (McConnell, 1992). Studies with animals only at young ages do not provide appropriate comparisons to evaluate age-dependency of response (e.g., the many neonatal mouse cancer studies). Studies in other species were used as supporting evidence, because they are relatively rare and the determination of the appropriate comparison ages across species is not simple, and
7. Number of affected animals and total number of animals examined are available or reasonably reconstructed for control, young, and adult groups (i.e., studies reporting only percent response or not including a control group would be excluded unless a reasonable estimate of historical background for the strain was obtainable).

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Cancer potencies were estimated from a one-hit model (a restricted form of the Weibull time-to-tumor model), which estimates cumulative incidence for tumor onset. U.S. EPA (2005b) compared the estimated ratio of the cancer potency from early-life exposure to the estimated cancer potency from adult exposure. The general form of the equation for the tumor incidence at a particular dose, [P(dose)] is:

$$P(dose) = 1-[1-P(0)]\exp(-\text{cancer potency}*\text{dose})$$

where P(0) is the incidence of the tumor in controls. The ratio of juvenile to adult cancer potencies at a single site were calculated by fitting this model to the data for each age group. The model fit depended upon the design of the experiment that generated the data. Studies evaluated by U.S. EPA had two basic design types: experiments in which animals were exposed either as juveniles or as adults (with either a single or multiple dose in each period), and experiments in which exposure began either in the juvenile or in the adult period, but once started, continued through life.

The model equations for the first study type are:

$$P_A = P_0 + (1-P_0)\,(1-e^{-m_A \delta_A})$$

$$P_J = P_0 + (1-P_0)\,(1-e^{-m_A e^{\lambda} \delta_J})$$

where A and J refer to the adult and juvenile period, respectively, λ is the natural logarithm of the juvenile:adult cancer potency ratio, P_0 is the fraction of control animals with the particular tumor type being modeled, P_x is the fraction of animals exposed in age period x with the tumor, m_A is the cancer potency, and δ_x is the duration or number of exposures during age period x.

The goal of the model is to determine λ, which is the logarithm of the estimated ratio of juvenile to adult cancer potencies. This serves as a measure of potential susceptibility for early-life exposure.

For the second study type, the model equations take into account that exposures that were initiated in the juvenile period continue through the adult period. The model equations for the fraction of animals exposed only as adults with tumors in this design are the same as in the first study type, but the fraction of animals whose first exposure occurred in the juvenile period is:

$$P_J = P_0 + (1-P_0)\,(1-e^{-m_A e^{\lambda}(\delta_J - \delta_A) - m_A \delta_A})$$

δ_J includes the duration of exposure during the juvenile period and the subsequent adult period.

Parameters in these models were estimated using Bayesian methods and all inferences about the ratios were based on the marginal posterior distribution of λ. A complete description of these procedures (including the potential effect of alternative Bayesian priors that were examined) was published in Barton *et al.* (2005) (Appendix I). This method produced a posterior mean ratio of the early-life to adult cancer potency, which is an estimate of the potential susceptibility of early-life exposure to carcinogens. Ratios of greater or less than one indicate greater or less susceptibility from early-life exposure, respectively.

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U.S. EPA reviewed several hundred studies reporting information on 67 chemicals or complex mixtures that are carcinogenic via perinatal exposure. Eighteen chemicals were identified which had animal study designs involving early-life and adult exposures in the same experiment. Of those 18 chemicals, there were overlapping subsets of 11 chemicals involving repeated exposures during early postnatal and adult lifestages and 8 chemicals using acute exposures (usually single doses) at different ages. Those chemicals are listed in Table 4~~Table 4Table 4~~.

Table 4 Chemicals having animal cancer study data available with early-life and adult exposures in the same experiment.

Chemical	Study Type
Amitrole	repeat dosing
Benzidine	repeat dosing
Benzo[a]pyrene (BaP)	acute exposure
Dibenzanthracene (DBA)	acute exposure
Dichlorodiphenyltrichloroethane (DDT)	lifetime exposure, repeat dosing
Dieldrin	lifetime exposure, repeat dosing
Diethylnitrosamine (DEN)	acute exposure, lifetime exposure
Dimethylbenz[a]anthracene (DMBA)	acute exposure
Dimethylnitrosamine (DMN)	acute exposure
Diphenylhydantoin, 5,5-(DPH)	lifetime exposure, repeat dosing
Ethylnitrosourea (ENU)	acute exposure
Ethylene thiourea (ETU)	lifetime exposure, repeat dosing
3-Methylcholanthrene (3-MC)	repeat dosing
Methylnitrosourea (NMU)	acute exposure
Polybrominated biphenyls (PBBs)	lifetime exposure, repeat dosing
Safrole	lifetime exposure, repeat dosing
Urethane	acute exposure, lifetime exposure
Vinyl chloride (VC)	repeat dosing

U.S. EPA calculated the difference in susceptibility between early-life and adult exposure as the estimated ratio of cancer potency at specific sites from early-life exposure over the cancer potency from adult exposure for each of the studies that were determined qualitatively to have appropriate study designs and adequate data. The results were grouped into four categories: 1) mutagenic chemicals administered by a chronic dosing regimen to adults and repeated dosing in the early postnatal period (benzidine, diethylnitrosamine, 3-methylcholanthrene, safrole, urethane and vinyl chloride); 2) chemicals without positive mutagenicity data administered by a chronic dosing regimen to adults and repeated dosing in the early postnatal period (amitrole, dichlorodiphenyltrichloroethane (DDT), dieldrin, ethylene thiourea, diphenylhydantoin, polybrominated biphenyls); 3) mutagenic chemicals administered by an acute dosing regimen

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(benzo[*a*]pyrene, dibenzanthracene, diethylnitrosamine, dimethylbenzanthracene, dimethylnitrosamine, ethylnitrosourea, methylnitrosourea and urethane); 4) chemicals with or without positive mutagenicity data with chronic adult dosing and repeated early postnatal dosing.

The acute dosing animal cancer studies were considered qualitatively useful by U.S. EPA because they involve identical exposures with defined doses and time periods demonstrating that differential tumor incidences arise exclusively from age-dependent susceptibility. However, they were not used to derive a quantitative cancer potency factor age adjustment, primarily because most of the studies used subcutaneous or intraperitoneal injection as a route of exposure. These methods have not been considered quantitatively relevant routes of environmental exposure for human cancer risk assessment by U.S. EPA, for reasons including the fact that these routes of exposure are expected to have a partial or complete absence of first pass metabolism which could affect potency estimates. Additionally, U.S. EPA decided that cancer potency estimates are usually derived from chronic exposures, and therefore, any adjustment to those potencies should be from similar exposures.

The repeated dosing studies with mutagenic chemicals using exposures during early postnatal and adult lifestages were used to develop a quantitative cancer potency factor age adjustment. Studies with repeated early postnatal exposure were included in the analysis even if they also involved earlier maternal and/or prenatal exposure, while studies addressing only prenatal exposure were not used in the analysis. The weighted geometric mean susceptibility ratio (juvenile to adult) for repeated and lifetime exposures in this case was 10.4 (range 0.12 – 111, 42% of ratios greater than 1).

USEPA suggests the use of age-dependent-adjustment factors (ADAF) for chemicals acting through a mutagenic mode of action., based on the results of the preceding analysis, which concluded that cancer risks generally are higher from early-life exposure than from similar exposure doses and durations later in life:

1. For exposures before 2 years of age (i.e., spanning a 2-year time interval from the first day of birth until a child's second birthday), a 10-fold ADAF.

2. For exposures between 2 and <16 years of age (i.e., spanning a 14-year time interval from a child's second birthday until their sixteenth birthday), a 3-fold ADAF.

3. For exposures after turning 16 years of age, no adjustment (ADAF=1).

The ADAF of 10 used for the 0 – 2 years of age range is approximately the weighted geometric mean cancer potency ratio from juvenile versus adult exposures in the repeated dosing studies. U.S. EPA considered this period to display the greatest toxicokinetic and toxicodynamic differences between children and adults. Data were not available to calculate a specific dose-response adjustment factor for the 2 to <16-year age range, so EPA selected an ADAF of 3 because it was half the logarithmic scale difference between the 10-fold adjustment for the first two years of life and no adjustment (*i.e.*, 1-fold) for adult exposure. The ADAF of 3 represents an intermediate level of adjustment applied after 2 years of age through <16 years of age. The upper age limit (16 years of age) reflects the end of puberty and the attainment of a final body height. U.S. EPA recognizes that the use of a weighted geometric mean of the available study

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data to develop an ADAF for cancer potencies may either overestimate or underestimate the actual early-life cancer potency for specific chemicals, and therefore emphasizes in the Supplemental Guidance that chemical-specific data should be used in preference to these default adjustment factors whenever such data are available.

U.S. EPA is recommending the ADAFs described above only for mutagenic carcinogens, because the data for non-mutagenic carcinogens were considered to be too limited and the modes of action too diverse to use this as a category for which a general default adjustment factor approach can be applied. OEHHA considers this approach to be insufficiently health protective. There is no obvious reason to suppose that the toxicokinetics of non-mutagens would be systematically different from those of mutagens. It would also be inappropriate to assume by default that non-mutagenic carcinogens are assumed to need a toxicodynamic correction factor of 1. Most if not all of the factors that make individuals exposed to carcinogens during an early-lifestage potentially more susceptible than those individuals exposed during adulthood also apply to non-mutagenic carcinogen exposures (*e.g.*, rapid growth and development of target tissues, potentially greater sensitivity to hormonal carcinogens, differences in metabolism). It should also be noted that carcinogens that do not cause gene mutations may still be genotoxic by virtue of causing chromosomal damage. Additionally, many carcinogens do not have adequate data available for deciding on a specific mode of action, or do not necessarily have a single mode of action. For these reasons, OEHHA will apply the default cancer potency factor age adjustments described above to all carcinogens unless data are available which allow for the development of chemical-specific cancer potency factor age adjustments. In those cases, an agent-specific model of age dependence (based on observational or experimental data) might be used, or alternative (larger or smaller) adjustment factors and age ranges may be applied where understanding of the mechanism of action and target tissues makes this appropriate.

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Other Source Documents for Cancer Risk Assessment Guidance

As noted previously, the cancer potencies and unit risks tabulated in this technical support document have been developed by various programs over a number of years. The methods used therefore necessarily varied according to the date of the assessment and the program responsible. The following section summarizes the sources and procedures most commonly applied, and their historical context where this is apposite.

United States Environmental Protection Agency (U.S. EPA)

The U.S. EPA was one of the first regulatory agencies to develop and apply cancer risk assessment methodology. Their guidance documents and technical publications have been influential for many programs, including the California Air Toxics (Toxic Air Contaminants and Hot Spots) programs.

Guidelines for Carcinogen Risk Assessment (U.S. EPA, 1986)

Prior to the more recent guidelines updating project which, after nearly ten years of internal and public review drafts culminated in the 2005 final revision (see below), U.S. EPA carcinogen risk assessment procedures were generally as described in Anderson *et al.* (1983) and "Guidelines for Carcinogen Risk Assessment" (U.S. EPA, 1986). These methods, which are outlined below, were used to calculate the Integrated Risk Information System (IRIS) cancer potency values, some of which are cited in this document. U.S. EPA has always indicated that cancer risk estimates based on adequate human epidemiologic data are preferred if available over estimates based on animal data. Although the newer guidelines offer alternative methods for dose-response analysis of animal bioassays, and updated consideration of specific topics such as lifestage-related differences in sensitivity, and mechanism of action for some types of carcinogen, the underlying principles, and many of the specific procedures developed in these original guidelines are still applicable and in use.

U.S. EPA Calculation of Carcinogenic Potency Based on Animal Data

In extrapolating low-dose human cancer risk from animal carcinogenicity data, it is generally assumed that most agents that cause cancer also damage DNA, and that the quantal type of biological response characteristic of mutagenesis is associated with a linear non-threshold dose-response relationship. U.S. EPA stated that the risk assessments made with this model should be regarded as conservative, representing the most plausible upper limit for the risk. The mathematical expression used by U.S. EPA in the 1986 guidelines to describe the linear non-threshold dose-response relationship at low doses is the linearized multistage procedure developed by Crump (1980). This model is capable of fitting almost any monotonically increasing dose-response data, and incorporates a procedure for estimating the largest possible linear slope at low extrapolated doses that is consistent with the data at all experimental dose levels. A description of the linearized multistage procedure has been provided above (page 292928). U.S. EPA used an updated version (GLOBAL86, Howe *et al.*, 1986) of the computer program GLOBAL79 developed by Crump and Watson (1979) to calculate the point estimate and the 95% upper confidence limit of the extra risk $A(d)$.

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U.S. EPA separated tumor incidence data according to organ sites or tumor types. The incidence of benign and malignant tumors was combined whenever scientifically defensible. U.S. EPA considered this incidence combination scientifically defensible unless the benign tumors are not considered to have the potential to progress to the associated malignancies of the same histogenic origin. The primary comparison in carcinogenicity evaluation is tumor response in dosed animals as compared to contemporary matched control animals. However, U.S. EPA stated that historical control data could be used along with concurrent control data in the evaluation of carcinogenic responses, and notes that for the evaluation of rare tumors, even small tumor responses may be significant compared to historical data. If several data sets (dose and tumor incidence) are available (different animal species, strains, sexes, exposure levels, exposure routes) for a particular chemical, the data set used in the model was the set where the incidence is statistically significantly higher than the control for at least one test dose level and/or where the tumor incidence rate shows a statistically significant trend with respect to dose level. The data set generating the highest lifetime cancer risk estimate (q_1^*) was chosen where appropriate. An example of an inappropriate data set would be a set which generates an artifactually high risk estimate because of a very small number of animals used. If there are 2 or more data sets of comparable size for a particular chemical that are identical with respect to species, strain, sex and tumor sites, the geometric mean of q_1^* estimated from each of those data sets was used for risk estimation. U.S. EPA assumed that mg/surface area/day is an equivalent dose between species. Surface area was further assumed to be proportional to the 2/3 power of the weight of the animal in question. Equivalent dose was therefore computed using the following relationship:

$$\mathrm{d} = \frac{l_e * m}{L_e * W^{2/3}}$$

where L_e = experimental duration, l_e = exposure duration, m = average dose (mg/day) and W = average animal weight. Default average body weights for humans, rats and mice are 70, 0.35 and 0.03 kg, respectively.

Exposure data expressed as ppm in the diet were generally converted to mg/day using the relationship m = ppm * F * r, where ppm is parts per million of the chemical in the diet, F is the weight of the food consumed per day in kg, and r is the absorption fraction (assumed to be 1 in the absence of data indicating otherwise). The weight of food consumed, calories required, and animal surface area were generally all considered to be proportional to the 2/3 power of the animal weight, so:

$$m \quad \text{ppm} * W^{2/3} * r, \text{ or } \quad \frac{m}{rW^{2/3}} \quad \text{ppm}$$

The relationship could lead to the assumption that dietary ppm is an equivalent exposure between species. However, U.S. EPA did not believe that this assumption is justified, since the calories/kg food consumed by humans is significantly different from that consumed by laboratory animals (primarily due to differences in moisture content). An empirically derived food factor, $f = F/W$ was used, which is the fraction of a species' body weight consumed per day as food. U.S. EPA (1986) gave the f values for humans, rats and mice as 0.028, 0.05 and 0.13, respectively.

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Dietary exposures expressed as concentrations in ppm were converted to mg/surface area using the following relationship:

$$\frac{m}{r * W^{2/3}} = \frac{\text{ppm} * F}{W^{2/3}} = \frac{\text{ppm} * f * W}{W^{2/3}} = \text{ppm} * f * W^{2/3}$$

Exposures expressed as mg/kg/day ($m/Wr = s$) were converted to mg/surface area using the relationship:

$$\frac{m}{rW^{2/3}} = s * W^{2/3}$$

The calculation of dose when exposure is via inhalation was performed for cases where 1) the chemical is either a completely water-soluble gas or aerosol and is absorbed proportionally to the amount of inspired air, or 2) where the chemical is a partly water-soluble gas which reaches an equilibrium between the inspired air and body compartments. After equilibrium is attained, the rate of absorption is proportional to metabolic rate, which is proportional to the rate of oxygen consumption, which is related to surface area.

Exposure expressed as mg/day to completely water-soluble gas or aerosols can be calculated using the expression $m = I * v * r$, where I is the inspiration rate/day in m^3, v is the concentration of the chemical in air (mg/m^3), and r is the absorption fraction (assumed to be the same for all species in the absence of data to the contrary; usually 1). For humans, the default inspiration rate of 20 m^3 has been adopted. Inspiration rates for 113 g rats and 25 g mice have been reported to be 105 and 34.5 liters/day, respectively. Surface area proportionality can be used to determine inspiration rate for rats and mice of other weights; for mice, $I = 0.0345\ (W / 0.025)^{2/3}\ m^3/day$; for rats, $I = 0.105\ (W / 0.113)^{2/3}\ m^3/day$. The empirical factors for air intake/kg/day (i) for humans, rats and mice are 0.29, 0.64 and 1.3, respectively. Equivalent exposures in mg/surface area can be calculated using the relationship:

$$\frac{m}{W^{2/3}} = \frac{Ivr}{W^{2/3}} = \frac{iWvr}{W^{2/3}} = iW^{1/3}vr$$

Exposure expressed as mg/day to partly water-soluble gases is proportional to surface area and to the solubility of the gas in body fluids (expressed as an absorption coefficient r for that gas). Equivalent exposures in mg/surface area can be calculated using the relationships $m = kW^{2/3} * v * r$, and $d = m/W^{2/3} = kvr$. The further assumption is made that in the case of route-to-route extrapolations (e.g., where animal exposure is via the oral route, and human exposure is via inhalation, or vice versa), unless pharmacokinetic data to the contrary exist, absorption is equal by either exposure route.

Adjustments were made for experimental exposure durations shorter than the lifetime of the test animal; the slope q_1^* was increased by the factor $(L/L_e)^3$, where L is the normal lifespan of the experimental animal and L_e is the duration of the experiment. This assumed that if the average dose d is continued, the age-specific rate of cancer will continue to increase as a constant function of the background rate. Since age-specific rates for humans increase by at least the 2nd power of the age, and often by a considerably higher power (Doll, 1971), there is an expectation

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that the cumulative tumor rate, and therefore q_1^*, will increase by at least the 3rd power of age. If the slope q_1^* is calculated at age L_e, it would be expected that if the experiment was continued for the full lifespan L at the same average dose, the slope q_1^* would have been increased by at least $(L/L_e)^3$.

U.S. EPA Calculation of Carcinogenic Potency Based on Human Data

U.S. EPA stated that existing human epidemiologic studies with sufficiently valid exposure characterization are always used in evaluating the cancer potency of a chemical. If they showed a carcinogenic effect, the data were analyzed to provide an estimate of the linear dependence of cancer rates on lifetime cancer dose (equivalent to the factor q_1^*). If no carcinogenic effect was demonstrated and carcinogenicity had been demonstrated in animals, then it was assumed that a risk does exist, but it is smaller than could have been observed in the epidemiologic study. An upper limit of cancer incidence was calculated assuming that the true incidence is just below the level of detection in the cohort studied, which is largely determined by the cohort size. Whenever possible, human data are used in preference to animal data. In human epidemiologic studies, the response is measured as the relative risk of the exposed cohort of individuals compared to the control group. The excess risk ($R(X)$ - 1, where $R(X)$ is relative risk) was assumed to be proportional to the lifetime average exposure X, and to be the same for all ages. The carcinogenic potency is then equal to $[R(X) - 1]/X$ multiplied by the lifetime risk at that site in the general population. According to this original procedure, the confidence limit for the excess risk was not usually calculated: this decision was ascribed to the difficulty in accounting for inherent uncertainty in the exposure and cancer response data. More recent assessments have taken the opposite view and attempted to calculate and characterize this uncertainty by determining confidence limits, *inter alia*.

Guidelines for Carcinogen Risk Assessment (U.S. EPA, 2005a)

U.S. EPA revised its "Guidelines for Carcinogen Risk Assessment" (referred to henceforth as the "U.S. EPA Guidelines") in 2005. Compared to the 1986 version of this document, more emphasis is placed on establishing a "mode of action" (MOA). The following excerpt provides a definition of this term:

> "The term "mode of action" is defined as a sequence of key events and processes, starting with interaction of an agent with a cell, proceeding through operational and anatomical changes, and resulting in cancer formation. A "key event" is an empirically observable precursor step that is itself a necessary element of the mode of action or is a biologically based marker for such an element. Mode of action is contrasted with "mechanism of action," which implies a more detailed understanding and description of events, often at the molecular level, than is meant by mode of action".

Cancer risk assessments performed under the prior U.S. EPA Guidelines sometimes included a MOA description. However, the 1986 U.S. EPA Guidelines did not explicitly mandate the development of a MOA description in cancer risk assessments.

The MOA information is then used to govern how a cancer risk assessment shall proceed. Tumor incidence data sets arising from a MOA judged to be not relevant to humans are not used

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to extrapolate a cancer potency factor. If an MOA cannot be determined or is determined to have a low-dose linear dose-response and a nonmutagenic MOA, then a linear extrapolation method is used to develop a cancer potency factor. The same linear extrapolation is used for all lifestages, unless chemical specific information on lifestage or population sensitivity is available. Carcinogens that act via an MOA judged to have a nonlinear low-dose dose response are modeled using MOA data, or the RfD/RfC risk assessment method is used as a default. Adjustments for susceptible lifestages or populations are to be performed as part of the risk assessment process.

If a carcinogen is deemed to act via a mutagenic MOA, then the data from the MOA analysis is evaluated to determine if chemical-specific differences between adults and juveniles exist and can be used to develop a chemical-specific risk estimate incorporating lifestage susceptibility. If this cannot be done, then early-life susceptibility is assumed, and age-dependent adjustment factors (ADAFs) are applied as appropriate to develop risk estimates. In cases where it is not possible to develop a toxicokinetic model to perform cross-species scaling of animal tumor data sets which arise from oral exposures, the U.S. EPA Guidelines state that administered doses should be scaled from animals to humans on the basis of equivalence of $mg/kg^{3/4}$-d (milligrams of the agent normalized by the 3/4 power of body weight per day). This is a departure from the 1986 U.S. EPA guidelines, which used a 2/3 power of body weight normalization factor. Other adjustments for dose timing, duration and route are generally assumed to be handled in similar fashion to that described for the 1986 guidelines, although of course updated parameter values would be used where available.

The 2005 U.S. EPA Guidelines also use benchmark dose methodology (described above, page 27) to develop a "point-of departure" (POD) from tumor incidence data. For linear extrapolation, the POD is used to calculate a cancer potency factor, and for nonlinear extrapolation the POD is used in the calculation of a reference dose (RfD) or reference concentration (RfC).

It should be noted that none of the cancer potency factors listed in this document were obtained from U.S. EPA risk assessments performed under the 2005 U.S. EPA Guidelines. All U.S. EPA IRIS cancer potency values contained in this document were obtained from risk assessments using the 1986 U.S. EPA Guidelines.

Office of Environmental Health Hazard Assessment (OEHHA), California Environmental Protection Agency

The cancer risk assessment procedures originally used by the Office of Environmental Health Hazard Assessment (OEHHA) are outlined in "Guidelines for Chemical Carcinogen Risk Assessments and their Scientific Rationale" (referred to below as the Guidelines) (CDHS, 1985). These procedures were generally used in generating Toxic Air Contaminant (TAC) cancer potency values, standard Proposition 65 cancer potency values and Public Health Goal (PHG) cancer potency values. Expedited Proposition 65 cancer potency values depart somewhat from those procedures and are discussed separately below.

OEHHA cancer risk assessment methodology as described by CDHS (1985) generally resembled that used at that time by U.S. EPA (Anderson *et al.*, 1983; U.S. EPA, 1986). OEHHA risk

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assessment practice similarly reflects the evolution of the technical methodology (e.g. as described in U.S. EPA, 2005a) since the original guidelines were published. The basic principles and procedures described below are still considered applicable. More recent additions to OEHHA cancer risk assessment methods such as the use of benchmark dose methodologies and early-lifestage cancer potency adjustments are discussed above. The Guidelines state that both animal and human data, when available, should be part of the dose-response assessment.

OEHHA Calculation of Carcinogenic Potency Based on Animal Data

The procedures used to extrapolate low-dose human cancer risk from animal carcinogenicity data assumed that a carcinogenic change induced in a cell is transmitted to successive generations of cell descendents, and that the initial change in the cell is an alteration (e.g. mutation, rearrangement, etc.) in the cellular DNA. Non-threshold models are used to extrapolate to low-dose human cancer risk from animal carcinogenicity data.

Several models were proposed for extrapolating low-dose human cancer risk from animal carcinogenicity data in the original Guidelines. These models include the Mantel-Bryan method (log-probit model), the one-hit model, the linearized multistage procedure, the gamma multihit model, and a number of time-to-tumor models. The Guidelines stated that time-to-tumor models (i.e., a Weibull-in-time model) should be used for low-dose extrapolation in all cases where supporting data are available, particularly when survival is poor due to competing toxicity. However, the Guidelines also noted the difficulty of determining the actual response times in an experiment. Internal tumors are generally difficult to detect in live animals and their presence is usually detected only at necropsy. Additionally, use of these models often requires making the determination of whether a tumor was the cause of death, or was found only coincidentally at necropsy when death was due to other causes. Further, competing causes of death, such as chemical toxicity, may decrease the observed time-to-tumor for nonlethal cancers by allowing earlier necropsy of animals in higher dose groups. The linearized multistage (LMS) procedure was noted as being an appropriate method for dose extrapolation in most cases, with the primary exception being a situation in which sufficient empirical data are available to indicate a dose-response curve of a "quasi-threshold" type (e.g., flat for two or three dose levels, then curving sharply upwards). In this case, the LMS procedure may underestimate the number of stages and overestimate the low-dose risks. In this case, the gamma multihit model was suggested as being a potential alternative. The Mantel-Bryan model was described as having little biological basis as applied to carcinogenesis, and being likely to underestimate risks at low doses. The Guidelines stated that this model should not be used for low dose extrapolation. More recent practice has departed from these original guidelines in some respects, for instance by experimenting with cell-proliferation based models in a few cases: however the LMS model remained the preferred extrapolation model for most purposes. Some of the difficulties in achieving a satisfactory fit to tumor incidence data were found to be alleviated by application of toxicokinetic models and use of an internal rather than applied dose metric with the LMS model. This has resulted in the alternative models originally advocated (Gamma multihit, Mantel-Bryan) being mostly abandoned. As noted above (Dose-Response Assessment, page 23), the use of allegedly biologically based statistical models such as LMS has fallen from favor in recent years, and benchmark dose methodology has become the preferred method for extrapolating cancer potency values from animal cancer incidence data. However, it should also be noted that results

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generated by the LMS model and benchmark dose methodology from the same data set are often quite similar.

The 1985 Guidelines stated that both animal and human data, when available, should be part of the dose-response assessment. Although preference was given to human data when these were of adequate quality, animal studies may provide important supporting evidence. Low-dose extrapolation of human cancer risk from animal carcinogenicity data was generally based on the most sensitive site, species and study demonstrating carcinogenicity of a particular chemical, unless other evidence indicates that the data set in question is not appropriate for use. Where both benign and malignant tumors are induced at the same site and the benign tumors are considered to have the potential to progress to malignant tumors, the incidence data for both types of tumors could be combined to form the basis for risk assessment. Pharmacokinetic data on chemical metabolism, effective dose at target site, or species differences between laboratory test animals and humans were considered in dose-response assessments when available. In performing exposure scaling from animals to humans, the "surface area" correction (correcting by the 2/3 power of body weight) was used unless specific data indicates that this should not be done. The Guidelines assumed that in the absence of evidence to the contrary, chemicals that cause cancer after exposure by ingestion will also cause cancer after exposure by inhalation, and vice versa. These original proposals have continued in use with little change except that currently, TAC and PHG cancer potency factor calculations use a 3/4 power of body weight correction for interspecies scaling, in line with current U.S. EPA practice. The standard Proposition 65 cancer potency factor calculations still use a 2/3 power correction because the cancer potency calculation method is specified in regulation (California Health and Safety Code 25249.5 *et seq.*).

Cancer unit risk factors [in units of $(\mu g/m^3)^{-1}$]have been calculated from cancer potency factors [in units of $(mg/kg\text{-}day)^{-1}$] using the following relationship:

$$UR = \frac{CPF * 20\ m^3}{70\ kg\ *\ CV}$$

where UR is the cancer unit risk, CPF is the cancer potency factor, 70 kg is the reference human body weight, 20 m^3 is the reference human inspiration rate/day, and CV is the conversion factor from mg to µg (= 1000). The cancer unit risk describes the excess cancer risk associated with an inhalation exposure to a concentration of 1 $\mu g/m^3$ of a given chemical; the cancer potency factor describes the excess cancer risk associated with exposure to 1 mg of a given chemical per kilogram of body weight.

It should be noted that although this default method is still used in deriving published cancer unit risk values, for site-specific risk assessments age-appropriate distributions and percentile values are used in the current version of the Hot Spots exposure assessment document. Where exposure to children occurs (as it does in most exposures to the general population surrounding a source site) it is also necessary to apply the age-specific adjustment factors for the appropriate durations in accordance with the guidance offered above (Page 30 *et seq.*).

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OEHHA Calculation of Carcinogenic Potency Based on Human Data

Human epidemiologic studies with adequate exposure characterization are used to evaluate the cancer potency of a chemical. If they show a carcinogenic effect, the data are analyzed to provide an estimate of the linear dependence of cancer rates on lifetime cancer dose. The 1985 Guidelines stated that with continuous exposure, age-specific incidence continues to increase as a power function (e.g., t^3 or t^4) of the elapsed time since initial exposure. Lifetime risks can be estimated by applying such a power function to the observed data and extrapolating beyond the actual followup period. OEHHA has generally undertaken the calculation of study power and confidence bounds on the potency estimate as important tools to establish the credibility of the estimate obtained and in comparing this with other estimates (from other human studies or from animal data). Due to the diversity in quality and type of epidemiological data, the specific approaches used in OEHHA risk assessments based on human epidemiologic studies vary on a case by case basis rather than following explicit general guidelines. Examples of the methods used can be observed in the Toxic Air Contaminant documents (these documents are listed in Appendix D: the methods used are described in the compound summaries provided in Appendix B).

Expedited Proposition 65 Cancer Risk Assessment Methodology

Expedited cancer potency values developed for several agents listed as carcinogens under Proposition 65 (California Health and Safety Code 25249.5 *et seq.*) were derived from selected animal carcinogenicity data sets of the Carcinogenic Potency Database (CPDB) of Gold *et al.* (1984, 1986, 1987, 1989, 1990, 1997) using default procedures specified in the administrative regulations for Proposition 65 (Title 22 California Code of Regulations [CCR] 12703). OEHHA hazard assessments usually describe all relevant data on the carcinogenicity (including dose-response characteristics) of the chemical under examination, followed by an evaluation of any pharmacokinetic and mechanistic (e.g. genotoxicity) data. An evaluation of the data set for the chemical may indicate that adjustments in target dose estimates or use of a dose response model different from the default are appropriate. The procedure used to derive expedited Proposition 65 cancer potency values differs from the usual methodology in two ways. First, it relies on cancer dose response data evaluated and extracted from the original literature by Gold *et al.* Second, the choice of a linearized multistage procedure for generating cancer potency values is automatic, and pharmacokinetic adjustments are not performed. The methods used to develop expedited cancer potency values incorporate the following assumptions:

1. The dose response relationship for carcinogenic effects in the most sensitive species tested is representative of that in humans.
2. Observed experimental results can be extrapolated across species by use of the interspecies factor based on "surface area scaling."
3. The dose to the tissue giving rise to a tumor is assumed to be proportional to the administered dose.
4. The linearized multistage polynomial procedure can be used to extrapolate potency outside the range of experimental observations to yield estimates of "low" dose potency.
5. Cancer risk increases with the third power of age.

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The Carcinogenic Potency Database of Gold *et al.* (1984, 1986, 1987, 1989, 1990) contains the results of more than 4000 chronic laboratory animal experiments on 1050 chemicals by combining published literature with the results of Federal chemical testing programs (Technical Reports from the Carcinogenesis Bioassay Program of the National Cancer Institute (NCI)/National Toxicology Program (NTP) published prior to June 1987). The published literature was searched (Gold *et al.*, 1984) through the period December 1986 for carcinogenicity bioassays; the search included the Public Health Service publication "Survey of Compounds Which Have Been Tested for Carcinogenic Activity" (1948-1973 and 1978), monographs on chemical carcinogens prepared by the International Agency for Research on Cancer (IARC) and Current Contents. Also searched were Carcinogenesis Abstracts and the following journals: British Journal of Cancer, Cancer Letters, Cancer Research, Carcinogenesis, Chemosphere, Environmental Health Perspectives, European Journal of Cancer, Food and Cosmetics Toxicology, Gann, International Journal of Cancer, Journal of Cancer Research and Clinical Oncology (formerly Zeitschrift fur Krebsforschung und Klinische Onkologie), Journal of Environmental Pathology and Toxicology, Journal of Toxicology and Environmental Health, Journal of the National Cancer Institute, and Toxicology and Applied Pharmacology. Studies were included in the database if they met the following conditions:

1. The test animals were mammals.
2. Chemical exposure was started early in life (100 days of age or less for hamsters, mice and rats).
3. Route of administration was via the diet, drinking water, gavage, inhalation, intravenous injection or intraperitoneal injection.
4. The test chemical was administered alone (not in combination with other chemicals).
5. Chemical exposure was chronic (*i.e.*, duration of exposure was at least one-fourth the standard lifespan for that species), with not more than 7 days between exposures.
6. The experiment duration was at least half the standard lifespan for the species used.
7. The study design included a control group and at least 5 animals/exposure group.
8. No surgical interventions were performed.
9. Pathology data were reported for the number of animals with tumors (not total number of tumors).
10. All results reported were original data (not analysis of data reported by other authors).

Included in their data set tabulations are estimates of average doses used in the bioassay, resulting tumor incidences for each of the dose levels employed for sites where significant responses were observed, dosing period, length of study and histopathology. Average daily dose levels were calculated assuming 100% absorption. Dose calculations follow procedures similar to those of Cal/EPA and U.S. EPA; details on methods used and standard values for animal lifespans, body weights, and diet, water and air intake are listed in Gold *et al.* (1984). OEHHA (1992) reviewed the quality assurance, literature review, and control procedures used in compiling the data and found them to be sufficient for use in an expedited procedure. Cancer potency estimates were derived by applying the mathematical approach described in the section below to dose response data in the Gold *et al.* database.

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The following criteria were used for data selection:

1. Data sets with statistically significant increases in cancer incidence with dose (p 0.05) were used. (If the authors of the bioassay report considered a statistically significant result to be unrelated to the exposure to the carcinogen, the associated data set was not used.)
2. Data sets were not selected if the endpoint was specified as "all tumor-bearing animals" or results were from a combination of unrelated tissues and tumors.
3. When several studies were available, and one study stood out as being of higher quality due to numbers of dose groups, magnitude of the dose applied, duration of study, or other factors, the higher quality study was chosen as the basis for potency calculation if study results were consistent with those of the other bioassays listed.
4. When there were multiple studies of similar quality in the sensitive species, the geometric mean of potencies derived from these studies was taken. If the same experimentalists tested two sexes of the same species/strain under the same laboratory conditions, and no other adequate studies were available for that species, the data set for the more sensitive sex was selected.
5. Potency was derived from data sets that tabulate malignant tumors, combined malignant and benign tumors, or tumors that would have likely progressed to malignancy.

Cancer potency was defined as the slope of the dose response curve at low doses. Following the default approach, this slope was estimated from the dose response data collected at high doses and assumed to hold at very low doses. The Crump linearized multistage polynomial (Crump *et al.*, 1977) was fit to animal bioassay data:

$$\text{Probability of cancer} = 1 - \exp[-(q_0 + q_1 d + q_2 d^2 + \ldots)]$$

Cancer potency was estimated from the upper 95 % confidence bound on the linear coefficient q_1, which is termed q_1^*.

For a given chemical, the model was fit to a number of data sets. As discussed in the section above, the default was to select the data for the most sensitive target organ in the most sensitive species and sex, unless data indicated that this was inappropriate. Deviations from this default occur, for example, when there are several bioassays or large differences exist between potency values calculated from available data sets.

Carcinogenicity bioassays using mice and/or rats will often use an exposure duration of approximately two years. For standard risk assessments, this is the assumed lifespan for these species. Animals in experiments of shorter duration are at a lower risk of developing tumors than those in the standard bioassay; thus potency is underestimated unless an adjustment for experimental duration is made. In estimating potency, short duration of an experiment was taken into account by multiplying q_1^* by a correction factor equal to the cube of the ratio of the assumed standard lifespan of the animal to the duration of the experiment (T_e). This assumes that the cancer hazard would have increased with the third power of the age of the animals had they lived longer:

$$q_{animal} = q_1^* * (104 \text{ weeks}/T_e)^3$$

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In some cases excess mortality may occur during a bioassay, and the number of initial animals subject to late occurring tumors may be significantly reduced. In such situations, the above described procedure can, at times, significantly underestimate potency. A time-dependent model fit to individual animal data (i.e., the data set with the tumor status and time of death for each animal under study) may provide better potency estimates. When Gold *et al.* indicated that survival was poor for a selected data set, a time-dependent analysis was attempted if the required data were available in the Tox Risk (Crump *et al.*, 1991) data base. The Weibull multistage model (Weibull-in-time; multistage-in-dose) was fit to the individual animal data.

To estimate human cancer potency, q_{animal} values derived from bioassay data were multiplied by an interspecies scaling factor (K; the ratio of human body weight (bw_h) to test animal body weight (bw_a), taken to the 1/3 power (Anderson *et al.*, 1983)):

$$K = (bw_h/bw_a)^{1/3}$$

Thus, cancer potency = $q_{human} = K * q_{animal}$

Chemical-specific Descriptions of Cancer Potency Value Derivations

Unit Risk and potency values for chemicals whose cancer potency values were obtained from Toxic Air Contaminant documents, standard or expedited Proposition 65 documents, U.S. EPA's Integrated Risk Information System (IRIS) documents and Health Effects Assessment Summary Table (HEAST) entries, or from other documents prepared by OEHHA's Air Toxicology and Epidemiology Branch or Pesticide and Environmental Toxicology Branch are presented in Appendix A. Information summaries for these chemicals are presented in Appendix B.

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U.S. Department of Housing and Urban Development
Office of Community Planning and Development

The Noise Guidebook

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The Noise Guidebook

A Reference Document for
Implementing the Department of
Housing and Urban Development's
Noise Policy

Prepared By The Environmental
Planning Division,
Office of Environment and Energy

For sale by the Superintendent of Documents, U.S. Government Printing Office Washington, D.C. 20402

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Preface

Introduction

This *Noise Guidebook* has been prepared to serve as the basic reference document for all HUD field staff who are responsible for implementing the Department's noise policy. It brings together in one place all the various reports, informational papers and other items that have been put out by the Department over the past several years. It also contains several new items designed to make your job easier.

This *Guidebook* is designed to serve not only the experienced HUD staff member but also the new employee or the old employee who is new to the noise field. Because of this, the *Guidebook* contains some fairly basic background material as well as quizzes and other material specifically geared for the "learner."

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Chapter 1

Basic Overview of the Environmental Noise Problem

Introduction

Background

Definition and Scope of the Noise Problem

The air around us is constantly filled with sounds, yet most of us would probably not say we are surrounded by noise. What then is the difference between ordinary sound and what we call noise? The traditional definition of noise is that it is "unwanted sound." Sound becomes unwanted when it either interferes with our normal activities such as sleeping, conversation or recreation, when it causes actual physical harm such as hearing loss or has adverse effects on mental health. As we have become a more urbanized country and as technology has advanced, the level of sound in our environment has reached the point when it sometimes does cause interference and does cause physical and psychological harm, and thus we have developed a noise problem. (See Figure 1 for a listing of common sounds.)

The dimensions of the noise problem have grown larger and larger over the past few decades. In its 1979 Annual Report, The Council on Environmental Quality stated that "nearly half the US population is regularly exposed to levels of noise that interfere with ...normal activities" and about "1 in 10 ...are exposed to noises of duration and intensity sufficient to cause a permanent reduction in their ability to hear."

Figure 1
Common Sounds
Basic Theory: Common Sounds in Decibels (dB)

Some common, easily recognized sounds are listed below in order of increasing sound intensity levels in decibels. The sound levels shown for occupied rooms are typical general activity levels only and do *not* represent criteria for design.

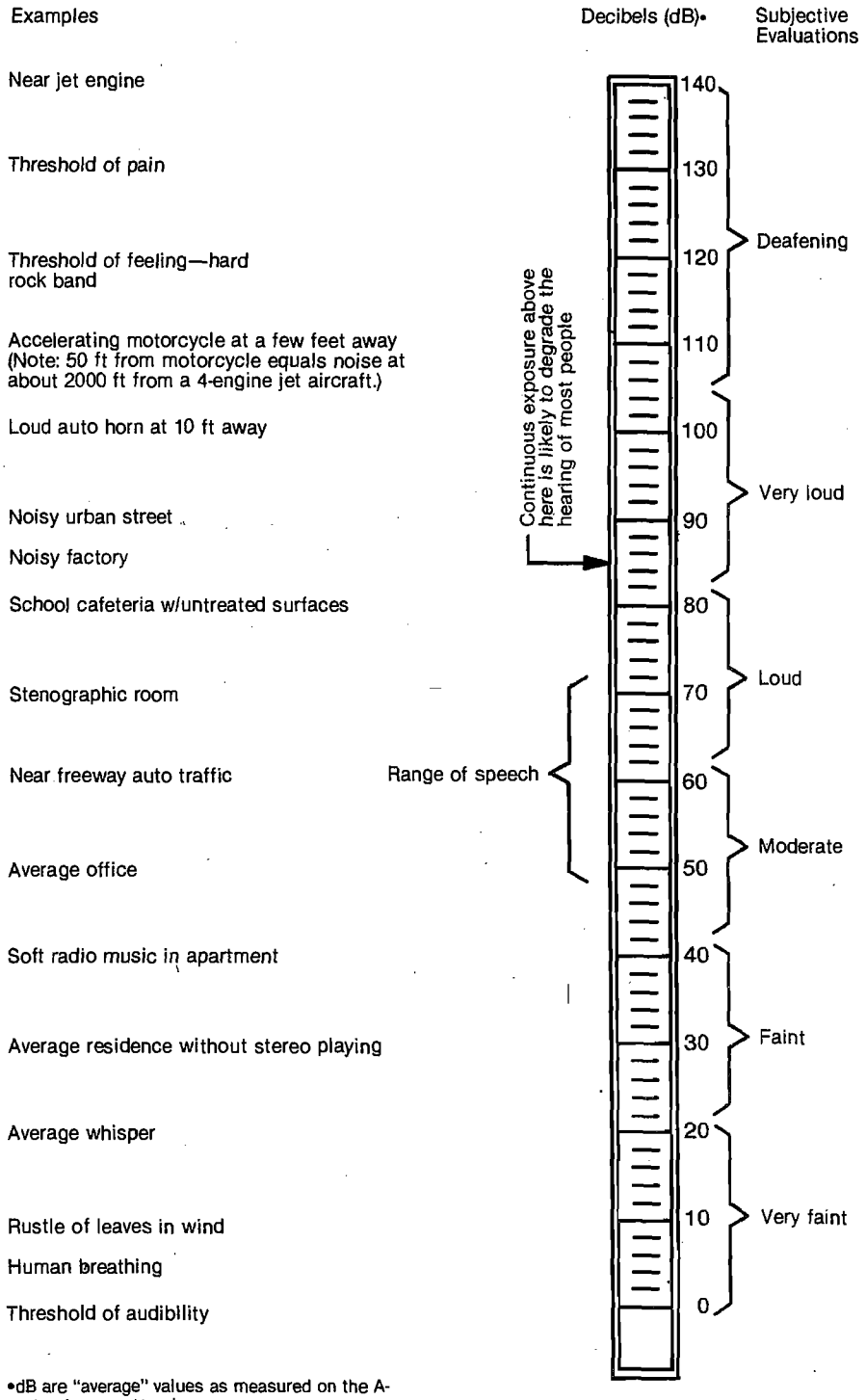

•dB are "average" values as measured on the A-scale of a sound-level meter
(From *Concepts in Architectural Acoustics:* M. David Egan, McGraw Hill, 1972.)

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The Dynamics of the Noise Problem

There are basically two types of noise problems. There is the specific, job related, occupational noise problem created by extremely loud machinery. Then there is the community noise problem where the combined effect of many individual noise sources creates an overall noise level that is unacceptable. In the following pages we will be addressing the community noise problem only.

The main contributors to a community noise problem are transportation sources such as highways, railroads and airports. These sources are the most pervasive and continuing of the noise sources within the community. Of course, at any given site, there may be other noise sources which add to the problem, sources such as jackhammers at a construction site. But in general, and for the purposes of this section, the main concern is with the transportation sources.

The dynamics of a noise problem are based on the relationship between the noise source, the person or place exposed to the noise (hereafter called the receiver) and the path the noise will travel from source to receiver.

The source generates a given amount of noise which travels along the path and arrives at the receiver. The amount of noise will be reduced to some extent as a result of how long that path is or whether there are any barriers along the path. The severity of the impact on the receiver is a function of what type of activity is taking place, whether it is indoors or outdoors, and what type of building it is in if the activity is indoors. Figure 3 contains some basic compatibility guidelines.

The impact of the noise can be altered or mitigated by changing the characteristics of any of the three elements: source, path or receiver. Later on we will look at the various mitigation measures that are possible. Our concern however will be primarily with the receiver and the path. Control of the sources themselves is the specific responsibility of agencies such as the Environmental Protection Agency (EPA) or the Federal Aviation Administration (FAA).

Figure 2
Dynamics of a Noise Problem

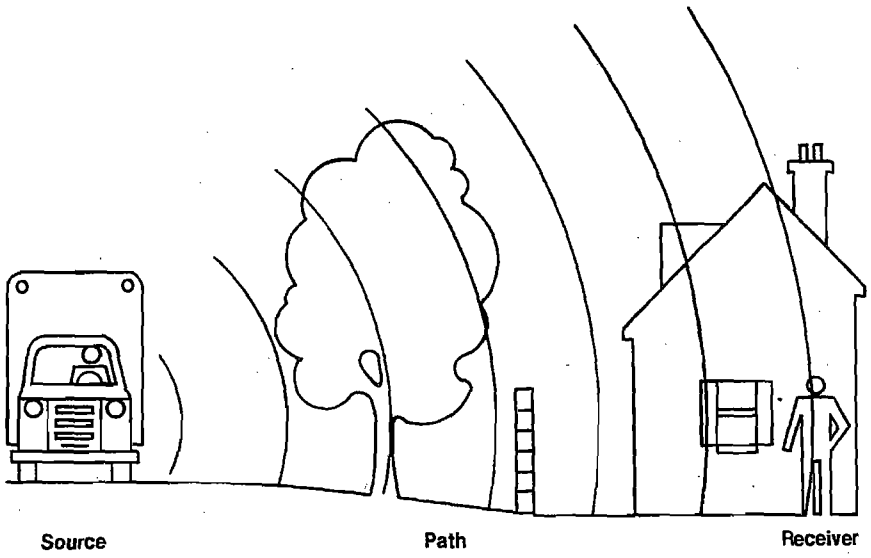

Figure 3
Land Use Compatibility Guidelines

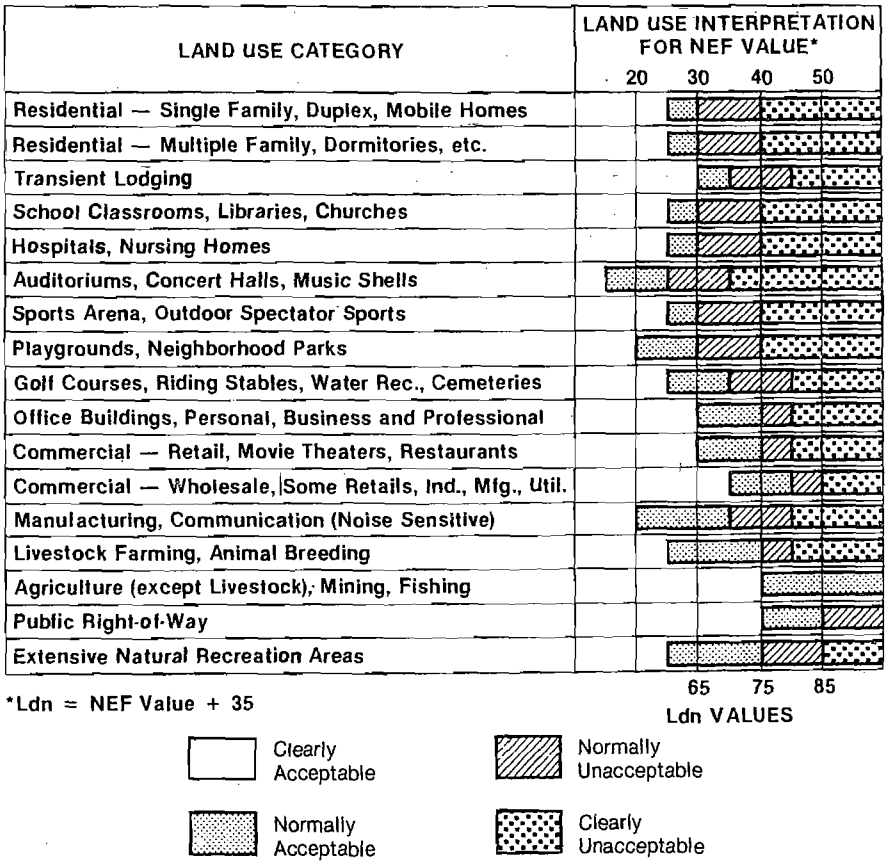

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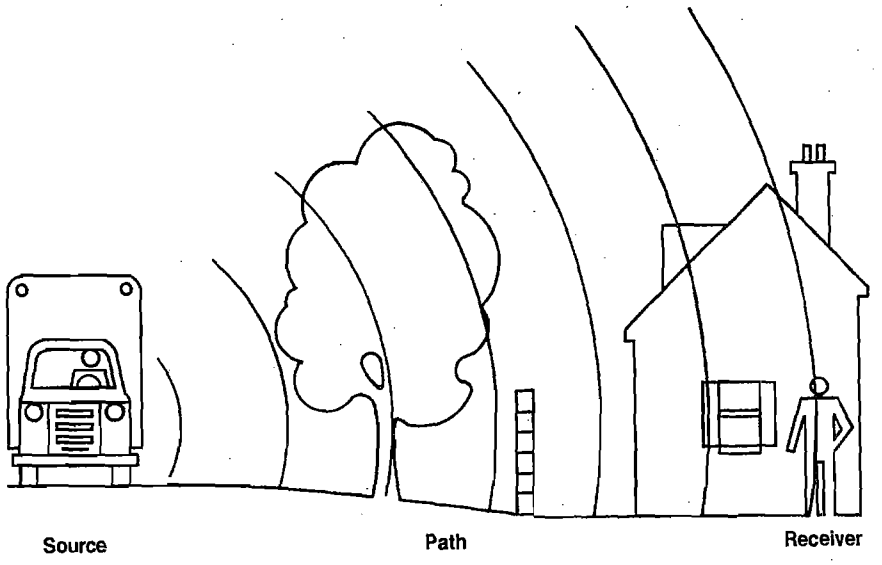

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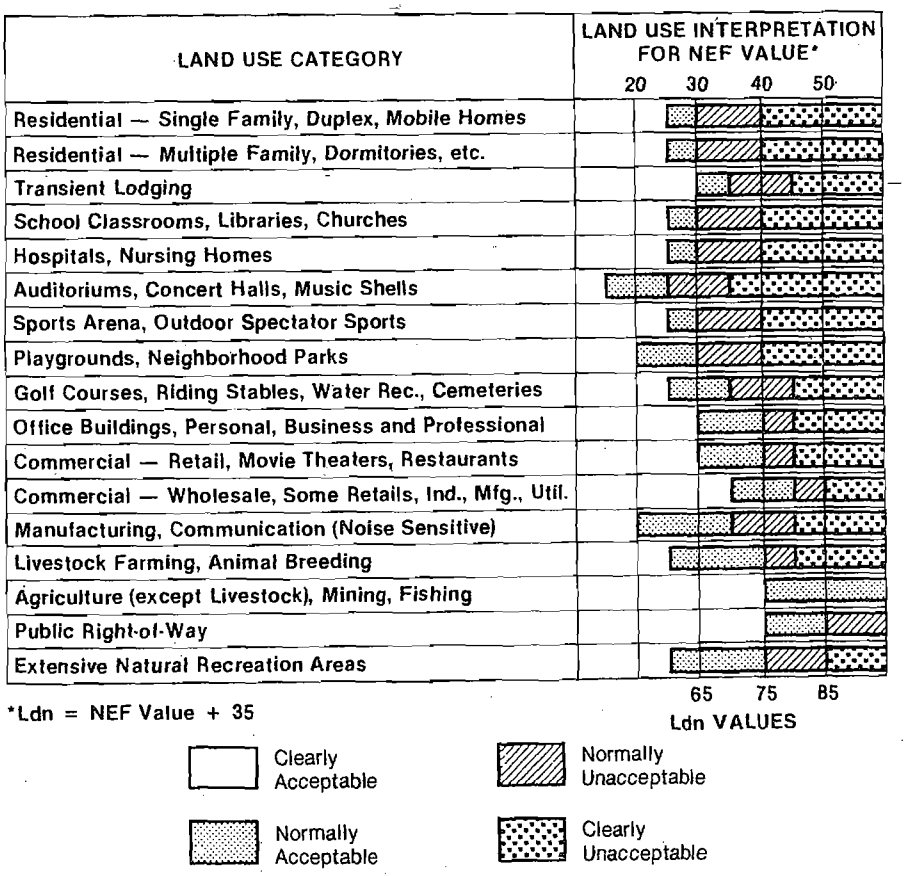

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The ideal solution to a potential problem is to reduce the noise being produced by the source. The best solution available to HUD, or the community, however, is to make sure that noise sensitive uses are located where they will not be exposed to high noise levels. The next best approach to mitigating noise impact is to attempt to reduce the amount of noise that reaches the receiver. This can be accomplished through the use of barriers such as walls or earthen berms, or combinations of both, along the noise path. If the use of barriers is not possible then the only alternative available is to provide noise reduction measures in any structures associated with the activity so that at least the interior spaces are not exposed to high noise levels. This approach is considered the least desirable because most of the land uses we are concerned about, such as residential, do have outdoor areas and activities associated with them which would remain exposed to high noise levels.

A Note on Descriptors

A key factor in the growth of our ability to evaluate and reduce noise impacts has been the development of better tools to measure and describe the noise levels generated by various sources. The development of better tools (called noise descriptors or metrics) has been particularly important for dealing with community noise problems. Many of the older descriptor systems could only be used for one or two sources such as cars and railroads, but not airplanes. Since the community noise problem very often includes noise from all these sources the lack of an adequate descriptor made it difficult to do an adequate evaluation.

The most advanced descriptor currently in general use is the day night average sound level system, abbreviated as DNL and symbolized mathematically as L_{dn}. The day night average sound level is the 24 hour average sound level, expressed in decibels, obtained after the addition of a 10 decibel penalty for sound levels which occur at night between 10 PM and 7 AM. This nighttime penalty is based on the fact that many studies have shown that people are much more disturbed by noise at night than at any other time. This is not unusual in that background noise is often much less at night and also people tend to be doing very noise sensitive things at night, such as trying to sleep.

Another feature of the DNL system that is very important is that it can be used to describe noise from all sources. Thus, using the DNL system, we can describe the total noise exposure at a site, something many other descriptor systems couldn't do.

The DNL system has been adopted by the EPA, the Department of Defense (DOD) and HUD, and more recently by the FAA, specifically for describing environmental impacts for airport actions. We expect that very soon it will be in almost universal use in the U.S.

Issues

The main issues involved in any noise analysis can be summarized briefly.

- How much noise is a site exposed to
- What types of activities are being affected and how severely
- Is it reasonable to redesign the site to relocate noise sensitive activities
- And, if not, how much protection can be provided through various attenuation measures.

Your approach to these issues will be affected in many ways by the location of the project in question. Projects in suburban or rural areas can be approached differently because the available mitigation options are greater and often the noise exposure itself is not so severe. In urban situations, however, the noise exposure is often more severe but at the same time the options for mitigation or resiting are more limited. In the urban setting innovative design and the use of advanced attenuation measures becomes critical. Fortunately our experience has shown that good design and construction can relieve or substantially reduce major noise problems.

Legal Provisions

General Legislation and Background

The Federal legislation which addresses noise issues is somewhat different from other environmental legislation. The Clean Air Act, for example, required the Environmental Protection Agency to set up actual mandatory standards for air quality which were supposed to be met by all jurisdictions. EPA even has the authority to take punitive steps against cities which are not making "reasonable further progress" towards achieving these air quality goals. There is no similar legislation that covers noise. The approach has been to tackle the noise problem at the source by controlling the amount of noise that can be emitted by the individual airplane engine or the individual jackhammer. Agencies like HUD or the Farmers Home Administration have developed regulations which are related to the overall community noise level, but they only affect their own programs and are not binding on local communities. The Veterans Administration program only relates to aircraft noise and also only affects its own programs.

The major pieces of Federal legislation related to noise include:

The Noise Control Act of 1972 directed EPA to promote an environment for all Americans free from noise that jeopardizes their health and welfare. It also included a requirement for EPA to set a criterion for noise level adequate to protect health and welfare with an adequate margin of safety but without regard to cost or feasibility.

Quiet Communities Act of 1978 amended The Noise Control Act of 1972 to encourage noise control programs at the State and community level.

Federal Aid Highway Act of 1970 established the requirement that noise control be a part of the planning and design of all federally aided highways.

Aviation Safety and Noise Abatement Act of 1979 requires FAA to develop a single system for measuring noise at airports and under certain conditions to prepare and publish noise maps.

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HUD Regulations

While the Department of Housing and Urban Development has no specific responsibility to try to reduce the noise problem at the source the way the Environmental Protection Agency and the Federal Aviation Administration do, it does have the responsibility to be aware of the noise problem and its impact on the housing environment. The most basic mandate which drives the Department's involvement with the noise issue is the Housing Act of 1949 (Public Law 81-171) which sets forth the national goal of "a decent home and suitable living environment for every American family." This goal was affirmed by the Housing and Urban Development Act of 1968 (Public Law 90-448). The Department was tasked by the Housing and Urban Development Act of 1965 (Public Law 89-117) "to determine feasible methods of reducing the economic loss and hardships suffered by homeowners as a result of the depreciation in the value of their properties following the construction of airports in the vicinity of their homes." The Noise Control Act of 1972, in addition to its specific tasking to EPA, tasked all Federal agencies to administer their programs in ways which reduce noise pollution. Finally, the Department is tasked by Federal Management Circular 75-2: *Compatible Land Uses at Federal Airfields* to make sure that its actions do not promote incompatible land uses around Federal airfields.

All of these legislative and regulatory mandates combine to create a serious requirement for the Department of Housing and Urban Development to be aware of the problem of noise and to take positive steps to protect residential and other sensitive land uses from high noise levels.

The Department of Housing and Urban Development first issued formal requirements related specifically to noise in 1971 (HUD Circular 1390.2). These requirements contained standards for exterior noise levels along with policies for approving HUD supported or assisted housing projects in high noise areas. In general the requirements established three zones: an acceptable zone where all projects could be approved, a normally unacceptable zone where mitigation measures would be required and where each project would have to be individually evaluated for approval or denial, and an unacceptable zone in which projects would not, as a rule, be approved.

In 1979, the Department issued revised regulations (24 CFR Part 51B) which kept the same basic standards but adopted new descriptor systems which were considerably advanced over those in use under the old requirements.

HUD's regulations also require that recipients of Community Development Block Grants (CDBG) and Urban Development Action Grants (UDAG) take into consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land developments are proposed in noise exposed areas. If CDBG or UDAG activities are planned in a noisy area, and HUD assistance is contemplated later for housing and/or other noise sensitive activities, the HUD standards must be met for those activities.

Project Analysis

General

While most of the analysis for noise focuses on noise sources located around the project site, there are some characteristics of the project itself that you should know about. These characteristics will help you to determine what is called the noise assessment location (NAL) for site analysis. (The NAL is a representative point (or points) on the site where significant noise exposure is expected. All distances, etc. are measured from the NAL). This information will also be helpful later in evaluating the potential for mitigating or reducing the impact of noise. All of this data should be available from preliminary plans and specifications. If not, a quick phone call to the developer/sponsor should get you all the information you need.

Data Required

- Location of outdoor noise sensitive uses relative to the noise source.
- Location of buildings containing noise sensitive activities.
- Location of other buildings, particularly ones which might serve to shield sensitive buildings or areas from the noise source.
- Design and construction features of buildings, particularly features such as use of central air conditioning which could provide noise reduction benefits by permitting windows to be kept closed.

Analysis of Site and Environs

General

The primary focus of this impact analysis is on noise sources and the primary item to be determined is the noise level created by those sources. In many instances, particularly with airports, data on the noise levels generated by the source will have already been prepared by another agency such as the airport operator, the local or State highway/transportation department or other similar agency. (Figure 4 shows typical airport noise contours.) In those cases no site or environs analysis is necessary and one can proceed directly to impact analysis. For those instances where there are no current data already prepared, the Department of Housing and Urban Development has developed a handbook called the *Noise Assessment Guidelines* which contains a detailed desk top methodology for use by individuals to determine noise impacts (see Chapter 5). Included in the handbook is a complete listing of the data about the site and its environs that are necessary to conduct an analysis. We don't want to repeat all the detailed requirements here, but the following are some of the types of information you would have to collect if you were to do your own analysis. You might note that most of the information is related to the noise sources themselves.

For the purpose of analysis, the *Noise Assessment Guidelines* require that you consider all military/civilian airports within 15 miles of the project, all significant roads within 1000 feet and basically all railroads within 3000 feet.

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Types of Data Required

- Number and type of vehicles
- Operational data:
  - speed
  - daytime/nighttime split
- Conditions where the vehicles are operated, i.e., freely flowing traffic versus stop and go, level versus hilly, welded railroad track versus bolted railroad track.

The *Noise Assessment Guidelines* contain guidance on sources for this data. Most of them are obtained from the "operator" of the transportation source. The *Guidelines* also contains model figures which can be used when actual data is unavailable. For example, if the actual number of vehicles traveling at night is not available then the *Guidelines* state that a figure of 15% should be used. Thus it is possible to make reasonably accurate noise level determinations even if some information is not available.

Determination of Impact

General

The specific procedures for determining the noise exposure levels for a site are clearly spelled out in the *Noise Assessment Guidelines*. The process is a fairly simple one in which the noise level from each source affecting the site is calculated and then combined to derive the overall exposure. If some kind of barrier exists or is proposed, the noise levels can be adjusted to reflect the mitigation provided by the barrier. The overall noise level is then compared to HUD's standards and the appropriate action, as spelled out in the regulations, is taken.

Figure 4
Noise Contours

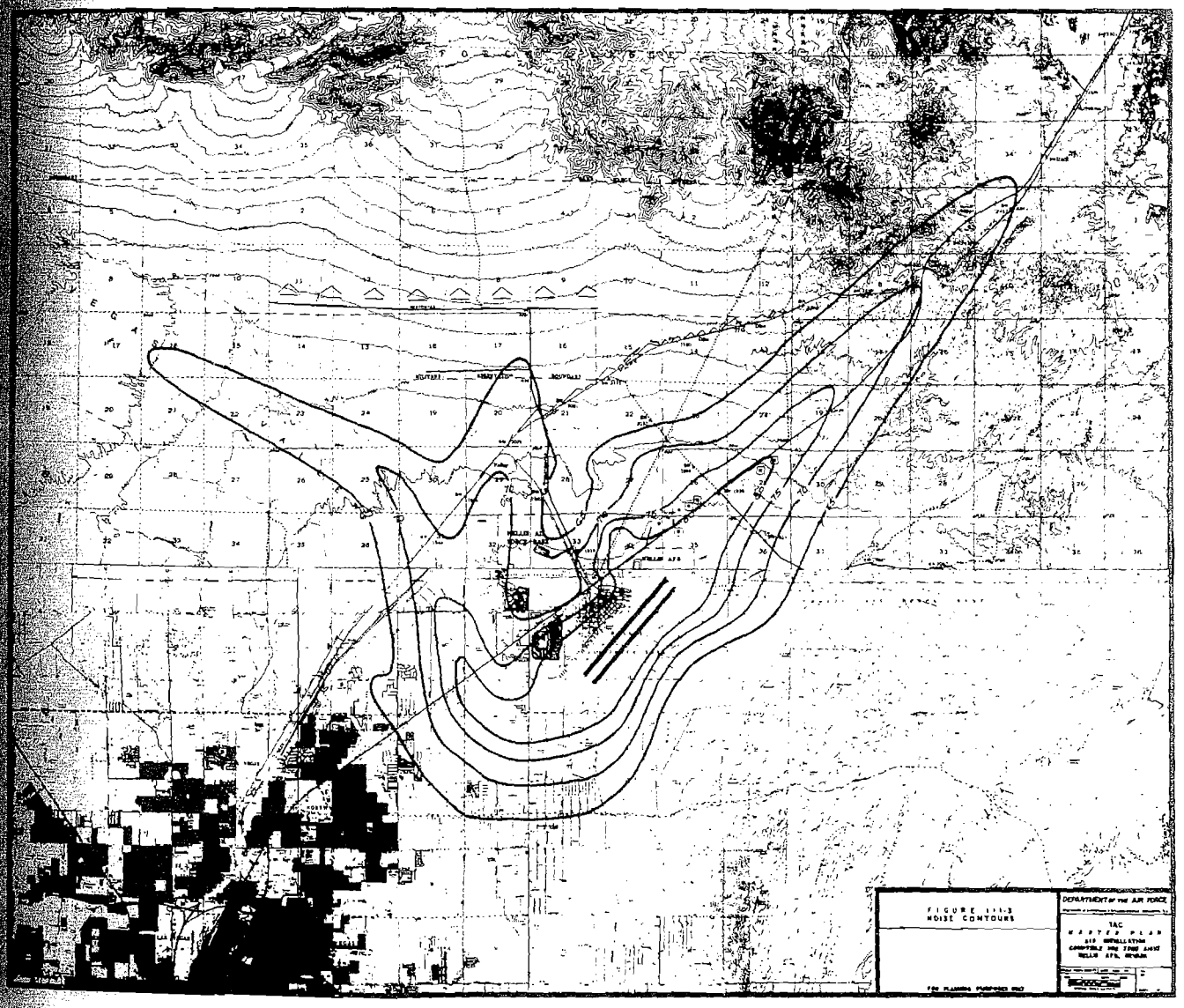

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Evaluation of Impact

HUD Regulations set forth the following exterior noise standards for new housing construction assisted or supported by the Department:

65 L_{dn} or less – Acceptable

Exceeding 65 L_{dn} but not exceeding 75 L_{dn} – Normally Unacceptable – appropriate sound attenuation measures must be provided: 5 decibels attenuation above the attenuation provided by standard construction required in 65 L_{dn} to 70 L_{dn} zone; 10 decibels additional attenuation in 70 L_{dn} to 75 L_{dn} zone.

Exceeding 75 L_{dn} – Unacceptable

HUD's regulations do not contain standards for interior noise levels. Rather a goal of 45 decibels is set forth and the attenuation requirements are geared towards achieving that goal. It is assumed that with standard construction any building will provide sufficient attenuation so that if the exterior level is 65 L_{dn} or less, the interior level will be 45 L_{dn} or less.

Once you have determined the overall noise exposure for the site you compare it to the above standards. If the overall site exposure is 65 L_{dn} or less the project is acceptable. If the exposure is between 65 L_{dn} and 75 L_{dn} you should consider alternative locations or providing adequate attenuation with the first preference, as we've noted, being for the construction of some kind of barrier to prevent noise from reaching the site. If providing adequate attenuation is impossible or impractical then the project should be considered unacceptable.

Suggested Mitigation

General Considerations

As discussed briefly earlier, there are three basic approaches for mitigating the high noise exposures. The first and best is to relocate noise sensitive uses out of the high noise area. The second is to prevent noise from reaching the noise sensitive user through some sort of barrier. And the third, and least desirable approach, is to provide attenuation for at least the interiors of any buildings located in the high noise areas.

Specific Considerations

Relocating Noise Sensitive Uses

By far the most desirable mitigation approach is to relocate noise sensitive uses out of the high noise area although. If the site is large enough it may be possible to locate non-noise sensitive uses between the source and the sensitive use, for example a parking lot might be located between a road and a park (see Figure 5). The workcharts in the *Noise Assessment Guidelines* can be used in reverse to tell you exactly how far away from the noise source you need to be.

When sites are small, very dense or when the source affects the entire site it is very difficult to mitigate by changing the site plan. Then the next option must be considered: erecting some type of barrier between the source and the receiver.

Barriers

Barriers are most effective for at or below ground level sources. They have no effect on noise from aircraft overflights and are limited in practical application with elevated sources such as elevated trains. The key to the effectiveness of a barrier is whether or not it breaks the line of sight between the source and the receiver. If a barrier does not completely break the line of sight either because it is not high enough, or not long enough then its effectiveness is greatly reduced.

Barriers can be actual walls, earthen mounds (called berms) or even other buildings. The use of other non-noise sensitive buildings as barriers is a particularly good approach in that it need not add to the cost of the project and may not create the aesthetic problem a large wall might create (see Figure 6).

Figure 5
The Audible Landscape

In cluster development, open space can be placed near the highway to reduce noise impacts on residences

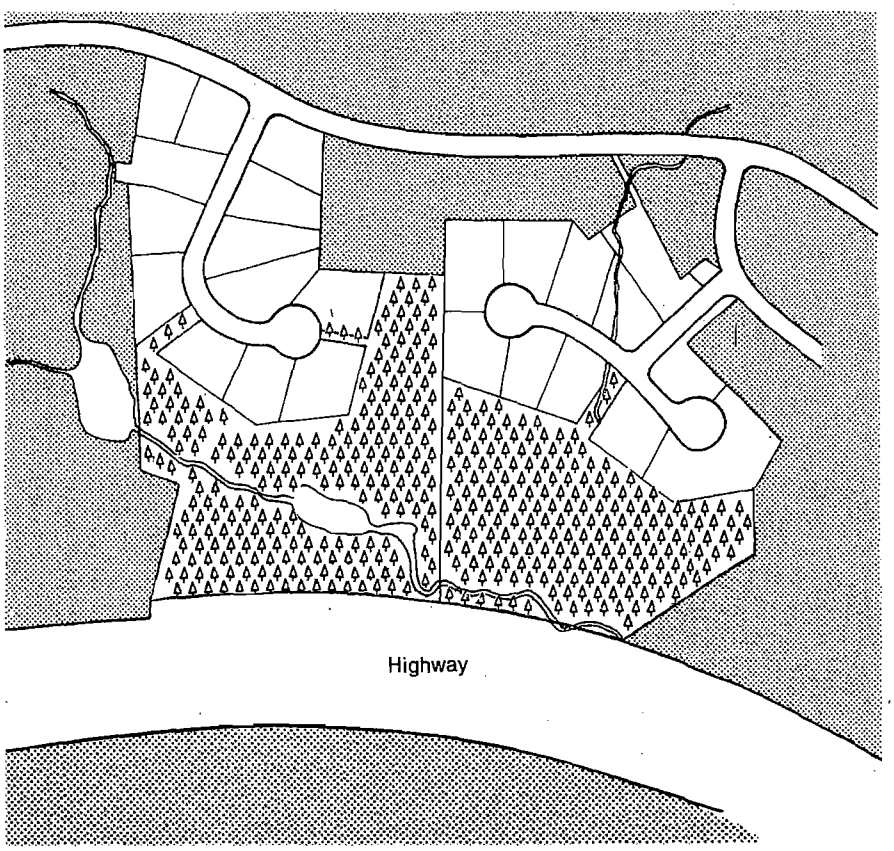

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Figure 6
The Audible Landscape

Placement of noise compatible land uses near highway in Planned Unit Development

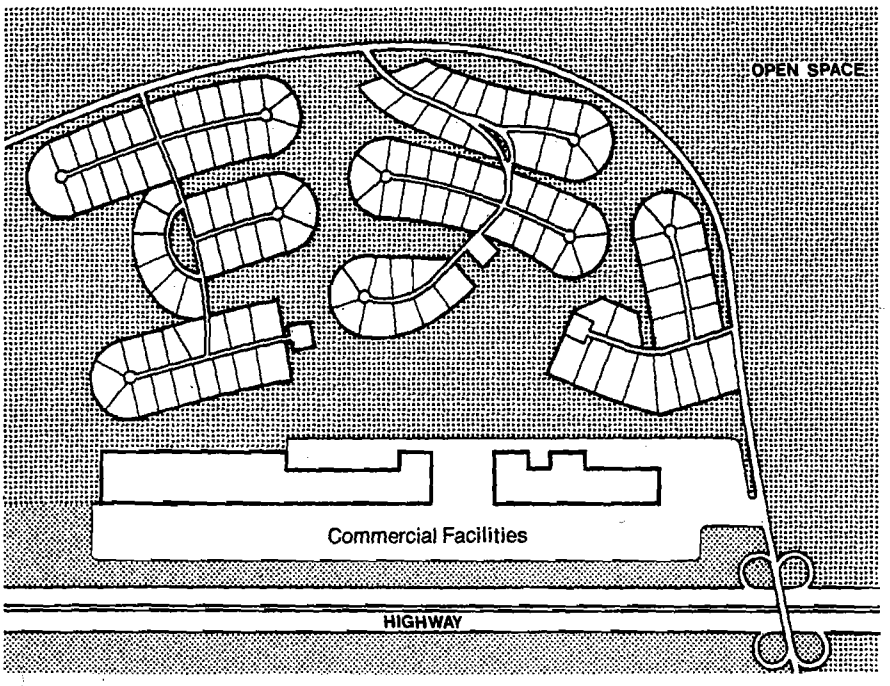

Figure 7
The Audible Landscape

Use of acoustical architectural design to reduce noise impacts on more noise sensitive living spaces

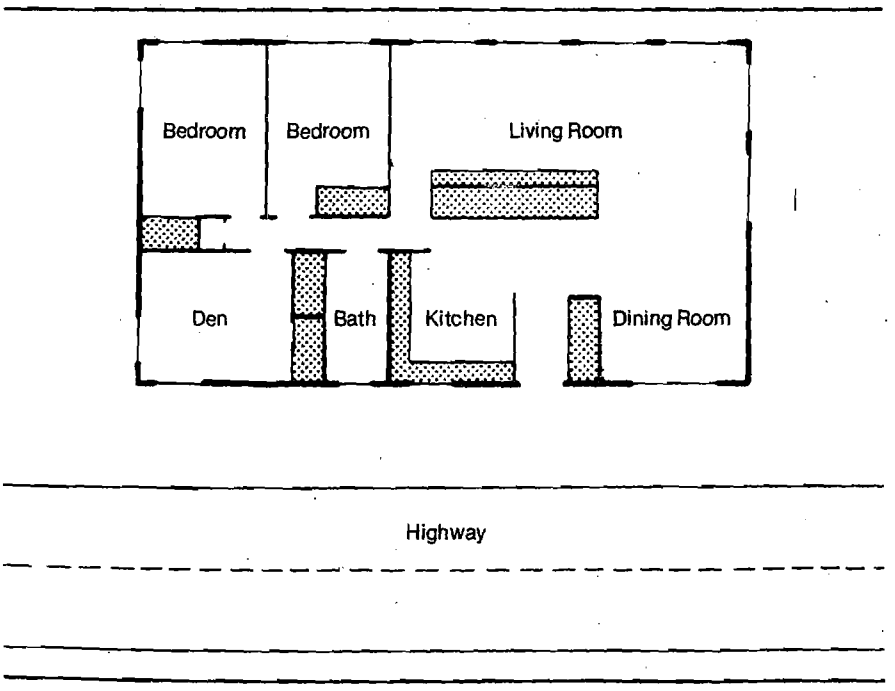

As pointed out earlier, the effectiveness of a barrier is determined in large part by its height and length. Some studies have shown that the effectiveness of a barrier can be reduced by as much as 50% if it isn't long enough. Again, the *Noise Assessment Guidelines* contain procedures for determining the effectiveness of barriers.

Incorporating Noise Attenuation Measures into the Building

If neither relocation or barriers is a reasonable noise attenuation option, the last resort is to incorporate noise attenuation measures into the buildings themselves. This is not considered the best solution because it leaves the outdoor areas, some of which may be for quiet recreation, exposed to high noise levels. But if development **must** take place and barriers are impossible, then the noise attenuation measures should be employed in building design and construction.

Without going into great technical detail, noise attenuation construction measures generally fall into four categories.

(1) Reducing the total area of windows or other acoustically weaker building elements

(2) Sealing off "leaks" around windows, doors, vents.

(3) Improving the actual sound attenuating properties of small building elements such as windows, doors, etc.

(4) Improving the actual sound attenuating properties of major building elements such as roof and wall construction.

In addition, noise attenuation in buildings can be provided by designing interior spaces so that "dead" spaces such as closets or corridors act as buffer zones (see Figure 7). And finally noise attenuation can be provided by reducing the need for open windows by providing air conditioning.

Many of the steps that would be taken to provide noise attenuation also help conserve energy. Good weatherstripping around windows and doors is one example. Another might be reducing window areas in walls if the noise source is to the north or west. Because many of these measures serve two purposes, they should not necessarily be considered a burdensome requirement but rather just good design and construction.

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Information Resources

Publications

HUD Regulation 24 CFR Part 51 Subpart B – Noise Abatement and Control.

Noise Assessment Guidelines, HUD 1983, basic technical procedural resource.

Aircraft Noise Impact, HUD 1972, a bit dated but good overview of problem.

The Audible Landscape, DOT (FHWA) 1974, an excellent discusson of mitigation measures including land use planning and building design and construction.

Information on Levels of Environmental Noise Requisite to Protect Public health and Welfare With an Adequate margin of Safety, EPA, 1974. The "levels document" that explains basis for EPA standards.

Noise Barrier Design Handbook, Federal Highway Administration 1976. Good discussion of barriers, technical but readable.

Handbook of Noise Control, 2nd edition, 1979, McGraw Hill. A basic technical handbook covering all aspects of noise for those who wish to go into the subject further.

Experts

HUD environmental officers have been trained in the use of the *Noise Assessment Guidelines* and can help you work with them. Many architects are trained in acoustics and can help in development of noise attenuation strategies.

Quiz

Questions

1. Why is noise considered "unwanted sound"?
2. What is a community noise problem?
3. What are the three main contributors to a community noise problem?
4. What are the three components of a noise problem?
5. What are two key characteristics of the day-night average sound level descriptor system?
6. What are HUD's noise standards?
7. How do HUD's standards apply to CDBG recipients?
8. What are the three general mitigation measures available to HUD and the community and in what order of preference?
9. When are barriers effective and when are they not effective?
10. Describe how the *Noise Assessment Guidelines* can be used to determine appropriate mitigation measures.

Quiz

Answers

1. because it interferes with normal activities or causes physical or psychological damage
2. a community noise problem is where the combined effect of many individual sources creates an overall noise level that is unacceptable
3. highways, railroads and aircraft
4. the source, the path, the receiver
5. it is an average sound level and it can be used for all sources
6. 65 L_{dn} or below: Acceptable
   65 to 75 L_{dn}: Normally unacceptable, noise attenuation measures required, above 75 L_{dn}: Unacceptable
7. CDBG recipients must take into consideration the standards in their planning and environmental review. If they expect to use HUD assistance later for housing or other noise sensitive activities the standards must be met for those activities.
8. 1st relocate noise sensitive uses
   2nd reduce noise reaching receiver
   3rd redesign buildings
9. barriers are effective for at or below ground level sources. Are not effective for aircraft overflights or most elevated sources
10. can be used to determine separation distance required for relocation and the height and length of barriers required

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Chapter 2

The Noise Regulation

Introduction

The basic foundation for and structure of the HUD noise program is set out in the noise regulation, 24 CFR 51B. The regulation establishes the actual standards, assigns implementation responsibilities, describes review and approval procedures, and identifies special situations which may warrant waivers of procedures or standards. Therefore, the key to your understanding and implementation of the HUD noise program is a clear understanding of the regulation.

There is no way to escape the task of sitting down and simply reading the regulations, over and over until you thoroughly understand them. We have however done two things that will help you apply the regulations. First, for quick reference, we have prepared a list of the key sections in the regulation and second we have prepared an annotated copy of the regulation.

The list of key sections was prepared to help you find the specific section you need for a specific question or issue. While the regulation itself is not really long, an index is always useful. We caution you, however, against using the index to avoid learning the regulations. The list was prepared for your convenience in applying the regulation once you have come to understand it.

We prepared the annotated regulation because, try as we might, it was impossible to anticipate all the questions, implementation problems and special situations that might arise and to address them in the regulation. So, now that we have had a few years' experience with the regulation, we have gathered together the important questions, notes, second thoughts etc. and prepared this annotated regulation. We hope it will give you further insight into what the regulation means when it is applied in the field.

Key Sections in Noise Regulation

Section	Subject
51.101(a)(2)	Application of Policy to Block Grants
51.101(a)(3)	Policy for New Construction
51.101(a)(4)	Policy for Existing Construction
51.101(a)(5)	Policy for Modernization and Rehabilitation
51.101(a)(8)	The Exterior Noise Goal
51.101(a)(9)	The Interior Noise Goal
51.102(a)	Authority to Approve Projects
51.103(a)	Identification of DNL as *The* Noise Descriptor to be Used
51.103(b)	How to Measure Loud Impulsive Noises
51.103(c)	The Noise Standards
51.104(a)	Attenuation Requirements Discussed
51.104(b)(1)	Special Approval and Environmental Review Requirements for the Normally Unacceptable Zone
51.104(b)(2)	Special Approval and Environmental Review Requirements for the Unacceptable zone
51.105(a)	Flexibility for Non-acoustic Benefits Provisions
51.106(a)	How to Tell If Existing Data on Noise Are Acceptable
51.106(a)(4)	Specific Review and Approval Procedures For Airport Noise Contours
51.106(d)	When Noise Measurements May be Used Instead of Calculated Levels
51.106(f)	When to Give Credit for Proposed Barriers

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Part 51—Environmental Criteria and Standards

Subpart A—General Provisions

Sec.
§51.1 Purpose.
§51.2 Authority.
§51.3 Responsibilities.
§51.4 Program coverage.
§51.5 Coordination with environmental clearance requirements.
§51.6 [Reserved]

Subpart B—Noise Abatement and Control

§51.100 Purpose and authority.
§51.101 General policy.
§51.102 Responsibilities.
§51.103 Criteria and standards.
§51.104 Special requirements.
§51.105 Exceptions.
§51.106 Implementation.

Appendix to Subpart B

Authority: Sec. 7(d). Department of HUD Act (42 U.S.C. 3535(d)).

Subpart B—Noise Abatement and Control

This regulation replaces HUD Circular 1390.2, Noise Abatement and Control, 1971, which is now cancelled, along with all instructions and clarifying memoranda pertaining to the circular.

§51.100 Purpose and authority.

(a) *Purpose.* The Department of Housing and Urban Development finds that noise is a major source of environmental pollution which represents a threat to the serenity and quality of life in population centers and that noise exposure may be a cause of adverse physiological and psychological effects as well as economic losses.

It is the purpose of this Subpart to:

(1) Call attention to the threat of noise pollution;

(2) Encourage the control of noise at its source in cooperation with other Federal departments and agencies;

(3) Encourage land use patterns for housing and other noise sensitive urban needs that will provide a suitable separation between them and major noise sources;

(4) Generally prohibit HUD support for new construction of noise sensitive uses on sites having unacceptable noise exposure;

(5) Provide policy on the use of structural and other noise attenuation measures where needed; and

(6) Provide policy to guide implementation of various HUD programs.

(b) *Authority.* Specific authorities for noise abatement and control are contained in:

(1) The Noise Control Act of 1972 (Pub. L. 92-574) which directs Federal agencies to administer their programs in ways which reduce noise pollution.

(2) The Quiet Communities Act of 1978 (Pub. L. 95-609) which amended Pub. L. 92-574.

(3) The General Services Administration, Federal Management Circular 75-2: *Compatible Land Uses at Federal Airfields* prescribes the Executive Branch's general policy with respect to achieving compatible land uses on either public or privately owned property at or in the vicinity of Federal airfields.

(4) Section 1113 of the Housing and Urban Development Act of 1965 (Pub. L. 89-117) directs the Secretary "* * * to determine feasible methods of reducing the economic loss and hardships suffered by homeowners as a result of the depreciation in the value of their properties following the construction of airports in the vicinity of their homes, including a study of feasible methods of insulating such homes from the noise of aircraft."

§51.101 General policy.

(a) It is HUD's general policy to provide minimum national standards applicable to HUD programs to protect citizens against excessive noise in their communities and places of residence.

(1) *Comprehensive planning assistance.* HUD requires that grantees give adequate consideration to noise exposures and sources of noise as an integral part of the urban environment in HUD assisted comprehensive planning, as follows:

(i) Particular emphasis shall be placed on the importance of compatible land use planning in relation to airports, highways and other sources of high noise.

(ii) Applicants shall take into consideration HUD environmental standards impacting the use of land as required in 24 CFR Part 600.

(iii) Environmental studies, including noise assessments, are allowable costs.

(2) *Community Development Block Grants.* Recipients of community development block grants under the Housing and Community Development Act of 1974 (Pub. L. 93-383), as amended by the Housing and Community Development Act of 1977 (Pub. L. 95-128), must take into

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consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land development is proposed in noise exposed areas. Grant recipients shall address deviations from the standards in their environmental reviews as required in 24 CFR Part 58.

Where CDBG activities are planned in a noisy area, and HUD assistance is contemplated later for housing and/or other noise sensitive activities, the CDBG grantee risks denial of the HUD assistance unless the HUD standards are met. Environmental studies, including noise assessments, are allowable costs.

(3) *HUD support for new construction.* HUD assistance for the construction of new noise sensitive uses is prohibited generally for projects with Unacceptable noise exposures and is discouraged for projects with Normally Unacceptable noise exposure. (Standards of acceptability are contained in §51.103(c).) This policy applies to all HUD programs providing assistance, subsidy or insurance for housing, college housing, mobile home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, new communities, redevelopment or any other provision of facilities and services which are directed to make land available for housing or noise sensitive development. The policy does not apply to research demonstration projects which do not result in new construction or reconstruction, flood insurance, interstate land sales registration, or any action or emergency assistance under disaster assistance programs which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance provided that has the effect of restoring facilities substantially as they existed prior to the disaster.

(4) *HUD support for existing construction.* Noise exposure by itself will not result in the denial of HUD support for the resale and purchase of otherwise acceptable existing buildings. However, environmental noise is a marketability factor which HUD will consider in determining the amount of insurance or other assistance that may be given.

Existing construction means units which are either more than 1 year old or for which this is the second or subsequent purchaser.

The old definition of major or substantial rehabilitation and modernization as being any project where cost is 75% or more of replacement cost no longer applies. Now the criteria contained in individual program guidance applies.

(5) *HUD support of modernization and rehabilitation.* For modernization projects located in all noise exposed areas, HUD shall encourage noise attenuation features in alterations. For major or substantial rehabilitation projects in the Normally Unacceptable and Unacceptable noise zones, HUD actively shall seek to have project sponsors incorporate noise attenuation features, given the extent of the rehabilitation being undertaken and the level of exterior noise exposure. In Unacceptable noise zones, HUD shall strongly encourage conversion of noise-exposed sites to land uses compatible with the high noise levels.

(6) *Research, guidance and publications.* HUD shall maintain a continuing program designed to provide new knowledge of noise abatement and control to public and private bodies, to develop improved methods for anticipating noise encroachment, to develop noise abatement measures through land use and building construction practices, and to foster better understanding of the consequences of noise. It shall be HUD's policy to issue guidance documents periodically to assist HUD personnel in assigning an acceptability category to projects in accordance with noise exposure standards, in evaluating noise attenuation measures, and in advising local agencies about noise abatement strategies. The guidance documents shall be updated periodically in accordance with advances in the state-of-the-art.

(7) *Construction equipment, building equipment and appliances.* HUD shall encourage the use of quieter construction equipment and methods in population centers, the use of quieter equipment and appliances in buildings, and the use of appropriate noise abatement techniques in the design of residential structures with potential noise problems.

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(8) *Exterior noise goals.* It is a HUD goal that exterior noise levels do not exceed a day-night average sound level of 55 decibels. This level is recommended by the Environmental Protection Agency as a goal for outdoors in residential areas. The levels recommended by EPA are not standards and do not take into account cost or feasibility. For the purposes of this regulation and to meet other program objectives, sites with a day-night average sound level of 65 and below are acceptable and are allowable (see Standards in §51.103(c)).

(9) *Interior noise goals.* It is a HUD goal that the interior auditory environment shall not exceed a day-night average sound level of 45 decibels. Attenuation measures to meet these interior goals shall be employed where feasible. Emphasis shall be given to noise sensitive interior spaces such as bedrooms. Minimum attenuation requirements are prescribed in §51.104(a).

(10) *Acoustical privacy in multifamily buildings.* HUD shall require the use of building design and acoustical treatment to afford acoustical privacy in multifamily buildings pursuant to requirements of the Minimum Property Standards.

The Noise Control Act of 1972 required EPA to "publish information on the levels of environmental noise. . .which. . .are requisite to protect the public health and welfare with an adequate margin of safety." EPA has interpreted this to mean that the levels should not reflect technical feasibility or economic costs. "Health and welfare" is defined as being "complete physical, mental and social well-being and not merely the absence of disease and infirmity."

§51.102 Responsibilities.

(a) *Authority to approve projects.* (1) Decisions on proposed projects with acceptable noise exposures shall be delegated to the program personnel within field offices, including projects where increased noise levels are considered acceptable because of non-acoustic benefits under §51.105(a). Field office program personnel may also approve projects in normally unacceptable noise exposed areas where adequate sound attenuation is provided and where the project does not require an Environmental Impact Statement under §51.104(b).

(2) Other approvals in normally unacceptable noise exposed areas require the concurrence of the Regional Administrator.

(3) Requests for approvals of projects or portions of projects with unacceptable noise exposures shall be referred through the Regional Office to the Assistant Secretary for Community Planning and Development for approval pursuant to §51.104(b).

(4) In cases where the Regional Administrator determines that an important precedent or issue is involved, such cases shall be referred with recommendations to the Assistant Secretary for Community Planning and Development.

(b) *Surveillance of noise problem areas.* Appropriate field staff shall maintain surveillance of potential noise problem areas and advise local officials, developers, and planning groups of the unacceptability of sites because of noise exposure at the earliest possible time in the decision process. Every attempt shall be made to insure that applicants' site choices are consistent with the policy and standards contained herein.

(c) *Notice to applicants.* At the earliest possible stage, HUD program administrators shall:

(1) Determine the suitability of the acoustical environment of proposed projects;

(2) Notify applicants of any adverse or questionable situations; and

(3) Assure that prospective applicants are apprised of the standards contained herein so that future site choices will be consistent with these standards.

(d) *Technical assistance.* Technical assistance in the measurement, estimation, interpretation, or prediction of noise exposure is available from the Office of Community Planning and Development and the Office of Policy Development and Research. Field office questions shall be forwarded through the Regional Office to the Assistant Secretary for Community Planning and Development or his designee.

(e) *Interdepartmental coordination.* Regional Administrators shall foster appropriate coordination between field offices and other departments and agencies, particularly the Environmental Protection Agency, the Department of Transportation, Department of Defense representatives, and the Veterans Administration. HUD staff shall utilize the acceptability standards in commenting on the prospective impacts of transportation facilities and other noise generators in the Environmental Impact Statement review process.

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§51.103 Criteria and standards.

These standards apply to all programs as indicated in §61.101.

(a) *Measure of external noise environments.* The magnitude of the external noise environment at a site is determined by the value of the day-night average sound level produced as the result of the accumulation of noise from all sources contributing to the external noise environment at the site. Day-night average sound level, abbreviated as DNL and symbolized as L_{dn}, is the 24-hour average sound level, in decibels, obtained after addition of 10 decibels to sound levels in the night from 10 p.m. to 7 a.m. Mathematical expressions for average sound level and day-night average sound level are stated in the Appendix.

(b) *Loud impulsive sounds.* On an interim basis, when loud impulsive sounds, such as explosions or sonic booms, are experienced at a site, the day-night average sound level produced by the loud impulsive sounds alone shall have 8 decibels added to it in assessing the acceptability of the site (see Appendix). Alternatively, the C-weighted day-night average sound level (L_{Cdn}) may be used without the 8 decibel addition, as indicated in Section 51.106(a)(3).

Methods for assessing the contribution of loud impulsive sounds to day-night average sound level at a site and mathematical expressions for determining whether a sound is classed as "loud impulsive" are provided in the Appendix.

(c) *Exterior standards.* The degree of acceptability of the noise environment at a site is determined by the sound levels external to buildings or other facilities containing noise sensitive uses. The standards shall usually apply at a location 2 meters (6.5 feet) from the building housing noise sensitive activities in the direction of the predominant noise source. Where the building location is undetermined, the standards shall apply 2 meters (6.5 feet) from the building setback line nearest to the predominant noise source. The standards shall also apply at other locations where it is determined that quiet outdoor space is required in an area ancillary to the principal use on the site.

The noise environment inside a building is considered acceptable if (a) the noise environment external to the building complies with these standards, and (b) the building is constructed in a manner common to the area or, if of uncommon construction, has at least the equivalent noise attenuation characteristics.

This is because the reverberation effect of sound waves hitting the wall will increase the noise levels at the site. You won't pick this up unless you back off from the wall to measure.

Site Acceptability Standards

	Day-night average sound level (in decibels)	Special approvals and requirements
Acceptable	Not exceeding 65 dB(1)	None
Normally Unacceptable	Above 65 dB but not exceeding 75 dB	Special Approvals (2) Environmental Review (3) Attenuation (4)
Unacceptable	Above 75 dB	Special Approvals (2) Environmental Review (3) Attenuation (5)

Notes.—(1) Acceptable threshold may be shifted to 70 dB in special circumstances pursuant to Section 51.105(a)

(2) See Section 51.104(b) for requirements.

(3) See Section 51.104(b) for requirements.

(4) 5 dB additional attenuation required for sites above 65 dB but not exceeding 70 dB and 10 dB additional attenuation required for sites above 70 dB but not exceeding 75 dB. (See Section 51.104(a).)

(5) Attenuation measures to be submitted to the Assistant Secretary for CPD for approval on a case-by-case basis.

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§51.104 Special requirements.

(a) *Noise attenuation.* Noise attenuation measures are those required in addition to attenuation provided by buildings as commonly constructed in the area, and requiring open windows for ventilation. Measures that reduce external noise at a site shall be used wherever practicable in preference to the incorporation of additional noise attenuation in buildings. Building designs and construction techniques that provide more noise attenuation than typical construction may be employed also to meet the noise attenuation requirements.

(1) *Normally Unacceptable noise zone.* Approvals in this zone require a minimum of 5 decibels additional sound attenuation for buildings having noise-sensitive uses if the day-night average sound level is greater than 65 decibels but does not exceed 70 decibels, or a minimum of 10 decibels of additional sound attenuation if the day-night average sound level is greater than 70 decibels but does not exceed 75 decibels.

(2) *Unacceptable noise zone.* Noise attenuation measures require the approval of the Assistant Secretary for Community Planning and Development (See §51.104(b)(2).)

(b) *Special Approvals and Environmental Review Requirements.* Environmental clearances shall be conducted pursuant to the requirements of HUD's Departmental Policies, Responsibilities and Procedures for Protection and Enhancement of Environmental Quality (38 FR 19182 as amended) or other environmental regulations which may be issued by the Department. The Special Clearance and Environmental Impact Statement (EIS) threshold requirements are hereby modified for all projects proposed in the Normally Unacceptable and Unacceptable noise exposure zones as follows:

(1) *Normally Unacceptable noise zone.* (i) All projects located in the Normally Unacceptable Noise Zone require a Special Environmental Clearance except an EIS is required for a proposed project located in a largely undeveloped area, or where the HUD action is likely to encourage the establishment of incompatible land use in this noise zone.

Berms and barriers are our first choice because they provide protection for yards, playgrounds, etc. Since outdoor activity is often very important to residents we want to protect the outdoor areas as much as possible.

By definition a barrier must be separate from the building or area it is providing attenuation for. After all barriers are preferred because they improve exterior as well as interior levels. Non-noise sensitive buildings can, however, be used as barriers for noise sensitive buildings or exterior areas.

Assumption is that standard construction provides an average of 20 L_{dn} attenuation. At 65 L_{dn} or below this amount of attenuation would be sufficient to meet interior level of 45 L_{dn}. Additional requirements are designed to meet this goal even when exterior noise levels are higher.

Substitute Environmental Assessment (with ECO concurrence) wherever you see Special Clearance.

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(ii) When an EIS is required, the concurrence of the Regional Administrator is also required before a project can be approved. For the purposes of this paragraph, an area will be considered as largely undeveloped unless the area within a 2-mile radius of the project boundary is more than 50 percent developed for urban uses and infrastructure (particularly water and sewers) is available and has capacity to serve the project.

(iii) All other projects in the Normally Unacceptable zone require a Special Environmental Clearance, except where an EIS is required for other reasons pursuant to HUD environmental policies.

(2) *Unacceptable noise zone.* An EIS is required prior to the approval of projects with unacceptable noise exposure. Projects in or partially in an Unacceptable Noise Zone shall be submitted through the Regional Administrator to the Assistant Secretary for Community Planning and Development for approval. The Assistant Secretary may waive the EIS requirement in cases where noise is the only environmental issue and no outdoor sensitive activity will take place on the site. In such cases, a Special Environmental Clearance is required.

When the area in question is in a small community outside an SMSA and the application of the 2 mile radius rule would be unreasonable, an area can be considered largely developed if it is contiguous to existing development and infrastructure is available and has capacity to serve the project. The Assistant Secretary will review them on a case-by-case basis. In all other cases the 2 mile radius/50% rule still applies.

§51.105 Exceptions.

(a) *Flexibility for non-acoustic benefits.* Where it is determined that program objectives cannot be achieved on sites meeting the acceptability standard of 65 decibels, the Acceptable Zone may be shifted to L_{dn} 70 on a case-by-case basis if all the following conditions are satisfied:

(1) The project does not require an Environmental Impact Statement under provisions of section 104(b)(1) and noise is the only environmental issue.

(2) The project has received a Special Environmental Clearance and has received the concurrence of the Environmental Clearance Officer.

(3) The project meets other program goals to provide housing in proximity to employment, public facilities and transportation.

(4) The project is in conformance with local goals and maintains the character of the neighborhood.

(5) The project sponsor has set forth reasons, acceptable to HUD, as to why the noise attenuation measures that would normally be required for new construction in the L_{dn} 65 to L_{dn} 70 zone cannot be met.

Caution—every effort should be made to get official contours—particularly for military installations and large air carrier airports rather than trying to use the *Noise Assessment Guidelines.*

What this really means is that the 5db attenuation requirement for the 65–70 L_{dn} zone is waived. Primarily intended for urban areas where alternative sites are not available. Note that *all* conditions must be met.

(6) Other sites which are not exposed to noise above L_{dn} 65 and which meet program objectives are generally not available.

The above factors shall be documented and made part of the project file.

§51.106 Implementation.

(a) *Use of available data.* HUD field staff shall make maximum use of noise data prepared by others when such data are determined to be current and adequately projected into the future and are in terms of the following:

(1) *Sites in the vicinity of airports.* The noise environment around airports is described sometimes in terms of Noise Exposure Forecasts, abbreviated as NEF or, in the State of California, as Community Noise Equivalent Level, abbreviated as CNEL. The noise environment for sites in the vicinity of airports for which day-night average sound level data are not available may be evaluated from NEF or CNEL analyses using the following conversions to DNL:

DNL ≈ NEF + 35

DNL ≈ CNEL

(2) *Sites in the vicinity of highways.* Highway projects receiving Federal aid are subject to noise analyses under the procedures of the Federal Highway Administration.

Where such analyses are available they may be used to assess sites subject to the requirements of this standard. The Federal Highway Administration employs two alternate sound level descriptors: (a) The A-weighted sound level not exceeded more than 10 percent of the time for the highway design hour traffic flow, symbolized as L_{10}; or (b) the equivalent sound level for the design hour, symbolized as L_{eq}. The day-night average sound level may be estimated from the design hour L_{10} or L_{eq} values by the following relationships, provided heavy trucks do not exceed 10 percent of the total traffic flow in vehicles per 24 hours and the traffic flow between 10 p.m. and 7 a.m. does not exceed 15 percent of the average daily traffic flow in vehicles per 24 hours:

DNL ≈ L_{10} (design hour)—3 decibels

DNL ≈ L_{eq} (design hour) decibels

Where the auto/truck mix and time of day relationships as stated in this Section do not exist, the HUD Noise Assessment Guidelines or other noise analysis shall be used.

These requirements are very important. Be careful with design hour values.

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(3) *Sites in the vicinity of installations producing loud impulsive sounds.* Certain Department of Defense installations produce loud impulsive sounds from artillery firing and bombing practice ranges. Noise analyses for these facilities sometimes encompass sites that may be subject to the requirements of this standard. Where such analyses are available they may be used on an interim basis to establish the acceptability of sites under this standard.

The Department of Defense uses day-night average sound level based on C-weighted sound level, symbolized L_{Cdn}, for the analysis of loud impulsive sounds. Where such analyses are provided, the 8 decibel addition specified in 51.103(b), is not required, and the same numerical values of day-night average sound level used on an interim basis to determine site suitability for non-impulsive sounds apply to the L_{Cdn}.

(4) *Use of areawide acoustical data.* HUD encourages the preparation and use of areawide acoustical information, such as noise contours for airports. Where such new or revised contours become available for airports (civil or military) and military installations they shall first be referred to the Regional Office (Environmental Clearance Officer) for review, evaluation and decision on appropriateness for use by HUD. The Regional Office shall submit revised contours to the Assistant Secretary of Community Planning and Development for review, evaluation and decison whenever the area affected is changed by 20 percent or more, or whenever it is determined that the new contours will have a significant effect on HUD programs, or whenever the contours are not provided in a methodology acceptable under §51.106(a)(1) or in other cases where the Regional Office determines that Headquarters review is warranted. For other areawide acoustical data, review is required only where existing areawide data are being utilized and where such data have been changed to reflect changes in the measurement methodology or underlying noise source assumptions.

Contours for future noise levels based on new construction, mission changes etc. which become available as part of the Environmental Impact Statement process shall not be used until the NEPA process is complete and a decision on the proposed action is made.

When new or revised contours are approved, make sure all interested people in local area are informed that HUD will be using different contours. Make a special effort to inform the most active developers in area or developers who have worked with HUD before.

This is also required for noise studies for developers by consultants, whether to provide original data, or to contest existing data or a HUD analysis. It is particularly important to make sure the same traffic, vehicle or operational data were used for each study, when one study is being contested.

Requests for determination on usage of new or revised areawide data shall include the following:

(i) Maps showing old, if applicable, and new noise contours, along with brief description of data source and methodology.

(ii) Impact on existing and prospective urbanized areas and on development activity.

(iii) Impact on HUD-assisted projects currently in processing.

(iv) Impact on future HUD program activity. Where a field office has determined that immediate approval of new areawide data is necessary and warranted in limited geographic areas, the request for approval should state the circumstances warranting such approval. Actions on proposed projects shall not be undertaken while new areawide noise data are being considered for HUD use except where the proposed location is affected in the same manner under both the old and new noise data.

(b) *Site assessments.* Compliance with the standards contained in §51.103(c) shall, where necessary, be determined using noise assessment guidelines, handbooks, technical documents and procedures issued by the Department.

(c) *Variations in site noise levels.* In many instances the noise environment will vary across a site, with portions of the site being in an Acceptable noise environment and other portions in a Normally Unacceptable noise environment. The standards in §51.103(c) shall apply to the portions of a building or buildings used for residential purposes and for ancillary noise sensitive open spaces.

(d) *Noise measurements.* Where noise assessments result in a finding that the site is borderline or questionable, or is controversial, noise measurements may be performed. Where it is determined that noise measurements are required, such measurements will be conducted in accordance with methods and measurement criteria established by the Department. Locations for noise measurements will depend on the location of noise sensitive uses that are nearest to the predominant noise source (see §51.103(c)).

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(e) *Projections of noise exposure.* In addition to assessing existing exposure, future conditions should be projected. To the extent possible, noise exposure shall be projected to be representative of conditions that are expected to exist at a time at least 10 years beyond the date of the project or action under review.

When projections for airports are based on new construction or similar actions the likelihood that such major action will actually take place should be carefully evaluated. This is particularly important if local funding is required. Check to see if initial actions such as land purchases, bonds etc. been taken. If projections are just based on expanded traffic levels make sure they are reasonable for the area. Projections for smaller communities are often overly optimistic.

(f) *Reduction of site noise by use of berms and/or barriers.* If it is determined by adequate analysis that a berm and/or barrier will reduce noise at a housing site, and if the barrier is existing or there are assurances that it will be in place prior to occupancy, the environmental noise analysis for the site may reflect the benefits afforded by the berm and/or barrier.

This provision should be used with caution. Very clear and strong assurances that berms or barriers will be constructed should be obtained in writing before approval.

Again also note that by definition a barrier must be physically separate from the building or area it is providing attenuation for.

The *Noise Assessment Guidelines* contain procedures for evaluating barrier effectiveness.

In the environmental review process under §51.104(b), the location height and design of the berm and/or barrier shall be evaluated to determine its effectiveness, and impact on design and aesthetic quality, circulation and other environmental factors.

Appendix to Subpart B—definition of acoustical quantities

1. *Sound Level.* The quantity in decibels measured with an instrument satisfying requirements of American National Standard Specification for Type 1 Sound Level Meters S1.4-1971. Fast time-averaging and A-frequency-weighting are to be used, unless others are specified. The sound level meter with the A-weighting is progressively less sensitive to sounds of frequency below 1,000 hertz (cycles per second), somewhat as is the ear. With fast time averaging the sound level meter responds particularly to recent sounds almost as quickly as does the ear in judging the loudness of a sound.

(2) *Average Sound Level.* Average sound level, in decibels, is the level of the mean-square A-weighted sound pressure during the stated time period, with reference to the square of the standard reference sound pressure of 20 micropascals.

$$L_{dn} = 10 \log_{10} \left[\frac{1}{86400} \left(\int_{0000}^{0700} 10^{[L_A(t)+10]/10}\, dt + \int_{0700}^{2200} 10^{L_A(t)/10}\, dt + \int_{2200}^{2400} 10^{[L_A(t)+10]/10}\, dt \right) \right]$$

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Time t is in seconds, so the limits shown in hours and minutes are actually interpreted in seconds. $L_A(t)$ is the time varying value of A-weighted sound level, the quantity in decibels measured by an instrument satisfying requirements of American National Standard Specification for Type 1 Sound Level Meters S1.4–1971.

3. *Loud Impulsive Sounds.* When loud impulsive sounds such as sonic booms or explosions are anticipated contributors to the noise environment at a site, the contribution to day-night average sound level produced by the loud impulsive sounds shall have 8 decibels added to it in assessing the acceptability of a site.

A loud impulsive sound is defined for the purpose of this regulation as one for which:

(i) The sound is definable as a discrete event wherein the sound level increases to a maximum and then decreases in a total time interval of approximately one second or less to the ambient background level that exists without the sound; and

(ii) The maximum sound level (obtained with slow averaging time and A-weighting of a Type 1 sound level meter whose characteristics comply with ANSI S1.4–1971) exceeds the sound level prior to the onset of the event by at least 6 decibels; and

(iii) The maximum sound level obtained with fast averaging time of a sound level meter exceeds the maximum value obtained with slow averaging time by at least 4 decibels.

Issued at Washington, D.C., on July 5, 1979.

Patricia Roberts Harris,
Secretary of Housing and Urban Development.

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Quiz on the Noise Regulations

Questions

1. What is the HUD policy on support for existing constructon in high noise areas?
2. What is the definition of "major or substantial rehabilitation"?
3. What is HUD's Interior noise goal?
4. What project approval authority does the Field Office have?
5. Who approves projects in the Unacceptable Zone?
6. What noise descriptor is used to express noise levels in the regulation?
7. How are loud impulsive sounds to be evaluated?
8. At what point on a building's exterior are sound levels to be determined?
9. What is the basic assumption behind the attenuation levels required?
10. What type of attenuation measures are preferred?
11. When should building attenuation measures be considered?
12. When are EIS's required?
13. When is an area considered "largely undeveloped"?
14. What is "Flexibility for Non-Acoustic Benefits"?
15. Six conditions are listed for waiving the attenuation requirement under the Flexibility for Non-Acoustic Benefits provision, how many must be met for the waiver to be granted?
16. Who has the authority to grant the attenuation requirements waiver under the "flexibility" provision?
17. What noise descriptors other than DNL are acceptable for aircraft noise contours?
18. Who normally approves areawide noise data such as airport noise contours?
19. If a site is partially in the Unacceptable Zone and partially in the Normally Unacceptable Zone, which review and approval procedures apply?
20. When should noise measurements be used in lieu of areawide data or *Noise Assessment Guidelines* calculations?

Quiz on the Noise Regulations

Answers

1. Noise exposure can not, by itself, be the basis for denying support for resale and purchase of existing buildings. (Section 51.101(a)(4))
2. "Major or substantial rehabilitation" is defined in individual program guidance. There is no single definition. (51.101(a)(5) marginal note)
3. 45 L_{dn} (Section 51.101(a)(9))
4. projects in Acceptable Zone; also projects in Normally Unacceptable Zone provided that
• adequate sound attenuation is provided
• no EIS is required (Section 51.102(a)(1))
5. The Assistant Secretary for Community Planning and Development. (Section 51.102(A)(3) and 51.104(b))
6. The day night average sound level system (DNL). (Section 51.103(a))
7. Two ways:
• If plain DNL levels have been calculated or measured, add a 8 decibel penalty.
• Alternatively, the C weighted day night average sound level system (L_{Cdn}) can be used as is. (Section 51.103(b))
8. Two meters (6.5 feet) away from the building exterior, moving towards the predominant noise source. (Section 51.103(c))
9. That current construction practices provide about 20 db attenuation. Thus in a 65 L_{dn} or lower area the interior goal of 45 L_{dn} would be met with standard construction. The additional attenuation required is the increment over that provided by standard construction necessary to achieve the interior goal of 45 L_{dn}. (Section 51.104(a) marginal note)
10. Measures which reduce **exterior** noise levels. (51.104(a))
11. Only after it has been determined that berms and barriers or site redesign are not practical alternatives. (Section 51.104(a))
12. When the project is located in the Unacceptable Zone or the project is located in a largely undeveloped area and the project is in the Normally Unacceptable Zone. (Section 51.104(b))
13. When the area within a 2 mile radius of the project is less than 50% developed for urban uses and infrastructure is not in place and available to serve the project. (Section 51.104(b)(1)(ii))
14. A provision in the regulations which allows the attenuation requirements for the 65–70 L_{dn} zone to be waived. (Section 51.105(a) and marginal note)
15. All six conditions must be met. (Section 51.105(a))
16. The field office. (Section 51.102(a))
17. NEF and CNEL. (Section 51.106(a)(1))
18. The Regional Office. (Section 51.106(a)(4))
19. The review and approval procedures for projects in the Unacceptable Zone apply. (Section 51.104(b)(2))
20. Only when the noise assessment indicates that the site is on the borderline between Acceptable and Unacceptable, or when the site is controversial. (Section 51.106(d))

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Chapter 3

Major Policy and Implementation Questions Related to the Noise Regulation

As regulations are applied in the field, it is inevitable that questions will arise. It is, after all, very difficult to anticipate every situation when preparing a regulation. Sometimes the questions relate to specific and unique situations of limited interest to anyone but the office involved. Other questions, however, raise issues of more general concern. In this section we have brought together the most important and most relevant questions that have arisen since the noise regulation went into effect in August of 1979. We have used a question and answer format for your convenience.

The following are the topics included:

1. Noise projections for civil airports
2. Definition of infill for small towns
3. Areawide EIS waivers
4. Requirements for modernization and rehabilitation projects
5. Use of berms and barriers as attenuation measures
6. New and revised airport noise contours

Questions and Answers

1. How valid and useful are civil airport noise projections that show significant reductions in the amount of land exposed to high noise levels? Should we be suspicious?

Contours that show significant reductions in the area exposed to high noise levels may seem questionable, but, according to the Environmental Protection Agency, they may be quite accurate. The EPA does expect to see some significant reductions in the number of people exposed to high levels of aircraft noise over the next 15 years. In their report *Aviation Noise: The Next Twenty years*, EPA stated that they expected to see the number of people exposed to levels of 65 Ldn or greater to drop from a 1975 figure of 5,550,000 to about 2,650,000 in the year 2000. Much of this reduction would occur during the period 1980–1985 with more modest decreases thereafter. The reductions are expected to result from the Federal Aviation Administration's current noise certification requirements, even with up to 100% increases in aircraft operations. (Current certification requirements are for all new aircraft to achieve stage three noise levels and all older aircraft to achieve stage two levels by 1985. Progress has been good in meeting these requirements.)

In general then, you should not be surprised to see significant reductions in contour size if the following conditions are met:

- the decrease in size is no more than 50%;
- the increase in operations is no more than 100%; and
- FAR stage 3 aircraft, such as the B757 and B767, are included in the fleet mix, but not to the total exclusion of all other aircraft.

Assuming that the contours are otherwise technically correct, significantly smaller contours should be acceptable.

2. Many small towns aren't big enough for a project to meet the definition of infill contained in section 51.104 (b)(1)(ii). However, a project located in the heart of town can hardly be considered to be in a largely undeveloped area. Must an EIS be prepared?

Not necessarily. If the jurisdiction in which the project is located is not part of a standard metropolitan area, a project may be considered infill if it is within or contiguous to the already developed area and infrastructure (particularly water and sewer) is available and has the capacity to serve the project. It must also be clear that the project will not encourage the establishment of other incompatible land uses in the normally unacceptable noise zone.

If you believe a project meets these criteria, submit documentation to the Office of Environment and Energy for their review and determination.

3. What can we do to reduce the procedural burden when, for a variety of reasons, the Department expects to be considering a number of projects in an unacceptable noise zone? Most of the projects would probably qualify for an EIS waiver, but how can we avoid filling repetitive, individual requests?

While the number of cases where the Department would be seriously considering a number of projects exposed to unacceptable noise levels in the same jurisdiction is likely to be limited, there is an alternative to individual processing in those situations. The alternative is to issue an areawide waiver for the entire affected jurisdiction. Such a waiver can be useful when the unacceptable noise zone heavily impacts a substantially developed community with limited site alternatives. (In most cases we would expect that the noise source would be aircraft, but in very small towns it is possible that a heavily used rail line could create a large unacceptable noise zone.)

An areawide EIS waiver would, of course, have to have a more detailed environmental assessment than an individual project request, and there are other special processing steps.

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But if you have a situation where you think the Department has a good reason to expect to process a number of projects within the unacceptable noise zone, there is an alternative to individual EIS waivers. Contact the Office of Environment and Energy for details on how to request the areawide waiver.

4. What exactly are the processing requirements and general policies for modernization and rehabilitation projects? Does secton 51.104 apply to them as well as to new construction? The noise regulation is a bit confusing on this.

Yes, the noise regulation is a bit confusing on this question. We have seen several instances where field offices have mistakenly applied the provisions of Section 51.104 to modernization and rehabilitation projects. We believe that this happens because section 51.104 is not as clearly titled as it might have been. It would be better if it read "special requirements for new construction" rather than simply "special requirements".

The only parts of the regulation that apply to modernization and rehabilitation projects are sections 51.101 (a)(5) and the definitions of normally unacceptable and unacceptable noise zones contained in the table in section 51.103. None of the other proessing or policy provisions of the table or of sections 51.102 and 51.104 apply. Therefore:

- modernization and rehabilitation projects are to be processed by the field offices regardless of the noise zone.
- EIS's are not required for modernization and rehabilitation projects unless mandated by other applicable environmental regulations.

You must however continue to encourage attenuation features in modernization and rehabilitation projects, in accordance with the general policy stated in section 51.101(a)(5).

5. We know that berms and barriers are the preferred type of noise attenuation because of the protection they provide for outdoor living areas, but we need some further guidance on when they are really the best choice.

While barriers can be an effective noise attenuation technique, they must, indeed, be used with caution and common sense because they can create more problems than they solve. Very high noise barriers can create significant aesthetic and financial problems relative to the noise benefit to be achieved. Barriers can block light, hinder natural ventilation, create an unpleasant sense of being walled in, and can be very unattractive. In addition, barriers do require continuing maintenance and can be very costly to build.

It is important to remember that the noise regulation says that "measures that reduce external noise at a site shall be used **wherever practicable.**" Is it practicable to propose a 20 foot high barrier only 15 feet from the rear of a two-story building? Granted it would certainly protect the building from noise, but what about the blocked light, the reduced ventilation, the visual impact, and the cost? The purpose of a barrier is primarily to reduce the noise levels in those outdoor areas that people use. The secondary purpose is to reduce the need for structural attenuation. Therefore, the barrier should only be as high as is necessary to protect those areas. Structural attenuation should be required for the parts of the building not protected by the barrier. And if there aren't any outdoor areas where low noise levels are important, barriers shouldn't be required unless they would be more cost effective than building attenuation measures.

6. What should we be doing once we have processed new or revised aircraft noise contours and they have been approved for use?

The most important thing you can do once new or revised aircraft noise contours have been approved for use is to tell the people who are most likely to be affected by the change. If you have a newsletter that you regularly publish, that is one way to get the word out. At the very least you should specifically notify the affected jurisdictions and the builders/developers who are known to be active in the vicinity of the noise impacted areas. Make sure you notify builders and developers who have large scale projects that you have been processing in sections. Go back and check your files to find them. Even though you should have done an overall environmental review of the project at the time the first section was submitted, the approval of individual sections is dependent on the noise levels at the time that section is submitted.

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Chapter 4

Noise Attenuation

Introducton

HUD's noise policy (24 CFR 51B) clearly requires that noise attenuation measures be provided when proposed projects are to be located in high noise areas. The requirements set out in Section 51.104(a) are designed to insure that interior levels do not exceed the 45 L_{dn} level established as a goal in Section 51.101(a)(9). Thus, in effect, if the exterior noise level is 65 L_{dn} to 70 L_{dn}, 25 db of noise attenuation must be provided; if the exterior noise level is between 70 and 75 L_{dn}, then 30 db of attenuation is required. Likewise, for projects proposed for areas where noise levels exceed 75 L_{dn}, sufficient attenuaton must be provided to bring interior levels down to 45 L_{dn} or below.

There are three basic ways to provide the noise attenuation required:

1. the use of barriers or berms
2. site design
3. acoustical construction

Of these, only the first two provide any improvement in the exterior environment. Because HUD considers a quiet exterior environment to be important, we prefer the use of those measures that reduce exterior levels as well as interior levels. The use of acoustical construction by itself is, therefore, the least preferred alternative since it only affects the interior levels. While we recognize that in many cases barriers or site design cannot provide all the attenuation necessary, you should combine them with acoustical construction whenever possible.

Your responsibility as a HUD staff member is to:

- make sure the project sponsor or developer is aware of the attenuation requirements for the project.
- make the sponsor aware of the options available

and

- review attenuation proposals to make sure they are adequate.

While it is not your responsibility to provide detailed design assistance to the sponsor or developer, you should know enough about the attenuation options to give him or her a basic understanding of what must be done. In many cases, you may be able to reassure the sponsor or developer that the necessary attenuation can be achieved through the use of common construction techniques or materials. Or you may be able to point out how a simple site design change can achieve the desired result without additional cost.

The following sections are designed to provide you with the information you will need to fulfill your responsibilities. Each attenuation approach is discussed both in terms of basic concepts and in terms of what to look for in reviewing attenuation proposals. The discussion does assume that you have a working knowledge of the *Noise Assessment Gujidelines*. If you have not worked with the *Guidelines* before or not recently you may want to go back and review them, particularly the section on calculating the effects of barriers.

Barrier Noise Reduction Concepts

(The following, with some editing and with some additional graphics, is taken from the Federal Highway Administration's *Noise Barrier Design Handbook*.[1])

When no obstacles are present between [a source] and adjoining areas, sound travels by a **direct** path from the "sources"... to [the] "receivers"..., as shown in Figure 1. Introduction of a barrier between the source and receiver redistributes the sound energy into several [indirect] paths: a **diffracted** path, over the top of the barrier; a **transmitted** path, through the barrier; and a **reflected** path, directed away from the receiver. These paths are also illustrated in Figure 1.

[1] *Noise Barrier Design Handbook* US Department of Transportation, Federal Highway Administration, February 1976. (FHWA-RD-76-58).

Figure 1
Alteration of Noise Paths by a Barrier

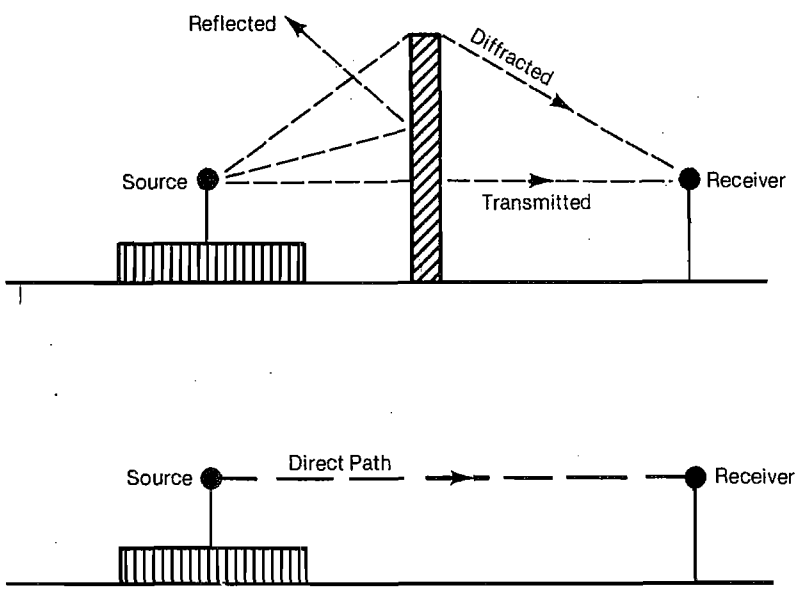

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Barrier Diffraction and Attenuation

Consider an infinitely long, infinitely massive noise barrier placed between a highway and the receiver. Figure 2 illustrates a cross-section through such a configuration. [In] this example, the only way that sound can reach the receiver is by bending over the top of the barrier; as shown in the figure. The bending of sound waves in this manner over an obstacle is known as diffraction. The area in which diffraction occurs behind the barrier is known as the "shadow zone." The straight path from the source over the top of the barrier forms the boundary of this zone.

All receivers located in the shadow zone will experience some sound attenuation; the amount of attenuation is directly related to the magnitude of the diffraction angle ϕ. As ϕ increases, the barrier attenuation increases. The angle ϕ will increase if the barrier height increases, or if the source or receiver are placed closer to the barrier. Clearly then the barrier attenuation is a function of the geometrical relationship between the source, receiver, and barrier. One way of relating these parameters to the barrier attenuation is to define the path-length difference as shown in Figure 3. This parameter is the difference in distance that the sound must travel in diffracting over the top of the barrier rather than passing directly through it.

In the preceding discussion it was assumed that the barrier was "infinite"; i.e., long enough to shield the receiver from all sound sources up and down the highway. For short barriers, the attenuation can be seriously limited by the sound from sections of highway beyond the barrier's ends, which are unshielded from the receiver, as shown in Figure 4. Similarly, when there are large gaps in the barrier (to permit access, for example), sound from the unshielded section of highway adjacent to the gap can greatly compromise barrier attenuation, especially for those receivers close to the opening.

Figure 2
Barrier Diffraction

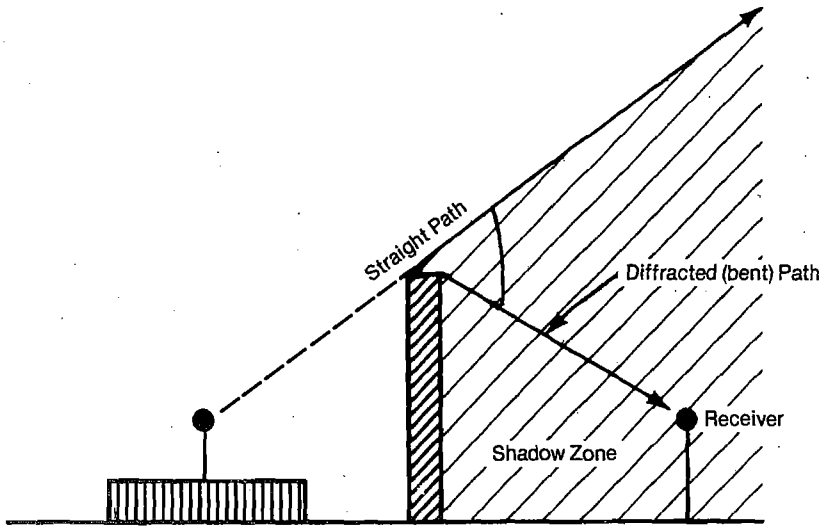

Figure 3
Path Length Difference $\delta = A + B - d$

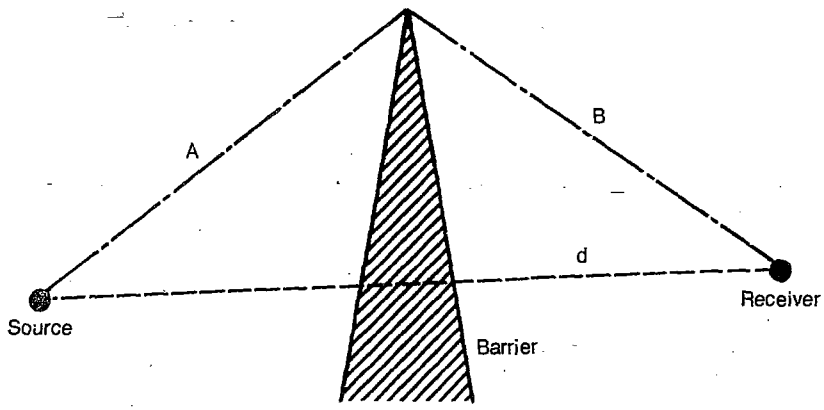

Figure 4
Short-circuit of Barrier Around Ends and Through Openings

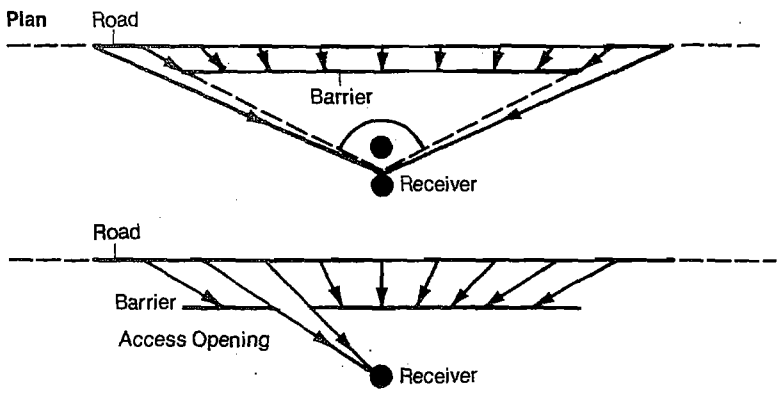

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It should be mentioned that the use of barrier walls with sloped sides (forming angles of grater than 10–15 degrees from the vertical) will also generally eliminate multiple reflections. Use of earth berms is particularly appropriate to accomplish this. Sloped barrier walls will require more material to achieve a desired height than a vertical wall, while berms will require greater right-of-way than a thin wall.

Ground Effects

Consider again the direct path of sound from the source to receiver as illustrated in Figure 1 in the absence of any obstacles. For sources and receivers located close to the ground, in addition to this direct path sound energy may reach the receiver by reflecting off the ground. When the terrain is relatively hard and flat, such a reflection will add to the noise from the direct path to increase the level at the receiver. However, when the ground is soft, there may be a phase reversal upon reflection such that the noise from the ground reflection path will destructively interfere with the noise from the direct path resulting in a significant reduction in noise levels at the receiver.

This reduction in level, known as ground-effect attenuation, is in excess of the 3 dB per doubling of distance propagation loss for a line source of noise and occurs only above soft absorptive ground (such as normal earth and most ground with vegetation). Over hard ground (such as concrete, stone and very hard-packed earth) these effects do not occur. These effects are most apparent for receivers on the ground floor, and decrease rapidly as receiver height above ground increases.

While ground absorption effects are not completely understood, it is generally believed that these effects account for the 4.5 dB per doubling of distance propagation loss observed over soft ground, as compared to the 3 dB propagation loss observed over hard ground. The implication with regard to barrier design is that placement of a barrier over soft ground between source and receiver will re-direct the sound over the top of the barrier, thus destroying the ground reflection and the additional 1.5 dB per doubling of distance attenuation. Thus, the barrier must be designed to provide more reduction than would otherwise be necessary, to compensate for the lost ground effects over absorptive ground.

Summary

(From: *Design Guide*, National Bureau of Standards[1])

In summary, the following can be said about noise barriers.

- If a barrier does not block the line-of-sight between the source and receiver, the barrier will provide little or no attenuation.
- If a barrier is constructed of a material with a surface weight density greater than 4 lb/ft^2 and there are no openings through the barrier, transmitted sound will usually be negligible.
- If there are openings totaling over 10 percent or more of the barrier area, barrier attenuation will be negligible.
- Diffracted sound is usually the most important aspect in estimating barrier attenuation.
- Reflected sound can be important for receivers on the source side of a barrier, but it normally is not a factor for receivers on the side opposite from the source. Hence reflected sound is usually not important to your building and site.
- Transmission of sound around the ends of the barrier can be critical if the barrier included angle is less than 170°.
- Barrier attenuations greater than an A-weighted sound level difference of 10 dB are difficult to obtain.
- For two or more barriers "in series," consider only the "dominant" barrier.
- Assume no attenuation for a receiver located beyond the end of a barrier.

Reviewing Barrier Proposals

An effective barrier is one which reduces the noise level behind the barrier to 65 L_{dn} or lower. If a barrier can reduce the exterior noise level to 65 L_{dn}, then standard construction techniques should be sufficient to insure an interior level of 45 L_{dn} or below. Therefore, if you determine that a proposed barrier is adequate to reduce the exterior noise level to 65 L_{dn} then no additional attenuation measures should be necessary.

[1] *Design Guide for Reducing Transportation Noise in and Around Buildings*, US Department of Commerce, National Bureau of Standards, April 1978. (Building Science Series 84)

There are four things to check when determining the adequacy of a proposed barrier:

1. Is it high enough?
2. Is it long enough?
3. Is it made of the right materials?
4. Is it properly constructed?

Is it High Enough?

In order for a barrier to be effective it must be at least high enough to break the line of sight between the source and the receiver. In the *Noise Assessment Guidelines* you will find the procedure for determining how much attenuation is provided by a barrier of a given height.

In general, barriers and berms are most effective for one and two story buildings because a relatively low barrier can often provide the attenuation needed. The height that might be required to provide attenuation for much taller buildings is often not feasible for either cost or aesthetic reasons. However, even if a barrier can not be made high enough to attenuate the upper floors of a multistory building, it may still be able to provide some protection for outdoor recreational areas. Before discarding the barrier idea check for this possibility.

If you find that the barrier as proposed is too short to be effective but the sponsor or developer tells you that he or she can not make the barrier any higher, there are some alternatives you can suggest. There are ways to get more attenuation out of each foot of overall height.

As a general rule, barriers work better the closer they are to the source. Figure 6 shows a barrier that does not block the line of sight at all when it is located next to the receiver, yet is quite tall enough when located next to the source. Thus, if the sponsor or developer can not make the barrier any taller, perhaps he or she can move it closer to the source.

Another way to get more attenuation without increasing overall barrier height is to bend the top of the barrier towards the source. Figure 7 shows a case where a barrier built perfectly straight provides 8 dB of attenuation. A barrier with the same overall height but with a 45 degree bend towards the source provides 9.5 dB of attenuation. Thus if the project sponsor or developer wants to keep the overall height of the barrier down, he or she can still increase the attenuation provided simply by bending the top.

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Figure 6
Effect of Moving the Barrier Closer to the Source

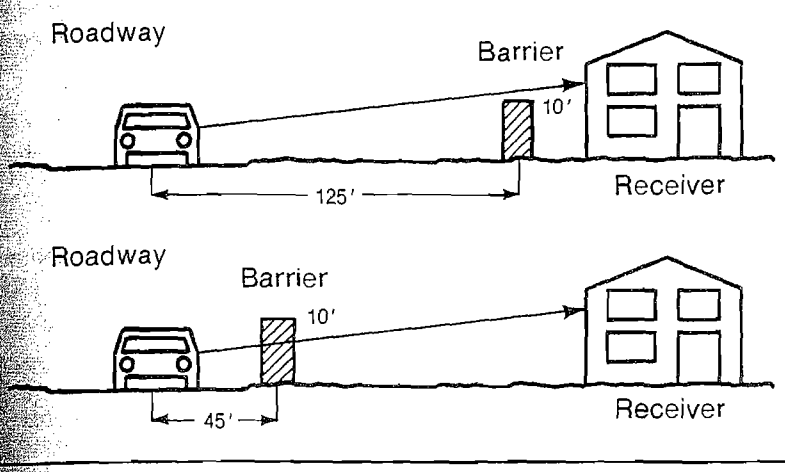

Figure 7
Effect of Bending the Top of the Barrier Towards the Source

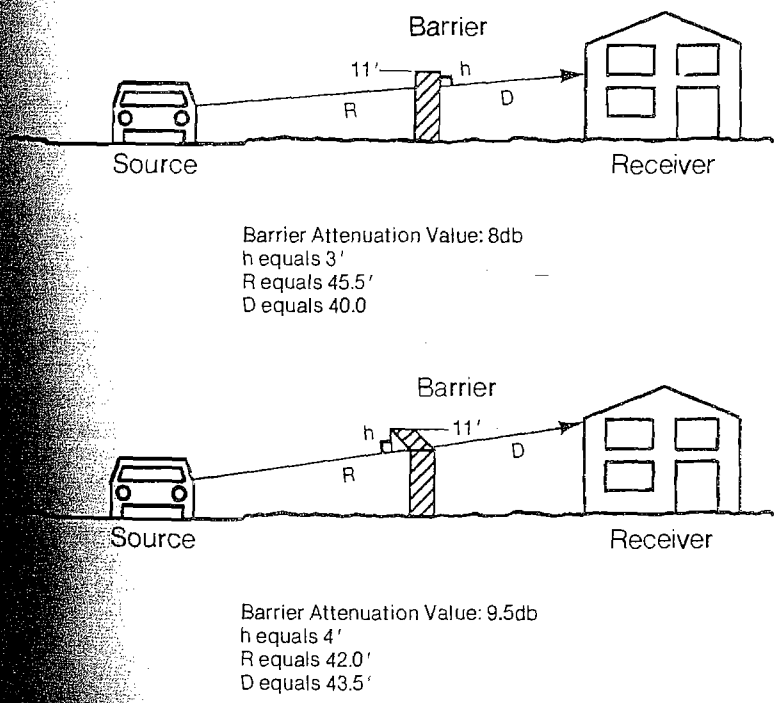

Thus, if your review of a proposed barrier shows it to be too short, but it can not be made any higher, suggest that the barrier be moved closer to the source or that it be bent at the top, or both.

Is It Long Enough?

Once you have established how much attenuation the barrier provides due to its height, you must determine if the length of the barrier compromises that attenuation level. Again, *the Noise Assessment Guidelines* contain a procedure for calculating the effect of barrier length.

If you find that the barrier is too short but that there are limitations on how long it can be made, there are, as there were with barrier heights, some recommendations you can make on how to improve the effectiveness of the barrier.

Again, if you bend the edges of the barrier, this time towards the **receiver** not the source, you will increase the effectiveness of the barrier. Figure 8 shows how much a barrier's effectiveness can be improved by bending the edges.

You can also improve the effectiveness of the barrier by moving it closer to the receiver. Figure 9 shows how much a barrier's effectiveness can be increased by moving it closer to the receiver. Now obviously, this creates a conflict with what we said earlier about moving the barrier closer to the source. Clearly each case will require a different compromise. If height is not a limiting factor but length is, you might recommend to the project sponsor or developer that the barrier be moved closer to receiver and the height increased as necessary. If the reverse is true, you would want to recommend the opposite. If both height and length are limited, then the sponsor or developer must find that optimum point where the effeciveness of both the barrier height and the barrier length is as high as possible.

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Figure 8
Effect of Bending the Edges of Barrier Towards Receiver
(Both Barriers have Potential Value of 10db)

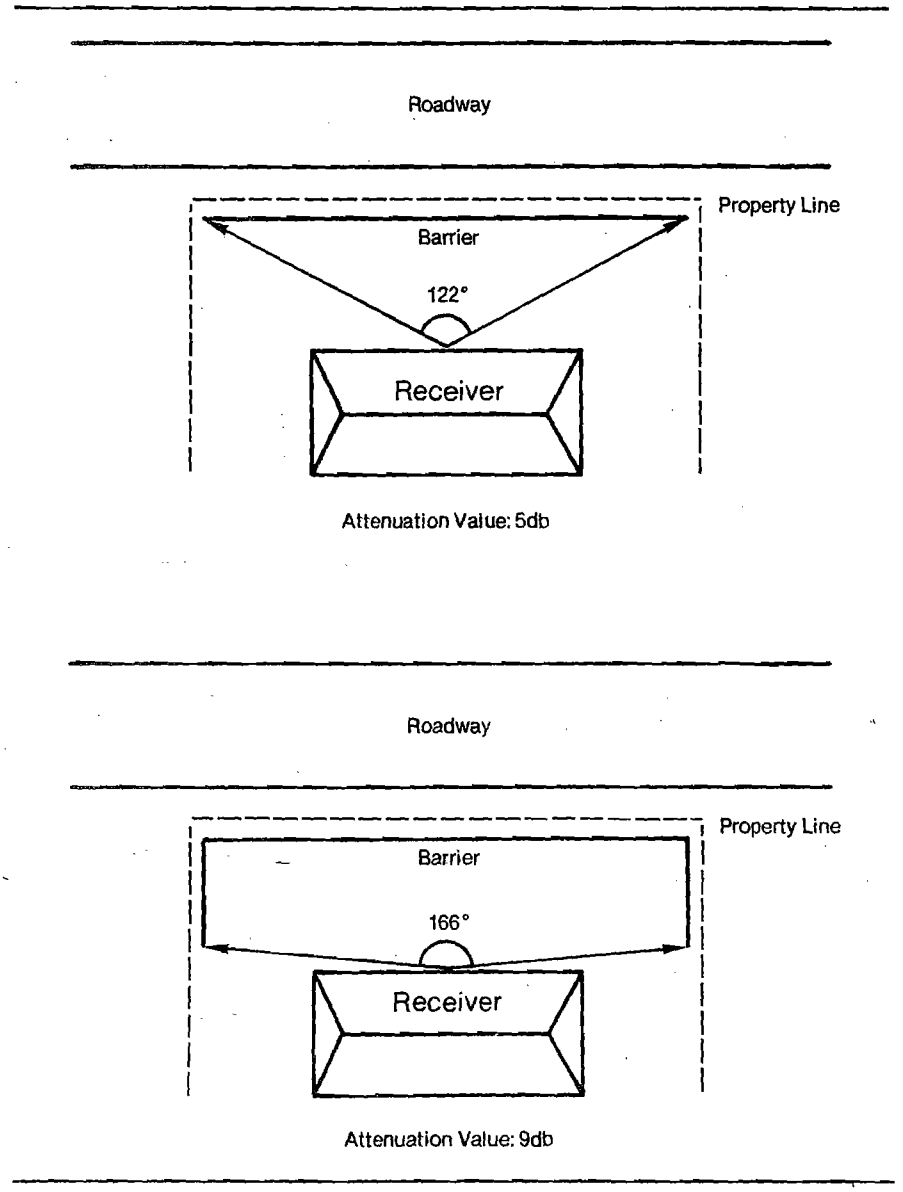

Is It Made of The Right Materials?

Even if a barrier is high enough and long enough, its effectiveness can be severely reduced if it is made up of lightweight materials that easily transmit sound waves. In the preceding section on barrier concepts we talked about how if the transmission loss value for the barrier material was not at least 10 db higher than the attenuation value of the barrier based on length and height there would be a significant reduction in the effectiveness of the barrier.

Therefore, once you have calculated the basic attenuation potential of the barrier, you must check to make sure the proper material is being used to build the barrier. Table 1 lists the transmission loss values for materials commonly used in barrier construction. Once you have found the transmission loss value for the material being used, go to Table 2. Read down the column with the transmission loss for the material at its top and across the line that has the attenuation potential for the barrier listed. Where the two intersect you will find the actual attenuation capability of the barrier.

If you find that the choice of material has severely reduced the effectiveness of the barrier, you should recommend that the sponsor or developer select another material.

Is It Properly Constructed?

Holes or openings can substantially reduce the effectiveness of a barrier. A barrier that has openings totaling 50% or more of its total area will provide no attenuation. A barrier that has openings totaling 10% of its total area has a maximum attenuation value of approximately 4db. That is 4db no matter how high, how long or how thick the barrier. So you can see that it is very important that the barrier is made of solid materials and that it is tightly constructed. In general the intended openings in a barrier should equal no more than 1% of total area and the construction specifications should require that all joints are tightly sealed.

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Figure 9
Effect of Moving Barrier Closer to Receiver

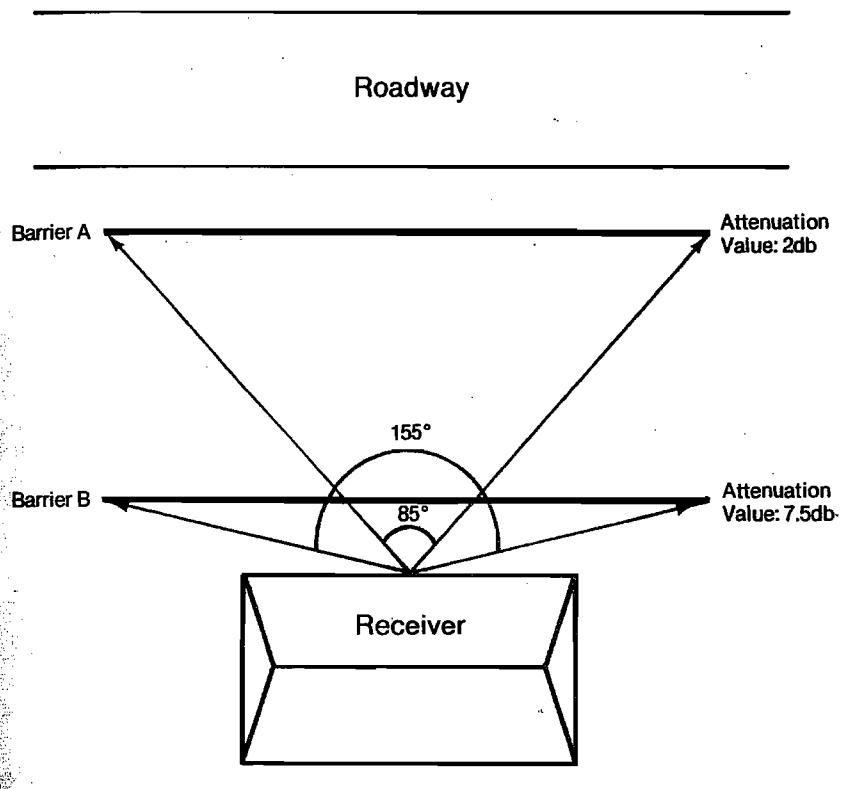

A Final Note

One thing should have become clear to you as you have been reading this section, and that is that in order for you to adequately review a project sponsor or developer's proposed barrier you must be given fairly specific information about the exact dimensions of the proposed barrier, the type and thickness of the barrier material, and the exact design of the barrier including construction specifications. Without this information you will be unable to do any more than a cursory evaluation, an evaluation that could be far from accurate. Make sure you make it clear to the developer or sponsor what you need to have.

Table 1
Transmission Loss Value for Common Barrier Materials

Material	Thickness, (Inches)	Transmission Loss, dBA (1)
Woods		
[illegible]	1/2	17
	1	20
	2	24
[illegible]	1/2	16
	1	19
	2	23
[illegible]ywood	1/2	16
	1	19
	2	23
[illegible]ker	1/2	15
	1	18
	2	22
[illegible]ywood	1/2	20
	1	23
[illegible]cle [illegible]rd	1/2	20
Metals		
[illegible]minum	1/16	23
	1/8	25
	1/4	27
	24 ga	18
	20 ga	22
	16 ga	15
	1/16	28
Concrete, Masonry, etc.		
Light Concrete	4	36
	6	39
Dense Concrete	4	40
Concrete Block	4	32
	6	36
Cinder Block (Hollow Core)	6	28
Brick	4	33
Granite	4	40
Composites		
Aluminum Faced Plywood	3/4	21-23
Aluminum Faced Particle Board	3/4	21-23
Plastic Lamina on Plywood	3/4	21-23
Plastic Lamina on Particle Board	3/4	21-23
Miscellaneous		
Glass (Safety Glass)	1/8	22
	1/4	26
Plexiglass (Shatterproof)		22-25
Masonite	1/2	20
Fiberglass/ Resin	1/8	20
Stucco on Metal Lath	1	32
Polyester with Aggregate Surface	3	20-30

[1]A-weighted TL based on generalized truck spectrum. Source: *Noise Barrier Design Handbook*, FHWA

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Table 2
Noise Reduction of a Barrier as a Function of its Transmission Loss

Designed Attenuation, dB (from height) and length)	Tramission Loss, dB of Materials				
	10	15	20	25	30
5	3.8	4.6	4.9	5.0	5.0
6	4.5	5.5	5.8	6.0	6.0
7	5.2	6.4	6.8	6.9	7.0
8	5.9	7.2	7.7	7.9	8.0
9	6.5	8.0	8.7	8.9	9.0
10	7.0	8.8	9.6	9.9	10.0
11	7.5	9.5	10.5	10.8	11.0
12	7.9	10.2	11.4	11.8	11.9
13	8.2	10.9	12.2	12.7	12.9
14	8.5	11.5	13.0	13.7	13.9
15	8.8	12.0	13.8	14.6	14.9
16	9.0	12.5	14.5	15.5	15.8
17	9.2	12.9	15.2	16.7	16.8
18	9.4	13.2	15.9	17.2	17.7
19	9.5	13.5	16.5	18.0	18.7
20	9.6	13.8	17.0	18.8	19.6

Source: *Noise Barrier Design Handbook, FHWA*

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Acoustical Site Planning Concepts

(This section, with some editing, is from *The Audible Landscape*, FHWA.[1])

The arrangement of buildings on a site can be used to minimize noise impacts. If incompatible land uses already exist, or if a noise sensitive activity is planned, acoustical site planning often provides a successful technique for noise impact reduction.

Many site planning techniques can be employed to shield a residential development from noise. These can include:

1. increasing the distance between the noise source and the receiver;
2. placing noise compatible land uses such as parking lots, maintenance facilities, and utility areas between the source and the receivers. Playgrounds and parks are not necessarily noise compatible activities.
3. locating barrier-type buildings parallel to the noise source or the highway; and
4. orienting the residences away from the noise.

The implementation of many of the above site planning techniques can be combined through the use of cluster and planned unit development techniques.

Distance

Noise can be effectively reduced by increasing the distance between a residential building and a highway. Distance itself reduces sound: doubling the distance from a noise source can reduce its intensity by as much as 3 dBA. In the case of highrise buildings, distance may be the only means, besides acoustical design and construction, of reducing noise impacts. This is because it is nearly impossible to provide physical shielding for the higher stories from adjacent noise.

Noise Compatible Land Uses as Buffers

Noise protection can be achieved by locating noise-compatible land uses between the highway and residential units. Whenever possible, compatible uses should be nearest the noise source. Figure 10 shows a proposed parking garage along two sides of a development in Boston. Both the

[1] *The Audible Landscape: A Manual for Highway Noise and Land Use*, US Department of Transportation, The Federal Highway Administration, November 1974. (GPO Stock Number: 5000-00079.)

Figure 10
Use of a Parking Garage to Shield a Residential Area

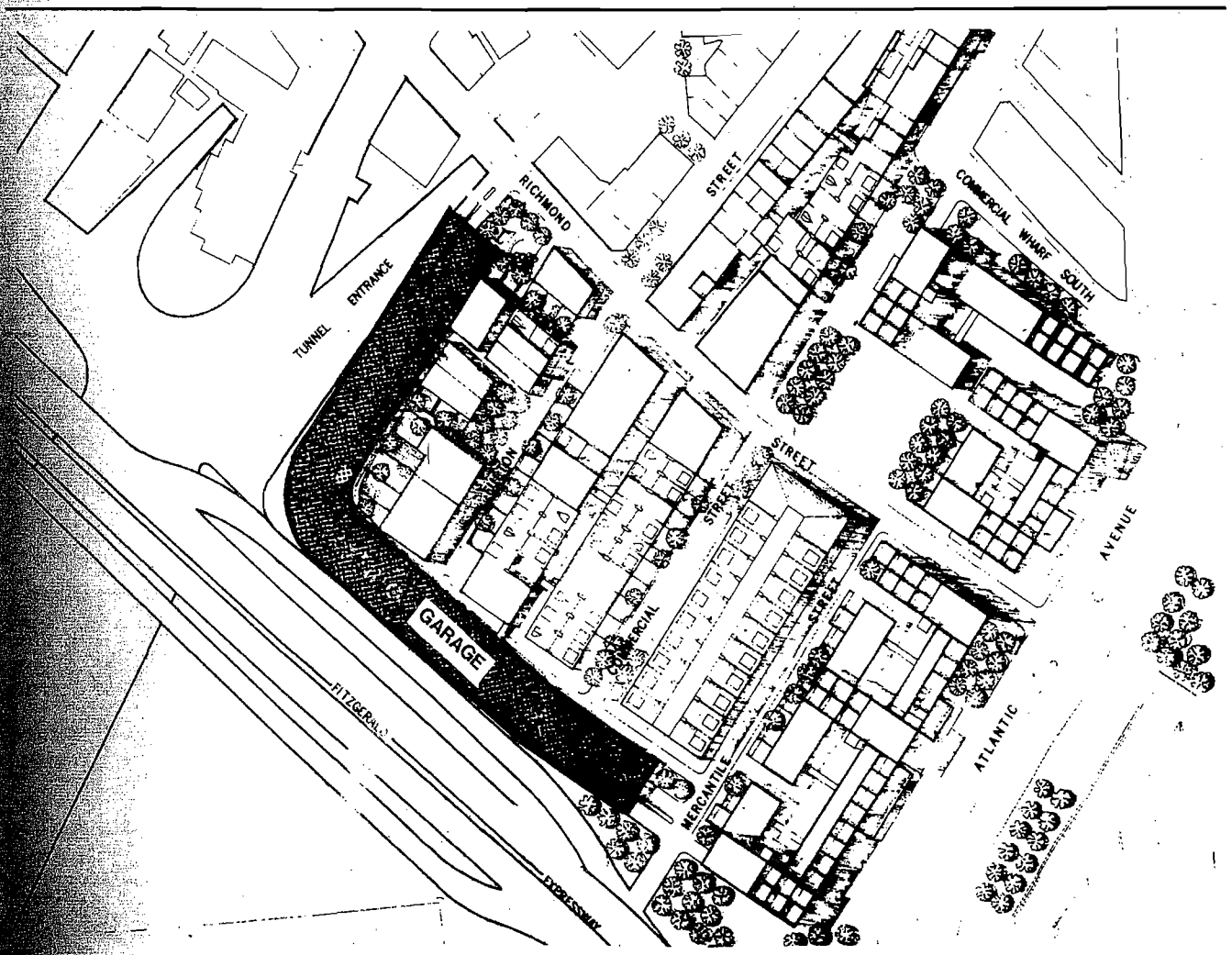

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Fitzgerald Expressway and the entrance to the Callahan Tunnel which are shown on the site plan are major and noisy traffic routes. In addition to protecting the residential development from the noise and dirt of highway traffic, the parking garage provides needed facilities for the residents.

Buildings as Noise Shields

Additional noise protection can be achieved by arranging the site plan to use buildings as noise barriers. A long building, or a row of buildings parallel to a highway can shield other more distance structures or open areas from noise.

If the building being used as a barrier is sensitive to highway noise, the building itself must first be soundproofed. This technique was used in a housing project in England where a 3,900 foot long, 18 foot wide and 45-70 foot high wall (depending on the terrain) serves as both residence and a sound shield. The wall/building will contain 387 apartments in which the kitchens and bathrooms are placed towards the noise, and the bedrooms and living rooms face away from the highway. The wall facing the highway will be soundproofed and windows, when they exist, are sealed. Substantial noise reductions are expected.

Orientation

The orientation of buildings or activities on a site affects the impact of noise, and the building or activity area may be oriented in such a way as to reduce this impact.

Noise impacts can be severe for rooms facing the roadway since they are closest to the noise source. The noise impact may also be great for rooms perpendicular to the roadway because (a) the noise pattern can be more annoying in perpendicular rooms and (b) windows on perpendicular walls do not reduce noise as effectively as those on parallel walls because of the angle of the sound. Road noise can be more annoying in perpendicular rooms because it is more extreme when it suddenly comes in and out of earshot as the traffic passes around the side of the building, rather than rising and falling in a continuous sound, as it would if the room were parallel to passing vehicles.

Whether the noise impact is greater on the perpendicular or the parallel wall will depend on the specific individual conditions. Once the most severely impacted wall or walls are determined, noise impacts may be minimized by reducing or eliminating windows from these walls.

Buildings can also be oriented on a site in such a way as to exploit the site's natural features. With reference to noise, natural topography can be exploited and buildings placed in low noise pockets if they exist. If no natural noise pockets exist, it is possible to create them by excavating pockets for buildings and piling up earth mounds between them and the noise. Such a structure would obstruct the sound paths and reduce the noise impacts on the residences.

Cluster and Planned Unit Development

A cluster subdivision is one in which the densities prescribed by the zoning ordinance are adhered to but instead of applying to each individual parcel, they are aggregated over the entire site, and the land is developed as a single entity. A planned unit development, or P.U.D., is similar but changes in land use are included, such as apartments and commercial facilities in what would otherwise be a single-family district.

From Figure 11 it can be seen how the conventional grid subdivision affords no noise protection from the adjacent highway. The first row of houses bears the full impact of the noise. In contrast, the cluster and P.U.D. techniques enable open space and commercial uses respectively to serve as noise buffers. Examples of this are shown in Figures 12 and 13. A word of caution is necessary: in a cluster development, the required open space can be located near the highway to minimize noise to the residences. However, many recreation uses are noise sensitive, and when one takes advantage of the flexibility of cluster development to minimize noise, care must be taken not to use all of the available open space in

Figure 11
Conventional Grid Subdivision

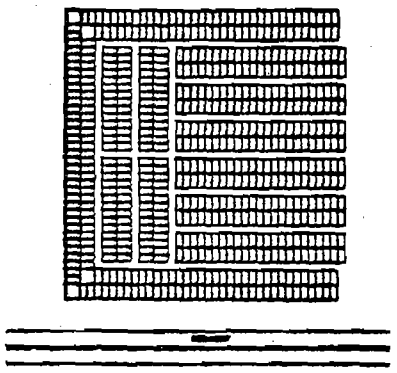

Figure 12
Placement of Noise Compatible Uses Near a Highway in a PUD

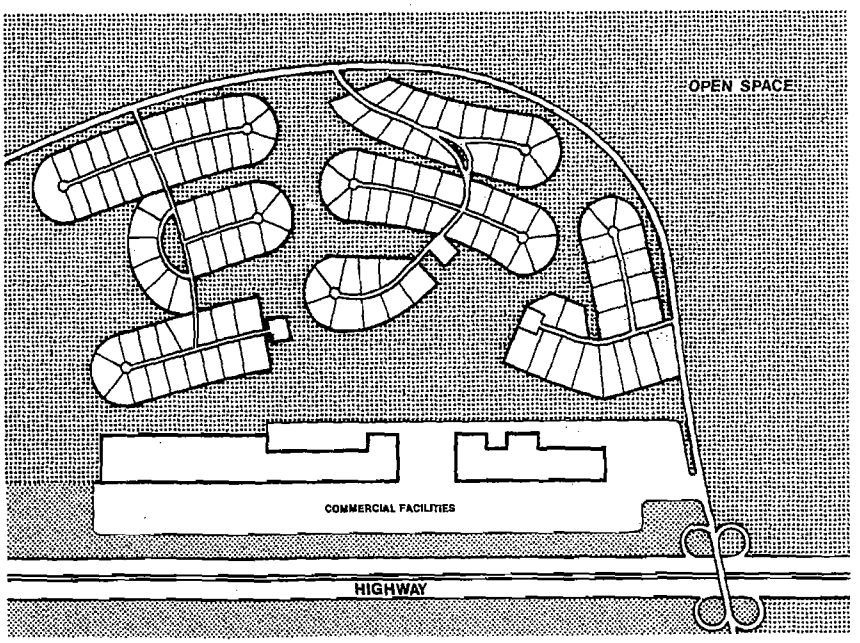

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buffer strips, thus depriving the development of a significant open space area. Where high noise levels exist, a combination of buffer strips and other techniques (such as berms and acoustical sound proofing) can be employed.

The flexibility of the cluster and planned unit development techniques allows many of the above site planning techniques to be realized and effective noise reduction achieved.

Reviewing Site Plans

There are two main things to check when reviewing site plan changes to determine if the revised site plan provides adequate attenuation for the noise sensitive uses:

1. Is the separation between the source and the receiver great enough?
2. If noise-compatible buildings are being used as barriers for other buildings, are they adequate barriers, i.e., are they long enough and are they high enough? (And, if the buildings being used as barriers contain noise sensitive activities, have the buildings been properly soundproofed.)

In order to determine whether the proposed site plan changes will provide adequate separation between the source and the receiver, you simply go back to the *Noise Assessment Guidlines* procedures. You can use the *Guidelines* both to determine if the proposed separation distance is sufficient or to determine the necessary separation distance. You should at this point check to make sure that the uses being located in the "buffer zone" between the source and the receiver are indeed noise compatible uses. If parks or playgrounds are located in the buffer zone, make sure they are not the only ones associated with the project.

To determine whether the noise compatible buildings being proposed as barriers are adequate, you simply use the procedures outlined in the preceding section. Determine whether the building is high enough to properly break the line of sight between the receiver and the source. Then determine if the building is long enough. It is not necessary to check to make sure it is made of the proper materials or that it is properly constructed since the building will be inherently thick enough not to have any problems. Again, however, if the building being proposed as a barrier contains noise sensitive uses you must first verify that it is properly soundproofed. (See the next section for guidance on acoustical construction.) If the building is not properly soundproofed then it can not be used as a barrier for other buildings.

As you review the site plan check to see that the building locations will not aggravate noise problems. Figure 14 shows how building arrangement can make the noise problem worse.

Figure 13
Open Space Placed Near a Highway in a Cluster Development

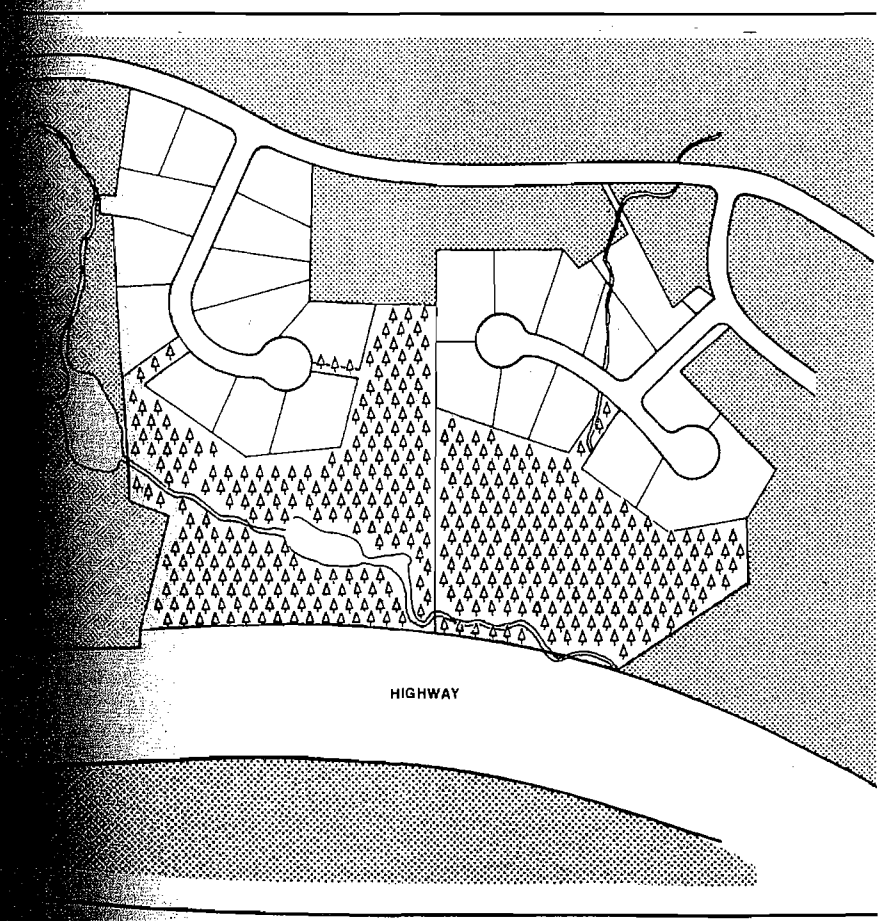

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Figure 14
Orientation of Buildings on Sites

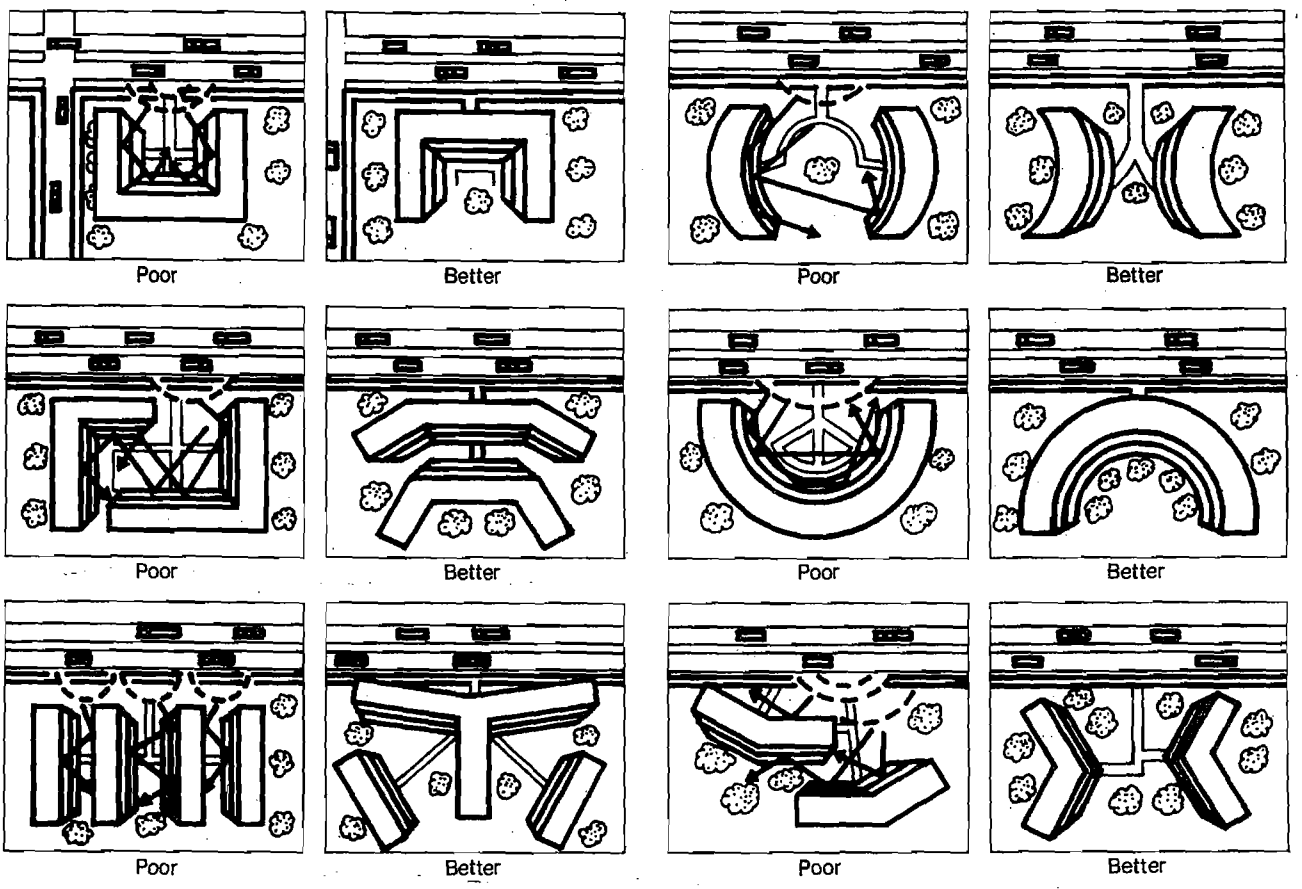

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Acoustical Construction Concepts

(This section, with some editing is taken from the *Audible Landscape, FHWA.*[1])

Noise can be intercepted as it passes through the walls, floors, windows, ceilings, and doors of a building. Examples of noise reducing materials and construction techniques are described in the pages that follow.

To compare the insulation performance of alternative constructions, the Sound Transmission Class (STC) is used as a measure of a material's ability to reduce sound. Sound Transmission Class is equal to the number of decibels a sound is reduced as it passes through a material. Thus, a high STC rating indicates a good insulating material. It takes into account the influence of different frequencies on sound transmission, but essentially the STC is the difference between the sound levels on the side of the partition where the noise originates and the side where it is received. For example, if the external noise level is 85 dB and the desired internal level is 45 dB, a partition of 40 STC is required. The Sound Transmission Class rating is the official rating endorsed by the American Society of Testing and Measurement. It can be used as a guide in determining what type of construction is needed to reduce noise.

The use of the STC rating system for transportation noise is a subject of some debate. The STC rating was originally intended primarily for use with interior partitions and relates to the "subjective impressions of the sound insulation provided against the sounds of speech, radio, television, music, and similar sources of noise in offices and dwellings."[2] However, since it remains the only widely used noise reduction rating system for materials the STC system is very often used even with transportation noise. When STC ratings are used for transportation noise you should be aware that the STC ratings may be a few dB too high. For example, the STC rating for a standard frame 2 × 4 wall with exterior siding, and sheathing and interior sheetrock may be 37 dB.[3] If rated specifically for transportation noise the dB reduction rating might drop to 34 dB.[4] All this really means, however, is that you should use the STC ratings with a bit of caution and remain aware of the possible 2-3 dB overstating that you may get with the STC rating system. Throughout this text we will be talking in terms of STC ratings for materials and assemblies.

[1] *The Audible Landscape: A Manual for Highway Noise and Land Use*, US Department of Transportation, the Federal Highway Administration, November 1974. (GPO Stock #5000-00079).

[2] *Acoustical and Thermal Performance of Exterior Residential Walls, Doors, and Windows*, US Department of Commerce, National Bureau of Standards, November 1975. (NBS Building Science Series 77) page 21.

[3] Ibid., p. 29

[4] *Design Guide for Reducing Transportation Noise In and Around Buildings*, p. 137.

Walls

Walls provide building occupants with the most protection from exterior noise. Different wall materials and designs vary greatly in their sound insulating properties. Figure 15 provides a visual summary of some ways in which the acoustical properties can be improved:

Increase the mass and stiffness of the wall. In general, the denser the wall material, the more it will reduce noise. Thus, concrete walls are better insulators than wood walls of equal thickness. Increasing the thickness of a wall is another way to increase mass and improve sound insulation. Doubling the thickness of a partition can result in as much as a 6 dB reduction in sound.[1] However, the costs of construction tend to limit the feasibility of large increases in wall mass.

The relative stiffness of the wall material can influence its sound attenuation value. Care must be taken to avoid wall constructions that can vibrate at audible frequencies and transmit exterior sounds.

[1] R. K. Cooke and P. Chrzanowski, "Transmission of Noise Through Walls and Floors," Cyril Harris, ed., Handbook of Noise Control, McGraw-Hill Book Company, Inc. (New York, 1957).

Figure 15
The Audible Landscape

Factors which influence sound attenuation of walls

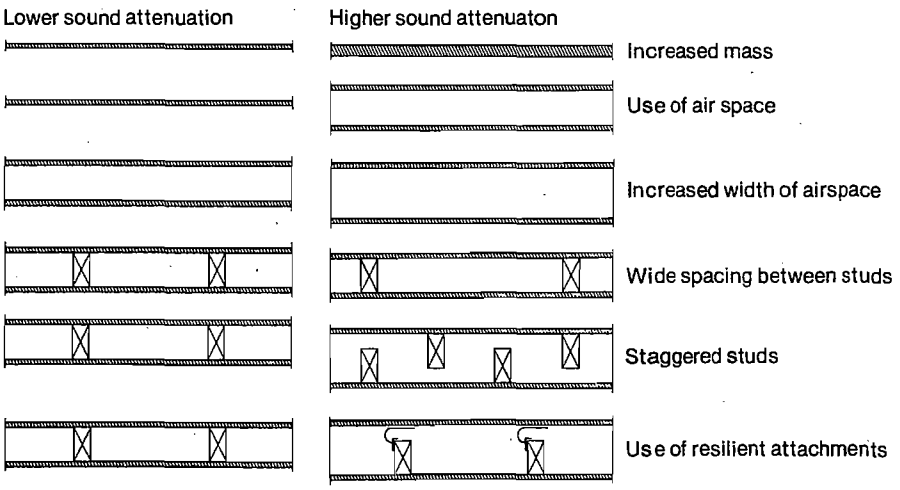

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Use cavity partitions. A cavity wall is composed of two or more layers separated by an airspace. The airspace makes the cavity wall a more effective sound insulator than a single wall of equal weight, leading to cost savings.

Increase the width of the airspace. A three inch airspace provides significant noise reduction, but increasing the spacing to six inches can reduce noise levels by an additional 5 dBA. Extremely wide airspaces are difficult to design.

Increase the spacing between studs. In a single stud wall, 24 inch stud spacing gives a 2-5 dB increase in STC over the common 16 inch spacing.[2]

Use staggered studs. Sound transmission can be reduced by attaching each stud to only one panel and alternating between the two panels.

[2]Leslie T. Doelle, Environmental Acoustics (New York, McGraw-Hill Book Company, 1972), pp. 232-233.

Use resilient materials to hold the studs and panels together. Nails severely reduce the wall's ability to reduce noise. Resilient layers such as fiber board and glass fiber board, resilient clips, and semi-resilient attachments are relatively inexpensive, simple to insert, and can raise the STC rating by 2-5 dB.[1]

Use dissimilar layers. If the layers are made of different materials and/or thickness, the sound reduction qualities of the wall are improved.[2]

Add acoustical blankets. Also known as isolation blankets, these can increase sound attenuation when placed in the airspace. Made from sound absorbing materials such as mineral or rock wool, fiberglass, hair felt or wood fibers, these can attenuate noise as much as 10 dB.[3] They are mainly effective in relatively lightweight construction.

Seal cracks and edges. If the sound insulation of a high performance wall is ever to be realized, the wall must be well sealed at the perimeter. Small holes and cracks can be devastating to the insulation value of a wall. A one-inch square hole or a 1/16 inch crack 16 inches long will reduce a 50 STC wall to 40.[4]

Figure 16 shows a sample of wall types ranging from the lowest to the highest sound insulation values.

Remember that the effectiveness of best wall construction will be substantially reduced if you permit vents, mail slots or similar openings in the walls. If vents are permitted the ducts must be specially designed and insulated to make sure noise does not reach the inside. The best approach is simply to eliminate all such openings on impacted walls.

[1]Ibid, p. 172
[2]Ibid, p. 162
[3]Doelle, p. 20
[4]United States Gypsum, Sound Control Construction, Principles and Performance (Chicago, 1972), p. 66

Figure 16
Walls

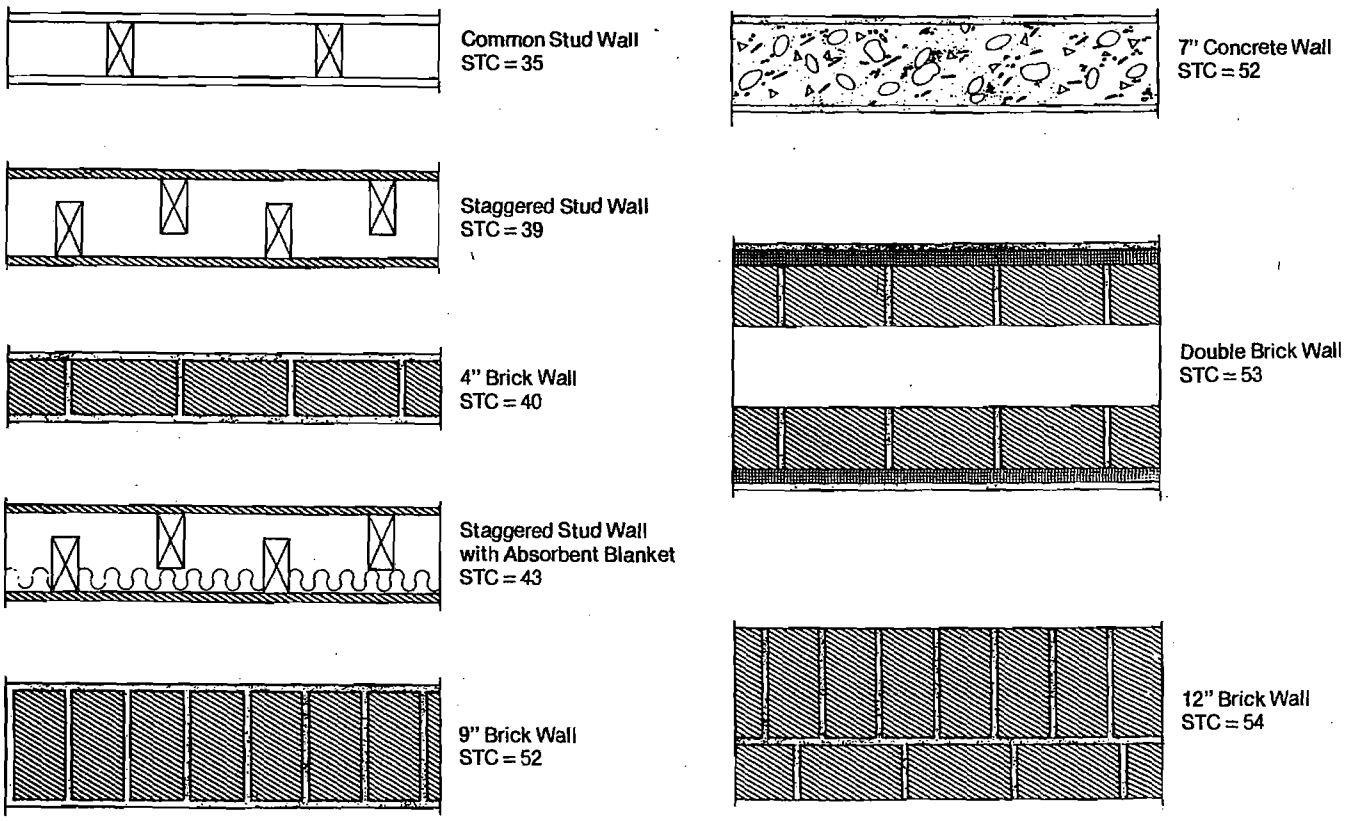

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Windows

Sound enters a building through its acoustically weakest points, and windows are one of the weakest parts of a wall. An open or weak window will severely negate the effect of a very strong wall. Whenever windows are going to be a part of the building design, they should be given acoustical consideration. Figure 17 illustrates the effects of windows on the sound transmission of walls. For example, if a wall with an STC rating of 45 contains a window with an STC rating of 26 covering 30% of its area, the overall STC of the composite partition will be 35, a reduction of 10 dB.

The following is a discussion of techniques that can be used to reduce noise in a building by means of its windows. These techniques range from a blocking of the principal paths of noise entry to a blocking of the most indirect paths.

Close windows. The first step in reducing unwanted sound is to close and seal the windows. The greatest amount of sound insulation can be achieved if windows are permanently sealed. However, openable acoustical windows have been developed which are fairly effective in reducing sound.[1] Whether or not the sealing is permanent, keeping windows closed necessitates the installation of mechanical ventilation systems. If you are dealing with single family houses and some of the windows are facing away from all noise sources, a whole house fan may be better and cheaper than air conditioning. In multifamily housing or where all windows are exposed to the noise sources you will have to go with the air conditioning. If windows must be openable, special seals are available which allow windows to be opened.[2]

Reduce window size. The smaller the windows, the greater the transmission loss of the total partition of which the window is a part. Reducing the window size is a technique that is used because (a) it precludes the cost of expensive acoustical windows, and (b) it saves money by cutting down the use of glass. The problems with this technique are (a) it is not very effective in reducing noise; e.g., reducing the proportion of window to wall size from 50% to 20% reduces noise by only 3 decibels; and (b) many building codes require a minimum window to wall size ratio.

Figure 17
STC

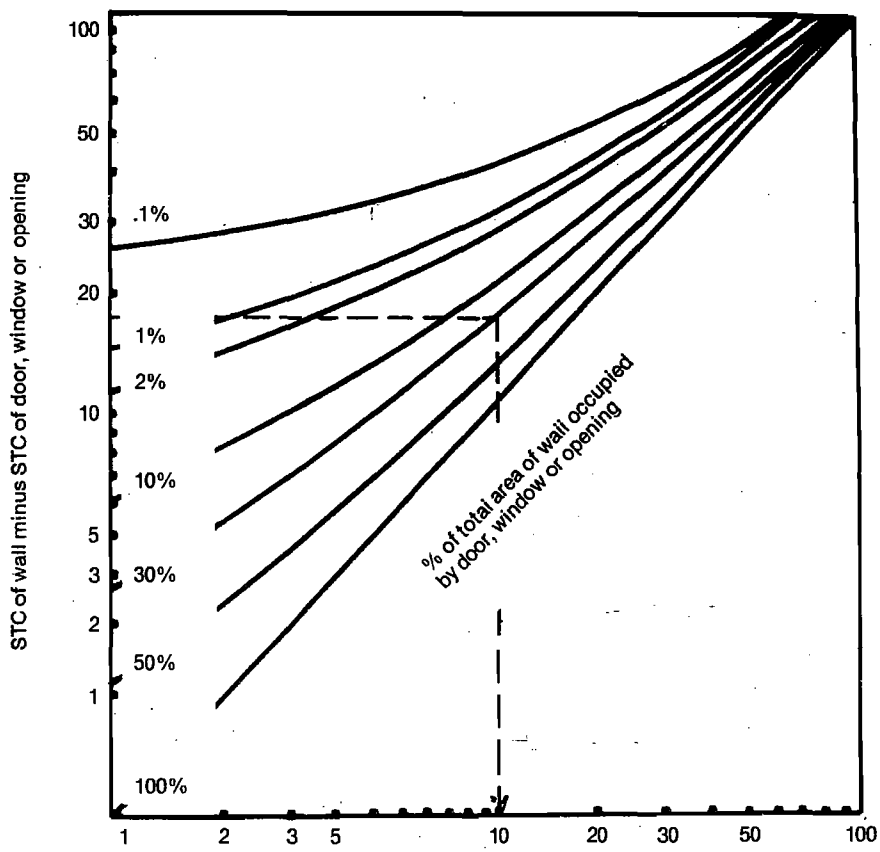

Increase glass thickness. If ordinary windows are insufficient in reducing noise impacts in spite of sealing techniques, then thicker glass can be installed. In addition, this glass can be laminated with a tough transparent plastic which is both noise and shatter resistant. Glass reduces noise by the mass principle; that is, the thicker the glass, the more noise resistant it will be. A 1/2-inch thick glass has a maximum STC rating of 35 dB compared to a 25 dB rating for ordinary 3/16 inch glass.

Instructions on use of graph

1. Subtract the STC value of the door, window or opening from the STC value of the wall.
2. Enter the vertical axis of the graph at the point that matches the value from step 1.
3. Read across to the curve that represents the percentage of the total area of the wall that is taken up by the door, window, or opening.
4. Read down to the horizontal axis.
5. Subtract the value on the horizontal axis from the original STC value of the wall. The result is the composite STC value of the wall and the door, window or opening.

[1] U.S. Department of Housing and Urban Development, A Study of Techniques to increase the Sound Insulation of Building Elements, Report No. WR 73-5, Washington, D.C., June 1973.

[2] Los Angeles Department of Airports, *Guide to the Soundproofing of Existing Homes Against Exterior Noise*. Report No. WRC 70-2, March 1970, pp. 9-11, 22-30. In this report, the function and performance of a number of operable seals are described.

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However, glass thicknesses are only practical up to a certain point, when STC increases become too insignificant to justify the cost. For example, a 1/2 inch thick glass can have an STC of 35; increasing the thickness to 3/4 inch only raises the STC to 37. However, a double glass acoustical window consisting of two 3/16 inch thick panes separated by an airspace will have an STC of 51 and can cost less than either solid window.

In addition to thickness, proper sealing is crucial to the success of the window. To prevent sound leaks, single windows can be mounted in resilient material such as rubber, cork, or felt.

Install Double-Glazed Windows. Double-glazed windows are paired panes separated by an airspace or hung in a special frame. Generally, the performance of the double-glazed window may be increased with:

- increased airspace width
- increased glass thickness
- proper use of sealings
- slightly dissimilar thicknesses of the panes
- slightly non-parallel panes

In general the airspace between the panes should not be less than 2–4 inches if an STC above 40 is desired. If this is not possible, a heavy single-glazed window can be used. The use of slightly non-parallel panes is a technique employed when extremely high sound insulation is required, such as in control rooms of television studios.

The thickness of double-glazed panes may vary from 1/8 to 1/4 inch or more per pane. Although thickness is important, the factors which most determine the noise resistance of the window is the use of sealant and the width of the airspace.

As in the case of all windows, proper sealing is extremely important. To achieve an STC above 43, double-glazed windows should be sealed permanently. If the windows must be openable, there are available special frames and sealers for openable windows which allow a maximum STC of 43.[1]

Permanently sealed double-glazed windows often require an air pressure control system to maintain a constant air pressure and minimal moisture in the airspace. Without this system, the panes may deflect, and, in extremely severe cases, pop out of the frames.

[1]Ibid.

To further insure isolation of noise between double-glazed panes, the panes could be of different thicknesses, different weights, and slightly non-parallel to each other. This prevents acoustical coupling and resonance of sound waves.

Doors

Acoustically, doors are even weaker than windows, and more difficult to treat. Any door will reduce the insulation value of the surrounding wall. The common, hollow core wood door has an STC rating of 17 dB. Taking up about 20% of the wall, this door will reduce a 48 STC wall to 24 STC. To strengthen a door against noise, the hollow core door can be replaced by a heavier solid core wood door that is well sealed[1] and is relatively inexpensive. A solid core wood door with vinyl seal around the edges and carpeting on the floor will reduce the same 48 STC wall to only 33 dB.[2] An increased sound insulation value can be achieved if gasketed stops or drop bar threshold closers are installed at the bottom edge of the door. (See Figure 18)

The alternative solution to doors is to eliminate them whenever possible from the severely impacted walls and place them in more shielded walls.

In any case no mail slots or similar openings should be allowed in exterior doors.

Roofs

Acoustical treatment of roofs is not usually necessary unless the noise is extremely severe or the noise source is passing over the building. The ordinary plaster ceiling should provide adequate sound insulation except in extremely severe cases. An acoustically weak roof which is likely to require treatment is the beamed ceiling.[3] Beamed ceilings may be modified by the addition of a layer of fiberglass or some other noise resistent material. Suspended ceilings are the most effective noise reducers but they are also the most expensive.

[1]D.E. Bishop and P.W. Hirtle, "Notes on the Sound Transmission Loss of Residential-Type Windows and Doors," Journal of the Acoustical Society of America, 43:4 (1968).

[2]U.S. Gypsum, Sound Control... p. 100.

[3]Ibid p. 15.

Figure 18

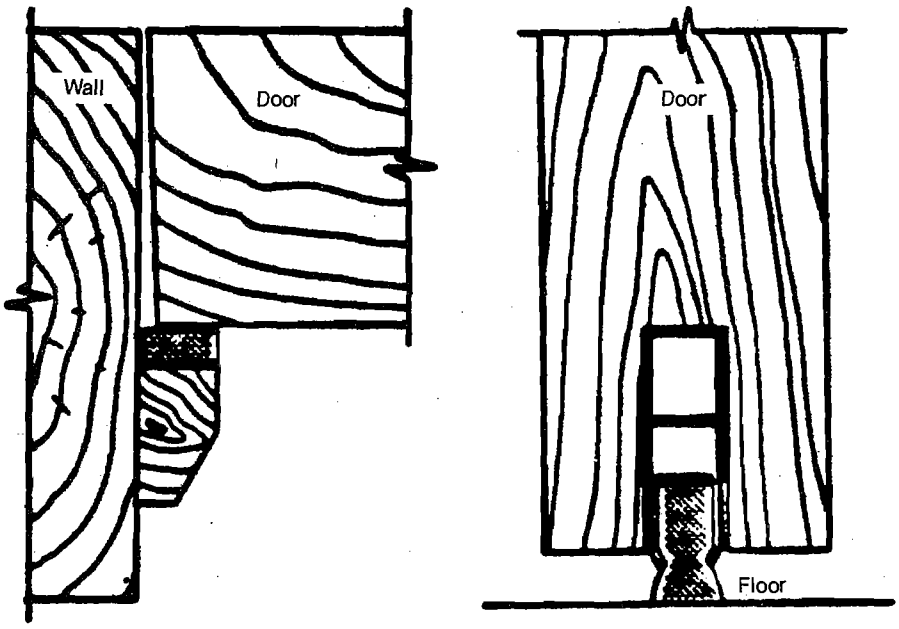

Gasketed door stop

Drop bar threshold closer

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Floors

In the case of highway noise, floors would only require acoustical treatment if the highway were passing under the building. In this case, flooring would have to provide protection against structural vibrations as well as airborne sound.

Two ways to insulate a floor from noise are to install a solid concrete slab at least 6 inches thick or install a floating floor. In general, the floating floor gives the greatest amount of sound and vibration insulation; however, it is extremely expensive. Basically, a floating floor consists of a wood or concrete slab placed over the structural slab, but separated by a resilient material. The resilient material isolates the surface slab from the structural slab and the surrounding walls.

What to Look for When Reviewing Plans

The number of possible combinations of the building materials that go into walls, ceilings, windows and doors, is, no doubt, considerably short of infinite. It is however still a very large number, large enough that it would be impossible to compile a list of all the possible combinations. Therefore, do not expect to find in this section, or anywhere else for that matter, a neat table showing the STC ratings for all the types of construction you may encounter. In fact, it is not really your responsibility to determine the precise STC ratings for the walls, ceilings, windows and doors in the projects you review. Your job is simply to review the attenuation levels claimed by the sponsor/developer and determine whether or not they are reasonable.

To enable you to perform the above described task, we have prepared a list of the most common types of construction for which we have STC ratings. By comparing the type of construction proposed to one of these "model" types you should be able to tell whether the claimed STC rating is reasonable. For example, the sponsor/developer submits a description of his building stating that a 2 × 6 stud wall with standard sheathing, insulation, wood siding, and 1/2" gypsum board achieves a STC rating of 48. You look at Table 3 and find that the closest "model" wall is a 2 × 4 stud wall with wood siding, sheathing, insulation, and 1/2" gypsum board. This wall has a STC rating of 39. An 9 dB difference is quite significant considering that the walls are really quite similar. You would probably want to go back to the developer/sponsor and ask for some supporting data that proves that the 2 × 6 wall he proposes will indeed provide 48 dB of noise attenuation.

In order to make it easier to review the attenuation levels provided by the proposed construction, we suggest that you ask the developer/sponsor to complete a form such as shown in Figure 19. Such a form will give you all the information you need in a properly organized format that will facilitate your review. You could fill in the first part and simply have the developer/sponsor fill out the second part and return it with the developer certification or other project documents.

As you will recall from the previous section, most walls provide pretty good attenuation by themselves. It is the presence of windows and doors and openings such as vents that reduces the attenuation capability of the wall. Thus, after you have determined whether the basic wall itself has a reasonable STC, you must review the impact of the windows and doors. You do this by using Figure 17. First you determine the difference between the STC ratings for the wall and the windows. You enter the vertical axis of Figure 17 with that number. You read across until you intersect the line that represents the percentage of the wall taken up by the windows. Then you read down to the horizontal axis where you wil find the value to be subtracted from the basic STC value of the wall. The resulting number is the combined STC value for the wall. If the wall also contains a door, repeat the same procedure, only start out with the modified STC rating for the wall. If the wall has doors only, then obviously you start with the basic wall STC rating. Finally you compare the number you have derived with that listed by the developer/sponsor. If they are fairly close, you need not pursue it further. If there is a substantial difference, you should ask for an explanation or documentation from the developer.

Once again, we caution you about borderline cases. If the attenuation required is 30 dB and the STC rating for the proposed construction is exactly 30 dB, you may want to ask the developer to provide even more attenuation. Remember that we discussed how the STC rating may overstate the actual attenuation provided by as much as 3 dB. If an additional 3 dB can be achieved at minimum cost, we would strongly urge that you seek it from the developer/sponsor.

Finally check to make sure the developer has provided some form of mechanical ventilation. If it's a single family house and a whole house fan is the means of ventilation being provided make sure that there are operable windows on walls which do not face the noise source(s) nor are perpendicular to the source(s). Otherwise the residents will have to open windows on the exposed wall, thus cancelling out much of the attenuation achieved.

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Table 3
STC Ratings for Typical Building Components[1]

Building Component	Description	STC Rating
Frame Wall	a. 5/8" x 10" Redwood Siding b. 1/2" Insulation Board Sheathing c. 2 x 4 studs 16" o.c. d. Fiberglass Building Insulation e. 1/2" Gypsum Board attached directly to studs	39 dB
Stucco/Frame Wall	a. 7/8" Stucco b. No. 15 felt Building Paper and 1" Wire Mesh c. 2 x 4 Studs 16" o.c. d. Fiberglass Building Insulation e. 1/2" Gypsum Board attached directly to studs	46
Brick Veneer Wall	a. Face Brick b. 1/2" Airspace with metal ties c. 3/4" Insulation Board Sheathing d. 2 x 4 Studs 16" o.c. e. Fiberglass Building Insulation f. 1/2" Gypsum Board attached directly to studs	56
Masonry Wall	a. 1" Stucco b. 8" thick Hollow Concrete Block c. 1/2" Gypsum Board attached to furring strips	49 (estimated)
Windows	Wood double hung, closed but unlocked, single glazing	23
	Aluminum sliding, latched, single glazing	24
	Wood double hung, closed but unlocked, glazed with 7/16" insulating glass	22
	Aluminum single hung, closed, glazed with 7/16" insulating glass	25
	Wood, double hung, sealed, glazed with 7/16" insulating glass with single glazed storm sash-2 1/8" separation	35
	Aluminum sliding, closed, single glazed with single glazed storm sash, 1/8" separation	22
Exterior Doors	Wood, flush solid core, with brass weather stripping	27
	Wood, flush solid core, plastic weather stripping, aluminum storm door	34
	Wood, French door, brass weather stripping	26
	Steel, flush, with urethane foam core, with magnetic weather stripping	28
Roof	Shingle Roof with attic, 1/2" gypsum wall board ceiling framed independently of roof	43 (estimated)

[1]Except as noted, all STC ratings are from: *Acoustical and Thermal Performance of Exterior Residential Walls, Doors and Windows*, National Bureau of Standards.

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Figure 19
Description of Noise Attenuation Measures
(Acoustical Construction)

Part I

Project Name _____

Location _____

Sponsor/Developer _____

Noise Level (From NAG) _____ Attenuation Required _____

Primary Noise Source(s) _____

Part II

1. For Walls (s) facing and parallel to the noise source(s) (or closest to parallel):
   a. Descripton of wall construction* _____

   _____

   b. STC rating for wall (rated for nb windows or doors): _____

   c. Description of Windows: _____

   _____

   d. STC rating for window type _____

   e. Description of doors _____

   _____

   f. STC rating for doors _____

   g. Percentage of wall (per wall, per dwelling unit) composed of windows _____ and doors _____

   h. Combined STC rating for wall component _____

2. For walls perpendicular to noise source(s):
   a. Description of wall construction* _____

   _____

   b. STC rating for wall (rated for no windows or doors) _____

   c. Description of windows _____

   _____

   d. STC rating for windows _____

   e. Description of doors _____

   _____

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f. STC rating for doors _____

g. Percentage of wall (per wall, per dwelling unit) composed of windows _____ and doors _____

h. Combined STC rating for wall component _____

3. Roofing component (if overhead attenuation is required due to aircraft noise):
   a. Description of roof construction _____

   _____

   b. STC rating (rated as if no skylights or other openings) _____

   c. Descripton of skylights or overhead windows _____

   _____

   d. STC rating for skylights or overhead windows _____

   e. Percentage of roof composed of skylights or windows (per dwelling unit) _____

   f. Percentage of roof composed of large uncapped openings such as chimneys _____

   g. Combined STC rating for roof component _____

4. Description of type of mechanical ventilation provided _____

   _____

Prepared by _____

Date: _____

*If walls contain vents or similar openings, attach a description of duct arrangement and insulation and a statement of how much the wall STC is reduced by the presence of the vent.

MV00177654

Figure 19
Description of Noise Attenuation Measures
(Acoustical Construction)

Part I

Project Name PARADISE HOMES

Location ANYTOWN

Sponsor/Developer JOAN DOE + ASSOC. INC.

Noise Level (From NAG) 73 Attenuation Required 30db

Primary Noise Source(s) HIGHWAY

Part II

1. For Walls (s) facing and parallel to the noise source(s) (or closest to parallel):
   a. Descripton of wall construction* 3/8" FIR PLYWOOD SIDING, 2x4 STUDS 16" o.c. 3½" FIBERGLASS INSULATION
   b. STC rating for wall (rated for no windows or doors): 37
   c. Description of Windows: WOOD DOUBLE HUNG, INSULATING GLASS
   d. STC rating for window type 22
   e. Description of doors WOOD, FLUSH, SOLID CORE
   f. STC rating for doors 30
   g. Percentage of wall (per wall, per dwelling unit) composed of windows 10% and doors 5%
   h. Combined STC rating for wall component 30db

2. For walls perpendicular to noise source(s):
   a. Description of wall construction* SAME AS ABOVE
   b. STC rating for wall (rated for no windows or doors) 37
   c. Description of windows SAME AS ABOVE
   d. STC rating for windows 22
   e. Description of doors NO DOORS

SAMPLE

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f. STC rating for doors —

g. Percentage of wall (per wall, per dwelling unit) composed of windows 10% and doors 0

h. Combined STC rating for wall component 30

3. Roofing component (if overhead attenuation is required due to aircraft noise):
   a. Description of roof construction N/A

   b. STC rating (rated as if no skylights or other openings) _____

   c. Descripton of skylights or overhead windows _____

   d. STC rating for skylights or overhead windows _____

   e. Percentage of roof composed of skylights or windows (per dwelling unit) _____

   f. Percentage of roof composed of large uncapped openings such as chimneys _____

   g. Combined STC rating for roof component _____

4. Description of type of mechanical ventilation provided CENTRAL AIR CONDITIONING

Prepared by _____

Date: _____

*If walls contain vents or similar openings, attach a description of duct arrangement and insulation and a statement of how much the wall STC is reduced by the presence of the vent.

SAMPLE

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iz on Noise Attenuation

stions

What are the three basic ways to ide noise attenuation?
What are the responsibilities of D personnel regarding noise enuation?
When a barrier is introduced ween a source and a receiver the nd energy is redistributed along 3 rect paths. What are these three ts?
What is "Path Length Difference" ow does it affect the attenuation provided by a barrier?
What are "Transmission Loss s?"
ow does the transmission loss of barrier material affect the ation capability of the barrier?
s a general rule, what mission loss values should you or?
you have more than one barrier en the source and the receiver amount of attenuation sed substantially?
What are the four things to check reviewing a proposed barrier?
st 3 ways to make a barrier more ive without increasing its overall

11. List 3 ways to make a barrier more effective without increasing its overall length.
12. What is the maximum percentage of the total area of a barrier that can be made up of openings without a significant loss in barrier effectiveness?
13. List 3 site planning techniques that are used to shield residential developments.
14. When are parks and playgrounds not noise compatible uses that can be employed as buffers?
15. What are the two main things to look for when reviewing site plan changes?
16. What are some of the building orientations which can aggravate noise problems?
17. What is the Sound Transmission Class (STC) rating?
18. Which is better a high STC or a low STC rating?
19. What kinds of conditions were STC ratings originally developed for?
20. What should you do when using STC ratings in a transportation noise situation?
21. List 5 ways to improve the attenuation capability of a wall.
22. Windows are one of the acoustically weakest components in a wall. List 3 ways to reduce the negative effects of windows.
23. What is the best way to reduce the effect of doors?

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Quiz on Noise Attenuation

Answers

1. a. barriers or berms
   b. site design
   c. acoustical construction
2. a. to make sure the project sponsor/developer is aware of the attenuation requirements
   b. provide sponsor/developer with an overview of available options
   c. review attenuation proposals to make sure they are adequate
3. a. A **diffracted** path over the top of the barrier
   b. A **transmitted** path through the barrier
   c. A **reflected** path away from the receiver
4. "Path Length Difference" is the difference in distance that sound must travel diffracting over the barrier rather than passing directly through it. Since sound energy decreases over distance, the greater the path length distance the greater the attenuation.
5. "Transmission Loss Values" represent the amount noise levels will be reduced when the sound waves pass through a barrier.
6. Since the attenuation provided by a barrier is a function of both the sound energy that goes over the top and the energy that goes through the barrier, if the transmission loss value is low then the effectiveness of the barrier will be greatly reduced.
7. If the transmission loss value of the barrier material is at least 10dB greater than the attenuation level provided by diffraction (i.e. barrier height) there shouldn't be any problem.
8. No. The combined effect of multiple barriers does not normally provide significantly greater attenuation than a single barrier. For design purposes, the general procedure is to assume the attenuation of the most effective barrier.
9. a. Is it high enough?
   b. Is it long enough?
   c. Is it made of the right material?
   d. Is it properly constructed?
10. a. move the barrier closer to the source
    b. bend the top of the barrier towards the source
    c. do both
11. a. move it closer to the receiver
    b. bend the ends toward the receiver
    c. do both
12. 1 percent
13. Any 3 of the below:
    a. increasing the distance between the source and the receiver
    b. placing noise compatible land uses between the source and the receiver
    c. locating barrier type buildings parallel to the source
    d. orienting residences away from the noise
14. when they are the only ones associated with the project
15. a. is the separation between the source and receiver great enough
    b. If a noise compatible building is being used as a barrier is it tall and long enough?
16. Building orientations which trap noise and cause it to reverberate off building walls. This would include shapes where a court is open to the source or where a series of buildings are arranged perpendicular to the source.
17. The STC rating is equal to the number of decibels a sound is reduced as it passes through a material.
18. A high STC rating is better.
19. The STC ratings were originally intended primarily for use with interior partitions and for noise such as speech, radios, television.
20. Recognize that the STC rating may overstate the effectiveness of the materials by 2-3db.
21. Any of the 9 below:
    a. increase the mass and stiffness of the wall
    b. use cavity partitions
    c. increase the width of the airspace
    d. increase the spacing between studs
    e. use staggered studs
    f. use resilient materials to hold the studs and finish materials together
    g. use of dissimilar layers (leaves)
    h. add acoustical blankets
    i. seal cracks and edges
22. Any of the 4 below:
    a. close the windows and provide mechanical ventilation
    b. reduce window size
    c. increase glass thickness
    d. install double glazed windows
23. Eliminate them from severely impacted walls

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Chapter 5

Noise Assessment Guidelines

U.S. Department of Housing and Urban Development
Office of Policy Development and Research

Noise Assessment Guidelines

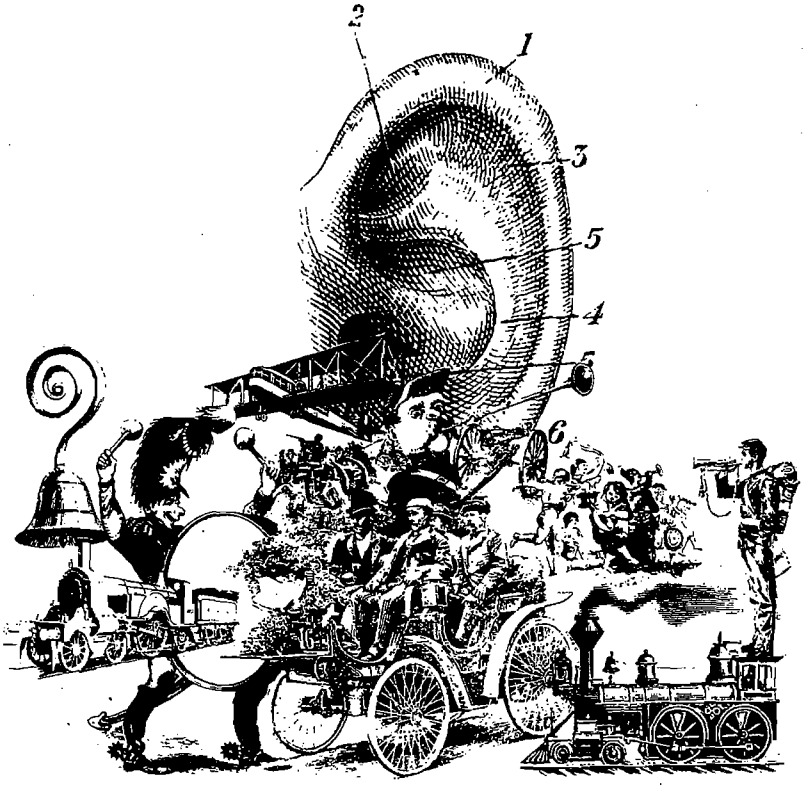

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Noise Assessment Guidelines

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Foreword

In choosing among alternative sites for housing, potential noise problems are prominent among the issues that must be examined. These Noise Assessment Guidelines were developed to provide HUD field staff, interested builders, developers, and local officials with an easy-to-use method of evaluating noise problems with a minimum of time and effort.

We believe that this set of tools will simplify the process of balancing the goal of environmental protection with those of efficiency and reduced housing costs. We hope you will find them useful, and invite your comments.

Benjamin F. Bobo
Acting Assistant Secretary for
Policy Development and Research

Stephen J. Bollinger
Assistant Secretary for
Community Planning and
Development

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Preface

The Department of Housing and Urban Development, in its efforts to provide decent housing and a suitable living environment, is concerned with noise as a major source of environmental pollution and has issued Subpart B on Noise Abatement and Control to Part 51 of Title 24 of the Code of Federal Regulations.

The policy established by Subpart B embodies HUD objectives to make the assessment of the suitability of the noise environment at a site: (1) easy to perform; (2) uniformly applicable to different noise sources; and (3) as consistent as possible with the assessment policies of other Federal departments and agencies. In furtherance of these objectives, the Office of Policy Development and Research has sponsored research to provide site analysis techniques. These *Noise Assessment Guidelines* do not constitute established policy of the Department but do provide a methodology whose use is encouraged by HUD as being consistent with its objectives. The *Guidelines* provide a means for assessing separately the noise produced by airport, highway, and railroad operations, as well as the means for aggregating their combined effect on the overall noise environment at a site.

This booklet has been prepared by Bolt Beranek and Newman Inc., under Contract No. H-2243R for the U.S. Department of Housing and Urban Development. It is a revision of an earlier edition published in August 1971. With the exception of changes made by the Department, the contractor is solely responsible for the accuracy and completeness of the data and information contained herein.

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Introduction

These guidelines are presented as part of a continuing effort by the Department of Housing and Urban Development to provide decent housing and a suitable living environment for all Americans.

The procedures described here have been developed so that people without technical training will be able to assess the exposure of a housing site to present and future noise conditions. In this context, the site may hold only one small building, in which case the noise assessment is straightforward. Larger sites may hold larger buildings, or many buildings, and the noise level may be different at different parts of the site (or building). Assessments of the noise exposure should be made at representative locations around the site where significant noise is expected. These are designated as "Noise Assessment Locations," abbreviated NAL in the following text.

The only materials required are a map of the area, a ruler (straight edge), a protractor and a pencil. Worksheets and working figures are provided separately.

All of the information you need can be easily obtained – usually by telephone. For convenience, this information is listed at the beginning of each section under headings that indicate the most likely source. While you are obtaining this information, be sure to ask about any approved plans for future changes that may affect noise levels at the site – for example: land-use changes, changes in airport runway traffic, widening of roads, and so forth. In all evaluations, you should assess the condition that will have the most severe or most lasting effect on the use of the site.

Wherever possible, you should try to assess noise environments expected at least ten years in the future.

The degree of acceptability of the noise environment at a site is determined by the outdoor day-night average sound level (DNL) in decibels (dB). The assessment of site acceptability is presented first as an evaluation of the site's exposure to three major sources of noise – aircraft, roadways, and railways. These are then combined to assess the total noise at a site. Worksheets are provided at the back of these Guidelines to use in summarizing your evaluations.

The noise environment at a site will come under one of three categories:

Acceptable (DNL not exceeding 65 decibels) The noise exposure may be of some concern but common building constructions will make the indoor environment acceptable and the outdoor environment will be reasonably pleasant for recreation and play.

Normally Unacceptable (DNL above 65 but not exceeding 75 decibels) The noise exposure is significantly more severe; barriers may be necessary between the site and prominent noise sources to make the outdoor environment acceptable; special building constructions may be necessary to ensure that people indoors are sufficiently protected from outdoor noise.

Unacceptable (DNL above 75 decibels) The noise exposure at the site is so severe that the construction cost to make the indoor noise environment acceptable may be prohibitive and the outdoor environment would still be unacceptable.

When measuring the distance from the site to any noise source, measure from the source to the nearest points on the site where buildings having noise-sensitive uses are located. These points define the Noise Assessment Locations for the site. The relevant measurement location for buildings is a point 2 meters (6.5 feet) from the facade.

If at any point during the assessment the site's exposure to noise is found to be Unacceptable or Normally Unacceptable, every effort should be made to improve the condition, e.g., the location of the proposed dwellings can be changed or some shielding can be provided to block the noise from that source.

Where quiet outdoor space is desired at a site, distances should be measured from the important noise sources to the outdoor area in question and the combined noise exposure should be assessed.

Frequently, the locations of dwellings have not yet been specified at the time the noise assessment of a site is made. In these instances, distances used in the noise assessment should be measured as 2 meters less than the distance from the building setback line to the major sources of noise.

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Combining Sound Levels in Decibels

The noise environment at a site is determined by combining the contributions of different noise sources. In these Guidelines, Workcharts are provided to estimate the contribution of aircraft, automobile, truck, and train noise to the total day-night average sound level (DNL) at a site. The DNL contributions from each source are expressed in decibels and entered on Worksheet A. The combined DNL from all the sources is the DNL for the site and is the value used to determine the acceptability of the noise environment.

Sound levels in decibels *are not combined by simple addition!* The following table shows how to combine sound levels:

Table

Difference in Sound Level	Add to Larger Level
0	3.0
1	2.5
2	2.1
3	1.8
4	1.5
5	1.2
6	1.0
7	0.8
8	0.6
9	0.5
10	0.4
12	0.3
14	0.2
16	0.1
Greater than 16	0

Use the table by first finding the numerical difference in sound level between two levels being combined. Entering the table with this value, find the value to be added to the larger of the two levels, add this value to the larger level to determine the total. Where more than two levels are to be combined, use the same procedure to combine any two levels; then use this subtotal and combine it with any other level, and so on. Fractional numerical values may be interpolated from the table; however, the final result should be rounded to the nearest whole number.

ple 1: In performing a site evaluation, arate DNL values for airports, road and railroads have been listed on eet A as 56, 63, and 61 decibels. In complete the final evaluation of the e separate DNL values must be d. The difference between 63 and om the table you find that 0.8 should to 63, for a subtotal of 63.8. The e between 63.8 and 61 is 2.8; from you interpolate that approximately be added to 63.8 for a total of 65.7 when rounded to whole numbers. mple shows how noise from different may be Acceptable, individually, at a hen combined, the total noise en- may exceed the Acceptable DNL decibels.

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Aircraft

Necessary Information

To evaluate a site's exposure to aircraft noise, you will need to consider all airports (civil and military) within 15 miles of the site. The information required for this evaluation is listed below under headings that indicate the most likely source. Before beginning the evaluation, you should record the following information on Worksheet B:

From the FAA Area Office or the Military Agency in charge of the airport:

- Are current DNL or NEF (Noise Exposure Forecast) contours available? Noise contours are available for almost all military airports. These contours have been developed and published as part of the Air Installation Compatible Use Zone (AICUZ) program of the Department of Defense. The contours are published normally as part of an AICUZ report. Noise contours are also available for many civil airports. When available, they are superimposed on a map with an appropriately marked scale (see Figure 1, page 4).
- Any available information about approved plans for runway changes (extensions or new runways).

From the FAA Control Tower or Airport Operations (if DNL or NEF contours are *not* available):

- The number of nighttime jet operations (10 p.m. - 7 a.m.)
- The number of daytime jet operations (7 a.m. - 10 p.m.)
- The flight paths of the major runways.
- Any available information about expected changes in airport traffic, e.g., will the number of operations increase or decrease in the next 10 or 15 years.

In making your evaluation, use the data for the heaviest air traffic condition, whether present or future.

Evaluation of Site Exposure to Aircraft Noise

If current DNL (or NEF) contours are available (as in Figure 1 page 4), locate the site on the map by referring to the marked distance scale. If there are no other noise sources in the area, you do not need to do anything else. If there are other noise sources affecting the site, you will need to find the precise DNL value so you can combine it with the other sources. Obtain the DNL at the appropriate NAL on the site by interpolation between the contours on either side of the NAL. If NEF contours are used, estimate DNL by adding 35 decibels to the NEF values. Note that contours are usually provided in 5 decibel increments. (See Example 2 on page 4.) When supersonic aircraft operations are present, DNL contours are *required* for the assessment.

If DNL or NEF contours are *not* available, the DNL at a site may be estimated in several different ways:

- An FAA Handbook (Reference 1) can be used to estimate DNL contours for sites in general aviation airport vicinities. General aviation airports exclude commercial jet transports but may include business jets.
- A handbook available from EPA (Reference 2 at the back of this Guide) can be used to calculate DNL at individual points.
- A procedure for constructing approximate DNL contours for sites near commercial jet

Figure 1
Example of DNL Contours

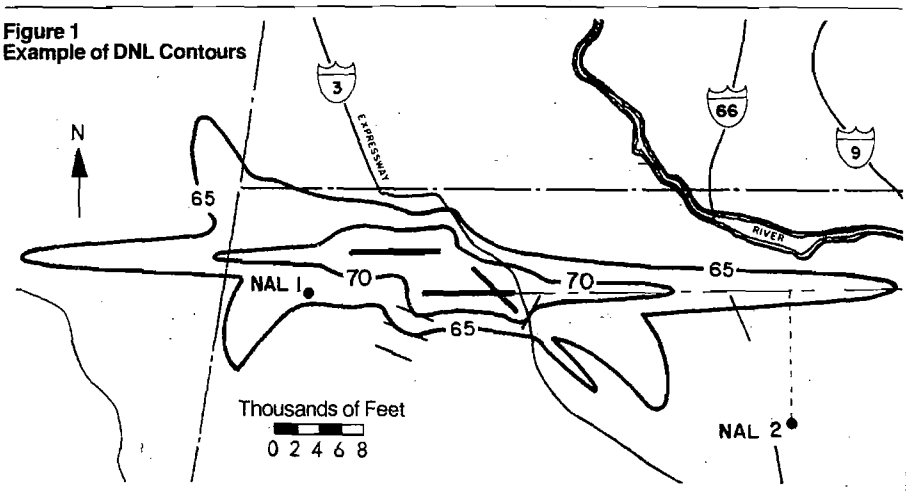

Example 2: The illustration in Figure 1 at the top of page 4 shows the NAL's on a map that has DNL contours. We find that NAL number 1 lies between the 65 and 70 dB contours and that NAL number 2 lies outside the 65 dB contour.

We find the DNL at NAL number 1 by interpolation from the distances between the NAL and the 65 and 70 dB contours.

By scaling off the map, we find that the distance from the NAL, measured perpendicularly to the contours, is 800 feet to the 65 dB contour and 2400 feet to the 70 dB contour. The distance between the 65 and 70 dB contours is 2400 + 800 =3200 feet. We find the DNL at the NAL number 1 to be 65 decibels plus 800/3200 x 5 decibels = 66.3 decibels.

Example 3: The illustration in Figure 2 at the bottom of page 5 shows an airport for which DNL or NEF contours are not available. The airport has 10 nighttime and 125 daytime jet operations.

To construct the approximate contours, we determine the effective number of operations as follows:

10 (nighttime) x 10 = 100

Add to this the actual number of daytime operations:

100 + 125 (daytime) = 225

To determine the distances A and B in relation to the runway (see Figure 3, page 5), enter the effective number of operations on the horizontal scales of the charts in Figure 3:

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airports without supersonic aircraft is as follows:

Determine the "effective" number of jet operations at the airport by first multiplying the number of nighttime jet operations by 10.

Then add the number of daytime jet operations to obtain an effective total (see Example 3, page 4).

On a map of the area showing the principal runways, mark the location of the site and, using the diagram and charts of Figure 3 on page 5, construct approximate DNL contours of 65, 70, and 75 dB for the major runways and flight paths most likely to affect the site. (see Figure 2, page 5.)

Although a site may be Acceptable for exposure to aircraft noise; exposure to other sources of noise, when combined with the aircraft noise, may make the site Unacceptable. Therefore, if necessary, values of aircraft noise exposure less than 65 dB can be estimated from Table 2. Scale the shortest distance D^2 from the NAL to the flight path, as in Figure 2. Scale the distance D^1 from the 65 dB contour to the flight path. Divide D^2 by D^1 and enter this value into the following table to find the approximate DNL at the NAL.

Table 2

D^2/D^1	DNL dB
1.00	65
1.12	64
1.26	63
1.41	62
1.58	61
1.78	60
2.00	59
2.24	58
2.51	57
2.82	56
3.16	55

Figure 3
Charts for Estimating DNL for Aircraft Operations

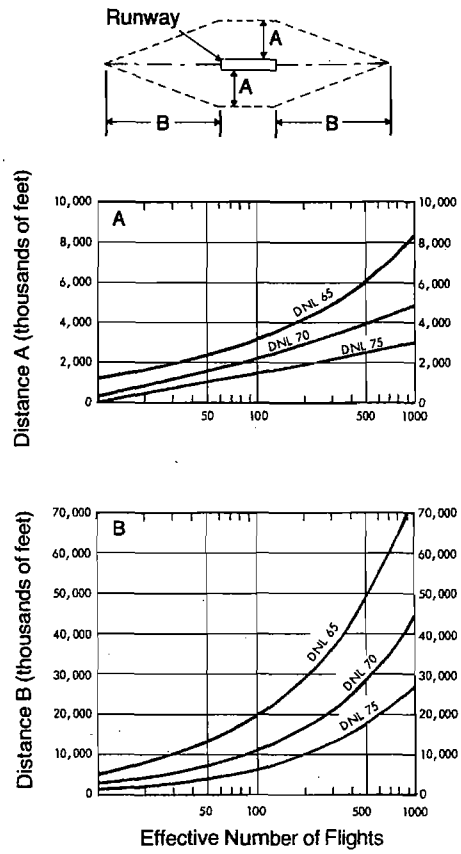

Figure 2
Example of Approximate DNL Contours for an Airport with 225 Effective Number of Operations

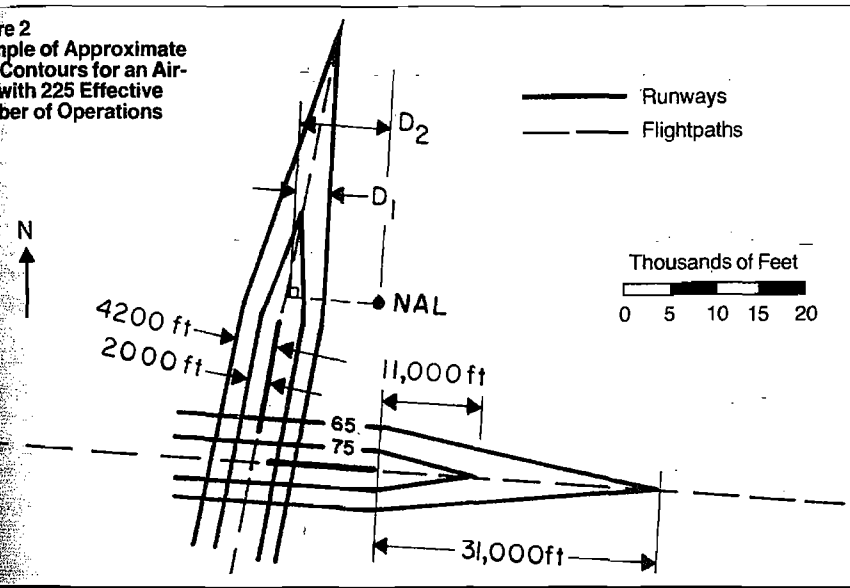

[illegible] up to the DNL curves; read across the [illegible] to the left to obtain distances A and B [illegible] the vertical scales on the charts.

[illegible] we find from Figure 3, for example, that for [illegible] effective operations, distance A is 4200 [illegible] for the 65 dB contour and 2000 feet for [illegible] 75 dB contour. Distance B is 31,000 feet [illegible] the 65 dB contour and 11,000 feet for the [illegible] dB contour.

Example 4a: The NAL shown in Figure 2 is outside the 65 dB contour. The distance D^2 from the NAL to the flight path is 9700 feet. The distance D^1 from the 65 dB contour to the flight path, measured perpendicularly from the contour, is 3700 feet. The ratio D^2/D^1 is 9700/3700 = 2.62. From Table 2 we find the DNL from the airport to be 56.6 dB. We do not know whether the site is Acceptable or not, however, since we must also assess the contribution of roadway and train noise to the total DNL at the site.

Example 4b: We observe that the perpendicular distance (D^2) from NAL number 2 (Figure 1) to the flight path is more than 3 times the distance (D^1) from the 65 dB contour to the flight path. From Table 2 we find that the contribution of the airport to the DNL at NAL number 2 is less than 55 decibels. We need not consider the airport further in accessing the noise environment at this site.

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Roadways

Necessary Information

To evaluate a site's exposure to roadway noise, you will need to consider all roads that might contribute to the site's noise environment; roads farther away than 1000 feet normally may be ignored.

Before beginning the evaluation, determine if roadway noise predictions already exist for roads near the site. Also try to obtain all available information about approved plans for roadway changes (e.g., widening existing roads or building new roads) and about expected changes in road traffic (e.g., will the traffic on this road increase or decrease in the next 10 to 15 years).

If noise predictions have been made, they should be available from the City (County) Highway or Transportation Department. If not, record the following information on page 1 of Worksheet C:

- The distances from the NAL's for the site to the near edge of the nearest lane and the far edge of the farthest lane for each road.
- Distance to stop signs.
- Road gradient, if 2 percent or greater.
- Average speed.
- The total number of automobiles for both directions during an average 24-hour day. Traffic engineers refer to this as ADT, Average Daily Traffic (or sometimes AADT, meaning Annual Average Daily Traffic).
- The number of trucks during an average 24-hour day in each direction.

If possible, separate trucks into "heavy trucks" – those weighing more than 26,000 pounds with three or more axles – and "medium trucks" – those between 10,000 and 26,000 pounds. (Each medium truck is counted as equal to 10 automobiles.) Trucks under 10,000 pounds are counted as automobiles. Count buses capable of carrying more than 15 seated passengers as "heavy" trucks – others, as "medium" trucks. If it is not possible to separate the trucks into those that are heavy and those that are not, treat *all* trucks as though they are "heavy."

Note: If the road has a gradient of 2 percent of more, record the numbers for uphill and downhill traffic separately since these figures will be needed later; otherwise, simply record the total number of trucks. Most often you will have to assume that the uphill and downhill traffic are equally split.

- The fraction of ADT that occurs during nighttime (10 p.m. to 7 a.m.). If this is unknown, assume 0.15 for both trucks and autos.

Evauation of Site Exposure to Roadway Noise

Traffic surveys show that the amount of roadway noise depends on the percentage of trucks in the total traffic volume. To account for this effect, you must evaluate automobile and truck traffic separately and then combine the results.

The noise environment at each site due to traffic noise is determined by utilizing a series of Workcharts to define the contribution of automobiles and trucks from one or more roads at that site. Each noise source yields a separate DNL value.

Workchart 1 provides a graph for assessing a site with respect to the noise from automobiles, light and medium trucks; Workchart 2 provides a similar graph for assessment of heavy truck noise. These values are combined for each road affecting the noise environment at the site to obtain the total contribution of roadway noise. Remember, the noise from aircraft and railways must also be considered before determining the suitability of this site's noise environment.

Effective Distance

Before proceeding with these separate evaluations, however, determine the "effective distance" to each road from the dwelling or outdoor residential activity (the NAL's for the site) by averaging the distances to the nearest edge of the nearest lane and to the farthest edge of the farthest lane of traffic. (See Example 5, page 6, and Figure 4, page 7.)

Note: For roads with the same number of lanes in both directions, the effective distance is the distance to the center of the roadway (or median strip, if present).

Automobile Traffic

Workchart 1 was derived with the following assumptions:

- There is line-of-sight exposure from the site to the road; i.e., there is no barrier which effectively shields the site from the noise of the road.
- There is no stop sign within 600 feet of the site; traffic lights do not count because there is usually traffic moving on one street or the other.
- The average automobile traffic speed is 55 mph.
- The nightime portion of ADT is 0.15.

If each road meets these four conditions, proceed to Workchart 1 for the evaluation. Enter the horizontal axis with the effective distance from the roadway to the NAL; draw a vertical line upward from this point. Enter the vertical axis with the effective automobile ADT; draw a horizontal line across from this point. (The "effective" automobile ADT is the sum of automobiles, light trucks, and 10 times the number of medium trucks in a 24-hour day.) Read the DNL value from Workchart 1 where the vertical and horizontal lines intersect. Record this value in column 16, Worksheet C.

But:

If any of the four conditions is different, make

Example 5: The site shown in Figure 4 is exposed to noise from three major roads: Road No. 1 has four lanes, each 12 feet wide, and a 30-foot wide median strip which accommodates a railroad track. Road No. 2 has four lanes, each 12 feet wide. Road No. 3 has six lanes, each 15 feet wide, and a median strip 30 feet wide.

The distance from NAL No. 1 to the near edge of Road No. 1 is 300 feet. The distance to the far edge of Road No. 1 is 300 feet, plus the number of lanes times the lane width, plus the width of the median strip. Thus, the distance to the farthest edge of the road is:

$$300 + (4 \times 12) = 378 \text{ ft}$$

The effective distance is

$$\frac{378 + 300}{2} = 339 \text{ ft}$$

This is the value to be entered on line 1c of Worksheet C. The effective distances from the appropriate NAL's to Road No. 2 and Road No. 3 are found by the same method.

The distances shown in Figure 4 will be used for all roadway examples in this booklet.

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Figure 4
Plan View of Site showing How Distance Should Be Measured from the Noise Assessment Location (NAL) of the Dwelling Nearest to the Source

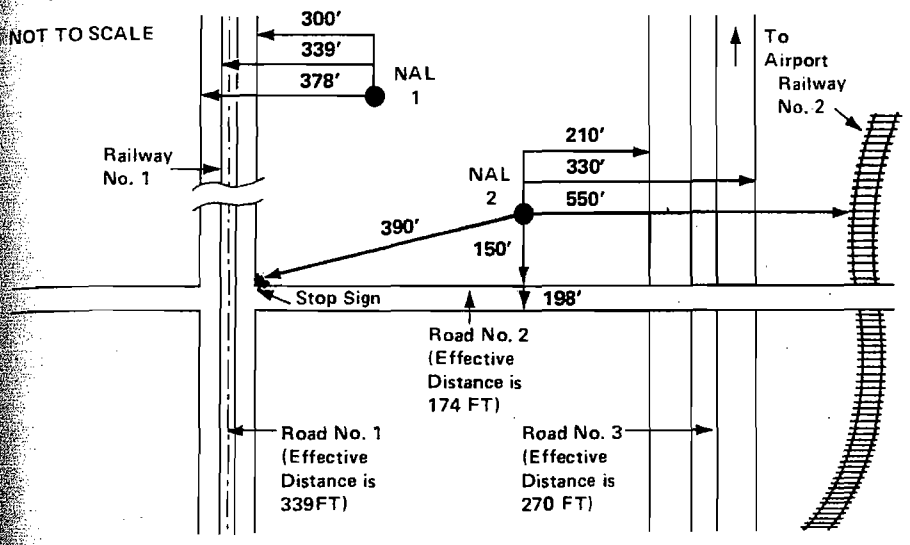

the necessary adjustments (on page 2, Worksheet C) listed below and *then* use Workchart 1 for the final evaluation.

First, a few general words about adjustments as they are applied in these Guidelines. Each Workchart has been derived for a baseline condition which is often found in practical cases. Where conditions differ from the baseline, they are accounted for by a series of one or more adjustment factors.

The adjustment factors are used as multipliers times the average number of vehicles operating during a 24-hour day. If more than one adjustment is required, it is not necessary that each be multiplied times the basic traffic flow separately; all adjustment factors are multiplied together, and them multiplied times the original traffic flow data. This will become clearer as you examine the Worksheets at the back of these Guidelines and work through the examples. After you have become familiar with the Guidelines, you will be able to work examples directly from the worksheets without referring back to the text. To simplify your work, all the adjustment factors are summarized at the back of these Guidelines.

Figure 5
Use of Workchart 1 To Evaluate Automobile Traffic Noise

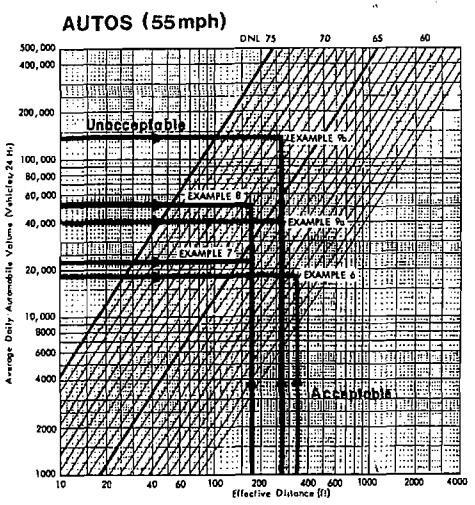

Adjustments for Automobile Traffic

Stop-and-Go Traffic:
If there is a stop sign (not a traffic signal) within 600 feet of the NAL so that the flow of traffic is completely interrupted on the road under consideration, find the stop-and-go adjustment factor for automobiles from Table 3. Enter this value in column 9 on Worksheet C.

Table 3

Distance from NAL to Stop Sign In Feet	Automobile Stop-and-Go Adjustment Factor
0	0.10
100	0.25
200	0.40
300	0.55
400	0.70
500	0.85
600	1.00

Average Traffic Speed:
If the average automobile speed is other than 55 mph, enter the appropriate adjustment from Table 4 in column 10 of Worksheet C.

Table 4

Average Traffic Speed	Auto Speed Adjustment Factor
20 (mph)	0.13
25	0.21
30	0.30
35	0.40
40	0.53
45	0.67
50	0.83
55	1.00
60	1.19
65	1.40
70	1.62

Example 6: Road No. 1 meets the four conditions that allow for an immediate evaluation. Obtaining the information necessary for this evaluation, it was found that the automobile ADT is 18,000 vehicles (Line 5c of Worksheet C). On Workchart 1 we locate on the vertical scale the point representing 18,000 and on the horizontal scale the point representing 339 feet (see Figure 5). (Note that we must estimate the location of this point.) Using a straight-edge we draw lines to connect these two values and find that the [illegible] exposure to automobile noise from this road is a DNL of 58 dB, as read from the scale at the top of the graph.

Example 7: Road No. 2 has a stop sign at 390 feet from NAL No. 2. The automobile ADT is reported as being 32,500 vehicles (line 5c of Worksheet C). From Table 3 we interpolate between 300 and 400 feet to find the adjustment factor for stop-and-go traffic to be 0.69. The adjusted traffic ADT is

0.69 × 32,500 = 22,425 vehicles per day

and with an effective distance of 174 feet from NAL No. 2, we find from Workchart 1 that the approximate value of DNL is 64 dB.

Example 8: Suppose that the stop sign on Road No. 2 were replaced by a traffic signal for which no stop-and-go adjustment is made and that the ADT increases to 75,000 vehicles. In addition, assume that the average speed is 45 mph instead of 55 mph. You adjust the new automobile ADT of 75,000 vehicles by the Auto Speed Adjustment Factor from Table 4

0.67 × 75,000 = 50,250 vehicles

and at an effective distance of 174 feet find from Workchart 1 that the approximate value of DNL is 67 dB.

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Nightime Adjustment.

DNL values are affected by the proportion of traffic volume that occurs during "daytime" (7 a.m. to 10 p.m.) and "nighttime" (10 p.m. to 7 a.m.). The graph on Workchart 1 assumes that 15 percent of the total ADT occurs during nighttime. If a different proportion of the traffic occurs at night, find the appropriate nighttime adjustment factor from Table 5. Record your answer in column 11 of Worksheet C.

Table 5

Nighttime Fraction of ADT	Nighttime Adjustment Factor
0	0.43
0.01	0.46
0.02	0.50
0.05	0.62
0.10	0.81
0.15	1.00
0.20	1.19
0.25	1.38
0.30	1.57
0.35	1.77
0.40	1.96
0.45	2.15
0.50	2.34

Once you have selected all the appropriate adjustment factors and entered them on page 2 of Worksheet C, multiply all the factors together, then multiply by the automobile ADT (column 12) for 24 hours, found on page 1 of Worksheet C. The resulting adjusted ADT should be entered in column 13. This is the ADT value to be used, in conjunction with the effective distance from the NAL to the road, to find the DNL value from Workchart 1. Enter this DNL value in column 14 of Worksheet C. Remember this is the DNL from automobile (as well as light and medium truck) noise; you must still find the DNL contribution from heavy truck noise in order to obtain the total DNL produced by the roadway you are assessing.

Attenuation of Noise by Barriers:

This adjustment reduces the noise produced by automobiles and trucks on the same road. Instructions for this adjustment appear after the noise assessment for truck traffic below.

Truck Traffic

Wherever possible, separate the average daily volume of trucks into heavy trucks (more than 26,000 pounds vehicle weight and three or more axles); medium trucks (less than 26,000 pounds but greater than 10,000 pounds), light trucks (counted as if they are automobiles). You should already have accounted for medium and light trucks in your automobile evaluation. Do not forget that buses that can carry more than 15 seated passengers are counted as heavy trucks. Heavy trucks (including buses) must be analyzed separately because they have quite different noise characteristics. If it is not possible to separate the trucks into those that are heavy and those that are not, treat *all* trucks as though they are "heavy."

Workchart 2, which is used to evaluate the site's exposure to heavy truck noise, was derived with the following assumptions:

- There is line-of-sight exposure from the site to the road; i.e., there is no barrier which effectively shields the site from the road noise.
- The road gradient is less than 2 percent.
- There is no stop sign (traffic signals are permissible) within 600 feet of the site.
- The average truck traffic speed is 55 mph.
- The nighttime fraction of ADT is 0.15.

If the road meets these five conditions, proceed to Workchart 2 for an immediate evaluation of the site's exposure to heavy truck noise from that road.

But:

If any of the conditions is different, make the necessary adjustment(s) listed below and *then* use Workchart 2 for the evaluation.

Figure 6.
Use of Workchart 2 to Evaluate Heavy Truck Noise

Heavy Trucks (55 mph)

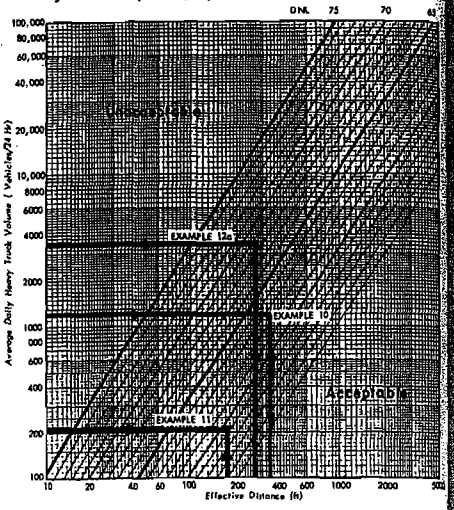

Adjustments for Heavy Trucks

Road Gradient:

If there is a gradient of 2 percent or more, find the appropriate adjustment factor, for heavy trucks going uphill only, as shown in Table 6. List this factor in column 17 of Worksheet C.

Table 6

Percent of Gradient	Adjustment Factor
2	1.4
3	1.7
4	2.0
5	2.3
6 or more	2.5

Example 9a: Road No. 3 is a limited access highway with no stop signs and the average speed is 55 mph. Current traffic data indicate an automobile ADT of 40,000 vehicles of which 15 percent occurs during nighttime hours (10 p.m. to 7 a.m.). With an effective distance of 270 feet to NAL No. 2, Workchart 1 is used to show that the DNL for existing automobile traffic is between 63 and 64 dB. Round off to 64 dB.

Example 9b: However, traffic projections estimate that in 10 years the ADT will increase to 100,000 vehicles at an average speed of 55 mph and nighttime usage will increase to 25 percent. For future traffic, you must adjust the future ADT of 100,000 for the effect of increased nighttime use. From Table 5, you find an adjustment factor of 1.38. The adjusted ADT is

$$1.38 \times 100{,}000 = 138{,}000$$

and at an effective distance of 270 feet you find from Workchart 1 that the DNL will increase to 69 dB; therefore, provision for extra noise control measures should be explored. We will examine in Example 13 the effect of terrain as a shielding barrier that provides sound attenuation.

Example 10: Road No. 1 on Figure 4 meets the four conditions that allow for an immediate evaluation. The ADT for heavy truck flow is 1200 vehicles. Workchart 2 shows that the exposure to truck noise from this road at an effective distance of 339 feet is a DNL of 63 dB at NAL No. 1.

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Average Traffic Speed:

Make this adjustment if the average speed differs from 55 mph. If the average truck speed differs with direction, treat the uphill and downhill traffic separately. Select the appropriate adjustment factors from Table 7 below, entering them in column 18 of Worksheet C.

Table 7

Average Traffic Speed MPH	Heavy Truck Speed Adjustment Factor
50 or less	0.81
55	1.00
60	1.17
65	1.38

Once you have found the speed adjustment factor, you can combine the uphill and downhill traffic. For uphill traffic, multiply the gradient factor times the speed adjustment factor times uphill traffic volume (truck ADT column 19) (assuming one half the total 24-hour average number of trucks unless specific information to the contrary exists), entering the product in column 20. Multiply the speed adjustment factor for downhill traffic times the downhill traffic volume (truck ADT/2 column 19). Add the values for uphill and downhill traffic, entering this sum in column 21. You may now complete the assessment of heavy truck noise without regard to uphill and downhill traffic separation.

Stop-and-Go Traffic:

If there is a stop sign (remember, not a traffic signal) within 600 feet of an NAL for the site on the road being assessed, find the adjustment factor determined according to Table 8. Enter it in Column 22 of Worksheet C.

Table 8

Heavy Truck Traffic Volume per Day	Heavy Truck Stop-and-Go Adjustment Factor
Less than 1200	1.8
1201 to 2400	2.0
2401 to 4800	2.3
4801 to 9600	2.8
9601 to 19,200	3.8
More than 19,200	4.5

Nighttime Adjustment

After all the above adjustments are made, do not forget to adjust for nighttime operations if they are not 15 percent of the total ADT, using the factors obtained from Table 5 just as for automobiles. Enter this value in column 23 of Worksheet C.

At this point, multiply the adjustment factors for nighttime and stop-and-go traffic times the heavy truck traffic volume in column 21 to find the adjusted heavy truck ADT, entering the product in column 24. Use this value and the effective distance from the NAL to the road to find the truck DNL from Workchart 2, entering your answer in column 25 of Worksheet C. If no shielding barriers are to be considered, combine the DNL from heavy trucks with the DNL from automobiles (column 14). The result is the DNL from the road being assessed and should be entered on Worksheet C.

But:

If a shielding barrier is to be considered for the site, make the analysis described below separately for automobiles and then for heavy trucks *before* combining the DNL values. This step is necessary since barriers are far more effective for automobiles than for heavy trucks. Once you have found the amount of attenuation provided by the barrier for automobiles, enter it in column 15. Find the value of barrier attenuation for heavy trucks and enter it in column 25. Subtract these attenuation values from the DNL values obtained previously (columns 14 and 24), entering the reduced DNL values in columns 16 and 27. Combine the automobile and heavy truck DNL values, reduced by the attenuation provided by the barrier, to find the final DNL produced by the roadway at the site.

Remember to combine the contributions to DNL of *all* roads that affect the noise environment at each NAL for the site to obtain the total DNL from all roadways. Enter this DNL on both Worksheet C and the summary Worksheet A.

Attenuation of Noise by Barriers

Noise barriers are useful for shielding sensitive locations from ground level noise sources. For example, a barrier may be the best way to deal with housing sites at which the noise exposure is not acceptable because of nearby roadway traffic.

A barrier may be formed by the road profile, by a solid wall or embankment, by a continuous row of noise-compatible buildings, or by the terrain itself. To be an *effective* shield, however, the barrier must block all residential levels from line of sight to the road; it must not have any gaps that would allow noise to leak through.

Some Preliminary Matters:

In evaluating noise barrier performance, you will be working with different kinds of "distances" between the sound source, the observer, and the barrier.

Actual Distance – the existing distance that would be measured using a tape measure with no corrections or adjustments. This may mean one of two things, *depending on the application;* either the:

- *slant distance* – the actual distance,

Example 11: Road No. 2 has a stop sign at 390 feet from NAL No. 2. There is also a road gradient of 4 percent. No heavy trucks are allowed on this road, but a schedule shows an average of 12 large buses pass along the road per hour between 7 a.m. and 10 p.m., although no buses are scheduled during the remaining nighttime period. The buses are equally divided in each direction along the road. (Remember large buses, those that carry over 15 seated passengers, count as heavy trucks.)

We find the ADT for the "heavy trucks" (the buses in this case) by multiplying the average number of vehicles per hour by the number of hours between 7 a.m. and 10 p.m. That is, 12 x 15 = 180, or 90 vehicles in each direction. We find from Table 6 that the gradient adjustment factor for uphill traffic is 2.0. We find the truck volume adjusted for gradient is

uphill:	*90 x 2.0 = 180*
downhill:	*= 90*
total (column 21)	*= 270 vehicles*

From Table 8, we find the adjustment factor for stop-and-go traffic to be 1.8.

We also remember that we have no buses in the nighttime period and find the factor in Table 5 on page 8 for zero nighttime operations to be 0.43.

Our final adjusted ADT is (column 24)

1.8 x 0.43 x 270 = 209 Vehicles

From Workchart 2, with an effective distance of 174 feet, we find a DNL of 59 dB.

Example 12a: Road No. 3 is a depressed highway and the profile shields all residential levels of the housing from line of sight to the traffic. The average truck speed is 50 mph. The ADT for heavy trucks is 4400 vehicles. We adjust for average speed (from Table 7)

4400 x 0.81 = 3564

and find from Workchart 2 that, with an effective distance of 270 feet, the DNL from truck noise would be 69 dB if no barrier existed. We proceed to analyze the barrier attenuation.

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measured along the line of sight between two points; or the

- *map distance* – the actual distance, measured on a horizontal plane, between the two points, as on a map or on the project plan.

For an observer high in an apartment tower, the slant distance to the road may be much longer than the map distance.

Barrier effectiveness is expressed in terms of noise attenuation in decibels (dB), determined with the aid of Workchart 6. This numerical value is subtracted from the previously calculated DNL in order to find the resultant DNL at the Noise Assessment Location.

Note: A noise barrier can be considered as a means of protecting a site from noise even if it cannot wrap around the site to shield from view practically all of the source of noise at every sensitive location on the site. It must be recognized, however, that such a barrier is much less effective than an ideal barrier. (See Workchart 7 and Step 6 below.)

Barriers of reasonable height cannot be expected to protect housing more than a few stories above ground level. Barriers will generally protect the ground and the first two or three floors, but not the higher floors. If there are to be frequently occupied balconies on the upper levels, one solution is to move the building farther from the noise source and face the sensitive areas away from the noise.

Steps to Evaluate a Barrier

1. For the observer's position, use the mid-height of the highest residential level. For the source position, use the following heights (see Figure 7):

- autos, medium trucks, railway cars – the road or railway surface height
- heavy trucks – 8 feet above the road surface
- diesel locomotives or trains using horns or whistles at grade crossings – 15 feet above the rails.

Figure 7.
Source Heights to Be Used in Roadway Barrier Designs

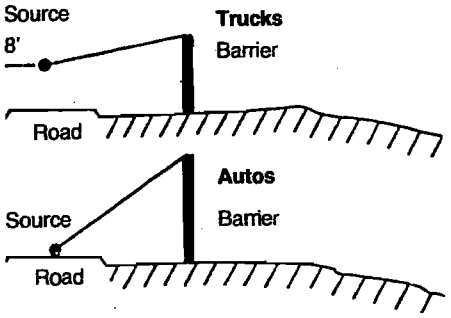

Get accurate values for the following quantities: h, the shortest distance from the barrier top to the line of sight from source to observer; R and D, the slant distances along the line of sight from the barrier to the source and observer, respectively (see Figure 8).

Figure 8.
Generalized Geometry of Acoustical Barrier

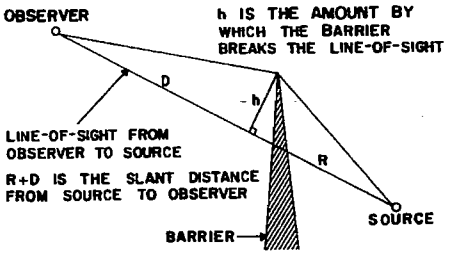

Specifically, R and D are the two segments into which h breaks the line of sight. Note that h is *not* the height of the barrier above the ground but the distance from the barrier top to the line of sight.

2. Enter at the top of Workchart 6 with the value of h on the left-hand scale; move right to intersect the curve corresponding to R (or D, whichever is *smaller*).

3. Move down to intersect the curve corresponding to the value of D/R (or R/D, whichever is *smaller*).

4. Move right to intersect the vertical scale in order to find the barrier shielding value A in decibels.

5. Interruption of the line of sight with a barrier between the noise source and an observer reduces the amount of sound attenuation provided by the ground. Find the amount of this loss B from the table on Workchart 6 by entering the table with the value of D/R. Find the barrier attenuation value S corresponding to an ideal barrier that completely hides the noise source from view by subtracting B from the value of A obtained in Step 4.

6. If the barrier exists along only a part of the road so that unshielded sections of the road would be visible from the site, the barrier is less effective than an ideal barrier. On a plan view of the site, locate the two ends of the barrier and draw lines from these points to the Noise Assessment Location. Use a protractor to measure the angle formed at the NAL by the two lines. Enter the horizontal scale of Workchart 7 with the values of this angle; read up to the curve having the value of S determined from Step 5 (interpolating if necessary); read left across to the vertical scale labeled "actual barrier performance" to find the value of FS to use for the actual barrier in question.

7. Subtract the barrier attenuation value S (or FS if adjusted for finite barrier length according to Workchart 7) from the value of DNL previously determined to reevaluate the site with the noise barrier in place.

Example 12b: (Refer to Figure 9.) Six stories are planned for the housing where the site has an elevation of 130 feet. The effective elevation for the highest story is found by multiplying the number of stories by 10 feet, adding the site elevation, and subtracting 5 feet.

$(6 \times 10) + 130 - 5 = 185$ *feet*

The barrier, which in this case is formed by the road profile, has no "height" other than the elevation of the natural terrain above the noise sources traveling on the roadway. The important dimensions are indicated in Figure 9.

Some people with a technical background will be able to fit the geometric diagram to the site situation readily, working from the project drawings and a scratch sheet.

But if you are *not* confident of your geometry, Workchart 5 gets you the values of R, D, and h from the map distances and elevations of the site. We illustrate that procedure in this example.

First, enter the elevations of the source (S), the observer (O), and the top of the barrier (H), as well as the map distances from the barrier to the source (R') and observer (D'), at the top right of Workchart 5. Then, follow the steps on that Workchart to derive the values of h, R, and D that are needed in using Workchart 6.

Entering Workchart 6 at the upper left with the value of h (5.5 feet), we move horizontally

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Figure 9.
Detail of Site Showing Measurements Necessary for a Barrier Adjustment

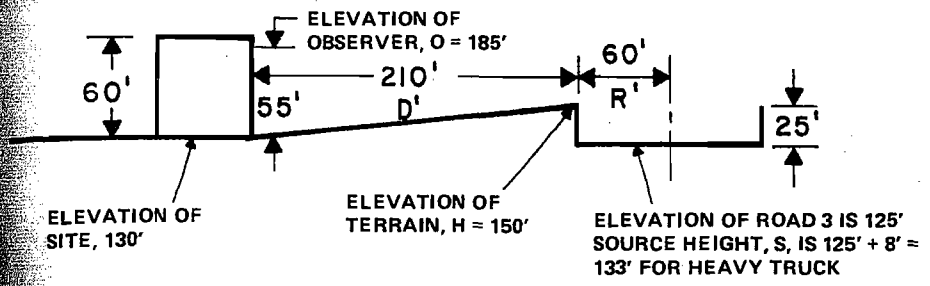

Figure 10.
Use of Workchart 5 to Determine Barrier Dimensions in Example 12b

Workchart 5
Noise Barrier
(Find R, D and h from Site Elevations and Distances

Enter the values for:
H= 150 R'= 60
S= 133 D'= 210
O= 185

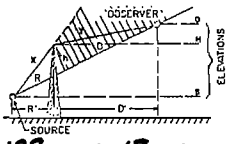

Fill out the following worksheet (all quantities are in feet):

Elevation of barrier top minus elevation of source	[11 150] − [5 133]	= [1 17]	
Elevation of observer minus elevation of source	[0 185] − [5 133]	= [2 52]	
Line distance between source and observer (R' + D')		[3 270]	
Line distance between barrier and source (R')		[4 60]	
Line 2 divided by line 3	[2 52] ÷ [3 270]	= [5 0.19]	
Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 0.19] × [5 0.19]	= [6 0.04]	
0.4 times line 6	[0.4] × [6 0.04]	= [7 0.016]	
1.0 minus line 7	[1.0] − [7 0.016]	= [8 0.984]	
0.19 times line 4 (will be negative if line 2 is negative)	[5 0.19] × [4 60]	= [9 11.4]	
17 minus line 9	[1 17] − [9 11.4]	= [10 5.6]	
5.6 times line 8	[10 5.6] × [8 0.984]	= [11 5.5]	= h
0.19 times line 10	[5 0.19] × [10 5.6]	= [12 1.06]	
60 divided by line 8	[4 60] ÷ [8 0.984]	= [13 61]	
61 plus line 12	[13 61] + [12 1.06]	= [14 62]	= R
270 minus line 4	[3 270] − [4 60]	= [15 210]	
210 divided by line 8	[15 210] ÷ [8 0.984]	= [16 213]	
213 minus line 12	[16 213] − [12 1.06]	= [17 212]	= D

Value on line 2 may be negative, in which case the values on lines 5, 9, and 12 will be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x + y.

Round off R and D to nearest integer. h to one decimal place

Figure 11.
Use of Workchart 6 to Evaluate Barrier in Examples 12b, 13 and 14

Noise Barrier Workchart 6

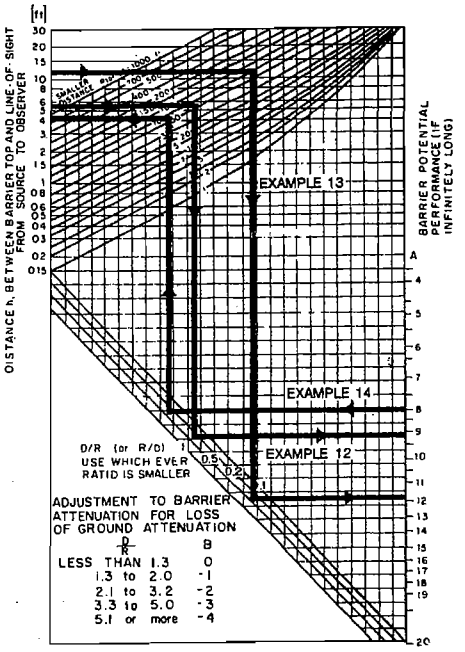

right until we meet the value of R or D, ever is smaller: in this example, R = 62 rom that point we drop vertically down- until we meet the value of R/D or D/R, ever is smaller: in this case, R/D = rom that point, move horizontally to t to find the value for A = 9 dB. Enter- table for determining loss of ground tion effect due to the barrier with a of D/R of 3.5, the reduction in tion (B) is found to be 3 dB. cting 3 dB from 9 dB provides a net tion of 6 dB. With 6 dB of attenuation, nal DNL of 69 dB (Example 12a) is to 63 dB.

Example 13: An alternative approach, which is somewhat more direct, is illustrated here for the noise of automobiles on Road No. 3.

A preliminary step is to make an accurately scaled sketch of the general geometry introduced on page 8. It must include the positions of the source (this time at the road surface), the observer, and the top of the barrier; and will show the distances h, R, and D. Such a sketch is shown superimposed on the profile of the road and its neighborhood in Figure 12.

If we carefully scale the dimensions directly from this sketch, we find the following values for h, R, and D:

R=63 feet

R/D=0.3

D=214 feet

h=11 feet

The barrier attenuation is found, by entering Workchart 6 with these values, to be A=12 dB. It is larger than that found for trucks because the noise source is lower and is, therefore, better shielded by the barrier. The loss from ground attenuation is again B=3 dB for a net attenuation of 12 - 3 = 9 dB. In Example 9b, we found that the DNL

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Figure 12.
Sketch Showing Dimensions for Example 13

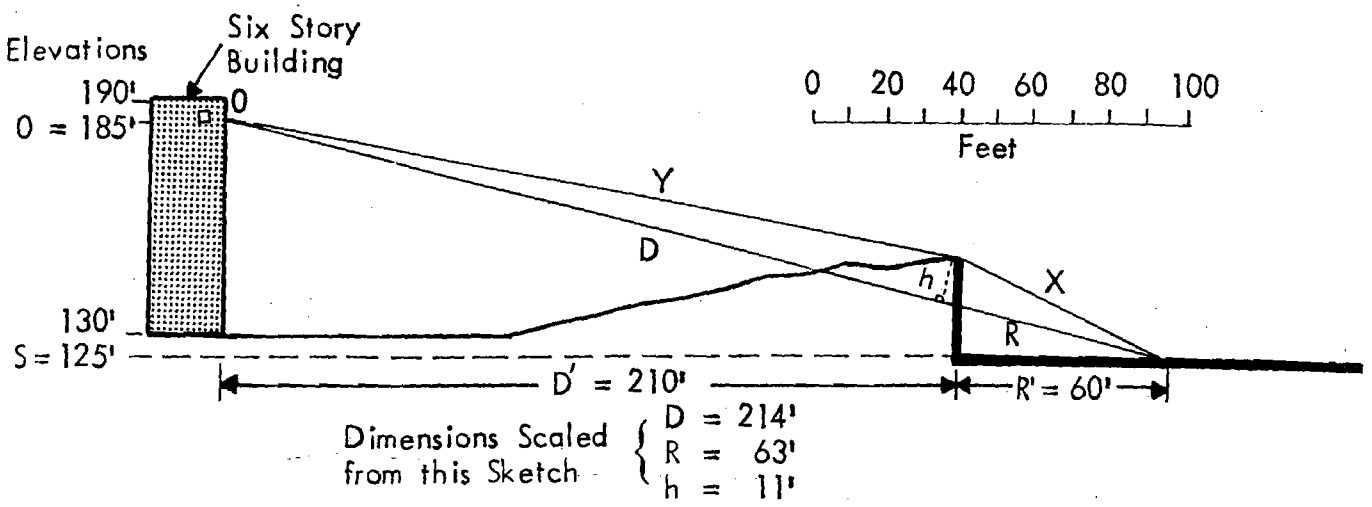

for the projected traffic volume of 100,000 vehicles per day was 69 dB if no consideration was given the shielding provided by the terrain. Subtracting the 9 dB attenuation from 69, we find the partial DNL for automobiles is 60 dB.

In order to find the combined truck and automobile noise for Road No. 3, we combine the 63 dB of truck noise with the 60 dB of automobile noise using Table 1. We find that 1.8 should be added to 63 dB, for a combined DNL of 64.8 dB, or 65 dB when rounded to the nearest whole number.

Example 14: Where no natural barrier exists, Workchart 6 can be used in reverse to estimate the height of a barrier needed to obtain a required attenuation. In example 9b we found that, without any attenuation from terrain or a barrier, the automobile traffic produced a DNL of 69 dB, and in Example 12a the heavy truck traffic produced a DNL of 69 dB. When combined, the total DNL is 72 dB. Suppose the terrain were not rising between NAL and Road No. 3, as shown in Figure 12, but instead was level between the NAL and the edge of the road, as shown in Figure 13. We want to find out how high a wall, infinite in length, would be required at the edge of the road to reduce the combined truck and automobile noise to less than 65 dB. We have found in the previous examples that a barrier of a given height will provide more attenuation for automobiles than it will for trucks. As a first step in our analysis, we will find the height of a wall that will reduce the truck noise to just below 65 dB, say 64 dB, and then find out whether the additional attenuation it provides for automobile noise will be sufficient to reduce the combined truck and automobile noise to less than 65 dB. We begin by finding the height of wall that will provide 5 dB attenuation for truck noise.

We estimate that the ratio of R/D is about the same as R'/D', the ratio of horizontal distance in Figure 13, which is equal to 0.29. Before entering Workchart 6, we find from the loss of ground attenuation table that for D/R = 3.4 we will lose 3 dB attenuation from an ideal barrier. In order to have a net attenua-

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Figure 13.
Sketch Showing Dimensions for Example 14

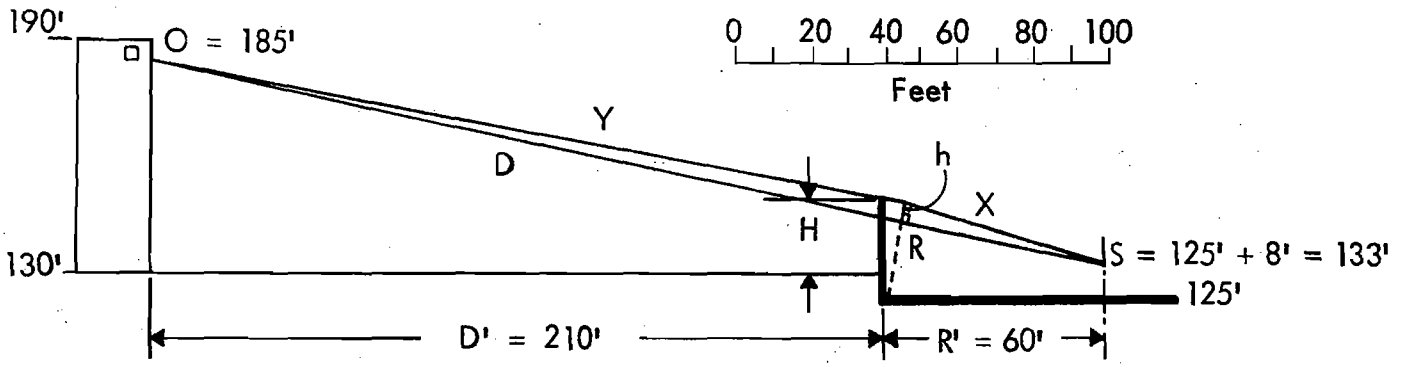

tion of 5 dB, we must have an ideal barrier that provides 5 + 3 = 8 dB attenuation.

Entering Workchart 6 on the right side scale A at 8 decibels, we move across to the diagonal lines, finding 0.29 by interpolating between the lines marked at 0.2 and 0.5. Moving directly up to a point midway between the R lines of 50 and 70, we find our estimated R of approximately 60. Moving across to the left we find that the line of sight between the observer and the truck source height must be broken by a value of h equal to 4.5 feet.

We can determine the height of the wall H in several ways. By drawing h=4.5 feet to scale on Figure 13, we can scale the total wall height H to be approximately 20 feet. Those who feel comfortable with geometry can calculate H by using the similar triangle relationships in Figure 13 to determine that H is 19.1 feet.

Now we must find how much a wall 19 feet high will attenuate automobile noise, remembering that the source height for automobiles is at the road surface elevation of 125 feet. By scaling the drawing, or by geometry, we determine that the line of sight between the observer position and the automobile source is broken by a value of h that is approximately 13 feet. Entering Workchart 6 at 13 feet we find, for R=60 feet and R/D=0.29, that the potential barrier attenuation is 12dB. We must reduce this by 3 dB for loss of ground attenuation to find the actual shielding of automobile noise to be 9 dB. The original 69 dB of automobile noise is reduced to 69 - 9 = 60 dB.

Finally, we combine the heavy truck noise, attenuated by the wall to 69 - 5 = 64 dB, with the automobile noise reduced to 60 dB, to find a combined DNL of 65.5 dB, or 66 dB when rounded upward. Remember, however, that this is for an infinite wall. Further adjustments would have to be made once the actual length was known.

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Necessary Information

To evaluate a site's exposure to railway noise, you will need to consider all rapid transit lines and railroads within 3000 feet of the site (except totally covered subways). The information required for this evaluation is listed below under headings that indicate the most likely source.

Before beginning the evaluation, you should record the following information on Worksheet D:

From the area map and/or the (County) Engineer:

- The distance from the appropriate NAL on the site to the center of the railway track carrying most of the traffic.

From the Supervisor of Customer Relations for the railway:

- The number of diesel trains and the number of electrified trains in both directions during an average 24-hour day.
- The fraction of trains that operate during nighttime (10 p.m. - 7 a.m.) If this is unknown, assume 0.15.
- The average number of diesel locomotives per train. If this is unknown, assume 2.
- The average number of railway cars per diesel train and per electrified train. If this is unknown, assume 50 for diesel trains and 8 for electrified trains.
- The average train speed. If this is unknown, assume 30 mph.
- Is the track made from welded or bolted rails?

From the Engineering Department of the railway:

- Is the site near a grade crossing that requires prolonged use of the train's horn or whistle? if so, where are the whistle posts located? (Whistle posts are signposts which tell the engineer to start blowing the horn or whistle. Every grade crossing has whistle posts and they are listed on the railroad's "track charts." If traffic on the track is one-way, there will be only one whistle post. The grade crossing itself is the other "whistle post."

Electrified rapid transit and commuter trains that do not use diesel engines should be treated the same as railway cars.

Note: Buildings closer than 100 feet to a railroad track are often subject to excessive vibration transmitted through the ground. Construction at such sites is discouraged.

Evaluation of Site Exposure to Railway Noise

Railway noise is produced by the combination of diesel engine noise and railway car noise. These Guidelines provide for the separate evaluation of diesel locomotives and railroad cars, and then the combination of the two, in order to obtain the DNL from trains. When rapid transit or electrified trains that do *not* use diesel engines are the only trains passing near a site go directly to the second part of the evaluation since these trains are treated in the same manner as railway cars.

Diesel Locomotives

Workchart 3 was derived with the following assumptions:

- A clear line of sight exists between the railway track and the Noise Assessment Location.
- There are two diesel locomotives per train.
- The average train speed is 30 mph.
- Nighttime operations are 0.15 of the 24-hour total.
- The site is not near a grade crossing requiring prolonged use of the train's horn or whistle.

If the situation meets these conditions, proceed to Workchart 3 for an immediate evaluation of diesel locomotive noise.

But:

If any of the conditions is different, make the necessary adjustments listed below and *then* use Workchart 3 for the evaluation.

Figure 14.
Use of Workchart 3 to Evaluate Diesel Locomotive Noise

Railroads – Diesel Locomotives

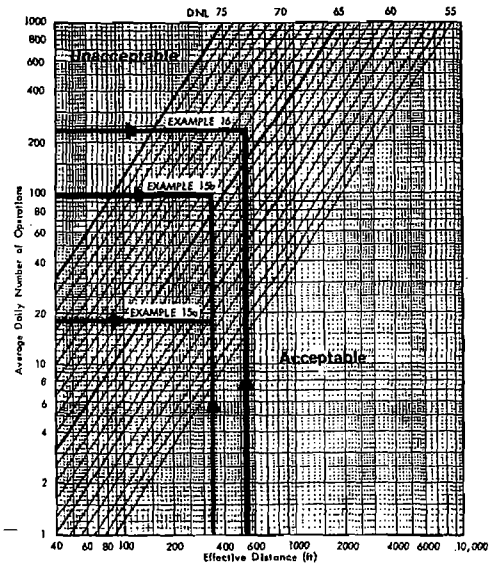

Adjustments for Diesel Locomotives

Number of Locomotives:

If the average number of diesel locomotives per train is not 2, divide the average number by 2. Enter this value in column 9 of Worksheet D.

Example 15a: The distance from NAL number 1 to Railway Number 1 is 339 feet. Two percent of the 35 daily operations occur at night; there is clear line of sight between the tracks and the NAL, and no horns or whistles are used. No information is available on train size or speed, therefore we will assume 2 engines per train and a speed of 30 mph.

Since the percentage of nighttime operations is different from 15 percent, we must adjust the actual number of daily operations, multiplying by 0.50 according to Table 5.

0.50 x 35 = 17.5 = 18

Entering Workchart 3 with 18 daily operations and a distance of 339 feet, we find that the contribution of diesel engine noise is a DNL of 59 dB (see Figure 14).

In order to find the total contribution of the trains to the total DNL, we must also find the noise level produced by the train's cars. Entering Workchart 4 (see Figure 15) with 18 daily operations and a distance of 339 feet, we find the DNL is below 50 on the chart, or more than 10 decibels lower than the noise level produced by the engines. Based on the chart for decibel addition, the combination of the noise from the engines and the cars adds less than 0.5 decibels to the DNL value for the engines alone, 59 dB.

Example 15b: Suppose that a forecast of train operations for Railway 1 indicates that there will still be 35 trains per day, but now 50 percent of the operations will occur at night, the average train will have 4 engines and 75 cars, and the average speed will be 50 mph.

We first find the contribution to DNL made by diesel locomotives by using the following adjustment factors:

- number of engines adjustment: 2
- speed adjustment: 0.60
- day/night adjustment: 2.34

We multiply these adjustments together with the number of trains:

2 X 0.60 X 2.34 X 35 = 98

Entering Workchart 3 (see Figure 14) with 98 daily operations and a distance of 339

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Average Train Speed:

If the average train speed is different from 30 mph, find the appropriate adjustment factor from Table 9 and list in column 10 of Worksheet D.

Table 9

Average Speed (mph)	Speed Adjustment Factor
10	3.00
20	1.50
30	1.00
40	0.75
50	0.60
60	0.50
70	0.43

Horns or Whistles:

If the NAL is perpendicular to any point on the track between the whistle posts for the grade crossing, enter the number 10 in column 11, Worksheet D.

Nighttime Adjustment:

Remember to adjust for nightime operations, if different from 0.15 of the total, by selecting the appropriate adjustment factor from Table 5 on page 8. Enter in column 12, Worksheet D.

Multiply the adjustment factors together, times the number of diesel trains per day (you have listed this number previously on line 2a, page 1, of Worksheet D, and should enter this number again in column 13) to obtain the adjusted number of trains per day. Enter the adjusted number of diesel trains per day in column 14. Use this value, in conjunction with the distance from the NAL to the track (line 1, page 1, of Worksheet D), to find from Workchart 3 the DNL produced by diesel locomotives. List in column 15 of Worksheet D.

Railway Cars and Rapid Transit Systems

Workchart 4 was derived with the following assumptions:

- A clear line of sight exists between the railway and the NAL.
- There are 50 cars per train.
- The average train speed is 30 mph.
- Nighttime operations are 0.15 of the 24-hour total.
- Rails are welded together.

If the situation meets these conditions, proceed to Workchart 4 for an immediate evaluation of railway car noise. Again, if any of the conditions is different, make the necessary adjustments listed below and then use Workchart 4 for the evaluation.

Figure 15.
Use of Workchart 4 to Evaluate Railway Car Noise

Railroads – Cars and Rapid Transit

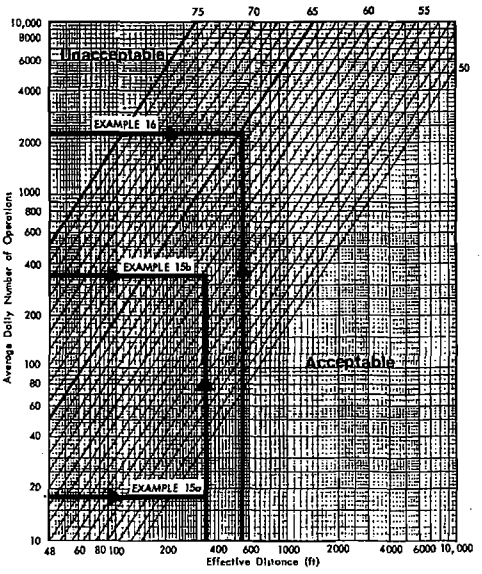

Adjustments for Railway Cars and Rapid Transit Trains

Number of Cars:

Divide the average number of cars by 50 and enter this number in column 18 of Workchart D.

Average Speed:

Make this adjustment, if the average speed is not 30 mph, by selecting the appropriate value from Table 10, entering it in column 19 of Worksheet D.

Table 10

Average Speed (mph)	Speed Adjustment Factor
10	0.11
20	0.44
30	1.00
40	1.78
50	2.78
60	4.00
70	5.44
80	7.11
90	9.00
100	11.11

Bolted Rails:

Enter the number 4 in column 20 of Worksheet D.

Nighttime Adjustment:

Enter the appropriate adjustment factor from Table 5 in column 21 of Worksheet D.

feet, we find that the site has an engine noise contribution to DNL of 66 dB.

We next obtain the adjustment factors for the noise produced by the cars:

- number of cars adjustment: 1.50
- speed adjustment: 2.78
- day/night adjustment: 2.34

Multiplying the adjustment factors times the average daily number of trains:

1.5 X 2.78 X 2.34 X 35 = 342

Entering Workchart 4 (see Figure 15) with 342 operations and a distance of 339 feet, we find the contribution of the cars to the DNL is 60 dB. Using Table 1 for combining levels, we find that the 6 dB difference between engine noise at 66 and car noise at 60 gives a combined DNL of 67 dB for these trains.

Example 16: The distance from NAL number 2 to Railroad Number 2 is 550 feet; there are 100 operations per day, of which 30 percent occur at night. A clear line of sight exists between the site and the railroad, and no horns or whistles are used nearby. An average train on this track uses 4 engines, has 100 cars, the average speed is 40 miles per hour, and the track has bolted, not welded, rails.

We first find the adjustment factors for the diesel engines:

- number of engines adjustment: 2
- speed adjustment: 0.75
- day/night adjustment: 1.57

Multiplying the adjustments together, times the number of trains:

2 X 0.75 X 1.57 X 100 = 236

Entering Workchart 3 (see Figure 14) with 236 operations at a distance of 550 feet, we find the DNL contribution from engine noise to be 67 dB.

Next we find the adjustment factors for the railroad cars:

- number of cars adjustment: 2
- speed adjustment: 1.78
- bolted track adjustment: 4
- day/night adjustment: 1.57

Multiplying the adjustments together, times the number of trains:

2 X 1.78 X 4 X 1.57 X 100 = 2236

Entering Workchart 4 (see Figure 15) with

(Continued next page)

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Figure 16.
Sketch Showing Dimensions for Example 16

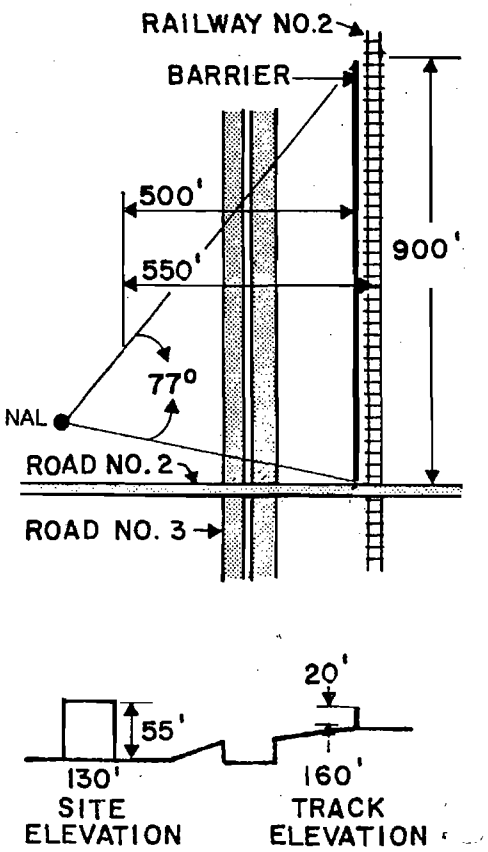

Figure 17.
Use of Workchart 6 in Example 16

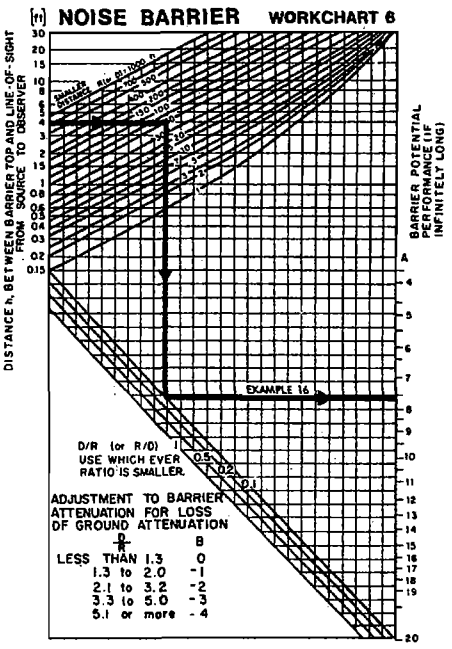

Figure 18.
Use of Workchart 7 in Example 16

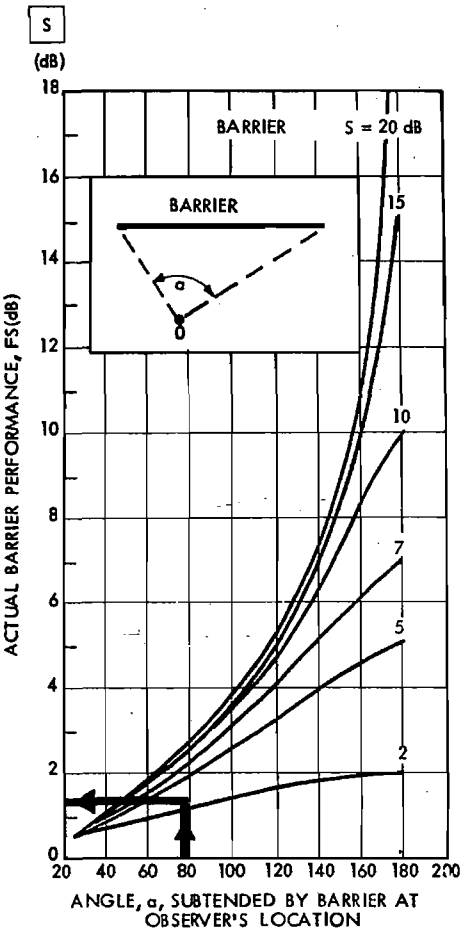

2236 operations at a distance of 550 feet, we find the DNL contribution from the railroad cars to be 65 dB. Combining the engine sound levels with the car sound levels we find the total DNL from the trains to be 69 dB.

It would be possible to erect a 20-foot noise barrier, running parallel to the track at a distance of 50 feet; it could start at Road Number 2 and run 900 feet north toward the airport, as shown in Figure 16. Both the railroad track and the ground level at the barrier location are at an elevation of 160 feet. Thus, we have the following values with which to calculate the potential reduction in engine noise (using Workchart 5). (Because the distances involved are so unequal, this situation does not lend itself to direct scaling of the distances.)

H = 180 feet (20' above the ground)

S = 175 feet (15' above the track, see page 19)

0 = 285 feet (from Example 11 in the section on roadway noise)

R' = 50 feet

D' = 500 feet

We find from Worksheet 5 that the values of R and D are no different (within the accuracy of the calculation) from R' and D', a situation that will always occur when the differences in elevation are so much smaller than the distances from the site to the noise source. The value of h is 4 feet; R/D = 0.1

We can now use these numbers to enter Workchart 6 to find the *potential* barrier performance (that is, the barrier adjustment factor that would apply in the case of an infinitely long barrier). Entering Workchart 6 at h = 4 feet, with R/D = 0.1, we find the basic attenuation of the barrier to be 7.5 dB. However, with D/R = 10, we find from the table of loss-of-ground-effect attenuation that we must subtract 4 dB from the 7.5, or a net effect of 3.5 dB. However, the situation is even worse, since the barrier is finite in length.

To find the actual attenuation for this *finite* barrier, we must first find the angle subtended by the barrier to the NAL. Referring to Figure 16, we draw lines from the NAL each end of the barrier. With

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References

1. D.E. Bishop, A.P. Hays, "Handbook for Developing Noise Exposure Contours for General Aviation Airports," FAA-AS-75-1, December 1975 (NTIS No. AD-A023429).

2. D.E. Bishop, et al., "Calculation of Day-Night Levels Resulting From Civil Aircraft Operations," BBN Report 3157 for Environmental Protection Agency, March 1976 (NTIS No. PB 266 165).

3. B.A. Kugler, D.E. Commins, W.J. Galloway, "Highway Noise – A Design Guide for Prediction and Control," NCHRP Report 174, Transportation Research Board, National Research Council, 1976.

4. T.J. Schultz, W.J. Galloway, "Noise Assessment Guidelines – Technical Background," Office of Policy Development and Research, U.S. Department of Housing and Urban Development," 1980.

5. M.A. Simpson, "Noise Barrier Design Handbook," FHWA-RD-76-58, Federal Highway Administration, February 1976 (NTIS No. PB 266 378).

a protractor we measure the angle between the two lines to be 77 degrees. Locate the curve on Workchart 7 corresponding to the potential barrier attenuation of 3.5 dB; it lies midway between the two lowest curves (see Figure 18). The point on this curve corresponding to a subtended angle of 77 degrees indicates that the actual barrier performance would be only 1.5 dB. With only 1.5 dB of attenuation, the barrier is clearly not cost-effective. In order to achieve a usable attenuation from the barrier, it would have to be extended beyond the other side of Road Number 2 to obtain a larger subtended angle. This extension, however, would still not be cost-effective unless the height of the barrier were increased substantially.

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Summary of Adjustment Factors

Combination of Sound Levels

Table 1

Difference in Sound Level	Add to Larger Level
0	3.0
1	2.5
2	2.1
3	1.8
4	1.5
5	1.2
6	1.0
7	0.8
8	0.6
9	0.5
10	0.4
12	0.3
14	0.2
16	0.1
greater than 16	0.

Aircraft

Table 2 DNL Outside 65 dB Contour

D^1 = distance from 65 dB contour to flight path
D^2 = distance from site to flight path

D2 / D1	DNL dB
1.0	65
1.12	64
1.26	63
1.41	62
1.58	61
1.78	60
2.00	59
2.24	58
2.51	57
2.82	56
3.16	55

Automobile Traffic

Table 3 Stop-and-go

Distance from Site to Stop Sign feet	Automobile Stop-and-go Adjustment Factor
0	0.10
100	0.25
200	0.40
300	0.55
400	0.70
500	0.85
600	1.00

Table 4 Average Traffic Speed

Average Traffic Speed	Adjustment Factor
20 (mph)	0.13
25	0.21
30	0.30
35	0.40
40	0.53
45	0.67
50	0.83
55	1.00
60	1.19
65	1.40
70	1.62

Table 5 Nighttime (applies to all sources)

Nighttime Fraction of ADT	Nighttime Adjustment Factor
0	0.43
0.01	0.46
0.02	0.50
0.05	0.62
0.10	0.81
0.15	1.00
0.20	1.19
0.25	1.38
0.30	1.57
0.35	1.78
0.40	1.96
0.45	2.15
0.50	2.34

Medium Trucks

(less than 26,000 pounds, greater than 10,000 pounds)

Multiply adjusted automobile traffic by 10.

Heavy Trucks

Table 6 Road Gradient

Percent of Adjustment Gradient Factor	
2	1.4
3	1.7
4	2.0
5	2.2
6 or more	2.5

Table 7 Average Speed

Average Traffic Speed (mph)	Truck Speed Adjustment Factor
50 or less	0.81
55	1.00
60	1.17
65	1.38

Table 8 Stop-and-go

Heavy Truck Traffic Volume per Day	Heavy Truck Stop-and-Go Adjustment Factor
Less than 1200	1.8
1201 to 2400	2.0
2401 to 4800	2.3
4801 to 9600	2.8
9601 to 19,200	3.8
More than 19,200	4.5

Railroads - Diesel Engines

Number of Engines per Train
The number of engines divided by 2.

Table 9 Average Train Speed

Average Speed (mph)	Speed Adjustment Factor
10	3.00
20	1.50
30	1.00
40	0.75
50	0.60
60	0.50
70	0.43

Whistles or horns
Multiply number of trains by 10.

Railroads - Cars and Rapid Transit

Numbers of cars.
Number of cars per train divided by 50.

Table 10 Average Train Speed

Average Speed (mph)	Speed Adjustment Factor
10	0.11
20	0.44
30	1.00
40	1.78
50	2.78
60	4.00
70	5.44
80	7.11
90	9.00
100	11.11

Bolted Rails
Multiply number of trains by 4.

Whisties or Horns
Multiply number of trains by 100.

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kchart 1
s (55 mph)

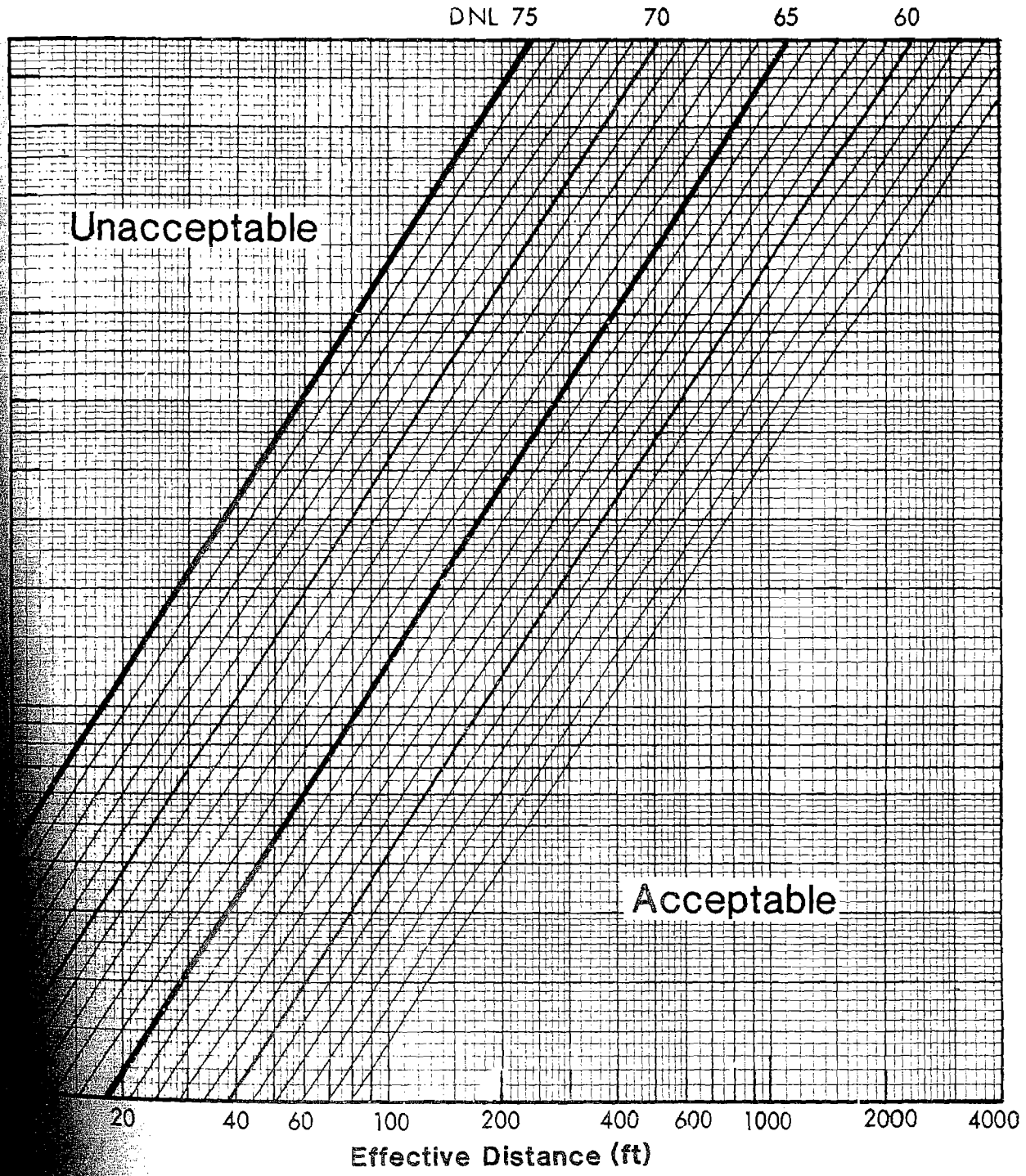

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Workchart 2
Heavy Trucks (55 mph)

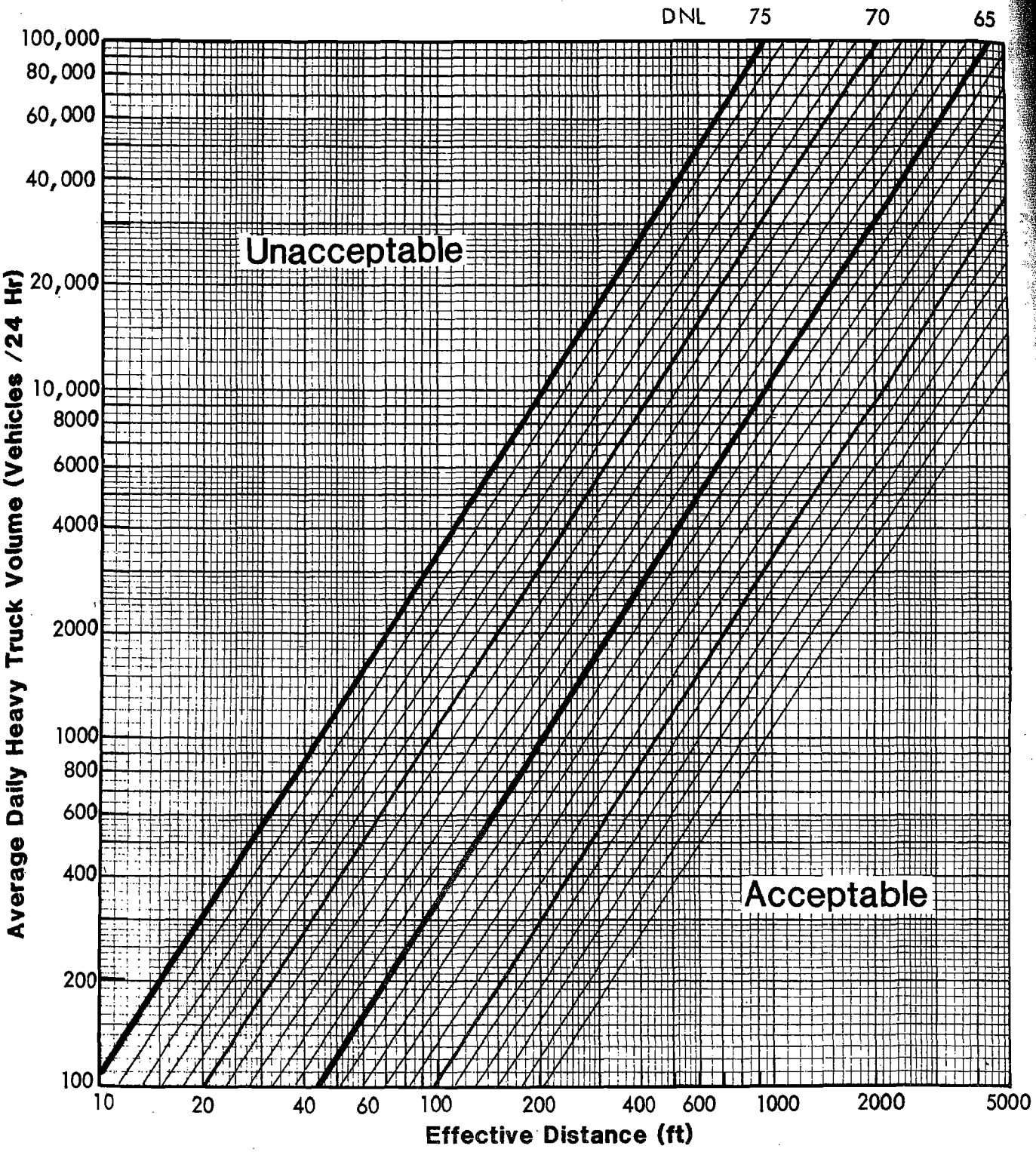

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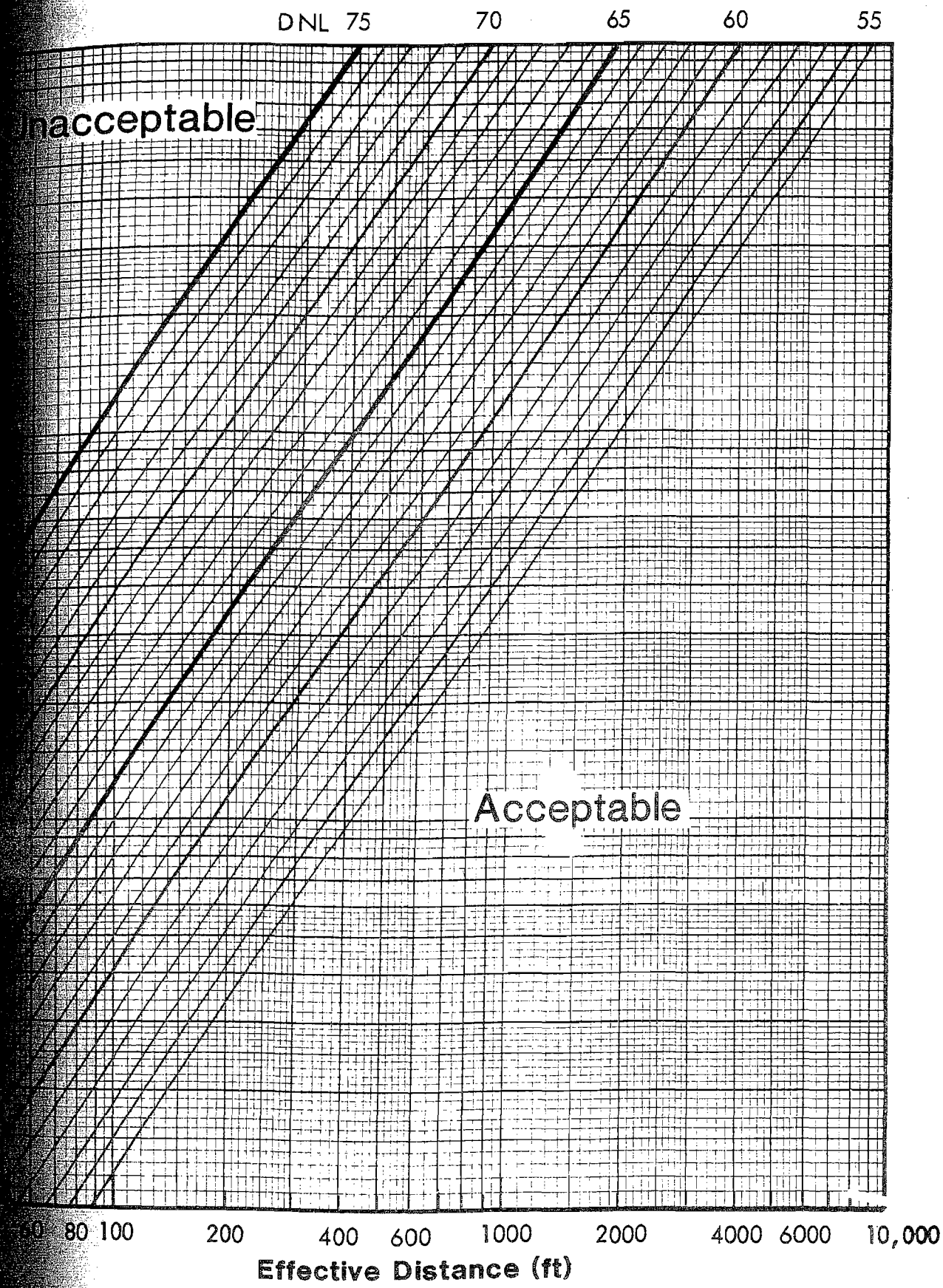

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Workchart 4
Railroads - Cars and Rapid Transit

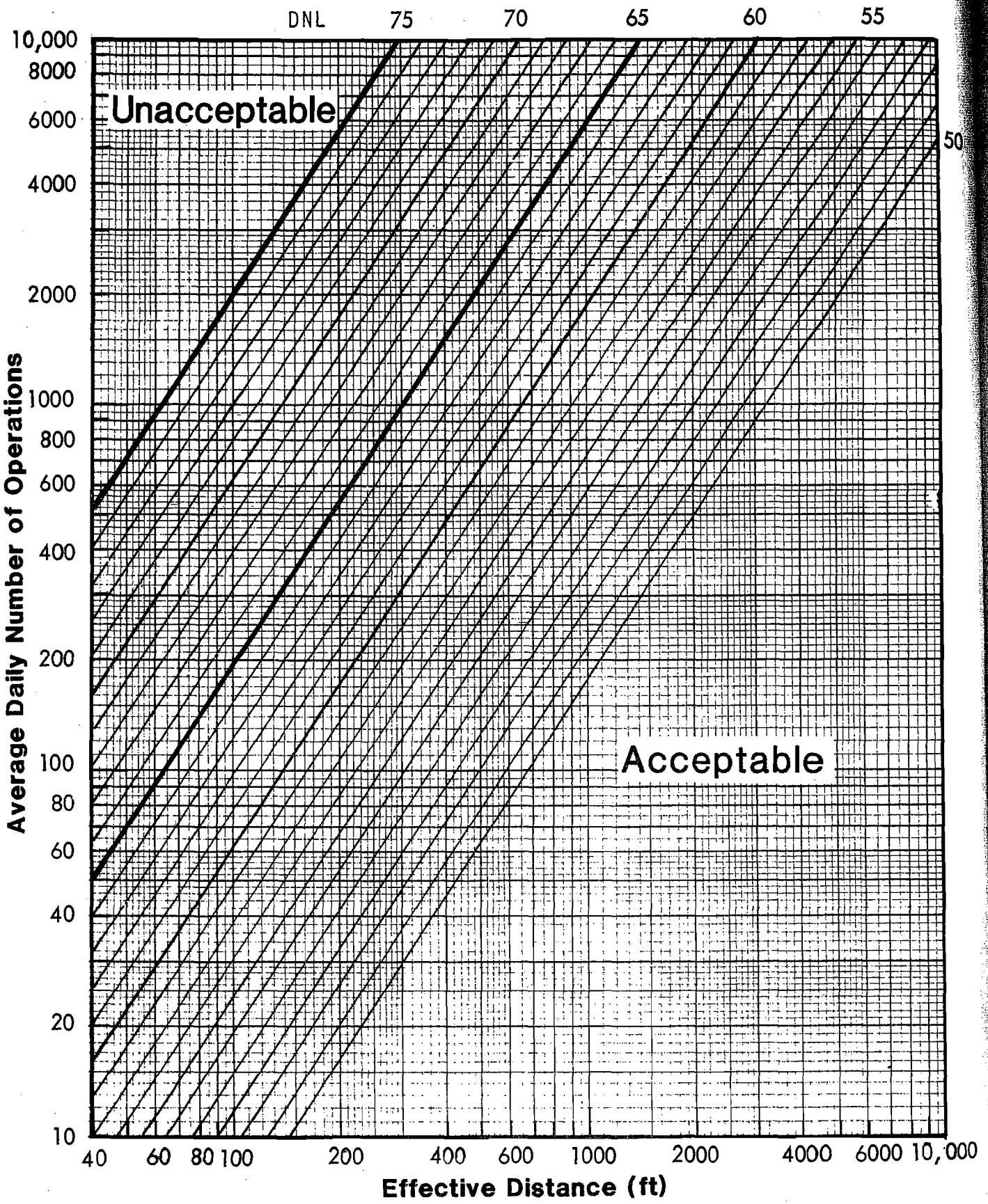

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Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Enter the values for:

H= _____ R'= _____

S= _____ D'= _____

O= _____

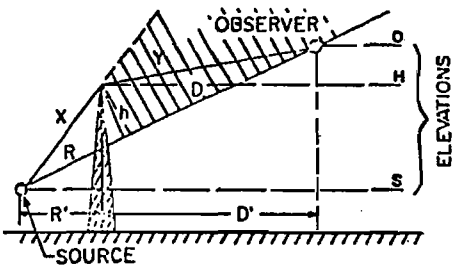

Fill out the following worksheet (all quantities are in feet):

Elevation of barrier top minus elevation of source	[H	]	−	[S	]	=	[1	]
Elevation of observer minus elevation of source	[O	]	−	[S	]	=	[2	]
Map distance between source and observer (R' + D')							[3	]
Map distance between barrier and source (R')							[4	]
Line 2 divided by line 3	[2	]	÷	[3	]	=	[5	]
Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5	]	×	[5	]	=	[6	]
40% of line 6	[	0.4]	×	[6	]	=	[7	]
One minus line 7	[	1.0]	−	[7	]	=	[8	]
Line 5 times line 4 (will be negative if line 2 is negative)	[5	]	×	[4	]	=	[9	]
Line 1 minus line 9	[1	]	−	[9	]	=	[10	]
Line 10 times line 8	[10	]	×	[8	]	=	[11	] = h
Line 5 times line 10	[5	]	×	[10	]	=	[12	]
Line 4 divided by line 8	[4	]	÷	[8	]	=	[13	]
Line 13 plus line 12	[13	]	+	[12	]	=	[14	] = R
Line 3 minus line 4	[3	]	−	[4	]	=	[15	]
Line 15 divided by line 8	[15	]	÷	[8	]	=	[16	]
Line 16 minus line 12	[16	]	−	[12	]	=	[17	] = D

If the value on line 2 may be negative, in that case so will the values on lines 5,9, and 12; it may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x+(-y)=x-y. And subtracting a negative number is like adding: x-(-y)=x+y.

Round off R and D to nearest integer, h to one decimal place.

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Workchart 6
Noise Barrier

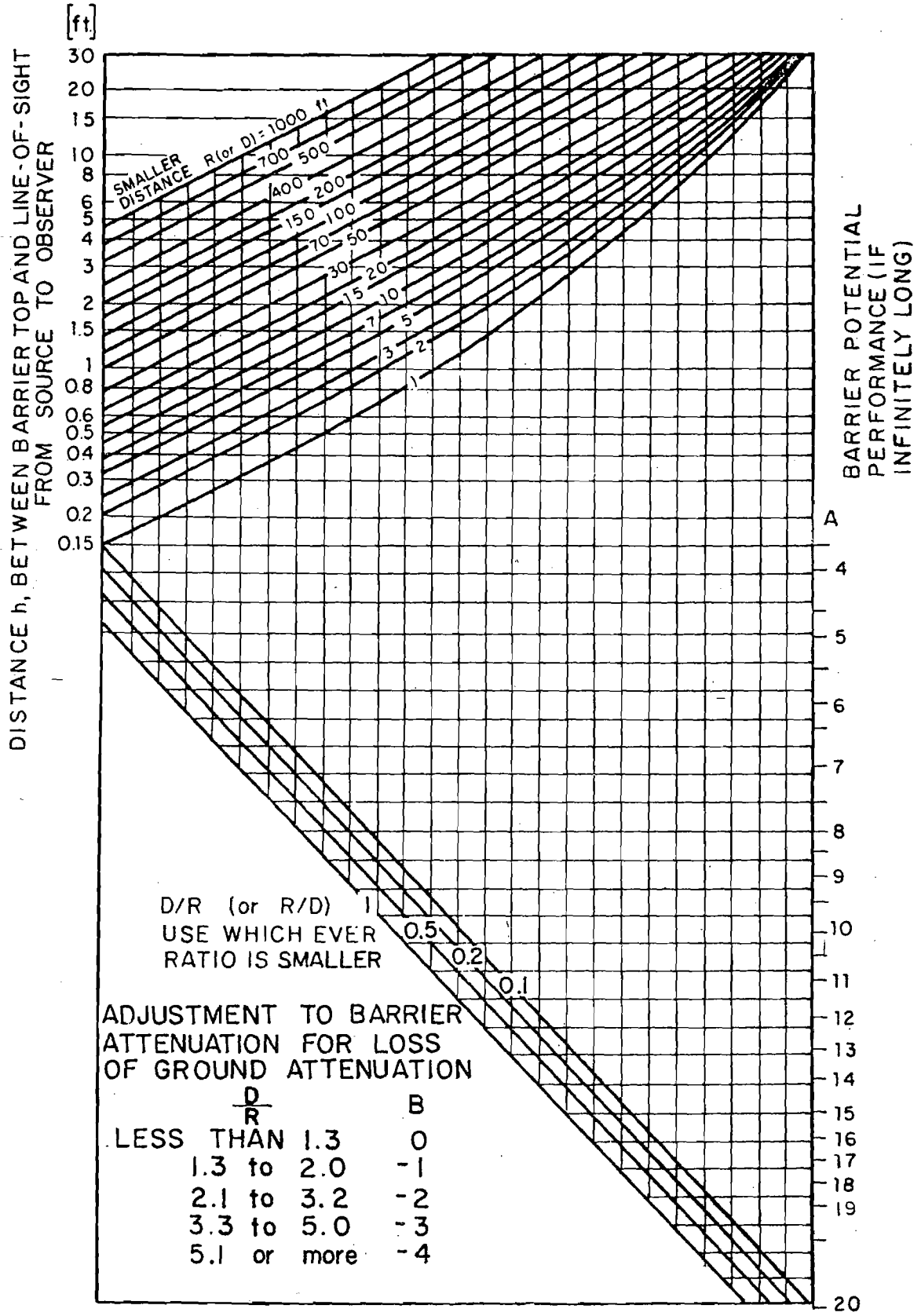

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Workchart 7

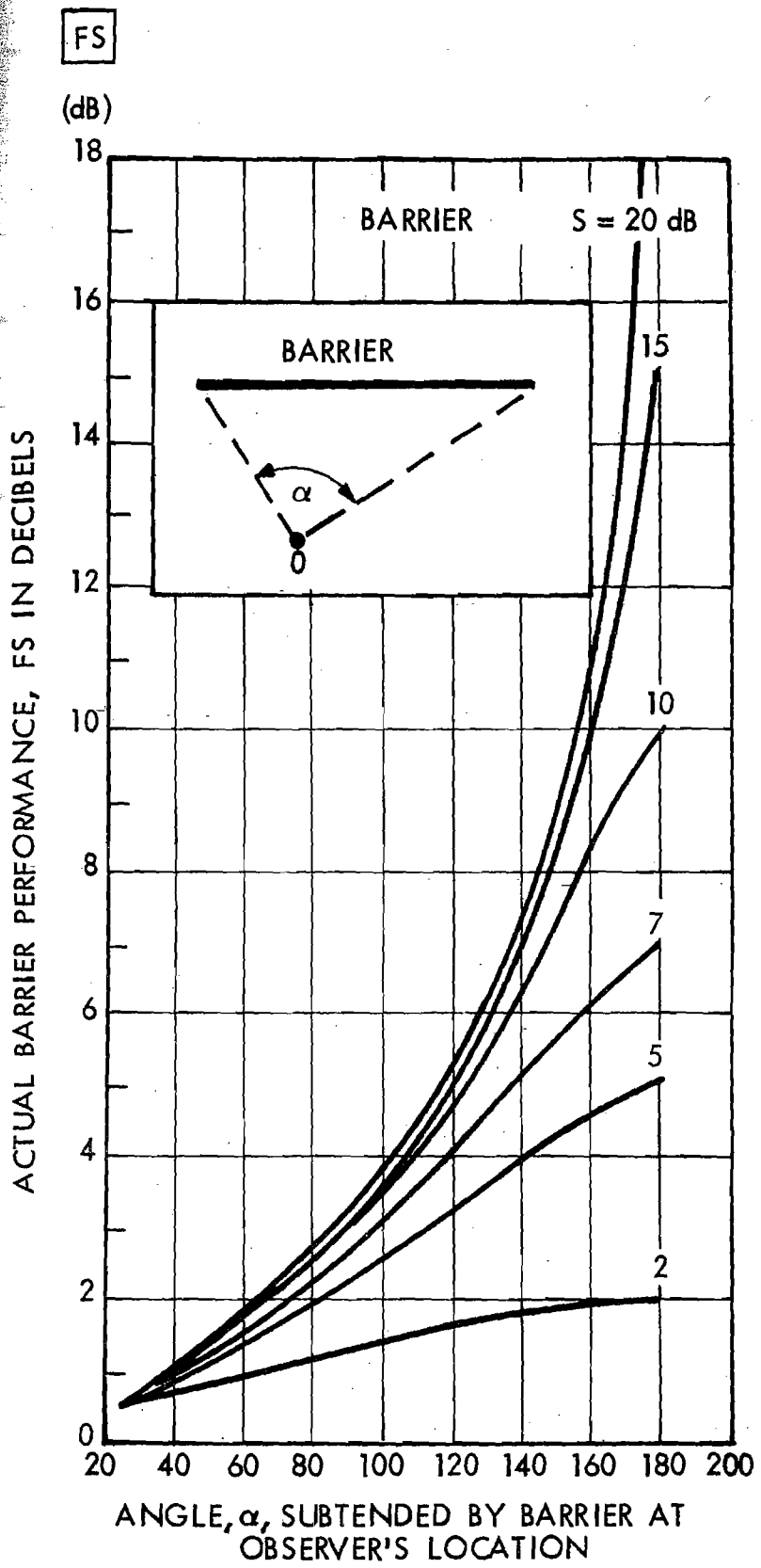

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00177687

Worksheet A
Site Evaluation

Site Location

Program

Project Name

Locality

File Number

Sponsor's Name | Phone

Street Address | City, State

	Acceptability Category	DNL	Predicted for Operations in Year
1. Roadway Noise			
2. Aircraft Noise			
3. Railway Noise			

Value of DNL for all noise sources: (see page 3 for combination procedure) _____

Final Site Evaluation (circle one)

Acceptable

Normally Unacceptable

Unacceptable

Signature _____ Date _____

Clip this worksheet to the top of a package containing Worksheets B-E and Workcharts 1-7 that are used in the site evaluations

MV00177688

List all airports within 15 miles of the site:

1. _____

2. _____

3. _____

Necessary Information:	Airport 1	Airport 2	Airport 3
1. Are DNL, NEF or CNR contours available? (yes/no)			
2. Any supersonic aircraft operations? (yes/no)			
3. Estimating approximate contours from Figure 3:			
a. number of nighttime jet operations			
b. number of daytime jet operations			
c. effective number of operations (10 times a + b)			
d. distance A for 65 dB			
70dB			
75 dB			
e. distance B for 65 dB			
70 dB			
75 dB			
4. Estimating DNL from Table 2:			
a. distance from 65 dB contour to flight path, D^1			
b. distance from NAL to flight path, D^2			
c. D^2 divided by D^1			
d. DNL			
5. Operations projected for what year?			
6. Total DNL from all airports			

Signed _____ Date _____

MV00177689

List all major roads within 1000 feet of the site:

1. _____

2. _____

3. _____

4. _____

Necessary information	**Road 1**	**Road 2**	**Road 3**	**Road 4**
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane				
b. farthest lane				
c. average (effective distance)				
2. Distance to stop sign				
3. Road gradient in percent				
4. Average speed in mph				
a. Automobiles				
b. heavy trucks - uphill				
c. heavy trucks - downhill				
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles				
b. medium trucks				
c. effective ADT (a + (10xb))				
6. 24 hour average number of heavy trucks				
a. uphill				
b. downhill				
c. total				
7. Fraction of nighttime traffic (10 p.m. to 7 a.m.)				
8. Traffic projected for what year?				

MV00177690

Adjustments for Automobile Traffic

	9 Stop and-go Table 3		10 Average Speed Table 4		11 Night-Time Table 5		12 Auto ADT (line 5c)		13 Adjusted Auto ADT		14 DNL (Workchart 1)		15 Barrier Attenuation		16 Partial DNL
Road No. 1	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____
Road No. 2	_____	X	_____	X	_____	x	_____	=	_____		_____	–	_____	=	_____
Road No. 3	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____
Road No. 4	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6		18 Average Speed Table 7		19 Truck ADT / 2		20		21		22 Stop and-go Table 8		23 Night-Time Table 5		24 Adjusted Truck ADT		25 DNL (Work-chart 2)		26 Barrier Attn.		27 Partial DNL
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 1									Add	_____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 2									Add	_____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 3									Add	_____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 4									Add	_____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														

Combined Automobile & Heavy Truck DNL

Road No. 1 _____ Road No. 2 _____ Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads _____

Signature _____ Date _____

MV00177691

List All Railways within 3000 feet of the site:

1. _____

2. _____

3. _____

Necessary Information:	**Railway No. 1**	**Railway No. 2**	**Railway No. 3**
1. Distance in feet from the NAL to the railway track:	_____	_____	_____
2. Number of trains in 24 hours:			
a. *diesel*	_____	_____	_____
b. electrified	_____	_____	_____
3. Fraction of operations occuring at night (10 p.m. – 7 a.m.):	_____	_____	_____
4. Number of diesel locomotives per train:	_____	_____	_____
5. Number of rail cars per train:			
a. diesel trains	_____	_____	_____
b. electrified trains	_____	_____	_____
6. Average train speed:	_____	_____	_____
7. Is track welded or bolted?	_____	_____	_____
8. Are whistles or horns required for grade crossings?	_____	_____	_____

MV00177692

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 2	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 3	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 2	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 3	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____

Combined Locomotive and Railway Car DNL

Railway No. 1 _____ Railway No. 2 _____ Railway No. 3 _____ Total DNL for all Railways _____

Signature_____ Date_____

MV00177694

Chapter 6

A Workbook for the Noise Assessment Guidelines

Introduction

The following problems were prepared to give you the opportunity to practice the calculations and procedures described in the *Noise Assessment Guidelines*. Because it is so rarely used, we have not included any problems dealing with the aircraft noise procedure.

We have not reproduced the charts or tables from the *Guidelines* so you will need to have it at hand to do the problems.

Noise Assessment Guidelines Workbook

Problems

Problems 1 Through 7: Combining Sound Levels in Decibels

Calculate the Combined Sound Level for the Following Sets of Individual Levels:

1. 67 LDN
   61 LDN
   _____ Combined Level

2. 63 LDN
   63 LDN
   _____ Combined Level

3. 51 LDN
   68 LDN
   _____ Combined Level

4. 62 LDN
   65 LDN
   _____ Combined Level

5. 67 LDN
   72 LDN
   _____ Combined Level

6. 59 LDN
   63 LDN
   71 LDN
   _____ Combined Level

7. 73 LDN
   72 LDN
   61 LDN
   67 LDN
   _____ Combined Level

Problems 8 and 9: Calculating Effective Distance

Calculate the Effective Distances for the Following Roads:

8. Distance in Feet from NAL to:

Near Edge of Nearest Lane	22 Feet
Far Edge of Farthest Lane	76 Feet
Effective Distance	_____

9. Distance in Feet from NAL to:

Near Edge of Nearest Lane	60 Feet
Far Edge of Farthest Lane	84 Feet
Effective Distance	_____

Problems 10 Through 15: Adjustment Factors

List The Adjustment Factors Necessary for Each of the Following Situations and the Numerical Value for Each Adjustment Factor.

10. A Roadway Where the Road Gradient Is 1%, the Average Speed for Both Autos and Trucks Is 30 MPH and the Fraction of Nighttime Traffic is 10%.

    Adjustment Factors Needed: _____

    _____

    _____

    Value of Adjustment Factors: _____

    _____

    _____

11. A Roadway Where There Is A Stop Sign 400 Feet from the NAL. The Gradient Is 1%, the Average Speed for Autos Is 45 MPH (There Are No Trucks) and the Fraction of Nighttime Traffic Is 15%.

    Adjustment Factors Needed: _____

    _____

    _____

    Value of Adjustment Factors: _____

    _____

    _____

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12. A Roadway Where the Road Gradient Is 2%, the Average Speed for Autos Is 50 MPH and for Trucks (Both Uphill and Downhill) Is 50 MPH and the Fraction of Nighttime Traffic Is 10%.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

13. A Railroad Where the Fraction of Operations Occurring at Night Is 30%, the Average Train Speed Is 40 MPH, the Track Is Bolted and There Are No Whistle Or Horns Required for Grade Crossings.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

14. A Railroad Where the Fraction of Operations Occurring at Night Is 5%, the Average Train Speed Is 10 MPH, the Tracks Are Welded and There Are No Whistles Or Horns Required for Grade Crossing.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

15. A Railroad Where the Fraction of Operations Occurring at Night Is 20%, the Average Train Speed Is 30 MPH, the Track Is Bolted and No Whistles or Horns Are Required for Grade Crossings.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

MV00177696

Problems 16 Through 21: Some Basic Problems

Calculate the Combined Noise Levels for Each of the Following Situations:

16. A Roadway Where the distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 310 Feet, the Distance to the Far Edge of the Farthest Lane Is 358 Feet. There Is A Stop Sign 400 Feet from the NAL. The Gradient Is 1%. The Average Number of Automobiles Is 17,000, the 24 Hour Average Number of Medium Trucks Is 1,500, the 24 Hour Average Number of Heavy Trucks Is 400 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Roadway Is _____.

17. A Site Exposed to Noise from Two Roads. For Roadway Number 1 the Distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 125 Feet, the Distance to the Far Edge of the Farthest Lane Is 233 Feet. There Is A Stop Sign 250 Feet from the NAL. The Gradient Is 3%. The Average Speed for Both Autos and Trucks Is 30 MPH.

    The 24 Hour Average Number of Autos Is 22,000, the 24 Hour Average Number of Medium Trucks Is 2,000. The 24 Hour Average Number of Heavy Trucks Is 950 Total. The Fraction of Nighttime Traffic Is 10%.

    For Roadway Number 2, the Distance to the Near Edge of the Nearest Lane Is 45 Feet, the Distance to the Far Edge of the Farthest Lane Is 93 Feet. There Is A Stop Sign 100 Feet from the NAL and the Gradient Is 1%. The Average Speed for Both Autos and Heavy Trucks Is 30 MPH. The 24 Hour Average Number of Automobiles Is 14,000, for Medium Trucks 700, and for Heavy Trucks 600 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Site Is _____

18. A Site Exposed to Noise from Two Railroads. For Railroad 1, the Distance in Feet from the NAL to the Railway Track Is 150 Feet. There Are 35 Diesel Trains Every 24 Hours, No Electrified Trains. The Fraction of Operations Occurring at Night Is 25%. There Are 3 Diesel Locomotives Per Train and 70 Cars Per Train. The Average Speed Is 30 MPH and the Track Is Bolted. No Whistles Or Horns Are Used.

    For Railroad 2, the Distance in Feet from the NAL to the Railway Track Is 310 Feet. There Are 20 Diesel and 2 Electrified Trains Each 24 Hours. The Fraction of Operations Occurring at Night Is 15%. There Are 2 Locomotives Per Diesel Train and 45 Cars for Each Diesel Train and 15 Cars Per Electrified Train. The Average Train Speed Is 40 MPH and the Track Is Bolted. No Horns Or Whistles Are Used.

    The Combined Noise Level for This Site Is _____.

19. A Site Exposed to Noise from Two Railroads. For Railroad 1, the Distance in Feet from the NAL to the Railway Track Is 75 Feet. There Are 34 Diesel Trains Every 24 Hours, No Electrified Trains. Twenty Percent of the Operations Occur at Night. There Are 5 Locomotives Per Train and 75 Cars Per Train. The Average Train Speed Is 35 MPH and the Track Is Welded. No Horns Or Whistles.

    For Railway 2, the Distance in Feet from the NAL to the Railway Track Is 120 Feet. There Are 12 Diesel Trains in 24 Hours, No Electrified Trains. Twenty-Five Percent of the Operations Occur at Night. There Are 4 Locomotives Per Train and 40 Cars Per Train. The Average Train Speed Is 20 MPH and the Track Is Bolted. No Horns Or Whistles Are Used.

    The Combined Noise Level for This Site Is _____

20. A Site Exposed to Noise from Three Roads. For Road 1, the Distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 100 Feet, to the Far Edge of the Farthest Lane, 208 Feet. There Is No Stop Sign and the Gradient Is 1%. The Average Speed for Autos Is 55 MPH. (There Are No Trucks Allowed On This Road.) The 24 Hour Average Number of Autos Is 40,000. The Fraction of Nighttime Traffic Is 15%.

    For Road 2, the Distance from the NAL to the Near Edge of the Nearest Lane Is 45 Feet, to the Far Edge of the Farthest Lane 75 Feet. There Is A Stop Sign 175 Feet from the NAL and the Road Gradient Is 4%. The average Speed for Both Autos and Trucks Is 40 MPH. The 24 Hour Average Number of Autos Is 15,000, for Medium Trucks 900 and for Heavy Trucks 320 Total. The Fraction of Nighttime Traffic Is 20%.

    For Road 3, the Distance from the NAL to the Near Edge of the Nearest Lane Is 52 Feet, to the Far Edge of the Farthest Lane 92 Feet. There Is A Stop Sign 400 Feet from the NAL and the Gradient Is 1%. The Average Speed for Both Autos and Trucks Is 25 MPH. The 24 Hour Average Number of Autos Is 5,000, for Medium Trucks 1,050 and for Heavy Trucks 175 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Site Is _____.

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21. A Site Exposed to Noise from A Railroad. The Distance from the NAL to the Railroad Is 110 Feet. There Are 30 Diesel Trains Every 24 Hours, No Electrified Trains. Twenty Percent of the Operations Occur at Night. There Are 3 Locomotives Per Train and 50 Cars Per Train. The Average Train Speed Is 30 MPH, the Track Is Bolted and There Is A Grade Crossing Where Horns and Whistles Are Used 100 Feet from the NAL.

The Combined Noise Level at This Site Is _____.

Problems 22 Through 24: Barriers - Identifying the Values for H, R, R′, D and D′

Identify the Values for H, R, R′, D and D′ for Each of the Following Barriers:

22.

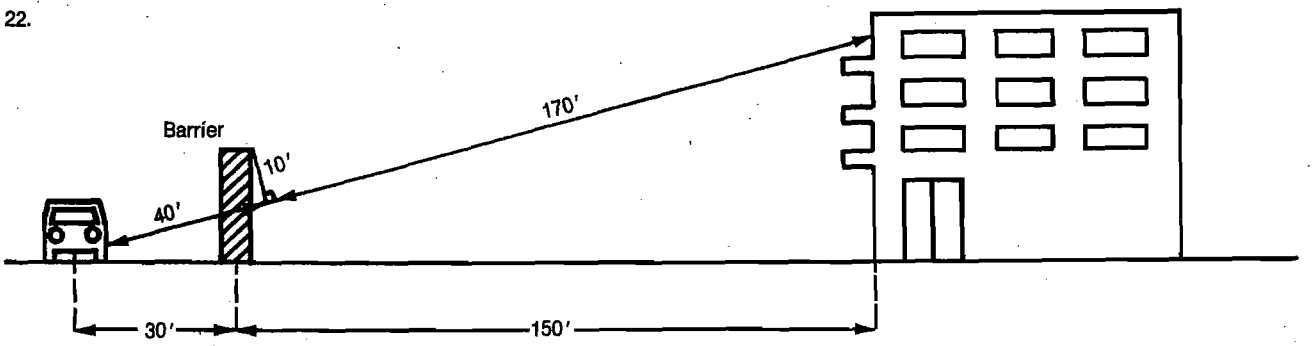

H = _____, R = _____, R′ = _____ D = _____ and D′ = _____

23.

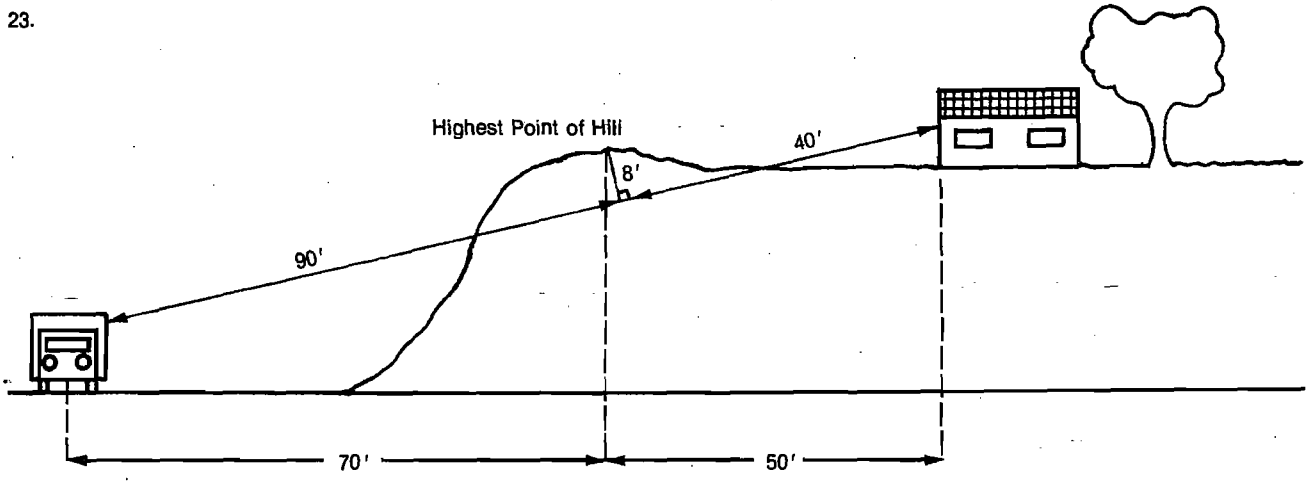

H = _____, R = _____, R′ = _____, D = _____ and D′ = _____

Barrier	40′	10′	170′	90′	70′
Highest Point of Hill	30′	150′		8′ 40′	50′

24.

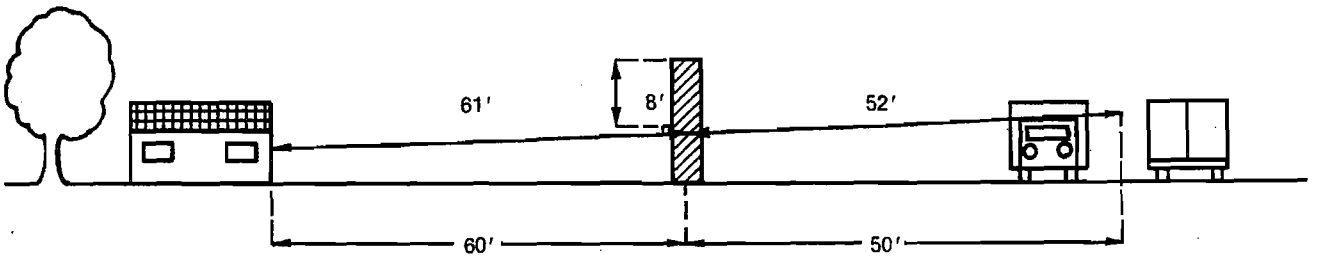

H = _____, R = _____, R′ _____, D = _____ and D′ _____

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Problems 25 Through 27: Barrier Calculations Using Workcharts 6 and 7.

Using Workcharts 6 and 7 Only, Calculate the Noise Attenuation Provided by the Barriers Illustrated in Problems 22 Through 24. Additional Data on the Angles Subtended by the Ends of the Barriers and the NAL for Each Location Is Provided.

25. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 22. The Angle Subtended by the Ends of the Barrier and the NAL Is 150 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

26. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 23. The Angle Subtended by the Ends of the Barrier and the NAL Is 90 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

27. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 24. The Angle Subtended by the Ends of the Barrier and the NAL Is 130 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

Problems 28 Through 30: Barrier Calculations Using Workcharts 5, 6 and 7

Calculate the Attenuation Provided By the Barriers in the Following Situations. Use Workcharts 5, 6 and 7.

28. A Two Story Building Is Exposed to Noise Levels of 68 LDN from Automobiles. The Barrier Is 15 Feet High and Is Located 40 Feet from the Source and 20 Feet from the Building. The Source, Barrier, and Building Are All On Level Ground. The Angle Subtended by the Ends of the Barrier and the Noise Assessment Location Is 110 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

29. A Three Story Building Is Exposed to A Noise Level of 72 LDN from Diesel Locomotives and 60 LDN from Railroad Cars. The Barrier Is 12 Feet High and Is Located 40 Feet from the Source and 85 Feet from the Building. The Barrier and the Building Are on the Same Level, But the Track Is Depressed 25 Feet. The Angle Subtended by the Ends Of the Barrier and the NAL Is 120 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

30. A Three Story Building Is Exposed to Noise Levels of 67 LDN from Automobiles and 71 LDN from Trucks. The Barrier Is 16 Feet High and Is Located 36 Feet from the Source and 56 Feet from the Building. The Source, the Barrier and the Building Are All At the Same Level. The Angle Subtended by the Barrier Ends and the NAL Is 130 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

MV00177699

Noise Assessment Guidelines Workbook
Answers

Problem

1. 68 LDN (67-61 = 6, Add 1dB (From Table) to 67 = 68 LDN)
2. 66 LDN (63-63 = 0, Add 3dB (From Table) to 63 = 66 LDN)
3. 69 LDN (69-51 = 0, Add 0dB to 69 = 69 LDN)
4. 67 LDN (65-62 = 3, Add 1.8dB to 65, Round Off to Nearest Whole Number, 66.8 = 67 LDN)
5. 73 LDN (72-65 = 5, Add 1.2 = 73.2 = 73 LDN)
6. 72 LDN (63-59 = 4, Add 1.5 = 64.5, 71-64.5 = 6.5
Interpolate From Table: 6 = 1.0, 7 = .8
6.5 = .9) 71 + .9 = 71.9 = 72 LDN)

7. 76 LDN (67-61 = 6, Add 1.0 = 68, 72-68 = 4, Add 1.5 = 73.5, 73.5-73 = .5, Interpolate From Table, Add 2.75 = 76.25 = 76 LDN)

8. 49 Feet (76 + 22 = 98 − 2 = 49)
9. 72 Feet (84 + 60 = 144 − 2 = 72)

10. Adjustment Factors Needed: Speed and Night-Time Percentage

    Value of Factors: Speed = Autos .30
    Trucks .81
    Nighttime
    Percentage .81

    Note—You Must Have Different Speed Adjustments for Autos and Trucks.

11. Adjustment Factors Needed: Speed and Stop and Go Traffic
    Value of Factors: Speed .67
    Stop and Go .70

12. Adjustment Factors Needed: Gradient, Speed and Nighttime Percentage

    Value of Factors: Gradient 1.4
    Speed = Autos .30
    Trucks .81
    Nighttime
    Percentage .81

13. Adjustment Factors Needed: Nighttime Percentage, Speed, Bolted Track

    Value of Factors: Nighttime
    Percentage 1.57
    Speed = Engines .75
    Cars 1.78
    Bolted Track 4

    Note—You Must Have Different Speed Adjustments for Engines and Cars.

14. Adjustment Factors Needed: Nighttime Percentage and Speed

    Value of Factors: Nighttime
    Percentage .62
    Speed = Engines 3.0
    Cars .11

15. Adjustment Factors Needed: Nighttime Percentage and Bolted Track

    Value of Factors: Nighttime
    Percentage 1.19
    Bolted Track 4

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16. Combined Noise Level = 62 LDN (If Your Answer Is Plus or Minus 1dB Its OK - Between Rounding Off and the Large Scale on the Nomographs, That's Close Enough)

Worksheet C
Roadway Noise — **Page 1** — **Noise Assessment Guidelines**

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	310			
b. furthest lane	358			
c. average (effective distance)	334			
2. Distance to stop sign	400			
3. Road gradient in percent	1%			
4. Average speed in mph				
a. Automobiles	40			
b. heavy trucks - uphill	40			
c. heavy trucks - downhill	40			
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	17000			
b. medium trucks	1500			
c. effective ADT (a + (10xb))	32000			
6. 24 hour average number of heavy trucks				
a. uphill	200			
b. downhill	200			
c. total	400			
7. Fraction of nighttime traffic (10:00 p.m. to 7:a.m.)	20%			
8. Traffic projected for what year?	—			

Worksheet C
Roadway Noise — **Page 2** — **Noise Assessment Guidelines**

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	.70	.53	1.19	32000	.14128	57	0	57
Road No. 2								
Road No. 3								
Road No. 4								

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6	18 Average Speed Table 7	19 Truck ADT 2	20	21	22 Stop and-go Table 8	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	—	.81	200	162							
Road No. 1					Add	324	1.8	1.19	694	60	0	60
Road No. 1 Downhill		.81	200	162							
Road No. 2 Uphill											
Road No. 2					Add						
Road No. 2 Downhill											
Road No. 3 Uphill											
Road No. 3					Add						
Road No. 3 Downhill											
Road No. 4 Uphill											
Road No. 4					Add						
Road No. 4 Downhill											

Combined Automobile & Heavy Truck DNL

Road No. 1 62 Road No. 2 _____ Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads 62

Signature _____ Date _____

Workchart 1
Autos (55 mph)

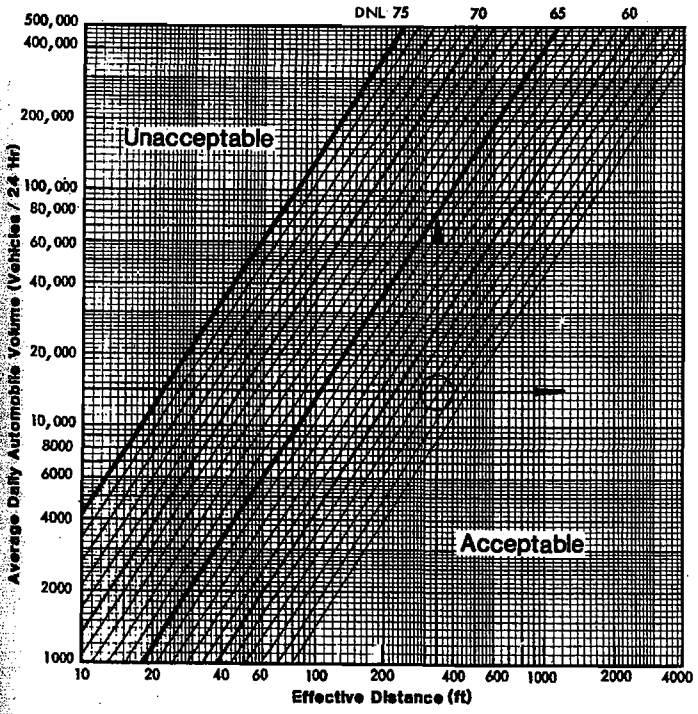

Workchart 2
Heavy Trucks (55 mph)

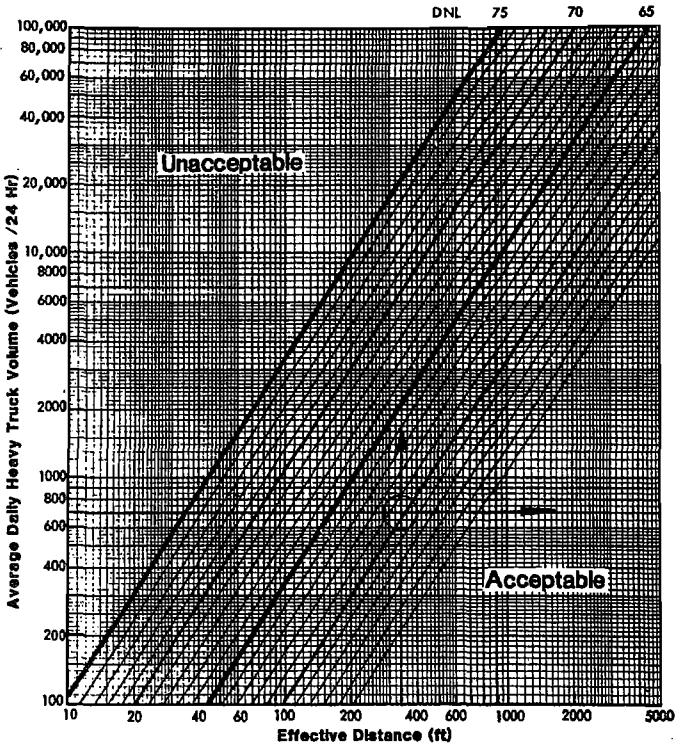

MV00177701

17. Combined Noise Level = 74 LDN (+ OR – 1 dB)

Worksheet C
Roadway Noise

Page 1

Noise Assessment Guidelines

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	125	45		
b. farthest lane	233	93		
c. average (effective distance)	179	69		
2. Distance to stop sign	250	100		
3. Road gradient in percent	3%	1%		
4. Average speed in mph				
a. Automobiles	30	30		
b. heavy trucks - uphill	30	30		
c. heavy trucks - downhill	30	30		
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	22000	14000		
b. medium trucks	2000	700		
c. effective ADT (a + (10xb))	42000	21000		
6. 24 hour average number of heavy trucks				
a. uphill	475	300		
b. downhill	475	300		
c. total	950	600		
7. Fraction of nighttime traffic (10:00 p.m. to 7:a.m.)	10%	20%		
8. Traffic projected for what year?	–	–		

Worksheet C
Roadway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	.48	x .30	x .81	x 42000	= 4899	57	– 0	= 57
Road No. 2	.25	x .30	x 1.19	x 21000	= 1874	59	– 0	= 59
Road No. 3		x	x	x	=		–	=
Road No. 4		x	x	x	=		–	=

Adjustments for Heavy Truck Traffic

	17 Gradient Table 8	18 Average Speed Table 7	19 Truck ADT (line 6)	20	21	22 Stop and-go Table 9	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	1.7	x .81	x 475	= 654							
Road No. 1					Add 1039	x 1.8	x .81	= 1515	68	– 0	= 68
Road No. 1 Downhill	.81	x 475	= 385								
Road No. 2 Uphill	–	x .81	x 300	= 243							
Road No. 2					Add 486	x 1.8	x 1.19	= 1041	72	– 0	= 72
Road No. 2 Downhill	.81	x 300	= 243								
Road No. 3 Uphill	x	x	=								
Road No. 3					Add	x	x	=		–	=
Road No. 3 Downhill	x	x	=								
Road No. 4 Uphill	x	x	=								
Road No. 4					Add	x	x	=		–	=
Road No. 4 Downhill	x	x	=								

Combined Automobile & Heavy Truck DNL

Road No. 1 68 Road No. 2 72 Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads 74

Signature _____ Date _____

Workchart 1
Autos (55 mph)

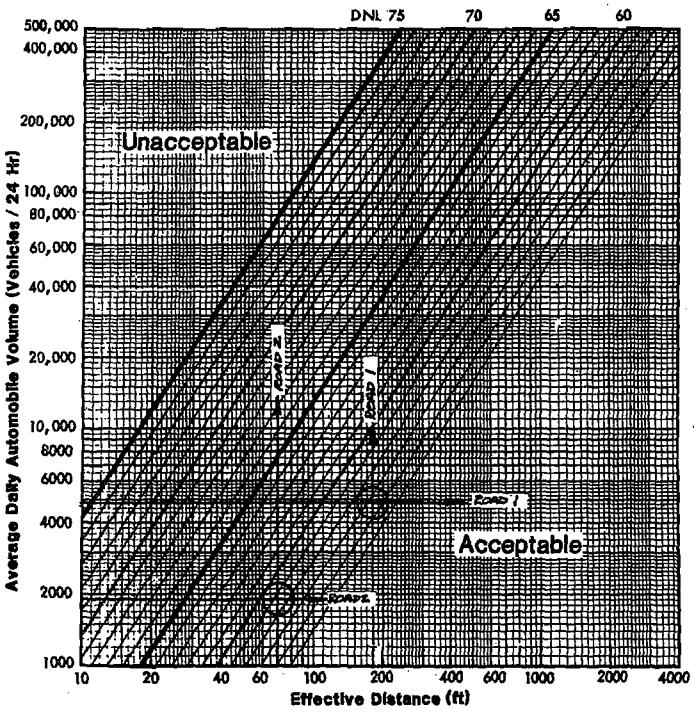

Workchart 2
Heavy Trucks (55 mph)

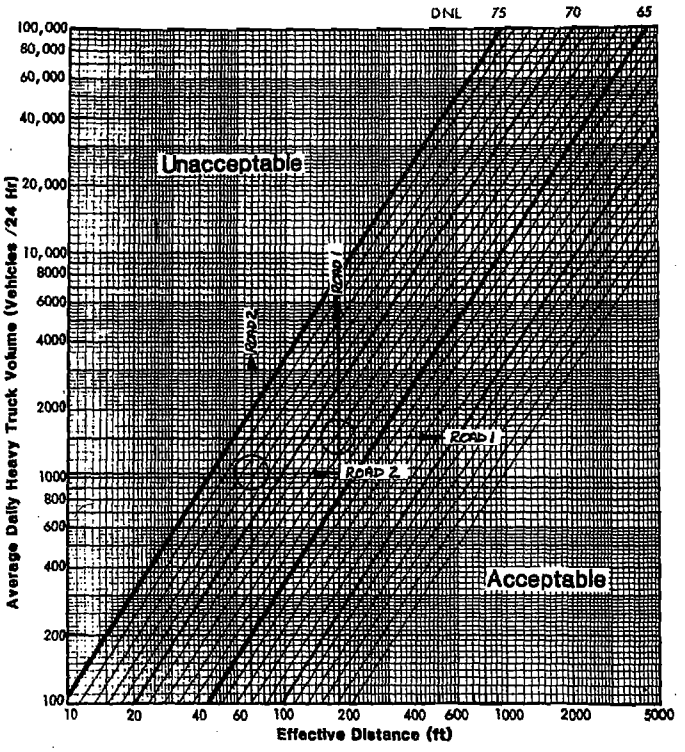

MV00177702

18. Combined Noise Level = 71 LDN

Note—In Order to Complete Column 18 for Railway #2 You Must Find the Average Number of Cars Per Train. Multiply the Number of Diesel Trains Times the Number of Cars Per Train (20 × 45 = 900). Multiply the Number of Electrified Trains Times the Number of Cars Per Train (2 × 15 = 30). Add the Two Totals Together and Divide By the Total Number of Trains (900 + 30 = 930 – 22 = 42).

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	1.5	1.0	–	1.38	35	72	70	0	72
Railway No. 2	1	.75	–	1.0	20	15	58	0	58
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	1.4	1.0	4	1.38	35	270	64	0	64
Railway No. 2	.84	1.78	4	1.38	22	182	57	0	57
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 71 Railway No. 2 61 Railway No. 3 71 Total DNL for all Railways

Signature _____ Date _____

19. Combined Noise Level = 76 LDN

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	2.5	.88	–	1.19	34	89	75	0	75
Railway No. 2	2	1.50	–	1.38	12	50	70	0	70
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	1.5	1.39	–	1.19	34	84	63	0	63
Railway No. 2	.80	.44	4	1.38	12	23	55	0	55
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 75 Railway No. 2 70 Railway No. 3 _____ Total DNL for all Railways 76

Signature _____ Date _____

MV00177703

20. Combined Noise Level = 75 LDN

Worksheet C
Roadway Noise

Page 1

Noise Assessment Guidelines

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	100	45	52	
b. farthest lane	208	75	92	
c. average (effective distance)	154	60	72	
2. Distance to stop sign	–	175	400	
3. Road gradient in percent	1%	4%	1%	
4. Average speed in mph				
a. Automobiles	55	40	25	
b. heavy trucks - uphill	55	40	25	
c. heavy trucks - downhill	55	40	25	
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	40000	15000	5000	
b. medium trucks	–	900	1050	
c. effective ADT (a + (10xb))	40000	24000	15500	
6. 24 hour average number of heavy trucks				
a. uphill	–	160	87	
b. downhill	–	160	88	
c. total	–	320	175	
7. Fraction of nighttime traffic (10:00 p.m. to 7:a.m.)	15%	20%	20%	
8. Traffic projected for what year?	–	–	–	

Worksheet C
Roadway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	0	x 1.0	x 1.0	x 40000	= 40000	67	- 0	= 67
Road No. 2	.36	x .53	x 1.19	x 24000	= 5450	65	- 0	= 65
Road No. 3	.70	x .21	x 1.19	x 15500	= 2711	60	- 0	= 60
Road No. 4		x	x	x	=		-	=

Adjustments for Heavy Truck Traffic

	17 Gradient Table 8	18 Average Speed Table 7	19 Truck ADT 2	20	21	22 Stop and-go Table 6	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	–	x –	x –	= –							
Road No. 1					Add –	x –	x –	= –	–	–	= –
Road No. 1 Downhill		–	x –	= –							
Road No. 2 Uphill	2.0	x .81	x 160	= 259							
Road No. 2					Add 389	x 1.8	x 1.19	= 833	72	- 0	= 72
Road No. 2 Downhill		.81	x 160	= 130							
Road No. 3 Uphill	1.0	x .81	x 87	= 70							
Road No. 3					Add 141	x 1.8	x 1.19	= 303	67	- 0	= 67
Road No. 3 Downhill		.81	x 88	= 71							
Road No. 4 Uphill		x	x	=							
Road No. 4					Add	x	x	=			=
Road No. 4 Downhill			x	=							

Combined Automobile & Heavy Truck DNL

Road No. 1 67 Road No. 2 73 Road No. 3 68 Road No. 4 _____ Total DNL for All Roads 75

Signature _____ Date _____

MV00177704

21. Combined Noise Level = 81 LDN

To Solve This Problem You Must Add Some More Lines to the Workchart for Engines Because the Workchart as Set up Does Not Go High Enough. There Are A Variety of Ways to Do This But One of the Easiest Is to Take A Piece of Blank Paper (A 3 x 5 Card Does Very Well) Place the Edge of the Paper Along Either the Top Or Bottom Edge of the Workchart and Mark Where the LDN Lines Fall Along the Edge of the Blank Paper. Then Once You Have Drawn Your Distance and Operations Lines on the Work Chart, You Take Your Paper with the Line Markings and Lay It along the Line for Adjusted Operations with the Mark Farthest to the Right Lined up with the 75 LDN Line. Now Just Count over until You Reach the Intersection of the Operations and Distance Lines.

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Atn.	17 Partial DNL
Railway No. 1	1.5	1.0	10	1.19	30	535	81	0	81
Railway No. 2									
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 60	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Atn.	26 Partial DNL
Railway No. 1	1.0	1.0	4	1.19	30	143	63	0	63
Railway No. 2									
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 81 Railway No. 2 _____ Railway No. 3 _____ Total DNL for all Railways 81

Signature _____ Date _____

Workchart 3
Railroads - Diesel Locomotives

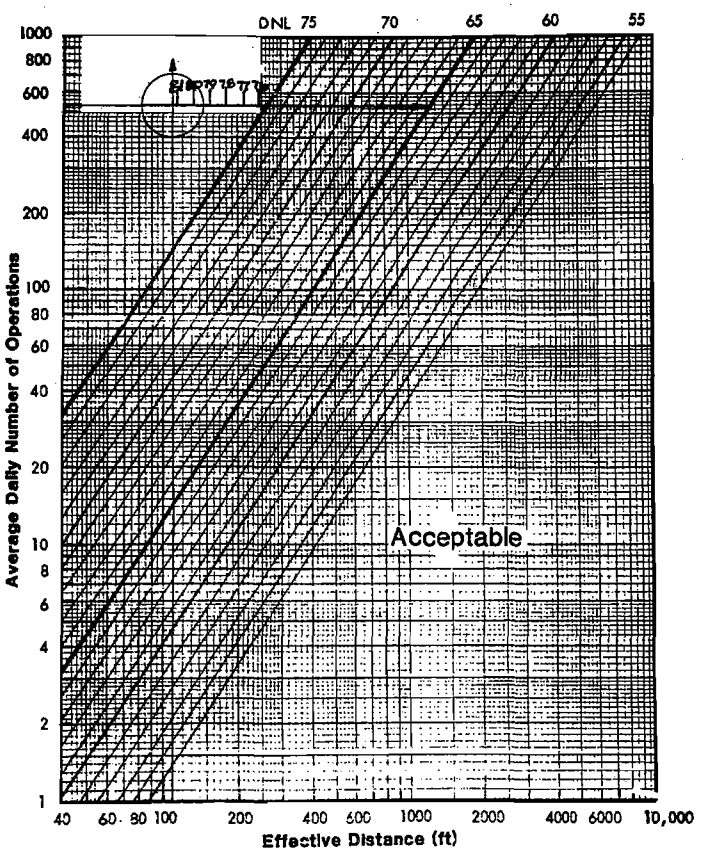

Workchart 4
Railroads - Cars and Rapid Transit

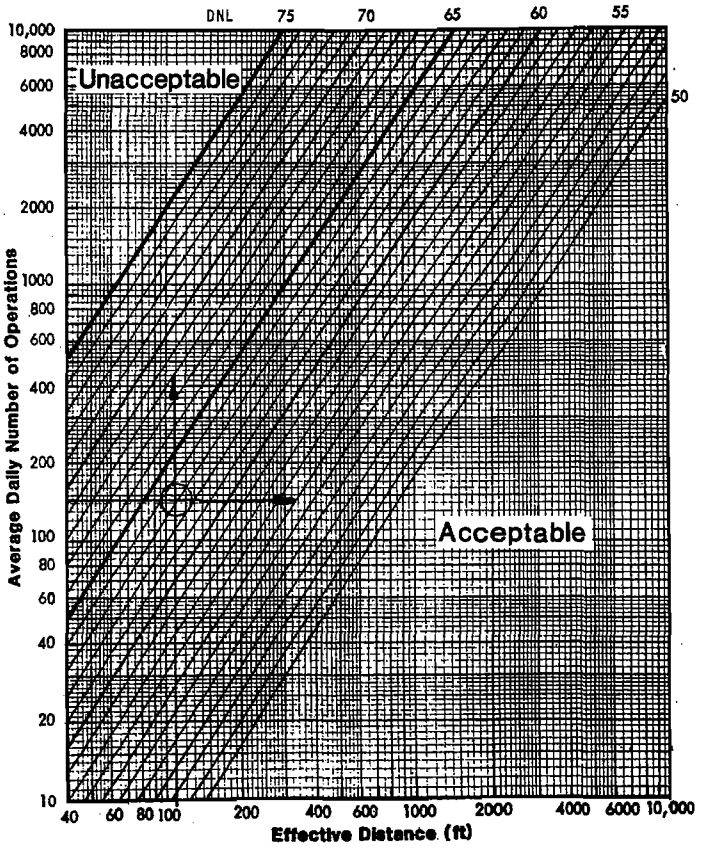

MV00177705

22. H = 10 Feet, R = 40 Feet, R′ = 30 Feet, D = 170 Feet, D′ = 150 Feet

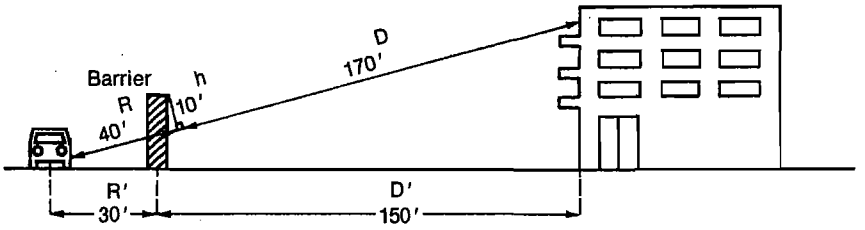

23. H = 8 Feet, R = 90 Feet, R′ = 70 Feet, D = 40 Feet, D′ = 50 Feet

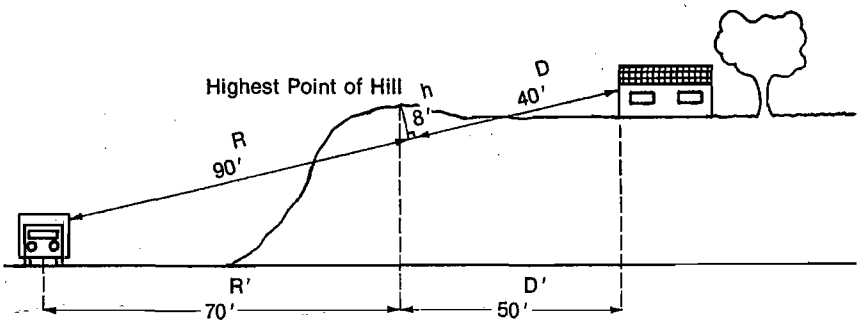

Note—The Line of Sight Line Starts Above the Road Level Because of the Trucks.

24. H = 8 Feet, R = 52 Feet, R′ = 50 Feet, D = 61 Feet, D′ = 60 Feet

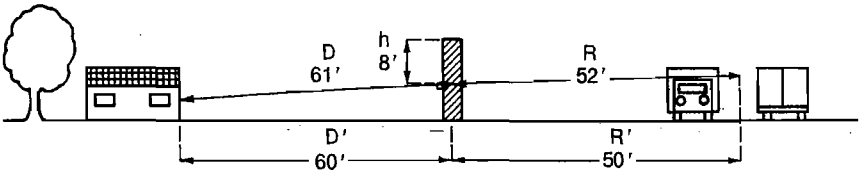

MV00177706

25. The Noise Attenuation Provided Is 7 Decibels

Workchart 6
Noise Barrier

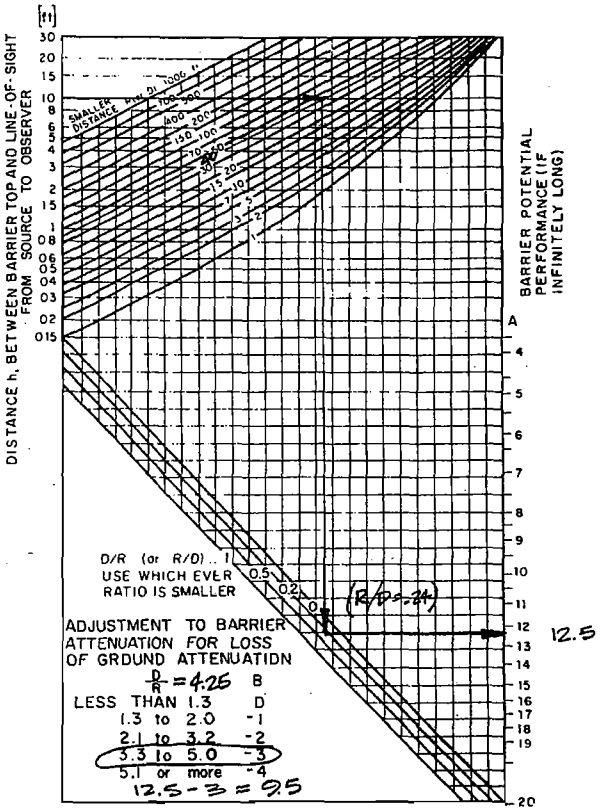

Workchart 7

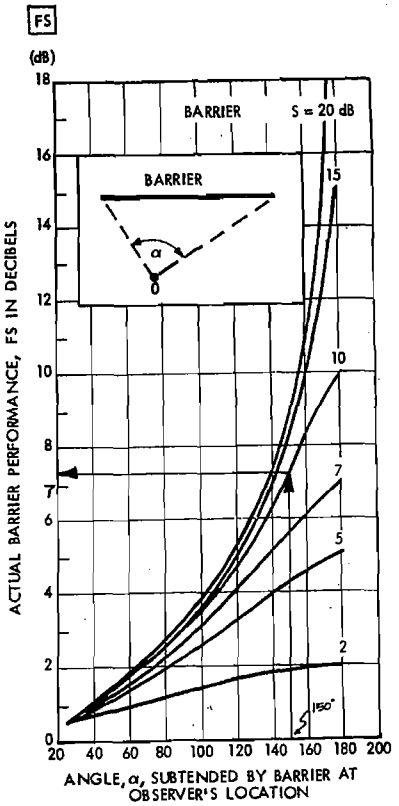

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00177707

26. The Noise Attenuation Provided Is 3 Decibels

Note—When the Curves ARe So Close Together Don't Worry About Extrapolating. In This Case You Couldn't Anyway, the 15 dB and 10 dB Curves Have Merged.

Workchart 6
Noise Barrier

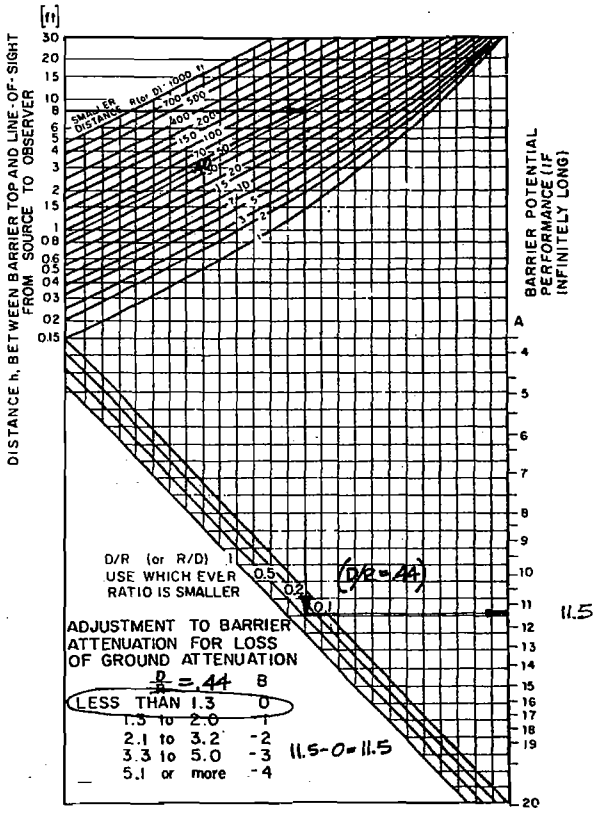

Workchart 7

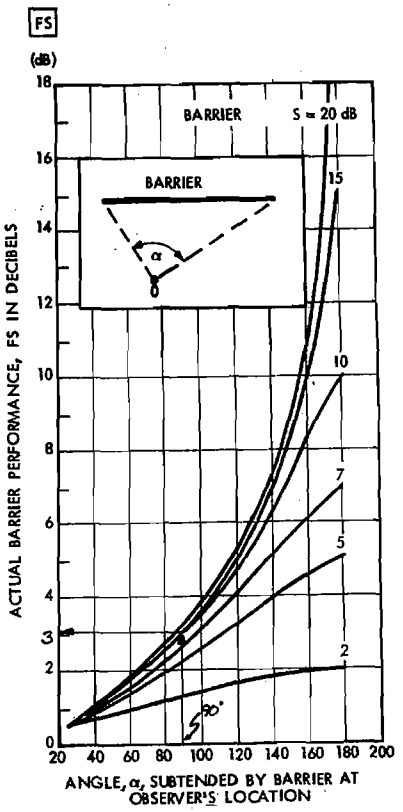

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00177708

27. The Noise Attenuation Provided Is 6 Decibels (5.5 Rounded Up)

Note—Again You Have Problems With Extrapolating—Don't Worry About Being Too Precise.

Workchart 6
Noise Barrier

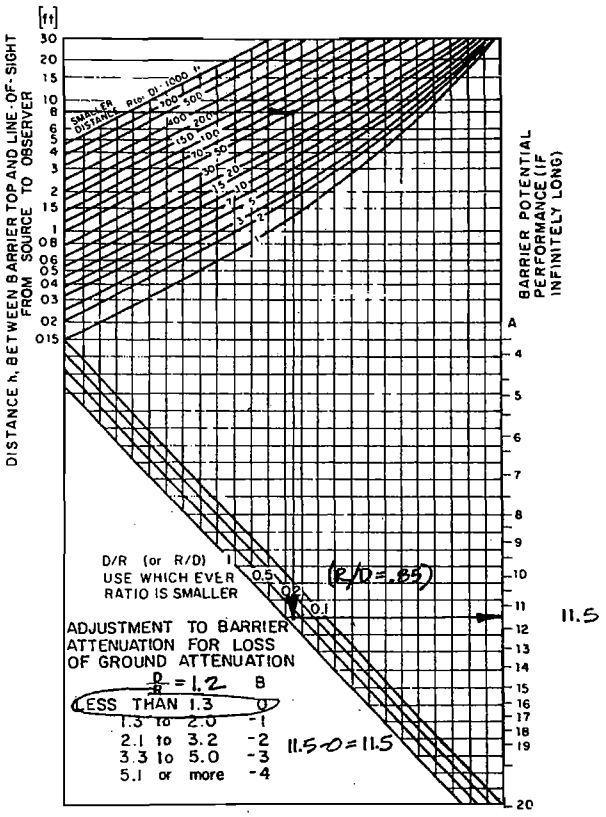

Workchart 7

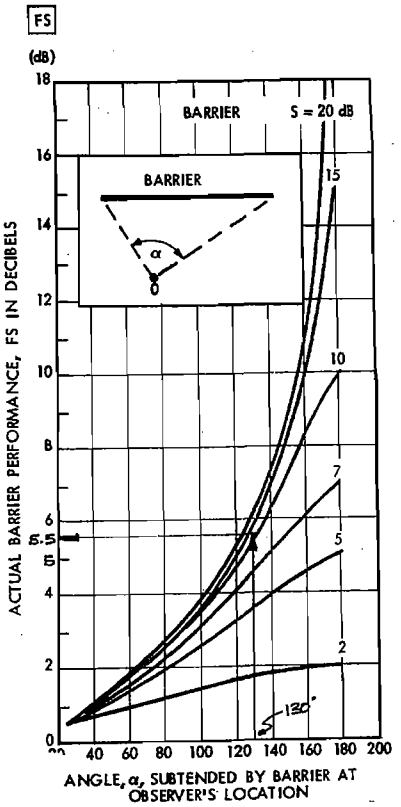

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00177709

28. The Noise Attenuation Provided by This Barrier Is 4 dB. This Is Sufficient

Note—Don't Forget That the Height of the observor Is 5′ Less Than the Total Height of the Building and the Height of the Building Is 10 Feet Times the Number of Stories. And Did You Remember to Make the Adjustment for Ground Attenuation Loss.

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 15 R′= 40

S= 0 D′= 20

O= 15

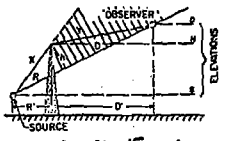

1. *Elevation of barrier top minus elevation of source*	[H 15] − [S 0]	= [1 15]		
2. Elevation of observer minus elevation of source	[O 15] − [S 0]	= [2 15]		
3. Map distance between source and observer (R′ + D′)		[3 60]		
4. Map distance between barrier and source (R′)		[4 40]		
5. Line 2 divided by line 3	[2 15] ÷ [3 60]	= [5 .25]		
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .25] × [5 .25]	= [6 .0625]		
7. 40% of line 6	[0.4] × [6 .0625]	= [7 .025]		
8. *One minus line 7*	[1.0] − [7 .025]	= [8 .975]		
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .25] × [4 40]	= [9 10]		
10. *Line 1 minus line 9*	[1 15] − [9 10]	= [10 5]		
11. Line 10 times line 8	[10 5] × [8 .975]	= [11 4.9]	= h	
12. Line 5 times line 10	[5 .25] × [10 5]	= [12 1.25]		
13. Line 4 divided by line 6	[4 40] ÷ [8 .975]	= [13 41]		
14. Line 13 plus line 12	[13 41] + [12 1.25]	= [14 42]	= R	
15. Line 3 minus line 4	[3 60] − [4 40]	= [15 20]		
16. Line 15 divided by line 8	[15 20] ÷ [8 .975]	= [16 20.5]		
17. *Line 16 minus line 12*	[16 20.5] − [12 1.25]	= [17 19]	= D	

[**Note:** the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (−y) = x−y. And subtracting a negative number is like adding: X−(−y) = x+y.)

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

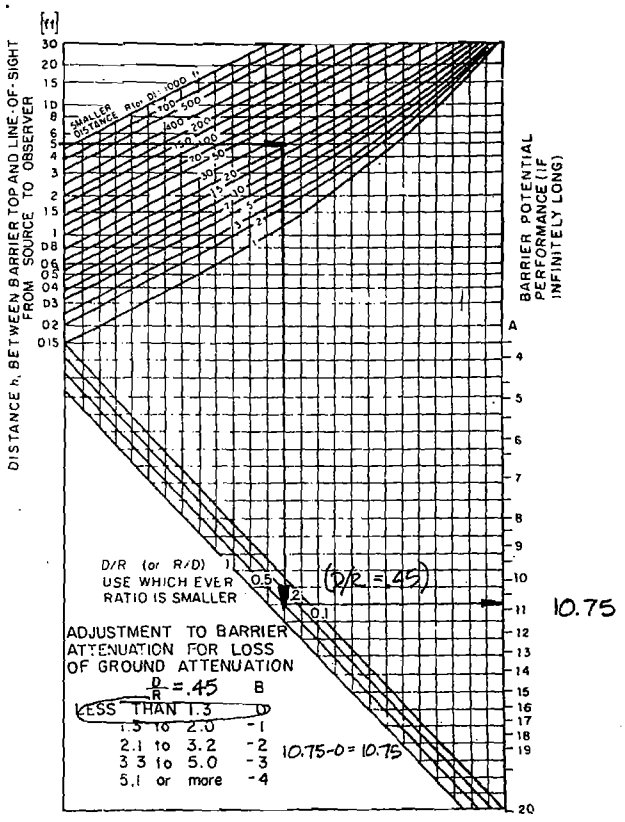

Workchart 7

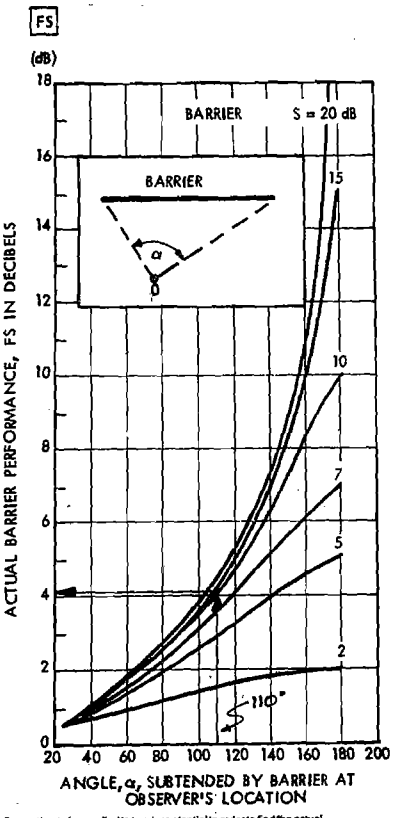

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00177710

29. The Noise Attenuation Provided by This Barrier Is Approximately 5 dB for Both the Engines and the Railroad Cars.

This Is Not Sufficient.

Note—You Were Supposed to Calculate Attenuation for Diesel Engines and Cars Separately Because the Source Heights Are Different. The Value of S for the Engines Should Have Been −10 and the Value of S for the Railroad Cars Should Have Been −25.

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 12 R'= 40

S= −10 D'= 85

O= 25

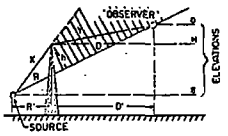

1. Elevation of barrier top minus elevation of source	[H 12] − [S −10]	= [1 22]		
2. Elevation of observer minus elevation of source	[O 25] − [S −10]	= [2 35]		
3. Map distance between source and observer (R' + D')		[3 125]		
4. Map distance between barrier and source (R')		[4 40]		
5. Line 2 divided by line 3	[2 35] ÷ [3 125]	= [5 .28]		
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .28] × [5 .28]	= [6 .08]		
7. 40% of line 6	[0.4] × [6 .08]	= [7 .03]		
8. One minus line 7	[1.0] − [7 .03]	= [8 .97]		
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .28] × [4 40]	= [9 11.2]		
10. Line 1 minus line 9	[1 22] − [9 11.2]	= [10 10.8]		
11. Line 10 times line 8	[10 10.8] × [8 .97]	= [11 10.5]	= h	
12. Line 5 times line 10	[5 .28] × [10 10.8]	= [12 3]		
13. Line 4 divided by line 8	[4 40] ÷ [8 .97]	= [13 41]		
14. Line 13 plus line 12	[13 41] + [12 3]	= [14 44]	= R	
15. Line 3 minus line 4	[3 125] − [4 40]	= [15 85]		
16. Line 15 divided by line 8	[15 85] ÷ [8 .97]	= [16 88]		
17. Line 16 minus line 12	[16 88] − [12 3]	= [17 85]	= D	

[Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 18, 14, and 17, that adding a negative number is the same as subtracting: x + (−y) = x−y. And subtracting a negative number is like adding: X−(−y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

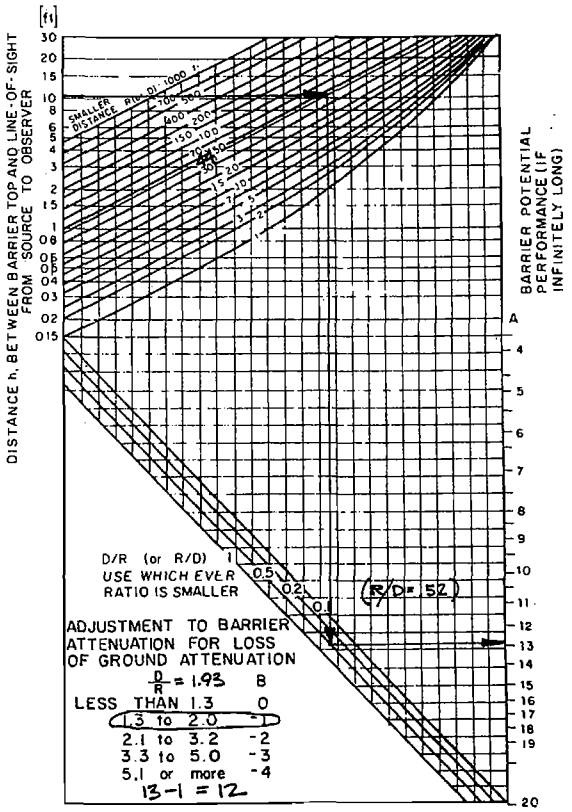

Workchart 7

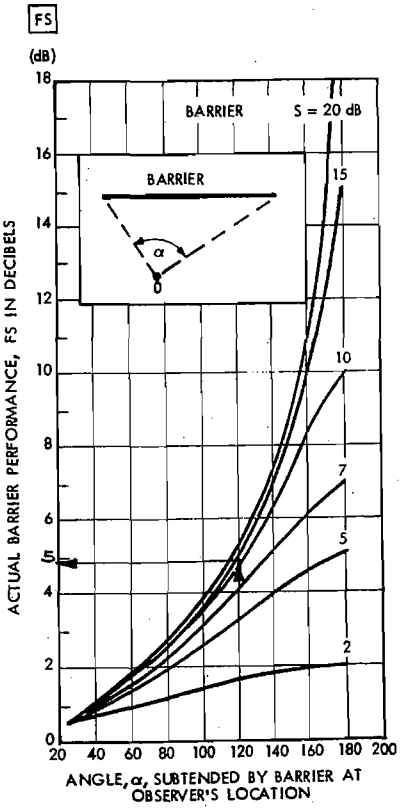

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00177711

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances.

Enter the values for:

H= 12 R'= 40

S= -25 D'= 85

O= 25

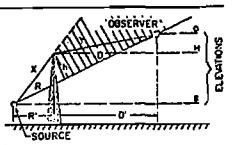

Fill out the following worksheet (all quantities are in feet):

1. Elevation of barrier top minus elevation of source	[H 12]	− [S −25]	= [1 37]	
2. Elevation of observer minus elevation of source	[O 25]	− [S −25]	= [2 50]	
3. Map distance between source and observer (R' + D')			[3 125]	
4. Map distance between barrier and source (R')			[4 40]	
5. Line 2 divided by line 3	[2 50]	÷ [3 125]	= [5 .4]	
6. Square the quantity on line 5 (i.e., multiply it by itself): always positive	[5 .4]	× [5 .4]	= [6 .16]	
7. 40% of line 6	[0.4]	× [6 .16]	= [7 .06]	
8. One minus line 7	[1.0]	− [7 .06]	= [8 .94]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .4]	× [4 40]	= [9 16]	
10. Line 1 minus line 9	[1 37]	− [9 16]	= [10 21]	
11. Line 10 times line 8	[10 21]	× [8 .94]	= [11 19.7]	= h
12. Line 5 times line 10	[5 .4]	× [10 21]	= [12 8.4]	
13. Line 4 divided by line 8	[4 40]	÷ [8 .94]	= [13 42.6]	
14. Line 13 plus line 12	[13 42.6]	+ [12 8.4]	= [14 51]	= R
15. Line 3 minus line 4	[3 125]	− [4 40]	= [15 85]	
16. Line 15 divided by line 8	[15 85]	÷ [8 .94]	= [16 90.4]	
17. Line 16 minus line 12	[16 90.4]	− [12 8.4]	= [17 82]	= D

[Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

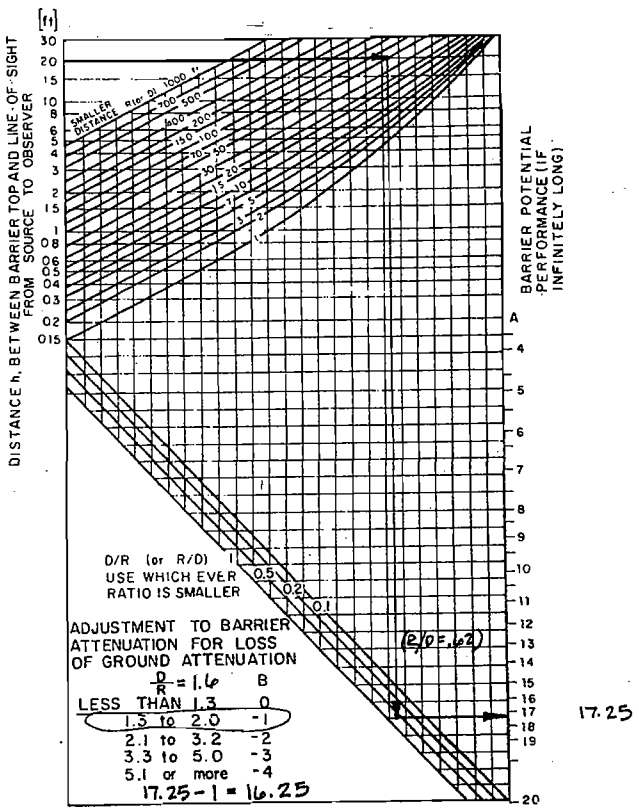

Workchart 7

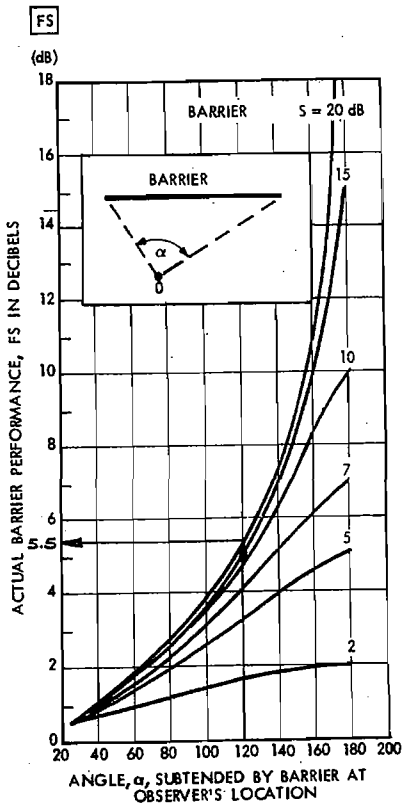

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

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30. The Noise Attenuation Provided by This Barrier Is 3 dB for Trucks and 5 dB for Autos. The Combined Level Resulting Is 69 LDN.

This Is Not Sufficient

Note—You Must Calculate the Barrier Effect Separately for Autos and Trucks Because the Source Height is Different. Then Recombine levels.

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 16 R'= 36

S= 0 D'= 56

O= 25

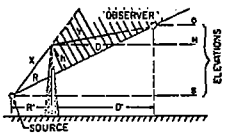

1. Elevation of barrier top minus elevation of source	[H 16	] −	[S 0	] =	[1 16	]	
2. Elevation of observer minus elevation of source	[O 25	] −	[S 0	] =	[2 25	]	
3. Map distance between source and observer (R' + D')					[3 92	]	
4. Map distance between barrier and source (R')					[4 36	]	
5. Line 2 divided by line 3	[2 25	] ÷	[3 92	] =	[5 .27	]	
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .27	] ×	[5 .27	] =	[6 .07	]	
7. 40% of line 6	[0.4	] ×	[6 .07	] =	[7 .03	]	
8. One minus line 7	[1.0	] −	[7 .03	] =	[8 .97	]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .27	] ×	[4 36	] =	[9 9.7	]	
10. Line 1 minus line 9	[1 16	] −	[9 9.7	] =	[10 6.3	]	
11. Line 10 times line 9	[10 6.3	] ×	[8 .97	] =	[11 6.1	]	= h
12. Line 5 times line 10	[5 .27	] ×	[10 6.1	] =	[12 1.7	]	
13. Line 4 divided by line 9	[4 36	] ÷	[8 .97	] =	[13 37	]	
14. Line 13 plus line 12	[13 37	] +	[12 1.7	] =	[14 39	]	= R
15. Line 3 minus line 4	[3 92	] −	[4 36	] =	[15 56	]	
16. Line 15 divided by line 9	[15 56	] ÷	[8 .97	] =	[16 58	]	
17. Line 16 minus line 12	[16 58	] −	[12 1.7	] =	[17 56	]	= D

(Note: the value on line 2 may be negative, in which case so will the values on lines 5, 9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x +(-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x+y.)

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

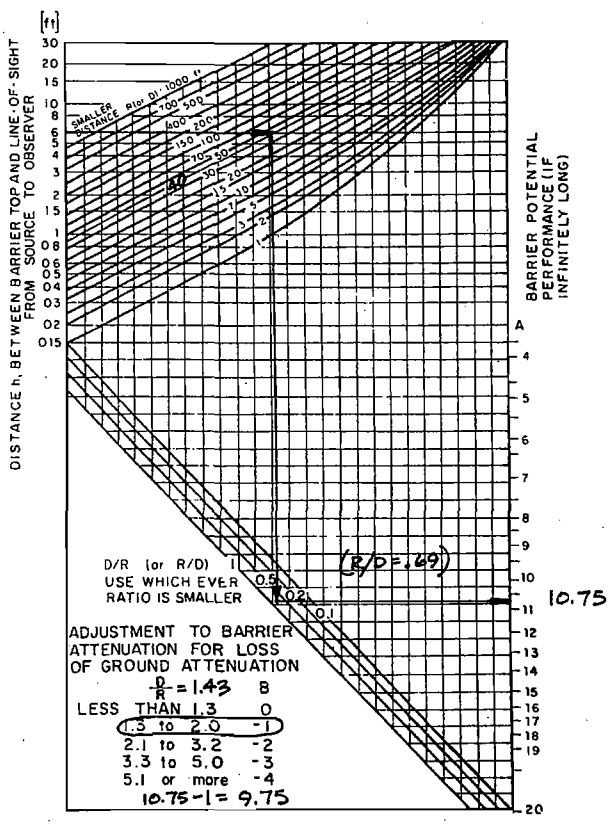

Workchart 7

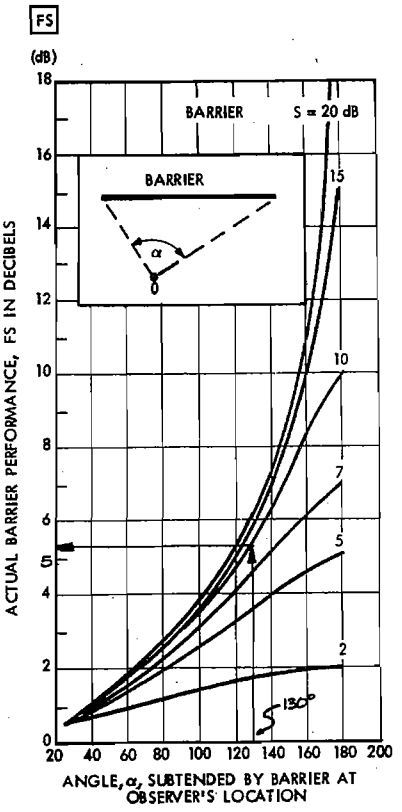

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00177713

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 16 R'= 36

S= 8 D'= 56

O= 25

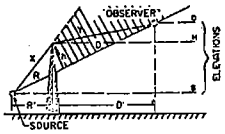

1. Elevation of barrier top minus elevation of source	[H 16] −	[S 8] =	[1 8]	
2. Elevation of observer minus elevation of source	[O 25] −	[S 8] =	[2 17]	
3. Map distance between source and observer (R' + D')			[3 92]	
4. Map distance between barrier and source (R')			[4 36]	
5. Line 2 divided by line 3	[2 17] ÷	[3 92] =	[5 .2]	
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .2] ×	[5 .2] =	[6 .04]	
7. 40% of line 6	[0.4] ×	[6 .04] =	[7 .02]	
8. One minus line 7	[1.0] −	[7 .02] =	[8 .98]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .2] ×	[4 36] =	[9 7]	
10. Line 1 minus line 9	[1 8] −	[9 7] =	[10 1]	
11. Line 10 times line 8	[10 1] ×	[8 .98] =	[11 .98]	= h
12. Line 5 times line 10	[5 .2] ×	[10 1] =	[12 .2]	
13. Line 4 divided by line 8	[4 36] ÷	[8 .98] =	[13 37]	
14. Line 13 plus line 12	[13 37] +	[12 .2] =	[14 37]	= R
15. Line 3 minus line 4	[3 92] −	[4 36] =	[15 56]	
16. Line 15 divided by line 8	[15 56] ÷	[8 .98] =	[16 57]	
17. Line 16 minus line 12	[16 57] −	[12 .2] =	[17 57]	= D

[**Note:** the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

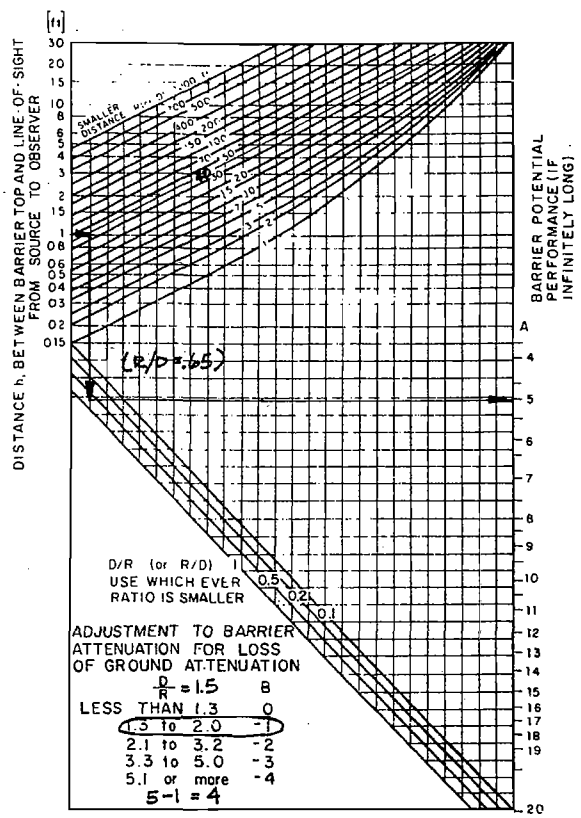

Workchart 7

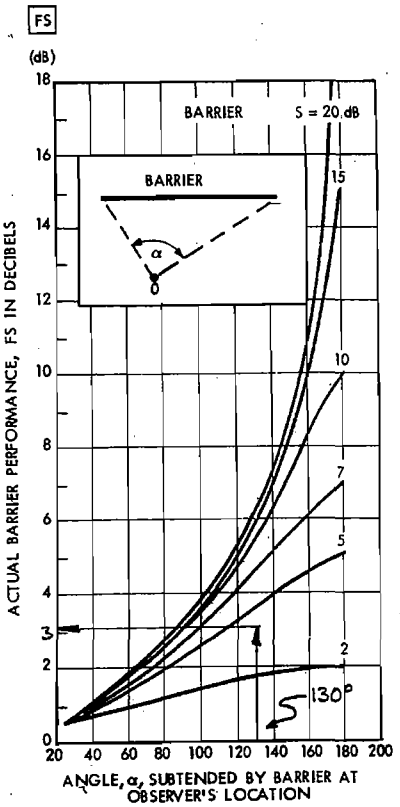

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

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Chapter 7

The Use of Noise Measurements

Noise Calculations Are Best For HUD Use

There are two ways to determine noise levels for a site under review: the noise can be calculated or it can be measured. While one's first reaction might well be that it would obviously be better to go out and actually measure the noise levels at the site, calculated noise levels are really much better for implementing HUD's noise policy.

Calculated noise levels are developed using mathematical models that contain a variety of assumptions about the process of noise propagation as well as data on sound levels generated by typical sources (i.e. aircraft engines, automobile tires etc.). The model can be a complex computer model or it can be a simple desktop model such as the procedures in the *Noise Assessment Guidelines*. The models can also employ a variety of noise descriptors. (See chapter 1 for a discussion of noise descriptors.) Most noise studies done for the Federal Highway Administration, for example, use either the L_{10} or the L_{eq} noise descriptor. Many aircraft noise studies use the NEF or CNEL descriptor. All of these descriptors are compatible with the L_{dn} noise descriptor system that is preferred by HUD and the HUD noise regulation contains instructions for converting all of them into L_{dn}. (sections 51.106(a)(1) and (2))

Whether produced by a sophisticated computer model or by the desktop *Noise Assessment Guidelines*, calculated noise levels are more useful for HUD needs than measured levels for two significant reasons: The first is that with noise measurements you have no good way to take into account future changes in the future noise environment. The houses we help build today are going to be around for a long time and it is very important that we determine, to the extent we can, the noise environment that will exist throughout the life of the buildings. While there are clearly limitations on how far into the future we can reasonably project traffic levels for roads, railroads and airports, we can at least look 5 to 10 years ahead. The HUD noise regulation (24 CFR 51B) requires that "to the extent possible, noise exposure shall be projected to be representative of conditions that are expected to exist at a time at least 10 years beyond the date of the project or action under review." It is very easy to make these projections if you use the *Noise Assessment Guidelines* or a computer model to determine noise levels.

The second reason why we prefer that you calculate noise levels is that through the calculation process you can use monthly or yearly data to determine traffic levels. Thus you come up with a more typical picture of conditions. With noise measurements there is always the possibility that the day or even days chosen for measurements will not be typical and that the measurements may over or understate the problem. While the conscientious measurer will try to account for any unusual conditions, it isn't always possible. So long as cost considerations limit the number of days that measurements can be taken there will always be the problem of unrepresentative data. With calculations this isn't a problem. The computer model that generates contours for airports, for example, uses an entire years data to develop the average day. Certainly the results are more likely to be representative than the results that would be derived from just a few days measurements.

When Noise Measurements Are Useful

While it is the preferred procedure to calculate noise levels, there are a few situations where the noise models might not be accurate and it might be better to rely on measurements. One instance would be when there is insufficient or inadequate traffic data. Another case might be where you have a unique physical situation that is not accounted for in whatever mathematical model is available.

Obtaining good traffic data can be difficult. You may only be able to get gross data that simply lists total vehicles without making any distinctions between trucks and automobiles. Or you may not be able to get any reliable data on the percentage of traffic between 10 pm and 7 am. While the *Noise Assessment Guidelines* do contain some assumptions that you can use when you don't have all the data you need, there may be instances when you just don't think those assumptions would accurately portray the problem.

By the same token, there are certain physical situations that mathematical models such as the *Noise Assessment Guidelines* couldn't anticipate and therefore do not reflect in their formulas. For example, the *Guidelines* say that you don't have to calculate the noise levels for underground transit lines. Well what if the line is underground but there are large air vents that reach from the belowground tunnels to the surface? A great deal of noise can reach the surface through these vents but the *Noise Assessment Guidelines* don't have any way to take it into account. You couldn't treat it as if the subway line were aboveground because it isn't really and at least some of the noise is blocked. This would be a case where a noise measurement would probably be the best way to determine the noise levels. By the same token, the guidelines do not really take into account the sometimes significant amounts of reflected noise that can occur at urban sites surrounded by tall buildings, i.e. the canyon effect.

When Not to Use Measurements

One thing noise measurements should not be used for is to confirm or refute calculated noise levels, especially computer generated aircraft contours. Our experience with both the *Noise Assessment Guidelines* and with computer noise models is that both are quite accurate if done properly. If you are convinced that the calculations were done correctly, and if you believe that the data used were good, you should strongly discourage anyone who wants to take measurements because they think that measurements are inherently more accurate than calculations. Comparing measured noise levels to calculated levels is like comparing apples and oranges. The

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calculated noise levels should include projected traffic levels, the measured ones will not. The calculated levels will be based on daily traffic counts derived by averaging months of data, the measured levels will, at best, reflect just a few days. (This is particularly true for aircraft noise contours. The day-to-day operations of an airport can vary significantly depending upon weather conditions and any one or two days worth of measurements are very likely to show different levels from those generated by a computer model employing a year of data to derive an average day.)

If you have determined that noise measurements are appropriate, you must make sure that they are done properly, otherwise the data will be useless. There are four elements to proper measurements: 1) where the measurements are taken; 2) when they are taken; 3) the type of equipment used; and 4) the actual measurement procedure.

Where measurements should be taken: The locations for noise measurements should be selected using the same criteria you would use to select a Noise Assessment Location for a *Noise Assessment Guidelines* calculation. The *Noise Assessment Guidelines* recommend that "assessments of the noise exposure should be made at representative locations around the site where significant noise is expected." Further, the *Guidelines* state that when selecting these locations you should consider those buildings containing noise sensitive uses which are closest to the predominant noise sources. Where quiet outdoor space is desired at a site, you should also select points in the outdoor area in question. Specifically, the "relevant measurement location for buildings is a point 2 meters (6.5 feet) from the facade." If there are no buildings yet the measurement point should be 2 meters from the closest point setback requirements would allow a building facade.

When measurements should be taken: Because measurements are only going to be taken for a few days at best, special care should be taken to make sure that the days selected are representative of average traffic levels. For highways, avoid both Monday and Friday, particularly before or after a holiday. In fact holiday periods, such as the Christmas/New Years season, should be avoided entirely. Highway traffic, or rather more importantly, truck traffic is likely to be down during these periods and noise levels may be significantly lower than normal. On the other hand, holiday periods are often peak travel periods for airlines and measurements taken around airports then would show unusually high noise levels.

Whoever is taking the measurements should also check to make sure that there aren't any special circumstances that might affect traffic levels. For example road construction or repair work might divert additonal traffic onto the road being measured, or divert traffic away. In both cases the noise levels measured would not be representative.

And finally, noise measurements should not be taken during extreme weather conditions both because of the possible effects on traffic levels but also because the weather conditions can exaggerate the actual noise levels.

Ideally, noise measurements should be taken over several days spread over at least a few months. But given that time and money will normally preclude this, at least make sure the one or two days you can get are as close to typical as possible.

What equipment to use: There are many sound level meters on the market which are suitable for taking noise measurements for transportation sources. They need only to meet the requirements of American National Standard Specification for Type 1 Sound Level Meters: S1.4-1971. Type 1 sound level meters are "precision" meters and provide the most accurate measurements. They are also, of course, the most expensive. Fast time-averaging and A frequency weighting are to be used. The sound level meter with the A-weighting is progressively less sensitive to sound with frequencies below 1,000 hertz, somewhat as is the ear. With fast time averaging the sound level meter responds particularly to recent sounds almost as quickly as does the ear in judging the loudness of a sound. Fast time averaging has a time constant of about 1/8 second.

While a sound level measuring system that averages decibel readouts on a short term basis such as for every minute or every hour is acceptable, it would be far better if a system that actually provides a 24 hour integrated L_{dn} readout were used. Such a system eliminates the need for calculating the L_{dn} value, an area where many inexperienced consultants go astray. These systems are more expensive however, and the consultant who doesn't do much noise work is unlikely to have one.

Measurement procedures: Detailed procedures for making sound level measurements are spelled out in the American National Standards Institute's Standard Methods ANSI S1.2-1962(R1976) *American National Standard Method for the Physical Measurement of Sound* and ANSI S1.13-1971(R1976) *American National Standard Methods for the Measurement of Sound Pressure Levels.*

Some of the basic procedures that should be followed are:

1. Measurements should normally be made over a continuous 24 hour period. If this is not possible, measurements may be made over a period of days but still must cover the entire 24 hour period. The selection of the days becomes even more critical so that they are as similar as possible. Sampling is not acceptable.
2. The sound level meter must be calibrated before each use.
3. The sound level meter should be provided with a wind screen.
4. Care should be taken to insure that there are no temporary obstructions, such as parked trucks, between the meter and the source.

The Noise Study

The noise study prepared to describe the measurement results should contain at least the following:

1. A map showing where the measurements were taken
2. A vicinity map showing the site and the major noise sources
3. A chart indicating the date, the time, and weather conditions when measurements were taken at each measurement location
4. The type of microphone used
5. Any variations from ANSI procedures
6. The results of the measurements in L_{dn} for each measurement location
7. Any unusual conditions that existed during the measurement period—i.e. construction activity, major traffic tieup, etc.
8. If an integrating sound level meter was not used, the calculations used to derive the L_{dn} value.

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Noise and Its Effects

By Dr. Alice H. Suter, Conference Consultant, Administrative Conference of the United States, November 1991

This report was prepared for the consideration of the Administrative Conference of the United States. The views expressed are those of the author and do not necessarily reflect those of the members of the Conference or its committees except where formal recommendations of the Conference are cited.

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I. Introduction

This report presents an overview of noise and its effects on people. Special emphasis is placed on developments over the past decade, both in terms of noise conditions and noise effects research. By doing so, this report should illustrate some of the reasons for concern about noise problems, which persist after the closing of EPA's Office of Noise Abatement and Control (ONAC).

Noise has a significant impact on the quality of life, and in that sense, it is a health problem in accordance with the World Health Organization's (WHO) definition of health. WHO's definition of health includes total physical and mental well-being, as well as the absence of disease. Along these lines, a 1971 WHO working group stated: "Noise must be recognized as a major threat to human well-being." (Suess, 1973)

The effects of noise are seldom catastrophic, and are often only transitory, but adverse effects can be cumulative with prolonged or repeated exposure. Although it often causes discomfort and sometimes pain, noise does not cause ears to bleed and noise-induced hearing loss usually takes years to

develop. Noise-induced hearing loss can indeed impair the quality of life, through a reduction in the ability to hear important sounds and to communicate with family and friends. Some of the other effects of noise, such as sleep disruption, the masking of speech and television, and the inability to enjoy one's property or leisure time also impair the quality of life. In addition, noise can interfere with the teaching and learning process, disrupt the performance of certain tasks, and increase the incidence of antisocial behavior. There is also some evidence that it can adversely affect general health and well-being in the same manner as chronic stress. These effects will be discussed in more detail in the paragraphs below.

II. ONAC'S Activities in Noise Effects Research and Criteria

In response to the mandates of Section 5 of the Noise Control Act of 1972, ONAC published Public Health and welfare Criteria for Noise (EPA, 1973a) and Information on Levels of Environmental Noise Requisite to Protect Public Health and welfare with an Adequate Margin of Safety (EPA, 1974a), popularly known as the "Levels Document" for obvious reasons). Also in 1973,ONAC sponsored an international conference in Yugoslavia on the effects of noise, from which voluminous proceedings there published (EPA, 1973b). All of these documents there widely distributed and, although somewhat dated, are still read and referenced today. Because a considerable amount of research in this area has been conducted over the past 2 decades, these documents would benefit from revision.

In these documents ONAC established dose-response relationships for noise and its effects, and identified safe levels of noise to prevent hearing loss and activity interference. The agency also established the day-night average noise level as a universal descriptor to be used in assessing the impact of community noise.

Section 14 of the Act directs ONAC to conduct or finance research on noise effects, including investigations of the psychological and physiological effects of noise on humans and the effects of noise on animals. Approximately 35 technical reports resulted from these efforts, as well as contractor reports and numerous articles in scientific journals.

Some of the more noteworthy examples of EPA's research program there:

- Projects involving the cardiovascular effects of noise at the University of Miami, Johns Hopkins University and the Massachusetts Institute of Technology (Peterson, et al., 1978, 1981, 1983; Hattis and Richardson,1980; Turkkan et al, 1983).
- A longitudinal study of noise exposure and hearing threshold levels in children conducted by the Fels Institute (Roche et al., 1977).
- An interagency agreement with the U.S. Air Force to study the effects of noise on hearing (e.g., Guignard, 1973; Johnson, 1973; Schori and McGatha, 1978; Suter, 1978).
- A study identifying the sound levels of speech communication in various environments (Pearsons, et al., 1977).
- Two studies at Northeastern University comparing methods for predicting the loudness and acceptability of noise (Scharf et al., 1977; Scharf and Hellman, 1979).

Although much useful information was derived from these programs, some of them there irreparably damaged by the abrupt termination of funding from ONAC that occurred in 1981 and 1982. For one example, the Johns Hopkins study of cardiovascular effects of noise on primates was terminated after testing on only one subject had been completed. For another, the longitudinal data from the Fels Institute is now of little value after a hiatus of more than a decade.

III. Physical Properties and Measurement of Sound

A. Physical Properties

Noise is often defined as unwanted sound. To gain a satisfactory understanding of the effects of noise, it would be useful to look briefly at the physical properties of sound.

Sound is the result of pressure changes in a medium (usually air), caused by vibration or turbulence. The amplitude of these pressure changes is stated in terms of sound level, and the rapidity with which these changes occur is the sound's frequency. Sound level is measured in decibels (abbreviated dB), and sound frequency is stated in terms of cycles per second, or nowadays, Hertz (abbreviated Hz). Sound level in decibels is a logarithmic rather than a linear measure of the change in pressure with respect to a reference pressure level. A small increase in decibels can represent a large increase in sound energy. Technically, an increase of 3 dB represents a doubling of sound energy, and an increase of 10 dB represents a tenfold increase. The ear, however, perceives a 10-dB increase as doubling of loudness.

Another important aspect is the duration of the sound, and the way it is distributed in time. Continuous sounds have little or no variation in time, varying sounds have differing maximum levels over a period of time, intermittent sounds are interspersed with quiet periods, and impulsive sounds are characterized by relatively high sound levels and very short durations.

The effects of noise are determined mainly by the duration and level of the noise, but they are also influenced by the frequency. Long-lasting, high-level sounds are the most damaging to hearing and generally the most annoying. High-frequency sounds tend to be more hazardous to hearing and more annoying than low-frequency sounds. The way sounds are distributed in time is also important, in that intermittent sounds appear to be somewhat less damaging to hearing than continuous sounds because of the ear's ability to regenerate during the intervening quiet periods. However, intermittent and impulsive sounds tend to be more annoying because of their unpredictability.

B. Instrumentation

The instrument for measuring noise is the basic sound level meter or a number of its derivatives, including noise dose meters (usually called dosimeters), integrating sound level meters, graphic level recorders, and community noise analyzers. Improvements in all of these instruments have taken place during the last decade. This is especially true of the computerized dosimeters and integrating meters, which can measure, compute, store, and display comprehensive data on the noise field (Earshen, 1986). These instruments are now able to measure over very wide dynamic ranges and to measure impulsive sounds with a high degree of accuracy.

C. Measurement and Descriptors

Most sound level meters and dosimeters use built-in frequency filters or "weighting networks " in the measurement process. By far the most frequently used filter is the A weighting network, which discriminates against low-frequency and very high-frequency sounds. A weighting approximates the equal-loudness response of the ear at moderate sound levels, and correlates well with both hearing damage and annoyance from noise. A weighting will be assumed throughout this report unless otherwise specified.

Composite measures of noise, such as the equivalent continuous sound level (Leq) and the day-night average sound level (DNL) incorporate A weighting, (The mathematical notation for DNL is Ldn.) these levels constitute sound energy averages over given periods of time, the DNL incorporates a 10-dB nighttime penalty from 10:00 pm to 7:00 am, meaning that events occurring during

that time are counted as 10 dB higher than they really are. A variant of the DNL that is used in California (and Europe) is the community noise equivalent level (CNEL), which incorporates a 5-dB penalty for evening noise events, as well as the 10-dB nighttime penalty (California Code of Regulations, 1990).

For more than a decade, both the DNL and the simple Leq have been used extensively for assessing the impact of aircraft/airport noise. Recently, however, communities have expressed dissatisfaction with these metrics when used to regulate noise (Wesler, 1990). Metrics that employ averaging fail to describe the disturbance arising from single events, especially low-flying aircraft, unexpected or newly occurring flights, or flights occurring in areas where solitude is at a premium. The sound exposure level (SEL), an event's sound level normalized to one second, is gaining popularity as a supplement to the DNL and the Leq for characterizing single events.

IV. Noise in America

A. Population Trends

The U.S. population has increased an average of 25 million with each census since 1950. According to the World Almanac (1991), the population in 1980 was 226 million and approximately 250 million in 1990. This reflects an increase of nearly 11 percent over the decade, or slightly more than 1 percent per year. Presently, 77 percent of the U.S. population lives in the nation's 283 designated metropolitan areas, and the rate of growth in these areas is twice that of nonmetropolitan areas (Bryant, 1991).

Not surprisingly, EPA research indicates that noise levels in communities is directly related to the population density (EPA, 1974b).[1] Because the noise in urban areas generally exceeds that of suburban and rural areas, it is not unreasonable to assume that noise in the U.S. is increasing at least in proportion to the increase in urbanization and more rapidly than the growth of the general population. In addition, noise sources appear to be multiplying at a faster pace than the population.

B. Noise Sources

Figure 1, from EPA's simplified version of the Levels Document, Protective Noise Levels, shows the range of sound levels for some common noise sources (EPA, 1978). Most leading noise sources will fall into the following categories: road traffic, aircraft, railroads, construction, industry, noise in buildings, and consumer products.

1. Road traffic noise

In its Levels Document (1974), EPA estimated that road traffic noise was the leading source of community noise. EPA's contractors found that to be true in 1981 (EPA, 1981), and there is little reason to believe otherwise today.

Truck transportation, as a convenient and economical means of moving raw materials and consumer goods from place to place, is growing at a faster pace than the general population. For example, a total[2] of 33.6 million trucks there registered in the U.S. in 1980. That number grew to 45.5 million in 1989, an increase of about 35 percent (American Trucking Assoc., 1991).

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[1] The day-night average sound level appears to be proportional to the log of population density in people per square mile (EPA.1974b).

[2] The total number of trucks registered includes personal-use as well as commercial trucks of all weight classes.

Noise from the motors and exhaust systems of large trucks provides the major portion of highway noise impact, and provides a potential noise hazard to the driver as well.[3] In addition, noise from the interaction of tires with the roadway is generated by trucks, buses, and private autos.

In the city, the main sources of traffic noise are the motors and exhaust systems of autos, smaller trucks, buses, and motorcycles. This type of noise can be augmented by narrow streets and tall buildings, which produce a "canyon" in which traffic noise reverberates.

Typical Range of Common Sounds

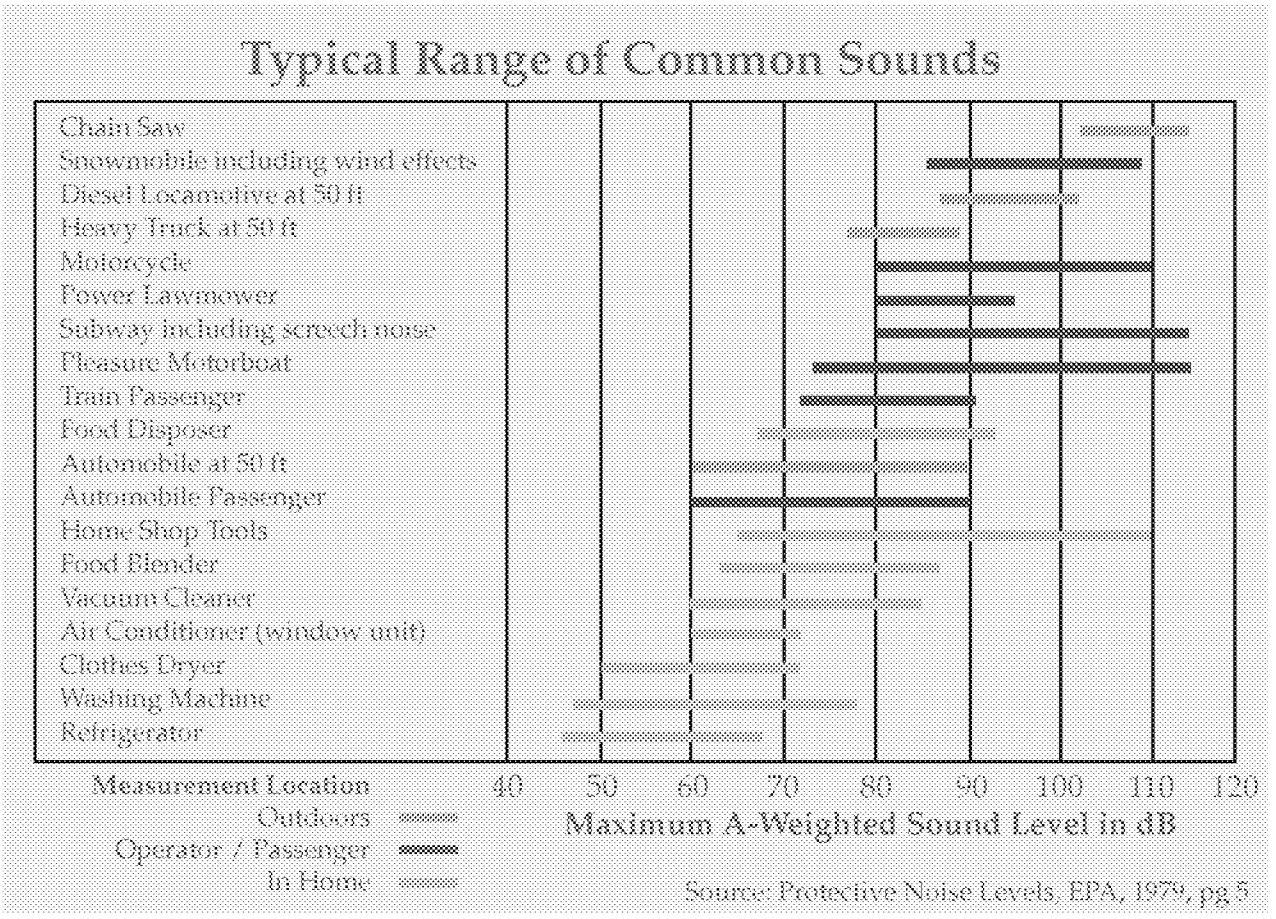

2. Aircraft noise

Air traffic also appears to be increasing more rapidly than the U.S. population. In 1980, U.S. scheduled airlines flew approximately 255.2 billion passenger miles and 5.7 billion cargo (ton) miles. By 1990, these figures there 457.9 billion and 10.6 billion, respectively (Air Transport Assoc., 1991a). This represents an increase of 79 percent in passenger mileage, and 86 percent in air height mileage. Air cargo traffic has grown particularly rapidly in the last five years, and will probably continue that trend over the next decade.

By 1989, the quieter "Stage III" airplanes comprised nearly 40 percent of the domestic fleet (Air Transport Assoc, 1991b). By the year 2004, all of the noisier Stage II aircraft must be phased out

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[3] According to Reinhart (1991) the most common complaint about truck noise is related to problems caused by tampering with the mufflers of trucks using compression brakes. About 5 percent of the heavy trucks surveyed by Reinhart and his colleagues had no functioning muffler, despite the existence of antitampering laws.

(Airport Noise and Capacity Act, 1990). This requirement should promote a quieter environment around airports, but the growth of air transportation and the pressing need for airport expansion threatens to offset the benefits of the quieter aircraft.

Nowadays, the problem of low-flying military aircraft has added a new dimension to community annoyance, as the nation seeks to improve its "nap-of-the-earth" warfare capabilities. In addition, the issue of aircraft operations over national parks, wilderness areas, and other areas previously unaffected by aircraft noise has claimed national attention over recent years (Fidell, 1990; Cantoni, 1991; Weiner, 1990; Mouat, 1990).

3. Noise from railroads

The noise from locomotive engines, horns and whistles, and switching and shunting operations in rail yards can impact neighboring communities and railroad workers. For example, rail car retarders can produce a high-frequency, high-level screech that can reach peak levels of 120 dB at a distance of 100 feet (EPA, 1974), which translates to levels as high as 138 or 140 dB at the railroad worker's ear.

Unlike truck and air transportation, however, rail transportation does not appear to be increasing. According to the Association of American Railroads, the railroad industry loaded 22.1 million freight cars in 1988, down slightly from 22.6 million in 1980 (AAR, 1991).

4. Construction noise

The noise from construction of highways, city streets, and buildings is a major contributor to the urban scene. Construction noise sources include pneumatic hammers, air compressors, bull dozers, loaders, dump trucks (and their back-up signals), and pavement breakers. The construction industry has done very well over recent years with a value-added GNP of $97.9 billion in 1977, increasing to $247.7 billion in 1989 (Dept. of Commerce, 1991), an increase of about 153 percent. The number of workers employed in construction grew from 4.3 million in 1980 to about 5.2 million in 1990, an increase of nearly 21 percent (BLS, 1991a).

5. Noise in industry

Although industrial noise is one of the less prevalent community noise problems, neighbors of noisy manufacturing plants can be disturbed by sources such as fans, motors, and compressors mounted on the outside of buildings. Interior noise can also be transmitted to the community through open windows and doors, and even through building walls. These interior noise sources have significant impacts on industrial workers, among whom noise-induced hearing loss is unfortunately common.

The size of the U.S. manufacturing industry has not grown significantly over the last decade. Although the industrial. GNP increased from $673.9 billion in 1980 to $969.6 billion in 1990 (in terms of constant dollars) (BLS, 1991b), the workforce has declined from slightly more than 20 million to about 19 million during that period (BLS, 1991c). Consequently, industrially-generated community noise is probably no greater than it was in 1980.

From the worker's perspective the industrial noise problem is still very serious. The Occupational Safety and Health Administration has cut back on the enforcement of occupational noise standards and has allowed the substitution of hearing protection devices in lieu of engineering controls in many cases (OSHA, 1986). However, it is difficult to know whether noise levels in industry are increasing or decreasing because no comprehensive survey has been performed since the 1976 survey performed by Bolt Beranek and Newman Inc. (BBN, 1976).

6. Noise in buildings

Apartment dwellers are often annoyed by noise in their homes, especially when the building is not well designed and constructed. In this case, internal building noise from plumbing, boilers, generators, air conditioners, and fans, can be audible and annoying. Improperly insulated walls and ceilings can reveal the sound of amplified music, voices, footfalls, and noisy activities from neighboring units. External noise from emergency vehicles, traffic, refuse collection, and other city noises can be a problem for urban residents, especially when windows are open or insufficiently glazed.

Wetherill (1987) reports that although the lack of soundproofing is the most frequent environmental complaint of apartment dwellers, the knowledge to solve these problems is not being applied. In fact, the quality of construction is steadily declining, and the noise problems are getting worse (Wetherill, 1991).

7. Noise from consumer products

Certain household equipment, such as vacuum cleaners and some kitchen appliances, have been and continue to be noisemakers, although their contribution to the daily noise dose is usually not very large. Added to this list would be yard maintenance equipment, such as lawn mowers and snow blowers, which can, at least, cause disharmony with one's neighbors, and pother shop tools, which can be hazardous to hearing if used for sufficient periods of time.

One example of a fairly new product is the gasoline-pothered leaf blower, with average A-weighted sound levels at the operator's position of 103.6 dB, and maximum levels of 110-l12 dB (Clark, 1991). In an extensive review of nonoccupational noise exposures, Davis et al. (1985) report that the manufacturers of household devices have been reluctant to release sound level information. Consequently, it could be difficult to assess the magnitude of the problem and the extent to which noise levels are increasing or decreasing.

Residents of suburban and rural areas are sometimes disturbed by recreational noise sources, such as off-road vehicles, high-pothered motor boats, and snowmobiles. Some of these sources, such as snowmobiles, are not as noisy as they there more than a decade ago, due to attention to the problem by the manufacturers and their trade associations. Others are no less noisy, and possibly more so because noise seems to be generic to the sport. Example would be motorcycle and car racing, and events like "tractor pulls."

In fact, the allure of noisy recreational activities seems to be considerably greater now than it was a decade or so ago. The technology of sound reproduction has advancer to the point where loudspeakers can faithfully reproduce music and other sounds at levels well above 120 dB. Sporting events use giant digital "applause meters" to measure and display enthusiasm for the more popular team. The extreme in car stereo technology is now the "boom car", with sound levels exceeding 140 dB.[4] Activities like aerobic exercising and ice skating, as well as disco dancing, are accompanied by amplified music played at high sound levels. After summarizing the results of 16 studies of discotheques and rock concerts Clark (1991) reported the geometric mean of the measured sound levels as 103.4 dB. The trend in noise levels for these kinds of activities is definitely upward.

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[4] The International Auto Sound Challenge Association sponsors contests and gives the most points to contestants whom speakers produce the highest sound pressure levels, up to 140 dB. However, levels above that merit no more than 140 points.

One of the most serious sources of recreational noise is sport shooting, where peak sound pressure levels at the ear can range from about 144 dB up to more than 170 dB[5] (Odess, 1972). In his analysis of this literature, Clark (1991) cites estimates of the number of people responding positively to questions about hunting or target shooting. These estimates range from 14 percent of the general population in Scandinavia and the U.K. (Axelsson et al., 1981; Davis et al., 1985) to nearly 50 percent in the Canadian workforce (Chung et al., 1981), which Clark found to be consistent with estimates from U.S. industry. In a population of rural schoolchildren, 45 out of 47 boys and 2 out of 21 girls reported having used guns (Kramer and Wood, 1982).

A subcategory of consumer product noise that deserves mention is noisy toys. A few toys, such as firecrackers, snappers, and cap pistols have been part of the adventurous child's experience for generations. The general assumption is that these toys do not pose a hazard when used occasionally and located at a sufficient distance from the ear[6]. Nowadays, there is a large variety of noisy toys, thanks to the availability of improved technology. Many of them mimic adult noisemakers, such as amplified toy guitars, child-shed vacuum cleaners, and miniature pother saws. Some of these toys generate quite high levels of sound. For example, a baby's squeeze toy (Fay, 1991) and the battery operated siren of a toy police car have both been measured at 110 dB[7].

In a recent report on noisy toys, Leroux and Laroche (1991) cite studies showing A-weighted noise levels for a toy motor at 107 dB and a child's rattle at 99-100 dB (LNE, 1973). Current Canadian legislation limits the sound output of toys to "one hundred decibels measured at the distance that the product ordinarily would be from the ear of the child using it..." (Act, 1969), but Leroux and Laroche propose that this limit be lowered to an A-weighted level of 75 dB.

C. Numbers of People Exposed to Noise

The fact that people are variously exposed to noise is not surprising. Considering that decibels are measured on a logarithmic scale, however, the magnitude of these variations can be enormous. For example, the average noise level outside an urban apartment can be 1,000 times more intense than in a rural residential neighborhood. Fortunately, this difference will be perceived more like an eight-fold rather than a thousand-fold increase. Figure 2, from EPA's document Protective Noise Levels, shows examples of outdoor day-night average sound levels measured at various locations (EPA, 1978).

In 1974, EPA estimated that nearly 100 million Americans lived in areas where the daily average noise levels exceeded its identified safe DNL of 55 dB (EPA, 1974a). Figure 3, from EPA's Levels

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[5] A-weighted level. of these weapons would measure somewhat lower, with levels for .22 caliber rifles at about 132-139 dB and shotguns at 150-165 dB. (See Clark, 1991)

[6] Certain European studies, however, have reported as many as 1 percent to 3.7 percent of teenage children suffer hearing losses caused by impulsive noise from toys (Gjaevenes, 1967; Moe, 1966). Noise from cap guns, for example, can exceed peak sound pressure levels of 140 dB (Gjaevenes, 1966; Hodge and McCommons, 1966; Marshall and Brandt, 1973; all as cited by Leroux and Laroche,
1991).

[7] New York audiologist Thomas Fay has measured the noise levels of a variety of children's toys. In doing so he places the sound level meter's microphone quite close to the noise source (from 2 inches to 1/2 inch away), based on his observations of the children at play. (Personal communication, April 1991).

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Document, shows the residential noise environment of the U.S. population as a function of the exterior DNL, with separate curves for the freeway and aircraft increments.

Examples of Outdoor Day-Night Average Sound Levels in dB Measured at Various Locations

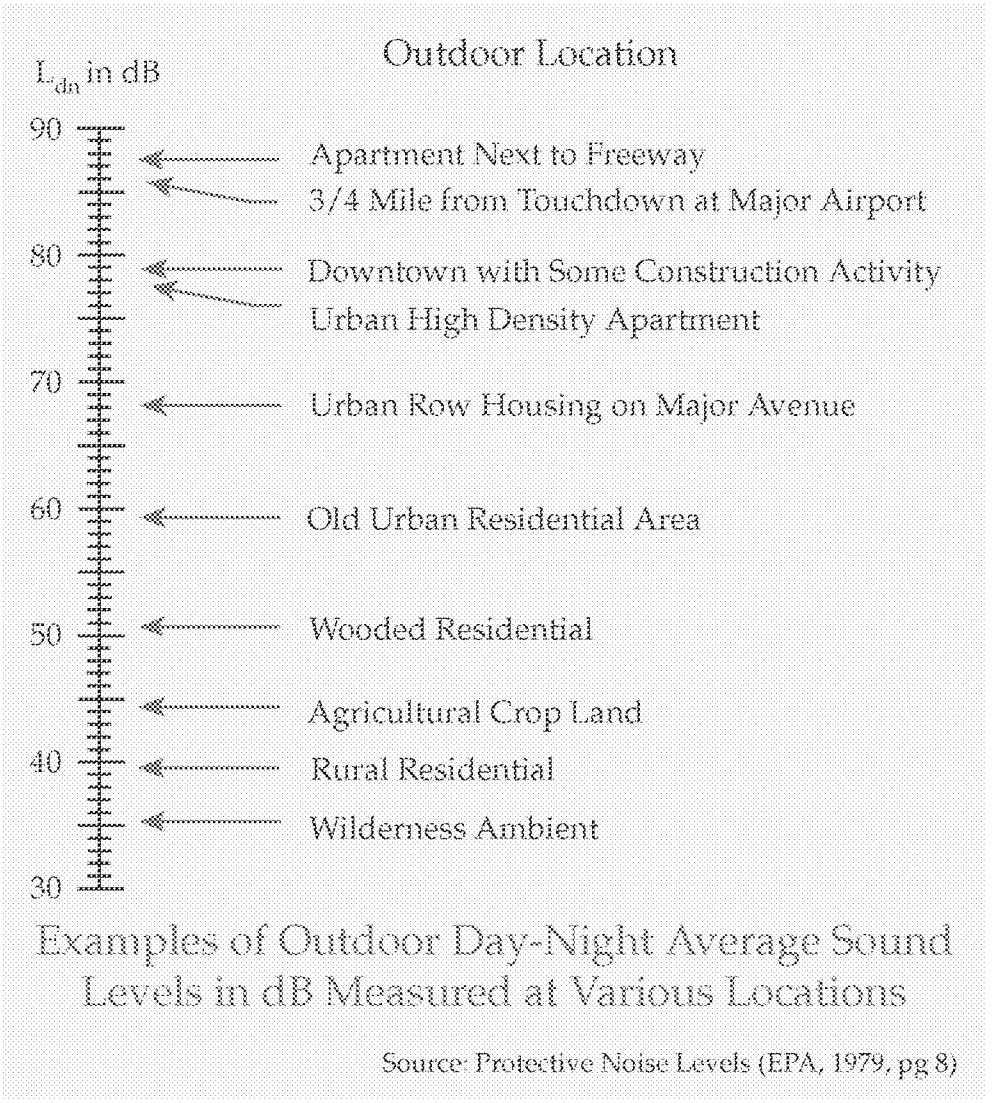

A few years later EPA contracted with the consulting firm Bolt Beranek and Newman (BBN) to develop more detailed estimates. The resulting report, Noise in America, includes a breakdown according to noise exposure source (EPA, 1981). Table I gives the estimated number of Americans exposed to traffic; aircraft, construction, rail, and industrial noise for various DNLs from 55 dB to 80 dB. The authors note that there will be some overlap among populations exposed to different sources, so the numbers across categories are not additive. The far right column represents the total estimated number of people exposed to the combined sources. Although the authors do not give an estimate for the number of people exposed above Ldn 55 dB, another authority puts it at 138 million at that time (Eldred, 1990).

These estimates do not represent the results of a national survey. Instead, the authors used data and models available to EPA and BBN at the time. Because of this, some categories of noise exposure are likely to be more accurate than others. They did, however, represent the best available esti-

mates at the time, and because no efforts have been made to update them, they are the best estimates available today.

D. Summary: Noise in America

It is safe to assume that noise in communities is increasing. Noise levels are directly related to population density, and the urban population is increasing at twice the pace of the nonurban population. In addition, the last decade has seen rapid growth in air transportation, trucking, and the construction industries, indicating that noise levels from these sources has most likely increased. The fact that some of these sources have been and continue to be quieted (especially new generations of trucks and aircraft) should mitigate this increase, but the extent of this mitigation will remain unknown until some sort of national survey is performed. Noise from construction continues to be a problem, and it appears that noise inside buildings as well as noise from recreational activities and consumer products is on the rise. Estimates of the number of people exposed to noise at various levels are now somewhat outdated.

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Residential Noise Environment of the National Population As a Function of Exterior Day-Night Average Sound Level

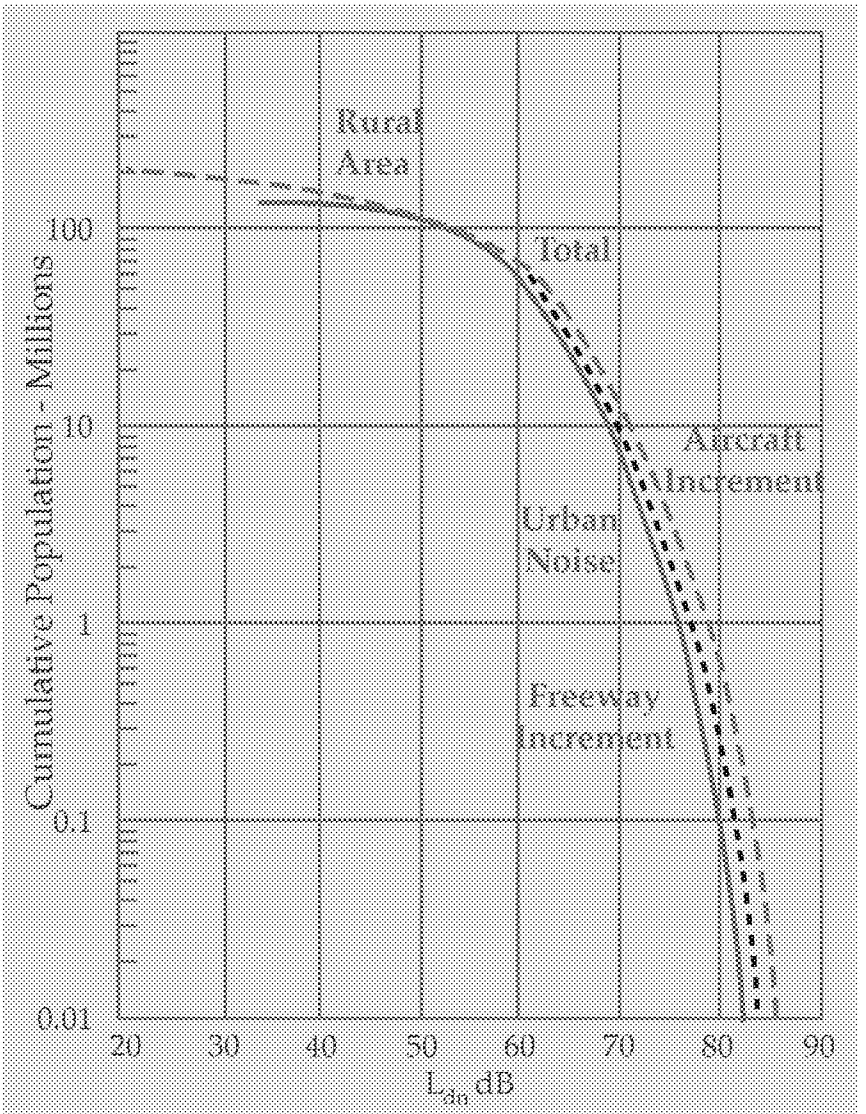

Residential Noise Environment of National Population as Function of Exterior Day-Night Average Sound Level

Source: Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (EPA, 1974a, pg 16)

Table 1: Summary of U.S. Population Exposed to Various Day-Night Average Sound Levels (or higher) From Noise Sources in the Community. (1) From Noise in America (EPA, 1981, pp. 10 and 15)

Estimated Number (in Millions) of People in Each Noise Category

DNL (dB)	Traffic	Aircraft	Construction	Rail	Industrial	Total
>80	0.1	0.1	—	—	—	0.2
>75	1.1	0.3	0.1	—	—	1.5
>70	5.7	1.3	0.6	0.8	—	8.1
>65	19.3	4.7	2.1	2.5	0.3	27.8
>60	46.6	11.5	7.7	3.5	1.9	63.6
>55	96.8	24.5	27.5	6.0	6.9	92.4*

(1) DNL values are yearly averages, outdoors
(2) Note that there is some overlap among populations exposed to different noise sources. For example, some of the 96.8 million people exposed to Ldn 55 dB and above from traffic noise are also exposed to aircraft noise.
(3) Construction estimates include both residential and nonresidential exposure.

*Distribution of total exposed to all sources starts at Ldn 58 dB since the analysis involves combining distributions exposed to 55 dB and above.

V. Effects of Noise

A. Noise-Induced Hearing Loss

Hearing loss is one of the most obvious and easily quantified effects of excessive exposure to noise. Its progression, however, is insidious, in that it usually develops slowly over a long period of time, and the impairment can reach the handicapping stage before an individual is aware of what has happened. While the losses are temporary at first, they become permanent after continued exposure, and there is no medical treatment to counteract the effect. When combined with presbycusis, hearing loss naturally occurring with the aging process, the result is a premature impairment that grows inexorably with age.

According to the U.S. Public Health Service (PHS, 1991), some 10 million of the estimated 21 million Americans with hearing impairments owe their losses to noise exposure (as cited in Carney, 1991). The study goes on to say that it is unclear whether the incidence of hearing impairment has risen in recent years because the necessary studies have not been conducted.

1. Extent of noise-induced hearing loss from environmental sources

Although the major cause of noise-induced hearing loss is occupational, substantial damage can be caused by nonoccupational sources. In addition to the frequently-blamed sources of loud music and shooting, noise-induced hearing loss has been noted in the children of farm families, presumably from the frequent use of tractors (e.g., Broste et al., 1979); general aviation pilots because of the high noise levels emitted by piston aircraft (Anon., 1982); and users of earlier generations of cordless telephones because of the placement of the ring mechanism in the earpiece (Orchik et al., 1985 and 1987).

The prevailing notion among parents is that the hearing threshold levels of children are worse than they used to be because of exposure to loud music. Actually, a recent national survey of 38,000 school children found better hearing threshold levels than 30 years ago, but blames the discrepancies on the sampling methods used in the earlier study and the conversion from an older to a nether zero reference level (Lundeen, 1991). There is, however, evidence that the hearing of some young people is being affected by noisy leisure time activities (Axelsson et al., 1987).

Loud music in particular appears to be the cause of hearing impairment and tinnitus in rock musicians. Such luminaries as Pete Townshend and Ted Nugent[8] have acquired substantial hearing losses and are now campaigning for hearing conservation (Murphy, 1989). Some studies point to a hearing hazard for attendees as well (see in Clark, 1991; Clark and Bohne, 1986; Danenberg et al.,1987).

As mentioned above, probably the greatest nonoccupational hazard to hearing comes from sport shooting. Clark (1991) cites studies of industrial workers by Chung et al. (1981), Johnson and Riffle (1982), and Prosser et al. (1988), showing significantly greater hearing losses among sport-shooters than among their nonshooting counterparts. These losses are almost always characterized by worse hearing in the left ear than the right.

The contribution from nonoccupational sources is called "sociocusis" (a contraction of "socio-acusis"). Evidence from primitive societies suggests that the absence of sociocusis explains the large differences in hearing threshold level between these populations and those of the "civilized" nations (Rosen, 1962). Sociocusis, occupational hearing loss, and presbycusis contribute in various

2. The handicap of noise-induced hearing loss

Vowel sounds tend to be low in frequency and high in sound energy, while the consonants are much higher in frequency and have considerably less amplitude. It also happens that consonants provide the primary intelligibility to speech. Because noise damages the ear's ability to perceive high-frequency sounds much earlier and more severely than the low-frequency sounds, individuals with noise-induced hearing loss are at a particular disadvantage in understanding speech.

Individuals with early noise-induced hearing loss often think that other people no longer speak dearly. They soon begin to notice that they have difficulty understanding speech when there is noise in the background, and in groups of people, and that it is hard to identify which person is talking. As the hearing loss progresses, these individuals avoid social occasions and situations where they must listen at a distance, like church and theater. The eventual result can be loneliness and isolation.

3. The study of noise-induced hearing loss

Noise damages the delicate sensory cells of the inner ear, the cochlea. This process can be studied in the laboratory by inducing temporary shifts in hearing threshold level in humans. Over recent years the preferred method of investigation is to produce temporary and permanent threshold shifts in animals, and to study the resulting physiological and anatomical changes in the cochlea, as well as shifts in hearing threshold level. The laboratory allows for strict control of noise level and

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[8] According to Nugent, who has worn an earplug in his right ear since 1967: "My left ear is there just to balance my face, because it doesn't work at all." (Murphy 1989) proportion to an individual's total hearing impairment. While the contribution of each source may be less than significant, the combination of all three can be enough to produce a handicapping condition. As longevity in the U.S. population increases, the toll of noise-induced hearing loss will become increasingly evident (Carney, 1991).

duration, but the durations are usually relatively short because of the time and expense involved. Also there is some controversy over the extent to which the results can be generalized to humans.

Much of the recent laboratory effort in noise research has focused on the structural and functional basis of noise-induced hearing loss, which has been greatly aided by the electron microscope. Investigators have identified the sensory cell's stereocilia and the rootlets which anchor them as the auditory system's most vulnerable components with respect to noise exposure (Libermnan, 1990).

Field studies of noise-exposed workers avoid the problems of species generalization, and the exposure durations can be over many decades. They are usually cross-sectional studies, however, meaning that the current hearing threshold levels are related to noise exposures that have been experienced over many years. Although the current noise measurements may be valid, their validity over prior years usually has to be assumed without benefit of precise data.

4. Risk of hearing impairment from continuous noise

The methods and results of the major field studies of continuous noise exposure conducted in the late 1960s and early 1970s remain unchallenged. Examples are the studies of Burns and Robinson (1970), Baughn (1973), Passchier-Vermeer (1968), and the U.S. National Institute for Occupational Safety and Health (NIOSH, 1973). Data from these studies have been used by various organizations to estimate the risk of hearing impairment over a working lifetime of exposure to noise. These types of studies have also been used by the EPA to estimate the hazard of nonoccupational noise (Guignard, 1973; Johnson, 1973; EPA, 1973a). The data cited above of Burns and Robinson, Baughn, and Passchier-Vermeer went into EPA's identification of a yearly average exposure level of 70 dB as the safe level, which could be experienced over a lifetime (EPA, 1974a)[9].

A new international standard (ISO, 1989), which is based mainly on the data of Passchier-Vermeer and Burns and Robinson, contains formulas for assessing the risk of noise-induced hearing impairment and handicap: using either a highly screened (for non-occupational hearing loss) or an unscreened population as a control group. The data and analyses found in these major studies have not been seriously challenged, and remain in use today.

5. Varying and intermittent noise

There has been some debate over the best rule for combining noise level and duration to assess the damaging effects of noise, especially varying and intermittent noise. This relationship is often called the doubling rate, or nowadays, the exchange rate. The EPA, as well as most other federal agencies (and most European countries, the United Kingdom, some Canadian provinces) use the equal-energy rule, which incorporates a 3-dB exchange rate. OSHA uses the 5-dB exchange rate, and the U.S. Air Force, uses 4 dB. None of these rules makes any provisions for the temporal order of sounds, although the 5-dB exchange rate supposedly represents a simplification of criteria that take a certain number of intermittencies into account.[10]

Investigations of the relationship between noise level and duration have been conducted over recent years using laboratory animals. The results have confirmed the validity of the equal energy (3-dB) rule for single exposures to continuous noise (Bohne and Pearse, 1982; Ward and Turner, 1982),

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[9] The 70-dB 24-hour average sound level can be interpreted as a 75-dB 8-hour average sound level plus an average sound level during the other 16 hours of less than 60 dB (see EPA's Levels Document, p.29, footnote d).

[10] The 5-dB rule does not necessarily provide for intermittencies because it allows uninterrupted exposures to continuous noise at high levels. See Suter 1983.

or when the exposures are broken up into 8-hour, or even 1-hour "workdays", 5 days per week, so long as the sound energy is equivalent (Ward, 1983). There is, however, some benefit to intermittent quiet periods (Ward and Turner, 1982), during which the ear can recover from small, temporary hearing losses. For this reason EPA has adjusted its identified safe level upward by 5 dB[11] since most environmental noise exposures are intermittent in nature. EPA's use of the equal-energy rule and the 5-dB adjustment have not been seriously challenged.

6. Impulse noise

The effects of impulse noise have been studied extensively over recent years, but there is less agreement on this topic than there is for continuous and intermittent noise. Although there was consensus favoring the 3-dB rule at a 1981 international meeting in England (von Gierke et al., 1981), actual dose-response relationships are still elusive. The effects of impulse noise do not always follow the 3-dB rule, in that temporal pattern, waveform, and rise time can affect the growth of hearing loss, despite constancy of sound energy (Henderson and Hamernik, 1986).

Frequency also has some bearing on the damage caused by impulse noise, in that low-frequency impulses produce significantly less damage than sounds in the mid-to-high-frequency range (Price, 1983). The ear appears to be most susceptible to impulses with peaks around 4,000 Hz (Price, 1989). Also, there may be a critical level, above which the ear is considerably more at risk because of a change in the response mechanism. On the basis of his research, Price (1981) has suggested a critical level of 145 dB, with a standard deviation of 8 dB.

7. Susceptibility

Evidence from field studies indicates that men incur more hearing loss than women from comparable noise exposures (Burns and Robinson, 1970; Berger et al., 1978; Royster et al., 1980), and that Caucasians appear to be more susceptible than Blacks to noise-induced hearing loss (Royster et al., 1980). Other factors, such as age, preexposure hearing threshold level, general health, and use of alcohol, have not yet proved to be reliable predictors of susceptibility (Ward, 1986), although

8. Interactions with other agents

Noise can interact with drugs and industrial agents to produce additive or even synergistic effects on hearing. As expected, the higher the levels of noise and the greater the dose of the other agent, the greater will be the resulting hearing loss. The ototoxic properties of certain drugs, most notably the aminoglycoside antibiotics (the "mycin" drugs), are heightened by exposure to noise. Numerous studies of kanamycin plus noise exposure have revealed additive and some synergistic results (Humes, 1984). High doses of salicylates (aspirin) accompanied by noise exposure can produce temporary hearing losses (McFadden and Plattsmier, 1983), but permanent losses do not seem to occur. Cisplatin, used in cancer chemotherapy, is known to be toxic to the auditory system, and has been shown to interact significantly with none exposure (Boettcher et al., 1989).

A variety of industrial agents, which can be potent neurotoxins, have been shown to be capable of producing hearing loss (Fechter, 1989). These agents include heavy melds, such as lead and mercury, organic solvents, such as toluene, xylene, and carbon disulfide, and an asphyxiant, carbon monoxide.

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[11] The identified safe level of 70 dB reflects the incorporation of the 5-dB adjustment there is some indication that the use of tobacco may increase susceptibility to noise-induced hearing loss (Barone, et al., 1987; Stark, et al., 1988)

9. Hearing protectors

As its first (and only) labeling regulation, EPA promulgated a regulation for labeling the attenuation of hearing protection devices (EPA, 1979). The standard required manufacturers to subject their hearing protectors to specific laboratory tests, and to publish a "Noise Reduction Rating" (NRA) on the product's package. The NRA was subsequently adopted by OSHA in its hearing conservation amendment, which required employers to use it in assessing the adequacy of hearing protectors for given noise environments (OSHA, 1981 and 1983). Recent research shows that the NRA greatly overestimates the noise reduction to be achieved by these devices in actual field use.[12] These kinds of findings have led to the formation of a new ANSI working group to investigate alternatives to the current NRA (Berger et al. 1990), and the recommendation that EPA revise its existing labeling regulation (Berger, 1991; Stewart, 1991).

10. Summary: Noise-induced hearing loss

Noise-induced hearing loss is probably the most well-defined of the effects of noise. Predictions of hearing loss from various levels of continuous and varying noise have been extensively researched and are no longer controversial. Some discussion still remains on the extent to which intermittencies ameliorate the adverse effects on hearing and the exact nature of dose-response relationships from impulse noise. It appears that some members of the population are somewhat more susceptible to noise-induced hearing loss than others, and there is a growing body of evidence that certain drugs and chemicals can enhance the auditory hazard from noise.

Although the incidence of noise-induced hearing loss from industrial populations is more extensively documented, there is growing evidence of hearing loss from leisure time activities, especially from sport shooting, but also from loud music, noisy toys, and other manifestations of our "civilized" society. Because of the increase in exposure to recreational noise, the hazard from these sources needs to be more thoroughly evaluated. Finally, the recent evidence that hearing protective devices do not perform in actual use the way laboratory tests would imply, lends support to the need for reevaluating current methods of assessing hearing protector attenuation.

B. Interference With Communication

Noise can mask important sounds and disrupt communication between individuals in a variety of settings. This process can cause anything from a slight irritation to a serious safety hazard involving an accident or even a fatality because of the failure to hear the warning sounds of imminent danger. Such warning sounds can include the approach of a rapidly moving motor vehicle, or the sound of malfunctioning machinery. For example, Aviation Safety (Anon., 1982), states that hundreds of accident reports have many "say again" exchanges between pilots and controllers, although neither side reports anything wrong with the radios.

Noise can disrupt face-to-face and telephone conversation, and the enjoyment of radio and television in the home. It can also disrupt effective communication between teachers and pupils in schools, and can cause fatigue and vocal strain in those who need to communicate in spite of the noise. Interference with communication has proved to be one of the most important components of noise-related annoyance (EPA, 1974a).

In its Levels Document, EPA determined that a yearly average day-night sound level of 45 dB would permit adequate speech communication in the home, and a DNL of 55 dB would permit

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[12] In a summary of 10 studies, Berger (1983) shows that most hearing protectors in the field provide only one-third to one-half the attenuation that they do in the laboratory.

normal communication outdoors at a distance of about 3 meters.[13] These levels also apply to hospitals and educational facilities. Higher average noise levels would be satisfactory for certain nonresidential spaces, such as commercial and industrial facilities, and inside transportation, depending on the degree to which speech communication is critical. Research over the last 20 years has expanded and refined EPA's criteria development in this area, but has not generated any major changes.

1. Prediction of speech interference

Methods of predicting the amount of speech that can be communicated in various noise backgrounds have been available for decades. Probably the most popular and respected method is the articulation index (AI) (French and Steinberg, 1947), which requires the measurement or estimation of the spectrum level of both speech and noise in 20 contiguous bands. Over the past 2 decades investigators have suggested adjustments to the AI for l13-octave bands, reverberation time, various vocal efforts, etc., and more recently for various degrees of hearing impairment (Humes, et al., 1986 and 1987).

The speech interference level (SIL) (Beranek, 1954) provides a quick method for estimating the distance at which communication can occur for different levels of vocal effort. The current method involves measuring octave-band sound pressure levels at 500, 1,000, 2,000, and 4,000 Hz and referring to a chart to determine the die potential communication distance. The basic chart has been expanded to include such parameters as a broader range of voice levels and provisions for room reverberation (Webster, 1983). Additions to both the AI and the SIL have been proposed by Lazarus (1990), who offers modifications and extensions to account for strain on the part of both talker and listener, and the wearing of hearing protectors.

Another popular method to predict speech communication in a variety of conditions, the speech transmission index (STI), has been developed by a Netherlands research group (Houtgast, 1980; Houtgast and Steeneken, 1983). The STI takes into account room volume and reverberation time, in addition to speech and none levels, and distance between talker and listener. A more recent outgrowth, the rapid speech transmission index (RASTI), represents a simplified version of the STI intended for field use, and is available in an instrument conforming to an international standard (IEC, 1987).

Finally the sound level meter's A-weighting network can be successfully used to predict speech interference levels. It is easy to use, available on virtually all sound level meters, and effective when the noise spectra are not complex.

2. Criteria for speech and warning signals

In addition to the classic work of Beranek and his colleagues (Beranek et al., 1971), Beranek has recently refined the traditional curves to account for the annoyance due to low-frequency "rumble" (Beranek, 1989). New criteria for determining acceptable background levels of noise in rooms are also offered by Lazarus (1986a, 1986b, 1987, and 1990). Lazarus includes in his criteria a variety of parameters such as: type of room, type of communication, communication distance, vocal effort, quality of speech intelligibility, AI, communication strain, listener's hearing sensitivity, and the use of hearing protectors.

Guidelines for audible warning signals have been developed by Patterson (1982). These guidelines, which there originally created for civil aircraft, there later adapted to helicopters and even station-

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[13] These levels represent EPA's identification of safe levels of environmental noise to protect the public health and welfare against all adverse effects of noise with the exception of hearing loss.

ary workplaces like hospitals (Patterson, 1985; Rood et al., 1985). Another set of guidelines for acoustic warning signals has been developed by Lazarus and Hoge (1986), and are based on the compatibility of signal type with various desired or undesired situations.

Although criteria have not yet been developed for speech recognition involving nonnative listeners, experiments by Florentine (1985) and Nabelek (1983) indicate that these individuals need more favorable listening conditions (less background noise and reverberation) than their native- language counterparts. These findings have implications for air traffic control systems.

3. The effect of hearing protectors on speech and warning signal perception

Hearing protectors attenuate both noise and the desired signal by equal amounts in a given frequency band, reducing both to levels where the ear is less likely to distort. This process often improves speech recognition when the level of background noise exceeds 80 to 90 dB. However, because hearing protectors usually provide considerably more attenuation in the high frequencies than in the low frequencies, listeners who have high-frequency hearing losses are at a disadvantage. Many speech sounds and some warning signals will be attenuated beyond the range of audibility. This is especially true of individuals whose losses exceed an average of 30 dB at the audiometric frequencies 2000, 3000, and 4000 Hz (Lindeman, 1976). A potential solution for this problem lies in some newly developed hearing protectors with flat attenuation across the frequency spectrum (Allen and Berger, 1990; Killion et. al., 1988). One type of these protectors has already become popular with orchestral musicians (Killion et al., 1988) and even some rock musicians (Cohen, 1990).

Individuals tend to speak more softly when they wear hearing protectors, and consequently, speech communication is degraded when both talker and listener wear these devices (Hoermann et al,, 1984), Hearing protectors also interfere with the localization of sounds in space, and this is especially true of the ability to localize sounds in the vertical plane while wearing ear muffs (Noble, 1981). Both ear plugs and ear muffs cause these types of problems, but it appears that they are more pronounced with ear muffs (Howell and Martin, 1975; Abel et al., 1982). These findings can have serious implications for safety in some circumstances.

4. Scholastic performance

Noise can disrupt communication in the classroom to the extent that the instructional method used in schools close to airports is sometimes nicknamed " jet pause" teaching. Cohen and Weinstein (1981) have reviewed several studies, which, after controlling for socioeconomic factors, indicate that the academic performance of children in quiet schools is better than that of children in noisy schools.

For example, elementary school children on the side of a school facing train tracks. performed more poorly on a reading achievement test than children in classrooms on the quiet side of the school (Bronzaft and McCarthy,:1975).[14] Cohen and Weinstein also discuss research showing that skills, such as auditory discrimination and reading achievement can be adversely affected when children live in noisy circumstances, even though their schools may be no noisier than average. These latter studies indicate that interference with communication in the classroom is not the only

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[14] Bronzaft reported that in 1978 the city of New York reduced the noise of the elevated train and installed acoustical insulation in the affected classrooms, providing a total reduction in the A-weighted noise level of 6 to 8 dB (Bronzaft, 1981). By 1981, there was essentially no difference. in reading achievement between students on the two sides of the school for the classroom studied.

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process at work here. Possible additional explanations include adverse effects on children's information processing strategies and their feelings of personal control[15] (Cohen and Weinstein, 1981).

5. Summary: Interference with communication

Interference with speech communication and other sounds is one of the most salient components of noise-induced annoyance. The resulting disruption can constitute anything from an annoyance to a serious safety hazard, depending on the circumstance.

Research over the past 2 decades has expanded and refined methods for predicting communication interference, but has not produced any major changes. Numerous adjustments have been suggested for the AI, the SIL has been modified and refined, and a new predictive method, the STI has been added. Criteria for determining acceptable background levels in rooms have also been expanded and refined, and progress has been made on the development of effective acoustic warning signals.

It is now clear that hearing protection devices can interfere with the perception of speech and warning signals, especially when the listener is hearing impaired, both talker and listener wear the devices, and when wearers attempt to locate a signal's source.

Noise can interfere with the educational process, and the result has been dubbed "jet-pause teaching" around some of the nation's noisier airports, but railroad and traffic noise can also produce scholastic decrements.

C. Effects of Noise on Sleep

Noise is one of the most common forms of sleep disturbance, and sleep disturbance is a critical component of noise-related annoyance. A study used by EPA in preparing the Levels Document showed that sleep interference was the most frequently cited activity disrupted by surface vehicle noise (BBN, 1971). Aircraft none can also cause sleep disruption, especially in recent years with the escalation of nighttime operations by the air cargo industry. When sleep disruption becomes chronic, its adverse effects on health and well-being are well-known.

1. Assessing sleep disturbance

Noise can cause the sleeper to awaken repeatedly and to report poor sleep quality the next day, but noise can also produce reactions of which the individual is unaware. These reactions include changes from heavier to lighter stages of sleep, reductions in "rapid eye movement" (REM) sleep, increases in body movements during the night, changes in cardiovascular responses, and mood changes and performance decrements the next day. The accuracy and efficiency with which these effects are measured has been greatly assisted by the use of contemporary computers. The most popular measurement tool nowadays is electro-encephalography, but other methods, such as electrocardiography, electromyography, and electrooculography are also used, as well as clinical observation, self-assessment surveys, and accelerometry to measure the motion of the bed frame.

As a result of many years of research on the effects of noise on sleep, it is clear that intermittent and impulsive noise is more disturbing than continuous noise of equivalent energy, and that meaningful sounds are more likely to produce sleep disruption than sounds with neutral content. Also, older people are more likely to have their sleep disturbed by noise than younger people. In fact, children appear to be about 10 dB less sensitive to noise-induced sleep disruption than adults (Eberhardt, 1990). Sleep disturbance from noise tends to be greater in the early hours of the morn-

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[15] See also the discussion of noise, performance, and behavior in sections D.4, and D.5. below.

ing, when individuals spend more time in lighter sleep stages, and this is particularly true of the elderly.

2. Criteria for sleep interference

In the Levels Document EPA identified an indoor DNL of 45 dB, which translates to a nighttime average sound level of 35 dB, as necessary to protect against sleep interference. However, consensus on the levels of noise that can be tolerated without sleep disruption is incomplete at this time. In an attempt to develop a quantitative model for predicting noise-induced sleep interference, Pearsons et al., (1989) reviewed and analyzed 21 studies. However, the authors there unable to derive dose-response relationships from these studies because of large discrepancies between studies conducted in the laboratory and those conducted in the field.

In a recent review of the noise and sleep research, Griefahn (1990) recommends that the nighttime average sound level be kept below 45 dB in the sleeper's quarters. She cites research by Eberhardt (1987 and 1990; Eberhardt et al., 1987;) and Vallet et al., (1976 and 1990) showing self- reported adverse effects from continual road traffic when the average sound level is 40 dB and physiological responses at an average level of 37 dB. For intermittent road traffic noise, maximum recommended levels for single events (as opposed to average levels) range from 45 to 68 dB, depending on the investigation (Griefahn, 1990). Vallet et al. (1990), recommend maximum outside levels of 65 dB, which, of course, relies on some attenuation by the residence. Griefahn also points out that higher maximum levels can be tolerated if the ambient noise level is not very low, and that the difference between single events and the ambient level should not exceed 8 to 10 dB.

3. After-effects and habituation

Numerous recent investigations have revealed after-effects due to noisy nights. Ohrstrom (1983) found mood changes on the day following nights when the average sound level was as low as 35 dB. Adverse effects on performance, such as increased reaction time, have also been measured (Jurriens et al., 1983), and it appears that older peoples' next day performance is more adversely affected by noise than that of younger people (Griefahn and Gros, 1983).

Although people often believe they get used to nighttime noise, physiological tests point to the contrary. Studies have shown that while the subjective response improves with time, cardiovascular responses remain unchanged (Muzet, 1983). Vallet et al. (1990) conclude that habituation is not complete, even after 5 years of exposure to noise.

4. Summary: Effects of noise on sleep

Noise-induced sleep interference is one of the critical components of community annoyance. It can produce short-term adverse effects, such as mood changes and decrements in task performance the next day, with the possibility of more serious effects on health and well-being if it continues over long periods.

EPA's identified indoor DNL of 45 dB has not been seriously challenged over the past decade, but consensus in this area is lacking. One problem is that different experimenters tend to use a variety of descriptors (DNL, Leq, and maximum single-event levels) and a variety of methods for evaluating the effects (EEG, EKG, self-report, etc.). Perhaps one reason for the lack of clear-cut criteria is that this a complex area to research, requiring considerable time and expense. Another is, of course, a need for more field studies in this area.

D. Effects on Performance and Behavior

EPA did not use the literature on the effects of noise on performance and behavior in the identification of its levels of noise to protect against activity interference. One reason may have been that much of the information at that time related to the occupational setting rather than the general environment. Another may have been the complexity of the topic and the difficulty involved in identifying a single noise level that could apply to a great variety of tasks and conditions. Although these difficulties still pertain, much research has been generated in this area over recent years.[16]

Noise can cause adverse effects on task performance and behavior at work, and in nonoccupational and social settings. These effects are the subject of some controversy, however, since they do not always occur as predicted. Sometimes noise actually improves performance, and sometimes there are no measurable differences between performance in noisy and quiet conditions. The presence and degree of effects depends on a variety of intervening variables.

1. Sensory and motor effects

Experiments on the effects of noise on vision have produced conflicting results, with the suggestion of some effects on visual discrimination (Cohen, 1977). There is evidence, however, that high levels of noise can produce shifts in visual field (Parker, et al., 1976, 1978). High levels of noise can affect vestibular function, especially when the presentation to the two ears is asymmetrical, (or the level of attenuation is greater in one ear) (Harris, 1968). Impulsive or other sudden loud sounds can produce a startle response that does not completely habituate with repeated, predictable exposures (May and Rice, 1971).

2. Noise variables

Sound level is one of the most important parameters when predicting performance effects. The level of noise necessary to produce adverse effects is greatly dependent upon the type of task. Simple tasks remain unaffected at noise levels as high as 115 dB or above, while more complex tasks are disrupted at much lower levels. Until fairly recently, the level of beginning effects was thought to be around 95 dB for most conditions, but a summary of recent research (Jones, 1990) points to effects at much lower levels. Effects on serial reaction tasks have been noted for continuous noise with C-weighted noise levels of 90 dB (Jones, 1983) and for intermittent noise with C-weighted levels of around 80 dB (Lahtela et al., 1986).

Frequency and temporal characteristics also play a part. High-frequency sound is more disruptive titan low-frequency sound, and intermittent noise can affect performance more adversely titan continuous noise of equivalent energy. Aperiodic intermittencies are more likely to produce adverse effects than regular ones, and impulse noise may be even more disruptive. Again the effects are variable, depending upon task complexity and other factors.

Much of the important research in the effects of noise on performance conducted over the last decade has focused on the effects of irrelevant speech.[17] The adverse effects of irrelevant speech appear to be fairly independent of sound level, at least in the 55-95 dB range, and therefore, are not mitigated simply by attenuating them by 10 dB or so (Jones, 1990). It also appears that irrelevant speech affects processes involving memory (e.g., reasoning, mental arithmetic, and problem solving)

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[16] For a comprehensive review of the effects of noise on job performance, see Suter, 1989.

[17] The initial work was performed by Salame and Baddeley (1982, 1983, and 1987), and has been summarized by Jones (1990) at a recent conference in Stockholm.

rather than attention. With respect to reading tasks, however, meaningful speech is more disruptive than meaningless speech (Jones, 1990). These findings have significance for many modern work and school environments, where information processing and exchange is so important, especially those of the "open plan" variety.

3. Task variables

Task complexity has been identified in numerous experiments as a crucial determinant of the effects of noise on performance. Noise exposure usually leaves simple routine tasks unaffected, and can even improve performance of monotonous tasks, presumably by elevating one's level of arousal (Broadbent, 1971). Some tasks, such as tracking and jobs requiring intellectual function, can be momentarily disrupted without decrements in overall performance (Broadbent, 1979). But if the noise level is sufficiently high or if the task becomes more complex, noise will have an adverse effect. When two or more tasks must be performed simultaneously in a noisy environment, performance on the primary task usually remains unaffected, while performance on the subsidiary task deteriorates (Hockey and Hamilton, 1970; Davies and Jones, 1975; Finkleman and Glass, 1970).

4. After-effects

It seems that noise can have even greater effects after than during exposure. The most common after-effect appearing in the experimental literature is a reduced tolerance for frustration, manifested in a series of experiments as a reduction in willingness to persist in trying to solve insoluble puzzles (Glass and Singer, 1972; Percival and Loeb, 1980). This research also indicates that predictability of the noise signal greatly reduces its adverse after-effects (Glass and Singer, 1972). One study found that the type of noise also influenced the after-effect. Aircraft noise modified to produce sudden onsets and offsets resulted in a lower tolerance for frustration after the exposure than white noise that ad been similarly modified (Percival and Loeb, 1980).

5. Effects of noise on social behavior

There is an extensive literature concerning the effect of noise on social behavior, and just a few examples of this research will be discussed here. Singer et al. (1990) point out that noise has been used as a noxious stimulus in a variety of investigations because it produces the same biological and psychological effects as other stressors. In fact, they observe that the effects of noise combined with perceived control have been frequently demonstrated, and these investigations have also been extended to many other situations where the presence of control reliably moderates the effects of stress.[18]

In a frequently-cited laboratory study, Matthews and Cannon (1975) found that fewer subjects there willing to help someone who had "accidentally" dropped materials when background noise levels there 85 dB than when they there 65 dB. In a subsequent field study, the same results there demonstrated in a background of lawn mother noise, and this time the addition of a cast on the "victim's" arm enhanced helping behavior under quiet conditions, but failed to do so during the noise episodes (Matthews and Cannon, 1975). In another such experiment, Sauser et al. (1978) found that subjects recommended lower salaries for fictitious employees when exposed to A-weighted levels of office noise at 70 to 80 dB than in quiet. Broadbent (1979 and 1983) cites additional evidence suggesting that subjects will give each other increased amounts of shock and noise when they themselves are exposed to noise, and also cites evidence that noise increases anxiety levels (Broadbent, 1983).

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[18] Singer et al. (1990) cite the research of Langer and Rodin on the effects of patient control in a nursing home situation.

As mentioned above, the presence of control, or even perceived control, is one of the most important predictors of adverse behavioral effects. Subjects who perceive that they have control over the noise show significantly greater tolerance for frustration than subjects without control, even if the control is never exercised (Glass and Singer, 1972). In a recent experiment, Singer and his colleagues found that subjects who there told that they had control of an A-weighted, 103-dB noise stimulus showed significantly greater persistence on a difficult task than subjects who had no control or subjects that had control for only part of the experiment (Singer et al., 1990). This finding occurred despite the fact that the subjects with only partial control reported feelings of control no different from those with full control. To the extent that these findings can be generalized to populations living in noisy areas, this kind of research may have significant sociological implications.

6. Summary: Effects on performance and behavior

Noise can adversely affect task performance in a variety of circumstances. In the past, research in this area has focused mainly on the occupational setting, where noise levels must be sufficiently high and the task sufficiently complex for performance decrements to occur. Recent research implicates more moderate noise levels, especially when speech is the disruptive noise stimulus. Some research indicates that noise can also produce disruptive after-effects, commonly manifested as a reduced tolerance for frustration, and it appears that the presence and timing of control over the noise are critical to the prediction of after-effects. Even moderate noise levels can increase anxiety, decrease the incidence of helping behavior, and increase the risk of hostile behavior in experimental subjects. These effects may, to some extent, help explain the "dehumanization" of today's urban environment.

E. Extra-Auditory Health Effects

Noise has been implicated in the development or exacerbation of a variety of health problems, ranging from hypertension to psychosis. Some of these findings are based on carefully controlled laboratory or field research, but many others are the products of studies that have been severely criticized by the research community. In either case, obtaining valid data can be very difficult because of the myriad of intervening variables that must be controlled, such as age, selection bias, preexisting health conditions, diet, smoking habits, alcohol consumption, socioeconomic status, exposure to other agents, and environmental and social stressors. Additional difficulties lie in the interpretation of the findings, especially those involving acute effects. For example, if noise raises blood pressure on a temporary basis, will prolonged exposure produce permanent changes? In cases where these effects are permanent but slight, what are the long-term implications? These types of questions and problems have caused this particular area of noise research and criteria development to be very controversial.

1. Theoretical basis

Noise is considered a nonspecific biological stressor, eliciting a response that prepares the body . for action, sometimes referred to as the "fight or flight" response. The physiological mechanism thought to be responsible for this reaction is the stimulation by noise (via the auditory system) of the brain's reticular activating system (Cohen, 1977). Neural impulses spread from the reticular system to the higher cortex and throughout the central nervous system. Noise can, therefore, influence perceptual, motor, and cognitive behavior, and also trigger glandular, cardiovascular, and gastrointestinal changes by means of the autonomic nervous system. Evidence of these effects, however, is not easy to. come by. Despite decades of research and probably hundreds of studies, relatively little can be said with much confidence.

2. Effects on blood pressure

Probably the most attention has been directed toward cardiovascular effects, especially potential elevations in blood pressure. Many studies of the stressful effects of noise have been conducted on rodents and other laboratory animals. the advantage of these studies is that they offer a greater degree of control and it is possible to have longer exposures than with human subjects. The disadvantages are that there is difficulty generalizing to humans, especially with the smaller animals, the expense involved when larger animals are used, and the prevailing public sentiment against animal experimentation.

EPA sponsored one of the most notable animal studies of noise exposure, in which Peterson and his colleagues performed five sets of experiments on the cardiovascular effects of noise on monkeys (Peterson et al., 1978, 1981, and 1983). The stimulus consisted of A-weighted levels of workplace noise at 85 to 90 dB, and the exposures there as long as 9 months. The results showed significant elevations of both systolic and diastolic blood pressure the fact that these changes persisted long after exposure cessation argues for a chronic effect, at least in this case. Unfortunately, an attempt to replicate this experiment with another primate model was discontinued for lack of funding after only two subjects had been exposed (Turkkan, et al., 1983). Relatively few animal experiments have been conducted in this area over recent years.

With respect to laboratory investigations involving human subjects, Rehm (1983) cites six studies showing increases in blood pressure, but questions whether these effects would be permanent. In an attempt to identify more susceptible populations, Michalak et al. (1990) investigated the effects of low-flying aircraft on elderly subjects. Using recorded aircraft sounds, they found significant increases in both systolic and diastolic blood pressure after exposure to the two types of noise, with significantly greater response to the rapid-onset flyover noise. Whether or not these increases would become permanent with protracted exposure is not known.

Field studies of noise and blood pressure among workers or community residents are becoming increasingly popular, but the results are not always consistent. Rehm (1983) has reviewed 14 field studies, mostly of occupational noise exposure, and reports that the majority showed significant increases in either systolic or diastolic blood pressure, or both. Van Dijk et al. (1983), however, reports that six other studies of exposure to occupational noise found no significant differences between exposed and nonexposed groups.

Knipschild and Oudshoom (1977) avoided some of the pitfalls characteristic of epidemiological studies by examining a population near the Amsterdam airport before and after an increase in exposure to aircraft noise, and comparing it to a nonexposed population nearby. The dependent variable was the purchase of certain prescription drugs: tranquilizers, sleeping pills, antacids, and cardiovascular drugs. The investigators found that the use of these drugs in the nonnoise area was essentially stable, whereas the use of most types of these drugs in the area newly impacted by noise increased steadily over the years investigated. This increase was especially noticeable for antihypertensive drugs.

In a more recent review, van Dijk (1990) analyzed 12 cross-sectional studies, with half of them showing a positive relation between noise exposure and blood pressure, and the others no significant effects. Van Dijk criticizes these kinds of investigations for the following kinds of weaknesses: inadequate description of noise and blood pressure measurements; absence or inadequate control of intervening variables; use of hearing loss as a determinant of exposure magnitude; use of hearing. protectors; and questionable interpretation of the results. Part of the problem may be that the investigators often come from only one discipline, when, in fact, a multi-disciplinary team is needed.

Thompson and Fidell (1990) recommend the use of prospective or case-control models, rather than the more convenient cross-sectioned study, and they stress the importance of adequate sample size. They maintain that because any changes in blood pressure resulting from community noise are likely to be small, careful controls, large sample sizes, and at least 5 years of exposure to noise would be nerved to identify significant effects.

3. Effects on blood chemistry

Blood chemistry is also of interest in studies of wire exposure and the cardiovascular system. In the review cited above, Rehm (1983) reports on a series of experiments, both laboratory and field, which show increased levels of the catecholamines epinephrine and norepinephrine. Among them are the series of experiments by Ising and his colleagues (1981a, 1981b, 1981c), showing a connection between noise exposure and magnesium metabolism and humans and animals. According to Rehm, this finding suggests a possible mechanism for cardiovascular effects in that a chronic magnesium imbalance can lead to increased intracellular levels of calcium (in the heart, for instance), which, in turn, can cause vasoconstriction and increases the sensitization for catecholamines.

A large epidemiological study, the Caerphilly and Speedwell Heart Disease Study in England, holds some promise for investigating the effects of road traffic noise (Babisch and Gallacher, 1990). This study of heart disease and a variety of environmental factors uses both the cross-sectional and prospective approaches, and should continue for more than 10 years. The investigators have performed detailed noise exposure measurements. Sample sizes of more than 2000 men have been drawn from both the Caerphilly and Speedwell communities, and controls for age, socio-economic factors, family history, body weight, smoking habits, alcohol, and physical activity have been instituted. Initial results (from the cross-sectional study) indicate significant noise related elevations of serum cholesterol and glucose levels, and plasma viscosity, with an absence of significance for blood pressure or any of the other cardiovascular risk factors. The authors point out that all of the effects there slight, but even small increases, should they prove to be real, would be relevant to the public health.

4. Interactions

Several investigators have suggested that aversion to noise may be more highly correlated with health problems than the noise itself. For example, a study by Rehm (1983) found a significant correlation between noise annoyance and cardiovascular disorders. Her data also suggest that those with existing health problems are more annoyed by environmental factors, such as noise. Similarly, Rovekamp (1983) found that subjects who described themselves as sensitive to noise showed significantly greater noise-induced increases in peripheral vasoconstriction than their "normal" counterparts. Finally, a recent study . of road traffic and aircraft noise failed to show a significant increase in blood pressure resulting from noise, but did show a correlation between the presence of noise and subjective health complaints (Pulles et al.,1990). Differences in effects between noise and non-noise groups there dependent upon the subjects' perceived control over the noise, but independent of noise level.

5. Other adverse effects

Adverse health effects from noise exposure other than cardiovascular effects are even more difficult to isolate. Several studies have investigated the effects of noise on fetal development, with inconclusive results. Some have shown an indication of reduced birth weight or an increase in premature births, but the effects are usually slight, and (except in one case, McDonald et al., 1988), not statistically significant (Rehm and Jansen, 1978; Knipschild et al.., 1981).

The effects of noise on documented mental health disorders are likewise inconclusive. Rehm (1990) cites a series of studies showing increased numbers of psychoneurotic and psychosomatic complaints due to noise exposure, but whether or not these complaints lead to chronic disfunction or illness is not obvious.

6. Summary: Extra-auditory effects

As a biological stressor, noise can influence the entire physiological system. Most effects appear to be transitory, but with continued exposure some effects have been shown to be chronic in laboratory animals. Probably the strongest evidence lies in the cardiovascular effects. However, many studies show adverse effects, while many others show no significant differences between experimental and control populations.

Undoubtedly because of the lack of consistent evidence in thin area, EPA could not use data on extra-auditory health effects in its identification of safe levels of environmental noise. Instead, this subject was relegated to a brief discussion in an appendix in the Levels Document. Although considerable attention was devoted to this topic at the international conference in Yugoslavia, and some coverage was given in the 1973 Criteria Document, the evidence was far from sufficient and much too complex to enable the formulation of dose-response relationships. Later, EPA did fund some promising research in this area (Hattis and Richardson, 1980; Peterson et al., 1978, 1981, 1983; Turkkan, 1983), some of which has clearly demonstrated adverse cardiovascular effects at noise levels typical of occupational settings.

In the interim, there has been considerable European research activity in this area, but nearly 20 years later, criteria are still lacking. What is available, however, should give public policymakers as well as noise producers some reason for concern, especially in situations where those impacted by the noise have no control over or perceive they have no control over their exposures.

F. Annoyance

Annoyance is the measured outcome of a community's response to survey questions on various environmental and other factors, such as noise exposure. Although annoyance in individuals is sometimes measured in the laboratory, field evaluations of community annoyance are most useful for predicting the consequences of planned actions involving highways, airports, road traffic, railroads, or other noise sources. Factors directly affecting annoyance from noise include interference with communication and sleep disturbance, which have been discussed in earlier sections. Other less direct effects are disruption of one's peace of mind, the enjoyment of one's property, and the enjoyment of solitude. The consequences of noise-induced annoyance are privately felt dissatisfaction, publicly expressed complaints to authorities, and potential adverse health effects, as suggested above.

"Annoyance" has been the term used to describe the community's collective feelings about noise ever since the early noise surveys in the 1950s and 1960s, although some have suggested that this term tends to minimize the impact. While "aversion" or "distress" might be more appropriate descriptors, their use would make comparisons to previous research difficult. It should be clear, however, that annoyance can connote more than a slight irritation; it can mean a significant degradation in the quality of life. This represents a degradation of health in accordance with the WHO's definition of health, meaning total physical and mental well-being, as well as the absence of disease.

1. Predicting annoyance for public policy purposes

To facilitate the development of criteria and public policy, Schultz (1978) summarized and analyzed a large number of studies of community annoyance from aircraft, road traffic, and railroad noise. As

part of this effort, Schultz made several simplifying assumptions, among them that the percentage of the population determined to be "highly annoyed" would be the only parameter plotted as a function of day-night average sound level. The resulting curve portrays annoyance as independent of noise source, and it has been dubbed the Schultz curve.

Recently, Fidell et al. (1991) reanalyzed the original data used by Schultz, adding new data from it community noise surveys. The resulting function shows slightly greater annoyance in the range between DNLS of 51 dB and 72 dB, and slightly less annoyance above about a DNL of 76 dB than the original curve. In general, the two curves are fairly close, indicating that the new studies have not drastically altered the prediction of community annoyance, at least when reactions to various noise sources are plotted together. When annoyance from various noise sources is analyzed separately, however, the new data are quite revealing, as will be discussed below.

Although it has been used internationally in the formation of noise policy, the Schultz curve has been the subject of much debate (Kryter, 1982a, 1982b; Griffiths, 1983). For example, Griffiths (1983) criticizes Schultz for treating attitudinal data categorically (highly annoyed or otherwise) rather than scaling it, for failing to analyze the distribution of annoyance, for assuming a fixed threshold for noise-related annoyance, and for choosing such an extreme criterion as highly annoyed. Perhaps because of these reasons, as well as a number of others, researchers and policymakers are beginning to examine alternatives to the Schultz curve for predicting community annoyance from noise.

2. Metrics

The metrics most commonly used to describe the relationship between noise and community annoyance are the equivalent continuous sound level, and the day-night average sound level (DNL), composite ratings based on the A-weighted sound level. The DNL is used almost exclusively for airport planning in the U.S., but this practice has recently been called into question. For example, the importance of communication and relaxation in the evening hours has been recognized (in California and occasionally in Europe) by the use of the community noise equivalent level (CNEL), a metric that includes a 5-dB penalty for noises occurring between 7:00 and 10:00 pm as well as the 10-dB nighttime penalty (California Code of Regulations, 1990). In a study of the communities surrounding two French airports, residents expressed the greatest annoyance during the hours between 7:00 and 11:00 pm (Francois, 1977).

Some authorities are considering the use of the sound exposure level (SEL) for evaluating the effects of single events, such as aircraft flyovers (EPA/FAA, 1990). The importance of other parameters are also being considered, such as rise time (or onset time) as an indicator of the annoyance from low-flying military aircraft (Harris, 1989). Officials from the U.S. Forest Service report that their agency has begun to use an aircraft detectability criterion to site recreational facilities (Harrison et al., 1990).

3. Criteria

Community annoyance resulting from noise-induced activity interference was one of the most important considerations in EPA's identification of an outdoor DNL of 55 dB as the "safe" level of environmental noise (EPA, 1974a). Some years later, a Federal Inter-Agency Committee on Urban

Noise (FICUN) developed guidelines for considering noise in land-use planning and control (DOT, 1980).[19]

In its noise zone classification table, "minimal" exposures to noise there defined as DNLS below 55 dB, and between DNLS of 55 and 65 dB, the exposures there labeled "moderate." However, all of these exposures there considered "acceptable" according to land-use planning standards specified by the Department of Housing and Urban Development (HUD). No research was cited to support these conclusions. In a footnote, FICUN stated the following:

HUD, DOT and EPA recognize Ldn = 55 dB as a goal for outdoors in residential areas in protecting the public health and welfare with an adequate margin of safety (Reference: EPA "Levels" Document.) However, it is not a regulatory goal. It is a level defined by a negotiated scientific consensus without concern for economic and technological feasibility or the needs and desires of any particular community.

The Department of Transportation's Federal Aviation Administration (FAA) has adopted a DNL of 65 as the point above which residential land-use becomes "normally unacceptable." Below this level, the FAA does not require airport authorities to draw noise contours or discuss the impact of airport noise on the surrounding communities for purposes of compatibility planning or to receive grants under the Part 150 program.[20] Thus, public policy decisions, at least on the federal level, have not considered the annoyance of individuals living in the DNL 55-65 dB range.

Recent research confirms the findings of earlier investigations relied upon by the EPA, that annoyance is often generated at day-night average sound levels well below 65 dB (Fidell et al., 1985; Fidell et al., 1991; Hall et al., 1981). Figures 4 and 5 from Fidell et al. (1991) portray the responses from surveys of two mid-sized airports in California: Burbank Airport and the Orange County Airport. The percentage of respondents highly annoyed is depicted as a function of DNL, and compared to the Schultz curve. Both studies show significantly greater numbers of people highly annoyed than would have been predicted by the Schultz curve. For example, at 60 dB, as many as 70 percent of the Burbank population described themselves as highly annoyed and some 40 percent near the Orange County Airport.

Presumably because of this kind of evidence, another interagency task force has convened to discuss the extent to which day-night average sound levels below 65 dB should be taken into account in assessing the impact of aircraft/airport noise, and to examine the possible need for a single-event metric to supplement the DNL (EPA/FAA, 1990).[21]

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[19] FICUN was an ad-hoc interagency panel composed of representatives from EPA, FAA, HUD, the Department of Defense, and the Veterans Administration. In 1990 another such group, the Federal Interagency Committee on Noise (FICON) has been activated (focussing mainly on aircraft noise), but a report has not been published to date.

[20] Part 150 studies are conducted at airports where the noise generated by airport construction or expansion is potentially incompatible with the surrounding community. These studies must follow the procedure set out by Federal Aviation Regulations (FAR) Part 150.

[21] The U.S. EPA and FAA put together an intragency agreement to examine the extent to which single event analyses and information beyond the Ldn = 65 contour provide useful additions to current methods of evaluating potential airport noise impacts. Under this agreement, a contractor would identify eight existing airports and perform a quantitative analysis using existing data. No new annoyance data would be developed.

4. Sources

The sources of noise producing community annoyance are primarily aircraft, road traffic, and railroad noise, although noise from industry, construction, and within buildings can also be problematical. The leading offenders are usually aircraft and road traffic noise, although the hierarchy depends upon many factors, such as urbanization, numbers of noise events, and proximity to the sources. Recent research indicates that, despite equivalent noise levels, some sources of community noise are more annoying than others, providing further indication that the Schultz curve cannot be valid for all circumstances.

Treating annoyance from all sources with one predictive curve provokes the hoards of oversimplification. De Jong (1990a) reports that an analysis of Dutch studies carried out over the previous 15 years showed that aircraft and highway noise produced considerably more annoyance than equivalent levels of train, tramway, and urban road noise (Miedema, 1988). The divergence was particularly pronounced at high noise levels. The fact that aircraft generate more annoyance than surface transportation is portrayed dramatically in the analysis described above by Fidell et al. (1991), where annoyance related to mid-sized airports appears substantially greater than that predicted by the Schultz curve, while annoyance from urban sources, such as trains, trams, and street traffic, is considerably less than that predicted by the Schultz curve.[22] Figures 6 and 7, also from Fidell et al. (1991), depict data from British and Swedish railroad studies, showing somewhat less annoyance from these sources in relation to the Schultz curve.

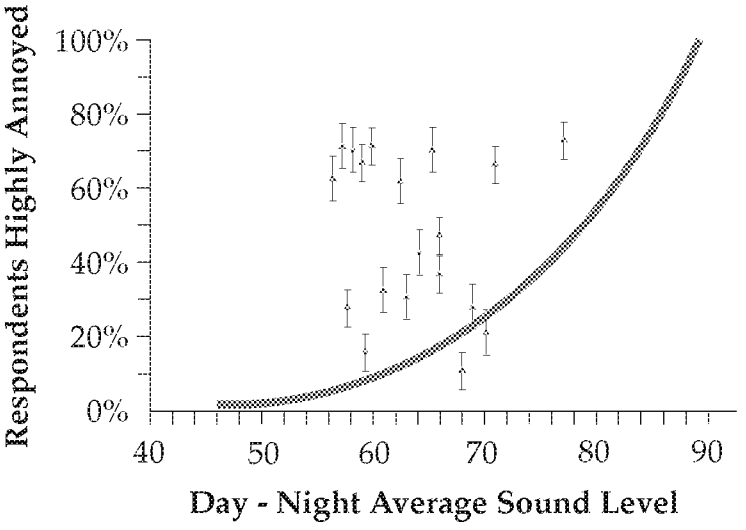

Relationship of data from Burbank Airport Study to 1978 synthesis (Schultz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. (After Fidell et al. 1991)

[22] See also Fidell et al. (1985), Hall et al. (1981), and de Jong (1990).

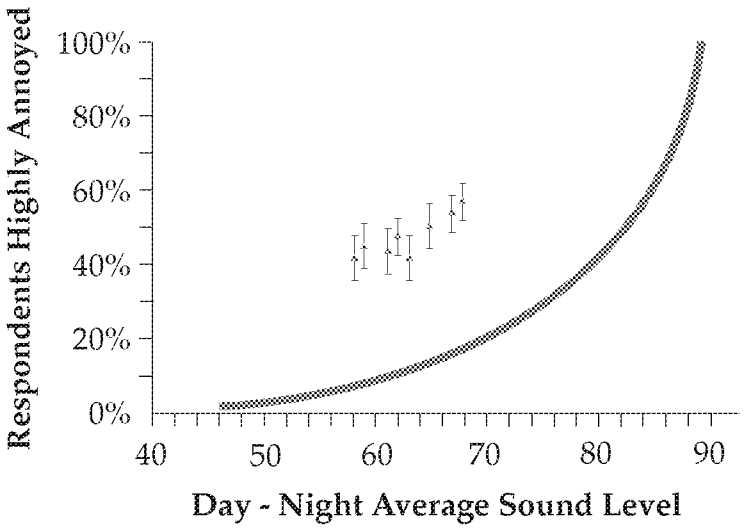

Figure 5
Relationship of data from Orange Country Airport Study to 1978 synthesis (Schultz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. (After Fidell et al., 1991).

The explanation for these source-related differences is not necessarily that aircraft noise is inherently more annoying than surface transportation noise. It may be related to differences in people's criteria for responding to various noise sources (de Jong, 1990b; Green and Fidell, 1991). Or it may be caused by differences in sensitivity which are actually biologically based.[23] Green and Fidell (1991) point out that this evidence does not discredit the predictive validity of the DNL, but suggest that communities adopt a more sensitive criterion when evaluating the impact of aircraft noise.[24]

Impulse noise also appears to be more annoying than continuous noise of equivalent energy, and various penalties have been proposed ranging from 0 dB at relatively high ambient noise levels of about 67 dB, to 10 dB at ambient levels as low as 35 dB (Rice, 1983). Vos and Smoorenburg (1983) have recommended a formula for computing the impulse noise penalty, taking into account the type of noise source, the signal level, and the ambient noise level.

As de Jong points out (1990b), most people are exposed to some combination of noise sources, posing a very complex predictive problem. Several models for predicting noise annoyance from complex sources have been proposed, but most fail to solve the difficult theoretical problems involved (de Jong cites Berglund et al., 1981, and Miedema, 1985). Among the groups working on these models are the Institute for Sound and Vibration Research in England, and the Netherlands' Organization for Applied Scientific Research, TNO.

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[23] De Jong (1990b) cites the work of Di Nisi et al. (1987) and Ising, et al.(1981b) to support this theory.

[24] Green and Fidell found a difference of 5.2 dB bettheen the noise levels at which the same percentage of people are highly annoyed by aircraft noise versus noise from surface transportation.

5. Nonacoustics variables

Although it is dear that community annoyance is positively correlated with noise exposure level, other variables also appear to be important, such as ambient noise level, time of day and year, location, and socioeconomic status. None of these other variables, however, is as powerful as the attitude of the residents surveyed. This is a good example of the fact that the human being is not a black box, where the effect is a simple consequence of the input. In a recent analysis of 280 social surveys, Fields (1990) examined 17 hypotheses as they relate to community annoyance from noise. Besides noise exposure level, the only variables Fields identified as strongly correlated with noise annoyance there the attitudinal hypotheses: (1) fear that the noise source might be a danger to the neighborhood, (2) belief that the noise is preventable, (3) awareness that non-noise problems are associated with the noise source, (4) stated sensitivity to noise, and (5) belief that the economic activity represented by the source is not important for the community.

6. Habituation

The evidence is fairly dear that so long as the stimulus remains the same, noise annoyance does not subside over time (e.g., Fields, 1990). Griffiths (1983) cites studies showing no habituation for highway noise 4 months to 2 years after the opening of new routes. De long (1990) found that annoyance in a previously surveyed community increased by 10 percent with no change in noise levels. He suggests that this increase could represent a shift of internal criteria due to increased publicity and other factors, or perhaps an increase in physiological sensitization.

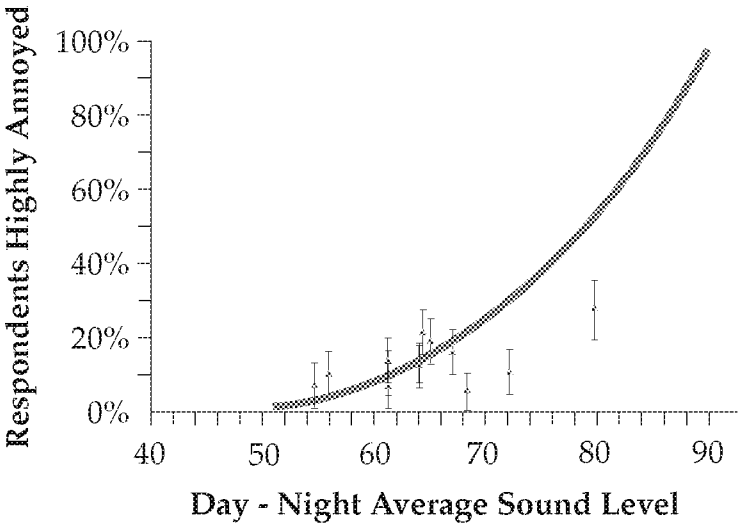

Figure 7 - Relationship of data from Swedish Railroad Study to 1978 synthesis (Schulz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. After Fidell et al, 1991).

There has been very little study of the effects of noise-related annoyance on general health, although this would appear to be a fertile field. The study mentioned in section E.4, above by Rehm (1983) suggests a relationship between annoyance and cardiovascular disorders. Likewise, another study indicates a connection between noise and subjective health complaints (Pulles, et al., 1990). De Jong (1990a) refers to the recent use in Germany of the concept of "substantial annoyance" as a

predictor of possible health damage.[25] He recommends the development of an integrated theory of noise effects "to uncover the relationships among medical, physiological, behavioral, and ecological effects of environmental noise. " (de Jong, 1990a, p.520)

8. Summary: Annoyance

Annoyance can be viewed as the expression of negative feelings resulting from interference with activities, as well as disruption of one's peace of mind and the enjoyment of one's environment. Although this reaction can run the gamut of mild irritation to extreme distress, only responses categorized as "highly annoyed" (and greater) have been used to measure the impact of noise on communities. The most respected and widely used criterion to assess community annoyance in the U.S. has been the Schultz curve, although this criterion has been the subject of heated debate. Several recent studies indicate that the Schultz curve underestimates annoyance due to aircraft noise and overestimates annoyance from the noise of urban traffic and trains, leading to the conclusion that annoyance from these categories should be assessed separately. In addition, there has been growing interest in supplementing the traditional DNL with a descriptor for single events.

EPA's Levels Document identified the outdoor level to protect against activity interference as a day-night average sound level of 55 dB. This identification was not to be construed as a standard or regulation,[26] but as information to aid states, localities, and the general public. Later, an interagency task force identified average levels between 55 and 65 dB as "acceptable" for purposes of land-use planning. The DNL 65-dB criterion, which has been applied particularly to airport noise assessments, is now being reconsidered by another interagency task force.

There is evidence that impulse noise is more annoying than continuous noise of equivalent energy, and various correction factors have been proposed to account for the difference. In addition, most people are exposed to a combination of noise sources, and models for predicting the resulting annoyance are in the formative stages.

The most important variables other than noise exposure level relate to people's attitudes about the noise, such as fear of possible danger, stated sensitivity, and the belief that the noise is preventable. Finally, it appears that noise-related annoyance does not subside over time.

VI. Conclusions

Noise has a significant impact on the quality of American life. There is no evidence that the impact has diminished in the years since ONAC was abolished. Rather, it appears that the impact is at least as great, and most probably greater, than it was 10 years ago, due to population growth, especially in urban areas, and the proliferation of certain noise sources.

A considerable amount of noise effects research has been conducted over the last decade, much of it taking place in the European nations where governmental concern about noise is greater than it is in the U.S. at this time. These studies have expanded the knowledge base and filled certain gaps. Many of them suggest important interrelationships between the various noise effects that remain largely unexplored. For example, perceived control over noise appears to decrease its adverse effects on the subsequent performance of certain tasks. The concept of control also has a bearing on annoyance from noise, as do several other nonacoustic factors. Annoyance appears to be related to

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[25] De Jong cites Jansen (1986).

[26] See Foreword, Levels Document (EPA, 1974a).

extra-auditory health effects, and chronic sleep interference, which is a component of annoyance, can have adverse effects on health and well-being.

All of these effects are, to a varying degree, stress related. Nowadays there is increasing evidence in the medical literature on the relationship between stress and illness, one which is often exacerbated by lack of control.

Cumulatively, this evidence suggests the potential for a unifying hypothesis that may well explain some of the health effects that have been observed in connection to noise exposure, but have usually been dismissed because of the absence or insufficiency of direct cause and effect relationships. Such a hypothesis, however, can only be validated by a new interdisciplinary approach, one which takes a broader and somewhat different perspective than is currently employed. This approach could very well provide the key to understanding a great deal more about the general impact of noise on society, and the extra-auditory effects in particular.

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SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

THE HEALTH EFFECTS OF AIR POLLUTION ON CHILDREN

Fall 2000

Michael T. Kleinman, Ph.D.
Professor, Department of Community and Environmental Medicine
University of California, Irvine.

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Introduction

Air pollution has many effects on the health of both adults and children. The purpose of this article will be to examine what is known about how air pollution affects health, especially children's.

Over the past several years the incidence of a number of diseases has increased greatly. Asthma is perhaps the most important disease with an increasing incidence, but other diseases, such as allergic reactions, bronchitis and respiratory infections also have been increasing. The cause of these increases may be due at least in part to the effects of air pollution. This review will address the following questions:

1. Why are children more susceptible to the effects of air pollution than adults?
2. Which air pollutants have the greatest impact on the health of children and adults?
3. What can be done to reduce the effects of air pollution on children's health?

Why are Children More Susceptible to Air Pollution Than Adults?

In many health effects research studies, children are considered as if they were small adults. This is not really true. There are many differences between children and adults in the ways that they respond to air pollution. For example, children take in more air per unit body weight at a given level of exertion than do adults. When a child is exercising at maximum levels, such as during a soccer game or other sports event, they may take in 20 percent to 50 percent more air -- and more air pollution -- than would an adult in comparable activity.

Another important difference is that children do not necessarily respond to air pollution in the same way as adults. Adults exposed to low levels of the pollutant ozone will experience symptoms such as coughing, soreness in their chests, sore throats, and sometimes headaches. Children, on the other hand, may not feel the same symptoms, or at least they do not acknowledge them when asked by researchers. It is currently not known if children actually do not feel the symptoms or if they ignore them while preoccupied with play activities.

This probably does not mean that children are less sensitive to air pollution than adults. There are several good studies that show children to have losses in lung functions even when they don’t cough or feel discomfort. This is important because symptoms are often warning signals and can be used to trigger protective behavior. Children may not perceive these warning signals and might not reduce their activities on smoggy days.

Children also spend more time outside than adults. The average adult, except for those who work mostly outdoors, spends most of their time indoors -- at home, work, or even at the gym. Children spend more time outside, and are often outdoors during periods when air pollution is at its highest.

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The typical adult spends 85 percent to 95 percent of their time indoors, while children may spend less than 80 percent of their time indoors. Children may also exert themselves harder than adults when playing outside.

Perhaps the most important difference between adults and children is that children are growing and developing. Along with their increased body size, children's lungs are growing and changing, too.

The Lung's Important Role in Health
The lung is an extremely complex organ. While most organs in your body are made up of a few different types of cells, the lung contains more than 40 different kinds of cells. Each of these cells is important to health and maintaining the body's fitness.

Air pollution can change the cells in the lung by damaging those that are most susceptible. If the cells that are damaged are important in the development of new functional parts of the lung, then the lung may not achieve its full growth and function as a child matures to adulthood. Although very little research has been conducted to address this extremely important issue, this review will discuss the information that is available.

USC Children's Health Study
Recent results from the Children's Health Study, conducted by investigators at the University of Southern California, suggest that children with asthma are at much greater risk of increased asthma symptoms when they live in communities with higher levels of ozone and particles and participate in three or more competitive sports. Having said all this, the purpose of this review is not to discourage children or adults from normal daily activities and outdoor exercise. Exercise has very important, beneficial outcomes. Appropriate exercise and prudent exposures of children and adults should be encouraged even in an environment that may always contain some amount of air pollution.

Which Air Pollutants Have the Greatest Impact on the Health of Children and Adults?

Ozone

Ozone is one of the most important air pollutants affecting human health in regions like Southern California.

Ozone (O_3) is a molecule built of three atoms of oxygen linked together in a very energetic combination. When ozone comes into contact with a surface it rapidly releases this extra force in the form of chemical energy. When this happens in biological systems, such as the respiratory tract, this energy can cause damage to sensitive tissues in the upper and lower airways.

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Ozone formation

Because ozone forms as a product of solar energy and photochemical reactions of pollutants, it is not surprising that the highest concentrations of ozone in the atmosphere occur when sunlight is most intense. Thus, ozone generally reaches peak levels during the middle of the day in the summer months. These types of air pollution patterns are called diurnal and seasonal variations. The following graph shows that ozone levels in the San Bernardino Mountains are highest in the summer and fall, and peak in the late afternoon.

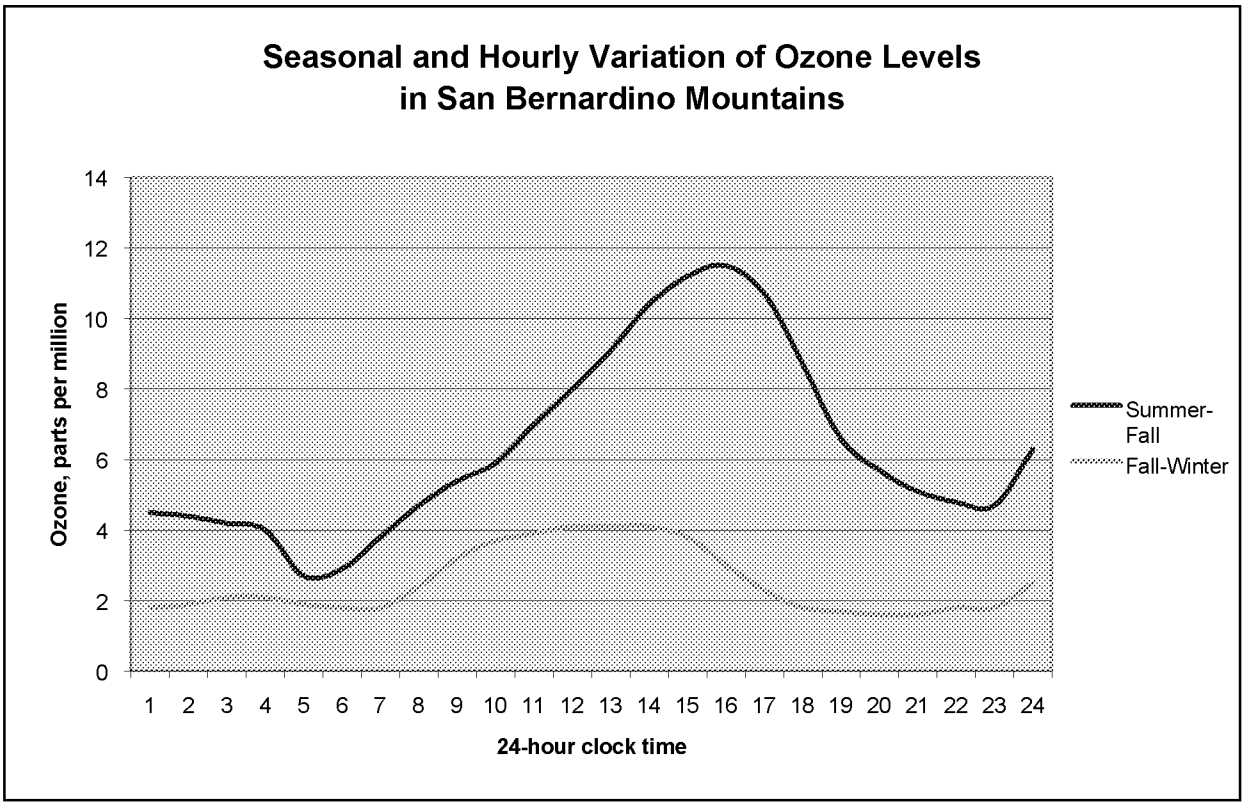

Ozone Air Quality Standards

Federal and state agencies have set air quality standards for ozone. An ozone level greater than 0.08 parts per million (ppm) averaged over eight hours is considered unhealthful. This level has been set because both laboratory and community studies have demonstrated measurable effects of ozone at or above that threshold.

The effects of ozone on people include:

- irritation of the nose and throat;
- increased mucus production and tendency to cough;
- eye irritation and headaches for some; and
- during severe episodes, chest pain and difficulty taking a deep breath without coughing.

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How Ozone Damages Lungs

What happens when you breathe air that is contaminated with ozone? Like oxygen, ozone is soluble in the fluids that line the respiratory tract. Therefore some ozone can penetrate into the gas-exchange, or alveolar, region of the deep lung.

The following photos show how ozone affects the sensitive tissue in the deep lung. The pictures are from the lungs of rats exposed to ozone in a laboratory under carefully controlled conditions. The human lung is similar --although not identical -- to the rat's lung in terms of the types of cells and the overall structure of the alveolar region.

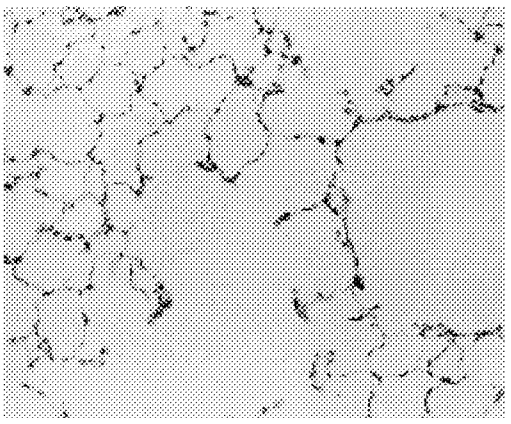

Figure 1

Figure 1 shows a magnified view of the structure of the normal gas-exchange region of the lung. It is called the gas-exchange region because oxygen inhaled from the air is transferred to the hemoglobin in blood in small blood vessels located inside the thin walls separating the alveolar air spaces.

At the same time, carbon dioxide, produced by normal metabolism and dissolved in the blood, is excreted into the air and expired when you breathe out.

The walls of a normal alveolus are very thin. There are only two layers of cells and a thin interstitial matrix separating the air in the alveolar space, or lumen, from the fluid inside the blood vessels. The cells that line the healthy alveoli are mostly very broad and very thin, and are called Type I lung cells or Type I pneumocytes. This provides a very large surface area across which gases can be efficiently transported.

Figure 2 shows the effects of breathing 0.2 ppm ozone for 4 hours. In Southern California air pollution levels can approach 0.2 ppm -- a Stage 1 ozone alert -- during the smoggiest summer days. The photo shows evidence of additional cells, called macrophages, and some material that may be fragments of ozone-injured alveolar wall cells inside the alveolar space.

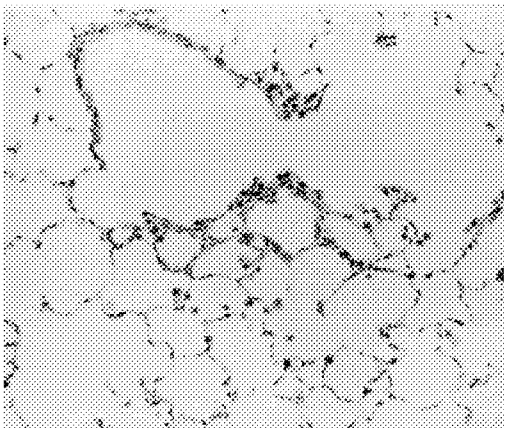

Figure 2

Macrophages are immune system cells that respond to the injury of the delicate cells that line the alveolar lumen. These macrophages play important roles in protecting the lungs from inhaled bacteria,

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fungi and viruses, and are also important in helping to repair lung tissue injury caused by inhaled pollutants.

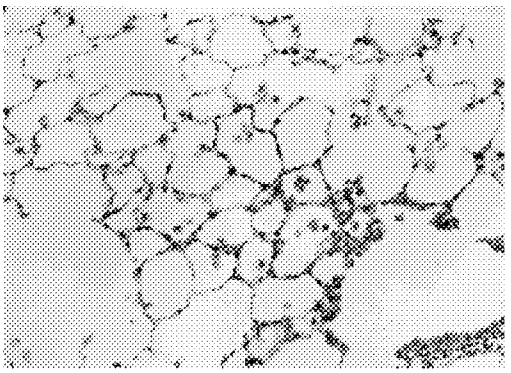

Figure 3

Figure 3 shows more extensive damage following exposure a higher concentration of ozone, 0.6 ppm. The alveolar walls are thicker and there is evidence of cells infiltrating within the walls. There are more macrophages in the alveolar spaces and the thin, Type I cells have been damaged and replaced with thicker Type II, almost cube-shaped cells that are more resistant to the toxic effects of ozone. All of these changes occurred within 48 hours after exposure. If exposure continues for more than three days, the evidence of cell injury seems to be reduced, except for the continuing presence of the Type II cells.

Is Ozone-Related Lung Damage Permanent?
People actually report that the symptoms they feel when first exposed to ozone seem to go away, even though their exposure continues.

Following ozone injury, if the lung is not exposed to ozone for approximately five to seven days, it can for the most part repair itself provided the injury is not too extensive. However, long-term studies with laboratory animals have shown that there may be residual and in some cases permanent damage. This damage might be thought of as accelerated aging of the lung. Thus, frequent exposures to ozone can cause transient damage. The lung's defenses can repair most but probably not all of that damage within a relatively short time in most healthy individuals.

Research and Air Quality Standards
Health scientists probably know more about the effects of ozone on human health than about any other pollutants. This is because ozone is pervasive in the environment. Also there are excellent methods of measuring ozone so the pollutant can be studied using epidemiological methods. The findings of these epidemiological studies can be verified using well-controlled laboratory studies with human volunteers and laboratory animals. Thousands of scientific papers on the health effects of ozone have been published and these have been critically reviewed in documents that provide the scientific basis for National and State Ambient Air Quality Standards. (Ambient refers to outdoor air.)

These so-called Criteria Documents are important because they are extensively reviewed by scientists, public agencies, industry representatives, environmental groups such as the American Lung Association and the Natural Resources Defense Council,

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and the public. National and state ambient air quality standards set the goals for healthy air quality in Southern California and across the country.

Based upon the most recent studies, it is now apparent that ozone plays an important role in causing acute health effects, such as heightening asthma symptoms and developing bronchitis symptoms.

The role of ozone in producing long-term or chronic effects is less clear, at least from the available epidemiological studies. However, laboratory animal studies suggest that there can be long-term consequences.

How to Reduce Ozone Exposure
The U.S. Environmental Protection Agency (EPA) has recommended that ozone should not exceed 0.08 ppm averaged over an 8-hr period. When ozone exceeds this level, active children and adults, those with respiratory disease such as asthma, and other people with unusual susceptibility to ozone should limit prolonged outdoor exposure.

Incidentally, personal tobacco smoking during periods of high ozone exposure doubled the risk of asthmatic individuals needing to go to the emergency room for treatment of asthma symptoms.

Carbon Monoxide

Carbon monoxide (CO), a colorless, odorless gas, is a byproduct of combustion.

When inhaled, carbon monoxide reacts very rapidly with hemoglobin in the blood, preventing uptake and transport of oxygen. Because carbon monoxide readily and firmly attaches to hemoglobin, it stays in the blood for a relatively long time. Thus, during an exposure carbon monoxide concentrations in blood can rise in a matter of minutes, then stay high for hours.

Who is Most Sensitive to the Health Effects of Carbon Monoxide?
Most of the health effects directly associated with carbon monoxide are most likely due to decreases in oxygen delivery to vital organs such as the heart and the brain.

People with heart disease may be especially sensitive to the effects of carbon monoxide. In addition, people with lung diseases that limit efficient use of inhaled oxygen, such as asthma and emphysema, may also be susceptible. Even in people without heart or lung diseases, reduced delivery of oxygen to skeletal muscles, especially during exercise, can reduce the ability to perform strenuous work.

At high levels of carbon monoxide exposure, impaired delivery of oxygen to the central nervous system can reduce the ability to respond quickly to external stimuli. After exposures that convert 5 percent to 10 percent of the circulating hemoglobin to carboxyhemoglobin (COHb), people's ability to recognize and react to flashes of light in a test system are reduced. At 10 percent to 30 percent carboxyhemoglobin, nausea,

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headaches, unconsciousness, and sometimes death can result. The severity of symptoms increases with the concentration of carboxyhemoglobin.

Air Quality Standards for Carbon Monoxide
Both the EPA and the State of California have set air quality standards for carbon monoxide based on the results of epidemiological and laboratory findings. Ambient levels of carbon monoxide should not exceed 9 ppm, when averaged over an 8-hour interval, and should not exceed 20 ppm in any one-hour period. (The USEPA has a slightly higher 1-hour standard of 35 ppm).

Sources of Carbon Monoxide
The major sources of carbon monoxide pollution are automotive exhaust and emissions from large industrial combustion sources such as electrical power plants. Because these sources produce many contaminants in addition to carbon monoxide -- such as fine particles and nitrogen oxides -- it is often difficult to isolate the health effects of ambient carbon monoxide from those of other pollutants.

In addition to carbon monoxide generated outside, there are also important indoor sources of the pollutant. The most important of these are combustion sources such as gas ovens, gas burners, water heaters, and heating systems. However, in most cases emissions from well-maintained and vented gas appliances are small.

Tobacco smoking is a more significant source of carbon monoxide. Tobacco smoke can contain very high concentrations of carbon monoxide (1,000 ppm to 50,000 ppm). Carbon monoxide levels in the homes of children whose relatives smoke tobacco products can be higher than the carbon monoxide levels outdoors.

Health Effects of Carbon Monoxide
There are hundreds of cases per year of deaths or severe illness due to carbon monoxide poisoning from faulty appliances, indoor emissions of automobile exhaust and industrial exposures. These cases show that carbon monoxide poisoning causes symptoms very similar to those of the flu. In fact, the true number of cases is not really known because many people may have been poisoned slightly and thought that they were just fighting off a cold or the flu. Thus it is very important to make sure that home appliances are well-maintained and that all combustion sources are properly vented to the outdoors.

Epidemiological studies have shown significant association between several health effects and carbon monoxide, although as mentioned earlier it is difficult to completely isolate carbon monoxide's effects from those of other air pollutants.

For example, asthmatic children in Taiwan who were exposed to high levels of traffic-related air pollution -- using carbon monoxide and nitrogen dioxide as marker compounds-- reported more respiratory symptoms than children with lower exposures.

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A study of physician office visits in London showed associations between air pollution and doctor visits for asthma and other lower respiratory disease. For children, levels of nitrogen dioxide, carbon monoxide, and sulfur dioxide were associated with increased numbers of medical consultations. However, in adults, the only consistent association was with levels of airborne particles. This suggests that children and adults might respond differently to pollution exposures.

Prenatal Effects of Carbon Monoxide

Carbon monoxide may also have prenatal effects. Pregnant women who were exposed to high levels of ambient carbon monoxide (5 ppm to 6 ppm) were at increased risk of having low birth-weight babies. It has long been known that women who smoke cigarettes during pregnancy have low birth-weight babies, but this is the first study of similar findings in women exposed to environmental carbon monoxide.

Babies exposed to carbon monoxide during the maturation of their organs may suffer permanent changes to those organs. Studies using newborn rats showed that carbon monoxide exposure could cause changes in the heart muscle tissue. This is turn could increase the severity of effects of artery constrictions when they became adults. Other animal studies have shown that long-term carbon monoxide exposure can contribute to a disease called ventricular hypertrophy, in which the cells of the heart's ventricle chambers are enlarged and possibly weakened.

Airborne Particles

Particles, including nitrates, sulfates, carbon[1] and acid aerosols[2] are a complex group of pollutants.

Unlike ozone, which has a specific chemical composition, airborne particles vary in size and composition depending on time and location. Although the components of particles may have common sources, the types and amounts of particles collected at any one time and location may be unique.

To add to the problem, gaseous pollutants including ozone, sulfur dioxide, nitrogen dioxide and carbon monoxide often are present in the atmosphere at the same time as are particles. It is not always possible to clearly differentiate between the health effects of the gases, the particles, and possibly the combination of particles and gases. This complexity presents a tremendous challenge to the scientific community and to public in trying to understand how inhaled particles affect human health.

The Challenge of Measuring Particle Pollution

Precisely measuring particulate pollution is more difficult and labor intensive than measuring gaseous pollutants such as ozone. For this reason, particle concentrations are not measured on a daily basis in most communities. Frequently, they are measured once every six days.

[1] Both elemental and organic. Elemental carbon is pure carbon from combustion sources, including diesel particulate. Organic carbon is a semi-volatile hydrocarbon from combustion and some evaporative sources.
[2] Aerosol is the scientific term used to describe particles suspended in a fluid, such as air.

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Particle samples are collected on filters that are then weighed. Particle concentrations are reported in terms of micrograms of particles per cubic meter ($\mu g/m^3$) of collected air.

Originally, the particle samples were relatively indiscriminate with respect to particle size and often contained very large particles. These large particles contributed a great deal to the weighed particle mass, but might not have been very important with respect to lung health. This is because most of the particles were too large to penetrate through the nasal and head airways to reach the lung. A more health-related sample was needed.

After a great deal of scientific consideration it was decided that particulate matter with aerodynamic diameters[3] less than or equal to 10 microns (µm) should be collected. Ambient air quality standards were developed for this material, which is called PM_{10}.

Sources of Particle Pollution

Researchers noted that the sources of relatively large-size particles (greater than 3 microns in aerodynamic diameter) were quite distinct from the sources of particles less than 1 micron in diameter.

The larger, so-called "coarse" particles are mostly produced by mechanical processes, such as automobile tire wear on the road, industrial cutting, grinding and pulverizing processes and re-suspension of particles from the ground or other surfaces by wind and human activities. The chemical composition of coarse particles may be somewhat similar to the chemical composition of soil in that area, along with industrial compounds from activities such as mining or smelting operations. The coarse fraction of urban aerosols also contains bits of plants, molds, spores and some bacteria. Thus the characteristics of the coarse particles may vary greatly in different communities.

In contrast, the smaller or so-called "fine" particles in the urban aerosol come from combustion sources, such as power plants, automobile, truck, bus and other vehicle exhaust or from the reactions that transform some of the pollutant gases into solid or liquid particles. These distinctions may be important because the current air pollution health effects literature suggests, although not with certainty, that for some key health effects the fine particles are more important than the coarse particles. These findings have led EPA to propose a new nationwide $PM_{2.5}$ standard that would reduce exposure to particles that are 2.5 microns or less in diameter.

Historic Air Pollution Disasters

Epidemiological studies have consistently associated adverse health effects with exposures to particulate air pollution. Early studies implicated particulate and sulfur dioxide pollution in the acute illnesses and premature deaths associated with extremely

[3] Aerodynamic diameter is used to define particles' size. Particle deposition on a surface, or in the lung, depends on the particle's aerodynamic and diffusion characteristics. A particle's aerodynamic characteristics depend on its density, shape, actual size, and velocity while its diffusion characteristics are functions of its size and the density of the air in which it is suspended.

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severe pollution episodes in Donora, Penn., London, and New York in the 1940s, 1950s, and 1960s. The particle levels in a four-week pollution disaster in London in 1955 were more than 50 times higher than the California standard.[4] Twenty percent of that aerosol was composed of acid sulfates -- probably sulfuric acid. The number of people hospitalized for lung or heart-related diseases was extraordinarily high, but more importantly there were more than 4,000 premature, or "excess," deaths in the London population.

Fortunately, major efforts by government agencies, the public, and industries have made it very unlikely there will ever be a similar episode in modern urban communities. However, the lessons learned from these disasters are still relevant. Despite the fact that our levels of airborne particles are much lower than those that occurred during the disasters, EPA estimates that there are still more than 6,000 excess deaths in the United States that could be associated with inhaled particles.

Health Effects of Particulate Pollution

Current ambient levels of PM_{10} -- 30 to 150 micrograms per cubic meter -- are associated with increases in the numbers of people that die daily from heart or lung failure. Most of these deaths are among the elderly. However there is a strong body of evidence that some children are also adversely affected by particulate matter.

The American Thoracic Society's Environmental and Occupational Health Assembly reviewed current health effects literature. They report that daily fluctuations in PM_{10} levels have been related to:

- acute respiratory hospital admissions in children;
- school and kindergarten absences;
- decreases in peak lung air flow rates in normal children; and
- increased medication use in children and adults with asthma.

The USC Children's Health Study suggests that children with asthma living in a community with high particle concentrations may have suppressed lung growth. After children moved into cleaner cities their lung growth returned to the normal rate, but they did not recover the lost potential growth, according to John Peters, the study's principle investigator.

It is difficult to positively assign a quantitative risk associated with particulate matter because nearly all studies of its health effects find other pollutants present that may account for some of the effects.

Part of the problem is due to the nature of the data being collected. The levels of particulate matter vary during the course of the day and peak values can be quite high. Few studies have evaluated the effect of these short-term "spikes." However, at least one epidemiological study of children with asthma suggested that changes in symptoms

[4] The California standard for particulate matter (PM_{10}) is 50 micrograms per cubic meter averaged over 24 hours

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and lung function correlate more strongly with 1-hour peaks than with 24-hour average concentrations.

Other studies, primarily with laboratory animals, suggest that the chemical composition[5] and surface areas of the particles may be more important than particle mass. Scientists are continuing to study the health effects of particles and are developing better methods for measuring the important constituents. It may be possible in the near future to more accurately assess the effects of inhaled particles on human health.

Nitrogen Oxides

Nitrogen oxides are produced during most combustion processes. Mobile sources and power plants are the major contributors in Southern California.

About 80 percent of the immediately released nitrogen oxide is in the form nitric oxide (NO). Small amounts of nitrous oxide (N_2O) are also produced. Nitrous oxide is a "greenhouse" gas that is suspected of playing an important role in global warming.

Nitric oxide reacts with oxygen in the air to produce nitrogen dioxide (NO_2). Further oxidation during the day causes the nitrogen dioxide to form nitric acid and nitrate particles. In the dark, nitrogen dioxide can react with ozone and form a very reactive free radical. The free radical then can react with organic compounds in the air to form nitrogenated organic compounds, some of which have been shown to be mutagenic and carcinogenic.

Health Effects of Nitrogen Dioxide

Nitrogen dioxide is the most important nitrogen oxide compound with respect to acute adverse health effects. Under most chemical conditions it is an oxidant, as is ozone. However, it takes about 10 times more nitrogen dioxide than ozone to cause significant lung irritation and inflammation.

Nitrogen dioxide differs from ozone in that it suppresses the immune system to a much greater degree. As discussed below, some epidemiological studies have shown that children exposed to high levels of ambient nitrogen dioxide may be at increased risk of respiratory infections. Studies with laboratory animals have indeed shown that if mice are exposed first to nitrogen dioxide and later to bacteria at a level that would not infect a healthy control animal, their normal lung defense mechanisms are suppressed and the bacteria are able to infect the host.

[5] The idea that all particles are equally toxic is not scientifically justified. There are many good examples that can be taken from studies of particles in the workplace. For example, certain types of particles that contain quartz --a natural mineral composed of silicon dioxide but with a specific crystal structure -- are very potent lung irritants. Repeated exposures to this material can lead to a serious, permanent lung disease called lung fibrosis. Other mineral particles that are fibrous, such as specific forms of asbestos, can cause lung cancer. Other particles such as titanium dioxide do not seem to cause occupational diseases.

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Average levels of nitrogen dioxide in the United States range from 0.02 to 0.04 ppm. Levels in major urban areas in Southern California may be higher, but the region has not exceeded the federal standard[6] for nitrogen dioxide since 1991.

During the 1970s, one of the first studies relating respiratory illnesses and changes in lung function to ambient nitrogen dioxide concentrations reported that children living in areas with high nitrogen dioxide concentrations had greater incidences of lung-related illness than children living in areas with lower concentrations. Since then, other epidemiological studies have suggested that children with asthma are more likely than children without asthma to have reduced lung function and symptoms of respiratory irritation, such as cough and sore throat, when outdoor average nitrogen dioxide concentrations exceed about 0.02 ppm.

Some studies also have suggested that children younger than five years old may be more severely affected by nitrogen dioxide than older children. Several epidemiological studies have suggested that for children, the most important effect of ambient exposure to nitrogen dioxide might be increased susceptibility to respiratory infections and increased severity of responses to inhaled allergens.

Although many epidemiological studies show significant associations between outdoor nitrogen dioxide concentrations and adverse health outcomes, some studies do not corroborate these effects. In part, this is because it is often difficult to fully account for the influences of indoor sources of nitrogen dioxide.

Improvements in Nitrogen Dioxide Measurements

More recent studies have used special devices, called passive dosimeters, that can be worn by children to collect nitrogen dioxide for later analysis. These measurements give epidemiologists the ability to better assess a child's total nitrogen dioxide exposure over the course of the day. These studies show that there can be a great deal of individual variation in exposures, even for children living in the same communities. Thus, it is not surprising that epidemiological studies that do not estimate a nitrogen dioxide dose may reach different conclusions.

However, laboratory studies involving controlled exposures of human volunteers and laboratory animals have demonstrated plausible effects of nitrogen dioxide on human health. For example, if one exposes rats or other animals to nitrogen dioxide, and then examines their respiratory tract tissues, it is very evident that the pollutant can cause short-term injury similar to that seen after ozone exposure.

Long-term exposures to high concentrations of nitrogen dioxide can produce chronic damage to respiratory tract tissue that resembles the lung disease emphysema.

The pollutant's suppression of immune system functions reduces the ability of the host to fight off bacterial and viral infections. Human volunteers who inhaled weakened

[6] 0.053 ppm as an annual average

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influenza virus after being exposed to nitrogen dioxide in laboratories were more susceptible to the infection than a control group that did not inhale nitrogen dioxide.

Other studies show that nitrogen dioxide decreases the body's ability to generate antibodies when challenged by pathogens, and may reduce the ability of the respiratory system to remove foreign particles such as bacteria and viruses from the lung.

Lead

People can be exposed to lead (Pb) through air, food and water. Lead is a toxic heavy metal that causes nerve damage and impairs the body's ability to make hemoglobin, leading to a form of anemia.

Sources of Lead Pollution

Large amounts of lead were emitted to the atmosphere when it was used as a gasoline additive.[7] The emitted lead could be inhaled. In addition, lead fallout from the air caused widespread contamination of soil, plants, food products, and water.

Lead is often measured in children's blood as an index of environmental exposure. Even low levels[8] of lead in the blood of children aged 6 to 7 are linked to measurable changes in intelligence quotient and certain perceptual-motor skills. Higher levels of lead exposure can also result in kidney damage and may be related to high blood pressure in adults.

Sulfur Oxides

Most manmade emissions of the gas sulfur dioxide (SO_2) come primarily from the combustion of fossil fuels such as coal, oil, and diesel fuel.

Most of the sulfur in fossil fuel is converted sulfur dioxide, but a small amount is also converted to sulfuric acid. In the atmosphere, gaseous sulfur dioxide can also be converted to sulfuric acid and sulfate-containing particles. Thus, atmospheric concentrations of sulfur dioxide are often highly associated with acidic particles, sulfuric acid particles and sulfate particle concentrations.

The current National Ambient Air Quality Standards for sulfur dioxide are 18 micrograms per cubic meter averaged annually, and 365 micrograms per cubic meter averaged over 24 hours. Southern California does not exceed the national air quality standard because its industries primarily burn low-sulfur fuels such as natural gas. Much of the sulfur oxide air pollution in Southern California is likely to be associated with diesel emissions.

[7] Lead in the form of tetraethyl lead was added to gasoline in the United States in large amounts from the 1950s until it was banned in the mid-1970s.
[8] 10 to 30 micrograms per 100 milliliters

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Sulfur dioxide is a very water-soluble gas and therefore most of the sulfur dioxide that is inhaled is absorbed in the upper respiratory tract and does not reach the lung's airways. However, the small amount of sulfur dioxide that does penetrate into the airways can provoke important health effects, primarily in individuals with asthma.

For those with asthma, even relatively short-term, low-level exposures to sulfur dioxide can result in airway constriction leading to difficulty in breathing and possibly contribute to the severity of an asthmatic attack.

A number of epidemiological studies have shown associations between ambient sulfur dioxide and rates of mortality (death) and morbidity (illness). However, because sulfur dioxide is often strongly correlated with fine particles and especially sulfate-containing particles, it is difficult to separate the effects of sulfur dioxide from those of the particle compounds.

A study in France found an increase of 2.9 visits to the emergency room for every 20 micrograms per cubic meter increase in atmospheric sulfur dioxide. The results pertained to days when the average sulfur dioxide levels were above 68 micrograms per cubic meter but below the U.S. health standard.

In London, asthma and other lower respiratory diseases in children were most significantly associated with exposures to nitrogen dioxide, carbon monoxide, and sulfur dioxide. In adults the only consistent association was with particulate matter.

Hospital admissions for children with asthma may increase by 20 percent following acute exposure to ozone peaks and possibly with sulfur dioxide. Chronic exposure to increased levels of fine particles, sulfur dioxide, and nitrogen dioxide may be associated with up to threefold increase in nonspecific respiratory symptoms. Thus, recent literature suggests that sulfur dioxide affects adults and children differently and that chronic and acute effects may also be different.

Diesel Emissions

Diesel fuel is burned to power buses, trucks, road-building equipment, trains, boats and ships and electricity-generating equipment. When diesel fuel is burned, the exhaust includes both particles and gases. Diesel emissions are important constituents of ambient air pollution.

What's in Diesel?

Diesel particles consist mainly of elemental carbon and other carbon-containing compounds. Hundreds of compounds have been identified as constituents of diesel particles. These include polycyclic aromatic hydrocarbons (PAHs) and other compounds that have been associated with tumor formation and cancer. In 1998, the California Air Resources Board designated diesel particulate a cancer-causing toxic air contaminant.

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Diesel particles are microscopic. More than 90 percent of them are less than 1 micron in diameter. Due to their minute size, diesel particles can penetrate deeply into the lung. There is evidence that once in the lung, diesel particles may stay there for a long time.

In addition to particles, diesel exhaust contains several gaseous compounds including carbon monoxide, nitrogen oxides, sulfur dioxide and organic vapors, for example formaldehyde and 1,3-butadiene. Formaldehyde and 1,3-butadiene have been classified as toxic and hazardous air pollutants. Both have been shown to cause tumors in animal studies and there is evidence that exposure to high levels of 1,3-butadiene can cause cancer in humans.

AQMD's recent landmark research project, the Multiple Air Toxics Exposure Study II, found that diesel particulate is responsible for about 70 percent of the total cancer risk from all toxic air pollution in the greater Los Angeles metropolitan area.

Diesel emissions may also be a problem for asthmatics. Some studies suggest that children with asthma who live near roadways with high amounts of diesel truck traffic have more asthma attacks and use more asthma medication.

Some human volunteers, exposed to diesel exhaust in carefully controlled laboratory studies, reported symptoms such as eye and throat irritation, coughing, phlegm production, difficulty breathing, headache, lightheadedness, nausea and perception of unpleasant odors. Another laboratory study, in which volunteers were exposed to relatively high levels of diesel particles for about an hour, showed that such exposures could cause lung inflammation.

Thus current epidemiological and laboratory evidence suggests that at typical urban concentrations, diesel exhaust may contribute significantly to the health effects of air pollution.

What Can Be Done to Reduce the Effects of Air Pollution on Children's Health?

After reviewing the literature on how children’s exposures differ from those of adults, it is evident that:

- children are outdoors more hours per day than most adults;
- they exert themselves to a greater degree while they are outside than most adults; and
- they participate in more organized activities than adults.

There are definite health benefits to having children participate in outdoor activities. However, scientific evidence also suggests that air pollution exposures can injure children’s lungs and other organs.

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Air quality information in the form of health reports and air quality advisories are now a regular part of life in California. One logical step is to reduce strenuous activities during pollution episodes and try to take advantage of those hours when airborne pollutant levels are lower.

At the public level there is a long-standing commitment to improve air quality. When you look at the air pollution levels in California today you can see that a great deal of progress has been made. There has been a cost for this progress. For instance, some products are more expensive. In return, the lower levels of pollutant exposure compared to 20 years ago should decrease the adverse effect of air pollution on the long-term health of our developing children.

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AGRICULTURAL MITIGATION POLICIES

Background

LAFCO's mission is to encourage orderly growth and development, discourage urban sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services and encourage the orderly formation of local agencies. LAFCO will consider impacts to agricultural lands along with other factors in its evaluation of proposals. LAFCO's Urban Service Area (USA) Amendment Policies discourage premature conversion of agricultural lands, guide development away from existing agricultural lands and require the development of existing vacant lands within city boundaries prior to conversion of additional agricultural lands. In those cases where LAFCO proposals involve conversion of agricultural lands, LAFCO's USA Amendment Policies require an explanation of why the inclusion of agricultural lands is necessary and how such loss will be mitigated.

Purpose of Policies

The purpose of these policies is to provide guidance to property owners, potential applicants and cities on how to address agricultural mitigation for LAFCO proposals and to provide a framework for LAFCO to evaluate and process in a consistent manner, LAFCO proposals that involve or impact agricultural lands.

General Policies

1. LAFCO recommends provision of agricultural mitigation as specified herein for all LAFCO applications that impact or result in a loss of prime agricultural lands as defined in Policy #6. Variation from these policies should be accompanied by information explaining the adequacy of the proposed mitigation.
2. LAFCO encourages cities with potential LAFCO applications involving or impacting agricultural lands to adopt citywide agricultural mitigation policies and programs that are consistent with these policies.
3. When a LAFCO proposal impacts or involves a loss of prime agricultural lands, LAFCO encourages property owners, cities and agricultural conservation agencies to work together as early in the process as possible to initiate and execute agricultural mitigation plans, in a manner that is consistent with these policies.
4. LAFCO will work with agricultural entities, the County, cities and other stakeholders to develop a program and public education materials to improve the community's understanding of the importance of agriculture in creating sustainable communities within Santa Clara County.

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5. LAFCO will review and revise these policies as necessary.

Definition of Prime Agricultural Lands

6. "Prime agricultural land" as defined in the Cortese Knox Hertzberg Act means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

    a. Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.

    b. Land that qualifies for rating 80 through 100 Storie Index Rating.

    c. Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935.

    d. Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars ($400) per acre.

    e. Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars ($400) per acre for three of the previous five calendar years.

Mitigation Recommendations

7. Proposals involving the conversion of prime agricultural lands should provide one of the following mitigations at a not less than 1:1 ratio (1 acre preserved for every acre converted) along with the payment of funds as determined by the city / agricultural conservation entity (whichever applies) to cover the costs of program administration, land management, monitoring, enforcement and maintenance of agriculture on the mitigation lands:

    a. The acquisition and transfer of ownership of agricultural land to an agricultural conservation entity for permanent protection of the agricultural land.

    b. The acquisition and transfer of agricultural conservation easements to an agricultural conservation entity for permanent protection of the agricultural land.

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c. The payment of in-lieu fees to an agricultural conservation entity that are sufficient to fully fund*:

   1. The cost of acquisition of agricultural lands or agricultural conservation easements for permanent protection, and

   2. The cost of administering, managing, monitoring and enforcing the agricultural lands or agricultural conservation easements, as well as the costs of maintaining agriculture on the mitigation lands.

   * with provisions for adjustment of in-lieu fees to reflect potential changes in land values at the time of actual payment

8. Agricultural lands or conservation easements acquired and transferred to an agricultural conservation entity should be located in Santa Clara County and be lands deemed acceptable to the city and entity.

9. The agricultural mitigation should result in preservation of land that would be:

   a. Prime agricultural land of substantially similar quality and character as measured by the Average Storie Index rating and the Land Capability Classification rating, and

   b. Located within cities' spheres of influence in an area planned/envisioned for agriculture, and

   c. That would preferably promote the definition and creation of a permanent urban/agricultural edge.

10. Because urban/non-agricultural uses affect adjacent agricultural practices and introduce development pressures on adjacent agricultural lands, LAFCO encourages cities with LAFCO proposals impacting agricultural lands to adopt measures to protect adjoining agricultural lands, to prevent their premature conversion to other uses, and to minimize potential conflicts between the proposed urban development and adjacent agricultural uses. Examples of such measures include, but are not limited to:

    a. Establishment of an agricultural buffer on the land proposed for development. The buffer's size, location and allowed uses must be sufficient to minimize conflicts between the adjacent urban and agricultural uses.

    b. Adoption of protections such as a Right to Farm Ordinance, to ensure that the new urban residents shall recognize the rights of adjacent property owners conducting agricultural operations and practices in compliance with established standards.

    c. Development of programs to promote the continued viability of surrounding agricultural land.

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Agricultural Conservation Entity Qualifications

11. The agricultural conservation entity should be a city or a public or non-profit agency. LAFCO encourages consideration of agricultural conservation entities that:

    a. Are committed to preserving local agriculture and have a clear mission along with strategic goals or programs for promoting agriculture in the areas that would be preserved through mitigation,

    b. Have the legal and technical ability to hold and administer agricultural lands and agricultural conservation easements and in-lieu fees for the purposes of conserving and maintaining lands in agricultural production and preferably have an established record for doing so, and

c. Have adopted written standards, policies and practices (such as the Land Trust Alliance's "Standards and Practices") for holding and administering agricultural lands, agricultural conservation easements and in-lieu fees and are operating in compliance with those standards.

Timing and Fulfillment of Mitigation

12. LAFCO prefers that agricultural mitigation be in place at the time of LAFCO approval or as soon as possible after LAFCO approval. The mitigation (as detailed in the Plan for Mitigation) should be fulfilled no later than at the time of city's approval of the final map, or issuance of a grading permit or building permit, whichever occurs first.

13. Cities should provide LAFCO with information on how the city will ensure that the agricultural mitigation is provided at the appropriate time.

14. Cities should provide LAFCO with a report on the status of agricultural mitigation fulfillment every year following LAFCO approval of the proposal until the agricultural mitigation commitments are fulfilled.

15. The agricultural conservation entity should report annually to LAFCO on the use of the in-lieu fees until the fees have been fully expended.

Plan for Mitigation

16. A plan for agricultural mitigation that is consistent with these policies should be submitted at the time that a proposal impacting agricultural lands is filed with LAFCO. The plan for mitigation should include all of the following:

    a. An agreement between the property owner, city and agricultural conservation entity (if such an entity is involved) that commits the property owner(s) to provide the mitigation for the loss of prime agricultural lands and establishes the specifics of the mitigation. Upon LAFCO approval of the proposal, the agreement should be recorded with

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the County Recorder's office against the property to be developed. The agreement should specify:

1. The type of mitigation that will be provided in order to mitigate for conversion of agricultural lands. (purchase of fee title or easement or payment of in-lieu fees)
2. The agricultural conservation entity that will be involved in holding the lands, easements, or in-lieu fees.
3. The acreage that would be preserved through mitigation and /or the amount of in-lieu fees that would be paid (with provisions to adjust fees to reflect land values at time of payment) along with the methodology adopted by the entity for calculating the in-lieu fees.
4. The location of the mitigation lands, when possible.
5. Information on the specific measures adopted by the city as encouraged in Policy #10 (mitigation for impacts to adjacent agricultural lands)
6. The time-frame within which the mitigation will be fulfilled, which should be no later than at the time of city's approval of the final map, or issuance of the grading permit or building permit, whichever occurs first.
7. The mitigation agreement is to be contingent on LAFCO approval of the proposal.

b. Applicant should provide all other supporting documents and information to demonstrate compliance with these policies.

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Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis

(Part of AIHA Journal (63) November/December 2002)

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Alice Suter
American Industrial Hygiene Association

More than one-half million construction workers are exposed to potentially hazardous levels of noise, yet federal and state Occupational Safety and Health Administration (OSHA) programs provide little incentive to protect them against noise-induced hearing loss. Construction noise regulations lack the specificity of general industry noise regulations. In addition, problems that characterize the construction industry, such as worker mobility and the large proportion of small businesses, make implementing hearing conservation measures more difficult. The apparent severity of exposure depends greatly on the measurement method, with the 3-dB exchange rate almost always showing higher average exposure levels than the 5-dB (OSHA) rule. Construction workers demonstrate hearing threshold levels that generally conform to those expected in manufacturing. The prevalence of hearing protection device (HPD) use among U.S. construction workers is very poor, partly because of perceived difficulties in hearing and understanding speech communication and warning signals. In addition, masking by noise of necessary communication and warning signals is of particular concern in construction, where recent research demonstrated the association between fatalities and the failure to hear reverse alarms. Judicial use of HPDs is of the utmost importance, along with avoiding overattenuation, selecting HPDs with uniform attenuation, and using noise-attenuating communication systems when possible. A successful hearing conservation program in British Columbia can serve as a model for the United States, with a long-standing positive safety culture, a high percentage of HPD use, improvement in average hearing threshold levels over the last decade, and a centralized record-keeping procedure, which helps solve the problem of worker mobility. However, controlling construction noise at the source is the most reliable way to protect worker hearing. US manufacturers and contractors should benefit from the activities of the

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European Community, where noise control and product labeling in construction has been carried out for more than 20 years.

Keywords: construction workers, hearing conservation, noise exposure

The fact that US construction workers are exposed to hazardous levels of noise and sustain significant hearing impairments is not news. That these impairments are at least as great as would be expected from an industrial population became evident during the 1960s and 1970s. [1,2] Estimated numbers of construction workers exposed to potentially hazardous levels of noise range from about half a million to 750,000. [3,4] In 1988 the National Institute for Occupational Safety and Health (NIOSH) recommended that the Occupational Safety and Health Administration's (OSHA's) noise regulation, including the hearing conservation provisions, be extended to construction workers as well as to other occupations not then covered. [5] A 1995 conference jointly sponsored by NIOSH and the National Hearing Conservation Association identified construction workers as an "undeserved" population. [6]

In the United States there are separate noise regulations for construction (29 CFR 1926.52 and 1926.101) and general industry (29 CFR 1910.95). The permissible exposure limits (PEL) and requirements for noise control are essentially the same, an 8- hour time-weighted average exposure level (TWA) of 90 dBA with a 5-dB exchange rate between allowable duration and noise level. Engineering or administrative controls are required to be implemented above this level, and hearing protection devices (HPDs) must be issued and worn when exposures exceed the PEL. Both regulations require hearing conservation programs (HCPs) for overexposed workers, but there are two essential differences: (1) the noise regulation for general industry requires the initiation of HCPs at an action level of 85 dBA, whereas the construction regulation does not use an action level; and (2) the general industry regulation gives detailed requirements for noise exposure monitoring, audiometric testing, (HPDs), worker training and education, and record keeping, whereas the construction regulation (1926.52) has only a general requirement for "continuing effective hearing conservation programs" above the PEL. Construction regulation 1926.101 merely mandates the use of hearing protection above the PEL and requires insert devices to be fitted or determined individually by "competent persons."

Current enforcement of these noise regulations is not rigorous, particularly in construction. Neither the noise reduction nor the hearing conservation provisions are well enforced in construction. For example, of more than 18,000 federal construction inspections during

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fiscal year 1998, only 63 inspections were conducted for the noise regulations, resulting in a total of 79 citations. [7] Lack of enforcement characterizes state as well as federal programs. Even those states that have adopted the general industry noise regulation for construction, such as the state of Washington, have failed to enforce the hearing conservation provisions.

Part of the problem has been a perceived lack of information about the noise exposures of construction workers, although several studies have been conducted over recent decades in the United States and Canada. A more salient reason for the lack of activity in this area is the impracticality of the usual approaches to HCPs in the construction arena. Mobility among construction workers, short periods of employment, and the consequent difficulty in record keeping and follow-up present daunting obstacles. This report attempts to address these issues and offer possible solutions.

NOISE EXPOSURE LEVELS OF CONSTRUCTION WORKERS

Evidence of Overexposure

Several studies conducted in the 1960s and 1970s indicated that construction workers were overexposed. In the early 1980s NIOSH estimated the numbers of workers in various occupations, including construction, exposed to noise levels above 85 dBA. [8] Table I gives the estimated percentage of workers in various construction trades exposed to noise levels above 85 dBA. Although the percentages were derived in the early 1980s, the data on numbers of employees in the various trades has been updated to 1995. [4]

TABLE I. Construction Employment Data (1995) and NIOSH Estimates (1981-1983) of Numbers Exposed at or Above 85 dBA (Adapted from Hattis [4])

SIC	Industry Description	1995 1000s Employees	NIOSH % Exposed .85 dBA A,B
152	Residential builders	609	12
154	Nonresidential builders	567	12
161	Highway and street construction	223	27
162	Other heavy construction	526	17
171	Plumbing, heating, and air conditioning	712	7
172	Painting and paper hanging	179	20
173	Electrical work	593	13

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174	Masonry, stonework, and plastering	409	8
175	Carpentry and floor laying	219	32
176	Roofing, siding, and sheet metal	208	11
177	Concrete work	248	40
179	Miscellaneous special trade contractors	548	14
Total (in 1000's)		5041	
A Percentages were rounded to the nearest integer. B Total number exposed .85 5 754,174. [4]			

The highest percentages of overexposed workers occur in highway and street construction, carpentry, and concrete work. Of the approximately 5 million construction workers in 1995, the total number exposed to noise levels of 85 dBA and above was about 754,000. Because NIOSH sampled noise levels rather than exposures, these are not TWAs, and the actual numbers would be somewhat lower when using TWA, but these numbers are useful for ranking the extent of the hazard by trade and to estimate the upper bound of the total number exposed.

Studies of Noise Exposure in Construction Workers

Recent studies have supplemented the earlier ones with noise dosimetry, providing a more precise and comprehensive picture of construction workers' exposures. Table II, containing information from Sinclair and Haflidson, [(9)] shows average daily noise exposures of construction workers by type of construction. The authors obtained samples of up to 5 hours in 27 construction projects during 1991-1992, which, due to the repetitive nature of the work, they considered representative of a full shift. They measured according to the proposed Ontario Noise Regulation, which specifies a 3-dB exchange rate. [(10)] TWA sound levels using the 3-dB exchange rate are sometimes referred to as "equivalent continuous sound levels" or L^{eq}. Of the 103 workers sampled, the average noise exposure level was approximately 99 dBA.

TABLE II. Average Noise Exposure Levels (Daily L_{eq}) by Type of Construction (Adapted from Sinclair and Haflidson [(9)])

Type of Construction	Number Samples	Average dBA [A]	Range dBA [A]
Residential	7	93	87-96

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Roads/bridges	16	93	84-100
Shop work [B]	26	95	85-104
Maintenance	2	95	91-97
ICI [C]	23	96	81-108
Sewer/water	17	99	85-108
Plant work [D]	6	101	87-106
Power station	6	108	93-113
Total	103	99	81-113

[A] Rounded to the nearest integer

[B] Shop work = work in a contractor's fabrication shop.

[C] ICI = industrial, commercial, or institutional.

[D] Plant work = work in a construction contractor's plant.

Table III, also from data gathered by Sinclair and Haflidson, [(9)] shows daily average noise exposure levels by trade, activity, or equipment. The authors caution that in many cases the samples are too small to state definitively which sectors of construction have the greatest risk, but, in their words, "the magnitude of the problem is obvious." [(p. 459)] From Table III it is clear that boiler- makers and iron workers, at least those studied here, are heavily exposed, with average exposure levels of 108 and 105 dBA, respectively. The authors concluded that pneumatic tools were largely responsible.

TABLE III. Average Noise Exposure Levels (Daily L_{eq}) by Trade, Activity, or Equipment (Adapted from Sinclair and Haflidson [(9)]))

Trade, Activity, or Equipment	Number of Samples	Average dBA [A]	Range dBA [A]
Install rebar	2	89	88-90
Carpenter	3	90	82-94
Mason	14	91	84-97
Framer	7	93	87-96
Sprinkler	6	94	86-97
Forming	5	94	87-97
Refractory	2	95	91-97
Sheet metal	17	96	85-104

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Ironworker	2	105	98-108
Boilermaker	6	108	93-113
Paver	6	90	84-92
Front-end loader	2	90	87-92
Scraper	5	90	88-91
Curb machine	3	93	86-96
Roller	2	98	93-100
Crane	3	99	95-102
Dozer	6	102	85-108
Heavy equipment	4	90	86-94
Gravel plant	4	102	88-106
Other	4	88	81-90
Total	103	99	81-113
[A] Rounded to the nearest integer			

In another Canadian study, Legris and Poulin [11] reported on the noise exposure of heavy equipment operators and laborers. The data were collected in Quebec in the late 1980s and the measurements used a 5-dB exchange rate. The average duration of the work shift was 9.5 hours with a range of 8-12 hours, and the data were normalized to an 8-hour shift. Of the 250 samples taken, 65 were from laborers and 185 from heavy equipment operators.

Table IV gives 8-hour average noise exposure levels for heavy equipment operators and laborers according to Legris and Poulin. The authors explained the variations in exposures by such factors as the location and type of muffler, amount of time the equipment was idling or under load, the power rating of the engine, and the nature of the task. Of particular importance were the presence or absence of an insulated cab and the design of the equipment. Note the 10-dB difference between insulated and noninsulated cabs and the 13-dB difference between crawler and rubber-tired cranes weighing more than 35 tons with noninsulated cabs.

TABLE IV. Average Daily Noise Exposure Levels (8-Hour TWA) of Heavy Equipment Operators and Associated Laborers in dBA (Adapted from Legris and Poulin [11])

Operator or Task	Mean TWA	SD	Range
Heavy-duty bulldozer	9	5	91-107
Vibrating road roller	97	4	91-104

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Light-duty bulldozer	96	2	93-101
Asphalt road roller	95	4	85-103
Wheel loader	94	4	87-100
Asphalt spreader	91	3	87-97
Light-duty grader	89	1	88-91
Power shovel	88	3	80-93
Laborers	90	6	78-107
Crawler crane .35 ton Noninsulated cab	97	2	93-101
Crawler crane ,35 ton			
Noninsulated cab	94	3	90-98
Insulated cab	84	3	80-89
Rubber tired cane .35 ton			
Noninsulated cab	84	5	78-90
Insulated cab	74	9	59-87
Rubber tired crane, 35 ton Insulated cab	81	4	77-87
Truck-mounted crane	79	2	76-83
Tower crane	74	2	70-76

The results of another, smaller study of operating engineers and laborers are in general agreement with those of Legris and Poulin. Greenspan et al. (12) found 8-hour TWAs ranging from about 68 to 103 dBA, with a mean TWA of 89 dBA, although five of the eight samples were above 90 dBA. The study should not be considered conclusive because of the small sample size (N58) and the wide range of exposures, but it gives a clear example of the benefits of noise reduction in machinery design. The 68-dBA exposure was achieved in a Caterpillar 980 front-end loader with an enclosed, sound insulated cab.

Data from the Worker Compensation Board of British Columbia (13) are also in general agreement with the above data, although such factors as occupations, sample sizes, and the exchange rate vary from study to study.

Several factors make it difficult to draw comparisons between these kinds of studies. First, the exchange rate has an effect, with the 3-dB exchange rate almost always producing higher exposure levels than the 5-dB exchange rate. Second, the length of the work shift, of course, increases the exposure level; and third, the amount of time each worker spends on each piece of equipment also has an effect.

Effect of the Exchange Rate

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Varying and intermittent noise environments are typical of the construction industry, unlike many manufacturing industries in which the noise is relatively continuous. Much of the construction process takes place outdoors, without the reverberant buildup typical of factories, and it is often characterized by the high-level short-duration sounds of hand tools. When noise from heavy equipment predominates, however, the sound tends to be more continuous. Thus, the differences between measurements using the 3- and the 5-dB exchange rate become more pronounced as the type of construction moves from site preparation, which involves much use of heavy equipment, to finishing work involving carpentry and the use of hand tools.

Neitzel, Seixas, and their colleagues at the University of Washington measured the noise exposure levels of 133 carpenters, laborers, ironworkers, and operating engineers with data-logging dosimeters. [14,15] They found that using the 5-dB exchange rate ("OSHA TWA"), 13% of their samples exceeded the 90-dBA criterion and 40% exceeded the 85-dBA criterion. Using the 3-dB exchange rate ("ISO-slow TWA"), 45% exceeded the 90-dBA criterion and 80% exceeded the 85-dBA criterion. These large differences, according to stage of construction, are presented graphically in Figure 1. [14] The boxes represent the range of noise exposure between the 25th and 75th centiles, the brackets show the entire range of exposures, and the horizontal lines within the boxes represent medians. One can see that the differences are larger in finish work than in site preparation and structural work. The authors found the differences to be statistically significant for both finish work and structural work, although not for site preparation.

FIGURE 1. Comparison of OSHA and NIOSH/ISO TWAs by site stage of construction. Reprinted from Neitzel et al. [14] with permission of the first author.

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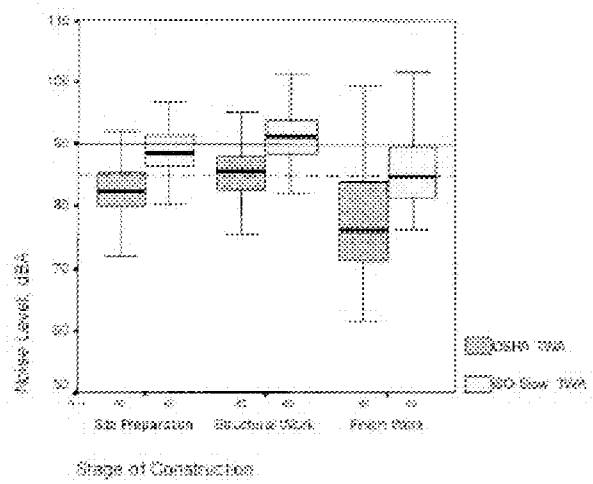

Figure 2, also from Neitzel et al., compares noise exposure levels using the 3- and 5-dB exchange rates by construction trade. The differences are smallest for the operating engineers and greatest for carpenters, but they are also substantial for ironworkers and laborers. In this case all of the differences were significant at the 0.05 level. The authors found an overall difference between the 3- and 5-dB exchange rates of about 7 dB.

FIGURE 2. Comparison of OSHA and NIOSH/ISO TWAs by trade. Reprinted from Neitzel et al. [14] with permission of the first author.

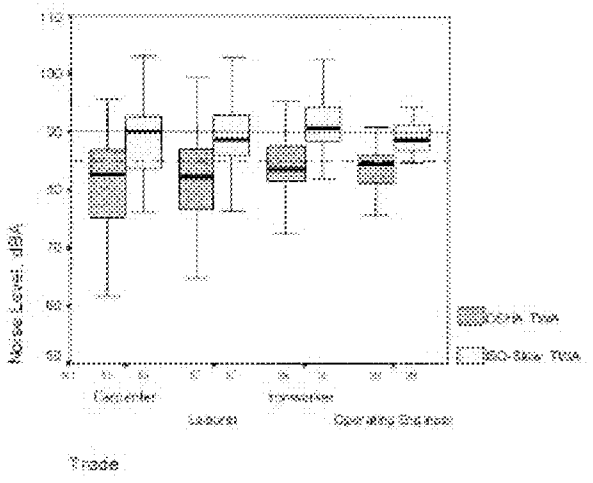

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Relative Hazard of Construction Equipment

Because construction workers often use several different pieces of equipment, Neitzel and Seixas developed a method by which the average noise contribution of the various tools and equipment could be assessed. Table V gives "1-min sound levels" of construction equipment. This term represents an average of the 1-min dosimeter readings in L_{eq} (3-dB exchange rate) that came from periods when workers reported using a particular piece of equipment. For example, there was a total of 255 min during which workers reported using an air compressor, and the median sound level, integrated during each 1-min period, was 96 dBA, with a range of 70 to 114 dBA and a standard deviation of 11.2 dBA. The large standard deviations for most pieces of equipment reflect the variations of sound levels and conditions of use.

TABLE V. Median 1-Min Sound Levels in L_{eq} by Equipment/Tool (Adapted from Neitzel et al. [14] Using Additional Data Supplied by Neitzel [16])

Tool Name	Tool Drive Type	Minutes	Median dBA	SD dBA	Range dBA
Air compressor	pneumatic	255	96	11.2	70-114
Backhoe	gasoline	1908	86	6.0	70-108
Bulldozer	gasoline	494	89	8.2	70-104
Chipping gun	pneumatic	1151	93	13.1	70-120
Chopsaw	electric	631	80	8.6	70-106
Crane	electric	3059	78	7.7	70-110
Forklift	gasoline	3727	85	5.8	62-125
Hand hammer	mechanical	4443	85	8.0	56-110
Jackhammer	pneumatic	267	104	11.4	70-112
Lejeune gun	pneumatic	390	89	8.4	70-120
Truck	gasoline	970	78	8.0	70-123
Welding torch	other	1923	84	8.9	70-118

These 1-min average noise levels do not represent noise doses or 8-hour time-weighted exposures, but they do provide a means for estimating the relative hazard of the various pieces of equipment. The reason they may be somewhat lower than measurements taken with a sound level meter is that they tend to incorporate some amount of time when the equipment is either idling or actually turned off. Although it would be useful to have data on additional types of equipment, as well as various models of the same type of equipment,

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these data show that pneumatic tools, such as jackhammers and chipping guns, pose a greater risk than those powered by other means.

Chemical and Combined Exposures

In recent years there has been a substantial increase in information on the adverse auditory effects of chemicals, especially when combined with high levels of noise. OSHA estimates nearly one million construction workers are occupationally exposed to lead, [17] a substance known to be ototoxic. [18,19] Solvents, such as toluene and xylene, have been implicated as causes of occupational hearing loss, and, particularly when combined with noise, appear to exacerbate the hazard to hearing. [20-23] In a report on construction laborers, Burkhart et al. [24] placed toluene and xylene high on the list of hazardous chemicals and physical agents in terms of estimated number of exposed workers. Until more details are known about the combined exposures of construction workers, the existing data in this area should be used as added incentive for diligence in protecting workers, both from noise and from potentially hazardous chemicals.

HEARING THRESHOLD LEVELS OF CONSTRUCTION WORKERS

Although there is not nearly as much information on hearing threshold levels of construction workers as there is on noise exposure levels, fortunately, some data do exist. Studies as early as the 1960s and 1970s pointed out the problem. LaBenz et al. [1] measured the hearing of 66 operators of earth-moving vehicles and found considerably more hearing loss than in a population not exposed to noise for all age groups. Kenney and Ayer, [2] with more sophisticated audiometric equipment, measured hearing threshold levels of 33 sheet metal construction workers who regularly used handheld power tools. They found noise-induced threshold shifts that were significant for every age group and greatly exceeded expected hearing threshold levels for the older age groups.

Ohlin [25] prepared an inventory of civilian job specialties giving the number and percentage of workers in each specialty with hearing loss, defined as hearing threshold levels (HTLs) greater than an average of 25 dB at 1000, 2000, and 3000 Hz. The list, found in Table VI, includes several jobs that are associated with construction activity.

TABLE VI. Job Specialties Showing Incidence of Hearing Loss (Adapted from Ohlin [25])

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Job Title	No. Audiograms in Specialty	No. with Hearing Loss [A]	Percentage with Hearing Loss[A]
Crane operator	116	38	33
Welder	602	176	29
Carpenter	811	214	26
Engineering equipment operator	340	84	24
Wood worker	258	61	24
Motor vehicle operator	983	185	19
Electrician	495	92	19
[A] HTLs greater than an average of 25 dB at 1000, 2000, and 3000 Hz.			

Waitzman and Smith [(26)] performed a multivariate regression analysis based on the combined data from the Public Health Service and Health Examination Surveys of 1960-1961 and 1971- 1975. The authors divided industrial workers into three categories: construction, manufacturing/mining, and other. They found that the construction category showed the greatest amount of hearing loss for all degrees of severity and at all ages, demonstrating the magnitude of the problem in construction and indicating that the onset of noise-induced hearing loss starts early. The relative risk for blue-collar construction workers was three times that of white-collar workers. In addition, white-collar construction workers also had more hearing loss than their counterparts in other industries.

A recent study of hearing loss among 66 roofers was conducted by Schneider and Tennenbaum. [(27)] Subjects completed a questionnaire that included information on other hazards, such as exposure to vibration, fuels, thinners/solvents, paints, glues, lead, extreme heat, and extreme cold, as well as information on hypertension and shooting habits. The average age was 48 years with 20 years on the job. Subjects reported that they generally worked slightly more than half time and they wore hearing protection infrequently (2 always, 7 often, 11 sometimes, and 46 never). The only confounding variables that showed an effect were hypertension and shooting. The authors adjusted the data for shooting by using only the right ear of the 18 subjects that reported use of weapons.

Figure 3, from Schneider and Tennenbaum, [(27)] shows the average hearing threshold levels of roofers compared with the median, 90th, and 10th centiles predicted by ISO 1999 for the same age group exposed for 20 years to average levels of 85 dBA. The roofers' hearing

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threshold levels fall between the median and 10th centiles of the ISO prediction.

FIGURE 3. Average hearing threshold levels among roofers compared with those of a hypothetical 50-year-old population exposed to 85 dBA for 20 years as predicted by ISO 1999 using Annex B. Reprinted from Schneider and Tennenbaum [27] with permission of the first author.

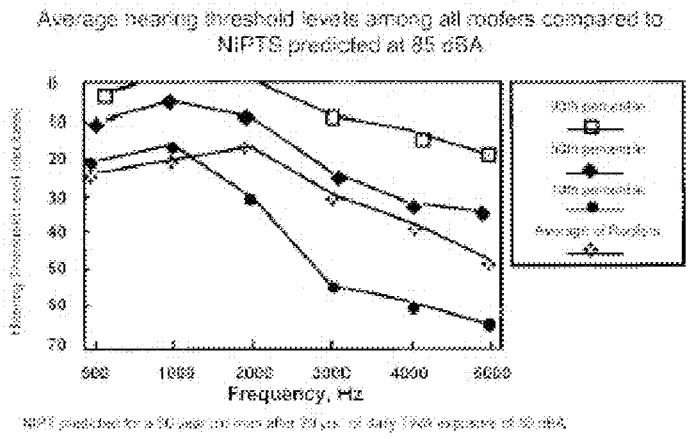

Two factors might cause these thresholds to be overestimates of the true hearing thresholds of roofers. First, the audiometric room was quiet but not soundproofed, which would be likely to produce elevated thresholds in the low and middle frequencies, although lack of soundproofing is unlikely to affect thresholds above 1000 Hz, where the major differences manifest. Secondly, a self-selection bias could occur because these subjects were volunteers at a convention. The bias could, however, work the other way in that some roofers might not volunteer because they did not want to confront the fact of hearing loss. One factor that would cause these thresholds to be underestimates is that they are part-time exposures that are compared with full-time exposures in the ISO method. Thus, to the extent that other roofers work longer hours their hearing losses could be more severe.

Figure 4, from Stephenson, [28] shows predicted compared with actual hearing threshold levels at 4000 Hz for carpenters. The data were collected by NIOSH personnel at a convention, so once again, self-selection may have introduced a bias, either to higher or lower hearing threshold levels. The results are interesting, however, because the author compares mean hearing levels of carpenters with a control group not exposed to noise (Annex A of ISO 1999 or ANSI S3.44, which comprises hearing threshold levels of an ontologically normal [highly screened] population) and to median hearing levels predicted

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by ISO 1999 (or ANSI S3.44) of persons exposed to average daily levels of 95 dBA for the same age groups. One can see that the carpenters' hearing threshold levels are considerably greater than those of the subjects not exposed to noise in all age groups, and worse than the 95-dBA populations in the older age groups. These data would indicate, to the extent that this is a representative sample, that the exposures of carpenters equal or exceed an average Leq of 95 dBA.

FIGURE 4. Predicted compared with actual hearing threshold levels at 4000 Hz for carpenters. Reprinted from Stephenson [28] with permission of the author.

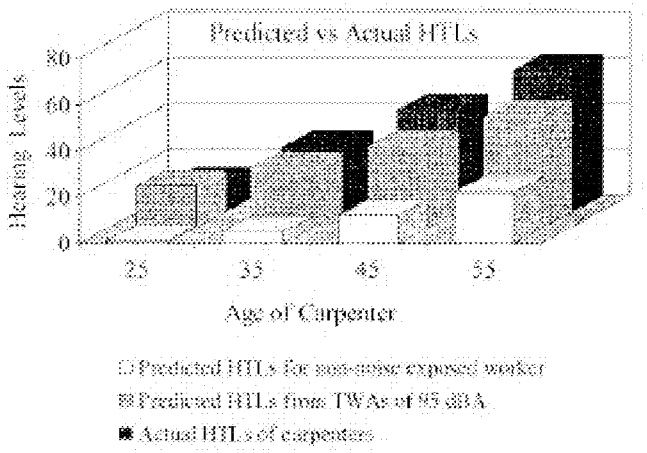

Undoubtedly, the most comprehensive HCPs for construction workers are those of the Worker's Compensation Board (WCB) in British Columbia. Figure 5, supplied by the WCB, shows HTLs of carpenters dating from 1988 and 1997. [29] These HTLs are plotted against a population from ISO 1999 Annex B (hearing threshold levels listed in Annex B of ISO 1999 [and ANSI S3.44] are for an unscreened population in an industrialized country) not exposed to noise and predictions of expected hearing threshold levels (noise-induced permanent threshold shift plus age) calculated from the measured exposures of a group of 63 carpenters in British Columbia. The carpenters' data are for the right ear and Annex B data are for the better ear, although any effect caused by this difference should be minimal. The average exposure of the measured group was an Leq of 91.3 dBA. One can see that the carpenters' HTLs were slightly worse than that of the population not exposed to noise but somewhat better than the predictions based on ISO 1999. Also, there is a slight improvement between the measured thresholds in 1997 and those from 1988 in the 6000- and 8000-Hz frequencies.

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FIGURE 5. Hearing threshold levels of British Columbia carpenters (triangles, 1988; open circles, 1997) plotted against a population not exposed to noise (closed circles) and predictions of expected hearing threshold levels due to average measured exposures of carpenters of L_{eq} 91.3 dBA (dashed line). Reprinted from Gillis and Harrison [29] with permission of the first author.

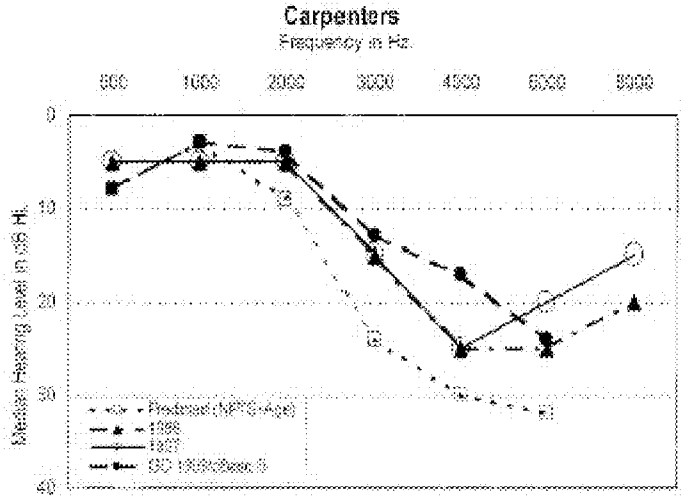

Figure 6 shows the same kind of data for equipment operators. [29] The ISO 1999 estimates of HTL are based on the measured noise exposures of 46 workers with an average L_{eq} of 91.6 dBA. Once again the 1988 HTLs are worse than those of the control population not exposed to noise and better than would be predicted according to the ISO standard. HTLs of the 1997 population, however, mimic the nonexposed curve and are substantially better than would be predicted by the average exposure level of a similar group of equipment operators. The reasons for these improvements are most likely attributable to the success of HCPs, which will be discussed further in the following sections. It is possible that some of the improvements may be due to the learning effect, an artifactual improvement in HTLs that occurs when people take several audiometric tests over a period of time. However, one cannot dispute the large differences between HTLs of these workers and the HTLs that would be predicted from their noise exposures.

FIGURE 6. Hearing threshold levels of British Columbia equipment operators (triangles, 1988; open circles, 1997) plotted against a population not exposed to noise (closed circles) and predictions of expected hearing threshold levels due to average

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measured exposures of equipment operators of L_{eq} 91.6 dBA (dashed line). Reprinted from Gillis and Harrison [29] with permission of the first author.

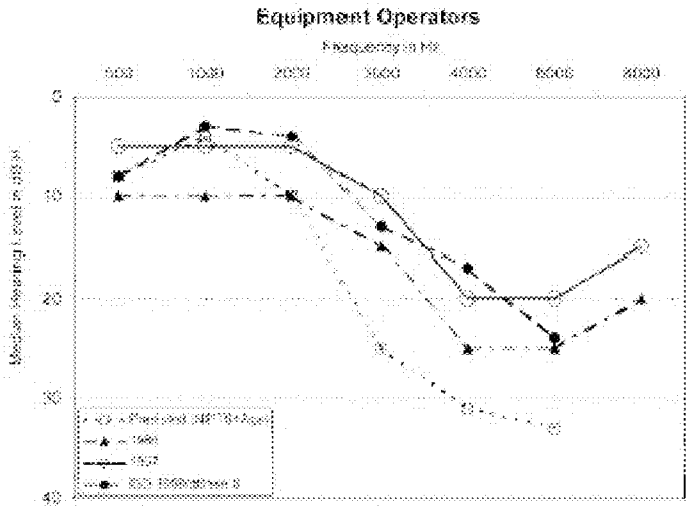

HEARING PROTECTOR USE AMONG CONSTRUCTION WORKERS

Prevalence of Use

The use of HPDs by US construction workers has been notoriously poor, although it has improved slightly in recent years. For example, a 1967 study of occupational health in California noted that HPDs were not considered practical because of heat, dust, dirt, and lack of washing and fitting facilities on job sites. [30] This attitude was probably typical of construction in the United States until fairly recently. Even today, the use of HPDs in construction is not widespread. Greenspan et al. [12] found that only one individual out of the group of operating engineers and laborers they studied used HPDs, and this individual reported that he already had a hearing loss. Most of the group was older than 50 years and most reported that HPDs interfered with communication.

Table VII gives estimated numbers of workers exposed to noise levels of 85 dBA and above in various segments of the construction industry and the reported percentage using HPDs. The numbers of exposed workers are based on NIOSH estimates from 1981-1983, updated to reflect 1995 construction employment data. [4] The percentages are based on NIOSH observations from 1981-1983. One should keep in mind that the numbers exposed include

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all of those exposed to levels, not TWAs, of 85 dBA and above. Even so, the percentage observed using HPDs is quite low, and virtually nonexistent in certain trades.

TABLE VII. Estimated Numbers of Workers Exposed at or Above 85 dBA and Percentage Using HPDs (NIOSH Percentage Estimates [1981- 1983] Using 1995 Construction Employment Data. Adapted from Hattis [4])

SIC	Industry Description	NIOSH Est. No. Exposed >85 dBA	Reported % Using Hearing Protection
152	Residential builders	75,500	1
154	Nonresidential builders	66,300	15
161	Highway and street construction	60,400	11
162	Other heavy construction	90,500	44
171	Plumbing, heating, and air conditioning	52,700	16
172	Painting and paper hanging	35,100	0
173	Electrical work	74,100	0
174	Masonry, stonework, and plastering	33,500	11
175	Carpentry and floor laying	70,700	0
176	Roofing, siding, and sheet metal	22,300	3
177	Concrete work	98,500	19
179	Miscellaneous special trade contractors	74,500	35
Total		754,100	avg. 15%

The information in Table VIII summarizes the prevalence of HPD use according to various studies. In their survey of operating engineers, carpenters, and plumbers/pipefitters, Lusk and her colleagues found that overall, 24% of those surveyed never used HPDs when exposed to high levels of noise, and only 5.3% always wore them when exposed. [32]

TABLE VIII. Summary of Prevalence of HPD Use According to Various Studies

NIOSH (NOES) (1981-1983)[A]
Highway and street construction, 11%
Carpentry and floor laying, 0%
Plumbing, heating, and air conditioning, 16%
Overall average, 15%

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Lusk et al. [31]		
Operating engineers, 49%		
Carpenters, 18%		
Plumbers/pipefitters, 32%		
Overall average, 33%		
British Columbia WCB [29]	1988	1998
Equipment operators	74%	90%
Carpenters	49%	77%
Electricians	55%	87%
Laborers	64%	64%
Truck drivers	46%	73%
Welders	76%	94%
Overall average	56%	75%

[A] Examples from Table VII

By contrast, the majority of British Columbia construction workers regularly used HPDs, even in 1988, when hearing conservation efforts were formally initiated in construction. According to Harrison, [33] British Columbia has required the use of HPDs since 1967, and a positive safety culture has existed there since the early 1970s, when hard hats and HPDs were fairly widely accepted. Enforcement of hearing conservation requirements was stepped up in the early 1970s, mainly in the forestry industry, but compliance appeared to spread into other sectors at that time. The widespread use of HPDs by 1988 is likely to be the primary reason for the better-than-expected hearing threshold levels of the carpenters and equipment operators shown in Figures 5 and 6.

Practical Considerations

The need for construction workers to communicate with each other is as great or greater than in most manufacturing industries. This is particularly true of personnel operating heavy and mobile equipment, such as loaders, dozers, and cranes, as well as personnel on the ground or in structures who need to communicate with them. Unless these workers are fitted with effective two-way or multiway communication systems, HPDs are likely to be viewed as a hindrance to communication and the perception of warning signals. This is especially true of workers who have already incurred a noise-induced hearing loss.

Most of these noise-induced hearing losses occur in the frequencies above 1000 Hz, which

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is the area most critical for the understanding of speech. Unfortunately, HPDs attenuate most effectively in this same frequency range. Consequently, spoken communication and indeed many warning signals become more difficult to perceive and understand when the person with noise-induced hearing impairment wears HPDs. There is a considerable body of research indicating that persons with noise-induced hearing loss are at an increased disadvantage in the perception of speech and warning signals when they wear HPDs. (34)

By contrast, a recent laboratory study of the effects of HPDs and hearing loss on the ability to perceive a common back-up signal indicated that persons with fairly severe losses could still detect a common reverse alarm at a signal-to-noise ratio of 0 dB. (35) These results are not definitive, however, because of the small size of the experimental population and because the subjects had no additional demands on their attention. It does suggest that even hearing-impaired persons wearing HPDs are able to perceive warning signals under certain favorable conditions.

There is also a body of research on listeners with normal hearing that shows that the use of HPDs can actually improve the perception of speech and warning signals in high-noise conditions. This is especially true when the noise is continuous. It appears that the point at which HPDs no longer provide an advantage for normal-hearing listeners is between about 80 and 90 dBA. (34)

However, much of construction noise tends to be intermittent or varying. Intermittent noise, which is typical of carpentry and finishing operations, is characterized by large differences in sound level and periodic interruptions at relatively low levels. Varying noise, which is more typical of the heavy equipment noise generated during site preparation, is characterized by ample differences between maximum and minimum levels, but low-to-moderate levels in between are present for a considerable amount of time. (36,37) Although HPDs may benefit communication during high noise periods, they are likely to be an impediment during the periods of intermittency when noise is below 80-90 dBA, and yet construction workers need to communicate and hear warning sounds during these periods.

This problem would suggest the need for HPDs that can be easily put on and taken off, such as muffs or semiaurals. There are, however, drawbacks to both of these protectors in the construction environment. First, muffs are sometimes incompatible with hard hats and safety glasses. Some muffs can be worn with the headband under the chin, but this position may be awkward. Muffs that are actually attached to the helmet are a popular alternative, but the attenuation is not always as great as with standard muffs because of difficulties in

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proper orientation and fit. The temple bars of safety glasses will often break an earmuff 's seal and attenuation will be reduced. Semiaurals may be useful as they are very easy to don and doff, but workers often find them uncomfortable and dislike the effects on the perception of their own voices due to the "occlusion effect" they sometimes generate. (38)

Interestingly, most workers in the British Columbia program, where the rate of use is highest, prefer to wear earplugs rather than earmuffs or semiaurals. In 1997, 64% of the construction workers reported using plugs, 13% used muffs, 1% used a combination of plugs and muffs, and 22% used no HPD. The use of plugs in British Columbia has greatly increased since a previous survey in 1981, and the use of muffs has decreased. (39)

Earplugs also have their disadvantages, aside from the fact that they require more time and effort to put on and take off than muffs or semiaurals. User-molded plugs, which have become by far the most popular type of plug, require clean hands to roll down and insert. The dust and dirt typical of construction sites can become imbedded in the plug and therefore a possible hygiene problem.

Localization of the sound source can be very important in construction. Workers need to be aware of warning signals, shouts from coworkers, and back-up alarms from moving vehicles. Both plugs and muffs degrade the ability to localize in the horizontal plane (left-right) and muffs have a devastating effect on localization in the vertical plane. (34,40,41) This fact has particular implications for the safety of iron workers and others who depend on communication in the up-down dimension.

It is true that hearing loss itself degrades the ability to localize (42) and to perceive speech and warning signals, (34) and one of the best ways to prevent hearing loss is the effective use of HPDs. This presents a difficult paradox because one is reluctant to generate safety problems in the effort to reduce an adverse effect on both safety and health.

The most recent noise regulation in British Columbia, which applies to construction as well as general industry, requires the posting of noise hazard areas when average exposure levels exceed 85 dBA (L_{eq}) or peak sound levels exceed 135 dBA. Employers must supply HPDs and workers must wear them in areas that have been posted. (43) This would presume that construction workers would be obliged to wear HPDs during the quiet periods and in noise levels between 80 and 90 dBA, even if they should pose a safety hazard. The regulation does state, however, that workers must wear HPDs "in accordance with instructions provided by the employer." Hopefully, employers would see fit to allow, even encourage

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workers to remove protectors when noise levels drop below about 85 dBA, but such flexibility on the part of both contractors and workers may not be easy to achieve. Employers often have the idea that bigger is better, and seek out HPDs with the most attenuation, regardless of an employee's noise environment and job needs. This practice can lead to overprotection, when too much attenuation can prevent workers from hearing sounds that are necessary to their job performance and safety. HPDs with only mild or moderate levels of attenuation can be quite adequate, as long as they are worn properly.

The British Columbia noise regulation requires certain selection criteria for HPDs, which are based on the Canadian Standards Association Standard, Z94.2-94, "Hearing Protectors" and its appendix. These criteria include communication demands on the worker as well as the worker's hearing ability and daily noise exposure. (43) The requirements should have the effect of encouraging employers not to overprotect.

In the United States the ANSI standard (S12.6) for estimating the attenuation of HPDs has recently been revised to include a subject-fit protocol (Method B) in addition to the traditional experimenter- fit method (Method A). (44) Using the new subject-fit procedure results in noise reduction ratings (NRRs) that are somewhat lower, but considerably more realistic than those derived by the earlier method, which is still printed on the HPD's package. US employers should be encouraged to use the newer Method B values whenever available, and to understand that they are more reflective of real-world use. In other words, employers should understand that hearing protector attenuation needs to be adequate but not excessive, and that overkill is a bad idea.

Regardless of whether HPDs improve or interfere with the perception and identification of warning sounds in specific cases, many construction workers believe that they will be a hindrance and therefore resist wearing them. A survey of carpenters' attitudes showed that nearly 50% believed they would be unable to hear warning sounds when wearing HPDs, and an additional 17% was unsure. (45) This problem calls not only for improved training, but an educated sensitivity on the part of those who dispense and supervise the wearing of HPDs.

Potential Solutions

Over recent decades, certain HPDs have been developed with speech communication and warning signal detection in mind. They may be classified as passive attenuators, attenuators aided by electronics, and communication systems. (For a comprehensive review of

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technology advances in HPDs, see Casali and Berger. [46])

Passive attenuation is characteristic of conventional plugs and muffs that do not use electronic systems. An example of a relatively new passive device is the Ultra 9000 (Aearo Co. Indianapolis, Ind.), a level-dependent earmuff that uses a valve system to achieve low levels of attenuation in low noise levels, with substantial attenuation in impulsive noise conditions. [47] Although this muff provides somewhat less attenuation in the low frequencies than in the middle and high frequencies, the slope between 500 and 8000 Hz is relatively flat (when worn correctly), which is desirable for speech communication. Other earmuffs without the level-dependent characteristic are currently being marketed for their communication advantages. An example is the Bilsom NST (Bacou-Dalloz Inc., Reading, Pa.), which has a relatively uniform attenuation between 250 and 6000 Hz.

Another promising development in the passive category are the ER-15 and the ER-25 plugs (Etymötic Research, Elk Grove Village, Ill.). The former provides a uniform attenuation of approximately 15 dB throughout nearly the entire frequency range, and the latter 25 dB of attenuation, although it rolls off slightly in the low frequencies. According to Killion et al., [48] the acoustics of the ER-15 plug were developed to mirror the natural response of the open ear while providing some amount of attenuation. It has become known as the "musician's earplug" because of its popularity among musicians, who require spectral "fidelity." Because its official NRR is only 7 dB, it is not appropriate for all occupational uses. The ER-25, however, does provide more attenuation, with an NRR of 16. The major drawback to these HPDs is that they must be custom molded to the user's ear, which adds considerably to the cost.

There are some conventional earplugs that attempt to achieve a flat attenuation at much lower cost. For example, Aearo's Ultratech plugs, with NRRs of 12 or 16 dB, are premolded plugs that have a slope of only 10 dB between 125 and 8000 Hz when worn correctly. Even though the NRRs of these devices are not as impressive as the 25-to-30 dB of many other HPDs, their attenuation would be sufficient for many construction activities, as long as they are inserted and worn properly.

There are two types of earmuffs that employ electronics. One uses noise cancellation to achieve attenuation. The other uses amplification to permit the passage of low and moderate levels of sound, maintaining a constant level at the ear. It then acts as a passive attenuator at high levels. An example of the latter is the Peltor Tactical 7-S (Aearo Co., Indianapolis, Ind.). This type of HPD offers promise of protection against high-level impulses

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superimposed against a background of relative quiet. [46]

Noise canceling earmuffs use electronics to generate an "antinoise" signal that reduces incoming noise levels by 20 dB or so in the low frequencies. An example of this HPD would be the ProActive 3000 muff (Noise Cancellation Technologies Inc., Stamford, Conn.), with an NRR of 21 dB assessed in the passive mode. These devices are useful mainly in environments characterized by high levels of low-frequency noise, where C-weighted levels exceed A-weighted levels by at least 10 dB. Because the electronics take up considerable room in the earcup, they cannot achieve as much passive attenuation as certain other protectors. However, they can produce a flatter attenuation curve when the active noise reduction feature is activated by boosting attenuation in the low frequencies and they can also reduce the troublesome masking properties of low-frequency noise. As of 1989, at least seven different companies had working models of active noise reduction headsets using noise cancellation technology, [49] but that number is probably lower today. Cost is a drawback, with prices ranging from $150 up to $1000 per set. [46]

It appears that there has been little laboratory or field testing of speech recognition with either type of electronically aided muffs. These HPDs may indeed be of benefit to speech communication and warning signal detection, but further evaluation is indicated before they are relied on in situations when speech communication is critical.

Communication headsets, however, have been used successfully over the years when communication at a distance is necessary. Although they cost anywhere from $200 to over $600, the expense can be more than offset by the benefits of clear and necessary communication. Noise cancellation may be used in these devices as an added benefit in the reduction of low-frequency noise, as in the Aviation Headset X (Bose Corp., Framingham, Mass.). Passive attenuating muffs may be plugged into existing radio systems, or self-contained units are also available for communication at distances of up to 2 miles. Several companies manufacture HPDs as communication headsets, with NRRs ranging from 21 to 29 dB. (50)

With the passage of the Americans with Disabilities Act in 1990, it is within reason to speculate that employers, including construction contractors, may need to provide workers who have hearing losses with HPDs that are suited to their communication needs, both in terms of spoken communication and the perception of warning signals. [51]

Clearly, the only practical, long-term solution to the many problems of hearing protector use

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in construction is noise control, both in the design and manufacture of construction equipment and at the construction work site.

AUDIOMETRIC MONITORING/ RECORD KEEPING

Audiometric testing is of little value unless serial audiograms can be compared, threshold shifts detected, and measures taken to halt the progression of noise-induced hearing loss. Single audio-grams may indicate hearing loss, but unless a series of audiograms imply an occupational cause, the process is only one of documentation rather than conservation of hearing.

Barriers to Successful Audiometric Monitoring and Record Keeping

There are several reasons why meaningful audiometric testing and the proper keeping of records are difficult in the construction industry. These include (1) mobility of construction workers, (2) the temporary and seasonal nature of employment, (3) the small size of construction companies, and (4) the prevalence of self-employment.

The Center for the Protection of Workers Rights has compiled a substantial amount of information about the construction industry and its workers from the Bureau of Labor Statistics, the Bureau of the Census, and other sources, which can illuminate these issues. (52)

Mobility. Depending on the size and nature of the project, construction workers may work for one company for only a matter of weeks or months, or up to many years. The average duration, however, is less than in the manufacturing industries. Job tenure in construction also depends on whether an employee belongs to a union. In 1993 the median job tenure in construction for union employees was 5 years and for nonunion employees, 3 years. (52, chart 20b) However, nearly 80% of construction employees are not unionized. (52, chart 14a)

Temporary and Seasonal Nature of Employment. Temporary unemployment is common among construction workers, and seasonal breaks are particularly common in the northern states. Unemployment ranges from 5 to 10% higher in construction than in the general population (52, chart 20c) and the rate of failure in construction companies has been consistently greater than in other industries as a whole. (52, chart 11a)

Small Size of Construction Companies. Small businesses are less likely to conduct

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audiometric testing, and those with 10 employees or fewer are generally exempt from record-keeping requirements. Nearly 82% of construction establishments have less than 10 employees and less than 1% have more than 100 employees. (52, chart 3c)

Prevalence of Self-Employment. Construction workers who are self-employed are less likely to be part of an employer's safety and health program, and are unlikely to have their own hearing tested. About 2 million of the estimated 5 million construction workers list themselves as self-employed, and 75% of these are unincorporated. (52)

Potential Solutions
Centralized Systems

British Columbia. The most successful HCP for construction workers is the program conducted by the Worker Compensation Board (WCB) of British Columbia. One measure of its success can be seen in the better-than-expected hearing threshold levels of construction workers and the improvements between the thresholds in 1988 and those measured in 1997. The examples given in Figures 5 and 6 are representative of all of the trades measured. (29) This program has the advantage of being centralized in the WCB, which is supported from fees taken out of the worker compensation premiums of British Columbia employers.

The program has been in effect for construction workers since 1987, when audiometric tests were initiated, and since then tests have been conducted annually. An updated noise regulation specifies a PEL of 85 dBA, a 3-dB exchange rate, a peak sound level limit of 135 dBA, and engineering controls above these limits whenever practicable. (43) Noise exposure monitoring and training and education are required at an action level of 0.5 (an L_{eq} of 82 dBA), but these latter requirements are not rigorously enforced in the construction industry. (53)

The WCB trains and certifies all technicians, who then provide audiometric testing, training, and counseling to construction workers. Audiometric information, including a medical history, is collected by the technicians on an optical-read form and scanned onto a WCB mainframe. In addition, workers carry with them a "WorkSafe" card, which contains a record of their hearing test, the date of the test, and boxes in which the technician may check whether the worker has received an explanation of the results, a fit test of hearing protection, or whether the requirement to wear HPDs has been discussed. Workers are advised to show the card at the next test in one year. The regulation requires also that the

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employer maintain, "in a manner acceptable to the board," (sec. 13.120) a record of the hearing tests for each worker as long as the worker is employed by that employer. (43)

Information about noise control and other aspects of hearing conservation is made available to employers through a WCB newsletter as well as through the technicians. Roberts (53) reports that compliance with the regulations is fairly good in heavy construction, commercial building, and road construction, but poorer in housing construction and among small-business contractors (which is not surprising). Also, because the regulation requires hearing tests "not later than 6 months after the start of employment, " (sec. 13.116) workers on short jobs are likely to be overlooked.

European Programs. Bygghälsan, the Swedish Foundation for Industrial Safety and Health in the Construction Industry, was founded in 1968. Its support was generated by assessing contractors for fees based on hours worked, and, like the British Columbia program, provided a central repository for hearing test data and other types of information. Its activities in recent years have been severely curtailed because of government cutbacks. The CPWR Chart Book, however, does contain data showing the decreased prevalence of "severe high-tone hearing loss" in Swedish construction workers between 1971-1974 and 1986-1990. (52, chart 40c)

In Germany, Arbeitsmedizinischer Dienst, state-run occupational health centers assist small companies with audiometric testing and the retention of audiometric records. (54)

Requirements of Other OSHA Regulations. Welch and Roto (55) report that of the 21 OSHA regulations requiring medical monitoring, 13 apply to construction. Both lead and asbestos have their own construction versions, although lead is, at this time, a final interim rule. The lead standard, 29 CFR 1926.62, requires a full medical examination when blood-lead or air sampling levels exceed certain criteria. The asbestos standard, 29 CFR 1926.1101, requires medical monitoring for all employees who are exposed above the PEL or an "excursion limit" for a combined total of 30 days or more per year. A medical exam must be given at least annually. It should include pulmonary function tests and may include a chest X-ray at the discretion of the physician. An exam is not required if records show that an employee has been examined within the past year.

The general industry regulation for hazardous waste operations, 29 CFR 1910.120, also requires medical examinations, and the revised respirator standard, 1910.134, requires

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physician clearance for workers to wear continuous-flow respirators. These standards also apply to construction.

Employers, including construction contractors, are required to ensure that these tests are performed and must pay for them. The problem is that the many complex characteristics of construction mentioned above (mobility, seasonal and short-term nature of the work, prevalence of self-employment, etc.) work against efficient medical monitoring programs, especially the keeping of records. OSHA's record-keeping rules, which have the same provisions for construction as for general industry, limit the requirements for short-term employment and for companies with 10 or fewer employees, except in cases of fatalities or multiple hospitalization accidents. Clearly, great numbers of construction workers are falling through the cracks.

Even for those companies that would be responsible for keeping records of medical monitoring, the question remains as to what to do when employees move on. The construction regulation for access to medical records (29 CFR 1926.33), which is identical to the general industry regulation (29 CFR 1910.1020), states that employers need not retain records after an employee's termination, but may simply give the records to the employee, provided that the employee has not worked there for more than 1 year.

But the question of effective follow-up remains open, especially in the case of audiometric testing, which is so dependent on the comparison of serial audiograms. There appears to be little experience with effective records management for construction employees for any health hazard outside of British Columbia. The one exception may be joint labor-management programs.

Joint Programs. Several of the unions whose members perform construction work have negotiated medical monitoring, testing, and training programs through the collective bargaining process. Examples of these are ironworkers, painters, carpenters, laborers, and sheet metal workers. All of these unions have centralized funds used mainly for training, but that also pay for some medical testing, such as asbestos exams, lead, and clearance for working with hazardous waste. (56)

A good example of this type of program is the MOST (Mobilization Optimization, Stabilization, and Training) program run by the boilermakers union. (57) The program covers drug, pulmonary function, and respirator fit testing, as well as safety glasses and safety training for some 20,000 boilermakers at this time, and it will soon involve 26,000 construction workers in Michigan. In addition, it is now open to all crafts in the nation. One

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of its most interesting aspects is the Employee Verification System, the ability of employers to call in to the program headquarters and obtain information on pulmonary function levels, as well as the dates on which all testing and training occurred. The program used to include full medical exams, including audiometric testing, but that segment was discontinued due to expense.

Unfortunately, there is no evidence in the United States of joint labor-management programs for construction workers that include audiometric testing and record keeping.

Even though these joint programs may be very successful, there are two principle disadvantages. First, union members are understandably reluctant to pay for medical monitoring and training when OSHA regulations have mandated these as employer responsibilities. Even though it is actually the employer who pays, workers may be reluctant to use collective bargaining to achieve benefits that are their right by law. The second and most obvious disadvantage is that 80% of the construction work force is not organized and therefore would not benefit from this type of arrangement.

There is no reason, however, why contractors could not pay into a fund for purposes of medical monitoring, including audiometric testing and record keeping, which would be managed by a public or private agency. This fund would then cover all construction workers, whether or not they were unionized.

State-Run Programs. There are, in fact, some states that have adopted OSHA's hearing conservation amendment for construction workers. For example, the State of Washington's Department of Labor and Industry is divided into a worker compensation section and an occupational safety and health section, the latter having jurisdiction over noise regulations. However, there has been virtually no enforcement or compliance with the construction noise standard, so merely adopting the federal hearing conservation standard for construction workers is not necessarily the answer unless the state is willing and able to enforce it.

It appears that the best solution would be a program like that of the WCB. Here, a centralized agency, in this case the WCB of the Province of British Columbia, not only keeps the records but trains the technicians, ensures follow-up, and provides quality control. This function could be carried out within the United States by state agencies, such as health departments.

There is a program called the Adult Blood Lead Surveillance program, funded by NIOSH

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and the Centers for Disease Control and Prevention, in which 26 states keep a register of the effects of lead and other heavy metals. These data are generally used for epidemiological purposes, but in some cases for individual follow-up. In New York, for example, all blood lead levels are sent to the State Department of Health and high levels can trigger follow-up phone calls to lead-exposed individuals. (58) In addition, some states have cancer or silicosis registries.

Although a state-run program is likely to be the most efficient solution for HCP elements such as audiometric testing and record keeping, these programs are always susceptible to the whims of state legislatures or federal funding sources. The perfect solution is elusive.

Credit-Card Type Storage Devices

Contemporary technology could make the problem of construction worker mobility somewhat more tractable. These devices, like optical cards, may be carried in one's wallet and are capable of storing considerable amounts of information. Evidently they are already being used for documenting safety training. According to Stephenson, (59) any audiometer that can communicate with a personal computer (which is a great many audiometers nowadays) can handle these devices. All that is needed is the appropriate software and a special drive. NIOSH has this capability at this time.

An example of the effective use of these "smart" cards is the program that allows travelers to cross the US/Canadian border by inserting a card encoded with the individual's fingerprint into an optical reader. According to a press release issued by Canon USA in 1995, these cards can store the equivalent of 1600 pages of text or other digital data, and they are already widely used in the health care field as a portable clinical record. (60) No doubt the technology has advanced considerably since then.

NOISE, HEARING LOSS, AND ACCIDENTS IN CONSTRUCTION

Accidents in Construction

Traditionally there has been a high rate of occupational injuries in the construction industry. Sweeney and her colleagues collected the following data from the Bureau of Labor Statistics and various other sources: (61) Construction workers represent 6.5% of the work force, but 18% of the fatal injuries occur in construction. After mining and agriculture, construction ranks third for workplace fatalities and injuries. The leading causes of

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construction fatalities include falls (31%) and transportation incidents (27%). Contact with or being struck by an object and musculoskeletal disorders account for more than 50% of all traumatic injuries. Construction workers are twice as likely as the average worker to be killed by a motor vehicle, and 40% of worker fatalities from motor vehicle accidents are pedestrians. Nearly 2000 machine-related deaths in construction occurred between 1980 and 1992 and in nearly one-third of the cases the worker was struck by a moving mobile machine. Laborers (23.5%) and operating engineers (22.6%) accounted for nearly half of the machine-related deaths.

Possible Contribution of Noise and Hearing Loss

There is little objective information linking noise exposure or hearing loss with accidents specific to construction, but common sense would suggest that many of these accidents might have been prevented had workers been able to perceive warning shouts or signals. The high incidence of fatalities from being struck by objects, of transportation incidents, and the frequency of fatal accidents from moving machines (especially with pedestrians as victims) all suggest a breakdown in communication.

Noise and hearing loss have been implicated in studies of other industries. For example, noise and hearing loss were found to be accountable for 43% of the injuries in a shipyard setting. [62] The authors considered other possible causes, such as alcohol consumption, cigarette smoking, and the use of earplugs, and found that alcohol consumption was the only significant factor besides noise and hearing loss. It appears that the authors controlled for age and job hazard.

Zwerling et al. [63] assessed the likelihood of occupational injuries in a large sample of workers drawn from the National Health Interview Survey. These workers had listed themselves as having some kind of preexisting impairment: visual or hearing impairment, back conditions, upper or lower extremity conditions, diabetes, epilepsy, and arthritis. The authors found that the highest risk of job-related injuries came from workers having sensory impairments with odds ratios for blindness of 3.21, deafness 2.19, hearing impairment 1.55, and visual impairment 1.37 (which was not statistically significant). Of the seven occupational groups studied, laborers represented about 8% of the total cohort, and approximately 36,000 in this group (13%) were construction laborers.[64] The remainder of the group included material handlers, as well as operators of various kinds of vehicles and equipment, some of whom might also be considered construction workers. The category titled laborers was one of three blue-collar categories, the others being mechanics/repairers,

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and operators/assemblers. The odds ratio for injury among laborers was 4.16, the highest of any of the groups.

Another study of a large industrial population compiled accident data from factories over a 2-year period. [65] The authors found that the frequency of accidents and illness-related absences increased with increasing noise exposure levels for both men and women. The relationship between noise exposure and accidents was significant for men but not for women. Unfortunately, it can be very difficult to control for the hazardous nature of various jobs in this kind of study, and it is possible that high levels of noise may be related to jobs that are inherently hazardous.

Reverse Alarms

In recent years there has been some attention to the questionable effectiveness of back-up alarms in mobile machinery. A study by Laroche et al. [66] demonstrated that the audibility of back-up alarms on dump trucks is compromised because of the ineffectiveness of their acoustic signals. Laroche and Lefebvre [67] traced 22 fatalities to faulty back-up alarms in the Province of Quebec over a 15-year period. Table IX provides an updated version of these data, giving the cause of each accident and comments about noise levels and the back-up alarm specific to each situation. [68]

TABLE IX. Deadly Accidents Involving Heavy Vehicles and Noise (After Laroche et al.; [69] Updated, Expanded Version Translated into English Provided by Laroche [68])

Case No.	Date of Accident	Employee	Vehicle Involved	Cause of Accident	Comments
1	08-29-91		tow truck		noise level exceeded alarm
2	06-02-88	splitter/operator (aluminum co.)	forklift	poor visibility, plus backup alarm not detected	
3	04-28-88	water system installer	dump truck (?)	backup alarm not detected	poor synchronization of maneuvers
4	09-04-87	flag person (construction site)	dump truck (10 wheeler) backup alarm:	backup alarm not detected	alarm: 90 dBA; noise from steamroller: 87

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			DAP		dBA
5	07-01-87	quality control attendant (construction site)	dump truck (10 wheeler) Kenworth 1974	backup alarm not detected	backup alarm in front of the 2 back axles and directed toward the left. alarm : 80-85 dBA; noise: 105-107 dBA
6	01-09-87	flag person (construction site)	dump truck (10 wheeler)	misjudgment by worker	alarm level greater than noise levels
7	08-08-86	marine docker	forklift	backup alarm not detected, plus driver's vision obstructed	noise: 84-96 dBA; alarm: 12 dBA
8	08-15-85	flag person (road repair)	5-ton truck backup alarm: DAP 50	backup alarm not detected, plus poor planning of operations	noise: 92 dBA; alarm: 75 dBA
9	11-21-83	shipping and receiving clerk (interior site of a pharmaceutical co.)	delivery truck	noise from truck was not detected	high noise level because of construction
10	10-06-82		loaded dump truck, Mack 76 (10 wheeler) (28,800 kg)		poor judgment or noise level same as alarm
11	09-24-82	docker (port)	road hauler	noise from hauler was not detected	high noise level, poor lighting; one-way circulation

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12	09-17-82		10 wheeler dump truck		alarm was not functioning, high noise level
13	01-20-82	general foreman (James Bay site)	loaded cement mixer (82,000 kg)	backup alarm not detected	alarm: 83 dBA at 1 ft noise: 107 dBA at 3 ft
14	11-23-81	welder (railroad)	grinder, LORAM	horn was not detected	horn: 97 dBA welding noise: 90.5 dBA
15	08-10-81		loader		lack of good work method, no backup alarm
16	12-06-78	garbage collector assistant	garbage truck	backup alarm or noise not detected (?)	surrounding noise greater than truck noise
17	08-21-78	flag person (road repair)	dump truck (10 wheeler)	backup alarm not detected	noise level greater than alarm
18	01-08-76	digger operator (Miron)	Ford 8000 dump truck (8 wheeler) (10 tons)	noise from truck was not detected	no backup alarm
19	12-29-75	flag person (snow removal)	leveler	noise from leveler was not detected	no backup alarm
20	07-08-75	flag person (steel works site)	dump truck (19 tons)	noise from truck was not detected	worker was walking with his back to the truck
21	08-14-75	crane operator	platform type tow truck	noise from truck was not detected	no backup alarm
22	07-08-75	truck driver (road repair)	dump truck (7 tons)	noise from truck was not detected, also subject was very close to the back of the truck	high noise level

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23	03-18-75	pedestrian (construction site)	dump truck	noise from truck was not detected	high noise level, no backup alarm
24	03-12-75	engineer (road excavation)	loader (2.5 tons)	noise from loader was not detected	high noise level

Laroche and Lefebvre [67] concluded that there are at least five principle causes for these types of accidents: (1) hearing loss among construction workers, (2) high noise levels on some sites, (3) worker attentional demand or complacency, (4) inadequate placement of alarms, and (5) deficient acoustic features of the alarms.

The adverse effect of hearing loss should be self-evident, as with high noise levels, because they both would degrade the ability to perceive back-up alarms as well as warning shouts. Worker at-tentional demand from complex tasks or stimuli could cause the failure not so much to hear but to attend to the warnings produced by back-up alarms (see review of this subject by Suter, Ref. 34, Chapter 4). Inattention caused by habituation also could reduce the ability to react appropriately to the sound of warning alarms.

Laroche and Lefebvre [67] reported that placement of the back-up alarm is often problematical. For example, some owners position the alarm underneath the vehicle to protect it against weather, which placement has an attenuating effect. With regard to deficient acoustic features, the authors found that most back-up alarms produce puretone signals around 1400 Hz or modulations of two neighboring sounds, 1250 and 1350 Hz. Reflections of these sound waves on the ground or diffraction by the sides of vehicles have the effect of reducing or even canceling them before reaching the listener. Within spaces of less than a few inches, Laroche and Lefebvre found variations in sound pressure level of more than 15 dB behind vehicles. Finally, the use of a pure tone in the 1500-3000 Hz range is not efficient for purposes of auditory localization. [69]

There are several reasonable solutions to these problems. First would be to prevent hearing loss through noise control, the judicial use of HPDs, and training. Second, noise levels on the construction site should be reduced through the manufacture and purchase of quieter equipment and the proper maintenance of all noise-producing equipment. Third, workers should be trained in the awareness of warning signals as well as all aspects of hearing conservation. Fourth, back-up alarms should be placed for optimal reception by the intended listener. Fifth, greater attention should be given to the workers' sound environment and sound propagation in the design of the alarm, as well as the psychoacoustics of audition.

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Laroche and Lefebvre [67] caution that back-up alarms should not emit just one pure tone because of the considerable risk of sound cancellation, but instead should produce several frequencies in the 500 to 2000 Hz range that are not harmonically related.

In optimal conditions the sound level of an alarm should exceed the background noise by 10-15 dB. However, this can pose a problem to the residents neighboring construction sites, who often complain about the noise of back-up alarms. A partial solution could be found in the form of an auto-adjusting alarm, which senses noise in the environment and adjusts its signal to a level 10 dB above that of the background noise. An example is the Starmatic 63-000 (Star Warning Systems Co., Avon, N.Y.), an auto-adjusting back-up alarm, with a range of 87-112 dB.

One final recommendation came from a safety workshop attended by laborers, and that is that personnel backing heavy vehicles should use an additional worker as a "spotter." [56] This worker is presumably in a place where the operator can see him or her, and it is important that the worker is trained and alert because Laroche and her colleagues found that the "signalman" was sometimes the one who was fatally hit. [66]

NOISE CONTROL IN CONSTRUCTION

There is a considerable amount of information available on the control of noise in the various aspects of construction, and a detailed discussion of this topic is beyond the scope of this report. A brief overview, however, would be useful. Noise control solutions include the efficient operation and maintenance of construction equipment, retrofit of existing equipment, and the design of quieter new equipment.

Feasibility

It appears that noise reduction in most construction sites and for most construction equipment is feasible. Although some tools will still require the use of HPDs for adequate protection, there is a great deal that can be done. Figure 7, from the Bureau of Mines, gives examples of how noise control could be applied to surface mining machines, several of which are used in construction. [70] Note the dramatic reductions achieved in haulage trucks, front-end loaders, and graders. Although some of these noise problems may have been mitigated in contemporary equipment, undoubtedly many have not yet been sufficiently quieted.

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FIGURE 7. Examples of how noise control may be applied to surface mining equipment, some of which is used in construction. Reprinted from Bartholomae and Parker, [70] US Bureau of Mines publication.

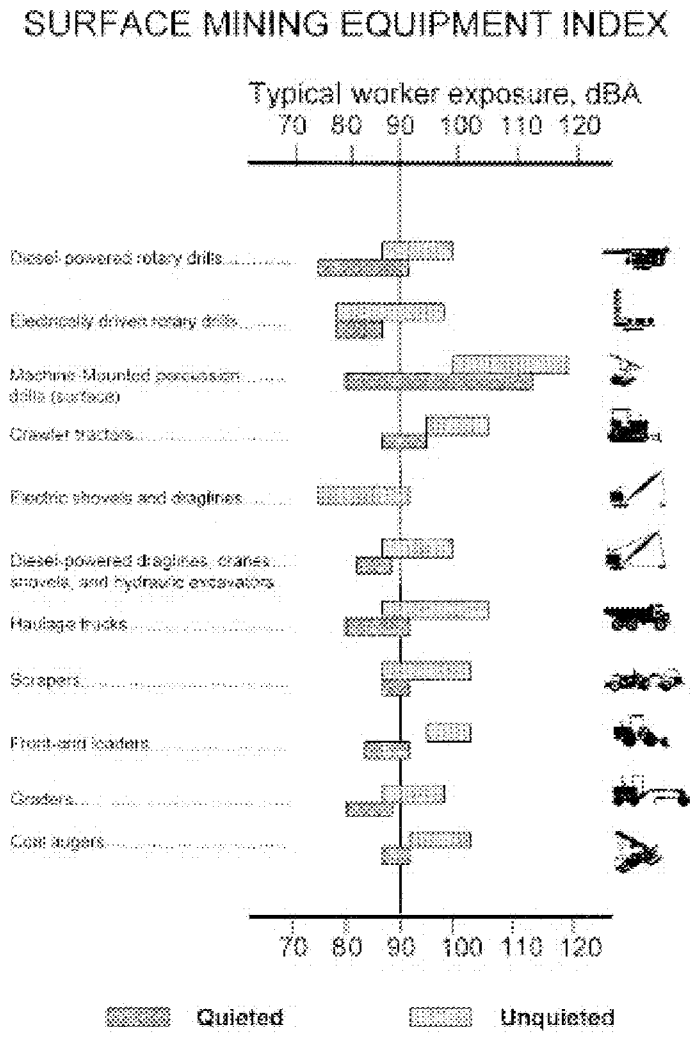

Maintenance

One of the least expensive and most rewarding noise control practices is the proper operation and maintenance of equipment. This includes keeping noisy operations away from workers who are not involved in that process, lubricating parts, keeping saw blades

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sharpened, and replacing worn bearings and other parts as needed. It also involves keeping the doors and windows of noisy vehicles closed to the extent possible to protect the operator from the engine and exhaust noise. Like any vulnerable part, noise control measures, such as gaskets and mufflers, need to be maintained and replaced when necessary to provide the desired attenuation.

Retrofit

Retrofit applications, such as those advocated in the Bureau of Mines Handbook, [70] include installing mufflers, enclosing and insulating the cabs of noisy vehicles, and enclosing parts of noisy machines. Table X, from Schneider et al. [51] lists types of construction equipment and suggested retrofit controls. The authors give references for each control measure. For example, they cite a report by the Society of Automotive Engineers, which found that changing from an inadequate to a better muffler could make a difference of 1-3 dB, and installing a muffler where one had been lacking could make a difference of 10-12 dB. [71]

TABLE X. Noise Controls for Construction Equipment (from Schneider et al. [51])

Equipment	Noise Controls
Pile driver	Enclosure, muffler
Stone cutting saw	Noise control pad with water
Handheld impact drills	Reduction of reflected sound
Circular saw blades	158 tooth angle, new tooth configuration, slotted saw blades, viscoelastic damping
Pneumatic tools	Muffler
Pavement breaker/Rock drill	Muffler, enclosure of cylinder case and front head, moil damping
Portable air compressor	Muffler, acoustic enclosures
Bulldozer	Cab-liner material, enclosure, sound absorption in canopy, sealing of all openings
Wheeled loader	Absorption of sound cooling air route
Vibratory roller	Flexible mounting for pump compartment
Joint cutter	Antivibration mounting fixtures

There may be times when retrofits yield only small improvements in noise level and HPDs

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are still necessary to prevent hearing loss. Researchers at the Mine Safety and Health Administration found that retrofit controls tend to reduce high-frequency noise more readily than low-frequency noise, often resulting in differences between C-weighted and A-weighted noise levels that exceed the nonretrofit condition, even though A-weighted levels had been reduced. (72) Although this finding should not discourage the use of retrofit measures, it does provide additional support for choosing HPDs with good low-frequency attenuation and careful training in their effective use.

Design

The most efficient and economical stage at which to control noise is in the design phase. This is true both in the design of a potentially noisy work space and in the design of equipment. For example, changes in the pathways of ductwork can reduce fan noise, (73) and changing low-frequency jet noise to high-frequency can make it easier to control. (74)

At an Environmental Protection Agency (EPA) hearing many years ago, George Diehl, an acoustical engineer with the Ingersoll-Rand Co. (Woodcliff Lake, N.J.), reported on a "whisperized" air compressor, in which the noise level had been reduced from 110 dBA to 85 dBA. (75) At that time the company was also working on noise from rock drills (pavement breakers and jackhammers), and had reduced the noise between 8 and 10 dB, while simultaneously reducing vibration. Mr. Diehl also discussed another type of demolition tool called a "hobgoblin," which was mounted on a backhoe. Because it was hydraulically operated it had no air exhaust, and therefore, the major source of noise was reduced. He reported that it could do the work of 10 to 24 regular paving breakers while producing considerably less noise. (75) It appears that this kind of push for the control of construction noise in the United States has diminished, but it continues to progress in Europe.

There is, however, an interesting innovation being developed called the Raptor (Brookhaven National Laboratory, Upton, NY), a machine that fractures concrete by firing steel nails from silencer-equipped guns. It is reported to work more rapidly than the conventional jackhammer, does not rely on an air compressor, and the noise level is projected to be below 80 dB. (76)

Resources

There are many such reports on noise control solutions in the construction industry. Some of

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them are consolidated in booklets or a series of articles. In addition to the sources cited by Schneider et al., [51] the following are some examples.

Mining Machinery Noise Control Guidelines, 1983, a Bureau of Mines Handbook. [70] This publication contains information on the noise levels of surface and underground mining equipment, some of which is used in construction, particularly in the site preparation phase of large construction projects. For each piece of equipment the booklet lists typical noise levels, along with recommended treatments, quieted noise levels, costs in dollars and labor in hours, and the availability of treatments. These descriptions include sources for commercially available noise control products and materials, technical reports on the development and demonstration of noise control treatments, and case histories.

Noise Control, Proceedings: Bureau of Mines Technology Transfer Seminars. [77] This book of proceedings contains specific articles covering some of the same types of information as above, with more text.

Constructional Noise: A Survey of Noise on Building Sites, Byggha¨lsan, Stockholm. (78) This booklet gives octave band and A-weighted noise measurement data for more than 30 examples of construction noise sources, along with information on the work operation, cause of the noise, and suggested control measures for each type of equipment or setting. Although these data are more than 25 years old, many are undoubtedly still applicable. It includes comments about controls and the need for hearing protection.

Noise Control: A Guide for Workers and Employers, US Department of Labor. [79] Although this guide pertains to general noise problems and their solutions, some of the principles of noise control also apply to construction. It was originally published by the Swedish Work Environment Fund, translated, then edited and adapted by OSHA.

"Noise Control: Principles and Practice," published in *Noise News International* between June 1994 and June 1999, form a series of 15 articles by Stig Ingemansson, the original author of the Swedish guide previously cited. [80] The articles represent an edited and updated version of the older guide.

Many papers and articles on noise control, some of which deal with construction, are available in the publications of the Institute of Noise Control Engineering, which has headquarters in Pough-keepsie, NY These include Noise Control Engineering Journal, Noise News International, and the proceedings of annual conferences, both US and international.

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In addition to the preceding suggestions, there are other publications, such as those cited by Neitzel and Seixas: [15] Alfredson and May, [81] Kessler, [82] and Mulholland and Attenborough. [83]

EPA

The Office of Noise Abatement in the US EPA, which functioned between 1972 and 1982, made significant efforts to control noise in the general environment, including construction noise. Funding for the program was terminated in 1982 by the Reagan administration, and the office was closed. However, the statutory requirements still stand because Congress has never rescinded them: the Noise Control Act of 1972 and the Quiet Community Act of 1988 (P.L. 92-574, 1972 as amended at U.S.C. 4901-4918, 1988).

Of interest in the area of construction are the regulations for medium- and heavy-duty trucks, air compressors, and regulations for the existing motor carrier fleet. These regulations are still in effect but are not being enforced. Two pieces of construction equipment, pavement breakers and rock drills, were identified as major sources of noise and set on the path toward regulation, but were "disidentified" when the program closed in 1982. The agency also considered the regulation of wheel and crawler tractor noise emission. The Noise Control Act required EPA to regulate the labeling of products that emitted or reduced noise, but EPA only promulgated one regulation in this category, the attenuation of HPDs.

A considerable amount of information about construction noise was generated by the agency, most of which is listed in EPA's *Bibliography of Noise Publications.* [84] Some titles pertaining to construction noise are listed in Appendix A. In addition, EPA has microfilmed much of the materials from the Office of Noise Abatement, and many of its contractor reports are still obtainable.

EUROPEAN STANDARDS AND DIRECTIVES

Activities of the European Community Undoubtedly the most interesting developments in noise standards and regulations are currently occurring in the European Community (EC), now known as the European Union (EU). With the economic unification of European countries, the effort to harmonize existing standards and to develop a unified approach to new standards has been taking place for nearly two decades. There are now a great many

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European standards and directives in the field of noise measurement, effects, permissible limits, and control, including some that are specific to construction.

Although publications in this area tend to use the terms "standard" and "directive" interchangeably, the word "standard" is usually applied to measurement procedures or proposals set forward by consensus groups such as the International Organization for Standardization (ISO) or the International Electrotechnical Commission (IEC). The term "directive" usually applies to an order issued by the Council of the European Community (CEC), and this order is generally mandatory for implementation by the member states of the EU.

The EU speaks in terms of the "old approach" and the "new approach" to the issuance of directives. The old approach, taken prior to 1985, applied to one product at a time and was very time-consuming. The new approach resembles enabling legislation, in that these directives apply to broad categories of products. Under the new approach, the CEN prepares nonmandatory technical specifications, the purpose of which is to assist manufacturers in the design of products so that these products will meet mandatory directives. Although the new approach was followed for directives issued in 1985 and thereafter, directives issued under the old approach still apply. Some of the old approach directives are being revised, and some new directives are still being issued under the old approach. (85)

Construction Directives

One of the earliest directives issued by the EC specified measurement methods for determining the A-weighted sound power levels of construction plants and equipment. (86) This directive was followed in 1984 by several specific directives, (85) which stipulated measurement methods and permissible sound power levels for air compressors (84/553/EEC; 85/406/EEC), tower cranes (84/ 84/534/EEC), welding generators (84/553/EEC; 85/407/ EEC), power generators (84/536/EEC; 85/408/EEC), and concrete breakers and picks (84/537/EEC; 85/409/EEC). In 1986 the EC issued a directive on hydraulic and rope-operated excavators, dozers, loaders, and excavator-loaders (86/662/EEC; 89/514/EEC). Several of these directives have been revised (indicated by the second date). Tables 3-8 in Ref. 85 present a summary of the sound power level limit values for the construction equipment listed above. The permissible sound power levels range from 100 dBA to 118 dBA, depending on size, weight, and type of equipment. (One needs to keep in mind that the sound power level can be some 25 dB greater than the sound pressure

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level at the operator's position.)

1986 Directive to Protect Workers Against Noise

In 1986 the CEC issued directive 86/188/EEC "on the protection of workers from the risks related to exposure to noise at work." (87) This directive required all employers to reduce TWA noise exposure levels (using the 3-dB exchange rate) to 90 dBA or "to the lowest level reasonably practicable, taking account of technical progress and the availability of measures to control the noise, in particular at source." (article 5-1) This means that employers must reduce noise to levels below 90 dBA whenever "reasonably practicable." (Article 5-2) Other measures, such as information and training, the provision of HPDs, and hearing testing must be instituted at an L_{eq} of 85 dBA. Those countries comprising the EC were required to have regulations that conformed to the CEC directive, or were at least as stringent, by January 1, 1990. Article 8 of the directive states that the design, building, and/ or construction of new plants must comply with the 90-dBA exposure limit, and tools or machines that expose workers to daily average levels greater than 85 dBA must provide adequate information "about the noise produced in conditions of use to be specified."

Machinery Directive

In 1989 the CEC issued the Machinery Directive, under the procedures of the new approach. (88) This directive, 89/392/EEC, requires manufacturers of a wide variety of machines, including many that are used in construction, to make noise reduction an integral part of machinery design by implementing state-of-the art design methods. (85) Manufacturers must include information on noise levels when any machinery exceeds exposure levels of 70 dBA or 130 dBC at the operator's work station, or when sound power levels exceed 85 dBA. (88) Both the sound pressure and sound power level information are to be based on durations representative of the typical work-cycle of the machine. Noise emission information must be included in the instruction handbook of the machine (for the user's benefit) and in the technical information describing the machine (for the benefit of the purchaser.)

Since the promulgation of the machinery directive, several safety standards have been issued specific to certain machines. These standards contain a description of the hazard, the safety objectives to be achieved, measures for reducing the hazards, test methods to establish compliance, and user information. Lazarus and Zimmerman (89) present a

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discussion of these standards, along with some of their limitations.

Draft standard EN 1746 gives the noise provisions that should be included in machine safety standards: the identification of a machine's main noise sources; reference to principles of low-noise design, along with examples of design for noise control; a compilation of ranges of noise emission values; and the development of information necessary for user instructions to allow for low-noise operation. The authors report that the majority of "framework" standards necessary for the preparation of machine-specific safety standards already exist for noise, but they need to be developed further and adapted to the practical problems of manufacturers and operators. For example, typical operating conditions still need to be agreed on and differences between the conditions specified in the standards and actual use need to be resolved. [89]

Labeling

Another interesting provision of the machinery directive is its requirement for compliant machinery to carry the "CE" mark. An amendment to the machinery directive gives the form in which the CE mark is to be displayed (93/68/EEC). In addition, the construction noise directive (79/113/EEC) requires manufacturers to display labels in the form of plates showing either the sound power level (L_{WA}) or sound pressure level (L_{pA}) at the operator's position. The specifications for these labels are shown in Figure 8.

FIGURE 8. Models of plates showing the sound power level (L_{WA}) and sound pressure levels (L_{pA}) at the operator's position required by the European Community's construction noise directive (79/113/EEC). Reprinted from Higginson et al. [85] with permission from Noise News International.

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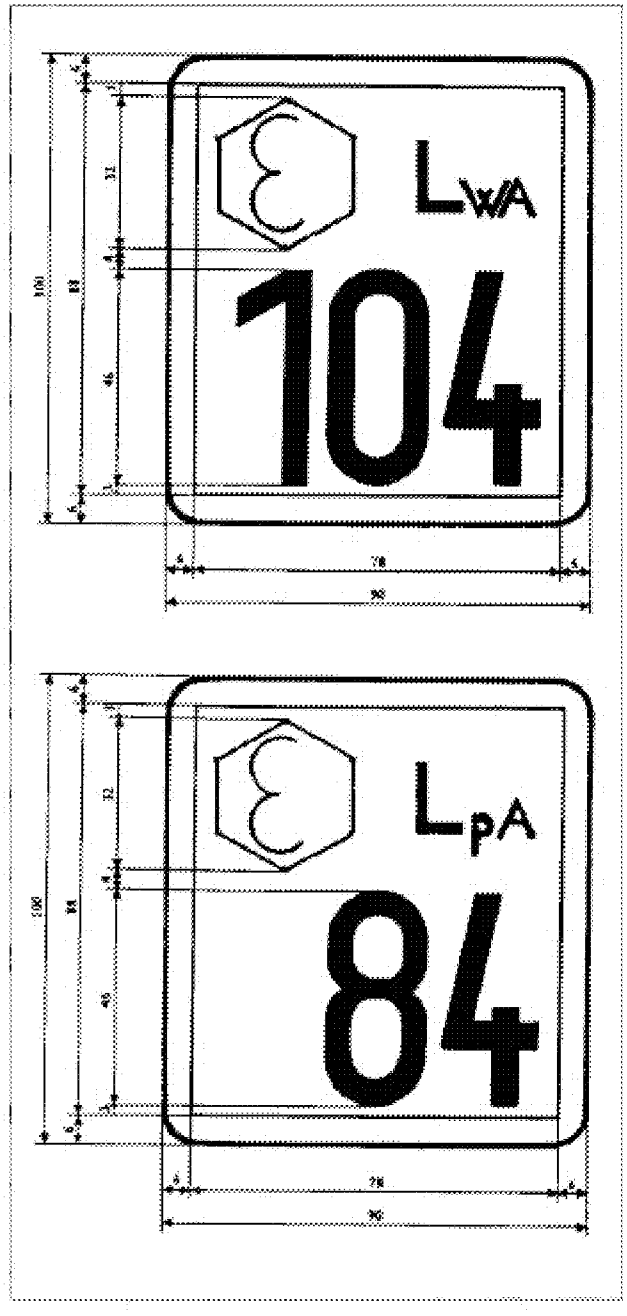

There is an ISO standard pertaining to the noise labeling of machinery and equipment, ISO 4871. (90) This standard prescribes the labeling of machines, or families of machines, with

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the A-weighted sound power level in more than one mode of operation, preferably the mode resulting in the highest value. Although the labeled sound power level may be useful for deciding which machine to purchase, it gives relatively little information on the worker's exposure in actual use.

A draft American National Standard is currently being prepared by an ANSI working group [(91)] that adopts the provisions of ISO 4871, with the addition of a series of annexes. Proposed Annex E gives the option of including A-weighted sound pressure levels and C-weighted peak sound pressure instead of or along with sound power levels. A proposed modification to Annex B gives examples of declarations for both sound power level and sound pressure level in the "idle" and "operating" modes. It is important to remember, however, that the operating mode means under load but not necessarily in actual working conditions, as in the case of a tool contacting a work piece.

Evaluation of Noise Limits and Labeling Requirements

The success of these programs is bound to be variable because enforcement of the EC directives is carried out by the individual member states, some of which are likely to be more zealous than others. Also, the problems raised above by Lazarus and Zimmerman have been mentioned by other researchers. Kyttala and Airo [(92)] found that although a majority of the handheld power tools they surveyed carried noise declarations (labels), the authors questioned whether the information provided would apply to the tools as they were being used. They found that the declared noise levels were usually lower and sometimes considerably lower than those measured in actual use.

Irmer and Fischer-Sheikh Ali [(93)] pointed out that the primary purpose of the machinery noise directives was to enhance the functioning of the common market by eliminating trade barriers. Thus, noise limits were set high enough so that very few products would be excluded from the market. They maintain that setting an easily achieved upper limit for construction equipment removes any pressure to produce products with lower noise emission levels. They do mention, however, that the EC has recently published a proposal on the noise emission of equipment used outdoors, which will replace existing directives and revise existing noise limits in such a way as to give a higher priority to environmental concerns like construction noise. [(93,94)]

INCENTIVES FOR QUIET

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Disincentives of the Last Two Decades

With the demise of EPA's Office of Noise Abatement in 1982 and along with it the regulatory program for construction equipment, the incentive for noise control has declined. This is true of equipment manufacturers as well as contractors. Some small incentive has been supplied by municipalities and local groups seeking to mitigate the noise exposure of communities, but the noise abatement capabilities of local governments were adversely impacted by the closing of the national noise office. Within the last few years there has been a rekindling of interest in environmental noise abatement, both on the national and local levels, but Congress has still not seen fit to appropriate funds for the implementation of the Noise Control Act. There are now two self-sustaining national organizations concerned with noise abatement: the Noise Pollution Clearinghouse and the League for the Hard of Hearing. There also has been considerable media attention to the problem in recent years, as well as increased interest in local ordinances throughout the nation.

Efforts to control noisy products and workplaces have been severely curtailed by OSHA's compliance directive of 1983, [(95)] which effectively raised the PEL to a TWA of 100 dBA and discouraged noise control even above that level due to extremely permissive enforcement procedures. [(96)] To the extent that manufacturers of construction equipment concerned themselves with the prospect of noise regulation from either EPA or OSHA, that incentive has disappeared.

The Blue Angel Program

Europe, however, does provide some incentive for noise reduction by the manufacturers of construction machinery, even in the United States. First, there are the directives for noise limits and labeling, with which American manufacturers must comply if they wish to sell their products on the European market. The advent of the ANSI standard on labeling of machinery for noise could possibly encourage US manufacturers to reduce product noise levels, even though the standard will not be mandatory.

The most promising development is Germany's "Blue Angel" program, which could have beneficial spillover for construction workers in the United States and which could also be used as a model in this country. The Blue Angel refers to a program for the voluntary designation of products as favorable to the environment. It was developed in Germany in 1977 and is flourishing today. The program's two main purposes are to assist customers in the choice of products and to encourage manufacturers to develop and market environmentally friendly products. Figure 9 shows the Blue Angel label with the

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environmental logo of the United Nations, the inscription "Umweltzeichen" (environmental label) above, the words "weil la ¨rmarm" (because low-noise) below, and the words "Jury Umweltzeichen" (Environmental Label Jury) underneath.

FIGURE 9. The "Blue Angel" label. Reprinted from Irmer and Fischer-Sheikh Ali [93] with permission from Noise News International.

Blue Angel awards for low-noise construction equipment were established in 1988. Irmer and Fischer-Sheikh Ali [93] reported that more than 40 companies had applied for the award with about 200 products displaying the label. Differences in sound levels between the existing noise limits in EC directives and those emitted by the Blue Angel products range from 5 to 14 dBA. In the early days of low-noise construction equipment the Federal Environmental Agency gave some financial support to interested manufacturers, but the authors report that the Blue Angel proved to be a good advertising tool and financial incentives are no longer needed.

Some local governments in Germany have given preference to Blue Angel construction products and are allowing them to be used in noise-sensitive areas, where the use of noisier products would be proscribed. Irmer and Fischer-Sheikh Ali [93] also mention that the

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number of non-German applicants is steadily increasing, with about 15% of the Blue Angel manufacturers coming from outside Germany. A 1997 publication of the German government gives an overview of construction machinery bearing the Blue Angel label. (97) The Caterpillar Co. is one of 14 manufacturers of excavators, with four types of machines displaying the Blue Angel. Their sound pressure levels range from 72 to 77 dBA. Of the 12 manufacturers of loaders, Caterpillar manufactures six models with sound pressure levels ranging from 68 to 78 dBA. Other products listed include compressors, power generators, welding generators, paver-finishers, concrete mixers, and tower cranes. Additional products and companies are undoubtedly certified today. Current information on the Blue Angel program is available at http://www.blauer-engel.de.

Buy Quiet Programs

EPA's Office of Noise Abatement and Control initiated an ambitious Buy Quiet program during the 1970s. (98) Its purpose was to leverage the multibillion dollar public sector market to buy quiet products. This would be done by organizing government purchasing cooperatives and working through professional purchasing organizations. The agency's program included the Government Services Administration, the National Institute of Governmental Purchasing, the National League of Cities, and various federal, state, and local purchasing agencies and cooperatives.

The EPA's Buy Quiet program consisted of four parts: (1) a series of conferences to develop quiet product purchase descriptions, (2) local Buy Quiet programs in which governments and purchasing cooperatives agree to buy quiet products as an ongoing activity, (3) a data bank for quiet purchasing operated by the National Institute of Governmental Purchasing, and (4) demonstrations of quiet products loaned by the EPA to local governments. Bids were evaluated on the basis of both noise level and price. In 1981, 64 governments had either committed themselves to a Buy Quiet program or were considering doing so.

EPA's Buy Quiet program had a short life because the agency was closed in 1982. At present there are no data on the number of government agencies (federal, state, or local) with these kinds of programs, but it is likely to be relatively few.

There is evidence, however, that these programs may continue in some places. Haag (99) reported that the 1987 edition of the National Fire Protection Association (NFPA) Standard on Fire Department Occupational Safety and Health Program contained noise specifications. Section A-5-8.1 stated that "new fire apparatus should provide maximum

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sound requirements that would allow members to ride in those vehicles without hearing protective devices. A maximum limit of 85 dBA without audible warning devices and 90 dBA with warning devices in operation is recommended." (99, p. F-22)

CONCLUSIONS

Approximately one-half million construction workers are exposed to hazardous levels of noise. Studies of construction workers' HTLs in the United States reflect excessive exposure, and it appears that the onset of noise-induced hearing loss starts early and continues throughout the career.

The prevalence of HPD use in the US construction industry is very poor and only recently has begun to improve. Anxiety concerning the ability to perceive and understand warning signals and communication is an important factor in resisting HPDs, and research over recent years supports the validity of this anxiety. In British Columbia, however, the use of HPDs is significantly higher than in the United States, which is related to the success of its overall HCP. Today's broad range of HPDs, with several models designed specifically to mitigate the problems of hearing and understanding communication and warning signals in noise, points toward the necessity of careful selection and fitting of HPDs.

Audiometric testing in industry is of virtually no value unless serial audiograms can be compared. The problem of audiometric record keeping is especially difficult in construction because of the mobility of construction workers and the small size of many construction companies. Some kind of centralization, such as that found in the British Columbia program, would appear to be the best solution. Credit card storage devices or "smart cards" could make audiometric record keeping considerably more efficient for mobile employees because workers could easily carry them from job to job.

Although there has been relatively little investigation into the effects of noise, hearing loss, and HPDs on accidents in the construction industry, the existing research, along with evidence from studies of other industries, demonstrates the likelihood of adverse effects in construction. There are several steps that can be taken to reduce this hazard.

Noise control is the most effective way to prevent noise-induced hearing loss in construction, and very possibly reduce the incidence of serious accidents. Although maintenance and retrofit are viable approaches, control at the design stage is most desirable. Considerable information in this area is available, although some of it may be dated.

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European standards and directives have focused attention on noise emission in European countries. These directives, which limit noise exposure and mandate labeling and provision of information, must provide some incentive to manufacturers, even though these requirements need to be made more relevant to the workplace in some cases.

Incentives for noise control on construction sites in the United States have diminished over the last two decades. The most likely reasons are the closing of EPA's Office of Noise Abatement and the issuance of OSHA's compliance directive for general industry, which effectively raised the PEL to 100 dBA. European directives may provide some incentives to US manufacturers, especially in the form of programs like Germany's Blue Angel. Governmental Buy Quiet programs could also provide some incentive for noise control.

RECOMMENDATIONS

Professionals in industrial hygiene and hearing conservation should make every effort to control excessive noise on construction sites through the purchase of quieter equipment, as well as retrofit and proper maintenance of existing equipment. These efforts would not only conserve hearing but also aid in the prevention of noise-related accidents and fatalities.

Training programs should be developed for workers and contractors that include the importance of communication in the construction workplace, the dangers of overfitting HPDs, and how to tailor HPDs to communication needs. Contractors should be warned that they may have to spend more money on HPDs than they anticipated to ensure worker safety and efficiency, as well as the prevention of noise-induced hearing loss.

Manufacturers of reverse alarms and other warning devices should be encouraged to design their products for maximum audibility in the noise conditions most typical of their use, and to be perceived and understood by workers with noise-induced hearing loss, workers wearing HPDs, and workers under varying degrees of attentional demand. Contractors should be encouraged to purchase warning devices that are suitable for the work environments for which they are intended.

Pressure should be brought to bear on OSHA to move as rapidly as possible to extend the general industry noise regulation, including its amendment for HCPs, to cover construction workers. Although sections of the regulation would need to be tailored specifically to construction, it appears that the necessary knowledge and technology are available.

The agency should also be encouraged to rescind its instruction of Nov. 8, 1983, CPL

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2-2.35 and all references to a TWA of 100 dBA in its directives and manuals. This policy was not subject to public notice and comment and provides a powerful disincentive for noise control and the conservation of workers' hearing in all industries, including construction.

Additional noise measurement data are needed on the sound levels of various types of construction equipment and various models within the same type. These data would facilitate the identification of low-noise and high-noise equipment, both for OSHA to assess the technological capabilities of the industry and for the sake of contractors who wish to purchase quieter equipment.

Consideration should be given to the identification and use of a centralized agency (or agencies) in which audiometric test results could be kept on a permanent basis.

The use of "smart cards" to store and transfer audiometric data should be further investigated.

A noise control database for the construction industry needs to be developed. It should include noise sources and levels, recommended treatments, quieted noise levels, estimated costs, and the availability of materials for treatments. The database should be made available electronically as well as on paper, and should be targeted to contractors, worker representatives, professionals in industrial hygiene and noise control, and federal and state compliance officers.

Government agencies should make financial and technical assistance available to organizations that could renew interest in Buy Quiet programs.

Organizations within the United States should obtain information about and publicize the achievements of all companies that currently display Germany's Blue Angel label for quiet equipment.

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APPENDIX A

Reports pertaining to construction noise generated by the U.S. EPA's Office of Noise Abatement and listed in the *Bibliography of Noise Publications.* [(84)]

- "Substrategy for Construction Site Noise Abatement" (1981)
- "Analysis and Abatement of Highway Construction Noise" (1981)
- "Availability of Workplace Noise Control Technology of Selected Machines" (1981) n "A Comparison of Sound Power Levels for Portable Air Compressors Based Upon Test Methodologies Adopted by U.S. EPA and the CEC" (1980)
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- "Foreign Noise Research in Machinery/Construction Equipment" (1978)
- "Federal Research, Development and Demonstration Programs: Machinery and Construction Noise" (1978)
- "Understanding Noise and Noise Control Instruction Units for Operating Engineers in

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- "Proposed Wheel and Crawler Tractor Noise Emission Regulation: Part I, Draft Environmental Impact Statement. Part II, Background Document" (1977)
- "Background Document for Portable Air Compressors" (1976)
- "Background Document for Medium and Heavy Truck Noise Emission Regulations" (1976)
- "Medium and Heavy Truck Noise Emission Standards" (1976)
- "Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances" (1971)

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The Lingering Threat

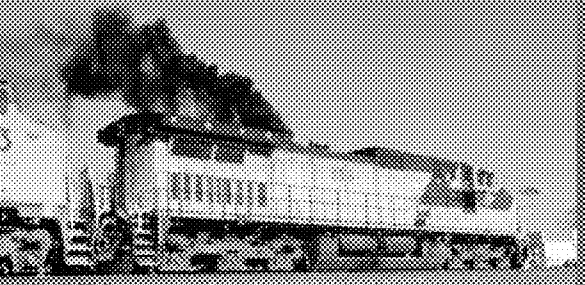

CLEAN AIR TASK FORCE

February 2005

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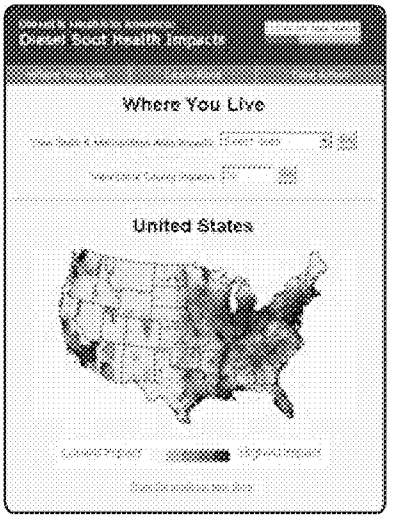

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Written by: **Conrad G. Schneider**, *Advocacy Director*
and **L. Bruce Hill, Ph.D.**, *Senior Scientist*

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February 2005

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Foreword

Scientists have been examining relationships between air pollution and death and disease for decades but only now are we beginning to understand the impacts of one of the most toxic sources of emissions today – the diesel engine. Diesels churn out a hazardous mix of gaseous and particle pollutants. What's more, diesel exhaust is emitted at ground level – where we breathe it – by trucks and buses around us in traffic, at school and transit bus stops, and by heavy construction or agricultural equipment. Diesel exhaust contains numerous dangerous compounds, ranging from respiratory irritants to carcinogens including a host of air toxics, particulate matter, carbon monoxide and nitrogen oxides.

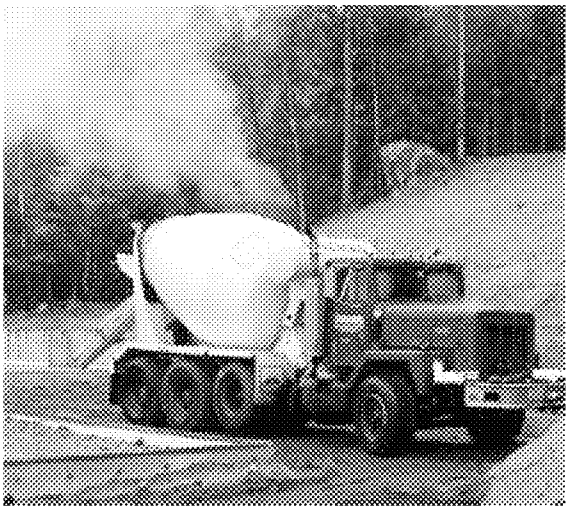

While scientists have concluded that combustion-related particulate matter from all combustion sources is associated with premature death from heart attacks and cancer, we also are finding that carbon particles from mobile sources may be particularly unhealthy. These particles adsorb other metals and toxic gases produced by diesel engines – such as cancer causing-PAH (polycyclic aromatic hydrocarbons) – onto their surfaces making them even more dangerous. Furthermore, research on personal exposures demonstrates that these small particles easily penetrate our indoor environment where they may be trapped for days when ventilation is poor.

This report presents for the first time estimates of the health toll from diesel vehicle pollution. Using methodology approved by the U.S. Environmental Protection Agency's Science Advisory Board (SAB), the analysis finds that approximately 21,000 people die prematurely each year due to particulate matter pollution from diesels. Other serious adverse health impacts include tens of thousands of heart attacks, asthma attacks, and other respiratory ailments that can lead to days missed at work and at school.

Using more highly time-resolved studies we are increasingly able to understand the inflammation mechanism by which particles can lead to atherosclerosis, heart attacks, strokes and ultimately, untimely deaths. From all we know today, we can confidently say that reducing diesel exhaust in our environment will mean improving public health, and as this report demonstrates, reducing preventable premature deaths. We do not need to wait. Technology is available today that can reduce particulate matter emissions by up to 90 percent. Now is the time to clean up our old trucks, buses, heavy equipment and locomotives to provide a cleaner future for us and our children.

Howard Frumkin, M.D., Dr.P.H., FACP, FACOEM
Professor and Chair, Department of Environmental and Occupational Health
Emory University, Rollins School of Public Health

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Executive Summary

Everyone has experienced it: getting hit right in the face by a cloud of acrid diesel smoke. Perhaps you were standing on a street corner when a bus or truck whizzed by. Or maybe you were standing at a bus stop or stuck behind a dump truck grinding up a hill. But breathing diesel exhaust isn't just unpleasant. It is hazardous to your health. In fact, health research indicates that the portion of the exhaust you can't see may be the most dangerous of all. Asthma attacks, respiratory disease, heart attacks, and even premature death – all of these are among the most serious public health problems linked to emissions from the nation's fleet of diesel vehicles. The good news is that the technology exists right now to clean up emissions from these engines, so that most of the adverse health impacts can be prevented.

Today in the U.S. more than 13 million diesel vehicles help to build our cities and towns, transport our food and goods, and take us to and from work. More than three quarters of all Americans live near intersections, bus stops, highways, bus and truck depots, or construction sites with heavy equipment – all of which are concentrated sources of diesel exhaust. In rural areas, those who live near heavy diesel agricultural equipment suffer their share of exposure to diesel as well.

The U.S. Environmental Protection Agency has issued important regulations that will require dramatic reductions in emissions from new diesel vehicles starting in 2007 – but only the new ones. These regulations, to be phased in over the next quarter century, apply only to *new* engines. What about the diesels on the road today? The lifespan of the average diesel vehicle is nearly 30 years. Many diesels are driven over a million miles. Because of this longevity, we will be left with the legacy of pollution from dirty diesel vehicles for decades to come. That is, ***unless*** we take action to reduce emissions from vehicles currently on the road. We don't have to wait. Control technologies exist right now that can significantly reduce deadly fine particle emissions from diesel vehicles, in some cases by upwards of 90 percent.

American know-how, witnessed by the success of the manufacturers of engines, control devices, and fuel refiners in developing innovative solutions for reducing diesel exhaust, provides a lifesaving opportunity we can seize today. Pollution from dirty diesels on the road now can be dramatically reduced using a combination of cleaner fuels, retrofit emission controls, rebuilt engines, engine repowerings, and accelerated purchase of new, cleaner vehicles. Unlike so many other vexing environmental issues, these affordable solutions present a highly unusual opportunity to actually address a major risk to public health and the environment. In fact, we could virtually eliminate this problem if diesel manufacturers, fleet owners, environmentalists, concerned citizens, and government regulators make the commitment to work together.

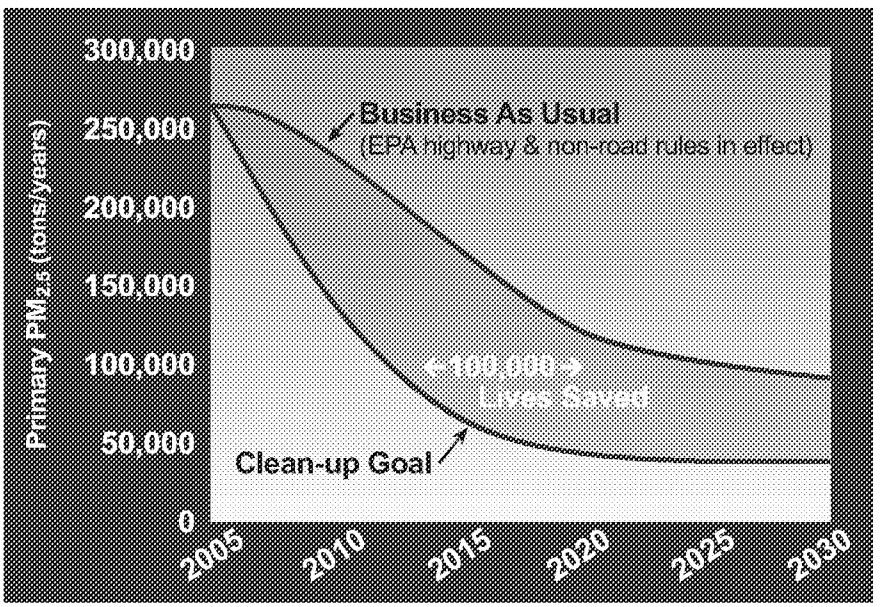

An Aggressive Program to Reduce Diesel Emissions Could Save About 100,000 Lives between Now and the Year 2030.

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What are the health impacts of these dirty diesel vehicles? What benefits will we realize if we act now to clean them up? The Clean Air Task Force commissioned Abt Associates, an highly-respected consulting firm that U.S. EPA and other agencies rely upon to assess the benefits of national air quality policies, to quantify for the first time the health impacts of fine particle air pollution from America's diesel fleet. Using this information, we were able to estimate the expected benefits – in lives saved – from an aggressive but feasible program to clean up dirty diesel buses, trucks, and heavy equipment across the U.S.

This report summarizes the findings of the Abt Associates study. It then reviews the degree to which diesel vehicles increase the level of fine particle pollution in the air we breathe, and recommends reduction measures that will save thousands of lives each year.

Key findings include:

- Reducing diesel fine particle emissions 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save nearly 100,000 lives between now and 2030. These are additional lives saved above and beyond the projected impact of EPA's new engine regulations.
- Fine particle pollution from diesels shortens the lives of nearly 21,000 people each year. This includes almost 3,000 early deaths from lung cancer.
- Tens of thousands of Americans suffer each year from asthma attacks (over 400,000), heart attacks (27,000), and respiratory problems associated with fine particles from diesel vehicles. These illnesses result in thousands of emergency room visits, hospitalizations, and lost work days. Together with the toll of premature deaths, the health damages from diesel fine particles will total $139 billion in 2010.
- Nationally, diesel exhaust poses a cancer risk that is 7.5 times higher than the *combined* total cancer risk from all other air toxics.
- In the U.S., the average lifetime nationwide cancer risk due to diesel exhaust is over 350 times greater than the level U.S. EPA considers to be "acceptable" (i.e., one cancer per million persons over 70 years).
- Residents from more than two-thirds of all U.S. counties face a cancer risk from diesel exhaust greater than 100 deaths per million population. People living in eleven urban counties face diesel cancer risks greater than 1,000 in a million – one thousand times the level EPA says is acceptable.
- People who live in metropolitan areas with a high concentration of diesel vehicles and traffic feel their impacts most acutely. The risk of lung cancer from diesel exhaust for people living in urban areas is three times that for those living in rural areas.

The vast majority of the deaths due to dirty diesels could be avoided by an aggressive program over the next 15 years to require cleanup of the nation's existing diesel fleet. Practical, affordable solutions are available that can achieve substantial reductions in diesel risk. The only thing that stands between us and dramatically healthier air is the political will to require these reductions and the funding to make it a reality.

What We Must Do to Protect Public Health from Today's Dirty Diesels.

Although the EPA has mandated the phase-in of cleaner new engines and fuels beginning in 2007 for highway vehicles and heavy equipment, EPA has limited authority to mandate emissions controls on the fleet of existing diesel vehicles. To date, EPA has adopted a "voluntary" approach. Nevertheless, in order to meet the new ambient air quality standards for fine particles, states and cities must require controls to reduce diesel emissions. Diesel cleanup is also an important next step in areas that are having difficulty meeting existing and new ambient air quality standards for ozone such as Houston and Dallas, Texas.

States can enact legislation requiring diesel cleanup as some, such as California and Texas, have already begun to do. States should also consider measures to require early engine retirement and speed fleet turnover. For vehicles like long-haul trucks, ships, and locomotives that are engaged in interstate transport, federal regulations, federal legislation, or both may be needed. Funding for such initiatives may pose a challenge for public fleets (school buses, transit vehicles, garbage trucks, etc.), so support for expanded state and federal funding to help the cleanup of fleets owned by cash-strapped states and cities will be necessary. Local and state budget writers will need a strong commitment to come up with the necessary appropriations or bonds to fund the local share.

Particle filters combined with the use of Ultra Low Sulfur Diesel (ULSD) fuel have been found to reduce diesel particles and particle-bound toxics from diesel exhaust by up to 90 percent. Under the new engine rules, ULSD will be available for highway vehicles nationwide starting in 2006. It is already available in cities in 21 states. Not all vehicles can be retrofitted with a particle filter, but there are a variety of options available for the cleanup of every vehicle regardless of make or model year.

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Cities and states should:

- Establish ambitious goals for reducing risk to their citizens by cleaning up existing diesels;
- Identify priority geographic areas and diesel "hotspots" for immediate attention;
- Adopt a package of options for reducing diesel exhaust including:
  - Retrofits accomplished by replacing mufflers with an optimal mix of filters or oxidation catalysts depending on vehicle age and type;
  - Requiring Ultra Low Sulfur Diesel and cleaner alternative fuels;
  - Closed crankcase ventilation systems to eliminate engine exhaust from penetrating the cabin of vehicles such as school and transit buses;
  - Engine rebuild and replacement requirements;
  - Truck stop electrification programs to give long-haul truckers a way to power their rigs overnight without running their engines;
  - Contract specifications requiring cleanup of trucks and construction equipment used in public works projects.
- Adopt diesel cleanup measures as federally-enforceable requirements in State Implementation Plans (SIPs) for the attainment of the fine particle and ozone air quality standards;
- Create and fund programs, such as California's "Carl Moyer" and the Texas Emission Reduction Plan (TERP) program, which provide funding for diesel equipment owners to replace or rebuild high-polluting diesel engines;
- Adopt and enforce anti-idling ordinances and legislation.

The Federal government should:

- Pass legislation providing funding for the cleanup of municipal and state fleet vehicles;
- Explore regulatory options for reducing emissions from existing interstate fleets such as long-haul trucks, shipping, and locomotives;
- Retain and enforce the tighter new engine and cleaner fuel standards for highway and non-road diesels.

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Retrofits are effective in reducing particle emissions from heavy equipment. The tractor on the left is retrofitted with a particle emissions control device.

New Findings

While numerous medical studies have linked diesel exhaust to a host of serious adverse health outcomes, no single study has yet quantified the death and disease attributable to diesel across America – until now. Researchers estimate that as many as 60,000 people in the U.S. die prematurely each year because of exposure to fine particles from all sources.[1] And some researchers believe that this figure may even underestimate the total number of particle-related deaths.[2] A reanalysis of the major particle mortality study in over 150 cities suggests that particles from motor vehicles may be more toxic than average.[3]

We know that diesel exhaust is a hazardous mixture of gases and particles including carcinogens, mutagens, respiratory irritants or inflammatory agents and other toxins that cause a range of diverse health effects. Diesel particles act like magnets for toxic organic chemicals and metals. The smallest of these particles (ultrafine particles) can penetrate deep into the lung and enter the bloodstream, carrying with them an array of toxins.[4] Diesel exhaust can contain 40 hazardous air pollutants as listed by EPA, 15 of which are listed by the International Agency for Research on cancer (IARC) as known, probable or possible human carcinogens.[5] Thousands of studies also have documented that fine particles are associated with respiratory and cardiovascular diseases and death. Additional studies have documented effects in infants and children such as Sudden Infant Death syndrome (SIDS) and retarded lung development.[6]

Now, for the first time, this report reveals the staggering toll of death and disease from diesel exhaust in our air – and the dramatic benefits of requiring the cleanup of the nation's existing diesel fleet. Abt Associates, using peer-reviewed, state-of-the-art research methodology employed by U.S. EPA in assessing the national benefits of proposed

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National Annual Diesel Fine Particle Health Impacts[7]

Annual Cases in the U.S., 2010	
Premature Deaths	21,000
Lung Cancer Deaths	3,000
Hospital Admissions	15,000
Emergency Room Visits for Asthma	15,000
Non-fatal Heart Attacks	27,000
Asthma Attacks	410,000
Chronic Bronchitis	12,000
Work Loss Days	2,400,000
Restricted Activity Days	14,000,000

rules and legislation, finds that nearly 21,000 people will die prematurely in 2010 in the U.S. as a result of exposure to fine particle emissions from mobile diesel sources (i.e., all on-and non-road engines such as highway, construction, rail, and marine engines). The average number of life-years lost by those who die prematurely from exposure to fine particles is 14 years.[8]

The deaths from diesel fine particle pollution equal or exceed the death toll from other causes commonly understood to be major public policy priorities. For instance, drunk driving causes more than 17,000 deaths per year.[9] There are more than 20,000 homicides in the U.S. each year.[10] Moreover, the approximately 15,000 premature deaths per year that could be avoided by achieving a 75 percent diesel-risk-reduction target exceed the 11,000 automobile fatalities avoided each year through the use of safety belts.[11]

The Abt Associates analysis further shows that hundreds of thousands of Americans suffer from asthma attacks, cardiac problems, and respiratory ailments associated with fine particles from diesels. These health damages result in thousands of respiratory and cardio-pulmonary related hospitalizations and emergency room visits annually as well as hundreds of thousands of lost work days each year. For instance, the study finds that diesel pollution leads to 27,000 heart attacks and 400,000 asthma attacks each year.[12]

You can find the adverse health impacts from diesel for your state, metropolitan area, and county on the web at: **www.catf.us/goto/dieselhealth**.

The risk from diesel exhaust can be virtually eliminated by the application of emissions control strategies available today. For example, an aggressive but feasible program to reduce diesel particle emissions nationwide 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save about 100,000 lives between now and 2030 – beyond those lives that will be saved under EPA's new engine regulations.[13] Indeed, in the year 2000, the State of California set a Diesel Risk Reduction goal of a 75 percent reduction in diesel risk by 2010 and 85 percent by 2020 and the California Air Resources Board over the past few years has begun to issue regulations to achieve it.[14]

Cancer Risk

CATF has calculated the national average lifetime excess cancer risk posed by diesel. We base these estimates on 1999 modeled directly-emitted diesel fine particle concentrations and by applying both the EPA range of individual risk estimates and the California Air Resources Board (CARB) diesel risk factor for lung cancer over the U.S. population.[15] Although EPA has found diesel exhaust to be a "likely" human carcinogen, EPA has not adopted a risk factor but has, instead, provided a range of lung cancer risk.[16] Based on the national average diesel particulate matter concentration, we find average lung cancer risk ranges from 12 to 1210 per million people over a 70-year lifetime using EPA's range of lung cancer risk.[17] Using the same methodology, CATF finds that, based on the single CARB risk factor, the nationwide average lifetime cancer risk posed by diesel exhaust is over 350 times greater than EPA's "acceptable" level of one cancer in a million.

For comparison, according to EPA's 1999 NATA assessment, the combined risk from all other air toxics is 48 per million.[18] Therefore, diesel exhaust presents a lung cancer risk that is 7.5 times higher than the cancer risk of all other air toxics – *combined!*[19] In addition, CATF has calculated the cancer risk posed by diesel for residents of each U.S. county. Residents of over two-thirds of U.S. counties experience a cancer risk greater than 100 in a million from diesel exhaust. Moreover, residents of eleven urban U.S. counties face a diesel cancer risk equal to 1,000 new cases of cancer in a population of one million.

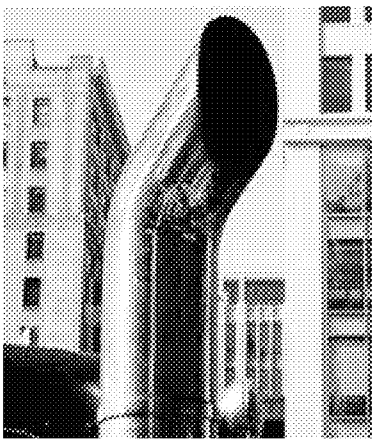

People who live in metropolitan areas with a high concentration of diesel vehicles and traffic feel their impacts

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most acutely. For example, the estimated risk of lung cancer from diesel in metropolitan areas is much higher than in areas with fewer diesels. In the rural counties we estimate a risk of 142 cancers per million based on the CARB unit risk, but three times that rate, 415 cancer per million, in urban counties. Therefore, the risk of lung cancer for people living in urban areas is three times that for those living in rural areas.[20]

You can find the community cancer risk from diesel for your state, metropolitan area, and county on the web at: **www.catf.us/goto/dieselhealth**. Personal risk varies with location and lifestyle. For example, if you live near a bus, truck, or train terminal, highway, construction site, or warehouse, or commute to work on congested roadways, your exposure may be higher than indicated by the county-wide average estimated here.

The Economic Toll of Health Effects

Respiratory distress severe enough to require a trip to the emergency room can be a terrifying experience for patients and their families. Victims of asthma attacks say that during an attack they wonder if and when their next breath will come. In addition to its serious physical and emotional costs, air pollution also takes a large monetary toll. Emergency room and hospital treatment costs can cripple a family financially, with the average stay for a respiratory ailment lasting about a week.[21] Bouts of respiratory illness and asthma attacks mean lost workdays and lost productivity. Although life is priceless, the government often monetizes loss of life when setting policies related to health and environmental protection. Using accepted valuation methodology employed by EPA in recent regulatory impact analyses, Abt Associates finds that the total monetized cost of the U.S. diesel fleet's fine particle pollution is a staggering $139 billion in 2010.

Pollution from motor vehicles, including diesels, can obscure city vistas such as illustrated in this split view of Dallas, Texas.

State and Metropolitan Area Findings

Using modeled concentrations of directly-emitted diesel fine particles throughout the lower 48 states, Abt Associates developed health impact estimates for every state and major metropolitan area in 1999, the latest year for which EPA's best emissions inventory for diesel fine particles is available.[22] Not surprisingly, heavily populated states with concentrated urban areas and significant diesel traffic fared the worst. Conversely, rural areas with a lower concentration of diesel vehicles fared much better. Similarly, metropolitan areas with large populations and heavy concentrations of diesel vehicles feel the impacts of diesel pollution most acutely.[23] In such large metropolitan areas, many hundreds of lives are shortened every year. However, because these state and metropolitan-area health estimates include only fine particles that are ***directly emitted*** from diesels – excluding any secondarily-formed particles from diesel emissions of nitrogen or sulfur oxides – they significantly understate the total adverse impact of diesel-related particles on public health.[24] Moreover, these estimates exclude any health impacts due to diesel's contribution to ozone smog.

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States: Health Impacts from Diesel Fine Particles (1999)

Rank	State	Deaths	Cancer Deaths	Heart Attacks	Asthma Attacks	Chronic Bronchitis	Work Loss Days	Restricted Activity Days
1	New York	2,332	169	3,692	51,251	1,499	318,532	1,827,525
2	California	1,784	144	2,263	49,499	1,356	292,622	1,683,642
3	Pennsylvania	1,170	103	1,660	19,021	575	110,404	643,926
4	New Jersey	880	77	1,382	17,926	535	107,364	620,975
5	Texas	879	83	1,070	25,348	664	148,394	854,045
6	Illinois	878	76	1,193	19,162	539	112,205	649,445
7	Florida	805	77	980	13,926	438	81,462	474,601
8	Ohio	769	72	1,002	14,464	422	83,963	489,355
9	Michigan	484	43	667	10,511	299	61,109	355,260
10	Massachusetts	475	43	727	9,925	289	61,842	355,473
11	Maryland	409	39	454	8,418	246	50,275	291,675
12	Indiana	369	36	483	7,372	209	42,730	249,056
13	Georgia	329	29	377	8,514	235	51,808	298,317
14	Louisiana	324	32	339	7,131	188	40,740	236,444
15	Missouri	305	28	377	5,435	157	31,476	183,033
16	North Carolina	301	29	347	6,518	189	39,589	229,591
17	Tennessee	269	26	283	5,169	150	30,870	179,656
18	Washington	248	23	308	6,201	181	37,787	218,889
19	Virginia	248	24	303	5,991	174	36,963	214,083
20	Wisconsin	226	18	320	4,789	137	27,923	162,404
21	Arizona	214	19	268	5,215	144	30,053	173,721
22	Connecticut	206	18	340	4,091	125	24,097	140,140
23	Kentucky	198	22	213	3,764	110	22,385	130,403
24	Minnesota	193	15	291	4,713	134	27,979	161,954
25	Alabama	175	16	184	3,200	92	18,646	108,961

Metro Areas: Health Impacts from Diesel Fine Particles (1999)

Metropolitan Area	Rank	Deaths	Cancer Deaths	Heart Attacks
New York, NY	1	2,729	202	4,342
Los Angeles, CA	2	918	72	1,193
Chicago, IL	3	755	65	1,021
Philadelphia, PA	4	727	69	990
Boston, MA	5	391	36	602
Houston, TX	6	356	35	444
San Francisco, CA	7	291	23	358
Miami, FL	8	288	23	358
Baltimore, MD	9	285	28	290
Detroit, MI	10	279	25	378
Pittsburgh, PA	11	237	21	340
Washington, DC	12	226	19	302
St. Louis, MO	13	217	20	263
Dallas, TX	14	205	19	258
Atlanta, GA	15	199	17	239
Tampa, FL	16	185	18	210
Phoenix, AZ	17	183	16	230
Cleveland, OH	18	180	15	232
Cincinnati, OH	19	171	18	219
Seattle, WA	20	165	15	208
San Diego, CA	21	150	13	191
Portland, OR	22	140	13	157
Minneapolis, MN	23	133	11	205
New Orleans, LA	24	128	13	131
Riverside, CA	25	123	10	142
Baton Rouge, LA	26	102	10	109
Milwaukee, WI	27	95	8	130
Columbus, OH	28	84	9	113
Indianapolis, IN	29	82	8	107
Louisville, KY	30	82	9	91
Memphis, TN	31	81	7	79
Kansas City, MO	32	79	8	109
Providence, RI	33	76	7	119
Bridgeport, CT	34	69	6	121
Beaumont, TX	35	65	7	65
Orlando, FL	36	65	7	85
Allentown, PA	37	65	5	101
Hartford, CT	38	63	5	100
Las Vegas, NV	39	62	7	71
Virginia Beach, VA	40	62	6	65

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Metro Areas: Per Capita Impacts from Diesel Fine Particles (1999)

Rank Based on Mortality Risk	MSA	Deaths per 100,000 Adults	Heart Attacks per 100,000 Adults	Cancer Risk per Million
1	Beaumont, TX	29	29	865
2	Baton Rouge, LA	27	29	992
3	New York, NY	25	40	959
4	Philadelphia, PA	22	29	658
5	Trenton, NJ	20	31	699
6	Baltimore, MD	19	19	584
7	Huntington, WV	18	18	477
8	New Orleans, LA	17	18	889
9	Pittsburgh, PA	15	22	415
10	Cincinnati, OH	15	19	504
11	Boston, MA	15	23	563
12	Chicago, IL	15	20	539
13	Mobile, AL	14	15	435
14	Longview, WA	14	15	441
15	Houston, TX	14	18	691
16	Allentown, PA	14	22	450
17	Cleveland, OH	14	18	416
18	Toledo, OH	14	17	423
19	Los Angeles, CA	14	18	633
20	Lancaster, PA	14	22	463
21	Scranton, PA	14	18	319
22	St. Louis, MO	14	17	405
23	Reading, PA	14	21	428
24	Lake Charles, LA	14	14	437
25	Springfield, OH	13	16	356
26	Portland, OR	13	14	488
27	Bridgeport, CT	13	22	494
28	Harrisburg, PA	12.	19	412
29	York, PA	12	21	460
30	Wheeling, WV	12	14	309
31	Lebanon, PA	12	19	373
32	Evansville, IN	12	15	368
33	Memphis, TN	12	12	397
34	Savannah, GA	12	13	376
35	Dayton, OH	12	16	389
36	Vineland, NJ	12	17	365
37	Tampa, FL	12	14	365
38	Louisville, KY	12	13	384
39	Sandusky, OH	12	15	345
40	Kankakee, IL	12	14	336
41	San Francisco, CA	12	14	480
42	Muncie, IN	11	14	327
43	Duluth, MN	11	14	308
44	Michigan City, IN	11	15	370
45	Salt Lake City, UT	11	14	533
46	New Haven, CT	11	18	365
47	Steubenville, OH	11	13	279
48	Milwaukee, WI	11	15	376
49	South Bend, IN	11	15	342
50	Detroit, MI	11	15	381

The Dirty Diesel Legacy

Since 1997, the U.S. EPA has promulgated major regulations that impose stringent emissions controls on new diesel vehicles, requiring tight emission standards and cleaner diesel fuel. These standards go into effect in 2007 and phase in over the next few decades. For example, the table below illustrates the progressively tighter standards for particulate matter and nitrogen oxides from trucks and buses over the next few years.

However, the emission rates of the diesel engines on the road and in use on construction sites and farms today are not affected by these rules. Considering that according to the U.S. Department of Energy the median lifetime for a heavy truck is nearly 30 years,[26] and a typical heavy duty diesel engine may power a truck for as long as one and a half million miles,[27] these vehicles will continue to pollute our air at unnecessarily high levels for years to come ***unless*** we act to clean them up now.

EPA Standards for New Trucks and Buses (g/bhphr)[25]

YEAR	NO_X	$PM_{2.5}$
1984	10.7	0.60
1991	5.0	0.25
1998	4.0	0.10
2004	2.0	0.10
2007	0.2	0.01

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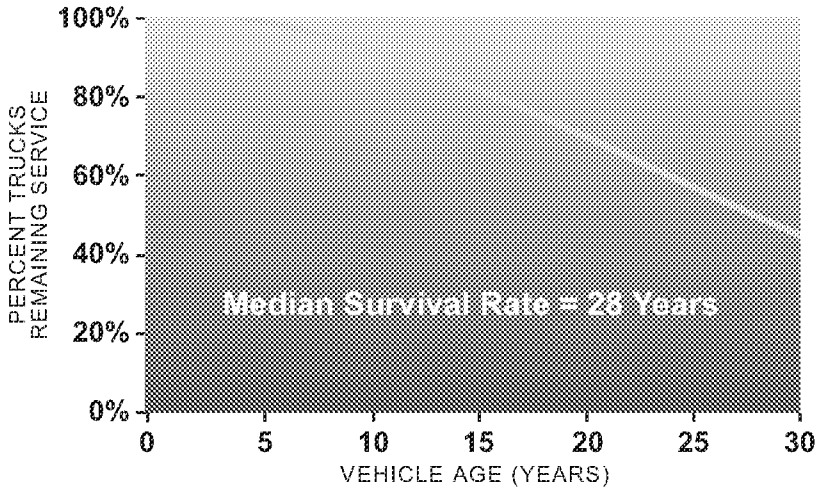

Median Heavy Truck Lifetime is Nearly 30 Years[28]

The Most Widespread Air Pollution Risk in the U.S.

There are few other sources of widespread pollution in our environment that rival diesel exhaust as an airborne toxin. America's 13 million diesel engines release a host of harmful substances including fine particles, ozone smog-forming nitrogen oxides, carbon monoxide, and a variety of toxic metals and organic gases such as formaldehyde, acrolein, and polycyclic aromatic hydrocarbons (PAH.)[29] In this report we focus on the respiratory, cardiovascular, and cancer effects of diesel fine particles only.[30]

Fine Particles are Linked to Heart Attacks, Asthma Attacks, and Stunted Lung Growth.

Fine particles have been linked to a wide variety of serious health impacts, from upper and lower respiratory ailments, such as asthma attacks and possible asthma onset, to heart attacks, stroke, and premature death, including crib death in children.[31] How risky is breathing air polluted with particles? A study published in the Journal of the American Medical Association found that living in the most polluted U.S. cities poses a risk similar to living with a smoker.[32] Based on thousands of studies compiled by EPA, federal health standards were established for fine particles in 1997.[34]

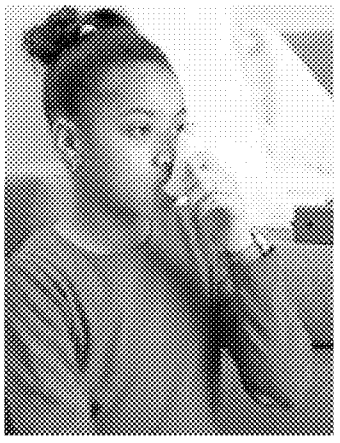

Health researchers have recently described serious health impacts of fine particles, including:

- Abnormal heart rhythms and heart attacks and atherosclerosis;[35]
- Increased incidence of stroke;[36]
- Permanent respiratory damage, characterized by fibrosis causing obstruction to airflow;[37]
- Chronic adverse effects on lung development resulting in deficits in lung function.[38]

How Particulate Matter Kills

Fine particles, known as "$PM_{2.5}$", are particles less than 2.5 microns in diameter or 1/100th the width of a human hair, so small that they are often invisible. They can be deposited deep in the lung where they can affect both the respiratory and cardiovascular systems. Researchers believe that many deaths caused by particulate matter are related to cardiovascular illness. Fine particles aggravate cardiovascular disease and trigger heart attacks by invading the bloodstream and initiating an inflammatory response, disrupting heart rate and increasing blood clotting. In a recent experimental study, diesel particles caused blood clots providing "a plausible explanation for the increase in cardiovascular morbidity and mortality accompanying urban air pollution."[33]

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Diesel Exhaust is a Likely Carcinogen that also Impairs Immune, Reproductive, and Nervous Systems.

In 1998, the Scientific Review Panel for the California Air Resources Board reviewed diesel exhaust as a toxic air contaminant and set a lifetime unit cancer risk from diesel particles at 3 in 10,000 persons for each microgram of annual average diesel exposure.[39] This is equivalent to 300 in a million excess lung cancers. In May 2002, EPA issued its Health Assessment for Diesel Exhaust which found diesel particulate matter to be a "likely" carcinogen. EPA did not settle on a unit risk factor but recommended a lifetime cancer risk range from 1 in 1,000 to 1 in 100,000.[40] The California unit risk falls within this range.[41]

> Diesel particles are carbon at their core with toxics and carcinogenic substances attached to their surfaces.

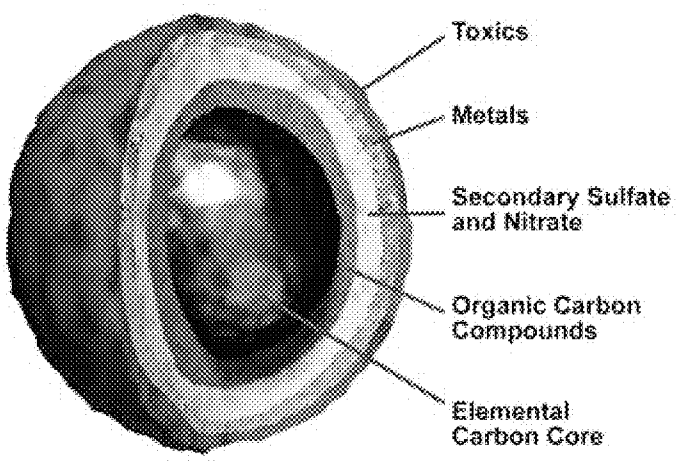

Applying California's cancer unit risk for diesel particulate matter to the national average concentration of directly-emitted diesel fine particles in 1999, results in a conservative estimate of 1,530 excess cases of lung cancer per year for 2005.[42] An American Cancer Society study of 150 metropolitan areas across the U.S published in 2002 supports the particulate matter cancer link.[43]

Other effects include:

- **Immune System Effects** – Diesel exposure is associated with numerous immune system responses in humans and animals culminating in increased allergic inflammatory responses and suppression of infection-fighting ability. These effects include disruption of chemical signals and production of antibodies, and an alteration in mobilization of infection-fighting cells.[44]
- **Reproductive, Developmental, and Endocrine Effects** – Diesel emissions have also been associated with reproductive, developmental and endocrine effects in animals. Specifically, diesel exposure has been associated in animals with decreased sperm production,[45] masculinization of rat fetuses,[46] changes in fetal development (thymus,[47] bone[48] and nervous system[49]) and endocrine disruption, i.e., production of adrenal and reproductive hormones.[50]
- **Nervous System Effects** – In addition to animal studies that have shown neurodevelopmental effects, a human study of railroad workers suggested that diesel exposure may have caused serious permanent impairment to the central nervous system.[51]

Cancer-causing Pollutants in Diesel Exhaust

Pollutant	Diesel Emissions % of all Mobile 1996[52]	EPA Carcinogen Status	Cancer Risk (per million/microgram in 70-yr life)
Formaldehyde	52%	probable	1 in a million
Acetaldehyde	59%	probable	1 in a million
Butadiene	8%	probable	2 in a million
Acrolein	50%	possible	n/a
Benzene	5%	known	2-8 in a million
Diesel Particulate Matter	77%	probable[53]	EPA: 12 to 1210 in a million; CARB: 300 in a million[54]

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Children and Seniors are at Greatest Risk

Health researchers believe that children are more susceptible than adults to the adverse health effects of air pollution for a variety of reasons.[55] For example, children are more active than adults and therefore breathe more rapidly. Children also have more lung surface area compared to their body weight and therefore they inhale more air pound-for-pound than adults do. Compared to adults, children also have higher lung volume to body size, higher respiration rates, and spend more active time in the polluted outdoor environment. Fine particles have been linked in medical studies to serious health impacts in children such as slowed lung function growth, increased emergency room visits, increased incidences of asthma and bronchitis, and crib death. Furthermore, proximity to traffic has been linked to increased prevalence of asthma respiratory infections and allergic symptoms and asthma hospitalizations in children.[56]

Seniors are another important population at risk. Studies of the impacts of fine particles on seniors in Boston and Baltimore suggest that changes in their heart rhythms and control mechanisms occur when particle levels rise. In Phoenix, daily mortality increased in

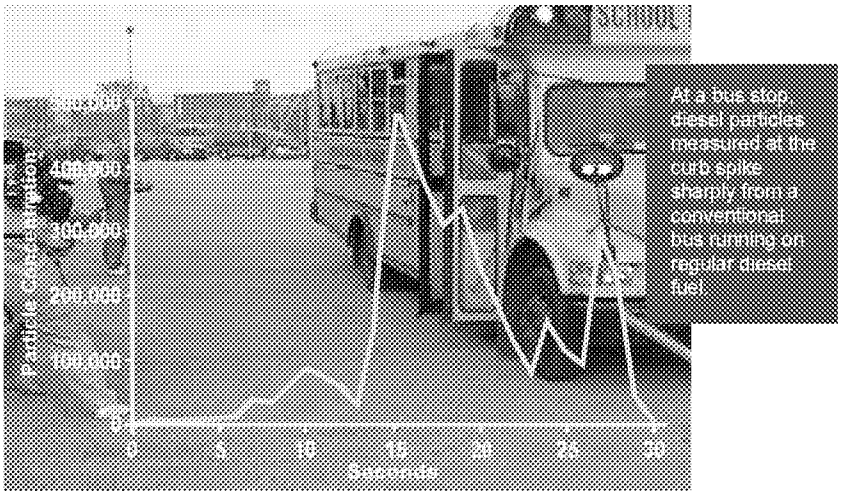

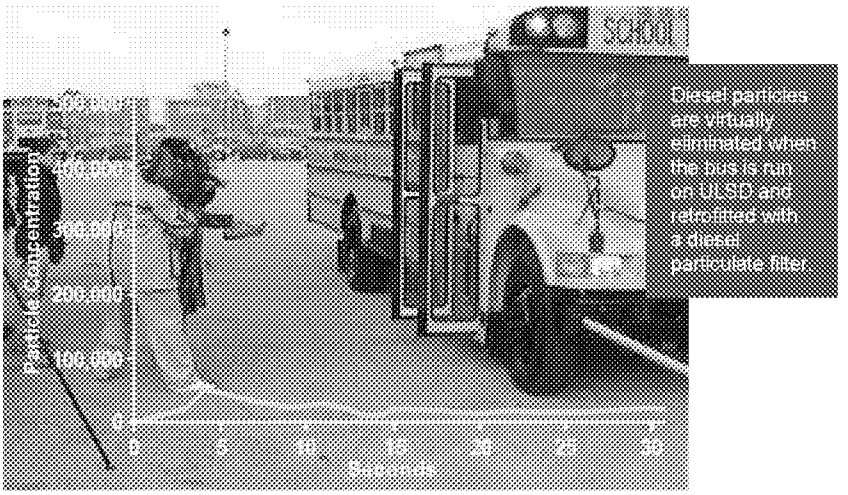

Children Exposed on School Buses

CATF Study: Cabin particulate matter eliminated with retrofit emissions controls.

Twenty four million students ride to school every day on yellow school buses that travel a total of four billion miles a year. While riding on a school bus is the safest way a student can travel to school,[57] children may be exposed to harmful pollutants, a concern since students spend an average of an hour and a half a day on school buses.[58] A recent study undertaken by Clean Air Task Force in cooperation with Purdue University investigated cabin air quality on school buses in three cities (Chicago, IL; Atlanta, GA; and Ann Arbor MI). The study found that particulate matter routinely entered the bus cabin from the tailpipe and the engine through the open front door. At some stops, particulate matter in the bus cabin exceeded levels in the outdoor air by as much as ten times. While idling or lined up in a schoolyard, rapid buildup of particulate matter in the buses also occurred. Most importantly, retrofit emissions controls worked: installation of a diesel particulate filter and the use of Ultra Low Sulfur Diesel (ULSD) fuel and a closed crankcase filtration device eliminated fine particles, ultrafine particles, black carbon and particle-bound PAH in the bus cabin. A closed crankcase filtration system by itself demonstrated major benefits and can provide immediate and low cost reductions in particulate matter levels on school buses. For a comprehensive report: **www.catf.us/goto/schoolbusreport**

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seniors with increased levels of elemental and organic carbon (typical of diesels and other motor vehicles) and fine particles. Collectively, these studies demonstrate that elevated fine particle levels put the elderly at risk and suggest a possible mechanistic link between fine particles and cardiovascular disease mortality.[59]

Today's Dirty Diesels

- **"On-road" or highway diesels** include many types of vehicles, such as municipal and commercial trucks and buses. Heavy duty highway diesels range from 8,500 lbs to those exceeding 60,000 lbs, such as 18-wheelers. Of the seven million diesels on the road today, 400,000 are school buses and 70,000 are transit buses. Highway diesels released 100,000 tons of directly-emitted fine particles in 2002, about one third of the total from diesels. Highway diesels also released 3.4 million tons of nitrogen oxides (NO_X) in 2002, which accounted for 16 percent of all NO_X emissions and half of all diesel NO_X emissions in the U.S. [60]

- **"Non-road" diesel engines and equipment** do not typically travel on roads or highways. There were approximately six million non-road diesel engines in service in 2003. Examples of these non-road diesels include construction equipment such as excavators, mining equipment and agricultural machinery. In 2002, 155,000 tons or half of all the fine particles directly emitted from diesels came from non-road engines. Non-road diesels also released 1.6 million tons of NO_X, 8 percent of all NO_X emissions and one quarter of all diesel NO_X emissions in the U.S. in 2002.[61]

- **Marine and river diesel** emissions are dominated by large commercial ships polluting our largest ocean and river port cities. Efforts to control pollution from shipping have focused on NO_X, although these engines also emit substantial quantities of fine particles. In 2002 marine diesel released 40,000 tons of directly-emitted fine particles, 13 percent of all diesel fine particles in the U.S. Marine diesels in the U.S. produced one million tons of diesel NO_X in 2002, 5 percent of all U.S. NO_X emissions and 14 percent of all diesel NO_X emissions.[62]

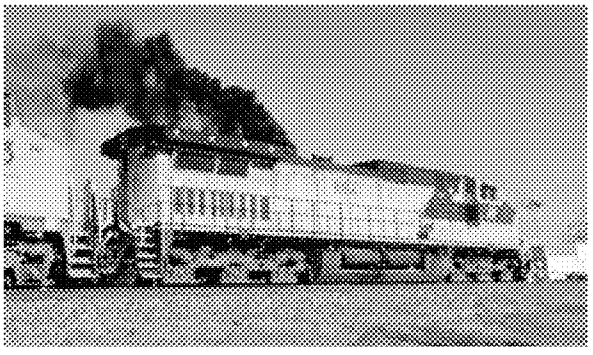

- **Locomotive diesels** account for a significant fraction of mobile source emissions in the U.S. today. In many areas, diesel trains travel through and pollute core urban and industrial areas. Diesel locomotives released 20,000 tons of directly-emitted diesel fine particles (six percent of all diesel fine particles) and 900,000 tons NO_X (13 percent of diesel NO_X). Diesel locomotives typically have a useful life of 40 years and are commonly rebuilt 5-10 times during their long service lives. For this reason, cleaning up today's locomotives is an important priority.[63]

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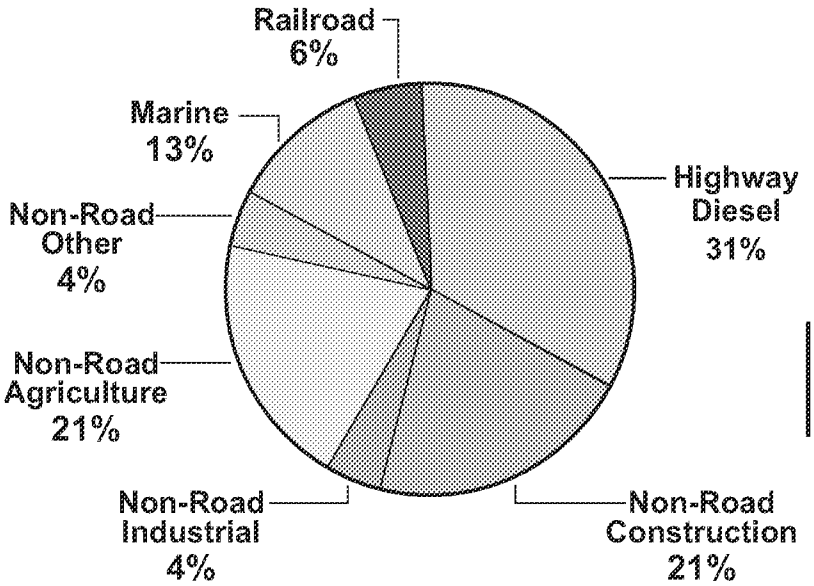

Sources of Directly-Emitted Mobile Diesel Fine Particles

Source: EPA (2004)

Diesel "Hotspots"

Diesel Exhaust is Concentrated Near Roadways and Intersections.

Unlike industrial smokestack emissions, diesel typically is emitted at ground-level in places of concentrated population in our communities along busy streets and at our places of work. We often breathe diesel exhaust where it is fresh and most toxic. While air quality modeling, such as reported in our study, estimates average exposures in a community, your individual exposure may be much greater or smaller depending on a variety of factors. For example, the distance from where you live to major roadways and the nature of your commute to work may play a role.

Exposure to diesel exhaust is highest for those who:

- **Operate or work around diesel engines** – Occupational exposures to diesel are among the highest and have been associated with increased incidence of cancer. Furthermore, a study of diesel mechanics, train crewmen, and electricians working in a closed space near diesel generators suggests that diesel exposure may have caused both airway obstruction and serious impairment to the central nervous system. The report concludes that "impaired crews may be unable to operate trains safely."[64]
- **Live or work near areas where diesel emissions are concentrated** – Ambient diesel levels are highest near highways, busy roadways, bus depots, construction sites, railroad yards, ports and inland waterways with diesel boat traffic, major bridges, tunnels, or freight warehouses. People who live or work near these

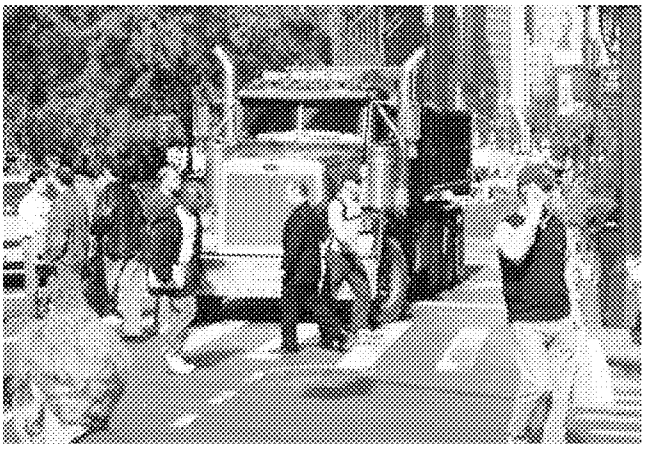

facilities face the greatest risk. Numerous recent medical studies have linked roadway proximity and traffic pollution to disease, asthma hospitalizations, and shortened life expectancy.[65] For example, a 2004 study in Ontario, Canada found increased risk of mortality from heart and lung disease in people living within 100 meters of a roadway.[66] New York City studies demonstrate that diesel trucks create air toxics hot spots at crossings, bus stops, and bus depots.[67] Rail yards can be diesel hotspots as well. For example, one study found elevated risk levels – up to 500 in a million – adjacent to a California rail yard.[68] Another study found elevated cancer risk for persons living near a ferry port.[69]

- **Regularly ride on school or transit buses, or commuter trains** – Children are exposed to elevated levels of diesel as a result of the buildup of diesel exhaust inside school buses – especially with windows closed.[70] Diesel exhaust levels on commuter trains and

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People living and working near concentrated diesel emissions such as busy roadways have the greatest exposure to diesel exhaust.

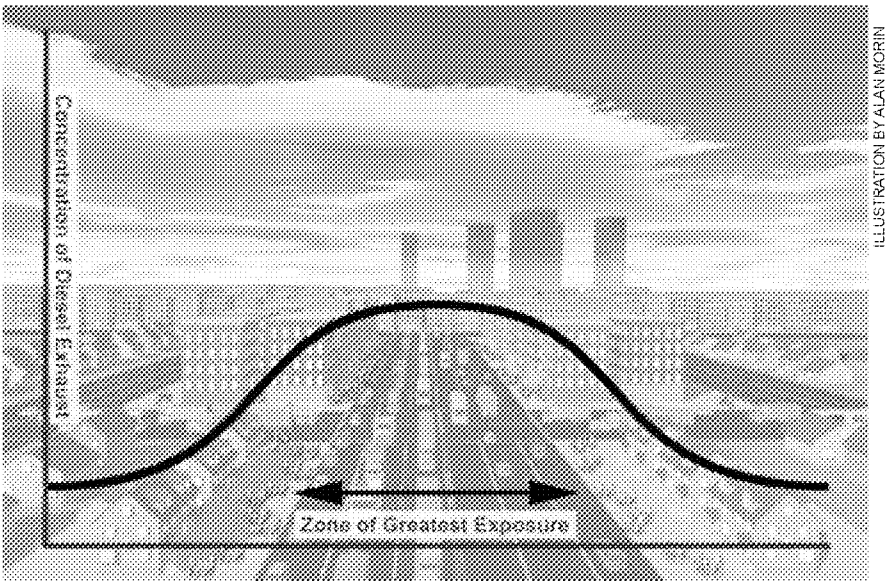

ILLUSTRATION BY ALAN MORIN

station platforms may also be high.[71]

- **Commute daily in heavy traffic** – Commuters are exposed to some of the highest diesel emissions in their cars due to pollutants released from trucks and buses on the road with them. Car occupants riding behind a diesel bus, for example, can experience extremely high levels of dangerous fine particles. Researchers in Los Angeles measured high fine particle levels (130 ug/m^3) behind an urban transit bus making numerous stops.[72] Exposures to drivers can have serious effects: a 2004 study suggests that young male state troopers experienced cardiac inflammation and heart rhythm changes from in-vehicle exposure to fine particles.[73]

Diesel exhaust from trucks and buses can be found in places we don't expect. For example it can be trapped in "urban canyons" and penetrate buildings through HVAC systems.

Exposure to diesel exhaust is also an Environmental Justice issue. Concentration of minority and low-income populations are more likely to be found in cities near diesel sources. Because these neighborhoods are exposed to some of the highest diesel exhaust levels, residents are certain to experience disproportionate health impacts.

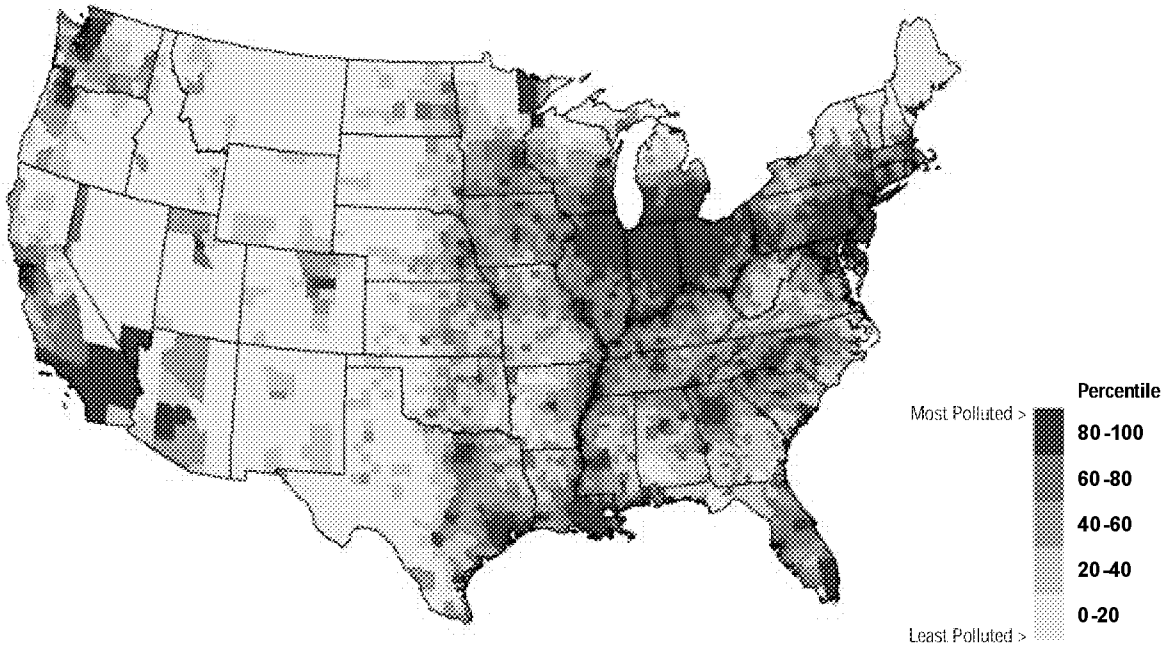

Directly-Emitted Diesel Fine Particle Concentrations by County in the U.S. (1999)

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A Solution Within Our Reach

Diesel Fine Particles Can Be Virtually Eliminated by Emission Controls Available Today.

Virtually all of the health risk posed by diesel exhaust can be eliminated through the application of emissions control strategies available today. For example, an aggressive but feasible program to reduce diesel particle emissions nationwide 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save about 100,000 lives between now and 2030 – beyond those lives that will be saved under EPA's new engine regulations.[74] Adopting this as a national goal would help states and municipalities set milestones for improvement and would be consistent with EPA's recently announced goal of retrofitting the entire U.S. fleet of diesel vehicles by 2015.[75] Indeed, California has already set a Diesel Risk Reduction goal of 75 percent 2010 and 85 percent by 2020. Over the last few years the California Air Resources Board has begun to issue regulations to achieve these goals.[76]

"Retrofit, Rebuild, Replace"

A variety of practical strategies exist to reduce diesel particle levels in America: tailpipe retrofits, clean fuels, closed crankcase filtration systems, engine rebuild and replacement requirements, emission specifications for vehicles used in public works contracts, anti-idling ordinances and legislation, truck stop electrification programs, aggressive fleet turnover policies, and more.

The most cost-effective approach to reducing diesel exhaust is likely in many cases to be the direct application of retrofit technology. Although the purchase of new, much cleaner vehicles will remain an important remedial strategy, the replacement of the entire diesel fleet is an expensive proposition that will have to be phased in over time. What's more, we can meet the challenge of reducing fine particles and related air toxics without replacing all vehicles right now. Current technology can easily remove particles from diesel exhaust. Retrofits that eliminate over 90 percent of fine particles from a heavy duty diesel bus engine typically cost $3,000-$7,500. This is a small expenditure when compared to the typical $60,000-75,000 price tag for a new school bus or $300,000 for a transit bus.[77]

Retrofits are available from many engine manufacturers. They generally are easy to install especially on highway vehicles. Nonetheless, it is important to point out that retrofits are not a "one size fits all" proposition. Retrofitting a fleet calls for careful planning and, often, a mix of strategies that will depend on the make and model year of the engines being retrofitted and funds available. For example, some heavy-duty engines lack modern electronic engine controls and are therefore are too old for some retrofit devices. Other diesel equipment simply does not have space for retrofit installation. Duty cycle is an important consideration too. Some engines do not run constantly which means that catalytic retrofit devices requiring consistent high engine temperatures do not operate as efficiently. Furthermore, some engines release pollution from crankcase ventilation in addition to the tailpipe. This calls for additional strategies. For some vehicles and model years, replacement may be the best option. As a result, fleets will need to develop individualized strategies that optimize emission reduction from their vehicles and equipment. Fortunately, this is not hard to do.

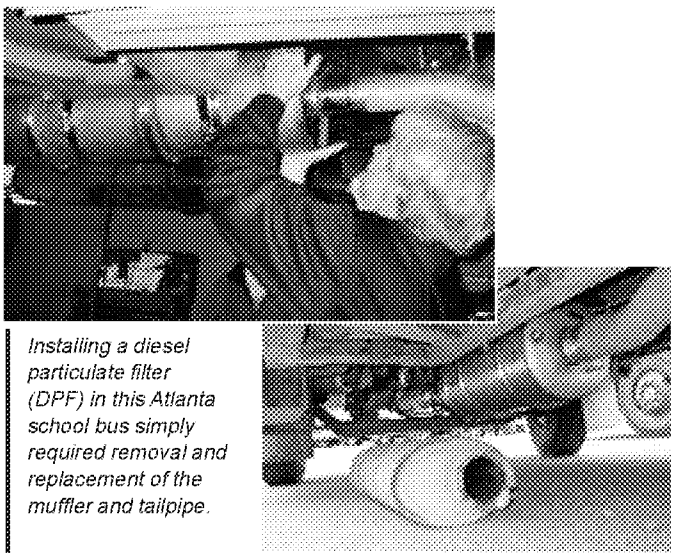

Installing a diesel particulate filter (DPF) in this Atlanta school bus simply required removal and replacement of the muffler and tailpipe.

Catalyzed diesel particulate matter filters (DPF) can reduce emissions of fine particles and adsorbed air toxics by over 90 percent. DPFs have been used in thousands of on- and non-road diesel applications. Diesel oxidation catalysts (DOCs) represent a less expensive albeit less effective option. They are smaller and therefore easier to install. EPA has verified that they can reduce total particulate matter emissions by 10-30 percent. Like the DPF, the DOC is also attached to the exhaust system. Installing one on a diesel truck or bus costs about $1,000. DOCs may be appropriate for vehicles built before 1995 that lack electronic controls and for construction equipment where there is inadequate space for a DPF to be installed. DOCs have been installed in more than 1.5 million trucks in the U.S.[78]

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Low Sulfur Diesel Fuels Are Requisite for Effective Retrofit Controls.

Diesel particulate filters require low sulfur fuels because sulfur in the fuel can foul the emission control device. Unfortunately, low sulfur fuels are not available everywhere in the U.S. today (see http://www.epa.gov/otaq/retrofit/fuelsmap.htm for the current fuel availability map). Where ULSD is available, decision makers should consider requiring installation of filters where possible. Federal regulations have established diesel fuel and additive formulation requirements for on-road vehicles, limiting fuel sulfur content to 15 ppm nationwide beginning in 2006 for use with 2007 highway vehicles. Starting in 2010, non-road equipment will be required to use ULSD.

Biodiesel is another potential low-sulfur fuel choice that can achieve modest reductions in emissions when used as a blend, or higher reductions when used at 100 percent. Biodiesel is an alternative diesel fuel made from either animal fats or plants such as soybeans.

Ultra low sulfur diesel fuel will be available nationwide mid-2006.

Cleaning up All School Buses Within a Decade

With today's emissions controls, students need not be exposed to diesel exhaust while riding to school. EPA in the summer of 2004 announced the goal of retrofitting all existing school buses with pollution controls within a decade.[79] Funding retrofits and cleaner fuel presents the greatest obstacle facing school districts. To achieve this goal, adequate funds must be appropriated by states and the federal government.

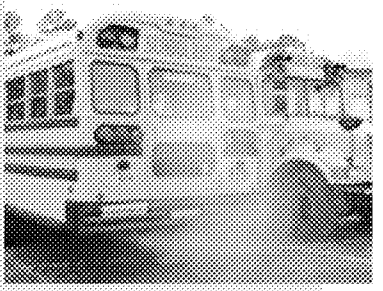

Recommendations

Cities and States Must Act to Reduce Diesel.

The fine particle pollution problem is so widespread in the U.S. about one quarter of the U.S. population resides in areas that violate the standard. EPA recently formally designated over 200 counties in "nonattainment" with the annual fine particle standard.[80] Countless additional commuters may also spend significant time in areas exceeding the standard where they work. But the rest of the country is not safe from the risk posed by diesel particles – science tells us that particle-related health impacts don't stop once the standard is achieved. Health research has shown that there are adverse health impacts from particles even at very low concentrations.[81]

Cities and states that have been designated as "nonattainment" must act now to achieve meaningful reductions in fine particles. For those areas, state implementation plans must be developed and presented to EPA for approval within three years. Controls must then be implemented and air quality standards achieved by 2010. For this reason, states and cites must start now to determine how to achieve substantial emissions reductions. With rules to reduce particles from power plants pending at EPA and expected to be finalized in the near future, diesel emissions will become the largest remaining share of the problem and the most cost-effective solution, one that largely is within the control of states and municipalities.

MA TURNPIKE AUTHORITY

Cities should adopt and enforce anti-idling ordinances.

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Cities and states should:

- Establish ambitious goals for reducing risk to their citizens by cleaning up existing diesels;
- Identify priority geographic areas and diesel "hotspots" for immediate attention;
- Adopt a package of options for reducing diesel exhaust including:
  - Retrofits accomplished by replacing mufflers with an optimal mix of filters or oxidation catalysts depending on vehicle age and type;
  - Requiring Ultra Low Sulfur Diesel and cleaner alternative fuels;
  - Closed crankcase ventilation systems to eliminate engine exhaust from penetrating the cabins of school and transit buses;
  - Engine rebuild and replacement requirements;
  - Truck stop electrification programs to give long-haul truckers a way to power their rigs overnight without running their engines;
  - Contract specifications requiring cleanup of trucks and construction equipment used in public works projects.
- Adopt diesel cleanup measures as federally-enforceable requirements in State Implementation Plans (SIPs) for the attainment of the fine particle and ozone air quality standards;
- Create and fund programs to provide money for diesel equipment owners to replace or rebuild high-polluting diesel engines;
- Adopt and enforce anti-idling ordinances and legislation.

To meet this challenge, several states and cities have begun to take action. California continues to lead the way in reducing diesel emissions: adopting stricter fine particle air quality standards, developing a statewide diesel risk reduction plan, and establishing a state program to clean up on- and non-road diesel engines ranging from garbage trucks to stationary generators.[82] When completed, the California program will regulate emissions from all existing diesels within its jurisdiction.

Trucks parked at New York Thruway rest area shut off their engines and plug into IdleAire facility for heat and electricity.

In New York, over 120,000 kids now ride a school bus that has had a retrofit kit installed to reduce diesel emissions. Under city and state law all New York City-sponsored construction projects are required to use ULSD and all heavy equipment engines at the sites must be retrofitted. Likewise, Seattle, King County, and the State of Washington have made a solid start on diesel cleanup from on- and non-road vehicles, and ships including a commitment to retrofit up to 8,000 school buses using local, state, federal, and SEP monies and buy up to 250 new diesel/electric hybrid buses. Other cities also have made a start.[83]

California and Texas have created funds – the "Carl Moyer" program in California and the Texas Emission Reduction Program (TERP) – to provide funding for diesel equipment owners to replace or rebuild high-polluting diesel engines.

NEW FLYER

Some cities are choosing Diesel Electric Hybrid buses as an alternative to conventional diesel buses.

Washington Must Support States

States and cities cannot meet the challenge of diesel pollution alone. U.S. EPA has recognized the dangers and societal costs of diesel exhaust and set tighter emission standards for new highway and non-road diesel engines and mandated the availability beginning in 2006 of Ultra Low Sulfur Diesel (ULSD) fuel nationwide. These requirements must be retained with no backsliding. In addition, EPA has set a national goal of cleaning up all of America's existing diesels by 2015 and has established a voluntary retrofit program to begin to meet it.[84] However, this challenge will only be met with an aggressive set of policies and adequate funding to ensure the goal can be accomplished.

Many states do not have the resources to clean up state and municipally-owned vehicles. They will need the support of the federal government to achieve EPA's goal.

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Federal action may also be needed to clean up transient diesel vehicles, including long-haul trucks, marine diesel shipping in U.S. ports, and locomotives that typically travel from city to city dispersing their emissions along travel corridors. Because the Clean Air Act contains limited authority for EPA to establish national diesel retrofit rules, federal legislation will ultimately be needed to establish federal requirements and funding for a national retrofit program for all diesel engines as well as these interstate diesels.

The Federal government should:

- Pass legislation providing funding for the cleanup of municipal and state fleet vehicles;
- Explore regulatory options for reducing emissions from existing interstate fleets such as long-haul trucks, shipping, and locomotives;
- Retain and enforce the tighter new engine and cleaner fuel standards for highway and non-road diesels.

Endnotes

1 Wilson, Richard and Spengler, John, eds. *Particles in Our Air: Concentrations and Health Effects* (1999) p. 212.

2 Schwartz, J.,"Air Pollution Deadlier than Previously Thought," Harvard School of Public Health, Press Release, March 2, 2000.

3 Laden, F., Neas, L., Dockery, D. and Schwartz, J., *Association of Fine Particulate Matter from Different Sources with Daily Mortality in Six U.S. Cities*, Environmental Health Perspectives, Vol. 108, No. 10, (2000) p. 941-947.

4 Nemmar, A. et al., *Passage of Inhaled Particles Into the Blood Circulation in Humans.* Circulation, Vol. 105, (2002), 411-414 ; Donaldson, Ken, et al., *Ambient Particle Inhalation and the Cardiovascular System: Potential Mechanisms*, Envir. Health Perspectives, Vol. 109, Supp. 4, Aug. 2001, p. 525.1

5 National Center for Environmental Assessment, Office of Research and Development, U.S. EPA. EPA/600/8-90/057F. May 2002. International Agency on Cancer, Monograph 46. See at: http://www-cie.iarc.fr/htdocs/monographs/vol46/46-01.htm; California Air Resources Board (1998) Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant; See also, California Environmental Protection Agency, Air Resources Board, Office of Environmental Health Hazard Assessment, April 22, 1998; CalEPA (2002). Health Assessment for Diesel Engine Exhaust;

6 American Academy of Pediatrics, Committee on Environmental Health, *Ambient Air Pollution: Health Hazards to Children*, Pediatrics, Vol 114, No. 6, (December 2004) pp. 1699-1707. Available at www.pediat rics.org. For a complete summary of studies of particulate matter and health see: EPA Air Quality Criteria for Particulate Matter, October 2004 avaialble at: http://cfpub.epa.gov/ncea/cfm/partmatt.cfm

7 Modeled health impacts of less severe acute health impacts (e.g. other than mortality, heart attacks) likely understate the full magnitude of the impacts because many cases go unreported (e.g. asthma, bronchitis self-treatment, or treatment in small clinics or private offices.) Furthermore, the U.S. does not manage a central database of national health records.

8 U.S. EPA, OAR, "Final Report to Congress on Benefits and Costs of the Clean Air Act,1970-1990," EPA 410-R-97-002, (1997) page I-23 at http://www.epa.gov/air/sect812/appen_i.pdf.

9 Mothers Against Drunk Driving online at: http://www.madd.org/stats/0,1056,1112,00.html

10 Arias, E. et al., "Deaths: Final Data for 2001," Centers for Disease Control, 52 National Vital Statistics Reports No. 3 (September 18, 2003). Available online at: http://www.cdc.gov/nchs/data/nvsr/nvsr52/nvsr52_03.pdf

11 U.S. Department of Transportation, National Highway Traffic Safety Administration *Traffic Safety Facts 2000: Occupant Protection* (Washington, D.C. 2001). Available online at: http://www.bts.gov/publications/transportation_statistics_annual_report/2001/html/chapter_06_figure_01_152_table_.html

12 This analysis is based on methodology approved by U.S. EPA's Science Advisory Board and used by EPA in the Regulatory Impact Analysis (RIA) of the non-road rule. EPA Final Regulatory Impact Analysis, "Control of Emissions from Nonroad Diesel Engines," EPA420-R-04-007. (May 2004) http://www.epa.gov/nonroad-diesel/2004fr/420r 04007.pdf. It begins with EPA emissions inventory data, models the dispersion of those emissions using the Regional Emissions Modeling System for Acid Deposition (REMSAD) air quality model, and then applies a damage function model using concentration-response relationships to estimate adverse health endpoints from modeled changes in air quality. This analysis estimates the adverse health endpoints attributable to diesel PM2.5 in the year 2010. For a summary of CATF's methodology and FAQs please go to www.catf.us/goto/dieselhealth/ and click on "learn more." For Abt Associates' ASPEN and REMSAD reports please see: www.catf.us/goto/AbtASPEN/ and www.catf.us/goto/AbtREMSAD/.

13 Estimate is based on EPA methodology described in EPA Memorandum, Bryan Hubbell to Sam Napolitano, July 2, 2001. Estimated NO_X, SO_2 and PM emissions health damages for heavy duty vehicle emissions.

14 Through only those diesel regulations promulgated to date, California will reduce diesel fine particles by 30 percent from year 2000 levels. California has announced plans to promulgate additional critical regulations in the next few years to address significant sources such as construction, agriculture, and inland shipping. California Air Resources Board (CARB) 2004a. Air Quality Almanac Emission Projections. Online at http://www.arb.ca.gov/emisinv/emsmain/emsmain.htm; California Air Resources Board (CARB). 2003a. Staff Report: Initial Statement of Reasons: Proposed Diesel Particulate Matter Control Measure for On Road Heavy-Duty Residential and Commercial Solid Waste Collection Vehicles. Sacramento, CA: California Environmental Protection Agency. California Air Resources Board (CARB) 2003b Staff Report: Initial Statement of Reasons for Proposed Rulemaking: Airborne Toxic Control Measure for Stationary Compression Ignition Engines. Sacramento, CA: California Environmental Protection Agency, Stationary Source Division Emissions Assessment Branch;. California Air Resources Board (CARB) 2003c. REVISED – Staff Report: Initial Statement of Reasons for Proposed Rulemaking: Airborne Toxic Control Measure for In-use Diesel Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate. Sacramento, CA: California Environmental Protection Agency, Stationary Source Division Emissions Assessment Branch. The Union of Concerned Scientists recently estimated the costs and benefits of achieving the CARB Diesel Risk Reduction goal. See Union of Concerned Scientists, *Sick of Soot: Reducing the Health Impacts of Diesel Pollution in California* (June 2004) available online at: http://www.ucsusa.org/clean_vehicles/trucks_ and_buses/page.cfm?pageID=1429

15 This analysis was performed by multiplying modeled ASPEN (Assessment System for Population Exposure Nationwide) 1999 county-level ambient diesel PM2.5 concentration data times: (1) the upper and lower bounds of EPA's possible diesel particulate matter cancer risk range; and (2) the California Air Resources Board diesel cancer unit risk factor. See: California Diesel Risk Reduction Plan: http://www.arb.ca.gov/diesel/documents/rrpapp.htm; EPA, Health Assessment Document for Diesel Exhaust, Office of Research and Development, EPA/600/8-90/057F (May 2002). The United States Public Interest Research Group previously used

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a similar methodology i.e., multiplying the CARB unit risk factor by 1996 National Air Toxics Assessment fine particle concentration data to derive national, state, and local additional cancer risk (cancers per million people) from diesel fine particles. U.S. PIRG Education Fund, *Dangers of Diesel: How Diesel Soot and Other Air Toxics Increase Americans' Risk of Cancer* (October 2002).

16 "The estimated possible risk ranges (10^{-5} to 10^{-3} as well as lower and zero risk) provide a perspective of the potential significance of the lung cancer hazard." EPA, Health Assessment Document for Diesel Exhaust, Office of Research and Development, EPA/600/8-90/057F (May 2002) at p. 8-15. For CARB unit risk value, see: Findings of the Scientific Review Panel on *The Report on Diesel Exhaust* as adopted at the Panel's April 22, 1998, meeting. http://www.arb.ca.gov/toxics/dieseltac/defnds.pdf. See also, http://www.arb.ca.gov/regact/diesltac/diesltac.htm. The findings in this report based on the CARB unit risk factor are consistent with EPA's possible diesel risk range e.g., 3 X 10^{-4} is within EPA's range of 10^{-3} to 10^{-5}.

17 The number per million is the chance in a population of a million people who might be expected to get cancer over a 70-year lifetime. A potential cancer risk of 10 in a million means if one million people were exposed to a certain level of a pollutant or chemical there is a chance that 10 of them may develop cancer over their 70-year lifetime. This would be 10 new cases of cancer above the expected rate of cancer in the population. According to CARB the expected rate of cancer for all causes, including smoking, is about 200,000 to 250,000 chances in a million (one in four to five people).

18 For 1999 NATA national excess cancer risk from air toxics other than diesel see: Inside EPA, Inside Washington Publishers, (December 15, 2004) http://www.insideepa.com/

19 This finding is based on inhalation as the only exposure path and is limited to the thirty-three air toxics included in EPA's National Air Toxics Assessment (NATA). The relative cancer risk of diesel particulate matter is calculated as a ratio of the cancer risk of all air toxics tracked by EPA in the NATA divided by the risk of diesel particulate. We calculated the cancer risk for diesel PM in the U.S. based by applying the CARB cancer unit risk factor for diesel particulate matter to 1999 ASPEN model average national ambient concentration results for diesel PM. (Source for national toxic risk: Inside EPA, Inside Washington Publishers, December 15, 2004.)

20 According to the EPA's categorization of counties as urban or rural, the average ASPEN 1999 ambient diesel fine particle concentration is 1.3822 ug/m^3 for urban counties and 0.4730 ug/m^3 for rural counties. The overall national average is 1.2096 ug/m^3. These averages are population weighted. These averages convert (using the 0.0003 factor) to cancer risks of 415 per million urban, 142 per million rural, and 363 per million average.

21 U.S. Centers for Disease Control and Prevention, "National Hospital Discharge Summary 1998," Advance Data #316 (June 30, 2000). Available online at: http://www.cdc.gov.nchs.

22 This analysis was performed using 1999 county-level ambient diesel PM2.5 concentration data modeled using the Assessment System for Population Exposure Nationwide (ASPEN) air quality model, and then by applying a damage function model using concentration-response relationships to estimate adverse health endpoints from modeled changes in air quality. For a full discussion of the methodology used, please see: www.catf.us/goto/AbtASPEN/. For health impacts in your city and state see: http://www.catf.us/goto/dieselhealth.

23 The new health findings provided in this report by Abt Associates are derived from average modeled estimates of ambient concentrations of diesel particulate matter for entire counties. Many people experience higher diesel exposure situations depending upon where they live and work, for example, such as working near diesel engines, living near diesel sources or commuting regularly on roadways with diesel traffic. The quantitative estimates of death and disease we provide in this report are based on average exposures only and do not represent the risks associated with high diesel exposures. Furthermore, these health findings do not include the impacts from all toxic constituents in diesel exhaust, only directly-emitted particulate matter.

24 The state and metropolitan area health effects reported here exclude those associated with secondarily-formed fine particles, i.e., particles formed from gaseous emissions through post-emission atmospheric chemical reactions. Typically, these include nitrate from nitrogen oxide emissions and sulfate from sulfur dioxide emissions. Secondarily-formed fine particles may make up as much as one-third of diesel-related particles. See Lloyd, A. C., and Cackette, T.A. (2001). Diesel engines: Environmental Impact and Control. Journal of Air and Waste Management Association, v. 51, p. 809-847, June 2001.

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18 Tremont Street, Suite 530
Boston, MA 02108
Tel: 617-624-0234 / Fax: 617-624-0230

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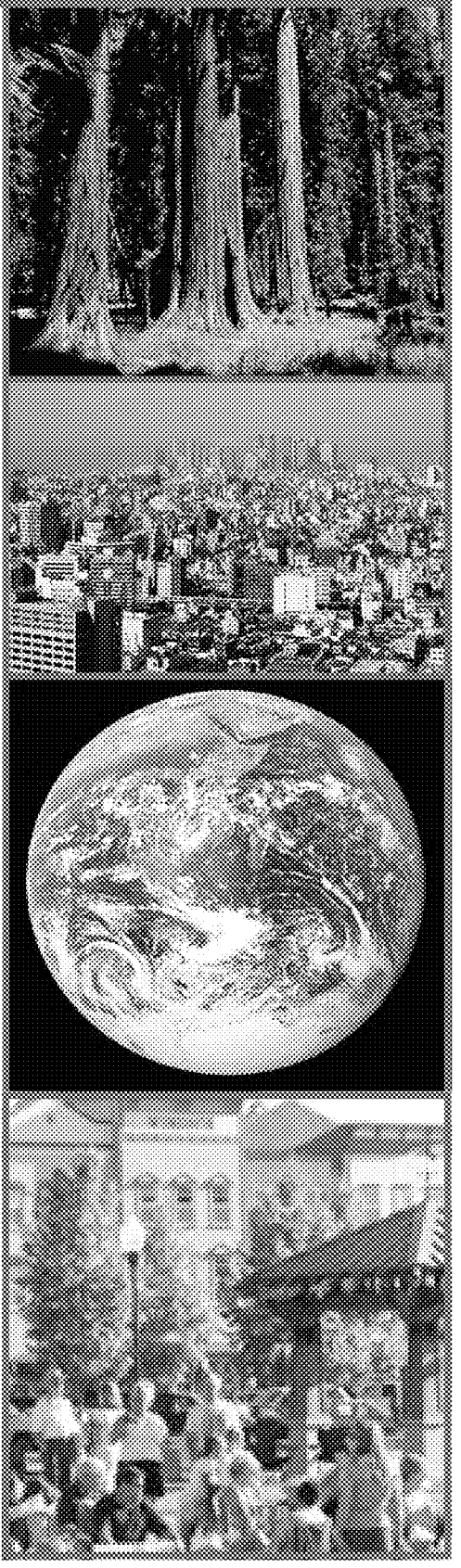

CEQA & Climate Change

Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act

January 2008

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Disclaimer

The California Air Pollution Control Officers Association (CAPCOA) has prepared this white paper consideration of evaluating and addressing greenhouse gas emissions under the California Environmental Quality Act (CEQA) to provide a common platform of information and tools to support local governments.

This paper is intended as a resource, not a guidance document. It is not intended, and should not be interpreted, to dictate the manner in which an air district or lead agency chooses to address greenhouse gas emissions in the context of its review of projects under CEQA.

This paper has been prepared at a time when California law has been recently amended by the Global Warming Solutions Act of 2006 (AB 32), and the full programmatic implications of this new law are not yet fully understood. There is also pending litigation in various state and federal courts pertaining to the issue of greenhouse gas emissions. Further, there is active federal legislation on the subject of climate change, and international agreements are being negotiated. Many legal and policy questions remain unsettled, including the requirements of CEQA in the context of greenhouse gas emissions. This paper is provided as a resource for local policy and decision makers to enable them to make the best decisions they can in the face of incomplete information during a period of change.

Finally, this white paper reviews requirements and discusses policy options, but it is not intended to provide legal advice and should not be construed as such. Questions of legal interpretation, particularly in the context of CEQA and other laws, or requests for advice should be directed to the agency's legal counsel.

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Principal Authors

Greg Tholen, BAAQMD
Dave Vintze, BAAQMD
Jean Getchell, MBUAPCD
Matt Jones, YSAQMD
Larry Robinson, SMAQMD
Ron Tan, SBCAPCD

Editor

Barbara Lee, NSAPCD

Reviewers

CAPCOA Climate Protection Committee

Barbara Lee (NSCAPCD), Chair

Larry Allen, SLOCPCD
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Karen Brooks, SLOCAPCD
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Larry Greene, SMAQMD
Henry Hilken, BAAQMD
Alan Hobbs, PCAPCD
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Dave Jones, KCAPCD
Tom Jordan, SJVUAPCD
Tom Murphy, SBAPCD
Don Price, VCAPCD
Jean Roggenkamp, BAAQMD
Ana Sandoval, BAAQMD
Amy Taketomo, MBUAPCD
Tim Taylor, SMAQMD
Mike Villegas, VCAPCD
David Vintze, BAAQMD
Dave Warner, SJVUAPCD
Jill Whynot, SCAQMD
John Yu, CAPCOA
Mel Zeldin, CAPCOA

CAPCOA Planning Managers: CEQA & Climate Change Subcommittee

Dave Vintze (BAAQMD), Chair
Greg Tholen (BAAQMD), Project Manager

Charles Anderson, SMAQMD
Aeron Arlin Genet, SLOCAPCD
Jean Getchell, MBUAPCD
Melissa Guise, SLOCAPCD
Matt Jones, YSAQMD
Barbara Lee, NSCAPCD
Ryan Murano, NSAQMD
Tom Murphy, SBCAPCD
Susan Nakamura, SCAQMD
Larry Robinson, SMAQMD
Jean Roggenkamp, BAAQMD
Ana Sandoval, BAAQMD
Ron Tan, SBCAPCD
Brigette Tollstrup, SMAQMD
Jill Whynot, SCAQMD

External Reviewers

James Goldstene, CARB
Annmarie Mora, CARB
Terri Roberts, OPR

Proofing & Layout

Jake Toolson, CAPCOA
John Yu, CAPCOA

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List of Acronyms and Abbreviations

Acronym/ Abbreviation	Meaning
AB 32	Assembly Bill 32 Global Warming Solutions Act of 2006
AG	Attorney General
ARB	Air Resources Board
ASTM	American Society of Testing and Material
BAAQMD	Bay Area Air Quality Management District
BAU	Business as Usual
BEES	Building for Environmental and Economic Sustainability
Calfire	California Fire
Caltrans	California Department of Transportation
CAP	Criteria Air Pollutants
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resource Board
CAT	Climate Action Team
CCAP	Center for Clean Air Policy
CCAR	California Climate Action Registry
CDFA	California Department of Food and Agriculture
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CF	Connectivity Factor
CH_4	Methane
CIWMB	California Integrated Waste Management Board
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CNG	Compressed Natural Gas
CPUC	California Public Utilities Commission
CUFR	California Urban Forestry
DGS	Department of General Services
DOE	U.S. Department of Energy
DOF	Department of Finance
DPF	Diesel Particulate Filter
DWR	Department of Water Resources
E85	85% Ethanol
EEA	Massachusetts Executive Office of Energy and Environmental Affairs
EERE	Energy Efficiency and Renewable Energy
EIR	Environmental Impact Report
EOE	Encyclopedia of Earth
EPA	U.S. Environmental Protection Agency
ETC	Edmonton Trolley Coalition
EV	Electric Vehicles
FAR	Floor Area Ratio

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GHG	Greenhouse Gas
GGEP	Greenhouse Gas Emissions Policy
GGRP	Greenhouse Gas Reduction Plan
GP	General Plan
GWP	Global Warming Potential
IGCC	Integrated Gasification Combined Cycle
IOU	Investor Owned Utility
IPCC	International Panel on Climate Change
IT	Information Technology
ITE	Institute of Transportation Engineers
J&S	Jones & Stokes
km	Kilometer
LandGem	Landfill Gas Emissions Model
LEED	Leadership in Energy and Environmental Design
LNG	Liquefied Natural Gas
MBUAPCD	Monterey Bay Unified Air Pollution Control District
MEPA	Massachusetts Environmental Policy Act
MND	Mitigated Negative Declaration
MMT CO_2e	Million Metric Tons Carbon Dioxide Equivalent
MW	Megawatts
N_2O	Nitrous Oxide
NACAA	National Association Clean Air Agencies
ND	Negative Declaration
NEV	Neighborhood Electric Vehicle
NIST	National Institute of Standards and Technology
NO_X	Oxides of Nitrogen
NREL	National Renewable Energy Laboratory
NSCAPCD	Northern Sonoma County Air Pollution Control District
NSR	New Source Review
OPR	State Office of Planning and Research
PFC	Perfluorocarbon
PG&E	Pacific Gas & Electric
POU	Publicly Owned Utility
PM	Particulate Mater
RoadMod	Road Construction Emissions Model
ROG	Reactive Organic Gas
RPS	Renewable Portfolio Standards
RTP	Regional Transportation Plan
S-3-05	Executive Order S-3-05
SB	Senate Bill
SBCAPCD	Santa Barbara County Air Pollution Control District
SCAQMD	South Coast Air Quality Management District
SCM	Sustainable Communities Model
SIP	State Implementation Plan
SJVAPCD	San Joaquin Valley Unified Air Pollution Control District
SLOCAPCD	San Luis Obispo County Air Pollution Control District

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SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utilities District
SO_X	Sulfur Oxides
SP	Service Population
SRI	Solar Reflectance Index
SWP	State Water Project
TAC	Toxic Air Contaminants
TBD	To Be Determined
TDM	Transportation Demand Management
TMA	Transportation Management Association
THC	Total Hydrocarbon
UC	University of California
ULEV	Ultra Low Emission Vehicle
UNFCCC	United Nations Framework Convention on Climate Change
URBEMIS	Urban Emissions Model
USGBC	U.S. Green Building Council
VMT	Vehicle Miles Traveled
VTPI	Victoria Transit Policy
YSAQMD	Yolo-Solano Air Quality Management District

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Introduction

The California Environmental Quality Act (CEQA) requires that public agencies refrain from approving projects with significant adverse environmental impacts if there are feasible alternatives or mitigation measures that can substantially reduce or avoid those impacts. There is growing concern about greenhouse gas emissions[1] (GHG) and recognition of their significant adverse impacts on the world's climate and on our environment. In its most recent reports, the International Panel on Climate Change (IPCC) has called the evidence for this "unequivocal." In California, the passage of the Global Warming Solutions Act of 2006 (AB 32) recognizes the serious threat to the "economic well-being, public health, natural resources, and the environment of California" resulting from global warming. In light of our current understanding of these impacts, public agencies approving projects subject to the CEQA are facing increasing pressure to identify and address potential significant impacts due to GHG emissions. Entities acting as lead agencies in the CEQA process are looking for guidance on how to adequately address the potential climate change impacts in meeting their CEQA obligations.

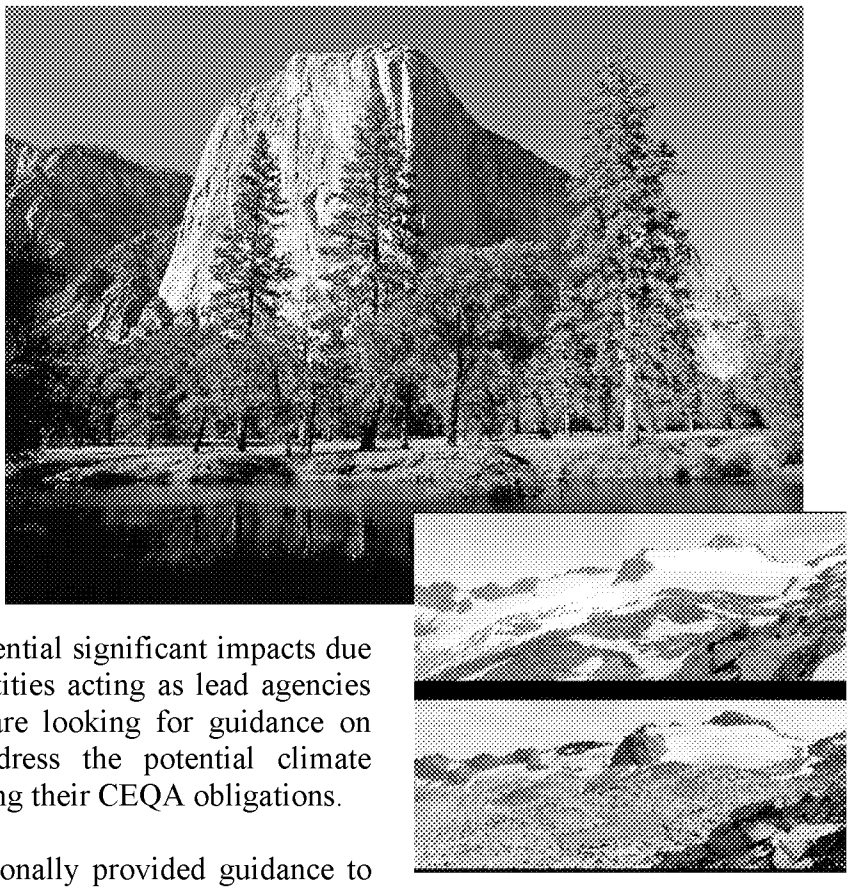

Air districts have traditionally provided guidance to local lead agencies on evaluating and addressing air pollution impacts from projects subject to CEQA. Recognizing the need for a common platform of information and tools to support decision makers as they establish policies and programs for GHG and CEQA, the California Air Pollution Control Officers Association has prepared a white paper reviewing policy choices, analytical tools, and mitigation strategies.

This paper is intended to serve as a resource for public agencies as they establish agency procedures for reviewing GHG emissions from projects under CEQA. It considers the application of thresholds and offers three alternative programmatic approaches toward

[1] Throughout this paper GHG, CO_2, CO_2e, are used interchangeably and refer generally to greenhouse gases but do not necessarily include all greenhouse gases unless otherwise specified.

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determining whether GHG emissions are significant. The paper also evaluates tools and methodologies for estimating impacts, and summarizes mitigation measures. It has been prepared with the understanding that the programs, regulations, policies, and procedures established by the California Air Resources Board (CARB) and other agencies to reduce GHG emissions may ultimately result in a different approach under CEQA than the strategies considered here. The paper is intended to provide a common platform for public agencies to ensure that GHG emissions are appropriately considered and addressed under CEQA while those programs are being developed.

Examples of Other Approaches

Many states, counties, and cities have developed policies and regulations concerning greenhouse gas emissions that seek to require or promote reductions in GHG emissions through standards for vehicle emissions, fuels, electricity production/renewables, building efficiency, and other means. A few have developed guidance and are currently considering formally requiring or recommending the analysis of greenhouse gas emissions for development projects during their associated environmental processes. Key work in this area includes:

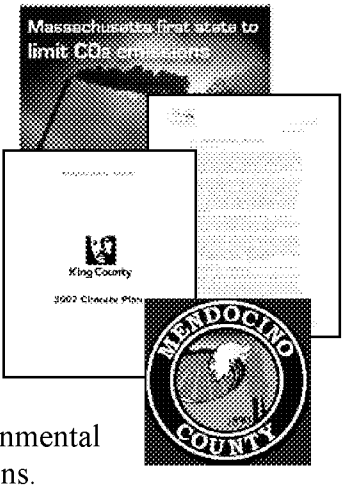

- Massachusetts Office of Energy and Environmental Affairs Greenhouse Gas Emissions Policy;
- King County, Washington, Executive Order on the Evaluation of Climate Change Impacts through the State Environmental Policy Act;
- Sacramento AQMD interim policy on addressing climate change in CEQA documents; and
- Mendocino AQMD updated guidelines for use during preparation of air quality impacts in Environmental Impact Reports (EIRs) or mitigated negative declarations.

The following paper evaluates options for lead agencies to ensure that GHG emissions are appropriately addressed as part of analyses under CEQA. It considers the use of significance thresholds, tools and methodologies for analyzing GHG emissions, and measures and strategies to avoid, reduce, or mitigate impacts.

Greenhouse Gas Significance Criteria

This white paper discusses three basic options air districts and lead agencies can pursue when contemplating the issues of CEQA thresholds for greenhouse gas emissions. This paper explores each path and discusses the benefits and disbenefits of each. The three basic paths are:

- No significance threshold for GHG emissions;

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- GHG emissions threshold set at zero; or
- GHG threshold set at a non-zero level.

Each has inherent advantages and disadvantages. Air districts and lead agencies may believe the state or national government should take the lead in identifying significance thresholds to address this global impact. Alternatively, the agency may believe it is premature or speculative to determine a clear level at which a threshold should be set. On the other hand, air districts or lead agencies may believe that every GHG emission should be scrutinized and mitigated or offset due to the cumulative nature of this impact. Setting the threshold at zero will place all discretionary projects under the CEQA microscope. Finally, an air district or lead agency may believe that some projects will not benefit from a full environmental impact report (EIR), and may believe a threshold at some level above zero is needed.

This paper explores the basis and implications of setting no threshold, setting a threshold at zero and two primary approaches for those who may choose to consider a non-zero threshold. The first approach is grounded in statute (AB 32) and executive order (EO S-3-05) and explores four possible options under this scenario. The options under this approach are variations of ways to achieve the 2020 goals of AB 32 from new development, which is estimated to be about a 30 percent reduction from business as usual.

The second approach explores a tiered threshold option. Within this option, seven variations are discussed. The concepts explored here offer both quantitative and qualitative approaches to setting a threshold as well as different metrics by which tier cut-points can be set. Variations range from setting the first tier cut-point at zero to second-tier cut-points set at defined emission levels or based on the size of a project. It should be noted that some applications of the tiered threshold approach may require inclusion in a General Plan or adoption of enabling regulations or ordinances to render them fully effective and enforceable.

Greenhouse Gas Analytical Methodologies

The white paper evaluates various analytical methods and modeling tools that can be applied to estimate the greenhouse gas emissions from different project types subject to CEQA. In addition, the suitability of the methods and tools to characterize accurately a project's emissions is discussed and the paper provides recommendations for the most appropriate methodologies and tools currently available.

The suggested methodologies are applied to residential, commercial, specific plan and general plan scenarios where GHG emissions are estimated for each example. This chapter also discusses estimating emissions from solid waste facilities, a wastewater treatment plant, construction, and air district rules and plans.

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Another methodology, a service population metric, that would measure a project's overall GHG efficiency to determine if a project is more efficient than the existing statewide average for per capita GHG emissions is explored. This methodology may be more directly correlated to a project's ability to help achieve objectives outlined in AB 32, although it relies on establishment of an efficiency-based significance threshold. The subcommittee believes this methodology may eventually be appropriate to evaluate the long-term GHG emissions from a project in the context of meeting AB 32 goals. However, this methodology will need further work and is not considered viable for the interim guidance presented in this white paper.

Greenhouse Gas Mitigation Measures

Common practice in environmental protection is first to avoid, then to minimize, and finally to compensate for impacts. When an impact cannot be mitigated on-site, off-site mitigation can be effectively implemented in several resource areas, either in the form of offsetting the same impact or preserving the resource elsewhere in the region.

This white paper describes and evaluates currently available mitigation measures based on their economic, technological and logistical feasibility, and emission reduction effectiveness. The potential for secondary impacts to air quality are also identified for each measure. A summary of current rules and regulations affecting greenhouse gas emissions and climate change is also provided.

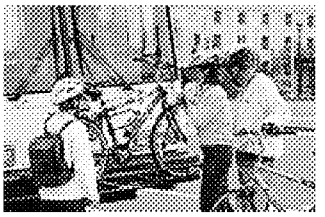

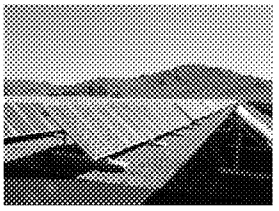

Reductions from transportation related measures (e.g., bicycle, pedestrian, transit, and parking) are explored as a single comprehensive approach to land use. Design measures that focus on enhancing alternative transportation are discussed. Mitigation measures are identified for transportation, land use/building design, mixed-use development, energy efficiency, education/social awareness and construction.

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Purpose

CEQA requires the avoidance or mitigation of significant adverse environmental impacts where there are feasible alternatives available. The contribution of GHG to climate change has been documented in the scientific community. The California Global Warming Solutions Act of 2006 (AB 32) mandates significant reductions in greenhouse gases (GHG); passage of that law has highlighted the need to consider the impacts of GHG emissions from projects that fall under the jurisdiction of the California Environmental Quality Act (CEQA). Because we have only recently come to fully recognize the potential for significant environmental impacts from GHG, most public agencies have not yet established policies and procedures to consider them under CEQA. As a result, there is great need for information and other resources to assist public agencies as they develop their programs.

Air districts have historically provided guidance to local governments on the evaluation of air pollutants under CEQA. As local concern about climate change and GHG has increased, local governments have requested guidance on incorporating analysis of these impacts into local CEQA review. The California Air Pollution Control Officers Association (CAPCOA), in coordination with the CARB, the Governor's Office of Planning and Research (OPR) and two environmental consulting firms, has harnessed the collective expertise to evaluate approaches to analyzing GHG in CEQA. The purpose of this white paper is to provide a common platform of information and tools to address climate change in CEQA analyses, including the evaluation and mitigation of GHG emissions from proposed projects and identifying significance threshold options.

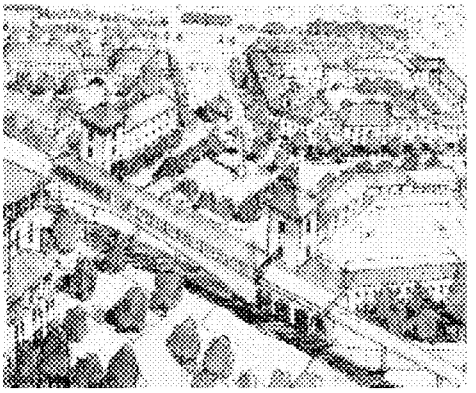

CEQA requires public agencies to ensure that potentially significant adverse environmental effects of discretionary projects are fully characterized, and avoided or mitigated where there are feasible alternatives to do so. Lead agencies have struggled with how best to identify and characterize the magnitude of the adverse effects that individual projects have on the global-scale phenomenon of climate change, even more so since Governor Schwarzenegger signed Executive Order S-3-05 and the state Legislature enacted The Global Warming Solutions Act of 2006 (AB 32). There is now a resounding call to establish procedures to analyze and mitigate greenhouse gas (GHG) emissions. The lack of established thresholds does not relieve lead agencies of their responsibility to analyze and mitigate significant impacts, so many of these agencies are seeking guidance from state and local air quality agencies. This white paper addresses issues inherent in establishing CEQA thresholds, evaluates tools, catalogues mitigation measures and provides air districts and lead agencies with options for incorporating climate change into their programs.

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Background

National and International Efforts

International and Federal legislation have been enacted to deal with climate change issues. The Montreal Protocol was originally signed in 1987 and substantially amended in 1990 and 1992. In 1988, the United Nations and the World Meteorological Organization established the IPCC to assess the scientific, technical and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation. The most recent reports of the IPCC have emphasized the scientific consensus around the evidence that real and measurable changes to the climate are occurring, that they are caused by human activity, and that significant adverse impacts on the environment, the economy, and human health and welfare are unavoidable.

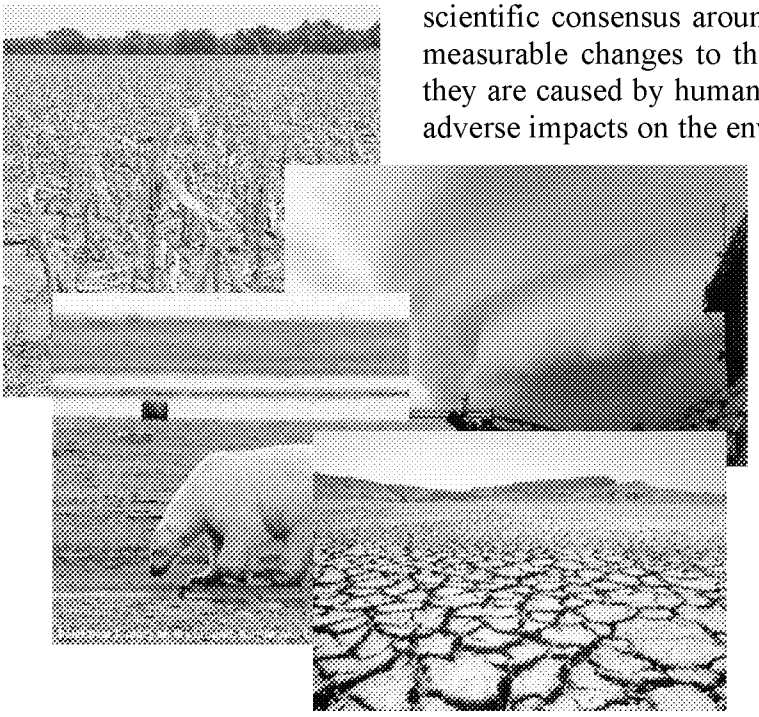

In October 1993, President Clinton announced his Climate Change Action Plan, which had a goal to return greenhouse gas emissions to 1990 levels by the year 2000. This was to be accomplished through 50 initiatives that relied on innovative voluntary partnerships between the private sector and government aimed at producing cost-effective reductions in greenhouse gas emissions. On March 21, 1994, the United States joined a number of countries around the world in signing the United Nations Framework Convention on Climate Change (UNFCCC). Under the Convention, governments agreed to gather and share information on greenhouse gas emissions, national policies, and best practices; launch national strategies for addressing greenhouse gas emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

These efforts have been largely policy oriented. In addition to the national and international efforts described above, many local jurisdictions have adopted climate change policies and programs. However, thus far little has been done to assess the significance of the affects new development projects may have on climate change.

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Executive Order S-3-05

On June 1, 2005, Governor Schwarzenegger issued Executive Order S-3-05 (S-3-05). It included the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels. To meet the targets, the Governor directed the Secretary of the California Environmental Protection Agency to coordinate with the Secretary of the Business, Transportation and Housing Agency, Secretary of the Department of Food and Agriculture, Secretary of the Resources Agency, Chairperson of the CARB, Chairperson of the Energy Commission and President of the Public Utilities Commission on development of a Climate Action Plan.

The Secretary of CalEPA leads a Climate Action Team (CAT) made up of representatives from the agencies listed above to implement global warming emission reduction programs identified in the Climate Action Plan and report on the progress made toward meeting the statewide greenhouse gas targets that were established in the Executive Order.

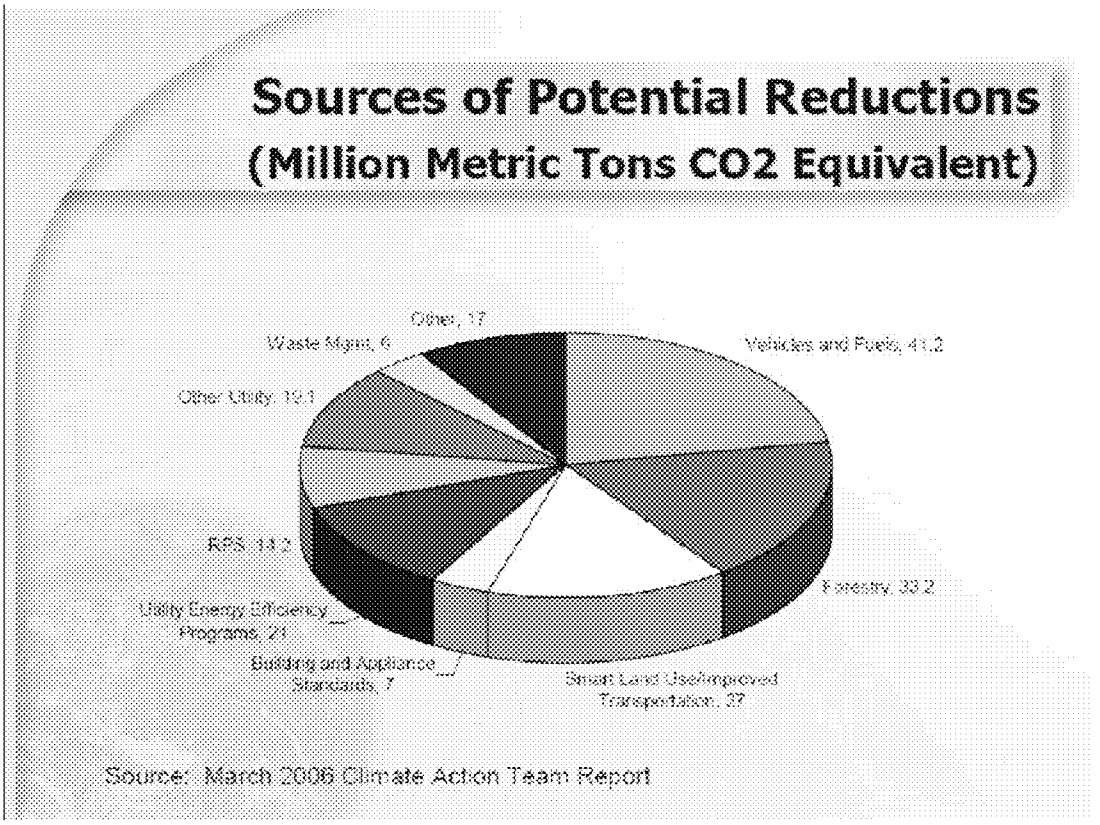

SOURCE: ARB 2007

In accord with the requirements of the Executive Order, the first report to the Governor and the Legislature was released in March 2006 and will be issued bi-annually thereafter. The CAT Report to the Governor contains recommendations and strategies to help ensure the targets in Executive Order S-3-05 are met.

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California Global Warming Solutions Act of 2006 (AB 32)

In 2006, the California State Legislature adopted the California Global Warming Solutions Act of 2006. AB 32 establishes a cap on statewide greenhouse gas emissions and sets forth the regulatory framework to achieve the corresponding reduction in statewide emissions levels. AB 32 charges the California Air Resources Board (CARB), the state agency charged with regulating statewide air quality, with implementation of the act. Under AB 32, greenhouse gases are defined as: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

The regulatory steps laid out in AB 32 require CARB to: adopt early action measures to reduce GHGs; to establish a statewide greenhouse gas emissions cap for 2020 based on 1990 emissions; to adopt mandatory reporting rules for significant source of greenhouse gases; and to adopt a scoping plan indicating how emission reductions will be achieved via regulations, market mechanisms and other actions; and to adopt the regulations needed to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gases.

AB 32 requires that by January 1, 2008, the State Board shall determine what the statewide greenhouse gas emissions inventory was in 1990, and approve a statewide greenhouse gas emissions limit that is equivalent to that level, to be achieved by 2020. While the level of 1990 GHG emissions has not yet been approved, CARB's most recent emission inventory indicates that California had annual emissions of 436 million metric tons of carbon dioxide equivalent (MMT CO_2e) in 1990 and 497 MMT CO_2e in 2004.

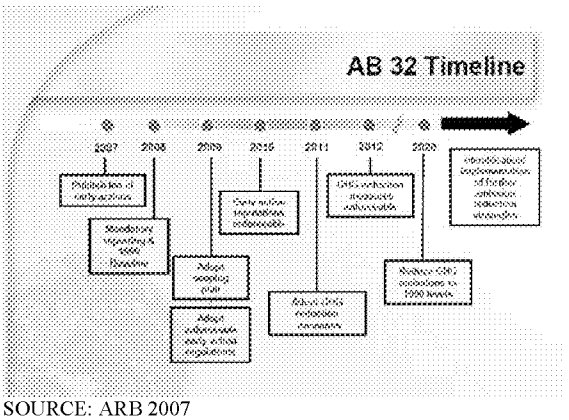

SOURCE: ARB 2007

The regulatory timeline laid out in AB 32 requires that by July 1, 2007, CARB adopt a list of discrete early action measures, or regulations, to be adopted and implemented by January 1, 2010. These actions will form part of the State's comprehensive plan for achieving greenhouse gas emission reductions. In June 2007, CARB adopted three discrete early action measures. These three new proposed regulations meet the definition of "discrete early action greenhouse gas reduction measures," which include the following: a low carbon fuel standard; reduction of HFC-134a emissions from non-professional servicing of motor vehicle air conditioning systems; and improved landfill methane capture. CARB estimates that by 2020, the reductions from those three discrete early action measures would be approximately 13-26 MMT CO_2e.

CARB evaluated over 100 possible measures identified by the CAT for inclusion in the list of discrete early action measures. On October 25, 2007 CARB gave final approval to the list of Early Action Measures, which includes nine discrete measures and 35

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additional measures, all of which are to be enforceable by January 1, 2010. AB 32 requires that by January 1, 2009, CARB adopt a scoping plan indicating how emission reductions will be achieved via regulations, market mechanisms and other actions.

Senate Bill 97

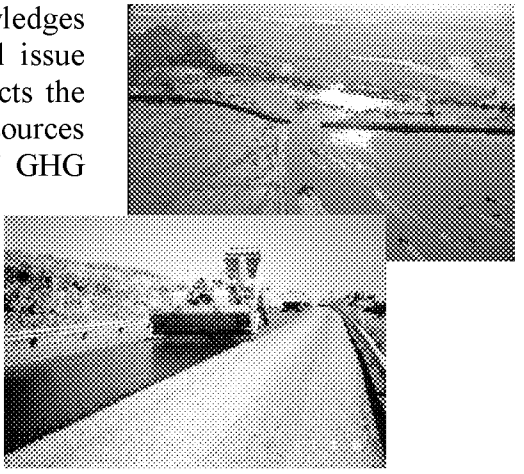

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an important environmental issue that requires analysis under CEQA. This bill directs the OPR to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, by July 1, 2009. The Resources Agency is required to certify or adopt those guidelines by January 1, 2010. This bill also protects projects funded by the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, or the Disaster Preparedness and Flood Protection Bond Act of 2006 (Proposition 1B or 1E) from claims of inadequate analysis of GHG as a legitimate cause of action. This latter provision will be repealed on January 1, 2010. Thus, this "protection" is highly limited to a handful of projects and for a short time period.

The Role of Air Districts in the CEQA Process

Air districts assume one of three roles in the CEQA process. They may be lead agencies when they are adopting regulations and air quality plans. In some instances, they can also be a lead agency when approving permits to construct or operate for applicants subject to district rules. However, in many cases where an air district permit is involved, another agency has broader permitting authority over the project and assumes the role of lead agency. In these situations, the air district becomes what is referred to as a responsible agency under CEQA. When CEQA documents are prepared for projects that do not involve discretionary approval of a district regulation, plan or permit, the air district may assume the role of a concerned or commenting agency. In this role, it is typical for air districts to comment on CEQA documents where there may be air quality-related adverse impacts, such as projects that may create significant contributions to existing violations of ambient standards, cause a violation of an ambient standard or create an exposure to toxic air contaminants or odors. In some cases, the air district may also act in an "advisory" capacity to a lead agency early on in its review of an application for a proposed development project.

A few air districts in California began developing significance thresholds for use in CEQA analyses in the late 1980's and early 1990's. By the mid-1990's most air districts had developed CEQA thresholds for air quality analyses. Many of the districts have included in their guidance the analysis of rule development and permits that may be subject to CEQA.

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What is Not Addressed in this Paper

Impacts of Climate Change to a Project

The focus of this paper is addressing adverse impacts to climate change and the ability to meet statewide GHG reduction goals caused by proposed new land development projects. CEQA also requires an assessment of significant adverse impacts a project might cause by bringing development and people into an area affected by climate change (CEQA Guidelines §15126.2). For example, an area that experiences higher average temperatures due to climate change may expose new development to more frequent exceedances and higher levels of ozone concentrations. Alternatively, a rise in sea level brought on by climate change may inundate new development locating in a low-lying area. The methodologies, mitigation and threshold approaches discussed in this paper do not specifically address the potential adverse impacts resulting from climate change that may affect a project.

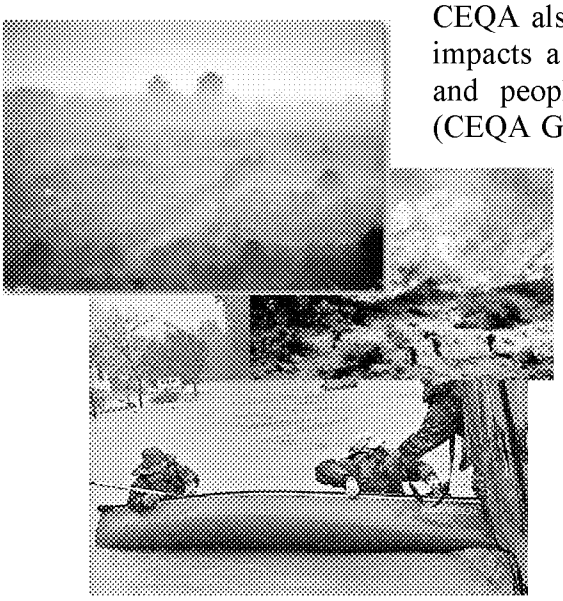

Impacts from Construction Activity

Although construction activity has been addressed in the analytical methodologies and mitigation chapters, this paper does not discuss whether any of the threshold approaches adequately addresses impacts from construction activity. More study is needed to make this assessment or to develop separate thresholds for construction activity. The focus of this paper is the long-term adverse operational impacts of land use development.

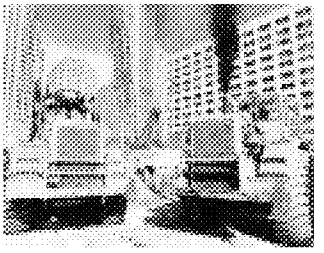

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Introduction

Any analysis of environmental impacts under CEQA includes an assessment of the nature and extent of each impact expected to result from the project to determine whether the impact will be treated as significant or less than significant. CEQA gives lead agencies discretion whether to classify a particular environmental impact as significant. "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved," ref: CEQA Guidelines §15064(b) ("Guidelines"). Ultimately, formulation of a standard of significance requires the lead agency to make a policy judgment about where the line should be drawn distinguishing adverse impacts it considers significant from those that are not deemed significant. This judgment must, however, be based on scientific information and other factual data to the extent possible (Guidelines §15064(b)).

CEQA does not require that agencies establish thresholds of significance. Guidelines §15064.7(a) encourages each public agency "…to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which normally means the effect will be determined to be less than significant."

Once such thresholds are established, an impact that complies with the applicable threshold will "normally" be found insignificant and an impact that does not comply with the applicable threshold will "normally" be found significant.

Additionally, Guidelines §15064.7(b) requires that if thresholds of significance are adopted for general use as part of the lead agency's environmental review process they must be adopted by ordinance, resolution, rule or regulation, and developed through a public review process and be supported by substantial evidence.

While many public agencies adopt regulatory standards as thresholds, the standards do not substitute for a public agency's use of careful judgment in determining significance. They also do not replace the legal standard for significance (i.e., if there is a fair argument, based on substantial evidence in light of the whole record that the project may have a significant effect, the effect should be considered significant) (Guidelines §15064(f)(1). Also see *Communities for a Better Environment v. California Resource Agency* 103 Cal. App. 4th 98 (2002)). In other words, the adoption of a regulatory standard does not create an irrebuttable presumption that impacts below the regulatory standard are less than significant.

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Summary of CEQA Thresholds at Air Districts

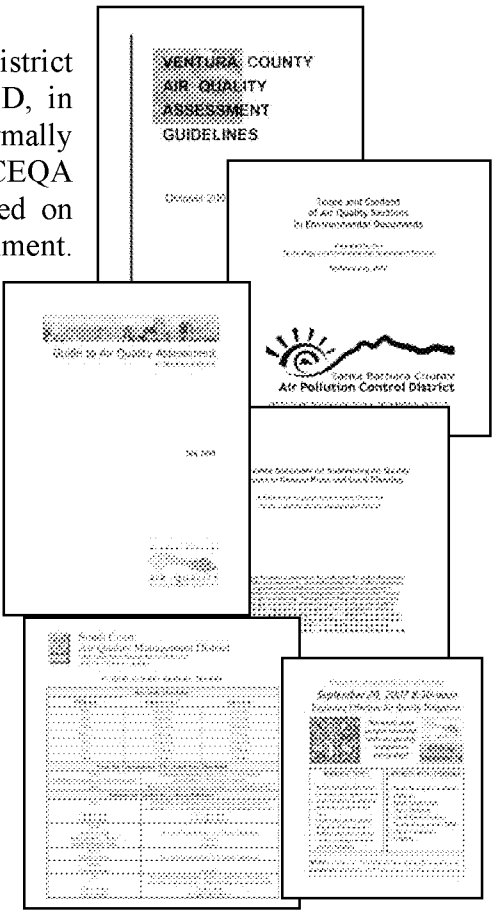

This section briefly summarizes the evolution of air district CEQA significance thresholds. Ventura County APCD, in 1980, was the first air district in California that formally adopted CEQA significance thresholds. Their first CEQA assessment document contained impact thresholds based on project type: residential, nonresidential, and government. Then, as now, the District's primary CEQA thresholds applied only to ROG and NO_x. The 1980 Guidelines did not address other air pollutants.

Santa Barbara County APCD and the Bay Area AQMD adopted thresholds in 1985. The South Coast AQMD recommended regional air quality thresholds in 1987 for CO, SO_2, NO_2, particulates, ROG, and lead. Most of the other California air districts adopted CEQA guidance and thresholds during the 1990's. Air districts have updated their thresholds and guidelines several times since they were first published.

Originally, most districts that established CEQA thresholds focused on criteria pollutants for which the district was nonattainment and the thresholds only addressed project level impacts. Updates during the 1990's began to add additional air quality impacts such as odors, toxic air contaminants and construction. Several air districts also developed thresholds for General Plans that relied on an assessment of the plan consistency with the district's air quality plans. A consistency analysis involves comparing the project's land use to that of the general plan and the population and employment increase to the forecasts underlying the assumptions used to develop the air quality plan.

Most air district thresholds for CEQA are based on the threshold for review under the New Source Review (NSR). The NSR threshold level is set by district rule and is different depending on the nonattainment classification of the air district. Areas with a less severe classification have a higher NSR trigger level while the most polluted areas have the lowest NSR trigger level. Some districts, such as Ventura County APCD, have significantly lower CEQA thresholds that are not tied to the NSR requirements. In Ventura, one set of CEQA thresholds is 25 pounds per day for all regions of Ventura County, except the Ojai Valley. The second set of CEQA thresholds was set at 5 pounds per day for the Ojai Valley.

The Sacramento Metropolitan AQMD bases its thresholds for ozone precursors on the projected land use share of emission reductions needed for attainment. The emission reductions needed to reach attainment are based on commitments made in the state implementation plan (SIP) prepared for the federal clean air act.

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CEQA Considerations in Setting Thresholds

Public agencies use significance thresholds to disclose to their constituents how they plan on evaluating and characterizing the severity of various environmental impacts that could be associated with discretionary projects that they review. Significance thresholds are also used to help identify the level of mitigation needed to reduce a potentially significant impact to a less than significant level and to determine what type of an environmental document should be prepared for a project; primarily a negative declaration, mitigated negative declaration or an environmental impact report.

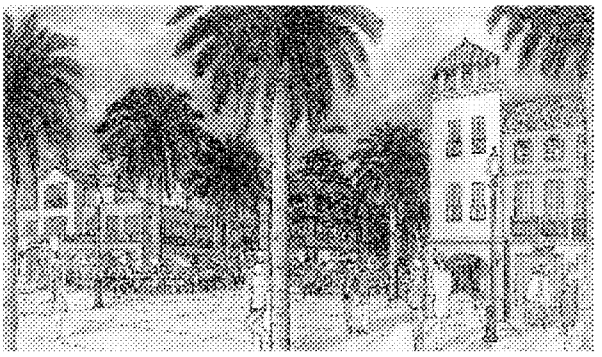

While public agencies are not required to develop significance thresholds, if they decide to develop them, they are required to adopt them by ordinance, resolution, rule or regulation through a public process. A lead agency is not restrained from adopting any significance threshold it sees as appropriate, as long as it is based on substantial evidence. CEQA Guidelines §15064.7 encourages public agencies to develop and publish significance thresholds that are identifiable, quantitative, qualitative or performance level that the agency uses in the determination of the significance of environmental effects. The courts have ruled that a "threshold of significance" for a given environmental effect is simply that level at which the lead agency finds the effects of the project to be significant.

Before an agency determines its course with regard to climate change and CEQA, it must be made clear that a threshold, or the absence of one, will not relieve a lead agency from having to prepare an EIR or legal challenges to the adequacy of an analysis leading to a conclusion, or lack of a conclusion, of significance under CEQA. CEQA has generally favored the preparation of an EIR where there is any substantial evidence to support a fair argument that a significant adverse environmental impact may occur due to a proposed project. This paper explores three alternative approaches to thresholds, including a no threshold option, a zero threshold option and a non-zero threshold option.

Fair Argument Considerations

Under the CEQA fair argument standard, an EIR must be prepared whenever it can be fairly argued, based on substantial evidence in the administrative record, that a project may have a significant adverse effect on the environment. "Substantial evidence" comprises "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (Guidelines §15384) This means that if factual information is presented to the public agency that there is a reasonable possibility the project could have

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a significant effect on the environment, an EIR is required even if the public agency has information to the contrary (Guidelines §15064 (f)).

The courts have held that the fair argument standard "establishes a low threshold for initial preparation of an EIR, which reflects a preference for resolving doubts in favor of environmental review." (*Santa Teresa Citizen Action Group v. City of San Jose* [2003] 114 Cal.App.4th 689) Although the determination of whether a fair argument exists is made by the public agency, that determination is subject to judicial scrutiny when challenged in litigation. When the question is whether an EIR should have been prepared, the court will review the administrative record for factual evidence supporting a fair argument.

The fair argument standard essentially empowers project opponents to force preparation of an EIR by introducing factual evidence into the record that asserts that the project may have a significant effect on the environment. This evidence does not need to be conclusive regarding the potential significant effect.

In 1998, the Resources Agency amended the State CEQA Guidelines to encourage the use of thresholds of significance. Guidelines §15064 (h) provided that when a project's impacts did not exceed adopted standards, the impacts were to be considered less than significant. The section went on to describe the types of adopted standards that were to be considered thresholds. Guidelines § 15064.7 provided that agencies may adopt thresholds of significance to guide their determinations of significance. Both of these sections were challenged when environmental groups sued the Resources Agency in 2000 over the amendments. The trial court concluded that §15064.7 was proper, if it was applied in the context of the fair argument standard.

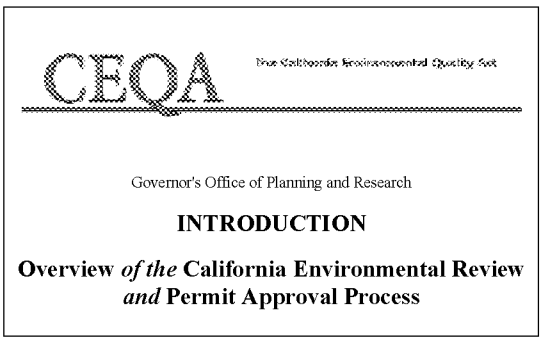

At the appellate court level, §15064(h) was invalidated. [2] Establishing a presumption that meeting an adopted standard would avoid significant impacts was "inconsistent with controlling CEQA law governing the fair argument approach." The Court of Appeal explained that requiring agencies to comply with a regulatory standard "relieves the agency of a duty it would have under the fair argument approach to look at evidence beyond the regulatory standard, or in contravention of the standard, in deciding whether an EIR must be prepared. Under the fair argument approach, any substantial evidence supporting a fair argument that a project may have a significant environmental effect would trigger the preparation of an EIR." (*Communities for a Better Environment v. California Resources Agency* [2002] 103 Cal.App.4th 98)

[2] Prior §15064(h) has been removed from the State CEQA Guidelines. Current §15064(h) discusses cumulative impacts.

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In summary, CEQA law does not require a lead agency to establish significance thresholds for GHG. CEQA guidelines encourage the development of thresholds, but the absence of an adopted threshold does not relieve the agency from the obligation to determine significance.

Defensibility of CEQA Analyses

The basic purposes of CEQA, as set out in the State CEQA Guidelines, include: (1) informing decision makers and the public about the significant environmental effects of proposed projects; (2) identifying ways to reduce or avoid those impacts; (3) requiring the implementation of feasible mitigation measures or alternatives that would reduce or avoid those impacts; and (4) requiring public agencies to disclose their reasons for approving any project that would have significant and unavoidable impacts (Guidelines §15002). CEQA is enforced through civil litigation over procedure (i.e., did the public agency follow the correct CEQA procedures?) and adequacy (i.e., has the potential for impacts been disclosed, analyzed, and mitigated to the extent feasible?).

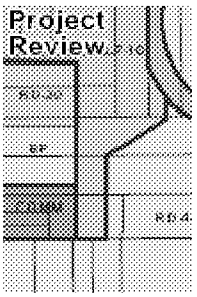

The California Supreme Court has held that CEQA is "to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Friends of Mammoth v. Board of Supervisors* [1972] 8 Cal.3d 247, 259) Within that context, the role of the courts is to weigh the facts in each case and apply their judgment. Although the court may rule on the adequacy of the CEQA work, the court is not empowered to act in the place of the public agency to approve or deny the project for which the CEQA document was prepared. Further, the court's review is limited to the evidence contained in the administrative record that was before the public agency when it acted on the project.

Putting aside the issue of CEQA procedure, the defensibility of a CEQA analysis rests on the following concerns:

- whether the public agency has sufficiently analyzed the environmental consequences to enable decision makers to make an intelligent decision;
- whether the conclusions of the public agency are supported by substantial evidence in the administrative record; and
- whether the agency has made a good faith effort at the full disclosure of significant effects.

CEQA analyses need not be perfect or exhaustive -- the depth and breadth of the analysis is limited to what is "reasonably feasible." (Guidelines §15151) At the same time, the analysis "must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed

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project." (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376)

By itself, establishment of a GHG threshold will not insulate individual CEQA analyses from challenge. Defensibility depends upon the adequacy of the analysis prepared by the lead agency and the process followed. However, the threshold can help to define the boundaries of what is a reasonable analysis by establishing when an analysis will be required and the basic scope of that analysis. The threshold would attempt to define the point at which an analysis will be required and when a level of impact becomes significant, requiring preparation of an EIR. If the threshold includes recommendations for the method or methods of analysis, it can establish the minimum level of analysis to address this issue.

Considerations in Setting Thresholds for Stationary Source Projects

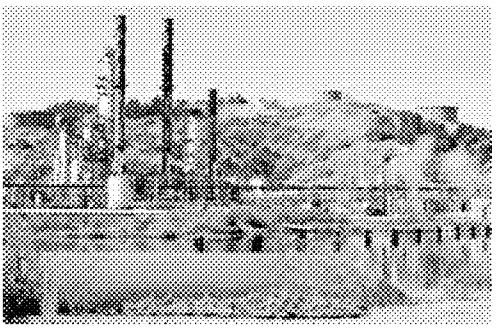

In many respects, the analysis of GHG emissions from stationary sources is much more straightforward than the analysis of land use patterns, forecasted energy consumption, and emissions from mobile sources. The reason is that, for the most part, the latter analyses depend largely on predictive models with myriad inputs and have a wider range of error. Emissions from stationary sources involve a greater reliance on mass and energy balance calculations and direct measurements of emissions from the same or similar sources. Energy demand is more directly tied to production, and even associated mobile source emissions will likely fall within narrower predictive windows.

Implementing CEQA Without a Threshold

A lead agency is not required to establish significance thresholds for GHG emissions from stationary sources. The lead agency may find that it needs more information or experience evaluating GHG from these types of projects to determine an appropriate significance threshold. As with other project types, the lead agency could conduct a project specific analysis to determine whether an environmental impact report is needed and to determine the level of mitigation that is appropriate. The agency might also rely on thresholds established for criteria pollutants as a screening method, and analyze GHG emissions (and require mitigation) from projects with emissions above the criteria pollutant thresholds. Over time, the agency could amass information and experience with specific project categories that would support establishing explicit thresholds. The lead agency may also choose to base local CEQA thresholds on state guidelines or on the category-specific reduction targets established by ARB in its scoping plan for implementing AB32. Resource constraints and other considerations associated with implementing CEQA without GHG thresholds for stationary sources would be similar to those outlined for other types of projects (see Chapter 5 – No Threshold Option).

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Implementing CEQA with Threshold of Zero

A lead agency may find that any increase in GHG emissions is potentially significant under CEQA. The resources and other considerations for implementing a threshold of zero for stationary sources are the same as those outlined for other types of projects (see Chapter 6 – Zero Threshold Option).

Implementing CEQA with a Non-Zero Threshold

A lead agency may identify one or more non-zero thresholds for significance of emissions of GHG from stationary sources. The agency could elect to rely on existing thresholds for reviewing new or modified stationary sources of GHG, if the state or local air district has established any. The agency could also apply the threshold(s) established for non-stationary sources to GHG emissions from stationary sources. Significance thresholds could also be established by ordinance, rule, or policy for a given category of stationary sources; this approach is especially conducive to a tiered threshold approach. For example, the agency could establish significance and mitigation tiers for stationary compression-ignition diesel-fueled generators. Under such an approach, the project proponent could be first required to use a lower GHG-emitting power source if feasible, and if not, to apply mitigation based on the size of the generator and other defined considerations, such as hours of operation. Certain classes of generators could be found to be insignificant under CEQA (e.g., those used for emergency stand-by power only, with a limit on the annual hours of use). As with non-stationary projects, the goal of establishing non-zero thresholds is to maximize environmental protection, while minimizing resources used. Resource and other considerations outlined for non-stationary projects are applicable here (see Chapter 7 – Non-Zero Threshold Options).

Implementing CEQA with Different Thresholds for Stationary and Non-stationary Projects

Although a lead agency may apply the same thresholds to stationary and non-stationary projects, it is not required to do so. There are, in fact, some important distinctions between the two types of projects that could support applying different thresholds. The lead agency should consider the methods used to estimate emissions. Are the estimates a "best/worst reasonable scenario" or are they based on theoretical maximum operation? How accurate are the estimates (are they based on models, simulations, emission factors, source test data, manufacturer specifications, etc.)? To what extent could emissions be reduced through regulations after the project is constructed if they were found to be greater than originally expected (i.e., is it possible to retrofit emissions control technology onto the source(s) of GHG at a later date, how long is the expected project life, etc.)? Are there emission limits or emissions control regulations (such as New Source Review) that provide certainty that emissions will be mitigated? Generally, stationary source emissions are based on maximum emissions (theoretical or allowed under law or regulation), are more accurate, and are more amenable to retrofit at a later time than non-stationary source emissions. It is also more likely that category specific

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rules or some form of NSR will apply to stationary sources than non-stationary projects. Notwithstanding, it is almost always more effective and cost-efficient to apply emission reduction technology at the design phase of a project. There are, therefore, a number of considerations that need to be evaluated and weighed before establishing thresholds – and which may support different thresholds for stationary and non-stationary projects. Furthermore, the considerations may change over time as new regulations are established and as emissions estimation techniques and control technology evolves.

Direct GHG Emissions from Stationary Sources

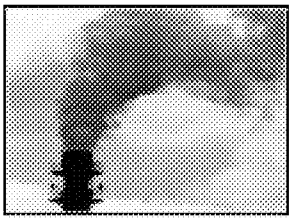

The main focus of this paper has been the consideration of projects that do not, in the main, involve stationary sources of air pollution, because stationary source projects are generally a smaller percentage of the projects seen by most local land use agencies. That said, some discussion of stationary sources is warranted. As the broader program for regulating GHG from these sources is developed, the strategies for addressing them under CEQA will likely become more refined.

The primary focus of analysis of stationary source emissions has traditionally been those pollutants that are directly emitted by the source, whether through a stack or as fugitive releases (such as leaks). CAPCOA conducted a simplified analysis of permitting activity to estimate the number of stationary source projects with potentially significant emissions of greenhouse gases that might be seen over the course of a year. This analysis looked only at stationary combustion sources (such as boilers and generators), and only considered direct emissions. A lead agency under CEQA may see a different profile of projects than the data provided here suggest, depending on what other resources are affected by projects. In addition, air districts review like-kind replacements of equipment to ensure the new equipment meets current standards, but such actions might not constitute a project for many land use agencies or other media regulators. The data does provide a useful benchmark, however, for lead agencies to assess the order of magnitude of potential stationary source projects. A similar analysis is included for non-stationary projects in Chapter 7.

Table 1: Analysis of GHG Emissions from Stationary Combustion Equipment Permits[3]

	BAAQMD	SMAQMD	SJVUAPCD	SCAQMD
Total Applications for Year	1499	778	1535	1179
Affected at threshold of:				
900 metric tons/year	26	43	63	108
10,000 metric tons/year	7	5	26	8
25,000 metric tons/year	3	1	11	4

[3] District data varies based on specific local regulations and methodologies.

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Emissions from Energy Use

In addition to the direct emissions of GHG from stationary projects, CEQA will likely need to consider the project's projected energy use. This could include an analysis of opportunities for energy efficiency, onsite clean power generation (e.g., heat/energy recovery, co-generation, geothermal, solar, or wind), and the use of dedicated power contracts as compared to the portfolio of generally available power. In some industries, water use and conservation may provide substantial GHG emissions reductions, so the CEQA analysis should consider alternatives that reduce water consumption and wastewater discharge. The stationary project may also have the opportunity to use raw or feedstock materials that have a smaller GHG footprint; material substitution should be evaluated where information is available to do so.

Emissions from Associated Mobile Sources

The stationary project will also include emissions from associated mobile sources. These will include three basic components: emissions from employee trips, emissions from delivery of raw or feedstock materials, and emissions from product transport. Employee trips can be evaluated using trip estimation as is done for non-stationary projects, and mitigations would include such measures as providing access to and incentives for use of public transportation, accessibility for bicycle and pedestrian modes of transport, employer supported car or vanpools (including policies such as guaranteed rides home, etc). Upstream and downstream emissions related to goods movement can also be estimated with available models. The evaluation will need to determine the extent of the transport chain that should be included (to ensure that all emissions in the chain have been evaluated and mitigated, but to avoid double counting). Mitigations could include direct actions by operators who own their own fleet, or could be implemented through contractual arrangements with independent carriers; again, the evaluation will need to consider how far up and down the chain mitigation is feasible and can be reasonably required.

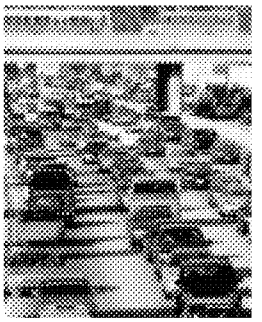

Comparing Emissions Changes Across Pollutant Categories

The potential exists for certain GHG reduction measures to increase emissions of criteria and toxic pollutants known to cause or aggravate respiratory, cardiovascular, and other health problems. For instance, GHG reduction efforts such as alternative fuels and methane digesters may create significant levels of increased pollutants that are detrimental to the health of the nearby population (e.g.; particulate matter, ozone precursors, toxic air contaminants). Such considerations should be included in any CEQA analysis of a project's environmental impacts. While there are many win-win

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strategies that can reduce both GHG and criteria/toxic pollutant emissions, when faced with situations that involve tradeoffs between the two, the more immediate public health concerns that may arise from an increase in criteria or toxic pollutant emissions should take precedence. GHG emission reductions could be achieved offsite through other mitigation programs.

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Introduction

Under state law, it is the purview of each lead agency to determine what, if any, significance thresholds will be established to guide its review of projects under CEQA. While the state does provide guidelines for implementing CEQA, the guidelines have left the decision of whether to establish thresholds (and if so, at what level) to individual lead agencies. Frequently, lead agencies consult with resource-specific agencies (such as air districts) for assistance in determining what constitutes a significant impact on that specific resource.

With the passage of AB 32, the ARB has broad authority to regulate GHG emissions as necessary to meet the emission reduction goals of the statute. This may include authority to establish emission reduction requirements for new land use projects, and may also enable them to recommend statewide thresholds for GHG under CEQA.

In developing this white paper, CAPCOA recognizes that, as the GHG reduction program evolves over time, GHG thresholds and other policies and procedures for CEQA may undergo significant revision, and that uniform statewide thresholds and procedures may be established. This paper is intended to serve as a resource for public agencies until such time that statewide guidance is established, recognizing that decisions will need to be made about GHG emissions from projects before such guidance is available. This paper is not, however, uniform statewide guidance. As stated before, it outlines several possible approaches without endorsing any one over the others.

Some air districts may choose to use this paper to support their establishment of guidance for GHG under CEQA, including thresholds. This paper does not, nor should it be construed to require a district to implement any of the approaches evaluated here. Decisions about whether to provide formal local guidance on CEQA for projects with GHG emissions, including the question of thresholds, will be made by individual district boards.

Each of the 35 air districts operates independently and has its own set of regulations and programs to address the emissions from stationary, area and mobile sources, consistent with state and federal laws, regulations, and guidelines. The independence of the districts allows specific air quality problems to be addressed on a local level. In addition, districts have also established local CEQA thresholds of significance for criteria pollutants – also to address the specific air quality problems relative to that particular district.

The overall goal of air district thresholds is to achieve and maintain health based air quality standards within their respective air basins and to reduce transport of emissions to other air basins. In establishing recommended thresholds, air districts consider the existing emission inventory of criteria pollutants and the amount of emission reductions needed to attain and maintain ambient air quality standards.

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However, unlike criteria pollutants where individual districts are characterized by varying levels of pollutant concentrations and source types, greenhouse gases (GHG) and their attendant climate change ramifications are a global problem and, therefore, may suggest a uniform approach to solutions that ensure both progress and equity.

Under SB97, the Office of Planning and Research is directed to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions through CEQA by July 1, 2009. Those guidelines may recommend thresholds. As stated, this paper is intended to provide a common platform of information and tools to support local decision makers until such time that statewide guidance or requirements are promulgated.

Local Ability to Promulgate District-Specific GHG Thresholds

One of the primary reasons behind the creation of air districts in California is the recognition that some regions within the state face more critical air pollution problems than others and, as has often been pointed out – one size does not fit all. For example, a "Serious" federal nonattainment district would need greater emission reductions than a district already in attainment – and, therefore, the more "serious" district would set its criteria pollutant CEQA thresholds of significance much lower than the air district already in attainment.

The action of GHGs is global in nature, rather than local or regional (or even statewide or national). Ultimately there may be a program that is global, or at least national in scope. That said, actions taken by a state, region, or local government can contribute to the solution of the global problem. Local governments are not barred from developing and implementing programs to address GHGs. In the context of California and CEQA, lead agencies have the primary responsibility and authority to determine the significance of a project's impacts.

Further, air districts have primary authority under state law for "control of air pollution from all sources, other than emissions from motor vehicles." (H&SC §40000) The term air contaminant or "air pollutant" is defined extremely broadly, to mean "any discharge, release, or other propagation into the atmosphere" and includes, but is not limited to, soot, carbon, fumes, gases, particulate matter, etc. Greenhouse gases and other global warming pollutants such as black carbon would certainly be included in this definition, just as the U.S. Supreme Court held in Massachusetts v. EPA that greenhouse gases were air pollutants under the federal Clean Air Act. Therefore, air districts have the primary authority to regulate global warming pollutants from nonvehicular sources. AB 32 does not change this result. Although it gives wide responsibility to CARB to regulate greenhouse gases from all sources, including nonvehicular sources, it does not preempt the districts. AB 32 specifically states That "nothing in this division shall limit or expand the existing authority of any district..."(H&SC § 38594). Thus, districts and CARB retain concurrent authority over nonvehicular source greenhouse gas emissions.

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Introduction

The CEQA statutes do not require an air district or any lead agency to establish significance thresholds under CEQA for any pollutant. While there are considerations that support the establishment of thresholds (which are discussed in other sections of this document), there is no obligation to do so.

An air district or other lead agency may elect not to establish significance thresholds for a number of reasons. The agency may believe that the global nature of the climate change problem necessitates a statewide or national framework for consideration of environmental impacts. SB 97 directs OPR to develop "guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions by July 1, 2009," and directs the California Resources Agency to certify and adopt the guidelines by June 30, 2010.

An agency may also believe there is insufficient information to support selecting one specific threshold over another. As described earlier, air districts have historically set CEQA thresholds for air pollutants in the context of the local clean air plan, or (in the case of toxic air pollutants) within the framework of a rule or policy that manages risks and exposures due to toxic pollutants. There is no current framework that would similarly manage impacts of greenhouse gas pollutants, although the CARB is directed to establish one by June 30, 2009, pursuant to AB 32. A local agency may decide to defer any consideration of thresholds until this framework is in place.

Finally, an agency may believe that the significance of a given project should be assessed on a case-by-case basis in the context of the project at the time it comes forward.

Implementing CEQA Without Significance Thresholds for GHG

The absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA. The implications of not having a threshold are different depending on the role the agency has under CEQA – whether it is acting in an advisory capacity, as a responsible agency, or as a lead agency.

Implications of No Thresholds for an Agency Acting in an Advisory Capacity

Air districts typically act in an advisory capacity to local governments in establishing the framework for environmental review of air pollution impacts under CEQA. This may include recommendations regarding significance thresholds, analytical tools to assess emissions and impacts, and mitigations for potentially significant impacts. Although districts will also address some of these issues on a project-specific basis as responsible agencies, they may provide general guidance to local governments on these issues that

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are program wide, and these are advisory (unless they have been established by regulation).

An air district that has not established significance thresholds for GHG will not provide guidance to local governments on this issue. This does not prevent the local government from establishing thresholds under its own authority. One possible result of this would be the establishment of different thresholds by cities and counties within the air district. Alternatively, the air district could advise local governments not to set thresholds and those jurisdictions may follow the air district's guidance.

It is important to note here (as has been clearly stated by the Attorney General in comments and filings) that lack of a threshold does *not* mean lack of significance. An agency may argue lack of significance for any project, but that argument would have to be carried forth on a case-by-case, project specific basis. By extension then, a decision not to establish thresholds for GHG is likely to result in a greater workload for responsible and lead agencies as they consider individual projects under CEQA.

Implications of No Thresholds for a Responsible Agency

If there are no established thresholds of significance, the significance of each project will have to be determined during the course of review. The responsible agency (e.g., the air district) will review each project referred by the lead agency. The review may be qualitative or quantitative in nature. A qualitative review would discuss the nature of GHG emissions expected and their potential effect on climate change as the district understands it. It could also include a discussion of the relative merits of alternative scenarios. A quantitative analysis would evaluate, to the extent possible, the expected GHG emissions; it would also need to evaluate their potential effect on climate change and might include corresponding analysis of alternatives. The air district, as a responsible agency, may also identify mitigation measures for the project.

The lack of established thresholds will make the determination of significance more resource intensive for each project. The district may defer to the lead agency to make this determination, however the district may be obligated, as a responsible agency, to evaluate the analysis and determination.

Implications of No Thresholds for a Lead Agency

The main impact of not having significance thresholds will be on the primary evaluation of projects by the lead agency. Without significance thresholds, the agency will have to conduct some level of analysis of every project to determine whether an environmental impact report is needed. There are three fundamental approaches to the case-by-case analysis of significance, including presumptions of significance or insignificance, or no presumption:

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1. The agency can begin with a presumption of significance and the analysis would be used to support a case-specific finding of no significance. This is similar to establishing a threshold of zero, except that here, the "threshold" is rebuttable. This approach may result in a large number of projects proceeding to preparation of an environmental impact report. Because of the attendant costs, project proponents may challenge the determination of significance, although formal challenge is less likely than attempts to influence the determination.

2. The agency can begin with a presumption of insignificance, and the analysis would be used to support a case-specific finding of significance. A presumption of insignificance could be based on the perspective that it would be speculative to attempt to identify the significance of GHG emissions from a project relative to climate change on a global scale. This approach might reduce the number of projects proceeding to preparation of environmental impact reports. It is likely to have greater success with smaller projects than larger ones, and a presumption of *insignificance* may be more likely to be challenged by project opponents.

3. It is not necessary for the lead agency to have any presumption either way. The agency could approach each project from a *tabula rasa* perspective, and have the determination of significance more broadly tied to the specific context of the project; this approach is likely to be resource intensive, and creates the greatest uncertainty for project proponents. To the extent that it results in a lead agency approving similar projects based on different determinations of significance for GHG emissions, it may be more vulnerable to challenge from either proponents or opponents of the project. Alternatively, in the absence of either thresholds or presumptions, the lead agency could use each determination of significance to build its approach in the same way that subsequent judgments define the law.

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Relevant Citations

The full text of relevant citations is in Appendix A.

Public Resources Code – §21082.2, Significant Effect on Environment; Determination; Environmental Impact Report Preparation.

State CEQA Guidelines – §15064, Determining the Significance of the Environmental Effects Caused by a Project.

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Introduction

If an air district or lead agency determines that any degree of project-related increase in GHG emissions would contribute considerably to climate change and therefore would be a significant impact, it could adopt a zero-emission threshold to identify projects that would need to reduce their emissions. A lead agency may determine that a zero-emission threshold is justified even if other experts may disagree. A lead agency is not prevented from adopting any significance threshold it sees as appropriate, as long as it is based on substantial evidence.

If the zero threshold option is chosen, all projects subject to CEQA would be required to quantify and mitigate their GHG emissions, regardless of the size of the project or the availability of GHG reduction measures available to reduce the project's emissions. Projects that could not meet the zero-emission threshold would be required to prepare environmental impact reports to disclose the unmitigable significant impact, and develop the justification for a statement of overriding consideration to be adopted by the lead agency.

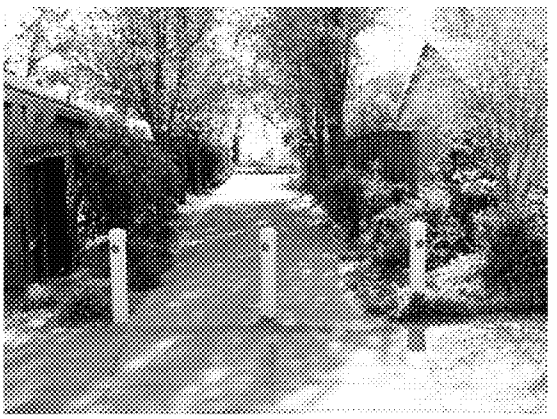

Implementing CEQA With a Zero Threshold for GHG

The scientific community overwhelmingly agrees that the earth's climate is becoming warmer, and that human activity is playing a role in climate change. Unlike other environmental impacts, climate change is a global phenomenon in that all GHG emissions generated throughout the earth contribute to it. Consequently, both large and small GHG generators cause the impact. While it may be true that many GHG sources are individually too small to make any noticeable difference to climate change, it is also true that the countless small sources around the globe combine to produce a very substantial portion of total GHG emissions.

A zero threshold approach is based on a belief that, 1) all GHG emissions contribute to global climate change and could be considered significant, and 2) not controlling emissions from smaller sources would be neglecting a major portion of the GHG inventory.

CEQA explicitly gives lead agencies the authority to choose thresholds of significance. CEQA defers to lead agency discretion when choosing thresholds. Consequently, a zero-emission threshold has merits.

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The CEQA review process for evaluating a project's impact on global climate change under the zero threshold option would involve several components. Air quality sections would be written by lead agencies to include discussions on climate change in CEQA documents, GHG emissions would be calculated, and a determination of significance would be made. The local air districts would review and comment on the climate change discussions in environmental documents. Lead agencies may then revise final EIRs to accommodate air district comments. More than likely, mitigation measures will be specified for the project, and a mitigation monitoring program will need to be put in place to ensure that these measures are being implemented.

Since CEQA requires mitigation to a less than significant level, it is conceivable that many projects subjected to a zero threshold could only be deemed less than significant with offsite reductions or the opportunity to purchase greenhouse gas emission reduction credits. GHG emission reduction credits are becoming more readily available however the quality of the credits varies considerably. High quality credits are generated by actions or projects that have clearly demonstrated emission reductions that are real, permanent, verifiable, enforceable, and not otherwise required by law or regulation. When the pre- or post-project emissions are not well quantified or cannot be independently confirmed, they are considered to be of lesser quality. Similarly, if the reductions are temporary in nature, they are also considered to be poor quality. Adoption of a zero threshold should consider the near-term availability and the quality of potential offsets.

There are also environmental justice concerns about the effects of using offsite mitigations or emission reduction credits to offset, or mitigate, the impacts of a new project. Although GHGs are global pollutants, some of them are emitted with co-pollutants that have significant near-source or regional impacts. Any time that increases in emissions at a specific site will be mitigated at a remote location or using emission reduction credits, the agency evaluating the project should ensure that it does not create disproportionate impacts.

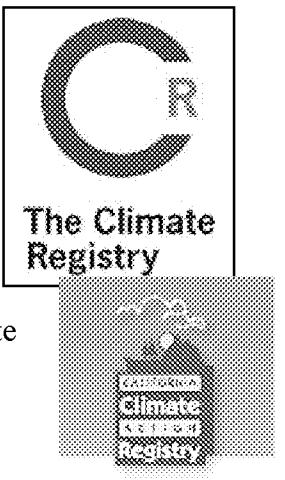

Administrative Considerations

If electing to pursue a zero threshold, an air district or lead agency should consider the administrative costs and the environmental review system capacity. Some projects that previously would have qualified for an exemption could require further substantial analysis, including preparation of a Negative Declaration (ND), a Mitigated Negative Declaration (MND) or an EIR. Moreover, the trade-offs between the volume of projects requiring review and the quality of consideration given to reviews should be considered. It may also be useful to consider whether meaningful mitigation can be achieved from smaller projects.

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Consideration of Exemptions from CEQA

A practical concern about identifying GHG emissions as a broad cumulative impact is whether the zero threshold option will preclude a lead agency from approving a large set of otherwise qualified projects utilizing a Categorical Exemption, ND, or MND. The results could be a substantial increase in the number of EIR's. This is a valid and challenging concern, particularly for any threshold approach that is based on a zero threshold for net GHG emission increases.

CEQA has specified exceptions to the use of a categorical exception. Specifically, CEQA Guidelines §15300.2 includes the following exceptions:

"(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant."

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances."

These CEQA Guidelines sections could be argued to mean that any net increase in GHG emissions would preclude the use of a categorical exemption. However, as described below, if the following can be shown, then the exceptions above could be argued not to apply:

(1) Cumulative local, regional and/or state GHG emissions are being reduced or will be reduced by adopted, funded, and feasible measures in order to meet broader state targets.

(2) Mandatory state or local GHG reduction measures would apply to the project's emissions such that broader GHG reduction goals would still be met and the project contributions would not be cumulatively considerable.

(3) Project GHG emissions are below an adopted significance threshold designed to take into account the cumulative nature of GHG emissions.

A similar argument could be made relative to the use of a ND (provided no additional mitigation (beyond existing mandates) is required to control GHG emissions) and to the use of a MND instead of an EIR. However, due to the "fair argument" standard, which is discussed in Chapter 3, caution is recommended in use of a ND or MND unless all three elements above can be fully supported through substantial evidence and there is no substantial evidence to the contrary. Establishing a significance threshold of zero is likely to preclude the use of a categorical exemption.

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Relevant Citations

The full text of relevant citations is in Appendix A.

Public Resources Code – §21004, Mitigating or Avoiding a Significant Effect; Powers of Public Agency.

State CEQA Guidelines – §15064, Determining the Significance of the Environmental Effects Caused by a Project.

State CEQA Guidelines – §15130, Discussion of Cumulative Impacts.

State CEQA Guidelines – §15064.7, Thresholds of Significance.

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Introduction

A non-zero threshold could minimize the resources spent reviewing environmental analyses that do not result in real GHG reductions or to prevent the environmental review system from being overwhelmed. The practical advantages of considering non-zero thresholds for GHG significance determinations can fit into the concept regarding whether the project's GHG emissions represent a "considerable contribution to the cumulative impact" and therefore warrant analysis.

Specifying a non-zero threshold could be construed as setting a *de minimis* value for a cumulative impact. In effect, this would be indicating that there are certain GHG emission sources that are so small that they would not contribute substantially to the global GHG budget. This could be interpreted as allowing public agencies to approve certain projects without requiring any mitigation of their GHG. Any threshold framework should include a proper context to address the *de minimis* issue. However, the CEQA Guidelines recognize that there may be a point where a project's contribution, although above zero, would not be a *considerable contribution* to the cumulative impact and, therefore, not trigger the need for a significance determination.

GHG emissions from all sources are under the purview of CARB and as such may eventually be "regulated" no matter how small. Virtually all projects will result in some direct or indirect release of GHG. However, a decision by CARB to regulate a class of sources does not necessarily mean that an individual source in that class would constitute a project with significant GHG impacts under CEQA. For example, CARB has established criteria pollutant emission standards for automobiles, but the purchase and use of a single new car is not considered a project with significant impacts under CEQA. At the same time, it is important to note that it is likely that all meaningful sources of emissions, no matter how small are likely to be considered for regulation under AB 32. It is expected that projects will have to achieve some level of GHG reduction to comply with CARB's regulations meant to implement AB 32. As such all projects will have to play a part in reducing our GHG emissions budget and no project, however small, is truly being considered *de minimis* under CARB's regulations.

This chapter evaluates a range of conceptual approaches toward developing GHG significance criteria. The air districts retained the services of J&S an environmental consulting, firm to assist with the development of a Statute and Executive Order-based threshold (Approach 1) and a tiered threshold (Approach 2) based on a prescribed list of tasks and deliverables. Time and financial constraints limited the scope and depth of this analysis, however, the work presented here may be useful in developing interim guidance while AB 32 is being implemented. J&S recognized that approaches other than those described here could be used.

As directed, J&S explored some overarching issues, such as:

- what constitutes "new" emissions?

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- how should "baseline emissions" be established?
- what is cumulatively "considerable" under CEQA?
- what is "business as usual" ? and
- should an analysis include "life-cycle" emissions?

The answers to these issues were key to evaluating each of the threshold concepts.

Approach 1 – Statute and Executive Order Approach

Thresholds could be grounded in existing mandates and their associated GHG emission reduction targets. A project would be required to meet the targets, or reduce GHG emissions to the targets, to be considered less than significant.

AB 32 and S-3-05 target the reduction of statewide emissions. It should be made clear that AB 32 and S-3-05 do not specify that the emissions reductions should be achieved through uniform reduction by geographic location or by emission source characteristics. For example, it is conceivable, although unlikely, that AB 32 goals could be achieved by new regulations that only apply to urban areas or that only apply to the transportation and/or energy sector. However, this approach to evaluating GHG under CEQA is based on the presumption that a new project must at least be consistent with AB 32 GHG emission reduction mandates.

The goal of AB 32 and S-3-05 is the significant reduction of future GHG emissions in a state that is expected to rapidly grow in both population and economic output. As such, there will have to be a significant reduction in the per capita GHG output for these goals to be met. CEQA is generally used to slow or zero the impact of new emissions, leaving the reduction of existing emission sources to be addressed by other regulatory means. With these concepts in mind, four options were identified for statute/executive order-based GHG significance thresholds and are described below.

Threshold 1.1: AB 32/S-3-05 Derived Uniform Percentage-Based Reduction. AB 32 requires the state to reduce California-wide GHG emissions to 1990 levels by 2020. Reducing greenhouse gas emission levels from 2020 to 1990 levels could require a 28 to 33 percent reduction of business-as-usual GHG emissions depending on the methodology used to determine the future emission inventories. The exact percent reduction may change slightly once CARB finalizes its 1990 and 2020 inventory estimates. In this context, business-as-usual means the emissions that would have occurred in the absence of the mandated reductions. The details of the business-as-usual scenario are established by CARB in the assumptions it uses to project what the state's GHG emissions would have been in 2020, and the difference between that level and the level that existed in 1990 constitutes the reductions that must be achieved if the mandated goals are to be met.

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This threshold approach would require a project to meet a percent reduction target based on the average reductions needed from the business-as-usual emission from all GHG sources. Using the 2020 target, this approach would require all discretionary projects to achieve a 33 percent reduction from projected business-as-usual emissions in order to be considered less than significant. A more restrictive approach would use the 2050 targets. S-3-05 seeks to reduce GHG emissions to 80 percent below 1990 levels by 2050. To reach the 2050 milestone would require an estimated 90 percent reduction (effective immediately) of business-as-usual emissions. Using this goal as the basis for a significance threshold may be more appropriate to address the long-term adverse impacts associated with global climate change. Note that AB 32 and S-3-05 set emission inventory goals at milestone years; it is unclear how California will progress to these goals in non-milestone years.

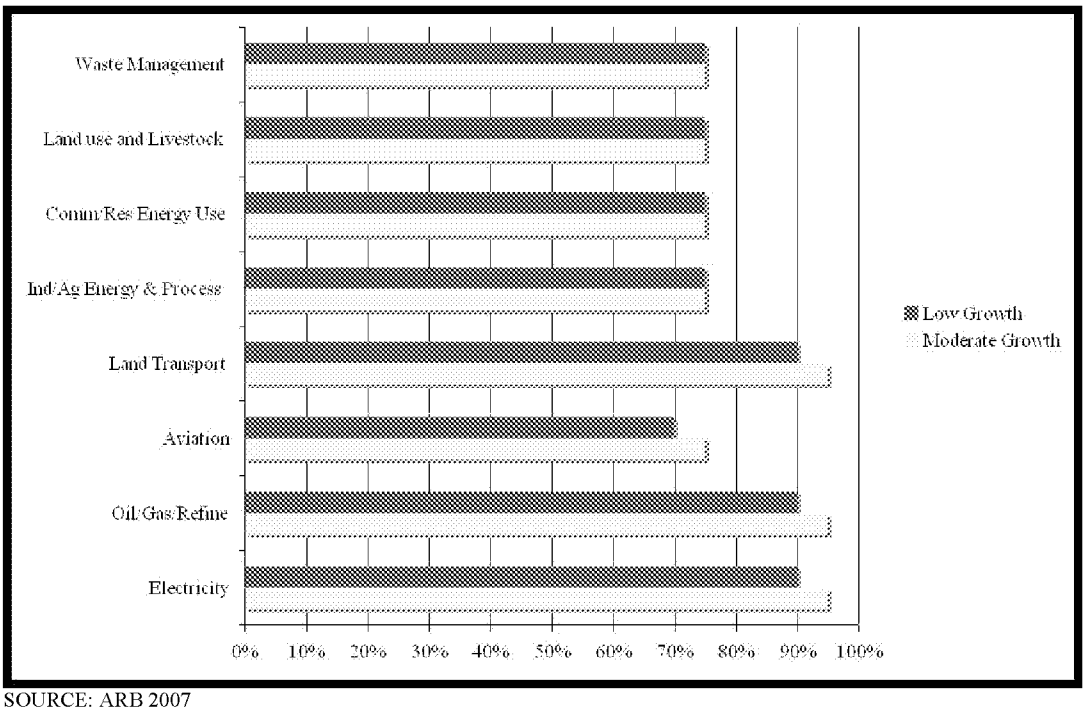

SOURCE: ARB 2007

Threshold 1.2: Uniform Percentage-Based (e.g.50%) Reduction for New Development. This threshold is based on a presumption that new development should contribute a greater percent reduction from business-as-usual because greater reductions can be achieved at lower cost from new projects than can be achieved from existing sources. This approach would establish that new development emit 50 percent less GHG emissions than business-as-usual development. This reduction rate is greater than the recommended reduction rate for meeting the Threshold 1.1 2020 target (33 percent) but is significantly less restrictive than the Threshold 1.1 2050 target reduction rate (90 percent). If a 50 percent GHG reduction were achieved from new development, existing emissions would have to be reduced by 25 to 30 percent in order to meet the 2020 emissions goal depending on the year used to determine the baseline inventory. Although this reduction goal is reasonable for achieving the 2020 goal, it would not be possible to

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reach the 2050 emissions target with this approach even if existing emissions were 100 percent controlled.

Threshold 1.3: Uniform Percentage-Based Reduction by Economic Sector. This threshold would use a discrete GHG reduction goal specific to the economic sector associated with the project. There would be specific reduction goals for each economic sector, such as residential, commercial, and industrial development. Specifying different reduction thresholds for each market sector allows selection of the best regulatory goal for each sector taking into account available control technology and costs. This approach would avoid over-regulating projects (i.e. requiring emissions to be controlled in excess of existing technology) or under-regulating projects (i.e. discouraging the use of available technology to control emissions in excess of regulations). This approach requires extensive information on the emission inventories and best available control technology for each economic sector. This data will be compiled as CARB develops its scoping plan under AB 32 and its implementing regulations; as a result, this approach will be more viable in the long term.

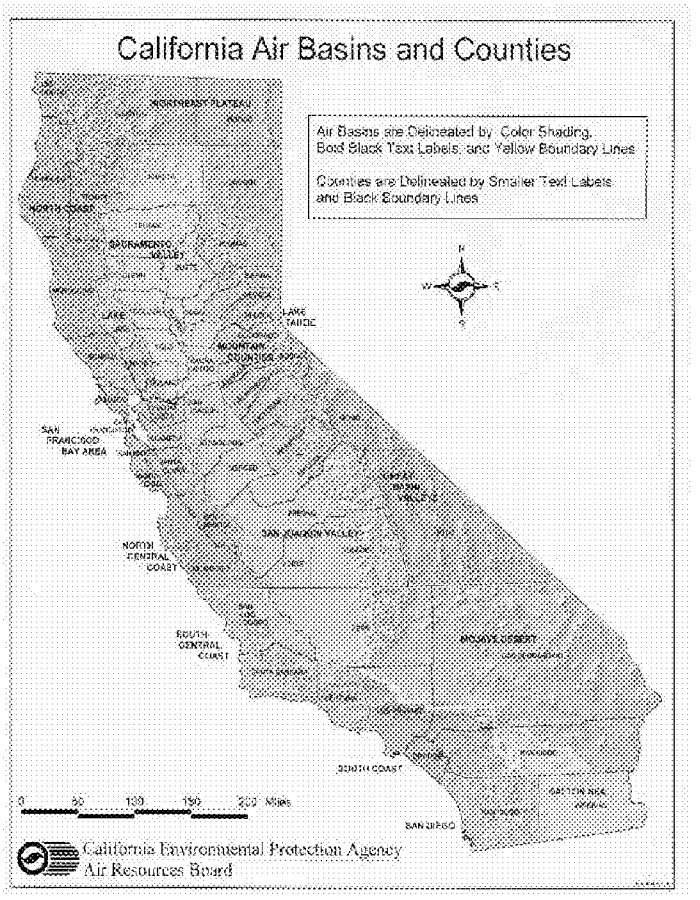

Threshold 1.4: Uniform Percentage-Based Reduction by Region. AB 32 and S-3-05 are written such that they apply to a geographic region (i.e. the entire state of California) rather than on a project or sector level. One could specify regions of the state such as the South Coast Air Basin, Sacramento Valley, or Bay Area which are required to plan (plans could be developed by regional governments, such as councils of governments) and demonstrate compliance with AB 32 and S-3-05 reduction goals at a regional level. To demonstrate that a project has less than significant emissions, one would have to show compliance with the appropriate regional GHG plan. Effectively this approach allows for analysis of GHG emissions at a landscape scale smaller than the state as a whole. Specifying regions in rough correlation to existing air basins or jurisdictional control allows for regional control of emissions and integration with regional emission reduction strategies for criteria and toxic air pollutants. Although differing GHG reduction controls for each region are possible, it is likely that all regions would be

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required to achieve 1990 emission inventories by the year 2020 and 80 percent less emissions by 2050. Threshold 1.4 is considered viable long-term significance criteria that is unlikely to be used in the short term.

Implementing CEQA Thresholds Based on Emission Reduction Targets

Characterizing Baseline and Project Emissions

While the population and economy of California is expanding, all new projects can be considered to contribute new emissions. Furthermore, GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. "Business-as-usual" is the projection of GHG emissions at a future date based on current technologies and regulatory requirements in absence of other reductions. For example to determine the future emissions from a power plant for "business-as-usual" one would multiply the projected energy throughput by the current emission factor for that throughput. If adopted regulations (such as those that may be promulgated by CARB for AB 32) dictate that power plant emissions must be reduced at some time in the future, it is appropriate to consider these regulation standards as the new business-as-usual for a future date. In effect, business-as-usual will continue to evolve as regulations manifest. Note that "business-as-usual" defines the CEQA No Project conditions, but does not necessarily form the baseline under CEQA. For instance, it is common to subtract the future traffic with and without a project to determine the future cumulative contribution of a project on traffic conditions. However, existing conditions at the time of issuance of the notice of preparation is normally the baseline.

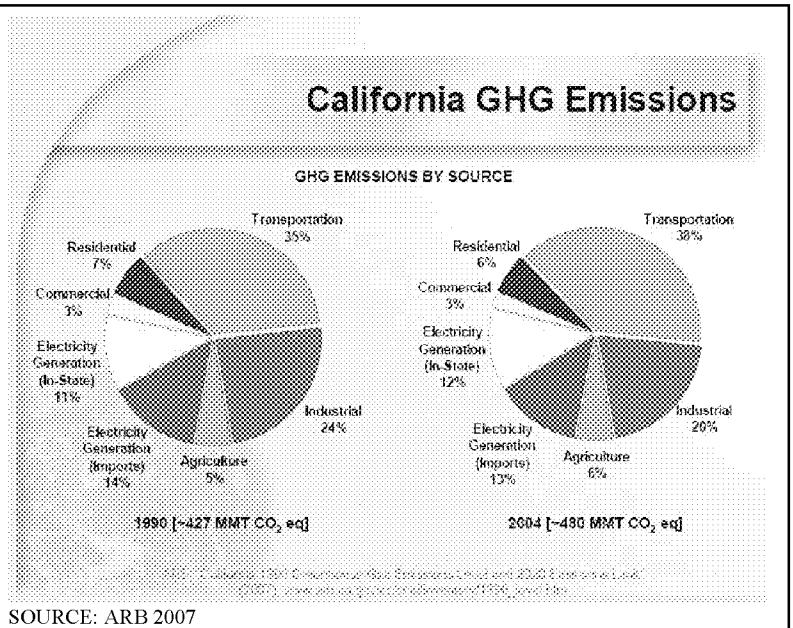

SOURCE: ARB 2007

Establishing Emission Reduction Targets

One of the obvious drawbacks to using a uniform percent reduction approach to GHG control is that it is difficult to allow for changes in the 1990 and future emission inventories estimates. To determine what emission reductions are required for new projects one would have to know accurately the 1990 budget and efficacy of other GHG promulgated regulations as a function of time. Since CARB will not outline its

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regulation strategy for several more years, it is difficult to determine accurately what the new project reductions should be in the short term. Future updates to the 1990 inventory could necessitate changes in thresholds that are based on that inventory. It is important to note that it is difficult to create near term guidance for a uniform reduction threshold strategy since it would require considerable speculation regarding the implementation and effectiveness of forthcoming CARB regulations.

Of greater importance are the assumptions used to make the projected 2020 emission inventories. Projecting future inventories over the next 15-50 years involves substantial uncertainty. Furthermore, there are likely to be federal climate change regulations and possibly additional international GHG emission treaties in the near future. To avoid such speculation, this paper defines all future emission inventories as hypothetical business-as-usual projections.

This white paper is intended to support local decisions about CEQA and GHG in the near term. During this period, it is unlikely that a threshold based on emission reduction targets would need to be changed. However, it is possible that future inventory updates will show that targets developed on the current inventory were not stringent enough, or were more stringent than was actually needed.

Approach 2 – Tiered Approach

The goal of a tiered threshold is to maximize reduction predictability while minimizing administrative burden and costs. This would be accomplished by prescribing feasible mitigation measures based on project size and type, and reserving the detailed review of an EIR for those projects of greater size and complexity. This approach may require inclusion in a General Plan, or adoption of specific rules or ordinances in order to fully and effectively implement it.

A tiered CEQA significance threshold could establish different levels at which to determine if a project would have a significant impact. The tiers could be established based on the gross GHG emission estimates for a project or could be based on the physical size and characteristics of the project. This approach would then prescribe a set of GHG mitigation strategies that would have to be incorporated into the project in order for the project to be considered less than significant.

The framework for a tiered threshold would include the following:

- disclosure of GHG emissions for all projects;
- support for city/county/regional GHG emissions reduction planning;
- creation and use of a “green list” to promote the construction of projects that have desirable GHG emission characteristics;
- a list of mitigation measures;

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- a decision tree approach to tiering; and
- quantitative or qualitative thresholds.

Decision-Tree Approach to Tiering

CEQA guidance that allows multiple methodologies to demonstrate GHG significance will facilitate the determination of significance for a broad range of projects/plans that would otherwise be difficult to address with a single non-compound methodology. Even though there could be multiple ways that a project can determine GHG significance using a decision-tree approach, only one methodology need be included in any single CEQA document prepared by the applicant. The presence of multiple methodologies to determine significance is designed to promote flexibility rather than create additional analysis overhead. Figure 1 shows a conceptual approach to significance determination using a tiered approach that shows the multiple routes to significance determination.

Figure 1 Detail Description

Figure 1 pictorially represents how an agency can determine a project's or plan's significance for CEQA analysis using the non-zero threshold methodology. The emissions associated with a project/plan are assumed to have a significant impact unless one can arrive at a less-than-significant finding by at least one of the methodologies below.

1. Demonstrate that a General Plan (GP) or Regional Plan is in Compliance with AB32

   - For most GPs or RPs this will require demonstration that projected 2020 emissions will be equal to or less than 1990 emissions.
   - GPs or RPs are expected to fully document 1990 and 2020 GHG emission inventories.
   - Projection of 2020 emissions is complicated by the fact that CARB is expected to promulgate emission reductions in the short term. Until explicit CARB regulations are in place, unmitigated GP 2020 emission inventories represent business-as-usual scenarios.
   - EIRs for GPs or RPs which demonstrate 2020 mitigated emissions are less than or equal to 1990 emissions are considered less than significant.

2. Demonstrate the Project is Exempt Based on SB 97

   - As specified in SB 97, projects that are funded under November 2006 Proposition 1B (Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act) and 1C (Disaster Preparedness and Flood Prevention Bond Act) may be exempt from analysis until January 1, 2010.

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Climate Change Significance Criteria Flow Chart

- This chart pictorially represents how an agency can determine a project's or plan's significance for CEQA analysis.
- The emissions associated with a project/plan are assumed to have a significant impact unless one can arrive at a less-than-significant finding by at least one of the methodologies below.

The Green List *(Conceptual Approach)*

- *Publish and update a list of projects and project types that are deemed a positive contribution to CA efforts to reduce GHG emissions.*
- *Consult the ARB and the AG prior to listing a project on the Green List to ensure consistency with ARB AB-32 efforts and to ensure that the Green List entries are consistent with how the AG office interprets AB-32 and GHG CEQA compliance.*
- *The Green List will be updated every 6 months or as major regulatory or legal developments unfold.*
- *Projects that are on the green list are to be considered less than significant for GHG emissions purposes.*
- *An example of a Green List entry would be a wind farm that had negligible construction emissions.*

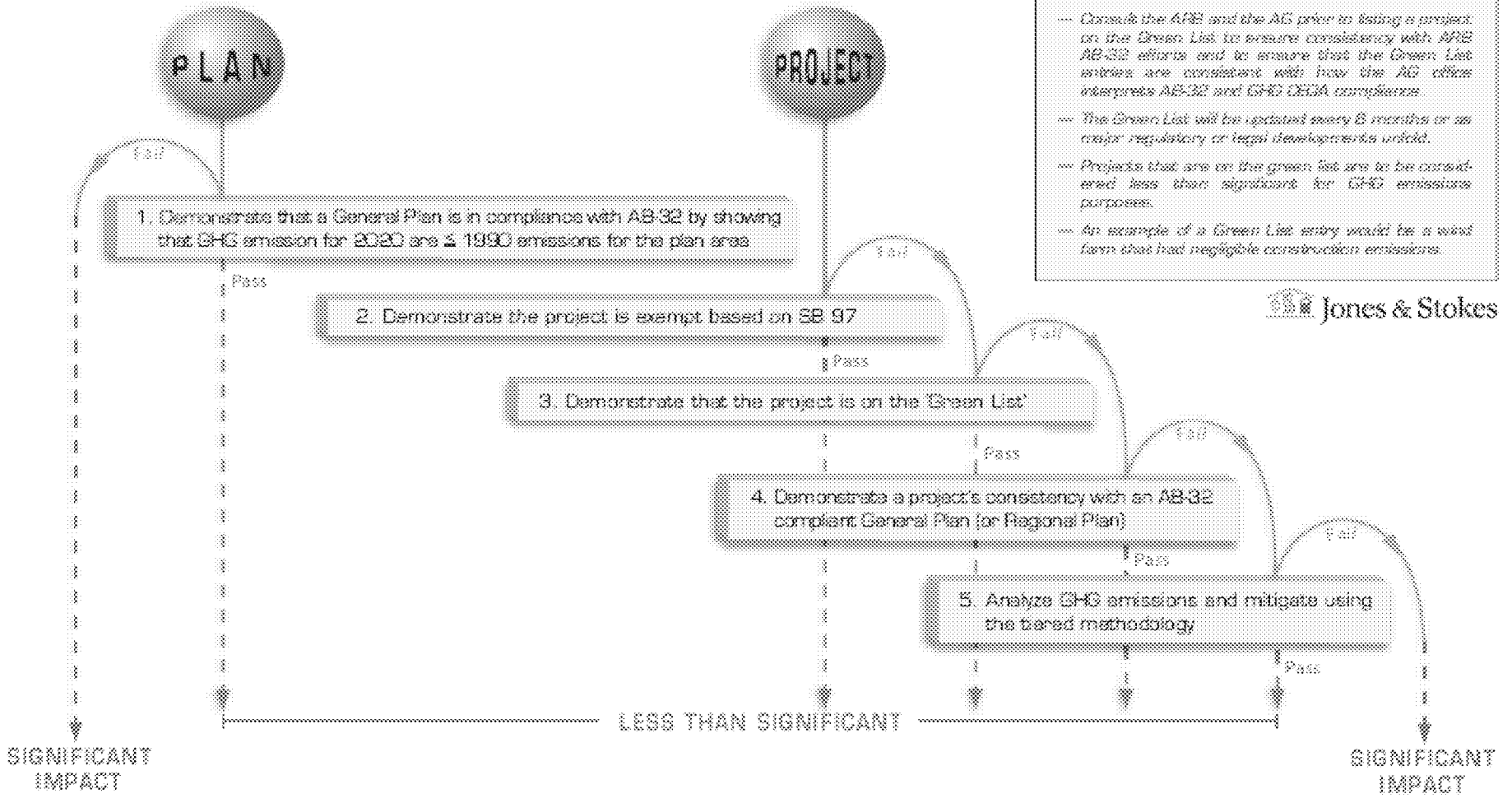

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Figure 1
Climate Change Significance Criteria Flow Chart

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- An exemption can be used in an ND, MND, or EIR to support a less than significant finding for GHG impacts.

3. Demonstrate that the Project is on the 'Green List'

- This list would include projects that are deemed a positive contribution to California efforts to reduce GHG emissions. If the project is of the type described on the Green List it is considered less than significant.
- If the Green List entry description requires mitigation for impacts other than GHG, this methodology can be used in MNDs or EIRs; if the Green List entry does not require mitigation this methodology can be used in NDs, MNDs, or EIRs.

4. Demonstrate a Project's Compliance with a General Plan

- If a project is consistent with an appropriate General Plan's Greenhouse Gas Reduction Plan (GGRP), a project can be declared less than significant.
- Note that at this time there are no known jurisdictions that have a GGRP that has been fully subject to CEQA review. While Marin County has adopted a forward-thinking GGRP and it is described in the most recent GP update, the associated EIR does not analyze the secondary environmental impacts of some of the GGRP measures such as tidal energy. While one can reference GGRPs that have not been reviewed fully in CEQA, to attempt to show a project's compliance with such a plan as evidence that the project's GHG emission contributions are less than significant may not be supported by substantial evidence that cumulative emissions are being fully addressed in the particular jurisdiction.
- Compliance with a CEQA-vetted GGRP can be cited as evidence for all CEQA documents (Categorical Exemption, ND, MND, and EIR).

5. Analyze GHG Emissions and Mitigate using the Tiered Methodology

- Guidance and mitigation methodology for various development projects (residential, commercial, industrial) are listed in the form of tiered thresholds. If a project incorporates the mitigation measures specified in the tiered threshold tables the project is considered less than significant.
- All project emissions are considered less than significant if they are less than the threshold(s).
- If the tiered approach requires mitigation, this methodology can be used in MNDs or EIRs; if the tiered approach does not require mitigation this methodology can be used in NDs, MNDs, or EIRs.

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The Green List

- The Green List would be a list of projects and project types that are deemed a positive contribution to California's efforts to reduce GHG emissions.
- If this approach is followed, it is suggested that CARB and the Attorney General (AG) are consulted prior to listing a project on the Green List to ensure consistency with CARB AB 32 efforts and to ensure that the Green List entries are consistent with how the AG office interprets AB 32 and GHG CEQA compliance.
- The Green List should be updated every 6 months or as major regulatory or legal developments unfold.
- Projects that are on the Green List are to be considered less than significant for GHG emissions purposes.
- A tentative list of potential Green List entries is presented below. Actual Green List entries should be far more specific and cover a broad range of project types and mitigation approaches. The list below is merely a proof-of-concept for the actual Green List.

1. Wind farm for the generation of wind-powered electricity
2. Extension of transit lines to currently developed but underserved communities
3. Development of high-density infill projects with easily accessible mass transit
4. Small hydroelectric power plants at existing facilities that generate 5 mw or less (as defined in Class 28 Categorical Exemption)
5. Cogeneration plants with a capacity of 50 mw or less at existing facilities (as defined in Class 29 Cat Exemption)
6. Increase in bus service or conversion to bus rapid transit service along an existing bus line
7. Projects with LEED "Platinum" rating
8. Expansion of recycling facilities within existing urban areas
9. Recycled water projects that reduce energy consumption related to water supplies that services existing development
10. Development of bicycle, pedestrian, or zero emission transportation infrastructure to serve existing regions

There are also several options for tiering and thresholds, as shown in Table 2 below. One could establish strictly numeric emissions thresholds and require mitigation to below the specific threshold to make a finding of less than significant. One could establish narrative emissions threshold that are based on a broader context of multiple approaches to GHG reductions and a presumption that projects of sufficiently low GHG intensity are less than significant.

In Concept 2A, a zero threshold would be applied to projects and thus only projects that result in a reduction of GHG emissions compared to baseline emissions would be less than significant absent mitigation. All projects would require quantified inventories. All projects that result in a net increase of GHG emissions would be required to mitigate their emissions to zero through direct mitigation or through fees or offsets or the impacts

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Table 2: Approach 2 Tiering Options

	Concept 2A Zero	Concept 2B Quantitative	Concept 2C Qualitative
Tier 1	Project results in a net reduction of GHG emissions *Less than Significant*	Project in compliance with an AB 32-compliant General/Regional Plan, on the Green List, or below Tier 2 threshold. Level 1 Reductions (Could include such measures as: bike parking, transit stops for planned route, Energy Star roofs, Energy Star appliances, Title 24, water use efficiency, etc.) *Less than Significant*	Project in compliance with an AB 32-compliant General/Regional Plan, on the Green List, or below Tier 2 threshold. Level 1 Reductions (See measures under 2B) *Less than Significant*
Tier 2	Project results in net increase of GHG emissions Mitigation to zero (including offsets) *Mitigated to Less than Significant*	Above Tier 2 threshold Level 2 Mitigation (Could include such measures as: Parking reduction beyond code, solar roofs, LEED Silver or Gold Certification, exceed Title 24 by 20%, TDM measures, etc.) *Mitigated to Less than Significant*	Above Tier 2 threshold Level 2 Mitigation (See measures under 2B) *Mitigated to Less than Significant*
Tier 3	Mitigation infeasible to reduce emissions to zero (e.g., cost of offsets infeasible for project or offsets not available) *Significant and Unavoidable*	Above Tier 2 threshold With Level 1, 2 Mitigation Level 3 Mitigation: (Could include such measures as: On-site renewable energy systems, LEED Platinum certification, Exceed Title 24 by 40%, required recycled water use for irrigation, zero waste/high recycling requirements, mandatory transit passes, offsets/carbon impact fees) *Mitigated to Less than Significant*	Above Tier 3 thresholds Quantify Emissions, Level 3 Mitigation (see measures under 2B), and Offsets for 90% of remainder *Significance and Unavoidable*

would be identified as significant and unavoidable. This could be highly problematic and could eliminate the ability to use categorical exemptions and negative declarations for a wide range of projects.

In Concepts 2B and 2C, the first tier of a tiered threshold includes projects that are within a jurisdiction with an adopted greenhouse gas reduction plan (GGRP) and General Plan/Regional Plan that is consistent with AB 32 (and in line with S-3-05), or are on the Green List, or are below the Tier 2 threshold. All Tier 1 projects would be required to implement mandatory reductions required due to other legal authority (Level 1 reductions) such as AB 32, Title 24, or local policies and ordinances. With Level 1

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reduction measures, qualifying Tier 1 projects would be considered less than significant without being required to demonstrate mitigation to zero.

In Concept 2B, the Tier 2 threshold would be quantitative, and quantified inventories would be required. Several quantitative threshold options are discussed below. A more comprehensive set of Level 2 mitigation would be required. If the project's emissions still exceed the Tier 2 threshold, an even more aggressive set of Level 3 mitigation measures would be required including offsets (when feasible) to reduce emissions below the Tier 2 threshold.

In Concept 2C, there would be two thresholds, a lower Tier 2 threshold (the "low bar") and a higher Tier 3 threshold (the "high bar"). The Tier 2 threshold would be the significance threshold for the purposes of CEQA and would be qualitative in terms of units (number of dwelling units, square feet of commercial space, etc.) or a per capita ratio. Projects above the Tier 2 threshold would be required to implement the comprehensive set of Level 2 mitigation. Projects below the Tier 2 threshold would not be required to quantify emissions or reductions. The Tier 3 threshold would be a threshold to distinguish the larger set of projects for which quantification of emissions would be required. Level 3 mitigation would be required and the project would be required to purchase offsets (when feasible) in the amount of 90 percent of the net emissions after application of Level 1 reductions and Level 2 and 3 mitigation. A variant on Concept 2C would be to require mandatory Level 3 mitigation without quantification and offsets.

Approach 2 Threshold Options

Seven threshold options were developed for this approach. The set of options are framed to capture different levels of new development in the CEQA process and thus allow different levels of mitigation. Options range from a zero first-tier threshold (Threshold 2.1) up to a threshold for GHG that would be equivalent to the capture level (i.e., number of units) of the current criteria pollutant thresholds used by some air districts (Threshold 2.4). The decision-based implementation approach discussed above could be used for any of these options. Table 3 below compares the results of each of the approaches discussed here.

Threshold 2.1: Zero First Tier Tiered Threshold.

This option would employ the decision tree concept and set the first tier cut-point at zero. The second tier cut-point could be one of the qualitative or quantitative thresholds discussed below. First-tier projects would be required to implement a list of very feasible and readily available mitigation measures.

Threshold 2.2: Quantitative Threshold Based on Market Capture

A single quantitative threshold was developed in order to ensure capture of 90 percent or more of likely future discretionary developments. The objective was to set the emission

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threshold low enough to capture a substantial fraction of future residential and non-residential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions.

The quantitative threshold was created by using the following steps:

- Reviewing data from four diverse cities (Los Angeles in southern California and Pleasanton, Dublin, and Livermore in northern California) on pending applications for development.

- Determining the unit (dwelling unit or square feet) threshold that would capture approximately 90 percent of the residential units or office space in the pending application lists.

- Based on the data from the four cities, the thresholds selected were 50 residential units and 30,000 square feet of commercial space.

- The GHG emissions associated with 50 single-family residential units and 30,000 square feet of office were estimated and were found to be 900 metric tons and 800 metric tons, respectively. Given the variance on individual projects, a single threshold of 900 metric tons was selected for residential and office projects.

- A 900 metric ton threshold was also selected for non-office commercial projects and industrial projects to provide equivalency for different projects in other economic sectors.

- If this threshold is preferred, it is suggested that a more robust data set be examined to increase the representativeness of the selected thresholds. At a minimum, a diverse set of at least 20 cities and/or counties from throughout the state should be examined in order to support the market capture goals of this threshold. Further, an investigation of market capture may need to be conducted for different commercial project types and for industrial projects in order to examine whether multiple quantitative emissions thresholds or different thresholds should be developed.

The 900-ton threshold corresponds to 50 residential units, which corresponds to the 84th percentile of projects in the City of Los Angeles, the 79th percentile in the City of Pleasanton, the 50th percentile in the City of Livermore and the 4th percentile in the City of Dublin. This is suggestive that the GHG reduction burden will fall on larger projects that will be a relatively small portion of overall projects within more developed central cities (Los Angeles) and suburban areas of slow growth (Pleasanton) but would be the higher portion of projects within moderately (Livermore) or more rapidly developing areas (Dublin). These conclusions are suggestive but not conclusive due to the small sample size. The proposed threshold would exclude the smallest proposed developments

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from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. While this would exclude perhaps 10 percent of new residential development, the capture of 90 percent of new residential development would establish a strong basis for demonstrating that cumulative reductions are being achieved across the state. It can certainly serve as an interim measure and could be revised if subsequent regulatory action by CARB shows that a different level or different approach altogether is called for.

The 900-ton threshold would correspond to office projects of approximately 35,000 square feet, retail projects of approximately 11,000 square feet, or supermarket space of approximately 6,300 square feet. 35,000 square feet would correspond to the 46th percentile of commercial projects in the City of Los Angeles, the 54th percentile in the City of Livermore, and the 35th percentile in the City of Dublin. However, the commercial data was not separated into office, retail, supermarket or other types, and thus the amount of capture for different commercial project types is not known. The proposed threshold would exclude smaller offices, small retail (like auto-parts stores), and small supermarkets (like convenience stores) from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA but would include many medium-scale retail and supermarket projects.

The industrial sector is less amenable to a unit-based approach given the diversity of projects within this sector. One option would be to adopt a quantitative GHG emissions threshold (900 tons) for industrial projects equivalent to that for the residential/commercial thresholds described above. Industrial emissions can result from both stationary and mobile sources. CARB estimates that their suggested reporting threshold for stationary sources of 25,000 metric tons accounts for more than 90 percent of the industrial sector GHG emissions (see Threshold 2.3 for 25,000 metric ton discussion). If the CARB rationale holds, then a 900 metric ton threshold would likely capture at least 90 percent (and likely more) of new industrial and manufacturing sources. If this approach is advanced, we suggest further examination of industrial project data to determine market capture.

This threshold would require the vast majority of new development emission sources to quantify their GHG emissions, apportion the forecast emissions to relevant source categories, and develop GHG mitigation measures to reduce their emissions.

Threshold 2.3: CARB Reporting Threshold

CARB has recently proposed to require mandatory reporting from cement plants, oil refineries, hydrogen plants, electric generating facilities and electric retail providers, cogeneration facilities, and stationary combustion sources emitting $\geq$ 25,000 MT CO_2e/yr. AB 32 requires CARB to adopt a regulation to require the mandatory reporting and verification of emissions. CARB issued a preliminary draft version of its proposed reporting requirements in August 2007 and estimates that it would capture 94 percent of the GHG emissions associated with stationary sources.

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This threshold would use 25,000 metric tons per year of GHG as the CEQA significance level. CARB proposed to use the 25,000 metric tons/year value as a reporting threshold, not as a CEQA significance threshold that would be used to define mitigation requirements. CARB is proposing the reporting threshold to begin to compile a statewide emission inventory, applicable only for a limited category of sources (large industrial facilities using fossil fuel combustion).

A 25,000 metric ton significance threshold would correspond to the GHG emissions of approximately 1,400 residential units, 1 million square feet of office space, 300,000 square feet of retail, and 175,000 square feet of supermarket space. This threshold would capture far less than half of new residential or commercial development.

As noted above, CARB estimates the industrial-based criteria would account for greater than 90 percent of GHG emissions emanating from stationary sources. However, industrial and manufacturing projects can also include substantial GHG emissions from mobile sources that are associated with the transportation of materials and delivery of products. When all transportation-related emissions are included, it is unknown what portion of new industrial or manufacturing projects a 25,000-ton threshold would actually capture.

An alternative would be to use a potential threshold of 10,000 metric tons considered by the Market Advisory Committee for inclusion in a Greenhouse Gas Cap and Trade System in California. A 10,000 metric ton significance threshold would correspond to the GHG emissions of approximately 550 residential units, 400,000 square feet of office space, 120,000 square feet of retail, and 70,000 square feet of supermarket space. This threshold would capture roughly half of new residential or commercial development.

Threshold 2.4: Regulated Emissions Inventory Capture

Most California air districts have developed CEQA significance thresholds for NOx and ROG emissions to try to reduce emissions of ozone precursors from proposed sources that are not subject to NSR pre-construction air quality permitting. The historical management of ozone nonattainment issues in urbanized air districts is somewhat analogous to today's concerns with greenhouse gas emissions in that regional ozone concentrations are a cumulative air quality problem caused by relatively small amounts of NOx and ROG emissions from thousands of individual sources, none of which emits enough by themselves to cause elevated ozone concentrations. Those same conditions apply to global climate change where the environmental problem is caused by emissions from a countless number of individual sources, none of which is large enough by itself to cause the problem. Because establishment of NOx/ROG emissions CEQA significance thresholds has been a well-tested mechanism to ensure that individual projects address cumulative impacts and to force individual projects to reduce emissions under CEQA, this threshold presumes the analogy of NOx/ROG emission thresholds could be used to develop similar GHG thresholds.

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The steps to develop a GHG emission threshold based on the NOx/ROG analogy were as follows:

- For each agency, define its NOx/ROG CEQA thresholds.
- For each agency, define the regional NOx/ROG emission inventory the agency is trying to regulate with its NOx/ROG thresholds.
- For each agency, calculate the percentage of the total emission inventory for NOx represented by that agency's CEQA emission threshold. That value represents the "minimum percentage of regulated inventory" for NOx.
- The current (2004) California-wide GHG emission inventory is 499 million metric tons per year of CO_2 equivalent (MMT CO_2e). Apply the typical "minimum percentage of regulated inventory" value to the statewide GHG inventory, to develop a range of analogous GHG CEQA thresholds.

The preceding methodology was applied to two different air quality districts: the Bay Area Air Quality Management District (BAAQMD), a mostly-urbanized agency within which most emissions are generated from urban areas; and the San Joaquin Valley Air Pollution Control District (SJVAPCD), which oversees emissions emanating in part from rural areas that are generated at dispersed agricultural sources and area sources. For example, in the Bay Area the NOx threshold is 15 tons/year. The total NOx inventory for 2006 was 192,000 tons/year (525 tons/day). The threshold represents 0.008 percent of the total NOx inventory. Applying that ratio to the total statewide GHG emissions inventory of 499 MMT CO_2e (2004) yields an equivalent GHG threshold of 39,000 MMT CO_2e.

The range of analogous CEQA GHG thresholds derived from those two agencies is tightly clustered, ranging from 39,000 to 46,000 tons/year. A 39,000 to 46,000 metric ton threshold would correspond to the GHG emissions of approximately 2,200 to 2,600 residential units, 1.5 to 1.8 million square feet of office space, 470,000 to 560,000 square feet of retail, and 275,000 to 320,000 square feet of supermarket space. This threshold would capture far less than half of new residential or commercial development. Similarly, this threshold would capture less of new industrial/manufacturing GHG emissions inventory than Thresholds 2.2 or 2.3.

Threshold 2.5: Unit-Based Thresholds Based on Market Capture

Unit thresholds were developed for residential and commercial developments in order to capture approximately 90 percent of future development. The objective was to set the unit thresholds low enough to capture a substantial fraction of future housing and commercial developments that will be constructed to accommodate future statewide population and job growth, while setting the unit thresholds high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions. Sector-based thresholds were created by using the same steps

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and data used to create Threshold 2.2- Quantitative Threshold Based on Market Capture above.

The distribution of pending application data suggests that the GHG reduction burden will fall on larger projects that will be a relatively small portion of overall projects within more developed central cities and suburban areas of slow growth but would be the higher portion of projects within moderately or rapidly developing areas. The proposed threshold would exclude the smallest proposed developments from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. While this would exclude perhaps 10 percent of new residential development, the capture of 90 percent of new residential development would establish a strong basis for demonstrating that cumulative reductions are being achieved across the state. It can certainly serve as an interim measure and could be revised if subsequent regulatory action by CARB shows that a different level or different approach altogether is called for.

A similar rationale can be applied to the development of a commercial threshold. Threshold 2.5 would exclude many smaller businesses from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. It should be noted that the GHG emissions of commercial projects vary substantially. For example, the carbon dioxide emissions associated with different commercial types were estimated as follows:

- 30,000 square-foot (SF) office = 800 metric tons/year CO_2
- 30,000 SF retail = 2,500 metric tons/year CO_2
- 30,000 SF supermarket = 4,300 metric tons/year CO_2

Thus, in order to assure appropriate market capture on an emissions inventory basis, it will be important to examine commercial project size by type, instead of in the aggregate (which has been done in this paper).

The industrial sector is less amenable to a unit-based approach given the diversity of projects within this sector. One option would be to use a quantitative threshold of 900 tons for industrial projects in order to provide for rough equivalency between different sectors. Industrial emissions can result from both stationary and mobile sources. However, if the CARB rationale for > 90 percent stationary source capture with a threshold of 25,000 metric tons holds, then a 900 metric ton threshold would likely capture at least 90 percent (and likely more) of new industrial sources. Further examination of unit-based industrial thresholds, such as the number of employees or manufacturing floor space or facility size, may provide support for a unit-based threshold based on market capture.

This threshold would require the vast majority of new development emission sources to quantify their GHG emissions, apportion the forecast emissions to relevant source categories, and develop GHG mitigation measures to reduce their emissions.

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Threshold 2.6. Projects of Statewide, Regional, or Areawide Significance

For this threshold, a set of qualitative, tiered CEQA thresholds would be adopted based on the definitions of "projects with statewide, regional or areawide significance" under the Guidelines for California Environmental Quality Act, CCR Title 14, Division 6, Section 15206(b).

Project sizes defined under this guideline include the following:

- Proposed residential development of more than 500 dwelling units.
- Proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
- Proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
- Proposed hotel/motel development of more than 500 rooms.
- Proposed industrial, manufacturing or processing plant or industrial park planned to house more than 1,000 persons, or encompassing more than 600,000 square feet of floor space.

These thresholds would correspond to the GHG emissions of approximately 9,000 metric tons for residential projects, 13,000 metric tons for office projects, and 41,000 metric tons for retail projects. These thresholds would capture approximately half of new residential development and substantially less than half of new commercial development. It is unknown what portion of the new industrial or manufacturing GHG inventory would be captured by this approach.

Threshold 2.7 Efficiency-Based Thresholds

For this approach, thresholds would be based on measurements of efficiency. For planning efforts, the metric could be GHG emissions per capita or per job or some combination thereof. For projects, the metric could be GHG emission per housing unit or per square foot of commercial space. In theory, one could also develop metrics for GHG emissions per dollar of gross product to measure the efficiency of the economy.

This approach is attractive because it seeks to benchmark project GHG intensity against target levels of efficiency. The thresholds would need to be set such that there is reasonably foreseeable and sufficient reductions compared to business as usual to support meeting AB 32 and S-3-05 goals in time (in combination with command and control regulations). Because this approach would require substantial data and modeling to fully develop, this is a concept considered as a potential future threshold and not appropriate

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for interim guidance in the short term. Thus, it is not evaluated in the screening evaluation in the next section.

Table 3 compares the results for each of the approaches.

Table 3: Comparison of Approach 2 Tiered Threshold Options

Threshold	GHG Emission Threshold (metric tons/year)	Future Development Captured by GHG Threshold
2.1: Zero Threshold	0 tons/year	All
2.2: Quantitative Threshold Based on Market Capture	~900 tons/year	Residential development > 50 dwelling units Office space > 36,000 ft^2 Retail space >11,000 ft^2 Supermarkets >6.300 ft^2 small, medium, large industrial
2.3: CARB GHG Mandatory Reporting Threshold OR Potential Cap and Trade Entry Level	25,000 metric tons/year OR 10,000 metric tons/year	Residential development >1,400 dwelling units OR 550 dwelling units Office space >1 million ft^2 OR 400,000 ft^2 Retail space >300,000 ft^2 OR 120,000 ft^2 Supermarkets >175,000 ft^2 OR 70,000 ft^2 medium/larger industrial
2.4: Regulated Inventory Capture	40,000 – 50,000 metric tons/year	Residential development >2,200 to 2,600 dwelling units Office space >1.5 to 1.8 million ft^2 Retail space >470,000 to 560,000 ft^2 Supermarkets >270,000 to 320,000 ft^2 medium/larger industrial
2.5: Unit-Based Threshold Based on Market Capture	Not applicable.	Residential development >50 dwelling units Commercial space >50,000 ft^2 > small, medium, large industrial (with GHG emissions > 900 tonsCO2e)
2.6: Projects of Statewide, Regional, or Areawide Significance	Not applicable.	Residential development >500 dwelling units Office space >250,000 ft^2 Retail space >500,000 ft^2 Hotels >500 units Industrial project >1,000 employees Industrial project >40 acre or 650,000 ft^2
2.7: Efficiency-Based Thresholds	TBD tons/year/person TBD tons/year/unit	Depends on the efficiency measure selected.

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Implementing CEQA With Tiered Thresholds

Several issues related to Approach 2 are addressed below:

1. *Some applications of this approach may need to be embodied in a duly approved General Plan, or in some other formal regulation or ordinance to be fully enforceable.* Because CEQA does not expressly provide that projects may be deemed insignificant based on implementation of a set of mitigations, this approach may need to be supported with specific and enforceable mechanisms adopted with due public process.

2. *How would this concept affect adoption of air district rules and regulations?* Proposed air district rules and regulations may be subject to CEQA like other projects and plans. Thus, if significance thresholds were adopted by an APCD or AQMD, then they could also apply to air district discretionary actions. If GHG emissions would be increased by a rule or regulation for another regulated pollutant, that would be a potential issue for review under CEQA.

3. *Mitigation measures may not be all-inclusive; better measures now or new future technology would make these measures obsolete.* The mandatory mitigation measures could be periodically updated to reflect current technology, feasibility, and efficiency.

4. *Total reduction may not be quantified or difficult to quantify.* CEQA only requires the adoption of feasible mitigation and thus the reduction effectiveness of required mitigation should not be in question. However, the precise reduction effectiveness may indeed be difficult to identify. As described above, if a quantitative threshold is selected as the measure of how much mitigation is mandated, then best available evidence will need to be used to estimate resultant GHG emissions with mitigation adoption. If a qualitative threshold is selected, then it may not be necessary to quantify reductions.

5. *Difficult to measure progress toward legislative program goals.* One could require reporting of project inventories to the Climate Action Registry, air district, or regional council of governments, or other suitable body. Collection of such data would allow estimates of the GHG intensity of new development over time, which could be used by CARB to monitor progress toward AB 32 goals.

6. *Measures may have adverse impacts on other programs.* The identification of mandatory mitigation will need to consider secondary environmental impacts, including those to air quality.

7. *Consideration of life-cycle emissions.* In many cases, only direct and indirect emissions may be addressed, rather than life-cycle emissions. A project applicant has traditionally been expected to only address emissions that are closely related and within the capacity of the project to control and/or influence. The long chain

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8. of economic production resulting in materials manufacture, for example, involves numerous parties, each of which in turn is responsible for the GHG emissions associated with their particular activity. However, there are situations where a lead agency could reasonably determine that a larger set of upstream and downstream emissions should be considered because they are being caused by the project and feasible alternatives and mitigation measures may exist to lessen this impact.

Approach 2 Tiered Threshold with Mandatory Mitigation

As shown in Table 2, due to the cumulative nature of GHG emissions and climate change impacts, there could be a level of mandatory reductions and/or mitigation for all projects integrated into a tiered threshold approach. In order to meet AB 32 mandates by 2020 and S-3-05 goals, there will need to be adoption of GHG reduction measures across a large portion of the existing economy and new development. As such, in an effort to support a determination under CEQA that a project has a less than considerable contribution to significant cumulative GHG emissions, mitigation could be required on a progressively more comprehensive basis depending on the level of emissions.

- Level 1 Reductions – These reduction measures would apply to all projects and would only consist of AB 32 and other local/state mandates. They would be applied to a project from other legal authority (not CEQA). Level 1 reductions could include such measures as bike parking, transit stops for planned routes, Energy Star roofs, Energy Star appliances, Title 24 compliance, water use efficiency, and other measures. All measures would have to be mandated by CARB or local regulations and ordinances.

- Level 2 Mitigation – Projects that exceed the determined threshold would be required to first implement readily available technologies and methodologies with widespread availability. Level 2 Mitigation could include such measures as: parking reduction below code minimum levels, solar roofs, LEED Silver or Gold Certification, exceed Title 24 building standards by 20 percent, Traffic Demand Management (TDM) measures, and other requirements.

- Level 3 Mitigation - If necessary to reduce emissions to the thresholds, more extensive mitigation measures that represent the top tier of feasible efficiency design would also be required. Level 3 Mitigation could include such measures as: on-site renewable energy systems, LEED Platinum certification, exceed Title 24 building requirements by 40 percent, required recycled water use for irrigation, zero waste/high recycling requirements, mandatory transit pass provision, and other measures.

- Offset Mitigation – If, after adoption of all feasible on-site mitigation, the project is still found to exceed a Tier 2 quantitative threshold, or exceed a Tier 3 qualitative threshold, or if a project cannot feasibly implement the mandatory on-site mitigation, then purchases of offsets could be used for mitigation. In the case

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of a quantitative threshold, the amount of purchase would be to offset below the Tier 2 significance threshold. In the case of a qualitative threshold, the amount of purchase could be to offset GHG emissions overall to below the lowest equivalent GHG emissions among the Tier 2 qualitative thresholds. With Threshold 2.5, this would be approximately 900 tons of GHG emissions (corresponding to 50 residential units). With Threshold 2.6, this would be approximately 9,000 tons (corresponding to 500 residential units). Alternatively, one could require purchase of offsets in the amount of a set percentage (such as 90% or 50% for example) of the residual GHG emissions (after other mitigation). As discussed earlier, any decision to include or require the use of emission reduction credits (or offsets) must consider issues of availability, quality, and environmental justice.

Substantial Evidence Supporting Different Thresholds

If a project can be shown by substantial evidence not to increase GHG emissions relative to baseline emissions, then no fair argument will be available that the project contributes considerably to a significant cumulative climate change impact.

It is more challenging to show that a project that increases GHG emissions above baseline emissions does not contribute considerably to a significant cumulative climate change impact. It is critical therefore, to establish an appropriate cumulative context, in which, although an individual project may increase GHG emissions, broader efforts will result in net GHG reductions.

Approach 1-based thresholds that by default will require an equal level of GHG reductions from the existing economy (Thresholds 1.1, 1.3, and 1.4) may be less supportable in the short run (especially before 2012) than Approach 1.2 (which requires new development to be relatively more efficient than a retrofitted existing economy). This is because, prior to 2012, there will only be limited mandatory regulations implementing AB 32 that could address the existing economy in a truly systematic way that can be relied upon to demonstrate that overall GHG reduction goals can be achieved by 2020. Approach 1.2 will still rely on substantial reductions in the existing economy but to a lesser degree.

Approach 1-based thresholds that would spread the mitigation burden across a sector (Threshold 1.3) or across a region (Threshold 1.4) will allow for tradeoffs between projects or even between municipalities. In order to demonstrate that a sector or a region is achieving net reductions overall, there would need to be feasible, funded, and mandatory requirements in place promoting an overall reduction scheme, in order for a project to result in nominal net increased GHG emissions.

Approach 2-based thresholds that capture larger portions of the new development GHG inventory (Thresholds 2.2 and 2.5) would promote growth that results in a smaller increase in GHG emissions; they may therefore be more supportable than thresholds that do not and that have a greater reliance on reductions in the existing economy (Thresholds

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2.3, 2.4, and 2.6), especially in the next three to five years. With an established cumulative context that demonstrates overall net reductions, all threshold approaches could be effective in ensuring growth and development that significantly mitigates GHG emissions growth in a manner that will allow the CARB to achieve the emission reductions necessary to meet AB 32 targets. In that respect, all of these thresholds are supported by substantial evidence.

Evaluation of Non-Zero Threshold Options

Overarching issues concerning threshold development are reviewed below. Where appropriate, different features or application of the two conceptual approaches and the various options for thresholds under each conceptual approach described above are analyzed. The screening evaluation is summarized in Tables 4 (Approach 1) and 5 (Approach 2). The summary tables rate each threshold for the issues discussed below based on the level of confidence (low, medium or high) ascribed by J&S. The confidence levels relate to whether a threshold could achieve a particular attribute, such as emission reduction effectiveness. For example, a low emission reduction effectiveness rating means the threshold is not expected to capture a relatively large portion of the new development inventory.

As described above, Threshold 2.7 is not included in this evaluation because the data to develop an efficiency-based threshold has not been reviewed at this time and because this threshold is not considered feasible as an interim approach until more detailed inventory information is available across the California economy.

<u>What is the GHG Emissions Effectiveness of Different Thresholds?</u>

Effectiveness was evaluated in terms of whether a threshold would capture a large portion of the GHG emissions inventory and thus require mitigation under CEQA to control such emissions within the larger framework of AB 32. In addition, effectiveness was also evaluated in terms of whether a threshold would require relatively more or less GHG emissions reductions from the existing economy verses new development. This is presumptive that gains from the existing economy (through retrofits, etc.) will be more difficult and inefficient relative to requirements for new development.

Approach 1-based thresholds that require equivalent reductions relative to business-as-usual (Thresholds 1.1, 1.3, and 1.4) for both the existing and new economy will be less effective than thresholds that support lower-GHG intensity new development (Approach 1.2). However, since Approach 1-based thresholds do not establish a quantitative threshold below which projects do not have to mitigate, the market capture for new development is complete.

Approach 2-based thresholds can be more or less effective at capturing substantial portions of the GHG inventory associated with new development depending on where the quantitative or qualitative thresholds are set. Lower thresholds will capture a broader range of projects and result in greater mitigation. Based on the review of project data for

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the select municipalities described in the Approach 2 section above, thresholds based on the CARB Reporting Threshold/Cap and Trade Entry Level (Threshold 2.4) or CEQA definitions of "Statewide, Regional or Areawide" projects (Threshold 2.6) will result in a limited capture of the GHG inventory. Lower quantitative or qualitative thresholds (Thresholds 2.1, 2.2 and 2.5) could result in capture of greater than 90 percent of new development.

Are the Different Thresholds Consistent with AB 32 and S-3-05?

Thresholds that require reductions compared to business-as-usual for all projects or for a large portion of new development would be consistent with regulatory mandates. In time, the required reductions will need to be adjusted from 2020 (AB 32) to 2050 (S-3-05) horizons, but conceptually broad identification of significance for projects would be consistent with both of these mandates. Thresholds that exclude a substantial portion of new development would likely not be consistent, unless it could be shown that other more effective means of GHG reductions have already been, or will be adopted, within a defined timeframe.

All Approach 1-based thresholds would be consistent with AB 32 and S-3-05 if it can be demonstrated that other regulations and programs are effective in achieving the necessary GHG reduction from the existing economy to meet the overall state goals.

Approach 2-based thresholds that include substantive parts of the new development GHG inventory (Thresholds 2.1, 2.2 and 2.5) will be more consistent with AB 32 and S-3-05 than those that do not (Thresholds 2.3, 2.4, and 2.6) unless it can be demonstrated that other regulations and programs are effective in achieving the necessary GHG reduction from the existing economy to meet the overall state goals.

What are the Uncertainties Associated with Different Thresholds?

All thresholds have medium to high uncertainties associated with them due to the uncertainty associated with the effectiveness of AB 32 implementation overall, the new character of GHG reduction strategies on a project basis, the immaturity of GHG reduction technologies or infrastructure (such as widespread biodiesel availability), and the uncertainty of GHG reduction effectiveness of certain technologies (such as scientific debate concerning the relative lifecycle GHG emissions of certain biofuels, for example).

In general, Approach 1-based thresholds have higher uncertainties than Approach 2 thresholds because they rely on a constantly changing definition of business-as-usual. Threshold 1.2, with its relatively smaller reliance on the existing economy for GHG reductions has relatively less uncertainty than other Approach 1 thresholds. Thresholds that spread mitigation more broadly (Thresholds 1.3 and 1.4) have less uncertainty by avoiding the need for every project to mitigate equally.

Approach 2 thresholds with lower quantitative (2.1 and 2.2) or qualitative (2.5) thresholds will have uncertainties associated with the ability to achieve GHG reductions

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from small to medium projects. Approach 2 thresholds with higher quantitative (2.3, 2.4) or qualitative (2.6) thresholds will have uncertainties associated with the ability to achieve relatively larger GHG reductions from the existing economy.

What are Other Advantages/Disadvantages of the Different Thresholds?

Thresholds with a single project metric (Thresholds 1.1, 1.2, 2.1, 2.2, 2.3, 2.4, 2.5, and 2.6) will be easier to apply to individual projects and more easily understood by project applicants and lead agencies broadly. Thresholds that spread mitigation across sectors (1.3) or regions (1.4), while simple in concept, will require adoption of more complicated cross-jurisdictional reduction plans or evaluation of broad sector-based trends in GHG intensity reduction over time. Approach 1 options would require all projects to quantify emissions in order to determine needed reductions relative to business-as-usual (which will change over time as described above). Concepts that are unit-based (Threshold 2.5 and 2.6) will not result in thresholds that have equal amount of GHG emissions, and thus equity issues may arise.

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Table 4: Non-Zero Threshold Evaluation Matrix – Approach 1

Approach 1	**1.1**	**1.2**	**1.3**	**1.4**
	28% - 33% Reduction from BAU by 2020 by Project	**50% Reduction from BAU by 2020 by Project**	**28% - 33% Reduction by 2020 by Sector**	**28% - 33% Reduction by 2020 by Region**
GHG Emissions Reduction Effectiveness	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.	**Medium** - Captures all new projects and has a more realistic level of reductions from the existing economy.	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.
Economic Feasibility	**Low** - Some projects will not be able to afford this level of reduction without effective market-based mechanisms like offsets.	**Low** - Some projects will not be able to afford this level of reduction without effective market-based mechanisms like offsets.	**Medium** - Sectors as a whole will be better able to achieve reductions than individual projects.	**Low** - Some regions and newly developed areas may not be able to afford this level of reduction without effective market-based mechanisms like offsets.
Technical Feasibility	**Medium** - Some projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**Low** - Relatively larger set of projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**High** - Some projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**Medium** - Some regions and newly developed areas may not be able to afford this level of reduction without effective market-based mechanisms like offsets.
Logistical Feasibility	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.
Consistency with AB-32 and S-03-05	**Medium** - Would require heavy reliance on command and control gains.	**High**	**Medium-High** - Would rely on command and control gains, but would allow sectoral flexibility.	**Medium-High** - Would rely on command and control gains, but would allow regional flexibility.
Cost Effectiveness	**Low** - Will require all types of projects to reduce the same regardless of the cost/ton of GHG reductions.	**Low** - Will require all types of projects to reduce the same regardless of the cost/ton of GHG reductions.	**Low/Medium** - Allows tradeoffs within sector between high and low cost reduction possibilities but not between sectors.	**Low/Medium** - Allows tradeoffs within region between high and low cost reduction possibilities, but not between regions.
Uncertainties	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.	**Medium/High** - BAU changes over time. Ability to limit GHG emissions from other new development will take years to demonstrate.	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.
Other Advantages	Simple/easy to explain.	Simple/easy to explain.	Spreads mitigation broadly	Spreads mitigation broadly
Other Disadvantages	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.

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Table 5: Non-Zero Threshold Evaluation Matrix – Approach 2

Approach 2	2.1	2.2	2.3	2.4	2.5	2.6
	Zero Threshold	**Quantitative (900 tons)**	**Quantitative CARB Reporting Threshold/Cap and Trade (25,000 tons/ 10,000 tons)**	**Quantitative Regulated Inventory Capture (~40,000 - 50,000 tons)**	**Qualitative Unit-Based Thresholds**	**Statewide, Regional or Areawide (CEQA Guidelines 15206(b)).**
GHG Emissions Reduction Effectiveness	**High** - Captures all sources.	**High** - Market capture at >90%. Captures diverse sources.	**Medium** - Moderate market capture.	**Low** - Low market capture.	**High** - Market capture at ~90%. Captures diverse sources; excl. smallest proj.	**Medium** - Moderate market capture. Excludes small and med. projects.
Economic Feasibility	**Low** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**High** - Large projects have greater ability to absorb cost.	**High** - Large projects have greater ability to absorb cost.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**High** - Large projects have greater ability to absorb cost.
Technical Feasibility	**Low** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be inefficient to mitigate.	**High** - Greater opportunities for multiple reduction approaches.	**High** - Greater opportunities for multiple reduction approaches.	**Medium** - Early phases will be substantial change in BAU, particularly for smaller projects may be inefficient to mitigate.	**High** - Greater opportunities for multiple reduction approaches.
Logistical Feasibility	**Low** - Unless fee or offset basis,very difficult to mitigate all projects.	**Medium** - BMPs broadly written to allow diversity; new req. will take time to integrate into new dev.	**High** - Less mitigation.	**High** - Less mitigation.	**Medium** - BMPs broadly written to allow diversity; new req. will take time to integrate into new dev.	**High** - Less mitigation.
Consistency with AB-32 and S-03-05	**High** - Market capture.	**High** - Market capture at >90%.	**Low** - Would rely on command and control success heavily.	**Low** - Would rely on command and control success heavily.	**Medium** - Need to demonstrate adequate market capture over time.	**Low** - Would rely on command and control success heavily.
Cost Effectiveness	**Low** - Will result in inefficient mitigation approaches. Efficiency will improve in time.	**Medium** - Emphasis is on new dev., req. for mitigation will result in inefficient mitigation approaches in early phases. Efficiency will improve in time.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.	**Medium** - Emphasis is on new dev.; req. for mitigation will result in inefficient mitigation approaches in early phases. Efficiency will improve in time.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.
Uncertainties	**High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects unlikely.	**Medium/High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects uncertain.	**High** - Gains from command and control likely longer to be realized.	**High** - Gains from command and control likely longer to be realized.	**Medium/High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects uncertain.	**High** - Gains from command and control likely longer to be realized.
Other Advantages	Single threshold.	Single threshold. BMPs can be updated. Greenlist can be updated.	Single threshold. Does not change CEQA processing for most projects. CARB inventory = project inv.. All projects treated same.	Single threshold. Does not change CEQA processing for most projects. Follows established SIP practice.	BMPs can be updated. Greenlist can be updated. Unit-Based thresholds can be updated.	Existing guideline. Does not change CEQA processing for most projects. Endorsed by Cal. Chapter of the APA.
Other Disadvantages	Requires all projects to quantify emissions.	Requires nearly all projects to quantify emissions.			Sectoral projects have different GHG emis. Only largest projects to quantify emis.	Sectoral projects have different GHG emissions.

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Introduction

This chapter evaluates the availability of various analytical methods and modeling tools that can be applied to estimate the greenhouse gas emissions from different project types subject to CEQA. This chapter will also provide comments on the suitability of the methods and tools to accurately characterize a projects emissions and offer recommendations for the most favorable methodologies and tools available. Some sample projects will be run through the methodologies and modeling tools to demonstrate what a typical GHG analysis might look like for a lead agency to meet its CEQA obligations. The air districts retained the services of EDAW environmental consultants to assist with this effort.

Methodologies/Modeling Tools

There are wide varieties of discretionary projects that fall under the purview of CEQA. Projects can range from simple residential developments to complex expansions of petroleum refineries to land use or transportation planning documents. It is more probably than not, that a number of different methodologies would be required by any one project to estimate its direct and indirect GHG emissions. Table 10 contains a summary of numerous modeling tools that can be used to estimate GHG emissions associated with various emission sources for numerous types of project's subject to CEQA. The table also contains information about the models availability for public use, applicability, scope, data requirements and its advantages and disadvantages for estimating GHG emissions.

In general, there is currently not one model that is capable of estimating all of a project's direct and indirect GHG emissions. However, one of the models identified in Table 9 would probably be the most consistently used model to estimate a projects direct GHG emissions based on the majority of projects reviewed in the CEQA process. The Urban Emissions Model (URBEMIS) is designed to model emissions associated with development of urban land uses. URBEMIS attempts to summarize criteria air pollutants and CO_2 emissions that would occur during construction and operation of new development. URBEMIS is publicly available and already widely used by CEQA practitioners and air districts to evaluate criteria air pollutants emissions against air district-adopted significance thresholds. URBEMIS is developed and approved for statewide use by CARB. The administrative reasons for using URBEMIS are less important than the fact that this model would ensure consistency statewide in how CO_2 emissions are modeled and reported from various project types.

One of the shortfalls of URBEMIS is that the model does not contain emission factors for GHGs other than CO_2, except for methane (CH_4) from mobile-sources, which is converted to CO_2e. This may not be a major problem since CO_2 is the most important GHG from land development projects. Although the other GHGs have a higher global warming potential, a metric used to normalize other GHGs to CO_2e, they are emitted in far fewer quantities. URBEMIS does not calculate other GHG emissions associated with

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off-site waste disposal, wastewater treatment, emissions associated with goods and services consumed by the residents and workers supported by a project. Nor does URBEMIS calculate GHGs associated with consumption of energy produced off-site. (For that matter, URBEMIS does not report criteria air pollutant emissions from these sources either).

Importantly, URBEMIS does not fully account for interaction between land uses in its estimation of mobile source operational emissions. Vehicle trip rates are defaults derived from the Institute of Transportation Engineers trip generation manuals. The trip rates are widely used and are generally considered worst-case or conservative. URBEMIS does not reflect "internalization" of trips between land uses, or in other words, the concept that a residential trip and a commercial trip are quite possibly the same trip, and, thus, URBEMIS counts the trips separately. There are some internal correction settings that the modeler can select in URBEMIS to correct for "double counting"; however, a project-specific "double-counting correction" is often not available. URBEMIS does allow the user to overwrite the default trip rates and characteristics with more project-specific data from a traffic study prepared for a project.

Residential, Commercial, Mixed-Use Type Projects/ Specific Plans

Direct Emissions

URBEMIS can be used to conduct a project-specific model run and obtain CO_2e emissions for area and mobile sources from the project, and convert to metric tons CO_2e. When a project-specific traffic study is not available, the user should consult with their local air district for guidance. Many air district staff are experienced practitioners of URBEMIS and can advise the lead agency or the modeler on how to best tailor URBEMIS default input parameters to conduct a project-specific model run. When a traffic study has been prepared for the project, the user must overwrite default trip length and trip rates in URBEMIS to match the total number of trips and vehicle miles traveled (VMT) contained in the traffic study to successfully conduct a project-specific model run. URBEMIS is recommended as a calculation tool to combine the transportation study (if available) and EMFAC emission factors for mobile-sources. Use of a project-specific traffic study gets around the main shortfall of URBEMIS: the lack of trip internalization. URBEMIS also provides the added feature of quantifying direct area-source GHG emissions.

Important steps for running URBEMIS

1. Without a traffic study prepared for the project, the user should consult with the local air district for direction on which default options should be used in the modeling exercise. Some air districts have recommendations in the CEQA guidelines.

2. If a traffic study was prepared specifically for the project, the following information must be provided:

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a. Total number of average daily vehicle trips *or* trip-generation rates by land use type per number of units; and,

b. Average VMT per residential *and* nonresidential trip.

c. The user overwrites the "Trip Rate (per day)" fields for each land use in URBEMIS such that the resultant "Total Trips" and the "Total VMT" match the number of total trips and total VMT contained in the traffic study.

d. Overwrite "Trip Length" fields for residential and nonresidential trips in UBEMIS with the project-specific lengths obtained form the traffic study.

3. Calculate results and obtain the CO_2 emissions from the URBEMIS output file (units of tons per year [TPY]).

Indirect Emissions

URBEMIS does estimate indirect emissions from landscape maintenance equipment, hot water heaters, etc. URBEMIS does not however, provide modeled emissions from indirect sources of emissions, such as those emissions that would occur off-site at utility providers associated with the project's energy demands. The California Climate Action Registry (CCAR) Protocol v.2.2 includes methodology, which could be used to quantify and disclose a project's increase in indirect GHG emissions from energy use. Some assumptions must be made for electrical demand per household or per square foot of commercial space, and would vary based on size, orientation, and various attributes of a given structure. An average rate of electrical consumption for residential uses is 7,000 kilowatt hours per year per household and 16,750 kilowatt hours per thousand square feet of commercial floor space. Commercial floor space includes offices, retail uses, warehouses, and schools. These values have been increasing steadily over the last 20 years. Energy consumption from residential uses has increased due to factors such as construction and occupation of larger homes, prices of electricity and natural gas, and increased personal income allowing residents to purchase more electronic appliances. Commercial energy consumption is linked to factors such as vacancy rates, population, and sales.

The modeler will look up the estimated energy consumption for the project's proposed land uses under year of project buildout, or use the values given in the previous paragraph for a general estimate. The CCAR Protocol contains emission factors for CO_2, CH_4, and nitrous oxide. The "CALI" region grid serves most of the State of California. If a user has information about a specific utility provider's contribution from renewable sources, the protocol contains methodology to reflect that, rather than relying on the statewide average grid. The incremental increase in energy production associated with project operation should be accounted for in the project's total GHG emissions for inclusion in the environmental document.

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The incremental increase in energy production associated with project operation should be accounted for in the project's total GHG emissions, but it should be noted that these emissions would be closely controlled by stationary-source control-based regulations and additional regulations are expected under AB 32. However, in the interest of disclosing project-generated GHG emissions and mitigating to the extent feasible, the indirect emissions from off-site electricity generation can be easily calculated for inclusion in the environmental document.

Example Project Estimates for GHG Emissions

Residential Project

Project Attributes:

- 68 detached dwelling units
- 15.9 acres
- 179 residents
- 0 jobs
- Located in unincorporated Placer County (PCAPCD jurisdiction)
- Analysis year 2009

As shown in Table 6, the project's direct GHG emissions per service population (SP) would be approximately 8 metric tons CO_2e/SP/year.

Table 6: Residential Project Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	251	Residents	179
Mobile-source emissions	1,044	Jobs	0
Indirect emissions (from CCAR Protocol)	174		
Total operational emissions	**1,469**	Service population	179
Operational emissions/SP	**8.2**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population(see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Commercial Project

Project Attributes:

- Free Standing Discount Superstore: 241 thousand square feet (ksf)
- 0 residents

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- 400 jobs
- Located in the San Joaquin Valley Air Pollution Control District's (SJVAPCD) jurisdiction
- Analysis year 2009

Table 7: Commercial Project Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	464	Residents	0
Mobile-source emissions	13,889	Jobs	400
Indirect emissions (from CCAR Protocol)	1,477		
Total operational emissions	**15,830**	Service population	400
Operational emissions/SP	**39.6**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Specific Plan

If used traditionally with default trip rates and lengths, rather than project-specific (Traffic Analysis Zone-specific) trip rates and lengths, URBEMIS does not work well for specific plan or general plan-sized projects with multiple land use types proposed. However, in all instances, projects of these sizes (several hundred or thousand acres) would be accompanied by a traffic study. Thus, for large planning-level projects, URBEMIS can be used as a calculation tool to easily obtain project-specific mobile-source emissions. The user should follow the steps discussed above; wherein he/she overwrites the default ITE trip rates for each land use type with that needed to make total VMT match that contained in the traffic study. The URBEMIS interface is a simple calculator to combine the traffic study and EMFAC emissions factors for mobile-source CO_2.

Project Attributes:

- 985 acres
- Total dwelling units: 5,634
- Commercial/Mixed Use: 429 ksf
- Educational: 2,565 ksf
- 14,648 residents
- 3,743 jobs
- Located in Sacramento County (SMAQMD jurisdiction)
- Analysis year 2009

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Table 8: Specific Plan Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	23,273	Residents	14,648
Mobile-source emissions	73,691	Jobs	3,743
Indirect emissions (from CCAR Protocol)	32,744		
Total operational emissions	**129,708**	Service population	18,391
Operational emissions/SP	**7.1**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

The specific plan example, when compared to the residential or commercial examples, illustrates the benefit of a mixed-use development when you look at CO_2e emissions per resident or job (service population) metric (see definition of service population below in discussion of Normalization/Service Population Metric). Though this particular specific plan is not an example of a true jobs/housing balance, the trend is clear: accommodating residents and jobs in a project is more efficient than residents or jobs alone.

Stationary- and Area-Source Project Types

GHG emissions from stationary or area sources that require a permit to operate from the air district also contain both direct and indirect sources of emissions. Examples of these types of sources would be fossil fuel power plants, cement plants, landfills, wastewater treatment plants, gas stations, dry cleaners and industrial boilers. All air districts have established procedures and methodologies for projects subject to air district permits to calculate their regulated pollutants. It is anticipated that these same procedures and methodologies could be extended to estimate a permitted facility's GHG calculations. For stationary and area sources that do not require air district permits, the same methodologies used for permitted sources could be used in addition to URBEMIS and CCAR GRP to calculate GHG emissions from these facilities.

Wastewater Treatment Facilities

Direct GHG emissions associated with a proposed waste water treatment plant can be calculated using AP-42 emission factors from Chapter 4.3.5 Evaporative Loss Sources: Waste Water-Greenhouse Gases and the CCAR methodology. In general, most wastewater operations recover CH_4 for energy, or use a flare to convert the CH_4 to CO_2. There are many types of wastewater treatment processes and the potential for GHG emissions from different types of plants varies substantially. There is not one standard set of emission factors that could be used to quantify GHG emissions for a state

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"average" treatment plant. Thus, research will need to be conducted on a case-by-case basis to determine the "Fraction Anaerobically Digested" which is a function of the type of treatment process. Indirect emissions from these facilities can be calculated using the CCAR energy use protocols and URBEMIS model for transportation emissions.

Solid Waste Disposal Facilities

Air districts will have emission estimate methodologies established for methane emissions at permitted landfills. In addition, EPA's Landfill Gas Emissions Model (LandGem) and the CCAR methodology could also be used to quantify GHG emissions from landfill off gassing; however, this model requires substantial detail be input. The model uses a decomposition rate equation, where the rate of decay is dependent on the quantity of waste in place and the rate of change over time. This modeling tool is free to the public, but substantial project detail about the operation of the landfill is needed to run the model. Indirect emissions from these facilities can be calculated using the CCAR energy use protocols and URBEMIS model for transportation emissions.

Construction Emissions

GHG emissions would occur during project construction, over a finite time. In addition, a project could result in the loss of GHG sequestration opportunity due primarily to the vegetation removed for construction. URBEMIS should be used to quantify the mass of CO_2 that would occur during the construction of a project for land development projects. Some construction projects would occur over an extended period (up to 20–30 years on a planning horizon for general plan buildout, or 5–10 years to construct a dam, for example). OFFROAD emission factors are contained in URBEMIS for CO_2 emissions from construction equipment. For other types of construction projects, such as roadway construction projects or levee improvement projects, SMAQMD's spreadsheet modeling tool, the Road Construction Emissions Model (RoadMod), should be used. This tool is currently being updated to include CO_2 emissions factors from OFFROAD.

The full life-cycle of GHG emissions from construction activities is not accounted for in the modeling tools available, and the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. The emissions disclosed will be from construction equipment and worker commutes during the duration of construction activities. Thus, the mass emissions in units of metric tons CO_2e/year should be reported in the environmental document as new emissions.

General Plans

In the short-term, URBEMIS can be used as a calculation tool to model GHG emissions from proposed general plans, but only if data from the traffic study is incorporated into model input. The same methodology applied above in the specific plan example applies to general plans. The CCAR GRP can be used to approximate indirect emissions from

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increased energy consumption associated with the proposed plan area. The same models and methodologies discussed previously for wastewater, water supply and solid waste would be used to estimate indirect emissions resulting from buildout of the general plan.

In the longer-term, more complex modeling tools are needed, which would integrate GHG emission sources from land use interaction, such as I-PLACE^{3}S or CTG Energetics' Sustainable Communities Custom Model attempt to do. These models are not currently available to the public and only have applicability in certain areas of the state. It is important that a tool with statewide applicability be used to allow for consistency in project treatment, consideration, and approval under CEQA.

Scenarios

At the general plan level, the baseline used for analyzing most environmental impacts of a general plan update is typically no different from the baseline for other projects. The baseline for most impacts represents the existing conditions, normally on the date the Notice of Preparation is released. Several comparative scenarios could be relevant, depending on the exact methodological approach and significance criteria used for GHG assessment:

- Existing Conditions. The GHG emissions associated with the existing, on-the-ground conditions within the planning area.

- 1990 conditions. The GHG emissions associated with the general plan area in 1990. This is relevant due to the state's AB 32 GHG emission reduction goals' benchmark year of 1990. The GHG-efficiency of 1990 development patterns could be compared to that of the general plan buildout.

- Buildout of the Existing General Plan. The GHG emissions associated with buildout of the existing general plan (without the subject update). This is the no project alternative for the purposes of general plan CEQA analysis.

- Buildout of the Updated General Plan. The GHG emissions associated with buildout of the general plan, as proposed as a part of the subject update. This would include analysis of any changes included as a part of the general plan update for the existing developed portions of the planning area. Many communities include redevelopment and revitalization strategies as a part of the general plan update. The general plan EIR can include assumptions regarding what level and type of land use change could be facilitated by infill and redevelopment. Many jurisdictions wish to provide future projects consistent with these land use change assumptions with some environmental review streamlining. In addition, many communities include transit expansions, pedestrian/bicycle pathway improvements, multi-modal facility construction, travel demand policies, energy efficiency policies, or other measures that could apply to the existing developed area, just as they may apply to any new growth

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areas. Such policies could affect the overall GHG emissions of the built out general plan area.

- Increment between Buildout of Updated General Plan and Existing General Plan Area. There are many important considerations associated with the characterization of the impact of the General Plan update. The actual GHG emissions impact could be described as the difference between buildout under the existing and proposed land use plan (No-Build Alternative). However, the courts have held that an EIR should also analyze the difference between the proposed General Plan and the existing environment (*Environmental Planning & Information Council v. County of El Dorado* (EPIC) (1982) 131 Cal.App.3d 350). At the General Plan level, over the course of buildout, some new land uses are introduced, which could potentially add operational GHG emissions and potentially remove existing sequestration potential. Some properties become vacant and are not redeveloped. Other properties become vacant and then are redeveloped. Communities cannot pretend to understand fully in advance each component of land use change. The programmatic document is the preferred method of environmental analysis. Through this programmatic framework, communities develop buildout assumptions as a part of the General Plan that are normally used as a basis of environmental analysis. For certain aspects of the impact analysis, it becomes important not just to understand how much "new stuff" could be accommodated under the updated General Plan, but also the altered interactions between both "new" and "existing" land uses within the planning area. As addressed elsewhere, there are tools available for use in understanding land use/transportation interactions at the General Plan level. Without the GHG targets established by AB 32, a simple mass comparison of existing conditions to General Plan buildout might be appropriate.

However, within the current legal context, the GHG efficiency of the updated General Plan becomes the focus of analysis. Some options in this regard include:

- Estimate the GHG emissions associated with all the land uses included within the planning area upon buildout of the General Plan using no project specific information (regional, countywide, or statewide defaults). Estimate GHG emissions using project specific information from the transportation engineer, transportation demand policies, community design elements, energy efficiency requirements, wastewater treatment and other public infrastructure design changes, and other components. Compare these two calculations. Is the second calculation reduced by the percent needed to meet AB 32 goals compared to the first calculation?

- Estimate the GHG emissions associated with the 1990 planning area and the per-capita or per-service population GHG associated with the 1990 planning area. (Many communities are establishing GHG inventories using different tools). Estimate the GHG emissions associated with buildout of the proposed General Plan update and the resulting per-capita or per-service population GHG

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emissions. Compare the two calculations. Is the General Plan buildout per-capita or per-service population level greater than the 1990 estimate?

Example General Plan Update: Proposed new growth area

Project Attributes:

- 10,050 single family dwelling units
- 652 multi-family dwelling units
- 136 acres parks
- 2,047 ksf commercial (regional shopping center)
- 2,113 ksf office
- 383 acres industrial park
- 31,293 new residents
- 4,945 new jobs
- Located in Stanislaus County (SJVAPCD jurisdiction)
- Analysis year 2025

Table 9: General Plan Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric CO_2e Tons/Year	Demographic Data	
Construction emissions	12,083*	Residents	31,293
Area-source emissions	45,708		
Mobile-source emissions	263,954	Jobs	4,945
Indirect emissions (from CCAR Protocol)	78,385		
Total operational emissions	**388,046**	Service population	36,238
Operational emissions/SP	**10.7**		

* Approximately 241,656 metric tons CO_2e total at general plan buildout (assumes 20-year buildout period). Construction emissions were not included in total operational emissions.
Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).
Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Due to the programmatic level of analysis that often occurs at the general plan level, and potential for many relevant GHG emission quantities, it could be preferable to use a qualitative approach. Such an analysis could address the presence of GHG-reducing policy language in the general plan.

Three possible tiers of approaches to addressing GHG mitigation strategies, either as general plan policy, general plan EIR mitigation measures, or both, include:

- Forward planning
- Project toolbox
- Defer to GHG reductions plan

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The three basic approaches are described below.

1. Bring reduction strategies into the plan itself. The most effective way for local jurisdictions to achieve GHG emissions reductions in the medium- and long-term is through land use and transportation policies that are built directly into the community planning document. This involves creating land use diagrams and circulation diagrams, along with corresponding descriptive standards, that enable and encourage alternatives to travel and goods movement via cars and trucks. The land use and circulation diagrams provide a general framework for a community where people can conduct their everyday business without necessarily using their cars. The overall community layout expressed as a part of the land use and circulation diagrams is accompanied by a policy and regulatory scheme designed to achieve this community layout. Impact fees, public agency spending, regulations, administrative procedures, incentives, and other techniques are designed to facilitate land use change consistent with the communities' overall vision, as expressed in policy and in the land use diagram. There are many widely used design principles that can be depicted in land use and circulation diagrams and implemented according to narrative objectives, standards, and policies:

- Connectivity. A finely-connected transportation network shortens trip lengths and creates the framework for a community where homes and destinations can be placed close in proximity and along direct routes. A hierarchical or circuitous transportation network can increase trip lengths and create obstacles for walking, bicycling, and transit access. This policy language would likely be found in the Circulation Element.

- Compactness. Compact development, by its nature, can increase the efficiency of infrastructure provision and enable travel modes other than the car. If communities can place the same level of activity in a smaller space, GHG emissions would be reduced concurrently with VMT and avoid unnecessary conversion of open space. This policy language would likely be found in the Land Use Element.

- Diversity. Multiple land use types mixed in proximity around central "nodes" of higher-activity land uses can accommodate travel through means other than a car. The character and overall design of this land use mix is, of course, different from community to community. This policy language would likely be found in the Land Use Element.

- Facilities. Pedestrian, bicycle, and public transportation improvements, planning, and programming are sometimes an afterthought. To get a more GHG-efficient mode share, safe and convenient bike lanes, pedestrian pathways, transit shelters, and other facilities are required to be planned along with the vehicular travel network. This policy language would likely be found in the Circulation Element.

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- Redevelopment. One way to avoid GHG emissions is to facilitate more efficient and economic use of the lands in already-developed portions of a community. Reinvestment in existing neighborhoods and retrofit of existing buildings is appreciably more GHG efficient than greenfield development, and can even result in a net reduction in GHG emissions. This policy language would likely be found in the Conservation or Land Use Element.

- Housing and Employment. Most communities assess current and future economic prospects along with long-range land use planning. Part of the objective for many communities is to encourage the coalescence of a labor force with locally available and appropriate job opportunities. This concept is best known as "jobs-housing balance." This policy language would likely be found in the Housing Element.

- Planning Level Versus Project Level. For transportation-related GHG emissions that local governments can mitigate through land use entitlement authority, the overall community land use strategy and the overall transportation network are the most fruitful areas of focus. The reduction capacity of project-specific mitigation measures is greatly limited if supportive land use and transportation policies are lacking at the community planning level. The regional economic context, of course, provides an important backdrop for land use and transportation policy to address GHG emissions. Within this context, the general plan is the readily available tool for local governments to establish such land use and transportation strategies. This policy language would likely be found in the Land Use and Circulation Elements.

- Shipping Mode Shift. Locate shipping-intensive land uses in areas with rail access. Some modes of shipping are more GHG-intensive than others. Rail, for example, requires only about 15 to 25 percent of the energy used by trucks to ship freight equivalent distances and involves reduced transportation-related GHG emissions. Cities and counties have little direct control over the method of shipment that any business may choose. Nevertheless, as a part of the general planning process, cities and counties can address constraints on the use of rail for transporting goods. This policy language would likely be found in the Land Use and Circulation Elements.

2. Provide a "toolbox" of strategies after the project site has been selected. In addition to the examples of design principles that are built into the community planning process, communities can offer project applicants a range of tools to reduce GHG emissions. Mitigation strategies are elaborated in detail in Chapter 9.

3. Defer to General Plan implementation measure. Develop and implement a GHG Emissions Reduction Plan. Another option for local governments would be development of an implementation measure as a part of the general plan that outlines an enforceable GHG reduction program. Perhaps the most well known example of this approach is the result of California's Attorney General settlement of the lawsuit brought against San

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Bernardino County. The County has agreed to create a 1990 GHG inventory and develop measures to reduce such emissions according to the state's overall goals. Other communities have pursued similar programs (i.e., the City of San Diego, Marin County). Along with the inventories, targets, and example reduction measures, these programs would include quantitative standards for new development; targets for reductions from retrofitting existing development; targets for government operations; fee and spending program for GHG reduction programs; monitoring and reporting; and other elements. The local government itself should serve as a model for GHG reduction plan implementation, by inventorying emissions from government operations and achieving emission reductions in accordance with the plan's standards. An optional climate change element could be added to contain goals, policies, and this implementation strategy, or this could belong in an optional air quality element.

Other Project Types

Air District Rules, Regulations and Air Quality Plans

Air district air quality plans, rules and regulations could have the potential to increase or decrease GHG emissions within their respective jurisdiction. In general, air district air quality plans, rules and regulations act to reduce ozone precursors, criteria air pollutant and toxic air contaminant emissions, which would almost always act to reduce GHG emissions simultaneously. However, this may not always be the case.

Air Quality Plans

Air districts will have to include GHG emissions analysis as part of their criteria air pollutant and toxic air contaminant air pollutant analysis when considering the adoption of air quality plans and their subsequent rules and regulations needed to implement the plans. Multiple models and methodologies will be needed to accomplish this analysis.

Regional Transportation Plans

Regional transportation plans would also need to be evaluated on a case-by-case basis to determine if a net increase or decrease in GHG emissions would occur. Complex interactions between the roadway network, operating conditions, alternative transportation availability (such as public transit, bicycle pathways, and pedestrian infrastructure), and many other independent parameters specific to a region should be considered. Regional transportation models exist to estimate vehicular emissions associated with regional transportation plans, which includes the ability to estimate GHG emissions.

Normalization/Service Population Metric

The above methodology would provide an estimate of the mass GHG emissions generated by a proposed project, which could be compared to a mass emission threshold. EDAW developed a methodology that would measure a project's overall GHG efficiency

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in order to determine if a project is more efficient than the existing statewide average for per capita GHG emissions. The following steps could be employed to estimate the GHG-"efficiency," which may be more directly correlated to the project's ability to help obtain objectives outlined in AB 32, although it relies on establishment of an efficiency-based significance threshold. The subcommittee believes this methodology may eventually be appropriate to evaluate the long-term GHG emissions from a project in the context of meeting AB 32 goals. However, this methodology will need substantially more work and is not considered viable for the interim guidance presented in this white paper.

- Divide the total operational GHG emissions by the Service Population (SP) supported by the project (where SP is defined as the sum of the number of residents and the number of jobs supported by the project). This value should be compared to that of the projected statewide GHG emissions inventory from the applicable end-use sectors (electricity generation, residential, commercial/institutional, and mobile-source) in 1990 divided by the projected statewide SP for the year 2020 (i.e., AB 32 requirements), to determine if the project would conflict with legislative goals.

    - If the project's operational GHG/SP falls below AB 32 requirements, then the project's GHG emissions are less than cumulatively considerable.

    - If the project's operational GHG/SP exceed AB 32 requirements (a substantial contribution), then the project's GHG emissions would conflict with legislative requirements, and the impact would be cumulatively considerable and mitigation would be required where feasible.

- New stationary and area sources/facilities: calculate GHG emissions using the CCAR GRP. All GHG emissions associated with new stationary or area sources should be treated as a net increase in emissions, and if deemed significant, should be mitigated where feasible.

- Road or levee construction projects or other construction-only projects: calculate GHG emissions using the RoadMod, which will be updated to contain GHG emission factors from EMFAC and OFFROAD. All construction-generated GHG emissions should be treated as a net increase, and if deemed significant, should be mitigated to the extent feasible.

- Air District rulemaking or air quality management plan-type projects should be evaluated on a case-by-case basis for secondary impacts of increased GHG emissions generation. In most cases, the types of projects that act to reduce regional air pollution simultaneously act to reduce GHG emissions, and would be beneficial, but should be evaluated for secondary effects from GHG emissions.

- Regional transportation plans should also be evaluated on a case-by-case basis for potential to either reduce or increase GHG emissions from the transportation sector. EMFAC can be utilized to determine the net change in GHG emissions

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associated with projected vehicle VMT and from operating speed changes associated with additional or alleviated congestion.

To achieve the goals of AB 32, which are tied to GHG emission rates of specific benchmark years (i.e., 1990), California would have to achieve a lower rate of emissions per unit of population and per unit of economic activity than it has now. Further, in order to accommodate future population and economic growth, the state would have to achieve an even lower rate of emissions per unit than was generated in 1990. (The goal to achieve 1990 quantities of GHG emissions by 2020 means that this will need to be accomplished in light of 30 years of population and economic growth in place beyond 1990.) Thus, future planning efforts that would not encourage new development to achieve its fair share of reductions in GHG emissions would conflict with the spirit of the policy decisions contained in AB 32, thus impeding California's ability to comply with the mandate.

Thus, if a statewide context for GHG emissions were pursued, any net increase in GHG emissions within state boundaries would be considered "new" emissions. For example, a land development project, such as a specific plan, does not necessarily create "new" emitters of GHG, but would theoretically accommodate a greater number of residents in the state. Some of the residents that move to the project could already be California residents, while some may be from out of state (or would 'take the place' of in-state residents who 'vacate' their current residences to move to the new project). Some may also be associated with new births over deaths (net population growth) in the state. The out-of-state residents would be contributing new emissions in a statewide context, but would not necessarily be generating new emissions in a global context. Given the California context established by AB 32, the project would need to accommodate an increase in population in a manner that would not inhibit the state's ability to achieve the goals of lower total mass of emissions.

The average net influx of new residents to California is approximately 1.4 percent per year (this value represents the net increase in population, including the net contribution from births and deaths). With population growth, California also anticipates economic growth. Average statewide employment has grown by approximately 1.1 percent over the last 15 years. The average percentage of population employed over the last 15 years is 46 percent. Population is expected to continue growing at a projected rate of approximately 1.5 percent per year through 2050. Long-range employment projection data is not available from the California Department of Finance (DOF) and can be extrapolated in different ways (e.g., linear extrapolation by percentage rate of change, percentage of population employed, mathematical series expansion, more complex extrapolation based on further research of demographic projections such as age distribution). Further study would be needed to refine accurate employment projections from the present to 2050. For developing this framework, employment is assumed to have a constant proportionate relationship with the state's population. The projected number of jobs is assumed to be roughly 46 percent of the projected population.

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In light of the statewide context established by California law, consistency is most important for evaluating GHG emissions from projects. Thus, URBEMIS and the CCAR GRP are the recommended tools for quantification of GHG emissions from most project types in the short term. Over the long term, more sophisticated models that integrate the relationship between GHG emissions and land use, transportation, energy, water, waste, and other resources, and have similar application statewide would have better application to the problem, but may not currently be as accessible or as easily operable. I-PLACE^{3}S and CTG Energetics' Sustainable Communities Model (SCM) are two examples of such models that contain emission factors for GHGs, which could be refined to have applicability statewide and made available to CEQA practitioners. Other models are likely to be developed, given the importance of this issue.

Short-Term and Long-Term Methodologies

The following tools can be used to quantify a project's GHG emissions until tools that are more comprehensive become available statewide:

1. Land development projects: URBEMIS 2007 v. 9.2 and the CCAR GRP v. 2.2 (short-term); further development of I-PLACE^{3}S or CTG's Sustainable Communities Model (long-term).
2. New stationary and area sources/facilities: AP-42 Chapter 4.3, LandGem v. 3.02, and/or CCAR GRP v. 2.2.
3. Road or levee construction projects or other construction-only projects: RoadMod/OFFROAD 2007.

Ideally, I-PLACE^{3}S or CTG's Sustainable Communities Model would be expanded to apply to all regions of the state. These types of models use an integrated approach, which is the best approach for reasonably approximating the emissions that result from interaction between land uses, but neither is available to the public and would create consistency problems in reporting emissions from projects across the state if these were used today. However, a similar model with statewide applicability will likely be developed due to the importance of the issue.Table 10 Summary of Modeling Tools for Estimating GHG Emissions and Project Applicability

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Table 10: Summary of Modeling Tools for GHG Emissions

Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
URBEMIS 2007	*Public domain -Download (www.urbemis.com) free of charge*	*Land development and construction projects (construction, mobile- and area-source emissions)*	*Local*	*Fairly Easy*	*Land use information, construction and operational data and assumptions (e.g., jurisdiction, acres of land use type, year of operation, etc.)*	*Mobile-source Construction & Operational CO_2 (lb/day or tons/year)*	*-Recommended for land use development and construction projects -Also recommended for net change in land use (zoning changes)*	*-Does not quantify indirect emissions from energy consumption or other GHGs (except methane from mobile-sources) -Free, available to public, and applicable statewide -Widely used for assessment of other air quality impacts*
California Climate Action Registry General Reporting Protocol v. 2.2	*Public guidance document*	*Indirect emissions from land development projects, stationary- and area-source facilities regulated under AB 32*	*State*	*Easy*	*Energy consumption*	*CO_2e (Metric tons/year)*	*-Recommended for indirect emissions from energy consumption for land use development projects, and for new stationary- or area- sources to be regulated*	*-Contains emission factors for CH_4 and N_2O in addition to CO_2 -Does not contain emission factors broken down by utility provider (statewide average grid only)*
Clean Air and Climate Projection (CACP) Software	*Public agencies (members of ICLEI, NACAA, or similar)*	*Local governments used for emissions inventories*	*Local*	*N/A*	*Energy usage, waste generation/disposal transportation*	*CO_2e (tons/year)*	*-Recommended for inventories of local government entities activities (must be a member of affiliated agency or group)*	*-Not available to public*
CTG Sustainable Communities Model	*Custom model*	*Land development*	*Regional, scalable*	*N/A*	*Land use information, operational (mobile, energy, economic, infrastructure) assumptions*	*CO_2e (tons/year)*	*-An integrated and comprehensive modeling tool, but cannot obtain*	*-Not available to public*

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Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
I-PLACE^{3}S	*Access fee through local COG* *Only available for eight California counties*	*Land use change*	*Regional, scalable*	*Fairly Easy*	*Parcel information*	*CO_2 (lb/day or tons/year)*	*-Recommended for land use development projects and land use changes* *-Especially good for general plans*	*-Not freely available to public* *-Not applicable statewide* *-Actually provides insight into land use interaction* *-Can include very specific project attributes* *-Trip rates are from behavioral survey data, instead of ITE*
EMFAC 2007	*Public domain*	*On-road mobile-sources*	*Statewide, regional*	*Fairly Easy*	*Vehicle fleet information*	*CO_2 (grams/mile)*	*-Not recommended for most projects (URBEMIS preferred)* *-Could be used for certain Air District Rulemaking applications*	*-Can compare emissions based on speed-distribution* *-Emission factors contained in URBEMIS* *-Not a stand-alone model*
OFFROAD 2007	*Public domain*	*Off-road mobile sources (construction equipment)*	*Statewide, regional*	*Fairly Easy*	*Construction fleet information*	*CO_2 (lb/day)*	*-Not recommended (URBEMIS preferred)* *-could be used for certain Air District Rulemaking applications (re: construction equipment)*	*-Emission factors contained in URBEMIS*
RoadMod (to be updated to include CO_2)	*Public domain*	*Off-road and on-road mobile sources (construction equipment and material haul trucks)*	*Statewide*	*Easy*	*Construction information*	*CO_2 (lb/day or tons/project)*	*-Recommended for construction-only projects (linear in nature; i.e., levees, roads, pipelines)*	*-To be updated to support emissions factors from OFFROAD 2007*

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Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
DTIM	*Public domain*	*On-road mobile-sources*	*Statewide, regional*	*Difficult (consists of a series of three programs and requires input files from traffic and emissions modeling)*	*-EMFAC files* *-Traffic model output files (e.g., link, interzonal, and trip end data)* *-User options file* *-Optional files*	*CO_2 (tons/year)*	*-Not recommended*	*-Not updated to support EMFAC 2007 emission factors* *-Input files include output files from regional transportation models which more accurately reflect VMT*
Southeast Climate Change Partnership Spreadsheet Model (UK)	*Public domain http://www.climatesoutheast.org.uk/*	*UK Local government/ agencies/ organizations used for emissions inventories*	*Local, county, regional*	*Fairly easy*	*Energy usage, waste generation/disposal, transportation*	*CO_2 (tonnes/year)*	*-Not recommended for use in California, but could be a valuable source for building an applicable spreadsheet model*	*-Applicability for UK, but could be updated with CA-specific emission factors*
EPA AP-42; Evaporation Loss Sources Chapter 4.3.5	*Public reference document*	*GHG emissions from waste water treatment facilities*	*Facility level*	*Easy equation; substantial research needed to use*	*Biochemical oxygen demand (BOD) loading, Fraction anaerobically digested*	*CH4 (lb/year)*	*-Recommended for Publicly owned treatment works (POTW) projects*	*-Substantial research needed to determine the "fraction anaerobically digested" parameter, which is dependent on the type of treatment plant/process*
LandGem v. 3.02	*Public domain http://www.epa.gov/ttn/catc/dir1/landgem-v302.xls*	*GHG emissions from anaerobic decomposition associated with landfills*	*Facility Level*	*Moderate*	*Solid waste processing, year of analysis, lifetime of waste in place*	*CO_2, CH_4 (Mega grams/year)*	*-Recommended for landfill emissions*	*-Emission rates change dependent on years of decomposition, waste in place rates of change.* *-Complex decomposition rate equation, but good first approximation*

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Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
CARROT	*Registry members*	*Stationary source emissions, vehicle fleet mobile sources*	*Facility level*	*Moderate*	*Facility-specific information*	*All GHGs*	*-Recommended for reporting facilities under AB 32 and for indirect emissions from energy consumption (CCAR Protocol)*	*-Estimates all GHGs and normalizes to CO_2e* *-Not publicly available*

Notes:

GHG = greenhouse gas; AB = assembly bill; CO_2e = carbon dioxide equivalent; CH_4 = methane; N_2O = nitrous oxide; COG = council of governments ; ITE = Institute of Transportation Engineers; CCAR = California Climate Action Registry

Source: Data compiled by EDAW and the California Air Pollution Control Officers Association in 2007

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Introduction

This chapter (and Appendix B) identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions that would be identified using the analytical methodologies included in this white paper. The Subcommittee retained the services of EDAW to assist with this effort. EDAW performed a global search of mitigation measures currently in practice and under study that would reduce GHG emissions.

Table 16 (Appendix B) provides a brief description of each measure along with an assessment of their feasibility (from a standpoint of economical, technological, and logistical feasibility, and emission reduction effectiveness), and identifies their potential for secondary impacts to air quality. During the global search performed, EDAW also took note of GHG reduction strategies being implemented as rules and regulation (e.g., early action items under AB 32), which are summarized in Table 18 (Appendix C). It is important to note that though compliance with such would be required by regulation for some sources, such strategies may be applicable to other project and source types.

The recurring theme that echoes throughout a majority of these measures is the shift toward New Urbanism, and research has consistently shown that implementation of Neotraditional Development techniques reduces VMT and associated emissions. The material reviewed assessed reductions from transportation-related measures (e.g., bicycle, pedestrian, transit, and parking) as a single comprehensive approach to land use. This comprehensive approach focuses on development design criteria conducive to enhancing alternate modes of transportation, including transit, walking, and bicycling. Transportation Demand Management (TDM) programs are viewed as a mechanism to implement specific measures. TDM responsibilities may include offering incentives to potential users of alternative modes of transportation and monitoring and reporting mode split changes.

The comprehensive approach makes it more difficult to assess reductions attributable to each measure. Nevertheless, there is a strong interrelationship between many of the measures, which justifies a combined approach. Consider the relationship between bike parking nonresidential, bike parking residential, endtrip facilities, and proximity to bike path/bike lane measures. In reality, these measures combined act as incentives for one individual to bike to work, while implementation of a single measure without the others reduces effectiveness.

The global nature of GHG emissions is an important feature that enables unique mitigation: abatement. When designing a project subject to CEQA, the preferred practice is first to avoid, then to minimize, and finally to compensate for impacts. Where the impact cannot be mitigated on-site, off-site mitigation is often and effectively implemented in several resource areas, either in the form of offsetting the same impact or preserving the resource elsewhere in the region. Frequently, mitigation fee programs or funds are established, where the proponent pays into the program and fees collected

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throughout the region or state are used to implement projects that, in turn, proportionately offset the impacts of the projects to the given resource. It may be more cost-effective to reduce as much GHG on-site as feasible (economically and technologically). Then the proponent would pay into a "GHG retrofit fund" to reduce equivalent GHG emissions off-site. In contrast to regional air pollutant offset programs such as the Carl Moyer Program, it matters greatly where reductions of ozone precursors occur, as ozone affects regional air quality. The GHG retrofit fund could be used to provide incentives to upgrade older buildings and make them more energy efficient. This would reduce demand on the energy sector and reduce stationary source emissions associated with utilities. This program has been successfully implemented in the United Kingdom where developments advertise "carbon neutrality." Of course, some GHG emissions occur associated with operation of the development, but the development would offset the remainder of emissions through off-site retrofit. Avoiding emissions that would otherwise continue to occur at existing development would be a unique opportunity for mitigation of GHG emissions. Reduction of GHG emissions also may have important side benefits including reduction of other forms of pollution.

Depending on the significance threshold concept adopted, projects subject to the CEQA process would either qualitatively or quantitatively identify the amount of GHG emissions associated with their project using the analytical methodologies identified in the previous chapter. The analysis would then apply the appropriate number of mitigation measures listed in Appendix B to their project to reduce their GHG emissions below the significance level. Calculating the amount of GHG emission reductions attributable to a given mitigation measure would require additional research. The examples below illustrate how a project would be mitigated using this approach.

Residential Project Example

Project Attributes:

- 68 detached dwelling units
- 15.9 acres
- Located in unincorporated Placer County PCAPCD jurisdiction)
- Assume URBEMIS defaults for a rural project in Placer County, in absence of a traffic study (This is contrary to the recommendations contained under Task 1; a traffic study is necessary to asses project-specific GHG emissions).
- Analysis year 2009

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Table 11: Residential Project Example GHG Emissions Estimates with Mitigation

URBEMIS Output (Unmitigated)	Metric Tons/Year CO_2e	URBEMIS Output (Mitigated)	Metric Tons/Year CO_2e	Percent Reduction
Area-source emissions	252	Area-source emissions	215	14.6
Mobile-source emissions	1,047	Mobile-source emissions	916	12.5
Total direct operational emissions (area + mobile)	1,299	Total operational emissions (area + mobile)	1,131	12.9

Notes:
CO_2e = carbon dioxide equivalent

Sources: Data compiled by EDAW in 2007

Using URBEMIS 2007 and assuming the project would implement the mitigation measures listed below, yearly project-generated emissions of CO_2e would be reduced by approximately 13 percent. Implementation of the following mitigation measures is assumed:

- 100 housing units within one-half-mile radius of project's center, including this project's 68 residential units;
- provision of 80 jobs in the study area;
- retail uses present with one-half-mile radius of project's center;
- 10 intersections per square mile;
- 100% of streets with sidewalks on one side;
- 50% of streets with sidewalks on both sides;
- 30% of collectors and arterials with bike lanes, or where suitable, direct parallel routes exist;
- 15% of housing units deed restricted below market rate;
- 20% energy efficiency increase beyond Title 24; and
- 100% of landscape maintenance equipment electrically powered and electrical outlets in front and rear of units.

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Example Project Methodology and Mitigation

Table 12 –Residential Projects Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	URBEMIS (EMFAC emission factors)	MM T-3→MM T-8, MM T-10→ MM T-14, MM T-16, MM T-19→ MM T-21 MM D-2→MM D-8, MM D-10→ MM D-15, MM D-17 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	URBEMIS	MM D-13→MM D-15, MM D-17 MM E-1→MM E-8, MM E-10, MM E-12→MM E-23 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	CCAR GRP & CEC	

Table 13 –Commercial Projects Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	URBEMIS (EMFAC emission factors)	MM T-1→MM T-2, MM T-4→ MM T-15, MM T-17→MM T-21 MM D-1→MM D-3, MM D-5→ MM D-6, MM D-10, MM D-12, MM D-14→MM D-17 MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	URBEMIS	MM D-14→MM D-17 MM E-1, MM E-4→MM E-13, MM E-16→MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	CCAR GRP & CEC	

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Table 14 –Specific Plans Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MM T-1→MM T-21 MM D-1→MM D-12, MM D-18→ MM D-19 MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MM D-13→MM D-19 MM E-1→MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	Short-term: CCAR GRP & CEC. Long-term: I-PLACE^{3}S/CTG SCM	

General Plans

- Include a general plan policy to reduce emissions within planning area to a level consistent with legislative requirements.
- Implementation strategies include preparation of a GHG reduction plan.
- Projects consistent with a general plan could be responsible for complying with such a policy.

Table 15 –General Plans Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors).	MS G-1 MM G-15
Mobile Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MS G-1 MS G-2→MS C-7, MS G-9, MS G-12, MS-13→MS-14, MS-16→MS-23
Area Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MS G-1 MS G-8→MS C-11, MS G-134, MS G-12, MS-15, MS-17, MS-22
Indirect Emissions		
Energy Consumption	Short-term: CCAR GRP & CEC. Long-term: I-PLACE^{3}S/CTG SCM	

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Other Project Types

Air District Rules and Regulations

Air district rules and regulations could have the potential to increase or decrease GHG emissions within the respective jurisdiction. In general, air district rules and regulations act to decrease criteria air pollutant or toxic air contaminant emissions, which would usually act to reduce GHG emissions simultaneously. However, this may not always be the case and air district rules and regulations could address emissions from a large variety of different source types. Reductions of GHG emissions associated with implementation of applicable mitigation, which could also vary greatly, would need to be evaluated on a case-by-case basis. However, once applicable mitigation measures are identified, percent reductions based on the best available research to date, such as those specified in Table 15, could be applied to determine mitigated emissions.

Air Quality Plans

Similarly to air district rules and regulations, air quality plans could have the potential to increase or decrease GHG emissions because of criteria air pollutant reduction strategies. In general, strategies implemented by air districts to reduce criteria air pollutants also act to reduce GHG emissions. However, this may not always be the case. Reductions of GHG emissions associated with implementation of applicable mitigation would need to be evaluated on a case-by-case basis. The methodology identified above for determining whether the strategies contained within the GHG reduction plan would adhere to the level specified in general plan policy could also be used to determine the reductions associated with CAP strategies.

Regional Transportation Plans

Regional transportation plans and reductions of GHG emissions associated with implementation of applicable mitigation would also need to be evaluated on a case-by-case basis to determine if a net increase or decrease in GHG emissions would occur. Complex interactions between the roadway network, operating conditions, alternative transportation availability (such as public transit, bicycle pathways, and pedestrian infrastructure), and many other independent parameters specific to a region should be considered. EMFAC 2007 can be used with VMT from the RTP to create an inventory of GHG emissions. Reductions associated with implementation of applicable measures contained in Table 16 could be accomplished by accounting for VMT reductions in the traffic model.

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Many states, counties, and cities have developed policies and regulations concerning greenhouse gas emissions that seek to require or promote reductions in GHG emissions through standards for vehicle emissions, fuels, electricity production/renewables, building efficiency, and other means. However, we could only identify three public agencies in the United States that are considering formally requiring the analysis of greenhouse gas emissions and climate change for development projects during their associated environmental processes. There may be others, but they were not identified during research conducted during preparation of this paper.

The following is a summary of those three efforts.

Commonwealth of Massachusetts - MEPA Greenhouse Gas Emissions Policy and Protocol

The Massachusetts Executive Office of Energy and Environmental Affairs (EEA) has determined that the phrase "damage to the environment" as used in the Massachusetts Environmental Policy Act (MEPA) includes the emission of greenhouse gases caused by projects subjects to MEPA Review. EEA has published a Greenhouse Gas Emissions Policy (GGEP) to fulfill the statutory obligation to take all feasible measurers to avoid, minimize or mitigate damage to the environment.

The GGEP concerns the following projects only:

- The Commonwealth or a state agency is the proponent;
- The Commonwealth or a state agency is providing financial assistance;
- The project is privately funded, but requires an Air Quality Permit from the department of Environmental Protection;
- The project is privately funded, but will generate:
    - 3,000 or more new vehicle trips per day for office projects;
    - 6,000 or more new vehicle trips per day for mixed use projects that are 25% or more office space; or
    - 10,000 or more new vehicle trips per day for other projects.

As a comparison, the trip generation amounts correspond as follows:

- 3,000 vehicle trips per day = approximately 250,000 square foot office development;
- 6,000 or more new vehicle trips per day for mixed use projects that are 25% or more office space = if 25% office space, then equivalent to approximately 130,000 square feet of office and either 100,000 square feet of retail or 450 single-family residential units or some combination thereof.
- 10,000 or more new vehicle trips per day = approximately 1,000 single family residential units or 250,000 square feet retail.

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The draft policy states it is not intended to create a numerical GHG emission limit or a numerical GHG emissions reduction target, but rather to ensure that project proponents and reviewers have considered the GHG emissions impacts of their projects and taken all feasible means and measure to reduce those impacts.

The draft policy notes that some projects within these categories will have little or no greenhouse gas emission and the policy will not apply to such projects. EEA intends to identify in the scoping certificate whether a project falls within this *de minimis* exception.

The GGEP requires qualifying projects to do the following:

- to quantify their GHG emissions;
- identify measures to minimize or mitigate such emissions;
- quantify the reduction in emissions and energy savings from mitigation.

Emissions inventories are intended to focus on carbon dioxide, but analysis of other GHGs may be required for certain projects. EEA will require analysis of direct GGH emissions and indirect (electricity and transportation) emissions. The GGEP references the protocols prepared by the World Resource Institute as guidance for inventory preparation.

The policy is still in draft form, but the comment period closed on August 10, 2007.

King County, Washington - Executive Order on the Evaluation of Climate Change Impacts through the State Environmental Policy Act (SEPA)

On June 27, 2007, the King County Executive Ron Sims directed all King County Departments, as follows:

> *"...effective September 1, 2007 to require that climate impacts, including, but not limited to those pertaining to greenhouse gases, be appropriately identified and evaluated when such Departments are acting as the lead agency in reviewing the environmental impacts of private or public proposals pursuant to the State Environmental Policy Act".*

The Executive Order does not define what a "climate impact" is. Based on statements of the County Deputy Chief of Staff[*]

- County agencies will ask project proponents to supply information on transportation, energy usage and other impacts of proposed projects using the County's existing SEPA checklist.

[*] Marten Law Group: Environmental News, August 1, 2007, "King County (WA) First in Nation to Require Climate Change Impacts to be Considered During Environmental Review of New Projects".

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- There is no current plan to require project proponents to take action to mitigate the impacts identifies.
- Development of emissions thresholds and mitigation requirements will be undertaken in connection with the County's upcoming 2008 update of its Comprehensive Plan.

Sacramento Metropolitan Air Quality Management District

The Sacramento Metropolitan Air Quality Management District released an interim guidance on addressing climate change in CEQA documents on September 6, 2007. While very general in nature, the District recommends that CEQA environmental documents include a discussion of anticipated GHG emissions during both the construction and operation phases of the project. This includes assessing the GHG emissions from projects (using readily available models) to determine whether a project may have a significant impact. If so, then the District recommends addressing all of the District's GHG mitigation measures (drawn from comments made by the California Attorney General) – with explanations on how the mitigation will be implemented or providing rationale for why a measure would be considered infeasible. The District provides assistance to agencies in their analysis of GHG emissions and the applicability of specific mitigation measures. The District's guidance can be found at: http://64.143.64.21/climatechange/ClimateChangeCEQAguidance.pdf

Mendocino Air Quality Management District – CEQA Guidelines

The Mendocino AQMD updated its "Guidelines for Use During Preparation of Air Quality Impacts in EIRs or Mitigated Negative Declarations" in May 2007. The guidelines call for preparing estimates of the increased emissions of air contaminations (including GHG) for projects.

The guidelines state that GHG emissions should be presumed to have a significant impact if CO emissions from District-approved modeling exceed either of the following:

- 80% of the level defined as significant for stationary sources in Regulation1, Rule 130 (s2) of the District (which is 550 lbs/day for CO, meaning a threshold of 440 lbs/day for CO for stationary sources); or
- levels established in District Regulation 1 Rule 130 (i2) for indirect sources (which is 690 lbs/day for CO for indirect sources).

If an average passenger vehicle emits 22 grams of CO/mile and 0.8 lb/mile of CO_2, then the 690-lb/day threshold for CO corresponds to approximately 11,400 lb/day CO_2 threshold for passenger vehicle-related emissions. If one assumes that the average passenger vehicle goes 12,500 miles/year (about 35 miles/day), then this is a threshold equivalent to about 420 vehicles. Using an average in California of about 1.77 vehicles/household, this would correspond to about 250 households/dwelling units.

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Appendix A

Relevant Citations

Citations from the Public Resources Code (Division 13, §21000 et seq.) as amended through January 1, 2005.

Public Resources Code – Section 21004, MITIGATING OR AVOIDING A SIGNIFICANT EFFECT; POWERS OF PUBLIC AGENCY:
"In mitigating or avoiding a significant effect of a project on the environment, a public agency may exercise only those express or implied powers provided by law other than this division. However, a public agency may use discretionary powers provided by such other law for the purpose of mitigating or avoiding a significant effect on the environment subject to the express or implied constraints or limitations that may be provided by law."

Public Resources Code – Section 21082.2, SIGNIFICANT EFFECT ON ENVIRONMENT; DETERMINATION; ENVIRONMENTAL IMPACT REPORT PREPARATION:
(a) The lead agency shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record.
(b) The existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment.
(c) Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.
(d) If there is substantial evidence, in light of the whole record before the lead agency, that a project may have a significant effect on the environment, an environmental impact report shall be prepared.
(e) Statements in an environmental impact report and comments with respect to an environmental impact report shall not be deemed determinative of whether the project may have a significant effect on the environment.

Citations from the Guidelines for California Environmental Quality Act, CCR, Title 14, Division 6 (§15000 et seq.) as amended through July 27, 2007.

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO= Carbon Monoxide; CO_2=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EVs/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m^2=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO_X=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SJVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=Sacramento Metropolitan Air Quality Management District; SMUD=Sacramento Municipal Utilities District; SO_x=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTPI=Victoria Transit Policy.

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State CEQA Guidelines – Section 15064, DETERMINING THE SIGNIFICANCE OF THE ENVIRONMENTAL EFFECTS CAUSED BY A PROJECT:

(a) Determining whether a project may have a significant effect plays a critical role in the CEQA process.

(1) If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, the agency shall prepare a draft EIR.

(2) When a final EIR identifies one or more significant effects, the Lead Agency and each Responsible Agency shall make a finding under Section 15091 for each significant effect and may need to make a statement of overriding considerations under Section 15093 for the project.

(b) The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.

(c) In determining whether an effect will be adverse or beneficial, the Lead Agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency. Before requiring the preparation of an EIR, the Lead Agency must still determine whether environmental change itself might be substantial.

(d) In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.

(1) A direct physical change in the environment is a physical change in the environment which is caused by and immediately related to the project. Examples of direct physical changes in the environment are the dust, noise, and traffic of heavy equipment that would result from construction of a sewage treatment plant and possible odors from operation of the plant.

(2) An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. If a direct physical change in the environment in turn causes another change in the environment, then the other change is an indirect physical change in the environment. For example, the construction of a new sewage treatment plant may facilitate population growth in the service area due to the increase in sewage treatment capacity and may lead to an increase in air pollution.

(3) An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.

(e) Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a

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project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. For example, if a project would cause overcrowding of a public facility and the overcrowding causes an adverse effect on people, the overcrowding would be regarded as a significant effect.
(f) The decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency.
(1) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment, the lead agency shall prepare an EIR (Friends of B Street v. City of Hayward (1980) 106 Cal.App.3d 988). Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect (No Oil, Inc. v. City of Los Angeles (1974) 13 Cal.3d 68).
(2) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment then a mitigated negative declaration shall be prepared.
(3) If the lead agency determines there is no substantial evidence that the project may have a significant effect on the environment, the lead agency shall prepare a negative declaration (Friends of B Street v. City of Hayward (1980) 106 Cal.App. 3d 988).
(4) The existence of public controversy over the environmental effects of a project will not require preparation of an EIR if there is no substantial evidence before the agency that the project may have a significant effect on the environment.
(5) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion support by facts.
(6) Evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.
(7) The provisions of sections 15162, 15163, and 15164 apply when the project being analyzed is a change to, or further approval for, a project for which an EIR or negative declaration was previously certified or adopted (e.g. a tentative subdivision, conditional use permit). Under case law, the fair argument standard does not apply to determinations of significance pursuant to sections 15162, 15163, and 15164.
(g) After application of the principles set forth above in Section 15064(f)(g), and in marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts

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over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.
(h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
(2) A lead agency may determine in an initial study that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. When a project might contribute to a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures set forth in a mitigated negative declaration, the initial study shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable.
(3) A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project.
(4) The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

State CEQA Guidelines – Section 15130, DISCUSSION OF CUMULATIVE IMPACTS:
(a)(3). "An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.

State CEQA Guidelines – Section 15064.7, THRESHOLDS OF SIGNIFICANCE:
"Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level

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of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant."

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Appendix B

Mitigation Measure Summary

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Transportation								
Bicycle/Pedestrian/Transit Measures								
MM T-1: Bike Parking	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	1%-5%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates combined reductions among individual measures (e.g., 2.5% reduction for all bicycle-related measures and one-quarter of 2.5% for each individual measure) (TIAX 2005, EDAW 2006, SMAQMD 2007). VTPI presents % reductions for showers and combined measures in the TDM encyclopedia (VTPI	Yes: Lockers ($1,200-$2,950, $700/bike on average), Racks ($70-$2,000, $70/bike on average).	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	Caltrans, Portland Bicycle Master Plan (City of Portland 1998), CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Nonresidential projects provide plentiful short- and long-term bicycle parking facilities to meet peak season maximum demand (e.g., one bike rack space per 20 vehicle/employee parking spaces.
MM T-2: End of Trip Facilities	LD (C, M), I, SP, TP, AQP, RR, P/Mobile		Yes	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Nonresidential projects provide "end-of-trip" facilities including showers, lockers, and changing space (e.g., four clothes lockers and one shower provided for every 80 employee parking spaces, separate facilities for each gender for projects with 160 or more employee parking spaces).
MM T-3: Bike-Parking at Multi-	LD (R, M), SP, AQP, RR,		Yes: Lockers ($1,200-	Yes (Caltrans 2005,	Yes (Caltrans	Adverse: No Beneficial:		Long-term bicycle parking is provided at apartment

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Unit Residential	P/Mobile	2007). JSA bases estimates on CCAP information (JSA 2004).	$2,950, $700/bike on average), Racks ($70-$2,000, $70/bike on average).	Dierkers et al. 2007, VTPI 2007)	2005, Dierkers et al. 2007, VTPI 2007)	CAPs, TACs		complexes or condominiums without garages (e.g., one long-term bicycle parking space for each unit without a garage). Long-term facilities shall consist of one of the following: a bicycle locker, a locked room with standard racks and access limited to bicyclists only, or a standard rack in a location that is staffed and/or monitored by video surveillance 24 hours per day.
MM T-4: Proximity to Bike Path/Bike Lanes	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile		Yes	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Entire project is located within one-half mile of an existing/planned Class I or Class II bike lane and project design includes a comparable network that connects the project uses to the existing offsite facility. Project design includes a designated bicycle route connecting all units, on-site bicycle parking facilities, offsite bicycle facilities, site entrances, and primary building entrances to existing Class I or Class II bike lane(s) within one-half mile. Bicycle route connects to all streets contiguous with project site. Bicycle route has minimum conflicts with automobile parking and circulation

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								facilities. All streets internal to the project wider than 75 feet have Class II bicycle lanes on both sides.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-5: Pedestrian Network	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-10%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates 1% for each individual measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	The project provides a pedestrian access network that internally links all uses and connects to all existing/planned external streets and pedestrian facilities contiguous with the project site. Project design includes a designated pedestrian route interconnecting all internal uses, site entrances, primary building entrances, public facilities, and adjacent uses to existing external pedestrian facilities and streets. Route has minimal conflict with parking and automobile circulation facilities. Streets (with the exception of alleys) within the project have sidewalks on both sides. All sidewalks internal and adjacent to project site are minimum of five feet wide. All sidewalks feature vertical curbs. Pedestrian facilities and improvements such as grade separation, wider sidewalks, and traffic calming are implemented wherever feasible to minimize pedestrian barriers. All site entrances provide pedestrian access.
MM T-6: Pedestrian	LD (R, C, M), I, SP, TP,		Yes	Yes (Dierkers et al. 2007,	Yes (Dierkers et	Adverse: No Beneficial:		Site design and building placement minimize barriers to

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Barriers Minimized	AQP, RR, P/Mobile			VTPI 2007)	al. 2007, VTPI 2007)	CAPs, TACs		pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation are eliminated.
MM T-7: Bus Shelter for Existing/Planned Transit Service	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-2%/High: CCAP presents these % reductions (Dierkers et al., 2007). SMAQMD assigns from .25%-1%, depending on headway frequency (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes: $15,000-$70,000.	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, City of Calgary (City of Calgary 2004), CA air quality management and control districts, and cities/counties.	Bus or streetcar service provides headways of one hour or less for stops within one-quarter mile; project provides safe and convenient bicycle/pedestrian access to transit stop(s) and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-8: Traffic Calming	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-10%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates .25%-1.0% for each individual measure depending on percent of intersections and streets with improvements (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Project design includes pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways are designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming features. All sidewalks internal and adjacent to project site are minimum of five feet wide. All sidewalks feature vertical curbs. Roadways that converge internally within the project are routed in such a way as to avoid "skewed intersections;" which are intersections that meet at acute, rather than right, angles. Intersections internal and adjacent to the project feature one or more of the following pedestrian safety/traffic calming design techniques: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, and roundabouts or mini-circles. Streets internal and adjacent to the project feature pedestrian safety/traffic calming measures such as on-street parking, planter strips with street trees,

MV0017969

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								and chicanes/chokers (variations in road width to discourage high-speed travel).
Parking Measures								
MM T-9: Paid Parking (Parking Cash Out)	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a range of 1.0%-7.2%, depending on cost/day and distance to transit (TIAX 2005, EDAW 2006, SMAQMD 2007). Shoupe presents a 21% reduction [$5/day for commuters to downtown LA, with elasticity of -0.18 (e.g., if price increases 10%, then solo driving goes down by 1.8% more)] (Shoupe 2005). Urban Transit Institute	Yes: Vary by location and project size.	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Project provides employee and/or customer paid parking system. Project must have a permanent and enforceable method of maintaining user fees for all parking facilities. The facility may not provide customer or employee validations. Daily charge for parking must be equal to or greater than the cost of a transit day/monthly pass plus 20%.

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MV00177970

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		presents a range of 1%-10% reduction in trips to central city sites, and 2%-4% in suburban sites (VTPI 2007).						
MM T-10: Minimum Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a maximum of 6% (Nelson/Nygaard Consulting Associates, 2005, TIAX 2005, EDAW 2006).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007), Note that in certain areas of the state, the minimum parking required by code is greater than the peak period parking demand for most land uses. Simply meeting minimum code requirements in these areas would not result in an emissions reduction.	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, Governor's Office of Smart Growth (Annapolis, Maryland) (Zimbler), CA air quality management and control districts, and cities/counties.	Provide minimum amount of parking required. Once land uses are determined, the trip reduction factor associated with this measure can be determined by utilizing the ITE parking generation publication. The reduction in trips can be computed as shown below by the ratio of the difference of minimum parking required by code and ITE peak parking demand to ITE peak parking demand for the land uses multiplied by 50%. Percent Trip Reduction = 50 * [(min parking required by code – ITE peak parking demand)/ (ITE peak parking demand)]

MV00177971

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-11: Parking Reduction Beyond Code/Shared Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a maximum of 12% (Nelson/Nygaard, 2005, TIAX 2005, EDAW 2006).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Provide parking reduction less than code. This measure can be readily implemented through a shared parking strategy, wherein parking is utilized jointly among different land uses, buildings, and facilities in an area that experience peak parking needs at different times of day and day of the week.
MM T-12: Pedestrian Pathway Through Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-4%/Moderate: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates 0.5% reduction for this measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances.

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MV00177972

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-13: Off - Street Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-4%/Moderate: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates a range of 0.1%-1.5% for this measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Parking facilities are not adjacent to street frontage.
MM T-14: Parking Area Tree Cover	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	Annual net CO_2 reduction of 3.1 kg/m^2 canopy cover/Moderate (McPherson 2001).	Yes: $19 per new tree for CA, cost varies for maintenance, removal and replacement (McPherson 2001).	Yes	Yes	Adverse: VOCs Beneficial: CAPs, TACs	AG, State of CA Department of Justice (Goldberg 2007) and cities/counties (e.g., parking lot ordinances in Sacramento, Davis, and Los Angeles, CA).	Provide parking lot areas with 50% tree cover within 10 years of construction, in particular low emitting, low maintenance, native drought resistant trees. Reduces urban heat island effect and requirement for air conditioning, effective when combined with other measures (e.g., electrical maintenance equipment and reflective paving material).
MM T-15: Valet Bicycle Parking	LD (C, M), SP, AQP, TP, RR, P/Mobile	NA/Low	Yes	Yes	Yes: Raley Field (Sacramento, CA)	Adverse: No Beneficial: CAPs, TACs	Raley Field (Sacramento, CA).	Provide spaces for the operation of valet bicycle parking at community event "centers" such as amphitheaters, theaters, and stadiums.
MM T-16: Garage Bicycle Storage	LD (R, M), SP, AQP, TP, RR, P/Mobile	NA/Low	Yes: Less than $200/multiple bike rack.	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	City of Fairview, OR	Provide storage space in one-car garages for bicycles and bicycle trailers.

MV00177973

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-17: Preferential Parking for EVs/CNG Vehicles	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	USGBC, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Provide preferential parking space locations for EVs/CNG vehicles.
MM T-18: Reduced/No Parking Fee for EVs/CNG Vehicles	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Hotels (e.g., Argonaut in San Francisco, CA)	Provide a reduced/no parking fee for EVs/CNG vehicles.

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MV00177974

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Miscellaneous Measure								
MM T-19: TMA Membership	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-28%/High: CCAP presents a range of 3%-25% for TDMs with complementary transit and land use measures (Dierkers et al. 2007). VTPI presents a range of 6%-7% in the TDM encyclopedia (VTPI 2007). URBEMIS offers a 2%-10% range in reductions for a TDM that has 5 elements that are pedestrian and transit friendly and 1%-5% for 3 elements. SMAQMD presents a reduction of 5% (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Include permanent TMA membership and funding requirement. Funding to be provided by Community Facilities District or County Service Area or other nonrevocable funding mechanism. TDMs have been shown to reduce employee vehicle trips up to 28% with the largest reductions achieved through parking pricing and transit passes. The impact depends on the travel alternatives.
MM T-20: ULEV	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes: Higher than corresponding gasoline models.	Yes	Yes: Fueling stations might not be readily available depending on location. More than 900 E85 fueling	Adverse: No Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Use of and/or provide ULEV that are 50% cleaner than average new model cars (e.g., natural gas, ethanol, electric).

MV00177975

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					stations in the U.S., 5 in CA. Vehicles available in select regions only			
MM T-21: Flex Fuel Vehicles	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	5466.97 lb GHG/year/Low (DOE Fuel Economy)	Yes: E85 costs less than gasoline per gallon, but results in lower fuel economy.	Yes	Yes: More than 900 E85 fueling stations in the U.S., 5 in CA. Vehicles available in select regions only	Adverse: Yes Issues with the energy intensive ethanol production process (e.g., wastewater treatment requirements). Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., SJVAPCD).	Use of and/or provide vehicles that utilize gasoline/ethanol blends (e.g., E85).
Design								
Commercial & Residential Building Design Measures								
MM D-1: Office/Mixed Use Density	LD (C, M), SP, TP, AQP, RR, P/Mobile	0.05%-2%/Moderate: This range is from SMAQMD, depending	Yes	Yes (VTPI 2007)	Yes (VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties	Project provides high density office or mixed-use proximate to transit. Project must provide

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MV00177976

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		on FAR and headway frequencies (Nelson/Nygaard Consulting Associates 2005, EDAW 2006, SMAQMD 2007).					(e.g., SMAQMD).	safe and convenient pedestrian and bicycle access to all transit stops within one-quarter mile.
MM D-2: Orientation to Existing/Planned Transit, Bikeway, or Pedestrian Corridor	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	0.4%-1%/Moderate: CCAP attributes a 0.5% reduction per 1% improvement in transit frequency (Dierkers et al. 2007). SMAQMD presents a range of 0.25%-5% (JSA 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007)	Yes (Dierkers et al. 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project is oriented towards existing transit, bicycle, or pedestrian corridor. Setback distance between project and existing or planned adjacent uses is minimized or nonexistent. Setback distance between different buildings on project site is minimized. Setbacks between project buildings and planned or existing sidewalks are minimized. Buildings are oriented towards existing or planned street frontage. Primary entrances to buildings are located along planned or existing public street frontage. Project provides bicycle access to any planned bicycle corridor(s). Project provides pedestrian access to any planned pedestrian corridor(s).
MM D-3: Services Operational	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	0.5%-5%/Moderate	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides on-site shops and services for employees.

MV00177977

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-4: Residential Density (Employ Sufficient Density for New Residential Development to Support the Use of Public Transit)	LD (R, M), SP, TP, AQP, RR, P/Mobile	1%-40%/High: #7, EPA presents a range of 32%-40% (EPA 2006). SMAQMD presents a range of 1%-12% depending on density and headway frequencies (Nelson/Nygaard Consulting Associates 2005, JSA 2005, EDAW 2006, SMAQMD 2007). Nelson/Nygaard presents a trip reduction formula: Trip Reduction = 0.6*(1-(19749*((4.814+ households per residential acre)/(4.814+7.14))^-06.39)/25914).	Yes	Yes (VTPI 2007, Holtzclaw 2007)	Yes (VTPI 2007, Holtzclaw 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides high-density residential development. Transit facilities must be within one-quarter mile of project border. Project provides safe and convenient bicycle/pedestrian access to all transit stop(s) within one-quarter mile of project border.
MM D-5: Street Grid	LD (R, C, M), I, SP, TP, AQP, RR,	1%/Moderate: SMAQMD presents this % reduction (JSA	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007,	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties	Multiple and direct street routing (grid style). This measure only applies to projects

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MV00177978

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	P/Mobile	2005, EDAW 2006, SMAQMD 2007).			VTPI 2007)		(e.g., SMAQMD).	with an internal CF >/= 0.80, and average of one-quarter mile or less between external connections along perimeter of project. [CF= # of intersections / (# of cul-de-sacs + intersections)]. Cul-de-sacs with bicycle/pedestrian through access may be considered "complete intersections" when calculating the project's internal connectivity factor. External connections are bike/pedestrian pathways and access points, or streets with safe and convenient bicycle and pedestrian access that connect the project to adjacent streets, sidewalks, and uses. If project site is adjacent to undeveloped land; streets, pathways, access points, and right-of-ways that provide for future access to adjacent uses may count for up to 50% of the external connections. Block perimeter (the sum of the measurement of the length of all block sides) is limited to no more than 1,350 feet. Streets internal to the project should connect to streets external to the project whenever possible.

MV00177979

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-6: NEV Access	LD (R, C, M), SP, TP, AQP, RR, P/Mobile	0.5%-1.5%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (Litman 1999, Sperling 1994)	Yes (Litman 1999, Sperling 1994)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Make physical development consistent with requirements for neighborhood electric vehicles. Current studies show that for most trips, NEVs do not replace gas-fueled vehicles as the primary vehicle.
MM D-7: Affordable Housing Component	LD (R, M), SP, TP, AQP, RR, P/Mobile	0.4%-6%/Moderate: SMAQMD presents this % reduction (Nelson/Nygaard Consulting Associates 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Residential development projects of five or more dwelling units provide a deed-restricted low-income housing component on-site (or as defined in the code). Developers who pay into In-Lieu Fee Programs are not considered eligible to receive credit for this measure. The award of emission reduction credit shall be based only on the proportion of affordable housing developed on-site because in-lieu programs simply induce a net increase in development. Percentage reduction shall be calculated according to the following formula:

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MV0017980

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								% reduction = % units deed-restricted below market rate housing * 0.04
MM D-8: Recharging Area	LD (R, M), SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Provide residential buildings with a "utility" room or space for recharging batteries, whether for use in a car, electric lawnmower, other electric landscaping equipment, or even batteries for small items such as flashlights.
Mixed-Use Development Measures								
MM D-9: Urban Mixed-Use	LD (M), SP, TP, AQP, RR, P/Mobile	3%-9%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Development of projects predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with functional interrelationships and a coherent physical design.
MM D-10: Suburban Mixed-Use	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	3%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Have at least three of the following on site and/or offsite within one-quarter mile: Residential Development, Retail Development, Park, Open Space, or Office.
MM D-11: Other Mixed-Use	LD (R, M), SP, TP, AQP, RR, P/Mobile	1%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	All residential units are within one-quarter mile of parks, schools or other civic uses.

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		2006, SMAQMD 2007).						
MM D-12: Infill Development	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	3%-30%/High: Infill development reduces vehicle trips and VMT by 3% and 20%, respectively (Fehr & Peers 2007). CCAP identifies a site level VMT reduction range of 20%-30% (Dierkers et al. 2007).	Yes	Yes (Dierkers et al. 2007)	Yes (Dierkers et al. 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project site is on a vacant infill site, redevelopment area, or brownfield or greyfield lot that is highly accessible to regional destinations, where the destinations rating of the development site (measured as the weighted average travel time to all other regional destinations) is improved by 100% when compared to an alternate greenfield site.
Miscellaneous Measures								
MM D-13: Electric Lawnmower	LD (R, M), SP, AQP, RR, P/Area	1%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Provide a complimentary electric lawnmower to each residential buyer.

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-14: Enhanced Recycling/Waste Reduction, Reuse, Composting	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Low	Yes	Yes	Yes: Association with social awareness.	Adverse: No Beneficial: CAPs, TACs	CIWMB	Provide infrastructure/education that promotes the avoidance of products with excessive packaging, recycle, buying of refills, separating of food and yard waste for composting, and using rechargeable batteries.
MM D-15: LEED Certification	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Moderate	Yes: Receive tax rebates, incentives (e.g., EDAW San Diego office interior remodel cost $1,700,000 for 32,500 square feet) (USGBC 2007)	Yes	Yes: More than 700 buildings of different certifications in CA (USGBC 2007).	Adverse: No Beneficial: CAPs, TACs	USGBC, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.
MM D-16: Retro-Commissioning	LD (C, M), I, SP, AQP, RR, P/Stationary & Area	8%-10% reduction in energy usage/Moderate: (Mills et al. 2004)	Yes: Average $0.28/square feet, varies with building size (Haasl and Sharp 1999).	Yes	Yes: 27 projects underway in CA, 21 more to be completed in 2007, mostly state buildings owned by DGS (DGS 2007).	Adverse: No Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	The process ensures that all building systems perform interactively according to the contract documents, the design intent and the owner's operational needs to optimize energy performance.
MM D-17 Landscaping	LD (R, C, M), I, SP, AQP, RR,	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Alliance for the Chesapeake Bay, EPA Green Landscaping	Project shall use drought resistant native trees, trees with low emissions and high carbon

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	P/Stationary & Area						Resources	sequestration potential. Evergreen trees on the north and west sides afford the best protection from the setting summer sun and cold winter winds. Additional considerations include the use of deciduous trees on the south side of the house that will admit summer sun; evergreen plantings on the north side will slow cold winter winds; constructing a natural planted channel to funnel summer cooling breezes into the house. Neighborhood CCR's not requiring that front and side yards of single family homes be planted with turf grass. Vegetable gardens, bunch grass, and low-water landscaping shall also be permitted, or even encouraged.
MM D-18: Local Farmers' Market	LD (M), SP/Mobile, Stationary, &	NA/Low	Yes	Yes	Yes: Associated with social	Adverse: No Beneficial: CAPs, TACs	Cities/counties (e.g., Davis, Sacramento)	Project shall dedicate space in a centralized, accessible location for a weekly farmers' market.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	Area				choice and public awareness.			
MM D-19: Community Gardens	LD (M), SP/Mobile, Stationary, & Area	NA/Low	Yes	Yes	Yes: Associated with social choice and public awareness.	Adverse: No Beneficial: CAPs, TACs	Cities/counties (e.g., Davis)	Project shall dedicate space for community gardens.
Energy Efficiency/Building Component								
MM E-1: High-Efficiency Pumps	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Project shall use high-efficiency pumps.
MM E-2: Wood Burning Fireplaces/Stoves	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low: EDAW 2006	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project does not feature fireplaces or wood burning stoves.
MM E-3: Natural Gas Stove	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low: EDAW 2006	Yes: Cost of stove—$350 (gas) and $360 (electric) same brand, total yearly cost of $42.17 as opposed to $56.65 for electric (Saving Electricity 2006).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project features only natural gas or electric stoves in residences.

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Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-4: Energy Star Roof	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	0.5%-1%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes: 866 Energy Star labeled buildings in California (Energy Star 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project installs Energy Star labeled roof materials.
MM E-5: On-site Renewable Energy System	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	1%-3%/Moderate: SMAQMD presents this % reduction (USGBC 2002 and 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides onsite renewable energy system(s). Nonpolluting and renewable energy potential includes solar, wind, geothermal, low-impact hydro, biomass and bio-gas strategies. When applying these strategies, projects may take advantage of net metering with the local utility.

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Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-6: Exceed Title 24	LD (R, C, M), I, GSP, AQP, RR, P/Stationary & Area	1%/Moderate: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (PG&E 2002, SMUD 2006)	Yes (PG&E 2002, SMUD 2006)	Adverse: No Beneficial: CAPs, TACs	PG&E, SMUD, CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project exceeds title 24 requirements by 20%.
MM E-7: Solar Orientation	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	0.5%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project orients 75% or more of homes and/or buildings to face either north or south (within 30° of N/S). Building design includes roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows. Trees, other landscaping features and other buildings are sited in such a way as to maximize shade in the summer and maximize solar access to walls and windows in the winter.
MM E-8: Nonroof Surfaces	LD (R, C, M), I, GSP, AQP, RR, P/Stationary & Area	1.0%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's nonroof impervious surfaces, including parking lots, walkways, plazas, etc.; OR place a minimum of 50% of parking spaces underground or covered by structured parking; OR use an open-grid pavement system (less than 50% impervious) for a minimum of

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Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								50% of the parking lot area. The mitigation measure reduces heat islands (thermal gradient differences between developed and undeveloped areas to minimize impact on microclimate and human and wildlife habitats. This measure requires the use of patented or copyright protected methodologies created by the ASTM. The SRI is a measure of the constructed surface's ability to reflect solar heat, as shown by a small rise in temperature. It is defined so that a standard black (reflectance 0.05, emittance 0.90) is "0" and a standard white (reflectance 0.80, emittance 0.90) is 100. To calculate SRI for a given material, obtain the reflectance value and emittance value for the material. SRI is calculated according to ASTM E 1980-01. Reflectance is measured

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Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								according to ASTM E 903, ASTM E 1918, or ASTM C 1549. Emittance is measured according to ASTM E 408 or ASTM C 1371. Default values for some materials will be available in the LEED-NC v2.2 Reference Guide.
MM E-9: Low-Energy Cooling	LD (C, M), I, SP, AQP, RR, P/Stationary & Area	1%-10%/Low: EDAW presents this percent reduction range (EDAW 2006).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project optimizes building's thermal distribution by separating ventilation and thermal conditioning systems.
MM E-10: Green Roof	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	1.0%/Moderate: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: Increased Water Consumption Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Install a vegetated roof that covers at least 50% of roof area. The reduction assumes that a vegetated roof is installed on a least 50% of the roof area or that a combination high albedo and vegetated roof surface is installed that meets the following standard: (Area of SRI Roof/0.75)+(Area of vegetated roof/0.5) >= Total Roof Area. Water consumption reduction measures shall be considered in the design of the green roof.
MM E-11: EV Charging Facilities	LD (C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: $500-$5000/ vehicle site (PG&E 1999)	Yes	Yes: 381 facilities in CA (Clean Air Maps 2007).	Adverse: No Beneficial: CAPs, TACs	DOE, EERE, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Project installs EV charging facilities.
MM E-12:	LD (R, C, M),	NA/Low: Increasing	Yes: Light	Yes	Yes: Apply	Adverse: No		Project provides light-colored

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Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Light-Colored Paving	I, SP, AQP, RR, P/Stationary & Area	the albedo of 1,250 km of pavement by 0.25 would save cooling energy worth $15M per year.	colored aggregates and white cement are more expensive than gray cement. Certain blended cements are very light in color and may reflect similarly to white cement at an equivalent cost to normal gray cement.		natural sand or gravel colored single surface treatments to asphalt (EOE 2007).	Beneficial: CAPs, TACs		paving (e.g., increased albedo pavement).
MM E-13: Cool Roofs	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: 0.75–1.5/square feet coating (EPA 2007a)	Yes	Yes: Over 90% of the roofs in the United States are dark colored	Adverse: No Beneficial: CAPs, TACs	CEC	Project provides cool roofs. Highly reflective, highly emissive roofing materials that stay 50-60°F cooler than a normal roof under a hot summer sun. CA's Cool Savings

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Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					(EPA 2007a).			Program provided rebates to building owners for installing roofing materials with high solar reflectance and thermal emittance. The highest rebate went to roofs on air conditioned buildings, while buildings with rooftop ducts and other nonresidential buildings were eligible for slightly less. The program aimed to reduce peak summer electricity demand and was administered by the CEC.
MM E-14: Solar Water Heaters	LD (R, M), SP, AQP, RR, P/Stationary & Area	20%–70% reduction in cooling energy needs/Moderate	Yes: $1675/20 square feet, requires a 50 gallon tank, annual operating cost of $176 (DOE 2007).	Yes	Yes: Based on solar orientation, building codes, zoning ordinances.	Adverse: No Beneficial: CAPs, TACs	Europe	Project provides solar water heaters.
MM E-15: Electric Yard Equipment Compatibility	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: $75–$250/outlet from existing circuit (Cost Helper 2007).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Project provides electrical outlets at building exterior areas.
MM E-16: Energy Efficient Appliance Standards	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: Varies for each appliance—higher capital costs, lower operating costs (Energy	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Project uses energy efficient appliances (e.g., Energy Star).

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		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			Star 2007).					
MM E-17: Green Building Materials	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low: 25-30% more efficient on average.	Yes	Yes: BEES software allows users to balance the environmental and economic performance of building products; developed by NIST (NIST 2007).	Yes	Adverse: No Beneficial: CAPs, TACs		Project uses materials which are resource efficient, recycled, with long life cycles and manufactured in an environmentally friendly way.
MM E-18: Shading Mechanisms	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: Up to $450 annual energy savings (Energy Star 2007).	Yes: Higher capital costs, lower operating and maintenance costs (Energy Star 2007).	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing shading mechanisms for windows, porch, patio and walkway overhangs.

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-19: Ceiling/Whole-House Fans	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: 50% more efficient than conventional fans (Energy Star 2007).	Yes: $45-$200/fan, installation extra (Lowe's 2007).	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing ceiling/whole-house fans.
MM E-20: Programmable Thermostats	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: $100 annual savings in energy costs (Energy Star 2007).	Yes: $60/LCD display and 4 settings for typical residential use (Lowe's 2007).	Yes	Yes: Major retail stores.	Adverse: Yes, Mercury Beneficial: CAPs, TACs		Install energy-reducing programmable thermostats that automatically adjust temperature settings.
MM E-21: Passive Heating and Cooling Systems	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low	Yes: $800 (wall heaters) to $4,000+ (central systems)	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing passive heating and cooling systems (e.g., insulation and ventilation).
MM E-22: Day Lighting Systems	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low	Yes: $1,300 to $1,500 depending upon the kind of roof (Barrier 1995), installation extra.	Yes	Yes: Work well only for space near the roof of the building, little benefit in multi-floor buildings.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing day lighting systems (e.g., skylights, light shelves and interior transom windows).
MM E-23: Low-Water Use Appliances	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: Avoided water agency cost for using water-efficient kitchen pre-rinse spray valves of $65.18 per acre-foot.	Yes: Can return their cost through reduction in water consumption,	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Require the installation of low-water use appliances.

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Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			pumping, and treatment.					
MM E-24: Goods Transport by Rail	LD (C, M), I, SP, AQP, RR, P/Mobile	NA/Moderate	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	ARB Goods Movement Plan (ARB 2007)	Provide a spur at nonresidential projects to use nearby rail for goods movement.
Social Awareness/Education								
MM S-1: GHG Emissions Reductions Education	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Mobile	NA/Low	Yes	Yes	Yes: Similar programs currently exist in CA.	Adverse: No Beneficial: CAPs, TACs		Provide local governments, businesses, and residents with guidance/protocols/information on how to reduce GHG emissions (e.g., energy saving, food miles).
MM S-2: School Curriculum	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Mobile	NA/Low	Yes	Yes	Yes: Similar programs currently exist in CA.	Adverse: No Beneficial: CAPs, TACs		Include how to reduce GHG emissions (e.g., energy saving, food miles) in the school curriculum.
Construction								
MM C-1: ARB-Certified Diesel Construction Equipment	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes: Oxidation Catalysts, $1,000-	Yes	Yes	Adverse: Yes, NO_x Beneficial: CAPs, TACs	AG, EPA, ARB, and CA air quality management and pollution control districts.	Use ARB-certified diesel construction equipment. Increases CO_2 emissions when trapped CO and carbon particles

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			$2,000. DPF, $5000-$10,000; installation extra (EPA 2007b).					are oxidized (Catalyst Products 2007, ETC 2007).
MM C-2: Alternative Fuel Construction Equipment	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: Yes, THC, NO_x Beneficial: CO, PM, SO_x	AG, EPA, ARB, and CA air quality management and pollution control districts.	Use alternative fuel types for construction equipment. At the tailpipe biodiesel emits 10% more CO_2 than petroleum diesel. Overall lifecycle emissions of CO_2 from 100% biodiesel are 78% lower than those of petroleum diesel (NREL 1998, EPA 2007b).
MM C-3: Local Building Materials	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes: Depends on location of building material manufacture sites.	Adverse: No Beneficial: CAPs, TACs		Use locally made building materials for construction of the project and associated infrastructure.
MM C-4: Recycle Demolished Construction Material	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Recycle/Reuse demolished construction material. Use locally made building materials for construction of the project and associated infrastructure.

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Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Miscellaneous								
MM M-1: Off-Site Mitigation Fee Program	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile & Area	NA/Moderate-High: Though there is currently no program in place, the potential for real and quantifiable reductions of GHG emissions could be high if a defensible fee program were designed.	Yes	Yes	No: Program does not exist in CA, but similar programs currently exist (e.g., Carl Moyer Program, SJVAPCD Rule 9510, SMAQMD Off-Site Construction Mitigation Fee Program).	Adverse: No Beneficial: CAPs, TACs		Provide/Pay into an off-site mitigation fee program, which focuses primarily on reducing emissions from existing development and buildings through retro-fit (e.g., increased insulation).
MM M-2: Offset Purchase	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Area	NA/Low	Yes	Yes	No: ARB has not adopted official program, but similar programs	No		Provide/purchase offsets for additional emissions by acquiring carbon credits or engaging in other market "cap and trade" systems.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					currently exist.			
Regional Transportation Plan Measures								
MM RTP-1: Dedicate High Occupancy Vehicle (HOV) lanes prior to adding capacity to existing highways.	RTP		Yes	Yes	Yes	Adverse: possible local CO Beneficial: regional CAPs, TACs	Caltrans, local government	Evaluate the trip reduction (and GHG reduction) potential of adding HOV lanes prior to adding standard lanes.
MM RTP-2: Implement toll/user fee programs prior to adding capacity to existing highways.	RTP		Yes	Yes	Yes	Adverse: possible local CO. Beneficial: regional CAPs, TACs	Caltrans	Evaluate price elasticity and associated trip reduction (and GHG reduction) potential with adding or increasing tolls prior to adding capacity to existing highways.

Note:
[1] Where LD (R, C, M) =Land Development (Residential, Commercial, Mixed-Use), I=Industrial, GP=General Plan, SP=Specific Plan, TP=Transportation Plans, AQP=Air Quality Plans, RR=Rules/Regulations, and P=Policy. It is important to note that listed project types may not be directly specific to the mitigation measure (e.g., TP, AQP, RR, and P) as such could apply to a variety of source types, especially RR and P.
[2] This score system entails ratings of high, moderate, and low that refer to the level of the measure to provide a substantive, reasonably certain (e.g., documented emission reductions with proven technologies), and long-term reduction of GHG emissions.
[3] Refers to whether the measure would provide a cost-effective reduction of GHG emissions based on available documentation.
[4] Refers to whether the measure is based on currently, readily available technology based on available documentation.
[5] Refers to whether the measure could be implemented without extraordinary effort based on available documentation.
[6] List is not meant to be all inclusive.
Source: Data complied by EDAW in 2007

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-1: Adopt a GHG reduction plan	GP/ Mobile, Stationary, & Area	City of San Bernardino	- Adopt GHG reduction targets for the planning area, based on the current legislation providing direction for state-wide targets, and update the plan as necessary. -The local government agency should serve as a model by inventorying its GHG emissions from agency operations, and implementing those reduction goals.
Circulation			
MS G-2: Provide for convenient and safe local travel	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Create a gridded street pattern with small block sizes. This promotes walkability through direct routing and ease of navigation. -Maintain a high level of connectivity of the roadway network. Minimize cul-de-sacs and incomplete roadway segments. -Plan and maintain an integrated, hierarchical and multi-modal system of roadways, pedestrian walks, and bicycle paths throughout the area. -Apply creative traffic management approaches to address congestion in areas with unique problems, particularly on roadways and intersections in the vicinity of schools in the morning and afternoon peak hours, and near churches, parks and community centers. -Work with adjacent jurisdictions to address the impacts of regional development patterns (e.g. residential development in surrounding communities, regional universities, employment centers, and commercial developments) on the circulation system. -Actively promote walking as a safe mode of local travel, particularly for children attending local schools. -Employ traffic calming methods such as median landscaping and provision of bike or transit lanes to slow traffic, improve roadway capacity, and address safety issues.
MS G-3: Enhance the regional transportation network and maintain effectiveness	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage the transportation authority to reduce fees for short distance trips. -Ensure that improvements to the traffic corridors do not negatively impact the operation of local roadways and land uses.

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Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	**Source Type[1]**	**Agency/Organization[2]**	**Description/Comments**
			-Cooperate with adjacent jurisdictions to maintain adequate service levels at shared intersections and to provide adequate capacity on regional routes for through traffic. -Support initiatives to provide better public transportation. Work actively to ensure that public transportation is part of every regional transportation corridor. - Coordinate the different modes of travel to enable users to transfer easily from one mode to another. -Work to provide a strong paratransit system that promotes the mobility of all residents and educate residents about local mobility choices. - Promote transit-oriented development to facilitate the use of the community's transit services.
MS G-4: Promote and support an efficient public transportation network connecting activity centers in the area to each other and the region.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Promote increased use of public transportation and support efforts to increase bus service range and frequency within the area as appropriate. -Enhance and encourage provision of attractive and appropriate transit amenities, including shaded bus stops, to encourage use of public transportation. -Encourage the school districts, private schools and other operators to coordinate local bussing and to expand ride-sharing programs. All bussing options should be fully considered before substantial roadway improvements are made in the vicinity of schools to ease congestion.
MS G-5: Establish and maintain a comprehensive system, which is safe and convenient, of pedestrian ways and bicycle routes that provide viable options to travel by automobile.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Improve area sidewalks and rights-of-way to make them efficient and appealing for walking and bicycling safely. Coordinate with adjacent jurisdictions and regional agencies to improve pedestrian and bicycle trails, facilities, signage, and amenities. -Provide safe and convenient pedestrian and bicycle connections to and from town centers, other commercial districts, office complexes, neighborhoods, schools, other major activity centers, and surrounding communities. -Work with neighboring jurisdictions to provide well-designed pedestrian and bicycle crossings of major roadways. -Promote walking throughout the community. Install sidewalks where missing and make improvements

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Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	**Source Type[1]**	**Agency/Organization[2]**	**Description/Comments**
			to existing sidewalks for accessibility purposes. Particular attention should be given to needed sidewalk improvement near schools and activity centers. -Encourage businesses or residents to sponsor street furniture and landscaped areas. - Strive to provide pedestrian pathways that are well shaded and pleasantly landscaped to encourage use. - Attract bicyclists from neighboring communities to ride their bicycles or to bring their bicycles on the train to enjoy bicycling around the community and to support local businesses. - Meet guidelines to become nationally recognized as a Bicycle-Friendly community. - Provide for an education program and stepped up code enforcement to address and minimize vegetation that degrades access along public rights-of-way. -Engage in discussions with transit providers to increase the number of bicycles that can be accommodated on buses
MS G-6: Achieve optimum use of regional rail transit.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Support regional rail and work with rail authority to expand services. - Achieve better integration of all transit options. -Work with regional transportation planning agencies to finance and provide incentives for multimodal transportation systems. - Promote activity centers and transit-oriented development projects around the transit station.
MS G-7: Expand and optimize use of local and regional bus and transit systems.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage convenient public transit service between area and airports. -Support the establishment of a local shuttle to serve commercial centers. -Promote convenient, clean, efficient, and accessible public transit that serves transit-dependent riders and attracts discretionary riders as an alternative to reliance on single-occupant automobiles.

MV00178000

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			- Empower seniors and those with physical disabilities who desire maximum personal freedom and independence of lifestyle with unimpeded access to public transportation. -Integrate transit service and amenities with surrounding land uses and buildings.
Conservation, Open Space			
MS G-8: Emphasize the importance of water conservation and maximizing the use of native, low-water landscaping.	GP/Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Reduce the amount of water used for landscaping and increase use of native and low water plants. Maximize use of native, low-water plants for landscaping of areas adjacent to sidewalks or other impermeable surfaces. -Encourage the production, distribution and use of recycled and reclaimed water for landscaping projects throughout the community, while maintaining urban runoff water quality objectives. -Promote water conservation measures, reduce urban runoff, and prevent groundwater pollution within development projects, property maintenance, area operations and all activities requiring approval. -Educate the public about the importance of water conservation and avoiding wasteful water habits. -Work with water provider in exploring water conservation programs, and encourage the water provider to offer incentives for water conservation.
MS G-9: Improve air quality within the region.	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Integrate air quality planning with area land use, economic development and transportation planning efforts. -Support programs that reduce air quality emissions related to vehicular travel. -Support alternative transportation modes and technologies, and develop bike- and pedestrian-friendly neighborhoods to reduce emissions associated with automobile use. -Encourage the use of clean fuel vehicles. -Promote the use of fuel-efficient heating and cooling equipment and other appliances, such as water

MV00178001

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	**Source Type[1]**	**Agency/Organization[2]**	**Description/Comments**
			heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces, and boiler units. - Promote the use of clean air technologies such as fuel cell technologies, renewable energy sources. UV coatings, and alternative, non-fossil fuels. -Require the planting of street trees along streets and inclusion of trees and landscaping for all development projects to help improve airshed and minimize urban heat island effects. - Encourage small businesses to utilize clean, innovative technologies to reduce air pollution. - Implement principles of green building. - Support jobs/housing balance within the community so more people can both live and work within the community. To reduce vehicle trips, encourage people to telecommute or work out of home or in local satellite offices.
MS G-10: Encourage and maximize energy conservation and identification of alternative energy sources.	GP/ Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage green building designs for new construction and renovation projects within the area. -Coordinate with regional and local energy suppliers to ensure adequate supplies of energy to meet community needs, implement energy conservation and public education programs, and identify alternative energy sources where appropriate. -Encourage building orientations and landscaping that enhance natural lighting and sun exposure. -Encourage expansion of neighborhood-level products and services and public transit opportunities throughout the area to reduce automobile use. - Incorporate the use of energy conservation strategies in area projects. - Promote energy-efficient design features, including appropriate site orientation, use of light color roofing and building materials, and use of evergreen trees and wind-break trees to reduce fuel consumption for heating and cooling.

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Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			-Explore and consider the cost/benefits of alternative fuel vehicles including hybrid, natural gas, and hydrogen powered vehicles when purchasing new vehicles. -Continue to promote the use of solar power and other energy conservation measures. - Encourage residents to consider the cost/benefits of alternative fuel vehicles. - Promote the use of different technologies that reduce use of non-renewable energy resources. -Facilitate the use of green building standards and LEED in both private and public projects. -Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, as appropriate. -Support sustainable building practices that integrate building materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction, and operation of the built environment. - Investigate the feasibility of using solar (photovoltaic) street lights instead of conventional street lights that are powered by electricity in an effort to conserve energy. - Encourage cooperation between neighboring development to facilitate on-site renewable energy supplies or combined heat and power co-generation facilities that can serve the energy demand of contiguous development.

MV00178003

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-11: Preserve unique community forests, and provide for sustainable increase and maintenance of this valuable resource.	GP/Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Develop a tree planting policy that strives to accomplish specific % shading of constructed paved and concrete surfaces within five years of construction. -Provide adequate funding to manage and maintain the existing forest, including sufficient funds for tree planting, pest control, scheduled pruning, and removal and replacement of dead trees. -Coordinate with local and regional plant experts in selecting tree species that respect the natural region in which Claremont is located, to help create a healthier, more sustainable urban forest. - Continue to plant new trees (in particular native tree species where appropriate), and work to preserve mature native trees. -Increase the awareness of the benefits of street trees and the community forest through a area wide education effort. -Encourage residents to properly care for and preserve large and beautiful trees on their own private property.
Housing			
MS G-12: Provide affordability levels to meet the needs of community residents.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage development of affordable housing opportunities throughout the community, as well as development of housing for elderly and low and moderate income households near public transportation services. -Ensure a portion of future residential development is affordable to low and very low income households.
Land Use			
MS G-13: Promote a visually-cohesive urban form and establish connections between the urban core and outlying portions of the	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Preserve the current pattern of development that encourages more intense and higher density development at the core of the community and less intense uses radiating from the central core. -Create and enhance landscaped greenway, trail and sidewalk connections between neighborhoods and to commercial areas, town centers, and parks.

MV00178004

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	**Source Type[1]**	**Agency/Organization[2]**	**Description/Comments**
community.			-Identify ways to visually identify and physically connect all portions of the community, focusing on enhanced gateways and unifying isolated and/or outlying areas with the rest of the area. -Study and create a diverse plant identity with emphasis on drought-resistant native species.
MS G-14: Provide a diverse mix of land uses to meet the future needs of all residents and the business community.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Attract a broad range of additional retail, medical, and office uses providing employment at all income levels. -Support efforts to provide beneficial civic, religious, recreational, cultural and educational opportunities and public services to the entire community. -Coordinate with public and private organizations to maximize the availability and use of parks and recreational facilities in the community. -Support development of hotel and recreational commercial land uses to provide these amenities to local residents and businesses.
MS G-15: Collaborate with providers of solid waste collection, disposal and recycling services to ensure a level of service that promotes a clean community and environment.	GP/ Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Require recycling, composting, source reduction and education efforts throughout the community, including residential, businesses, industries, and institutions, within the construction industry, and in all sponsored activities.
MS G-16: Promote construction, maintenance and active use of publicly- and privately-operated parks, recreation programs, and a community center.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Work to expand and improve community recreation amenities including parks, pedestrian trails and connections to regional trail facilities. -As a condition upon new development, require payment of park fees and/or dedication and provision of parkland, recreation facilities and/or multi-use trails that improve the public and private recreation system. -Research options or opportunities to provide necessary or desired community facilities.

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Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-17: Promote the application of sustainable development practices.	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Encourage sustainable development that incorporates green building best practices and involves the reuse of previously developed property and/or vacant sites within a built-up area. - Encourage the conservation, maintenance, and rehabilitation of the existing housing stock. -Encourage development that incorporates green building practices to conserve natural resources as part of sustainable development practices. -Avoid development of isolated residential areas in the hillsides or other areas where such development would require significant infrastructure investment, adversely impact biotic resources. - Provide land area zoned for commercial and industrial uses to support a mix of retail, office, professional, service, and manufacturing businesses.
MS G-18: Create activity nodes as important destination areas, with an emphasis on public life within the community.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide pedestrian amenities, traffic-calming features, plazas and public areas, attractive streetscapes, shade trees, lighting, and retail stores at activity nodes. -Provide for a mixture of complementary retail uses to be located together to create activity nodes to serve adjacent neighborhoods and to draw visitors from other neighborhoods and from outside the area.
MS G-19: Make roads comfortable, safe, accessible, and attractive for use day and night.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide crosswalks and sidewalks along streets that are accessible for people with disabilities and people who are physically challenged. -Provide lighting for walking and nighttime activities, where appropriate. -Provide transit shelters that are comfortable, attractive, and accommodate transit riders.
MS G-20: Maintain and expand where possible the system of neighborhood connections that attach neighborhoods to larger roadways.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Provide sidewalks where they are missing, and provide wide sidewalks where appropriate with buffers and shade so that people can walk comfortably. -Make walking comfortable at intersections through traffic-calming, landscaping, and designated crosswalks.

MV00178006

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			-Look for opportunities for connections along easements & other areas where vehicles not permitted.
MS G-21: Create distinctive places throughout the area.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide benches, streetlights, public art, and other amenities in public areas to attract pedestrian activities. -Encourage new developments to incorporate drought tolerant and native landscaping that is pedestrian friendly, attractive, and consistent with the landscaped character of area. -Encourage all new development to preserve existing mature trees. -Encourage streetscape design programs for commercial frontages that create vibrant places which support walking, bicycling, transit, and sustainable economic development. -Encourage the design and placement of buildings on lots to provide opportunities for natural systems such as solar heating and passive cooling. - Ensure that all new industrial development projects are positive additions to the community setting, provide amenities for the comfort of the employees such as outdoor seating area for breaks or lunch, and have adequate landscape buffers.
MS G-22: Reinvest in existing neighborhoods and promote infill development as a preference over new, greenfield development	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Identify all underused properties in the plan area and focus development in these opportunity sites prior to designating new growth areas for development. - Implement programs to retro-fit existing structures to make them more energy-efficient. -Encourage compact development, by placing the desired activity areas in smaller spaces.

MV00178007

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
Public Safety			
MS G-23: Promote a safe community in which residents can live, work, shop, and play.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Foster an environment of trust by ensuring non-biased policing, and by adopting policies and encouraging collaboration that creates transparency. - Facilitate traffic safety for motorists and pedestrians through proper street design and traffic monitoring.

Note:
[1] Where GP=General Plan.
[2] List is not meant to be all inclusive.
Source: Data complied by EDAW in 2007

MV00178008

Appendix C

Rule and Regulation Summary

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Low Carbon Fuel Standard	10-20 MMT CO_2e by 2020	January 1, 2010	ARB	This rule/regulation will require fuel providers (e.g., producers, importers, refiners and blenders) to ensure that the mix of fuels they sell in CA meets the statewide goal to reduce the carbon intensity of CA's transportation fuels by at least 10% by the 2020 target.	ARB Early Action Measure
Reduction of HFC-134a Emissions from Nonprofessional Servicing of Motor Vehicle Air Conditioning Systems	1-2 MMT CO_2e by 2020	January 1, 2010	ARB	This rule/regulation will restrict the use of high GWP refrigerants for nonprofessional recharging of leaky automotive air conditioning systems.	ARB Early Action Measure
Landfill Gas Recovery	2-4 MMT CO_2e by 2020	January 1, 2010	IWMB, ARB	This rule/regulation will require landfill gas recovery systems on small to medium landfills that do not have them and upgrade the requirements at landfills with existing systems to represent best capture and destruction efficiencies.	ARB Early Action Measure
Vehicle Climate Change Standards (AB 1493 Pavley, Chapter 200, Statutes of 2002)	30 MMT CO_2e by 2020	2009	ARB	This rule/regulation will require ARB to achieve the maximum feasible and cost effective reduction of GHG emissions from passenger vehicles and light-duty trucks.	ARB Early Action Measure
Reduction of PFCs from the Semiconductor Industry	0.5 MMT CO_2e by 2020	2007–2009	ARB	This rule/regulation will reduce GHG emissions by process improvements/source reduction, alternative chemicals capture and beneficial reuse, and destruction technologies	Underway or to be initiated by CAT members in 2007-2009 period

AB=Assembly Bill; ARB=California Air Resources Board; Calfire=California Fire; CA=California; Caltrans=California Department of Transportation; CAT=California Action Team; CEC=California Energy Commission; CDFA=California Department of Food and Agriculture; CH_4=Methane; CO_2=Carbon Dioxide; CPUC=California Public Utilities Commission; CUFR=California Urban Forestry; DGS=Department of General Services; DWR=Department of Water Resources; GHG=Greenhouse Gas; GWP=Global Warming Potential; IGCC= Integrated Gasification Combined Cycle; IOU= Investor-Owned Utility; IT=Information Technology; IWCB= Integrated Waste Management Board; LNG= Liquefied Natural Gas; MMT CO_2e=Million Metric Tons Carbon Dioxide Equivalent; MW=Megawatts; NA=Not Available; N_2O=Nitrous Oxide; PFC= Perfluorocompound; POU= Publicly Owned Utility; RPS= Renewable Portfolio Standards; RTP=Regional Transportation Plan SB=Senate Bill; SWP=State Water Project; TBD=To Be Determined; UC/CSU=University of California/California State University; ULEV=Ultra Low Emission Vehicle.

MV00178010

Table 18 Rule and Regulation Summary					
Rule/Regulation	**Reduction**	**Implementation Date**	**Agency**	**Description**	**Comments**
Restrictions on High GWP Refrigerants	9 MMT CO_2e by 2020	2010	ARB	This rule/regulation will expand and enforce the national ban on release of high GWP refrigerants during appliance lifetime.	ARB Early Action Measure
Cement Manufacture	<1 MMT CO_2e per year (based on 2004 production levels)	2010	Caltrans	This rule/regulation will allow 2.5% interground limestone concrete mix in cement use.	CAT Early Action Measure
Hydrogen Fuel Standards (SB 76 of 2005)	TBD	By 2008	CDFA	This rule/regulation will develop hydrogen fuel standards for use in combustion systems and fuel cells.	CAT Early Action Measure
Regulation of GHG from Load Serving Entities (SB 1368)	15 MMT CO_2e by 2020	May 23, 2007	CEC, CPUC	This rule/regulation will establish a GHG emission performance standard for baseload generation of local publicly owned electric utilities that is no higher than the rate of emissions of GHG for combined-cycle natural gas baseload generation.	CAT Early Action Measure
Energy Efficient Building Standards	TBD	In 2008	CEC	This rule/regulation will update of Title 24 standards.	CAT Early Action Measure
Energy Efficient Appliance Standards	TBD	January 1, 2010	CEC	This rule/regulation will regulate light bulb efficiency	CAT Early Action Measure
Tire Efficiency (Chapter 8.7 Division 15 of the Public Resources Code)	<1 MMT CO_2e by 2020	January 1, 2010	CEC & IWMB	This rule/regulation will ensure that replacement tires sold in CA are at least as energy efficient, on average, as tires sold in the state as original equipment on these vehicles.	CAT Early Action Measure
New Solar Homes Partnership	TBD	January 2007	CEC	Under this rule/regulation, approved solar systems will receive incentive funds based on system performance above building standards.	CAT Early Action Measure

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Table 18 Rule and Regulation Summary					
Rule/Regulation	**Reduction**	**Implementation Date**	**Agency**	**Description**	**Comments**
Water Use Efficiency	1 MMT CO_2e by 2020	2010	DWR	This rule/regulation will adopt standards for projects and programs funded through water bonds that would require consideration of water use efficiency in construction and operation.	CAT Early Action Measure
State Water Project	TBD	2010	DWR	This rule/regulation will include feasible and cost effective renewable energy in the SWP's portfolio.	CAT Early Action Measure
Cleaner Energy for Water Supply	TBD	2010	DWR	Under this rule/regulation, energy supply contracts with conventional coal power plants will not be renewed.	CAT Early Action Measure
IOU Energy Efficiency Programs	4 MMT CO_2e by 2020	2010	CPUC	This rule/regulation will provide a risk/reward incentive mechanism for utilities to encourage additional investment in energy efficiency; evaluate new technologies and new measures like encouraging compact fluorescent lighting in residential and commercial buildings	CAT Early Action Measure
Solar Generation	TBD	2007–2009	DGS	3 MW of clean solar power generation implemented in CA last year, with another 1 MW coming up. The second round is anticipated to total additional 10 MW and may include UC/CSU campuses and state fairgrounds.	Underway or to be initiated by CAT members in 2007-2009 period

AB=Assembly Bill; ARB=California Air Resources Board; Calfire=California Fire; CA=California; Caltrans=California Department of Transportation; CAT=California Action Team; CEC=California Energy Commission; CDFA=California Department of Food and Agriculture; CH_4=Methane; CO_2=Carbon Dioxide; CPUC=California Public Utilities Commission; CUFR=California Urban Forestry; DGS=Department of General Services; DWR=Department of Water Resources; GHG=Greenhouse Gas; GWP=Global Warming Potential; IGCC= Integrated Gasification Combined Cycle; IOU= Investor-Owned Utility; IT=Information Technology; IWCB= Integrated Waste Management Board; LNG= Liquefied Natural Gas; MMT CO_2e=Million Metric Tons Carbon Dioxide Equivalent; MW=Megawatts; NA=Not Available; N_2O=Nitrous Oxide; PFC= Perfluorocompound; POU= Publicly Owned Utility; RPS= Renewable Portfolio Standards; RTP=Regional Transportation Plan SB=Senate Bill; SWP=State Water Project; TBD=To Be Determined; UC/CSU=University of California/California State University; ULEV=Ultra Low Emission Vehicle.

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Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Transportation Efficiency	9 MMT CO_2e by 2020	2007–2009	Caltrans	This rule/regulation will reduce congestion, improve travel time in congested corridors, and promote coordinated, integrated land use.	Underway or to be initiated by CAT members in 2007-2009 period
Smart Land Use and Intelligent Transportation	10 MMT CO_2e by 2020	2007–2009	Caltrans	This rule/regulation will integrate consideration of GHG reduction measures and energy efficiency factors into RTPs, project development etc.	Underway or to be initiated by CAT members in 2007-2009 period
Cool Automobile Paints	1.2 to 2.0 MMT CO_2e by 2020	2009	ARB	Cool paints would reduce the solar heat gain in a vehicle and reduce air conditioning needs.	ARB Early Action Measure
Tire Inflation Program	TBD	2009	ARB	This rule/regulation will require tires to be checked and inflated at regular intervals to improve fuel economy.	ARB Early Action Measure
Electrification of Stationary Agricultural Engines	0.1 MMT CO_2e by 2020	2010	ARB	This rule/regulation will provide incentive funding opportunities for replacing diesel engines with electric motors.	ARB Early Action Measure
Desktop Power Management	Reduce energy use by 50%	2007–2009	DGS, ARB	This rule/regulation will provide software to reduce electricity use by desktop computers by up to 40%.	Currently deployed in DGS
Reducing CH_4 Venting/Leaking from Oil and Gas Systems (EJAC-3/ARB 2-12)	1 MMT CO_2e by 2020	2010	ARB	This rule/regulation will reduce fugitive CH_4 emissions from production, processing, transmission, and distribution of natural gas and oil.	ARB Early Action Measure
Replacement of High GWP Gases Used in Fire Protection Systems with Alternate Chemical (ARB 2-10)	0.1 MMT CO_2e by 2020	2011	ARB	This rule/regulation will require the use of lower GWP substances in fire protection systems.	ARB Early Action Measure
Contracting for Environmentally Preferable Products	NA	2007–2009	DGS	New state contracts have been or are being created for more energy and resource efficient IT goods, copiers, low mercury fluorescent lamps, the CA Gold Carpet Standard and office furniture.	Underway or to be initiated by CAT members in 2007-2009 period
Hydrogen Fuel Cells	NA	2007–2009	DGS	This rule/regulation will incorporate clean hydrogen fuel cells in stationary applications	Underway or to be initiated by CAT members in 2007-2009

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Table 18 Rule and Regulation Summary					
Rule/Regulation	**Reduction**	**Implementation Date**	**Agency**	**Description**	**Comments**
				at State facilities and as back-up generation for emergency radio services.	period
High Performance Schools	NA	2007–2009	DGS	New guidelines adopted for energy and resource efficient schools; up to $100 million in bond money for construction of sustainable, high performance schools.	Underway or to be initiated by CAT members in 2007-2009 period
Urban Forestry	1 MMT CO_2e by 2020	2007–2009	Calfire, CUFR	This rule/regulation will provide five million additional trees in urban areas by 2020.	Underway or to be initiated by CAT members in 2007-2009 period
Fuels Management/Biomass	3 MMT CO_2e by 2020	2007–2009	Calfire	This rule/regulation will provide biomass from forest fuel treatments to existing biomass utilization facilities.	Underway or to be initiated by CAT members in 2007-2009 period
Forest Conservation and Forest Management	10 MMT CO_2e by 2020	2007–2009	Calfire, WCB	This rule/regulation will provide opportunities for carbon sequestration in Proposition 84 forest land conservation program to conserve an additional 75,000 acres of forest landscape by 2010.	Underway or to be initiated by CAT members in 2007-2009 period
Afforestation/Reforestation	2 MMT CO_2e by 2020	2007–2009	Calfire	This rule/regulation will subsidize tree planting.	Underway or to be initiated by CAT members in 2007-2009 period
Dairy Digesters	TBD	January 1, 2010	CDFA	This rule/regulation will develop a dairy digester protocol to document GHG emission reductions from these facilities.	ARB Early Action Measure

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Table 18 Rule and Regulation Summary					
Rule/Regulation	**Reduction**	**Implementation Date**	**Agency**	**Description**	**Comments**
Conservation Tillage and Enteric Fermentation	1 MMT CO_2e by 2020	2007–2009	CDFA	This rule/regulation will develop and implement actions to quantify and reduce enteric fermentation emissions from livestock and sequester soil carbon using cover crops and conservation tillage.	Underway or to be initiated by CAT members in 2007-2009 period
ULEV	TBD	2007–2009	DGS	A new long term commercial rental contract was released in March 2007 requiring a minimum ULEV standard for gasoline vehicles and requires alternative fuel and hybrid-electric vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Flex Fuel Vehicles	370 metric tons CO_2, 0.85 metric tons of CH_4, and 1.14 metric tons of N_2O	2007–2009	DGS	Under this rule/regulation, DGS is replacing 800 vehicles with new, more efficient vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Climate Registry	TBD	2007–2009	DGS	Benchmarking and reduction of GHG emissions for state owned buildings, leased buildings and light duty vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Municipal Utilities Electricity Sector Carbon Policy	Included in SB 1368 reductions	2007–2009	CEC, CPUC, ARB	Under this rule/regulation, GHG emissions cap policy guidelines for CA's electricity sector (IOUs and POUs).	Underway or to be initiated by CAT members in 2007-2009 period
Alternative Fuels: Nonpetroleum Fuels	TBD	2007–2009	CEC	State plan to increase the use of alternative fuels for transportation; full fuel cycle assessment.	Underway or to be initiated by CAT members in 2007-2009 period
Zero Waste/High Recycling Strategy	5 MMT CO_2e by 2020	2007–2009	IWMB	This rule/regulation will identify materials to focus on to achieve GHG reduction at the lowest possible cost; Builds on the success of 50% Statewide Recycling Goal.	Underway or to be initiated by CAT members in 2007-2009 period
Organic Materials Management	TBD	2007–2009	IWMB	This rule/regulation will develop a market incentive program to increase organics diversion to the agricultural industry.	Underway or to be initiated by CAT members in 2007-2009 period
Landfill Gas Energy	TBD	2007–2009	IWMB	Landfill Gas to Energy & LNG/biofuels	Underway or to be initiated by CAT members in 2007-2009 period

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Table 18 Rule and Regulation Summary					
Rule/Regulation	**Reduction**	**Implementation Date**	**Agency**	**Description**	**Comments**
Target Recycling	TBD	2007–2009	IWMB	This rule/regulation will focus on industry/public sectors with high GHG components to implement targeted commodity recycling programs.	Underway or to be initiated by CAT members in 2007-2009 period
Accelerated Renewable Portfolio Standard	Included in SB 1368 reductions	2007–2009	CPUC	This rule/regulation will examine RPS long term planning and address the use of tradable renewable energy credits for RPS compliance.	Underway or to be initiated by CAT members in 2007-2009 period
CA Solar Initiative	1 MMT CO_2e by 2020	2007–2009	CPUC	Initiative to deliver 2000 MWs of clean, emissions free energy to the CA grid by 2016.	Underway or to be initiated by CAT members in 2007-2009 period
Carbon Capture and Sequestration	TBD	2007–2009	CPUC	Proposals for power plants with IGCC and/or carbon capture in the next 18 months.	Underway or to be initiated by CAT members in 2007-2009
Source: Data complied by EDAW in 2007					

AB=Assembly Bill; ARB=California Air Resources Board; Calfire=California Fire; CA=California; Caltrans=California Department of Transportation; CAT=California Action Team; CEC=California Energy Commission; CDFA=California Department of Food and Agriculture; CH_4=Methane; CO_2=Carbon Dioxide; CPUC=California Public Utilities Commission; CUFR=California Urban Forestry; DGS=Department of General Services; DWR=Department of Water Resources; GHG=Greenhouse Gas; GWP=Global Warming Potential; IGCC= Integrated Gasification Combined Cycle; IOU= Investor-Owned Utility; IT=Information Technology; IWCB= Integrated Waste Management Board; LNG= Liquefied Natural Gas; MMT CO_2e=Million Metric Tons Carbon Dioxide Equivalent; MW=Megawatts; NA=Not Available; N_2O=Nitrous Oxide; PFC= Perfluorocompound; POU= Publicly Owned Utility; RPS= Renewable Portfolio Standards; RTP=Regional Transportation Plan SB=Senate Bill; SWP=State Water Project; TBD=To Be Determined; UC/CSU=University of California/California State University; ULEV=Ultra Low Emission Vehicle.

MV00178016

2011 Annual Report

Transportation Uniform Mitigation Fee Program

WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS

MV00178017

Dear Friend,

No doubt about it, crop circles are intriguing, even fascinating, to many. Are the circles the work of alien visitors? Are they a natural phenomenon? Perhaps elaborate hoaxes perpetrated by some very dedicated humans? Whatever you believe them to be, you can't deny that the topic makes for great conversation.

Farmers have reported finding strange circles in their fields for centuries. The earliest mention of a crop circle dates back to the 1500s. Observations of crop circles were sporadic until the 20th century, when circles began appearing in the 1960s and 1970s in England and the United States. By the 1990s, crop circles had become something of a tourist attraction. In 1990 alone, more than 500 circles emerged in Europe. Within the next few years, there were thousands. Visitors came from around the world to see them. They became associated with strange lights, reports of malfunctioning electronic equipment, and positive health effects on people visiting circles, suggesting that the phenomenon involves unexplained forces.

In 2003, to considerably less fanfare, a series of circles also began appearing in Western Riverside County. Unlike the mysteriousness surrounding crop circle origins, those sighted in the WRCOG subregion (see p. 46 of this Annual Report for a closer look) do not defy explanation. The concentric circles found in these pages simply show the total value of road, bridge and interchange improvements to be constructed using revenues from WRCOG's Transportation Uniform Mitigation Fee (TUMF) Program within 3, 5, and 10-mile diameters from each city center in Western Riverside County. No hoaxes. No flashy lights. No alien trails. Just fact.

WRCOG's circles demonstrate the immense ***regional value*** of the TUMF Program, the nation's largest uniform development fee program for transportation improvements. ***Regional value*** is the centerpiece of the TUMF Program, recognizing that residents and employees in all of Western Riverside County's jurisdictions utilize arterials located not just in the city in which they live and/or work, but also those in adjacent jurisdictions and beyond. Without TUMF's regional approach to funding transportation improvements, there is no way any single jurisdiction could, by itself, raise the revenues needed to construct the transportation infrastructure that will be coming their way via this Program. Developers in the City of Lake Elsinore, for example, will contribute approximately $50 million to the TUMF Program over time, yet more than $480 million in TUMF improvements are identified to be constructed within 10 miles from the City center. The circle pattern repeats itself in each of WRCOG's jurisdictions: $429 million in TUMF improvements are identified within 10 miles of Hemet's City center, $648 million from Jurupa Valley's city center, $827 million from Murrieta's City center, and so on.

When completed, the TUMF Program will construct 1,229 new lane-miles of arterials, improve 58 interchanges, construct or widen 56 bridges, construct 17 railroad grade separations, provide more than $61 million for regional transit improvements, and provide nearly $60 million for acquisition of sensitive habitat. Already, at the end of the 2010/2011 fiscal year, 46 TUMF-funded projects had been completed.

As the administrator of the TUMF Program, WRCOG is pleased to provide this 2011 TUMF Annual Report. The Report provides detailed information about the history and status of the Program, including revenues collected, projects completed and programmed, as well as the latest updates regarding which projects are to be constructed. Our goal is to provide information that will be helpful in understanding the direction and accomplishments of the TUMF Program.

Crop circles have been said to bestow health benefits to those who visit them. We can't vouch for that, but we do believe that health benefits - in the form of reduced congestion - will come to residents and employees who drive within WRCOG's circles in the future.

Rick Bishop

Rick Bishop, Executive Director
Western Riverside Council of Governments

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Cover photo: Construction underway on the Cal Oaks / I-15 Interchange Improvement Project, City of Murrieta (Photo courtesy of City of Murrieta)

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Introduction

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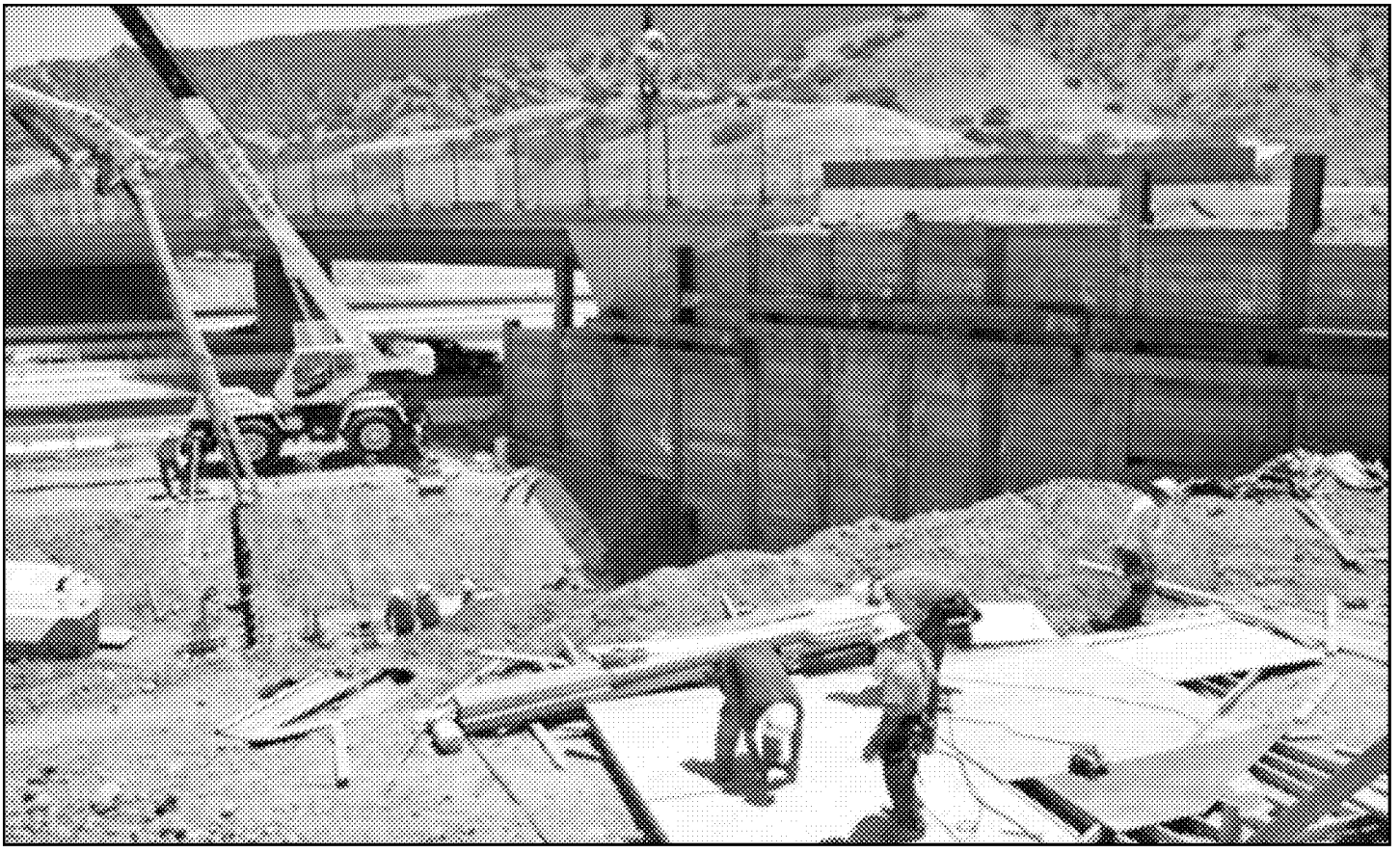

Green River Road / SR-91 Interchange construction (Photo courtesy of RCTC)

Riverside County is the fourth most populated California county, and the eleventh most populated County in the United States. Western Riverside County includes seventeen incorporated Cities and the unincorporated county, covering an area of approximately 2,100 square miles. The subregion's population is over 1.7 million people and will grow by over 700,000 between now and 2035, reaching 2.46 million residents (in 1990, Western Riverside County had approximately 869,559 people). Between 2010 and 2011, Riverside County had the highest growth rate (1.59 percent) in the state, adding over 34,000 new residents during the year.

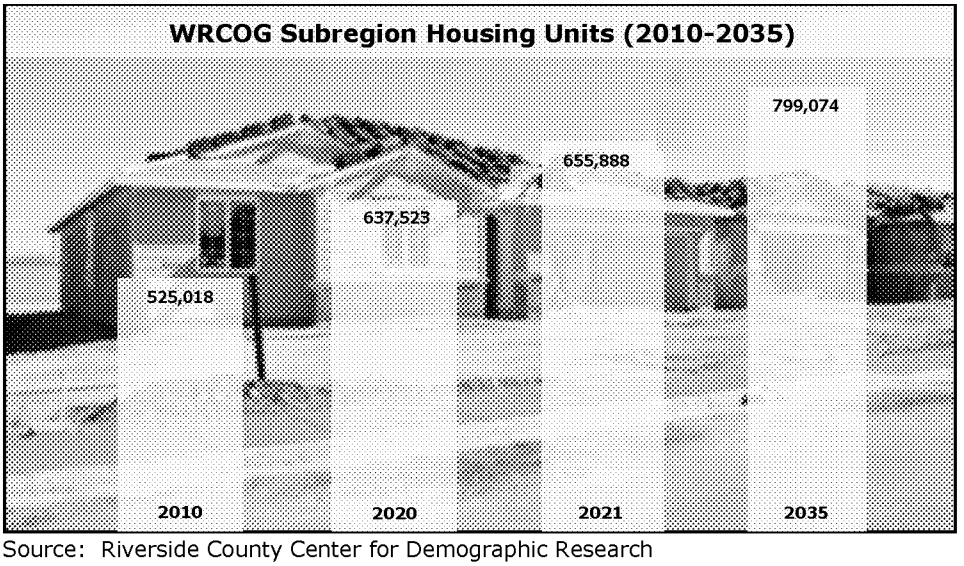

Source: Riverside County Center for Demographic Research

Along with the tremendous opportunities that growth brings comes consequences and challenges, including a heavy impact on transportation infrastructure.

Projected growth in Western Riverside County can be expected to significantly increase congestion and degrade mobility unless substantial investments are

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made in the subregion's transportation infrastructure. This challenge is especially critical for arterial highways and roadways that carry a significant number of trips between the jurisdictions within the subregion. As more jobs come to the subregion, thousands of vehicle trips that occur on the freeways as commuters travel to other counties for employment are transitioning to the subregion's arterials, which are already heavily used by current commuters.

Traditional sources of transportation improvement funding (such as the gasoline tax) will not be sufficient to fund the transportation improvements needed to serve this significant new growth. Development conditions and local Development Impact Fees (DIFs) are limited in scope, and when applied, do not provide for regional improvements necessary to accommodate new growth, as improvements are usually confined to the area immediately adjacent to the respective development. Broad-based county-level funding sources, such as Riverside County's half-cent sales tax known as Measure A, focus most expenditures for freeways, designating lesser revenue allocations for arterial roadway improvements.

As a result of growth in Western Riverside County, additional pressure will be placed on the subregion's transportation infrastructure, particularly the arterial roadways, with Vehicle Miles Traveled (VMT) estimated to increase by 55 percent, or 1.6 percent compounded annually. By 2035, 36 percent of the total VMT on the regional arterial highway system is forecast to operate on facilities at Level Of Service (LOS) E or worse. (LOS is a qualitative measure used to describe traffic flow conditions, ranging from free flow conditions at LOS A to congested conditions at LOS F.)

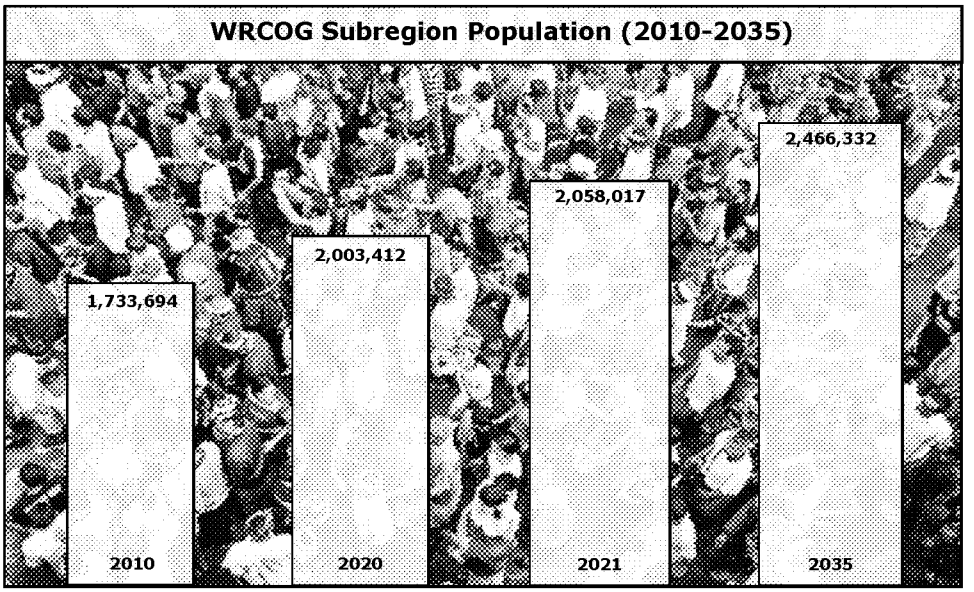

Source: Riverside County Center for Demographic Research

In 2007, the total Vehicle Hours of Delay (VHD) experienced by area motorists on arterial highways was 25.8 million hours. Without improvements to the arterial highway system, VHD will increase by more than 5.4 percent per year to 50 million VHD by 2035. The need to improve these roadways and relieve future congestion is, therefore, directly linked to the future development that generates the travel demand.

Additionally, a substantial number of future trips will be served by bus transit services within Western Riverside County, which is also a result of future development.

In August 2000, the WRCOG Executive Committee directed that the development of a consolidated uniform mitigation fee program for all of Western Riverside County be undertaken. This action was based on the desire to establish a single uniform fee program to mitigate the cumulative regional impacts of new development on the subregion's arterial highway system, rather than having multiple and potentially uncoordinated fee programs with

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varying policies, fee amounts and improvement projects. A regional transportation program was viewed as the most effective way to address the cumulative impacts of new development in the WRCOG subregion.

Corona Transit Center, City of Corona

The subregion's Public Works Directors identified a network of roads, bridges, interchanges and railroad grade separations that should be included in this Program. The network, known as the Regional System of Highways and Arterials (RSHA), represents the subregion's cumulative and seamless identification of transportation improvements needed to accommodate future growth in the subregion through 2035. The RSHA (see p. 8 of this Report) serves as the cornerstone of the TUMF Program, and provides the basis for the "Nexus Study" prepared to demonstrate the impact of future development on the subregion's RSHA, identify improvements needed to accommodate the projected growth, establish improvement costs and - ultimately - to determine the fee structure for the TUMF Program.

In order to ensure the TUMF Program's "Nexus Study" remains current, a new Nexus Study was prepared by WRCOG during the 2009/2010 fiscal year to update the TUMF Program. The updated Nexus Study continues to demonstrate the relationship between the fee collected and the proposed improvements due to new growth. Factors that reflect this relationship include the following:

- Western Riverside County is expected to continue to examine significant long-term growth.
- Continuing new growth will result in increasing congestion on arterial roadways.
- Future arterial roadway congestion is directly attributable to the cumulative regional transportation impacts of future development in Western Riverside County.
- Capacity improvements to the transportation system will be needed to mitigate the cumulative impacts of new development.
- Roads on the TUMF Network (Network) are the facilities that merit improvement through this fee Program.
- Improvements to the public transportation system will be needed to provide adequate mobility for the transit-dependent travelers and to provide an alternative to automotive travel.

The WRCOG Executive Committee approved the findings of the Nexus Study update and adopted the proposed fee structure. The fee is based on an updated growth forecast, an

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updated cost of the improvements, a revised RSHA, and the elimination of existing need since it cannot be part of the fee.

Between now and 2035, the TUMF Program is estimated to provide $4.2 billion in arterial road, bridge, intersection and interchange improvements in Western Riverside County. Once fees are collected from new development by each of WRCOG's participating jurisdictions, TUMF Program dollars are programmed by WRCOG's partner agencies to implement the TUMF Program, which includes: the jurisdictions, the Riverside Transit Agency (RTA), the March Joint Powers Authority, and the Riverside County Transportation Commission (RCTC).

These jurisdictions and agencies are responsible for prioritizing which TUMF projects will be constructed first, and also for overseeing all aspects of project development. This implementation approach allows those agencies to move quickly in developing priorities and constructing projects.

As part of the Nexus Study update, the RSHA was revised to reflect the most current transportation needs and costs for Western Riverside County. The new Network reflected several changes due to completed projects and recommendations from the WRCOG Public Works Committee (PWC) to better represent the transportation needs of Western Riverside County.

The updated Network revised the number of lane miles, interchanges, intersections and grade separations from the previous network. In addition, it eliminated the following improvements: Category 4 interchange improvements (generally ramp improvements) and Category 5

SR-79 Winchester Road / I-15 Interchange Project, City of Temecula (Photo courtesy of City of Temecula)

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interchange improvements (TUMF-to-TUMF grade separations); all costs associated with TUMF facilities as part of Communities Facilities District 93-1 in the City of Beaumont; TUMF-to-TUMF intersection improvements; and the Mid County Parkway segment from I-215 to I-15.

Van Buren Bridge over Santa Ana River (Photo courtesy of TLMA)

The updated Ntwork also reflects all completed TUMF projects, and no new projects were added, resulting in an overall RSHA reduction in cost.

A summary of improvements to the RSHA that will be provided by the TUMF Program is as follows:

- Construct 1,229 new lane miles of arterials.
- Improve 58 interchanges.
- Construct or widen 56 bridges.
- Provide more than $61 million for regional transit improvements.
- Provide nearly $60 million for acquisition of sensitive habitat.
- Construct 17 railroad grade separations.

This Annual Report provides a summary of revenues collected and expended during the 2010/2011 fiscal year. It summarizes projects that have been constructed, programmed, or are underway in accordance with adopted Transportation Improvement Programs (TIPs) for each of the Program's five zones, RCTC and RTA.

Visible evidence of Program implementation already exists, as 47 TUMF-funded projects are already built. The list of completed projects can be found in the "Projects" section (p. 45) of this Report.

The TUMF Program is administered by WRCOG, a joint powers authority consisting of the 17 cities in Western Riverside County, the County of Riverside, the Eastern Municipal Water District and Western Municipal Water District, the Riverside County Superintendent of Schools and the March JPA (a voting member on TUMF items at the Technical Advisory Committee level).

For more information regarding WRCOG, or to find more details related to the TUMF Program, please visit WRCOG's website at www.wrcog.cog.ca.us.

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When the TUMF Program was initiated in 2003, there were virtually no "shelf-ready" projects ready to be built. Development of the TUMF Network (the RSHA) by the Public Works Directors in the subregion's then 15 jurisdictions was a significant accomplishment in itself, as it meant that for the first time the subregion had a comprehensive and cohesive arterial system that recognized the region's — and not just an individuals jurisdiction's — projected growth. By not having "shelf-ready" projects (projects that had already completed necessary planning and engineering studies, had right-of-way acquired, and had secured all required permits and funding), many projects proposed by the TUMF Program had to be developed from the ground up. In the initial stages of preparing projects for the jurisdictions in each Zone, WRCOG assisted with revenue projections and individual zone-level TIP development. Now that the Zone programs are up and running, the task of building projects takes center stage.

But how long does it take to deliver a project? As jurisdictions bring forward new projects, when can these projects expect to become a reality? There are a number of steps that need to occur for a typical transportation project to be built, and it is important to understand general timelines so that expectations can be realistic regarding the pace of TUMF project implementation. The "Life Cycle of a TUMF Project" diagram below provides, in general terms, the various steps and associated timeframes for a typical TUMF project.

LIFE CYCLE OF A TUMF PROJECT

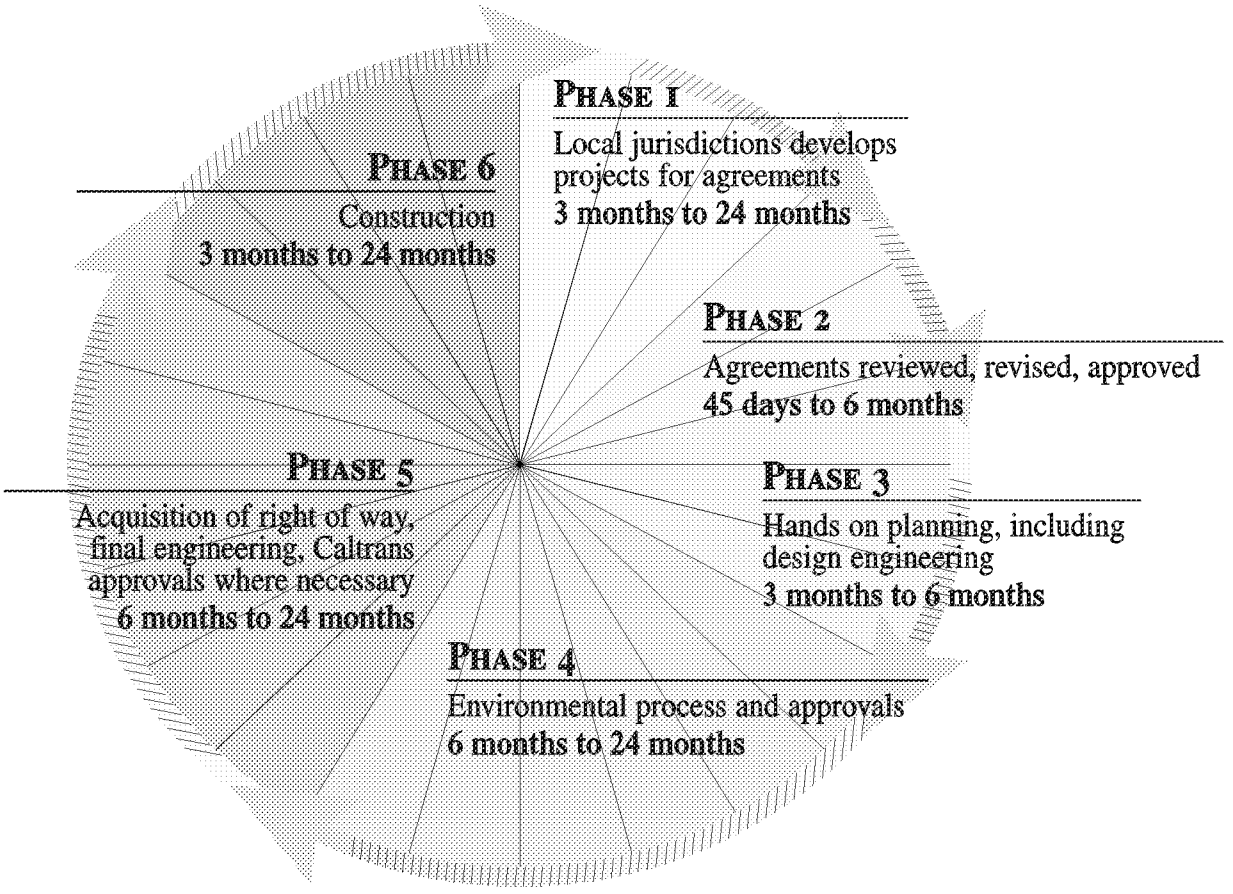

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Regional System of Highways and Arterials (RSHA)

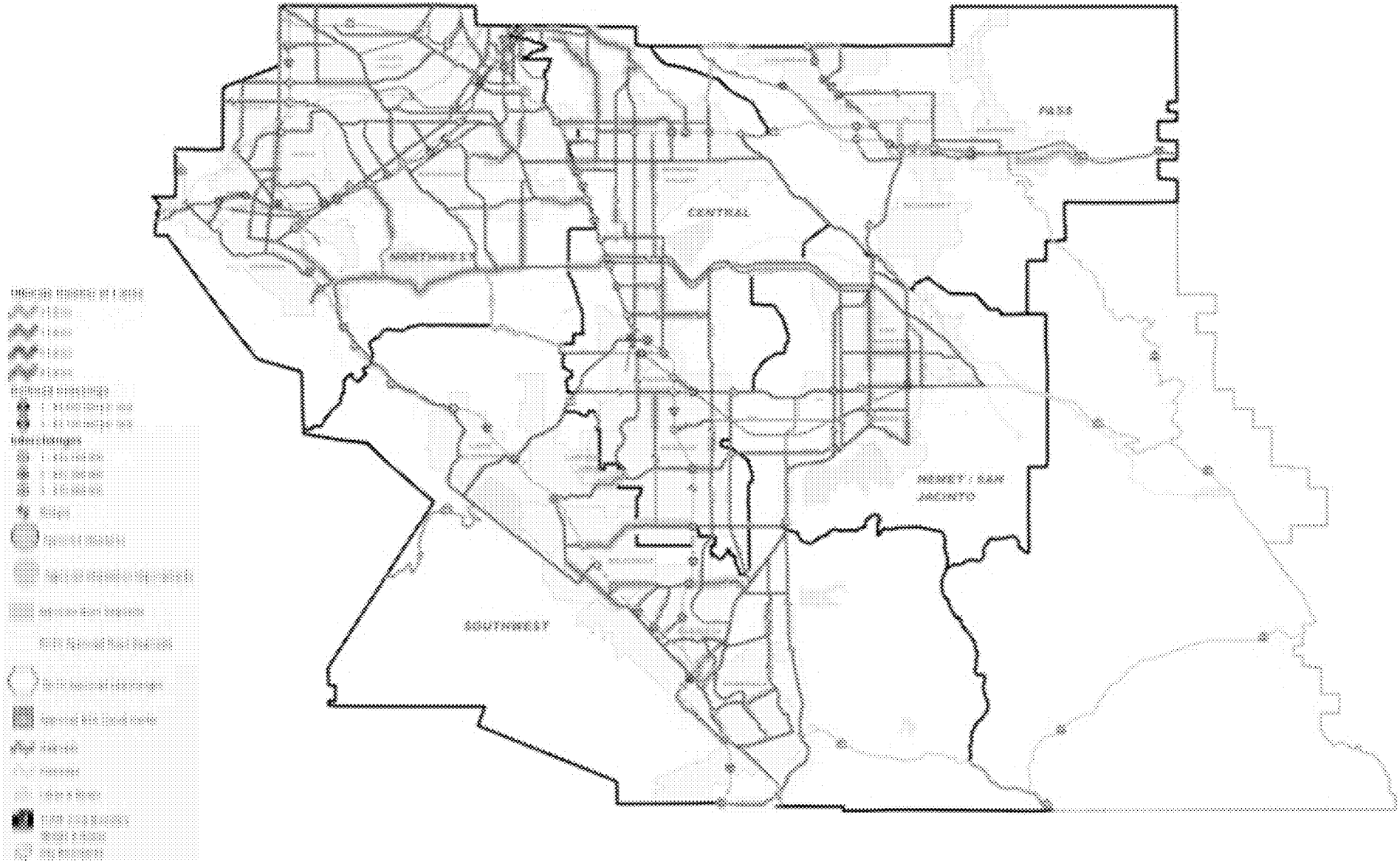

The Regional System of Highways & Arterials depicts TUMF Program improvements. A detailed listing of Program improvements can be obtained by calling WRCOG at (951) 955-7985 or by visiting WRCOG's website at www.wrcog.cog.ca.us.

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Revenue

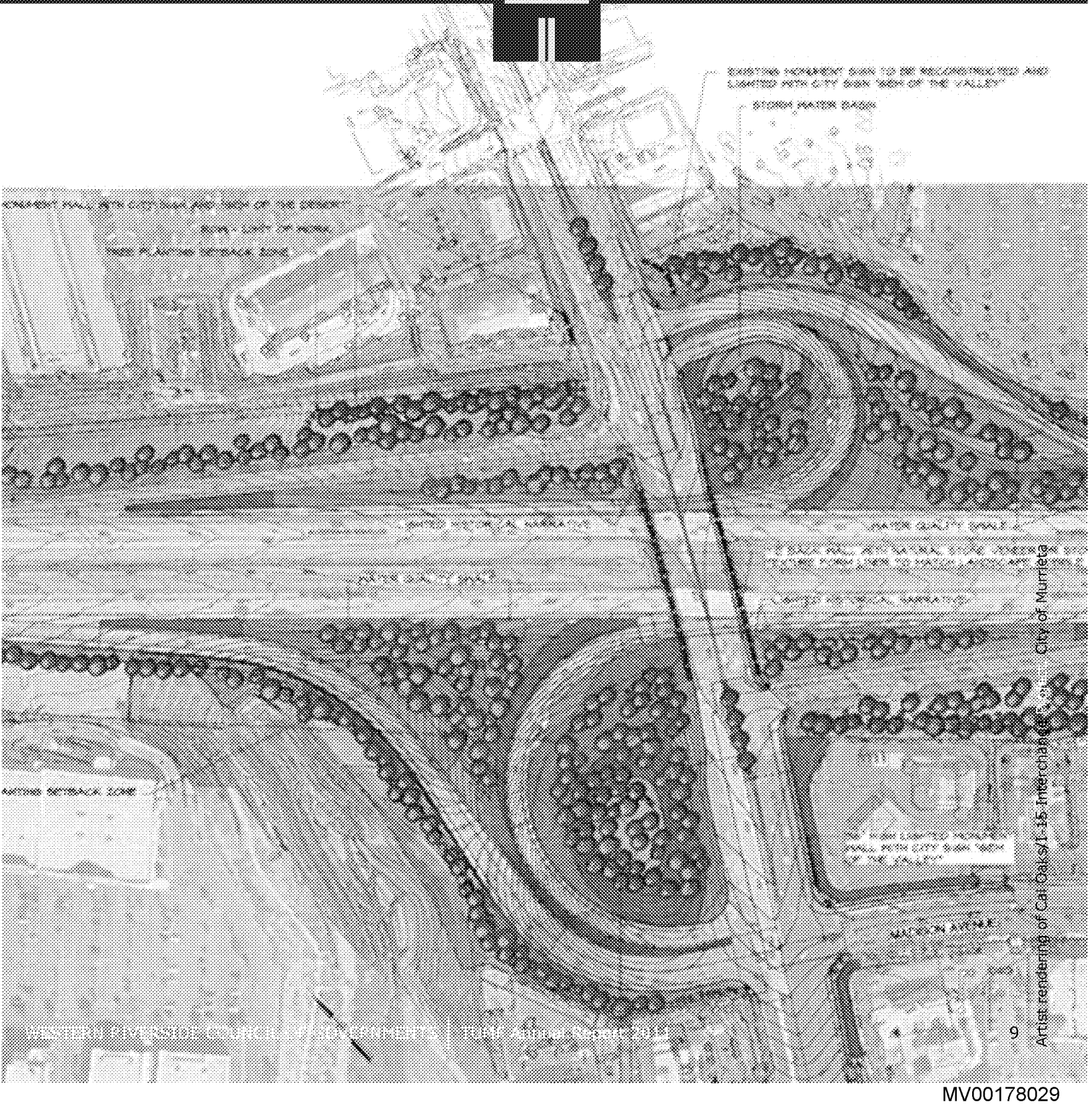

Artist rendering of Cal Oaks/I-15 Interchange, City of Murrieta

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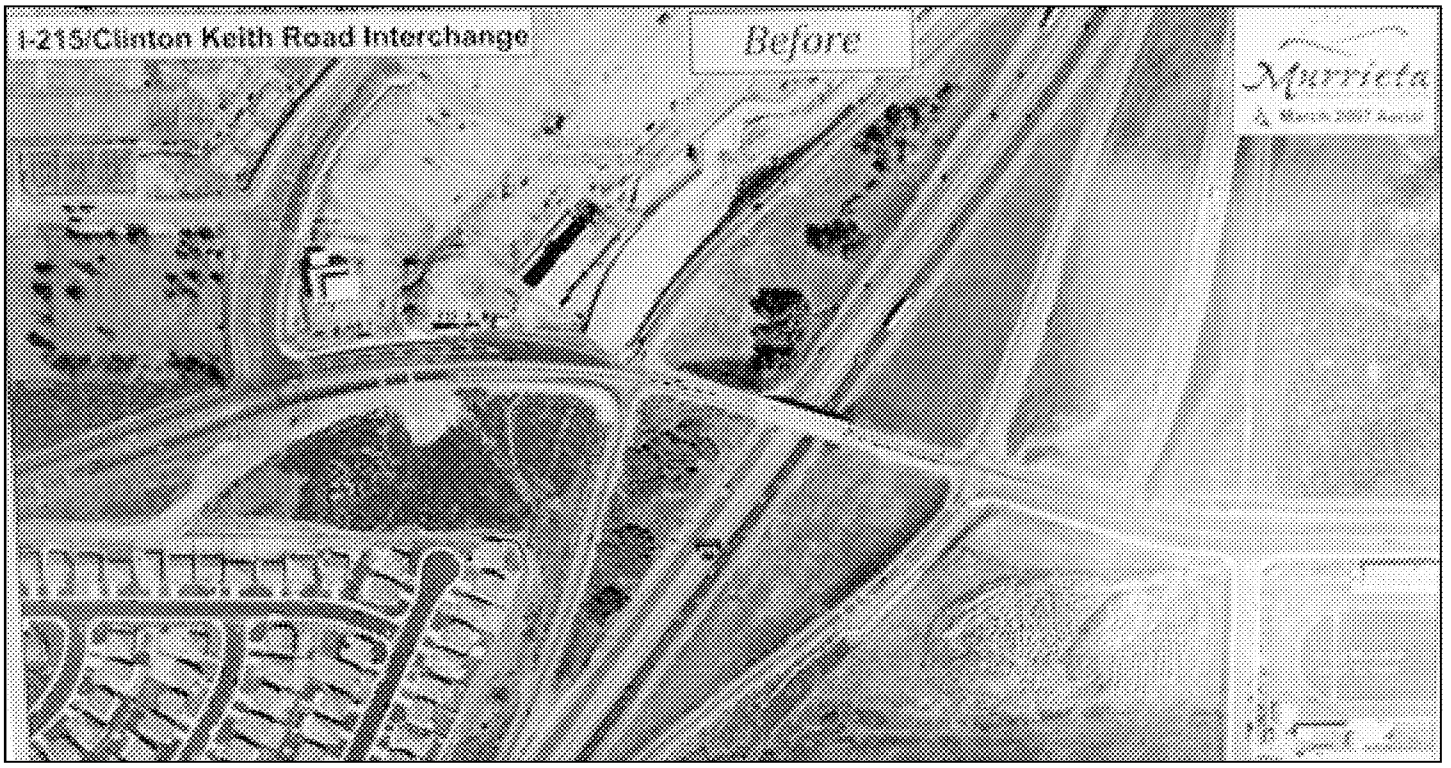

I-215 / Clinton Keith Road Interchange Project, City of Murrieta (Photo courtesy City of Murrieta)

How Does the TUMF Program Work?

AB 1600, the California Mitigation Fee Act, requires that a reasonable relationship exist between a development impact fee collected and the proposed improvements for which a fee is used. WRCOG's TUMF Program Nexus Study satisfies the requirements of AB 1600, and has two primary objectives: 1) to demonstrate the relationship between the transportation improvements needed due to new growth and the estimated cost to construct improvements; and 2) to establish the "fair share" component of the improvements for each land use category (the TUMF Program cost to be applied to different land uses based on the trip-generating characteristics that are typically associated with such uses). The TUMF Program distinguishes between transportation improvements and trip-productions in five geographic zones (Northwest, Southwest, Hemet/San Jacinto, Central, and the Pass), regional transportation improvements, and regional transit improvements.

This distinction provides maximum flexibility for programming projects. The Nexus Study identifies the percentage of collected revenues that can be allocated for zone-level improvements, regional improvements, and for transit improvements.

After administrative costs and Multiple Species Habitat Conservation Plan (MSHCP) mitigation allocations are extracted from the revenues collected, WRCOG allocates revenues as follows:

- **46.9** percent is allocated for regional improvements. These revenues are programmed by the RCTC pursuant to an agreement with WRCOG.
- **46.9** percent is allocated to the geographic zone from which the fees are collected. Project prioritization and programming are undertaken by the jurisdictions in each of the five zones.

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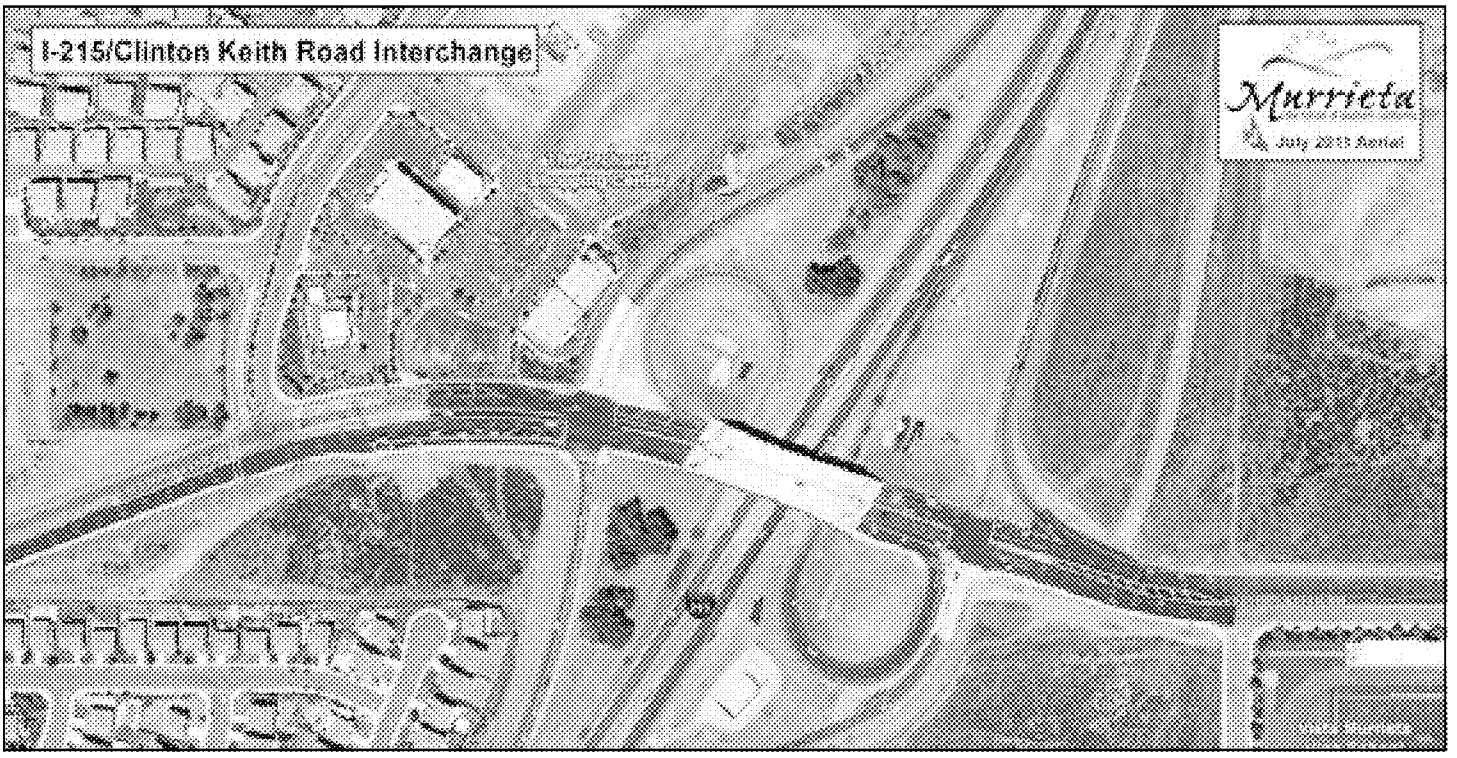

I-215 / Clinton Keith Road Interchange Project, City of Murrieta (After improvements) (Photo courtesy City of Murrieta)

- **1.7** percent is allocated for regional transit projects. WRCOG administers the funds on behalf of the RTA which prioritizes and programs capital transit projects.

As of June 30, 2011, WRCOG has received $539.9 million in revenues from the time the Program commenced (February 2003).

For Fiscal Year 2010/2011, $15.2 million in Program revenue was collected.

This report summarizes TUMF activities from July 1, 2010, to June 30, 2011. Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.

The TUMF Program collects fees from new residential and non-residential land uses.

Residential Uses

Residential uses include two categories; single-family residential and multi-family residential. A residential development with densities lower than eight units per acre is considered single-family residential for the purposes of calculating the fee. Developments with densities greater than eight units per acre are considered multi-family residential.

Non-residential Uses

Non-residential uses include three categories; industrial, retail and service commercial. The non-residential fee is based on the total square footage of the building or structure identified on the building permit and further specified and determined in WRCOG's TUMF Administrative Plan and TUMF 2005 Updated Fee Calculation Handbook Revised January 26, 2012. The applicable non-residential land use category is determined based on the predominate use of the building or structure associated with the new development and as further prescribed in the TUMF ordinances.

MV00178031

Nexus Study and Temporary Fee Reductions

In October 2009, WRCOG member agencies approved an updated TUMF Program Nexus Study. The Nexus Study established the impact future development will have on the existing subregion's arterials and determined the fee structure needed to pay for infrastructure to mitigate these impacts.

The 2009 Nexus Study projected a slower, more moderate forecast than previous studies. Coupled with lower construction costs and a revised Network, fees were reduced. For example, the fee for a single-family home decreased from $9,812 to $8,873. Fees for other residential and non-residential uses were also revised pursuant to the new Nexus Study. All participating agencies adopted the 2009 Nexus Study and fee structure.

In 2009, the WRCOG Executive Committee authorized jurisdictions to temporarily reduce TUMF by 50 percent so long as they "made up" any revenue gaps through alternative funding, cost saving and in-kind matches. Fee reductions are scheduled to sunset on December 31, 2012, or possibly sooner (the Executive Committee capped the total revenue shortfall at $20 million).

Fees effective July 1, 2010 through June 30, 2011:

Single-family residential	$8,873	per unit
Multi-family residential	$6,231	per unit
Industrial	$ 1.73	per square foot
Retail	$10.49	per square foot
Service	$ 4.19	per square foot
Class A & B Office	$ 2.19	per square foot

50% reduced fee is:

Single-family residential	$4,437	per unit
Multi-family residential	$3,115	per unit
Industrial	$ 0.86	per square foot
Retail	$ 5.24	per square foot
Service	$ 2.10	per square foot
Class A & B Office	$ 1.10	per square foot

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TUMF Revenue by Jurisdiction and Zone

February 2003 through June 2011

Total Revenue: $539,996,519

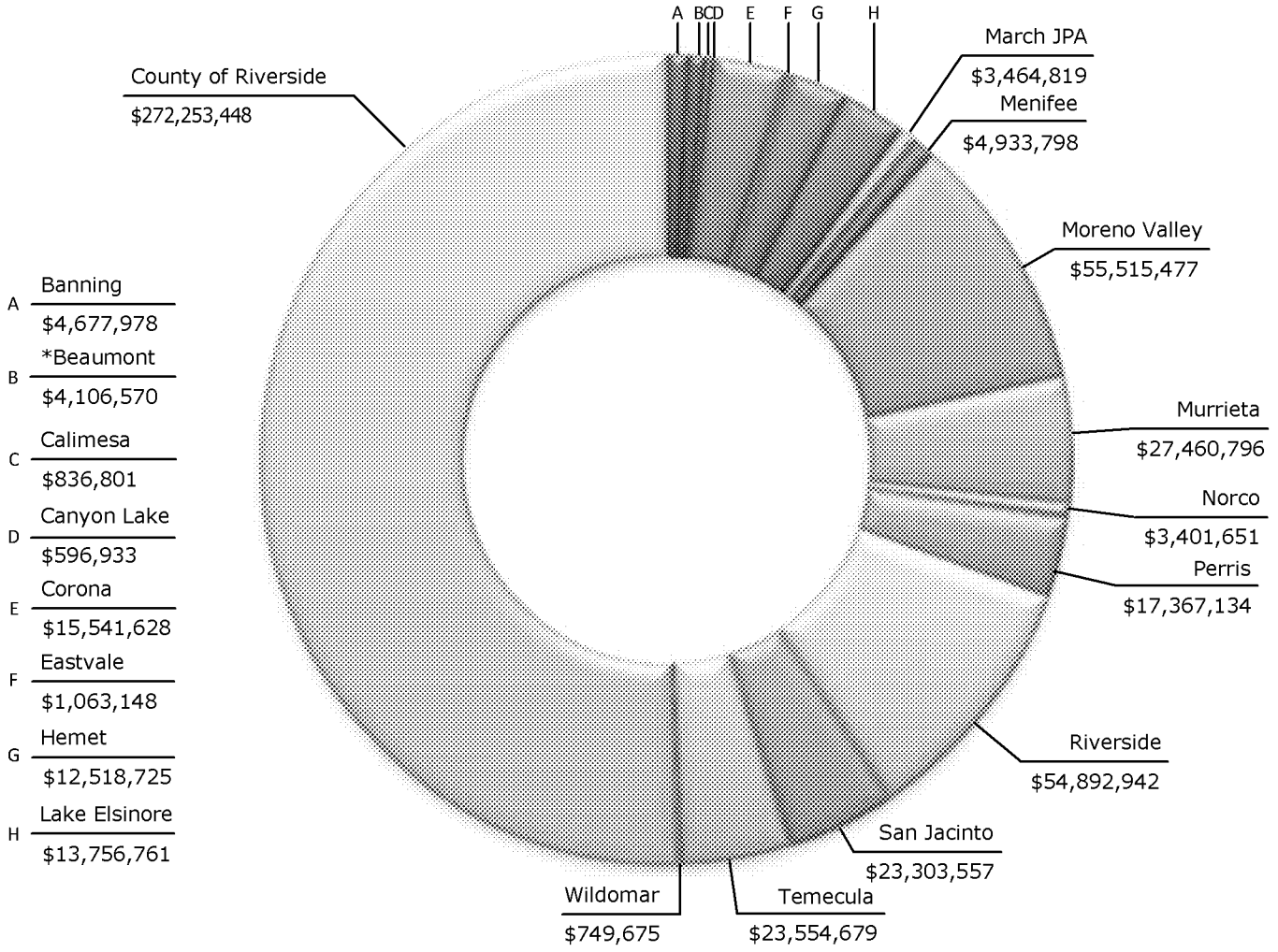

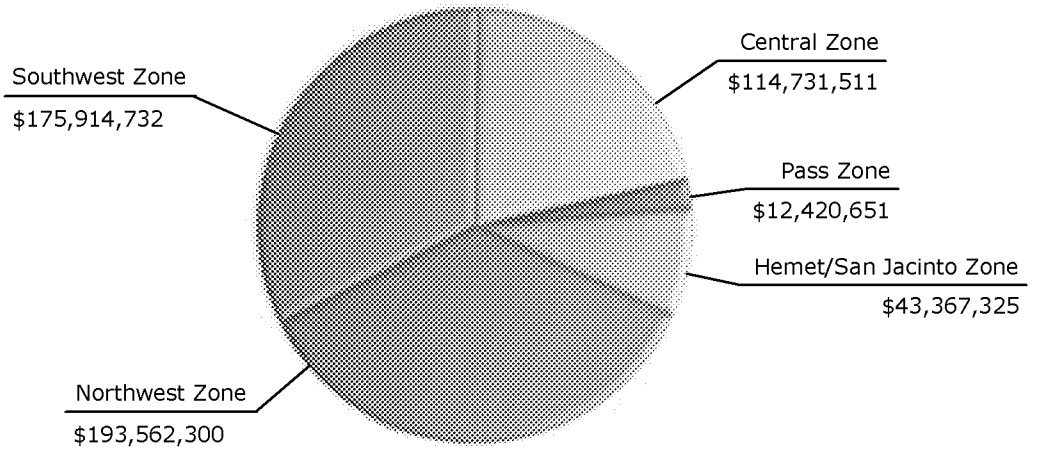

TUMF revenues are collected by each of the jurisdictions in the WRCOG subregion (17 cities and the County of Riverside unincorporated area within WRCOG's boundaries). TUMF revenues are also collected by the March Joint Powers Authority. From Program inception (February 2003) through the end of Fiscal Year 2010/2011 (June 30, 2011), a total of $539.9 million in TUMF Program revenue fees was collected.

*The City of Beaumont is no longer participating in the TUMF Program.

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178033

TUMF Revenue Breakdown By Zone and Jurisdiction (2003-2011)

Northwest Zone - $193,562,300

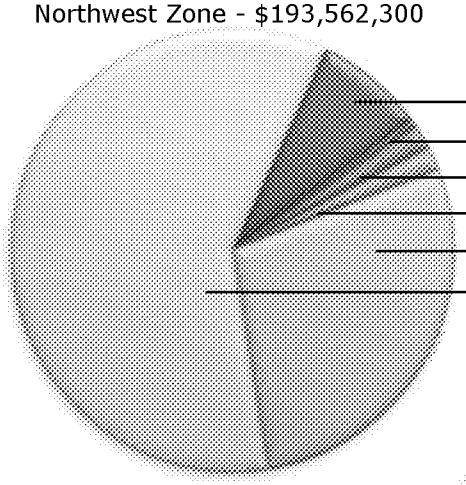

Corona	$	15,541,628
Eastvale	$	1,063,148
March JPA	$	3,464,819
Norco	$	3,401,651
Riverside	$	54,892,942
County of Riverside	$	115,198,113

Central Zone - $114,731,511

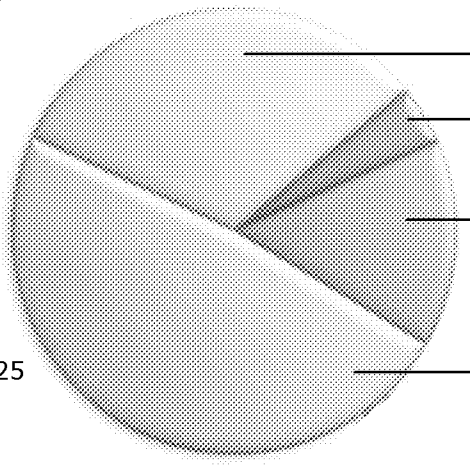

County of Riverside	$	36,915,103
Menifee	$	4,933,798
Perris	$	17,367,134
Moreno Valley	$	55,515,477

Hemet/San Jacinto Zone - $43,367,325

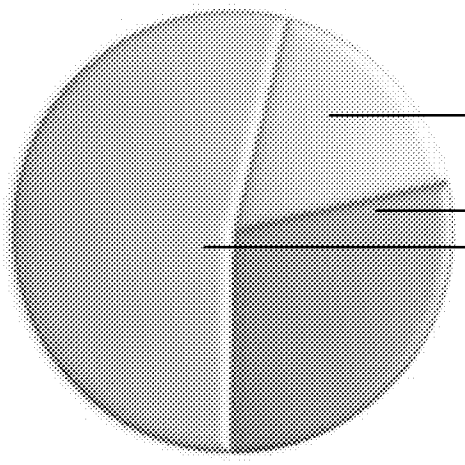

County of Riverside	$	7,545,042
Hemet	$	12,518,725
San Jacinto	$	23,303,557

Pass Zone - $12,420,651

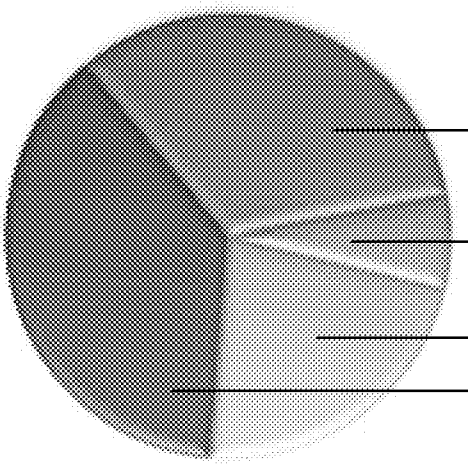

Banning	$	4,677,978
Calimesa	$	836,801
County of Riverside	$	2,799,302
*Beaumont	$	4,106,570

Southwest Zone - $175,914,732

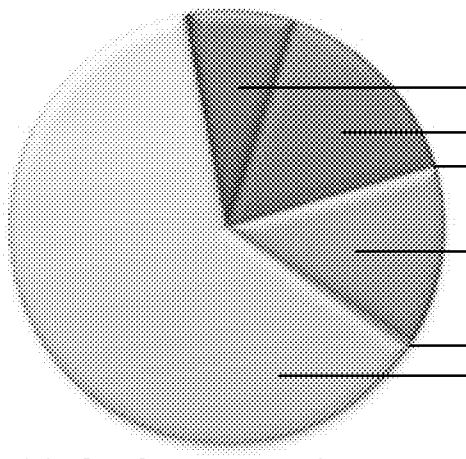

Lake Elsinore	$	13,756,761
Murrieta	$	27,460,796
Canyon Lake	$	596,933
Temecula	$	23,554,679
Wildomar	$	749,675
County of Riverside	$	109,795,888

2003-2011 Revenue Total $539,996,519

*The City of Beaumont is no longer participating in the TUMF Program. Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178034

TUMF Revenues Collected by Fiscal Year

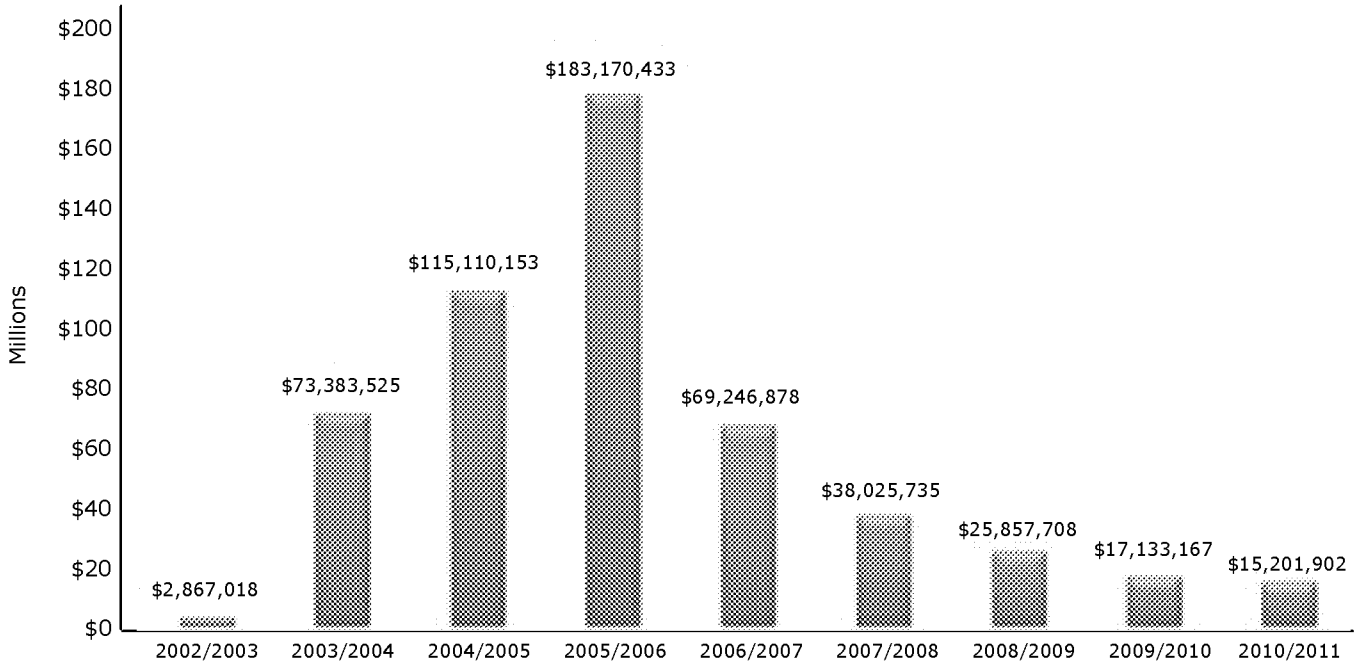

Note: In FY 2002/2003, revenues were not collected until February 2003

Total TUMF Revenue Collection (Cumulative)
February 2003 through June 2011

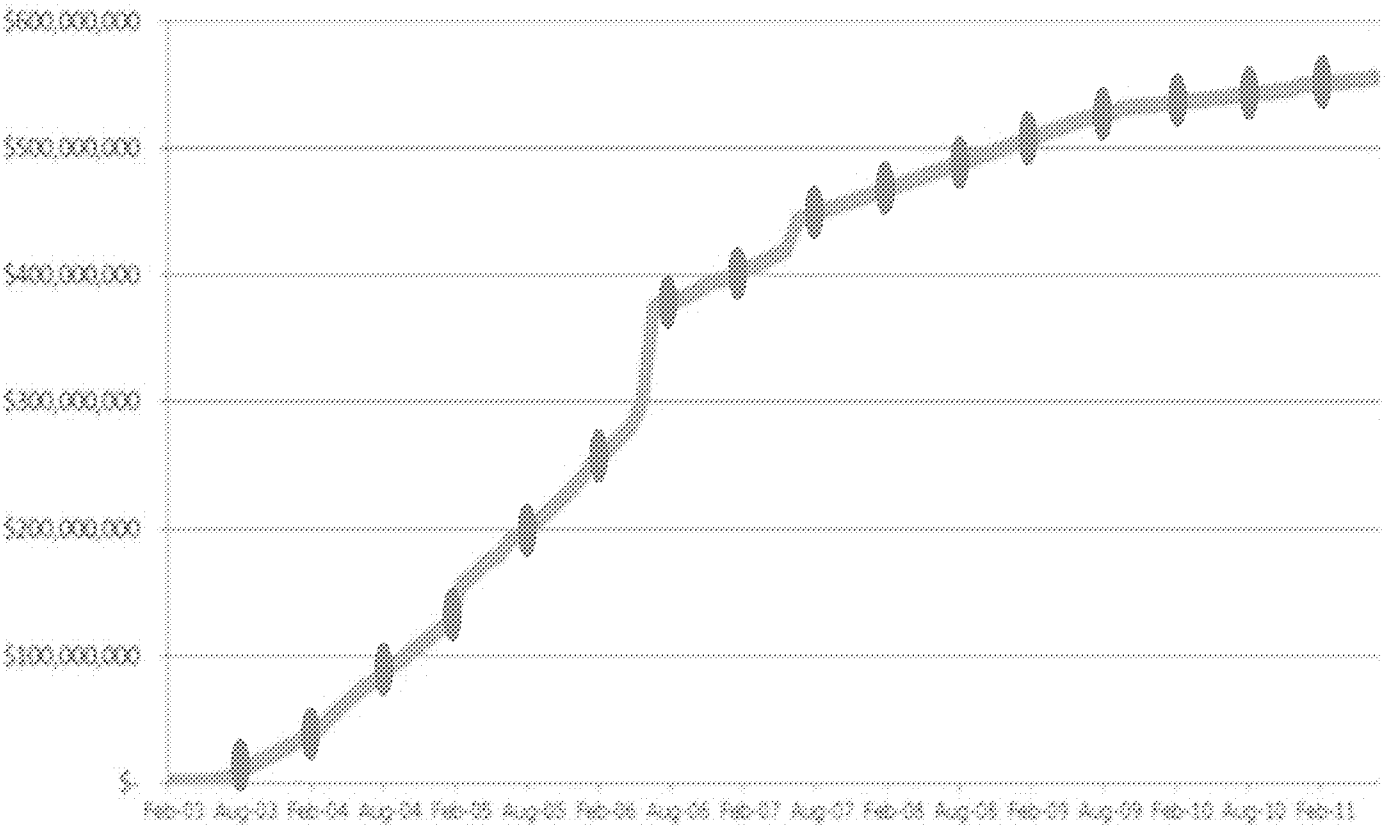

MV00178035

WRCOG TUMF Revenue vs. Expenditure (Cumulative)

February 2003 through June 2011

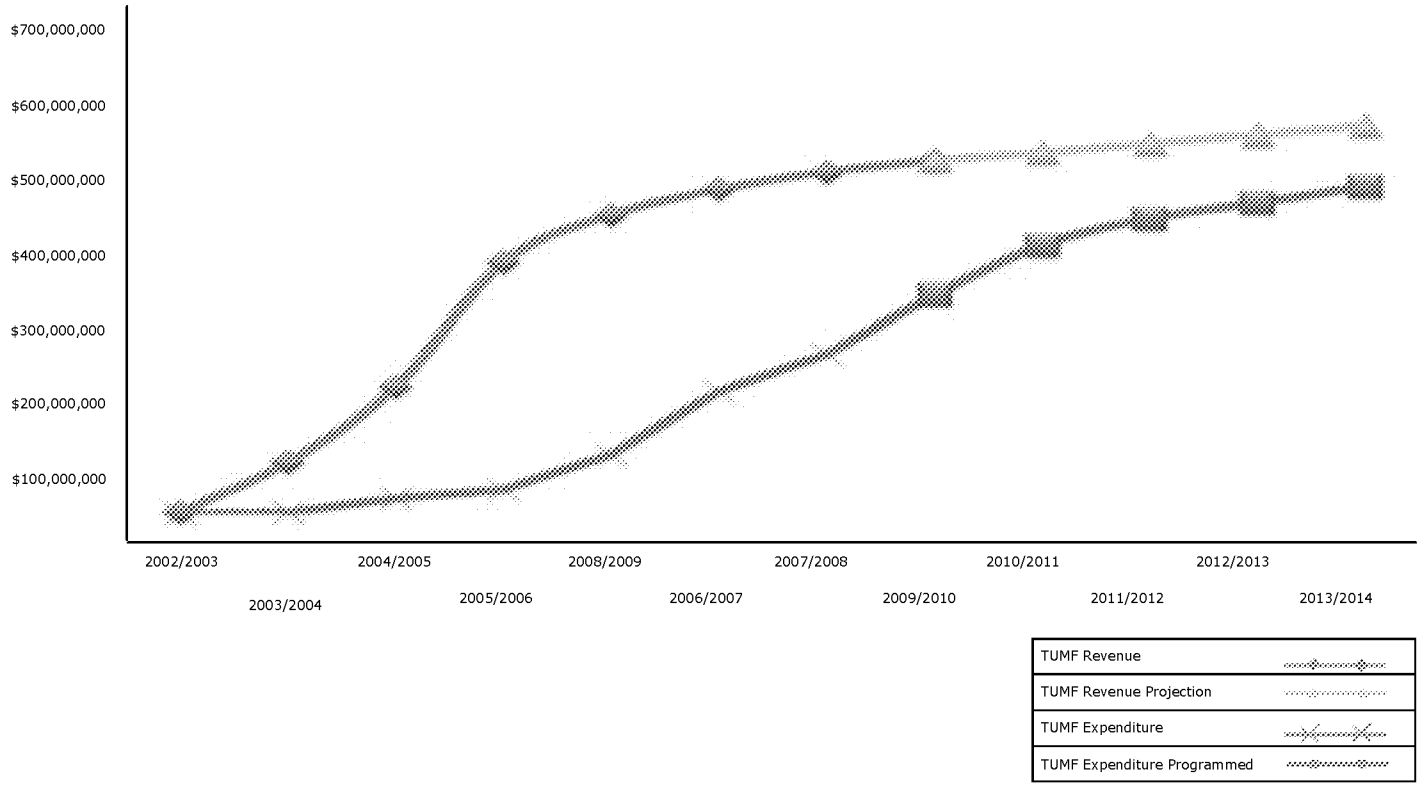

TUMF System Costs vs. Revenue Stream

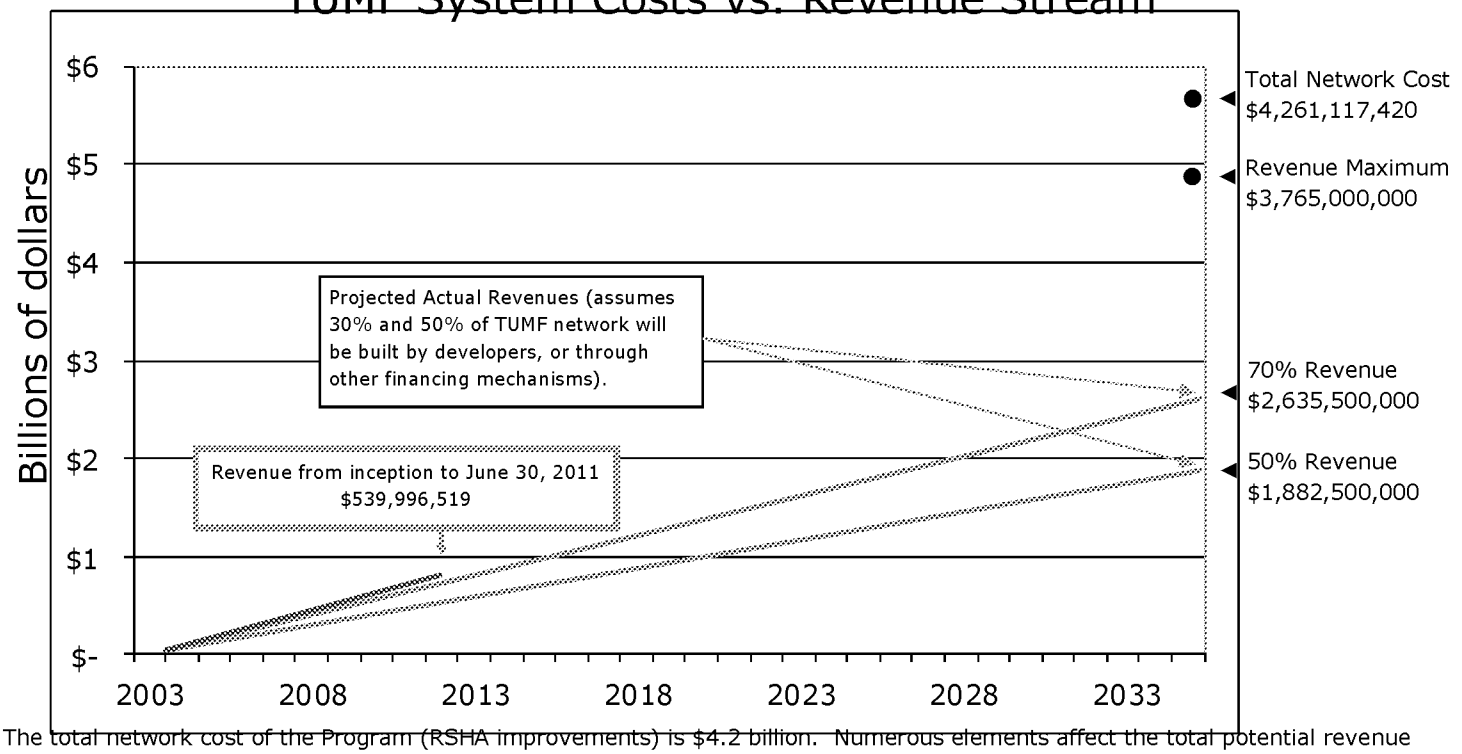

The total network cost of the Program (RSHA improvements) is $4.2 billion. Numerous elements affect the total potential revenue collected by the Program such as exemptions from TUMF due to vesting maps, development agreements, phasing of fees, and policy actions. As such, the maximum amount of fees that can be collected by the TUMF Program is approximately $3.765 billion. It is estimated that between 30% and 50% of the TUMF Network will be built by developers, or through alternative funding mechanisms such as Community Facilities Districts and Road and Bridge Benefit Districts. Actual fees to be collected, therefore, are estimated at $1.882 billion (assuming 50% of the Network is constructed by developers or through financing mechanisms in which case fees are not collected) or $2.635 billion (assuming 30% of the Network is constructed without fees collected.)

MV00178036

TUMF Revenue by Jurisdiction and Zone

Fiscal Year 2010/2011 (July 1, 2010, to June 30, 2011)

Total Revenue: $15,201,902

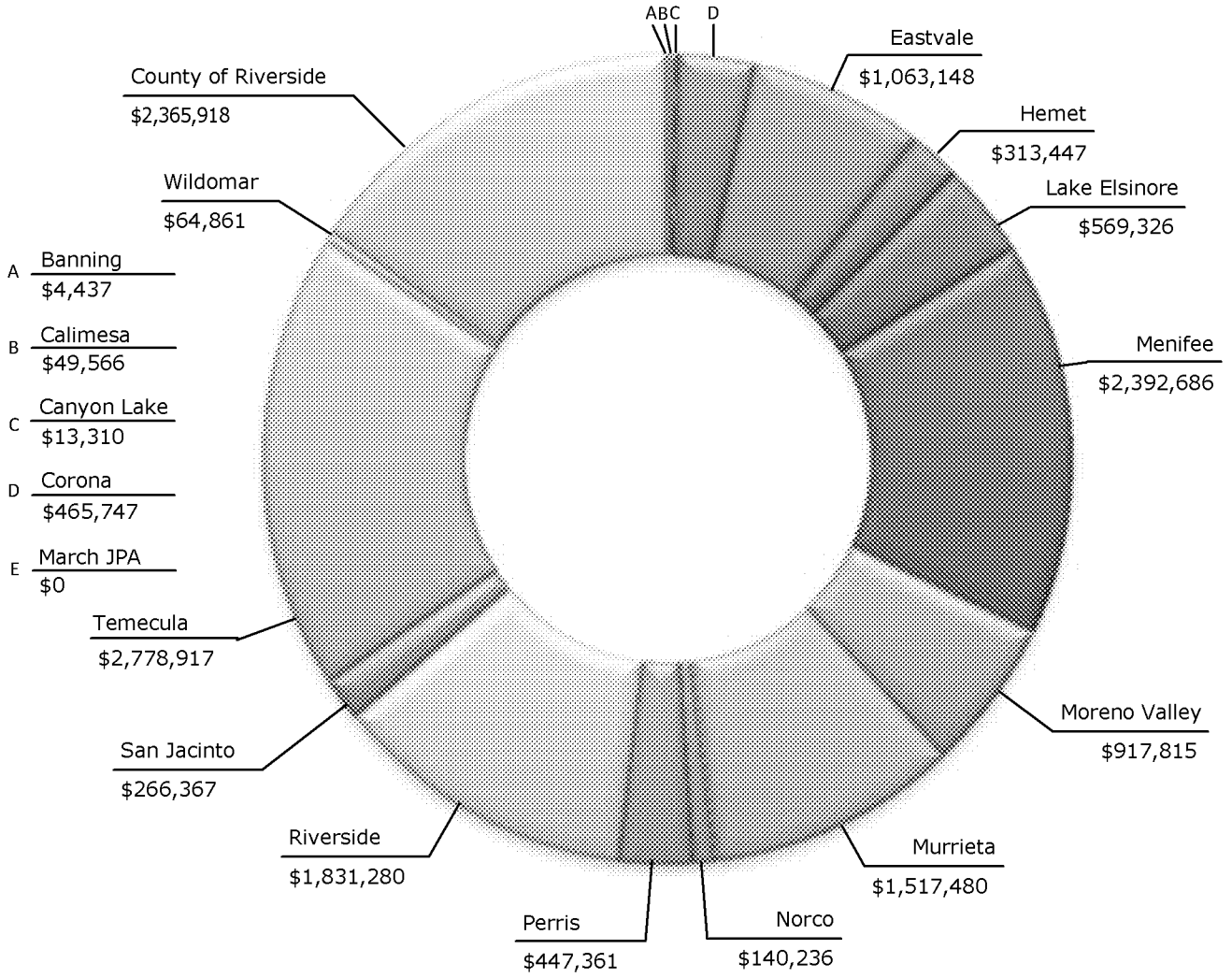

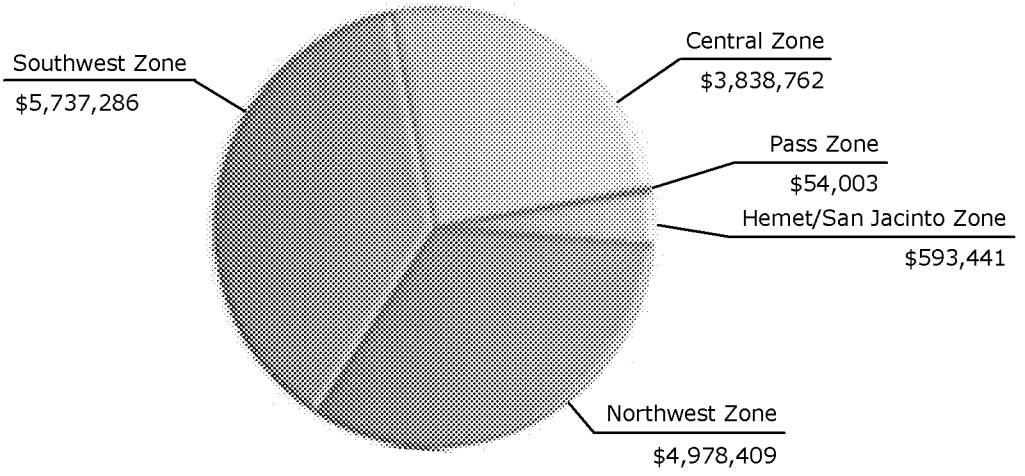

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178037

TUMF Revenue Breakdown By Zone and Jurisdiction (FY 2010/2011)

Northwest Zone - $4,978,409

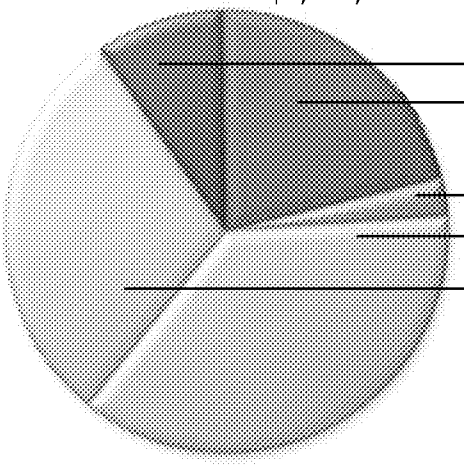

Corona	$	465,747
Eastvale	$	1,063,148
March JPA	$	0
Norco	$	140,236
Riverside	$	1,831,280
County of Riverside	$	1,477,999

Central Zone - $3,838,762

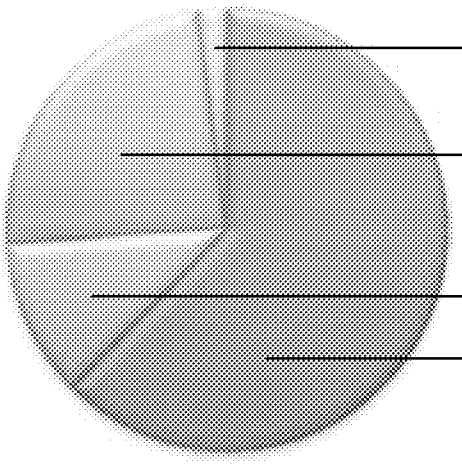

County of Riverside	$	80,900
Moreno Valley	$	917,815
Perris	$	447,361
Menifee	$	2,392,686

Hemet/San Jacinto Zone - $593,441

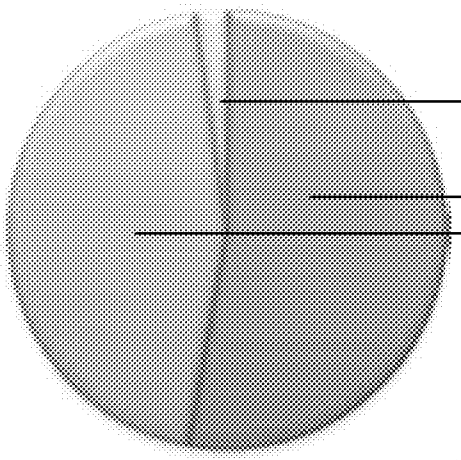

County of Riverside	$	13,627
Hemet	$	313,447
San Jacinto	$	266,367

Pass Zone - $54,003

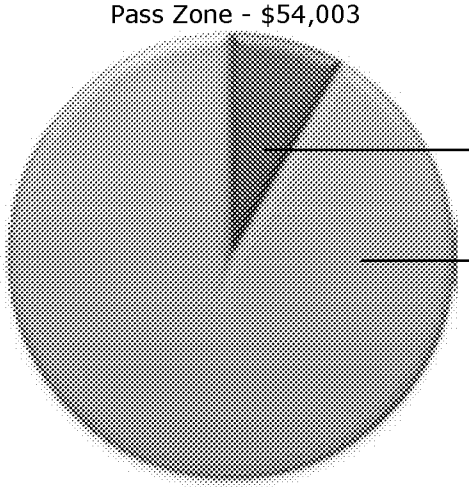

Banning	$	4,437
Calimesa	$	49,566
County of Riverside	$	0

Southwest Zone - $5,737,286

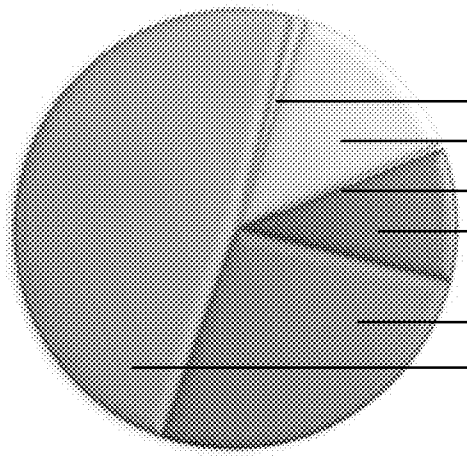

Wildomar	$	64,861
County of Riverside	$	793,392
Canyon Lake	$	13,310
Lake Elsinore	$	569,326
Murrieta	$	1,517,480
Temecula	$	2,778,917

Fiscal Year 2010/2011 Revenue Total $15,201,902

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178038

TUMF Revenue by Land Use (2003-2011)

Total Revenue: $539,996,519

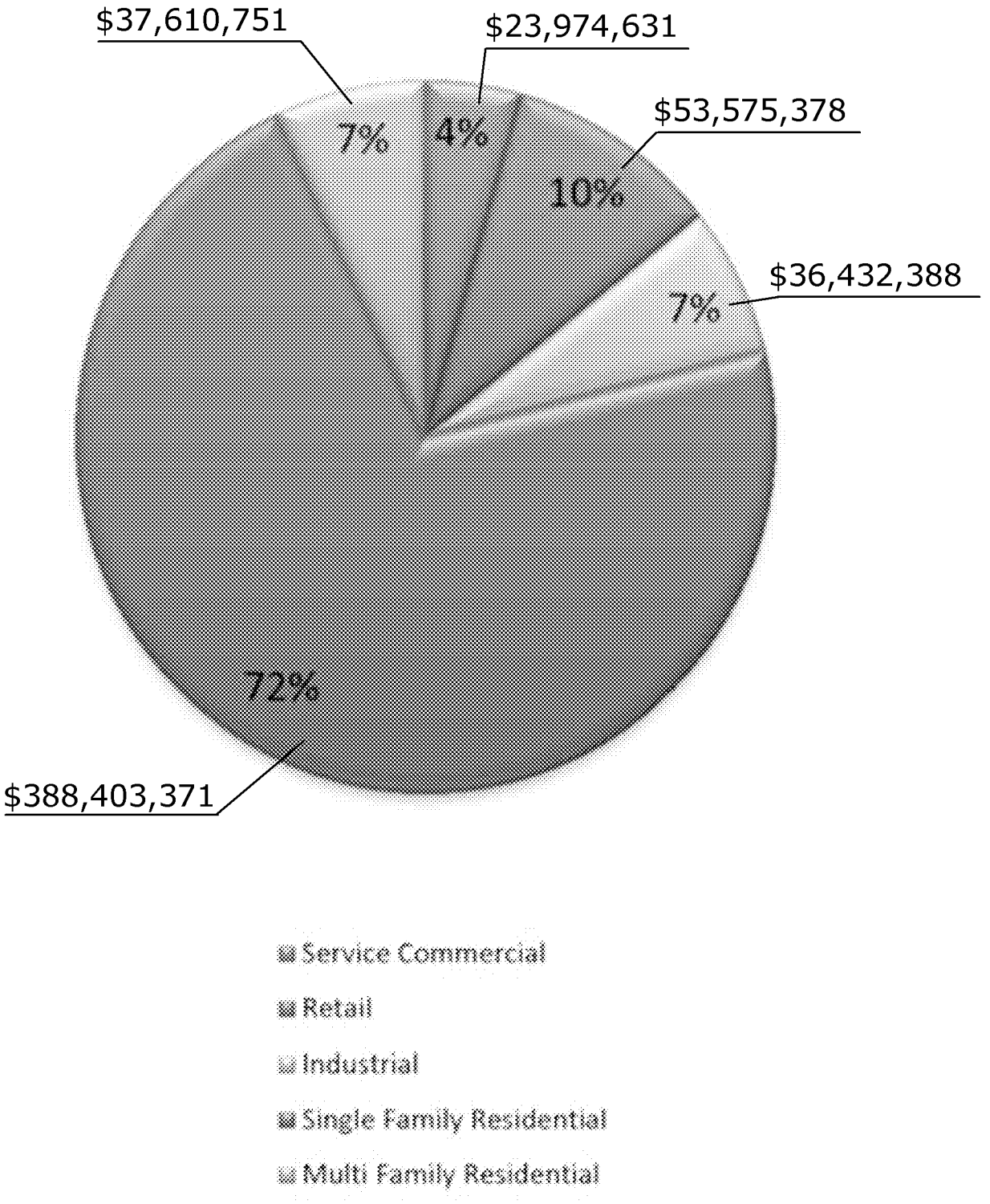

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TUMF Revenue by Land Use (2003-2011)

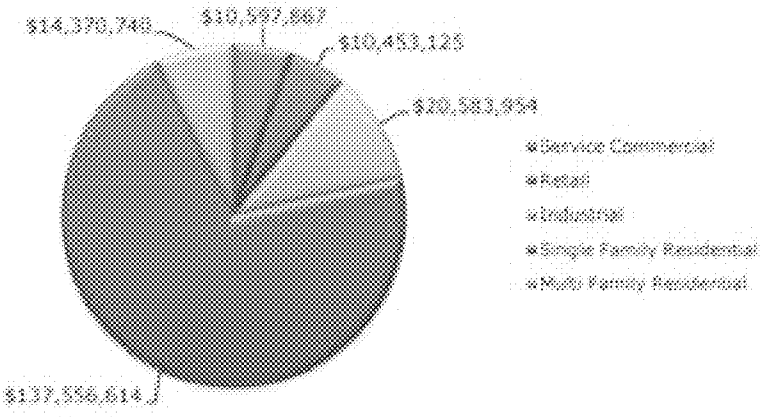

Northwest Zone

- County of Riverside unincorporated
- City of Corona
- City of Eastvale
- *City of Jurupa Valley
- City of Norco
- City of Riverside
- March Joint Powers Authority

County of Riverside

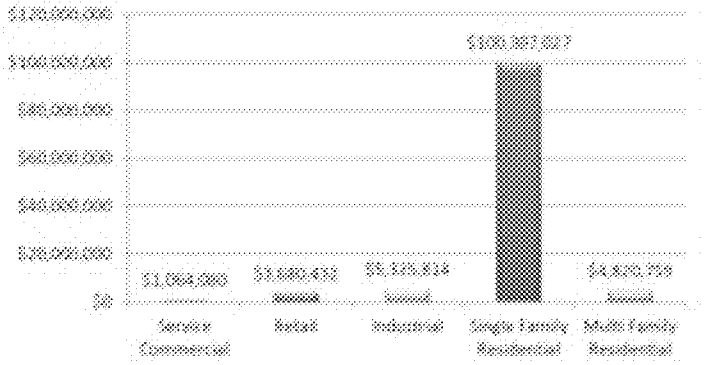

Corona

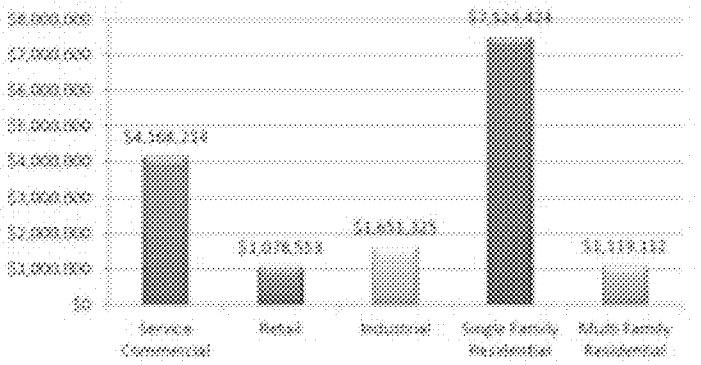

Eastvale

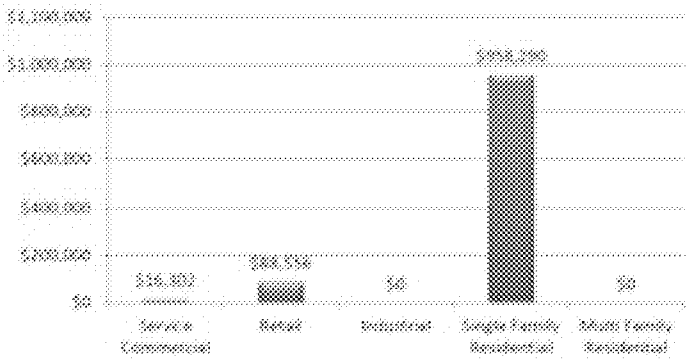

Norco

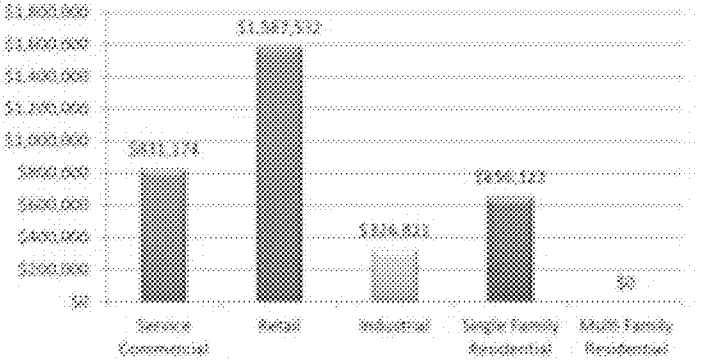

Riverside

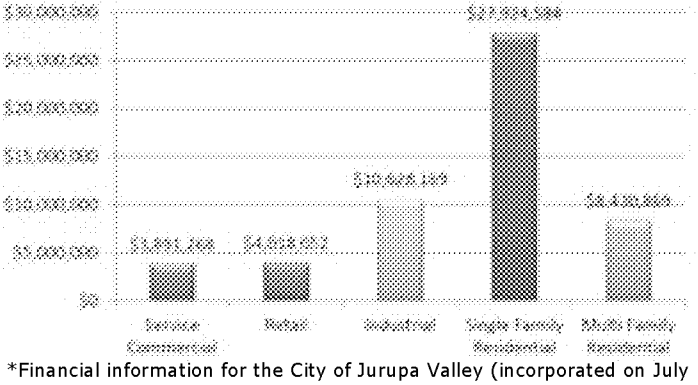

March JPA

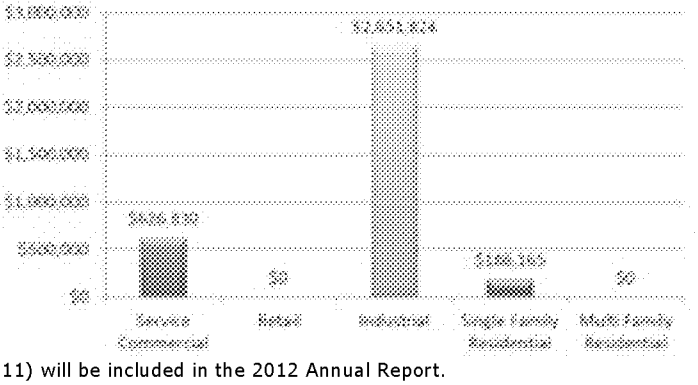

*Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.
The County of Riverside and the Cities of Corona, Eastvale, Norco, and Riverside for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178040

TUMF Revenue by Land Use (2003-2011)

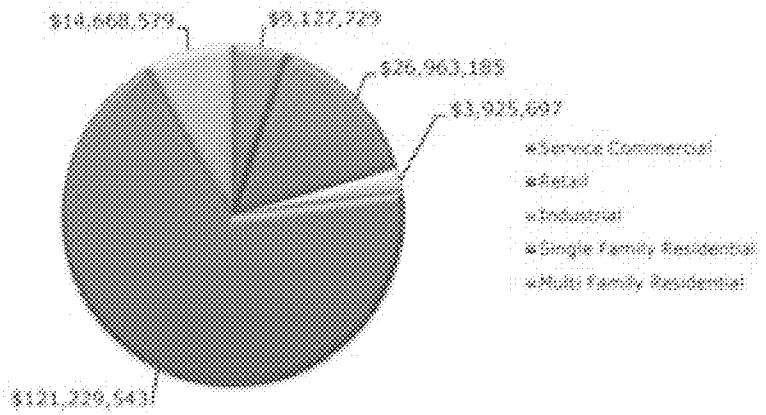

Southwest Zone

- County of Riverside unincorporated
- City of Canyon Lake
- City of Lake Elsinore
- City of Murrieta
- City of Temecula
- City of Wildomar

County of Riverside

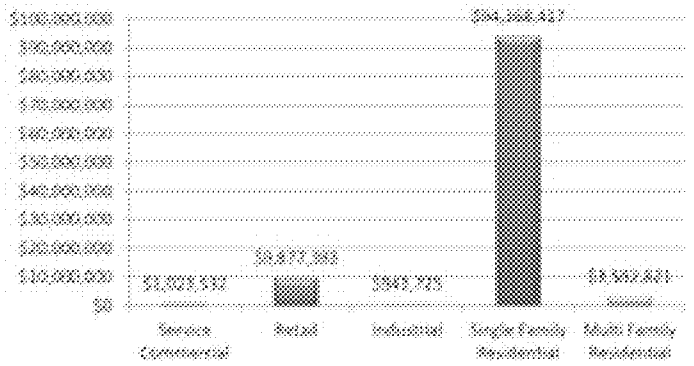

Canyon Lake

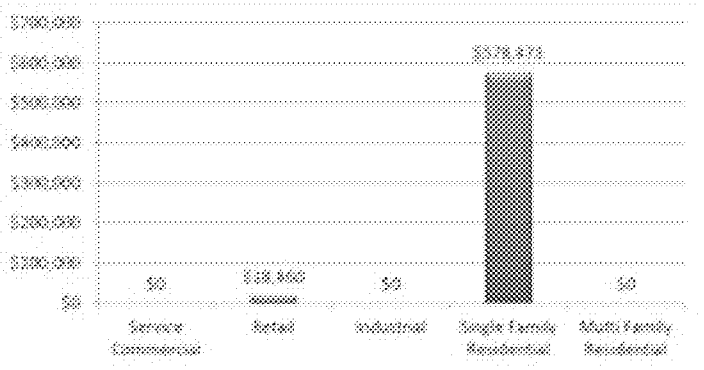

Lake Elsinore

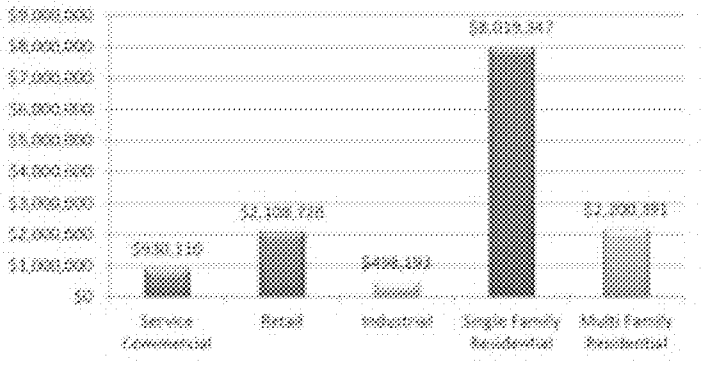

Murrieta

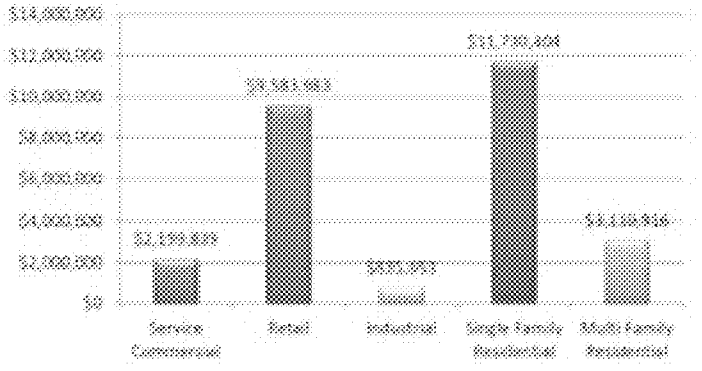

Temecula

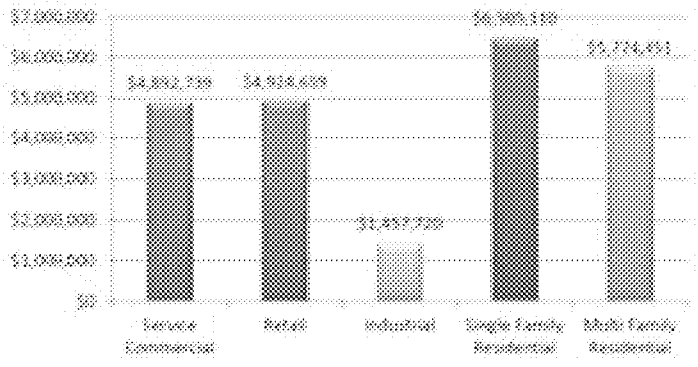

Wildomar

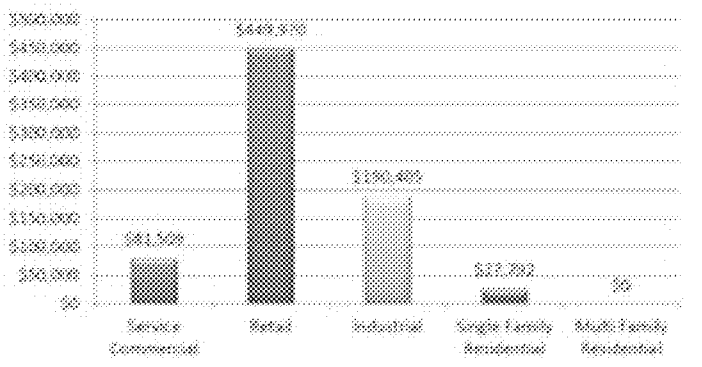

The County of Riverside for a part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178041

TUMF Revenue by Land Use (2003-2011)

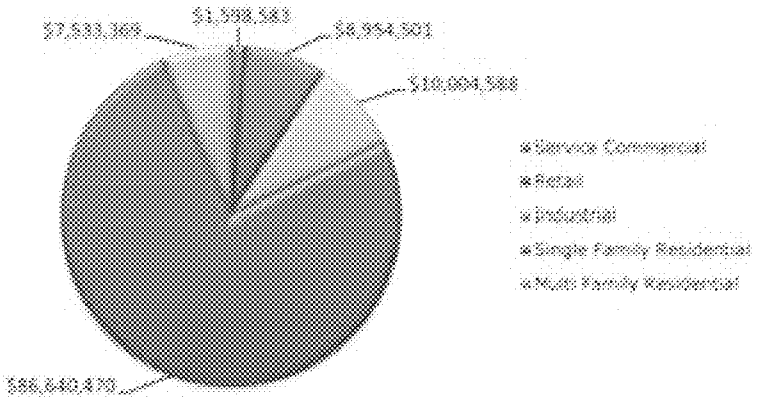

Central Zone

- County of Riverside unincorporated
- City of Menifee
- City of Moreno Valley
- City of Perris

County of Riverside

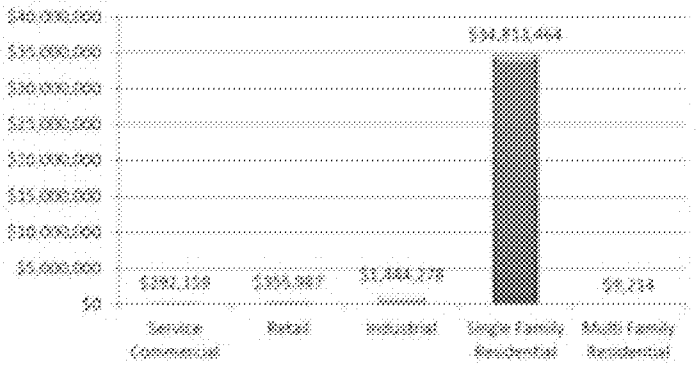

Menifee

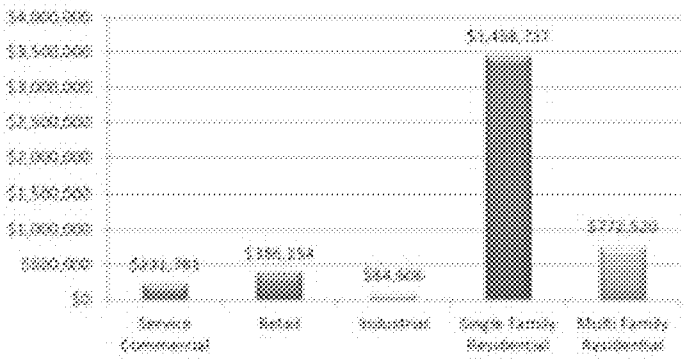

Moreno Valley

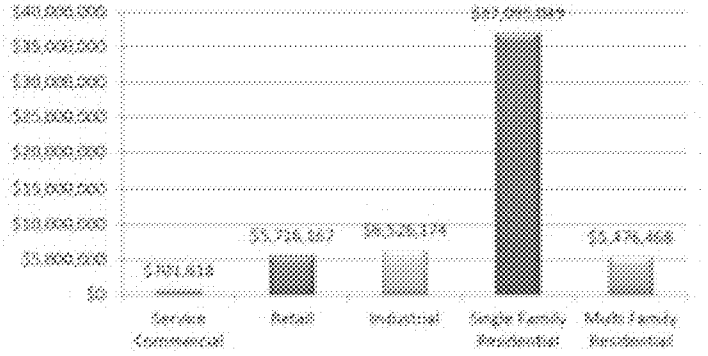

Perris

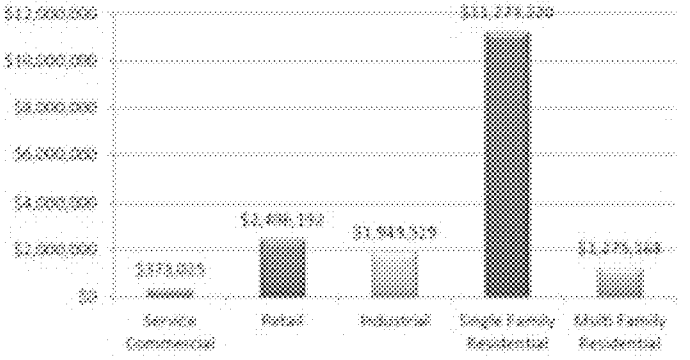

The County of Riverside and the Cities of Menifee, Moreno Valley, and Perris for all or part of this time reduced the fee by 50%. Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178042

TUMF Revenue by Land Use (2003-2011)

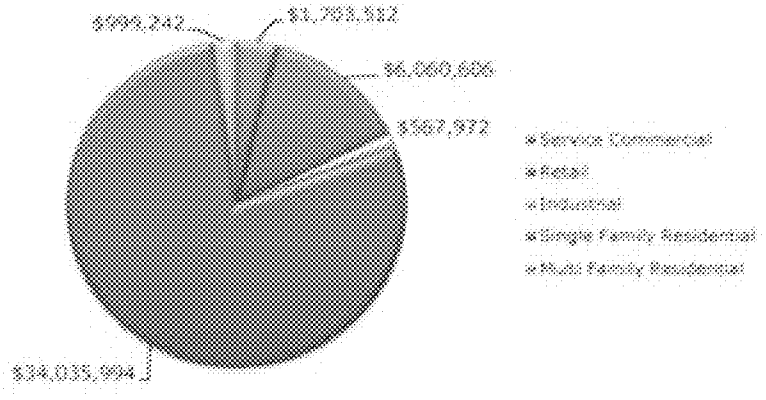

Hemet/San Jacinto Zone

- County of Riverside unincorporated
- City of Hemet
- City of San Jacinto

County of Riverside

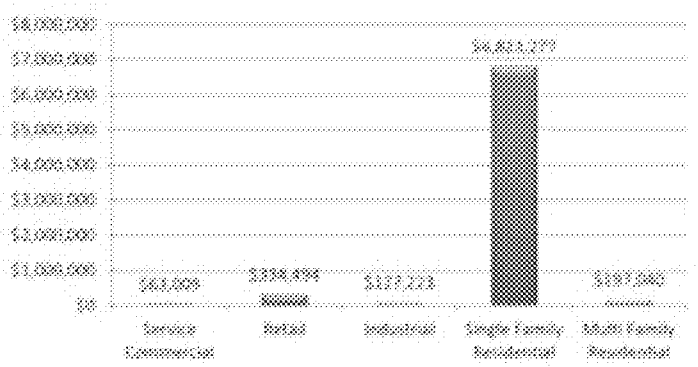

Hemet

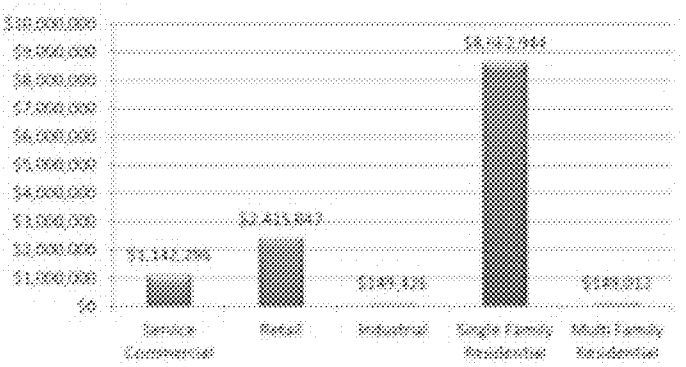

San Jacinto

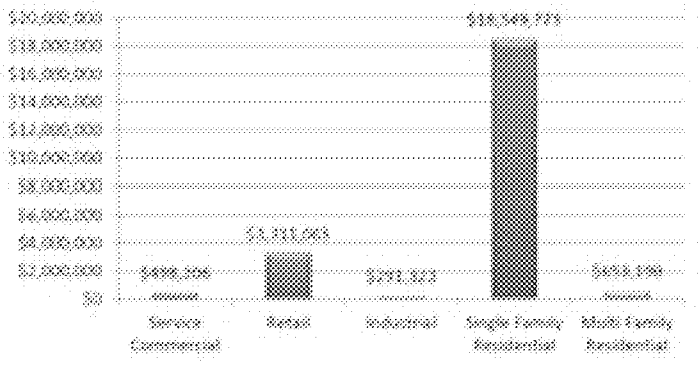

The County of Riverside and the City of San Jacinto for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178043

TUMF Revenue by Land Use (2003-2011)

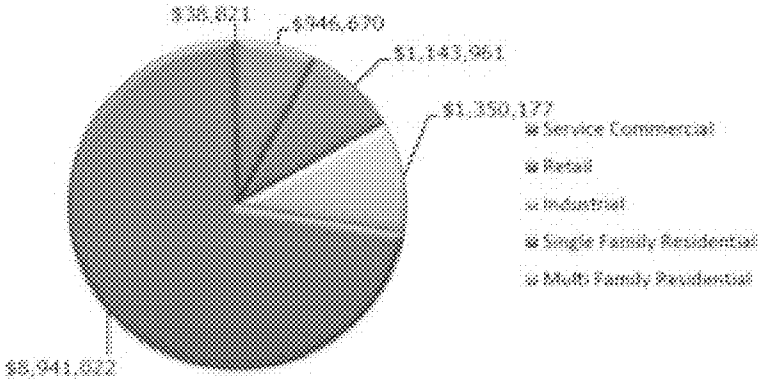

Pass Zone

- County of Riverside unincorporated
- City of Banning
- *City of Beaumont
- City of Calimesa

County of Riverside

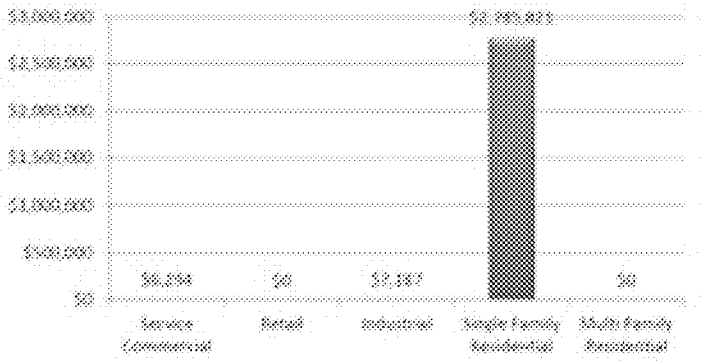

Banning

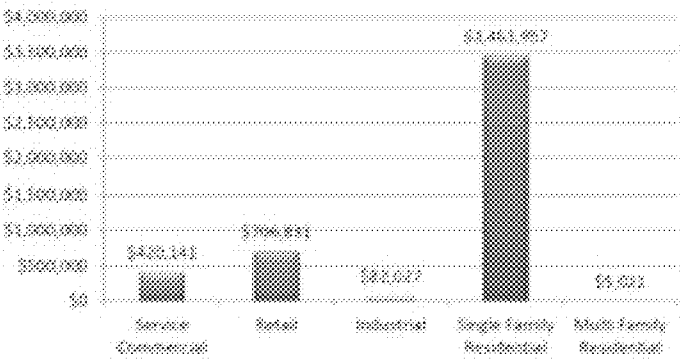

***Beaumont**

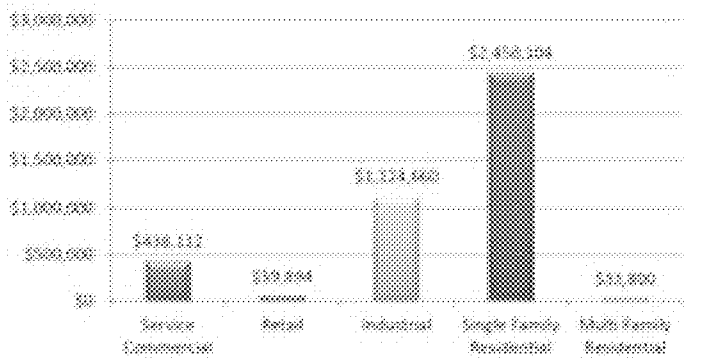

Calimesa

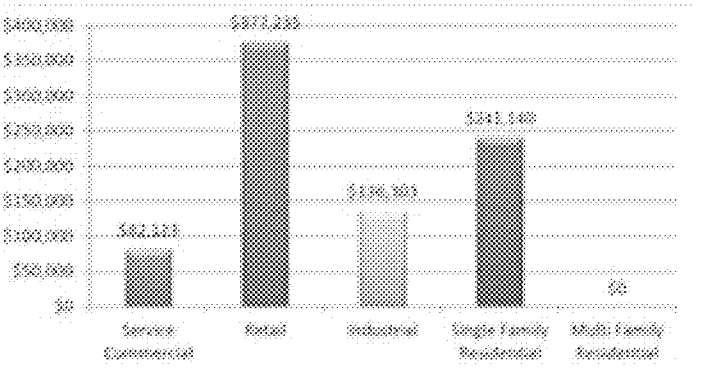

*The City of Beaumont is no longer participating in the TUMF Program.
The County of Riverside and the Cities of Banning and Calimesa for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178044

TUMF Revenue by Land Use

Fiscal Year 2010-2011 (July 1, 2010, to June 30, 2011)

Total Revenue: $15,201,902

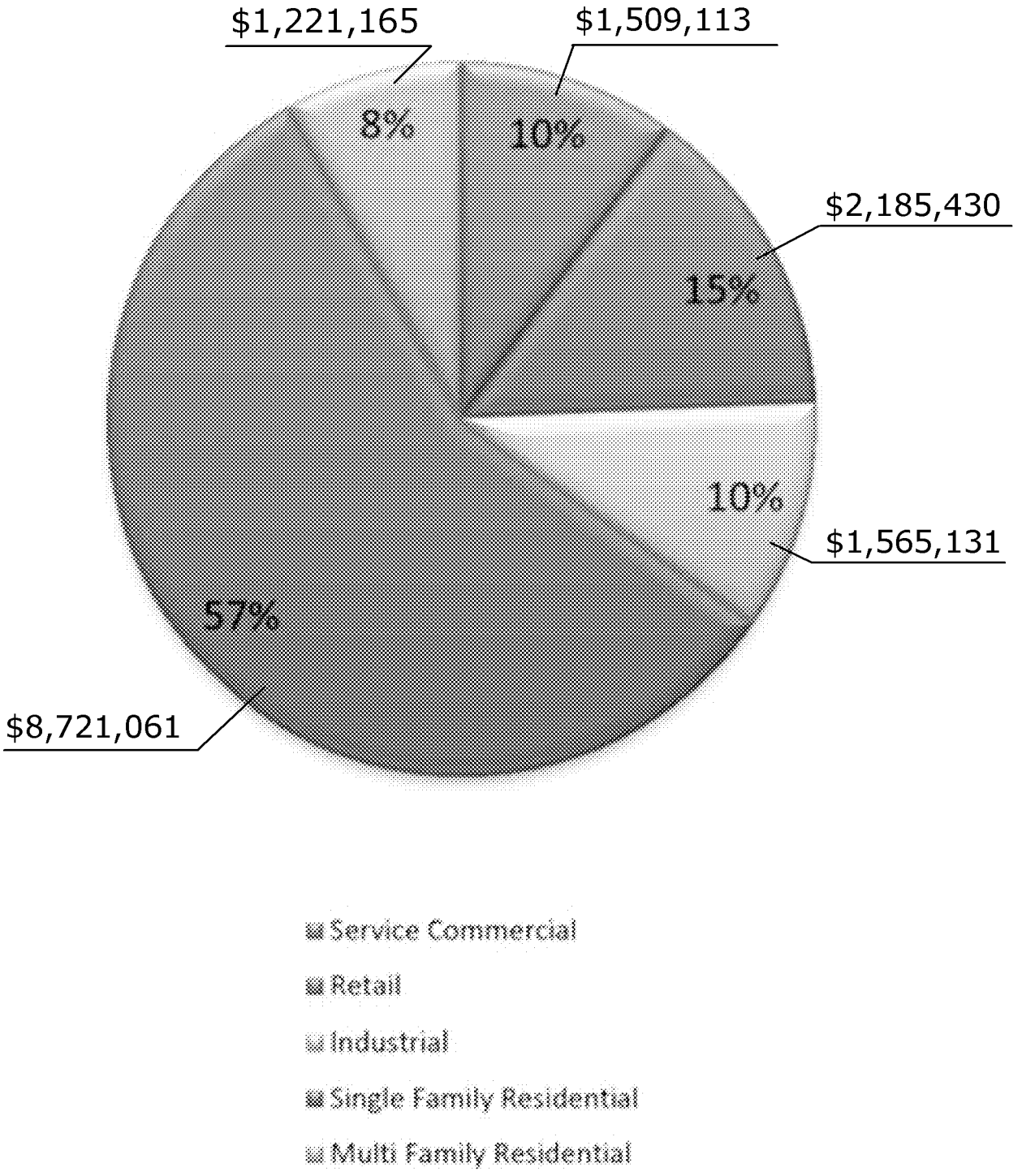

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178045

TUMF Revenue by Land Use (FY 2010/2011)

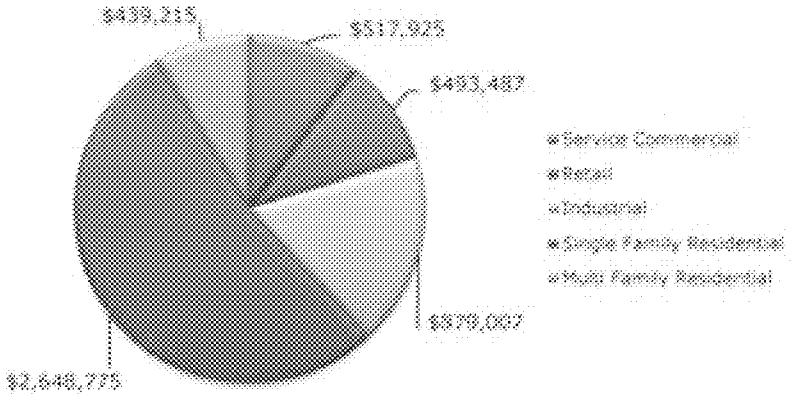

Northwest Zone

- County of Riverside unincorporated
- City of Corona
- City of Eastvale
- City of Jurupa Valley
- City of Norco
- City of Riverside
- March Joint Powers Authority

County of Riverside

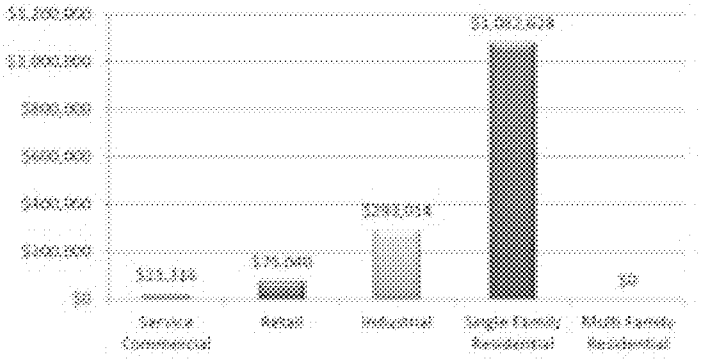

Corona

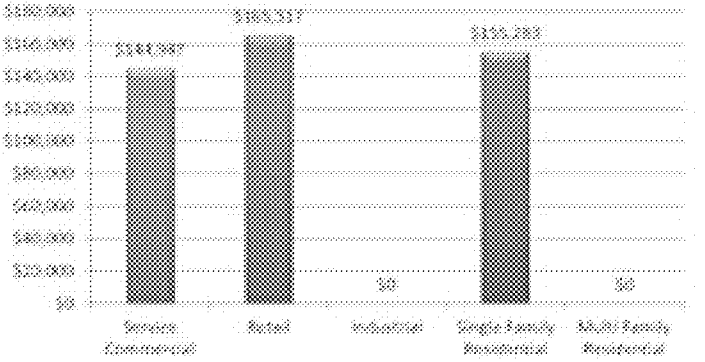

Eastvale

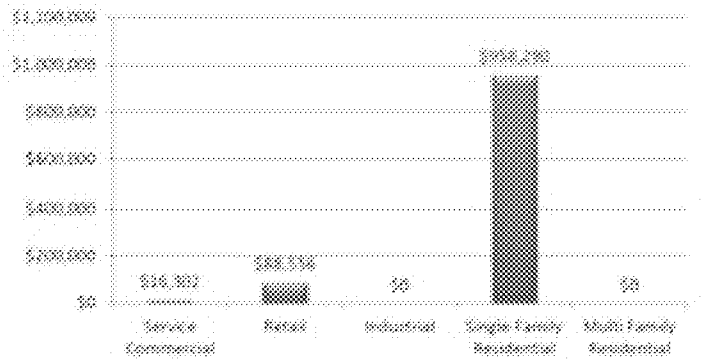

Norco

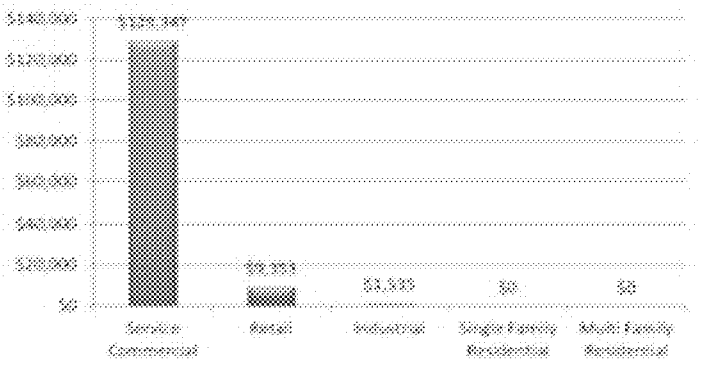

Riverside

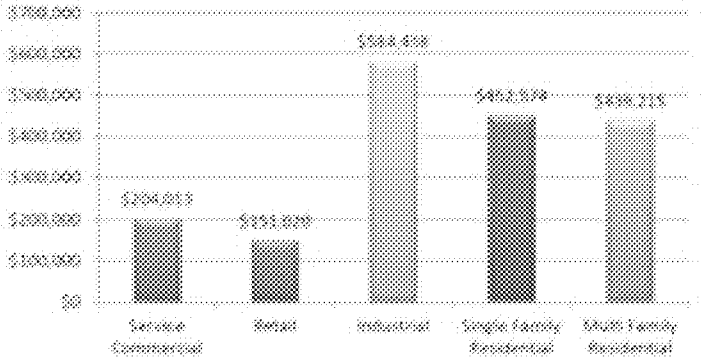

Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.

For Fiscal Year 2010/2011, the March JPA did not have any projects in final inspection and therefore did not collect or remit any TUMF dollars to WRCOG.

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178046

TUMF Revenue by Land Use (FY 2010/2011)

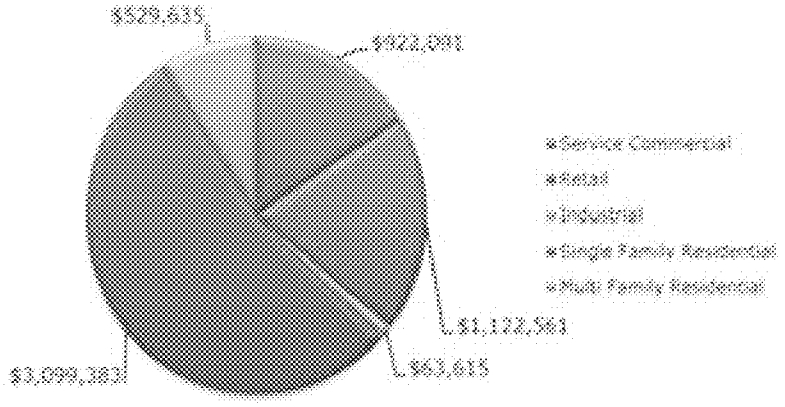

Southwest Zone

- County of Riverside unincorporated
- City of Canyon Lake
- City of Lake Elsinore
- City of Murrieta
- City of Temecula
- City of Wildomar

County of Riverside

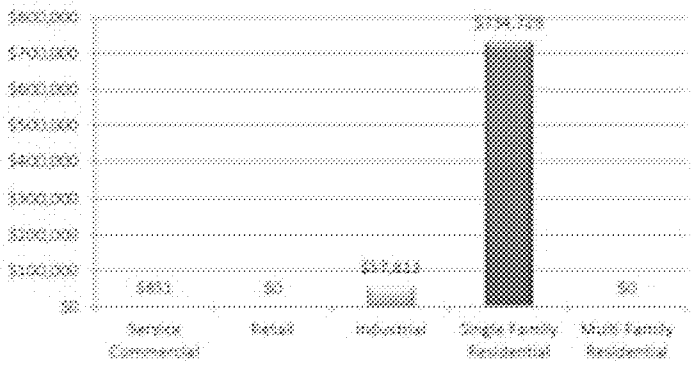

Canyon Lake

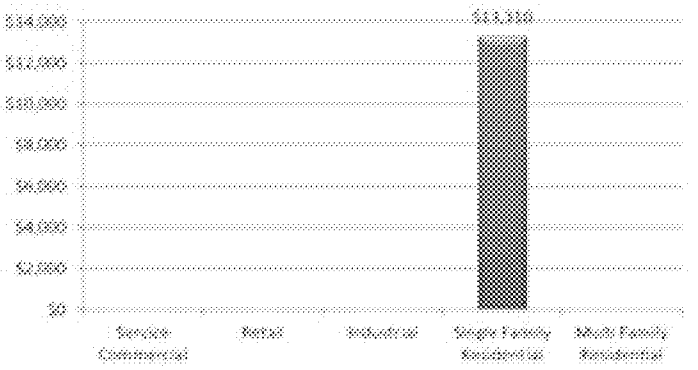

Lake Elsinore

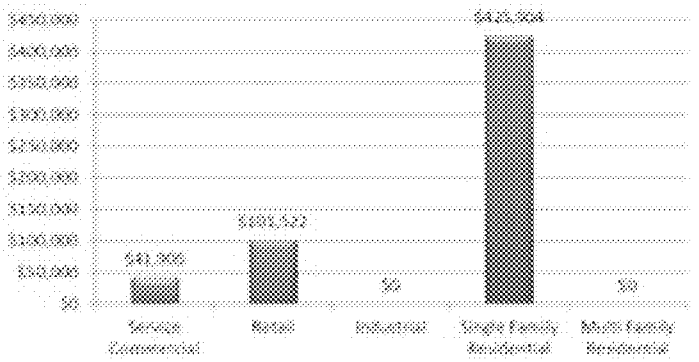

Murrieta

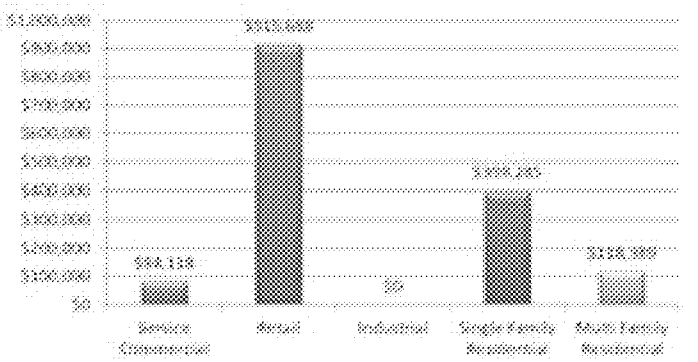

Temecula

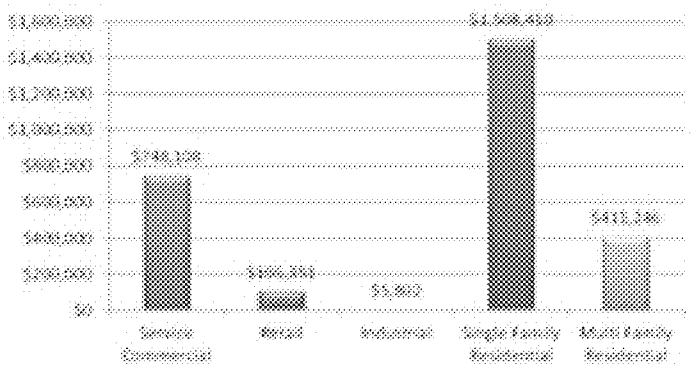

Wildomar

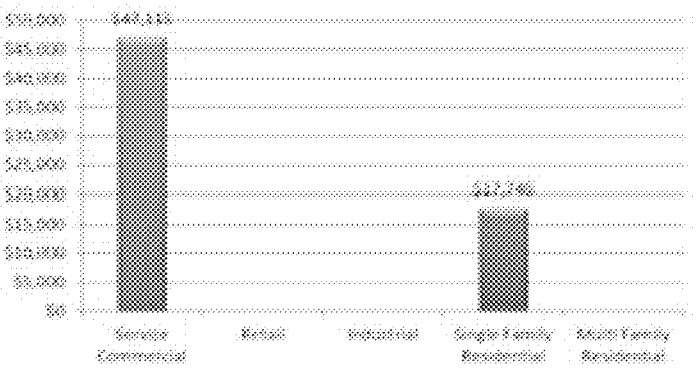

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00178047

TUMF Revenue by Land Use (FY 2010/2011)

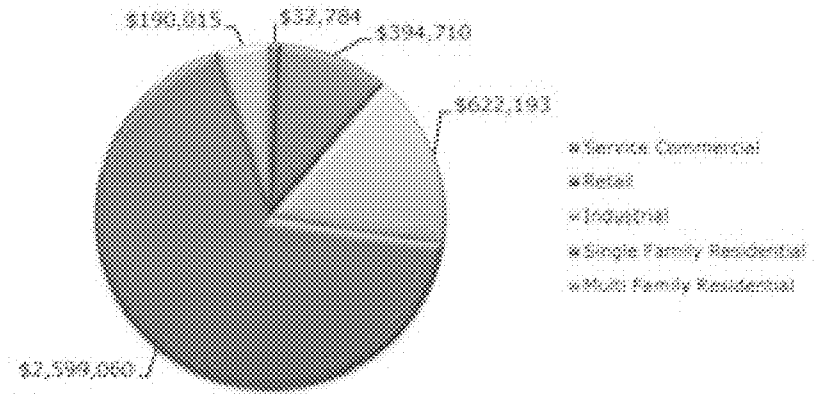

Central Zone

- County of Riverside unincorporated
- City of Menifee
- City of Moreno Valley
- City of Perris

County of Riverside

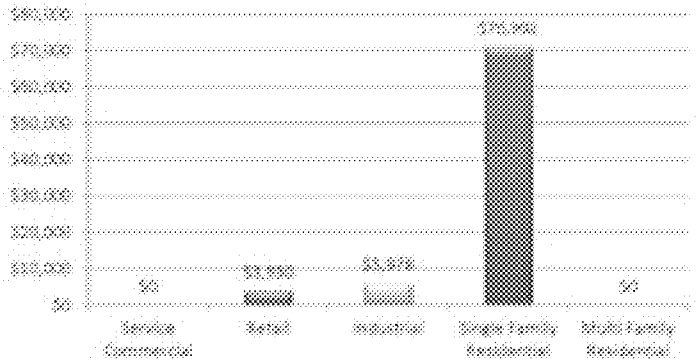

Menifee

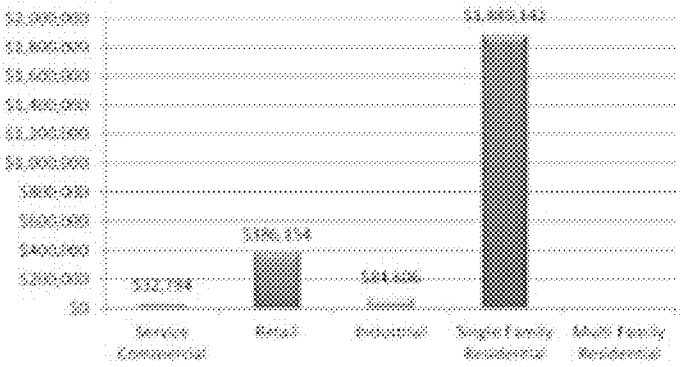

Moreno Valley

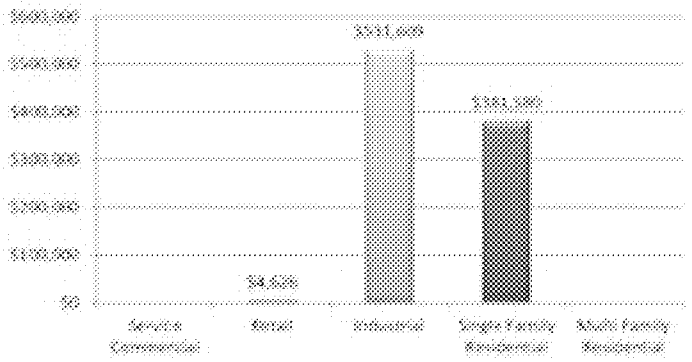

Perris

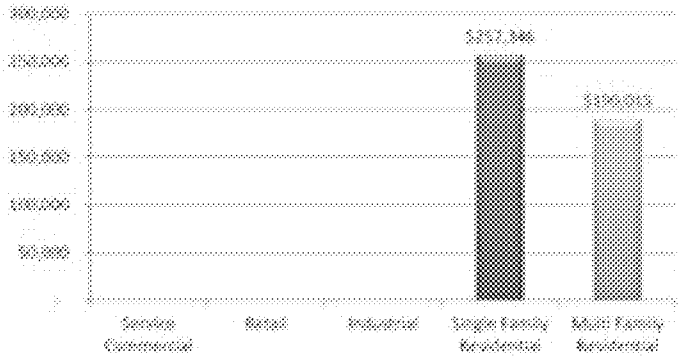

MV00178048

TUMF Revenue by Land Use (FY 2010/2011)

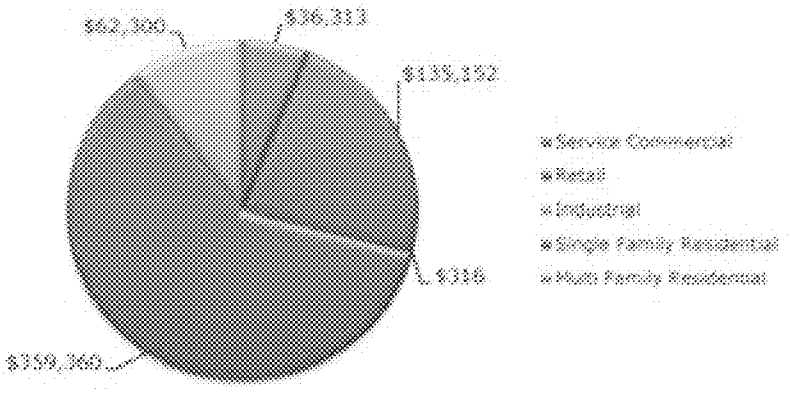

Hemet/San Jacinto Zone

- County of Riverside unincorporated
- City of Hemet
- City of San Jacinto

County of Riverside

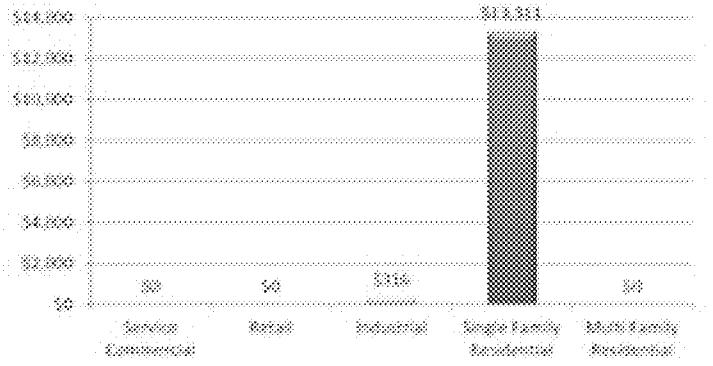

Hemet

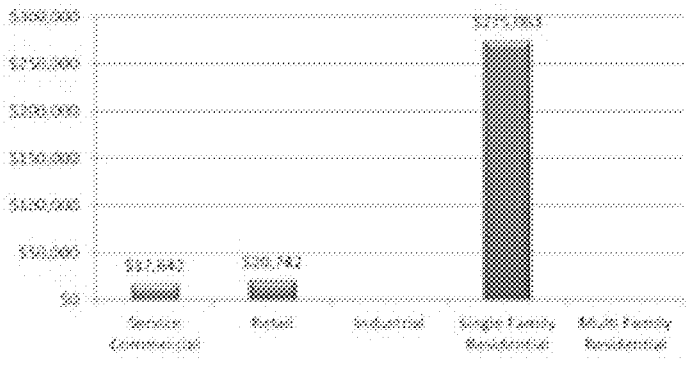

San Jacinto

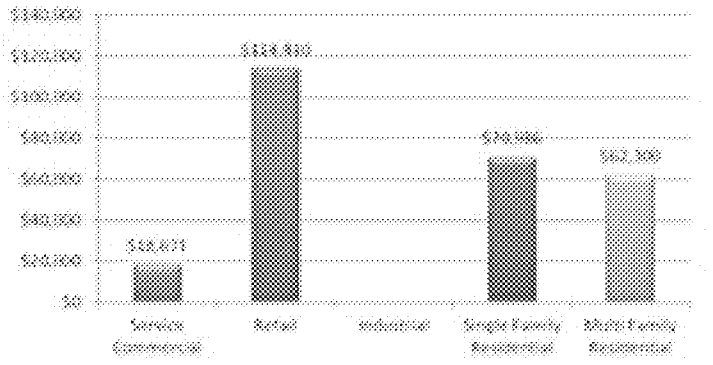

MV00178049

TUMF Revenue by Land Use (FY 2010/2011)

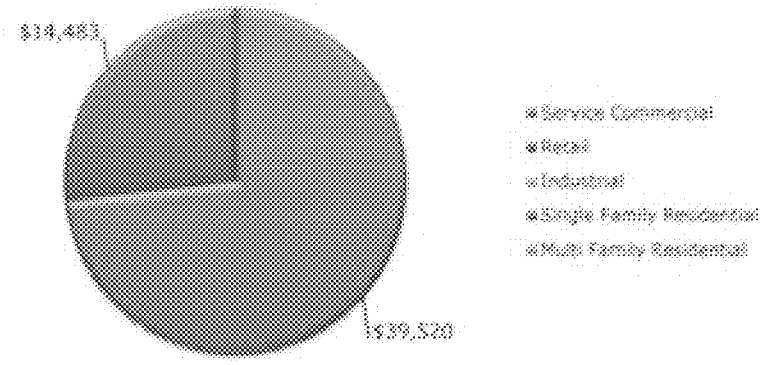

Pass Zone

- City of Banning
- City of Calimesa
- County of Riverside unincorporated

Banning

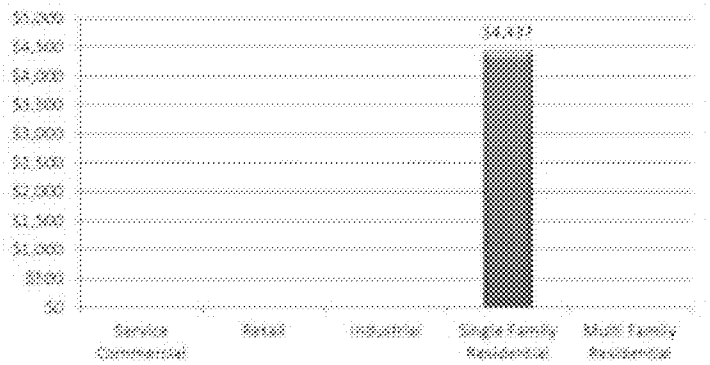

Calimesa

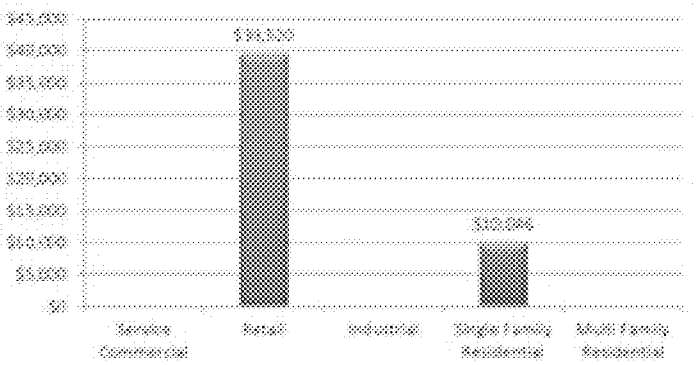

For Fiscal Year 2010/2011, the County of Riverside did not have any projects in final inspection and therefore did not collect or remit any TUMF dollars to WRCOG.

MV00178050

Projects

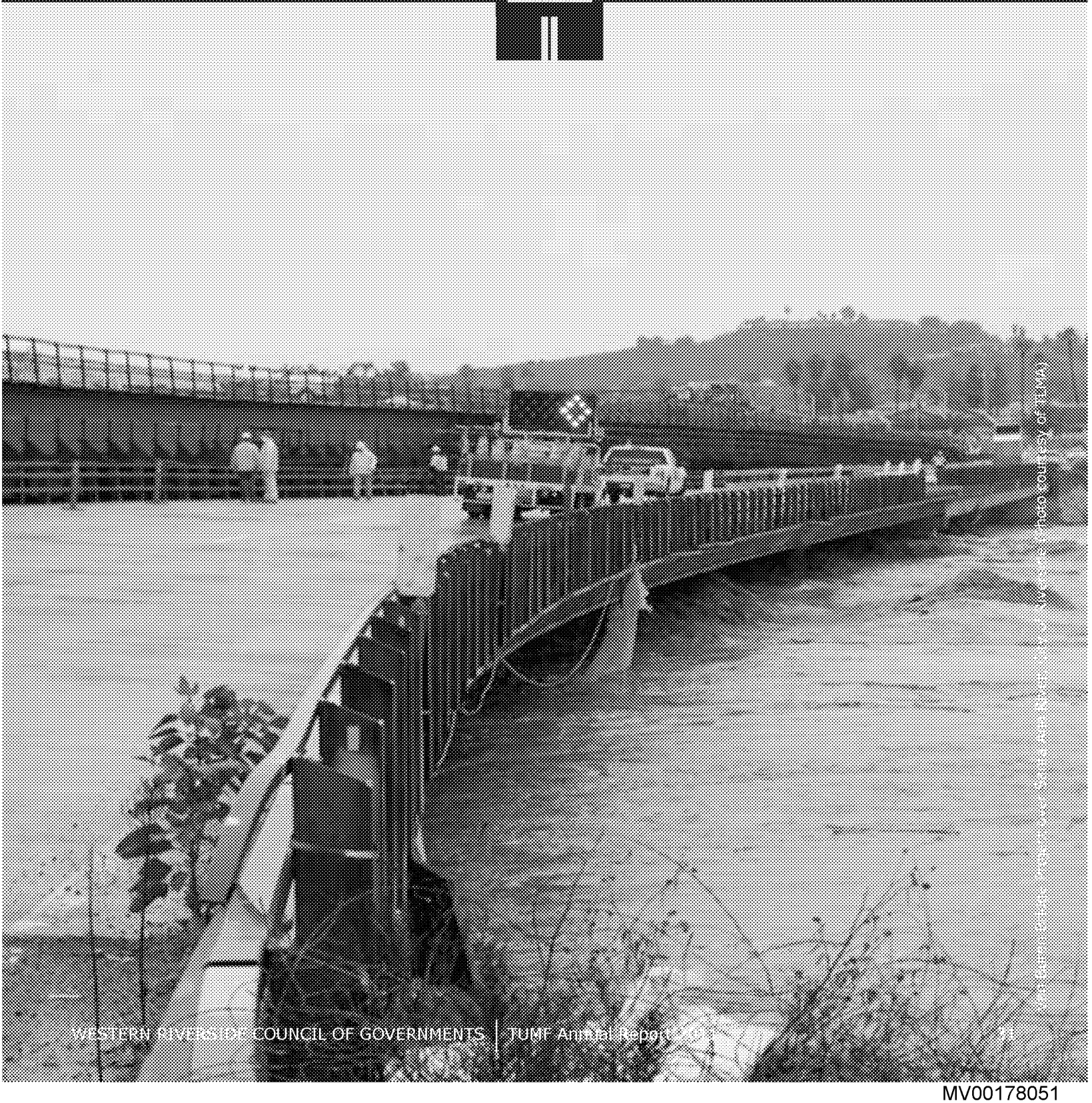

WVWTP Rehabilitation Project

MV00178051

WRCOG's TUMF Program is first and foremost an infrastructure program. It is about building infrastructure – not collecting a fee. Constructing TUMF improvements as quickly as possible is the Program's paramount objective.

WRCOG's partners in the TUMF Program, including 18 member jurisdictions, RCTC, RTA, the March JPA, and the development community have all placed the TUMF Program as a top priority. The results of our partners' commitment to the Program is evidenced on a number of fronts. All of the agencies and jurisdictions have developed and updated TUMF project expenditure plans called Transportation Improvement Programs (TIPs) that estimate revenues from TUMF and prioritize which project improvements will be made during a five-year period. Within six months of the initiation of the Program, TIPs were being approved and work was underway to implement the nation's largest multi-jurisdictional uniform development fee program.

TUMF projects do not result just from the TIPs. Community Facilities Districts (CFDs) and Road and Bridge Benefit Districts (R&BBDs) are also used to construct TUMF improvements, and developers sometimes build TUMF facilities in lieu of paying TUMF fees. By being creative, WRCOG and its partners are working to find the fastest, most cost-effective ways to build the TUMF Network.

As of the end of Fiscal Year 2010/2011, 46 TUMF projects have been completed, 8 projects are under construction, 28 projects are in engineering or right-of-way (ROW) acquisition, and another 27 projects are in planning and environmental stages. The balance of the projects are in preliminary design and planning phases. Furthermore, of the currently programmed Zone-level TIP projects, over 40 percent of these are slated for construction during the five-year TIP period. Western Riverside County residents are seeing TUMF Program dollars at work in dozens of locations throughout the subregion.

The following pages highlight TUMF activities in each of the five zones, and for RTA and RCTC.

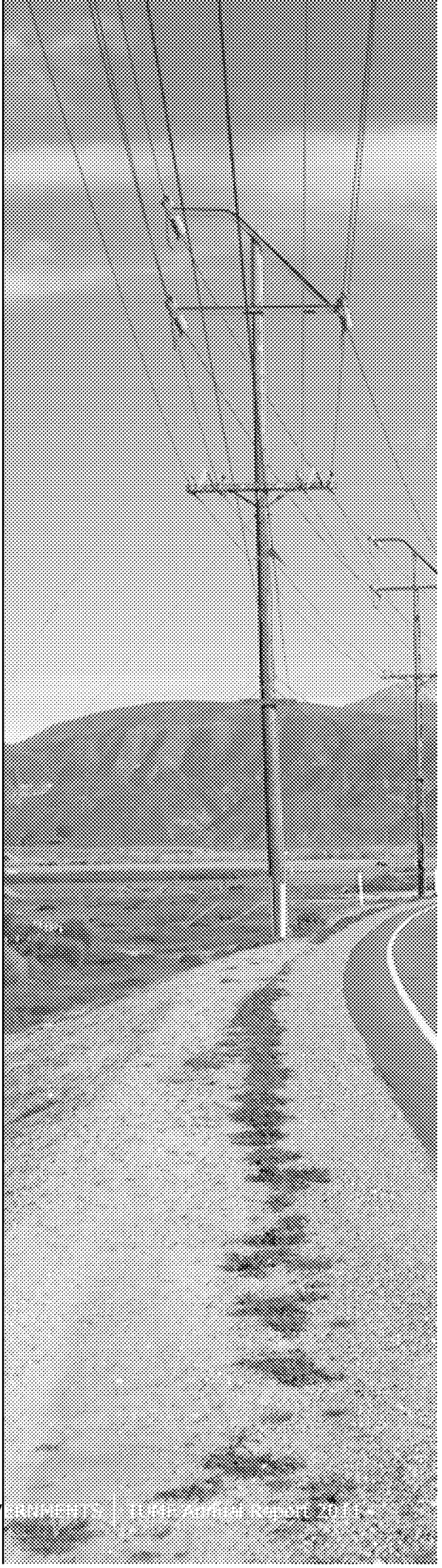

MV00178052

Sanderson Avenue, City of San Jacinto

MV00178053

Northwest Zone: Corona, Eastvale, Jurupa Valley, Norco, Riverside, County of Riverside and March JPA

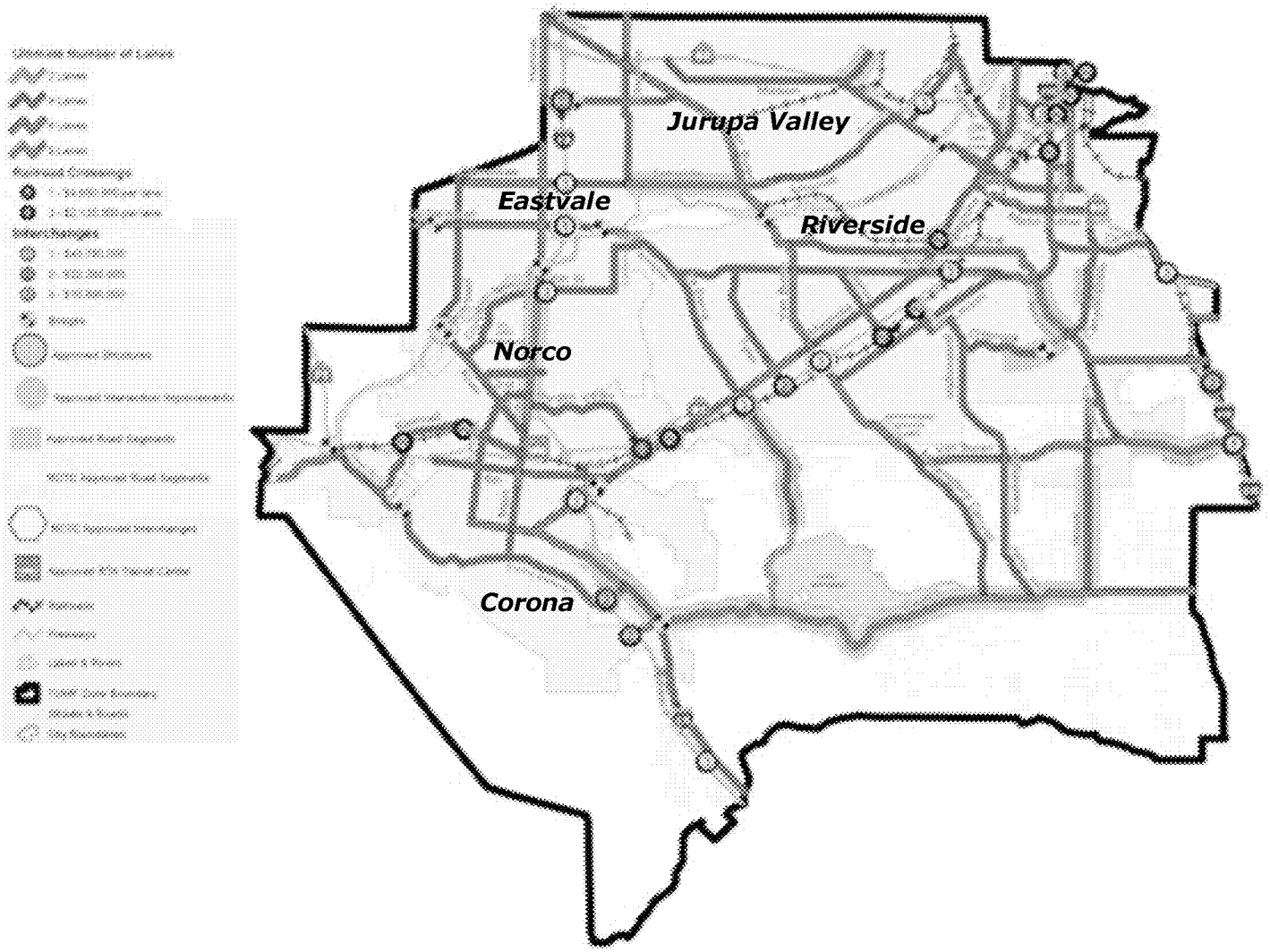

The Northwest Zone is comprised of the unincorporated County and the Cities of Corona, Eastvale, Jurupa Valley, Norco, and Riverside. The Zone covers an estimated 332.8 square miles and has a population of approximately 710,226. The Northwest Zone has 12 projects on the adopted TIP, of which 1 project is under construction, 4 projects are in engineering, 5 projects are in planning and environmental stages, and 2 projects are complete. (Note: Project data for the City of Jurupa Valley will be included in the 2012 Annual Report.)

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Northwest Zone that are underway and/or completed. These projects represent $15.3 million in TUMF investment.

Magnolia Avenue Grade Separation (City of Riverside)
This project will lower Magnolia Avenue under the Union Pacific Railroad tracks, and a two-track railroad bridge is being constructed over Magnolia Avenue. The project will also shift the alignment of Magnolia Avenue 50 feet to the west.

In addition, Beatty Drive will be widened from two to four lanes between Brockton and De Anza

MV00178054

Northwest Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				County of Riverside	Cajalco Road (La Sierra to Wood), widen 2 to 4 lanes
					Cajalco Road (Temescal Canyon Road to La Sierra), widen 2 to 4 lanes
					Limonite Avenue (I-215 ramps to van Buren), widen 2 to 4 lanes
					Magnolia Grade Separation at BNSF Railroad
					Wood Road (Cajalco to Temescal), widen to 4 lanes
				Corona	Auto Center Underpass (Railroad to Pomona), widen 2 to 4 lanes
					McKinley Rail Underpass and Ramps, widen to 6 lanes
				City of Riverside	Sandy Creek Drive (Country Club to Via Vista), widen 2 to 4 lanes
					Magnolia Ave. Grade Separation (Beatty to Brockton), widen to 4 lanes
				Norco	Hamner Avenue (Santa Ana River to Parkridge), widen 4 to 6 lanes
				County of Riverside/Caltrans	Van Buren/I-215 Interchange

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Avenues, and new traffic signals will be installed at the intersections of Beatty Drive and Brockton, Magnolia, and De Anza Avenues. Construction started in early 2010. The project is anticipated to be completed by in 2012. The estimated project cost is $53.1 million, of which TUMF will provide $12 million.

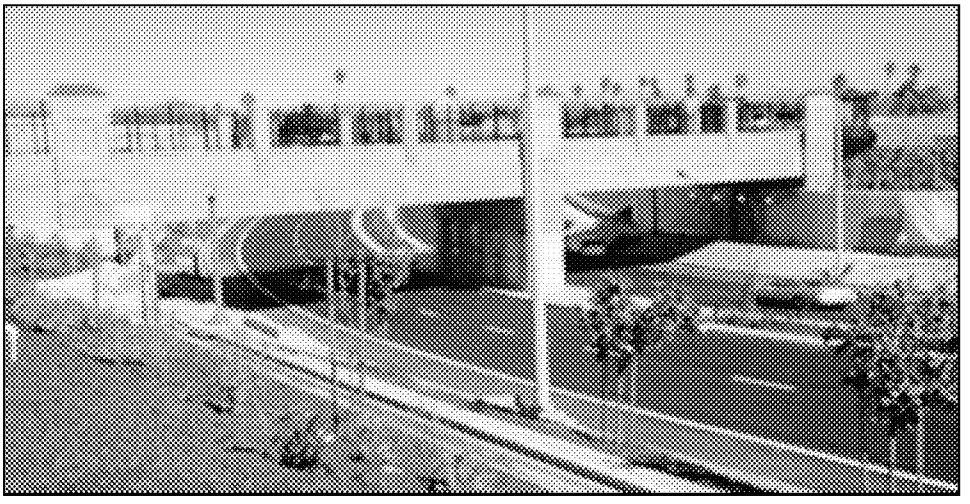

Magnolia Grade Separation Project, City of Riverside (Photo courtesy City of Riverside)

Hamner Avenue (City of Norco)

This project will widen a portion of Hamner Avenue between Santa Ana River to Parkridge Avenue from four to six lanes. The project is being completed in phases. The City recently widened Hamner Avenue from Sixth Street north to a few hundred feet south of Detroit Street.

The project's estimated cost is $8.6 million, of which TUMF has programmed $3.3 million.

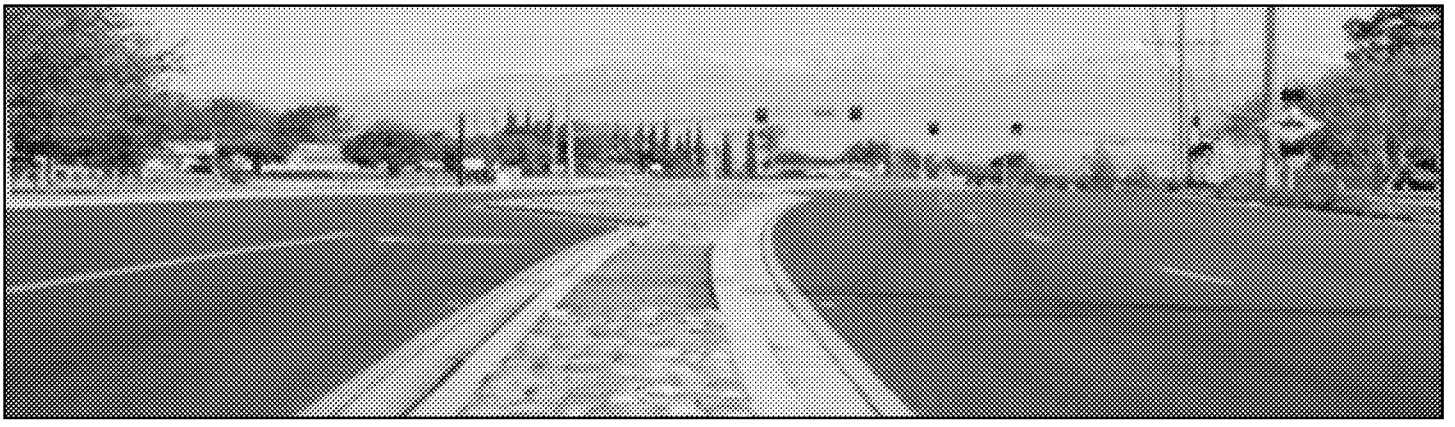

Hamner Avenue widening Project from Sixth Street to Detroit Street, City of Norco (Photo courtesy of City of Norco)

MV00178055

Southwest Zone: Canyon Lake, Lake Elsinore, Murrieta, Temecula, Wildomar, and County of Riverside

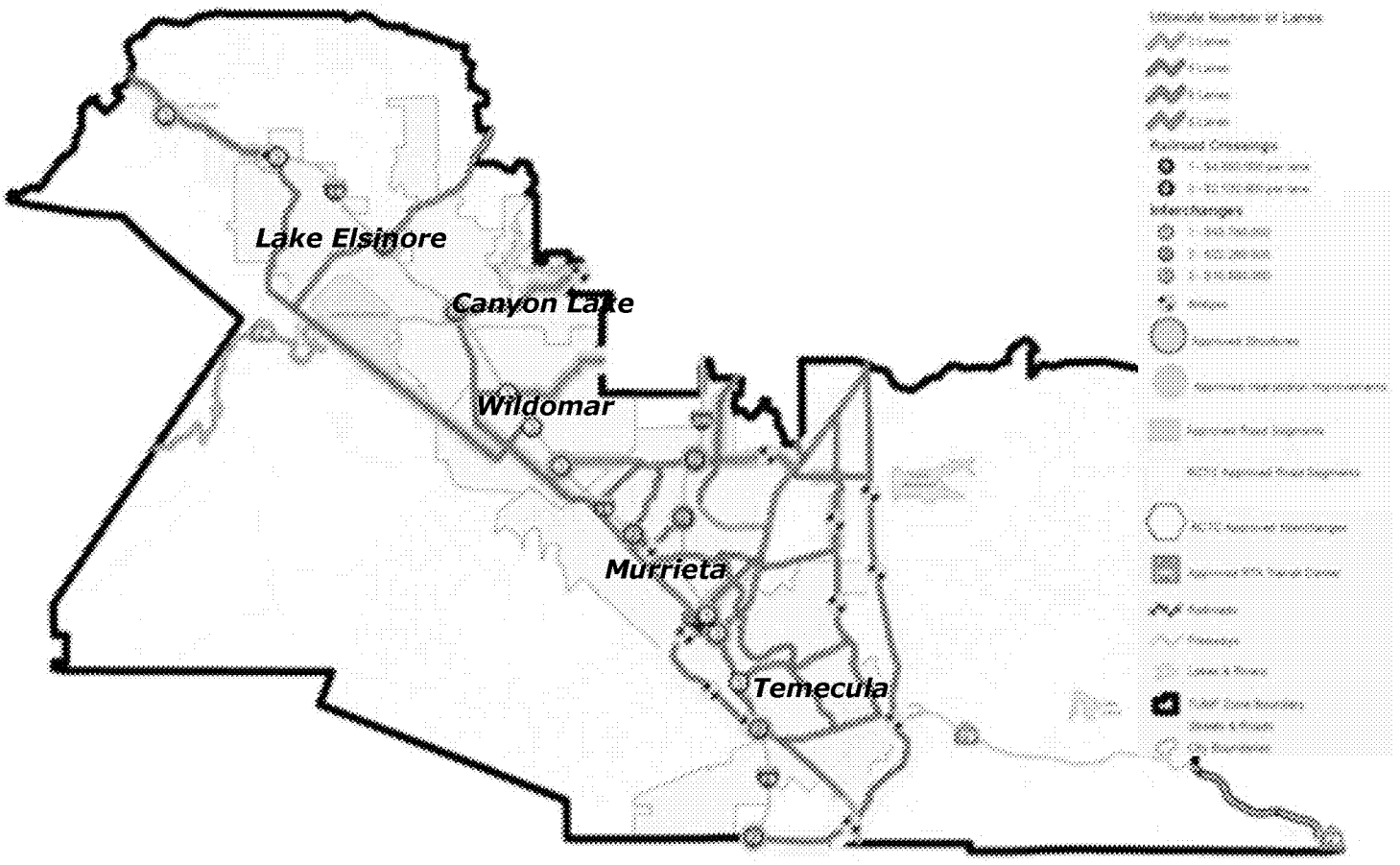

The Southwest Zone is comprised of the unincorporated County and the Cities of Canyon Lake, Lake Elsinore, Murrieta, Temecula, and Wildomar. The Zone covers an estimated 536.1 square miles and has a population of approximately 380,193.

The Southwest Zone has 16 projects on the adopted TIP, of which 1 project is under construction, 8 projects are in engineering, 3 projects are in planning and environmental stages, and 3 projects are completed. The remaining project is in the preliminary design and planning phase.

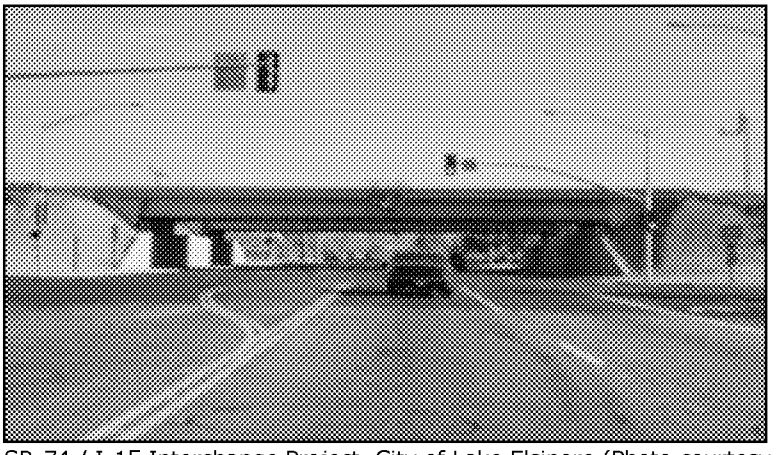

SR-74 / I-15 Interchange Project, City of Lake Elsinore (Photo courtesy of City of Lake Elsinore)

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Southwest Zone that are underway and/or completed. These projects represent $56.8 million in TUMF investment.

MV00178056

Southwest Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				City of Murrieta	Butterfield Stage Road (Auld to Murrieta Hot Springs), widen 2 to 4 lanes
					Clinton Keith Road (SR79 to I-215), widen 2 to 4 lanes
					Jefferson Street/I-15 Interchange Improvements
				Canyon Lake	Railroad Canyon Road (Goetz to City Limits)
				Murrieta	California Oaks/I-15 Interchange and widen 2 to 4 lanes from Madison to Cal Oaks Center
				Temecula	SR79 (Diaz Road to Rancho California Road), widen 2 to 4 lanes
					SR79 (Rancho Vista/I-15 Interchange)
					French Valley Parkway/I-15 Overcrossing and Interchange
				Riverside County	Temescal Canyon Road, widen 2 to 4 lanes, seismic retrofit bridge
				Wildomar	Clinton Keith Road (I-15 to Gruwell), widen 2 to 4 lanes
					Grand Avenue (SR74/Orange to Central), widen 2 to 4 lanes
					Palomar Street (Mission Trail to Jefferson), widen 2 to 4 lanes
				Wildomar/County of Riverside	Clinton Keith Overcrossing

3 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.
Source: Information provided by each jurisdiction's Public Works Department

California Oaks/I-15 Interchange (City of Murrieta)

This project will widen California Oaks Road between Madison Avenue and Cal Oaks Plaza Drive to six lanes and add two loop on-ramps at the interchange. Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $26 million, of which TUMF will provide $6 million.

Clinton Keith/I-15 Interchange (City of Wildomar)

The Clinton Keith Road/I-15 Interchange is a diamond configuration with Clinton Keith Road spanning the I-15 freeway. This project will widen the bridge structure to accommodate six through lanes plus dual median left-turn lanes in each direction. The freeway ramps will be reconstructed to connect with the widened cross section of Clinton Keith Road. The project has completed design and right-of-way acquisition. Construction is anticipated to begin in early 2012. The estimated project cost is $23 million, of which TUMF will provide $9.3 million.

French Valley Parkway / I-15 Overcrossing and Interchange (City of Temecula)

This project provides for construction of a new interchange on the I-15 freeway between the existing Winchester Road interchange and the I-15/I-215 junction. The project will utilize a partial cloverleaf interchange at French Valley Parkway, with loop on-ramps and direct off-ramps in the northwest quadrants and direct on-ramps in the southwest and northwest quadrants.

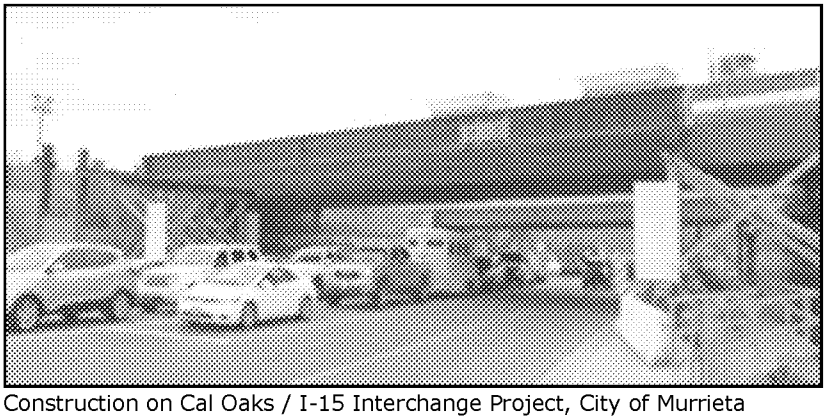
Construction on Cal Oaks / I-15 Interchange Project, City of Murrieta

The project is in the design phase with construction anticipated to begin in 2012. The estimated project cost is $192 million, of which TUMF will provide $43 million.

MV00178057

Central Zone: Menifee, Moreno Valley, Perris, and County of Riverside

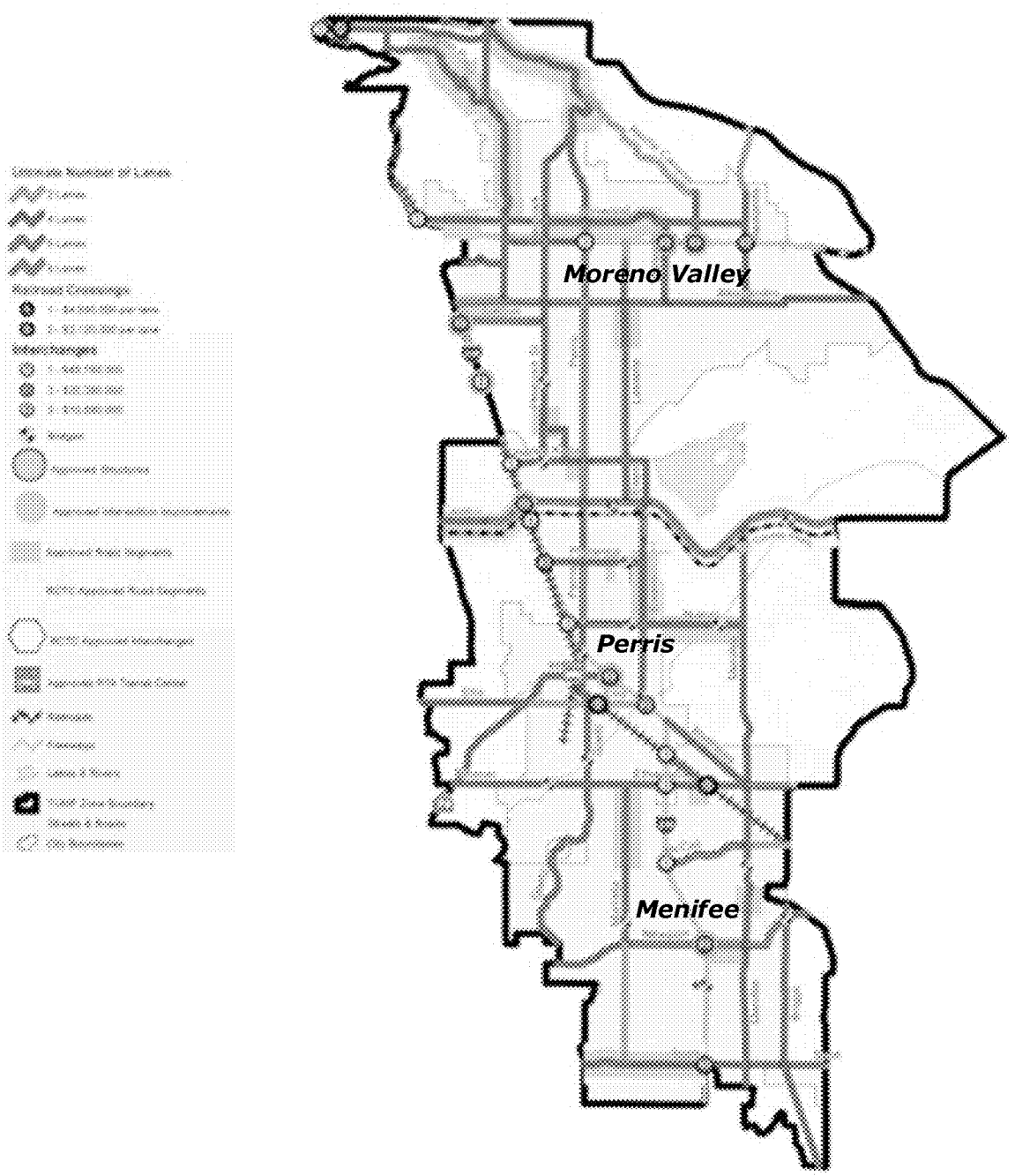

The Central Zone is comprised of the unincorporated County and the Cities of Menifee, Moreno Valley and Perris. The Zone covers an estimated 222.2 square miles and has a population of approximately 376,638. The Central Zone has 18 projects on the adopted TIP, of which 4 projects are under construction, 5 projects are in engineering, 6 projects are in planning and environmental stages, and 2 projects are completed. The remaining project is in the preliminary design and planning phases.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Central Zone that are underway and/or completed. These projects represent $21.67 million in TUMF investment.

MV00178058

Central Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				City of Perris	Goetz Road (Ethanac to Nuevo), widen 2 to 4 lanes
					Ethanac Road (Goetz to Perris Boulevard), widen 2 to 4 lanes
					Mid County Parkway, Phase 1 (Ethanac to Placentia), new 4 lanes
				Riverside County	Mid County Parkway, Phase 2 (Placentia to Ramona), new 4 lanes
					Mockingbird Canyon Road (Van Buren to Cactus), widen 2 to 4 lanes
					Van Buren Boulevard (Mockingbird Canyon to Orange Terrace), widen 2 to 4 lanes
					Van Buren Boulevard (Orange Terrace to Indiana), widen 2 to 4 lanes
				Moreno Valley	Nason Street (Alessandro to Cactus), widen 2 to 4 lanes
					Nason Street (Cactus to Iris), widen 2 to 4 lanes
					Nason Street (Iris to Ironwood), widen 2 to 4 lanes
					Nason Street (Ironwood to Eucalyptus), widen 2 to 4 lanes
					Nason/SR-60 Interchange
				Perris	Goetz Road (Ethanac to Nuevo), widen 2 to 4 lanes
				Riverside County/Moreno Valley	Heacock Street (Dunn Road to South of Iris), widen 2 to 4 lanes
				RCTC/Caltrans	SR-74/Ortega Interchange
				Riverside County	Ramona Expressway (Perris to Lake Perris), widen 4 to 6 lanes

2 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Nason/SR-60 Interchange (City of Moreno Valley)

The SR-60/Nason Street Overcrossing project consists of replacing the overcrossing structure, widening Nason Street overcrossing approaches and modifying the intersection.

Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $43 million, of which TUMF has programmed $13.2 million.

Ramona Expressway - Completed (City of Perris)

This project widened Ramona Expressway between Perris Boulevard and I-215, a distance of 1.4 miles, from four to six lanes.

$2.47 million in TUMF is programmed for this project, of which over $2.1 million has been reimbursed to the City for work underway.

Moreno Beach/SR-60 Interchange (City of Moreno Valley)

This project will realign the SR-60/Moreno Beach Drive freeway ramps with auxiliary lanes at the eastbound off-ramp and the westbound on-ramps. It will also replace the SR-60/Moreno Beach Drive overcrossing structure.

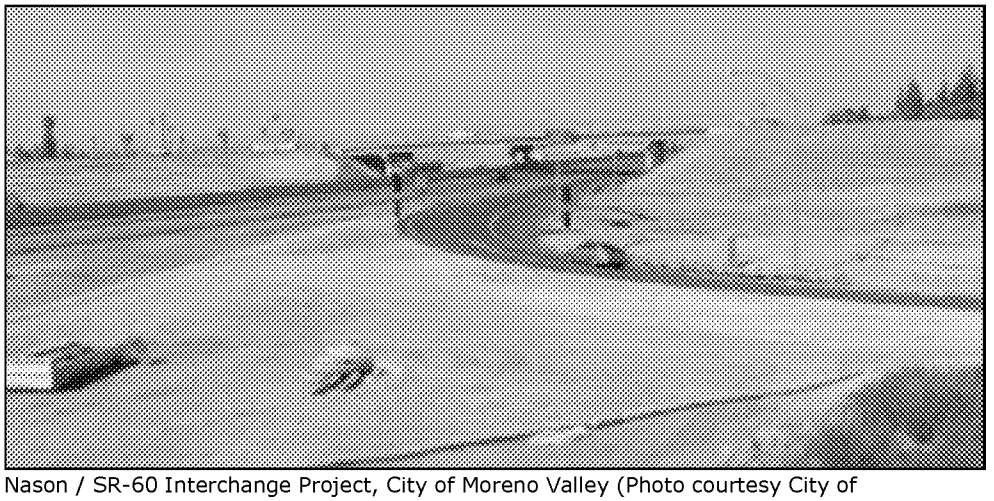

Nason / SR-60 Interchange Project, City of Moreno Valley (Photo courtesy City of Moreno Valley)

Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $43 million, of which TUMF has programmed $6 million.

MV00178059

Hemet/San Jacinto Zone: Hemet, San Jacinto and County of Riverside

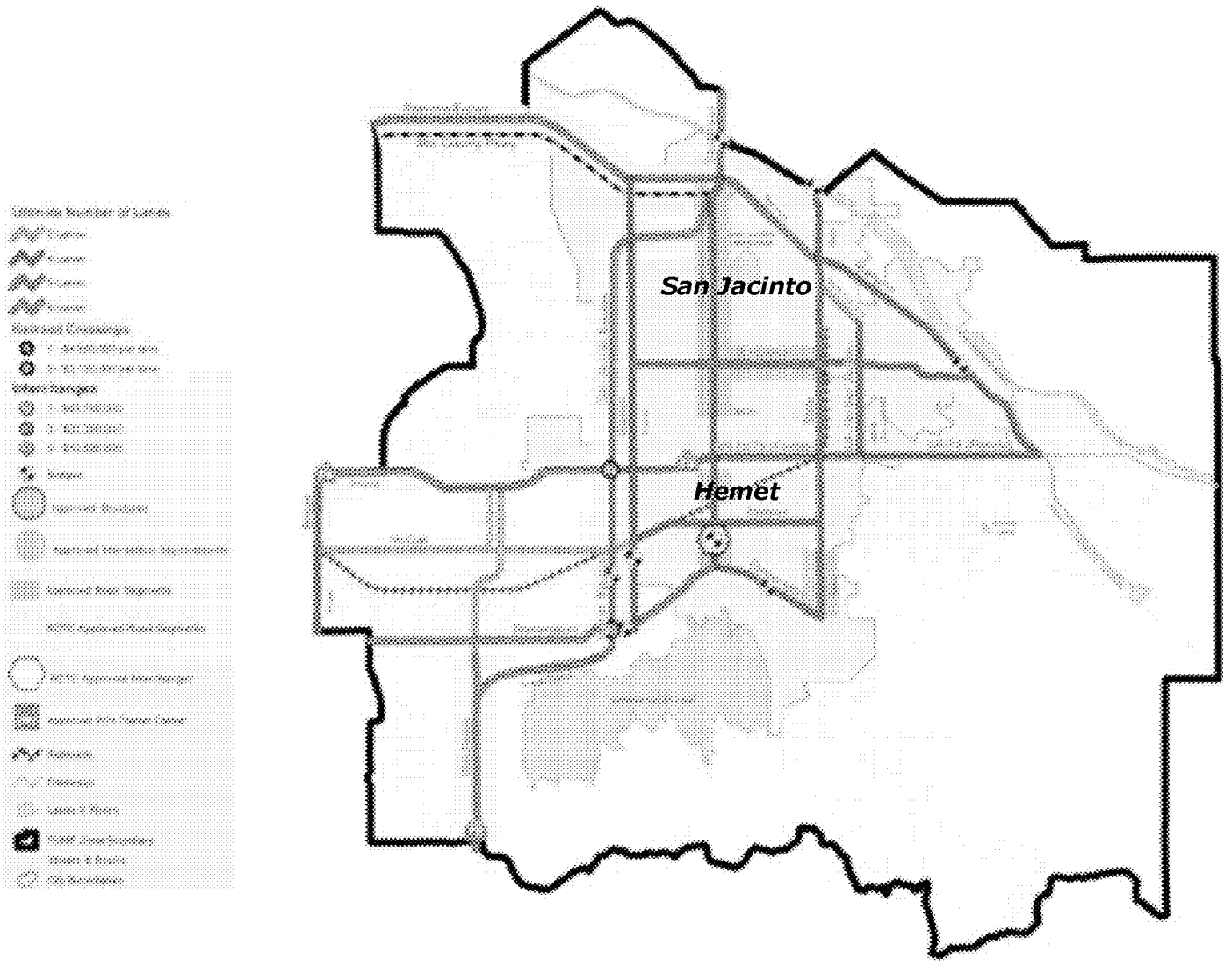

The Hemet/San Jacinto Zone is comprised of the unincorporated County and the Cities of Hemet and San Jacinto. The Zone covers an estimated 209.9 square miles and has a population of approximately 171,245. The Hemet/San Jacinto Zone has 6 projects on the adopted TIP, 1 project is in engineering, 2 projects are in planning and environmental stages, and 3 projects are completed.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Hemet/San Jacinto Zone that are underway and/or completed. These projects represent $11.1 million in TUMF investment.

Sanderson Avenue - Completed (City of San Jacinto)

This Project widened Sanderson Avenue from two to four lanes from Esplanade Avenue to Ramona Expressway for a length of 3.6 miles. The project eases congestion at the intersection of Sanderson and Ramona Expressway. The ultimate configuration of this segment will be a six -lane facility with a raised median, curb and gutter, sidewalks and a landscaped parkway. The project's cost is $7.72 million, of which TUMF has paid $7 million.

MV00178060

Project	Sanderson Avenue (City of Hemet)	Ramona Expressway (City of San Jacinto)
Description	Widen from 2 to 4 lanes	Widen from 2 to 6 lanes
Jurisdiction	Hemet	San Jacinto, Caltrans District 8, Riverside County
Estimated Cost	$1.23 million	$8.3 million

3 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Sanderson Avenue (City of Hemet)

The project will widen the west side of Sanderson Avenue from Acacia to Wentworth Avenue.

Sanderson Avenue will be widened from two to four lanes for a distance of 3,000 feet.

The project is currently in the engineering phase and is negotiating for additional right-of-way acquisition.

TUMF has programmed $1.23 million for this project, of which TUMF has reimbursed the City $1 million for work underway.

Ramona Expressway (City of San Jacinto)

This project will widen Ramona Expressway between Sanderson Avenue and Main Street in two phases. The entire project alignment from Sanderson Avenue to Main Street is currently a two-lane road.

The first phase will widen Ramona Expressway from Sanderson Avenue to State Street. This portion will widen the existing two-lane alignment to six lanes for an approximate distance of 2.45 miles.

The second phase of work will widen Ramona Expressway from State Street to Main Street. This second segment will widen the existing two-lane alignment to four lanes for a distance of approximately 2.7 miles. Construction is anticipated to begin in late 2012.

The project is estimated to cost over $8.3 million, of which TUMF has programmed $4 million.

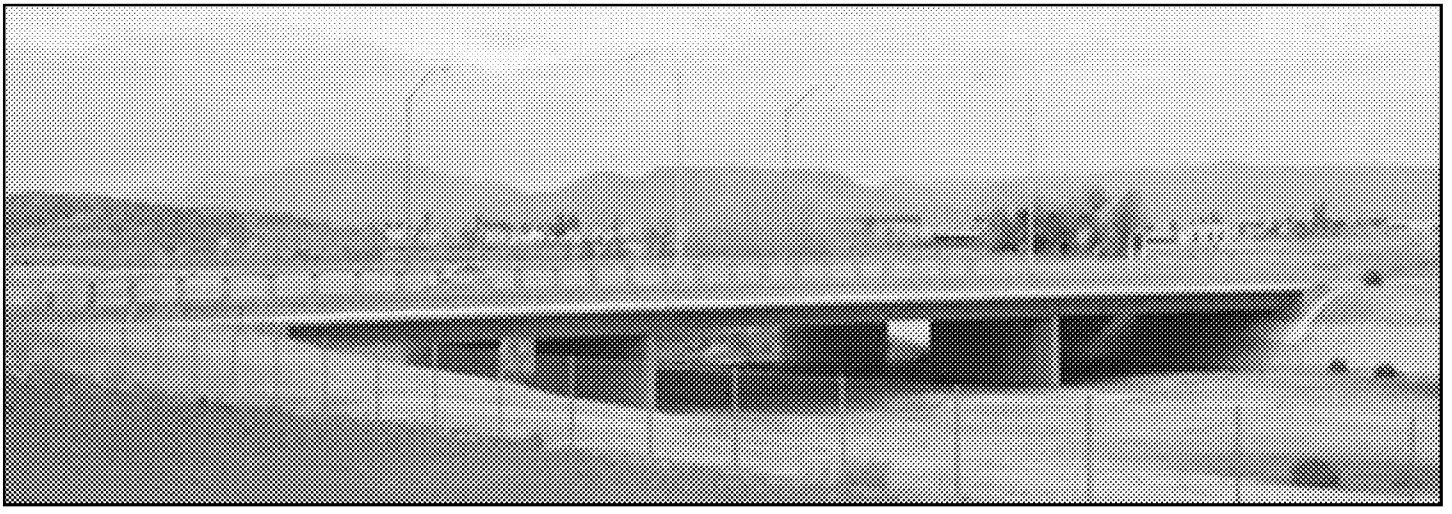

Sanderson Avenue Bridge Project over Salt Creek, City of Hemet (Photo courtesy of City of Hemet)

MV00178061

Pass Zone: Banning, Calimesa, and County of Riverside

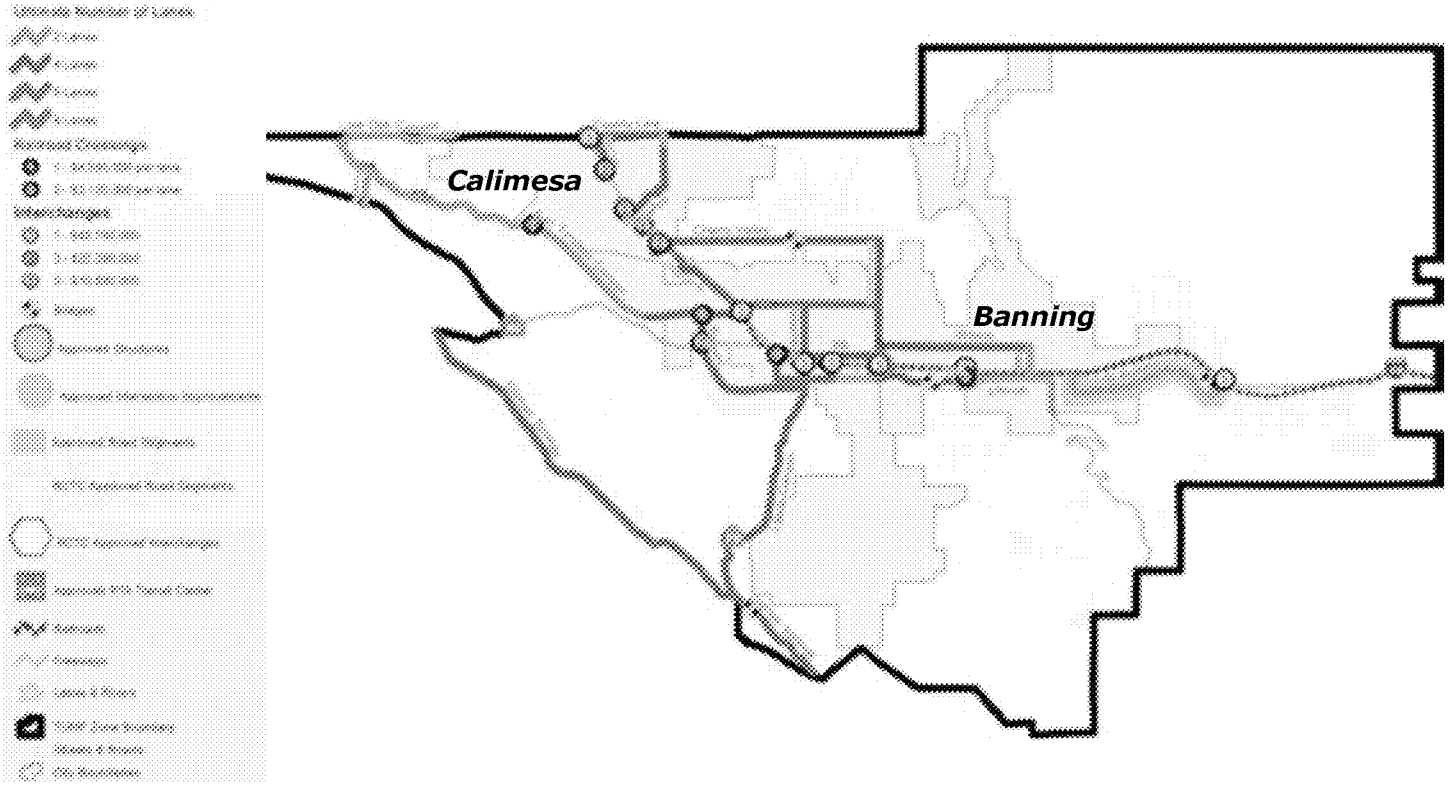

Pass Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				Banning	Sunset Avenue Grade Separation
					Highland Springs/I10 Interchange Improvements and Widening
				County of Riverside/City of Banning	I10 Bypass South & 300' Bridge (Hathaway to Fields) - widen 0 to 4 lanes

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.
Source: Information provided by each jurisdiction's Public Works Department

The Pass Zone is comprised of the unincorporated County and the Cities of Banning and Calimesa. The Zone covers an estimated 260.9 square miles and has a population of approximately 86,840. The Pass Zone has 4 projects on the adopted TIP, of which 2 projects are in engineering, 1 project is in planning and 1 project is complete.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Pass Zone that are underway and/or completed. These projects represent $3.8 million in TUMF investment.

Sunset Avenue Grade Separation (City of Banning)

This project will lower Sunset Avenue by 20 feet to construct a new underpass at the UPRR tracks, modify Sunset Avenue, and replace the I-10 bridge and the on- and off-ramps.

The project is in design with construction anticipated to begin in winter 2012. The TUMF has programmed $2.1 million for this project.

MV00178062

Riverside Transit Agency

The Riverside Transit Agency (RTA) receives TUMF funds for capital transit improvements (1.7 percent) of the total collected. RTA has 6 projects on the adopted TIP, of which 1 project is under construction, 1 project is in engineering, 1 project is in planning and environmental and 1 project is complete. The remaining 2 projects are still in the preliminary design/planning phases.

Following are projects below provide examples of projects that WRCOG has participated in with RTA that are underway and/or completed. These projects represent $3.8 million in TUMF investment.

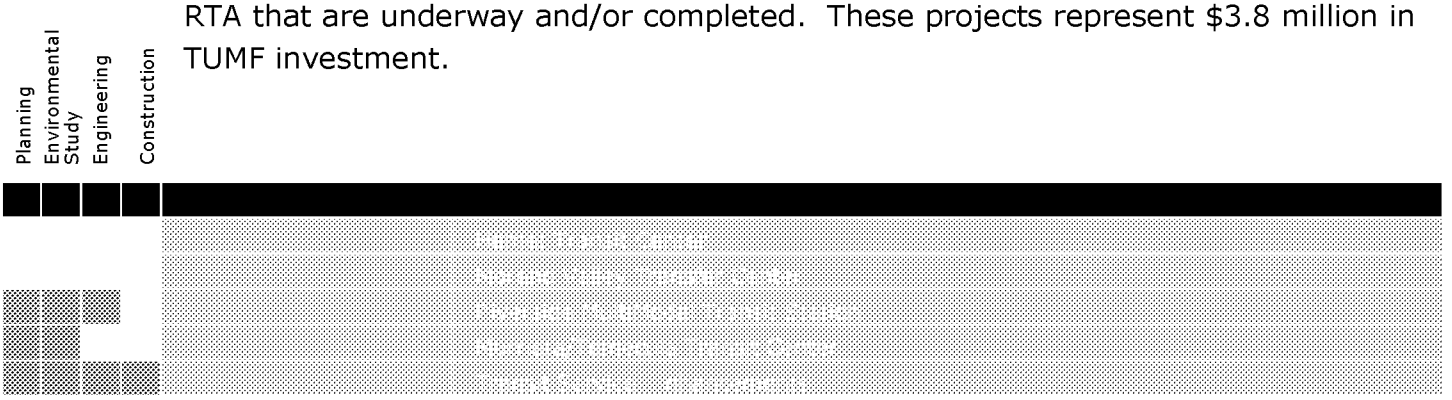

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.

Source: Information provided by the Riverside Transit Agency

I-10 Bypass Project (City of Banning) The project will construct two lanes of new roadway to support a future four-lane secondary highway between Banning and Cabazon. The scope also includes a new bridge crossing over the San Gorgonio River.

The project is in planning. The TUMF has programmed $1.7 million for this project.

Transit Service Enhancements This project will prepare plans and designs for enhancements of bus stops throughout the RTA service area in Western Riverside County. Enhancements include transit technology that will provide real-time customer information and amenities built into and around each stop for customer convenience, comfort and safety. State-of-the-art bus shelters, kiosks, and benches will be installed at selected stops within the service area.

The TUMF has programmed $3.7 million for this project.

Moreno Valley Transfer Center This project, located at Town Circle Centerpoint near Frederick Street, will expand and improve a key transfer and destination point for passengers traveling to Riverside and Perris from the Moreno Valley area.

Improvements include the addition of bus shelters, benches, RTA's Intelligent Transportation System program that relays real-time arrival information to kiosks to accommodate anticipated future growth. The TUMF has programmed $125,000 for this project.

SmartSTOP at the Corona Transit Center provides customers real-time arrival information

MV00178063

Riverside County Transportation Commission

RCTC receives 46.9 percent of the TUMF fees collected and uses these revenues for regional TUMF projects. During fiscal year 2010/2011, WRCOG transmitted over $6.5 million and over $240 million since the TUMF Program commenced. RCTC has 22 projects on the TIP, of which 1 project is under construction, 7 projects are in engineering, 9 projects are in planning and environmental stages, and 5 projects are completed. Below is a summary description of selected projects completed, under construction, or in planning phases.

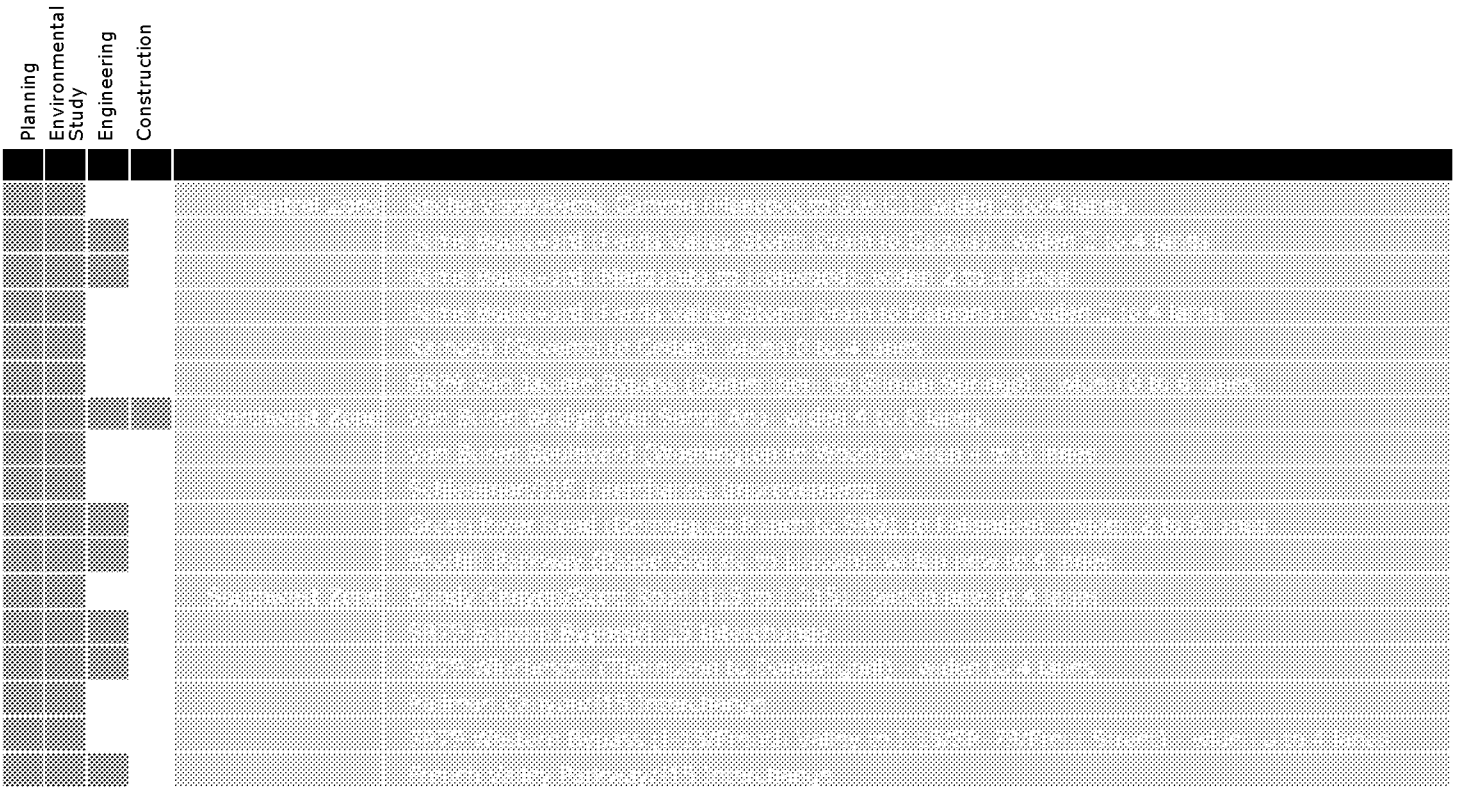

5 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

Van Buren / SR-91 Interchange Project, City of Riverside (Photo courtesy of City of Riverside)

Van Buren/SR-91 Interchange Completed (City of Riverside) The SR-91/Van Buren Boulevard Interchange Project widened the existing four-lane overcrossing bridge to six lanes with dual left-turn lanes.

The westbound ramps were also widened to three lanes. A new eastbound onramp was constructed on Indiana Avenue. Construction started in March 2010 and lasted 15 months ending in June 2011. The project cost was $35 million, of which TUMF provided $10 million.

SR-79 Winchester Widening (County of Riverside) This project will improve State Route 79 between Thompson Road and Domenigoni Parkway by widening the 7.4-mile stretch from two to four lanes.

Construction is estimated to take 12 months and will occur in two stages. The first stage will be from Scott Road to Domenigoni Parkway and the second stage will be from Abelia Street to Scott Road. The project is estimated to cost over $33 million, of which TUMF has programmed $6 million.

MV00178064

46 Projects Completed Since 2003

Central Zone	
Menifee/County of Riverside	Newport Road (Goetz to Murrieta)- widen 0 to 4 lanes
Moreno Valley	Ironwood/Moreno Beach Intersection
	Ironwood/Nason Intersection
	Pigeon Pass Road (Climbing Rose to Hidden Springs)- widen 2 to 4 lanes
	Lasselle Street (John F ennedy to Alessandro) widen an additional northbound lane
Perris	Oleander Avenue (Perris to Indian)- widen new to 2 lanes
	Placentia Avenue Gap Closure (Redlands to Wilson)- construct 2 new lanes
	Ramona xpressway (I215 to Perris) (Phase 1) - widen 4 to 6 lanes
	Ramona xpressway (I215 to Evans Road) - widen 2 to 4 lanes
March JPA/Moreno Valley	Heacock Avenue (Perris Valley Drain to San Michele)- widen 2 to 4 lanes
Hemet/San Jacinto Zone	
Hemet	Sanderson Avenue (Stetson to Domenigoni), Salt Creek Bridge- widen 2 to 4 lanes
	Sanderson Avenue (Acacia to BNSF railroad tracks)- widen 2 to 4 lanes
	Sanderson Avenue (Menlo to splanade) widen 2 to 4 lanes
	State Street (Chambers to Domenigoni)- widen 2 to 4 with center turn-lane
San Jacinto	Sanderson Avenue (splanade to Ramona) widen 2 to 4 lanes
San Jacinto/County of Riverside	Sanderson Avenue/Ramona xpressway Intersection Improvements
County of Riverside	Newport Road (Domenigoni Parkway) Leon to SR79 - widen 0 to 6 lanes
Northwest Zone	
County of Riverside	CantuGalleano/I-15 Interchange
	Washington Street Improvements, William Lyon Homes
	La Sierra Avenue (Cleveland to l Sobrante) widen 2 to 4 lanes
	Valley Way (Sierra to Mission)- widen 2 to 4 lanes
Corona	Lincoln/SR91 Interchange
	Ontario Avenue (Compton to Rimpau)- widen 5 to 6 lanes
	Railroad Street (Buena Vista to Grand)- widen 2 to 4 lanes
	Magnolia Avenue, I15 to Sherborn Street - widen 4 to 6 lanes
	Magnolia Corridor/Magnolia/I15 Interchange
Riverside	La Sierra Avenue (Cleveland to Indiana)- widen 2 to 4 lanes
	La Sierra/SR91 Interchange
	SR60/Market Street Ramps - widen ramps and install traffic signal
	Wood/Van Buren Intersection Improvements
	Overlook Parkway except bridge (Chateau Ridge to Sandtrack)- widen 2 to 4 lanes
	Alessandro Boulevard (Arlington to Trautwein)- widen 4 to 6 lanes
	Columbia Avenue Grade Separation Overpass- widen to 4 lanes
Pass Zone	
Calimesa	Desert Lawn Drive (Palmer to Cherry Valley)- widen 2 to 4 lanes
Southwest Zone	
Lake Elsinore	SR74 Ortega/SR-74 Grand Intersection
	SR74/I-15 Interchange
Murrieta	Los Alamos/I215 Interchange
	Clinton eith Road/I215 Interchange
	Meadowlark (Clinton eith to eller) widen 2 to 4 lanes
Riverside Transit Agency	
	Corona MultiModal Transit Terminal
	Perris Transit Center
Riverside County Transportation Commission	
	Ramona (SR79/Sanderson to West City Limits) - widen 2 to 4 lanes
	Foothill Parkway (l Cerrito)/I15 Interchange
	Van Buren Boulevard/SR91 Interchange
	Van Buren Boulevard (Andrew to Garfield)- widen 4 to 6 lanes
	Green River Road/SR91 Interchange - widen 2 to 6 lanes

The completed projects list includes projects that were completed during Fiscal Year 2010/2011 and are currently on the TIP.

MV00178065

3, 5, 10-Mile Value of TUMF Improvements from City Centers

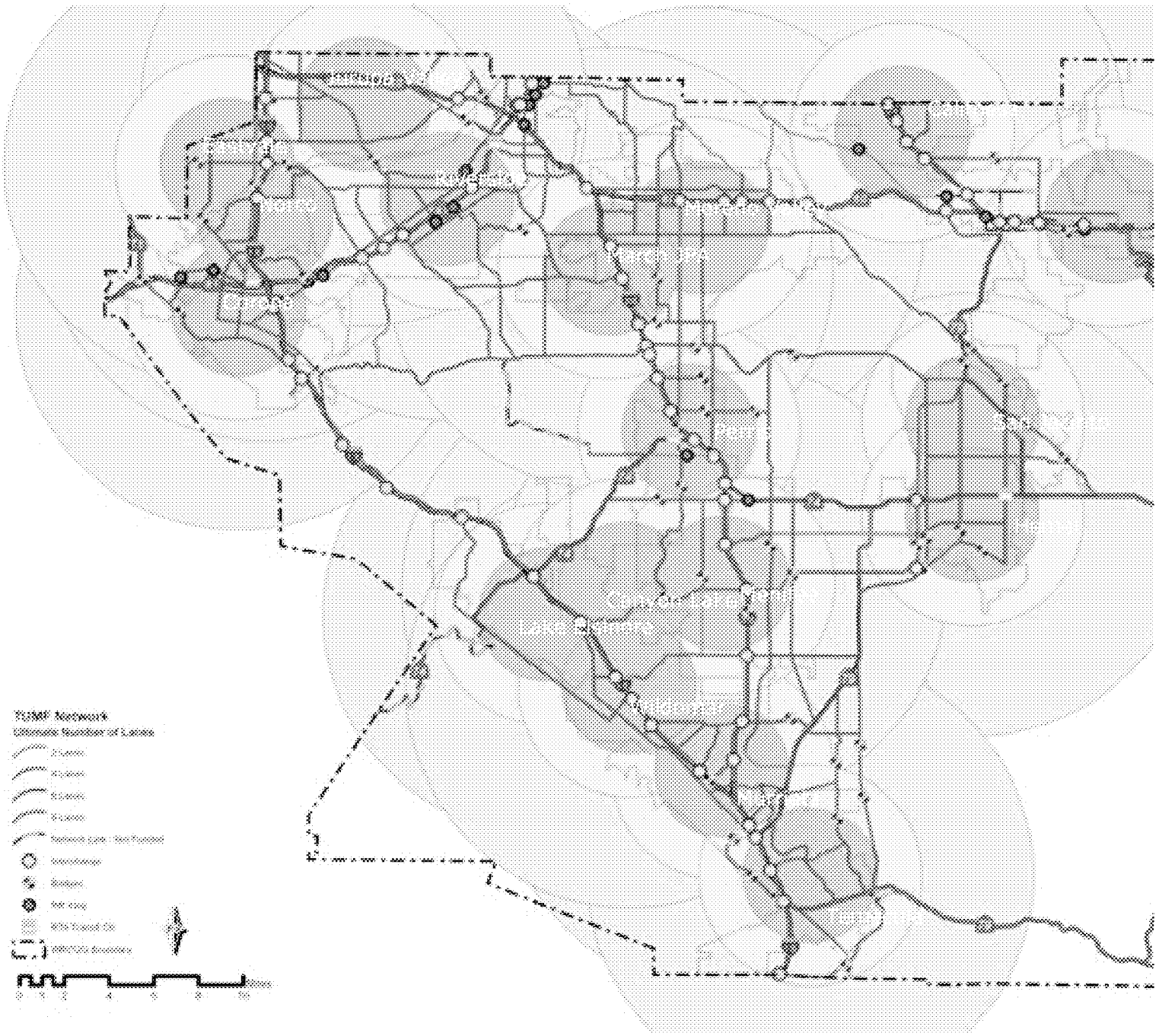

This map identifies the value of TUMF improvements within a 3, 5, and 10-mile radius from each participating City's center. The purpose of this map is to graphically depict the benefits of TUMF Program improvements that residents in cities and the unincorporated County benefit from, even when the improvements are not located specifically within that jurisdiction. This map demonstrates the regional aspect of the program and how the WRCOG TUMF participants are knitted together with TUMF improvements over the next 25 years. Maps for individual WRCOG jurisdictions can be found at our website at http://www.wrcog.cog.ca.us/content/tumf_jurisdictional_map.asp.

MV00178066

March JPA

Value of Improvements (3 miles)	$78,446,000
Value of Improvements (5 miles)	$267,153,000
Value of Improvements (10	$723,784,477
Total Value of Improvements	$1,069,383,477

City of Banning

Value of Improvements (3 miles)	$68,821,000
Value of Improvements (5 miles)	$44,861,000
Value of Improvements (10 miles)	$162,828,000
Total Value of Improvements	$276,510,000

City of Calimesa

Value of Improvements (3 miles)	$123,987,000
Value of Improvements (5 miles)	$9,066,000
Value of Improvements (10 miles)	$233,405,000
Total Value of Improvements	$366,458,000

City of Canyon Lake

Value of Improvements (3 miles)	$50,836,000
Value of Improvements (5 miles)	$160,844,000
Value of Improvements (10 miles)	$751,189,000
Total Value of Improvements	$962,869,000

City of Corona

Value of Improvements (3 miles)	$100,498,377
Value of Improvements (5 miles)	$130,275,000
Value of Improvements (10 miles)	$366,483,600
Total Value of Improvements	$597,256,977

City of Eastvale

Value of Improvements (3 miles)	$217,187,000
Value of Improvements (5 miles)	$63,071,377
Value of Improvements (10 miles)	$238,628,600
Total Value of Improvements	$518,886,977

City of Hemet

Value of Improvements (3 miles)	$95,470,765
Value of Improvements (5 miles)	$120,732,000
Value of Improvements (10 miles)	$213,166,000
Total Value of Improvements	$429,368,765

City of Lake Elsinore

Value of Improvements (3 miles)	$102,607,000
Value of Improvements (5 miles)	$32,614,000
Value of Improvements (10 miles)	$345,378,000
Total Value of Improvements	$480,599,000

City of Jurupa Valley

Value of Improvements (3 miles)	$44,118,067
Value of Improvements (5 miles)	$94,179,000
Value of Improvements (10 miles)	$509,772,159
Total Value of Improvements	$648,069,226

City of Menifee

Value of Improvements (3 miles)	$101,192,000
Value of Improvements (5 miles)	$206,284,000
Value of Improvements (10 miles)	$787,635,000
Total Value of Improvements	$1,095,111,000

City of Moreno Valley

Value of Improvements (3 miles)	$115,584,000
Value of Improvements (5 miles)	$271,761,000
Value of Improvements (10 miles)	$541,708,065
Total Value of Improvements	$875,053,065

City of Murrieta

Value of Improvements (3 miles)	$252,477,869
Value of Improvements (5 miles)	$130,801,000
Value of Improvements (10 miles)	$444,238,000
Total Value of Improvements	$827,516,869

City of Norco

Value of Improvements (3 miles)	$191,552,377
Value of Improvements (5 miles)	$122,962,000
Value of Improvements (10 miles)	$296,472,067
Total Value of Improvements	$610,986,444

City of Perris

Value of Improvements (3 miles)	$178,386,000
Value of Improvements (5 miles)	$249,545,000
Value of Improvements (10 miles)	$535,907,200
Total Value of Improvements	$963,838,200

City of Riverside

Value of Improvements (3 miles)	$104,806,525
Value of Improvements (5 miles)	$136,409,540
Value of Improvements (10 miles)	$632,501,444
Total Value of Improvements	$873,717,509

City of San Jacinto

Value of Improvements (3 miles)	$176,414,000
Value of Improvements (5 miles)	$42,473,659
Value of Improvements (10 miles)	$197,959,000
Total Value of Improvements	$416,846,659

City of Temecula

Value of Improvements (3 miles)	$95,937,000
Value of Improvements (5 miles)	$153,859,869
Value of Improvements (10 miles)	$320,535,000
Total Value of Improvements	$570,331,869

City of Wildomar

Value of Improvements (3 miles)	$116,577,000
Value of Improvements (5 miles)	$119,213,000
Value of Improvements (10 miles)	$588,424,869
Total Value of Improvements	$824,214,869

MV00178067

Westport Road facing West, View of Riverside, Corona, Skyview (Flooding)

MV00178068

MV00178069

Program Participants

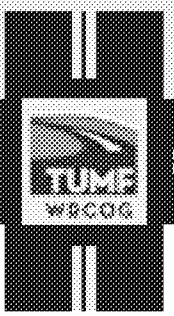

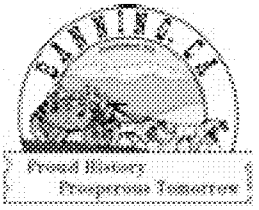

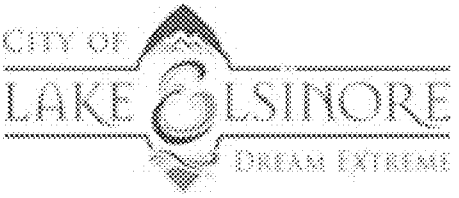

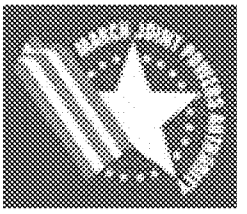

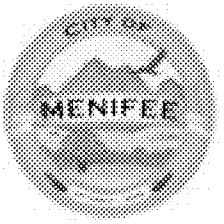

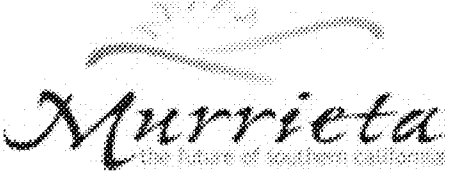

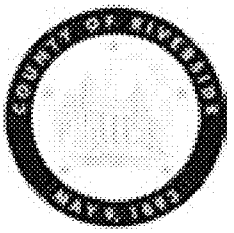

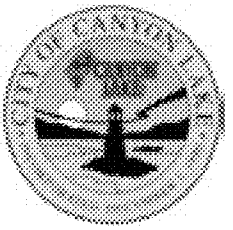

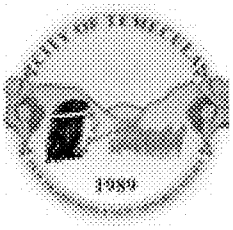

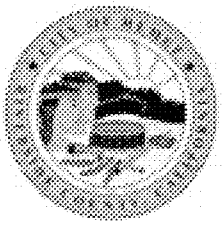

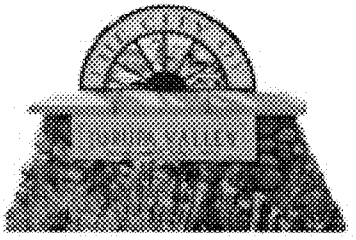

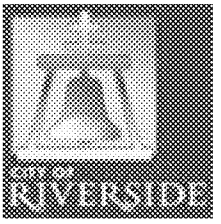

Report Contributors

Management Team

Rick Bishop
Executive Director
bishop@wrcog.cog.ca.us

Ruthanne Taylor Berger
Deputy Executive Director
berger@wrcog.cog.ca.us

Ernie Reyna
Chief Financial Officer
reyna@wrcog.cog.ca.us

Project Team

Donna Dean
Program Manager
dean@wrcog.cog.ca.us

Alex Serena
Staff Analyst
serena@wrcog.cog.ca.us

Sherri Cruz
Staff Analyst
cruz@wrcog.cog.ca.us

Connie Cardenas
Staff Analyst
cardenas@wrcog.cog.ca.us

Lupe T. Lotman
Executive Assistant
lotman@wrcog.cog.ca.us

4080 Lemon Street, 3rd Floor, MS 1032
Riverside, CA 92501
P: (951) 955-7985
F: (951) 787-7991
www.wrcog.cog.ca.us

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"Respect Local Control... Provide Regional Perspective"

U.S. Department of Transportation
Federal Highway Administration

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Highway Traffic Noise

Construction Noise
Handbook
RCNM Version 1.1
Special Report
Measurement
Noise Barriers
Noise Compatible Planning
Noise Effect on Wildlife
Regulation and Guidance
Tire Pavement Noise
Traffic Noise Models
Training

Contruction Noise Handbook

9.0 Construction Equipment Noise Levels and Ranges

9.1 Equipment Type Inventory and Related Emission Levels

Noise levels generated by individual pieces of construction equipment and specific construction operations form the basis for the prediction of construction-related noise levels. A variety of information exists related to sound emissions related to such equipment and operations. This data transcends the period beginning in the 1970s thru 2006. This information exists for both stationary and mobile sources and for steady, intermittent, and impulse type generators of noise.

Stationary equipment consists of equipment that generates noise from one general area and includes items such as pumps, generators, compressors, etc. These types of equipment operate at a constant noise level under normal operation and are classified as non-impact equipment. Other types of stationary equipment such as pile drivers, jackhammers, pavement breakers, blasting operations, etc., produce variable and sporadic noise levels and often produce impact-type noises. Impact equipment is equipment that generates impulsive noise, where impulsive noise is defined as noise of short duration (generally less than one second), high intensity, abrupt onset, rapid decay, and often rapidly changing spectral composition. For impact equipment, the noise is produced by the impact of a mass on a surface, typically repeating over time.

Mobile equipment such as dozers, scrapers, graders, etc., may operate in a cyclic fashion in which a period of full power is followed by a period of reduced power. Other equipment such as compressors, although generally considered to be stationary when operating, can be readily relocated to another location for the next operation.

9.2 Sources of Information

Construction-related equipment and operation noise level data may be provided by numerous sources, including suppliers, manufacturers, agencies, organizations, etc. Some information is included in this document, and many web-based links are given for equipment manufacturers.

9.3 Specifics of Construction Equipment and Operation Noise Inventories

Details included in each specific inventory of construction equipment and operation noise emission levels are often variable in terms of how data is represented. Some inventories include ranges of noise levels while others present single numbers for each equipment type. Others provide levels for specific models of each type of construction equipment. Often, different noise descriptors are used, such as L_{Aeq}, L_{max}, L_{10}, sound power level, etc. As such, the array of data does not readily lend itself to being combined into a single table or easily compared. As such, this Handbook attempts to summarize a variety of such inventories and provide links to each, thereby providing the reader with a variety of sources from which to choose the appropriate levels for use in his or her respective analysis.

9.4 Summaries of Referenced Inventories

Included below are examples of several inventories of construction-related noise emission values. These and additional inventories are included on the companion CD-ROM.

Equipment and operation noise levels in this inventory are expressed in terms of L_{max} noise levels and are accompanied by a usage factor value. They have been recently updated and are based on extensive measurements taken in conjunction with the Central Artery/Tunnel (CA/T) Project. Table 9.1 summarizes the equipment noise emissions database used by the CA/T Project. While these values represent the "default" values for use in the RCNM, user-defined equipment and corresponding noise levels can be added.

Table 9.1 RCNM Default Noise Emission Reference Levels and Usage Factors.

Equipment Description	Impact Device?	Acoustical Usage Factor (%)	Spec. 721.560 L_{max} @ 50 feet (dBA, slow)	Actual Measured L_{max} @ 50 feet (dBA, slow) (Samples Averaged)	Number of Actual Data Samples (Count)
All Other Equipment > 5 HP	No	50	85	N/A	0
Auger Drill Rig	No	20	85	84	36
Backhoe	No	40	80	78	372
Bar Bender	No	20	80	N/A	0
Blasting	Yes	N/A	94	N/A	0

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Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

MV00178073

Boring Jack Power Unit	No	50	80	83	1
Chain Saw	No	20	85	84	46
Clam Shovel (dropping)	Yes	20	93	87	4
Compactor (ground)	No	20	80	83	57
Compressor (air)	No	40	80	78	18
Concrete Batch Plant	No	15	83	N/A	0
Concrete Mixer Truck	No	40	85	79	40
Concrete Pump Truck	No	20	82	81	30
Concrete Saw	No	20	90	90	55
Crane	No	16	85	81	405
Dozer	No	40	85	82	55
Drill Rig Truck	No	20	84	79	22
Drum Mixer	No	50	80	80	1
Dump Truck	No	40	84	76	31
Excavator	No	40	85	81	170
Flat Bed Truck	No	40	84	74	4
Front End Loader	No	40	80	79	96
Generator	No	50	82	81	19
Generator (<25KVA, VMS Signs)	No	50	70	73	74
Gradall	No	40	85	83	70
Grader	No	40	85	N/A	0
Grapple (on backhoe)	No	40	85	87	1
Horizontal Boring Hydraulic Jack	No	25	80	82	6
Hydra Break Ram	Yes	10	90	N/A	0
Impact Pile Driver	Yes	20	95	101	11
Jackhammer	Yes	20	85	89	133
Man Lift	No	20	85	75	23
Mounted Impact Hammer (hoe ram)	Yes	20	90	90	212
Pavement Scarifier	No	20	85	90	2
Paver	No	50	85	77	9
Pickup Truck	No	40	55	75	1
Pneumatic Tools	No	50	85	85	90
Pumps	No	50	77	81	17
Refrigerator Unit	No	100	82	73	3
Rivit Buster/Chipping Gun	Yes	20	85	79	19

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Rock Drill	No	20	85	81	3
Roller	No	20	85	80	16
Sand Blasting (single nozzle)	No	20	85	96	9
Scraper	No	40	85	84	12
Sheers (on backhoe)	No	40	85	96	5
Slurry Plant	No	100	78	78	1
Slurry Trenching Machine	No	50	82	80	75
Soil Mix Drill Rig	No	50	80	N/A	0
Tractor	No	40	84	N/A	0
Vacuum Excavator (Vac-Truck)	No	40	85	85	149
Vacuum Street Sweeper	No	10	80	82	19
Ventilation Fan	No	100	85	79	13
Vibrating Hopper	No	50	85	87	1
Vibratory Concrete Mixer	No	20	80	80	1
Vibratory Pile Driver	No	20	95	101	44
Warning Horn	No	5	85	83	12
Welder/Torch	No	40	73	74	5

For each generic type of equipment listed in Table 9.1, the following information is provided:

- an indication as to whether or not the equipment is an impact device;
- the acoustical usage factor to assume for modeling purposes;
- the specification "Spec" limit for each piece of equipment expressed as an L_{max} level in dBA "slow" at a reference distance of 50 foot from the loudest side of the equipment;
- the measured "Actual" emission level at 50 feet for each piece of equipment based on hundreds of emission measurements performed on CA/T work sites; and
- the number of samples that were averaged together to compute the "Actual" emission level.

A comparison of the "Spec" emission limits against the "Actual" emission levels reveals that the Spec limits were set, in general, to realistically obtainable noise levels based on the equipment used by contractors on the CA/T Project. When measured in the field, some equipment such as pile drivers, sand blasting, demolition shears, and pumps tended to exceed their applicable emission limit. As such, these noisy devices needed to have some form of noise mitigation in place in order to comply with the Spec emission limits. Other equipment, such as clamshell shovels, concrete mixer trucks, truck-mounted drill rigs, man-lifts, chipping guns, ventilation fans, pavers, dump trucks, and flatbed trucks, easily complied. Therefore, the Spec emission limits for these devices could have been reduced somewhat further. It is recommended that the user review the RCNM User's Guide contained in Appendix A for detailed guidance regarding application of values contained in Table 9.1.

Appendix A of the 1977 Handbook provides tables of construction equipment noise levels and ranges. The majority of the data were provided by the American Road Builders Association. These data were taken during a 1973 survey in which member contractors were asked to secure readings of noise exposure to operators of various types of equipment. Additionally, the contractors were asked to take readings at 50 feet from the machinery. These 50-foot peak readings are provided in Tables 9.2 through 9.8. Though the data were produced under varying conditions and degrees of expertise, the values are relatively consistent.

Table 9.2 Construction Equipment Noise Levels Based on Limited Data Samples - Cranes.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Northwestern	80D	77	Within 15m 1958 mod
Northwestern	8	84	Within 15m 1940 mod
Northwestern	6	72	Within 15m 1965 mod
American	7260	82	Within 15m 1967 mod

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American	599	76	Within 15m 1969 mod
American	5299	70	Within 15m 1972 mod
American	4210	82	Within 15m 1968 mod
Buck Eye	45C	79	Within 15m 1972 mod
Buck Eye	308	74	Within 15m 1968 mod
Buck Eye	30B	73	Within 15m 1965 mod
Buck Eye	30B	70	Within 15m 1959 mod
Link Belt	LS98	76	Within 15m 1956 mod
Manitowoc	4000	94	Within 15m 1956 mod
Grove	RF59	82	Within 15m 1973 mod
Koehr	605	76	Within 15m 1967 mod
Koehr	435	86	Within 15m 1969 mod
Koehr	405	84	Within 15m 1969 mod

Table 9.3 Construction Equipment Noise Levels Based on Limited Data Samples - Backhoes.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Link Belt	4000	92	Within 15m 1971 mod
John Deere	609A	85	Within 15m 1971 mod
Case	680C	74	Within 15m 1973 mod
Drott	40 yr.	82	Within 15m 1971 mod
Koehr	1066	81 & 84	Within 15m 2 tested

Table 9.4 Construction Equipment Noise Levels Based on Limited Data Samples - Front Loaders.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	980	84	Within 15m 1972 mod
Caterpillar	977K	79	Within 15m 1969 mod
Caterpillar	977	87	Within 15m 1971 mod
Caterpillar	977	94	Within 15m 1967 mod
Caterpillar	966C	84	Within 15m 1973 mod
Caterpillar	966C	85	Within 15m 1972 mod
Caterpillar	966	81	Within 15m 1972 mod
Caterpillar	966	77	Within 15m 1972 mod
Caterpillar	966	85	Within 15m 1966 mod
Caterpillar	955L	90	Within 15m ;1973 mod
Caterpillar	955K	79	Within 15m 1969 mod
Caterpillar	955H	94	Within 15m 1963 mod
Caterpillar	950	78 & 80	Within 15m 1972 mod
Caterpillar	950	75	Within 15m 1968 mod
Caterpillar	950	88	Within 15m 1967 mod
Caterpillar	950	86	Within 15m 1965 mod
Caterpillar	944A	80	Within 15m 1965 mod
Caterpillar	850	82	Within 15m 1968 mod
Michigan	75B	90	Within 15m 1969 mod

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MV00178076

Michigan	475A	96	Within 15m 1967 mod
Michigan	275	85	Within 15m 1971 mod
Michigan	125	87	Within 15m 1967 mod
Hough	65	82	Within 15m 1971 mod
Hough	60	91	Within 15m 1961 mod
Hough	400B	94	Within 15m 1961 mod
Hough	H90	86	Within 15m 1961 mod
Trojan	3000	85	Within 15m 1956 mod
Trojan	RT	82	Within 15m 1965 mod
Payloader	H50	85	Within 15m 1963 mod

Table 9.5 Construction Equipment Noise Levels Based on Limited Data Samples - Dozers.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	D5	83	Within 15m 1967 mod
Caterpillar	D6	85	Within 15m 1967 mod
Caterpillar	D6	86	Within 15m 1964 mod
Caterpillar	D6	81	Within 15m 1967 mod
Caterpillar	D6B	83	Within 15m 1967 mod
Caterpillar	D6C	82	Within 15m 1962 mod
Caterpillar	D7	85	Within 15m 1956 mod
Caterpillar	D7	86	Within 15m 1969 mod
Caterpillar	D7	84	Within 15m 1969 mod
Caterpillar	D7	78	Within 15m 1970 mod
Caterpillar	D7	78	Within 15m 1972 mod
Caterpillar	D7E	86	Within 15m 1965 mod
Caterpillar	D7E	78	Within 15m 1970 mod
Caterpillar	D7E	84	Within 15m 1973 mod
Caterpillar	D7F	80	Within 15m 1972 mod
Caterpillar	D8	92	Within 15m 1954 mod
Caterpillar	D8	95	Within 15m 1968 mod
Caterpillar	D8	86	Within 15m 1972 mod
Caterpillar	D8H	88	Within 15m 1966 mod
Caterpillar	D8H	82	Within 15m 1972 mod
Caterpillar	D9	85	Within 15m 1972 mod
Caterpillar	D9	94	Within 15m 1972 mod
Caterpillar	D9	90	Within 15m 1963 mod
Caterpillar	D9	87	Within 15m 1965 mod
Caterpillar	D9	90	Within 15m 1965 mod
Caterpillar	D9	88	Within 15m 1968 mod
Caterpillar	D9	92	Within 15m 1972 mod
Caterpillar	D9G	85	Within 15m 1965 mod
Allis Chambers	HD41	93	Within 15m 1970 mod

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International	TD15	79	Within 15m 1970 mod
International	TD20	87	Within 15m 1970 mod
International	TD25	90	Within 15m 1972 mod
International	TD8	83	Within 15m 1970 mod
Case	1150	82	Within 15m 1972 mod
John Deer	350B	77	Within 15m 1971 mod
John Deer	450B	65	Within 15m 1972 mod
Terex	8230	70	Within 15m 1972 mod
Terex	8240	93	Within 15m 1969 mod
Michigan	280	85	Within 15m 1961 mod
Michigan	280	90	Within 15m 1962 mod
Caterpillar	824	90	Within 15m 1968 mod

Table 9.6 Construction Equipment Noise Levels Based on Limited Data Samples - Graders.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	16	91	Within 15m 1969 mod
Caterpillar	16	86	Within 15m 1968 mod
Caterpillar	140	83	Within 15m 1970 mod
Caterpillar	14E	84	Within 15m 1972 mod
Caterpillar	14E	85	Within 15m 1971 mod
Caterpillar	14C	85	Within 15m 1971 mod
Caterpillar	14B	84	Within 15m 1967 mod
Caterpillar	12F	82	Within 15m 1961-72 mod
Caterpillar	12F	72-92	Within 15m 1961-72 mod
Caterpillar	12E	81.3	Within 15m 1959-67 mod
Caterpillar	12E	80-83	Within 15m 1959-67 mod
Caterpillar	12	84.7	Within 15m 1960-67 mod
Caterpillar	12	82-88	Within 15m 1960-67 mod
Gallon	T500	84	Within 15m 1964 mod
Allis Chambers		87	Within 15m 1964 mod

Table 9.7 Construction Equipment Noise Levels Based on Limited Data Samples - Scrapers.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	660	92	Within 15m
Caterpillar	641B	85	Within 15m 1972 mod
Caterpillar	641B	86	Within 15m 1972 mod
Caterpillar	641	80 & 84	Within 15m 1972 mod
Caterpillar	641	83 & 89	Within 15m 1965 mod
Caterpillar	637	87	Within 15m 1971 mod
Caterpillar	633	87	Within 15m 1972 mod
Caterpillar	631C	89	Within 15m 1973 mod
Caterpillar	631C	83	Within 15m 1972 mod
Caterpillar	631B	94	Within 15m 1969 mod

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Caterpillar	631B	84-87	Within 15m 1968 mod
Caterpillar		85 avg.	Within 15m 1968 mod
Caterpillar	621	90	Within 15m 1970 mod
Caterpillar	621	86	Within 15m 1967 mod
Caterpillar	613	76	Within 15m 1972 mod
Terex	TS24	87	Within 15m 1972 mod
Terex	TS24	84-91	
Terex	TS24	82	Within 15m 1971 mod
Terex	TS24	81-83	Within 15m 1971 mod
Terex	TS24	94	Within 15m 1966 mod
Terex	TS24	92-98	Within 15m 1966 mod
Terex	TS24	94.7	Within 15m 1963 mod
Terex	TS24	94-95	Within 15m 1963 mod
Terex	TS14	82	Within 15m 1969 mod
Terex	S35E	84	Within 15m 1971 mod

Table 9.8 Noise Levels of Standard Compressors.

Manufacturer	Model	Silenced or Standard	Type Eng.	Type Comp.	Test Avg. Cond. (cfm.psi)	Avg. Cond. Noise Lev. (cfm.psi) (dBA) at 7m*
Atlas	ST-48	Standard	Diesel	Reciprocal	160,100	83.6
Atlas	ST-95	Standard	Diesel	Reciprocal	330,105	80.2
Atlas	VSS-170Dd	Silenced	Diesel	Reciprocal	170,850	70.2
Atlas	VT-85M	Standard	Gas	Reciprocal	85,100	81.4
Atlas	VS-85Dd	Silenced	Gas	Reciprocal	85,100	75.5
Atlas	VSS-125Dd	Silenced	Diesel	Reciprocal	125,100	70.1
Atlas	STS-35Dd	Silenced	Diesel	Reciprocal	125,100	73.5
Atlas	VSS-170Dd	Silenced	Diesel	Reciprocal	170,100	
Gardner-Denver	SPWDA/2	Silenced	Diesel	Rotary-Screw	1200,000	73.3
Gardner-Denver	SPQDA/2	Silenced	Diesel	Rotary-Screw	750,000	78.2
Gardner-Denver	SPHGC	Silenced	Gas	Rotary-Screw	185,000	77.1
Ingersoll-Rand	DXL 1200	Standard	Diesel	Rotary-Screw	1200,125	92.6
Ingersoll-Rand	DXL 1200 (doors open)	Standard	Diesel	Rotary-Screw	1200,125	
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	76.0
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.1
Ingersoll-Rand	DXLCU1050	Standard	Diesel	Rotary-Screw	1050,125	90.2
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.3
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.0
Ingersoll-Rand	DXL 900	Standard	Diesel	Rotary-Screw	900,125	89.9
Ingersoll-Rand	DXL 750	Standard	Diesel	Rotary-Screw	750,125	87.7
Jaeger	A	Standard	Gas	Rotary-Screw	175,100	88.2

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Jaeger	A(doors open)	Standard	Gas	Rotary-Screw	175,100	
Jaeger	E	Standard	Gas	Vane	85,100	81.5
Jaeger	E(doors open)	Standard	Gas	Vane	85,100	
Worthington	60 G/2Qt	Silenced	Gas	Vane	160,100	74.2
Worthington	750-QTEX	Silenced	Diesel	Rotary-Screw	750,100	74.7

*Data taken from EPA Report - EPA 550/9-76-004.

9.4.3 FTA Noise and Vibration Assessment Procedure

Chapter 12 of the FTA Transit Noise and Vibration Guidance Handbook discusses construction noise evaluation methodology and contains the noise emission levels for construction equipment displayed in Table 9.9.

Table 9.9 FTA Construction Equipment Noise Emission Levels.

Equipment	Typical Noise Level (dBA) 50 ft from Source*
Air Compressor	81
Backhoe	80
Ballast Equalizer	82
Ballast Tamper	83
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane Derrick	88
Crane Mobile	83
Dozer	85
Generator	81
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	85
Paver	89
Pile Driver (Impact)	101
Pile Driver (Sonic)	96
Pneumatic Tool	85
Pump	76
Rail Saw	90
Rock Drill	98
Roller	74
Saw	76
Scarifier	83
Scraper	89
Shovel	82
Spike Driver	77
Tie Cutter	84

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Tie Handler	80
Tie Inserter	85
Truck	88

*Table based on EPA Report, measured data from railroad construction equipment taken during Northeast Corridor improvement project and other measured data.

9.5 Links to Equipment Manufacturers

Table 9.10 contains web-based links to manufacturers of construction equipment. While few of these links contain noise-related data associated with the equipment, they provide descriptions and/or specifications related to the equipment, as well as sources for possibly obtaining additional information related to the equipment. Information in this table is by no means all-inclusive and does not represent any type of endorsement of the manufacturers, suppliers, or equipment. Users are hereby advised that the referenced websites may have certain restrictions, copyrights, etc., associated with any use of data contained therein.

Table 9.10 Equipment Manufacturers and Websites.

Equipment	Manufacturer	Website Address
Arrow Boards		
	North Star	http://northstar-traffic.com/index.cfm?SC=14&PT=1
	Trafcom	http://www.trafcon.com
	Allmand	http://www.allmand.com/MB%20AB%20page.htm
Articulated Trucks		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=196
	Hitachi	http://www.hitachi-c-m.com/global/products/articulate/index.html
	Terex	http://www.terex.com/main.php
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/articulatedhaulers/
Asphalt Saws		
	Allied	http://www.alliedcp.com/products/rotocut.asp
Augers - See Drills / Augers		
Backhoes - See Loaders/Backhoes		
Boring Equipment - See Pile Drivers/Boring Equipment		
Compaction Equipment		
	Allied	http://www.alliedcp.com/products/compactor.asp
Compressors		
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5714,00.html
	Compair	http://www.compair.com/Products/Portable_Compressors.aspx
Concrete and Asphalt Batch/Mixing Plants and Equipment		
	Con-E-Co	http://www.con-e-co.com/products.cfm
	Terex	http://www.terex.com/main.php
	Gunter & Zimmerman	http://www.guntert.com/concrete_mobilebatching.asp
	Rex Con	http://www.rexcon.com
Concrete Breakers/ Hydraulic Hammers/Hydraulic Breakers		
	Drillman	http://www.drillmanindia.com/concrete-breaker.html
	Hydro Khan	http:/www.sangi.co.kr/english/e_product1_2.php
	Stanley	http://www.stanley-hydraulic-tools.com/Hand%20Held/NoAmbreakers.htm

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	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/breakers.htm
Concrete Chain Saws		
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/concrete-saws.htm
Concrete Core Drilling Machines		
	Multiquip	http://www.multiquip.com/multiquip/318_ENU_HTML.htm
Concrete Cutters		
	Vermeer	http://www.vermeermfg.com/vcom/TrenchingEquipment/Line.jsp?PrdlnID=3618
Concrete/Material Pumps		
	Multiquip	http://www.multiquip.com/multiquip/309_ENU_HTML.htm
	Reed	http://www.reedpumps.com/
Concrete Mixer Trucks		
	Oshkosh	http://www.oshkoshtruck.com/concrete/products~overview~home.cfm
	London	http://www.lmi.ca/mixers.cfm
	Terex/Advance	http://www.advancemixer.com
Concrete Saws		
	Multiquip	http://www.multiquip.com/multiquip/315_ENU_HTML.htm
	Diamond Core Cut	http://www.diamondproducts.com/dp_home.htm
Concrete Screeds		
	Multiquip	http://www.multiquip.com/multiquip/317_ENU_HTML.htm
Concrete Vibrators		
	Multiquip	http://www.multiquip.com/multiquip/313_ENU_HTML.htm
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5722,00.html
Cranes		
	Malcolm Drilling	www.malcolmdrilling.com
	Link-Belt	http://www.linkbelt.com/lit/products/frameproducthome.htm
	Casagrande	http://www.casagrandegroup.com
	Liebherr	http://www.liebherr.com/em/en/35381.asp
	Terex	http://www.terex.com/main.php
Crawler Tractors - See Dozers/Crawler Tractors		
Crushing and Screening Equipment		
	Cedarapids	http://www.cedarapids.com/crushscr.htm
	Hitachi	http://www.hitachi-c-m.com/
	Komatsu	http://www.komatsu.com/ce/products/mobile_crushers.html
	Terex	http://www.terex.com/main.php
Crushers/Pulverizers		
	Hydro Khan	http://www.sangi.co.kr/english/e_product3.php
Cutoff Saws		
	Multiquip	http://www.multiquip.com/multiquip/309_ENU_HTML.htm
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/cutoff%20saw.htm
Dozers/CrawlerTractors		

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	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/crawlers/deere_dozer_selection.html
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=2
	Komatsu	http://www.komatsu.com/ce/products/crawler_dozers.html
Dewatering Pumps		
	Multiquip	http://www.multiquip.com/multiquip/371_ENU_HTML.htm
Drills / Augers		
	Malcolm Drilling	www.malcolmdrilling.com
	Casagrande	www.casagrandegroup.com
	Soilmec	http://www.soilmec.com/_vti_g1_techno.aspx?rpstry=4_
	Terex	http://www.terex.com/main.php
Excavators		
	Hitachi	http://www.hitachi-c-m.com/global/products/excavator/index.html
	Caterpiller	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/compactexcavators/
		http://www.volvo.com/constructionequipment/na/en-us/products/wheeledexcavators/
		http://www.volvo.com/constructionequipment/na/en-us/products/crawlerexcavators/
	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/excavators/deere_excavator_selection.html
	Liebherr	http://www.liebherr.com/em/en/18891.asp
	Soilmec	http://www.soilmec.com/_vti_g1_t02.aspx?rpstry=29_
	Gehl	http://www.gehl.com
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=216
	Komatsu	http://www.komatsu.com/ce/products/crawler_excavators.html
		http://www.komatsu.com/ce/products/wheel_excavators.html
	Terex	http://www.terex.com/main.php
	Link-Belt	http://www.lbxco.com/lx_series.asp
	Gradall	http://www.gradall.com/
	Badger Daylighting	http://www.badgerinc.com/
Fork Lifts - See Lifts / Variable Reach Fork Lifts/ Material Handlers		
Generators		
	Terex	http://www.terex.com/main.php
	Multiquip	http://www.multiquip.com/multiquip/212_ENU_HTML.htm
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5714,00.html
	Baldor	http://www.baldor.com/products/generators/ts.asp
Graders		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=190
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/MotorGraders/
	Komatsu	http://www.komatsu.com/ce/products/motor_graders.html
	Terex	http

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Hand Compaction Equipment		
	Terex	http://www.terex.com/main.php
	Multiquip	http://www.multiquip.com/multiquip/56_ENU_HTML.htm
Hydraulic Hammers/Hydraulic Breakers - See Concrete Breakers/ Hydraulic Hammers/Hydraulic Breakers		
Jackhammers - See Rock Drilling Equipment/Jackhammers		
Lifts / Variable Reach Fork Lifts/ Material Handlers		
	Genie Lift	www.genielift.com
	Sky Track	www.kirby-smith.com/
	Ingersol-Rand	www.ingersollrand.com
	Terex	http://www.terex.com/main.php
	Roadtec	http://www.roadtec.com/www/docs/102/mtv-material-transfer-vehicle/
Light Towers		
	Baldor	http://www.baldor.com/products/generators/mlt.asp
	Multiquip	http://www.multiquip.com/multiquip/293_ENU_HTML.htm
	Allmand	http://www.allmand.com/Night%20Lite%20Pro%20page.htm
Loaders/Backhoes		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=54
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/backhoeloaders/
	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/backhoes/deere_backhoe_selection.html
	Komatsu	http://www.komatsu.com/ce/products/backhoe_loaders.html
Material Handlers - See Lifts / Variable Reach Fork Lifts/ Material Handlers		
Milling Machines		
	Wirtgen	http://www.wirtgenamerica.com/us/
Mining Trucks - See Rigid Dump Trucks/Mining Trucks		
Pans - See Scrapers/Pans		
Pavers/Paving Equipment		
	Caterpillar/ Barber Greene	http://www.cat.com/cda/layout?m=37840&x=7
	Rosco	http://www.leeboy.com/rosco/
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478
	Gehl	http://www.gehl.com/const/prodpg_ap.html
	Leeboy	http://www.leeboy.com/leeboy/
	Terex	http://www.terex.com/main.php
	Ingersoll-Rand	http://www.road-development.irco.com/Default.aspx?MenuItemID=12
	Vogele	http://www.vogeleamerica.com/noflash.html
	GOMACO	http://www.gomaco.com/index.html
	Roadtec	http://www.roadtec.com
Pile Drivers/Boring Equipment		
	Soilmec	http://www.soilmec.com/_vti_g1_t09.aspx?rpstry=29_
	Leffer	http://www.leffer.com/bme.html

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	Bauer	http://www.bauer.de/en/maschinenbau/produkte/drehbohrgeraete/bg_reihe/usbg15h.htm
Pipelayers/Trenchers		
	Liebherr	http://www.liebherr.com/em/en/18908.asp
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=28&archived=1
	Vermeer	http://www.vermeermfg.com/vcom/TrenchingEquipment/trenching-equipment.htm
	Ditchwitch	http://www.ditchwitch.com/dwcom/Product/ProductView/115
	Eagle	http://www.guntert.com/trenchers_home.asp
Profilers - See Roadway Planers/Profilers		
Rammers		
	Multiquip	http://www.multiquip.com/multiquip/56_ENU_HTML.htm
Rebar Benders/Cutters		
	Multiquip	http://www.multiquip.com/multiquip/1316_ENU_HTML.htm
Recyclers - See Stabilizers/Recyclers		
Rigid Dump Trucks/Mining Trucks		
	Hitachi	http://www.hitachi-c-m.com/global/products/rigid/index.html
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Liebherr	http://www.liebherr.com/em/en/18898.asp
	Komatsu	http://www.komatsu.com/ce/products/dump_trucks.html
	Terex	http://www.terex.com/main.php
Roadway Planers/Profilers		
	Terex	http://www.terex.com/main.php
	Roadtec	http://www.roadtec.com/products/cold_planers/default.htm
Rock Drilling Equipment/Jackhammers		
	Drillman	http://www.drillmanindia.com/rock-drilling-machine.html
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5721,00.html
	Allied	http://www.alliedcp.com/products/hammers.asp
Rollers - See Tampers/Rollers		
Scrapers/Pans		
	Terex	http://www.terex.com/main.php
Screening Equipment - See Crushing and Screening Equipment		
Slabbuster		
	Allied	http://www.alliedcp.com/products/slabbuster.asp
Slip Form Pavers		
	Huron	http://www.huronmanufacturing.com/
	Guntert & Zimmerman	http://www.guntert.com/concreteSlipformPavers.asp
Stabilizers/Recyclers		
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478

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	Komatsu	http://www.komatsu.com/ce/products/mobile_crushers.html
	Terex	http://www.terex.com/main.php
	Wirtgen	http://www.wirtgenamerica.com/us/
	Roadtec	http://www.roadtec.com
Sweepers		
	Elgin	http://www.elginsweeper.com
	Johnston	http://www.johnstonsweepers.com/
Tampers/ Rollers		
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478
	Komatsu	http://www.komatsu.com/ce/products/vibratory_rollers.html
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/tamper.htm
	Multiquip	http://www.multiquip.com/multiquip/181_ENU_HTML.htm
	Ingersoll-Rand	http://www.road-development.irco.com/Default.aspx?MenuItemID=15
Trenchers - See Pipelayers/Trenchers		
Trucks - See Articulated Trucks, Concrete Mixer Trucks, Rigid Dump Trucks/Mining Trucks		
Vacuum Units		
	Advanced Recycling Systems	www.arsrecycling.com/
	Vacmasters	http://www.vacmasters.com/airsystm.htm
	Vector	http://www.vector-vacuums.com/
Variable Message Signs		
	Allmand	http://www.allmand.com/MB%20only%20page.htm
	North Star	http://northstar-traffic.com/index.cfm?SC=13&PT=1
	Trafcom	http://www.trafcon.com
	Daktronics	http://www.daktronics.com/vms_prod/dak_vms_products.cfm
Vibratory Rammers		
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
Welders/Welding Equipment		
	Airgas	www.airgas.com
	Multiquip	http://www.multiquip.com/multiquip/408_ENU_HTML.htm
	Miller	http://www.millerwelds.com/products/
	Lincoln	http://www.mylincolnelectric.com/Catalog /equipmentseries.asp?browse=101|400|
Wheel Loaders		
	Hitachi	http://www.hitachi-c-m.com/global/products/loader/index.html
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=30
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products /wheelloaders/
	Terex	http://www.terex.com/main.php
	Komatsu	http://www.komatsu.com/ce/products/wheel_loaders.html
	TCM	http://www.tcmglobal.net/products/main02.html

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Contruction Noise Handbook

4.0 Construction Noise Criteria and Descriptors

4.1 Criteria

Construction noise levels may be evaluated in terms of human response and considered in the assessment of effects on wildlife and other non-human species. Noise levels and criteria are expressed in English, metric, or both conventions, depending upon the geographic area or the policies of the controlling agency. Typically, the English convention is used mostly in the United States, with the metric convention used in Canada and other countries.

While the issue of construction noise must be addressed as part of the planning of any transportation project, there are no standardized criteria on the federal level for assessing construction noise impacts related to transportation projects. Where project-specific construction noise criteria have been developed by individual agencies or municipalities, they typically consider the following factors which form the fundamentals for defining construction noise impact:

- Difference between existing noise levels prior to construction startup and expected noise levels during construction: This takes into account specific construction operations and/or individual pieces of equipment.
- Absolute level of expected construction noise: This may constitute the combined levels of all equipment and operations at a given time or be specifically related to the absolute noise level of a specific operation and/or piece of equipment.
- Adjacent land uses: Consideration of this factor provides an indicator of the degree of sensitivity that may be expected and will likely have a major effect on the operational time restraints and the noise level increases tolerated. For example, residential areas may typically have a restriction on night operations and possibly a noise level restriction during the day. Industrial areas may have no restrictions at all, and offices may or may not have a restriction on the noise levels during the day, with possibly no restriction for night operations. Examples of absolute and relative construction noise level criteria are provided in Table 7.1.
- Duration of construction/operation: The duration of high noise levels may play a significant role in how a noise impact is perceived and/or mitigated. If the levels are of a brief nature, possibly only occurring once or twice during the project, the perceived impact could be quite different than that associated with a constant noise source. Similarly, any related noise mitigation techniques employed could be substantially different in terms of type and/or duration of application.

4.1.1.1 United States

While noise impact and abatement criteria have been established for the operation of transportation facilities in the United States, standardized criteria have not yet been established related to noise associated with the construction of such facilities. However, since the publication of the original 1977 Report[ref001], additional guidance has been disseminated (through agencies such as FHWA and FTA) and analysis tools developed to better address construction noise. For example, the FTA Transit Noise and Vibration Impact Assessment document[ref014] presents guidelines that "can be considered reasonable criteria for assessment" of construction noise impacts. In addition, a number of agencies, municipalities, and other entities have developed procedures for addressing construction noise impacts and implementing related noise mitigation for their areas of jurisdiction or on a project-specific basis.

In some instances, local entities may have developed noise ordinances that contain restrictions associated with construction noise levels. Noise practitioners and others involved in the project development process are encouraged to become familiar with such ordinances and their relationship to other State and/or municipal ordinances. In certain instances, the State jurisdiction may supersede any local noise ordinances.

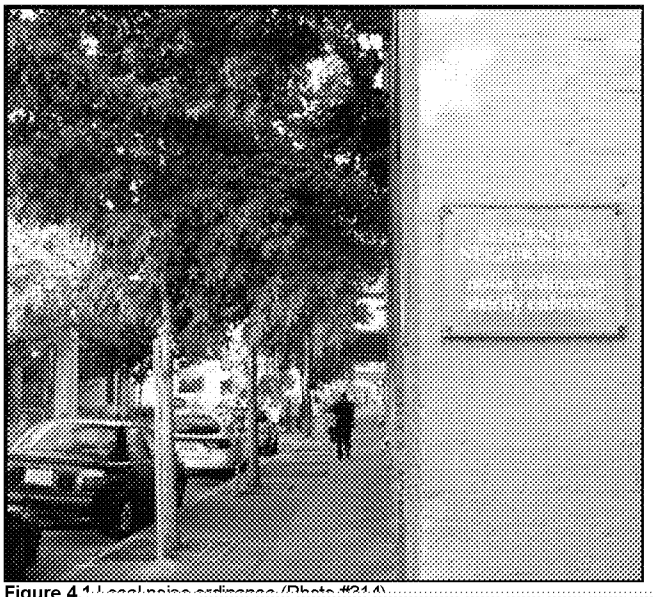

Figure 4.1 Local noise ordinance (Photo #314)

Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

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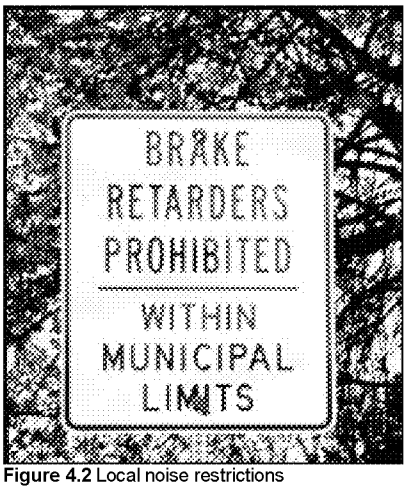

Figure 4.2 Local noise restrictions (Photo #1206)

Noise restrictions may also be imposed by local and/or State authorities to deal with specific activities or operations. An example is the growing practice of restricting the use of engine compression brakes on heavy trucks in residential areas.

Noise restrictions may also be applied within the workplace associated with employee/worker exposure to noise levels over varying durations. These criteria have been established by OSHA. However, such criteria are typically not relevant or applicable to the transportation-related project construction noise levels experienced by people residing or working in areas adjacent to such projects. As such, they are not discussed within this Handbook.

Construction noise criteria within the United States vary considerably in terms of both scope and specificity and can be broadly categorized as follows, in order of complexity:

No criteria specified;

Qualitative criteria, e.g. "Noise levels shall not cause a disturbance";

- Relative criteria, e.g. "Noise levels shall not exceed existing (or ambient, or background) noise levels by more than x dB";
- Absolute criteria, e.g. "Maximum noise levels shall not exceed xx dB";
- Criteria containing a combination absolute and relative noise level limits; and
- Combinations of the above criteria elements with additional restrictions placed on time periods and types of land uses or activities.

An example of more complex criteria is that associated with the Central Artery/Tunnel Project in Boston, MA. Data related to these criteria are discussed in Reference 023 and illustrated in Table 7.1 of this Handbook. This project established criteria that include both L_{10} and L_{max} absolute noise level limits for defined noise sensitive locations (residences, institutions, hotels, etc.) for daytime, evening, and nighttime periods. In addition, the criteria established maximum noise level increases relative to established baseline noise levels. Relative and absolute noise level limits were also established for commercial and industrial areas.

From the standpoint of construction noise criteria, the intent of this Handbook is not to address all State and local noise ordinances and/or criteria, but rather, to address the approaches and techniques that may be contained in such criteria. As such, the discussions contained within this Handbook are meant to provide a summary of considerations related to all aspects of construction noise. The reader is encouraged to refer to specific references in Table 10.1 for more detailed information on noise criteria and other factors related to construction noise.

4.1.1.2 Canada

Similar to the United States, no standardized Canadian criteria exist related to transportation project construction noise. Where project-specific analysis techniques have been employed to address and/or mitigate construction-related noise and its impacts, such methods have been similar to those employed in the United States. Examples of such efforts may be found in References 010 and 019.

4.1.1.3 Other International

While an exhaustive survey of international criteria was not conducted, several criteria are discussed here for informational use only. More specifics may be found by accessing the relative links found in the Reference Database in Chapter 10.

- The Official Journal of the European Communities' Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000[ref017] establishes legislation dictating specific noise levels for individual pieces of construction equipment. It also contains specifics related to the measurement locations and equipment operating conditions relative to the testing of individual pieces of equipment.
- The Australian EPA's Environmental Noise Control Manual[ref015] establishes the following criteria which officers may specify related to construction noise:
  - For a construction period of four (4) weeks or less, the maximum L_{10} noise level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background noise level by more than 20 dBA;
  - For a construction period greater than four (4) weeks, the maximum L_{10} noise level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background noise level by more than 10 dBA;
  - Construction limited to 0700 to 1800 time period on Monday through Friday;
  - Construction limited on Saturdays to 0700 to 1300 time period if inaudible on residential premises; otherwise, 0800 to 1300;
  - No construction work may take place on Sundays or public holidays; and
  - All possible steps should be taken to silence construction site equipment. It is particularly important that silenced equipment should be used on road or rail works where 24-hour operation is necessary.

4.2 Descriptors

While it is not the intent of this Handbook to establish criteria for evaluating construction noise impacts, it is important to stress that reasonable and defensible noise descriptors must be used to describe construction noise levels. The following are important elements related to selecting a workable noise descriptor for use in measuring and analyzing construction noise:

- Suitable for practical measuring methods;
- Accounts for temporal variations in equipm
- Accounts for temporal variations in overall s

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- Suitable for prediction modeling;
- Suitable for combining noise levels from various source types; and
- Relative to subjective responses.

The descriptor most commonly chosen for use is the A-weighted equivalent sound level (energy basis), L_{Aeq}. In many cases, the time average period applied to the L_{Aeq} value is one hour (designated L_{Aeq1h}). For certain projects and operations, the time period over which the L_{Aeq} is applied may need to be examined on a case-by-case basis. For several major construction projects in the United States and Canada, the L_{10} (applied generally during daytime periods) and L_{max} (applied for specific equipment and/or nighttime operations) descriptors have been used over varying time periods.

The L_{dn} descriptor has been used to assess annoyance and community reaction to construction noise. L_{dn} is an L_{Aeq}-based descriptor that applies a 10 dBA penalty to nighttime noise levels.

The L_{Aeq}-based and L_{10}-based descriptors satisfy the first four elements listed above. The L_{Aeq} satisfies the fifth element and may also satisfy the sixth element (relative to subjective responses). However, the L_{Aeq}, L_{10}, and L_{max} descriptors may not be suited for determining responses by some aquatic wildlife (where using an un-weighted sound pressure level may be more suitable) or for owls (where use of a different weighting category such as dBO or a descriptor such as SEL may be more suitable to account for effects such as air blasts associated with blasting). More detailed information related to these specific conditions might be found in documents listed in Section 3.2.6 of this document.

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Figure 3.1 Construction in residential area (Photo #924)

Figure 3.2 Construction in business district (Photo #714)

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Figure 3.3 Construction in vicinity of sporting event venue (Photo #718)

Figure 3.4 Construction in paradise (Photo #1033)

While construction noise can be unwelcome during nighttime periods in residential areas when people are trying to sleep, it can be equally unwelcome during the daytime in commercial areas if it interferes with peoples' ability to conduct business. In short, construction noise has the potential to disturb people 24 hours a day, 7 days a week. If not properly addressed, specific public concerns related to a project could result in actions affecting the progress and/or cost of a project.

There is nothing particularly unique about construction noise - it's a fluctuation in air pressure oscillating above and below atmospheric pressure that is produced by construction equipment or activities with sufficient magnitude (loudness) and within a certain frequency range (audible spectrum) such that human beings can hear it - just like any other noise. Being a physical parameter, it can be measured, quantified, modeled, predicted, and in certain instances, abated to some degree.

Noise from construction-related activities can also affect non-human species such as aquatic life and land and airborne animals in a variety of ways. The non-human category includes domestic, farm-based, and creatures living in the wild. In assessing the effects of noise on non-humans, it is essential that noise analysts closely coordinate with qualified biologists in the assessment and mitigation of noise impacts.

Issues related to vibration may also be raised during project development. This is particularly true when blasting operations occur. There are no FHWA requirements directed specifically to traffic-induced or construction-related vibration. Most studies that State DOTs have done to assess the impact of operational traffic-induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings, although levels may be such as to cause various degrees of annoyance. Analysis of construction-related vibration effects is beyond the scope of this Handbook.

The intent of this Handbook is not to provide det
information regarding specific effects of constru

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3.2 Types of Effects

Physical effects related to humans are probably most applicable to the operators of construction equipment as opposed to people residing adjacent to construction projects. An exception to this would be unique situations such as scuba diving or swimming activities occurring in the vicinity of a water-based pile driving or blasting operation. The potential for hearing loss or physical damage to the human hearing mechanism is protected by Occupational Safety and Health Administration (OSHA) criteria, and as such, is not discussed herein. While resulting in the potential to annoy or disturb humans, construction noise is typically not a danger to people's hearing.

Knowledge related to the physical effects of construction noise on non-human species such as land-based animals, birds, and owls is limited. It is recognized that aquatic mammals and fish can be physically damaged by water-born sound and vibration waves caused by construction activities such as underwater blasting and pile driving. In lieu of detailed discussions within this Handbook of the variety of specialized studies related to the physical effects of construction noise on such species, references to such studies are provided in a list at the end of this chapter.

Loud noises from construction activities can create situations where people cannot effectively communicate, as documented in Tables 3.1 and 3.2. While such situations may be merely an annoyance or inconvenience in certain situations, they could be construed as a safety issue if such noises prevent people from hearing important local noises such as approaching traffic, emergency warning devices, alerts from other people, etc.

Noise from construction activities can affect humans, land-based animals, aquatic wildlife, and airborne wildlife in a variety of ways. Humans are most affected in terms of sleep deprivation and the carrying on of normal daily activities such as watching television, listening to the radio, recreational activities, and activities requiring concentration, such as reading. Special activities such as those associated with churches, schools, and libraries can also be negatively affected by construction noise. Water-based activities such as scuba diving, swimming, and boating can also be affected.

While non-humans are most likely annoyed by construction noise, there is little known about the related effects. However, the annoyance of noise on humans has been studied for some time and is documented in a 1974 EPA report commonly referred to as the "Levels Document"[ref033]. It is complementary to the 1979 EPA document, "Protective Noise Levels"[ref052].

A variety of studies have attempted to quantify the effects of noise on humans. An example is provided in the following table contained in the "Levels Document" referred to above. Note that all noise levels referred to in the "Levels Document" are A-weighted.

Table 3.1 Summary of Human Effects in Terms of Speech Communication, Community Reactions, Annoyance, and Attitude toward Area Associated with an Outdoor Day/Night Sound Level of 55 dB re 20 Micropascals.

Type of Effect	Magnitude of Effect
Speech - Indoors	100% sentence intelligibility (average) with a 5 dB margin of safety
Speech - Outdoors	100% sentence intelligibility (average) at 0.35 meters
	99% sentence intelligibility (average) at 1.0 meters
	95% sentence intelligibility (average) at 3.5 meters
Average Community Reaction	None evident; 7 dB below level of significant "complaints and threats of legal action" and at least 16 dB below "vigorous action" (attitudes and other non-level related factors may affect this result)
Complaints	1% dependent on attitude and other non-level related factors
Annoyance	1% dependent on attitude and other non-level related factors
Attitude Toward Area	Noise essentially the least important of various factors

Table 3.2. Steady A-weighted Sound Levels that Allow Communication with 95 Percent Sentence Intelligibility over Various Distances Outdoors for Different Voice Levels.

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Communication Distance (meters)	0.5	1	2	3	4	5
Normal Voice (dB)	72	66	60	56	54	52
Raised Voice (dB)	78	72	66	62	60	58

The effects of construction-related noise on non-humans are less understood and probably most related to mating, nesting, migration, and feeding activities. While data on such effects is limited as compared with information on humans, some research is available[ref031 and ref032].

For a more detailed discussion of the general effects of noise on wildlife and other non-human species, the reader is directed to references dealing with the following:

- Effects on wildlife and other animals: ref031 and ref032;
- Effects on marine mammals: ref102;
- Effects on fish: ref030, ref036, ref046, ref054, ref060, and ref061; and
- Effects on owls: research underway as of the publication date of this Handbook by Washington State DOT (WSDOT); when available, any published reports will be available through the WSDOT webpage (see Table 10.1).

In determining noise impacts and possible mitigation measures for construction projects involving non-human species, noise analysts should closely coordinate with qualified biologists.

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APPENDIX B

OVERVIEW OF LEGAL RESTRAINTS ON AGRICULTURAL LAND MITIGATION PROGRAMS

OVERVIEW OF LEGAL RESTRAINTS ON AGRICULTURAL LAND MITIGATION PROGRAMS*

Prepared for Department of Conservation
Division of Land Resource Protection
Brown Bag Discussion on CEQA and Mitigation as a Tool for Preserving Farmland and Our Agricultural Economy

February 16, 2011

Osha R. Meserve
Soluri Meserve, A Law Corporation
1822 21st St.
Sacramento, CA 95811
(916) 455-7300
osha@semlawyers.com

* Disclaimer: These materials are for informational purposes only and do not substitute for legal advice regarding the particular facts of a given matter.

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I. INTRODUCTION

This paper explores the possible legal impediments to in-kind and fee-based agricultural mitigation programs that may be adopted by local agencies. A review of applicable legal restraints on such programs indicates that they are generally permissible when properly drafted. In light of the high rate of conversion of agricultural lands in California, local agencies that have not yet adopted such programs should consider doing so. In the interim, review of projects under the California Environmental Quality Act ("CEQA"),[1] can also lead to the adoption of legally defensible mitigation requirements, though mitigation may not always be required.

II. LEGISLATIVE POLICIES REGARDING PROTECTION OF AGRICULTURAL LAND

The California Legislature has directly addressed conservation of agricultural land in legislative policy statements. In CEQA, the Williamson Act,[2] and the California Farmland Conservancy Program Act,[3] the Legislature emphasizes the importance of agricultural land to the State. Moreover, the Williamson Act and the California Farmland Conservancy Program are specifically dedicated to preserving farmland throughout California.[4] The statutes indicate that the State of California values agricultural land, and the protection of farmland is a statewide priority.

A. CEQA

In 1993, the California State Legislature added a requirement to CEQA that the Resources Agency create an appendix to the CEQA Guidelines ("CEQA Guidelines").[5] The Legislature required that this appendix propose methods to analyze significant effects on the environment from conversion of agricultural land.[6] The findings for this statutory requirement state that:

(a) Agriculture is the State's leading industry and is important to the State's economy.

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[1]/ Pub. Resources Code, § 21000 et seq.
[2]/ Gov. Code, § 51200 et seq.
[3]/ Pub. Resources Code, § 10200 et seq.
[4]/ Pub. Resources Code, § 21000 et seq., Gov. Code, § 51200 et seq., Pub. Resources Code, § 10200 et seq.
[5]/ Pub. Resources Code, § 21095.
[6]/ *Ibid.*

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(b) The continued productivity of agricultural lands in California is important in maintaining a healthy agricultural economy.

(c) The conversion of agricultural lands to nonagricultural use threatens the long-term health of the State's agricultural industry.[7]

In response to this mandate, the Resources Agency added Appendix G to the CEQA Guidelines.[8] Appendix G suggests that when analyzing impacts on agricultural resources, an agency might assess the type of farmland that a project would convert (i.e. "prime" farmland or farmland of statewide importance).[9] It also recommends that an agency consider whether a proposed project would involve other changes in the environment that could result in the conversion of farmland to non-agricultural use.[10]

B. Williamson Act

In its findings for the Williamson Act, the California Legislature stated:

> That the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and is necessary not only to the maintenance of the agricultural economy of the state, but also for the assurance of adequate, healthful and nutritious food for future residents of this state and nation.[11]

The Legislature further asserted:

> That in a rapidly urbanizing society, agricultural lands have a definite public value as open space, and the preservation in agricultural production of such lands, the use of which may be limited under the provisions of this chapter, constitutes an important physical, social, esthetic and economic asset to existing or pending urban or metropolitan developments.[12]

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[7]/ Section 1 of Stats. 1993, c. 812 (SB 850).
[8]/ 14 CCR, § 15000 et seq.
[9]/ *Id.* at Appendix G.
[10]/ *Ibid.*
[11]/ Gov. Code, § 51220, subd. (a).
[12]/ Gov. Code, § 51220, subd. (d).

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C. California Farmland Conservancy Program Act

In the California Farmland Conservancy Program Act, the California Legislature again emphasized the importance of agricultural land to the State:

> The agricultural lands of the state contribute substantially to the state, national, and world food supply and are a vital part of the state's economy. Agricultural lands near urban areas that are maintained in productive agricultural use are a significant part of California's agricultural heritage. These lands contribute to the economic betterment of local areas and the entire state and are an important source of food, fiber, and other agricultural products. Conserving these lands is necessary due to increasing development pressures and the effects of urbanization on farmlands close to cities. The long-term conservation of agricultural land is necessary to safeguard an adequate supply of agricultural land and to balance the increasing development pressures around urban areas.[13]

III. STATUS OF AGRICULTURAL MITIGATION REQUIREMENTS IN THE CENTRAL VALLEY

A handful of local jurisdictions presently require some form of mitigation for the loss of agricultural land. For example, the City of Davis has instituted a 2:1 mitigation requirement for changes to farmland.[14] Developers may satisfy this requirement either through the dedication of a farmland conservation easement or payment of in-lieu fees.[15]

Yolo County, San Joaquin County, the City of Stockton, and City of Brentwood have also established similar programs.[16] These ordinances generally allow developers to satisfy farmland mitigation requirements by granting a farmland conservation easement, or by paying in-lieu fees sufficient to purchase an easement and pay for administrative costs.[17] These ordinances require 1:1 mitigation for the loss of agricultural land.[18] The

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[13]/ Pub. Resources Code, § 10201, subds. (a)-(d).
[14]/ City of Davis Mun. Code, § 40A.03.030: www.cityofdavis.org/cmo/citycode/ (as of July 19, 2007).
[15]/ *Id.* at subd. (b)(1).
[16]/ Yolo County Code, § 8-2.2416: http://www.yolocounty.org/CountyCode/Title08.pdf (as of July 19, 2007); City of Stockton Administrative Guidelines, § I.A.6; Ordinance Code of San Joaquin County, § 9-1080 et seq.; Brentwood Mun. Code, §§ 17.730.010 et seq.: http://www.ci.brentwood.ca.us/boards/aarg/enterprise/ord683.cfm (as of February 11, 2011).
[17]/ The applicable mitigation fees were calculated according to nexus studies.
[18]/ *Ibid.*

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Brentwood ordinance also allows for transfer of agricultural credits from certain areas to satisfy the mitigation requirement.[19]

The Cities of Lathrop, Manteca, and Tracy have also adopted agricultural mitigation fee programs in their Municipal Codes.[20] These programs, rather than specify the amount of the fee to be charged, authorize each respective City Council to "calculate the amount of the fee in an implementing resolution."[21] Moreover, the regulations require the Cities to enact such fees by resolution, and to identify specific findings to satisfy the requirements of the Mitigation Fee Act.[22]

Furthermore, some settlement agreements entered into during the CEQA and project approval process have resulted in imposition of mitigation for agricultural land conversion. For example, two CEQA-related settlement agreements in the City of Lodi included farmland mitigation requirements for major development projects despite the lack of a local mitigation ordinance.[23] In these agreements, the developer agreed to obtain permanent agricultural easements, at a minimum 1:1 ratio.[24] One of the agreements specified that the compensatory easement(s) must be located within 15 miles of the project site, while the other agreement required only that the mitigation property be located within San Joaquin County.

In another example, developers entered into a settlement agreement with the Sierra Club after a CEQA lawsuit was filed.[25] In this agreement, the developers agreed to contribute funds to assist in creating a land trust organization.[26] Moreover, the developer agreed to provide 1:1 mitigation of all lands removed from agricultural use through development fees.[27]

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[19]/ Brentwood Mun. Code, §§ 17.730.040, 17.730.070.

[20]/ City of Lathrop Mun. Code, Chapter 3.40; City of Manteca Mun. Code, Chapter 13.42, City of Tracy Mun. Code, Chapter 13.26.

[21]/ City of Lathrop Mun. Code, § 3.40.060; City of Manteca Mun. Code, § 13.42.060; City of Tracy Mun. Code, § 13.28.060; see also City of Brentwood Mun. Code, § 17.730.040, subd. (2) (providing option of payment of in-lieu fee).

[22]/ *Id.* Gov. Code, § 66000 et seq.

[23]/ These agreements pertained to (1) the Reynolds Ranch project, a mixed use project proposed by the San Joaquin Valley Land Company and, (2) two large residential subdivisions proposed by FCB Homes ("Westside" and "Southwest Gateway").

[24]/ Westside Agreement at p. 2; Southwest Gateway Agreement at p. 2; Reynolds Ranch Agreement at p. 2.

[25]/ Agreement to Settle Litigation Regarding River Islands at Lathrop (2003).

[26]/ *Ibid.*

[27]/ *Ibid.*

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Finally, there have been legal challenges related to agricultural mitigation programs. On May 25, 2007, the Building Industry Association of the Delta ("BIA") filed a lawsuit against the City of Stockton in the Superior Court of California for the County of San Joaquin.[28] The lawsuit challenged the City of Stockton's agricultural land mitigation program and in-lieu fees, which were adopted in 2007. BIA's complaint included a number of the potential arguments challenging in-lieu fees and agricultural land mitigation. BIA alleged that the City of Stockton's in-lieu fee was facially invalid because, among other claims, it: (1) was excessive and violates the California Mitigation Fee Act; (2) constituted an invalid requirement for payment of a fee or dedication of easement prior to the final map under Government Code sections 66007 and 66410 et seq.; (3) constituted an invalid exaction both under constitutional nexus and rough proportionality tests, and due to its failure to comply with CEQA; (4) was an authorized special tax in violation of Propositions 13 and 218; and (5) violated equal protection and due process rights under the United States and California Constitutions.

A decision was issued in February 2009, upholding the City's agricultural mitigation program. The court's ruling noted that the City had adopted detailed findings in support of the in-lieu fee program, which were consistent with the studies and analyses in the record of decision for the program. The court also found that the City had the authority to adopt the fee program under its plenary police power. Moreover, the program was entitled to a presumption of constitutionality. With respect to the Mitigation Fee Act claims, the court found: (1) that the in-lieu easement requirement was not a fee within the meaning of the Act; (2) the in-lieu fee is selected at certain developers' option, and is not imposed; (3) no "public facilities" would be funded; (4) the challenge to the fee was not ripe prior to having been applied to a particular project; and (5) even if the act applied it would survive challenge under the applcable deferential standard. With respect to the Proposition 13 and 218 claims, the court found that the in-lieu fees were not taxes because they are voluntarily chosen by developers. Moreover, the fees do not exceed the cost of mitigating the impacts caused by the project. The court also found that the restrictions in Civil Code section 815.3, subdivision (b) were inapplicable and that the 1:1 mitigation ratio was amply supported in the record.

The events described above indicate that mitigation for agricultural land is becoming more prevalent in the Central Valley. Where lead agencies do not directly require agricultural mitigation through their development codes or through the CEQA process, mitigation for farmland conversion may occur as a result of settlement negotiations between community groups, developers and local agencies. These

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[28]/ *BIA v. City of Stockton* (Super. Court San Joaquin County, 2007, No. CV032651).

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developments show both that preserving agricultural land is important to California communities and that agricultural mitigation is feasible for developers.

IV. POTENTIAL LEGAL ISSUES RELATED TO AGRICULTURAL MITIGATION REQUREMENTS

In many instances, courts have upheld in-lieu fees and other exactions.[29] However, for an exaction to be valid: (1) the public agency must have the legal authority to impose the exaction; (2) the agency must properly exercise its authority when imposing the exaction; and (3) a reasonable relationship must exist between the imposed exaction and the public needs created by the development.[30] In addition, there may be other limitations that the agency must overcome.[31]

A. Authority to Impose Exactions – The Police Power

Cities and counties may impose exactions under the general police power granted in Article XI, Section 7 of the California Constitution.[32] The police power is the right of a local government to protect the public health, safety, and welfare of its residents.[33] Land use regulations, including exactions, are within an agency's police power as long as they are reasonably related to the public welfare.[34] This authority is "as broad as the

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[29]/ 2 Longtin, Longtin's California Land Use (2nd ed. 1987), § 8.02[2], p. 722 (hereafter 2 Longtin).

[30]/ See 2 Longtin at § 8.04, p. 780.

[31]/ Potential limitations include statutory restrictions, such as Propositions 13, 62, and 218, and the Mitigation Fee Act. Recently filed lawsuits, including *A.G. Spanos Construction, Inc. v. City of Stockton* and *BIA v. City of Stockton*, have alleged that agricultural mitigation fees did not comply with the Subdivision Map Act. Although these claims may be valid in specific situations, they likely will not arise often in relation to agricultural mitigation programs. Thus, though agencies must ensure that the requirements of the Subdivision Map Act are met, this issue is not addressed further in this memorandum.

[32]/ See, e.g., *Candid Enters., Inc. v. Grossmont Union High School Dist.* (1985) 39 Cal.3d 878, 885 (*Candid Enters.*); *Griffin Development Co. v. City of Oxnard* (1985) 39 Cal.3d 256; *Trent Meredith, Inc. v. City of Oxnard* (1981) 114 Cal.App.3d 317, 325; *Scroging v. Kovatch* (1976) 64 Cal.App.3d 54, 57; *Associated Homebuilders, Inc. v. City of Livermore* (1976) 18 Cal.3d 582. The California Constitution confers on local governments the power to "make and enforce within [their] limits all local police, sanitary and other ordinances and regulations not in conflict with general laws."

[33]/ See *Berman v. Parker* (1954) 348 U.S. 26, 32-33.

[34]/ See *Associated Home Builders, Inc. v. City of Livermore* (1976) 18 Cal.3d 582, 600-601.

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police power exercisable by the Legislature itself."[35] Thus, cities and counties have broad authority to impose exactions on development.

Though public agencies have general authority to impose exactions, many potential limitations exist that may limit the imposition of agricultural mitigation fees. Such exactions must: (1) meet nexus and rough proportionality tests and comply with equal protection and due process requirements under the United States Constitution; (2) be exempt from or comply with the requirements of Propositions 13, 62, and 218; (3) meet the requirements under the Mitigation Fee Act; and (4) be consistent with local General and Specific Plans. These requirements are described in detail below.

B. United States Constitution

1. Nexus and Rough Proportionality

Known as the "Takings Clause," the Fifth Amendment of the United States Constitution prohibits the taking of private land for public use without just compensation.[36] According to the Court in *Armstrong v. United States* (1960) 364 U.S. 40, as quoted in *Dolan v. City of Tigard* (1994) 512 U.S. 374, 384 (Dolan), the principal purpose of the Takings Clause is "to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole." Exactions may be considered unconstitutional takings if they do not meet the "reasonable relationship nexus" test, as set out in *Dolan* and *Nollan v. California Coastal Commission* (1987) 483 U.S. 825 (Nollan). In order for an exaction to be valid: (1) the legislation must serve a legitimate governmental purpose, and (2) the means used to achieve the objective must substantially advance the intended purpose.[37]

a) *Nollan v. California Coastal Commission*

The *Nollan* case described the "nexus" requirement for exactions. In *Nollan*, the California Coastal Commission ("Commission") granted a permit to the Nollan family to construct a home on their coastal property, on the condition that they grant an access easement for the public to use their beach.[38] The Supreme Court found the requirement unconstitutional because of the insufficient nexus between the public burden created by

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[35]/ *Candid Enters.*, *supra*, 39 Cal.3d at p. 885.
[36]/ "[N]or shall private property be taken for public use, without just compensation." U.S. Const., 5th Amend.
[37]/ See 2 Longtin, Longtin's California Land Use (2007 Update), § 8.22, p. 652 (hereafter 2 Longtin Update).
[38]/ *Nollan*, *supra*, 483 U.S. at p. 828.

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the proposed construction and the permit condition required by the Commission.[39] According to the Court, "unless the permit condition serves the same governmental purpose as the development ban, the building restriction is not a valid regulation of land use but an out-and-out plan of extortion."[40] Thus, in order for an exaction to be valid, the type of condition imposed must address the same type of impact caused by the new development.[41]

b) *Dolan v. City of Tigard*

In *Dolan*, the Supreme Court further clarified the *Nollan* nexus test for an unconstitutional taking. The City of Tigard approved a building permit for Dolan to redevelop a retail site, on the condition that she donates a portion of her property for flood control and traffic improvements.[42] The Court found that there was a legitimate public purpose in flood control and traffic improvements.[43] Unlike in *Nollan*, the Court also found a nexus between the public purpose and the permit requirement that Dolan donate a portion of her property.[44] However, the Court established an additional step to Takings Clause analysis, and analyzed whether the "required dedication [was] related both in nature and extent to the impact of the proposed development."[45] Known as the "rough proportionality" test, the public agency imposing the requirement must make an individualized determination that this element is met.[46] In *Dolan*, the Court found that the City did not make such a determination, and therefore remanded the matter to the City for further proceedings.[47]

c) *Ehrlich v. City of Culver City*

The Supreme Court of California addressed the validity of development or impact fee conditions in *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854 (*Ehrlich*). In *Ehrlich*, the court decided whether the requirement to pay a monetary fee as a condition of a permit triggers the application of the nexus and rough proportionality tests in *Nollan* and *Dolan*. The court held that:

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[39]/ *Id.* at p. 841.
[40]/ *Id.* at p. 837.
[41]/ See 2 Longtin Update, § 8.22[2], p. 654.
[42]/ *Dolan* at p. 377.
[43]/ *Id.* at p. 387.
[44]/ *Ibid.*
[45]/ *Id.* at p. 391.
[46]/ *Ibid.*
[47]/ *Id.* at p. 396.

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> If a condition is imposed pursuant to an ordinance or rule of general applicability . . . the condition is constitutionally permissible unless the landowner meets his or her burden of proving that the condition either does not substantially advance a legitimate governmental purpose or deprives the landowner of any economically viable use of the land.[48]

Thus, if a condition is adjudicatively imposed on an individual basis, the government must meet the heightened requirements of *Nollan* and *Dolan*.[49] To the extent an agricultural mitigation program proposal is imposed legislatively, however, it would not need to meet the nexus and rough proportionality tests of *Nollan* and *Dolan*.[50]

2. Equal Protection and Due Process

The Fourteenth Amendment of the United States Constitution ("Fourteenth Amendment") requires that a local government regulation may not deprive a person of equal protection of the laws.[51] In the context of land use, equal protection does not necessarily require uniform treatment. Instead, an agency must be able to demonstrate that a regulation has a rational relationship to a legitimate government interest.[52] The agency need only demonstrate some plausible reason for the classification in the regulation.[53] It is relatively simple for agencies to meet this test, and courts have generally rejected equal protection claims in the land use context.[54]

The Fourteenth Amendment also requires that a local government regulation or action may not deprive a person of life, liberty or property without due process of law.[55] Under Fourteenth Amendment case law, an agency's exercise of power must: (1) bear a rational relationship to a legitimate government interest, and (2) not be unreasonable or

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[48]/ *Ehrlich*, *supra*, 12 Cal. 4th at p. 906.
[49]/ *Id.* For example, conditions in individual land use agreements created between local agencies and developers generally constitute "ad hoc" requirements, and therefore must meet the tests of *Nollan* and *Dolan*.
[50]/ Adjudicative determinations are those that are decided on an individual basis. Legislative determinations, on the other hand, apply to large classes of people
[51]/ See also Cal. Const., art. I, § 7.
[52]/ See 1 Longtin, Longtin's California Land Use (2007 Update), § 1.32[2], p. 35 (hereafter "1 Longtin Update"); see also, *Nordlinger v. Hahn* (1992) 505 U.S. 1.
[53]/ See *Id.*
[54]/ See 1 Longtin Update, § 1.32[2], p. 36.
[55]/ See also Cal. Const., art. I, § 7.

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arbitrary.[56] Like with equal protection, courts almost always rule in favor of public agencies in due process challenges.[57]

3. Effect of the United States Constitution on Mitigation Programs

Though the nexus and rough proportionality tests from *Nollan* and *Dolan* may apply to fee exactions, farmland mitigation fees that are imposed through legislation rather than adjudication likely will not be subject to scrutiny under these standards. "It is clear that . . . so long as cities base development conditions on general legislative determinations, the conditions will almost always be within the police power."[58] However, it is important to note that regardless of whether a fee is imposed legislatively or adjudicatively, such exactions must meet nexus requirements under the Mitigation Fee Act. (See section IV.D.1, *post.*)

Similarly, equal protection and due process claims under the Constitution likely do not provide barriers to mitigation programs. The agency must be able to demonstrate that a regulation bears a rational relationship to a legitimate governmental interest, and that the regulation is not arbitrary. In the land use context, these requirements are straightforward, and courts generally defer to the discretion of public agencies.

C. California Constitution

1. Proposition 13, Proposition 62, and Proposition 218

Proposition 13 ("Prop 13"), passed in 1978, added Article XIII A to the California Constitution.[59] Article XIII A requires a two-thirds vote of the electorate for implementation of any local special tax. In 1986, voters approved Proposition 62 ("Prop 62"), which "close[d] loopholes" in Prop 13. This measure established that all taxes must be classified as either "special taxes" or "general taxes."[60]

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[56]/ See 1 Longtin Update, § 1.31[1], p. 27. Note that the "rational relationship" test is easy to satisfy; where a rational relationship is at least fairly debatable, the court must uphold the action. *Nelson v. City of Selma* (9th Cir. 1989) 881 F.2d 836, 839.
[57]/ See 1 Longtin Update, § 1.31[2], p. 27.
[58]/ See Curtin & Talbert, Curtin's California Land Use and Planning Law (21st ed. 2001) Exactions, pp. 252-255 (hereafter "Curtin").
[59]/ See *Howard Jarvis Taxpayers Ass'n v. City of Riverside* (1999) 73 Cal.App.4th 679 (overview of Prop 13).
[60]/ See Longtin Update at § 8.25[2], p. 663.

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Development fees exacted in return for building permits or other governmental privileges are generally not "special taxes" under Article XIII A. A fee is not a special tax when it does not exceed the reasonable cost of providing the service for which the fee is charged, and it is not reasonably related to the type of activity on which it is based. Thus, so long as a fee meets these requirements, it is not subject to the requirements of Prop 13.[61] Moreover, Prop 62 did not impose any additional limitations on local government's authority to implement "special assessments," "fees," or "charges." Thus, Prop 62 does not typically affect development fees.

Proposition 218 ("Prop 218"), approved by voters in 1996, added Articles XIII C and D to the California Constitution. Prop 218 requires voter approval of all new increases in local general taxes, assessments, and certain fees and charges.[62] Under Prop 218, "fees" or "charges" are defined as "any levy other than an ad valorem tax, a special assessment, or an assessment, imposed by an agency on a parcel or a person as an incident of property ownership, including user fees or charges for a property related service."[63] "Property related service" is defined as "a public service having a direct relationship to property ownership." However, "incident of property ownership" is not defined.

Prop 218 states that it does not affect laws existing prior to July 1, 1997, related to the imposition of fees or charges as a condition of property development. Furthermore, development fees that do not fall under the definition of "fees" or "charges" under Prop 218 generally need not meet the requirements of the Proposition.[64]

2. Effect of California Constitution on Agricultural Mitigation Requirements

Mitigation requirements likely do not need to meet the requirements of Props 13 and 62. So long as an agency's fee requirement does not exceed the reasonable cost of

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[61]/ See, e.g., *Sinclair Paint Co. v. State Board of Equalization* (1997) 64 Cal.Rptr.2d 447; *Shapell Industries, Inc. v. Governing Board* (1992) 1 Cal.App.4th 218, 240; *California Bldg. Industry Assn. v. Governing Bd.* (1988) 206 Cal.App.3d 212, 235-237; *Beaumont Investors v. Beaumont-Cherry Valley Water Dist.* (1985) 165 Cal.App.3d 227, 235-238; *Trent Meredith, Inc. v. City of Oxnard* (1981) 114 Cal.App.3d 317, 325-328; *Mills v. County of Trinity* (1980) 108 Cal.App.3d 656, 661-663; *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854, 898.

[62]/ See Longtin Update at § 8.25[3], p. 664.

[63]/ Cal. Const., art. XIIID, § 2(e).

[64]/ For example, in a 1997 opinion, the Attorney General ruled that water charges were not subject to Prop 218 because they were based on water usage, and not imposed as an "incident of property ownership." (80 Ops.Cal.Atty.Gen. 183 (1997).)

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providing the service or facility for which the fee is imposed, and it is reasonably related to the type of activity on which it is based, the fee will not be subject to these requirements.[65]

Although Prop 218 clearly does not apply to fee impositions existing prior to July 1, 1997, the law may apply to new development fee exactions that are related to property ownership. Under Prop 218, such regulations must be approved by a majority vote of the local electorate.[66] Agricultural mitigation fees are typically based on development, and are not an incident of property ownership. Thus, such exactions would not be subject to the requirements of Prop 218.[67]

D. State Laws

1. Mitigation Fee Act

The Mitigation Fee Act, passed by California voters in 1987, establishes requirements for the imposition of fees on a project.[68] The Mitigation Fee Act would not apply to in-kind mitigation requirements.[69] Thus, the Mitigation Fee Act would only apply to in-lieu fee programs.

The agency imposing a fee as a condition of approval of a development project must comply with four specific requirements:

(1) Identify the purpose of the fee;
(2) Identify the use to which the fee is to be put;

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[65]/ Mitigation requirements for the development of farmland to implement agricultural easements may not constitute a "service" or "facility" in the first place. If this is the case, Propositions 13 and 62 may not apply at all to such exactions.
[66]/ See Curtin, at p. 272.
[67]/ For example, in *Richmond v. Shasta Community Services District* (2004) 32 Cal.4th 409, 426, the California Supreme Court held that an increase of a water service connection fee charged to new users is not subject to Proposition 218 because it is not a property-related fee. The court stated that the water connection charges were not imposed simply by virtue of property ownership, but instead, as an incident of the voluntary act of the property owner in applying for a water service connection. The fees for connection to the system therefore were not imposed as "an incident of property ownership" and were not subject to Proposition 218.
[68]/ Gov. Code, § 66000 et. seq.
[69]/ "'Fee' means a monetary exaction other than a tax or special assessment…that is charged by a local agency to the applicant in connection with approval of a development project." Gov. Code, § 66000, subd. (b) (italics added).

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(3) Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed; and

(4) Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

Moreover, the agency must be able to demonstrate a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development.[70] The fee cannot include costs attributable to existing deficiencies in public facilities.[71] Fees or exactions "shall not exceed the estimated reasonable cost of providing the service or facility for which the fee or exaction is imposed."[72] A local agency cannot require the payment of fees until the final inspection of the development.[73] And finally, "the fee shall not be levied, collected, or imposed for general revenue purposes."[74]

An agricultural mitigation fee that meets these requirements would not violate the Mitigation Fee Act.[75]

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[70]/ Mitigation Fee Act, § 66001, subd. (b). Note that it is unclear whether an agricultural easement would be considered a "public facility" under the Mitigation Fee Act. Mitigation Fee Act, § 66000, subd. (a) defines "public facilities" as including: "public improvements, public services, and community amenities." Agricultural conservation easements typically do not provide public access, though they do provide a benefit to the public.

[71]/ *Id.* at subd. (g).

[72]/ *Id.* at § 66005.

[73]/ *Id.* at § 66007. According to the trial court ruling in the *Stockton* case, the adopted mitgation program did not violate this provision (nor § 66001) because fundamentally it was not a fee program. Instead, the program was "a land use regulation that requires developers of agricultural lands to obtain an in-kind easement preserving an equal amount of other agricultural lands." Payment of the fee is not required; rather, developers were provided an option of paying a fee in certain limited circumstances. (See Statement of Decision dated March 5, 2009 in *BIA v. City of Stockton* (Super. Court San Joaquin County, 2007, No. CV032651). No appeal was filed in this case.

[74]/ *Id.* at § 66008.

[75] / See also *San Mateo County Coastal Landowners' Ass'n v. County of San Mateo* (1995) 38 Cal. App. 4th 523, 551 ("Clearly, the county has ample authority to require dedication of agricultural and open space easements under several provisions of law.").

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2. CEQA

CEQA requires that significant impacts must be mitigated through feasible mitigation measures. According to CEQA, such mitigation includes:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.
(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the line of the action.
(e) Compensating for the impact by replacing or providing substitute resources or environments.

(CEQA Guidelines, § 15370.)

To date, the issue of whether a city or county may impose mitigation under CEQA for the loss of agricultural land is not discussed in a published appellate opinion. However, case law demonstrates that courts and agencies alike have assumed that cities and counties have such authority. Moreover, only a handful of California appellate decisions have addressed whether a city or county must impose such measures under certain circumstances. These cases generally indicate that mitigation for agricultural loss, under the specific circumstances, was not a requirement under CEQA.

a) Published Case Law

Defend the Bay v. City of Irvine (2004) 119 Cal.App.4th 1261 (*Defend the Bay*) is one of only two published decisions to address the issue of mitigation for the loss of agricultural lands. The Fourth District Court of Appeal considered both offsite and onsite preservation as a means for mitigation for the loss of farmland in the context of an Environmental Impact Report ("EIR") prepared for a mixed use development project. The court ultimately agreed with the defendant agency that it was not feasible to mitigate the impact of developing agricultural land.[76] Because agriculture in the area was not feasible in the long-term, and because on-site preservation would reduce development and therefore "impede the City from achieving its General Plan goals and objectives," the court ruled that the City did not need to require mitigation for the project.[77]

[76]/ *Id.* at p. 1269-1270.
[77]/ *Ibid.*

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Also from the Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) concerned a challenge to an EIR for a project that would convert agricultural land to residential uses. Though recognizing the potential for mitigation in the form of agricultural "*conservation easements, Williamson Act preserve status, or temporary protection or conservation plans*," the EIR noted the long-term trend in agricultural land conversion in the region and concluded that mitigation was not feasible.[78] The court upheld the City's determination regarding the feasibility of mitigation on the grounds it was supported by substantial evidence in the record.[79] The court also examined the City and County General Plans, which acknowledged that development pressures were constraining the continued viability of agriculture and included the expansion of housing, commercial and industrial land uses.[80] The court then determined that the project was compatible with these planning documents.[81]

Notably, the opinions in both *Defend the Bay* and *Cherry Valley* did not conclude that, as a matter of law, agricultural easements are never a feasible form of mitigation for the loss of farmland. Instead, these cases concluded that in the particular circumstances surrounding the project, such mitigation was infeasible and therefore was not required to be adopted.

b) Unpublished Case Law

Opinions of any California Court of Appeal or superior court appellate division that are not certified for publication or ordered published cannot be cited or relied on by a court or a party in any other action.[82] There are three unpublished cases addressing agricultural impacts; these cases cannot be relied upon as legal precedent. However, they do provide some insight into potential arguments that may arise in relation to mitigation for the loss of agricultural land, and possible reasoning of the courts.

In *County of Santa Cruz v. City of San Jose* (2003) WL No. 1566913 (*County of Santa Cruz*), the Appellate Court for the Sixth District ruled that CEQA does not require the adoption of mitigation measures for the loss of agricultural land in every Environmental Impact Report ("EIR"). The appellants argued that the EIR for a large-scale development project was insufficient because the City of San Jose ("City") failed to

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[78] / *Id.* at pp. 349-350.
[79] / *Id.* at p. 350.
[80]/ *Id. at p. 353.*
[81]/ *Ibid.*
[82]/ Cal. Rules of Court, rule 8.1115(a).

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require mitigation for the project's significant impact on the loss of open space and agricultural lands.[83] However, the City argued and the court agreed that the purchase of easements or fee title over off-site agricultural lands would not offset the loss of agricultural land caused by the project. According to the City, there would still be a net reduction in the total amount of land suitable for agricultural use that is available for such use.[84] Further, the court recognized that the City's General Plan did not recognize the protection of agricultural land, and instead stated that "it is the City's policy that land designated for development in the General Plan should be developed in the General Plan."[85] Thus, the court ruled that San Jose had acted within its prerogative in deciding not to require agricultural mitigation measures.[86]

In *Friends of the Kangaroo Rat v. California Department of Corrections* (2003) WL No. F040956 (*Kangaroo Rat*) the Fifth District Court of Appeal ruled similarly to the court in County of Santa Cruz.[87] The court held that a subsequent EIR for a prison construction project was adequate even though it did not require any mitigation for the loss of farmland due to the project. As in County of Santa Cruz, the court agreed with the defendants that the loss of farmland could not be mitigated because any attempts at mitigation would not create new farmland, nor would they compensate for the loss of farmland incurred by the project.[88] The court discussed the definition of "mitigation" from the CEQA Guidelines, and stated that "the creation of an agricultural easement does not appear to fall into any of these five categories."[89]

In a 2004 decision, the Third District Court of Appeal explicitly disagreed with *Kangaroo Rat* and supported the theory that, in the context of CEQA, measures should be applied to mitigate for the loss of agricultural land due to development. In *South County Citizens for Responsible Growth v. City of Elk Grove* (2004) WL No. 219789 (Cal.App.3 Dist.) (*South County Citizens*), also unpublished, the court ruled that mitigation of agricultural losses must be addressed in CEQA documents, and conservation fees and easements can potentially mitigate for the loss of agricultural land.

The court decided whether the City of Elk Grove ("City") was required to include mitigation measures in its EIR for the Lent Ranch Marketplace Development Project

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[83]/ *County of Santa Cruz*, at p. 29.
[84]/ *Id.* at p. *30.
[85]/ *Id.* at p. *31.
[86]/ *Id.* at p. *31.
[87]/ Note that *Kangaroo Rat* was initially published, but the California Supreme Court later de-published the decision.
[88]/ *Id.* at p. 565.
[89]/ *Id.* at p. 566.

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("Project").[90] In its EIR, the City concluded that the conversion of farmland from the Project constituted a significant environmental effect.[91] However, the City also concluded in the EIR that no feasible mitigation measure to offset the loss of farmland existed.[92] The City argued that because it was not possible to create or manufacture new farmland, or to reduce the specific loss of farmland converted to urban use through the project, it did not need to impose mitigation measures to offset these losses.[93] Further, the City argued that because it had not conducted a nexus study and did not have a City or County ordinance imposing agricultural mitigation fees, it could not impose such requirements at all.[94]

The Third District Court of Appeal ruled against the City and held that conservation fees can in fact mitigate for the loss of agricultural lands.[95] According to the court, conservation fees and easements can diminish development pressures created by the conversion of farmland, and can help to preserve against the danger of the domino effect created by projects.[96] Thus, the City prepared an addendum to its EIR addressing mitigation for the loss of agricultural land.

3. Conservation Easement Act

The Conservation Easement Act enables a city, county, district, or nonprofit organization to acquire perpetual easements for the conservation of agricultural land and open space, or for historic preservation. (Civ. Code, §§ 815-816.) Under Civil Code section 815.3, a local government entity may not "condition the issuance of an entitlement for use on the applicant's granting of a conservation easement."

Building Industry Association of Central California v. County of Stanislaus, et al. (2010) 190 Cal. App. 4th 582 (*County of Stanislaus*) addresses whether Civil Code section 815.3, subdivision (b) applies to agricultural conservation easements mandated by a city or county's General Plan policies. In the *County of Stanislaus* case, the BIA challenged the Farmland Mitigation Program ("FMP") adopted as an update to the Agricultural Element of the County's General Plan. The General Plan update included specific mitigation requirements for the conversion of agricultural land to residential development via the FMP. Specifically, the FMP required the County to condition

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[90]/ *Id.* at p. *1.
[91]/ *Id.* at p. *3.
[92]/ *Ibid.*
[93]/ *Ibid.*
[94]/ *Id.* at p. *4.
[95]/ *Id.* at p. *8.
[96]/ *Id.* at p. *8.

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discretionary projects converting agricultural land to residential development with the requirement that the agricultural land be replaced at a 1:1 ratio with agricultural land of equal quality located within the County. FMP Guidelines were also considered and adopted. The FMP Guidelines furthermore specified that for a project of 20 acres or more, farmland mitigation must be satisfied by direct acquisition of a permanent agricultural conservation easement, but for a project of less than 20 acres, the County can authorize the payment of an in-lieu mitigation fee.

The BIA challenged the FMP on the grounds that: (1) the County failed to identify its legal authority for mandating the dedication of permanent conservation easements pursuant to its General Plan; (2) there is no reasonable relationship between the requirements of the FMP and the adverse public impacts resulting from agricultural conversion (police power argument); and (3) conservation easements must be voluntary and thus, cannot be required by policies like the FMP.

With respect to the police power argument, the Court held that the BIA had the burden at trial of demonstrating the invalidity of the FMP (not the County's burden to prove the FMP valid), which it did not sufficiently do. Additionally, the court held that the FMP requirements clearly bear a reasonable relationship to the loss of farmland to residential development citing to the goals and policies in the County's agricultural element. The court clarified that "to meet the reasonable relationship standard it is not necessary to fully offset the loss." Reasoning that land use regulation is a function of local government pursuant to the police power, the court also held that, "the trial court [] erred in concluding that the FMP was not authorized by the County's police power."

Finally, and most importantly, the Court held that Civil Code section 815.3, subdivision (b) did not invalidate the FMP. In considering this issue of first impression, the court sided with the County reasoning that the FMP did not violate the statute's prohibition against conditioning the issuance of an approval on the grant of a conservation easement because the applicant and/or developer was not required to grant the easement. "Rather, the FMP allows the applicant to arrange for a third party to voluntarily convey an easement to a land trust or the County." The court's reasoning appeared to be that a developer has a choice to develop or not, and if the developer chooses to develop, that voluntary choice may come with a price (e.g., the permanent protection of one acre of farmland for every acre of farmland developed).

4. Effect of State Laws on Agricultural Mitigation Requirements

The Mitigation Fee Act, CEQA and the Conservation Easement Act do not preclude a jurisdiction from requiring mitigation for impacts to agricultural land. Where

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local governments impose in-kind mitigation requirements rather than fee requirements, the Mitigation Fee Act does not apply. However, when the Mitigation Fee Act is applicable, such as when agencies impose fee requirements to mitigate for the loss of agricultural land, regulations must comply with the requirements of the Act.

Under CEQA, local governments generally have the authority to require mitigation for significant impacts to agricultural lands.[97] As outlined above, courts that have addressed agricultural mitigation programs under CEQA have considered whether such mitigation is necessary, and not whether it is permissible. Furthermore, no challenge of the imposition of agricultural mitigation in the CEQA context has resulted in a published opinion. Moreover, CEQA case law demonstrates that where there is a solid basis in local planning documents, including General and Specific Plans, the courts are more likely to uphold agricultural mitigation programs.

Last, the purpose of the Conservation Easement Act is to voluntarily convey conservation easements to qualified entities to conserve open spaces and other environmental values. Civil Code section 815.3 prohibits jurisdictions from requiring an involuntary conveyance of a conservation easement. Where a landowner chooses to develop a property within a jurisdiction that requires converted farmland to be mitigated with placement of easements on other property, however, this requirement not run afoul of this prohibition.

E. Local Laws

1. Planning and Zoning Law

City and county zoning ordinances and land use decisions must be consistent with General and Specific Plans.[98] Thus, local jurisdictions can justify exactions on the basis that they are necessary to assure consistency with adopted General and Specific Plans.[99] Thus, when development fees and dedication requirements are judicially attacked, many local governments now rely on General and Specific Plans to support their decisions.[100]

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[97]/ Under CEQA, mitigation measures must meet the essential nexus and rough proportionality tests of *Nollan* and *Dolan*. (CEQA Guidelines, § 15126.4, subd. (a)(4).)

[98]/ Gov. Code, §§ 65860 and 65910; see also, *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 570.

[99]/ See, e.g., 58 Ops.Cal.Atty.Gen. 41 (1975), as cited in Longtin § 8.14, p. 787; see also, *J.W. Jones Cos. v. City of San Diego* (1984) 157 Cal.App.3d 745.

[100]/ See *Curtin, supra*, at pp. 27, 259.

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2. Effect of Local Laws on Agricultural Mitigation Requirements

Planning and zoning law provides jurisdictions an opportunity to implement mitigation programs to protect agricultural land. If cities and counties clearly emphasize the importance of farmland in their General and Specific Plans, and include specific programs to protect agricultural land, subsequent regulations to preserve agricultural land should be defensible.

IV. CONCLUSIONS AND RECOMMENDATIONS

A. Legality of Fee and In-Kind Mitigation Requirements

Local agencies have the general authority to implement in-kind and fee mitigation requirements under the police power of the California Constitution.[101] Moreover, the California Legislature's support of and emphasis on agricultural preservation provides a backdrop by which agencies can implement these regulations. However, it is necessary for agencies to ensure compliance with requirements under the United States and California Constitutions, the Mitigation Fee Act, CEQA, the Conservation Easement Act and planning and zoning laws.

1. In-Kind Mitigation Requirements

Because in-kind mitigation requirements do not involve monetary fees, they generally will not trigger Propositions 13, 62 or 218, or the Mitigation Fee Act. Moreover, so long as they are applied legislatively, in-kind mitigation requirements need not meet the nexus and rough proportionality tests under Nollan and Dolan. To comply with Civil Code section 815.3, though a particular landowner may be required to *arrange* for the grant of compensatory easements, the landowner may not be required to actually *grant* a conservation easement.

Under the Equal Protection and Due Process clauses of the United States and California Constitutions, mitigation requirements must bear a rational relationship to a legitimate government interest. Such regulations also cannot be arbitrary. To support the assertion that the protection of agricultural land is a legitimate interest, agencies can also point to their own General and Specific Plans and the State Legislature's statements. As outlined above, courts generally hold in favor of local agencies on this issue in the land use context. As long as in-kind mitigation programs satisfy these requirements, agencies have the legal authority to impose such regulations.

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[101]/ Cal. Const., art. XI, § 7.

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2. In-Lieu Fee Mitigation Requirements

In-lieu fee requirements, in addition to meeting the requirements under Due Process and Equal Protection as outlined above, must either be exempt from or comply with Props 13, 62 and 218. They also must comply with the Mitigation Fee Act.

In order to qualify as exempt from Propositions 13 and 62, a development fee must not exceed the reasonable cost of providing the service for which the fee is charged. Furthermore, the fee must be reasonably related to the type of activity on which it is based. Also, because mitigation fees are not imposed incident of property ownership, such exactions need not meet the requirements under Prop 218.

Under the Mitigation Fee Act, an agency imposing a fee must: (1) identify the purpose of the fee; (2) identify the use to which the fee is to be put; (3) determine that there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed; (4) determine that there is a reasonable relationship between the need for the public facility and type of development project on which the fee is imposed; and (5) determine that there is a reasonable relationship between the amount of the fee and the cost of the public facility attributable to development.

B. Recommendations to Provide a Foundation for and Implement Fee and In-Kind Mitigation Requirements

1. Incorporate Policies and Programs Related to Preservation of Agricultural Land in General and Specific Plans

As demonstrated in the CEQA cases outlined above, courts generally defer to city and county General Plans. Moreover, the General Plan is considered the "constitution for development," and all land use approvals must be consistent with such plans.[102] Thus, agencies can use policies in their General Plans to support implementation of dedication and fee requirements for preserving agricultural land. Jurisdictions should incorporate policies into General and Specific Plans that emphasize the need for permanent preservation of agricultural land. Such policies should specifically support the use of conservation easements for mitigation for the loss of farmland.

[102]/ See *J.W. Jones Cos. v. City of San Diego* (1984) 157 Cal.App.3d 745, 749.

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2. Conduct Nexus Studies

Particularly if implementing a fee program, local agencies should conduct nexus studies. Such studies should analyze and demonstrate an adequate nexus between the mitigation requirement and the impacts of the project, thus providing support for the nexus requirements of *Nollan* and *Dolan* and the Mitigation Fee Act. Such studies should also substantiate the selected mitigation ratio.

3. Include Findings That Demonstrate Compliance

When public agencies adopt mitigation programs, they should also adopt findings that demonstrate compliance with each applicable legal requirement.

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APPENDIX C

ASSESSING THE ECONOMIC AND MARKET TRENDS AFFECTING AGRICULTURE IN THE WESTERN INLAND EMPIRE

Appendix L: Agriculture

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Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire

Prepared by:
Justin L. Adams, Ph.D.

Chang & Adams Consulting

September 2011

About Chang & Adams Consulting:
Chang & Adams Consulting is Sacramento's premier management consulting firm, operating at the intersection of the public and private sectors. We are professional economists who routinely advise clients on market and business trends so that they may assess and understand the environment in which they are operating. We specialize in applying cutting-edge quantitative analyses to help frame and solve public policy and business strategy issues. We advise a range of clients, including government agencies, non-profit organizations, campaigns for initiatives and candidates, and Fortune 1000 companies. We provide them with the analytical insight to shape their strategic direction, improve their operations, and develop sound policies. Copies of resumes of our principals are attached to this report as Appendix A.

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Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire
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Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire (Key Findings)

- The Inland Empire makes up a small part of California's agriculture industry. In 2009, the value of all agricultural production in Riverside and San Bernardino Counties totaled $1.4 billion, compared with $41.4 billion of agricultural production in California as a whole. Additionally, each of the ten most productive agricultural counties in California produces more than Riverside and San Bernardino combined.

- Agriculture is also small compared to other industries in the Inland Empire. The Natural Resources and Mining sector, which is comprised mostly of the agriculture industry, made up 1 percent of the regional economy that year. The largest sectors were Financial Activities (23 percent), Trade (18 percent), and Education and Health Services (11 percent).

- Agriculture is also in decline in the Inland Empire. Between 2006 and 2010, three of the top five agricultural products in Riverside County (nursery stock, milk, and table grapes) decreased in production value or remained flat. Similarly, three of the top five agricultural products in San Bernardino County (cattle and calves, replacement heifers, and trees/shrubs) also have decreased in value and are expected to continue to decrease in value as agricultural operators relocate from the Riverside and San Bernardino Counties in general to places such as Kern County and in some instances out of state.

- The decline in agriculture can be attributed to five key factors:
  - Growth in the demand for housing and development following the 2007 market collapse: After the market collapse in 2007, home prices have stabilized to 2002-2003 prices and monthly home sales have increased since 2009.
  - Growth in the transportation and warehousing sector: Over 40 percent of all goods imported into the United States enter through the Ports of Los Angeles and Long Beach, and most of these goods pass through the Inland Empire for distribution. After declining from 2006 through 2009, imports are rising to near-record levels again.
  - Increased restrictions on water deliveries for agricultural uses after several consecutive drought seasons: Drought conditions led to water allocation cutbacks from both the State Water Project and local water sources, driving the cost of water up across the region as well as limiting access.
  - Higher wages in other industries in the region: Trade, transportation, and construction industries have all seen significant growth in the region and offer higher annual salaries than agriculture for the same skilled and semi-skilled labor.
  - Strong agricultural competition from the southern Central Valley for dairies: The Valley offers cheaper land, a greater number of support industries for agriculture, a larger

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agricultural employment base, and cheaper labor for the dairy industry, as well as agriculture in general.

- Increased regulatory pressures from air quality and local jurisdictions regarding particulate matter emissions and land use adjacency issues.
- The trend in Riverside and San Bernardino Counties is for agricultural operations to continue to shift to places like Kern County regardless independent of land use policy due to the economic issues set forth in this report.

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Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire

1. Introduction

The Inland Empire region of Southern California generally consists of Riverside and San Bernardino Counties, and is located just east of Los Angeles. The two counties encompass more than 4.2 million people. Figure 1.1 below shows the general geography of the region.

Figure 1.1
The Inland Empire

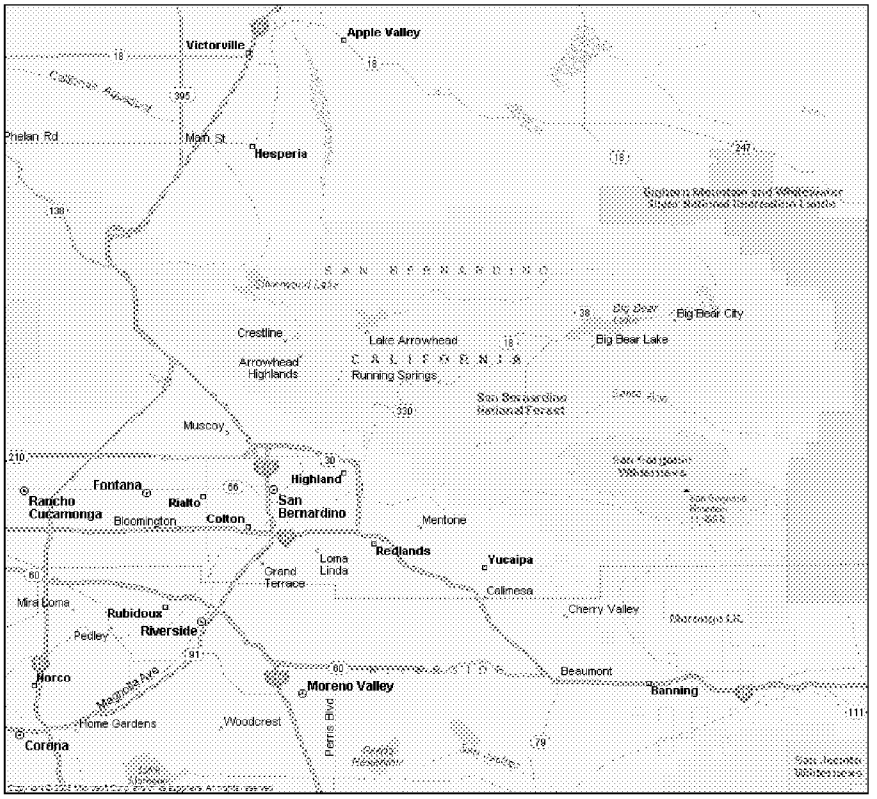

Compared to the rest of the state, the Inland Empire makes up only a small part of California's agriculture industry. In 2009, the value of all agricultural production in Riverside and San Bernardino totaled $1.4 billion. Agricultural production includes crop production, such as for food grains, feed crops, cotton, oil crops, fruits and tree nuts, and vegetables, and livestock production, including meat animals, dairy products, poultry, and eggs.

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Table 1.1
Agricultural Production in California and Inland Empire

Geographic Region	Agricultural Production, 2009 (% of State)	Agricultural Employment, 2007 (% of State)
Riverside/San Bernardino	$1.4 Billion (3.3%)	16,800 (4.3%)
California	$41.4 Billion (100%)	386,400 (100%)

SOURCES: California Department of Food and Agriculture, "County Rank by Gross Value of Agricultural Production, 2008–2009," California Agricultural Resource Directory 2010-2011; California Statistical Abstract, "Wage and Salary Employees in Agricultural Establishments by Areas in California, 1995 to 2007," 2008

By comparison, the value of all agricultural production in California in 2009 was $41.4 billion. The Inland Empire represented just 3.3 percent of this total.

The distribution of employment in the agriculture industry resembles that of production value. In 2007, Riverside and San Bernardino Counties had 16,800 workers in the agriculture industry. This represented 4.3 percent of the 386,000 Californians employed in agriculture that year.

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2. Agricultural Production in the Inland Empire is Small

Compared to other individual counties across the state, both Riverside and San Bernardino Counties produce significantly smaller agricultural output. Each of the ten most productive agricultural counties in California produces more than both counties combined.

Table 2.1
Top California Counties by Value of Agricultural Production, 2009

Rank	County	Total Value ($000)	Leading Commodities
1	Fresno	$5,372,009	Grapes, Tomatoes, Poultry, Almonds, Cattle & Calves
2	Tulare	$4,046,355	Milk, Oranges, Grapes, Cattle & Calves, Corn
3	Monterey	$4,033,718	Lettuce, Strawberries, Nursery, Broccoli, Grapes
4	Kern	$3,606,356	Grapes, Milk, Vegetables, Almonds, Pistachios
5	Merced	$2,460,474	Milk, Chickens, Almonds, Cattle & Calves, Sweet Potatoes
6	Stanislaus	$2,310,071	Milk, Almonds, Chickens, Cattle & Calves, Tomatoes
7	San Joaquin	$2,000,474	Grapes, Milk, Cherries, Tomatoes, Walnuts
8	Ventura	$1,621,575	Strawberries, Nursery Stock, Celery, Raspberries, Lemons
9	San Diego	$1,548,124	Woody Ornamentals, Flowers & Foliage, Bedding Plants, Avocados, Tomatoes
10	Imperial	$1,452,970	Lettuce, Cattle, Wheat, Alfalfa, Broccoli
13	Riverside	$1,015,755	Nursery Stock, Milk, Eggs, Table Grapes, Hay
25	San Bernardino	$355,379	Milk, Eggs, Cattle & Calves, Alfalfa, Replacement Heifers

SOURCE: California Department of Food and Agriculture, "County Rank by Gross Value of Agricultural Production, 2008–2009," California Agricultural Resource Directory 2010-2011

The largest California county by agricultural production in 2009 was Fresno. The county produced nearly $5.4 billion in agricultural commodities, including grapes, tomatoes, poultry and almonds, while the tenth largest California county in 2009 was Imperial, producing almost $1.5 billion in agricultural commodities, primarily through lettuce, cattle, wheat, alfalfa, and broccoli.

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By contrast, Riverside was the 13th largest agricultural producer, generating $1.0 billion in commodities such as nursery stock, milk, eggs, table grapes, and hay, and San Bernardino was the 25th largest agricultural producer, with $355 million in products including milk, eggs, cattle and calves, alfalfa, and replacement heifers. Together, Riverside and San Bernardino Counties produced nearly $1.4 billion in commodities, but still less than Imperial County.

Agriculture is also small compared to other industries in the Inland Empire region. The largest industrial sectors in the Riverside-San Bernardino-Ontario Metropolitan Statistical Area in 2009 were Financial Activities, Trade, and Education and Health Services. These represented 23 percent, 18 percent, and 11 percent of the Inland Empire's economic activity, respectively, as seen in Figure 2.1.

Figure 2.1
Shares of Private GDP for Riverside-San Bernardino-Ontario, 2009

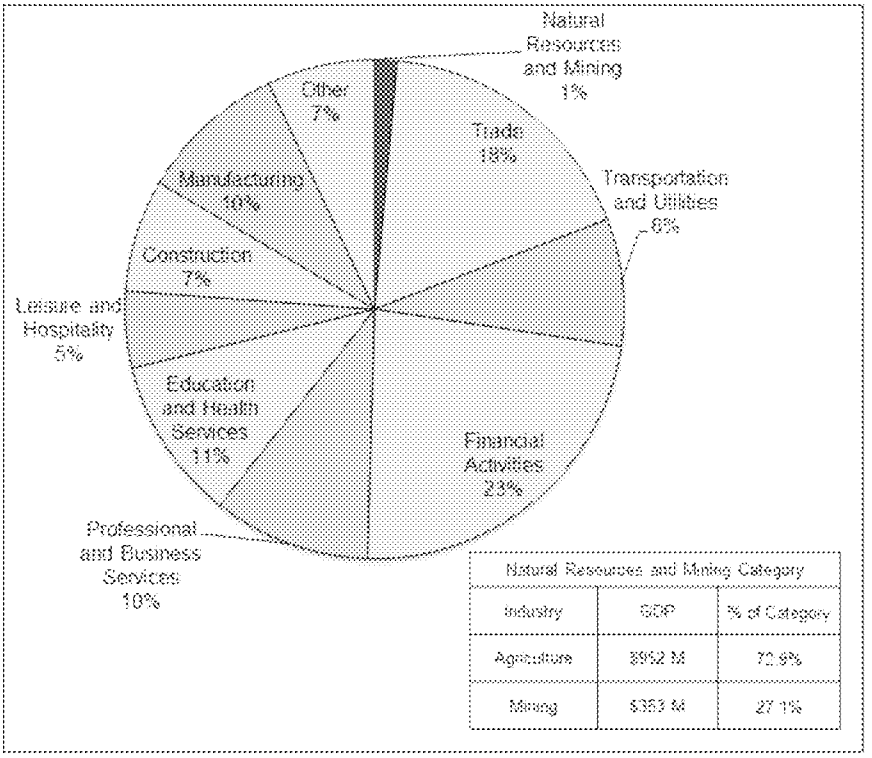

SOURCE: Bureau of Economic Analysis, U.S. Department of Commerce, "Gross Domestic Product by Metropolitan Statistical Area, Riverside-San Bernardino-Ontario 2009," accessed August 2011 (http://www.bea.gov/iTable/iTable.cfm?reqid=70&step=1&isuri=1&acrdn=2)

By contrast, the Natural Resources and Mining sector made up 1 percent of the regional economy that year. This sector includes both the agriculture and mining industries. In fact, given that the agriculture industry comprises about 73 percent of the sector, then in essence agriculture currently makes up about seven-tenths of 1 percent of the Inland Empire's economy.

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3. Agriculture in the Inland Empire Continues to Decline

Both Riverside and San Bernardino Counties have seen declines in production for some of their top agricultural products since 2006. Three of the top five agricultural products in Riverside County have decreased in production value or remained flat since 2006 as seen in Figure 3.1. From 2006 to 2010, the top five agricultural products in Riverside County by combined value were nursery stock, milk, table grapes, eggs, and bell peppers.

Figure 3.1
Riverside County Leading Agricultural Values (Top 5 Products)

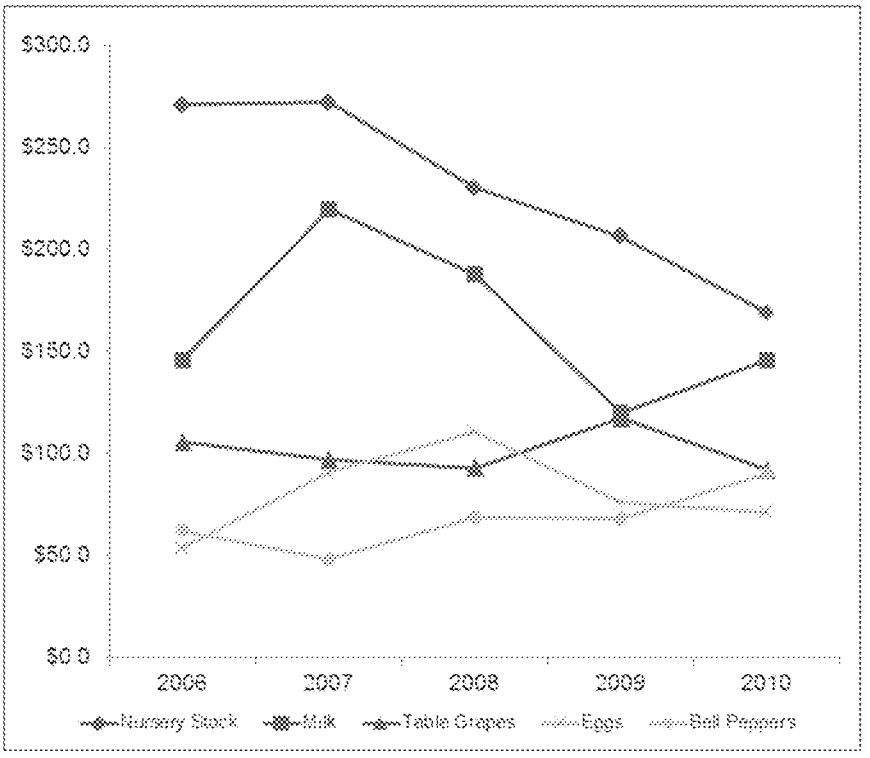

SOURCE: Agricultural Commissioner's Office, County of Riverside, Riverside County Annual Production Report, Assorted Years

Over this five-year time period, three of these agricultural products declined in value in the County or remained flat: nursery stock dropped from $270 million in production value to under $170 million; after a brief run-up, milk production began and ended at $145 million; and table grapes declined in production value from over $105 million to around $92 million. Although eggs and bell peppers did experience higher production values over the five-year period, these are less valuable agricultural products.

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Figure 3.2
San Bernardino County Leading Agricultural Values (Top 5 Products)

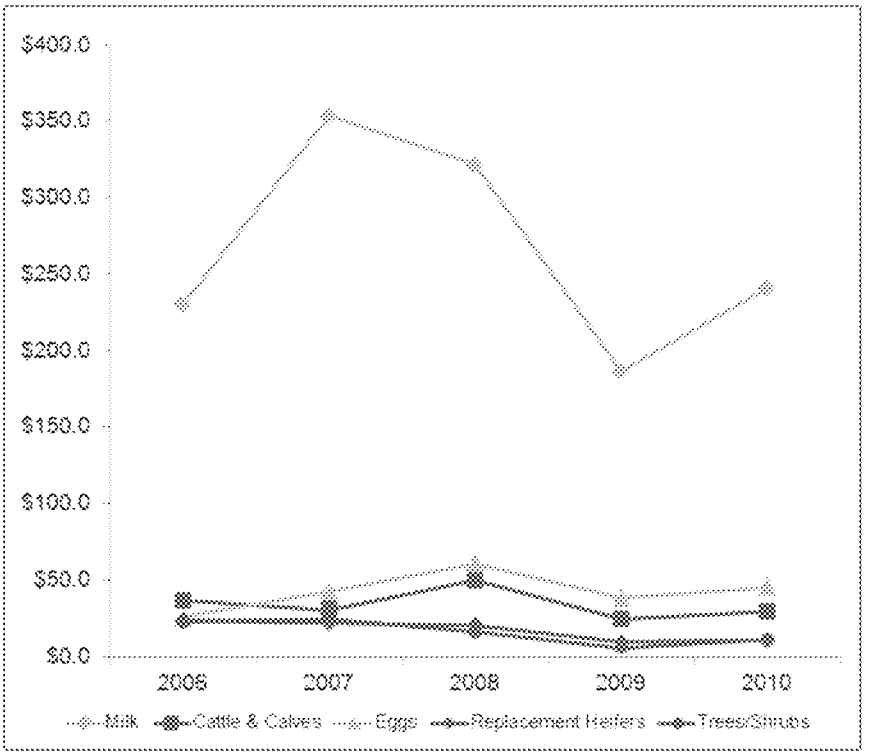

SOURCE: Department of Agriculture/Weights and Measures, County of San Bernardino, Crop and Livestock Report, Assorted Years

Though San Bernardino did not face as significant losses as Riverside, it has still seen falling revenues. Since 2006, three of the top five agricultural products in San Bernardino County have decreased in value, seen in Figure 3.2. From 2006 to 2010, the top five agricultural products in San Bernardino County by combined value were milk, cattle and calves, eggs, replacement heifers, and trees/shrubs.

Over this five-year time period, three of these agricultural products declined in value in the County: the production value of cattle and calves decreased by nearly $7 million; replacement heifers lost over half of their production value, with a drop from $24.2 million to $10.4 million; and trees and shrubs lost nearly half of their production value, declining from $22.8 million to $11.5 million. Additionally, there was little growth in milk production (just over $10 million) in the county despite it being the top product, and eggs also saw higher production by about $19 million over the five years.

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4. Five Major Barriers Limit the Inland Empire's Agriculture Industry

With the agriculture industry continuing to decline in the Inland Empire, five major barriers to the industry were identified. These barriers center on pressures from competing industries, environmental concerns, and operations costs:

- Growth in Demand for Housing and Development
- Growth in Trade and Transportation Sectors
- Increased Restrictions on Water
- Higher Wages in Other Industries
- Strong Agricultural Competition from Central Valley

4.1. Growth in Demand for Housing and Development

The Inland Empire generally boasts relatively inexpensive land values compared to other regions of California, such as the coastal counties, making the Inland Empire attractive to developers looking to build residential and commercial property. Beyond this, the return of home prices in the region to more traditional levels has also spurred additional investment in land purchases and developments.

The Inland Empire region saw robust demand for housing during the previous decade, as reflected by significant increases in median home prices between 2002-03 and 2006 to record highs for the region. Much of these gains were erased with the market collapse of 2007, however, with home prices returning to levels last seen in 2002 and 2003. But some analysts believe that the housing market in the region has finally begun to stabilize given that home and land prices are beginning to inch higher. Whittlesey Doyle, a land brokerage firm based in Irvine, stated that a number of recent land deals to homebuilders in the Inland Empire indicate that the market is rebounding.[1]

[1] Wesley G. Hughes, "Land buyers back in game," Inland Valley Daily Bulletin, December 6, 2010.

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Figure 4.1
Inland Empire Median Home Sales Price, July 2000-July 2011

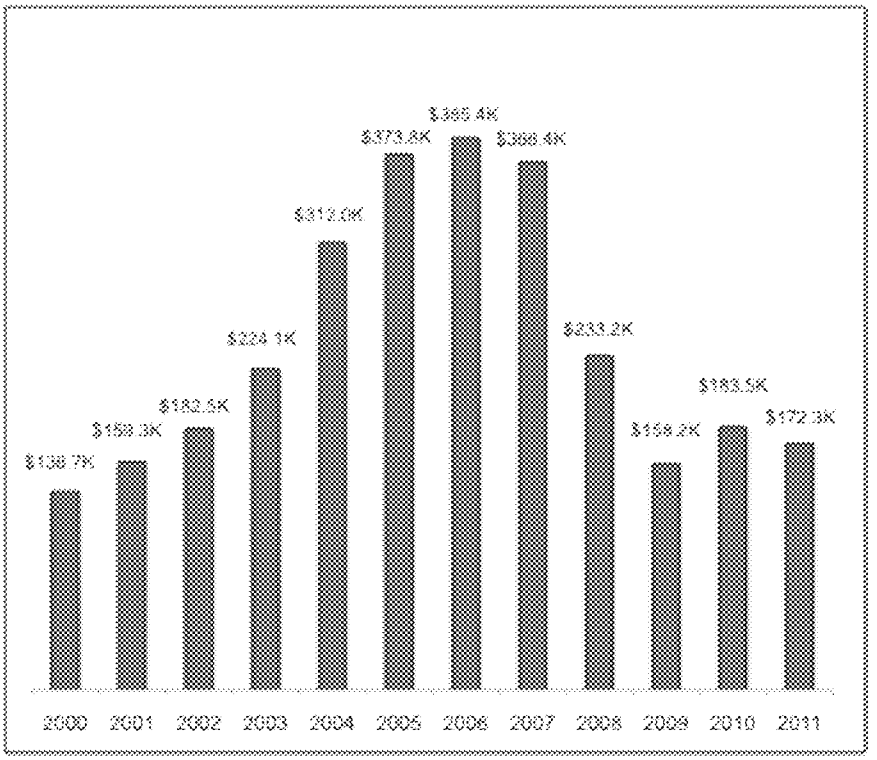

SOURCE: California Association of REALTORS, "Median Prices of Existing Detached Homes, Historical Data"

As shown in Figure 4.1, the median home sales price in the Inland Empire was just over $385,000 at the peak of the real estate market in 2006. When the market dropped to its low in 2009, the median sales price had fallen 59 percent to just over $158,000. Though prices have fallen significantly since 2007, the median price actually began to increase in 2010 to over $183,000. While there has been some retrenchment in prices this year, they still remain above $172,000.

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Figure 4.2
Monthly Home Sales

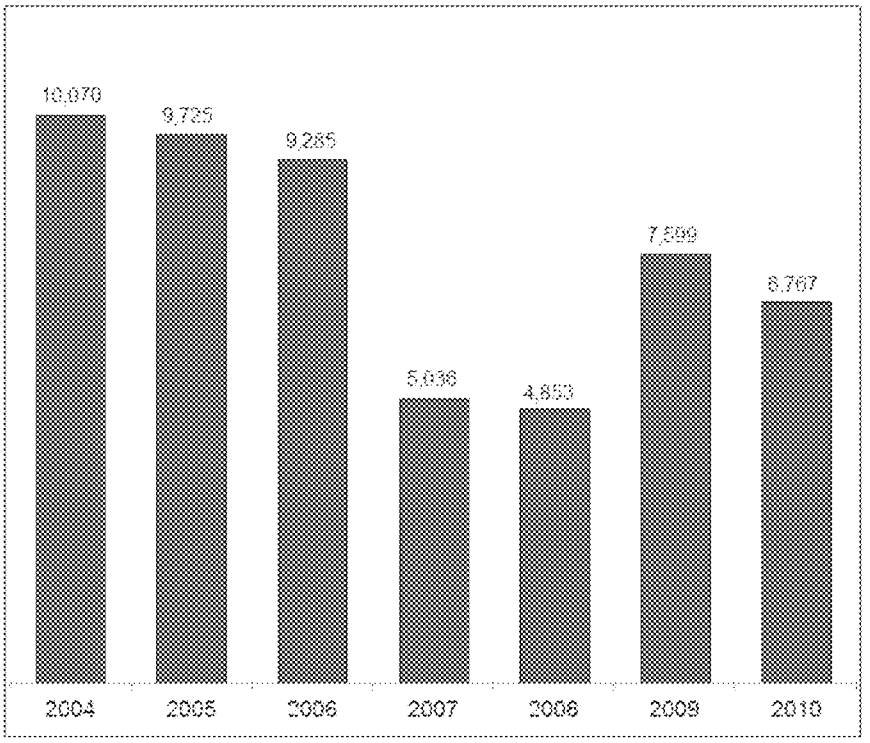

SOURCE: DataQuick Information Systems, "Southland Home Sales," 2004-2010

Correspondingly, monthly home sales have tapered off from their peak in 2004, as illustrated in Figure 4.2. As home prices have decreased, there has been an increase in monthly home sales in the region. Though sales remain off of their historic highs, monthly home sales indicate that consumers are buying properties again and driving some growth in the market.

With home prices stabilizing and home sales returning, newspaper accounts and anecdotal evidence suggest that several large homebuilders have indicated that they have begun purchasing more land and restarting stalled home developments across the region.

4.2. Growth in Trade and Transportation Sectors

On the commercial front, the agriculture industry faces increasing competition from trade and transportation, two of the largest industrial sectors in the Inland Empire. Transportation, warehousing, and other goods movement industries are strong in the region because of their proximity to the Ports of Los Angeles and Long Beach and because of the abundance of relatively inexpensive land for distribution centers and transportation hubs.

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Figure 4.3
Flow of Imported Containers, Los Angeles-Long Beach Ports

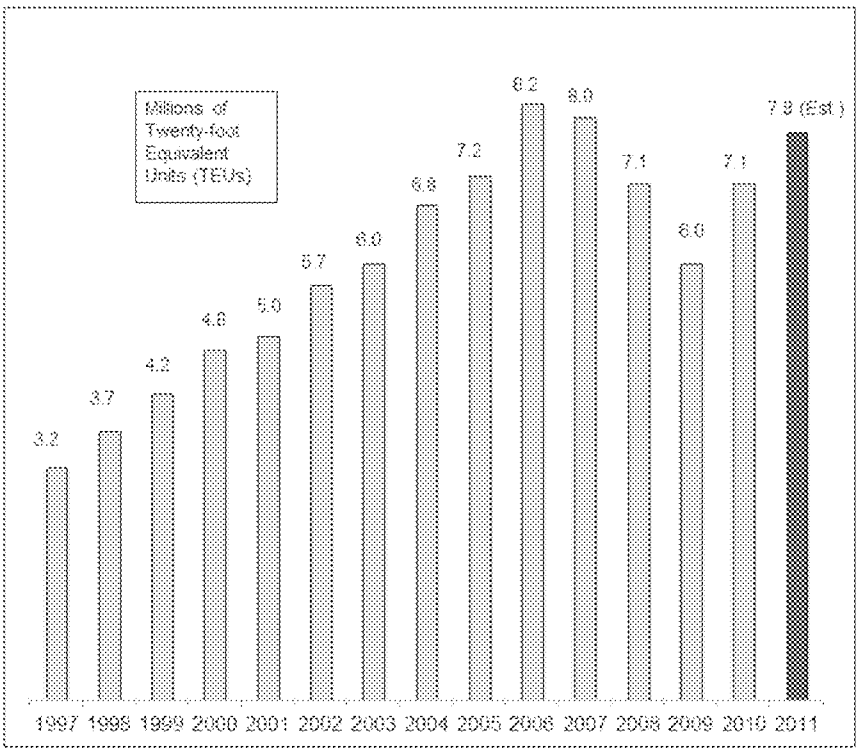

SOURCE: Husing, John, Inland Empire 2011… Start of the Recovery?, Economics & Politics, Inc., April 2011

Over 40 percent of all goods imported into the United States enter through the Ports of Los Angeles and Long Beach, and most of these goods pass through the Inland Empire for distribution. The Burlington Northern Santa Fe (BNSF) Railway has an intermodal railroad yard located in San Bernardino, for example. The Union Pacific Railroad has its main switching yard in Colton as well.

And as shown in Figure 4.3, imports into the Ports of Los Angeles and Long Beach have begun to rebound from the recent recession. Imports as measured by Twenty-foot Equivalent Unit (TEU) containers steadily increased between 1997 and 2006 from 3.2 million TEUs to 8.2 million TEUs. With the recession, imports dropped in 2009 to 6.0 million – the same level as seen in 2003. But as a sign that economic activity is returning to California and the United States, imports into the Ports of Los Angeles and Long Beach increased to 7.1 million TEUs in 2010 and are projected to reach 7.8 million TEUs in 2011. These represent near-record levels of goods movement in the region.

4.3. Increased Restrictions on Water

The State Water Project was constructed in the 1950s and 1960s to provide most of California, particularly Southern California, with a stable statewide water resource to

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augment local sources. Currently, the State Water Project provides supplemental water to approximately 25 million Californians and about 750,000 acres of irrigated farmland. Each year, its contracting water agencies make water allocation requests and the state Department of Water Resources plans the initial allocation percentage. Over the course of the year, these allocations can be increased to adjust for wet years, or rolled back in cases of drought.

California faced severe drought conditions for most of the latter-half of the previous decade, however. These conditions necessitated reduced water allocations to the Inland Empire through the State Water Project, and hindered farms and dairies' ability to extract water from their nearby groundwater basins and reservoirs.

Figure 4.4
State Water Project Allocations to Inland Empire Water Districts

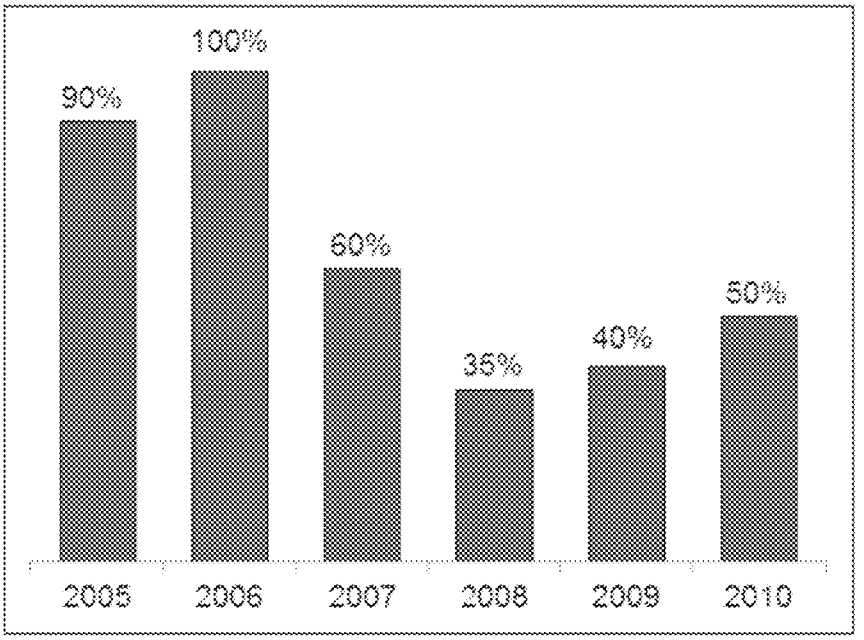

SOURCE: California Department of Water Resources, Notice to State Water Project Contractors, 2005-2010

As illustrated in Figure 4.4, drought conditions following 2006 led to a decrease in State Water Project allocations across California between 2007 and 2010. The drought was so severe that in 2008 only 35 percent of water allocations were provided. Last year the allocation was only 50 percent. A wet 2011 combined with heavy snowpacks promises to increase allocations, however much of the damage to the agriculture industry has already occurred considering that the operating costs to the Inland Empire's agriculture industry have been severely impacted by the water restrictions.

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Additionally, water extractions from the San Bernardino Basin have also steadily declined over the previous decade. This is shown in Figure 4.5 below. As the secondary water resource for the region, groundwater and reservoir stores backfill losses to agriculture from the State Water Project. Restrictions on forced groundwater recharge and environmental regulations have also decreased the amount of water extracted from these sources, even in drought seasons.

Figure 4.5
Water Extractions from the San Bernardino Basin

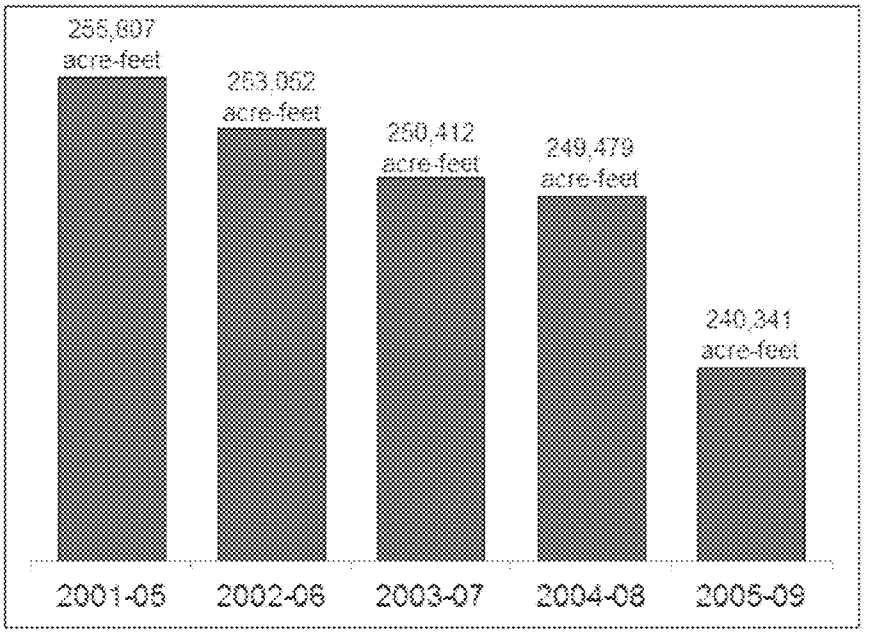

SOURCE: Western-San Bernardino Watermaster, "Annual Report of the Western-San Bernardino Watermaster," Calendar Year 2010

With respect to agriculture, water restrictions adversely impact the industry in a couple of ways. First, they limit the amount of water available for crops and livestock, requiring farmers and ranchers to reduce the size of their production and thus negatively impacting their revenue, according to Gregg Warren, vice president of American AgCredit[2]. Additionally, farmers and ranchers' costs rise as well since the inputs obtained from associated agricultural industries, such as feed, become more scarce and therefore more expensive.

[2] Chris Sieroty, "Inland Farmers Facing Several Threats," The Business Press (Riverside, CA), March 23, 2009.

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4.4. Higher Wages in Other Industries

Improved economic conditions have brought a resurgence of housing and other industries such as trade and transportation in the Inland Empire. This resurgence has resulted in more job opportunities that provide higher salary options for skilled and semi-skilled labor.

Figure 4.6
Occupations in the Inland Empire

Occupation	Estimated Employment, 2010	Mean Annual Salary, 2010
Construction and Extraction	51,850	$48,720
Office and Administrative Support	195,850	$33,900
Sales and Related Occupations	121,510	$32,860
Transportation and Material Moving	108,130	$32,400
Personal Care and Service	31,190	$24,370
Farming, Fishing, and Forestry	58,402	$21,400
Food Preparation and Serving Related Occupations	111,450	$21,310

SOURCE: U.S. Department of Labor, "Occupational Employment Statistics, May 2010, Riverside-San Bernardino-Ontario, CA, " accessed August 2011 (http://www.bls.gov/oes/current/oes_40140.htm)

As shown in Figure 4.6, agriculture competes with a number of other higher-paying industries for hired labor. Compared to other skilled and semi-skilled employment, agricultural salaries lag behind most of their counterparts across the region. Construction jobs, for example, have highest mean salary of the group at $48,720 a year. Additionally, three of the four largest occupations in the Inland Empire – office and administrative support, sales and related occupations, and transportation and material moving – all provide higher mean salaries for employees with semi-skilled or low-skilled backgrounds. In fact the third-largest occupation, food preparation and serving, had a mean annual salary only $90 below that of agriculture.

Jack King, of the California Farm Bureau Federation, pointed out that even agricultural wages increases were not enough to draw an adequate amount of agricultural workers. He

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stated that even with raises, the soft market will only allow agriculture to make limited raises.[3]

It should be noted that the farming employment figure does not take into account family labor and other non-paid employment. That said, the total employment and mean annual salary for agriculture do not compare favorably to other equivalent employment opportunities in the region, particularly as the agricultural industry continues to decline relative to other industries such as transportation and construction.

4.5. Strong Agricultural Competition from Central Valley

The fifth barrier involves competition with the southern Central Valley for agricultural production, particularly with respect to the dairy industry. The dairy industry comprises the production of milk, meat, and feed, such as alfalfa and hay. Milk is the largest agricultural product for San Bernardino County, and it is the second largest in Riverside County. As shown in Figure 4.7 below, dairy and nursery production accounts for approximately 45.4 percent of all agricultural production in the Inland Empire. In fact, dairy alone accounts for approximately one-third of all agriculture in the region.

Figure 4.7
Agriculture in the Region

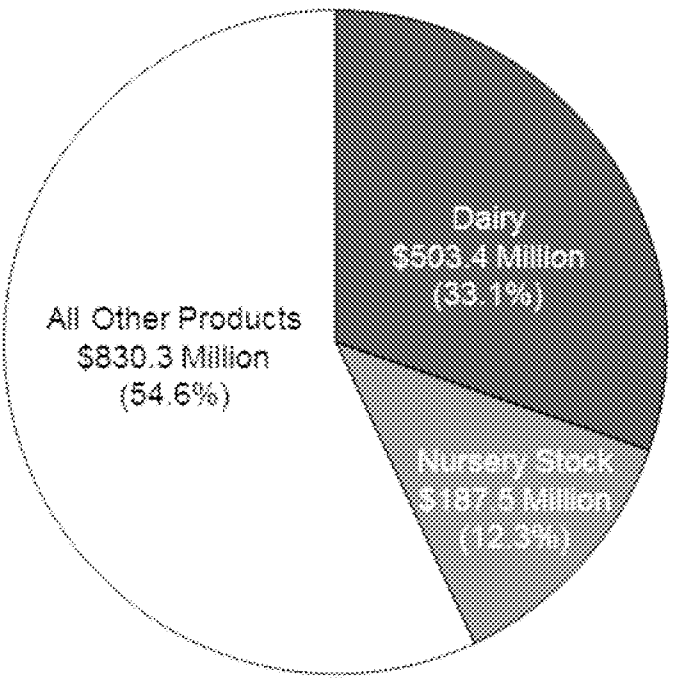

SOURCE: Department of Agriculture/Weights and Measures, County of San Bernardino, Crop and Livestock Report, Assorted Years; Agricultural Commissioner's Office, County of Riverside, Riverside County Annual Production Report, Assorted Years

[3] Andrew Silva, "Lack of laborers leaves crops to rot," Inland Valley Daily Bulletin (Ontario, CA), December 13, 2006.

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Bill Van Leeuwen, a dairy farmer from the region, has expressed surprise at the speed with which the milk industry is leaving the Inland Empire for places such as the Central Valley.[4]

The Central Valley produces milk more cheaply than the Inland Empire does. In the Southern California region (consisting of San Luis Obispo, Santa Barbara, San Bernardino, Los Angeles, Riverside, Imperial and San Diego counties), the average total investment per cow is $274 more than in the Southern Central Valley (consisting of Fresno, Tulare, Kings and Kern counties). The average total investment per cow takes into account all expenses, capital costs, and operating costs for every cow on the dairy. This is shown in Figure 4.8 below.

Moreover, dairy production in the Central Valley is far larger than that in the Inland Empire. The total number of milk cows in Tulare County alone (502,395) more than quadruples the number in the Southern California region. This is also shown in Figure 4.8 below.

Figure 4.8
Total Dairy Costs, 2010

	Southern California	**Southern Central Valley**
Average Total Investment per Cow	$2,993	$2,719
Total Cows	119,805 (San Bernardino and Riverside)	983,954
Hourly Wage, All Hired Labor	$16.23	$13.78

SOURCE: California Department of Food and Agriculture, "California Dairy Statistics," 2010 Data; California Department of Food and Agriculture, "Cost of Production" 2010 Annual Report

Additionally, hourly wages are roughly $2.50 higher in the Southern California region than the Central Valley. The cheaper costs to operate in the Southern Central Valley can make a significant difference in the bottom line of dairy producers. In fact, there has been anecdotal evidence of dairy ranchers selling land in the Inland Empire and using those profits to open or expand dairy operations in the Central Valley.

[4] Jerry Hirsch, "Dairies Moving Out of Inland Empire," Los Angeles Times, January 9, 2006.

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5. Conclusion

Our analysis shows that agriculture is small compared to other industries in the Inland Empire – Riverside and San Bernardino Counties – and is continuing to decline in importance in the region. We identify a number of systemic and regional economic factors that create significant economic barriers to the continued viability of agriculture in the Inland Empire. These barriers include the growth in demand for housing and development; the growth in the trade and transportation sectors; increased restrictions on water; higher wages in other industries; and strong agricultural competition from the Central Valley.

It should be pointed out that the decline of agriculture in the Inland Empire and the barriers to its viability are independent of any land use policies pursued by Riverside and San Bernardino Counties. That is, the market forces affecting agricultural production in Riverside and San Bernardino Counties will continue to shrink the industry in the future regardless of potential local efforts to preserve agricultural production through land use policies or other similar measures.

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JUSTIN L. ADAMS, PH.D.
Director
Chang & Adams Consulting

PROFILE: A seasoned political economist who brings a combination of practical and theoretical expertise in public policy as well as fiscal and economic analysis. Over 12 years of experience as a consultant and an executive in state government. A Ph.D. with deep knowledge of economics, political science, game theory, and public policy. Familiarity with techniques for surveying and analyzing large data sets, including regression analysis.

PROFESSIONAL EXPERIENCE:

07/09 – present **Chang & Adams Consulting** Sacramento, CA
Director
- Provide economic analysis and strategy consulting to Fortune 1000 companies at the intersection of the public- and private-sectors. Provide policy, economic, and public finance analysis as well as operations consulting for government agencies and not-for-profit organizations.

10/07 – 06/09 **Forward Observer, Inc.** Sacramento, CA
Director of Economics
- Led the economics business unit of a political and public policy consulting firm. Oversaw the development of all of the firm's fiscal and economic studies, approved their analytical methodologies, and testified in front of the Legislative Analyst's Office.

08/01 – 09/07 **The RAND Corporation** Santa Monica, CA
Associate Economist
- Specialized in research and analysis focusing on domestic and international economic development, defense economics, and the economics of public-sector organizations. Projects included performance-based logistics and information technology consulting for the U.S. Army; purchasing and supply management best practices for the U.S. Air Force; and, the design of a viable economy for an independent Palestinian state. Developed growth accounting models and other economic frameworks to guide the analyses, and supplemented these analyses with surveys and insights drawn from expert interviews and background research.

06/96 – 09/97 **California Department of Transportation** Sacramento, CA
Special Assistant to the Chief Deputy Director
- Supported the COO of a $6 billion, 17,000-person organization. Managed Caltrans' $200 million Administrative Program, providing accounting, personnel, information technology and facilities services to the entire department. Led cross-functional team in reorganization of Caltrans' administrative service units. Collaborated on executive-level teams to spin off Equipment Service Center, streamline Caltrans, and protect California's infrastructure.

03/95 – 05/96 **California Department of Housing and Community Development** Sacramento, CA
Assistant for Policy Development
- A member of the Department's executive staff. Analyzed the fiscal and economic impact to California of state and federal legislation affecting housing. Authored policy white papers on homelessness and departmental reorganization.

08/94 – 02/95 **California Office of the Governor** Sacramento, CA
Staff Economist
- Analyzed the fiscal and economic impact to California of federal appropriations, clean air regulations, and natural disasters.

EDUCATION: **Stanford University Graduate School of Business** Stanford, CA
Ph.D., Business. Specialization in Political Economics
Dissertation: *Expertise vs. Control in the U.S. Congress*

Stanford University Stanford, CA
A.M., Political Science

Stanford University Stanford, CA
A.B., Economics and Political Science

FELLOWSHIPS AND AWARDS:

1998-99	Public Affairs Fellow, Hoover Institution on War, Revolution and Peace	Stanford, CA
1990-94	Stanford Graduate School of Business Fellowship	Stanford, CA
1990	National Science Foundation Minority Graduate Fellow, Economics	Stanford, CA

ANDREW J. CHANG
Managing Director
Chang & Adams Consulting

PROFILE: Seventeen years of experience working with both high-level executives and operations staff on sensitive issues under tight deadlines in both the private and public sectors. Eight years strategy and operations consulting experience with emphasis on customer analysis and market entry strategies. Twelve years public policy development and implementation experience in California State government. Extensive experience working with a broad array of stakeholders to design, implement and monitor organizational initiatives.

PROFESSIONAL EXPERIENCE:

07/09 – present **Chang & Adams Consulting** Sacramento, CA
Managing Director
- Provide business intelligence and strategy consulting to Fortune 1000 companies with an emphasis on private sector interaction with government. Private sector specialization in assessing and identifying new market opportunities and developing strategies to enter new markets. Public sector emphasis on public policy, economic and public finance analysis and operations management consulting.

04/07 – 07/09 **Forward Observer, Inc.** Sacramento, CA
Vice President
- Provide business intelligence and strategy consulting to Fortune 1000 companies to support market entry initiatives. Provide business-political risk and due diligence assessment for investment companies. Conduct fiscal, economic and public policy assessments.

08/04 – 04/07 **California Department of General Services** Sacramento, CA
Chief Deputy Director
- Chief Financial and Operations Officer of a state department with $1 billion annual operating budget, thirteen business units and 4,000 employees. Oversaw the state's procurement and real estate operations. Also responsible for the state's telecommunications, automobile fleet, printing, warehousing, insurance and school construction operations.
- Special assignment to the Governor's Office to serve as chief staff economist for the Governor's Council of Economic Advisors. Facilitated Council meetings, prepared written briefings for the Governor on policy issues for consideration and assisted Council members with original research to present at the Council meetings.
- Special assignment to the California Department of Corrections and Rehabilitation to assess the agencies procurement operations and develop recommendations to improve procedures and operations.

06/00 – 08/04 **A.T. Kearney, Inc.** San Francisco, CA
Senior/Engagement Manager (06/02 – 08/04)
- Lead teams to develop strategies for new lines of business for a Fortune 1000 technology company, a national consumer products consortium and an international consumer products retail company.
- Lead teams to develop strategies to both acquire and sell technology services, R&D and manufacturing business units.
- Analytic and modeling methods subject matter expert. Finance and Accounting business processes subject matter expert.

Associate Management Consultant (06/00 – 06/02)
- Conduct research and develop recommendations for various clients in the high technology and consumer products industries.

12/98 – 02/00 **MGT of America, Inc.** Sacramento, CA
Senior Management Consultant
- Implemented studies to improve finances and operations for Cleveland Unified School District, Florida State University and the California Resources Agency.

10/95 – 12/98 **California State and Consumer Services Agency** Sacramento, CA
Assistant Secretary for Policy and Operations
- Executive of a government agency with an annual operating budget of $1.3 billion, twelve departments and over 14,000 employees.
- Under supervision of the Secretary, guided agency and department policies, budgets and strategic plans.

05/95 – 10/95 **Personal Staff of Governor Pete Wilson** Sacramento, CA
Chief Economist/Deputy Issues Director
- Managed the development of national tax, trade, environment, agriculture and crime policies for Governor Pete Wilson's presidential campaign.

09/93 – 05/95 **California Office of the Governor** Sacramento, CA
Deputy Chief Economist
- Lead research teams to assess the economic and fiscal impact of tax, economic development, health care and immigration policies.

EDUCATION: **University of Michigan** Ann Arbor, MI
Master of Business Administration Essentials (1 of 30 A.T. Kearney consultants selected globally to participate in a tailored executive MBA program.)

Georgetown University Washington, DC
Master of Public Policy

University of California Berkeley, CA
Bachelor of Arts

CBRE CONSULTING

CBRE
CB RICHARD ELLIS

355 South Grand Avenue, Suite 1200
Los Angeles, CA 90071-1549

T 213 613 3750
F 213 613 3780
www.cbre.com

January 19, 2009

Dana Whitmer
Vice President
Sares Regis Group
18802 Bardeen Avenue
Irvine, CA 92612

Re: Economic Viability of Agriculture in the West Inland Empire

Dear Mr. Whitmer:

Per your request CBRE Consulting has examined the economic and market trends affecting agriculture operations throughout California, with particular attention to the specific challenges relative to the communities of Chino and Ontario in the western Inland Empire.

Founded in 1978 as Sedway Group, CBRE Consulting is a nationally recognized full-service real estate and urban economics consulting firm with offices in Los Angeles and San Francisco. CBRE brings a multi-disciplined approach to property evaluation of all major land use types. CBRE specializes in real estate market analysis, economic development studies for residential, commercial and industrial projects throughout California and the western United States.

BACKGROUND

The Inland Empire once held the largest concentration of dairies in the world, with most of them in the Chino/Ontario basin. This region is now facing tremendous urbanization and development pressures. According to the San Bernardino County General Plan, the agricultural land is continually declining. According to the State of California, Department of Conservation, the County lost 47,000 cares of farmland from 1990 through 2002. Riverside County lost 50,000 acres in prime farmland over the same period.

For this analysis, CBRE performed an extensive internet/literature search relative to the economics of agricultural and dairy farming to understand the economic and other challenges to continued agriculture uses in the Inland Empire. CBRE also gathered relevant demographic, real estate and other economic data to illustrate historic and projected land use trends near Chino and the western Inland Empire.

There are many factors which demonstrate the infeasibility of agriculture production in Western Inland Empire, resulting in many dairy operators moving to Kern County.

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- Urbanization in the Inland Empire, resulting in dramatically increasing land prices,
- Higher water and labor costs;
- Environmental regulation (insects, odors, ground water contamination and solid waste removal) and,
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

1. **Increasing Land Values**
   Due to competing land uses, land prices have increased dramatically in the area in excess of $300,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of the Ontario Sphere of Influence General Plan in 1998, which provided for significant residential and commercial development, encouraged the farmers to sell their land and relocate.

2. **Conflicts between Urban Neighbors and Dairy Farms**
   The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

3. **Increasingly Stringent Environmental Regulations**
   The Region 8 Water Board, which encompasses Chino/Ontario, was among the first to develop environmental regulations to control dairy operations, with increasing restrictions imposed in 1994, 1999 and 2004, as the proximity of urban neighborhoods, contamination of ground water and air pollution started raised more concerns.

4. **Competition from Central Valley**
   The dairy farmers in the Chino basin face stiff competition from the farmers in the Central Valley because of "high operating costs, including high feed costs and the cost of manure disposal" (Ontario Sphere of Influence General Plan, which is hereby incorporated by reference).

   A study published in Agriculture and Resource Economics Review in 2008 demonstrated the effect of environmental regulations over time and the growth in dairy industries, attributed to the cheap land and relatively weak regulations in the Central Valley.

   According to CDFA, milk production has declined by 55 percent in San Bernardino County between 2003 and 2007, while production increased by 88 percent in Kern County.

   Figures 1 and 2 on the following page show trends in the number of milk cows in the Central Valley (Region 5) as compared to the loss in Region 8 from 1980 to 2008.

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Figure: 1
Milk Cows in Counties of Region 5 Central Valley

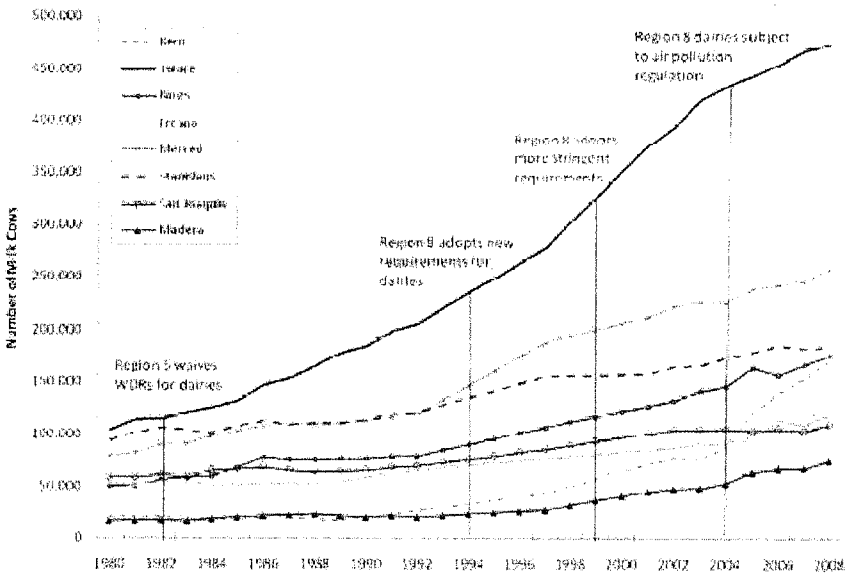

Source: Steeringer and Hogle, 2008

Figure: 2
Milk Cows in Region 8 – Inland Empire

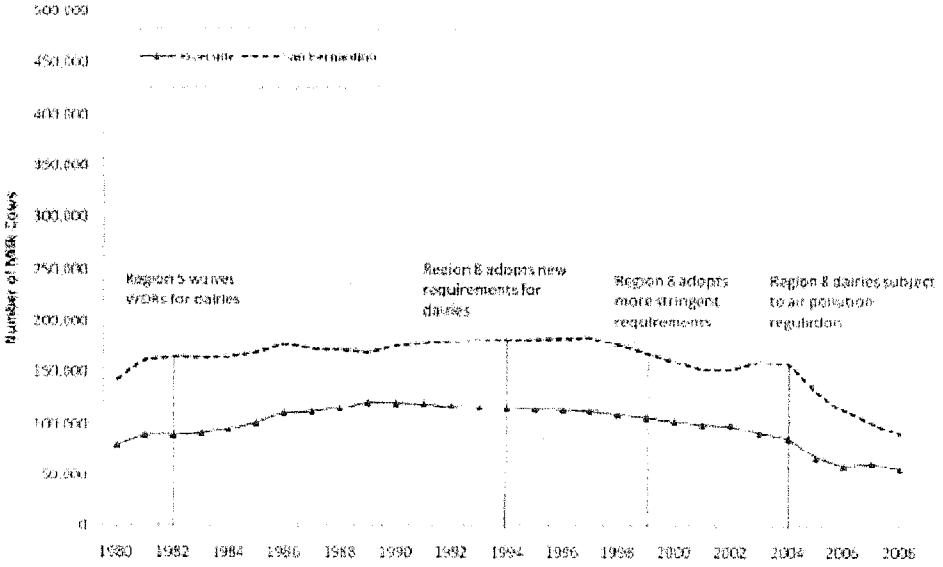

Source: Steeringer and Hogle, 2008

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The Central Valley farmers also face few development pressures as compared to the Chino area and they benefit from diverse farm economy, which is no longer present in the Chino basin. For example, the farmers use dairy waste to fertilize their own crops or of the neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

5. Operating Costs

According to the CDFA, production costs in dairy industry have risen by 50 percent since 2002 in California, putting more pressure on dairy farmers to cut other costs. Figure 3 below shows the growth in cost of production per CWT from 2002 to 3rd quarter 2008.

Figure 3
Cost of Production in the California Dairy Industry

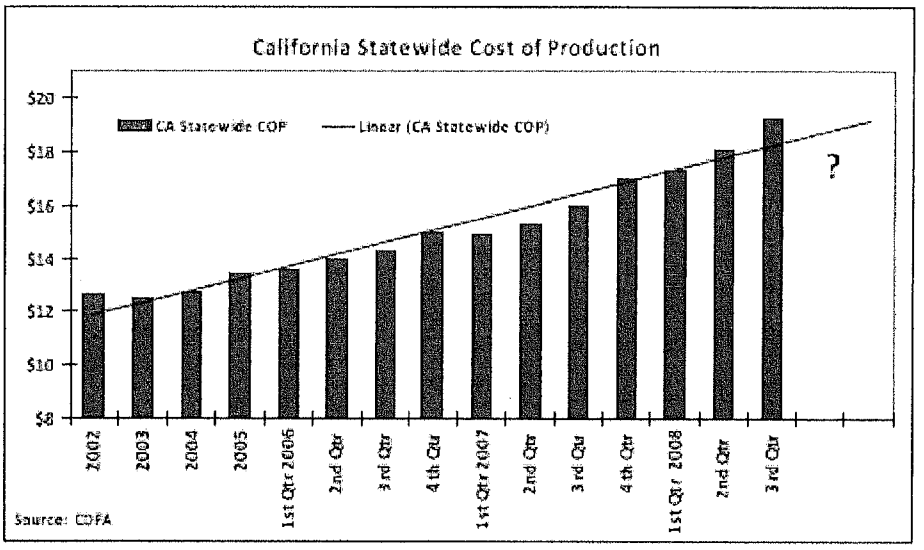

Source: California Department of Food and Agriculture, 2008

Labor Costs

There is a shortage of labor in the dairy industry. Many agricultural workers are looking for higher paying jobs in non-agricultural industries according to the CDFA, which makes it difficult for the dairy farmers to compete for labor and leads to increased labor costs.

The issue of immigration and compliance also leads to labor problems. As shown in Figure 4 there is significant difference in labor costs in the different milk-producing regions of California. In the chart, South Valley represents the counties of the Central Valley composed of Fresno, Kings, Tulare and Kern County. Overall labor costs are 25 percent higher in the Southern California region as compared to the statewide average.

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Figure 4 – Labor Costs, 2007

Labor Costs	North Coast	North Valley	South Valley	Southern California	2007 State Average
Per Hired Milker					
Hourly Cash Wage	$8.77	$10.29	$9.82	$12.38	$10.02
Hourly Perquisites (1)	1.84	2.24	0.95	1.49	1.40
Hourly Wage (2)	12.53	14.60	12.67	16.52	13.40
Per Hired Labor					
Hourly Cash Wage	8.87	10.88	11.36	13.79	11.18
Hourly Perquisites (1)	1.58	2.49	1.44	1.52	1.86
Hourly Wage (2)	12.40	15.56	14.94	18.18	15.21
Per All Hired					
Hourly Cash Wage	8.81	10.55	10.37	12.89	10.47
Hourly Wage (2)	12.48	15.03	13.48	17.12	14.10

(1) Includes Fair Market Value For Housing Supplied By Employer, Health Insurance, Meat, Etc.
(2) Includes Cash Wages, Perquisites, and Employment Taxes Paid by Employer

Source: *Cost of production, 2007, California Department of Food and Agriculture (CDFA)*

Water and Feed Costs
The San Bernardino County General Plan indicates that increasing cost of water is another reason for the conversion of agricultural land into other uses. Dairying itself does not need as much water, but increasing cost and lower supply of water affects the feed supply for dairy. Dairy producers rely on alfalfa produced in the state as the source for their feed supply. If production of alfalfa is curtailed, the dairy farmers will incur high costs in getting the feed from outside the area.

Waste Disposal Costs
It is estimated that the cows in Chino corrals[1] produce 500,000 tons of manure every year. With nearby farmland, encroached by urbanization, the cost of waste disposal increases, as distances to where the waste can be disposed increases, as well as the frequency of disposal that is required. As a result many farmers need to hire professional corral cleaners, which increases costs by up to $50,000 a year.

Commercial/Industrial and Residential Development Trends

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino County. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Chino, there have been almost 4,000 new housing units

[1] An enclosure for confining livestock

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built since 2000, with median housing prices tripling by 2007 (still more than doubling after the dramatic 2008 market declines).

Industrial development in the West Inland Empire region has seen similar growth with inventory increasing by 40 percent, or 75 million square feet since 2000. In Chino the growth has been over 50 percent, with 13 million square feet built in past eight years.

As a result of these trends, average land prices in the Inland Empire have increased to over $300,000 per acre, which compares to Kern County land values of less than $50,000 per acre

See Appendix Exhibits A-1 through A-6 for detailed trends in Chino/Inland Empire population, employment, residential building permits, home prices, industrial markets and land prices. Exhibit A-7 illustrates land sales in Kern County over the past three years.

Conclusion

Agriculture is being been significantly impacted by numerous economic, political and regulatory factors. As a result over 100,000 acres of farmland has been taken out of service since 1990 and is being redeveloped for residential, commercial and industrial uses. With massively lower land costs and less regulation, dairy operators have been steadily moving out of the Inland Empire towards Central Valley, Barstow and Kern County.

Continued agricultural operations are not financially feasible in western San Bernardino County. Agricultural operations of all types will continue to decline as a result of the economic forces at work impacting land owners. Agricultural operator's business decisions to cease production in western San Bernardino County will continue to occur regardless of land use decisions made by local agencies. In other words, land designated for agricultural use has little impact on the continued declining agricultural trends in western San Bernardino County.

Respectfully submitted,

Thomas R. Jirovsky
Senior Managing Director

Attachment

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Exhibit A-1:

POPULATION, HOUSEHOLD & EMPLOYMENT TRENDS

City of Chino and Inland Empire Region, 1990 - 2028

	1990	2000	2008	2013	2018	2023	2028	
City of Chino								
Population	59,542	67,159	80,840	87,171	95,363	103,310	110,925	
Households	15,591	17,302	20,037	22,439	25,267	28,129	31,011	
Employment (1)	--	34,055	40,083	43,601	46,369	49,176	52,014	
Inland Empire								
Population	2,588,793	3,254,821	4,170,780	4,412,362	4,860,408	5,288,378	5,694,330	
Households	866,804	1,034,812	1,297,214	1,408,835	1,589,394	1,770,540	1,951,244	
Employment (1)	--	1,121,464	1,403,755	1,622,181	1,837,011	2,055,234	2,276,332	
Growth - #		**1990-2000**	**2000-08**	**2008-13**	**2013-18**	**2018-23**	**2023-28**	**2008-28 Total**
City of Chino								
Population		7,617	13,681	6,331	8,192	7,947	7,615	30,085
Households		1,711	2,735	2,402	2,828	2,862	2,882	10,974
Employment (1)		--	6,028	3,518	2,769	2,806	2,838	11,931
Inland Empire								
Population		666,028	915,959	241,582	448,046	427,970	405,952	1,523,550
Households		168,008	262,402	111,621	180,559	181,147	180,704	654,030
Employment (1)		--	282,291	218,426	214,830	218,223	221,097	872,577
Growth - % CAGR		**1990-2000**	**2000-08**	**2008-13**	**2013-18**	**2018-23**	**2023-28**	**2008-28**
City of Chino								
Population		1.2%	2.3%	1.5%	1.8%	1.6%	1.4%	1.6%
Households		1.0%	1.9%	2.3%	2.4%	2.2%	2.0%	2.2%
Employment (1)		--	2.1%	1.7%	1.2%	1.2%	1.1%	1.3%
Inland Empire								
Population		2.3%	3.1%	1.1%	2.0%	1.7%	1.5%	1.6%
Households		1.8%	2.9%	1.7%	2.4%	2.2%	2.0%	2.1%
Employment (1)		--	2.8%	2.9%	2.5%	2.3%	2.1%	2.4%

Sources: Southern California Association of Governments (SCAG); Claritas; and CBRE Consulting

(1) Daytime employment data available from the year 2000.

(2) Projections based on forecast growth rates in population, households and employment according to SCAG.

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Exhibit A-2:
RESIDENT EMPLOYMENT TRENDS BY INDUSTRY & OCCUPATION
US Census, 1990 and 2000

	City of Chino, California					Inland Empire Region, CA				
	1990		2000		Change	1990		2000		Change
	#	%	#	%	('90-'00)	#	%	#	%	('90-'00)
RESIDENT EMPLOYMENT BY INDUSTRY										
Agriculture, forestry, and fisheries	**995**	*4.0%*	**378**	*1.4%*	**-62.0%**	**36,314**	*3.4%*	**18,997**	*1.5%*	**-47.7%**
Construction	2,172	*8.6%*	1,904	*7.1%*	-12.3%	109,894	*10.2%*	105,268	*8.3%*	-4.2%
Manufacturing	5,062	*20.1%*	4,660	*17.3%*	-7.9%	161,282	*14.9%*	157,003	*12.4%*	-2.7%
Transportation, Communication & Utilities	1,921	*7.6%*	1,907	*7.1%*	-0.7%	79,357	*7.4%*	78,459	*6.2%*	-1.1%
Wholesale trade	1,148	*4.6%*	1,355	*5.0%*	18.0%	44,018	*4.1%*	48,574	*3.8%*	10.4%
Retail trade	4,324	*17.2%*	3,360	*12.5%*	-22.3%	191,714	*17.8%*	160,926	*12.7%*	-16.1%
Finance, insurance, and real estate	1,811	*7.2%*	1,772	*6.6%*	-2.2%	68,174	*6.3%*	71,208	*5.6%*	4.5%
Services	6,404	*25.4%*	10,402	*38.6%*	62.4%	333,481	*30.9%*	557,909	*44.1%*	67.3%
Public administration	1,344	*5.3%*	1,243	*4.6%*	-7.5%	55,394	*5.1%*	65,784	*5.2%*	18.8%
RESIDENT EMPLOYMENT BY OCCUPATION										
Managerial & professional specialty	5,777	*22.9%*	7,702	*28.5%*	33.3%	253,002	*23.4%*	353,835	*28.0%*	39.9%
Technical, sales, & administrative support	8,655	*34.4%*	7,920	*29.4%*	-8.5%	338,842	*31.4%*	343,542	*27.2%*	1.4%
Service occupations, excl. Farming	6,098	*24.2%*	3,649	*13.5%*	-40.2%	297,318	*27.5%*	210,174	*16.6%*	-29.3%
Farming, forestry, & fishing	**825**	*3.3%*	**230**	*0.9%*	**-72.1%**	**31,593**	*2.9%*	**12,539**	*1.0%*	**-60.3%**
Operators, fabricators, & laborers	3,826	*15.2%*	7,480	*27.7%*	95.5%	158,873	*14.7%*	344,038	*27.2%*	116.5%

Sources: US Census 1990 and 2000; and, CBRE Consulting

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Exhibit A-3:

RESIDENTIAL BUILDING PERMIT TRENDS

City of Chino and Inland Empire, 2003 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008 YTD (1)	Total
CITY OF CHINO											
Number of Units											
Single Family	208	97	213	290	133	461	548	1,530	270	233	3,983
2-4 Units	2	0	0	6	0	6	3	2	10	11	40
Over 5 Units	0	0	0	0	0	46	0	0	5	0	51
Total	**210**	**97**	**213**	**296**	**133**	**513**	**551**	**1,532**	**285**	**244**	**4,074**
INLAND EMPIRE											
Number of Units											
Single Family	18,776	18,824	23,588	29,876	35,965	43,029	43,911	33,001	15,807	5,723	268,500
2-4 Units	154	169	335	323	719	1,085	971	943	717	218	5,634
Over 5 Units	1,730	2,198	3,486	2,103	5,568	7,206	3,887	3,609	3,346	2,667	35,800
Total	**20,660**	**21,191**	**27,409**	**32,302**	**42,252**	**51,320**	**48,769**	**37,553**	**19,870**	**8,608**	**309,934**

Source: US Census Bureau; and CBRE Consulting

(1) Year-to-date figures are through November.

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Exhibit A-4:

SINGLE FAMILY DETACHED AND CONDOMINIUM RESALES AND MEDIAN PRICES

1999 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	CAGR (1) 1999-2007	2008 YTD (2)
CITY OF CHINO											
Single Family Detached											
Number of Sales	771	742	734	824	807	812	892	638	383	-8.4%	390
Median Price	$165,000	$180,000	$200,000	$245,000	$293,000	$393,000	$468,000	$510,000	$493,000	14.7%	$348,828
Median Price per Sq. Ft.	$107	$117	$130	$150	$186	$242	$282	$316	$299	13.7%	$205
Condominium											
Number of Sales	176	177	249	227	270	297	249	199	114	-5.3%	75
Median Price	$89,000	$101,000	$213,000	$139,000	$172,000	$257,000	$350,000	$360,000	$349,000	18.6%	$220,000
INLAND EMPIRE (3)											
Single Family Detached											
Number of Sales	53,616	53,280	53,402	60,923	66,117	71,107	77,105	57,655	34,418	-5.4%	47,428
Median Price	$114,093	$127,093	$147,072	$169,301	$209,463	$279,000	$351,000	$384,000	$371,000	15.9%	$237,000
Median Price per Sq. Ft.	$80	$89	$100	$114	$139	$183	$225	$243	$219	13.4%	$129
Condominium											
Number of Sales	7,907	8,241	7,523	9,135	9,556	10,125	9,208	6,234	4,526	-6.7%	3,818
Median Price	$110,654	$125,616	$134,856	$156,656	$185,689	$246,000	$305,000	$324,000	$309,000	13.7%	$235,000

Source: DataQuick; and CBRE Consulting

(1) CAGR is the Compounded attached product.
(2) Through November of 2008.
(3) Counties of Riverside and San Bernardino.

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Exhibit A-5:

INDUSTRIAL MARKET TRENDS (Including Manufacturing, Warehouse/Distribution and Flex/R&D Space)

All Industrial Space, 2000 - 2008

Annual Trend by Market Area	SUPPLY				DEMAND				LEASE RATE
	Inventory Bldgs.	Inventory GLA (SF)	Vacancy Rate % (1)	SF Delivered	Availability Rate % (1)	Total Deals	Total SF Leased	SF Net Absorption	($/SF/Yr.) (1,2)
CITY OF CHINO									
2000	700	26,193,974	6.3%	1,324,718	6.2%	48	2,837,298	2,066,088	$4.22
2001	740	29,556,952	9.1%	3,356,978	7.0%	69	3,992,191	1,143,131	4.23
2002	746	30,987,160	9.5%	1,430,208	6.7%	62	1,837,843	2,333,176	4.22
2003	759	31,808,016	6.9%	840,856	5.3%	70	3,269,765	1,233,039	4.28
2004	810	34,244,597	5.8%	2,436,581	4.8%	58	2,298,219	2,646,719	4.05
2005	839	35,806,075	6.0%	1,561,478	3.2%	49	4,086,926	1,408,611	4.37
2006	890	36,983,611	4.1%	1,177,536	3.2%	90	2,519,670	1,741,256	4.89
2007	920	37,807,715	3.5%	824,104	1.9%	79	3,439,874	1,253,582	5.27
2008	940	39,388,723	3.8%	1,532,073	3.0%	92	1,272,884	236,914	5.62
Total				**14,484,532**		617	25,554,670	14,062,516	
INLAND EMPIRE - WEST									
2000	4,525	182,350,197	7.0%	11,832,057	6.0%	327	20,719,392	11,652,452	$4.33
2001	4,647	196,559,678	9.1%	14,229,605	7.0%	386	16,767,690	7,590,465	4.10
2002	4,733	205,652,089	9.7%	9,112,241	8.0%	449	14,359,710	10,426,034	4.07
2003	4,846	212,236,879	8.1%	6,616,190	6.9%	420	17,009,833	8,889,859	4.10
2004	5,020	221,351,863	6.7%	9,114,984	5.1%	520	15,696,199	11,621,860	4.16
2005	5,193	231,106,533	5.9%	9,754,670	4.1%	428	17,533,422	9,322,643	4.37
2006	5,354	241,718,326	6.6%	10,693,858	5.2%	556	14,797,337	7,318,331	4.76
2007	5,517	247,095,120	4.9%	5,357,915	3.5%	492	18,765,295	10,781,364	5.28
2008	5,605	256,069,663	7.0%	8,902,188	6.3%	656	12,466,952	(807,685)	5.50
Total				**85,613,708**		4,234	148,115,830	76,795,323	

Sources: Costar Group Inc., 2008; and, CBRE Consulting

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Exhibit A-6:

LAND SALES IN THE CITY OF CHINO

5+ Acres' Land Sales, 2005 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address	Property Name	Land Improvements	Zoning	Acres	Land SF	Sale Date	Sale Price	$/ Acre
1	8649 Merrill Ave	Land			83.5	3,635,082	11/30/2006	$36,050,400	$432,000
2	8711 Pine Ave	Single Family Residence Site	Previously developed lot	LDR, Chino	51.3	2,233,321	4/17/2006	14,242,000	277,784
3	Bickmore Ave	Warehouse/distribution Site	Raw land	M2, Chino	33.2	1,444,014	10/4/2005	14,229,525	429,247
4	7851 Bickmore Ave	H & R Westra Dairy Land	Raw land	N/Av, Chino	27.7	1,206,612	6/30/2006	6,248,000	225,560
5	4619 Eucalyptus Ave	26.67 acres		C	26.7	1,161,745	11/9/2006	6,774,500	254,012
6	Riverside Dr	Single Family Residence Site	Not Available	N/Av, Chino	23.6	1,028,016	3/29/2006	4,250,000	180,085
7	Mountain Ave	M2 Zoned Acreage	Raw land	M2, Chino	19.1	832,919	11/4/2005	1,102,000	57,632
8	7850 Bickmore Ave	Mdr Zoned Land	None	MDR, Chino	18.8	817,246	10/5/2005	6,097,000	324,976
9	Kimball Ave	Lewis Preserve	Finished lot	PD, Chino	18.8	817,185	7/15/2005	11,300,000	602,346
10	4500 Chino Hills Pky	The Village At Chino Walk	Raw land	CO, Chino	12.8	558,439	2/10/2006	7,889,000	615,367
11	13945 Ramona Ave	Planned Industrial Development Site	Fully Improved Lot	M2, Chino	9.0	392,911	11/3/2005	935,000	103,659
12	7.19 Acres Mountain Ave				7.2	313,196	9/4/2007	725,000	100,835
13	15757 Mountain Ave				6.2	270,072	10/12/2006	5,075,000	818,548
14	Kimball Ave	58 Lot Condominums Site	Raw land	RD8, Chino	6.1	266,587	7/22/2005	7,431,000	1,214,217
15	12594 Roswell Ave		Previously developed lot	RD-20M	4.9	214,315	7/22/2005	1,100,000	223,577
16	13116-13142 Norton Ave	Residential Zoned Acreage		RS-1, SB County	4.8	211,004	9/19/2006	1,625,000	335,468
							Land Sales Avg.:		**$353,718**
							Land Sales Median:		**$301,380**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information as reported by the Costar Group are presented.

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Exhibit A-7:

LAND SALES IN KERN COUNTY

Commercial, Industrial and Residential Land Sales, 2005 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address in City of Chino	City	Property Name/Land Imp.	Zoning	Acres	Land SF	Sale Date	Sale Price	$/Acre
1	SE Elmo Hwy @ Elmo Hwy & Browning Rd	Mc Farland	Falcon Heights		135.0	5,880,600	11/15/2007	$2,142,000	$15,867
2	Pacheco Rd	Bakersfield	Vacant Land 67.57 Acres	M-3, Bakersfield	67.6	2,943,349	10/10/2008	2,500,000	36,999
3	1234 Willow Springs Rd	Mojave			40.0	1,742,400	12/19/2008	128,000	3,200
4	Scofield Rd	Wasco	Wasco Valley Rose - vacant land		40.0	1,742,400	9/29/2006	1,999,582	49,990
5	Mojave Tropical Rd	Rosamond			40.0	1,742,400	6/7/2007	335,000	8,375
6	NW Hanawalt Ave @ Hanawalt & Mast Ave	Mc Farland	Sierra Springs		38.2	1,665,655	11/15/2007	599,000	15,665
7	16701 Brimhall Rd	Bakersfield		E-1 RS, Bakersfield	35.0	1,524,164	12/7/2007	2,000,000	57,159
8	17174 Highway 14	Mojave		M-2	34.4	1,496,286	2/22/2008	550,000	16,012
9	4057-4061 Industrial Pky	Lebec	Tejon Industrial Complex - Bldg. U.C.		23.8	1,034,550	7/1/2008	2,500,000	105,263
10	College Heights Blvd @ Kendall Avenue	Ridgecrest	Villas at College Heights		22.7	988,812	3/22/2007	2,300,000	101,322
11	Stockdale Hwy @ Heath	Bakersfield		Commercial	20.0	871,200	5/1/2007	3,600,000	180,000
12	Archibald Ave	Maricopa	Parcel 4		20.0	871,200	4/20/2007	165,000	8,250
13	Johnson Rd @ Driver	Bakersfield		A-1	20.0	871,200	9/11/2007	1,000,000	50,000
14	Wheeler Ridge Rd @ Creekside Dr.	Arvin	Wheeler Ridge Site		19.5	847,242	11/17/2008	379,990	19,537
15	132 White Ln	Bakersfield	3 Buildings apx 2,555 SF	Light Industrial	15.5	673,002	11/28/2007	1,300,000	84,142
16	Avenue A & 120th W	Rosamond	no zoning restrictions		14.5	631,620	1/24/2007	125,000	8,621
17	Henry Rd	Taft		M-2	14.3	620,730	2/5/2008	505,000	35,439
18	NWC McCutchen & Gosford Rd	Bakersfield		C2	10.0	435,600	6/15/2007	2,275,000	227,500
19	Compagnoni St	Bakersfield			10.0	435,600	9/21/2007	650,000	65,000
20	Mercedes Blvd	California City	10 Acres	R2.5	10.0	435,600	5/4/2007	25,000	2,500
21	Redrock Randsburg Rd	North Edwards	Vacant Land-10 Acres		10.0	435,600	5/26/2006	20,000	2,000
22	Eucalyptus Dr (2 Properties)	Bakersfield	Multi-Property Sale		9.6	418,176	11/9/2007	980,000	102,083
23	5901 Mills Rd	Bakersfield	Mills Road Land		8.8	381,150	9/12/2007	820,000	93,714
24	S China Lake Blvd @ Bowmen Ave.	Ridgecrest	NEC of S. China Lake @ Bowman	GC, Ridgecrest	6.9	302,306	7/3/2008	1,500,000	216,139
25	1245 Kern St	Taft			6.4	279,655	8/31/2007	200,000	31,153
26	N Norma St @ West Ward Avenue	Ridgecrest		R-2	6.0	259,618	10/4/2006	420,000	70,470
27	W Day Ave @ Airport Drive	Bakersfield			5.8	250,470	10/4/2007	1,300,000	226,087
				Residential Land Sales Avg.:					**$44,347**
				Residential Land Sales Median:					**$49,990**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information as reported by the Costar Group are presented.

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355 South Grand Avenue, Suite 1200
Los Angeles, CA 90071-1549

T 213 613 3750
F 213 613 3780
www.cbre.com

March 18, 2009

Matt Englhard
Regional Development Officer
First Industrial Realty Trust, Inc.
114 Pacifica, Suite 220
Irvine, CA 92618

Re: Economic Viability of Agriculture in the East Inland Empire

Dear Mr. Englhard:

Per your request CBRE Consulting has examined the economic and market trends affecting agriculture operations throughout California, with particular attention to the specific challenges relative to the communities of Perris and Sun City in eastern Riverside County area of the Inland Empire.

Founded in 1978 as Sedway Group, CBRE Consulting is a nationally recognized full-service real estate and urban economics consulting firm with offices in Los Angeles and San Francisco. CBRE brings a multi-disciplined approach to property evaluation of all major land use types. CBRE specializes in real estate market analysis, economic development studies for residential, commercial and industrial projects throughout California and the western United States.

BACKGROUND

The Inland Empire once held the largest concentration of dairies and supporting agriculture (e.g., alfalfa farming) in the world. This region is now facing tremendous urbanization and development pressures. The agricultural land is continually declining in the Inland Empire. According to the State of California, Department of Conservation, Riverside County lost 50,000 acres of farmland from 1990 through 2002. San Bernardino County lost 47,000 acres in prime farmland over the same period.

For this analysis, CBRE performed an extensive internet/literature search relative to the economics of agricultural and dairy farming to understand the economic and other challenges to continued agriculture uses in the Inland Empire. CBRE also gathered relevant demographic, real estate and other economic data to illustrate historic and projected land use trends near Perris and the eastern Inland Empire.

There are many factors which demonstrate the infeasibility of agriculture production in Eastern Inland Empire, resulting in many dairy operators and supporting agricultural operations moving to Kern County.

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- Urbanization in the Inland Empire, resulting in dramatically increasing land prices,
- Higher water and labor costs;
- Environmental regulation (insects, odors, ground water contamination and solid waste removal) and,
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

1. **Increasing Land Values**
   Due to competing land uses, land prices have increased dramatically in the area in excess of $250,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of various General Plans in the Inland Empire emphasizing significant residential and commercial development have also encouraged the farmers to sell their land and relocate.

2. **Conflicts between Urban Neighbors and Dairy Farms**
   The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

3. **Increasingly Stringent Environmental Regulations**
   The Region 8 Water Board, which encompasses Perris, was among the first to develop environmental regulations to control dairy operations, with increasing restrictions imposed in 1994, 1999 and 2004, as the proximity of urban neighborhoods, contamination of ground water and air pollution started raised more concerns.

4. **Competition from Central Valley**
   The dairy farmers in the Inland Empire face stiff competition from the farmers in the Central Valley because of high operating costs, including high feed costs and the cost of manure disposal.

   A study published in Agriculture and Resource Economics Review in 2008 demonstrated the effect of environmental regulations over time and the growth in dairy industries, attributed to the cheap land and relatively weak regulations in the Central Valley.

   According to CDFA, milk production has declined by approximately 45 percent in Riverside County between 2002 and 2007, while production increased by 88 percent in Kern County.

   Figures 1 and 2 on the following page show trends in the number of milk cows in the Central Valley (Region 5) as compared to the loss in Region 8 from 1980 to 2008.

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Figure: 1
Milk Cows in Counties of Region 5 Central Valley

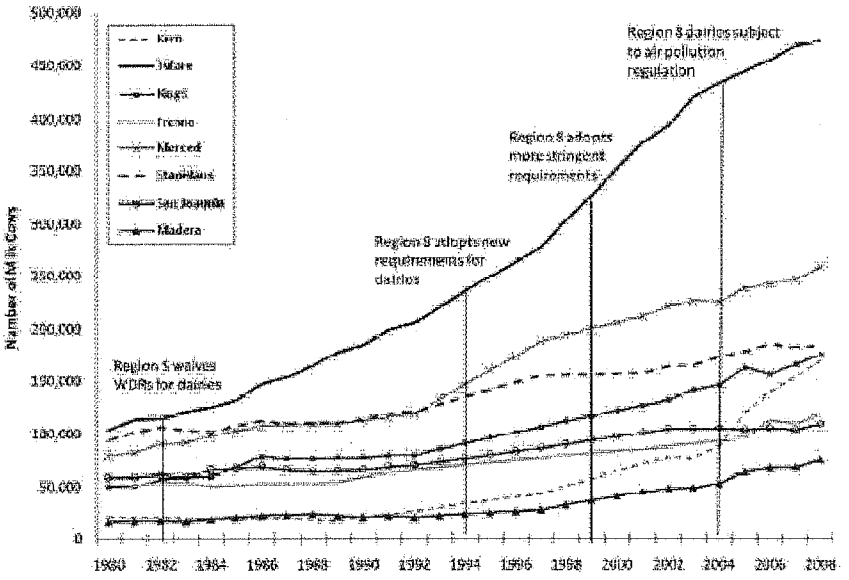

Source: Steeringer and Hogle, 2008

Figure: 2
Milk Cows in Region 8 – Inland Empire

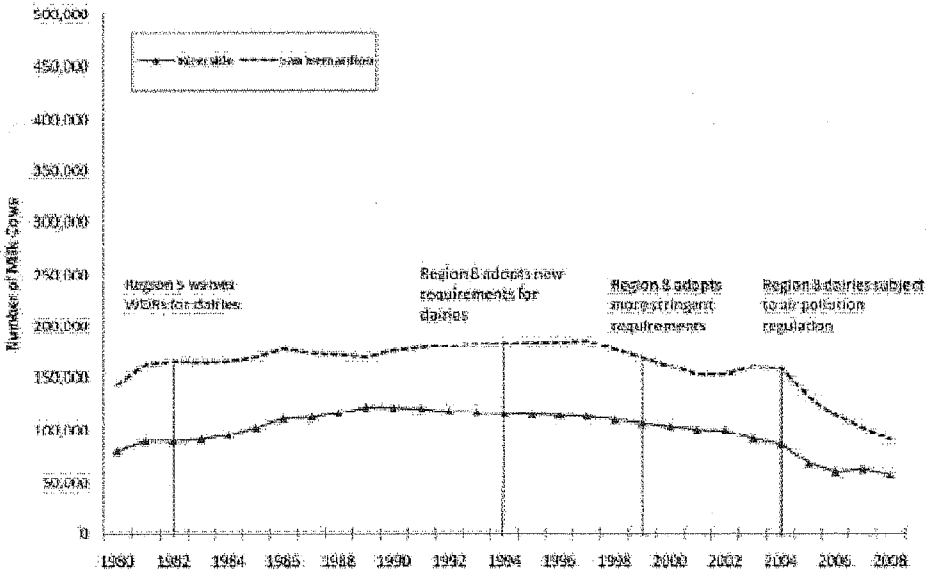

Source: Steeringer and Hogle, 2008

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The Central Valley farmers also face few development pressures as compared to the Inland Empire and they benefit from diverse farm economy. For example, the farmers use dairy waste to fertilize their own crops or of the neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

5. Operating Costs

According to the CDFA, production costs in dairy industry have risen by 50 percent since 2002 in California, putting more pressure on dairy farmers to cut other costs. Figure 3 below shows the growth in cost of production per CWT from 2002 to 3rd quarter 2008.

Figure 3
Cost of Production in the California Dairy Industry

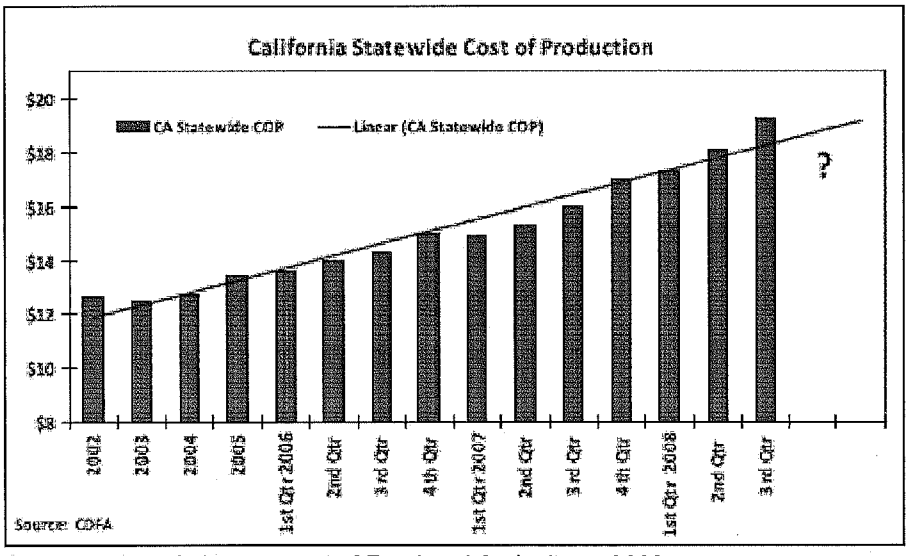

Source: California Department of Food and Agriculture, 2008

Labor Costs

There is a shortage of labor in the dairy industry. Many agricultural workers are looking for higher paying jobs in non-agricultural industries according to the CDFA, which makes it difficult for the dairy farmers to compete for labor and leads to increased labor costs.

The issue of immigration and compliance also leads to labor problems. As shown in Figure 4 there is significant difference in labor costs in the different milk-producing regions of California. In the chart, South Valley represents the counties of the Central Valley composed of Fresno, Kings, Tulare and Kern County. Overall labor costs are 25 percent higher in the Southern California region as compared to the statewide average.

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Figure 4 – Labor Costs, 2007

Labor Costs	North Coast	North Valley	South Valley	Southern California	2007 State Average
Per Hired Milker					
Hourly Cash Wage	$8.77	$10.29	$9.82	$12.38	$10.02
Hourly Perquisites (1)	1.84	2.24	0.95	1.49	1.40
Hourly Wage (2)	12.53	14.60	12.67	16.52	13.40
Per Hired Labor					
Hourly Cash Wage	8.87	10.88	11.36	13.79	11.18
Hourly Perquisites (1)	1.58	2.49	1.44	1.52	1.86
Hourly Wage (2)	12.40	15.56	14.94	18.18	15.21
Per All Hired					
Hourly Cash Wage	8.81	10.55	10.37	12.89	10.47
Hourly Wage (2)	12.48	15.03	13.48	17.12	14.10

(1) Includes Fair Market Value For Housing Supplied By Employer, Health Insurance, Meat, Etc.
(2) Includes Cash Wages, Perquisites, and Employment Taxes Paid by Employer

Source: *Cost of production, 2007, California Department of Food and Agriculture (CDFA)*

Water and Feed Costs
Increasing cost of water is another reason for the conversion of agricultural land into other uses. Dairying itself does not need as much water, but increasing cost and lower supply of water affects the feed supply for dairy. Dairy producers rely on alfalfa produced in the state as the source for their feed supply. If production of alfalfa is curtailed, the dairy farmers will incur high costs in getting the feed from outside the area.

Waste Disposal Costs
The livestock at dairy farms produce significant tonnage of manure every year. With nearby farmland, encroached by urbanization, the cost of waste disposal increases, as distances to where the waste can be disposed increases, as well as the frequency of disposal that is required. As a result many farmers need to hire professional corral cleaners, which increases costs by up to $50,000 a year.

Commercial/Industrial and Residential Development Trends

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino County. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Perris, there have been almost 4,500 new housing units built since 2000, with median housing prices more than tripling by 2007, and still nearly doubling after the dramatic 2008 market declines.

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Industrial development in the East Inland Empire region has seen similar growth with inventory increasing by 60 percent, or 92 million square feet since 2000. In Perris the growth has been nearly 100 percent, with 5 million square feet built in past eight years.

As a result of these trends, average land prices in the Inland Empire have increased to over $250,000 per acre, which compares to Kern County land values of less than $50,000 per acre

See Appendix Exhibits A-1 through A-6 for detailed trends in Perris/Inland Empire population, employment, residential building permits, home prices, industrial markets and land prices. Exhibit A-7 illustrates land sales in Kern County over the past three years.

Conclusion

Agriculture is being been significantly impacted by numerous economic, political and regulatory factors. As a result over 100,000 acres of farmland has been taken out of service since 1990 and is being redeveloped for residential, commercial and industrial uses. With lower land costs and less regulation, dairy operators and supporting agricultural uses such as dry farming and alfalfa production have been steadily moving out of the Inland Empire towards Central Valley, Barstow and Kern County.

Continued agricultural operations are not financially feasible in the Perris/eastern Riverside County region. Agricultural operations of all types will continue to decline as a result of the economic forces at work impacting land owners. Agricultural operator's business decisions to cease production will continue to occur regardless of land use decisions made by local agencies. In other words, land designated for agricultural use has little impact on the continued declining agricultural trends in Perris/eastern Riverside County.

Respectfully submitted,

Thomas R. Jirovsky
Senior Managing Director

Attachment

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Exhibit A-1:

POPULATION, HOUSEHOLD & EMPLOYMENT TRENDS

City of Perris and Inland Empire Region, 1990 - 2029

	1990	2000	2009	2014	2019	2024	2029	
City of Perris								
Population	22,202	36,189	54,592	62,440	69,956	77,175	83,601	
Households	6,848	9,652	14,160	16,300	18,032	19,808	21,616	
Employment (1)	--	11,715	17,332	19,042	20,108	22,194	24,810	
Inland Empire								
Population	2,588,793	3,254,821	4,170,780	4,505,315	4,950,365	5,373,155	5,774,903	
Households	866,804	1,034,812	1,297,214	1,445,415	1,626,549	1,807,342	1,988,035	
Employment (1)	--	1,121,464	1,450,397	1,665,604	1,881,342	2,099,942	2,321,648	
Growth - #		**1990-00**	**2000-09**	**2009-14**	**2014-19**	**2019-24**	**2024-29**	**2009-29 Total**
City of Perris								
Population		13,987	18,403	7,848	7,516	7,219	6,426	29,009
Households		2,804	4,508	2,140	1,732	1,776	1,808	7,456
Employment (1)		--	5,617	1,710	1,066	2,086	2,616	7,478
Inland Empire								
Population		666,028	915,959	334,535	445,050	422,791	401,748	1,604,123
Households		168,008	262,402	148,201	181,134	180,793	180,693	690,821
Employment (1)		--	328,933	215,207	215,738	218,600	221,706	871,251
Growth - % CAGR		**1990-00**	**2000-09**	**2009-14**	**2014-19**	**2019-24**	**2024-29**	**2009-29**
City of Perris								
Population		5.0%	4.7%	2.7%	2.3%	2.0%	1.6%	2.2%
Households		3.5%	4.4%	2.9%	2.0%	1.9%	1.8%	2.1%
Employment (1)		--	4.4%	1.9%	1.1%	2.0%	2.3%	1.8%
Inland Empire								
Population		2.3%	2.8%	1.6%	1.9%	1.7%	1.5%	1.6%
Households		1.8%	2.5%	2.2%	2.4%	2.1%	1.9%	2.2%
Employment (1)		--	2.9%	2.8%	2.5%	2.2%	2.0%	2.4%

Sources: Southern California Association of Governments (SCAG); Claritas; and CBRE Consulting

(1) Daytime employment data available from the year 2000.

(2) Projections based on forecast growth rates in population, households and employment according to SCAG.

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Exhibit A-2:

RESIDENT EMPLOYMENT TRENDS BY INDUSTRY & OCCUPATION

US Census, 1990 and 2000

	City of Perris, California					Inland Empire Region, CA				
	1990		2000		Change	1990		2000		Change
	#	%	#	%	('90-'00)	#	%	#	%	('90-'00)
RESIDENT EMPLOYMENT BY INDUSTRY										
Agriculture, forestry, and fisheries	**389**	*5.0%*	**97**	*0.8%*	**-75.1%**	**36,314**	*3.4%*	**18,997**	*1.5%*	**-47.7%**
Construction	965	*12.4%*	1,352	*11.3%*	40.1%	109,894	*10.2%*	105,268	*8.3%*	-4.2%
Manufacturing	1,668	*21.4%*	2,233	*18.7%*	33.9%	161,282	*14.9%*	157,003	*12.4%*	-2.7%
Transportation, Communication & Utilities	484	*6.2%*	634	*5.3%*	31.0%	79,357	*7.4%*	78,459	*6.2%*	-1.1%
Wholesale trade	242	*3.1%*	474	*4.0%*	95.9%	44,018	*4.1%*	48,574	*3.8%*	10.4%
Retail trade	1,274	*16.3%*	1,563	*13.1%*	22.7%	191,714	*17.8%*	160,926	*12.7%*	-16.1%
Finance, insurance, and real estate	400	*5.1%*	408	*3.4%*	2.0%	68,174	*6.3%*	71,208	*5.6%*	4.5%
Services	2,019	*25.9%*	4,653	*39.0%*	130.5%	333,481	*30.9%*	557,909	*44.1%*	67.3%
Public administration	357	*4.6%*	520	*4.4%*	45.7%	55,394	*5.1%*	65,784	*5.2%*	18.8%
RESIDENT EMPLOYMENT BY OCCUPATION										
Managerial & professional specialty	1,357	*17.4%*	2,110	*17.7%*	55.5%	253,002	*23.4%*	353,835	*28.0%*	39.9%
Technical, sales, & administrative support	2,042	*26.2%*	2,967	*24.9%*	45.3%	338,842	*31.4%*	343,542	*27.2%*	1.4%
Service occupations, excl. Farming	2,327	*29.8%*	2,071	*17.4%*	-11.0%	297,318	*27.5%*	210,174	*16.6%*	-29.3%
Farming, forestry, & fishing	**345**	*4.4%*	**52**	*0.4%*	**-84.9%**	**31,593**	*2.9%*	**12,539**	*1.0%*	**-60.3%**
Operators, fabricators, & laborers	1,727	*22.1%*	4,734	*39.7%*	174.1%	158,873	*14.7%*	344,038	*27.2%*	116.5%

Sources: US Census 1990 and 2000; and, CBRE Consulting

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Exhibit A-3:

RESIDENTIAL BUILDING PERMIT TRENDS

City of Perris and Inland Empire, 10-Year Trends

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total
CITY OF PERRIS											
Number of Units											
Single Family	186	9	145	492	1,269	1,573	1,746	812	599	107	6,938
2-4 Units	4	8	0	0	0	0	0	0	0	0	12
Over 5 Units	76	62	0	186	0	0	0	0	96	0	420
Total	**266**	**79**	**145**	**678**	**1,269**	**1,573**	**1,746**	**812**	**695**	**107**	**7,370**
INLAND EMPIRE											
Number of Units											
Single Family	18,776	18,824	23,588	29,876	35,965	43,029	43,911	33,001	15,807	5,723	268,500
2-4 Units	154	169	335	323	719	1,085	971	943	717	218	5,634
Over 5 Units	1,730	2,198	3,486	2,103	5,568	7,206	3,887	3,609	3,346	2,667	35,800
Total	**20,660**	**21,191**	**27,409**	**32,302**	**42,252**	**51,320**	**48,769**	**37,553**	**19,870**	**8,608**	**309,934**

Source: US Census Bureau; and CBRE Consulting

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CBRE
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Exhibit A-4:
SINGLE FAMILY DETACHED AND CONDOMINIUM RESALES AND MEDIAN PRICES
1999 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	CAGR(1) 1999-2008
CITY OF PERRIS											
Single Family Detached											
Number of Sales	1,042	970	919	976	1,069	1,166	1,657	1,466	638	1,670	5.4%
Median Price	$81,246	$94,597	$116,899	$133,884	$170,564	$241,973	$326,336	$372,010	$348,354	$183,635	9.5%
Median Price per Sq. Ft.	$62	$72	$87	$101	$126	$178	$224	$240	$207	$96	5.1%
Condominium											
Number of Sales	0	0	0	0	1	0	0	0	0	6	n.a.
Median Price	$0	$0	$0	$0	$140	$0	$0	$0	$0	$138	n.a.
INLAND EMPIRE (2)											
Single Family Detached											
Number of Sales	53,616	53,280	53,402	60,923	66,117	71,107	77,105	57,655	34,418	53,947	0.1%
Median Price	$114,093	$127,093	$147,072	$169,301	$209,463	$279,000	$351,000	$384,000	$371,000	$231,000	8.2%
Median Price per Sq. Ft.	$80	$89	$100	$114	$139	$183	$225	$243	$219	$125	5.0%
Condominium											
Number of Sales	7,907	8,241	7,523	9,135	9,556	10,125	9,208	6,234	4,526	4,095	-7.1%
Median Price	$110,654	$125,616	$134,856	$156,656	$185,689	$246,000	$305,000	$324,000	$309,000	$220,000	7.9%

Source: DataQuick; and CBRE Consulting

(1) CAGR is the Compounded annual growth rate.
(2) Counties of Riverside and San Bernardino.

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Exhibit A-5:

INDUSTRIAL MARKET TRENDS (Including Manufacturing, Warehouse/ Distribution and Flex/ R&D Space)

All Industrial Space, 2000 - 2008

Annual Trend by Market Area	SUPPLY				DEMAND				LEASE RATE ($/SF/Yr.) (1,2)
	Inventory Bldgs.	Inventory GLA (SF)	Vacancy Rate % (1)	SF Delivered	Availability Rate % (1)	Total Deals	Total SF Leased	SF Net Absorption	
CITY OF PERRIS SUB-MARKET									
2000	141	5,373,641	0.6%	38,110	0.6%	1	1,272,500	51,860	$4.88
2001	146	7,076,631	1.7%	1,702,990	1.6%	1	20,350	1,606,362	5.64
2002	146	7,076,631	2.1%	0	1.4%	2	115,960	5,509	4.68
2003	147	7,125,503	2.2%	48,872	2.2%	2	65,303	28,429	5.11
2004	150	7,381,220	1.0%	255,717	0.7%	0	17,800	367,551	n.a.
2005	153	7,595,862	0.9%	214,642	0.9%	2	2,500	165,460	n.a.
2006	157	7,663,213	1.3%	67,351	1.3%	3	3,458	4,173	5.72
2007	175	9,666,032	8.8%	2,002,819	8.7%	5	1,760,642	1,768,468	7.08
2008	206	10,458,307	11.1%	792,275	11.1%	13	38,674	(339,813)	6.74
Total				**5,122,776**		29	3,297,187	3,657,999	
INLAND EMPIRE - EAST MARKET									
2000	5,002	150,133,588	3.9%	6,630,360	3.6%	312	10,892,596	7,668,578	$6.50
2001	5,076	157,202,306	3.9%	7,068,718	3.1%	355	7,684,689	6,501,787	4.68
2002	5,182	161,820,506	4.3%	4,582,653	3.8%	404	6,636,531	2,394,637	4.57
2003	5,269	167,822,636	5.0%	6,098,659	4.3%	387	9,055,454	5,240,209	4.59
2004	5,470	176,211,830	4.6%	8,389,194	3.1%	500	8,017,923	9,626,436	4.98
2005	5,725	188,313,075	4.6%	12,120,753	3.6%	470	7,611,452	8,938,859	5.01
2006	6,055	208,029,558	7.5%	19,691,663	5.7%	545	13,195,412	13,006,436	5.90
2007	6,291	226,876,355	8.4%	18,563,797	7.5%	624	17,026,809	16,405,909	6.28
2008	6,541	242,869,862	13.0%	15,234,949	12.0%	996	12,632,717	1,932,294	5.71
Total				**98,380,746**		4,593	92,753,583	71,715,145	

Sources: Costar Group Inc., 2008; and, CBRE Consulting

(1) The sub-market is defined as a 5-mile radius from the City Hall and includes the entire City of Perris.

(2) Inland Empire East market, which comprises the City of Perris per Costar definition, also includes the Coachella Valley, Corona, East San Bernardino, Riverside, South Riverside and Outlying San Bernardino sub-markets.

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Exhibit A-6:

LAND SALES IN THE CITY OF PERRIS SUB-MARKET

5+ Acres Land Sales, 2006 - 2009

	Property Location		Property Characteristics					Sales Characteristics		
#	Address	Property Name	Land Improvements	Type	Zoning	Acres	Land SF	Sale Date	Sale Price	$/ Acre
1	Lukens Ln			Commercial	M3	36.7	1,599,087	9/21/2007	$500,000	$13,620
2	Nuevo Rd @ I-215	Nuevo & A St.		Commercial		6.0	261,360	7/27/2007	1,833,000	305,500
3	Dawson Rd @ San Jacinto			Commercial	RR	14.4	628,570	6/13/2007	1,734,000	120,166
4	Ethanac Rd @ McPherson r	5.0 Acres		Commercial	Commercial Commuity	5.0	217,800	5/17/2007	1,250,000	250,000
5	Nuevo Rd @ I-215	Nuevo & A St.		Commercial		6.0	261,360	5/10/2007	653,400	108,900
6	Morgan St	Hold For Development Site	Raw land	Commercial	CC, Perris	6.2	268,329	2/7/2007	1,895,000	307,631
7	9.24 acres Nuevo Rd	Vacant Land	None	Commercial	LI	9.2	402,494	1/24/2007	1,600,000	173,160
8	Old Nuevo Rd @ Perris Blvd		None	Commercial	C1	7.8	341,510	1/2/2007	4,960,000	632,654
9	23040 Rider St			Commercial		7.3	318,423	12/7/2006	875,000	119,699
10	Palomar Rd @ McLaughlin Rd			Commercial		18.2	794,098	11/15/2006	1,700,000	93,253
11	23641 Placentia Ave	Zoned Acreage	Not Available	Commercial	RR	9.5	412,077	9/5/2006	900,000	95,138
12	Redlands Ave	Sp Zoned Acreage	Raw land	Commercial	SP, Perris	20.7	901,774	8/25/2006	3,500,000	169,067
13	Citrus Ave	CC Zoned Acreage	Raw land	Commercial	CC, Perris	38.4	1,670,765	6/29/2006	7,087,000	184,771
14	Cajalco Rd	Acreage	Raw land	Commercial	N/Av, Riverside Co.	13.3	580,219	6/14/2006	2,800,000	210,210
15	23772 Water St	Indacochea Sheep Farm	Not Available	Commercial	N/Av	9.7	420,354	6/6/2006	1,650,000	170,984
16	28067 State Highway 74	Rr Zoned Acreage	Raw land	Commercial	RR, Riverside Co.	5.2	227,383	5/23/2006	1,275,000	244,253
17	Markham St	Unknown Site	Raw land	Commercial	A102, Riverside	9.7	422,967	3/3/2006	1,150,000	118,435
								Commercial Average:		**$158,336**
								Commercial Median:		**$170,984**
18	Mountain Ave	Future Cemex Location		Industrial	GI	5.0	218,235	12/5/2008	1,819,837	363,242
19	355 W Markham St	22.25 acres		Industrial	RA	22.4	977,050	5/20/2008	5,446,960	242,843
20	24390 Nuevo Rd		None	Industrial	IP	6.0	261,360	11/8/2007	1,090,000	181,667
21	Rider St @ Redlands Ave	17.1 Acres		Industrial	M1, RA	17.1	744,876	6/26/2007	3,550,000	207,602
22	Webster Ave @ Morgan St	6.0-Acres Vacant Land		Industrial		6.0	261,360	3/9/2007	1,895,000	315,833
23	24345 Citrus Ave	First Park Nuevo Rd Phase I	None	Industrial	M-H	16.2	707,414	3/9/2007	6,366,730	392,040
24	23121 Cajalco Rd	6.91 ac		Industrial	MSC	6.9	300,999	11/20/2006	2,521,500	364,907
25	Mountain Ave	Finished Land Parcels		Industrial	GI	19.2	838,094	10/4/2006	4,350,000	226,092
26	Cajalco Expy @ 215 Freew	10.42 Acre Industrial Park Site		Industrial	M-SC, Riverside	10.4	453,895	9/13/2006	2,500,000	239,923
27	24475 Markham St	Planned Industrial Development Site	Previously developed lot	Industrial	LI, Perris	9.1	396,901	7/18/2006	2,778,000	304,886
28	Ramona Expy	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	9.2	399,880	7/12/2006	1,999,500	217,811
29	Indian Ave	Planned Industrial Development Site	Raw land	Industrial	MSC, Perris	8.4	366,661	6/30/2006	2,099,500	249,424
30	Perry St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	9.1	396,901	6/30/2006	1,954,000	214,452
31	4244 Perry St	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	18.2	793,798	6/30/2006	5,562,000	305,217
32	24392 Nance St	Auto Salvage Yard Site	Raw land	Industrial	GI, Perris	9.1	395,960	6/14/2006	2,079,000	228,713
33	Perry St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	8.8	384,634	6/9/2006	2,308,000	261,382
34	Markham St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	9.1	396,901	5/31/2006	2,600,000	285,351
35	Harvill Ave	M-Sc Zoned Acreage	Raw land	Industrial	L1	20.8	903,870	5/9/2006	3,358,500	161,855
36	Mapes Rd	Gi Zoned Acreage	Raw land	Industrial	GI, Perris	5.9	258,746	5/8/2006	1,113,000	187,374
37	Rider St	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	16.3	709,592	3/15/2006	3,550,000	217,925
								Industrial Average:		**$252,529**
								Industrial Median:		**241,383**

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Exhibit A-6: ..... Continued.....

LAND SALES IN THE CITY OF PERRIS SUB-MARKET

5+ Acres' Land Sales, 2006 - 2009

	Property Location		Property Characteristics					Sales Characteristics		
#	Address	Property Name	Land Improvements	Type	Zoning	Acres	Land SF	Sale Date	Sale Price	$/ Acre
38	Barnett Rd @ McLughlin Road			Residential	RR	42.3	1,842,587	11/14/2006	4,600,000	108,747
39	Evans Rd			Residential		12.8	558,874	9/27/2006	885,000	68,979
40	Evans Rd	R6000 Zoned Acreage	Raw land	Residential	R6000	12.8	558,874	8/25/2006	885,500	69,018
41	Nuevo Rd	A1 Zoned Acreage	Not Available	Residential	CC & R14	29.8	1,298,523	5/24/2006	2,700,000	90,574
42	Dockery Ln	Residential Zoned Acreage	Raw land	Residential	N/Av, Perris	6.0	259,617	4/19/2006	1,050,000	176,175
43	Dockery Ln	Residential Zoned Acreage	Raw land	Residential	N/Av, Perris	9.7	420,789	4/19/2006	1,750,000	181,160
								Residential Average:		**$104,687**
								Residential Median:		**99,660**
								All Land Sales Average:		**$186,228**
								All Land Sales Median:		**210,210**

Sources: Costar Group Inc., 2009; and, CBRE Consulting

(1) The sub-market is defined as a 5-mile radius from the City Hall and includes the entire City of Perris.

(2) The above is not an exhaustive list of sales. Only those sales greater than 5 and up to 50 acres in size with complete sale price information as reported by the Costar Group are presented.

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Exhibit A-7:

LAND SALES IN KERN COUNTY

Commercial, Industrial and Residential Land Sales, 2006 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address in City of Chino	City	Property Name/Land Imp.	Zoning	Acres	Land SF	Sale Date	Sale Price	$/Acre
1	SE Elmo Hwy @ Elmo Hwy & Browning Rd	Mc Farland	Falcon Heights		135.0	5,880,600	11/15/2007	$2,142,000	$15,867
2	Pacheco Rd	Bakersfield	Vacant Land 67.57 Acres	M-3, Bakersfield	67.6	2,943,349	10/10/2008	2,500,000	36,999
3	1234 Willow Springs Rd	Mojave			40.0	1,742,400	12/19/2008	128,000	3,200
4	Scofield Rd	Wasco	Wasco Valley Rose - vacant land		40.0	1,742,400	9/29/2006	1,999,582	49,990
5	Mojave Tropical Rd	Rosamond			40.0	1,742,400	6/7/2007	335,000	8,375
6	NW Hanawalt Ave @ Hanawalt & Mast Ave	Mc Farland	Sierra Springs		38.2	1,665,655	11/15/2007	599,000	15,665
7	16701 Brimhall Rd	Bakersfield		E-1 RS, Bakersfield	35.0	1,524,164	12/7/2007	2,000,000	57,159
8	17174 Highway 14	Mojave		M-2	34.4	1,496,286	2/22/2008	550,000	16,012
9	4057-4061 Industrial Pky	Lebec	Tejon Industrial Complex - Bldg. U.C.		23.8	1,034,550	7/1/2008	2,500,000	105,263
10	College Heights Blvd @ Kendall Avenue	Ridgecrest	Villas at College Heights		22.7	988,812	3/22/2007	2,300,000	101,322
11	Stockdale Hwy @ Heath	Bakersfield		Commercial	20.0	871,200	5/1/2007	3,600,000	180,000
12	Archibald Ave	Maricopa	Parcel 4		20.0	871,200	4/20/2007	165,000	8,250
13	Johnson Rd @ Driver	Bakersfield		A-1	20.0	871,200	9/11/2007	1,000,000	50,000
14	Wheeler Ridge Rd @ Creekside Dr.	Arvin	Wheeler Ridge Site		19.5	847,242	11/17/2008	379,990	19,537
15	132 White Ln	Bakersfield	3 Buildings apx 2,555 SF	Light Industrial	15.5	673,002	11/28/2007	1,300,000	84,142
16	Avenue A & 120th W	Rosamond	no zoning restrictions		14.5	631,620	1/24/2007	125,000	8,621
17	Henry Rd	Taft		M-2	14.3	620,730	2/5/2008	505,000	35,439
18	NWC McCutchen & Gosford Rd	Bakersfield		C2	10.0	435,600	6/15/2007	2,275,000	227,500
19	Compagnoni St	Bakersfield			10.0	435,600	9/21/2007	650,000	65,000
20	Mercedes Blvd	California City	10 Acres	R2.5	10.0	435,600	5/4/2007	25,000	2,500
21	Redrock Randsburg Rd	North Edwards	Vacant Land-10 Acres		10.0	435,600	5/26/2006	20,000	2,000
22	Eucalyptus Dr (2 Properties)	Bakersfield	Multi-Property Sale		9.6	418,176	11/9/2007	980,000	102,083
23	5901 Mills Rd	Bakersfield	Mills Road Land		8.8	381,150	9/12/2007	820,000	93,714
24	S China Lake Blvd @ Bowmen Ave.	Ridgecrest	NEC of S. China Lake @ Bowman	GC, Ridgecrest	6.9	302,306	7/3/2008	1,500,000	216,139
25	1245 Kern St	Taft			6.4	279,655	8/31/2007	200,000	31,153
26	N Norma St @ West Ward Avenue	Ridgecrest		R-2	6.0	259,618	10/4/2006	420,000	70,470
27	W Day Ave @ Airport Drive	Bakersfield			5.8	250,470	10/4/2007	1,300,000	226,087
				Land Sales Avg.:					**$44,347**
				Land Sales Median:					**$49,990**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information, as reported by the Costar Group, are presented.

MV00178176

ATTACHMENT 6

DRAFT

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY
STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

LSA

April 18, 2012

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ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY
STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

Lead Agency:

City of Moreno Valley Community and Economic Development Department
Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552
Attn: Jeff Bradshaw, Associate Planner
(951) 413-3224

Prepared by:

LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, California 92507
(951) 781-9310

LSA Project No. VOG1001

LSA

April 18, 2012

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B: Initial Study Technical Studies

- B-1: General Habitat Asse ssment, 71± Site (APNs: 31 6-210-071, -073, -0 75, -076), Moreno Vall ey, Riverside Co unty Cali fornia, Ecological Scie nces, In c., Aug ust 1 , 2010.
- B-2: Jurisdictional Survey a nd MSHCP Riparian/Riverine/Vernal Po ols Evalu ation, 71 ± Site (APNs: 316-210 -071, -073, -0 75, -076), Moren o Valley , Riversi de County California, Ecological Sciences, Inc., November 1, 2009.
- B-3: Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210 -071, -073, -0 75, -076), Moren o Valley , Riversi de County California, Ecological Sciences, Inc., November 9, 2009.
- B-4: Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Mo reno Valley, Riverside County California, Ecol ogical Scie nces, Inc., November 11, 2009.
- B-5: Phase I Cultural Resources Assessment and P aleontological Records Review Perris Boulevard Project, M oreno Valley, Riverside Co unty, California, Michael B randman Associates, March 22, 2007.

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B-6: Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007.

B-7: Phase I Environmental for the Evaluation of Potentially Hazardous Materials, Centec Engineering, February 23, 2007.

B-8: Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., March 27, 2009.

B-9: Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., July 24, 2009.

B-10: Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004, Eastern Municipal Water District, January 20, 2010.

C: LESA Modeling Worksheets and Agriculture Viability Report

C-1: LESA Modeling Worksheets, LSA Associates, Inc., August 2011.

C-2: Economic Viability of Agriculture in the East Inland Empire, CB Richard Ellis, March 18, 2009.

D: Air Quality Reports

D-1: Air Quality Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.

D-2: Health Risk Assessment VIP Moreno Valley, LSA Associates, Inc., March 2012.

E: Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., December 2011.

F: Noise Impact Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.

G: Traffic Study VIP Moreno Valley, LSA Associates, Inc., April 2012.

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1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

The Draft Environmental Impact Report (EIR) (State of California Clearinghouse No. 2011081084) for the VIP Moreno Valley Project (proposed project or project) has been prepared by LSA Associates, Inc. on behalf of the City of Moreno Valley (City) to: 1) identify the proposed project's impacts on the environment; 2) to discuss alternatives to the proposed project; and 3) to propose mitigation measures that will offset, minimize or otherwise avoid significant environmental impacts. This EIR has been prepared in accordance with the *California Environmental Quality Act*[1] and Sections 15120 through 15131 and 15161 of the *Guidelines for California Environmental Quality Act,*[2] both of which regulate the preparation of EIRs. Based on the potential impacts of the proposed project, including cumulative impacts, and the comments received during the public review of the Initial Study (IS) and public scoping meeting, the City determined that an EIR should be prepared to analyze potential impacts of the proposed project with respect to the following environmental issues:

- Agricultural and Forest Resources;
- Air Quality;
- Greenhouse Gas Emissions and Global Climate Change;
- Noise; and
- Traffic and Circulation.

These five environmental issues are individually addressed in Section 4.0 (Environmental Analysis). Based on the analysis provided in the IS (contained in Appendix A) for the proposed project, all impacts associated with the following eight environmental issues were determined to be "Effects Not Found to be Significant" according to §15128 of the *CEQA Guidelines* and are not addressed in detail in Section 4 of this EIR:

- Aesthetics
- Hazards and Hazardous Materials
- Land Use/Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities/Services Systems

Based on the analysis provided in the IS (contained in Appendix A) for the proposed project, all impacts associated with the following four environmental issues were determined to be less than significant with implementation of mitigation measures. These topics are not addressed in detail in Section 4 of this EIR but the mitigation measures will be contained in the mitigation monitoring and reporting plan to ensure that the measures are implemented:

- Biological Resources
- Cultural Resources
- Geology and Soils
- Hydrology/Water Quality

[1] *California Environmental Quality Act*, as of January 1, 2011, §§21000–21177, Public Resources Code, State of California.
[2] *Guidelines for California Environmental Quality Act*, as of January 1, 2011, §§15000–15387, California Code of Regulations, Title 14, Chapter 3, State of California.

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Additional discussion of these issues is provided in Section 2.0 of this EIR and the IS prepared for the proposed project.

1.2 PROPOSED PROJECT

The project site is located in the City of Moreno Valley, Riverside County (Figure 1.1). The approximately 71-acre site is generally located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary.

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. See Figure 1.2.

Site and building design attributes for the proposed project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

Green building designs typically exhibit the following features:

- More natural ventilation or, at least, a mixture of natural ventilation and air conditioning, and/or increased fresh air via the mechanical ventilation system.
- Narrow plan forms, often within the 15m limits of natural ventilation and daylight access, the corollary of which is less 'deep' space in the middle, which users dislike.
- Better utilization of daylight.
- More user controls for windows, blinds, lights and ventilators. This can mean that needs (like thermal comfort) are met more quickly even though the conditions may only be 'good enough'. Users preferred rapid response when things go wrong or needed changing, and will tolerate conditions which are reasonable.
- Higher floor to ceiling heights, which helps, e.g., with daylight penetration.
- More open plan workspaces (usually desks) close to or next to windows.

1.3 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

The EIR discusses impacts that would occur to on-site and off-site uses as a result of implementation of the proposed project. This EIR also includes proposed mitigation measures that have been identified to reduce or avoid significant effects that would result from the construction and operation of the proposed on-site uses. *CEQA Guidelines* Section 15123(b)(2) requires that areas of controversy known to the Lead Agency (City of Moreno Valley) be stated in the EIR summary. The following discussion identifies issues raised by other agencies and the public during the 30-day public comment period of the Initial Study (IS) and Notice of Preparation (NOP), as well as comments received during the public scoping meeting that was held for the proposed project at the City of Moreno Valley City Council Chambers on September 19, 2011, at 6:00 p.m.

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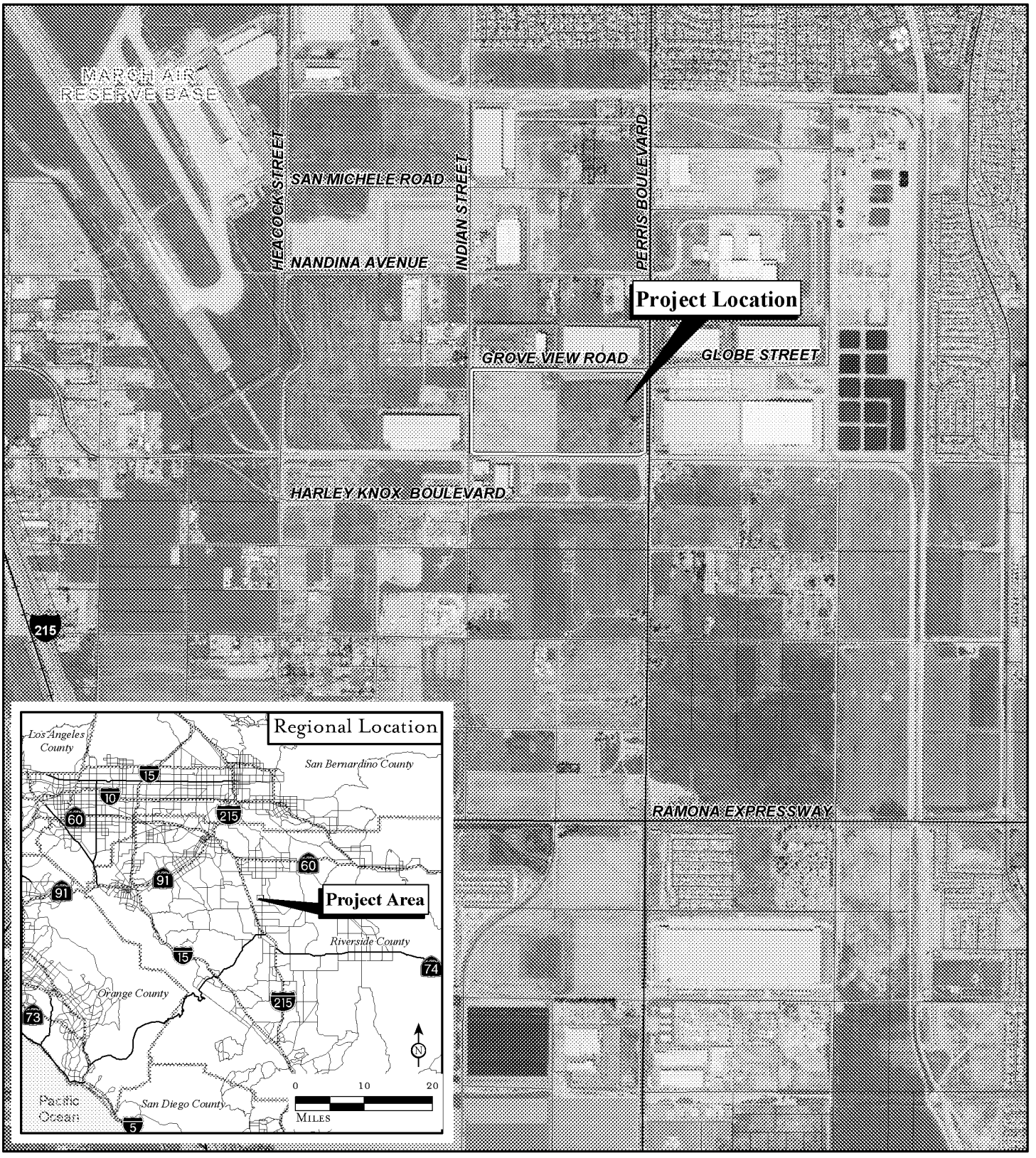

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FIGURE 1.1

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SOURCE: AirPhotoUSA, 2008; Thomas Bros., 2009

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VIP Moreno Valley
Environmental Impact Report

Regional and Project Location

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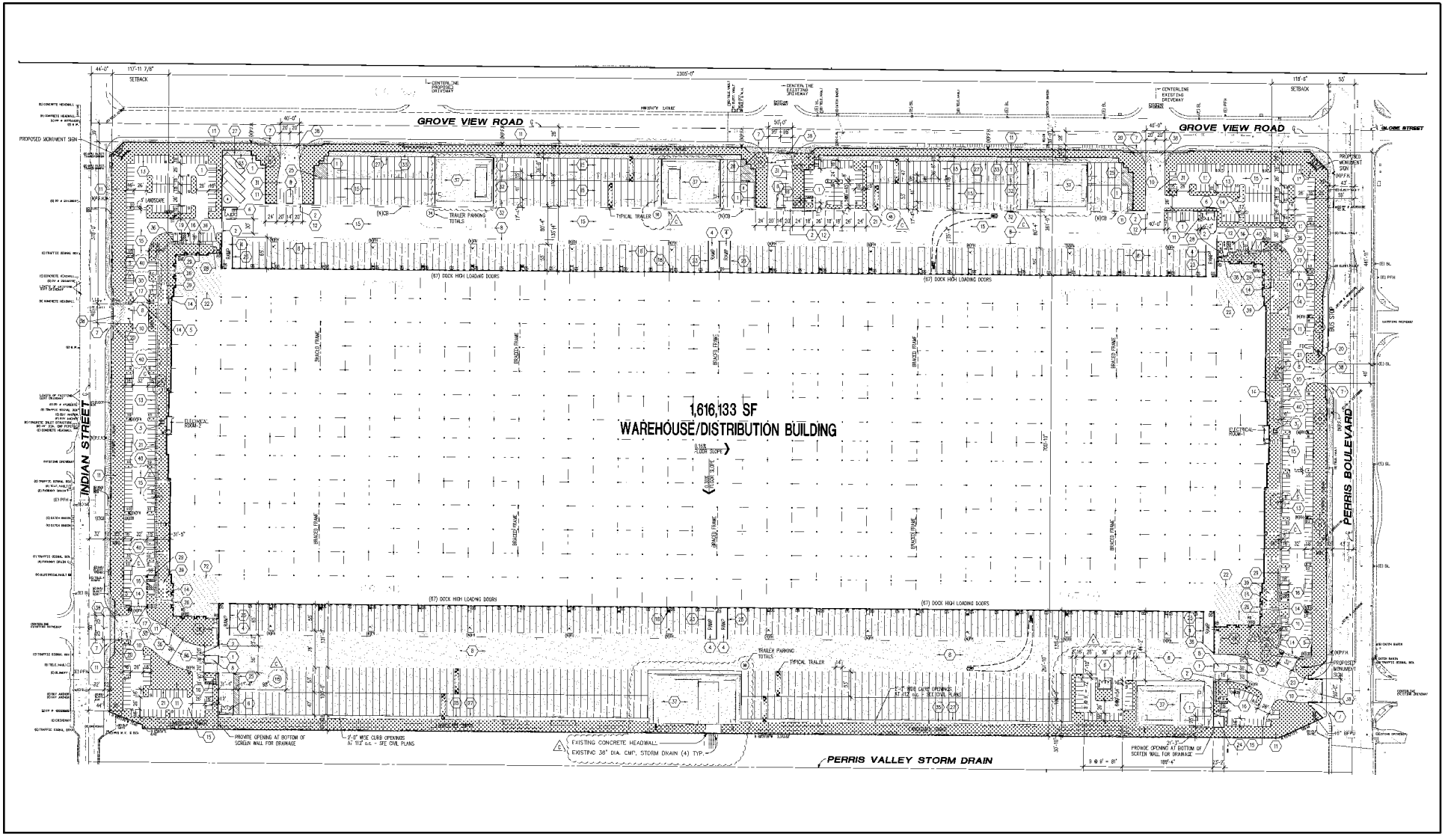

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FIGURE 1.2

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SOURCE: RKZ, Inc., 2009

VIP Moreno Valley
Environmental Impact Report

Site Plan

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1.3.1 Notice of Preparation

The objective of distributing a Notice of Preparation (NOP) is to solicit public comment in order to identify and determine the full range and scope of issues of concern so that these issues might be fully examined in the EIR. An IS was distributed in tandem with the NOP. The NOP was distributed to the State Clearinghouse, as well as to the organizations and persons considered likely to be interested in the project and its potential impacts. Comments received regarding the NOP were used to help identify impacts that could result from implementation of the proposed project. An NOP for the Draft EIR was distributed to state, regional, and local agencies on August 26, 2011, for a 30-day review period ending on September 26, 2011.

The IS, NOP, distribution list, Notice of Public Scoping Meeting, and response letters are included in Appendix A of the Draft EIR. As of the close of the 30-day NOP public review period, 12 responses to the NOP had been received. Table 1.A summarizes the comments received regarding the NOP.

Table 1.A: Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments	Addressed in EIR Section
State of California Governor's Office of Planning and Research	August 25, 2011	Explanation of Notice of Preparation procedures.	Not applicable
Native American Heritage Commission	August 26, 2011	Explanation of SB18 Consultation Process (e.g. sacred lands file search and associated mitigation measures)	Not applicable
California Department of Transportation – District 8	August 30, 2011	Recommendation of coordination with Caltrans District 8 for project's local traffic and circulation impacts. Identifies concern regarding potential impacts to I-215 ramps and interchange in the project area.	4.5
South Coast Air Quality Management District	September 7, 2011	Request to discuss air pollutant emissions for construction and operational phases; calculation of $PM_{2.5}$ emissions using $PM_{2.5}$ significance thresholds; calculation of localized significance thresholds; and inclusion of a mobile source health risk assessment.	4.5
Southern California Association of Governments	September 7, 2011	Request to include a project consistency analysis with SCAG's Regional Transportation Plan and Compass Growth Visioning goals and policies.	5.0
Riverside County Flood Control and Water Conservation District	September 8, 2011	Explanation of the payment of drainage fees associated with the District's Perris Valley Area Drainage Plan, the obtainment of an encroachment permit (if applicable) for any construction related activities occurring within District right of way or facilities.	Not applicable
Department of Toxic Substances Control	September 14, 2011	Request for the EIR to take a look at hazardous materials databases run by regulatory agencies and the inclusion of mitigation measures for any recommended remediation efforts in the EIR.	Initial Study (Appendix A)

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Table 1.A: Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments	Addressed in EIR Section
California Department of Fish and Game	September 19, 2011	Request to include discussion on MSHCP consistency, impacts to red-tailed hawk, American kestrel, associated common bird species, the side-blotched lizard, the western fence lizard, and desert cottontail. Also request for information on any loss of jurisdictional waters, vernal pools and development into areas with native habitat values.	Initial Study (Appendix A) and Biological Resources Study (Appendix B-)
City of Riverside	September 23, 2011	Request to include information on number of projected employees, evaluation of projected local and regional traffic impacts to existing transportation systems and networks in the area.	4.5 and 5.0
Eastern Municipal Water District	September 23, 2011	Disclosure that EMWD intends to construct additional recycled water facilities immediately north of its existing facility on Trumble Road in Perris with the excavated soil temporarily stockpiled and available to others for use as fill. Letter also requests that the project initiate the New Development process with EMWD.	Not applicable
Sierra Club – San Gorgonio Chapter	September 25, 2011	Request for information to be included in EIR involving LEED certification levels, mitigation for agricultural lands, providing amenities encouraging the use of alternative modes of transportation, truck routes, global climate change, projected greenhouse gas emissions, and a reasonable range of alternatives.	Initial Study (Appendix A); 4.1; 4.3; 4.3; 6.0
City of Perris	September 26, 2011	Request for the EIR to include information regarding impacts to I-215/Harely Knox Boulevard Interchange, Indian Avenue, Perris Boulevard, and other roadways within the project area. Request to identify mitigation for impacted intersections in the EIR.	4.5

Note: All NOP response letters (along with the Initial Study) are included in Appendix A of the Draft EIR.

1.3.2 Public Scoping Meeting

In compliance with *State CEQA Guidelines*, the City of Moreno Valley has taken steps to maximize opportunities for individuals, parties, and agencies to participate in the environmental process. During circulation of the NOP, various federal, state, regional, and local government agencies, and other interested parties were contacted to solicit comments and to inform the public of the proposed project. A public scoping meeting was held to solicit public comment on direction and scope of the analysis necessary for the Draft EIR. The public scoping meeting was held on September 19, 2011, at 6:00 p.m., at the City of Moreno Valley City Council Chambers, Moreno Valley California. Copies of the IS, NOP, and the conceptual site plan were available to the public for review. City staff, the project applicant, and the EIR consultant (LSA Associates, Inc.) were present to provide information regarding the project and collect public comment. Two members from the public attended the scoping meeting.

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1.4 ALTERNATIVES TO THE PROPOSED PROJECT

In compliance with *CEQA Guidelines* (Section 15126.6), an EIR must describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project objectives, and would avoid or substantially lessen significant effects of the project. The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives. An EIR must evaluate a "No Project" alternative in order to allow decision-makers to compare the effect of approving the project to the effect of not approving the project. A more detailed description of each project alternative as well as an analysis of the potential environmental impacts associated with the construction and operation of each is provided in Section 6.0.

1.4.1 No Project Alternative

Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The project site's zoning designation is currently Specific Plan 208 – Moreno Valley Industrial Area Plan. The project site is currently designated by the General Plan for Business Park/Light Industrial uses. Given the goals and objectives of the City of Moreno Valley, it is highly reasonable in the event the proposed project were not approved that the site would be developed with some type of industrial park uses. For analysis purposes, it is assumed that the No Project Alternative would be developed with approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial on 8 acres.

1.4.2 Reduced Intensity Alternative

With the intent of avoiding or substantially reducing significant impacts created by the project traffic, air quality, and noise, the City has considered a Reduced Intensity Warehouse Alternative. This alternative includes one warehouse building covering approximately 1,212,100 square feet. Under this alternative, the proposed warehouse uses would represent a net decrease of approximately 25 percent (400,000 square feet) as compared to the proposed project.

1.4.3 Commercial Center (Mixed Commercial/Office) Alternative

The Commercial Center Alternative would result in the development of commercial service and office uses on the project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.[1]

[1] Square footage is based on a 50 percent development of the project site.

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1.4.4 Off-Site Location Alternative

This alternative would result in the development of approximately 1,616,133 square feet of warehouse uses on approximately 70 acres. The alternative project site identified by the City is bounded by Krameria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is currently zoned SP 208 I and is designated BP in the City's General Plan, identical to the proposed project. Since the proposed uses are consistent with the uses identified for the off-site location, no zone change or General Plan Amendment would be required.

1.5 IMPACTS, MITIGATION, AND LEVEL OF IMPACTS SUMMARY TABLE

Table 1.B provides a summary of the proposed project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures.

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
AESTHETICS (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project Have a substantial adverse effect on a scenic vista?	Less than significant impact. No mitigation is required.	Less Than Significant
Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact. No mitigation is required.	Not applicable - No Impact
Substantially degrade the existing visual character or quality of the site and its surroundings?	Less than significant impact. No mitigation is required.	Less Than Significant
Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact. No mitigation is required.	Less Than Significant
4.1 AGRICULTURAL RESOURCES		
Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project result in the loss of forest land or conversion of forest land to non-forest uses?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the proposed project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable
Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable
Cumulative Impacts: The cumulative area for agricultural resource impacts is Riverside County. No local or regional program to mitigate for the cumulative impacts to agricultural resources is available. Because agricultural	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
land, including Prime Farmland is a finite resource, and because neither the City of Moreno Valley nor the County of Riverside maintains a program to offset agricultural resource impacts, the conversion of the project site to warehouse uses, in conjunction with planned and future development in the City and region, would contribute to a further reduction in the amount of land available for agricultural uses. This reduction in agricultural land represents a significant impact.		
4.2 AIR QUALITY		
Would the project conflict with or obstruct implementation of the applicable air quality plan?	No impact. No mitigation is required.	Not applicable - No Impact
Would the proposed project create objectionable odors affecting a substantial number of people?	Less than significant impact. No mitigation is required.	Less Than Significant
Long-Term Microscale (CO Hot Spot) Emissions: Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation? For CO, the applicable thresholds are: - California State one-hour CO standard of 20.0 ppm; - California State eight-hour CO standard of 9.0 ppm.	No impact. No mitigation is required.	Not applicable - No Impact
Localized Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operation, the applicable localized daily thresholds are: - 12,083 pounds per day of CO; - 585 pounds per day of NO_X; - 32 pounds per day of PM_{10}; and - 14 pounds per day of $PM_{2.5}$.	Less than significant impact. No mitigation is required.	Less Than Significant
Operational-Acute and Operational–Chronic Health Risk Impacts: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Construction Equipment Exhaust Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.	Significant Impact. Mitigation is required. **4.2.6.1A** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1B** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1C** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1D** All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. **4.2.6.1E** The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid- morning,	Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	afternoon, and after work is done for the day. **4.2.6.1F** The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes. **4.2.6.1G** Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more). **4.2.6.1H** The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law). **4.2.6.1I** The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less). **4.2.6.1J** If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to car pool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be provided onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. **4.2.6.1L** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM 10 (fugitive dust) generation or other construction-related air quality issues. **4.2.6.1M** All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations. These measures shall be enforced by the on-site facilities manager (or equivalent).	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Localized Construction Emissions: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?	Significant Impact. Mitigation is required. Implement **Mitigation Measures 4.2.6.1A** through **4.2.6.1M.** There is no feasible mitigation over and above those measures prescribed by Rule 403 and Mitigation Measures 4.2.6.1A through 4.2.6.1M.	Significant and Unavoidable
Long-Term Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NO_X; - 550 pounds of CO; - 150 pounds of PM_{10}; - 55 pounds of $PM_{2.5}$; and - 150 pounds of SO_X.	Significant Impact. Mitigation is required. **4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. Any combination of design features including but not limited to the following list may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City.	Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation

	Automatic devices to turn off lights when they are not needed shall be implemented.
	• To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.
	• Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
	• All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.
	• To reduce energy demand associated with potable water conveyance, the project shall implement the following:
	  ○ Landscaping palette emphasizing drought-tolerant plants;
	  ○ Use of water-efficient irrigation techniques; and,
	  ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
	• The project shall provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
	• The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.
	• The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to	

MV00178202

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	encourage and co ordinate ca rpooling a mong building occ upants. T he TMA will a dvertise its services to bui lding occu pants, and offer transit and/or oth er inc entives to red uce GHG emissions. A plan will be su bmitted by the TMA to the Cit y within t wo m onths of project completion t hat o utlines the m easures implemented b y th e T MA, as well as co ntact information. • The project shall provide preferential parking for carpools and van pool. Locati ons an d configurations of proposed p referential p arking for carpo ols and vanpools are subject to revi ew and approval b y the City. Prio r to final s ite pl an approval, pr eferential p arking for carp ools a nd vanpools shall be del ineated on the proj ect site plan. • The project s hall pr ovide at least t wo electric vehicle ch arging statio ns. Locatio ns and configurations of propos ed charging stations are subject to review and approval by the City. Prior to issuance of the first b uilding permit, stub outs for chargi ng st ations s hall be indic ated on the project building plans. • Lease/purchase docum ents shall i dentify t hat tenants are enc ouraged to pr omote the following: ○ Implementation of compres sed workweek schedules; ○ SmartWay partnership; ○ Achievement of at le ast 20% per year (as a percentage of previo us per centage, not total trips) i ncrease in percentage o f consolidated t rips carri ed b y SmartW ay carriers until it reach es a m inimum of 90 % of al l l ong h aul trips carri ed by SmartW ay 1.0 or greater carriers.	

MV00178203

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	○ Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. ○ Use of fleet vehicles conforming to 2010 air quality standards or better. ○ Installation of catalytic converters on gasoline-powered equipment. ○ Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; ○ Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; ○ Provision of preferential parking for EV and CNG vehicles; ○ Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; ○ Use of electric (instead of diesel or gasoline-powered) yard trucks; ○ Use of SmartWay 1.25 rated trucks. **4.2.6.3B** The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Cumulative Impacts: The cumulative area for air quality impacts is the Basin. The project would contribute criteria pollutants to the area during project construction. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulatively significant air quality impacts. The Basin is in nonattainment for PM10 and ozone at the present time; therefore, the construction and operation of the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed project would unavoidably contribute to significant cumulative air quality impacts.	Significant unavoidable. The project-specific measures will help reduce project-related air pollutants, however, no feasible mitigation is available to reduce cumulative air quality impacts to a less than significant level.	Significant and Unavoidable
BIOLOGICAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply. **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply. **Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.	
Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Wildlife Service?	Less than significant impact. No mitigation is required.	Less Than Significant
Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact. No mitigation is required.	Less Than Significant
Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less than significant impact. No mitigation is required.	Less Than Significant
Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or	No impact. No mitigation is required.	Not applicable - No Impact

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
ordinance?		
CULTURAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	Less tha n si gnificant im pact. No mitigation is required.	Less Than Significant
Cause a subst antial a dverse change in t he significance o f an archaeological resource pursuant to Section 15064.5?	Less tha n si gnificant im pact. No mitigation is required.	Less Than Significant
Directly or in directly destro y a un ique pal eontological resource or site or unique geologic feature?	Potentially Si gnificant Imp act Unless Mitigation Incorporated. **Mitigation Measure CUL-1:** Prior to construction involving excavation four fe et or mor e below existing surface gr ade, the constru ction co ntractor sha ll provide ev idence that a q ualified p aleontologist has been retained, and th at the pa leontologist(s) shall be present dur ing al l gr ading and oth er s ignificant ground-disturbing activiti es that reach fo ur feet or more be low existing s urface gra de. If the paleontologist(s) do not find evidence for Pleistocene-era d eposits once the maximum excavation d epth is re ached, monitor ing shall be discontinued. I n the ev ent fo ssiliferous d eposits are encountered, the follo wing measures shall be implemented: • Monitoring s hall b e co nducted b y q ualified paleontological monitor(s) of excavation in areas identified as l ikely to conta in pa leontological resources, inclu ding un disturbed o lder Pleistocene a lluvium. P aleontological mon itors shall be equipped to sa lvage fossils as the y are unearthed, to avoi d construc tion de lays, an d to remove sam ples of sedime nts that are like ly to contain the re mains of small fossil inverteb rates and verte brates. Monitors sh all b e empo wered to temporar ily halt or divert e quipment to allow removal of abundant or larg e spec imens. Monitoring ma y be re duced if the potenti ally fossiliferous units are determi ned upo n exposure a nd e xamination b y qu alified	Less Than Significant

MV00178207

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.	
Disturb any human remains, including those interred outside of formal cemeteries?	Less than significant impact. No mitigation is required.	Less Than Significant

MV00178208

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
GEOLOGY AND SOILS (FROM THE INITIAL STUDY [APPENDIX A])		
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	No impact. No mitigation is required.	Not applicable - No Impact
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (ii) Strong seismic ground shaking?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (iii) Seismic-related ground failure, including liquefaction?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (iv) Landslides?	No impact. No mitigation is required.	Not applicable - No Impact
Result in substantial soil erosion or the loss of topsoil?	Less than significant impact. No mitigation is required.	Less Than Significant
Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure GEO-1:** Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be	Less Than Significant

MV00178209

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.	
Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure GEO-2:** Prior the issuance of	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	
Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No impact. No mitigation is required.	Not applicable - No Impact
4.3 GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE		
Would the proposed project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	Less than significant. No mitigation is required.	Less Than Significant
Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant Impact. Mitigation is required. Previously referenced **Mitigation Measures 4.2.6.3A** and **4.2.6.3B** will reduce project greenhouse gas emissions. **4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent	Less Than Significant

MV00178211

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project: • Use locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the California Building Code's (CBC) Title 24 energy	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	standard, including, but not limited to, any combination of the following: ○ Increase insulation such that heat transfer and thermal bridging is minimized. ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. ○ Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project: • The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide	

MV00178213

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	[CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: ○ Install drought tolerant plants for landscaping. ○ Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. ○ Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.	
Cumulative Greenhouse Gas Emissions and Climate Change: Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of *CEQA Guidelines* Sections 15065(a)(3) and 15130.	Significant impact. Mitigation is required. **Mitigation Measures 4.2.6.3A** and **4.3.6.3.B**. **Mitigation Measures 4.3.6.1A** through **4.3.6.1.C**.	Significant and Unavoidable. Given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.

MV00178214

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
HAZARDS AND HAZARDOUS MATERIALS (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No impact. No mitigation is required.	Not applicable - No Impact
Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	Less than significant impact. No mitigation is required.	Less Than Significant
For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	No impact. No mitigation is required.	Not applicable - No Impact
Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Less than significant impact. No mitigation is required.	Less Than Significant
HYDROLOGY AND WATER QUALITY (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project: Violate any water quality standards or waste discharge requirements?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure HYD-01:** Prior to grading plan approval and the issuance of a grading permit by the	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner that would result in flooding on site or off site? Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? Otherwise substantially degrade water quality?	City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of storm water associated with construction activities. **Mitigation Measure HYD-02:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: • Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP. • Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas. • All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge	

MV00178216

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	from the site. Stockpiles will be surrounded by silt fences. • The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance. • Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. • The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site. **Mitigation Measure HYD-03:** Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board. **Mitigation Measure HYD-04:** Prior to grading plan	

MV00178217

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.	
Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	Less than significant impact. No mitigation is required.	Less Than Significant
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.	Less Than Significant
Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	No impact. No mitigation is required.	Not applicable - No Impact
Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	No impact. No mitigation is required.	Not applicable - No Impact
Expose people or structures to inundation by seiche, tsunami, or mudflow?	Less than significant impact. No mitigation is required.	Less Than Significant
LAND USE (FROM THE INITIAL STUDY [APPENDIX A])		
Physically divide an established community?	No impact. No mitigation is required.	Not applicable - No Impact
Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant impact. No mitigation is required.	Less Than Significant
Conflict with any applicable habitat conservation plan or natural community conservation plan?	Potentially Significant Impact Unless Mitigation Incorporated. Implementation of **Mitigation Measures BIO-1 through BIO-4**	Less Than Significant
MINERAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No impact. No mitigation is required.	Not applicable - No Impact
Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No impact. No mitigation is required.	Not applicable - No Impact
4.4 NOISE		
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, results in exposure of people residing or working in the project area to excessive noise levels.	No impact. No mitigation is required.	Not applicable - No Impact
For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.	No impact. No mitigation is required.	Not applicable - No Impact
Would the project result in exposure of persons to or generation of excessive groundborne vibration or	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
groundborne noise levels?		
Long-Term Traffic Noise Impacts: Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Less than significant impact. No mitigation is required.	Less Than Significant
Long-Term Operational Noise Impacts: Would the project cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies?	Less than significant impact. No mitigation is required	Less Than Significant
Short-Term Construction Noise Impacts: Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Significant impact. Mitigation is required. **4.9.6.1A** During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. **4.9.6.1B** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site. **4.9.6.1C** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction. **4.9.6.1D** During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Cumulative Noise Impacts: It is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, However, in the event that adjacent properties are developed at the same time as the proposed project, implementation of the required mitigation at each development site would reduce the cumulative impacts of the proposed project to less than significant levels. The increases over existing traffic volume are attributable to cumulative development projects in the project vicinity and region. Cumulative noise impacts associated with roadway noise have been addressed based on the projected future traffic volumes. Comparing cumulative noise levels that would occur both with and without the project, the proposed project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. Therefore, the proposed project's contribution to cumulative noise impacts at sensitive uses would not be significant.	No Impact. No mitigation is required.	Less Than Significant
POPULATION AND HOUSING (FROM THE INITIAL STUDY [APPENDIX A])		
Induces substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less than significant impact. No mitigation is required.	Less Than Significant
Displaces substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	No Impact. No mitigation is required.	Not applicable - No Impact
Displaces substantial numbers of people, necessitating the construction of replacement housing elsewhere?	No Impact. No mitigation is required.	Not applicable - No Impact
PUBLIC SERVICES (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
performance objectives for any of the public services: A) Fire Protection		
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: B) Police Protection	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: C) Schools	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: D) Parks	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: E) Other Public Facilities	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
RECREATION (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
4.5 TRANSPORTATION		
Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project result in inadequate emergency access?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<u>Existing Plus Project Intersection, Roadway Segment, and Freeway Segment Impacts</u>: Significant impact. Mitigation is required. **4.5.6.1A.** Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	Intersections and Roadway Segments: Less Than Significant Freeway Segments: Significant and Unavoidable

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.	
Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<u>Opening Year 2013 Cumulative With Project Conditions Project Intersection, Roadway Segment, and Freeway Segment Impacts:</u> Significant impact. Mitigation is required. **4.5.6.2A.** Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	Intersections and Roadway Segments: Less Than Significant Freeway Segments: Significant and Unavoidable
<u>Cumulative Impacts:</u> With the development of the proposed project and the cumulative projects, ten intersections and four roadway segments would require improvements in order to maintain the City's LOS standard. The LOS analysis for freeway segments and ramp merge/diverge areas indicates that three freeway segments and ramp merge/diverge areas would operate at unsatisfactory levels of service with the development of proposed project and cumulative projects.	Significant impact. Mitigation is required. **Mitigation Measures 4.5.6.1A, 4.5.6.1B and 4.5.6.2A.**	The roadway and intersection improvements are consistent with the City's General Plan and are included in the County's TUMF program, with the exception of Indian Street/South Project Driveway which would be constructed entirely by the project applicant. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element. For these reasons, the project's impacts to affected roadway segments will be mitigated

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
		through payment of the City's DIF and the County's TUMF resulting in a less than significant impact. Improvements to affected freeway segments and ramp merge/diverge areas are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with the se identified freeway segments would remain significant and unavoidable until such improvements are constructed.
UTILITIES AND SERVICE SYSTEMS (FROM THE INITIAL STUDY [APPENDIX A])		
Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Less than significant impact. No mitigation is required.	Less Than Significant
Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Less than significant impact. No mitigation is required.	Less Than Significant
Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	Less than significant impact. No mitigation is required.	Less Than Significant
Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Less than significant impact. No mitigation is required.	Less Than Significant
Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant impact. No mitigation is required.	Less Than Significant
Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Less than significant impact. No mitigation is required.	Less Than Significant
Comply with federal, state, and local statues and regulations related to solid waste?	Less than significant impact. No mitigation is required.	Less Than Significant

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2.0 INTRODUCTION AND PURPOSE

This section of the Draft EIR describes the purpose and type of EIR, the intended uses of the EIR, documents incorporated by reference, and the process and procedures governing the preparation of the environmental document. Included in this section is a discussion of issues determined to be less than significant. This section also identifies topic areas of discussion and analysis in the Draft EIR and provides an outline of the document format.

2.1 DOCUMENT FORMAT

To assist the reader's review of the document, the following describes the format of this EIR.

Section 1.0 *Executive Summary* provides a summary of the EIR document and (in Table 1.B) the proposed project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures.

Section 2.0 *Introduction and Purpose* provides a discussion of the EIR's purpose, focus, legal requirements, and an outline of the document's format and content.

Section 3.0 *Project Description* provides a detailed description of the proposed project, discretionary actions required to implement the project, and objectives of the proposed project.

Section 4.0 *Existing Setting, Impacts, and Mitigation Measures* evaluates the impacts associated with the proposed project. This section is organized by issue area and follows the following framework:

- *Existing Setting*. Information in the existing setting contains a discussion of the local and regional environment conditions (environmental and man-made) in existence at the time the NOP was circulated for public review. Existing setting information provides the reader with the "baseline" from which future impacts are analyzed, and provides a standard against which to measure these impacts.
- *Existing Policies and Regulations.* Regulatory requirements and policies (federal, state, and local) applicable to the issue area are summarized.
- *Methodology.* Identification of methods and techniques utilized for analysis.
- *Thresholds of Significance*. Determinations regarding the significance of potential impacts resulting from implementation of the proposed project are provided. These thresholds represent the criteria used in this EIR to determine whether identified impacts are significant.
- *Impacts*. Potential impacts are identified based on implementation of the proposed project. An analysis of potential impacts of the proposed project is presented in this section. This discussion focuses on the impacts of implementation of the proposed project, and includes potential short-term/long-term and direct/indirect project impacts, and consistency with applicable planning documents or regulations.
    - *Mitigation Measures*. The measures proposed to mitigate any potential impacts of the proposed project.
    - *Level of Significance after Mitigation.* Discussion that provides a conclusion as to whether implementation of the mitigation measures will reduce the project-related and cumulative impacts to a level that is less than significant.

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- *Cumulative Impacts.* This discussion focuses on the potential environmental effect of the proposed project combined with the effects of reasonably foreseeable development within the project study area.

Section 5.0 *Additional Topics Required by CEQA* contains discussions of additional topics required by CEQA, including unavoidable effects of the proposed project, growth inducement, and significant irreversible environmental changes.

Section 6.0 *Alternatives* contains discussion of alternatives to development of the proposed project. As intended by CEQA, sufficient information about each alternative is included to provide meaningful evaluation, analysis, and comparison with the proposed project. This section also evaluates the proposed effects of the No Project Alternative and identifies the environmentally superior alternative.

Sections 7.0–9.0 Contain listings of organizations and persons consulted in preparation of the EIR, references cited, a list of the EIR preparers, and acronyms used in the document.

The *Appendices* contain a copy of the NOP, NOP mailing list, NOP comment letters and responses, public scoping meeting information, technical reports, and other relevant correspondence received during the course of the analysis of the proposed project.

2.2 PURPOSE OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

Approval of the proposed project requires the following discretionary actions by the City:

- Certification of the Project EIR;
- Approval of a Tentative Parcel Map; and
- Approval of the Development Plan Review.

Because of these discretionary actions to be considered by the City, CEQA requires that the proposed project be reviewed to determine the environmental effects that would result if the project is approved and implemented. The City is the Lead Agency and has the responsibility for preparing and certifying this EIR prior to consideration of the proposed project. The City has the authority to make decisions regarding discretionary actions relating to implementation of the proposed project. Ministerial actions include approval of a Preliminary Water Quality Management Plan (P-WQMP) and Final WQMP (F-WQMP), Grading Plans, and Improvement Plans.

The objective of the Draft EIR is to inform City decision-makers, representatives of other affected/responsible agencies, the public, and other interested parties of the potential environmental consequences that may be associated with the approval and implementation of the proposed project. The Draft EIR also examines various alternatives to the proposed project and describes potential impacts relating to a variety of environmental issues and methods in which these impacts would be mitigated or avoided. This Draft EIR has been prepared in accordance with CEQA, California Public Resources Code Section 21000 *et seq.*; the *Guidelines for California Environmental Quality Act* (California Code of Regulations, Title 14, Chapter 3); and the rules, regulations, and procedures for implementing CEQA as adopted by the City.

2.2.1 Purpose of the California Environmental Quality Act

According to Section 15002 of *CEQA Guidelines*, the basic purposes of CEQA are to:

- Inform government decision-makers and the public about the potential significant environmental effects of proposed activities;

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- Identify ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governing agency finds the changes to be feasible; and
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

2.2.2 Intended Use of This EIR

The City, as the Lead Agency, has the responsibility for reviewing and approving the project-related actions. Under contract to the City and as permitted under *CEQA Guidelines* (§ 15084[d-e]), LSA Associates, Inc. (LSA), an independent environmental consulting firm, has prepared the Draft EIR. Prior to certification, this EIR must be subjected to the City's independent review and analysis. The information and conclusions must represent the City's independent judgment. This Draft EIR has been prepared utilizing information from City planning and environmental documents, applicant-provided technical studies; and other publicly available data. This Draft EIR is intended to provide the City with relevant information to use in considering approval of the proposed project by the City, and will serve as an informational document to assess the environmental effects of the proposed project and mitigation measures recommended to avoid or minimize identified significant impacts. As a public disclosure document, the Draft EIR has been made available to public agencies and the public for review prior to the City's consideration of the discretionary actions required for project approval.

2.2.3 Incorporated Documents

CEQA *Guidelines* (§ 15150) permits the incorporation by reference of all or portions of other documents that are generally available to the public. Any documents incorporated by reference are to be made available to the public for inspection at a public place or public building and CEQA requires that the EIR state where the incorporated documents will be made available for public inspection. The following documents have been incorporated by reference:

- *City of Moreno Valley General Plan*, adopted June 11, 2006.
- *City of Moreno Valley General Plan Final Environmental Impact Report*, July 2006.

Information from these documents relates to the condition of the natural and built environment; the type and level of services provided; City objectives, goals, and policies; thresholds for the evaluation of potential environmental impacts; and mitigation measures incorporated into the analysis contained in this Draft EIR. All of the project-related documents are available for review at the following locations:

City of Moreno Valley
Community Development Department
Planning Division
14177 Frederick Street
Moreno Valley, California 92553
(951) 413-3206
e-mail: jeffreyb@moval.com
Hours:
Monday through Thursday: 7:30 a.m. to 5:30 p.m.
Friday: closed

Moreno Valley Main Library
25480 Alessandro Boulevard
Moreno Valley, California 92553
(951) 413-3880
Hours:
Monday–Thursday: 9:00 a.m. to 8:00 p.m.
Saturday: 9:00 a.m. to 5:00 p.m.
Friday and Sunday: closed

The Draft EIR and technical studies is available online at the City's website: http://www.moval.org.

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2.2.4 Technical Reports

Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Draft EIR. The technical reports and other information included as appendices to this EIR include the following:

- Appendix A: *Initial Study, NOP, and NOP Comment Letters*, August 2011.
- Appendix B: Initial Study Technical Reports
  - Appendix B-1: *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010.
  - Appendix B-2: *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 1, 2009.
  - Appendix B-3: *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 9, 2009.
  - Appendix B-4: *Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 11, 2009.
  - Appendix B-5: *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Bouldevard Project, Moreno Valley, Riverside County, California,* Michael Brandman Associates, March 22, 2007.
  - Appendix B-6: *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
  - Appendix B-7: *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.
  - Appendix B-8: *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.
  - Appendix B-9: *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.
  - Appendix B-10: *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.
- Appendix C: *LESA Modeling Worksheets*, LSA Associates, Inc., August 2011.
- Appendix D-1: *Air Quality Analysis VIP Moreno Valley*, LSA Associates, Inc., August 2011.
- Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., August 2011.
- Appendix E: *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., August 2011.
- Appendix F: *Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., August 2011.

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- Appendix G: *Traffic Study VIP Moreno Valley*, LSA Associates, Inc., January 2012.

In addition to these technical studies, this Draft EIR includes the Initial Study, NOP, Distribution List, and public responses to the NOP, which are included as Appendix A.

2.3 PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

This Draft EIR will be distributed to responsible and trustee agencies, other affected agencies, and interested parties. Additionally, in accordance with Public Resources Code 21092(b)(3), the Draft EIR will be provided to all parties who have previously requested copies. Notice of Completion and Availability of the Draft EIR will be distributed as required by CEQA. During the 45-day public review period, the Draft EIR and technical appendices will be made available for review.

Written comments regarding this Draft EIR should be addressed to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley, Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92553
Phone: (951) 413-3224
e-mail: jeffreyb@moval.com

After the 45-day public review period, written responses to all significant environmental issues raised will be prepared. These responses will be available for review for a minimum of 10 days prior to the public hearing before the Planning Commission, at which time the certification of the Final EIR will be considered. The Final EIR, which includes the Draft EIR, the public comments and responses to the Draft EIR, and findings will be included as part of the environmental record for consideration by the City decision-makers.

2.3.1 Initial Study and Notice of Preparation

The City formally initiated the environmental process with circulation of an NOP, which it sent to responsible agencies and interested individuals for a 30-day review period from August 26 to September 26, 2011. At the close of the public review period, the City had received 12 letters on the NOP. Summaries of the comments received during the NOP comment period have been previously identified in Section 1.3.1 of this Draft EIR. The NOP and the responses to the NOP from agencies and individuals are included in Appendix A of this EIR.

2.3.2 Public Scoping Meeting

A public scoping meeting was held to solicit public comment as to the scope of the EIR. This meeting was held on September 19, 2011, at 6:00 p.m. at the City of Moreno Valley City Council Chambers. Other than City staff and the EIR consultant, two members of the public attended and only one question was asked regarding the location of the project's soil export site.

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2.4 POTENTIAL SIGNIFICANT IMPACTS OF THE PROPOSED PROJECT DISCUSSED IN THE EIR

As identified in the NOP, this Draft EIR includes an analysis of potential environmental effects associated with the following issues:

- Agricultural and Forest Resources
- Air Quality
- Greenhouse Gases and Global Climate Change
- Noise
- Transportation

2.5 EFFECTS FOUND NOT TO BE SIGNIFICANT

As required under CEQA (§ 15128), an EIR is to contain a statement supporting the Lead Agency's determination that some of the possible effects of a project are not significant and, therefore, are not discussed in detail in the EIR. The City has determined that potential impacts related to the following issue areas are either no impact, less than significant, or less than significant with implementation of mitigation measures (as indicated in the Initial Study (Appendix A). Mitigation that is identified for issues that were determined to be less than significant with the implementation of mitigation measures will be identified in the Mitigation Monitoring Plan that will be attached to the Final EIR and adopted by the City. The discussion below addresses each significance threshold as indicated in Appendix G of the CEQA Guidelines to make it clear to the reader which impacts are no impact, less than significant and less than significant with the implementation of mitigation measures.

2.5.1 Aesthetics

Would the project:

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. According to the Moreno Valley General Plan EIR, much of the existing development within the planning area is limited to the flat valley floor, preserving the views of the largely undeveloped surrounding hillsides. Existing urbanized development consists of residential, business park, commercial, office, and public uses, with single-family residential uses comprising the great majority of urbanized land. Non-residential urban uses are concentrated along major transportation corridors and around the joint civilian and military use March Air Reserve Base. The proposed project is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Although the General Plan identifies major scenic resources (i.e., surrounding mountains, San Jacinto/Hemet Valley, buildings, landscaping, and signs) in Moreno Valley as being visible from SR-60, the project would not affect views of these major scenic resources. In addition, the proposed project is consistent with development envisioned in the General Plan and Specific Plan 208, and based on the narrow definition of what constitutes a scenic vista as described in the City's General Plan EIR,[1] the potential impact to scenic vistas would be less than significant

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The proposed project is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity.[2] As noted in the discussion above, the City's General Plan identifies major scenic resources as being visible from SR-60 and the project would not affect views of these major scenic resources. In addition, the proposed site does not contain rock outcroppings,

[1] *Figure 5.11-1 Major Scenic Resources*, City of Moreno Valley General Plan Final Program EIR, July 2006.
[2] Caltrans California Scenic Highway Program, http://www.dot.ca.gov/hq/LandArch/scenic/cahisys.htm, website accessed June 8, 2011.

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historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. As no impact to an identified scenic resource within a state scenic highway would result from development of the proposed on-site uses, no impact associated with this issue would occur.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. Visual impacts associated with changes to the general character of the *project site (e.g., loss of open area), the components of the visual settings (e.g., landscaping and* architectural elements), and the visual compatibility between proposed site uses and adjacent land uses would occur. The significance of visual impacts is inherently subjective as individuals respond differently to changes in the visual characteristics of an area. The project site is currently undeveloped with existing warehousing and industrial uses to the north, east, and west. Implementation of the proposed project would result in the construction and operation of approximately 1,616,133 square feet of warehouse distribution uses with associated parking areas, landscaping, and roadway infrastructure within approximately 71 acres. Therefore, development of the proposed project would change the character of the project site from open space to a more urbanized setting. The change in the character of the site would constitute an alteration of the existing visual character of the project site.

The proposed project features a variety of architectural elements including façade accents such as corner treatments and roof trim. The project would also provide variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation creates shadow lines at various times of the day. The proposed landscaping would replace the scattered weedy vegetation with a consistent and integrated vegetation palette. Landscaping on site would be provided in accordance with City Municipal Code Chapter 9.17, which requires the installation of landscaping on site and the planting of one tree for every 30 linear feet of building dimension that is visible from the parking lot or public right-of-way. The proposed project would also be required to install landscape and irrigation and provide screen walls to block view of activity in truck court. Additionally, the proposed project would include the installation of water-efficient landscaping throughout the development with landscaping proposed along the project perimeter, internal drives, and throughout the on-site parking areas. The City's Municipal Code (Section 19.05 and Table 9.05.040-8) establishes the number, location, height, and style of signage permitted within industrial zones. The submittal and approval of signs are required for all development in the City; therefore, it is reasonable to conclude that any on-site signs are internally compatible and consistent with the City's current signage standards. Adherence to City requirements would result in a less than significant level.

Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The proposed project would replace the existing vacant parcel with development that is visually compatible with existing development in the vicinity as well as the proposed future urbanization of the area through the use of architectural elements, landscaping, and project design. In addition, the proposed project would be designed and constructed per applicable City Municipal Code and General Plan standards. Therefore, because no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings is anticipated to result from the proposed project, no significant impact related to this issue would occur.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Currently, there are no sources of light or glare on the project site. Existing sources of light and glare from surrounding areas include streetlights, exterior lighting from the nearby warehouse buildings, and vehicle headlights from motorists driving along Perris

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Boulevard. Development of the project site would introduce a new source of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings. It is anticipated that the materials utilized in the construction of the proposed lighting fixtures would be generally similar to those utilized in nearby warehouse uses within the City. Lighting within loading areas will be directed downward so as to not project lighting into the sky.

Exterior surfaces of the concrete tilt-up structure would be finished with a combination of architectural coatings, trim, glazing, and other building materials such as concrete and brushed metal. The proposed project is not expected to significantly increase the amount of daytime glare in the project area. All development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses. Therefore, impacts associated with this issue are less than significant

2.5.2 Biological Resources

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Potentially Significant Unless Mitigation Incorporated. The following discussion is based in part on the *General Habitat Assessment*[1] prepared for the proposed project, including focused burrowing owl, special status plant, and wetland determination studies contained in its appendices. Biological resources surveys were conducted on the project site in February, May, June, and July 2007, and August and October 2009.

The proposed project site was last used for agricultural purposes in 2005 and currently lies fallow. The site is disked annually to reduce weed growth and fire hazards. Portions of the site have also been scraped by earthmoving equipment associated with adjacent development, roadway work, construction equipment staging, and stockpiling. Non-native, ornamental trees are located in the southeast portion of the site. Four small depressions created by construction activities are located on the eastern edge of the site. A north-south ditch is located through the center of the site.

In general, the existing condition on site is characterized as a regularly disked field that supports little to no standing vegetation. Ruderal (weedy) herbs and grasses occupy portions of the site perimeter, the ditch, and depressions. Ruderal, invasive species observed on the site included Palmer's amaranthus (*Amaranthus palmeri*), Russian thistle (*Salsola tragus*), pigweed (*Chenopoium album*), cheeseweed (*Malva parviflora*), foxtail chess (*Bromus madritensis*), ripgut grass (*Bromus diandrus*), barely (*Hordeum murinum*), common sow thistle (*Sonchus oleraceus*), prickly lettuce (*Lactuca serriola*), five-hook bassia (*bassia hysopifolila*), knotweed (*Polygonum arenastrum*), and short-pod mustard (*Hirschfeldia incana*). Ornamental trees include gum tree (*Eucalyptus* sp.), pine (*Pinus* sp.), and Peruvian pepper (*Schinus molle*). Native plant species present on the site include common sunflower (*Helianthus annuus*), Rancher's fireweed (*Amsinckia menziesii*), California-aster (*Lessingia filaginifolia*), horseweed (*Conyza canadensis*), a few mule fat (*Baccharis salicifolia*), and one broom baccharis (*Baccharis sarothroides*). The ditch supports many of the ruderal species cited above as well as scattered night shade (*Solanum* sp.), pineapple weed (*Chamomilla suaveolens*), dog

[1] *General Habitat Assessment, 71-acre Site, APNs 316-210-071, -073, -075, -076*, Ecological Sciences, Inc. August 1, 2010.

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mayweed (*Anthemis cotula*), curly dock (*Rumex crispus*), tarplant (*Centromadia pungens* ssp. *pungens*), willow-herb (*Epilobium ciliatum*), salt heliotrope (*Heliotropium curassavicum*), fleabane (*Conyza bonariensis*), thistle (*Cirsium* sp.), Rancher's fireweed, decaying stalks of cattails (*Typha latifolia*), one willow (*Salix* sp.), and invasive salt cedar (*Tamarix* sp.). The four depressions are dominated by brome grasses, filaree (*Erodium cicutarium*), mustards (*Brassica/Hirschfeldia* sp.), Russian thistle, Bermuda grass (*Cynodon dactylon*), aster, mayweed, telegraph weed (*Heterotheca grandiflora*), common sunflower, Australian salt bush (*Atriplex semibaccata*), fleabane, and nettle-leaved goosefoot (*Chenopoium murale*).

Birds observed on the site included the red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), Brewer's blackbird (*Euphagus cyanocephalus*), European starling (*Sturnus vulgaris*), rock dove (*Columbia livia*), Say's phoebe (*Sayornis saya*), northern mockingbird (*Mimus polyglottos*), western kingbird (*Tyrannus verticalis*), western meadowlark (*Sturnella neglecta*), morning dove (*Zenaida macroura*), house finch (*Carpodacus mexicanus*), and house sparrow (*Passer domesticus*). Reptiles observed on the site included the side-blotched lizard (*Uta stansburiana*) and western fence lizard (*Sceloporus occidentialis*). Mammals observed on the site included the California ground squirrel (*Spermophilus beecheyi*), desert cottontail (*Sylvilagus audubonii*), and pocket gopher (*Thomomys bottae*).

Thirty-one species in western Riverside County have special status under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). These include species that are listed as "endangered" or "threatened" under the FESA or that have been "proposed" or are "candidates" for such listing. These also include species that are listed as "endangered," "threatened," or "rare" under the CESA or that have been petitioned (i.e., are "candidates") for listing. The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) provides for the long-term survival of protected and sensitive species by designating a contiguous system of habitat to be added to existing public/quasi-public lands. The Plan includes an impact fee collected by the 16 member cities and other local agencies, including the City of Moreno Valley, used to acquire these lands. Depending on the location of a private or public development project, certain biological studies may be required to comply with the MSHCP. The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (*Athene cunicularia*), five Narrow Endemic Plant Species (NEPS), and nine Criteria Area Plant Species (CAPS). A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.

Species Status Avian and Burrowing Owl Species

Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site. Due to intensive disking that had occurred on site, only a few marginally suitable potential burrows were identified. Although burrowing owl is known to occur on land that has been disturbed, it tends to avoid heavily disked areas because potential burrows occlude/collapse. However, burrowing owls, and other native bird species protected under the Migratory Bird Treaty Act (MBTA), are very mobile and opportunistic species that can occupy a site. For this reason, **Mitigation Measures BIO-1** through **BIO-4** requiring pre-construction surveys will be implemented to reduce impacts to nesting birds and burrowing owl.

- **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further

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mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.

- **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.
- **Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.
- **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.

Implementation of the above-listed mitigation measures would reduce impacts to burrowing owl and special status avian species to a less than significant level.

Special Status Plant Species

The five NEPS and nine CAPS were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the project site lacks suitable habitat for these species due to historic agricultural activities. Nonetheless, focused surveys were conducted to cover the four depressed areas and the ditch. No special status plants were observed during the focused surveys. Because of the absence of members of the species and suitable habitat, a less than significant impact to special status plants would occur.

b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Wildlife Service?

Less than Significant Impact. Assessment of the MSHCP objectives associated with Riparian/Riverine Areas, Vernal Pools, and Fairy Shrimp is required because of the presence of the four depressions on the eastern project boundary and the ditch that runs north-south through the center of the site. This assessment was included in the *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation* prepared for the project.[1] No evidence of a natural stream course, riparian area, or vernal pool was observed during the February 2007 general site survey. Subsequent field survey in October 2009 identified mud cracks in the four depressions along the eastern project boundary. In 2007, this area had been recently scraped as part of the City's Perris Boulevard widening project. As part of the biological resources assessment for the roadway widening project, dry season fairy shrimp surveys yielded the presence of the common Lindahl's (versatile) fairy shrimp (*Branchinecta lindahli*), which is a non-listed species. The City mitigated impacts to the vernal pool by purchasing mitigation bank credits toward an off-site wetland mitigation bank. Complete mitigation of impacts to these vernal pools has been satisfied. No further analysis of this issue in the EIR is required.

[1] Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, Ecological Sciences, Inc., November 1, 2009.

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As stated in the jurisdictional survey report, water does not appear to remain in the ditch long enough to support wetland hydrology and extensive hydrophytic vegetation. The drainage ditch was created approximately 20 years ago in order to receive off-site drainage flows from the property to the north. That property and Grove View Road were developed last year, and drainage from the property to the north now flows into a storm drain located in Grove View Road. The ditch no longer accepts off-site flows and now only accepts minimal amounts of drainage from on-site sheet flow. In accordance with the MSHCP definition of a wetland habitat or a natural stream, the ditch was artificially created for the purposes of drainage and is therefore not defined as a wetland habitat or an altered natural stream course. For this reason, the proposed project would have a less than significant impact on riparian/riverine areas, vernal pools, and fairy shrimp.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less than Significant Impact. The potential for agency jurisdiction of the on-site drainage ditch was assessed as part of the previously referenced *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation* prepared for the project. The ditch does not meet the three-parameter test for jurisdiction (vegetation, hydrology, and soils). The jurisdictional survey report notes the ditch contains only one riparian indicator species, a willow tree. The ditch is not part of a remnant blue line stream or connected upstream or downstream from a known natural stream or modified natural drainage way. Soil samples at three locations indicated a lack of hydric soils. The proposed project would have a less than significant impact on protected wetlands.

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact. Habitat fragmentation occurs when a proposed action results in a single, unified habitat area being divided into two or more areas, such that the division isolates the two new areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of the habitat to another or from one habitat type to another. An example is the fragmentation of habitats within and around clustered residential development. Habitat fragmentation may occur when a portion of one or more habitats is converted into another habitat, as when scrub habitats are converted into annual grassland habitat because of frequent burning.

Upon completion, implementation of the MSHCP will create an interconnected link of natural habitat areas by utilizing existing public and quasi-public areas and acquiring additional areas to establish this interconnected link of natural habitats using fees collected by the member agencies as private land is developed. The resulting habitat areas will result in the protection of sensitive and special status species, partly through the interconnected habitat areas. Because the proposed project is not covered by a proposed or existing Core or Linkage as identified in the MSHCP, development of the site will not impede wildlife movement. The project site is not in proximity to any known wildlife corridors. Intervening development (industrial uses) and roadways adjacent to the project site separate the project site from surrounding areas. These features already restrict wildlife movement in the project vicinity. Due to the disturbed condition of the project site, the nature of adjacent development, and the intervening presence of roadways and infrastructure, development of the proposed project would not result in significant habitat fragmentation or substantially affect established wildlife corridors or wildlife movement. Therefore a less than significant impact associated with this issue would occur.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

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No Impact. City policies or ordinances identified in the General Plan protecting biological resources include mitigation of impacts to riparian areas or other natural sensitive communities (Policy 7.4.1), preservation of natural drainage courses in their natural hydrological state (Policy 7.4.3), and City fulfillment of obligations set forth within any agreements and permits related to MSHCP implementation (Policy 7.4.5). Adherence to Policy 7.4.5 was discussed previously in response to Questions a), b), and d) above.

The drainage ditch running north-south through the center of the project site does not contain the vegetation, hydrology, or soils characteristics associated with a wetland or natural drainage. As previously identified, the ditch is not considered a riparian area and therefore the project would not conflict with the City's polices to protect natural drainages and sensitive communities. Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources and a less than significant impact would occur.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?

Potentially Significant Impact Unless Mitigation Incorporated. See responses to Questions a), b), and d) above. The proposed project is located within the boundaries of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the MSHCP, a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in western Riverside County. The project is not within any MSHCP Criteria Areas or Public/Quasi-Public Land. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR HCP will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the MSHCP. The fee is currently $6,597 per acre.

2.5.3 Cultural Resources

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Less than Significant Impact. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the site contains a historic site and a historic isolate, which were recorded and evaluated for significance in accordance with CEQA. Based on the study, it was determined that the historic resource and historic isolate were not considered to be significant. Consequently, construction and grading of the proposed project site will not affect significant historic resources, resulting in a less than significant impact.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less than Significant Impact. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the site has a low potential for containing archeological resources due to the lack of such resources previously discovered in the surrounding area and the disturbed nature of the project site. Consequently, construction and grading of the proposed project site will have a low probability of damaging archeological resources. Impacts to archeological resources are considered to be less than significant.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact Unless Mitigation Incorporated. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the

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site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources are the fossilized biotic remains of ancient environments valued for the information they yield about the history of the earth and its past ecological settings. These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the proposed project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. **Mitigation Measure CUL-1** has been identified to reduce the significance of paleontological resource impacts.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
- If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.
- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.
- Preparation of a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Adherence to this measure would reduce impacts to paleontological resources to a less than significant level.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact. No evidence is in place to suggest the project site has been used for human burials.[1] The California Health and Safety Code states that if human remains are discovered on site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition.[2] Disposition of the human remains should occur in the manner provided in §

[1] *Chapter 5.10 Cultural Resources*, City of Moreno Valley General Plan Final EIR, July 2006.
[2] Division 7, *Dead Bodies;* Chapter 2, *General Provisions*, § 7050.5, California Health and Safety Code.

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5097.98 of the Public Resources Code. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. As adherence to State regulations is required for all development, no mitigation is required in the unlikely event that human remains were discovered on the site. Therefore, impacts associated with the discovery of human remains would be less than significant.

2.5.4 Geology and Soils

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

   (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

   No Impact. The proposed project site is not located within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. The nearest faults are those that form the San Jacinto Fault Zone,[1] located approximately 7.0 miles from the project site. As such, the potential for fault ground rupture at the site is considered low; therefore, no impact related to this issue would occur

   (ii) Strong seismic ground shaking?

   Less Than Significant Impact. Like all of Southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. The maximum event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2.[2] The maximum credible earthquake (MCE) is generally less than or equal to design levels as defined by the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Adherence to the UBC and the California Building Code standards would ensure potential ground shaking impacts are reduced to a less than significant level.

   (iii) Seismic-related ground failure, including liquefaction?

   Less Than Significant Impact. Liquefaction is a phenomenon that occurs when strong earthquake shaking causes soils to collapse from a sudden loss of cohesion and undergo a transformation from a solid to a liquefied state. Factors influencing a site's potential for liquefaction include area seismicity, the type and characteristics of on-site soils, and the level of groundwater. Liquefaction typically occurs in areas where groundwater is shallower than approximately 30 feet, and where there is the presence of loose, sandy soils. According to the City's General Plan, liquefaction is not considered to be a local hazard since groundwater levels in Moreno Valley are far below the surface.[3] The project's geotechnical analysis[4] indicates that the depth of groundwater within the project vicinity is in excess of 100 feet. The proposed project site is not located in an area identified as being prone to liquefaction. The potential for earthquake-induced liquefaction within

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1 California Geological Survey, 2002 and 2005.
2 *Table 5.6-1 Potential Earthquake Scenarios for Moreno Valley*, Moreno Valley General Plan Final Program EIR, July 2006.
3 *Chapter 6 Safety*, City of Moreno Valley General Plan, July 11, 2006.
4 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

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the proposed project is considered very low.[1] Because liquefaction at the project site is considered to be very low, a less than significant impact related to liquefaction would occur

(iv) Landslides?

No Impact. Landslides are rock, earth, or debris flows on slopes as a result of gravity. They occur on any terrain given the right conditions of soil, moisture, and the angle of slope and are triggered by rains, floods, earthquakes, and other natural causes as well as human-made causes, such as grading, terrain cutting and filling, excessive development.[2] The topography of the site is generally flat with a gentle slope from east to west and does not present any significant topographical features that would result in any landslide occurrences. No landslide impact would result from the development of the proposed on-site uses.

(b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Based on a review of the Soil Survey, Western Riverside Area, California,[3] the proposed project site is mapped as containing Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2). The erosion hazard for EnA, EpA, GyA, and RaA soils is slight, while EwB, EyB, and Tp2 soils have a slight to moderate erosion hazard. ReC2 soils have a moderate erosion hazard. Development would require the movement of on-site soils and the import of fill material. Prior to the issuance of grading permits, the project proponent would be required to prepare and submit detailed grading plans for the project site. These plans must be prepared in conformance with applicable standards of the City's Grading Ordinance.

Development of the site would involve more than one acre; therefore, the proposed project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) would also be required to address erosion and discharge impacts associated with the proposed on-site grading. In addition to preparation of an SWPPP, new development projects submitted to the City would be required to submit a project-specific Water Quality Management Plan (WQMP). The WQMP would identify measures to treat and/or limit the entry of contaminants into the storm drain system. The WQMP is required to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan.

As soils covering the majority of the project site have a slight to moderate erosion hazard potential, imported fill material would be approved by a soils engineering firm, and because the project would be required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, and prepare an SWPPP, construction and operational, impacts associated with soil erosion hazards are less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Potentially Significant Impact Unless Mitigation Incorporated. The project's geotechnical analysis[4] performed in-place density tests, which revealed that soil shrinkage that may occur would be approximately 10 percent to 15 percent due to excavation and recompaction. This is based on the assumption that the fill would be compacted to 90 percent of the dry density per ASTM standards. As a result subsidence is estimated at 0.2 feet due to earthwork operations. Impacts are considered potentially significant and mitigation measures are required. The geotechnical analysis determined that there is no potential for landslides or liquefaction. Additionally, potential impacts related to lateral

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1 *Figure 5.6-2 Seismic Hazards*, Moreno Valley General Plan Final Program EIR, July 2006.
2 American Planning Association Research, http://www.planning.org/landslides/docs/whatare.html, October 2007.
3 Soil Survey Geographic database (SSURGO)/Soil Data Mart, 2003.
4 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

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spreading would be reduced to less than significant level through adherence to the UBC. The following mitigation measure would reduce potential impacts associated with unstable soils to a less than significant level.

Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Potentially Significant Impact Unless Mitigation Incorporated. Expansive soils generally have a significant amount of clay particles, which can give up water (shrink) or take on water (swell). The change in volume exerts stress on buildings and other loads placed on these soils. The extent of shrink/swell is influenced by the amount and kind of clay in the soil. The occurrence of these soils is often associated with geologic units having marginal stability. The distribution of expansive soils can be widely dispersed, and they can occur in hillside areas as well as low-lying alluvial basins.

As discussed above, soils on site include Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2).[1] As detailed in the project's geotechnical analysis,[2] expansive soils were observed on the project site. Exploratory trenches revealed the existing earth materials on site to consist of a disturbed soil/fill and natural soil. A fill/disturbed natural soil classifying as a brown, sandy to clayey silt to a silty sand was encountered across the site and ranged in depth from 1 foot to 1½ feet. These soils were noted to be soft to loose and damp. An undisturbed alluvium soil classifying as a brown sandy to clayey silt to a silty sand was encountered beneath the disturbed top soils and fill. These native soils were noted to be firm to stiff, medium dense to dense, and moist.

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1 Soil Survey Geographic database (SSURGO)/Soil Data Mart, November 23, 1998.

2 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

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Development of the proposed project site would be required to adhere to UBC and City design and engineering standards. However, because expansive soils are present on site, impacts associated with this issue are potentially significant and mitigation measures are required. The following mitigation measure would reduce potential impacts associated with expansive soils to a less than significant level.

Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The proposed project would connect to the existing sanitary sewer system. Because septic or alternative waste disposal systems would not be utilized, no impact related to this issue would occur.

2.5.5 Hazards and Hazardous Materials

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The proposed project would result in the construction of industrial uses. Potentially hazardous materials such as fuel, paint products, lubricants, solvents, and cleaning products may be used and/or stored on site during the construction and/or occupancy of the proposed industrial facilities. The transport, use, and storage of hazardous materials during the construction and operation of the site would be conducted in accordance with all applicable state and federal laws. Compliance with all applicable laws and regulations would reduce the potential impact associated with the routine transport, use, storage, or disposal of hazardous materials to a less than significant level.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

Less Than Significant Impact. Exposure to hazardous materials during the construction and operation of the proposed on-site uses would result from (1) the improper handling or use of hazardous substances; (2) transportation accident; or (3) an unforeseen event (e.g., fire, flood, or earthquake). The severity of any such exposure is dependent upon the type, amount, and characteristic of the hazardous material involved; the timing, location, and nature of the event; and the sensitivity of the individual or environment affected.

The transport, storage, and handling of hazardous material is governed by existing local, state, and federal regulations, including applicable sections of the California Code of Regulations. In Moreno Valley, the Riverside County Community Health Agency, Department of Environmental Health is the local agency that has been certified by the California Environmental Protection Agency (CalEPA) to implement and ensure compliance with six state environmental and emergency programs. These programs include Hazardous Materials Business Plan/Emergency Response Plan, Hazardous Waste/Tiered Permitting, Underground Storage Tanks, Above ground Storage Tanks, California

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Accidental Release Program, and the Uniform Fire Code Hazardous Materials Management Plan and Hazardous Material Inventory Statements. The Riverside County Community Health Agency, Department of Environmental Health, as the local agency charged with implementing these programs, will provide permitting, inspections, and enforcement with the required regulations. Hazardous wastes produced on site are subject to requirements associated with accumulation time limits, proper storage locations and containers, and proper labeling. Additionally, for removal of hazardous waste from the site, hazardous waste generators are required to use a certified hazardous waste transportation company, which must ship hazardous waste to a permitted facility for treatment, storage, recycling, or disposal.

As with any operation in which hazardous materials are utilized, any on-site activity involving hazardous substances must adhere to applicable local, state, and federal safety standards, ordinances, or regulations. Businesses engaged in the use, storage, or transport of hazardous substances are monitored by various local (e.g., Riverside County Fire Department) and State (e.g., Department of Toxic Substance Control) entities. Compliance with applicable regulations will ensure impacts associated with the use, transport, storage, and sale of hazardous materials will be less than significant.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The nearest existing school to the project site is Rancho Verde High school, which is located at 17750 Lasselle Street, approximately 1.0 mile to the east and El Potrero Elementary School at 16820 Via Pamplona Drive located approximately 1.0 mile to the northeast. There are no proposed schools located within a quarter mile of the project site. In the absence of an existing or proposed school within a quarter mile of the project site, no impact would occur.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. The Department of Toxic Substance Control (DTSC), which designates the sites for the Hazardous Waste and Substance Site (Cortese) List, does not indicate any underground storage tanks, hazardous waste generators, landfills, or other potentially hazardous materials located on the site.[1] The project site and adjacent sites were not listed in any of the databases searched, including the Cortese list. Although past agricultural activity, which included the use of pesticides, was occurring as recent as 2005, the Phase I Site Assessment concluded that common practices in the application of these pesticides, including the ordinarily limited quantities in which they are applied and limited lifespan of these materials, no significant environmental concerns remain on the site from the past use of these materials. The proposed project site is not noted on public records reviewed in the Phase I Site Assessment as a known source of hazardous materials contamination. As such, impacts are less than significant.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

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[1] *Phase I Environmental Assessment for the Evaluation of Potentially Hazardous Materials for Approximately 75 Acres Between Indian Avenue and Perris Boulevard, North of the Perris Valley Storm Drain, Moreno Valley, California 92551*, Centec Engineering, Inc., February 23, 2007/

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Less Than Significant Impact. The nearest airport, March Reserve Base Airport, is located approximately 0.5 mile northwest of the proposed project site. The proposed project is located outside of the Accident Potential Zones (APZ) of the March Air Reserve Base Air Installation Compatibility Use Zone Study.[1] The proposed uses and building structure are therefore compatible with the permitted uses and building structure height restrictions for the March Reserve Base. The proposed project is also consistent with the permitted uses and building height restrictions contained in Specific Plan 208. No other airport exists within the City of Moreno Valley. The development of the proposed project uses would not result in a safety hazard to persons residing or working in the project area. A less than significant impact would occur.

g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed project is consistent with the General Plan Circulation Element and Specific Plan 208. The proposed project would be required to design, construct, and maintain structures, roadways, and facilities in accordance with applicable standards associated with vehicular access, resulting in the provision of adequate vehicular access that would provide for adequate emergency access and evacuation. Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures would reduce potential impacts related to this issue to a less than significant level.

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less Than Significant Impact. The project site is not located within a Fire Hazard Area or within an area susceptible to wildfires identified by the City of Moreno Valley.[2] Areas surrounding the project site consist of urban, built, and open space. Because of lack of abundant vegetation and the moderate amount of development within the vicinity of the project site, on-site and adjacent areas do not have the capability to support a wildfire. Because of the low probability that the project site would be subject or susceptible to wildland fires, no significant impact related to this issue would occur.

2.5.6 Hydrology and Water Quality

Would the project:

a) Violate any water quality standards or waste discharge requirements?

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner that would result in flooding on site or off site?

e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

Potentially Significant Impact Unless Mitigation Incorporated. Development of the project site is in excess of one acre; therefore, the project is required to obtain coverage under an NPDES permit, which includes the submittal of a Notice of Intent (NOI) application to the State Water Resources

[1] Air Installation Compatibility Use Zone Study for March Air Reserve Base, August, 2005. http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf. Accessed June 8, 2011.

[2] *Figure 5.5-2 Floodplains and Fire Hazard Areas,* City of Moreno Valley General Plan Final Program EIR, July 2006.

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Control Board (SWRCB), the receipt of a Waste Discharge Identification Number (WDID) from SWRCB, and the preparation of an SWPPP for construction discharges. During the construction period, the project would use a series of Best Management Practices (BMPs) to reduce erosion and sedimentation. These measures may include the use of gravel bags, silt fences, hay bales, check dams, hydroseed, and soil binders. The construction contractor would be required to operate and maintain these controls throughout the duration of on-site activities. In addition, the construction contractor would be required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the RWQCB.

The implementation of NPDES permits ensures that the state's mandatory standards for the maintenance of clean water and the federal minimums are met. Coverage with the permit would prevent sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. An SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES permit. The SWPPP is intended to facilitate a process whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed to prevent or control the discharge of pollutants in stormwater runoff.

The construction and grading phases of the project site would require the disturbance of surface soils and removal of existing vegetative cover. During the construction period, grading and excavation activities would result in exposure of soil to storm runoff, potentially causing erosion and sediment in runoff. If not managed through BMPs, the runoff could cause erosion and increased sedimentation in local drainage ways. By volume, sediment is the principal component in most storm runoff. Sediments also transport substances such as nutrients, hydrocarbons, and trace metals, which are conveyed to the receiving waters. The potential for chemical releases is present at most construction sites in the form of fuels, solvents, glues, paints, and other building construction materials. Once released, substances such as fuels, oils, paints, and solvents could be transported to nearby surface waterways and/or to groundwater in stormwater runoff, wash water, and dust control water, potentially reducing the quality of the receiving waters and potentially result in impairment of downstream water sources.

The NPDES permit program was established under Section 402 of the Clean Water Act, which prohibits the unauthorized discharge of pollutants, including municipal, commercial, and industrial wastewater discharges. An NPDES permit would generally specify an acceptable level of a pollutant or pollutant parameter in a discharge (for example, a certain level of bacteria). The permittee may choose which technologies to use to achieve that level. Some permits, however, do contain certain generic BMPs. Table 2.A lists BMPs for runoff control, sediment control, erosion control, and housekeeping that may be used during the construction and operations phases of the proposed project.

Table 2.A: General Best Management Practices

Runoff Control	Sediment Control	Erosion Control	Good Housekeeping
• Minimize clearing • Preserve natural vegetation • Stabilize drainage ways	• Install perimeter controls • Install sediment trapping devices • Inlet protection	• Stabilize exposed soils • Protect steep slopes • Complete construction in phases	• Create waste collection area • Put lids on containers • Clean up spills immediately

Source: National Pollutant Discharge Elimination System, Construction Site Storm Water Runoff Control, http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm, website accessed June 8, 2011. More detailed Best Management Practices are available at this web site.

Adherence to NPDES requirements is required of all development within the City. Incorporation of **Mitigation Measures HYD-01** through **HYD-03** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. On-site grading activities and the development of the proposed on-site uses would increase the potential for the erosion of soils. However, adherence to the BMPs identified by the above mitigation measures would reduce impacts associated with short-

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term (construction) stormwater discharges during project construction. Therefore, impacts associated with this issue are reduced to a less than significant level.

The proposed project would result in the conversion of existing on-site permeable surfaces to impermeable surfaces, thereby altering the current drainage pattern. Upon development of the proposed on-site uses, storm runoff from the roadways, parking lots, and buildings may carry a variety of pollutants. As identified in the Preliminary WQMP [1] prepared for the proposed project, expected pollutants are trash, debris, oil, and grease. Potential pollutants of concern include organic compounds (specifically solvents), metals, sediment/turbidity, nutrients, oxygen-demanding substances, and pesticides if landscaping or open area exists on the project site. Since the parking area is greater than 5,000 square feet, expected pollutants from parking lots include organic compounds (specifically petroleum hydrocarbons), trash, debris, oil, grease, and metals. Potential pollutants of concern associated with parking areas greater than 5,000 square feet include sediment/turbidity, nutrients, oxygen-demanding substances, pesticides, and bacteria and viruses (bacterial indicators are routinely detected in pavement runoff).

The site's "first flush" storm runoff will be directed to five (5) Austin sand filters at appropriate locations of the site. Hydro-dynamic clarifiers, equipped with oil absorptive and/or screening devices will be placed upstream of the filters where appropriate to provide initial removal of trash, debris, and sediment. Three (3) of the storage areas of these filters will be lined with concrete to prevent recontamination of sediment. The fourth Austin sand filter located at the south property line opposite the center of the building will accept flows from a flat gradient, landscaped swale, which is intended to allow sediment to drop out of suspension prior to being treated by that Austin sand filter. The fifth Austin sand filter will utilize a combination of both approaches (clarifier and settling). Once the required treatment quantities have been captured, bypass designs will allow the excess runoff to be discharged into adjacent off-site storm drain facilities. The design will not incorporate infiltration due to excessively low percolation rates.

The storm water for the proposed project will discharge into existing storm drains located in Perris Boulevard (Perris Valley ADP Lateral B-1) and Indian Street (Perris Valley ADP Lateral B-3), as well as directly into the Perris Valley Storm Drain Lateral B channel. From the Perris Boulevard and Indian Street storm drains, the storm water will be discharged into the Perris Valley Storm Drain Lateral B channel and onto the proximate receiving water, which is Reach 3 of the San Jacinto River. This water body segment flows into Canyon Lake, Reach 1 of the San Jacinto River, and Lake Elsinore. Both Canyon Lake and Lake Elsinore are on the Federal 303(d) list of Impaired Water Bodies. Downstream receiving waters include Reach 3 of the Santa Ana River, Reach 2 of the Santa Ana River, Reach 1 of the Santa Ana River, and the Pacific Ocean. The waters on this list do not meet Water Quality Standards associated with Beneficial Uses for the listed water bodies. Canyon Lake is impaired for nutrients and pathogens, Lake Elsinore is impaired for nutrients, organic enrichment/low dissolved oxygen, sedimentation/siltation, and unknown toxicity. Santa Ana River is impaired for pathogens. Lake Elsinore is considered a closed system and is not discharged regularly. Only during severe storm events do flood waters discharge into Temescal Creek.

The implementation of the identified treatment controls is planned to further supplement the pollution prevention and source control measures by treating the water to remove pollutants before it is released from the project site. Basins constructed on the site would be anticipated to function as extended detention basins. The proposed project also includes the use of vegetated swales and sand filters, which would filter runoff coming from the project site. The use of the detention basins, vegetated swales, and sand filters has a medium-to-high removal efficiency for the pollutants that are anticipated to occur on the project site.

Although adherence to the Riverside County Storm Water Clean Water Protection Program, which includes the preparation of a WQMP, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-04** is designed to track both standard requirements and mitigation measures as part of the project's MMRP.

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[1] *Preliminary Water Quality Management Plan for VIP Moreno Valley, Robert* A. Bebensee, R.C.E, July 24, 2009.

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The proposed project would incorporate on-site drainage that would have hydrodynamic infrastructure components that would meet the City's, as well as the County's, water quality and flow requirements. Through the use of site design BMPs, source control BMPs (e.g., street and parking lot sweeping and vacuuming), and treatment control BMPs (e.g., extended detention basins, sand filters and catch basin drain inserts), the resulting pollutant loads coming from the proposed project would be reduced, thereby ultimately reducing pollutants discharged from urban stormwater runoff to surface water bodies. Because adherence to the requirements of the NPDES permit, which include implementation of the BMPs outlined in the WQMP, would be required by the City during the operation of the proposed project, potential water quality impacts resulting from stormwater and urban runoff would be reduced to a less than significant level.

Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.

Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:

- Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.
- The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.
- Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.
- The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.

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Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less Than Significant Impact. The availability of ground water and issues involving the adequacy of recharge capability are regional in nature. The Groundwater Management Act[1] (AB 3030) provides a systematic procedure for an existing local agency to develop a groundwater management plan. AB 3030 allows a local agency whose service includes a groundwater basin that is not already subject to groundwater management pursuant to law or court order to adopt and implement a groundwater management plan and includes plans to mitigate overdraft conditions, control brackish water, and to monitor and replenish groundwater. There are currently few domestic uses for groundwater in the area as the City primarily relies upon imported water from the Eastern Municipal Water District (EMWD).[2] Water sources for the EMWD include imported water purchased from the Metropolitan Water District (Metropolitan), groundwater sources, and recycled water from the EMWD's five regional water reclamation facilities. Approximately 75 percent of the EMWD's water is imported from Metropolitan, with the remaining 25 percent supplied by groundwater wells.[3] Groundwater supplies are drawn from the EMWD wells located in the Hemet, San Jacinto, Moreno Valley, Perris Valley, and Murrieta areas.

The EMWD adopted the West San Jacinto Groundwater Basin Management Plan (Plan) in June 1995. The Plan serves to protect the interests of existing groundwater producers and to provide a framework for new water supply projects within the 256-square mile Management Plan area. This Plan encompasses more than 164,200 acres and includes the groundwater management zones, as well as essentially non-water bearing areas such as the Lakeview Mountains, the Bernasconi Hills around Lake Perris, the Double Butte area near Winchester, and areas in the extreme northern, western, and southern portions of the EMWD.[4]

Based on the Water Supply Assessment (WSA) prepared for the proposed project, water demand for the proposed on-site uses would total 49,805 gpd or 55.8 AFY.[5] The proposed project would obtain water service from the EMWD. It is anticipated that the proposed project would primarily utilize imported water purchased from Metropolitan. This imported water would be supplemented by local groundwater sources. The implementation of the existing West San Jacinto Groundwater Basin Management Plan would ensure that local groundwater resources are conserved and groundwater overdraft does not occur. Because this plan is in place, it is reasonable to conclude that the proposed project would not substantially deplete groundwater supplies in the area.

The proposed project would not interfere with groundwater recharge as the project site is not identified as a groundwater recharge area. The development of the proposed project would reduce the amount of pervious surfaces that could facilitate percolation on site. However, the proposed project would consist of other project design features such as sand filters that would be designed to offset the conversion of pervious surfaces to impervious surfaces. Because project design features

1 Sections 10750–10756 of the California Water Code.
2 *Section 5.7 Hydrology/Water Quality, Moreno Valley General Plan Final Program EIR*, City of Moreno Valley, July 2006.
3 EMWD History and Mission, http:// www.emwd.org/emwd/history_water.html, Eastern Municipal Water District, web site accessed June 8, 2011.
4 *West San Jacinto Groundwater Basin Management Plan* 2006 Annual Report, Eastern Municipal Water District, June 2007.
5 Table 7- Project Demand, *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

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would be sized to accommodate increased flows on site, it is anticipated that the amount of water percolated on site would be similar to existing conditions. Therefore, the proposed project would not interfere with groundwater recharge activities. Impacts associated with this issue are less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?

Potentially Significant Impact Unless Mitigation Incorporated. As identified in the preliminary hydrology report[1] prepared for the proposed project, storm flows generated from the northerly portion of the proposed building and truck court would be collected by a series of drop inlet catch basins. Storm water runoff generated on site would be routed to three Austin sand filters and pre-treatment hydro-dynamic clarifiers that are intended to remove and reduce the amount of oils, sediment and trash from the storm water. The treated water from these sand filters is pumped into an adjacent on-site storm drain. The on-site storm drain system has been designed to accept a full 100-year storm event and flows would ultimately be routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard that connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from the westerly side of the proposed building would be collected by a drop inlet catch basin and routed by pipe to a landscaped swale that would be located along the southerly portion of the property. In the event that the landscape swale receives excess flows, the excess flows would be then routed to a second drop inlet catch basin. From the second drop inlet catch basin, flows would continue to an off-site catch basin and ultimately be routed to the Perris Valley ADP Lateral B-3 in Indian Street, which connects to the Perris Valley Storm Drain Lateral B channel. Storm water runoff generated from the easterly side of the building would be collected by a drop inlet catch basin and route via pipe to a hydro-dynamic clarifier then to an Austin sand filter located in the southeasterly corner of the project site. In the event that the clarifier and sand filter receive excess storm flows, these excess storm flows would be routed to an off-site catch basin and ultimately routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard, which connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from would also be routed to a landscaped swale running along the southerly portion of the project site. Flows would then be routed to an Austin sand filter located near the center of the site and ultimately routed to four existing 36-inch diameter reinforced concrete pipes (RCPs) that connect to Lateral B of the Perris Valley Channel. The Austin sand filter located in the southeasterly corner of the project site would also accept stormwater flows from the project site. In the event that flows are in excess of what the sand filter can handle, the excess flows would be directed back to the southerly landscaped swale, and ultimately to an existing 30-inch diameter RCP that connects to Lateral B of the Perris Valley Channel.

To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified. With adherence to this mitigation measure, impacts associated with this issue are less than significant.

Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical

[1] *Preliminary Hydrology Report and Hydraulic Analysis for APA09-0004 VIP Moreno Valley,* Robert A. Bebensee, R.C.E, March 27, 2009.

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investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.

g) Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The project does not include a residential component; therefore, it would not place housing within a 100-year flood hazard area, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map. No impact related to this issue is anticipated to occur with the implementation of the proposed project.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Less Than Significant Impact. Flooding in the City of Moreno Valley could result from intense storms resulting in rapid runoff. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identify areas subject to flooding during the 100-year storm.[1] Based on these FIRM maps, the project site does not fall within a 100-year flood zone.[2] The proposed project is industrial in nature and the implementation of the proposed project would not result in the placement of structures within a 100-year flood plain. Because the project site does not lie within a 100-year floodplain, impacts related to this issue are less than significant.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. The nearest dam to the project site is the Lake Perris Dam located approximately 1.6 miles east of the project site. The project site is not identified as being located within the City's mapped inundation area;[3] therefore, the proposed project would not result in the exposure of people or structures to risk of loss, injury, or death involving flooding as a result of failure of the Lake Perris Dam. No impacts related to this issue would occur.

j) Expose people or structures to inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. A tsunami is a series of waves generated in a body of water by a pulsating or abrupt disturbance that vertically displaces water. Inundation of the proposed project's site by a tsunami is highly unlikely as the project site is approximately 40 miles northeast of the Pacific Ocean. Seiches are oscillations in enclosed bodies of water that are caused by a number of factors, most often wind or seismic activity. The nearest water feature is Lake Perris approximately 1.5 miles east of the project site. Any seiche-related events would likely be of a lesser extent than the failure of the Lake Perris Dam. Therefore, although the proposed project site is located near Lake Perris, seiche-related flooding is not anticipated to occur on site[4] because the proposed site outside of the Lake Perris Dam inundation zone. The project site is not located within an area that is susceptible to mudslide. For these reasons, a less than significant impact associated with this issue would occur.

2.5.7 Land Use

Would the project:

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1 The term "100-year" is a measure of the size of the flood, not how often it occurs. The "100-year flood" is a flooding event that has a one percent chance of occurring in any given year.
2 FEMA DFIRM Flood Data, 2008.
3 *Figure 5.5-2 Floodplains and Fire Hazard Areas*, City of Moreno Valley General Plan Final Program EIR. July 2006.
4 *Figure 5.5-2 Floodplains and Fire Hazard Areas*, City of Moreno Valley General Plan Final Program EIR. July 2006.

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a) Physically divide an established community?

No Impact. As previously stated, the project site is currently undeveloped and is a fallow field. There are no structures existing on site. The Perris Valley Storm Drain Lateral B forms the southern boundary of the site and is also the City's southern limits. Adjacent land uses include primarily vacant land to the south across the Perris Valley Storm Drain Lateral B intermixed with warehouse uses, vacant land and an industrial warehouse use to the west, and industrial and warehouse uses to the north and east. Existing homes are located at the northwest corner of Indian Street and Grove View Road and an existing plant nursery is located at the southeast corner of Perris Boulevard and the Perris Valley Storm Drain Lateral B channel. There are no other residential uses in the vicinity of the proposed project site. The site would not be located within or divide an existing neighborhood, nor would it introduce a barrier between residential uses.

b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. The applicable land use plans governing the proposed project site are the City of Moreno Valley General Plan (Moreno Valley 2006) and the Moreno Valley Industrial Area Specific Plan 208 (Moreno Valley 2002). Other applicable regional plans developed by the Southern California Association of Governments (SCAG) include the Regional Comprehensive Plan [SCAG 2008b: (RCP)], and Regional Transportation Plan [SCAG 2008a: (RTP)]. The existing General Plan land use designation underlying the proposed project site is Business Park/Industrial with an existing Zoning designation of Industrial per Specific Plan 208, with supporting commercial permitted at the Perris Boulevard/Grove View Road intersection. The proposed warehouse use is consistent with the City's General Plan land use designation as well as the Zoning identified in Specific Plan 208. Consistency with existing General Plan land use designation and Zoning designations ensure compatibility with the City of Moreno Valley General Plan Goals and Policies.

Other applicable land use plans underlying the proposed project site include the March Air Reserve Base AICUZ Study) and the Southern California Association of Governments Regional Comprehensive Plan and Regional Transportation Plan.

As described in the City's General Plan Final EIR, [1] the three proposed General Plan Alternatives would result in the development of land surrounding the March Air Reserve Base. Based on the allowable uses identified in the AICUZ, the proposed development under any of the three General Plan Alternatives would be consistent with the AICUZ guidelines for land uses within the areas most susceptible to air crashes. The project is outside of the APZ crash zones identified in the AICUZ, but is within the noise contours. Because the proposed project is consistent with the existing General Plan, the proposed project would be consistent with the AICUZ. No significant land use impact would occur.

The SCAG has prepared the 2008 RCP to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the region. The RCP is a major advisory plan prepared by the SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance.

The RCP's overall goal is to reinvigorate the region's economy, avoid social and economic inequities and the geographical dislocation of communities, and to maintain the region's quality of life. The document is described as a regional policy framework for future land use decisions in the SCAG area that respects the need for strong local control, but that also recognizes the importance of regional comprehensive planning for issues of regional significance.

[1] *Moreno Valley General Plan Final EIR*, City of Moreno Valley, July 2006.

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Formulation of the RCP is based on input from local jurisdictions based on what is contained within their respective General Plans. The proposed project is consistent with the City's existing General Plan. As such, implementation of the proposed project would not result in unanticipated growth documented in the RCP. Impacts are less than significant.

The 2008 RTP adopted by the SCAG in May 2008 contains a set of existing socioeconomic projections used as the basis for the SCAG's transportation planning efforts. They include projections of population, housing, and employment at the regional, county, sub-regional, jurisdictional, Census tract, and transportation analysis zone levels. The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections.

The proposed project is consistent with the RTP in that it would be required to adhere to the City of Moreno Valley's General Plan and the City's Industrial Area Plan. The General Plan and Industrial Area Plan contain goals and policies that aim to minimize traffic congestion, provide adequate transportation facilities, and require development to pay its share of costs. The goals and policies identified in the City's General Plan and Industrial Area Plan resemble those of the RTP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Furthermore, the project will be consistent with the General Plan and Industrial Area Plan and, since the General Plan and Industrial Area Plan is required to be consistent with the RTP, it is reasonable to infer that the project is consistent with policies set forth in the RTP.
Impacts are less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Refer to the discussion on the Western Riverside County MSHCP in Section 2.5.2.

2.5.8 Mineral Resources

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. There are no identified Mineral Resource Zones (MRZ) located with the General Plan Study Area.[1] The project site has been historically been utilized for agricultural production and does not harbor any known mineral resource. Implementation of the proposed project would not result in the loss of availability of a known mineral resource. No impact related to this issue would occur.

2.5.9 Population and Housing

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

[1] *Section 5.14 Mineral Resources*, City of Moreno Valley General Plan EIR, July 2006.

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Less Than Significant Impact. The California Department of Finance (DOF) estimates the City's population at 195,216 persons as of January 1, 2011.[1] As detailed in Table 2.B, SCAG projections estimate the population of the City, the County of Riverside, and the SCAG region would continue to grow.

Table 2.B: Local and Regional Population, Housing, and Employment Projections

	2015	2020	2025	2030	2035
Population					
City of Moreno Valley	206,657 220,3	90 234,4	10 246,8	04 258,3	50
Riverside County	2,509,330	2,809,003 3,089,9	99 3,343,7	77 3,596,6	80
SCAG *	20,465,819 21,46	8,934 22,	395,124 23,25	5,378 2,405	7,292
Housing					
City of Moreno Valley	55,407 60,02	5 64,69	9 69,35	3 72,97	7
Riverside County	811,486	913,207	1,008,909 1,097,9	50 1,183,0	97
SCAG	6,474,074 6,840,3	31 7,	156,635 7,449,4	84 7,710,7	16
Employment					
City of Moreno Valley	49,414 61,97	4 71,35	9 80,66	7 91,64	2
Riverside County	911,381	1,042,145 1,168,7	69 1,295,4	87 1,413,5	22
SCAG	8,811,402 9,183,0	26 9,	546,782 9,913,3	72 10,28	7,122

*Includes Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties.
Source: *Regional Transportation Plan Growth Forecast by City*, Southern California Association of Governments, adopted April 1, 2008.

The SCAG projects the City's population would grow to 206,657 persons by the year 2015 and 258,350 persons by the year 2035. The proposed project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space[2]. The extent to which new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. The construction of the proposed project would create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the project area; therefore, construction of the proposed project would not generate a permanent increase in population within the project area. Utilizing 1 employee per 2,500 square feet of warehousing space, the proposed project is expected to employ 646 people.[3] As most of the new employment opportunities are anticipated to be filled by existing local area residents, a large influx of new residents to the City is not anticipated. Additionally, the project would not directly affect population growth as compared with new residential development, because it is not creating homes. While the proposed project would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Infrastructure, including roads, sewers, water, and electricity, already exists around the project site. These impacts are considered less than significant.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

1 E-5 Population and Housing Estimates, for Cities, Counties, and the State, 2010–2011, with 2010 Benchmark, State of California Department of Finance, http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/documents/E-5_2011_Internet_Version.xls, May 2011, website accessed June 7, 2011.
2 Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.
3 1 employee per 2,500 square feet, 1,616,133 sf ÷ 2,500 sf = 646 employees.

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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed project site consists of undeveloped land with no residential structures located within the project limits. Therefore, no displacement of housing or residents would occur and construction of replacement housing is not required.

2.5.10 Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire Protection

Less Than Significant Impact. The City of Moreno Valley contracts with the Riverside County Fire Department to provide fire protection, fire prevention, and emergency services to its residents. The fire station nearest the project site is Station No. 65 (Kennedy Park Fire Station), located at 1511 Indian Street, 3.0 miles north of the proposed project site. The proximity of Station No. 65 to the project site is sufficient to meet the City's General Plan performance standard requiring a response time of five minutes or less. As with any new development, the proposed project would increase the need for fire protection services within the City. While the proposed project would increase the need for fire protection, it would not require the construction of new fire facilities to maintain acceptable service ratios, response times, or other performance objectives. The proposed project would be required to adhere to all standards and conditions required by the City and the Riverside County Fire Department including, but not limited to, restrictions on project design, the imposition of construction standards, and including the payment of impact fees. Adherence to these standards would reduce potential impacts related to the provision of fire protection services and the need for the construction of new facilities which would result in adverse physical impacts to a less than significant level.

b) Police Protection

Less Than Significant Impact. The City of Moreno Valley contracts police services from the Riverside County Sheriff's Department. The Moreno Valley Police Department (MVPD) operates out of the Central Police Station, located at 22850 Calle San Juan de Los Lagos. The MVPD has 143 authorized sworn personnel and 45.5 authorized civilian personnel.[1] As with any new development, the proposed project would increase the need for police protection services within the City. The proposed project would be required to adhere to all standards and conditions required by the City and the MVPD, including the payment of impact fees. Adherence to conditions and standards identified by the City and the MVPD are required of all development within the City. While the proposed project would increase the need for police protection, it would not require the construction of new facilities to maintain acceptable service ratios, response times, or other performance objectives. The proposed project would result in a less than significant impact, and no additional mitigation is required. With adherence to City and MVPD requirements, no need for the construction of police facilities which would result adverse physical impacts would occur.

c) Schools

Less Than Significant Impact. The proposed project site is located within the Moreno Valley Unified School District (MVUSD). The proposed project does not include the construction of residential

[1] *Section 5.13 Public Services and Utilities*, The City of Moreno Valley General Plan Final EIR, July 2006.

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dwelling units. There is a potential for the employees to move within the vicinity of the project; however, it is not anticipated that the growth would significantly impact existing school services or facilities.

Per California Government Code (§ 65995[h]), "The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts … on the provision of adequate school facilities." MVUSD requires the payment of 47 cents per square foot of industrial development.[1] With the payment of required fees and with no additional students generated from the proposed project, no significant impacts related to the provision of school services would occur. Upon payment of required fees, a less than significant impact to school services and/or facilities would occur. In the absence of a significant impact, the construction of new facilities that would result in a significant environmental impact would not occur.

d) Parks

*No Impact***.** The project does not include recreational facilities. Neighborhood or regional parks are not associated with industrial projects; therefore, there will be no impacts associated on these facilities from the proposed project.

e) Other Public Facilities

Less Than Significant Impact. The proposed project is an industrial project and, as a result, would not cause in an increase in population resulting in a significant impact on other public facilities such as libraries and hospital services. The local library serving the City is the Moreno Valley Public Library located at 25480 Alessandro Boulevard approximately 4.0 miles north of the project site. The nearest health service facility is the Moreno Valley Community Hospital located at 27300 Iris Avenue in the City of Moreno Valley approximately 3.5 miles northeast of the project site. The proposed project does not include a residential component and would not contribute to a direct increase in population. As there is no direct increase in population resulting from the proposed project, no new significant demand on library or medical facilities would occur. In the absence of a significant impact, the construction of new facilities that would result in a significant environmental impact would not occur.

All on-site access, parking areas, utilities, and structures would be maintained by the project applicant or operator of the proposed facility. Maintenance of public facilities and infrastructure would not be significantly altered by the development of the proposed project. The proposed project would not add any significant new public facilities that would require maintenance. In addition, the project proponent would be required to pay all developmental fees required by the City of Moreno Valley. Additionally, as with any industrial operation, the proposed project would provide revenue to the City in the form of fees, property taxes, etc. It is anticipated that the payment of such monies would offset any increased maintenance burden associated the development of the project site; therefore, potential impacts associated with this issue are anticipated to be less than significant.

2.5.11 Recreation

Would the project:

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. The proposed project does not include a residential component and is unlikely to significantly increase local or regional populations; therefore, the proposed project would not cause a significant increase in the use of existing neighborhood or regional parks or other

[1] *School Developer Impact Fees*, Moreno Valley Unified School District, http://www.mvusd.net/, website accessed June 7, 2011.

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recreational facilities in the area. Impacts associated with this issue are considered less than significant.

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact. The proposed project would result in the construction and operation of a warehouse distribution facility. Implementation of the proposed project does not include the construction or expansion of recreational facilities. Therefore, no impacts associated with this issue would occur.

2.5.12 Utilities and Service Systems

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. The proposed project would be required to comply with the applicable waste discharge prohibitions and water quality objectives established by the Santa Ana RWQCB. The project proponent would also be required to satisfy City and EMWD requirements related to the payment of fees and/or the provision of wastewater conveyance features, and installation and maintenance prior to the issuance of building permits. Adherence to requirements included in the NPDES permit, SWPPP, WQMP, and EMWD wastewater conveyance standards would reduce potential wastewater quality impacts to a less than significant level.

b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. Wastewater flows from the proposed project site would be handled by the EMWD and would be conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF) located in the southwestern portion of the City. Current capacity at this facility is 16 million gallons per day (mgd) with an existing average inflow of approximately 11.2 mgd per day.[1] The MVRWRF will ultimately be expanded to accommodate 41 mgd. Under current conditions, the average daily surplus treatment capacity is approximately 4.5 mgd. Generally, water use and wastewater flows are related in that wastewater is generated from indoor water uses. For industrial uses, typical wastewater generation factors are 1,700 gallons per day (gpd) for every acre of gross industrial uses.[2] Based on this generation factor, up to 63,070 gallons (0.063 mgd) of wastewater would be generated from the project site.[3] The additional wastewater treatment demand of 0.063 mgd resulting from development of the proposed project totals approximately 1.4 percent of current surplus treatment capacity. Because the amount of wastewater generated would be within the existing surplus treatment capacity, the proposed project would not require the construction of a new water or wastewater treatment facilities or expansion of existing facilities, which could cause

1 Eastern Municipal Water District Moreno Valley Regional Water Reclamation Facility. http://www.emwd.org/news/Insights/insights_moval.pdf, accessed June 7, 2011.

2 *Table 1 – EMWD System Design and Loading Criteria – Average Daily* Flow, Eastern Municipal Water District Sanitary Sewer System Planning & Design Principle Guidelines Criteria, September 2006.

3 1,616,133 square feet of warehouse uses ÷ 43,560 square feet/acre = 37.10 acres of warehouse uses; 1,700 gallons per acre of industrial use per day × 37.10 acres = 63,070 gallons per day (0.19 acre-foot) or 0.063 million gallons per day (mgd).

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significant environmental effects; and impacts related to this issue would be considered less than significant.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. There is existing storm drain infrastructure in the vicinity of the proposed project that is capable of accommodating most existing storm water flows. Approvals of drainage features/improvements are made through the plan check process. As part of this process, all project-related drainage features would be required to meet the City's Public Works Division and RCFCWCD standards. The installation of project-related storm drain systems would occur within an existing urbanized area and the on-site storm drain system would be designed, installed, and maintained per Public Works Division and RCFCWCD standards. Because the project would be required to design and install drainage systems according to standards and provisions set forth by the City of Moreno Valley and RCFCWCD, impacts related to this issue are anticipated to be less than significant.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less Than Significant Impact. There has been a shift in the water demand patterns in the last 15 years, as a residential market has replaced an agricultural market. Metropolitan, based on the IRP update and IRPSIM [1] model, has stated that with the addition of all water supplies existing and planned, it would have the ability to meet all of its member agencies' projected supplemental demand through 2030 even under a repeat of a worst drought scenario and with a reduction in deliveries from the SWP as imported sources of water will be supplemented by an increase in desalination of brackish groundwater, recycled water use, and water use efficiency. Based on this assertion, the EMWD has stated in the WSA prepared for the project it is able to meet an increased demand for water over the next 20 years, even during drought conditions. This is based on continued commitment to conservation programs, additional water recycling, and continued development of local water resources.

To develop the projections used in the WSA, EMWD used a development-tracking database that assesses future water demands for specific projects. EMWD uses this database to help plan for future water supply and infrastructure needs by monitoring new projects through various stages of development. Changes in density and land use are also tracked in this database for planning purposes. The supply for dry years is driven by demand. Demand increases slightly (less than 2%) during dry years, primarily due to the increased demand in winter for landscaping or agricultural water, and can be decreased up to 10 percent due to conservation as dry periods are extended. Neither groundwater production nor recycled water deliveries are expected to increase or decrease significantly during dry years. For water shortages and interruptions, the plans and policies outlined in the Regional Urban Water Master Plan (RUWMP) will be implemented.

Based on the WSA conducted for the proposed project, water demand for the proposed on-site uses would total 49,805 gpd or 55.8 acre-feet per year (AFY). Based on the information contained in the WSA for the project site and the assurance that MWD is engaged in a planning process that will ensure a reliable long-term water supply for its member agencies, EMWD has determined that it will be able to provide adequate water supply to meet the potable water demand for the project in addition to existing and future users. Impacts are less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

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[1] IRPSIM is a sophisticated water supply and demand-balancing model that utilizes 77 sequential hydrologies to determine variations in supply and demand due to changes in weather conditions.

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Less Than Significant Impact. Solid waste collection is a "demand-responsive" service and current service levels can be expanded and funded through user fees without difficulty. Based on a solid waste generation of approximately 3.6 pounds per employee per day,[1] and 646 employees estimated for the project (See Population and Housing, Checklist Response 12a), the proposed on-site warehouse uses, in their entirety would generate approximately 2,326 pounds (1.16 tons) of waste per day.[2] Solid waste from the proposed project would be hauled by Waste Management of Inland Valley[3] and transferred to the Badlands Landfill, located to the northeast of the City's limits. The Badlands Sanitary Landfill has a daily permitted throughput of 4,000 tons per day, a remaining capacity of 14,730,025 cubic yards, and an estimated closure date of 2024.[4] Average daily throughput as of 2010 is estimated at 1,667 tons/day.[5] Current surplus capacity totals 2,333 tons/day. The volume of solid waste generated by the proposed project per day represents 0.029 percent of the current permitted throughput and 0.049 percent of the current surplus capacity at the Badlands Sanitary Landfill. As adequate daily surplus capacity exists at the receiving landfill, development of the proposed project would not significantly affect current operations or the expected lifetime of the landfill serving the project area. No significant solid waste disposal impact would occur.

g) Comply with federal, state, and local statues and regulations related to solid waste?

Less Than Significant Impact. The proposed project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, state, and federal solid waste disposal standards, thereby ensuring that the solid waste stream to the Badlands Sanitary Landfill is reduced in accordance with existing regulations. Impacts are considered less than significant.

2.6 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) will be prepared to comply with the requirements of State law (Public Resources Code, Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts or reduce impacts to a less than significant level. The MMRP is intended to ensure compliance with mitigation measures during implementation of the proposed project. The MMRP will be adopted by the Planning Commission concurrent with certification of the Final EIR for the proposed project.

2.7 CUMULATIVE PROJECTS

Substantial changes are anticipated to occur as the result of population and employment as well as the development of other projects in the City and region. *CEQA Guidelines* (Section 15130) require that an EIR include a discussion of the potential cumulative impacts of a proposed project. Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period of time. The *CEQA Guidelines*, state:

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1 Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008
2 646 employees × 3.6 lbs per employee per day = 2,326 lbs per day or 1.16 tons per day.
3 Trash service in the City of Moreno Valley is mandatory and Waste Management of Inland Valley is the only solid waste service provider.
4 *Badlands Sanitary Landfill Facility/Site Summary Details*, CalRecycle, http:// www.calrecycle.ca.gov/profiles/Facility/Landfill/LFProfile1.asp?COID=33&FACID=33-AA-0006, website accessed on June 8, 2011.
5 Communication with Ryan Ross, Riverside County Waste Management Department, June 6, 2011.

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(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The cumulative baseline for this project includes past, present, and probable future projects, which are either approved or being considered for approval, or anticipated to be submitted for consideration, including projects in the design phase or under construction. In determining the cumulative impacts of a proposed project with other area projects, an EIR may either consider a list of past, present, and probable future projects, or it may consider a summary of projections method or a combination of both.[1] This EIR utilizes the list method.

Information was collected and compiled from the Cities of Moreno Valley, Riverside, Perris, and Riverside County. The list of cumulative projects is based on project lists provided by staff from the City of Moreno Valley.[2] The project listings provided by the cities identify projects for which applications either have been submitted or are "foreseeable." As noted by the respective development reports, some of the identified applications are "inactive," "on-hold," or pending Planning Commission approval. It is not possible to determine with a reasonable level of certainty which or how many of the projects listed on the respective development inventories will complete the entitlement process and be issued permits for construction and occupancy; therefore, the figures cited represent a conservative scenario of what may be developed and interact with the project site. Because of market demands, demographic and economic conditions, and local development trends, it is reasonable to conclude that the number and amount of uses developed may vary from the total potential cumulative development identified in Table 2.C. The list of cumulative projects is illustrated in Figure 2.1.

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-1	First Industrial Realty Trust (PA06-0152, PA06-0153)	NEC Heacock St. and Nandina Ave.	1,183,000 SF of high cube warehouse uses
M-2	Moreno Valley Industrial Park (PA07-0035, PA07-0039)	Northeast corner of Heacock Street and Iris Avenue	205,000 SF of light industrial uses; 410,000 SF of high cube warehouse uses
M-3	Indian Business Park (PA07-0079)	Southwest corner of Indian Street/Iris Avenue	1,560,000 SF of high cube warehouse uses
M-4	Komar Investments	NEC of Heacock Street and San Michele Road	2,057,000 SF of high cube warehouse uses
M-5	Ivan Devries (PA06-0017)	Northeast corner of Perris Boulevard and Edwin Road	569,000 SF of industrial park uses
M-6	TM34748 (PA06-185, PA06-184, PA06-0183)	Southeast corner of Heacock Street and Gentian Avenue	135 single family homes
M-7	San Michele Logistics Center (PA07-0166)	North side of Nandina Avenue west of Perris Boulevard	866,000 SF of high cube warehouse uses

[1] State *CEQA Guidelines*, Section 15130(b) (1).
[2] Input from Jeff Bradshaw, City of Moreno Valley Community Development – Planning Division, dated April 2011.

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Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-8	TM 33810 (PA05-0089)	South of Iris Avenue between Indian Street and Emma Lane	16 single family homes
M-9	TM 34151 (PA05-0174)	East of Indian Street and north of Krameria Street	37 single family homes
M-10	TM 32716 (PA05-0148)	East of Indian Street, north of Perris Valley Channel	57 single family homes
M-11	TM 32917 (PA04-0051)	NEC of Lasselle Street and Krameria Street	227 condominiums
M-12	P05-0113	Northwest corner of Markham Street and Perris Boulevard	1,743,000 SF of high cube warehouse uses
M-13	Oakmont I (P05-0192)	Southwest corner of Markham Street and Perris Boulevard	698,000 SF of high cube warehouse uses
M-14	P05-0477	Northwest corner of Markham Street and Redlands Avenue	462,000 SF of high cube warehouse uses
M-15	P06-0425	North of Nance Street and west of Indian Street	6,300 SF of light industrial uses
M-16	P07-09-0018	NEC of Heacock Street and Nance St.	170,000 SF of warehousing uses
M-17	Oakmont II (P07-07-0029)	North of Ramona Expressway between Heacock Street and Indian Street	1,600,000 SF of high cube warehouse uses
M-18	TR 32707	Southeast corner of Harley Knox Boulevard and Evans Road	137 single family homes
M-19	TR 34716	Northwest corner of Markham Street and Redlands Avenue	318 single family homes
M-20	Ridge II	Northeast corner of Rider Street and Indian Street	2,000,000 SF of high cube warehouse uses
M-21	Jordan Distribution	Northeast corner of Rider Street and Redlands Avenue	378,000 SF of high cube warehouse uses
M-22	Aliere	Northwest corner of Rider Street and Redlands Avenue.	642,000 SF of high cube warehouse uses
M-23	Starcrest (08-11-0005, 08-11-0006)	Southeast corner of Ramona Expressway and Webster Street	454,000 SF of high cube warehouse uses
M-24	—	Northeast corner of Indian Street and Markham Street	189,000 SF of high cube warehouse uses

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Table 2.C: Cumulative Project List

Map No	Project	Location	Type
P-25	Stratford Ranch Industrial	NEC of Redlands Avenue and Perry Street (extended)	1,725,411 SF of high-cube warehouse uses
M-26	Rados Distribution Center	Northeast corner of Webster Avenue and Rider Street	1,191,000 SF of high cube warehouse uses
M-27	Ridge I (P 05-07-0493)	South of Ramona Expressway between Perris Boulevard and Indian Street	700,000 SF of high cube warehouse uses
M-28 —		North of Rider Street between Perris Boulevard and Redlands Avenue	40,000 SF of warehousing uses
M-29 IDS	II	SWC of Redlands Avenue and Rider Street	350,000 SF of high cube warehousing uses
M-30 —		Northeast of Indian Avenue and San Michele Road	408,000 SF of light industrial uses
M-31 —		Northeast of Perris Boulevard and San Michele Road	681,000 SF of light industrial uses
M-32 —		Southwest of Perris Boulevard and Nandina Avenue	482,000 SF of high cube warehouse uses
M-33 —		Northwest of Indian Avenue and Harley Knox Boulevard	360,000 SF of light industrial uses
A-34	March Lifecare Specific Plan	SWC Heacock & Cactus	190,000 SF medical offices, 210,000 SF commercial retail, 200,000 SF research & education, 50 hospital beds, 660 beds institutional residential
A-35	Airport Master Plan	March ARB	559,000 SF airport use
C-36	Majestic Freeway Business Center (SP 341, PP 20699, PP21027, PP21552)	West of 215, south of Nandina, north of Cajalco	6,200,000 SF high-cube warehouse
M-37	Oleander Business Park	West of I-215 at Harley Knox Boulevard	1,206,710 SF of warehousing
M-38	Cemex Materials	24365 Nandina Ave (west of Indian St.)	Concrete batch plant on 5 ac
M-39 06-0	411	East of Patterson Avenue, south of Nandina, north of Harley Know	Concrete batch plant, 400 SF office, 1,600 SF maintenance shop
M-40	Pierce Hardy Limited Partnership (PA06-0014)	SEC Heacock St. & Nandina Ave.	67,000 SF retail lumber yard complex
P-41 P05-0	302	South of Markham St., east of I-215	900 SF office

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Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-42	March Business Center (PA11-0001)(P11-004)(PA11-0007)(PA11-0002, -0003, -0004, -0005, -0006)	SE corner of Heacock Street and Iris Avenue	Business center totaling 1,484,407 SF of building space on 75 acres.
C-43	Ramona Metrolink Station	NEC Cajalco and Harvill	Light rail station; 300 parking spaces
M-44	Centrepointe Buildings 8 and 9 (PA04-0063)	SEC Heacock St. & Alessandro Blvd.	361,384 SF general light industrial
M-45	Komar Cactus Plaza (PA08-0047, PA08-0048, PA08-0049, PA08-0050, PA08-0051, PA08-0052)	N side of Cactus Ave. & W of Elsworth St.	110 hotel rooms, 8,000 SF fast food w/drive thru, 42,400 SF commercial
M-46	MV Centerpointe Business Ctr. (PA07-0147, PA07-0157)	NEC Cactus Ave. & Frederick St.	353,859 SF warehousing
M-47	Centerpointe Business Park (PA08-0002, PA08-0003)	Corner of Brodiaea Ave & Graham St.	391,231 SF warehousing
M-48	Centerpointe Business Park (PA08-0093)	Corner of Heacock St. and Brodiaea Ave.	99,988 SF light industrial
M-49	Highland Fairview Corporate Park (PA07-0088, PA07-0089, PA07-0090, PA07-0091)	Immediately south of Hwy 60, between Redlands Blvd. and Theodore St.	2,620,000 SF industrial warehouse/commercial
M-50	Alessandro and Laselle - Winco Foods (PA08-0079, PA08-0080, PA08-0081)	NEC of Alessandro Blvd. and Laselle St.	110,240 SF shopping center (anchored by 95.440 TSF WinCo Foods)
M-51	Yoon Byun (PA09-0031)	NEC Alessandro and Graham	5,044 SF retail center w/ convenience store, restaurant and carwash
M-52	Classic Opportunities Group/Optiflex - Moreno Valley Medical Plaza (PA09-0033, PA09-0034, PA09-0035, PA09-0036, PA09-0037, PA09-0038, PA09-0039, PA09-0019, PA09-0020)	East side of Nason, south of Brodiaea Ave.	311,633 SF commercial medical plaza
M-53	TM 32505 (PA05-0017)	SWC Bay Avenue & Morrison Street	72 detached single-family units
M-54	TM 33417 (PA05-0142)	NWC Perris Blvd. & Delphinium Ave	60 condominiums
M-55	TM 33607 (PA06-0096)	NEC Perris Blvd. & Delphinium Ave	52 condominiums
M-56	TM 34988 (PA06-0141)	NEC Perris Blvd. & Brodiaea	251 townhomes
M-57	TM 34216 (PA05-0193)	NEC of Kitching and Alessandro	40 condominiums
M-58	TM 34681 (PA06-0052)	South of Alessandro, west of Lasselle	49 townhomes
M-59	Moreno Valley Medical Campus	North side of Iris Ave., west of Moreno Valley Community Hospital	75,000 SF medical office complex
M-60	Overton Moore Properties (PA08-0072)	NWC Cactus Ave. & Frederick St.	520,000 SF high-cube warehouse

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Table 2.C: Cumulative Project List

Map No	Project	Location	Type
R-61	Alessandro Business Park (P07-1028)	North of Alessandro, west of I-215 frontage road	652,018 SF general light industrial
R-62	P06-1408	East of I-215, north of Gateway Dr.	73,500 SF office
P-63	Harvest Landing Specific Plan	East of I-215, south of Placentia, west of Perris Blvd, north of Nuevo	1860 single family dwelling units, 1,306,582 SF multiple use business park
C-64	Amstar/Kaliber Development (PP 22925)	South of Alessandro Blvd, west of I-215 Frontage Road	258,102 SF office, 409,312 SF warehousing, 42,222 SF general light industrial, 10,000 SF retail
A-65	Alessandro Metrolink Station	South of Alessandro, east of Frontage Road	Light rail station; 300 parking spaces
A-66	Meridian Business Park	North West of 215, south of Alessandro	5,985,000 SF industrial park
A-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses
A-68	West Ridge Commerce Center	West of Redlands Boulevard, south of SR-60	937,260 SF of high cube warehouse uses
A-69	World Logistics Center	East of Redlands Avenue, south of SR-60	41,500,000 SF high cube warehouse uses
A-70	Perris Valley Commerce Center Specific Plan	3,500 acres in north Perris	Various Light Industrial, business park, and commercial uses

Notes: NWC = northwest corner; SWC = southwest corner; NEC = northeast corner; SEC = southeast corner; SF=square feet
Sources: City of Moreno Valley, August 2011

The cumulative analyses are provided following the discussion of the individual impacts associated with the proposed project in Section 4.0. For example, the cumulative impact for air quality is provided in Section 4.1, and so forth. Depending on the issue discussed, the area addressed in the cumulative analysis varies. For example, because of the cumulative nature of regional air quality emissions, the cumulative area for air quality impacts would encompass the South Coast Air Basin; while the cumulative area associated with noise would be limited to areas in the proximity of the project site. Because of the nature of the various cumulative discussions, the consideration of all the cumulative projects in every cumulative analysis is not warranted.

The traffic study is based on existing count data taken in 2007. For this reason, projects that were approved subsequent to 2011 were added to the background trip generation in the TIA. These are listed as cumulative projects 1 through 44 in Table 2.C and Figure 2.1.

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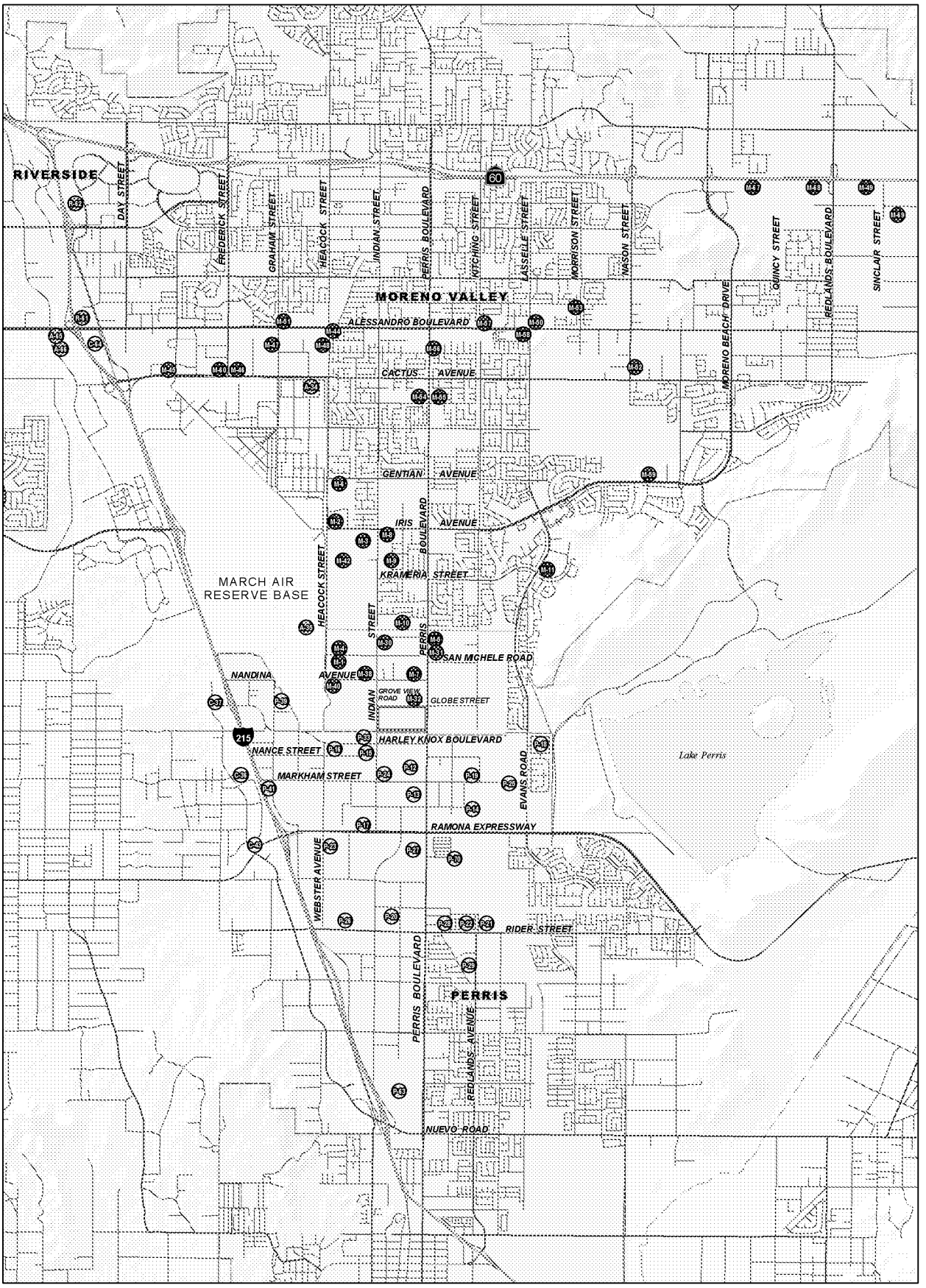

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FIGURE 2.1

Cumulative Projects

- Proposed Project Location
- City Boundaries
- City of Moreno Valley
- City of Perris
- City of Riverside
- County of Riverside
- March JPA

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Environmental Impact Report

Cumulative Project Locations

SOURCE: City of Moreno Valley, August 2011; Riverside County, 2011
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3.0 PROJECT DESCRIPTION

The project description is provided in this section of the EIR in conformance with *CEQA Guidelines* §15124. It discusses the geographic setting, project location, project setting, City of Moreno Valley General Plan and zoning designations, project characteristics, discretionary actions, and project objectives. The project description is used as the basis for analysis in Section 4.0 of the EIR.

3.1 GEOGRAPHIC SETTING

As illustrated in previously referenced Figure1.1, the proposed project is located within the southwestern portion of the City of Moreno Valley, in Riverside County, California, east of Interstate 215 (I-215) and south of State Route 60 (SR-60). The City is located within the Perris Block geologic unit, which in turn lies within the Peninsular Ranges Geomorphic Province of southern California. The Peninsular Ranges Geomorphic province is characterized by a series of northwesterly trending mountain ranges extending from the coast of California eastward into the California desert and south to the tip of Baja California. The Perris Block is bounded on the northeast by the San Jacinto Fault, on the north by the Cucamonga Fault and the San Gabriel Mountains, and on the southwest by the Elsinore Fault and the Santa Ana Mountains. The City of Perris borders Moreno Valley to the south and the City of Riverside to the west, with unincorporated areas of Riverside County bordering the City to the north and east. The Box Springs Mountains border the City to the north.

3.2 PROJECT LOCATION

The project site consists of four parcels (APNs 316-210-71, 316-210-73, 316-210-75, and 316-210-76) totaling approximately 71 net acres located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary. The site is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the project site.

3.3 PROJECT SETTING

The project site is relatively level, descending gradually from northwest to southeast, at an elevation ranging from approximately 1,465 to 1,461 feet above sea level. On-site soils consist of disturbed top soil/fill and natural soils, classified as brown clayey silts to silty sands.

The project vicinity is characterized by a mix of developed and undeveloped properties, as can be seen in previously referenced Figure 1.1. Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north, industrial/warehouse and undeveloped property to the south, industrial/warehouses and a self storage facility to the east, and warehouses, vehicle storage, residences, and undeveloped property to the west.

The proposed project site has been used historically for agricultural purposes but currently lies fallow. It was most recently used as a sod farm growing that ceased operating in August 2005. Within the past two years, the proposed Project site has received approximately 80,000 cubic yards of fill as part of an approved stockpile permit previously issued by the City. The major roads that provide access to the project are Perris Boulevard, Indian Street, Grove View Street, and Harley Knox Boulevard, with the nearest I-215 interchanges at Harley Knox Boulevard and Ramona Expressway.

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3.4 CITY OF MORENO VALLEY GENERAL PLAN AND ZONING DESIGNATIONS

A review of the Cities of Moreno Valley and Perris General Plans reveals the site and surrounding area is designated Business Park/Light Industrial to the north, east and west in the City of Moreno Valley (City) and Light Industrial and Community Commercial south of the Lateral B channel in Perris. Similarly, zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, which is known as the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002.

As illustrated in Figure 3.1, SP 208 encompasses approximately 1,540 acres in the southwest portion of the City covering an "L" shaped area. South of Mariposa Avenue/Lateral A channel, the SP area is bordered by City of Perris to the south, the Perris Valley Storm drain to the east, and Heacock Street to the west. North of Mariposa Avenue/Lateral A channel, the SP is bordered by Indian Street to the east, Heacock Street to the west, and Iris Avenue to the north. The SP also includes the area north of Iris Street bordered by Gentian Avenue to the north, Indian Street to the east, and Heacock Street to the west. SP 208 functions as the zoning for the applicable planning area, defining permitted uses and establishing design guidelines.

The proposed project site as well as the surrounding areas are planned for industrial development per SP 208. The SP also permits supporting commercial land uses at key intersections in its planning area, including the intersection of Perris Boulevard and Grove View Road. Zoning for the area to the south across the Lateral B channel in Perris is Light Industrial and Community Commercial. Table 3.A provides a summary of existing on-site and adjacent land use, zoning, and General Plan designations. Figure 3.2 illustrates existing on-site and adjacent General Plan Land use designations and zoning for the site.

Table 3.A: On-Site and Adjacent Land Use Designations

Location	Current Land Uses	General Plan Land Uses	Zoning Designations
On-site	Vacant/Fallow	Business Park/Light Industrial	SP 208
North	industrial	Business Park/Light Industrial	SP 208
South[1]	industrial and vacant	Community Commercial and Light Industrial	Light Industrial and Community Commercial
East	industrial	Business Park/Light Industrial	SP 208
West	industrial and vacant	Business Park/Light Industrial	SP 208

[1] Land use, General Plan, and Zoning information shown is in the City of Perris.
Sources: City of Moreno Valley General Plan Land Use Map, adopted August 2010; City of Moreno Valley Zoning, accessed April 7, 2011; City of Perris General Plan Land Use Map, approved February 2008; City of Perris Zoning February 2009.

3.5 PROJECT CHARACTERISTICS

The proposed project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space on an approximately 71 acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 truck trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. Previously referenced Figure 1.2 provides a conceptual site plan for the proposed project.

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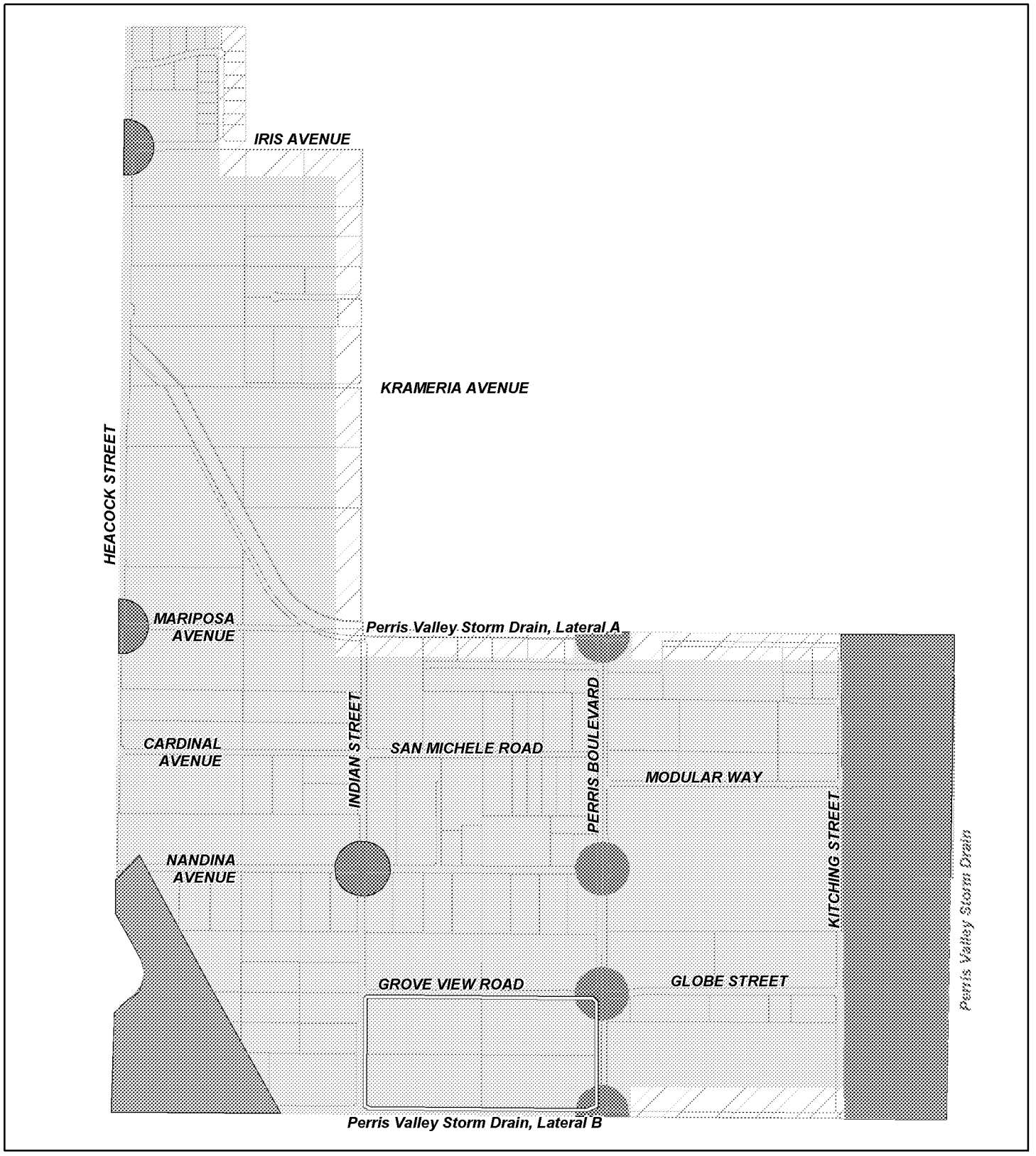

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N

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Project Boundary

Moreno Valley Industrial Area Plan Boundary
Industrial
Public
Clear Zone
Commercial (Industrial/Business Support)
300' Residential Buffer

FIGURE 3.1

VIP Moreno Valley
Environmental Impact Report

Moreno Valley Industrial Area Plan Boundaries (SP 208)

SOURCE: City of Moreno Valley (Specific Plan 208), 2002.

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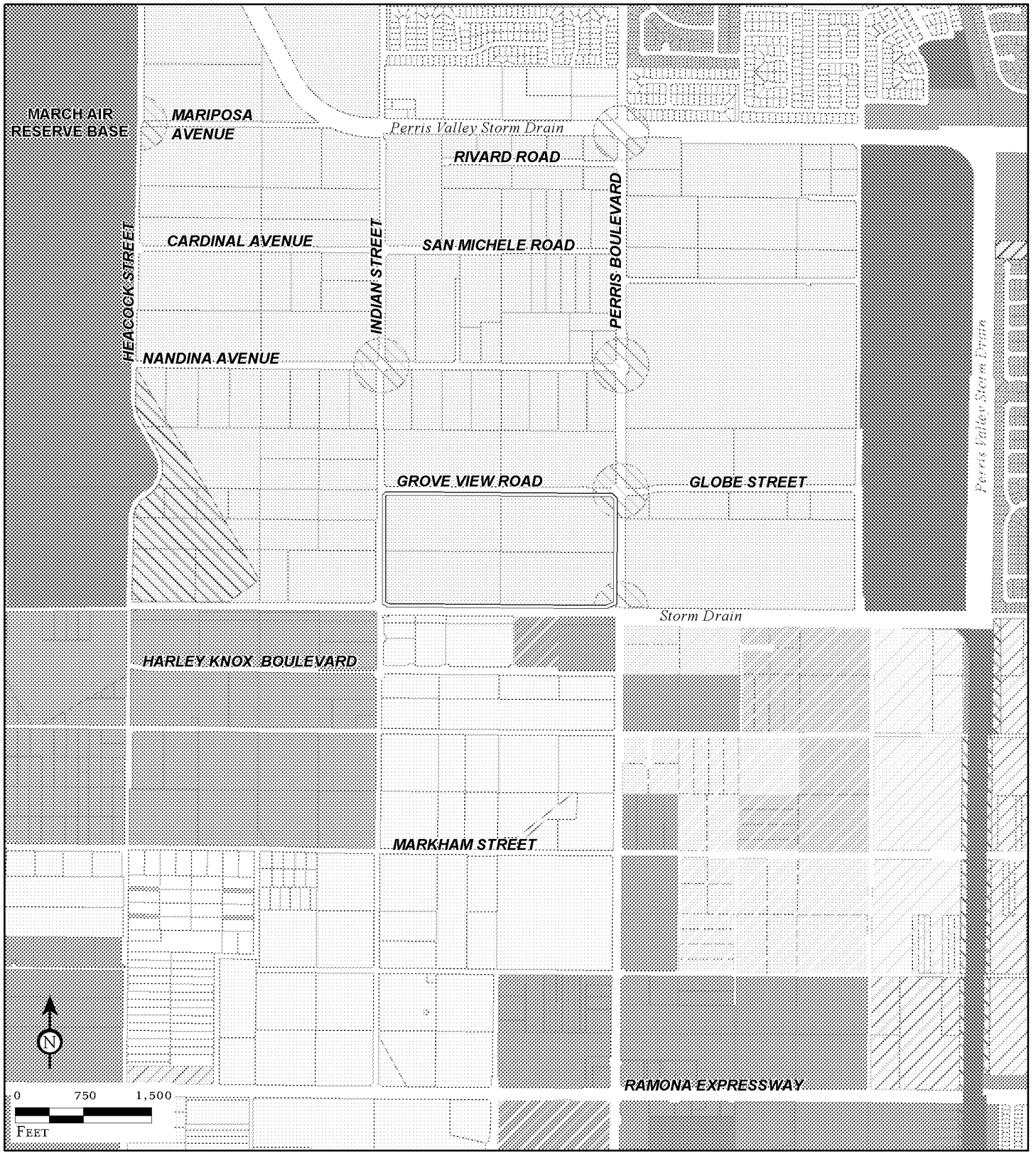

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Project Boundary

Zoning

- Public Facilities
- NC - Neighborhood Commercial
- Commercial
- SP - Specific Plan
- LI - Light Industrial
- A1 - Light Agriculture
- OS - Open Space
- R - 6,000 - Residential
- R - 10,000

General Plan - Land Use

- March Air Reserve Base
- BP - Business Park
- CC - Community Commercial
- GI - General Industrial
- LI - Light Industrial
- MFR - 14
- NC - Neighborhood Commercial
- OS - Parks/Recreational/Natural Open Space
- P - Public/Semi-Public Facilities/Utilities
- Residential: Max. 5 du/ac
- R - 6000
- Residential: Max. 10 du/ac
- Residential: Max. 15 du/ac
- R - 20,000
- SP

SOURCE: City of Moreno Valley Land Use Map, August 12, 2010; City of Perris - General Plan, February 19, 2009; City of Moreno Valley - Zoning, April 20, 2011; City of Perris - Zoning, February 19, 2009.

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FIGURE 3.2

VIP Moreno Valley
Environmental Impact Report

Existing General Plan Land Use Designations and Zoning

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The proposed project features a variety of architectural elements including façade accents such as corner treatments and roof trim (refer to Figure 3.3). The project would also provide variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation creates shadow lines at various times of the day.

Access to the project site will be provided via two driveways on Indian Street, three driveways on Grove View Road, and two driveways on Perris Boulevard. The northern driveway on Perris Boulevard will be for passenger vehicle and emergency access only. The southern driveway on Perris Boulevard will align with the existing signalized intersection at the Ross Distribution Warehouse entrance. The north project driveway on Indian Street will be for passenger vehicle and emergency access only; all other driveways will be used by both passenger vehicles and trucks. The proposed project is anticipated to be constructed by the year 2013.

The proposed project will function as a trucking distribution hub for several types of items. Goods imported from the ports of California as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in and out of state locations, thus benefiting both local and interstate commerce.

Due to the project site's topography and drainage requirements, approximately 220,000 additional cubic yards of fill will be required. The specific location of the fill import site is not known at this time. It is reasonable to estimate that the fill will be obtained from a site located within 10 miles of the proposed project in order to reduce import hauling costs, consistent with soil import/export hauling distances for projects in Moreno Valley.

In addition to construction of required street frontage improvements on Indian Street, Perris Boulevard, and Grove View Road, the proposed project includes construction of necessary infrastructure to provide water, sewer, phone, cable, natural gas, and electricity service. Drainage will be handled by a system of on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features. All utilities hook ups are immediately available, with no off-site improvement required.

Site and building design attributes for the proposed project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

Green building designs typically exhibit the following features:

- More natural ventilation or, at least, a mixture of natural ventilation and air conditioning, and/or increased fresh air via the mechanical ventilation system.
- Narrow plan forms, often within the 15m limits of natural ventilation and daylight access, the corollary of which is less 'deep' space in the middle, which users dislike.
- Better utilization of daylight.
- More user controls for windows, blinds, lights, and ventilators. This can mean that needs (like thermal comfort) are met more quickly even though the conditions may only be 'good enough'. Users preferred rapid response when things go wrong or needed changing, and will tolerate conditions which are reasonable.
- Higher floor to ceiling heights, which helps, e.g., with daylight penetration.
- More open plan workspaces (usually desks) close to or next to windows.

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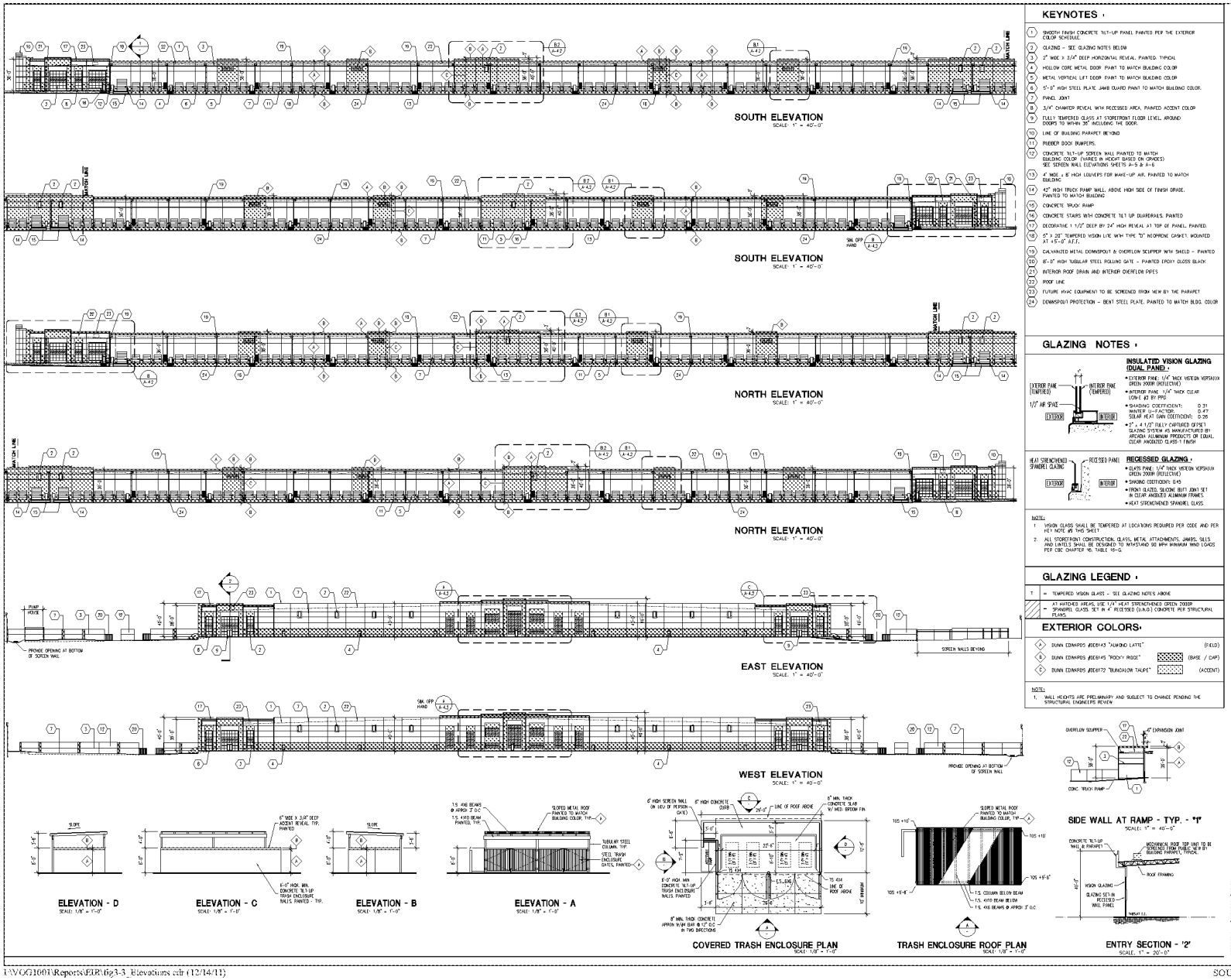

KEYNOTES

1. SMOOTH FINISH CONCRETE TILT-UP PANEL PAINTED PER THE EXTERIOR COLOR SCHEDULE.
2. GLAZING – SEE GLAZING NOTES BELOW
3. 2" WIDE x 3/4" DEEP HORIZONTAL REVEAL. PAINTED. TYPICAL
4. HOLLOW CORE METAL DOOR PAINT TO MATCH BUILDING COLOR
5. METAL VERTICAL LIFT DOOR PAINT TO MATCH BUILDING COLOR
6. 5'-0" HIGH STEEL PLATE JAMB GUARD PAINT TO MATCH BUILDING COLOR.
7. PANEL JOINT
8. 3/4" CHAMFER REVEAL WITH RECESSED AREA. PAINTED ACCENT COLOR
9. FULLY TEMPERED GLASS AT STOREFRONT FLOOR LEVEL AROUND DOORS TO WITHIN 36" INCLUDING THE DOOR.
10. LINE OF BUILDING PARAPET BEYOND
11. RUBBER DOOR BUMPERS.
12. CONCRETE TILT-UP SCREEN WALL PAINTED TO MATCH BUILDING COLOR (VARIES IN HEIGHT BASED ON GRADES) SEE SCREEN WALL ELEVATIONS SHEETS A-5 & A-6
13. 4" WIDE x 8" HIGH LOUVERS FOR MAKE-UP AIR. PAINTED TO MATCH BUILDING
14. 42" HIGH TRUCK RAMP WALL ABOVE HIGH SIDE OF FINISH GRADE. PAINTED TO MATCH BUILDING
15. CONCRETE TRUCK RAMP
16. CONCRETE STAIRS WITH CONCRETE TILT UP GUARDRAILS. PAINTED
17. DECORATIVE 1 1/2" DEEP BY 24" HIGH REVEAL AT TOP OF PANEL. PAINTED.
18. 6" x 20" TEMPERED VISION LITE WITH TYPE "D" NEOPRENE GASKET. MOUNTED AT 4'-0" A.F.F.
19. GALVANIZED METAL DOWNSPOUT & OVERFLOW SCUPPER WITH SHIELD – PAINTED
20. 8'-0" HIGH TUBULAR STEEL ROLLING GATE – PAINTED EPOXY GLOSS BLACK
21. INTERIOR ROOF DRAIN AND INTERIOR OVERFLOW PIPES
22. ROOF LINE
23. FUTURE HVAC EQUIPMENT TO BE SCREENED FROM VIEW BY THE PARAPET
24. DOWNSPOUT PROTECTION – BENT STEEL PLATE. PAINTED TO MATCH BLDG. COLOR

GLAZING NOTES

INSULATED VISION GLAZING (DUAL PANE):

- EXTERIOR PANE: 1/4" THICK VISTEON VOPSAIUX GREEN 2000R (REFLECTIVE)
- INTERIOR PANE: 1/4" THICK CLEAR LOW-E #2 BY PPG
- SHADING COEFFICIENT: 0.31
  WINTER U-FACTOR: 0.47
  SOLAR HEAT GAIN COEFFICIENT: 0.26
- 2" x 4 1/2" FULLY CAPTURED OFFSET GLAZING SYSTEM AS MANUFACTURED BY ARCADIA ALUMINUM PRODUCTS OR EQUAL. CLEAR ANODIZED CLASS-1 FINISH

RECESSED GLAZING:

- GLASS PANE: 1/4" THICK VISTEON VOPSAIUX GREEN 2000R (REFLECTIVE)
- SHADING COEFFICIENT: 0.43
- FRONT GLAZED SILICONE BUTT JOINT SET IN CLEAR ANODIZED ALUMINUM FRAMES.
- HEAT STRENGTHENED SPANDREL GLASS

NOTE:

1. VISION GLASS SHALL BE TEMPERED AT LOCATIONS REQUIRED PER CODE AND PER KEY NOTE #9 THIS SHEET
2. ALL STOREFRONT CONSTRUCTION, GLASS, METAL ATTACHMENTS, JAMBS, SILLS AND LINTELS SHALL BE DESIGNED TO WITHSTAND 90 MPH MINIMUM WIND LOADS PER CBC CHAPTER 16, TABLE 16-G

GLAZING LEGEND

T = TEMPERED VISION GLASS – SEE GLAZING NOTES ABOVE

= AT HATCHED AREAS, USE 1/4" HEAT STRENGTHENED GREEN 2000R SPANDREL GLASS SET IN 4" RECESSED (U.N.O.) CONCRETE PER STRUCTURAL PLANS.

EXTERIOR COLORS

A	DUNN EDWARDS #DE6143 "ALMOND LATTE"	(FIELD)
B	DUNN EDWARDS #DE6145 "ROCKY RIDGE"	(BASE / CAP)
C	DUNN EDWARDS #DE6172 "BUNGALOW TAUPE"	(ACCENT)

NOTE:

1. WALL HEIGHTS ARE PRELIMINARY AND SUBJECT TO CHANGE PENDING THE STRUCTURAL ENGINEERS REVIEW

RKZ, INC.
9620 DOVE AVENUE SUITE 205
TUSTIN, CALIFORNIA 92780
PH: 714.730.1160 FAX: 714.730.1850
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
3010 PARKED TESORO
WALNUT, CA 91789-2701
PHONE: 909 598-2917
FAX: 909 598-2917

VIP MORENO VALLEY

XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY, CA

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1	PLANNING DEPT COPY 04-05-04
REVISIONS	
CONSTR.	
BID	
PLAN CHECK	
DRAWN	05-12-03
JOB NO.	03-25
SHEET NAME	EXTERIOR ELEVATIONS
SHEET NO.	A-4.1
OF	SHEETS

PROJECT IPA03-0004 & PA03-0012

LSA FIGURE 3.3

VIP Moreno Valley
Environmental Impact Report
Building Elevations

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SOURCE: RKZ, Inc., 2011

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- More care t aken in d esign of a chieving comf ortable conditio ns, espe cially in su mmertime. Examples of green building features include

Sustainable commercial buildings have been described to have the following building elements:

- Site which o ptimizes the building o rientation, t he natural lighting, shading, and ventilation it can capture.
- The building fabrics and materials use low embodied energy materials; use of recycled materials; and the use of high performance material.
- The building has efficient operational and maintenance costs.
- The b uilding is efficie nt with the use of energy and water mana ged t hrough a Buildin g Management System. For example, u se of photovol taic array on its roof o r faça de; rai nwater collection and storage tanks.

In recognition of the trend towards Green Building, the proposed project will pursue the Leadership in Energy an d Environme ntal De sign (L EED) Co re & Shell rating prog ram. LEED is a voluntary, consensus-based standard to support and certify successful green building design, construction, and operations. L EED pro grams evalu ate the com plete life cycle of proje cts a nd associ ated buildings through d esign, con struction, an d o perations. Th e Core & S hell rating system i s for de signers, builders, developers, and new building owners of new core and shell construction where the tenants and needs for inside the building are not known. The rating system covers the base building elements including the structure, building envelope, and HVAC system.

Projects seeking LEED co mpliance are given points for compliance with sp ecific concepts promoting green buildi ng. The points rating for a project incr eases a s the numbe r of p olicies that the proje ct complies with increases. A point scale i s applied an d proj ects are rated o n th is scale. Th e scal e is broken d own into four levels, LEED Certified, Silver, Gold, and Platinum, with Platinum being the highest attai nable certification availa ble for a given proje ct. The pro posed project will in corporate Green Building concepts and is expected to reach the LEED “Certified” rating.

3.6 PROJECT OBJECTIVES

The purpose of the proposed project is to provide a new facility specializing in warehouse distribution services. Upon development, the proposed project will achieve the following:

- Create e mployment-generating opportunities for the citi zens of Moreno Vall ey and surrounding communities;
- Encourage in dustrial devel opment a s at tractive an d prod uctive u ses while mini mizing conflicts with the surrounding existing uses;
- Encourage wareh ouse di stribution services that take advantage o f the area’ s close p roximity to various freeways and transportation corridors;
- Provide the i nfrastructure improvements required to meet project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a hi gh den sity, high-quality l arge-scale industrial deve lopment to provide j obs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of good s in a nd throu gh t he City, which, in turn, allows the City to compete economically on a domestic and international scale;

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- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

3.7 REQUIRED PERMITS AND DISCRETIONARY ACTIONS

The following discretionary actions are anticipated to be taken by the City of Moreno Valley as part of the proposed project:

- Tentative Parcel Map approval (TPM 36162);
- Certification of Environmental Impact Report; and
- Site Plan approval.

Other non-discretionary actions anticipated to be taken by the City at the Staff level as part of the proposed project include the following:

- Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction. Approval of a Water Quality Management Plan (WQMP) to mitigate for post-construction runoff flows.
- Issuance of a Grading permit that requires approval of a grading plan, approval of the final drainage study, approval of the Final WQMP, obtaining an NOI and WDID number, and satisfying those conditions of approval required prior to grading.
- Issuance of an Encroachment permit for any construction work done in any City-controlled right-of-way. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.
- Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits.

Approvals and permits required by other agencies include:

- A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that downstream water quality is not worsened;
- Approval of water and sewer improvement plans by the Eastern Municipal Water District.

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- Approval from the City and Riverside County Flood Control and Water Conservation District to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions.

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4.0 ENVIRONMENTAL IMPACT EVALUATION

As stated previously, there are five environmental topic areas that are analyzed in this EIR with respect to the proposed project. These topics are:

4.1 Agricultural Resources

4.2 Air Quality

4.3 Climate Change and Greenhouse Gas Emissions

4.4 Noise

4.5 Transportation and Traffic

Within each subsection described in Section 4.0, the following information is presented relative to each environmental issue described:

- Description of the existing setting as it relates to the specific environmental issue;
- A summary of policies and regulations relevant to the specific environmental issue;
- Identification of the thresholds of significance;
- Evaluation of project-specific impacts and a determination of significance based on identified threshold levels;
- Identification of mitigation measures;
- A determination of the level of significance after mitigation measures are implemented; and
- Cumulative impacts.

The following environmental analysis provided in Sections 4.1 through 4.5 focuses on changes in the existing physical environment and identifies direct and indirect and short-term and long-term significant effects associated with the proposed project. The cumulative impacts for each of the proposed project components are analyzed within the discussion of each component for each threshold.

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4.1 AGRICULTURE AND FORESTRY RESOURCES

This chapter discusses agricultural and forest resource impacts attributable to the proposed project. It describes existing agricultural resources, respective State farmland classifications for the project site, and existing forest resources. This chapter focuses on discussions involving applicable State, regional, and local policies regarding agricultural and forest resources and the conversion of farmland and forest to non-agricultural and non-forest uses. This section is based in part on the following reference documents:

- *A Guide to the Farmland Mapping and Monitoring Program*, California Department of Conservation, Division of Land Resources Protection, 2004 Edition.
- *California Land Evaluation and Site Assessment Model, Instruction Manual*, California Department of Conservation, Office of Land Conservation, 1997.
- *City of Moreno Valley General Plan*, City of Moreno Valley, July 2006.
- *City of Moreno Valley General Plan Final Environmental Impact Report*, P & D Consultants, July 2006.
- *Economic Viability of Agriculture in the East Inland Empire,* CB Richard Ellis, March 18, 2009.
- *Riverside County Land Use Conversions, 1998–2008*, California Department of Conservation, Division of Land Resources Protection.
- *Riverside County 2009 Agricultural Production Report, 2009.*
- *Soil Survey Western Riverside County Area, California*, United States Department of Agriculture, November 1971.

The California Land Evaluation and Site Assessment (LESA) Model worksheets prepared for the proposed project are included as Appendix B to this EIR.

4.1.1 Existing Setting

4.1.1.1 Agricultural Resources

As described in the City's General Plan (July 2006), land used for agricultural production is generally concentrated in the eastern portion of the City. Farmland within the City at the time of the preparation of the General Plan was most often used for grazing, citrus orchards, and potato and dryland farming.[1] However, in recent years the City and region have faced and still face urbanization and development pressures contributing to the decline of agricultural uses in the project area and region. Of the land in the City that is utilized for agricultural use, few parcels are owner- operated with the majority of the properties being leased for agricultural use. Many agricultural fields within the City have been out of production for a number of years and are dominated by disturbed ruderal (weedy) vegetation. This condition is also true of the proposed project site. Various forms of disturbance related to agricultural uses include frequent disking, pesticide application, and irrigation. The project vicinity is characterized by a mix of developed and undeveloped properties, as can be seen in previously referenced Figure 1.1. Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north; industrial/warehouse and undeveloped property to the south; industrial/warehouses and a self storage facility to the east; and warehouses, vehicle storage, residences, and undeveloped property to the west. Active agricultural operations (alfalfa) take place on properties located to the southwest of the project site, west of Indian Street and south of Harley Knox Boulevard.

[1] *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.

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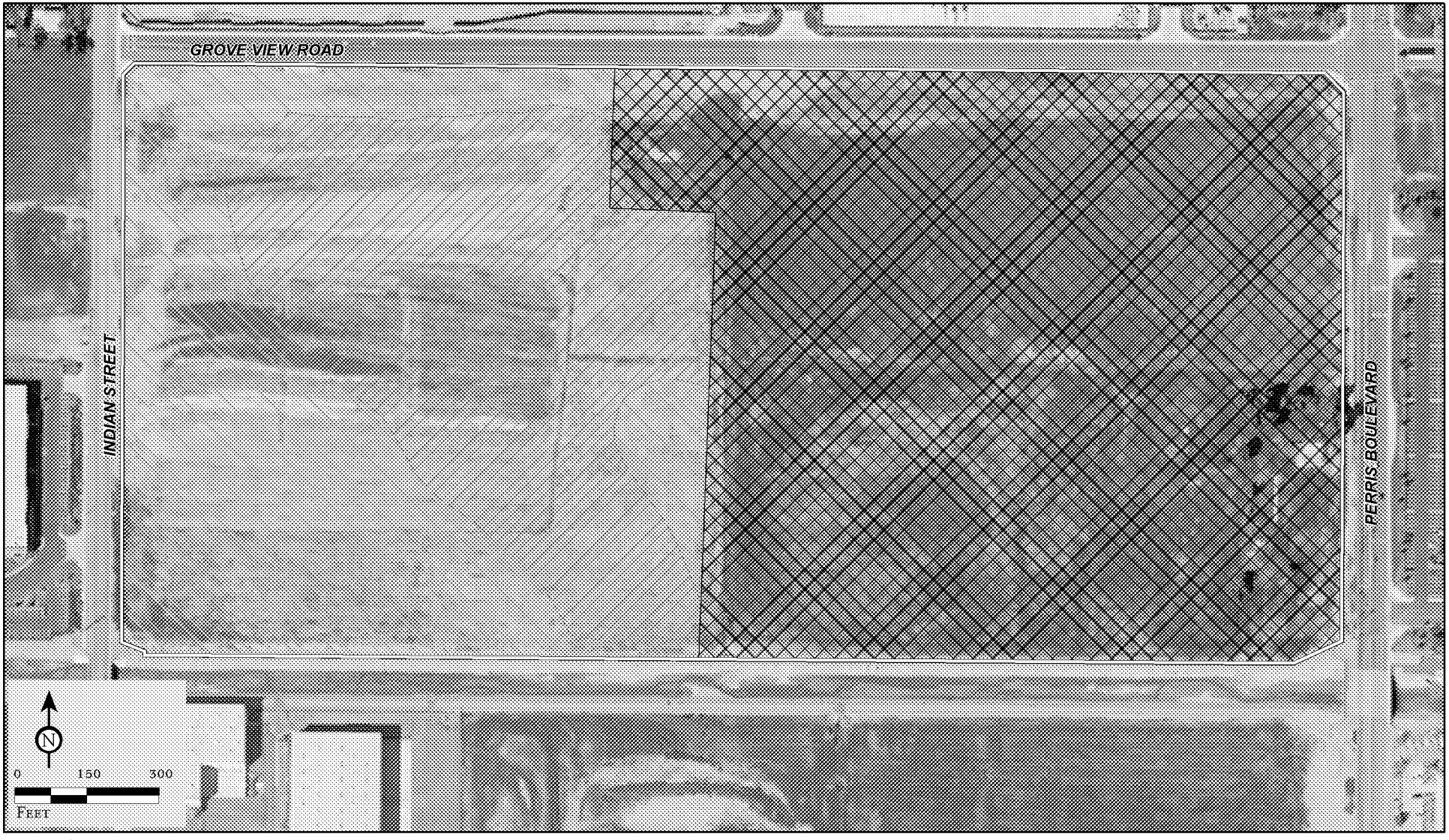

LSA

FIGURE 4.1.1

Project Boundary

State Designated Farmland

Farmland of Local Importance

Farmland of Statewide Importance

Prime Farmland

SOURCE: ESRI World Imagery: Aerials Express, 2010; Farmland Mapping and Monitoring Program, 2008.

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VIP Moreno Valley
Environmental Impact Report

State Designated Farmland

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The proposed project site has been used historically for agricultural purposes but currently lies fallow and has been fallow for a number of years. It was most recently used as a sod farm that ceased operating in August 2005 and has not been in agricultural production since that time. Within the City, approximately 1,639 acres are designated as Prime Farmland.[1] As illustrated in Figure 4.1.1, the project site is identified as Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland,[2] 16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance.

4.1.1.2 Forestry Resources

Based on data from the Fire and Resource Assessment Program, Riverside County does not have land set aside for timber production.[3] In addition, no land is currently identified as suitable for timber sale production in Southern California. Therefore, there are currently no areas within the City designated for timber production. Harvesting of trees may occur to meet wildlife, fuel, watershed, or other needs.[4]

4.1.1.3 General Plan and Zoning Designations

The City of Moreno Valley's General Plan policies support agriculture as an interim use. No land in the City is dedicated for agricultural use. The site and surrounding area is designated Business Park/Light Industrial to the north, east and west in the City and Light Industrial and Community Commercial south of the Lateral B channel in Perris. Similarly, zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002, and encompasses approximately 1,540 acres in the southwest portion of the City covering an L-shaped area. SP 208 functions as the zoning for the applicable planning area, defining permitted uses and establishing design guidelines. The proposed project site, as well as the surrounding areas, is planned for industrial development per SP 208. The SP also permits supporting commercial land uses at key intersections in its planning area, including the intersection of Perris Boulevard and Grove View Road. Zoning for the area to the south across the Lateral B channel in Perris is Light Industrial and Community Commercial.

4.1.2 Existing Policies and Regulations

The preservation of agricultural activities and soils has been an explicit goal of the United States Department of Agriculture (USDA) and California Department of Conservation (CDC). Agricultural soils are limited non-renewable resources that are usually confined to particular locations; however, not all agricultural activities occur on soils suitable for agriculture and not all soils highly suited for farming are used for crop production. Generally, policies implemented to preserve agriculture are aimed at either protection of agricultural areas or the protection of the soils most suitable for agricultural production.

4.1.2.1 Federal Regulations

Federal regulations, such as the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA) and National Forest Management Act of 1976 (NFMA), authorize long-range planning by the

1 *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.
2 Important Farmland Map Riverside County, Farmland Mapping and Monitoring Program, 2004.
3 *Table 7 Timberland Production Zone (TPZ) acreage by Site Class in California as of 2000–2001*, Timberland Site Class on Private Lands Zoned for Timber Production, Fire and Resource Assessment Program, Department of Forestry and Fire Protection, http://frap.cdf.ca.gov/publications/Timberland_Site_Class_on_Private_Lands_Zoned_for_Timber_Production.pdf.
4 *Vegetation Management Standards, Land Management Plan Part 3 Design Criteria for the Southern California National Forests, Angeles National Forest, Cleveland National Forest, Los Padres National Forest, San Bernardino National Forest*, United States Department of Agriculture Forest Service, September 2005.

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United States Forest Service (USFS) to ensure the future supply of forest resources, as well as to provide for the management of renewable resources on national forest lands.

4.1.2.2 State Regulations

State Designated Farmland. The California Government Code (Section 65570) requires the collection and reporting of agricultural land use acreage and conversion by June 30 of each even-numbered year. Utilizing data from the USDA Natural Resource Conservation Service (NRCS) soil survey and current land use information, the CDC and the Farmland Mapping and Monitoring Program (FMMP)[1] compile important farmland maps for each county within the State. Farmland maps and statistics are produced biannually using a process that integrates aerial photo interpretation, field mapping, and a computerized mapping system. These maps delineate land use in eight mapping categories (and one overlay category) and represent an inventory of agricultural soil resources within each county. The categories of land delineated on these maps include:

- **Prime Farmland:** Land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods.
- **Farmland of Statewide Importance:** Land that is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to hold and store moisture.
- **Unique Farmland:** Land of lesser-quality soils used to produce specific high economic value crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. It is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Examples of Unique Farmland crops include oranges, olives, avocados, rice, grape, and cut flowers.
- **Farmland of Local Importance:** Land of importance to the local agricultural economy, as determined by each county's board of supervisors and local advisory committees, e.g., dairies, dry land farming, aquaculture, and uncultivated areas with soils qualifying for Prime Farmland and Farmland of Statewide Importance. Farmland of Local Importance in Riverside County is defined[2] as:
    - Lands with soils that would be classified as Prime and Statewide Farmland but lack available irrigation water.
    - Lands planted with dryland crops of barley, oats, and wheat.
    - Lands producing major crops for Riverside County but that are not listed as Unique crops. These crops are identified as returning one million or more dollars on the 1980 Riverside County Agriculture Crop Report. Crops identified are permanent pasture (irrigated), summer squash, okra, eggplant, radishes, and watermelons.
    - Dairylands, including corrals, pasture, milking facilities, and hay and manure storage areas if accompanied with permanent pasture or hayland of 10 acres or more.
    - Lands identified by city or county ordinance as Agricultural Zones or Contracts, which includes Riverside City "Proposition R" lands.
    - Lands planted to jojoba, which are under cultivation and are of producing age.

[1] A Guide to the Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resources Protection, 2004 Edition.

[2] *Farmland of Local Importance, Local Definitions,* http://www.conservation.ca.gov/dlrp/fmmp/Documents/Local_definitions_00.pdf, website accessed February 16, 2011.

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- **Grazing Land:** Land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock.
- **Urban and Built-Up Land:** Land used for residential, industrial, commercial, construction, institutional, public administrative purposes such as railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities also are included in this category.
- **Other Land:** Land not included in any of the other mapping categories. Common examples include low-density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres.
- **Water:** Water areas with an extent of at least 40 acres.
- **Land Committed to Nonagricultural Use:** This optional designation is an overlay to the standard farmland categories and represents existing farmland and grazing land and vacant areas that have a permanent commitment for development. Examples of Land Committed to Nonagricultural Use would include an area undergoing permanent infrastructure installation or for which bonds or assessments have been issued for public utilities. Such lands represent planning areas where there are commitments for future nonagricultural developments that are not reversible by a simple majority vote by a city council or board of supervisors.

California Land Conservation Act (Williamson Act). The California Land Conservation Act of 1965, also referred to as the Williamson Act, is a non-mandated State program administered by counties and cities for the preservation of agricultural land. This program enables local governments to enter into contracts with private landowners to restrict specific parcels of land to agricultural or related open space use.

Participation in the program is voluntary on the part of both landowners and local governments. Participation is implemented through the establishment of Agricultural Preserves and the execution of Williamson Act contracts. Individual property owners enter into a contract that restricts or prohibits development of their properties to non-agricultural uses during the term of the contract in return for lower property taxes. Initially signed for a minimum ten-year period, the contracts are automatically renewed each year for a successive minimum ten-year period unless a notice of non-renewal is filed, or a contract cancellation is approved by the local government. In the City of Moreno Valley, currently there is no land currently under a Williamson Act contract.[1]

State regulations, such as the Forest Taxation Reform Act of 1976 and the Z'berg-Nejedly Forest Practice Act of 1973–California Forest Practice Act, provide for the preservation of forest lands from encroachment by other incompatible land uses and provide for oversight of the management of forest practices and forest resources in California. As no forest or timber resources are located within the project site, no further discussion of these State regulations is warranted.

4.1.2.3 Local Policies

The City of Moreno Valley General Plan recognizes the high demand for land and housing and development in the region and that many of the current agricultural operations in the City are "interim uses" or uses that will ultimately be converted to urban uses. The following objective pertains to agriculture and is applicable to the proposed project.

[1] *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.

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Parks, Recreation, and Open Space Element

Objective 4.1 Retain agricultural open space as long as agricultural activities can be economically conducted, and are desired by agricultural interests (with some agriculture retained in long-term use), and provide for an orderly transition of agricultural lands to other urban and rural uses.

To support this objective, the City identifies policies to encourage grazing and crop production as a compatible part of a rural residential atmosphere. Additionally, where practical, the City plans to incorporate existing groves into the design of future development projects. These groves can help retain the agricultural character of the area as well as provide a buffer between different land uses.[1]

4.1.3 Methodology

Important Farmland maps for Riverside County and the City were reviewed to determine whether the proposed project site contains or consists of Prime, Unique, or Statewide Important farmland. Second, the analysis evaluates the current General Plan land use designations and zoning applicable to the site to determine the existence of any conflicts between the proposed project and any potential existing agricultural general plan and zoning designations applicable to the site.

To quantify a development project's potential impacts on agricultural resources, the CDC has developed the California Agriculture LESA Model, a method of rating the relative quality of land resources and potential impacts to agricultural resources. The LESA Model is intended to provide lead agencies with a methodology to identify potentially significant impacts that may result from agricultural land conversions.

The LESA Model uses six different factors (two based on soil resource quality and four based on on-site and adjacent land characteristics) to develop a weighted score that identifies the significance of potential impacts to agricultural resources. The Land Evaluation (LE) scoring utilizes two soil factors. The Land Capability Classification (LCC) indicates the suitability of soils for most kinds of crops, and the risk of damage when they are used in agriculture, while the Storie Index provides a numeric rating (0–100) of the relative degree of suitability or value of a given soil for intensive agriculture. The Site Assessment (SA) scoring considers the size of the site to be converted, water supply restrictions in drought and non-drought years, and the presence (or absence) of adjacent agricultural, habitat, or parkland uses.

By assessing and weighing a variety of soil, water, and land use characteristics, it is possible that the conversion of a large parcel containing poor soils and with limited access to water would not result in a significant impact, while the conversion of a much smaller well-watered parcel with quality soils could be considered significant. To ensure potential impacts to adjacent agricultural activities are appropriately considered, the LESA model requires an examination of land use on all parcels within a Zone of Influence (ZOI) that extends a minimum 0.25 mile from the boundary of the site. For any site evaluated using the LESA model, the factors are rated, weighed, and combined, resulting in a single numeric score that becomes the basis for determining a project's potential significance.[2]

This EIR utilizes the LESA model as one of the analytical tools by which to assess the proposed project's impacts on agricultural conversion. Appendix G of the CEQA Guidelines states as follows:

> "In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland."

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1 *City of Moreno Valley General Plan*, City of Moreno Valley, July 2006.
2 California Land Evaluation and Site Assessment Model, Instruction Manual, State of California Department of Conservation, Office of Land Conservation, 1997.

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Further, as stated above, the LESA model was specifically created by the CDC in order to provide "specific guidance concerning how agencies should address farmland conversion impacts."[1] Because of its use of localized inputs as part of the model, the LESA model is generally considered the preferred methodological tool by which to assess the significance of a proposed project's impacts related to agricultural resources.

4.1.4 Thresholds of Significance

Appendix G of the State CEQA Guidelines recognizes the following significance thresholds related to agricultural resources. Based on these significance thresholds, potential impacts to agricultural resources could be considered significant if the proposed project:

- Conflicts with existing zoning for agricultural use, or a Williamson Act contract;
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?
- Result in the loss of forest land or conversion of forest land to non-forest use?
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?
- Converted Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; and/or

4.1.5 No Impact/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.1.5.1 Conflict with existing zoning or a Williamson Act Contract

Threshold	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local government to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space uses. In return, landowners receive property tax assessments much lower than normal because they are based upon farming and open space uses as opposed to full market value. The purpose of the Williamson Act is to encourage property owners to continue to farm their land and to prevent the premature conversion of farmland to urban uses. The project site is not located within a Williamson Act contract area;[2] therefore, no impact would result from implementation of the project.

It should be noted that the Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. The uses proposed for the project site are consistent with the existing

[1] California Agricultural Land Evaluation and Site Assessment Model, Instruction Manual, 1987, p. 3.
[2] Williamson Act Geographic Information Systems data, Riverside County, 2006.

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underlying General Plan and Zoning designations. The project site is not zoned for agricultural uses. No impact would occur and no mitigation is required.

4.1.5.2 Conflict with/Loss of Existing Forest Land or Timberland Zoning

Threshold	Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? Would the project result in the loss of forest land or conversion of forest land to non-forest uses?

The project site is currently vacant and fallow although it was previously utilized for sod farming up until August 2005. As previously identified, no forest or timberland resources are located within the project site nor is the project site zoned for forest land or timberland. Implementation of the proposed project would not require any rezoning or General Plan Amendments as the proposed uses are consistent with the existing underlying General Plan land use designation and zoning designation. The proposed project would not conflict with existing forest zoning, cause rezoning of forest land, or result in the loss or conversion of forest lands to non-forest uses as no such resources exist in the City. No impacts associated with this issue would occur and no mitigation is required.

4.1.6 Significant Impacts

4.1.6.1 Conversion of State Designated Farmland

Threshold	Would the proposed project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?

As discussed above, the CDC, as part of the FMMP process, publishes a Farmland Conversion Report every two years. This report documents land use conversion by acreage for each county in the State. The amount of Prime Farmland inventoried in Riverside County during the last countywide survey of farmland (2008) totaled 122,936 acres. The amount of Farmland of Statewide Importance totaled 44,651 acres. The amount of Farmland of Local Importance totaled 229,157 acres. The most recent data are for the 2006–2008 survey period, during which Riverside County experienced a net loss of 5,569 acres of Prime Farmland, 2,265 acres of Farmland of Statewide Importance, and 2,050 acres of Farmland of Local Importance.[1]

As previously stated, approximately 16.89 acres of the proposed project site are designated as Prime Farmland, 16.23 acres are designated as Farmland of Statewide Importance, and 38.69 acres are designated as Farmland of Local Importance. The conversion of the 16.89 acres of on-site Prime Farmland would be equivalent to 0.03 percent of the total loss of Prime Farmland in the County during this period. Similarly, the conversion of the 16.23 acres of on-site Farmland of Statewide Importance would be equivalent to 0.07 percent of the total loss of Farmland of Statewide Importance in the County during this period. The conversion of the 38.69 acres of on-site Farmland of Local Importance would be equivalent to 1.89 percent of the total loss of Farmland of Local Importance in the County during this period. Because Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance are considered to be a finite resource, its conversion to a non-agricultural use is a significant impact.

[1] Table A-25 Riverside County 2006–2008 Land use Conversion, Farmland Mapping and Monitoring Program, California Department of Conservation Division of Land Resource Protection, http://redirect.conservation.ca.gov/dlrp/fmmp/pubs/2006-2008/conversion_tables/rivcon08.xls; website accessed August 17, 2011.

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Demographic increases, coupled with the availability of developable land and the rising cost of water, increasingly exert pressure on the owners/operators of agricultural operations to sell and/or convert agricultural lands to non-agricultural uses. The CDC has identified potential "conservation tools" available to mitigate for the loss of agricultural land. These include the purchase of agricultural conservation easements; transfer of development rights; acquisition of farmland by the city or county; mitigation banking; the establishment of "urban limits," greenbelts, and buffers; the payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements; and planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.[1]

Various techniques and programs have been utilized in selected areas of the State to mitigate for the loss of State-designated Farmland and/or to ensure the continued economic viability of agricultural operations. The City of Davis requires the granting of a farmland conservation easement or other conservation mechanism for twice the amount of agricultural land being converted to a non-agricultural uses; or the payment of in-lieu fees based upon a two-to-one mitigation requirement.[2] In its "Agricultural Lands Conversion Ordinance," Yolo County requires a one-to-one replacement of converted agricultural lands, either through the granting of a conservation easement, or payment of in-lieu fees. Generally, mitigation lands are required to have similar soil quality, water supply adequacy, and should be in relative proximity to the lands being converted.[3]

The CDC's California Farmland Conservancy Program (CFCP) seeks to encourage the long-term, private stewardship of agricultural lands through the voluntary use of agricultural conservation easements. Implementation of conservation easements is typically achieved either through (1) the outright purchase of easements or (2) the donation of mitigation fees to a local, regional, or statewide organization whose purpose includes the acquisition and stewardship of conservation easements. Additional agricultural conservation easements have been funded by various entities without the use of CFCP funds. While the amount of CFCP grants varies depending on location, farmland type, and size, CFCP grants to conservancy agencies made to offset the cost of purchasing agricultural conservation easements has averaged approximately $3,000 per acre statewide.[4]

The City does not maintain a program for mitigating impacts resulting from the conversion of farmland. Because State-designated Farmland is a finite resource, the loss of 16.89 acres of on-site Prime Farmland, 16.23 acres of Farmland of Statewide Importance, and 38.69 acres of Farmland of Local Importance is significant. While the proposed project would result in the conversion of State-designated Farmland, development of this site and the surrounding area is consistent with the long-term vision of the City as outlined SP 208 and in the General Plan. While the Moreno Valley General Plan policies support agriculture as an interim use, no land in the City is designated for agricultural preservation.

The City of Moreno Valley General Plan EIR discusses impacts related to agriculture in the City as well as potential mitigation. Potential mitigation measures exist that would reduce the impact related to the loss of agricultural resources within the City. These potential mitigation measures include:

- Enrolling productive agricultural land, not presently under contract, under a Williamson Act Contract;
- Providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development;
- Protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights;

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1 Discussion Paper, Agricultural Land Conservation Tools, California Department of Conservation.
2 Chapter 40 (Right to Farm and Farmland Preservation), City of Davis Municipal Code.
3 Yolo County General Plan Agricultural Element, November 2002.
4 http://www.consrv.ca.gov/dlrp/cfcp/stories/easement_projects.htm, site accessed August 17, 2011.

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- Purchasing conservation easements on existing agricultural land to ensure that the land is never converted to urban uses; and
- Donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.[1]

Mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding considerations. To be feasible, mitigation must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account the economic, environmental, legal, social, and technological factors.[2]

While the City of Moreno Valley General Plan EIR identifies potential mitigation measures for impacts to agricultural resources, such mitigation measures have deemed infeasible. No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development. However, the project would permanently remove State-designated Farmland, and thus is considered a significant impact on agricultural resources.

Based on input from the Riverside County Farm Bureau, the major reason why farming appears to be no longer profitable in the Moreno Valley area is due to the high cost of water, which represents over a third (38%) of the estimated cost for farming. As property values and water costs (at domestic rates) increase due to suburbanization, no crop that can be grown in this area would yield enough revenue to make farming profitable. Dry farming continues to be economical in this area only because there are no costs for water or installing/maintaining irrigation equipment. However, most of the local farming has been and is continuing to move out to the Coachella Valley as it is the only way to continue making a profit. Additionally, as documented in the *Economic Viability of Agriculture in the East Inland Empire,*[3] which examines the economic and market trends affecting agriculture operations throughout California, the following factors demonstrate the infeasibility of agricultural production in the Eastern Inland Empire:

- Urbanization in the Inland Empire, resulting in dramatically increasing land prices;
- Higher water and labor costs;
- Environmental regulation (e.g., insects, odors, groundwater contamination, and solid waste removal); and
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

As summarized in the *Economic Viability of Agriculture in the East Inland Empire,* due to competing land uses, land prices have increased dramatically in the area in excess of $250,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of various General Plans in the Inland Empire emphasizing significant residential and commercial development has also encouraged the farmers to sell their land and relocate.

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1 Moreno Valley General Plan Final Program EIR, July 2006.
2 CEQA Guidelines, Sections 15126.4 and 15364.
3 *Viability of Agriculture in the East Inland Empire*, CB Richard Ellis, March 18, 2009.

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The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

Central Valley farmers also face few development pressures as compared to the Inland Empire and they benefit from a diverse farm economy. For example, the farmers use dairy waste to fertilize their own crops or of their neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino Counties. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Moreno Valley, there have been over 14,000 new housing units built since 2000.[1]

Industrial development in the Inland Empire region has seen similar growth with inventory increasing by 60 percent, or 92 million square feet since 2000. As a result of these trends, average land prices in the Inland Empire have increased to over $250,000 per acre, which compares to Kern County land values of less than $50,000 per acre.

Mitigation Measures. The potential mitigation measures identified by the City listed previously are not considered to be feasible by the City of Moreno Valley. Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. The City does have the ability to encourage property owners to participate in Williamson Act programs; however, this is expected to result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. The land would then be available to be developed with urban uses.

Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified.

[1] *State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2010, with 2000 Benchmark. Sacramento, California, May 2010.*

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Level of Impact after Mitigation. Since the mitigation measures discussed are not consistent with the objectives of the Moreno Valley General Plan and are not economically feasible, no mitigation measures are proposed and impacts related to this issue remain significant and unavoidable.

4.1.6.2 Conversion of Farmland to a Non-Agricultural Use

Threshold	Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

The proposed project would result in the development of industrial uses on land that has historically been utilized for sod production; however, no active agricultural operation has occurred on the site since August of 2005. Approximately 16.89 acres of the proposed project site are designated as Prime Farmland, 16.23 acres are designated as Farmland of Statewide Importance, and 36.69 acres are designated as Farmland of Local Importance. The conversion of the project site to a non-agricultural use is a result of various economic and demographic factors. As previously noted, increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion.

To further evaluate the proposed project's impacts on agricultural resources, an analysis was completed utilizing the DOC's LESA Model. The LESA model is one of the analytical tools by which to assess the proposed project's impacts on agricultural conversion. Appendix G of the CEQA Guidelines states: "In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland." Further, as stated above, the LESA model was specifically created by the CDC in order to provide "specific guidance concerning how agencies should address farmland conversion impacts." Because of its use of localized input as part of the model, the LESA model is generally considered the preferred methodological tool by which to assess the significance of a proposed project's impacts on agricultural resources.

The LESA model is a method to rate the relative quality of land resources and potential impacts to agricultural resources using six different factors (two based on soil resource quality, and four based on on-site and adjacent resources) to develop a weighted score used to identify the significance of potential impacts to agricultural resources. For a given project, the factors are rated, weighted, and combined, resulting in a single numeric score, which becomes the basis for making a determination of a project's potential significance.[1] The resulting LESA score for the project site is provided in Table 4.1.A while the scoring threshold is provided in Table 4.1.B.

Table 4.1.A: Land Evaluation and Site Assessment Model Score

Factor Name	Factor Rating (0–100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
Land Evaluation					
1. Land Capabilities	83.6	×	0.25	=	20.90
2. Storie Index Rating	71.93	×	0.25	=	17.98
Land Evaluation (LE) Subscore					**38.88**
Site Assessment					
1. Project Size	80	×	0.15	=	12.00
2. Water Resources Available	90	×	0.15	=	13.50

[1] *California Land Evaluation and Site Assessment Model, Instruction Manual*, State of California Department of Conservation, Office of Land Conservation, 1997.

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Table 4.1.A: Land Evaluation and Site Assessment Model Score

Factor Name	Factor Rating (0–100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
3. Surrounding Agriculture	0	×	0.15	=	0
4. Protected Resource Lands	0	×	0.15	=	0
Site Assessment (SA) Subscore					**25.50**
TOTAL LESA SCORE (LE+SA)					**64.38**

Table 4.1.B: LESA Model Scoring Threshold

Total LESA Score	Scoring Decision
0–39 Points	Not Considered Significant
40–59 Points	Considered Significant only if LE and SA subscores are each greater than or equal to 20 points
60–79 Points	Considered Significant unless either LE or SA subscore is less than 20 points
80–100 Points	Considered Significant

As identified in Table 4.1.A, the proposed project's LESA score is 64.38. As indicated in Table 4.1.B, a LESA score of 64.38 is considered significant. Therefore, the proposed project would result in a significant impact to agricultural resources.

Currently, property southwest of the project site (south of Lateral B or the Perris Valley Storm Drain and west of Indian Street) is utilized for agriculture. While the proposed project will result in the construction and operation of industrial uses, it would not preclude the continuation of agricultural uses on adjacent properties, in the event the property owners elected to do so. Whether or not adjacent agricultural land is developed relies on several factors including market demand, availability of property, profitability of the agricultural use, and the landowner's interest in continuing farming. While the operation of industrial uses would increase development pressure on adjacent agricultural properties, conversion of the adjacent agricultural properties is reasonably foreseeable.

The project does not include design features that would prevent the existing agricultural operations in the area from continuing. The project would convert land that was previously used for agriculture and the development of the proposed project may contribute to the conversion of adjacent lands. However, the project is a logical extension of development in the City and does not create leapfrog development or islands of agricultural land that would be difficult to farm. The City recognizes development pressures within the City, and that these pressures will increase as the City continues to build out.

Additionally, while the project would not directly cause the conversion of adjacent agricultural land to non-agricultural uses, it would contribute to development pressure within the City that could potentially lead to the conversion of agricultural land off site. This is a significant impact requiring mitigation. However, as stated in Section 4.1.6.1, no feasible mitigation for the loss of agricultural land within the City of Moreno Valley exists; infeasibility is based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly thus resulting an inability to make farming profitable.

As with impacts associated with the conversion of State-designated Farmland, no feasible mitigation is available to mitigate for the direct impacts associated with the conversion of farmland, as previously discussed in Section 4.1.6.1. While the City has identified that the conversion of agricultural land under its jurisdiction is an eventual outcome of current and future growth, the impacts associated with this issue remain significant and unavoidable.

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4.1.7 Cumulative Impacts

The cumulative area for agricultural resource impacts is Riverside County. As with the project-related impacts to Prime Farmland and Farmland of Statewide Importance, no local or regional program to mitigate for the cumulative impacts to agricultural resources is available. As stated previously, the City does not maintain a General Plan or zoning designation for agricultural uses and there are no project-level feasible mitigation measures that would help reduce cumulative impacts. During the last reporting period (2006–2008), 6,540 acres of Prime Farmland, 2,366 acres of Farmland of Statewide Importance, and 8,873 acres of Farmland of Local Importance were converted to other uses. The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance is a finite resource, the conversion of approximately 71 acres to industrial uses, combined with planned and future development in the City and region, represents a significant cumulative impact to agricultural operations and resources.

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4.2 AIR QUALITY

This section analyzes the proposed project's potential air quality impacts based on the comprehensive *Air Quality Analysis* contained in Appendix D-1 (LSA Associates, Inc. December 2011) and the *Health Risk Assessment* (LSA Associates, Inc. December 2011) contained in Appendix D-2 to this EIR. The air quality analysis evaluates potential air quality impacts and mitigation measures by examining the short-term construction and long-term operational impacts associated with the project and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. Additionally, the analysis provides a discussion of the proposed project, the physical setting of the project area, and the air quality regulatory framework. Modeled air quality levels are based upon vehicle data and project trip generation included in the project's Traffic Study (LSA Associates, Inc. November 2011, Appendix G of EIR) and peak turn volumes generated for the proposed project combined with emission factors from the California Air Resources Board (ARB). The evaluation was prepared in accordance with appropriate standards, utilizing procedures and methodologies in the South Coast Air Quality Management District (SCAQMD) *CEQA Air Quality Handbook* (SCAQMD 1993). Air quality data posted by the ARB and the U.S. Environmental Protection Agency (EPA) Web sites are included to document the local air quality environment.

4.2.1 Existing Setting

The project site is located in the South Coast Air Basin (Basin), a geographic area that encompasses the coastal plain and connecting broad inland valleys and low hills. The Pacific Ocean forms the southwestern border of the Basin, with mountain ranges forming the remainder of the border. The Basin includes Orange County and the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County. The Basin is under the jurisdiction of the SCAQMD.

4.2.1.1 Climate and Meteorology

Air quality in the project area is not only affected by various emission sources (mobile, industry, etc.), but also by atmospheric conditions such as wind speed, wind direction, temperature, rainfall, and amount of sunshine. The combination of topography, low mixing height, abundant sunshine, and emissions from the second largest urban area in the United States combine to give the Basin the worst air pollution problem in the nation.

Winds in the Basin are predominantly of relatively low velocities, averaging about 4.0 miles per hour (mph). These low average wind speeds, together with a persistent temperature inversion, limit the vertical dispersion of air pollutants throughout the Basin. Strong, dry, north or northeasterly winds, known as Santa Ana winds, occur during the fall and winter months, dispersing air contaminants, and these conditions tend to last for several days at a time.

During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino Counties. In the winter, the greatest pollution problems are carbon monoxide (CO) and oxides of nitrogen (NO_X), because of extremely low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and the brighter sunshine combine to cause a reaction between hydrocarbons and NO_X to form photochemical smog.

4.2.1.2 Regional Air Quality

Both the State of California and the Federal government have established health-based ambient air quality standards (AAQS) for six air pollutants:

- Carbon monoxide (CO)
- Ozone (O_3)

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- Lead (Pb)
- Nitrogen dioxide (NO_2)
- Particulate matter with a diameter of 10 microns or less (PM_{10})
- Sulfur dioxide (SO_2)

Federal standards for 8-hour ozone and for fine particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) have also been adopted. In addition, the State has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety and are listed in Table 4.2.A.

In addition to setting out AAQS, the State has established a set of episode criteria for O_3, CO, NO_2, SO_2, and PM_{10}. These episode criteria refer to periods of short-term exposure to air pollutants that threaten public health. Health effects are progressively more severe as pollutant levels increase from Stage One to Stage Three. An alert level is that concentration of pollutants at which initial stage control actions are to begin. An alert will be declared when any one of the pollutant alert levels is reached at any monitoring site and meteorological conditions are such that the pollutant concentrations can be expected to remain at these levels for 12 or more hours or to increase; or, in the case of oxidants, the situation is likely to recur within the next 24 hours unless control actions are taken. At times, meteorological conditions are so adverse to pollutant dispersion that concentrations of ozone exceed the State air quality standard by as much as a factor of three. The California Air Resources Board (CARB) has defined Episode Levels of ozone air pollution as follows:

- **Health Advisory Levels** occur when hourly ozone concentrations equal or exceed 0.15 parts per million (ppm). At this level, residents are advised to avoid prolonged, vigorous outdoor exercise, and persons with respiratory or coronary disease should avoid exercise.
- **Stage 1 Episodes** occur when hourly ozone concentrations equal or exceed 0.20 ppm. At these times, persons with respiratory or coronary artery disease should be notified to take precautions against exposure and should stay indoors as much as possible. Schools are also notified to advise against strenuous physical activity for their students. To this end, schools are in regular communication with the SCAQMD.
- **Stage 2 Episodes** occur when hourly ozone concentrations equal or exceed 0.35 ppm. The SCAQMD requires industry to take prompt actions to reduce emissions at those times. No Stage 2 episodes occurred between 1989 and 1992.
- **Stage 3 Episodes** occur when hourly ozone concentrations equal or exceed 0.50 ppm. The last Stage 3 episode occurred in the Basin in 1974.

Pollutant alert levels:

- O_3: 392 micrograms per cubic meter ($\mu g/m^3$) (0.20 ppm), 1-hour average.
- CO: 17 milligrams per cubic meter (mg/m^3) (15 ppm), 8-hour average.
- NO_2: 1,130 $\mu g/m^3$ (0.6 ppm) 1-hour average; 282 $\mu g/m^3$ (0.15 ppm) 24-hour average.
- SO_2: 800 $\mu g/m^3$ (0.3 ppm), 24-hour average.
- Particulates, measured as PM_{10}: 350 $\mu g/m^3$, 24-hour average.

Health effects are progressively more severe as pollutant levels increase from Stage 1 to Stage 3. These health effects will not occur unless the standards are exceeded by a large margin or for a prolonged period of time. Among the pollutants, O_3 and particulate matter ($PM_{2.5}$ and PM_{10}) are considered regional pollutants, while the others have more localized effects. Table 4.2.B lists the health effects of these criteria pollutants and their potential sources.

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Table 4.2.A: Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]		
		Concentration[3]	Method[4]	Primary[3,5]	Secondary[3,6]	Method[7]
Ozone (O_3)	1-Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8-Hour	0.070 ppm (137 µg/m^3)		0.075 ppm (147 µg/m^3)		
Respirable Particulate Matter (PM_{10})	24-Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter ($PM_{2.5}$)	24-Hour	No Separate State Standard		35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	15.0 µg/m^3		
Carbon Monoxide (CO)	8-Hour	9.0 ppm (10 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m^3)	None	Non-Dispersive Infrared Photometry (NDIR)
	1-Hour	20 ppm (23 mg/m^3)		35 ppm(40 mg/m^3)		
	8-Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	—
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	Gas Phase Chemiluminescence	53 ppb (100 µg/m^3) (see footnote 8)	Same as Primary Standard	Gas Phase Chemiluminescence
	1-Hour	0.18 ppm (339 µg/m^3)		100 ppb (188 µg/m^3) (see footnote 8)	None	
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	—	Ultraviolet Fluorescence		—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	24-Hour	0.04 ppm (105 µg/m^3)			—	
	3-Hour	—		—	0.5 ppm (1300 µg/m^3)	
	1-Hour	0.25 ppm (655 µg/m^3)		75 ppb (196 µg/m^3) (see footnote 9)	—	
Lead[10]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High-Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3	Same as Primary Standard	
	Rolling 3-Month Average[9]	—		0.15 µg/m^3		
Visibility-Reducing Particles	8-Hour	Extinction coefficient of 0.23 per kilometer - visibility of ten miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.		No Federal Standards		
Sulfates	24-Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1-Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[9]	24-Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

Source: California Air Resources Board, September 8, 2010.

Footnotes

1 California standards for ozone; carbon monoxide (except Lake Tahoe); sulfur dioxide (1- and 24-hour); nitrogen dioxide; suspended particulate matter - PM_{10}, $PM_{2.5}$ and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2 National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth-highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current federal policies.

3 Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4 Any equivalent procedure which can be shown to the satisfaction of ARB to give equivalent results at or near the level of the air quality standard may be used.

5 National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6 National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7 Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.

8 To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100 ppm (effective January 22, 2010). Note that the EPA standards are in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national standards to the California standards the units can be converted from ppb to ppm. In this case, the national standards of 53 ppb and 100 ppb are identical to 0.053 ppm and 0.100 ppm, respectively.

9 On June 2, 2010, the U.S. EPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. EPA also proposed a new automated Federal Reference Method (FRM) using the ultraviolet technology, but will retain the older pararosaniline methods until the new FRM have adequately permeated State monitoring networks. The EPA also revoked both the existing 24-hour SO_2 standard of 0.14 ppm and the annual primary SO_2 standard of 0.030 ppm, effective August 23, 2010. The secondary SO_2 standard was not revised at that time; however, the secondary standard is undergoing a separate review by EPA. Note that the new standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the new primary national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

10 The ARB has identified lead and vinyl chloride as "toxic air contaminants" with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

11 National lead standard, rolling 3-month average: final rule signed October 15, 2008.

°C = degrees Celsius
EPA = United States Environmental Protection Agency
g/m^3 = micrograms per cubic meter
mg/m^3 = milligrams per cubic meter
ppm = parts per million

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Table 4.2.B: Summary of Health Effects of the Major Criteria Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O_3)	▪ Atmospheric reaction of organic gases with nitrogen oxides in the presence of sunlight.	▪ Breathing difficulty. ▪ Lung tissue damage. ▪ Damage to rubber and some plastics.
Nitrogen Dioxide (NO_2)	▪ Motor vehicle exhaust. ▪ Heavy construction equipment exhaust. ▪ Farming equipment exhaust. ▪ Residential heating.	▪ Lung irritation and damage. ▪ Formation of acid rain.
Carbon Monoxide (CO)	▪ Motor vehicle exhaust. ▪ Heavy construction equipment exhaust. ▪ Farming equipment exhaust. ▪ Residential heating.	▪ Reduced tolerance for exercise. ▪ Impairment of mental function. ▪ Impairment of fetal development. ▪ Death at high levels of exposure. ▪ Aggravation of some heart diseases (angina).
Suspended Particulate Matter ($PM_{2.5}$ and PM_{10})	▪ Motor vehicle exhaust ($PM_{2.5}$). ▪ Equipment and industrial sources ($PM_{2.5}$). ▪ Residential and agricultural burning ($PM_{2.5}$ and PM_{10}). ▪ Atmospheric chemical reactions ($PM_{2.5}$ and PM_{10}). ▪ Road dust (PM_{10}). ▪ Windblown dust (Agriculture [PM_{10}]) ▪ Construction (Fireplaces [PM_{10}])	▪ Reduced lung function. ▪ Aggravation of the effects of gaseous pollutants. ▪ Aggravation of respiratory and cardiorespiratory diseases. ▪ Increased cough and chest discomfort. ▪ Soiling. ▪ Reduced visibility.
Sulfur Dioxide (SO_2)	▪ Coal/oil- burning power plants. ▪ Industries, refineries, and diesel engines.	▪ Increased lung disease. ▪ Breathing problems for asthmatics. ▪ Formation of acid rain.
Lead (Pb)	▪ Metal smelters. ▪ Resource recovery. ▪ Leaded gasoline. ▪ Deterioration of lead paint.	▪ Learning disabilities. ▪ Brain and kidney damage.

Source: California Air Resources Board 2009 (http://www.arb.ca.gov/research/health/fs/fs2/fs2.htm).

Table 4.2.C: Attainment Status of Criteria Pollutants in the South Coast Air Basin

Pollutant	State	Federal
O_3 1-hour	Nonattainment	N/A
O_3 8-hour	Nonattainment	Extreme Nonattainment
PM_{10}	Nonattainment	Serious Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Attainment/Maintenance
NO_2	Nonattainment	Attainment/Maintenance
SO_2	Attainment	Attainment
Pb	Attainment (except Los Angeles County)	Attainment (except Los Angeles County)
All others	Attainment/Unclassified	Attainment/Unclassified

Unclassified designation: a pollutant that is designated unclassified if the data are incomplete and do not support a designation of attainment or nonattainment.
Attainment designation: a pollutant is designated attainment if the State standard for that pollutant was not violated at any site in the area during a 3-year period.
Nonattainment: a pollutant is designated nonattainment if there was at least one violation at any site in the area during a 3-year period.
Source: California Air Resources Board website: www.arb.ca.gov/desig/desig.htm, 2010.

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Indirect sources of pollution are generated when minor sources collectively emit a substantial amount of pollution. Examples of this would be the motor vehicles at intersections, malls, and on highways. The California Clean Air Act (CCAA) provides the SCAQMD with the authority to manage transportation activities at indirect sources. The SCAQMD also regulates stationary sources of pollution throughout its jurisdictional area. Direct emissions from motor vehicles are regulated by the CARB.

4.2.1.3 Air Pollution Constituents and Attainment Status

The CARB has many responsibilities with respect to air quality, including the following:

- Coordinates and oversees State and Federal air pollution control programs in California;
- Oversees activities of local air quality management agencies (e.g., the SCAQMD);
- Responsible for incorporating air quality management plans for local air basins into a State Implementation Plan (SIP) for EPA approval; and
- Maintains air quality monitoring stations throughout the State in conjunction with local air districts.

Data collected at these stations are used by the CARB to classify air basins as “attainment” or “nonattainment” with respect to each pollutant and to monitor progress in attaining air quality standards. The State is divided geographically into 15 air basins for the purpose of managing the air resources of the State on a regional basis. An air basin generally has similar meteorological and geographic conditions throughout. Significant authority for air quality control within them has been given to local air districts that regulate stationary source emissions and develop local nonattainment plans. Table 4.2.C (previous page) identifies the attainment status for the criteria pollutants in the Basin.

4.2.1.4 Local Air Quality

The SCAQMD, together with the CARB, maintains ambient air quality monitoring stations in the Basin. The air quality monitoring station closest to the project site is the Perris station. This station monitors ozone and PM_{10}. The air quality monitoring station closest to the site monitoring the rest of the criteria pollutants is the Riverside-Rubidoux station. This monitoring data for SO_2 has been omitted as attainment is regularly met for this pollutant within the Basin. These stations characterize the air quality representative of the ambient air quality in the project area.[1] The ambient air quality data in Table 4.2.D identify that CO and NO_2 levels are consistently below the relevant State and Federal standards in the project vicinity. O_3, PM_{10}, and $PM_{2.5}$ levels all exceed State and/or Federal standards regularly.

Table 4.2.D: Ambient Air Quality Monitored in the Project Vicinity

Pollutant	Standard	2008	2009	2010
Carbon Monoxide (CO) (Riverside-Rubidoux data)				
Maximum 1-hr concentration (ppm)		2.7	2.7	2.0
Number of days exceeded:	State: > 20 ppm	0	0	0
	Federal: > 35 ppm	0	0	0
Maximum 8-hr concentration (ppm)		1.86	1.85	1.20
Number of days exceeded:	State: ≥ 9.0 ppm	0	0	0
	Federal: ≥ 9.0 ppm	0	0	0

[1] Air quality data, 2008-2010; EPA and CARB websites.

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Table 4.2.D: Ambient Air Quality Monitored in the Project Vicinity

Pollutant	Standard	2008	2009	2010
Ozone (O_3) (Perris Station Data)				
Maximum 1-hr concentration (ppm)		0.142	0.125	0.122
Number of days exceeded:	State: > 0.09 ppm	65	53	46
Maximum 8-hr concentration (ppm)		0.115	0.109	0.108
Number of days exceeded:	State: > 0.07 ppm	94	88	77
	Federal: > 0.075 ppm	77[1]	67	50
Coarse Particulates (PM_{10}) (Perris Station data)				
Maximum 24-hr concentration (µg/m^3)		87	76	48
Number of days exceeded:	State: > 50 µg/m^3	8	6	0
	Federal: > 150 µg/m^3	0	0	0
Annual arithmetic mean concentration (µg/m^3)		29.6	34.8	28.0
Exceeded for the year	State: > 20 µg/m^3	Yes	Yes	Yes
Fine Particulates ($PM_{2.5}$) (Riverside-Rubidoux data)				
Maximum 24-hr concentration (µg/m^3)		57.6	54.4	ND
Number of days exceeded:	Federal: > 35 µg/m^3	13[3]	13	ND
Annual arithmetic mean (µg/m^3)		16.3	15.2	ND
Exceeded for the year	State: > 12 µg/m^3	Yes	Yes	ND
	Federal: > 15 µg/m^3	Yes	Yes	ND
Nitrogen Dioxide (NO_2) (Riverside-Rubidoux data)				
Maximum 1-hr concentration (ppm)		0.092	0.078	0.052
Number of days exceeded:	State: > 0.18 ppm	0	0	0
Annual arithmetic mean concentration (ppm)		0.019	0.017	ND
Exceeded for the year	State: > 0.030 ppm	No	No	ND
	Federal: > 0.053 ppm	No	No	ND
Sulfur Dioxide (SO_2) (Riverside-Rubidoux data)				
Maximum 24-hr concentration (ppm)		0.003	0.003	0.002
Number of days exceeded:	State: > 0.04 ppm	0	0	0
	Federal: > 0.14 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.000	0.001	ND
Exceeded for the year:	Federal: > 0.030 ppm	No	No	ND

[1] The exceedances of the federal 8-hour O3 standard are based on the old 0.08 ppm standard. In April 2008, the EPA revised the standard to 0.075 ppm.
[2] No data available.
[3] The exceedances of the federal 24-hour PM2.5 standard are based on the old 65 µg/m3 standard. In 2006, the EPA revised the standard to 35 µg/m3.
µg/m3 = micrograms per cubic meter
ARB = California Air Resources Board
EPA = United States Environmental Protection Agency
ppm = parts per million
Source: South Coast AQMD (www.aqmd.gov).

4.2.1.5 Sensitive Land Uses in the Project Vicinity

Sensitive receptors include residences, schools, medical offices, convalescent facilities, and similar uses that are sensitive to air pollutants. The nearest existing sensitive receptors in the vicinity of the proposed project site are rural residential residences located approximately 1,000 feet (ft) to the north

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along Nandina Avenue. There are also nonconforming residences within commercial and industrial zoned property approximately 0.5 mile southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

4.2.1.6 Existing Project Area Emissions

The project site is currently vacant, and therefore does not generate emissions. Existing air quality conditions at the proposed project site reflect ambient monitored conditions as presented at the previously referenced Table 4.2.D.

4.2.2 Policies and Regulations

4.2.2.1 Federal Regulations

Clean Air Act. Pursuant to the Federal Clean Air Act (CAA) of 1970, the EPA established national ambient air quality standards (NAAQS). The NAAQS were established for six major pollutants, termed "criteria" pollutants. Criteria pollutants are defined as those pollutants for which the Federal and State governments have established ambient air quality standards, or criteria, for outdoor concentrations in order to protect public health.

The EPA established new national air quality standards for ground-level O_3 and $PM_{2.5}$ in 1997. On May 14, 1999, the Court of Appeals for the District of Columbia Circuit issued a decision ruling that the CAA, as applied in setting the new public health standards for O_3 and particulate matter, was unconstitutional as an improper delegation of legislative authority to the EPA. On February 27, 2001, the U.S. Supreme Court upheld the way that the government sets air quality standards under the CAA. The Court unanimously rejected industry arguments that the EPA must consider financial cost as well as health benefits in writing standards. The Justices also rejected arguments that the EPA took too much lawmaking power from Congress when it set tougher standards for O_3 and soot in 1997. Nevertheless, the Court threw out the EPA's policy for implementing new O_3 rules, stating that the EPA ignored a section of the law that restricts its authority to enforce such rules.

In April 2003, the EPA was cleared by the White House Office of Management and Budget (OMB) to implement the eight-hour ground-level O_3 standard. The EPA issued the proposed rule implementing the eight-hour O_3 standard in April 2003. The EPA completed final eight-hour nonattainment status on April 15, 2004. The EPA issued the final $PM_{2.5}$ implementation rule in fall 2004. The EPA issued final designations on December 14, 2004.

Effective January 22, 2010, the EPA strengthened the standard for NO_2 by setting a new 1-hour standard at the level of 100 parts per billion (ppb). This standard defines the maximum allowable concentration anywhere in an area and will protect against adverse health effects associated with short-term exposure to NO_2. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 100 ppb. On January 25, 2010 the EPA issued the final rule setting the one-hour maximum standard for NO_2 at 100 ppb. The agency retained the annual standard of 53 ppb.

Additionally, effective June 2, 2010, the EPA revised the primary standard for SO_2 by establishing a new 1-hour standard at a level of 75 ppb. The EPA revoked the two existing primary standards of 140 ppb evaluated over 24-hours, and 30 ppb evaluated over an entire year as they would not provide additional public health protection given a 1-hour standard at 75 ppb. To attain this standard, the 3-year average of the 99th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 75 ppb.

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4.2.2.2 State Regulations

Mulford-Carrell Act. The State began to set California Ambient Air Quality Standards (CAAQS) in 1969 under the mandate of the Mulford-Carrell Act. The CAAQS are generally more stringent than the NAAQS. In addition to the six criteria pollutants covered by the NAAQS, there are CAAQS for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles.

Originally, there were no attainment deadlines for CAAQS; however, the CCAA of 1988 provided a time frame and a planning structure to promote their attainment. The CCAA required nonattainment areas in the State to prepare attainment plans and proposed to classify each such area on the basis of the submitted plan, as follows: moderate, if CAAQS attainment could not occur before December 31, 1994; serious, if CAAQS attainment could not occur before December 31, 1997; and severe, if CAAQS attainment could not be conclusively demonstrated at all. The attainment plans are required to achieve a minimum 5 percent annual reduction in the emissions of nonattainment pollutants unless all feasible measures have been implemented. The EPA has designated the Southern California Association of Governments (SCAG) as the Metropolitan Planning Organization (MPO) responsible for ensuring compliance with the requirements of the CAA for the Basin.

4.2.2.3 Regional Regulations

Lewis Air Quality Management Act. The 1976 Lewis Air Quality Management Act established the SCAQMD and other air districts throughout the State. The Federal CAA Amendments of 1977 required that each state adopt an implementation plan outlining pollution control measures to attain the Federal standards in nonattainment areas of the state.

The CARB is responsible for incorporating air quality management plans for local air basins into an SIP for EPA approval. Significant authority for air quality control within them has been given to local air districts that regulate stationary source emissions and develop local nonattainment plans.

Regional Air Quality Management Plan (AQMP). The SCAQMD and the SCAG are responsible for formulating and implementing the AQMP, which has a 20-year horizon for the Basin. The SCAQMD and SCAG must update the AQMP every three years. The current regional air quality plan is the Final 2007 Air Quality Management Plan (AQMP) adopted by the SCAQMD on June 1, 2007.

The Final 2007 AQMP proposes attainment demonstration of the Federal $PM_{2.5}$ standards through a more focused control of sulfur oxides (SO_X), directly-emitted $PM_{2.5}$, and nitrogen oxides (NO_X) supplemented with volatile organic compounds (VOC) by 2015. The 8-hour ozone control strategy builds upon the $PM_{2.5}$ strategy, augmented with additional NO_X and VOC reductions to meet the standard by 2024 assuming a bump-up[1] is obtained.

The Final 2007 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve Federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin that are under District jurisdiction. This Final Plan also addresses several Federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools. This Final Plan builds upon the approaches taken in the 2003 AQMP for the

[1] A “bump-up” is a voluntary reclassification of a nonattainment area to a higher classification allowing for an extension of an attainment deadline.

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Basin for the attainment of the Federal ozone air quality standard.[1] The Basin is currently a Federal and State nonattainment area for PM_{10}, $PM_{2.5}$, and ozone.

4.2.3.4 Local Policies

City of Moreno Valley General Plan Policies. Chapter 9 of the City's General Plan defines goals and policies related to air quality within the City of Moreno Valley. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Objective 6.7 Reduce mobile and stationary source air pollutant emissions.

Policy 6.7.1 Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.

Policy 6.7.2 Encourage the financing and construction of park and ride facilities.

Policy 6.7.4 Locate heavy industrial and extraction facilities away from residential areas and sensitive receptors.

Policy 6.7.5 Require grading activities to comply with South Coast Air Quality Management District's Rule 403 regarding the control of fugitive dust.

Policy 6.7.6 Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.

4.2.3 Methodology

The *Air Quality Analysis*[2] evaluated the air quality impacts associated with the development of the proposed project. Evaluation of air quality impacts associated with the proposed project includes the following:

- Determine the short-term construction air quality impacts based on SCAQMD emissions thresholds;
- Determine the long-term air quality impacts, including vehicular traffic, on both on-site and off-site air quality sensitive uses based on SCAQMD emissions thresholds; and
- Determine the required mitigation measures to reduce short-term and long-term on-site air quality impacts from all sources.

Air quality in the project area would be affected by long-term air pollutant emissions from stationary sources and mobile sources related to the proposed project. On February 3, 2011, the SCAQMD released the California Emissions Estimator Model (CalEEMod). The purpose of this new model is to more accurately calculate air quality and greenhouse gas (GHG) emissions from direct and indirect sources and quantify applicable air quality and GHG reduction achieved from mitigation measures. The latest version of CalEEMod was utilized to predict these project-related air quality impacts.

Construction-related emissions are expected from construction activities such as rough grading, infrastructure construction, asphalt paving, building construction, architectural coatings, and construction workers commuting. This estimate represents the "worst-case" scenario as construction equipment emissions would decrease with time due to technological advancements. Construction emissions for construction worker vehicles traveling to and from the project site, in addition to vendor trips (construction materials delivered to the project site) were also accounted for in the analysis. Localized air quality in the project area would be affected by both heavy-duty construction equipment

[1] *Final 2007 Air Quality Management Plan*, South Coast Air Quality Management District, June 1, 2007.
[2] *VIP Moreno Valley Air Quality Analysis*, LSA Associates, Inc., December 2011.

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usage on site as well as local traffic due to the equipment delivery and construction worker commuting. The SCAQMD CEQA methodology[1] was used to analyze the criteria pollutant emissions from these activities.

Air quality in the project area would be affected by long-term air emissions from stationary sources and mobile sources related to the proposed project. The CalEEMod model was used to predict these project-related long-term impacts. Localized air quality impacts (i.e., CO concentrations [CO hot spots]) in the project area would be affected by increased traffic flow due to the proposed project. The Caltrans CALINE4 model and the CARB EMFAC 2007 model were used to assess the project's impact on the local CO concentrations.

SCAQMD has developed Local Significance Threshold (LST) methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State AAQS and are developed based on the ambient concentrations of that pollutant for each source receptor area. SCAQMD's current guidelines, *Final Localized Significance Threshold Methodology* (June 2003), were adhered to in the assessment of air quality impacts for the proposed project. The LST mass rate look-up tables were used to determine whether the daily emissions for the proposed construction activities could result in significant localized air quality impacts. The emissions of concern from construction activities are NOx, CO, PM_{10}, and $PM_{2.5}$ combustion emissions from construction equipment and fugitive PM_{10} dust from construction site preparation activities.

4.2.4 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, air quality impacts would occur if the proposed project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; and/or
- Create objectionable odors affecting a substantial number of people.

In addition to the Federal and State AAQS, there are daily emissions thresholds for construction and operation of a proposed project in the Basin. The Basin is administered by the SCAQMD, and guidelines and emissions thresholds established by the SCAQMD in its *CEQA Air Quality Handbook*[2] are used in this analysis. It should be noted that the emissions thresholds were established based on the attainment status of the air basin with regard to air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety (EPA), these emissions thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

1 *CEQA Air Quality Handbook*, April 1993.
2 *CEQA Air Quality Handbook*, April 1993.

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4.2.4.1 Thresholds for Construction Emissions

The following CEQA significance thresholds for construction emissions have been established by the SCAQMD for the Basin:

- 75 pounds per day of reactive organic compounds (ROC).
- 100 pounds per day of NO_X.
- 550 pounds per day of CO.
- 150 pounds per day of PM_{10}.
- 150 pounds per day of SO_X.
- 55 pounds per day of $PM_{2.5}$.

Projects in the Basin with construction-related emissions that exceed any of the emission thresholds are considered to be significant under CEQA.

4.2.4.2 Thresholds for Operational Emissions

Projects with operation-related emissions that exceed any of the emission thresholds listed below are considered significant under the SCAQMD guidelines.

- 55 pounds per day of ROC.
- 55 pounds per day of NO_X.
- 550 pounds per day of CO.
- 150 pounds per day of PM_{10}.
- 150 pounds per day of SO_X.
- 55 pounds per day of $PM_{2.5}$.

4.2.4.3 Federal 1 Hour NO_2 Standard

On January 22, 2010, the EPA revised the primary nitrogen dioxide (NO_2) NAAQS in order to provide requisite protection of public health. Specifically, the EPA established a new 1-hour standard at a level of 100 ppb (188.68 µg/m^3), based on the 3-year average of the annual 98th percentile of the daily maximum 1-hour concentrations (form of the standard), in addition to the existing annual secondary standard (100 µg/m^3). EPA has also established requirements for a NO_2 monitoring network that will include monitors at locations where maximum NO_2 concentrations are expected to occur, including within 50 meters of major roadways, as well as monitors sited to measure the area-wide NO_2 concentrations that occur more broadly across communities.

The effective date of the new 1-hour standard was 60 days after the final rule was published in the Federal Register. The final rule was published in the Federal Register on February 9, 2010 with an effective date of April 12, 2010.

4.2.4.4 Air Pollutant Standards for CO with Localized Effects

The significance of localized project impacts under CEQA depends on whether ambient CO levels in the vicinity of the project are above or below State and Federal CO standards (previously referenced Table 4.2.A). If ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient

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levels already exceed a State or Federal standard, project emissions are considered significant if they increase one-hour CO concentrations by 1.0 ppm[1] or more or eight-hour CO concentrations by 0.45 ppm or more. The Basin meets State and Federal attainment standards for CO; therefore, the proposed project would have a significant CO impact if project emissions result in an exceedance of State or Federal one-hour or eight-hour standard. The following emission concentration standards for CO, based on the SCAQMD *CEQA Air Quality Handbook* (1993), apply to the proposed project:

- California State one-hour CO standard of 20.0 ppm.
- California State eight-hour CO standard of 9.0 ppm.

4.2.4.5 Localized Significance Thresholds

The SCAQMD published its *Final Localized Significance Threshold Methodology* in June 2003, revised July 2008) and Final –Methodology to Calculate Particulate Matter (PM) 2.5 and $PM_{2.5}$ Significance Thresholds (October 2006), recommending that all air quality analyses include an assessment of both construction and operational impacts on the air quality of nearby sensitive receptors. LSTs represent the maximum emissions from a project site that are not expected to result in an exceedance of the national or State AAQS. LSTs are based on the ambient concentrations of that pollutant within the project Source Receptor Area (SRA) and the distance to the nearest sensitive receptor. For this project, the appropriate SRA for the LST is the Perris Valley (SRA 24).

In the case of CO and NO_2, if ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient levels already exceed a State or federal standard, then project emissions are considered significant if they increase ambient concentrations by a measurable amount. This would apply to PM_{10} and $PM_{2.5}$, both of which are non-attainment pollutants. For these two, the significance criteria are the pollutant concentration thresholds presented in SCAQMD Rules 403 and 1301. The Rule 403 threshold of 10.4 µg/m3 applies to construction emissions (and may apply to operational emissions at aggregate handling facilities). The Rule 1301 threshold of 2.5 $\mu g/m^3$ applies to non-aggregate handling operational activities.

To avoid the need for every air quality analysis to perform air dispersion modeling, the SCAQMD performed air dispersion modeling for a range of construction sites less than or equal to 5 acres (ac) in size and created look-up tables that correlate pollutant emissions rates with project size to screen out projects that are unlikely to generate enough emissions to result in a locally significant concentration of any criteria pollutant. These look-up tables can also be used as screening criteria for larger projects to determine whether or not dispersion modeling may be required.

Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to adverse air quality. The nearest existing sensitive receptors are approximately 300 meters (m) (1,000 ft) away from the project site.

Following the SCAQMD LST methodology, for sites larger than 5 ac, dispersion modeling needs to be conducted. Because the project site encompasses approximately 71 ac, the localized significance for project air emissions is determined by performing dispersion modeling to see if the pollutant concentrations would exceed the ambient air quality standards, or for particulate matter, if the pollutant concentrations would exceed thresholds presented in SCAQMD Rules 403 and 1301.

For operational emissions, the localized significance for a project larger than 5 ac can be determined by performing the screening-level analysis before using the dispersion modeling because the screening-level analysis is more conservative, and if no exceedance of the screening-level thresholds

[1] ppm = parts per million.

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is identified, then the chance of operational LST exceeding concentration standards is small. Therefore, for a conservative approach, the LST screening thresholds for 5 ac are used in this analysis for operational emissions. Since the project is not an aggregate handling facility, operational LSTs are assessed with the SCAQMD screening thresholds. Therefore, the following emissions thresholds apply during project operations:

- 585 lbs/day of NO_X
- 12,083 lbs/day of CO
- 32 lbs/day of PM_{10}
- 14 lbs/day of $PM_{2.5}$

4.2.4.6 Diesel Exhaust Health Risk Thresholds

For pollutants without defined significance standards or air contaminants not covered by the standard criteria cited above, the definition of substantial pollutant concentrations varies. For toxic air contaminants (TAC), "substantial" is taken to mean that the individual cancer risk exceeds a threshold considered to be a prudent risk management level. If best available control technology for toxics (T-BACT) has been applied, the individual cancer risk to the maximum exposed individual (MEI) must not exceed 10 in 1 million if an impact is to be considered less than significant.

The following limits for maximum individual cancer risk (MICR), cancer burden and non-cancer acute and chronic hazard indices (HI) from project emissions of TACs have been established for the Basin:

- **MICR and Cancer Burden.** MICR is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to TACs over a period of 70 years for residential and 40 years for worker receptor locations. The MICR calculations include multipathway consideration, when applicable. Cancer burden is the estimated increase in the occurrence of cancer cases in a population subject to a MICR of greater than or equal to one in one million (1.0×10^{-6}) resulting from exposure to TACs.

  The total increase in MICR that is the sum of the calculated MICR values for all TACs emitted from the project will not result in any of the following:

  (A) An increased MICR greater than 10 in 1 million (1.0×10^{-5}) at any receptor location (assumes the project will be constructed with T-BACT); or

  (B) A cancer burden greater than 0.5.

- **Chronic HI.** This is the ratio of the estimated long-term level of exposure to a TAC for a potential maximally exposed individual to its chronic reference exposure level. The chronic HI calculations include multipathway consideration, when applicable.

  The cumulative increase in total chronic HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

- **Acute HI.** This is the ratio of the estimated maximum one-hour concentration of a TAC for a potential maximally exposed individual to its acute reference exposure level.

  The cumulative increase in total acute HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

4.2.5 Less than Significant Impacts

The following impacts were determined to be less than significant. For each of the following issues either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

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4.2.5.1 Air Quality Plan Management Plan Consistency

Threshold	Would the proposed project conflict with or obstruct implementation of the applicable air quality plan?

The current regional air quality management plan is the *Final 2007 Air Quality Management Plan* adopted by the SCAQMD on June 1, 2007. The Final 2007 AQMP proposes attainment demonstration of the Federal $PM_{2.5}$ standards through a more focused control of SO_X, directly-emitted $PM_{2.5}$, and NO_X supplemented with VOC by 2015. The 8-hour ozone control strategy builds upon the $PM_{2.5}$ strategy, augmented with additional NO_X and VOC reductions to meet the standard by 2024 assuming a bump-up[1] is obtained.

The Final 2007 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve Federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin that are under SCAQMD jurisdiction. This AQMP also addresses several Federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools. This AQMP builds upon the approaches taken in the 2003 AQMP for the Basin for the attainment of the Federal ozone air quality standard.[2] The Basin is currently a Federal and State nonattainment area for PM_{10}, $PM_{2.5}$, and ozone.

To assess the environmental impacts as a result of new development accurately, environmental pollution and population growth are projected by the SCAQMD in the AQMP for future scenarios. The AQMP projections are based, in part, on the growth forecasts and General Plans from cities and counties located in the Basin. As the Growth Management Chapter of the SCAG's Regional Comprehensive Plan and Guide (RCPG) forms the basis of the land use and transportation control portions of the AQMP, projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter are considered consistent with the AQMP growth projections. A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the air quality plans. It fulfills the CEQA goal of fully informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Only new or amended General Plan elements, Specific Plans, and significantly unique projects need to undergo a consistency review due to the air quality plan strategy being based on projections from local General Plans. Projects that propose general plan amendments and changes of zone may increase the intensity of use and/or result in higher traffic volumes, thereby resulting in increased stationary area source emissions and/or vehicle source emissions when compared to the AQMP assumptions.

Another measurement tool in determining consistency with the AQMP is to determine how a project accommodates the expected increase in population or employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT) both within the project and the community in which it is located, and consequently the minimization of air pollutant emissions, that aspect of the project is consistent with the AQMP. The proposed project site is located in an urbanizing area of the City of Moreno Valley west of Perris Boulevard, which accommodates traffic in the area. In addition, the proposed uses would be within short travel distance of existing homes and commercial areas in the local vicinity. The proposed project would add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community.

Implementation of the proposed project would not require a General Plan Amendment and zone change that would change the General Plan designations and zoning designations of the project site.

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1 A "bump-up" is a voluntary reclassification of a nonattainment area to a higher classification allowing for an extension of an attainment deadline.

2 *Final 2007 Air Quality Management Plan,* South Coast Air Quality Management District, June 1, 2007.

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Since the proposed project would not require a General Plan Amendment, the project has been considered in preparation of the General Plan and therefore is consistent with the AQMP; therefore, no significant impact would occur and no mitigation measures are required.

4.2.5.2 Odors

Threshold	Would the proposed project create objectionable odors affecting a substantial number of people?

SCAQMD Rule 402 dictates that air discharged from any source shall not cause injury, nuisance, or annoyance to the health, safety, or comfort of the public. With the exception of short-term construction-related odors (e.g., equipment exhaust, paint, and asphalt odors), the proposed uses that would be developed on the proposed site do not include uses that are generally considered to generate offensive odors (e.g., agricultural uses, wastewater treatment plants, or landfills). While the application of architectural coatings and installation of asphalt may generate odors, these odors are temporary and not likely to be noticeable beyond the project boundaries. SCAQMD Rules 1108 and 1113 identify standards regarding the application of asphalt and architectural coatings, respectively.

SCAQMD Rule 1108 sets limitations on ROG (reactive organic gases), which are similar to and for the purposes of this EIR equivalent to and therefore interchangeable with volatile organic compounds (VOC) content in asphalt. This rule is applicable to any person who supplies, sells, offers for sale, or manufactures any asphalt materials for use in the Basin. Rule 1113 of the SCAQMD deals with the selling and application of architectural coatings. Rule 1113 is applicable to any person who supplies, sells, offers for sale, or manufactures any architectural coating for use in the Basin that is intended to be applied to buildings, pavements, or curbs. This rule is also applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of VOC emissions allowed for all types of architectural coatings, along with a time table for tightening the emissions standards in the future. Compliance with Rule 1113 means that architectural coatings used during construction would have VOC emissions that comply with these limits.

Adherence to applicable provisions of these rules is standard for all development within the Basin. In addition, conditions for the design of waste storage areas on the proposed site would be established through the permit process to ensure enclosures are appropriately designed and maintained to prevent the proliferation of odors. Solid waste generated by the proposed on-site uses will be collected by a contracted waste hauler, ensuring that any odors resulting from on-site uses would be adequately managed. Therefore, impacts associated with this issue would be less than significant and no mitigation is required.

4.2.5.3 Long-Term Microscale (CO Hot Spot) Emissions

Threshold	Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation? For CO, the applicable thresholds are: - California State one-hour CO standard of 20.0 ppm; and - California State eight-hour CO standard of 9.0 ppm.

Vehicular trips associated with the implementation of the proposed project would contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase in local areas as a result of the proposed project. The primary mobile source pollutant of local concern is CO, which is a direct

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function of vehicle idling time and, thus, traffic flow conditions. CO transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. However, under certain extreme meteorological conditions, CO concentrations proximate to a congested roadway or intersection may reach unhealthful levels affecting local sensitive receptors (residents, schoolchildren, etc). High CO concentrations are typically associated with roadways or intersections operating at unacceptable levels of service or with very high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. As identified in Table 4.2.E, ambient CO levels monitored at the Riverside – Rubidoux Station, the closest station with complete monitored CO data, showed a highest recorded 1-hour concentration of 2.7 ppm (State standard is 20 ppm) and a highest 8-hour concentration of 1.9 ppm (State standard is 9 ppm) during the past 3 years.

The highest CO concentrations would normally occur during peak traffic hours; hence, CO impacts calculated under peak traffic conditions represent a worst-case analysis. Based on the Traffic Study,[1] CO hotspot analyses were conducted for future cumulative conditions. The impact on local CO levels was assessed with the CARB-approved CALINE4 air quality model, which allows microscale CO concentrations to be estimated along roadway corridors or near intersections. This model is designed to identify localized concentrations of CO, often termed "hot spots."

The proposed project would have a significant CO impact if project emissions increase 1-hour CO concentrations by 1.0 ppm or more. Similarly, the proposed project would also have a significant CO impact if project emissions increase 8-hour CO concentrations by 0.45 ppm or more. Existing (2008) and opening year (2013) scenarios were evaluated for traffic impacts from the proposed project. It is anticipated that emissions in the future years, including CO, would decrease with advances in technology. The highest one-hour CO concentrations for intersections within the project vicinity are identified in Table 4.2.E.

Table 4.2.E: One-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest One-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	1-Hr
Existing Year (2011)	4.0	NA [2]	No
Opening Year (2013)	5.1	5.1	No

1 The one-hour CO State standard is 20 ppm.
2 NA = not applicable.
Source: *Air Quality Analysis*, LSA Associates, Inc. December 2011.

As identified in Table 4.2.E, the highest one-hour CO concentration experienced at any of the intersections in the project vicinity would not exceed the one hour CO State standard of 20 ppm. Based on the *Air Quality Analysis* prepared for the proposed project, the proposed project would contribute, at most, a 0.2 ppm increase to the one-hour CO concentrations for all scenarios. This is below the 1.0 ppm increase threshold. The highest eight-hour CO concentrations for intersections within the project vicinity are identified in Table 4.2.F.

Table 4.2.F: Eight-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest Eight-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	8-Hr
Existing Year (2011)	2.8	NA [2]	No

1 *Traffic Study VIP Moreno Valley*, LSA Associates, Inc., November 2011.

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Table 4.2.F: Eight-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest Eight-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	8-Hr
Opening Year (2013)	3.5	3.5	No

[1] The eight-hour CO State standard is 35 ppm.
[2] NA = not applicable.
Source: *Air Quality Analysis*, LSA Associates, Inc. December 2011.

As identified in Table 4.2.F, the highest eight-hour CO concentration experienced at any of the intersections in the project vicinity would not exceed the eight-hour CO state standard of 35 ppm. Based on the Air Quality Analysis prepared for the proposed project, the proposed project would contribute, at most, a 0.2 ppm increase to the eight-hour CO concentrations for all scenarios. This is below the 0.45 ppm increase threshold. Since the proposed project would not exceed the one-hour or eight-hour CO concentration standards, it is reasonable to conclude that no CO hot spots would occur. Therefore, the proposed project would not have a significant impact on local air quality for CO and no mitigation measures would be required.

4.2.5.4 Localized Operational Emissions

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operation, the applicable localized daily thresholds are: - 12,083 pounds per day of CO; - 585 pounds per day of NO_X; - 32 pounds per day of PM_{10}; and - 14 pounds per day of $PM_{2.5}$.

As previously stated, the SCAQMD has developed an LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. These emission levels have been developed based on the ambient concentrations of that pollutant for each source receptor area. Table 4.2.G summarizes the results of the modeled localized emissions during the operational phase of the project.

Table 4.2.G: Modeled Localized Operation Impacts (lbs/day)

Emissions Sources	NO_x	CO	PM_{10}	$PM_{2.5}$
On-site emissions	50	42	8.5	2.1
LST Thresholds	**550**	**11,302**	**126**	**53**
Significant?	**No**	**No**	**No**	**No**

Source: LSA Associates, Inc., December 2011.

The SCAQMD LST threshold for NO_X is designed to ensure that the NO_2 concentrations from project construction emissions added to the ambient NO_2 concentrations are below the State ambient air quality standards (AAQS) of 180 ppb. The emissions rate of NO_X at 97 lbs/day is approximately 18 percent of the LST threshold of 550 lbs/day. Since the federal NO_2 AAQS of 100 ppb is approximately 55 percent of the State NO_2 AAQS of 180 ppb, the construction emissions of NO_X will not result in an exceedance of the federal NO_2 AAQS.

As identified in Table 4.2.G, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not

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have a significant impact on localized operational pollutant levels and no mitigation measures would be required.

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. Therefore, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

4.2.5.6 Operational-Chronic Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations? For Maximum Individual Cancer Risk, the applicable thresholds are: • An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or For non-cancer chronic hazard indices (HI); the applicable threshold is: • A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

A screening level health risk assessment was performed for the operational emissions associated with the proposed project based on the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* guidance. The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with state and federal handling regulations will bring emissions to below a level of significance. Due to the lack of data, precise evaluation of vehicle exhaust impacts is not feasible; however, based on the limited amount of TAC from vehicle exhaust associated with the project operations in relation to background levels, the impact is not expected to be significant.

The nearest existing sensitive receptors are rural residential units located approximately 1,000 feet (ft) to the north along Nandina Avenue. There are also nonconforming residential dwelling units within commercial and industrial uses on property zoned commercial or industrial approximately 0.5 mi southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue. The workers at the nearby commercial and industrial facilities are also considered. Sensitive receptors were placed in a general grid extending in all directions to characterize the risk level surrounding the project site. Meteorological data from the Moreno Valley area were utilized to

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represent the conditions at the project site. Table 4.2.H provides the results of the operational related health risk assessment conducted.

Table 4.2.H: Operational-Related Health Risk Assessment Results (risk per million)

Location	Maximum Cancer Risk	Maximum Noncancer Risk
School 1	0.11	0.000069
School 2	0.79	0.00050
School 3	0.26	0.00016
Nearest Residential to the north	6.6	0.0041
Nearest Residential to the east	5.0	0.0031
Nearest Residential to the south	1.2	0.00074
Workers at facility to the west	4.5	0.0029
SCAQMD Threshold	**10**	**1**
Significant?	**No**	**No**

Source: LSA Associates, March 2012.

As identified in Table 4.2.H, the nearest residences would experience a cancer risk of 6.6 in 1 million, which is below the 10 in 1 million threshold. The nearest residences would also experience a chronic hazard index of 0.0041, which is below the 1.0 threshold. The peak off-site worker cancer risk level is 4.5 in a million, which is also below the 10 in 1 million threshold. Chronic hazard index for the peak off-site worker would be 0.0029, which is below the 1.0 threshold. Since the operational phase of the proposed project would not exceed any of the operational related health risk assessment thresholds, a less than significant impact would occur and no mitigation is required.

4.2.6 Significant Impacts

The following impacts were determined to be potentially significant. In each of the following issues, mitigation measures have been recommended to reduce the significance of the identified impacts.

4.2.6.1 Construction Equipment Exhaust Emissions

Impact 4.2.6.1: *Construction of the proposed project has the potential to exceed applicable daily thresholds that may affect sensitive receptors.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.

Grading and other construction activities produce combustion emissions from various sources such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions during these construction activities will vary daily as construction activity levels change. The use of construction

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equipment on site would result in localized exhaust emissions. Activity during peak grading days typically generates a greater amount of air pollutants than other project construction activity.

While the actual details of the future construction schedule are not known, it is expected that project construction would occur in four phases: 1) rough grading which includes mass site grading; 2) infrastructure construction which includes underground construction, curb, gutter, sidewalk, subgrade preparation, drop rock, and paving activities; 3) asphalt paving; and 4) building construction and painting. Appendix D-1 of this EIR includes details of the emission factors and other assumptions.

Projected emissions resulting from grading and construction activities for the proposed project are identified in Table 4.2.I, which identifies the estimated maximum daily construction emissions over the course of project construction.

Table 4.2.I: Short-Term Regional Construction Emissions

	Pollutant Emissions (lbs/day)							
Construction Phase	**ROG**	**NO_X**	**CO**	**SO_2**	**Fugitive PM_{10}**	**Exhaust PM_{10}**	**Fugitive $PM_{2.5}$**	**Exhaust $PM_{2.5}$**
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	1.8	0.33	0.02	0.32
Architectural Coating	72	3.7	11	0.01	0.2	2.9	0	2.9
Paving	5.95.9	3434	22	0.03	329	17	4.4	16
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

The construction emissions estimates summarized in Table 4.2.I are based on the assumed construction scenario described in the *Air Quality Analysis* prepared for the proposed project. Using emission factors from the SCAQMD *CEQA Air Quality Handbook* and the ARB EMFAC2007 model, Table 4.2.I indicates that construction emissions of criteria pollutants would exceed the SCAQMD daily emission thresholds for ROG from architectural coating, NO_X from diesel exhaust and fugitive PM_{10} during the site preparation and grading phases. It should be noted that site preparation and grading emissions are projected to be higher due to an estimated 220,000 cy of soil import by haul trucks. Although construction of the structure uses different types of equipment on site than during grading periods, similarities do exist in terms of equipment exhaust emissions and fugitive dust emissions. While it is anticipated that total emissions during construction would be below the peak grading day emissions presented in Table 4.2.I, construction emissions of ROG, NOx and PM_{10} would still exceed the SCAQMD daily threshold. This is a significant impact requiring mitigation.

Fugitive dust emissions are generally associated with land clearing and exposure of soils to the air and wind, and cut-and-fill grading operations. Dust generated during construction varies substantially on a project-by-project basis, depending on the level of activity, the specific operations, and weather conditions at the time of construction. Fugitive dust emissions can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors. The proposed project will be required to comply with SCAQMD Rules

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402 and 403 to control fugitive dust. There are a number of feasible control measures that can be reasonably implemented to significantly reduce PM_{10} emissions from construction.

As identified in Table 4.2.I, fugitive dust emissions (i.e., PM_{10}) during the anticipated peak construction day for the proposed project would exceed SCAQMD daily construction thresholds.

The proposed project is required to comply with regional rules that assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires implementation of dust-suppression techniques to prevent fugitive dust from creating a nuisance off site. SCAQMD Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rule 403 are summarized below. Implementation of these dust suppression techniques can reduce the fugitive dust generation (and thus the PM_{10} component). Compliance with these rules would reduce impacts on nearby sensitive receptors. The applicable Rule 403 measures are as follows:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce fugitive dust haul road emissions.

As previously discussed, SCAQMD Rule 1113 regulates the sale and application of architectural coatings. Rule 1113 is applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of ROG or VOC emissions allowed for all types of architectural coatings. Compliance with Rule 1113 means that architectural coatings used during construction would have ROG or VOC emissions that comply with these limits.

Mitigation Measures. To facilitate monitoring and compliance, applicable SCAQMD regulatory requirements are restated in the following mitigation. These measures shall be incorporated in all project plans, specifications, and contract documents. Typical mitigation measures identified to reduce the level of emissions of ROG, NO_X, and PM_{10} include the following:

4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract

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specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.

4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).

4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High-pressure injectors shall be provided on diesel construction equipment where feasible;

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- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be provided on site during construction to minimize the need for off-site vehicle trips; and
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.2.6.1M All project entrances shall be posted with signs which state:

- Truck drivers shall turn off engines when not in use;
- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and
- Telephone numbers of the building facilities manager and CARB, to report violations.

These measures shall be enforced by the on-site facilities manager (or equivalent).

Level of Significance After Mitigation. The implementation of CARB Tier 2 Certified or better equipment would reduce PM_{10} and $PM_{2.5}$ emissions that would otherwise result from off-road equipment in use (e.g., dozers, motor graders, loaders, and excavators); however, emissions of PM_{10} would still exceed established SCAQMD thresholds during construction. It is not possible to quantify the reduction in the amount of NO_x emissions that may occur. During project construction, it is not known specifically what type of on-site equipment will be used (e.g., gasoline- or diesel-powered) therefore, no additional reduction in NO_x emissions were taken. No other feasible mitigation measures have been identified to reduce the construction emissions of NO_x or PM_{10} to a less than significant level. Project-related construction emissions of NO_x and PM_{10} would continue to exceed thresholds. Although implementation of standard Rule 1113 measures will reduce ROG/VOC emissions during application of architectural coatings to 72 pounds per day, which is less than the 75 pounds per day threshold of significance, ROG/VOC emissions are estimated to reach 90 pounds per day due to construction phase overlap. In the absence of feasible mitigation to reduce the proposed project's emission of ROG, NO_x, and PM_{10} to below SCAQMD thresholds, potential air quality impacts resulting from exhaust from construction equipment will remain significant and unavoidable.

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4.2.6.2 Localized Construction Emissions

Impact 4.2.6.2: *Construction of the proposed project has the potential to exceed localized daily thresholds that may affect sensitive receptors.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For short-term construction, the applicable localized daily thresholds are: - 11,302 pounds per day of CO; - 550 pounds per day of NO_X; - 126 pounds per day of PM_{10}; and - 53 pounds per day of $PM_{2.5}$.

The SCAQMD has developed an LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State ambient air quality standard. These emission levels have been developed based on the ambient concentrations of that pollutant for each source receptor area. The emissions of concern from construction activities are NO_X and CO combustion emissions from construction equipment and fugitive PM_{10} and $PM_{2.5}$ dust from construction site preparation activities.

Table 4.2.J summarizes the results of the modeled localized emissions during peak construction activity. LSTs for the project area as calculated using AERMOD air dispersion modeling and following the SCAQMD LST methodology. The concentration increases shown in Table 4.2.J occur at the sensitive receptors are approximately 300 meters (m) (1,000 ft) from the project site. The LST dispersion analysis details and calculations are included in the Appendix to the Air Quality Study (Appendix D-1).

Table 4.2.J: Modeled Localized Construction Impacts

Pollutant	AAQS	Ambient Concentration	Threshold	Maximum Concentration Increase	Over/(Under)	Adverse Concentration
CO (1-hour)	20 ppm	2.7 ppm	17.3 ppm	3 ppm	(14.3 ppm)	No
CO (8-hour)	9.0 ppm	1.9 ppm	7.1 ppm	1.8 ppm	(5.3 ppm)	No
NO_2 (1-hour)	0.18 ppm	0.092 ppm	0.088 ppm	0.55 ppm	0.46	**Yes**
NO_2 (annual)	0.03 ppm	0.019 ppm	0.011 ppm	0.014 ppm	0.003	No
PM_{10} (24-hour)[a]			10.4 µg/m3	85 µg/m3	74.6 µg/m3	**Yes**
PM_{10} (annual)[a]			1.0 µg/m3	0 µg/m3	(1 µg/m3)	No
$PM_{2.5}$ (24-hour)[a]			10.4 µg/m3	80 µg/m3	69.6 µg/m3	**Yes**

Source: LSA Associates, Inc., March 2012.
a. Since both PM_{10} and $PM_{2.5}$ are in nonattainment, the thresholds are not based on AAQS exceedance, but rather a violation of SCAQMD Rule 403.
AAQS = ambient air quality standards
CO = carbon monoxide
µg/m3 = microgram of pollutant per cubic meter of air
NO2 = nitrogen dioxide
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ppm = parts per million
SCAQMD = South Coast Air Quality Management District

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The SCAQMD LST threshold for NO_X is designed to insure that the NO_2 concentrations from project construction emissions added to the ambient NO2 concentrations are below the State AAQS of 180ppb. The emissions rate of NO_X at 97 lbs/day is approximately 18 percent of the LST threshold of 550 lbs/day. Since the federal NO_2 AAQS of 100 ppb is approximately 55 percent of the State NO_2 AAQS of 180 ppb, the construction emissions of NO_X will not result in an exceedance of the federal NO_2 AAQS.

Mitigation Measures. Typical mitigation measures identified to reduce the level of emissions of NOx and PM_{10} have been identified above as **Mitigation Measures 4.2.6.1A** through **4.6.1.M.** The project will also be required to comply with SCAQMD Rule 402 and 403.

Level of Significance After Mitigation. The implementation of CARB Tier 2 Certified or better equipment would reduce PM_{10} and $PM_{2.5}$ emissions that would otherwise result from off-road equipment in use (e.g., dozers, motor graders, loaders, and excavators); however, emissions of PM_{10} would still exceed established SCAQMD thresholds during construction. It is not possible to quantify the reduction in the amount of NO_x emissions that may occur. During project construction, it is not known specifically what type of on-site equipment will be used (e.g., gasoline- or diesel-powered) therefore, no additional reduction in NO_x emissions were taken. No other feasible mitigation measures have been identified to reduce the construction emissions of NO_x or PM_{10} to a less than significant level. Project-related construction emissions of NO_x and PM_{10} would continue to exceed thresholds. In the absence of feasible mitigation to reduce the proposed project's emission of NO_x and PM_{10} to below SCAQMD thresholds, potential air quality impacts resulting from exhaust from construction equipment will remain significant and unavoidable.

4.2.6.3 Long-Term Operational Emissions

Impact 4.2.6.3: *Implementation of the proposed project may occur have the potential to exceed applicable daily thresholds for operational activities.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NO_X; - 550 pounds of CO; - 150 pounds of PM_{10}; - 55 pounds of $PM_{2.5}$; and - 150 pounds of SO_X.

Long-term air pollutant emission impacts that would result from the proposed project are those associated with stationary sources and mobile sources involving any project-related change (e.g., emissions from landscape maintenance activities and other facility maintenance operations and the use of motor vehicles by project-generated traffic). The analysis assesses the mobile source emissions generated by vehicles driving to and from the proposed land uses, as well as area source emissions generated by project maintenance operations. Projected emissions resulting from operational activities of the proposed project are identified in Table 4.2.K.

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Table 4.2.K: Summary of Operational Emissions

Source	Pollutant Emissions, lbs/day					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source Emissions[1]	33	0	0	0	0	0
Energy Source Emissions[2]	0.1	0.93	0.78	0.01	0.07	0.07
Mobile Emissions[3]	110	990	830	1.5	170	42
Maximum Daily Emissions	**143**	**990**	**830**	**1.5**	**170**	**42**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Significant?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**No**

Notes:
1 = Includes emissions of landscape maintenance equipment, consumer products, and architectural coatings emissions.
2 = Includes emissions of natural gas consumption.
3 = Includes emissions of vehicle emissions and fugitive dust related to vehicular traffic.

CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
VOC = volatile organic compounds
SO_X = sulfur oxides

Source: LSA Associates, Inc., December 2011.

As identified in Table 4.2.K, operational emissions for the proposed project would exceed SCAQMD daily operational thresholds for ROG, NO_X, CO, and PM_{10}. Therefore, project-related long-term air quality impacts for ROG, NO_X, CO, and PM_{10} would be significant and mitigation measures are required.

Mitigation Measures. The following measures have been identified to reduce operational emissions of ROG, NO_X, CO, and PM_{10}:

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.
- To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.

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- Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
- All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.
- To reduce energy demand associated with potable water conveyance, the project shall implement the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- The project shall provide secure, weather-protected, on-site bicycle storage/parking.
- The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.
- The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- The project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.
- The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.
- Lease/purchase documents shall identify that tenants are encouraged to promote the following:
  - Implementation of compressed workweek schedules.
  - SmartWay partnership;
  - Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.
  - Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.
  - Use of fleet vehicles conforming to 2010 air quality standards or better.
  - Installation of catalytic converters on gasoline-powered equipment.

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- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.
- Provision of preferential parking for EV and CNG vehicles.
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.
- Use of electric (instead of diesel or gasoline-powered) yard trucks.
- Use of SmartWay 1.25 rated trucks.

4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.

It is important to note that in addition to the operational activity mitigation measures identified above, the proposed project would incorporate physical attributes and operational programs that will act to generally reduce operational-source pollutant emissions including GHG emissions. These project characteristics are identified in Section 4.3 (Climate Change and Greenhouse Gas Emissions) of this EIR.

Level of Significance after Mitigation. Even with implementation of the identified mitigation measure, it is not possible to quantify the reduction in the amount of ROG, NO_X, CO, and PM_{10} emissions that may occur with the operation of the proposed project. Despite implementation of mitigation measures, emissions of ROG, NO_X, CO, and PM_{10} would still exceed SCAQMD significance thresholds resulting in a significant and unavoidable operational air quality impact.

4.2.7 Cumulative Impacts

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

4.2.7.2 CO Hot Spot Impacts

As identified in Section 4.2.5.3, no significant CO hot spot impacts would occur. It is anticipated that CO emissions in the future will decrease with advances in technology. As previously identified, background concentrations in future years are anticipated to continue to decrease as the concerted effort to improve regional air quality progresses. Therefore, CO concentrations in the future years would generally be lower than existing conditions. Based on the analysis, because no CO hot spot

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impacts would occur, it is reasonable to assume that a less than significant cumulative CO impact would occur.

4.2.7.3 Long-Term Regional Air Quality Impacts

Previously identified Table 4.2.K indicates that the long-term operation of the project would contribute to long-term regional air pollutants despite implementation of mitigation measures. The Basin is in nonattainment for NO_X, PM_{10}, $PM_{2.5}$, and ozone at the present time; therefore, the operation of the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed project would unavoidably contribute to significant long-term cumulative air quality impacts.

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4.3 CLIMATE CHANGE AND GREENHOUSE GAS EMISSIONS

This section analyzes the proposed project's potential climate impacts based on the comprehensive *Greenhouse Gas Emissions and Global Climate Change Study* (LSA Associates, Inc. December 2011) contained in Appendix E to this EIR. This section provides a discussion of global climate change, existing regulations pertaining to global climate change, and an analysis of greenhouse gas (GHG) emissions associated with the proposed project. This analysis examines the short-term construction and long-term operational impacts and evaluates the effectiveness of measures incorporated as part of the project design.

4.3.1 Existing Setting

4.3.1.1 Global Climate Change

Global climate change is the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. The Earth's average near-surface atmospheric temperature rose 0.6 ± 0.2 degrees Celsius (°C) (1.1 ± 0.4 °F) in the 20th century. Climate change refers to any significant change in measures of climate such as temperature, precipitation, or wind, lasting for decades or longer (Environmental Protection Agency [EPA], 2007). Climate change may result from:

- Natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun;
- Natural processes within the climate system (e.g., changes in ocean circulation); and/or
- Human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and the land surface (e.g., deforestation, reforestation, urbanization, and desertification).

Human activities, such as fossil fuel combustion and land use changes release carbon dioxide (CO_2) and other compounds, cumulatively termed greenhouse gases (GHGs). GHGs are effective in trapping infrared radiation that otherwise would have escaped the atmosphere, thereby warming the atmosphere, the oceans, and earth's surface (EPA, 2007). The prevailing scientific opinion on climate change is that "most of the warming observed over the last 50 years is attributable to human activities."[1] The increased amounts of CO_2 and other GHGs are the primary causes of the human-induced component of warming.

GHGs are present in the atmosphere naturally, released by natural sources, or formed from secondary reactions taking place in the atmosphere. They include CO_2, methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). In the last 200 years, substantial quantities of GHGs have been released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, enhancing the natural greenhouse effect, which is believed to be causing global warming. While human-made GHGs include CO_2, CH_4, and N_2O, some (like chlorofluorocarbons [CFCs]) are completely new to the atmosphere.

Natural sources of CO_2 include the respiration (breathing) of humans and animals and evaporation from the oceans. Together, these natural sources release approximately 150 billion tonnes[2] of CO_2 each year, far outweighing the 7 billion tonnes of human-made emissions from fossil fuel burning, waste incineration, deforestation, and cement manufacture. Nevertheless, natural removal processes such as photosynthesis by land- and ocean-dwelling plant species cannot keep pace with this extra input of human-made CO_2, and consequently the gas is building up in the atmosphere.[3]

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1 Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2007: The Physical Science Basis*, http://www.ipcc.ch.

2 A tonne means a ton in the metric unit system; it is also called a metric ton. A tonne is 1,000 kilograms, or approximately 2,204 pounds.

3 Enviropedia, http://www.enviropedia.org.uk/Global_Warming/Emissions.php.

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Methane is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, termites, and oceans. Human-made sources include the mining and burning of fossil fuels; digestive processes in ruminant animals such as cattle; rice paddies; and the burying of waste in landfills. Total annual emissions of CH_4 are approximately 500 million tonnes, with human-made emissions accounting for the majority. As for CO_2, the major removal process of atmospheric CH_4—chemical breakdown in the atmosphere—cannot keep pace with source emissions, and CH_4 concentrations in the atmosphere are increasing.

Worldwide emissions of GHGs in 2008 were 30.1 billion metric tons of carbon dioxide equivalent (CO_2E).[1] It is important to note that the global emissions inventory data are not all from the same year and may vary depending on the source of the emissions inventory data.[2] Emissions from the top five countries and the European Union accounted for approximately 55 percent of the total global GHG emissions, according to the most recently available data. The United States was the number two producer of GHG emissions. The primary GHG emitted by human activities in the United States was CO_2, representing approximately 84 percent of total GHG emissions. CO_2 from fossil fuel combustion, the largest source of GHG emissions, accounted for approximately 80 percent of the GHG emissions.[3]

In 2009, the United States emitted approximately 6.6 billion metric tons of CO_2e or approximately 25 tons per year (tpy) per person. Of the six major sectors nationwide (electric power industry, transportation, industry, agriculture, commercial, residential) the electric power industry and transportation sectors combined account for approximately 62 percent of the GHG emissions; the majority of the electrical power industry and all of the transportation emissions are generated from direct fossil fuel combustion. Between 1990 and 2006, total United States GHG emissions rose approximately 14.7 percent.[4]

The California ARB is responsible for developing the California Greenhouse Gas Emission Inventory. This inventory estimates the amount of GHGs emitted to and removed from the atmosphere by human activities within the State of California and supports the Assembly Bill (AB) 32 Climate Change Program. The California ARB's current GHG emission inventory covers the years 1990-2008 and is based on fuel use, equipment activity, industrial processes, and other relevant data (e.g., housing, landfill activity, agricultural lands).

According to California ARB emission inventory estimates, California emitted approximately 478 million metric tons of CO_2e emissions in 2008.[5] The year 2008 saw a small decrease in statewide GHG emissions, driven by a noticeable drop in on-road transportation emissions. 2008 also reflects the beginning of the economic recession and fuel price spikes. As the economy recovers, GHG emissions are likely to rise again without other mitigation actions. California's gross emissions of GHG increased 4.3 percent from 458 million metric tons of CO_2e in 2000 to 477.7 million in 2008, with a maximum of 483.9 million in 2004.

During the same period, California's population grew by 11.8 percent from 34.1 to 38.1 million people, and GHG emissions per person decreased from 13.4 to 12.5 metric tons of CO_2e per person. The California ARB estimates that transportation was the source of approximately 36 percent of the State's GHG emissions in 2008, followed by electricity generation at 21 percent. Other sources of GHG emissions were industrial sources at 10 percent, residential and commercial activities at 9 percent, agriculture at 5 percent, and recycling and waste at 2 percent.

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1 United Nations, *The Millennium Development Goals Report 2011,* http://unstats.un.org/unsd/default.htm, accessed July 26, 2011.

2 US Environmental Protection Agency, "Inventory of US Greenhouse Gas Emissions and Sinks 1990–2006," http://www.epa.gov/climatechange/emissions/usinventoryreport.html, 2008.

3 Ibid.

4 U.S. Environmental Protection Agency (EPA). 2011. *Inventory of U.S. Greenhouse Gas Emissions And Sinks: 1990–2009*. http://www.epa.gov/climatechange/emissions/usinventoryreport.html. Accessed July 2011.

5 California ARB, Greenhouse Gas Inventory Data - 2000 to 2008. http:// www.arb.ca.gov/cc/inventory/data/data.htm. Accessed July 2011.

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The California ARB staff has projected statewide unregulated GHG emissions for the year 2020, which represent the emissions that would be expected to occur in the absence of any GHG reduction actions, will be 596 million metric tons (MMT) of CO_2e. GHG emissions from the transportation and electricity sectors as a whole are expected to increase, but remain at approximately 38 percent and 23 percent of total CO_2e emissions, respectively. The industrial sector consists of large stationary sources of GHG emissions and the percentage of the total 2020 emissions is projected to be 17 percent of total CO_2e emissions. The remaining sources of GHG emissions in 2020 are high global warming potential gases at 8 percent, residential and commercial activities at 8 percent, agriculture at 5 percent, and recycling and waste at 1 percent.

4.3.1.2 Effects of Global Climate Change

Effects from global climate change may arise from temperature increases, climate-sensitive diseases, extreme weather events, and air quality. There may be direct temperature effects through increases in average temperature leading to more extreme heat waves and less extreme cold spells. Those living in warmer climates are likely to experience more stress and heat-related problems. Heat-related problems include heat rash and heat stroke. In addition, climate-sensitive diseases may increase, such as those spread by mosquitoes and other disease-carrying insects. Such diseases include malaria, dengue fever, yellow fever, and encephalitis. Extreme events such as flooding and hurricanes can displace people and agriculture. Global warming may also contribute to air quality problems from increased frequency of smog and particulate air pollution. Table 4.3.A lists greenhouse gases, the effects of each greenhouse gas, and sources for each of the greenhouse gases.

Additionally, according to the 2006 California Climate Action Team (CAT) Report,[1] the following climate change effects, which are based on trends established by the United Nations Intergovernmental Panel on Climate Change (IPCC), can be expected in California over the course of the next century:

- A diminishing Sierra snowpack declining by 70 percent to 90 percent, threatening the State's water supply;
- Increasing temperatures from 8 to 10.4 degrees Fahrenheit under the higher emission scenarios, leading to a 25 percent to 35 percent increase in the number of days ozone pollution levels are exceeded in most urban areas;
- Increased vulnerability of forests due to forest fires, pest infestation, and increased temperatures;
- Increased electricity demand, particularly in the hot summer months; and
- Increased ground-level ozone formation due to higher reaction rates of ozone precursors.

4.3.1.3 Existing Greenhouse Gas Emissions

The project site is currently vacant, and therefore does not generate emissions.

[1] California Environmental Protection Agency, *Climate Action Team Report to Governor Schwarzenegger and the Legislature*, March 2006.

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Table 4.3.A: Greenhouse Gas Properties, Effects, and Sources

Constituent	Description and Physical Properties	Health Effects	Sources
Water Vapor	Water vapor (H_2O) is the most abundant, important, and variable greenhouse gas in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization.	There are no health effects from water vapor. When some pollutants come in contact with water vapor, they can dissolve and then the water vapor can be a transport mechanism to enter the human body.	The main source of water vapor is evaporation from the oceans (approximately 85%). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves.
Carbon Dioxide	Carbon dioxide (CO_2) is an odorless, colorless natural greenhouse gas.	Outdoor levels of carbon dioxide are not high enough to result in negative health effects.	Carbon dioxide is emitted from natural and anthropocentric (human) sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood.
Methane	Methane (CH_4) is an extremely effective absorber of radiation, though its atmospheric concentration is less than carbon dioxide and its lifetime in the atmosphere is brief (10–12 years) compared to other greenhouse gases.	There are no health effects from methane.	Methane has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other anthropocentric sources include fossil-fuel combustion and biomass burning.
Nitrous Oxide	Nitrous oxide (N_2O), also known as laughing gas, is a colorless greenhouse gas.	Nitrous oxide can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses it is harmless. In some cases, heavy and extended use can cause Olney's Lesions (brain damage).	Concentrations of nitrous oxide also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 ppb. Nitrous oxide is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant, e.g., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars.
Chloro-fluorocarbons	Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface).	In confirmed indoor locations, working with CFC-113 or other CFCs is thought to have resulted in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.	CFCs have no natural source, but were first synthesized in 1928. They were used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and was extremely successful, so much so that levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CECs will remain in the atmosphere for over 100 years.
Hydro-fluorocarbons	Hydrofluorocarbons (HFCs) are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the greenhouse gases, they are one of three groups with the highest global warming potential. Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant.	None.	HFCs are man made for applications such as automobile air conditioners and refrigerants.
Per-fluorocarbons	Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6).	None.	The two main sources of PFCs are primary aluminum production and semiconductor manufacture.
Sulfur Hexafluoride	Sulfur hexafluoride (SF_6) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated, 23,900. Concentrations in the 1990's were about 4 ppt.	In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.	Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.
Aerosols	Aerosols are particles emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light. Cloud formation can also be affected by aerosols.	Similar health effects associated with particulate matter.	Sulfate aerosols are emitted when fuel containing sulfur is burned. Another source of aerosols (in the form of black carbon or soot) is the result of incomplete combustion or the incomplete burning of fossil fuels. Although particulate matter regulation has been lowering aerosol concentrations in the United States, global concentrations are likely increasing as a result of other sources around the world.

Source: LSA Associates, August 2011

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4.3.2 Regulatory Setting

4.3.2.1 Federal Regulations/Standards

Energy Policy and Conservation Act. The Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the U.S. would meet certain fuel economy goals. Through this Act, Congress established the first fuel economy standards for on-road motor vehicles in the U.S. Pursuant to the Act, the National Highway Traffic and Safety Administration (NHTSA), which is part of the U.S. Department of Transportation (USDOT), is responsible for establishing additional vehicle standards and for revising existing standards. Since 1990, the fuel economy standard for new passenger cars has been 27.5 miles per gallon (mpg). Since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 mpg. The Corporate Average Fuel Economy (CAFE) program, administered by the Environmental Protection Agency (EPA), was created to determine vehicle manufacturers' compliance with the fuel economy standards. The EPA calculates a CAFE value for each manufacturer based on city and highway fuel economy test results and vehicle sales. Based on the information generated under the CAFE program, the USDOT is authorized to assess penalties for noncompliance.

Energy Policy Act of 1992. The Energy Policy Act (EPAct) of 1992 was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct requires certain Federal, State, and local governments and private fleets to purchase a percentage of light-duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are also included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

Energy Policy Act of 2005. The Energy Policy Act of 2005 includes provisions for renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a Federal purchaser requirement for renewable energy.

Federal Regulation of Climate Change. Climate change and GHG reduction are also concerns at the Federal level; however, at this time, no Federal legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. California, in conjunction with several environmental organizations and several other states, sued to force the EPA to regulate GHG as a pollutant under the Clean Air Act (*Massachusetts vs. Environmental Protection Agency et al.*, 549 U.S. 497 (2007). The court ruled that GHG does fit within the Clean Air Act's definition of a pollutant, and that the EPA does have the authority to regulate GHG. Despite the Supreme Court ruling, there are no promulgated Federal regulations to date limiting GHG emissions.

On December 7, 2009, the EPA Administrator signed two distinct findings regarding greenhouse gases under Section 202(a) of the Clean Air Act:

- *Endangerment Finding:* The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases—carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6)—in the atmosphere threaten the public health and welfare of current and future generations.
- *Cause or Contribute Finding:* The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

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These findings do not themselves impose any requirements on industry or other entities. However, this action is a prerequisite to finalizing the EPA's proposed greenhouse gas emission standards for light-duty vehicles, which were jointly proposed by EPA and the Department of Transportation's National Highway Safety Administration on September 15, 2009.[1]

4.3.2.2 State Regulations/Standards

California Code of Regulations Title 24, Part 6. Enacted in 1978, this part of the California Code established energy efficiency standards for residential and nonresidential buildings in response to a legislative mandate to reduce California's energy consumption. These standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The most recent standards were adopted and went into effect January 1, 2010.[2] Such standards include the provision of cool roofs, demand control ventilation, skylights for day-lighting in buildings, thermal breaks for metal building roofs, and lighting power limits. These standards are expected to reduce the growth in electricity use of residential and non-residential buildings. Continual updates to Title 24 along with the State's implementation of AB 1493 and SB 1368 will have a major impact on the State's attainment of the AB 32 goals.

California Code of Regulations Title 24, Part 11. This part of the California Code is known as the California Green Building Standards Code (CALGreen Code) and was enacted to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts with positive environmental impacts and through encouragement of sustainable construction practices. The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). This update to Part 11 of Title 24 of the California Code of Regulations was effective January 1, 2011.

California Code of Regulations Titles 14 and 27. These parts of the California Code require energy efficient practices as part of solid and hazardous waste handling and disposal.

Assembly Bill 4420 (AB 4420). The State of California has been studying the impacts of climate change since 1988, when AB 4420 was approved. This legislation directed the California Energy Commission (CEC), in consultation with the CARB and other agencies, to study the implications of global warming on California's environment, economy, and water supply. The CEC was also directed to prepare and maintain the State's inventory of GHG emissions.

Assembly Bill 1493 (AB 1493). In 2002, Governor Grey Davis signed AB 1493 which required the CARB to develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty truck and other vehicles determined by the CARB to be vehicles whose primary use is noncommercial personal transportation in the State."

Executive Order S-3-05. Executive Order S-3-05 was signed by Governor Schwarzenegger in 2005 proclaiming California is vulnerable to the impacts of climate change. It states that increased temperatures could reduce the Sierra Nevada's snowpack, worsen California's air quality problems, and potentially cause a rise in sea levels. The Executive Order establishes total GHG emission

[1] http://www.epa.gov/climatechange/endangerment.html.
[2] *Nonresidential Compliance Manual for California's 2008 Energy Efficiency Standards*, California Energy Commission, effective January 1, 2010, http://www.energy.ca.gov/title24/2008standards/index.html, website accessed on March 4, 2010.

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targets including emissions reductions to the 2000 level by 2010, and the 1990 level by 2020, and to 80 percent below the 1990 level by 2050.

Assembly Bill 32 (AB 32). In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 directs the CARB to implement regulations for a cap on sources or categories of sources of GHG emissions. The bill requires that the CARB develop regulations to reduce emissions with an enforcement mechanism to ensure that the reductions are achieved, and to disclose how it arrives at the cap. It also includes conditions to ensure businesses and consumers are not unfairly affected by reductions.

AB 32 requires the CARB to:

- Adopt a list of discrete early action measures by July 1, 2007, that can be implemented before January 1, 2010;
- Establish a statewide GHG emissions cap for 2020 based on 1990 emissions and adopt mandatory reporting rules for significant sources of GHG by January 1, 2008;
- Indicate how emission reductions will be achieved from significant GHG sources via regulations, market mechanisms and other actions by January 1, 2009; and
- Adopt regulations by January 1, 2011, to achieve the maximum technologically feasible and cost-effective reductions in GHG, including provisions for using both market mechanisms and alternative compliance mechanisms.

AB 32 codifies Executive Order S-3-05's[1] year 2020 goal by requiring that statewide GHG emissions be reduced to 1990 levels by the year 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be implemented no later than January 1, 2012. To effectively implement the cap, AB 32 directs the CARB to develop appropriate regulations and establish a mandatory reporting system to track and monitor global warming emissions levels.

Senate Bill 1368 (SB 1368). In September 2006, Governor Arnold Schwarzenegger signed Senate Bill 1368, which calls for the adoption of a GHG performance standard for in-State and imported electricity generators to mitigate climate change. On January 25, 2007, the California Public Utilities Commission adopted an interim GHG emission s performance standard. This standard is a facility-based emissions standard requiring all new long-term commitments for baseload generation to serve California consumers with power plants that have emissions no greater than a combined cycle gas turbine plant. The established level is 1,100 pounds of CO_2 per megawatt-hour.

Executive Order S-01-07. Executive Order S-01-07 was signed by Governor Schwarzenegger on January 18, 2007 mandating a statewide goal to reduce the carbon intensity of California's transportation fuel by at least ten percent by 2020. The order also requires that a California specific Low Carbon Fuel Standard be established for transportation fuels.

Senate Bill 97 (SB 97). Senate Bill 97 was approved on August 25, 2007, to address GHG analysis under CEQA. This legislation mandates that the Office of Planning and Research (OPR) prepare and submit guidelines to the California Resource Agency (CRA) for the mitigation of GHG emissions and their effects by July 1, 2009, and their adoption by January 1, 2010. This legislation does not provide for any guidance for non-exempted projects in the interim period between the passage of SB 97 and the adoption of guidelines by the OPR.

[1] Executive Order S-3-05 establishes greenhouse gas emission reduction targets for California.

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As directed by SB 97, the Natural Resources Agency adopted Amendments to the CEQA Guidelines for greenhouse gas emissions on December 30, 2009. On February 16, 2010, the Office of Administrative Law approved the Amendments, and filed them with the Secretary of State for inclusion in the California Code of Regulations. The Amendments became effective on March 18, 2010. Proposed changes to the guidelines included new questions in Appendix G regarding Greenhouse Gas Emissions and major changes to the Transportation/Traffic checklist questions (Appendix A-3, CEQA Guidelines changes).

Senate Bill 375. SB 375 was signed into law on October 1, 2008. SB 375 provides emissions-reduction goals around which regions can plan, integrating disjointed planning activities, and provides incentives for local governments and developers to follow new conscientiously planned growth patterns.

Senate Bill 1078 (SB 1078), Senate Bill 107 (SB 107), Executive Order S-14-08, and Senate Bill X1-2 (SB X1-2). Established in 2002 SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. Established in 2006, SB 107 (Chapter 464, Statutes of 2006) accelerated this requirement to the year 2010. In November 2008 Governor Schwarzenegger signed Executive Order S-14-08, which expanded the State's renewable energy standard from 20 percent to 33 percent by the year 2020. In an effort to codify the 33 percent by 2020 goal, SB X1-2 was signed by Governor Edmund G. Brown Jr. in April 2011 preempting the California Air Resources Boards' 33 percent Renewable Electricity Standard which applies to all electricity retailers in the State including publicly owned utilities (POUs), investor-owned utilities, electricity service providers, and community choice aggregators. All of these entities must adopt the new goals of 20 percent of retails sales from renewables by the end of 2013, 25 percent by the end of 2016, and the 33 percent requirement being met by the end of 2020.

4.3.2.3 Regional Regulations

As stated above, SB 375 took effect in 2009 and required regional municipal planning organizations to develop regional land use plans that demonstrate how the regions will achieve compliance with the GHG reduction goals of AB 32. Cities located within these regions are then required, in turn, to update their General Plans in accordance with the regional plans. Non-compliance with SB 375 will result in transportation funds being withheld from the regional and/or local agency. To date, the regional municipal planning organization for Riverside County (the Western Riverside Council of Governments, or WRCOG) has not adopted a regional plan that is in compliance with SB 375.

4.3.2.4 City of Moreno Valley General Plan Policies

Although the City of Moreno Valley General Plan does not include any specific GHG or climate change policies or goals, a number of the goals, objectives, policies, and programs identified in the air quality (Chapter 6 – Safety) and energy (Chapter 7 – Conservation) elements will result in an indirect reduction in GHG emissions through reductions in vehicle trips, vehicle miles traveled, and energy use. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Air Quality Chapter:

Objective 6.6: Promote land use patterns that reduce daily automotive trips and reduce trip distance for work, shopping, school, and recreation.

> **Policy 6.6.1:** Provide sites for new neighborhood commercial facilities within close proximity to the residential areas they serve.

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Policy 6.6.2: Provide multi-family residential development sites in close proximity to neighborhood commercial centers in order to encourage pedestrian instead of vehicular travel.

Policy 6.6.3: Locate neighborhood parks in close proximity to the appropriate concentration of residents in order to encourage pedestrian and bicycle travel to local recreation areas.

Objective 6.7: Reduce mobile and stationary source air pollution emissions.

Policy 6.7.1: Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.

Policy 6.7.2: Encourage the financing and construction of park-and-ride facilities.

Policy 6.7.3: Encourage express transit service from Moreno Valley to the greater metropolitan areas of Riverside, San Bernardino, Orange, and Los Angeles Counties.

Policy 6.7.4: Locate heavy industrial and extraction facilities away from residential areas and sensitive receptors.

Policy 6.7.5: Require grading activities to comply with the South Coast Air Quality Management District's (SCAQMD) Rule 403 regarding the control of fugitive dust.

Policy 6.7.6: Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.

Conservation Chapter

Energy Objective 7.5: Encourage efficient use of energy resources.

Policy 7.5.1: Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand.

Policy 7.5.2: Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles.

Policy 7.5.3: Locate areas planned for commercial, industrial and multiple family density residential development within areas of high transit potential and access.

Policy 7.5.4: Encourage efficient energy usage in all city public buildings.

Policy 7.5.5: Encourage the use of solar power and other renewable energy systems.

4.3.3 Methodology

Bearing in mind that CEQA does not require "perfection" but instead "adequacy, completeness, and a good faith effort at full disclosure," the analysis is based on methodologies and information available at the time this EIR was prepared. Estimation of GHG emissions in the future does not account for changes in technology that may reduce such emissions; therefore, the estimates are based on past performance and represent a scenario that is worse than that which is likely to be encountered. Additionally, as explained in greater detail below, many uncertainties exist regarding the precise relationship between specific levels of GHG emissions and the ultimate impact on global climate. Significant uncertainties also exist regarding the reduction potential of mitigation strategies. Thus,

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while information is presented below to assist the public and the City's decision-makers in understanding the project's potential contribution to global climate change impacts, the information available to the City is not sufficiently detailed to allow a direct comparison between particular project characteristics and particular climate change impacts, nor between any particular proposed mitigation measure and any reduction in climate change impacts.

The recommended approach for GHG analysis included in the State of California Office of Planning and Research's (OPR's) June 2008 release is to: (1) identify and quantify GHG emissions, (2) assess the significance of the impact on climate change, and (3) if significant, identify alternatives and/ or mitigation measures to reduce the impact below a level of significance.[1] Neither the CEQA statute nor Guidelines prescribe quantitative thresholds of significance or a particular methodology for performing an impact analysis; as with most environmental topics, significance criteria are left to the judgment and discretion of the lead agency.

The June 2008 OPR guidance provides some additional direction regarding planning documents as follows: "CEQA can be a more effective tool for GHG emissions analysis and mitigation if it is supported and supplemented by sound development policies and practices that will reduce GHG emissions on a broad planning scale and that can provide the basis for a programmatic approach to project-specific CEQA analysis and mitigation. For local government lead agencies, adoption of general plan policies and certification of general plan EIRs that analyze broad jurisdiction-wide impacts of GHG emissions can be part of an effective strategy for addressing cumulative impacts and for streamlining later project-specific CEQA reviews."

Pursuant to SB 97, the OPR is in the process of developing guidelines for analysis of the effects of GHG emissions. As part of this process, the OPR has asked CARB technical staff to recommend Statewide interim thresholds of significance for GHGs. The CARB released a preliminary draft staff proposal in October 2008 that included initial suggestions for significance criteria related to industrial, commercial, and residential projects.

In March 2010, *CEQA Guidelines* amendments were adopted and include the following direction regarding determination of significant impacts from GHG emissions (Section 15064.4):

(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in Section 15064. A lead agency should make a good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

   (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; or

   (2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency may consider the following when assessing the significance of impacts from greenhouse gas emissions on the environment:

   (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.

   (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

[1] State of California, 2008. Governor's Office of Planning and Research. *CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review*. June 19.

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(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

CEQA Guidelines Section 15064(b) provides that the "determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, states that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting."

On February 3, 2011 the SCAQMD released the California Emissions Estimator Model (CalEEMod) Emissions Inventory Model. The purpose of this new model is to more accurately calculate air quality and GHG emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. The latest version of CalEEMod was utilized to calculate GHG emissions from the following source categories: construction, area, energy, mobile, waste, and water.

In addition, on September 28, 2010, the SCAQMD proposed the following draft-tiered interim GHG significance threshold for development projects:

Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA. If the project qualifies for an exemption, no further action is required. If the project does not qualify for an exemption, then it would move to the next tier.

Tier 2 consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing consistency determination requirements in CEQA Guidelines Sections 15064(h)(3), 15125(d), or 15152(a). The GHG reduction plan must, at a minimum, comply with AB 32 GHG reduction goals; include an emissions inventory agreed upon by either ARB or the SCAQMD, have been analyzed under CEQA and have a certified Final CEQA document, and have monitoring and enforcement components. If the proposed project is consistent with the qualifying local GHG reduction plan, it is not significant for GHG emissions. If the project is not consistent with a local GHG reduction plan, there is no approved plan, or the GHG reduction plan does not include all of the components described above, the project would move to Tier 3.

Tier 3 establishes a screening significance threshold level to determine significance using a 90 percent GHG emission capture rate. The 90 percent capture rate GHG significance screening level in Tier 3 for stationary sources was derived using the following methodology. Using the SCAQMD's Annual Emission Reporting (AER) Program, the reported annual natural gas consumption for 1,297 permitted facilities for 2006 through 2007 was compiled and the facilities were rank-ordered to estimate the 90 th percentile of the cumulative natural gas usage for all permitted facilities. Approximately 10 percent of facilities evaluated comprise more than 90 percent of the total natural gas consumption, which corresponds to 10,000 metric tons of CO_2 equivalent emissions per year ($MTCO_2e/yr$) (the majority of combustion emissions comprise CO_2). SCAQMD suggested the following GHG screening thresholds: Industrial (when SCAQMD is the Lead Agency): 10,000 tpy CO_2e; Residential: 3,500 tpy CO_2e; Commercial: 1,400 tpy CO_2e; Mixed-use: 3,000 tpy CO_2e. If a project's GHG emissions exceed the GHG screening threshold, the project would move to Tier 4.

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Tier 4 establishes a decision tree approach that includes compliance options for projects that have incorporated design features into the project and/or implement GHG mitigation measures. For 2020, the Efficiency Target (2020 Targets) are as follows:

- 4.8 mt CO_2e per SP for project level threshold (land use emissions only) and total residual emissions not to exceed 25,000 million tons per year (mty) CO_2e
- 6.6 mt CO_2e per SP for plan level threshold (all sectors)

For 2035, the Efficiency Target (2035 Targets) are as follows:

- 3.0 mt CO_2e per SP for project level threshold
- 4.1 mt CO_2e per SP for plan level threshold

If a project fails to meet any of these emissions efficiency targets, the project would move to Tier 5.

Tier 5 would require projects that implement off-site GHG mitigation that includes purchasing offsets to reduce GHG emission impacts to purchase sufficient offsets for the life of the project (30 years) to reduce GHG emissions to less than the applicable GHG screening threshold level.

This analysis analyzes whether the project's GHG emissions should be considered cumulatively significant based on the following:

- Hinder attainment of the State's goals of reducing GHG emissions to 1990 levels by 2020, as stated in the Global Warming Solutions Act of 2006. A project may be considered to help attainment of the State's goals by being consistent with an adopted State wide 2020 GHG emissions limit or the plans, programs, and regulations adopted to implement the Global Warming Solutions Act of 2006.
- Fail to achieve increased energy efficiency or reduce overall GHG emissions from an existing facility.
- Significantly increase the consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.

The analysis uses compliance with AB 32, considered a "previously approved mitigation program," as set forth in the CEQA Guidelines §15064(h)(3), to determine if the project's incremental contribution of GHGs is a cumulatively considerable contribution to global climate change. The OPR's proposed draft amendment to Section 15064.7 of the CEQA Guidelines reinforces the use of this approach. CEQA Guideline Section 15064(h)(3) states three main conditions that a plan must meet to be sufficient for use as a basis for determining significance of GHG emissions. The plan must:

1. Be "a previously approved plan or mitigation program";
2. Provide "specific requirements that will avoid or substantially lessen the cumulative problem"; and
3. Be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.

AB 32 meets conditions one and three provided above. Accordingly, in addition to determining whether the project's GHG emissions exceed the SCAQMD's interim industrial section stationary source threshold, to determine the significance of the project GHG emission impact on climate change, consistency or inconsistency with the reduction targets in AB 32 is also evaluated. To do so, project features that implement specific reduction measures identified in the rules and regulations that implement AB 32 were evaluated.

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4.3.4 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, climate change/greenhouse gas emissions impacts would occur if the proposed project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
- Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Global climate change may result in significant adverse effects to the environment that will be experienced worldwide, with some specific effects observed in California. AB 32 requires statewide GHG emissions reductions to 1990 levels by 2020. Although these statewide reductions are now mandated by law, no generally applicable GHG emission threshold has yet been established.

State CEQA Guidelines Section 15064(b) provides that "…the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, that an "iron clad definition of significant effect is not always possible because the significance of an activity may vary with the setting." The *State CEQA Guidelines* further indicate that even when thresholds are established, they may include "identifiable quantitative, qualitative or performance level of a particular environmental effect" (*State CEQA Guidelines*, Section 15064.7).

Some policymakers and regulators suggest that a zero emissions threshold would be appropriate when evaluating GHGs and their potential effect on climate change. Such a rule appears inconsistent with the State's approach to mitigation of climate change impacts. AB 32 does not prohibit all new GHG emissions; rather, it requires a reduction in Statewide emissions to a given level. Thus, AB 32 recognizes that GHG emissions will continue to occur; increases will result from certain activities, but reductions must occur elsewhere.

Individual projects incrementally contribute toward the potential for global climate change on a cumulative basis in concert with all other past, present, and probable future projects. While individual projects are unlikely to measurably affect global climate change, each of these projects incrementally contributes toward the potential for global climate change on a cumulative basis, in concert with all other past, present, and probable future projects. This analysis analyzes whether the project's emissions should be considered cumulatively significant.

In order to evaluate the significance of a proposed project's environmental impacts related to GHG emissions, it is necessary to identify quantitative or qualitative thresholds which, if exceeded, would constitute a finding of significance. As previously described, while project-related GHG emissions can be estimated the direct impact of such emissions on climate change and global warming cannot be determined on the basis of available science. There is no evidence at this time that the proposed project would directly affect global climate change. SCAQMD has adopted a quantitative GHG emission significance threshold to assess direct impacts from industrial projects where SCAQMD is the lead agency. SCAQMD and other air quality agencies agree that GHG and climate change should be assessed as a potentially significant cumulative impact rather than a project-specific impact. SCAQMD is considering the adoption of a numeric plan-level efficiency target of 6.6 $MTCO_2E$ per service population.

Currently, there is no adopted threshold of significance for determining the cumulative significance of a project's GHG emissions on global climate change. In the most recent IPCC Assessment Report (IPCC 2007b, Synthesis Report), the IPCC acknowledges that man-made warming and sea level rise would continue for centuries due to the time scales associated with climate processes and feedback even if GHG concentration were to be stabilized. The IPCC further found that both past and future man-made CO_2 emissions will continue to contribute to warming and sea level rise for more than a

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millennium, due to the time scales required for the removal of CO_2 from the atmosphere. Furthermore, the IPCC assessment noted that the definition of what is a dangerous man-made interference with the climate system and, consequently, the limits to be set for policy purposes are complex tasks that can only be partially based on science, as such definitions inherently involve normative judgments (IPCC 2007b – Working Group III).

Based on the information presented above, for the purpose of this analysis implementation of the proposed project may have a significant adverse impact on GHG emissions if it would result in any of the following:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment based on any applicable threshold of significance.
- Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

4.3.5 Less than Significant Impacts

The following impacts were determined to be less than significant. For each of the following issues either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards and policies would reduce potential impacts to a less than significant level.

4.3.5.1 Greenhouse Gas Plan, Policy, Regulation Consistency

Threshold	Would the proposed project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

The CAT and the CARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "Report to Governor Schwarzenegger and the Legislature," the CARB's 2007 "Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California," and the CARB's "Climate Change Proposed Scoping Plan: a Framework for Change."

The reports identify strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05 and AB 32 (i.e., 29 percent below existing "business as usual" emissions) that are applicable to proposed project. Table 4.3.B presents the applicable Recommended Actions (qualitative measures) identified to date by CARB in its Climate Change Proposed Scoping Plan and whether or not the proposed project is consistent with the applicable Recommended Actions.

Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
T-1	Transportation	Pavley I and II – Light-Duty Vehicle GHG Standards	Yes No	
T-2	Transportation	Low Carbon Fuel Standard (Discrete Early Action)	Yes No	
T-3	Transportation	Regional Transportation-Related GHG Targets	Yes No	
T-4	Transportation	Vehicle Efficiency Measures	Yes	No
T-5	Transportation	Ship Electrification at Ports (Discrete Early Action)	No No	

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Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
T-6	Transportation	Goods-movement Efficiency Measures	No	No
T-7	Transportation	Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure – Aerodynamic Efficiency (Discrete Early Action)	No	No
T-8	Transportation	Medium and Heavy-Duty Vehicle Hybridization	No	No
T-9	Transportation	High Speed Rail	No	No
E-1	Electricity and Natural Gas	Increased Utility Energy Efficiency Programs. More Stringent Building and Appliance Standards	Yes	No
E-2	Electricity and Natural Gas	Increased Combined Heat and Power Use by 30,000 GWh	No	No
E-3	Electricity and Natural Gas	Renewable Portfolio Standard	No	No
E-4	Electricity and Natural Gas	Million Solar Roofs	No	No
CR-1	Electricity and Natural Gas	Energy Efficiency	No	No
CR-2	Electricity and Natural Gas	Solar Water Heating	No	No
GB-1	Green Buildings	Green Buildings	Yes	No
W-1	Water	Water Use Efficiency	Yes	No
W-2	Water	Water Recycling	No	No
W-3	Water	Water System Energy Efficiency	No	No
W-4	Water	Reuse Urban Runoff	No	No
W-5	Water	Increase Renewable Energy Production	No	No
W-6	Water	Public Goods Charge (Water)	No	No
I-1	Industry	Energy Efficiency and Co=Benefits Audits for Large Industrial Sources	No	No
I-2	Industry	Oil and Gas Extraction GHG Emission Reduction	No	No
I-3	Industry	GHG Leak Reduction from Oil and Gas Transmission	No	No
I-4	Industry	Refinery Flare Recovery Process Improvements	No	No
I-5	Industry	Removal of Methane Exemption from Existing Refinery Regulations	No	No
RW-1	Recycling and Waste Management	Landfill Methane Control (Discrete Early Action)	No	No
RW-2	Recycling and Waste Management	Additional Reduction in Landfill Methane – Capture Improvements	No	No

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Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
RW-3	Recycling and Waste Management	High Recycling/Zero Waste	No No	
F-1	Forestry	Sustainable Forest Target	No	No
H-1	High Global Warming Potential Gases	Motor Vehicle Air Conditioning Systems (Discrete Early Action)	No	No
H-2	High Global Warming Potential Gases	SF_6 Limits in Non-Utility and Non-Semiconductor Manufacturing (Discrete Early Action)	No No	
H-3	High Global Warming Potential Gases	Reduction in Perfluorocarbons in Semiconductor Manufacturing (Discrete Early Action)	No No	
H-4	High Global Warming Potential Gases	Limit High GWP Use in Consumer Products (Discrete Early Action, Adopted June 2008)	No No	
H-5	High Global Warming Potential Gases	High GWP Reduction from Mobile Sources No		No
H-6	High Global Warming Potential Gases	High GWP Reductions from Stationary Sources	No	No
H-7	High Global Warming Potential Gases	Mitigation Fee on High GWP Gases	No No	
A-1	Agriculture	Methane Capture at Large Dairies	No	No

Source: LSA Associates, Inc., December 2011.

As identified in Table 4.3.B, of the 39 Recommended Actions, the applicable Recommended Actions are those that are within the Transportation, Electricity and Natural Gas, Green Buildings, and Water sectors.

Applicable Recommended Actions in the Transportation sector include Actions T-1 through T-4. Action T-1 involves improvements to light-duty vehicle technology for the purposes of reducing GHG emissions through focusing on legislating improved controls for vehicle manufacturers. This Action would not generally be considered applicable to the proposed project; however, vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action. Action T-2 involves implementation of a low carbon fuel standard. In order to reduce the carbon intensity of transportation fuels, CARB is developing a Low Carbon Fuel Standard (LCFS), which would reduce the carbon intensity of California's transportation fuels by at least ten percent by 2020 as called for by Governor Schwarzenegger in Executive Order S-01-07. While implementation of this standard is not within the purview of a development project, a land use such as that proposed under the proposed project would be a substantial consumer of fuels for its vehicle fleet. Vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action.

Action T-3 addresses regional transportation targets for reducing GHG emissions. The intent of the proposed project is to reduce vehicle miles travelled within the region by reducing trip lengths and providing a sustainable community. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial

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uses and would encourage a reduction of vehicle miles traveled within the City. Action T-4 concerns vehicle efficiency measures such as the promotion of sustainable tire practices. CARB is pursuing a regulation to ensure that tires are properly inflated when vehicles are serviced. In addition, the California Energy Commission in consultation with the California Integrated Waste Management Board is developing an efficient tire program focusing first on data gathering and outreach, then on potential adoption of minimum fuel-efficient tire standards, and on the development of consumer information requirements for replacing tires. While implementation of this standard is not within the purview of a development project, a land use such as that proposed under the proposed project would be a contributor of vehicle miles travelled. Vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action.

Applicable Recommended Actions in the Energy and Natural Gas sector includes Action E-1. Action E-1, together with Action GB-1 (Green Building), aims to reduce electricity demand by increased efficiency of Utility Energy Programs and adoption of more stringent building and appliance standards. Elements of this action include encouraging construction of zero net energy (ZNE) buildings and implementation of passive solar design. In addition to employing on-site electricity generation, a ZNE building must either replace natural gas with renewable energy for space and water heating, or compensate for natural gas use by generating surplus electricity for sale on the State's electricity grid. The proposed project is required to comply with the 2008 Title 24 Energy Efficiency Standards and applicable Green Building Standards; therefore, the proposed project would not conflict with these Actions.

Applicable Recommended Actions in the Water sector includes Action W-1. Action W-1, Water Use Efficiency, involves the reduction in the energy consumption used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. The proposed project would install water-efficient fixtures and appliances and would not conflict with this Action.

GHG emissions reduction strategies were also set forth in the 2006 Climate Action Team (CAT) Report, and the strategies included in the CAT Report that apply to the project are contained in Table 4.3.C, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. The strategies listed in Table 4.3.C are addressed as either part of the project, required mitigation measures, or requirements under local or State ordinances.

Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
Mandatory Code	
California Green Building Code. The Cal Green Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG emissions from the Business as Usual Scenario (California Building Code). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.	**Compliant.** The project would be required to adhere to the nonresidential mandatory measures as required by the Cal Green Code.
Energy Efficiency Measures	
Energy Efficiency. Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned	**Compliant with Mitigation Incorporated.** The proposed project will comply with the updated Title 24 standards, including the new 2010 California Building Code (CBC), for building construction if any building interior improvements are required. In addition, the project would be required to comply with the requirements of Minimization Measure GCC-1,

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Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
utilities).	identified later, including measures to incorporate energy efficient building design features.
Renewables Portfolio Standard. Achieve a 33 percent renewable energy mix statewide.	
Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	
Water Conservation and Efficiency Measures	
Water Use Efficiency. Continue efficiency programs and use cleaner energy sources to move and treat water. Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	**Compliant with Mitigation Incorporated.** The project would be required to comply with the requirements of Minimization Measure GCC-1, identified later, including measures to increase water use efficiency.
Solid Waste Reduction Measures	
Increase Waste Diversion, Composting, and Commercial Recycling, and Move Toward Zero-Waste. Increase waste diversion from landfills beyond the 50 percent mandate to provide for additional recovery of recyclable materials. Composting and commercial recycling could have substantial GHG reduction benefits. In the long term, zero waste policies that would require manufacturers to design products to be fully recyclable may be necessary.	**Compliant with Mitigation Incorporated.** Data available from the California Integrated Waste Management Board (CIWMB) indicates that the City of Moreno Valley has not achieved the 50 percent diversion rate. The proposed project would be required to comply with Mitigation Measure **4.3.6.1B**, identified later, including measures to increase solid waste diversion and recycling.
Transportation and Motor Vehicle Measures	
Vehicle Climate Change Standards. AB 1493 (Pavley) required the State to develop and adopt regulations that achieve the maximum feasible and cost effective reduction of GHG emissions from passenger vehicles and light-duty trucks. Regulations were adopted by the ARB in September 2004.	**Compliant.** The project does not involve the manufacture of vehicles. However, vehicles that are purchased and used within the project site would comply with any vehicle and fuel standards that the ARB adopts.
Light-Duty Vehicle Efficiency Measures. Implement additional measures that could reduce light-duty GHG emissions. For example, measures to ensure that tires are properly inflated can both reduce GHG emissions and improve fuel efficiency.	
Adopt Heavy- and Medium-Duty Fuel and Engine Efficiency Measures. Regulations to require retrofits to improve the fuel efficiency of heavy-duty trucks that could include devices that reduce aerodynamic drag and rolling resistance. This measure could also include hybridization of and increased engine efficiency of vehicles.	
Low Carbon Fuel Standard. ARB identified this measure as a Discrete Early Action Measure. This measure would reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020.	
Regional Transportation-Related Greenhouse Gas Targets. Develop regional GHG emissions reduction targets for passenger vehicles. Local governments will play a significant role in the regional planning process to reach passenger vehicle GHG emissions reduction	**Compliant.** Specific regional emission targets for transportation emissions do not directly apply to this project; regional GHG reduction target development is outside the scope of this project. The project will comply with any plans developed by the City.

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Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
targets. Local governments have the ability to directly influence both the siting and design of new residential and commercial developments in a way that reduces GHGs associated with vehicle travel.	
Measures to Reduce High Global Warming Potential (GWP) Gases. ARB has identified Discrete Early Action measures to reduce GHG emissions from the refrigerants used in car air conditioners, semiconductor manufacturing, and consumer products. ARB has also identified potential reduction opportunities for future commercial and industrial refrigeration, changing the refrigerants used in auto air conditioning systems, and ensuring that existing car air conditioning systems do not leak.	**Compliant.** New products used or serviced on the project site (after implementation of the reduction of GHG gases) would comply with future ARB rules and regulations.

Source: LSA Associates, Inc., December 2011.
AB = Assembly Bill
ARB = California Air Resources Board
GHG = greenhouse gas

As previously identified, implementation of the proposed project could result in the development an approximately 1,616,133 square foot distribution warehouse. The proposed project includes a variety of physical attributes and operational programs that would generally contribute to a reduction in operational-source pollutant emissions including GHG emissions. As identified in Table 4.3.C, future development that would occur under the proposed project would be consistent with greenhouse gas emission reduction strategies and policies. The project would implement appropriate GHG reduction strategies and would ensure that it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. In addition, the project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the project. Therefore, the proposed project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions. Impacts are considered less than significant.

4.3.6 Significant Impacts

The following impact was determined to be potentially significant and mitigation measures have been recommended to reduce the significance of the identified impact.

4.3.6.1 Greenhouse Gas Emissions

Impact 4.3.6.1: *Implementation of the proposed project may have the potential to emit GHG emissions in excess of interim thresholds.*

Threshold	Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Future development that could occur within the proposed project site could generate GHG emissions during construction and operation activities. It is anticipated that the majority of energy consumption (and associated generation of GHG emissions) would occur during the project's operation (as opposed to its construction). Typically, more than 80 percent of the total energy consumption takes place during the use of buildings and less than 20 percent is consumed during construction.[1] As of

[1] United Nations Environment Programme (UNEP), 2007. *Buildings and Climate Change: Status, Challenges and Opportunities*, Paris, France.

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yet, there is no study that quantitatively assesses all of the GHG emissions associated with each phase of the construction and use of an individual development.

The following activities are associated with the proposed project and could directly or indirectly contribute to the generation of GHG emissions:

- **Removal of Vegetation:** The net removal of vegetation for construction results in a loss of the carbon sequestration in plants. However, planting of additional vegetation would result in additional carbon sequestration and would lower the carbon footprint of the project.
- **Construction Activities:** During construction of the project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment.
- **Gas, Electric, and Water Use:** Natural gas use results in the emissions of two GHGs: CH_4 (the major component of natural gas) and CO_2 from the combustion of natural gas. Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California's water conveyance system is energy-intensive. Preliminary estimates indicate that the total energy used to pump and treat this water exceeds 6.5 percent of the total electricity used in the State per year.[1]
- **Solid Waste Disposal:** Solid waste generated by the project could contribute to GHG emissions in a variety of ways. Landfilling and other methods of disposal use energy for transporting and managing the waste, and they produce additional GHGs to varying degrees. Landfilling, the most common waste management practice, results in the release of CH_4 from the anaerobic decomposition of organic materials. CH_4 is 25 times more potent than CO_2. However, landfill CH_4 can also be a source of energy. In addition, many materials in landfills do not decompose fully, and the carbon that remains is sequestered in the landfill and not released into the atmosphere.
- **Motor Vehicle Use:** Transportation associated with the proposed project would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips.

The proposed project was analyzed for the potential construction of the project's proposed land uses, water, sewer, and drainage infrastructure, and roadways. Implementation of the proposed project would result in the development of a 1,616,133 square foot distribution warehouse building. Table 4.3.D provides the GHG emissions that could be generated during construction activities on the project site.

Table 4.3.D: Short-Term Regional GHG Construction Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day					
	Bio-CO_2	NBio-CO_2	Total -CO_2	CH_4	N_2O	CO_2e
Site Preparation	0	56,000	56,000	2.4	0	56,000
Grading	0	38,000	38,000	1.9	0	38,000
Building Construction	0	19,000	19,000	1.1	0	19,000
Architectural Coating	0	3,100	3,100	0.51	0	3,100
Paving 0		1,700	1,700	0.12	0	1,700

Bio-CO_2 = biologically generated CO_2
CH_4 = methane
CO_2 = carbon dioxide
Source: LSA Associates, Inc., December 2011.
NBio-CO_2 = non-biologically generated CO_2
CO_2e = carbon dioxide equivalent
N_2O = nitrous oxide

[1] California Energy Commission (CEC), 2004. *Water Energy Use in California* (online information sheet) Sacramento, CA, August 24. Website: energy.ca.gov/pier/iaw/industry/water.html. Accessed July 24, 2007.

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GHG emissions that could be generated on the proposed project site would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related vehicular trips and stationary source emissions, such as natural gas used for heating. Preliminary guidance from OPR and recent letters from the Attorney General critical of CEQA documents that have taken different approaches indicate that lead agencies should calculate, or estimate, emissions from vehicular traffic, energy consumption, water conveyance and treatment, waste generation, and construction activities. The calculation presented below in Table 4.3.E, includes operational emissions in terms of CO_2 and annual carbon dioxide equivalent (CO_2e) GHG emissions from increased energy consumption, water usage, solid waste disposal, and estimated GHG emissions from vehicular traffic that could result from the development of the project site. Calculations and model run sheets for greenhouse gas emissions are provided in Appendix D of this EIR.

Table 4.3.E: Long-Term Regional GHG Operational Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day					
	Bio-CO_2	NBio-CO_2	Total - CO_2	CH_4	N_2O	CO_2e
Construction emissions amortized over 30 years	0	95 95		0.0063	0	95
Area 0		0	0	0	0	0
Energy 0		1,500	1,500 0.06		0.03	1,500
Mobile 0		34,000	34,000	1.1	0	34,000
Waste 3,500		0	3,500	210	0	7,900
Water 0		63	63	0.25	0.01	71
Total Project Emissions	**3,500**	**35,658**	**39,158**	**211.47**	**0.04**	**43,566**

Bio-CO_2 = biologically generated CO_2
CH_4 = methane
CO_2 = carbon dioxide
NBio-CO_2 = non-biologically generated CO_2
CO_2e = carbon dioxide equivalent
N_2O = nitrous oxide
Source: LSA Associates, Inc., July 2011.

As identified in Table 4.3.E, the proposed project would produce approximately 44,000 metric tpy of CO_2e, which is 0.044 MM TCO_2e/yr. This includes the short-term construction emissions amortized over 30 years, as directed by the SCAQMD. As a comparison, the existing emissions from the entire Southern California Association of Governments (SCAG) region are estimated to be approximately 176.79 $MMTCO_2e$/yr and approximately 478 $MMTCO_2e$/yr for the entire State.

Area sources of GHG emissions include carpet systems, resilient flooring, composite wood, consumer products, and landscaping. The project would not result in measurably increased GHG emissions from area sources due to the anticipated light use of consumer products and landscaping.

Buildings represent 39 percent of the United States' primary energy usage and 70 percent of electricity consumption. The proposed project would increase the demand for electricity and natural gas due to the increased building area. The project would indirectly result in increased GHG emissions from off-site electricity generation at power plants and on-site natural gas consumption (1,500 metric tons of CO_2e/year).

Mobile sources (vehicle trips and associated miles traveled) are the largest source of GHG emissions in California and represent approximately 38 percent of annual CO_2 emissions generated in the State. Like most land use development projects, vehicle miles traveled (VMT) is the most direct indicator of CO_2 emissions from the proposed project, and associated CO_2 emissions function as the best indicator of total GHG emissions. The emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and federal governments and are outside the control of the City.

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The proposed project would also generate solid waste during the operation phase of the project. The project would indirectly result in increased GHG emissions from solid waste treatment at treatment plants (7,900 metric tons of CO_2e/year).

Water-related energy use consumes 19 percent of California's electricity every year. Energy use and related GHG emissions are based on electricity used for water supply and conveyance, water treatment, water distribution, and wastewater treatment (1.3 metric tons of CO_2e/year). The project would comply with provisions of the California Green Building Code and would install water efficient fixtures such that it would experience reduction of indoor potable water use by 20 percent from what is required in the California Buildings Standards Code. In addition, the outdoor water use would be monitored by irrigation controls as prescribed in the Cal Green Building Code. The project would indirectly result in increased GHG emissions from water transport and treatment (71 metric tons of CO_2e/year).

The project will comply with existing State and federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which will reduce the project's electricity demand compared to older buildings. The warehouse building will be built in compliance with the new 2010 California Building Code (CBC) to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices.

Comparing the proposed project to the SCAQMD tiered interim GHG significance criteria; it is not exempt as described in Tier 1. Considering the Tier 2 criteria, the levels of GHG emissions shown in Table 4.3.E, at approximately 0.009 percent of the State GHG emissions, are unlikely to result in GHG emission levels that would substantially conflict with implementation of the GHG reduction goals under AB 32 or other State regulations. The CAT and the ARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "*Report to Governor Schwarzenegger and the Legislature*," ARB's 2007 "*Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California,*" and ARB's "*Climate Change Proposed Scoping Plan: a Framework for Change.*"

The reports identify strategies to reduce California's emissions to the levels proposed in EO S-3-05 and AB 32 that are applicable to the proposed project. The Proposed Scoping Plan is the most recent document, and the strategies included in the Scoping Plan that apply to the project are contained in Table 4.3.C, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. Thus, this project complies with Tier 2 of the SCAQMD tiered interim GHG significance thresholds.

With implementation of these strategies/measures, the project's contribution to cumulative GHG emissions would be reduced. In order to ensure that the proposed project complies with and would not conflict with or impede the implementation of reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor, **Mitigation Measures 4.3.6.1A** through **4.3.6.1C** will be implemented. Many of the individual elements of this measure are already included as part of the proposed project or are required as part of project specific mitigation measures.

Mitigation Measures. Previously referenced **Mitigation Measures 4.2.6.3A** and **4.2.6.3B** were introduced to reduce project air pollution emissions. These measures will also reduce the project's greenhouse gas emissions. To ensure that the proposed project's emissions of GHG are reduced to a less than significant level, the following additional mitigation measures shall be implemented.

4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans

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as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows shall utilize window treatments for efficient energy conservation.
- Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.
- Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority.
- Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- Use locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- Use "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following:
  - Increase insulation such that heat transfer and thermal bridging is minimized.
  - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
  - Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.

4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:

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- The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment.
- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows.
- Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
  - Install drought tolerant plants for landscaping.
  - Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.
  - Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.
- Provide employee education about reducing waste and available recycling services.

Level of Significance After Mitigation. The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant and less than cumulatively considerable because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.

4.3.7 Cumulative Impacts

Given the findings of AB 32, of SB 97, and the requirements of CEQA, the Lead Agency must determine whether a project will or will not have a cumulatively considerable contribution. Due to the lack of guidance for determining the significance of cumulative impacts to climate change from projects, and out of an overabundance of caution, the project has been evaluated to determine whether emissions of greenhouse gases have been minimized to the extent feasible with current technology and measures.

While it is not possible to determine whether the project individually will have a significant impact on global warming or climate change, it will contribute to cumulative GHG emissions in California. Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of *CEQA Guidelines* Sections 15065(a)(3) and 15130. The CARB is currently in the process of designing

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regulations to monitor, limit, and ultimately reduce California GHG emissions but there are as yet no adopted standards for assessing the significance of cumulative impacts from projects.

Cumulatively, the emissions from electricity production would comprise approximately 3.4 percent of the project's total CO_2e emissions. Water usage and solid waste disposal emissions comprise approximately 18 percent of the project's total CO_2e emissions while the emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO_2e emissions are primarily associated with building systems. The proposed project is required to comply with existing State and Federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy efficient than older buildings.

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.

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4.4 NOISE

This analysis is intended to satisfy the City's requirements for a project-specific noise impact analysis by examining the short-term and long-term noise impacts of the proposed project on sensitive uses adjacent to the proposed project site and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. This includes the potential for the proposed project to result in impacts associated with a substantial temporary and/or permanent increase in ambient noise levels in the vicinity of the project area; exposure of people to excessive noise levels, groundborne vibration, or groundborne noise levels. The analysis contained in this section is based on a comprehensive *Noise Impact Analysis* contained in Appendix E (LSA Associates, Inc., December 2011), which examines existing ambient noise conditions and project-related impacts.

4.4.1 Existing Setting

4.4.1.1 Background

Characteristics of Sound. Noise is usually defined as unwanted sound; it consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep. To the human ear, sound has two significant characteristics: pitch and loudness. Pitch is generally an annoyance, while loudness can affect our ability to hear. The analysis of a project's noise impact defines the noise environment of the project area in terms of sound intensity and its effect on adjacent sensitive land uses.

Measurement of Sound. There are many ways to rate sound for various time periods. An appropriate rating of ambient noise[1] affecting humans accounts for the annoying effects of sound by penalizing noises that occur during quiet periods of time, such as late night/early morning, through weighted averaging metric. Single-event or peak noises are measured by a simple peak noise measurement. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} and community noise equivalent level (CNEL) or the day-night average level (L_{dn}) based on A-weighted decibels (dBA). CNEL is the time varying noise over a 24-hour period, with a five dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and a 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening hours. CNEL and L_{dn} are within one dBA of each other and are normally exchangeable.

Other noise rating scales of importance when assessing the annoyance factor include the maximum noise level (L_{max}), which is the highest exponential time averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak operating conditions and addresses the annoying aspects of intermittent noise. It is often used together with another noise scale, or noise standards in terms of percentile noise levels, in noise ordinances for enforcement purposes. For example, the L_{10} noise level represents the noise level exceeded 10 percent of the time during a stated period. The L_{50} noise level represents the median noise level. Half the time the noise level exceeds this level, and half the time it is less than this level. The L_{90} noise level represents the noise level exceeded 90 percent of the time and is considered the background noise level during a monitoring period. For a relatively constant noise source, the L_{eq} and L_{50} are approximately the same. Table 4.4.A defines noise measurements that are typically used in noise analyses.

[1] Ambient noise is the totality of noise in a given place and time; usually a composite of sounds from varying sources at varying distances. Ambient sounds generally range from 30 dBA (very quiet) to 100 dBA (very loud).

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Table 4.4.A: Noise Measurement Definitions

Unit of Measurement		Description
dB	Decibel	Units for measuring the volume of sound, decibels are measured on a logarithmic scale, representing points on a sharply rising curve. For example, 10 decibels are 10 times more intense than one decibel and 20 decibels are 100 times more intense. A 10-decibel increase in sound level is perceived by the human ear as a doubling of the loudness of the sound.
dBA	A-Weighted Decibel	A sound pressure level that has been weighted to quantitatively reduce the effect of the high and low frequency noise. It was designed to approximate the response of the human ear to sound.
CNEL	Community Noise Equivalent Level	The CNEL value represents noise as measured by an A-weighted sound level. The metric includes a 4.8-decibel penalty during relaxation hours (7 p.m. to 10 p.m.) and a 10-decibel penalty for sleeping hours (10 p.m. to 7 a.m.). CNEL is similar to L_{dn} (which does not include the evening penalty).
L_{dn}	Day-Night Average Noise	The 24-hour average sound level, expressed in a single decibel rating, for the period from midnight to midnight obtained after the addition of a 10.0-decibel penalty to sound levels for the periods between 10 p.m. and 7 a.m.
L_{eq}	Equivalent Noise Level	Total sound energy of time-varying noise over a sample period.
L_{01}, L_{10}, L_{25}, L_{50}, L_{90}	Percentile Noise Exceedance Levels	The fast A-weighted noise levels that are equaled or exceeded by a fluctuating sound level 1 percent, 10 percent, 25 percent, 50 percent, and 90 percent of a stated time period.
L_{max}	Maximum Noise Level	L_{max} is the highest exponential time-averaged sound level that occurs during a stated time period. It reflects peak operating conditions and addresses the annoying aspects of intermittent noise.

Sound levels are generated from a source and their decibel level decreases as the distance from that source increases. Table 4.4.B describes attenuation levels of various types of noise sources.

Table 4.4.B: Attenuation Levels and Type of Noise Sources

Decrease in Sound for Each Doubling of Distance	Type of Noise Source	Description/Example
6.0 decibels	Single-point source	Stationary equipment
4.5 decibels	Line source	Highway traffic or railroad operations in a relatively flat environment with absorptive vegetation
3.0 decibels	Line source	Highway traffic or railroad operations in a hard site environment

Source: LSA Associates, Inc., *Noise Analysis*, *Moreno Valley Eucalyptus*, June 2008.

Definition of Noise. Noise impacts can be described in three categories:

- Audible (3.0 dB or greater);
- Potentially audible (between 1.0 and 3.0 dB); and
- Inaudible (less than 1.0 dB).

Audible noises are increases in noise levels noticeable to humans and generally refer to a change of 3.0 dB or greater, because this level has been found to be barely perceptible in exterior environments. Potentially audible refers to a change in the noise level between 1.0 and 3.0 dB, which is noticeable only in laboratory environments. Changes in noise levels of less than 1.0 dB are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are

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considered potentially significant. Therefore, a 3 dBA increase in long-term noise levels above existing ambient noise levels is used as a threshold of significant change in this noise analysis.

Fundamentals of Groundborne Vibration. Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable. However, without the effects associated with the shaking of a building, there is less adverse reaction. Building vibration may be perceived by the occupants as motion of building surfaces, rattling of items on shelves or hanging on walls, or as a low-frequency rumbling noise. Building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during construction or mining. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by up to 10 decibels. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with groundborne vibration and noise from these sources are usually localized to within about 100 feet of the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet, as described in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment (FTA, May 2006). When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible.

Factors that influence groundborne vibration and noise include the following:

- Vibration Source: vehicle suspension, wheel types and condition, track/roadway surface, track support system, speed, transit structure, and depth of vibration source.
- Vibration Path: soil type, rock layers, soil layering, depth to water table, and frost depth.
- Vibration Receiver: foundation type, building construction, and acoustical absorption.

Among the factors listed above, there are significant differences in the vibration characteristics when the source is underground versus at ground surface. In addition, soil conditions are known to have a strong influence on the levels of groundborne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock. Vibration propagation is more efficient in stiff clay soils than in loose sandy soils, and shallow rock seems to concentrate the vibration energy close to the surface and can result in groundborne vibration problems at a great distance from the track. Factors such as layering of the soil and depth to water table can have significant effects on the propagation of groundborne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils.

4.4.1.2 Sensitive Land Uses in the Project Vicinity

Certain land uses are considered more sensitive to noise than others. Examples include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project boundary. There are also residential uses approximately 0.77 mile (mi) southwest of the project site on the south side of Harley Knox/Oleander Avenue between Heacock Street and Patterson Avenue.

Existing Noise Environment. The project site is currently vacant land. The primary existing noise sources in the project area are transportation facilities. Primary transportation noise sources include vehicular traffic along Indian Street and Perris Boulevard. Aircraft operations from March Air Reserve

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Base to the northwest of the project site contribute to high intermittent single-event noise levels. Based on the *Citizen's Brochure for the 452nd Air Mobility Wing Air Installation Compatible Use Zone Study* (AICUZ) for the March Air Reserve Base (August 2005), the project site is located outside of the 60 dBA CNEL noise contour from March Air Reserve Base.

Existing Traffic Noise Modeling. To document the existing environment, the Federal Highway Administration (FHWA) highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry[1] to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The noise impact analysis was conducted using the existing traffic volumes provided in the *Traffic Study* prepared for the proposed project (LSA Associates, Inc., December 2011). In addition, unlike the urban area where the ground is filled with pavement, the project site is located in a rural/suburban area where there is vacant land around the project vicinity. Empirical data show that such environment is best analyzed with the soft site propagation for noise. The traffic noise modeling in this noise study uses 4.5 dBA per doubling of the distance for the soft site sound propagation from a line source. The modeled 24-hour CNEL levels are identified in Table 4.4.C. The resultant noise levels are weighted and summed over 24-hour periods to determine the CNEL values. The primary existing noise sources in the project area are transportation facilities. Dominant noise sources at the project site are vehicle traffic from Indian Street and Perris Boulevard. Traffic noise in the project vicinity ranges from low (Nandina Avenue) to moderate (Indian Street and Oleander Avenue) to high (Perris Boulevard). As shown in Table 4.4.C, existing traffic noise along these roadway segments range from low to moderate to high.

Table 4.4.C: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	13,800	54	111	237	68.4
Perris Blvd. between Iris Ave. and Krameria Ave.	15,400	58	119	255	68.8
Perris Blvd. between Krameria Ave. and Nandina Ave.	15,200	57	118	253	68.8
Perris Blvd. between Nandina Ave. and Grove View Rd.	15,000	57	117	251	68.7
Perris Blvd. between Grove View Rd. and Oleander Ave.	15,500	58	120	256	68.9
Indian Ave. between Nandina Ave. and Grove View Rd.	5,600	< 50	51	109	64.4
Indian Ave. between Grove View Rd. and Oleander Ave.	5,600	< 50	51	109	64.4
Oleander Ave. west of I-15 Ramps	6,000	< 50	63	136	65.8
Oleander Ave. between I-15 Ramps and Indian Ave.	9,200	< 50	84	181	67.7
Oleander Ave. between Indian Ave. and Perris Blvd.	4,400	< 50	52	111	64.5

[1] Roadway geometry is defined as the lane configuration (number of through lanes and turn lanes) of two intersecting roads.

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Table 4.4.C: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Nandina Ave. between Indian Ave. and Perris Blvd.	590	< 50	< 50	< 50	54.6

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis,* City of Moreno Valley. LSA Associates, Inc. December 2011.

4.4.2 Existing Policies and Regulations

The applicable noise standards governing the project site are the criteria in the City of Moreno Valley General Plan Noise Element and Municipal Code (Noise Ordinance). The City's Noise Element of the General Plan is based on the County of Riverside Land Use Compatibility Chart for Community Noise and is adopted by reference. In addition, standards identified in the *California Noise Insulation Standards*[1] and the *State of California Vehicular Code*[2] are included below. The following sections list the General Plan policies and State standards relevant to noise for the proposed project.

4.4.2.1 City of Moreno Valley General Plan Policies

Chapter 9 of the *City of Moreno Valley General Plan*[3] defines goals, objectives, policies, and action items related to noise conditions in the City. The specific policies related to noise that are relevant to the proposed project are as follows:

Objective 2.5 Promote a mix of industrial uses which provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley with the establishment of industrial activities that have good access to the regional transportation system, accommodate the personal needs of workers and business visitors; and which meets the service needs of local businesses.

Policy 2.5.3 Screen manufacturing and industrial uses where necessary to reduce glare, noise, dust, vibrations and unsightly views.

Objective 6.3 Provide noise compatible land use relationships by establishing noise standards utilized for design and siting purposes.

Policy 6.3.6 Building shall be limited in areas of sensitive receptors.

Objective 6.4 Review noise issues during the planning process and require noise attenuation measures to minimize acoustic impacts to existing and future surrounding land uses.

Policy 6.4.1 Site, landscape and architectural design features shall be encouraged to mitigate noise impacts for new developments, with a preference for noise barriers that avoid freeway sound barrier walls.

Objective 6.5 Minimize noise impacts from significant noise generators such as, but not limited to, motor vehicles, trains, aircraft, commercial, industrial, construction, and other activities.

1 California Code of Regulations, Title 24, Part 2, §3501, *California Noise Insulation Standards.*
2 Governor's Office of Planning and Research, *State of California General Plan Guidelines*, October 2003, pages 249 and 250.
3 *City of Moreno Valley General Plan*, City of Moreno Valley, adopted by City Council Resolution No. 2006-83, July 11, 2006.

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Policy 6.5.1 New commercial and industrial activities (including the placement of mechanical equipment) shall be evaluated and designed to mitigate noise impacts on adjacent uses.

Policy 6.5.2 Construction activities shall be operated in a manner that limits noise impacts on surrounding uses.

The City's General Plan, Section 6.4, states that acceptable residential exterior noise standards are within 60–65 dBA CNEL, and acceptable residential interior noise standard is 45 dBA CNEL.

Moreno Valley Municipal Code. The *Moreno Valley Municipal Code*[1] describes the noise standards within the City. It states that noise will be measured with a sound level meter that meets the standards of the American National Standards Institute (ANSI) Section I.4-1983. All measurements of sound will be made by qualified officials of the City who are designated by the City Manager or designee to operate the apparatus used to make the measurements.

In addition, the following standards are listed in the *Moreno Valley Municipal Code* in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

The City's Municipal Code, Section 8.14.040.E, specifies the hours of any construction within the City to occur only as follows: Monday through Friday (except for holidays that occur on weekdays), 6:00 a.m. to 8:00 p.m.; weekends and holidays (as observed by the City and described in Chapter 2.55 of the Municipal Code), 7:00 a.m. to 8:00 p.m., unless written approval is obtained from the City building official or City engineer. According to the City's Municipal Code ordinance 8.21.050, grading permit requirements, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

The City's Municipal Code, Section 9.10.140, specifies that all commercial and industrial uses shall be operated so that noise created by any loudspeaker, bells, gongs, buzzers, or other noise attenuation or attracting devices shall not exceed 55 dBA at any one time beyond the boundaries of the property.

Chapter 11.80.030 of the City's Municipal Code also states:

> *Based on statistics from the Center for Disease Control and Prevention and the National Institute for Occupational Safety and Health, Table 1 and Table 1-A specify sound level limits which, if exceeded, will have a high probability of producing permanent hearing loss in anyone in the area where the sound levels are being exceeded. No sound shall be permitted within the City which exceeds the parameters set forth in Table 11.80.030-1* [Table 4.4.D] *and 11.80.030-1-A* [Table 4.4.E] *of this chapter.*
>
> *No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any nonimpulsive sound which exceeds the limits set forth for the source land use category (as defined in Section 11.80.020) in Table 11.80.030-2* [Table 4.4.F] *when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance.*

[1] *Moreno Valley Municipal Code*, City of Moreno Valley, current through Ordinance 761 and the February 2008 code supplement.

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The following uses and activities shall be exempt from the sound level regulations except the maximum sound levels provided in Tables 11.80.030-1 [Table 4.4.D] *and 11.80.030-1A* [Table 4.4.E]*:*

1. *Sounds resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of an emergency.*
2. *Sounds resulting from emergency work as defined in Section 11.80.020.*
3. *Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations and air traffic control instruction used pursuant to and within the duly adopted federal air regulations; and any aircraft operating under technical difficulties in any kind of distress, under emergency orders or air traffic control, or being operated pursuant to and subsequent to the declaration of an emergency under federal air regulations.*
4. *All sounds coming from the normal operations of interstate motor and rail carriers, to the extent that local regulation of sound levels of such vehicles has been preempted by the Noise Control Act of 1972 (42 U.S.C. § 4901 et seq.) or other applicable federal laws or regulations.*
5. *Sounds from the operation of motor vehicles, to the extent they are regulated by the California Vehicle Code.*
6. *Any constitutionally protected noncommercial speech or expression conducted within or upon any public right-of-way, public space or other publicly owned property constituting an open or a designated public forum in compliance with any applicable reasonable time, place and manner restriction on such speech or expression or otherwise pursuant to legal authority.*
7. *Sounds produced at otherwise lawful and permitted city-sponsored events, organized sporting events, school assemblies, school playground activities, by permitted fireworks, and by permitted parades on public right-of-way, public space, or other publicly owned property.*
8. *An event for which a temporary use permit or special event permit has been issued under other provisions of this code, where the provision of Section 11.80.010 are met, the permit granted expressly grants an exemption from specific standards contained in this chapter, and the permittee and all persons under the permitttee's reasonable control actually comply with all conditions of such permit. Violation of any condition of such permit related to sound or sound equipment shall be in violation of this chapter and punishable as such.*

Table 4.4.D: Maximum Continuous Sound Levels*

Duration Per Day Continuous Hours	Sound Level (dBA)
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.5	110
0.25	115

* When the daily sound exposure is composed of two or more periods of sound exposure at different levels, the combined effect of all such periods shall constitute a violation of this section if the sum of the percentage of allowed period of sound exposure at each level exceeds 100 percent.

Source: Chapter 11.80.030 Table 11.80.030-1, City of Moreno Valley Municipal Code, City of Moreno Valley.

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Table 4.4.E: Maximum Impulsive Sound Levels

Number of Repetitions Per 24-Hour Period	Sound Level (dBA)
1	145
10	135
100	125

Source: Chapter 11.80.030 Table 11.80.030-1A, City of Moreno Valley Municipal Code, City of Moreno Valley.

Table 4.4.F: Maximum Sound Levels (in dBA) for Source Land Uses

Residential		Commercial	
Daytime	Nighttime	Daytime	Nighttime
60	55	65	60

Source: Chapter 11.80.030 Table 11.80.030-2, City of Moreno Valley Municipal Code, City of Moreno Valley.

4.4.2.2 State of California Vehicular Code

Recent studies have shown that the most objectionable feature of traffic noise is the sound produced by vehicles equipped with illegal or faulty exhaust systems. In addition, such vehicles are often operated in a manner that causes tire squeal and excessively loud exhaust noise. A number of California State vehicle noise regulations can be enforced by local authorities as well as the California Highway Patrol. These include § 23130, § 23130.5, § 27150, and § 38275 of the California Vehicle Code, as well as excessive speed laws, which may be applied to curtail traffic noise:

- § 23130 and § 23130.5 establish maximum noise emission limits for the operation of all motor vehicles at any time under any conditions of grade, load, acceleration, or deceleration.
- § 27150 requires motor vehicles to be equipped with an adequate muffler to prevent excessive noise.
- § 38275 requires off-highway motor vehicles to be equipped with an adequate muffler to prevent excessive noise.

The California Highway Patrol and the Department of Health Services (through local health departments) are available to aid local authorities in code enforcement and training pursuant to proper vehicle sound level measurements.

4.4.3 Methodology

Evaluation of noise impacts associated with the proposed project includes the following:

- Determination of the short-term construction noise impacts on off-site noise-sensitive uses;
- Determination of the long-term noise impacts, including vehicular traffic and stationary noise sources, on on-site and off-site noise-sensitive uses; and
- Determination of the required mitigation measures to reduce long-term noise impacts from all sources.

The proposed project includes the construction and operation of an approximately 1.6 million square-foot distribution warehouse. The noise analysis considers the noise effects of the warehouse distribution development on the existing residential development (sensitive receptors) in the vicinity of the proposed project site. The applicable noise standards governing the project site are the criteria in the City of Moreno Valley's *Noise Element of the General Plan* and *Municipal Code*.

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4.4.4 Thresholds of Significance

A project would have a significant effect on the environment related to noise if it would substantially increase the ambient noise levels for adjoining areas or if it would conflict with adopted environmental plans and goals of the community in which it is located.

The applicable noise standards governing the project site are the criteria that are contained within the Noise Element of the *City of Moreno Valley General Plan* and the *Moreno Valley Municipal Code*. For this project, a noise impact is considered significant if the project would result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the *City of Moreno Valley General Plan*, *Moreno Valley Municipal Code*, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;
- A substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels; and/or
- For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The standards within the *City of Moreno Valley General Plan* and *Moreno Valley Municipal Code* determine the acceptable noise environment for proposed project and its vicinity. The standards are as follows:

- Ensure through the design review process that exterior noise levels at commercial and industrial areas do not exceed 75 dBA CNEL.
- Consider the following uses noise-sensitive and discourage them in areas where exterior noise levels exceed 65 dBA CNEL unless measures are implemented that reduce the noise exposure below this level: single- and multiple-family residential uses, group homes, hospitals, schools and other learning institutions, and parks and open space areas where quiet is a basis for use.

4.4.5 No Impact/Less than Significant Impacts

The following impacts have been identified as having a less than significant impact or no impact on the environment with implementation of the proposed project.

4.4.5.1 Airport Noise Impacts

Threshold	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, results in exposure of people residing or working in the project area to excessive noise levels. For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The nearest airport is the March Air Reserve Base, which is located approximately 0.75 mile northwest of the project site. The proposed project is not identified as being within the noise or safety

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contours delineated for the March Air Reserve Base Airport.[1] While the proposed project is located within two miles of a public airport, the proposed project would not have the potential to expose people working on the project site to excessive noise levels from airport operations as the project site is located outside of the noise and safety contours of March Air Reserve Base. A less than significant impact would occur with implementation of the proposed project. Additionally, the proposed project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue would occur and no mitigation is required.

4.4.5.2 Groundborne Vibration Impacts

Threshold:	Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable but without the accompanying effects (e.g., shaking of a building). Groundborne vibration is measured in terms of the velocity of the vibration oscillations. When groundborne vibration exceeds 0.1 inch per second (in/sec), it is generally perceived as annoying to building occupants. The degree of annoyance is dependent upon type of land use, individual sensitivity to vibration, and the frequency of the vibration events. Typically, vibration levels must exceed 0.2 in/sec before building damage occurs. Problems with groundborne vibration and noise are usually localized to areas within about 100 feet from the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet.

The project site is not located near steel-wheeled trains. Additionally, roadways in the project area are either paved or would be paved and would not result in traffic driving over rough roads. Construction activities for the project site do not include blasting or pile driving. The primary vibratory source during the construction of the proposed project would be large bulldozers. Based on published data, typical bulldozer activities generate an approximate vibration level of 0.089 in/sec at a distance of 25 feet. At the distance of the nearest residence to the project boundary (approximately 1,000 feet) the estimated vibration level would not be discernable. While heavy-duty earthmoving equipment would be used during the construction phase of the project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs. Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required.

4.4.5.3 Long-Term Traffic Noise Impacts

Threshold	Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Only audible changes in existing ambient or background noise levels are considered potentially significant. It takes doubling of the traffic volume to have a 3 dB increase in traffic noise. Therefore, a 3 dBA increase in long-term noise levels above existing ambient noise levels is used as a threshold of significant change in this noise analysis.

The FHWA highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions. The noise impact analysis was conducted using the future traffic

[1] *Figure 5.4-1 March Reserve Air Base Noise Impact Area*, City of Moreno Valley General Plan EIR, July 2006.

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volumes provided in the *Traffic Study* (LSA Associates, Inc., December 2011). In addition, unlike the urban area where the ground is filled with pavement, the project site is located in a rural/suburban area where there is vacant land around the project vicinity. Empirical data show that such environment is best analyzed with the soft site propagation for noise. The traffic noise modeling in this noise study uses 4.5 dBA per doubling of the distance for the soft site sound propagation from a line source. The future Year (2013) with and without project scenarios average daily traffic (ADT) volumes on roadway segments in the project vicinity were used to conduct the traffic noise modeling. The existing ADT volumes in the area were taken from the *Traffic Study* prepared for the proposed project. The modeled 24-hour CNEL levels are presented in Tables 4.4.G and 4.4.H for the Opening (2013) Year scenarios. Standard vehicle mix for Southern California streets was used in this analysis. Background traffic volumes at study area intersections for Year 2013 Without Project Traffic scenario represent the existing (2008) conditions plus the ambient growth that is expected to occur by the time the proposed project is built. Ambient growth considers increasing the existing (2008) volumes by 10.4 percent (or 2% per year compounded over five years). Traffic volumes for the Opening Year (2013) With Project Traffic scenario considers the addition of traffic generated by the proposed project to the Year 2013 Without Project conditions. Traffic volumes for the Opening Year (2013) Cumulative Without Project Traffic scenario were developed from information concerning approved and pending projects in the project vicinity obtained from the City of Moreno Valley and added to the Year 2013 Without Project Traffic volumes. Traffic volumes for the Opening Year (2013) Cumulative With Project Traffic scenario considers the addition of traffic generated by the proposed project to the Year 2013 Cumulative Without Project Traffic volumes. Noise levels presented in Tables 4.4.G and 4.4.H represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn.

Table 4.4.G: Year 2013 Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,200	88	186	399	71.8
Perris Blvd. between Iris Ave. and Krameria Ave.	34,600	96	203	437	72.4
Perris Blvd. between Krameria Ave. and Nandina Ave.	35,400	97	206	443	72.5
Perris Blvd. between Nandina Ave. and Grove View Rd.	35,500	97	207	444	72.5
Perris Blvd. between Grove View Rd. and Oleander Ave.	36,000	98	209	448	72.5
Indian Ave. between Nandina Ave. and Grove View Rd.	11,800	< 50	83	179	67.6
Indian Ave. between Grove View Rd. and Oleander Ave.	11,800	< 50	83	179	67.6
Oleander Ave. west of I-15 Ramps	8,400	< 50	79	170	67.3
Oleander Ave. between I-15 Ramps and Indian Ave.	25,900	78	167	360	72.2

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Table 4.4.G: Year 2013 Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Oleander Ave. between Indian Ave. and Perris Blvd.	18,200	62	132	285	70.6
Nandina Ave. between Indian Ave. and Perris Blvd.	2,900	< 50	< 50	70	61.5

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA= A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis*, City of Moreno Valley. LSA Associates, Inc. December 2011.

Table 4.4.H: Year 2013 With Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane	Increase CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,800	89	188	404	71.8	0.0
Perris Blvd. between Iris Ave. and Krameria Ave.	35,300	97	206	443	72.4	0.0
Perris Blvd. between Krameria Ave. and Nandina Ave.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Nandina Ave. and Grove View Rd.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Grove View Rd. and Oleander Ave.	36,600	99	211	453	72.6	0.1
Indian Ave. between Nandina Ave. and Grove View Rd.	13,000	< 50	89	191	68.0	0.4
Indian Ave. between Grove View Rd. and Oleander Ave.	13,900	< 50	93	200	68.3	0.7
Oleander Ave. west of I-15 Ramps	8,500	< 50	80	172	67.3	0.0
Oleander Ave. between I-15 Ramps and Indian Ave.	27,500	81	174	375	72.4	0.2
Oleander Ave. between Indian Ave. and Perris Blvd.	18,200	62	132	285	70.6	0.0
Nandina Ave. between Indian Ave. and Perris Blvd.	3,500	< 50	< 50	80	62.3	0.8

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Table 4.4.H: Year 2013 With Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane	Increase CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,800	89	188	404	71.8	0.0
Perris Blvd. between Iris Ave. and Krameria Ave.	35,300	97	206	443	72.4	0.0
Perris Blvd. between Krameria Ave. and Nandina Ave.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Nandina Ave. and Grove View Rd.	36,100	98	209	449	72.5	0.0

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA= A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis,* City of Moreno Valley. LSA Associates, Inc. December 2011.

As presented in Table 4.4.G (2013 with Project), project-related traffic noise level increases would be 0.8 dBA or less along all roadway segments analyzed. Noise level increases within this range are small and are not perceptible by the human ear. Therefore, no significant traffic noise impacts would occur to off-site land uses with implementation of the proposed project. Table 4.4.G also shows that the proposed warehouse distribution center uses are not impacted by the 75 dBA CNEL noise contour from Indian Street (within 50 feet of the roadway centerline), Oleander Avenue (within 50 feet of the roadway centerline), or Perris Boulevard (98 feet from the roadway centerline). Therefore, noise levels at the on-site uses are below the City's 75 dBA CNEL noise standard for industrial uses. No significant noise impacts to on-site industrial uses would occur and no mitigation measures are required.

4.4.5.4 Long-Term Operational Noise Impacts

Threshold:	Would the project cause exposure of persons to or generation of noise levels in excess of standards established in the *City of Moreno Valley General Plan, Moreno Valley Municipal Code*, or applicable standards of other agencies?

Potential long-term stationary noise impacts would primarily be associated with operations at the proposed warehouse distribution center. The proposed on-site warehouse distribution center would generate noise from truck delivery, loading/unloading activities at the loading areas, and other noise-producing activities within the parking lot. These activities are potential point sources of noise that could affect noise-sensitive receptors adjacent to the loading areas and parking lots, such as the existing residential uses to the north of the project site.

The project site is adjacent to Perris Boulevard to the east, Indian Street to the west, Grove View Road to the north and the Perris Valley Storm Drain Lateral B forms the southern boundary of the project site. Other warehouse distribution uses are located on adjacent properties to the west, north, and east. The remaining parcels adjacent to the project site are vacant. The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project boundary. There are also nonconforming residential

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dwelling units within commercial and industrial uses on property zoned for commercial or industrial uses approximately 0.5 mile southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

As indicated in the project's site plan (Figure 1.2), the proposed warehouse distribution use has loading docks on the north and south sides of the building, approximately 1,000 feet from the existing residences to the north. Noise associated with loading/unloading activities would potentially affect these existing residential uses. Other on-site, noise-producing activities may include traffic and activity within the parking lot (load talking, horn blowing, vehicle door slamming, truck idling, etc.).

As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dBA reduction in the noise level for each doubling of distance from a single-point source of noise, such as an idling truck, to the noise-sensitive receptor of concern. Although individual activity may generate relatively high and intermittent noise, when added to the typically lower ambient noise and averaged over a longer period of time, the cumulative noise level would be much lower and would be considered a less than significant impact.

Based on the preliminary site plan, the shortest distance (approximately 1,000 feet) from the existing residences to the nearest loading/unloading areas on the project site would result in a 26 dBA[1] noise attenuation (compared to the levels at 50 feet).

Truck Delivery and Loading and Unloading Noise. Delivery trucks for the proposed on-site warehouse distribution uses would result in a maximum noise similar to noise readings from loading and unloading activities for other warehouse distribution projects, which generates a noise level of approximately 75 dBA L_{max} at 50 feet and is used in this analysis. Based on the foregoing discussion, distance divergence of 1,000 feet provides 26 dBA noise attenuation; thus, loading/unloading noise at the proposed uses would be reduced to below 49 dBA L_{max}[2] at ground level of the nearest existing residences north of the project site. Based on the City's Municipal Code, Chapter 11.80.030, when measured at 200 feet or more from the real property line of the source of the sound (if the sound occurs on privately owned property as is the case here), the exterior noise standard is 60 dBA L_{max} during the day (8:00 a.m. to 10:00 p.m.) and 55 dBA L_{max} during the night (10:01 p.m. to 7:59 a.m.) for residential uses. This level of maximum noise levels is below the City's residential exterior noise standards of 60 dBA L_{max} during the day (8:00 a.m. to 10:00 p.m.) and the 55 dBA L_{max} standard during the night (10:01 p.m. to 7:59 a.m.). Although the typical truck unloading process takes an average of 15 to 20 minutes, this maximum intermittent noise level occurs in a much shorter period of time and would amount to less than a few minutes. This level of noise would be below the most stringent noise standard (55 dBA maximum noise standard at any time). Therefore, noise associated with loading and unloading activities at the loading areas associated with the proposed warehouse distribution uses would not result in noise levels exceeding the noise standards at the nearest residences to the north. Loading/unloading activities would not result in a significant noise impact at the nearest existing off-site residential uses and no mitigation is required.

Parking Lot Activity. Representative parking lot activities, such as conversing, doors slamming, engine startup, and slow-moving vehicles would generate approximately 60 to 70 dBA L_{max} at 50 feet. This level of noise is lower than that of the truck delivery and loading/unloading activities. With the noise attenuation effect from distance divergence (26 dBA noise attenuation) to the proposed on-site

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1 Based on the sound pressure level equation of L = 20 Log (Distance / Reference Distance); where L is the sound level (in dBA), the value of 20 is 20 µPa (Pascal) root mean squared or 20 units of pressure (usually considered the threshold of hearing), multiplied by the logarithm of the distance divided by the reference distance, thus (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02).

2 75 dBA L_{max} – 26 dBA L_{max} = 49 dBA L_{max}.

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warehouse buildings, noise levels in the parking lots of the proposed warehouse distribution uses would be below 44 dBA L_{max} and would not be significant; therefore, no mitigation is required.

Heating, Ventilating, and Air Conditioning Equipment Noise. The proposed project would have rooftop heating, ventilating, and air conditioning (HVAC) equipment, as well as ground floor garbage compactors. Although no final design is available at this time for the type and location of the rooftop mechanical units, based on noise measurements conducted at a similar use, rooftop HVAC units generate noise levels of approximately 62 dBA at 50 feet. The closest noise-sensitive land uses are existing residences which are located approximately 1,000 feet to the north from the nearest potential on-site rooftop HVAC equipment location. With the effect of distance divergence, noise generated by HVAC equipment would be reduced by 26 dBA[1] at the closest residences when compared with the noise level measured at 50 feet. Additionally, the roof edge (parapet) creates a noise barrier that reduces noise levels from rooftop HVAC units by an additional 3 to 5 dBA or more for ground floor receptors. Because of the attenuation achieved, nearest residences located to the north of the project site would be exposed to an exterior noise level of 33 dBA L_{max}[2] or lower. This range of noise levels is substantially lower than traffic noise on roadways in the project vicinity and the truck movement and loading/unloading noise. Therefore, because the City's exterior noise standard of 60 dBA L_{dn}/CNEL for HVAC equipment in residential district (Planning and Zoning Code, Chapter 9.03.040) would not be exceeded at the nearest sensitive noise receptors, no significant noise impact resulting from the operation of rooftop HVAC equipment would occur and no mitigation is required.

Garbage Compactor Noise. Garbage compactors generate approximately 70 dBA L_{max} at 6 feet. It is assumed that two garbage compactors would be located at the loading docks on the north side of the proposed buildings nearest to the existing residences. These compactors would be located approximately 1,000 feet from the nearest residences located to the north of the project site. This distance provides approximately 44 dBA[3] in noise attenuation when compared to noise levels measured at 6 feet. With the effect of distance divergence, noise generated by garbage compactors would be reduced to 26 dBA L_{max}[4] or lower at the closest residences. Because the City's exterior noise standard of 60 dBA L_{max} during the day and 55 dBA L_{max} during the night would not be exceeded, no significant noise impacts from the on-site garbage compactors would occur. In the absence of any significant impact, no mitigation is required.

Other Potential On-Site Operational Noise Sources. It is anticipated that the proposed uses would have some sort of speaker system at the truck loading docks. As stated previously, the closest loading docks to the residential areas to the north are approximately 1,000 feet from these existing residences to the north. Typical loud speakers generate a sound level of 75 dBA L_{max} at 50 feet. With the distance attenuation of 26 dBA the speaker noise at the nearest residences will be at or below 49 dBA L_{max}[5]. This range of maximum noise levels is lower than the City's nighttime exterior noise standards of 55 dBA L_{max}[6] standard. Therefore, noise associated with loading dock speakers at the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast and no mitigation measures are required.

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1 log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02)

2 HVAC equipment generates a noise level of approximately 62 dBA L_{max} at 50 feet. Accounting for distance divergence (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02) and shielding (minimum of 3 dBA), 62 dBA L_{max} – 26 dBA L_{max} – 3 dBA L_{max} = 33 dBA L_{max}.

3 log [1,000 ft ÷ 6 ft] = 2.222; 2.222 × 20 = 44.44.

4 Garbage compactors generate a noise level of approximately 70 dBA L_{max} at 6 feet. Accounting for distance divergence (log [1,000 ft ÷ 6 ft] = 2.222; 2.222 × 20 = 44.44), 70 dBA L_{max} – 44 dBA L_{max} = 26 dBA L_{max}.

5 75 dBA L_{max} – 26 dBA L_{max}= 49 dBA L_{max}.

6 *Chapter 11.80.030 City of Moreno Valley Municipal Code*, City of Moreno Valley.

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Interior Noise. The typical maximum allowable interior noise levels for residential uses are 45 dBA between 10:01 p.m. and 7:59 a.m. and 50 dBA between 8:00 a.m. and 10:00 p.m.[1] Typical southern California homes with windows open would achieve up to 12 dBA in exterior to interior noise reduction. When windows are closed, the noise attenuation increases to 24 dBA. Additionally, distance divergence of 1,000 feet provides 26 dBA of noise attenuation. Interior noise levels at the nearest residential homes to the north, attributable to loading/unloading activities from the nearest on-site loading areas, would be reduced to 37 dBA L_{max} with windows open[2] and to 25 dBA L_{max} with windows closed.[3] This range of noise level is compatible with or lower than typical household activity noise. Therefore, no significant interior noise impacts for the nearest sensitive receptors would occur and no mitigation is required.

4.4.6 Significant Impacts

4.4.6.1 Short-Term Construction Noise Impacts

Impact 4.4.6.1. *Noise levels from grading and other construction activities for the proposed project may range up to 65 dBA at the closest residences north of the project site for very limited times when construction occurs near the project's boundary. Construction-related noise impacts from the proposed project would be potentially significant.*

Threshold:	Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Two types of short-term noise impacts could occur during the construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. There would be a relatively high single-event noise exposure potential at a maximum level of 87 dBA L_{max} with trucks passing at 50 feet. However, the projected construction traffic would be small when compared with the existing traffic volumes on Indian Avenue, Perris Boulevard, and other affected streets. Furthermore, the proposed project's truck traffic will not travel on roadways adjacent to the existing residences as Nandina Avenue does not provide access to the project site. Therefore, short-term construction-related worker commutes and equipment transport noise impacts would be less than significant and no mitigation is required.

The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the project site. Construction is completed in discrete steps, each of which has its own mix of equipment, and consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site, and therefore, the noise levels surrounding the site as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 4.4.I lists typical construction equipment noise levels recommended for noise-impact assessments, based on a distance of 50 feet between the equipment and a noise receptor. Typical noise levels range up to 91 dBA L_{max} at 50 feet during the noisiest construction phases. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction

1 *Model Community Noise Control Ordinance*, State of California, Department of Health, Office of Noise Control, 1977.

2 The loudest noise-generating use would come from loading/unloading activities. As previously identified, loading/unloading activities generate a noise level of approximately 75 dBA L_{max} at 50 feet. Accounting for distance divergence (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02); 75 dBA L_{max} – 26 dBA L_{max} – 12 dBA L_{max} = 37 dBA L_{max}.

3 75 dBA L_{max} – 26 dBA L_{max} – 24 dBA L_{max} = 25 dBA L_{max}.

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equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings.

Table 4.4.I: Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Range of Maximum Sound Levels Measured (dBA at 50 feet)	Suggested Maximum Sound Levels for Analysis (dBA at 50 feet)
Pile Drivers, 12,000 to 18,000 ft-lb/blow	81 to 96	93
Rock Drills	83 to 99	96
Jack Hammers	75 to 85	82
Pneumatic Tools	78 to 88	85
Pumps	74 to 84	80
Dozers	77 to 90	85
Tractors	83 to 91	80
Scrapers	83 to 94	87
Haul Trucks	79 to 86	88
Cranes	71 to 87	82
Portable Generators	75 to 82	80
Rollers	77 to 82	80
Front-End Loaders	77 to 90	86
Hydraulic Backhoe	81 to 90	86
Hydraulic Excavators	81 to 90	86
Graders	79 to 89	86
Air Compressors	76 to 89	86
Trucks	81 to 87	86

Source: Noise Control for Buildings and Manufacturing Plants, Bolt, Beranek & Newman, 1987

Construction of the proposed project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. Based on the information in Table 4.4.I, the maximum noise level generated by each scraper on the proposed project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA L_{max} at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations to the project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on Sundays and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to

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reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

Mitigation Measures. The following measures would reduce short-term construction-related noise impacts associated with the proposed project:

4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.

4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.

4.4.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays.

Level of Significance after Mitigation. With adherence to the City's designated construction hours and with implementation of the proposed mitigation measures, potential short-term construction noise impacts would be reduced below the level of significance.

4.4.7 Cumulative Impacts

The cumulative area for noise impacts is the City of Moreno Valley. Cumulative projects are identified in Chapter 2.0, Table 2.A and Figure 2.1. Implementation of the proposed project would result in the introduction of new noise sources and levels. Construction crew commutes and the transport of construction equipment, materials, and fill to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. Secondary sources of noise would include noise generated during excavation, grading, and building erection on the project site. The net increase in project site noise levels generated by these activities and other sources has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance. Although it is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, it is unlikely that adjacent properties will be developed at the same time as the proposed project. However, in the unlikely event that adjacent properties are developed at the same time as the proposed project, implementation of the stated mitigation measures would render the cumulative impacts of the proposed project to less than significant levels. The noise analysis contained in this section also provides an assessment of on-site operational noise level impacts onto adjacent sensitive uses, both existing and future. Additionally, on-site operational noises are individual noise occurrences and are not additive in nature.

Cumulative traffic volumes were developed from the addition of traffic generated by approved and pending projects to opening year with project traffic volumes. Cumulative noise impacts associated with roadway noise have been addressed based on the cumulative traffic volumes. The increases over existing traffic volumes are attributable to cumulative development projects in the project vicinity and region. As indicated, the cumulative roadway noise (with project) assessment concludes that

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noise levels along all roadway segments analyzed would not exceed baseline noise levels by 3 dBA or more. Comparing cumulative noise levels that would occur both with and without the project, the proposed project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. As indicated, the future roadway noise assessment concludes that there will be no significant roadway noise impacts associated with cumulative project conditions. Therefore, there are no projects that would, in combination with the proposed project, produce significant noise impacts to sensitive land uses from on-site operational noise. Thus, no significant cumulative noise impacts would occur after implementation of the proposed mitigation measures.

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4.5 TRANSPORTATION AND TRAFFIC

This section analyzes the potential traffic and circulation impacts of the proposed project based on the *Traffic Study*,[1] which is included in its entirety as Appendix G to this EIR. This section examines the project's traffic impacts on the existing baseline and opening year (2013) cumulative traffic scenarios.

4.5.1 Existing Setting

4.5.1.1 Existing Traffic Controls and Intersection Geometrics

An inventory of the existing study area street system was conducted by LSA Associates, Inc. Existing study area locations are illustrated in Figure 4.5.1 and consist of 6 project driveways, and 12 off-site intersections (for a total of 18 study area intersections), and 6 adjacent roadway segments. The northern driveway on Perris Boulevard will be for emergency access only and therefore has not been evaluated in this analysis. In the project vicinity, existing Perris Boulevard is a divided six-lane arterial roadway and Indian Street is a divided major arterial roadway. In addition, for informational purposes and disclosure to California Department of Transportation (Caltrans), the 7 freeway segments along Interstate 215 (I-215) in the project vicinity were analyzed.

Study area intersections include the following:

- I-215 Southbound Ramps/Harley Knox Boulevard;
- I-215 Northbound Ramps/Harley Knox Boulevard;
- Indian Street/Nandina Avenue;
- Indian Street/Grove View Road;
- Indian Street/North Project Driveway;
- Indian Street/South Project Driveway;
- Indian Street/Harley Knox Boulevard;
- Perris Boulevard/Gentian Avenue;
- Perris Boulevard/Iris Avenue;
- Perris Boulevard/Krameria Avenue;
- Perris Boulevard/Nandina Avenue;
- Perris Boulevard/Grove View Road-Globe Street;
- Perris Boulevard/North Project Driveway;
- Perris Boulevard/South Project Driveway;
- Perris Boulevard/Harley Knox Boulevard;
- West Project Driveway/Grove View Road;
- Main Project Driveway/Grove View Road; and
- East Project Driveway/Grove View Road.

[1] *Traffic Study, VIP Moreno Valley, City of Moreno Valley, Riverside County, California*, prepared for Vogel Engineers, Inc., LSA Associates, Inc., April 2012.

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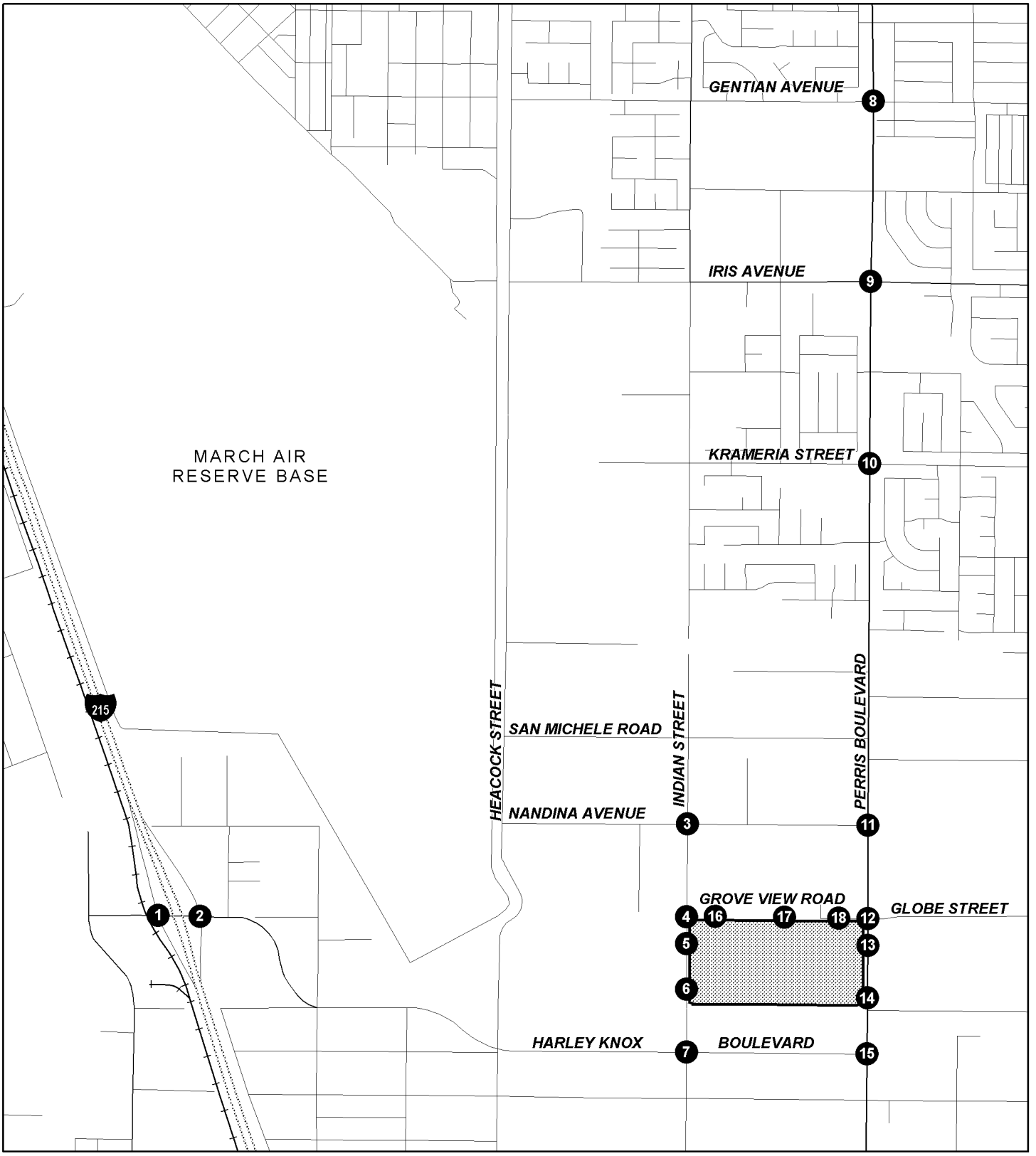

LSA

FIGURE 4.5.1

N

0 1,000 2,000

FEET

Project Location

Study Area Intersections

SOURCE: Thomas Bros., 2009

VIP Moreno Valley
Environmental Impact Report

Study Area Intersections

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Study area roadway segments include the following:

- Nandina Avenue west of Indian Avenue;
- Harley Knox Boulevard west of Indian Avenue;
- Indian Street north of Grove View Road;
- Indian Street south of the south project driveway;
- Perris Boulevard north of Grove View Road; and
- Perris Boulevard south of the south project driveway.

Study area freeway segments include the following:

- Freeway segment north of Harley Knox Boulevard;
- Harley Knox Boulevard On-Ramp (merge area) at Northbound I-215;
- Freeway segment between Harley Knox Boulevard Ramps;
- Harley Knox Boulevard Off-Ramp (diverge area) at Northbound I-215;
- Freeway segment south of Harley Knox Boulevard;
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215; and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215.

4.5.1.2 Existing Baseline Traffic Volumes

Existing traffic conditions for the study area intersections are based on a.m. and p.m. peak hour intersection turning movement counts collected by Counts Unlimited, Inc. in December 2007, with the exception of the intersection of Perris Boulevard/South Project Driveway. The intersection of Perris Boulevard/South Project Driveway was counted in May 2009 to document traffic from the Ross distribution center driveway, and was adjusted to reflect year 2007 conditions by matching the south leg approach and departure volumes with the north leg of Perris Boulevard/Harley Knox Boulevard. Count sheets are contained in the Traffic Study, included as Appendix G of this EIR. Since it has been four years since the 2007 counts, traffic counts were conducted for 3 locations near the project in 2011. However, since the 2011 counts were found to be lower than the 2007 counts due to reduced vehicular travel arguably caused by the current economic conditions, the 2007 counts were maintained to present a conservative approach for existing baseline traffic conditions. A comparison of the 2007 counts to the 2011 counts is included in Appendix G of this EIR.

Existing daily traffic volumes for the 6 study area roadway segments are based on daily counts collected by Counts Unlimited, Inc. in June 2009. For the 7 freeway segments, existing freeway segment bidirectional volumes are derived from the Annual Average Daily Traffic (AADT) volume data published by Caltrans in 2009.

Vehicle classification counts were conducted at the intersections of I-215 Southbound Ramps/Harley Knox Boulevard, I-215 Northbound Ramps/Harley Knox Boulevard, Indian Street/Nandina Avenue, Indian Street /Harley Knox Boulevard, Perris Boulevard/Gentian Avenue, Perris Boulevard/South Project Driveway, and Perris Boulevard/Harley Knox Boulevard. Based on recommendation from the City of Moreno Valley, Passenger Car Equivalent (PCE) volumes at these locations were computed using a PCE factor of 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with 4 or more axles. The percentage of trucks at intersections where classification counts were not conducted was determined based on percentage of trucks and average truck PCE at the nearest intersection with

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classification counts. Detailed volume development worksheets are included in the Traffic Study (Appendix G).

The peak hour volumes for freeway segments are derived from a percentage of the bidirectional AADT known as the K factor multiplied by the percentage of peak hour travel in the peak direction known as the D factor. Based on Caltrans data, 7.9 percent (K factor) of AADT occurs in the a.m. peak hour with 63.3 percent (D factor) of the total traffic traveling southbound and 36.7 percent in the northbound direction. In addition, 7.4 percent of AADT occurs in the p.m. peak hour with 56.3 percent of the total traffic traveling southbound and 43.7 percent in the northbound direction.

4.5.1.3 Existing Intersection Levels of Service

Traffic Level of Service Definitions. Level of service (LOS) will be referred to frequently in this section. Roadway operations and the relationship between capacity and traffic volumes are generally expressed in LOS, which are defined using the letter grades A through F (Table 4.5.A) and reflect the reality that conditions rapidly deteriorate as traffic approaches a thoroughfare's absolute capacity.

LOS was used in the traffic study to determine adequate operation of each of the study intersections. These intersections were selected based on the City of Moreno Valley Public Works Department staff recommendations. The distribution of project trips was developed in consultation with City staff by examining the location of the proposed project trips in relation to the surrounding residential areas, as well as the regional roadway network, which follows current practice. The freeway segments on I-215 are under the jurisdiction of Caltrans; all study intersections on Harley Knox Boulevard are under the jurisdiction of the City of Perris; and all other study intersections are under the jurisdiction of the City of Moreno Valley.

Table 4.5.A: Traffic Level of Service (LOS) Definitions

LOS	Description
A	No approach phase is fully utilized by traffic and no vehicle waits longer than one red indication. The approach appears quite open, turns are made easily, and nearly all drivers find freedom of operation.
B	This service level represents stable operation, where an occasional approach phase is fully utilized and a substantial number approach full use. Many drivers begin to feel restricted within platoons of vehicles.
C	This level still represents stable operating conditions. Occasionally drivers may have to wait through more than one red signal indication, and backups may develop behind turning vehicles. Most drivers feel somewhat restricted, but not objectionably so.
D	This level encompasses a zone of increasing restriction approaching instability at the intersection. Delays to approaching vehicles may be substantial during short peaks within the peak period; however, enough cycles with lower demand occur to permit periodic clearance of developing queues, thus preventing excessive backups.
E	Capacity occurs at the upper end of this service level. It represents the most vehicles that any particular intersection approach can accommodate. Full utilization of every signal cycle is seldom attained no matter how great the demand.
F	This level describes forced flow operations at low speeds, where volumes exceed capacity. These conditions usually result from queues of vehicles backing up from a restriction downstream. Speeds are reduced substantially and stoppages may occur for short or long periods of time due to the congestion. In the extreme case, both speed and volume can drop to zero.

Source: *Highway Capacity Manual*, *Special Report 209*, Transportation Research Board, Washington, DC, 1985.

4.5.1.4 Level of Service Standards

Intersections on Harley Knox Boulevard are under the jurisdiction of the City of Perris, and all other study intersections are under the jurisdiction of the City of Moreno Valley. The City of Moreno Valley's

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standard for peak hour intersection LOS and roadway segment LOS is either LOS C or LOS D, depending on the LOS defined for that roadway in the General Plan Circulation Element. The standard of LOS D applies to all City intersections and roadways analyzed in the traffic study conducted for the proposed project. The intersection and roadway level of service standard for the City of Perris is D. Caltrans considers acceptable LOS to be between LOS C and LOS D for all intersections under its jurisdiction; therefore, all signalized ramp terminus intersections on I-15 must operate with a weighted average delay of 45 seconds or less (representing the midpoint of the delay range for LOS D). If project traffic contributes to an existing or cumulative unsatisfactory LOS, it is considered a significant cumulative impact. Therefore, recommendation of circulation improvements is required for all intersections operating at LOS E or F. Any intersection operating below the relevant jurisdiction's level of service is considered an impact requiring mitigation. Table 4.5.B summarizes the level of service criteria for unsignalized and signalized intersections.

Table 4.5.B: Level of Service Criteria for Unsignalized and Signalized Intersections

Level of Service	Unsignalized Intersection Average Delay per Vehicle (seconds)	Signalized Intersection Average Delay per Vehicle (seconds)
A <	_ 10	≤ 10
B	> 10 and ≤ 15	> 10 and ≤ 20
C	> 15 and ≤ 25	> 20 and ≤ 35
D	> 25 and ≤ 35	> 35 and ≤ 55
E	> 35 and ≤ 50	> 55 and ≤ 80
F	> 50	> 80

Source: Transportation Research Board, *2000 Highway Capacity Manual*, *Intersection Level of Service Criteria*, December 2000.

As previously stated, the freeway segments on I-215 are under the jurisdiction of Caltrans. The level of service standard for freeway segments is LOS E. Any freeway segment operating below the level of service standard E is considered an impact requiring mitigation.

4.5.1.5 Baseline and Cumulative Traffic Scenarios

Existing baseline and cumulative peak hour traffic operations have been evaluated for both the a.m. and p.m. peak hours of traffic at the study area intersections. A level of service analysis was conducted to evaluate existing baseline and cumulative a.m. and p.m. peak hour traffic operations at the study area intersections. LOS is discussed in the following paragraphs for these two traffic analysis scenarios against which project impacts are compared:

- Existing setting baseline without the project; and,
- Opening year (2013) cumulative without the project.

Existing Setting Baseline. Existing traffic volumes at study area intersections are based on peak hour intersection turn movement counts. An intersection level of service analysis was conducted for existing conditions to determine current circulation system performance. As identified in Table 4.5.C, all study area intersections are currently operating at a satisfactory level of service (LOS D) or better.

A roadway segment level of service analysis was conducted for existing without project conditions to determine current roadway performance. Table 4.5.C summarizes the level of service analysis results. As shown in Table 4.5.C, the following roadway segments operate at unsatisfactory levels of service:

- Perris Boulevard north of Grove View Road (southbound); and

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- Perris Boulevard south of South Project Driveway (northbound and southbound).

Table 4.5.C also summarizes the existing without project levels of service for freeway segments and ramp merge/diverge areas. As shown in Table 4.5.C, the following freeway segments and ramp merge/diverge areas operate at unsatisfactory levels of service:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

Opening Year (2013) Cumulative Without the Project. For the opening year (2013) cumulative scenario, information concerning approved and pending projects in the project vicinity was obtained from the City of Moreno Valley, City of Perris, County of Riverside, and March JPA and added to the year 2013 traffic volumes. From this information, 44 projects were identified that would interact with the proposed project and have potential impacts at the study intersections under year 2013 conditions. Trip generation for the approved and pending projects were calculated based on the rates published in the ITE *Trip Generation,* 8th Edition. As identified in Table 4.5.C, the following nine intersections were forecast to operate at unsatisfactory levels of service in opening year 2013 cumulative without the project:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

A roadway segment level of service analysis was conducted for the year 2013 cumulative without project conditions to determine projected roadway performance. Table 4.5.C summarizes the level of service analysis results. As shown in Table 4.5.C, the following three roadway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Table 4.5.C also summarizes the year 2013 cumulative without project levels of service for freeway segments and ramp merge/diverge areas and shows that the following freeway segments and ramp merge/diverge areas are projected to operate at unsatisfactory levels of service:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

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Table 4.5.C: Baseline and Cumulative Levels of Service Without Project

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing		Opening Year (2013) Cumulative	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	C	B	**F**	**F**
Indian Street/Nandina Avenue	Signal	C	C	C	D
Indian Street/Grove View Road	TWSC	B	B	B	B
Indian Street/North Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Indian Street/South Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Indian Street/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Perris Boulevard/Gentian Avenue	Signal	B	C	**F**	**F**
Perris Boulevard/Iris Avenue	Signal	**D**	**C**	**F**	**F**
Perris Boulevard/Krameria Avenue	Signal	C	**C**	**F**	**F**
Perris Boulevard/Nandina Avenue	Signal	B	B	**F**	**F**
Perris Boulevard/Grove View Road	Signal	B	B	**F**	**F**
Perris Boulevard/North Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Perris Boulevard/South Project Driveway	Signal	A	A	**F**	**F**
Perris Boulevard/Harley Knox Boulevard	Signal	**B**	**B**	**F**	**F**
West Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
Center Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
East Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	A	B	F	F
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	A	A	E	F
Perris Boulevard north of Grove View Road	NA	A	F C		F
Perris Boulevard south of South Project Driveway	NA	F	F	F	F

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Table 4.5.C: Baseline and Cumulative Levels of Service Without Project

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing		Opening Year (2013) Cumulative	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	B	C	C
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F E	
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F D		F F	
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F D		F D	
South of Harley Knox Boulevard	Basic	D	D	F	D

Shaded = Exceeds LOS standard; TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California,* LSA Associates, Inc., April 2012, Appendix G of this EIR.

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4.5.2 Existing Policies and Regulations

The City of Moreno Valley's current General Plan was approved in July 2006. Goals and policies extracted from the Circulation Element are included in the current General Plan. The specific policies and recommendations of implementation of the General Plan that are relevant to the proposed project are as follows:

Circulation Element

Objective 5.1 Create a safe, efficient, and neighborhood-friendly street system.

Policy 5.1.1 Plan access and circulation of each development project to accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.

Policy 5.1.2 Plan the circulation system to reduce conflicts between vehicular, pedestrian and bicycle traffic.

Policy 5.1.3 Require adequate off-street parking for all developments.

Policy 5.1.4 Driveway placement shall be designed for safety and to enhance circulation wherever possible.

Policy 5.1.5 Incorporate American Disability Act (ADA) and Title 24 requirements in roadway improvements as appropriate.

Policy 5.1.6 Design new developments to provide opportunity for access and circulation to future adjacent developments.

Objective 5.3 Maintain Level of Service (LOS) C on roadway links, wherever possible, and LOS D in the vicinity of SR 60 and high employment centers.

Policy 5.3.1 Obtain right-of-way and construct roadways in accordance with the designation shown on the General Plan Circulation Element Map and the City street improvement standards.

Policy 5.3.5 Ensure that new development pays a fair-share cost to provide local and regional transportation improvements and to mitigate cumulative traffic impacts. For this purpose, require new developments to participate in Transportation Uniform Mitigation Fee (TUMF), the Development Impact Fee Program (DIF), and any other applicable transportation fee programs and benefit assessment districts.

Policy 5.3.6 Where new developments would increase traffic flows beyond the LOS C (or LOS D, where applicable), require appropriate and feasible mitigation measures as a condition of approval. Such measures may include extra right-of-way and improvements to accommodate left-turn and right-turn lanes at intersections, or other improvements.

Policy 5.3.7 Provide consideration to projects that have overriding regional or local benefits that would be desirable even though the LOS standards cannot be met. These projects would be required to analyze traffic impacts and mitigate such impacts to the extent that it is deemed feasible.

Objective 5.5 Maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways.

Policy 5.5.3 Prohibit points of access from conflicting with other existing or planned access points. Require points of access to roadways to be separated sufficiently to maintain capacity, efficiency, and safety of the traffic flow.

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Policy 5.5.4 Wherever possible, minimize the frequency of access points along streets by the consolidation of access points between adjacent properties on all circulation element streets, excluding collectors.

Policy 5.5.5 Design streets and intersections in accordance with the Moreno Valley Municipal Code.

Policy 5.5.8 Whenever possible, require private and public land developments to provide on-site and off-site improvements necessary to mitigate any development-generated circulation impacts. A review of each proposed land development project shall be undertaken to identify project impacts to the circulation system. The City may require developers to provide traffic impact studies prepared by qualified professionals to identify the impacts of a development.

Policy 5.5.9 Design curves and grades to permit safe movement of vehicular traffic per applicable Caltrans and Moreno Valley standards.

Policy 5.5.10 Provide adequate sight distances for safe vehicular movement at all intersections and driveways.

Objective 5.8 Encourage development of an efficient public transportation system for the entire community.

Policy 5.8.4 Ensure that all new developments make adequate provision for bus stops and turnout areas for both public transit and school bus service.

Objective 5.11 Eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians.

Policy 5.11.2 Driveways shall be designed to avoid conflicts with pedestrian and bicycle travel.

Program 5-1 Periodically review current traffic volumes, traffic collision data, and the pattern of urban development to coordinate, program, and as necessary revise the planning and prioritization of road improvements.

Program 5-6 Conduct studies of specified arterial segments to determine if any additional improvements will be needed to maintain an acceptable LOS at General Plan build-out. Generally, these segments will be studied as new developments are proposed in their vicinity. Measures will be identified that are consistent with the Circulation Element designation of these roadway segments, such as additional turn lanes at intersections, signal optimization by coordination and enhanced phasing, and travel demand management measures. The study of specified arterial segments will be required to identify measures to maintain an acceptable LOS at General Plan build-out for at least one of the reasons discussed below:

(a) Segments will need improvement, but their ultimate volumes slightly exceed design capabilities.

(b) Segments will need improvements but require inter-jurisdictional coordination.

(c) Segments would require significant encroachment on existing adjacent development if built out to their Circulation Element designations.

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Program 5-13 Implement Transportation Demand Management (TDM) strategies that reduce congestion in the peak travel hours. Examples include carpooling, telecommuting, and flexible work hours.

City of Moreno Valley Development Impact Fee Program

The City of Moreno Valley has a development impact fee (DIF) program that is used to collect fees from new residential, commercial, and industrial development for funding roadways and intersections to accommodate City growth as identified in the City's General Plan Circulation Element. The City of Moreno Valley updated its DIF program in February 2008 in response to the City's General Plan update, which occurred in 2006. Adoption of the updated DIF program has been deferred. The DIF program was updated to include new roadway segments and intersections necessary to accommodate future growth and to ensure that the identified street improvements would operate at or above the City's LOS performance threshold. The DIF program includes facilities that are not part of improvements identified and covered by the TUMF program. Therefore, the pairing of regional and local fee programs provides a more comprehensive funding and implementation plan to ensure an adequate circulation system. Under the City's DIF program, the City may grant to developers a credit against specific components of fees when those developers construct certain improvements identified in the list of improvements funded by the DIF program.

After the City's DIF fees are collected, they are placed in a separate account. The timing to use the DIF fees is established through periodic capital improvement programs, which are overseen by the City's Public Works Department. The City's DIF program establishes a mechanism to fund design and construction of General Plan roadways. The City uses citywide traffic counts, traffic trends, and a review of traffic accidents to determine the timing of the improvements listed in its capital improvement facilities list. The City also uses these data to prioritize the timing of improvements listed on the facilities list.

Transportation Uniform Mitigation Fee Program

The Transportation Uniform Mitigation Fee (TUMF) program, which is administered by the Western Riverside Council of Governments (WRCOG), is based upon a regional Nexus Study completed in early 2003 and updated in 2006. The update addresses major changes in right-of-way acquisition and improvement cost factors. The TUMF identifies a network of roadways needed to accommodate growth through 2030. This program ensures that development pays its fair share and that funding is in place for construction of facilities needed to maintain the requisite levels of service and is critical to mobility in the region. The TUMF is implemented in every jurisdiction in Western Riverside County.

TUMF fees are imposed on new residential, industrial, and commercial development through application of the TUMF fee ordinance and fees are generally collected at the building permit stage. After the TUMF fees are collected, they are placed in a separate interest-bearing account pursuant to the requirements of Government Code sections 66000 et seq. The TUMF funds both local and regional projects. Local projects receive about 48 percent of all funds, are programmed into five localized zones, and fund the construction of localized projects that are proposed by the affected local jurisdictions within each zone.

4.5.3 Methodology

Evaluation of traffic and circulation impacts associated with the proposed project includes the following:

4.5.3.1 Project Trip Generation

The project trip generation is based on the City of Moreno Valley trip rates for High-Cube warehousing as derived from the NAIOP trip generation study (2006). Based on discussion with the City, the vehicle splits for Truck Terminal from the City of Fontana's *Truck Trip Generation Study* were used to convert project trips into PCE trips.

Table 4.5.D shows the calculation of the project trip generation. As shown in Table 4.5.D, the project is expected to generate 327 PCE trips in the a.m. peak hour, 388 PCE trips in the p.m. peak hour, and 5,052 daily PCE trips.

Table 4.5.D: Project Trip Generation

Vehicle Type	A.M. Peak Hour			P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Passenger Cars	45	37	82	23	74	97	1,256
Truck Trips (total raw trucks)	45	50	95	74	39	113	1,475
2-axle (PCE)	8	9	17	12	8	20	249
3-axle (PCE)	22	26	48	38	20	58	760
4+-axle (PCE)	87	93	180	141	72	213	2,787
Total Trips (PCE)[1]	**162**	**165**	**327**	**214**	**174**	**388**	**5,052**

Notes: PCE = Passenger Car Equivalent.
Total a.m. peak hour, p.m. peak hour and daily rates from modified NAIOP rates for High-Cube Warehousing as approved by the City of Moreno Valley.
All trip generation rates converted to car and truck trips using vehicle mix and enter/exit splits for Truck Terminal from Fontana Truck Trip Generation Study.
Truck trips converted to PCEs based on the SANBAG PCE values.
[1] Total Trips (PCE) = Passenger Cars + PCE Truck Trips.

The concept of PCEs accounts for the larger impact of trucks on traffic operations. It does so by assigning each type of truck a PCE factor that represents the number of passenger vehicles that could travel through an intersection in the same time that a particular type of truck could. PCE volumes for study area locations were computed using a PCE factor of 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with 4 or more axles, which are values recommended by the City of Moreno Valley. For example, in this report, trucks with four or more axles have been assigned a PCE factor of 3.0, indicating that three passenger vehicles could travel through an intersection in the same amount of time required for a single truck with four or more axles; therefore, the impacts and mitigations identified in this EIR incorporate the impact of trucks on intersection operations.

4.5.3.2 Trip Distribution and Assignment

Trip distribution patterns were estimated by examining the location of the project in relation to the regional roadway network and adjoining land uses and through consultation with City staff. Trip distribution was developed separately for passenger vehicles and trucks. Trip distribution for roadway segments was developed using a similar methodology.

The project trip generation was applied to the trip distribution patterns for the proposed project to develop trip assignments for new project trips. Trip assignment for roadway segments was developed by applying the project daily trip generation to the roadway segment distribution.

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4.5.4 Thresholds of Significance

In the Initial Study[1] for this project, it was concluded that the proposed project could create potentially significant traffic impacts associated with the following CEQA traffic impact thresholds of significance if the project would:

- *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit.*

  (A significant traffic impact would occur if the project would cause a decrease from a standard LOS to a less than standard LOS at a study intersection based on a peak hour analysis.)

  - City of Moreno Valley LOS C or LOS D, depending on the LOS defined for that roadway in the General Plan Circulation Element, and
  - California Department of Transportation LOS standard is LOS D.
- *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.*
- *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.*

The Initial Study also concluded that the project would not impact or would create a less than significant impact associated with the following CEQA traffic impact thresholds:

- *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*
- *Result in inadequate emergency access.*
- *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease performance or safety of such facilities.*

4.5.5 No Impact/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.5.5.1 Design Features or Incompatible Uses

Threshold	Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway

[1] *Initial Study, VIP Moreno Valley, City of Moreno Valley, Riverside County, California*, prepared by LSA Associates, Inc., July 25, 2011 (see Appendix A).

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improvements in and around the project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as in corporate design standards tailored specifically to site access requirements.

The final design of all roadways and intersections within the project site access would be reviewed by a licensed professional civil engineer to ensure adequate safety when traveling to and from the project site. The proposed project does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City of Moreno Valley consistent with the City's Circulation Element Objectives 5.1 (create a safe, efficient, and neighborhood-friendly street system), 5.5 (maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways), and 5.11 (eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians) and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required.

4.5.5.2 Inadequate Emergency Access

Threshold	Would the proposed project result in inadequate emergency access?

The developers of the proposed project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Construction activities, which may temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. The proposed project design would be submitted to and approved by the City's Fire and Police Departments prior the issuance of building permits. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required.

4.5.5.3 Alternative Transportation

Threshold	Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The Riverside Transit Agency (RTA) has numerous bus routes that serve the City of Moreno Valley and bus service in the project area is via Route 19. Route 19 provides service along Perris Boulevard and provides a bus stop along Perris Boulevard north of Lateral B of the Perris Valley Storm Drain adjacent to the project site, at the intersection of Perris Boulevard and Nandina Avenue approximately one quarter mile north of the site, at the intersection of Perris Boulevard and E. Nance Street approximately one quarter mile south of the project site, at the intersection of Perris Boulevard and Markham Street approximately one half mile south of the project site, and at the intersection of Perris Boulevard and Ramona Expressway, approximately 1.0 mile south of the project site. RTA provides service along Perris Boulevard and provides service directly to the project site. The City also provides a multi-use trail system as part of the City's Master Plan of Trails. These trails provide for recreational and non-motorized travel throughout the City. The City's *Master Plan of Trails Map*[1] does not identify any existing or proposed trails in the vicinity of the project site.

The design of the proposed project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation, including but not limited to pedestrian pathways and sidewalks consistent with the City's Circulation Element Objective 5.8 (encourage development of an efficient public transportation system for the entire community). Through the City's project review process, policies, plans, and/or programs supporting alternative

[1] *Master Plan Trails Map*, City of Moreno Valley, print date October 26, 2010.

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transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur as a result of the proposed project and no mitigation is required.

4.5.5.4 Air Traffic Patterns

Threshold	Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Airport facilities within the vicinity of the project site include the March Air Field, which is part of the March Air Reserve Base (MARB). The proposed project site is located approximately 0.75 mile east of March Air Field. The MARB encompasses approximately 6,500 acres of the Air Force Reserve's 452nd Air Mobility Wing, which provides host base support for numerous tenant active military units. It is also the home of 4th Air Force and multiple units of the California Air National Guard. When March Air Force Base (March AFB) was converted from an active duty base to a Reserve Base in 1996, the decision resulted in approximately 4,400 acres of property and facilities being declared surplus and available for disposal actions, as well as joint use of the airfield. With the realignment of March AFB, the MARB Redevelopment Project Area was established. The MARB Redevelopment Project Area includes the entire 6,500-acre former active duty base area, and approximately 450 acres adjacent to the base in the industrial area of the City of Moreno Valley.

To implement the MARB Redevelopment Project Area and to facilitate the transition of a portion of the MARB from military to civilian uses, the March Joint Powers Authority (March JPA), consisting of the County of Riverside and the Cities of Moreno Valley, Perris, and Riverside, was formed. The March JPA along with the U.S. Air Force pursued the establishment of March Air Field as a joint use airport.

The Air Force defines a "joint use airport" as one where the facilities which are owned and operated by the Air Force are made available for use by civil aviation. A joint use agreement between these parties was executed May 7, 1997, along with land leases for over 300 acres as the civilian airport name March Inland Port (MIP). Under the agreement, the civilian (March JPA) and the military (AFRC) entities share essential aviation facilities such as the control towers and runways, as well as maintenance of facilities, under this joint use arrangement. Under the provisions of the Joint Use Agreement, the MIP is the civilian facility that is managed and operated by the MIP Airport Authority (MIPAA). The MIP includes air cargo operations such as the March Global Port, a 350-acre commercial air cargo and distribution center.

The Department of the Defense (Air Force) completed an Air Installation Compatible Use Zone (AICUZ) study for MARB in 1998. The AICUZ study was designed and is intended to aid in the development of compatible land uses in non-government areas surrounding military airfields to protect public safety and health. The study established three zones based on potential crash patterns: a Clear Zone and two Accident Potential Zones (APZ). The Clear Zone reaches from along the extended runway centerline to a distance of 3,000 feet, APZ 1 extends from 3,000 feet to 8,000 feet, and APZ II extends from 8,000 feet to 15,000 feet. According to the AICUZ, outside of the Clear Zone and APZs "the risk of aircraft accidents is not significant enough to warrant special consideration in land use planning." The proposed project site is not located within a Clear Zone, APZ 1, or APZ 2 for MARB as designated by the Air Force 2005 AICUZ Study.

In addition to the AICUZ, Airport Influence Area boundaries around MARB have been adopted by County of Riverside Airport Land Use Commission (ALUC) in its Airport Land Use Plan (ALUP). The project site is approximately 0.75 mile east of the March Air Field and is entirely within Airport Influence Area II. As part of the standard process for development within Airport Influence Areas for MARB, proposed projects are required to be reviewed by the ALUC for consistency with the ALUP.

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As a standard condition imposed during ALUC reviews, developments located within the boundaries of Influence Area III are required to provide avigation easements. To ensure consistency with the ALUC recommendations is maintained, avigation easements will be required as part of a condition of approval for the project site. Development that would occur within Airport Influence II of MIP would not include any features that would alter air traffic patterns or the level of air traffic at the MIP; therefore, a less than significant air traffic safety impact would occur and no mitigation is required.

4.5.6 Significant Impacts

4.5.6.1 Existing Plus Project Intersection, Roadway Segment, and Freeway Segment Impacts.

Threshold	Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Impact 4.5.6.1: *Two roadway segments and three freeway segments are forecast to exceed satisfactory levels of service in the existing plus project conditions creating a significant impact.*

The existing plus project levels of service for the study area intersections are summarized in Table 4.5.E. All study area intersections operate at a satisfactory level of service. No intersection level of service impacts would occur and no mitigation is required.

The existing plus project levels of service for the study area roadway segments are also summarized in Table 4.5.E. As shown in Table 4.5.E, the following roadway segments are projected to operate at unsatisfactory levels of service:

- Perris Boulevard north of Grove View Road (southbound); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

This is a significant impact and mitigation is required. It should be noted that these roadway segments also operate at unsatisfactory levels of service under existing without project conditions.

The existing plus project levels of service for the study area freeway segments are also summarized in Table 4.5.E. As shown in Table 4.5.E, the following freeway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

This is a significant impact and mitigation is required. It should be noted that these two freeway segments also operate at unsatisfactory levels of service under existing without project conditions.

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Mitigation Measures. To ensure existing plus project local traffic impacts are reduced to a less than significant level, the following mitigation measures shall be implemented.

4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the City of Moreno Valley Development Impact Fee Program.

4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.,

Level of Significant After Mitigation. As identified in Table 4.5.E, all study intersections are forecast to operate at acceptable levels of service in the existing plus project scenario. The two deficient roadway segments on Perris Boulevard were previously identified as deficient in the pre-project scenario; therefore, the project contributes to these existing deficiencies. Payment of the City's DIF and transportation TUMF fees as set forth in **Mitigation Measures 4.5.6.1A** and **4.5.6.1A** will provide full and complete mitigation of the project's impact on the local and regional roadway and intersection circulation system. The improvements to Perris Boulevard identified in the traffic study prepared for the project are consistent with the City's General Plan and are included in the County's TUMF program. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element. For these reasons, the project's impacts to affected roadway segments will be mitigated through payment of the City's DIF and the County's TUMF.

The City is currently in the process of implementing a Capital Improvement Project to widen Perris Boulevard from Cactus Avenue south to city limits. The improvement project will widen Perris Boulevard to a six-lane street section, consistent with the General Plan. Construction is scheduled to start in the summer of 2012 and end in May 2013. The widening will encompass the improvements defined in the project traffic study for two segments of Perris Boulevard. The resultant levels of service with implementation of the identified improvements are presented in Table 4.5.F.

Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with the two freeway segments (Harley Knox Boulevard Southbound I-215 Off-Ramp diverge area; and Harley Knox Boulevard Southbound I-215 On-Ramp merge area) would remain significant and unavoidable until such improvements are constructed.

4.5.6.2 Opening Year 2013 Cumulative With Project Conditions Intersection, Roadway Segment, and Freeway Segment Impacts

Impact 4.5.6.2: *Eleven intersections, four roadway segments, and four freeway segments are forecast to exceed satisfactory levels of service in the year 2013 cumulative plus project conditions, creating a significant impact.*

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Table 4.5.E: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Indian Street/Nandina Avenue	Signal	C	C	C	D
Indian Street/Grove View Road	TWSC	B	B	B	C
Indian Street/North Project Driveway	TWSC	B B		C	C
Indian Street/South Project Driveway	TWSC	B	C	D	**E**
Indian Street/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Perris Boulevard/Gentian Avenue	Signal	B	C	**F**	**F**
Perris Boulevard/Iris Avenue	Signal	D	C	F	F
Perris Boulevard/Krameria Avenue	Signal	C	C	**F**	**F**
Perris Boulevard/Nandina Avenue	Signal	B	B	**F**	**F**
Perris Boulevard/Grove View Road	Signal	B	B	**F**	**F**
Perris Boulevard/North Project Driveway	TWSC	A	A	A	A
Perris Boulevard/South Project Driveway	Signal	B	A	**F**	**F**
Perris Boulevard/Harley Knox Boulevard	Signal	B	B	**F**	**F**
West Project Driveway/Grove View Road	TWSC	A	A	A	A
Center Project Driveway/Grove View Road	TWSC	A	A	A	A
East Project Driveway/Grove View Road	TWSC	A	A	A	A
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	B	D	F	F
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	B	B	F	F
Perris Boulevard north of Grove View Road	NA	A	F C		F
Perris Boulevard south of South Project Driveway	NA	F	F	F	F

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Table 4.5.E: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	C	C	C
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F E	
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F D		F F	
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F D		F D	
South of Harley Knox Boulevard	Basic	E	D	F	D

Shaded = Exceeds LOS standard; **Bold** = Queue exceeds the available storage capacity (based on the 95th percentile queue length); TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California*, LSA Associates, Inc., April 2012, Appendix G of this EIR.

Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	NA	NA	C	D
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	NA	NA	C	C
Indian Street/Nandina Avenue	Signal	NA	NA	C	D
Indian Street/Grove View Road	TWSC	NA	NA	B	C

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Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Indian Street/North Project Driveway	TWSC	NA NA		C	C
Indian Street/South Project Driveway	TWSC	NA	NA	C	C
Indian Street/Harley Knox Boulevard	Signal	NA	NA	D	D
Perris Boulevard/Gentian Avenue	Signal	NA	NA	B	B
Perris Boulevard/Iris Avenue	Signal	NA	NA	D	D
Perris Boulevard/Krameria Avenue	Signal	NA	NA	D	D
Perris Boulevard/Nandina Avenue	Signal	NA	NA	C	C
Perris Boulevard/Grove View Road	Signal	NA	NA	A	B
Perris Boulevard/North Project Driveway	TWSC	NA	NA	A	A
Perris Boulevard/South Project Driveway	Signal	NA	NA	A	A
Perris Boulevard/Harley Knox Boulevard	Signal	NA	NA	D	D
West Project Driveway/Grove View Road	TWSC	NA	NA	A	A
Center Project Driveway/Grove View Road	TWSC	NA	NA	A	A
East Project Driveway/Grove View Road	TWSC	NA	NA	A A	
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	B	D	D	E
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	B	B	B	B
Perris Boulevard north of Grove View Road	NA	A	A	C	C
Perris Boulevard south of South Project Driveway	NA	A	A	D	D
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	C	C	C

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Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F E	
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F D		F F	
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F D		F D	
South of Harley Knox Boulevard	Basic	E	D	F	D

Shaded = Exceeds LOS standard; **Bold** = Queue exceeds the available storage capacity (based on the 95th percentile queue length); TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California*, LSA Associates, Inc., April 2012, Appendix G of this EIR.

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Threshold	Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Opening year (2013) cumulative with project conditions considers the addition of traffic generated by the proposed project to opening year (2013) cumulative without project conditions. As previously noted, the opening year (2013) cumulative scenario was developed using traffic volumes that would be generated by approved and pending projects in the project vicinity and year 2013 traffic volumes. Additionally, projects currently included in the City's CIP and planned for construction by 2013 have been considered as complete. An intersection LOS analysis was conducted to determine opening year (2013) cumulative intersection performance. As identified in Table 4.5.E, the addition of project traffic to the opening year (2013) cumulative scenario would result in conditions exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

This is a significant impact and mitigation is required. It is important to note that ten of the eleven intersections also operate at unsatisfactory levels of service under year 2013 cumulative without project conditions. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a project-specific impact.

A roadway segment level of service analysis was conducted for the year 2013 cumulative with project condition to determine projected roadway performance. Table 4.5.E summarizes the level of service analysis results. As shown in Table 4.5.E, the following four roadway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and

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- Perris Boulevard south of South Project Driveway (northbound and southbound).

This is a significant impact and mitigation is required. It is important to note that these roadway segments also operate at unsatisfactory levels of service under year 2013 cumulative without project conditions.

Previously referenced Table 4.5.E summarizes the year 2013 cumulative with project levels of service for freeway segments and ramp merge/diverge areas. As shown in Table 4.5.E, the following freeway segments and ramp merge/diverge areas operate at unsatisfactory levels of service:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. and p.m. peak hours);
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour); and
- Freeway segment south of Harley Knox Boulevard (a.m. peak hour).

This is a significant impact and mitigation is required. It should be noted that these freeway segments also operate at unsatisfactory levels of service under year 2013 without project conditions.

Mitigation Measures. To ensure cumulative plus project traffic impacts are reduced to a less than significant level, previously referenced **Mitigation Measures 4.5.6.1A** and **4.5.6.1B** and the following mitigation measure shall be implemented.

4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.

- Indian Street /South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

Level of Significance After Mitigation. As described in detail in Section 4.5.1.4, the level of service performance standards used in this EIR are as follows:

- Freeway mainline lanes: LOS E.
- Harley Knox Boulevard intersections with the I-215 ramps: mid LOS D.
- All other intersections and roadway segments: LOS D.

Based in these performance standards, a significant project-specific traffic impact would occur if the project would cause a decrease from a standard LOS to a less than standard LOS based on a study area intersection, roadway segment, freeway mainline lane, or freeway merge/diverge analysis. A significant cumulative traffic impact would occur if the project contributes traffic toward those facilities operating at less than standard LOS in the pre-project condition. As described above in the preceding discussion, all of the intersection, roadway, and freeway mainline traffic impacts identified for the year 2013 cumulative with project condition were also affected in the year 2013 cumulative without project condition. For this reason, all of the impacts identified for the 2013 cumulative with project scenario are cumulative in nature.

The following intersection and roadway improvements were identified in the traffic study performed for the proposed project in order to maintain or improve the operational level of service of the street

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system in the vicinity of the project site. The list shows the incremental improvement at each intersection or roadway segment required to mitigate the cumulative impacts. It is anticipated that the improvements required to maintain or to improve the level of service operations of transportation facilities affected by the project will be constructed through the City's DIF as supplemented by the County's TUMF program. The project will participate with these programs as part of previously referenced **Mitigation Measures 4.5.6.1A** and **4.5.6.1B**. The list of improvements is as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard: Restripe the left-most westbound through lane as a left-turn lane. Restripe the off-ramp to provide two left-turn lanes and a shared through/right-turn lane. This improvement is part of the TUMF program.
- I-215 Northbound Ramps/Harley Knox Boulevard: Restripe the northbound shared through/left-turn lane as a shared left-turn/through/right-turn lane. Add an eastbound free right-turn lane. This improvement is part of the TUMF program.
- Indian Street/Harley Knox Boulevard: Add an eastbound through lane. Provide overlap phasing for the southbound right-turn lane. These improvements are consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.
- Perris Boulevard/Gentian Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Iris Avenue: Add a second westbound left-turn lane and an eastbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Krameria Avenue: Add two southbound through lanes, an northbound through lane, and a northbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Nandina Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Grove View Road: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/South Project Driveway: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of City DIF and TUMF programs.
- Perris Boulevard/Harley Knox Boulevard: Add two southbound through lanes, one northbound through lane, a second eastbound left-turn lane, and overlap phasing for the southbound right-turn lane. These improvements are part of the TUMF program.
- Harley Knox Boulevard west of Indian Street: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.
- Indian Street south of South Project Driveway: Widen to a four-lane Undivided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City of Moreno Valley DIF and TUMF programs.
- Perris Boulevard north of Grove View Road: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City's DIF and TUMF programs.

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- Perris Boulevard south of South Project Driveway: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley and City of Perris General Plan Circulation Elements. This improvement is part of the City of Moreno Valley DIF and County TUMF programs.

With implementation of the above mitigation measures, all intersections and roadway segments would operate at the applicable performance standard or better during peak hours for 2013 cumulative with project conditions as shown in Table 4.5.F, resulting in a less than significant impact.

With implementation of **Mitigation Measures 4.5.6.1A** and **4.5.6.1B**, the project will contribute toward future roadway improvements to maintain the City of Moreno Valley and Perris LOS standards on city arterials and collectors. Because the CMP LOS standard is LOS E (and in some cases LOS F for intersections already at LOS F when the CMP network was adopted), the project will contribute toward maintenance of intersection LOS exceeding the CMP LOS standard. Therefore, the project will be consistent with the CMP.

Improvements to the four affected freeway mainline segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

4.5.7 Cumulative Impacts

Cumulative impacts refer to incremental effects of an individual project when viewed in connection with the effects of past projects, current projects, and probable future projects. Cumulative projects are identified in Chapter 2, Table 2.A and Figure 2.1. Cumulative impacts associated with traffic volumes are determined based on a sum of existing traffic volumes, projected growth from an ambient growth rate, and traffic volumes from approved and pending projects in the area, and project traffic. Cumulative analysis forecasts that, with the development of the proposed project and the cumulative projects, eleven intersections would require improvements in order to maintain the City's LOS standard of D. Those intersections are as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

Additionally, with the development of the proposed project and the cumulative projects, four roadway segments would require improvements in order to maintain the City's LOS standard of D. Those roadway segments are as follows:

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- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Although the suggested improvements are consistent with the City's General Plan, the project will be responsible for contributing its fair share toward the funding of the future improvements via payment of the City's DIF and County TUMF programs. The affected intersections and roadways are covered by either the City's DIF or County TUMF programs. As part of its Capital Improvement program, the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents.

Because TUMF provides a mechanism for collecting fees from all development projects in the area that would contribute traffic to the existing roadway network, fees for the improvements to the impacted freeway intersections would be collected. Therefore, it is anticipated that since these freeway intersection improvements are programmed into the TUMF program, such improvements would be constructed in the future, the future improvements would accommodate future year traffic levels analyzed in the future year traffic scenario (Opening Year 2013 Cumulative Plus Project), resulting in a less than significant cumulative impact.

Access improvements to the project site are the responsibility of the project applicant and would be constructed during site development. These improvements would be constructed at the following study area intersections: Indian Street/Grove View Road; Indian Street/ North Project Driveway; Indian Street /South Project Driveway; Perris Boulevard/North Project Driveway; West Project Driveway/Grove View Road; Center Project Driveway/Grove View Road; and East Project Driveway Grove View Road. Because these improvements would be constructed prior to the project opening and would function at a satisfactory level of service under the cumulative scenario (refer to Table 4.5.E), no significant cumulative impact would occur at these intersections.

Improvements to the four affected freeway mainline segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

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5.0 ADDITIONAL TOPICS REQUIRED BY CEQA

Section 15126 of the *CEQA Guidelines* requires that all aspects of a project must be considered when evaluating its impacts on the environment, including planning, acquisition, development, and operation. As part of this analysis, the EIR must also identify (1) significant environmental effects of the proposed project, (2) significant environmental effects that cannot be avoided if the proposed project is implemented, (3) significant irreversible environmental changes that would result from implementation of the proposed project, and (4) growth inducing impact of the proposed project.

5.1 SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

Table 5.A illustrates the significant unavoidable impacts anticipated to result from the proposed project, even with implementation of the project-specific mitigation measures identified in the Section 4.0 analysis.

Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Agricultural Resources	Conversion of State Designated Farmland	No mechanism for the mitigation of impacts to Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Therefore, impacts associated with the conversion of farmland remain significant and unavoidable.
Agricultural Resources	Conversion to a Non-agricultural Use	No feasible mitigation is available to mitigate for the direct impacts associated with the conversion of land previously utilized for agricultural uses. Therefore, impacts associated with the conversion of farmland to a non-agricultural use remain significant and unavoidable.
Agricultural Resources	Cumulative Agricultural Resources	The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the conversion of agricultural lands to non-agricultural uses. Therefore, cumulative impacts to agricultural resources would remain significant and unavoidable.
Air Quality	Construction Air Pollutant Emissions	Construction activities would result in exceedance of SCAQMD threshold for ROG, NOx, and $PM_{2.5}$. Even after application of mitigation measures, estimated air pollutant emissions during construction activities would remain significant and unavoidable for ROG, NOx, and $PM_{2.5}$.
Air Quality	Operational Air Pollutant Emissions	Operational activities would result in exceedance of SCAQMD thresholds for ROG, NOx, CO, and PM_{10}. No feasible mitigation is available. Estimated air pollutant emissions during operation of the project will remain significant and unavoidable for ROG, NOx, CO, and PM_{10}.
Air Quality	Cumulative Pollutant Air Emissions	The Basin is in nonattainment for PM_{10} and ozone at the present time. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the existing nonattainment status. Therefore, the proposed project would exacerbate nonattainment of air quality standards within the SCAQMD and contribute to adverse cumulative air quality impacts.

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Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Greenhouse Gas Emissions and Climate Change	Cumulative GHG Emissions	The proposed project will produce greenhouse gases (GHG) during construction and operation of the proposed warehouse and related truck trips. Given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.
Transportation	Existing Year (2007) with Project Level of Service	Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.
Transportation	Opening Year (2013) Cumulative with Project Level of Service	Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, cumulative impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE CAUSED BY THE PROPOSED PROJECT SHOULD IT BE IMPLEMENTED

Section 15126(c) of the *CEQA Guidelines* mandates that the EIR must address any significant irreversible environmental changes which would be involved in the proposed action should it be implemented. An impact would fall into this category if it resulted in any of the following:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or
- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Determining whether the proposed project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The project site is generally fallow agricultural land with the site historically used for sod farming operations. However, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the proposed project would permanently alter the site by converting predominantly agricultural uses to urban uses. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the proposed project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is justified in supporting the City's planned use of the site and is not expected to negatively impact the availability of these resources.

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In addition, this industrial warehouse project, in concert with the other built or approved industrial warehouse projects, will fundamentally change the character and land use pattern of this portion of the City. Many of the project-specific impacts are addressed, as outlined above, but the change in the use of the land from agricultural to industrial represents a substantial irreversible change for this area. However, this is an intended change a verified by the City's General Plan land use designations and zoning for the area.

5.3 GROWTH INDUCEMENT

CEQA Guidelines, Section 15126.2(d) requires the *discussion of the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.* Examples of growth inducing actions include establishing a major new employment opportunity. Projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively, would also be considered growth inducing. The potential for growth inducement from a project is evaluated in four ways according to CEQA Guidelines Section 15126.2(d):

Would the proposed project induce substantial population growth in the area?

The extent to which the new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. Construction of the proposed project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the project area; therefore, construction of the proposed project will not generate a permanent increase in population within the project area. As previously identified, the proposed project is expected to employ 646 people.

The California Department of Finance (DOF) estimates the City's current (2011) population at 195,216 persons.[1] SCAG projections estimate the population of the City, western Riverside County (Western Riverside Council of Governments [WRCOG]), and southern California (Southern California Association of Governments [SCAG]) will continue to grow. SCAG projects the City's population will grow to 206,657 persons by the year 2015 and 258,350 persons by the year 2035 (Table 5.B).

Table 5.B: Population, Housing, and Employment Forecasts

	2015	2025	2035
Population			
City of Moreno Valley	206,657	234,410	258,350
WRCOG	1,918,962 2,262,9	92 2,550,8	67
SCAG 20,46	5,830	22,395,121 24,05	7,286
Households			
City of Moreno Valley	55,407	64,699	72,977
WRCOG 609,2	19	727,622	828,547
SCAG 6,474,0	74	7,156,645 7,710,7	22
Employment			
City of Moreno Valley	49,414	71,359	91,642
WRCOG 691,2	60	901,163	1,098,233
SCAG 8,811,4	06	9,546,773 10,28	7,125

Source: SCAG Comments on the NOP for Vogel Industrial Park Moreno Valley Project [120110103], letter dated September 7, 2011.

[1] State of California, Department of Finance, *E-5 Population Estimates for Cities, Counties and the State, 2010-2011, with 2010 Benchmark.* Sacramento, California, May 2011.

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The jobs-to-housing ratio measures the extent to which job opportunities in a given geographic area are sufficient to meet the employment needs of area residents. This ratio identifies the number of jobs available in a given region compared to the number of housing units in the same region. For example, a region with a jobs-to-housing factor of 1.5 would indicate that 1.5 jobs exist for every housing unit within that region. The standard used for comparison is the jobs-to-housing ratio of the SCAG region, which is 1.36 jobs for every household. This standard is used because most residents of the region are employed somewhere in the SCAG region. A City or sub-region with a jobs-to-housing ratio lower than the overall standard would be considered a "jobs poor" area, indicating that many of the residents must commute to places of employment outside the sub-area. The current and potential jobs/housing ratios for the City, WRCOG, and SCAG are identified in Table 5.C.

Table 5.C: Projected Future Jobs/Housing Ratios

	2015 Jobs/Housing Ratio	2035 Jobs/Housing Ratio
City 0.89		1.25
Riverside County	1.13	1.32
SCAG 1.36		1.33

The 2015 projected jobs-to-housing ratios for the City, sub-region, and region are 0.89, 1.13, and 1.36, respectively. The 2035 future jobs-to-housing ratios for the City, sub-region, and region are 1.25, 1.32, and 1.33, respectively. These ratios indicate that both Western Riverside County and the City of Moreno Valley are "jobs poor" because the jobs-to-housing ratios are below the Southern California region (as defined by SCAG). Given the fact that the City and the WRCOG are considered to be jobs-poor regions, and the City is currently experiencing high rates of unemployment, it is expected that the short-term construction jobs and long-term jobs created by the proposed project will be filled by current local residents. Therefore, there would be little migration to the area and, consequently, little effect on local population size. Because of the population of the City and the employment base, even if a large number of people were to relocate to the area because of employment opportunities created within the project area, no significant effect on the size of the local population would occur.

Would the proposed project have an effect on undeveloped land that may not be designated on any general plan for urban development, but would nonetheless experience increased growth pressure due to the presence of the project?

The area surrounding the project site is governed by the City of Moreno Valley General Plan and the area is guided by Specific Plan 208. Specific Plan 208 guides land use within the project area to ensure that new development and redevelopment is implemented consistent with the land use policies, controls, and standards contained in Specific Plan 208. Any development of remaining undeveloped land adjacent to the project site would require its own discretionary approvals and is not reliant on the proposed project. However, development of the project site may lead to indirect growth in the Specific Plan area by making available the extension of infrastructure such as water, sewer, drainage, etc. This growth has been planned for and is guided by Specific Plan 208.

Would the proposed project substantially alter the planned location distribution, density, or growth rate of the population of an area?

The proposed project would occur within an area currently designated for industrial uses. The proposed project would not require a General Plan Amendment nor does it require a change in the underlying zoning designation. In addition, the project reflects the City of Moreno Valley's vision for the area and is consistent with Specific Plan 208. Land uses surrounding the project site would be in conformance with the City's General Plan and Specific Plan 208. Impacts to population and housing

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are less than significant; see Section 13 *Population and Housing* of the Initial Study (Appendix A of this EIR).

Would the proposed project have an affect by removing constraints, thereby facilitating the construction of previously approved projects?

The proposed project would not eliminate a constraint for development of an approved project within the City of Moreno Valley. There are no projects in the City of Moreno Valley or surrounding cities that have been approved but are conditioned or dependent on additional improvements at the project site. Specific Plan 208 guides land uses surrounding the project site to ensure compatibility between existing operations and adjacent surrounding development. Additionally, the proposed project would not add capacity to urban services or infrastructure that would be utilized by other project proponents in the surrounding area.

Would the proposed project influence redevelopment of areas at a higher intensity than already exists?

The proposed project would not result in any significant pressure to redevelop the area around the project site at a higher density. As previously stated, the development of remaining undeveloped land adjacent to the project site is independent and not reliant on the proposed project. Therefore, implementation of the proposed project would not result in redevelopment of adjacent lands at a higher intensity than already prescribed in the City of Moreno Valley's General Plan and Specific Plan 208.

5.4 CONSISTENCY WITH LOCAL AND REGIONAL PLANS

Section 15125 (d) of the CEQA Guidelines requires EIRs to "…discuss any inconsistencies between the proposed project and applicable general plans and regional plans." The objective of such a discussion is to find ways to modify the project, if warranted, to reduce any identified inconsistencies with relevant plans and policies. Pursuant to Section 15125 (d), the following discussion includes an evaluation of the consistency of the proposed project with the goals and policies of relevant adopted local and regional plans.

Regional Plans

South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan. The California Air Resources Board (CARB) coordinates and oversees both State and federal air quality control programs. The CARB's primary functions include establishing and updating the California ambient air quality standards, monitoring existing air quality, controlling emissions from mobile sources, and developing the State Implementation Plan (SIP). The SIP is the state's overall air quality control strategy for both mobile and stationary sources. Control programs for these sources are carried out at the regional or county level.

As identified in Section 4.2 (Air Quality) of this EIR, the project site is located within the SCAQMD. The SCAQMD encompasses Orange County and the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County and is responsible for air pollution control programs and regulations within the air basin. The current regional air quality plan is the 2007 Air Quality Management Plan (AQMP) adopted by the SCAQMD on June 1, 2007. The 2007 AQMP employs the most up-to-date science and analytical tools and incorporates a comprehensive strategy aimed at controlling pollution from all sources, including stationary sources, on-road and off-road mobile sources, and area sources. The 2007 AQMP also updates the attainment demonstration for the standards for ozone and PM_{10}, and proposes attainment demonstration with a more focused control of sulfur oxides, directly-emitted $PM_{2.5}$, nitrogen oxides, and volatile organic compounds by 2015.

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Section 4.2 (Air Quality) of the EIR examines the proposed project's consistency with the adopted AQMP. The development scenario proposed is within the scope of what would be allowed under the current General Plan land use designation (General Industrial and Specific Plan) and is consistent with the uses permitted under the proposed General Industrial zoning designation. Implementation of the proposed project would not require a General Plan Amendment and Zone Change that would change the General Plan designations and zoning designations of the project site. Since the proposed project would not require a General Plan Amendment, the project has been considered in preparation of the General Plan and therefore is consistent with the AQMP.

Southern California Association of Governments (SCAG), Regional Comprehensive Plan (RCP), Regional Transportation Plan (RTP), and Compass Growth Vision (Compass). The SCAG (the designated metropolitan planning organization [MPO] for the Counties of Ventura, Orange, San Bernardino, Riverside, Imperial, and Los Angeles) is federally mandated to develop plans for transportation, growth management, hazardous waste management, and air quality. With its members and other regional planning entities, SCAG has prepared the 2008 Regional Comprehensive Plan (RCP) to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the region. The RCP is a major advisory plan prepared by the SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance.

The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. It also includes goals and outcomes to measure progress toward a more sustainable region. The RCP includes nine chapters, each based on specific areas of planning or resource management. Each of the nine chapters contains goals, policies, implementation, and strategies to achieve the SCAG's overall goals of improving the standard of living for all; improving the quality of life for all; and enhancing equity and access to government. Local governments are required to use the RCP as the basis for their own plans and are required to discuss the consistency of projects of "regional significance" with the RCP.

Regional Comprehensive Plan. The RCP's overall goal is to reinvigorate the region's economy, avoid social and economic inequities and the geographical dislocation of communities, and to maintain the region's quality of life. The document is described as a regional policy framework for future land use decisions in the SCAG area that respects the need for strong local control, but that also recognizes the importance of regional comprehensive planning for issues of regional significance. The RCP is laid out much like a General Plan and organizes recommended policies into nine chapters. The highlight of each chapter is the regional strategy that addresses the RCP's vision for that resource area. As such, each chapter includes three levels of recommendations for the region:

- **Goals.** Each goal will help define how sustainability is defined for that resource area.
- **Outcomes.** These focus on quantitative targets that define progress toward meeting the RCP's Goals. Where possible, they are clearly defined (e.g., a 20% reduction in greenhouse gas emissions from 2007 levels), capable of being monitored with existing or reasonably foreseeable resources, and have a strong link to sustainability goals.
- **Action Plan.** This critical part of the RCP lays out a comprehensive implementation strategy that recommends how the region can systematically move to meet the RCP's quantitative Outcomes and achieve its Goals, Guiding Principles, and Vision. Each Action Plan contains:
    - **Constrained Policies.** This includes a series of recommended near-term, feasible policies that stakeholders should consider for implementation. For example, the RCP calls on the

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SCAG to adopt policies that reflect its role as a planning agency, council of governments, and metropolitan planning organization. The RCP also recommends voluntary policies for consideration by local governments and other key stakeholders.

- **Strategic Initiatives.** This encompasses longer-term strategies that require significant effort to implement but are necessary to achieve the RCP's desired Goals and Outcomes. For example, identifying technological breakthroughs that can reduce air pollution from the transportation sector requires both commitment and time. Most of these initiatives are not constrained and will require political will, enabling legislation, new funding sources, and other key developments to become a reality. In most cases, this tier of strategies is the key to achieving the region's sustainability Goals and Outcomes.

Other policies contained within the 2008 RCP were either not applicable to the proposed project or are directed at the SCAG and actions that the SCAG would undertake at the regional level that would not pertain directly to the proposed project. Policies within the 2008 RCP that are applicable to the proposed project were identified and are discussed below.

Land Use and Housing Chapter

Goal *Focusing growth in existing and emerging centers and along major transportation corridors.*

Consistent. The proposed project site is currently underdeveloped and consists of undeveloped land. Regional access to the City and project area is provided from I-215, which runs north-south. In addition, Perris Boulevard, which is adjacent to the project site, is a fully-paved road with existing water and sewage facilities. The development of the proposed project would occur in an area where commercial, residential, and industrial development already exists, is under construction, or has been previously approved. The existing roadway system and infrastructure surrounding the project site will be utilized to the maximum extent possible. As required, the proposed project will install improvements and/or pay necessary fees to facilitate the continuation of satisfactory operation. The proposed project is consistent with this SCAG policy in that it exists along a major transportation corridor of the City and will be connecting to the existing utilities underlying Perris Boulevard.

Goal *Targeting growth in housing, employment and commercial development within walking distance of existing and planned transit stations.*

Consistent. The proposed project would comply with all City development policies, standards, and programs pertaining to supporting alternative modes of transportation included in the General Plan Circulation Element. In addition, the proposed project is located within an urbanizing area of the City. As provided in the inventory of cumulative projects (Table 2.A and Figure 2.1), the approved and planned development in the project area includes residential, commercial, and industrial uses. As such, the project site is in an area which is developing with projects that have already been approved and constructed, or in the various stages of the planning process. Because the project site is located adjacent to existing RTA routes, the proposed project would be accessible to existing transit systems. Future bus stops will be located per RTA recommendations in the proximity of the project site. As the project site is located in an area where commercial, residential, and industrial uses are planned or approved, and because the project site is readily accessible from I-215 and from existing RTA bus routes, the proposed project would be consistent with this SCAG Policy.

Policy LU-6.2 *Developers and local governments should integrate green building measures into project design and zoning such as those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program.*

Consistent. Table 4.3.C of the Climate Change and Greenhouse Gas Emissions Section summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. In addition, the proposed project will pursue the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. This is anticipated to be achieved with

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the incorporation of Green Building concepts and the project is expected to reach the LEED "Certified" rating. Therefore, the proposed project is consistent with this SCAG policy.

Open Space and Habitat Chapter

Policy OSC-8 *Local governments should encourage patterns of urban development and land use, which reduce costs on infrastructure and make better use of existing facilities.*

Consistent. The proposed project will be developed in areas that are presently served by various existing water, sewer, storm drainage, electrical, natural gas, and transportation services. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The supply of electricity and natural gas is demand-responsive and the project proponent would be required to meet the service requirements of these utility providers. By maximizing the use of existing facilities, the costs of expanding infrastructure would be minimized. Because the proposed project would be located in close proximity to existing industrial, commercial and residential structures requiring a similar type of infrastructure, it is consistent with this growth management policy.

Water Chapter

Policy WA-11 *Developers and local governments should encourage urban development and land uses to make greater use of existing and upgraded facilities prior to incurring new infrastructure costs.*

Consistent. Existing industrial development is located in the immediate vicinity of the project site where infrastructure for water, sewer, storm drainage, electrical, natural gas, and transportation facilities currently exist. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The availability of this infrastructure would reduce the cost to public agencies that would provide services to the project area. The proposed project would be developed in an area where such infrastructure is accessible. Furthermore, the project applicant would pay all applicable development fees for the necessary infrastructure and public service improvements, including those associated with water, sewer, drainage, roadways, fire, and police; therefore, the proposed project is consistent with this policy.

Energy Chapter

Policy EN-9 *Local governments should include energy analyses in environmental documentation and general plans with the goal of conserving energy through the wise and efficient use of energy. For any identified energy impacts, appropriate mitigation measures should be developed and monitored. The SCAG recommends the use of Appendix F, Energy Conservation, of the California Environmental Quality Act.*

Consistent. An analysis of energy use has been provided in Section 4.3 (Climate Change and Greenhouse Gas Emissions) of this EIR. The analysis includes strategies that have the goal of conserving energy and efficient energy usage. Therefore, the proposed project is consistent with this policy.

Policy EN-10 *Developers and local governments should integrate green building measures into project design and zoning such as those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program. Energy-saving measures that should be explored for new and remodeled buildings include:*

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- *Using energy-efficient materials in building design, construction, rehabilitation, and retrofit.*
- *Encouraging new development to exceed Title 24 energy efficiency requirements.*
- *Developing Cool Communities measures including tree planting and light-colored roofs. These measures focus on reducing ambient heat, which reduces energy consumption related to air conditioning and other cooling equipment.*
- *Utilizing efficient commercial/residential space and water heaters. This could include the advertisement of existing and/or development of additional incentives for energy-efficient appliance purchases to reduce excess energy use and save money. Federal tax incentives are provided online at http://www.energystar.gov/index.cfm?c=Products.pr_tax_credits.*
- *Encouraging landscaping that requires no additional irrigation; utilizing native, drought-tolerant plants can reduce water usage up to 60 percent compared to traditional lawns.*
- *Encouraging combined heating and cooling (CHC), also known as cogeneration, in all buildings.*
- *Encouraging neighborhood energy systems, which allow communities to generate their own electricity.*
- *Orienting streets and buildings for best solar access.*
- *Encouraging buildings to obtain at least 20 percent of their electric load from renewable energy.*

Consistent. The strategies listed in Section 4.2 and Section 4.3 of this EIR are considered to be air pollution and greenhouse gas emission reduction strategies, which include green building measures. These strategies are either part of the project, required mitigation measures, or requirements under local or State ordinances. Since the project would implement these strategies into project design and operation, the project would be consistent with this SCAG policy.

Solid Waste Chapter

Policy SW-14 *Developers and local governments should integrate green building measures into project design and zoning including, but not limited to, those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program. Construction reduction measures to be explored for new and remodeled buildings include:*

- *Reuse and minimization of construction and demolition (C&D) debris and diversion of C&D waste from landfills to recycling facilities.*
- *An ordinance that requires the inclusion of a waste management plan that promotes maximum C&D diversion.*
- *Source reduction through (1) use of building materials that are more durable and easier to repair and maintain, (2) design to generate less scrap material through dimensional planning, (3) increased recycled content, (4) use of reclaimed building materials, and (5) use of structural materials in a dual role as finish material (e.g., stained concrete flooring, unfinished ceilings).*
- *Reuse of existing building structure and shell in renovation projects.*

Building lifetime waste reduction measures that should be explored for new and remodeled buildings include:

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- *Development of indoor recycling program and space;*
- *Design for deconstruction; and*
- *Design for flexibility through use of moveable walls, raised floors, modular furniture, moveable task lighting, and other reusable components.*

Consistent. The strategies listed in Section 4.2 and 4.3 of this EIR are considered to be air pollution and greenhouse gas emission reduction strategies, which include green building measures. These strategies are either part of the project, required mitigation measures, or requirements under local or State ordinances. With implementation of these strategies/measures, the project would be consistent with this SCAG policy.

Transportation Chapter

Goal *A more efficient transportation system that reduces and better manages vehicle activity.*

Consistent. The proposed project would result in the development of employment opportunities in close proximity to housing. In addition, the project proposes sidewalks and landscaping treatments to provide for pedestrian access throughout the project site. The type of uses proposed and their proximity to each other allow for increased pedestrian and bicycle activity, limiting the need for vehicle travel. Therefore, this project is consistent with this transportation goal.

Security and Emergency Preparedness Chapter

Goal *Ensure transportation safety, security, and reliability for all people and goods in the region.*

Consistent. The proposed project is consistent with this goal in that the proposed project would be required to adhere to the City of Moreno Valley's General Plan. The General Plan contains goals and policies which aim to provide adequate and reliable transportation facilities. The goals and policies identified in the City's General Plan resemble those of the RCP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Since the proposed project is consistent with the General Plan, the proposed project is consistent with this policy.

Economy Chapter

Goal *Enable business to be profitable and competitive (locally, regionally, nationally, and internationally).*

Consistent. The proposed project would add to the City's portfolio of industrial services. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.

Goal *Promote sustained economic health through diversifying the region's economy, strengthening local self-reliance and expanding competitiveness.*

Consistent. As previously stated, the proposed project would add to the City's portfolio of industrial services, which would enable the City to be more self-reliant through the provision of goods and services to residents within the City. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.

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Goal *Ensure a healthy, flourishing economy that provides sufficient employment opportunities to decrease poverty and meet the basic needs of all the people who participate in our economy by promoting education and workforce training policies that give residents an opportunity to compete for the full range of jobs available with good wages and benefits.*

Consistent. The proposed project is a warehousing project which would provide additional employment opportunities in the community. In addition, the proposed project would meet the basic needs of those who participate in the economy through the use of training in the workforce. Therefore, the proposed project is consistent with this policy.

Outcome *Increase job growth to add three million jobs to the regional economy by 2035.*

Consistent. The proposed project would result in additional jobs in the City, which would contribute to job growth in the regional economy. Therefore, the proposed project is consistent with this policy.

Outcome *Increase the region's economic vitality and attractiveness by focusing housing and job additions in urban centers, employment centers, and transportation corridors, such that there will be a minimum of 35 percent of the region's household growth and 32 percent of employment growth in these areas from their levels in 2005 by 2035.*

Consistent. As previously identified, development of the proposed on-site uses would increase the number of jobs in the City by approximately 646 positions. The SCAG regional forecasts indicate an increase in employment in the City of Moreno Valley from approximately 50,432 jobs in 2010 to 55,407 jobs in 2015. A similar job trend forecast is predicted for western Riverside County from approximately 588,523 jobs in 2010 to 609,219 jobs in 2015. Compared to the broader SCAG region, the City is "jobs poor." A city or sub-region with a jobs-to-housing ratio lower than the overall standard would be considered a "jobs poor" area, indicating that many of the residents must commute to places of employment outside the sub-area. Since the proposed project would add jobs to a "jobs poor" region, the proposed project would increase the region's economic vitality and attractiveness by job additions in urban centers and along transportation corridors. Therefore, the proposed project is consistent with this SCAG policy.

Regional Transportation Plan (RTP). SCAG is currently in the process of preparing the 2012 RTP. Therefore, the most recent RTP adopted by SCAG is the 2008 RTP. The 2008 RTP, adopted by the SCAG in May 2008, contains a set of existing socioeconomic projections used as the basis for the SCAG's transportation planning efforts. They include projections of population, housing, and employment at the regional, county, sub-regional, jurisdictional, Census tract, and transportation analysis zone levels. The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections. Goals established within the RTP include the following:

- Maximize mobility and accessibility for all people and goods in the region (discussed in Section 4.5: Traffic and Circulation);
- Ensure travel safety and reliability for all people and goods in the region (discussed in Section 4.5: Traffic and Circulation);
- Preserve and ensure a sustainable regional transportation system (discussed in Section 4.5: Traffic and Circulation);
- Maximize the productivity of our transportation system (discussed in Section 4.5: Traffic and Circulation);
- Protect the environment, improve air quality, and promote energy efficiency (discussed in Section 4.2: Air Quality);

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- Encourage land use and growth patterns that complement our transportation investments and improve the cost-effectiveness of expenditures (discussed in Section 4.5: Traffic and Transportation); and
- Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies (discussed in Section 4.5: Traffic and Transportation).

The proposed project is consistent with the RTP such that the proposed project would be required to adhere to the City of Moreno Valley's General Plan. The General Plan contains goals and policies that aim to minimize traffic congestion, provide adequate transportation facilities, and require development to pay its share of costs. The goals and policies identified in the City's General Plan resemble those of the RTP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Furthermore, the project shall be consistent with the General Plan and, since the General Plan shall be consistent with the RTP, it is reasonable to infer that the project is consistent with policies set forth in the RTP.

Compass Growth Vision. The Compass Growth Vision plan provides a framework for local and regional decision-making regarding growth, transportation, land use, and economic development. The framework includes principles and a specific set of strategies intended to achieve and improve a quality of life that promotes and sustains for future generations the region's mobility, livability, and prosperity. The main objective of the Compass Growth Vision is to manage the forecast growth while improving future living conditions for all people within the SCAG area, including live, work, and play activities. The following discussion includes the principles within the Compass Growth Vision plan and their association to the proposed project.

- ***Principle 1:*** Improve mobility for all residents.
- ***Principle 2:*** Foster livability in all communities.
- ***Principle 3:*** Enable prosperity for all people.
- ***Principle 4:*** Promote sustainability for future generations.

The proposed project is consistent with the four principles identified above. The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.

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6.0 ALTERNATIVES

6.1 INTRODUCTION

An EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment. In compliance with *CEQA Guidelines* Section 15126.6(a), this Draft EIR must also describe "a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (*CEQA Guidelines* Section 15126.6(b)). The discussion of project alternatives must "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." An EIR must evaluate a "No Project" alternative in order to allow decision-makers to compare the effect of approving the project to the effect of not approving the project.

The City, acting as the CEQA Lead Agency, is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. The range of alternatives addressed in an EIR is governed by a "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. Of the alternatives considered, the EIR need examine in detail only those the Lead Agency determines could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. Per *CEQA Guidelines* Section 15364, "feasible" has been defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

6.1.1 Summary of the Proposed Project

The proposed project consists of the development of approximately 1,616,133 square feet of warehouse distribution uses, necessary parking, and associated site improvements on an approximately 71-acre site. The proposed Project would consist of one building which would be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 truck trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. The proposed Project is consistent with the General Plan designation of Business Park/Light Industrial and zoning for the site of industrial/business park uses which is governed by Specific Plan (SP) 208 (Moreno Valley Industrial Area Plan).

Access to the proposed Project site will be provided via two driveways on Indian Street, three driveways on Grove View Road, and two driveways on Perris Boulevard. The northern driveway on Perris Boulevard will be for passenger vehicle and emergency access only. The southern driveway on Perris Boulevard will align with the existing signalized intersection at the Ross Distribution Warehouse entrance. The north Project driveway on Indian Street will be for passenger vehicle and emergency access only; all other driveways will be used by both passenger vehicles and trucks. The proposed Project is anticipated to be constructed by the year 2013.

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The proposed Project will function as a trucking distribution hub for several types of items. Goods imported from the ports of California as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in and out of state locations, thus benefiting both local and interstate commerce.

Within the past two years, the proposed Project site has received approximately 80,000 cubic yards of fill as part of an approved stockpile permit previously issued by the City. Due to the Project site's topography and drainage requirements, approximately 220,000 additional cubic yards of fill will be required. Analysis of the proposed Project's impacts is based on 220,000 cubic yards of imported fill required to complete the Project. It is reasonable to estimate that the fill may be obtained from a site located within 10 miles of the proposed Project in order to reduce import hauling costs, consistent with typical soil import/export hauling distances for projects in Moreno Valley.

In addition to construction of required street frontage improvements on Indian Street, Perris Boulevard, and Grove View Road, the Project includes construction of necessary infrastructure to provide water, sewer, phone, cable, natural gas, and electricity service. Drainage will be handled by a system of on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features.

Site and building design attributes for the proposed Project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

6.1.2 Project Objectives

The purpose of the proposed project is to provide a new facility that specializes in warehouse distribution services. Upon development, the proposed project will achieve the following:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources;

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- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

6.1.3 Summary of Proposed Project Significant Impacts

The analysis provided in Section 4.0 determined that, despite the implementation of mitigation measures, significant environmental impacts would result from the construction and operation of the proposed on-site uses. To satisfactorily provide the CEQA-mandated alternatives analysis, the alternatives considered must reduce any of the following project-related significant impact(s):

- Conversion of agricultural land and agricultural uses to urban land and urban uses;
- Emissions of NO_X and PM_{10} during construction operations;
- Long-term emissions of ROG, NO_X, CO, and PM_{10} resulting from increased vehicular trips and operation of the proposed on-site uses;
- Project contributions to cumulatively considerable greenhouse gas emissions;
- Impacts to level of service at roadway segments and freeway segments in the existing plus project condition (2007); and,
- Impacts to level of service at intersections, roadway segments, and freeway segments in the cumulative opening year (2013).

6.2 ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD FOR ANALYSIS

In determining an appropriate range of alternatives to be evaluated in the EIR, three possible alternatives were considered and rejected because they could not accomplish the basic objectives of the project as listed above or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated project objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the proposed project is to provide for and expand employment and revenue opportunities within the City of Moreno Valley. The proposed project would expand employment options in a location that is convenient to existing and future City residents and augment the City's economic base. The following three development scenarios were considered and rejected as potential alternatives to implementation of the proposed project:

- No Build Alternative;
- Residential Alternative; and
- Mixed Commercial/Residential Alternative.

Based on Section 15126.6 of the *CEQA Guidelines*, the following alternatives were rejected based on the criteria of not feasibly attaining most of the basic objectives of the project while reducing or

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avoiding any of the significant effects of the proposed project. The reason or reasons for not selecting each of the rejected alternatives are discussed below.

6.2.1 No Build Alternative

Under the No Build Alternative, no development would take place within the project limits. No ground-disturbing activities would take place, nor would any form of structure or facility be erected. Impacts associated with this alternative, when compared to the proposed project, would not occur. In the absence of development, no impacts would occur and this alternative would be the environmentally superior alternative. However, disallowing development of the site, as suggested by this alternative, would not fulfill the primary objectives of the proposed project. Retention of the project site in its current condition would not expand employment opportunities to residents of the City. Retaining the site in its current undeveloped condition would not generate the revenue (e.g., property tax) that could augment the City's current revenue stream. Therefore, the No Build Alternative was rejected from further consideration in the EIR.

6.2.2 Residential Alternative

The Residential Alternative consists of the development of the 71-acre project site with approximately 355 single-family units[1] based on the City's R5 zone. The R5 zone was utilized as this is the zoning designation of the nearest residential uses to the north along Perris Boulevard north of the Perris Valley Storm Drain channel. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and Industrial Area Plan (SP208I) zoning designation to a residential R5 designation. Furthermore, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. Since the Residential Alternative consists only of residential uses, employment-generating opportunities would not occur aside from temporary construction work, which would be filled predominantly by those already residing in the area. The project's full potential to utilize the area's close proximity to various freeways and transportation corridors would not be realized as only residential uses would occur under the Residential Alternative. Additionally, the development of the entire 71-acre project site under this alternative would result in the placement of the residential uses adjacent to a major transportation corridor alongside SP208I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site. A discussion of existing zoning for the entire project has been analyzed under Alternative 1: No Project.

6.2.3 Mixed Commercial/Residential Alternative

The Mixed Commercial/Residential Alternative would include the development of the 71-acre project site with approximately 690,000 square feet[2] of Community Commercial[3] uses and 532 multiple-family units.[4] A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial

[1] Based on assumption that the site is rezoned R5, which allows up to 5 dwelling units per acre; 71 acres × 5 dwelling units per acre = 355 dwelling units.

[2] The City's Municipal Code does not identify maximum lot coverage for Community Commercial uses; therefore, this figure assumes an approximately 25 percent lot coverage which is representative of similarly sized commercial uses in the region.

[3] Community Commercial zones allow for the development of a variety of business, retail, personal, and related or similar services.

[4] Based on assumption that half of the site is rezoned R15, which allows up to 15 dwelling units per acre; 35.5 acres × 15 dwelling units per acre = 532 dwelling units.

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(BP) General Plan designation and SP208 Industrial/Business Park zoning designation to a residential designation and commercial designation. Additionally, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. These land use changes would produce additional environmental impacts not created by the proposed project. While the commercial component of this Alternative would utilize the project site's close proximity to nearby transportation corridors, the development of the remainder of the site with residential uses would not provide the varied employment and service uses and revenue associated with the proposed project. The development of approximately half of the project site under this alternative with residential uses would result in the placement of the residential uses adjacent to a major transportation corridor alongside SP208 Industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. The residential component of this alternative would produce demand for public services that would exceed the amount of municipal revenues it would generate, and there would be little to no employment opportunities created. Therefore, the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site.

6.3 ALTERNATIVES ANALYSIS

Table 6.A summarizes the four alternatives have been identified and evaluated to provide decision-makers with a reasonable range of alternatives that would eliminate or reduce the impacts of the project. Factors considered in selecting the alternatives include site suitability, availability of infrastructure, other plans or regulatory limitations, economic viability, and whether the project proponent can reasonably acquire, control, or otherwise have access to the alternative site. An EIR need not consider an alternative whose impact cannot be reasonably ascertained and whose implementation is remote or speculative. In accordance with *CEQA Guidelines*, the alternatives considered in this EIR include those that 1) could accomplish most of the basic objectives of the project, 2) are reasonably feasible given the nature of the project and surrounding land uses, and 3) could avoid or substantially lessen one or more of the significant effects of the project.

Table 6.A: Summary of Analyzed Alternatives

Project Alternative	Alternative Description
Alternative 1 (No Project)	No change in General Plan designation or zoning of project site would occur. The project site would be developed with existing zoning resulting in the construction of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial on 8 acres.
Alternative 2 (Reduced Intensity)	Total warehouse uses would be reduced to 1,212,100 square feet on 71 acres.
Alternative 3 (Commercial Center [Mixed Retail/Office])	General Plan and zoning designations for the site would be amended to accommodate the business and professional offices. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.

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Table 6.A: Summary of Analyzed Alternatives

Project Alternative	Alternative Description
Alternative 4 (Off-Site)	Warehouse distribution uses consisting of 1,616,133 square feet on 70.3 acres bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.3 miles northwest of the project site. No zone change or General Plan Amendment would be required. The applicant does not have control of this property.

Source: LSA Associates, Inc. 2011

Figure 6.1 illustrates the development scenarios have been identified as potential alternatives to implementation of the proposed project.

6.3.1 Environmental Impact Issues that are Generally Similar to the Proposed Project

Eight of the seventeen environmental issues for all the alternatives considered would result in a similar level of impact when compared to the project. Rather than repeat a discussion of these non-significant impacts under each alternative, a summary of these impacts is analyzed below.

- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Mineral Resources
- Recreation

The level of impact associated with these topics would be similar if developed as proposed by the project or if developed with any of the alternatives. Where impacts related to any of these issues do differ among project alternatives, an appropriate discussion is provided for the respective alternative.

6.3.1.1 Agriculture and Forestry Resources

Development of any of the alternatives, with the exception of the Off-Site Alternative, would have similar agricultural- and forestry-related impacts. Section 4.1 of the EIR concluded that there are no forest resources located within the City limits. As such, no impacts to forest resources would occur with implementation of any of the alternatives, including the Off-Site Alternative. The Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. No property within the City limits is located within a Williamson Act contract area. As such, no impacts related to Williamson Act land would occur with implementation of any of the alternatives, including the Off-Site Alternative. As identified in Sections 4.1.6.1 and 4.1.6.2 of the EIR, the development of the project site with urban uses would result in the conversion of State-designated Farmland (Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance). Because no feasible mitigation measure is available to fully mitigate for the loss of State-designated Farmland, impacts associated with development of any of the on-site alternatives would remain significant and unavoidable. Therefore, compared with the proposed project, all on-site alternatives would have a significant and unavoidable impact on agricultural resources. A separate discussion for State-Designated Farmland impacts at the off-site location is provided in Section 6.3.2.4.

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FIGURE 6.1

Proposed Project Location

Alternate Site

N

0 750 1,500

FEET

VIP Moreno Valley
Environmental Impact Report

Alternative Site Location

SOURCE: Thomas Bros., 2009

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6.3.1.2 Biological Resources

All build alternatives would require site development resulting in the grading of the entire project site. No plant species listed by the State and/or Federal government as endangered or threatened was identified on-site during the field reconnaissance. Based on the *General Habitat Assessment* [1] prepared for the proposed project site, no evidence of a natural stream course, riparian area, or vernal pool was observed during the field reconnaissance. No impacts to endangered or threatened species would occur with implementation of all on-site alternatives. No impacts to riparian habitat, other sensitive natural communities[2], or federally-protected wetlands would occur with implementation of all on-site alternatives.[3]

While the project site is located within the Western Riverside County MSHCP, the project site is not within any MSHCP criteria cell or habitat linkage. [4] Furthermore, the project site is not located within an MSHCP mammal or amphibian survey area. The project site is within the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) Fee Area, but is not within a Stephen's Kangaroo Rat Core Area. Focused surveys for SKR are not required for this project because the project lies within the SKR Fee Area; therefore, under the SKR HCP, only payment of a local mitigation fee is required.

The *General Habitat Assessment* concluded that the project site lacks suitable habitat to support special status plant species and no special status plant species observed on-site. However, the proposed project has the potential to affect one non-listed sensitive species, the burrowing owl. Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site.[5] Due to intensive disking that had occurred on site, only a few marginally suitable potential burrows were identified. Although burrowing owl is known to occur on land that has been disturbed, it tends to avoid heavily disked areas because potential burrows occlude/collapse. However, burrowing owls, and other native bird species protected under the Migratory Bird Treaty Act (MBTA), are very mobile and opportunistic species that can occupy a site. Adherence to identified **Mitigation Measures BIO-1** through **BIO-4** (refer to Section 2.5.2) would reduce impacts to a less than significant level. As was identified for the proposed project, these alternatives would produce less than significant impacts to biological resources with the adherence to identified mitigation measures. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.3 Cultural Resources

Development of any of the identified build alternatives, including the off-site alternative, would result in extensive ground-disturbing activities affecting the entire project site and off-site location, and similar paleontological impacts would be anticipated when compared to the proposed project. The *Phase I Cultural Resources Assessment and Paleontological Records Review*[6] prepared for the proposed project concluded that while the site contains a historic site and historic isolate, which were recorded and evaluated in accordance with CEQA, these historic resources were determined to be less than significant. The report also concluded that the project site has a low probability for containing archaeological resources and due to the disturbed nature of the site, impacts to archaeological resources would be less than significant. While no such resources have previously

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1 *General Habitat Assessment*, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., August 1, 2010.

2 *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species*, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 9, 2009.

3 *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation*, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009.

4 *Western Riverside County Multiple Species Habitat Conservation Plan, Volume I, Part I*, Dudek & Associates, June 17, 2003.

5 *Focused Western Burrowing Owl Survey*, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 11, 2009.

6 *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California*, Michael Brandman Associates, March 22, 2007. ,

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been detected within the project limits, activities undertaken for all alternatives (as with the proposed project) could encounter previously undetected paleontological resources. Adherence to the paleontological **Mitigation Measure CUL-1** (refer to Section 2.5.3) identified for the proposed project in the Initial Study (Appendix A of this EIR) would reduce impacts to less than significant. Compared with the proposed project, no greater impact would occur with any of the build alternatives.

6.3.1.4 Geology and Soils

Development of any of the on-site build alternatives would have similar geologic and soil-related impacts. The project site is not located in the vicinity of an active fault. Like all of southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. However, the maximum credible earthquake event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2. This earthquake event is less than or equal to design levels as defined by the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Development of the proposed project site would be required to adhere to UBC, the California Building Code, and City design and engineering standards. Impacts associated with this issue would be considered less than significant. The geotechnical analysis prepared for the proposed project concluded that the project site is not susceptible to seismic-related ground failure including liquefaction and landslides. Potential soil erosion impacts that may occur with development on the project site would be less than significant as all development within the City is required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, and prepare an SWPPP, construction and operational, impacts associated with soil erosion hazards are less than significant.

The geotechnical analysis prepared for the proposed project[1] did indicate that on-site soils are potentially unstable. Adherence to **Mitigation Measure GEO-1** (refer to Section 2.5.4) would reduce impacts related to unstable soils to a less than significant level. Additionally, the geotechnical analysis also determined the presence of expansive soils on-site. Adherence to **Mitigation Measure GEO-2** (refer to Section 2.5.4) would reduce impacts related to expansive soils to a less than significant level. Compared with the proposed project, no greater impact would occur with any of the on-site build alternatives. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.5 Hazards/Hazardous Materials

Development of the any of the on-site build alternatives would still result in the on-site handling of hazardous substances, both during project construction and operation. It is assumed that, like any current use, these substances would continue to be applied in accordance with applicable local, state, and federal standards. There are no existing or proposed schools within a quarter mile of the proposed project site and the site is not identified on the DTSC's hazardous materials sites[2]. Air traffic related hazards would not occur at the proposed project site as the project site is not located within the safety hazard zones of March Air Reserve Base. Furthermore, the project site is not located within a Fire Hazard Area or within an area susceptible to wildfires identified by the City of Moreno Valley. With the adherence to existing hazardous materials regulations, impacts associated with hazards and hazardous materials under any of the on-site build alternatives would remain less than significant. A separate discussion for the off-site location is provided in Section 6.3.2.4.

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1 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

2 *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.

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6.3.1.6 Hydrology and Water Quality

As with the proposed project, the development of any of the on-site alternatives would require the modification of the existing on-site pattern of drainage and would require the installation of drainage improvements that may include on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features[1]. While the extent of the impermeable surfaces (parking area) required under each alternative is reduced from that required for the proposed project, the environmental impact of these improvements would be similar. All local, state, and federal policies and regulations pertaining to surface water and groundwater resources would remain in effect under these alternatives. Sedimentation and erosion from any on-site development has the potential to affect water quality. Similar to the proposed project, the construction of any on-site use would be required to follow applicable NPDES requirements, including the preparation of and adherence to a SWPPP and BMPs.[2] These requirements have been incorporated as **Mitigation Measures HYD-01** through **HYD-03** (refer to Section 2.5.6). As with the proposed project, runoff from paved surfaces, especially during a "first-flush" event, may be contaminated by a mixture of sediment, debris, and other contaminants. A standard condition with any such development would be preparation and implementation of a Water Quality Management Plan, which would effectively mitigate post-construction water quality impacts from the developed area. This requirement has been incorporated as **Mitigation Measure HYD-04** (refer to Section 2.5.6). All on-site alternatives would not interfere with groundwater recharge as the project site is not identified as a groundwater recharge area. To reduce the on-site flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. This requirement to reduce on-site flows to below or equal to pre-development conditions is incorporated as **Mitigation Measure HYD-05** (refer to Section 2.5.6). The project site is not located within a flood zone and the project site is not susceptible to mudslides, tsunamis, seiches, or flooding as a result of dam or levee failure. Similar to the proposed project, potential impacts related to hydrology and water quality would be less than significant for all on-site alternatives. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.7 Mineral Resources

The City of Moreno Valley General Plan does not identify the project site as a locally important mineral resource recovery site as there are no identified Mineral Resource Zones located with the City of Moreno Valley. Development of the project site or off-site location with any build alternatives would not result in the loss of or reduce the availability of mineral resources or the resource base from which they would be derived. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

6.3.1.8 Recreation

As with the proposed project, none of the build alternatives would include a residential component and potential jobs generated by the build alternatives would be filled predominantly by people already residing in the City because Moreno Valley is jobs poor. Therefore, there would be no increase in existing population and no increase in demand for park and recreation facilities resulting from development of Alternatives 2, 3, and 4. Because no increase in demand for recreational facilities would occur, impacts associated with recreation for any of the build alternatives would be similar in magnitude as the proposed project. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

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1 *Preliminary Hydrology Report and Hydraulic Analysis for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.

2 *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.

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6.3.2 Description and Impact Analysis of Alternatives

The following discussion compares the impacts of each alternative with the impacts of the proposed project, as detailed in Section 4.0 of this EIR. A conclusion is provided as to whether each alternative would result in one of the following:

- Reduction or elimination of the impact;
- A greater impact than the project;
- The same impact as the project; or
- A new impact in addition to the impacts of the proposed project impacts.

6.3.2.1 Alternative 1: No Project

Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The project site is currently zoned Industrial Specific Plan 208 (SP208 I). The project site is currently designated by the General Plan for Business Park/Light Industrial (BP). Given the goals and objectives of the City of Moreno Valley, it is highly reasonable in the event the proposed project were not approved, the site would be developed with some type of business park and/or industrial use. For analysis purposes, it is assumed that the No Project Alternative would result in the development of approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. The commercial service component of this alternative would be located along the frontage of Perris Boulevard while the industrial warehouse uses would occupy the remaining portion of the site.

Impact Analysis. Nine environmental issues would have impacts similar to those identified for the proposed project. These include the following:

- Aesthetics
- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Land Use;
- Mineral Resources; and
- Recreation.

Impacts associated with these topics would be similar to the proposed project because development of the site under the No Project Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Air Quality. The No Project Alternative would require site grading and construction similar to that required of the proposed project. As identified in Section 4.2 of this EIR, short-term construction emission impacts associated with construction activities on the project site were mitigated to a less than significant impact with the exception of NO_X and PM_{10}. Since the No Project Alternative would require that the same amount of land be graded, the alternative would require similar grading and construction activities on site. Therefore, it is reasonable to anticipate that short-term construction

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emission impacts would also be less than significant for all criteria pollutants, with the exception of NO_X and PM_{10}, under this alternative. Air quality impacts associated with NO_X and PM_{10} would significant and unavoidable with this alternative, similar to what was identified for the proposed project.

Under the No Project Alternative, the site would be developed with 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. Based on these land uses, the No Project Alternative would generate approximately 6,738 daily vehicle trips and 572 p.m. peak hour trips (see Table 6.B).

The volume of each operational pollutant emitted during operation of this alternative would be correspondingly increased due to an increase of total daily vehicle trips. However, the traffic increase under the proposed project did not contribute to CO concentrations in excess of the state or federal standards. It is anticipated that this alternative would not exceed the state or federal one-hour and eight-hour standards. Because no CO hot spots would occur, the alternative would not have a significant impact on local air quality for CO. The long-term air quality impacts resulting from this alternative would still contribute criteria pollutants to an air basin that is in nonattainment for these criteria pollutants, similar to the proposed project. As identified in Table 6.B, long-term operational air pollutant emissions associated with the No Project Alternative would exceed SCAQMD emissions thresholds for CO, ROC, and NO_X, and reduced to less than significant for PM_{10}, and $PM_{2.5}$.

Table 6.B: Alternative 1 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 1	596	112	593	0.8	85	22
Net Change	-234	-31	-397	-0.7	-85	-20
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 1 exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**No**	**No**

Source: LSA Associates, Inc., October 2011.

When compared with the proposed project, air quality impacts associated with the No Project Alternative would be correspondingly increased in magnitude. Similar to the proposed project, the generation of these emissions would still result in a cumulative contribution of air pollutants in a nonattainment basin; therefore, impacts remain significant and unavoidable.

Hazards and Hazardous Materials. Development of the No Project Alternative would still result in the on-site handling of hazardous substances, both during project construction and operation. It is reasonable to assume that, like any current use, these substances would continue to be applied in accordance with applicable local, state, and federal standards. However, the No Project Alternative would result in the development of commercial service uses, which may include but is not limited to, gas stations and food service uses. These types of uses use and transport additional potentially hazardous materials not accounted for in the analysis of the proposed project. Because the No Project Alternative results in the development of commercial service uses, impacts associated with the transport or use of hazardous materials or potential upsets or accidents would be increased in magnitude due to the increased quantities of hazardous materials that would be present on site. However, with the adherence to existing hazardous materials regulations, impacts associated with hazards and hazardous materials under the No Project Alternative would remain less than significant.

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Noise. The No Project Alternative would result in the construction of warehouse distribution and commercial service uses. As identified in Section 4.4 of this EIR, short-term construction noise impacts associated with the development of the project site were mitigated to a less than significant impact. Since the No Project Alternative would require similar site development during construction, short-term construction noise impacts would also be less than significant and similar in magnitude compared to the proposed project. The increase in project-related traffic under the No Project Alternative would result in an incremental increase in traffic noise. When compared to the proposed project, noise impacts associated with the No Project Alternative would be increased in magnitude. However, impacts would remain less than significant as some noise would still be generated under this alternative.

Population and Housing. The No Project Alternative would result in the development of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres. Construction of the development envisioned under this alternative would create temporary construction jobs; however, these jobs would be likely filled by people already residing within the City. Utilizing an employment factor of one employee for every 629 square feet of service space,[1] the No Project Alternative is anticipated to generate approximately 286 commercial service jobs.[2] an employment factor of one employee for every 2,500 square feet of warehousing space,[3] the No Project Alternative is anticipated to generate approximately 568 warehousing jobs.[4] While additional jobs would be generated by the introduction of commercial service uses (addition of 286 jobs), the reduction in warehousing space would result in less warehousing jobs as the proposed project (reduction of 78). When this alternative is compared to the proposed project, the number of new jobs in the City would be a 32 percent increase over the proposed project.

The No Project Alternative would result in a greater amount of jobs created due to the development of commercial service uses. However, a large influx of new residents to the City is not anticipated due to the nature of the jobs generated by this alternative. The project would not directly affect population growth as compared with new residential development, because it is not creating homes. While the proposed project would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Population and housing impacts under this alternative would be similar in magnitude when compared to the proposed project. Therefore, impacts associated with this issue would remain less than significant.

Public Services. The No Project Alternative would result in the development of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres within the project site. Similar to the proposed project, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be similar in magnitude as no residential uses (impacts to schools and parks) are proposed under this alternative. Like the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

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1 *Table IIB Average Number Employee per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc, October 2001.
2 Utilizing 1 employee/629 square feet of service use × 180,000 square feet of service use = 286 jobs.
3 *Table IIB Average Number Employee per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc, October 2001.
4 1 employee/2,500 square feet of warehousing use × 1,420,000 square feet of service use = 568 jobs.

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Traffic. As indicated in Table 6.C, the No Project Alternative would generate approximately 6,738 daily vehicle trips and 572 p.m. peak hour trips. Compared to the proposed project, the No Project Alternative, which assumes development of existing zoning uses, would result in an increase of 33.4 percent of daily traffic trips. It is reasonable to assume that an increase of 33.4 percent in traffic trips would increase traffic on local roadways and intersections The increase in traffic may cause an existing intersection or roadway segment to operate at a deficient LOS. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and can not be guaranteed to be in place when development under Alternative 1 would become operational. Therefore, when compared to the proposed project, traffic impacts would be greater due to the additional trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Table 6.C: Comparison of Average Daily and P.M. Peak Hour Trips

Type of Development	PM Peak Hour	Average Daily Trips
Proposed Project	388	5,052
Alternative 1 (No Project)	572	6,738
Alternative 2 (Reduced Intensity)	291	3,791
Alternative 3 (Commercial Center)	2,113	18,065
Alternative 4 (Off-Site Location)	388 5,052	

Source: *ITE Trip Generation Handbook, 7th Edition*, LSA Associates, Inc., October 2011.

Utilities and Service Systems. Existing utility infrastructure for stormwater and wastewater is present in adjacent roadways or parcels. Like the proposed project, the applicant would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCFCWCD. As indicated in Table 6.D, the No Project Alternative would generate approximately 109,420 gallons of wastewater per day, which is approximately 73.5 percent more than the amount of wastewater that would be generated by the proposed project. However, similar to the proposed project, development under this alternative would be required to pay infrastructure fees and obtain approval from the wastewater treatment provider that would ensure there is excess capacity for the wastewater that would be generated by the proposed development. Therefore, impacts related to waste water and wastewater treatment would remain less than significant when compared to the proposed project.

Table 6.D: Comparison of Average Wastewater Generation

Type of Development	Gallons per day (gpd)
Proposed Project	63,070
Alternative 1 (No Project)	109,420
Alternative 2 (Reduced Intensity)	47,260
Alternative 3 (Commercial Center)	456,000
Alternative 4 (Off-Site Location)	63,070

Wastewater Factor Source: *Sewage Generation Rates*, Draft CEQA Thresholds Guide, 2006.

The development of the service commercial and industrial warehouse uses associated with this alternative would also require the installation of water supply infrastructure to serve the project site. As indicated in Table 6.E, the No Project Alternative would require approximately 31,020 gallons of water per day, which is a 37.7 percent reduction than what would be required by the proposed project. When compared to the proposed project, water usage demands would be reduced in magnitude. As identified for the proposed project, EMWD has indicated that it has water available to

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serve the proposed project[1]. Therefore, it is reasonable to conclude that water would be available for development proposed for the No Project Alternative.

Like the proposed project, the No Project Alternative would also generate solid waste. As identified in Table 6.F, this alternative would generate 805 tons of solid waste per year, which is 89.9 percent more than what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be increased in magnitude. However, similar to the proposed project, development under the No Project Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant.

Table 6.E: Comparison of Average Water Use

Type of Development	Gallons per day (gpd)
Proposed Project	49,805
Alternative 1 (No Project)	31,020
Alternative 2 (Reduced Intensity)	37,354
Alternative 3 (Commercial Center)	140,000
Alternative 4 (Off-Site Location)	49,805

Water Use Factor Source: *Water Supply Assessment* Eastern Municipal Water District, January 20, 2010.

Table 6.F: Comparison of Average Solid Waste Generation

Type of Development	Tons per year (tons/yr)
Proposed Project	424
Alternative 1 (No Project)	805
Alternative 2 (Reduced Intensity)	319
Alternative 3 (Commercial Center)	3,648
Alternative 4 (Off-Site Location)	424

Solid Waste Factor Source: *Estimated Solid Waste Generation Rates*, California Integrated Waste Management Board, http://www.ciwmb.ca.gov/WASTECHAR/WasteGenRates/Commercial.htm, website accessed October 4, 2011.

Global Climate Change. GHG emissions associated with the No Project Alternative are correspondingly increased as the No Project Alternative would increase the number of daily trips made to the site. In addition, the No Project Alternative would decrease the amount of water utilized and wastewater generated. As identified in Table 6.G, the No Project Alternative would generate 20,600 tons of carbon (CO_2), 0.77 ton of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent[2] (Tg/yr CO_2 Eq.) for the No Project Alternative would be 0.02 Tg/yr CO_2 Eq., which is approximately 33 percent less than what was identified for the proposed project.

Table 6.G: Comparison of Greenhouse Gas Emissions

Alternatives	Greenhouse Gas Emissions (tons/yr)			Total CO_2 equivalent (Tg/yr CO_2 Eq.)*
	CO_2	CH_4	N_2O	
Proposed Project	39,000	1.3	0.004	0.03
Alternative 1 (No Project) 20,60	0	0.77	0.004	0.02

1 *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

2 Carbon dioxide equivalent (CO_2 Eq.) is an internationally accepted measure that expresses the amount of other greenhouse gases (e.g., methane and nitrous oxide) in terms of the amount of carbon dioxide (CO_2). The CO_2 Eq. measure is used as a way to measure the warming potential of a greenhouse gas as compared to CO_2, which has the highest global warming potential.

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Table 6.G: Comparison of Greenhouse Gas Emissions

Alternatives	Greenhouse Gas Emissions (tons/yr)			Total CO_2 equivalent (Tg/yr CO_2 Eq.)*
	CO_2	CH_4	N_2O	
Alternative 2 (Reduced Intensity)	12,200	0.45	0.004	0.01
Alternative 3 (Commercial Center)	49,000	1.9	0.005	0.04
Alternative 4 (Off-Site Location)	39,000	1.3	0.004	0.03

* Tg/yr CO_2 Eq. = teragrams or one million metric tons per year; this denotation is the standard metric unit utilized worldwide.
Source: LSA Associates, Inc. October 2011 and Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., August 2011 (Appendix E).

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, air quality operational emissions, and increased traffic operations on local roadways and at local intersections. Because this alternative would have a greater amount of traffic, the amount of operational emissions would be greater in magnitude. Because there are no feasible mitigation measures to reduce the cumulative impacts associated with long-term operational air pollutant emissions and increased traffic, long-term air quality and traffic impacts would remain significant and unavoidable. The No Project Alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable.

Conclusion. Under the No Project Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be greater than the proposed project and would remain significant and unavoidable. Under this alternative, population and housing impacts would be similar in magnitude as no residential uses are proposed and the associated increases in employment are accounted for in the City General Plan and other applicable local and regional plans.

The development of the No Project Alternative would have similar demands on public services and recreation facilities. The payment of fees and adherence to development requirements would reduce these impacts to a less than significant level. Water supply is expected to be available as water demand is reduced and water demand was determined to be available for the proposed project. Because of the increase in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater that what was identified for the proposed project; therefore, long-term traffic impacts would remain significant and unavoidable. Although traffic-related noise would be greater in magnitude, noise impacts would be similarly mitigated like the proposed project and would remain less than significant. Under this alternative, many of the proposed project objectives would be met as warehouse uses would be built. Development of this alternative would provide new employment opportunities for residents of Moreno Valley.

6.3.2.2 Alternative 2: Reduced Intensity

With the intent of avoiding or substantially reducing significant impacts created by the project traffic, air quality, and noise, the City has considered a Reduced Intensity Warehouse Alternative. This alternative includes one warehouse building covering approximately 1,212,100 square feet. Under this alternative, the proposed warehouse uses would represent a net decrease of approximately 25 percent compared to the proposed project. The existing BP General Plan designation and SP208 I zoning would be retained.

Impact Analysis. Nine environmental issues would have similar impacts as for the proposed project. These include the following:

- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use;
- Mineral Resources; and
- Recreation.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Reduced Intensity Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Aesthetics. The proposed project site is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Proposed development envisioned under the Reduced Intensity Alternative would be consistent with development envisioned in the General Plan and Specific Plan 208. The project site is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity. The City's General Plan identifies major scenic resources as being visible from SR-60 and the development of the project site would not affect views of these major scenic resources. In addition, the project site does not contain rock outcroppings, historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Similar to the proposed project, prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. Development that may occur on the project site would be required to adhere to City requirements for site development, similar to the proposed project. Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The installation of on-site lighting to accommodate nighttime activities and for safety purposes would be required for this alternative, similar to the proposed project. Development of the warehouse uses envisioned under this alternative would be required to comply with design standards, such as lighting, setbacks, building height, lot dimensions, and maximum lot coverage contained in the City of Moreno Valley Municipal Code. While the total amount of square footage is reduced under the Reduced Intensity Alternative, site development would occur in a similar manner as the proposed project and would be required to adhere to the underlying development standards. Therefore, impacts associated with aesthetics for the Reduced Intensity Alternative are similar in magnitude to what was identified for the proposed project. Like the proposed project, impacts associated with this issue would be less than significant.

Air Quality. Because the amount of land to be graded with Alternative 2 would be equal to that of the proposed project, a similar mix of equipment as the proposed project would operate during earthmoving activities. The entire site will be graded and require import of soil to raise the building for drainage purposes. Therefore, construction emissions from the development of Alternative 2 would be similar to the proposed project, which is significant and unavoidable for NO_X and PM_{10}. Under this alternative, average daily traffic volumes would be reduced by 25 percent in comparison with the proposed project. As indicated in Table 6.H, the volume of each operational pollutant emitted during

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operation of this alternative would be correspondingly reduced. However, unlike the proposed project, operational emissions for CO, and PM_{10} would not exceed daily SCAQMD thresholds. NOx and ROC operational emissions will exceed daily SCAQMD thresholds which is similar to the proposed project. Application of Leadership in Energy and Environmental Design (LEED) standards and green building design principles could reduce emissions from building operations such as heating and cooling; however, such standards and principles would not reduce emissions to below SCAQMD thresholds.

Table 6.H: Alternative 2 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 2	323	69	333	0.5	50	13
Net Change	-507	-74	-657	-1.0	-120	-29
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 2 exceeds thresholds?	**No**	**Yes**	**Yes**	**No**	**No**	**No**

Source: LSA Associates, Inc., August 2011.

Although operational air quality emissions would be reduced when compared to the proposed project during operations only, impacts would remain significant and unavoidable as there are no feasible mitigation measures identified that would reduce emissions to below the SCAQMD threshold for ROC and NO_X.

Noise. Under the proposed project, construction-related noise impacts were reduced to a less than significant level through the implementation of mitigation measures. Under this alternative, a similar amount of land would be disturbed; therefore, noise impacts associated with the construction of this alternative would be similar to those identified under the proposed project. With the implementation of mitigation identified for the proposed project, the short-term construction-related noise impacts associated with this alternative would remain less than significant, as identified for the proposed project. As with the proposed project, Alternative 2 would have truck deliveries and noise that would be generated during loading/unloading, trash compacting, and truck movements. Additionally, there would be noise associated with parking lot activities. These operational-related noise impacts associated with this alternative would remain less than significant, as identified for the proposed project.

The reduction in project-related traffic under this alternative would result in a decrease in long-term traffic noise due to a reduction of daily traffic trips to the project site. Under the proposed project, the increase in future traffic noise along local roadway segments would not increase beyond the threshold of perception. Under this alternative, future increases in traffic-related noise would not be above the threshold of perception due to a decreased contribution of future traffic volumes. When compared to the proposed project, this alternative's contribution to future traffic noise would be reduced, thereby reducing overall mobile source noise impacts within the area. When compared to the proposed project, operational noise associated with the Reduced Intensity Alternative would result in a less than significant impact, as identified for the proposed project.

Population and Housing. This alternative would result in the development of 1,212,100 square feet of warehouse uses. Utilizing an employment factor of one employee for every 2,500 square feet of warehouse space,[1] the Reduced Intensity Alternative is anticipated to generate approximately 485

[1] Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.

employment opportunities.[1] Since warehouse jobs do not require skills that would require a specialized workforce that may not reside in the City, it is anticipated that these warehouse jobs would be filled predominately by persons already residing in the area. Therefore, no population increase would occur with the development of these warehouse jobs. When this alternative is compared to the proposed project, the number of new jobs would be 25 percent less than the proposed project. Similar to the proposed project, impacts related to population and housing would remain less than significant as this alternative would continue the existing development trend envisioned by the City.

Public Services. Compared to the proposed project, this alternative would result in a reduction of approximately 25 percent of proposed warehouse uses as compared to the proposed project. Similar to the proposed project, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be similar in magnitude as no residential uses (impacts to schools and parks) are proposed under this alternative. Like the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

Traffic. Based on trip generation rates published in *ITE Trip Generation Handbook, 7th Edition*, this alternative would generate approximately 3,791 daily vehicle trips, which is approximately 25 percent less than what was identified for the proposed project. With a 25 percent reduction in daily trips, it is reasonable to conclude that traffic volumes on local roadways and intersections would be reduced under this alternative. Although the volume of traffic is reduced under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under Alternative 2 would become operational. Therefore, when compared to the proposed project, traffic impacts would be lessened due to the reduced trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Utilities and Service Systems. Existing utility infrastructure for stormwater and wastewater are present in adjacent roadways or parcels. Like the proposed project, development under this alternative would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCF CWCD. As indicated in previously identified Table 6.D, this alternative would generate approximately 47,260 gallons of wastewater per day, which is a 25 percent decrease in wastewater than would be generated by the proposed project. When compared to the proposed project, this alternative's demands on wastewater treatment and capacity at existing wastewater treatment facilities would be reduced in magnitude. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

[1] 1 employee/2,500 square feet of warehouse use × 1,212,100 square feet of warehouse use = 485 warehouse jobs.

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The development of the warehouse uses associated with this alternative would also require the installation of water supply infrastructure. However, as previously indicated in Table 6.E, this alternative would require approximately 37,354 gallons of water per day, which is an approximately 25 percent decrease from that required by the proposed project. When compared to the proposed project, water usage demands would be reduced. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor that water is available to serve the development. Since this alternative would utilize less water than the proposed project and since water supply for the proposed project is available, it is reasonable to conclude that if this alternative was built instead of the proposed project, adequate water would be available. Therefore, impacts related to water usage and water treatment/conveyance facilities would remain less than significant, similar to the proposed project.

Like the proposed project, the Reduced Intensity Alternative would also generate solid waste. As previously identified in Table 6.F, this alternative would generate 319 tons of solid waste per year, which is an approximately 25 percent decrease to what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be reduced in magnitude. However, similar to the proposed project, development under the Reduced Intensity Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts would remain less than significant.

Global Climate Change. GHG emissions under this alternative are correspondingly reduced as traffic trips are reduced. As previously identified in Table 6.G, this alternative would generate 12,200 tons of carbon (CO_2), 0.45 ton of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.01 Tg/yr CO_2 Eq., which is 67 percent less than the 0.03 Tg/yr CO_2 Eq. that would result from the operation of the proposed project.

Cumulative Impacts. Similar to the proposed project, the Reduced Intensity Alternative would contribute to the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. Although the amount of operational air pollutant emissions and traffic would be reduced in magnitude, because there are no feasible mitigation measures to reduce long-term air pollutant operational emissions and increased traffic, cumulative impacts would remain significant and unavoidable.

As with the proposed project, the Reduced Intensity Alternative would also be consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs to reduce GHGs, the Reduced Intensity Alternative GHG emission contribution would result in a cumulative impact regarding global climate change. The cumulative impacts of the Reduced Intensity Alternative as with the proposed project on global climate change are considered to be significant and unavoidable.

This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable.

Conclusion. Under the Reduced Intensity Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the project but would remain significant and unavoidable. The decrease in warehouse uses would result in a reduction of permanent jobs that

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would be created. This alternative would have a reduced demand on public services and utilities and service systems. However, similar to the proposed project, the payment of fees and adherence to utility requirements would reduce these impacts to a less than significant level.

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed project; however, long-term traffic impacts would remain significant and unavoidable. Construction-related noise would be similarly mitigated like the proposed project and would remain less than significant. Water use for this alternative would be less than the proposed project and would generate less wastewater and solid waste. Under this alternative, the proposed project objectives are met and warehouse uses would still be built, but on a smaller scale.

6.3.2.3 Alternative 3: Commercial Center (Mixed Commercial/Office)

The Commercial Center Alternative would result in the development of commercial service and office uses on the project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.[1]

Impact Analysis. Eight environmental issues would have similar impacts as for the proposed project. These include the following:

- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning; and,
- Mineral Resources.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Commercial Center Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Aesthetics. The proposed project site is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Proposed development envisioned under the Commercial Center Alternative would be consistent with development permitted for the site in the General Plan and Specific Plan 208. The project site is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity. The City's General Plan identifies major scenic resources as being visible from SR-60 and the development of the project site would not affect views of the se major

[1] Square footage is based on a 50 percent development of the project site.

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scenic resources. In addition, the project site does not contain rock outcroppings, historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Similar to the proposed project, prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. Development that may occur on the project site would be required to adhere to City requirements for site development, similar to the proposed project. Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The installation of on-site lighting to accommodate nighttime activities and for safety purposes would be required for this alternative, similar to the proposed project. Development of the warehouse uses envisioned under this alternative would be required to comply with design standards, such as lighting, setbacks, building height, lot dimensions, and maximum lot coverage contained in the City of Moreno Valley Municipal Code. While the visual character of the development proposed under the Commercial Center Alternative would differ from that of the proposed project, the development that may occur would be required to adhere to site development standards in accordance with the underlying land use designation. It is expected that the visual character of the Commercial Center Alternative would be compatible with existing and future adjacent development. Therefore, impacts associated with aesthetics for the Commercial Center Alternative are similar in magnitude to what was identified for the proposed project. Like the proposed project, impacts associated with this issue would be less than significant.

Air Quality. Since the amount of land to be developed under this alternative would equal that developed under the proposed project, it is reasonable that a similar mix of equipment would operate during earthmoving and construction activities. As with the proposed project, peak daily construction emissions would be similar, which is significant and unavoidable for NO_X and PM_{10}. Although SCAQMD regulations and project-specific mitigation measures would reduce the amount of construction emissions, impacts associated with construction emissions for NO_X and PM_{10} remain significant and unavoidable.

As previously identified in Table 6.C, the Commercial Center Alternative would generate approximately 18,065 daily vehicle trips, which is more than the trips associated with the proposed project. Because the total number of trips is increased, the volume of each operational pollutants emitted during operation of this alternative would also be correspondingly increased. As indicated in Table 6.I, operational emissions would continue to exceed SCAQMD significance thresholds for ROG, NO_X, CO, and PM_{10} as identified for the proposed project.

Table 6.I: Alternative 3 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 3	1,368	218	1,391	1.9	201	51
Net Change	+537	+75	+401	+0.4	+31	+9
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 3 exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**No**

Source: LSA Associates, Inc., October 2011

When this alternative is compared to the proposed project, impacts to air quality would be increased in magnitude. The volume of pollutants emitted would be increased and the long-term air quality impacts resulting from this alternative, as with the proposed project, would continue to be significant and unavoidable.

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Noise. The extent and duration of construction activities for this alternative are anticipated to be similar to those of the proposed project. Therefore, construction noise resulting from the construction of this mix of uses would be generally similar to the proposed project. Development of this alternative would require the implementation of mitigation measures to reduce construction noise impacts to a less than significant level. Compared with the proposed project, the short-term noise impacts resulting from project construction and stationary noise impacts associated with the operation of the commercial/office uses would be similar and remain less than significant with mitigation incorporated.

The increase in project-related traffic for this alternative would result in an incremental increase in traffic noise. This alternative's contribution to future traffic noise would result in more trips on the road, which increases the overall mobile source noise impact as compared to the proposed project. Parking lot noise and mechanical ventilation noise would still occur under this alternative and noise from the loading docks would still be present as the alternative includes a commercial component. However, the uses envisioned under this alternative would increase the number (i.e., more commercial/office buildings) and extent of noise sources but would still have noise approaching levels identified for the proposed project. When compared to the proposed project, operational noise impacts would be similar.

Population and Housing. The Commercial Center Alternative would result in the development of approximately 760,000 square feet of commercial service uses and 760,000 square feet of office uses. Commercial service jobs are likely to be filled by persons already residing in the area. However, unlike commercial jobs, which can often be filled by most working adults, office jobs under this alternative may require the employment of persons in specialized fields, which may not include persons already living in the area. Persons from outside of the area may be required to relocate to Moreno Valley to fill positions for office uses, resulting in a population increase in the City. To analyze a worst-case scenario, it is assumed that 50 percent of the office jobs would be filled by people who are not living in the area. Utilizing employment factors of one employee for every 629 square feet of commercial use[1] and one employee for every 481 square feet of office uses, this alternative would create up to 2,788 jobs (1,208 commercial jobs and 1,580 office jobs).

When this alternative is compared to the proposed project, the number of new residents would be greater than that identified for the proposed project as the proposed project would not result in population growth. However, this alternative would not directly affect population growth as compared with new residential development, because it is not creating homes. While development under this alternative would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Infrastructure, including roads, sewers, water, and electricity, already exists around the project site. Impacts related to population and housing would remain less than significant as this alternative would continue the existing development trend envisioned by the City.

Public Services. As discussed above, the Commercial Center Alternative could result in population increase within the City. Because of the population increase associated with this alternative that would occur within the project limits, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be greater in magnitude than what was identified for the proposed project. However, similar to the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project,

[1] *Table IIB, Average Number of Employees per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc., October 2001.

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impacts associated with public services would remain less than significant with the payment of development impact fees.

Recreation. As previously discussed, the Commercial Center Alternative could result in population increase within the City. Because of the population increase associated with this alternative that would occur within the project limits, demands on recreational facilities would be greater in magnitude than what was identified for the proposed project. However, similar to the proposed project, development under this alternative would require payment of development impact fees for recreation facilities. The payment of development impact fees would offset any impacts to these recreational facilities that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with recreation would remain less than significant with the payment of development impact fees.

Traffic. As identified in Table 6.C, this alternative would generate approximately 18,065 daily vehicle trips. In comparison to the proposed project, this alternative would result in a 257.6 percent increase in daily traffic. With an increase in daily traffic, an increase in volumes on nearby roads and intersections would occur and be greater in magnitude when compared to the proposed project. With the increase in traffic under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under this alternative would become operational. Therefore, when compared to the proposed project, traffic impacts would be greater due to the additional trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Utilities and Service Systems. Similar to the proposed project, development under the Commercial Center Alternative would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCFCWCD. As indicated in previously identified Table 6.D, this alternative would generate approximately 456,000 gallons of wastewater per day, which is a 623.0 percent increase over what the proposed project would generate. When compared to the proposed project, wastewater treatment demand would be increased in magnitude as more wastewater would be generated under this alternative. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

The development of the commercial and office uses associated with this alternative would also require the installation of water supply infrastructure to serve the project site. The Water Supply Assessment indicated that adequate water supply exists and is forecast to be available in the future to accommodate the proposed project. As previously indicated in Table 6.E, the Commercial Center Alternative would require approximately 140,000 gallons of water per day, which is 181.1 percent greater than what would be required by the proposed project. When compared to the proposed project, therefore, water usage demands for this Alternative would be greater. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor (EMWD) that water is available to serve the development. In the event that the amount of water required for this alternative is available, impacts associated with this issue would be less than significant. However, in the event that water is not available for the alternative, a new and significant impact associated with this issue would occur.

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Like the proposed project, the Commercial Center Alternative would also generate solid waste. As previously identified in Table 6.F, this alternative would generate 3,648 tons of solid waste per year, which is 760.4 percent more than what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be increased in magnitude. However, similar to the proposed project, development under the Commercial Center Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant.

Global Climate Change. GHG emissions are correspondingly increased as the Commercial Center Alternative would increase the number of daily trips made to the site. As previously identified in Table 6.G, the Commercial Center Alternative would generate 49,000 tons of carbon (CO_2), 1.9 tons of methane (CH_4), and 0.005 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.04 Tg/yr CO_2 Eq., which is approximately 33 percent more than what was identified for the proposed project.

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic levels would be greater when compared to the proposed project. In addition, there are no mitigation measures that would reduce long-term air quality operational impacts to below SCAQMD threshold standard and no mitigation measures that would reduce impacts associated with increased traffic in the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable like the proposed project.

Conclusion. Under the Commercial Center Alternative, impacts related to short-term construction emissions would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude when compared to the project and would remain significant and unavoidable. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the proposed project. Long-term traffic impacts would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the proposed project and would remain less than significant.

This alternative would result in the development of office uses that would generate permanent jobs, which may require workers who are not current residents of the City. The proposed office uses would increase the total number of people that would be added to the City's population. This alternative would have greater demands on public services and recreation. However, the payment of fees would reduce these impacts to a less than significant level. This alternative would increase the amount of water utilized and increase the amount of wastewater and solid waste that would be generated on site. Similar to the proposed project, adherence to wastewater and solid waste requirements would reduce these impacts to a less than significant level. In the event that water is not available for development envisioned under this alternative, impacts to water resources would be significant and avoidable. Under this alternative, some of the proposed project objectives are not met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley.

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6.3.2.4 Alternative 4: Off-Site Location

This alternative would result in the same intensity of development of approximately 1,616,133 square feet of warehouse uses on approximately 70.3 acres. The alternative project site identified by the City is bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.0 miles northwest of the project site and is within the same Industrial Area Specific Plan as the proposed project. This alternative off-site property is not owned or under the control of the applicant. The off-site location is currently zoned SP 208 I and is designated BP in the City's General Plan, identical to the proposed project, as properties within the existing Specific Plan 208 area within the City is planned for industrial development and contains properties comparable in size. The Specific Plan 208 area provides for business park, mixed use, light industry, and heavy industry districts on approximately 1,500 acres in southwestern Moreno Valley. Since the proposed uses are consistent with the uses identified for the off-site location, no zone change or General Plan Amendment would be required. Development of this site would not require soil import, inherently reducing impacts form air pollution emissions during construction.

Impact Analysis. Nine environmental issues would have similar impacts as the proposed project. These include the following:

- Cultural Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Land Use and Planning;
- Mineral Resources
- Population and Housing;
- Public Services;
- Recreation; and
- Utilities and Service Systems.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Off-site Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be analyzed separately under this alternative.

Aesthetics. The Off-Site Location Alternative would consist of similar warehouse structures and uses as the proposed project, just on a different project site. With the off-site location, surrounding views would include similar industrial uses, March Air Reserve Base, single-family residential uses, and vacant land. Under this alternative, development of the project site would still be required to comply with design standards contained in the City's Development Code such as setbacks, building height, lot dimensions, and maximum lot size. No significant visual resource has been identified within the limits of the alternative project site. Similar to the proposed project, this alternative would change the existing character of the site, replacing the current open space with developed uses. Like the proposed project, the warehouse uses would still require the installation and operation of parking and building lighting. Adherence to the City's lighting standards would reduce the significance of any impact associated with the generation of light or glare to a less than significant level. This alternative site is not identified as being within an area that would have scenic resources. Development of the alternative would result in a less than significant impact on aesthetics, similar to that identified for the proposed project.

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Agriculture and Forestry Resources. Development of the off-site location would include the development of 70.3 acres with warehousing uses. As identified by the California Department of Conservation Farmland Mapping and Monitoring Program, the off-site location is identified as Farmland of Local Importance.[1] Similar to the proposed project, the off-site location is not under a Williamson Act contract. The total amount of farmland that would be converted to urban uses under the Off-Site Location Alternative would be similar when compared to the amount of farmland that would be converted under the proposed project. Similar to the proposed project, the off-site location is located in an area that has been developed with urban uses and is still in the process of developing with more urban uses. Unlike the proposed project, development that may occur on the off-site location would only result in the conversion of Farmland of Local Importance while the proposed project would result in the conversion of Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Therefore, the potential for additional agricultural lands to be converted to urban uses would be similar in magnitude when compared to the proposed project. Since there are no mitigation measures to fully mitigate for the loss of farmland to urban development, impacts remain significant and avoidable, similar to the proposed project.

Air Quality. Under the Off-Site Location Alternative, the total amount of land to be graded would be approximately the same as the off-site location consists of approximately 70.3 acres. It is anticipated that a similar mix of equipment would operate during earthmoving and construction activities on the project site. Therefore, construction emissions from the development of Alternative 4 would be similar to the proposed project, which is significant and unavoidable for NO_X and PM_{10}. Although SCAQMD regulations and project-specific mitigation measures would reduce the amount of construction emissions, impacts associated with construction emissions for NO_X and PM_{10} remain significant and unavoidable.

Implementation of the Off-Site Alternative would result in the development of the same amount of warehouse space (1,616,133 square feet) as the proposed project. Since the Off-Site Location Alternative would have the same amount of square footage as the proposed project, it is reasonable to conclude that the Off-Site Location Alternative would generate the same amount of traffic. As previously indicated in Table 6.C, this alternative would generate approximately 5,052 daily vehicle trips. As identified in Table 6.J, the volume of each operational pollutant emitted during operation of this alternative would be similar to that identified for the proposed project.

Table 6.J: Alternative 4 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 5	830	143	990	1.5	170	42
Net Change	0	0	0	0	0	0
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 4 exceeds thresholds?	**No**	**Yes**	**Yes**	**No**	**Yes**	**No**

Source: LSA Associates, Inc., October 2011.

Although the off-site location would be located on a different site, CO hot spot conditions are anticipated to be similar to the proposed project as the off-site location is in close proximity to the project site. Because traffic associated with this alternative would be similar to what was identified for the proposed project, CO concentrations at local intersections would not be anticipated to exceed the state or federal one-hour and eight-hour standards. No CO hot spots would occur, and the proposed project would not have a significant impact on local air quality for CO. When the Off-Site Location

[1] *Farmland Mapping and Monitoring Program 2008*, California Department of Conservation Division of Land Resources, ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/riv08_west.pdf, website accessed October 5, 2011.

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Alternative is compared to the proposed project, impacts to air quality would be similar. Although the volume of pollutants emitted would be similar during the operational phase of the project, the long-term air quality impacts resulting from this alternative would still contribute criteria pollutants to a non-attainment air basin. Therefore, long-term air quality impacts associated with this alternative would continue to be significant and unavoidable, similar to the proposed project.

Biological Resources. The Off-Site Location Alternative would require site development in a similar manner as would be required for the proposed project. Although no site-specific surveys have been conducted for the off-site location, it is anticipated that biological communities present at the off-site location would be similar to biological communities present at the proposed project location. However, the potential exists for sensitive species to be present at the off-site location. While the presence of sensitive species on the alternative site cannot be confirmed without a biological survey, if sensitive species were absent from the Off-Site Location Alternative project site, biological resource impacts would be similar to the proposed project. However, if sensitive species are present at the off-site location, impacts to biological resources resulting from development of this alternative would be mitigated based on existing biological protocols or surveys that are required for such species. As identified for the proposed project, mitigation to address potential impacts to the sensitive species would also be required. When compared to the proposed project, this alternative would result in a similar impact on biological resources.

Hazards and Hazardous Materials. The off-site location is not identified on a list of hazardous waste generators or hazardous waste handlers.[1] While the presence of hazardous materials cannot be confirmed for the off-site location without a site-specific survey, because the off-site location has been utilized for agricultural production and because of the surrounding vacant land, it is anticipated that hazards materials that could be found on site would be similar to what was identified for the proposed project. Because this alternative includes warehouse uses similar to the proposed project, development under this alternative would still result in the on-site handling of hazardous substances, both during project construction and during operations.

The off-site location would be located within the MARB Safety Zone Area 2.[2] MARB Safety Zone Area 2 limits residential development to one dwelling unit per 2.5 acres and allows agricultural, industrial, and commercial uses. Although the off-site location is within MARB Safety Zone Area 2, the type of development that would occur under this alternative would be consistent with the development allowed in Safety Zone Area 2. Therefore, airport hazards associated with this alternative would be less than significant. The off-site location is located approximately one mile from an existing school (El Potrero Elementary School to the east). However, because the same regulations and standards associated with hazards and hazardous materials would apply under this alternative, impacts associated with the Off-Site Location Alternative would remain less than significant; similar to what was identified for the proposed project.

Noise. The nearest sensitive receptors to the off-site location would be an existing single family residential development across Iris Avenue, immediately adjacent to the northeast of the off-site location's northeastern boundary. The distance between the off-site location and the nearest sensitive receptor is closer than the distance between the proposed project site boundary and its nearest sensitive receptor is adjacent. Although the type of noise generated by the construction of the Off-Site Location Alternative is anticipated to similar to that of the proposed project, the noise experienced at the closest sensitive receptor would be increased due to a closer distance. No significant noise-

[1] *EnviroStor Database*, Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public/, website accessed September 30, 2011.

[2] *March Air Reserve Base Safety Zone Map*, http:// www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf, website accessed September 30, 2011.

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related impact was identified with the construction or operation of the proposed project. Noise generated from construction operations, parking lots, loading areas, truck deliveries, and building machinery with this alternative would be increased to that identified for the proposed project. Traffic related noise is anticipated to be similar to the proposed project as the Off-Site Location Alternative would generate the same amount of daily vehicle trips. When compared to the proposed project, noise impacts would be greater in magnitude and would remain less than significant with mitigation.

Traffic. As identified in Table 6.C, this alternative would generate approximately 5,052 daily trips which is the same number that would occur with the proposed project. With the level of traffic remaining the same, volumes on nearby roads and intersections would be similar in magnitude when compared to the proposed project. However, despite the volume of traffic remaining the same, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under the Off-Site Location Alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under this alternative would become operational. Therefore, when compared to the proposed project, traffic-related impacts would be the same ad the proposed project and would remain significant and unavoidable.

Global Climate Change. GHG emissions are the same as the proposed project as the Off-Site Alternative is the proposed project on a nearby site in the City. As previously identified in Table 6.G, the Off-Site Location Alternative would generate 39,000 tons of carbon (CO_2), 1.3 tons of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.03 Tg/yr CO_2 Eq., which is the same amount that the proposed project would generate.

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic generated by the Off-Site Location Alternative would be similar to the proposed project, only on a different site. Similar to the proposed project, there are no mitigation measures that would reduce long-term air quality operational impacts to below SCAQMD threshold standard. Additionally, there are no mitigation measures that would reduce impacts associated with increased traffic in the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the alternative site, resulting in a loss of farmland. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable similar to the proposed project.

Conclusion. With the Off-Site Location Alternative, impacts related to air quality and traffic impacts would be similar to those identified with the proposed project. Short-term construction and long-term air quality operational impacts under this alternative would remain significant and unavoidable and would result in similar conditions as identified for the proposed project. Additionally, due to adjacent sensitive receptors, potential impacts to these receptors would be greater in magnitude when compared to the proposed project. Similarly, noise impacts would be greater in magnitude due to the adjacent sensitive receptors. Operational traffic would result in increased traffic on existing roadways and may impact existing intersection's level of service within the area. This alternative would require

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the same amount of water as the proposed project and would generate the same amount of wastewater and solid waste when compared to the proposed project. Similar to the proposed project, adherence to utility requirements would reduce these impacts to a less than significant level.

6.4 COMPARISON OF PROJECT ALTERNATIVES

The following discussion compares the impacts of each alternative with the impacts of the proposed project, as detailed in Section 4.0 of this EIR. Table 6.K compares the impacts of the alternatives with those of the proposed project. This table identifies whether the alternative results in (1) a reduction of the impact; (2) a greater impact than the project; or (3) the same impact as the project.

Table 6.K: Comparison of Alternatives to the Proposed Project

Environmental Issue	Proposed Project	Alternative 1: No Project	Alternative 2: Reduced Intensity	Alternative 3: Commercial Center	Alternative4: Off-Site Location
Aesthetics LTS		=	=	=	=
Agricultural Resources	SIG =		=	=	← SIG
Air Quality	SIG	→ SIG	← SIG	→ SIG	=
Biological Resources	LTS/mit	=	=	=	=
Cultural Resources	LTS/mit	=	=	=	=
Geology and Soils	LTS.mit	=	=	=	=
Global Climate Change	SIG	← SIG	← SIG	→ SIG	=
Hazards and Hazardous Materials	LTS/mit =		=	=	=
Hydrology and Water Quality	LTS/mit =		=	=	=
Land Use and Planning	LTS	=	=	=	=
Mineral Resources	NI	=	=	=	=
Noise LTS/mit		=	=	=	→
Population and Housing	LTS =		=	=	=
Public Services	LTS	=	=	→	=
Recreation and Parks	LTS =		=	=	=
Transportation and Traffic	SIG	→SIG	← SIG	→ SIG	=
Utilities and Service Systems	LTS =		=	=	=

Proposed Project
NI: No Impact
LTS: Less than Significant Impact
LTS/mit: Less than Significant Impact with Mitigation
SIG: Significant Impact with or without Mitigation
Project Alternatives
= Compared with the proposed project, no change in the significance of impact will occur.
→ Compared with the proposed project, the significance of the impact is increased.
← Compared with the proposed project, the significance of the impact is reduced.
+ Compared with the proposed project, a new impact has been identified.
←SIG Compared with the proposed project, the volume or extent of the impact is reduced, yet still significant.

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6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

As detailed in Table 6.K, Alternative 2 (Reduced Intensity Alternative) reduces the severity of project-related air quality impacts. Though reduced, long-term air quality impacts would remain significant after mitigation for this alternative for NOx. In a similar manner, Alternative 2 would reduce the volume of daily traffic trips when compared to the proposed project; however, such impacts would remain significant and unavoidable until roadway improvements are completed. And, Alternative 2 would reduce the quantity of greenhouse gas emission when compared to the proposed project; however, impacts to Global Climate Change would remain significant and unavoidable. While Alternative 4 reduces impacts associated with the proposed project related to agricultural resources, impacts would still remain significant. Additionally, Alternative 4 would result in greater impacts related to air quality, hazards and hazardous materials, and noise. Impacts related to air quality would remain significant similar to the proposed project; however, impacts related to hazards and hazardous materials and noise would remain less than significant and less than significant with mitigation, respectively. The remaining environmental issues would ultimately be similar to the proposed project through adherence to existing standards and mitigation measures.

CEQA (*CEQA Guidelines Section 15126.6 (e[2])* requires that the environmentally superior alternative be identified in the EIR. Based on the analysis in this section and the summary contained in Table 6.K, Alternative 2, the Reduced Intensity Alternative, is the environmentally superior alternative. The amount of development under this alternative would be reduced when compared to the proposed project; however, the Alternative 2 would not satisfy several of the project objectives shown in Table 6.L.

Table 6.L: Comparison of Alternative 2 to the Proposed Project Objectives

Project Objectives	Reasons Why Alternative 2 Satisfies the Project Objectives
Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities	**Meets Objective**
Encourage industrial development attractive and productive uses while minimizing conflicts with the surrounding existing uses	**Meets Objective**
Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors.	**Meets Objective**
Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner.	**Meets Objective**
Encourage new development consistent with the capacity and municipal service capabilities.	**Meets Objective**
Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels.	**Does not meet objective.**
Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale.	**Meets Objective**
Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County	**Meets Objective**
Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources	**Does not meet objective**
Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site.	**Meets Objective**
Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements.	**Meets Objective**

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Table 6.L: Comparison of Alternative 2 to the Proposed Project Objectives

Project Objectives	Reasons Why Alternative 2 Satisfies the Project Objectives
Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead.	**Meets Objective**
Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.	**Meets Objective**

Because the Reduced Intensity Alternative allows the development of warehouse uses and the provision of new employment opportunities, it meets many of the City's stated project objectives, while at the same time reduces the impacts associated with the proposed project. Therefore, the Reduced Intensity Alternative has been determined to be the environmentally superior alternative. However, because of the location of the Alternative site and the lower industrial density, the Alternative fails to meet several objectives related to location and density efficiencies.

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8.0 LIST OF PREPARERS

8.1 CITY OF MORENO VALLEY

[TO BE PROVIDED]

8.2 LSA ASSOCIATES, INC.

8.2.1 Environmental Impact Report

Lynn Calvert-Hayes, AICP..... Principal in Charge
Ray Hussey, AICP..... Associate (Project Manager)
Kelly Czechowski..... Senior Environmental Planner
David Atwater ..... Environmental Planner
Steven Dong ..... Technical Editor
Nancy Hasegawa..... Word Processor
Margaret Gooding .....Graphics/GIS Specialist
Lori Ufondu ..... Document Production

8.2.2 Traffic Study

Meghan Macias ..... Principal in Charge
Sandipan Bhattacharjee ..... Associate
Robert Aguirre ..... Transportation Planner

8.2.3 Air Quality Analysis

Tony Chung, Ph.D. ..... Principal in Charge
Ronald Brugger..... Senior Air Quality Specialist

8.2.4 Greenhouse Gas Emissions Study

Tony Chung, Ph.D. ..... Principal in Charge
Ronald Brugger..... Senior Air Quality Specialist

8.2.6 Noise Impact Analysis

Tony Chung, Ph.D. .....Principal

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9.0 ACRONYMS AND ABBREVIATIONS

µg/m^3	micrograms per cubic meter
AADT	Annual Average Daily Traffic
AAQS	ambient air quality standards
AB Assembly	Bill
ADT Average	Daily Traffic
AER	Annual Emission Reporting
AFV	alternative fuel vehicle
AFY acre-fe	et per year
AICUZ	Air Installation Compatible Use Zone
ALUC	Airport Land Use Commission
ALUP	Airport Land Use Plan
ANSI	American National Standards Institute
APN	Assessor's Parcel Number
APZ	Accident Potential Zone
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
Basin	South Coast Air Basin
BMPs	Best Management Practices
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFÉ	Corporate Average Fuel Economy
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CAPS	Criteria Area Plant Species
CARB	California Air Resources Board
CAT	Climate Action Team
CBSC	California Building Standards Commission
CCAA	California Clean Air Act
CDC	California Department of Conservation
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA California	Endangered Species Act
CFCP	California Farmland Conservancy Program
CFCs Chlo	rofluorocarbons
CH_4 methane	
CNEL	Community Noise Equivalent Level
CO carbon	monoxide
CO_2E	carbon dioxide equivalent
CRA	California Resource Agency

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dBA A-wei	ghted decibels
DIF	Development Impact Fee
DOF	Department of Finance
DTSC	Department of Toxic Substance Control
EIR	Environmental Impact Report
EMWD	Eastern Municipal Water District
EPA	U.S. Environmental Protection Agency
EPAct	Energy Policy Act
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
ft Feet	
FTA	Federal Transit Administration
F-WQMP	Final Water Quality Management Plan
GHG gree	nhouse gas
gpd	gallons per day
GWP Global	Warming Potential
HCP	Habitat Conservation Plan
HFCs Hydroflu	orocarbons
HI Ha	zard Indices
HVAC	Heating, Ventilating, And Air Conditioning
I-215 Inters	tate 215
IPCC	Intergovernmental Panel on Climate Change
IS Initial	Study
JPA J	oint Powers Authority
LCC Land	Capability Classification
L_{dn}	Day-Night Average Noise Level
LE Land	Evaluation
LEED	Leadership in Energy and Environmental Design
L_{eq}	Equivalent Continuous Sound Level
LESA	Land Evaluation and Site Assessment
L_{max}	Maximum Noise Level
LOS	Level of Service
LSA	LSA Associates, Inc.
LST	Local Significance Threshold
MARB	March Air Reserve Base
MBTA	Migratory Bird Treaty Act
MCE	maximum credible earthquake
MEI	Maximum Exposed Individual
Metropolitan Metrop	olitan Water District
mg/m^3	milligrams per cubic meter
mgd	million gallons per day

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MICR	Maximum Individual Cancer Risk
MIP	March Inland Port
MIPAA	MIP Airport Authority
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
mpg	miles per gallon
mph	miles per hour
MPO Metrop	olitan Planning Organization
MRZ	Mineral Resource Zone
MSHCP	Western Riverside County Multiple Species Habitat Conservation Plan
mty	million tons per year
MVPD	Moreno Valley Police Department
MVRWRF	Moreno Valley Regional Water Reclamation Facility
MVUSD	Moreno Valley Unified School District
N_2O nitrou	s oxide
NAAQS	National Ambient Air Quality Standards
NEPS	Narrow Endemic Plant Species
NFMA	National Forest Management Act of 1976
NHTSA	National Highway Traffic and Safety Administration
NO_2 Nitrog	en dioxide
NOI	Notice of Intent
NOP	Notice of Preparation
NO_X nitroge	n oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
O_3 O	zone
OMB	Office of Management and Budget
OPR	Office of Planning and Research
Pb Lead	
PCE Passeng	er Car Equivalent
PFCs Perfluorocarb	ons
PM Particul	ate Matter
PM_{10}	Particulate matter with a diameter of 10 microns or less
$PM_{2.5}$	Fine particulate matter less than 2.5 microns in diameter
POU	Publicly Owned Utility
ppb	parts per billion
ppm	parts per million
P-WQMP	Preliminary Water Quality Management Plan
RCP	reinforced concrete pipe
RCP Regi	onal Comprehensive Plan
RCPG	Regional Comprehensive Plan and Guide
ROC	reactive organic compounds
ROG	reactive organic gases
RPA	Resources Planning Act of 1974

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RTA	Riverside Transit Agency
RTP	Regional Transportation Plan
RUWMP	Regional Urban Water Master Plan
RWQCB	Regional Water Quality Control Board
SA Site	Assessment
SB Senate	Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SF_6 s	ulfur hexafluoride
SIP	State Implementation Plan
SKR	Stephens' Kangaroo Rat
SKR HCP	Stephens' Kangaroo Rat Habitat Conservation Plan
SO_2 Sulfur	dioxide
SO_X sulfur	oxides
SP Spec	ific Plan
SR-60	State Route 60
SRA	Source Receptor Area
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
T-BACT	Best Available Control Technology for Toxics
TDM	Transportation Demand Management
TPM	Tentative Parcel Map
tpy	tons per year
TUMF	Transportation Uniform Mitigation Fee
UBC	Uniform Building Code
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USFS	United States Forest Service
VMT	Vehicle Miles Traveled
VOC	volatile organic compounds
WDID	Waste Discharge Identification Number
WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WSA	Water Supply Assessment
ZNE Zero	Net Energy
ZOI	Zone of Influence

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ATTACHMENT 7

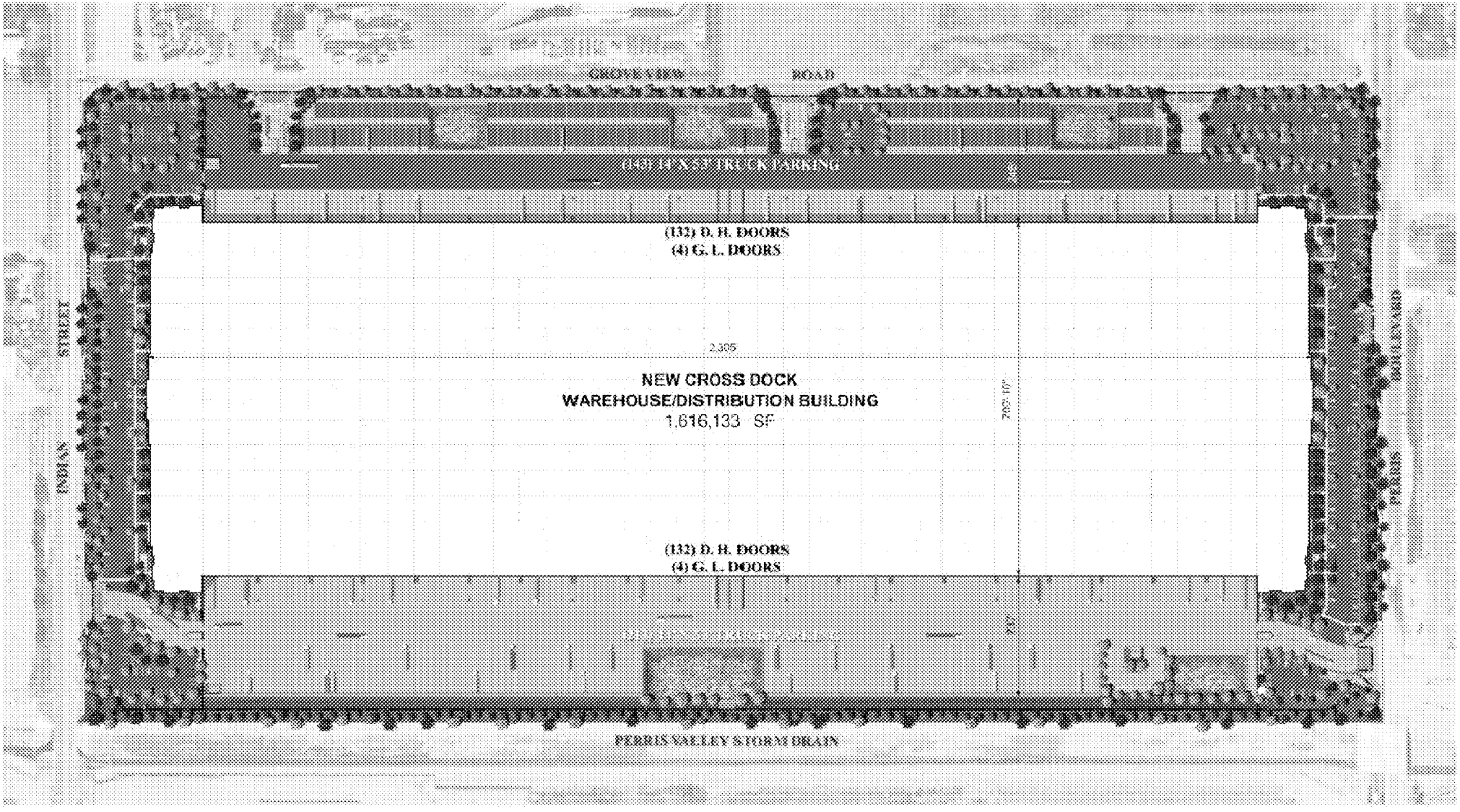

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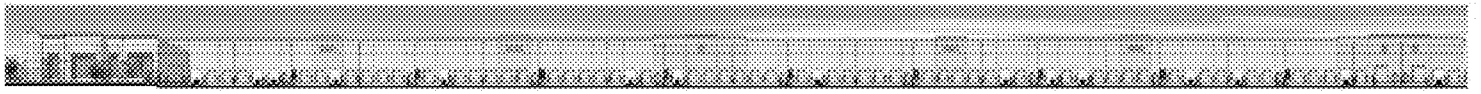

SOUTH ELEVATION (WEST SIDE)

SOUTH ELEVATION (EAST SIDE)

NORTH ELEVATION (EAST SIDE)

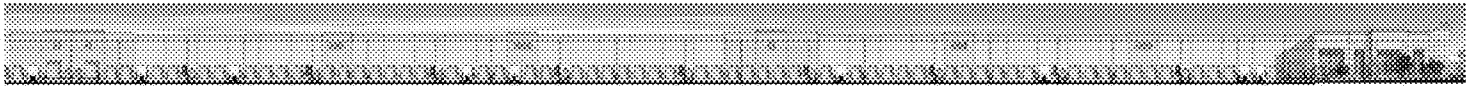

NORTH ELEVATION (WEST SIDE)

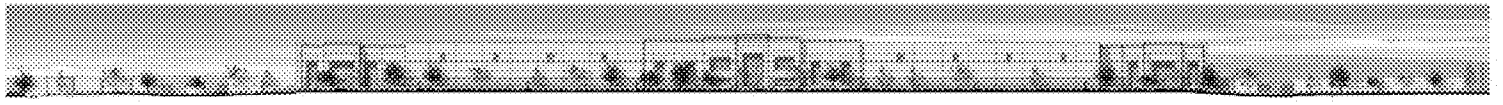

EAST ELEVATION

WEST ELEVATION

ENLARGED PARTIAL EAST ELEVATION

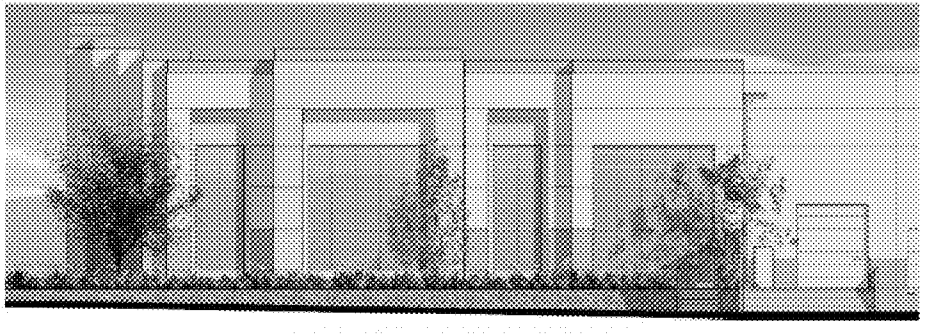

ENLARGED PARTIAL NORTH ELEVATION

VIP

VIP MORENO VALLEY

VIP MORENO VALLEY

PERRIS BLVD. AND INDIAN STREET
MORENO VALLEY, CALIFORNIA
RKZ JOB # 06-28 JUNE 18, 2012

1" INSULATED DUAL PANE GLAZING
(AT OFFICE VISION WINDOWS ONLY)

EXTERIOR PANE:
1/4" THICK PILKINGTON EVERGREEN – LOW-E #2
INTERIOR PANE:
1/4" THICK CLEAR

CLEAR ANODIZED ALUMINUM FRAME

A DUNN EDWARDS – DE6143
"ALMOND LATTE"

B DUNN EDWARDS – DE6145
"ROCKY RIDGE"

C DUNN EDWARDS – DE6172
"BUNGALOW TAUPE"

VOGEL ENGINEERS, INC.
900 PASEO TESORO, WALNUT, CALIFORNIA 91789-2791
TEL (909) 598-7088 FAX (909) 598-2791

EXTERIOR COLOR BOARD

rkz architects, inc.

ATTACHMENT 10

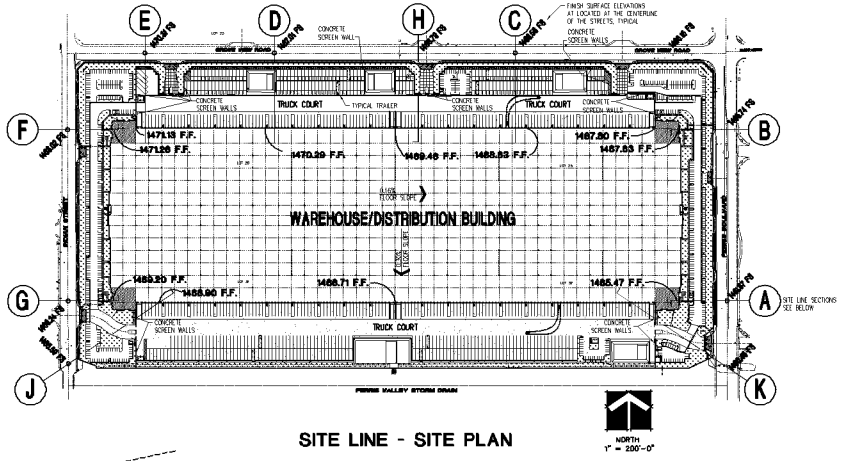

SITE LINE - SITE PLAN

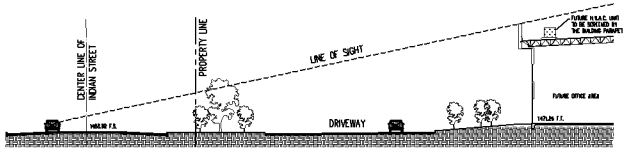

SECTION - F
SCALE : 1" = 20'-0"

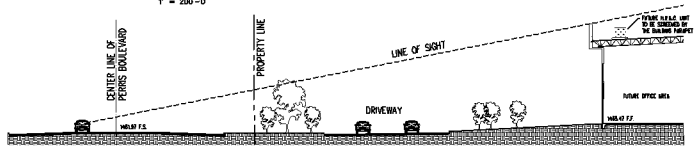

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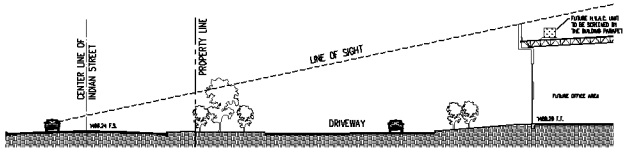

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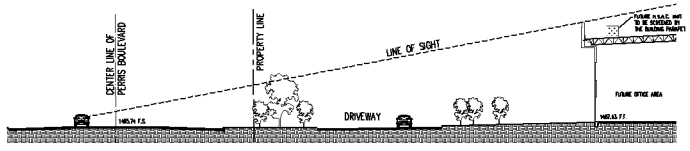

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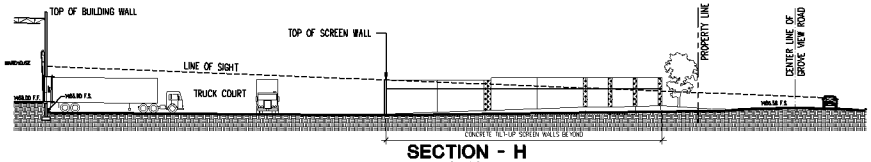

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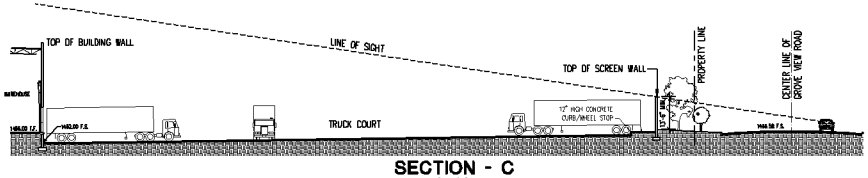

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SCALE : 1" = 20'-0"

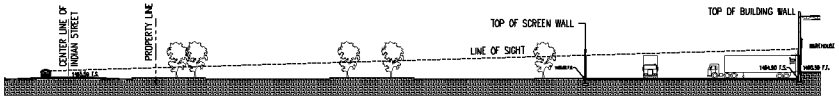

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SCALE : 1" = 20'-0"

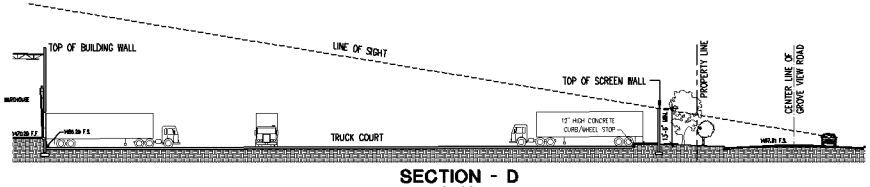

SECTION - D
SCALE : 1" = 20'-0"

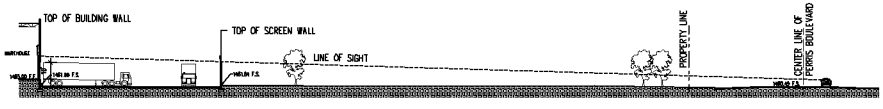

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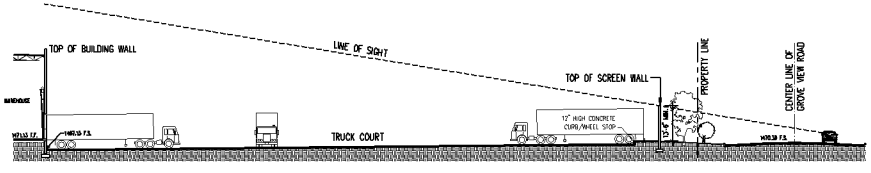

SECTION - E
SCALE : 1" = 20'-0"

rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH. 714.731.1140 FAX: 714.731.1080
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
17777 PERRIS BOULEVARD
17700 INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26

SHEET NAME
SITE LINE
SITE PLAN &
SECTIONS

SHEET NO.
A-7
OF SHEETS

PROJECT #PA09-0004 & PA09-0012

06SPA5.dwg / 07.02.12 / 15:39

MV00178462

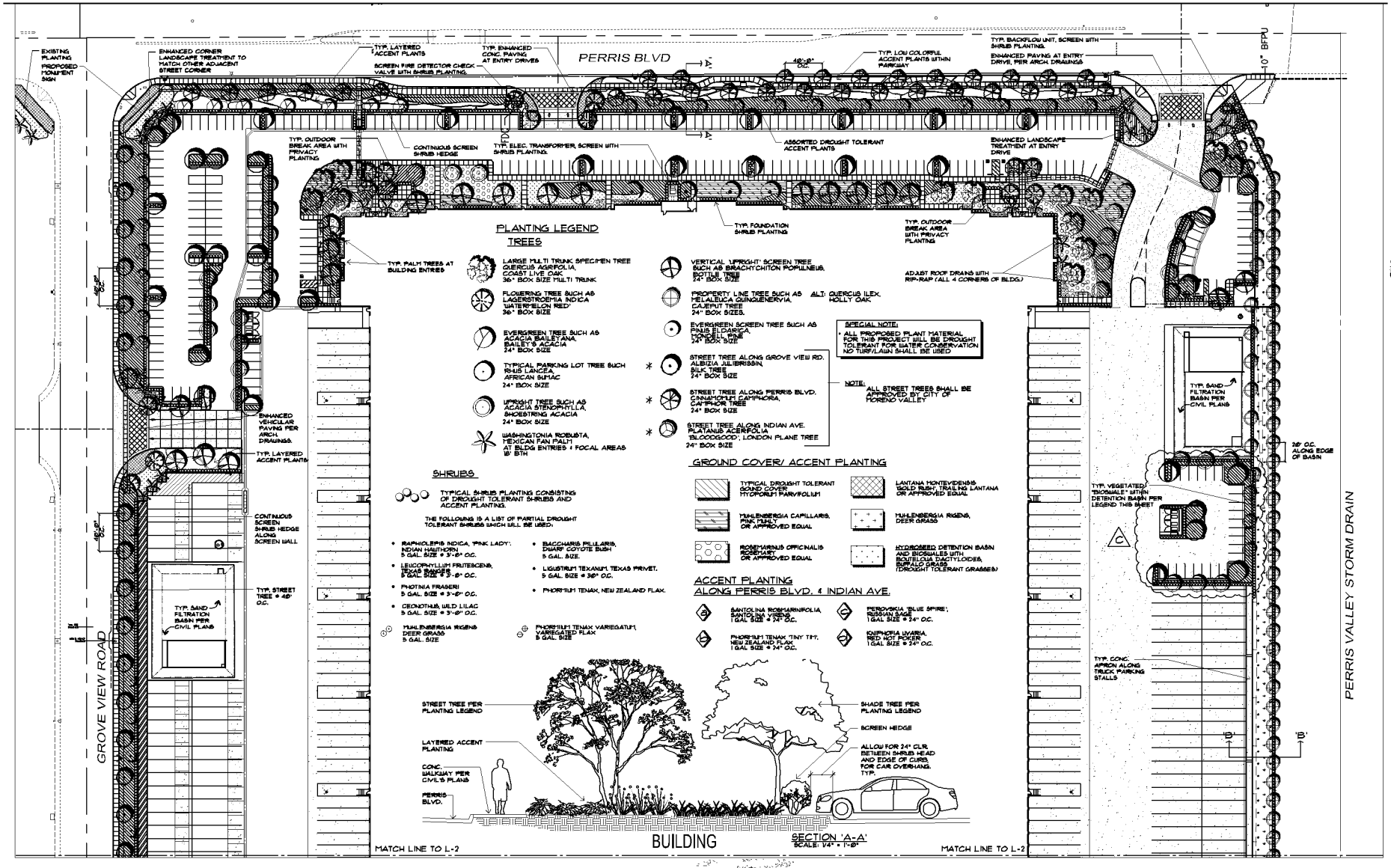

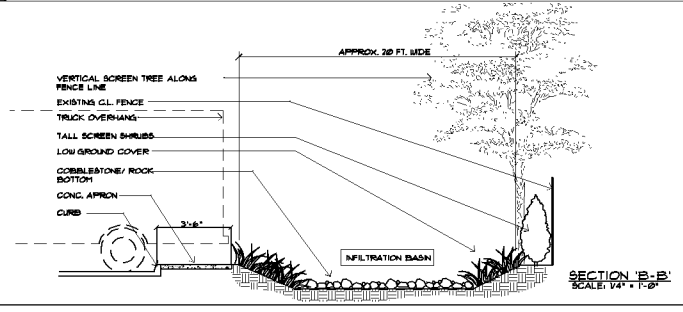

WATER CONSERVATION STATEMENT

THE IRRIGATION SYSTEM WILL BE DESIGNED UTILIZING 'STATE OF THE ART' IRRIGATION EQUIPMENT SUCH AS 'MULTIPLE START TIMES FOR CONTROLLERS, 'RAIN SHUT OFF' DEVICE + CONTROLLERS, PRESSURE REGULATING MASTER VALVE + LOW FLOW IRRIGATION SPRAY/ROTOR + BUBBLER HEADS UTILIZING PC SCREENS THROUGHOUT.

THIS LANDSCAPE DESIGN GROUPS PLANTS WITH SIMILAR WATER NEEDS TOGETHER INTO TWO DISTINCT HYDROZONES OF LOW/MODERATE AND HIGH AREAS. THE HIGH WATER USE HYDROZONES ARE COMPRISED OF TURF AND ANNUAL COLOR AND ARE LIMITED WITHIN THE OVERALL SQUARE FOOTAGE OF THE SITE. THE LOW HYDROZONE, WHICH IS MADE UP OF DROUGHT TOLERANT PLANT SPECIES COMPRISES OVER 75% OF THE TOTAL LANDSCAPE AREA. THE IRRIGATION SYSTEM HAS BEEN DESIGNED TO GROUP SIMILAR HYDROZONES WITHIN THE SAME IRRIGATION VALVE. IN ADDITION A MINIMUM OF 2" LAYER OF MULCH IS USED OVER THE ENTIRE SHRUB AREAS TO RETAIN SOIL MOISTURE.

THE PROJECT WILL BE DESIGNED WITH LOW ROTOR/OR BUBBLER IRRIGATION SYSTEMS WHENEVER POSSIBLE

• ALL IRRIGATION SHALL COMPLY WITH EASTERN MUNICIPAL WATER DISTRICT. (E.M.W.D.)

DIG ALERT
DIAL TOLL FREE
1-800-227-2600
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

ARCHITECTURE LAND PLANNING
rkz
RKZ, INC.
3000 BOW AVENUE SUITE 110
TUSTIN, CALIFORNIA 92780
714/ 731-1140 FAX: 714/ 731-3880
www.rkzinc.com

SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
LAND PLANNING
P.O. BOX 3157
LAKE ELSINORE, CA 92532
TEL: 909-257-8855
FX: 909-257-8884
REGISTERED LANDSCAPE ARCHITECT
NO. 2078
SIGNATURE
DATE
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91785-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA.

1-26-09
UP DATED 6-2-09
UP DATED 7-14-09
△ 7-23-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-04-08 LR
JOB NO. 06-28
SHEET NAME
CONCEPTUAL LANDSCAPE PLAN
SHEET NO.
L-1
OF SHEETS
PROJECT # P07-050

MV00178463

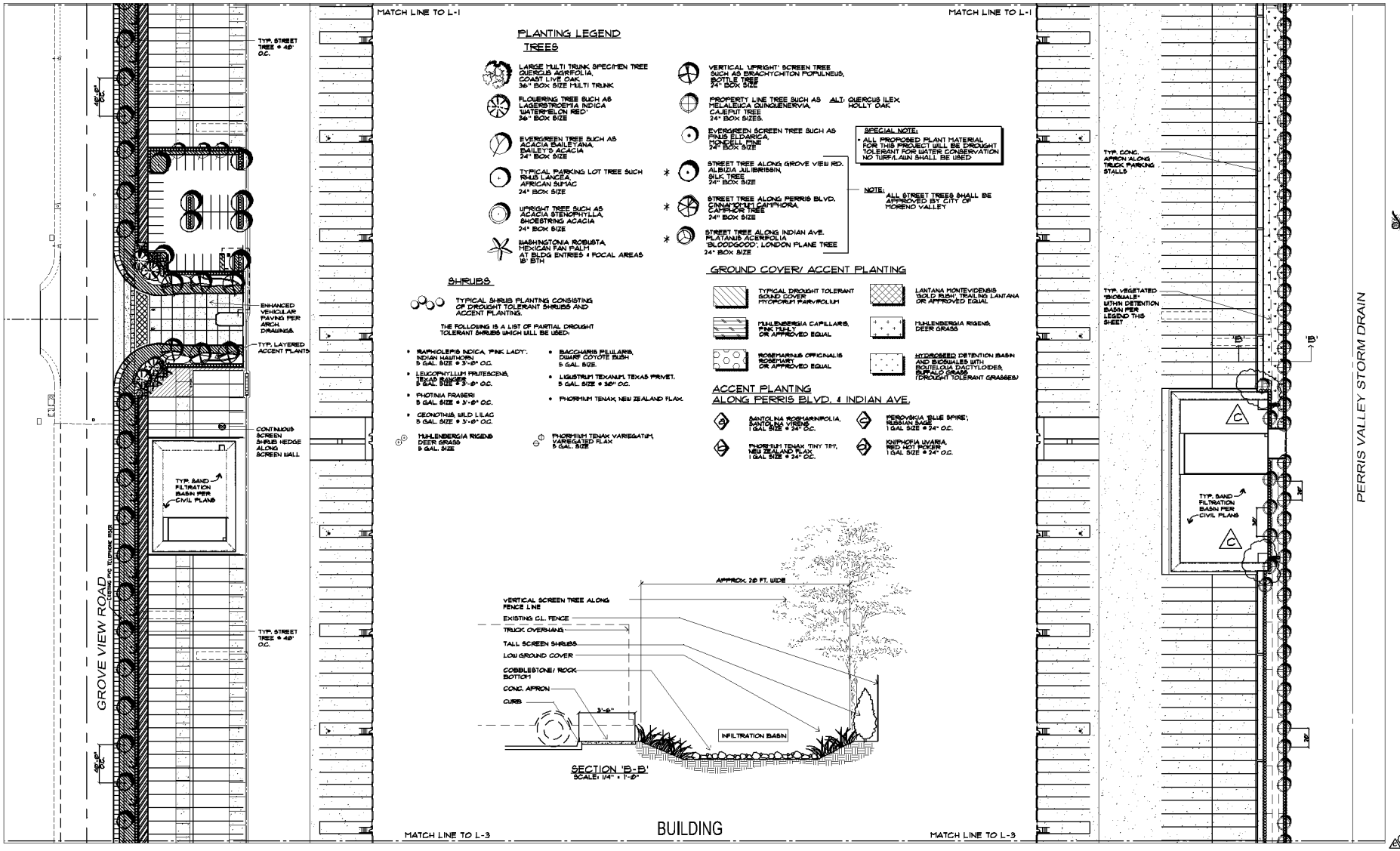

WATER CONSERVATION STATEMENT

THE IRRIGATION SYSTEM WILL BE DESIGNED UTILIZING 'STATE OF THE ART' IRRIGATION EQUIPMENT SUCH AS MULTIPLE START TIMES FOR CONTROLLERS, RAIN SHUT OFF DEVICE & CONTROLLERS, PRESSURE REGULATING MASTER VALVE & LOW FLOW IRRIGATION SPRAY/ROTOR & BUBBLER HEADS UTILIZING PC SCREENS THROUGHOUT.

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THE PROJECT WILL BE DESIGNED WITH LOW ROTORIOR BUBBLER IRRIGATION SYSTEMS WHENEVER POSSIBLE

• ALL IRRIGATION SHALL COMPLY WITH EASTERN MUNICIPAL WATER DISTRICT. (EMWD.)

NORTH

0' 40' 80' 120' 160'

SCALE: 1"=40'-0"

DIG ALERT
DIAL TOLL FREE
1-800-227-2600
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

ARCHITECTURE LAND PLANNING
rkz
RKZ, INC.
3000 DOW AVENUE SUITE 110
TUSTIN, CALIFORNIA 92780
714/ 731-1140 FAX: 714/ 731-1090
www.rkzinc.com

SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
P.O. BOX 3157
LAKE ARROWHEAD, CA 92352
TEL: 909-337-8855
FX: 909-337-8884
REGISTERED LANDSCAPE ARCHITECT
NO. 2079
SIGNATURE
DATE
SCOTT D. PETERSON
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91785-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

1-26-09
UP DATED 5-0-09
UP DATED 7-14-09
12-09-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-04-08 LR
JOB NO. 06-28
SHEET NAME

CONCEPTUAL LANDSCAPE PLAN

SHEET NO.
L-2
OF SHEETS

PROJECT # P07-050

MV00178464

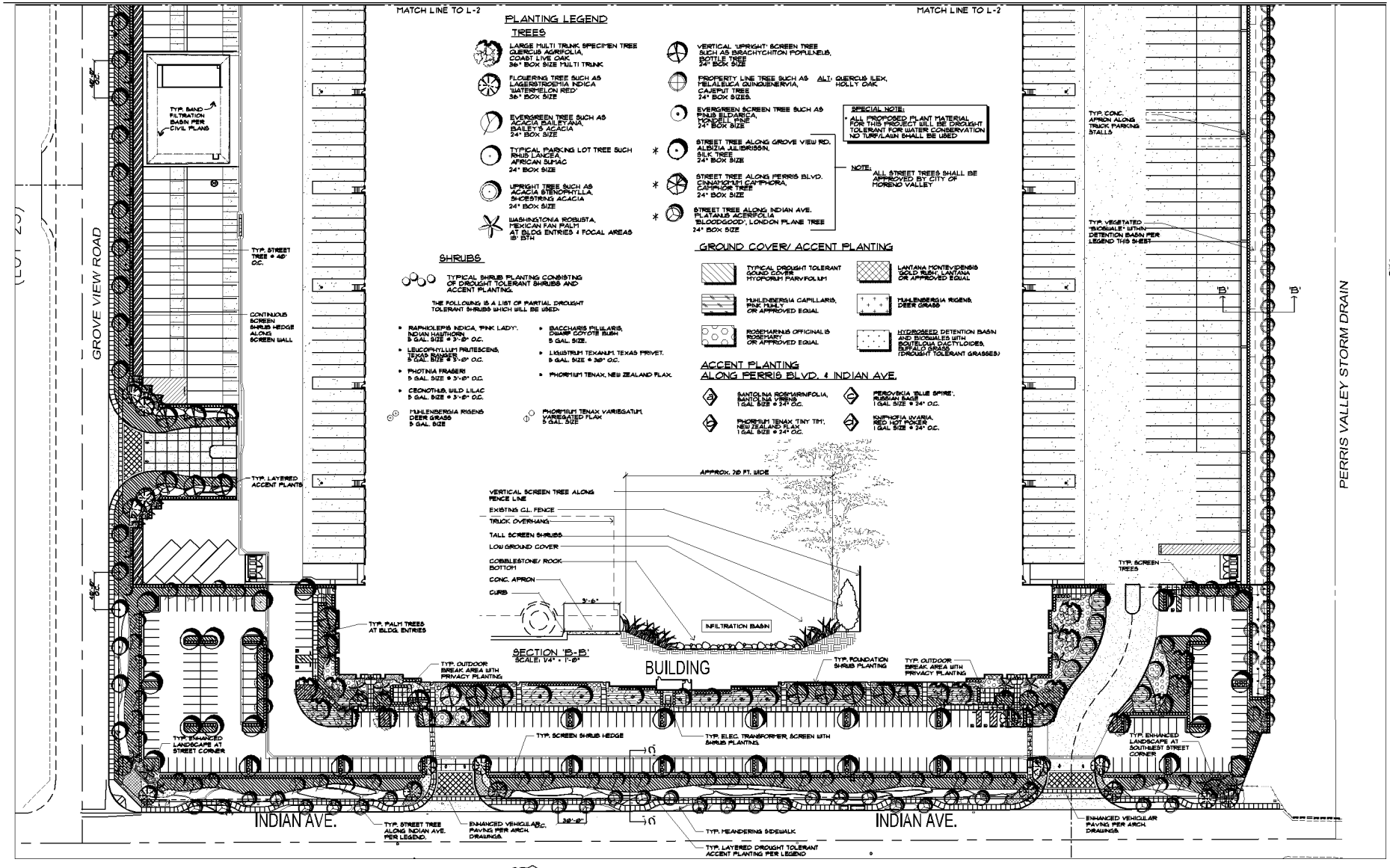

WATER CONSERVATION STATEMENT

THE IRRIGATION SYSTEM WILL BE DESIGNED UTILIZING 'STATE OF THE ART' IRRIGATION EQUIPMENT SUCH AS MULTIPLE START TIMES FOR CONTROLLERS, 'RAIN SHUT OFF' DEVICE @ CONTROLLERS, PRESSURE REGULATING MASTER VALVE & LOW FLOW IRRIGATION SPRAY/ROTOR & BUBBLER HEADS UTILIZING PC SCREENS THROUGHOUT.

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THE PROJECT WILL BE DESIGNED WITH LOW ROTOR/OR BUBBLER IRRIGATION SYSTEMS WHENEVER POSSIBLE

* ALL IRRIGATION SHALL COMPLY WITH EASTERN MUNICIPAL WATER DISTRICT. (E.M.W.D.)

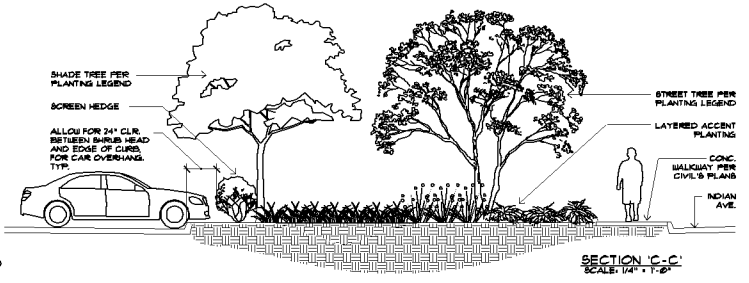

SECTION 'C-C'
SCALE: 1/4" = 1'-0"

NORTH

0' 40' 80' 120' 160'
SCALE: 1"=40'-0"

DIG ALERT
DIAL TOLL FREE
1-800-227-2600
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

ARCHITECTURE URBAN PLANNING
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SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
P.O. BOX 254
LAKE ELSINORE, CA 92532
TEL: 909-537-0186
FAX: 909-537-0884
REGISTERED LANDSCAPE ARCHITECT
NO. 2078
SIGNATURE
DATE
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY

XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

1-28-09
UP DATED 5-2-09
UP DATED 6-02-09
7-09-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-01-08 LR
JOB NO. 08-28
SHEET NAME
CONCEPTUAL LANDSCAPE PLAN
SHEET NO.
L-3
OF SHEETS
PROJECT # PD7-050

MV00178465

TENTATIVE PARCEL MAP NO. 36162

ATTACHMENT 12

TPM 36162

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SECTION 31, TOWNSHIP 3 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN

BEING A SUBDIVISION OF LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

ACCESSOR'S PARCEL NUMBERS 316-210-071, 073, 075 & 076

DATE OF PREPARATION:
MAY, 2009

NUMBER OF PARCELS:
1 PARCEL

AREA:
80.80 ACRES GROSS
71.11 ACRES NET
(NET ACRES EXCLUDES PROPOSED OFFERS OF DEDICATION FOR STREET RIGHT-OF-WAY)

ZONING :
THE PROJECT SITE IS LOCATED WITHIN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP #208). THE MAJORITY OF THE PROJECT SITE IS ZONED INDUSTRIAL (I) WITH THE NORTHEAST AND SOUTHEAST CORNERS OF THE SITE BEING ZONED INDUSTRIAL SUPPORT AREAS (ISA). DEVELOPMENT OF THE PROPOSED WAREHOUSE DISTRIBUTION FACILITY IS PERMITTED WITHIN BOTH THE I AND ISA ZONES.
(EXISTING AND PROPOSED)

EXISTING USE:
VACANT

PROPOSED USE:
WAREHOUSE/DISTRIBUTION FACILITY

OWNER AND APPLICANT :
VOGEL ENGINEERS, INC., A CALIFORNIA CORPORATION
ATTENTION: WILLIAM D. VOGEL
300 PASEO TESORO
WALNUT, CA 91789
(909) 598-7065

MAP PREPARED BY :
ROBERT A. BEBENSEE, R.C.E.
R.C.E. NO 22877
453 NORTH CENTRAL AVENUE
UPLAND, CA 91786
(909) 946-1122

FLOOD ZONE:
THE PROPERTY INDICATED HEREON LIES WITHIN FLOOD ZONE "X" (SHADED) AS STATED BY FLOOD INSURANCE RATE MAP, MAP NO. 06065C1430G, PANEL 1430 OF 3805, EFFECTIVE DATE AUGUST 28, 2008. PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, WHICH RECITES ZONE "X" (SHADED) AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

BASIS OF BEARING AND NOTES

THE CENTERLINE OF GROVE VIEW ROAD WAS TAKEN AS HAVING A BEARING OF N89°30'47"W PER PARCEL MAP NO. 32961, RECORDED IN BOOK 217 OF PARCEL MAPS, PAGES 98 AND 99, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

● INDICATES MONUMENT FOUND AS NOTED.
○ INDICATES MONUMENT TO BE SET.
( ) INDICATES RECORD INFORMATION PER M.B. 8/21.
< > INDICATES RECORD INFORMATION PER INST. NO. 2006-0592780, O.R.
[ ] INDICATES RECORD INFORMATION PER P.M.B. 217/98-99.
{ } INDICATES RECORD INFORMATION PER P.M.B. 226/54-57.
R.C.F.C.& W.C.D. INDICATES RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT.
8"S INDICATES EXISTING SEWER LINE
24" SD INDICATES EXISTING STORM DRAIN LINE
10" W INDICATES EXISTING WATER LINE
—(483)— INDICATES EXISTING CONTOUR ELEVATION

EASEMENTS

1 — INDICATES 30' WIDE EASEMENT FOR CONSTRUCTION AND MAINTAINING A TEMPORARY DRAINAGE FACILITY PURPOSES GRANTED TO MORENO VALLEY DISPOSAL, INC. IN DOCUMENT ENTITLED "GRANT OF EASEMENT AND MAINTENANCE AGREEMENT", RECORDED JUNE 19, 1989 AS INSTRUMENT NO. 1989-261780, O.R.

2 — INDICATES CENTERLINE OF EASEMENT, WIDTH UNDISCLOSED, FOR POLE LINES, CONDUITS, UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES GRANTED TO CALIFORNIA ELECTRIC POWER COMPANY IN DOCUMENT RECORDED APRIL 7, 1955 IN BOOK 1719, PAGE 200, O.R.

3 — INDICATES 25' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR PUBLIC HIGHWAY PURPOSES, INCLUDING PUBLIC UTILITY AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "EASEMENT DEED" RECORDED NOVEMBER 22, 2005 AS INSTRUMENT NO. 2005-0969613, O.R.

4 — INDICATES 25' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR PUBLIC HIGHWAY PURPOSES, INCLUDING PUBLIC UTILITY AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "EASEMENT DEED" RECORDED NOVEMBER 22, 2005 AS INSTRUMENT NO. 2005-0969614, O.R.

5 — INDICATES 14' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR HIGHWAY PURPOSES, UTILITIES AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "OFFER OF DEDICATION" RECORDED JANUARY 24, 2006 AS INSTRUMENT NO. 2006-0052906, O.R.

6 — INDICATES PERPETUAL EASEMENT AND RIGHT OF WAY FOR HIGHWAY PURPOSES, UTILITIES AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "GRANT OF EASEMENT" RECORDED AUGUST 11, 2006 AS INSTRUMENT NO. 2006-0592780, O.R.

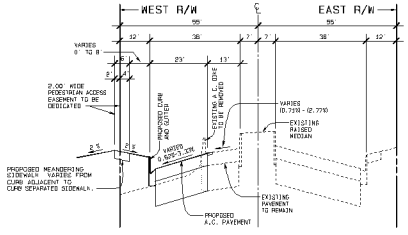

TYPICAL SECTION
PERRIS BOULEVARD
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

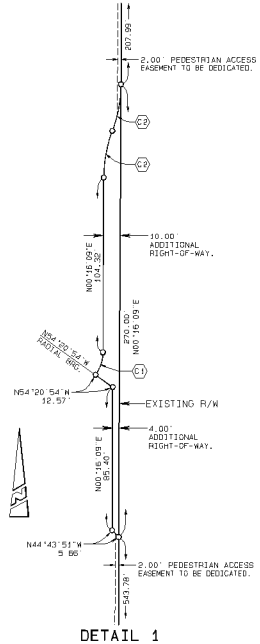

DETAIL 1
SCALE 1" = 30'

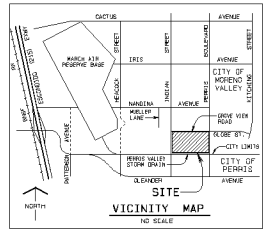

VICINITY MAP
NO SCALE

UTILITY COMPANIES	EMERGENCY NUMBERS
THE GAS COMPANY	1-800-427-2200
SO. CALIF. EDISON	1-800-684-8123
MORENO VALLEY ELECTRIC UTILITY	1-877-811-8700
VERIZON TELEPHONE (COMMERCIAL)	1-800-483-5000
TIME WARNER CABLE	(888) 892-2253
CITY OF MORENO VALLEY	(951) 413-3110
EASTERN MUNICIPAL WATER DIST.	(951) 928-3777
WASTE MANAGEMENT OF THE INLAND VALLEY	(800) 423-9986

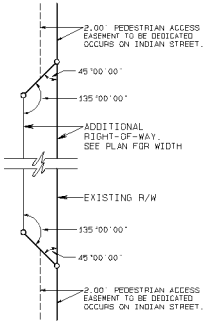

GENERAL DETAIL
NO SCALE

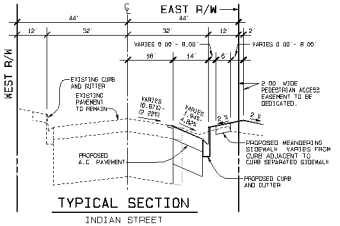

TYPICAL SECTION
INDIAN STREET
LOT 31 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

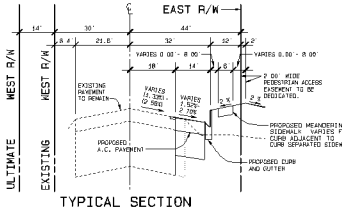

TYPICAL SECTION
INDIAN STREET
LOT 26 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

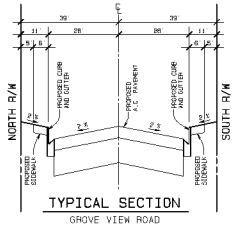

TYPICAL SECTION
GROVE VIEW ROAD
LOT 26 FRONTAGE
CURRENTLY UNDER CONSTRUCTION
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

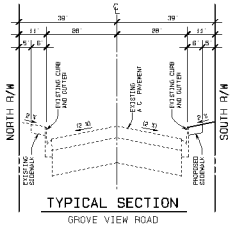

TYPICAL SECTION
GROVE VIEW ROAD
LOT 25 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

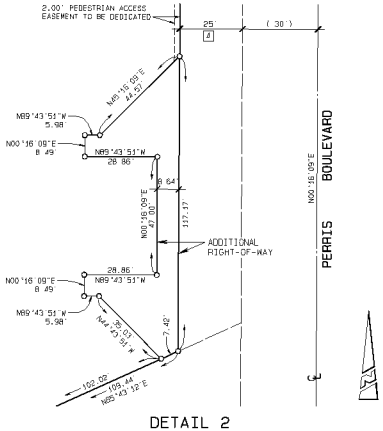

DETAIL 2
SCALE : 1" = 20'

REVIEW BY CITY STAFF		
OFFICE	INITIAL	DATE
PRINCIPAL ENGINEER		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
PARKS AND RECREATION		
LAND DEVELOPMENT		

BENCH MARK
RIVERSIDE COUNTY FLOOD CONTROL BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED RIV CO SURVEYOR M-31 WEST APRIL 1986 FLUSH AT S.E. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF LIMB LOCATED AT THE CROSSING OF PERRIS BLVD AND RIV CO FLOOD CONTROL CHANNEL, BEARING LATERAL "A" 41 FT. WEST OF THE CENTERLINE OF PERRIS BLVD AND 4.5 FT. EAST OF CONCRETE BRIDGE BARRIER. ELEVATION. 1474.614

MARK	DATE	INITIAL	DESCRIPTION	REC	APPR	DATE
		E.O.R.	REVISION			

ENGINEER OF RECORD'S SEAL
REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 CIVIL STATE OF CALIFORNIA

PREPARED BY.
ROBERT A. BEBENSEE, R.C.E.
453 North Central Avenue
Upland CA 91786
(909) 946-1122

ROBERT A. BEBENSEE
R.C.E #22877 (EXP. 12/31/2009)
DATE

SHEET 1 NO. 2

PLOT DATE 05-07-09 JOB NO. 08-9005

MV00178466

TENTATIVE PARCEL MAP NO. 36162

TPM 36162

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SECTION 31, TOWNSHIP 3 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN

BEING A SUBDIVISION OF LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

ACCESSOR'S PARCEL NUMBERS 316-210-071, 073, 075 & 076

DEMOLITION NOTE:
EXISTING ON-SITE STRUCTURES/FEATURES, TREES, EXCLUSIVE OF PROPERTY LINE FENCING AND GROVE VIEW ROAD ELECTRICAL STRUCTURES AND CONDUITS TO BE REMOVED FROM THE SITE TO AN AUTHORIZED DISPOSAL AREA.

EASEMENTS	RECORDATION INFORMATION
1	INST. NO 1989-201780, O.R
2	BOOK 1719, PAGE 200, O.R.
3	INST. NO. 2005-0969613, O.R.
4	INST NO. 2005-0969614 O.R.
5	INST. NO. 2006-0052906, O.R.
6	INST. NO. 2006-0592780, O.R.

SEE SHEET 1 OF 2 FOR PLOTTED EASEMENT DESCRIPTIONS.

LINE DATA

LINE	BEARING	DISTANCE	DESCRIPTION
L1	N89°51'12"W	124.95	RECORD PER INST. NO. 2004-0139951, O.R.
L2	N89°31'09"W	124.95	FIELD CALCULATED
L3	N65°43'11"E	136.93	RECORD PER INST. NO. 2004-0139951, O.R.
L4	N65°43'12"E	136.93	FIELD CALCULATED
L5	S00°16'09"W	57.35	RECORD PER INST. NO. 2004-0139951, O.R.
L6	S00°16'09"W	57.35	FIELD CALCULATED
L7	N00°17'54"E	43.02	RECORD PER INST. NO. 2004-0198595, O.R.
L8	N00°17'48"E	43.02	FIELD CALCULATED
L9	S89°05'05"E	99.10	RECORD PER INST. NO. 2004-0198595, O.R.
L10	S89°05'00"E	99.10	FIELD CALCULATED
L11	S00°28'47"W	8.42	RECORD PER INST. NO. 2004-0198595, O.R.
L12	S00°28'51"W	8.42	FIELD CALCULATED
L13	N89°31'12"W	92.72	RECORD PER INST. NO. 2004-0198595, O.R.
L14	N89°31'09"W	92.72	FIELD CALCULATED
L15	S00°16'30"W	213.41	RECORD PER INST. NO. 2006-0592780, O.R.
L16	S00°16'09"W	213.41	FIELD CALCULATED
L17	N89°43'30"W	25.00	RECORD PER INST. NO. 2006-0592780, O.R.
L18	N89°43'51"W	25.00'	FIELD CALCULATED

LINE DATA

LINE	BEARING	DISTANCE	DESCRIPTION
L10	N00°16'30"E	235.64	RECORD PER INST. NO. 2006-0592780, O.R.
L11	N00°16'09"E	135.65	FIELD CALCULATED
L12	N43°52'20"W	54.35	RECORD PER INST. NO. 2006-0592780, O.R.
L13	N43°52'30"W	54.35	FIELD CALCULATED
L14	S44°38'49"W	34.41	RECORD PER INST. NO. 2006-0592780, O.R.
L15	S44°38'14"W	34.41	FIELD CALCULATED
L16	N00°17'23"E	63.89	RECORD PER INST. NO. 2006-0592780, O.R.
L17	N00°17'48"E	63.89	FIELD CALCULATED
L18	N45°16'09"E	44.57	
L19	N89°43'51"W	5.98	
L20	N00°16'09"E	6.49	
L21	N89°43'51"W	5.98	
L22	N00°16'09"E	35.03	
L23	N89°43'12"E	7.42	
L24	N00°16'09"E	502.02	
L25	N89°43'51"W	28.86	
L26	N00°16'09"E	47.00	
L27	N89°43'51"W	28.86	
L28	N00°16'09"E	8.49	

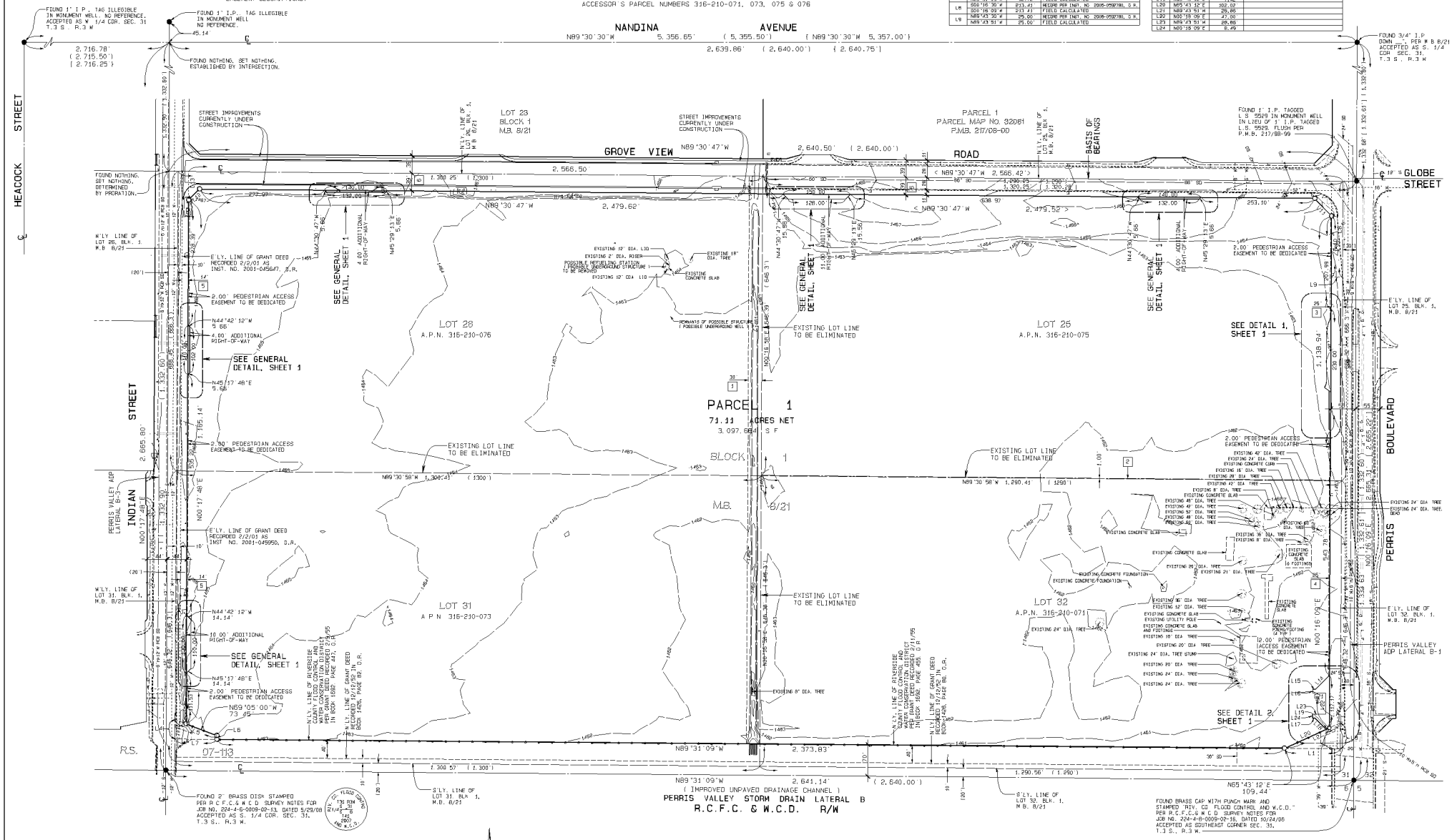

CURVE DATA

	Δ	R	L	T	DESCRIPTION
C1	75°22'57"	23.00	14.20	7.34	FIELD CALCULATED
C2	20°21'51"	80.00'	28.43'	14.37'	FIELD CALCULATED

SCALE : 1" = 80'

GRAPHIC SCALE 1" = 80'

REVIEW BY CITY STAFF		
OFFICE	INITIAL	DATE
PRINCIPAL ENGINEER		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
PARKS AND RECREATION		
LAND DEVELOPMENT		

BENCH MARK
RIVERSIDE COUNTY FLOOD CONTROL BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED R.I.V. CO. SURVEYOR M-31 HEIGHT APRIL 1966 FLUSH AT S.E. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF LIMB LOCATED AT THE CROSSING OF PERRIS BLVD AND R.I.V. CO. FLOOD CONTROL CHANNEL PERRIS LATERAL "A" 41 FT. WEST OF THE CENTERLINE OF PERRIS BLVD AND 4.5 FT. EAST OF CONCRETE BRIDGE BARRIER. ELEVATION. 1474.614

MARK	DATE	INITIAL	DESCRIPTION	REC	APPR	DATE
		E.O.R.	REVISION			

ENGINEER OF RECORD'S SEAL
ROBERT A. BEBENSEE
No. 72877
REGISTERED PROFESSIONAL ENGINEER
CIVIL
STATE OF CALIFORNIA

PREPARED BY:
ROBERT A. BEBENSEE, R.C.E.
453 North Central Avenue
Upland CA 91786
(909) 946-1122

ROBERT A. BEBENSEE
R.C.E #72877 EXP. 12/31/2009
DATE

SHEET 2 OF 2

PLOT DATE 05-07-09 JOB NO. 08-9005

MV00178467

ATTACHMENT 13

DATE OF PREPARATION:
DECEMBER, 2009

LEGAL DESCRIPTION:
LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA

ACCESSOR'S PARCEL NUMBERS:
316-210-071, 073, 075 & 076

AREA:
80.80 ACRES GROSS
71.11 ACRES NET
(NET ACRES EXCLUDES PROPOSED OFFERS OF DEDICATION FOR STREET RIGHT-OF-WAY)

ZONING :
THE PROJECT SITE IS LOCATED WITHIN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP #208). THE MAJORITY OF THE PROJECT SITE IS ZONED INDUSTRIAL (I) WITH THE NORTHEAST AND SOUTHEAST CORNERS OF THE SITE BEING ZONED INDUSTRIAL SUPPORT AREAS (ISA). DEVELOPMENT OF THE PROPOSED WAREHOUSE DISTRIBUTION FACILITY IS PERMITTED WITHIN BOTH THE I AND ISA ZONES.
(EXISTING AND PROPOSED)

EXISTING USE:
VACANT

PROPOSED USE:
WAREHOUSE/DISTRIBUTION FACILITY

OWNER AND APPLICANT :
VOGEL ENGINEERS, INC., A CALIFORNIA CORPORATION
ATTENTION: WILLIAM D. VOGEL
300 PASEO TESORO
WALNUT, CA. 91789
(909) 598-7065

MAP PREPARED BY :
ROBERT A. BEBENSEE, R.C.E
R.C.E. NO. 22877, EXP. 12-31-11
453 NORTH CENTRAL AVENUE
UPLAND, CA 91786
(909) 946-1122

FLOOD ZONE:
THE PROPERTY INDICATED HEREON LIES WITHIN FLOOD ZONE "X" (SHADED) AS STATED BY FLOOD INSURANCE RATE MAP, MAP NO. 06065C1305G, PANEL 1430 OF 3805, EFFECTIVE DATE AUGUST 28, 2008. PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, WHICH RECITES ZONE "X" (SHADED) AS AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE" AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD

AUTOMOBILE PARKING NOTES:
1. AUTOMOBILE PARKING STALLS TO BE 9 FEET WIDE AND 18 FEET MINIMUM LONG. PAVED.
2. 12" WIDE CONCRETE STEP TO BE CONSTRUCTED AT PARKING STALLS PARALLEL AND ADJACENT TO LANDSCAPE AREAS.

TRAILER PARKING NOTES:
1. TRAILER PARKING STALLS TO BE 14 FEET WIDE AND 53 FEET LONG.
2. SECONDARY TRAILER PARKING STALLS TO HAVE 8 FEET OVERHANG.

SURFACE STORAGE/SAND FILTER FACILITY NOTE:
SURFACE STORAGE/SAND FILTER FACILITIES SIZED TO HOLD AND PROCESS BMP VOLUMES.

BENCH MARK:
RIVERSIDE COUNTY FLOOD CONTROL
BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED RIV. CO. SURVEYOR M-31 RESET APRIL 1996. FLUSH AT S.W. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF CURB LOCATED AT THE CROSSING OF PERRIS BLVD. AND RIV. CO. FLOOD CONTROL CHANNEL (PERRIS LATERAL "A") 43 FEET WEST OF THE CENTERLINE OF PERRIS BOULEVARD AND 4.5 FEET EAST OF CONCRETE BRIDGE BARRIER
ELEVATION = 1474.674

LEGEND

A.C	ASPHALT CONCRETE
B.M.	BOTTOM OF RISER
B.V.C.	BEGIN VERTICAL CURVE
C.F.	CURB FACE
CML/CWC	CEMENT MORTAR LINED/ CEMENT MORTAR COATED
D.S.	DOWN SPOUT
E.G.	EXISTING GRADE
EMWD	EASTERN MUNICIPAL WATER DISTRICT
E.V.C.	END VERTICAL CURVE
F.D.C	FIRE DEPARTMENT CONNECTION
F.F.	FINISH FLOOR
F.G.	FINISH GRADE
F.H.	FIRE HYDRANT
FL	FLOW LINE
F.S.	FINISH SURFACE
F.W.	Indicates ON-SITE FIRE WATER LINE.
G.B	GRADE BREAK
H.G.L.	HYDRAULIC GRADE LINE
H.P.	HIGH POINT
I.C.B.	IRRIGATION CONTROL BOX
I.C.V.	IRRIGATION CONTROL VALVE
INV	INVERT
LAT.	LATERAL
MVU	MORENO VALLEY ELECTRIC UTILITY
N.P.A.T.	NO PARKING AT ANY TIME SIGN
P.A.	PLANTER AREA
P.C.C	PORTLAND CONCRETE CEMENT
P.I	POINT OF INTERSECTION
P.I.V.	POST INDICATOR VALVE
PL	PROPERTY LINE
P.L.L.	PARKING LOT LIGHT
R.D	ROOF DRAIN
RCB	REINFORCED CONCRETE BOX
R.C.F.C. & W.C.D.	RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
R/W	RIGHT OF WAY
S.C.O	SEWER CLEANOUT
SD	STORM DRAIN
S.D. MH	STORM DRAIN MANHOLE
S.L.P.B	STREET LIGHT PULL BOX
S. MH.	SANITARY SEWER MANHOLE
T.B.M.	TEMPORARY BENCH MARK
T.C.	TOP OF CURB
T.C.B.	TOP CATCH BASIN
T.CO.	TOP OF CLEANOUT
T.D.	TOP OF A.C. DIKE
T.G.	TOP OF GRATE
T.L.	TOP OF LANDING
T.MW.	TOP OF HEADWALL
T.M.H.	TOP OF MANHOLE
T.R	TOP OF RISER
TRANS.	Indicates TRANSFORMER PAD LOCATION PER ARCHITECTURAL PLANS
T.S	TOP OF STEP
T.W.	TOP OF WALL
W.M.	WATER METER
W.V.	WATER VALVE
	EXISTING DECIDUOUS TREE
	EXISTING EVERGREEN TREE
	EXISTING PALM TREE
	EXISTING STREET LIGHT
	PROPOSED STREET LIGHT
1460	Indicates EXISTING CONTOUR ELEVATION
1460	Indicates PROPOSED CONTOUR ELEVATION
	Indicates CUT/FILL DAYLIGHT LINE
(XX.XX)	Indicates EXISTING ELEVATION
6" G	Indicates EXISTING GAS MAIN
18" S	Indicates EXISTING SEWER MAIN
24" SD	Indicates EXISTING STORM DRAIN LINE
4" T	Indicates EXISTING TELEPHONE LINE
39" W	Indicates EXISTING WATER MAIN

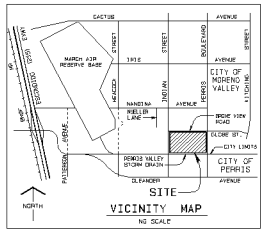

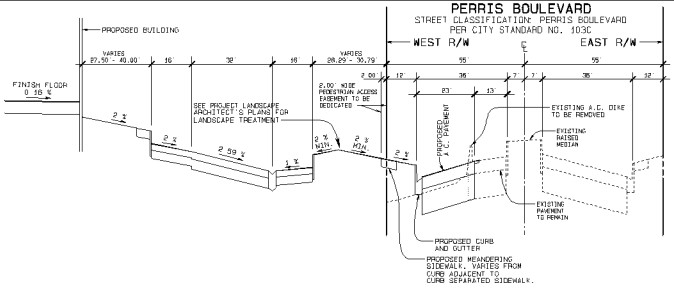

SECTION A

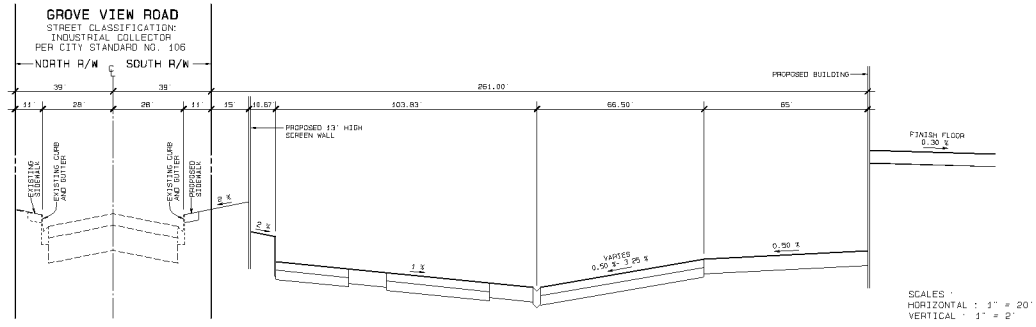

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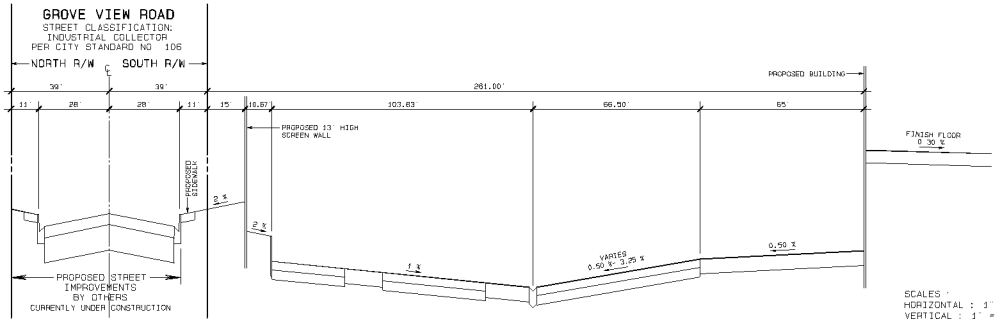

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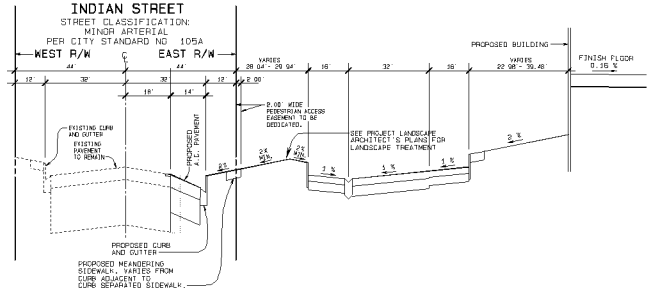

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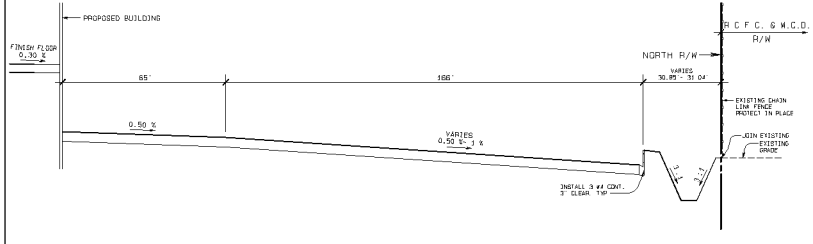

SECTION E

DEMOLITION NOTE:
EXISTING ON-SITE STRUCTURES/FEATURES, TREES, EXCLUSIVE OF PROPERTY LINE FENCING AND GROVE VIEW ROAD ELECTRICAL STRUCTURES AND CONDUITS TO BE REMOVED FROM THE SITE TO AN AUTHORIZED DISPOSAL AREA. FIELD LOCATED ELECTRICAL VAULTS, ADJACENT TO PERRIS BOULEVARD AND INDIAN STREET, TO REMAIN AND BE PROTECTED DURING CONSTRUCTION.

MINIMUM GRAIDIENTS:
A.C. PAVEMENT: 1%
P.C.C.: 0.50%

EARTHWORK QUANTITY ESTIMATE:
CUT- 45,951 CU. YDS. FILL- 342,615 CU. YDS.

THE ABOVE QUANTITIES DO NOT REFLECT ANY SHRINKAGE, SWELLING, SUBSIDENCE, OVER EXCAVATION OR ANY SPECIAL CONDITIONS THAT MAY BE SPECIFIED IN THE PRELIMINARY SOILS REPORT AND ARE FOR REFERENCE AND FEE PURPOSES ONLY. SINCE THE ENGINEER CANNOT CONTROL THAT EXACT METHOD OR MEANS USED BY THE CONTRACTOR DURING GRADING OPERATIONS, NOR CAN THE ENGINEER GUARANTEE THE EXACT SOIL CONDITION OVER THE ENTIRE SITE, THE ENGINEER ASSUMES NO RESPONSIBILITY FOR FINAL EARTHWORK QUANTITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING HIS OWN EARTHWORK QUANTITIES FOR BIDDING, CONTRACT, AND CONSTRUCTION PURPOSES. IF IT APPEARS THERE WILL BE AN EXCESS OR SHORTAGE OF MATERIAL, THE CONTRACTOR MAY NOTIFY THE ENGINEER TO DETERMINE IF POSSIBLE GRADE ADJUSTMENTS CAN BE MADE TO ALLEVIATE SAID MATERIAL EXCESS OR SHORTAGE.

UTILITY COMPANIES	EMERGENCY NUMBERS
THE GAS COMPANY	1-800-427-2200
SO. CALIF. EDISON	1-800-684-8123
MORENO VALLEY ELECTRIC UTILITY	1-877-811-8700
VERIZON TELEPHONE (COMMERCIAL)	1-800-483-5000
TIME WARNER CABLE	(888) 892-2253
CITY OF MORENO VALLEY	(951) 413-3110
EASTERN MUNICIPAL WATER DIST.	(951) 928-3777
WASTE MANAGEMENT OF THE INLAND VALLEY	(800) 423-9986

SHEET INDEX

SHEET 1 OF 5 TITLE SHEET - TYPICAL SECTIONS
SHEET 2-5 OF 5 CONCEPTUAL GRADING PLAN

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp 12-31-11) CIVIL STATE OF CALIFORNIA

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09				
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, R.C.E. 453 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.	R.C.E. 22877 Exp. 12-31-11	JOB NO. 061606
CHECKED	Robert A. Bebensee	SHEET 1 OF 5
DATE	FILE NO.	

MV00178468

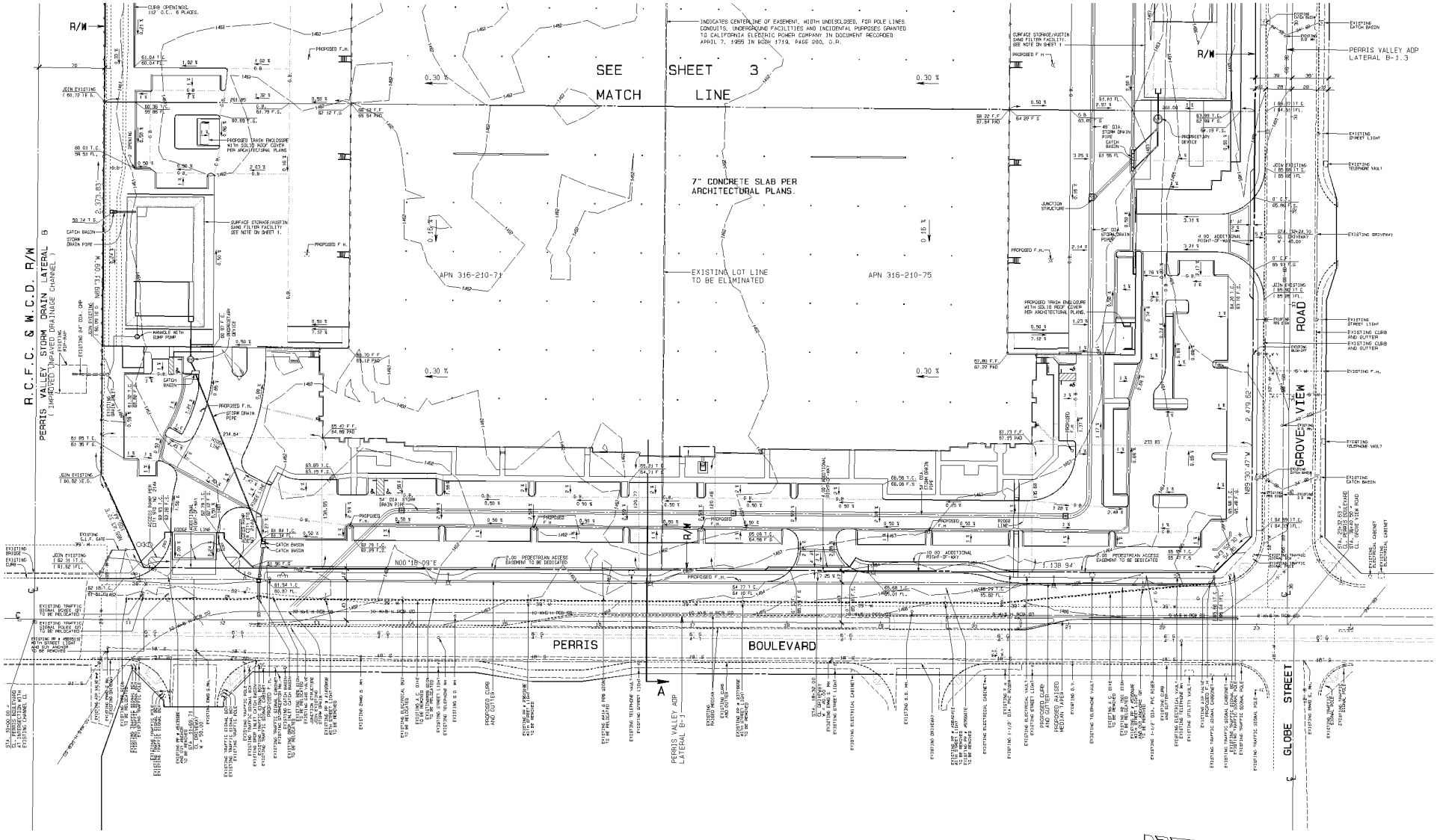

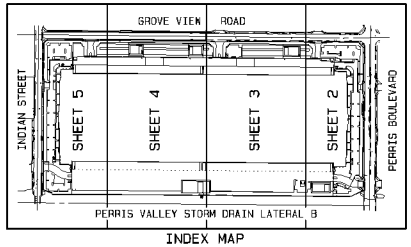

INDEX MAP

SCALE : 1" = 300'

NOT FOR CONSTRUCTION
FOR PLAN REVIEW ONLY 12/22/09

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. C.E. 1533 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	R.C.E. 22877 Exp. 12-31-11 Robert A. Bebensee	SHEET 2 OF 5
DATE	FILE NO.	

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp. 12-31-11) CIVIL STATE OF CALIFORNIA

MV00178469

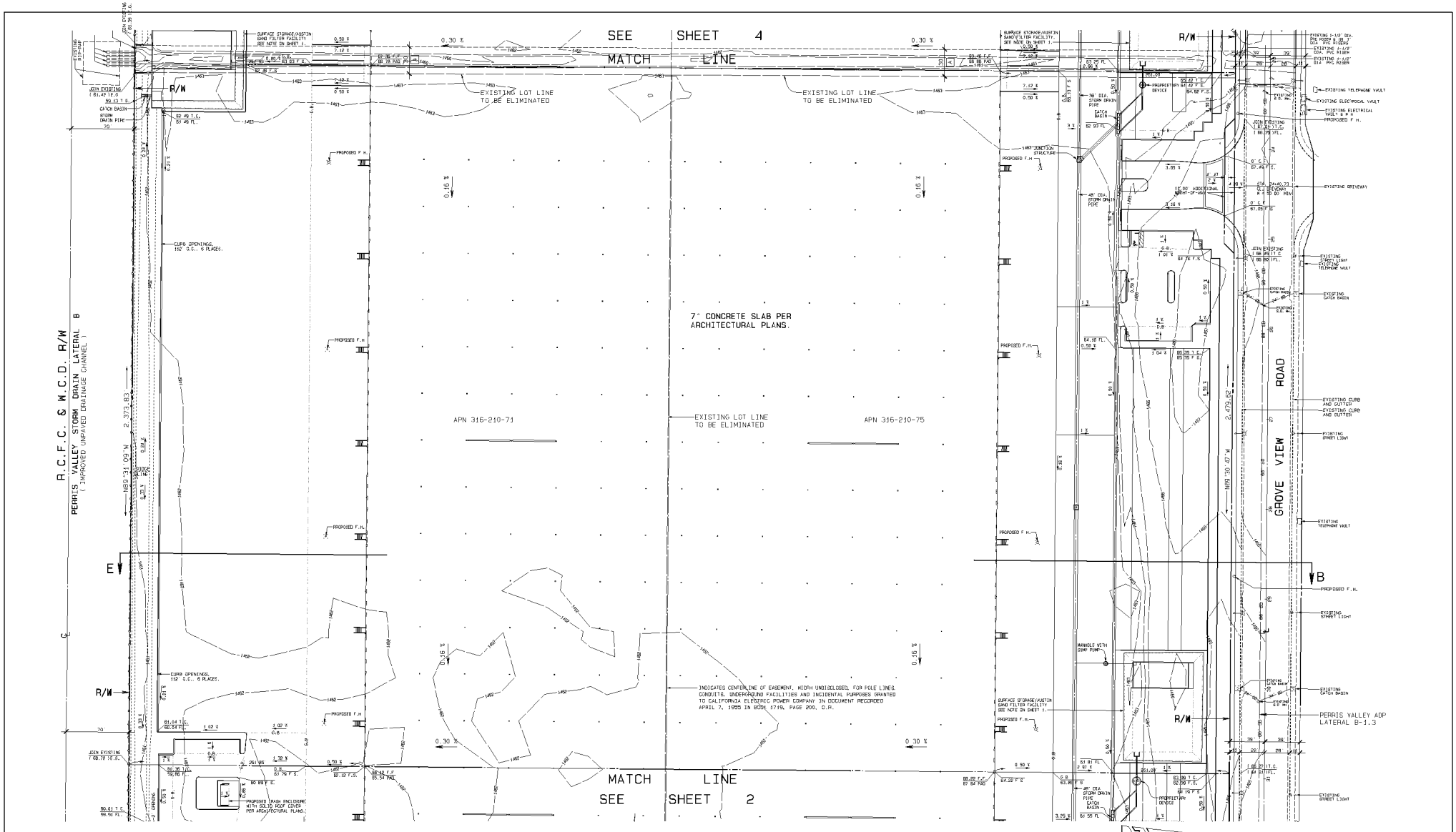

EASEMENTS

A — INDICATES 30' WIDE EASEMENT FOR CONSTRUCTION AND MAINTAINING A TEMPORARY DRAINAGE FACILITY PURPOSES GRANTED TO MORENO VALLEY DISPOSAL, INC. IN DOCUMENT ENTITLED "GRANT OF EASEMENT AND MAINTENANCE AGREEMENT", RECORDED JUNE 19, 1989 AS INSTRUMENT NO. 1989-201760, O.R.

THE EASEMENT GRANTED HEREUNDER SHALL CONTINUE IN EFFECT UNTIL SUCH TIME AS GRANTEE SHALL BE ABLE TO DISCHARGE STORM WATER FROM GRANTEE'S PROPERTY INTO A STORM DRAIN THAT IS PART OF THE PUBLIC STORM DRAIN SYSTEM CONSTRUCTED TO SERVE THE AREA IN WHICH GRANTEE'S PROPERTY IS LOCATED. AT SUCH TIME AND UPON REQUEST OF GRANTOR, THIS EASEMENT SHALL AUTOMATICALLY TERMINATE, AND GRANTEE COVENANTS AND AGREES TO REMOVE THE FACILITY AND ALL OTHER IMPROVEMENTS PLACED BY GRANTEE IN THE EASEMENT AREA AND TO REPAIR AND RESTORE THE EASEMENT AREA, AS FAR AS PRACTICABLE, TO ITS CONDITION EXISTING AS OF THE DATE OF THIS AGREEMENT, AND TO QUITCLAIM ITS RIGHTS UNDER THIS AGREEMENT.

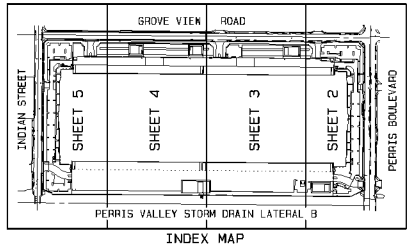

INDEX MAP
SCALE : 1" = 300'

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09				
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. 453 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	Robert A. Bebensee R.C.E. 22877 Exp. 12-31-12	SHEET 3 OF 5
DATE	FILE NO.	

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 Exp. 12-31-12 CIVIL STATE OF CALIFORNIA

MV00178470

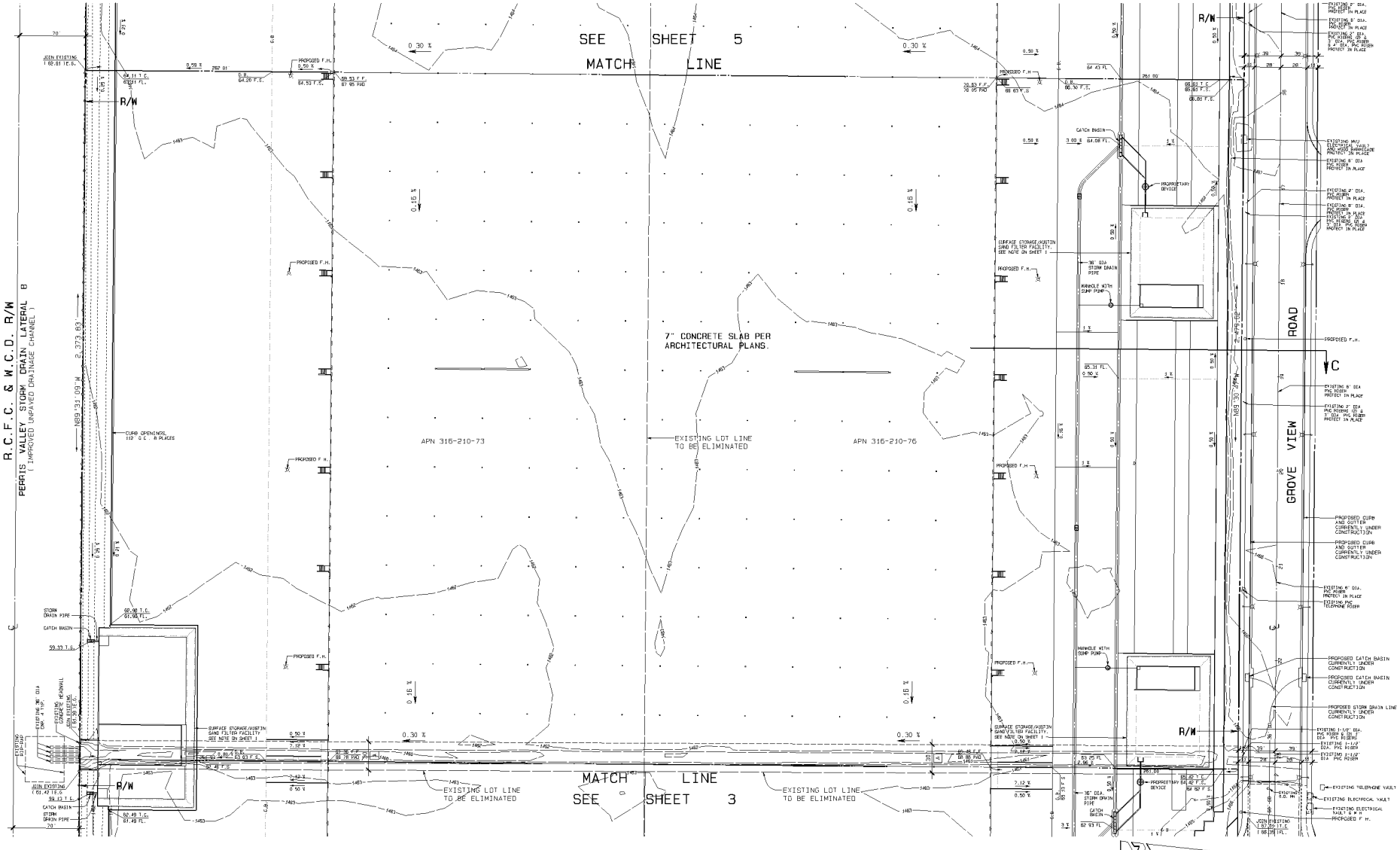

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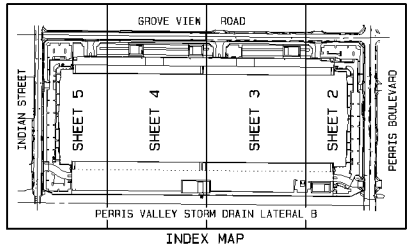

INDEX MAP
SCALE : 1" = 300'

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	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09				
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. C.E. #53 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.	R.C.E. 22877 Exp. 12-31-11	JOB NO. 061606
CHECKED	Robert A. Bebensee	SHEET 4 OF 5
DATE	FILE NO.	

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp. 12-31-11) CIVIL STATE OF CALIFORNIA

MV00178471

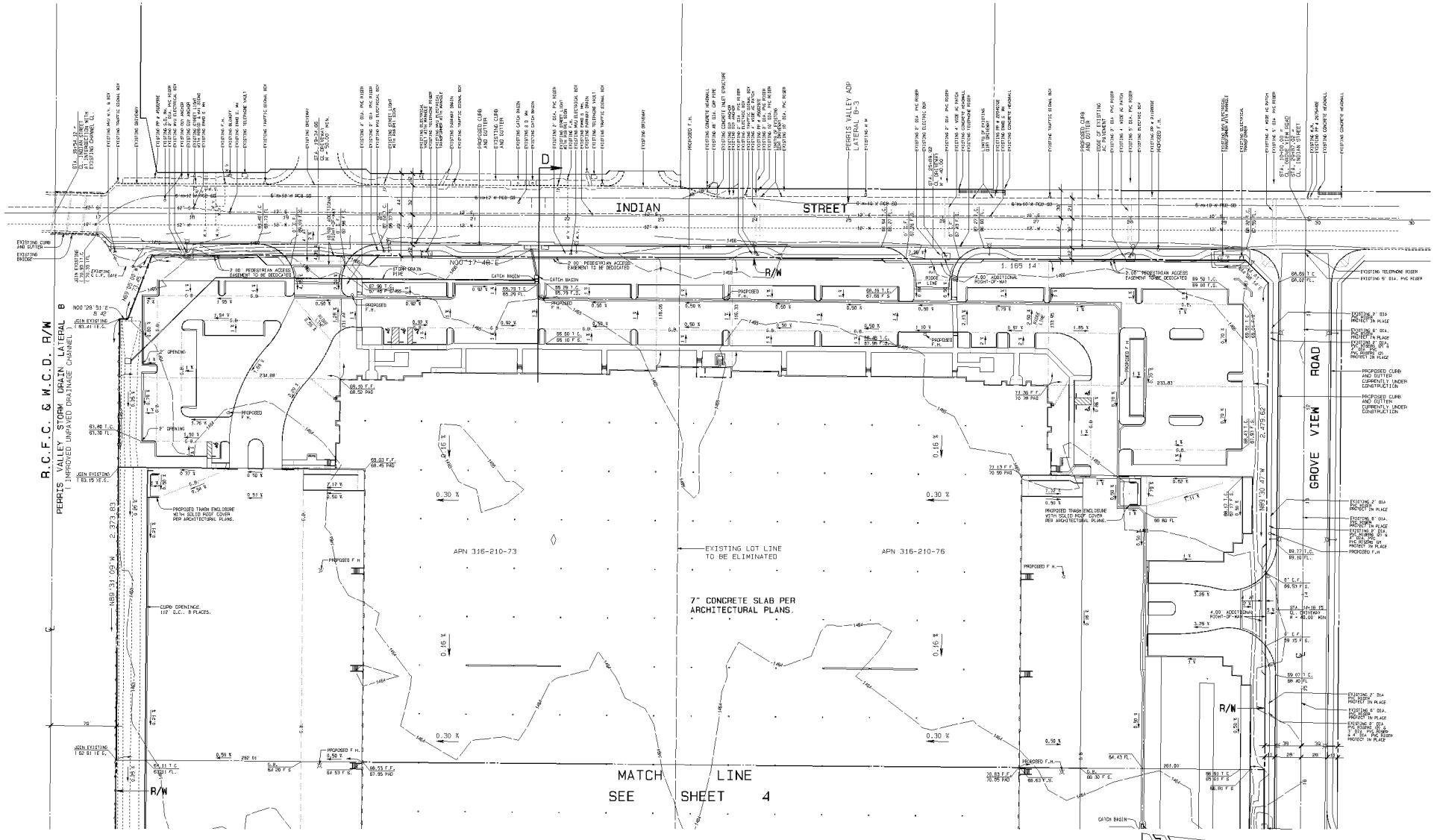

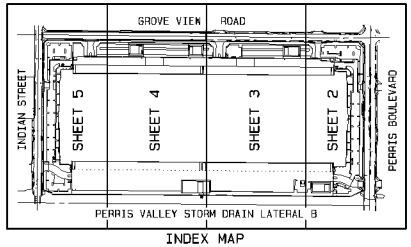

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CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
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DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. C.E. 853 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
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CHECKED	Robert A. Bebensee	SHEET 5 OF 5
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REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp. 12-31-11) CIVIL STATE OF CALIFORNIA

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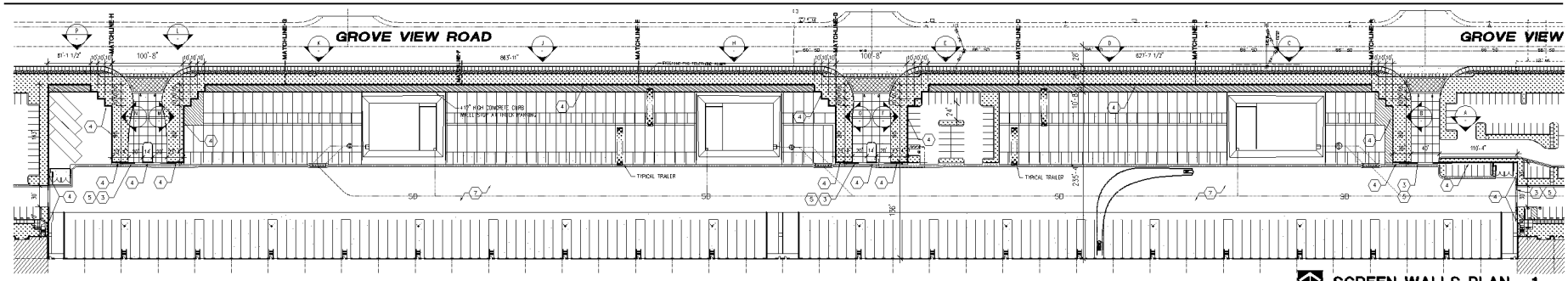

SCREEN WALLS PLAN - 1

SCALE: 1" = 60'-0"

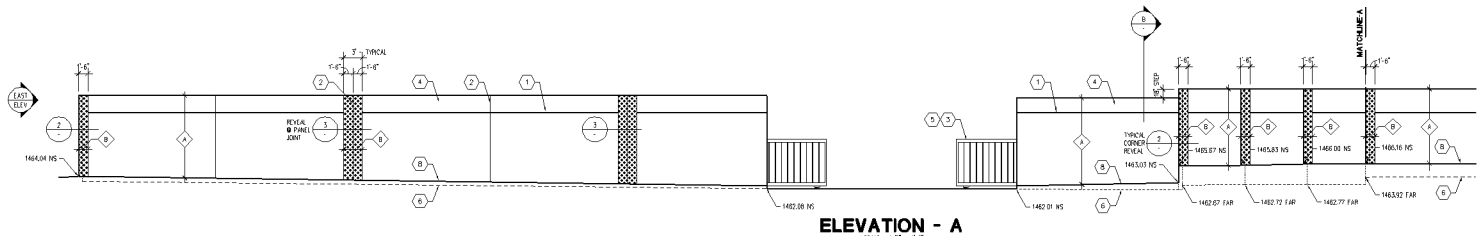

ELEVATION - A

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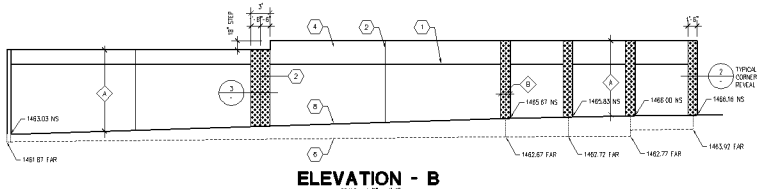

ELEVATION - B

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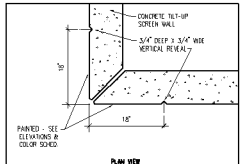

CORNER REVEAL DETAIL - 2

N.T.S.

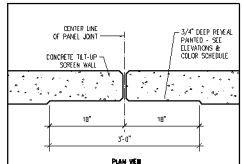

REVEAL DETAIL - 3

N.T.S.

KEYNOTES:

1. 2 IN. WIDE X 3/4 IN. DEEP REVEAL. PAINTED; TYPICAL
2. PANEL JOINT
3. TUBULAR STEEL ROLLING GATES – SEE SEE NOTE BELOW
4. CONCRETE TILT UP SCREEN WALL, HEIGHTS VARY DUE TO GRADES – REFER TO CIVIL PLANS
5. GATE IN OPEN POSITION
6. FAR-SIDE (FAR) GRADE OR FINISH SURFACE – SEE CE-PLANS
7. A.C. PAVING – SEE CE- PLANS
8. NEAR-SIDE (NS) GRADE OR FINISH SURFACE – SEE CE-PLANS

EXTERIOR COLORS:

- A DUNN EDWARDS #DE6143 "ALMOND LATTE" ..... (FIELD)
- B DUNN EDWARDS #DE6145 "ROCKY RIDGE" (BASE / CAP)

GATES AND FENCES NOTES:

- 8-FOOT HIGH MINIMUM STEEL ROLLING GATES AND ITS HARDWARE, MANUALLY OR ELECTRICALLY OPERATED SHALL BE DESIGNED TO WITHSTAND 90 MPH WIND LOADS IN THE OPEN AND CLOSED POSITION.
- THE STEEL ROLLING GATES CONTRACTOR SHALL SUBMIT SHOP DRAWINGS AND STRUCTURAL CALCULATIONS SIGNED BY A LICENSED CALIFORNIA STRUCTURAL ENGINEER FOR THE ENTIRE GATE OPERATION, TO THE APPROVAL OF THE BUILDING, FIRE AND PLANNING DEPARTMENTS AND OBTAIN THE REQUIRED PERMIT PRIOR TO START ANY WORK IN THE FIELD.
- PROVIDE FIRE DEPT. APPROVED 'KNOX-LOCKS' AS REQUIRED.
- THESE SAME NOTES APPLY TO THE TUBULAR STEEL AND CHAIN-LINK FENCES.
- ROLLING GATES TO BE ELECTRICALLY OPERATED AT LOCATIONS WHERE THE CITY REQUIRES THEM TO BE SELF CLOSING.
- RKZ INC. IS NOT RESPONSIBLE IN ANY WAY FOR THE GATES, AND FENCES DESIGN AND CONSTRUCTION AND OPERATION. INFORMATION FOUND TO HAVE EFFECT ON THESE CONSTRUCTION DOCUMENTS SHALL BE CONSIDERED CONCEPTUAL ONLY.

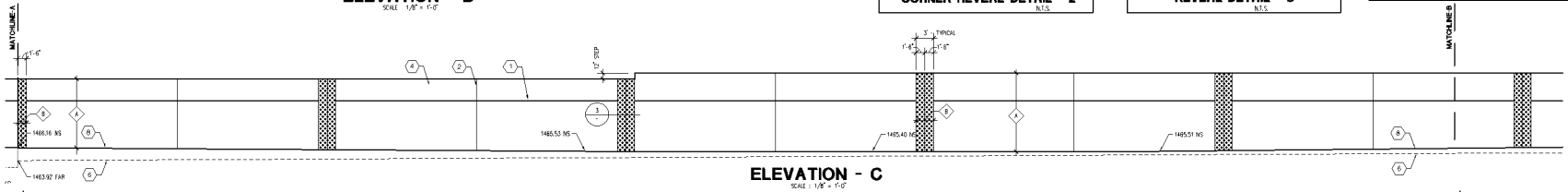

ELEVATION - C

SCALE : 1/8" = 1'-0"

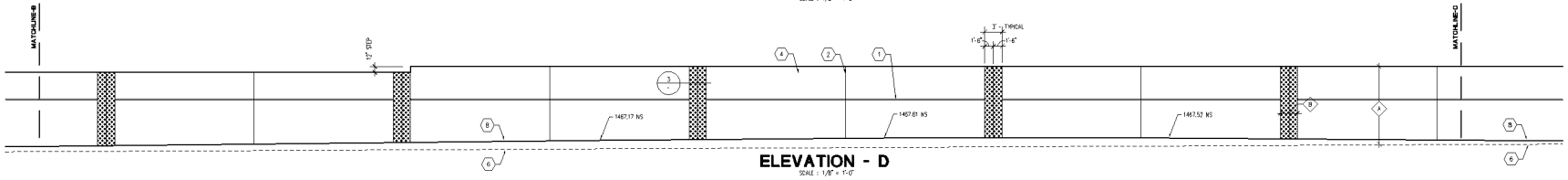

ELEVATION - D

SCALE : 1/8" = 1'-0"

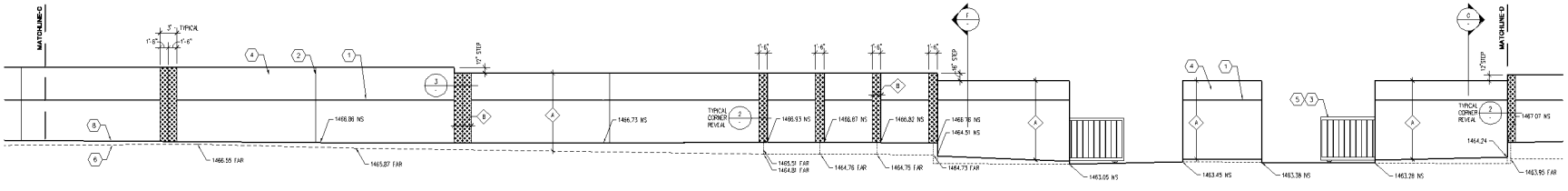

ELEVATION - E

SCALE : 1/8" = 1'-0"

ARCHITECTURE LAND PLANNING
rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH. 714.731.1140 FAX: 714.731.1080
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY

17777 PERRIS BOULEVARD
17700 INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26

SHEET NAME
SCREEN WALL PLANS AND ELEVATIONS

SHEET NO.
A-5
OF SHEETS

08-26A5.dwg / 07.02.12 / 15:37

PROJECT #PA09-0004 & PA09-0012

MV00178473

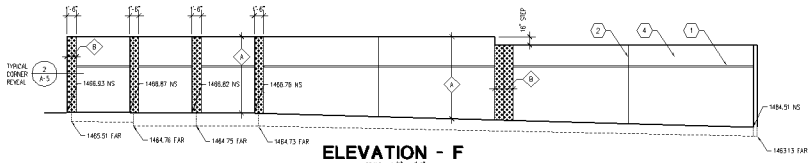

ELEVATION - F

SCALE : 1/8" = 1'-0"

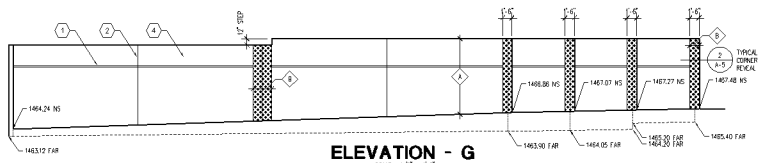

ELEVATION - G

SCALE : 1/8" = 1'-0"

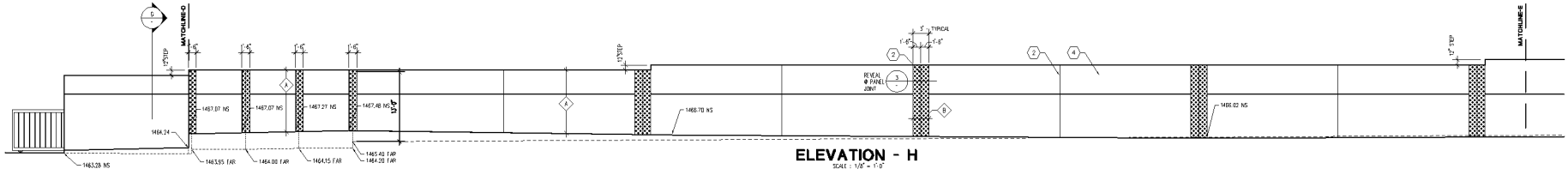

ELEVATION - H

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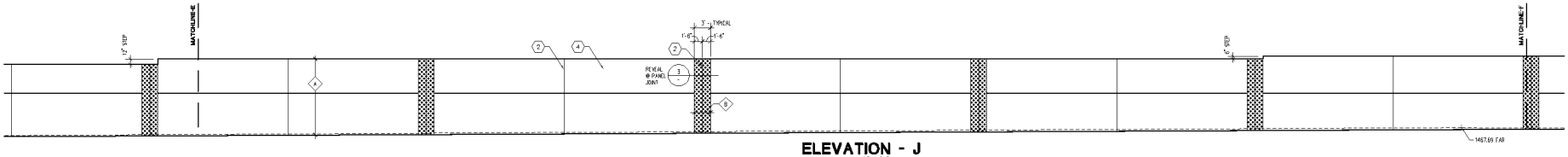

ELEVATION - J

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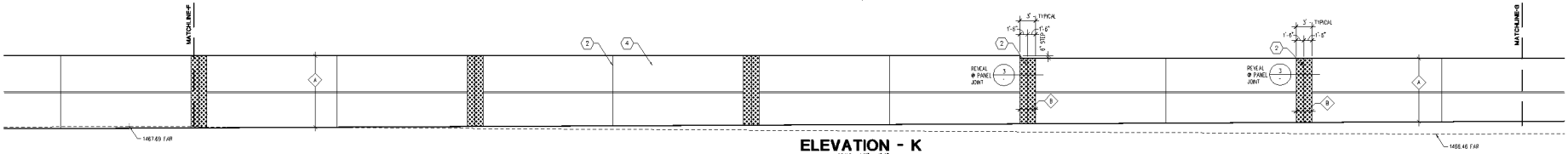

ELEVATION - K

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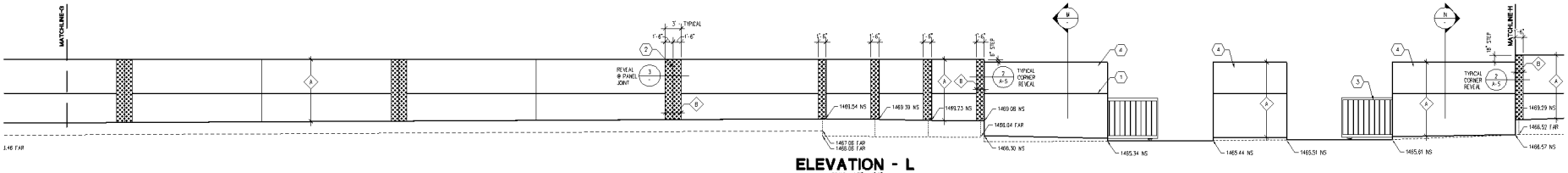

ELEVATION - L

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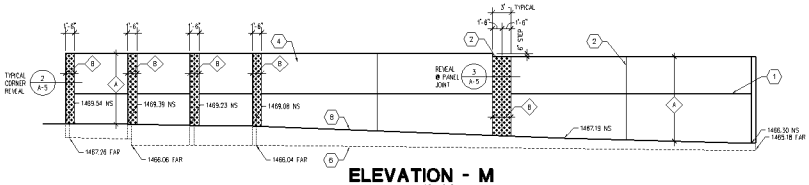

ELEVATION - M

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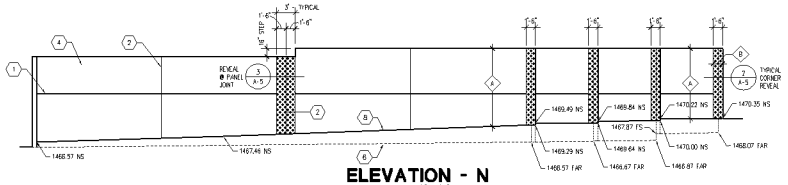

ELEVATION - N

SCALE : 1/8" = 1'-0"

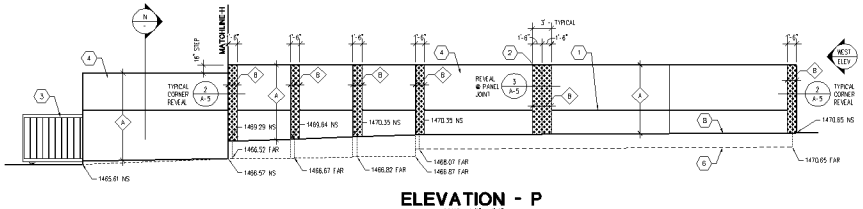

ELEVATION - P

SCALE : 1/8" = 1'-0"

EXTERIOR COLORS:		KEYNOTES:
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		3 TUBULAR STEEL ROLLING GATES
		4 CONCRETE TILT UP SCREEN WALL, HEIGHTS VARY DUE TO GRADES
		5 GATE IN OPEN POSITION
		6 FAR-SIDE GRADE OR FINISH SURFACE - SEE CE-PLANS
		7 A.C. PAVING - SEE CE- PLANS
		8 NEAR-SIDE GRADE OR FINISH SURFACE - SEE CE-PLANS

rkz architects, inc.
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TUSTIN, CALIFORNIA 92780
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REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26

SHEET NAME
SCREEN WALL PLANS AND ELEVATIONS

SHEET NO.
A-6
OF SHEETS

08-26A5Z.dwg / 07.02.12 / 15:38

PROJECT #PA09-0004 & PA09-0012

MV00178474

VIP Moreno Valley Project

Legend

- Highways
- Parcels
- Roads
- March Installation Area
- Waterbodies
- Sphere of Influence
- Ortho Photography

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside

Powered By GeoSmart.net

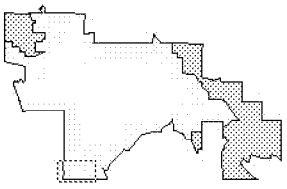

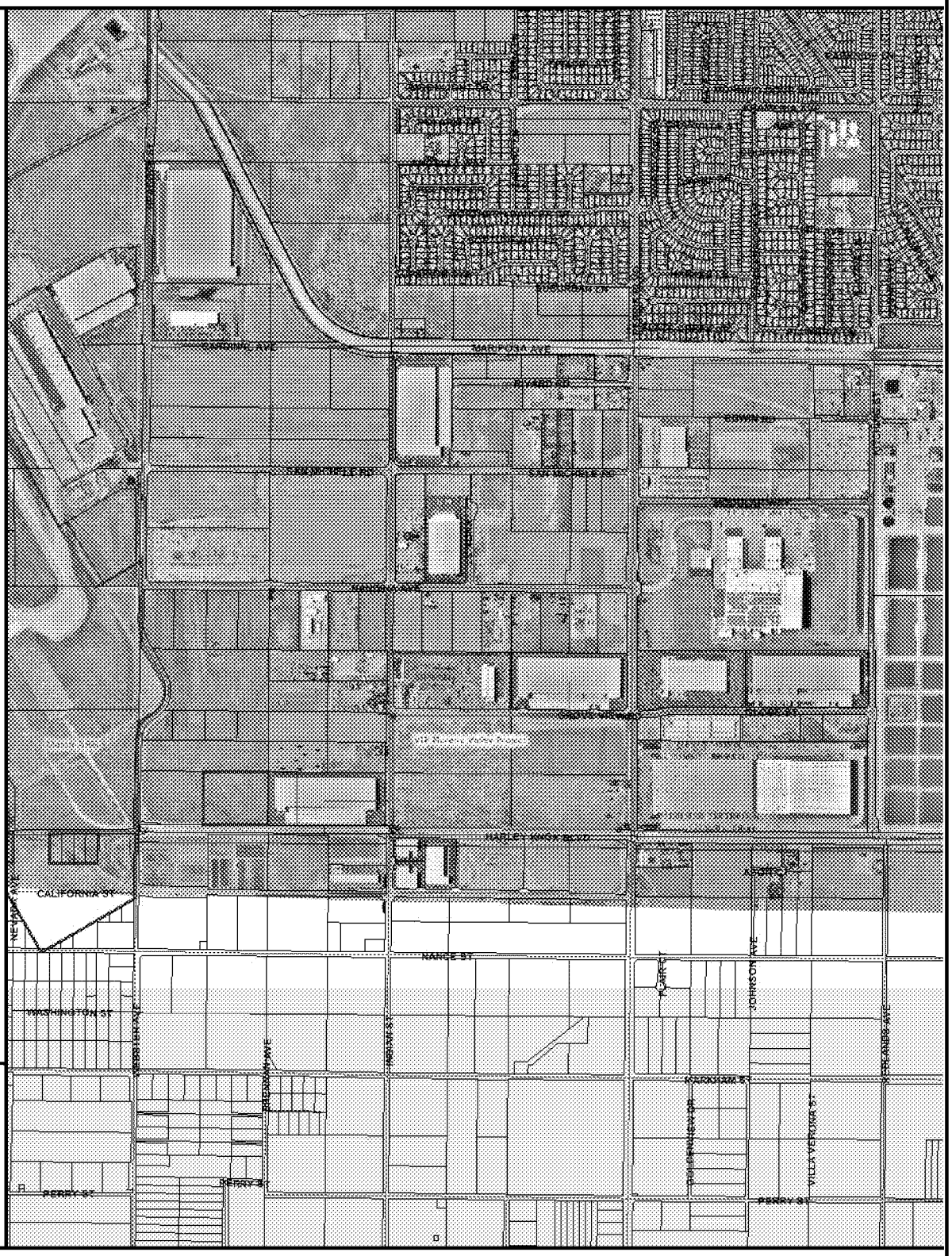

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY
WHERE DREAMS SOAR

SAN GORGONIO CHAPTER

4079 Mission Inn Avenue
Riverside, CA 92501
(951) 684-6203 Fax (951) 684-6172
Membership/Outings (951) 686-6112

Regional Groups Serving Riverside and San Bernardino Counties:
Big Bear, Los Serranos, Mojave, Moreno Valley, Mountains, Tahquitz.

Moreno Valley Planning Commissioners, July 11, 2012

Re: VIP Final EIR

The Sierra Club appreciates this opportunity to express some additional concerns about the VIP warehouse Final EIR. When is this City going to require these projects to also write everything in Spanish to allow many who feel disenfranchised within our community to participate in the public review process? Based on our last census this needs to be done and this includes notices as well as holding meetings in which all feel they can participate in their language as is done with the MVUSD. (http://topics.nytimes.com/top/news/science/topics/globalwarming/index.html) provides several links as well as articles of which are now all part of the public record and shows we are all responsible for this last year of record heat in the US. This is even more true for decision makers like yourselves which approve projects that you know will have a detrimental impact on our region and the climate. The other thing I wish Moreno Valley decision makers would realize is that warehouse jobs or any jobs within 1,500 feet of warehousing is going to jeopardize the health of the worker. You might be better to encourage a family member to begin smoking than to begin breathing in toxic diesel truck emissions for 8 hours each day as a warehouse worker. The City should make a condition of approval that all employees of the VIP warehouse sign a letter-- written in English/Spanish-- warning them of the potential health hazards of working so near toxic diesel pollution.

You should require all warehouses to have their roofs covered with solar and at the very least built to a standard which would support future installation of solar panels. Allowing projects to simply say they will purchase renewable energy is not being a responsible decision maker. They are beginning to cover important areas of our desert with industrial solar farms and transmission lines because we are not requiring

warehouses to install these panels. They could supply more energy than they need and sell it back to Edison for a profit.

The Sierra Club does not believe Greenhouse Gas emissions and Climate Change have been reduced to "less than significant".(p159) This is especially true because of all the "Encourage the use" phrases used throughout this section as well as "who will consider the following" and "where feasible". These and other less than genuine phrases used throughout the VIP Final EIR try to give the impression that they are going to do something, but in reality there are no teeth in these phrases to require anything.

The City of Moreno Valley needs to replace the phrase of exceeding "the 2008 California Building Codes (CBC) Title 24 energy standard" with exceeding the "current" California Building Codes Title 24 energy standards "at time of construction". The 2010 edition of the California Building Standard Code (Title 24) became effective January 1, 2011. The three year cycle of California building efficiency Standards have already gone through public hearings in the first half of 2012 and we will soon have the 2013 California Building Energy Efficiency Standards. These are the standards in which they need to exceed by 20% and not those which will be four or five years old at the time of construction. Have you ever checked with our city to see who has the expertise to validate that these standards have been exceeded by 20% and checked their efforts on previous projects.

The Planning Commission needs to read or hopefully reread the concerns and suggestions in the letters submitted by Ray Johnson and George Hague to the VIP's Draft EIR. Then require more of their suggestions of this massive warehouse project to help reduce the environmental and health impacts on Moreno Valley as well as the region. Suggestion like requiring Tier III construction equipment instead of Tier II as this developer wishes to use. It is time this city works to protect the air quality we all breath and of which we have no choice. Smart Way carriers of 1.25 needs to be the goal of 90% for long haul trips carried by Smart Way if this project is serious about reducing its environmental impacts instead of the lower 1.00.

The Justin Adam Ag report fails to analyze the impacts of losing Ag lands on Raptor foraging. We live in a world renown valley for its 25 species of raptors. Every time we lose lands like these we impact these special

animals. His report also failed to analyze the impacts of importing foods on Green House Gas, Global Warming and Air Quality instead of us buying locally raised crops. The loss of these Prime farmlands must be mitigated as should the other important farmlands. James Adams Ag report does point out that occupations in the Agricultural areas in the Inland Empire ranks fifth out of seven categories for the number of workers employed (Figure 4.6). It therefore is still an important area of employment. It always bother me when studies present graphs like those in figure 4.5 which may have correct information, but uses the bar graph to distort the significance of 15,000 acre feet.

The Sierra Club believes significantly more needs to be required of this project to make it have less of an impact on both the environment and health of those in the Moreno Valley region. The direct, indirect and cumulative impacts can be further reduced with the proper conditions of approval. Even the County of Riverside would require this project to build a Silver LEED certified building. When is the City of Moreno Valley going to rise to the needs of its residents. Last Fall the City of Riverside approved a warehouse with a Gold LEED certified building only a few miles from this site along Alessandro Blvd.

Please keep the Sierra Club informed of all future meetings and documents related to the VIP Moreno Valley warehouse project by emailing me at the address which sent you this letter and/or mailing me at the address below.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley, CA 92555

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Carl T. Sedlack, Esq. Retired

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

July 12, 2012

Moreno Valley Planning Commission
14177 Frederick Street
Moreno Valley, CA 92553
Facsimile: (951) 413-3210

VIA FACSIMILE AND US MAIL

RE: Vogel Industrial Park (VIP) Moreno Valley Project: July 12, 2012 Public Hearing Item 1, P11-090, PA09-0004, and PA09-0022, TPM 36162

Greetings Planning Commissioners:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Liveable Moreno Valley we hereby submit these comments on the VIP Moreno Valley Project, Plot Plan and Tentative Parcel Map for development of a 1.6 million square foot warehouse facility on 80 acres. (PA09-0004, PA09-0012, TPM No. 36162) Johnson & Sedlack hereby incorporates all comments previously submitted on behalf of Sierra Club and Residents for a Liveable Moreno Valley concerning this project.

We respectfully ask that you disapprove this project. As discussed in the comment letter submitted June 1, 2012, the EIR is inadequate as it fails to comply with the requirements of CEQA by inadequately analyzing impacts pertaining to, at least, air quality, aesthetics, biology, cultural resources, geology, hydrology, GHGs, and transportation, among others. The EIR fails to adopt all feasible mitigation measures and ensure that mitigation measures are fully enforceable through permit conditions, agreements, and/or othe legally biding instruments. (State CEQA Guidelines § 15126.4(a)(2)). Despite extensive commentatry that not all feasible mitigation was adopted and that mitigation was vague, uncertain, and unenforceable, the FEIR fails to make needed changes to these measures.

The Final EIR (FEIR) fails to make ***any*** substantive changes despite extensive commentary received that, at least, several of the studies in the Draft EIR (DEIR) were outdated or inadequate. Additionally, the FEIR, Mitigation Monitoring and Reporting Program, Resolutions (including Mitigation Monitoring Program and Conditions of Approval) before the Planning Commission do not accurately reflect the alleged changes in wording of mitigation measures as stated in the Responses to Comments. The conclusions and findings expressed in the FEIR made

based upon the assumption that these changes are incorporated are therefore wrong and not based on the project. Should the Planning Commission determine to approve the project in spite of these extensive comments in opposition to the project and detailing deficiencies with the EIR, it is inappropriate to approve the project so where the FEIR does not accurately discuss, evaluate, and mitigate the project as it is presented for approval.

Having failed to make any substantive or substantial changes in the FEIR, the comments previously submitted by all commenters remain valid and the FEIR continues to fail as an informational document and fails to inform the public and decisionmakers of the real impacts of this project. The Final EIR is also very conclusory and fails to provide the analysis and examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. The Responses to Comments also often allege facts which are not supported by any evidence in the record. Generally, the findings are not supported by substantial evidence in the record and, as stated above, are not based on the project and mitigation measures as being submitted for consideration before this commission.

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. This project's Mitigation Monitoring and Reporting Program lists many feasible mitigation measures but fails to require the implementation of these measures or drafts such mitigation in an utterly unenforceable manner. This is unacceptable and misleading to the public and decisionmakers as to the extent of mitigation required of this project.

This project fails to make adequate findings, *based on substantial evidence* that the environmentally superior alternative is infeasible. In fact, the environmentally superior alternative satisfies most, if not all project objectives and significant reduces project impacts, particularly with regards to air quality in an area known to have some of the worst air quality in the nation. At the least, the environmentally superior alternative must be implemented in lieu of the project.

Findings

The findings required under CEQA cannot be made with respect to this project. Not all significant effects of the project have been eliminated or substantially lessened.

Statement of Overriding Considerations

CEQA Guidelines § 15093 (b) provides that when the agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR, but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The decision to approve a project in spite of significant environment impacts requires the decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks. (Guidelines § 15093(a).) However, the Statement of

Overriding Considerations ("SOC") shall be supported by **substantial evidence** in the record. (Id.) In *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1222, the court said: "Whereas the [mitigation and feasibility] findings … typically focus on the feasibility of specific proposed alternatives and mitigation measures, the statement of overriding considerations focuses on the larger, more general reasons for approving the project, such as the need to create new jobs, provide housing, generate taxes, and the like."

Substantial evidence in the record does not support the adoption of a statement of overriding considerations given the immense environmental harm expected with the project balanced with minimal economic benefits. The EIR finds that the project would, "add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community." This potential is countered by recent industrial/ distribution projects within Moreno Valley which have utterly failed to create the promised jobs. On the other hand, this project will have massive and detrimental impacts to, *at least*, air quality, traffic, agriculture, and greenhouse gas emissions. These enormous detriments cannot be outweighed by the promise of jobs which are uncertain, unlikely, and few. A Statement of Overriding Considerations is not supported for this project.

Cumulative Impacts

Response to Comment E-10 acknowledged that the World Logistics Project was only considered in determining certain cumulative impacts, not all cumulative impacts. Those impacts which for which the World Logistics Project was apparently not considered include, but are not limited to: traffic off of the highway mainline, noise, aesthetics, biology, and hydrology/water quality, among others. The EIR fails as an informational document by failing to consider cumulative impacts from the World Logistics Project in each of these areas of the EIR.

Aesthetics

The project improperly segments approvals by failing to consider potential environmental impacts from the project's signs in the EIR. Instead, the staff report states that, "signs will be reviewed and approved under (sic) separate administrative permit." (*See also,* Condition of Approval P20 for PA 09-0004) Hence, by failing to consider the whole of the project including signage, the EIR fails to comply with CEQA.

In prior comments, we noted that the EIR fails to discuss lighting impacts on nighttime views. In the response to comments, the FEIR still fails to respond to or discuss this potential effect, instead re-stating the conclusions of the Draft EIR.

Agricultural Resources

The Response to Comments states that the purchase of agricultural conservation easements is economically infeasible on the basis that the "General Plan does not include any agricultural designations; therefore mitigation for the loss of [it] is not required" and because it would not replace or provide new farmland. This does not demonstrate economic infeasibility of this mitigation measure.

Comments E-7 and E-8 recommend mitigation for agricultural impacts in the form of donating to the Riverside Land Conservancy or San Jacinto Basin Resource Conservation District. The responses to these comments does not find such mitigation to be infeasible but instead generally fins other mitigation measures not recommended by the commenter to be infeasible. As the EIR does not find these measures specifically to be infeasible, the measures must be deemed feasible and incorporated as mitigation for the project's significant agricultural impacts. Furthermore, the responses to the comments were unresponsive to the comments made.

Air Quality

The project will result in extensive and unavoidable impacts to air quality during construction and operation.

The Final EIR states that many of the mitigation measures recommended by Johnson & Sedlack in its previous comments are "included" or have been "incorporated" into the mitigation required of the project in the EIR. First, these measures are not enforceable or required of the project. Instead, they are to be *considered*, *written on signs,* or listed as one of several alternatives that may or may not even relate to the actual mitigation required of the project. The FEIR therefore fails as an informational document by misleading the public and decision-makers as to the extent of mitigation incorporated into the project. The FEIR also fails by failing to incorporate all feasible mitigation and/or failing to find such measures to be infeasible. Some examples of these instances, though not all by far, are listed below.

Furthermore, the mitigation measures stated to be added or changed in the FEIR have not all been so amended in the FEIR, Resolutions, or Mitigation Monitoring and Reporting Program, for the project. The FEIR does not accurately reflect project impacts if these Resolutions are passed approving the project where they do not represent the project as evaluated in the FEIR.

Mitigation measure 4.2.6.1D regarding cessation of all clearing, grading, earthmoving, or excavation activities states that verification will only occur during grading. Verification should occur during grading and construction.

Mitigation measure 4.2.6.1H states that the contractor shall *during smog season* not allow construction equipment to be left idling for more than five minutes. The EIR fails to show that it is infeasible to so limit idling year round, particularly where existing air quality in the project vicinity generally exceeds state and federal air quality standards for Ozone, Coarse Particulate Matter (PM10), and Fine Particulate Matter (PM2.5). Not all feasible mitigation has been required to reduce air quality impacts.

MM 4.2.6.1K does not require any mitigation, only that "construction specifications and bid documents" include "notations." The statements in the Response to Comments at pages 63-69 that measures are already included within this mitigation measures are therefore false as such measures are not required to be applied to/ incorporated into project construction and are unenforceable, contrary to the statement at Response to Comment D-37.

MM 4.2.6.1L does not provide any requirement for the community liaison to respond promptly or in a timely manner. This must be required to ensure that construction related air quality issues are timely resolved.

Mitigation Measure 4.2.6.1M only requires the posting of signs but does not require compliance with the measures delineated on the signs. The measure is illusory. Recommended mitigation measure 24, at FEIR response to comments page 66, is not included in the EIR or mitigation required of this project.

MM 4.2.6.1R states that measures "should" be taken. Such language makes the measure unenforceable, and the mandatory "shall" must replace "should" in this measure.

MM 4.2.6.3A lists many feasible mitigation measures but fails to *require* the implementation of those measures or find that requiring the implementation of each of the listed measures is infeasible. Instead, the measure requires only that the project exceed Title 24 requirements by 20%. Many of the listed alternatives would not even be used in determining Title 24 compliance, as they relate to mobile emissions and not building emissions, and are therefore illusory mitigation. By failing to require all feasible mitigation and failing to accurately detail the mitigation required of the project, the EIR fails. The FEIR, Mitigation Monitoring and Reporting Program detailed in the FEIR, and the Resolutions also fail to make the changes stated to be made to this mitigation measure in the response to comments. The Statement "Any combination of design features including but not limited to the following list may be used…" has not been replaces as stated in the FEIR and responses to comments. The EIR fails as an informational document by claiming to have made these changes where, in fact, they have not been made.

The response to comments at p. 64-65, concerning the recommended mitigation measure 13, fails to provide evidence supporting a finding of infeasibility for limiting the simultaneous disturbance of the site to 5 acres per day. The threshold of significance for emissions from grading including dust and vehicular emissions are measured based on lbs/day, so while emissions may not necessarily be reduced, they may in fact be reduced *below a level of significance* by prolonging the grading period. These numerical thresholds do not account of whether there are "sensitive receptors located in close proximity to the project site that would be affected by the dust" as air quality impacts effect more than just nearby residences. The FEIR fails by not incorporating this feasible mitigation measures where it may significantly reduce or avoid some construction air quality impacts based on the thresholds adopted for determining the significance of such impacts.

Recommended mitigation measure 23, at page 66 of the FEIR is not included as stated. The project rather only requires that CARB certified Tier II or better equipment be utilized "where feasible" not that only CARB certified equipment be used for construction activities. The FEIR thus falsely states that this recommendation is included in the project.

The Response to comments states that the project has the potential to reduce VMT. An EIR, however, is intended to evaluate a worst cast, not a best case, scenario of project effects. Regardless of potential reductions which are "virtually impossible to calculate."

As stated in Response to Comment D-38, **mobile source emissions exceed the threshold of significance by up to 1,700%,** yet the EIR makes only a miniscule attempt at mitigation that is almost entirely directed at reducing emissions from the building/stationary sources.

The changes stated to be made in the response to comment section of the FEIR, such as the change stated at Response to Comment D-38, D-39, D-42, D-43, etc. concerning Mitigation Measure 4.2.6.3A has not been incorporated into the Mitigation Monitoring Plan of the Resolution being presented to the City. The FEIR therefore fails as an informational document by stating that changes have been made to the project but failing to actually making those changes.

Response to Comment D-39 is unresponsive to the comment made. The comment noted that the incorporation of measures related to mobile emissions will not aid in reduction of emissions 20% below Title 24 standards, and are therefore illusory measures that will not be used and will not achieve the stated result. The response that the City has no control over vehicle emissions does not respond to this comment made.

Response to Comment D-45 still does not respond to or make the changes requested in Johnson & Sedlack's previous letter that each of the measures listed at MM 4.2.6.3A be specifically required for the project, but only that the project demonstrate that Title 24 Energy Efficiency Standards be exceeded by a minimum of 20%. It is false to state that the suggested mitigation measures at Response to Comment D-45 are included as mitigation where they are not actually and specifically required for the project. Many, as commented at D-45, are not even alternatives that may be used to meet or exceed Title 24 standards.

Response to Comment D-45 also states that recommended mitigation 22-23 have been incorporated, but not so. MM 4.3.6.1B requires only that, "The landscaping plan shall be prepared by a registered landscape architect who will *consider*" the recommended mitigation, not that the measures actually be required of and incorporated into the project. MM 4.3.6.1B is vague and unenforceable, and the FEIR is deceiving by stating that these measures have been incorporated into the project.

Response to Comment E-4 states that building the roof to accommodate solar panels has been required as project mitigation. Not so, as MM 4.2.6.3A only requires that the project surpass 2008 Title 24 standards by 20% however achieved. The mitigation has not been incorporated in a manner that ensures that it is fully enforceable and will actually be implemented as a condition of development as required by CEQA. Comment E-5 notes that this "cafeteria list of mitigations" shows that more can be done to mitigate for project impacts to air quality. The response to Comment E-5 does not respond to the comment made.

Response to Comment E-6 does not respond to the comment made and does not find infeasible the suggested mitigation to require 90% of off-road construction equipment to meet Tier III standards. This mitigation must be incorporated as it is not determined by the FEIR to be infeasible.

Response to Comment E-16 states that the mitigation suggested is required. Again, this is false and mitigation measure 4.2.6.1K requires only that "notations" be made in documents, and 4.2.6.3A requires only that the project exceed Title 24 by 20%.

Biological Impacts

Response to Comment E-21 is unresponsive to the comment made and does not state whether the site will or will not be disked prior to the burrowing owl surveys.

Cultural Resources

Response to Comment D-49 is unresponsive to the comment made. Johnson & Sedlack asked over what portion of the project site reaching the maximum excavation depth would result in no further monitoring? 100% of the project site? Or only 1% of the project site? If no fossils are found upon reaching maximum excavation depth over only a small portion of the project site and monitoring is then discontinued, it is possible or even likely that fossils may still be found and harmed across the remainder of the project site at less than the maximum excavation depth. MM Cul-1 is vague in this way. The measure must clarify that monitoring may be discontinued only once the maximum excavation depth is reached in 100% of the area to be excavated across the project site. Cul-1 remains unaltered in the Mitigation Monitoring Program at Resolution 2012-16 and the Conditions of Approval at Resolution 2012-17, despite changes alleged in the FEIR.

Geology and Soils

MM Geo-1 defers mitigation and evaluation of project impacts as, "the above measure may be modified by the Final Geotechnical or Soils Report." It is therefore not demonstrated that the required mitigation will reduce impacts to a level below significance; further mitigation may be needed.

MM Geo-2 is deferred, vague, and unenforceable. Specifically, such mitigation requires that the project proponent "inform" engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the geotechnical analysis and that such guidelines "shall be implemented…in the applicable design guidelines." The Expansive Soil Guidelines must be directly included and implemented in the project's grading plans to ensure implementation and enforceability.

GHGs

Johnson & Sedlack reiterates its comments that the project will have significant individual impacts to GHGs, not merely cumulative impacts, for the reasons previously stated.

Response to Comment E-3 is unresponsive to the comment made that LEED Gold certification should be required in order to mitigate for project effects. The EIR fails to find infeasible requiring LEED Gold certification as a mitigation measure.

Responses to Comments E-49- E51 state that many mitigation measures are incorporated or included in the project mitigation measures. This is untrue where such measures including 4.2.6.3A fail to require that each of the listed measures actually be required of the project; 4.3.6.1A merely requires compliance with the law that the project comply with Title 24; 4.3.6.1B requires only *encouragement* which is utterly unenforceable; 4.2.6.1K requires only "notations"; etc. The measures recommended by the Comments have not been incorporated into the project in a certain and enforceable manner as required by CEQA.

Response to Comment E-54 finds carbon offsets to be infeasible but fails to state a valid reason for that finding. Bases for finding mitigation infeasible include that specific economic, legal, social, technological, or other considerations make infeasible such mitigation. (State CEQA Guidelines § 15091) Here, the EIR finds carbon offsets to be infeasible not because of any of these considerations but because they have not previously been required and because they require a well performing program. This does not demonstrate that carbon offsets are *infeasible,* that is, not capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, legal, social, and technological factors. (State CEQA Guidelines § 15364) As the FEIR fails to demonstrate that carbon offsets are infeasible pursuant to CEQA, they must be required as mitigation measures for the project.

Response to Comment E-54 goes further to suggest that GHGs can never be reduced or mitigated. This is contrary to CEQA which specifically provides for mitigating the effects of GHG emission. (*See,* State CEQA Guidelines § 15126.4 (c).) The response goes far beyond the limits of CEQA as well by claiming that any energy consumption reduced by this project through the purchase of carbon offsets will somehow result in increased energy consumption and GHG emissions overseas in developing countries such as China or sub-Saharan Africa. These claims are also unsupported by *any evidence* in the EIR and are *highly speculative,* to say the least. Again, as any finding of infeasibility with regards to the purchase of carbon offsets is not based on fact or the CEQA definition of feasible, this mitigation measure must be required of the project.

Hydrology and Water Quality

Condition of approval LD7 defers mitigation by requiring that a drainage study be prepared and submitted. Condition LD37 requires that the hydrology study come to a specific conclusion that the 10-year storm flow be contained within the curb and a 100-year storm flow be **contained within the street**, or additional facilities may be needed. In other words, LD 37 requires that hydrological impacts be evaluated after project approval and potentially that additional mitigation measures will be needed to reduce impacts. Furthermore, LD 37 contemplates the use of the street for drainage purposes. Allowing for the flooding of the street for project-related drainage is a potentially significant drainage impact that was wrongly not considered, disclosed, or evaluated in the EIR.

Even with the change in wording allegedly made at MM Hyd-5, the measure improperly defers mitigation and evaluation by deferring the preparation of a drainage report.

Noise

MM 4.9.6.1D is vague as it requires that the contractor limit construction related activities that would result in "high" noise levels without defining what level would be considered "high". Furthermore, as mentioned in previous letters, limiting the hours of construction will not mitigate for impacts from noise during those hours.

Response to Comment D-65 states that the EIR did not use a 3dBA increase as a threshold of significance. This is contradicted by the response and EIR which each demonstrate that the EIR looked to whether a 3 dB increase occurred.

With regards to Response to Comment D-68 concerning the use of "hard site" versus "soft site" scenarios, while increases in noise may not change, exceedences of the City's noise standards may be increased/ significant if the hard site scenario is instead utilized.

Response to Comment D-69 claims that an increase in trucks from the project, around a 3.25 to 7.5 percent increase in cumulative traffic volumes along area roadways, would not affect the findings of the noise impact analysis even though the analysis does not consider higher truck percentage of vehicle mix. This conclusion is unsupported by either the response or the record.

Response to Comment D-70 is unresponsive to the comment made, which states that the noise impact is significant where noise levels exceed noise standards and the project would result in a further exceedence of that standard and an increase in ambient noise where such noise is significant. Johnson & Sedlack also restates its prior comment that the proper measure of noise impacts is taken at the property line.

Response to comment D-74 is misleading as it insinuates that no sensitive receptors will be impacted by project construction. Furthermore, whether or not 1987 documents concerning noise provide a "conservative" estimate of noise levels, noise impacts as stated in the EIR are highly likely to be incorrect as the relied upon numbers are far outdated. The EIR fails as an informational document.

As the EIR's noise analysis remains flawed and impacts must therefore be considered potentially significant, the mitigation measures suggested at comment D-76 must be implemented for the project.

Public Services

Condition of Approval F2 states that the City has granted a 50% reduction in fire flow for the use of fire sprinklers throughout the facility. There is no explanation of why this variance was

granted or evidence supporting a conclusion that this will not impact public safety. The EIR thus fails as an informational document.

Transportation

Response to Comment E-12 is unresponsive to the comment made that the project fails to mandate that only the "primary truck route" of Harley Knox Boulevard to the west be used so that trucks will not pass by a school. While this may be the primary truck route, the EIR does not claim or show that it is the only truck route which may be used. Comment E-12 asks for details on how the project will enforce use of only the Harley Knox Boulevard to the west truck route in order to avoid passing by schools. The EIR fails to do this, and therefore fails to provide needed information to the public and decisionmakers. Furthermore, a condition or mitigation measure must be placed on the project to require that only the "primary truck route" be utilized as this was apparently the only route evaluated by the EIR.

Response to Comment E-18 is unresponsive to the comment made. The table showing average trip lengths does not show the routes which trucks will be taking from the facility on local roadways to get to further away destinations so that the public and decisionmakers are informed of the impacts to local streets. Comments E-18 and E-19 also do not respond to the issue that future impacts beyond 2013(the first year) must be evaluated in the EIR.

As stated at Response to Comment E-20, the EIR does not consider impacts to SR-60, despite the fact that around 10% of truck trips are expected to use this highway. The EIR fails as an informational document by failing to evaluate these impacts. Furthermore, the FEIR again fails to make any substantive changes or undertake any real evaluation as requested by commenters.

Comments F-3 and F-4 by the Department of Transportation state that year 2007 AADT volume data should be used b y the EIR to keep consistency with traffic volume projections, yet the FEIR fails to make this change, relying instead on 2009 projections for some, 2007 for others. It is unclear from the response whether the 2009 CALTRANS AADT volume data represents a worst- case scenario over the 2007 data. Accordingly, by failing to use the 2007 data as recommended by CALTRANS, the EIR fails to provide accurate and consistent information.

Alternatives

With regards to Response to Comment D-92-95, Response to Comment D-92 incorrectly restates the comment made. The Response also creates an entirely new project object of clustered development in a highly dense form without urban sprawl—this objective is *none* of the actual project objectives. Pursuant to the project objectives as written in the EIR, the reduced intensity alternative satisfies most project objectives and reduces project impacts. If any project is approved, the reduced intensity alternative is superior and less environmentally damaging when compared to the project as proposed.

Likewise, Response to Comment D-59 states that the reduced intensity alternative does not meet the objective to "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources…" because "reduced-intensity development patterns are in concepts diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development." Again, this conclusory statement fails to apply the project objective above on its own. Would the reduced intensity alternative be near efficient access points? Yes. Are there many "clustered" warehouses including the reduced intensity form of this project near those points, or planned to be near those points? Yes. Nevertheless, a project alternative need only "feasibly obtain most of the basic objectives to the project" which this alternative plainly does. (State CEQA Guidelines § 15126.6) As this alternative is feasible, will significantly reduce project impacts, and will obtain most of the basic project objectives, it must be approved in lieu of the proposed project if approval is granted.

Desired Actions

For the above reasons and those previously submitted, we respectfully ask that you deny the project and deny certification of the FEIR.

Thank you for your consideration of the above comments.

Sincerely,

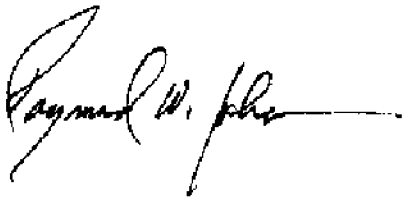

Raymond W. Johnson
JOHNSON & SEDLACK

Copies to: John C. Terrell, Planning Official; e-mail: johnt@moval.org
Jeff Bradshaw, Planner; e-mail: JeffreyB@moval.org

RAYMOND W. JOHNSON, Esq. AICP
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:

- Sierra Club
- San Bernardino Valley Audubon Society
- Sea & Sage Audubon Society
- San Bernardino County Audubon Society
- Center for Community Action and Environmental Justice
- Endangered Habitats League
- Rural Canyons Conservation Fund
- California Native Plant Society
- California Oak Foundation
- Citizens for Responsible Growth in San Marcos
- Union for a River Greenbelt Environment
- Citizens to Enforce CEQA
- Friends of Riverside's Hills
- De Luz 2000
- Save Walker Basin
- Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment

financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.
Lee's Summit, MO 6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO 9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.
Project Coordinator 6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

LSA

LSA ASSOCIATES, INC.
1500 IOWA AVENUE, SUITE 200
RIVERSIDE, CALIFORNIA 92507

951.781.9310 TEL
951.781.4277 FAX

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CARLSBAD
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IRVINE
PALM SPRINGS

PT. RICHMOND
ROCKLIN
SAN LUIS OBISPO
SOUTH SAN FRANCISCO

MEMORANDUM

DATE: September 10, 2012

TO: Jeffrey Bradshaw, Associate Planner

FROM: Ray Hussey, Project Manager

SUBJECT: VIP Moreno Valley Project EIR

In advance of the scheduled Planning Commission meeting on July 12, 2012 to consider certification of the EIR for the VIP Moreno Valley Project, two letters providing commentary on the Final EIR where submitted to the City. Attachments to this memo provide additional responses to each of the following letters:

- Sierra Club, July 11, 2012 (Letter A)
- Johnson & Sedlack, July 12, 2012 (Letter B)

As part of the responses to these additional letters received, the developer voluntarily agrees to implement the following measures on the project, if approved by the City Council:

1. *The developer voluntarily agrees to remove that language "encourage" from Mitigation Measure 4.2.6.1B. If approved by the City Council the mitigation measure would read as follows:*

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project:

- ~~Encourage~~ Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- ~~Encourage~~ Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:

- Increase insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will ~~consider~~ include the following:
  - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.
  - Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.
  - Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.
- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

2. *The developer voluntarily agrees to use Tier III rather than Tier II construction equipment. If approved by the City Council, Mitigation Measure 4.2.6.1.C will read as follows:*

4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier ~~II~~ III Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

3. *The developer voluntarily agrees to remove "during smog season" from Mitigation Measure 4.2.6.1.H. If approved by the City Council, the mitigation measure will read as follows:*

MV00178496

4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications ~~and during smog season (May through October)~~ by not allowing construction equipment to be left idling for more than five minutes (per California law).

4. *The developer voluntarily agrees to revise Mitigation Measure 4.2.6.1K. If approved by the City Council the mitigation measure would read as follows:*

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following requirements ~~notations:~~

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;

MV00178497

- Lunch vendor services shall be permitted on site during construction to minimize the need for offsite vehicle trips;
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
- Suspend use of all construction equipment operations during second stage smog alerts.

5. *The developer voluntarily agrees to revise Mitigation Measure 4.2.6.1L to include a response by a liaison within one business day instead of two. If approved by the City Council the mitigation measure would read as follows:*

4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues within ~~2 days~~ one business day.

6. *The developer agrees to amend Mitigation Measure 4.2.6.1M if the City Council approves the modification as follows:*

4.2.6.1M ~~All project entrances shall be posted with signs which state:~~ The construction contractor shall require the following:

- Truck drivers shall turn off engines when not in use, and
- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes~~; and~~.

4.2.6.1M(1) All project entrances shall be posted with signs that include the requirements in Mitigation Measure 4.2.6.1M and the following:

- Telephone numbers of the building facilities manager and CARB, to report violations.

7. *The developer voluntarily agrees to implement the following measures that were included in the list under Mitigation Measure 4.2.6.3A to reduce mobile emissions:*

- Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
- Provide on-site showers (one for males and one for females). Provide lockers for employees.
- Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.
- Provide at least two electric vehicle charging stations. Locations and

MV00178498

configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.

- Provision of preferential parking for EV and CNG vehicles.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.

8. *The developer voluntarily agrees to eliminate "activities that would result in high noise levels to" from Mitigation Measure 4.4.6.1D. If approved by the City Council the mitigation measure would read as follows:*

4.4.6.1D During all project site construction activities, the construction contractor shall limit all construction-~~related activities that would result in high noise levels to~~ between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

Attachment A: Letter from Sierra Club, July 11, 2012 and Responses (Letter A)
Attachment B: Letter from Johnson & Sedlack, July 12, 2012 and Responses (Letter B)

MV00178499

Letter A

SAN GORGONIO CHAPTER

4079 Mission Inn Avenue
Riverside, CA 92501
(951) 684-6203 Fax (951) 684-6172
Membership/Outings (951) 686-6112

Regional Groups Serving Riverside and San Bernardino Counties:
Big Bear, Los Serranos, Mojave, Moreno Valley, Mountains, Tahquitz.

Moreno Valley Planning Commissioners, July 11, 2012

Re: VIP Final EIR

The Sierra Club appreciates this opportunity to express some additional concerns about the VIP warehouse Final EIR. When is this City going to require these projects to also write everything in Spanish to allow many who feel disenfranchised within our community to participate in the public review process? Based on our last census this needs to be done and this includes notices as well as holding meetings in which all feel they can participate in their language as is done with the MVUSD. (http://topics.nytimes.com/top/news/science/topics/globalwarming/index.html) provides several links as well as articles of which are now all part of the public record and shows we are all responsible for this last year of record heat in the US. This is even more true for decision makers like yourselves which approve projects that you know will have a detrimental impact on our region and the climate. The other thing I wish Moreno Valley decision makers would realize is that warehouse jobs or any jobs within 1,500 feet of warehousing is going to jeopardize the health of the worker. You might be better to encourage a family member to begin smoking than to begin breathing in toxic diesel truck emissions for 8 hours each day as a warehouse worker. The City should make a condition of approval that all employees of the VIP warehouse sign a letter-- written in English/Spanish-- warning them of the potential health hazards of working so near toxic diesel pollution. 1 2 3

You should require all warehouses to have their roofs covered with solar and at the very least built to a standard which would support future installation of solar panels. Allowing projects to simply say they will purchase renewable energy is not being a responsible decision maker. They are beginning to cover important areas of our desert with industrial solar farms and transmission lines because we are not requiring 4

warehouses to install these panels. They could supply more energy than they need and sell it back to Edison for a profit. 4

The Sierra Club does not believe Greenhouse Gas emissions and Climate Change have been reduced to "less than significnt".(p159) This is especially true because of all the "Encourage the use" phrases used throughout this section as well as "who will consider the following" and "where feasible". These and other less than genuine phrases used throughout the VIP Final EIR try to give the impression that they are going to do something, but in reality there are no teeth in these phrases to require anything. 5

The City of Moreno Valley needs to replace the phrase of exceeding "the 2008 California Building Codes (CBC) Title 24 energy standard" with exceeding the "current" California Building Codes Title 24 energy standards "at time of construction". The 2010 edition of the California Building Standard Code (Title 24) became effective January 1, 2011. The three year cycle of California building efficency Standards have already gone through public hearings in the firs half of 2012 and we will soon have the 2013 California Building Energy Efficency Standards. These are the standards in which they need to exceed by 20% and not those which will be four or fiv years old at the time of construction. 6 Have you ever checked with our city to see who has the expertise to validate that these standards have been exceeded by 20% and checked their efforts on previous projects. 7

The Planning Commission needs to read or hopefully reread the concerns and suggestions in the letters submitted by Ray Johnson and George Hague to the VIP's Draft EIR. Then require more of their suggestions of this massive warehouse project to help reduce the environmental and health impacts on Moreno Valley as well as the region. 8 Suggestion like requiring Tier III construction equipment instead of Tier II as this developer wishes to use. It is time this city works to protect the air quality we all breath and of which we have no choice. Smart Way carriers of 1.25 needs to be the goal of 90% for long haul trips carried by Smart Way if this project is serious about reducing its environmental impacts instead of the lower 1.00. 9

The Justin Adam Ag report fails to analyze the impacts of losing Ag lands on Raptor foraging. We live in a world renown valley for its 25 species of raptors. Every time we lose lands like these we impact these special 10

animals. His report also failed to analyze the impacts of importing foods on Green House Gas, Global Warming and Air Quality instead of us buying locally raised crops. The loss of these Prime farmlands must be mitigated as should the other important farmlands. James Adams Ag report does point out that occupations in the Agricultural areas in the Inland Empire ranks fith out of seven categories for the number of workers employed (Figure 4.6). It therefore is still an important area of employment. It always bother me when studies present graphs like those in fiure 4.5 which may have correct information, but uses the bar graph to distort the significnce of 15,000 acre feet. 10

The Sierra Club believes significntly more needs to be required of this project to make it have less of an impact on both the environment and health of those in the Moreno Valley region. The direct, indirect and cumulative impacts can be further reduced with the proper conditions of approval. Even the County of Riverside would require this project to build a Silver LEED certifid building. When is the City of Moreno Valley going to rise to the needs of its residents. Last Fall the City of Riverside approved a warehouse with a Gold LEED certifid building only a few miles from this site along Alessandro Blvd. 11

Please keep the Sierra Club informed of all future meetings and documents related to the VIP Moreno Valley warehouse project by emailing me at the address which sent you this letter and/or mailing me at the address below. 12

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley, CA 92555

Response to Letter A
Sierra Club
Dated July 11, 2012

Response to Comment A-1. The commentor is correct in stating that a large segment of the population of Moreno Valley is Hispanic or Latino. However, because a person is Hispanic or Latino does not automatically mean that they only speak Spanish. There is no legal requirement to translate the environmental documents or the notices into other languages. It is not the policy of the City to require project applicants to incur the added expense of having project environmental documents or public notices translated into Spanish. The City is also not required to incur the expense of providing a Spanish translator at public meetings. The commenter is free to provide a Spanish translator at its costs.

Response to Comment A-2. The document that appears at the referenced hyperlink has been modified since the submission of the July 11, 2012 and is no longer in the form that it was when this letter was submitted. Therefore, it is not part of the Administrative Record. The Draft and Final EIR analyzes the effects of the project on greenhouse gas emissions and global climate change (Section 4.3 of the Draft EIR and responses to Letters D and E in the Final EIR). The City is addressing the effects of the proposed project on greenhouse gas emissions and global climate change and has provided mitigation measures to reduce the effects of the proposed project to the extent feasible. Please refer to the Final EIR Responses to Comments D-8, D-21, D-34 (table with mitigation measures related to air quality and greenhouse gas emissions), D-35, D-45 (table with mitigation measures related to air quality and greenhouse gas emissions), D-55, D-56, E-2, E-3, E-4, E-6, E-9, E-16, E-23 – E-38, E-42 – E-47, E-51 (table with mitigation measures related to air quality and greenhouse gas emissions), and E-54.

Response to Comment A-3. The issue of the health of the workers was responded to in Response to Comment E-15 in the Final EIR (page 116). A *Health Risk Assessment (HRA) VIP Moreno Valley*, LSA Associates, Inc., March 2012 was prepared for the proposed project and included in Appendix D-2 to the Draft EIR. The HRA examined the short-term and long-term potential health effects from project-related emissions of toxic air pollutants (TAP) in the exhaust of diesel-powered delivery trucks on existing surrounding sensitive receptors, including single- and multifamily residences. The California Air Resources Board (CARB) defines "sensitive" land uses, as homes, medical facilities, daycare centers, schools, and playgrounds. Onsite workers will be protected by the requirements established by the Occupational Safety and Health Administration (OSHA) and are not considered sensitive receptors in accordance to the (CARB).. Disclosures that must be made to workers are governed by state law and state regulations. Such notices and disclosure are a matter of statewide concern, and it is not appropriate for individual local agencies to attempt to override those state requirements or to adopt regulations that differ or conflict with the state rules and regulations. Therefore, it is not necessary for the City to put a condition of approval on the project to require VIP to have the employees sign a letter warning them of the potential health hazards of working in the vicinity of diesel pollution.

Response to Comment A-4. In Response to Comment D-45 the following mitigation measure was added to the Final EIR Errata (page 153) for Mitigation Measure (MM) 4.2.6.3A that requires solar panels or other source of renewable energy source on-site as one tool the developer may use to reduce energy use onsite (*Note: What is being shown is a portion of MM 4.2.6.3A and not the entire measure):*

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of the following design features may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- "Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs."

In addition during the Planning Commission public hearing on July 12, 2012, the hearing the commenter did not attend, the developer agreed to build the roof of the building to support future solar panels and the Planning Commission added this as a condition of approval.

It is not true that the developer can sell energy back to Edison for a profit. Edison has met its obligation to produce electricity from clean sources and has now suspended the program where a commercial or industrial building can sell energy back to Edison from a clean source such as solar.

Response to Comment A-5. As discussed in the Draft EIR, Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, page 4.3-26 and Response to Comment D-8, "project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable." The project by itself would not cause climate change to occur. However, in the cumulative context, it would be cumulatively significant after mitigation.

Moreover, there were additional changes made to MM 4.2.6.3A as indicated in Response to Comment A-4 above and during the Planning Commission public hearing on July 12, 2012, the developer agreed to build the project to LEED Silver and to build the roof to support future solar panels to further reduce the significant effects of greenhouse gas emissions. In addition, Response to Comments D-34, D-45, and E-51 provides an explanation to the suggested mitigation measures from Johnson and Sedlack and Sierra Club as to whether the suggested mitigation is feasible, is already incorporated in the mitigation measures or has been included in the Final EIR and adopted by the Planning Commission on July 12, 2012. The commenter fails to provide any additional feasible mitigation measures that could reduce the project's cumulative impact on greenhouse gas emissions to less than significant.

The phases "encourage" and "where feasible" are found in MM 4.2.6.1B and MM 4.2.6.1K. The developer does not agree to remove the "where feasible" from MM 4.2.6.1B and MM 4.2.6.1K but does voluntarily agree to remove the "encourage" language so MM 4.2.6.1B. If the City Council agrees MM 4.3.6.1B would read as follows:

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- ~~Encourage~~ Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- ~~Encourage~~ Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
  - Increase insulation such that heat transfer and thermal bridging is minimized.

- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:
  - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.
  - Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.
- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

Response to Comment A-6. MM 4.2.6.3A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency over and above the 2008 California Building Code (CBC) for the building and lists design tools and features that can be included in the building's design to obtain this improvement in energy efficiency[1]. California's building codes on energy efficiency are approximately 50% more efficient than the national average. California's building efficiency standards are updated on an approximately three-year cycle. The most recent (2010) update increased energy efficiency standards in residential buildings by 20% compared to the 2008 standards[2]. The 2010 CBC did not change energy efficiencies for nonresidential buildings so the 2008 CBC energy standards are still in effect. New 2013 energy standards have been adopted by the State which will be effective on January 1, 2014 that would require that commercial/industrial buildings achieve a percentage of over 20% above the 2008 Title 24 standard for nonresidential construction. Through the adoption of MM 4.2.6.3A, this project is required to meet 2014 requirements now and not wait until 2014. MM 4.2.6.3A adopted by the Planning Commission reads as follows: *"Any combination of the following design features may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent."* With implementation of this measure, the building will meet the 20% performance standard which will render greenhouse gas emissions impacts to a less than significant level on a project-specific basis.

Response to Comment A-7. The Planning Department will coordinate with the Building Department for the enforcement of this measure. The Building Department has retained an expert on energy efficiency and CBC Title 24 through a services contract. That expert will be responsible for performing the technical review the developer's energy efficiency plans to ensure the 20% reduction is achieved.

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1 http://www.energy.ca.gov/title24/2013standards/ accessed August 30, 2012.

2 http://www.calchamber.com/GovernmentRelations/IssueReports/Documents/2012-Reports/GreenBuilding_2012.pdf, accessed August 30, 2012.

Response to Comment A-8. The Planning Commission was provided the responses to all comments made on the Draft EIR for their consideration prior to the Planning Commission public hearing on July 12, 2012. The Planning Commission also considered the mitigation measures that were suggested by Johnson and Sedlack and Sierra Club in comments D-34, D-45, and E-51. In adopted Planning Commission Resolution Nos. 2012-16 and 2012-17, the members of the Planning Commission confirmed that they had read and considered the comments on the Draft EIR and the responses thereto, and also confirmed that the FEIR reflected their independent judgment. Reasons for incorporating or not incorporating the suggested mitigation measures were provided in Response to Comments D-34, D-45, and E-51 in the Final EIR. All feasible mitigation measures are in the Mitigation Monitoring and Reporting Plan provided in Section 4.0 in the Final EIR and a revised version was provided to the Planning Commission before their hearing on July 12, 2012. The revised version along with the agreement by the developer to build the roof to hold solar panels and to design the building to achieve LEED Silver are also included in the Conditions of Approval from the July 12, 2012 meeting.

As indicated in Response to Comment D-36, Draft EIR Section 4.2 Air Quality indicated the analysis of construction shows that there will be exceedances of ROG, NO_X and PM_{10}. Tier III applies to equipment produced from 2006 to 2008. As of 2012, equipment produced since 2006 are becoming more readily available. Tier II specifications result in a substantial reduction in PM_{10} and $PM_{2.5}$ (62.5% to 72.5%, depending on horsepower) over Tier I equipment, which is the basis of the mitigation measure. Tier III specifications are identical to Tier II for PM_{10} and $PM_{2.5}$, thus requiring this more stringent mitigation would have no benefit to the reduction in PM_{10} and $PM_{2.5}$ and was not required. However, the developer voluntarily agrees to use Tier III instead of Tier II construction equipment.

Response to Comment A-9. The EPA's Smartway Transport Partner program previously calculated a fleet composite score that in turn was translated into a Shipper Index Factor (SIF). The previous rating of 1.0 SIF was considered "very good," with 0.75 considered "average." Although the program is changing the way in which the ratings are calculated, the previous rating system will be translated to the new system should the proposed project select to implement the SmartWay 1.0 provisions contained in Mitigation Measure 4.2.6.3A. If so, then the project's truck fleet emissions will be improved to a "very good" rating level, which would be a demonstrable improvement over existing (or average) fleet emissions levels.

Response to Comment A-10. The Justin Adam of Chang & Adams Consulting report (Appendix C of the Final EIR) was not intended to analyze how the loss of agricultural land effects raptor foraging. Nor was the report intended to study the effects of importing food on greenhouse gas emission, global climate change, and air quality. The project site was a sod farm prior to August 2005 and has not been farmed since. The fact that the site was taken out of sod production seven years ago did not affect food production in the area. The report assessed the economic and market trends affecting agriculture in the western Inland Empire. The proposed project will have no impact on the number of agricultural workers who are employed in the area since no such workers are employed on this site. Nor are there any agricultural sites that will likely be converted to non-agricultural uses as a result of this project. The commenter states the graph (Figure 4.5) in the report distorts the significance of the 15,000 acre feet. This is incorrect. [Insert explanation of how there is no distortion in the graph.].

Moreover, the City has anticipated the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The City of Moreno Valley has determined that steps to preserve agricultural land are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly. All of these factors result in an inability to make farming profitable. Furthermore, reestablishing agricultural uses at this site would be contrary to the City's vision (as stated in its General Plan) for the project site.

In regards to raptor forging habitat, that is a biological resources topic not an agricultural topic. The Initial Study (Appendix A to the Draft EIR) contained a Biological Habitat Assessment prepared by Ecological Sciences (August 1, 2010) page 17 of that report states "*In summary, the existing degraded condition of*

the site is the direct consequence of recurring anthropocentric disturbances (agriculture/adjacent construction) that has resulted in low biological diversity (e.g., dominance of non-native species), absence of special-status plant communities, and overall low potential for special-status species to utilize or reside within areas proposed for direct impacts. The loss of currently degraded agricultural habitats would not be expected to substantially affect special-status resources, jeopardize the continued existence of listed species (or special-status species), nor directly impact designated critical habitat (e.g., recent stockpiling activities). Site development would also not be expected to substantially alter the diversity of plants or wildlife in the area or cause a population of plant or wildlife species to drop below self-sustaining levels because of current degraded site conditions." In addition, as stated above, the project site has not been farmed since August 2005 (Draft EIR page 4.1-10).

Response to Comment A-11. It is the commenter's opinion that the City needs to require "significantly more" of the project to have a less of an impact on the environment and health of those within the Moreno Valley region. The Draft and Final EIR analysis the effects of the proposed project on the physical changes to the environment and mitigates to the extent feasible the significant effects of the proposed project on biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, noise, transportation. The projects effects on the conversion of State Designated Farmland, the cumulative effect of the conversion of agricultural lands to non-agricultural uses, short-term construction and long-term operational air quality impacts, cumulative greenhouse gas emissions, and transportation existing year 2007 and opening year 2013 effects were all determined and to be significant and unavoidable after the implementation of feasible mitigation measures. The Planning Commission in its public hearing on July 12, 2012 adopted a statement of overriding considerations that make findings that the specific economic, legal, social technological, or other considerations, outweigh the significant unavoidable effects of the proposed project.

The commenter suggests that the project should be required to obtain a LEED Gold rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions impacts. The commenter is correct in stating there is a warehouse in the City of Riverside that is required to be built per LEED Gold standards. In a settlement agreement between conservation groups and the developer of the Alessandro Business Center project (industrial warehouse project) in the City of Riverside the building will be LEED Gold certified.[3] During the Planning Commission public hearing on July 12, 2012, the developer agreed to build the project to the LEED Silver standards. Many green, energy-saving, sustainable upgrades required to achieve this standard have been added to the project including cool roofing, increased insulation, high-efficiency mechanical systems, low-consumption plumbing fixtures, concrete paving in lieu of asphalt, enhanced landscape/irrigation systems, stormwater filtration systems, LEED monitoring, commissioning, fees and processing costs. The inclusion of these features will result in approximately 55 points required to achieve the LEED silver award of 51 points minimum. The cost to design, construct and administrate the work to meet this standard will exceed $1,250,000 for this project. Adding further features in attempt to receive LEED Gold certification would result in a significant increase in the design and construction cost of the project. These additional costs would be passed onto the ultimate tenant or purchaser of the project resulting in a less competitive and economically-viable project. Therefore, the specific green building features that are part of the LEED rating equation will be incorporated to reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions.

Response to Comment A-12. The City has included the Sierra Club on its mailing list for all future notices and documents regarding this project.

[3] http://www.biologicaldiversity.org/news/press_releases/2011/allesandro-09-20-2011.html, accessed September 5, 2012.

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Letter B

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Carl T. Sedlack, Esq. Retired

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

July 12, 2012

Moreno Valley Planning Commission
14177 Frederick Street
Moreno Valley, CA 92553
Facsimile: (951) 413-3210

VIA FACSIMILE AND US MAIL

RE: Vogel Industrial Park (VIP) Moreno Valley Project: July 12, 2012 Public Hearing Item 1, P11-090, PA09-0004, and PA09-0022, TPM 36162

Greetings Planning Commissioners:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Liveable Moreno Valley we hereby submit these comments on the VIP Moreno Valley Project, Plot Plan and Tentative Parcel Map for development of a 1.6 million square foot warehouse facility on 80 acres. (PA09-0004, PA09-0012, TPM No. 36162) Johnson & Sedlack hereby incorporates all comments previously submitted on behalf of Sierra Club and Residents for a Liveable Moreno Valley concerning this project. 1

We respectfully ask that you disapprove this project. As discussed in the comment letter submitted June 1, 2012, the EIR is inadequate as it fails to comply with the requirements of CEQA by inadequately analyzing impacts pertaining to, at least, air quality, aesthetics, biology, cultural resources, geology, hydrology, GHGs, and transportation, among others. The EIR fails to adopt all feasible mitigation measures and ensure that mitigation measures are fully enforceable through permit conditions, agreements, and/or othe legally biding instruments. (State CEQA Guidelines § 15126.4(a)(2)). Despite extensive commentatry that not all feasible mitigation was adopted and that mitigation was vague, uncertain, and unenforceable, the FEIR fails to make needed changes to these measures. 2

The Final EIR (FEIR) fails to make ***any*** substantive changes despite extensive commentary received that, at least, several of the studies in the Draft EIR (DEIR) were outdated or inadequate. Additionally, the FEIR, Mitigation Monitoring and Reporting Program, Resolutions (including Mitigation Monitoring Program and Conditions of Approval) before the Planning Commission do not accurately reflect the alleged changes in wording of mitigation measures as stated in the Responses to Comments. The conclusions and findings expressed in the FEIR made 3

based upon the assumption that these changes are incorporated are therefore wrong and not based on the project. Should the Planning Commission determine to approve the project in spite of these extensive comments in opposition to the project and detailing deficiencies with the EIR, it is inappropriate to approve the project so where the FEIR does not accurately discuss, evaluate, and mitigate the project as it is presented for approval. 3

Having failed to make any substantive or substantial changes in the FEIR, the comments previously submitted by all commenters remain valid and the FEIR continues to fail as an informational document and fails to inform the public and decisionmakers of the real impacts of this project. The Final EIR is also very conclusory and fails to provide the analysis and examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. The Responses to Comments also often allege facts which are not supported by any evidence in the record. Generally, the findings are not supported by substantial evidence in the record and, as stated above, are not based on the project and mitigation measures as being submitted for consideration before this commission. 4

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. This project's Mitigation Monitoring and Reporting Program lists many feasible mitigation measures but fails to require the implementation of these measures or drafts such mitigation in an utterly unenforceable manner. This is unacceptable and misleading to the public and decisionmakers as to the extent of mitigation required of this project. 5

This project fails to make adequate findings, *based on substantial evidence* that the environmentally superior alternative is infeasible. In fact, the environmentally superior alternative satisfies most, if not all project objectives and significant reduces project impacts, particularly with regards to air quality in an area known to have some of the worst air quality in the nation. At the least, the environmentally superior alternative must be implemented in lieu of the project. 6

Findings

The findings required under CEQA cannot be made with respect to this project. Not all significant effects of the project have been eliminated or substantially lessened. 7

Statement of Overriding Considerations

CEQA Guidelines § 15093 (b) provides that when the agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR, but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The decision to approve a project in spite of significant environment impacts requires the decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks. (Guidelines § 15093(a).) However, the Statement of 8

Overriding Considerations ("SOC") shall be supported by **substantial evidence** in the record. (Id.) In *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1222, the court said: "Whereas the [mitigation and feasibility] findings … typically focus on the feasibility of specific proposed alternatives and mitigation measures, the statement of overriding considerations focuses on the larger, more general reasons for approving the project, such as the need to create new jobs, provide housing, generate taxes, and the like." 8

Substantial evidence in the record does not support the adoption of a statement of overriding considerations given the immense environmental harm expected with the project balanced with minimal economic benefits. The EIR finds that the project would, "add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community." This potential is countered by recent industrial/ distribution projects within Moreno Valley which have utterly failed to create the promised jobs. On the other hand, this project will have massive and detrimental impacts to, *at least*, air quality, traffic, agriculture, and greenhouse gas emissions. These enormous detriments cannot be outweighed by the promise of jobs which are uncertain, unlikely, and few. A Statement of Overriding Considerations is not supported for this project.

Cumulative Impacts

Response to Comment E-10 acknowledged that the World Logistics Project was only considered in determining certain cumulative impacts, not all cumulative impacts. Those impacts which for which the World Logistics Project was apparently not considered include, but are not limited to: traffic off of the highway mainline, noise, aesthetics, biology, and hydrology/water quality, among others. The EIR fails as an informational document by failing to consider cumulative impacts from the World Logistics Project in each of these areas of the EIR. 9

Aesthetics

The project improperly segments approvals by failing to consider potential environmental impacts from the project's signs in the EIR. Instead, the staff report states that, "signs will be reviewed and approved under (sic) separate administrative permit." (*See also,* Condition of Approval P20 for PA 09-0004) Hence, by failing to consider the whole of the project including signage, the EIR fails to comply with CEQA. 10

In prior comments, we noted that the EIR fails to discuss lighting impacts on nighttime views. In the response to comments, the FEIR still fails to respond to or discuss this potential effect, instead re-stating the conclusions of the Draft EIR. 11

Agricultural Resources

The Response to Comments states that the purchase of agricultural conservation easements is economically infeasible on the basis that the "General Plan does not include any agricultural designations; therefore mitigation for the loss of [it] is not required" and because it would not replace or provide new farmland. This does not demonstrate economic infeasibility of this mitigation measure. 12

Comments E-7 and E-8 recommend mitigation for agricultural impacts in the form of donating to the Riverside Land Conservancy or San Jacinto Basin Resource Conservation District. The responses to these comments does not find such mitigation to be infeasible but instead generally fins other mitigation measures not recommended by the commenter to be infeasible. As the EIR does not find these measures specifically to be infeasible, the measures must be deemed feasible and incorporated as mitigation for the project's significant agricultural impacts. Furthermore, the responses to the comments were unresponsive to the comments made. 12

Air Quality

The project will result in extensive and unavoidable impacts to air quality during construction and operation. 13

The Final EIR states that many of the mitigation measures recommended by Johnson & Sedlack in its previous comments are "included" or have been "incorporated" into the mitigation required of the project in the EIR. First, these measures are not enforceable or required of the project. Instead, they are to be *considered*, *written on signs,* or listed as one of several alternatives that may or may not even relate to the actual mitigation required of the project. The FEIR therefore fails as an informational document by misleading the public and decision-makers as to the extent of mitigation incorporated into the project. The FEIR also fails by failing to incorporate all feasible mitigation and/or failing to find such measures to be infeasible. Some examples of these instances, though not all by far, are listed below. 14

Furthermore, the mitigation measures stated to be added or changed in the FEIR have not all been so amended in the FEIR, Resolutions, or Mitigation Monitoring and Reporting Program, for the project. The FEIR does not accurately reflect project impacts if these Resolutions are passed approving the project where they do not represent the project as evaluated in the FEIR. 15

Mitigation measure 4.2.6.1D regarding cessation of all clearing, grading, earthmoving, or excavation activities states that verification will only occur during grading. Verification should occur during grading and construction. 16

Mitigation measure 4.2.6.1H states that the contractor shall *during smog season* not allow construction equipment to be left idling for more than five minutes. The EIR fails to show that it is infeasible to so limit idling year round, particularly where existing air quality in the project vicinity generally exceeds state and federal air quality standards for Ozone, Coarse Particulate Matter (PM10), and Fine Particulate Matter (PM2.5). Not all feasible mitigation has been required to reduce air quality impacts. 17

MM 4.2.6.1K does not require any mitigation, only that "construction specifications and bid documents" include "notations." The statements in the Response to Comments at pages 63-69 that measures are already included within this mitigation measures are therefore false as such measures are not required to be applied to/ incorporated into project construction and are unenforceable, contrary to the statement at Response to Comment D-37. 18

MM 4.2.6.1L does not provide any requirement for the community liaison to respond promptly or in a timely manner. This must be required to ensure that construction related air quality issues are timely resolved. 19

Mitigation Measure 4.2.6.1M only requires the posting of signs but does not require compliance with the measures delineated on the signs. The measure is illusory. Recommended mitigation measure 24, at FEIR response to comments page 66, is not included in the EIR or mitigation required of this project. 20

MM 4.2.6.1R states that measures "should" be taken. Such language makes the measure unenforceable, and the mandatory "shall" must replace "should" in this measure. 21

MM 4.2.6.3A lists many feasible mitigation measures but fails to *require* the implementation of those measures or find that requiring the implementation of each of the listed measures is infeasible. Instead, the measure requires only that the project exceed Title 24 requirements by 20%. Many of the listed alternatives would not even be used in determining Title 24 compliance, as they relate to mobile emissions and not building emissions, and are therefore illusory mitigation. By failing to require all feasible mitigation and failing to accurately detail the mitigation required of the project, the EIR fails. The FEIR, Mitigation Monitoring and Reporting Program detailed in the FEIR, and the Resolutions also fail to make the changes stated to be made to this mitigation measure in the response to comments. The Statement "Any combination of design features including but not limited to the following list may be used…" has not been replaces as stated in the FEIR and responses to comments. The EIR fails as an informational document by claiming to have made these changes where, in fact, they have not been made. 22

The response to comments at p. 64-65, concerning the recommended mitigation measure 13, fails to provide evidence supporting a finding of infeasibility for limiting the simultaneous disturbance of the site to 5 acres per day. The threshold of significance for emissions from grading including dust and vehicular emissions are measured based on lbs/day, so while emissions may not necessarily be reduced, they may in fact be reduced *below a level of significance* by prolonging the grading period. These numerical thresholds do not account of whether there are "sensitive receptors located in close proximity to the project site that would be affected by the dust" as air quality impacts effect more than just nearby residences. The FEIR fails by not incorporating this feasible mitigation measures where it may significantly reduce or avoid some construction air quality impacts based on the thresholds adopted for determining the significance of such impacts. 23

Recommended mitigation measure 23, at page 66 of the FEIR is not included as stated. The project rather only requires that CARB certified Tier II or better equipment be utilized "where feasible" not that only CARB certified equipment be used for construction activities. The FEIR thus falsely states that this recommendation is included in the project. 24

The Response to comments states that the project has the potential to reduce VMT. An EIR, however, is intended to evaluate a worst cast, not a best case, scenario of project effects. Regardless of potential reductions which are "virtually impossible to calculate." 25

As stated in Response to Comment D-38, **mobile source emissions exceed the threshold of significance by up to 1,700%,** yet the EIR makes only a miniscule attempt at mitigation that is almost entirely directed at reducing emissions from the building/stationary sources. 26

The changes stated to be made in the response to comment section of the FEIR, such as the change stated at Response to Comment D-38, D-39, D-42, D-43, etc. concerning Mitigation Measure 4.2.6.3A has not been incorporated into the Mitigation Monitoring Plan of the Resolution being presented to the City. The FEIR therefore fails as an informational document by stating that changes have been made to the project but failing to actually making those changes. 27

Response to Comment D-39 is unresponsive to the comment made. The comment noted that the incorporation of measures related to mobile emissions will not aid in reduction of emissions 20% below Title 24 standards, and are therefore illusory measures that will not be used and will not achieve the stated result. The response that the City has no control over vehicle emissions does not respond to this comment made. 28

Response to Comment D-45 still does not respond to or make the changes requested in Johnson & Sedlack's previous letter that each of the measures listed at MM 4.2.6.3A be specifically required for the project, but only that the project demonstrate that Title 24 Energy Efficiency Standards be exceeded by a minimum of 20%. It is false to state that the suggested mitigation measures at Response to Comment D-45 are included as mitigation where they are not actually and specifically required for the project. Many, as commented at D-45, are not even alternatives that may be used to meet or exceed Title 24 standards. 29

Response to Comment D-45 also states that recommended mitigation 22-23 have been incorporated, but not so. MM 4.3.6.1B requires only that, "The landscaping plan shall be prepared by a registered landscape architect who will *consider*" the recommended mitigation, not that the measures actually be required of and incorporated into the project. MM 4.3.6.1B is vague and unenforceable, and the FEIR is deceiving by stating that these measures have been incorporated into the project. 30

Response to Comment E-4 states that building the roof to accommodate solar panels has been required as project mitigation. Not so, as MM 4.2.6.3A only requires that the project surpass 2008 Title 24 standards by 20% however achieved. The mitigation has not been incorporated in a manner that ensures that it is fully enforceable and will actually be implemented as a condition of development as required by CEQA. Comment E-5 notes that this "cafeteria list of mitigations" shows that more can be done to mitigate for project impacts to air quality. The response to Comment E-5 does not respond to the comment made. 31

Response to Comment E-6 does not respond to the comment made and does not find infeasible the suggested mitigation to require 90% of off-road construction equipment to meet Tier III standards. This mitigation must be incorporated as it is not determined by the FEIR to be infeasible. 32

Response to Comment E-16 states that the mitigation suggested is required. Again, this is false and mitigation measure 4.2.6.1K requires only that "notations" be made in documents, and 4.2.6.3A requires only that the project exceed Title 24 by 20%. 33

Biological Impacts

Response to Comment E-21 is unresponsive to the comment made and does not state whether the site will or will not be disked prior to the burrowing owl surveys. 34

Cultural Resources

Response to Comment D-49 is unresponsive to the comment made. Johnson & Sedlack asked over what portion of the project site reaching the maximum excavation depth would result in no further monitoring? 100% of the project site? Or only 1% of the project site? If no fossils are found upon reaching maximum excavation depth over only a small portion of the project site and monitoring is then discontinued, it is possible or even likely that fossils may still be found and harmed across the remainder of the project site at less than the maximum excavation depth. MM Cul-1 is vague in this way. The measure must clarify that monitoring may be discontinued only once the maximum excavation depth is reached in 100% of the area to be excavated across the project site. Cul-1 remains unaltered in the Mitigation Monitoring Program at Resolution 2012-16 and the Conditions of Approval at Resolution 2012-17, despite changes alleged in the FEIR. 35

Geology and Soils

MM Geo-1 defers mitigation and evaluation of project impacts as, "the above measure may be modified by the Final Geotechnical or Soils Report." It is therefore not demonstrated that the required mitigation will reduce impacts to a level below significance; further mitigation may be needed. 36

MM Geo-2 is deferred, vague, and unenforceable. Specifically, such mitigation requires that the project proponent "inform" engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the geotechnical analysis and that such guidelines "shall be implemented…in the applicable design guidelines." The Expansive Soil Guidelines must be directly included and implemented in the project's grading plans to ensure implementation and enforceability. 37

GHGs

Johnson & Sedlack reiterates its comments that the project will have significant individual impacts to GHGs, not merely cumulative impacts, for the reasons previously stated. 38

Response to Comment E-3 is unresponsive to the comment made that LEED Gold certification should be required in order to mitigate for project effects. The EIR fails to find infeasible requiring LEED Gold certification as a mitigation measure. 39

Letter B

Responses to Comments E-49- E51 state that many mitigation measures are incorporated or included in the project mitigation measures. This is untrue where such measures including 4.2.6.3A fail to require that each of the listed measures actually be required of the project; 4.3.6.1A merely requires compliance with the law that the project comply with Title 24; 4.3.6.1B requires only *encouragement* which is utterly unenforceable; 4.2.6.1K requires only "notations"; etc. The measures recommended by the Comments have not been incorporated into the project in a certain and enforceable manner as required by CEQA. 40

Response to Comment E-54 finds carbon offsets to be infeasible but fails to state a valid reason for that finding. Bases for finding mitigation infeasible include that specific economic, legal, social, technological, or other considerations make infeasible such mitigation. (State CEQA Guidelines § 15091) Here, the EIR finds carbon offsets to be infeasible not because of any of these considerations but because they have not previously been required and because they require a well performing program. This does not demonstrate that carbon offsets are *infeasible,* that is, not capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, legal, social, and technological factors. (State CEQA Guidelines § 15364) As the FEIR fails to demonstrate that carbon offsets are infeasible pursuant to CEQA, they must be required as mitigation measures for the project. 41

Response to Comment E-54 goes further to suggest that GHGs can never be reduced or mitigated. This is contrary to CEQA which specifically provides for mitigating the effects of GHG emission. (*See,* State CEQA Guidelines § 15126.4 (c).) The response goes far beyond the limits of CEQA as well by claiming that any energy consumption reduced by this project through the purchase of carbon offsets will somehow result in increased energy consumption and GHG emissions overseas in developing countries such as China or sub-Saharan Africa. These claims are also unsupported by *any evidence* in the EIR and are *highly speculative,* to say the least. Again, as any finding of infeasibility with regards to the purchase of carbon offsets is not based on fact or the CEQA definition of feasible, this mitigation measure must be required of the project. 42

Hydrology and Water Quality

Condition of approval LD7 defers mitigation by requiring that a drainage study be prepared and submitted. Condition LD37 requires that the hydrology study come to a specific conclusion that the 10-year storm flow be contained within the curb and a 100-year storm flow be **contained within the street**, or additional facilities may be needed. In other words, LD 37 requires that hydrological impacts be evaluated after project approval and potentially that additional mitigation measures will be needed to reduce impacts. Furthermore, LD 37 contemplates the use of the street for drainage purposes. Allowing for the flooding of the street for project-related drainage is a potentially significant drainage impact that was wrongly not considered, disclosed, or evaluated in the EIR. 43

Even with the change in wording allegedly made at MM Hyd-5, the measure improperly defers mitigation and evaluation by deferring the preparation of a drainage report. 43

Noise

MM 4.9.6.1D is vague as it requires that the contractor limit construction related activities that would result in "high" noise levels without defining what level would be considered "high". Furthermore, as mentioned in previous letters, limiting the hours of construction will not mitigate for impacts from noise during those hours. 44

Response to Comment D-65 states that the EIR did not use a 3dBA increase as a threshold of significance. This is contradicted by the response and EIR which each demonstrate that the EIR looked to whether a 3 dB increase occurred. 45

With regards to Response to Comment D-68 concerning the use of "hard site" versus "soft site" scenarios, while increases in noise may not change, exceedences of the City's noise standards may be increased/ significant if the hard site scenario is instead utilized. 46

Response to Comment D-69 claims that an increase in trucks from the project, around a 3.25 to 7.5 percent increase in cumulative traffic volumes along area roadways, would not affect the findings of the noise impact analysis even though the analysis does not consider higher truck percentage of vehicle mix. This conclusion is unsupported by either the response or the record. 47

Response to Comment D-70 is unresponsive to the comment made, which states that the noise impact is significant where noise levels exceed noise standards and the project would result in a further exceedence of that standard and an increase in ambient noise where such noise is significant. Johnson & Sedlack also restates its prior comment that the proper measure of noise impacts is taken at the property line. 48

Response to comment D-74 is misleading as it insinuates that no sensitive receptors will be impacted by project construction. 49 Furthermore, whether or not 1987 documents concerning noise provide a "conservative" estimate of noise levels, noise impacts as stated in the EIR are highly likely to be incorrect as the relied upon numbers are far outdated. The EIR fails as an informational document. 50

As the EIR's noise analysis remains flawed and impacts must therefore be considered potentially significant, the mitigation measures suggested at comment D-76 must be implemented for the project. 51

Public Services

Condition of Approval F2 states that the City has granted a 50% reduction in fire flow for the use of fire sprinklers throughout the facility. There is no explanation of why this variance was 52

granted or evidence supporting a conclusion that this will not impact public safety. The EIR thus fails as an informational document. 52

Transportation

Response to Comment E-12 is unresponsive to the comment made that the project fails to mandate that only the "primary truck route" of Harley Knox Boulevard to the west be used so that trucks will not pass by a school. While this may be the primary truck route, the EIR does not claim or show that it is the only truck route which may be used. Comment E-12 asks for details on how the project will enforce use of only the Harley Knox Boulevard to the west truck route in order to avoid passing by schools. The EIR fails to do this, and therefore fails to provide needed information to the public and decisionmakers. Furthermore, a condition or mitigation measure must be placed on the project to require that only the "primary truck route" be utilized as this was apparently the only route evaluated by the EIR. 53

Response to Comment E-18 is unresponsive to the comment made. The table showing average trip lengths does not show the routes which trucks will be taking from the facility on local roadways to get to further away destinations so that the public and decisionmakers are informed of the impacts to local streets. Comments E-18 and E-19 also do not respond to the issue that future impacts beyond 2013(the first year) must be evaluated in the EIR. 54

As stated at Response to Comment E-20, the EIR does not consider impacts to SR-60, despite the fact that around 10% of truck trips are expected to use this highway. The EIR fails as an informational document by failing to evaluate these impacts. Furthermore, the FEIR again fails to make any substantive changes or undertake any real evaluation as requested by commenters. 55

Comments F-3 and F-4 by the Department of Transportation state that year 2007 AADT volume data should be used b y the EIR to keep consistency with traffic volume projections, yet the FEIR fails to make this change, relying instead on 2009 projections for some, 2007 for others. It is unclear from the response whether the 2009 CALTRANS AADT volume data represents a worst- case scenario over the 2007 data. Accordingly, by failing to use the 2007 data as recommended by CALTRANS, the EIR fails to provide accurate and consistent information. 56

Alternatives

With regards to Response to Comment D-92-95, Response to Comment D-92 incorrectly restates the comment made. The Response also creates an entirely new project object of clustered development in a highly dense form without urban sprawl—this objective is *none* of the actual project objectives. Pursuant to the project objectives as written in the EIR, the reduced intensity alternative satisfies most project objectives and reduces project impacts. If any project is approved, the reduced intensity alternative is superior and less environmentally damaging when compared to the project as proposed. 57

Likewise, Response to Comment D-59 states that the reduced intensity alternative does not meet the objective to "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources…" because "reduced-intensity development patterns are in concepts diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development." Again, this conclusory statement fails to apply the project objective above on its own. Would the reduced intensity alternative be near efficient access points? Yes. Are there many "clustered" warehouses including the reduced intensity form of this project near those points, or planned to be near those points? Yes. Nevertheless, a project alternative need only "feasibly obtain most of the basic objectives to the project" which this alternative plainly does. (State CEQA Guidelines § 15126.6) As this alternative is feasible, will significantly reduce project impacts, and will obtain most of the basic project objectives, it must be approved in lieu of the proposed project if approval is granted. 57

Desired Actions

For the above reasons and those previously submitted, we respectfully ask that you deny the project and deny certification of the FEIR. 58

Thank you for your consideration of the above comments.

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

Copies to: John C. Terrell, Planning Official; e-mail: johnt@moval.org
Jeff Bradshaw, Planner; e-mail: JeffreyB@moval.org

Letter B

RAYMOND W. JOHNSON, Esq. AICP
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:

- Sierra Club
- San Bernardino Valley Audubon Society
- Sea & Sage Audubon Society
- San Bernardino County Audubon Society
- Center for Community Action and Environmental Justice
- Endangered Habitats League
- Rural Canyons Conservation Fund
- California Native Plant Society
- California Oak Foundation
- Citizens for Responsible Growth in San Marcos
- Union for a River Greenbelt Environment
- Citizens to Enforce CEQA
- Friends of Riverside's Hills
- De Luz 2000
- Save Walker Basin
- Elsinore Murrieta Anza Resource Conservation District

Education:

B. A. Economics and Political Science, Kansas State University 1970
Masters of Community and Regional Planning, Kansas State University, 1974
Additional graduate studies in Economics at the University of Missouri at Kansas City
J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment

financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.
Lee's Summit, MO 6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO 9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.
Project Coordinator 6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

Response to Letter B
Johnson & Sedlack
Letter Dated July 12, 2012

Response to Comment B-1. The commenter has accurately summarized the general aspects of the proposed project. The commenter's comments on the Draft EIR (DEIR) in his letter dated June 1, 2012 was responded to in the FEIR. The comment letters on the DEIR and the City's responses were provided to City's decision makers for their consideration in approving the proposed project.

Response to Comment B-2. The comment requesting that the Planning Commissioners disapprove the project was been provided to them for their consideration. The Planning Commission unanimously rejected the request. The commenter's opinions on the quality of the environmental assessment that was done will be forwarded to the City Council Members for their consideration. The City disagrees with the commenter's generalized assertions regarding the adequacy of the VIP Moreno Valley Draft EIR.

Response to Comment B-3. The commenter's statement that there were no substantive changes made to the FEIR based upon the comments received is incorrect. The changes requested by the commenter in his letter dated June 1, 2012. Response to Comment D-24, D-55, and E-51 were either made to the FEIR or were determined to be infeasible or not required and a reason was provided in the responses to those comments.

There was one change required to the Responses to Comments that were identified as errors by the commenter. This was included in Response to Comment E-9 where the Mitigation Monitoring and Reporting Plan (MMRP) was edited for the Planning Commission meeting to delete the following wording from Mitigation Measure (MM) 4.2.6. 3A "Lease/purchase documents shall identify that tenants are encouraged to promote the following" but was left in the Response to E-9.

The Planning Commission and public were provided an updated MMRP at the public hearing on July 12, 2012, which the commenter did not attend. The changes requested by the commenter were included in the MMRP. During that meeting the changes to the MMRP were discussed by the environmental consultant and included in the public hearing minutes. This is the MMRP that was adopted by the Planning Commission on July 12, 2012.

The City is not in agreement that there were numerous comments in opposition to the proposed project. The comment letters received on the DEIR did not state direct opposition to the project. The letters from the commenter and Sierra Club asked for clarifications, additional analysis, expressed disagreement with the findings in the DEIR and requested that additional mitigation measures be considered. The commenter's letter of July 12, 2012 states direct opposition to the approval of the proposed project. It is the City's opinion the FEIR does address the comment letters received by the commenting agencies and individuals. It also contains additional clarifications, substantial evidence as to the findings, and revised and new mitigation measures.

Response to Comment B-4. Regarding the comment that no changes were made to the FEIR in response to the comments received on the Draft EIR, please see response to comment B-3. This comment is general in nature and therefore does not specifically identify which portions of the FEIR "fail as an informational document" and are "conclusory and fails to provide the analysis and examination required by CEQA." Based on the detailed responses to comment provided in the FEIR and the following detailed responses to the comments made in commenter's letter, the City disagrees with the general assertions made by the commenter.

Response to Comment B-5. The City disagrees the MMRP contains mitigation that is unenforceable. The commenter's statement "the project's MMRP lists many feasible mitigation measures but fails to require implementation of these measures or drafts such mitigation in an utterly unenforceable manner" is a generalization with no specific examples. The MMRP includes a list of the individual mitigation

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measures included in the Draft and FEIRs, at what stage of the development process they will be implemented, when they are to be implemented, by whom, and who is the party responsible to make certain the mitigation measure is enforced.

Response to Comment B-6. As stated in the FEIR, Response to Comment D-92, the same commenter incorrectly asserted that the environmentally superior alternative meets most project objectives and must be approved instead of the proposed project. As stated in the FEIR, the environmentally superior alternative (reduced density) will result in reduced air pollution and greenhouse gas (GHG) emissions but the significance of these impacts remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project. The significant and unavoidable project impacts associated with GHG emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. The significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold). The Reduced Intensity Alternative would, to some degree, realize the Project Objectives as follows:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

However, because the scale of the development would be diminished under the Reduced Density Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term

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construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project.

The applicant is selling the property at a price that reflects the current market value for similar industrial-zoned properties in this region. The value of warehouse/industrial property is typically based on an assumed minimum building coverage (FAR) of 50%. The subject project FAR (51.5%) supports the seller's price for the land while meeting the minimum return on investment required to finance the development. The economic viability of the reduced density alternate has been studied which assumes a 25% reduction in FAR or approximately 404,033 square feet. This would result in a 38.6% FAR for the Reduced Density Alternative. The financial analysis for the reduced density project demonstrates that the project is not economically feasible. The estimated net proceeds after costs drop 73% when compared with the original project. Further, the Internal Rate of Return (IRR), commonly used as a metric to finance the real estate, plunges by nearly 60% for the less-dense alternative. This financial analysis demonstrates that the reduced density project alternative is not economically viable when industry standard development costs and minimum thresholds for financing are analyzed.

Response to Comment B-7. As stated in the Findings, all feasible mitigation has been applied to all significant and unavoidable impacts to the extent possible as limited by economic, legal, social, technological, or other considerations. Even so, certain impacts associated with air quality, GHG emissions, and traffic cannot be fully mitigated. In accordance with CEQA Guidelines Section 15093, a Statement of Overriding Considerations has been prepared that document the City's determination that the project's benefits outweigh its significant and unavoidable impacts.

Response to Comment B-8. The commenter does not specifically identify which "recent industrial/distribution projects within Moreno Valley" have allegedly failed to create the "promised jobs." The City assumes that comment refers to the "Skechers" warehouse project in eastern Moreno Valley (see Table A below). That project resulted in many workers transferring from existing warehousing in Ontario rather than creating "new" jobs, and the level of local job growth was not as high as had been initially expected mainly due to economic conditions at the time the project opened. It is not appropriate to assume this project will simply relocate jobs rather than create jobs. It is clear this project will require construction workers during the construction phase, and new permanent workers during operation. It also will generate revenues to the City from property and other taxes. Unfortunately, the exact number of employees cannot be known at this time since a specific end user has not yet been identified. CEQA only requires a level of analysis appropriate for the timing of the review based on information on the project that is available at the time the CEQA analysis is conducted. It is not possible to know, and it is overly speculative to require this project to precisely estimate its actual employment. For example, the following Table A compares projected employment for several warehouse projects recently proposed in and around the proposed project area. Table A demonstrates that acceptable employment generation rates range widely, in this case from 1 employee per 1,030 square feet up to 1 employee per 3,033 feet. The proposed Vogel DEIR used a mid-range of 1 employee per 2,500 square feet. This is reasonable especially considering the end user is not known at this time. It is therefore appropriate for the EIR and the findings to state the project will increase local employment without being specific as to the exact number of employees expected.

Table A: Employment Estimates for Recent Local Warehouse Projects

Source/Project (Jurisdiction)	Source Info (employee/square foot)	Square Feet	Number of Employees
Stratford Ranch[1] (City of Perris)	1: 2,500	1,712,880	685
Skechers[2] (City of Moreno Valley)	1:3,033 1,820,000		600
John Husing Logistics Report[3] (City of Moreno Valley)	1:2,000 NA		NA

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Vogel Industrial Projec[4] (City of Moreno Valley)	1:2,500	1,616,133	646
West Ridge Commerce Center[5] (City of Moreno Valley)	1:1,030 937,2	60	900

[1] Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.
[2] Actual data from City of Moreno Valley Planning Department and Highland Fairview
[3] 2003 study by U.S. Energy Information Agency (see slide 25) shipping and distribution centers increase by 5% making it 1 employee/ 2000 sq ft
[4] Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.
[5] Based on approximately one job per 1,030 square feet of development, per Riverside County General Plan Appendix E, Buildout Assumptions and Methodology Page 6, Light Industrial employment multiplier.
NA = not applicable

The EIR identifies the expected impacts of the project relative to air quality, greenhouse gases, traffic, agriculture, etc. and those impacts were evaluated against the identified thresholds of significance identified in the DEIR. The commenter includes the commenter's opinion regarding the scope of these impacts. It will be up to the discretion of the City Council to determine if the anticipated benefits of the project outweigh the identified impacts.

Response to Comment B-9. The commenter claims that the EIR fails as an informational document due to an allegation that the cumulative impact analysis of local traffic, aesthetics, biology, and hydrology/water quality did not take into consideration the World Logistics Center project. The CEQA Guidelines Section 15355(b) states *"The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects."* Given the fact that the World Logistics Center was not a "*reasonably foreseeable probable future projects*" when the Notice of Preparation of issued for this project, it was not required to be addressed at all. Specifically, the Notice of Preparation for this project was distributed to the public on August 26, 2011. The applications were filed with the City for the World Logistics Center on March 19, 2012 and deemed complete on April 18, 2012. The Notice of Completion was filed for this EIR on April 20, 2012. Given this, the City would have been justified in omitting any discussion of the World Logistics Center.

Nonetheless, in an effort to provide as much information as possible to the public and the decision makers regarding potential cumulative impacts, the City did include a discussion of the impacts of the World Logistics Center for the topic areas where there would be a potential for a significant impact. These included air quality, greenhouse gas emissions, and traffic on the I-215 mainline. For other topics, given the nature of the two projects and the geographic distance between the projects (9.2 miles), no potential for the additive effects of impacts were identified.

As previously explained in the Final EIR, Response to Comment E-10, the cumulative impact analysis of local traffic, aesthetics, biology, and hydrology/water quality did not take into consideration the World Logistics Center project. The primary reason for this exclusion is the distance and separation between the two projects, which will result in little to no intermingling of certain cumulative effects on the environment. Specific responses to this allegation are as follows:

- Local traffic will not overlap because the two logistics centers truck traffic will be concentrated on the highway system and not local roadways. The two projects are not located in the same generally area and are separated by over 9 miles. The Mount Russell Range and Bernasconi Hills are also between the two sites. Therefore, because of the distance between the two projects and the topography there will not be a cumulative impact on aesthetics.

- Although the two projects are separated by geography and distance the biological resources are similar with a greater diversity of resources on the World Logistics Center site than the proposed Project site. The proposed Project was found to have a less than significant impact on biological resources including raptor foraging habitat. The Project's cumulative impact from the loss of

foraging habitat for raptors was determined to be less than significant. Both projects are subject to the requirements of the Western Riverside MSHCP. Compliance with the MSHCP mitigates the projects cumulative impacts on endangered and threatened species and species covered by the MSHCP.

- Again because of the distance between the two projects and the presence of the mountain ranges there will be no mixing of potential noise sources. Therefore, there will be no cumulative noise impacts.

- Because of the distance and separation of the sites from each other, the two projects will drain into two separate hydrologic areas. The proposed Project drains to the Perris drainage channel while the World Logistics Center drains to the south east in Mystic Lake. For these reasons, the cumulative impacts from the two projects will not intermingle. In addition, because the two projects are required to implement the most up to date Best Management Practices (BMPs), cumulative impacts on water quality would be less than significant.

Response to Comment B-10. Because a tenant has not yet been identified, it is not possible to formulate that sign program at this juncture. However, this does not mean that there is any project piecemealing. Page 3-4 of the Initial Study attached to the Notice of Preparation (DEIR Appendix A) states that…"the City's Municipal Code (Section 19.05 and Table 9.05.040-8) establishes the number, location, height, and style of signage permitted within industrial zones. The submittal and approval of signs are required for all development in the City; therefore, it is reasonable to conclude that any on-site signs are internally compatible and consistent with the City's current signage standards. Adherence to City requirements would result in a less than significant level." The extent of the project signage would be on the building or at most a monument close to the building, or smaller signage at distance away from the building to direct customers and deliveries to the actual building itself. The project is not adjacent to a freeway so signage would be limited to that consistent with the City's Municipal Code (i.e., not a billboard or other massive regional signage). The commenter has submitted no evidence suggesting that project specific signage would be a significant aesthetic impact. Therefore, the commenter's statement is not supported by facts in the record.

Response to Comment B-11. In Response to Comment D-12 states, as noted in the DEIR, " *project-related lighting impacts were determined to be less than significant because all development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses."* Therefore, impacts associated with night lighting and nighttime views are less than significant and no mitigation is required.

Response to Comment B-12. In Response to Comment D-16 the response does state that the purchase of agricultural conservation easements is " *economically infeasible" "[b]ased on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required.*[¶]*An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See Fourth District Court of Appeal, Cherry Valley Pass Acres and Neighbors v. City of Beaumont (2010) 190 Cal.App.4th 316 (Cherry Valley)."* (See FEIR, p. 57, emph. add.) The commenter failed to provide the complete response to the comment which included the ruling by the Fourth District Court of Appeal quoted above. In discussion with Gail Egenes, Executive Director of

the Riverside Land Conservancy, the agency does not have any established program to purchase agricultural easements or lands. Also, in consultation with the National Conservation Easement Database, Riverside County does not have any established agricultural easements.[1]

Also refer to Response to Comment A-10.

Response to Comment B-13. The commenter is correct in stating there will be significant and unavoidable impacts to air quality during construction and operations of the proposed project. It is the commenter's opinion that the impacts are "extensive." As required by CEQA, the EIR categorizes the impacts by comparison to established thresholds of significance.

Response to Comment B-14. As stated in Response to Comment B-5, the MMRP includes a list of the individual mitigation measures included in the Draft and FEIRs, at what stage of the development process they will be implemented, when they are to be implemented, by whom and who is the party who is responsible to make certain the mitigation measure is enforced.

Response to Comment B-15. The Planning Commission and interested members of the public were provided an updated MMRP at the public hearing on July 12, 2012. The commenter did not attend the meeting, but the updated MMRP has been sent to the commenter. The changes that were requested by the commenter were included in the MMRP. During that meeting, the changes to the MMRP were discussed by the environmental consultant and included in the public hearing minutes. The revised and updated MMRP is the MMRP that was adopted by the Planning Commission on July 12, 2012.

Response to Comment B-16. The language the commenter is requesting to be added to the MMRP for Mitigation Measure 4.2.6.1D *"verification during grading and construction"* was added to the MMRP that was updated and provided to the Planning Commission at its public hearing on July 12, 2012. This is the MMRP that was adopted by the Planning Commission.

Response to Comment B-17. The developer has voluntarily agrees to remove "*during smog season*" from MM 4.2.6.1.H. If approved by the City Council, the mitigation measure will read as follows:

4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications ~~and during smog season (May through October)~~ by not allowing construction equipment to be left idling for more than five minutes (per California law).

Response to Comment B-18. It is clearly understood in the construction industry that if there is a notation on grading plans, bid documents, and construction plans those notations are to be implemented; however, to make it clearer that the specifications are to be implemented the developer voluntarily agrees to revise MM 4.2.6.1K as follows, if the City Council agrees:

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following requirements ~~notations:~~

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;

[1] http://nced.conservationregistry.org/browse/map, accessed September 4, 2012.

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- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips;
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
- Suspend use of all construction equipment operations during second stage smog alerts.

Response to Comment B-19. The Planning Commission was provided an updated MMRP at its public hearing on July 12, 2012, which the commenter did not attend. The updated MMRP included the change requested by the commenter to include a timeframe for the community liaison to respond promptly or in a timely manner was included in the MMRP. During that meeting the changes to the MMRP were discussed by the environmental consultant and included in the public hearing minutes. This is the MMRP that was adopted by the Planning Commission on July 12, 2012.

The mitigation measure adopted by the Planning Commission required the construction relations officer/community liaison to respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues within 2 days; however, if the City Council agrees, the developer voluntarily agrees to revise MM 4.2.6.1L to include a response within one business day as follows:

4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues within ~~2 days~~ <u>one business day.</u>

Response to Comment B-20. The developer voluntarily agrees to amend MM 4.2.6.1M if the City Council approves the modification as follows:

4.2.6.1M ~~All project entrances shall be posted with signs which state:~~ <u>The construction contractor shall require the following:</u>

- Truck drivers shall turn off engines when not in use<u>, and</u>

- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes~~; and~~.

4.2.6.1M(1) All project entrances shall be posted with signs that include the requirements in Mitigation Measure 4.2.6.1M and the following:

- Telephone numbers of the building facilities manager and CARB, to report violations.

Response to Comment B-21. The Planning Commission was provided an updated MMRP at its public hearing on July 12, 2012, which the commenter did not attend. The updated MMRP included the change requested by the commenter to replace "should" with "shall". During that meeting the changes to the MMRP were discussed by the environmental consultant and included in the public hearing minutes. This is the MMRP that was adopted by the Planning Commission on July 12, 2012. In addition the developer agrees to amend Mitigation Measure 4.2.6.1M as indicated above in Response to Comment B-20.

Response to Comment B-22. The Planning Commission was provided an updated MMRP at its public hearing on July 12, 2012, which the commenter did not attend; where the changes to MM 4.2.6.3A as indicated below and adopted by the Planning Commission. (*Note only a portion of MM 4.2.6.3A is shown below.)* In addition the errata to the FEIR indicates this change to Response to Comments E-4, E-9, and E-16 the findings for the City Council and the DEIR Errata (Section 3 or the FEIR).

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. The following ~~Any~~ combination of design features~~, including but not limited to the following list,~~ may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: *[Note the rest of the measure is not shown].*

The developer voluntarily agrees to implement the following design features to increase energy efficiency to meet or exceed the 2008 Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent:

- Increase insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards as deemed acceptable by the City.
- Use automatic devices to turn off lights when they are not needed.

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- To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site.
- Use paint and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings.
- Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.
- Reduce energy demand associated with potable water conveyance~~, the project shall implement~~ using the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.

MM 4.2.6.3A above prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 California Building Code [CBC]) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. New energy standards have been adopted by the State which will be effective on January 1, 2014 that would require that commercial/industrial buildings achieve a percentage of over 20% above the 2008 Title 24 standard. So the project is required to meet 2013 requirements prior to the January 2014 requirement date. Specifying that the project will meet the 2013 standards rather than the adopted 2010 standards assures that the project will meet or exceed all energy efficiency standards at the time of project construction completion. California's building efficiency standards are updated on an approximately three-year cycle. Thus, it is anticipated that even by the time construction is completed, the energy efficiency of the project will meet or exceed all adopted or even proposed standards.

Response to Comment B-23. The construction emissions analysis conducted using the CalEEMod model determined that with the multiple passes over the site there would be the equivalent of a total of 105 acres disturbed. The analysis assumed that there would be 24 days of site preparation and 42 days of grading, thus the average number of acres disturbed over the combination of site preparation and grading is 1.6 acres per day, which is less than 5 acres per day. These are the assumptions that resulted in the approximately 330 lbs/day of fugitive PM_{10} emissions. Thus, the analysis already assumes a daily disturbed area much smaller than 5 acres and even with grading an average of 1.6 acres per day, fugitive PM_{10} emissions more than twice the threshold.

Response to Comment B-24. The commenter is incorrect MM 4.2.6.1C does not state "were feasible". The measure adopted by the Planning Commission states the following:

4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

In addition, the developer voluntarily agrees to use Tier III equipment during construction instead of Tier II.

Response to Comment B-25. Although these measures do not relate the developer also voluntarily agrees to implement the following measures that were included in the list under MM 4.2.6.3A to reduce mobile emissions:

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- Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
- Provide on-site showers (one for males and one for females). Provide lockers for employees.
- Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.
- Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.
- Provision of preferential parking for EV and CNG vehicles.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.

The applicant has agreed to include the requested bicycle storage, on-site showers, Transportation Management Assn. Plan (TMA), preferential parking for carpools, vanpools and EV's and alternate fuel vehicles, plus two (2) EV charging stations as part of the required mitigation under MM 4.2.6.3A. These measures will provide practical, reasonable and effective mitigation for the reduction of vehicular emission but not energy efficiency. Additional suggested measures that apply to the building operation are problematic when considering implementation and enforcement. These requested measures would dictate the types of vehicles used by the future tenant, reduced hours of operation (less than 40 hours/week), method for goods transport, charging employees a fee to park single-occupancy vehicles and dictating the type of gardening equipment used at the facility. This speculative project is not being built for a specific user. The project will likely be sold to a corporate user driven by real estate cost, operational cost, and transport efficiency. The implementation of these measures will have a negative economic impact on each of these categories. If these additional measures were implemented, the result would be more expensive and less competitive operating cost as compared with other projects that are not burdened with these restrictions. Requiring these operational measures could dramatically affect the economic leasing and sales potential for this project resulting in a higher likelihood of vacancy (and income loss) over an extended period of time. These additional measures would be difficult, if not impossible, to enforce as there is no agency that monitors industrial operations to the degree necessary to enforce these additional operational mitigation measures.

Response to Comment B-26. The tailpipe emissions from the mobile sources are controlled at the state and federal level. Due to the nature of this project, there is very little that can be done to reduce the emission from mobile sources. The developer has agreed to take the steps outlined in the Response to Comment B-25, above. Thus, the EIR includes all feasible mitigation measures, as applicable. Other suggested measures are not feasible for the reasons stated above.

Response to Comment B-27. Refer to Response to Comment B-22. Changes were made to Mitigation Measure 4.2.6.3A as proposed in Response to Comments D-38, D-42, D-43, and D-44. There were no changes to the DEIR proposed in Response to Comment D-39.

Response to Comment B-28. The developer has agreed to implement the measures indicated in Response to Comment B-25 to reduce mobile emissions. These measures will be implemented separate from the list proposed in Mitigation Measure 4.2.6.3A. The remaining mobile source emission measures listed in 4.2.6.3A are infeasible to impose at this point in time as explained above in Response to Comment B-25.

Response to Comment B-29. Refer to Response to Comment B-22.

Response to Comment B-30. The developer voluntarily agrees to revise Mitigation Measure 4.3.6.1B to delete "consider" with "include" as follows if the City Council concurs with the requested change:

- Provide a landscape and development plan for the project that takes advantage of shade, prevailing

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winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will ~~consider~~ include the following:

- Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.
- Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.

Response to Comment B-31. At the July 12, 2012 Planning Commission hearing, the developer agreed to build the roof so that it could accommodate solar panels in the future, and to design the building to achieve LEED Silver standards. These concessions are included in the Conditions of Approval from the July 12, 2012 meeting. Not all the mitigation measures suggested by the commenter in Comment E-51 were carried into the FEIR. Therefore, the Table on page 126 in Response to Comment E-51 identifies all of the GHG reduction measures suggested for inclusion by the commenter and then specifies whether the measure was already included in the EIR, whether it would be added mitigation as part of the FEIR, or whether it was not be included due to infeasibility and an explanation as to why the measure was infeasible.

Response to Comment B-32. Response to Comment E-6 should have read "*The air quality analysis of construction shows that there will be exceedances of ROG, NO_X and PM_{10}. Tier III applies to equipment produced from 2006 to 2008. As of 2012, equipment produced since 2006 are becoming more readily available, but not to the extent that requiring their use is considered feasible mitigation. Tier II specifications result in a substantial reduction in PM_{10} and $PM_{2.5}$ (62.5% to 72.5%, depending on horsepower) over Tier I equipment, which is the basis of the mitigation measure. Tier III specifications are identical to Tier II for PM_{10} and $PM_{2.5}$, thus requiring this more stringent mitigation would have no benefit to the reduction in PM_{10} and $PM_{2.5}$ and was not required.* The developer voluntarily agrees to use Tier III equipment as requested by the commenter. However, it should be noted Tier III specifications are identical to Tier II for the reduction of PM_{10} and $PM_{2.5}$; therefore it was not reasonable to require more stringent measures if the result in reduction of PM_{10} and $PM_{2.5}$ will be the same.

Response to Comment B-33. Refer to Response to Comment B-18 regarding proposed changes to Mitigation Measure 4.2.6.1 K. Mitigation Measure 4.2.3.6A requires prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 California Building Code [CBC]) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. California's building codes on energy efficiency are approximately 50% more efficient than the national average. California's building efficiency standards are updated on an approximately three-year cycle. The most recent (2010) update increased energy efficiency standards in residential buildings by 20% compared to the 2008 standards[2]. The 2010 CBC did not change energy efficiencies for nonresidential buildings so the 2008 CBC energy standards are still in effect. New 2013 energy standards have been adopted by the State which will be effective on January 1, 2014 that would require that commercial/industrial buildings achieve a percentage of over 20% above the 2008 Title 24 standard for nonresidential construction. Through the adoption of MM 4.2.6.3A, this project is required to meet 2013 requirements now and not wait until 2014.

Response to Comment B-34. The site will not be disked prior to burrowing owl surveys. Also, Response to Comment E-21 includes a detailed response to the referenced comment. The commenter has not identified any portion of the comment that has not been addressed in the response.

Response to Comment B-35. The entire site (100% of the area disturbed) will be monitored by a paleontologist when disturbance reaches 4 feet below ground surface. Because of the type of geology onsite, the strata that could contain fossils is not found in the first 4 feet of soil. There is nothing in the mitigation measure that states only a portion of the project site will be monitored. The portion of the

[2] http://www.calchamber.com/GovernmentRelations/IssueReports/Documents/2012-Reports/GreenBuilding_2012.pdf, accessed August 30, 2012.

mitigation measure that stated monitoring would be discontinued was deleted as indicted on page 78 in Response to Comment D-49. The Planning Commission was provided an updated MMRP at its public hearing on July 12, 2012, which the commenter did not attend. The updated MMRP includes the changes to Mitigation Measure CUL-1 as indicated in Response to Comment D-49. These changes were adopted by the Planning Commission.

Response to Comment B-36. Mitigation Measure Geo-1 does not defer mitigation. The mitigation is provided to reduce the potential effects of an unstable soil as identified in Section 2.5.4 (page 2-15) of the DEIR. Mitigation Measure Geo-1 provides a mechanism to determine the specific design of the mitigation because it requires more specific information to be provided at the time the building foundation is actually designed. The determination of the potential significance of this impact was evaluated and made in the DEIR, and Mitigation Measure Geo-1 is designed to use the most accurate and available engineering information when the foundation is actually designed. It is not accurate to state that the significance of the impact could change based on more specific engineering design information that will be available at a later date. The project geotechnical consultant concluded that the potential impacts related to soils constraints could be effectively mitigated by the application of appropriate building design techniques. This conclusion would not be altered by more specific foundation design data but would actually make the results of the mitigation measure more assured.

Response to Comment B-37. Mitigation Measure Geo-2 is not deferred, vague, or unenforceable. The City's standard Conditions of Approval will require that the Expansive Soil Guidelines be included in the project's grading plans, which will ensure implementation and enforceability as required by the commenter. In addition the Mitigation Monitoring and Reporting Plan adopted by the Planning Commission on July 12, 2012, provide a mechanism for the City to enforce the mitigation measure. Specifically, the City may not issue a grading permit until this the measure is fully implemented.

Response to Comment B-38. The commenter opines that the proposed project will have significant individual impacts to GHGs not merely cumulative impacts. Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions alone would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. Project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant and less than significant on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable. (DEIR Section 4.3.6.1 Greenhouse Gas Emissions, Page 4.3-26)

Response to Comment B-39. Requiring LEED Gold certification is not a feasible requirement because LEED certifications can only be applied for not purchased. Specifying the project features that would minimize the climate change impacts is all that the EIR can reasonably do. In addition, the developer in the Planning Commission hearing on July 12, 2012 agreed to design the project to LEED Silver standards. Many green, energy-saving, sustainable upgrades required to achieve this standard have been added to the project including cool roofing, increased insulation, high-efficiency mechanical systems, low-consumption plumbing fixtures, concrete paving in lieu of asphalt, enhanced landscape/irrigation systems, stormwater filtration systems, LEED monitoring, commissioning, fees and processing costs. The inclusion of these features will result in approx. 55 points required to achieve the LEED silver award of 51 points minimum. The cost to design, construct and administrate the work to meet this standard will exceed $1,250,000 for this project. Adding further features in attempt to receive LEED Gold certification would result in a significant increase in the design and construction cost of the project. These additional costs would be passed onto the ultimate tenant or purchaser of the project resulting in a less competitive and economically-viable project.

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Response to Comment B-40. The requirement specified in Mitigation Measure 4.2.6.3 A is that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Since achieving this could be accomplished by many different combinations of project features, the bullet list of project features that would increase energy efficiency are not intended as an absolute list of measure to be implemented, but rather as examples of features that could assist in achieving the benchmark. The Commenter's comments regarding the wording of certain mitigation measures have been addressed above.

Response to Comment B-41. The reason carbon offsets are infeasible is that the carbon offset program is still in the development phases and it is unclear when it will be providing benefits, much less how this project could participate. This was explained in detail in Response to Comment E-54.

Response to Comment B-42. The nature of global climate change impacts is unlike all traditional environmental impacts. The traditional environmental impact analysis examines the project affects locally, meaning within a mile or two of the project site, or regionally, meaning within 50 to 100 miles of the project site. However, global climate change literally means global effects. Thus, while this EIR examines what the project effect on the local greenhouse generation might be, no one knows how this will combine with all the other world-wide changes, both increases and decreases, of GHG emissions to affect global climate. The Response sets forth facts demonstrating that carbon offset programs have not been sufficiently established to serve as a feasible mitigation measures.

Response to Comment B-43. A preliminary drainage study along with conceptual, preliminary grading plans are prepared during the environmental review and entitlement stage. It would not be practical, nor is it common practice, that final engineering plans and drainage studies be performed in the planning/environmental stages of a project. Preliminary drainage studies focus on identifying hydrology and water quality related impacts along with design parameters. Final drainage studies further examine hydraulics (analyzing street capacities and sizing storm drain pipes, etc.) using the design parameters established in the preliminary drainage studies.

Condition LD37 does not require that the hydrology study come to a specific conclusion, but rather establishes the design criteria where the 10-year storm flow shall be contained within street curbs and the 100-year storm flow shall be contained within the street right-of-way (the word right-of-way was omitted from the comment letter, but appears in the condition of approval). This is a standard requirement and design practice for streets to accommodate 100-year storm flows within street right-of-way. Condition LD37 is an acceptable, standard design practice which is consistent with the Riverside County Flood Control District Hydrology Manual.

Condition LD37 does not imply that additional mitigation measures may be required resulting from the final drainage study analysis, but rather that different drainage facilities/conveyance systems may be required to convey project flows. A street is designed not only to provide for vehicle transportation, but to convey storm water. By definition, a street is an open channel and a conveyor of storm water. If the street does not have enough capacity to carry 100-year storm flows, subsurface drainage improvements (catch basins and storm drains) are required. The City's additional requirement is to have one lane in each direction (inner lanes) on arterial streets without being underwater or flooded during 100-year storm events. When this criteria cannot be achieved, underground storm drain pipes are required to help carry the 100-year storm runoff.

Response to Comment B-44. As stated under existing conditions, land uses immediately adjacent to the project site are designated as commercial and industrial. The nearest existing sensitive receptors are rural residential units located approximately 1,000 feet to the north along Nandina Avenue, and residential uses approximately 0.77 mile southwest of the project site on the south side of Harley Knox/Oleander Avenue between Heacock Street and Patterson Avenue. The nearest residential units would be exposed to short term, intermittent, maximum noise level reaching 65 dBA Lmax, generated by construction activities on the project site.

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The following standards are listed in the Moreno Valley Municipal Code in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

The City's Municipal Code, Section 8.14.040.E, specifies the hours of any construction within the City to occur only as follows: Monday through Friday (except for holidays that occur on weekdays), 6:00 a.m. to 8:00 p.m.; weekends and holidays (as observed by the City and described in Chapter 2.55 of the Municipal Code), 7:00 a.m. to 8:00 p.m., unless written approval is obtained from the City building official or City engineer. According to the City's Municipal Code Ordinance 8.21.050, grading permit requirements, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

The City's Municipal Code, Section 9.10.140, specifies that all commercial and industrial uses shall be operated so that noise created by any loudspeaker, bells, gongs, buzzers, or other noise attenuation or attracting devices shall not exceed 55 dBA at any one time beyond the boundaries of the property.

None of the sensitive land uses in the project vicinity would be exposed to "high" construction noise (above 65 dBA) from the project site. Since no significant construction noise impacts would occur, compliance with the City's construction hour regulation is sufficient for the project to be considered to have a "less than significant" construction noise impact.

For clarification purposes the developer agrees to amend MM 4.9.6.1D, if the City Council agrees as follows:

4.9.6.1D During all project site construction activities, the construction contractor shall limit all construction~~-related activities that would result in high noise levels~~ to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

Response to Comment B-45. The 3 dBA increase was not listed in the Thresholds of Significance section of the noise study. It was mentioned under the Measurement of Sound section to identify as the beginning of an "audible" noise level change. In the Long-Term Traffic Noise Impact section, it was stated that "It takes doubling of the traffic volume to have a 3 dB increase in traffic noise." and "project-related traffic noise level increases would be 0.8 dBA or less along all roadway segments analyzed. This range of noise level changes is small and is not perceptible by the human ear. Therefore, no significant traffic noise impacts would occur on off-site land uses from implementation of the proposed project." Therefore, the noise impact study identified that project-related traffic noise level increases would be small and considered less than significant, because all increases would be less than the audible change. There is no such statement in the technical noise impact study report. Again, our responses pointed out that we did not use 3 dBA as a threshold. It is used only to describe that, to result in such an increase, the sound source would need to generate two times the sound volume (energy).

Response to Comment B-46. Since the proposed project, an industrial warehouse, is not a noise-sensitive land use, the use of hard-site in the traffic noise modeling would not affect the conclusion that the proposed project would be significantly impacted by traffic noise. For off-site land uses, the only determining factor is whether project-related traffic noise level increase would significantly impact these land uses. As shown in the noise study, project-related traffic noise level increases would be 0.8 dBA or less, which is small and not perceptible by the human ear. No land uses in the project's immediate vicinity would experience traffic noise level exceeding the City's noise standard for commercial or industrial land uses as a result of the proposed project. The proposed project is not responsible for any off-site sensitive land uses that are more than 1,000 feet away and are already exposed traffic noise exceeding the City's

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land use noise standards. Please see Response to Comment B-48, which pointed out that the City's Municipal Code on the noise standards as "restricts noise levels above 55 dBA at night and 60 dBA during the day in residential areas, when measured at a distance of 200 feet or more from the real property line of the source of the sound…" The residences closest to the project site are more than 1,000 feet from the site and are at a distance "more than 200 feet" from the site; therefore, the existing residence would not be subject to noise levels that exceed the City's Municipal Code.

Response to Comment B-47. Please refer to the Response to Comment B-46 for the reason that no significant traffic noise impacts would occur on the proposed project and land uses in the immediate vicinity of the project site. Similar to the hard site/soft site scenarios, the increase in the truck percentage in the vehicle mix would proportionally increase the traffic noise in the project vicinity, but would not result in any significant traffic noise impacts as discussed in the Response to Comment B-46 above. The analysis factored in that half of the project-related vehicle trips are trucks, but the 1,365 daily trucks would be a percentage of the total (existing or future projected) trucks on roadways used by the project trucks. Given that there needs to be a doubling in truck volumes to add 3 dBA to the existing roadway noise, a (small, or less than 50 percent) percentage increase in truck volumes would add less than 1 dBA to the total traffic noise level. Therefore, it would not be perceptible by the human ear in an outdoor environment.

Response to Comment B-48. Please refer to the responses to comments D-46 and D-47 for the reason that no significant (operational) noise impacts would occur as a result of the proposed project. In addition, the City's Municipal Code, Table 11.80.030-2, Maximum Sound Levels for Source Land Uses states, "restricts noise levels above 55 dBA at night and 60 dBA during the day ***in residential areas***, when measured at a distance of 200 ft or more from the real property line of the source of the sound if the sound occurs on privately owned property, …" (Emph. added.) Therefore, it is clear that the City's Municipal Code specifically indicates that measurement of the source noise levels would be "*at a distance of 200 ft or more from the real property line of the source of the sound*". It is important to keep in mind that this project is not located in a residential area. For this project, the nearest residential area is a distance of 1,000 feet or more from the project (sound source) site. Evaluating the noise level at the nearest residential uses meets the City's definition specified in the Municipal Code. The project is compliance with all City Code requirements.

Response to Comment B-49. The nearest existing sensitive receptors are rural residential units located approximately 1,000 feet to the north along Nandina Avenue, and residential uses approximately 0.77 mile southwest of the project site on the south side of Harley Knox/Oleander Avenue between Heacock Street and Patterson Avenue. The nearest residential units would be exposed to short term, intermittent, maximum noise level reaching 65 dBA Lmax, generated by construction activities on the project site. None of the sensitive land uses in the project vicinity would be exposed to "high" construction noise (above 65 dBA) from the project site. Since no significant construction noise impacts would occur, compliance with the City's construction hour regulation is sufficient for the project to be considered to have a "less than significant" construction noise impact.

Response to Comment B-50. Even though the source handbook was published in 1987, many of the later journals and papers continue to reference the same resources that were used in the 1987 handbook. There are no government adopted construction equipment noise levels for use by the general public. The FHWA Highway Traffic Noise Construction Noise Handbook, which includes noise emission levels for several construction equipment was taken from the EPA Report – EPA 550/9-76-004. This report was published in 1976. The same document also cited FTA Transit Noise and Vibration Guidance Handbook on construction equipment noise, and it referenced back to the EPA Report as well. In the reference section of the Highway Traffic Noise manual, Special Report – Measurement, Prediction, and Mitigation, all references listed are dated from 1971 to 1976 which are older than the 1987 handbook that was used. Since the U.S. EPA has not conducted addition research or provided updated noise emission levels for off-road equipment, noise levels identified in the 1987 handbook are considered the most conservative and reliable noise emission levels by the industry.

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Response to Comment B-51. Please refer to the Responses to Comments B-44 through B-50 for the reasons that the proposed project would not result in any significant noise impacts. Therefore, compliance with the City's Municipal Code construction hours would be sufficient for the project to have a "less than significant" noise impacts.

Response to Comment B-52. Carlos Rodriguez with the Moreno Valley Fire Department stated Appendix B of the Fire Code allows local fire departments to reduce standard fire flow volumes to fire hydrants serving a building by up to 75 % if that building has sprinklers. They looked at the project plans and determined a 50% reduction would be appropriate and would still provide an adequate level of fire protection. The Project has been designed with sprinklers so the reduction in fire flow volumes is appropriate.

Response to Comment B-53. The TIA does not claim that Harley Knox Boulevard is the only truck route that will be used by the project. Trucks are also likely to use Ramona Expressway, Heacock Street, and Perris Boulevard, and the TIA analyzes those streets with trucks from the project included in the project trips. Harley Knox Boulevard is referred to as the "primary truck route" because approximately 60 percent of project trucks are anticipated to use Harley Knox Boulevard. Figures 1 and 2 are attached to the responses which show the City's designated truck routes (Figure 1) and the truck routes and percentages of trucks that will use those routes as analyzed in the project TIA.

Response to Comment B-54. The project traffic study discusses impacts of the project vehicles routing. As stated in FEIR, Response to Comments E-18 and E-19, the TIA prepared for the project and included in the DEIR analyzed the proposed project's impacts to area roadways. It should be pointed out that the DEIR is a summary of the TIA, which is factually a part of the EIR administrative record. In addition, Table 4.5.D in the DEIR clearly presents the estimated number of trucks projected from the proposed project. Figures 8 and 9 in the TIA show the passenger vehicle distribution and truck distribution, respectively, for the proposed project's passenger cars and trucks. Due to the fact that this information is readily available in the DEIR appendices, commenter's allegation that such specific information/data regarding the exact number of project added trucks is not presented in the EIR is incorrect.

The CEQA Guidelines Section 15355(b) states *"The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects."* CEQA does not require that certain years be analyzed, provided other closely related past, present, and reasonably foreseeable probable future projects are considered. Although the EIR analysis of traffic impacts uses a "year 2013" time horizon in reference to the 2013 cumulative analysis, year 2013 is simply a naming convention. The analysis has met the cumulative requirements set forth by CEQA by considering other closely related past, present, and reasonably foreseeable probable future projects and therefore provides an adequate cumulative analysis of cumulative traffic impacts.

Response to Comment B-55. Caltrans Traffic Study Preparation Guidelines require analysis of freeways if a project adds more than 100 two-way peak hour trips on their facilities. The comment asserts that 10 percent of project trucks using the SR-60 could create impacts. This allegation is incorrect. The following discussion explains why the impacts to SR-60 are considered less than significant.

The project trip generation is 113 trucks during the p.m. peak hour, and would mean that the project would add, on an average, less than 14 trucks during the peak hour on SR-60. Existing traffic volumes on the SR 60 is approximately 9,000 vehicles during the peak hour, with approximately 11 percent trucks. This translates 990 trucks on the SR-60 during the peak hour under existing conditions. The project is forecast to add 14 trucks, or less than 1.5 percent to the truck traffic on the SR-60. Furthermore, if the total project traffic is considered, the project is likely to add about 40 Passenger Car Equivalency (PCE) trips to the SR-60. Compared to the existing PCE volume of 10,500 on the SR-60, the percentage change to traffic volumes due to this project is 0.4 percent. In addition, it is worth noting that Caltrans in their Draft EIR comment letter did not comment on any inadequacy of the traffic study scope of work.

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Response to Comment B-56. The traffic volumes on the I-215 did not change significantly between 2007 and 2009. In 2009, the AADT was 124,000 whereas in 2007 it was 125,000. Therefore, changing the analysis year from 2009 to 2007 would not change the findings of the analysis.

Response to Comment B-57. The commenter's original Comment D-92 states that where "there is an environmentally superior alternative that significantly decreases the significant impacts of the Project then that Alternative must be approved rather than the Project..." As stated in the FEIR, Response to Comment D-92, the significant and unavoidable project impacts associated with GHG emissions and traffic cannot be reduced to less than significant through reduction in the size of the project as envisioned by the Reduced Intensity Alternative. Although the significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold), such a reduction in the size of the project would be unreasonable. As such, the environmentally superior alternative (Alternative 2 Reduced Intensity Alternative) does not significantly decrease the significant air quality impacts of the project. The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. Also refer to Response to Comment B-6.

Response to Comment B-58. The commenter's request to deny the project and deny certification of the FEIR was provided to the Planning Commission for their consideration at their July 12, 2012 public hearing on the project. The Commission unanimously rejected the requests.

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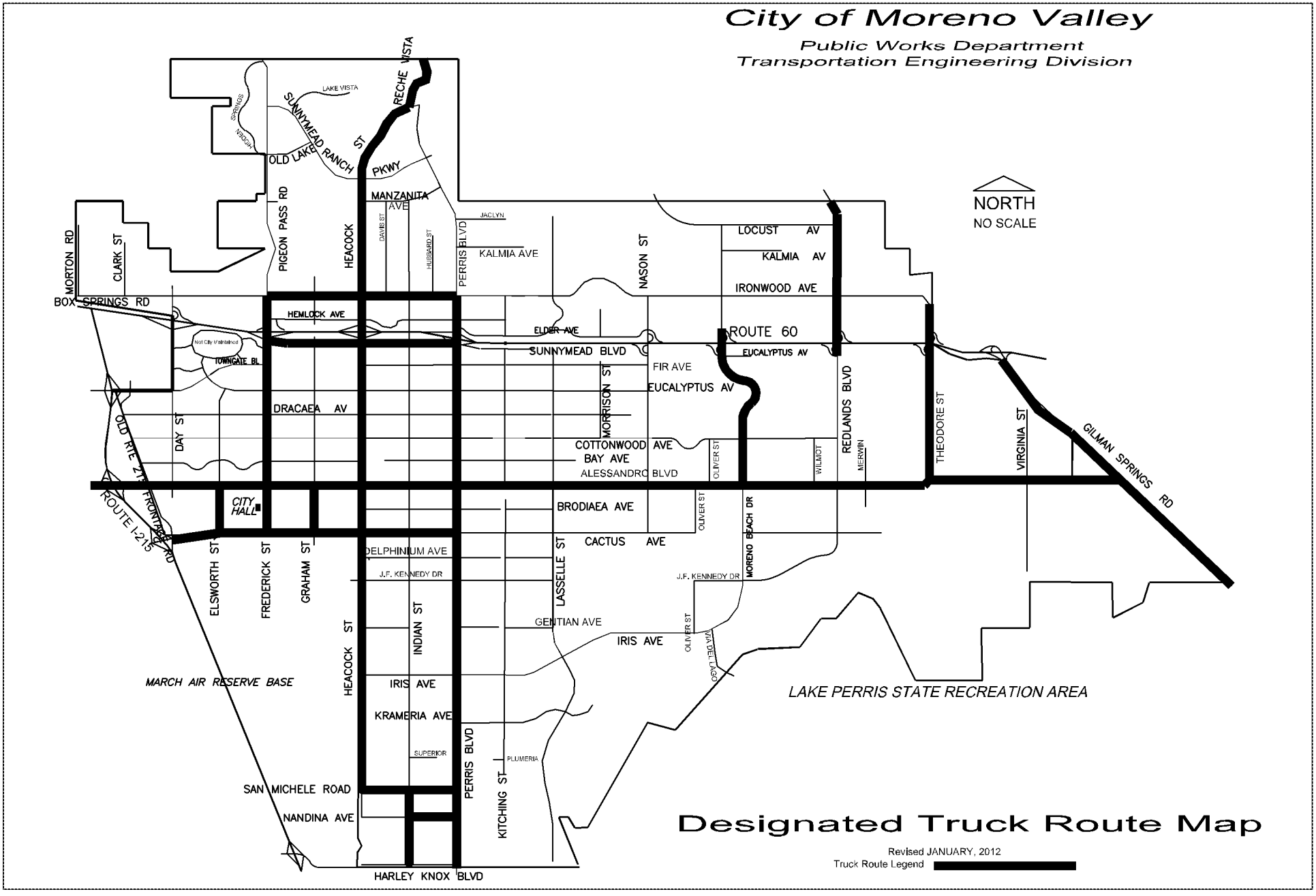

LSA

FIGURE 1

VIP Moreno Valley

City of Moreno Valley Truck Routes

SOURCE: City of Moreno Valley, 2012

I:\VOG1001\Reports\Traffic\fig1_MoVal_TruckRts.cdr (8/17/12)

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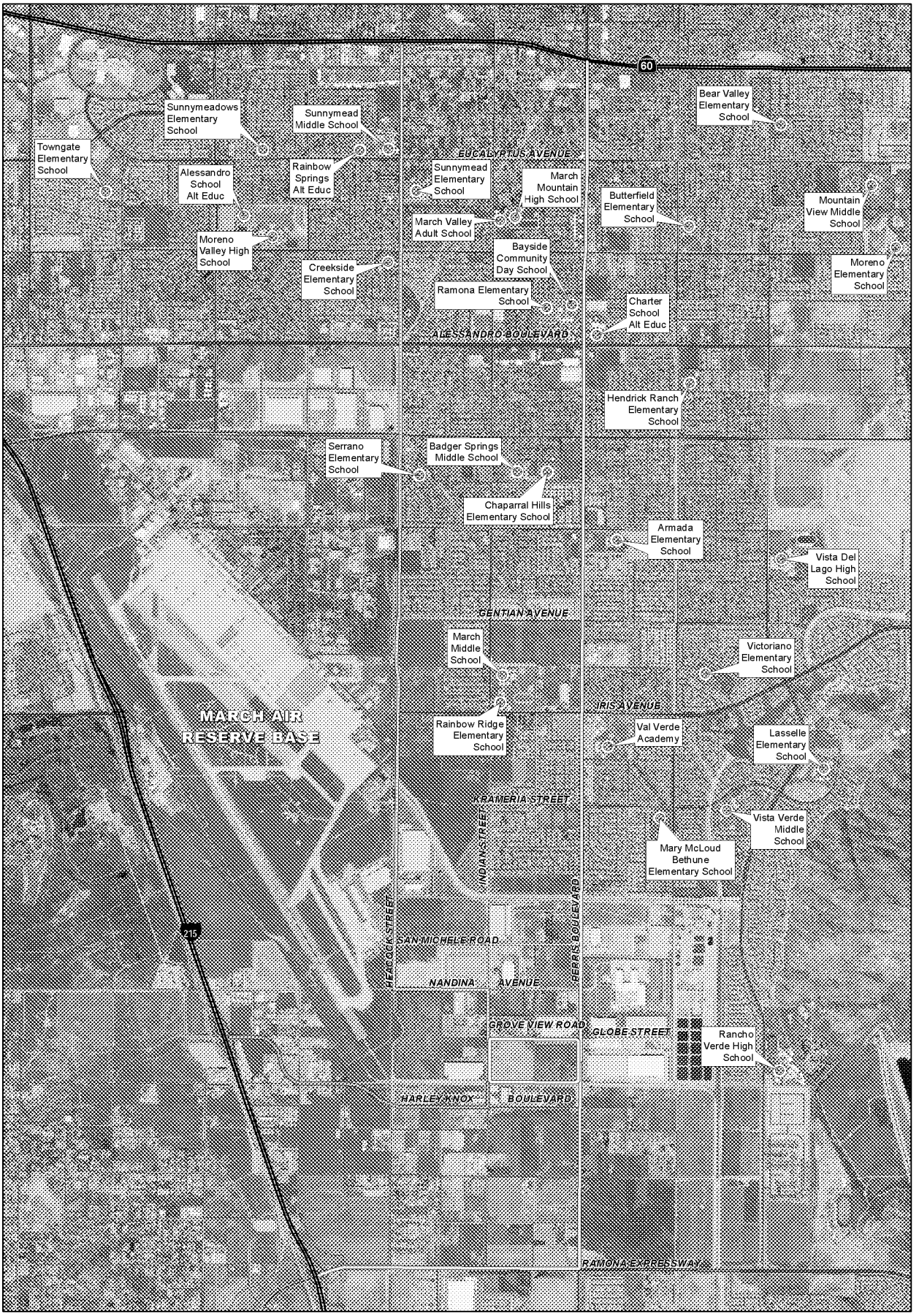

LSA

FIGURE 2

Project Location

Schools

Truck Trips

10%

15%

60%

N

0 1,300 2,600

FEET

SOURCE: AirPhotoUSA, 2008; Riverside County, 2011, Val Verde Unified School District, 2012; Moreno Valley Unified School District, 2012.

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VIP Moreno Valley

Truck Routes Analyzed in the Traffic Study

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Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Carl T. Sedlack, Esq. Retired

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

July 25, 2012

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JUL 26 2012
CITY OF MORENO VALLEY
Planning Division

City Council
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552
Fax (951) 413-3210

VIA FACSIMILE AND US MAIL

RE: Appeal of the Planning Commission Decisions Approving Vogel Industrial Park (VIP) Moreno Valley Project: July 12, 2012 Public Hearing Item 1, P11-090, PA09-0004, and PA09-0022, TPM 36162, and all associated approvals.

Greetings City Council:

By this letter, Residents for a Livable Moreno Valley and Sierra Club hereby appeal the Planning Commission decisions approving the VIP Moreno Valley Project, PA09-0004, PA09-0012, TPM No. 36162, and all associated approvals taken on July 12, 2012.

The basis for the appeal is that the environmental review undertaken for the project was procedurally and substantively inadequate. The EIR is inadequate as it fails to comply with the requirements of CEQA by inadequately analyzing impacts pertaining to, at least, agriculture, air quality, aesthetics, biology, cultural resources, geology, hydrology, GHGs, and transportation, among others. The EIR fails to adopt all feasible mitigation measures and ensure that mitigation measures are fully enforceable through permit conditions, agreements, and/or other legally binding instruments. (State CEQA Guidelines § 15126.4(a)(2)). Despite extensive commentary that not all feasible mitigation was adopted and that mitigation was vague, uncertain, and unenforceable, the FEIR fails to make needed changes to these measures. The findings made by the City and statement of overriding considerations adopted for the project are also unsupported by the record.

In addition to these grounds for appeal, Residents for a Livable Moreno Valley and Sierra Club hereby incorporate all comments previously made concerning this project and ask that they additionally be considered as the bases for this appeal.

Thank you in advance for your consideration of this appeal and please advise me of the hearing date for the appeal upon its being scheduled.

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

size of the lot; so that would be about 70 percent of open space. Now of course people put in pools and they do other things, but let's say even 50 percent of a residential lot would be open space; it would be grass or dirt or something you know, but it wouldn't be rooftop.

I don't think you are going to have anywhere near 50 percent open space in what Highland Fairview is proposing down there and I think maybe you need to look at that in perspective. I personally would prefer homes down there. I think we as residents need to stop just saying no, no, no, to warehousing. We need to give you a plan that we think would work better in that area and I think you need to have mixed use. I agree with warehousing or some type of commercial against the freeway. I think putting homes against the freeway is a mistake, but I also think that turning that entire area into a warehouse only area is wrong because then you are almost encircling the City of Moreno Valley on two sides by that type of development. So I'm looking at maybe we offer another alternative to what Highland Fairview is proposing and I know it is going to come before you okay at some point in time. Thank you very much.

CHAIR VAN NATTA – Thank you for your comments. Are there any other members of the public who had comments at this time? If not I'm going to close the Public Comments Section here and we will move on to our first Agenda item.

NON-PUBLIC HEARING ITEMS

PUBLIC HEARING ITEMS

1. Case Number: P11-090
PA09-0004
PA09-0022

Case Planner: Jeff Bradshaw

CHAIR VAN NATTA – Our Case Planner is Jeff Bradshaw. Would you like to give us an overview please?

PLANNING OFFICIAL TERELL – Jeff is on vacation today, so Chris Ormsby who has been working with Jeff in a supervisory manner will be taking care of the report today.

CHAIR VAN NATTA – Okay, Mr. Ormsby please; thank you.

SENIOR PLANNER ORMSBY – Thank you Chair Van Natta and members of the Planning Commission. The Staff has distributed several documents and letters for your consideration. I just wanted to go over those before I present.

You should each have a hard copy of the Facts, Findings and Statement of Overriding Considerations. You should have also received a copy of that earlier in the week as well. I believe that was my email. In addition, a memo has been provided dated July 12th, with regards to revised Special Districts Conditions. There are also two others; one from the Sierra Club San Gorgonio Chapter, dated July 11th, 2012 which was emailed earlier today and also we provided the hard copy and then also a letter from Johnson and Sedlack, dated July 12th, which was distributed this evening and finally there is a modified Mitigation and Monitoring Program which has also been distributed. Towards the end of my presentation, I will have Lynn Calvert-Hayes, Principal with LSA Consultants who prepared the EIR, provide some comments on the modifications to the Mitigation Monitoring Program that was distributed this evening and possibly comments on a least one of the other letters that were distributed as well. So, let me go ahead and provide the presentation of the project itself.

The proposed project is a 1,616,313 square foot warehouse distribution building. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. It is located on 80 acres and is located on the south side of Grove View Road southerly to the City Limits. The project is located between Perris Boulevard and bounded by Indian Street to the west. In addition to the Plot Plan, there is a Tentative Parcel Map 36162 which combines the four existing parcels into one single 80 acre parcel and that can be seen on the exhibit on the far right on the board.

An Environmental Impact Report was prepared for the project. The Draft EIR was circulated for a 45 day period from April 20th, 2012 and ended on June 4th, 2012. The Draft EIR was also sent to all required State and local agencies; also was presented to the City's Environmental and Historical Preservation Board and provided to other interested parties. Eight comments letters were provided during the 45 day review period. There were two additional letters received after that period. The response to comments prepared by the consultant, included all 10 letters, which have been incorporated into the Final EIR and in addition to that, of course the two letters that were provided tonight. With regard to availability of the documents as with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

So with that, then Staff would recommend the Planning Commission take the following actions; Approve Resolution No. 2012-16 and certify the EIR for VIP Moreno Valley Project completed consistent with California Environmental Quality Act and to Approve Resolution No. 2012-17, approving Plot Plan PA09-0004 and Tentative Parcel Map 36162 subject to the attached conditions of approval included as Exhibits A and B and before we actually turn it back over to the Planning Commission, we'd like to invite Lynn Calvert-Hayes with LSA, the Environmental Consulting firm to provide some comments.

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SPEAKER CALVERT-HAYES – Good evening. Thank you for having me here today. It is a pleasure on this nice steamy day. It is nice and cool in here though. I had provided you with a Mitigation Monitoring Plan that was updated for today and we found in going through the letters from Johnson and Sedlack and from the Sierra Club that some of the mitigation measures that were in the errata in the final did not make it appropriately into the Mitigation Monitoring Plan and there were just a couple of them.

The first one is on page 2 and what I did so that you can see the changes; the new language is double underlined and anything that is being deleted is struck out; so on page 2, under the monitoring frequency for the first mitigation measure, we added "during construction" and then I believe the next one is on page 17; excuse me it is on page 10. This is mitigation measure 4.2.6.3a. It starts on page 9 and follows on page 10. There was language struck out in that mitigation measure in consistency for the errata for the Final EIR. On page 17, the mitigation measure for cultural resources; cultural resource CUL1; there is language in the middle of that first paragraph that has been struck out. It was in response to comments to the original Johnson and Sedlack letter and it was also in the errata. I believe that was about it. Please bear with me, this is pretty long. Yeah, I think that was it. Yes, it was just the mitigation measures that were changed to be consistent with what is in the Final EIR. We also received this… the City received two letters; one from Johnson and Sedlack early this afternoon by email and also one from the Sierra Club and the gist of the letter is responding to the responses the City made on the original letter sent on the Draft EIR and at this point in time the Applicant would like to take additional time to respond to these letters in writing so that we can have the appropriate information in the public record, so we ask at this time if we could do that as far as the public record is concerned. Is that okay?

PLANNING OFFICIAL TERELL – I'm not quite sure I understand. Did they want to continue the Hearing or …

SPEAKER CALVERT-HAYES – I think it is going to have to take that to be able to respond to these. There are comments in not so much in the Sierra Club letter, but in the Johnson and Sedlack letter they are asking for changes to the mitigation measures and since we didn't have time today because of the timeframe, the Applicant is not comfortable making those changes without talking about it.

PLANNING OFFICIAL TERELL – Okay, well what we would normally do is go through… we've obviously given the Staff Report. We have the Public Hearing… well actually first of all the Applicant can come forward and make their presentation and then we have the Public Hearing and then at the time the Applicant comes up they can put that formal request on the record and then the Planning Commission can consider that after the close of the Public Hearing.

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SPEAKER CALVERT-HAYES – We also have with us today Ron Brugger who is also with LSA that prepared the Air Quality Greenhouse Gas Emissions and Health Risk Assessment and Tony Chung who prepared the Noise Analysis and Sandipan Bhattacharjee who prepared the Traffic Study, so if you have any questions please feel free to bring those people to help you answer.

CHAIR VAN NATTA – Do we go to the Public Hearing?

PLANNING OFFICIAL TERELL – Well at this time it is just to see if the Commission has any questions of Staff and that would extend to the environmental team; if you had any particular questions in advance of hearing the public testimony, otherwise you can go to the Public Hearing.

CHAIR VAN NATTA - Is everybody okay with going forward to the Public Hearing? Does anybody have any questions prior to that?

VICE CHAIR SALAS – I have one. This is allowed by right; isn't this area zoned for this out there?

SENIOR PLANNER ORMSBY – That's correct. It is consistent with the General Plan, zoning, and Specific Plan.

VICE CHAIR SALAS – Okay, thank you.

CHAIR VAN NATTA – Okay at this time I am going to open up… Oh, you had a question also?

COMMISSIONER OWINGS – I do… if I could direct it to the Staff. John would it be appropriate at this point to ask the Applicant in terms of we've all seen and read the Sierra Club letter dated July11th. Would it be appropriate at this point to ask questions of the IR Consultants to specific topics in that letter?

PLANNING OFFICIAL TERELL – Yes of the environmental team; that would be appropriate. We wouldn't be asking the Applicant, but yes the…

COMMISSIONER OWINGS – So I think it would be appropriate for us to do some questioning at this point prior to hearing the Applicant.

CHAIR VAN NATTA – Right, okay. If you have questions prior to the Public Comment, go ahead.

COMMISSIONER OWINGS – Excuse me was your name Lynn?

SPEAKER CALVERT-HAYES – Yes

COMMISSIONER OWINGS – My name is Tom Owings. How are you?

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SPEAKER CALVERT-HAYES – I'm great

COMMISSIONER OWINGS - Have you had an opportunity to review the Sierra Club letter of July 11th?

SPEAKER CALVERT-HAYES – Yes, yes I have

COMMISSIONER OWINGS – Do you feel comfortable answering questions?

SPEAKER CALVERT-HAYES – I can try; if not we do have our technical experts here if you need them to answer.

COMMISSIONER OWINGS – Do you have it in front of you right now?

SPEAKER CALVERT-HAYES – Yes I do

COMMISSIONER OWINGS – I intended to ask these same questions of the Sierra Club if they have a representative here, so I don't know who is going to speak on their behalf, but in terms of paragraph one, I just wanted to go through it in terms of paragraph by paragraph, so if we could just look at paragraph one there is a comment there in terms of the EIR in terms of Spanish language versions etc. Do you have a comment in response to the Sierra Club's criticism in paragraph one of the City's failure to write everything in Spanish to allow many who feel disenfranchised within our community to participate in public review process, quote unquote?

SPEAKER CALVERT-HAYES – Well you know that is up to the City as to what their policies are. It is not required by CEQA or by the State of California, but it is a City by City policy.

COMMISSIONER OWINGS – In that same paragraph, the Sierra Club quotes a New York Times article. Have you had an opportunity to review that article?

SPEAKER CALVERT-HAYES – No

COMMISSIONER OWINGS – "In paragraph two; you should require all warehouses to have their roofs covered with solar or at least built to standard which would support future installation of solar panels" (quoting from July 11th Sierra Club letter). Do you have any idea what would add to the cost of the development of this particular project?

SPEAKER CALVERT-HAYES – No I don't, but I'm sure the Applicant can answer that question for you.

COMMISSIONER OWINGS – It goes on to say that it would be in the Applicant's best interest to do that because he could sell the power to the Edison Company.

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Could I ask you can you think of any reason that if it was in the benefit of the Applicant that they wouldn't do it if it was financially in their best interest; is there any reason you can think of that they would not do it?

SPEAKER CALVERT-HAYES – I can't answer that. Again that is a question for the Applicant.

COMMISSIONER OWINGS – But from your experience in this realm, can you think of any reason why an Applicant theoretically would not avail himself of benefits that would be in his financial best interest?

SPEAKER CALVERT-HAYES – I would assume that if it is in his financial best interest; yes, but you know when you are building a building, there are certain cost parameters, so I'm sure they have their economics that they have to follow.

COMMISSIONER OWINGS – Moving on to paragraph three, "the Sierra Club does not believe the greenhouse gas emissions and climate change have been reduced to less that significant" (quoting from letter). Can you comment on that?

SPEAKER CALVERT-HAYES – Well the Draft EIR and also the Final in responding to all the comments; there is mitigation in the EIR; the Draft as well as there is revised mitigation in the Final that the City has determined that yes it mitigates the impacts of the project to less than significant for greenhouse gas emissions and global climate change, however cumulatively there is a significant and unavoidable effect.

COMMISSIONER OWINGS – On paragraph four, "the City of Moreno Valley needs to replace the phrase exceeding 'the 2008 California Buildings Codes, Title 24 Energy Standard' with exceeding the current California Building Codes, Title 24 Energy Standards 'at time of construction'" (quoting from letter). Do you have any comment on that first of all and then second of all, is it the City's priority on which standard to use during the course of this EIR and what are the differences between the two standards; 2010 and 2008 and are they in your opinion material differences?

SPEAKER CALVERT-HAYES – I will bring Ron Brugger forward to answer that question for you. He is the greenhouse gas emissions technical expert and he can explain to you what the differences are to the extent feasible.

COMMISSIONER OWINGS – Thank you

SPEAKER BRUGGER – Good evening Commissioners. My name is Ron Brugger. I am not an expert on Title 24 differences but I can speak about the fact… the first sentence in that paragraph talking about references to the 2008 building code in particular is a hold over. I mean in general, the section specifies that 2010 building codes would be complied with and this reference to 2008 is an

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error, so it should be 2010… it should be; in fact the language as suggested, not even mention the year but use current, is probably a good recommendation, so that part of that is probably a good recommendation to make.

COMMISSIONER OWINGS – So in your opinion, is this a point that needs to be addressed or has it already been addressed.

SPEAKER BRUGGER – It's a point that needs to be addressed. As far as I know it hasn't. This one reference; there are other references in the document to the building code compliance. It does not say 2008, so this is just …

COMMISSIONER OWINGS – It was my understanding from your testimony that the 2010 edition is the standard by which you are comparing. Is that correct or did I misunderstand?

SPEAKER BRUGGER – No 2010 is certainly the current standard and it is what the project will have to comply with.

COMMISSIONER OWINGS – So in effect, this is a concern by the Sierra Club that is not a concern.

SPEAKER BRUGGER – I would say that is a good way to put it; yes.

COMMISSIONER OWINGS – Thank you. Paragraph 5, "The Planning Commission needs to read or hopefully re-read concerns and suggestions in the letters submitted by Ray Johnson and George Hague to the VIP Draft EIR. Then require more of their suggestions of this massive warehouse project" (quoting from letter). So in that particular paragraph; paragraph 5, can you please comment.

SPEAKER CALVERT-HAYES – I'm not exactly sure what the question is. The letters that were submitted by Sierra Club and by Ray Johnson are contained in the Final EIR and the response to comments that are lettered D and E and as you can see in the Final EIR, the responses were quite robust and hefty.

COMMISSIONER OWINGS – Specifically here at the end of this paragraph, it says "It is the time the City works to protect the air quality we all breathe and of which we all have no choice. Smartway Carriers of 1.25 needs to be the goal of 90 percent for long haul trips carried by Smartway if this project is serious about reducing its environmental impacts instead of the lower 1.00" (quoting from letter). Could you comment on that criticism?

SPEAKER CALVERT-HAYES – There is a mitigation measure in the document. I don't have it in front of me. There is mitigation in the document for Smart Way and I'm not sure without pulling out that mitigation measure whether or not it

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reduces or it meets the 1.25 or 1 and I'm not sure why they are asking for a higher number. They don't justify why they are asking for it.

COMMISSIONER OWINGS – In your opinion without getting into too much detail, but is it your opinion or could you offer an opinion as to when it says we need to work to protect the quality of air we breathe of which we have no choice. Would the standard that you are currently meeting in the EIR protect the air we breathe sufficiently?

SPEAKER CALVERT-HAYES – Well the mitigation; the Applicant is implementing mitigation that is reducing the effects of air quality and of course for operational air emissions the issue is the type of fuel we use and until that is changed, then you know we are going to have additional air quality emissions.

COMMISSIONER OWINGS – Could you briefly describe the mitigation the Applicant is going to provide?

SPEAKER CALVERT-HAYES – Well there is mitigation in the document for construction emissions especially during grading to reduce the particulate emissions. There is mitigation that is in the document that not only reduces air quality but also reduces greenhouse gas emissions for the actual construction materials that are used in the building and the type of building that is built, as well as requiring that the trucks are cleaner and they follow certain truck routes that are closer to the freeways than going through residential neighborhoods and by schools and so forth, so there is adequate mitigation in the document to reduce air quality effects.

COMMISSIONER OWINGS – Again in going back to paragraph 5, would it fair to say that this paragraph mainly involves the construction period of the project; this comment?

SPEAKER CALVERT-HAYES – No I would assume they are talking about air quality during construction, operation of the building and the air quality emissions that are affected by the vehicles.

COMMISSIONER OWINGS – The only suggestion that they offer is to require tier three construction equipment instead of tier 2 as the developer wishes to use. Would that sentence not indicate that this paragraph is focusing on the construction period?

SPEAKER CALVERT-HAYES – It could; yes.

COMMISSIONER OWINGS – And would that then; would it be fair to say that the concern of the Sierra Club here is a temporary concern; that after construction it would no longer be a valid concern?

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SPEAKER CALVERT-HAYES – I don't know. I don't want to… well the last sentence is talking about the trips that have to do with the trips the trucks are taking, so that is more of an operational effect; it could be both.

COMMISSIONER OWINGS – It could be both…and the mitigation that you described earlier addresses both.

SPEAKER CALVERT-HAYES – Yes

COMMISSIONER OWINGS - Okay moving on to paragraph six, here "The Justin Adams AG report fails to analyze the impacts of losing agriculture land on raptor foraging" (quoting from letter). To the best of your knowledge, were there any crops being raised on this land?

SPEAKER CALVERT-HAYES – No, this particular parcel has been fallow since August of 2005. It was used as a sod farm. They were farming sod prior to that point. I don't know what the actual history is beyond that point, but no.

COMMISSIONER OWINGS – But to your knowledge, in recent times there have been no agricultural use.

SPEAKER CALVERT-HAYES – No there is no agricultural since 2005

COMMISSIONER OWINGS – So was there any attempt to ascertain the effects of raptor foraging?

SPEAKER CALVERT-HAYES – Well the study that was done had to do with the effects of losing ag-lands and not… the loss of ag-lands for raptor foraging has to do with a biological effect and not the effect of losing the production of ag-land and that is what those two studies are that are in the appendices to the Final EIR.

COMMISSIONER OWINGS – So could you comment on the criticism that is offered by the Sierra Club in paragraph 6? Is it valid or not valid?

SPEAKER CALVERT-HAYES – I don't think it is valid as far as that ag-report having to discuss that effect; that is a biological effect.

COMMISSIONER OWINGS – It goes on in paragraph six to say that the report fails to analyze the impacts of importing food on greenhouse gases, global warming and air quality (paraphrasing from July 11 Sierra Club letter). Do you think there is a significant impact to the greenhouse gas effect for the required importing of food from land that was fallow from 2005?

SPEAKER CALVERT-HAYES – No, especially since what was being farmed on that site was sod; it wasn't food… it wasn't a food product for human beings.

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COMMISSIONER OWINGS – You know it goes on in that paragraph to say it is therefore still an important area of employment? Do you have any idea how many people were employed in growing sod?

SPEAKER CALVERT-HAYES – No I don't

COMMISSIONER OWINGS – Do you believe it to be a large number or small number?

SPEAKER CALVERT-HAYES – I wouldn't think it be large

COMMISSIONER OWINGS – Okay, going on to paragraph seven…I believe they need to insert a word in the first sentence. I think there is a typo there. "The Sierra Club believes significantly more needs to be required…; more of what I'm not sure for this project to make it have less of an impact on… I guess it is correct grammatically on both the environment and the health of those in the Moreno Valley region. The direct impact and cumulative impacts can be further reduced with proper conditions of approval. Do you have any idea what those proper conditions of approval would be?

SPEAKER CALVERT-HAYES – No they don't state what they are.

COMMISSIONER OWINGS – It goes on to say that in a letter that I just saw from the law firm, it talks about gold LEED certification, but in this letter it talks about silver LEED certification. From your experience isn't it impossible to build a silver LEED certified building? Isn't it that you build a lead certified to the standards of LEED certification and then one year later the building would be certified, but isn't it technically impossible to build a LEED certified building?

SPEAKER CALVERT-HAYES – It is my understanding that building a LEED certified that is greater than just the standard lead certification for warehouses is difficult because of what is being asked.

COMMISSIONER OWINGS – But isn't it the procedure in LEED certification that you build it to their building specifications and then a year later it is certified.

SPEAKER CALVERT-HAYES – I'm not sure to be honest with you.

COMMISSIONER OWINGS – It is impossible to predict whether you will get certification; correct?

SPEAKER CALVERT-HAYES – Correct

COMMISSIONER OWINGS – Thank you. When is Moreno Valley going to raise the needs of its residents? Last fall the City of Riverside approved a warehouse

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with a gold LEED certified building. Isn't that an incorrect statement? It has not been certified as gold has it?

SPEAKER CALVERT-HAYES – As far as I know that is correct.

COMMISSIONER OWINGS – Thank you. So, thank you very much, that concludes my questions.

SPEAKER CALVERT-HAYES – Thank you.

CHAIR VAN NATTA – If I may I just have kind of a general question for the greenhouse expert; if he would come back forward. Tell me your name again please.

SPEAKER CALVERT-HAYES – It is Ron Brugger

CHAIR VAN NATTA – I'm not nearly as technical as some of the other Commissioners on this panel, but I just have a general question that comes to mind. If you have an 80 acre site and you build a single 1.6 million square foot building on it or you put 6 houses per acre, so you would have 480 homes and 960 cars coming and going at about 2,000 people living there, which project is going to have more impact on the environment?

SPEAKER BRUGGER – Are you asking which will have more of an impact on greenhouse gases? I mean that part of the impact?

CHAIR VAN NATTA – Yes

SPEAKER BRUGGER – It is not a very straightforward… there are a lot of factors that go into the greenhouse gas emissions. One of them is the energy required to keep the building either heated or environmentally heated or cooled, whatever is required and with a large warehouse that certainly takes a lot of energy, but with a large number of homes, each one of them being a separate island if you will and with the summers or whatever, a lot of air conditioning is required, so probably a lot more energy will be required for keeping; what is the number; 480 homes…

CHAIR VAN NATTA – If you are figuring at six houses per acre.

SPEAKER BRUGGER – Okay, then typical warehouses are typically not kept that cool; maybe the office space, but not the entire warehouse and I speak of energy… when you are generally talking about greenhouse gas emissions one of the very direct correlations is how much energy is required by a project. Energy translates very directly to greenhouse gas emissions or CO 2 emissions, so they are often used interchangeably when you are talking about greenhouse gas impacts.

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CHAIR VAN NATTA – It might just be an urban legend, but somebody told me that 80 acres of dairy farm actually creates more greenhouse gas

SPEAKER BRUGGER – There would be a lot of methane. Yeah, well it is not zero.

CHAIR VAN NATTA – Anything is going to have an impact right

SPEAKER BRUGGER – It is one of the tricky things with a greenhouse gas analysis. Almost everything emits CO 2 or it is a product of just biological and energy uses biological processing, so trying to say there is and I don't know of an example of something that would produce zero greenhouse gas emissions or greenhouse gas…

CHAIR VAN NATTA – Unless we just simply don't develop it at all

SPEAKER BRUGGER – Yeah, but if you have plant life…

CHAIR VAN NATTA – Even that does

SPEAKER BRUGGER – Yeah I mean that just the nature of plants effects… now you can argue that it is maybe absorbing CO 2 and may have a positive effect on greenhouse gas emission and that it has a net reduction in an area perhaps, but…

CHAIR VAN NATTA – But just in the comparison between 480 homes versus a single warehouse, it wouldn't be very clear to say that oh absolutely the warehouse is going to be a lot more damaging to the environment; create a lot more greenhouse gas and is something… just a big difference between the two

SPEAKER BRUGGER – You know most of the time a large industrial warehouse facility does wind up; when I do an analysis and total everything up, more greenhouse gas emissions come from a large warehouse than an equivalent if you will sized residential, but it is not 10 times or a 100 times, it is maybe 2 times or 3 times or so. It is generally more but not a huge amount.

CHAIR VAN NATTA – And that is why we are looking for mitigation on those items to keep it as low as possible.

SPEAKER BRUGGER – Well that is the other tricky part about greenhouse gas impacts, is it is the classic cumulative effect. It is very difficult to say any one individual project is going to have a significant impact on global climate, which is the question. So is a large warehouse or a large residential development or a large retail shopping center; any one of those, that is what everybody is wrestling with; you know State, Federal, Cities or whatever, so that is the challenge is how

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is any one project going to have a significant impact on this huge cumulative global or certainly very regional situation.

CHAIR VAN NATTA – Okay, alright, thank you. It was just a point of curiosity there. Thank you very much.

COMMISSIONER OWINGS – Madam Chairman, if I could just while you are in this vein of questioning. Looking at the and I know you haven't had the opportunity to look at it because neither have I, but the Johnson and Sedlack, Attorney at Law letter; page 3, cumulative impacts as you were just discussing them… Response to comment E10, acknowledges that the World Logistics Project was only considered in determining which certain cumulative impacts; not all cumulative impacts. Those impacts for which the World Logistics Project was apparently not considered include, but are not limited to: traffic off the highway main line, noise, aesthetics, biology, hydrology/water quality, among others. The EIR fails as an informational document by failing to consider cumulative impacts from the World Logistic Project in each of these areas of the EIR (quoting from the Johnson and Sedlack letter, July 12).

I think my question to you is three-fold. Number one, could you please address the criticism that was made in this paragraph; number two, is it proper to use the cumulative effects of the World Logistic Project if the project has not been approved and may not be approved. We have an applicant now we should be fair to and they are first in line and is it proper to consider a project that hasn't even been approved in those cumulative effects; and number three, could you address the very last part of this sentence which says, the EIR fails as an informational document by failing to consider cumulative impacts from the world logistics project in each of these areas.

SPEAKER BRUGGER – Do you want to get that one? It is more of a general EIR question.

SPEAKER CALVERT-HAYES – Yeah, okay, first of all when we went through the Initial Study we found that some of the impacts were either less than significant or were mitigated to less than significant with mitigation and those were biology, cultural resources, hydrology which is drainage. The EIR did look at the cumulative effects of all the projects that were listed in Section 2 of the document; of the Draft EIR. There was a table and there was also a map that showed all the cumulative projects and the World Logistics Center was one of them. It is a foreseeable project, even though it is not approved or it hasn't gone through its approval process yet, but according to CEQA you need to look at all projects, including possible cumulative effects of other projects combined with the particular project that you are studying, so when you have already determined that the effects are less than significant, it is not going to be a cumulative effect just because you have another big project in the area, because

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what you are analyzing is the project at hand. You are not analyzing all the effects of the World Logistics Center, so I believe that comment is a bit skewed.

COMMISSIONER OWINGS – Well let me ask further for my own information. How can you ascertain what the cumulative impacts of a project such as the world logistics project, when you don't know what the mitigation that will be required from them to build the plant nor do you know what the conditions of approval will be imposed by this body or the City Council.

SPEAKER CALVERT-HAYES – That is true, but one of the things that you can analyze is okay; we know this big warehouse project is potentially coming in. Yes it is going to affect air quality and greenhouse gas emissions and there will be truck traffic on the freeways and those were all looked at in combination with this particular project and you are determining whether this project has a cumulative effect on the environment and not the other projects.

COMMISSIONER OWINGS – Isn't it true though that when the World Logistics Project submits its EIR or EIS, it will have to determine what the cumulative effects of your project and its project are and so therefore there will be additional mitigation; potentially there would be additional mitigation passed on to the world logistics project.

SPEAKER CALVERT-HAYES – I can't say if there would be additional mitigation.

COMMISSIONER OWINGS – The proper question would be isn't that a potential possibility?

SPEAKER CALVERT-HAYES – It is a possibility. One of the other things that you need to take into consideration is will this project be built by the time the World Logistics Center is analyzed. If it is, it becomes the baseline. It doesn't become part of the cumulative because it has already been built, so if is not built yet, then yes, it will be part of the cumulative discussion.

COMMISSIONER OWINGS – The chances are this building may be built; probably be built prior to the World Logistics Center. Is that correct?

SPEAKER CALVERT-HAYES – Possibly

COMMISSIONER OWINGS – What do you think the odds are?

SPEAKER CALVERT-HAYES – I don't know. You'll have to ask the Applicant on that one.

COMMISSIONER OWINGS – Okay

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SPEAKER CALVERT-HAYES – Not a fair question

CHAIR VAN NATTA – Do we have any other questions here before we go to public comments? Okay then I am going to open the hearing to comments from the public for agenda item number one.

ASSISTANT CITY ATTORNEY BRYANT – You might want to call the Applicant forward first.

CHAIR VAN NATTA – I'm sorry. I'm getting ahead of myself here.

PLANNING OFFICIAL TERELL – It is appropriate to open the Public Hearing and then the first speaker is the Applicant.

CHAIR VAN NATTA – Oh okay; alright, then the Applicant

APPLICANT RUSSELL – Good evening. My name is Patrick Russell. I'm with Sares-Regis Group, representing Vogel Engineers, the Applicant. There are a couple of items I wanted to mention. First of all we are going to build a sustainable designed project and it would be our intent to pursue LEED certification and if possible a silver certification. At this point in time it is not clear whether or not we would be able to achieve silver but we are making the commitment to a certified level.

The other item that I wanted to mention is that we will be providing a strengthened roof that would be able to accept future application of a solar array if and when that was chosen by the tenant for the building. There is also a correction I'd like make to Lynn's errata and that was on page 10 and it is under the mitigation measure 4.2.6.3a. The strikeout that Lynn was referencing is nearly correct, but the word any should not have a strike through and the purpose for that is that this list of items, the intent was to achieve 20 percent reduction as per Title 24 requirements and it was to service a menu of choices, not to be specific that the entire combination of items listed below would be included in the project, it would was for the applicant's engineers and the applicant to decide how we could achieve that 20 percent, so therefore I would like to make that correction and that is really all I had to say. I'm available for any questions that you may have.

PLANNING OFFICIAL TERELL – If you might, did you want to formally request a continuance or do you want to address that when you have your opportunity at the end of the other comments?

APPLICANT RUSSELL – Yeah I would like to address that at the end. I think that would be most appropriate.

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PLANNING OFFICIAL TERELL – By the way, that particular wording change would be acceptable to Staff because we've always read that to be a menu because if you did everything, you probably would well exceed the 20 percent.

CHAIR VAN NATTA – Okay

VICE CHAIR SALAS – Do you have a tenant for this building?

APPLICANT RUSSELL – We currently do not have a tenant, although I can say that we have some very strong interest in the building and they are a very reputable Fortune 500 type of firms.

VICE CHAIR SALAS – Well do you plan on building this building without a tenant?

APPLICANT RUSSELL – Yes

VICE CHAIR SALAS – So you are going to go ahead and go with construction?

APPLICANT RUSSELL – And there is a very good possibility that we might have a tenant by the time we go to construction. At this point in time we don't have a commitment from a tenant. Well pretty much all of the time you are not going to get a commitment from a tenant until you have an entitled project.

VICE CHAIR SALAS – Okay

CHAIR VAN NATTA – Are there any other questions?

COMMISSIONER OWINGS – Hi, how are you doing?

APPLICANT RUSSELL – I'm doing well, thanks

COMMISSIONER OWINGS – Thanks for coming Patrick. Patrick, the other day I was reading the Press Enterprise and I freely admit that on occasion I do read the Press Enterprise and it had a small article in it that said that the type of warehouses that you are proposing are in short supply and high demand. Do you agree with that assessment?

APPLICANT RUSSELL – Yes I do

COMMISSIONER OWINGS – Which I find to be interesting since their headline articles do not seem to suggest that, but this small article in the middle said the occupancy rate was almost zero. Is that correct?

APPLICANT RUSSELL – That's correct

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COMMISSIONER OWINGS – Okay, so when you say you are going to make the structure of the roof able to take on solar panels, was that something that was originally always planned or is that something that you did in response to the Sierra Club criticism?

APPLICANT RUSSELL – It is in response to the letters that we received; the criticisms from the Sierra Club as well as Johnson and Sedlack letters.

COMMISSIONER OWINGS – Just in general, wouldn't you think that would be a good thing to adopt in future projects though to be able to have the option to do solar panels if in the future those types of things became economically feasible?

APPLICANT RUSSELL – Yes I do and one thing that I should make clear is that Edison at this point in time has met their requirement for renewable energy.

COMMISSIONER OWINGS – Well that was my second question to you, so go ahead.

APPLICANT RUSSELL – And they have engaged in a number of power purchase contracts with large users such as these types of buildings and at this point in time have met their State mandated requirements for that.

COMMISSIONER OWINGS – Because I have heard that they are not interested in purchasing the power and are doing… Is that a correct statement?

APPLICANT RUSSELL – That is correct; yes and at some point in the future there will be probably more opportunity, but at this point in time, Edison isn't interested in extending any more power purchase agreements.

COMMISSIONER OWINGS – Could you enlighten us along with the public as to what the cost of the power that is sold to Edison is and how it affects ratepayers of Edison the purchase of that power?

APPLICANT RUSSELL – I'm sorry, could you repeat the question.

COMMISSIONER OWINGS – Could enlighten us as to the cost or the price that Edison pays to the solar provider; the solar panel electric producer for the electricity and how it compares to what they could buy from other sources and what effect does that purchase of this alternate energy have on the overall ratepayers of Edison; just in general.

APPLICANT RUSSELL – Well it really depends. First of all, the rate they pay the producers often times are base rate as far below that what the return would be required.

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COMMISSIONER OWINGS – So in other words, they are paying more for the solar produced power than they would from a coal fired plant or a natural gas plant? So, the difference between that is a loss. Where is that loss made up?

APPLICANT RUSSELL – Ultimately the ratepayers pay it

COMMISSIONER OWINGS – So the person who puts the solar on his roof, might end up actually paying himself back or paying Edison for the electricity he is purchasing?

APPLICANT RUSSELL – That's possible.

COMMISSIONER OWINGS – And then the rest of the ratepayers would make up the difference.

APPLICANT RUSSELL – Correct.

COMMISSIONER OWINGS – Okay, alright, so then you mentioned the LEED certification. Could you please enlighten as to how LEED certification comes about. It has been my understanding that you build a building to certain specifications and if you're lucky they will certify it.

APPLICANT RUSSELL – That's correct. We design a building with certain components that are sustainable; green; energy reducing; water saving and it is a very rigorous list of items that you have to provide in order to be LEED certified even at the most basic level. Furthermore, there are steps during construction that are quite rigorous and need to be documented during the period of construction, which on a project like this could take up to a year. Following the completion of construction, there is a commissioning process as well as a validation process that takes place with the US Green Building Council who administrates the LEED certification and that process can take six months or perhaps longer depending how diligent that your LEED Consultant is, so it would be difficult to say upon occupancy a project would be LEED certified or would have received an award. We may get there someday but we are not at this point in time and as probably everybody knows the USGBC is inundated with applications, so what we found is it is taking more time and not less time to get those certifications completed.

COMMISSIONER OWINGS – So if I understand your testimony correctly, what you said earlier is that it is your intent to build this building to LEED silver certification standards. Is that correct?

APPLICANT RUSSELL – It is our intent and if we are looking for a shall you know the shall would be that we shall build it to a certified standard.

COMMISSIONER OWINGS – So I'm still unclear whether you are going to build it the standard or not.

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APPLICANT RUSSELL – Okay, well we would build it to a LEED certified standard.

COMMISSIONER OWINGS – And hope that it would be certified as a silver building

APPLICANT RUSSELL – Correct.

COMMISSIONER OWINGS – So even if it were not certified, we would get the effect and benefits of all the extra money that you've spent to build it to their standard.

APPLICANT RUSSELL – Absolutely.

COMMISIONER OWINGS – So the certification is really just kind of icing on the cake. It is really a diploma on the wall.

APPLICANT RUSSELL – Yes and it has long term benefits you know for both the user and the environment.

COMMISSIONER OWINGS – But in terms of its benefits to the environment, the certification on the wall doesn't do anything, it is just building it to the standard; correct?

APPLICANT RUSSELL – That's correct.

COMMISSIONER OWINGS – So while we are on the topic of Leed certification, it has been rumored that the Sketchers building has not been certified because it has been rumored that the reason it has not been certified… Are you familiar with Sketchers laying the proper foundation?

APPLICANT RUSSELL – Yes.

COMMISSIONER OWINGS – Alright, so the reason it has not been certified is that they've never certified a building that large, so they are not quite sure how to. Have you heard anything to that nature and could you corroborate that statement.

APPLICANT RUSSELL – I have not read that information but I would imagine it would be very difficult because it is a first.

COMMISSIONER OWINGS – Well your building is nearly as big

APPLICANT RUSSELL – Correct.

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COMMISSIONER OWINGS – So it appears that you would anticipate the same difficulties in becoming certified.

APPLICANT RUSSELL – Yes but typically once USGBC runs through the process, it becomes much smoother the next time around.

COMMISSIONER OWINGS – So you are saying once they do Sketchers, they'll get faster

APPLICANT RUSSELL – Well we are not pursuing gold first of all, which is a very high bar to achieve, especially for an industrial building and my hesitancy in committing to silver is that USGBC continues to change their requirements over time.

COMMISSIONER OWINGS – So it is somewhat of an elusive target.

APPLICANT RUSSELL – It is.

COMMISSIONER OWINGS – Alright and you've had an opportunity to kind of glance at this original letter that was sent to us by I think George Hague, representing the Sierra Club on July 11th.

APPLICANT RUSSELL – Yes.

COMMISSIONER OWINGS – Do you have any overall comments concerning that letter that you would like to make the Commission aware of?

APPLICANT RUSSELL – Why I think that we took the letter seriously and gave all of the comments a lot of consideration and we adjusted our responses and mitigation to address those concerns.

COMMISSIONER OWINGS – Has the Sierra Club had an opportunity to discuss your changes with you or is this the first time they are aware of those changes?

APPLICANT RUSSELL – They have had the opportunity to review our responses to their letter as well as the modified mitigation monitoring program and response to comments in the EIR.

COMMISSIONER OWINGS – In their response; have they responded to you?

APPLICANT RUSSELL – Just several hours ago we received a second letter.

COMMISSIONER OWINGS – And that would be the letter dated July 12th?

APPLICANT RUSSELL – Correct.

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COMMISSIONER OWINGS – Some folks would say that no matter what you do you are going to end up being sued by the Sierra Club. Is that a statement that you would agree or disagree with, no matter what you do or say to mitigate this project?

APPLICANT RUSSELL – Well I would consider that to be an opinion and…

COMMISSIONER OWINGS – Is it an opinion that you share?

APPLICANT RUSSELL – You know I'd prefer not to comment

COMMISSIONER OWINGS – I understand. Thank you.

CHAIR VAN NATTA – Okay Commissioner Giba you had a question?

COMMISSIONER GIBA – I'm going to shift just a little bit. I went out to the site; the area and they are doing a lot of the construction work right now, but the traffic in that area is horrendous. I mean I tried to go down Harley Knox to get back on the freeway and there are trucks going every which way because there is a lot of not just construction but a lot of warehouses and additional facilities out there. I'm curious that is 1.6. I mean I've been out to Sketchers. I've been to that site and that's a huge facility. Question number one, about how many trucks do you expect to be docking and leaving and coming into that facility on a daily basis.

APPLICANT RUSSELL – I'm going to defer to our traffic engineer, to get the correct information.

SPEAKER BHATTACHARJEE – Good evening. My name is Sandipan Bhattacharjee. I prepared the Traffic Study for this project. The forecast trip generation for the project is based on rates that are based on statistics and for this current project it is forecast to generate about 2700 daily trips of which about 177 are during the am peak hours and about 210 are during pm peaks hour and of 2731 daily trips about 1256 are passenger cars and the rest are trucks.

COMMISSIONER GIBA – Is that considered a pretty high volume?

SPEAKER BHATTACHARJEE – No

COMMISSIONER GIBA – Again it depends on who is going to be inside of the facility and when you do…

SPEAKER BHATTACHARJEE – Yes, well… so the type of building, because of its size and because of the way warehouses operate the trip generation is significantly lower than a traditional warehouse and if you want a comparison for example, the 210 peak hour trips in the pm peak hour, that is generated by about the same number of single family homes, so it is about… so when earlier I was

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hearing the testimony and it forecast the number of houses based on the roof area and so in terms of traffic, this project will generate the same amount as about 210 single family homes.

COMMISSIONER GIBA – In the current study that we have in our documentation that we received, the facts and findings indicated that that can be a severe problem in that area would the 1-215 ramps at Harley Knox; the ramps, boulevards; Perris Boulevard and so there is a potential for good congestion over a long extended period of time and as I would suspect when that goes into place is there a flow pattern to this? In other words I've seen the entrance off of Perris. There is an entrance off of Indian. There is an entrance off of Grove View. Yeah, is there a movement pattern for that trucking like in and out so that they are not just coming at all those sites and leaving at all those sites or is there any…

SPEAKER BHATTACHARJEE – Yes there is and so on page 3 of the Planning Commission Staff Report that you have access as discussed, so the northern drive on Perris will be for passenger vehicles and emergency vehicles only.

PLANNING OFFICIAL TERELL – I think the actual flow of the trucks will obviously depend on the particular tenant of this, but the closest access to the freeway is from Harley Knox exit, so it is anticipated the most trucks would go that way. I don't know if Sandipan you had a particular percentage distribution of truck trips included in the study.

SPEAKER BHATTACHARJEE – I do

PLANNING OFFICIAL TERELL – There is an assumption but the reality is trucks and passenger cars too are going to take the quickest or most direct route.

SPEAKER BHATTACHARJEE – It is about 30 percent of the project passenger vehicles will be using the ramps at Harley Knox and about 60 percent of the trucks will be using the ramps at Harley Knox.

COMMISSIONER GIBA – I guess what I'm trying to determine is that over the period of time that we build this out and we have those and we are right next door to Perris; the City of Perris, which we don't control what they are going to be doing and as stated in the document we don't have control over certain areas of the freeway changes and corrections. I'm trying to understand how much of an impact these additional trucks will have; not just the cars themselves on Perris Boulevard which is a major throughway for a lot of people and all the other warehousing, distribution and facilities in that same region over a period of time; I mean long term if this is going to end up being a real difficult situation for everybody especially since we are in the middle of constructing a lot of these streets now. I understand that and it should be about a year at least.

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SPEAKER BHATTACHARJEE – The Perris Boulevard corridor is included and Riverside County TUMF; the Transportation Uniform Mitigation and as development comes in more funds will be generated and eventually it will be built to General Plan standards. Each City has their own plan. That is what the TUMF does. That is how the TUMF projects are formulated.

PLANNING OFFICIAL TERELL – Just by way of information, Perris Boulevard; the section of Perris Boulevard in the City of Moreno Valley and I believe it also extends to Perris Boulevard in the City of Perris are currently funded TUMF projects and actually the contract in the Moreno Valley portion has been issued already, so any widening that needs to occur in the City of Moreno Valley in this area actually going all the way up to Cactus I believe, is going to be in place within the next year.

COMMISSIONER GIBA – So we'll have that in place before this is fully occupied at that point.

PLANNING OFFICIAL TERELL – Correct… I don't know Sandipan if also if I understand Commissioner Giba's question, if 60 percent of the trucks and 30 percent of the cars are using the off ramps at Harley Knox, is there any estimate of what percentage of the traffic at that intersection is caused by this project?

SPEAKER BHATTACHARJEE –– I can roughly round the numbers in my head

APPLICANT RUSSELL – It was also noted that Harley Knox is to be widened to a six lane divided arterial through the use of TUMF funds consistent with the City of Perris Circulation Element.

PLANNING OFFICIAL TERELL – Yeah, typically for regional improvements and I can defer to Michael Lloyd who may be able to add on to this, the payment of fees for the regional financing system for TUMF is one of the major ways for a project to address its cumulative; its share of the cumulative impacts, because I'm sure you could understand that if the first project has to pay for everything, the first project never gets built, so that is why we are really fortunate in Western Riverside County and they have similar programs elsewhere, but to have the TUMF program which really builds that funding to generally match other funds to build the infrastructure so both economic development as well as traffic congestion relief can occur relatively close together. Obviously, there is never a perfect system.

SPEAKER BHATTACHARJEE – It is about 2 percent.

COMMISSIONER GIBA – That was my concern. Thank you very much.

COMMISSIONER OWINGS – Chairman, if we could follow up while we are on the Perris Boulevard/Harley Knox truck route. If you look at page 10 of the

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lawyer letter… page 10 of today's lawyer letter; Johnson and Sedlack… under transportation, apparently the EIR response to comment E12 was unresponsive in the author's opinion and he goes on to say the project fails to mandate that only the primary truck route of Harley Knox Boulevard to the west be used so the trucks will not pass by a school. Can you comment on that? Apparently there must be a school on some other…

SPEAKER BHATTACHARJEE – The trip distribution or how the trucks are going is based on the distances to the interchanges and I mean some trucks from this project will go to other warehouses in the City and some will be regional trucks, so if they are trying to go to the freeway it is likely they will try to stay off of the City streets as much as they can and Harley Knox is the nearest freeway interchange, so that is why they were routed there.

COMMISSIONER OWINGS – If you look at that page; it is page 10 under that same paragraph, it says while this may be the primary truck route, the EIR does not claim or show that this is the only truck route which may be used. Is it possible to address this?

PLANNING OFFICIAL TERELL – Can I take a run at that? The City has adopted truck routes. Trucks aren't allowed on roads other than designed truck routes. I mean not that they don't go there, but basically they could get… there is enforcement if they move off of those streets and those streets I won't say that there are no schools on those streets, but I was kind of racking my brain and I asked Michael Lloyd and I couldn't think of any of those streets. Perris Boulevard is an example; I don't believe there are any schools on Perris Boulevard south of the freeway. Generally we don't have schools on truck routes. They are heavily commercial areas usually. Cactus Avenue, west of Heacock is one. Heacock as you know is also a truck route. There may be and that is the one place there might be a school is on Heacock, but generally those are meant to be in areas where people expect to have a lot of traffic and therefore commercial centers; access to the freeway; so if I understand the concern, direct the trucks along a street that has no schools and therefore everything is fine. Under State law, trucks have the right to use a designated truck route, so that would really be…but if that were be a direction to anybody it would be direction to the City Council to not have any designated truck routes where there are any schools and then that would be a policy decision of the City Council.

COMMISSIONER OWINGS – Well John if you read their comment, I think Mr. Johnson's concern goes somewhat beyond that. While this may be the primary truck route and I believe he is referring to Harley Knox Boulevard, the EIR does not claim or show that it will be the only truck route, so is he saying are there alternative truck routes.

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PLANNING OFFICIAL TERELL – Yes, there are truck routes and I believe and I might have Michael add on to this. There is a requirement under State law to have a reasonable system of truck routes to allow access through a community; not actually to a community, but through a community and there are truck routes in various portions of the community. The only truck route and I don't know if that would even be reasonable that only one truck route which happens to be in the City of Perris for trucks to access the freeway from the City of Moreno Valley.

COMMISSIONER OWINGS – He goes on to say the project will enforce use of only… he asks for details on how the project will enforce use of only the Harley Knox Boulevard to the west truck routes in order to avoid passing by schools, so this would suggest that there are no schools on Harley Knox Boulevard but that other alternate routes may have schools.

PLANNING OFFICIAL TERELL – That is correct, they may, but they are still designated truck routes and they are still not… well they are certainly not feasible monitoring system, but legally trucks have the right to use a designated truck route, so this project's trucks would be able to use a designated truck route just like any other project's trucks. I wouldn't see that as an issue related to this project, it is an issue related to the designation of truck routes.

COMMISSIONER OWINGS – Every project that uses trucks

PLANNING OFFICIAL TERELL – Right, but the designation of truck routes is done by the City Council and it is done pursuant to State law, so you can't restrict some projects from using some truck routes and not others.

COMMISSIONER OWINGS – Mr. Johnson goes on to say, furthermore condition or mitigation measures must be placed on the project to require that only the primary truck route be utilized as this was apparently the only route evaluated by the EIR, so I guess that is a dual question to you John and to the EIR folks.

PLANNING OFFICIAL TERELL – No I believe that's a question of what was evaluated. Obviously only 60 percent of the trucks are going on Harley Knox. I would suspect that is not a correct statement.

SPEAKER BHATTACHARJEE – Right and so in traffic, when we evaluate… the purpose of the documents to evaluate if a project is likely to have a significant impact on any facility... If you are adding let us say two trucks a day to an interchange, that is not a significant impact. The total peak hour trip generation for the project was about 280 and 40 percent of that number let us say; the rest of the 60 percent using Harley Knox the rest of them. Even if we said the trip generation is 300, that is 40 percent of 300 is about 120 vehicles and those are being distributed towards other warehouses and other freeways and considering the directions that we have, we evaluated north on Perris. We evaluated all intersections to north of Iris and the number of trips that we had at those

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intersections in working with Transportation Staff, we evaluated every intersection where the project had a significant number of trips and so I think we have analyzed all the potential impacts that could be caused from traffic from this project.

COMMISSIONER OWINGS – Could you specifically address the statement, furthermore condition or mitigations measures must be placed on the project to require that only the primary truck route be utilized as this was apparently the only route evaluated by the EIR. Is that a correct statement?

SPEAKER BHATTACHARJEE – That is not a correct statement. That is the primary truck route but we also have trucks going on Perris.

COMMISSIONER OWINGS – Thank you. You know Madam Chairman if I could speak to the Applicant Patrick. I just needed a clarification. I thought your last comment kind of made me unclear, so I just want to go over this again. Would you have a problem if this Commission made as a condition of approval that you would have the structural integrity in the roof for the solar panels and the building would be built to silver LEED certification requirements?

APPLICANT RUSSELL – My intent was that the roof be capable of supporting solar panels in future.

COMMISSIONER OWINGS – So you would not have a problem if this was made a condition of approval?

APPLICANT RUSSELL – No

COMMISSIONER OWINGS – No problem?

APPLICANT RUSSELL – And the condition I would prefer because of the reasons I discussed earlier is that it be a LEED certified building and we will attempt to achieve silver certification.

COMMISSIONER OWINGS – Could we say and I understand your concerns that the LEED silver certification requirements might change by the time you get around to building the building, but would you be willing to agree to a stipulation that says as a condition of approval that you would build the building to LEED silver certification requirements as they are now.

PLANNING OFFICIAL TERELL – Yeah if I can intercede a little bit… Because LEED is not a government agency; it is basically a private group that… there are other firms that also do certifications, but I would recommend for your consideration Patrick, that if there were a condition, it would be that it be built to LEED certification standards…be determined to be eligible for LEED certification rather than necessarily…

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COMMISSIONER OWINGS – That is exactly where I hit it. I don't care about the diploma on the wall as long as the building is built to the specifications.

PLANNING OFFICIAL TERELL – And then I guess the idea is your familiarity with consultants you have used for that, could they put that as; base that on a moment in time; the 2012 LEED certification eligibility standards rather than whatever LEED considers…

COMMISSIONER OWINGS – So if we change it from here on out, we don't really care. We just want to know as of today if you were to build it today and it was built to silver LEED specifications, would you object to that as a condition of approval?

APPLICANT RUSSELL – No I would not.

COMMISSIONER OWINGS – So you know, when we get to discussions and deliberations, I will certainly suggest to the Commission that those two items be made a condition of approval.

APPLICANT RUSSELL – Okay

COMMISSIONER OWINGS – Thank you

APPLICANT RUSSELL – Thank you

CHAIR VAN NATTA – Do we have any other questions from the Commissioners? Do we have any members of the public who wish to comment? Is this the proper time to ask for a…

PLANNING OFFICIAL TERELL – Yes, I don't believe we received any slips, but there may be somebody who would like to speak.

CHAIR VAN NATTA – I see no slips here. I would especially appreciate it if there would… Is there any representative from the Sierra Club in the audience? They found it important enough to write us a couple of letters. I would have liked to have been able to discuss further with them. Were you part of writing this letter? Alright then, any other members of the public that wish to address…

SPEAKER CALVERT-HAYES – Can I make a clarification before you close the Public Hearing? There was a question on schools; how close the schools were.

CHAIR VAN NATTA – That would be great

SPEAKER CALVERT-HAYES – If you look in your EIR; the Draft EIR in section 3, which is the project description, there is a map and it is on page 3-4. It is a color map and the project is shown in the yellow block between Grove and Perris

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Boulevard. If you follow the Perris Valley Storm Drain, there is a little block adjacent to Green in a housing development; that is an Elementary School and there is I believe a High School further to east, so the closest schools are actually to the north and east of the project and the trucks wouldn't be travelling by those schools at all, they would have no reason to.

PLANNING OFFICIAL TERELL – Yeah I believe both… is that on Indian?

SPEAKER CALVERT-HAYES – Yeah, I'm not sure. It doesn't have the roads on here

PLANNING OFFICIAL TERELL – The closest schools that I'm aware of are over at Indian and Iris and neither of those streets is a truck route.

SPEAKER CALVERT-HAYES – Not a truck route; correct

PLANNING OFFICIAL TERELL – And then to the east there on Lasselle

SPEAKER CALVERT-HAYES – On Lasselle… the High School

PLANNING OFFICIAL TERELL – And I don't believe Lasselle is a truck route either

SPEAKER CALVERT-HAYES – They are about a mile away from the project and I just wanted to clarify for the public record that the trucks wouldn't be passing by those schools. Thank you.

CHAIR VAN NATTA – Okay, we have a Speaker Slip…Sue Gilchrist

SPEAKER GILCHRIST – I kind of feel obligated to come up and say something, but I would like it to be known that Mr. Russell did make some substantial concessions when he said that the building would be… what was the term… it would be eligible for silver LEED certification. I think that's a great way to head, as far as the City is concerned. Unfortunately the building is only a small part of the problem. It is the trucks and it is the emissions from the use of that building that are substantial. Once the building is up, the building doesn't create any nitrous oxide or anything else, it is the use of the building that does and that depends on the type of tenant that they get on it, but I do think what he did was a substantial move in the right direction and I hope that the Council, when they see this understand that you are serious about improving the type of building that is constructed in Moreno Valley. My neighbor has solar panels on her home and she is actually getting a rebate from Edison. She hasn't had an electric bill in quite a while, but there are so many little ways of getting tax deferments and all sorts of little ways of getting the solar put on there at a lower cost, but I think that is an excellent step in the right direction, to get the roofing and to get the building built so that it will absorb the stress of the solar panels and it is kind of

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interesting, if solar energy is more expensive for Edison to purchase, why are they building the solar arrays out in the desert? Why would they want to be building and I don't remember, is it Green Pace or Street Spot or something like out in the desert, if that is a more expensive way of getting electricity.

COMMISSIONER OWINGS – Sue, I'm no expert at this…

SPEAKER GILCHRIST – I'm not either

COMMISSIONER OWINGS – But I do deal with the City of Riverside Utility Department and by law, they are required to buy so much energy from alternative sites, so they are very profitable to sell the electricity to the utilities like the City of Riverside Utility Department. It is not purchasing it, but selling it at a high price, so that is why the citizens of the City; citizens of Riverside will expect an increase in their electric bill at some point in the future. The City of Riverside was very foresightful and purchased a lot of alternate energy at lower prices, but right now there is a bidding war for this type of energy so that all City and other utilities can meet the statutory requirements.

SPEAKER GILCHRIST – This is way beyond what I know

COMMISSIONER OWINGS – So if you wouldn't mind, I appreciate your comment and I would like to give you a comment of my own that maybe you can pass on to the people who run the Sierra Club. When the Sierra Club litigates every project, it really weakens and diminishes their impact, when they offer an opinion… if you let me finish. When you read these lawyer letters, they could just save 400,000 trees and just write us a single page letter that says ditto. You know it diminishes their method. I find your input to be very useful, but you know, you need to pick the battles that are important and you cannot take a snow grove at any cost across the board approach or sooner or later people stop listening to you and that are my only comment. This letter by the lawyer representing the…

SPEAKER GILCHRIST – I know Ray

COMMISSIONER OWINGS – We all know that they make… he is the one that is going to make them the most money out of every suit filed and it makes it difficult from a City. You know our Commission; we are here in the City to not only oversee and look at Planning, but to promote business. That is what a Planning Commission does; development; growth, so when you say that you can have progress without growth, that is just impossible. Progress equals growth and the Sierra Club seems to have this across the board against every bit of growth and you know when you are negotiating in good faith; two parties negotiating in good faith…

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CHAIR VAN NATTA – I'm sorry to interrupt you, but I think we have a point at the end where you can have comments, but right now we are looking for comments from the public.

COMMISSIONER OWINGS – Well let me just finish Madam Chairman. When you negotiate in good faith, it has to be good faith.

SPEAKER GILCHRIST – Okay, my comment in response to yours is that let's say the Sierra Club is on well my left hand okay and the developer is on the right hand. You have to have a balance, because the developer would like to take the cheapest route possible. The Sierra Club would like to have things mitigated as much as possible, but somewhere in middle, you get a compromise, but without the Sierra Club, the compromise would be toward the developers end. You have to have both, so if you understand at all times where the Sierra Club and my left hand always is, then that would be fine; they wouldn't have to make these statements, because you are going to hear from Highland Fairview and they are going to be over here, so you have to come up with a middle ground, but if you start in the middle, then your decisions are going to be closer to where the developer is. Do you understand what I'm saying? You've got to have a balance.

COMMISSIONER OWINGS – I do

SPEAKER GILCHRIST – And as long as you understand where the Sierra Club and the environmental issues are placed and you will always consider that.

CHAIR VAN NATTA – I would like to limit both of you to try to get us back to where we are because we have an agenda item here and we would like to speak to this agenda item. Okay, other public comments? I'll close that portion of the Hearing then and I believe we had a motion coming from the Applicant.

PLANNING OFFICIAL TERELL – At this point in time it would be required to ask the Applicant if they anything more to say or response to the comments that they received.

CHAIR VAN NATTA – Okay

APPLICANT RUSSELL – I would just like to thank you for the consideration of our project and I think that if you review the mitigation monitoring program for this project, the mitigation is considerable. Despite the comments that were received in the letters and the additional mitigations requested, many of which we have adopted, including those discussed tonight, that I do feel that we are going a considerable distance to offset those and I appreciate your consideration of that as well as the approval tonight. Thank you.

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CHAIR VAN NATTA – I believe at some point someone said something about wanting to table this for some additional…

PLANNING OFFICIAL TERELL – Well I think there was some discussion at the beginning that the Applicant may want time to respond specifically to the letters received today, but based on the Applicant's most recent comment, I believe they think and I won't speak for them but they are not asking for a continuance, based on where we are now in the hearing.

CHAIR VAN NATTA – Based on where we are now, did you still want that continuance or shall we go ahead with our discussion and debate?

APPLICANT RUSSELL – Based on the dialogue that we've had tonight, which has been extensive, I think that we have responded to the comments within the letters, so I would request that we not continue.

CHAIR VAN NATTA – Okay, alright, so then at this point we will go onto to our Commissioner's debate and who would like to go first.

VICE CHAIR SALAS – I'll go first. I agree with Commissioner Owings. I think that being able to support solar is a must; the silver/gold or to be a silver LEED is also a good point for us. The project is being put in a place where we want it to be and consistent with the General Plan. It is allowed by right, so I have no problem with it as long as we put those two conditions on the conditions of approval for him to do that.

CHAIR VAN NATTA - Okay

COMMISSIONER GIBA – After listening through everything we have, I'm glad to see it will take a little while for them to build the facility because my concerns are the traffic and the other mitigations are dependent upon timing as far as I'm concerned. There is so much going on in that area if that begins and that goes on too soon, so if this gets spread out a little bit over time, some of those street problems will be taken care of; all the mitigation factors on Perris Boulevard. There is an access to Ramona Expressway down Perris; there is the Harley Knox and all those conditions are taken care of. I think will probably make it okay in that area. It is designed for that. There is nothing much out there except the warehousing type facilities. There is very little housing in those locations. It is close to the freeway and we are close to Perris and Perris will be doing what they want to do as well and we can't control that, but what we can control is what we do within our own City limits.

CHAIR VAN NATTA – Thank you Commissioner Giba. Are there any other comments? Before somebody makes a motion, I do have a comment; just I'm giving everybody the opportunity to go first. I think from looking at this there was a very concerted effort to respond very clearly and very positively to the

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comments that were made to the report initially. I appreciate the fact that you want to build this to LEED certified standards, but I think as Mr. Terell pointed out it is not a government document that we can look at and say if you do this, this, this and this you are going to be certified. It is kind of a moving target. It is kind of like when my dad asked me well are you going to go get an A on that test and I said well I'm going to try my best and I studied hard and I'm going to do everything right, but there is only so much that you can do if you are going to be judged by somebody who changes the rules, so I support the idea that we can condition this upon the roof and structure being built to accommodate future solar panels and that we can condition it upon it being built to LEED certified standards.

I don't think we can condition it upon saying it is going to be built to silver standards or it is going to be built to gold standards because that can be somewhat of a elusive target, but to say that it is to be built to LEED certified standards, I think would be sufficient and then if they can achieve that level that would be great.

PLANNING OFFICIAL TERELL – And just so I can… if you added a condition like that, what we would expect is we would expect a report from their LEED consultant that we would review and agree with that would clearly demonstrate that they had met that standard. It is a point system and there are points for this and points for that and that is why you have to kind of get at the end before you know where your points are. Some of them are for energy efficiency; some of them are for water saving; some of them are for using low emitting paint; low voc emitting paint, so it is a collection of things. I've seen them before and I think we would readily be able to look at that as meeting a condition and then you have to decide yourself what level you want and then the Applicant can…you can have a discussion with…

COMMISSIONER OWINGS – John, I think that is possible isn't it for the Staff and the Applicant to work this condition of approval out.

PLANNING OFFICIAL TERELL – We can work out the wording as long as I guess you are in agreement that it is the certified standard or silver standard or whatever it is.

COMMISSIONER OWINGS – It is the silver standard but it is as a moment in time of now as we speak.

PLANNING OFFICIAL TERELL - Okay, because I understand the Applicant agreeing to the silver standard as the point system stands today.

COMMISSIONER OWINGS – Yes and the Applicant is willing to do it so I see no reason why we shouldn't be willing to do it, so I would move Madam Chairman to:

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1. **APPROVE** Resolution No. 2012-16 and thereby: **CERTIFY** that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and,
2. **APPROVE** Resolution No. 2012-17 and thereby: **APPROVE** PA09-0004 Plot Plan and PA09-0012 Tentative Parcel Map 36162, subject to the attached Conditions of Approval included as Exhibits A and B and the Conditions of Approval as discussed in this meeting in which Staff will prepare with the Applicant.

CHAIR VAN NATTA – Did you want to specify in that just what was discussed in the meeting, but specify in that motion about the two items.

COMMISSIONER OWINGS – We can add that the items were to build the building structurally so that it can at a later time be solar panel equipped on the roof and two, which it is built to LEED silver certification as of 2012.

CHAIR VAN NATTA – Okay, I have a motion.

VICE CHAIR SALAS – Okay I have a motion and a second. All in favor?

Opposed – 0

Motion carries 7 – 0

PLANNING OFFICIAL TERELL –Yes this item shall become… this action shall become final unless appealed to the City Council within 15 days.

CHAIR VAN NATTA – Okay, thank you and now we'll go to our second case number.

2. Case Number: PA11-0013
Modify specific sections of the Municipal Code necessary to adopt Reach Codes

Case Planner: Mark Gross

CHAIR VAN NATTA – Case PA11-0013 and who do we have as… okay Mark is here; okay. Mark Gross is our Case Planner. Would you like to give us an overview please?

SENIOR PLANNER GROSS – Yes good evening Chair Van Natta and members of the Planning Commission. I'm Mark Gross, Senior Planner here again to

MV00178577

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: GENERAL PLAN AMENDMENT TO MODIFY THE CIRCULATION PLAN FOR NASON STREET BETWEEN ALESSANDRO BOULEVARD AND FIR AVENUE (PA12-0026)

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing to consider the action taken by the Planning Commission on August 23, 2012, recommending approval of a General Plan Amendment (PA12-0026) (Project), and subsequent to the public hearing:

1. **APPROVE** City Council Resolution No. 2012-79 thereby adopting a Negative Declaration for PA12-0026 in that the project will not result in significant environmental impacts, and approving the General Plan Amendment (PA12-0026), based on the findings in the City Council Resolution.

ADVISORY BOARD/COMMISSION DECISION

The Planning Commission approved Planning Commission Resolution No. 2012-22 by a 6-0 vote during the August 23, 2012 Planning Commission meeting, recommending that the City Council adopt a Negative Declaration and approve the General Plan Amendment.

BACKGROUND

With the adoption of Resolution 2006-84 on July 11, 2006, the City Council of Moreno Valley approved the 2006 General Plan Update. Within the approved General Plan is the City's Circulation Plan. The City's Circulation Plan serves the purpose of identifying the routes and classifications for the City's street system consistent with the General Plan's Circulation Element Goals, Objectives, Policies, and Programs.

The CIP approved project consists of approximately 9,200 linear feet of ultimate width street improvements along Nason Street from Cactus Avenue to Fir Avenue. City staff and the design consultant thoroughly examined the City's Circulation Plan within the project area by conducting traffic analysis projections and alignment studies. City staff and the design consultant concurred through the analysis that a revision to the City's Circulation Plan is necessary.

The proposed revision to the City's Circulation Plan is the classification of Nason Street from Alessandro Boulevard to Dracaea Avenue (currently Arterial with 100 foot right of way and 76 foot roadway width) and Nason Street from Dracaea Avenue to Fir Avenue (currently 4-Lane Divided Arterial with 110 foot right of way and 86 foot roadway width) to 4-Lane Divided Arterial, Augmented Parkway with 120 foot right of way and 86 foot roadway width on the Circulation Element.

DISCUSSION

The Nason Street Improvement Project proposes to construct improvements along Nason Street from Fir Avenue to Cactus Avenue. The General Plan currently shows a variety of designations for Nason Street (within the project area), including a Divided Arterial from Fir Avenue to Dracaea Avenue, an Arterial from Dracaea Avenue to Alessandro Boulevard, and a Divided Major Arterial (with a reduced cross-section) from Alessandro Boulevard to Cactus Avenue. A Traffic Analysis was completed in May 2012 to determine the improvements necessary to achieve acceptable Levels of Service for General Plan Buildout conditions and provide design year recommendations for the study area. This study also evaluated side street access regarding potential median openings within the study area along Nason Street.

Nason Street improvements evaluated in traffic analysis only extended from Fir Avenue to Cactus Avenue since Nason Street currently terminates approximately 1,300' south of Cactus Avenue. The City, however, is currently constructing Improvements that extend Nason Street towards the south and will connect to Iris Avenue by summer 2013. It is anticipated that traffic volumes along Nason Street will increase by approximately 10,000 vehicles per day (VPD) once this connection is completed. This will increase daily traffic volumes along the corridor in the project area to in excess of 20,000 VPD. Based on the findings of the analysis it was recommended that the overall Nason Street corridor within the project limits be constructed as a four lane divided roadway.

The Public Works Department recommends that the City's General Plan be amended such that the Circulation Plan shows Nason Street within the project limits be classified as an Arterial (100 feet right of way and 76 feet curb to curb width modified as necessary for turn lanes, existing constraints, etc.).

ENVIRONMENTAL

An Initial Study has been completed for the project. Based upon the Initial Study, this project will not result in the potential for a significant impact on the environment. Therefore, the adoption of a Negative Declaration is recommended.

ALTERNATIVES

1. By motion authorize the recommended actions as presented in this staff report. *This action would facilitate the construction of much needed improvements.*

2. Do not authorize the recommended actions as presented in this staff report. *This action would delay the construction of much needed improvements.*

FISCAL IMPACT

Modifying the Circulation Plan and Circulation Exhibit through the General Plan Amendment, does not impact the General Fund. The City of Moreno Valley will fund the design and construction with the proceeds from the California Communities Gas Tax Revenue Certificates of Participation (COPS), Series 2011B (TRIP – Total Road Improvement Program) in the amount of $15 Million. There is no fiscal impact to the City's General Fund.

A portion of the overall segment (Nason Street from Alessandro Boulevard to Fir Avenue) is eligible for approximately $10 million of Transportation Uniform Mitigation Fee (TUMF) reimbursement. The City can seek reimbursement of TUMF funds in the future as funds become available.

ESTIMATED PROJECT COSTS:

Preliminary Engineering and Environmental Costs	$550,000
Design and Design Management Costs	$700,000
Right of Way	1,450,000
Utility Relocation Costs*	$2,300,000
Construction and Construction Management Costs	$10,000,000
Total Estimated Project Costs	$15,000,000

*An additional $850,000 of separate SCE Rule 20A funds is also estimated for Utility Relocation

ANTICIPATED PROJECT SCHEDULE

Preliminary Engineering and Environmental Clearance Complete	November 2012
All Resource Agencies' Permits Obtained	November 2012
PS&E Complete	June 2013
Right of Way Acquisition and Utility Relocation Work Complete	June 2015
Advertise and Award of Construction	October 2015
Complete Construction	January 2017

CITY COUNCIL GOALS

The proposed changes to the Circulation Plan and Circulation Exhibit through the General Plan Amendment would enhance the following goals:

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this General Plan Amendment.

ATTACHMENTS

Attachment A – Public Hearing Notice
Attachment B – Resolution for General Plan Amendment
Attachment C – Initial Study
Attachment D – Planning Commission Staff Report dated August 23, 2012 (excluding exhibits)
Attachment E – Planning Commission Minutes for Item #2 from August 23, 2012 Meeting

Prepared By:
Lorenz R. Gonzales
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director / Assistant City Engineer

Concurred By:
John Terrell
Planning Division Manager / Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

NOTICE OF CITY COUNCIL PUBLIC HEARING

FOR AN AMENDMENT (PA12-0026) TO THE CITY OF MORENO VALLEY GENERAL PLAN TO MODIFY THE CITY'S CIRCULATION PLAN

The amendment is a proposal by the Public Works Department to modify the City's Circulation Plan to classify Nason Street from Alessandro Boulevard to Fir Avenue as a 4-Lane Divided Arterial, Augmented Parkway.

The City Council may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Adoption of a Negative Declaration is recommended.

Any person interested in the proposed project may contact Larry Gonzales, Senior Engineer, P.E. at (951) 413-3136, or the Community and Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday); City Hall is closed on Fridays.

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, September 25, 2012
6:30 P.M.
City Council Chamber
14177 Frederick Street.
Moreno Valley, CA 92552-0805

ATTACHMENT "A"

RESOLUTION NO. 2012-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA12-0026) TO MODIFY THE CITY CIRCULATION PLAN AND CIRCULATION EXHIBIT, RESPECTIVELY

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan which proposes revisions to the City's Circulation Plan and Circulation Exhibit, respectively.

WHEREAS, the project will not have a significant effect on the environment and a Negative Declaration is made;

WHEREAS, on August 23, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA12-0026). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA12-0026) to the City Council, and;

WHEREAS, on September 25, 2012 the City Council of the City of Moreno Valley held a public hearing to consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA12-0026:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. **Conformance with General Plan Policies** – The proposed General Plan Amendment is consistent with the General Plan, and its goals, objectives, policies, and programs.

   FACTS: The adoption of the proposed General Plan Amendment for the Circulation Plan will enhance the safety and

efficiency of the City's street system, meet applicable levels of service standards, and provide efficient circulation.

2. **Health, Safety and Welfare –** The proposed General Plan Amendment will not be detrimental to the public health, safety or welfare.

   FACTS: The proposed amendment to the Circulation Plan would not be detrimental to the public health, safety or welfare. Based on preparation of an Initial Study, the proposed General Plan Amendment does not have the potential to cause a significant impact on the environment.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2012-79, thereby adopting a Negative Declaration for PA12-0026, and approving the General Plan Amendment (PA12-0026) as shown on the attachments included as Exhibit A and Exhibit B, respectively.

APPROVED AND ADOPTED this 25th day of September, 2012.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibits: Exhibit "A" Proposed Modification to the Circulation Plan (Figure 9-1)
Exhibit "B" Proposed Modified Cross-Section to Figure 9-3 (4-Lane Divided Arterial, Augmented Parkway)

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-79 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

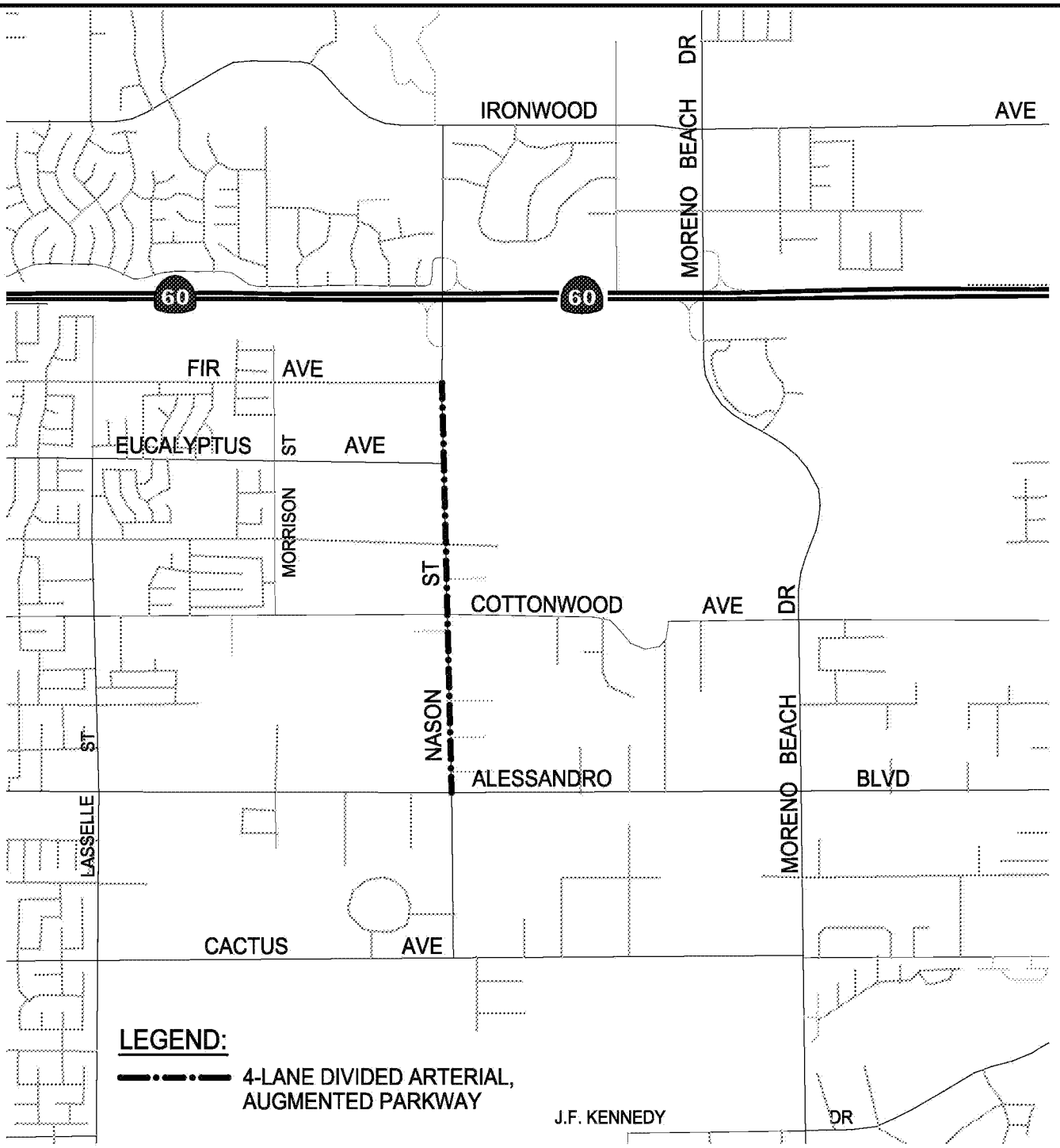

Public WorksDepartment
Capital Projects Division

Scale: None

EXHIBIT "A"

PROPOSED MODIFICATION TO THE CIRCULATION PLAN (FIGURE 9-1)

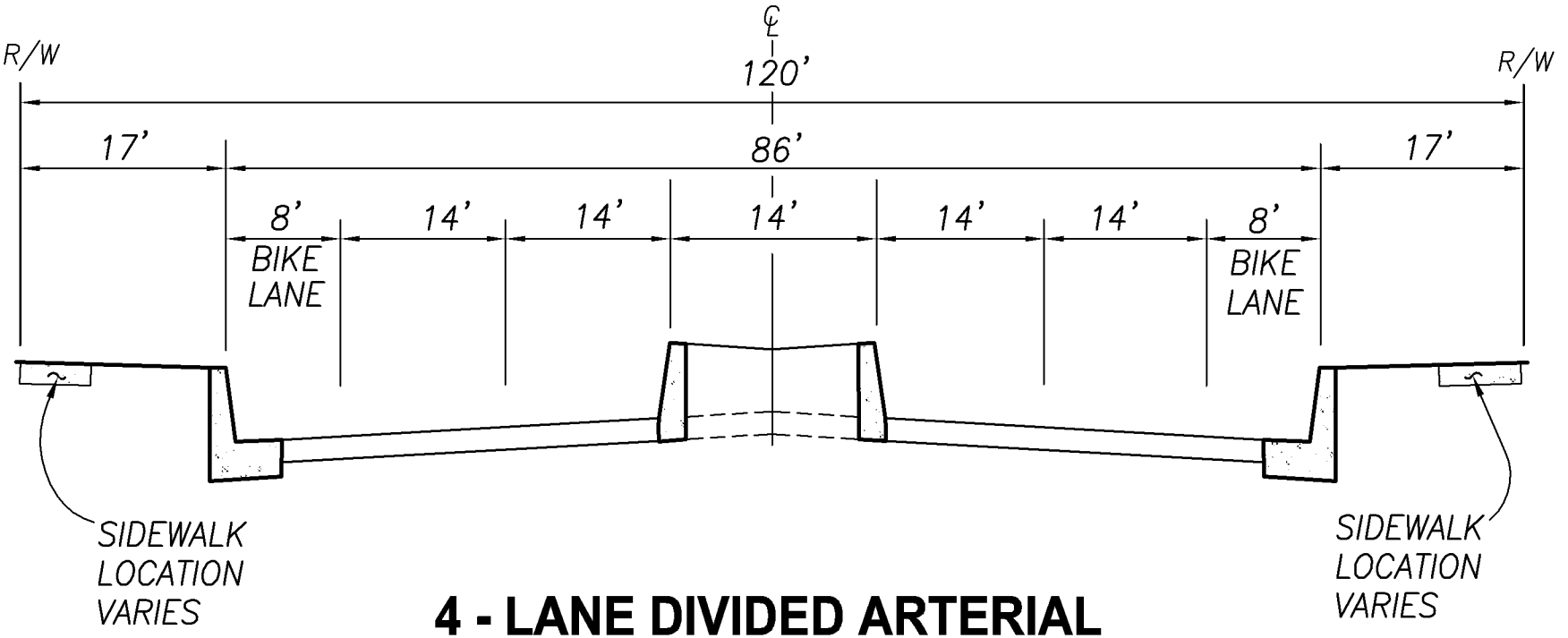

4 - LANE DIVIDED ARTERIAL

AUGMENTED PARKWAY

EXHIBIT "B"

PROPOSED MODIFIED CROSS-SECTION

TO FIGURE 9-3

MV00178588

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1. Project Title: Nason Street (PA12-0026; General Plan Amendment)

2. Lead Agency Name and Address: City of Moreno Valley, 14177 Frederick St. Moreno Valley, CA

3. Contact Person and Phone Number: Chris Ormsby, AICP, Senior Planner (951) 413-3229

   Project Location: The proposal is located on Nason Street between Fir Avenue and Alessandro Boulevard

4. Project Sponsor's Name and Address: City of Moreno Valley

5. General Plan Designation: The existing General Plan Amendment for properties between Alessandro Boulevard and Fir Avenue include residential designations (R2, R3, R5, and R10), Public, and Residential/Office.

6. Zoning: The existing zoning for properties between Alessandro Boulevard and Dracaea Avenue include RA2, R3, R5, R10, Public, and Office.

7. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

   The proposal is the modification of the Circulation Plan of the General Plan (Figure 9-1) to modify the segment of Nason Street from Alessandro Blvd to Fir Avenue to be as follows: a 4-lane Divided Arterial, Augmented Parkway with 120' right-of-way and 86 feet of roadway width. Currently, the segment from Alessandro Boulevard to Dracaea Avenue is designated as a 100 foot right-of-way and 76 foot roadway width. The segment from Dracaea Avenue to Fir Avenue is 110 foot right-of-way and 86 foot roadway width. After the proposed change, the segment will match the designation to the immediate north.

   The proposed change to the Circulation Plan of the General Plan could not have any direct physical impacts it itself as it is a policy change. Therefore, the Initial Study will consider any potential indirect impacts that would result from the implementation of the change in the designation.

8. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

   The area is surrounded by mix of developed and undeveloped properties which is primarily single-family residential.

9. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement). None

Attachment C

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Chris Ormsby

Signature

July 18, 2012

Date

Chris Ormsby, AICP, Senior Planner

Printed Name

For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
Regarding potential indirect impacts of the General Plan Amendment, there would be no potential impacts. The construction of the roadway under the proposed cross-section would have similar impacts to constructing it under the existing cross-section. The site is generally flat, and constructing the roadway would have no potential adverse impact on a scenic vista.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
The proposal would have no direct impact on scenic resources since it is limited to a policy change to the General Plan. The indirect impact of a wider cross-section would not damage scenic resources. There are currently no scenic resources in the proposed alignment of the street.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
Upon completion of construction, the project would have no potential to impact existing visual character or quality of the site or its surroundings. The additional right-of-way for the segment would not have the potential to substantially degrade the existing visual character or quality of the site and its surroundings, because the proposed change will match the segment to the north, and will be minimal enough in scope to have no potential impacts.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
The change in the Circulation Plan of the General Plan would be not expected to have any impact on the location or installation of street lights. Therefore, there is no potential for a significant impact.				
II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The site is in an area that is zoned primarily for residential and public uses. It is not adjacent to designated farmland. Even if there was adjacent farmland, there would not be expected to be any potential indirect impacts associated with the General Plan Amendment.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The proposed Nason St. alignment is not designated for agricultural use, or a Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
The policy change itself would have no direct impact on the existing environment. Regarding indirect impacts, there is no farming within the general area that might be indirectly impacted by construction of the proposed alignment of Nason Street. Therefore, there is no potential impact.				
III. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
The proposed alignment is consistent with the existing alignment of Nason Street to the north. The proposed cross-section for Nason Street is a minor change from the existing cross-section in that it doesn't provide for additional lanes of traffic. In addition, the proposed General Plan Amendment does not modify planned land uses for this area. No direct or indirect impacts are anticipated.				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
The proposal would not contribute to an existing or projected air quality violation. The alignment is consistent with the alignment of Nason Street north of Fir Avenue. The modified alignment will ultimately be wider than the existing segment, but would have no impact on the existing land use designations for the area. Therefore, the proposal would not result in the potential to violate an air quality standard.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
There is no possibility of direct impacts regarding air quality standards that would contribute substantially to an existing or project air quality violation. The modified alignment will have no impact on the existing land use designations for the area. Therefore, the proposal would not have an indirect impact on the environment as land use patterns would develop in a similar manner to that which would be currently expected with the existing alignment.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
Since the proposal is a policy change to the General Plan, there is no possible exposure of sensitive receptors to substantial pollutant concentrations. Regarding indirect impacts from future construction of the Nason Street improvements, the potential impacts during construction of the proposed cross-section will be very similar to the impacts that would result from construction of the existing cross-section. Therefore, there is no potential for an indirect significant impact.				
e) Create objectionable odors affecting a substantial number of people?			X	
Regarding indirect impacts, the construction of the proposed cross-section would not result in creation of odors that would differ from construction under the current cross-section for Nason Street. Therefore, there is no potential for a significant impact related to odors.				
IV. **BIOLOGICAL RESOURCES.** Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
The proposal does not involve any direct impact on biological resources. With regard to indirect impacts, the modification of the alignment, would not be expected to disturb more land area than would have been anticipated under the prior Circulation Plan designation. Much of the project site area has been developed or has been disturbed. With regard to Multi-species Habitat Conservation Plan (MSHCP) consistency, the report generator identified the project study area as having potential to support burrowing owl only. (Western Riverside County-Regional Conservation Authority, http://www.wrc-rca.org/report_generation.asp) Bonterra Consultants prepared a Habitat Assessment Survey on June 13, 2012 related to the street improvement project. No owls were identified. Burrow studies are being prepared as part of the environmental review for the street improvement project. The project study area is not within a criteria cell.				
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?				X
Based on the Project Summary Memorandum dated May 2012, there is no riparian vegetation on the site that will be directly or indirectly impacted. The project will not have an effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by State Fish and Game or U.S. Fish and Wildlife Service.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
Based on the Project Summary Memorandum dated July 2012, there is no evidence of wetlands as defined by Section 404 of the Clean Water Act. There is a bridge at the southerly drainage of the project area. However, the drainage channel is already fully improved and has no existing vegetation. Therefore, it is not expected that future Heacock Street improvements would have the potential for a significant impact in the vicinity of the bridge.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
There would be no potential for a direct or indirect impact on the movement of any resident or migratory fish or wildlife species. As mentioned previously, there are no known species that the proposal would impact. Bonterra Consultants prepared a Habitat Assessment Survey on June 13, 2012 related to the street improvement project. No owls were identified. Burrow studies are being prepared as part of the environmental review for the street improvement project.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
The proposal will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?			X	
The proposal is located within the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) and the Multi-species Habitat Conservation Plan (MSHCP). The project is not within a reserve area of the SKR HCP. The project is located with the Multi-species Habitat Conservation Plan. The project is not within a criteria area of the MSHCP. Bonterra Consultants prepared a Habitat Assessment Survey on June 13, 2012 related to the street improvement project. No owls were identified. Burrow studies are being prepared as part of the environmental review for the street improvement project. The project study area is not within a criteria cell. The proposal is not in conflict with an adopted Habitat Conservation Plan.				
V. **CULTURAL RESOURCES.** Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
The General Plan Amendment proposal involves no potential direct impact on historical resources. A Cultural Resources report (June 21, 2012) was prepared by BonTerra Consultants. No potentially significant historical structures were identified within the project limits.				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X	
A Cultural Resources report (June 21, 2012) was prepared by BonTerra Consultants. The potential impacts on archaeological resources under the proposed cross-section would be expected to be similar to the impacts that would result from construction of Nason Street under the current cross-section.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
There are no known paleontological resources within the project area, or in close proximity to the project area. (City of Moreno Valley General Plan EIR, 2006) .				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
There are no known human remains within the project area.				
VI. **GEOLOGY AND SOILS.** Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
There would be no potential direct or indirect impacts related to rupture of earthquake faults. The site is not located within an area delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The proposed project does not include any above ground structures so ground shaking would have no potential impact on the project.				
(ii) Strong seismic ground shaking?				X
The project area would be subject to ground shaking. The proposed project does not include any above ground structures so ground shaking would have no potential impact on the project.				
(iii) Seismic-related ground failure, including liquefaction?				X
The project site area is not identified as having a potential for seismic-related ground failure, such as liquefaction. (General Plan EIR, 2006) Furthermore, there are no structures proposed.				
(iv) Landslides?				X
The site is generally flat. There is no potential for landslides within the project area.				
(b) Result in substantial soil erosion or the loss of topsoil?			X	
The site is generally flat. The anticipated impacts of constructing the proposed cross-section would be similar to the impacts resulting from the construction under the current General Plan Amendment. The proposal would not result in substantial soil erosion or the loss of top soil.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
The General Plan Amendment and future street construction under the General Plan Amendment involves no structures. The proposal is not located on a geologic unit, or soil that is unstable.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
The General Plan Amendment and future street construction under the General Plan Amendment will not involve the construction of any buildings. The project will not create any increased risk to life or property related to construction on expansive soils.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
The proposed General Plan Amendment and future street project would not involve the construction or use of septic tanks or alternative waste water disposal systems. Therefore, there is no potential for a significant impact on the environment due to soils that are incapable of supporting the use of septic tank systems or alternative disposal systems.				
VII. **GREENHOUSE GAS EMISSIONS.** Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
Regarding greenhouse gas emissions, it is not expected that the General Plan Amendment would have any potential impacts either directly or indirectly. When compared to development under the current Circulation Plan of the General Plan, impacts of constructing Nason Street would be expected to be similar. Therefore, there would be no potential for a significant impact on the environment.				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X
There would not be any potential for the project to conflict with any applicable plan, policy or regulation concerning GHG emissions.				
VIII. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X
The proposed General Plan Amendment occurs within an area that is primarily residential. It will not affect, in any way, the potential for hazardous materials to be transported along Nason Street. Therefore, the proposal is not expected to create a significant hazard to the public or the environment related to the transport of hazardous materials.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
No direct or indirect impacts are expected. Based on considering the type of materials involved in the construction of the Nason Street project, there is no potential for a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
The General Plan Amendment will not in itself result directly in any construction or use of property that might emit hazardous emissions. Therefore, there is no potential for the proposal to emit hazardous emissions.				
.) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
There are no sites within the project area on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
The proposal is not located within an airport land use plan.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
The proposal is not within the vicinity of a private airstrip.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposal would not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan. No mitigation measures will be required.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The project would not result in any risk of loss involving wildland fires as the project is not adjacent to areas subject to wildland fires. (City of Moreno Valley, General Plan, 2006)				
IX. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
The proposal as designed will not violate any water quality standards or waste discharge requirements. The design of the project will be in compliance with City standards.				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
The proposal will have no effect on groundwater supplies or interfere substantially with groundwater recharge.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
The proposal would involve a change in cross-section for Nason Street between Alessandro Boulevard and Fir Avenue. It would not substantially alter the existing drainage pattern.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X
The proposal will not alter the existing drainage pattern of the site or area.				
e) Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
Development under the proposed cross-section would not create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.				
f) Otherwise substantially degrade water quality?				X
The proposal would not have any direct or indirect impact on water quality.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
The proposal will not involve the construction of any buildings. The project study area is not within a 100-year floodplain. (FEMA Map panel, 06065C1430G)				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
The proposal would not involve the construction of any structures. The project study area is not within a 100-year floodplain. (FEMA Map panel, 06065C1430G).				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
The proposal will not expose people or structures to a significant risk of loss, injury or death involving flooding.				
j) Inundation by seiche, tsunami, or mudflow?				X
The project area would not be subject to seiche, tsunami, or mudflow.				
X. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X
The proposal is a General Plan Amendment to modify the cross-section for Nason between Alessandro Boulevard and Fir Ave. The proposed modifications increase the width of the cross-section slightly, but are consistent with the existing designated cross-section north of Dracaea Avenue. The proposal would not in any way physically divide an established community.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The proposal will involve a change to the Circulation Plan of the General Plan. This change would not result in any conflict with the existing General Plan.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
The project is not within a reserve area under the SKR HCP or a criteria area under the WRC-MSHCP. Therefore, the project could not be in conflict with an applicable habitat conservation plan.				
XI. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
The proposal would have no potential to result in the loss of availability of a mineral resource that would be of value to the region and the residents of the state.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
The proposal would not result in the loss of availability of a locally-important mineral resource recovery site delineated on the General Plan or other land use plan.				
XII. **NOISE.** Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
The proposed cross-section is not expected to result in placing vehicles closer to the residences than improvements under the proposed cross-section. Therefore, potential impacts would be less than significant.				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
There would be no exposure of people to excessive groundborne vibration or noise level as an indirect result of change in the cross-section for Nason Street.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposal will not result in an increase in permanent ambient noise levels compared to that which would be expected for development under the existing cross-section for this segment of street.				
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
The General Plan Amendment proposal would not be expected to result in any increase in ambient noise levels in the vicinity above levels existing without the proposal.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
The project is not located within an airport land use plan, or within two miles of a public airport.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
There is no private airstrip within several miles of the project site.				
XIII. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
The area between Alessandro Boulevard and Fir Avenue is already partially developed. The minor change to the cross-section would not in any way induce population growth in the area.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
The proposal will not have any direct impact on existing housing as it is a policy change. The proposal will not displace substantial numbers of existing residences.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	
The proposal will not displace substantial numbers of people requiring replacement housing elsewhere.				
XIV. **PUBLIC SERVICES.** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?				X
The proposal would have no long-term impact on fire protection. The modification of the cross-section wouldn't affect fire protection services.				
b) Police protection?			X	
The proposal would have no long-term impact on fire protection. The modification of the cross-section wouldn't affect fire protection services.				
c) Schools?				X
The project would have no potential for a direct or indirect impact on school facilities.				
d) Parks?				X
The proposal would not have the potential for a direct or indirect impact on parks facilities.				
e) Other public facilities?				X
There would be no impact on other public facilities.				
XV. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
The proposal would have no potential direct or indirect impact on existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
The proposal would have no potential direct or indirect impact on recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.				
XVI. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
A traffic report (May 10, 2012) was prepared by Urban Crossroads. The report concluded that the Nason Street corridor within the project limits should be improved with a four lane divided roadway. The proposed General Plan Amendment is consistent with the findings included in the report.				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
As identified in the traffic study, the proposal would have no direct or indirect potential conflict with an applicable congestion management plan.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
The proposal would not result in a change in air traffic patterns that results in safety risks.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
The modification of the General Plan cross-section would not increase hazards due to a design feature. The construction of the roadway under the proposed cross-section with a divided roadway would likely improve traffic conditions and reduce traffic hazards as discussed in the traffic report (Urban Crossroads, May 10, 2012).				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in inadequate emergency access?			X	
There would be no direct impact on emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The proposal will not provide any impediment to public transit, bicycle, or pedestrian facilities. The proposed General Plan Amendment will be consistent with the bikeway plan of the General Plan.				
XVII. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
The General Plan Amendment would have no direct or indirect impact that would result in exceeding wastewater treatment requirements. The development and construction of the street itself would be required to be designed to satisfy all of the Regional Waster Quality Control Board's requirements.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The proposal would not establish a need for new water or wastewater treatment facilities.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
As an indirect impact related to the construction of the Nason Street improvements, the proposal may involve the alteration of a storm drain facility. These improvements would not result in the potential to cause a significant impact on the environment.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
The General Plan Amendment will not involve establishing a use that would require water supplies.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
The General Plan Amendment will not create a need for wastewater treatment facilities. Therefore, there could no impact.				
f)) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
Upon construction, the Nason Street improvements would not generate any need for solid waste disposal.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The construction of the proposed cross-section for Nason Street would be required to comply with all federal, state, and local statues and regulations related to solid waste.				
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
The proposed General Plan Amendment does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The General Plan Amendment would not have a cumulative direct impact on the environment as the policy action involves no physical impacts. The potential impacts of constructing the proposed cross-section for Nason Street would be nearly identical to constructing Nason Street under the existing General Plan cross-section.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
The proposed General Plan Amendment is limited to the modification of the designation of Nason Street for the segment from Alessandro Boulevard and Fir Avenue. The potential environmental impacts associated with the construction of roadway improvements under the proposed modification to the Circulation Plan would be nearly identical to the impacts that would result from construction of the existing cross-section. As provided for in the above discussion in the Initial Study, the General Plan Amendment does not have the potential for substantial adverse effects on human beings either directly or indirectly.				

PLANNING COMMISSION STAFF REPORT

Case:	**PA12-0026 (General Plan Amendment)**
Date:	August 23, 2012
Applicant:	City of Moreno Valley, Public Works Department
Representative:	Ahmad R. Ansari, P.E. Public Works Director/City Engineer
Location:	The project is located on Nason Street between Alessandro Boulevard and Fir Avenue
Proposal:	The proposal is the modification of the Circulation Plan of the City's General Plan to amend the cross-section for Nason Street between Alessandro Boulevard and Fir Avenue
Recommendation:	Approval

SUMMARY

The City of Moreno Valley Public Works Department is requesting a modification to the City's Circulation Plan. The existing cross-section identifies this segment of Nason Street as a 4-lane arterial with a 100 foot right of way and a 76 foot roadway width between Alessandro Boulevard and Dracaea Avenue, and a 4-lane divided arterial with a 110 foot right of way and 86 foot wide roadway width between Dracaea Avenue and Fir Avenue. The proposed modification is for a 4-lane divided arterial with a 120 foot right of way and an 86 foot roadway width.

Attachment D

PROJECT DESCRIPTION

With the adoption of Resolution 2006-84 on July 11, 2006, the City Council of Moreno Valley approved the 2006 General Plan Update. Within the approved General Plan is the City's Circulation Plan. The City's Circulation Plan serves the purpose of identifying the routes and classifications for the City's street system consistent with the General Plan's Circulation Element Goals, Objectives, Policies, and Programs.

The City Council authorized the addition of the Nason Street Project from Cactus Avenue to Fir Avenue in the FY 2011-12 CIP and the appropriation of up to $15 million in California Communities Gas Tax Revenue Certificates of Participation (COPS), Series 2011B (TRIP – Total Road Improvement Program) monies for the project. On July 26, 2011, the City Council adopted Resolution No. 2011-81 approving the sale, execution, and delivery of not more than $20 million in principal amount of COPS monies. These improvements are integral elements of the Economic Development Action Plan focused on building a medical corridor to facilitate and attract development and create jobs for Moreno Valley residents.

The CIP approved project consists of approximately 9,200 linear feet of ultimate width street improvements along Nason Street from Cactus Avenue to Fir Avenue. City staff and the design consultant thoroughly examined the City's Circulation Plan within the project area by conducting traffic analysis projections and alignment studies. City staff and the design consultant concurred through the analysis that a revision to the City's Circulation Plan is necessary.

The proposed revision to the City's Circulation Plan is the classification of Nason Street from Alessandro Boulevard to Dracaea Avenue (currently Arterial with 100 foot right of way and 76 foot roadway width) and Nason Street from Dracaea Avenue to Fir Avenue (currently 4-Lane Divided Arterial with 110 foot right of way and 86 foot roadway width) to 4-Lane Divided Arterial, Augmented Parkway with 120 foot right of way and 86 foot roadway width on the Circulation Element.

ANALYSIS

The Nason Street Improvement Project proposes to construct improvements along Nason Street from Alessandro Boulevard to Fir Avenue. The General Plan currently shows a variety of designations for Nason Street within the project area, including a Divided Arterial from Fir Avenue to Dracaea Avenue, an Arterial from Dracaea Avenue to Alessandro Boulevard, and a Divided Major Arterial (with a reduced cross-section) from Alessandro Boulevard to Cactus Avenue. A Traffic Analysis was completed in May 2012 to determine the improvements necessary to achieve acceptable Levels of Service for General Plan Buildout conditions and provide design year recommendations for the study area. This study also evaluated side street access regarding potential median openings within the study area along Nason Street.

Nason Street improvements evaluated in the traffic analysis only extended from Fir Avenue to Cactus Avenue since Nason Street currently terminates approximately 1,300 foot south of Cactus Avenue. However, the City is currently constructing improvements that extend Nason Street towards the south and will connect to Iris Avenue within the next year. It is anticipated that traffic volumes along Nason Street will increase by approximately 10,000 vehicles per day (VPD) once this connection is completed. This will increase daily traffic volumes along the corridor in the project area to in excess of 20,000 VPD. Based on the findings of the analysis it was recommended that the overall Nason Street corridor within the project limits be constructed as a four lane divided roadway.

REVIEW PROCESS

In June 2012, the proposed alignment, including the traffic study, was presented to City Departments and a Public Information meeting was held on June 27th to obtain input from residents and business owners affected by the project. A meeting was also held in March 2012 with Valley View High School staff in order to receive any comments or concerns they may have. Comments from City Departments, affected residents, the high school, and business owners focused on access during construction, individual property concerns such as tree removal and driveway access, potential restrictions on turning, and potential increased speeds once the widening was completed. These issues will be resolved during the design process. Thus far the overall responses and comments have been very positive.

ENVIRONMENTAL

An Initial Study has been completed for the project. Based upon the Initial Study, this project will not result in the potential for a significant impact on the environment. Therefore, the adoption of a Negative Declaration is recommended.

NOTIFICATION

The public hearing notice for the proposed General Plan Amendment was posted at City Hall and published in the local newspaper on August 1, 2012.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

APPROVE Planning Commission Resolution No. 2012-22, recommending that the City Council adopt a Negative Declaration and approve PA12-0026, a General Plan Amendment to revise the City Circulation Plan.

Prepared by:

Lorenz R. Gonzales
Senior Engineer, P.E.

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2012-22
3. Initial Study

DUMMY MINUTES FROM 8/23/12 PLANNING COMMISSION MEETING

ATTACHMENT E

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 25, 2012

TITLE: **UPDATE OF ECONOMIC DEVELOPMENT ACTION PLAN**

RECOMMENDED ACTION

Staff recommends that the City Council review the update of the Economic Development Action Plan.

BACKGROUND

The City of Moreno Valley is focused on improving the community's jobs to housing balance, along with enhancing the City's economic condition and financial resources, as well as the overall quality of life within the community. During the past 18 months the City has undertaken a number of key initiatives including:

- March 22, 2011—An Economic Development Plan—Areas of Opportunity was created to provide a long-term framework to help shape economic development in Moreno Valley within the 12 designated Areas of Opportunity in the community.

- April 26, 2011—A 2-year Economic Development Action Plan was adopted to target 5 key areas within the Areas of Opportunity that had the potential for creating the most effective economic development benefits during a short period of time. Included in the Economic Development Action Plan was the strategic decision of re-sequencing a number of Capital Improvement Projects aimed at helping facilitate the economic development activities within the five targeted areas of the Economic Development Action Plan.

- June 14, 2011—The City Council adopted Prioritized Goals and an Action Plan through a Goal Setting Workshop including 1) Job Development, 2) Focus on Further Development of the Medical Corridor and Health Services, 3) Maximize

Transportation and Infrastructure Opportunities, 4) Economic and Tax base Development and 5) Enhance the City's Image.

- July 26, 2011—The City Council approved Action Steps to Make Moreno Valley a 'Best Place to Do Business'.

The adoption of a 2-year Economic Development Action Plan provided focus in producing quick results in job creation and momentum towards addressing Moreno Valley's jobs to housing imbalance. An established Action Plan helps create energy towards achieving measurable results in economic development activities within a short timeframe. The Economic Development Action Plan works in conjunction with the Economic Development Plan-Areas of Opportunity, along with the Action Steps to Make Moreno Valley a Best Place. The 2-year ED Action Plan creates a solid foundation for the City of Moreno Valley to build upon in creating much needed jobs in the community and enhancing the overall quality of life for residents and businesses.

The 2-year Economic Development Action Plan focuses on job creation in two targeted business sectors:

- Logistics & Distribution
- Medical & Healthcare

The selection of the these two specific business sectors for job growth is supported by Moreno Valley's demographic make-up, along with business growth opportunities in the Inland Region for these business sector categories.

The approved Economic Development Action Plan contains a number of key initiatives and objectives to be pursued in five geographic areas:

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- East Moreno Valley-Rancho Belago
- City Center

DISCUSSION

Significant progress has been attained with many of the objectives in all five of the geographic areas contained in the Economic Development Action Plan. To keep the City Council and general public informed about results with the Economic Development Action Plan, an 18-month update has been formulated and illustrated with the attached PowerPoint presentation.

With the success of the 2-year Economic Development Action Plan, staff is already working on formulating a new 3-year Economic Development Action Plan that will take

over in April 2013 and build upon the momentum established with the many successful economic development efforts underway in Moreno Valley.

ATTACHMENTS/EXHIBITS

Attachment A - Economic Development Action Plan Update September 2012

Prepared By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

September 2012

MORENO VALLEY
WHERE DREAMS SOAR

MV00178609

Accomplishments to Advance Economic Development

- Identification of Economic Development Areas of Opportunity
- Approval of Economic Development Action Plan
- Reforming of City Council Economic Development Subcommittee
- State Certification of Updated City Housing Element recognizing need to address jobs to housing imbalance
- Approval of Action Steps to make Moreno Valley a "Best Place to do Business"

MV00178610

Accomplishments to Advance Economic Development

- City Council adopted the Prioritized Goals and Action Plan from City Council Goal Setting workshop
- Combining Planning, Building & Safety, and Land Development with Economic Development to create the Community & Economic Development Department
- Collaborating with major Developers on advancing projects
- Conducting quarterly Developer Workshop aimed at making Moreno Valley a Best Place to do Business
- Pursuing update of the DIF program

MV00178611

Major Objectives for Economic Development Action Plan

- Create jobs locally and improve City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

MV00178612

Economic Development Action Plan

Focusing on 5 Geographic Areas

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- Eastern Moreno Valley – Rancho Belago
- City Center

MV00178613

Action Plan
Areas of Opportunity

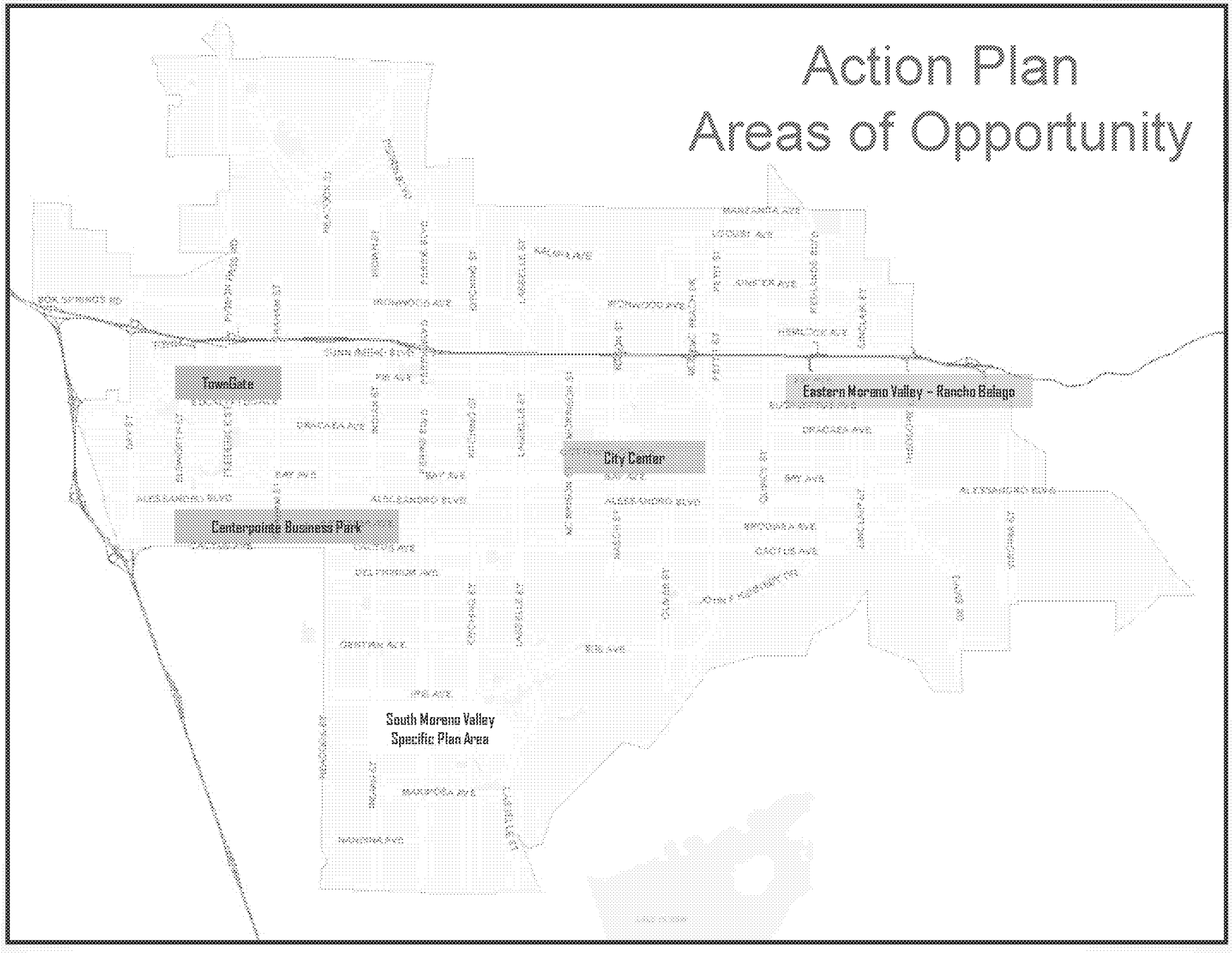

MV00178614

Key Initiatives of Action Plan

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area
- Advance the development of projects in the Centerpointe Business Park
- Facilitate the development of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in Eastern Moreno Valley - Rancho Belago area
- Re-sequence and fast-track Capital Improvement Projects in the City Center Area

MV00178615

TownGate

- Worked with Fritz Duda Co. on openings for Five Guys Burgers & Fries, Panera Bread, Anna's Linens, TJ Maxx/HomeGoods Superstore
- New projects coming to TownGate include Miguel's Jr., Chipotle and 24-Hour Fitness Sport
- Negotiations underway with three other users for TownGate Center
- Completed new 80-foot sign for TownGate Center & Plaza along SR 60 to improve new tenant promotion
- Worked with CW Capital – new owner of the Moreno Valley Mall on 10 openings including Rue 21, Body Basics and Round 1 Entertainment Center
- Moreno Valley Mall has created exciting conceptual plans for expansion and repositioning of 1.25 million s.f. regional mall
- Negotiations underway with several users for Moreno Valley Mall

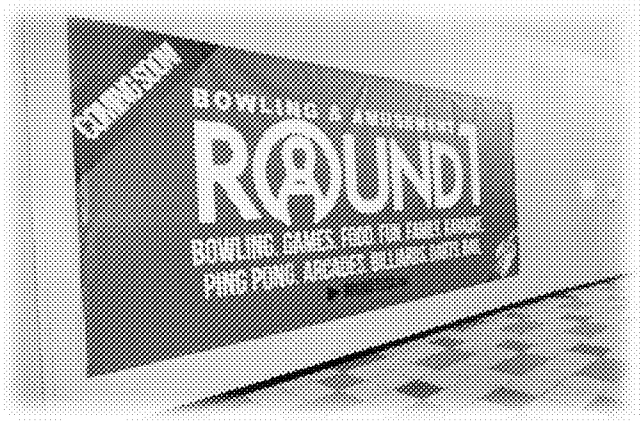

MV00178616

Centerpointe Business Park

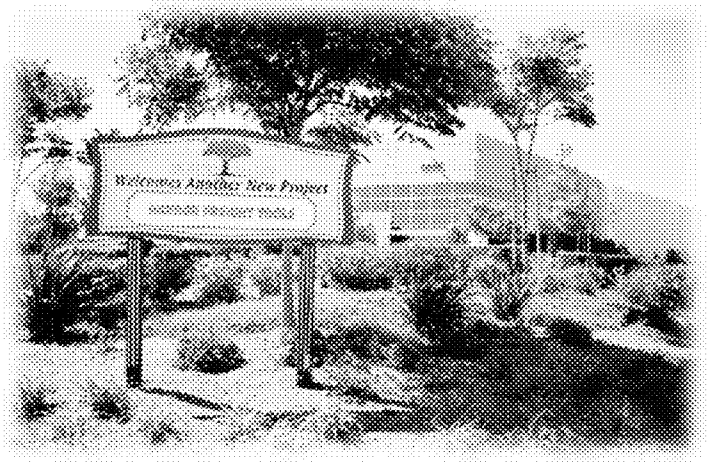

- Harbor Freight Tools
  - Opened new 779,016 s.f. Distribution Center in November 2011
  - Working on a expansion to add 507,720 s.f.
- USAA Real Estate/Overton Moore Properties
  - Under construction with a new 519,760 s.f. industrial building at Centerpointe Logistics Center.
- Ridge Property Trust
  - Working on Harbor Freight Tools expansion
  - Processing plans for additional 770,000 s.f. at Centerpointe Business Park

HARBOR FREIGHT TOOLS
Quality Tools at Ridiculously Low Prices

MV00178617

South Moreno Valley Industrial Area

- First Inland Logistics Center
  - First Industrial Realty Trust Inc.
  - 691,960 s.f. building completed and leased by Harbor Freight Tools
- Nandina Distribution Center
  - IDS Real Estate Group
  - 1.18 million s.f. total
  - 769,320 s.f. to be completed Fall 2012
  - 413,598 s.f. ready to start construction
- iHerb expansion
  - Added another 160,000 s.f.
  - Increased workforce by 200 employees
- I-215 Logistics Center
  - Trammell Crow Company
  - Construction underway with 1.25 million s.f. building
  - Negotiations underway with users
- Inland Empire Global Logistics Center
  - Panattoni Development Company
  - Approved 1.5 million s.f. building
  - Negotiations underway with major user
- Sares-Regis/Vogel Development
  - Approved 1.6 million s.f. building; under appeal by Sierra Club
  - Negotiations underway with two potential users

MV00178618

Eastern Moreno Valley – Rancho Belago

- Skechers USA full operations by October 2011 with workforce of 600

SKECHERS

- Westridge Commerce Center approved 937,000 s.f. building to begin speculative construction in Fall 2012

RIDGE PROPERTY TRUST

- Working with Highland Fairview on EIR and Specific Plan for 41 million s.f. World Logistics Center

hf

- Prologis is underway with EIR preparation of 2,268,000 s.f. industrial business park

PROLOGIS

City Center
Re-sequencing of CIP Projects

- Construction of SR 60/ Nason Improvements
  - New ramps completed
  - New Bridge to start Fall 2012
- Installation of new SR 60 southerly ramps at Moreno Beach plus extension of Eucalyptus connecting with Moreno Beach
  - Construction contract awarded 8/28/12

- Improvements on Cactus Ave. between Lasselle St. and Nason St.
  - Under construction with target completion Summer 2013
- Extension of Nason St. southerly to connect Cactus Ave. with Iris Ave.
  - Under construction with target completion Fall 2013
- Eliminate choke pointes on Nason St. between SR60 and Cactus Ave.
  - Project to be funded by California Communities bonds
  - Design and right-of-way acquisition underway

MV00178620

City Center
Healthcare and Education

- Advance the development of the City's medical overlay zone
  - Marketing Highland Fairview's development of a new major medical, health and wellness campus on 200 acres of the Aqua Bella property
  - New CIP projects will help assist development of medical overlay area

  - Kaiser Permanente's 75,000 s.f. expansion to open Fall 2012 with 167 new jobs
  - RCRMC underway with expansion plans

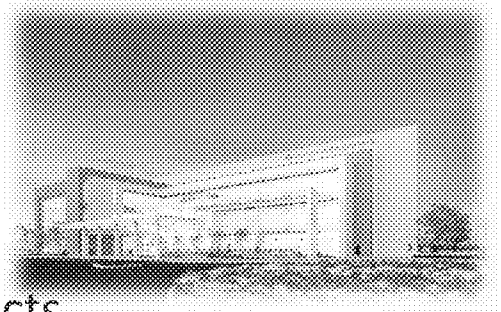

- Enhance educational opportunities
  - Moreno Valley College underway with expansion projects
  - RCRMC will be teaching hospital of new UCR Medical School

MV00178621

City Center

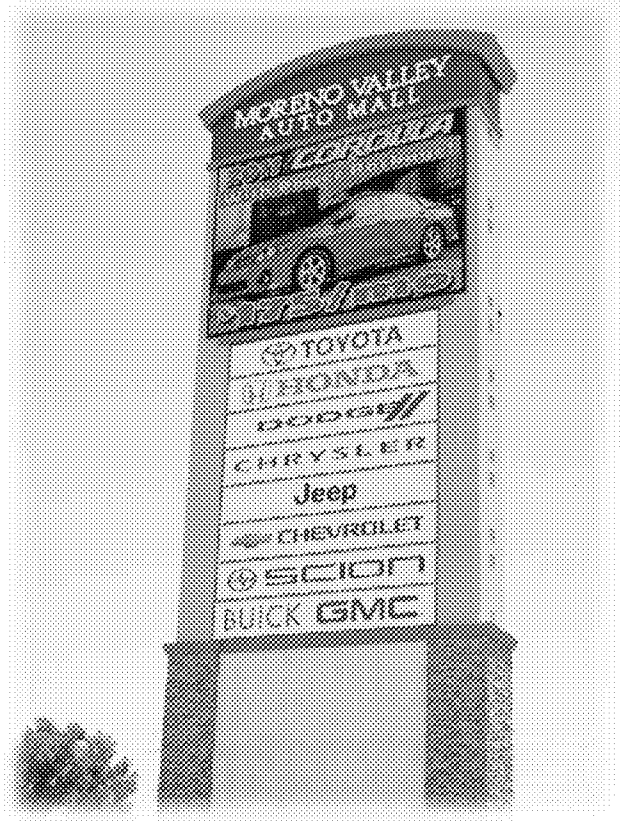

- Moreno Valley Auto Mall
  - Volkswagen of Moreno Valley opened fall 2011
  - Moss Bros. Auto Group underway with $8 million in improvements to dealerships
  - New freeway sign and corner features installed at MV Auto Mall
  - Discussions on-going for other new dealerships
- Re-occupancy of the three closed anchor spaces at Moreno Beach Plaza II
  - Reuse contingent on connecting Eucalyptus to Moreno Beach
  - LA Fitness underway with plans to reuse former Circuit City and Staples spaces, with new sport club concept
  - Negotiations underway for final anchor building and pad development
- Strengthen sales at Stoneridge Towne Centre and Moreno Beach Plaza
  - Adopted electric rate incentive for anchor uses
  - Working towards completion of SR60 improvement projects at Nason and Moreno Beach

MV00178622

Job Creation #1 Goal
New Jobs in 5 ED Action Plan Areas

2011

Distribution/Manufacturing	859
Office/Healthcare	132
Automobile Dealership	57
Retail/Restaurant	302
Total Jobs – 2011	**1,350**

2012

Distribution/Manufacturing	528
Office/Healthcare	167
Automobile Dealerships	20
Retail/Restaurant	265
Total Jobs – 2012	**980**

Total New Jobs 2011/12 in ED Action Plan Area 2,330

MV00178623

Job Creation #1 Goal

2011

Distribution/Manufacturing	
Harbor Freight Tools DC	45
iHerb	98
Modular Metal Fabricating	21
Philips Electronics	134
Ross Stores DC (expansion)	300
Serta Mattress	57
Supreme Truck Bodies	35
Walgreens	44
Subtotal	894
Office/Healthcare	
RCRMC	132
Social Security Admin. (expansion)	79
Subtotal	211
Automobile Dealership	
Moss Bros. Auto Group	57
Subtotal	57
Retail/Restaurant	
Buffalo Wild Wings	110
Five Guys Burgers	62
Rue 21	60
Panera Bread	70
Subtotal	302
Total Jobs – 2011	**1,464**

2012

Distribution/Manufacturing	
Harbor Freight Tools DC	385
Harmon Kardon (expansion)	21
i-Herb (expansion)	122
Subtotal	528
Office/Healthcare	
Kaiser Permanente (expansion) (coming 11/12)	167
Subtotal	167
Automobile Dealerships	
Moss Bros. Auto Group	20
Subtotal	20
Retail/Restaurant	
Chipotle (coming 10/12)	60
Dollar General	40
Dollar Tree (coming 10/12)	30
Family Dollar	30
Harbor Freight Tools Store	35
Round 1 (coming 9/12)	60
S Bar & Grill	25
Universal Strike	30
TJ Maxx/HomeGoods	145
Subtotal	425
Total Jobs – 2012	**1,140**

Total New Jobs 2011/12 in Moreno Valley 2,604

MV00178624

Next Steps

- Complete DIF Update
- Facilitate SR60-East Overlay Study to determine Highest & Best Land Uses
- Assist negotiations for users for new industrial buildings
- Market development opportunities for Medical Overlay Zone
- Explore financing opportunities for more CIP projects to assist in economic development activities
- Adopt new 3-year Economic Development Action Plan in April 2013

MV00178625

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RH
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: UPDATE ON AB 32 AND THE CAP-AND-TRADE PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the update.

BACKGROUND

Assembly Bill 32 (AB32), known as the Global Warming Solutions Act, was signed by the Governor in 2006 and calls for a reduction in the emissions that contribute to global warming to 1990 levels by the year 2020. This means a reduction in greenhouse gas emissions of about 15% from current levels. The California Air Resources Board (CARB) is the agency responsible for developing and implementing the programs to meet this target.

The Climate Change Scoping Plan was approved by CARB in December 2008, and is essentially the blueprint of how the state will meet the goals as defined in AB 32. The key strategies in the Scoping Plan include the following:

- Cap-and-Trade Program
- Pavley Standards – reduces 30% of vehicle greenhouse gas emissions by 2016
- Low Carbon Fuel Standard – decreases carbon intensive vehicle fuels 10% by 2020
- SB 375 – changes the way cities are planned, developed, and built through better land-use planning
- Renewable Portfolio Standard – 33% renewable energy by 2020
    - Million Solar Roofs Program
    - Increase use of solar hot water heating
- Energy efficiency
    - Improve appliance efficiency standards
    - Green buildings

- Water efficiency
- Audit of the largest industrial sources to identify greenhouse gas reduction opportunities
- Regulations on refinery flaring and fugitive emissions
- Capture refrigerants and other high global warming potential gases already in use
- Reduce future impact through leak-resistant equipment
- Encourage more efficient agricultural equipment, fuel use and water use
- Reduce emissions from manure digesters at dairies
- Reduce methane emissions from landfills
- Move toward high recycling and zero waste

DISCUSSION

The Cap-and-Trade compliance obligation will begin on January 1, 2013, and applies to the major sources of greenhouse gas emissions such as electricity generators, refineries, cement production facilities, glass manufacturing facilities, and food processing plants. Natural gas, propane, and transportation fuel distributors will be subject to the Cap-and-Trade Program beginning in 2015. There are two parts to cap-and-trade; the first part, the cap, places a limit on the total amount of greenhouse gas emissions a facility can release into the atmosphere. This cap declines over time, forcing those subject to cap-and-trade to reduce greenhouse gas emissions. The second part, the trade, is a market based mechanism whereby an entity subject to AB 32 regulations can buy emissions allowances to meet its compliance obligation. An allowance is a permit to emit one metric ton of a carbon dioxide equivalent greenhouse gas emission. An entity's annual compliance obligation is the number of allowances it must surrender to CARB to be allowed to emit greenhouse gas emissions, and is 30% of the reported and verified greenhouse gas emissions from the previous year. Some entities will be allocated free allowances, and will have to buy additional allowances at auction to meet their compliance obligation.

Some of the key dates for the Cap-and-Trade Program include the following:

1. Program registration	January 2012
2. User/account registration	September 2012
3. Allowances issued	September 2012
4. Auction registration deadline	October 2012
5. First auction	November 2012
6. 2013 auctions	February, May, August, November

Each auction is anticipated to last approximately three hours, and will consist of a single round of sealed bids, with a minimum auction reserve price. Each seller will receive the same bid price at the conclusion of the auction, which will be equal to or greater than the auction reserve price. Every December 1, the auction reserve price for the following calendar year will be announced. The auction reserve price for allowances auctioned in 2012 and 2013 is set at $10.00 per allowance and will increase by no less than 5% each year through 2020.

As an electric utility retail provider, Moreno Valley Utility (MVU) is required to annually report greenhouse gas emissions associated with purchases of electricity and facilities that contain certain gases. MVU has been reporting its greenhouse gas emissions since 2009. MVU will also be allocated a number of allowances by CARB to be sold in the auctions that will occur quarterly each year. However, because MVU does not generate electricity, nor import any electricity, MVU does not have a compliance obligation, meaning MVU is not required to surrender any allowances to CARB. As a result, MVU will not have to purchase any allowances at auction, and will be able to use the revenues received from the sale of the allowances to benefit ratepayers. No later than June 2014, each utility that receives revenues from the sale of allowances will be required to report to CARB how the funds were spent. A public process will be required to determine how the funds received will be used to benefit ratepayers; some examples include using the funds to purchase renewable energy to help meet the utility's Renewable Portfolio Standard, to provide direct rebates to customers, and to implement additional energy efficiency programs. Staff anticipates that an AB32 compliance policy will be brought before Council within the next six months.

FISCAL IMPACT

MVU has been allocated a total of 312,567 allowances through 2020. It is anticipated that MVU will receive a total minimum of approximately $3,577,084 through 2020 to be spent on various programs for the ratepayers.

Prepared By
Jeannette Olko
Electric Utility Division Manager

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MORENO VALLEY

WHERE DREAMS SOAR

Department Update:

Human Resources

September 25, 2012

MV00178629

Your HR Team

Bridgette Montgomery

Kim Schmitz

Liliana Alvarado

MV00178630

Your Facilities Team

Lisa Morgan

Alice Rod

Mayra Robledo

Adam Patino

Rix Skonberg

Daphne McKinney

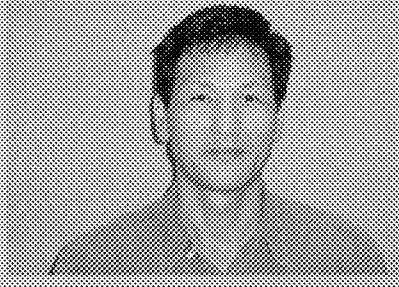

Frank Kim

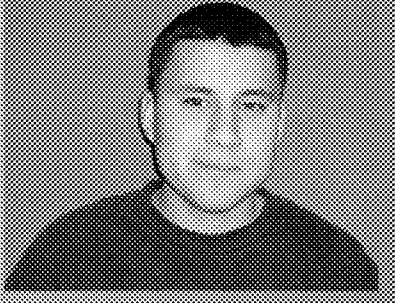

Javier Ponce

Hector Gomez

MV00178631

Human Resources

MV00178632

Core Functions

- Recruitment and Staffing
- Classification & Compensation
- Employee Relations
- Training
- Benefits
- Workers' Compensation
- Regulatory Compliance

MV00178633

Recent Results

- Pension Reform: Tier III CalPERS Contract Amendments
- 3-year MOUs with Employee Associations
- Comprehensive MOUs with MVMA, MVCME
- Electronically searchable MOUs
- 27 Recruitments (FY 11-12)
  - 13 more Recruitments since 7/1

MV00178634

- All Recruitments/Applications now online
- Enhanced Volunteer recruitment
  - Volunteer openings now featured on City's Job listing
- Completed Health Needs Assessment with Employee Associations
- Re-Tooled Employee Service Milestone program

MV00178635

- Partnered with Departments to:
  - Transfer 3 employees to preclude layoff
  - Recall 3 laid off employees (Fire, FASD)
- Compliance with new PERS rules affecting retirees on temp assignment
- Expanded specialized legal support (while reducing costs)
- Created Internship opportunities for RCC/MoVal College Kinesiology students

MV00178636

City of Moreno Valley

MotiVate Wellness

Home Health Work Life

MV00178637

Wellness Objectives

- Invest in our employees
- Create comprehensive, holistic program offerings
- Address 4 key components

Home

Health

Work

Life

MV00178638

Program Activities

- Programs build on employee ideas/requests…several led by our employees
- Website for quick access to all program info & activities
- Lunch & Learns:
  - Mortgage Loan Refinancing, Modifications
  - Financial Planning
- City Relay for Life team
- Run-Walk-Jog Group

MV00178639

- Early Detection Health Screenings, with service packages uniquely created for Moreno Valley employees and their families
- Fitness Challenge (MoVal Movers)
- Line Dancing/Aerobics
- Participation in RivCo's employee Education Fair
- On-site information sessions for Cal State Northridge's MPA program
- *Lunch & A Movie* programs
- College Tuition Funding information

MV00178640

- Interview Skills Workshops (w/Toastmasters)
- Self-Defense class
- Zumba class
- CalPERS Retirement Planning Seminar
- Employee Resource Directory
- Family Movie Night (w/Parks)
- FAFSA Workshop (w/MVUSD)
- Car rental discount program
- Costco membership incentives
- Speedway event tickets
- *More coming soon!!!*

MV00178641

Facilities Division

MV00178642

Recent Results

- Replaced City Hall HVAC System (secured grant funding)
- Completed more than 2,000 work orders last fiscal year
- Collaborated on Fire Station 99 project
- City Hall Parking Lot rehabilitation
- City Hall Lobby renovation
- Earned GOLD status in SCE's Energy Leader Partnership Program

MV00178643

Recent Results

- Lighting retrofits (grant funded)
  - City Hall
  - Senior Center
  - Library
  - FS 6
  - FS 48
  - FS 65
- Solar Film installation at City Hall (grant funded)

MV00178644

On the Horizon

MV00178645

HR Activities

- ERP: Human Resources module goes live in January
- Pension Reform: collective bargaining, new employees
- MOU re-openers
- Training programs
- Succession Planning/Preparation
- Workers' Comp Program Audit

MV00178646

Facilities Activities

- City Hall Improvement/Rehabilitation
- In-Field Automation
- Roll Out: "It's My Building" program for designated point-of-contact
- Emergency Power for CRC
- Multi-Year Facilities Maintenance Plan
- Annex 1 Renovation
- Public Safety Bldg Lobby Upgrades (Access and Security)

MV00178647

Proudly Serving Those Who Serve
Moreno Valley Residents

Human Resources Department

MV00178648

ORDINANCE NO. 853

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 1.10.080 OF CHAPTER 1.10 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE COLLECTION OF CIVIL FINES AND PENALTIES.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Section 1.10.80 of Chapter 1.10 of Title 1 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

"1.10.080 Civil fines—Amount and penalties.

A. The maximum amount of a civil fine for violating particular provisions of this code shall be set forth in a schedule of civil fines adopted by resolution of the city council. The schedule may include escalating civil fine amounts for repeat code violations occurring within specified periods of time. A fine amount, not to exceed those set forth by resolution, may be imposed or reduced at the discretion of the citing officer or the city attorney.

B. Where no civil fine amount is specified by resolution of the city council, civil fines shall be in accordance with those specified in Section 1.01.230 of this code.

C. A late payment penalty shall be imposed for civil fines not paid within thirty (30) calendar days of their due date. The amount of the late payment penalty shall be one hundred (100) percent of the total amount of the civil fine owed.

D. In addition to any civil fine and/or late payment penalty, a hearing officer shall also assess administrative costs against the responsible person when it finds that a violation has occurred or that compliance has not been achieved within the time specified in the civil citation and any granted extensions thereof. Administrative costs may include any and all costs incurred by the city in connection with the matter including, but not limited to, costs of investigation, staffing costs incurred in preparation for an administrative hearing and for the administrative hearing itself, and costs for all reinspections of the property related to the violation(s).

E. Unless otherwise prohibited by law or regulation, all civil fines and administrative costs imposed pursuant to the provisions of this chapter shall accrue simpleinterest at the rate of eight percent (8%)annuallyuntil the civil fine or administrative costs, including interest thereon, is paid in full. Interest shall begin to accrue thirty (30) calendar days after the due date for the civil fine or

administrative costs and continue until the civil fine or administrative costs, including interest thereon, is paid in full."

SECTION 2. EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

September 25, 2012

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3705 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor
William H. Batey II, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
Marcelo Co, Council Member

MV00178652

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES

THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

REGULAR MEETING - 6:30 PM
SEPTEMBER 25, 2012

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority and the Board of Library Trustees- actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

Pastor Diane Gardner, Beautiful Women of God - Diane Gardner Ministries

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is

a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, City as Successor Agency for the Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 APPROVAL OF PAYMENT REGISTER FOR JULY, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2012-74, approving the Payment Register for the month of July, 2012 in the amount of $13,987,791.35.

Resolution No. 2012-74

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Payment Register for the Month of July, 2012.

A.4 PA06-0021 (PM 34577) – INDUSTRIAL – ACCEPT FINAL MAP, AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF HEACOCK STREET AND CARDINAL AVENUE, DEVELOPER: I-215 LOGISTICS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, NEWPORT BEACH, CA 92660 (Report of: Community & Economic Development Department)

Recommendation:

1. Approve Parcel Map 34577, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

2. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA06-0021(PM 34577);

3. Authorize the Mayor to execute the agreement;

4. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.5 FIRST AMENDMENT TO AGREEMENT WITH DMC DESIGN GROUP FOR MORENO TOWNSITE AREA STORM DRAIN AND MISCELLANEOUS STREET IMPROVEMENTS BETWEEN ALESSANDRO BOULEVARD AND DRAINAGE FACILITY LINE F - PROJECT NO. 801 0011 70 77-2001 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the First Amendment to Agreement for Professional Consultant Services with DMC Design Group to revise and complete the design for the Moreno Townsite Area Storm Drain and Miscellaneous Street Improvements;

2. Authorize the City Manager or his designee to continue negotiating the cost proposal and then execute said Amendment to Agreement for Professional Consultant Services with DMC Design Group, subject to approval of the City Attorney; and

3. Authorize an increase in the Purchase Order to DMC Design Group in the amount of up to but not to exceed $57,820 once the final cost negotiations are concluded and the amendment to agreement has been signed by all parties.

A.6 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO GLOBAL POWER GROUP, INC. FOR THE EMERGENCY OPERATIONS CENTER FAMILY CARE CENTER GENERATOR PROJECT - PROJECT NO. 803 0016 70 77 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to Global Power Group, Inc. (GPG),

12060 Woodside Avenue, Lakeside, CA 92040, the lowest responsible bidder, for Emergency Operations Center Family Care Center Generator project;

2. Authorize the City Manager to execute a contract with GPG;

3. Authorize the issuance of a Purchase Order for $386,811.70 ($351,647.00 bid plus 10% contingency of $35,164.70) to GPG when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with GPG, up to but not to exceed the Purchase Order's total contingency amount of $35,164.70, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines that all contract requirements and punch-list items are completed by GPG, accept the improvements into the City's maintained system, and release the retention to Contractor if no claims have been filed against the project.

A.7 APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION GEOTECHNICAL SERVICES WITH NINYO & MOORE FOR MORENO BEACH INTERCHANGE IMPROVEMENTS PHASE 1 - PROJECT NO. 801 0038 70 77-4821 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the "Agreement for Professional Consultant Services" with Ninyo & Moore (Ninyo & Moore), 11650 Mission Park Drive, Suite 101, Rancho Cucamonga, CA 91730, to provide professional geotechnical and materials testing services during construction of the SR-60/Moreno Beach Interchange Improvements Phase 1 project for a total agreement amount not to exceed $109,110;

2. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board approval;

3. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with Ninyo & Moore; and

4. Authorize the issuance of a Purchase Order totaling $109,110 to Ninyo & Moore when the contract has been signed by all parties.

A.8 APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION SURVEY SERVICES WITH COORY ENGINEERING FOR MORENO BEACH INTERCHANGE IMPROVEMENTS PHASE 1 - PROJECT NO. 801 0038 70 77-4821 (FORMERLY PROJECT NO. 07-41570024) (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the "Agreement for Professional Consultant Services" with Coory Engineering (Coory), 1718 N. Neville Street, Orange, CA 92865, to provide professional survey services during construction of the SR-60/Moreno Beach Interchange Improvements Phase 1 project for a total agreement amount not to exceed $100,805;

2. That the City Council Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board approval;

3. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with Coory; and

4. Authorize the issuance of a Purchase Order totaling $100,805 to Coory when the contract has been signed by all parties.

A.9 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of September 5-18, 2012.

A.10 BIENNIAL UPDATE TO THE PUBLIC RIGHT OF WAY ACCESS AMERICANS WITH DISABILITIES ACT TRANSITION PLAN (Report of: Public Works Department/CPD)

Recommendation:
Receive and file this Biennial Update on Public Right of Way Access Americans with Disabilities Act Transition Plan.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING REGARDING PA08-0033 (GENERAL PLAN AMENDMENT), PA08-0034 (CHANGE OF ZONE) AND PA08-0035 (CUP) FOR A SMOG INSPECTION STATION AND TIRE SALES COMMERCIAL BUSINESS AT 22184 ALESSANDRO BOULEVARD. THE PROPOSED GENERAL PLAN AMENDMENT WILL CHANGE THE LAND USE DESIGNATION OF A 0.54 ACRE PORTION OF A PARCEL LOCATED AT

22184 ALESSANDRO BOULEVARD FROM RESIDENTIAL/OFFICE (R/O) TO COMMERCIAL (C). THE CHANGE OF ZONE WILL CHANGE THE ZONING OF THE PARCEL FROM OFFICE COMMERCIAL (OC) TO COMMUNITY COMMERCIAL (CC). THE APPLICANT IS SOCRATES URENA (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for General Plan Amendment PA08-0033, Change of Zone PA08-0034 and Conditional Use Permit PA08-0035 and subsequent to the public hearing:

   ADOPT a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts);

2. ADOPT City Council Resolution No. 2012-75 thereby APPROVING General Plan Amendment PA08-0033, based on the findings in the City Council Resolution;

   Resolution No. 2012-75

   A Resolution of the City Council of the City of Moreno Valley, California, approving an Amendment to the General Plan Land Use Element (PA08-0033) to change the Land Use Designation of a 0.54 acre portion of a parcel located at 22184 Alessandro Boulevard (portion of Assessor's Parcel Number 291-190-025) from Residential/Office (R/O) to Commercial (C)

3. INTRODUCE Ordinance No. 854 thereby APPROVING Zone Change PA08-0034, based on the findings in the City Council Ordinance; and

   Ordinance No. 854

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA08-0034 (Zone Change) to change the Land Use District for approximately 0.54 acres of 22184 Alessandro Boulevard (portion of Assessor Parcel Number 291-190-025) from Office Commercial (OC) to Community Commercial (CC)

4. ADOPT City Council Resolution No. 2012-76 thereby APPROVING Conditional Use Permit PA08-0035 for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, based on the findings in the Resolution, and the conditions of approval to the resolution as Exhibit A.

Resolution No. 2012-76

A Resolution of the City Council of the City of Moreno Valley, California, Approving Conditional Use Permit (PA08-0035) for the conversion of an existing Single Family Residence into Smog Inspection Station and Tire Sales Commercial Business at 22184 Alessandro Boulevard (APN: 291-190-025)

E.2 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION'S JULY 12, 2012, APPROVAL OF PLOT PLAN PA09-0004 AND TENTATIVE PARCEL MAP NO. 36162 (PA09-0012) AND THE RELATED ENVIRONMENTAL IMPACT REPORT FOR THE VIP MORENO VALLEY PROJECT. THE PROJECT PROPOSES A 1,616,133 SQUARE FOOT WAREHOUSE DISTRIBUTION BUILDING ON APPROXIMATELY 80 ACRES. THE BUILDING INCLUDES 268 DOCK HIGH DOORS AND 44,000 SQUARE FEET OF OFFICE AREA. THE MAP WOULD COMBINE FOUR EXISTING PARCELS INTO A SINGLE PARCEL. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF GROVE VIEW ROAD BETWEEN PERRIS BOULEVARD AND INDIAN STREET AT THE CITY'S SOUTHERN BOUNDARY, IN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP 208). THE APPLICANT IS VOGEL ENGINEERS, INC. THE APPELLANT IS JOHNSON & SEDLACK ATTORNEYS AT LAW ON BEHALF OF RESIDENTS FOR A LIVABLE MORENO VALLEY AND THE SIERRA CLUB (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for Environmental Impact Report (P11-020), Plot Plan PA09-0004, and Tentative Parcel Map 36362 (PA09-0012) and subsequent to the public hearing:

   APPROVE Resolution No. 2012-77 and CERTIFY that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and

   Resolution No. 2012-77

   A Resolution of the City Council of the City of Moreno Valley, California, certifying the Final Environmental Impact Report (P11-020), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the VIP Moreno Valley Project, generally located in the Moreno Valley Industrial Area Plan (SP 208), on the South side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

2. APPROVE Resolution No. 2012-78 and APPROVE Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the attached conditions of approval included as Exhibits A and B.

Resolution No. 2012-78

A Resolution of the City Council of the City of Moreno Valley, California, for approval of Plot Plan PA09-0004 for development of a 1,616,133 square foot Warehouse Distribution Facility on 80 acres located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 and PA09-0012 (Tentative Parcel Map No. 36162) to combine four parcels into a single parcel.

E.3 GENERAL PLAN AMENDMENT TO MODIFY THE CIRCULATION PLAN FOR NASON STREET BETWEEN ALESSANDRO BOULEVARD AND FIR AVENUE (PA12-0026) - (Report of: Public Works Department/CPD)

Recommendation:

1. Conduct a public hearing to consider the action taken by the Planning Commission on August 23, 2012, recommending approval of a General Plan Amendment (PA12-0026) (Project); and subsequent to the public hearing; and

2. APPROVE City Council Resolution No. 2012-79 thereby adopting a Negative Declaration for PA12-0026 in that the project will not result in significant environmental impacts, and approving the General Plan Amendment (PA12-0026), based on the findings in the City Council Resolution.

Resolution No. 2012-79

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA12-0026) to Modify the City Circulation Plan and Circulation Exhibit, Respectively

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

G.2 UPDATE OF ECONOMIC DEVELOPMENT ACTION PLAN (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review the update of the Economic Development Action Plan.

G.3 UPDATE ON AB 32 AND THE CAP AND TRADE PROGRAM (Report of: Public Works Department/EU)

Recommendation: That the City Council:
Receive and file the update.

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

G.4.1 Human Resources Department Update - Report by: Tom DeSantis, Human Resources Director

G.5 CITY ATTORNEY'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2.1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 1.10.080 OF CHAPTER 1.10 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE COLLECTION OF CIVIL FINES AND PENALTIES (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 11, 2012, BY A 5-0 VOTE) (Report of: City Attorney)

Recommendation: That the City Council:
Adopt Ordinance No. 853 that would clarify the method by which interest is calculated on delinquent civil citations.

Ordinance No. 853

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 1.10.080 of Chapter 1.10 of the City of Moreno Valley Municipal Code Relating to the Collection of Civil Fines and Penalties

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MV00178665

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 11, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Southern California Edison's Recognition of City of Moreno Valley's Energy Leader Gold Tier Status

2. Presentation of Award for Excellence in Information Technology Practices to the City's Technology Services Division

3. Proclamation Recognizing Constitution Week, September 17 - 23, 2012

4. Proclamation Presentation Recognizing Mayor Richard A. Stewart's 20 Years of Service as a Moreno Valley Reserve Police Officer

5. Spotlight on Moreno Valley Business
   a) O'Reilly Automotive DC
   b) Sunnymead Village Dental Group

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 11, 2012

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:40 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street

Mayor Richard A. Stewart announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem William H. Batey II

INVOCATION - Reverend O. J. Philpot, Christ Community Church

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Council Member
William H. Batey II	Mayor Pro Tem
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager

Joel Ontiveros	Police Chief
Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Human Resources Director
Mike McCarty	Parks & Community Services Director
Michele Patterson	Assistant to the City Manager

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

A. CONSENT CALENDAR-CITY COUNCIL

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (A.2).

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF AUGUST 28, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 COOPERATIVE AGREEMENT WITH THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE SUNNYMEAD MASTER DRAINAGE PLAN LINE P-6, STAGE 2 (PROJECT NO. 4-0-00716) (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District (the District) for the Sunnymead Master Drainage Plan Line P-6, Stage 2;

2. Authorize the City Manager to execute the Cooperative Agreement; and

3. Direct the City Clerk to forward the signed Cooperative Agreement to the District.

A.4 APPROVE THE AMENDMENT TO THE JOINT POWERS AGREEMENT OF THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS TO

PERMIT THE PROVISION OF PACE SERVICES STATEWIDE (Report of: City Manager's Office)

Recommendation:
Approve an amendment to the Joint Powers Agreement of the Western Riverside Council of Governments to permit the provision of PACE services statewide.

A.5 ORDINANCE NO. 851 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA10-0022 TO AMEND TITLE 9 OF THE MORENO VALLEY MUNICIPAL CODE, CHAPTER 9.08, SECTION 9.08.100 "LIGHTING" AND SECTION 9.08.190 "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV APPLICATIONS FOR HILLSIDE DEVELOPMENT SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES", ARTICLE VI "APPLICATIONS FOR LIGHTING", SECTION 9.16.280, "GENERAL REQUIREMENTS" AND CHAPTER 9.15, SECTION 9.15.030, "DEFINITIONS" RELATING TO MODIFICATIONS OF GENERAL SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING WITH AN EMPHASIS ON DARK SKY STANDARDS CITYWIDE (RECEIVED FIRST READING AND INTRODUCTION ON AUGUST 28, 2012, BY A 5-0 VOTE) (REPORT OF: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT)

Recommendation:

Adopt Ordinance No. 851, approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

Ordinance No. 851

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI "Applications for Lighting", Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030, "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

A.6 ORDINANCE NO. 852 - AN ORDINANCE OF THE CITY COUNCIL OF

THE CITY OF MORENO VALLEY, CALIFORNIA, (PA11-0013) AMENDING TITLE 9 CHAPTER 9.11, SECTION 9.11.040, "OFF STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENCY WITH THE CURRENT 2011 CALIFORNIA GREEN BUILDING CODE STANDARDS REQUIRING LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL AND VANPOOL VEHICLE PARKING FOR NEW NON-RESIDENTIAL USES CITYWIDE (RECEIVED FIRST READING AND INTRODUCTION ON AUGUST 28, 2012, BY A 5-0 VOTE) (REPORT OF: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT)

Recommendation:

Adopt Ordinance No. 852, approving revisions to Title 9 and Section 9.11.040 "Off Street Parking Requirements" to provide consistency with the current 2011 California Green Building Code standards for low-emitting, fuel–efficient and carpool and vanpool vehicle parking for all new non-residential uses citywide.

Ordinance No. 852

An Ordinance of the City Council of the City of Moreno Valley, California, (PA11-0013) Amending Title 9 Chapter 9.11, Section 9.11.040, "Off Street Parking Requirements" To Provide Consistency with the Current 2011 California Green Building Code Standards Requiring Low-Emitting, Fuel-Efficient and Carpool and Vanpool Vehicle Parking for New Non-Residential Uses Citywide

A.7 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of August 22 – September 4, 2012.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 28, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF AUGUST 28, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF AUGUST 28, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A.1 through D.2 by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:

1. After conducting the Public Hearing and accepting public testimony, direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Number (APN) 485-081-034;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APN 485-081-034.

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APN 485-081-034 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the CSD:

1. After conducting the Public Hearing and accepting public testimony, direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for APN 485-081-034;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and

4. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to APN 485-081-034.

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

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

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

None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

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

Mayor Richard A. Stewart stated that two parcels are in escrow from Riverside Medical Clinic as part of the March Health Care project.

G.2 RECAP OF JULY 4th AND DISBAND JULY 4th ADVISORY COMMITTEE (Report: Parks and Community Services Department)

Recommendation: That the City Council:
Acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District authorize disbanding the City's July 4th Advisory Committee.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Deanna Reeder (Opposed), Scott Heveran (Opposed), Tom Jerele, Sr. (Opposed), Diana Giardina, Georgette Segura (Opposed), JulieAnn Stewart-Cleveland (Opposed), and LaDonna Jempson (Opposed).

Motion to Recognize that under Council rules the Ad Hoc Committee has been disbanded and to direct staff to come back at the earliest opportunity with plans to organize a standing committee for the 4th of July celebration by m/Mayor Richard A. Stewart, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

G.3 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 1.10.080 OF CHAPTER

1.10 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE COLLECTION OF CIVIL FINES AND PENALTIES (Report of: City Attorney)

Recommendation: That the City Council:
Introduce Ordinance No. 853 that would clarify the method by which interest is calculated on delinquent civil citations.

Ordinance No. 853

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 1.10.080 of Chapter 1.10 of the City of Moreno Valley Municipal Code Relating to the Collection of Civil Fines and Penalties

Motion to Approve Introduction of Ordinance No. 853 and bring back the percentage rate for discussion at a later date. by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

G.4 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Community & Economic Development Department)

Recommendation: That the City Council:
Review and approve the annual Agreements for Services with the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Oscar Valdepena, Marshall C. Scott, Tom Jerele Sr., and Pete Bleckert.

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

G.5 APPOINTMENTS TO THE ARTS COMMISSION, THE SENIOR CITIZENS' BOARD AND THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk Department)

Recommendation: That the City Council:
1. After reviewing the ballot provided by the City Clerk:
   Appoint one member to the Arts Commission with a term expiring June 30, 2015; and

2. Appoint one member to the Senior Citizens' Board with a term expiring June 30, 2015; and

3. Appoint one member to the Traffic Safety Commission with a term expiring June 30, 2014; and

4. Confirm the appointment of Shor Denny to the Traffic Safety Commission as the Moreno Valley Parent Teacher Council (MV-PTA) representative for a term expiring June 30, 2013; or

5. Confirm the appointment of Lorey Ann Hargo to the Traffic Safety Commission as the Val Verde Parent Teacher Council (VVUSD-PTO) representative for a term expiring June 30, 2015; or

6. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Deanna Reeder.

Motion to Approve the appointments of April Lyn Holliverse to the Arts Commission for a term expiring June 30, 2015; Corey A. Jackson to the Traffic Safety Commission for a term expiring June 30, 2014; and Liz Williams to the Senior Citizens' Board for a term expiring June 30, 2015 and Recommendations Nos. 4 and 5, by m/Mayor Pro Tem William H. Batey II, s/Council Member Marcelo Co

Approved by a vote of 5-0.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manager reported on the August 30th severe thunderstorm and flash flooding that occured in the City between the hours of 2:00 p.m. and 5:00 p.m., providing statistics and response times from City's various departments (Community & Economic Development, Fire, Police, and Public Works) as well as the California Highway Patrol.

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

G.7 CITY ATTORNEY'S REPORT (Informational Oral Presentation - not for Council Action)

None

H. LEGISLATIVE ACTIONS - none

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Jose Chavez

1. Tow trucks and lost/stolen medical equipment

2. Police Department

3. New Ideas

Tom Jerele Sr.

1. Thanked the Mayor & Council for allowing additional speakers on the 4th of July item

2. Chamber Idea - get MVTV involved at Chamber

3. Public Works - Petroleum Pipeline

4. City's Building Official - Very responsive and fair to work with

5. 9/11 Remembrance on all of our Public Service

Vince Lauro

1. November 6 Election - District 5 Candidate

Deanna Reeder

1. Upcoming November Elections - very important to vote

2. Ad Hoc Committee to select City Manager

3. Rancho Belago Signs

4. Campaign Signs

Oscar Valdepeña (representing Moreno Valley Chamber)

1. Thanked the Council for approval of Chamber contract

2. Chamber holds an informative morning event called Adelante

3. Meet the Military Mixer will be held Thursday, September 13 at March Air Field Museum - Free to attend

4. Business Expo will be held on October 11; free to the community

5. Edible Arrangements in Moreno Valley is #1 in their chain (non-member of the Chamber)

Pete Bleckert

1. Glad to hear from City Manager regarding the floods

2. Spoke on history of other floods in the area over the years

3. Sinclair Basin

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

Council Member Jesse L. Molina

1. Thanked the Fire and Police Departments for their actions taken during the flood; it was pretty bad

2. Emphasized that we, as community, need to try being cordial and understanding; stated that his goal is to unite the people of Moreno Valley

3. Attended California League of Cities, where financial condition of cities was discussed; every city was hit hard during the last four years; considering everything, our city is not doing bad

4. Doesn't want Ad Hoc Committee to be dissolved as very talented people are serving on it; feels that July 4th parade was the best

Council Member Robin N. Hastings

1. With staff, attended Round 1 Grand Opening at the mall; it was a very good turnout - this venue is desperately needed for Moreno Valley, for families and our youth; Moreno Valley is the second location in the U.S; encouraged residents to visit it

2. Flooding - appreciates Public Works, Robert Lemon and the City Manager for their patience, dedication and quick responses to many emergency calls; several streets were under water, and power was lost from Nason all the way east; a meeting with the residents regarding flood control generated very creative ways to address this issue; will contact Pete Bleckert, the newly reappointed Flood Control Commissioner representing District 5, to provide some assistance

4. Moreno Valley Diamond Girls Softball event was held last Saturday - 300 people attended the opening ceremony; it was a great event

5. Appreciates all the hard work that everybody is doing on behalf of the City and the residents

Mayor Pro Tem William H. Batey II

1. Apologized to Mr. Chavez for issues not resolved to his satisfaction

2. Commended all the City Staff for the great job during the flooding; storm came unexpectedly and calls were coming quick; there were not enough people to handle the situation

3. Announced that last week we lost a long time business owner who used to own Moreno Valley Tire Pros, Mark Williams; he will be missed

4. Youth Fest - commended Parks & Community Services Director Mike McCarty and staff for putting this great event

5. Everyone remembers 9/11 and people lost on that day 11 years ago - a lot of fire departments hold ceremonies for 350 firefighters who were killed along with police officers involved in rescue - they will never be forgotten

Council Member Marcelo Co

1. Congratulated everyone who participated in the 4th of July celebration; great job

2. 9/11 has to be kept in our minds and our kids' minds - we must never let it happen again; we should promote visiting the sites

3. Congratulated the Public Works Director and Eric Lewis for the quick action they did to protect our children and having the study to install new crosswalks near the school on Dracaea and nearby Fire Station; several kids nearly got run over

4. Thanked everyone for giving him an opportunity to attend the League of California Cities; we are in the same boat as everyone else, lacking funds

and having a lot of demands from citizens; if we work together, we can find ways and means to be successful; was very impressed with this convention; Assistant City Manager made a good presentation

5. This is an Election Year - Citizens should know that the candidates' signs must be respected; requested not to tear them down or destroy them; please report anybody doing it; violators will be prosecuted

6. Congratulations to all of you for doing a great job in moving us forward in everyday things - our staff is here to do the best they can to help the community

Mayor Richard A. Stewart

1. Stated that at the last televised meeting, he mentioned that he gets invited to many events - invitations are spread out so there is coverage. As a City's representative, he was invited to greet a Hindu group to welcome them to the City. Stated that he welcomes all different religions and all the people and we will continue to represent all the people and go to different churches and places when we have the opportunity as part of the duties to represent the people

2. Commended staff, the Fire and Police Departments and residents for their efforts concerning the floods

3. Boy Scouts Distinguished Citizen Dinner will be held on November 9 at the March Museum

4. Mayor's Event will be held on October 26 with a theme of Italian Comedy Wedding – it will benefit Laura Froehlich's efforts and the Boy Scouts

5. It's very sad that Fire Chief Abdul Ahmad's wife, Rosalinda, passed away. She was an Air Force veteran; will adjourn the meeting in her memory

6. Round 1 is great

7. Advised City Manager and Assistant City Managers that he forwarded an email received on City's network from a constituent on a possible traffic hazard to them

8. On Saturday, attended Youth Fest, Million Father March with Bishop Sykes at Crossword Church at March and Military Appreciation Picnic at March

9. Stated that every time we have a complain about tow trucks, we aggressively and diligently examine them; if we can do anything, we will do

it

CLOSED SESSION - canceled

ADJOURNMENT

Motion to Adjourn the meeting in Memory of Rosalinda Ahmad by m/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

There being no further business to conduct, the meeting was adjourned at 9:33 p.m. by unanimous informal consent.

Submitted by:

_____

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Secretary, Moreno Valley Housing Authority
Secretary, Board of Library Trustees

Approved by:

_____

Mayor Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Moreno Valley Housing Authority
Chairperson, Board of Library Trustees

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MV00178681

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: September 25, 2012

TITLE: APPROVAL OF PAYMENT REGISTER FOR JULY, 2012

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2012-74, approving the Payment Register for the month of July, 2012 in the amount of $13,987,791.35.

DISCUSSION

The payment register is using a standard format from the City's new LOGOS General Ledger system. This standard format lists all payments in check number order, followed by a listing of all electronic fund transfers (EFT) in fund transfer order, thus eliminating the need for a separate fund transfer register. Staff is working on possible alternate sorting options as we become fully operational with the features of the new system.

FISCAL IMPACT

The disbursements itemized in the attached Payment Register are reflected in the FY 2012-13 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2012-74
Payment Register for Month of July, 2012

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2012-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE PAYMENT REGISTER FOR THE MONTH OF JULY, 2012

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Payment Register for the period July 1, 2012 through July 31, 2012, for review and approval by the City Council of the City of Moreno Valley; and

WHEREAS, it is in the best interest of the City that the referenced Payment Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Payment Register for the period July 1, 2012 through July 31, 2012, in the total amount of $13,987,791.35 is approved.

APPROVED AND ADOPTED this 25th day of September, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-74
Date Adopted: September 25, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

CITY CLERK

Resolution No. 2012-74
Date Adopted: September 25, 2012

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
Check						
213439	07/11/2012			Accounts Payable	ADMINSURE	$5,200.00
	Invoice	Date	Description			Amount
	5850	05/15/2012	WORKERS' COMP CLAIMS ADMINISTRATION			$2,600.00
	5895	06/18/2012	WORKERS' COMP CLAIMS-JUL-12			$2,600.00
213440	07/11/2012			Accounts Payable	ADVANCED ELECTRIC	$186.00
	Invoice	Date	Description			Amount
	10094	06/27/2012	ELECTRICAL INSTALLATION SVCS			$186.00
213441	07/11/2012			Accounts Payable	AMERICAN TOWERS	$5,352.84
	Invoice	Date	Description			Amount
	150357936AU	06/26/2012	TOWER SPACE LEASE			$2,676.42
	150357936SE	06/26/2012	TOWER SPACE LEASE			$2,676.42
213442	07/11/2012			Accounts Payable	ANHEUSER-BUSCH SALES CO.	$958.72
	Invoice	Date	Description			Amount
	479529	07/04/2012	JULY 4TH SUPPLIES			$958.72
213443	07/11/2012			Accounts Payable	ARS BILLIARDS	$706.87
	Invoice	Date	Description			Amount
	06042012	07/10/2012	REFELT BILLIARD TABLE-SENIOR CTR			$706.87
213444	07/11/2012			Accounts Payable	BIO-TOX LABORATORIES	$10,229.98
	Invoice	Date	Description			Amount
	25253	06/07/2012	TOXICOLOGY TESTS-POLICE			$2,457.78
	25254	06/07/2012	TOXICOLOGY TESTS-POLICE			$7,772.20

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213445	07/11/2012			Accounts Payable	CEMEX	$1,466.75
	Invoice	Date	Description			Amount
	9423975154	06/19/2012	PORTLAND CEMENT-MAIN/OP'S			$320.30
	9423941912	06/14/2012	PORTLAND CEMENT-MAIN/OP'S			$423.41
	9423923739	06/12/2012	PORTLAND CEMENT-MAIN/OP'S			$320.26
	9423888348	06/07/2012	PORTLAND CEMENT-MAIN/OP'S			$402.78
213446	07/11/2012			Accounts Payable	COSTCO	$298.10
	Invoice	Date	Description			Amount
	18910	06/24/2012	MISC SUPPLIES-"A CHILDS PLACE"			$298.10
213447	07/11/2012			Accounts Payable	COUNSELING TEAM, THE	$2,500.00
	Invoice	Date	Description			Amount
	18772	05/03/2012	EMPLOYEE COUNSELING SVCS			$1,250.00
	18899	06/01/2012	EMPLOYEE COUNSELING SVCS			$1,250.00
213448	07/11/2012			Accounts Payable	EASTERN MUNICIPAL WATER DISTRICT	$27,822.52
	Invoice	Date	Description			Amount
	JUN-12	06/30/2012	WATER CHARGES			$27,822.52
213449	07/11/2012			Accounts Payable	GUARDSMARK	$1,071.60
	Invoice	Date	Description			Amount
	5221120	05/19/2012	SECURITY SVCS-CITY HALL			$357.20
	5222124	05/26/2012	SECURITY SVCS-CITY HALL			$357.20
	5220125	05/12/2012	SECURITY SVCS-CITY HALL			$357.20
213450	07/11/2012			Accounts Payable	LARA, JOSEPH R.	$240.33
	Invoice	Date	Description			Amount
	7/18-7/20/12	07/02/2012	PER DIEM/MILEAGE-CRESTRON TRNG CLASS			$240.33

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213451	07/11/2012			Accounts Payable	MCAFEE, WAYNE PH.D.	$2,450.00
	Invoice	Date	Description			Amount
	06062012	06/06/2012	CONSULTATION SVCS			$2,450.00
213452	07/11/2012			Accounts Payable	RIGHTWAY SITE SERVICES, INC.	$89.55
	Invoice	Date	Description			Amount
	710031	06/22/2012	PORTABLE TOILET/SVC-CITY YARD			$89.55
213453	07/11/2012			Accounts Payable	SC SIGNS	$4,180.00
	Invoice	Date	Description			Amount
	July 2011-	06/26/2012	SIGN POSTINGS FOR PLANNING DEPT			$4,180.00
213454	07/11/2012			Accounts Payable	SCHIEFELBEIN, LORI C.	$1,086.25
	Invoice	Date	Description			Amount
	JUN-2012	06/28/2012	CONSULTANT SVCS-ROTATIONAL TOW PRGM			$1,086.25
213455	07/11/2012			Accounts Payable	STANDARD INSURANCE CO	$1,935.98
	Invoice	Date	Description			Amount
	120701	07/01/2012	SUPPLEMENTAL INSURANCE			$1,935.98
213456	07/11/2012			Accounts Payable	STATE OF CALIFORNIA DEPT. OF JUSTICE	$630.00
	Invoice	Date	Description			Amount
	915616	06/15/2012	BLOOD ALCOHOL ANALYSIS SVCS-PD			$630.00
213457	07/11/2012			Accounts Payable	TRACSYSTEMS, INC.	$1,895.00
	Invoice	Date	Description			Amount
	842	06/21/2012	INSTALL PHAROS WIRELESS ON TRACSPOT			$1,895.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213458	07/11/2012			Accounts Payable	TROPICAL PLAZA NURSERY, INC.	$11,900.00
	Invoice	Date	Description			Amount
	M50255	06/20/2012	ANNUAL WEED ABATEMENT-ZONE E-2			$11,900.00
213459	07/11/2012			Accounts Payable	TW TELECOM	$3,075.34
	Invoice	Date	Description			Amount
	04902946	06/10/2012	TELECOM SVCS-LOCAL/LONG DIST.			$3,075.34
213460	07/11/2012			Accounts Payable	XEROX CAPITAL SERVICES, LLC	$130.68
	Invoice	Date	Description			Amount
	119720839	06/16/2012	STAPLES FOR COPIER			$130.68
213461	07/11/2012			Accounts Payable	STEIGELMAN, DEBRA	$75.00
	Invoice	Date	Description			Amount
	R11-042614	06/21/2012	REFUND SPAY/NEUTER DEPOSIT			$75.00
213462	07/12/2012			Accounts Payable	KEEP AMERICA BEAUTIFUL, INC.	$2,000.00
	Invoice	Date	Description			Amount
	062712	06/11/2012	CERTIFICATION & ANNUAL FEES			$2,000.00
213463	07/12/2012			Accounts Payable	NIGHT OPTICS USA, INC.	$10,079.17
	Invoice	Date	Description			Amount
	501163	07/12/2012	THERMAL MONOCULARS INSIGHT TECH			$10,079.17
213464	07/12/2012			Accounts Payable	PAUL DAVIS RESTORATION	$125.00
	Invoice	Date	Description			Amount
	MV1258	06/11/2012	CLAIM SETTLEMENT			$125.00
213465	07/12/2012			Accounts Payable	SOUTHERN CALIFORNIA EDISON	$7,788.58
	Invoice	Date	Description			Amount
	JUN-12	07/12/2012	ELECTRICITY			$7,788.58

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213466	07/12/2012			Accounts Payable	WALKER, JASON		$125.00
	Invoice	Date	Description			Amount	
	MV1257	06/11/2012	CLAIM SETTLEMENT			$125.00	
213467	07/16/2012			Accounts Payable	ALLIANZ LIFE INSURANCE CO		$75.00
	Invoice	Date	Description			Amount	
	120712	07/16/2012	NON-EXEMPT ANNUITY			$75.00	
213468	07/16/2012			Accounts Payable	AVI-CON INC.		$2,541.84
	Invoice	Date	Description			Amount	
	06.08.12RET	07/16/2012	REISSUE ACH#8855836 DTD 6/28/12			$2,541.84	
213469	07/16/2012			Accounts Payable	BRAUN BLAISING MCLAUGHLIN		$10,543.63
	Invoice	Date	Description			Amount	
	14339	07/04/2012	LEGAL SVCS-STREETLIGHT SETTLEMENT-CASL			$10,543.63	
213470	07/16/2012			Accounts Payable	BRODART CO.		$344.99
	Invoice	Date	Description			Amount	
	B2508883	06/19/2012	MISC BOOKS-LIBRARY			$74.41	
	B2508881	06/19/2012	MISC BOOKS-LIBRARY			$39.80	
	B2508880	06/19/2012	MISC BOOKS-LIBRARY			$210.82	
	B2508879	06/19/2012	MISC BOOKS-LIBRARY			$19.96	

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213471	07/16/2012			Accounts Payable	BWI - BOOK WHOLESALERS, INC.	$2,792.79

Invoice	Date	Description	Amount
125361E	06/07/2012	MISC BOOKS/MATERIALS-LIBRARY	$25.96
122467E	06/04/2012	MISC BOOKS/MATERIALS-LIBRARY	$15.15
126157E	06/01/2012	MISC BOOKS/MATERIALS-LIBRARY	$20.94
119076E	05/29/2012	MISC BOOKS/MATERIALS-LIBRARY	$360.75
119077E	05/29/2012	MISC BOOKS/MATERIALS-LIBRARY	$414.27
121158E	05/31/2012	MISC BOOKS/MATERIALS-LIBRARY	$15.15
119074E	05/18/2012	MISC BOOKS/MATERIALS-LIBRARY	$448.71
120744E	05/22/2012	MISC BOOKS/MATERIALS-LIBRARY	$24.53
104172E	05/09/2012	MISC BOOKS/MATERIALS-LIBRARY	$15.15
108633E	05/14/2012	MISC BOOKS/MATERIALS-LIBRARY	$15.15
119079E	05/25/2012	MISC BOOKS/MATERIALS-LIBRARY	$306.78
119078E	05/25/2012	MISC BOOKS/MATERIALS-LIBRARY	$80.49
119075E	05/25/2012	MISC BOOKS/MATERIALS-LIBRARY	$44.16
111003E	05/15/2012	MISC BOOKS/MATERIALS-LIBRARY	$184.78
121689E	05/31/2012	MISC BOOKS/MATERIALS-LIBRARY	$264.49
105559E	05/10/2012	MISC BOOKS/MATERIALS-LIBRARY	$158.48
108385E	07/14/2012	MISC BOOKS/MATERIALS-LIBRARY	$14.50
107962E	05/14/2012	MISC BOOKS/MATERIALS-LIBRARY	$43.37
125022E	05/31/2012	MISC BOOKS/MATERIALS-LIBRARY	$20.74
118776E	05/25/2012	MISC BOOKS/MATERIALS-LIBRARY	$81.11
117669E	05/16/2012	MISC BOOKS/MATERIALS-LIBRARY	$55.50
100211E	04/19/2012	MISC BOOKS/MATERIALS-LIBRARY	$28.64
127961E	06/13/2012	MISC BOOKS/MATERIALS-LIBRARY	$153.99

213472	07/16/2012			Accounts Payable	CALIFORNIA BUILDING STANDARDS	$1,489.50

Invoice	Date	Description	Amount
2ND QTR	07/12/2012	SB1473 FEES COLLECTED 4/1-6/30/12	$1,489.50

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213473	07/16/2012			Accounts Payable	COMMUNITY HEALTH CHARITIES	$142.00
	Invoice	Date	Description			Amount
	120712	07/12/2012	CHC CONTRIBUTIONS			$142.00
213477	07/16/2012			Accounts Payable	DDL TRAFFIC	$26,634.44
	Invoice	Date	Description			Amount
	2221	06/18/2012	IDC 1520 SPEED CONTROL SIGN-4 UNITS			$26,634.44
213478	07/16/2012			Accounts Payable	DEPARTMENT OF CONSERVATION	$9,649.93
	Invoice	Date	Description			Amount
	2ND QTR	07/12/2012	SMI FEES FOR THE QTR PERIOD 4/1-6/30/12			$9,649.93
213479	07/16/2012			Accounts Payable	DISTINCTIVELY YOURS	$4,981.40
	Invoice	Date	Description			Amount
	4872	06/20/2012	JR FIREFIGHTER BADGES & STICKERS			$4,981.40
213480	07/16/2012			Accounts Payable	ECONOMIC DEVELOPMENT AGENCY	$33,275.00
	Invoice	Date	Description			Amount
	2012-3	06/07/2012	LIBRARY AUTOMATION SVCS-JAN-JUNE 2012			$33,275.00
213481	07/16/2012			Accounts Payable	FRANCHISE TAX BOARD	$175.00
	Invoice	Date	Description			Amount
	120712	07/12/2012	GARNISHMENT			$175.00
213482	07/16/2012			Accounts Payable	GENERAL SECURITY SERVICES, INC.	$322.14
	Invoice	Date	Description			Amount
	170795	05/23/2012	SECURITY SVCS-TOWNGATE RENTALS			$61.36
	170796	05/23/2012	SECURITY SVCS-TOWNGATE RENTALS			$92.04
	170798	06/19/2012	SECURITY SVCS-TOWNGATE RENTALS			$92.04
	170859	06/22/2012	SECURITY SVCS-TOWNGATE RENTALS			$76.70

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213483	07/16/2012			Accounts Payable	GONG ENTERPRISES, INC.	$810.00
	Invoice	Date	Description			Amount
	6869	06/13/2012	CONSULTANT PLAN CHECK SVCS-PM34577/PA06-			$810.00
213484	07/16/2012			Accounts Payable	ING USA ANNUITY & LIFE INSURANCE CO.	$400.00
	Invoice	Date	Description			Amount
	120701	07/01/2012	NON-EXEMPT ANNUITY			$400.00
213485	07/16/2012			Accounts Payable	LARA, CHRISTINA	$669.23
	Invoice	Date	Description			Amount
	120712	07/12/2012	SPOUSAL SUPPORT & ARREARS			$669.23
213486	07/16/2012			Accounts Payable	LEAGUE OF CALIFORNIA CITIES-RIV CNTY DIV	$70.00
	Invoice	Date	Description			Amount
	07092012	07/09/2012	MEMBERSHIP MEETING			$70.00
213487	07/16/2012			Accounts Payable	MORENO VALLEY CHAMBER OF COMMERCE	$150.00
	Invoice	Date	Description			Amount
	3293	06/27/2012	WAKE-UP MEETING-6/27/12			$150.00
213488	07/16/2012			Accounts Payable	PERS LONG TERM CARE PROGRAM	$458.63
	Invoice	Date	Description			Amount
	120712	07/12/2012	LONG TERM CARE INSURANCE			$458.63
213489	07/16/2012			Accounts Payable	RIVERSIDE COUNTY SHERIFF COURT SERVICES	$822.29
	Invoice	Date	Description			Amount
	120712	07/12/2012	GARNISHMENT			$822.29

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213490	07/16/2012			Accounts Payable	ROSENOW SPEVACEK GROUP (RSG, INC.)	$1,321.48
	Invoice	Date	Description			Amount
	0028168	05/31/2012	NSP ELIGIBILITY REVIEW SVCS			$346.48
	0028169	05/31/2012	ELIGIBILITY REVIEW SVCS			$325.00
	0028170	05/31/2012	ELIGIBILITY REVIEW SVCS			$325.00
	0028174	05/24/2012	ELIGIBILITY REVIEW SVCS			$325.00
213491	07/16/2012			Accounts Payable	SABRE LIGHTING AND SIGNS	$662.12
	Invoice	Date	Description			Amount
	4936	06/20/2012	REFURBISH WELCOME SIGNS			$662.12
213492	07/16/2012			Accounts Payable	SOUTHERN CALIFORNIA GAS CO.	$3,504.50
	Invoice	Date	Description			Amount
	JUN-12	07/06/2012	GAS CHARGES			$3,504.50
213493	07/16/2012			Accounts Payable	STANDARD INSURANCE CO	$27,649.90
	Invoice	Date	Description			Amount
	120701a	07/16/2012	LIFE & DISABILITY INSURANCE			$27,649.90
213494	07/16/2012			Accounts Payable	SUNNYMEAD ACE HARDWARE	$67.73
	Invoice	Date	Description			Amount
	46901	05/17/2012	MISC. SUPPLIES FOR PD			$20.46
	47333	06/19/2012	MISC. SUPPLIES FOR PD			$17.75
	47426	06/26/2012	MISC. SUPPLIES FOR PD			$16.65
	47466	06/28/2012	MISC. SUPPLIES FOR PD			$12.87
213496	07/16/2012			Accounts Payable	THERMAL COMBUSTION INNOVATORS	$213.12
	Invoice	Date	Description			Amount
	90724	03/13/2012	MEDICAL/BIOHAZ. WASTE DISPOSAL			$71.05
	90712	04/10/2012	MEDICAL/BIOHAZ. WASTE DISPOSAL			$71.00
	90660	05/08/2012	MEDICAL/BIOHAZ. WASTE DISPOSAL			$71.07

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213497	07/16/2012			Accounts Payable	THERMAL-COOL INC.	$215.00
	Invoice	Date	Description			Amount
	30498	06/01/2012	EMERG REPAIR TO HVAC UNIT			$215.00
213498	07/16/2012			Accounts Payable	TROPICAL PLAZA NURSERY, INC.	$2,850.00
	Invoice	Date	Description			Amount
	M50258	06/22/2012	LANDSCAPE SVCS-BUFFER ZONE BEHIND			$2,850.00
213499	07/16/2012			Accounts Payable	UNITED WAY OF INLAND VALLEYS	$335.00
	Invoice	Date	Description			Amount
	120712	07/12/2012	U W CONTRIBUTIONS			$335.00
213500	07/16/2012			Accounts Payable	VERIZON CALIFORNIA	$618.34
	Invoice	Date	Description			Amount
	951 UH2-	06/04/2012	PHONE CHARGES-ERC			$618.34
213501	07/16/2012			Accounts Payable	VULCAN MATERIALS CO, INC.	$256.79
	Invoice	Date	Description			Amount
	767926	06/18/2012	ASPHALTIC MATERIALS			$146.17
	769954	06/20/2012	ASPHALTIC MATERIALS			$110.62
213502	07/16/2012			Accounts Payable	WILLDAN FINANCIAL SERVICES	$5,820.00
	Invoice	Date	Description			Amount
	010-18121	06/29/2012	MORENO VALLEY CSD REVIEW SVCS			$5,820.00
213503	07/16/2012			Accounts Payable	XEROX CAPITAL SERVICES, LLC	$1,800.26
	Invoice	Date	Description			Amount
	062509313	07/01/2012	COPIER LEASE/BILLABLE PRINTS FOR PARKS			$1,800.26

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213504	07/16/2012			Accounts Payable	AVILA, JOSEPH		$75.00
	Invoice	Date	Description			Amount	
	R12-050468	06/21/2012	REFUND-SPAY/NEUTER DEPOSIT			$75.00	
213505	07/16/2012			Accounts Payable	DELGADO, ANDREA		$20.00
	Invoice	Date	Description			Amount	
	R12-051061	06/12/2012	REFUND-RABIES DEPOSIT			$20.00	
213506	07/16/2012			Accounts Payable	OLDENBURGER, TOM		$75.00
	Invoice	Date	Description			Amount	
	R12-050362	06/27/2012	REFUND-SPAY/NEUTER DEPOSIT			$75.00	
213507	07/16/2012			Accounts Payable	PETERSMEYER, ANGIE		$95.00
	Invoice	Date	Description			Amount	
	R12-048745	06/20/2012	REFUND-RABIES & SPAY/NEUTER DEPOSIT			$95.00	
213508	07/16/2012			Accounts Payable	SULLIVAN, BRANDY		$75.00
	Invoice	Date	Description			Amount	
	R12-050617	06/23/2012	REFUND-SPAY/NEUTER DEPOSIT			$75.00	
213509	07/16/2012			Accounts Payable	TRAN, KIM		$20.00
	Invoice	Date	Description			Amount	
	R12-049722	06/21/2012	REFUND-RABIES DEPOSIT			$20.00	
213510	07/16/2012			Accounts Payable	VERA, JESUS, MENDOZA		$150.00
	Invoice	Date	Description			Amount	
	R12-048303	06/23/2012	REFUND-SPAY/NEUTER DEPOSIT			$150.00	
213511	07/16/2012			Accounts Payable	WARNICK, LAURA		$20.00
	Invoice	Date	Description			Amount	
	R12-051347	06/25/2012	REFUND-RABIES DEPOSIT			$20.00	

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213512	07/16/2012			Accounts Payable	ZHANG, FEI	$75.00
	Invoice	Date	Description			Amount
	R12-050715	06/23/2012	REFUND SPAY/NEUTER DEPOSIT			$75.00
213513	07/17/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP	$15.00
	Invoice	Date	Description			Amount
	10732	06/21/2012	PARCEL MAP COPY SVCS			$15.00
213514	07/17/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP	$1,300.65
	Invoice	Date	Description			Amount
	9990085000-	07/01/2012	RADIO SVCS FOR PD MOTORCYCLES			$1,300.65
213515	07/17/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP	$45,736.82
	Invoice	Date	Description			Amount
	SH000001949	06/22/2012	SPEC BILLING-LAW ENF OVRTIME-JAG 2009			$3,364.80
	SH000001950	06/22/2012	SPEC BILLING-LAW ENF OVRTIME-JAG 2010			$9,794.13
	SH000001950	06/22/2012	CONTRACT LAW ENF SVCS-DUI CHKPT 5/4/12			$11,989.71
	SH000001950	06/25/2012	CONTRACT LAW ENF SVCS-SOBRIETY CHKPT			$8,282.37
	SH000001950	06/25/2012	CONTRACT LAW ENF SVCS-DUI SAT PATROL			$1,701.17
	SH000001950	06/25/2012	CONTRACT LAW ENF SVCS-DUI CHKPT 5/25/12			$9,349.08
	SH000001950	06/25/2012	CONTRACT LAW ENF SVCS-DUI CHKPT 5/26/12			$801.24
	SH000001951	06/26/2012	CONTRACT LAW ENF SVCS-AVOID THE 30			$454.32
213516	07/17/2012			Accounts Payable	JARRETT, STEPHEN M.	$420.90
	Invoice	Date	Description			Amount
	7/22-7/26/12	07/16/2012	PER DIEM/MILEAGE-ESRI INTL UC CONFERENCE			$420.90
213517	07/17/2012			Accounts Payable	MENDENHALL, DALE W.	$93.35
	Invoice	Date	Description			Amount
	7/26/12	07/17/2012	MILEAGE-ESRI INTL UC CONFERENCE			$93.35

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213518	07/17/2012			Accounts Payable	NOLLAR, JANICE		$279.51
	Invoice	Date	Description			Amount	
	7/23-7/25/12	07/16/2012	PER DIEM/MILEAGE-ESRI INTL UC CONFERENCE			$279.51	
213519	07/17/2012			Accounts Payable	SOUTHERN CALIFORNIA EDISON		$96,381.08
	Invoice	Date	Description			Amount	
	JUN-12	07/07/2012	ELECTRICITY			$96,381.08	
213520	07/17/2012			Accounts Payable	SOUTHERN CALIFORNIA EDISON		$15,307.95
	Invoice	Date	Description			Amount	
	721-3449 JUN-	07/03/2012	WDAT CHARGES-FERC-115KV PROJ-13571			$14,146.73	
	587-9520 JUN-	07/03/2012	WDAT CHARGES-FERC CHRGS-ADDED			$701.48	
	707-6081 JUN-	07/05/2012	ELECTRIC CHARGES			$459.74	
213521	07/17/2012			Accounts Payable	VULCAN MATERIALS CO, INC.		$1,071.38
	Invoice	Date	Description			Amount	
	765770	06/15/2012	ASPHALTIC MATERIALS			$1,071.38	
213522	07/17/2012			Accounts Payable	WALTER'S WHOLESALE ELECTRIC		$2,171.61
	Invoice	Date	Description			Amount	
	1448267-01	06/08/2012	PG STYLE BOLT DOWN PULL BOXES			$2,171.61	

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213523	07/23/2012			Accounts Payable	ARROWHEAD WATER	$563.84
	Invoice	Date	Description			Amount
	02F00289909	06/12/2012	WATER PURIF UNIT RENTAL-CITY HALL			$134.63
	02F00296480	06/12/2012	WATER PURIF UNIT RENTAL-FS#65			$24.77
	02F00296479	06/12/2012	WATER PURIF UNIT RENTAL-FS#6			$24.77
	02F00296479	06/12/2012	WATER PURIF UNIT RENTAL-FS#48			$24.77
	02F00296479	06/12/2012	WATER PURIF UNIT RENTAL-FS#58			$15.62
	02F00296480	06/12/2012	WATER PURIF UNIT RENTAL-FS#91			$24.77
	02F00291151	06/12/2012	WATER PURIF UNIT RENTAL-LIBRARY			$24.77
	02F00291151	06/12/2012	WATER PURIF UNIT RENTAL-CITY YARD			$53.85
	02F00296479	06/12/2012	WATER PURIF UNIT RENTAL-FS#2			$24.77
	02F00308782	06/08/2012	WATER PURIF UNIT RENTAL-EOC			$24.77
	02F00291153	07/26/2012	WATER PURIF UNIT RENTAL-CRC			$26.93
	02F00291152	06/26/2012	WATER PURIF UNIT RENTAL-SENIOR CTR			$24.77
	02F00291151	06/26/2012	WATER PURIF UNIT RENTAL-ANIMAL SHLTR			$53.86
	02F00291153	06/26/2012	WATER PURIF UNIT RENTAL-FACILITY ANNEX			$26.93
	02F00291152	06/26/2012	WATER PURIF UNIT RENTAL-TS ANNEX			$26.93
	02F00291152	06/26/2012	WATER PURIF UNIT RENTAL-ESA ANNEX			$26.93
213524	07/23/2012			Accounts Payable	AT&T/MCI	$183.33
	Invoice	Date	Description			Amount
	3456369	06/13/2012	TELEPHONE SVCS-JUN-12/PD			$183.33
213526	07/23/2012			Accounts Payable	CALIFORNIA TRANSCRIPTION, LLC	$923.72
	Invoice	Date	Description			Amount
	1467	06/09/2012	TRANSCRIPTION SERVICES			$923.72
213527	07/23/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP	$49.37
	Invoice	Date	Description			Amount
	10759	06/27/2012	RECORDATION SVCS			$49.37

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213528	07/23/2012			Accounts Payable	EASTERN MUNICIPAL WATER DISTRICT	$109,860.43
	Invoice	Date	Description			Amount
	JUN-12	06/30/2012	WATER CHARGES			$109,860.43
213529	07/23/2012			Accounts Payable	ELITE JANITORIAL, INC.	$428.00
	Invoice	Date	Description			Amount
	8853	06/19/2012	PRESSURE WASH SVCS-CRC			$428.00
213530	07/23/2012			Accounts Payable	EXCEL LANDSCAPE, INC	$5,396.99
	Invoice	Date	Description			Amount
	73469	06/20/2012	LANDSCAPE MAINT-WQCB			$5,396.99
213531	07/23/2012			Accounts Payable	GENERAL SECURITY SERVICES, INC.	$843.70
	Invoice	Date	Description			Amount
	170752	06/15/2012	SECURITY SVCS-CRC			$306.80
	170816	06/20/2012	SECURITY SVCS-CRC			$306.80
	170857	06/08/2012	SECURITY SVCS-CRC			$230.10
213532	07/23/2012			Accounts Payable	GUARDSMARK	$982.30
	Invoice	Date	Description			Amount
	5225122	06/16/2012	SECURITY SVCS-CITY HALL			$357.20
	5223121	06/02/2012	SECURITY SVCS-CITY HALL			$267.90
	5224122	07/09/2012	SECURITY SVCS-CITY HALL			$357.20
213533	07/23/2012			Accounts Payable	IL SORRENTO MOBILE PARK	$128.10
	Invoice	Date	Description			Amount
	MAY 2012	07/11/2012	REFUND-UUT FOR EXEMPT RESIDENTS			$128.10
213534	07/23/2012			Accounts Payable	KNORR SYSTEMS, INC	$851.92
	Invoice	Date	Description			Amount
	SI137250	06/27/2012	SPLASH PAD SUPPLIES-CFD #1			$851.92

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213535	07/23/2012			Accounts Payable	LANGSTON MOTORSPORTS	$1,268.23
	Invoice	Date	Description			Amount
	37259	07/13/2012	MOTORCYCLE MAINT/REPAIR & PARTS-POLICE			$903.11
	37319	06/20/2012	MOTORCYCLE MAINT/REPAIR & PARTS-POLICE			$365.12
213536	07/23/2012			Accounts Payable	LAW ENFORCEMENT ASSOCIATES	$4,951.31
	Invoice	Date	Description			Amount
	1103495-IN	06/13/2012	WIRE SYSTEM-PD			$4,951.31
213537	07/23/2012			Accounts Payable	LIEBERT, CASSIDY, WHITMORE	$420.00
	Invoice	Date	Description			Amount
	149958	04/30/2012	LEGAL SVCS-HR			$120.00
	152258	05/31/2012	LEGAL SVCS-HR			$300.00
213538	07/23/2012			Accounts Payable	MARCH JOINT POWERS AUTHORITY	$3.50
	Invoice	Date	Description			Amount
	0024240	06/12/2012	GAS METER CHARGES-MAY-12			$0.64
	0024235	06/12/2012	GAS METER CHARGES-MAY-12			$2.86
213539	07/23/2012			Accounts Payable	MERCHANTS LANDSCAPE SERVICES INC	$10,735.94
	Invoice	Date	Description			Amount
	36398	02/01/2012	LANDSCAPE MAINT-ZONE E			$5,367.97
	37385	07/20/2012	LANDSCAPE MAINT-ZONE E			$5,367.97
213540	07/23/2012			Accounts Payable	MORENO VALLEY UTILITY	$79,567.30
	Invoice	Date	Description			Amount
	JUL-12	07/09/2012	ELECTRICITY			$79,567.30

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213541	07/23/2012			Accounts Payable	MOSS BROS CHRYSLER, JEEP, DODGE MV	$420.38
	Invoice	Date	Description			Amount
	DOCS482895	06/29/2012	VEHICLE REPAIRS & PARTS-POLICE			$420.38
213542	07/23/2012			Accounts Payable	MOUNTED INTERNATIONAL	$4,864.91
	Invoice	Date	Description			Amount
	1613	06/02/2012	UNIFORMS & MISC SUPPLIES			$4,864.91
213543	07/23/2012			Accounts Payable	NORMAN A. TRAUB ASSOCIATES	$7,346.86
	Invoice	Date	Description			Amount
	12037	05/16/2012	INVESTIGATION SVCS-HR			$3,255.86
	12037.1	06/13/2012	INVESTIGATION SVCS-HR			$4,091.00
213544	07/23/2012			Accounts Payable	PSOMAS	$5,687.50
	Invoice	Date	Description			Amount
	81772	06/20/2012	IRONWOOD AVE IMPRVMNTS/HEACOCK TO			$5,687.50
213545	07/23/2012			Accounts Payable	PYRO SPECTACULARS, INC.	$15,000.00
	Invoice	Date	Description			Amount
	49427	06/30/2012	FIREWORKS DISPLAY-JUL 4TH-FULL PYMT			$15,000.00
213546	07/23/2012			Accounts Payable	RASMUSSEN BROTHERS CONSTRUCTION	$83,704.50
	Invoice	Date	Description			Amount
	MVPD 2	07/07/2012	PUB SAFETY BLDG RENOVATION PROJ-PHASE II			$83,704.50
213547	07/23/2012			Accounts Payable	SPARKLETTS	$11.07
	Invoice	Date	Description			Amount
	7364596	07/02/2012	BOTTLED WATER/SVC-CREEKSIDE			$11.07

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213548	07/23/2012			Accounts Payable	STATE OF CALIFORNIA DEPT. OF JUSTICE	$210.00
	Invoice	Date	Description			Amount
	915748	06/28/2012	BLOOD ALCOHOL ANALYSIS SVCS FOR PD			$140.00
	915772	06/29/2012	BLOOD ALCOHOL ANALYSIS SVCS FOR PD			$70.00
213549	07/23/2012			Accounts Payable	STENO SOLUTIONS TRANSCRIPTION SVCS., IN	$3,606.40
	Invoice	Date	Description			Amount
	42383	07/01/2012	DICTATION & TRANSCRIPTION SVCS FOR PD			$3,606.40
213550	07/23/2012			Accounts Payable	WAHLQUIST, DAVE	$240.00
	Invoice	Date	Description			Amount
	070112	07/01/2012	CONSULTANT SVCS FOR LAND DEV DIVISION			$240.00
213551	07/23/2012			Accounts Payable	WASTE MANAGEMENT, INC.	$452.55
	Invoice	Date	Description			Amount
	3461361-2371-	07/01/2012	ROLL-OFF STORAGE BIN RENTALS			$452.55
213552	07/23/2012			Accounts Payable	WEST PAYMENT CENTER	$476.28
	Invoice	Date	Description			Amount
	825309941	07/04/2012	LEGAL PUBLICATIONS SUBSCRIPTIONS			$476.28
213553	07/23/2012			Accounts Payable	WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.	$1,512.59
	Invoice	Date	Description			Amount
	JUN-12 TUMF	07/18/2012	TUMF FEES COLLECTED 6/1-6/30/12			$1,512.59
213554	07/23/2012			Accounts Payable	XEROX CAPITAL SERVICES, LLC	$550.76
	Invoice	Date	Description			Amount
	062509314	07/01/2012	COPIER LEASE OF XEROX EX560-PARKS			$490.76
	062509312	07/01/2012	COPIER RNTL/MAINT-PD			$60.00

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213556	07/24/2012			Accounts Payable	DELTA DENTAL OF CALIF	$10,203.24
	Invoice	Date	Description			Amount
	120701	07/01/2012	EMPLOYEE DENTAL INSURANCE			$10,203.24
213557	07/24/2012			Accounts Payable	DELTACARE USA	$5,787.52
	Invoice	Date	Description			Amount
	120701	07/01/2012	EMPLOYEE DENTAL INSURANCE			$5,787.52
213558	07/24/2012			Accounts Payable	GUEST SERVICES	$240.48
	Invoice	Date	Description			Amount
	RANDALL	07/09/2012	MEAL TICKET - COURSE: R306/AUG. 6-17, 2012			$240.48
213559	07/24/2012			Accounts Payable	RAYMOND, DENISE M.	$57,514.70
	Invoice	Date	Description			Amount
	07242012	07/24/2012	SETTLEMENT AGREEMENT			$57,514.70
213560	07/24/2012			Accounts Payable	SO CAL FIRE PREVENTION OFFICERS ASSOC.	$55.00
	Invoice	Date	Description			Amount
	FY 12/13-R.	06/25/2012	ANNUAL MEMBERSHIP RENEWAL			$55.00
213561	07/24/2012			Accounts Payable	SOUTHERN CALIFORNIA EDISON	$80,396.61
	Invoice	Date	Description			Amount
	JUN-12	07/16/2012	ELECTRICITY			$80,396.61
213562	07/24/2012			Accounts Payable	SPARKLETTS	$62.14
	Invoice	Date	Description			Amount
	7364551	05/23/2012	BOTTLED WATER/SVC-SUNNYMEAD			$15.52
	7364551	06/23/2012	BOTTLED WATER/SVC-SUNNYMEAD			$9.82
	7364596	06/02/2012	BOTTLED WATER/SVC-CREEKSIDE			$16.77
	7363683	06/02/2012	BOTTLED WATER/SVC-ARMADA ELEMENTARY			$20.03

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213563	07/24/2012			Accounts Payable	STATE BOARD OF EQUALIZATION	$8,150.78
	Invoice	Date	Description			Amount
	2ND QTR	07/17/2012	ACCT# 31-000177 - ELECTR. ENERGY			$8,150.78
213564	07/24/2012			Accounts Payable	STATE OF CALIFORNIA DEPT. OF JUSTICE	$1,088.00
	Invoice	Date	Description			Amount
	906810	05/04/2012	FINGERPRINTING SVCS			$448.00
	911764	06/06/2012	FINGERPRINTING SVCS			$640.00
213565	07/24/2012			Accounts Payable	SULLY- MILLER CONTRACTING CO., INC.	$1,016,788.04
	Invoice	Date	Description			Amount
	1	06/21/2012	NASON ST/CACTUS AVE STREET IMPRVMNTS			$1,016,788.04
213566	07/24/2012			Accounts Payable	THINK TOGETHER, INC	$5,786.75
	Invoice	Date	Description			Amount
	7373	06/27/2012	REIMB. TRANSPORTATION FOR ASES			$5,786.75
213567	07/24/2012			Accounts Payable	WILLIS, ROBERT H	$80.00
	Invoice	Date	Description			Amount
	062412	06/24/2012	SPORTS OFFICIATING SVCS			$80.00
213568	07/24/2012			Accounts Payable	BOUYER, CAROL	$119.30
	Invoice	Date	Description			Amount
	953568	07/09/2012	REFUND-SUMMER BASKETBALL LEAGUE			$119.30
213569	07/24/2012			Accounts Payable	MARZETT, DEBRA, LYNN	$57.50
	Invoice	Date	Description			Amount
	MV312040602	07/10/2012	REFUND-CITATION DISMISSED AT HEARING			$57.50

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213570	07/30/2012			Accounts Payable	ALCORN FENCE COMPANY		$7,075.00
	Invoice	Date	Description			Amount	
	00469	06/26/2012	INSTALL GUARDRAIL-S/S CACTUS, E/O			$7,075.00	
213571	07/30/2012			Accounts Payable	AMTECH ELEVATOR SERVICES		$753.50
	Invoice	Date	Description			Amount	
	DVB31097001	06/29/2012	REPLACE WHEELCHAIR DOOR LOCK COIL			$483.00	
	DVB27504001	06/28/2012	WHEELCHAIR LIFT MAINT/REPAIR-SENIOR CNTR			$270.50	
213572	07/30/2012			Accounts Payable	ANTHONY ACOSTA		$300.00
	Invoice	Date	Description			Amount	
	07092012	07/09/2012	TEEN STAGE-SOUND TECH-JULY 4TH			$300.00	
213573	07/30/2012			Accounts Payable	ARROWHEAD WATER		$352.72
	Invoice	Date	Description			Amount	
	02G00296479	07/11/2012	WATER PURIF UNIT RENTAL-FS#2			$24.77	
	02G00296479	07/11/2012	WATER PURIF UNIT RENTAL-FS#6			$24.77	
	02G00296479	07/11/2012	WATER PURIF UNIT RENTAL-FS#48			$24.77	
	02G00296479	07/11/2012	WATER PURIF UNIT RENTAL-FS#58			$15.62	
	02G00296480	07/11/2012	WATER PURIF UNIT RENTAL-FS#65			$24.77	
	02G00296480	07/11/2012	WATER PURIF UNIT RENTAL-FS#91			$24.77	
	02G00289909	07/11/2012	WATER PURIF UNIT RENTAL-CITY HALL			$134.63	
	02G00291151	07/11/2012	WATER PURIF UNIT RENTAL-LIBRARY			$24.77	
	02G00291151	07/11/2012	WATER PURIF UNIT RENTAL-CITY YARD			$53.85	
213574	07/30/2012			Accounts Payable	AT&T MOBILITY		$92.16
	Invoice	Date	Description			Amount	
	872455379X0	07/06/2012	CELLULAR PHONE SVCS-PD COMND CTR			$92.16	

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213575	07/30/2012			Accounts Payable	BIO-TOX LABORATORIES	$5,609.93
	Invoice	Date	Description			Amount
	25409	07/09/2012	TOXICOLOGY TESTING-POLICE			$5,592.40
	25398	07/09/2012	TOXICOLOGY TESTING-POLICE			$17.53
213576	07/30/2012			Accounts Payable	BRAUN BLAISING MCLAUGHLIN	$6,184.50
	Invoice	Date	Description			Amount
	14342	07/16/2012	LEGAL SVCS			$6,184.50
213577	07/30/2012			Accounts Payable	CARE ANIMAL HOSPITAL	$431.20
	Invoice	Date	Description			Amount
	162474	06/25/2012	WELLNESS EXAM FOR K-9 DUKE			$431.20
213578	07/30/2012			Accounts Payable	COLLINS, COLLINS, MUIR & STEWART, LLP	$1,171.20
	Invoice	Date	Description			Amount
	273580	07/05/2012	LEGAL SERVICES			$1,171.20
213579	07/30/2012			Accounts Payable	COMMUNITY HEALTH CHARITIES	$142.00
	Invoice	Date	Description			Amount
	120726	07/26/2012	CHC CONTRIBUTIONS			$142.00
213580	07/30/2012			Accounts Payable	CONTRERAS, BIANCA	$70.00
	Invoice	Date	Description			Amount
	070812	07/08/2012	SPORTS OFFICIATING SVCS			$70.00
213581	07/30/2012			Accounts Payable	CONTRERAS, JOSE	$70.00
	Invoice	Date	Description			Amount
	070812	07/08/2012	SPORTS OFFICIATING SVCS			$70.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213582	07/30/2012			Accounts Payable	COUNSELING TEAM, THE	$1,250.00
	Invoice	Date	Description			Amount
	19001	06/30/2012	EMPLOYEE SUPPORT SVCS-HR			$1,250.00
213584	07/30/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP	$4,533.64
	Invoice	Date	Description			Amount
	SR201934	06/14/2012	INFRASTRUCTURE ENGINEERING SVCS-			$4,533.64
213585	07/30/2012			Accounts Payable	COUNTY OF RIVERSIDE - RMAP	$1,720.88
	Invoice	Date	Description			Amount
	SH000001968	06/30/2012	SPEC BILLING-LAW ENF OVRTIME-JAG 2010			$1,720.88
213586	07/30/2012			Accounts Payable	COUNTY OF RIVERSIDE 2	$1,339.88
	Invoice	Date	Description			Amount
	PU000000248	06/30/2012	JANITORIAL SUPPLIES FOR PD			$1,339.88
213587	07/30/2012			Accounts Payable	COUNTY OF RIVERSIDE SHERIFF	$2,851,347.97
	Invoice	Date	Description			Amount
	SH000001929	05/25/2012	CONTRACT LAW ENF BILL #11			$2,851,347.97
213588	07/30/2012			Accounts Payable	CRIME SCENE STERI-CLEAN, LLC	$750.00
	Invoice	Date	Description			Amount
	31223	07/03/2012	BIOHAZARD CLEANING SVCS FOR PD			$750.00
213589	07/30/2012			Accounts Payable	DAN'S FEED & SEED	$4,005.55
	Invoice	Date	Description			Amount
	071312	07/13/2012	VARIOUS ANIMAL SVCS SUPPLIES			$4,005.55
213590	07/30/2012			Accounts Payable	DATAQUICK CORPORATE HEADQUARTERS	$130.50
	Invoice	Date	Description			Amount
	B1-2053544	07/02/2012	SOFTWARE & ONLINE SUBSCRIPTION			$130.50

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213591	07/30/2012			Accounts Payable	DMC DESIGN GROUP, INC	$9,190.09
	Invoice	Date	Description			Amount
	2012-060	06/01/2012	STREET IMPRVMNTS PRGM HMPG GRANT			$4,743.00
	2012-075	07/15/2012	STREET IMPRVMNTS PRGM HMPG GRANT			$4,447.09
213592	07/30/2012			Accounts Payable	ECONOMIC DEVELOPMENT AGENCY	$1,425.00
	Invoice	Date	Description			Amount
	07122012	07/12/2012	RIVERSIDE COUNTY 5TH DISTRICT SYMPOSIUM			$1,425.00
213593	07/30/2012			Accounts Payable	FAST SIGNS	$2,819.82
	Invoice	Date	Description			Amount
	70-33032	07/09/2012	SPONSOR BANNERS/CAR MAGNETS-JULY 4TH			$2,819.82
213594	07/30/2012			Accounts Payable	FITNESS 19 CA 155 11C	$201.00
	Invoice	Date	Description			Amount
	120726	07/26/2012	GYM MEMBERSHIP DEDUCTIONS			$201.00
213595	07/30/2012			Accounts Payable	FRANCHISE TAX BOARD	$175.00
	Invoice	Date	Description			Amount
	120726	07/26/2012	GARNISHMENT			$175.00
213596	07/30/2012			Accounts Payable	GENERAL SECURITY SERVICES, INC.	$1,273.22
	Invoice	Date	Description			Amount
	170881	06/21/2012	SECURITY SVCS-CRC			$306.80
	170858	06/08/2012	SECURITY SVCS-CRC RENTALS			$490.88
	170753	06/15/2012	SECURITY SVCS-CRC RENTALS			$475.54

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213597	07/30/2012			Accounts Payable	GONG ENTERPRISES, INC.	$1,246.32
	Invoice	Date	Description			Amount
	6871	07/07/2012	PLAN CHECK SVCS-LAND DVLPMNT			$686.32
	6872	07/07/2012	PLAN CHECK SVCS-PM34577/PA06-0021			$560.00
213598	07/30/2012			Accounts Payable	HDL/HINDERLITER DE LLAMAS & ASSOCIATES	$1,300.00
	Invoice	Date	Description			Amount
	0019549-IN	07/12/2012	AUDIT SERVICES-SALES TAX			$1,300.00
213599	07/30/2012			Accounts Payable	HDR ENGINEERING, INC.	$143.00
	Invoice	Date	Description			Amount
	2133-B	06/13/2012	CACTUS AVE/NASON STREET IMPRVMNTS			$143.00
213600	07/30/2012			Accounts Payable	KRUEGER, KIMBERLEE	$440.78
	Invoice	Date	Description			Amount
	8/5-8/10/12	08/01/2012	PER DIEM/MILEAGE-BUSINESS INTELLIGENCE			$440.78
213601	07/30/2012			Accounts Payable	LA FOLLETTE, JOHNSON, DE HAAS, ET AL	$25,120.99
	Invoice	Date	Description			Amount
	266072	07/10/2012	LEGAL SERVICES			$19,934.98
	266074	07/10/2012	LEGAL SERVICES			$5,186.01
213602	07/30/2012			Accounts Payable	LARA, CHRISTINA	$669.23
	Invoice	Date	Description			Amount
	120726	07/26/2012	SPOUSAL SUPPORT & ARREARS			$669.23
213603	07/30/2012			Accounts Payable	LAWSON PRODUCTS, INC.	$820.39
	Invoice	Date	Description			Amount
	9300921074	06/21/2012	MISC SUPPLIES-PARK MAINT			$820.39

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213604	07/30/2012			Accounts Payable	MELAD & ASSOCIATES, INC	$2,162.66
	Invoice	Date	Description			Amount
	MV12-005	06/05/2012	PLAN CHECK SVCS-BLDG			$1,125.00
	MV12-004	05/14/2012	PLAN CHECK SVCS-BLDG			$1,037.66
213605	07/30/2012			Accounts Payable	METZ, RANDALL	$248.50
	Invoice	Date	Description			Amount
	8/6-8/17/12	08/01/2012	PER DIEM-NATIONAL FIRE ACADEMY TRAINING			$248.50
213606	07/30/2012			Accounts Payable	MORENO VALLEY HISPANIC CHAMBER OF	$70.00
	Invoice	Date	Description			Amount
	7/3/12	07/05/2012	ADELANTE MEETING ATTENDANCE			$70.00
213607	07/30/2012			Accounts Payable	NINYO & MOORE GEOTECHNICAL	$9,783.75
	Invoice	Date	Description			Amount
	165981	06/29/2012	STREET IMPRVMNT PROJECT FOR KENTLAND			$8,318.25
	165984	06/29/2012	CITYWIDE SIDEWALKS & ACCESS RAMPS PHASE			$1,465.50
213608	07/30/2012			Accounts Payable	PERS LONG TERM CARE PROGRAM	$458.63
	Invoice	Date	Description			Amount
	120726	07/26/2012	LONG TERM CARE INSURANCE			$458.63
213609	07/30/2012			Accounts Payable	PROFESSIONAL COMMUNICATIONS NETWORK	$478.95
	Invoice	Date	Description			Amount
	085900534	07/03/2012	LIVE ANSWERING SVC			$478.95
213610	07/30/2012			Accounts Payable	RIGHTWAY SITE SERVICES, INC.	$381.16
	Invoice	Date	Description			Amount
	709965	06/21/2012	PORTABLE RESTROOMS-EQUESTRIAN CTR			$308.88
	709964	06/21/2012	PORTABLE RESTROOMS-COTTONWOOD GOLF			$72.28

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213611	07/30/2012			Accounts Payable	RIVERSIDE AREA RAPE CRISIS CENTER	$542.45
	Invoice	Date	Description			Amount
	MAY 2012	06/14/2012	CDBG SVCS-CHILD ABUSE PREVENTION			$354.18
	JUNE 2012	07/03/2012	CDBG SVCS-CHILD ABUSE PREVENTION			$188.27
213612	07/30/2012			Accounts Payable	RIVERSIDE COUNTY SHERIFF COURT SERVICES	$310.22
	Invoice	Date	Description			Amount
	120726	07/26/2012	GARNISHMENT			$310.22
213613	07/30/2012			Accounts Payable	SILVER CREEK INDUSTRIES, INC	$474,458.62
	Invoice	Date	Description			Amount
	9	07/09/2012	MORRISON PARK FIRE STATION PROJECT SVCS			$474,458.62
213614	07/30/2012			Accounts Payable	SIMPLOT PARTNERS	$3,202.76
	Invoice	Date	Description			Amount
	205004023	06/28/2012	SUPER TURF FERTILIZER FOR CITY PARKS			$3,202.76
213615	07/30/2012			Accounts Payable	SKY PUBLISHING	$857.00
	Invoice	Date	Description			Amount
	12_4_57	05/17/2012	1/2 PG ADVERTISEMENT FOR 5/12/12			$857.00
213616	07/30/2012			Accounts Payable	SODEN ENTERPRISES, INC. DBA EASY YOGA	$51.60
	Invoice	Date	Description			Amount
	43750	06/05/2012	INSTRUCTOR SVCS-YOGA			$51.60
213617	07/30/2012			Accounts Payable	STATE OF CALIFORNIA DEPT. OF JUSTICE	$2,614.00
	Invoice	Date	Description			Amount
	917093	06/30/2012	FINGERPRINTING SVCS-PD			$2,614.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213618	07/30/2012			Accounts Payable	STRADLING, YOCCA, CARLSON & RAUTH	$8,369.00
	Invoice	Date	Description			Amount
	272914-0035	07/13/2012	LEGAL SERVICES			$5,744.00
	272920-0000	07/13/2012	LEGAL SERVICES			$75.00
	272922-0000	07/13/2012	LEGAL SERVICES			$2,550.00
213619	07/30/2012			Accounts Payable	SULLY- MILLER CONTRACTING CO., INC.	$1,242,362.74
	Invoice	Date	Description			Amount
	2	06/25/2012	NASON ST/CACTUS AVE STREET IMPRVMNTS			$1,242,362.74
213620	07/30/2012			Accounts Payable	SUNNYMEAD ACE HARDWARE	$29.05
	Invoice	Date	Description			Amount
	47612	07/11/2012	MISC. SUPPLIES FOR PD			$29.05
213621	07/30/2012			Accounts Payable	TMAD TAYLOR & GAINES	$5,921.70
	Invoice	Date	Description			Amount
	00071315	06/08/2012	EOC FCC GENERATOR/PSB CONVERSION			$5,921.70
213622	07/30/2012			Accounts Payable	TRANSTECH ENGINEERS, INC.	$106,174.38
	Invoice	Date	Description			Amount
	12062157	06/01/2012	CACTUS AVE/NASON STREET IMPRVMNTS			$57,308.75
	12070653	07/02/2012	CACTUS AVE/NASON STREET IMPRVMNTS			$48,865.63
213623	07/30/2012			Accounts Payable	UNITED WAY OF INLAND VALLEYS	$335.00
	Invoice	Date	Description			Amount
	120726	07/26/2012	U W CONTRIBUTIONS			$335.00
213624	07/30/2012			Accounts Payable	WILLDAN AND ASSOCIATES	$15,518.87
	Invoice	Date	Description			Amount
	002-12262	05/22/2012	PLAN CHECK SERVICES-BLDG & SAFETY DEPT			$15,518.87

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Number	Check Date	Invoice Date	Description	Source	Payee Name		Transaction Amount
213625	07/30/2012			Accounts Payable	WILLIS, ROBERT H		$120.00
	Invoice	Date	Description			Amount	
	070812	07/08/2012	SPORTS OFFICIATING SVCS			$40.00	
	071512	07/15/2012	SPORTS OFFICIATING SVCS			$80.00	
213626	07/30/2012			Accounts Payable	XEROX CAPITAL SERVICES, LLC		$1,821.96
	Invoice	Date	Description			Amount	
	062731082	07/13/2012	COPIER RENTAL/MAINT./BILLABLE PRINTS FOR			$1,004.08	
	062731084	07/13/2012	COPIER RENTAL/MAINT. FOR PD			$84.38	
	062731086	07/13/2012	COPIER RENTAL/MAINT./BILLABLE PRINTS FOR			$733.50	
213627	07/30/2012			Accounts Payable	ALLEN, ROBERT		$95.00
	Invoice	Date	Description			Amount	
	R12-050660	07/12/2012	REFUND-RABIES & SPAY/NEUTER DEPOSIT			$95.00	
213628	07/30/2012			Accounts Payable	AMERICAN ELECTRIC		$180.53
	Invoice	Date	Description			Amount	
	B1000514	07/16/2012	REFUND-BUILDING PERMIT-CANCELLED PROJ			$180.53	
213630	07/30/2012			Accounts Payable	ANITA, LAWRENCE PERETTE		$460.00
	Invoice	Date	Description			Amount	
	MV211072100	07/10/2012	REFUND-CIT			$460.00	
213631	07/30/2012			Accounts Payable	AUSTIN, SABRINA		$10.00
	Invoice	Date	Description			Amount	
	952954	07/05/2012	REFUND-CAMP T-SHIRT PAYMENT			$10.00	
213632	07/30/2012			Accounts Payable	BULLEY, JOSEPH		$20.00
	Invoice	Date	Description			Amount	
	R12-050923	07/16/2012	REFUND-RABIES DEPOSIT			$20.00	

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213633	07/30/2012			Accounts Payable	CHAVEZ, SIRENIA	$200.00
	Invoice	Date	Description			Amount
	952693	07/03/2012	REFUND-RENTAL DEPOSIT RETURN-TWNGATE			$200.00
213634	07/30/2012			Accounts Payable	COLE, GEORGINA RODRIGUEZ	$60.00
	Invoice	Date	Description			Amount
	953608	07/09/2012	REFUND-SUMMER BASKETBLL LEAGUE			$60.00
213635	07/30/2012			Accounts Payable	CORDOVA, MIRIAM	$300.00
	Invoice	Date	Description			Amount
	949899	06/25/2012	REFUND-RENTAL DEPOSIT RETURN-SNR CTR			$300.00
213636	07/30/2012			Accounts Payable	CROCKETT, TOINETTE	$317.00
	Invoice	Date	Description			Amount
	MV290610009	07/10/2012	REFUND-CIT			$317.00
213637	07/30/2012			Accounts Payable	CURIEL PELAYO, RAMON, A.	$1,093.00
	Invoice	Date	Description			Amount
	291262002-8	07/25/2012	REFUND-DUP PYMNT NUISANCE ABATEMENT			$1,093.00
213638	07/30/2012			Accounts Payable	DELBRUEGGE, LOUIS, DON	$58.00
	Invoice	Date	Description			Amount
	MV312020702	07/25/2012	REFUND-CITATION OVRPYMNT			$58.00
213639	07/30/2012			Accounts Payable	FLORES, ALEXANDER	$25.00
	Invoice	Date	Description			Amount
	MV311111500	07/25/2012	REFUND-CITATION DISMISSED			$25.00
213640	07/30/2012			Accounts Payable	FLORES, KIM	$75.00
	Invoice	Date	Description			Amount
	R12-049205	07/25/2012	REFUND-NEUTER DEPOSIT			$75.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213641	07/30/2012			Accounts Payable	GASTON, DERRICK	$60.00
	Invoice	Date	Description			Amount
	953610	07/25/2012	REFUND-BASKETBALL CLASS			$60.00
213642	07/30/2012			Accounts Payable	GERBITZ, LAVONDA	$20.00
	Invoice	Date	Description			Amount
	R12-048647	07/25/2012	REFUND-RABIES DEPOSIT			$20.00
213644	07/30/2012			Accounts Payable	GLASSMAN, YEN	$57.50
	Invoice	Date	Description			Amount
	MV312060504	07/18/2012	REFUND-PARKING FEE CHARGED IN ERROR			$57.50
213645	07/30/2012			Accounts Payable	GOC-ONG, WALTER	$60.00
	Invoice	Date	Description			Amount
	953579	07/09/2012	REFUND-SUMMER BASKETBALL LEAGUE			$60.00
213646	07/30/2012			Accounts Payable	GOLD, ANGELA	$32.50
	Invoice	Date	Description			Amount
	MV212011902	07/25/2012	REFUND-CITATION DISMISSED			$32.50
213647	07/30/2012			Accounts Payable	GROUT, SHAWN	$25.00
	Invoice	Date	Description			Amount
	RCT#463297	07/03/2012	REFUND-CLASS LATE FEE PYMNT			$25.00
213648	07/30/2012			Accounts Payable	GUTIERREZ, CELIA	$50.00
	Invoice	Date	Description			Amount
	R12-052031	07/25/2012	REFUND-TRAP DEPOSIT			$50.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213649	07/30/2012			Accounts Payable	HEADLEE, DIANNE	$57.50
	Invoice	Date	Description			Amount
	MV212010502	07/25/2012	REFUND-CITATION DISMISSED			$57.50
213650	07/30/2012			Accounts Payable	HIGHLAND MEADOWS APARTMENT	$30.00
	Invoice	Date	Description			Amount
	MV-	07/18/2012	REFUND-FALSE ALARM CITATION NON-BILLABLE			$30.00
213651	07/30/2012			Accounts Payable	LOPEZ, LETICIA	$95.00
	Invoice	Date	Description			Amount
	R12-049968	06/25/2012	REFUND-RABIES & SPAY/NEUTER DEPOSIT			$95.00
213652	07/30/2012			Accounts Payable	LUCIO, MARIBEL	$31.00
	Invoice	Date	Description			Amount
	950764	07/25/2012	REFUND-DEPOSIT PARK USE			$31.00
213653	07/30/2012			Accounts Payable	MORAN, GILBERT, ZAUL	$1.00
	Invoice	Date	Description			Amount
	MVP62424	07/25/2012	REFUND-CITATION OVRPYMNT			$1.00
213654	07/30/2012			Accounts Payable	NAVARRETE, ELBIA	$750.00
	Invoice	Date	Description			Amount
	952053	07/25/2012	REFUND-DEPOSIT CRC			$750.00
213655	07/30/2012			Accounts Payable	ORDONEZ, ABEL, A ZAMORA	$86.00
	Invoice	Date	Description			Amount
	MVP61759	07/25/2012	REFUND-CITATION OVRPYMNT			$86.00
213656	07/30/2012			Accounts Payable	RAY, CURTIS, LONNIE	$109.00
	Invoice	Date	Description			Amount
	MV100910077	07/10/2012	REFUND-CITATION OVERPAYMENT			$109.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213657	07/30/2012			Accounts Payable	RENTERIA, CRYSTAL	$75.00
	Invoice	Date	Description			Amount
	R12-051335	07/25/2012	REFUND-SPAY DEPOSIT			$75.00
213658	07/30/2012			Accounts Payable	RICE, JOSEPH	$32.50
	Invoice	Date	Description			Amount
	MV311112905	07/10/2012	REFUND-CITATION DISMISSED AT HEARING			$32.50
213659	07/30/2012			Accounts Payable	ROBUCK, DIXIE	$77.00
	Invoice	Date	Description			Amount
	954243	07/11/2012	REFUND-DOG TRAINING CLASS CANCELLED			$77.00
213660	07/30/2012			Accounts Payable	SALGADO, CRYSTAL/JULIO JR.	$57.50
	Invoice	Date	Description			Amount
	MV211060902	07/10/2012	REFUND-CITATION OVERPAYMENT			$57.50
213661	07/30/2012			Accounts Payable	SERVIN, HAZEL	$115.00
	Invoice	Date	Description			Amount
	950582	07/25/2012	REFUND-DEPOSIT PARK USE			$115.00
213662	07/30/2012			Accounts Payable	VARONA, LUIS, DEGANTE	$112.00
	Invoice	Date	Description			Amount
	952982	07/25/2012	REFUND-ENGLISH LANGUAGE CLASS			$112.00
213663	07/30/2012			Accounts Payable	WILKISON, BEVERLY	$75.00
	Invoice	Date	Description			Amount
	R12-051528	07/25/2012	REFUND-SPAY DEPOSIT			$75.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
213664	07/30/2012			Accounts Payable	WISEMON, SHARRON, SYDNEY	$75.00
	Invoice	Date	Description		Amount	
	R12-048314	07/25/2012	REFUND-SPAY DEPOSIT		$75.00	
213665	07/30/2012			Accounts Payable	YANG, CHING	$300.00
	Invoice	Date	Description		Amount	
	951972	07/25/2012	REFUND-DEPOSIT SENIOR RNTL		$300.00	
213666	07/30/2012			Accounts Payable	CALIFORNIA WATERSHED ENGINEERING CORP.	$2,308.00
	Invoice	Date	Description		Amount	
	12582	07/06/2012	PLAN CHECK SVCS-LAND DVLPMNT		$2,308.00	
Type Check Totals:				**219 Transactions**		**$6,752,229.90**

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
Electronic Funds Transfer (EFT)						
7001	07/11/2012			Accounts Payable	RALLY MANAGEMENT SERVICES, LLC	$719.28
	Invoice	Date	Description			Amount
	19342	06/18/2012	TEMP STAFFING SVCS-R. HENDERSON			$719.28
7002	07/11/2012			Accounts Payable	TRUGREEN LANDCARE	$2,485.00
	Invoice	Date	Description			Amount
	7321974	05/31/2012	LANDSCAPE MAINT-ZONE E-16			$2,485.00
7003	07/16/2012			Accounts Payable	ADLERHORST INTERNATIONAL INC.	$425.01
	Invoice	Date	Description			Amount
	16811	05/31/2012	K-9 TRAINING/EQUIPMENT-POLICE			$141.67
	16810	05/31/2012	K-9 TRAINING/EQUIPMENT-POLICE			$141.67
	16812	05/31/2012	K-9 TRAINING/EQUIPMENT-POLICE			$141.67
7004	07/16/2012			Accounts Payable	AMERICAN FORENSIC NURSES	$82.16
	Invoice	Date	Description			Amount
	61638	05/31/2012	BLOOD DRAWS-POLICE			$82.16
7005	07/16/2012			Accounts Payable	AXIS APPAREL	$4,660.09
	Invoice	Date	Description			Amount
	06192012	06/19/2012	YOUTH SPORTS APPAREL			$4,660.09
7006	07/16/2012			Accounts Payable	BEMUS LANDSCAPE, INC.	$5,089.30
	Invoice	Date	Description			Amount
	230421	06/25/2012	LANDSCAPE MAINT-VETERANS MEMRL			$225.00
	230434	06/25/2012	LANDSCAPE MAINT-FIRE STATIONS			$2,835.00
	230422	06/25/2012	LANDSCAPE MAINT-ANNEX			$221.00
	230433	06/25/2012	LANDSCAPE MAINT-CITY HALL			$893.30
	230428	06/25/2012	LANDSCAPE MAINT-TOWNGATE COMM CTR			$180.00
	230427	06/25/2012	LANDSCAPE MAINT-TOWNGATE BIKE			$735.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7007	07/16/2012			Accounts Payable	CINTAS CORPORATION	$414.36
	Invoice	Date	Description			Amount
	150643209	06/26/2012	UNIFORM RENTAL SVC			$15.06
	150643210	06/26/2012	UNIFORM RENTAL SVC			$40.48
	150643211	06/26/2012	UNIFORM RENTAL SVC			$15.06
	150643213	06/26/2012	UNIFORM RENTAL SVC			$8.88
	150643214	06/26/2012	UNIFORM RENTAL SVC			$5.42
	150643215	06/26/2012	UNIFORM RENTAL SVC			$186.18
	150643216	06/26/2012	UNIFORM RENTAL SVC			$15.46
	150643212	06/26/2012	UNIFORM RENTAL SVC			$13.36
	150643219	06/26/2012	UNIFORM RENTAL SVC			$2.29
	150643205	06/26/2012	UNIFORM RENTAL SVC			$50.20
	150638719	06/19/2012	UNIFORM RENTAL SVC			$3.92
	150629881	06/05/2012	UNIFORM RENTAL SVC			$3.92
	150634332	06/12/2012	UNIFORM RENTAL SVC			$3.92
	150643206	06/26/2012	UNIFORM RENTAL SVC			$3.92
	150638730	06/19/2012	UNIFORM RENTAL SVC			$17.28
	150643208	06/26/2012	UNIFORM RENTAL SVC			$16.19
	150643207	06/26/2012	UNIFORM RENTAL SVC			$12.82
7008	07/16/2012			Accounts Payable	CITY OF MORENO VALLEY VEBA TRUST	$6,145.00
	Invoice	Date	Description			Amount
	120712	07/12/2012	EXEMPT VEBA			$6,145.00
7009	07/16/2012			Accounts Payable	DENNIS GRUBB & ASSOCIATES, LLC	$7,920.00
	Invoice	Date	Description			Amount
	1138	05/01/2012	FIRE INSPECTION SVCS			$7,920.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7010	07/16/2012			Accounts Payable	E.R. BLOCK PLUMBING & HEATING, INC.	$2,621.40
	Invoice	Date	Description			Amount
	109788	06/27/2012	BACKFLOW REPAIRS-ZN D			$1,657.45
	109794	06/27/2012	BACKFLOW REPAIRS-ZN D			$963.95
7011	07/16/2012			Accounts Payable	FIRST CHOICE SERVICES	$410.02
	Invoice	Date	Description			Amount
	507273	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$121.91
	507276	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$93.78
	507277	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$60.15
	507275	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$134.18
7012	07/16/2012			Accounts Payable	PACIFIC GREEN HORTICULTURAL SVC	$600.00
	Invoice	Date	Description			Amount
	14090	06/07/2012	BEE CONTROL-PIGEON PASS RD			$125.00
	14091	06/07/2012	BEE CONTROL-CASA ENCANTADOR			$125.00
	14092	06/08/2012	BEE CONTROL-IRIS AVE			$125.00
	14120	06/27/2012	BEE CONTROL SVCS			$113.00
	14121	06/27/2012	BEE CONTROL SVCS			$112.00
7013	07/16/2012			Accounts Payable	POIEMA LANDSCAPE, INC.	$3,296.01
	Invoice	Date	Description			Amount
	1073	07/05/2012	LANDSCAPE MAINT-ZONE E-12			$2,131.00
	1074	07/05/2012	LANDSCAPE MAINT-ZONE S			$1,165.01
7014	07/16/2012			Accounts Payable	R & S OVERHEAD DOORS, INC.	$393.25
	Invoice	Date	Description			Amount
	02843	06/19/2012	TROUBLE SHOOT ROLL-UP DOOR PROBLEMS AT			$393.25

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7015	07/16/2012			Accounts Payable	RALLY MANAGEMENT SERVICES, LLC	$719.28
	Invoice	Date	Description			Amount
	19491	06/26/2012	TEMP STAFFING SVCS-R. HENDERSON			$719.28
7016	07/16/2012			Accounts Payable	SECURITY LOCK & KEY	$224.70
	Invoice	Date	Description			Amount
	25285	05/24/2012	LOCK REPAIRS FOR ERC			$97.50
	25299	06/04/2012	DUPLICATE KEYS FOR TCC			$52.20
	25275	05/17/2012	LOCK REPAIRS-RIDGE CREST PARK			$75.00
7017	07/16/2012			Accounts Payable	SOCO GROUP, INC	$14,706.91
	Invoice	Date	Description			Amount
	669629	06/20/2012	FUEL PURCHASE FOR CITY			$7,050.48
	670137	06/27/2012	FUEL PURCHASE FOR CITY			$7,656.43
7018	07/16/2012			Accounts Payable	SPRINT	$713.87
	Invoice	Date	Description			Amount
	417544340-	06/20/2012	CELL PHONE SVC FOR PD GANG TASK FORCE			$70.07
	634235346-	03/29/2012	CELL PHONE SVC FOR PD SET			$643.80
7019	07/16/2012			Accounts Payable	STRICKLER ASSOCIATION, THE	$2,177.50
	Invoice	Date	Description			Amount
	3700	07/01/2012	NEIGHBORHOOD STABILIZATION PGRM SVCS			$2,177.50
7020	07/16/2012			Accounts Payable	TRUGREEN LANDCARE	$19,100.15
	Invoice	Date	Description			Amount
	7334498	06/30/2012	LANDSCAPE MAINT-ZONE M			$5,532.72
	7334499	06/30/2012	LANDSCAPE MAINT-ZONE DSG-1			$5,121.57
	7334501	06/30/2012	LANDSCAPE MAINT-ZONE E-4 & E-4A			$8,445.86

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7021	07/16/2012			Accounts Payable	TURBOSCAPE, INC.	$6,424.80
	Invoice	Date	Description			Amount
	3425	06/27/2012	MULCH FOR CFD #1 PARKS INCL DELIVERY &			$6,424.80
7022	07/16/2012			Accounts Payable	UNITED ROTARY BRUSH CORP	$2,239.00
	Invoice	Date	Description			Amount
	271592	06/14/2012	BROOM KITS/RECONDITIONING FOR ST			$406.57
	271684	06/21/2012	BROOM KITS/RECONDITIONING FOR ST			$746.33
	271783	06/28/2012	BROOM KITS/RECONDITIONING FOR ST			$1,086.10
7023	07/16/2012			Accounts Payable	VISION SERVICE PLAN	$3,893.49
	Invoice	Date	Description			Amount
	120701	07/01/2012	EMPLOYEE VISION INSURANCE			$3,893.49
7024	07/16/2012			Accounts Payable	VOYAGER FLEET SYSTEM, INC.	$1,930.30
	Invoice	Date	Description			Amount
	86921161520	06/24/2012	CNG FUEL PURCHASES			$1,930.30
7025	07/17/2012			Accounts Payable	SA ASSOCIATES	$10,725.00
	Invoice	Date	Description			Amount
	69	07/05/2012	CONSULTANT STAFFING SVCS			$10,725.00
7026	07/17/2012			Accounts Payable	SHELL ENERGY NORTH AMERICA (US) L.P.	$629,977.60
	Invoice	Date	Description			Amount
	1116819	07/02/2012	ENERGY PURCHASE FOR MV UTILITY			$629,977.60
7027	07/17/2012			Accounts Payable	STANDARD & POOR'S RATINGS SERVICES	$10,500.00
	Invoice	Date	Description			Amount
	10295926	04/20/2012	ANALYTICAL SVCS FOR COPS SERIES 2012B			$10,500.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7028	07/17/2012			Accounts Payable	VACATE PEST ELIMINATION COMPANY	$225.00
	Invoice	Date	Description			Amount
	24541	06/01/2012	RODENT CNTRL-AQUEDUCT BIKEWAY			$50.00
	24543	06/01/2012	RODENT CNTRL-ELECTR UTIL SUBST			$40.00
	24921	06/15/2012	RODENT CNTRL-AQUEDUCT BIKEWAY			$50.00
	24924	06/15/2012	RODENT CNTRL-ELECTR UTIL SUBST			$40.00
	24944	06/18/2012	PEST CNTRL-MARB ASES BLDG			$45.00
7030	07/09/2012			Accounts Payable	PERS HEALTH INSURANCE	$196,684.50
	Invoice	Date	Description			Amount
	W120701	07/06/2012	EMPLOYEE HEALTH INSURANCE			$196,684.50
7031	07/05/2012			Accounts Payable	U.S. BANK/CALCARDS	$270,319.53
	Invoice	Date	Description			Amount
	W120702	07/05/2012	CALCARD PAYMENT FOR CYCLE END 06/27/12			$270,319.53
7032	07/12/2012			Accounts Payable	MV RANCHO DORADO II LTD. PARTNERSHIP	$2,400,000.00
	Invoice	Date	Description			Amount
	W120703	07/12/2012	RANCHO DORADO SOUTH PROJECT PAYMENT			$2,400,000.00
7038	07/23/2012			Accounts Payable	ADLERHORST INTERNATIONAL INC.	$425.01
	Invoice	Date	Description			Amount
	16894	06/27/2012	K-9 TRAINING-PD SPCL ENF			$141.67
	16893	06/27/2012	K-9 TRAINING-PD SPCL ENF			$141.67
	16892	06/27/2012	K-9 TRAINING-PD SPCL ENF			$141.67
7039	07/23/2012			Accounts Payable	AEI-CASC ENGINEERING	$378.00
	Invoice	Date	Description			Amount
	0028280	05/31/2012	CONSULTANT SVCS-PWQMP			$378.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7040	07/23/2012			Accounts Payable	BENESYST	$201.90
	Invoice	Date	Description			Amount
	0712146	07/02/2012	FLEX ADMINISTRATIVE SVCS			$201.90
7041	07/23/2012			Accounts Payable	CHANDLER ASSET MANAGEMENT, INC	$8,661.00
	Invoice	Date	Description			Amount
	11387	07/03/2012	FIXED INCOME INVESTMENT MGMT			$8,661.00
7042	07/23/2012			Accounts Payable	DATA TICKET, INC.	$2,153.83
	Invoice	Date	Description			Amount
	41587	06/13/2012	CITATION PROCESSING-POLICE			$2,153.83
7043	07/23/2012			Accounts Payable	E.R. BLOCK PLUMBING & HEATING, INC.	$160.00
	Invoice	Date	Description			Amount
	109673	06/27/2012	BACKFLOW DEVICE TESTS-ZONE M			$80.00
	109792	06/27/2012	BACKFLOW DEVICE TEST-PSB			$20.00
	109791	06/27/2012	BACKFLOW DEVICE TEST-FS#58			$20.00
	109790	06/27/2012	BACKFLOW DEVICE TEST-FS#65			$40.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7044	07/23/2012			Accounts Payable	ENCO UTILITY SERVICES MORENO VALLEY LLC	$161,630.21
	Invoice	Date	Description			Amount
	40-275-01	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$186.70
	40-272-02	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$323.20
	40-268A-02	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$25.31
	40-266-02	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$233.38
	40-249B-07	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$445.64
	40-263A-01	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$1,622.72
	40-250B-08	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$49.52
	40-249A-07	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$101.22
	40-247A-03	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$2,063.10
	40-243A-07	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$37.96
	40-242A-03	06/07/2012	WORK AUTHORIZATION-PROF SVCS			$25.31
	0405-1-99R	06/12/2012	DISTRIBUTION CHARGES			$156,516.15
7045	07/23/2012			Accounts Payable	EVANS ENGRAVING & AWARDS	$141.32
	Invoice	Date	Description			Amount
	62812-26	06/28/2012	ENGRAVING/HANDCUFFS-POLICE			$125.00
	61412-7	06/14/2012	ENGRAVING/BRASS NAMEPLATES-POLICE			$16.32
7046	07/23/2012			Accounts Payable	FIRST CHOICE SERVICES	$167.52
	Invoice	Date	Description			Amount
	507262	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$31.38
	507264	06/25/2012	COFFEE SVCS-EMPLOYEE PAID			$136.14
7047	07/23/2012			Accounts Payable	GHANTIWALA, PRAVIN	$3,420.00
	Invoice	Date	Description			Amount
	13-12M	06/27/2012	ELECTRICAL ENGINEER SVCS-MVU			$3,420.00

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7048	07/23/2012			Accounts Payable	GIBBS, GIDEN, LOCHER, TURNER & SENET LLP	$6,700.30
	Invoice	Date	Description			Amount
	215902-001	06/01/2012	LEGAL SVCS			$6,700.30
7049	07/23/2012			Accounts Payable	GUZMAN'S CART SERVICE	$4,049.00
	Invoice	Date	Description			Amount
	1118	06/30/2012	SHOPPING CART RETRIVAL SVC			$4,049.00
7050	07/23/2012			Accounts Payable	HILLCREST CONTRACTING, INC	$2,016.85
	Invoice	Date	Description			Amount
	PB 22014	06/19/2012	COTTONWOOD AVE IMPRVMNTS PROJECT			$2,016.85
7051	07/23/2012			Accounts Payable	HONDA YAMAHA OF REDLANDS	$3,099.68
	Invoice	Date	Description			Amount
	120282	06/26/2012	MOTORCYCLE MAINT/REPAIR & PARTS-PD			$2,491.55
	123212	06/28/2012	MOTORCYCLE MAINT/REPAIR &PARTS-PD			$608.13
7052	07/23/2012			Accounts Payable	INSIDE PLANTS, INC.	$320.00
	Invoice	Date	Description			Amount
	43554	06/25/2012	INDOOR PLANT MAINT-CRC			$320.00
7053	07/23/2012			Accounts Payable	J D H CONTRACTING	$7,702.60
	Invoice	Date	Description			Amount
	061212-01	06/12/2012	PSB-CH MONUMENT SIGNS EXTERIOR REPAIRS			$7,702.60
7054	07/23/2012			Accounts Payable	KDM MERIDIAN, INC.	$26,500.00
	Invoice	Date	Description			Amount
	3120	06/21/2012	CITYWIDE PEDESTRIAN ENHANCEMNTS/INDIAN-			$26,500.00

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7055	07/23/2012			Accounts Payable	LOR GEOTECHNICAL GROUP, INC.	$378.80
	Invoice	Date	Description			Amount
	14276	07/02/2012	COMPACTION SVCS FOR CRC PATIO			$378.80
7056	07/23/2012			Accounts Payable	MARINA LANDSCAPE, INC	$5,733.34
	Invoice	Date	Description			Amount
	8216051200	05/31/2012	LANDSCAPE MAINT-ZONE E-1 & E-1A			$5,733.34
7057	07/23/2012			Accounts Payable	N P G CORPORATION	$18,089.00
	Invoice	Date	Description			Amount
	1110979	06/09/2012	INFIL CONCRETE PROJECT-CRC			$18,089.00
7058	07/23/2012			Accounts Payable	OVERLAND PACIFIC & CUTLER, INC.	$4,200.00
	Invoice	Date	Description			Amount
	1205114	06/13/2012	RIGHT OF WAY SVCS			$4,200.00
7059	07/23/2012			Accounts Payable	PACIFIC GREEN HORTICULTURAL SVC	$203.82
	Invoice	Date	Description			Amount
	14119	06/27/2012	TURF FERTILIZATION-ZONE E-7 & E-14			$101.91
	14052	06/10/2012	TURF FERTILIZATION-ZONE E-7 & E-14			$101.91
7060	07/23/2012			Accounts Payable	PAINTING BY ZEB BODE	$6,100.00
	Invoice	Date	Description			Amount
	061912	06/19/2012	PAINTING SVCS-ANIMAL SHLTR			$2,650.00
	061912	07/19/2012	PAINTING SVCS-ANIMAL SHLTR			$3,450.00

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7061	07/23/2012			Accounts Payable	PARSONS TRANSPORTATION GROUP, INC.	$641,669.41
	Invoice	Date	Description			Amount
	1205A007	05/14/2012	SR-60/MORENO BEACH INTERCHANGE-PHASE 1			$146,571.21
	1205A008	05/25/2012	SR-60/NASON ST. OVERCROSSING PROJECT			$400,106.85
	1206A063	06/01/2012	SR-60/MORENO BEACH INTERCHANGE-PHASE 1			$75,759.11
	1206A064	06/01/2012	SR-60/NASON ST. OVERCROSSING PROJECT			$19,232.24
7062	07/23/2012			Accounts Payable	PEDLEY SQUARE VETERINARY CLINIC	$4,642.00
	Invoice	Date	Description			Amount
	JUN-12	07/01/2012	VETERINARY SVCS-ANIMAL SVCS			$4,642.00
7063	07/23/2012			Accounts Payable	RALLY MANAGEMENT SERVICES, LLC	$929.07
	Invoice	Date	Description			Amount
	19591	07/02/2012	TEMP STAFFING SVCS-R. HENDERSON			$929.07
7064	07/23/2012			Accounts Payable	STANLEY CONVERGENT SECURITY SOLUTNS,	$110.00
	Invoice	Date	Description			Amount
	9195287	05/06/2012	ALARM SYSTEM MONITORING SVCS-EOC			$110.00
7065	07/23/2012			Accounts Payable	STI, INC., TRUCKING & MATERIALS	$165,271.45
	Invoice	Date	Description			Amount
	11-901-7	06/27/2012	IRONWOOD AVE IMPRVMNTS PROJECT			$165,271.45
7066	07/23/2012			Accounts Payable	TR DESIGN GROUP, INC.	$226.58
	Invoice	Date	Description			Amount
	1586	06/01/2012	TRANSPORTATION MGMT CTR PROJECT SVCS			$226.58
7067	07/23/2012			Accounts Payable	URBAN LOGIC CONSULTANTS, INC	$3,310.00
	Invoice	Date	Description			Amount
	2012-167	06/22/2012	PEER REVIEW SVCS RELATED TO HARBOR			$3,310.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7068	07/23/2012			Accounts Payable	WURM'S JANITORIAL SERVICES, INC.	$5,721.89
	Invoice	Date	Description			Amount
	21247	06/29/2012	JANITORIAL SVCS-CITY HALL			$4,588.23
	21248	06/29/2012	JANITORIAL SVCS-CITY YARD/TRANSP TRAILER			$445.30
	21250	06/29/2012	JANITORIAL SVCS-EOC			$688.36
7069	07/23/2012			Accounts Payable	WURM'S JANITORIAL SERVICES, INC.	$12,481.85
	Invoice	Date	Description			Amount
	21252	06/29/2012	JANITORIAL SVCS-ESA ANNEX			$735.73
	21253	06/29/2012	JANITORIAL SVCS-FACILITIES ANNEX			$124.29
	21254	06/29/2012	JANITORIAL SVCS-LIBRARY			$1,771.79
	21256	06/29/2012	JANITORIAL SVCS-PUB SAFETY BLDG			$5,564.25
	21260	06/29/2012	JANITORIAL SVCS-SENIOR CTR			$1,916.18
	21263	06/29/2012	JANITORIAL SVCS-TS ANNEX			$453.43
	21294	09/01/2011	JANITORIAL SVCS-SENIOR CTR			$1,916.18
7070	07/24/2012			Accounts Payable	NEW WORLD SYSTEMS, CORP	$119,680.00
	Invoice	Date	Description			Amount
	019462	05/15/2012	SW MAIN.(SSMA) 6/1/12-5/31/13			$119,680.00
7071	07/24/2012			Accounts Payable	SPRINT	$643.23
	Invoice	Date	Description			Amount
	634235346-	06/29/2012	CELL PHONE SVC FOR PD SET			$643.23
7072	07/30/2012			Accounts Payable	ADLERHORST INTERNATIONAL INC.	$404.06
	Invoice	Date	Description			Amount
	16858	06/01/2012	NARCOTIC DETECTION KIT-SET K-9 TEAM			$404.06

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7073	07/30/2012			Accounts Payable	AMERICAN FORENSIC NURSES	$3,943.16
	Invoice	Date	Description			Amount
	61740	06/15/2012	BLOOD DRAW-POLICE			$41.08
	61739	06/15/2012	BLOOD DRAW-POLICE			$1,981.72
	61800	06/30/2012	BLOOD DRAWS-POLICE			$1,879.28
	61716	06/15/2012	BLOOD DRAWS-POLICE			$41.08
7074	07/30/2012			Accounts Payable	ARCHIVE MANAGEMENT SERVICE	$1,773.25
	Invoice	Date	Description			Amount
	0186488	06/23/2012	RECORDS OFFSITE STORAGE			$1,773.25
7075	07/30/2012			Accounts Payable	AXIS APPAREL	$2,762.28
	Invoice	Date	Description			Amount
	06262012	06/26/2012	YOUTH/ADULT UNIFORMS			$2,762.28
7076	07/30/2012			Accounts Payable	BEMUS LANDSCAPE, INC.	$11,472.39
	Invoice	Date	Description			Amount
	230436	06/25/2012	LANDSCAPE MAINT-ZONE E-3 & E-3A			$11,406.02
	231687	07/03/2012	LANDSCAPE MAINT PARTS-ZONE E-3			$66.37
7077	07/30/2012			Accounts Payable	BENESYST	$406.90
	Invoice	Date	Description			Amount
	0612286	06/02/2012	COBRA ADMIN SVC-HR			$205.00
	0612145	06/02/2012	FLEX ADMIN SVC-HR			$201.90
7078	07/30/2012			Accounts Payable	CITY OF MORENO VALLEY VEBA TRUST	$1,995.00
	Invoice	Date	Description			Amount
	120726	07/26/2012	EXEMPT VEBA			$1,995.00

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7079	07/30/2012			Accounts Payable	COMMUNITY ASSISTANCE PROGRAM - CAP	$3,785.02
	Invoice	Date	Description			Amount
	MAY-12	05/30/2012	CAP FOOD DISTRIBUTION PROGRAM			$2,625.74
	JUN-12	06/30/2012	CAP FOOD DISTRIBUTION PROGRAM			$1,159.28
7080	07/30/2012			Accounts Payable	E.R. BLOCK PLUMBING & HEATING, INC.	$240.00
	Invoice	Date	Description			Amount
	109676	06/27/2012	BACKFLOW DEVICE TESTS-ZONE D			$240.00
7081	07/30/2012			Accounts Payable	ENCO UTILITY SERVICES MORENO VALLEY LLC	$610.37
	Invoice	Date	Description			Amount
	40-255A-04	06/07/2012	WORK AUTHORIZATION-NASON BRIDGE			$50.61
	40-259A-04	06/07/2012	WORK AUTHORIZATION-EUCALYPTUS AVE ST.			$12.65
	40-254B-01	06/07/2012	WORK AUTHORIZATION-CACTUS AVE LIGHTS			$173.30
	40-264-04	06/07/2012	WORK AUTHORIZATION-ENGIN./DESIGN REVIEW			$323.20
	40-256B-02	06/07/2012	WORK AUTHORIZATION- INSTALLATION OF NEW			$50.61
7082	07/30/2012			Accounts Payable	EVANS ENGRAVING & AWARDS	$28.02
	Invoice	Date	Description			Amount
	62812-26A	06/27/2012	PLAQUE			$28.02
7083	07/30/2012			Accounts Payable	EXPRESS PIPE & SUPPLY, INC.	$9,498.19
	Invoice	Date	Description			Amount
	S4423514.001	06/20/2012	RESTROOM EQUIPMENT FOR PARKS ADA			$9,498.19
7084	07/30/2012			Accounts Payable	GIBBS, GIDEN, LOCHER, TURNER & SENET LLP	$9,439.11
	Invoice	Date	Description			Amount
	215902-005	06/01/2012	LEGAL SVCS			$2,643.61
	215902-002	06/01/2012	LEGAL SERVICES			$4,066.80
	215902-003	06/01/2012	LEGAL SERVICES			$110.50
	215902-004	06/01/2012	LEGAL SERVICES			$2,618.20

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7085	07/30/2012			Accounts Payable	ICR DOORS	$394.51
	Invoice	Date	Description			Amount
	307	06/08/2012	EMERGENCY DOOR REPAIR-CITY YARD			$244.51
	309	06/08/2012	EMERGENCY DOOR REPAIR-STN 58			$150.00
7086	07/30/2012			Accounts Payable	INLAND EMPIRE PROPERTY SERVICE, INC	$10,508.00
	Invoice	Date	Description			Amount
	3098	06/08/2012	NUISANCE ABATEMENT SVC-CODE			$102.00
	3097	06/04/2012	NUISANCE ABATEMENT SVC-CODE			$8,000.00
	3096	05/30/2012	NUISANCE ABATEMENT SVC-CODE			$924.00
	3095	05/29/2012	NUISANCE ABATEMENT SVC-CODE			$1,482.00
7087	07/30/2012			Accounts Payable	JDEDGE SOFTWARE, LLC	$18,765.00
	Invoice	Date	Description			Amount
	266	07/16/2012	HR & PAYROLL DATA CONVERSION INTO NEW			$5,280.00
	267	07/30/2012	HR & PAYROLL DATA CONVERSION INTO NEW			$13,485.00
7088	07/30/2012			Accounts Payable	LEXISNEXIS PRACTICE MGMT.	$1,480.00
	Invoice	Date	Description			Amount
	1206083501	06/30/2012	LEGAL RESEARCH SVC			$1,480.00
7089	07/30/2012			Accounts Payable	LOR GEOTECHNICAL GROUP, INC.	$3,216.00
	Invoice	Date	Description			Amount
	14235	05/29/2012	PERRIS BLVD SB LANE TO SR-60 WB WIDENING			$2,656.00
	14290	07/02/2012	PERRIS BLVD SB LANE TO SR-60 WB WIDENING			$560.00
7090	07/30/2012			Accounts Payable	MATICH CORPORATION	$16,014.70
	Invoice	Date	Description			Amount
	155335	06/12/2012	ASPHALTIC MATERIALS			$16,014.70

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Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7091	07/30/2012			Accounts Payable	MEEKS, DANIEL	$60.00
	Invoice	Date	Description			Amount
	071512	07/15/2012	SPORTS OFFICIATING SVCS			$60.00
7092	07/30/2012			Accounts Payable	MISTRETTA, ARTHUR	$100.00
	Invoice	Date	Description			Amount
	070812	07/08/2012	SPORTS OFFICIATING SVCS			$60.00
	070912	07/08/2012	SPORTS OFFICIATING SVCS			$40.00
7093	07/30/2012			Accounts Payable	NOBLE AMERICAS ENERGY SOLUTIONS	$145,307.23
	Invoice	Date	Description			Amount
	12194000243	07/12/2012	PURCHASED POWER			$145,307.23
7094	07/30/2012			Accounts Payable	PARSONS TRANSPORTATION GROUP, INC.	$45,547.33
	Invoice	Date	Description			Amount
	1207A580	07/13/2012	SR-60/MORENO BEACH DR. INTERCHANGE-			$2,154.95
	1207A581	07/13/2012	SR-60/MORENO BEACH DR. INTERCHANGE-			$43,392.38
7095	07/30/2012			Accounts Payable	STK ARCHITECTURE, INC.	$30,527.83
	Invoice	Date	Description			Amount
	19499	06/02/2012	ANNEX #1 RE-DESIGN/RENOVATION PROJECT			$2,085.10
	19500	07/02/2012	ANNEX #1 RE-DESIGN/RENOVATION PROJECT			$408.32
	19501	07/02/2012	CITY HALL SECOND LEVEL FLOORING			$1,475.10
	19508	07/02/2012	MORRISON PARK FIRE STATION PROJECT SVCS			$26,559.31
7096	07/30/2012			Accounts Payable	TRUGREEN LANDCARE	$2,260.00
	Invoice	Date	Description			Amount
	7343547	06/28/2012	EMERGENCY TREE TRIMMING AT CELEBRATION			$1,960.00
	7343857	06/27/2012	EMERGENCY TREE TRIMMING AT SENIOR CTR			$300.00

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7097	07/30/2012			Accounts Payable	UNITED INSPECTION & TESTING INC	$5,980.50
	Invoice	Date	Description			Amount
	006036	07/03/2012	CITYWIDE SIDEWALKS & ACCESS RAMPS			$1,173.00
	006035	07/03/2012	CITYWIDE SIDEWALKS & ACCESS RAMPS			$3,554.50
	006034	07/03/2012	CITYWIDE SIDEWALKS & ACCESS RAMPS			$1,253.00
7098	07/30/2012			Accounts Payable	VA CONSULTING, INC.	$147.00
	Invoice	Date	Description			Amount
	30471	07/06/2012	AUTO MALL STREET IMPROVEMENTS PROJECT			$147.00
7099	07/30/2012			Accounts Payable	WURM'S JANITORIAL SERVICES, INC.	$112.82
	Invoice	Date	Description			Amount
	21257	06/29/2012	JANITORIAL SVCS-GANG TASK FORCE OFFICE			$112.82
7237	07/31/2012			Accounts Payable	INTERNAL REVENUE SERVICE	$2,000.00
	Invoice	Date	Description			Amount
	F120701	07/02/2012	DEPOSIT TO FEDERAL ACCOUNT			$2,000.00
7238	07/31/2012			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	$500.00
	Invoice	Date	Description			Amount
	S120701	07/02/2012	DEPOSIT TO STATE ACCOUNT			$500.00
7239	07/31/2012			Accounts Payable	PERS RETIREMENT	$213,310.76
	Invoice	Date	Description			Amount
	P120622	07/06/2012	PERS RETIREMENT			$213,310.76
7240	07/31/2012			Accounts Payable	STATE DISBURSEMENT UNIT	$2,466.25
	Invoice	Date	Description			Amount
	CS120628	07/12/2012	CHILD SUPPORT WITHHOLDING			$2,466.25

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7241	07/31/2012			Accounts Payable	NATIONWIDE RETIREMENT SOLUTIONS	$2,786.67
	Invoice	Date	Description			Amount
	DC457120712	07/13/2012	PST DEF COMP FOR FICA			$2,786.67
7242	07/31/2012			Accounts Payable	NATIONWIDE RETIREMENT SOLUTIONS CP	$25,728.46
	Invoice	Date	Description			Amount
	NW45712007	08/13/2012	DEF COMP 457 & 401(a)			$25,728.46
7243	07/31/2012			Accounts Payable	MORENO VALLEY CITY EMPLOYEES ASSOC.	$1,379.50
	Invoice	Date	Description			Amount
	M0120712	07/13/2012	MVCEA DUES			$1,379.50
7244	07/31/2012			Accounts Payable	ICMA RETIREMENT CORP	$8,575.01
	Invoice	Date	Description			Amount
	DC457120712	07/13/2012	DEF COMP 457			$8,575.01
7245	07/31/2012			Accounts Payable	INTERNAL REVENUE SERVICE	$134,842.43
	Invoice	Date	Description			Amount
	F120712	07/13/2012	FEDERAL INCOME TAX WITHHELD			$134,842.43
7246	07/31/2012			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	$34,635.24
	Invoice	Date	Description			Amount
	S120712	07/13/2012	STATE INCOME TAX WITHHELD			$34,635.24
7247	07/31/2012			Accounts Payable	PERS RETIREMENT	$212,946.18
	Invoice	Date	Description			Amount
	P120706	07/20/2012	PERS RETIREMENT			$212,946.18
7248	07/31/2012			Accounts Payable	STATE DISBURSEMENT UNIT	$2,548.20
	Invoice	Date	Description			Amount
	CS120726	07/26/2012	CHILD SUPPORT WITHHOLDING			$2,548.20

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From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7249	07/31/2012			Accounts Payable	NATIONWIDE RETIREMENT SOLUTIONS	$3,052.92
	Invoice	Date	Description			Amount
	DC457120726	07/27/2012	PST DEF COMP FOR FICA			$3,052.92
7250	07/31/2012			Accounts Payable	NATIONWIDE RETIREMENT SOLUTIONS CP	$26,637.92
	Invoice	Date	Description			Amount
	NW45712007	07/27/2012	DEF COMP 457 & 401(a)			$26,637.92
7251	07/31/2012			Accounts Payable	MORENO VALLEY CITY EMPLOYEES ASSOC.	$1,368.50
	Invoice	Date	Description			Amount
	M0120726	07/27/2012	MVCEA DUES			$1,368.50
7252	07/31/2012			Accounts Payable	ICMA RETIREMENT CORP	$8,575.01
	Invoice	Date	Description			Amount
	DC457120726	07/27/2012	DEF COMP 457			$8,575.01
7253	07/31/2012			Accounts Payable	INTERNAL REVENUE SERVICE	$130,473.99
	Invoice	Date	Description			Amount
	F120726	07/27/2012	FEDERAL INCOME TAX WITHHELD			$130,473.99
7254	07/31/2012			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	$33,374.66
	Invoice	Date	Description			Amount
	S120726	07/27/2012	STATE INCOME TAX WITHHELD			$33,374.66
7255	07/31/2012			Accounts Payable	WELLS FARGO CORPORATE TRUST	$1,239,639.91
	Invoice	Date	Description			Amount
	W120704	07/25/2012	2007 TAX ALLOCATN BNDS, A SERIES DBT SVC			$1,239,639.91

City of Moreno Valley

Payment Register

From Payment Date: 7/1/2012 - To Payment Date: 7/31/2012

Number	Check Date	Invoice Date	Description	Source	Payee Name	Transaction Amount
7256	07/31/2012			Accounts Payable	STATE BOARD OF EQUALIZATION 1	$1,001.00

Invoice	Date	Description	Amount
063012	07/30/2012	SALES & USE TAX 4/1/12-6/30/12	$1,001.00

Type EFT Totals:	**113 Transactions**	**$7,235,561.45**

Grand Totals:

Checks		Count	Transaction Amount
	Total	**219**	**$6,752,229.90**

EFTs		Count	Transaction Amount
	Total	**113**	**$7,235,561.45**

All		Count	Transaction Amount
	Checks	**219**	**$6,752,229.90**
	EFTs	**113**	**$7,235,561.45**
	Total	**332**	**$13,987,791.35**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer and Barry Foster, Community & Economic Development Director

AGENDA DATE: September 25, 2012

TITLE: PA06-0021 (PM 34577) – INDUSTRIAL – ACCEPT FINAL MAP, AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS

SOUTHEAST CORNER OF HEACOCK STREET AND CARDINAL AVENUE

DEVELOPER: I-215 LOGISTICS, LLC,
A DELAWARE LIMITED LIABILITY COMPANY
3501 JAMBOREE ROAD, SUITE 230
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Parcel Map 34577, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

2. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA06-0021(PM 34577).

3. Authorize the Mayor to execute the agreement.

4. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation.

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

BACKGROUND

On January 11, 2007, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map No. 34577 (PA06-0021) along with Plot Plan (PA06-0022) for two industrial warehouse buildings. On November 28, 2011, Amended Plot Plan P11-090 (Building #1; 455,000 square feet) and Amended Plot Plan P11-091 (Building #2; 1,250,000 square feet) were approved by the Planning Director as amendments to the original plot plan. The parcel map is a proposal to subdivide 76.4 gross acres into two parcels. The project is bounded by Indian Street to the east, Heacock Street to the west, San Michelle Road to the south, and Cardinal Avenue to the north.

DISCUSSION

Final Map 34577 is in substantial conformance with the tentative parcel map, and the developer has requested that the map be approved for recordation. The Conditions of Approval for this project require that the developer provide surety for the required improvements.

The developer of this project has completed and submitted an Agreement for Public Improvements. The developer agrees to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The street improvements include but are not limited to: asphalt concrete, curb, gutter, sidewalk, driveway approaches, wheelchair ramp, signage, traffic signal and traffic signal modifications, street lights, storm drain, water, and sewer. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe.

Accompanying the agreement is an Irrevocable Letters of Credit as Faithful Performance security in the amount of $5,365,000 and an Irrevocable Letter of Credit as Labor and Material security in the amount of $2,682,500 issued by Wells Fargo Bank.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Agreement for Public Improvements
Exhibit "C" – Irrevocable Letter of Credit as Faithful Performance Security
Exhibit "D" – Irrevocable Letter of Credit as Labor and Material Security

Prepared By
Liz Plazola
Senior Administrative Assist.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E
Engineering Division Manager

Department Head Approval
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00178743

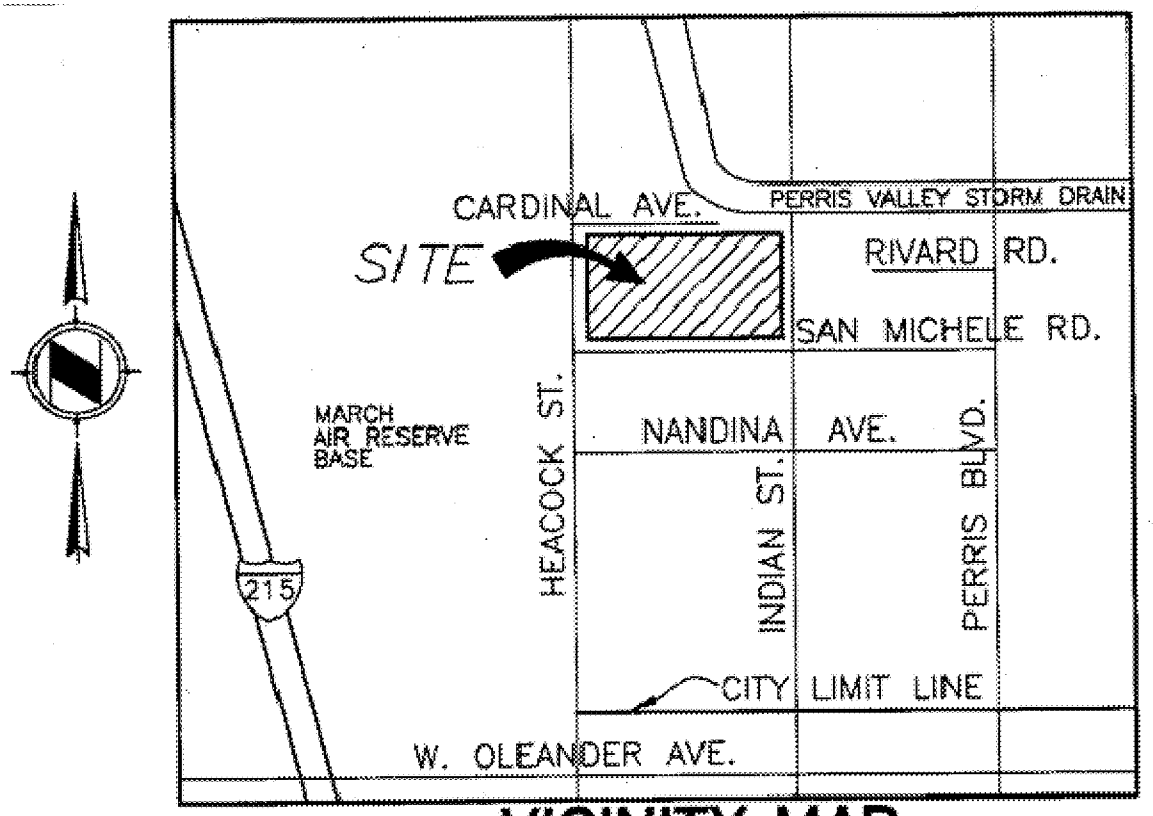

VICINITY MAP

NTS

CITY OF MORENO VALLEY **COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT - LAND DEVELOPMENT** **EXHIBIT "A"**	**PA06-0021** **(PM 34577)**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2012\9-25-12 - PA06-0021 - Exhibit A.docx

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MV00178745

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR
PROJECT NO. PA06-0021 (PM 34577)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **I-215 Logistics, LLC A Delaware limited liability company**, herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA06-0021 (PM 34577)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **FIVE MILLION THREE HUNDRED SIXTY-FIVE THOUSAND AND NO/100** Dollars (*****$5,365,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **TWO MILLION SIX HUNDRED EIGHTY-TWO THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$2,682,500.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

Exhibit "B"

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security in accordance with the City's Municipal Code at anytime during the term of this agreement, subject to approval by the City Engineer and City Attorney.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Developer further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
I-215 Logistics, LLC
A Delaware limited liability company
3501 Jamboree Road, Suite 230
Newport Beach, CA 92660

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

I-215 Logistics, LLC A Delaware limited liability company:
Developer

BY: _____
Signature

THOMAS A. BAK
Print/Type Name

Vice President
Title

BY: _____
Signature

David Nazeryk
Print/Type Name

VP
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA06-0021 - Agreement.doc

ACKNOWLEDGMENT

State of California
County of Orange)

On August 23, 2012 before me, R. Flandez, Notary Public
(insert name and title of the officer)

personally appeared David Nazaryk,
who proved to me on the basis of satisfactory evidence to be the pers on(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to m e that he/~~she/~~they executed the same in his/~~her/the~~ir authorized capacity(~~ies~~), and that by his/~~her/the~~ir signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the pers on(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

R. FLANDEZ
Commission # 1916162
Notary Public - California
Orange County
My Comm. Expires Jan 6, 2015

ACKNOWLEDGMENT

State of California
County of Orange)

On August 23, 2012 before me, R. Flandez, Notary Public
(insert name and title of the officer)

personally appeared Thomas A. Bak ,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

R. FLANDEZ
Commission # 1916162
Notary Public - California
Orange County
My Comm. Expires Jan 6, 2015

Item No. A.4

MV00178750

EXHIBIT "A"
ENGINEER'S ESTIMATE

Sheet 1 of 8

CMJ

PROJECT: PA06-0021
PM 34577
Trammell Crow

DATE: 8/22/12
PREPARED BY: C. Jimenez

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF					
Roadway Excavation			2440 C.Y.	29.00	70,760
A.B. Class II - Cardinal	1	Thickness (ft.)			
	39694	S.F.	2877 Ton	33.00	94,941
A.C. - Cardinal	0.5	Thickness (ft.)			
	39694	S.F.	1438 Ton	80.00	115,040
Roadway Excavation			0 C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)			
	0	S.F.	0 Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)			
	0	S.F.	0 Ton	80.00	0
Street Work - DIF					
Roadway Excavation			4000 C.Y.	29.00	116,000
A.B. Class II - San Michele	1	Thickness (ft.)			
	54879	S.F.	3978 Ton	33.00	131,274
A.C. - San Michele	0.5	Thickness (ft.)			
	54879	S.F.	1989 Ton	80.00	159,120
Roadway Excavation			930 C.Y.	29.00	26,970
A.B. Class II - Indian	0.75	Thickness (ft.)			
	13610	S.F.	740 Ton	33.00	24,420
A.C. - Indian	0.45	Thickness (ft.)			
	13610	S.F.	444 Ton	80.00	35,520
Roadway Excavation			0 C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)			
	0	S.F.	0 Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)			
	0	S.F.	0 Ton	80.00	0
Street Work - TUMF					
Roadway Excavation			3700 C.Y.	29.00	107,300
A.B. Class II - Heacock	1	Thickness (ft.)			
	65409	S.F.	4742 Ton	33.00	156,486
A.C. - Heacock	0.5	Thickness (ft.)			
	65409	S.F.	2371 Ton	80.00	189,680
Roadway Excavation			0 C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)			
	0	S.F.	0 Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)			
	0	S.F.	0 Ton	80.00	0
Roadway Excavation			0 C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)			
	0	S.F.	0 Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)			
	0	S.F.	0 Ton	80.00	0
				SUBTOTAL:	1,227,511

REGISTERED PROFESSIONAL ENGINEER
C047255
Exp 12/31/13
CIVIL
STATE OF CALIFORNIA

Item No. A.4

MV00178751

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

PROJECT: PA06-0021
PM 34577
Trammell Crow

PUBLIC STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	80.00	0
Slurry Seal (Based on $150/Ton Type II)	4450	S.Y.	2.25	10,013
Paving Fabric	0	S.Y.	1.20	0
Sawcut	3800	L.F.	3.00	11,400
Edge Taper AC Pavement	1720	S.F.	5.30	9,116
Trench Repaving	0	S.F.	12.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
Remove Existing Barrier	20	L.F.	45.00	900
Adjust M.H. to Grade	11	EA.	800.00	8,800
Remove Existing Access Ramp	996	S.F.	4.00	3,984
Remove & Dispose Existing Pavement & Base	78739	S.F.	3.00	236,217
Remove Existing Cross Gutter	420	S.F.	4.00	1,680
Concrete				
P.C.C. Paving - 6"	0	S.F.	6.50	0
P.C.C. Paving - 8.5"	1575	S.F.	11.20	17,640
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	4630	L.F.	30.00	138,900
Curb and Gutter - 6" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 6" (TUMF Street Name)	0	L.F.	30.00	0
Cross Gutter and Spandrel	830	S.F.	10.25	8,508
Sidewalk	41320	S.F.	4.25	175,610
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	0	S.F.	6.50	0
Driveway Approach - 8"	1290	S.F.	10.50	13,545
Wheelchair Ramp	4	EA.	2,600.00	10,400
Barricade	90	L.F.	100.00	9,000
Bus Bay	0	EA.	15,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Relocate Existing Pullbox (City Specified Location)	11	EA.	250.00	2,750
				0
			SUBTOTAL	668,462
Traffic Improvements				
Traffic Striping (DIF Street)	0	L.S.	–	0
Street Name Sign	1	EA.	500.00	500
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Traffic Control	1	L.S.	10000	10,000
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Type "F" Pavement Delineator @ 20' Along Taper	300	L.F.	25.00	7,500
			SUBTOTAL:	10,500
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	1200	L.F.	198.00	237,600
Monuments	10	EA.	300.00	3,000
			SUBTOTAL:	240,600

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

Item No. A.4

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PA06-0021
PM 34577
Trammell Crow

PUBLIC STREET WORK (CONTINUED)

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	5,000.00	0
Street Lights (22000 lumen)	35	EA.	6,000.00	210,000
			SPECIAL DISTRICTS SUBTOTAL:	210,000
Moreno Valley Utilities				
Electrical Utility Infrastructure	1	L.S.	1,000,000.00	1,000,000
			MVU SUBTOTAL:	1,000,000
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination,	1	EA.	272,000.00	272,000
Traffic Signal Modification	1	L.S.	100000	100,000
Traffic Signal Interconnect (Existing Signals Only)	1200	L.F.	30.00	36,000
			TRANSPORTATION SUBTOTAL:	408,000

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PA06-0021
PM 34577
Trammell Crow

PUBLIC STORM DRAIN SYSTEM

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	1580	L.F.	160.00	252,800
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	180	L.F.	190.00	34,200
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	600.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	4	EA.	5000.00	20,000
Manhole No. 2	0	EA.	7200.00	0
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	7	EA.	5500.00	38,500
Catch Basin (10')	0	EA.	6000.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	7	EA.	535.00	3,745
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (10') DIF Street Name)	0	EA.	6000.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

Item No. A.4

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

PROJECT: PA06-0021
PM 34577
Trammell Crow

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	1	EA.	5500.00	5,500
Junction Structure	8	EA.	6500.00	52,000
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	4000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	6500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	3	EA.	1000.00	3,000
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	409,745

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PA06-0021
PM 34577
Trammell Crow

PUBLIC WATER SYSTEMS

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
2" PVC Service Line Recyled Water System	109	L.F.	25.00	2,725
6" PVC C-900	33	L.F.	30.00	990
8" PVC C-900	240	L.F.	35.00	8,400
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	1495	L.F.	60.00	89,700
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
8" PVC C-900 Recycled Water System	2863	L.F.	35	100,205
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve Recycled Water System	4	EA.	1,340.00	5,360
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	4	EA.	2,300.00	9,200
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	11	EA.	4,500.00	49,500
	0		0.00	0
Services Connections				
1" Service	0	EA.	800.00	0
1" Service w/ 5/8" Service	0	EA.	2,000.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service Recycled Water System	2	EA.	1,600.00	3,200
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8" Recycled Water System	4		200.00	800
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	4		750.00	3,000
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		625.00	0
	0		0.00	0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	4	EA.	3,150.00	12,600
Hot Tap Service Clamp	0	EA.	1,000.00	0
Water Service	0	EA.	330.00	0
	0		0.00	0

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

Item No. A.4

CMJ

Miscellaneous - Water System			
Thrust Block	0 CY	150.00	0
Jack & Bore	0 L.F.	300.00	0
Joint at Existing 8"	0 EA.	650.00	0
Adjust Water Meter Box to Grade	0 EA.	235.00	0
	0	0.00	0
		SUBTOTAL:	285,680

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 8/22/12
PREPARED BY: C. Jimenez CMJ

PROJECT: PA06-0021
PM 34577
Trammell Crow

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	180	L.F.	55.00	9,900
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	0	L.F.	80.00	0
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	3	EA.	3,140.00	9,420
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	630.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pavement around MH	0	S.F.	14.00	0
	0		0.00	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	200	S.F.	5.00	1,000
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	20,320

REGISTERED PROFESSIONAL ENGINEER
C 047255
EXP 12/31/13
CIVIL
STATE OF CALIFORNIA

Item No. A.4

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PA06-0021
PM 34577
Trammell Crow

DATE:
PREPARED BY: C. Jimenez

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$1,227,511
OFFSITE STREET WORK	:	$558,462
SPECIAL DISTRICTS	:	$210,000
MORENO VALLEY UTILITIES	:	$1,000,000
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$408,000
STORM DRAIN SYSTEM	:	$409,745
WATER SYSTEM & RECYCLED	:	$285,680
SEWER SYSTEM	:	$20,320
TRAFFIC IMPROVEMENTS	:	$10,600
BONDABLE WORK (not plan checked)	:	$240,600
TOTAL COST (VALUE) OF IMPROVEMENTS:		$4,470,818
+20% CONTINGENCY:		$894,164
TOTAL WITH STANDARD CONTINGENCY:		$5,364,982

BOND AMOUNT: $5,365,000

WELLS FARGO

Wells Fargo Bank, N.A.
U.S. Trade Services
Standby Letters of Credit
MAC A0195-212
One Front Street, 21st Floor
San Francisco, California 94111
Phone: 1(800)798-2815 Option 1
E-Mail: sftrade@wellsfargo.com

IRREVOCABLE LETTER OF CREDIT AS FAITHFUL PERFORMANCE BOND

Irrevocable Letter of Credit No.IS0014770U

Project No. PA06-0021 (PM 34577)

Dated: SEPTEMBER 07, 2012

Public R/W
Improvements US $5,365,000.00

City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Irrevocable Letter of Credit Delivered as Improvement Security Pursuant to California Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley

Gentlemen:

Wells Fargo Bank, N.A., a financial institution subject to regulation by the State of California and the United States Government, establishes and delivers to the City of Moreno Valley this irrevocable letter of credit in your favor for the account of I-215 Logistics, LLC A Delaware Limited Liability Company located at 3501 Jamboree Rd., Suite 230 Newport Beach, CA 92660 up to an aggregate sum of Five Million Three Hundred Sixty Five Thousand and No/100Dollars (US $5,365,000.00) as "Improvement Security" as required by Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley, for Project No. PA06-0021 (PM 34577).

All or any portion of the funds available pursuant to this irrevocable letter of credit will be paid upon the written demand of the City of Moreno Valley. The written demand need not present documentation of any type as a condition of payment, including proof of loss, but will be available by your draft at sight drawn on us and accompanied by your signed certification stating either that:

1. "I-215 Logistics, LLC A Delaware Limited Liability Company has not complied with the performance requirements as set forth in the agreements entered into with the City of Moreno Valley."

Exhibit "C"

Together we'll go far

Item No. A.4

WELLS FARGO

OR

2. "I-215 Logistics, LLC A Delaware Limited Liability Company has not maintained the offsite improvements as set forth in the agreements entered into with the City of Moreno Valley for the one year guarantee and warranty period provided, however, that the maximum amount which may be drawn under this subparagraph 2. shall be limited to 10% of the letter of credit.

This irrevocable letter of credit expires at the institution's counter on September 05, 2013; however, it is a condition of this letter of credit that it shall be deemed automatically extended without amendment for successive one year periods from the present and all future expiration dates thereof unless 60 days prior to any such date the institution shall notify the City in writing that the institution elects not to consider this letter of credit renewed for any such additional period.

Upon our sending you such notice of the non-extension of the expiration date of this Letter of Credit, you may also draw under this Letter of Credit, on or before the Final Expiration Date specified in such notice, by presentation of the following documents to us at our above address:

1. A draft drawn on us at sight marked "Drawn under Wells Fargo Bank, N.A. Standby Letter of Credit No. IS0014770U."

2. The original of this Standby Letter of Credit and any amendments thereto.

3. Your signed and dated statement worded as follows (with the instructions in brackets therein complied with):

The undersigned, an authorized representative of the beneficiary of Wells Fargo Bank, N. A. Letter of Credit No. IS0014770U, hereby certifies that it has received notification from Wells Fargo Bank, N.A. that this letter of credit will not be extended past its current expiration date. The undersigned further certifies that (i) as of the date of this statement, it has not received a letter of credit or other instrument acceptable to it as a replacement; and (ii) I-215 Logistics, LLC a Delaware Limited Liability Co. has not been released from its obligations."
I.L.O.C (FP) NO. IS0014770U

Together we'll go far

WELLS FARGO

PROJECT NO. PA06-0021 (PM 34577)
PAGE 3 OF 3

When the work is completed to the satisfaction of the City, the City Engineer of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this security will be reduced by 90% with the remaining 10% will be held as security for a one year guarantee period and warranty period provided for in the agreements.

As a part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

This Letter of Credit is Irrevocable.

Wells Fargo Bank, N.A.
(TYPE/PRINT - INSTITUTION)

By: Sharon Peace-Smoot

Sharon Peace-Smoot, AVP
(TYPE/PRINT – NAME & TITLE)

By: Angie Mendenhall

Angie Mendenhall, Operations Officer
(TYPE/PRINT – NAME & TITLE)

ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF Forsyth; TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7th DAY OF September, 2012 BY NAME AND TITLE Sharon Peace-Smoot, AVP + Angie Mendenhall, Operations Officer.

(NOTARY PUBLIC)

OFFICIAL SEAL
Notary Public, North Carolina
COUNTY OF STOKES
LINDA A. HAMPTON
My Commission Expires 11-30-16

MY COMMISSION EXPIRES: 11-30-2016

Together we'll go far

Item No. A.4

MV00178762

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MV00178763

WELLS FARGO

Wells Fargo Bank, N.A.
U.S. Trade Services
Standby Letters of Credit
MAC A0195-212
One Front Street, 21st Floor
San Francisco, California 94111
Phone: 1(800)798-2815 Option 1
E-Mail: sftrade@wellsfargo.com

IRREVOCABLE LETTER OF CREDIT AS FAITHFUL PERFORMANCE BOND

Irrevocable Letter of Credit No.IS0014767U

Project No. PA06-0021 (PM 34577)

Dated: SEPTEMBER 07, 2012

Public R/W
Improvements US $2,682,500.00

City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Irrevocable Letter of Credit Delivered as Security for Labor and Materials Pursuant to Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley

Gentlemen:

Wells Fargo Bank, N.A., a financial institution subject to regulation by the State of California and the United States Government, establishes and delivers to the City of Moreno Valley this irrevocable letter of credit in your favor for the account of I-215 Logistics, LLC A Delaware Limited Liability Company located at 3501 Jamboree Rd., Suite 230 Newport Beach, CA 92660 up to an aggregate sum of Two Million Six Hundred Eighty Two Thousand Five Hundred and No/100Dollars (US $2,682,500.00) as "ISecurity for Labor and Materials" as required by Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley, for Project No. PA06-0021 (PM 34577).

All or any portion of the funds available pursuant to this irrevocable letter of credit will be paid upon the written demand of the City of Moreno Valley. The written demand need not present documentation of any type as a condition of payment, including proof of loss, but will be available by your draft at sight drawn on us and accompanied by your signed certification stating either that:

1. "I-215 Logistics, LLC A Delaware Limited Liability Company has not complied with the labor and material payment requirements as set forth in the agreements entered into with the City of Moreno Valley."

Exhibit "D"

Together we'll go far

WELLS FARGO

This irrevocable letter of credit expires at the institution's counter on September 05, 2013; however, it is a condition of this letter of credit that it shall be deemed automatically extended without amendment for successive one year periods from the present and all future expiration dates thereof unless 60 days prior to any such date the institution shall notify the City in writing that the institution elects not to consider this letter of credit renewed for any such additional period.

Upon our sending you such notice of the non-extension of the expiration date of this Letter of Credit, you may also draw under this Letter of Credit, on or before the Final Expiration Date specified in such notice, by presentation of the following documents to us at our above address:

1. A draft drawn on us at sight marked "Drawn under Wells Fargo Bank, N.A. Standby Letter of Credit No. IS0014767U."

2. The original of this Standby Letter of Credit and any amendments thereto.

3. Your signed and dated statement worded as follows (with the instructions in brackets therein complied with):

The undersigned, an authorized representative of the beneficiary of Wells Fargo Bank, N. A. Letter of Credit No. IS0014767U, hereby certifies that it has received notification from Wells Fargo Bank, N.A. that this letter of credit will not be extended past its current expiration date. The undersigned further certifies that (i) as of the date of this statement, it has not received a letter of credit or other instrument acceptable to it as a replacement; and (ii) I-215 Logistics, LLC a Delaware Limited Liability Co. has not been released from its obligations."

As a part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney fees incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

This Letter of Credit is Irrevocable.

Together we'll go far

WELLS FARGO

...C (FP) NO. IS0014767U
PROJECT NO. PA06-0021 (PM 34577)

Wells Fargo Bank, N.A.
(TYPE/PRINT - INSTITUTION)

By: Sharon Peace-Smoot

Sharon Peace-Smoot, AVP
(TYPE/PRINT – NAME & TITLE)

By: Angie Mendenhall

Angie Mendenhall, Operations officer
(TYPE/PRINT – NAME & TITLE)

ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF Forsyth; TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7th DAY OF September, 2012 BY NAME AND TITLE Sharon Peace Smoot, AVP + Angie Mendenhall, Operations Officer

(NOTARY PUBLIC)

OFFICIAL SEAL
Notary Public, North Carolina
COUNTY OF STOKES
LINDA A. HAMPTON
My Commission Expires 11-30-16

MY COMMISSION EXPIRES: 11-30-2016

Together we'll go far

Item No. A.4

MV00178766

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MV00178767

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: FIRST AMENDMENT TO AGREEMENT WITH DMC DESIGN GROUP FOR MORENO TOWNSITE AREA STORM DRAIN AND MISCELLANEOUS STREET IMPROVEMENTS BETWEEN ALESSANDRO BOULEVARD AND DRAINAGE FACILITY LINE F - PROJECT NO. 801 0011 70 77 - 2001

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve the First Amendment to Agreement for Professional Consultant Services with DMC Design Group to revise and complete the design for the Moreno Townsite Area Storm Drain and Miscellaneous Street Improvements.

2. Authorize the City Manager or his designee to continue negotiating the cost proposal and then execute said Amendment to Agreement for Professional Consultant Services with DMC Design Group, subject to approval of the City Attorney.

3. Authorize an increase in the Purchase Order to DMC Design Group in the amount of up to but not to exceed $57,820 once the final cost negotiations are concluded and the amendment to agreement has been signed by all parties.

BACKGROUND

This project involves the design and construction of a storm drain system in Redlands Boulevard south of Alessandro Boulevard to mitigate flooding within the Moreno Townsite Area. The project also includes miscellaneous street improvements associated with construction of the storm drain.

On February 8, 2011, the City Council accepted the initial Hazard Mitigation Grant Program (HMGP) funds in the amount of $1,178,000 from the Federal Emergency Management Agency (FEMA).

On April 26, 2011, the City Council approved an agreement with DMC Design Group (DMC) to provide design services, various environmental technical studies, and right-of-way engineering support for the project, as well as accepted additional HMGP funds in the amount of $322,000 from FEMA.

On January 10, 2012, the City Council adopted a Mitigated Negative Declaration (MND) for this project with mitigation measures to be included in the project's specifications to reduce all potential environmental impacts related to the project's construction phase to an acceptable level.

DISCUSSION

A portion of the proposed storm drain system was originally proposed to be designed and constructed in the middle of the Moreno Townsite Area, from Alessandro Boulevard to Campbell Avenue. With this alignment, the proposed storm drain would be in the same location of the existing low laying drainage swale called the Russell's Ditch that runs north-south through side yards of ten private properties in the neighborhood. Construction of these storm drain improvements necessitated the acquisition of storm drain easements from ten property owners.

Staff tried in earnest to acquire the required storm drain easements but was not able to obtain the easements necessary for construction and maintenance of the storm drain due to various property owners' concerns. In addition, because the storm drain easements cross private properties, there are existing improvements and obstructions within the proposed easements that will prevent Riverside County Flood Control and Water Conservation District (District) from accepting and maintaining the storm drain when construction is completed. In order to keep the project moving forward, the design needs to be modified to change a portion of the storm drain alignment.

DMC, with the District's concurrence, proposes to revise the design so that the storm drain mainline would be installed in Redlands Boulevard with laterals extending into Alessandro Boulevard, Kimberly Avenue, Maltby Avenue, and Campbell Avenue to convey storm water from the low lying areas. DMC proposes a not-to-exceed cost of $57,820 to complete additional design survey, hydrology and hydraulic studies, utility conflict investigations, coordination with the District, plans and bid documents for advertising for constructions bids. However, as this time, the Public Works Director/City Engineer as the City Manager's designee continues to negotiate the cost proposal with DMC.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. Because FEMA grant funds are involved, the project must continue in an expeditious manner. *This alternative will allow for the project to keep its design momentum necessary for the construction of much needed storm drain and street improvements within the Moreno Townsite Area.*

2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will delay much needed storm drain and street improvements within the Moreno Townsite Area and may significantly affect the disposition of the FEMA grant funds.*

FISCAL IMPACT

This project is included in Fiscal Year 2012-2013 Capital Improvements Project Budget and financed by FEMA-HMGP Grant Funds and Measure "A" as local match funds. There is no impact to the General Fund.

BUDGETED FUNDS FOR THE PROJECT:
Street Improvement Program (Account No. 2001-70-77-80001 801 0011 70 77) $1,694, 953

ESTIMATED PROJECT COSTS:

Design Cost*	$ 40,000
Additional Design Cost	$ 58,000
Construction	$1,450,000
Construction Geotechnical Services and Survey Services	$ 60,000
Project Management, Administration and Inspection	$ 60,000
Total	$1,668,000

**Balance of previous funding authorization*

ANTICIPATED PROJECT SCHEDULE

Design Complete	March 2013
Advertise and Award Construction Contract	April 2013
Construction Complete	November 2013

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Staff recommends approval of the First Amendment to Agreement for Professional Consultant Services and an increase to the purchase order with DMC Design Group up to $57,820 for completion of the design for the Moreno Townsite Area Storm Drain and Miscellaneous Street Improvements project. These improvements will help to mitigate the flooding for this area.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – First Amendment to Agreement for Professional Consultant Services

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Asst. City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00178773

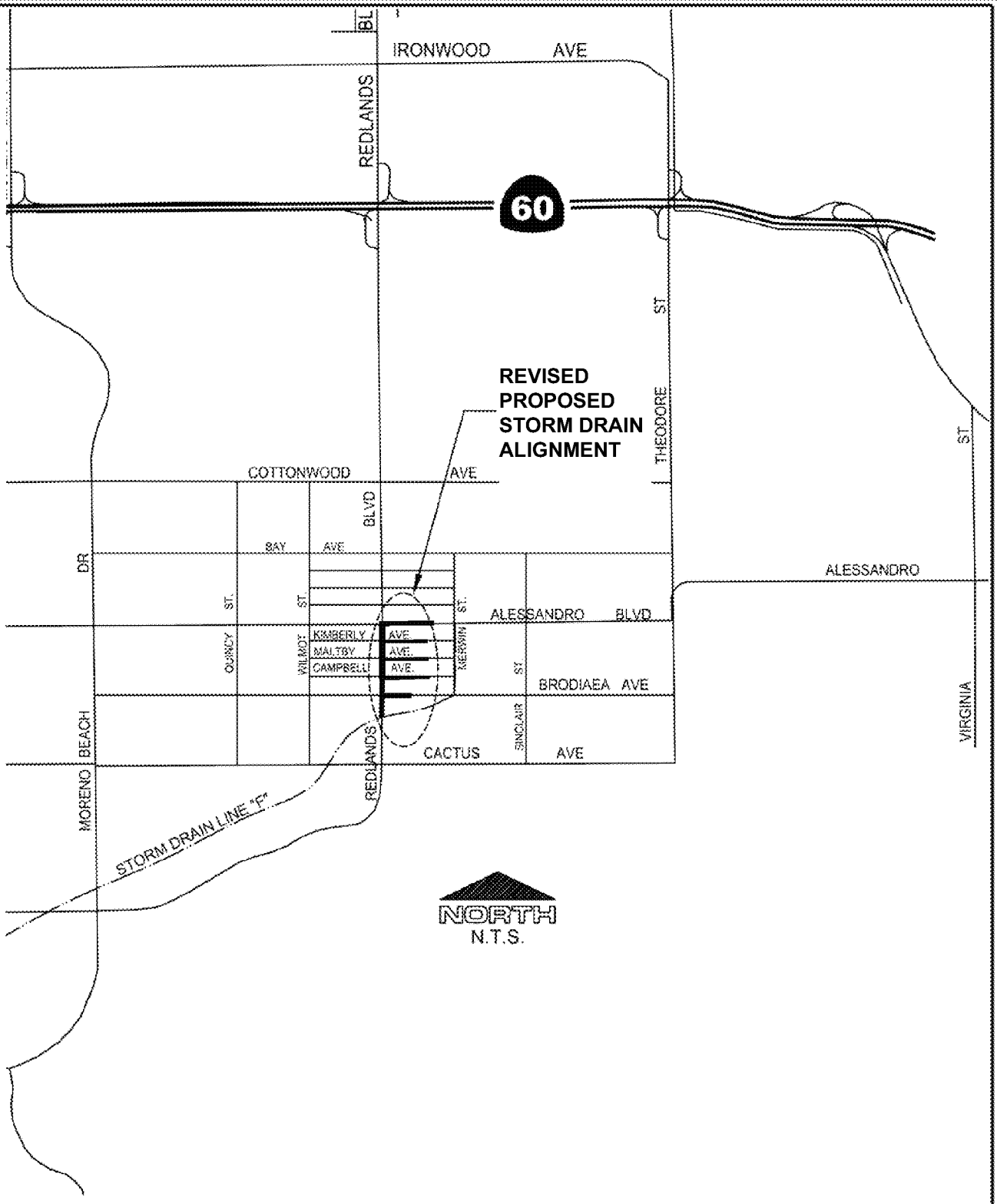

LOCATION MAP

Public Works Department
Capital Projects Division

MORENO TOWNSITE AREA STORM DRAIN AND MISCELLANEOUS STREET IMPROVEMENTS

ATTACHMENT "A"

PROJECT NO. 801 0011 70 77-2001

Item No. A.5

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MV00178775

Exhibit "A"

FIRST AMENDMENT TO AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 801 0011 70 77-2001

This First Amendment to Agreement is by and between the City of Moreno Valley, a municipal corporation, hereinafter referred to as "City," and DMC Design Group, Inc., a California corporation, hereinafter referred to as "Consultant." This First Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Design Professional Consultant Services," hereinafter referred to as "Agreement," dated May 19, 2011.

Whereas, the Consultant is providing consultant design services for Moreno Townsite Area Storm Drain and Miscellaneous Street Improvements between Alessandro Boulevard and Drainage Facility Line F.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this First Amendment.

Whereas, the Consultant has submitted a Proposal dated September 10, 2012, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A -- First Amendment" and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT

1.1 The Agreement termination date is extended from May 31, 2013 to May 31, 2014, unless the termination date is further extended by an Amendment to the Agreement.

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0011 70 77-2001

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A – First Amendment," entitled "Proposed for Additional Professional Design Consultant Services for the Realignment of Storm Drain Improvements in the Moreno Townsite Area between Alessandro Boulevard and Drainage Facility Line F."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal in the amount of $57,820 as described in said "Exhibit A -- First Amendment."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $57,820, in consideration of the Consultant's performance of the work set forth in "Exhibit A -- First Amendment."

1.5 The total "Not to Exceed" fee for this contract is $229,836 ($172,016 for the original Agreement plus $57,820 for the First Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0011 70 77-2001

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

DMC Design Group, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – First Amendment"

DMC Design Group, Inc.
Maple Centre
140 N. Maple St., Suite 104
Corona, CA 92880

(951) 549-8100 Fax (951) 549-8102

DMC DESIGN GROUP

Exhibit "A" First Amendment

September 11, 2012

Quang Nguyen, P.E.—Senior Engineer
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE Proposal for Additional Professional Design Consultant Services for the Realignment of Storm Drain Improvements in the Moreno Townsite Area between Alessandro Boulevard and Drainage Facility Line F (Project No. 11-12566730)

Dear Mr. Nguyen:

On August 27, 2012, revised storm drain alignment/conceptual plan for proposed drainage improvements in the Moreno Townsite Area were submitted to the City and Riverside County Flood Control and Water Conservation District. The revised alignment was required to avoid the acquisition of permanent drainage easements for the box culvert structure through properties within the Moreno Townsite community. To comply with this new alignment, it will be necessary to revise construction plans, specifications and estimates completed to date before proceeding to preparation of final bid ready construction documents.

Based upon the August 27, 2012 alignment plan submitted to the City/RCFC, DMC estimates the following effort will be required to revise the existing plans, specifications and estimates:

• **Task 3 Topographic Survey** 16 hrs @ $200/hr (2 man survey team) + 4 hrs @ $115/hr (Survey Manager)	$3,660
• **Task 4 Base Map** 16 hrs @ $90/hr (CAD Op)	$1,440
• **Task 5 Utility Coordination** 20 Utility Pot Holes @ $1,100/pothole + 16 hrs @ $90/hr (CAD Operator)	$23,440
• **Task 6 Right of Way Support** 16 hrs @ $90/hr (CAD Operator)	$1,440
• **Task 9.02 Special Studies** (Drainage) 24 hrs @ $110/hr (Design Engineer)	$2,640
• **Task 10 PS&E** 160 hrs @ $90/hr (CAD Op.) + 24 hrs @ $110 (Design Engr.) + 4 hrs @ $130/hr (Proj. Engr.)	$17,560
• **Task 11 Coordination W/RCFC** 12 hrs @ $110/hr (Design Engr.)	$1,320
Total Additional Costs to Current Contract	**$51,500**

The additional costs outlined above are to revise existing plans to complete level based upon the new alignment. DMC will immediately begin this work once it receives written authorization to proceed from the City.

Should you have any questions or concerns, do not hesitate to contact me.

Sincerely,
DMC Design Group, Inc.

David M. Cosper, P.E., Q.S.D.
Principal Engineer

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MV00178781

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief
Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO GLOBAL POWER GROUP, INC. FOR THE EMERGENCY OPERATIONS CENTER FAMILY CARE CENTER GENERATOR PROJECT – PROJECT NO. 803 0016 70 77

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract to Global Power Group, Inc. (GPG), 12060 Woodside Avenue, Lakeside, CA 92040, the lowest responsible bidder, for Emergency Operations Center Family Care Center Generator project.

2. Authorize the City Manager to execute a contract with GPG.

3. Authorize the issuance of a Purchase Order for $386,811.70 ($351,647.00 bid plus 10% contingency of $35,164.70) to GPG when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with GPG, up to but not to exceed the Purchase Order's total contingency amount of $35,164.70, subject to the approval of the City Attorney.

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines that all contract requirements and punch-list items are completed by GPG, accept the improvements into the City's maintained system, and release the retention to Contractor if no claims have been filed against the project.

BACKGROUND

On December 14, 2010, City Council authorized the acceptance of the FY 2010 Emergency Operations Center (EOC) Grant in the amount of $400,000. City Council also approved the expenditure of the FY 2010 EOC Grant for the Generator Project, EOC Workstation/Peripheral Project, GIS Equipment Project, Traffic Management Display Wall Project, and WebEOC/Security Display Project. The portion of the grant awarded for the EOC Family Care Center Generator project expenditure is $229,600. The City's Conference and Recreation Center (CRC) is designated as the EOC Family Care Center.

On June 6, 2011, the City retained TMAD Taylor & Gaines (TTG) to provide Professional Consultant Services for the EOC Family Care Center Emergency Generator Analysis and Study.

At the September 26, 2011 Public Safety Subcommittee meeting, the Subcommittee recommended proceeding with constructing a new Emergency Generator for the EOC Family Care Center. Due to budget constraints, the Subcommittee also recommended upgrading the fuel tank at the existing generator as an additive alternate bid item subject to availability in funding. Staff was directed to bring this issue forward to the City Council for approval.

On October 25, 2011, City Council authorized the design of a new Emergency Generator for the EOC Family Care Center per the "Analysis and Study for the Existing and Proposed Generator for Civic Center Buildings" that was prepared by TTG. The City Council also authorized the upgrade of the fuel tank at the existing generator as an additive alternate bid item subject to the availability in funding.

On July 10, 2012, City Council authorized the equipment purchase from Johnson Power Systems for the 700 kw generator set and 5,000 gallon fuel tank at the EOC Family Care Center and the purchase of a new 5,000 gallon fuel tank for the existing generator at City Hall contingent upon available funding. City Council also authorized the appropriation of the savings in the amount of $458,000 from the 2005 Lease Revenue Bond Fund 3401 (previously Fund 501) for the Public Safety Building Conversion project to the EOC Family Care Center Generator.

The Planning Division has determined that this project qualifies for a Class 2 Categorical Exemption as defined in Section 15302 of the California Environmental Quality Act (CEQA) Guidelines.

DISCUSSION

On August 1, 2012, the Notice Inviting Bids was issued for the construction of the EOC Family Care Center Generator project which consists of the construction and installation of a new 700kW generator and accompanying 5,000 gallon fuel tank at the EOC Family Care Center with an additive alternate bid for the installation of the 5,000 gallon fuel tank at the existing generator located at City Hall.

Formal bidding procedures were followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 p.m. on September 11, 2012. Two (2) bids were received as follows:

		Total Bid Amounts
1.	Global Power Group, Inc., Imperial, CA	$ 351,647
2.	Dalke & Sons Construction, Inc.	$ 598,160

The lowest responsible bidder was determined by the bid amount as stipulated in the bidding documents. Staff reviewed the GPG's bid and finds GPG to be the lowest responsible bidder in possession of a valid license and bid bond. No material issues were identified through review of references submitted by GPG in their bid.

The contract duration is one hundred & ten (110) working days, after the date of commencement specified in the Notice to Proceed to Fulfill Preconstruction Requirements. The timeframe includes pre-construction contractor submittals and permits, and actual construction. The base bid includes the demolition of the existing structure, construction of the new enclosure, and installation of the new 700 KW generator and 5,000 gallon diesel fuel tank, fuel day tank, and re-circulating pump system at the EOC Family Care Center. Additive Alternate "A" includes the demolition of the existing trash enclosure, construction of the new structure, and the installation of a 5,000 gallon fuel tank at the existing generator at City Hall. This new tank will bring the existing generator into compliance with the National Fire Prevention Association (NFPA) code 110-5.1.2 which requires adequate fuel capacity to run the generator for 96 hours. A new trash enclosure will also be constructed. Staff recommends authorizing both the Base Bid and Additive Alternate "A".

ALTERNATIVES

1. Authorize the recommended actions as presented in this staff report. *This alternative would facilitate the construction of needed EOC Family Care Center generator facilities, and upgrade the fuel tank to meet National Fire Prevention Association (NFPA) code.*

2. Do not authorize the recommended actions as presented in this staff report. *This alternative would delay the construction of needed facilities and delay the upgrade the fuel tank to meet National Fire Prevention Association (NFPA) code.*

FISCAL IMPACT

This project is funded in part with FY 2010 Emergency Operations Center Grant Fund (Fund 2511) and 2005 Lease Revenue Bond (Fund 3401) monies resulting in total available funding of $826,000.

There is no impact to the General Fund.

Fiscal Year 2012 / 2013 Available Budget:

EOC Grant Funds – Operating Budget
(Account No. 2511-40-47-80003 803 0016 70 77) $179,000
2005 Lease Revenue Bond
(Account No. 3401-70-77-80003 803 0016 70 77) $647,000
Total Available Budget..... $826,000

ESTIMATED DESIGN AND CONSTRUCTION RELATED COSTS:
Project Design $59,000
Generator System Cost at the EOC Family Care Center $246,000
Upgrade Fuel Tank Cost at City Hall $74,000
Construction Contract (with 10% contingency) $387,000
Construction Administration * $60,000
Total Estimated Design and Construction Related Costs $826,000

* Public Works and consultant staff will provide Project Management and Construction Administration.

ANTICIPATED PROJECT SCHEDULE:
Start Construction ..... November 2012
End Construction..... May 2013
Generator Commission ..... May 2013

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

This construction project will install a new 700kW generator with an above-ground 5,000 gallon tank dedicated to EOC Family Care Center as the base bid and the new 5,000 gallon fuel tank next to the existing generator at City Hall as additive alternate bid. Staff recommends awarding a contract to GPG to construct these improvements.

NOTIFICATION

Adequate advance notification will be provided to all affected building tenants, all emergency response services, the public utilizing the services within the Emergency Operations Center Family Care Center and City Hall, Waste Management of the Inland Empire, and other interested parties, as required.

ATTACHMENTS

Attachment "A" – Agreement with Global Power Group, Inc.

Prepared By:
Henry Ngo
Senior Engineer, P.E,

Concurred By:
LeAnn Coletta, CEM
Office of Emergency Management and
Volunteer Services Program Manager

Concurred By:
Prem Kumar, P.E.,
Deputy Public Works Director / Assistant City Engineer

Department Head Concurrence:
Ahmad R. Ansari, P.E.
Public Works Director / City Engineer

Department Head Approval:
Abdul Ahmad
Fire Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Agreement No._____

AGREEMENT

PROJECT NO. 803 0016 70 77
CITY OF MORENO VALLEY
EOC FAMILY CARE CENTER GENERATOR PROJECT

THIS Agreement, effective as of the date signed by the City of Moreno by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Global Power Group, Inc.**, hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. **CONTRACT DOCUMENTS**. The Contract Documents consist of the following, which are incorporated herein by this reference:

A. Governmental approvals, including, but not limited to, permits required for the Work
B. Any and all Contract Change Orders issued after execution of this Agreement
C. This Agreement
D. Addenda Nos. 1 and 2 inclusive, issued prior to the opening of the Bids
E. City Special Provisions, including the General Provisions and Technical Provisions
F. Standard Specifications for Public Works Construction ("Greenbook") – latest edition in effect at the Bid Deadline, as modified by the City Special Provisions
G. Reference Specifications/Reference Documents
H. Project Plans
I. City Standard Plans
J. The bound Bidding Documents
K. Contractor's Certificates of Insurance and Additional Insured Endorsements
L. Contractor's Bidder's Proposal and Subcontractor Listing

In the event of conflict between any of the Contract Documents, the provisions placing a more stringent requirement on the Contractor shall prevail. The Contractor shall provide the better quality or greater quantity of Work and/or materials unless otherwise directed by City in writing. In the event none of the Contract Documents place a more stringent requirement or greater burden on the Contractor, the controlling provision shall be that which is found in the document with higher precedence in accordance with the above order of precedence.

2. **REFERENCE DOCUMENTS**. The following Reference Documents are not considered Contract Documents and were provided to the Contractor for informational purposes:

A. None

3. **SCOPE OF WORK**. The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract Documents, except as otherwise provided in the Plans, Standard Specifications, or City Special Provisions to be the responsibility of others.

4. PAYMENT.

4.1. **Contract Price and Basis for Payment**. In consideration for the Contractor's full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items and Alternate Bid Items, if any, set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items and Alternate Bid Items, if any, awarded by the City is Three Hundred Fifty One Thousand Six Hundred Forty Seven and 00/100 Dollars ($351,647.00) ("Contract Price"). It is understood and agreed that the quantities set forth in the Bidder's Proposal for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of work, the unit prices set forth in the Bidder's Proposal multiplied by the actual number of units performed, constructed, or completed as directed by the City Engineer.

4.2. **Payment Procedures**. Based upon applications for payment submitted by the Contractor to the City, the City shall make payments to the Contractor in accordance with Article 9 of the Standard Specifications, as modified by Article 9 of the City Special Provisions.

5. CONTRACT TIME.

A. **Initial Notice to Proceed.** After the Agreement has been fully executed by the Contractor and the City, the City shall issue the "Notice to Proceed to Fulfill Preconstruction Requirements." The date specified in the Notice to Proceed to Fulfill Preconstruction Requirements constitutes the date of commencement of the Contract Time of One Hundred and Ten **(110) Working Days**. The Contract Time includes the time necessary to fulfill preconstruction requirements, and to complete construction of the Project (except as adjusted by subsequent Change Orders).

The Notice to Proceed to Fulfill Preconstruction shall further specify that Contractor must complete the preconstruction requirements within Twenty **(20) Working Days** after the date of commencement of the Contract Time; this duration is part of the Contract Time.

Critical preconstruction requirements include, but are not limited to, the following:

- Submitting and obtaining approval of critical required submittals/ deferred submittals
- Obtaining Building Permit and other Deferred Permits
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Bidding Documents
- Completion of all pre-construction activities.

If the City's issuance of a Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials is delayed due to Contractor's failure to return the fully executed Agreement and insurance and bond documents within ten (10) Working Days after Contract award, then Contractor agrees to the deduction of one (1) Working Day from the number of days to complete the Project for every Working Day of delay in the City's receipt of said documents. This right is in addition to and does not affect the City's right to demand forfeiture of Contractor's Bid Security of Contractor persistently delays in providing the required documentation.

B. **Notice to Proceed with Construction.** After all preconstruction requirements are met in accordance with the Notice to Proceed to Fulfill Preconstruction Requirements, the City shall

issue the "Notice to Proceed with Construction," at which time the Contractor shall diligently prosecute the Work, including corrective items of Work, day to day thereafter, within the remaining Contract Time.

6. LIQUIDATED DAMAGES

6.1. **Liquidated Damages.** The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to fulfill the preconstruction requirements, and/or failure to complete the Work within the Contract Time. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadline for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to fulfill the preconstruction requirements and/or fails to complete the Work within the Contract Time, Contractor agrees to pay the City **$500.00 per Calendar day** that completion of the Work is delayed beyond the Contract Time, as adjusted by Contract Change Orders. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

The Contractor and City acknowledge and agree that the foregoing liquidated damages have been set based on an evaluation of damages that the City will incur in the event of late completion of the Work. The Contractor and City acknowledge and agree that the amount of such damages are impossible to ascertain as of the date of execution hereof and have agreed to such liquidated damages to fix the City's damages and to avoid later disputes. It is understood and agreed by Contractor that liquidated damages payable pursuant to this Agreement are not a penalty and that such amounts are not manifestly unreasonable under the circumstances existing as of the date of execution of this Agreement.

It is further mutually agreed that the City will have the right to deduct liquidated damages against progress payments or retainage and that the City will issue a Change Order or Construction Change Directive and reduce the Contract Price accordingly. In the event the remaining unpaid Contract Price is insufficient to cover the full amount of liquidated damages, Contractor shall pay the difference to the City.

6.2. **Owner is Exempt from Liability for Early Completion Delay Damages**. While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-6 of the Standard Specifications and City Special Provisions regarding compensation for delays.

7. INSURANCE.

7.1. **General**. The Contractor shall procure and maintain at its sole expense and throughout the term of this Agreement, any extension thereof, Commercial General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described herein.

7.2. **Additional Insured Endorsements**. The Contractor shall cause the insurance required by the Contract Document to include the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives as an additional insureds. For the Commercial General Liability coverage, said parties shall be named as additional insureds utilizing either:

1. Insurance Services Office ("ISO") Additional Insured endorsement CG 20 10 (11/85); or

2. ISO Additional Insured endorsement CG 20 10 (10/01) and Additional Insured Completed Operations endorsement CG 20 37 (10/01); or

3. substitute endorsements providing equivalent coverage, approved by the City.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The coverage shall contain no special limitations on the scope of protection afforded to such additional insureds. Coverage for such additional insureds does not extend to liability to the extent prohibited by Insurance Code Section 11580.4.

7.3. **Waivers of Subrogation**. All policies of insurance required by the Contract Documents shall include or be endorsed to provide a waiver by the insurers of any rights of recovery or subrogation that the insurers may have at any time against the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives.

7.4. **Primary Coverage**. All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the City of Moreno Valley, the City Council and each member thereof, and the Moreno Valley Community Services District (CSD), and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

7.5. **Coverage Applies Separately to Each Insured and Additional Insured**. Coverage shall state that the Contractor's (and its Subcontractors') insurance shall apply separately to each insured or additional insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Coverage shall apply to any claim or suit brought by an additional insured against a named insured or other insured.

7.6. **Self-Insurance**. Any self-insurance (including deductibles or self-insured retention in excess of $50,000) in lieu of liability insurance must be declared by Contractor and approved by the

City in writing prior to execution of the Agreement. The City's approval of self-insurance, if any, is within the City's sole discretion and is subject to the following conditions:

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project maintain and upon Owner's reasonable request provide evidence of:

   (a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property and equipment and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;

   (b) financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill; and

   (c) a claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.

2. If at any time after such self-insurance has been approved Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:

   (a) the Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or

   (b) the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or

   (c) the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

7.7. **Insurer Financial Rating**. Insurance companies providing insurance hereunder shall be rated A-:VII or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

7.8. **Notices to City of Cancellation or Changes**. Each insurance policy described in this Paragraph 7 shall contain a provision or be endorsed to state that coverage will not be cancelled without **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the

same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

7.9. **Commercial General Liability**. Coverage shall be written on an ISO Commercial General Liability "occurrence" form CG 00 01 (10/01 or later edition) or equivalent form approved by the City for coverage on an occurrence basis. The insurance shall cover liability, including, but not limited to, that arising from premises operations, stop gap liability, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The policy shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 (11/85). Coverage shall contain no contractors' limitation or other endorsement limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground (x, c, u) property damage. Contractor shall provide Products/Completed Operations coverage to be maintained continuously for a minimum of **one (1) year** after Final Acceptance of the Work.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: $1,000,000 per occurrence / $2,000,000 aggregate / $2,000,000 products-completed operations.

7.10. **Business Automobile Liability**. Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with $1,000,000 combined single limit per accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.11. **Workers' Compensation**. Contractor shall comply with the applicable sections of the California Labor Code concerning workers' compensation for injuries on the job. Compliance is accomplished in one of the following manners:

1. Provide copy of permissive self-insurance certificate approved by the State of California; or
2. Secure and maintain in force a policy of workers' compensation insurance with statutory limits and Employer's Liability Insurance with a minimal limit of **$1,000,000** per accident; or
3. Provide a "waiver" form certifying that no employees subject to the Labor Code's Workers' Compensation provision will be used in performance of this Contract.

7.12. **Subcontractors' Insurance**. The Contractor shall include all Subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to all of the requirements stated herein.

8. BONDS. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be furnished as a guarantee of the faithful performance of the requirements of the Contact Documents

as may be amended from time to time, including, but not limited to, liability for delays and damages (both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, form, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the Satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments hall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for at least three (3) years after Final Acceptance.

10. INDEMNIFICATION.

10.1. **General**. To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold

harmless and defend (even if the allegations are false, fraudulent, or groundless), the City of Moreno Valley, its City Council, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

A. Any activity on or use of the City's premises or facilities;
B. Any liability incurred due to Contractor acting outside the scope of its authority pursuant to the Contract, whether or not caused in part by an Indemnified Party;
C. The failure of Contractor or the Work to comply with any Applicable Law, permit or orders;
D. Any misrepresentation, misstatement or omission with respect to any statement made in the Contract Documents or any document furnished by the Contractor in connection therewith;
E. Any breach of any duty, obligation or requirement under the Contract Documents, including, but not limited to any breach of Contractor's warranties, representations or agreements set forth in the Contract Documents;
F. Any failure to coordinate the Work with City's Separate Contractors;
G. Any failure to provide notice to any party as required under the Contract Documents;
H. Any failure to act in such a manner as to protect the Project from loss, cost, expense or liability;
I. Bodily or personal injury, emotional injury, sickness or disease, or death at any time to any persons including without limitation employees of Contractor;
J. Damage or injury to real property or personal property, equipment and materials (including, but without limitation, property under the care and custody of the Contractor or the City) sustained by any person or persons (including, but not limited to, companies, corporations, utility company or property owner, Contractor and its employees or agents, and members of the general public);
K. Any liability imposed by Applicable Law including, but not limited to criminal or civil fines or penalties;
L. Any dangerous, hazardous, unsafe or defective condition of, in or on the Site, of any nature whatsoever, which may exist by reason of any act, omission, neglect, or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors;
M. Any operation conducted upon or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors under or pursuant to the provisions of the Contract or otherwise;

N. Any acts, errors, omission or negligence of Contractor, its officers, agents, employees, or Subcontractors;

O. Infringement of any patent rights, licenses, copyrights or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and

P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence**. Contractor's obligations to indemnify and hold the Indemnitees harmless **exclude** only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph 11. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

10.3. **Independent Defense Obligation.** The duty of the Contractor to indemnify and hold harmless the Indemnitees includes the separate and independent duty to defend the Indemnitees, which duty arises immediately upon receipt by Contractor of the tender of any Indemnity Claim from an Indemnitee. The Contractor's obligation to defend the Indemnitee(s) shall be at Contractor's sole expense, and not be excused because of the Contractor's inability to evaluate liability or because the Contractor evaluates liability and determines that the Contractor is not liable. This duty to defend shall apply whether or not an Indemnity Claim has merit or is meritless, or which involves claims or allegations that any or all of the Indemnitees were actively, passively, or concurrently negligent, or which otherwise asserts that the Indemnitees are responsible, in whole or in part, for any Indemnity Claim. The Contractor shall respond within thirty (30) Calendar Days to the tender of any Indemnity Claim for defense and/or indemnity by an Indemnitee, unless the Indemnitee agrees in writing to an extension of this time. The defense provided to the Indemnitees by Contractor shall be by well qualified, adequately insured and experienced legal counsel acceptable to the City.

10.4. **Intent of Parties Regarding Scope of Indemnity.** It is the intent of the parties that the Contractor and its Subcontractors of all tiers shall provide the Indemnitees with the broadest defense and indemnity permitted by Applicable Law. In the event that any of the defense, indemnity or hold harmless provisions in the Contract Documents are found to be ambiguous, or in conflict with one another, it is the parties' intent that the broadest and most expansive interpretation in favor of providing defense and/or indemnity to the Indemnitees be given effect.

10.5. **Waiver of Indemnity Rights Against Indemnitees.** With respect to third party claims against the Contractor, to the fullest extent permitted by law, the Contractor waives any and all rights to any type of express or implied indemnity against the Indemnitees.

10.6. **Subcontractor Requirements.** In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's

Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Paragraph 11.

10.7. **No Limitation or Waiver of Rights.** Contractor's obligations under this Paragraph 11 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Paragraph 11 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Paragraph 11 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

10.8. **Withholding to Secure Obligations.** In the event an Indemnity Claim arises prior to final payment to Contractor, the City may, in its sole discretion, reserve, retain or apply any monies due Contractor for the purpose of resolving such Indemnity Claims; provided, however, the City may release such funds if the Contractor provides the City with reasonable assurances of protection of the Indemnitees' interests. The City shall, in its sole discretion, determine whether such assurances are reasonable.

10.9. **Survival of Indemnity Obligations.** Contractor's obligations under this Paragraph 11 are binding on Contractor's and its Subcontractors' successors, heirs and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

11. SUCCESSORS AND ASSIGNS. The Parties bind themselves, their heirs, executors, administrators, successors and assigns the covenants, agreements and obligations contained in the Contract Documents. The Contractor shall not, either voluntarily or by action of law, assign any right or obligation of the Contractor under the Contract Documents without prior written consent of the City.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

BY: _____
City Manager

DATE: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Public Works Director/City Engineer
(if contract exceeds $15,000)

_____
Date

Global Power Group, Inc.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

Signature(s) must be accompanied by a completed notary certificate of acknowledgement attached hereto. A general partner must sign on behalf of a partnership. **Two (2)** corporate officers must sign on behalf of a corporation unless the corporation has a corporate resolution that allows one person to sign on behalf of the corporation; if applicable, said resolution must be attached hereto. The corporate seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____.
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. *Failure to correctly indicate this information may lead to rejection of document recording.*
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Price)

PROJECT NO. 803 0016 70 77
CITY OF MORENO VALLEY
EOC FAMILY CARE CENTER GENERATOR PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to Global Power Group, Inc., as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Project No. 803 0016 70 77**, and all Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Documents and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents or to the Work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20_____

_____
City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California
County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

Item No. A.6

MV00178802

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 803 0016 70 77
CITY OF MORENO VALLEY
EOC FAMILY CARE CENTER GENERATOR PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Global Power Group, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and identified as **Project No. 803 0016 70 77**, and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20____

_____

City Attorney
City of Moreno Valley

NOTE:

- **The bond shall be executed by a California admitted surety insurer (CCP 995.311).**
- **The bond shall include an attached Notary Certificate for the Attorney-in-Fact.**
- **The bond shall include an attached Notary Certificate for the Bidder.**
- **The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.**
- **The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.**
- **The Bidder's and Surety's corporate seal may be affixed hereto.**

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting as the Successor Agency

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION GEOTECHNICAL SERVICES WITH NINYO & MOORE FOR MORENO BEACH INTERCHANGE IMPROVEMENTS PHASE 1 – PROJECT NO. 801 0038 70 77-4821 [FORMERLY PROJECT NO. 07-41570024]

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the "Agreement for Professional Consultant Services" with Ninyo & Moore (Ninyo & Moore), 11650 Mission Park Drive, Suite 101, Rancho Cucamonga, CA 91730, to provide professional geotechnical and materials testing services during construction of the SR-60/Moreno Beach Interchange Improvements Phase 1 project for a total agreement amount not to exceed $109,110.

2. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board approval.

3. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with Ninyo & Moore.

4. Authorize the issuance of a Purchase Order totaling $109,110 to Ninyo & Moore when the contract has been signed by all parties.

BACKGROUND

The SR-60/Moreno Beach Drive Phase 1 project is one of the key projects in the City Manager's Economic Development Action Plan. Phase 1 improvements are designed to reconstruct the eastbound on- and off-ramps to SR-60 and connect the west leg of Eucalyptus Avenue to Moreno Beach Drive. On December 13, 2011, the City Council approved a Construction Cooperative Agreement with the State of California for the construction phase, giving the City authority to advertise, award, and administer the construction of Phase 1. Design and right-of-way for Phase 1 were completed, the project was advertised, and bids were opened on August 13, 2012. On August 28, 2012, the City Council awarded the construction contract.

DISCUSSION

The Construction Cooperative Agreement with Caltrans requires that the City meet Caltrans material testing requirements on the project. The City issued a Request for Proposal (RFP) to provide geotechnical and materials testing services based on the construction plans, specifications, and Caltrans methods. On August 1, 2012, staff received fourteen (14) proposals. A selection team of City and Caltrans staff reviewed the eleven (11) qualified proposals and ranked them in order, based on firm experience and qualifications, experience of key personnel, and project approach.

Staff has completed negotiations with the top-ranked geotechnical firm and is recommending awarding a professional services agreement for construction-related geotechnical and materials testing services to Ninyo & Moore. Services performed will be on an as-needed basis and consist of geotechnical testing and sampling performed under the direction of a licensed Geotechnical Engineer, use of a nuclear gauge for compaction tests, and Caltrans certified laboratory testing with results in 48 hours. A purchase order for $109,110 will be issued for this agreement.

The recommended contract award is an action of the City Council with a funding source from the assets of the former City of Moreno Valley Redevelopment Agency. The recommended actions are included on the Recognized Obligations Payment Schedule (ROPS) approved by the City Council acting as the Successor Agency on February 14, 2012. The Successor Agency Oversight Board approved the ROPS for the period January through June 2012 on May 23, 2012, which has subsequently been approved by the State Department of Finance (DOF). This ROPS approval includes “placeholder” line items representing the expenditure of bond proceeds for approval purposes. The Successor Agency approval of this contract is required to move forward toward complete approval and compliance with ABx1 26 law. The contract will be presented to the Successor Agency Oversight Board, along with an updated ROPS that will include the contractor listed as an enforceable obligation. After Oversight Board approval, the contract and updated ROPS will be sent to the DOF for review. There is a risk that the Oversight Board may not approve the contract or updated ROPS. In addition, the State Department of Finance (DOF) has the authority to challenge actions approved by the Oversight Board within 10 days of the approved action. In light of the current process for

approval of the contract and the updated ROPS, the property tax to pay the contracts being recommended has not been authorized to pay the contract obligations. The City Council by approving the recommended contract is assuming the risk that in the event tax increment is not approved to pay the contracts by the Oversight Board or through successful challenge by the State DOF, the City would be obligated to pay the contract commitments from alternative funding sources, most likely the City's General Fund.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will comply with the Caltrans Construction Cooperative Agreement requiring the City to meet Caltrans professional materials testing requirements and facilitate the timely construction of needed improvements.*

2. Do not approve and authorize the recommended acting as presented in this staff report. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The project is included in the Fiscal Year 2012/2013 Capital Improvement Program. There is no impact to the General Fund.

AVAILABLE FUNDS

Successor Agency 2007 Tax Allocation Bonds (Account 4821-70-77-80001 801 0038 70 77)	$ 4,879,000
Transportation Uniform Mitigation Fees (Account 3003-70-77-80001 801 0038 70 77)	$ 3,500,000
Total Project Budget	$ 8,379,000

CONSTRUCTION COSTS

Construction (includes contingency)	$ 6,700,000
Construction Management & Inspection Services	$ 788,000
Construction Support Services (Design)	$ 129,000
Construction Support Services (Survey)	$ 101,000
Construction Support Services (Geotechnical)	$ 110,000
Administrative Costs*	$ 170,000
Utility and Agency Inspection and Materials Costs**	$ 150,000
Total Estimated Cost	$ 8,148,000

**Includes City project administration, printing and other miscellaneous costs.*
***Includes EMWD, SCE, Caltrans, RCFC&WCD and CHP.*

PROJECT SCHEDULE

Begin Construction	October 2012
Construction Completion and Acceptance	October 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The SR-60/Moreno Beach Interchange Phase 1 Improvements project goal is to improve the interchange through reconstruction and realignment. The project construction is funded utilizing Successor Agency 2007 Tax Allocation Bonds and Transportation Uniform Mitigation Fees (TUMF). City staff recommends awarding a contract for $109,110 to Ninyo & Moore to provide geotechnical and materials testing services for the project.

ATTACHMENTS

Attachment "A" – Agreement for Professional Consultant Services with Ninyo & Moore

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00178811

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) - ZONAL
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and **Ninyo & Moore,** a California corporation, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "A"

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

DESCRIPTION OF PROJECT

1. The project is described as professional consultant **geotechnical and materials testing services** for:

SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$109,110** in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **December 31, 2014** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Western Riverside Council of Governments (WRCOG), the State of California, Eastern Municipal Water District (EMWD), and Riverside County Flood Control and Water Conservation District (RCFC & WCD) and their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, the State's, MVHA's, CSD's, WRCOG's, EMWD's, and RCFC & WCD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the City, the State, MVHA, CSD, WRCOG, EMWD, and RCFC & WCD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such Public Liability and Property Damage Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum general liability limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, the State, MVHA, CSD, WRCOG, EMWD, and RCFC & WCD, against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) A Certificate of Insurance, or an appropriate insurance binder evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(h) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Western Riverside Council of Governments (WRCOG), the State of California, Eastern Municipal Water District (EMWD), and Riverside County Flood Control and Water Conservation District (RCFC & WCD), their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, its officers, employees and agents, under any third party liability policy."

(i) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(j) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and

coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain for its files copies of any and all materials, including drawings, documents, and specifications produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(d) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's

time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree, that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

DATE: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Ninyo & Moore

BY: _____

TITLE: _____
(President or Vice President)

BY: _____

TITLE: _____
(Corporate Secretary)

Enclosures: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

REQUEST FOR PROPOSAL
PROFESSIONAL CONSULTANT MATERIALS TESTING AND GEOTECHNICAL SERVICES
SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT
FOR THE CITY OF MORENO VALLEY'S CAPITAL PROJECTS DIVISION
EA 32301
PROJECT ACCOUNT NO. 797.79731

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Construction **Material Testing and Geotechnical Services** associated with the SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT as shown on the Plans and Specifications.

Five (5) copies (one of the copies will be unbound and paper clipped, with no tabs, holes, perforations, or cardboard inserts, suitable for copying with an automatic-feed copy machine and one copy shall be on compact disk) of your Proposal shall be submitted no later than **5:00 p.m., August 1, 2012** addressed to Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (mail delivery), Attention: Margery Lazarus, Senior Engineer, P.E.

II. PROJECT DESCRIPTIONS

The SR-60/Moreno Beach Drive Phase 1 project site is located at the State Route (SR) 60 Interchange and Moreno Beach Drive in the City of Moreno Valley, CA. The work of this project generally includes realigning the SR-60/Moreno Beach eastbound off-and-on-ramps, adding an eastbound auxiliary lane, installation of new traffic signal at the new intersection of the eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus and Moreno Beach Drive, coordination of utility relocations, irrigation, and related work.

Work lies within and in the vicinity of State of California (Caltrans) and City of Moreno Valley rights of way. The work includes earthwork, grading, asphalt concrete (AC) paving, concrete retaining walls, tree removal roadway excavation, imported borrow, drainage pipes and minor concrete structures, concrete curb and gutter, protection, drainage, traffic control, signing, striping, traffic and ramp meter signals, irrigation, erosion control, EMWD water line relocation, overhead SCE relocation, and related work.

III. PROJECT BUDGET AND SCHEDULE

The City of Moreno Valley will fund the construction with Local Funds consisting of TUMF and Successor Agency to RDA Funds (Account 797.79731), and Local Funds.

The Consultant shall be required to meet or exceed the following timeline for this contract:

Anticipated Award of Consultant Contract	September 2012
Public Bid for SR-60/Moreno Beach Phase 1 Construction Contract	July 2012
Award of Construction Contract	October 2012
Construction Duration for SR-60/Moreno Beach Phase 1	189 Working Days (9 months)

Exhibit "A"

IV. SCOPE OF ENGINEERING SERVICES

The selected Consultant will be required to have personnel available for assignment to this project who have successfully provided professional services as it relates to all activities of public works field and laboratory construction materials testing, geotechnical and soils inspection services of the contractor's work and office support services. The Consultant selected shall provide **Materials Testing and Geotechnical Inspection Services** with personnel trained and experienced in the geotechnical inspection, field and laboratory materials testing of public works improvements, and particularly the types of construction and materials utilized for this project. The project is located within Caltrans Right of Way and all testing methods, procedures, frequencies shall comply with the contract specifications, Caltrans Materials Testing Manuals and Guidelines, and the Quality Assurance Plan. The Selected Consultant is required to prepare a Quality Management Plan detailing required testing procedures and frequencies in compliance with Caltrans Local Assistance Procedures Manuals and Construction contract requirements. The minimum experience required includes five (5) years of geotechnical inspection and materials testing on increasingly complex public works and Caltrans projects. The Consultant firm selected must also provide all equipment and supplies necessary to perform the services assigned and support services necessary to complete the scope of work. It is expected that the Consultant selected to fulfill this contract will be able to provide qualified personnel on an on-demand basis with 24-hour notice for geotechnical inspection, sampling and testing for the duration of the construction project, and as needed for preconstruction activities and as necessary to closeout the project.

The Consultant must have recent experience working within the Caltrans Right-of-Way and shall be required to follow all Caltrans safety procedures when executing the work.

The Consultant geotechnical personnel shall have the necessary training, knowledge and experience related to the materials, methods, and workmanship for the specific construction work to be performed for this project. Additionally the Consultant geotechnical personnel must be familiar with the safe practices required when working around all types of construction equipment which will be utilized on this project including equipment for roadway construction, storm drain construction (including trench shoring and safety), and grading. The Consultant geotechnical personnel shall be familiar with the industry standards of practice for the execution of quality public works construction projects and shall be able to understand and interpret public works construction plans and specifications; Caltrans Standard Plans and Specifications; City codes, ordinances and standards; Eastern Municipal Water District (EMWD) standards; Riverside County Flood Control and Water Conservation District (RCFCD) standards; and California Occupational Safety and Health Administration (OSHA) Construction Safety Orders. The Consultant geotechnical personnel shall be able to interact professionally with contractors, engineers, surveyors, property owners, business owners, and the public at large; coordinate with other City personnel, Caltrans personnel and consultants; promote quality customer service and a professional image of the City; and respond promptly and courteously to requests. The Consultant geotechnical personnel shall be able to follow verbal and written instructions and communicate clearly and concisely, both orally and in writing.

The Consultant geotechnical personnel must be under the responsible charge of a person registered by the California State Board of Registration for Professional Engineers and Land Surveyors as a Geotechnical Engineer and as a Civil Engineer.

Please be reminded that the Consultant is required to have a current City business license if the firm is awarded the work.

The Consultant shall perform public works geotechnical inspection and materials testing services for this project to include, but not be limited to, the following:

- Expertise in geotechnical matters related to storm drain and roadway construction and grading, and knowledge of the local area soils and geology, City, Caltrans practices and generally accepted industry standards for work associated with this type of project.
- Safe and proper use of Nuclear Gauge for compaction testing.
- Proper procedures and protocols for field sampling and testing of graded earth materials, backfill materials, sub-grade, base, AC and PCC.
- Ability to provide field test results immediately to the City's Consultant Resident Engineer and Inspector, and laboratory test results within 48-hours, unless test procedures and protocols require longer.
- Review of contractor material submittals, sample/test frequency protocols and criteria for acceptable results and provision of materials and compaction reports.

***Office Activities*:**

1. Review and thoroughly understand all contract documents, including construction drawings, specifications, and referenced testing methods and protocols.
2. Review and thoroughly understand geotechnical and soils reports, materials testing lab reports, contractor submitted mix reports, and other like documentation.
3. Review and thoroughly understand project schedules and related sampling, testing, and submittal requirements (field sampling and testing, compliance certificates, materials samples, etc.) from the contractor for conformance to the plans and specifications.
4. Participate in pre-construction meetings, field meetings, construction progress meetings, final walk-through meetings, as-built plan completion meetings, equal opportunity meetings, and other administrative meetings as necessary.
5. Monitor and report on the Contractor's extra work as it relates to geotechnical sampling, testing and reporting, field and laboratory materials testing.
6. Assist in the negotiation of change orders as they relate to geotechnical sampling, testing, and reporting, as requested by the City.
7. Review all unknown, unforeseen, and changed conditions that occur, and all disputed work claims from the Contractor as it relates to geotechnical responsibilities and field testing, and recommend a course of action to the Engineer.
8. Prepare and maintain all geotechnical files, daily inspection records, including site photographs, project status reports, and all geotechnical inspection and testing records as they relate to earthwork materials testing and compaction testing.
9. Prepare and maintain records of geotechnical work requested and completed, geotechnical related computer files, daily geotechnical field work (when on-site),

geotechnical inspections, samples and test records, field and laboratory test results, and all geotechnical related records and files.

10. Provide labor compliance reports and certified payroll for the Consultant's field work.

Field Activities:

1. Coordinate with the Contractor, City personnel, and City's selected Consultant Resident Engineer on the job site as needed.
2. Coordinate ongoing geotechnical field and laboratory testing, as required, including reviewing and monitoring the Contractor's requests for re-testing.
3. Conduct on-demand field geotechnical inspections for quality of materials and installation and workmanship, including quality, placement, and compaction of earthen materials, for conformance to plans and specifications pursuant to all applicable City codes, ordinances, and directives.
4. Keep daily (when on-site) geotechnical field notes and take photographs of the field sampling and geotechnical inspection work, including photographic evidence of non-complying materials or work. A daily report identifying work done by the geotechnical technician, including photographs, shall be submitted to the Project Inspector by the next business day for review and filing.
5. During the course of field work, if the Consultant geotechnical personnel observe an unsafe situation, he/she shall immediately advise the Contractor's nearest available personnel and notify the City's Inspector and the City's Consultant Resident Engineer.
6. Any retests not due to the Consultant's errors will be identified separately on the invoice. Ten (10) re-tests (allow a maximum of two hours per trip) should be estimated for proposal purposes.

General:

1. Participate with the City in meetings with contractors, public utility agencies, and other government agency representatives as requested.

SUBMITTAL SCHEDULE

Proposals Due	5:00 p.m., August 1, 2012
Consultant Selection	On or before August 30, 2012
Notice to Proceed (Tentative)	Week of September 17, 2012

V. CONSULTANT'S PROPOSAL AND COMPENSATION

The Consultant's Proposal shall be no more than 20 pages, excluding a cover letter of up to two pages, dividers, and certificates. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services and failing to comply with requirements and conditions of the RFP will not be given further consideration. The Consultant's Proposal shall include the following:

A. A statement that this Request For Proposal shall be incorporated in its entirety as a part of the Consultant's Proposal.

B. A statement that this Request For Proposal and the Consultant's Proposal will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley.

C. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's Request For Proposal except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

D. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedence over this Request For Proposal.

E. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact. If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.

F. A resource allocation matrix must be submitted with the Proposal. The resource allocation matrix shall list detailed tasks in rows and the appropriate individual (Job Title Only) as well as the number of hours that these individuals will be working on each task listed, included in adjacent columns. The resource allocation matrix is required of both the primary consultant, as well as any sub-consultant. In addition, the applicable construction support services consultant must list the type and number of hours of Material Testing & Geotechnical work within the Proposal. Failure to do so will result in the Consultant's Proposal being deemed incomplete and it will not receive further consideration. Construction support services Consultants are not required to provide a Project Schedule with milestones. The resource allocation matrix, in addition to any tasks the consultant chooses to list, shall include but not limited to meetings, specific deliverables, and other relevant milestones.

G. A rate schedule must be submitted with the proposal. The rate schedule must list titles, names, roles, and hourly billing rates in rows. A statement that said hourly rate schedules in part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred shall also be included. All extra work will require prior approval from the City. COST PROPOSAL DETAILS MUST BE IN A SEALED ENVELOPE.

H. A statement of sub-consultant's qualifications (including relief personnel) applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.

A statement that the Consultant acknowledges and understands that the consultant will not be allowed to change a sub-consultant without written permission from the City.

I. A statement that all charges for Consultant (construction) services is a "Not-to-Exceed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.

J. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

K. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

L. A copy of the Consultant's hourly rate schedule and a statement that said hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this Request For Proposal. **An itemized cost breakdown for the work described herein must be submitted in a separate sealed envelope as part of your Proposal submittal.** All extra work will require prior approval from the City. The City requests the consultant to provide in the proposal the number of hours on the job, in addition to the cost proposal. The Cost Proposal must be in a sealed envelope.

M. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

N. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

O. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.

P. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.

Q. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.

R. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

S. This solicitation and resultant Contract is not financed in whole or part with federal funds, but the City encourages Bidders to follow Title 49, Code of Federal Regulations, Part 26 (49 CFR 26) entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Bidders who obtain DBE participation on this Contract will assist the City in meeting its DBE goals for the Project.

DBEs and other small businesses are strongly encouraged to participate in the performance of this Contract. The City encourages Bidders to give DBEs and other small businesses the opportunity to participate in the performance of the Work that is the subject of this solicitation and to take all necessary and reasonable steps for this assurance. The Bidder shall not discriminate on the basis of race, color, national origin, sex, age, or physical or mental disability, sexual orientation or retaliation in the award and performance of subcontracts.

A Race Neutral program is one that, while benefiting DBEs, is not solely focused on DBE firms. A Race Neutral program utilizes measures that can assist a wide variety of small businesses, including DBEs, such as arranging solicitations, times for the presentation of proposals, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces). Race Neutral DBE participation includes: a DBE obtaining a prime contract through customary competitive procurement procedures; a DBE being awarded a subcontract on a prime contract, whether or not the prime contract has a DBE goal; and a DBE being awarded a subcontract from a prime contractor that did not consider its DBE status in making the award.

The Consultant is encouraged to include DBE firms in the proposal. Complete the forms listed in "Attachments" at the end of this RFP.

VI. GENERAL COMPLIANCE WITH LAWS AND WAGE RATES

A. The Consultant shall be required to comply with all federal, state, and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

B. The Consultant is required to submit certified payrolls weekly. This applies to all applicable field personnel working on the project. In accordance with Section 1771.5 (b) (5) of the California Labor Code, the City will withhold payments when the payroll records are delinquent or inadequate.

VII. FEDERAL EMPLOYEE BENEFIT

No member of, or delegate to, the Congress of the United States, and no Resident Commissioner shall be admitted to any share or part of the Agreement to the said project or to any benefit to arise from the same.

The Consultant shall complete and include the "Certification for Contracts, Grants, Loans, and Cooperative Agreements" and "Disclosure of Lobbying Activities" forms with the Proposal.

VIII. PAYMENT TO CONSULTANT

A. This work is to be performed for a "Not-to-Exceed Fixed Fee."

B. The Consultant shall provide a "Project Fee Schedule" indicating the fee for individual tasks with a "Not-to-Exceed Fixed Fee" which shall be the sum of all tasks, by part, phase, and milestone and shall be submitted in a separate sealed envelope with cost proposal.

C. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

D. The City will pay the Consultant for work completed based on milestones completed and accepted by the City. These milestones are:.

1. Project Bidding, Advertise and Award.
2. Any other additional authorized work on a task successfully completed and accepted monthly basis.

The City shall make the sole and final determination if a milestone as described above is complete and acceptable for payment.

E. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

F. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fee."

G. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

H. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services."

I. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services," an "Amendment to the Agreement" will be executed between the City and Consultant.

J. The Consultant shall receive no compensation for any re-work necessary as result of the Consultant's errors or oversight.

IX. INSURANCE

A. The Consultant shall provide Errors and Omissions Professional Insurance. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

B. The Consultant shall have Public Liability and Property Damage Insurance in the amounts as follows:

GENERAL LIABILITY		
Bodily Injury	$1,000,000	per occurrence
Property Damage	$ 1,000,000	per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

C. The Consultant shall have Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment in the amount of not less than $1,000,000.

D. The Consultant shall have Workers' Compensation Insurance in the amounts that fully comply with the laws of the State of California and employer's liability insurance with limits of not less than $1,000,000 each accident.

E. A Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), Western Riverside Council of Governments (WRCOG),and the Moreno Valley Community Services District, its officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), Western Riverside Council of Governments (WRCOG), and the Moreno Valley Community Services District, its officers and employees and agents, under any third party liability policy."

F. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

G. The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverage's nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the

Agency, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amount established.

H. It is the consultant's responsibility to ensure that all subconsultants comply with the following: Each subconsultant that encroaches within the City's right-of-way and affects (i.e., damages or impacts) City infrastructure must comply with the liability insurance requirements of the City's Land Development Division. Examples of such subconsultant work include soil sample borings, utility potholing, etc.

The "Application for Encroachment Permit" form (four pages), including "Application for Encroachment Permit Liability Insurance Requirements," is available in the Land Development Division and must be completed and submitted in full to the City.. It is the Consultant's responsibility to ensure that all subconsultants submit the appropriate encroachment permit and insurance documentation at the same time that the Consultant's insurance documentation is submitted.

X. INDEMNIFICATION

A. To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the City of Moreno Valley Housing Authority(MVHA), the Moreno Valley Community Services District (CSD), and the Western Riverside Council of Governments (WRCOG}, their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and .all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its sub consultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, MVHA, CSD, and WRCOG; their officers, agents or employees.

B. The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority(MVHA), the Moreno Valley Community Services District (CSD), and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless 'from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its sub consultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, CSD, and WRCOG, their officers, agents or employees.

C. The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or

injuries to any person, including injury to the City's, MVHA, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA, CSD, and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees

XI. TERMINATION FOR CONVENIENCE OF THE CITY

The City reserves the right to terminate the "Agreement for Professional Consultant Services" for the "convenience of the City" at any time by giving ten (10) days written notice to the Consultant of such termination and specifying the effective date thereof. All finished or unfinished drawings, maps, documents, field notes and other materials produced and procured by the Consultant under the said aforementioned Agreement is, at the option of the City, City property and shall be delivered to the City by the Consultant within ten (10) working days from the date of such termination. The City will reimburse the Consultant for all acceptable work performed as set forth in the executed Agreement.

XII. INDEPENDENT CONTRACTOR

The Consultant's relationship to the City in the performance of the Consultant's services for this project is that of an independent Contractor. The personnel performing said Construction Materials Testing & Geotechnical Services shall at all times be under the Consultant's exclusive direction and control and shall be employees of the Consultant and not employees of the City. The Consultant shall pay all wages, salaries and other amounts due his employees in connection with the performance of said work and shall be responsible for all employee reports and obligations, including but not necessarily restricted to, social security, income tax withholding, unemployment compensation, and Workers' Compensation.

XIII. CONTRACT

The Contract includes the Agreement for Professional Consultant Services, City's Request for Proposal, Consultant's Proposal, and Exhibits.

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract.

XIV. GENERAL CONDITIONS

A. Pre-contractual expenses are defined as expenses incurred by the Consultant in: (1) preparing the Proposal; (2) submitting the Proposal to the City; (3) presentation during selection interview; (4) negotiating with the City any matter related to this

Proposal; (5) any other expenses incurred by the Consultant prior to an executed Agreement.

The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Consultant.

B. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any Agreement will be awarded to any Consultant responding to this RFP. The City expressly reserves the right to postpone reviewing the Proposal for its own convenience and to reject any and all Proposals responding to this RFP without indicating any reasons for such rejection(s).

C. The City reserves the right to reject any or all Proposals submitted. Any Contract awarded for these Consultant engagements will be made to the Consultant who, in the opinion of the City, is best qualified.

XV. SELECTION CRITERIA

It is the City's intent to select and utilize one Consultant firm for the project. The City may award the services in part and/or phases. The Consultant may be invited to a selection interview. The Proposals will be rated/ranked according to the following criteria:

A. The Firm's General Experience and Qualification Information (20 points) – Information about the company (and all sub-consultants) including professional licenses held; ability to furnish required insurance and meet stipulations of the City's "boiler plate" agreement; details about comparable projects completed by the firm, as well as local experience; and its ability to provide the required services in an efficient and expeditious manner.

B. Experience of Key Personnel (40 points) – Background on key personnel (including all sub-consultants) qualifications, abilities, familiarity with state and federal procedures, local experience on comparable projects and length of service with the firm, reference information preferably with municipal agencies, and proven track record and depth of understanding/knowledge of the proposed Project Manager and key personnel.

C. Project Approach/Understanding (40 points) – Understanding of Project, discussion of major issues identified on the project and how the consultant team plans to address them; the management approach and organization necessary to complete the specific project; and outline quality control measures to ensure delivery of a quality product on time and within budget that provides a cost efficient, timely and predictable execution of the project construction.

XVI. Other Requirements

A. Conflict of Interest

1. The Consultant shall disclose any financial, business, or other relationship with City that may have an impact upon the outcome of this contract, or any ensuing City Construction project. The Consultant shall also list current clients who may have financial interest in the outcome of this Agreement, or any ensuing City construction project, which will follow.

2. The Consultant hereby certifies that it does not now have, nor shall it acquire any financial or business interest that would conflict with the performance of services under this Agreement.

3. Any subcontract in excess of $25,000 entered into as a result of this Agreement, shall contain all of the provisions of this Agreement.

4. The Consultant hereby certifies that neither the Consultant, its employees, nor any firm affiliated with the Consultant providing services on this project prepared the Plans, Specifications, and Estimates for any construction project included within this contract . An affiliated firm is one, which is subject to the control of the same persons through joint-ownership, or otherwise.

5. The Consultant further certifies that neither Consultant, nor any firm affiliated with the Consultant, will bid on any construction subcontracts included within the construction contract. Additionally, Consultant certifies that no person working under this Agreement is also employed by the construction contractor for any project included within this agreement.

6. Except for subcontractors whose services are limited to materials testing, no subcontractor who is providing services on this Agreement shall have provided services on the design of any project within this contract.

Attachments (incorporated by reference)

Attachment "A"	Plan Title Sheet
Attachment "B"	City Standard Consultant Agreement (no changes to this agreement will be allowed)
Attachment "C"	Caltrans/City Cooperative Agreement for SR-60Moreno Beach Drive Phase-1 Improvements
Attachment "D"	Disclosure of Lobbying Activities (Form LLL)
Attachment "E"	List of Subconsultants
Attachment "F"	Proposer's List of Subconsultants (DBE and Non-DBE) Parts I and II
Attachment "G"	Exhibit 10-02- Local Agency Proposer DBE Information
Attachment "H"	Compilation of Plans based on current status of completion - CD available upon request

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
08	Riv	60	18.8/19.6	1	155

STATE OF CALIFORNIA

DEPARTMENT OF TRANSPORTATION

PROJECT PLANS FOR CONSTRUCTION ON

STATE HIGHWAY

IN RIVERSIDE COUNTY
IN MORENO VALLEY
FROM 0.3 MILE WEST TO 0.4 MILE EAST OF MORENO BEACH DRIVE OVERCROSSING

TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2006

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	Title and Location Map
2-7	Typical Cross Sections
8	Key Map and Line Index
9-11	Layouts
12-16	Profiles and Superelevation Diagrams
17-38	Construction Details
39-42	Temporary Water Pollution Control Plan, Details and Quantities
43-45	Erosion Control Plans
46-48	Contour Grading
49-73	Drainage Plan, Profiles, Details and Quantities
74-77	Utility Plans
78-79	Construction Area Signs
80-84	Stage Construction Plans
85-99	Traffic Handling and Quantities
100	Detour Plans
101-107	Pavement Delineation Plans, Details and Quantities
108-120	Sign Plans, Details and Quantities
121-124	Summary of Quantities
125	Irrigation Plan
126-145	Electrical Plans
146-149	Water Pipeline Relocation Plans
150-205	Revised and New Standard Plans

STRUCTURE PLANS

206-211	Retaining Wall RW 3805R

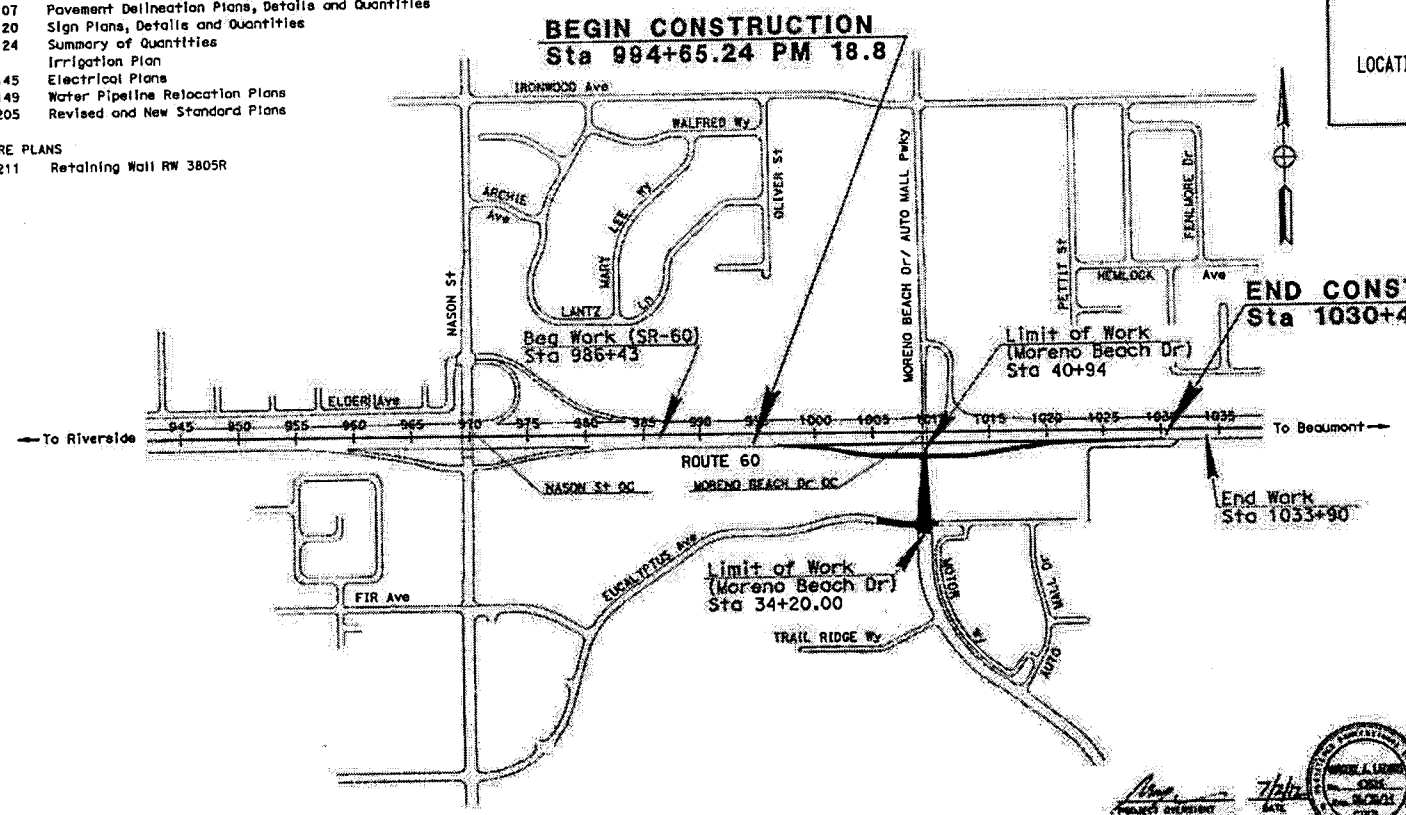

NO SCALE

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

APPROVED AS TO IMPACT ON STATE FACILITIES AND CONFORMANCE WITH APPLICABLE STATE STANDARDS AND POLICIES AND THAT TECHNICAL OVERSIGHT WAS PERFORMED

CONSULTANT DESIGN ENGINEER	CALTRANS DESIGN OVERSIGHT APPROVAL	REGISTRATION No.	LICENSE EXP. DATE	DATE SIGNED
DAVID SPEIRS	DU LU	C60886	12/31/12	

PROJECT ENGINEER REGISTERED CIVIL ENGINEER — DATE 6/28/12

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF COPIES OF THIS PLAN SHEET.

PARSONS
2201 DUPONT DRIVE, SUITE 200
IRVINE, CALIFORNIA 92612

CITY OF MORENO VALLEY
14177 FREDERICK STREET
MORENO VALLEY, CALIFORNIA 92552

CONTRACT No.	08-323014
PROJECT ID	0800000593

PROJECT OVERSIGHT CITY OF MORENO VALLEY REGISTERED CIVIL ENGINEER — DATE 7/2/12

RELATIVE BORDER SCALE IS IN INCHES

USERNAME => 609331 48
DGN FILE => 832301R0001.dgn

BORDER LAST REVISED 7/2/2010 | CALTRANS WEB SITE IS: HTTP//WWW.DOT.CA.GOV/ | UNIT 2232 | PROJECT NUMBER & PHASE 08000005931

DATE PLOTTED => 7/2/2012

MV00178837

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) - ZONAL
PROJECT NO. XX-XXXXX

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and **Consultant Company**, a (California corporation, partnership, sole ownership) hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

SAMPLE

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. XX-XXXXX

DESCRIPTION OF PROJECT

1. The project is described as professional consultant _____ services for:

Project Name

Project No. XX-XXXXX

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $_____ in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **Month Date, Year** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

Or

SAMPLE

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary

SAMPLE

consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

[for Non-design contracts]

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to

SAMPLE

any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the City, RDA, CSD and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction.

Or [for Design contracts]

15. (a) To the maximum extent allowable by law, the Consultant agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA, CSD and WRCOG, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, CSD and WRCOG, their officers, agents or

SAMPLE

employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

Or [for Design/CM contracts]

15. (a) To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA, CSD, and WRCOG, their officers, agents or employees.

(b) The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are

SAMPLE

caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, CSD, and WRCOG, their officers, agents or employees.

(c) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, CSD, and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any

SAMPLE

person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such Public Liability and Property Damage Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum general liability limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of

SAMPLE

California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, RDA, CSD and WRCOG against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) A Certificate of Insurance, or an appropriate insurance binder evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(h) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, its officers, employees and agents, under any third party liability policy."

(i) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed

SAMPLE

and qualified to conduct insurance business in the State of California.

(j) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project.

SAMPLE

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain for its files copies of any and all materials, including drawings, documents, and specifications produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his

SAMPLE

files and his subconsultants, if any.

(d) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis,

SAMPLE

the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree, that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement.

SIGNATURE PAGE FOLLOWS

SAMPLE

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Department Head/Mayor/City Manager
(Select only one please)

DATE: _____

Consultant Company

BY: _____

TITLE: _____
(President or Vice President)

BY: _____

TITLE: _____
(Corporate Secretary)

ATTEST:

_____
City Clerk *(not needed if City Manager signs)*

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Enclosures: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule

SAMPLE

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

SAMPLE

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $_____.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zara@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees,

SAMPLE

late charges, or other penalties. The ACH Authorization Form is located at:

http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

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Revised 10/13/09

SAMPLE

EXHIBIT "D"

CONSTRUCTION COOPERATIVE AGREEMENT

This agreement, effective on January 4, 2012, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Moreno Valley, a body politic and municipal corporation or chartered city of the State of California, referred to as CITY.

For the purpose of this agreement, the term PARTNERS collectively refers to CALTRANS and CITY (all signatory parties to this agreement). The term PARTNER refers to any one of those signatory parties individually.

RECITALS

1. California Streets and Highways Code sections 114 and 130 authorize PARTNERS to enter into a cooperative agreement for performance of work within the State Highway System (SHS) right of way.

2. This agreement outlines the terms and conditions of cooperation between PARTNERS to complete the construction capital phase to improve the eastbound ramp configuration at Moreno Beach Drive on State Route 60 (SR-60) in the City of Moreno Valley and construct auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing.

   For the purpose of this agreement, improvements to the eastbound ramp configuration at Moreno Beach Drive on SR-60 in the City of Moreno Valley and construction of auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing will be referred to as PROJECT. All responsibilities assigned in this agreement to complete the construction capital phase of PROJECT will be referred to as OBLIGATIONS.

3. This agreement is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between PARTNERS regarding PROJECT.

4. Prior to this agreement, the CITY developed the Project Report; Plans, Specifications and Estimate; and the Right of Way Certification (Cooperative Agreement No. 8-1314).

5. CITY prepared the environmental documentation for PROJECT.

6. The estimated date for OBLIGATION COMPLETION is December 31, 2014.

7. In this agreement capitalized words represent defined terms and acronyms. The Definitions section contains a complete definition for each capitalized term.

8. From this point forward, PARTNERS define in this agreement the terms and conditions under which they will accomplish OBLIGATIONS.

RESPONSIBILITIES

9. CITY is SPONSOR for 100% of PROJECT.

10. CALTRANS will provide IQA for the portions of WORK within existing and proposed SHS right of way. CALTRANS retains the right to reject noncompliant WORK, protect public safety, preserve property rights, and ensure that all WORK is in the best interest of the SHS.

11. CITY may provide IQA for the portions of WORK outside existing and proposed SHS right of way.

12. CITY is the only FUNDING PARTNER for this agreement. CITY's funding commitment is defined in the FUNDING SUMMARY.

13. CALTRANS is the CEQA lead agency for PROJECT.

14. CALTRANS is the NEPA lead agency for PROJECT.

15. CITY is IMPLEMENTING AGENCY for CONSTRUCTION.

SCOPE

Scope: General

16. PARTNERS will perform all OBLIGATIONS in accordance with federal and California laws, regulations, and standards; FHWA STANDARDS; and CALTRANS STANDARDS.

17. IMPLEMENTING AGENCY for a PROJECT COMPONENT will provide a Quality Management Plan (QMP) for that component as part of the PROJECT MANAGEMENT PLAN. The District Construction Division, with input from Structure Construction must approve the Quality Management Plan (QMP) before the encroachment permit for construction is issued.

18. Any PARTNER may, at its own expense, have representatives observe any OBLIGATIONS performed by another PARTNER. Observation does not constitute authority over those OBLIGATIONS.

19. Each PARTNER will ensure that all of its personnel participating in OBLIGATIONS are appropriately qualified, and if necessary licensed, to perform the tasks assigned to them.

20. IMPLEMENTING AGENCY shall retain consultants and shall invite CALTRANS to participate in the selection and retention of consultants that participate in OBLIGATIONS. At least one representative from the Construction Division of CALTRANS shall participate in the selection process. A construction management firm shall not be selected without the approval by this representative.

21. If WORK is done under contract (not completed by a PARTNER's own employees) and is governed by the California Labor Code's definition of "public works" (section 1720(a)(a)), that PARTNER will conform to sections 1720 – 1815 of the California Labor Code and all applicable regulations and coverage determinations issued by the Director of Industrial Relations.

22. IMPLEMENTING AGENCY for each PROJECT COMPONENT included in this agreement will be available to help resolve problems generated by that component for the entire duration of PROJECT.

23. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within SHS right of way.

    Contractors and/or agents, and utility owners will not perform WORK without an encroachment permit issued in their name.

24. If any PARTNER discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTNER will notify all PARTNERS within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and a plan is approved for its removal or protection.

25. PARTNERS will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for PROJECT in confidence to the extent permitted by law. Where applicable, the provisions of California Government Code section 6254.5(e) will govern the disclosure of such documents in the event that PARTNERS share said documents with each other.

    PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete PROJECT without the written consent of the PARTNER authorized to release them, unless required or authorized to do so by law.

26. If any PARTNER receives a public records request, pertaining to OBLIGATIONS, that PARTNER will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any disclosed public records. PARTNERS will consult with each other prior to the release of any public documents related to the PROJECT.

27. If HM-1 or HM-2 is found during a PROJECT COMPONENT, IMPLEMENTING AGENCY for that PROJECT COMPONENT will immediately notify PARTNERS.

28. CALTRANS, independent of PROJECT, is responsible for any HM-1 found within the existing SHS right of way. CALTRANS will undertake HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to PROJECT schedule.

29. CITY, independent of PROJECT, is responsible for any HM-1 found within PROJECT limits and outside the existing SHS right of way. CITY will undertake or cause to be undertaken HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to PROJECT schedule.

30. If HM-2 is found within PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM MANAGEMENT ACTIVITIES related to HM-2.

31. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

32. PARTNERS will comply with all of the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each PARTNER's responsibilities in this agreement.

33. IMPLEMENTING AGENCY for each PROJECT COMPONENT will furnish PARTNERS with written quarterly progress reports during the implementation of OBLIGATIONS in that component.

34. Upon OBLIGATION COMPLETION, ownership or title to all materials and equipment constructed or installed for the operations and/or maintenance of the SHS within SHS right of way as part of WORK become the property of CALTRANS.

    CALTRANS will not accept ownership or title to any materials or equipment constructed or installed outside SHS right of way.

35. IMPLEMENTING AGENCY for a PROJECT COMPONENT will accept, reject, compromise, settle, or litigate claims of any non-agreement parties hired to do WORK in that component.

36. PARTNERS will confer on any claim that may affect OBLIGATIONS or PARTNERS' liability or responsibility under this agreement in order to retain resolution possibilities for potential future claims. No PARTNER will prejudice the rights of another PARTNER until after PARTNERS confer on claim.

37. PARTNERS will maintain, and will ensure that any party hired by PARTNERS to participate in OBLIGATIONS will maintain, a financial management system that

conforms to Generally Accepted Accounting Principles (GAAP), and that can properly accumulate and segregate incurred PROJECT costs, and provide billing and payment support.

38. PARTNERS will comply with the appropriate federal cost principles and administrative requirements outlined in the Applicable Cost Principles and Administrative Requirements table below. These principles and requirements apply to all funding types included in this agreement.

39. PARTNERS will ensure that any party hired to participate in OBLIGATIONS will comply with the appropriate federal cost principles and administrative requirements outlined in the Applicable Cost Principles and Administrative Requirements table below.

Applicable Cost Principles and Administration Requirements		
The federal cost principles and administrative requirements associated with each organization type apply to that organization.		
Organization Type	**Cost Principles**	**Administrative Requirements**
Federal Governments	2 CFR Part 225	OMB A-102
State and Local Government	2 CFR, Part 225	49 CFR, Part 18
Educational Institutions	2 CFR, Part 220	2 CFR, Part 215
Non-Profit Organizations	2 CFR, Part 230	2 CFR, Part 215
For Profit Organizations	48 CFR, Chapter 1, Part 31	49 CFR, Part 18
CFR (Code of Federal Regulations) **OMB (Office of Management and Budget)**		
Related URLs: • Various OMB Circular: http://www.whitehouse.gov/omb/grants_circulars • Code of Federal Regulations: http://www.gpoaccess.gov/CFR		

40. PARTNERS will maintain and make available to each other all OBLIGATIONS-related documents, including financial data, during the term of this agreement.

41. PARTNERS will retain all OBLIGATIONS-related records for three (3) years after the final voucher.

42. PARTNERS have the right to audit each other in accordance with generally accepted governmental audit standards.

CALTRANS, the state auditor, FHWA, and CITY will have access to all OBLIGATIONS-related records of each PARTNER, and any party hired by a PARTNER to participate in OBLIGATIONS, for audit, examination, excerpt, or transcription.

The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of

operation. The auditing PARTNER will be permitted to make copies of any OBLIGATIONS-related records needed for the audit.

The audited PARTNER will review the draft audit, findings, and recommendations, and provide written comments within 30 calendar days of receipt.

Upon completion of the final audit, PARTNERS have 30 days to refund or invoice as necessary in order to satisfy the obligation of the audit.

Any audit dispute not resolved by PARTNERS is subject to dispute resolution. Any costs arising out of the dispute resolution process will be paid within 30 calendar days of the final audit or dispute resolution findings.

43. Any PARTNER that hires another party to participate in OBLIGATIONS will conduct a pre-award audit of that party in accordance with the *Local Assistance Procedures Manual*.

44. PARTNERS will not incur costs beyond the funding commitments in this agreement. If IMPLEMENTING AGENCY anticipates that funding for WORK will be insufficient to complete WORK, IMPLEMENTING AGENCY will promptly notify SPONSOR.

    IMPLEMENTING AGENCY has no obligation to perform WORK if funds to perform WORK are unavailable.

45. If WORK stops for any reason, IMPLEMENTING AGENCY will place all facilities impacted by WORK in a safe and operable condition acceptable to CALTRANS.

46. If WORK stops for any reason, each PARTNER will continue to implement all of its applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each PARTNER's responsibilities in this agreement, in order to keep PROJECT in environmental compliance until WORK resumes.

47. Each PARTNER accepts responsibility to complete the activities that it selected on the SCOPE SUMMARY. Activities marked with "N/A" on the SCOPE SUMMARY are not included in the scope of this agreement.

48. Contract administration procedures shall conform to CALTRANS' Construction Manual, Local Assistance Procedures Manual (if Federal funds are used), and the PROJECT encroachment permits.

49. If the Resident Engineer is not also a registered Landscape Architect, CITY will furnish, at CITY expense and subject to approval of CALTRANS Landscape Architecture, a registered Landscape Architect to perform work related to architecture treatment and landscaping and to perform the function of an Assistant Resident Engineer/Inspector who is responsible for both daily on-site inspections and final decisions including, but not

limited to, any highway planting and the irrigation systems that comprise a portion of the PROJECT work. Final decisions shall continue to be subject to the satisfaction and approval of CALTRANS.

50. Within one hundred eighty (180) days following the completion and acceptance of the PROJECT construction contract, to furnish CALTRANS with a complete set of "As-Built" plans (hard copy and electronic formats) in accordance with CALTRANS' then current CADD Users Manual, Plans Preparation Manual, and CALTRANS practice. The submittal must also include all CALTRANS requested contract records, including survey documents and Records of Surveys (to include monument perpetuation per the Land Surveyor Act, section 8771, including but not limited to preconstruction monumentation documents and a post construction Record of Survey). CITY shall also submit corrected full-sized hardcopy structure plans.

Scope: Environmental Permits, Approvals and Agreements

51. Each PARTNER identified in the Environmental Permits table below accepts the responsibility to complete the assigned activities.

Environmental Permits

Permit	Coordinate	Prepare	Obtain	Implement	Renew	Amend
404 USACOE	CITY	CITY	CITY	CITY	CITY	CITY
401 RWQCB	CITY	CITY	CITY	CITY	CITY	CITY
NPDES SWRCB	CITY	CITY	CITY	CITY	CITY	CITY
1602 DFG	CITY	CITY	CITY	CITY	CITY	CITY

Scope: CONSTRUCTION

52. CITY will advertise, open bids, award, approve, and administer the construction contract in accordance with the California Public Contract Code and the California Labor Code.

CITY will not advertise the construction contract until CALTRANS completes or accepts the final plans, specifications, and estimate package; CALTRANS approves the Right of Way Certification; and SPONSOR verifies full funding of CONSTRUCTION SUPPORT and CONSTRUCTION CAPITAL.

By accepting responsibility to advertise and award the construction contract, CITY also accepts responsibility to administer the construction contract.

PARTNERS agree that CITY is designated as the Legally Responsible Person and the Approved Signatory Authority pursuant to the Construction General Permit, State Water Resources Control Board (SWRCB) Order Number 2009-0009-DWQ, as defined in Appendix 5, Glossary, and assumes all roles and responsibilities assigned to the Legally

Responsible Person and the Approved Signatory Authority as mandated by the Construction General Permit.

53. IMPLEMENTING AGENCY will implement changes to the construction contract through contract change orders (CCOs). PARTNERS will review and concur on all CCOs over $50,000.

CALTRANS must approve all CCOs affecting public safety or the preservation of property, all design and specification changes, and all major changes as defined in the CALTRANS Construction Manual prior to implementing the CCO.

54. If the lowest responsible construction contract bid is greater than the funding commitment to CONSTRUCTION CAPITAL, all PARTNERS must be involved in determining how to proceed. If PARTNERS do not agree in writing on a course of action within 15 working days, this agreement will terminate.

55. CITY will require the construction contractor to furnish payment and performance bonds naming CITY as obligee, and CALTRANS as additional obligee, and to carry liability insurance in accordance with CALTRANS specifications.

56. CITY will submit a written request to CALTRANS for any SFM identified in the PROJECT plans, specifications, and estimate a minimum of 45 days prior to the bid advertisement date for PROJECT construction contract. CITY will submit a written request to CALTRANS for any additional SFM deemed necessary during PROJECT construction.

57. CALTRANS will make SFM available at a CALTRANS-designated location after CITY requests SFM and pays CALTRANS' invoice for estimated SFM costs.

58. As IMPLEMENTING AGENCY for CONSTRUCTION, CITY is responsible for maintenance within PROJECT limits as part of the construction contract.

59. PARTNERS will execute a separate maintenance agreement prior to OBLIGATION COMPLETION.

COST

Cost: General

60. The cost of any awards, judgments, or settlements generated by OBLIGATIONS is an OBLIGATIONS COST.

61. CALTRANS, independent of PROJECT, will pay all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within the existing SHS right of way.

62. CITY, independent of PROJECT, will pay, or cause to be paid, all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within PROJECT limits and outside of the existing SHS right of way.

63. HM MANAGEMENT ACTIVITIES costs related to HM-2 are CONSTRUCTION SUPPORT and CONSTRUCTION CAPITAL costs.

64. The cost to comply with and implement the commitments set forth in the environmental documentation is an OBLIGATIONS COST.

65. The cost to ensure that PROJECT remains in environmental compliance is an OBLIGATIONS COST.

66. The cost of any legal challenges to the CEQA or NEPA environmental process or documentation is an OBLIGATIONS COST.

67. Independent of OBLIGATIONS COST, CALTRANS will fund the cost of its own IQA for WORK done within existing or proposed future SHS right of way.

68. Independent of OBLIGATIONS COST, CITY will fund the cost of its own IQA for WORK done outside existing or proposed future SHS right of way.

69. CALTRANS will provide encroachment permits at no cost to PARTNERS, their contractors, consultants and agents, and the following utility companies: Southern California Edison, Moreno Valley Utility, and Eastern Municipal Water District.

70. Fines, interest, or penalties levied against a PARTNER will be paid, independent of OBLIGATIONS COST, by the PARTNER whose actions or lack of action caused the levy. That PARTNER will indemnify and defend each other PARTNER.

71. Travel, per diem, and third-party contract reimbursements are an OBLIGATIONS COST only after those hired by PARTNERS to participate in OBLIGATIONS incur and pay those costs.

    Payments for travel and per diem will not exceed the rates paid rank and file state employees under current California Department of Personnel Administration (DPA) rules current at the effective date of this agreement.

    If CITY invoices for rates in excess of DPA rates, CITY will fund the cost difference and reimburse CALTRANS for any overpayment.

72. The cost of non-IQA engineering support performed by CALTRANS includes all direct and applicable indirect costs. CALTRANS calculates indirect costs based solely on the type of funds used to pay support costs. State and federal funds are subject to the current Program Functional Rate. Local funds are subject to the current Program Functional Rate

and the current Administration Rate. CALTRANS periodically adjusts the Program Functional Rate and the Administration Rate.

73. If CALTRANS reimburses CITY for any costs later determined to be unallowable, CITY will reimburse those funds.

74. The cost to place PROJECT right of way in a safe and operable condition and meet all environmental commitments is an OBLIGATIONS cost.

75. Because IMPLEMENTING AGENCY is responsible for managing the scope, cost, and schedule of a project component, if there are insufficient funds available in this agreement to place the right of way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

76. If there are insufficient funds in this agreement to implement applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, each PARTNER implementing commitments or conditions accepts responsibility to fund these activities, as they apply to each PARTNER's responsibilities, until such time as PARTNERS amend this agreement.

Each PARTNER may request reimbursement for these costs during the amendment process.

77. PARTNERS will pay invoices within 30 calendar days of receipt of invoice.

Cost: Environmental Permits, Approvals and Agreements

78. The cost of coordinating, obtaining, complying with, implementing, and if necessary renewing and amending resource agency permits, agreements, and/or approvals is an OBLIGATIONS COST.

Cost: CONSTRUCTION Support

79. The cost to maintain the SHS within PROJECT limits is an OBLIGATIONS COST until PARTNERS execute a separate maintenance agreement.

80. Each PARTNER listed below may submit invoices for CONSTRUCTION Support for source inspection:
    - CALTRANS may invoice CITY

81. PARTNERS will exchange funds for actual costs up to a maximum of $65,000.

CALTRANS will invoice CITY for $10,000 initial deposit 30 working days prior to the construction contract bid advertisement date. This deposit represents two (2) months' estimated support costs for source inspection.

Thereafter, CALTRANS will submit to CITY monthly invoices for estimated monthly costs based on the prior month's actual expenditures.

After PARTNERS agree that all WORK is complete, CALTRANS will submit a final accounting for all OBLIGATIONS COSTS. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the financial commitments of this agreement.

Cost: CONSTRUCTION Capital

82. The cost of all SFM is a CONSTRUCTION CAPITAL cost.

CALTRANS will invoice CITY for the actual cost of any SFM as a CONSTRUCTION CAPITAL cost.

After PARTNERS agree that all WORK is complete, CALTRANS will submit a final accounting for all SFM costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the financial commitments of this agreement.

SCHEDULE

83. PARTNERS will manage the schedule for OBLIGATIONS through the work plan included in the PROJECT MANAGEMENT PLAN. The Project Manager must approve the PROJECT MANAGEMENT PLAN before the encroachment permit for construction is issued.

GENERAL CONDITIONS

84. PARTNERS understand that this agreement is in accordance with and governed by the Constitution and laws of the State of California. This agreement will be enforceable in the State of California. Any PARTNER initiating legal action arising from this agreement will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this agreement resides, or in the Superior Court of the county in which PROJECT is physically located.

85. All OBLIGATIONS of CALTRANS under the terms of this agreement are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.

86. Any PARTNER performing IQA does so for its own benefit. No one can assign liability to that PARTNER due to its IQA activities.

87. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this agreement.

It is understood and agreed that CALTRANS will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under this agreement.

88. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY under this agreement.

It is understood and agreed that CITY will fully defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under this agreement.

89. PARTNERS do not intend this agreement to create a third party beneficiary or define duties, obligations, or rights in parties not signatory to this agreement. PARTNERS do not intend this agreement to affect their legal liability by imposing any standard of care for fulfilling OBLIGATIONS different from the standards imposed by law.

90. PARTNERS will not assign or attempt to assign OBLIGATIONS to parties not signatory to this agreement.

91. PARTNERS will not interpret any ambiguity contained in this agreement against each other. PARTNERS waive the provisions of California Civil Code section 1654.

92. A waiver of a PARTNER's performance under this agreement will not constitute a continuous waiver of any other provision. An amendment made to any article or section of this agreement does not constitute an amendment to or negate all other articles or sections of this agreement.

93. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

94. If any PARTNER defaults in its OBLIGATIONS, a non-defaulting PARTNER will request in writing that the default be remedied within 30 calendar days. If the defaulting PARTNER fails to do so, the non-defaulting PARTNER may initiate dispute resolution.

95. PARTNERS will first attempt to resolve agreement disputes at the PROJECT team level. If they cannot resolve the dispute themselves, the CALTRANS district director and the Director of Public Works/City Engineer of CITY will attempt to negotiate a resolution. If PARTNERS do not reach a resolution, PARTNERS' legal counsel will initiate mediation. PARTNERS agree to participate in mediation in good faith and will share equally in its costs.

    Neither the dispute nor the mediation process relieves PARTNERS from full and timely performance of OBLIGATIONS in accordance with the terms of this agreement. However, if any PARTNER stops fulfilling OBLIGATIONS, any other PARTNER may seek equitable relief to ensure that OBLIGATIONS continue.

    Except for equitable relief, no PARTNER may file a civil complaint until after mediation, or 45 calendar days after filing the written mediation request, whichever occurs first.

    PARTNERS will file any civil complaints in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides. The prevailing PARTNER will be entitled to an award of all costs, fees, and expenses, including reasonable attorney fees as a result of litigating a dispute under this agreement or to enforce the provisions of this article including equitable relief.

96. PARTNERS maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

97. If any provisions in this agreement are deemed to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other agreement provisions invalid, inoperative, or unenforceable, and PARTNERS will automatically sever those provisions from this agreement.

98. PARTNERS intend this agreement to be their final expression and supersede any oral understanding or writings pertaining to OBLIGATIONS.

99. If during performance of WORK additional activities or environmental documentation is necessary to keep PROJECT in environmental compliance, PARTNERS will amend this agreement to include completion of those additional tasks.

100. PARTNERS will execute a formal written amendment if there are any changes to OBLIGATIONS.

101. This agreement will terminate upon OBLIGATION COMPLETION or an amendment to terminate this agreement, whichever occurs first.

However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, and ownership articles will remain in effect until terminated or modified in writing by mutual agreement.

102. The following documents are attached to, and made an express part of this agreement: SCOPE SUMMARY, FUNDING SUMMARY.

DEFINITIONS

CALTRANS – The California Department of Transportation

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

CEQA (California Environmental Quality Act) – The act (California Public Resources Code, sections 21000 et seq.) that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

CFR (Code of Federal Regulations) – The general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

CONSTRUCTION CAPITAL – See PROJECT COMPONENT.

CONSTRUCTION SUPPORT – See PROJECT COMPONENT.

COOPERATIVE AGREEMENT CLOSURE STATEMENT – A document signed by PARTNERS that verifies the completion of all OBLIGATIONS included in this agreement and in all amendments to this agreement.

COST – The responsibility for cost responsibilities in this agreement can take one of three assignments:

- **OBLIGATIONS COST** – A cost associated with fulfilling OBLIGATIONS that will be funded as part of this agreement. The responsibility is defined by the funding commitments in this agreement.
- **PROJECT COST** – A cost associated with PROJECT that can be funded outside of OBLIGATIONS. A PROJECT COST may not necessarily be part of this agreement. This responsibility is defined by the PARTNERS' funding commitments at the time the cost is incurred.
- **PARTNER COST** – A cost that is the responsibility of a specific PARTNER, independent of PROJECT.

FHWA – Federal Highway Administration

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at www.fhwa.dot.gov/topics.htm.

FUNDING PARTNER – A PARTNER that commits a defined dollar amount to fulfill OBLIGATIONS. Each FUNDING PARTNER accepts responsibility to provide the funds identified on the FUNDING SUMMARY under its name.

FUNDING SUMMARY – The table that designates an agreement's funding sources, types of funds, and the PROJECT COMPONENT in which the funds are to be spent. Funds listed on the FUNDING SUMMARY are "not-to-exceed" amounts for each FUNDING PARTNER.

GAAP (Generally Accepted Accounting Principles) – Uniform minimum standards and guidelines for financial accounting and reporting issued by the Federal Accounting Standards Advisory Board that serve to achieve some level of standardization. See http://www.fasab.gov/accepted.html.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The PARTNER responsible for managing the scope, cost, and schedule of a PROJECT COMPONENT to ensure the completion of that component.

IQA (Independent Quality Assurance) – Ensuring that IMPLEMENTING AGENCY's quality assurance activities result in WORK being developed in accordance with the applicable standards and within an established Quality Management Plan (QMP). IQA does not include any work necessary to actually develop or deliver WORK or any validation by verifying or rechecking work performed by another partner.

NEPA (National Environmental Policy Act of 1969) – The federal act that establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

OBLIGATION COMPLETION – PARTNERS have fulfilled all OBLIGATIONS included in this agreement, and all amendments to this agreement, and have signed a COOPERATIVE AGREEMENT CLOSURE STATEMENT.

OBLIGATIONS – All responsibilities included in this agreement.

OBLIGATIONS COST – See COST.

OMB (Office of Management and Budget) – The federal office that oversees preparation of the federal budget and supervises its administration in Executive Branch agencies.

PARTNER – Any individual signatory party to this agreement.

PARTNERS – The term that collectively references all of the signatory agencies to this agreement. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one PARTNER's individual actions legally bind the other partners.

PROJECT – The undertaking to improve the eastbound ramp configuration at Moreno Beach Drive on SR-60 in the city of Moreno Valley and construct auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing.

PROJECT COMPONENT – A distinct portion of the planning and project development process of a capital project as outlined in California Government Code, section 14529(b).

- **PID (Project Initiation Document)** – The activities required to deliver the project initiation document for PROJECT.
- **PA&ED (Project Approval and Environmental Document)** – The activities required to deliver the project approval and environmental documentation for PROJECT.
- **PS&E (Plans, Specifications, and Estimate)** – The activities required to deliver the plans, specifications, and estimate for PROJECT.
- **R/W (Right of Way) SUPPORT** –The activities required to obtain all property interests for PROJECT.
- **R/W (Right of Way) CAPITAL** – The funds for acquisition of property rights for PROJECT.
- **CONSTRUCTION SUPPORT** – The activities required for the administration, acceptance, and final documentation of the construction contract for PROJECT.
- **CONSTRUCTION CAPITAL** – The funds for the construction contract.

PROJECT COST – See COST.

PROJECT MANAGEMENT PLAN – A group of documents used to guide a project's execution and control throughout that project's lifecycle.

QMP (Quality Management Plan) – An integral part of the Project Management Plan that describes IMPLEMENTING AGENCY's quality policy and how it will be used.

RESIDENT ENGINEER – A civil engineer licensed in the State of California who is responsible for construction contract administration activities. Said engineer must be independent of the design engineering company and the construction contractor.

SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users

SCOPE SUMMARY – The attachment in which each PARTNER designates its commitment to specific scope activities within each PROJECT COMPONENT as outlined by the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

SHS (State Highway System) – All highways, right of way, and related facilities acquired, laid out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization.

SPONSOR – Any PARTNER that accepts the responsibility to establish scope of PROJECT and the obligation to secure financial resources to fund PROJECT. SPONSOR is responsible for adjusting the PROJECT scope to match committed funds or securing additional funds to fully fund the PROJECT scope. If a PROJECT has more than one SPONSOR, funding adjustments will be made by percentage (as outlined in Responsibilities). Scope adjustments must be developed through the project development process and must be approved by CALTRANS as the owner/operator of the SHS.

SFM (State Furnished Material) – Any materials or equipment supplied by CALTRANS.

WORK – All scope activities included in this agreement.

CONTACT INFORMATION

The information provided below indicates the primary contact data for each PARTNER to this agreement. PARTNERS will notify each other in writing of any personnel or location changes. Contact information changes do not require an amendment to this agreement.

The primary agreement contact person for CALTRANS is:
Jamal Elsaleh, Program/Project Management Office Chief
464 W. Fourth Street
San Bernardino, California 92401-1400
Office Phone: (909) 383-6710
Email: jamal.elsaleh@dot.ca.gov

The primary agreement contact person for CITY is:
Margery Lazarus, Senior Engineer, P.E.
P.O. Box 88005
Moreno Valley, California 92552-0805
Office Phone: (951) 413-3133
Email: margeryl@moval.org

SIGNATURES

PARTNERS declare that:

1. Each PARTNER is an authorized legal entity under California state law.
2. Each PARTNER has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

APPROVED

By: _____
RAYMOND W. WOLFE, PhD
Deputy District Director

P.D. Date: 1/4/12

CERTIFIED AS TO FUNDS:

By: _____
LISA PACHECO
District Budget Manager

Date: 12/23/11

CITY OF MORENO

APPROVED

By: _____
HENRY GARCIA
for City Manager

Date: 12/19/11

APPROVED AS TO FORM AND PROCEDURE

By: _____
ROBERT L. HANSEN
for City Attorney

Date: 12-15-11

08-RIV-60-18.9/19.6
EA: 32301
District Agreement 08-1514
Project Number 0800000593

SCOPE SUMMARY

4	5	6	7	8	Description	CALTRANS	CITY	N/A
5	270				Construction Engineering and General Contract Administration		X	
		10			Construction Staking Package and Control		X	
		15			Construction Stakes		X	
		20			Construction Engineering Work		X	
		25			Construction Contract Administration Work		X	
			05		Secured Lease for Resident Engineer Office Space or Trailer		X	
			10		Set Up Construction Project Files		X	
			15		Pre-Construction Meeting		X	
			20		Progress Pay Estimates		X	
			25		Weekly Statement of Working Days		X	
			30		Construction Project Files and General Field Office Clerical Work		X	
			35		Labor Compliance Activities		X	
			40		Approved Subcontractor Substitutions		X	
			45		Coordination		X	
			50		Civil Rights Contract Compliance		X	
			99		Other Construction Contract Administration Products		X	
		30			Contract Item Work Inspection		X	
		35			Construction Material Sampling and Testing		X	
			05		Materials Sampling and Testing for Quality Assurance		X	
			10		Plant Inspection for Quality Assurance		X	
			15		Independent Assurance Sampling and Testing		X	
			20		Source Inspection	X		
		40			Safety and Maintenance Reviews		X	
		45			Relief From Maintenance Process		X	
		55			Final Inspection and Acceptance Recommendation		X	
		60			Plant Establishment Administration		X	
		65			Transportation Management Plan Implementation During Construction		X	
		80			Long-Term Environmental Mitigation/Mitigation Monitoring During Construction Contract		X	
		99			Other Construction Engineering and General Contract Administration		X	
5	275				Construction Engineering and General Contract Administration of Structures Work		X	
5	285				Contract Change Order Administration		X	
5	290				Resolve Contract Claims		X	
5	295				Accept Contract, Prepare Final Construction Estimate, and Final Report		X	
4	300				Final Right of Way Engineering		X	

PACT Version 10.1.2011_02_17

Initials / Date:
City Attorney: BMB Date: 1-9-12
City Manager: TMD Date: 1/10/12

Item No. A.7

08-RIV-60-18.9/19.0
EA: 32301
District Agreement 08-1514
Project Number 0800000593

FUNDING SUMMARY

Funding Source	Funding Partner	Fund Type	CON Capital	CON Support	Subtotal Support	Subtotal Capital	Subtotal Funds Type
LOCAL	CITY	City	$8,800,000	$450,000	$450,000	$8,800,000	$9,250,000
		Subtotals by Component	$8,800,000	$450,000	$450,000	$8,800,000	$9,250,000

MV00178875

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action: ☐ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**2. Status of Federal Action:** ☐ a. bid/offer/application b. initial award c. post-award	**3. Report Type:** ☐ a. initial filing b. material change **For Material Change Only:** year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: ☐ Prime ☐ Subawardee Tier _____, *if known*: **Congressional District**, *if known*: 4c	**5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:** **Congressional District**, *if known*:	
6. Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____	
8. Federal Action Number, *if known*:	**9. Award Amount**, *if known*: $	
10. a. Name and Address of Lobbying Registrant (*if individual, last name, first name, MI*):	**b. Individuals Performing Services** (*including address if different from No. 10a*) (*last name, first name, MI*):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Attachment "D"

Item No. A.7

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

    (b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

LIST OF SUBCONSULTANTS

PROJECT NAME: _____

PROJECT NO: _____

CONSULTANT NAME: _____

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

Duplicate this form as necessary to report all subconsultant(s) information

Attachment "E"

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART I

The proposer shall list all subconsultants (both DBE and non-DBE) in accordance with Section 2-1.054 of the Standard Specifications and per Title 49, Section 26.11 of the Code of Federal Regulations. This listing is required in addition to listing DBE subconsultants elsewhere in the proposal. **Photocopy this form for additional firms.**

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Certified DBE?
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*

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MV00178879

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART II

The proposer shall list all subconsultants who provided a quote or proposal but were not selected to participate as a subconsultant on this project. This is required fc compliance with Title 49, Section 26 of the Code of Federal Regulations. **Photocopy this form for additional firms.**

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Certified DBE?
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*

Distribution: 1) Original – Local Agency File

MV00178880

EXHIBIT 10-O2 Local Agency Proposer DBE Information (Consultant Contracts)

NOTE: PLEASE REFER TO INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM

LOCAL AGENCY: _____ LOCATION: _____

PROJECT DESCRIPTION: _____

TOTAL CONTRACT AMOUNT ($): _____

PROPOSER'S NAME: _____

WORK ITEM NO.	DESCRIPTION OR SERVICES TO BE SUBCONTRACTED (or contracted if the proposer is a DBE)	DBE CERT NO. AND EXPIRATION DATE	NAME OF EACH DBE (Must be certified at the time proposals are due - include DBE address and phone number)	DOLLAR AMOUNT OF EACH DBE

For Local Agency to Complete:

Local Agency Contract Number: _____

Federal-Aid Project Number: _____

Federal Share: _____

Contract Award: _____

Total Claimed DBE Participation $ _____ _____ %

Local Agency certifies that the DBE certifications have been verified and all informations is complete and accurate.

Print Name Signature Date
Local Agency Representative

(Area Code) Telephone Number:

Signature of Proposer

Date (Area Code) Tel. No.

Person to Contact (Please Type or Print)

For Caltrans Review:

Print Name Signature Date
Caltrans District Local Assistance Engineer

Local Agency Proposer DBE Information (Consultant Contracts)
(Rev 6/27/09)

Distribution: (1) Copy - Fax or scan a copy to the Caltrans District Local Assistance Engineer (DLAE) within 15 days after contract execution. Failure to send a copy to the DLAE within 15 days after contract execution may result in deobligation of funds for this project.
(2) Original - Local agency files

INSTRUCTIONS - LOCAL AGENCY PROPOSER DBE INFORMATION (CONSULTANT CONTRACTS)

SUCCESSFUL PROPOSER:

The form requires specific information regarding the consultant or other contract: Local Agency, Location, Project Description, Total Contract Amount, Proposal Date, and successful Proposer's Name.

The form has a column for the Work Item Number and Description or Services to be Subcontracted to DBEs. The prime consultant shall indicate all work to be performed by DBEs including, if the prime consultant is a DBE, work performed by its own forces, if a DBE. The DBE shall provide a certification number to the prime consultant. Enter DBE prime consultant's and subconsultant's certification number. The form has a column for the Names of DBE certified contractors to perform the work (must be certified on or before the proposals are due and include DBE address and phone number).

Enter the Total Claimed DBE Participation dollar amount of items of work in the total DBE Dollar Amount column. (If 100% of item is not to be performed by the DBE, describe exact portion of time to be performed by the DBE.) See "Notice to Proposers Disadvantaged Business Enterprise Information," (Exhibit 10-I) to determine how to count the participation of DBE firms.

Exhibit 10-O2 must be signed and dated by the successful proposer at contract execution. Also list a phone number in the space provided and print the name of the person to contact.

Local agencies should complete the Contract Number, Federal-aid Project Number, Federal Share, and Contarct Award fields and verify that all information is complete and accurate before signing and sending a copy of the form to the District Local Assistance Engineer within 15 days of contract execution. Failure to submit a completed and accurate form within the 15-day time period may result in the deobligation of funds on this project.

District DBE Coordinator should verify that all information is complete and accurate. Once the information has been verified, the **District Local Assistance Engineer** signs and dates the form.

Ninyo & Moore

Geotechnical and Environmental Sciences Consultants

PROPOSAL FOR
MATERIALS TESTING AND GEOTECHNICAL SERVICES
SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT
EA 32301 / PROJECT NO. 07-41570024

PREPARED FOR:
City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, California 92552-0805

PREPARED BY:
Ninyo & Moore
Geotechnical and Environmental Sciences Consultants
11650 Mission Park Drive, Suite 101
Rancho Cucamonga, California 91730

August 1, 2012
Proposal No. P-15614

Exhibit "B"

August 1, 2012
Proposal No. P-15614

City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, California 92552-0805

Attn: Margery Lazerus, P.E., Senior Engineer

Subject: **Proposal for Materials Testing and Geotechnical Services**
SR-60/Moreno Beach Drive Phase 1 Improvements Program
EA 32301 / Project No. 07-41570024
City of Moreno Valley, California

Ninyo & Moore Geotechnical and Environmental Sciences Consultants is pleased to submit our proposal to provide materials testing and geotechnical consulting services to the City of Moreno Valley for the SR-60/Moreno Beach Drive Phase 1 Improvements Project. We fully understand the City's needs and desires for these services and are committed to providing the City with high quality and cost-effective geotechnical consulting services. We are ready to meet the City's requirements by making available a tailored team of dedicated professionals who have the resources and requisite experience with similar projects to meet your needs.

Some of the advantages Ninyo & Moore provides the City of Moreno Valley include:

- A proven track record as the geotechnical on-call consultant for many other cities in southern California, including the cities of Moreno Valley, Fontana (since 1995), Rancho Cucamonga, Irvine, Mission Viejo, and Rialto. Under these contracts Ninyo & Moore has performed geotechnical, environmental, and soils and materials testing services on numerous projects that are similar in type and scope to the City of Moreno Valley's planned Public Works/Capital Projects.

- Through the years of providing on-call services to public agencies, Ninyo & Moore has developed an effective and efficient approach to management of on-call/as-needed services contracts. Our approach, described in this Proposal, will be utilized on this contract to benefit the City of Moreno Valley.

- A team composed of highly experienced geotechnical engineers, geologists, inspectors, and field and laboratory technicians. Dr. Jalal Vakili, a Principal Engineer of Ninyo & Moore, will lead the team, and has the authority to draw on the entire resources of Ninyo & Moore for the timely and successful completion of the projects.

- Ninyo & Moore has maintained an office in the Inland Empire since 1993 and has performed many projects in the area. Our services will be coordinated from our Rancho Cucamonga office and geotechnical laboratory located at 11650 Mission Park Drive, Suite 101.

- As one of the largest geotechnical consulting firms in Southern California, Ninyo & Moore employs over 380 professionals, including numerous California-registered engineers and geologists and certified inspectors and technicians.

- Our field and laboratory technicians with certifications from ICC, NICET, ACI, and Caltrans. Our fully-equipped, in-house soil and material testing laboratories are accredited by Caltrans, American Association of State Highway and Transportation Officials (AASHTO), Cement and Concrete Reference Laboratory (CCRL), the City of Los Angeles, the Division of the State Architect, and many other public agencies.

- Ninyo & Moore is a Minority Business Enterprise bringing 100% MBE participation to this contract.

We are fully prepared to make every possible commitment needed for the successful and timely completion of any project assigned to us. Your favorable consideration of this proposal is appreciated, and we look forward to being of service to the City of Moreno Valley.

Sincerely,
NINYO & MOORE

Jalal Vakili, Ph.D., P.E.
Principal Engineer

JBR/AR/JV/glw

Distribution: (5) Addressee (1 unbound, 3 bound, 1 Compact Disc)

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INTRODUCTION

Ninyo & Moore is pleased to submit this proposal for materials testing and geotechnical consulting services during construction of the State Route 60/Moreno Beach Drive Phase 1 Improvement Project in Moreno Valley, California. We have prepared our proposal based on the RFP dated July 3, 2012. Based on our review of the project plans and special provisions, we understand that the project will generally consist of realigning the SR-60/Moreno Beach eastbound off-and-on-ramps, adding an eastbound auxiliary lane, installation of a new traffic signal at the new intersection of the eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus and Moreno Beach Drive, coordination of utility relocations, irrigation, and related work. We understand that our services will include sampling and testing during embankment construction (earthwork), structure backfill, trench backfill, wall backfill, subgrade preparation, aggregate base placement, asphalt concrete pavement placement, structural concrete placement, and batch plant inspections. Testing will be performed in general accordance with Caltrans test methods and test frequencies as described in the Caltrans Construction Manual and Standard Specifications, City of Moreno Valley Specifications, Eastern Municipal Water District (EMWD), Riverside County Flood Control and Water Conservation District (RCFCD), and California Occupational Safety and Health Administration (OSHA) Construction Safety Orders.

Our services to the City of Moreno Valley will be provided from our Rancho Cucamonga office and soils and materials laboratory, located at 11650 Mission Park Drive, Suite 101, Rancho Cucamonga, California 91730. The telephone number for our Rancho Cucamonga office is (951) 758-5960, and the fax number is (951) 758-5966. Dr. Jalal, Vakili, a Principal Engineer for Ninyo & Moore, has the authorization to negotiate and enter into contracts on behalf of Ninyo & Moore and will serve as the point-of-contact during the proposal evaluation period. Dr. Vakili's e-mail address is jvakili@ninyoandmoore.com.

REQUIRED STATEMENTS

As required in the City of Moreno Valley's RFP, we are providing the following required statements.

"Ninyo & Moore incorporates the City of Moreno Valley's Request for Proposal for Professional Consultant Services SR-60 / Moreno Beach Drive Phase 1 Improvements Project, EA 32301, Project No. 07-41570024 in its entirety into this Proposal for materials testing and geotechnical services."

"The City of Moreno Valley's Request for Proposal for Professional Materials Testing Geotechnical Services and this Proposal will jointly become part of the Agreement for Professional Materials Testing and Geotechnical Services for this project when the said agreement is fully executed by Ninyo & Moore and the Mayor or City Manager of Moreno Valley."

"Our services to be provided, and fees therefore, will be in accordance with the City of Moreno Valley's Request for Proposal for Professional Materials Testing and Geotechnical Services except as otherwise specified in our proposal under the heading "Additions or Exceptions to the City's Request for Proposal for Professional Materials Testing and Geotechnical Services."

"Ninyo & Moore acknowledges and understands that it will not be allowed to change its subconsultant without written permission from the City."

"Our services for geotechnical and materials testing services will be performed on an hourly basis with a not-to-exceed fee, based on assumed scope of services and detailed man-hour and laboratory testing estimates."

"Ninyo & Moore will document and provide the results of our work to the satisfaction of the City of Moreno Valley in accordance with the contract documents."

"Ninyo & Moore will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work".

"Ninyo & Moore will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin."

"Ninyo & Moore will comply with federal, state and local laws and regulations in performing our services. In case of conflict between federal, state, and local laws or regulations, the strictest shall be adhered to."

"Ninyo & Moore will allow all authorized federal, state, county and City officials access to place of work, books, documents, papers, fiscal, payroll materials, and other relevant contract records pertinent to the special project. All relevant records shall be retained by Ninyo & Moore for at least three years."

"Ninyo & Moore will comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to said regulations, entitled 'Federal Labor Standards Provisions,' 'Federal Prevailing Wage Decision' and State of California prevailing rates, respectively."

"Ninyo & Moore will comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulations (29 CFR 3) issued pursuant thereto, and any amendments thereof."

"Ninyo & Moore offers and agrees to assign to the City of Moreno Valley all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works of the subcontract. This agreement shall be made and become effective at the time the City tenders final payment to Ninyo & Moore, without further acknowledgement by the parties."

ADDITIONS OR EXCEPTIONS TO THE CITY RFP

Ninyo & Moore takes no exceptions and has no additions to the City of Moreno Valley's Request for Proposal for Professional Geotechnical and Materials Testing Services, SR-60 / Moreno Beach Drive Phase 1 Improvement Project, EA 32301, Project No. 07-41570024.

GENERAL EXPERIENCE AND QUALIFICATIONS

Ninyo & Moore, a California Corporation, is a minority-owned, multidisciplinary consulting firm that provides high-quality geotechnical and environmental consulting, as well as materials testing and inspection services. The firm was incorporated in 1986 to provide consulting services in geotechnical engineering, construction inspection and testing, engineering geology, hydrogeology, hazardous waste remediation and environmental assessment. Ninyo & Moore has the necessary professional personnel and equipment to perform the requested professional. Ninyo & Moore will utilize the services of Axiom Engineering & Science Corporation, Inc. (Axiom), a certified UDBE/DBE for this project. Axiom will provide materials testing services that will complement our team and resources by bringing their expertise as well as their certified inspectors and technicians. Having graduated from the DBE program, Ninyo & Moore acknowledges the importance of opportunities provided to DBE firms by the larger firms working on major public works projects. We will also utilize the services of drilling subcontractors for exploratory field explorations, if these services are requested.

Ninyo & Moore has the financial resources and organizational capabilities to conduct and complete the proposed work for the City of Moreno Valley and is financially strong, as rated by Dun and Bradstreet (Number 15-410-4079). We are committed to being responsive, thorough, technically sound, and active in the business community. Ninyo & Moore serves its clients through offices located in:

- Rancho Cucamonga
- Irvine
- Los Angeles
- San Diego
- Oakland
- San Francisco
- Sacramento
- San Jose
- Phoenix, Arizona
- Prescott, Arizona
- Las Vegas, Nevada
- Carson City, Nevada
- El Paso, Texas
- Denver, Colorado

The quality of Ninyo & Moore's personnel base of over 400 employees is widely recognized. Our staff of professionals includes experienced and California licensed geotechnical engineers, civil engineers, environmental engineers, engineering geologists, hydrogeologists, environmental scientists, certified technicians and field inspectors, and hazardous waste and regulatory compliance specialists. Our materials testing and inspection personnel are certified by various agencies including Caltrans, International Code Council (ICC), American Welding Society (AWS), California Division of the State Architect (DSA), American Concrete Institute (ACI) as well as other certifying organizations.

The experience of Ninyo & Moore's geotechnical staff encompasses projects throughout the southwestern United States, including evaluations for roads, bridges, highways, municipal and commercial structures, educational, medical and recreational facilities, pipelines, tunnels, reservoirs, treatment plants, power plants, dams, waste-to-energy facilities, tanks, transmission towers, harbors and offshore structures, railroads, airports, low- and high-rise struc-

tures, landfills, and other public and private works. Our environmental staff has diverse experience in environmental assessments, water quality evaluations, environmental audits, regulatory compliance studies, water resources development, soil and groundwater contamination studies, and site remediation.

Ninyo & Moore performs the necessary geotechnical laboratory testing in-house, in one of our three fully-equipped, certified geotechnical and construction materials laboratory facilities in southern California. We have included certifications for our Irvine and Rancho Cucamonga laboratories in an Appendix to this proposal. Our laboratories are supervised by registered engineers and are certified by the City of Los Angeles, Caltrans, California Division of the State Architect (DSA), American Association of State Highway and Transportation Officials (AASHTO), Cement and Concrete Reference Laboratories (CCRL), the U.S. Army Corps of Engineers, and other regulatory agencies. As part of our laboratory accreditation, we have written quality control procedures for laboratory testing, which includes training and certification of both our laboratory personnel and testing equipment.

Ninyo & Moore also has both geotechnical and environmental quality assurance/quality control programs which facilitate compliance with project performance standards, schedules and budgets. These comprehensive quality assurance plans utilize management approach procedural manuals that delineate the interrelationship between management and design team components and describe specific quality control procedures to be used. The programs address data generation, management, and quality assessment guidelines for sampling and analysis procedures, as well as methods of corrective action. The quality assurance program manuals are available for review upon request.

Ninyo & Moore is committed to a policy of equal opportunity for applicants and employees in all areas of the employer-applicant and employer-employee relationship. This policy includes affirmative recruiting as well as hiring, promotion, transfer, discipline, layoff, recall, and termination of all persons on the basis of qualifications, competence, and merit without regard to any individual's sex, race, color, religion, national origin, ancestry, pregnancy, age, marital status, medical condition, veteran status, sexual orientation, or mental or physical disability, including AIDS or HIV-positive status.

Capacity to Accomplish Work Assignments and the Availability of Personnel

The firm's large base of professionals enables Ninyo & Moore to be responsive to client needs and to successfully complete project tasks on time. Current and anticipated work loads are such that there are more than an adequate number of experienced personnel that can be assigned to complete services for any size project. Currently, backlog for geotechnical and environmental professionals is less than 75 percent of current capacity.

Ninyo & Moore has established effective management control systems, have integrated them for efficient project administration, and have trained staff to respond quickly and efficiently to task orders and project situations as they arise in order to meet project deadlines. Having completed many complex projects within strict time constraints, Ninyo & Moore has developed flexible management systems which allow project managers to draw on experienced technical and administrative personnel throughout the company. This allows the use of a wide-ranging personnel base at reduced cost to the project and has resulted in efficient budget control and adherence to project schedules. Contract needs are met by assigning appropriate resources (experienced personnel and equipment) as needed to meet specific project requirements. To further meet these project schedules, personnel are available for weekend and/or around-the-clock efforts. Ninyo & Moore's proposed project personnel possess the appropriate licenses and certifications needed for this project.

Ninyo & Moore has assembled a team of highly qualified and experienced personnel for this important contract. Ninyo & Moore has the personnel resources to replace one or more of our key personnel with equal competency with written City approval, in the unlikely event that one our key personnel become unavailable. As previously mentioned, we have developed an on-call contract management approach that has been developed to respond efficiently to our client's needs through our project manager. As indicated on our organization chart, our project manager will be the single point-of-contact for the City.

Ninyo & Moore's field staff is highly experienced and qualified to provide testing and inspection services for an extensive range of project requirements. Ninyo & Moore's field and laboratory technicians maintain certifications with Caltrans, ACI, ICC, DSA, OSHA, and NICET, and possess a working knowledge of the requirements and procedures as specified by these agencies. Our proposed field and laboratory technicians are extensively experienced at providing geotechnical soils and materials testing services for construction projects and are fully available for this contract.

Resource Allocation Matrix

Tasks	Individual	Hours Available
Project Coordination and Technical Support	Principal Engineer/Geologist	2 hours
	Project Engineer/Geologist	80 hours
Pre-Construction Meeting	Project Engineer	2 hours
Field Services:		
Earthwork and Embankment	Field Technician	200 hours
Structure Backfill and Trench Backfill	Field Technician	120 hours
Subgrade and Aggregate Base	Field Technician	120 hours

Tasks	Individual	Hours Available
Hot Mix Asphalt (HMA)	Field Technician	140 hours
Portland Cement Concrete	Field Technician	20 hours
Batch Plant Inspector	Field Technician	160 hours
Sample Pick Up	Field Technician	10 hours
Report Preparation	Principal Engineer/Geologist	2 hours
	Project Engineer/Geologist	6 hours
	Secretarial/Clerical	6 hours

Project Experience

Based on our review of the RFP, the following are some of Ninyo & Moore's relevant projects successfully completed by our staff that demonstrates our competence to perform work similar in scope and magnitude required for the City of Moreno Valley.

City of Moreno Valley/Indian at Bay Traffic Signals, Moreno Valley, California
Client: City of Moreno Valley Public Works Department,
14177 Frederick Street, Moreno Valley, CA 92552
Contact: Margery Lazarus, 951/413-3133

Ninyo & Moore was retained to provide "On-Call" Geotechnical services for the construction of the Traffic Signals at Indian Street and Bay Avenue project. Improvements consisted of removal and reconstruction of sections of the roadway, new curb & gutter, sidewalk, signing, striping, and traffic signalization improvements. The new pavement section was 4 inches asphalt concrete over 8 inches of aggregate base. Our services included project coordination and management with the client construction manager. Our field services included field sampling and testing during earthwork construction, aggregate base placement, and asphalt concrete placement in order to evaluate the materials conformance with the project specifications. Our laboratory services included maximum density/optimum moisture content, and asphalt concrete maximum density. Our test data and daily field reports were submitted to the client.

City of Moreno Valley/ Lasselle at JFK Traffic Signals, Moreno Valley, California
Client: City of Moreno Valley Public Works Department,
14177 Frederick Street, Moreno Valley, CA 92552
Contact: Margery Lazarus, 951/413-3133

Ninyo & Moore was retained to provide "On-Call" Geotechnical services for the construction of the Traffic Signals at Lasselle Street and John F. Kennedy Drive project. Improvements consisted of removal and reconstruction of sections of the roadway, new curb & gutter, sidewalk, signing, striping, and traffic signalization improvements. The new pavement section was 4 inches asphalt concrete over 8 inches of aggregate base. Our services included project coordination and management with the client construction manager. Our field services included field sampling and testing during earthwork construction, aggregate base placement, and asphalt concrete placement in order to evaluate the materials conformance with the project specifications. Our laboratory services included

maximum density/optimum moisture content, Extraction, % asphalt, including gradation, and asphalt concrete maximum density. Our test data and daily field reports were submitted to the client.

Nutmeg Overcrossing at Interstate 15, Murrieta, California

Client: City of Murrieta , Department of Public Works
26442 Beckman Court, Murrieta, CA 92562

Contact: Mr. Russ Napier; 951-798-1040 *(no longer with agency)*

Ninyo & Moore was retained by the City of Murrieta to provide soils and materials testing services during the construction of the Nutmeg Overcrossing at the Interstate 15 (I-15) freeway in Murrieta, California. The overcrossing, designed in accordance with Caltrans specifications, will have four travel lanes (two lanes in each direction) and consists of a two-span, cast-in-place, prestressed box girder structure supported by two abutments and a center three-column bent. The bent is supported by on spread footing and each abutment is supported on 21 driven steel piles. Ninyo & Moore's services during construction included Quality Assurance and acceptance testing utilizing standard California Test Methods, in accordance with the Caltrans Construction Manual, Standard Specifications, Standard Plans, and the project's Special Provisions. Our services included providing Caltrans certified batch plant inspectors, field technicians, and laboratory technicians to perform the required materials sampling and testing. Our batch plant inspection services included inspection and sampling at the plants during production of asphalt and Portland cement concrete materials. Field sampling and testing of concrete for structures, pavement and miscellaneous items was also in our scope of services. Our field services included soil compaction testing during the abutment embankment construction, structure backfill, utility trench backfill, aggregate base, and asphalt concrete pavement placement operations. Collected construction material samples were tested in our Caltrans certified laboratory by our Caltrans certified laboratory technicians. Laboratory test results were reported and filed in accordance with Caltrans documentation procedures, as well as daily reports of our plant inspections and field testing services.

SR 215 Segments 1 & 2 Project, San Bernardino, California

Client: San Bernardino Associated Governments
1170 W. 3rd Street, 2nd Floor, San Bernardino, California 92410-1715

Contact: Mr. Sagar Pandey; 909/884-8276

Ninyo & Moore was retained to provide materials testing and inspection services during construction of the SR 215 Segments 1 & 2 project in San Bernardino, California. The project consists of widening and realignment of approximately 2.4 miles of the existing SR 215. The construction will accommodate 4 mixed flow lanes and 1 high occupancy vehicle lane in each direction. The project is anticipated to be constructed in several phases and will include site improvements including 39 CIP and MSE retaining walls, 8 new bridges, 5 bridge replacements, 2 bridge widenings, 1 connector replacement, 1 new connector, and 9 bridge removals, masonry block walls, sound walls, concrete flatwork, Portland cement concrete paving, asphalt concrete paving, drainage structures, utility relocations, striping, lighting, and signage improvements.over an approximately 4 year period. Services include construction observation and intermittent field and laboratory testing of the construction materials used in the proposed project. Services also include observation, sampling and testing during embankment construction (earthwork), structure backfill, trench backfill, subgrade prepararation, aggregate base placement, lean concrete base placement, Portland cement concrete pavement, asphalt concrete pavement placement, structural concrete placement, and batch plant inspections. Testing is being performed in general accordance with Caltrans test methods and test frequencies as described in the Caltrans Testing is being performed in general accordance with Caltrans test methods and test frequencies as described in the Caltrans Construction Manual and Standard Specifications.

I-5 Gateway Project, (Orange County to Los Angeles County)
Client: Caltrans c/o Caltrop
1851 East First Street, Suite 1260, Santa Ana, CA 92705
Contact: Mr. Derich Sukow, 714-426-0595

The project consisted of reconstructing and widening the existing I-5 Freeway from the 91 Freeway interchange to the Los Angeles County line. The construction included removal and replacement of 4 bridges including the Artesia Boulevard Bridge, Western Avenue Bridge, Beach Boulevard Bridge and Stanton Avenue Bridge. The project also included construction of 10 new retaining walls. The retaining wall designs included driven piles, cast-in-drilled-hole (CIDH) piles, spread footings, tie-back anchors and decorative concrete. The adjacent on-ramps and off-ramps were also widened and/or reconstructed. The I-5 main line was reconstructed and lowered in some areas by approximately one meter and raised in other areas by up to approximately four meters. Several of the new foundations had to be constructed near or below the ground water elevation. The working hours often included night shift and weekends.

Our services included project coordination, management and technical support. Our field services included sampling and testing of structural concrete, asphalt concrete (AC), asphalt treated permeable base (ATPB), embankment fill, lean concrete base (LCB), cement treated base (CTB), aggregate base (AB) and polymer concrete overlay. Our services included batch plant inspection during production of asphalt concrete and structural concrete. A mobile lab was set up on-site to help speed up the turn around time on some of the lab tests. Our laboratory testing services included California Impact Test, R-Value, sieve analysis, sand equivalent, AC extraction and gradation, AC maximum density, aggregate cleanness value, durability, percent crushed particles and LA rattler, concrete compressive strength and flexural strength testing and mix design review. Our testing services were performed in general accordance with Caltrans and ASTM test methods and test frequencies.

EXPERIENCE OF KEY PERSONNEL

Dr. Jalal Vakili will serve as Principal-in-Charge for the duration of the contract. Dr. Vakili has a Ph.D. in Geotechnical Engineering, a M.S. degree in Applied Mechanics, and a B.S. degree in Civil Engineering. He is a California-registered civil engineer with over 44 years experience in providing geotechnical services for public work and infrastructure projects for cities, counties, Caltrans, and other State and municipal agencies. His experience includes street improvements; bridges and retaining walls; highways and major transportation corridors; sewers, pipelines, dams and flood control structures; and residential and commercial developments. Dr. Vakili's background includes teaching and performing quality research in the field of geotechnical engineering. Dr. Vakili has been a Principal Engineer at Ninyo & Moore for over 16 years and has been the Principal-in-Charge for many of Ninyo & Moore's on-call contracts with the cities of Moreno Valley, Fontana, Rancho Cucamonga, Rialto, Pasadena, Irvine, and Mission Viejo, Riverside County Transportation Commission (RCTC), Caltrans, the Los Angeles County Department of Public Works, Orange County Sanitation District, Orange County Transportation Authority (OCTA), and John Wayne Airport.

Our project manger will be Mr. Kurt Yoshii. Mr. Yoshii graduated from the University of California, Berkeley with a B.S. degree in Civil Engineering and is a licensed Civil and Geotechnical Engineer in California with over 21 years of experience. For the past 15 years, Mr. Yoshii has been employed at Ninyo & Moore where he has personally

performed various aspects of geotechnical engineering, from site development and planning through construction, field exploration, including sampling and logging, laboratory testing, geotechnical analyses and report preparation. He has also managed numerous construction services projects, which have included mass grading operations, deep excavations, de-watering, ground modification, deep foundation construction, roadway, highway and bridge construction, as well as construction materials testing and inspection services for DSA and OSHPD projects. Mr. Yoshii will be the single point-of-contact for the City on this contract and can be contacted at our Rancho Cucamonga office and laboratory located at 11650 Mission Park Drive, Suite 101, Rancho Cucamonga, California, (909) 758-5960. Mr. Yoshii will be responsible for performing the requested services in accordance with the contract requirements and budget of the specific task order assignments. Mr. Yoshii has managed contracts for public agencies which include Caltrans, the Los Angeles County, Department of Public Works, Orange County Transportation Authority (OCTA), Riverside County Transportation Commission (RCTC), John Wayne Airport, Newport-Mesa Unified School District, and City of Fontana. His geotechnical design experience includes roadways, highways, and bridges, transportation facilities for Caltrans, utility lines, power plants, cell towers, public facilities, including schools, which are performed under technical review of the Division of the State Architect (DSA), and health care facilities and hospitals, under the technical review of the Office of Statewide Heath Planning Development (OSHPD). Mr. Yoshii's strengths lie in establishing and maintaining open communication lines with his clients and effectively managing our in-house and subconsultant resources to deliver high quality and prompt services to our clients.

Ninyo & Moore's commitment to quality is evidenced by our written Quality Assurance Manual, which is administered internally by Mr. Lawrence Lovett, Principal Engineer, who is a licensed Quality Engineer in California as well as a licensed Civil Engineer. Mr. Lovett holds a B.S. degree in Civil Engineering from the University of Maryland as well as a Masters Degree in Business Administration from the City University of New York, and has over 40 years of experience.

A summary of our Key Technical personnel is provided in the following table. Comprehensive resumes can be provided on request.

Table 1 – Key Project Team

Team Members	Function	Education	Registrations/Certifications	Years Exp.
Jalal Vakili	Principal-in-Charge	Ph.D. Geotechnical Engineering M.S. Applied Mechanics B.S. Civil Engineering Construction Quality Management for Contractors, Corps of Engineers Training Course	Registered Civil Engineer, CA, RCE 45350 (Exp. 6/30/12) Professional Engineer, Nevada, PE 12269 (Exp. 6/30/12) Professional Engineer, Utah PE 9734155932202 Professional Engineer, Arizona PE 33062 Professional Engineer, Idaho PE4470	44
Kurt Yoshii	Project Manager	B.S. Civil Engineering	Registered Civil Engineer, CA RCE 54759 (Exp. 12/31/11) Registered Geotechnical Engineer, CA, GE 2508 (Exp. 12/31/11)	21
Lawrence Lovett	Technical Advisor	B.S. Civil Engineering M.B.A.	Registered Civil Engineer, CA, RCE 50994 (Exp. 09/30/11) Registered Quality Engineer, CA, QE 3960 (Exp. 03/31/11)	48
Phil Nekoranec	Field Operations Manager	Caltrans TL-0111 Certification Pacific Nuclear Gauge Operator Certification ACI Concrete Field Technician OSHA 40-hour Hazardous Waste Operations and Emergency Response Certification		13
Phil Allen	Lead Inspector	ACI Field Testing Technician Grade 1 Nuclear Gauge Use Operator ICC Reinforced Concrete ICC Prestress Concrete ICC Masonry ICC Structural Steel Welding and Bolts ICC Fireproofing		6

Subconsultant

Ninyo & Moore maintains a comprehensive list of certified D/M/W/DVBE firms and contacts these firms on a regular basis for subcontracting needs. Ninyo & Moore will utilize the subcontractor, listed in the following table, to successfully complete the project services.

Firm Name/Address	Contact	Project Experience
Axiom Engineering & Science Corporation (DBE) 1322 Bell Avenue, Suite 1G Tustin, California 92780	Mr. Johnathan Hou, P.E, G.E. 714/247-1002	• **Blue Line Operations and Maintenance Facilities Expansion Project** – Provided preliminary engineering services **Client:** Los Angeles Metropolitan Transportation Authority **Contact:** Mr. David Chong, 213/922-3629 • **NASA / Jet Propulsion Laboratory (JPL):** Provided renovation and redesign of 2 ½ miles of NASA Road. **Client:** NASA/Jet Propulsion Laboratory **Contact:** Mr. Sunil Gera, 626/305-6334 • **Various School Projects, Southern California:** In Coordination with DSA review and approval **Client:** Los Angeles Unified School District **Contact:** Mr. Albert Leung, 213/241-5134 • **I-5 and I-805 Bridge Inspections Project** - Provided construction inspection services for several bridges on this project. **Client:** Morrison-Knudsen (no longer in business)

Axiom, a certified DBE, is a full service professional engineering, architectural, construction management, inspectors, and materials testing company established in 1984. Axiom has successfully completed over hundreds of major projects since its exception of the firm. The projects include transportation facilities, bridges, educational, commercial, industrial and power generation facilities, and public works projects. Axiom maintains a materials testing laboratory which provides soils and concrete testing in accordance with the ASTM and acceptable industry standards. Their laboratory is certified by Caltrans under its IA Program for testing laboratories.

Ninyo & Moore hereby acknowledges and understands that it will not change the subconsultant without written permission from the City.

Project Approach and Understanding

Our approach to service contracts begins with the assignment of a highly qualified and experienced project manager with technical knowledge required for this contract. Our project manager will be the single point-of-contact for the City during the contract period and will be responsible for contract administration and technical coordination of our staff to perform the required tasks on time and within budget. The overall contract budget is tracked and maintained, and reported to the client on a monthly basis. Our Project Manager will meet with the City's representative(s) as needed to discuss the details of the project, as well as to clarify the project-specific issues to be addressed through our materials testing and geotechnical services.

Based on our review of the project plans and special provisions, we understand that the project will generally consist realigning the SR-60/Moreno Beach Eastbound off-and-on-ramps, adding an Eastbound auxiliary lane, installation of new traffic signal at the new intersection of the Eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus Avenue to Moreno Beach Drive, coordination of utility relocations, irrigation and related work. We understand that our services will include, sampling and testing during embankment construction (earthwork), structure backfill, trench backfill, wall backfill, subgrade preparation, aggregate base placement, asphalt concrete pavement placement, structural concrete placement, and batch plant inspections. Testing will be performed in general accordance with Caltrans test methods and test frequencies as described in the Caltrans Construction Manual and Standard Specifications, City of Moreno Valley Specifications, Eastern Municipal Water District (EMWD) and Riverside county Flood Control and Water Conservation District (RCFCD).

Based on our understanding of the proposed construction and project plans, our scope of services will be as follows:

- Project coordination and management, including reviewing the project geotechnical reports, plans, specifications and special provisions, and providing test data summary reports
- Review project schedules and related sampling, testing and submittal requirements from the contractor for conformance to the plans and specifications.
- Attendance at pre-construction meetings and as-needed field meetings, as requested.
- Assist with monitoring and reporting of the contractor's extra work related to sampling, testing and reporting along with assisting with change orders as they relate.
- Review unknown, unforeseen and changed conditions that occur, and disputed work claims from the contractor as it relates and recommend a course of action to the engineer.
- Provide labor compliance reports and certified payroll on a weekly basis.
- On-site materials testing during construction performed by our certified personnel, on an as-requested basis. Our materials testing services for this project are anticipated to include the following:
    - Field technician services for observation, sampling, and density testing of earthwork, including during embankment construction, structure backfill, trench backfill, subgrade preparation, aggregate base and asphalt concrete placement.
    - Field technician services during the placement of Portland cement concrete for structures. In addition, site observations will also be performed for concrete structures, including field inspection, sampling, and testing of concrete placed at the site, as requested by the Resident Engineer. Field testing of the concrete may include casting cylinders for compressive strength, and testing for penetration, air content, unit weight, and temperature.
    - Performance of off-site batch plant inspection and sampling for Portland cement and asphalt concrete during construction, as outlined in the Caltrans Construction Manual.
    - Preparation of daily reports and test data sheets.

- Laboratory testing including, but not limited to, sieve analysis, sand equivalent, cleanness value, maximum density testing, R-value, durability index, expansion index, maximum theoretical unit weight, stability, extraction and gradation of asphalt aggregate, and concrete compressive strength.

Assumptions

Based on our experience with similar projects, the following assumptions have been made in the preparation of our scope of services:

- Our services are subject to prevailing wage requirements.
- Our estimated fee is based on the assumptions outlined above and does not include stand-by time or costs associated with retesting or reinspecting materials that were found not to be in compliance with the project plans or specifications. Our services, including field hours and number of laboratory tests performed, will depend on the actual construction schedule and the contractor's operations. Hours spent that exceed those in the attached tables will be billed on a time-and-materials basis.

Schedule

Ninyo & Moore is prepared to begin our services upon receipt of your authorization to proceed. It is our understanding that the project construction is estimated to be completed in August of 2013 and that our services will be requested and coordinated on a daily basis by the construction management team.

Laboratory Materials Testing and/or Monitoring Approach

Ninyo & Moore performs the necessary geotechnical laboratory testing in-house, in one of our three fully-equipped, certified geotechnical and construction materials laboratory facilities in southern California. Our materials laboratory testing capabilities include conformance and characterization testing of structural steel, concrete, masonry, asphalt, soils, and aggregate materials, including chemical testing, petrographic analyses, destructive and non-destructive testing methods. Our laboratories are supervised by registered engineers and are accredited/certified by the City of Los Angeles, Caltrans, California Division of the State Architect (DSA), American Association of State Highway and Transportation Officials (AASHTO), Cement and Concrete Reference Laboratories (CCRL), the U.S. Army Corps of Engineers, and other regulatory agencies. Our materials testing services for the City will be performed primarily from our certified Rancho Cucamonga laboratory. Supporting our Rancho Cucamonga laboratory will be our certified materials testing laboratories located in Irvine and San Diego, California.

Ninyo & Moore's in-house laboratories are capable of performing a wide variety of geotechnical and materials inspection and testing services, including soils and aggregates, asphalt concrete, reinforced concrete, masonry, prestressed concrete, structural steel, welding, roofing, and fireproofing, and meet the requirements of ASTM E329, ASTM C1077, ASTM D3740, and ASTM D3666. Ninyo & Moore's testing equipment is calibrated annually by representatives utilizing equipment traceable to the National Institute of Standards and Technology, and is regularly

inspected by the ASHTO Materials Reference Laboratory (AMRL) for soils and asphalt and by the Cement and Concrete Reference Laboratory (CCRL) for concrete and aggregates. As part of our laboratory accreditation, we have written quality control procedures for laboratory testing, which includes training and certification of both our laboratory personnel and testing equipment. We have included copies of our Rancho Cucamonga laboratory certifications, accreditations in the Appendix. We are confident our laboratories will meet or exceed the requirements for any task assigned under the proposed contract.

Field Vehicle Resources

Time is a key factor of efficiency for materials sampling and testing during construction. Standard test methods require standard times for test procedures that cannot be changed. Our field technicians are equipped with calibrated sampling and field testing equipment that enable them to perform the necessary testing in the field, as applicable. Depending on the project requirements, certain tests must be run in the laboratory. In order to reduce sample transportation time, Ninyo & Moore has in the past utilized field laboratories set up at a construction site in order to eliminate transporting of samples to an off-site laboratory. This service can be provided to the City upon request.

Schedule, Quality, and Cost Control

Ninyo & Moore recognizes that a major element of project success is the degree to which schedules and budgets are met. Our project manager will be responsible for the overall schedule, quality, budget control, staff assignments, and client coordination. Project management is an on-going task, and our project manager will be committed to this project. Our project management approach includes the following key elements:

- A detailed and accurate Project Work Plan prepared with the client's input.
- Acceptance of the Work Plan by the client.
- Communication of the roles and responsibilities of team members.
- Cost and schedule control monitoring/forecasting procedures.
- A project-specific Quality Assurance/Quality Control (QA/QC) plan.
- Regularly scheduled meetings with project team and client.
- Commitment of the project principal to client satisfaction and providing the resources to meet that commitment.
- Taking immediate corrective action to remedy project impediments to complete client satisfaction.

Our project manager will communicate to the members of the project team the organization and communication procedures, task description and assignments, schedule requirements, cost and budgets, and project guidelines. The ability to clearly communicate information such as scope, costs, schedules, and technical matters is a vital element of any project. A coordinated effort among the team members is required to achieve an integrated program which, in turn, is necessary to deliver quality services within strict budgetary and time constraints for this project.

Most of the management controls to monitor project progress are pre-established prior to the beginning of the project during the proposal preparation and contract negotiations. These controls include:

- **Communication** – Both written and verbal communications are keys to successful on-call contract management. Each task order assignment will be maintained in a separate project file and we will utilize our in-house data records management systems for file records. Project-related documents will be maintained in our files and are available for our client's review at any time.
- **Quality System Approach** -- Ninyo & Moore maintains quality assurance/quality control programs for our geotechnical, environmental, and construction materials testing and inspection services, which facilitate compliance with project performance standards, schedules and budgets. These comprehensive quality assurance programs utilize management approach procedural manuals that delineate the interrelationship between management and design team components and describe specific quality control procedures to be used. The programs address training, data generation, management, and quality assessment guidelines for sampling and analysis procedures, as well as methods of corrective action. The quality assurance program manuals are available for review upon request.

FEE SCHEDULES AND COST ESTIMATES

As requested in the RFP, we are providing our fee in a separated sealed envelope.

INSURANCE

To provide safeguards and to meet the requirements of our clients, we carry the following types of insurance.

Insurance Type	Amount	Carrier
Professional Liability	$ 5 Million/claim $ 5 Million aggregate	Alterra Excess & Surplus Insurance
General Liability	$ 1 Million/claim $ 2 Million aggregate	Travelers Property Casualty Co. of America
Excess Liability	$ 9 Million	Travelers Property Casualty Co. of America
Worker's Compensation	$ 1 Million	American Automobile Insurance Company
Automobile	$ 1 Million	American Automobile Insurance Company

We have read the City of Moreno Valley's indemnification and insurance requirements, and will meet the requirements upon selection of our firm.

ATTACHMENT

REQUIRED FORMS

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action: ☐ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee N/A f. loan insurance	**2. Status of Federal Action:** ☐ a. bid/offer/application b. initial award c. post-award N/A	**3. Report Type:** ☐ a. initial filing b. material change **For Material Change Only:** year _____ quarter _____ date of last report N/A
4. Name and Address of Reporting Entity: ☒ Prime ☐ Subawardee Tier _____, *if known*: **Congressional District**, *if known*: 4c	**5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:** **Congressional District**, *if known*:	
6. Federal Department/Agency: N/A	**7. Federal Program Name/Description:** N/A CFDA Number, *if applicable*: _____	
8. Federal Action Number, *if known*: N/A	**9. Award Amount**, *if known*: $ N/A	
10. a. Name and Address of Lobbying Registrant (*if individual, last name, first name, MI*): N/A	**b. Individuals Performing Services** (*including address if different from No. 10a*) (*last name, first name, MI*): N/A	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	Signature: [signature] Print Name: Jalal Vakili Title: Principal Engineer Telephone No.: 909/758-5960 Date: July 31, 2012	
Federal Use Only:	Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)	

Attachment "D"

LIST OF SUBCONSULTANTS

PROJECT NAME: SR-60 / Moreno Beach Drive Phase 1 Improvement Project

PROJECT NO: 07-41570024

CONSULTANT NAME: Ninyo & Moore

NAME Axiom Engineering & Science Corporation	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE 714/247-1002	Materials Testing
ADDRESS 1322 Bell Avenue, Suite 1G	
CITY, STATE ZIP Tustin, California 92780	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

Duplicate this form as necessary to report all subconsultant(s) information

Attachment "E"

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART I

The proposer shall list all subconsultants (both DBE and non-DBE) in accordance with Section 2-1.054 of the Standard Specifications and per Title 49, Section 26.11 of the Code of Federal Regulations. This listing is required in addition to listing DBE subconsultants elsewhere in the proposal. **Photocopy this form for additional firms.**

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Certified DBE?
Name Axiom Engineering	*Phone* 714/247-1002	☐ < $1 million	Materials Testing	☒ YES
		☒ < $5 million		☐ NO
Address 1322 Bell Ave., Suite 1G		☐ < $10 million		*If YES list DBE #:* CUCP #33641
	Fax	☐ < $15 million		
City State ZIP Tustin, CA 92780		☐ > $15 million		*Age of Firm (Yrs.)* 28
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*

Distribution: 1) Original – Local Agency File

EXHIBIT 10-O2 Local Agency Proposer DBE Information (Consultant Contracts)

NOTE: PLEASE REFER TO INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM

LOCAL AGENCY: City of Moreno Valley LOCATION: Moreno Valley, California

PROJECT DESCRIPTION: SR-60 / Moreno Beach Drive Phase 1 Improvement Project

TOTAL CONTRACT AMOUNT ($): TBD

PROPOSER'S NAME: Ninyo & Moore

WORK ITEM NO.	DESCRIPTION OR SERVICES TO BE SUBCONTRACTED (or contracted if the proposer is a DBE)	DBE CERT NO. AND EXPIRATION DATE	NAME OF EACH DBE (Must be certified at the time proposals are due - include DBE address and phone number)	DOLLAR AMOUNT OF EACH DBE
	Materials Testing	CPUC #33641	Axiom Engineering & Science	TBD

For Local Agency to Complete:

Local Agency Contract Number: _____

Federal-Aid Project Number: _____

Federal Share: _____

Contarct Award: _____

Total Claimed DBE Participation $ TBD

TBD %

Local Agency certifies that the DBE certifications have been verified and all informations is complete and accurate.

Print Name Signature Date
Local Agency Representative

(Area Code) Telephone Number:

Signature of Proposer

July 31, 2012 909/758-5960
Date (Area Code) Tel. No.

Jalal Vakili Principal Engineer
Person to Contact (Please Type or Print)

For Caltrans Review:

Print Name Signature Date
Caltrans District Local Assistance Engineer

Local Agency Proposer DBE Information (Consultant Contarcts)
(Rev 6/27/09)

Distribution: (1) Copy - Fax or scan a copy to the Caltrans District Local Assistance Engineer (DLAE) within 15 days after contract execution. Failure to send a copy to the DLAE within 15 days after contract execution may result in deobligation of funds for this project.
(2) Original - Local agency files

APPENDIX

CERTIFICATIONS

FORNIA UNIFIED CERTIFICATION PROGRAM
ANTAGED BUSINESS ENTERPRISE CERTIFICATE

AXIOM ENGINEERING & SCIENCE CORP

1322 BELL AVE. STE. 1G
TUSTIN, CA 92780

Owner: JOHNATHAN HOU
Business Structure: CORPORATION

aid firm is approved by the California Unified Certification Program (CUCP) as a Disadvantaged Business Enterprise (DBE) as defined by lion (DOT) CFR 49 Part 26, as may be amended, for the following NAICS codes:

ry NAICS code

	541380 Testing Laboratories
rvices	541330 Engineering Services
ting Services	541370 Surveying and Mapping (except Geophysical) Services

ON STAKING	C8703	TRAFFIC ENGINEER
STUDIES	C8715	CONSULTANT, ENGINEERING
RAL ENGINEER	C8720	CIVIL ENGINEERING

UNIFIED CERTIFICATION PROGRAM

EGT Geotechnical Engineer

UCP Firm Number : 33641

TRANSPORTATION AUTHORITY (MTA)

November 9, 2011

CUCP OFFICER

State of California Department of Transportation

LABORATORY QUALIFIED LABORATORY INSPECTION REPORT

Form TL-0113 (12 IA, 02-06)

Expiration Date: July 2, 2013
Inspected by: John D.Warrick
IA No.: 57
Phone: (949) 279-8730
File: Materials Category 500

Laboratory: Ninyo & Moore **RSP # 177**

Address: 475 Goddard Suite 200

City: Irvine **State:** Ca. **Zip:** 92618

Lab QC Mgr: John M. Krobetzky **e-mail:** jkrobetzky@ninyoandmoore.com

Telephone: (949) 753-7070 **Fax:** (949) 753-7071

A certified Independent Assurance (IA) visited this laboratory on (Date) July 2, 2012
Only the equipment to be used on Caltrans Construction projects and/or local construction projects on the National Highway System was checked for qualification.

At the time of Caltrans Qualification, this laboratory had all necessary equipment to perform the tests methods indicated below. Testing personnel shall be Caltrans Qualified and possess a current Caltrans Certificate of Proficiency Form TL-0111 prior to performing any sampling or testing.

105	125	201	202	206	207	208
216	217	226	227	231	229	301
304	308	309	366	367	370	375
382	417	422	504	518	521	523
533	539	540	552	556	557	
204	205		368	D4791	643	

A visual check was performed and documents provided as necessary for the following items:

X Facility Safety Manual
X Laboratory Procedures Manual
X Laboratory Quality Control Manual
X Proper test equipment
X Copies of current applicable test procedures
X Calibration and service documentation
X Calibration stickers affixed to equipment (dated within the 12 months)

On July 2, 2012 (Date) this laboratory was Catrans Qualified by John D.Warrick (Printed name of IA person)

(Signature of IA person)

Item No. A.7

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
District 08 – Materials Engineering
464 W. Fourth Street, 6th Floor
San Bernardino, CA 92401-1400

CALTRANS QUALIFIED LABORATORY INSPECTION REPORT

Form TL-0113 (Southern IA, 01-06)

Expiration date: May 11, 2013
Inspection by: Robby Rodriguez
IA No.: 74
Phone: (909) 383-4619
File: Materials Category 500

Laboratory: Ninyo & Moore
Address: 11650 Mission Park Drive, Suite 101
City: Rancho Cucamonga State: CA Zip: 91730
Lab Manager: Kurt S. Yoshii, P.E., G.E. e-mail: kyoshii@ninyoandmoore.com
Phone #: (909) 758-5960 Fax #: (909) 758-5966

A certified Independent Assurance (IA) Sampler and Tester visited this laboratory on May 1, 2012. Only equipment to be used on Caltrans construction projects and/or local construction projects on the National Highway System projects was checked for qualification.

At the time of Caltrans Qualification, this laboratory had all necessary equipment to perform the tests methods indicated below. Testing personnel shall be Caltrans Qualified and possess a current Caltrans Certificate of Proficiency Form TL-0111 prior to performing any sampling or testing.

CT 105	CT 106	CT 125	CT 201	CT 202	CT 205	CT 206	CT 207	CT 216
CT 217	CT 226	CT 227	CT 229	CT 231	CT 234	CT 235	CT 504	CT 518
CT 521	CT 523	CT 524	CT 533	CT 539	CT 540	CT556	CT 557	

A visual check was performed and documents provided as necessary for the following items;

- ☒ Facility Safety Manual
- ☒ Laboratory Procedures Manual
- ☒ Laboratory Quality Control Manual
- ☒ Proper Test Equipment
- ☒ Copies of current applicable test procedures
- ☒ Calibration and Service Documentation
- ☒ Calibration/Service stickers affixed to test equipment

Laboratory Qualification is valid for one year

On May 1, 2012 this laboratory was qualified by:

Robby Rodriguez
District 08, Independent Assurance

Item No. A.7

MV00178911

DEPARTMENT OF TRANSPORTATION
District 11 – Materials Engineering
7177 Opportunity Rd
San Diego, CA 92111

CALTRANS QUALIFIED LABORATORY INSPECTION REPORT

Form TL-0113 (Southern IA, 01-06)

Expiration date: October 12, 2012
Inspection by: Roy E Denner Jr
IA No.: 049
Phone: 858-467-4067
File: Materials Category 500

Laboratory: Ninyo & Moore
Address: 5710 Ruffin Rd.
City: San Diego State: CA Zip: 92123-1013
Lab Manager: Ronald Buckley e-mail: rbuckley@ninyoandmoore.com
Phone #: 858-576-1000 Fax #: 858-576-9600

A certified Independent Assurance (IA) Sampler and Tester visited this laboratory on October 11,2011. Only equipment to be used on Caltrans construction projects and/or local construction projects on the National Highway System projects was checked for qualification.

At the time of Caltrans Qualification, this laboratory had all necessary equipment to perform the tests methods indicated below. Testing personnel shall be Caltrans Qualified and possess a current Caltrans Certificate of Proficiency Form TL-0111 prior to performing any sampling or testing.

CT105	CT106	CT125	CT201	CT202	CT206	CT207	CT208	CT209
CT212	CT213	CT214	CT216	CT217	CT219	CT226	CT227	CT229
CT231	CT234	CT235	CT301	CT304	CT308	CT309	CT366	CT370
CT371	CT375	CT382	CT504	CT518	CT521	CT523	CT533	CT539
CT540	CT556	CT557	LP-2	LP-3	LP-4	LP-9		

A visual check was performed and documents provided as necessary for the following items:

- ☒ Facility Safety Manual
- ☒ Laboratory Procedures Manual
- ☒ Laboratory Quality Control Manual
- ☒ Proper Test Equipment
- ☒ Copies of current applicable test procedures
- ☒ Calibration and Service Documentation
- ☒ Calibration/Service stickers affixed to test equipment

Laboratory Qualification is valid for one year

On October 11,2011 this laboratory was qualified by: {Roy E Denner Jr}
District 11, Independent Assurance

Item No. A.7

September 5, 2012
Project No. P-15614

Ms. Margery A. Lazarus, Senior Engineer, P.E.
City of Moreno Valley
Public Works Department - Capital Projects Division
14177 Frederick Street
Moreno Valley, California 92552-0805

Subject: **Addendum to Proposal for Construction Materials Testing and Geotechnical Services for SR-60/Moreno Beach Drive Phase 1 Improvements Project**
Project No. 07-41570024
City of Moreno Valley, California

Dear Ms. Lazarus:

Based on our discussion today, the following items are clarifications and additions to our proposal for the subject project:

- Laboratory test result turn-around-time will be within 48 hours unless the written testing procedure dictates additional time.
- Daily reports will be prepared and submitted for review and signature at the end of each work day.
- Stand-by time is not anticipated for this contract.
- The contingency fee will not be used unless approved by the City.
- We assume that pile driving for the retaining wall observation will be performed by others.

Ninyo & Moore appreciates the opportunity to submit this proposal and we look forward to working with you. If you have any questions regarding our cost proposal or require additional information, please contact me at your convenience.

Respectfully submitted,
NINYO & MOORE

Jalal Vakili, Ph.D., P.E.
Principal Engineer

AR/JV/rad

Attachments: None

Distribution: (1) Addressee

TABLE 1 – COST PROPOSAL

PROJECT COORDINATION AND TECHNICAL SUPPORT							
Principal Engineer/Geologist	2 hours	@	$	139.00	/hour	$	278.00
Project Engineer/Geologist	80 hours	@	$	123.00	/hour	$	9,840.00
Subtotal						**$**	**10,118.00**

FIELD SERVICES							
Project Engineer (Pre-Construction Meeting)	2 hours	@	$	123.00	/hour	$	246.00
Field Technician							
Earthwork and Embankement	200 hours	@	$	73.00	/hour	$	14,600.00
Structure Backfill and Trench Backfill	120 hours	@	$	76.00	/hour	$	9,120.00
Subgrade and Aggregate Base	120 hours	@	$	73.00	/hour	$	8,760.00
Hot Mix Asphalt (HMA)	100 hours	@	$	73.00	/hour	$	7,300.00
Portland Cement Concrete	40 hours	@	$	73.00	/hour	$	2,920.00
Batch Plant Inspector	160 hours	@	$	73.00	/hour	$	11,680.00
Sample Pick Up	10 hours	@	$	73.00	/hour	$	730.00
Field Vehicle and Equipment Usage	752 hours	@	$	8.00	/hour	$	6,016.00
Subtotal						**$**	**61,372.00**

LABORATORY ANALYSES							
Calfiornia Impact Test/Maximum Density	25 tests	@	$	180.00	/test	$	4,500.00
Sieve Analsysis	10 tests	@	$	105.00	/test	$	1,050.00
Sand Equivalent	10 tests	@	$	90.00	/test	$	900.00
Durability	5 tests	@	$	130.00	/test	$	650.00
R-Value	5 tests	@	$	250.00	/test	$	1,250.00
Cleaness Value	10 tests	@	$	120.00	/test	$	1,200.00
Los Angeles Abrasion	5 tests	@	$	180.00	/test	$	900.00
Percent of Crushed Particles	5 tests	@	$	140.00	/test	$	700.00
Moisture	5 tests	@	$	30.00	/test	$	150.00
Extraction & Gradation	6 tests	@	$	215.00	/test	$	1,290.00
Maximum Theoretical Unit Weight	6 tests	@	$	120.00	/test	$	720.00
Unit Weight	10 tests	@	$	90.00	/test	$	900.00
Hveem Stability and Unit Weight	6 tests	@	$	195.00	/test	$	1,170.00
Asphalt Concrete Mix Design Caltrans	2 tests	@	$	2,200.00	/test	$	4,400.00
Cement Concrete Mix Design Review	2 tests	@	$	140.00	/test	$	280.00
Compressive Strength (Concrete)	20 tests	@	$	22.00	/test	$	440.00
Subtotal						**$**	**20,500.00**

TABLE 1 – COST PROPOSAL

REPORT PREPARATION							
	2 hours	@	$	139.00	/hour	$	278.00
Project Engineer/Geologist	6 hours	@	$	123.00	/hour	$	738.00
Secretarial/Clerical	6 hours	@	$	44.00	/hour	$	264.00
Subtotal						**$**	**1,280.00**

RETESTING SERVICES							
Field Technician	20 hours	@	$	73.00	/hour	$	1,460.00
Field Vehicle and Equipment Usage	20 hours	@	$	8.00	/hour	$	160.00
						$	**1,620.00**

AXIOM (SBE SUB CONSULTANT) LABORATORY ANALYSES							
Calfiornia Impact Test/Maximum Density	25 tests	@	$	180.00	/test	$	4,500.00
						$	**4,500.00**

TOTAL FEE	**$**	**99,390.00**

OPTIONAL CONTINGENCY SERVICES							
Field Technician	120 hours	@	$	73.00	/hour	$	8,760.00
Field Vehicle and Equipment Usage	120 hours	@	$	8.00	/hour	$	960.00
						$	**9,720.00**

TOTAL FEE INCLUDING CONTINGENCY	**$**	**109,110.00**

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $109,110.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant shall notify the City in writing ten (10) days in advance of incurring costs at the following milestones: 50%, 75%, and 90% of expended budget. The City will monitor Consultant's expenditure levels in comparison to the physical construction work completed, and if progress is satisfactory in the judgment of the City, City will provide written authorization to proceed to the next milestone. City reserves the right to adjust staffing levels and personnel as appropriate. Consultant shall not change any personnel or subconsultants without prior authorization by the City.

4. The Consultant will electronically submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed

and the City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zara@moval.org or calls directed to (951) 413-3131.

5. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

6. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City Purchase Order Number
   E. City-provided Reference Number (e.g. Project, Activity)
   F. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

7. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

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MV00178919

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting as the Successor Agency

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION SURVEY SERVICES WITH COORY ENGINEERING FOR MORENO BEACH INTERCHANGE IMPROVEMENTS PHASE 1 – PROJECT NO. 801 0038 70 77 [FORMERLY PROJECT NO. 07-41570024]

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the "Agreement for Professional Consultant Services" with Coory Engineering (Coory), 1718 N. Neville Street, Orange, CA 92865, to provide professional survey services during construction of the SR-60/Moreno Beach Interchange Improvements Phase 1 project for a total agreement amount not to exceed $100,805.

2. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board approval.

3. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with Coory.

4. Authorize the issuance of a Purchase Order totaling $100,805 to Coory when the contract has been signed by all parties.

BACKGROUND

The SR-60/Moreno Beach Drive Phase 1 project is one of the key projects in the City's Economic Development Action Plan. Phase 1 improvements are designed to reconstruct the eastbound on- and off-ramps to SR-60 and connect the west leg of Eucalyptus Avenue to Moreno Beach Drive. On December 13, 2011, the City Council approved a Construction Cooperative Agreement with the State of California for the construction phase, giving the City authority to advertise, award, and administer the construction of Phase 1. Design and right-of-way for Phase 1 were completed, the project was advertised, and bids were opened on August 13, 2012. On August 28, 2012, the City Council awarded the construction contract.

DISCUSSION

The Construction Cooperative Agreement with Caltrans requires that the City meet Caltrans field survey requirements on the project. The City issued a Request for Proposal (RFP) to provide survey services based on the construction plans, specifications, and Caltrans requirements. On August 1, 2012, staff received five (5) proposals. A selection team of City and Caltrans staff reviewed the four (4) qualified proposals and ranked them in order, based on firm experience and qualifications, experience of key personnel, and project approach.

Staff has completed negotiations with the top-ranked survey firm and is recommending awarding a professional services agreement for construction-related survey services to Coory. Services performed will be on an as-needed basis, and will consist of field survey layout under the direction of a licensed Land Surveyor, providing all required survey equipment and experienced staff within 48 hours' notice, setting monument ties and staking all proposed improvements in accordance with the Caltrans Survey Manual. A purchase order for $100,805 will be issued for this agreement.

The recommended contract award is an action of the City Council with a funding source from the assets of the former City of Moreno Valley Redevelopment Agency. The recommended actions are included on the Recognized Obligations Payment Schedule (ROPS) approved by the City Council acting as the Successor Agency on February 14, 2012. The Successor Agency Oversight Board approved the ROPS for the period January through June 2012 on May 23, 2012, which has subsequently been approved by the State Department of Finance (DOF). This ROPS approval includes “placeholder” line items representing the expenditure of bond proceeds for approval purposes. The Successor Agency approval of this contract is required to move forward toward complete approval and compliance with ABx1 26 law. The contract will be presented to the Successor Agency Oversight Board, along with an updated ROPS that will include the contractor listed as an enforceable obligation. After Oversight Board approval, the contract and updated ROPS will be sent to the DOF for review. There is a risk that the Oversight Board may not approve the contract or updated ROPS. In addition, the State Department of Finance (DOF) has the authority to challenge actions approved by the Oversight Board within 10 days of the approved action. In light of the current process for

approval of the contract and the updated ROPS, the property tax to pay the contracts being recommended has not been authorized to pay the contract obligations. The City Council by approving the recommended contract is assuming the risk that in the event tax increment is not approved to pay the contracts by the Oversight Board or through successful challenge by the State DOF, the City would be obligated to pay the contract commitments from alternative funding sources, most likely the City's General Fund.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will comply with the Caltrans Construction Cooperative Agreement requiring the City to meet Caltrans professional survey requirements and facilitate the timely construction of needed improvements.*

2. Do not approve and authorize the recommended acting as presented in this staff report. *This alternative will significantly delay the construction of needed improvements.*

FISCAL IMPACT

The project is included in the Fiscal Year 2012/2013 Capital Improvement Program. There is no impact to the General Fund.

AVAILABLE FUNDS

Successor Agency 2007 Tax Allocation Bonds (Account 4821-70-77-80001 801 0038 70 77)	$ 4,879,000
Transportation Uniform Mitigation Fees (Account 3003-70-77-80001 801 0038 70 77)	$ 3,500,000
Total Project Budget	$ 8,379,000

CONSTRUCTION COSTS

Construction (includes contingency)	$ 6,700,000
Construction Management & Inspection Services	$ 788,000
Construction Support Services (Design)	$ 129,000
Construction Support Services (Survey)	$ 101,000
Construction Support Services (Geotechnical)	$ 110,000
Administrative Costs*	$ 170,000
Utility and Agency Inspection and Materials Costs**	$ 150,000
Total Estimated Cost	$ 8,148,000

**Includes City project administration, printing and other miscellaneous costs.*
***Includes EMWD, SCE, Caltrans, RCFC&WCD and CHP.*

PROJECT SCHEDULE

Begin Construction	October 2012
Construction Completion and Acceptance	October 2013

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The SR-60/Moreno Beach Interchange Phase 1 Improvements project goal is to improve the interchange through reconstruction and realignment. The project construction is funded utilizing Successor Agency 2007 Tax Allocation Bonds and Transportation Uniform Mitigation Fees (TUMF). City staff recommends awarding a contract for $100,805 to Coory Engineering to provide construction survey services for the project.

ATTACHMENTS

Attachment "A" – Agreement for Professional Consultant Services with Coory Engineering

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00178925

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) - ZONAL
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and **Coory Engineering,** a California corporation, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "A"

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

DESCRIPTION OF PROJECT

1. The project is described as professional consultant **survey services** for:

SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of **$100,805** in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **December 31, 2014** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be

subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Western Riverside Council of Governments (WRCOG), the State of California, Eastern Municipal Water District (EMWD), and Riverside County Flood Control and Water Conservation District (RCFC & WCD) and their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, the State's, MVHA's, CSD's, WRCOG's, EMWD's, and RCFC & WCD's employees and all claims which arise from or are connected with the negligent

performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the City, the State, MVHA, CSD, WRCOG, EMWD, and RCFC & WCD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such Public Liability and Property Damage Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence

Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum general liability limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, the State, MVHA, CSD, WRCOG, EMWD, and RCFC & WCD, against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) A Certificate of Insurance, or an appropriate insurance binder evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(h) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Western Riverside Council of Governments (WRCOG), the State of California, Eastern Municipal Water District (EMWD), and Riverside County Flood Control and Water Conservation District (RCFC & WCD), their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, its officers, employees and agents, under any third party liability policy."

(i) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(j) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior

to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain for its files copies of any and all materials, including drawings, documents, and specifications produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(d) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be

maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree, that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 801 0038 70 77
[FORMERLY PROJECT NO. 07-41570024]

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

DATE: _____

Ninyo & Moore

BY: _____

TITLE: _____
(President or Vice President)

BY: _____

TITLE: _____
(Corporate Secretary)

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Enclosures: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

REQUEST FOR PROPOSAL
FOR PROFESSIONAL CONSULTANT CONSTRUCTION SURVEYING SERVICES
SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT
FOR
THE CITY OF MORENO VALLEY'S CAPITAL PROJECTS DIVISION
EA 08-32301
PROJECT ACCOUNT NO.797.79731

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Construction **Surveying Services** associated with the SR-60 / MORENO BEACH DRIVE PHASE 1 IMPROVEMENTS PROJECT as shown on the Plans and Specifications.

Five (5) copies (one of the copies will be unbound and paper clipped, with no tabs, holes, perforations, or cardboard inserts, suitable for copying with an automatic-feed copy machine and one copy shall be on compact disk) of your Proposal shall be submitted no later than **5:00p.m, August 1, 2012** addressed to Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (mail delivery), Attention: Margery Lazarus, Senior Engineer, PE.

II. PROJECT DESCRIPTION

The SR-60/Moreno Beach Drive Phase-1 project site is located at the State Route (SR) 60 Interchange and Moreno Beach Drive in the City of Moreno Valley, CA. The work of this project generally includes realigning the SR-60/Moreno Beach eastbound off-and-on-ramps, adding an eastbound auxiliary lane, installation of a new traffic signal at the new intersection of the eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus Avenue and Moreno Beach Drive, coordination of utility relocations, irrigation, and related work. The work lies within State of California (Caltrans) right of way. The work includes earthwork, grading, Asphalt Concrete (AC) paving, concrete retaining walls, roadway excavation, , imported borrow, drainage pipes and minor concrete structures, concrete curb and gutter, traffic control, signing, striping, traffic and ramp meter signals, irrigation, erosion control, EMWD water line relocation, overhead SCE relocation, and related work.

III. PROJECT BUDGET AND SCHEDULE

The City of Moreno Valley will fund the construction with Local Funds consisting of TUMF and Successor Agency to RDA Funds (Account 797.79731).

The Consultant shall be required to meet or exceed the following timeline for this contract:

Anticipated Award of Consultant Contract	September 2012
Public Bid for SR-60/Moreno Beach Phase 1 Construction Contract	July 2012
Award of Construction Contract	October 2012
Construction Duration for SR-60/Moreno Beach Phase 1	189 Working Days (9 months)

Exhibit "A"

IV. SCOPE OF ENGINEERING SERVICES

The selected Consultant will be required to have personnel available for assignment to this project who have successfully provided professional services as it relates to all activities of public works construction surveying. . The Consultant selected shall provide Construction Surveying Services with personnel trained and experienced in survey layout for construction of public works improvements and, particularly, Caltrans.. The project is located within Caltrans Right of Way and all Surveying methods, procedures, frequencies shall comply with the contract specifications, and Caltrans Surveying Manuals and Guidelines. The minimum experience required includes five (5) years of construction surveying on increasingly complex public works and Caltrans projects. The Consultant firm selected must also provide all equipment and supplies necessary to perform the surveying services for the construction of the improvements and support services necessary to complete the scope of work. It is expected that the Consultant selected to fulfill this contract will be able to provide qualified personnel on an on-demand basis with 48-hour notice for construction surveying for the duration of the construction project and, as necessary, to close out the project.

The Consultant must have recent experience working within the Caltrans Right of Way and shall be required to follow all Caltrans safety procedures when executing the work. The Consultant surveyors shall be familiar with the industry standards of practice for the execution of quality public works construction projects and shall be able to understand and interpret public works construction plans and specifications; Caltrans Standard Plans and Specifications; City codes, ordinances and standards; Eastern Municipal Water District (EMWD) standards; Riverside County Flood Control and Water Conservation District (RCFCD) standards; and California Occupational Safety and Health Administration (OSHA) Construction Safety Orders. The Consultant surveyors shall be able to interact professionally with contractors, engineers, inspectors , property owners, business owners, and the public at large; coordinate with other City personnel, Caltrans personnel and consultants; promote quality customer service and a professional image of the City; and respond promptly and courteously to requests. The Consultant surveyors personnel shall be able to follow verbal and written instructions and communicate clearly and concisely, both orally and in writing.

The Consultant surveyors personnel must be under the responsible charge of a person registered by the California State Board of Registration for Professional Engineers and Land Surveyors as a Land Surveyor. (Registration as a Civil Engineer prior to 1982 may be substituted for the registration as a Land Surveyor).

Please be reminded that the Consultant is required to have a current City business license if the firm is awarded the work.

The Consultant shall provide public works construction surveying services to generally include, but not limited to, the following:

- Attend the pre-construction meeting
- Establish and confirm horizontal and vertical control, as required.
- Set monument ties, prior to the beginning of construction, all monuments must be researched, tied out, and submitted to the Project Engineer. Monuments that are destroyed during construction shall be replaced per the 1997 Land Survey Act,

Article 4, Section 464-Corner Record. Ties shall be submitted per the City of Moreno Valley Tie-Out Standard 601C and 601D on Mylar. Original monument tie-out sheets, corner records, and/or record of survey shall be provided to the City prior to the release of the final progress Payment. Assume two (2) monuments will need to be set for this project.

- Construction staking shall consist of stakes for proposed roadways, waterline improvements, utility improvements, storm drain improvements, cross gutter, sidewalk, concrete curb and gutter, AC pavement limits and grade control, AC berm (or dike), traffic signal equipment locations, fence, wall and related improvements as shown on the plans. Re-staking is to be identified separately on the invoice. Ten (10) trips for on-site re-staking time (allow a maximum of two hours per trip) should be estimated for Proposal purposes.
- Construction Surveying deliverables require performing construction surveying in accordance with the Caltrans Construction Manual, Caltrans Standard Plans, Caltrans Surveying Manual, and the various industry standards stated above in the "Scope of Engineering Services."
- The required work effort will ultimately be initiated through an itemized survey request from the City's Consultant Resident Engineer. The City expects the consultant's field response time to each survey request not to exceed 48 hours as specified in the Caltrans Standard Specifications.

SUBMITTAL SCHEDULE

Proposals Due	5:00 p.m., August 1, 2012
Consultant Selection	On or before September 4, 2012
Notice to Proceed (Tentative)	Week of September 18, 2012

V. CONSULTANT'S PROPOSAL AND COMPENSATION

The Consultant's Proposal shall be no more than 20 pages, excluding a cover letter of up to two pages, dividers, and certificates. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services and failing to comply with requirements and conditions of the RFP will not be given further consideration. The Consultant's Proposal shall include the following:

A. A statement that this Request For Proposal shall be incorporated in its entirety as a part of the Consultant's Proposal.

B. A statement that this Request For Proposal and the Consultant's Proposal will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley.

C. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's Request For Proposal except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

D. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedence over this Request For Proposal.

E. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact. If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.

F. A resource allocation matrix must be submitted with the Proposal. The resource allocation matrix shall list detailed tasks in rows and the appropriate individual (Job Title Only) as well as the number of hours that these individuals will be working on each task listed, included in adjacent columns. The resource allocation matrix is required of both the primary consultant, as well as any sub-consultant. . Failure to do so will result in the Consultant's Proposal being deemed incomplete and it will not receive further consideration. Title Reports shall be a separate line item under the right-of-way task. Construction support services Consultants are not required to provide a Project Schedule with milestones.

G. A rate schedule must be submitted with the proposal. The rate schedule must list titles, names, roles, and hourly billing rates in rows. A statement that said hourly rate schedules in part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred shall also be included. All extra work will require prior approval from the City. COST PROPOSAL DETAILS MUST BE IN A SEALED ENVELOPE.

H. A statement of sub-consultant's qualifications (including relief personnel) applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.

A statement that the Consultant acknowledges and understands that the consultant will not be allowed to change a sub-consultant without written permission from the City.

I. A statement that all charges for Consultant (construction) services is a "Not-to-Exceed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.

J. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports or similar evidence of attainment of the Agreement objectives.

K. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

L. A copy of the Consultant's hourly rate schedule and a statement that said hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this Request For Proposal. **An itemized cost breakdown for the work described herein must be submitted in a separate sealed envelope as part of your Proposal submittal.** All extra work will require prior approval from the City. . The City requests the consultant to provide in the proposal the number of hours on the job, in addition to the cost proposal. The Cost Proposal must be in a sealed envelope.

M. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

N. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

O. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this specific project. All relevant records shall be retained for at least three years.

P. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.

Q. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.

R. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

S. This solicitation and resultant Contract is not financed in whole or part with federal funds, but the City encourages Bidders to follow Title 49, Code of Federal Regulations, Part 26 (49 CFR 26) entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs."

Bidders who obtain DBE participation on this Contract will assist the City in meeting its DBE goals for the Project.

DBEs and other small businesses are strongly encouraged to participate in the performance of this Contract. The City encourages Bidders to give DBEs and other small businesses the opportunity to participate in the performance of the Work that is the subject of this solicitation and to take all necessary and reasonable steps for this assurance. The Bidder shall not discriminate on the basis of race, color, national origin, sex, age, or physical or mental disability, sexual orientation or retaliation in the award and performance of subcontracts.

A Race Neutral program is one that, while benefiting DBEs, is not solely focused on DBE firms. A Race Neutral program utilizes measures that can assist a wide variety of small businesses, including DBEs, such as arranging solicitations, times for the presentation of proposals, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces). Race Neutral DBE participation includes: a DBE obtaining a prime contract through customary competitive procurement procedures; a DBE being awarded a subcontract on a prime contract, whether or not the prime contract has a DBE goal; and a DBE being awarded a subcontract from a prime contractor that did not consider its DBE status in making the award.

The Consultant is encouraged to include DBE firms in the proposal. Complete the forms listed in "Attachments" at the end of this RFP.

VI. GENERAL COMPLIANCE WITH LAWS AND WAGE RATES

A. The Consultant shall be required to comply with all federal, state, and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

B. The Consultant is required to submit certified payrolls weekly. This applies to all applicable field personnel working on the project. In accordance with Section 1771.5 (b) (5) of the California Labor Code, the City will withhold payments when the payroll records are delinquent or inadequate.

VII. FEDERAL EMPLOYEE BENEFIT

No member of, or delegate to, the Congress of the United States, and no Resident Commissioner shall be admitted to any share or part of the Agreement to the said project or to any benefit to arise from the same.

The Consultant shall complete and include the "Certification for Contracts, Grants, Loans, and Cooperative Agreements" and "Disclosure of Lobbying Activities" forms with the Proposal.

VIII. PAYMENT TO CONSULTANT

A. This work is to be performed for a "Not-to-Exceed Fixed Fee."

B. The Consultant shall provide a "Project Fee Schedule" indicating the fee for individual tasks with a "Not-to-Exceed Fixed Fee" which shall be the sum of all tasks, by part, phase, and milestone and shall be submitted in a separate sealed envelope with cost proposal.

C. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

D. The City will pay the Consultant for work completed based on milestones completed and accepted by the City. These milestones are:

1. Project Bidding, Advertise and Award.

2. Any other additional authorized work on a task successfully completed and accepted monthly basis.

The City shall make the sole and final determination if a milestone as described above is complete and acceptable for payment.

E. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

F. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fee."

G. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

H. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services."

I. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services," an "Amendment to the Agreement" will be executed between the City and Consultant.

J. The Consultant shall receive no compensation for any re-work necessary as result of the Consultant's errors or oversight.

IX. INSURANCE

A. The Consultant shall provide Errors and Omissions Professional Insurance. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

B. The Consultant shall have Public Liability and Property Damage Insurance in the amounts as follows:

GENERAL LIABILITY		
Bodily Injury	$1,000,000	per occurrence
Property Damage	$ 1,000,000	per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

C. The Consultant shall have Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment in the amount of not less than $1,000,000.

D. The Consultant shall have Workers' Compensation Insurance in the amounts that fully comply with the laws of the State of California and employer's liability insurance with limits of not less than $1,000,000 each accident.

E. A Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Moreno Valley Housing Authority (MVHA) , Western Riverside Council of Governments (WRCOG), and the Moreno Valley Community Services District, its officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Housing Authority , Western Riverside Council of Governments (WRCOG),and the Moreno Valley Community Services District, its officers and employees and agents, under any third party liability policy."

F. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

G. The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverage's nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the Agency, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amount established.

H. It is the consultant's responsibility to ensure that all subconsultants comply with the following: Each subconsultant that encroaches within the City's right-of-way and

affects (i.e., damages or impacts) City infrastructure must comply with the liability insurance requirements of the City's Land Development Division. Examples of such subconsultant work include soil sample borings, utility potholing, etc.

The "Application for Encroachment Permit" form (four pages), including "Application for Encroachment Permit Liability Insurance Requirements," is available in the Land Development Division and must be completed and submitted in full to the City.. It is the Consultant's responsibility to ensure that all subconsultants submit the appropriate encroachment permit and insurance documentation at the same time that the Consultant's insurance documentation is submitted.

X. INDEMNIFICATION

A. To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the City of Moreno Valley Housing Authority(MVHA), the Moreno Valley Community Services District (CSD), and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and .all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its sub consultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, MVHA, CSD, and WRCOG; their officers, agents or employees.

B. The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Housing Authority(MVHA), the Moreno Valley Community Services District (CSD), and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless 'from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its sub consultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, MVHA, CSD, and WRCOG, their officers, agents or employees.

C. The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, MVHA, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, MVHA, CSD, and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction;

provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

XI. TERMINATION FOR CONVENIENCE OF THE CITY

The City reserves the right to terminate the "Agreement for Professional Consultant Services" for the "convenience of the City" at any time by giving ten (10) days written notice to the Consultant of such termination and specifying the effective date thereof. All finished or unfinished drawings, maps, documents, field notes and other materials produced and procured by the Consultant under the said aforementioned Agreement is, at the option of the City, City property and shall be delivered to the City by the Consultant within ten (10) working days from the date of such termination. The City will reimburse the Consultant for all acceptable work performed as set forth in the executed Agreement.

XII. INDEPENDENT CONTRACTOR

The Consultant's relationship to the City in the performance of the Consultant's services for this project is that of an independent Contractor. The personnel performing said Construction Materials Testing & Geotechnical Services shall at all times be under the Consultant's exclusive direction and control and shall be employees of the Consultant and not employees of the City. The Consultant shall pay all wages, salaries and other amounts due his employees in connection with the performance of said work and shall be responsible for all employee reports and obligations, including but not necessarily restricted to, social security, income tax withholding, unemployment compensation, and Workers' Compensation.

XIII. CONTRACT

The Contract includes the Agreement for Professional Consultant Services, City's Request for Proposal, Consultant's Proposal, and Exhibits.

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract.

XIV. GENERAL CONDITIONS

A. Pre-contractual expenses are defined as expenses incurred by the Consultant in: (1) preparing the Proposal; (2) submitting the Proposal to the City; (3) presentation during selection interview; (4) negotiating with the City any matter related to this Proposal; (5) any other expenses incurred by the Consultant prior to an executed Agreement.

The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Consultant.

B. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any Agreement will be awarded to any Consultant responding to this RFP. The City expressly reserves the right to postpone reviewing the Proposals for its own convenience and to reject any and all Proposals responding to this RFP without indicating any reasons for such rejection(s).

C. The City reserves the right to reject any or all Proposals submitted. Any Contracts awarded for these Consultant engagements will be made to the Consultant who, in the opinion of the City, is best qualified.

XV. SELECTION CRITERIA

It is the City's intent to select and utilize one Consultant firm for the project. The City may award the services in part and/or phases. The Consultant may be invited to a selection interview. The Proposals will be rated/ranked according to the following criteria:

A. The Firm's General Experience and Qualification Information (20 points) – Information about the company (and all sub-consultants) including professional licenses held; ability to furnish required insurance and meet stipulations of the City's "boiler plate" agreement; details about comparable projects completed by the firm, as well as local experience; and its ability to provide the required services in an efficient and expeditious manner.

B. Experience of Key Personnel (40 points) – Background on key personnel (including all sub-consultants) qualifications, abilities, familiarity with state and federal procedures, local experience on comparable projects and length of service with the firm, reference information preferably with municipal agencies, and proven track record and depth of understanding/knowledge of the proposed Project Manager and key personnel.

C. Project Approach/Understanding (40 points) – Understanding of Project, discussion of major issues identified on the project and how the consultant team plans to address them; the management approach and organization necessary to complete the specific project; and outline quality control measures to ensure delivery of a quality product on time and within budget that provides a cost efficient, timely and predictable execution of the project construction.

XVI. Other Requirements

A. Conflict of Interest

1. The Consultant shall disclose any financial, business, or other relationship with City that may have an impact upon the outcome of this contract, or any ensuing City Construction project. The Consultant shall also list current clients who may have financial interest in the outcome of this Agreement, or any ensuing City construction project, which will follow.

2. The Consultant hereby certifies that it does not now have, nor shall it acquire any financial or business interest that would conflict with the performance of services under this Agreement.

3. Any subcontract in excess of $25,000 entered into as a result of this Agreement, shall contain all of the provisions of this Agreement.

4. The Consultant hereby certifies that neither the Consultant, its employees, nor any firm affiliated with the Consultant providing services on this project prepared the Plans, Specifications, and Estimates for any construction project included within this contract . An affiliated firm is one, which is subject to the control of the same persons through joint-ownership, or otherwise.

5. The Consultant further certifies that neither Consultant, nor any firm affiliated with the Consultant, will bid on any construction subcontracts included within the construction contract. Additionally, Consultant certifies that no person working under this Agreement is also employed by the construction contractor for any project included within this agreement.

6. Except for subcontractors whose services are limited to materials testing, no subcontractor who is providing services on this Agreement shall have provided services on the design of any project within this contract.

Attachments (incorporated by reference)

Attachment "A"	Plan Title Sheet
Attachment "B"	City Standard Consultant Agreement (no changes to this agreement will be allowed)
Attachment "C"	Caltrans/City Cooperative Agreement for SR-60Moreno Beach Drive Phase-1 Improvements
Attachment "D"	Disclosure of Lobbying Activities (Form LLL)
Attachment "E"	List of Subconsultants
Attachment "F"	Proposer's List of Subconsultants (DBE and Non-DBE) Parts I and II
Attachment "G"	Exhibit 10-02- Local Agency Proposer DBE Information
Attachment "H"	Compilation of Plans based on current status of completion - CD available upon request

W:\CapProj\CapProj\PROJECTS\Marge - 07-41570024 Rte 60 Nason-Moreno Beach Bridge Intrchng\Construction\Consultant\Survey\RFP\RFP - Survey - Moreno Beach Ph 1 (final).doc

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

PROJECT PLANS FOR CONSTRUCTION ON
STATE HIGHWAY

IN RIVERSIDE COUNTY
IN MORENO VALLEY
FROM 0.3 MILE WEST TO 0.4 MILE EAST
OF MORENO BEACH DRIVE OVERCROSSING

TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2006

District	County	Route	Post Mile	Total Sheets	Sheet
08	Riv	60	18.8/19.6	1	1

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	Title and Location Map
2-7	Typical Cross Sections
8	Key Map and Line Index
9-11	Layouts
12-16	Profiles and Superelevation Diagrams
17-38	Construction Details
39-42	Temporary Water Pollution Control Plan, Details and Quantities
43-45	Erosion Control Plans
46-48	Contour Grading
49-73	Drainage Plan, Profiles, Details and Quantities
74-77	Utility Plans
78-79	Construction Area Signs
80-84	Stage Construction Plans
85-98	Traffic Handling and Quantities
100	Detour Plans
101-107	Pavement Delineation Plans, Details and Quantities
108-120	Sign Plans, Details and Quantities
121-124	Summary of Quantities
125	Irrigation Plan
126-145	Electrical Plans
146-149	Water Pipeline Relocation Plans
150-205	Revised and New Standard Plans

STRUCTURE PLANS

206-211	Retaining Wall RW 3805R

BEGIN CONSTRUCTION
Sta 994+65.24 PM 18.8

END CONSTRUCTION
Sta 1030+40.00 PM 19.6

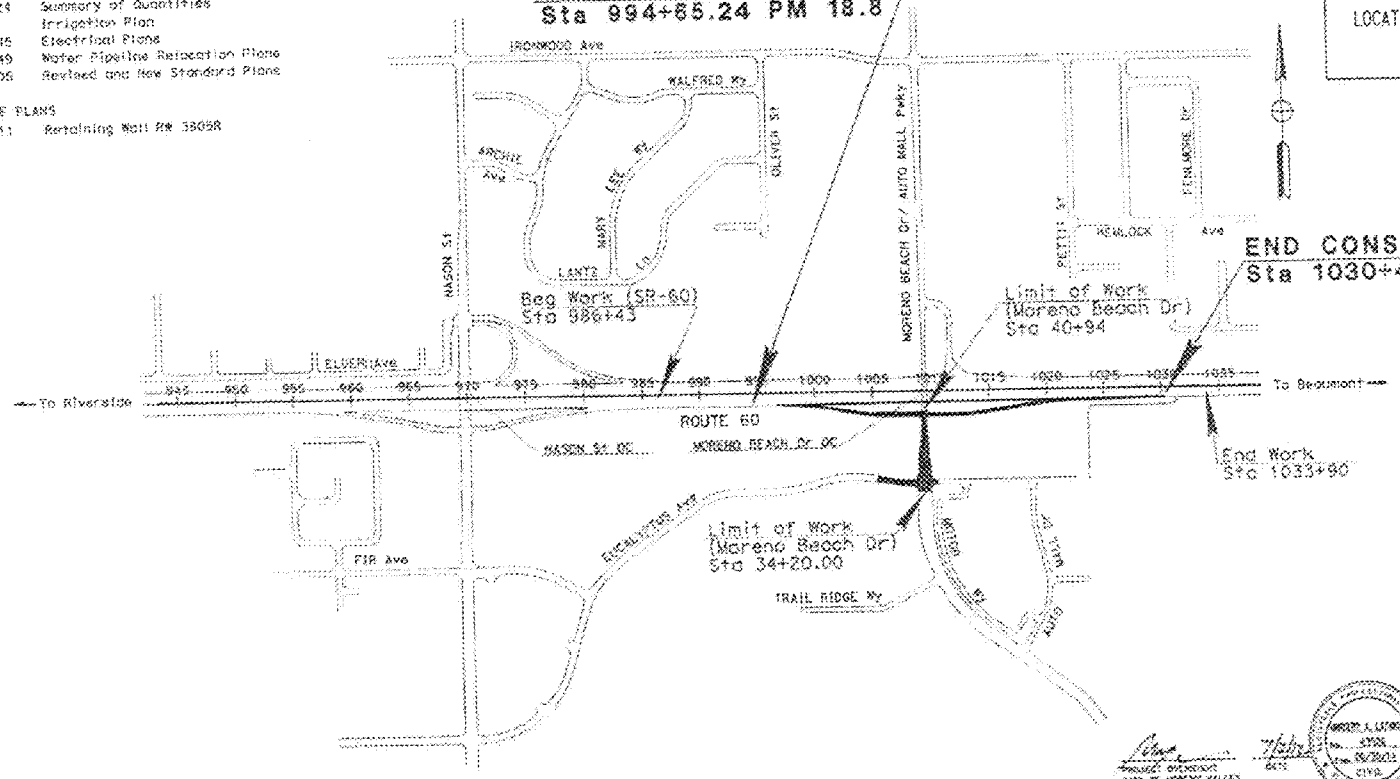

NO SCALE

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

PARSONS
2201 DUPONT DRIVE, SUITE 200
IRVINE, CALIFORNIA 92612

CITY OF MORENO VALLEY
14177 FREDERICK STREET
MORENO VALLEY, CALIFORNIA 92552

CONTRACT NO.	08-323014
PROJECT ID	0800000593

UNIT 2232 | PROJECT NUMBER & PHASE 0800000593

BORDER LAST REVISED 1/2/2010 | CALTRANS WEB SITE IS: HTTP://WWW.DOT.CA.GOV/

APPROVED AS TO IMPACT ON STATE FACILITIES AND CONFORMANCE WITH APPLICABLE STATE STANDARDS AND POLICIES AND CERTIFICATE OF INDEPENDENT REVIEW PROFESSIONAL

CONSULTANT DESIGN ENGINEER: RANCO SPERIS

CALTRANS DESIGN DIVISION APPROVAL: DU LU

REGISTRATION No. C57046 | LICENSING EXP. DATE 12/31/12 | DATE SIGNED

Attachment "A"

Item No. A.8

MV00178950

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) - ZONAL
PROJECT NO. XX-XXXXX

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and **Consultant Company,** a (California corporation, partnership, sole ownership) hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

SAMPLE

AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES
PROJECT NO. XX-XXXXX

DESCRIPTION OF PROJECT

1. The project is described as professional consultant _____ services for:

Project Name

Project No. XX-XXXXX

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $_____ in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **Month Date, Year** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

Or

SAMPLE

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the design/construction schedule as stated in the Notice to Proceed.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary

SAMPLE

consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

[for Non-design contracts]

15. (a) The Consultant agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to

SAMPLE

any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts, recklessness or willful misconduct of the City, RDA, CSD and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction.

Or [for Design contracts]

15. (a) To the maximum extent allowable by law, the Consultant agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA, CSD and WRCOG, their officers, agents or employees.

(b) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, CSD and WRCOG, their officers, agents or

SAMPLE

employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

Or [for Design/CM contracts]

15. (a) To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA, CSD, and WRCOG, their officers, agents or employees.

(b) The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), the Moreno Valley Community Services District (CSD) and the Western Riverside Council of Governments (WRCOG), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are

SAMPLE

caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, CSD, and WRCOG, their officers, agents or employees.

(c) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's, CSD's, and WRCOG's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, CSD, and WRCOG, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any

SAMPLE

person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such Public Liability and Property Damage Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

GENERAL LIABILITY

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum general liability limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of

SAMPLE

California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, RDA, CSD and WRCOG against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) A Certificate of Insurance, or an appropriate insurance binder evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(h) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Western Riverside Council of Governments, its officers, employees and agents, under any third party liability policy."

(i) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed

SAMPLE

and qualified to conduct insurance business in the State of California.

(j) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project.

SAMPLE

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without fault on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Such termination may be effective immediately.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his designated representative, in both hard copy and electronic format, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain for its files copies of any and all materials, including drawings, documents, and specifications produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his

SAMPLE

files and his subconsultants, if any.

(d) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis,

SAMPLE

the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree, that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement.

SIGNATURE PAGE FOLLOWS

SAMPLE

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
Department Head/Mayor/City Manager
(Select only one please)

DATE: _____

Consultant Company

BY: _____

TITLE: _____
(President or Vice President)

BY: _____

TITLE: _____
(Corporate Secretary)

ATTEST:

_____
City Clerk *(not needed if City Manager signs)*

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Enclosures: Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule

SAMPLE

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

SAMPLE

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $_____.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant will electronically submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3078. Copies of invoices may be submitted to the Capital Projects Division at zara@moval.org or calls directed to (951) 413-3131.

4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees,

SAMPLE

late charges, or other penalties. The ACH Authorization Form is located at:

http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City-provided Reference Number (e.g. Project, Activity)
   E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

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Revised 10/13/09

SAMPLE

EXHIBIT "D"

CONSTRUCTION COOPERATIVE AGREEMENT

This agreement, effective on January 4, 2012, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Moreno Valley, a body politic and municipal corporation or chartered city of the State of California, referred to as CITY.

For the purpose of this agreement, the term PARTNERS collectively refers to CALTRANS and CITY (all signatory parties to this agreement). The term PARTNER refers to any one of those signatory parties individually.

RECITALS

1. California Streets and Highways Code sections 114 and 130 authorize PARTNERS to enter into a cooperative agreement for performance of work within the State Highway System (SHS) right of way.

2. This agreement outlines the terms and conditions of cooperation between PARTNERS to complete the construction capital phase to improve the eastbound ramp configuration at Moreno Beach Drive on State Route 60 (SR-60) in the City of Moreno Valley and construct auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing.

   For the purpose of this agreement, improvements to the eastbound ramp configuration at Moreno Beach Drive on SR-60 in the City of Moreno Valley and construction of auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing will be referred to as PROJECT. All responsibilities assigned in this agreement to complete the construction capital phase of PROJECT will be referred to as OBLIGATIONS.

3. This agreement is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between PARTNERS regarding PROJECT.

4. Prior to this agreement, the CITY developed the Project Report; Plans, Specifications and Estimate; and the Right of Way Certification (Cooperative Agreement No. 8-1314).

5. CITY prepared the environmental documentation for PROJECT.

6. The estimated date for OBLIGATION COMPLETION is December 31, 2014.

7. In this agreement capitalized words represent defined terms and acronyms. The Definitions section contains a complete definition for each capitalized term.

8. From this point forward, PARTNERS define in this agreement the terms and conditions under which they will accomplish OBLIGATIONS.

RESPONSIBILITIES

9. CITY is SPONSOR for 100% of PROJECT.

10. CALTRANS will provide IQA for the portions of WORK within existing and proposed SHS right of way. CALTRANS retains the right to reject noncompliant WORK, protect public safety, preserve property rights, and ensure that all WORK is in the best interest of the SHS.

11. CITY may provide IQA for the portions of WORK outside existing and proposed SHS right of way.

12. CITY is the only FUNDING PARTNER for this agreement. CITY's funding commitment is defined in the FUNDING SUMMARY.

13. CALTRANS is the CEQA lead agency for PROJECT.

14. CALTRANS is the NEPA lead agency for PROJECT.

15. CITY is IMPLEMENTING AGENCY for CONSTRUCTION.

SCOPE

Scope: General

16. PARTNERS will perform all OBLIGATIONS in accordance with federal and California laws, regulations, and standards; FHWA STANDARDS; and CALTRANS STANDARDS.

17. IMPLEMENTING AGENCY for a PROJECT COMPONENT will provide a Quality Management Plan (QMP) for that component as part of the PROJECT MANAGEMENT PLAN. The District Construction Division, with input from Structure Construction must approve the Quality Management Plan (QMP) before the encroachment permit for construction is issued.

18. Any PARTNER may, at its own expense, have representatives observe any OBLIGATIONS performed by another PARTNER. Observation does not constitute authority over those OBLIGATIONS.

19. Each PARTNER will ensure that all of its personnel participating in OBLIGATIONS are appropriately qualified, and if necessary licensed, to perform the tasks assigned to them.

20. IMPLEMENTING AGENCY shall retain consultants and shall invite CALTRANS to participate in the selection and retention of consultants that participate in OBLIGATIONS. At least one representative from the Construction Division of CALTRANS shall participate in the selection process. A construction management firm shall not be selected without the approval by this representative.

21. If WORK is done under contract (not completed by a PARTNER's own employees) and is governed by the California Labor Code's definition of "public works" (section 1720(a)(a)), that PARTNER will conform to sections 1720 – 1815 of the California Labor Code and all applicable regulations and coverage determinations issued by the Director of Industrial Relations.

22. IMPLEMENTING AGENCY for each PROJECT COMPONENT included in this agreement will be available to help resolve problems generated by that component for the entire duration of PROJECT.

23. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within SHS right of way.

    Contractors and/or agents, and utility owners will not perform WORK without an encroachment permit issued in their name.

24. If any PARTNER discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTNER will notify all PARTNERS within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and a plan is approved for its removal or protection.

25. PARTNERS will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for PROJECT in confidence to the extent permitted by law. Where applicable, the provisions of California Government Code section 6254.5(e) will govern the disclosure of such documents in the event that PARTNERS share said documents with each other.

    PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete PROJECT without the written consent of the PARTNER authorized to release them, unless required or authorized to do so by law.

26. If any PARTNER receives a public records request, pertaining to OBLIGATIONS, that PARTNER will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any disclosed public records. PARTNERS will consult with each other prior to the release of any public documents related to the PROJECT.

27. If HM-1 or HM-2 is found during a PROJECT COMPONENT, IMPLEMENTING AGENCY for that PROJECT COMPONENT will immediately notify PARTNERS.

28. CALTRANS, independent of PROJECT, is responsible for any HM-1 found within the existing SHS right of way. CALTRANS will undertake HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to PROJECT schedule.

29. CITY, independent of PROJECT, is responsible for any HM-1 found within PROJECT limits and outside the existing SHS right of way. CITY will undertake or cause to be undertaken HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to PROJECT schedule.

30. If HM-2 is found within PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM MANAGEMENT ACTIVITIES related to HM-2.

31. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

32. PARTNERS will comply with all of the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each PARTNER's responsibilities in this agreement.

33. IMPLEMENTING AGENCY for each PROJECT COMPONENT will furnish PARTNERS with written quarterly progress reports during the implementation of OBLIGATIONS in that component.

34. Upon OBLIGATION COMPLETION, ownership or title to all materials and equipment constructed or installed for the operations and/or maintenance of the SHS within SHS right of way as part of WORK become the property of CALTRANS.

    CALTRANS will not accept ownership or title to any materials or equipment constructed or installed outside SHS right of way.

35. IMPLEMENTING AGENCY for a PROJECT COMPONENT will accept, reject, compromise, settle, or litigate claims of any non-agreement parties hired to do WORK in that component.

36. PARTNERS will confer on any claim that may affect OBLIGATIONS or PARTNERS' liability or responsibility under this agreement in order to retain resolution possibilities for potential future claims. No PARTNER will prejudice the rights of another PARTNER until after PARTNERS confer on claim.

37. PARTNERS will maintain, and will ensure that any party hired by PARTNERS to participate in OBLIGATIONS will maintain, a financial management system that

conforms to Generally Accepted Accounting Principles (GAAP), and that can properly accumulate and segregate incurred PROJECT costs, and provide billing and payment support.

38. PARTNERS will comply with the appropriate federal cost principles and administrative requirements outlined in the Applicable Cost Principles and Administrative Requirements table below. These principles and requirements apply to all funding types included in this agreement.

39. PARTNERS will ensure that any party hired to participate in OBLIGATIONS will comply with the appropriate federal cost principles and administrative requirements outlined in the Applicable Cost Principles and Administrative Requirements table below.

Applicable Cost Principles and Administration Requirements		
The federal cost principles and administrative requirements associated with each organization type apply to that organization.		
Organization Type	Cost Principles	Administrative Requirements
Federal Governments	2 CFR Part 225	OMB A-102
State and Local Government	2 CFR, Part 225	49 CFR, Part 18
Educational Institutions	2 CFR, Part 220	2 CFR, Part 215
Non-Profit Organizations	2 CFR, Part 230	2 CFR, Part 215
For Profit Organizations	48 CFR, Chapter 1, Part 31	49 CFR, Part 18
CFR (Code of Federal Regulations) **OMB (Office of Management and Budget)**		
Related URLs: • Various OMB Circular: http://www.whitehouse.gov/omb/grants_circulars • Code of Federal Regulations: http://www.gpoaccess.gov/CFR		

40. PARTNERS will maintain and make available to each other all OBLIGATIONS-related documents, including financial data, during the term of this agreement.

41. PARTNERS will retain all OBLIGATIONS-related records for three (3) years after the final voucher.

42. PARTNERS have the right to audit each other in accordance with generally accepted governmental audit standards.

CALTRANS, the state auditor, FHWA, and CITY will have access to all OBLIGATIONS-related records of each PARTNER, and any party hired by a PARTNER to participate in OBLIGATIONS, for audit, examination, excerpt, or transcription.

The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of

operation. The auditing PARTNER will be permitted to make copies of any OBLIGATIONS-related records needed for the audit.

The audited PARTNER will review the draft audit, findings, and recommendations, and provide written comments within 30 calendar days of receipt.

Upon completion of the final audit, PARTNERS have 30 days to refund or invoice as necessary in order to satisfy the obligation of the audit.

Any audit dispute not resolved by PARTNERS is subject to dispute resolution. Any costs arising out of the dispute resolution process will be paid within 30 calendar days of the final audit or dispute resolution findings.

43. Any PARTNER that hires another party to participate in OBLIGATIONS will conduct a pre-award audit of that party in accordance with the *Local Assistance Procedures Manual*.

44. PARTNERS will not incur costs beyond the funding commitments in this agreement. If IMPLEMENTING AGENCY anticipates that funding for WORK will be insufficient to complete WORK, IMPLEMENTING AGENCY will promptly notify SPONSOR.

    IMPLEMENTING AGENCY has no obligation to perform WORK if funds to perform WORK are unavailable.

45. If WORK stops for any reason, IMPLEMENTING AGENCY will place all facilities impacted by WORK in a safe and operable condition acceptable to CALTRANS.

46. If WORK stops for any reason, each PARTNER will continue to implement all of its applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each PARTNER's responsibilities in this agreement, in order to keep PROJECT in environmental compliance until WORK resumes.

47. Each PARTNER accepts responsibility to complete the activities that it selected on the SCOPE SUMMARY. Activities marked with "N/A" on the SCOPE SUMMARY are not included in the scope of this agreement.

48. Contract administration procedures shall conform to CALTRANS' Construction Manual, Local Assistance Procedures Manual (if Federal funds are used), and the PROJECT encroachment permits.

49. If the Resident Engineer is not also a registered Landscape Architect, CITY will furnish, at CITY expense and subject to approval of CALTRANS Landscape Architecture, a registered Landscape Architect to perform work related to architecture treatment and landscaping and to perform the function of an Assistant Resident Engineer/Inspector who is responsible for both daily on-site inspections and final decisions including, but not

limited to, any highway planting and the irrigation systems that comprise a portion of the PROJECT work. Final decisions shall continue to be subject to the satisfaction and approval of CALTRANS.

50. Within one hundred eighty (180) days following the completion and acceptance of the PROJECT construction contract, to furnish CALTRANS with a complete set of "As-Built" plans (hard copy and electronic formats) in accordance with CALTRANS' then current CADD Users Manual, Plans Preparation Manual, and CALTRANS practice. The submittal must also include all CALTRANS requested contract records, including survey documents and Records of Surveys (to include monument perpetuation per the Land Surveyor Act, section 8771, including but not limited to preconstruction monumentation documents and a post construction Record of Survey). CITY shall also submit corrected full-sized hardcopy structure plans.

Scope: Environmental Permits, Approvals and Agreements

51. Each PARTNER identified in the Environmental Permits table below accepts the responsibility to complete the assigned activities.

Environmental Permits

Permit	Coordinate	Prepare	Obtain	Implement	Renew	Amend
404 USACOE	CITY	CITY	CITY	CITY	CITY	CITY
401 RWQCB	CITY	CITY	CITY	CITY	CITY	CITY
NPDES SWRCB	CITY	CITY	CITY	CITY	CITY	CITY
1602 DFG	CITY	CITY	CITY	CITY	CITY	CITY

Scope: CONSTRUCTION

52. CITY will advertise, open bids, award, approve, and administer the construction contract in accordance with the California Public Contract Code and the California Labor Code.

CITY will not advertise the construction contract until CALTRANS completes or accepts the final plans, specifications, and estimate package; CALTRANS approves the Right of Way Certification; and SPONSOR verifies full funding of CONSTRUCTION SUPPORT and CONSTRUCTION CAPITAL.

By accepting responsibility to advertise and award the construction contract, CITY also accepts responsibility to administer the construction contract.

PARTNERS agree that CITY is designated as the Legally Responsible Person and the Approved Signatory Authority pursuant to the Construction General Permit, State Water Resources Control Board (SWRCB) Order Number 2009-0009-DWQ, as defined in Appendix 5, Glossary, and assumes all roles and responsibilities assigned to the Legally

Responsible Person and the Approved Signatory Authority as mandated by the Construction General Permit.

53. IMPLEMENTING AGENCY will implement changes to the construction contract through contract change orders (CCOs). PARTNERS will review and concur on all CCOs over $50,000.

CALTRANS must approve all CCOs affecting public safety or the preservation of property, all design and specification changes, and all major changes as defined in the CALTRANS Construction Manual prior to implementing the CCO.

54. If the lowest responsible construction contract bid is greater than the funding commitment to CONSTRUCTION CAPITAL, all PARTNERS must be involved in determining how to proceed. If PARTNERS do not agree in writing on a course of action within 15 working days, this agreement will terminate.

55. CITY will require the construction contractor to furnish payment and performance bonds naming CITY as obligee, and CALTRANS as additional obligee, and to carry liability insurance in accordance with CALTRANS specifications.

56. CITY will submit a written request to CALTRANS for any SFM identified in the PROJECT plans, specifications, and estimate a minimum of 45 days prior to the bid advertisement date for PROJECT construction contract. CITY will submit a written request to CALTRANS for any additional SFM deemed necessary during PROJECT construction.

57. CALTRANS will make SFM available at a CALTRANS-designated location after CITY requests SFM and pays CALTRANS' invoice for estimated SFM costs.

58. As IMPLEMENTING AGENCY for CONSTRUCTION, CITY is responsible for maintenance within PROJECT limits as part of the construction contract.

59. PARTNERS will execute a separate maintenance agreement prior to OBLIGATION COMPLETION.

COST

Cost: General

60. The cost of any awards, judgments, or settlements generated by OBLIGATIONS is an OBLIGATIONS COST.

61. CALTRANS, independent of PROJECT, will pay all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within the existing SHS right of way.

62. CITY, independent of PROJECT, will pay, or cause to be paid, all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within PROJECT limits and outside of the existing SHS right of way.

63. HM MANAGEMENT ACTIVITIES costs related to HM-2 are CONSTRUCTION SUPPORT and CONSTRUCTION CAPITAL costs.

64. The cost to comply with and implement the commitments set forth in the environmental documentation is an OBLIGATIONS COST.

65. The cost to ensure that PROJECT remains in environmental compliance is an OBLIGATIONS COST.

66. The cost of any legal challenges to the CEQA or NEPA environmental process or documentation is an OBLIGATIONS COST.

67. Independent of OBLIGATIONS COST, CALTRANS will fund the cost of its own IQA for WORK done within existing or proposed future SHS right of way.

68. Independent of OBLIGATIONS COST, CITY will fund the cost of its own IQA for WORK done outside existing or proposed future SHS right of way.

69. CALTRANS will provide encroachment permits at no cost to PARTNERS, their contractors, consultants and agents, and the following utility companies: Southern California Edison, Moreno Valley Utility, and Eastern Municipal Water District.

70. Fines, interest, or penalties levied against a PARTNER will be paid, independent of OBLIGATIONS COST, by the PARTNER whose actions or lack of action caused the levy. That PARTNER will indemnify and defend each other PARTNER.

71. Travel, per diem, and third-party contract reimbursements are an OBLIGATIONS COST only after those hired by PARTNERS to participate in OBLIGATIONS incur and pay those costs.

    Payments for travel and per diem will not exceed the rates paid rank and file state employees under current California Department of Personnel Administration (DPA) rules current at the effective date of this agreement.

    If CITY invoices for rates in excess of DPA rates, CITY will fund the cost difference and reimburse CALTRANS for any overpayment.

72. The cost of non-IQA engineering support performed by CALTRANS includes all direct and applicable indirect costs. CALTRANS calculates indirect costs based solely on the type of funds used to pay support costs. State and federal funds are subject to the current Program Functional Rate. Local funds are subject to the current Program Functional Rate

and the current Administration Rate. CALTRANS periodically adjusts the Program Functional Rate and the Administration Rate.

73. If CALTRANS reimburses CITY for any costs later determined to be unallowable, CITY will reimburse those funds.

74. The cost to place PROJECT right of way in a safe and operable condition and meet all environmental commitments is an OBLIGATIONS cost.

75. Because IMPLEMENTING AGENCY is responsible for managing the scope, cost, and schedule of a project component, if there are insufficient funds available in this agreement to place the right of way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

76. If there are insufficient funds in this agreement to implement applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, each PARTNER implementing commitments or conditions accepts responsibility to fund these activities, as they apply to each PARTNER's responsibilities, until such time as PARTNERS amend this agreement.

    Each PARTNER may request reimbursement for these costs during the amendment process.

77. PARTNERS will pay invoices within 30 calendar days of receipt of invoice.

Cost: Environmental Permits, Approvals and Agreements

78. The cost of coordinating, obtaining, complying with, implementing, and if necessary renewing and amending resource agency permits, agreements, and/or approvals is an OBLIGATIONS COST.

Cost: CONSTRUCTION Support

79. The cost to maintain the SHS within PROJECT limits is an OBLIGATIONS COST until PARTNERS execute a separate maintenance agreement.

80. Each PARTNER listed below may submit invoices for CONSTRUCTION Support for source inspection:
    - CALTRANS may invoice CITY

81. PARTNERS will exchange funds for actual costs up to a maximum of $65,000.

CALTRANS will invoice CITY for $10,000 initial deposit 30 working days prior to the construction contract bid advertisement date. This deposit represents two (2) months' estimated support costs for source inspection.

Thereafter, CALTRANS will submit to CITY monthly invoices for estimated monthly costs based on the prior month's actual expenditures.

After PARTNERS agree that all WORK is complete, CALTRANS will submit a final accounting for all OBLIGATIONS COSTS. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the financial commitments of this agreement.

Cost: CONSTRUCTION Capital

82. The cost of all SFM is a CONSTRUCTION CAPITAL cost.

CALTRANS will invoice CITY for the actual cost of any SFM as a CONSTRUCTION CAPITAL cost.

After PARTNERS agree that all WORK is complete, CALTRANS will submit a final accounting for all SFM costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the financial commitments of this agreement.

SCHEDULE

83. PARTNERS will manage the schedule for OBLIGATIONS through the work plan included in the PROJECT MANAGEMENT PLAN. The Project Manager must approve the PROJECT MANAGEMENT PLAN before the encroachment permit for construction is issued.

GENERAL CONDITIONS

84. PARTNERS understand that this agreement is in accordance with and governed by the Constitution and laws of the State of California. This agreement will be enforceable in the State of California. Any PARTNER initiating legal action arising from this agreement will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this agreement resides, or in the Superior Court of the county in which PROJECT is physically located.

85. All OBLIGATIONS of CALTRANS under the terms of this agreement are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.

86. Any PARTNER performing IQA does so for its own benefit. No one can assign liability to that PARTNER due to its IQA activities.

87. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this agreement.

It is understood and agreed that CALTRANS will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under this agreement.

88. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY under this agreement.

It is understood and agreed that CITY will fully defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under this agreement.

89. PARTNERS do not intend this agreement to create a third party beneficiary or define duties, obligations, or rights in parties not signatory to this agreement. PARTNERS do not intend this agreement to affect their legal liability by imposing any standard of care for fulfilling OBLIGATIONS different from the standards imposed by law.

90. PARTNERS will not assign or attempt to assign OBLIGATIONS to parties not signatory to this agreement.

91. PARTNERS will not interpret any ambiguity contained in this agreement against each other. PARTNERS waive the provisions of California Civil Code section 1654.

92. A waiver of a PARTNER's performance under this agreement will not constitute a continuous waiver of any other provision. An amendment made to any article or section of this agreement does not constitute an amendment to or negate all other articles or sections of this agreement.

93. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

94. If any PARTNER defaults in its OBLIGATIONS, a non-defaulting PARTNER will request in writing that the default be remedied within 30 calendar days. If the defaulting PARTNER fails to do so, the non-defaulting PARTNER may initiate dispute resolution.

95. PARTNERS will first attempt to resolve agreement disputes at the PROJECT team level. If they cannot resolve the dispute themselves, the CALTRANS district director and the Director of Public Works/City Engineer of CITY will attempt to negotiate a resolution. If PARTNERS do not reach a resolution, PARTNERS' legal counsel will initiate mediation. PARTNERS agree to participate in mediation in good faith and will share equally in its costs.

    Neither the dispute nor the mediation process relieves PARTNERS from full and timely performance of OBLIGATIONS in accordance with the terms of this agreement. However, if any PARTNER stops fulfilling OBLIGATIONS, any other PARTNER may seek equitable relief to ensure that OBLIGATIONS continue.

    Except for equitable relief, no PARTNER may file a civil complaint until after mediation, or 45 calendar days after filing the written mediation request, whichever occurs first.

    PARTNERS will file any civil complaints in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides. The prevailing PARTNER will be entitled to an award of all costs, fees, and expenses, including reasonable attorney fees as a result of litigating a dispute under this agreement or to enforce the provisions of this article including equitable relief.

96. PARTNERS maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

97. If any provisions in this agreement are deemed to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other agreement provisions invalid, inoperative, or unenforceable, and PARTNERS will automatically sever those provisions from this agreement.

98. PARTNERS intend this agreement to be their final expression and supersede any oral understanding or writings pertaining to OBLIGATIONS.

99. If during performance of WORK additional activities or environmental documentation is necessary to keep PROJECT in environmental compliance, PARTNERS will amend this agreement to include completion of those additional tasks.

100. PARTNERS will execute a formal written amendment if there are any changes to OBLIGATIONS.

101. This agreement will terminate upon OBLIGATION COMPLETION or an amendment to terminate this agreement, whichever occurs first.

However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, and ownership articles will remain in effect until terminated or modified in writing by mutual agreement.

102. The following documents are attached to, and made an express part of this agreement: SCOPE SUMMARY, FUNDING SUMMARY.

DEFINITIONS

CALTRANS – The California Department of Transportation

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

CEQA (California Environmental Quality Act) – The act (California Public Resources Code, sections 21000 et seq.) that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

CFR (Code of Federal Regulations) – The general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

CONSTRUCTION CAPITAL – See PROJECT COMPONENT.

CONSTRUCTION SUPPORT – See PROJECT COMPONENT.

COOPERATIVE AGREEMENT CLOSURE STATEMENT – A document signed by PARTNERS that verifies the completion of all OBLIGATIONS included in this agreement and in all amendments to this agreement.

COST – The responsibility for cost responsibilities in this agreement can take one of three assignments:

- **OBLIGATIONS COST** – A cost associated with fulfilling OBLIGATIONS that will be funded as part of this agreement. The responsibility is defined by the funding commitments in this agreement.
- **PROJECT COST** – A cost associated with PROJECT that can be funded outside of OBLIGATIONS. A PROJECT COST may not necessarily be part of this agreement. This responsibility is defined by the PARTNERS' funding commitments at the time the cost is incurred.
- **PARTNER COST** – A cost that is the responsibility of a specific PARTNER, independent of PROJECT.

FHWA – Federal Highway Administration

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at www.fhwa.dot.gov/topics.htm.

FUNDING PARTNER – A PARTNER that commits a defined dollar amount to fulfill OBLIGATIONS. Each FUNDING PARTNER accepts responsibility to provide the funds identified on the FUNDING SUMMARY under its name.

FUNDING SUMMARY – The table that designates an agreement's funding sources, types of funds, and the PROJECT COMPONENT in which the funds are to be spent. Funds listed on the FUNDING SUMMARY are "not-to-exceed" amounts for each FUNDING PARTNER.

GAAP (Generally Accepted Accounting Principles) – Uniform minimum standards and guidelines for financial accounting and reporting issued by the Federal Accounting Standards Advisory Board that serve to achieve some level of standardization. See http://www.fasab.gov/accepted.html.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The PARTNER responsible for managing the scope, cost, and schedule of a PROJECT COMPONENT to ensure the completion of that component.

IQA (Independent Quality Assurance) – Ensuring that IMPLEMENTING AGENCY's quality assurance activities result in WORK being developed in accordance with the applicable standards and within an established Quality Management Plan (QMP). IQA does not include any work necessary to actually develop or deliver WORK or any validation by verifying or rechecking work performed by another partner.

NEPA (National Environmental Policy Act of 1969) – The federal act that establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

OBLIGATION COMPLETION – PARTNERS have fulfilled all OBLIGATIONS included in this agreement, and all amendments to this agreement, and have signed a COOPERATIVE AGREEMENT CLOSURE STATEMENT.

OBLIGATIONS – All responsibilities included in this agreement.

OBLIGATIONS COST – See COST.

OMB (Office of Management and Budget) – The federal office that oversees preparation of the federal budget and supervises its administration in Executive Branch agencies.

PARTNER – Any individual signatory party to this agreement.

PARTNERS – The term that collectively references all of the signatory agencies to this agreement. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one PARTNER's individual actions legally bind the other partners.

PROJECT – The undertaking to improve the eastbound ramp configuration at Moreno Beach Drive on SR-60 in the city of Moreno Valley and construct auxiliary lanes for the eastbound portion of the freeway between the Nason Street overcrossing and the Moreno Beach Drive overcrossing.

PROJECT COMPONENT – A distinct portion of the planning and project development process of a capital project as outlined in California Government Code, section 14529(b).

- **PID (Project Initiation Document)** – The activities required to deliver the project initiation document for PROJECT.
- **PA&ED (Project Approval and Environmental Document)** – The activities required to deliver the project approval and environmental documentation for PROJECT.
- **PS&E (Plans, Specifications, and Estimate)** – The activities required to deliver the plans, specifications, and estimate for PROJECT.
- **R/W (Right of Way) SUPPORT** –The activities required to obtain all property interests for PROJECT.
- **R/W (Right of Way) CAPITAL** – The funds for acquisition of property rights for PROJECT.
- **CONSTRUCTION SUPPORT** – The activities required for the administration, acceptance, and final documentation of the construction contract for PROJECT.
- **CONSTRUCTION CAPITAL** – The funds for the construction contract.

PROJECT COST – See COST.

PROJECT MANAGEMENT PLAN – A group of documents used to guide a project's execution and control throughout that project's lifecycle.

QMP (Quality Management Plan) – An integral part of the Project Management Plan that describes IMPLEMENTING AGENCY's quality policy and how it will be used.

RESIDENT ENGINEER – A civil engineer licensed in the State of California who is responsible for construction contract administration activities. Said engineer must be independent of the design engineering company and the construction contractor.

SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users

SCOPE SUMMARY – The attachment in which each PARTNER designates its commitment to specific scope activities within each PROJECT COMPONENT as outlined by the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

SHS (State Highway System) – All highways, right of way, and related facilities acquired, laid out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization.

SPONSOR – Any PARTNER that accepts the responsibility to establish scope of PROJECT and the obligation to secure financial resources to fund PROJECT. SPONSOR is responsible for adjusting the PROJECT scope to match committed funds or securing additional funds to fully fund the PROJECT scope. If a PROJECT has more than one SPONSOR, funding adjustments will be made by percentage (as outlined in Responsibilities). Scope adjustments must be developed through the project development process and must be approved by CALTRANS as the owner/operator of the SHS.

SFM (State Furnished Material) – Any materials or equipment supplied by CALTRANS.

WORK – All scope activities included in this agreement.

CONTACT INFORMATION

The information provided below indicates the primary contact data for each PARTNER to this agreement. PARTNERS will notify each other in writing of any personnel or location changes. Contact information changes do not require an amendment to this agreement.

The primary agreement contact person for CALTRANS is:
Jamal Elsaleh, Program/Project Management Office Chief
464 W. Fourth Street
San Bernardino, California 92401-1400
Office Phone: (909) 383-6710
Email: jamal.elsaleh@dot.ca.gov

The primary agreement contact person for CITY is:
Margery Lazarus, Senior Engineer, P.E.
P.O. Box 88005
Moreno Valley, California 92552-0805
Office Phone: (951) 413-3133
Email: margeryl@moval.org

SIGNATURES

PARTNERS declare that:

1. Each PARTNER is an authorized legal entity under California state law.
2. Each PARTNER has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

APPROVED

By: Ray Wolfe
RAYMOND W. WOLFE, PhD
Deputy District Director

P.D.

Date: 1/9/12

CERTIFIED AS TO FUNDS:

By: Lisa M Pacheco
LISA PACHECO
District Budget Manager

Date: 12/23/11

CITY OF MORENO

APPROVED

By: Michelle Dawson
for HENRY GARCIA
City Manager

Date: 12/19/11

APPROVED AS TO FORM AND PROCEDURE

By: Suzanne Bryant
for ROBERT L. HANSEN
City Attorney

Date: 12-15-11

08-RIV-60-18.9/19.6
EA: 32301
District Agreement 08-1514
Project Number 0800000593

SCOPE SUMMARY

4	5	6	7	8	Description	CALTRANS	CITY	N/A
5	270				Construction Engineering and General Contract Administration		X	
		10			Construction Staking Package and Control		X	
		15			Construction Stakes		X	
		20			Construction Engineering Work		X	
		25			Construction Contract Administration Work		X	
			05		Secured Lease for Resident Engineer Office Space or Trailer		X	
			10		Set Up Construction Project Files		X	
			15		Pre-Construction Meeting		X	
			20		Progress Pay Estimates		X	
			25		Weekly Statement of Working Days		X	
			30		Construction Project Files and General Field Office Clerical Work		X	
			35		Labor Compliance Activities		X	
			40		Approved Subcontractor Substitutions		X	
			45		Coordination		X	
			50		Civil Rights Contract Compliance		X	
			99		Other Construction Contract Administration Products		X	
		30			Contract Item Work Inspection		X	
		35			Construction Material Sampling and Testing		X	
			05		Materials Sampling and Testing for Quality Assurance		X	
			10		Plant Inspection for Quality Assurance		X	
			15		Independent Assurance Sampling and Testing		X	
			20		Source Inspection	X		
		40			Safety and Maintenance Reviews		X	
		45			Relief From Maintenance Process		X	
		55			Final Inspection and Acceptance Recommendation		X	
		60			Plant Establishment Administration		X	
		65			Transportation Management Plan Implementation During Construction		X	
		80			Long-Term Environmental Mitigation/Mitigation Monitoring During Construction Contract		X	
		99			Other Construction Engineering and General Contract Administration		X	
6	275				Construction Engineering and General Contract Administration of Structures Work		X	
5	285				Contract Change Order Administration		X	
5	290				Resolve Contract Claims		X	
6	295				Accept Contract, Prepare Final Construction Estimate, and Final Report		X	
4	300				Final Right of Way Engineering		X	

PACT Version 10.1.2011_02_17

Initials / Date:
City Attorney: BMB Date: 1-9-12
City Manager: JMD Date: 1/10/12

Item No. A.8

FUNDING SUMMARY

Funding Source	Funding Partner	Fund Type	CON Capital	CON Support	Subtotal Support	Subtotal Capital	Subtotal Funds Type
LOCAL	CITY	City	$8,800,000	$450,000	$450,000	$8,800,000	$9,250,000
		Subtotals by Component	$8,800,000	$450,000	$450,000	$8,800,000	$9,250,000

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action: ☐ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**2. Status of Federal Action:** ☐ a. bid/offer/application b. initial award c. post-award	**3. Report Type:** ☐ a. initial filing b. material change **For Material Change Only:** year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: ☐ Prime ☐ Subawardee Tier _____, *if known*: **Congressional District**, *if known*: 4c	**5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:** **Congressional District**, *if known*:	
6. Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____	
8. Federal Action Number, *if known*:	**9. Award Amount**, *if known*: $	
10. a. Name and Address of Lobbying Registrant (*if individual, last name, first name, MI*):	**b. Individuals Performing Services** (*including address if different from No. 10a*) (*last name, first name, MI*):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Attachment "D"

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

    (b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

LIST OF SUBCONSULTANTS

PROJECT NAME: _____

PROJECT NO: _____

CONSULTANT NAME: _____

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

NAME	DESCRIPTION OF SUBCONSULTANT'S WORK:
TELEPHONE	
ADDRESS	
CITY, STATE ZIP	

Duplicate this form as necessary to report all subconsultant(s) information

Attachment "E"

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART I

The proposer shall list all subconsultants (both DBE and non-DBE) in accordance with Section 2-1.054 of the Standard Specifications and per Title 49, Section 26.11 of the Code of Federal Regulations. This listing is required in addition to listing DBE subconsultants elsewhere in the proposal. **Photocopy this form for additional firms.**

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Certified DBE?
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*

Distribution: 1) Original – Local Agency File

PROPOSER'S LIST OF SUBCONSULTANTS (DBE AND NON-DBE) – PART II

The proposer shall list all subconsultants who provided a quote or proposal but were not selected to participate as a subconsultant on this project. This is required fc compliance with Title 49, Section 26 of the Code of Federal Regulations. **Photocopy this form for additional firms.**

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Certified DBE?
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*
Name	*Phone*	☐ < $1 million		☐ YES
		☐ < $5 million		☐ NO
Address		☐ < $10 million		*If YES list DBE #:*
	Fax	☐ < $15 million		
City State ZIP		☐ > $15 million		*Age of Firm (Yrs.)*

Distribution: 1) Original – Local Agency File

MV00178993

EXHIBIT 10-O2 Local Agency Proposer DBE Information (Consultant Contracts)

NOTE: PLEASE REFER TO INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM

LOCAL AGENCY: _____ LOCATION: _____

PROJECT DESCRIPTION: _____

TOTAL CONTRACT AMOUNT ($): _____

PROPOSER'S NAME: _____

WORK ITEM NO.	DESCRIPTION OR SERVICES TO BE SUBCONTRACTED (or contracted if the proposer is a DBE)	DBE CERT NO. AND EXPIRATION DATE	NAME OF EACH DBE (Must be certified at the time proposals are due - include DBE address and phone number)	DOLLAR AMOUNT OF EACH DBE

For Local Agency to Complete:

Local Agency Contract Number: _____
Federal-Aid Project Number: _____
Federal Share: _____
Contarct Award: _____

Total Claimed DBE Participation $_____ _____%

Local Agency certifies that the DBE certifications have been verified and all informations is complete and accurate.

Print Name Signature Date
Local Agency Representative

(Area Code) Telephone Number:

Signature of Proposer

Date (Area Code) Tel. No.

Person to Contact (Please Type or Print)

For Caltrans Review:

Print Name Signature Date
Caltrans District Local Assistance Engineer

Local Agency Proposer DBE Information (Consultant Contracts)
(Rev 6/27/09)

Distribution: (1) Copy - Fax or scan a copy to the Caltrans District Local Assistance Engineer (DLAE) within 15 days after contract execution. Failure to send a copy to the DLAE within 15 days after contract execution may result in deobligation of funds for this project.
(2) Original - Local agency files

INSTRUCTIONS - LOCAL AGENCY PROPOSER DBE INFORMATION (CONSULTANT CONTRACTS)

SUCCESSFUL PROPOSER:

The form requires specific information regarding the consultant or other contract: Local Agency, Location, Project Description, Total Contract Amount, Proposal Date, and successful Proposer's Name.

The form has a column for the Work Item Number and Description or Services to be Subcontracted to DBEs. The prime consultant shall indicate all work to be performed by DBEs including, if the prime consultant is a DBE, work performed by its own forces, if a DBE. The DBE shall provide a certification number to the prime consultant. Enter DBE prime consultant's and subconsultant's certification number. The form has a column for the Names of DBE certified contractors to perform the work (must be certified on or before the proposals are due and include DBE address and phone number).

Enter the Total Claimed DBE Participation dollar amount of items of work in the total DBE Dollar Amount column. (If 100% of item is not to be performed by the DBE, describe exact portion of time to be performed by the DBE.) See "Notice to Proposers Disadvantaged Business Enterprise Information," (Exhibit 10-I) to determine how to count the participation of DBE firms.

Exhibit 10-O2 must be signed and dated by the successful proposer at contract execution. Also list a phone number in the space provided and print the name of the person to contact.

Local agencies should complete the Contract Number, Federal-aid Project Number, Federal Share, and Contarct Award fields and verify that all information is complete and accurate before signing and sending a copy of the form to the District Local Assistance Engineer within 15 days of contract execution. Failure to submit a completed and accurate form within the 15-day time period may result in the deobligation of funds on this project.

District DBE Coordinator should verify that all information is complete and accurate. Once the information has been verified, the **District Local Assistance Engineer** signs and dates the form.

MORENO VALLEY
WHERE DREAMS SOAR

CITY of MORENO VALLEY

CAPITAL PROJECTS DIVISION

Professional Consultant
Construction Surveying Services
for Project EA 08-32301
SR-60 / MORENO BEACH DRIVE - PHASE 1 IMPROVEMENTS PROJECT
Project Account No. 797.79731

PRESENTED BY:

COORY ENGINEERING
1718 N. Neville Street, Orange, CA 92865
TEL.: (714) 202-8700 FAX: (714) 202-8701

August 1, 2012

Exhibit "B"

COORY ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING

Capital Projects Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

August 1, 2012

Subject: **Construction Survey Services**
SR-60 / Moreno Beach Drive
Phase 1 Improvements Project
Moreno Valley, CA

Ladies and Gentlemen:

Coory Engineering is pleased to submit this proposal, and offer our company resources to the City of Moreno Valley in response to your Request for Proposal for the Construction Survey Services for the SR-60 / Moreno Beach Drive, Phase 1 Improvements Project. Our team is assembled with commitment and discipline to partner with the City of Moreno Valley and to implement this project on time and within a low budget. **Our overhead is very low and our fees are reasonable.**

Over the years, **our company completed similar projects for local agencies within Caltrans right-of-way and in compliance with CT encroachment permit, plans & specifications, and CT / local agencies survey staking manual and guidelines as applicable. Our field staff has excellent working relationship with Project Resident Engineers, Agency Representatives, and Caltrans Oversight Engineers. We are also looking forward to propose the survey work on the upcoming Nason Street project. If we are successful to be selected to perform the two projects at the same time, we will even bring in more savings to the City.**

We commit our resources acquired over thirty two years of successful execution of public and private projects, and offer our experienced and skilled project managers and surveyors for the execution of this project. We assign our top personnel to the key positions on the project. The assigned **Project Manager** for this project will be the undersigned, **Samir M. Khoury, a surveyor and a registered civil engineer with over thirty years of experience** as detailed later on in this proposal. Moreover, all other assigned personnel have superior knowledge of the ins and outs of various city improvement projects.

1718 N. Neville Street, Orange, CA 92865
TEL: (714) 202-8700 FAX: (714) 202-8701

August 1, 2012

Construction Survey Services
SR-60 / Moreno Beach Drive
Phase 1 Improvements Project
Moreno Valley, CA

We appreciate the opportunity to present our proposal and look forward to collaborative development of seamless delivery of this project, in a successful manner. **Our proposal meets or exceeds all requirements outlined in the City's RFP.**

Should you have any technical or contractual questions, please contact the undersigned at (714) 202-8700 or email skhoury@cooryengineering.com.

Sincerely,

Samir M. Khoury, PE
President, Coory Engineering

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Appendix 19

Company Information

- Coory Engineering is certified by the State of California as a Small Business Enterprise **(SBE)**.
- Address: 1718 N. Neville Street
  Orange, CA 92865,
  Telephone: (714) 202-8700,
  Fax: (714) 202-8701.
- The company is a sole proprietorship, owned by Samir M. Khoury.
- Our firm was established in April of 1980.
- We specialize in the practice of General Civil Engineering, Land Surveying and Construction Management. Municipal projects comprise the majority of our work load.

Company contact person:

Mr. Samir M. Khoury
Telephone: (714) 202-8700
Email: Skhoury@cooryengineering.com

Samir M. Khoury is the responsible party for entering into contracts, signing agreements and entering into potential negotiation points.

A. Project Understanding

It is our understanding that the City of Moreno Valley is looking for a consulting firm that can provide Construction Survey services for the SR-60 / Moreno Beach Drive Phase 1 Improvements Project in the City of Moreno Valley.

Per the project plans and the RFP, the project in general is proposing the re-alignment of the SR-60/Moreno Beach eastbound off and on ramps, adding an eastbound auxiliary lane, installation of a new traffic signal at the new intersection of the eastbound ramps and Moreno Beach Drive, adding a retaining wall, adding ramp metering, extension of Eucalyptus Avenue to Moreno Beach Drive, modification of the traffic signal at the intersection of Eucalyptus Avenue and Moreno Beach Drive, coordination of utility relocations, irrigation, and related work. The work lies within Caltrans right of way, the work includes earthwork, grading, asphalt concrete paving, concrete retaining walls, roadway excavation, imported borrow, drainage pipes and minor concrete structures, concrete curb and gutter, EMWD water line relocation, overhead SCE relocation and related work.

Possible typical issue areas in a construction surveying project like this are the following:

- The availability of sufficient survey control
- Communication
- Lost stakes/ Re-staking
- Documentation
- Multiple concurrent tasks
- Utility coordination
- As-builts

The above items of possible typical project's issues do not pose a problem for us. We understand the parameters and nature of a project of this type and magnitude and are familiar with its complexities and the typical difficulties that are encountered. As part of the scope of delivering this project, Coory Engineering is familiar with the project plans, specifications and contract documents. This task is more of a second nature to us as a Survey company than it might be for other surveying outfits because of the nature of the services we provide as a whole. In addition to surveying services, we are also heavily involved in the preparation and delivery of construction documents and specifications for municipal projects such as this one. As such, there is no learning curve when our firm is involved.

B. Project Approach

Over the years our experience has led us to the following approach in dealing with projects such as this one:

1. Research:

1.1 Research Control: Since there is already a design in place for this project, our first task would be to request that the City share with us the survey control that was used in the design phase. This will ensure that we are working within the same parameters as the intended design. As a routine however, we would still conduct our own independent research through City, County and Caltrans records in search for surveying monuments to be used in establishing horizontal and vertical control. Based on our research, our survey crew search for and locate these monuments in the field.

1.2 Construction Documents: A crucial step in this research process is the physical studying of the project plans and specifications to be fully familiar with the project intentions, needs, requirements and methodologies.

2. Site Preparation: Based on the research, the project plans and our assessment of the physical project parameters, we will locate and set a vertical and horizontal field survey control network. The control network will be verified for closure and accuracy, and will be placed in areas outside the construction zone areas, and posted with warnings not to be disturbed. This control will also be available for use by the contractors using laser equipment for purposes of rough-grading operation.

3. Electronic Files: We expect to receive from the City electronic files of the project design. These files will be used by our office engineer for the preparation of staking calculations. Portions of these electronic plans will also be downloaded into the data collectors for field use by the surveyors (as needed) along with the survey calculations.

4. Survey Request Form: Typically, to set a construction surveying task into motion, a survey request form needs to be filled out.
Our standard survey request form is clear in indicating the type of survey needed, the desired offsets, when the area will be ready for staking, when the survey stakes will be used and the order of priority if there is more than one area to be staked.
Unless the City has its own survey request form/ format, we will provide the contractor and/or the project manager with ours. A minimum notice of 24 hours is requested.

5. Minimum Hours: Typical industry minimum hours for a "move-in" is 4 hours. However, Coory Engineering does not have a minimum hour condition in place for this project. We are available to serve you with your maximum and minimal needs. Of course, better planning would slate a full day of work for a move-in if possible.

6. Record Keeping: We are a highly organized company. Cut sheets will be provided on the same day that our work is done. The City will receive a copy of the cut sheets. The surveyor will retain a copy at all times and one copy will be delivered to our project files in the office. For speed, cut sheets are delivered to the City on the same day that a survey is conducted. However, our office copy will be verified for accuracy upon receipt from the field crew. In cases where a conflict is discovered in the cut sheets, the conflict is communicated with the field immediately.
Our cut sheets for any day of work are numbered 1, 2, 3 etc. However, for better filing and an easier re-tracing system, each page will have a continuous serial number.
All other project related paperwork will be filed and maintained up to date, readily available for delivery to the City upon request or upon audit.

7. Design Errors: If design errors are discovered by our surveyors or our office engineer while preparing the staking calculations, the errors will be reported to the City immediately. Plans will not be revised until permitted by the City and/or its designer.

8. Safety Issues: Our crews are used to working in a busy construction environment. They are well versed on safety and safety procedures are strictly enforced and followed.

C. Project Management Plan

The following is a summary of tasks/ services that we will perform for this project:

- Our survey staff will work under the direction of the City's Resident Engineer / Project Manager and perform services in strict compliance with the contract plans, specifications, and Caltrans survey staking manual / guidelines.
- Meet with the City's Project Manager, CM Resident Engineer, CT Oversight Engineer and contractor to coordinate survey staking activities, notifications, and survey notes.
- Identify conflicts, provide field survey data to the Resident Engineer and designer, recommend solutions, document field changes for As-Built.
- Review contract documents, plans and specifications and become thoroughly familiar with the project.
- Research records and establish survey control.
- Participate in pre-construction, field, construction progress, contractors, public utility agencies and other governmental agency meetings.
- Coordinate with field contractors to determine the work to be completed and the status of the completed work.
- Maintain daily communication with City representatives and establish upcoming workload and schedule. Adjust schedule as necessary.
- Define in-house project team responsibilities & establish a system of checks & balances.
- Conduct in-house meetings with the survey crews to layout the planned work, delegate daily activities, deliverables and schedule.
- Establish a filing system & maintain a log.
- Conduct field construction surveying.
- Coordinate ongoing construction surveys and staking as required.
- Review and monitor contractor's request for re-staking.
- Submit reports of completed work to field inspector.
- Maintain copies of all survey documents (Field notes, Cut Sheets, etc...).
- Keep copies of construction surveying documents on-site.
- Provide measurement of contractor's extra work when requested by the City.

- Provide labor compliance reports and certified payroll of field work.
- Participate in final walk-through meetings, as-built plan completion meetings and administrative meetings as necessary.

A project of this nature will require constant open communication and support. It needs the leadership of a project manager with experience who can communicate, anticipate, plan ahead and execute the plan seamlessly on time and within budget. Coory engineering will offer the services of Samir Khoury to act as Project Manager for this project. Samir is a surveyor and a registered civil engineer. He is an ex-employee of the Cities of Lynwood and Santa Fe Springs, and currently serves as a consultant to various cities.

Samir will be involved in City meetings with contractors, public utility agencies and other government agency representatives as requested. He will also attend pre-construction meetings, field meetings, construction progress meetings, equal opportunity meetings, final walk-through meetings, as-built plan completion meetings and other administrative meetings as necessary. Samir will be communicating and coordinating with the City project manager, construction manager and project engineer daily, to keep track of the remaining project budget versus the remaining project work on a regular basis.

Samir will be in charge of in-house meetings with the survey crews to layout the planned work, establish the tasks of the day, the methods of surveying to be employed and the order in which they are to be delivered.

Samir will prepare and maintain a log of survey work requested and completed, survey related computer files, daily survey work, survey field notes, survey grade sheets and survey related records and files. He will be providing labor compliance reports and certified payroll of Coory Engineering's field work.

We assign the following key personnel to provide the requested surveying services: Samir Khoury/ Project Administrator and Project Manager, Nader Ghashghai/ Project Surveyor, Karim Khoury/ (1st Backup) Project Surveyor, Roger Licea/ (2nd Backup) Project Surveyor and Steve Sarley/ Office Engineer for Staking Calculations. Other staff members are available to assist on the project as needed. Below is a project specific organizational chart.

Project-specific Organizational Chart:

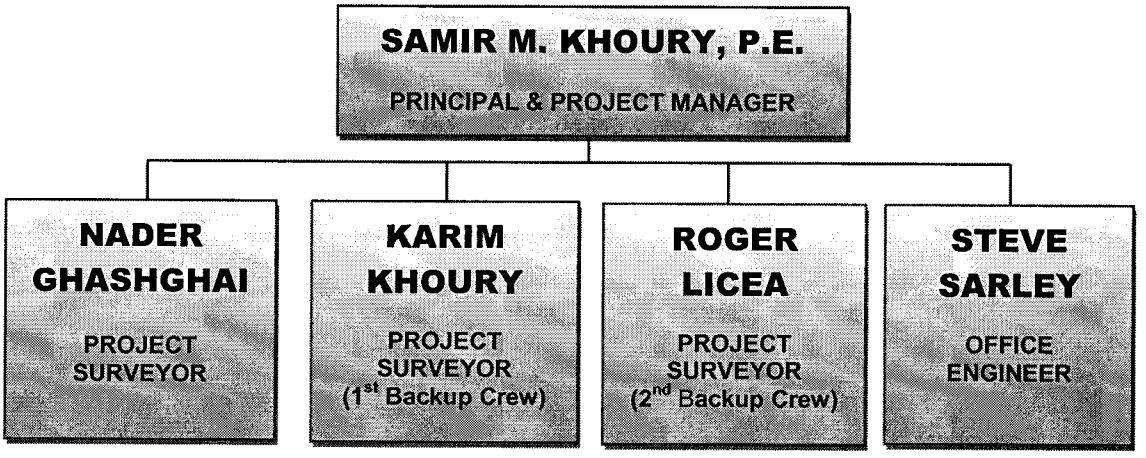

Key Personnel for This Project:

Samir M. Khoury / Project Manager:

Samir has over 30 years of experience, is a surveyor and a registered civil engineer in the State of California and he is an ex-employee of the Cities of Santa Fe Springs and Lynwood. He managed many projects for these cities and other cities within Caltrans right-of-way, coordinating work from the design stage through construction and completion. His experience ranges from involvement with heavy construction activities to simple routine street improvement projects. He will be responsible for entering into contract with the city, will oversee the project at large and will be responsible for quality control and quality assurance.

Nader Ghashghai / Project Surveyor
Primary Project Crew:

Nader holds a B.S. degree in Geomatics Engineering and Photogrammetry from Fresno State University. He has over 27 years of experience working in the field of surveying. Nader has been associated with Coory Engineering for the past 17 years. He will be in charge of the primary surveying crew assigned to this project.

Karim Khoury / Project Surveyor
1st Backup Project Crew:

Karim has over 20 years of experience working in the field of Surveying, Civil Engineering and land development. His background in Civil Design is what gives him an edge and makes him an asset in the field of Surveying. He has been associated with Coory Engineering for the past 20 years. He will be in charge of one of the surveying crews assigned to this project.

Roger Licea / Project Surveyor
2nd Backup Project Crew:

Roger has 20 years of experience working in the field of surveying, civil engineering design & land development. Roger is experienced in the use of GPS & Robotic instruments. Roger's experience includes field data collection, construction staking, ALTA surveys, Topographic & Boundary surveys, Flood Certificates, Earthwork Volume surveying. Roger is experienced working with Geologists. He has headed various surveys on many military bases from Coronado base in San Diego to Alameda Point.

Other personnel:

Other personnel assigned to this project are Survey Technicians, draftsmen and clerical staff as needed.

D. Qualifications and Experience

Qualifications:

i. Coory Engineering has no outstanding or pending complaints as determined through the state of California Department of Consumer Affairs.

ii. Among the other personnel, we currently employ 4 Professional Engineers licensed in the state of California and 3 survey crews.

iii. Coory Engineering has been providing design, Survey and Construction Management services for the development of Capital Improvement projects for over 32 years.

Firm Background and Experience:

Coory Engineering is a General Civil Engineering, Surveying and Construction Management company with a major emphasis on Public Works/ Capital Improvement projects. Our firm is located in the City of Orange. Established in 1980, we have been in business for 32 years and are currently staffed with 19 employees. Many of our employees are ex-City employees that are familiar with City work and environment.

Over the years, our firm has repeatedly delivered one successful project after another, and we have done so for a number of public agencies.

In general, street improvement type projects represent the majority of public agencies' project work load. As a result, our work load has predominantly been dedicated to street improvement projects; new streets, street rehabilitation, sewer, water, storm drain, traffic signals, signing and striping, street lighting, utility work and utility coordination, NPDES, irrigation and landscaping, retaining walls, paving, and all associated construction staking.

Below is a partial list of Cities for whom we have performed Design, Construction Management and Construction Surveying services over the years:

Santa Fe Springs	Whittier	Norwalk	Pico Rivera
Montebello	Irwindale	Calabasas	West Covina
La Habra	Alhambra	Lynwood	Huntington Park
Azusa	Buena Park	Cerritos	Chino
Commerce	Downey	El-Monte	El Segundo

Comparable Examples of previous work:

We were the engineering company of choice for the Cities mentioned below. These projects are similar in scope to the subject Project. We performed all the construction surveying:

- **LIVE OAK / ARROW HIGHWAY REHABILITATION PROJECT**

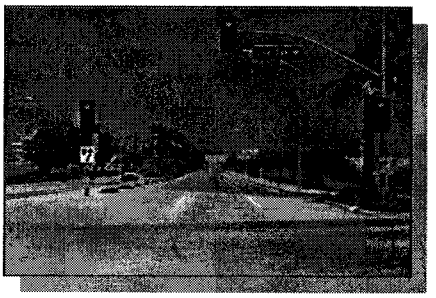

  - Overall Cost: $14,000,000.
  - 4.5 Miles Long.
  - Included Street Reconstruction and Landscaping.
  - **Caltrans ramps and bridge repair. (605 Freeway).**
  - Various types of infrastructures including Water, Sewer, Storm Drain, Signals & Lighting.
  - Completed – 2009.

- **GLADSTONE STREET REHABILITATION PROJECT**

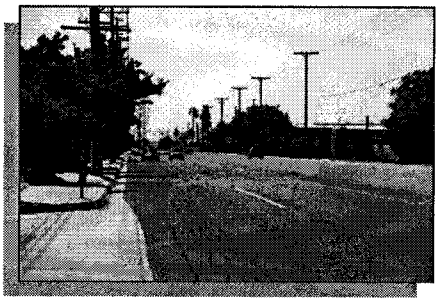

  - Overall Cost: $600,000. **(Stimulus Fund).**
  - 0.7 Miles Long.
  - Complete Reconstruction.
  - Completed – 2010.

- **KNOTT AVENUE REHABILITATION PROJECT**

  - Overall Cost: $1,950,000. **(Stimulus Fund).**
  - 1.0 Mile Long.
  - Reconstruction & Cold Milling.
  - Concrete Repairs.
  - Artificial Turf in Medians.
  - Completed – 2011.

- **LOS ANGELES ST. REHABILITATION PROJECT**

  - Cost: $1,500,000.
  - 0.7 Miles Long.
  - Complete Street Reconstruction.
  - **Caltrans Freeway Off-ramps and bridge repair.**
  - New & Modified Traffic Signals.
  - Completed – 2011.

References:

i. **City of Irwindale**

Contact:
Mr. Kwok Tam, P.E.
Public Works Director/City Engineer
(626) 430-2212
5050 North Irwindale Avenue
Irwindale, CA 91706
ktam@ci.irwindale.ca.us.

Services Provided: Construction Surveying and Design for various public works projects such as Street Rehabilitation, Street Improvement, Storm Drain, Signing & Striping, Traffic Signal, Street Lighting, NPDES, including Specifications, Construction Management & Inspection. Also, we provided public works engineering support to relieve city staff as needed.

ii. **City of Santa Fe Springs**

Contact:
Mr. Don Jensen, P.E.
Director of Public Works/ City Engineer
(562) 868-0511
11710 Telegraph Road
Santa Fe Springs, CA 90670
djensen@santafesprings.org.

Services Provided: Construction Surveying and Design for various public works projects such as Street Rehabilitation, Street Improvement, Storm Drain, Signing & Striping, Traffic Signal, Street Lighting, NPDES, including Specifications, Construction Management & Inspection. Also, we provided public works engineering support to relieve city staff as needed, especially, to cover traffic engineering.

iii. **City of Buena Park**

Contact:
Mr. Nabil Henein, P.E.
Deputy City Engineer
(714) 562-3685
P.O. Box 5009
Buena Park, CA 90622-5009
nhenein@buenapark.com.

Services Provided: Construction Surveying and Design for various public works projects such as Street Rehabilitation, Street Improvement, Storm Drain, Signing & Striping, Traffic Signal, Street Lighting, NPDES, including Specifications, Construction Management & Inspection.

E. Staffing Plan

We are committing 3 crews to be dedicated to this project. Each crew is made up of two persons, a party Chief and a Chainman. Nader Ghashghai's crew will be the primary crew deployed for the project surveying services. If additional crews are needed to satisfy the workload on any given day, then additional crews will be deployed. Each crew is self-sufficient. Each crew is furnished with a fully equipped, fully stocked survey truck. Our crews can be in three separate locations at the same time, performing separate or related tasks.

Approach:

A typical survey task is initiated in one of two ways; pre-scheduled per a project master schedule, or 24 hours in advance of the requested task by an authorized person who makes this request in writing by completing a "Request for Surveying" form. The form is received by Samir Khoury (the Project Manager) who passes it on to Steve Sarley (the Office Engineer). Steve prepares the calculations and an exhibit of the work to be done. The survey crew is prepared and deployed. When additional survey crews are needed, the protocol to follow is the same. Samir deploys the needed number of crews to the job site as necessary.

With 3 crews available to this project, enough resources are available to ensure project needs are met seamlessly and on time.

EXPERIENCE / ALLOCATION MATRIX

Survey Team	AVAILABILITY (%)	Experience (Years)	Education	Street Improvement	FWY Projects	Road Rehabilitation	Storm Drain	Open Channels	Dry Utilities	Wet Utilities	Traffic Control	On-ramps/ Off-ramps	Retaining Walls	Piles	Boundary Surveys
Samir Khoury (Project Manager)	100%	32	BS	√	√	√	√	√	√	√	√	√	√	√	√
Steve Sarley (Office Engineer)	100%	25	AA	√	√	√	√	√	√	√	√	√	√	√	√
Nader Ghashghai (Party Chief)	100%	27	BS	√	√	√	√	√	√	√	√	√	√	√	√
Karim Khoury (Party Chief)	100%	20	LBCC ITT HASP	√	√	√	√	√	√	√	√	√	√	√	√
Roger Licea (Party Chief)	100%	20	RCC LATT ITT	√	√	√	√	√	√	√	√	√	√	√	√

F. Work Plan and Schedule

Within one week of the City's Notice to Proceed, Coory Engineering will be available to meet with the City staff to initiate the Project. The meeting will establish clear lines of communications and will cover the review and revision of the project schedule and scope of work. The meeting will be used as a platform to establish general guidelines and to discuss project parameters and constraints and to obtain any additional data.

Coory Engineering will meet with City staff on a regular basis to review the cost, schedule, status and progress of the work, as well as anticipated problems and potential solutions. Coory Engineering will submit status reports on various tasks as needed to keep the City informed.

Coory Engineering shall be available for meetings with City staff, utility agencies and project contractor as needed to complete the project.

Coory Engineering will attend the preconstruction meeting and provide recommendations as necessary.

Coory Engineering will follow and adhere to the agreed-upon construction schedule. We will prepare calculations and conduct construction surveying tasks within 24 hours of notice to provide services, or at a pre-scheduled timeline within the agreed-upon working days.

G. Quality Control and Assurance

We at Coory Engineering have developed and implemented a system of checks and balances that delivers value engineering, constructability, budget control, design completeness and timely delivery.

Before kicking off a project, the project manager and surveyors are issued construction documents, plans and specifications to be fully informed and familiar with the project. Project team members are invited to an in-house project kickoff meeting. The entire team from Principal to technicians is fully informed on the project parameters, scope and schedule expectations. Items that are identified as potential problems are addressed and solutions to the problems are shared. With the combined collaborative input of the team, we are able to review, discuss, share and plan the procedures and project guidelines to be followed. We establish responsibilities and expectations for deliverables. By discussing the project and airing out solutions, we are able to identify and avoid shortfalls or conflicts.

Over the years, the track record of this system of in-house peer review speaks for itself. This system of project development has been proven to deliver timely quality and budget control.

We have a long history of delivering capital improvement projects to our clients on time and within budget. We strive on minimizing change orders to our clients. You are welcome to contact our listed references.

H. Additional Relevant Information

Our team is assembled with commitment and discipline to partner with the City of Moreno Valley and implement the subject project on time and within budget. Our staff members have superior knowledge of the ins and outs of city improvement projects and they have a long track record of successfully completing projects on time and budget.

The following is our company's organizational chart.

COMPANY'S ORGANIZATIONAL CHART

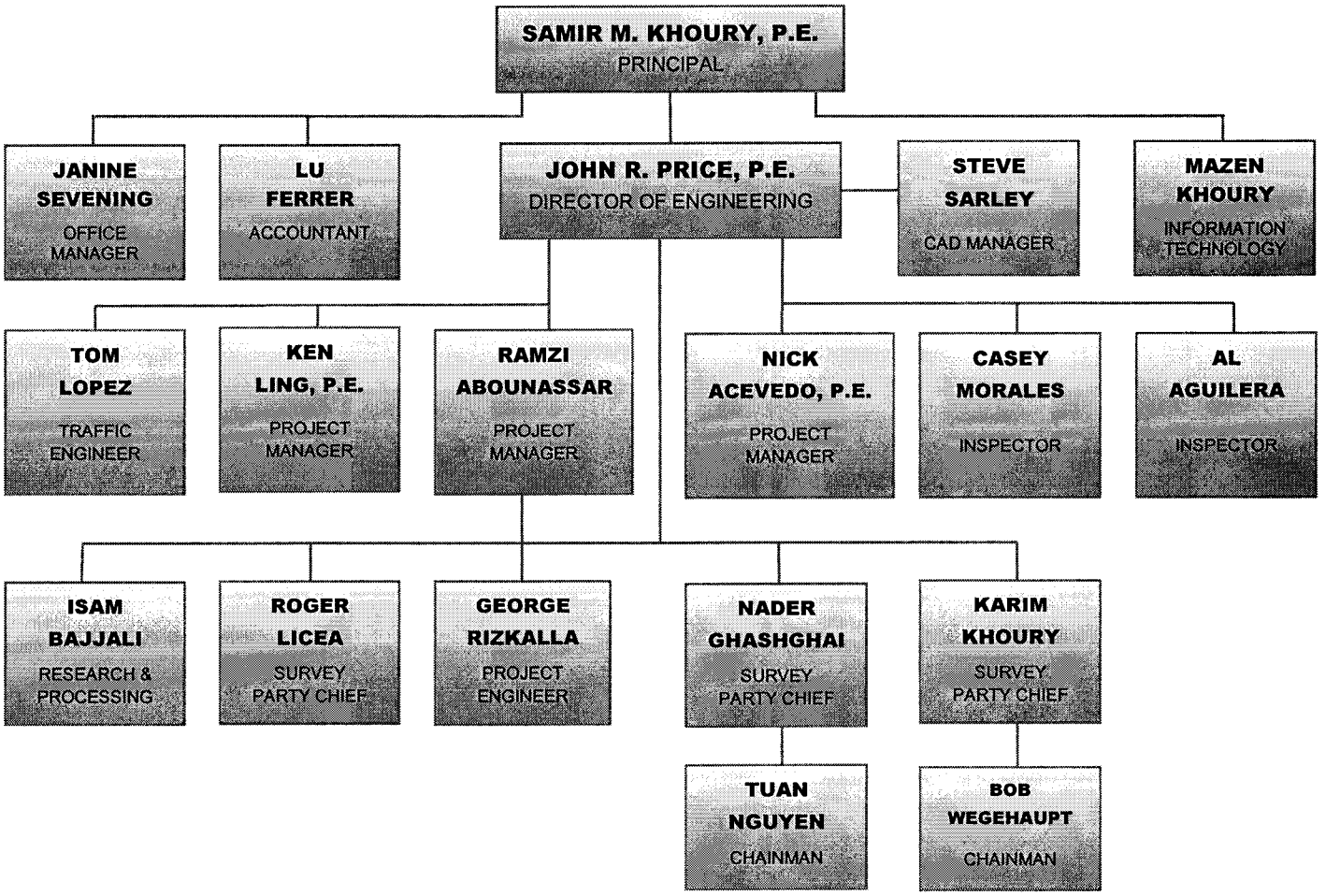

WHY COORY ENGINEERING

Coory Engineering is distinguished for the following reasons:

- Our Overhead is very low and our fees are reasonable.
- We have been in this business for many years (established in 1980). Therefore, in our 32 years of service, we have acquired allot of experience and have served all types of projects, ranging from simple to the very complex.
- Our crews are supervised by Samir Khoury who was formally educated as a surveyor and then as an engineer, acquiring RCE license No. 30567 in 1979. Samir worked in the field and in the office for over thirty years.
- Coory Engineering is a design/survey company. We also offer inspection and construction management services. Therefore, we have a strong understanding of the design message that needs to be applied in the field. This ability gives us a strong tool to quickly identify technical conflicts and the ability to offer quick solutions without delaying the job. We have a strong understanding of the various industry standards including the Green Book, LAPM, EMWD, CALTRANS, CALDOT, WATCH, ETC.
- We are punctual, fast, fully equipped and properly insured. Our errors and omissions insurance exceed City requirements.
- We respect and follow construction protocol and the chain of command.
- Coory Engineering is experienced with and accustomed in serving public agencies. We are familiar with public works. 70% of our work load is dedicated to public agencies.
- We are known for our integrity as can be verified from our numerous references.

I. Proposal Statements

1. Moreno Valley's Request for Proposal for Professional Consultant Construction Survey Services for Project No. EA 08-32301 (Account No. 797.79731) shall be incorporated in its entirety as part of Coory Engineering's Proposal to perform these services.

2. Moreno Valley's Request for Proposal for Professional Consultant Construction Survey Services for Project No. EA 08-32301 (Account No. 797.79731) and Coory Engineering's Proposal to provide these services will jointly become part of the Agreement for Professional Consultant Services for this project when said Agreement is fully executed by Coory Engineering and the Mayor or City Manager of Moreno Valley.

3. Coory Engineering's Services to be provided, and fees therefore, will be in accordance with the City of Moreno Valley's Request for Proposal except as otherwise specified in the Consultant's proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL", if any.

4. The Hourly Rate Schedule included in the separate sealed envelope is hereby made a part of Coory Engineering's Proposal for use in invoicing for progress payments and for extra work incurred. All extra work will require prior approval from the City of Moreno Valley.

5. No Sub-consultants are proposed at this time. It is acknowledged and understood that Coory Engineering will not be allowed to introduce or change a sub-consultant without written permission from the City of Moreno Valley.

6. All charges for Coory Engineering's services are a "Not-to-Exceed Fee" and include conservatively estimated reimbursable expenses, as submitted with and made a part of this proposal.

7. Coory Engineering will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

8. Coory Engineering will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during or after the construction work.

9. The Hourly Rate Schedule included in the separate sealed envelope is hereby made a part of Coory Engineering's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of Moreno Valley's Request for Proposal for Professional Consultant Construction Survey Services for Project No. EA 08-32301 (Account No. 797.79731). All extra work will require prior approval from the City of Moreno Valley.

An itemized cost breakdown for the work described herein is included in a sealed envelope as part of our Proposal submittal.

10. Coory Engineering does not and will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

11. All Federal laws and regulations shall be adhered to, notwithstanding any State or local laws or regulations. In case of conflict between Federal, State or local laws or regulations, the strictest shall be adhered to.

12. Coory Engineering shall allow all authorized Federal, State, County, and City officials access to our place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.

13. Coory Engineering shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decisions" and State of California prevailing wage rates, respectively.

14. Coory Engineering shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFT 3) issued pursuant thereto, and amendments thereof.

15. Coory Engineering offers and agrees to assign to the City all right, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 13700] of Part 2 if Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parities.

16. Coory Engineering shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts. Coory Engineering will take all necessary and reasonable steps to make sure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is subject to solicitation (if other consultants are deemed necessary for the performance of this proposal).

17. A Completed "Disclosure of Lobbying Activities" form is included in the appendix of this proposal.

18. No Sub-consultants are proposed for this project at this time. We have 3 survey crews available for this project as needed.

J. Additions or Exceptions to the City's Request for Proposal

Coory Engineering takes no Exceptions to the provisions and conditions of the City of Moreno Valley's Request for Proposal for Professional Consultant Construction Survey Services for Project No. EA 08-32301 (Account No. 797.79731).

APPENDIX

1. Resource Allocation Matrix

2. Lobbying Disclosure Form

Note: The company Rate Schedule mentioned in city's RFP item "G", Page 4 of 12 is included in the "FEES Sealed Envelope" in order to protect the confidential nature of consultant's selection based on qualifications.

RESOURCE ALLOCATION MATRIX

Item #	Description	Project Manager	Office Engineer	2-men Survey Crew
1.	Research	4	4	-
2.	Monument Tie-Outs and Mark-ups for replacement	1	1	8
3.	Set site Control	-	-	6
4.	Meetings	60	-	20
5.	Mark Removals	1	2	8
6.	Mark Roadway Excavation	1	2	8
7.	Retaining Walls	1	2	8
8.	Staking for Piles	1	4	36
9.	Curb & Gutter	4	12	50
10.	Dykes	1	4	24
11.	Driveways	1	1	6
12.	Sidewalks, if needed	-	1	16
13.	Curb Ramps	-	2	12
14.	Local Depressions	-	2	8
15.	24" RCP - Storm Drain	1	3	24
16.	84" RCP - Storm Drain	1	1	4
16.	Pipe Culvert	1	1	4
17.	Water Lines	1	2	12
18.	Staking for Paving	3	8	40
19.	Chain Link Fence	1	2	12
20.	Guard Rail	1	2	14
21.	Beam Barrier	-	1	2
22.	Cable Railing	-	1	4
23.	Concrete Barrier	-	1	3
24.	Ramp Metering	-	1	4
25.	Staking for Signals and Lighting	1	2	16
26.	Staking for Sign Locations	1	2	16
27.	Miscellaneous Staking	2	8	40
28.	Re-Staking Due to Damaged Stakes	2	4	20
	Totals	**90**	**76**	**425**

Not Applicable (No lobbying activities)

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

1. Type of Federal Action: a. contract ____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**2. Status of Federal Action:** a. bid/offer/application _____ b. initial award c. post-award	**3. Report Type:** a. initial filing _____ b. material change

4. Name and Address of Reporting Entity: ____ Prime _____ Subawardee Tier_____, if Known: **Congressional District, if known:**	**5. If Reporting Entity in No. 4 is Subawardee,** Enter Name and Address of Prime: **Congressional District, if known:**
6. Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____
7. **Federal Action Number,** *if known:*	**9. Award Amount,** *if known:* **$**
10. a. Name and Address of Lobbying Registrant *(if individual, last name, first name, MI):*	**b. Individuals Performing Services** *(including address if different from No. 10a)* *(last name, first name, MI):*
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	**Signature:** _____ **Print Name:** Samir M. Khoury **Title:** Principal **Telephone No.:** (714) 202-8700 **Date:** August 1, 2012
Federal Use Only	**Authorized for Local Reproduction** **Standard Form - LLL (Rev. 7-97)**

COORY ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING

Ms. Margery Lazarus, PE
Senior Engineer
Capital Projects Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

September 6, 2012

Subject: **Construction Survey Services**
SR-60 / Moreno Beach Drive
Phase 1 Improvements Project
Moreno Valley, CA

Dear Ms. Lazarus:

Thank you for discussing the subject project with me in regards to the details of the required services.

In accordance with our discussion, attached, please find our updated fee schedule.

We are looking forward to serving the City of Moreno Valley.

Sincerely,

Samir M. Khoury

Samir M. Khoury, PE
President, Coory Engineering

1718 N. Neville Street, Orange, CA 92865
TEL: (714) 202-8700 FAX: (714) 202-8701

FEE SCHEDULE

Item #	Description	Project Manager $180/Hr.	Office Engineer $125/Hr.	2-men Survey Crew $215/Hr.	Amount
1.	Research	2 Hrs	3 Hrs	0 Hrs	$735.00
2.	Monument Tie-Outs and Mark-ups for replacement	1	1	6	1,595.00
3.	Set site Control	0	0	6	1,290.00
4.	Meetings	8	0	0	1,440.00
5.	Mark Removals	1	2	8	2,150.00
6.	Mark Roadway Excavation	1	2	8	2,150.00
7.	Retaining Walls	1	2	8	2,150.00
8.	Moreno Beach, Eucalyptus, Ramps and Auxiliary Lane Alignments and curbs	4	12	90	21,570.00
9.	Dykes	1	4	16	4,120.00
10.	Driveways	1	1	6	1,595.00
11.	Curb Ramps	0	2	12	2,830.00
12.	24" RCP - Storm Drain	1	3	18	4,425.00
13.	84" RCP - Storm Drain	1	1	4	1,165.00
14.	Pipe Culvert	1	1	4	1,165.00
15.	Water Lines / Utilities	1	2	20	4,730.00
16.	Staking for Rough Grading & Fine Grading / Roadways	3	8	30	7,990.00
17.	Staking for R/W - Chain- Link Fence	1	2	12	3,010.00
18.	Guard Rail	1	2	14	3,440.00
19.	Beam Barrier	0	1	2	555.00
20.	Concrete Barrier	0	1	3	770.00
21.	Staking for Sign Locations	1	2	16	3,870.00
22.	Miscellaneous Staking	2	6	30	7,560.00
23.	Re-Staking Due to Damaged Stakes	-	-	20	4,300.00
24.	Reimbursables	-	-	-	7,000.00
	Totals	**32 Hrs.**	**58 Hrs.**	**333 Hrs.**	**$91,605.00**
				SUB-TOTAL NOT TO EXCEED	**$91,605.00**
				Additional Services Only as Authorized by the City	**9,200.00**
				TOTAL NOT TO EXCEED	**$100,805.00**

Coory Engineering

By: *Samir M. Khoury*

Samir M. Khoury, PE

Note: The following company's rate schedule shall be used for invoicing for progress payments and for extra work incurred. All extra work will require prior City approval.

COORY ENGINEERING

CIVIL ENGINEERING & LAND SURVEYING

COMPANY'S RATE SCHEDULE

Professional Consultant
Construction Surveying Services
For Project EA 08-32301
SR-60 / MORENO BEACH DRIVE - PHASE 1 IMPROVEMENTS PROJECT
Project Account No. 797.79731

- **OFFICE:**

PRINCIPAL ENGINEER (Samir M. Khoury, Project Manager):	$180.00/HR
OFFICE ENGINEER (Steve Sarley, Office Engineer / Staking Calculations):	125.00

- **SURVEYING:**

1-MAN PARTY: (Nader Ghashghai, Party Chief):	$125.00/HR
2-MEN PARTY: (Any of our 3 survey crews):	215.00

Coory Engineering

By: *Samir M. Khoury*

Samir M. Khoury, PE

1718 N. Neville Street, Orange, CA 92865

TEL: (714) 202-8700 FAX: (714) 202-8701

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $100,805.

2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml

3. The Consultant shall notify the City in writing ten (10) days in advance of incurring costs at the following milestones: 50%, 75%, and 90% of expended budget. The City will monitor Consultant's expenditure levels in comparison to the physical construction work completed, and if progress is satisfactory in the judgment of the City, City will provide written authorization to proceed to the next milestone. City reserves the right to adjust staffing levels and personnel as appropriate. Consultant shall not change any personnel or subconsultants without prior authorization by the City.

4. The Consultant will submit an invoice to the City once a month for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the

City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Capital Projects Division at zara@moval.org or calls directed to (951) 413-3131.

5. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf

6. The minimum information required on all invoices is:

   A. Vendor Name, Mailing Address, and Phone Number
   B. Invoice Date
   C. Vendor Invoice Number
   D. City Purchase Order Number
   E. City-provided Reference Number (e.g. Project, Activity)
   F. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

7. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

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MV00179027

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: September 28, 2012

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of September 5-18, 2012.

Reports on Reimbursable Activities September 5-18, 2012		
Council Member	Date	Meeting
William H. Batey II		None
Marcelo Co	9/5/12 – 9/7/12	League of California Cities Annual Conference
Robin N. Hastings		None
Jesse L. Molina	9/5/12 – 9/7/12	League of California Cities Annual Conference
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00179029

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: BIENNIAL UPDATE ON PUBLIC RIGHT OF WAY ACCESS AMERICANS WITH DISABILITIES ACT TRANSITION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council receive and file this Biennial Update on Public Right of Way Access Americans with Disabilities Act Transition Plan.

BACKGROUND

The City's "Americans with Disabilities Act Transition Plan" (ADATP) approved by Council on January 10, 1995, created a plan to bring public buildings, facilities, and access infrastructure into ADA compliance. This included ADA compliance within the public right of way as was required at the time. Since the original ADATP was approved, changes in the law require a more comprehensive approach to public right of way ADA compliance. City staff drafted the Public Right of Way Access Americans with Disabilities Act Transition Plan (PROWADATP) focusing on infrastructure compliance within the public right of way only and presented it to the City Council at its Study Session meeting on August 17, 2010. City Council approved the plan and passed Resolution No. 2010-81 to approve and adopt said plan on September 14, 2010. The PROWADATP serves as an extension of the original 1995 ADATP. Resolution No. 2010-81 requires staff to update the City Council biennially on the progress of the PROWADATP.

DISCUSSION

The PROWADATP requires self-evaluation of the City's infrastructure ADA compliance and accommodation within the public right of way. The PROWADATP adopted the ADA Accessibility Guidelines (ADAAG) for infrastructure compliance within the public right of way which includes but is not limited to sidewalks, curbs, gutters, ramps, access to public transit facilities (bus stops), and traffic signals.

Due to the magnitude of the work effort, staff uses a three phased approach to determine initial priority classification of the infrastructure needs.

- Phase One: Review and prioritize accommodation requests from persons with disabilities.
- Phase Two: Evaluate existing infrastructure and creates a citywide priority database.
- Phase Three: Evaluate the new curb ramp and sidewalk infill where no infrastructure currently exists.

The prioritization is further refined by a location-based 5-Tier system. Tier 1 includes locations nearest to bus stops and routes. Tier 2 includes locations fronting public facilities. Tier 3 locations are adjacent to privately-owned public accommodations. Tier 4 locations do not fall into any other Tiers but are within 50 feet of a existing sidewalk network. Tier 5 locations do not fall into any other Tiers and are greater than 50 feet from an existing sidewalk network.

A 100-point system based on pedestrian safety, use, missing infrastructure, accessibility, vehicle volume and speeds, pedestrian volume and alternative access routing for an ADA total compliance is also used in refining the prioritization.

City staff identified over 3,630 intersections as part of the PROWADATP self evaluation process within Tiers 1 through 5 as a focused priority work effort. Based on the public feedback, monitoring, and inventory process established by the PROWADATP, staff has assessed the following:

- Tier 1: Completed 202 inventoried intersections (approximately 628 corners)
- Tier 2: Completed 382 inventoried intersections (approximately 1,190 corners) with 243 intersections remaining to be inventoried
- Tiers 3, 4, and 5: 2,803 intersections to be inventoried

During Fiscal Year 2012/2013, staff will continue to build the City's ADA compliance database.

As a separate parallel effort, City staff constructed 182 ramps which included five (5) ADA funded project locations (18 intersection corners) in Fiscal Years 2010/20111 and 2011/2012. Approximately 18,000 square feet of infill sidewalk has also been

constructed. Staff anticipates completing an additional five (5) intersections (14 intersection corners) in Fiscal Year 2012-2013. Those locations are:

- Blueberry and John F. Kennedy Drive
- Edgemont Street and Eucalyptus Avenue
- Heacock Street and Bay Avenue
- Heacock Street and Dracaea Avenue
- Kochi and Eucalyptus Avenue

Staff encourages public feedback and recommendations by interested parties such as persons with disabilities and/or organizations representing persons with disabilities. Since the PROWADATP approval, City staff has held Advisory Committee Meetings on June 13, 2011 and August 29, 2012 as well as a Public Outreach Meeting on July 31, 2012. The public was notified and invited to these meetings. The City has established an ADA website where the public can access information on the City's ADA activities and link to other local, state and federal sites. The website also links viewers to the City's PROWADATP and the complaint/grievance form with instruction for processing. The City will continue to improve its outreach efforts with the disabled community.

FISCAL IMPACT

The PROWADATP establishes a dedicated annual program called the Annual ADA Compliance Curb Ramp Upgrades that allocates $200,000 per fiscal year to address ADA compliance issues. The annual funding comes from Gas Tax (Fund 2000) monies and is restricted to transportation related improvements and activities within the public right of way and cannot be used for other purposes. As an aggregate, in Fiscal Years 2010/2011 and 2011/2012, the City spent approximately $353,000 of Gas Tax monies, $142,000 of SB 821 Funds and $1.25 million of other various CIP Funds on ramp and sidewalk construction. The CIP Funds included Measure A (Fund 2001), Safe Routes to School (SR2S) Grant monies, Community Development Block Grant (CDBG) monies (Fund 2512), 2005 Lease Revenue Bonds (Fund 3401), DIF Arterial Streets (Fund 3301), and TUMF Capital Projects (Fund 3003).

CITY COUNCIL GOALS

ADVOCACY:
Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, and neighborhood restoration.

SUMMARY

Resolution 2010-81 provides for a biennial update of the PROWADATP efforts and to City Council.

ATTACHMENTS

None

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00179035

MINUTES - REGULAR MEETING OF AUGUST 28, 2012
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00179037

MINUTES - REGULAR MEETING OF AUGUST 28, 2012
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00179039

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 25, 2012

TITLE: A PUBLIC HEARING REGARDING PA08-0033 (GENERAL PLAN AMENDMENT), PA08-0034 (CHANGE OF ZONE) AND PA08-0035 (CUP) FOR A SMOG INSPECTION STATION AND TIRE SALES COMMERCIAL BUSINESS AT 22184 ALESSANDRO BOULEVARD. THE PROPOSED GENERAL PLAN AMENDMENT WILL CHANGE THE LAND USE DESIGNATION OF A 0.54 ACRE PORTION OF A PARCEL LOCATED AT 22184 ALESSANDRO BOULEVARD FROM RESIDENTIAL/OFFICE (R/O) TO COMMERCIAL (C). THE CHANGE OF ZONE WILL CHANGE THE ZONING OF THE PARCEL FROM OFFICE COMMERCIAL (OC) TO COMMUNITY COMMERCIAL (CC). THE APPLICANT IS SOCRATES URENA.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for General Plan Amendment PA08-0033, Change of Zone PA08-0034 and Conditional Use Permit PA08-0035 and subsequent to the public hearing:

1. ADOPT a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts);

2. ADOPT City Council Resolution No. 2012-75 thereby APPROVING General Plan Amendment PA08-0033, based on the findings in the City Council Resolution;

3. INTRODUCE Ordinance No. 854 thereby APPROVING Zone Change PA08-0034, based on the findings in the City Council Ordinance; and

4. ADOPT City Council Resolution No. 2012-76 thereby APPROVING Conditional Use Permit PA08-0035 for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission at its May 10, 2012, meeting approved Planning Commission Resolution No. 2012-09 by a 7-0 vote, recommending that the City Council adopt a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts and approve PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit).

BACKGROUND

The proposed project requires a Conditional Use Permit (CUP) for a Smog Inspection Station and Tire Sales business (minor auto repair). The smog aspect of the business is as a "testing center" only, no engine repairs are to be conducted on site. The existing residential structure will be converted into the main office. The building's facade will be modified to emphasize the main business entrance and to eliminate the two doors on the east side of the building. The front windows will be reduced by one and repositioned in order to make the structure more commercial in appearance. The garage will be used as service bays for the smog inspection testing as well as tire service. The proposed project will provide onsite parking for 10 vehicles and have a security gate.

The project requires the front 1/3 of the parcel's zoning to be changed from Office Commercial (OC) to Community Commercial (CC). The rest of the parcel will remain in the Residential 10 (R10) zoning district. Approximately .54 acres of the 1.46 acre site will be rezoned to CC and approximately .92 acres will remain R10.

The project site is surrounded by a mix of land uses including Residential/Office (R/O) to the north, east and west of the parcel. There is some Residential 5 (R5) to the northeast of the project site. The neighboring parcels along the front of Alessandro Boulevard are Commercial (C) with Business Park (BP) to the south (across the street along Alessandro Boulevard).

The project site is presently the only Office/Commercial (OC) parcel in the surrounding neighborhood. The Residential zoning is a mix of Residential 15 (R15), Residential 10 (R10) and Residential 5 (R5). Along Alessandro Boulevard from the Old 215 Frontage Road east to Elsworth Street the zoning is Commercial (CC).

The project is located on the edge of the Edgemont neighborhood. The majority of the structures within this area are older single and small multiple-family residences. The project site has an existing older single-family residence with a separate garage structure that currently is vacant located in the front 1/3 of the parcel. The remaining 2/3 of the parcel is currently vacant.

There was a previous approved application (PA03-0037) for the same business that expired, requiring a new application to be submitted. The project was approved back in October 2003 when the site was zoned Community Commercial (CC). During the 2006 General Plan Update, the parcel was rezoned to Office/Commercial (OC). This appears to have been done in recognition of the split zoning on the property and the potential incompatibility of general commercial and residential uses on the same parcel. To avoid potential conflicts, the conditions of approval require a parcel split prior to any residential development of the northerly residential portion of the parcel.

DISCUSSION

The General Plan Amendment, Zone Change and Conditional Use Permit applications were submitted in April 2008. The major issue with this project was a lack of fire flow water pressure on site, as the parcel is located within the Box Springs Mutual Water Company (BSMWC) service area. The applicant worked with both the BSMWS and Eastern Municipal Water District to meet the Fire Prevention's development requirements. The applicant also installed a fire hydrant onsite, which was reviewed and accepted by the Fire Prevention Division.

Public notice was sent to all property owners of record within 300' of the project for the May 10, 2012, Planning Commission meeting. The public hearing notice for this project was also posted on the project site and published in the Press Enterprise on April 19, 2012. Prior to the public hearing, staff had received two phone calls in response to the noticing for this project. The calls were positive towards the project. No members of the public were present at the May 10, 2012, Planning Commission meeting.

The environmental impacts of the proposed change have been considered as part of the review of the project and have been determined to be less than significant. It has been determined that the impacts of the proposed Change of Zone would be essentially the same as the existing zoning. Impacts in the area of traffic, and related areas such as potential for noise would also be comparable under the current General Plan designation.

An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

ALTERNATIVES

1. Adopt a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts); **and** adopt City Council Resolution No. 2012-75 thereby approving General Plan Amendment PA08-0033, based on the findings in the City Council Resolution; **and** introduce Ordinance No. 854 thereby approving Zone Change PA08-0034, based on the findings in the City Council Ordinance; **and** adopt City Council Resolution No. 2012-76 thereby approving Conditional Use Permit PA08-0035 for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A. **Staff recommends this alternative.**

2. Do not adopt a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts); **and** do not adopt City Council Resolution No. 2012-75 thereby approving General Plan Amendment PA08-0033, based on the findings in the City Council Resolution; **and** do not introduce Ordinance No. 854 thereby approving Zone Change PA08-0034, based on the findings in the City Council Ordinance; **and** do not ADOPT City Council Resolution No. 2012-76 thereby approving Conditional Use Permit PA08-0035 for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A. **Staff does not recommend this alternative**.

FISCAL IMPACT

Not applicable.

SUMMARY

The proposed Smog Inspection Station and Tire Sales commercial business requires both a General Plan Amendment and Change of Zone for approval of the Conditional Use Permit. The proposed General Plan Amendment will change the land use designation of a 0.54 acre portion of a parcel located at 22184 Alessandro Boulevard (Assessor's Parcel Number 291-190-025) from Residential/Office (R/O) to Commercial (C). The Change of Zone will change the zoning of the parcel from Office Commercial (OC) to Community Commercial (CC).

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted onsite (one along each frontage – Alessandro Boulevard and Sherman Avenue). Notices were also sent to adjacent property owners within 300 feet of the project.

As of the date of report preparation, staff had received no public inquiries in response to the noticing for the City Council public hearing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Resolution for General Plan Amendment PA08-0033 (Resolution 2012-75)
3. Ordinance for Change of Zone PA08-0034 (Ordinance No.854)
4. Resolution for Conditional Use Permit PA08-0035 (Resolution 2012-76)
5. Planning Commission Staff Report dated May 10, 2012 (excluding exhibits)
6. Planning Commission Minutes for May 10, 2012
7. Negative Declaration
8. Initial Study
9. Aerial Photograph of Project Site
10. General Plan Amendment (Land Use) Map
11. Change of Zone (Zoning) Map
12. Site Plan
13. Conceptual Grading Plan
14. Office Elevations
15. Garage Elevations

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00179045

Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE(S): PA08-0033 (General Plan Amendment)
PA08-0034 (Change of Zone)
PA08-0035 (Conditional Use Permit)

APPLICANT/OWNER: Socrates Urena

REPRESENTATIVE: Socrates Urena

LOCATION: 22184 Alessandro Boulevard

PROPOSAL: A Conditional Use Permit (CUP) for a Smog Inspection Station and Tire Sales commercial business in an existing structure. The CUP requires a General Plan Amendment from Residential/Office (R/O) to Commercial (C) and Change of Zone from Office Commercial (OC) to Community Commercial (CC).

ENVIRONMENTAL DETERMINATION: Negative Declaration

COUNCIL DISTRICT: 5

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

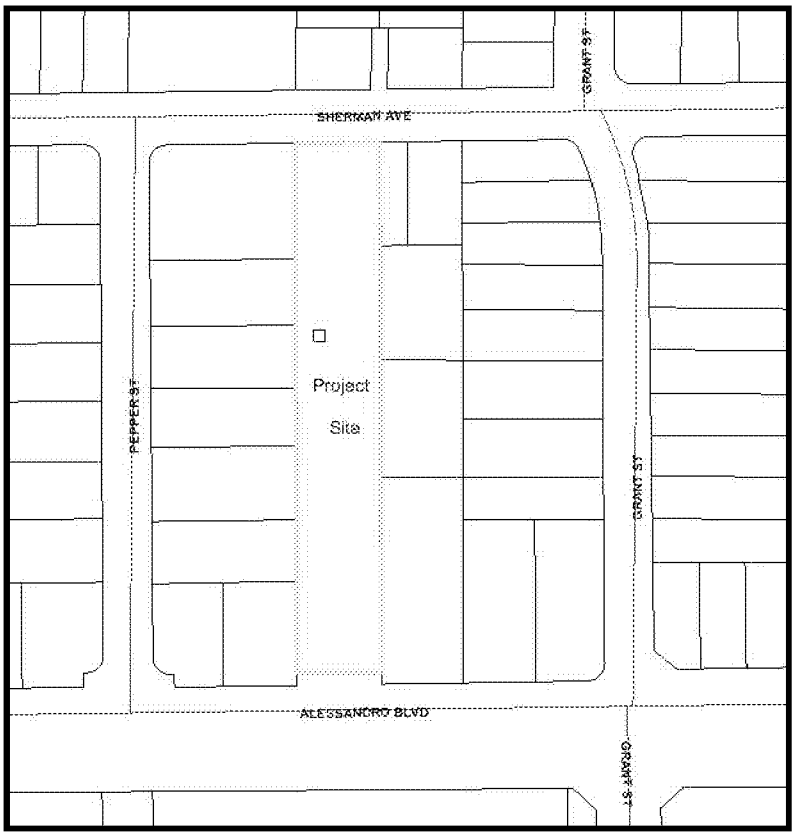

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: September 25, 2012 at 6:30 PM

CONTACT PLANNER: Claudia Manrique

PHONE: (951) 413-3225

ATTACHMENT 1

Item No. E.1

MV00179046

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MV00179047

RESOLUTION NO. 2012-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT (PA08-0033) TO CHANGE THE LAND USE DESIGNATION OF A 0.54 ACRE PORTION OF A PARCEL LOCATED AT 22184 ALESSANDRO BOULEVARD (PORTION OF ASSESSOR'S PARCEL NUMBER 291-190-025) FROM RESIDENTIAL/OFFICE (R/O) TO COMMERCIAL (C).

WHEREAS, the applicant, Socrates Urena, has filed an application for approval of PA08-0033, requesting an amendment to the General Plan Land Use. The requested amendment to the Land Use Element changes approximately 0.54 of an acre of Residential/Office (R/O) land use to Commercial (C) as described in the title of this resolution and the attached Exhibit A. This General Plan Amendment is being processed concurrently with a Zone Change (PA08-0034).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA08-0033 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 10, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA08-0033). At said meeting, the Planning Commission recommended approval of General Plan Amendment PA08-0033 to the City Council, and;

WHEREAS, on September 25, 2012, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

ATTACHMENT 2

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA08-0033:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project includes two applications, a General Plan Amendment and Zone Change to change the existing land use for 22184 Alessandro Boulevard (Assessor's Parcel Number 291-190-025). The project site current land use designation is Residential/Office (R/O). This project proposes to change the General Plan and Zoning designation from Residential/Office (R/O) to Commercial (C). There a development application associated with the proposed land use change. The Conditional Use Permit PA08-0035 proposes a Smog Inspection Station and Tire Sales commercial business. Commercial zoning would permit such a development.

   Since the proposed General Plan Amendment is compatible in intensity with the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public

health or be materially injurious to surrounding properties or the environment as a whole.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2012-_____ approving PA08-0033, thereby establishing General Plan Land Use as described in the Resolution, and the revised General Plan map attached to the Resolution as Exhibit A .

APPROVED AND ADOPTED this 25th day of September 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. _____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

GENERAL PLAN AMENDMENT

Application No. PA08-0033
RESOLUTION NO. 2012-

Assessor's Parcel Number 291-190-025
(Southern end of parcel – approximately 0.54 acres)

ADOPTED: 9-25-12

EFFECTIVE: 10-25-12

N

LEGEND

From R/O to: **C**

EXHIBIT A

Item No. E.1

MV00179052

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MV00179053

ORDINANCE NO. 854

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0034 (ZONE CHANGE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 0.54 ACRES OF 22184 ALESSANDRO BOULEVARD (PORTION OF ASSESSOR PARCEL NUMBER 291-190-025) FROM OFFICE COMMERCIAL (OC) TO COMMUNITY COMMERCIAL (CC).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 81 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0034).

1.4. An Initial Study has been completed for PA08-0034 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 81 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on September 25, 2012, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project includes three applications, a General Plan Amendment, Change of Zone and Conditional Use Permit to change the existing land use for 0.54 acres Assessor's Parcel Number 291-190-025 (southern end closest to Alessandro Boulevard) and approve a Smog Inspection Station and Tire Sales commercial business. The project site current land use designation is Office Commercial.

ATTACHMENT 3

This project proposes to change the General Plan from Residential/Office (R/O) to Commercial (C) and the Zoning designation from Office Commercial (OC) to Community Commercial (CC). There is a development application (CUP PA08-0035) associated with the proposed land use change for a Smog Inspection Station and Tire Sales commercial business. The proposed zoning would permit such a development.

Since the proposed General Plan Amendment, as well as the Change of Zone, is compatible in intensity with the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office Commercial (OC) to Community Commercial (CC) is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office Commercial (OC) to Community Commercial (CC) for the approximately 0.54 acres located at 22184 Alessandro Boulevard, subject to the revised zoning designations depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 9th day of October, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on September 25, 2012 and had its second reading on October 9, 2012, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 9th day of October, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CHANGE OF ZONE

Application No. PA08-0034
ADOPTED BY ORDINANCE NO.

Assessor's Parcel Number 291-190-025
(Southern end of parcel – approximately 0.54 acres)

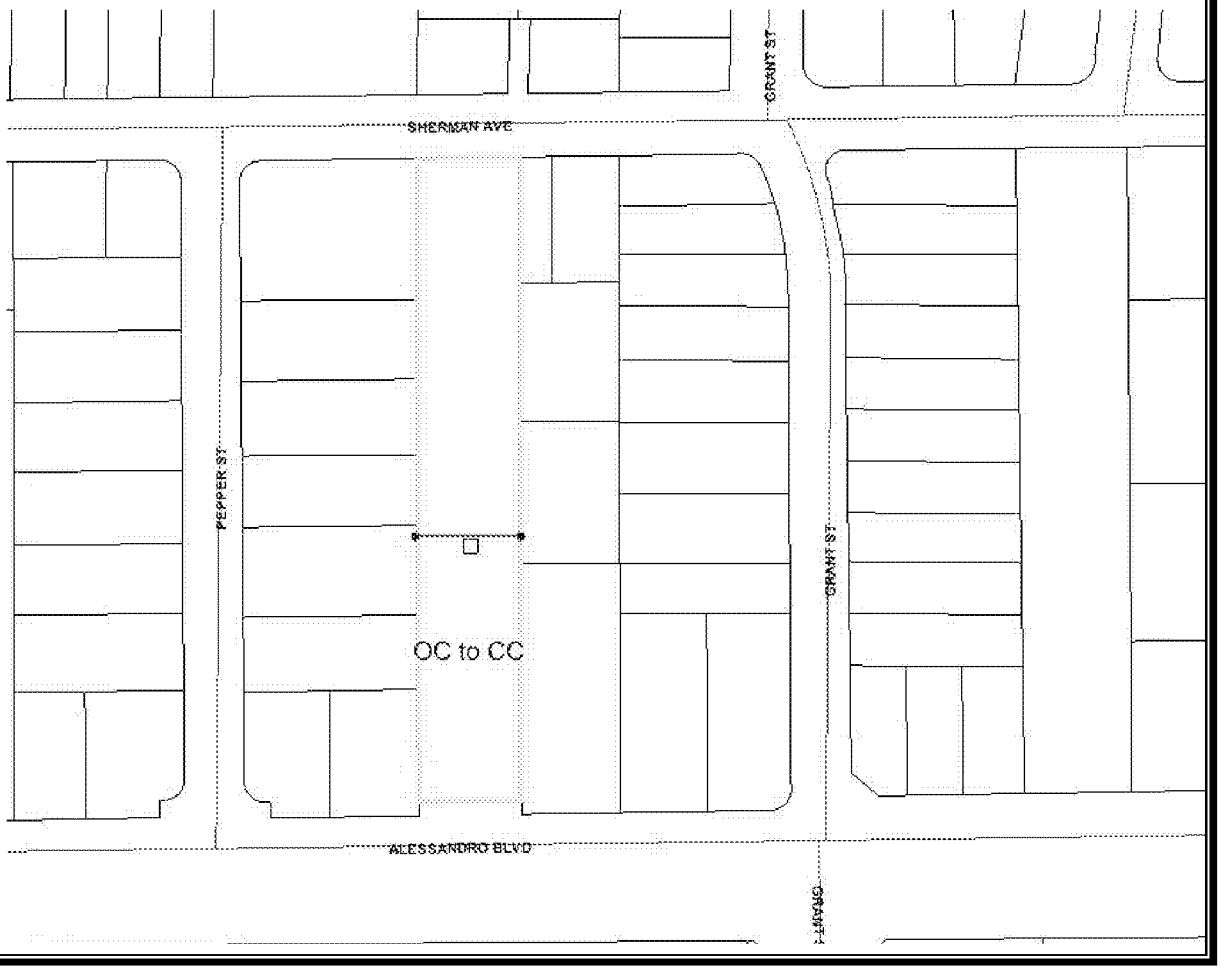

ADOPTED: 10-09-12

EFFECTIVE: 11-06-12

N

LEGEND

From OC to: **CC**

EXHIBIT A

Item No. E.1

MV00179058

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MV00179059

RESOLUTION NO. 2012-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (PA08-0035) FOR THE CONVERSION OF AN EXISTING SINGLE FAMILY RESIDENCE INTO SMOG INSPECTION STATION AND TIRE SALES COMMERCIAL BUSINESS AT 22184 ALESSANDRO BOULEVARD (APN: 291-190-025).

WHEREAS, the applicant, Socrates Urena, has filed applications for the approval of PA08-0035 (Conditional Use Permit) for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, as described in the title of this Resolution. This conditional use permit is being processed concurrently with a General Plan Amendment (PA08-0033) and Change of Zone (PA08-0034).

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project(s) is subject to certain fees, dedications, reservations and other exactions as provided herein.

WHEREAS, there is hereby imposed on the subject development project(s) certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, an environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with applications PA08-0033, PA08-0034 and PA08-0035 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA).

WHEREAS, a public hearing was held before the Planning Commission on May 10, 2012, regarding the General Plan Amendment, Change of Zone and Conditional Use Permit. The Planning Commission recommended that the City Council approve and adopt negative declarations for this project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA08-0035:

ATTACHMENT 4

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on September 25, 2012, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The proposal for the a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard will be consistent with the General Plan, its goals, objectives, policies and programs with the approval of PA08-0033.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

FACT: The proposed project site is located in an "OC" Office Commercial land use district. However, an application for a Change of Zone from OC (Office Commercial) to CC (Community Commercial), is being processed concurrently with this proposal (PA08-0034) and therefore, the proposed project would be in compliance with the applicable regulations.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed project would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the surrounding. An Environmental Initial Study was prepared in accordance with the Guidelines of the California Environmental Quality Act (CEQA) concluded that this project would not have a negative impact on public health, safety or welfare or improvements in the vicinity.

4. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: With the approval of the proposed General Plan Amendment and Change of Zone requests, the proposed use would be in conformance with the existing surrounding land uses. The location, design and operation will also be consistent with the other existing commercial and mixed uses in the immediate vicinity.

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY APPROVE CONDITIONAL USE PERMIT (PA08-0035), SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL INCLUDED AS EXHIBIT A.

APPROVED AND ADOPTED this 25th day of September 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-76 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PA08-0035 - CONDITIONAL USE PERMIT
APN: 291-190-025

APPROVAL DATE: **May 10, 2012**
EXPIRATION DATE: **May 10, 2015**

_X__ Planning (P), including School District (S), Post Office (PO), Building (B)
_X__ Fire Prevention Bureau (F)
_X__ Public Works, Land Development (LD)
_X__ Public Works, Special Districts (SD)
_X__ Public Works – Transportation Engineering (TE)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

For questions regarding any Planning condition of approval, please contact the Planning Division at (951) 413-3206.

GENERAL CONDITIONS

P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P2. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision M	

P3. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)

P4. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P6. Any signs indicated on the submitted plans are not included with this approval. Any signs**, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag),** proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. **No signs are permitted in the public right of way.** (MC 9.12)

P7. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

P8. **The site at 22184 Alessandro Boulevard has been approved for a Smog Inspection Station and Tire Sales commercial business. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit.**

Prior to Issuance of Grading Permits

P9. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and

all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered**, no further disturbance shall occur until** the County Coroner **has made necessary findings as to origin**. If **the County Coroner** determine**s** that the remains are potentially Native American, the California Native American Heritage Commission **shall be contacted within a reasonable timeframe to identify the "most likely descendant." The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98).** (GP Objective 23.3, CEQA).

P10. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P11. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be shown on the plan, be a minimum size of 24 inch box, and meet a ratio of three replacement trees for each mature tree removed or as approved by the **Planning Official**. (GP Objective 4.4, 4.5, DG)

P12. **(GP) Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division, and Public Works Department – Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW- Special Districts.**

P13. **(GP) Prior to approval of any grading permit~~s~~, plans for any security gate system shall be submitted to the Planning Division for review and approval.**

P14. **(GP) Decorative pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)**

P15. **(GP) Prior to the issuance of building permits, the site plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project.**

P16. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

A. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement and design will be based on a site specific review of the project. All walls are subject to the approval of the Planning Official. (DC 9.08.070)
B. Show location and elevations of the trash enclosure.
C. Landscaping on three sides of the trash enclosure.

PRIOR TO BUILDING PERMITS

39. (BP) Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30, DG)

40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

41. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

42. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

43. (BP) Prior to issuance of building permits, for multi-family projects that will be phased, a phasing plan submitted to the Planning Division will be required if occupancy is proposed to be phased.

44. **(BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and shall include:**

    A. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
    B. Diamond planters shall be provided every 3 parking stalls.
    C. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas.
    D. Street trees shall be provided every 40 feet on center in the right of way.
    E. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
    F. Enhanced landscaping shall be provided at all driveway entries and street corner locations
    G. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
    H. Landscaping on three sides of the trash enclosure.
    I. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).

45. (BP) Prior to the issuance of building permits, the site plan shall include landscape for trash enclosures to include landscape on three sides, while elevation plans for trash enclosures shall be provided that include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed buildings on the site, subject to the approval of the Planning Division.

46. (BP) Prior to the issuance of building permits, the plot plan shall include decorative concrete pavers for all driveway ingress/egress locations for the project.

PRIOR TO CERTIFICATE OF OCCUPANCY

50. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (DC 9.03.040)

51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

52. **(BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be inspected by the Planning Division. All on-site and common area landscaping shall be installed in accordance with the City's Landscape Standards and the approved project landscape plans and all site clean-up shall be completed.**

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as city ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building and Safety Division as a separate submittal. The 2010 edition of the California Codes became effective for all permits issued after January 1, 2011.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING.

B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building and Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B3. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community and Economic Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

PD4. Addresses needs to be in plain view visible from the street and visible at night. It needs to have a backlight, so the address will reflect at night or a lighted address will be sufficient.

PD5. All exterior doors in the rear and the front of the buildings need an address or suite number on them.

PD6. All rear exterior doors should have an overhead low sodium light or a light comparable to the same.

PD7. The exterior of the building should have high-pressure sodium lights and or Metal halide lights installed and strategically placed throughout the exterior of the building. The parking lots should have adequate lighting to insure a safe environment for customers and or employees.

PD8. All landscape cover should not exceed over 3' from the ground in the parking lot.

PD9. Bushes that are near the exterior of the building should not exceed 4' and should not be planted directly in front of the buildings or walkways.

PD10. Trees, which exceed 20', should have a 7' visibility from the ground to the bottom half of the tree. This is so that patrons or employees can view the whole parking lot while parking their vehicles in the parking lot.

PD11. Cash registers shall be placed near the front entrance of the store.

PD12. Window coverings shall comply with the city ordinance.

PD13. No loitering signs shall be posted in plain view throughout the building.

PD14. A monument address is to be located in front of the main entrance.

PD15. Landscape screening is to be located no closer than six feet from the covered parking spaces.

FIRE PREVENTION BUREAU

1. Fire lane shall meet conditions F6, F7, F8, AND F9.
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 1500 GPM for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D).

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 ½") and super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less the twenty–four (24) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F18. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or

property, and to install equipment used in connection with such activities. (CFC 2701.5)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F20. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F21. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F22. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F23. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F24. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14)

F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to

its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.

F34. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA08-0035 Conditional Use Permit for Smog Inspection Station and Tire Sales
APN 291-190-025

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC).

LD2. (G) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the conditional use permit correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD7. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD8. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD9. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD10. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD11. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD12. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD13. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD14. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD15. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD16. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD17. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD18. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD19. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD20. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD21. (IPA) The street improvement plans shall comply with all applicable City standards.

LD22. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD23. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD24. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD25. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD26. (BP) Prior to issuance of building permits for non-subdivision projects, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (BP) Prior to issuance of building permits for non-subdivisions, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (BP) Prior to issuance of a building permit, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of permit issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
   i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
   ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to obtain a building permit 90 days prior to the City's issuance of a building permit and the financial option selected. (California Government Code & Municipal Code)

LD29. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

~~Prior to Certificate of Occupancy~~

LD30. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD31. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD32. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD33. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, sidewalks, drive approaches, signing, striping, under sidewalk drains, landscaping and irrigation, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: open channel ("u" channel), undersidewalk drain.

c. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

d. Under grounding of existing and proposed utility lines less than 115,000 volts.

LD34. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD35. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

LD36. Prior to grading plan approval, the following shall be shown on the plans and dedications made, via separate instrument and submitted to the City for review and approval: A 4-foot pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on Alessandro Boulevard and Sherman Avenue, along the project frontage.

LD37. Prior to grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD38. Prior to grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD39. Prior to grading plan approval, the plans shall clearly show that the developer has made every attempt to treat runoff, prior to the runoff reaching the treatment control Best Management Practice(s) (BMPs), via maximum use of site design and source control BMPs.

LD40. Prior to grading plan approval, the plans shall show a 24-foot wide fire lane to be constructed per City Standard No. 108E.

LD41. Prior to issuance of a building permit, the offer of dedication for the four-foot additional right-of-way at the proposed driveway approaches per City Standard No. 118C shall be recorded at the Riverside County Recorder's Office.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA08-0035
(CUP for a Smog Inspection Station and Tire Sales)
APN: 291-190-025
09.29.11 Revised

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA08-0035**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services). All assessable parcels therein shall be subject to the annual Zone A charge for operations and capital improvements.

SD-2 Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD-3 (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not

protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD-4 (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **existing Alessandro Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD-5 *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD-6 (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate

schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division. For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL
PA08-0033/0034/0035

GPA, Change of Zone, and CUP for smog inspection station and tire sales located at 22184 Alessandro Boulevard.

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Alessandro Boulevard is classified as a Divided Major Arterial (134'RW/110'CC). Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE2. Conditions of approval may be modified if project is phased or altered from any approved plans.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE3. The driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code - Design Guidelines and shall be Commercial type per City of Moreno Valley Standard No. 118C.

TE4. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125 A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE5. Prior to issuance of a construction permit, traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

TE6. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

PLANNING COMMISSION
STAFF REPORT

Case(s):	PA08-0033 (General Plan Amendment) PA08-0034 (Change of Zone) PA08-0035 (CUP)
Date:	May 10, 2012
Applicant:	Socrates Urena
Representative:	Socrates Urena
Location:	22184 Alessandro Boulevard
Proposal:	A Conditional Use Permit (CUP) for a Smog Inspection Station and Tire Sales commercial business, which requires a General Plan Amendment and Change of Zone.
Council District:	5
Recommendation:	Approval

SUMMARY

The proposed Smog Inspection Station and Tire Sales commercial business requires both a General Plan Amendment and Change of Zone for approval of the Conditional Use Permit. The proposed General Plan Amendment will change the land use designation of a 0.54 acre portion of a parcel located at 22184 Alessandro Boulevard (Assessor's Parcel Number 291-190-025) from Residential/Office (R/O) to Commercial (C). The Change of Zone will change the zoning of the parcel from Office Commercial (OC) to Community Commercial (CC).

ATTACHMENT 5

Project

The proposed project requires a Conditional Use Permit (CUP) for a Smog Inspection Station and Tire Sales business. The smog aspect of the business is as a "testing center" only, no auto repairs are to be conducted on site. The existing residential structure will be converted into the main office. The building's facade will be modified to emphasize the main business entrance and to eliminate the two doors on the east side of the building. The front windows will be reduced by one and repositioned in order to make the structure more commercial in appearance. The garage will be used as service bays for the smog inspection testing as well as tire service. The proposed project will provide onsite parking for 10 vehicles and have a security gate.

The project requires the front 1/3 of the parcel's zoning to be changed from Office Commercial (OC) to Community Commercial (CC). The rest of the parcel will remain in the Residential 10 (R10) zoning district. Approximately .54 acres of the 1.46 acre site will be rezoned to CC and approximately .92 acres will remain R10.

There was a previous approved application (PA03-0037) for the same business that expired, requiring a new application to be submitted. The project was approved back in October 2003 when the site was zoned Community Commercial (CC). During the 2006 General Plan Update, the parcel was rezoned to Office/Commercial (OC). This appears to have been done in recognition of the split zoning on the property and the potential incompatibility of general commercial and residential uses on the same parcel. To avoid potential conflicts, the conditions of approval require a parcel split prior to any residential development of the northerly residential portion of the parcel.

Land Use Change

The existing General Plan designation for the project site is Residential/Office (R/O). The applicant proposes a change from the Residential/Office (R/O) designation to Commercial (C) under the General Plan. The project requires the front 1/3 of the parcel's zoning to be changed from Office Commercial (OC) to Community Commercial (CC). The rest of the parcel will remain in the Residential 10 (R10) zoning district. Approximately .54 acres of the 1.46 acre site will be rezoned to CC and approximately .92 acres will remain R10. If the General Plan Amendment and Change of Zone are approved, the CUP for the Smog Inspection Station and Tire Sales business can be approved as well.

Based upon the information presented above, the proposed change in land use is compatible with existing land uses and would not conflict with the goals, objectives, policies or programs of the General Plan.

Site

The project site is surrounded by mixed group of land uses including Residential/Office (R/O) to the north, east and west of the parcel. There is some Residential 5 (R5) to the northeast of the project site. The neighboring parcels along the front of Alessandro Boulevard are Commercial (C) with Business Park (BP) to the south (across the street along Alessandro Boulevard).

As far as zoning, the project site is the only Office/Commercial (OC) parcel in the surrounding neighborhood. The Residential zoning is a mix of Residential 10 (R10) and Residential 15 (R15) with some Residential 5 (R5). Along Alessandro Boulevard from the Old 215 Frontage Road east to Elsworth Street is zoned Commercial (CC).

The project is located in an area of Moreno Valley referenced to as "Edgemont". The majority of the structures within this area are older single and small multiple-family residences. The project site has an existing older single-family residence with a separate garage structure that currently is vacant located in the front 1/3 of the parcel. The remaining 2/3 of the parcel is currently vacant.

Access

Access to the project site is off Alessandro Boulevard, directing customers to parking in the rear section of the lot. There is an emergency only gate off Sherman Way (north end of the property).

Design

The existing single family dwelling will be converted into office space with a waiting room, cashier's and storage areas. The building's facade will be modified to emphasize the main business entrance and to make the structure more commercial in appearance. The structure will be freshly painted and have a stone veneer place along the bottom sections of the front and side elevations. The garage will be used as the service bay for the smog inspection testing and storage of tires. The proposed project will provide onsite parking for 10 vehicles and have a security gate.

A five-foot landscaped planter will be along the eastern property boundary. The rear of the proposed Community Commercial (CC) section of the parcel will be conditioned to provide a five-foot landscaped planter as well. The existing "front yard" area of the property will be landscaped, including the addition of two Mondell Pine (*Pinus eldarica*) street trees planted 40-feet on-center with unspecified accent trees in between. The project will also be conditioned to provide a two bin trash enclosure that meets the City's requirements as well as landscaping along three sides.

A chain-link fence with metal or plastic slats has been required to separate the portions of the site to be developed from those intended to remain vacant. A block wall is required along any property line with existing residential units.

Review Process

The General Plan Amendment, Zone Change and Conditional Use Permit applications were submitted in April 2008. The biggest issue with this project was its lack of enough fire flow demand/ water pressure on site as the parcel is located within the Box Springs Water District. The applicant worked with both the Box Springs Water District and Eastern Municipal Water District to meet Fire Prevention Bureau's requirements. The applicant also installed a fire hydrant onsite, which was reviewed and accepted by the Moreno Valley Fire Prevention Bureau.

Environmental

The site is currently had a vacant residential structure with a separate garage and is not an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. The majority of the property is covered by weeds and dead vegetation.

A review of the FEMA maps for this area indicated that the project site is located outside of the 100-year flood plain.

Based upon review of the Cultural Resources Inventory prepared for the City of Moreno Valley by the Archaeological Research Unit of the University of California in October 1987, there are no known archaeological resources on the site.

With consideration given to the preceding information, an Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

Notification

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no inquiries in response to the noticing for this project.

Staff Recommendation

Staff recommends that the Planning Commission take the following action:

APPROVE Resolution No. 2012-09, and thereby:

1. **RECOMMEND** that the City Council adopt a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts);

2. **RECOMMEND** that the City Council approve PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit).

Prepared by:

Claudia Manrique
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2012-09, including conditions of approval attached as Exhibit A
3. Negative Declaration
4. Initial Study
5. Aerial Photograph of Project Site
6. General Plan Amendment (Land Use) Map
7. Change of Zone (Zoning) Map
8. Site Plan
9. Conceptual Grading Plan
10. Office Elevations
11. Garage Elevations

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MV00179095

TO BE PROVIDED UNDER SEPARATE COVER

ATTACHMENT 6

PLANNING COMMISSION MINUTES
MAY 10, 2012

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MV00179097

NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBERS: PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit)
PROJECT APPLICANT: Socrates Urena **TELEPHONE NUMBER:** (951) 313-2924
PROJECT LOCATION: 22184 Alessandro Boulevard, Moreno Valley, CA 92553
PROJECT DESCRIPTION: The proposed Smog Inspection Station and Tire Sales commercial business requires both a General Plan Amendment and Change of Zone for approval of the Conditional Use Permit. The proposed General Plan Amendment will change the land use designation of a 0.54 acre portion of a parcel located at 22184 Alessandro Boulevard (Assessor's Parcel Number 291-190-025) from Residential/Office (R/O) to Commercial (C). The Change of Zone will change the zoning of the parcel from Office Commercial (OC) to Community Commercial (CC).

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

[X] The proposed project will not have a significant effect on the environment.

[ ] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) at the City of Moreno Valley, Community Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY: Claudia Manrique, Associate Planner	DATE: 5/1/2012

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED: 9/25/2012	BY: City Council

ATTACHMENT 7

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MV00179099

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1.	Project Title:	PA08-0033 (General Plan Amendment) PA08-0034 (Change of Zone) PA08-0035 (CUP)
2.	Lead Agency Name and Address:	City of Moreno Valley 14177 Frederick Street Moreno Valley, CA 92552
3.	Contact Person and Phone Number:	Claudia Manrique, Associate Planner (951) 413-3225
4.	Project Location:	22184 Alessandro Blvd (APN: 291-190-025)
5.	Project Sponsor's Name and Address:	Socrates Urena 20620 Avenida Hacienda Riverside, CA 92508
6.	General Plan Designation:	Residential/Office (R/O)
7.	Zoning:	Office Commercial (OC) and Residential 10 (R10)

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

The proposed project requires a Conditional Use Permit (CUP) for a Smog Inspection Station and Tire Sales commercial complex. The smog aspect of the business is as a "testing center" only, no auto repairs are to be conducted on site. The existing residential structure will be converted into the main office. The building's facade will be modified to emphasize the main business entrance and to eliminate the two doors on the east side of the building. The front windows will be reduced by one and repositioned in order to make the structure more commercial in appearance. The garage will be used as service bays for the smog inspection testing as well as tire service. The proposed project will provide onsite parking for 10 vehicles and have a security gate.

ATTACHMENT 8

The project requires the front 1/3 of the parcel's zoning to be changed from Office Commercial (OC) to Community Commercial (CC). The rest of the parcel will remain in the Residential 10 (R10) zoning district. Approximately .54 acres of the 1.46 acre site will be rezoned to CC and approximately .92 acres will remain R10.

There was a previous approved application (PA03-0037) for the same business that unfortunately expired. The project was approved back in October 2003 when the site was zoned Community Commercial (CC). During the 2006 General Plan Update, the parcel was rezoned to Office/Commercial (OC).

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The project site is surrounded by mixed group of land uses including Residential/Office (R/O) to the north, east and west of the parcel. There is some Residential 5 (R5) to the northeast of the project site. The neighboring parcels along the front of Alessandro Boulevard are Commercial (C) with Business Park (BP) to the south (across the street along Alessandro Boulevard).

As far as zoning, the project site is the only Office/Commercial (OC) parcel in the surrounding neighborhood. The Residential zoning is a mix of Residential 10 (R10) and Residential 15 (R15) with some Residential 5 (R5). Along Alessandro Boulevard from the Old 215 Frontage Road east to Elsworth Street is zoned Commercial (CC).

The project is located in an area of Moreno Valley referenced to as "Edgemont". The majority of the structures within this area are older single and small multiple-family residences. The project site has an existing older single-family residence with a separate garage structure that currently is vacant located in the front 1/3 of the parcel. The remaining 2/3 of the parcel is currently vacant.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature Date

Printed Name For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
The site is located within an area with several developments nearby and would not have an adverse effect on a scenic vista.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
The site has a vacant single-family residence with a separate garage structure that would benefit from change of use to a commercial office. The house and garage structures have not been well maintained.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
The site has a vacant single-family residence with a separate garage structure that would benefit from change of use to a commercial office. The house and garage structures have not been well maintained.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
The site has a vacant single-family residence with a separate garage structure that would benefit from change of use to a commercial office. Any new lighting will have to meet the City's municipal code, which requires lighting sources to be shielded.				
II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The site is not designated as prime farmland on current maps. The project site is designated as "URBAN OR BUILT OUT LAND" on the 2010 current map. The project site has historically been used as single-family residential with an existing, but vacant single-family house and separate garage structure located in the front 1/3 of the parcel (nearest to Alessandro Blvd). As a residential neighborhood, there are no existing agricultural uses or operations within the project boundaries or in the vicinity.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed warehouse facility does not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
As a residential neighborhood, there are no existing agricultural uses or operations within the project boundaries or in the vicinity.				
III. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
The Air Quality Management Plan (AQMP) sets forth a comprehensive program that will lead the air basin into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections, or evaluation of assumed emissions. The existing 2007 AQMP was developed based on SCAG (Southern California Association of Governments) population projections for the region. The population projections made by SCAG are based on existing and planned land uses as set forth in the various general plans of local governmental jurisdictions within the region. The proposed project is consistent with the land use designation that has been in place for the last several iterations of the regional population projections and the AQMP. Since the project will be developed in accordance with the underlying assumptions of the AQMP, the project would not conflict with or obstruct implementation of the SCAQMD AQMP.				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
The project's land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
The project's land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
As a commercial project, the development would not be expected to produce significant concentrations of pollutants on-site except during construction. Standard conditions of approval provide mitigation from construction related dust products. The nearest sensitive receptors include existing single-family residences to the north, northeast, east, northwest and west of the proposed project. Considering the direction of the prevailing winds from northwest to southeast, dispersion of the pollutants, and the quantity of pollutants generated, the project will not expose sensitive receptors to substantial pollutant concentrations. Once the Smog and Tire Sales business is in operation, no auto repairs are to be conducted on site. The smog aspect of the business is as a "testing center" only.				
e) Create objectionable odors affecting a substantial number of people?			X	
The proposal would have no direct impact in creating objectionable odors. Any commercial development projects under the proposed designations would be required to mitigate or address objectionable odors.				
IV. **BIOLOGICAL RESOURCES**. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
The project site is comprised of one parcel totaling 1.46 acres at 22184 Alessandro Boulevard. The site has an existing substandard single-family residence with a separate garage structure. The residence is currently not occupied and the last date of occupation is no known. The parcel is not within an area that the Riverside County Integrated Plan (RCIP) has identified as needing required studies such as a Burrowing Owl Habitat Assessment. The project site has been disturbed in the past through disking for weed abatement and illegal dumping. Therefore, the proposed project will result in less than significant impacts to Fish and Wildlife resources.				
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?			X	
There are no major riparian habitat or other sensitive community on the site. The site was free from standing water or condensed riparian vegetation that could warrant a habitat area for sensitive or endangered species. It is not anticipated that the proposed development would have a substantial adverse effect on existing land use condition on the site as the existing structure will be used.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
The project as proposed would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. The site has been previously graded and has an existing single-family residence and separate garage structure. There are no federally protected wetland areas such as marsh or vernal pools evident at the site. The project is consistent with the General Plan or local policies pertaining to the protection of biological resources. The project is consistent with the goals and objectives of the General Plan under the current land use designation which allows commercial uses.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
The project as proposed would not interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
The proposed project will not conflict with any General Plan or local policy pertaining to the protection of biological resources.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The MSHCP fee is currently $1938.00 per lot.				
V. **CULTURAL RESOURCES**. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
No known human remains have been identified at the project site. Conditions of approval address the issue of inadvertent discoveries. A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources uncovered on the project site.				
VI. **GEOLOGY AND SOILS**. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
Based on City's environmental resources, the project site is not on, or close to, any known earthquake fault. There is no new information that would indicate the existence of a fault or fault tract in proximity of the site. There is no risk of ground rupture due to faulting at the proposed project site.				
(ii) Strong seismic ground shaking?			X	
According to the City's environmental information, the project site is not on, or close to, any known earthquake fault. The nearest fault is the San Jacinto fault system, which is located approximately 8-miles to the northeast. The inferred Casa Loma fault system also lies approximately 10-miles to the northeast. It should be noted, that within the City of Moreno Valley, the Casa Loma fault is an inferred unsubstantiated fault trace. The San Andreas fault system is more than 25 miles from the site. The active Sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles, respectively, to the southwest of the site. This faulting is not considered a significant constraint to development on the site with the use of current building codes. Ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. There is no new information that would indicate the existence of a fault on the site.				
(iii) Seismic-related ground failure, including liquefaction?			X	
According to the City's environmental resources, the project site is not on, or close to, any known earthquake fault. However, ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. Water table and soil conditions are not conducive of seismic related failure.				
(iv) Landslides?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
This site is not near or adjacent to the mountainside areas and landslides will not be an issue. There is no potentially significant impact from landslides.				
(b) Result in substantial soil erosion or the loss of topsoil?			X	
The development of the site will likely result in the reduction of erosion with the placement of buildings and landscaping on the site. During construction, there is the potential for less than significant impacts for short-term soil erosion from minimal excavation and grading. This will be addressed as part of standard construction, such as watering to reduce dust and sandbagging, if required, during raining periods.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
The geologic unit or soil is not known to be unstable based on current resources. If required by the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
According to the City's environmental information, the geologic unit or soil is not known to be unstable. If required by the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
The project will operate on a sewer system that will be reviewed, approved and installed according to Eastern Municipal Water District requirements. The proposed project will not be introducing septic tanks or alternative water disposal systems.				
VII. **GREENHOUSE GAS EMISSIONS.** Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth's surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth's surface. The City of Moreno Valley is currently in the process of preparing a Climate Action Strategy. However, at this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. This project was submitted in July 2008 before the greenhouse gas emissions section was added to the Initial Study Checklist and is consistent of the project with the City's adopted General Plan and zoning, therefore the City has chosen to rely on a qualitative analysis. The proposed project is located at 22184 Alessandro Boulevard and includes three applications: General Plan Amendment, Change of Zone and Conditional Use Permit. To the extent possible based on scientific and factual data available, it has been determined that this project will not result in generating greenhouse gas emissions that will either directly or indirectly have a significant impact on the environment.				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
The project would not be in conflict with an applicable plan for reducing the emissions of greenhouse gases as there are no adopted plans for the purpose of reducing greenhouse gases in effect at the time of this Initial Study.				
VIII. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	
The proposed project, a commercial smog and tire shop consisting of an office building with separate garage (both structures are existing and will be remodeled). The smog aspect of the business is as a "testing center" only, no auto repairs are to be conducted on site. There will be no significant hazard to the public or the environment. There will be no known hazardous emissions or handling of hazardous materials related to this project.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
materials into the environment?				
The proposed project, a commercial smog and tire shop consisting of an office building with separate garage (both structures are existing and will be remodeled). The smog aspect of the business is as a "testing center" only, no auto repairs are to be conducted on site. There will be no significant hazard to the public or the environment. There will be no known hazardous emissions or handling of hazardous materials related to this project.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
The proposed project, a commercial smog and tire shop consisting of an office building with separate garage (both structures are existing and will be remodeled). The smog aspect of the business is as a "testing center" only, no auto repairs are to be conducted on site. There will be no significant hazard to the public or the environment. There will be no known hazardous emissions or handling of hazardous materials related to this project. The nearest school, Towngate Elementary School, is over a mile away from the project site (northwest).				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
The nearest airport is the March Air Reserve Base located to the south. The distance to the runway is approximately 4-miles. The project site is not within the crash zones or the noise contours identified in the most recent Air Installation Compatible Use Zone (AICUZ) study (Municipal Code Section 9.07.060). The site is not within an airport land use plan.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
The project is not located within an airport land use plan. The project is located approximately 1 mile north of March Air Reserve Base.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City has an adopted Hazardous Waste Management Plan as part of its General Plan, which addresses emergency response pertaining to hazardous materials. The City's emergency plans are also consistent with the General Plan. Since the proposed project is consistent with the General Plan, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans. The project is not located within a designated wildland area where fires are possible.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The proposed project site is not adjacent to wildlands, and as such would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. In addition, the project is not located within a designated wildland area.				
IX. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board, a project specific Water Quality Management Plan (WQMP) is required of certain projects involving discretionary approval. This project did not require a WQMP to address pollutants of concern which include nutrients, oxygen demanding substances, and pathogens (bacteria and viruses) due to the size of the project parcel (under 5 acres). Proposed grading activities may temporarily expose soils to wind and water erosion that would contribute to downstream sedimentation. The proposed project would comply with all permits and development guidelines associated with urban water runoff and discharge set forth by the City of Moreno Valley and the Regional Water Quality Control Board. With the approval of the storm drainage facilities by the City Engineer and Riverside County Flood Control District, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
This project is located within the Box Springs Water District, which has capacity issues with regards to fire flow requirements. The applicant has received permission from Box Springs Water District to allow the project to connect to Eastern Municipal Water District (EMWD) in order to meet the fire flow demands required by the City of Moreno Valley's Fire Prevention Bureau. With the onsite fire hydrant serviced by EMWD, water supplies are adequate to serve the proposed project. Although the project would cover a majority of the site with impervious surfaces, the landscaped areas would still provide a means for groundwater recharge. Impacts would be less than significant.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
During construction of the project, there is the potential for some sediments to be discharged within the storm water system. Erosion plans are required for projects prior to issuance of grading permits for prevention substantial erosion. The site is within the 100-year flood plain. However, there is no streambed or river on the project site, so the project will not cause a change in the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Therefore, project implementation would not result in modifications that could ultimately result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X
A river or streambed were not evident on the site. Runoff patterns will not be altered to the result of flooding on or off-site.				
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently 2/3 of the lot is unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion. The rear section of the parcel will be left undeveloped under this CUP application.				
f) Otherwise substantially degrade water quality?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently 2/3 of the lot is unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion. The rear section of the parcel will be left undeveloped under this CUP application.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that a small section of the site is in a flood zone (FIRMette map Panel # 745 dated August 28, 2008). The small section of the rear of the parcel is within "Zone X", which is defined by FEMA as "area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods." The existing structures (old single-family residence and separate garage) will be used for a commercial smog and tire shop, not as a residence.				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that a small section of the site is in a flood zone (FIRMette map Panel # 745 dated August 28, 2008). The small section of the rear of the parcel is within "Zone X", which is defined by FEMA as "area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods." The majority of the parcel (and where the existing structures are located) are not within a flood zone.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir.				
j) Inundation by seiche, tsunami, or mudflow?				X
The site is not identified in the General Plan as a location subject to seiche, or mudflow.				
X. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X
The project site is surrounded by mixed group of land uses including Residential/Office (R/O) to the north, east and west of the parcel. There is some Residential 5 (R5) to the northeast of the project site. The neighboring parcels along the front of Alessandro Boulevard are Commercial (C) with Business Park (BP) to the south (across the street along Alessandro Boulevard). As far as zoning, the project site is the only Office/Commercial (OC) parcel in the surrounding neighborhood. The Residential zoning is a mix of Residential 10 (R10) and Residential 15 (R15) with some Residential 5 (R5). Along Alessandro Boulevard from the Old 215 Frontage Road east to Elsworth Street is zoned Commercial (CC). The project is located in an area of Moreno Valley referenced to as "Edgemont". The majority of the structures within this area are older single and small multiple-family residences with a few commercial and office uses along the major corridor of Alessandro Boulevard. The project site has an existing older single-family residence with a separate garage structure that currently is vacant located in the front 1/3 of the parcel. The remaining 2/3 of the parcel is currently vacant.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
There are no conflicts associated with any land use plans with the approval of the General Plan Amendment and Change of Zone. The proposed project is consistent with the proposed "Community Commercial" zoning within the City's Municipal Code and General Plan. The project requires the front 1/3 of the parcel's zoning to be changed from Office Commercial (OC) to Community Commercial (CC). The rest of the parcel will remain in the Residential 10 (R10) zoning district. Approximately .54 acres of the 1.46 acre site will be rezoned to CC and approximately .92 acres will remain R10. There was a previous approved application (PA03-0037) for the same business that unfortunately expired. The project was approved back in October 2003 when the site was zoned Community Commercial (CC). During the 2006 General Plan Update, the parcel was rezoned to Office/Commercial (OC). Changing the zoning back to Community Commercial (CC) will not cause any conflicts of land use as all the parcels along Alessandro Boulevard are also Community Commercial (CC). Leaving the rear 2/3 of the parcel R10, will create a buffer for the neighboring residential uses.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
The City of Moreno Valley is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the MSHCP criteria areas, PQP land, or any special survey areas.				
XI. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
XII. **NOISE.** Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
other agencies?				
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
Development of the project may result in ground-borne vibrations or noise generated infrequently through the construction phase. However, this type of effect would be temporary and infrequent and is not expected to occur during project operation.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
The project is located near the March Air Reserve Base but outside the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is located outside the mapped noise contours associated with aircraft operations at the MARB airfield, indicating noise exposure due to aircraft operations in less than 60 decibels (CNEL). This is well below the accepted noise exposure level for industrial uses. March JPA identified that the project is restricted by FAA Part 77, which limits building heights in this area to 85-feet. The project as proposed has a maximum height of 36-feet and will not be in conflict with height restrictions from adjacent March Air Reserve Base.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley.				
XIII. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
As the site is considered a commercial site, with population and housing growth opportunities indirectly related, the project will be planned consistent with the Citywide plan.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
While there is an existing residence on the site, it has been vacant for some time now (application submitted in 2008).				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
No - While there is an existing residence on the site, it has been vacant for some time now (application submitted in 2008).				
XIV. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
b) Police protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
c) Schools?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
d) Parks?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
e) Other public facilities?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
XV. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the commercial fees will go towards recreation facilities within the City of Moreno Valley.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the commercial fees will go towards recreation facilities within the City of Moreno Valley.				
XVI. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
The project is consistent with the proposed general plan, circulation plan and land use designation of Commercial (C) and the zoning district of Community Commercial (CC), and would not conflict with any applicable plans, ordinances or policies".				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
A traffic study was not required by the Transportation Department for this project.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
The project is located near the March Air Reserve Base, but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
As designed, the project will not result in hazards. The project is not adjacent to any potential incompatible uses.				
e) Result in inadequate emergency access?				X
The project has been designed in a manner consistent with City standards. The site will be readily accessible for emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The project does not conflict with adopted policies, plans and programs regarding public transit, bicycle or pedestrian facilities or decrease the safety performance of such facilities.				
XVII. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The project would not exceed the existing or planned capacity of the Moreno Water Reclamation Facility.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not exceed wastewater treatment capacity of the Moreno Water Reclamation Facility.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not require or result in the construction of unplanned storm water drainage facilities or expansion of existing facilities.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
This project was determined to not be a project of regional significance per CEQA guidelines, so the preparation of a Water Supply Assessment was not required.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
EMWD, the wastewater treatment provider, has adequate capacity to serve the project in addition to the provider's existing commitments. EMWD has plans for major expansions of the Moreno Water Reclamation Facility. Source: EIR for the General Plan Update.				
f)) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
The General Plan Amendment and Change of Zone itself has no direct impacts on solid waste. There is adequate in landfills to accommodate the future development.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The City is complying with State and Federal regulations regarding solid waste. All future projects will comply with the current policies regarding solid waste.				
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. There are no historic structures on the site, and there will be no impact to historic resources. The project will not eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project and cumulative impacts would be less than significant. Finally, the project consists of a tentative tract map that would result in no substantial adverse health effects on human beings.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
This project will not create any impacts, that when viewed in connection with existing land uses, and other recently approved projects, would be considered cumulatively considerable. It is not expected that the proposed project would result in incremental effects. The analysis in this Initial Study demonstrates that the proposed project cumulative impacts would be less than significant.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
The project consists of a General Plan Amendment, Change of Zone and Conditional Use Permit (CUP). The project as designed and conditioned will not cause substantial adverse effects on human beings, either directly or indirectly for the reasons described in this checklist/initial study.				

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MV00179115

Aerial Photograph

PA08-0033, PA08-0034 & PA08-0035

Legend

- Selected Features
- Parcels
- Roads

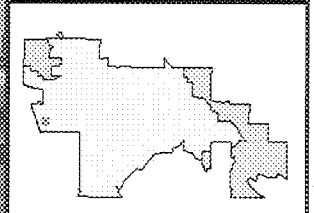

ity of Moreno Valley
4177 Frederick Street
oreno Valley, CA 92553

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MORENO VALLEY

ATTACHMENT 9

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MV00179117

General Plan Amendment (PA08-0033)

From Residential Office (R/O) to Commercial (C)

ity of Moreno Valley
4177 Frederick Street
oreno Valley, CA 92553

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MORENO VALLEY

ATTACHMENT 10

Item No. E.1

MV00179118

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MV00179119

Change of Zone (PA08-0034)

From Office Commercial to Community Commercial

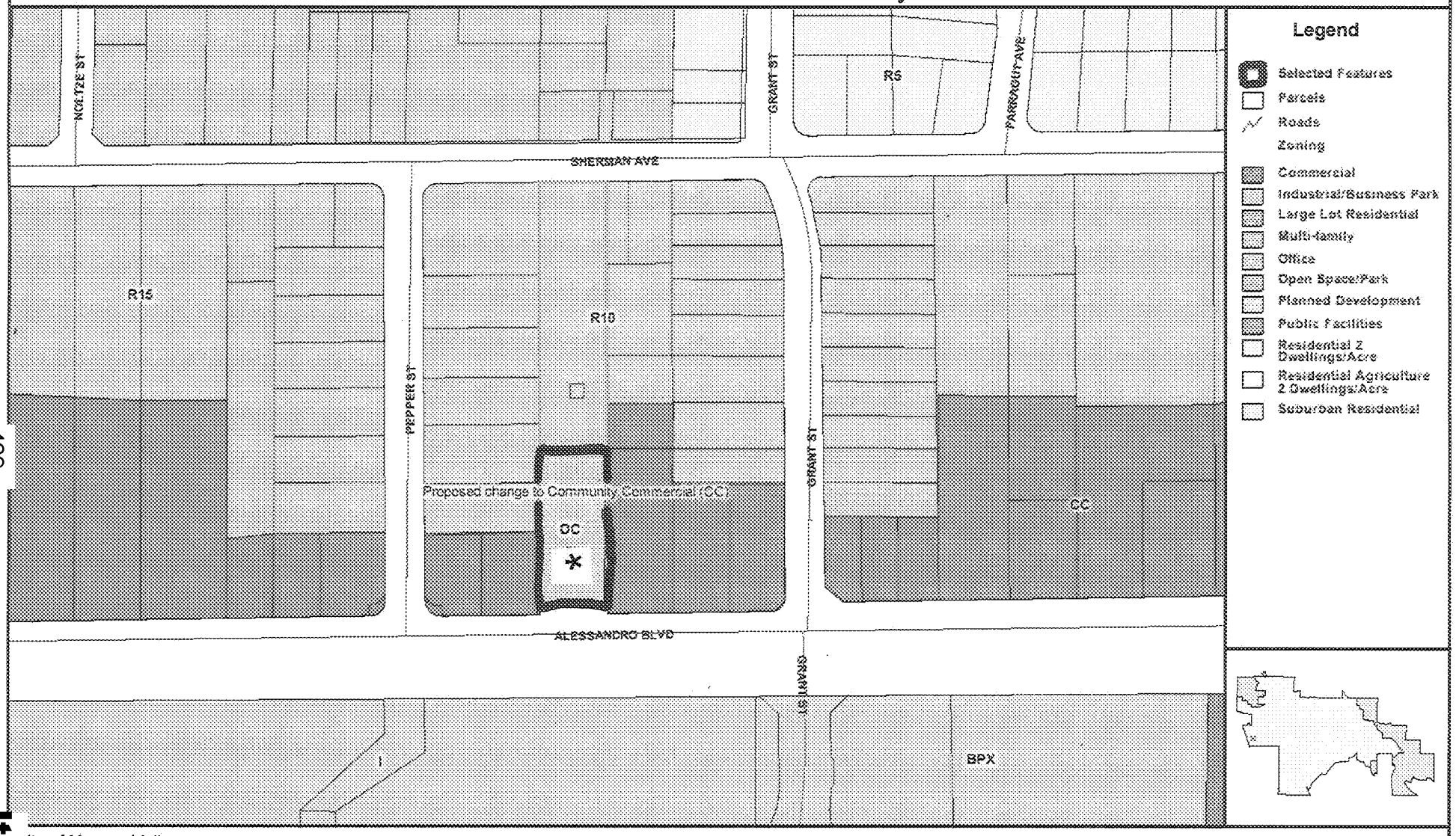

ity of Moreno Valley
4177 Frederick Street
oreno Valley, CA 92553

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MORENO VALLEY

ATTACHMENT 11

Item No. E.1

MV00179120

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MV00179121

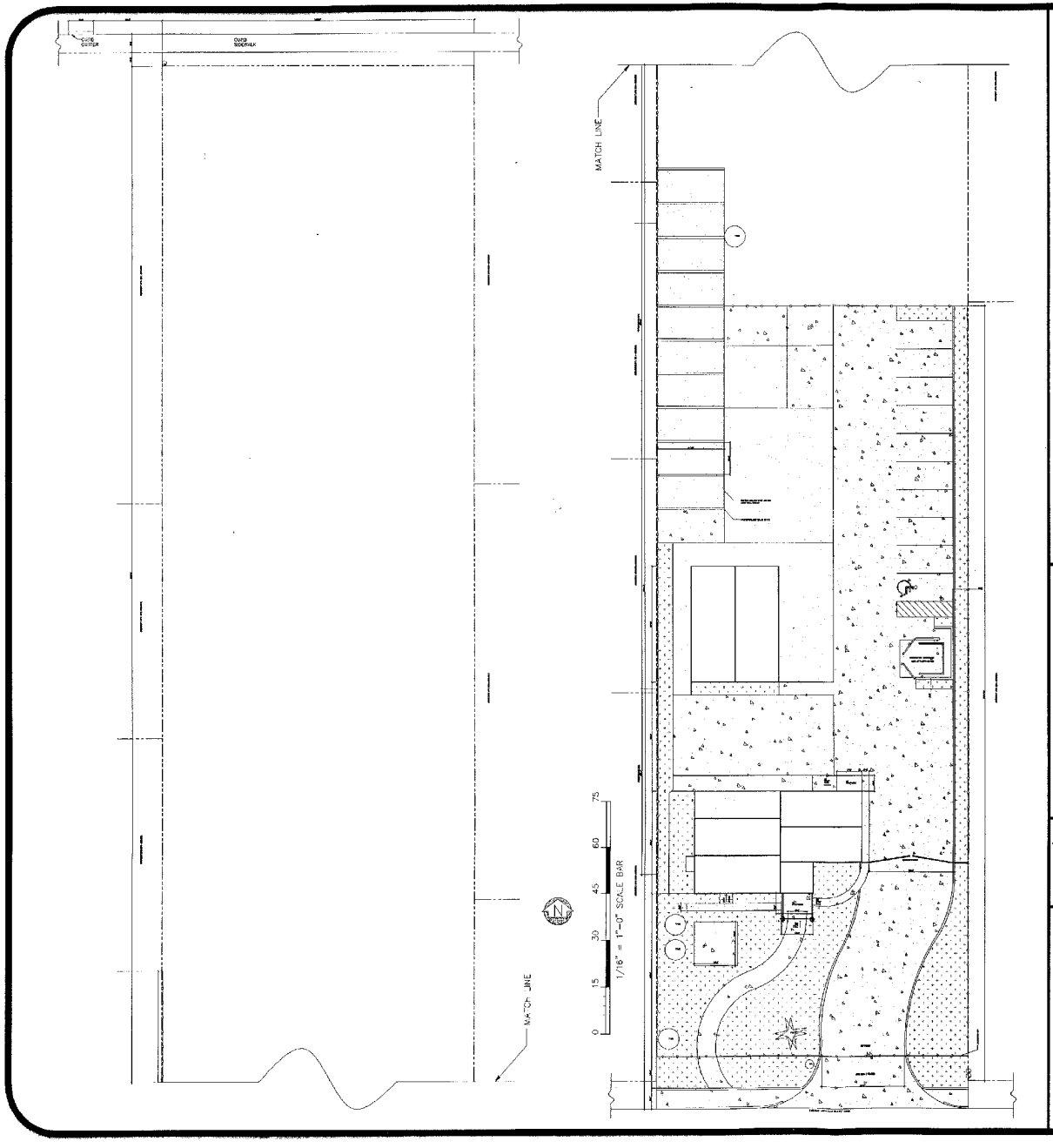

NOTES:

1. CONTRACTOR SHALL, PRIOR TO COMMENCEMENT OF WORK, FIELD VERIFY ALL EXISTING PROJECT CONDITIONS, INCLUDING DIMENSIONS AND UTILITY LOCATIONS AND UTILITY SIZES.

   ANY DISCREPANCIES OR DISCREPANCIES SHALL BE RECORDED ON A REPRODUCIBLE DOCUMENT AND THE ENTIRETY TRANSMITTED TO ARCHITECT FOR PROJECT RECORD, CLARIFICATION AND NECESSARY RESOLUTION PRIOR TO CONTINUING WITH WORK.

   CONTRACTOR SHALL VERIFY, AND BE RESPONSIBLE FOR, ALL WORK AND MATERIALS - INCLUDING THOSE CONTRACTED BY SUBCONTRACTORS.

   WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES; DO NOT SCALE DRAWINGS TO DETERMINE ANY LOCATIONS.

   ALL DIMENSIONS ON PLANS ARE TO CENTER LINE OF WALLS / COLUMNS, AND FACE OF STUD (F.O.S.) OR FACE OF MASONRY (F.O.M.) UNLESS NOTED OTHERWISE.
2. ALL WORK SHALL CONFORM TO THE LATEST ADOPTED EDITIONS OF CBC, CEC, CPC, CMC BUILDING CODES.
3. ALL ELECTRICAL, MECHANICAL AND PLUMBING WORK SHALL CONFORM TO THE REQUIREMENTS OF ALL LEGALLY CONSTITUTED AUTHORITIES HAVING JURISDICTION.
4. THE GENERAL BUILDING PERMITS SHALL BE PAID FOR BY THE OWNER AND SECURED BY THE GENERAL CONTRACTOR. ALL OTHER REQUIRED PERMITS SHALL BE SECURED AND PAID FOR BY THE CONTRACTOR OR SUBCONTRACTOR DIRECTLY RESPONSIBLE.

   ALL REQUIRED CITY AND COUNTY LICENSES SHALL BE ACQUIRED AND PAID FOR BY THE INDIVIDUAL TRADES.

   ALL CONTRACTORS SHALL HAVE VALID CERTIFICATES OF WORKMAN'S COMPENSATION ON FILE WITH THE APPROPRIATE AGENCIES.
5. CONTRACTOR SHALL ASSIST OWNER IN OBTAINING FINAL APPROVAL OF LOCAL HEALTH DEPARTMENT AND THE TEMPORARY AND FINAL CERTIFICATES OF OCCUPANCY.
6. CONTRACTOR SHALL PROVIDE BACKING FOR SUPPORT OF ALL WALL, CEILING, AND FURNITURE MOUNTED ITEMS (SUCH AS LIGHT FIXTURES, SHELVING, EQUIPMENT, AND TELEVISIONS). COORDINATE LOCATIONS AND REQUIREMENTS WITH THE PLUMBING, MECHANICAL, ELECTRICAL DRAWINGS.
7. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, OTHER OBSTACLES, AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BEAR ALL EXPENSES FOR THE REPAIR OR REPLACEMENT OF UTILITIES AND ALL OTHER PROPERTY DAMAGED BY OPERATIONS IN CONJUNCTION WITH EXECUTION OF WORK.
8. CONTRACTOR SHALL PROVIDE PERSONNEL PROTECTION IN ACCORDANCE WITH ALL APPLICABLE BUILDING CODES.
9. INTERIOR WALL AND CEILING FINISHES SHALL NOT EXCEED FLAME SPREAD CLASSIFICATIONS LISTED BY ALL APPLICABLE BUILDING CODES.
10. GYPSUM BOARD AND SUSPENDED CEILING SYSTEMS SHALL CONFORM TO ALL LOCAL GOVERNING BUILDING CODES AND ORDINANCES.
11. ALL GLASS AND GLAZING SHALL COMPLY WITH ALL 2003 BUILDING CODES AS WELL AS THE CONSUMER PRODUCT SAFETY COMMISSION'S SAFETY STANDARDS FOR ARCHITECTURAL GLAZING MATERIALS (16CFR, PART 1201 TITLE NO. 16, CHAPTER II, PART 1201)
12. PIPES, CONDUITS, OR DUCTS EXCEEDING ONE THIRD OF THE SLAB OR MEMBER THICKNESS SHALL NOT BE PLACED IN STRUCTURAL CONCRETE UNLESS SPECIFICALLY DETAILED. REFER TO MECHANICAL, ELECTRICAL, PLUMBING, AND STRUCTURAL DRAWINGS FOR LOCATION OF SLEEVES AND THICK ACCESSORIES.
13. AUTOMATIC FIRE SPRINKLER SYSTEM DESIGN AND INSTALLATION IS THE COMPLETE SECTION SHALL INCORPORATE, LIST BY CONTRACTOR PRIOR TO INSTALLATION, SUBMIT TO THE ARCHITECT FOR REVIEW, COMPLETE FIRE SPRINKLER SYSTEM DRAWINGS WITH APPROVAL BY ALL AGENCIES HAVING JURISDICTION INDICATED ON ALL 3810.

   THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATION OF SYSTEM HEADS, PLUMBING LINES, AND VALVES THAT MAY BE IN CONFLICT WITH OTHER SYSTEMS OR THE INTERIOR DESIGN, AND STILL BE LOCATED AS DIVERSED BY FIRE SPRINKLER CODES AND SYSTEM ENGINEERING.

   DRAWINGS SHALL BE SUBMITTED TO ARCHITECT FOR REVIEW BY THE CONTRACTOR'S CORPORATION OF SYSTEM WITH ENGINEERING WEIGHT OF THE PROJECT PRIOR TO INSTALLATION.
14. FIRE SPRINKLERS SHALL BE AUTOMATIC TO PROVIDE WIDE COVERAGE AND SHALL COMPLY WITH THE RECOMMENDATIONS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARD FOR PARKING STRUCTURES (NFPA 88A) AND THE OWNER'S INSURANCE UNDERWRITERS.
15. EXISTING BUILDINGS SHALL COMPLY WITH ALL SECURITY REQUIREMENTS AS OUTLINED IN ALL LOCAL BUILDING CODES AND ORDINANCES.
16. ACCURATE AS-BUILT DRAWINGS SHALL BE GENERATED BY CONTRACTOR DURING CONSTRUCTION AND SUBMITTED TO OWNER UPON COMPLETION OF FINAL PUNCH LIST, BUT PRIOR TO RELEASE OF FINAL PAYMENT.
17. ROOF OBSTRUCTIONS SUCH AS ELEVATOR MACHINE, SOLAR PANELS, AND CUT WORKS SHALL BE PROTECTED FROM INSTALLATION FROM AWAY AS TO PREVENT FIRE DEPARTMENT ACCESS TO CURES IN THE EVENT OF A FIRE.
18. BUILDING ROOF RUNOFF SHALL BE DIRECTED TO SURROUNDING LANDSCAPING.

UTILITIES:

ELECTRIC: SOUTHERN CALIFORNIA EDISON
P.O. BOX 800
ROSEMEAD, CA 91770
1-800-655-4555

WATER: MOR. SPRINGS MUTUAL WATER COMPANY
21740 BRADSHAW AVE
MORENO VALLEY, CA 92553
(951) 653-4288

EASTERN MUNICIPAL WATER COMPANY
P.O. BOX 8300
PERRIS, CA 92572-8300
1-800-426-5693

GAS: THE GAS COMPANY
P.O. BOX 3150
SAN DIMAS, CA 91773
1-800-427-2200

TELEPHONE: VERIZON
1095 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036
800-621-9900

AT&T
1-800-310-2355 RESIDENTIAL
1-800-746-2366 COMMERCIAL

TV/SAT/CABLE: DIRECT SAT TV
340 COMMERCE AVE, SUITE 00
SOUTHERN PINES, NCL 28387
1-800-583-4101
cs@directsatv.com

WASTE: WASTE MANAGEMENT
1001 FANNIN, SUITE 4000
HOUSTON, TEXAS 77002
(713) 512-6341
wmcorp@wm.com

ZONING:

EXISTING ZONING: OFFICE COMMERCIAL

PROPOSED ZONING: COMMUNITY COMMERCIAL

LEGEND

- LANDSCAPING
- EXISTING CONCRETE
- PROPOSED CONCRETE
- BLOCK WALL
- PLASTIC-SLOTTED CHAIN-LINK FENCE
- PROPERTY LINE
- POWER POLE
- HANDICAP
- FIRE HYDRANT

SHEET INDEX

1. TITLE SHEET/PLOT PLAN
2. EXISTING OFFICE FLOOR PLAN / ELECTRICAL PLAN
3. ELEVATIONS (OFFICE)
4. GARAGE FLOOR PLAN/FOUNDATION PLAN/ROOF PLAN
5. FRAMING PLAN AND SECTION
6. ELEVATIONS (GARAGE)

VICINITY MAP

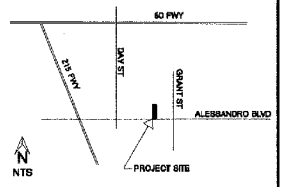

NOTES

EXISTING HOUSE AREA = 1450.00 SQUARE FEET
EXISTING GARAGE AREA = 1040.00 SQUARE FEET

REMODEL OF EXISTING HOUSE TO ACCOMODATE SMOG CHECK SHOP OFFICE.

REMODEL EXISTING GARAGE TO USE AS A SMOG SHOP

EMPLOYEES ON SITE:
3 OR LESS

OCCUPANT LOAD:
S-3
OL= 1040 ×4
300
B
OL= 1450 ×15
100
TOTAL OCCUPANT LOAD: 19

LEGAL DESCRIPTION

LOT	38
BLOCK	--
TRACT	0425.05
MAP BOOK	--
CITY	MORENO VALLEY
COUNTY	RIVERSIDE
STATE	CA
A.P.N.	291-192-025
ACRES	1.46

LEGAL DESCRIPTION

BUILDING ZONE	CC, PREVIOUSLY OC
CONSTRUCTION TYPE	
BUILDING	V-N
GARAGE	V-N
OCCUPANCY	B/S-3
BUILDING	B
GARAGE	S-3
BUILDING CODE	--
NUMBER OF STORIES	
BUILDING	1
GARAGE	1

REVISIONS

NO.	DATE	BY:

HOSEEIN ZAND & ASSOCIATES
5175 CHAPALA DR
RIVERSIDE, CA 92507

SITE PLAN PLAN

1/16" = 1'-0"

Drawn By: SOCRATES VIRGIN
Date 06/03/09

Project Name and Address:
SMOG CHECK SHOP
22184 ALESSANDRO BLVD
MORENO VALLEY, CA 92553
PHONE: (951) 313-2024

JOB NO.
05-04
CASE NO.
PA08-0033 GPA
PA08-0034 CZ
PA08-0035 CUP
Sheet
1

Item No. E.1

-471-

ATTACHMENT 12

MV00179122

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MV00179123

OWNER: ALBERTO URENA AND CONSUELO URENA
22184 Alessandro Boulevard
Moreno Valley, CA
Ph. 909-822-3411

Total Area: Gross: 1.49 acres (65,100 SF)
Net: 1.49 acres (65100 SF

OPEN SPACE: 0.69% 1.03 ACRES (44850 SF)
COVERED SPACE: 0.21% 0.32 ACRES (14036 SF)
LANDSCAPING: 0.10% 0.14 ACRES (6214 SF)
PARKING REQUIRED: 7 SPACES
PARKING PROVIDED: 10 SPACES
FEMA FLOOD ZONE DESIGNATION: OUTSIDE FLOOD ZONE X
(SEE ATTACHED LETTER)

CITY OF MORENO VALLEY
SITE PLAN
SMOG INSPECTION STATION AND TIRE SALES
APN 291-192-25

UTILITY COMPANIES	EMERGENCY NUMBERS
EASTERN MUNICIPAL WATER DISTRICTS	1-800-698-0400
SCE	1-800-611-1911
THE GAS COMPANY	1-800-427-2200
WASTE MANAGEMENT OF INLAND VALLEY	1-800-423-9986

LEGAL: THE WESTERLY HALF OF LOT 38 OF EDGEMONT TRACT NO. 3, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS PER MAP ON FILE IN BOOK 18, PAGE 49 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPT THEREFROM THE NORTHERLY RECTANGULAR 20.00 FEET AS CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED DATED FEBRUARY 18, 1946 AND RECORDED JUNE 19, 1946, OFFICIAL RECORDS. ALSO EXCEPT THE SOUTHERLY RECTANGULAR 14.00 FEET OF THE WEST HALF OF LOT 38 AS CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED SEPTEMBER 4, 1981, IN BOOK 1981, PAGE 180110, OFFICIAL RECORDS.

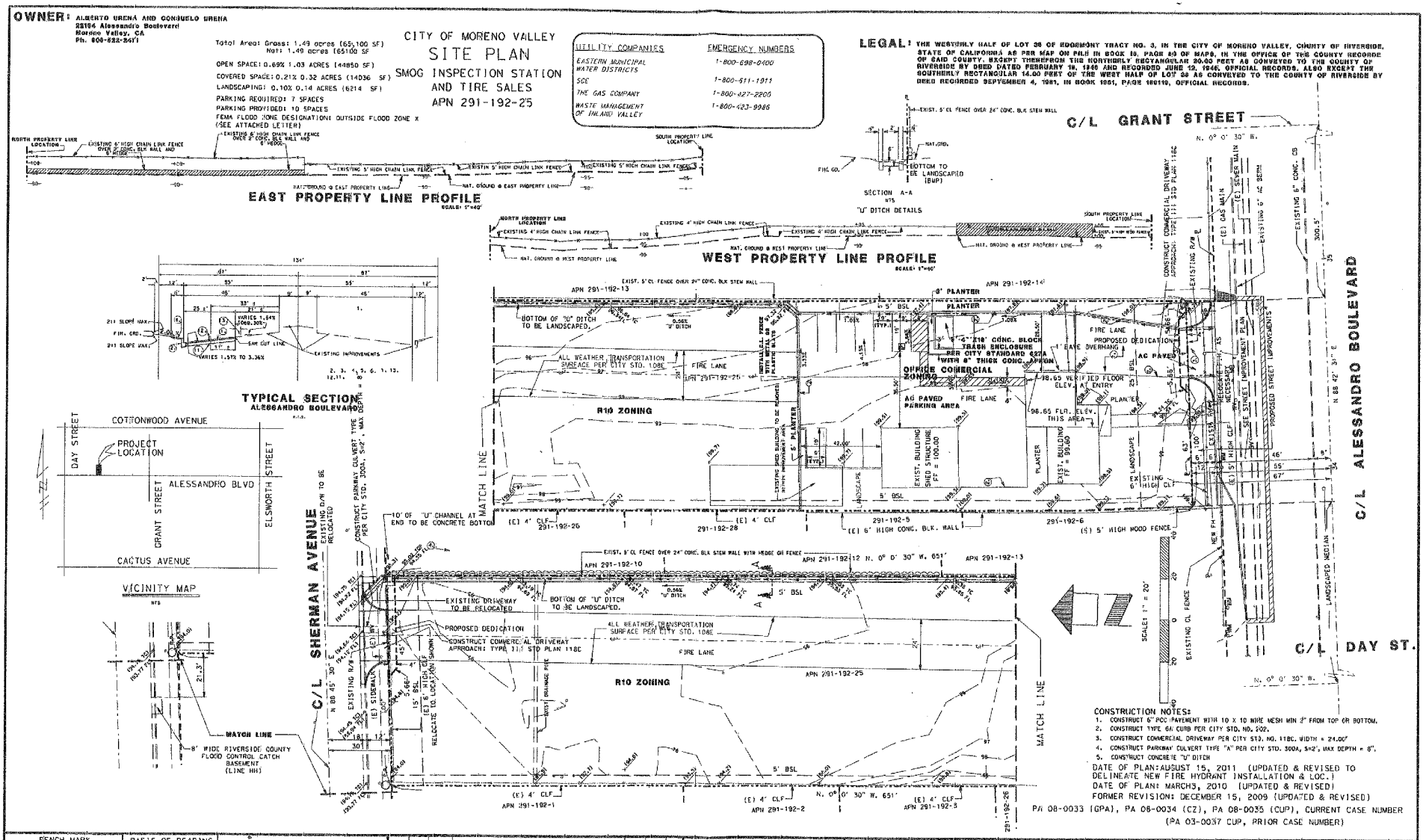

BENCH MARK	BASIS OF BEARING
BR. DISK IN TOP OF CONC. POST AT N.W. COR FREDERICK ST. & ALESSANDRO BLVD. 75' W. OF FREDR. ST. 48' N. OF ALESS. BLVD. ELEV: 1569.96	C.L. ALESSANDRO BLVD. PER PM NO. 27752 BEARING: N. 88°42'31"E.

REVIEW BY CITY STAFF	INITIAL	DATE
OFFICE		
LAND DEVELOPMENT		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
CAPITAL PROJECT		
PARK AND RECREATION		

MARK	DATE	INITIAL	DESCRIPTION	REC.	APPR	DATE
			REVISION			

CITY OF MORENO VALLEY APPROVALS
PREM KUMAR — DATE
ASSISTANT CITY ENGINEER
R.C.E. NO. 62863 (EXP. 12/31/2008)
CHRIS A. VOOT — DATE
PUBLIC WORKS DIRECTOR/CITY ENGINEER
R.C.E. NO. C44236 (EXP. 06/30/2007)

DRAWN BY
DESIGN BY
CHECKED BY

RALPH J. SOLIS
CONSULTING CIVIL ENGINEER
1611 LAUREL AVENUE
REDLANDS, CALIFORNIA
PHONE/FAX 909-793-8106
CELL 909-213-7114
PREPARED BY OR UNDER THE SUPERVISION OF
NAME RALPH J. SOLIS R.C.E. 35480 DATE

CITY OF MORENO VALLEY
SITE PLAN
PROJECT DESCRIPTION: COMMERCIAL GRADING PLAN
LOCATION: 22184 ALESSANADRO AVE, MORENO VALLEY, CA
LEGAL: EDGEMONT 3 LOT 38
APN 291-192-25

ACCT. NO.
SHEET 1 NO. 1
CITY I. D. NO. 2726

REVISE SEPT. 2004

ATTACHMENT 13

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MV00179125

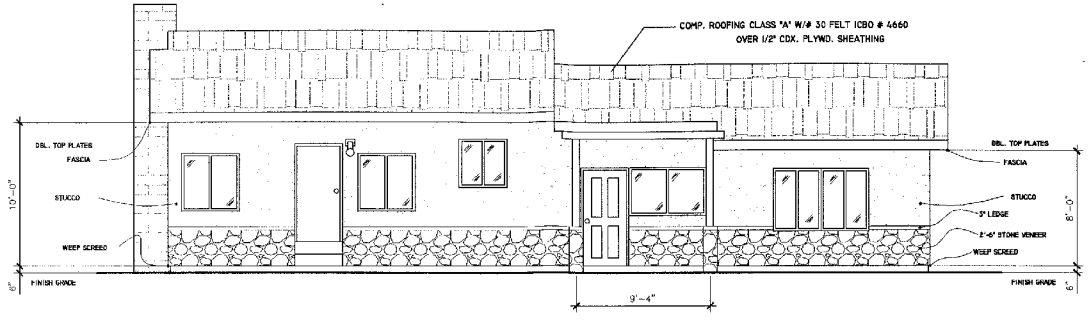

FRONT ELEVATION

SCALE: 1/4" = 1'-0"

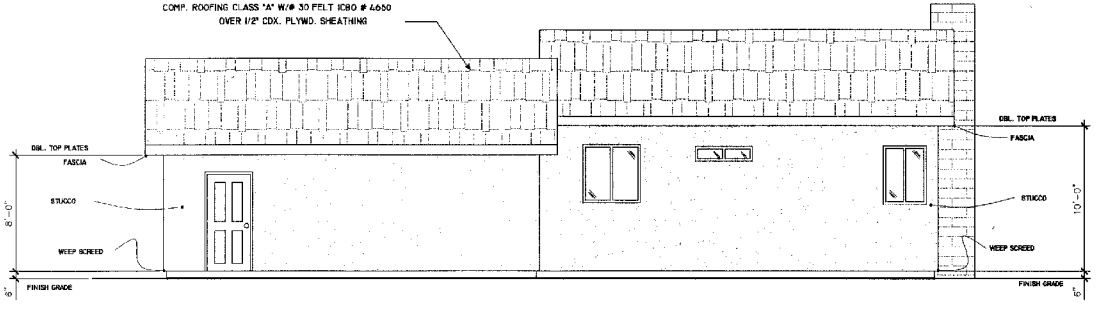

REAR ELEVATION

SCALE: 1/4" = 1'-0"

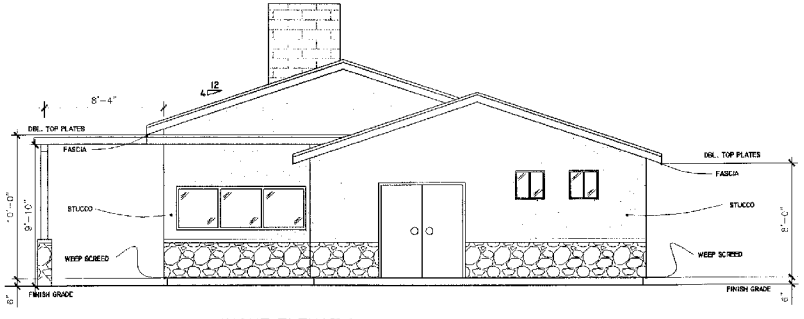

RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

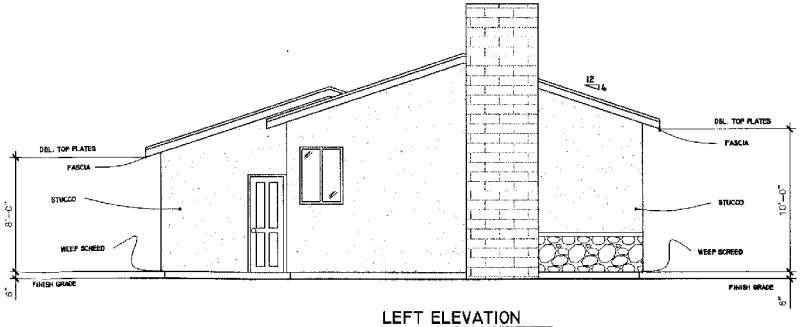

LEFT ELEVATION

SCALE: 1/4" = 1'-0"

ATTACHMENT 14

REVISIONS

NO.	DATE	BY:
△		

HOSEEIN ZAND & ASSOCIATES
5175 CHAPALA DR
RIVERSIDE, CA 92507

OFFICE ELEVATIONS

SCALE: 1/4" = 1'-0

Drawn By: SOCRATES URBINA

Date 06/8/09

Project Name and Address:
SMOG CHECK SHOP
22184 ALESSANDRO BLVD
MORENO VALLEY, CA 92553
PHONE: (951) 313-2824

JOB NO.
05-04
CASE NO.
PA08-0033 GPA
PA08-0034 CZ
PA08-0035 CUP
Sheet
3

Item No. E.1

-475-

MV00179126

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MV00179127

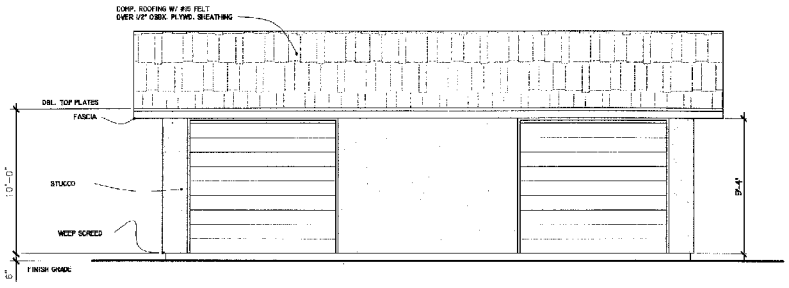

FRONT ELEVATION

SCALE: 1/4"= 1'-0"

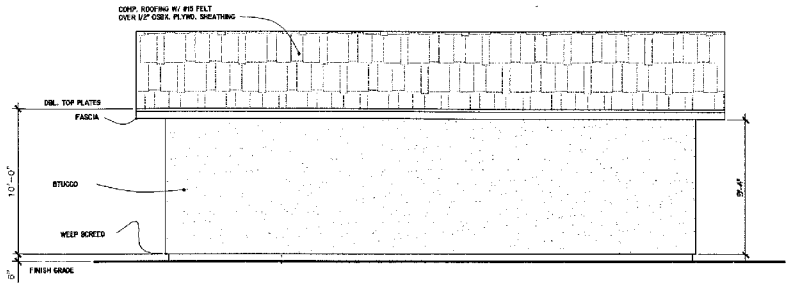

REAR ELEVATION

SCALE: 1/4"= 1'-0"

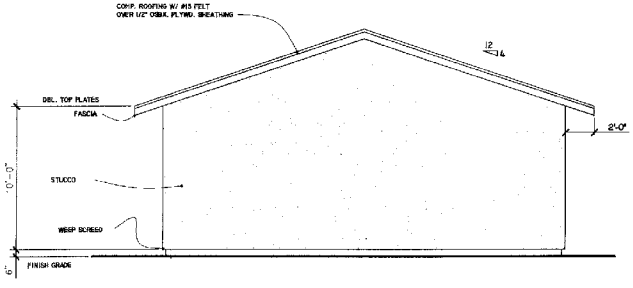

RIGHT ELEVATION

SCALE: 1/4"= 1'-0"

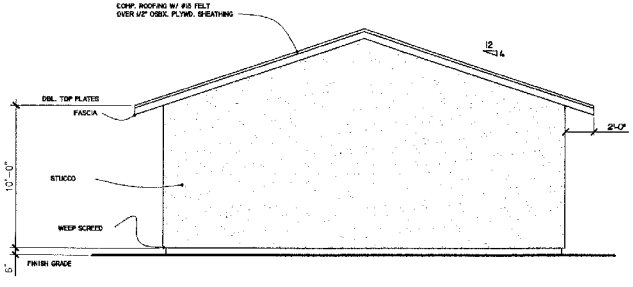

LEFT ELEVATION

SCALE: 1/4"= 1'-0"

ATTACHMENT 15

REVISIONS

NO.	DATE	BY:
△		

HOSEEIN ZAND & ASSOCIATES
5175 CHAPALA DR
RIVERSIDE, CA 92507

Item No. E.1

GARAGE ELEVATIONS

SCALE: 1/4" = 1'-0"

Drawn By: SOCRATES UREWI

Date: 06/8/05

Project Name and Address:
SMOG CHECK SHOP
22184 ALESSANDRO BLVD
MORENO VALLEY, CA 92553
PHONE: (951) 313-2824

JOB NO.
05-04
CASE NO.
PA08-0033 GPA
PA08-0034 CZ
PA08-0035 CUP
Sheet

MV00179128

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MV00179129

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 25, 2012

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION'S JULY 12, 2012, APPROVAL OF PLOT PLAN PA09-0004 AND TENTATIVE PARCEL MAP NO. 36162 (PA09-0012) AND THE RELATED ENVIRONMENTAL IMPACT REPORT FOR THE VIP MORENO VALLEY PROJECT. THE PROJECT PROPOSES A 1,616,133 SQUARE FOOT WAREHOUSE DISTRIBUTION BUILDING ON APPROXIMATELY 80 ACRES. THE BUILDING INCLUDES 268 DOCK HIGH DOORS AND 44,000 SQUARE FEET OF OFFICE AREA. THE MAP WOULD COMBINE FOUR EXISTING PARCELS INTO A SINGLE PARCEL. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF GROVE VIEW ROAD BETWEEN PERRIS BOULEVARD AND INDIAN STREET AT THE CITY'S SOUTHERN BOUNDARY, IN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP 208). THE APPLICANT IS VOGEL ENGINEERS, INC. THE APPELLANT IS JOHNSON & SEDLACK ATTORNEYS AT LAW ON BEHALF OF RESIDENTS FOR A LIVABLE MORENO VALLEY AND THE SIERRA CLUB

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for Environmental Impact Report (P11-020), Plot Plan PA09-0004, and Tentative Parcel Map 36362 (PA09-0012) and subsequent to the public hearing:

1. **APPROVE** Resolution No. 2012-77 and **CERTIFY** that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Resolution No. 2012-78 and **APPROVE** Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the attached conditions of approval included as Exhibits A and B.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission at its July 12, 2012, meeting approved Planning Commission Resolution No. 2012-16 by a of 7-0 vote, certifying the Environmental Impact Report for the VIP Moreno Valley project approved Planning Commission Resolution No. 2012-17 by a of 7-0 vote, approving Plot Plan PA09-0004 and Tentative Parcel Map No. 36162 (PA09-0012).

Appeal

An appeal of the Planning Commission's approval was submitted on July 26, 2012, by Johnson & Sedlack Attorneys at Law on behalf of Residents for a Livable Moreno Valley and the Sierra Club. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 18.

The letter listed the following reasons for the appeal:

- The appellant believes that the project's Environmental Impact Report (EIR) is inadequate;
- The appellant believes that the impacts under the CEQA topics of agriculture, air quality, aesthetics, biology, cultural resources, geology, hydrology, GHG's, and transportation are inadequately analyzed;
- The appellant believes that the EIR fails to adopt all feasible mitigation measures and ensure that mitigation measures are fully enforceable; and
- The appellant believes that the findings made by the City and the Statement of Overriding Considerations adopted for the project is unsupported by the record.

BACKGROUND

VIP Moreno Valley Project

The applicant, Vogel Engineers, Inc. has submitted three applications for development of the VIP Moreno Valley Project, which include a plot plan, a tentative parcel map, and an EIR, in order to develop a 1,616,133 square foot warehouse facility on an approximate 80 acre site (Assessor's Parcel Numbers 316-210-071, -073, -075 and -076) located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

Plot Plan

The Plot Plan is for a 1,616,133 square foot warehouse distribution facility. The warehouse facility is a permitted use in the Industrial zone of the Moreno Valley Industrial Area Plan (SP #208). The east and west elevations of the building are set back 125 from the property line along Perris Boulevard and Indian Street while the truck courts on the north elevation is set back 271 feet from the property line along Grove

View Road and the south elevation is set back 261 feet from the Perris Valley Storm Channel.

The warehouse facility includes 268 loading docks with roll-up doors, truck staging and parking areas for 368 trailers within the enclosed truck court, two office areas and 589 parking spaces for employees and visitors. Proposed parking exceeds the City's minimum requirement for trucks (1 per loading dock) and meets the minimum employee/visitor parking required for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations of the building. The truck courts are screened by perimeter concrete tilt-up walls on the north, east and west. A chain link fence with slats is provided along the project's southern property line to screen the truck loading and parking area from the Perris Valley Storm Channel, as permitted by the Specific Plan.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover, shrubs and trees. The project's Perris Boulevard, Indian Street and Grove View Road will be developed with standard curb, gutter, parkway, and sidewalk.

Tentative Parcel Map

Tentative Parcel Map No. 36162 is proposed to combine the four parcels located within the project site into a single parcel of approximately 80 acres, as well as provide all required street dedications and utility easements.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was distributed with the public comment period beginning on August 26, 2011 and ending on September 26, 2011. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on September 19, 2011.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by LSA Associates, Inc. and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the

document, the Draft EIR was circulated for a 45-day public review period, starting on April 20, 2012, and ending on June 4, 2012.

The Draft EIR was sent to all required State and local agencies and numerous interested parties on April 19, 2012, as well as to the City's Environmental and Historical Preservation Board. Eight comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the eight comments received during the 45 day review period are included in the Response to Comments. Comment letters were received after the comment period from Eastern Municipal Water District (EMWD) and from the State Clearinghouse. These letters did not include comments on the project but were instead sent in recognition of the receipt of the Draft EIR. Responses to these letters were also provided and are included in the Final EIR.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on June 29, 2012, to allow for their review prior to Planning Commission hearing, and to meet the notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects, on agricultural resources, air quality, climate change, and traffic. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, the potential impacts noted impacts above are considered to be significant and unavoidable.

Although impacts to agricultural resources, air quality, climate change and traffic cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions and Global Climate Change, Hydrology and Water Quality, Noise, and Traffic and Circulation. All other environmental effects evaluated in the EIR are considered to be less than significant without mitigation. With mitigation, anticipated impacts to Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality and Noise are anticipated to be below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The City Council will take public testimony on the EIR and project. Before the proposed project can be acted upon, the City Council will need to review the final environmental document and either certify or reject the EIR and project Mitigation Monitoring Program.

DISCUSSION

Planning Commission Public Hearing

The day of the July 12, 2012 Planning Commission public hearing, staff received letters from the Sierra Club and Johnson & Sedlack commenting on the project EIR. Copies of the referenced correspondence were provided to the Planning Commission and have been included with the staff report as Attachments 16 and 17. Also included as Attachment 18 are responses to those letters prepared by LSA Associates, Inc. for this appeal hearing.

The public hearing for the project was conducted on July 12, 2012. Following presentation of the staff report, the environmental consulting team spoke and answered Commissioner questions related to circulation, air quality and climate change. The applicant's representative also spoke.

The environmental consultant presented information to the Planning Commission in response to concerns raised by the Sierra Club and Johnson & Sedlack in their comment letters. The focus was internal inconsistencies in the Final EIR and the related mitigation monitoring program. The consultant read into the record recommended changes to correct the inconsistencies in the Final EIR.

The applicant's representative, following some discussion with the Planning Commission, agreed to add two additional mitigation measures to the project to address

concerns raised by the Sierra Club and Johnson & Sedlack related to potential impacts under the topic of climate change. The additional measures were as follows:

- The project shall be designed and constructed to meet LEED Silver (as of July 12, 2012) or comparable design standards; and
- The building roof shall be designed and constructed to accommodate future solar panels.

The above measures have been added to the project's mitigation monitoring program included with the staff report as Exhibit B to Attachment 2.

There was one public speaker at this meeting who was supportive of the energy efficiency design of the project but still had concerns with the potential impact to air quality from future truck trips to the facility.

Following public testimony, the Planning Commissioners discussed the project, and then voted 7-0 to certify the project EIR and to approve the project subject to making corrections to the Final EIR and adding the two mitigation measures as noted above.

ALTERNATIVES

1. Approve Resolution No. 2012-77 and Certify that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act, **and** approve Resolution No. 2012-78 approving Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the attached conditions of approval included as Exhibits A and B. **Staff recommends this alternative.**

2. Do not approve Resolution No. 2012-77 and Certify that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act, **and** do not approve Resolution No. 2012-78 approving Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the attached conditions of approval included as Exhibits A and B. **Staff does not recommend this alternative**.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

This report addresses the appeal of the Planning Commission's July 12, 2012, Certification of the VIP Moreno Valley project Final EIR and approval of Plot Plan PA09-0004 for a 1,616,133 square foot warehouse facility on 80 acres and Tentative Parcel Map No. 36162 (PA09-0012) to create a single parcel. An Environmental Impact Report has been prepared for the proposal.

NOTIFICATION

A notice was published in the newspaper and a public notice was posted at required City locations and at the project site. The Final EIR was also re-circulated 10 days in advance of the City Council public hearing to responsible agencies and interested parties that had commented on the Draft EIR.

As of the date of report preparation, staff had received no public inquiries in response to the noticing for the City Council public hearing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Resolution No. 2012-77
   Exhibit A – Statement of Overriding Considerations
   Exhibit B – Mitigation Monitoring Program
3. City Council Resolution No. 2012-78
4. Exhibit A - Plot Plan Conditions of Approval
   Exhibit B – Parcel Map Conditions of Approval
4. Errata to Final EIR
5. Final EIR
6. Draft EIR
7. Color Site Plan
8. Color Elevations
9. Color and Materials Board
10. Sight Line Exhibit
11. Conceptual Landscape Plan
12. Tentative Parcel Map 36162
13. Preliminary Grading Plan
14. Screenwall and Elevations
15. Aerial Photograph
16. Letter from Sierra Club to the Planning Commission
17. Letter from Johnson & Sedlack to the Planning Commission
18. Response memo to Sierra Club and Johnson & Sedlack comment letters
19. Appeal letter from Johnson & Sedlack
20. Planning Commission minutes from July 12, 2012 meeting

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic
Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT 1

Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: PA09-0004 – Plot Plan
PA09-0012 – Tentative Parcel Map No. 36162
P11-020 – Environmental Impact Report

APPLICANT: Vogel Engineers, Inc.

OWNER: Vogel Engineers, Inc.

REPRESENTATIVE: RKZ, Inc.

LOCATION: Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

PROPOSAL: Plot Plan for a 1,616,133 square foot warehouse distribution building to be developed on approximately 80 acres. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. The project is located at the City's southern boundary on the north side of the Perris Valley storm channel. Water quality features include five sandfilter basins and an infiltration swale. Tentative Parcel Map No. 36162 proposes to combine four existing parcels into a single 80 acre parcel for development of the project. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 4

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

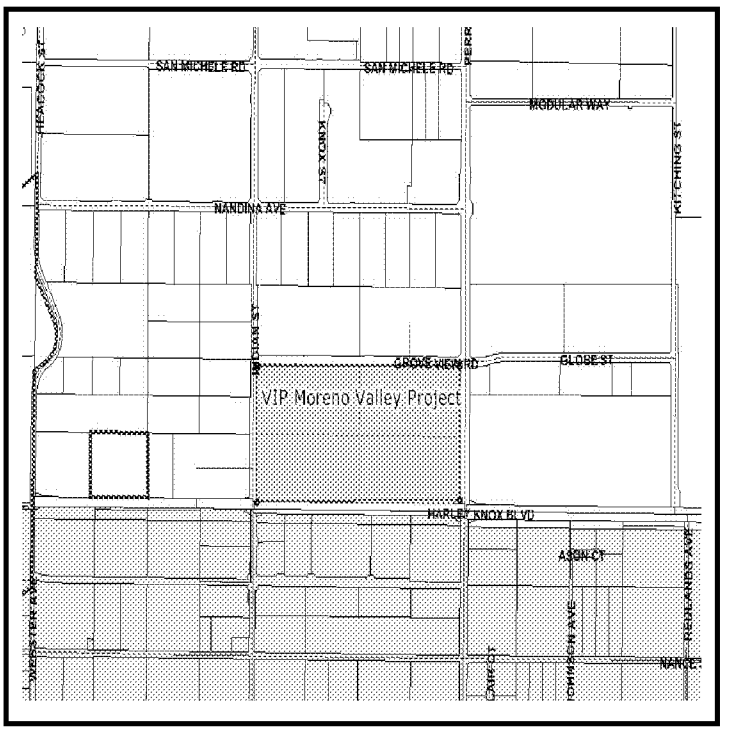

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE/TIME: September 25, 2012 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

Item No. E.2

MV00179138

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MV00179139

ATTACHMENT 2

RESOLUTION NO. 2012-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P11-020), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE VIP MORENO VALLEY PROJECT, GENERALLY LOCATED IN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP 208), ON THE SOUTH SIDE OF GROVE VIEW ROAD BETWEEN PERRIS BOULEVARD AND INDIAN STREET AT THE CITY'S SOUTHERN BOUNDARY.

WHEREAS, on September 25, 2012, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 1,616,133 square foot distribution warehouse facility on approximately 80 acres. The warehouse building includes 268 dock doors and 44,000 square feet of office area in four potential office locations. The project is located at the City's southern boundary on the north side of the Perris Valley storm channel. Water quality features include five sand filter basins and an infiltration swale. Tentative Parcel Map No. 36162 proposes to combine four existing parcels into a single 80 acre parcel for development of the project;

WHEREAS, the project includes applications for a plot plan (PA09-0004) and a tentative parcel map (PA09-0012). All the applications are related but shall not be approved unless the Environmental Impact Report (P11-020) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on April 20, 2012, while the review period ended on June 4, 2012. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on September 14, 2012, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

WHEREAS, on September 25, 2012, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on September 25, 2012, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS, the draft and final EIR concerning the proposed VIP Moreno Valley Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, Final EIR includes a review of potential impacts associated with the implementation of the VIP Moreno Valley Project, including, but not limited to agricultural resources, air quality, climate change and traffic;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the VIP Moreno Valley Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the VIP Moreno Valley Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed VIP Moreno Valley Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this 25th day of September, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No.2012-77
Date Adopted: September 25, 2012

Item No. E.2

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-77 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Resolution No.2012-77
Date Adopted: September 25, 2012

Facts, Findings and Statement of Overriding Considerations
Regarding the Environmental Effects and the Approval of the
VIP Moreno Valley Project
(State Clearinghouse No. 2011081084)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the VIP Moreno Valley Project and approving Tentative Parcel Map 36162 and a Site Plan authorizing the construction of up to approximately 1,616,133 square feet of distribution warehouse space (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the southwest portion of the City of Moreno Valley. The Project site consists of four parcels totaling approximately 71 net acres located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary. The site is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the Project site.

The Project site is currently vacant, consisting of gently sloping land that has been used historically for agricultural purposes but currently lies fallow. It was most recently used as a sod farm that ceased operating in August 2005. The major roads that provide access to the Project site are Perris Boulevard, Indian Street, Grove View Road, and Harley Knox Boulevard, with the nearest I-215 interchanges at Harley Knox Boulevard and Ramona Expressway.

2. Project Description

The Project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses.

The Project site is currently designated Business Park/Light Industrial in the City's General Plan. The site is zoned Industrial (I) in the Moreno Valley Industrial Area Plan (SP 208), which was originally adopted in 1989, and amended in 2001 and 2002. The proposed high-cube logistics warehouse project is consistent with the existing General Plan land use, the Moreno Valley Industrial Area Plan Specific Plan (SP 208), and zoning for the site.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- Tentative Parcel Map approval (PM 36162);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;

- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development and minimize conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;

- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On August 26, 2011, the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On September 19, 2011, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from August 26, 2011 to September 26, 2011. Written comments on the NOP were received from 12 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: Air Quality, Alternatives Analysis, Biological Resources, Cultural Resources/Sacred Sites, Greenhouse Gas Emissions (GHG)/Global Climate Change, Hazardous Materials/Contamination, Traffic, and Water Availability and Quality.

- Based on the Initial Study included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information, analysis, and mitigation to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Aesthetics; (2) Biological Resources; (3) Cultural Resources; (4) Geology and Soils; (5) Hazards and Hazardous Materials; (6) Hydrology and Water Quality; (7) Land Use Planning; (8) Mineral Resources; (9) Population/Housing; (10) Public Services; (11) Recreation; and, (12) Utilities and Service Systems.

- On April 20, 2012, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review period, which ended June 4, 2012.

- The City received a total of seven (7) comment letters from public agencies; one (1) from a community organization; and two (2) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.

- On June 29, 2012 in accordance with *California Public Resources Code* Section 21092.5, the City provided written responses to public agencies that commented on the DEIR.

- On June 29, 2012, Notice of the Planning Commission hearing to consider the Project was provided in the *Press Enterprise*, a newspaper of general and/or regional circulation.

- On July 12, 20012, the City Planning Commission held a public hearing to consider the Project and staff recommendations. The Planning Commission, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, the City Planning Commission voted unanimously to certify the EIR, adopt Facts, Findings and the Statement of Overriding Considerations, adopt the

recommendations in the Staff Report, and approve the Project, including the PM 36162 (collectively the "Approvals").

- On July 26, 2012, an appeal letter (dated July 25, 2012) was submitted to the City by the Residents for a Livable Moreno Valley and the Sierra Club, appealing the Planning Commission's certification of the EIR and approval of the Project to the City Council.

- On September 14, 2012, an errata to the Final EIR approved by the Planning Commission dated June 27, 2012 was provided to the public that included changes to the Mitigation Monitoring and Reporting Plan approved by the Planning Commission and changes to Sierra Club Response to Comment E-9 and E-16 to clarify changes that were made to mitigation measures.

- On September 14, 2012, Notice of the City Council hearing to consider the Project was provided in the *Press Enterprise*, a newspaper of general and/or regional circulation.

- On September 25, 2012, this Council held a public hearing to consider the Project and staff recommendations. The City Council, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding Considerations, and the further recommendations in the Staff Report, and approved the Project, including PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of LSA Associates, Inc. ("LSA") to prepare the EIR for the Project. LSA has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Michael Brandman Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA *California Public Resources Code* Section 21067 as amended. The City Council

has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *California Public Resources Code* Section 21082.1(c) (3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose of the measure.

Finding: Unless specifically stated to the contrary in these Findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these Facts, Findings and Statement of Overriding Considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 of the DEIR and Section 3.0 of the

FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Section 2.0 of the FEIR. Comments on the FEIR were submitted at the Planning Commission hearing on July 12, 2012 from the Sierra Club and Johnson and Sedlack. Responses to those comments, along with copies of the comments, are also provided as attachments to the staff report to the City Council. The comments and the responses to the comments do not constitute additional significant new information that would require recirculation of the EIR.

The EIR evaluated five major environmental categories for potential impacts including Agricultural Resources, Air Quality, GHGs and Climate Change, Noise, and Transportation. Both Project-specific and cumulative impacts were evaluated. Of these five major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V(A) and V(B) below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. Agricultural Resources

a. Conflict with existing zoning or a Williamson Act Contract

Potential Significant Impact: Whether the Project would conflict with existing zoning for agricultural use, or a Williamson Act contract.

Findings: Potential impacts of the Project related to conflicts with existing zoning or a Williamson Act Contract is discussed in detail in Section 4.1 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to existing zoning or Williamson Act will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: As identified in Section 4.1 of the DEIR, the Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. The uses proposed for the Project site are consistent with the existing underlying General Plan and Zoning designations. In addition, the Project site is not subject to a Williamson Act Contract. The Project site is not zoned for agricultural uses and is not being used for agricultural purposes. No impact would occur and no mitigation is required.

b. Conflict with/Loss of Existing Forest Land or Timberland Zoning

Potential Significant Impact: Whether the Project would conflict with existing zoning for, or cause rezoning of, forest land (as defined in *California Public Resources Code* Section 12220(g)), timberland (as defined by *California Public Resources Code* Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)), and whether the Project would result in the loss of forest land or conversion of forest land to non-forest uses.

Findings: Potential impacts of the Project related to conflict with/loss of existing forest land or timberland zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to loss of forest or timberland will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Section 4.1 identifies no forest or timberland resources located within the Project site nor is the Project site zoned for forest land or timberland. Implementation of the Project would not require any rezoning or General Plan Amendments as the proposed uses are consistent with the existing underlying General Plan land use designation and zoning designation. The Project would not conflict with existing forest zoning, cause rezoning of forest land, or result in the loss or conversion of forest lands to non-forest uses as no such resources exist in the City. No impacts associated with this issue would occur and no mitigation is required.

2. Air Quality

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during the construction phase. While operational emissions will be generated in excess of SCAQMD□s regional threshold criteria (DEIR, pg. 4.2-26), these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and were incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.2-14 to 4.2-15) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. Project-related operational odor sources such as vehicle exhaust and routine painting/maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required. (DEIR, pg. 4.2-15)

c. Long-Term Microscale (CO Hot Spot) Emissions

Potential Significant Impact: Whether the Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation. For CO, the applicable thresholds are:

- California State one-hour CO standard of 20.0 ppm; and
- California State eight-hour CO standard of 9.0 ppm.

Findings: Potential impacts of the Project related to long-term microscale emissions are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that development of

the Project will not result in significant impacts related to long-term microscale emissions and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the highest one-hour CO concentration experienced at any of the intersections in the Project vicinity would not exceed the one hour CO State standard of 20 ppm. Based on the *Air Quality Analysis* prepared for the Project, the Project would contribute, at most, a 0.2 ppm increase to the one-hour CO concentrations for all scenarios. This is below the 1.0 ppm increase threshold. Also the highest eight-hour CO concentration experienced at any of the intersections in the Project vicinity would not exceed the eight-hour CO state standard of 35 ppm. Based on the Air Quality Analysis prepared for the Project, the Project would contribute, at most, a 0.2 ppm increase to the eight-hour CO concentrations for all scenarios. This is below the 0.45 ppm increase threshold. Since the Project would not exceed the one-hour or eight-hour CO concentration standards, it is reasonable to conclude that no CO hot spots would occur. Therefore, the Project would not have a significant impact on local air quality for CO and no mitigation measures would be required. (DEIR, pgs. 4.2-15 to 4.2-17)

d. Localized Operational Emissions

Potential Significant Impact: Whether the Project would violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants.

For long-term operation, the applicable localized daily thresholds are:

- 12,083 pounds per day of CO;
- 585 pounds per day of NO_X;
- 32 pounds per day of PM_{10}; and
- 14 pounds per day of $PM_{2.5}$.

Findings: Potential impacts of the Project related to localized operational emissions are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that operations of the Project will not result in significant impacts related to localized operational emissions and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, the operational emissions rates of NO_X, CO, PM_{10}, and $PM_{2.5}$ are less than 10 percent of the LST thresholds for the applicable

pollutant. None of the criteria pollutant emissions would exceed localized thresholds during the operation of the Project. Therefore, the Project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. (DEIR, pgs. 4.2-15 to 4.2-17)

e. Operational-Acute Health Risk

Potential Significant Impact: Whether the Project would expose sensitive receptors to substantial pollutant concentrations.

Findings: Potential impacts of the Project related to operational-acute health risks are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that development of the Project will not result in significant impacts related to operational-acute health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998)[1], the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. Therefore, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required. (DEIR, pg. 4.2-18)

[1] http://www.arb.ca.gov/regact/diesltac/diesltac.htm, accessed August 30, 2012.

f. Operational-Chronic Health Risk

Potential Significant Impact: Whether the Project would expose sensitive receptors to substantial pollutant concentrations.

For Maximum Individual Cancer Risk, the applicable thresholds are:

- An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or

For non-cancer chronic hazard indices (HI); the applicable threshold is:

- A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

Findings: Potential impacts of the Project related to operational-chronic health risks are discussed in detail in Section 4.2 of the DEIR. Based on the entire record, this Council finds that development of the Project will not result in significant impacts related to operational-chronic health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the DEIR, a screening level health risk assessment was performed for the operational emissions associated with the Project based on the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* guidance. The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with state and federal handling regulations will bring emissions to below a level of significance. The nearest residences (approximately 1,000 feet) would experience a cancer risk of 6.6 in 1 million, which is below the 10 in 1 million threshold. The nearest residences would also experience a chronic hazard index of 0.0041, which is below the 1.0 threshold. The peak off-site worker cancer risk level is 4.5 in a million, which is also below the 10 in 1 million threshold. Chronic hazard index for the peak off-site worker would be 0.0029, which is below the 1.0 threshold. Since the operational phase of the Project would not exceed any of the operational related health risk assessment thresholds, a less than significant impact would occur and no mitigation is required. (EIR, pgs. 4.2-18 to 4.2-19)

3. Climate Change and Greenhouse Gas Emissions

a. Greenhouse Gas Plan, Policy, Regulation Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to greenhouse gas plan, policy, and regulation consistency are discussed in detail in Section 4.3 of the DEIR. Based on the entire record, this Council finds that development of the Project will not result in significant impacts related to greenhouse gas plan, policy, or regulation consistency and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project would implement appropriate GHG reduction strategies and would ensure that it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHG levelsTherefore, the Project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions resulting in a less than significant impact. (DEIR, pgs. 4.3-16 to 4.2-21)

4. Noise

a. Airport Noise

Potential Significant Impacts: Whether a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would results in exposure of people residing or working in the project area to excessive noise levels. Or if a project within the vicinity of a private airstrip, would expose people residing or working in the project area to excessive noise levels.

Findings: Potential impacts of the Project relating to airport noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to airport noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the nearest airport is the March Air Reserve Base, which is located approximately 0.75 mile northwest of the Project site. The

Project is not identified as being within the noise or safety contours delineated for the March Air Reserve Base Airport. While the Project is located within two miles of a public airport, it is outside of the 60 dBA CNEL contour of the March Air Reserve Air Base, and therefore, the Project would not have the potential to expose people working on the Project site to excessive noise levels from airport operations as the Project site is located outside of the noise and safety contours of March Air Reserve Base. A less than significant impact would occur with implementation of the Project. Additionally, the Project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue would occur and no mitigation is required. (DEIR, pgs. 4.4-9 to 4.4-10)

b. Ground-Borne Vibrations

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. The Project site is not located near steel-wheeled trains. Additionally, roadways in the project area are either paved or would be paved and would not result in traffic driving over rough roads. Construction activities for the project site do not include blasting or pile driving. The primary vibratory source during the construction of the Project would be large bulldozers. Based on published data, typical bulldozer activities generate an approximate vibration level of 0.089 in/sec at a distance of 25 feet. At the distance of the nearest residence to the project boundary (approximately 1,000 feet) the estimated vibration level would not be discernible. While heavy-duty earthmoving equipment would be used during the construction phase of the project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs. Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required. (DEIR, pg. 4.4-10)

c. Long-Term Traffic Noise

Potential Significant Impact: Whether the project would result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Findings: Potential impacts of the Project related to long-term noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to long-term noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, project-related traffic noise level increases would be 0.8 dBA or less along all roadway segments analyzed. Noise level increases within this range are small and are not perceptible by the human ear. Therefore, no significant traffic noise impacts would occur to off-site land uses with implementation of the Project. Also the proposed warehouse distribution center uses would not be impacted by the projected 75 dBA CNEL noise contour from Indian Street (within 50 feet of the roadway centerline), Oleander Avenue (within 50 feet of the roadway centerline), or Perris Boulevard (98 feet from the roadway centerline) in 2035. Therefore, noise levels at the on-site uses are below the City's 75 dBA CNEL noise standard for industrial uses. No significant noise impacts to on-site industrial uses would occur and no mitigation measures are required. (DEIR, pgs. 4.4-10 to 4.4-13)

d. Long-Term Operational Noise

Potential Significant Impact: Whether the project would cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies.

Findings: Potential impacts of the Project related to long-term operational noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to long-term operational noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project's northern boundary. There are also nonconforming residential dwelling units within commercial and industrial uses on property zoned for commercial or industrial uses approximately

0.5 mile southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

The warehouse distribution use has loading docks on the north and south sides of the building, more than 1,000 feet from the existing residences to the north. Noise associated with loading/unloading activities would potentially affect these existing residential uses. Other on-site, noise-producing activities may include traffic and activity within the parking lot (load talking, horn blowing, vehicle door slamming, truck idling, etc.). Although individual activity may generate relatively high and intermittent noise, when added to the typically lower ambient noise and averaged over a longer period of time, the cumulative noise level would be much lower and less than the City's exterior noise standards at the nearest noise-sensitive land uses, and would be considered to have a less than significant impact. (DEIR, pg. 4.4-14)

The project would have rooftop heating, ventilating, and air conditioning (HVAC) equipment, as well as ground floor garbage compactors. Rooftop HVAC units generate noise levels of approximately 62 dBA at 50 feet. The closest noise-sensitive land uses are existing residences which are located more than 1,000 feet to the north from the nearest potential on-site rooftop HVAC equipment location. With the effect of distance divergence, noise generated by HVAC equipment would be reduced by 26 dBA at the closest residences when compared with the noise level measured at 50 feet. Additionally, the roof edge (parapet) creates a noise barrier that reduces noise levels from rooftop HVAC units by an additional 3 to 5 dBA or more for ground floor receptors. Because of the attenuation achieved, nearest residences located to the north of the project site would be exposed to an exterior noise level of 33 dBA L_{max} or lower. This range of noise levels is substantially lower than traffic noise on roadways in the project vicinity and the truck movement and loading/unloading noise. Therefore, because the City's exterior noise standard of 60 dBA L_{dn}/CNEL for HVAC equipment in residential district (Planning and Zoning Code, Chapter 9.03.040) would not be exceeded at the nearest sensitive noise receptors, no significant noise impact resulting from the operation of rooftop HVAC equipment would occur and no mitigation is required. (DEIR, pg. 4.4-15)

Garbage compactors generate approximately 70 dBA L_{max} at 6 feet. With the effect of distance divergence, noise generated by garbage compactors would be reduced to 26 dBA L_{max} or lower at the closest residences. Because the City's exterior noise standard of 60 dBA L_{max} during the day and 55 dBA L_{max} during the night would not be exceeded, no significant noise impacts from the on-site

garbage compactors would occur. In the absence of any significant impact, no mitigation is required. (DEIR, pg. 4.4-15)

It is anticipated that the proposed uses would have some sort of speaker system at the truck loading docks. Typical loud speakers generate a sound level of 75 dBA L_{max} at 50 feet. With the distance attenuation of 26 dBA the speaker noise at the nearest residences will be at or below 49 dBA L_{max}. This range of maximum noise levels is lower than the City's nighttime exterior noise standards of 55 dBA L_{max} standard. Therefore, noise associated with loading dock speakers at the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast and no mitigation measures are required. (DEIR, pg. 4.4-15)

The typical maximum allowable interior noise levels for residential uses are 45 dBA between 10:01 p.m. and 7:59 a.m. and 50 dBA between 8:00 a.m. and 10:00 p.m. Typical southern California homes with windows open would achieve up to 12 dBA in exterior to interior noise reduction. When windows are closed, the noise attenuation increases to 24 dBA. Additionally, distance divergence of 1,000 feet provides 26 dBA of noise attenuation. Interior noise levels at the nearest residential homes to the north, attributable to loading/unloading activities from the nearest on-site loading areas, would be reduced to 37 dBA L_{max} with windows open and to 25 dBA L_{max} with windows closed. This range of noise level is compatible with or lower than typical household activity noise. Therefore, no significant interior noise impacts for the nearest sensitive receptors would occur and no mitigation is required. (DEIR, pg. 4.4-16)

5. Transportation

a. Design Features or Incompatible Uses

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Findings: Potential impacts of the Project related to design features or incompatible uses are discussed in detail in Section 4.5 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to the design features or incompatible uses will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and around the Project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to site access requirements.

The final design of all roadways and intersections within the Project site access would be reviewed by a licensed professional civil engineer to ensure adequate safety when traveling to and from the Project site. The Project circulation plan does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City of Moreno Valley consistent with the City's Circulation Element Objectives 5.1 (create a safe, efficient, and neighborhood-friendly street system), 5.5 (maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways), and 5.11 (eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians) and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required. (DEIR, pgs. 4.4-15 to 4.4-16)

b. Inadequate Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access.

Findings: Potential impacts of the Project related to inadequate emergency access are discussed in detail in Section 4.5 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to inadequate emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the developers of the Project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Construction activities, which may temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. The Project design would be submitted to and approved by the City's Fire and Police Departments prior the issuance of building permits. Adherence to applicable existing requirements of the City of

Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required. (DEIR, pg. 4.4-16)

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.5 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the design of the Project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation, including but not limited to pedestrian pathways and sidewalks consistent with the City's Circulation Element Objective 5.8 (encourage development of an efficient public transportation system for the entire community). Through the City's project review process, policies, plans, and/or programs supporting alternative transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur as a result of the Project and no mitigation is required. (DEIR, pgs. 4.4-16 to 4.4-17)

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.5 of the DEIR. Based on the entire record, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, airport facilities within the vicinity of the Project site include the March Air Field, which is part of the March Air Reserve Base (MARB). The Project site is located approximately 0.75 mile east of March Air Field and is entirely within Airport Influence Area II. As part of the standard process for development within Airport

Influence Areas for MARB, projects are required to be reviewed by the ALUC for consistency with the ALUP. As a standard condition imposed during ALUC reviews, developments located within the boundaries of Influence Area III are required to provide avigation easements. To ensure consistency with the ALUC recommendations is maintained, avigation easements will be required as part of a condition of approval for the Project site. Development that would occur within Airport Influence II of MIP would not include any features that would alter air traffic patterns or the level of air traffic at the MIP; therefore, a less than significant air traffic safety impact would occur and no mitigation is required. (DEIR, pgs. 4.4-17 to 4.4-18)

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

California Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including biological resources, paleontological resources, geology and soils, hydrology and water quality, noise (short-term construction), and transportation (local intersections and roadways) were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *California Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and

that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. Biological Resources

a. Adverse Effects to Sensitive or Special Status Species

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on candidate, sensitive, or special status species.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts to sensitive or special status species to less than significant:

Mitigation Measure BIO-1: *No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, Mitigation Measure BIO-3 shall apply.*

Mitigation Measure BIO-2: *No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in Mitigation Measure BIO-1. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, Mitigation Measures BIO-3 and BIO-4 shall apply.*

Mitigation Measure BIO-3: *If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction*

activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.

Mitigation Measure BIO-4: *If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.*

Facts in Support of the Finding: According to Section 2.5.2 of the DEIR, the site is characterized as a regularly disked field that supports little to no standing vegetation and is not located within a Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Criteria Area. However, the site is located in an area that requires habitat assessments for burrowing owl, five Narrow Endemic Plant Species (NEPS), and nine Criteria Area Plant Species (CAPS) in accordance with the MSHCP. During the habitat assessment surveys and focused surveys no sign of burrowing owls were observed. The Project site is not an optimal habitat for burrowing owl. However, because burrowing owls have been known to occur on land that has been disturbed and are considered a mobile and opportunistic species, implementation of **Mitigation Measures BIO-1 through BIO-4** are necessary to reduce the potential impact to less than significant. The five NEPS and nine CAPS were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the Project site lacks suitable habitat for these species due to historic agricultural activities. Nonetheless, focused surveys were conducted to cover the four depressed areas and the ditch. No special status plants were observed during the focused surveys. Because of the absence of members of the species and suitable habitat, a less than significant impact to other special status plants would occur. (DEIR, pg. 2-9)

2. Cultural Resources

a. Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on significant fossil resources.

Finding: Implementation of the following mitigation measures will reduce the impact to unique paleontological resources and site or unique geological features to less than significant:

Mitigation Measure CUL-1: *Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. In the event fossiliferous deposits are encountered, the following measures shall be implemented:*

- *Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*

- *Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.*

- *Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.*
- *Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.*
- *Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.*

Facts in Support of the Finding: Based on the paleontological resources analysis contained in Section 2.5.3 of the DEIR, the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the Project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. **Mitigation Measure CUL-1** has been identified to reduce the significance of paleontological resource impacts. Adherence to this measure would reduce impacts to paleontological resources to a less than significant level. (DEIR, pgs. 2-12 to 2-13)

3. <u>Geology and Soils</u>

a. Unstable Soils

Potential Significant Impact: The EIR evaluated and concluded that the Project site could experience soil shrinkage during excavation and recompaction.

Finding: Implementation of the following mitigation measures will reduce the potential impact of lateral spreading, subsidence, and collapse to less than significant:

Mitigation Measure GEO-1: *Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.*

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be

placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

Facts in Support of the Finding: Section 2.5.4 of the DEIR included a geotechnical analysis that performed in-place soil density tests, which revealed that soil shrinkage that may occur would be approximately 10 percent to 15 percent due to excavation and recompaction. This is based on the assumption that the fill would be compacted to 90 percent of the dry density per ASTM standards. As a result subsidence is estimated at 0.2 feet due to earthwork operations. Impacts are considered potentially significant and mitigation measures are required. The geotechnical analysis determined that there is no potential for landslides or liquefaction. Additionally, potential impacts related to lateral spreading would be reduced to less than significant level through adherence to the California Building Code. **Mitigation Measure GEO-1** would reduce potential impacts associated with unstable soils to a less than significant level. (DEIR, pgs. 2-15 to 2-16)

b. Expansive Soils

Potential Significant Impact: The EIR evaluated and concluded that expansive soils could occur.

Finding: Implementation of the following mitigation measures will reduce to potential impact of expansive soils to less than significant:

Mitigation Measure GEO-2: *Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.*

Facts in Support of the Finding: According to Section 2.5.4 of the DEIR, soils on site include Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2). As detailed in the Project's geotechnical analysis, expansive soils were observed on the Project site. Exploratory trenches revealed the existing earth materials on site to consist of a disturbed soil/fill and natural soil. A fill/disturbed natural soil classifying as a brown, sandy to clayey silt to a silty sand was encountered across the site and ranged in depth from 1 foot to 1½ feet. These soils were noted to be soft to loose and damp. An undisturbed alluvium soil classifying as a brown sandy to clayey silt to a silty sand was encountered beneath the disturbed top soils and fill. These native soils were noted to be firm to stiff, medium dense to dense, and moist. Development of the Project site would be required to adhere to California Building Code and City design and engineering standards. However, because expansive soils are present on site, impacts associated with this issue are potentially significant and mitigation measures are required. **Mitigation Measure GEO-2** would reduce potential impacts associated with expansive soils to a less than significant level. (DEIR, pgs. 2-16 to 2-17)

4. <u>Hydrology and Water Quality</u>

a. Water Quality Standards and Waste Discharge Requirements

Potential Significant Impact: The EIR evaluated and concluded that the Project could violate water quality or waste discharge requirements, substantially increase the rate of surface runoff causing flooding, create substantial additional sources of polluted runoff, or otherwise substantially degrade water quality.

Finding: Implementation of the following mitigation measures will reduce the potential impacts related to compliance with water quality standards and waste discharge requirements to less than significant:

Mitigation Measure HYD-01: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.*

Mitigation Measure HYD-02: *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:*

- *Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.*
- *Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.*
- *All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.*
- *The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.*
- *Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.*

- *The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.*

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:

- *The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.*

Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.

Facts in Support of the Finding: According to Section 2.5.6 of the DEIR, development of the Project is required to obtain coverage under an NPDES permit, which includes the submittal of a Notice of Intent (NOI) application to the State Water Resources Control Board (SWRCB), the receipt of a Waste Discharge Identification Number (WDID) from SWRCB, and the preparation of an SWPPP for construction wastewater discharges. During the construction period, the Project would

use a series of Best Management Practices (BMPs) to reduce erosion and sedimentation. These measures may include the use of gravel bags, silt fences, hay bales, check dams, hydroseed, and soil binders. The construction contractor would be required to operate and maintain these controls throughout the duration of on-site activities. In addition, the construction contractor would be required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the RWQCB. Adherence to **Mitigation Measures HYD-01 through HYD-04** will ensure that these practices and measures take place and would reduce the potential impacts related to compliance with water quality standards and waste discharge requirements to less than significant. (DEIR, pgs. 2-19 to 2-24)

b. Erosion

Potential Significant Impact: The EIR evaluated and concluded that the Project could significantly alter drainage patterns that would result in erosion or siltation.

Finding: Implementation of the following mitigation measures will reduce the potential impacts to less than significant:

Mitigation Measure HYD-05: *Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the project site are less than or equal to pre-development flows.*

Facts in Support of the Finding: According to Section 2.5.6 of the DEIR, the majority of storm flows associated with the Project will be collected by a series of drop inlet catch basins. While the increase in impervious surfaces attributable to the Project would contribute to a greater volume and higher velocity of storm water flows, the Project's drainage system would accept and accommodate runoff that would result from Project construction at or below pre-Project conditions. Therefore, the post-development flows generated on the Project site would not exceed the capacity of the planned

storm water drainage systems. To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified. With adherence to this mitigation measure, impacts associated with effects on existing drainage patterns are reduced to less than significant. (DEIR, pgs. 2-24 to 2-25)

5. Noise

a. Short-Term Construction Noise

Potential Significant Impact: The EIR evaluated and concluded that noise levels from grading and other construction activities for the Project may range up to 65 dBA at the closest residences north of the Project site for very limited times when construction occurs near the Project's boundary. Construction-related noise impacts from the Project would be potentially significant.

Finding: Implementation of the following mitigation measures will reduce potential short-term construction noise impacts to less than significant:

4.4.6.1A *During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.*

4.4.6.1B *The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.*

4.4.6.1C *The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.*

4.4.6.1D *During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in noise to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays.*

Facts in Support of the Finding: According to Section 4.4 of the DEIR, two types of short-term noise impacts could occur during the construction of the Project. First, construction crew commutes and the transport of construction equipment and materials to the site for the Project would

incrementally increase noise levels on access roads leading to the site. The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the Project site. Construction of the Project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings. The maximum noise level generated by each scraper on the Project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA Lmax at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations to the Project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the Project site. The ambient noise associated with vehicular traffic and industrial uses in the Project area would mask the majority of the construction noise from the Project site. No significant construction noise impacts would occur if construction of the Project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on Sundays and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

With adherence to the City's designated construction hours and with implementation of the proposed mitigation measures, potential short-term construction noise impacts would be reduced below the level of significance. (DEIR, pgs. 4.4-16 to 4.4-18)

6. Transportation

a. Existing Plus Project Roadway Segments

Potential Significant Impact: The EIR evaluated and concluded that two roadway segments are forecasted to exceed satisfactory levels of service in the existing plus project conditions.

Finding: Implementation of the following mitigation measures will reduce project-specific roadway segment impacts to less than significant:

4.5.6.1A. *Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.*

4.5.6.1B. *Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.*

Facts in Support of the Finding: According to Section 4.5 of the DEIR, Perris Boulevard north of Grove View Road (southbound); and Perris Boulevard south of South Project Driveway (northbound and southbound) are projected to operate at unsatisfactory levels of service in the existing plus project scenario. The DEIR determined that this roadway currently operates at unsatisfactory levels of service without the project. The City is currently in the process of implementing a Capital Improvement Project to widen Perris Boulevard from Cactus Avenue south to city limits. The improvement project will widen Perris Boulevard to a six-lane street section, consistent with the

General Plan. The project is under construction and is scheduled to be completed in May 2013. The widening will encompass the improvements defined in the DEIR to improve operations of the roadway to the City's level of service standard and mitigate the Project's contribution to the impact. With implementation of the City's improvements to Perris Boulevard and implementation of **Mitigation Measures 4.5.6.1A and 4.5.6.1B** requiring that the Project applicant pay traffic impact fees, project-specific impacts will be reduced to less than significant levels. (DEIR, pgs. 4.5-18 to 4.5-19)

b. Year 2013 Cumulative With Project Conditions Intersection and Roadway Segments

Potential Significant Impact: The EIR evaluated and concluded that eleven intersections and four roadway segments are forecasted to exceed satisfactory levels of service in the year 2013 cumulative plus project conditions.

Finding: Implementation of the following mitigation measures will reduce the Project's contribution to cumulatively considerable intersection and roadway segment impacts to a less than significant level:

4.5.6.2A. *Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.*

Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

Facts in Support of the Finding: According to Section 4.5 of the DEIR, an intersection and roadway segment level of service analysis was conducted for the year 2013 cumulative with project condition to determine the Project's contribution to cumulative traffic impacts to local intersections and roadway segments. As identified in Table 4.5.E in the DEIR, the addition of Project traffic to the year 2013 cumulative scenario would result in conditions exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);

- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

The Project contributes to the failure to meet the level of service standard at ten of the eleven intersections resulting in a significant cumulative impact. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a Project-specific impact because the need for the intersection is exclusively for project access.

As identified in Table 4.5.E in the DEIR, the addition of Project traffic to the year 2013 cumulative scenario would result in conditions exceeding the established LOS standard at the following roadway segments:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Section 4.5 of the DEIR identifies the improvements necessary to maintain the level of service standard at the intersections and roadways impacted in the year 2013 plus project condition. The roadway and intersection improvements are consistent with the City's General Plan and DIF program and are included in the County's TUMF program. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element.

The following improvements were identified in the DEIR to maintain or improve the operational level of service of the impacted intersections and roadways. The improvements required to maintain

or to improve the level of service operations of transportation facilities affected by the project will be constructed through the City's DIF as supplemented by the County's TUMF program. The impact will occur in the future when traffic volumes at the impacted intersections and roadways reach the volumes projected for the Year 2013 Cumulative with Project traffic scenario. As part of its Capital Improvement Program (CIP), the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents. The project will participate with these programs as part of Mitigation Measures 4.5.6.1A and 4.5.6.1B. The list of improvements is as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard: Restripe the left-most westbound through lane as a left-turn lane. Restripe the off-ramp to provide two left-turn lanes and a shared through/right-turn lane. This improvement is part of the TUMF program.

- I-215 Northbound Ramps/Harley Knox Boulevard: Restripe the northbound shared through/left-turn lane as a shared left-turn/through/right-turn lane. Add an eastbound free right-turn lane. This improvement is part of the TUMF program.

- Indian Street/Harley Knox Boulevard: Add an eastbound through lane. Provide overlap phasing for the southbound right-turn lane. These improvements are consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.

- Perris Boulevard/Gentian Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. Perris Boulevard/Iris Avenue: Add a second westbound left-turn lane and an eastbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Krameria Avenue: Add two southbound through lanes, a northbound through lane, and a northbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Nandina Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/Grove View Road: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.

- Perris Boulevard/South This improvement is part of the City DIF and County TUMF programs.

- Project Driveway: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of City DIF and TUMF programs.

- Perris Boulevard/Harley Knox Boulevard: Add two southbound through lanes, one northbound through lane, a second eastbound left-turn lane, and overlap phasing for the southbound right-turn lane. These improvements are part of the TUMF program.

- Harley Knox Boulevard west of Indian Street: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.

- Indian Street south of South Project Driveway: Widen to a four-lane Undivided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City of Moreno Valley DIF and TUMF programs.

- Perris Boulevard north of Grove View Road: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City's DIF and TUMF programs.

- Perris Boulevard south of South Project Driveway: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley and City of Perris General Plan Circulation Elements. This improvement is part of the City of Moreno Valley DIF and County TUMF programs.

With implementation of these improvements, all intersections and roadway segments would operate at the applicable performance standard or better during peak hours for year 2013 cumulative with project conditions resulting in a less than significant impact.

The project will contribute toward these future intersection and roadway improvements to maintain the applicable level of service standard through payment of frees required as part of the DIF and TUMF programs. Because the impact will occur in the future when traffic volumes at the impacted intersections and roadways reach the volumes projected for the Year 2013 Cumulative with Project traffic scenario, the City will determine the implementation schedule of the necessary roadway improvements as part of the CIP. As part of its Capital Improvement Program (CIP), the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents. The CIP projects are funded by a variety of sources including the County TUMF program and the City's DIF program and general fund. (DEIR, pgs. 4.54-19 to 4.5-28)

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: agricultural resources (individually and cumulative), air quality (individually and cumulative), cumulative climate change and greenhouse gas emissions, transportation (existing plus project and cumulative). In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the Project unless it first finds (1) under *California Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the EIR; and (2) under CEQA Guidelines section 15092(b), that the

remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Agricultural Resources (Individual and Cumulative Impacts)

a. Conversion of State Designated Farmland

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could impact 16.89 acres of Prime Farmland, 16.23 acres of Farmland of Local Importance, and 38.69 acres of Farmland of Local Importance.

Finding: Based on the entire record, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to state designated farmland will remain significant and unavoidable.

Facts in Support of the Finding: Section 4.1 of the DEIR identifies several potential agricultural conservation measures contained in the City's General Plan that include: enrolling productive agricultural land into a Williamson Act Contract; providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development; protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights; purchasing conservation easements on existing agricultural land to ensure that the land is never converted to urban uses; and donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

The potential agricultural conservation measures identified in the DEIR are not considered to be feasible by the City for the following reasons:

Williamson Act Contracts: Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. In addition, Williamson Act contracts will result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. No such contracts exist on the property.

Protecting Existing Agricultural Operations: Providing protection for ongoing agricultural activities from new developments, such as buffers between agricultural operations and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent

properties, will not permanently protect agricultural land. There is usually a conflict that occurs when urban development is built adjacent to active agricultural land. Ultimately, there is pressure to convert the land to urban land uses.

Transfer of Development Rights, Conservation Easements, or Agricultural Conservation Bank: The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. Farming of the project site stopped over seven years ago. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." For this reason, the City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The existing and continued reduction in productive agricultural operations within the City is produced by several factors including; urbanization in the City and Inland Empire resulting in dramatically increasing land prices; high water and labor costs; environmental regulation (e.g., insects, odors, groundwater contamination, and solid waste removal); and competition from Kern County and the Central Valley with lower land costs and reduced regulations. (DEIR, pgs. 4.1-10 to 4.1-14)

The purchase of agricultural conservation easements is "economically infeasible" "[b]ased on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See Fourth District Court of Appeal, Cherry Valley Pass Acres and Neighbors v. City of Beaumont (2010) 190 Cal.App.4th 316 (Cherry Valley). (See FEIR, p. 57, emph. add.)

The City has determined that these measures are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified.

b. Conversion of Farmland to a Non-Agricultural Use

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would result in the development of industrial uses on land that has historically been utilized for sod production.

Finding: Based on the entire record, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts from the conversion of farmland to a non-agricultural use will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the DEIR, the Project site has historically been in agricultural production and was most recently used to grow sod, and the sod production ceased operations in in August 2005 and has not been in agricultural production since that time. The conversion of the Project site to a non-agricultural use is a result of various economic and demographic factors. Increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion. A LESA model was also used to evaluate the site. It was determined that the Project LESA score is 64.38, which is considered significant. The Project would convert land that was previously used for agriculture. However, the Project is a logical extension of development in the City and does not create leapfrog development or islands of agricultural land that would be difficult to farm. The City recognizes development pressures within the City, and that these pressures will increase as the City continues to build out. Additionally, while the Project would not directly cause the conversion of adjacent agricultural land to non-agricultural uses because in has lied fallow for seven years, it would contribute to development pressure within the City that could potentially lead to the conversion of agricultural land off site. However, as stated in the previous discussion of these Findings regarding the conversion of state designated farmland, the City has determined the agricultural conservation measures identified by the City are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified. (DEIR, pgs. 4.1-10 to 4.1-15)

c. Cumulative Agricultural Resource Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would have a significant cumulative impact on agricultural resources in Riverside County.

Finding: Based on the entire record, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to cumulative state designated farmland will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the DEIR, the Project-related impacts to Farmland of Statewide Importance and the conversion of agricultural land to a non-agricultural use cannot be mitigated through a local or regional program to mitigate impacts to agricultural resources. As stated previously, the City does not maintain a General Plan or zoning designation for agricultural uses and there are no Project-level feasible mitigation measures that would help reduce cumulative impacts. During the last reporting period (2006–2008), 6,540 acres of Prime Farmland, 2,366 acres of Farmland of Statewide Importance, and 8,873 acres of Farmland of Local Importance were converted to other uses. The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance is a finite resource, the conversion of approximately 71 acres to industrial uses, combined with planned and future development in the City and region, represents a significant cumulative impact to agricultural operations and resources. (DEIR, pg. 4.1-16) As stated in the previous discussion of these Findings regarding the conversion of state designated farmland and conversion of agricultural land to a non-agricultural use, the City has determined the agricultural conservation measures identified by the City are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified.

2. <u>Air Quality (Project-Specific and Cumulative Impact)</u>

a. Short-Term Construction Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality.

Finding: Based on the entire record, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.2.6.1A through 4.2.6.1T** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of the following mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.2.6.1A *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the project construction documents, which shall be reviewed by the City.*

4.2.6.1B *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators. Contract specifications shall be included in the project construction documents, which shall be reviewed by the City.*

4.2.6.1C *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the project construction documents, which shall be reviewed by the City.*

4.2.6.1D *All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*

4.2.6.1E *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*

4.2.6.1F *The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry*

points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

4.2.6.1G *Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).*

4.2.6.1H *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).*

4.2.6.1I *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.2.6.1J *If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.*

4.2.6.1K *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*

- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High-pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch vendor services shall be permitted on site during construction to minimize the need for off-site vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered; and*
- *Suspend use of all construction equipment operations during second stage smog alerts.*

4.2.6.1L *Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall*

respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues within one working day.

4.2.6.1M *All project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

4.2.6.1N *When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.*

4.2.6.1O *All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.*

4.2.6.1P *Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.*

4.2.6.1Q *Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*

4.2.6.1R *All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.*

4.2.6.1S *Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

4.2.6.1T *Reroute construction trucks away from congested streets and sensitive receptor areas.*

These measures shall be enforced by the on-site facilities manager (or equivalent.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of **Mitigation Measures 4.2.6.1A through 4.2.6.1T**, Project construction activities would temporarily exceed SCAQMD regional and localized emissions thresholds for oxides of nitrogen (NO_x) and particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.2-I and 4.2-J) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.2-19 through 4.2-25). Additional mitigation measures were considered and determined to be infeasible based on the facts in the staff report and in the FEIR Response to Comments D-34 (FEIR, pgs. 64-69).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed applicable daily thresholds for operational activities.

Finding: Based on the entire record, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.2.6.3A and 4.2.6.3B** is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

4.2.6.3A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. The following combination of design features may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:*

- *Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized.*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.*
- *Incorporate dual-paned or other energy efficient windows.*
- *Incorporate energy efficient space heating and cooling equipment.*
- *Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed.*
- *To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site.*
- *Use paint and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings.*
- *Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.*
- *Reduce energy demand associated with potable water conveyance using the following:*
    - *Landscaping palette emphasizing drought-tolerant plants;*
    - *Use of water-efficient irrigation techniques; and,*
    - *U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.*
- *Provide secure, weather-protected, on-site bicycle storage/parking.*
- *Provide on-site showers (one for males and one for females). Lockers for employees shall be provided.*
- *Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate*

carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.

- *Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.*
- *Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.*
- *Implement compressed workweek schedules.*
- *Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*

- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks;*
- *Use of SmartWay 1.25 rated trucks.*
- *Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.*
- *Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*

4.2.6.3B *The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of **Mitigation Measures 4.2.6.3A and 4.2.6.3**B, Project operational activities will exceed SCAQMD daily emissions thresholds for ROG, NO_x, CO, and PM_{10}. (DEIR Table 4.2.K) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.2-26 to 4.2.28) Additional mitigation measures were considered and determined to be infeasible based on the facts in the staff report and in the FEIR Response to Comments D-45 (FEIR, pgs. 71-76).

c. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts cumulative air quality impacts will remain significant and unavoidable.

Facts in Support of the Finding: Included in Section 4.2 of the DEIR, Table 4.2.K indicates that the long-term operation of the Project would contribute to long-term regional air pollutants despite implementation of mitigation measures. The Basin is in nonattainment for NO_X, PM_{10}, $PM_{2.5}$, and ozone at the present time; therefore, the operation of the Project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the Project would unavoidably contribute to significant long-term cumulative air quality impacts. (DEIR, pg. 4.2-29)

3. <u>Climate Change and Greenhouse Gas</u>

a. Cumulative Impacts of Climate Change and Greenhouse Gas

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have a cumulative impact related to climate change and greenhouse gas emissions.

Finding: Based on the entire record, this Council finds that the Project's impacts related to climate change and greenhouse gas emissions is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.2.6.3A, 4.3.6.1A, 4.3.6.1B, and 4.3.6.1C** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.6.1A *Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in*

building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- *Exterior windows in the office areas shall utilize window treatments for efficient energy conservation.*
- *Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.*
- *Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority.*
- *Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.*

4.3.6.1B *Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:*

- *Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.*
- *Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.*
- *Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.*
- *Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.*

- *Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:*
    - *Increase insulation such that heat transfer and thermal bridging is minimized.*
    - *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.*
    - *Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas.*
- *Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:*
    - *Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.*
    - *Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.*
- *Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.*
- *Install light-colored "cool" roof and cool pavements.*
- *Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.*
- *Install solar or light-emitting diodes (LEDs) for outdoor lighting.*

- *Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.*

4.3.6.1C *Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project:*

- *The project applicant shall use low Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment.*
- *Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.*
- *Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:*
- *Install drought tolerant plants for landscaping.*
- *Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.*
- *Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.*
- *Provide employee education about reducing waste and available recycling services.*

4.3.6.1D *The building roof shall be designed and constructed to accommodate future solar panels.*

4.3.6.1E *The project shall be designed and constructed to meet LEED Silver (as of July 12, 2012) or comparable design standards.*

Facts in Support of the Finding: According to Section 4.3 of the DEIR, the Project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, the Project's GHG emission contribution would result in a cumulative impact regarding climate change and greenhouse gas emissions and the cumulative impacts of the Project on climate change and greenhouse gas emissions are considered to be significant and unavoidable (DEIR, pgs. 4.3-21 - 4.3-27). Additional mitigation measures were considered and determined to be infeasible based on the facts in the staff report and the FEIR Response to Comments D-45 and E-51 (FEIR pgs 71-76 and 125-127). In addition carbon-offsets as mitigation was considered and determined to be infeasible because:

- California has not established any generally applicable standards for requiring offsets for GHG emissions; and

- Most cities and counties in California have not required offsets for GHG emissions on projects of the scale of the proposed project. Since this is a cumulative rather than a project level impact, mitigation for the cumulative level impact will be ineffective unless it is applied to all the cumulative projects.

Using such carbon offsets to mitigate for cumulative impacts is fraught with uncertainty. As the comment implies ("… offsets purchased are real…"), but there is considerable controversy regarding whether offsets that are available today will actually mitigate this cumulative effect.

First, it requires an accurate measure of the emissions to be offset and the offsets to be provided. That calculation turns out to be riddled with uncertainty on both ends. As noted above in the example cited by the commenter, this initial offset of $7 million for the Rodeo refinery was later reduced to $4.4 million due to revised calculations of GHG emissions. The UN's Intergovernmental Panel on Climate Change found a margin of error of 10% with measuring emissions from making cement or fertilizer; 60% with the oil, gas and coal industries; and 100% with some agricultural processes.

Second, the provision of offsets requires an accurate measure of the carbon saved elsewhere. Most of the earliest offset projects involved planting trees, which naturally ingest carbon, a complex and unpredictable process which forbids accurate measurement.

Finally, the very idea of offsetting relies on what is known as additionally - evidence that a carbon reduction would not have occurred in the natural order of commercial life. For example, one of the biggest UK companies that sells offsets, Climate Care, distributed 10,000 energy-efficient light bulbs in a South African township; offered the carbon reductions as offsets; and then discovered that an energy company was distributing the same kind of light bulbs free to masses of customers, including their township, so the reduction would have happened anyway.

To accurately calculate the amount of credit for each of the above actions, the offset program must make a number of critical assumptions:

- What is the baseline of emissions for the existing facilities that would be retrofitted to reduce their energy consumption? Would they ultimately be retrofitted in any case, thus limiting the actual resulting reduction in GHG emissions?

- Is the development of the alternative energy source actually dependent on the external funding provided by the offset? Or is the alternative energy developer simply achieving another subsidy?

- How much extra energy (and GHG emissions) is required to construct the alternative energy facility? What period of time should this be amortized over? For example, the development of the California High Speed Rail Project is estimated to reduce energy consumption in the long run. However, the extra energy involved with construction is estimated to have a 40 year payback.

As such, the actual amount of mitigation provided by an offset program can be speculative, based upon the actual performance of the program.

While the above cited issues with offsets are problematic, even if they are successful, they are based upon the assumption that a 1:1 reduction in emissions will actually result in the same reduction in global CO2 values. This static analysis fails to take into account the dynamic nature of energy consumption worldwide. When energy consumption (a proxy for GHG emissions) is reduced in one location, there are powerful economic reasons to assert that the same energy consumption (GHG emissions) will simply be shifted to another location.

There is a global marketplace for fossil fuel energy based upon a market between buyers and sellers. The sellers, those who own the sources and production of fossil fuel energy, have a powerful economic interest to keep and increase their income stream from the production of fossil fuels.

To the extent that the actions cited above as potential offset measures, in combination with other conservation measures, reduce the demand for fossil fuels in the countries where they are implemented, the owners of these fossil fuel supplies will still want to preserve and enhance their income as much as possible. And there is a large unmet need (unmet as defined by consumer actions) for increased energy consumption in developing countries. For example the average annual energy consumption of a citizen of China or sub-Saharan Africa, at 4.5 metric tons, is far less than that of the average US citizen, at 20 metric tons. To the extent that the US and other countries reduce energy consumption based upon energy efficiency measures, the owners of fossil fuel resources will seek to sell the same energy, perhaps at a lower price, to the less developed countries. If the energy is sold at a lower price, then more energy would need to be sold to generate the same income, and the resulting energy consumption and GHG emissions could actually increase.

There is uncertainty regarding the efficacy, reliability and legal standing of carbon off-sets at this time. For this reason, such mitigation is considered to be infeasible.

4. Transportation

a. Existing Plus Project and Cumulative Plus Project Freeway Segments and Freeway Merge/Diverge Areas

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would contribute to two freeway merge/diverge areas failing to maintain the level of service standard in the existing plus project condition. The EIR evaluated and concluded that the Project would contribute to four freeway segments and merge diverge areas failing to maintain the level of service standard in the year 2013 plus project condition.

Finding: Based on the entire record, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than

significant. Accordingly, Project-related impacts to freeway segments will remain significant and unavoidable.

Facts in Support of the Finding: As indicated in Section 4.5 of the DEIR, the following two freeway segments are projected to operate at unsatisfactory levels of service in the existing plus project analysis:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

The following four freeway segments and freeway merge/diverge areas are projected to operate at unsatisfactory levels of service in the cumulative year 2013 plus project analysis:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. and p.m. peak hours);
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour); and
- Freeway segment south of Harley Knox Boulevard (a.m. peak hour).

Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed. (DEIR, pgs. 4.5-18 4.5-28)

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed four alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. The No Project Alternative, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed yet the site would be developed in a similar manner to the Project and consistent with existing zoning for the

site. A Reduced Intensity Alternative, a Commercial Center (mixed retail/office) Alternative, and an Off-site Alternative were also selected for analysis. CEQA requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Specific Plan 208 zoning designation, consisting of an underlying land use of Business Park/Industrial. To allow for quantified comparison of potential impacts, the No Project Alternative was assumed to result in the development of approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. The commercial service component of this alternative would be located along the frontage of Perris Boulevard while the industrial warehouse uses would occupy the remaining portion of the site. (DEIR, pg. 6-12)

Impacts: The No Project Alternative, as referenced in Section 6.0 of the DEIR, would result in similar impacts when compared to the Project. Similar to the Project, the No Project Alternative would result in less than significant impacts in the following areas: Aesthetics; Williamson Act Contracts/Agricultural Zoning and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use; Mineral Resources; Noise; Population and Housing; Public Services; Recreation and Parks; and Utilities and Service Systems. The Project's significant and unavoidable agricultural impacts, air quality impacts, climate change and GHG impacts, and transportation impacts would also occur in the same manner as the proposed project. However, under the No Project Alternative, potential air quality, climate change, and traffic/transportation impacts would be greater than the proposed project because of the higher trip generation potential of the commercial uses.

Objectives: Under the No Project Alternative, the subject site would develop in a similar manner as the Project, and most of the Project Objectives would be achieved. However, the objectives specifically oriented towards warehouse and industrial uses would be met at a reduced level due to the commercial component included in this Alternative.

Finding: Under the No Project Alternative, the project site would be developed with approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres. This Alternative would result in the same significant and unavoidable impacts associated with agricultural resources, air quality, climate change and greenhouse gases, and traffic that have been identified within the DEIR. However, potential air quality, climate change, and traffic/transportation impacts would be greater than the proposed project because of the higher trip generation potential of the commercial uses. Because the No Project Alternative results in an increase in potential significant and unavoidable impacts in comparison to the Project, the City Council hereby rejects the No Project Alternative.

2. Alternative 2 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for air pollution and greenhouse gas emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent but at a reduced level. Implementation of the Reduced Intensity Alternative would yield approximately 1,212,100 square feet of development, a reduction of approximately 25 percent or approximately 434,033 square feet, when compared to the approximately 1,616,133 square-foot Project analyzed in the EIR.

Impacts: Under the Reduced Intensity Alternative, impacts related to agricultural resources would be similar to the Project as the same amount of land would be disturbed. Similarly, impacts related to short-term construction-related air quality would be similar to the Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the Project; however, long-term traffic impacts to state freeway segments and merge/diverge areas would remain significant and unavoidable. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the Project but would remain significant and unavoidable. Impacts associated with the generation of greenhouse gas emissions would also be reduced proportionate to the reduction in building area in comparison to the proposed project, but would remain significant and unavoidable.

Objectives: : The Reduced Intensity Alternative (environmentally superior alternative) will result in reduced air pollution and greenhouse gas (GHG) emissions but the significance of these impacts remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project. The significant and unavoidable project impacts associated with GHG emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. The significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold). The Reduced Intensity Alternative would, to some degree, realize the Project Objectives as follows:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;

- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

However, because the scale of the development would be diminished under the Reduced Density Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project.

The applicant is selling the property at a price that reflects the current market value for similar industrial-zoned properties in this region. The value of warehouse/industrial property is typically based on an assumed minimum building coverage (FAR) of 50%. The subject project FAR (51.5%) supports the seller's price for the land while meeting the minimum return on investment required to finance the development. The economic viability of the reduced density alternate has been studied which assumes a 25% reduction in FAR or approximately 404,033 square feet. This would result in a 38.6% FAR for the Reduced Density Alternative. The financial analysis for the reduced density project demonstrates that the project is not economically feasible. The estimated net proceeds after costs drop 73% when compared with the original project. Further, the Internal Rate of Return (IRR), commonly used as a metric to finance the real estate, plunges by nearly 60% for the less-dense alternative. This financial analysis demonstrates that the reduced density project alternative is not economically viable when industry standard development costs and minimum thresholds for financing are analyzed.

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 25 percent (or 434,033 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or

substantially reduce the significant and unavoidable agricultural resources impacts, construction and operational air quality impacts, and cumulative greenhouse gas impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as fully as the Project. The Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

3. Alternative 3—Commercial Center (Mixed Commercial/Office)

Description: As identified in Section 6.0 of the DEIR, the Commercial Center Alternative would result in the development of commercial service and office uses on the Project site, although business and professional offices, financial institutions, and medical clinics are permitted in SP 208.

208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP 208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.

Impacts: As identified in Section 6.0 of the DEIR, the Commercial Center Alternative would result in similar impacts for the following eight environmental issues: Agriculture and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; and Mineral Resources. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the Project. Long-term traffic impacts to state freeway mainline segments and merge/diverge areas would remain significant

and unavoidable. Under the Commercial Center Alternative, impacts related to short-term construction emissions would be similar to the Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude because of the increase in vehicle trips when compared to the Project and would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the Project and would remain less than significant.

Objectives: Under this alternative, some of the Project objectives are not met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley, but not within the industrial employment sector.

Findings: Under the Commercial Center Alternative, development of commercial service and office uses would occur. This Alternative would have similar impacts that have been identified within the DEIR. However, the Commercial Center Alternative would result in an increase in trip generation in comparison to the Project, and would result in an increase in the severity of the significant and unavoidable impacts to construction and operational air pollution emissions, climate change and greenhouse gas emission, and traffic. The City Council finds that the Commercial Center Alternative would fulfill some but not all of the Project Objectives. Moreno Valley residents would have more opportunities for employment but a warehouse would not be built. Because the Commercial Center Alternative will not fulfill the primary objective of the Project and the severity of significant and unavoidable impacts would be increased in comparison to the Project, the Council hereby rejects the Commercial Center Alternative.

4. Alternative 4—Off-Site Location

Description: As identified in Section 6.0 of the DEIR, this alternative would result in the same intensity of development of approximately 1,616,133 square feet of warehouse uses on approximately 70.3 acres. The alternative Project site identified by the City is bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.0 miles northwest of the Project site and is within the same Industrial Area Specific Plan as the Project. This alternative off-site property is not owned or under the control of the applicant. The off-site location is currently zoned SP 208 I and is designated

Business Park in the City's General Plan, identical to the Project development of this site would not require soil import, inherently reducing impacts form air pollution emissions during construction.

Impacts: Section 6.0 of the DEIR, identifies nine environmental issues that would have similar impacts as the Project. These issues are: Cultural Resources; Geology and Soils; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Population and Housing; Public Services; Recreation; and Utilities and Service Systems. With the Off-Site Location Alternative, impacts related to air quality and traffic impacts would be similar to those identified with the Project. Short-term construction and long-term air quality operational and climate change/greenhouse gas emissions impacts under this alternative would remain significant and unavoidable and would result in similar conditions as identified for the Project. Additionally, due to adjacent sensitive receptors, potential impacts to these receptors would be greater in magnitude when compared to the Project. Similarly, noise impacts would be greater in magnitude due to the adjacent sensitive receptors. Operational traffic would result in increased traffic on vanity roadways and may impact different intersection and roadways in comparison to the Project. Under this Alternative, impacts to agricultural resources would be eliminated.

Objectives: The Off-Site Alternative would meet most of the Project objectives. The location of the Off-Site Alternative further north of Harley Knox Boulevard would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system.

Finding: Under the Off-Site Alternative, development of the warehouse would occur in a different location. This Alternative would have similar impacts that have been identified within the DEIR. And most of the objectives of the Project would be met, would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system. The Council finds that the Off-Site Alternative would have similar impacts to all environmental issues except for agriculture because this Alternative would eliminate the significant and unavoidable impacts to agricultural resources. Because the Off-Site Alternative will not substantially reduce the environmental impact of the Project and it would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system, the Council hereby rejects the Off-Site Alternative.

5. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 6-3 through 6-5) Three possible alternatives were considered and rejected because they could not accomplish the basic objectives of the Project or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated project objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the Project is to provide for and expand employment and revenue opportunities within the City of Moreno Valley. The Project would expand employment options in a location that is convenient to existing transportation corridors, convenient to existing and future City residents and would augment the City's economic base. The following provides and discussion of the three development scenarios that were considered and rejected as potential alternatives to implementation of the Project based on Section 15126.6 of the *CEQA Guidelines* because they did not feasibly attaining most of the basic objectives of the Project while reducing or avoiding any of the significant effects of the Project:

- No Build Alternative: No development would take place within the Project limits and no impacts would occur. However, disallowing development of the site, as suggested by this alternative, would not fulfill the primary objectives of the Project and the site would likely be developed in accordance with existing zoning should the Project not move forward. Retention of the project site in its current condition would not expand employment opportunities to residents of the City. Retaining the site in its current undeveloped condition would not generate the revenue (e.g., property tax) that could augment the City's current revenue stream. Therefore, the No Build Alternative was rejected from further consideration in the EIR.

- Residential Alternative: The Residential Alternative would develop the 71-acre project site with approximately 355 single-family units based on the City's R5 zone. The R5 zone was utilized as this is the zoning designation of the nearest residential uses to the north along Perris Boulevard and north of the Perris Valley Storm Drain channel. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and Industrial Area Plan (SP208 I) zoning designation to a residential R5 designation. Furthermore, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. Since the Residential Alternative consists only of residential uses, employment-generating opportunities would not

occur aside from temporary construction work, which would be filled predominantly by those already residing in the area. The residential uses would produce demand for public services that would exceed the amount of municipal revenues it would generate. The project's full potential to utilize the area's close proximity to various freeways and transportation corridors would not be realized as only residential uses would occur under the Residential Alternative. Additionally, the development of the entire 71-acre project site under this alternative would result in the placement of the residential uses within an area planned for industrial uses which could result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City employment generating objectives for development of the Project site.

- Mixed Commercial/Residential Alternative: The Mixed Commercial/Residential Alternative would develop the 71-acre project site with approximately 690,000 square feet of Community Commercial uses and 532 multiple-family units. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and SP208 I zoning designation to a residential designation and commercial designation. Additionally, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. While the commercial component of this Alternative would utilize the project site's close proximity to nearby transportation corridors, the development of the remainder of the site with residential uses would not provide the varied employment and service uses and revenue associated with the proposed project. The development of approximately half of the project site under this alternative with residential uses would result in the placement of the residential uses adjacent to SP208 I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. The residential component of this alternative would produce demand for public services that would exceed the amount of municipal revenues it would generate, and there would be little to no employment opportunities created. Therefore, the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected

because it would result in greater impacts and would not satisfy the basic City employment generating objectives for development of the project site.

6. Environmentally Superior Alternative

As explained by Section 6.0 in the DEIR, Alternative 2 (Reduced Intensity Alternative) reduces the severity of Project related air quality impacts. However, long-term air quality impacts would remain significant after mitigation for this alternative for ROG, NO_x, PM_{10} and $PM_{2.5}$. In a similar manner, Alternative 2 would reduce the volume of daily traffic trips when compared to the Project; however, such impacts to state freeway mainline segments and merge/diverge areas would remain significant and unavoidable until freeway improvements are completed by the state. Alternative 2 would also reduce the quantity of greenhouse gas emission when compared to the Project; however, impacts to Climate Change would remain significant and unavoidable. Although the environmentally superior alternative (reduced density) would result in reduced air pollution and greenhouse gas (GHG) emissions and traffic generation, the significance of these impacts would remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project. The significant and unavoidable project impacts associated with GHG emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. The significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold), which is clearly an unreasonable alternative that would be unable to meet most of the project objectives and this Council therefore rejects. The remaining environmental issues would ultimately be similar to the Project through adherence to existing standards and mitigation measures. Based on the analysis in Section 6.0 and the summary contained in Table 6.K, Alternative 2, the Reduced Intensity Alternative, is the environmentally superior alternative. The amount of development under this alternative would be reduced when compared to the Project; however, the Alternative 2 would not satisfy several of the Project objectives because it would reduce the level at which it meets the employment generating Project objectives. Because the Reduced Intensity Alternative allows the development of warehouse uses and the provision of new employment opportunities, it meets many of the City's stated Project objectives, while at the same time reduces the impacts associated with the Project. However, because of the lower industrial density, the Alternative fails to meet several key employment generating objectives related to density efficiencies in the same manner as the Project. These objectives include: "Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels" and "Cluster industrial warehouse uses near efficient access points to the state

highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources reduces impacts to air quality, global climate change, and traffic." This is due to the fact that the reduced intensity alternative would develop only a portion of the project site resulting in an inefficient development density and resulting in negative effects such as sprawl in conflict with these objectives.

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

Section 5.0 of the DEIR identifies the extent to which the new jobs created by a Project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. Construction of the Project will create short-term construction jobs. Due to the existing high unemployment levels that exist in the City, the potential exists for these short-term positions to be filled by workers who, for the most part, reside in the City or neighboring communities to the Project area. Therefore, construction of the Project will not generate a permanent increase in population within the Project area.

As previously identified, the Project is expected to employ approximately 646 people. These full-time positions are also anticipated to be filled by workers who, for the most part, reside in the Project area due to high unemployment levels that exist in the City. Operations of the Project will not generate a permanent increase in population within the Project area.

The area surrounding the Project site is governed by the City of Moreno Valley General Plan and the area is guided by Specific Plan 208. Specific Plan 208 guides land use within the Project area to ensure that new development and redevelopment is implemented consistent with the land use policies, controls, and standards contained in Specific Plan 208. Any development of remaining undeveloped land adjacent to the Project site would require its own discretionary approvals and is not reliant on the Project. However, development of the Project site may lead to indirect growth in the Specific Plan area by making available the extension of infrastructure such as water, sewer, drainage, etc. This growth has been planned for and is guided by Specific Plan 208.

The Project would occur within an area currently designated for industrial uses. The Project would not require a General Plan Amendment nor does it require a change in the underlying zoning designation. In addition, the Project reflects the City of Moreno Valley's vision for the area and is consistent with Specific Plan 208. Land uses surrounding the Project site would be in conformance with the City's General Plan and Specific Plan 208. Impacts to population and housing are less than significant; see Section 13 Population and Housing of the Initial Study (Appendix A of the DEIR).

The Project would not eliminate a constraint for development of an approved Project within the City of Moreno Valley. There are no projects in the City of Moreno Valley or surrounding cities that have been approved but are conditioned or dependent on additional improvements at the Project site. Specific Plan 208 guides land uses surrounding the Project site to ensure compatibility between existing operations and adjacent surrounding development. Additionally, the Project would not add capacity to urban services or infrastructure that would be utilized by other project proponents in the surrounding area.

The Project would not result in any significant pressure to redevelop the area around the Project site at a higher density. As previously stated, the development of remaining undeveloped land adjacent to the Project site is independent and not reliant on the Project. Therefore, implementation of the Project would not result in redevelopment of adjacent lands at a higher intensity than already prescribed in the City of Moreno Valley's General Plan and Specific Plan 208.

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

California Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project does not trigger any of the conditions cited in Guidelines §15127. Nonetheless, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or
- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Determining whether the proposed project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The project site is generally fallow agricultural land with the site historically used for sod farming operations. However, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the proposed project would permanently alter the site by converting predominantly agricultural uses to urban uses. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the proposed project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is justified in supporting the City's planned use of the site and is not expected to negatively impact the availability of these resources.

In addition, this industrial warehouse project, in concert with the other built or approved industrial warehouse projects, will fundamentally change the character and land use pattern of this portion of the City. Many of the project-specific impacts are addressed, as outlined above, but the change in the use of the land from agricultural to industrial represents a substantial irreversible change for this area. However, this is an intended change a verified by the City's General Plan land use designations and zoning for the area. (DEIR pgs. 5-2 and 5-3)

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Agricultural Impacts - Conversion of State Designated Farmland;
2. Agricultural Impacts - Conversion to a Non-Agricultural Use;
3. Cumulative Agricultural Impacts
4. Air Quality Impact - Construction Air Pollutant Emissions;
5. Air Quality Impact - Operational Air Pollutant Emissions;
6. Cumulative Air Pollutant Emissions;
7. Cumulative GHG Emissions;
8. Transportation - Existing Year (2007) with Project Level of Service; and
9. Transportation - Cumulative Impacts to State Freeway Segments and Freeway Merge/Diverge Areas

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the Project against any significant and unavoidable environmental impacts in determining whether to approve the Project. If the benefits of the Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(C) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they are not capable of being accomplished in a successful manner within a reasonable time period, taking into account economic, environmental, legal, social, and technological factors.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives or the other alternatives do not substantively reduce the severity of unavoidable and significant impacts.

The City Council has determined that steps to preserve agricultural land are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly. All of these factors result in an inability to make farming profitable.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with SP 208, municipal standards, codes and policies;

- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- Based on the square footage of the Project an estimated 646 jobs would be created for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the Project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of

the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies, amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. Findings

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(C) of these Findings: Agricultural Impacts—Conversion of State Designated Farmland; Agricultural Impacts—Conversion to a Non-Agricultural Use; Cumulative Agricultural Impacts; Air Quality Impact—Construction Air Pollutant Emissions; Air Quality Impact—Operational Air Pollutant Emissions; Cumulative Air Pollutant Emissions; Cumulative Climate Change and GHG Emissions; Transportation—Existing Year (2007) with Project Level of Service; and Transportation—Existing and Cumulative Impacts to State Freeway Segments and Freeway Merge/Diverge Areas.

The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the Project have been identified in the EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(C) above.

b. Other reasonable alternatives to the Project that could feasibly achieve the basic objectives of the Project have been considered and rejected in favor of the Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the Project override and make infeasible any alternatives to the Project or further mitigation measures beyond those incorporated into the Project.

VII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *California Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the Mitigation Monitoring and Reporting Plan (MMRP) set forth in Section 4.0 of the FEIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

VIP Moreno Valley Project

The program has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2011081084) prepared for the project by the City of Moreno Valley.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the Initial Study and the Final EIR.

MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: VIP Moreno Valley Project **Applicant:** Vogel Engineers, Inc.

Date: September 2012

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
AIR QUALITY						
4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.						
4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During grading	Review of construction documents and on-site inspection		Issuance of a Stop Work Order
4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
construction areas (previously graded areas inactive for ten days or more).	Planning Division					
4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction	City of Moreno Valley Engineering and Building and Safety	Prior to Grading and during grading operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible;	Planning Division					

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical; including providing information on available park and ride programs; • Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
electric or natural gas powered. • Suspend use of all construction equipment operations during second stage smog alerts.						
4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues within 2 days.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1M All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1N When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1O All streets shall be swept at least once a day using SCAQMD Rule	City of Moreno Valley Engineering	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	and Building and Safety					
4.2.6.1P Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1R All roadways, driveways, sidewalks, etc., shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1T Reroute construction trucks away from congested streets and	City of Moreno Valley Engineering and Building and	Prior to Grading and during grading and	Prior to Issuance of Grading Permit	Review of construction documents and on-		Withhold Grading Permit or Issuance of a

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
sensitive receptor areas.	Safety and Planning Division	construction operations.		site inspection		Stop Work Order
4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of the following design features may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space	City of Moreno Valley Building and Safety Planning Division	Prior to Construction (once)	Prior to Issuance of Building Permits	Review of building plans and on-site inspection		Withhold Building Permits

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
heating and cooling equipment. • Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed. • To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site. • Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings. • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • Reduce energy demand associated with potable water conveyance using the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements. • Provide on-site showers (one for males and one for females). Provide lockers for employees. • Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
vanpools on the project site plan. • Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans. • Implement compressed workweek schedules; • Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. • Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; • Provision of preferential parking for EV and CNG vehicles; • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; • Use of electric (instead of diesel or gasoline-powered) yard trucks; • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.						
4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard,	City of Moreno Valley Building and Safety	Prior to Construction (once)	Prior to Issuance of Building Permits and Final Site Plan Approval	Review of final site plan and building plans and on-site inspection		Withhold Building Permits

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.						
BIOLOGICAL RESOURCES						
Mitigation Measure BIO-1: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.	City of Moreno Valley Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Submittal of Evidence that the pre-construction survey has been completed.		Withhold Grading Permit
Mitigation Measure BIO-2: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Submittal of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Submittal of a report of the survey findings.		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.						
Mitigation Measures BIO-3. If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit			Withhold Grading Permit
Mitigation Measure BIO-4: If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that the passive relocation plan has been approved by CDFG and USFWS.		Withhold Grading Permit
CULTURAL RESOURCES						
Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface	City of Moreno Valley Planning Division	Prior to grading and on-going during ground	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified		Withhold Grading Permit/ Issuance of a Stop Work

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a		disturbing activities.		paleontologist has been retained, and that the paleontologist(s) will be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. A report of findings shall be submitted to the City after the finalization of construction.		Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources						
GEOLOGY AND SOILS						
Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	• Review of construction documents and on-	•	• Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent	Engineering			site inspection		

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.						
Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California,	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of grading and construction documents and on-site inspection		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.						
GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE						
4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents and on-site inspection		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.						
4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project: • Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents/building plans and on-site inspection		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance

• Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
• Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
  ○ Increase insulation such that heat transfer and thermal bridging is minimized.
  ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
  ○ Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas.
• Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
architect who will consider the following: ○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
maintenance equipment.						
4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project: • The project applicant shall use low Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: • Install drought tolerant plants for landscaping. • Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. • Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation	City of Moreno Valley Building and Safety Planning Division	Prior to building permit and occupancy	Prior to issuance of occupancy permit	Review of construction documents and on-site inspection		Withhold Occupancy Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.						
4.3.6.1D The building roof structure shall be designed and constructed to accommodate future solar panels.	City of Moreno Valley Building and Safety Planning Division	Prior to building permit issuance	Prior to issuance of building permit	Review of construction documents		Withhold Building Permits
4.3.6.1E The project shall be designed and constructed to meet LEED Silver (as of July 12, 2012) or comparable design standards.	City of Moreno Valley Building and Safety Planning Division	Prior to building permit	Prior to issuance of building permit	The developer shall submit to the City proof from a LEED specialist that the building and project design meets the LEED Silver design standards prior to City approval of the building and landscape plans.		Withhold Building Permits
HYDROLOGY AND WATER QUALITY						
Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Submittal of copy of Notice of Intent to City filed with the RWQCB		Withhold Grading Permits

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.						
Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: • Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP. • Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Review and approval of SWPPP		Withhold Grading Permits

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
drainage ways and must be contained, elevated, and placed in temporary storage containment areas. • All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences. • The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance. • Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. • The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.						
Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction	City of Moreno Engineering	During grading and construction	Prior to Grading	Review of construction documents and on-site inspection		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.						
Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permit	Submittal of WQMP to City for review and approval		Withhold Grading Permit
Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permits	Submittal of evidence that all requirements are fulfilled		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
on the City's existing drainage requirements.						
NOISE						
4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit
4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.4.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high	City of Moreno Valley Building and Safety	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	Engineering Planning Division					
TRANSPORTATION						
4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	City of Moreno Valley Building and Safety Engineering Planning Division	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of City DIF fees		Withhold Certificate of Occupancy
4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of Riverside County TUMF fees		Withhold Certificate of Occupancy

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
timeframe established by the County of Riverside TUMF Program.						
4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	City of Moreno Valley Engineering	Once after construction	Prior to the Issuance of Occupancy Permits	Review of construction documents and on-site inspection		Withhold Occupancy Permits

ATTACHMENT 3

RESOLUTION NO. 2012-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA09-0004 FOR DEVELOPMENT OF A 1,616,133 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 80 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026 AND PA09-0012 (TENTATIVE PARECEL MAP NO. 36162) TO COMBINE FOUR PARCELS INTO A SINGLE PARCEL.

Section 1:

WHEREAS, Vogel Engineers, Inc., has filed an application for the approval of PA09-0004, a plot plan for a 1,616,133 square foot warehouse distribution facility on 80 acres, as described in the title of this Resolution.

WHEREAS, on September 25, 2012, the City Council held a public hearing to consider the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on September 25, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.
FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities. Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and do not conflict with the goals, objectives, policies, and programs established within the Plan.

2. Conformance with Zoning Regulations – The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is currently zoned Industrial. The proposed use will comply with all applicable zoning regulations and the requirements of the Moreno Valley Industrial Area Plan (SP #208). The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed 1,616,133 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Location, Design and Operation – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project is located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

   Land uses to the north include a Waste Management facility and a 426,700 square foot warehouse building. Land uses to the west include the 360,440 square foot i-Herb warehouse building,

approximately 20 acres of vacant Industrial zoned land and a site currently used for container storage. Further to the west is the southern approach to the runways at March Air Reserve Base. Land uses to the east include a ministorage facility, the approximately 255,000 square foot Masonite Door factory, and the approximate 1.2 million square foot Ross Dress For Less distribution facility.

The project site is located at the southerly City limits with a mixture of vacant Industrial zoned land and developed distribution land uses within the City of Perris on the south side of the Perris Valley Storm Drain.

The proposed warehouse distribution facility is a permitted use in the project site's Industrial zone. As designed and conditioned the project is compatible with existing and proposed land uses in the vicinity.

Section 2:

WHEREAS, the applicant, Vogel Engineers, Inc., has filed an application for the approval of PA09-0012 or Tentative Parcel Map No. 36162 to combine the existing four parcels located within the project site into a single 80 acre.

WHEREAS, on September 25, 2012, the City Council of the City of Moreno Valley held a public hearing to consider the subject applications and the environmental documentation prepared for the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on September 25, 2012, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing four parcels located within the project site into a single 80 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located in the Moreno Valley Industrial Area Plan (SP 208), south side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary. Land uses to the north include a Waste Management facility and a 426,700 square foot warehouse building. Land uses to the west include the 360,440 square foot i-Herb warehouse building, approximately 20 acres of vacant Industrial zoned land and a site currently used for container storage. Further to the west is the southern approach to the runways at March Air Reserve Base. Land uses to the east include a ministorage facility, the approximately 255,000 square foot Masonite Door factory, and the approximate 1.2 million square foot Ross Dress For Less distribution facility.

The project site is located at the southerly City limits with a mixture of vacant Industrial zoned land and developed distribution land uses within the City of Perris on the south side of the Perris Valley Storm Drain.

Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Perris Boulevard, Indian Street and Grove View Road. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

   FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

    FACT: The project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

Section 3:

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

   Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu

Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0004 and PA09-0012, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2012-78

1. APPROVING PA09-0004 (Plot Plan), subject to the attached conditions of approval included as Exhibit A; and

2. APPROVING PA09-0012 (Tentative Parcel Map No. 36162), subject to the attached conditions of approval included as Exhibit B.

APPROVED AND ADOPTED this 25th day of September, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2012-78
Date Adopted: September 25, 2012

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-78 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

Resolution No. 2012-78
Date Adopted: September 25, 2012

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MV00179265

CITY OF MORENO VALLEY EXHIBIT A
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA09-0004 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 316-210-071, -073, -075 and -076

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA09-0004 is subject to certification of an Environmental Impact Report by the City of Moreno Valley.

P2. Plot Plan PA09-0004 has been approved for development of a 1,616,133 square foot warehouse distribution facility, to be built on a 80 acre site within Assessor's Parcel Numbers 316-210-071, -073, -075 and -076. The facility includes 268 dock doors and 44,000 square feet of office. Required parking for this use equates to a total of 589 employee/visitor parking spaces and 368 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36162 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation | GP - Grading Permits | CO - Certificate of Occupancy or building final
WP - Water Improvement Plans | BP - Building Permits | P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan | MC - Municipal Code | CEQA - California Environmental Quality Act
Ord - Ordinance | DG - Design Guidelines | Ldscp - Landscape Development Guidelines and Specs
Res - Resolution | UFC - Uniform Fire Code | UBC - Uniform Building Code
SBM - Subdivision M

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Perris Boulevard, Indian Street and Grove View Road.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA09-0004 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to

the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall

be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P26. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P27. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P28. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P29. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative treatment for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P30. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P31. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and

approval.

P32. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by a POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

P33. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:

- **A. A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C. A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Perris Boulevard, Indian Street and Grove View Road.**
- **D. An 8 foot tall chain link fence with slats is required along the southern property line along the Riverside County Flood Control maintenance road.**

<u>Prior to Issuance of Building Permits</u>

P34. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P35. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash

including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P36. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P37. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P38. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.

H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. **Street trees planted at 40 feet on center spacing shall be provided along the site's Perris Boulevard, Indian Street and Grove View Road frontages.**

J. **Along property boundaries visible from the public view and accessible to the general public, trees shall be planted at a rate of one tree per 30 linear feet of the interior property line. Tree clusters may satisfy this requirement.**

K. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits, a final map for Tentative Parcel Map No. 36162 (PA09-0012) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the public rights of way.

MITIGATION MEASURES

Air Quality

P54. 4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P55. 4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P56. 4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P57. 4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

P58. 4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three

times a day, preferably in the mid-morning, afternoon, and after work is done for the day.

P59. **4.2.6.1F** The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

P60. **4.2.6.1G** Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).

P61. **4.2.6.1H** The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P62. **4.2.6.1I** The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P63. **4.2.6.1J** If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

P64. **4.2.6.1K** Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;

- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips;
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
- Suspend use of all construction equipment operations during second stage smog alerts.

P65. **4.2.6.1L** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P66. **4.2.6.1M** All project entrances shall be posted with signs which state:

- Truck drivers shall turn off engines when not in use;
- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and
- Telephone numbers of the building facilities manager and CARB, to report violations.

P67. **4.2.6.1N** When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

P68. **4.2.6.1O** All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.

P69. **4.2.6.1P** Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

P70. **4.2.6.1Q.** Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.

P71. **4.2.6.1R** All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

P72. **4.2.6.1S** Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.

P73. **4.2.6.1T** Reroute construction trucks away from congested streets and sensitive receptor areas.

P74. **4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of the following design features, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.

- Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed.
- To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site.
- Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings.
- Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.
- Reduce energy demand associated with potable water conveyance using the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
- Provide on-site showers (one for males and one for females). Provide lockers for employees.
- Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.
- Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.
- Implement compressed workweek schedules;
- Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers

until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.

- Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.
- Use of fleet vehicles conforming to 2010 air quality standards or better.
- Installation of catalytic converters on gasoline-powered equipment.
- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;
- Provision of preferential parking for EV and CNG vehicles;
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;
- Use of electric (instead of diesel or gasoline-powered) yard trucks;
- Use of SmartWay 1.25 rated trucks.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.
- Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.

P75. **4.2.6.3B** The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.

Biological Resources

P76. **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.

P77. **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.

P78. **Mitigation Measures BIO-3.** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.

P79. **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.

Cultural Resources

P80. **Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are

determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.

- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.
- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources

Geology and Soils

P81. Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.

P82. **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Greenhouse Gases and Global Climate Change

P83. **4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows in the office areas shall utilize window treatments for efficient energy conservation.
- Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.
- Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority.
- Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.

P84. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
  - Increase insulation such that heat transfer and thermal bridging is minimized.
  - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
  - Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:
  - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.
  - Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.
- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

P85. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project:

- The project applicant shall use low Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment.
- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.
- Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
- Install drought tolerant plants for landscaping.
- Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.
- Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.
- Provide employee education about reducing waste and available recycling services.

***P86.** **4.3.6.1D** The building roof shall be designed and constructed to accommodate future solar panels.

***P87.** **4.3.6.1E** The project shall be designed and constructed to meet LEED Silver (as of July 12, 2012) or comparable design standards.

***Mitigation Measures added by the Planning Commission at the July 12, 2012 public hearing.**

Hydrology and Water Quality

P88. **Mitigation Measure HYD-01:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.

P89. **Mitigation Measure HYD-02:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site.

BMPs to be implemented in the SWPPP may include but shall not be limited to the following:

Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.

Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.

All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.

The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.

Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.

The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

P90. **Mitigation Measure HYD-03:** Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.

P91. **Mitigation Measure HYD-04:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.

P92. **Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.

Noise

P93. **4.4.6.1A** During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

P94. **4.4.6.1B** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.

P95. **4.4.6.1C** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.

P96. **4.9.6.1D** During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

Transportation

P97. **4.5.6.1A.** Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.

P98. **4.5.6.1B.** Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe

established by the County of Riverside TUMF Program.

P99. **4.5.6.2A.** Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.

Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailbo

FIRE PREVENTION BUREAU

1. **Please complete and return attached fire flow letter.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F18. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F19. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other

plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F21. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F22. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F23. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F24. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F25. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F26. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F27. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the

HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F28. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F29. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F30. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F31. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F32. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed

as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F33. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F34. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F35. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date:	02/24/2009	**Address:**	
Case Number:	PA09-0004	**A.P.N.:**	316-210-071, 073, 075, 076

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 4000 G.P.M. for duration of 4-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/ Developer: _____

By: _____ **Date:** _____

Title: _____

WATER AGENCY APPROVAL

Name of Agency: _____

Address: _____

Telephone: _____ **Date:** _____

By: _____ **Title:** _____

NOTE: **THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.**

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD3. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD8. (G) Prior to occupancy, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Indian Street** improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD9. (G) Prior to occupancy, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Perris Boulevard** improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on

mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD11. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD12. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD13. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD14. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality

Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD21. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of

approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD29. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD30. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD31. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD32. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD33. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

LD34. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry

sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD35. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD36. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD37. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD38. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD39. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD40. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD41. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD42. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD43. (BP) Prior to issuance of a building permit, if the project involves a non-residential subdivision, the map shall be recorded.

LD44. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD45. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD46. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD47. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD48. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
   i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
   ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains,

landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD53. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

LD54. Prior to parcel map approval, the map shall show the following:

a. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on Perris Boulevard, Indian Street, and Grove View Road.

b. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along Perris Boulevard and Indian Street.

c. The appropriate additional right-of-way required for a bus turn-out on Perris Boulevard as depicted on the approved project plans and as conditioned by the City's Transportation Department.

d. Corner cutback right-of-way dedications per City Standard 208 at the southeast corner of Indian Street and Grove View Road and the southwest corner of Perris Boulevard and Grove View Road.

LD55. Prior to parcel map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Perris Boulevard, Divided Arterial, City Standard 103C (110-foot RW / 86-foot CC) shall be constructed to half-width plus an additional 18 feet east of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Indian Street, Minor Arterial, Modified City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 18 feet west of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. Grove View Road, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet north of the centerline, along the entire project's north frontage. Additional right-of-way dedications at driveway approaches along the project's north property line, shall be shown on the parcel map.. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite, streetlights, pedestrian ramps, dry and wet utilities.

d. Driveway approaches shall be constructed per City Standard No. 118C or as modified as shown on the project plans. The parcel map shall show an additional 4-foot minimum right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Certain project entrance(s) may be required to be constructed as a public street intersection.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement

improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD56. Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show all driveway approaches to be constructed per City Standard Plan 118C modified, as accepted by the City. There shall be 4-foot minimum wide pedestrian sidewalk area at 2% maximum behind the conventional right-of-way. A minimum 4-foot pedestrian right-of-way dedication shall be made on the final parcel map PM 35672.

LD57. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD58. Prior to precise grading plan approval, the grading plan shall show that the lowest finished floor elevation is a minimum of one foot above the base flood elevation.

LD59. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD60. Prior to occupancy, the developer shall obtain an encroachment permit from Riverside County Flood Control & Water Conservation District in order to connect proposed onsite storm drain to the Perris Valley Channel Lateral B.

LD61. Prior to occupancy, the developer shall make a good faith effort to cause Riverside County Flood Control & Water Conservation District to dedicate additional public street right-of-way on Indian Street and Perris Boulevard along their property frontage between the project's south property line and the bridges.

LD62. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code.

LD63. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD64. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site.

LD65. The Applicant has proposed to incorporate the use of vegetated swales, hydrodynamic separators, and sand filters. Final design details of the treatment control BMPs must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD66. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD67. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA09-0004**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD5. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify

Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD6. (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Perris Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or

b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD7. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD8. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD9. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works

Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD10. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD11. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD12. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Perris Boulevard is classified as a Divided Arterial (110'RW/86'CC) per City Standard Plan No. 103C. The sidewalk shall be curb-separated. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE3. Indian Street is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Grove View Road is designated as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE5. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE11 as well as Indian Street for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE6. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE7. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE9. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design Perris Boulevard to include a bus bay per City Standard Plan No. 121 in the southbound direction, south of Grove View Road. The bus bay may be designed to serve as a combination right turn lane/bus bay to the satisfaction of the City Engineer.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection/traffic signal at Perris Boulevard and the South Project Driveway to provide the following (at a minimum):

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

NOTE: The curb return radii on the northwest/southwest corners shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design and modify the intersection of Perris Boulevard at Grove View Road to include a 200' northbound left turn lane with raised median. This modification may include relocation of the traffic detector loops and other traffic signal modifications.

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersections:

- **Perris Boulevard at South Project Driveway (signal modifications).**
- **Perris Boulevard at Grove View Road (signal modifications).**

TE14. (BP) Prior to issuance of a building permit, the project applicant shall make a fair-share contribution in the amount of $45,150 to the City of Moreno Valley for the construction of a traffic signal at Perris Boulevard and Suburban Lane. As this traffic signal is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance shall be provided with the following, or as approved by the City Traffic Engineer:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic.
b) Appropriate signing and striping.

All of these features must be kept in working order.

TE17. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal modifications identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE18. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE10, TE11, and TE12 per the approved plans.

TE19. (CO) Prior to the issuance of a certificate of occupancy for the project, driveway access at the following locations will be installed as follows:

- **North Perris Boulevard Driveway: Right-in, right-out access by means of a raised median.**
- **South Perris Boulevard Driveway: Full access by means of a traffic signal.**
- **Grove View Road Driveways: Full access.**
- **Indian Street Driveways: Full access.**

NOTE: All truck driveways shall have curb return radii of 50 feet.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE20. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA09-0004 & PA09-0012; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This Project is **subject** to a Reimbursement Agreement. The Project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the Project. The developer shall be responsible to pay to the City of Moreno Valley the sum of **$423,150.00** for this electrical distribution infrastructure prior to the issuance of building permits.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

EXHIBIT B

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0012
TENTATIVE PARCEL MAP NO. 36162
ASSESSOR'S PARCEL NUMBERS: 316-210-071, -073, -075 and -076

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36162 is approved for the purposes of re-configuring the existing four parcels located within the project site and creating a single 80 acre parcel.

P2. Development within Tentative Parcel Map No. 36162 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This project shall comply with the project mitigation measures listed in the conditions of approval for PA09-0004 and the mitigation monitoring program for the VIP Moreno Valley Project.

P4. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation | GP - Grading Permits | CO - Certificate of Occupancy or building final
WP - Water Improvement Plans | BP - Building Permits | P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan | MC - Municipal Code | CEQA - California Environmental Quality Act
Ord - Ordinance | DG - Design Guidelines | Ldscp - Landscape Development Guidelines and Specs
Res - Resolution | UFC - Uniform Fire Code | UBC - Uniform Building Code
SBM - Subdivision M

P5. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P6. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P7. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P8. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P10. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P11. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P12. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. This shall include slopes associated with swales and basins. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P13. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P14. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative treatments for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P15. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P16. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl pre-construction survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P17. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING:

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

1. **Please complete and return attached fire flow letter.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F18. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be

electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F19. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F21. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F22. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F23. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F24. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F25. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be

accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F26. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F27. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F28. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F29. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall

remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F30. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F31. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F32. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F33. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F34. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F35. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date: 02/24/2009 **Address:**

Case Number: PA09-0004 **A.P.N.:** 316-210-071, 073, 075, 076

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 4000 G.P.M. for duration of 4-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/ Developer:

By: **Date:**

Title:

WATER AGENCY APPROVAL

Name of Agency:

Address:

Telephone: **Date:**

By: **Title:**

NOTE: **THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.**

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD3. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.
(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD8. (G) Prior to occupancy, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Indian Street** improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD9. (G) Prior to occupancy, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable **Perris Boulevard** improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the

TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD11. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD12. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD13. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality

treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD14. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP

shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD21. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

<u>Prior to Map Approval or Recordation</u>

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division

for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD29. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD30. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD31. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD32. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD33. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

LD34. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD35. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD36. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD37. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD38. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for

emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD39. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD40. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD41. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD42. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

<u>Prior to Building Permit</u>

LD43. (BP) Prior to issuance of a building permit, if the project involves a non-residential subdivision, the map shall be recorded.

LD44. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD45. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD46. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that

are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.

b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD47. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD48. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
   i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
   ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate

of occupancy. (California Government Code & Municipal Code)

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD53. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

LD54. Prior to parcel map approval, the map shall show the following:

a. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on Perris Boulevard, Indian Street, and Grove View Road.

b. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along Perris Boulevard and Indian Street.

c. The appropriate additional right-of-way required for a bus turn-out on Perris Boulevard as depicted on the approved project plans and as conditioned by the City's Transportation Department.

d. Corner cutback right-of-way dedications per City Standard 208 at the southeast corner of Indian Street and Grove View Road and the southwest corner of Perris Boulevard and Grove View Road.

LD55. Prior to parcel map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Perris Boulevard, Divided Arterial, City Standard 103C (110-foot RW / 86-foot CC) shall be constructed to half-width plus an additional 18 feet east of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

b. Indian Street, Minor Arterial, Modified City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 18 feet west of the centerline, along the entire project's east frontage. Additional right-of-way dedications at driveway approaches as well as a 2-foot pedestrian access easement, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. Grove View Road, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet north of the centerline, along the entire project's north frontage. Additional right-of-way dedications at driveway approaches along the project's north property line, shall be shown on the parcel map.. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite, streetlights, pedestrian ramps, dry and wet utilities.

d. Driveway approaches shall be constructed per City Standard No. 118C or as modified as shown on the project plans. The parcel map shall show an additional 4-foot minimum right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Certain project entrance(s) may be required to be constructed as a public street intersection.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD56. Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show all driveway approaches to be constructed per City Standard Plan 118C modified, as accepted by the City. There shall be 4-foot minimum wide pedestrian sidewalk area at 2% maximum behind the conventional right-

of-way. A minimum 4-foot pedestrian right-of-way dedication shall be made on the final parcel map PM 35672.

LD57. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD58. Prior to precise grading plan approval, the grading plan shall show that the lowest finished floor elevation is a minimum of one foot above the base flood elevation.

LD59. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD60. Prior to occupancy, the developer shall obtain an encroachment permit from Riverside County Flood Control & Water Conservation District in order to connect proposed onsite storm drain to the Perris Valley Channel Lateral B.

LD61. Prior to occupancy, the developer shall make a good faith effort to cause Riverside County Flood Control & Water Conservation District to dedicate additional public street right-of-way on Indian Street and Perris Boulevard along their property frontage between the project's south property line and the bridges.

LD62. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code.

LD63. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD64. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site.

LD65. The Applicant has proposed to incorporate the use of vegetated swales, hydrodynamic separators, and sand filters. Final design details of the treatment control BMPs must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD66. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD67. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA09-0004**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD2. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD4. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD5. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In

compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD6. (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Perris Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or

b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD7. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD8. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD9. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD10. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD11. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD12. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Perris Boulevard is classified as a Divided Arterial (110'RW/86'CC) per City Standard Plan No. 103C. The sidewalk shall be curb-separated. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE3. Indian Street is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Grove View Road is designated as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE5. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE11 as well as Indian Street for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE6. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE7. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE9. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design Perris Boulevard to include a bus bay per City Standard Plan No. 121 in the southbound direction, south of Grove View Road. The bus bay may be designed to serve as a combination right turn lane/bus bay to the satisfaction of the City Engineer.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection/traffic signal at Perris Boulevard and the South Project Driveway to provide the following (at a minimum):

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

NOTE: The curb return radii on the northwest/southwest corners shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design and modify the intersection of Perris Boulevard at Grove View Road to include a 200' northbound left turn lane with raised median. This modification may include relocation of the traffic detector loops and other traffic signal modifications.

<u>PRIOR TO BUILDING PERMIT</u>

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersections:

- **Perris Boulevard at South Project Driveway (signal modifications).**
- **Perris Boulevard at Grove View Road (signal modifications).**

TE14. (BP) Prior to issuance of a building permit, the project applicant shall make a fair-share contribution in the amount of $45,150 to the City of Moreno Valley for the construction of a traffic signal at Perris Boulevard and Suburban Lane. As this traffic signal is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation.

<u>PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL</u>

TE15. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE16. (CO) Each gated entrance shall be provided with the following, or as approved by the City Traffic Engineer:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic.
b) Appropriate signing and striping.

All of these features must be kept in working order.

TE17. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal modifications identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE18. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE10, TE11, and TE12 per the approved plans.

TE19. (CO) Prior to the issuance of a certificate of occupancy for the project, driveway access at the following locations will be installed as follows:

- **North Perris Boulevard Driveway: Right-in, right-out access by means of a raised median.**
- **South Perris Boulevard Driveway: Full access by means of a traffic signal.**
- **Grove View Road Driveways: Full access.**
- **Indian Street Driveways: Full access.**

NOTE: All truck driveways shall have curb return radii of 50 feet.

<u>PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM</u>

TE20. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA09-0004 & PA09-0012; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up"

facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This Project is **subject** to a Reimbursement Agreement. The Project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the Project. The developer shall be responsible to pay to the City of Moreno Valley the sum of **$423,150.00** for this electrical distribution infrastructure prior to the issuance of building permits.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

Errata to the VIP Moreno Valley Final EIR dated June 27, 2012

In responding to the comments to the Sierra Club letter to the Planning Commission dated July 11, 2012 and the Johnson and Sedlack letter to the Planning Commission dated July 12, 2012 there were some inconsistencies found in the VIP Moreno Valley Final EIR that are being corrected in this errata. In an effort to correct an inadvertent errors contained in the Final EIR that was approved by the Planning Commission, corrections to Final EIR Response to Comments E-9 and E-16 are necessary to provide consistency with the Mitigation Monitoring and Reporting Program (MMRP) as approved by the Planning Commission. These changes are contained herein.

During the Planning Commission meeting on July 12, 2012, the Planning Commission approved the project subject to two conditions of approval related to designing and constructing the project to accommodate future solar panels and obtain LEED Silver design standards. These conditions of approval have been added to the MMRP as Mitigation Measures 4.3.6.1D and 4.3.6.1E as follows:

4.3.6.1D The building roof shall be designed and constructed to accommodate future solar panels.

4.3.6.1E The project shall be designed and constructed to meet LEED Silver design standards.

It should be noted that regardless of the language for Mitigation Measure (MM) 4.2.6.3A found in any of the responses to comments to the Draft EIR provided in the Final EIR dated June 27, 2012, the Planning Commission in its hearing on July 12, 2012 approved the following language for MM 4.2.6.3A which supersedes the responses:

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of the following design features ~~including but not limited to the following list~~ may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: *[Note the rest of the MM remains the same as was presented in the Mitigation Monitoring and Reporting Program and a Conditions of Approval adopted by the Planning Commission on July 12, 2012].*

Response to Comment E-9.[1] Mitigation Measure 4.2.6.3A already provides for preferential parking for alternative fueled cars. This mitigation located in the Draft EIR, Section 4.2 Air Quality, pages 4.2-26, 4.2-27, and 4.2-28 reads as follows with changes proposed in Section 3.0 Errata in the Final EIR to address other commentor concerns:

> ***4.2.6.3A*** *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~,~~*

[1] As presented to the Planning Commission on July 12, 2012, which was incorrect in the Response to Comments but correct in the Mitigation Monitoring and Reporting Program (MMRP).

~~including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
  - *Provision of preferential parking for EV and CNG vehicles.*

Response to Comment E-9.[1] Mitigation Measure 4.2.6.3A already provides for preferential parking for alternative fueled cars. This mitigation located in the Draft EIR, Section 4.2 Air Quality, pages 4.2-26, 4.2-27, and 4.2-28 reads as follows with changes proposed in Section 3.0 Errata in the Final EIR to address other commentor concerns:

4.2.6.3A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City.* The following ~~Any~~ combination of design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~*Lease/purchase documents shall identify that tenants are encouraged to promote the following:*~~
  - *Provision of preferential parking for EV and CNG vehicles.*

Response to Comment E-16.[2] Draft EIR, Section 4.2 Air Quality contains the following Mitigation Measure 4.2.6.1K that provides for electric or alternative fuel construction equipment and forklifts and Section 4.3 Greenhouse Gas Emissions and Climate Change contains Mitigation Measure 4.2.6.3A which specifies electric trucks and yard trucks in Mitigation Measures 4.2.6.3A. Changes proposed to Mitigation Measure 4.2.6.1K are provided in Section 3.0 Errata in the Final EIR to address other commentor concerns. The measures are as follows:

4.2.6.1K *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
- Use electric construction equipment where feasible.
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

4.2.6.3A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part*

[1] The response is revised to be consistent with the MMRP as presented to the Planning Commission on July 12, 2012.

[2] As presented to the Planning Commission on July 12, 2012, which was incorrect in the Response to Comments but correct in the Mitigation Monitoring and Reporting Program (MMRP).

6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
  - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
  - *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
  - *Use of electric (instead of diesel or gasoline-powered) yard trucks.*

Response to Comment E-16.[12] Draft EIR, Section 4.2 Air Quality contains the following Mitigation Measure 4.2.6.1K that provides for electric or alternative fuel construction equipment and forklifts and Section 4.3 Greenhouse Gas Emissions and Climate Change contains Mitigation Measure 4.2.6.3A which specifies electric trucks and yard trucks in Mitigation Measures 4.2.6.3A and 4.2.6.1K. ~~Changes proposed to Mitigation Measure 4.2.6.1K are provided in Section 3.0 Errata in the Final EIR to address other commentor concerns.~~ The measures are as follows:

4.2.6.1K *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
- Use electric construction equipment where feasible.
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

4.2.6.3A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City.* The following ~~Any~~ combination of design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~*Lease/purchase documents shall identify that tenants are encouraged to promote the following:*~~
  - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
  - *Use of electrical equipment (instead of gasoline-powered equipment) for*

[1] The response is revised to be consistent with the MMRP as presented to the Planning Commission on July 12, 2012.

landscape maintenance.

- *Use of electric (instead of diesel or gasoline-powered) yard trucks.*

Final

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY

STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

LSA

June 27, 2012

Final

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY

STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

Lead Agency:

City of Moreno Valley Community and Economic Development Department
Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552
Attn: Jeff Bradshaw, Associate Planner
(951) 413-3224

Prepared by:

LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, California 92507
(951) 781-9310

LSA Project No. VOG1001

LSA

June 27, 2012

Item No. E.2

MV00179355

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1. INTRODUCTION

The Final Environmental Impact Report (EIR) for the proposed VIP Moreno Valley project is composed of the Draft EIR State Clearinghouse No. 2011081084 and Appendices; the Response to Comments; and the Findings, Statement of Overriding Considerations, Staff Reports, and Resolutions. Specifically, this document portion of the EIR includes the Comments and Responses volume of the Final EIR, EIR modifications or errata, and the Mitigation Monitoring and Reporting Program (MMRP). The purpose of this document is to respond to all comments received by the City of Moreno Valley (City) regarding the environmental information and analyses contained in the Draft EIR. Additionally, any corrections to the text and figures of the Draft EIR, generated either from responses to comments or independently by the City, are stated in this volume of the Final EIR. The Draft EIR text has not been modified to reflect these clarifications.

1.1 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters, Section 3.of this document contains corrections and errata to the Draft EIR. Section 4.0 contains the Mitigation Monitoring and Reporting Plan, which includes additional measures developed as a part of this Final EIR.

1.2 PUBLIC REVIEW OF THE DRAFT EIR

As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) of the Draft EIR State Clearinghouse No. 2011081084 for the VIP Moreno Valley project was filed with the State Clearinghouse on April 20, 2012 and the Notice of Availability (NOA) of the Draft EIR was filed with the Riverside County Clerk on April 20, 2012

The Draft EIR was circulated for public review for a period of 45 days, from April 20, 2012 to June 4, 2012. Copies of the Draft EIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the Draft EIR were also made available for public review at the City Planning Department, at one area library, and on the internet.

A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter was received from a citizen group and two letters from individuals. All ten letters have been responded to within this document. Comments that address environmental issues are thoroughly responded to in Section 2.0.

1.3 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley, Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92553
Phone: (951) 413-3224
e-mail: jeffreyb@moval.com

1.4 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.4.1 Project Location

The project site is located in the City of Moreno Valley, Riverside County. The approximately 71-acre site is generally located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary.

1.4.2 Proposed Project

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses.

1.4.3 Project Objectives

The purpose of the proposed project is to provide a new facility specializing in warehouse distribution services. Upon development, the proposed project will achieve the following:

Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;

Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;

Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;

Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner;

Encourage new development consistent with the capacity and municipal service capabilities;

Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;

Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;

Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;

Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;

Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;

Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;

Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and

Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

1.4.4 Required Permits and Discretionary Actions

The following discretionary actions are anticipated to be taken by the City of Moreno Valley as part of the proposed project:

Tentative Parcel Map approval (TPM 36162);

Certification of Environmental Impact Report; and

Site Plan approval.

Other non-discretionary actions anticipated to be taken by the City at the Staff level as part of the proposed project include the following:

Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction. Approval of a Water Quality Management Plan (WQMP) to mitigate for post-construction runoff flows.

Issuance of a Grading permit that requires approval of a grading plan, approval of the final drainage study, approval of the Final WQMP, obtaining an NOI and WDID number, and satisfying those conditions of approval required prior to grading.

Issuance of an Encroachment permit for any construction work done in any City-controlled right-of-way. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.

Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits.

Approvals and permits required by other agencies include:

A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that downstream water quality is not worsened.

Approval of water and sewer improvement plans by the Eastern Municipal Water District.

Approval from the City and Riverside County Flood Control and Water Conservation District to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions.

2. RESPONSE TO COMMENTS

A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter was received from a citizen group and two letters from individuals. All ten letters have been responded to within this document. Comments that address environmental concerns have been thoroughly addressed. Comments that (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise environmental issues; or (3) do request the incorporation of additional information not relevant to environmental issues do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines.

Section 15088 of the State CEQA Guidelines, Evaluation of and Response to Comments, states:

a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.

b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

c) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:

   1. Revise the text in the body of the EIR; or
   2. Include marginal notes showing that the information is revised in the responses to comments.

Information provided in this volume of the Final EIR clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

An Errata to the EIR (Section 3.0) has been prepared to make minor corrections and clarifications to the Draft EIR as a result of City review and comments received during the public review period. Therefore, this Response to Comments document, along with the Errata is included as part of the Final EIR for consideration by the Planning Commission prior to a vote to certify the Final EIR.

2.1 LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING ON THE DRAFT EIR

The persons, organizations, and public agencies that submitted comments regarding the Draft EIR through June 4, 2012, are listed below. A total of ten comment letters was received. Seven of the comment letters received were from Federal, State, regional, or local agencies. One comment letter

was received from a citizen group and two letters from individuals. Each comment letter received is indexed with a number below.

Comment Letters Received Regarding the Draft EIR

A **California Native American Heritage Commission (May 14, 2012)**
Dave Singleton, Program Analyst

B **California Department of Fish and Game (May 21, 2012)**
Jeff Brandt, Senior Environmental Specialist

C **Gerald M. Budlong (May 31, 2012)**

D **Johnson & Sedlack (June 1, 2012)**
Ray Johnson, AICP, Esq.

E **Sierra Club, San Gorgonio Chapter (June 3, 2012)**
George Hague, Conservation Chair
Moreno Valley Chapter

F **California Department of Transportation, District 8 (June 4, 2012)**
Daniel Kopulsky, Office Chief
Community Planning/IGR-CEQA

G **Eastern Municipal Water District (June 4, 2012)**
Joseph B. Lewis
Director of Engineering Services

H **United States Fish and Wildfire Service (e-mail June 4, 2012)**
Nicole Ronan, Fish and Wildfire Service

I **Riverside County Flood Control and Water Conservation District**
Mekbib Degaga, Engineering Project Manager

J **California Governor's Office of Planning and Research, State Clearinghouse**
Scott Morgan, Director State Clearinghouse

2.2 FORMAT OF RESPONSES TO COMMENTS

Aside from the courtesy statements, introductions, and closings, individual comments within the body of each letter have been identified and numbered. A copy of each comment letter and the City's responses are included in this section. Brackets delineating the individual comments and an alphanumeric identifier have been added to the right margin of the letter. Responses to each comment identified are included on the page(s) following each comment letter. Responses to comments were sent to the agencies that provided comments.

In the process of responding to the comments, there were minor revisions to the Environmental Impact Report. None of the comments or responses constitutes "significant new information" (*CEQA Guidelines* Section 15073.5) that would require recirculation of the Environmental Impact Report.

Letter A

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

May 11, 2012

RECEIVED
MAY 14 2012
CITY OF MORENO VALLEY
Planning Division

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley Community & Economic Development Department
14177 Frederick Street
Moreno Valley, CA 92552

Re: SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the **"VIP Moreno Valley Project – PA09-0004 (plot Plan) PA09-0012 (TPM 36162) P11-020 (EIR);"** located in the City of Moreno Valley; Riverside, California.

Dear Mr. Bradshaw:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. 1

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. 2 The NAHC did conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE) with the following results: Native American cultural resources were not found within the APE. However, the absence of archaeological resources does not preclude their existence at the subsurface level and may be exposed during construction activity. 3

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r). 4

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. 5

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources. 5

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.' 6

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity. 7

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'. 8

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects. 9

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a). 10

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Riverside County
May 11, 2012

Los Coyotes Band of Mission Indians
Shane Chapparosa, Chairman
P.O. Box 189 Cahuilla
Warner , CA 92086
(760) 782-0711
(760) 782-2701 - FAX

Soboba Band of Mission Indians
Scott Cozaet, Chairperson; Attn: Carrie Garcia
P.O. Box 487 Luiseno
San Jacinto , CA 92581
carrieg@soboba-nsn.gov
(951) 654-2765
(951) 654-4198 - Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(949) 488-3294 - FAX
(530) 354-5876 - cell

San Manuel Band of Mission Indians
James Ramos, Chairperson
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the VIP Moreno Valley Project; located in the City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside County
May 11, 2012

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

William J. Pink
48310 Pechanga Road Luiseno
Temecula , CA 92592
wjpink@hotmail.com
(909) 936-1216
Prefers e-mail contact

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081084; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the VIP Moreno Valley Project; located in the City of Moreno Valley; Riverside County, California.

2.4 RESPONSE TO LETTER A

California Native American Heritage Commission

Response to Comment A-1. The comment is introductory and states that the Native American Heritage Commission (NAHC) is the State "trustee agency" pursuant to Public Resources Code Section 21070 for the protection and preservation of the State's Native American resources. The comment also states that the letter contains state and federal statutes relating to Native American historic properties of religious and cultural significance.

The comment is introductory in nature and outlines the NAHC's authority and role as a commenting agency. The NAHC's introduction in this comment is noted, and no further response is required.

Response to Comment A-2. The comment states that CEQA requires that any project that causes a substantial adverse change in the significance of a historical resource, which includes archaeological resources, is a "significant effect" requiring the preparation of an EIR. A Draft EIR was prepared for the proposed project and circulated for public review on April 20, 2012. Based on the *Phase I Cultural Resources Assessment and Paleontological Records Review* prepared for the proposed project, the site contains a historic site and a historic isolate, which were recorded and evaluated for significance in accordance with CEQA. Based on the study, it was determined that the historic resource and historic isolate were not considered to be significant. Consequently, construction and grading of the proposed project site will not affect significant historic resources, resulting in a less than significant impact.

Response to Comment A-3. The comment states that the NAHC Sacred Lands File (SLF) search found that no Native American cultural resources were identified within the project area. Similarly, the Draft EIR determined that there were no cultural resources (historic or prehistoric) identified on the project site as a result of records searches or during on site reconnaissance. The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

Response to Comment A-4. The comment states that NAHC Sacred Sites are confidential and exempt from the Public Records Act pursuant to California Government Code Section 6254. The City acknowledges the sensitivity and confidentiality of the information contained in the cultural resources report. No records maps have been made public nor will they be made public in association with the City's consideration of the proposed project.

Response to Comment A-5. The comment states that pursuant to California Public Resources Code Section 5097.95, the NAHC requests that pertinent project information be provided to Native American consulting parties, and that Native American consultation is a matter of environmental justice. The comment letter states that early consultation with Native American Tribes in the area of the project site is the best way to avoid unanticipated discoveries once a project is underway. The letter includes a list of Native American contacts and recommends obtaining their recommendations concerning the proposed project.

Appendix B-5 of the Draft EIR contains the Phase I Cultural Resource Assessment and Paleontological Records Review, (Michael Brandman Associate., March 27, 2012) prepared for the proposed project in which Native American consultation was conducted. On February 15, 2007, Michael Brandman Associates sent a letter to the NAHC in an effort to determine whether any sacred sites were listed on the Scared Lands Files for this area of Moreno Valley containing the project site.

In response to the Sacred Land Record Search request, the NAHC identified fourteen Native American contacts that may have knowledge of cultural resources in the project area.

Letters dated February 28, 2007, were sent by MBA to the fourteen Native American contacts provided by the NAHC. The letters notified the parties of the proposed project and requested that the tribes respond with information concerning cultural resources that might be affected.

Response to Comment A-6. The comment states that consultation with Tribes and interested Native American consulting parties on the NAHC list should be conducted in compliance with the requirements of federal National Environmental Policy Act (NEPA), Sections 106 and 4(f) of the National Historic Preservation Act, and the Native American Grave Protection and Repatriation Act (NAGPRA), as appropriate.

The project is not a federal undertaking as defined under Section 106 of the National Historic Preservation Act (NHPA) or 36 Code of Federal Regulations (CFR) Part 800 regulations implementing Section 106. The project does not use federal funds and will not require any federal permits. Therefore, the project does not fall under the regulatory oversight of Section 106. The project is not a federal transportation project, so it also does not fall under the jurisdiction of Section 4(f) of the Department of Transportation Act of 1966. Finally, since there is no federal involvement in the project, the requirements of NAGPRA do not apply.

As described in Response to Comment A-5, above, the City conducted consultation with fourteen local tribes and interested Native American individuals for the project. Consultation included providing those parties with pertinent project and location information.

Response to Comment A-7. The comment states that historic properties of religious and cultural significance are confidential and protected by California Government Code Section 6254. The comment further states that the confidentiality of such resources may also be protected by section 304 of the NHPA. The City acknowledges the sensitivity and confidentiality of any identified resources. The SLF and any associated records maps are not for public distribution. In addition, because the project is not a federal undertaking, it is not regulated under Section 304 of the NHPA.

Response to Comment A-8. The comment identifies State laws regarding the accidental discovery of human remains. In in the unlikely event that human remains are encountered during project grading, the County Coroner and the City Planning Division would be notified immediately, and no further disturbance would occur until the County Coroner makes a determination of origin and disposition. If the remains are determined to be Native American, the County Coroner would notify the NAHC, which will determine and notify the most likely descendant (MLD). Implementation of state law reduces potential impacts related to the discovery of human remains on the proposed project site to a less than significant level, and no additional mitigation is required.

Response to Comment A-9. The comment states that effective consultation, in the opinion of the NAHC, is the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors. The City agrees that effective consultation is desired. The City has reached out to Native American tribes through the consultation process (as detailed in the Draft EIR in Appendix B-5).The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

Response to Comment A-10. The comment states that the NAHC recommends avoidance when a project would damage or destroy Native American cultural resources. The comment further states that documentation and data recovery of such resources is required pursuant to the CEQA

Guidelines. Based on the *Phase I Cultural Resources Assessment and Paleontological Records Review* prepared for the proposed project, the site has a low potential for containing archeological resources due to the lack of such resources previously discovered in the surrounding area and the disturbed nature of the project site. Consequently, construction and grading of the proposed project site will have a low probability of damaging archeological resources. Impacts to archeological resources are considered to be less than significant.

State of California -The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
1416 9th Street
Sacramento, CA 95814
http://www.dfg.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

May 16, 2012

RECEIVED
MAY 21 2012
CITY OF MORENO VALLEY
Planning Division

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92551

Subject: Draft Environmental Impact Report for the VIP Moreno Valley Project
City of Moreno Valley, Riverside County -- SCH #2011081084

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report for the VIP Moreno Valley Project. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections §711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section §15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section §15381), such as a Lake and Streambed Alteration Agreement (California Fish and Game Code Sections §1600 et seq.) and/or a Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (Fish and Game Code Sections 2080 and 2080.1).

The proposed Project consists of the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on a 71-acre site. The Project is located in the City of Moreno Valley and is bounded on the west by Indian Street, on the east by Perris Boulevard, on the north by Grove View Road and on the south by the Perris Valley Storm Drain. The March Air Reserve Base and the Interstate-215 (I-215) are located in the vicinity to the west. The site has been used for dryland farming and is disked. There is vegetation (mostly non-native) on the periphery of the site but the major part of the site is disked.

Western Riverside Multiple Species Habitat Conservation Plan (MSHCP)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the Natural Community Conservation Plan Program (NCCP Program). On June 22, 2004, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section §2800, et seq., of the California Fish and Game Code. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. The City of Moreno Valley is the Lead Agency and is signatory to the 1

Conserving California's Wildlife Since 1870

implementing agreement of the MSHCP. Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the DEIR discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements.

The Project is located in the Reche Canyon/Badlands Area Plan but does not contain any Criteria Cells and the site is not necessary for reserve assembly. MSHCP policies and procedures that apply to the proposed Project include Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP section 6.1.2 pp 6-20; "Riparian/Riverine and Vernal Pool Policy"), Protection of Narrow Endemic Plant Species (MSHCP section 6.1.3 pp 6-28; "NEPPSA"), and Additional Survey Needs and Procedures (MSHCP section 6.3.2, Additional Survey Needs and Procedures). 1

A) Special Survey Areas

The Project is located within the survey area for the western burrowing owl (WBO). WBO is a State Species of Special Concern and is a species subject to the Migratory Bird Treaty Act (MBTA). Focused surveys for the WBO were conducted in 2009. The results of the focused surveys indicate that there were no direct observations or sign of the WBO. 2

B) Protection of Narrow Endemic Plant Species

Plant species requiring habitat assessments include: San Diego ambrosia, many-stemmed dudleya, spreading navarretia, California Orcutt grass, Wrights trichocoronis, Coulter's goldfields, Davidson's saltscale, little mousetail, mud nama, Parish's brittlescale, round-leaved filaree, San Jacinto Valley crownscale, smooth tarplant, and threat-leaved brodiaea. Focused NEPS and Criteria Area surveys were conducted in 2009. The 2009 surveys determined that the NEPS and Criteria Area Plants have a low potential for occurrence because of the absence of suitable habitat and the disking of the site. The DEIR conclusions are supported by the surveys for the Perris Boulevard Widening Project. 3

C) Riparian/Riverine Areas, Vernal Pools, and Fairy Shrimp

A narrow, north-south trending agricultural drainage ditch bisects the center of the site and terminates at a culvert entering the Perris Valley Storm Drain. The document states that the "drainage ditch" does not meet the requirements of this MSHCP policy. The Department reserves the right to determine whether the on-site channel is jurisdictional. 4

<u>Impacts to the species</u>

The biological report states that the only vegetation on the site is located on the periphery because of ongoing disking and consists primarily of non-native plants. Wildlife on the site includes: red-tailed hawk, American kestrel, common raven, American crow, Brewer's blackbird, Say's phoebe, western kingbird, western meadowlark, mourning dove, side-blotched lizard, western fence lizard, California ground squirrel, desert cottontail and pocket gopher. 5

Proposed mitigation

Impacts to wildlife are covered by the MSHCP and the mitigation requirements in the MSHCP. The DEIR states that preconstruction surveys will be conducted for WBO and nesting birds. If WBO are found on the site the Resource Conservation Agency and the Department should be notified to determine whether additional mitigation measures are required. 6

Department Concerns

The Department reserves the right to determine whether the channel on site is subject to Section 1600 *et seq.* in the Fish and Game Code. A Determination of Biologically Equivalent or Superior Preservation (DBESP) alternative is not required, according to the DEIR. The Department needs to be notified prior to commencement of grading if bird nests or burrowing owl are identified in pre-construction surveys. In addition, a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) may be required. No mitigation has been provided for the loss of this channel. 7

Lake and Streambed Alteration Agreement

Although the proposed Project is within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is not subject to Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, a Lake and Streambed Alteration Agreement Notification may still be required by the Department should the site contain jurisdictional waters. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2.

A routine delineation was conducted in 2009 and the consultants determined that there were no jurisdictional wetlands or streams on the site. However, the Department retains the right to determine whether the resources on site are jurisdictional waters and subject to the Lake and Streambed Alteration Agreement program. A new streambed jurisdictional delineation needs to be conducted to determine whether the channel (i.e., "drainage ditch") conveys water across the site, particularly during the rainy season, and how many linear feet or acres comprise the channel. 8

The Department recommends submitting a notification early on, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924 or go to http://www.dfg.ca.gov/habcon/1600/forms.html. 9

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. Permit negotiations conducted after and outside of the CEQA process are not CEQA-compliant because they deprive the public and agencies of their right to know what project impacts are and how they are being mitigated (CEQA Section 15002). 10

The Department opposes the elimination of ephemeral, intermittent and perennial stream channels, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays: 11

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

Please refer to section 15370 of the CEQA guidelines for the definition of mitigation. If the project does not include the criteria listed above, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources.

We recommend that the Department's concerns be addressed in the Final Environmental Impact Report.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: State Clearinghouse

2.6 RESPONSE TO LETTER B

California Department of Fish and Game

Response to Comment B-1. The commentor accurately summarizes both the CEQA requirement for an analysis of the proposed project's consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the MSHCP policies and procedures applicable to the proposed project.

Response to Comment B-2. The commentor accurately summarizes both the MSHCP requirement for a burrowing owl survey and that the surveys conducted for the project showed no burrowing owl sign or observations.

Response to Comment B-3. The commentor accurately summarizes both the MSHCP requirement for survey of narrow endemic plant species and that the surveys conducted for the project determined there is a low potential for occurrence of the species due to lack of suitable habitat and disking of the site. The commentor also notes these conclusions are consistent with the surveys conducted for the Perris Boulevard Widening Project (which is a City of Moreno Valley capital improvement project) and not related to the VIP Moreno Valley Project.

Response to Comment B-4. The commentor notes the Draft EIR statement that the agricultural ditch running north-south across the center of the site is not jurisdictional and indicates CDFG reserves the right to determine whether the on-site ditch is jurisdictional. As stated in the Draft EIR (pages 2-10 and 2-11), the ditch no longer contains the characteristics of jurisdictional waters. This is due to the construction of Grove View Road and storm drains on the north side of the site, resulting in the elimination of an abundant supply of off-site water flow from the north onto the site. Because the ditch no longer carries the abundant supply off-site water flow, it no longer supports the one riparian species (willow) that exists in the ditch. This condition has become even more evident over the past several years, resulting in no jurisdictional waters on the site.

Response to Comment B-5. The commentor accurately summarizes the vegetation and wildlife observed on the site.

Response to Comment B-6. The commentor accurately summarizes the Draft EIR mitigation measure prescribing preconstruction surveys for burrowing owl and nesting birds, and requests that the Regional Conservation Authority and CDFG be contacted should burrowing owl be found on the site in order to determine the need for additional mitigation. This is standard operating procedure, and the project proponent's biological consultant will comply.

Response to Comment B-7. The commentor identifies CDFG's concerns which are summarized as follows: 1) Regarding the on-site ditch that runs north-south through the center of the project site, CDFG states that they reserve the right to determine whether the site is jurisdictional, and if so, a Section 1600 permit would be required for the loss of the on-site ditch; and 2) CDFG requests that they be notified prior to grading activities if bird nests or burrowing owls or observed during the pre-construction surveys required as part of Mitigation Measures BIO-1 through BIO-4.

Response to Comment B-8. The commentor notes that CDFG's criteria for determining jurisdictional waters are more comprehensive than the MSHCP criteria and requests that a new jurisdictional delineation be conducted.. As stated in the Response to Comment B-4, the Draft EIR has already identified that the on-site ditch no longer accepts off-site water flows during storm events because off-site flows now are conveyed to a storm drain located in Grove View Road. The eastern section of Grove View Road between Perris Boulevard and Indian Street was constructed in 2007 while the

western section was constructed in 2009 as part of the two warehouse projects located across the street and north of the proposed project. The conditions observed in the 2009 jurisdictional delineation prepared by Ecological Sciences are still valid, and in fact, the lack of jurisdictional waters has become more obvious due to the lack of off-site water conveyance.

Response to Comment B-9. The commentor provides contact information regarding submittals for Section 1600 permit. Refer to Responses to Comments B-4 and B-9. The project contains no jurisdictional waters, a Section 1600 Streambed Alteration Agreement is not required, and this information is therefore not applicable.

Response to Comment B-10. Refer to Responses to Comments B-4, B-9, and B-10.

Response to Comment B-11. Refer to Responses to Comments B-4, B-9, and B-10.

RECEIVED
MAY 3 1 2012
CITY OF MORENO VALLEY
Planning Division

Gerald M. Budlong
24821 Metric Drive
Moreno Valley, CA 92557
May 31, 2012

Subject: Proposed VIP Moreno Valley Distribution Center DEIR

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
14177 Frederick Street, Moreno Valley City Hall
Moreno Valley, CA 92553

Dear Mr. Bradshaw:

The proposed VIP Moreno Valley Distribution Center project is consistent with the present specific plan as well as the superseded Oleander Specific Plan of the Moreno Valley General Plan and the zoning ordinance. My opinion of this industrial site concerning prime farmland, remains the same since 1989. The land has been designated as industrial in the specific plans and the zoning ordinance. The land has not met the state definition of prime farmland for the last 20 years or more due to the lack of acreage remaining of the land designated prime farmland on the state map. Viable crops grown on prime farmland have not been commercially possible for quite some time. Much of the site is already developed into industrial uses. 1

My only concern of the subject DEIR is the omission of groundwater levels and associated adverse impacts such as liquefaction. Why are high groundwater levels and liquefaction issues missing from this EIR?

The environmental cleanup program, called the Installation Restoration Program (IRP),at March Field, incorporating the former March AFB and present March ARB, has monitored the groundwater levels on and off base since the start of this program in the late 1980s. The groundwater levels have been rising an average of one to two feet annually. To date local groundwater levels are as high as 10 feet or less from the ground surface. Projects such as the new MWD water pipeline parallel to I-215 and near the March Field Museum has undergone high groundwater conditions which has prevented completion of approximately 400 linear yards of the project. A new bidding process inviting contractors with expertise in high groundwater conditions was initiated. The Air Force is concerned that the high groundwater conditions may adversely impact foundations at the base. The Air Force is concerned about potential adverse impacts from liquefaction in the event of a future earthquake. It was reported at the April 2012 March Field IRP Board meeting, that underground cement utility vaults at the former DHL airfreight building was experiencing flooding. I inquired whether the flooding was caused by high groundwater conditions. Staff promised they will make inquiries and report back at the October IRP meeting. 2

Are the building foundations for the proposed project engineered for high groundwater level conditions and potential liquefaction events from major earthquakes? 3

Sincerely,

Gerald M. Budlong

2.8 RESPONSE TO LETTER C

Gerald M. Budlong

Response to Comment C-1. The City appreciates the comments provided on the proposed project regarding the project being consistent with the City's General Plan and zoning code as well as comments on prime farmland and the area not being viable for farming since 1989. The comments are part of the public record and will be forwarded to the City's decision makers for their consideration prior to approving the project and certifying the EIR.

Response to Comment C-2. Appendix B-6 of the Draft EIR contains the *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California (*NorCal Engineering, May 7, 2007) prepared for the proposed project. The geotechnical investigation consisted of forty (40) subsurface exploratory trenches by a backhoe to depths ranging 5-15 feet below current elevations. The report stated "no ground water was encountered in any of the trenches (page 2). This study indicated that the groundwater levels are greater than 100 feet below the surface and the site has a low potential for liquefaction (page 5). The Draft EIR also provided this information in Section 2.5.4 Geology and Soils, page 2-14 which states *"Liquefaction typically occurs in areas where groundwater is shallower than approximately 30 feet, and where there is the presence of loose, sandy soils. According to the City's General Plan, liquefaction is not considered to be a local hazard since groundwater levels in Moreno Valley are far below the surface.*[1] *The project's geotechnical analysis*[2] *indicates that the depth of groundwater within the project vicinity is in excess of 100 feet. The proposed project site is not located in an area identified as being prone to liquefaction. The potential for earthquake-induced liquefaction within the proposed project is considered very low.*[3] *Because liquefaction at the project site is considered to be very low, a less than significant impact related to liquefaction would occur."*

Response to Comment C-3. The proposed project will be built per the City's and State's building code requirements and those contained in the geotechnical study prepared for the proposed project. The building code includes provisions for seismic safety.

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1 *Chapter 6 Safety*, City of Moreno Valley General Plan, July 11, 2006.
2 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
3 *Figure 5.6-2 Seismic Hazards*, Moreno Valley General Plan Final Program EIR, July 2006.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Carl T. Sedlack, Esq. Retired

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

June 1, 2012

VIA EMAIL

Jeff Bradshaw
Associate Planner
City of Moreno Valley, Planning Division
Community & Economic Development Dept.
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92553
(951) 413-3224
jeffreyb@moval.com

RE: Moreno Valley Vogel Industrial Park (VIP) Draft Environmental Impact Report Comments

Greetings:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Livable Moreno Valley, I hereby submit these comments on the Moreno Valley VIP Draft Environmental Impact Report (DEIR). (PA09-0004, PA09-0012, TPM No. 36162)

Project Summary:

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. See Figure 1.2. 1

The project is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the project site. Residences are located to the west of the site.

General Comments:

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document. 2

Unfortunately, the Draft EIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. On top of these inadequacies, the Draft EIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. Moreover, the EIR evaluates only impacts to Agricultural and Forest Resources, Air Quality, Greenhouse Gas Emissions and Global Climate Change, Noise, and Traffic. The EIR determines, without basis in CEQA, to *not* evaluate in detail impacts which *are potentially significant* but which will be mitigated below a level of significance, including impacts to Biological Resources, Cultural Resources, Geology and Soils, and Hydrology and Water Quality. While effects determined not be significant need not be discussed in detail in the EIR, effects which may be significant must be evaluated, and then the mitigation measures or alternatives which would reduce or avoid that effect must be described. (Public Res. C. § 21002.1(a), (e); State CEQA Guidelines § 15128, 15126, 15123) The EIR fails as an informational document by failing to analyze and evaluate **all potentially significant environmental effects of the project,** relying instead on the cursory evaluation performed for the environmental assessment. By failing to provide information on the potentially significant effects of the project that can be mitigated below a level of significance, the EIR fails as an informational document. The findings are also not supported by substantial evidence in the record, but rather only by the baseless conclusions cited in the EIR. 3 4

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. For instance, the EIR fails to require *any* mitigation for the project's significant impacts to agricultural resources. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. 5 6

For instance, several "alternatives" listed in the EIR will not satisfy the actual mitigation required, while other mitigation measures merely require the incorporation of writings, not actions. 7

The Moreno Valley VIP project purports to be a "green project" that is environmentally forward thinking; this is simply not the case, and in fact, the Moreno Valley VIP industrial building will be the *least* green building constructed in Moreno Valley in the past 3 years. The EIR provides examples of typical green building features, but fails to require each of those features for this project. The project only requires LEED certification and does not explain why requiring a gold or platinum LEED certification is infeasible, despite having significant air quality and greenhouse gas impacts. 8

Correspondingly, while most of the project's environmental effects will be a result of its use as a distribution center and corresponding traffic and air quality impacts, not the effects of the warehouse building itself, little if any mitigation is required to reduce these impacts. Regarding traffic effects, the EIR relies heavily on TUMF and DIF programs and concludes that significant effects will be either immediately or promptly reduced by these programs. To the contrary, a significant amount of the streets impacted are not currently planned or funded for improvements, and given the underfunding of these programs are unlikely to see any improvement in the near term. The EIR accordingly understates the traffic and air quality impacts of the project and fails to require all feasible mitigation. 9 10

The EIR also fails to make adequate findings, based on substantial evidence, that the environmentally superior alternative is infeasible. In fact, the environmentally superior alternative satisfies most, if not all project objectives and significant reduces project impacts, particularly with regards to air quality in an area known to have some of the worst air quality in the nation. At the least, the environmentally superior alternative must be implemented in lieu of the project. 11

Further shortcomings of the EIR are detailed below.

Aesthetics

The finding of less than significant impact is not supported regarding lighting. The EIR acknowledges that the project will create a new source of substantial light, but fails to discuss this impact on nighttime views. 12

Agricultural Resources

The project will result in a significant and unmitigated individual and cumulative impact to agricultural resources by converting ***Prime Farmland, Unique Farmland, and Farmland of Statewide Importance***, to non-agricultural use; and would involve other changes in the existing environment which would result in the conversion of Farmland to non-agricultural use. 13

Specifically, the project site is entirely identified as Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Loss of State Designated Farmland as a result of this project is a significant impact, and accounts for a substantial percent of farmland conversion for Riverside County. The project site's Land Evaluation and Site Assessment score further demonstrates a significant impact from the conversion of quality land and agricultural resources. 14

The EIR plays down the effect of development and operation of industrial uses in increasing development pressure on adjacent agricultural properties. The EIR does not disclose the predicted impacts on properties adjacent to the project site or along the truck routes used to access the project site, as well as city wide impacts. 15

No mitigation is required to reduce the significant adverse impacts of this project to agriculture. While the EIR identifies many mitigation measures that may be implemented, it fails to require any mitigation. The fact that the General Plan EIR found mitigation to be infeasible on a citywide scale does not mean that project level mitigation here is infeasible.

Mitigation measures identified by the CDC to reduce agricultural impacts include: 16

- The purchase of agricultural conservation easements;
- Transfer of development rights;
- Acquisition of farmland by the city or county;
- mitigation banking;
- the establishment of "urban limits," greenbelts, and buffers;
- the payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements;
- and planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.

While the measures regarding planning have been determined to be infeasible by the City, ***the EIR does not provide evidence to support the finding of infeasibility with regard to the purchase or transfer of development rights, conservation easements, or donation of funds to assist in the preservation of agricultural lands.*** The conclusion of the EIR that these measures for mitigation of agricultural land are contrary to the City's vision and therefore not feasible is unsupported. The purchase of conservation easements must be required as mitigation barring evidence of infeasibility. The purchase of a permanent agricultural conservation easement of land of at least 2:1 of equal quality must be required to mitigate for impacts from the direct and growth inducing/cumulative loss of agricultural land by either the outright purchase of easements or donation of mitigation fees to a local, regional, or statewide organization that provides for acquisition and stewardship of agricultural conservation easements. Such mitigation is not found to be infeasible. 17

Air Quality

The project will result in significant and unavoidable impacts to air quality during construction and operation. 18

Several of the construction air quality impact "mitigation measures" are required by law, and therefore do not qualify as "mitigation." 19

Existing air quality in the project vicinity generally exceeds state and federal air quality standards for Ozone, Coarse Particulate Matter (PM10), Fine Particulate Matter (PM2.5) for the year. The nearest sensitive receptors to the project are rural residences located approximately 1,000ft north of the project site and 0.5 miles southwest of the project site. 20

The EIR fails to disclose all Moreno Valley General Plan Policies relevant to air pollutant emissions. Such omitted policies and objectives include:

- Ultimate Goal VII: achieve a community which "Emphasizes public health and safety…" 21
- Goal 6.1: "To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property."
- Objective 7.5 "Encourage efficient use of energy resources."
- Policies 7.5.1; 7.5.2; 7.5.5 regarding energy efficiency.

The EIR finds that the project would, "add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community." This potential may not be recognized and is unsupported by evidence in the record and are countered by recent projects within Moreno Valley. For instance, the Sketchers project nearby likewise promised job opportunities for local Moreno Valley workers. However, when all was said and done the facility resulted in a net job loss, and most employees were transferred from Ontario, increasing vehicle miles travelled. (*See, "Moreno Valley: Sketchers' warehouse has caused net job loss,"* The Press Enterprise, Jack Katzanek, February 1, 2012. < http://www.pe.com/business/business-headlines/20120201-moreno-valley-skechers-warehouse-has-caused-net-job-loss.ece>) 22

The project use will also be truck distribution; hence despite any local employment at the warehouse, the project will not minimize VMT and will not minimize air pollutant emissions consistent with the AQMP, but will instead drastically increase mobile source emissions. In fact, the focus of the AQMP is to attain PM 2.5 standards, which this project will specifically add to through the use of diesel trucks. (See AQMP 4-1.)The finding that the project is consistent with the AQMP is entirely unsupported. 23

Health Risks

The EIR finds that the project will have less than significant operational-acute health risk impacts on the basis that, "studies …have not provided sufficient information to establish a short-term non-cancer health risk guidance value for respiratory impacts." This ignores entirely the threshold of significance which asks "Would the proposed project expose sensitive receptors to substantial pollutant concentrations?" and does not necessarily require a health risk guidance value. 24

Operational-Chronic Health Risk Impacts are determined to be less than significant. It is unclear 25

from the EIR that levels at the sensitive receptors of Table 4.2.H were measured, as the EIR states, "Sensitive receptors were placed in a general grid extending in all directions to characterize the risk level surrounding the project site." In the immediate vicinity of the project site are residences, the Rancho Verde High School (one mile to the east of the project site), and El Potrero Elementary School (one mile to the northeast of the project). The EIR does not demonstrate that impacts at these and other locations were evaluated, particularly given the increased susceptibility of infants, children, and the elderly to health impacts from diesel PM. 25

Moreover, the HRA accounts only for the cancer risk and temporary respiratory impacts caused by this project. In addition to the risk of cancer, diesel PM is known to cause immune system effects; reproductive, developmental, and endocrine effects; nervous system effects; and lung health problems, as recognized by the County in the General Plan. Immune system effects include increased allergic inflammatory responses and suppression of infection fighting ability. Diesel PM has also been associated with reproductive effects such as decreased sperm production, changes in fetal development, low birth weight and other impacts. Diesel PM exposure may also cause impairment to the central nervous system. (*The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>; *See also, Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf>) 26

SCAQMD has stated with regards to the health effects from diesel PM:

> "Diesel particles consist mainly of elemental carbon and other carbon-containing compounds… Diesel particles are microscopic…Due to their minute size, diesel particles can penetrate deeply into the lung. There is evidence that once in the lung, diesel particles may stay there for a long time.
>
> In addition to particles, diesel exhaust contains several gaseous compounds including carbon monoxide, nitrogen oxides, sulfur dioxide and organic vapors, for example formaldehyde and 1,3-butadiene. Formaldehyde and 1,3-butadiene have been classified as toxic and hazardous air pollutants. Both have been shown to cause tumors in animal studies and there is evidence that exposure to high levels of 1,3-butadiene can cause cancer in humans…
>
> Diesel emissions may also be a problem for asthmatics. Some studies suggest that children with asthma who live near roadways with high amounts of diesel truck traffic have more asthma attacks and use more asthma medication.
>
> Some human volunteers, exposed to diesel exhaust in carefully controlled laboratory studies, reported symptoms such as eye and throat irritation, coughing, phlegm production, difficulty breathing, headache, lightheadedness, nausea and perception of unpleasant odors. Another laboratory study, in which volunteers were exposed to relatively high levels of diesel particles for about an hour, showed that such exposures could cause lung inflammation." (*The Health Effects of Air Pollution on Children, supra*; *See also, Mira Loma Commerce Center EIR No. 450, Air Quality, Section 4.*) 27

Furthermore, infants, children, and the elderly are more susceptible to diesel PM and its associated health impacts. Given this project's close proximity to two schools, the Rancho Verde High school (1 mile east) and El Potrero Elementary School (1 mile northeast) this increased susceptibility is extremely relevant. With regards to infants and children, increased susceptibility to TACs and diesel PM exists for a variety of reasons. Children are generally more active than adults, have higher respiration rates, and inhale more pollutants deeper into the lung. Children also have more lung surface area in proportion to their body size and inhale more air pound for pound when compared to adults, taking in 20 to 50 percent more air and associated air pollutants than adults. When compared to adults, children spend more active time outdoors in polluted air environments and exert themselves harder than adults when playing outside. Importantly, this exposure to high pollutant levels in children occurs while their lungs are still developing, and therefore has more severe impacts on this sensitive group. (*The Health Effects of Air Pollution on Children, supra.*) 28

This increased susceptibility to air pollutant emissions for children has resulted in the California EPA Office of Environmental Health Hazard Assessment ("OEHHA") weighting cancer risk by a factor of 10 for exposures to carcinogens from birth to two years old, and by a factor of 3 for exposures from 2 years old to 15 years old. (*Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>) It is unclear that these increased risks were accounted for in the EIR. Additionally, recent studies conducted by SCAQMD's Brain and Lung Tumor and Air Pollution Foundation have found a specific connection between exposure to diesel PM and brain cancer in children. (Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>) 29

In addition to an increased risk of cancer, the effects of diesel PM on children include slowed lung function and growth, increased emergency room visits, increased incidences of asthma and bronchitis, crib death, asthma respiratory infections, allergic symptoms, and asthma hospitalizations. (*Diesel and Health in America: the Lingering Threat*, *supra.*)

This project will contribute to an already dire TAC situation in Riverside County. The Riverside County Planning Commission recently considered GPA 1096, an amendment to the General Plan to add a Healthy Communities Element which seeks to reduce hazardous air quality impacts to environmental and human health. The Healthy Communities Element of the General Plan was approved in view of the following significant health impacts resulting from already poor air quality in Riverside County: 30

- ***Asthma-Related Hospitalizations***: In 2005, the greatest percentage of asthma-related hospitalizations were among those under age 18 (38%) followed by those over 65 (19%). Blacks experienced the greatest rate of hospitalizations in 2005 at 225.7 per 100,000 population, versus 99.5 and 81.2 for Hispanics and whites, respectively. 31
- ***Risk of Cancer from Diesel Soot and Other Toxic Air Pollutants: Whereas the regional risk of cancer from diesel soot and other toxic air pollutants dropped by 8 percent between 1998 and 2005, the cancer risk in Riverside County increased by 2 percent.*** 32

- Poor air quality costs Riverside and San Bernardino around ***$6.3 billion annually*** in health care expenses.
- 19% of private schools, 11% of public schools, an 21% of licensed child care centers in Riverside County are located within a quarter (1/4) mile of a major highway.
- Around 350,000 Riverside County residents live within a half (1/2) mile of a major highway, including about 40,000 children under age 5.
- Five schools in Riverside County rank in the 10th percentile for air quality, meaning that 90 percent of the schools in the country had better air. Twenty-five schools ranked in the 50th percentile or below. 32

Recognizing these present and unacceptable consequences of air pollution to the health of Riverside's residents, particularly children and the elderly, the County General Plan and recently approved Healthy Communities Element have adopted General Plan policies pertinent to this project.

Construction Impacts

The EIR erroneously categorizes construction impacts as "Construction Equipment Exhaust Emissions." While some construction air quality impacts arise from construction equipment exhaust, other emissions exceed the threshold of significance from architectural coatings (ROG), paving, and fugitive dust during site preparation and grading, including the importations of 220,000cy of soil (NOx and PM10). 33

Table 4.2.1 relies on construction phasing not required of the project. For example, paving will result in 3434lbs/day of NOX emissions, 34 times the SCAQMD threshold. However, the EIR finds that, on a "Peak Day," NOX emissions will be only 390 lbs/day. This reduction is unsupported. Also, paving emissions for ROG are unclear (5.95.9?), but divide into 90 lbs/day on a peak day. Hence, while the EIR correctly finds that construction air quality impacts are significant and require mitigation, it fails to disclose the severity of that impact. Additional mitigation measures are also feasible to further reduce construction air quality emissions including the following:

1. Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.
2. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (eg. Install wheel shakers, wheel washers, and limit site access.) 34
3. All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
4. Pave all construction roads.
5. Pave all construction access roads at least 100 feet on to the site from the main road.
6. Limit fugitive dust sources to 20 percent opacity.
7. Require a dust control plan for earthmoving operations.
8. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of

the container shall be maintained.

9. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.
10. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
11. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
12. Extend grading period sufficiently to reduce air quality impacts below a level of significance.
13. The simultaneous disturbance of the site shall be limited to five acres per day.
14. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
15. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.
16. Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.
17. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period. 34
18. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*
19. Develop a trip reduction plan to achieve a 1.5 AVR for construction employees
20. Require high pressure injectors on diesel construction equipment.*
21. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.*
22. Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.*
23. Utilize only CARB certified equipment for construction activities.*
24. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.*
25. Restrict engine size of construction equipment to the minimum practical size.*
26. Use electric construction equipment where technically feasible.*
27. Substitute gasoline-powered for diesel-powered construction equipment.*
28. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
29. Use methanol-fueled pile drivers.*
30. Install catalytic converters on gasoline-powered equipment.*
31. Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel

formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

32. Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.*
33. All forklifts shall be electric or natural gas powered.*
34. Suspend use of all construction equipment operations during second stage smog alerts.*
35. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
36. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
37. Reroute construction trucks away from congested streets and sensitive receptor areas.*
38. Configure construction parking to minimize traffic interference.*
39. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
40. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
41. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
42. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
43. Require the use of Zero-VOC paints, coatings, and solvents.

(* Would reduce impacts to GHGs as well) 34

Mitigation measure (MM) 4.2.6.1B is uncertain and vague, requiring that contractors "utilize power sources…" This should be amended to read that contractors shall utilize electricity from power poles rather than temporary diesel or gasoline power generators. It is further unclear what is considered to be a "clean-fuel." 35

MM 4.2.6.1C requires that, during construction, contractors utilize Tier II equipment. This measure does not go far enough. At least Tier III equipment is feasible and must be required where such equipment is available. 36

MM 4.2.6.1K does not require any mitigation, only that "construction specifications and bid documents" include "notations." This language must specify that: "the following mitigation shall be required to be implanted and, to ensure implementation, included in grading plans, construction specifications, and bid documents…" Several of the mitigation measures recommended above are included in this section but are not required of the project due to this language. 37

MM 4.2.6.3A does not go far enough. The EIR does not demonstrate that implementation of all of the design features mentioned would be infeasible. Each of these measures must be required. 38

Furthermore, it is misleading. Title 24 deals with building energy efficiency, so SmartWay partnerships and other mitigation measures concerning mobile emissions and vehicle standards will not be required to be implemented. ***As most of this project's operational emissions will be derived from mobile sources, and no mitigation measures pertain to reducing these emissions, the mitigation required of this project does not incorporate all feasible mitigation***. The measures under the bullet "Lease purchase documents shall identify that tenants are encouraged to promote the following" should simply be *required* mitigation for the project unless shown to be infeasible. 39

Operational Emissions 40

Impact 4.2.6.3 is unclear.

The Operational Emissions generated by this project are substantial. For instance, the project's NOX emissions will be 990 lbs/day, 18 times the threshold of significance of a 55lb/day increase; CO emissions will well exceed the threshold of significance at 830 lbs/day, one and a half times the threshold of significance of 550; ROG emissions of 143 lbs/day are 2.6 times the 55 lb threshold, and PM10 well exceeds the 150lbs/day threshold at 170lbs/day. (Note: the rounding of emissions downward where such totals are, for instance, 990.93 for NOx, but this number is rounded down to 990, fails to disseminate the *maximum* daily emissions caused by this project.) 41

The mitigation measures adopted to reduce operational emissions fail to reduce mobile emissions, by far the main source of this project's operational emission. (*See,* Table 4.2.K) The project's non-mobile source operational emissions are essentially limited to ROG emissions, yet the mitigation measures focus on the energy efficiency of the building. (e.g. MM 4.2.6.3A) 42

MM 4.2.6.3A does not go far enough and is misleading. All this mitigation measure requires is that the project's building energy efficiency exceed Title 24 by 20 percent. This mitigation does not in any way require the implementation of each of the alternatives listed below. Moreover, as Title 24 deals with building energy efficiency, SmartWay partnerships and other mitigation measures concerning mobile emissions and vehicle standards **will not be required to be implemented in order to satisfy the actual requirement of this mitigation**. The listing of alternatives to satisfy this mitigation measure is misleading and causes the EIR to fail as an informational document. 43

The EIR does not demonstrate that requiring that the project implement each of the alternatives listed at MM 4.2.6.3A is infeasible. Each of these alternatives must be required of the project. 44

With regards to operational mobile source emissions, most of this project's operational emissions will be derived from mobile sources, and no mitigation measures directly pertain to reducing these emissions. ***The mitigation required of this project to reduce operational air quality impacts does not incorporate all feasible mitigation*** as it fails to require the mitigation listed at MM 4.2.6.3A under the bullet "Lease purchase documents shall identify that tenants are encouraged to promote the following" yet does not find such mitigation to be infeasible. These measures must simply be *required* mitigation for the project as these measures will actually 45

reduce the project's mobile source operational emissions. Likewise, as discussed above, each of the other alternatives listed at MM4.2.6.3 is feasible and must be required of this project.

The following mitigation measures are feasible and must be required of this project:

1. The operator of the primary facilities shall become SmartWay Partner.*
2. The Project shall meet SmartWay 1.25 ratings.*
3. The project shall use only freight companies that meet SmartWay 1.25 ratings.*
4. (ALTERNATIVELY from 2,3 above) The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
6. All fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.* 45
8. Install catalytic converters on gasoline-powered equipment.*
9. Where diesel powered vehicles are necessary, require the use of alternative diesel fuels. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
10. Electrical powered equipment should be utilized in-lieu of gasoline-powered engines where technically feasible.*
11. Utilize electrical equipment for landscape maintenance.*
12. All forklifts shall be electric or natural gas powered.*
13. Utilize electric yard trucks.*
14. Prohibit idling of trucks for periods exceeding three minutes.*

15. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
16. Charge reduced or no parking fee for EVs and CNG vehicles.*
17. Install EV charging facilities for a minimum of 10% of all parking spaces.*
18. Install a CNG fueling facility.*
19. Provide preferential parking locations for EVs and CNG vehicles.*
20. Implement parking fee for single-occupancy vehicle commuters.*
21. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
22. Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.*
23. Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.*
24. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.*
25. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.*
26. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.* 45
27. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*
28. Provide a complimentary cordless electric lawnmower to each residential buyer.
29. Implement parking cash-out program for non-driving employees.*
30. Require each user to establish a carpool/vanpool program.*
31. Create a car sharing program within the planned community.*
32. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.*
33. Provide preferential parking for carpool/vanpool vehicles.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Provide secure, weather-protected bicycle parking for employees.*
36. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
37. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
38. Provide showers and lockers for employees bicycling or walking to work.*
39. Short-term bicycle parking for retail customers and other non-commute trips.*
40. Connect bicycle lanes/paths to city-wide network.*
41. Design and locate buildings to facilitate transit access, e.g., locate building entrances near

transit stops, eliminate building setbacks, etc.*

42. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
43. Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents.
44. Provide shuttle service to food service establishments/commercial areas.*
45. Provide shuttle service to transit stations/multimodal centers.*
46. Provide on-site child care or contribute to off-site child care within walking distance.*
47. Implement a compressed workweek schedule.*
48. Implement home-based telecommunicating program, alternate work schedules, and satellite work centers.*
49. All buildings shall be constructed to LEED Platinum standards.* 45
50. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.*
51. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.*
52. Install an ozone destruction catalyst on all air conditioning systems.*
53. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project. *
54. Purchase only green/ renewable power from the electric company.*
55. Install solar water heating systems to generate all hot water requirements.*

Cumulative Impacts

The finding of less than significant short-term cumulative impacts is unsupported by evidence in the record. The EIR finds that project individual construction emissions will be significant, and that other projects construction simultaneously will result in short term pollutant impacts. However, the EIR then states that because each project will have to comply with SCAQMD measures such cumulative impact is less than significant. This conclusion is unsupported by the EIR or any reasoning. In fact, here compliance with SCAQMD measures did not reduce short-term air quality impacts below a level of significance, and the presumption that it would for other area projects and the cumulative impact is completely unsupported by any evidence. 46

The project will result in significant and unmitigated cumulative operational impacts, yet not all feasible mitigation was adopted to reduce this impact. As discussed above, additional mitigation measures must be implemented to reduce operational impacts.

Biological Resources

The EIR finds that impacts to biological resources will be less than significant with mitigation based on outdated and limited surveys. The EIR therefore fails as an informational document. 47

Cultural Resources

The EIR finds that impacts to cultural resources would be less than significant with mitigation with regards to paleontological resource or unique geologic feature. The project site has a "high 48

potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits." The finding of less than significant impacts with mitigation is unsupported as the mitigation required for this potentially significant impact is deficient and fails to incorporate all feasible mitigation. 48

First, MM Cul-1 provides for discontinuing monitoring if "the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached." This mitigation measure is impermissibly vague as it fails to state what portion of the site must be excavated to maximum depth before this determination of "no evidence" is made. 49

Second, a qualified paleontological monitor may only "salvage fossils" or temporarily halt or divert equipment to remove large specimens while avoiding construction delays. This salvage of fossils fails to account for the potential importance associated with the placement of those fossils across the site or any study or documentation of the specimens at the site. The salvaging will also likely result in the loss of many paleontological resources as the purpose of the mitigation is demonstrated by this method to be, primarily, to "avoid construction delays" and not to avoid damaging paleontological resources. 50

MM Cul-1 also uses the qualification: "If too few fossil remains are found…"; this is impermissibly vague. There is no quantification of "too few" or objective way to determine whether this has occurred. 51

Overall, the mitigation required for archaeological resources fails to reduce impacts below a level of significance through vagueness and inherent deficiencies. Salvaging fossils also fails to further Objective 7.6 of the General Plan to "Identify and preserve Moreno Valley's unique historical and archaeological resources for future generations." The mitigation and potential impacts conflict with Policy 7.6.1 and 7.6.2 will not ensure that the archaeological resources are preserved or mitigated. It is also unclear from the EIR whether Conservation Element Programs, General Plan 9.7.3, program 7-6 has been incorporated where such program requires: "In areas where archaeological or paleontological resources are known or reasonably expected to exist, based upon the citywide survey conducted by the UCR Archaeological Research Unit, incorporate the recommendations and determinations of that report to reduce potential impacts to levels of insignificance." The EIR therefore fails to require all feasible mitigation, ensure enforceable mitigation, and fails as an informational document. 52

Geology and Soils

The project will require excavation, fill, and recompaction. The project description states that approximately 220,000 cubic yards of additional fill will be required. It is unclear whether the EIR considered impacts from the import of fill, such as traffic and air quality impacts from truck trips to and from the project site to the fill import site, an unknown location at this time. Some 80,000 cy of fill has already been imported to the site, yet the impacts from this fill dirt have 53

been segregated from the remainder for the project. Again, project impacts have been underestimated and improperly segmented. 53

The project is also located on a geologic unit or soil that is unstable as soil shrinkage and expansion may occur. The mitigation for expansive soils, MM Geo-2 is deferred and vague. Specifically, such mitigation requires that the project proponent "inform" engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the geotechnical analysis and that such guidelines "shall be reviewed and considered." The guidelines must be required of the project in order for such mitigation to certain and enforceable. 54

GHGs

The EIR finds that the project is consistent with GHG plans, policies, and regulations. The reasoning behind several of these findings is unsupported. For instance with regards to transportation, as discussed above, the project is unlikely does not reduce VMT. 55

Compliance with GHG reduction strategies is also unsupported. For instance, the EIR fails to delineate how an energy efficient building features support achieving a 33 percent renewable energy mix statewide, unless the building will be reliant on renewable energy. Similarly, the EIR fails to show how the project is compliant with engine efficiency measures where the project does not require the use of fuel efficient trucks. 56

There is no GHG reduction plan as part of the City of Moreno Valley's General Plan, hence Tier 2 SCAQMD criteria are improperly applied. Tier 2 criteria is intended for a plan that may be part of a local general plan, for example. Comparing the impacts from this project to statewide emissions in order to find such emissions to be less than significant is improper.

Tier 3 is more properly applied to the industrial project at hand. The screening level for Tier 3 per the December 5, 2008 the SCAQMD Governing Board adoption of interim GHG significance thresholds is less than 10,000 MTCO2eq/yr. CARB's threshold for the same is less than 7,000MTCO2eq/yr and meets construction and transportation performance standards. Applying these interim thresholds to this project, the project is far in exceedence with emissions in the range of 44,000 MTCO2eq/yr. The finding that the project will have a less than significant individual impact on GHGs and climate change is unsupported in light of the interim numerical thresholds established for industrial projects by SCAQMD and ARB, and these omissions cause the EIR to fail as an informational document. Notably, the GHG appendix E delineates these standards at page 22 (from 2010), but they are neither applied nor mentioned in the EIR. 57

The mitigation measure requiring the devising of a comprehensive water conservation strategy is vague and defers mitigation. There is no requirement that the alternatives listed be incorporated 58

or that the conservation strategy meet any performance standards. 58

Mitigation measure 4.3.6.1A is not mitigation, but a requirement of the California Code of Regulations. 59

Notwithstanding the above deficiencies, the EIR finds cumulative GHG impacts of the project to be significant and unavoidable. 60

Hazards and HazMat

The EIR finds, based on no substantial evidence, that this impact is less than significant. The EIR explains that "potentially hazardous materials…may be used and/or stored on site during the construction and/or occupancy of the proposed industrial facilities." As the tenant of the proposed industrial building is unknown, this impact should be considered potentially significant. Compliance with applicable laws does not necessarily reduce this impact below a level of significance. 61

Hydrology and Water Quality

The project will have a significant impact to water quality which will be mitigated below a level of significance, yet the EIR fails to undertake an evaluation of this impact beyond the cursory review done for the Environmental Assessment. 62

The project will alter the existing drainage onsite. Mitigation Measure Hyd-05 improperly defers mitigation as the EIR fails to provide any reason why the grading plan and/or drainage report cannot be presently prepared but, instead, must be deferred. Deferred mitigation is only permissible where, for practical reasons, it is not feasible to prescribe specific mitigation measures in the EIR. (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 94.) This caveat is not demonstrated here, and a grading plan and drainage report must be contemporaneously prepared for the EIR. 63

Land Use

The project will conflict with an applicable habitat conservation plan or natural community conservation plan. It is unclear how MM Bio-1 through MM Bio-4 will reduce this impact below a level of significance. The EIR thereby fails as an informational document and impacts to land use should be considered significant and unmitigated. 64

Noise

The EIR arbitrarily creates a threshold for significance for noise of a 3dbA increase, stating that only this level of increase is considered potentially significant and that a 3 dbA change is used as a threshold of significance. This 3dbA change is ***not*** a threshold of significance adopted by the City of Moreno Valley. (Guidelines § 15064.7) Furthermore, the statement that only audible 65

changes in existing ambient or background noise levels are considered potentially significant is unsupported except by further conclusory statements. 65

The EIR also relies on the City's Municipal Code with regards to prohibited acts and noise disturbances. These figures too are not a threshold of significance and are not noise standards adopted by the City. Rather, they represent punishable acts and violations of the law. Exemptions from sound regulations likewise refer to punishable sound violations and not noise standards adopted by the City. 66

The noise standards adopted by the City are described in the General Plan, Section 6.4, which states that acceptable residential exterior noise standards are within 60-65 CNEL, and interior at 45 dbA CNEL. The City's municipal code sets limits for a noise disturbance as well at the limits of Table 4.4.F, at Residential 60 dBA daytime, 55 dBA nighttime; Commercial 65 dBA daytime, 60dBA nighttime. 67

The EIR states that the noise analysis was done using "the soft site propagation for noise" on the basis that the ground is not pavement in the project vicinity. However, the site itself will be paved, in addition to the roads that vehicles will travel to and from the site. Other uses surrounding the site are also paved and include industrial/warehouse uses to the north, industrial/warehouse and undeveloped property to the south, industrial/warehouse and a self-storage facility to the east, and warehouses, vehicle storage, residences, and undeveloped property to the west. While these uses are interspersed with vacant uses, agricultural and undeveloped land in the project vicinity is zoned for development and will be hastened towards that end through the development of this project and surrounding areas. Overall, the use of soft site analysis is unsupported by the EIR, and noise levels are likely to be much higher than those predicted by the EIR. 68

The noise study relies on a standard vehicle mix to determine traffic noise. This is unsupported given the locale and proposed project use as a distribution facility. 69

The EIR find that the project will increase traffic noise at 5 study roadway segments where four of these segments already exceed the level of significance for noise. This must be considered a significant impact as the project will result in an increase in ambient noise and such noise levels are and will be unacceptable at off-site land uses. 70

The project will also cause exposure and generation of noise levels in excess of General Plan and Municipal Code standards for construction and operation noise. The EIR wrongly looks at noise impacts at the nearest residence, where the proper measure is to look at noise generation at the property line. 71

The EIR concludes that loading and unloading will be "intermittent" and therefore less than significant. However, the warehouse will be a distribution warehouse, with trucks coming and 72

going, loading and unloading throughout the day. Accordingly, as noise levels will be 75 dBA at 50 feet, the noise impact is significant. 72

The EIR finds long-term traffic and operational noise impacts to be less than significant. However, the entire discussion in the EIR regarding noise is very conclusory and fails to provide any sources for the figures relied upon. 73

The Construction noise analysis is fatally flawed, as the source for typical construction equipment noise is quite outdated, from 1987. It is impossible that construction noise sources from 1987 have not been altered in 25 years. The EIR fails as an informational document by failing to rely on contemporary studies and data. The noise exposure during construction will be much greater than predicted by the EIR. (*See,* attached "Construction Noise Handbook," Chapters 3, 4, and 9, Federal Highway Administration, August 2006, <http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm>; and" Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis," Electronic Library of Construction Occupational Safety and Health, November/December 2002.) Nonetheless, the EIR concludes that noise levels during construction will be up to 91 dBA at 50 feet. 74

The project will have a significant impact from construction noise that is said to be mitigated below a level of significance. However, as discussed above, such mitigation may not be sufficient after analysis based on contemporary studies. Furthermore, the EIR relies on noise occurring between the hours required by the City. This is not mitigation but the law. 75

As it is uncertain that mitigation will reduce project impacts below a level of significance, the following additional mitigation must be required of the project: 76

1. Temporary noise barriers must be installed during project construction.
2. Where technically feasible, utilize only electrical construction equipment
3. During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.
4. Provide a "windows closed" condition requiring a means of mechanical ventilation (e.g. air conditioning) for all buildings.
5. Provide upgraded windows with a minimum Sound Transmission Class (STC) rating of 34 for all buildings, and/or require the installation of double-paned windows.
6. Keep new transportation facilities away from vibration sensitive areas.
7. When dealing with existing transportation facilities, obvious vibration causes, such as pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc., may be eliminated by resurfacing.
8. Require the use of rubberized asphalt for construction of all roadways and parking areas.
9. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.
10. Require resurfacing of roads.

11. Ban heavy trucks near vibration sensitive uses.
12. Use alternate construction methods and tools to reduce construction vibrations. Examples are predrilling of pile holes, avoiding cracking and seating methods for resurfacing concrete pavements near vibration sensitive areas, using rubber tired as opposed to tracked vehicles, placing haul roads away from vibration sensitive areas. 76
13. Scheduling construction activities (particularly pile driving) for times when it does not interfere with vibration sensitive operations (e.g. night time).

Mitigation Measure 4.9.6.1D does not mitigate for noise impacts during construction hours. 77

Cumulative noise impacts were found to be "No Impact." This conclusion is unsupported. The discussion of cumulative traffic noise impacts is unsupported. 78

Transportation

Traffic counts from the project are low given the project's 264 dock doors, parking for 368 trucks and trailers, and parking for 589 passenger vehicles. 79

The EIR fails to study many intersections that will be impacted by the project, particularly along Harley Knox Boulevard en route to I-215. Also, no freeway connection to the north was evaluated at Cactus, and no evaluation of impacts to the south to the Ramona Expressway was conducted. The EIR fails as an informational document by failing to study impacts to these intersections. The EIR also fails to look at future traffic impacts. 80

The EIR attempts to minimize the project's significant and unmitigated traffic impacts by segregating impacts to existing versus 2013 and local intersections and roadways versus freeway segments. 81

The project will result in significant and unmitigated cumulative traffic impacts, resulting in less 10 intersections and 4 roadway segments operating as below the City's LOS standard. Additionally, 3 freeway segments and ramp merge/diverge areas would operate at unsatisfactory levels of service. Despite these impacts, the project does not require any additional mitigation at these intersections or roadways beyond contribution to the DIF and TUMF. 82

The EIR finds that impacts to intersections and roadway segments within the DIF and TUMF programs will be reduced below a level of significance despite the fact that many of these improvements are not yet funded and will likely not be funded for some time. Mitigation is therefore uncertain and deferred. It appears that the only improvement currently planned is widening of Perris Boulevard, to be completed in May 2013. Nonetheless, the EIR finds that impacts based on Opening year 2013 plus project will be mitigated to less than significant at all significantly impacted roadway segments and intersections other than the I-215 segments and ramps. The fact that an improvement is part of the DIF or TUMF program does not ensure that it will soon be planned or funded, and surely does not ensure that it will be planned, funded, and 83

built by 2013 to reduce impacts to less than significant. 83

In fact, the roadways reliant on TUMF funds are not presently scheduled for improvement nor are the improvements funded. (*See, e.g., 2011 Annual Report, Transportation Uniform Mitigation Fee Program,* Western Riverside Council of Governments, "Five Year Transportation Improvement Program," <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>, p.39, *See, also,* <http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf> [detailing funded expenditures in the Central Zone]) Furthermore, TUMF improvements can take up to 9 years to become a reality from a local jurisdiction developing a project to completion of construction. (*2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra,* p.7) Project prioritization, programming, and allocation of funds may also be a barrier to improvements on the roadways impacted by this project. (*2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra,* p.10) The EIR's conclusion that project transportation impacts on local roadways and intersections is less than significant after mitigation is simply not supported by evidence and the realities of these fair share programs. 84

With regards to DIF funding, the EIR even states that, "As part of its Capital Improvement program, the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents." The finding of less than significant impact after mitigation at these impacted intersections and roadway segments is therefore unsupported as such reduction to a level below significance may not occur in the short-term, long-term, or ever if these roadways are not given priority. 85

Mitigation requiring direct funding and completion of improvements at impacted roadways and intersections must be required of the project unless demonstrated to be infeasible. As the project currently stands, not all feasible mitigation has been required of this project to reduce traffic related impacts below a level of significance, and mitigation is uncertain and deferred. 86

Consistency with Local and Regional Plans

The EIR finds that the project is consistent with the SCAQMD AQMP, however the EIR previously found that the project failed to meet SCAQMD's requirements with regard to air quality control for mobile sources and construction emissions. 87

Consistency with the Transportation chapter of the 2008 RCP is unsupported. The statement that the proposed project will "limit[] the need for vehicle travel" and therefore satisfy the goal of "A more efficient transportation system that reduces and better manages vehicle activity" is erroneous. As discussed above, the project will have significant and unmitigated traffic impacts, and reliance on the TUMF and DIF programs provides for uncertain mitigation for traffic impacts. 88

Consistency with the Economy Chapter is likewise unsupported by the EIR. The Goal of 89

"diversifying the region's economy" is not satisfied by "add[ing] to the City's portfolio of industrial services." Said another way, the project will add more industrial services to already existing/proposed industrial services, the opposite of diversifying the region's economy. 89

The EIR finds that the project is consistent with the Compass Growth Vision Principles, yet fails to evaluate how the project is consistent with these principles. The evaluation provides is generalized and fails to discuss how the project is, in fact, consistent with principles 1, 2, and 4 re: improving mobility, fostering livability, and promoting sustainability for future generations. The finding of inconsistency is unsupported by the EIR and, again, the EIR fails as an informational document. 90

Segmentation

The project site has already received 80,000 cubic yards of fill of the total 300,000 cubic yards required onsite. The impact from this fill importation was segmented from the project as a whole. Such importation, upon evaluation in the EIR, would likely push the project construction impacts further above several threshold of significance and would likely lead to the exceedance of PM2.5, among perhaps others. 91

Alternatives

Where there is an environmentally superior alternative that significantly decreases the significant impacts of the Project then that alternative must be approved rather than the Project if that alternative is feasible, even if the alternative would impede to some degree the attainment of the project objectives, or would be more costly. [(PRC§ 21002; *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 597, State CEQA Guidelines § 15126.6(b)]

In this case, both the no project alternative and the reduced intensity alternative would reduce impacts when compared with the project. The reduced intensity alternative would reduce several impacts below a threshold of significance when compared to the proposed project. The reduced intensity alternative would also satisfy most of the project objectives. Accordingly the reduced intensity alternative must be approved over the project. 92

The EIR undermines the reduced intensity alternative by claiming that impacts would be similar; this claim is entirely unsupported by the facts and figures provided in comparison. For instance, with regards to traffic impacts, the EIR finds that impacts to roadways and intersections would be reduces. The EIR then, however, finds that the impact "would be similar." The EIR also finds that the reduced intensity alternative fails to satisfy several project objectives; these findings are likewise unsupported by the evidence. For instance, the EIR states that the reduced intensity alternative fails to meet the objective of clustering industrial warehouses near efficient access points. However, the reduced intensity alternative does not move the project. Nonetheless, the reduced intensity alternative substantially reduces impacts and meets most 93 94 95

project objectives. Accordingly, it must be approved rather than the project. 95

Lastly, the final line of the environmentally superior alternative pertains to an alternative site. There is no discussion of an alternative site with regards to the reduced intensity alternative. The EIR is misleading and fails as an informational document by claiming that the reduced intensity alternative fails to meet objectives related to location because of an alternative site. 96

Conclusion

Thank you for your consideration of these comments and the attached and/or referenced material.

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

Attachments and Electronic Citations

(1) Western Riverside Council of Governments, *2011 Annual Report, Transportation Uniform Mitigation Fee Program,* <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>

(2) Western Riverside Council of Governments, *Funded Expenditures in the Central Zone,* <http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf.>

(3) The Press Enterprise, Jack Katzanek (February 1, 2012) *"Moreno Valley: Sketchers' warehouse has caused net job loss,"* <http://www.pe.com/business/business-headlines/20120201-moreno-valley-skechers-warehouse-has-caused-net-job-loss.ece>

(4) *The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>

(5) *Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf> 97

(6) Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>

(7) *Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>

(8) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

(9) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapters 3, 4, and 9* <http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm>

(10) Electronic Library of Construction Occupational Safety and Health (November/December 2002) *Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis.*

(11) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(12) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects*. 97

RAYMOND W. JOHNSON, Esq., AICP LEED GA
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Thirty years subdivision design: residential, commercial and industrial
- Thirty years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

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General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

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- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals
- Member, U.S. Green Building Council, LEED GA

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants. 97

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co. 97
Lee's Summit, MO 6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO 9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.
Project Coordinator 6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

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2.10 RESPONSE TO LETTER D

Johnson & Sedlack

Response to Comment D-1. The commentor has accurately summarized the general aspects of the proposed project. No further response is necessary.

Response to Comment D-2. The City agrees that the major tenent of CEQA is that it is a disclosure process; therefore, your letter along with all the other comments and responses will be forwarded to the City decision makers for their consideration in the review of the EIR. No further response is necessary.

Response to Comment D-3. The commentor's opinions on the quality of the environmental assessment that was done will be forwarded to the decision-makers for their consideration. The City disagrees with the commentor's generalized assertions regarding the adequacy of the VIP Moreno Valley Draft EIR. The comment that the conclusions in the EIR are not based in fact is erroneous. The Draft EIR is based on the findings of technical studies that were prepared for the project that were included in their entirety in the appendices to the Draft EIR. Those studies are:

- General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., August 1, 2010.
- Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009.
- Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 9, 2009.
- Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 11, 2009.
- Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California, Michael Brandman Associates, March 22, 2007.
- Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007.
- Phase I Environmental for the Evaluation of Potentially Hazardous Materials, Centec Engineering, February 23, 2007.
- Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., March 27, 2009.
- Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., July 24, 2009.
- Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004, Eastern Municipal Water District, January 20, 2010.
- LESA Modeling Worksheets, LSA Associates, Inc., August 2011.
- Air Quality Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.
- Health Risk Assessment VIP Moreno Valley, LSA Associates, Inc., March 2012.

- Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., December 2011.
- Noise Impact Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.
- Traffic Study VIP Moreno Valley, LSA Associates, Inc., April 9, 2012.

The Initial Study that was prepared for the proposed project determined that impacts on biological resources, cultural resources, geology, and hydrology and water quality would be less than significant with the implementation of mitigation not potentially significant requiring further analysis in an EIR. Those specific mitigation measures are identified in the Initial Study, Section 2.0 of the EIR and are also included in the Mitigation Monitoring and Reporting Plan (MMRP) attached to the Final EIR. The City formally initiated the environmental process with circulation of an NOP along with the Initial Study , which it sent to responsible agencies and interested individuals for a 30-day review period from August 26 to September 26, 2011. At the close of the public review period, the City had received 12 letters on the NOP. The NOP disclosed that an EIR would be prepared and the issues that would be addressed are agricultural and forest resources, air quality, greenhouse gases and global climate change, noise and transportation. None of the responses to the NOP asked that biological resources, cultural resources, geology, and hydrology and water quality be evaluated in the EIR. As a result the City is not concealing information from the public on the significance of impacts.

Response to Comment D-4. The City respectfully disagrees with the commentor's opinion that the findings in the EIR are not supported by substantial evidence. (also refer to Response to Comment D-3).

Response to Comment D-5. As appropriate, a portion of the mitigation measures suggested by the commentor (refer to Response to Comment D-45) have been incorporated in the Final EIR to further reduce impacts but these mitigation measures do not change the conclusions or analysis in the Draft EIR. All mitigation measures that are in the Draft EIR and mitigation added as a result of responses to D-45, D-34 and E-51 through D– 53 have been included in the MMRP (Section 4.0 of the Final EIR) to ensure that they are being implemented.

Response to Comment D-6. It is the commentor's opinion that the mitigation measures in the EIR are vague, uncertain, and unenforceable and are not based in fact nor does the commentor provide any examples. As detailed in the following responses, appropriate and enforceable mitigation of the project's significant individual and cumulative impacts have been identified in the Draft EIR.

Response to Comment D-7. It is not clear as to what the commentor is referring to in stating "several "alternatives" listed in the EIR will not satisfy the actual mitigation required, while other mitigation measures merely require the incorporation of writings, not actions."

The alternatives (Section 6.0 of the Draft EIR) are in compliance with *CEQA Guidelines* Section 15126.6(a), where the Draft EIR describes "a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (*CEQA Guidelines* Section 15126.6(b)). The discussion of project alternatives must "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." The alternatives are to "substantially lessen the significant effects of the project", not to satisfy the actual mitigation required.

It is not clear by what the commentor means as to the mitigation measures "merely require incorporation of writings" and no examples were provided by the commentor to clarify the meaning of the statement.

Response to Comment D-8. The commentor inaccurately suggests that the project should be required to obtain a LEED gold or platinum rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions impacts. The process of obtaining a LEED rating of any level (LEED ratings levels are Certified, Silver, Gold, and Platinum, with Platinum being the highest) is not mitigation. However, the specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. As stated in Mitigation Measure 4.2.6.3.A (Draft EIR page 4.2-26): *"Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:"* With implementation of this measure, the building will meet the 20% performance standard which will render greenhouse gas emissions impacts to a less than significant level on a project-specific basis.

Regarding air quality impacts, many of the suggested mitigation measures have been added in the Final EIR, are incorporated in the Draft EIR already, or were determined to be infeasible. For a list of those mitigation measures please refer to the Tables contained in Response to Comments D-34 regarding construction mitigation measures and D-45 regarding operational mitigation measures.

For clarification purposes, the Level of Significance After Mitigation conclusion regarding the project-specific impact associated with climate change and greenhouse gas emissions that appears on page 4.3-26 has been modified as shown below and as indicated in Section 3.0 Errata in the Final EIR:

Draft EIR, Section 4.3.6.1 Greenhouse Gas Emissions, Page 4.3-26

> **Level of Significance After Mitigation.** The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~ on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable.

Response to Comment D-9. Please see Response to Comment D-8. In addition, a portion of the air quality mitigation measures suggested by the commentor have been incorporated to further reduce air quality and impacts. Please refer to the Table contained in Response to Comment D-45. However, these mitigation measures do not change the conclusions or analysis in the Draft EIR.

Response to Comment D-10. The commentor incorrectly asserts that the project's traffic impacts are not fully mitigated through contribution to TUMF and DIF. As elaborated in Responses to Comments D-82 through D-85, the project's payment of these fees will result in full and complete mitigation.

Response to Comment D-11. The commentor incorrectly asserts that the environmentally superior alternative meets most project objectives and must be approved instead of the proposed project. Although the environmentally superior alternative (reduced density) will result in reduced air pollution and GHG emissions, impacts associated with these issues would remain significant and unavoidable for air quality, greenhouse gas emissions, and traffic in the same manner as the proposed project (see Draft EIR Section 6.4 Comparison of Project Alternatives, Table 6.K, page 6-31). Also refer to Responses to Comments D-92 through D-95 for further elaboration on this subject.

Response to Comment D-12. While the Draft EIR does acknowledge that "*Development of the project site would introduce a new source of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings*" the Draft EIR does not state that the project would result in the introduction of a substantial new source of light as asserted by the commentor. The Draft EIR includes an analysis of potential light and glare impacts that may occur as a result of project implementation.

As noted in the Draft EIR, "*project-related lighting impacts were determined to be less than significant because all development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses. Therefore, impacts associated with this issue are less than significant and no mitigation is required.*"

Response to Comment D-13. The commentor misidentifies the existing farmland designations on-site. As detailed in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-5), "*Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland,*[1] *16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance.*" No Unique Farmland exists on-site. Additionally, the Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of farmland to a non-agricultural use (Draft EIR Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-14).

Response to Comment D-14. The comment is noted. As described in Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-10 of the Draft EIR, "*The conversion of the 16.89 acres of on-site Prime Farmland would be equivalent to 0.03 percent of the total loss of Prime Farmland in the County during this period. Similarly, the conversion of the 16.23 acres of on-site Farmland of Statewide Importance would be equivalent to 0.07 percent of the total loss of Farmland of Statewide Importance in the County during this period. The conversion of the 38.69 acres of on-site Farmland of Local Importance would be equivalent to 1.89 percent of the total loss of Farmland of Local Importance in the County during this period.*" This level of conversion expressed in percentages that would occur with project implementation over the course of a two-year reporting period for the County

[1] Important Farmland Map Riverside County, Farmland Mapping and Monitoring Program, 2004.

does not represent a substantial conversion of farmland within the County. Furthermore, the Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of on-site farmland to a non-agricultural use (Draft EIR, Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-14).

Response to Comment D-15. There are no agricultural land uses designated or zoned adjacent to the proposed project site. As described in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-1), "*Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north; industrial/warehouse and undeveloped property to the south; industrial/warehouses and a self-storage facility to the east; and warehouses, vehicle storage, residences, and undeveloped property to the west. Active agricultural operations (alfalfa) take place on properties located to the southwest of the project site, west of Indian Street and south of Harley Knox Boulevard*". The active agricultural uses identified in the Draft EIR are approximately 1,000 feet away.

The Draft EIR does not play down the effect of on-site development on adjacent agricultural uses or on properties along truck routes or citywide. As identified in the Draft EIR (Section, 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12), "*the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the '…orderly conversion of agricultural lands.' The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development.*" As described in the Draft EIR, the City's General Plan and General Plan EIR have considered and evaluated the eventual and expected conversion of agricultural activity within the City. The City has already anticipated the eventual conversion of all agricultural activity within the City.

Furthermore, to predict potential impacts of the conversion of active agricultural operations that are occurring citywide as a result of the implementation of the proposed project is speculative and outside the scope of the Draft EIR and CEQA. Agricultural activity within the City is an interim use until such time a development proposal is submitted for a particular project, which cannot be predicted.

Response to Comment D-16. The potential mitigation measures identified in this comment are not considered to be feasible by the City of Moreno Valley as determined in the City's General Plan EIR. As identified in the Draft EIR (Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-13), "*Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. The City does have the ability to encourage property owners to participate in Williamson Act programs; however, this is expected to result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. The land would then be available to be developed with urban uses.*

Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified."

The Table below contains the suggested mitigation measures by the commentor. The responses determine whether the Draft EIR contains the mitigation measure, if the mitigation will be added mitigation as part of the Final EIR, or if it will not be included and why.

Suggested Mitigation Measure	Response
1. The purchase of agricultural conservation easements;	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*)
2. Transfer of development rights;	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable.
3. Acquisition of farmland by the city or county;	**Economically infeasible**. Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations.
4. Mitigation banking;	**Economically infeasible**. Neither the City of Moreno Valley or the County have a mechanism in place for mitigation banking. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. In addition, there is not any agricultural zoned land in the City for the City or County to purchase.

Suggested Mitigation Measure	Response
5. The establishment of "urban limits," greenbelts, and buffers;	**Not sufficient.** Will not result in permanent protection of agricultural lands. There is no mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations.
6. The payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements;	**Economically infeasible**. Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See (Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) In addition, there is not any agricultural zoned land in the City for the City or County to purchase and there is no existing fee program for farm land in the City.
7. Planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.	**Economically infeasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. In addition the project is an industrial project which the site is planned for in the City's General Plan since 1987. In addition, this is not a residential project. The proposed mitigation is not applicable. The project won't promote "leapfrog" development since the area surrounding the project site is developed.

Response to Comment D-17. Please refer to Response to Comment D-16.

Response to Comment D-18. This comment is noted. The commentor has correctly identified potential air quality impacts of the proposed project. The Draft EIR also identifies the same significant and unavoidable air quality impacts as occurring during construction and operation of the project (Draft EIR Section 4.2 Air Quality, pages 4.3-23, 4.2-25 and 4.3-28 through 4.3-29).

Response to Comment D-19. The Draft EIR Section 4.2 Air Quality includes a discussion of the applicable SCAQMD regional rules that are required of all development within the South Coast Air Basin as well as project-specific mitigation measures. The Draft EIR distinguishes between measures that are required by rules enforced by the SCAQMD and proposed mitigation measures identified to reduce potential impacts. The Draft EIR then presents data reflecting the anticipated reduction of emissions achieved as a result of both rules enforced by the SCAQMD and project-specific mitigation measures. The Draft EIR includes text on page 4.2-21 stating, "*To facilitate monitoring and compliance, applicable SCAQMD regulatory requirements are restated in the following mitigation. These measures shall be incorporated in all project plans, specifications, and contract documents.*" No further discussion is required.

Response to Comment D-20. This comment is noted. The commentor has correctly identified existing ambient air quality conditions in the project vicinity and the location of the nearest sensitive receptors. The Draft EIR Section 4.2 Air Quality, Table 4.2.D page 4.2-5 and page 4.2-6 (Section 4.2.1.5 Sensitive Land Uses in the Project Vicinity) also identifies the same ambient air quality conditions and locations of the nearest sensitive receptors.

Response to Comment D-21. The Draft EIR Section 4.2.3.4 Local Policies, page 4.2-9, includes a discussion of the City's General Plan and the policies relevant to air quality. The goals, objectives, and policies cited by the commentor are in portions of the General Plan that deal with public safety and energy conservation, but are included here to address the comment:

Ultimate Goal VII: Emphasizes public health and safety, including, but not limited to, police, fire, emergency and animal services and protection from floods and other hazards.

> *Response:* Section 2.5.10 of the Draft EIR addressed public health and safety relative to the cited public services, and Section 2.5.12 of the Draft EIR addressed utilities including energy use (i.e., the wise use of energy is considered energy conservation). The Draft EIR evaluated these issues and determined that the proposed project would not have significant impacts related to public health and safety (public services) and energy use/conservation with implementation of the project as proposed with the recommended mitigation. Therefore, the proposed project is consistent with this goal.

Goal 6.1: To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property.

> *Response:* Section 4.2 of the Draft EIR addresses health impacts related to air quality (i.e., health risk assessment), Section 2.5.5 of the Draft EIR addresses hazards and hazardous materials, Section 2.5.4 of the Draft EIR addresses geotechnical hazards, and Section 2.5.6 addresses water-related hazards. The EIR concluded that these impacts would be less than significant based on the design of the project and implementation of recommended mitigation measures except for specific daily thresholds for construction and operational air pollutants.
>
> NOTE: The project's consistency with Objective 7.5 and Policies 7.5.1, 7.5.2, and 7.5.5 regarding energy efficiency is included in Chapter 4.3 Climate Change and Greenhouse Gases, which begins on Draft EIR page 4.3-1. However, the following information is provided for the reader's convenience.

OBJECTIVE 7.5: ENCOURAGE EFFICIENT USE OF ENERGY RESOURCES.

> *Response:* Section 2.5.12 of the Draft EIR examines the project's use of energy resources such as electricity and natural gas and concludes that the potential impacts will be less than significant after compliance with the State's new "Green Building Code" (Title 24) including strict energy conservation requirements. In addition, Mitigation Measure 4.2.6.3A (under Air Quality) also addresses energy conservation.

Policy 7.5.1: Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand.

> *Response:* Sections 2.5.12 (Utilities) and 4.2 (Air Quality) of the Draft EIR addresses the design of the project relative to wise energy use (i.e., energy conservation) and determined that impacts in this regard would be less than significant with implementation of the state Green Building Code as well as implementation of Mitigation Measures 4.2.6.3A.

Policy 7.5.2: Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles.

> *Response:* The proposed project does implement the recommended improvements related to private development in this policy (i.e., bicycle racks, pedestrian access).

Policy 7.5.5: Encourage the use of solar power and other renewable energy systems.

Response: The proposed project does not have a specific end user at this point, but the building design will allow for future installation of solar photovoltaic and solar hot water heating for the office area.

Summary. As stated in section 15002 of the CEQA Guidelines, the basic purposes of CEQA are to 1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities; 2) Identify ways that environmental damage can be avoided or significant reduced; 3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternative or mitigation measures when the governmental agency find the changes to be feasible; and 4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved. While the suggested goals are not cited in the Draft EIR for reasons stated previously, this Draft EIR meets the basic purposes of CEQA and adequately discloses potential project-related effects to human health and the environment within Sections 4.2 Air Quality (beginning on page 4.2-1), 4.3 Climate Change and Greenhouse Gases (beginning on page 4.3-1), 4.4 Noise (beginning on page 4.4-1), and 4.5 Transportation (beginning on page 4.5-1).
Based on project design, compliance with existing regulations and implementation of the recommended mitigation measures protects public health and safety and achieves responsible energy conservation to the extent required by the lead agency under CEQA. Therefore, the proposed project is consistent with these General Plan goals, objectives, and policies.

Response to Comment D-22. Since there is no specific end user identified at this time, it is not known if employees will be relocated from another facility. It should be noted that even relocation of an existing use from elsewhere in the region still benefits the local economy. The relocation of employees may have an indirect employment impact in other jurisdictions but an overall neutral effect on the region (likely the jobs would still stay within the region). It is speculative to predict such employment changes since the end user is not known at this time. The cited online article makes no assertion that vehicle miles travelled (VMT) were increased due to an employee transfer and the commentor provides no evidence that this was the case in that example. The context of the analysis the commentor is commenting on relates to the project's consistency with the Air Quality Management Plan (AQMP) and how the project may accommodate the expected increase in population and employment in the City. The project is consistent with existing General Plan and Zoning designations and therefore it is reasonable to assume that given the proximity of existing homes and existing commercial uses in the area coupled with the City's existing low jobs-to-housing ratio (i.e., below the existing SCAG jobs-to-housing ratio), the project has the potential to minimize the VMT within the community.

Response to Comment D-23. The Draft EIR does not find that the project will minimize VMT compared to a "typical" large industrial/warehouse type project. However, this project provides the opportunity for a reduction in employee-related VMT because the proposed project will create jobs and provide the opportunity for City of Moreno Valley residents to find employment close to their homes. Because of the high unemployment levels in the City of Moreno Valley, this potential is real. However, the commute travel reduction is virtually impossible to calculate. Nonetheless, the project will create the potential for reduction in commuting distances for employees that reside in the City or in other municipalities near the project site.

Response to Comment D-24. The conclusion referenced in this comment is based on the previous assessment of localized operational impacts to sensitive receptors (Section 4.2.5.4). Because the project would not result in any exceedances of localized operational emissions thresholds,

operational acute health risk impacts are expected to be less than significant. Additional language has been added to Section 4.2.5.5 of the Section 3.0 Errata Final EIR to refer the reader back to the previous Section 4.2.5.4 to clarify this point.

Draft EIR Section 4.2.5.5, Operational-Acute Health Risk Impacts Page 4.2-18

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. As previously identified in Section 4.2.5.4, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. Similarly ~~Therefore~~, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

Response to Comment D-25. The HRA analysis provided in the Draft EIR Section 4.2.5.5 Operational-Acute Health Risk Impacts, page 4.2-18, evaluated the health risk levels at all locations within the area covered by the receptor grid which covers the area surrounding the project and extends out to beyond where the project contribution to ambient air quality is measurable. As stated in the technical Health Risk Analysis (HRA) prepared for the project: Receptors were placed at a grid approximately five by five miles to characterize the regional risk levels and at locations of all identified sensitive receptors" (see page 12 of the HRA contained in Appendix D-2 of the Draft EIR). Within the accuracy of the air dispersion model, using a grid of receptors to allow the display of area-wide distributions and wind effects is a much better indication of predicted pollutant concentrations than only placing a single receptor at a location of interest. This is in accordance with SCAQMD HRA methodology. Furthermore, the HRA considers a worst-case scenario (i.e., health risks at the nearest receptors); therefore, it can be expected that health risks at locations further away would be less than that at the nearest receptors.

Response to Comment D-26. This comment is noted. The HRA analysis provided in the Draft EIR Section 4.2.5.5 Operational-Acute Health Risk Impacts and Section 4.2.5.6 Operational-Chronic Health Risk Impacts, page 4.2-18 includes all health risks for which there are accepted analysis methods. The health effects described in the comment do not have methodologies to support inclusion.

Response to Comment D-27. This commentor is stating the facts on diesel emissions provided by the SCAQMD and is noted. No response is required.

Response to Comment D-28. This comment is a statement of fact and is noted. No response is required.

Response to Comment D-29. The HRA analysis provided in the Draft EIR, Section 4.2.5.6 Operational-Chronic Health Risk Impacts, page 4.2-18 accounted for the health risks to all the populations affected by the predicted emissions from the project operations including children. In addition the Draft EIR, Section 4.2.1.5 Sensitive Land Uses in the Project Vicinity, page 4.2-6 identifies those sensitive receptors in the area of the proposed project that are sensitive to air pollutants, which includes residences, schools, medical offices, convalescent facilities, and similar uses. The susceptibility of various portions of the population, including infants and children as well as older people are all considered and analyzed, which includes diesel emissions, in both the air quality and HRA sections of the Draft EIR (Sections 4.2 and 4.3, respectively).

Response to Comment D-30. This comment is a statement of fact and is noted. The City of Moreno Valley General Plan is the governing body for the proposed project not the Riverside County General Plan. Consistency of the project with the Riverside General Plan is not required.

Response to Comment D-31. This comment is a statement of fact and is noted. The commentor does not provide a reference for the statement and there is confusion as to how the bullet item relates to the analysis in the Draft EIR. No response is required.

Response to Comment D-32. This comment is a statement of fact and is noted. The commentor does not provide a reference for the statement and there is confusion as to how the bullet item relates to the analysis in the Draft EIR. The proposed project and the respective HRA prepared for the project and summarized in the Draft EIR, complies with the City of Moreno Valley General Plan policies. The City of Moreno Valley General Plan is the governing body for the proposed project not the Riverside County General Plan. Consistency of the project with the Riverside County General Plan is not required.

Response to Comment D-33. The section title has been changed to reflect that the analysis considers all construction emissions and the change is provided in Section 3.0 Errata in the Final EIR.

<u>Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-19</u>

4.2.6.1 Construction ~~Equipment~~ Emissions

Response to Comment D-34. The data shown in Table 4.2.I of the Draft EIR contains typographical errors; however, Table G: Short-Term Regional Construction Emissions in the Air Quality report (Appendix D-1) in the Draft EIR is correct. The 5.95.9 lbs/day of ROG is a typographical error; the actual emission value is 5.9. The 3434 lbs/day of NO_x is also a typographical error; the actual emission value is 34 lbs/day (see Draft EIR Appendix D-1, Air Quality Study). The numbers in Table 4.2.1 under Fugitive Dust PM_{10}, Exhaust PM_{10}, Fugitive $PM_{2.5}$ and Exhaust $PM_{2.5}$ are also typographical errors and now match the table in the Air Quality Report in Appendix D-1inthe Draft EIR. The amendments to Table 4.2.1 do not change the analysis or the conclusions in the Section 4.2 Air Quality in the Draft EIR. The changes to Table 4.2.I have been included in Section 3.0 Errata in the Final EIR.

Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-20.

Table 4.2.I: Short-Term Regional Construction Emissions

Construction Phase	Pollutant Emissions (lbs/day)							
	ROG	NO_X	CO	SO_2	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	~~1.8~~ 11	~~0.33~~ 4.1	~~0.02~~ 0.18	~~0.32~~ 3.9
Architectural Coating	72	3.7	11	0.01	~~0.2~~ 1.8	~~2.9~~ 0.33	~~0~~ 0.02	~~2.9~~ 0.32
Paving	5.95~~.9~~	34~~34~~	22	0.03	~~329~~ 0.2	~~17~~ 2.9	~~4.4~~ 0	~~16~~ 2.9
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the mitigation measures suggested for inclusion by the commentor and if it is already included in the Draft EIR, if will be added mitigation as part of the Final EIR, or if will not be included and why.

Suggested Mitigation Measure	Response
1. Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
2. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (eg. Install wheel shakers, wheel washers, and limit site access.)	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
3. All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1R** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
4. Pave all construction roads.	**Not Included**. All roads surrounding the site are already paved. This suggested mitigation measure is not warranted.
5. Pave all construction access roads at least 100 feet on to the site from the main road.	**Not Included.** This suggested mitigation measure is not included in Section 4.2 Air Quality of the Draft EIR because it is impractical to pave construction roads onsite. It is infeasible and ineffective to pave roads within the site as the

Suggested Mitigation Measure	Response
	entire site will be graded to process the 220,000 cubic yards of fill to be imported. Such temporary pavement would present unnecessary obstacles and would be destroyed in the process of construction. Paving construction roads within construction areas unnecessarily increase VOC generation, with little or no discernible reduction in other air pollutant emissions. Fugitive dust control is already addressed by **Mitigation Measures 4.2.6.1E** and **4.2.6.1F**.
6. Limit fugitive dust sources to 20 percent opacity.	**Not Included.** The context of this suggested mitigation measure is unclear. It is not feasible to limit fugitive dust *sources* to 20 percent opacity. It is inferred that the commentor is suggesting that fugitive dust *emissions* should be limited to 20 percent opacity consistent with SCAQMD Rule 403. SCAQMD Rule 403 is a regional requirement required of all development within its jurisdiction; therefore, the project is required to adhere to this requirement.
7. Require a dust control plan for earthmoving operations.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** and **4.2.6.1L** on page 4.2-23.
8. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-24) of the Air Quality Section as **Mitigation Measure 4.2.6.1N** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
9. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1O** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
10. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
11. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
12. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Not Included.** This suggested mitigation measure is not included in Section 4.2 Air Quality of the Draft EIR because extending the grading period would not likely achieve a level of reduction great enough to reduce air quality impacts during the grading phase. In fact, extending the grading period would result in an increase in worker vehicle and construction equipment-related emissions, increasing the severity of the impact. In addition, the same quantity of fugitive dust would be emitted to the air basin under this suggestion and impacts associated with regional emissions would not be reduced. Also refer to the response to #13 below.
13. The simultaneous disturbance of the site shall be limited to five acres per day.	**Not Included.** As noted in the CalEEMod manual, "*In order to properly grade a piece of land multiple passes with equipment may be required. The acres is based on the*

Suggested Mitigation Measure	Response
	equipment list and days in grading or site preparation phase according to the anticipated maximum number of acres a given piece of equipment can pass over in an 8-hour workday. The equipment specific grading rates are given in the table below as determined by SCAQMD in consultation with building estimator references." Thus, the CalEEMod calculates a total grading disturbed area many times the size of the project site based on the idea that there are multiple graders, dozers, scrapers, etc. making multiple passes during any one day. This suggested measure to limit simultaneous disturbance of the site to 5 acres per day would not change the results of the air quality modeling and projected air emissions identified in the Draft EIR and in fact may increase emissions due to the grading inefficiencies created by this restriction. By grading a smaller area it prolongs the grading process and releases dust and vehicular emissions (grading construction workers going back and forth to the site over a greater period of time and grading equipment moving around the site) into the air basin over a longer period of time. By grading five acres a day of a minimum grading of 7 days based on a 71 acre site at 10 acres a day the grading would be prolonged to 14 days. There are also logistical considerations getting construction equipment and people back and forth to the site. In addition, there are no sensitive receptors located in close proximity to the project site that would be affected by the dust.
14. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1P** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
15. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measures 4.2.6.1E** and **4.2.6.1G** on page 4.2-22.
16. Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.	**Not Included.** It is not clear what is being suggested by this measure. Trackout (i.e., dirt deposition) is addressed through adherence to **Mitigation Measure 4.1.6.1K**.
17. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1D** on page 4.2-22. While **Mitigation Measure 4.2.6.1D** does not specify the formulation of a high wind response plan as suggested, this mitigation measures requires that clearing, grading, earthmoving, or excavation activities cease upon 25 mph winds or greater. This requirement in combination with other dust control measures outlined in the Draft EIR will accomplish the intent of the suggested mitigation measures stated here.
18. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1S** and summarized in the Errata Section of the Final EIR to include a similar requirement regarding

Suggested Mitigation Measure	Response
large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	scheduling truck trips during non-peak hours as suggested. Approval of a truck haul route is already required prior to grading permit approval. commentor
19. Develop a trip reduction plan to achieve a 1.5 AVR for construction employees	**Not Included.** This suggested mitigation measure is not feasible because construction of this type typically requires a large number of small contractors rather than one large contractor such as for large public works projects. Having multiple small contractors means that workers come from many areas and do not work for the same company, therefore, making efforts to coordinate their carpooling ineffective and infeasible. As noted in **Mitigation Measure 4.2.6.1K**, documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs. In addition, it should be noted that California Public Health and Safety Code Section 40717.9 states that a "public agency shall not require an employer to implement an employee trip reduction program unless the program is expressly required by federal law and the elimination of the program will result in the imposition of federal sanctions, including, but not limited to, the loss of federal funds for transportation purposes."
20. Require high pressure injectors on diesel construction equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
21. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.	**Not Included. Mitigation Measure 4.2.6.1C** which requires CARB Tier II Certified equipment or better (page 4.2-21) is identified in the Draft EIR. Where feasible, CARB Tier II Certified equipment or better will be used during construction of the project. The suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
22. Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.	**Not Included. Mitigation Measure 4.2.6.1C** which requires CARB Tier II Certified equipment or better (page 4.2-21) is identified in the Draft EIR. Where feasible, CARB Tier II Certified equipment or better will be used during construction of the project. infeasible because of CARB off-road regulation changes approved in 2011 making exhaust retrofits of particulate traps no longer mandatory that requiring their use is not feasible.
23. Utilize only CARB certified equipment for construction activities.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1C** on page 4.2-21.
24. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1M** on page 4.2-23.
25. Restrict engine size of construction	**Included.** This suggested mitigation measure is already

Suggested Mitigation Measure	Response
equipment to the minimum practical size.	included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
26. Use electric construction equipment where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
27. Substitute gasoline-powered for diesel-powered construction equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
28. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-22.
29. Use methanol-fueled pile drivers.	**Not Included.** Project construction does not require use of pile drivers.
30. Install catalytic converters on gasoline-powered equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-23.
31. Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM_{10} and NO_x reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NO_x and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Not Included.** It has been determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Additionally, SCAQMD has previously confirmed that PuriNox is not expected to be commercially available in the foreseeable future. Thus, the suggested mitigation measure is not capable of being accomplished in a successful manner within a reasonable period of time because PuriNox is not available commercially. In addition, the requirement to use alternative diesel fuel depends on the availability of such fuel which according to the SCAQMD is not available.
32. Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
33. All forklifts shall be electric or natural gas powered.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
34. Suspend use of all construction equipment operations during second stage smog alerts.	**Incorporated.** As noted on the SCAQMD website (http://www.aqmd.gov/aqmd/index.html), the Basin has not experienced a Stage II smog alert since the 1980's. This is due to cleaner burning fuels in vehicles and more stringent rules BY AQMD regarding PM_{10} and $PM_{2.5}$. While the occurrence of a Stage II smog alert cannot be predicted. It is reasonable to assume that a Stage II smog alert would not occur during the construction phase of this project. However, as precaution the mitigation measure has been added to the Errata Section of the Final EIR as a bullet item under **Mitigation Measure 4.2.6.1K.**
35. Provide temporary traffic controls such as a	**Incorporated.** Additional text has been added to Section

Suggested Mitigation Measure	Response
flag person, during all phases of construction to maintain smooth traffic flow.	4.2.6.1 (page 4.2-24) of the Air Quality Section as **Mitigation Measure 4.2.6.1Q** and summarized in the Errata Section of the Final EIR to include this specific requirement as suggested.
36. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Not Included.** The project site is bounded by Perris Boulevard to the east, Grove View Road to the north, Indian Street to the west, and Perris Valley Storm Channel (PVSC Lateral D unimproved service road) to the south. Perris Boulevard and Grove View Road are improved with curb and gutter on lanes adjacent to the project site, while Indian Street contains a strip of unimproved right-of-way adjacent to the project site. Perris Boulevard contains a raise center median, so left-turn access to/from the site is not possible. Access onto the project site is readily available along Grove View Road and Indian Street. Grove View Road is a low-volume street containing a center two-way left turn lane and already contains adequate provisions for truck access to the site. It is anticipated that the truck haul route permit will require that trucks access the site via Gove View Road.
37. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Incorporated.** Additional text has been added to Section 4.2.6.1 (page 4.2-23) of the Air Quality Section as **Mitigation Measure 4.2.6.1T** and summarized in the Errata Section of the Final EIR as suggested. Approval of a truck haul route is already required prior to grading permit approval.
38. Configure construction parking to minimize traffic interference.	**Not Included.** The project site is bounded by Perris Boulevard to the east, Grove View Road to the north, Indian Street to the west, and Oleander Avenue (PVSC Lateral D unimproved service road). Perris Boulevard and Grove View Road are improved with curb and gutter on lanes adjacent to the project site, while Indian Street contains a strip of unimproved right-of-way adjacent to the project site. Access onto the project site is readily available along Perris Boulevard, Grove View Road and Indian Street. Construction parking is expected to be onsite at the discretion of the construction contractor to facilitate construction of the site.
39. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
40. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
41. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Not Included.** This suggested measure is counterproductive to the suggested measures identified in row 40 above and **Mitigation Measure 4.2.6.1K**. In addition, construction workers tend bring their own lunch because they take a limited lunch break. For this reason, the suggested measure will result in additional vehicular emission as compared to without the suggested measure. Thus, this suggested measure is not warranted.
42. Provide shuttle service to transit stations/multimodal centers for the	**Not included. .** This mitigation measure is not practical since the nearest multimodal center is in downtown Riverside

Suggested Mitigation Measure	Response
construction crew.	located 14.5 miles northwest of the project site. In addition, the Riverside Transit Authority (RTA) has an established bus route, No. 19, which services the project area and the site. The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary.
43. Require the use of Zero-VOC paints, coatings, and solvents.	**Included.** To the extent feasible, this suggested mitigation measure is partially included (low-VOC vs. zero-VOC) in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1J** on page 4.2-23 in accordance with SCAQMD Rule 1113.

~~* Would reduce impacts to GHGs as well~~

Response to Comment D-35. The language in Mitigation Measure 4.2.6.1.B in the Draft EIR is as specific as is possible, while still allowing the possibility that the construction contractor can implement it. Requiring the project contractor to utilize electricity from power poles may result in infeasibility if power poles do not exist on-site. Clean-fuel is fuel other than diesel or gasoline. Clarification of the term "clean-fuel" has been incorporated into the Final EIR.

Draft EIR Section 4.2.6.1 Construction Equipment Exhaust Emissions Page 4.2-21.

> **4.2.6.1B**. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

Response to Comment D-36. The air quality analysis of construction shows that there will be exceedances of ROG, NO_X and PM_{10}. Tier III applies to equipment produced from 2006 to 2008. As of 2012, equipment produced since 2006 are becoming more readily available, but not to the extent that requiring their use is considered feasible mitigation. Tier II specifications result in a substantial reduction in PM_{10} and $PM_{2.5}$ (62.5% to 72.5%, depending on horsepower) over Tier I equipment, which is the basis of the mitigation measure. Tier III specifications are identical to Tier II for PM_{10} and $PM_{2.5}$, thus requiring this more stringent mitigation would have no benefit to the reduction in PM_{10} and $PM_{2.5}$ and was not required.

Response to Comment D-37. Mitigation Measure 4.2.6.1.K as written in the Draft EIR requires that the listed measures be included in "grading plans, construction specifications and bid documents". Once in these documents, they become requirements, enforceable by the City or other regulatory agencies. However, the wording of this and similar measures will be reworded to strengthen the implementation requirement of each measure.

Response to Comment D-38. Although the exact effects of the measures listed are not fully quantifiable at this time, the language of the measure will be changed to require implementation of all the listed design features, rather than a future combination of features, as shown below:

Draft EIR Section 4.2.6.3 Long-Term Operational Emissions, Page 4.2-26.

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent which is considered sufficient by CARB and the SCAQMD to achieve the AB 32 conservation goals for 2020. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any~~ combination of design features, ~~including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: *(note: the list of design features remains the same except for changes outlined in Response D-39 below)*

Changes to this mitigation measure are provided in Section 3.0 Errata of the Final EIR.

The significant impact that these mitigation measures apply to are almost entirely from mobile sources. The emissions exceed the thresholds by up to 1,700%. There are no feasible mitigation measures available to reduce these emissions to anywhere close to the thresholds, therefore; 20% was proposed by the project as a good-faith effort to make a meaningful reduction.

Response to Comment D-39. The only agencies that have any control over the production of vehicles used with this project, and therefore the emissions controls installed on those vehicles, is the California Air Resources Board and the United States EPA. The indirect control the City has over vehicle operations associated with land use decisions cannot not have a substantial effect on the project's air quality impact as the vehicle emissions of concern are from trucks traveling throughout the Air Basin, far outside the City limits.

Response to Comment D-40. Impact 4.2.6.3 is the air quality impact from operational emissions of the project to the regional air quality. This impact statement includes a typographical error and Section 3.0 Errata of the Final EIR incorporates the amended language to clarify the impact statement.

Draft EIR Section 4.2.6.3 Long-Term Operational Emissions, Page 4.2-25.

> **Impact 4.2.6.3:** *Implementation of the proposed project may ~~occur~~ have the potential to exceed applicable daily thresholds for operational activities.*

Response to Comment D-41. This comment reiterates the conclusions presented in the Draft EIR. The rounding of the results is entirely appropriate. It is not inaccurate to report that emissions would be 990.93 lbs/day when all that can really be reported is that the peak emissions could be anywhere between 970 and 990 lbs/day and will be far less for most of the time.

Response to Comment D-42. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39. In addition, the mitigation measures focus on the only project emissions that the project has any ability to reduce.

Response to Comment D-43. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39.

Response to Comment D-44. The wording of Mitigation Measure 4.2.6.3A has been modified to address this comment as outlined in Responses to Comments D-38 and D-39.

Response to Comment D-45. It is not feasible to mandate mitigation on equipment that is controlled by the State and federal governments. As the EIR is only for the construction of the project and the operator has not been identified, the EIR can only specify mitigation that can be implemented by the builder. At the time the operator is known, it is at the City's discretion to impose operating parameters to the operator of the facility.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the operational emissions mitigation measures suggested for inclusion by the commentor. If the measure is included in the Draft EIR the response indicates "included". If the mitigation is being added as part of the Final EIR the response indicates "incorporated", or if the measure is not included the response discusses why the Final EIR does not contain the measure.

Suggested Mitigation Measure	Response
1. The operator of the primary facilities shall become SmartWay Partner.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
2. The Project shall meet SmartWay 1.25 ratings.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
3. The project shall use only freight companies that meet SmartWay 1.25 ratings.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. (ALTERNATIVELY from 2,3 above) The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
5. The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
6. All fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
7. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration	**Incorporated.** Similar language has been added to Section 4.2.6.3 (page 4.2-27) of the Air Quality Section under **Mitigation Measure 4.2.6.3A** and summarized in

Suggested Mitigation Measure	Response
units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.	the Errata Section of the Final EIR to include a portion of the suggested requirement.
8. Install catalytic converters on gasoline-powered equipment.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-23.
9. Where diesel powered vehicles are necessary, require the use of alternative diesel fuels. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Not Included.** It has been determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Additionally, SCAQMD has previously confirmed that PuriNox is not expected to be commercially available in the foreseeable future. Thus, the suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is therefore infeasible. Heavy duty trucks using other types of alternative fuels are not yet widely available on the market at this time. In addition, there is no specific end user at this time, and a future user may already have a truck fleet that would make implementation of alternative fuel vehicles economically infeasible. As alternative fuel trucks become more widely available (e.g., compressed or liquefied natural gas) and are required in higher numbers at the SoCal ports, it is likely that project trucks will utilize alternative fuels.
10. Electrical powered equipment should be utilized in-lieu of gasoline-powered engines where technically feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
11. Utilize electrical equipment for landscape maintenance.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
12. All forklifts shall be electric or natural gas powered.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1K** on page 4.2-23.
13. Utilize electric yard trucks.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
14. Prohibit idling of trucks for periods exceeding three minutes.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.1M** on page 4.2-23.
15. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.

Suggested Mitigation Measure	Response
16. Charge reduced or no parking fee for EVs and CNG vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28. While **Mitigation Measure 4.2.6.3A** does not specify reduce or no parking fees for these vehicles, it does specify the "provision of preferential parking."
17. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Included.** To the extent feasible, a similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
18. Install a CNG fueling facility.	**Not Included.** The facility will not be able to take advantage of alternative fuel trucks as outlined previously in Item 9. The number of trucks this project would support does not justify the additional cost of installing a CNG fueling facility, and would likely be only one end user so the cost of such a facility could not be shared among a larger group of industrial users. Therefore, this measure is infeasible.
19. Provide preferential parking locations for EVs and CNG vehicles.*	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
20. Implement parking fee for single-occupancy vehicle commuters.	**Included.** To the extent feasible, a similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
21. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26.
22. Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.	**Incorporated.** The suggested measure to plant low-ozone forming potential trees and shrubs has been added to the project mitigation under **Mitigation Measure 4.3.6.1B**.
23. Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.	**Incorporated.**. The suggested measure to plant low-ozone forming potential trees and shrubs has been added to the project mitigation under **Mitigation Measure 4.3.6.1B**.
24. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.	**Not Included** The suggested mitigation measure to orient buildings north or south is not applicable to a warehouse building due to the size and shape of the project site and the resulting size and orientation of the proposed industrial building.
25. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.	**A Portion of the Measure is Included.** Tree shading of parking areas is a requirement of all projects and is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26. Grass paving is not practical in the City's climate and to date not accepted by the Fire Prevention Bureau

Suggested Mitigation Measure	Response
	in addition heavy trucks cannot park on a grass surface.
26. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.	**Incorporated.** The suggested mitigation measure has been added to reduce air quality emissions as a bulleted item to **Mitigation Measure 4.2.6.3A**.
27. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.	**Incorporated.** The suggested mitigation measure has been added to reduce greenhouse gas emissions as a bulleted item to **Mitigation Measure 4.2.6.3A**.
28. Provide a complimentary cordless electric lawnmower to each residential buyer.	**Not Included.** As stated, the suggested mitigation measure applies to home buyers and is therefore inappropriate.
29. Implement parking cash-out program for non-driving employees.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
30. Require each user to establish a carpool/vanpool program.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
31. Create a car sharing program within the planned community.	**Not Included.** The suggested mitigation measure applies to a planned community and is therefore inappropriate.
32. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.*	**Not Included.** The suggested mitigation measure applies to a residential neighborhood and is therefore inappropriate.
33. Provide preferential parking for carpool/vanpool vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
35. Provide secure, weather-protected bicycle parking for employees.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
36. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Not Included.** Pedestrian access to and from the project will take place from the adjacent streets on associated sidewalks that are already provided in the area.
37. Provide direct safe, direct bicycle access to adjacent bicycle routes.	**Not Included.** Bicycle access from the project will take place to and from the project site on the adjacent streets which already exist in the project area.
38. Provide showers and lockers for employees	**Included.** This suggested mitigation measure is already

Suggested Mitigation Measure	Response
bicycling or walking to work.	included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-28.
39. Short-term bicycle parking for retail customers and other non-commute trips.	**Not Included.** As stated, the suggested mitigation measure applies to a retail uses and is therefore inappropriate.
40. Connect bicycle lanes/paths to city-wide network.	**Not Included.** The suggested mitigation measure applies citywide bicycle planning, and is therefore inapplicable.
41. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.	**Included as a Part of Site Design**. The project site design includes a bus bay along the site's Perris frontage.
42. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Included as a Part of Site Design.** The project site design includes a bus bay along the site's Perris frontage.
43. Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents.	**Incorporated** The suggested mitigation measure has been incorporated as suggested in the Errata to the Final EIR as a bullet to **Mitigation Measure 4.2.6.3A**.
44. Provide shuttle service to food service establishments/commercial areas.	**Not Included.** Warehouse workers tend bring their own lunch because they take a limited lunch break. For this reason, the suggested measure will result in additional vehicular emission as compared to without the suggested measure. Thus, this suggested measure is not warranted.
45. Provide shuttle service to transit stations/multimodal centers.	**Not Included.** The suggested mitigation measure has not been included. The project site design includes a bus bay along the site's Perris frontage. In addition
46. Provide on-site child care or contribute to off-site child care within walking distance.	**Not Included.** The suggested mitigation measure applies to areas with high number of employment and is therefore inapplicable.
47. Implement a compressed workweek schedule.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.
48. Implement home-based telecommunicating program, alternate work schedules, and satellite work centers.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.
49. All buildings shall be constructed to LEED Platinum standards.	**Not Included.** The process of obtaining a LEED rating of any level (LEED ratings levels are Certified, Silver, Gold, and Platinum, with Platinum being the highest) is not mitigation. However, the specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency.
50. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	**Not Included.** The suggested mitigation measure is inapplicable for a high-cube logistics warehouse operation.

Suggested Mitigation Measure	Response
51. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.	**Included.** A similar mitigation measure is provided in **Mitigation Measure 4.2.6.3A** in the Final EIR Errata. It reads as follows: "The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs."
52. Install an ozone destruction catalyst on all air conditioning systems.	**Not Included.** The suggested mitigation measures is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
53. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project.	**Not Included.** The suggested mitigation measure includes implementing carbon offsets in an amount equivalent to 100% of all project mobile source greenhouse gas emission. See Response to Comment E-54. This suggested mitigation measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors and is infeasible.
54. Purchase only green/ renewable power from the electric company.	**Included.** A similar mitigation measure is provided in **Mitigation Measure 4.2.6.3A** in the Final EIR Errata. It reads as follows: "The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs."
55. Install solar water heating systems to generate all hot water requirements.	**Included.** To the extent feasible, this suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-26.

Response to Comment D-46. As indicated in the Draft EIR (Section 4.2.5.1, Air Quality Plan Management Plan Consistency, pages 4.2-14 and 4.2-15), the project is consistent with the City's General Plan and zoning. Therefore, regional planning agencies, including SCAG and the SCAQMD, have already accounted for future industrial use on the proposed project site as part of the land use projections contained in the AQMP and other regional planning documents/programs (i.e., Regional Transportation Plan, etc). Implementation of the AQMP and the modified project-related mitigation measures will help to improve air quality levels in the future. Since the proposed project will contribute to full attainment of national and state ambient air quality standards, future cumulative impacts associated with the proposed and cumulative projects will not make a significant contribution to cumulatively considerable air quality impacts in the region. For clarification purposes, Section 4.2.7.1 Short-Term Air Quality Impacts on page 4.2-25 of the Draft EIR has been modified as shown below and as indicated in Section 3.0 Errata in the Final EIR:

Draft EIR, Section 4.2.7.1 Short-Term Air Quality Impacts, Page 4.2-25

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. In addition, implementation of the AQMP will result in improved air quality levels in the future and full attainment of national and state ambient air quality standards, resulting in less than significant cumulative impacts from all short-term and long-term air pollution sources. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

Response to Comment D-47. The commentor states that the biological report that was prepared for the project is outdated and limited in survey coverage, concluding that the EIR fails as an informational document. As indicated in *CEQA Guidelines*, Section 15151, "… an EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. … The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."

The August 2010 biological report *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010, referenced in August 2011 Initial Study and the April 2012 Draft EIR is one of several biological studies that have been conducted on the project site and vicinity. While the August 2010 Initial Study and April 2012 Draft EIR incorporated portions of the 2007 biological resource reports (refer to Response to Comment D-3 for a list of all biological technical reports) in describing site conditions, the environmental documents also included substantial additional biological survey data that was collected subsequent to the 2007 biological reports. In fact, additional surveys for burrowing owl, special status plant species, and wetland determination were conducted on the project site by the applicant's biologist in August 2009 and covered the entire project site. This data was revisited in August 2010 and confirmed as still valid. Biological survey reports often have a limited window within which the stated conclusions are considered valid. However, it must be emphasized that the conditions described in the various biological resource reports were verified and updated where necessary during the environmental process. Therefore, contrary to the commentor's opinion, the collective body of survey data for the project site is current, which accounts for the identification and full disclosure of any biological resources of concern on the project site.

2.7.1.1 **Response to Comment D-48.** The Draft EIR (Section 2.5 Effects Found Not to be Significant, 2.5.3 Cultural Resources, pages 2-12 – 2-13) did find that the proposed project would have a less than significant impact on paleontological resources (fossils) with the implementation of Mitigation Measure CUL-1. This determination was based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project. In that study it was determined that the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources are the fossilized biotic remains of ancient environments valued for the information they yield about the history of the earth and its past ecological settings.

These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the proposed project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. Mitigation Measure CUL-1 has been identified to reduce the significance of paleontological resource impacts.

Response to Comment D-49. The commentor is correct the mitigation measure does state that there would be a discontinuation of monitoring once maximum depth of excavation is met. If there is no excavation of soils there would not be disturbance of fossils (if they are on-site); therefore, why would monitoring be required. It is not the intent of CEQA to excavate the entire site below 4 feet in the case of this project to find fossils if they are there. If construction excavation is only going to a maximum depth of 10 feet and no fossils are found 10 feet below ground surface it can be assumed that the fossils are not within the first 10 feet below ground surface. With the deletion, the monitoring will continue below 4 feet. For clarification purposes that sentence of the Mitigation Measure CUL-1 has been deleted as indicated in Section 3.0 Errata in the Final EIR.

Draft EIR, Section 2.5.3 Cultural Resources, Page 2-13.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
  - ~~If too few fossil remains are found after 50 percent of the planned for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~
  - Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
  - Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.

- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Response to Comment D-50. The City disagrees with the commentor. Mitigation Measure CUL-1 clearly states **"...***Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates and identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage."* Paleontologists are professional scientists and their salvaging efforts would not destroy fossils. The paleontologist's intent and that of the mitigation measure is for construction to stop so the paleontologist can recover the fossil(s) to identify and curate specimens into a professional, fully accredited museum repository with permanent retrievable storage.

Response to Comment D-51. In response to the commentor's comment that portion of Mitigation Measure CUL-1 has been deleted, refer to Response to Comment D-49.

Response to Comment D-52. There is an inherent misunderstanding as to the meaning of archeological and historic resources verses paleontological resources the definition of which is a follows:

Archaeology studies "human cultures" through the recovery, documentation, and analysis of material remains and environmental data, including architecture, artifacts, biofacts, human remains, and landscapes. The main goal of archaeology is to create the most thorough understanding of how and why both historical and prehistoric people lived, to understand the evolution of human society and civilizations, and to use knowledge of ancestors' history to discover insights into modern-day societies.[1]

An **historic resource** is building, structure, site, district, or object which is significant in American history, architecture, archaeology, engineering, and culture.[2]

Paleontology is the scientific study of life forms that existed in the earth's distant past as revealed though the examination of fossils of plants, animals, and other organisms. Included is the study of body "fossils", tracks (ichnites), burrows, cast-off parts, fossilized feces (coprolites), palynomorphs (tiny organic particle of a size between five and 500 micrometers), and chemical residues.[3]

Objective 7.6 and Policies 7.6.1 and 7.6.2 of the City's General Plan are referring to historic and archaeological resources not paleontological resources. As far as General Plan Program 9.7.3 and 7-6, a Phase I Cultural Resources Assessment and Paleontological Records Review (refer to Response to Comment D-49) was prepared for the proposed project that determined that the site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. As a result the Draft EIR includes Mitigation Measure CUL-1 to ensure that there paleontological resources are protected. The City disagrees with the commentor in that the Draft EIR does include feasible enforceable mitigation. To ensure monitoring and enforcement, Mitigation Measure CUL-1 is included in the MMRP (Final EIR Section 4.0).

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1 http://www.newworldencyclopedia.org/entry/Archaeology, website accessed June 5, 2012.

2 http://www.paroute23.com/about_project/glossary.htm#H, website accessed June 5, 2012.

3 http://www.newworldencyclopedia.org/entry/Paleontology, website accessed June 5, 2012.

Response to Comment D-53. The import of fill (220,000 cubic yards) to the project site was considered in the evaluation of the proposed project in the Draft EIR in Sections 4.2 (Air Quality, page 4.2-20), 4.3 (Greenhouse Gas Emissions, calculated using same model as used for Air Quality), and 4.4 (Noise, page 4.4-18). The 80,000 cubic yards of fill that is currently on-site is considered the baseline (existing on-site conditions) and this fill was imported to the project site as part of a previously approved stockpile permit (page 3-3) that predated the proposed project. Traffic impacts associated with the soil import operations were not addressed because the operations would result in negligible effects on the local and regional circulation systems due to low trip generation anticipated for the haul trucks and the temporary in nature of the activity.

Response to Comment D-54. Mitigation Measure GEO-2 has been revised to eliminate any perception of vagueness. To ensure monitoring and enforcement, revised Mitigation Measure GEO-2 is included in the MMRP (Final EIR Section 4.0).
Draft EIR, Section 2.4.4 Geology and Soils, Page 2-16.

> **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be ~~reviewed and considered~~ implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties ~~to determine~~ in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Response to Comment D-55. This comment is only a statement of opinion. GHG plans, policies, and regulations are still overall vague and difficult to analyze compliance with. While VMT is a factor of GHG emissions, it is not clear how that relates to GHG plans, policies and regulations. As stated in CEQA Guidelines section 15151, "*An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*" The EIR meets the standards of adequacy of an EIR in accordance with CEQA Guidelines section 15151.

Response to Comment D-56. New development projects derive (most of) their energy from the existing energy grids (mainly electricity and natural gas), so the consumption from one individual development project cannot determine the percentage of energy production/generation from the entire energy grid, or what percentage comes from renewable sources. The achievement of renewable energy goals must be set and achieved at a regional or state level, and cannot be assigned to any individual project. The proposed project is designed to allow onsite solar (photovoltaic) electrical generation, but there is no specific end user defined yet. In addition, a number of changes have been made to the recommended Mitigation Measure 4.2.6.3A that addresses greenhouse gases and sustainability. Improvement in project operations that reduces energy consumption results in lowered GHG emissions from area power production facilities. The discussion that follows Table 4.3.B in Draft EIR Section 4.3.5.1 Greenhouse Gas Plan, Policy, and Regulation Consistency supports the EIR's conclusion of consistency.

Response to Comment D-57. The cited SCAQMD tiered thresholds are still only guidance as proposed draft thresholds and do not carry the force of law or adopted regulations. In addition, the commentor has misinterpreted the application of the 5-tier review system recommended by the SCAQMD. The cited thresholds indicate when a particular project under evaluation should move to the next stage of the evaluation (i.e., the next tier) – they are not thresholds against which to specifically determine a significant impact. In addition, as described in the Draft EIR, the greenhouse gas emissions produced by the project do not in themselves represent a project-level significant impact related to greenhouse gases. That conclusion is consistent with guidance provided by CARB and the SCAQMD. The EIR does correctly conclude that the proposed project would make a significant contribution to cumulatively considerable greenhouse gas impacts, even with implementation of the recommended mitigation, including Mitigation Measure 4.2.6.3A as revised in Responses to Comments D-38 and D-39 in this document.

Response to Comment D-58. A more precise water conservation strategy cannot be described at this point in the project development. This Mitigation Measure is included so that some sort of water conservation strategy will be included, when appropriate (i.e., prior to issuance of occupancy permits).

Response to Comment D-59. This comment is only a statement of fact, requiring no response. As there are no quantifiable reductions supplied, there is no reason not to specify these measures.

Response to Comment D-60. This comment is a statement of fact and is noted. No response is required.

Response to Comment D-61. The commentor incorrectly asserts that impacts associated with transport and storage of hazardous materials cannot be mitigated through applicable laws because the tenant is not known. The comment appears to suggest that a future tenant may not abide by applicable laws that regulate hazardous materials. The City assumes, as a reasonable and legitimate part of the CEQA process, that any future tenant of the project building is required to abide by all state and local laws that regulate the transport, use, and storage of hazardous materials. In addition, this project involves warehousing, not heavy or light industrial uses, and so the potential for onsite uses to handle, store, or transport materials that would be hazardous to public health or safety are relatively low, but would ultimately depend on the end user selected to ultimately occupy the project building.

Response to Comment D-62. The commentor states that the EIR fails to undertake an evaluation of water quality impacts beyond the cursory review done for the Environmental Assessment (i.e. Initial Study). The City disagrees with this statement. As identified in the Draft EIR, Section 2.5.6 (Hydrology and Water Quality, page 2-19 – 2-25), the analysis provides a detailed discussion regarding construction and operational activities in relation to water quality and recommends mitigation measures that would ensure that any water pollutants generated during these phases are treated appropriately. The analysis also describes in detail the proposed drainage features and drainage paths that would be constructed on the project site as well as any flooding impacts that the site would be prone to. These discussions and conclusions are based on a project-specific preliminary water quality management plan and hydrology/hydraulic analysis[1]. The water quality analysis was provided as part of the Initial Study subject to public review and comment as part of the NOP process. Based on the input received from the NOP, no additional concerns regarding water quality were identified by

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1 *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009, and *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.

an interested member of the public, including the commentor. While the commentor opines that the evaluation of water quality impacts is cursory, the commentor does not provide any meaningful input as to how the analysis can be further evaluated. The water quality analysis included in the Initial Study and Draft EIR represents a good faith effort at full disclosure and no further response is required.

Response to Comment D-63. Section 2.5.6 (Hydrology and Water Quality) of the Draft EIR discussed potential drainage-related impacts resulting from development of the proposed project. As reflected therein, as well as the detailed preliminary Hydrologic and Hydraulic Analysis included as Appendix B-8 *(Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road,* Robert A. Bebensee, R.C.E., March 27, 2009) to the Draft EIR, development of the proposed project would result in the construction of impermeable surfaces that will alter the natural drainage of the project site.

As stated in Draft EIR page 2-24, "…storm flows generated from the northerly portion of the proposed building and truck court would be collected by a series of drop inlet catch basins. Storm water runoff generated on site would be routed to three Austin sand filters and pre-treatment hydro-dynamic clarifiers that are intended to remove and reduce the amount of oils, sediment and trash from the storm water. The treated water from these sand filters is pumped into an adjacent on-site storm drain. The on-site storm drain system has been designed to accept a full 100-year storm event and flows would ultimately be routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard that connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from the westerly side of the proposed building would be collected by a drop inlet catch basin and routed by pipe to a landscaped swale that would be located along the southerly portion of the property. In the event that the landscape swale receives excess flows, the excess flows would be then routed to a second drop inlet catch basin. From the second drop inlet catch basin, flows would continue to an off-site catch basin and ultimately be routed to the Perris Valley ADP Lateral B-3 in Indian Street, which connects to the Perris Valley Storm Drain Lateral B channel. Storm water runoff generated from the easterly side of the building would be collected by a drop inlet catch basin and route via pipe to a hydro-dynamic clarifier then to an Austin sand filter located in the southeasterly corner of the project site. In the event that the clarifier and sand filter receive excess storm flows, these excess storm flows would be routed to an off-site catch basin and ultimately routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard, which connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from would also be routed to a landscaped swale running along the southerly portion of the project site. Flows would then be routed to an Austin sand filter located near the center of the site and ultimately routed to four existing 36-inch diameter reinforced concrete pipes (RCPs) that connect to Lateral B of the Perris Valley Channel. The Austin sand filter located in the southeasterly corner of the project site would also accept stormwater flows from the project site. In the event that flows are in excess of what the sand filter can handle, the excess flows would be directed back to the southerly landscaped swale, and ultimately to an existing 30-inch diameter RCP that connects to Lateral B of the Perris Valley Channel."

The purpose of including Mitigation Measure HYD-05 was to ensure that the preliminary Hydrologic and Hydraulic Analysis was finalized by the City's Engineer and that the calculations contained in the analysis met City requirements. The Draft EIR does not improperly defer mitigation in this regard as an existing preliminary Hydrologic and Hydraulic Analysis has already been prepared for the project. Furthermore, the finalization of hydraulic calculations is a requirement of all projects in the City. Therefore, the inclusion of this requirement as Mitigation Measure HYD-05 is designed to track both the standard requirements and mitigation measures as part of the project's MMRP. Mitigation Measure HYD-05 has been revised accordingly to clarify the finalization of the Hydrologic and Hydraulic Analysis. No further response is required.

Draft EIR, Section 2.5.6 Hydrology and Water Quality Hydrology, Page. 2-24:

> To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. Although adherence to the City's drainage requirements, which includes the preparation of drainage sizing calculations, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-05** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. ~~To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified.~~ With adherence to this mitigation measure, impacts associated with this issue are less than significant.
>
> ***Mitigation Measure HYD-05:*** *Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements.* ~~*submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.*~~

Response to Comment D-64. The commentor opines that the project would conflict with an applicable habitat conservation plan or natural community conservation yet does not provide any specific comment as to how the project does conflict. As stated in *CEQA Guidelines,* Section 15151, "… an evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate." The comment posed is identified as being part of the land use discussion. As identified in Draft EIR Section 2.5.7 Land Use, page 2-25 the discussion of the project's consistency with applicable habitat conservation plans is provided in Draft EIR Section 2.5.2, Biological Resources, pages 2-8 – 2-12. The applicable habitat conservation plan for the area is the Western Riverside County MSHCP.

As stated on Draft EIR Section 2.5.2, Biological Resources page. 2-9, "*The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (Athene cunicularia), five Narrow Endemic Plant Species (NEPS), and nine Criteria Area Plant Species (CAPS). A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.*"

Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site. It

is unlikely that burrowing owls would be located on site as burrowing owls tend to avoid heavily disked areas because of potential burrows occlude/collapse. However, in the event that burrowing owls are found on site, the inclusion of the Mitigation Measures BIO-1 through BIO-4 (which requires pre-construction surveys for burrowing owl), would fulfill MSHCP requirements. The fulfillment of MSHCP requirements would enable the project to be consistent with the Riverside County MSHCP.

Based on the information contained in the Draft EIR, the five Narrow Endemic Plant Species (NEPS) and nine Criteria Area Plant Species (CAPS) were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the project site lacks suitable habitat for these species due to historic agricultural activities. Because of the absence of members of the species and suitable habitat, a less than significant impact to special status plants would occur. Since the project would not impact any of the plants identified in the MSHCP, the project is consistent with this component.

The potential for agency jurisdiction of the on-site drainage ditch was assessed as part of the previously referenced Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation prepared for the project. The ditch does not meet the three-parameter test for jurisdiction (vegetation, hydrology, and soils). Therefore, the project would not impact jurisdictional waters and would be consistent with the requirements identified in the MSHCP for this component. Based on the analysis contained in the Draft EIR, the project is consistent with the MSHCP, is supported by project specific biological data and survey work, and represents a good faith effort at full disclosure. No further response is required.

Response to Comment D-65. The 3 dBA increase was not identified in the noise impact analysis as a threshold. Rather, it was stated that "audible impacts that refer to increases in noise levels noticeable to humans generally refer to a change of 3 dB or greater, since this level has been found to be barely perceptible in exterior environment;" For noise level changes that are not perceptible by the human ear, they would not cause any audible change and would therefore not result in any significant noise impacts.

Response to Comment D-66. Noise standards identified in the City's Municipal Code are used to determine if projected noise levels from the proposed on-site operations would result in any significant stationary sources noise impacts on sensitive uses in the project vicinity. Failing to comply with these noise standards would cause project operations, after project implementation, to violate the City's Municipal Code. Therefore, it is appropriate to use the City's Municipal Code noise standards to evaluate potential on-site noise-generating operations.

Response to Comment D-67. The City's noise standards in terms of the 24-hour weighted Community Noise Equivalent Level (CNEL), identified in the General Plan Noise Element, are applicable for land use planning purposes to avoid placing noise-sensitive land uses within the high noise impact zones. Use of these noise standards are adequate when proposing noise-sensitive land uses such as residences near airport, railroad tracks, or heavily traveled highways/freeways. Noise standards included in the City's Municipal Code are typically used for enforcement purposes to determine if noise associated with a stationary source would exceed or violate the City's noise standards from stationary sources. They were used in the noise impact analysis (Draft EIR Section 4.4.2.1 City of Moreno Valley General Plan Policies, page 4.4-5) to determine the potential impacts from on-site operations.

Response to Comment D-68. Use of "hard site" is appropriate in an urban area where the majority of the ground surface is paved, and most sound energy is reflected back up in the air. In suburban or rural areas where almost half of the ground surface between the traffic and the receptor location is either vacant land or planted with landscaping vegetation, the use of "soft site" is more appropriate.

Nevertheless, the choice of hard site or soft site for ground reflection only affects the potential noise level on the project site. Project-related changes would be the same under both scenarios. On off-site land uses, the 2013 with project traffic noise levels showed that project-related traffic noise level increases would be 0.8 dBA or less. This range of traffic noise level changes in an outdoor environment gradually over a time period would not be perceptible by the human ear and would not result in any significant noise impacts. As the proposed land use is not noise-sensitive, the use of soft site or hard site for noise reflection would not have any effect on the project findings.

Response to Comment D-69. The proposed project would generate approximately 2,731 vehicular trips a day, and about half of these vehicles are trucks. These project-related vehicles would be 7.5 to 15 percent of the projected 2012 cumulative traffic volumes along roadway segments that would be used by these vehicles. An increase of 7.5 to 15 percent vehicles along these roadway segments would result in an increase of approximately 0.3 to 0.6 dBA on these roads. Even though the proposed project is a distribution facility with higher truck percentage, the change in overall vehicle mix along these affected roadway segments would not be substantial. The resulting traffic noise level changes or increases on off-site land uses would remain small and less than significant. Since the proposed on-site land use is not considered noise-sensitive, and the project-related traffic noise level increases would be the same under both scenarios, this factor would not affect the findings of the noise impact analysis.

Response to Comment D-70. As stated in the Responses to Comments D-65 and D-68, project-related traffic noise level increases would be small and not perceptible by the human ear. The four study roadway segments that have noise levels that already exceed the City's noise standards, with or without the proposed project, have pre-existing conditions that are not a consequence of the proposed project, and therefore, the proposed project is not responsible for the noise level existing noise exceedance on those roadway segments.

Response to Comment D-71. The noise impact analysis for the proposed project (*Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., March 2012) evaluated the long-term operational traffic noise impact in terms of CNEL and the on-site operations noise impact comparing them to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. The project site is surrounded by vacant land which is planned for light/industrial uses and commercial/light industrial uses to the south or other existing non-noise-sensitive industrial uses to the north, east and west. The City's Municipal Code states that the noise standards shall apply "*when measured at a distance of 200 feet or more from the real property line of the source of the sound if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property*." In this case, evaluating the potential noise levels at the property line of the nearest existing noise-sensitive land uses (i.e., residences) that are at a distance of 200 feet or more would adequately determine the project's potential noise impacts. Future noise-sensitive land uses, if proposed in the vicinity of the project site, will be required to mitigate noise associated with all neighboring sources, including the proposed project.

Response to Comment D-72. As stated in the Response to Comment D-71, the project site is surrounded by vacant land that is planned for light industrial/business park in the City of Moreno Valley and to the south in the City of Perris for light industrial/commercial uses or other non-noise-sensitive land uses (refer to Figure in the Draft EIR Section 1.0 page 1-3). These land uses that are directly adjacent to the project would not be significantly affected by the project noise. Noise from on-site operations, including loading/unloading and onsite maneuvering, have been adequately evaluated at the nearest noise-sensitive land uses and no significant noise impacts were identified. Truck noise from trucks driving on public streets is not regulated by the local governments (city or county).

Response to Comment D-73. As stated in the Response to Comment D-71, the noise impact analysis evaluated the traffic noise impact in terms of CNEL and the on-site operations were compared to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. All potential noise impact sources were identified and properly evaluated. Please refer to Appendix F (*Noise Impact Analysis VIP Moreno Valley,* LSA Associates, Inc., March 2012) of the Draft EIR for more detailed analysis and discussion on these impacts.

Response to Comment D-74. The noise levels obtained from the 1987 edition of Noise Control for Buildings and Manufacturing Plants (Bolt, Beranek & Newman, 1987) represent a conservative analysis for construction equipment. Because of technology advancement, most current day construction equipment emits lower noise levels compared to the 1987 version. In addition, the project site is surrounded by vacant land or other non-noise-sensitive land uses such as industrial uses. Noise from the on-site construction activity would not result in any significant impacts to adjacent uses (Draft EIR, Section 4.4.5.4 Long-Term Operational Noise Impacts. Page 4.4-13).

Response to Comment D-75. As demonstrated in the Responses to Comments D-65 through D-74, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction and in addition the requirement of the applicant/contractor to follow the City's Municipal Code Mitigation is provided to reduce construction impacts as well. The land uses that are directly adjacent to the project site are not noise-sensitive and would not be significantly affected by project construction noise. Potential construction noise impacts on the nearest noise-sensitive receptor locations, i.e., existing residences approximately 1,000 feet to the north of the project site, have been adequately evaluated and no significant noise impacts were identified.

It should be noted that the *Moreno Valley Municipal Code* in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

The City's Municipal Code, Section 8.14.040.E, specifies the hours of any construction within the City to occur only as follows: Monday through Friday (except for holidays that occur on weekdays), 6:00 a.m. to 8:00 p.m.; weekends and holidays (as observed by the City and described in Chapter 2.55 of the Municipal Code), 7:00 a.m. to 8:00 p.m., unless written approval is obtained from the City building official or City engineer. According to the City's Municipal Code Ordinance 8.21.050, grading permit requirements, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

In addition the Draft EIR, page 4.4-17 states "*The nearest noise-sensitive receptor locations to the project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures [Mitigation Measures 4.4.6A – 4.4.6D] have been identified to reduce the noise*

levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards."

Response to Comment D-76. As demonstrated in the Responses to Comment D-74, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction. Therefore, it is not warranted to include these additional mitigation measures, because none of them would apply to this project.

Suggested Mitigation Measure	Response
1. Temporary noise barriers must be installed during project construction.	**Not required.** As indicated in the noise impact study, there are no noise-sensitive land uses in the immediate project neighborhood and no noise barriers would be required during project construction. The proposed project will comply with all mitigation measures identified and comply with applicable federal, State, and City guidelines.
2. Where technically feasible, utilize only electrical construction equipment.	**Not required.** As evaluated in the noise impact study, practical procedures will be taken for the onsite operations. There are no noise-sensitive land uses located in the immediate neighborhood of the project site. No noise impacts would occur.
3. During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.	**Not required.** Construction equipment will be turned off when not in use. Idling for delivery vehicles will be limited to no more than 5 minutes per truck per trip per day, according to the requirements established by the California Air Resources Board.
4. Provide a "windows closed" condition requiring a means of mechanical ventilation (e.g. air conditioning) for all buildings.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operation noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
5. Provide upgraded windows with a minimum Sound Transmission Class (STC) rating of 34 for all buildings, and/or require the installation of double-paned windows.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
6. Keep new transportation facilities away from vibration sensitive areas.	**Not required, no nexus to the impact.** This comment does not apply to the project because no transportation facilities are being proposed.
7. When dealing with existing transportation facilities, obvious vibration causes, such as pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc., may be eliminated by resurfacing.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
8. Require the use of rubberized asphalt for construction of all roadways and parking areas.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
9. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures

Suggested Mitigation Measure	Response
	are required.
10. Require resurfacing of roads.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
11. Ban heavy trucks near vibration sensitive uses.	**Not required, no nexus to the impact.** As indicated in the noise impact analysis, no significant operational noise impacts would occur for noise-sensitive land uses in the project vicinity. No mitigation measures are required.
12. Use alternate construction methods and tools to reduce construction vibrations. Examples are predrilling of pile holes, avoiding cracking and seating methods for resurfacing concrete pavements near vibration sensitive areas, using rubber tired as opposed to tracked vehicles, placing haul roads away from vibration sensitive areas.	**Not required.** There are no noise sensitive land uses in the immediate project vicinity. Noise and vibration associated with the proposed project would not result in any significant impacts to adjacent uses.
13. Scheduling construction activities (particularly pile driving) for times when it does not interfere with vibration sensitive operations (e.g. night time).	**Not required.** There are no noise sensitive land uses in the immediate project vicinity. Noise and vibration associated with the proposed project would not result in any significant impacts to adjacent uses.

Response to Comment D-77. Refer to Responses to Comments D-74 and D-76, no significant noise impacts would occur with the implementation of the mitigation measures for on-site construction. Mitigation Measure 4.4.6.1D "*During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays,"* is provided to ensure that the Municipal Code is implemented.

Response to Comment D-78. As demonstrated in the noise impact analysis, project-related traffic noise increases in the project vicinity would be small and not perceptible by the human ear (Draft EIR, Section 4.4.5.3 Long-Term Traffic Noise Impacts, page 4.4-10). Project on-site operational noise impacts were also found to be less than significant (Draft EIR Section 4.4.5.4 Long-Term Operational Noise Impacts, page 4.4-13). Since the projected 2013 traffic volumes include traffic trips from other cumulative projects in the project area, no significant project-related long term cumulative noise impacts would occur.

Response to Comment D-79. The commentor's referral to "traffic counts" is erroneous and is assumed he was referring to the "trip generation" of the project. The trip generation rates for High-Cube Warehouse were the modified National Association of Industrial and Office Properties (NAIOP) rates (based on a 2007 NAIOP letter summarizing the trip generation studies of 13 high-cube warehouses located in western Riverside County) that was approved by the City of Moreno Valley Transportation Engineering staff. The City's modified NAIOP rates are higher than the Institute of Transportation Engineers (ITE) *Trip Generation, 8th Edition* rates for High-Cube Warehouse, therefore the air pollution, greenhouse gas, and trip generation estimates for the proposed project are overstated resulting in a conservative analysis.

ITE *Trip Generation 8th Edition* is the standard used by City of Moreno Valley in determining project trip generation for new developments. When the initial version of the traffic study for the project was first prepared, the previous version, *7th Edition,* of *Trip Generation* was available. In the previous version, the high-cube warehouse category (land use 152) was not utilized because only p.m. peak hour data was available and the sample size was too small. Due to the lack of data with the high-cube warehouse rates, the City analyzed the 2007 NAIOP trip generation rate data and developed reasonable trip generation rates for high-cube warehouse reflecting a full standard deviation above the average rates disclosed in the 2007 NAIOP trip generation study. As stated above, the City's modified NAIOP rates are higher than the current ITE *Trip Generation 8th Edition* rates for high-cube warehouses. Further, the rate for High-Cube warehouse is dependent on the square footage of the building and not the number of dock doors or parking stalls.

Response to Comment D-80. The intersections analyzed in the EIR were based on discussion with City of Moreno Valley Transportation Engineering staff during the scoping process. Furthermore, intersections on Harley Knox Boulevard from Indian Street to Interstate 215 are not part of the 2010 Riverside County Congestion Management Program and were not included in the analysis. The traffic study did not include the intersection of Patterson Avenue/Harley Knox Boulevard in the analysis because project passenger vehicles and trucks will travel eastbound and westbound on Harley Knox Boulevard and would not make left- or right-hand turns to/from Patterson Avenue. For this reason, potential project impacts to the intersection were determined to be not substantial and the intersection was not included as a study intersection.

Caltrans requires analysis to a State highway facility if a project generates over 100 peak hour trips. The project generates over 100 peak hour trips at the Interstate 215/Harley Knox Boulevard interchange and was included in the Project's Traffic Impact Analysis. Project traffic at Cactus Avenue and Ramona Expressway are less than 100 peak hour trips and were not included in the Draft EIR. Based on the City of Moreno Valley Traffic Impact Analysis guidelines, a General Plan Build-out analysis was not required since the project did not propose a General Plan Amendment or Zone Change.

Response to Comment D-81. It appears the commentor is incorrectly stating that analysis of local intersections, local roadways, freeway mainline segments, and freeway merge/diverage areas as conducted in the EIR constitutes segmenting. The comment is therefore unclear and needs refinement to warrant a response.

Nonetheless, the traffic analysis conducted for the project examined project impacts on existing baseline conditions and year 2013 cumulative conditions. For the each time horizon, a.m and p.m. peak hour impacts were assessed based on a level of service analysis of local intersections, local roadways, freeway mainline segments, and freeway merge/diverage areas.

Response to Comment D-82. As stated in the Project TIA *(Traffic Study VIP Moreno Valley,* LSA Associates, Inc., April 9, 2012*)*, the payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts. The timing to use the TUMF and DIF fees is established through the capital improvement plan (CIP) overseen by the City, which uses traffic counts, trends, and review of traffic accidents to determine the project priority of the improvements. Project priority categories in the City's CIP include essential (start within 1 year), necessary (start within 1 to 3 years), desirable (start within 3 to 5 years), and deferrable (start within 5 to 10 years).

As stated in the Level of Significance After Mitigation following Mitigation Measures 4.5.6.1A and 4.5.6.1B (see page 4.5-19 of the Draft EIR), improvements to Perris Boulevard are out to bid to potential construction contractors, with construction of the improvement anticipated to finish in May of

2013. Page 4.5-19 of the of the Draft EIR also notes that these improvements to Perris Boulevard for the existing plus project condition are consistent with the City's General Plan and are included in the County's TUMF program. The Draft EIR goes on to note that a portion of the City's DIF is allocated toward funding improvements to the City's transportation system, and the specific improvements are based on the General Plan Circulation Element. For these reasons, the Draft EIR concluded that the project's impacts to affected roadway segments (Perris Boulevard) will be mitigated through payment of the City's DIF and the County's TUMF.

As stated in the Level of Significance After Mitigation following Mitigation Measures 4.5.6.2A (see page 4.5-27 of the of the Draft EIR), the improvements defined to maintain the applicable level of service standard at local intersections and roadways in the 2013 cumulative plus project condition will be built per the City's DIF and County's TUMF programs. Payment of these fees in accordance with Mitigation Measures 4.5.6.1A and 4.5.6.1B was therefore determined to be full and complete mitigation of project impacts to roadway segments and intersections in the 2013 cumulative plus project condition. The intersections and roadway segments on Perris Boulevard and Indian Street are included in the City of Moreno Valley's CIP and are planned to be funded by DIF and TUMF. The intersections and roadway segments on Harley Knox Boulevard are included in the City of Perris' "North Perris Road and Bridge Benefit District" and are also planned to be funded by DIF and TUMF. However, the Draft EIR notes that the necessary improvements to freeway segments are outside the City's jurisdiction and therefore the City has no control over when or how these improvements will be put in place, the impacts to freeways would remain significant and unavoidable until such improvements are built.

It should also be noted that the City also uses other funding sources for future roadway improvements such as Measure "A" (Fund 125), gas tax fund (Fund 121), SCAG Article 3 (SB 821 Grant Awards), proposition 42 replacement funds (Fund 224), CDBG (Fund 285), general city capital projects fund (Fund 412), and public works general capital projects fund (Fund 414). Furthermore, the Perris Boulevard widening project that is expected to begin construction in July 2012 is anticipated to be 100% paid for by TUMF funding (CIP 2012-2013). Improvements in the City that are covered by DIF funds in the CIP 2012-2013 include Cactus Avenue EB improvements/I-215 to Veterans Way, Cactus Avenue EB improvements/Veterans Way to Heacock Street, and Day Street Widening, Heacock Street/Perris Valley Storm Drain to Cactus Avenue, and Ironwood Avenue/Perris Boulevard to Nason Street.

The commentor assumes that all cumulative projects will be built by 2013 and therefore all roadway improvements recommended in the project TIA will be required by 2013. However, the cumulative (2013) scenario analyzed in the project's TIA analysis is a scenario required by the City and doesn't represent real world conditions where most cumulative projects won't be built by 2013 and therefore all improvements won't be required.

Response to Comment D-83. Please refer to the Response to Comment D-82.

Response to Comment D-84. Please refer to the Response to Comment D-82.

Response to Comment D-85. Please refer to the Response to Comment D-82.

Response to Comment D-86. Please refer to the Response to Comment D-82.

Response to Comment D-87. The commentor appears to be suggesting that, because the proposed project exceeds SCAQMD construction and operational emission thresholds, it cannot be consistent with SCAQMD's AQMP. The purpose of the daily thresholds is to provide benchmarks against which to examine a project's short-term (construction) and long-term (operational) air quality impacts as part

of the CEQA process. The purpose of the AQMP is to provide regulation and guidance for achieving federal and state criteria attainment status in the future. The daily thresholds and the AQMP therefore serve two separate and distinct purposes. The land uses proposed by this project are consistent with the local and regional plans that form the basis for the AQMP (i.e., the City's General Plan and SCAG's Regional Comprehensive Plan and Regional Transportation Plan). Therefore, the proposed project is consistent with the AQMP. However, the SCAQMD has also established daily thresholds for construction and operational air pollutant emissions that, if exceeded, represent a significant air quality impact under CEQA. As described in the project's air quality study and the EIR Section 4.2 Air Quality, the proposed project exceeds one or more daily thresholds for both construction and operations. Therefore, the project can be consistent with the AQMP as well as exceed daily thresholds for construction and operational air pollutant emissions. Also refer to Response to Comment D-46 for a discussion on the project's consistency with the AQMP.

Response to Comment D-88. The proposed project will create jobs, providing the opportunity for City of Moreno Valley residents to find employment close to their homes. Although the quantity of commute travel reduction is virtually impossible to calculate, the project will create the potential for reduction in commuting distances for employees that reside in the City or in other municipalities near the project site. Regarding traffic impacts, see Response to Comment D-83. The City has determined that payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts.

Response to Comment D-89. The commentor opines that the goal of "diversifying the region's economy" is not satisfied by "add[ing] to the City's portfolio of industrial services." As stated in *CEQA Guidelines,* Section 15151, "… an evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate." The commentor is selective in which part of the goal is focused on and fails to take the entirety of all the economy goals into consideration. The full goal from which "diversifying the region's economy" was pulled from is as follows:

"**Goal** Promote sustained economic health through diversifying the region's economy, strengthening local self-reliance and expanding competitiveness."

The EIR does not make the assertion that the addition of the project would diversify the region's economy. Furthermore, it appears that the goal is to promote sustained economic health through a three pronged approach – diversifying the region's economy, strengthening local self-reliance, and expanding competitiveness. As stated on Draft EIR page 5-10, "…*the proposed project would add to the City's portfolio of industrial services, which would enable the City to be more self-reliant through the provision of goods and services to residents within the City. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.*"

These statements are supported by analysis contained in the Draft EIR. Specifically, the analysis contained in the Economy Chapter (Draft EIR page 5-10) identifies the number of jobs that would be created as part of the project and the balancing of the jobs to housing ratio in the City which generally would allow for the City to be more self-reliant. As identified in Table 2.C of the Draft EIR (Cumulative Projects List page 2-34), there are multiple warehousing projects within adjacent jurisdictions (e.g. City of Perris, City of Riverside, and County of Riverside). The addition of the proposed project would enable the City to offer a similar type of warehousing stock in comparison to other areas in the region.

Lastly, the commentor does not offer any specific detail as to how the analysis contained in this section is unsupported. The analysis contained in the Draft EIR represents a good faith effort at full disclosure and no further response is required.

Response to Comment D-90. The commentor states that Draft EIR fails to evaluate how the project is consistent with the Compass Growth Vision Principles. Table 5.D has been added to the EIR (Section 3.0 Errata in the Final EIR) indicating the proposed project's consistency with the Compass Growth Vision Principles. No further response is required.

Draft EIR, Section 5 5.4 Consistency With Local And Regional Plans, Page 5-12:

> ~~The proposed project is consistent with the four principles identified above. The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.~~

In addition, a new table (Table 5.D: Compass Growth Vision Report Consistency) has been added as follows.

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 1: Improve mobility for all residents. • Encourage transportation investments and land use decisions that are mutually supportive. • Locate new housing near existing jobs and new jobs near existing housing. • Promote a variety of travel choices.	The project is consistent with this principle. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial uses and would encourage a reduction of vehicle miles traveled within the City. Implementation of the project would create approximately 646 jobs. Existing housing is located approximately 1 mile to the north and 2 miles to the south of the project site. The project is consistent with this portion of Principle 1. There are a number of transit-oriented strategies that could be implemented by the proposed project to encourage alternate modes of travel, including informational strategies, incentives, and services. (Refer to Mitigation Measure 4.2.6.3A).

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 2: Foster livability in all communities. • Promote developments which provide a mix of uses. • Promote "people scaled, "walkable communities. • Support the preservation of stable, single-family neighborhoods.	The project is consistent with the applicable portions of this principle. The proposed project is a warehousing project and does not include any residential uses. Therefore, the project is not considered to be a mixed use project and this portion of Principle 2 is not applicable to the project. The project site is located in an industrial warehouse area. The project would include sidewalks so that the opportunity of being walkable within this warehouse area is possible. Therefore, the project is consistent with this portion of Principle 2. The proposed project is a warehousing project and does not include any residential uses. Therefore this portion of Principle 2 is not applicable to the project.
Principle 3: Enable prosperity for all people. • Provide in each community a variety of housing types to meet the housing needs of all income levels. • Support educational opportunities that promote balanced growth. • Ensure environmental justice regardless of race, ethnicity, or income class. • Support local and state fiscal policies that encourage balanced growth. • Encourage civic engagement.	Based on the information provided below, this principle is not applicable to the project. The proposed project is a warehousing project and does not include any residential or educational uses. Therefore this portion of Principle 3 is not applicable to the project. The project site is vacant and the project located in an area identified for industrial and commercial uses. Therefore, this issue not applicable to the project. The supporting of local and state fiscal policies and the encouragement of civic engagement is at the City level not the project level. Therefore, this portion of the principle is not applicable to the project.
Principle 4: Promote sustainability for future generations. • Focus development in urban centers and existing cities. • Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste. • Utilize "green" development techniques.	The project is consistent with this principle. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. Mitigation Measure 4.3.1.6B requires the project to implement various sustainability strategies and "green" development techniques that uses resources efficiently, eliminates pollution, and reduces waste.

Response to Comment D-91. See Response to Comment D-53. The import of fill (220,000 cubic yards) to the project site was considered in the evaluation of the air quality impacts attributable to the proposed project (Section 4.2 Air Quality, page 4.2-20) The 80,000 cubic yards of fill that is currently on-site is considered the baseline (existing on-site conditions) and this fill was imported to the project site as part of a previously approved stockpile permit (page 3-3) that predated the proposed project.

Response to Comment D-92. As noted in Response to Comment D-11, the commentor incorrectly asserts that the environmentally superior alternative meets most project objectives and must be approved instead of the proposed project. Although the City concedes that the environmentally superior alternative (reduced density) will result in reduced air pollution and GHG emissions, it bears

noting that impacts associated with these issues would remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project (see Table 6.K, page 6-31). The significant and unavoidable project impacts associated with greenhouse gas emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. However, the significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold).

The commentor mistakenly claims that the reduced intensity alternative (Alternative 2) would meet the following project objectives: "Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels" and "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources reduces impacts to air quality, global climate change, and traffic." This is due to the fact that reduced-intensity development patterns are in concept diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development. Said another way, the reduced intensity alternative would result in use of the entire project site in an inefficient manner with associated negative effects such as sprawl.

Response to Comment D-93. The commentor mistakenly claims that there is no basis for the Draft EIR statement that the reduced intensity alternative would have impacts similar to the proposed project. As shown in Table 6.K, the reduced intensity alternative (Alternative 3) would reduce impacts to air quality, global climate change, and traffic. This is due to the reduction in the air pollution emissions, greenhouse gas emissions, and trip generation attributable to the alternative linearly related to the reduction in building square footage (1,616,133 square feet versus 1,212,100 square feet). However, the significant and unavoidable impacts associated with this alternative would remain, similar to the proposed project.

Response to Comment D-94. See Response to Comment D-92.

Response to Comment D-95. See Response to Comment D-93. The significant and unavoidable air quality, global climate change, and traffic impacts associated with the reduced intensity alternative would remain, similar to the proposed project.

Response to Comment D-96. It is not clear as to what the commentor is attempting to point out. If the commentor is suggesting that an alternative be examined that couples both a reduction in development intensity and at an alternative site, the City disagrees. The purpose of the alternative site is to examine the possibility of reducing project impacts by moving it to an alternate location.

Response to Comment E-97. The commentor has attached various references. No response is required.

SAN GORGONIO CHAPTER

4079 Mission Inn Avenue
Riverside, CA 92501
(951) 684-6203 Fax (951) 684-6172
Membership/Outings (951) 686-6112

Regional Groups Serving Riverside and San Bernardino Counties:
Big Bear, Los Serranos, Mojave, Moreno Valley, Mountains, Tahquitz.

Jeff Bradshaw
Associate Planner
P.O. Box 88005
Moreno Valley, CA 92552

June 3, 2012

RE: VIP Moreno Valley project's Draft Environmental Impact Report (DEIR).

The Sierra Club appreciates this opportunity to comment on this DEIR. Much of what you will read below was in our NOP comments, but we feel they were not adequately addressed. We hope to read your responses in the FEIR which do fully answer our comments, concerns, suggestions and questions. Most of our concerns are about Global Warming, Climate Change, Greenhouse Gas Pollution and Air Pollutant emissions. These concerns can be read below and we expect this project to do everything possible to mitigate these problems in our non-attainment area. Your NOP mentions that the consumption of electricity by this warehouse "would generate air pollutant emissions." While the Sierra Club understands that you "expect to reach LEED certified rating", we do not understand why you do not match the higher Gold LEED certification recently agreed to by the Alessandro Business Center warehouse in the City of Riverside or even the LEED Silver of Skechers. In fact your words do not guarantee anything about even reaching the lowest level of LEED certification. The City needs to require you to hire a LEED expert and then require you to become LEED certified--hopefully higher than just certified. You could pay less than $1,000 and lock in current LEED standards for your building. Through the installation of solar panels and other LEED ideas you could avoid generating air pollutants with the electricity you consume. This warehouse and all warehouses need to be required to have their roofs built to accommodate the maximum number of solar panels. You are now able to sell excess energy back and earn money as well as do right for our non-attainment area. The DEIR indicates that the "proposed project would unavoidably contribute to significant long-term cumulative air quality impacts."(p 4.2-29) The Sierra Club does not believe it is totally unavoidable. The fact you are given a cafeteria list of mitigations to chose from shows that there is more that could and should be done to protect the health of area residents. Why isn't there a requirement to exceed Title 24 by at least 25% instead of just "exceed" Title 24? (p 4.3-25) Agreeing to require 90% of your off road construction equipment meet Tier III standards would also significantly help our non-attainment city and county. Your DEIR only mentions Tier II and therefor it shows you are not serious about the health of the area's residents.

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Continuing to pave over Prime Agricultural lands as well as those of Local and State Importance must be mitigated. Having locally grown products also cuts down on the Climate Change problems mentioned above and below. Recently a developer donated $100,000 to the Riverside Land Conservancy to help mitigate for the loss of Ag Lands. The San Jacinto Basin Resource Conservation District is another entity which would use your monetary donation to mitigate the loss of important Ag lands as well as the loss of lands for raptor foraging. It is therefore incorrect to say that "no feasible mitigation is available." Please consider how your project will seriously mitigate you impacts to Agriculture. You should also make sure your parking provides ample reserved spaces for several form of cars using alternative fuels. Their parking lot also needs to be made of porous material to help with ground water recharge and to lessen run off. 7 8 9

The Sierra Club appreciates that you have the World Logistic Center on your Cumulative Project List. We, however, do not believe all of your analysis have included this massive project. The FEIR will be inadequate unless this and all other projects are part of the analysis in each area of the FEIR. I also did not see the Pro Logis project listed which would be located near the Moreno Valley Auto Mall. Since some of Moreno Valley's designated truck routes pass by schools and their playgrounds, the Sierra Club expects the FEIR to explain what requirements will be placed on the tenants to avoid this very toxic situation as well as the truckers who will deliver/pickup products for your warehouse. The FEIR needs to show the walking/bicycling routes students take to and from school as well as show how this project's diesel truck traffic will impact the health of these students. There are two schools which are only about one mile from the project as well as others which may have students impacted by VIP's toxic diesel trucks. The projects distance from homes needs to be easily understood as well as all the paths trucks could take to the warehouse. Requiring staging areas for diesel equipment to be only a couple of hundred feet from sensitive receptors is inadequate for the health of Moreno Valley Residents. How will you protect the warehouse workers from the long term health affects of breathing toxic diesel emissions throughout their workday and employment? What equipment will you make sure is electric instead of diesel or gasoline in order to lessen pollution and better protect the workers--this includes gardening equipment? The FEIR needs to explain how noise barriers used during construction and use of the warehouse could lessen impacts identified in the Initial Study. Impacts to our local streets as well as our very crowded freeways need to be explained so the average citizen will understand. The FEIR-not just appendices- needs to show the length of trips the diesel trucks will be taking when driving to and from the warehouse as well as their routes. We need to know the maximum number of tucks which will use this warehouse each workday and not just after the first year, but when the warehouse is being used to its maximum capacity during peak times of the year. Your traffic analysis is inadequate unless it includes all of SR 60 which border any part of Moreno Valley. This two and three lane roadway will be significantly affected by VIP traffic-especially when part of cumulative impacts. Decision makers have a right to know before they vote that the section of SR 60 passing through Moreno Valley will become a parking lot with significant pollution. Even your own analysis of some major intersection in our City show they will become LOS F by 2013. Simply paying into a pot of money which may not be used in the impacted part of Moreno Valley does not mitigate your traffic. 10 11 12 13 14 15 16 17 18 19 20

The land should not be disced or graded for at least six months prior to doing the Burrowing Owl survey otherwise many will believe you are just making it difficult on this special animal as well as making it more likely it will be listed as endangered. The Sierra Club believes the FEIR will 21 22

be inadequate unless our concerns and issues found throughout this letter are thoroughly addressed within the document. 22

I. THE DEIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

As a potential significant impact, the Final EIR (FEIR) must more thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code ¤¤ 21000 et seq., 14 Cal. Code Regs. ¤ 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. 23

A. THE DEIR MUST ADEQUATELY SET FORTH THE THREAT OF GREENHOUSE GAS POLLUTION AND GLOBAL WARMING

The FEIR must discuss the grave threats posed by global warming to California and the world. Current scientific consensus on climate change has now determined that the link between greenhouse gas emissions and global warming is highly certain. In California, elected leaders, through Executive Order S-03-05 and the California Global Warming Solutions Act of 2006 (AB 32), have also squarely linked greenhouse gases with global warming. 24

In order to conform to CEQA's informational mandates and properly inform the public and decision makers of the significance of the Project's contribution to greenhouse gases, the DEIR must first adequately discuss the threat posed by greenhouse gas emissions and avoid minimizing or discounting the severity of global warming's impacts. *See* Guidelines ¤ 15151. *See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* ("Laurel Heights I"), 47 Cal.3d 376, 392 (1988) (EIR is intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action."); Guidelines ¤ 15151 (requiring an FEIR be detailed, complete, and reflect a good faith effort at full disclosure). A discussion of global warming impacts need not be lengthy, but should, at a minimum, convey the magnitude of the threat posed by global warming to humans and the environment. For the City's convenience, a scientific background on global warming and the specific threats posed to California is provided below. 25 26

i. Scientific Background on Climate Change

There is no longer credible scientific dispute that the climate is warming. In its most recent assessment, the Intergovernmental Panel on Climate Change ("IPCC") concluded that "[w]arming of the climate is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting snow and ice, and rising mean sea level." (IPCC 2007a). Expressed as a global average, surface temperatures have increased by about 0.74°C over the last hundred years, with 11 of the 12 warmest years on record having occurred in the past 12 years (IPCC 2007a). In September 2007, Arctic sea ice plummeted to a record-low level not anticipated by most climate models until 2050, leading scientists to predict 27

that the Arctic could be ice-free in summer by 2030 (National Snow & Ice Data Center 2007).[1] Other observed consequences of the warming climate include sea level rise, increased frequency of droughts, floods, and heat waves and substantial increases in the duration and intensity of hurricanes (IPCC 2007a).

The IPCC now states with "very high confidence" that most of the warming observed over the past 50 years is the result of human generation of greenhouse gases, including carbon dioxide, methane, and nitrous oxide[2] (IPCC 2007a). The rapid warming observed since the 1970s has occurred in a period when the increase in greenhouse gases has dominated over all other factors (IPCC 2007a). The largest known contribution to global warming is from carbon dioxide (IPCC 2007a). Fossil fuel combustion is responsible for more than 75% of human caused carbon dioxide emissions with the remainder due to land-use change (primarily deforestation) (IPCC 2007a). The global atmospheric concentration of carbon dioxide has increased from a pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005, a level that has not been exceeded during the past 650,000 years (during which carbon dioxide concentrations remained between 180 and 300 ppm). (IPCC 2007a; Canadell et al. 2007). In 2006, carbon dioxide concentrations reached a new high of 381.2 ppm (World Metrological Organization 2007). As greenhouse gas concentrations increase, more heat reflected from the earth's surface is absorbed by these greenhouse gases and radiated back into the atmosphere and to the earth's surface.[3] Consequently, the higher the level of greenhouse gas concentrations, the larger the degree of warming experienced. 27

At current growth rates and continued reliance on fossil fuels, atmospheric concentrations of carbon dioxide would likely exceed 1,000 ppm by the end of the century, resulting in an average global temperature increase of more than 5°C (United Nations Foundation & Sigma XI 2007). This is equivalent to the change in temperature since the last ice age – an era in which Europe and North America was under more than one kilometer of ice (United Nations Foundation & Sigma XI 2007). The growing consensus among climate scientists is that the threshold for dangerous climate change, whereupon a potential "tipping point" is reached and ecological changes become dramatically more rapid and out of control, is estimated at a temperature increase of around 2°C from pre-industrial levels, or an atmospheric concentration of carbon dioxide of approximately 450 ppm (United Nations Foundation & Sigma XI 2007; IPCC 2007c). In 2006, Dr. James E. Hansen, Director of the NASA Goddard Institute for Space Studies, and NASA's top climate scientist, stated: "In my opinion there is no significant doubt (probability > 99%) that . . . additional global warming of 2° C would push the earth beyond the tipping point and cause dramatic climate impacts including eventual sea level rise of at least several meters, extermination of a substantial fraction of the animal and plant species on the planet, and major regional climate disruptions" (Hansen et al. 2006). More recently however, given the recent unpredicted and extreme rate of loss of arctic ice observed in 2007, Dr. Hansen

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[1] Based on the startling loss of sea ice in 2007, some scientists have predicted that "the Artic Ocean could be nearly ice-free at the end of the summer by 2012." Seth Borenstein, *Ominous Arctic Melt Worries Experts*, Associated Press, Dec. 11, 2007.

[2] *IPCC, 2007: Summary for Policymakers, in* CLIMATE CHANGE 2007: THE PHYSICAL SCIENCE BASIS, CONTRIBUTION OF WORKING GROUP I TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE at 4 (Susan Solomon et al. eds., Cambridge Univ. Press 2007) at 2-3. "Very high confidence" is defined at "at least a 9 out of 10 chance of being correct." *Id.* at 3 n.7.

[3] Greenhouse gases have a warming effect because, when solar radiation is reflected by the earth, greenhouse gases capture this thermal radiation and reradiate it back to earth, much like the effect of a common garden greenhouse resulting in the "greenhouse effect."

concluded that "the safe upper limit for atmospheric CO_2 is no more than 350 ppm" (McKibben 2007). Moreover, according to Hansen, just 10 more years of "business-as-usual" global emissions will make it difficult, if not impossible, to keep atmospheric concentrations of greenhouse gases at levels necessary to avoid a temperature increase above 2°C (Hansen et al. 2007).

Keeping the climate within the 2°C threshold requires significant reductions in the world's greenhouse gas emissions. To reach this objective, it is estimated that developed countries would have to target an emissions peak between 2012 and 2015, with 30 percent cuts by 2020 and 80 percent cuts from 1990 levels by 2050 (United Nations Foundation & Sigma XI 2007). In recognition of need for immediate action, California has committed itself though Executive Order S-3-05 and the California Global to reduce the state's emissions to 1990 levels by 2020 and by 80% reductions from 1990 levels by 2050. Ca. Health & Safety Code ¤ 38550; Cal. Executive Order S-3-05 (2005).

The costs of taking no action to reduce greenhouse gas emissions far outweigh the costs of stabilizing emissions. The Stern Review of the Economics of Climate Change, a comprehensive report commissioned by the British government, recently concluded that allowing current emissions trajectories to continue unabated would eventually cost the global economy between 5 to 20 percent of GDP each year within a decade, or up to $7 trillion, and warned that these figures should be considered conservative estimates (Stern 2006). By contrast, measures to mitigate global warming by reducing emissions were estimated to cost about one percent of global GDP each year, and could save the world up to $2.5 trillion per year (Stern 2006). The Stern Report determined that if no action is taken to control greenhouse gas emissions, each ton of CO_2 emitted causes damage worth at least $85 (Stern 2006). 27

ii. Impacts to California from Global Warming

Climate change poses enormous risks to California. Scientific literature on the impact of greenhouse gas emissions on California is well developed.[4] The California Climate Change Center ("CCCC") has evaluated the present and future impacts of climate change to California and the project area in research sponsored by the California Energy Commission and the California Environmental Protection Agency (Cayan et al. 2007). The severity of the impacts facing California is directly tied to atmospheric concentrations of greenhouse gases (Cayan et al. 2007; Hayhoe et al. 2004). According to the CCCC aggressive action to cut greenhouse gas emissions today can limit impacts, such as loss of the Sierra snow pack to 30%, while a businessas-usual approach could result in as much as a 90% loss of the snowpack by the end of the century. As aptly noted in a report commissioned by the California EPA:

Because most global warming emissions remain in the atmosphere for decades or centuries, the choices we make today will greatly influence the climate our children and grandchildren inherit. The quality of life they experience will depend on if and how rapidly California and the rest of the world reduce greenhouse gas emissions (Cayan et al. 2007).

Some of the types of impacts to California and estimated ranges of severity – in large part dependent on the extent to which emissions are reduced – are summarized as follows:

• A 30 to 90 percent reduction of the Sierra snowpack during the next 100 years, including earlier melting and runoff.

• An increase in water temperatures at least commensurate with the increase in air

[4] Additional reports issued by California agencies are available at http://www.climatechange.ca.gov, and IPCC

temperatures.
• A 6 to 30 inch rise in sea level, before increased melt rates from the dynamical properties of ice-sheet melting are taken into account.
• An increase in the intensity of storms, the amount of precipitation and the proportion of precipitation as rain versus snow.
• Profound impacts to ecosystem and species, including changes in the timing of life events, shifts in range, and community abundance shifts. Depending on the timing and interaction of these impacts, they can be catastrophic.
• A 200 to 400 percent increase in the number of heat wave days in major urban centers.
• An increase in the number of days meteorologically conducive to ozone (O_3) formation.
• A 55 percent increase in the expected risk of wildfires (Cayan et al. 2007).
By providing details as to the ranges of proposed impacts, and indicating that the higher-range of impact estimates are projected if greenhouse gas emissions continue to increase under a "business as usual" scenario, decision-makers and the public will be better informed of the magnitude of the climate crisis and the urgency with which it must be addressed. 27
Finally, the DEIR should also include a brief discussion of other laws to address climate change, including California's mandate to reduce emissions to 1990 levels by 2020 and goal of further reducing emissions to 80% below 1990 levels by 2050. Achievement of state mandated emissions reductions will be severely impeded if agencies across the state continue to approve *new* projects without incorporating measures to reduce the added emissions created by these. 28

B. The EIR the Project Must Include an Inventory and Analysis of the Project's Projected Greenhouse Gas Emissions

The first step in determining a project's greenhouse gas pollution impact is to complete a full inventory of all emissions sources. In conducting such an inventory, all phases of the proposed project must be considered. *See* 14 Cal. Code Regs. ¤ 15126. A basic requirement of CEQA is that "[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences." 14 Cal. Code Regs. ¤ 15151. The greenhouse gas inventory for a project must include a complete analysis of all of a project's substantial sources of greenhouse gas emissions, from building materials and construction emissions to operational energy use, vehicle trips, water supply and waste disposal. 29 30 31
A greenhouse gas inventory for the project must include the project's direct and indirect greenhouse gas emissions. *See* 14 Cal. Code Regs ¤ 15358(a)(1) (Indirect or secondary effects may include effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.). Consequently, a complete inventory of a project's emissions should include, at minimum, an estimate of emissions from the following: 32
• Fugitive emissions of greenhouses gases, such as methane, from the proposed project;
• Emissions during construction from vehicles and machinery;
• Manufacturing and transport of building materials;
• Electricity generation and transmission for the heating, cooling, lighting, and other energy demands of the project;
• Water supply and transportation to the project; 33

• Vehicle trips and transportation emissions generated by the project;
• Wastewater and solid waste storage or disposal, including transport where applicable; and
• Outsourced activities and contracting. 33

Methodologies are readily available to inventory the emissions from the proposed project. In its recent white paper, CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (Jan. 2008), the California Air Pollution Control Officers Association (CAPCOA) set forth methodologies for analyzing greenhouse gas pollution (CAPCOA 2008) The California Office of Planning and Research ("OPR") has also released technical guidance on the preferred approach for analyzing greenhouse gas emissions and climate change entitled "Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review" (California OPR 2008). OPR also provides references to methodologies to quantify greenhouse gas emissions. In addition to the methodologies set forth by CAPCOA and OPR, ICLEI's Clean Air/Climate Protection (CACP) software allows cities to calculate emissions reductions, track and quantify emission outputs, and develop emissions scenarios to inform the planning process.[5] As noted in the ICLEI Climate Action Handbook, "Expertise in climate science is not necessary" to conduct an emissions inventory and compare this inventory against a forecast year (ICLEI). "A wide range of government staff members, from public works to environment and facilities departments, can conduct an inventory" (ICLEI). ICLEI also provides technical assistance and training to local government using the CACP software. It is incumbent on the City to "disclose all it can" about project impacts and educate itself on methodologies that are available to measure project emissions. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm'rs ("Berkeley Jets")*, 91 Cal. App. 4th 1344, 1370 (2001). 34

As with any other project under CEQA, the baseline used for analyzing the impacts of a project is the existing on the ground environmental conditions at the time of the NOP. *See Environmental Planning & Information Council v. County of El Dorado (EPIC)*, 131 Cal.App.3d 350, 355 (1982) (effect of general plan amendment must be compared against actual environment, not assumptions in existing general plan). Accordingly, the DEIR should compare emissions from existing conditions with those that would result from the development of the project, as well as those that would occur under any proposed alternative scenarios. Because the Project envisions development over a long period, the EIR should also provide data on the trajectory for emissions in the planned community and under each proposed alternative in five-year increments. 35 36

Without a complete inventory, the DEIR cannot adequately inform the public and decision-makers about the Project's impacts. Similarly, without a complete inventory and analysis of greenhouse gas emissions that will result from the project, there is simply no way that The EIR can then adequately discuss alternatives, avoidance, and mitigation measures to reduce those impacts. 37

C. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE

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[5] ICELI's Clean Air/Climate Protection software is available at http://www.cacpsoftware.org/ ICLEI-Local Governments for Sustainability is an international association of more than 650 local governments. Cities, counties, towns and villages around the world are members of ICLEI. ICLEI's mission is to improve the global environment through local action. On the issue of global warming, for example, ICLEI provides resources, tools, peer networking, best practices, and technical assistance to help local governments measure and reduce greenhouse gas emissions in their communities.

ON THE PROJECT

California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced.

(Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). 38

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review. 39

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and 40

quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). 40

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project would significantly understate Project impacts. 41

D. THE PROJECT'S GREENHOUSE GAS IMPACTS ARE CLEARLY SIGNIFICANT

The greenhouse gas emissions generated by a project of this size and scope will have a clearly significant cumulative impact. An impact is considered significant where its "effects are individually limited but cumulatively considerable." Guidelines ¤ 15065(a)(3). Climate change is the classic example of a cumulative effects problem; emissions from numerous sources combine to create the most pressing environmental and societal problem of out time. *Ctr. for Biological Diversity*, 508 F.3d 508, 550 (9th Cir. 2007) ("the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct."); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 720 (1990) ("Perhaps the best example [of a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). While a particular project's greenhouse gas emissions represent a fraction of California's total emissions, courts have flatly rejected the notion that the incremental impact of a project is not cumulatively considerable because it is so small that it would make only a de minimis contribution to the problem as a whole. *Communities for a Better Environment v. California Resources Agency*. 103 Cal.App.4th 98, 117 (2002); see also *Kings County Farm Bureau,* 221 Cal. App. 3d at 720 ("[p]erhaps the best example of [a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). 42

In addition. there is nothing speculative about the fact that higher levels of greenhouse gas pollution will lead to greater impacts, which is why the State of California has prioritized greenhouse gas pollution reductions under AB 32. Moreover, in the analogous context of the National Environmental Policy Act (NEPA), the Ninth Circuit has already rejected the argument that "global warming is too speculative to warrant NEPA analysis." *Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, 508 F.3d at 554. 43

In addition, lack of established significance thresholds does not excuse an agency from its obligation under CEQA to determine the significance of a Project's impacts. CEQA routinely calls for an agency to evaluate impacts in the absence of thresholds or to exercise its individual discretion in determining the significance of an impact. *See, e.g., Protect the Historic Amador Waterways*, 116 Cal. App. 4th at 1111 (agency required to assess potential impact not listed in CEQA checklist). The development of significance thresholds is "encouraged" and not a prerequisite for an impact analysis. Guidelines ¤ 15064.7. Indeed, as noted in the CAPCOA white paper on CEQA and Climate Change, "[t]he absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA" (CAPCOA 2008). In fact, CEQA may require additional analysis even if a project meets an adopted standard, if other evidence indicates the project may nonetheless have a significant 44

impact. *See Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344, 1380-82 (2001). 44

As the lead agency, CEQA requires the City to determine the significance of the Project's emissions with or without established significance thresholds. Guidelines ¤ 15064. CAPCOA provides various means by which a lead agency can determine the significance of project emissions (CAPCOA 2008). Importantly, a universally adopted methodology is *not* necessary to analyze project impacts. *Berkeley Keep Jets*, 91 Cal.App.4th at 1370 ("the fact that a single methodology does not exist…requires the [respondent] to do the necessary work to educate itself about the different methodologies that *are* available.").

"The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." Guidelines ¤ 15064(b). Any determination of whether there is a fair argument that the project may have a significant impact must include the consideration of the California Global Warming Solutions Act of 2006 (AB 32), wherein the State of California recognized that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California" and required that existing levels of greenhouse gases be reduced to 1990 levels by 2020. Health & Safety Code ¤¤ 38501(a), 38550. Because AB 32 establishes that existing greenhouse gas levels are unacceptable and must be substantially reduced within a fixed timeframe, any additional emissions that contribute to existing levels frustrate California's ability to meet its ambitious and critical emissions reduction mandate. Ignoring emissions from smaller sources would be neglecting a major portion of the greenhouse gas inventory. 45

In accordance with the scientific and factual data, the City should adopt a zero significance threshold for the Project's greenhouse gas emissions. As noted by the Ninth Circuit in *Center for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*:

[W]e cannot afford to ignore even modest contributions to global warming. If global warming is the result of the cumulative contributions of myriad sources, any one modest in itself, is there not a danger of losing the forest by closing our eyes to the felling of the individual trees? 46

508 F.3d 508, 550 (9th Cir. 2007). Accordingly, the City must unequivocally consider Project emissions to be a potentially significant impact.

E. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code ¤ 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code ¤ 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will 47

actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).
To the extent that the project moves forward as planned, there are many mitigation measures the City can consider, as described below. This is not an exhaustive list and the EIR should explore these and all other feasible mitigation measures that will reduce the project's greenhouse gas emissions (CAPCOA 2008; California Office of the Attorney General 2008). 47

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Additionally, the FEIR should analyze ways of including pedestrian and bicycle only streets and plazas within the development and create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking. 48

ii. Land Use and Energy

The FEIR should consider mitigation measures that will ensure the planned community will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008). 49

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). 50

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and 51

multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals.
Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:
• Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.
• Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
• Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
• Reducing the use of pavement and impermeable surfaces;
• Requiring water re-use systems;
• Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting
• Limiting the hours of operation of outdoor lighting
• Maximizing water conservation measures in buildings and landscaping, using droughttolerant plants in lieu of turf, planting shade trees;
• Ensure that the Project is fully served by full recycling and composting services;
• Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
• Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
• Installing solar water heating systems to generate all of the Project's hot water requirements;
• Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.

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iii. Mitigation Related to Project Construction
• Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
• Minimize, reuse, and recycle construction-related waste;
• Minimize grading, earth-moving, and other energy-intensive construction practices;
• Landscape to preserve natural vegetation and maintain watershed integrity;
• Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

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iv. Transportation Mitigation Measures
• Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
• Create a car sharing program within the planned community;
• Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;

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• Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission
vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
Provide a shuttle service to public transit within and beyond the planned community; • Incorporate bicycle lanes and routes into the planned community's street systems. 53

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets must be discussed in the FEIR. As demonstrated by the Office of the Attorney General offsets are a feasible CEQA mitigation measures[6] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. 54

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR must consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code ¤ 21002; Guidelines ¤¤ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo* , 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted). In analyzing the no-project alternative, the EIR must discuss the need for this project andwhether the uses that would potentially utilize the Project can be accommodated in existing areas. 55

As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). 56

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water 57

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[6] The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

availability, and traffic resulting from each proposed alternative. Where is the alternative which mentions agricultural uses in total or part? 57 The quality of this land is such that even I could become a successful farmer. 58 The less dense alternative two is by far superior than this project if one is serious about lessening one's impact on the environment. 59

CONCLUSION

Thank you for your attention to these comments. We look forward to working with the City to assure that the FEIR conforms to the requirements of CEQA to assure that all significant impacts to the environment are fully analyzed, mitigated or avoided. 60 I hope the FEIR will fully address the concerns found within this letter as I did not see that within the DEIR. The Sierra Club wishes to be placed on the mailing list for all future notices and documents regarding this project. Please mail all notices to Sierra Club, San Gorgonio Chapter, Moreno Valley Group, 26711 Ironwood Ave, Moreno Valley, CA. 92555. 61

Thank you,

George Hague
Conservation Chair
Moreno Valley Group
San Gorgonio Chapter
Sierra Club
951.924.0816

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2.12 RESPONSE TO LETTER E

Sierra Club

Response to Comment E-1. This comment suggests that the Draft EIR did not adequately address the concerns raised in their NOP response letter. The comment also requests that their concerns be addressed in the Final EIR, which they advise focuses on global warming, climate change, greenhouse gas pollution, and air pollutant emissions. Lastly, the commentor requests that the project do everything possible to mitigate these issues due to the non-attainment status of the air basin. The commentor notes that their specific issues follow in their letter.

Short-term and long-term project specific and cumulative effects of the proposed project on air quality are evaluated in Section 4.2 Air Quality pages 4.2-1 through 4.2-29 in the Draft EIR. Greenhouse gas emissions and climate change were evaluated in Section 4.3 Climate Change and Greenhouse Gas Emissions pages 4.3-1 through 4.3-27 in the Draft EIR. Where the proposed project's impacts were determined to be significant mitigation was provided to lessen those impacts. It was determined that even with the implementation of feasible mitigation measures the proposed project will have a significant and unavoidable impact on short-term construction air quality, long-term operational air quality impacts, cumulative air quality, and cumulative greenhouse gas emissions.

The concerns raised by the commentor have been responded to in Response to Comments E-1 though E-62. Any comments that were raised by the Commentor that required additions or revisions to the language in the Draft EIR are provided in Section 3.0 Errata to the Draft EIR in the Final EIR.

Response to Comment E-2. This comment states that the NOP mentions consumption of electricity by the warehouse would generate air pollutant emissions. The air quality emissions of the proposed project are analyzed in Section 4.2 Air Quality and also energy use (electricity) is analyzed in Section 4.3 Global Climate Change and Greenhouse Gas Emissions in the Draft EIR.

Response to Comment E-3. Please see Response to Comment D-8. The commentor inaccurately suggests that the project should be required to obtain a LEED Gold rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions. The process of obtaining a LEED rating is not mitigation. The specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions associated with operations of a building.

However, additional air quality related mitigation measures have been added in the Final EIR (refer to Section 3.0 Errata). Please refer to the Table contained in Response to Comment D-45 regarding operational mitigation measures that have been added. The added measures are also in the Mitigation Monitoring and Reporting Plan in Section 4.0 in the Final EIR to ensure they are implemented

Response to Comment E-4. This comment suggests that the roof of the warehouse be built to accommodate solar panels. This measure is included as part of Mitigation Measure 4.2.6.3A has been changed as follows to ensure that solar or other renewable energy source. The mitigation measure has been added in the Final EIR (refer to Section 3.0 Errata. The added measures are also in the Mitigation Monitoring and Reporting Plan in Section 4.0 in the Final EIR to ensure they are implemented

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-27

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City~~.~~ The following ~~Any~~ combination of design features, ~~including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~

- The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

Response to Comment E-5. This commentor opines that they disagree with the significant and unavoidable impact associated with long-term (operational) air quality impacts. This impact is related to SCAQMD's thresholds of significance. Mitigation Measures 4.2.6.1A through 4.2.6.1M and 4.2.6.3A and 4.2.6.3B set forth a comprehensive list of measures designed to reduce the quantity of air pollution emissions from project construction as well as project operations. These construction and operational mitigation measures have been supplemented in this Final EIR with the feasible mitigation measures suggested by this commentor and comments received from Johnson & Sedlack (Letter D). It bears noting that there is no readily available way to calculate the air pollution emission reductions associated with these mitigations measures and therefore show that long-term emissions cannot be reduced to below the threshold based on this technical limitation even with implementation of unlimited mitigation.

Response to Comment E-6. Mitigation Measure 4.2.6.3.A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 CBC) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. The 20% energy efficiency improvement over and above 2008 CBC building requirements has been established by air quality and climate change technicians as the project-specific energy efficiency improvement (and associated reduction in GHGs) necessary to meet the Statewide mandate of obtaining a 30% reduction in GHG emissions in comparison to 1990 levels by year 2020. In 2006, the California Legislature passed and Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act of 2006, which set a 2020 greenhouse gas emissions reduction goal into law. AB 32 requires California to reduce GHG emissions to 1990 levels (estimated at 426.6 million metric tons) by 2020 (forecast to be 600 million metric tons under "business as usual"), requiring a 30% reduction in emissions in comparison to the "business as usual" scenario. Since that time, the energy efficiency requirements contained in the 2008 and 2010 updates to the CBC now require that new buildings obtain energy efficiencies that exceed the "business as usual" scenario. For this reason, the City has determined that the appropriate performance standard to meet the statewide GHG emissions reduction goals is a 20% improvement over the 2008 CBC.

Response to Comment E-7. This comment is noted. As identified in the Draft EIR (Section 4.1 Agriculture and Forestry Resources, page 4.1-5), "*Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland, 16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance*." The Draft EIR accurately identifies that the project would result in the significant and unavoidable conversion of farmland to a non-agricultural use (Section 4.1 Agriculture and Forestry Resources, page 4.1-15). The project site was historically used for agricultural operations but currently lies fallow and has been fallow for a number of years. The site was most recently used as a sod farm that ceased operating in

August 2005 and has not been in agricultural production since that time. Thus no existing agricultural operation exists onsite. The project site has not been utilized to grow agricultural products in the last seven years and it is therefore not reasonable to assume that this land is available for cultivation of crops that can be grown locally to reduce potential climate change problems as cited in Comment Letter E.

This commentor also states that a developer recently donated $100,000.00 to the Riverside Land Conservancy to help mitigate for the loss of agricultural lands but fails to appropriately cite the information and identify the basis for determining the amount of agricultural lands lost in relation to this monetary amount. The City disagrees with the commentor and relys on the Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) decision that concerned a challenge to an EIR for a project that would convert agricultural land to residential uses. Though recognizing the potential for mitigation in the form of agricultural "*conservation easements, Williamson Act preserve status, or temporary protection or conservation plans*," the EIR noted the long-term trend in agricultural land conversion in the region and concluded that mitigation was not feasible. The court upheld the City's determination regarding the feasibility of mitigation on the grounds it was supported by substantial evidence in the record. The court also examined the City and County General Plans, which acknowledged that development pressures were constraining the continued viability of agriculture and included the expansion of housing, commercial and industrial land uses. The court then determined that the project was compatible with these planning documents. The court concluded the particular circumstances surrounding the project such mitigation was infeasible and therefore was not required to be adopted. As with this project the site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required.

The trend of the reduction in agriculture in the Inland Empire is discussed in *Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire* prepared by Justin L. Adams, Ph.D. of Chang & Adams Consulting, September 2011 and *Economic Viability of Agriculture in the East Inland Empire* report prepared by CBRE Consulting, March 18, 2009. Both reports are provided in Appendices B and C to the Final EIR. This reduction in "farming" is due to pressures of the growth in the demand for housing and development and the transportation and warehousing sector; increased restrictions on water deliveries for agricultural uses after several consecutive drought seasons; higher wages in other industries in the region; strong agricultural competition from the southern Central Valley for dairies; increased regulatory pressures from air quality and local jurisdictions regarding particulate matter emissions and land use adjacency issues; and the trend in Riverside and San Bernardino Counties is for agricultural operations to continue to shift to places like Kern County regardless independent of land use policy due to the economic issues.

As stated on Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12 of the Draft EIR, "*the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the '…orderly conversion of agricultural lands.' The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development*." As described in the Draft EIR, the City's General Plan and General Plan EIR have considered and evaluated the eventual and expected conversion of agricultural activity within the City

(Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-12) Therefore, the City has already anticipated the eventual conversion of all agricultural activity within the City.

As stated in the Draft EIR, mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding considerations. To be feasible, mitigation must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account the economic, environmental, legal, social, and technological factors. Identification as to the infeasibility of mitigation measures suggested by the commentor has been provided in the Draft EIR. No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development.

The potential mitigation measures identified by the City in its General Plan EIR and California Department of Conservation (CDC), which are listed in the Draft EIR (Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-11), are not considered to be feasible by the City of Moreno Valley as determined in the City's General Plan EIR. Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land. As identified in the Draft EIR, the City supports agriculture as an interim use within the City and no land is dedicated or designated for agricultural use or agricultural preservation within the City's jurisdiction. With no such dedication or designation in place at this time, the establishment of urban limits, greenbelts, and buffers would not result in permanent protection of agricultural land as none exists within the City. Areas where agriculture land use designations may exist that are outside of the City limits cannot be preserved as it is outside of the City's jurisdiction.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. The City does not have a funding source for the acquisition of farmland. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The City of Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified.

Response to Comment E-8. Refer to Response to Comment E-7.

Response to Comment E-9. Mitigation Measure 4.2.6.3A already provides for preferential parking for alternative fueled cars. This mitigation located in the Draft EIR, Section 4.2 Air Quality, pages 4.2-26, 4.2-27, and 4.2-28 reads as follows with changes proposed in Section 3.0 Errata in the Final EIR to address other commentor concerns:

> ***4.2.6.3A*** *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:*
>
> - *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
> - *Provision of preferential parking for EV and CNG vehicles.*

This comment also suggests that the parking lot be required to include porous materials for groundwater recharge. As identified in Table 1.B on page 1-34 of the Draft EIR, impacts associated with groundwater supplies were determined to be less than significant and no mitigation is required. Therefore, there would be no nexus to require this mitigation measure.

Response to Comment E-10. This comment suggests that the World Logistics Project identified as a cumulative project in the Draft EIR was not included in the analysis of the proposed project. The City acknowledges that the World Logistics Project 41,500,000 SF high cube warehouse uses (refer to Table 2.C in Section 2.7 Cumulative Projects on page 2-38 of the Draft EIR). This cumulative project was considered along with the other cumulative projects in Table 2.C in the consideration of traffic impacts on the highway mainline, air quality, greenhouse gas emissions, and loss of agricultural lands in the Draft EIR.

Response to Comment E-11. The ProLogis project is contained in the Draft EIR. It is referred to as the Eucalyptus Industrial Park, cumulative project number 67, shown in Table 2.A and Figure 2.1.

Table 2.C of the Draft EIR identifies the Eucalyptus Industrial Park as A-67, while Figure 2.1 identifies it as M-67. The project is in the City, so the table entry will be modified as follows and as indicated in Section 3.0 Errata in the Final EIR.

Draft EIR, Section 2.7 Cumulative Projects, Table 2.C, Page 34

~~A~~M-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses

Response to Comment E-12. The nearest schools to the project site are located approximately one mile to the east and northeast of the project site. Because the primary truck route between the project and I-215 will be Harley Knox Boulevard to the west, the trucks will not be passing by a school. In addition, the project is in an area of the City that has been zoned for industrial uses and the proposed project is consistent with this zoning. This sensitive receptor is a residence located at Patterson Avenue and Harley Knox Boulevard in the City of Perris. It should be noted that the entire area surrounding and adjacent to the proposed project has been previously designated and zoned by the City for future industrial uses. Similarly, the entire area surrounding and adjacent to Harley Knox Boulevard between Perris Boulevard and I-215 has been previously designated and zoned by the City of Perris for future commercial and industrial uses. This means that the single residence located

adjacent to Harley Knox Boulevard in the study area is a legally nonconforming land use. Because this residence on Harley Knox Boulevard is a legally nonconforming use, it is highly unlikely that the residence will exist in the area in the future. Thus, in light of these factors, it is highly unlikely that the currently existing residential use will be exposed to diesel over the course of a long period of time, such as a 70 year exposure used to calculate health risks from diesel particulates.

Response to Comment E-13. The project will not impact the health of students walking or riding their bicycles to school because the majority of the residential areas are located to the east of Perris Boulevard and north and northwest and northeast of Perris Boulevard where it passes over the Perris Valley Storm Drain. This area is more than one mile north of the project site. As noted above the primary trucking route will be Harley Knox Boulevard to the west to the I-215 which does not pass by any schools.

Response to Comment E-14. See Response to Comments E-13. There are no sensitive receptors in close proximity to the project site that would be impacted during project construction or by project truck use of the local roadway system. Nonetheless, the EIR contains a measure requiring a 200 foot buffer between construction staging areas and sensitive receptors (Draft EIR Mitigation Measure 4.2.6.1A, page 4.2-21).

Response to Comment E-15. A *Health Risk Assessment (HRA) VIP Moreno Valley*, LSA Associates, Inc., March 2012 was prepared for the proposed project and included in Appendix D-2 to the Draft EIR. The HRA examined the short-term and long-term potential health effects from project-related emissions of toxic air pollutants (TAP) in the exhaust of diesel-powered delivery trucks on existing surrounding sensitive receptors, including single- and multifamily residences. Onsite workers will be protected by the requirements established by the Occupational Safety and Health Administration (OSHA) and are not considered sensitive receptors in accordance to the California Air Resources Board (CARB). The CARB defines "sensitive" land uses, as homes, medical facilities, daycare centers, schools, and playgrounds.

According to the HRA prepared for the proposed project, "*Toxic air pollution emissions associated with the project would occur from a variety of activities related to the project operations. The only significant amount of TAP known to be released from the proposed distribution facility is contained in the exhaust of project-related vehicles. While there may be other toxic air pollutants in use on site, compliance with City, SCAQMD, State, and federal handling regulations will keep those emissions below a level of significance.*

Page 13 of the HRA states, "*As evaluated in the air quality/health risk assessment, practical procedures will be taken for the onsite operations. The results of the conservative modeling are shown in Table C for carcinogenic and chronic inhalation health risks at the sensitive receptors. Even with the conservative modeling technique used (assuming that an individual stays outdoors at his or her residence 24 hours per day for 70 years, which is the State-required period of time that all HRAs must assess), the nearest sensitive receptor would be exposed to an unmitigated inhalation cancer risk of no more than 3.5 in 1 million, less than the threshold of 10 in a million. ……"The highest worker exposure occurs at the facility to the west of the project, at the corner of Indian Street and E. Oleander Avenue. The unmitigated inhalation cancer risk at that facility will be no more than 0.36 in 1 million, also less than the threshold of 10 in a million. The Chronic Hazard Index would be 0.0022, less than the threshold of 1.0. These risk levels are much higher than are actually expected to occur. No significant health risk would occur from project-related truck traffic, and no mitigation is necessary.*"

Table C: Long-Term Health Risk Levels from Project Operations

Location	*Maximum Cancer Risk (risk per million)*	*Maximum Noncancer Risk (risk per million)*
SCAQMD Threshold	*10*	*1*
School 1	*0.11*	*0.000069*
School 2	*0.79*	*0.00050*
School 3	*0.26*	*0.00016*
Nearest Residential to the north	*6.6*	*0.0041*
Nearest Residential to the east	*5.0*	*0.0031*
Nearest Residential to the south	*1.2*	*0.00074*
Workers at facility to the west	*4.5*	*0.0029*
Significant?	***No***	***No***

Source: LSA Associates, Inc., March 2012.

Response to Comment E-16. The Draft EIR, Section 4.2 Air Quality contains the following Mitigation Measure 4.2.6.1K that provides for electric or alternative fuel construction equipment and forklifts and Section 4.3 Greenhouse Gas Emissions and Climate Change contains Mitigation Measure 4.2.6.3A which specifies electric trucks and yard trucks in Mitigation Measure 4.2.6.3A. Changes proposed to Mitigation Measure 4.2.6.1K are provided in Section 3.0 Errata in the Final EIR to address other commentor concerns. The measures are as follows:

> ***4.2.6.1K*** *Grading plans, construction specifications and bid documents shall also include the following notations:*
>
> - *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
> - Use electric construction equipment where feasible.
> - All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
>
> ***4.2.6.3A*** *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following ~~Any combination of~~ design features~~, including but not limited to the following list, may~~ shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:*
>
> - *Lease/purchase documents shall ~~identify that~~ require tenants ~~are encouraged~~ to ~~promote~~ provide the following:*
> - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
> - *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
> - *Use of electric (instead of diesel or gasoline-powered) yard trucks.*

Response to Comment E-17. The Draft EIR, Section 4.4.6.1 Short-Term Construction Noise Impacts page 4.4-17 states "*The nearest noise-sensitive receptor locations to the project site are*

existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures [Mitigation Measures 4.4.6A – 4.4.6D] have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards."

The noise impact analysis for the proposed project (*Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., March 2012, Appendix F to the Draft EIR) evaluated the traffic noise impact in terms of CNEL and the on-site operations noise impact comparing to the City's Municipal Code noise standards. No exceedance or violation of the noise standards was found and no significant long-term noise impacts would occur. The project site is surrounded by vacant land or other non-noise-sensitive land uses such as industrial or commercial uses. Although the City's Municipal Code states that the noise standards shall apply "when measured at a distance of 200 feet or more from the real property line of the source of the sound if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property", in this case, evaluating the potential noise levels at the property line of the nearest noise-sensitive land uses (i.e., residences) would adequately determine the project's potential noise impacts.

As indicated in the noise impact study, no noise barriers would be required during project construction nor are they required during operation of the proposed project. The proposed project will comply with all mitigation measures identified and comply with applicable federal, State, and City guidelines.

Response to Comment E-18. A Traffic Impact Analysis (*Traffic Study VIP Moreno Valley*, LSA Associates, Inc., April 9, 2012) was prepared for the proposed project that analyzed the proposed project's impacts to area roadways during construction and operation of the project. Draft EIR Section 4.5 Traffic and Circulation, pages 4.5-1 – 4.5-28 analyzed the construction and operational impacts to not only area roadways but on the freeway system as well. It was determined that the proposed project would be expected to generate 327 passenger car equivalent (PCE) trips in the a.m. peak hour, 388 PCE trips in the p.m. peak hour, and 5,052 daily PCE trips when built. It was determined that the proposed project upon build out in the year 2013 would have impacts that are cumulative resulting in exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);

- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

This is a significant impact and mitigation was provided. It is important to note that ten of the eleven intersections also operate at unsatisfactory levels of service under year 2013 cumulative without the project conditions. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a project-specific impact.

The air quality/health risk assessment has discussed the number of truck trips per day that will visit the project site. Trip length assumptions and the truck routes have also been identified in the analysis. Figure 3 of the Health Risk Assessment report (Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., March 2012) shows the location of all the truck emissions sources modeled. As described in the report; *"An approximate representation of the roadway was obtained by placing a number of volume sources at equal intervals along the roads on site and far enough off site to characterize the emissions at the sensitive receptors near the project site. For other sensitive receptors further from the project site but near the roads the trucks will travel, it is assumed that the health risk levels from the project traffic will be low compared to the total risk from all existing road traffic."*

The Air Quality Study Table I page 26 Appendix D of the Draft EIR indicates the average trip length is 17 miles. This section of the Air Quality study is provided as follows:

5.2.1 Long-Term Project Operational Emissions

Long-term air pollutant emission impacts are those associated with stationary sources and mobile sources involving any project-related changes. The proposed project would result in a net increase in the number of employees in the project area; therefore, the proposed project would result in net increases in both stationary and mobile source emissions. The stationary source emissions would come from additional natural gas consumption for on-site buildings and electricity for the lighting in the buildings and at the parking area. The proposed project is a warehouse/distribution in the Inland Empire area of Southern California. Average truck trip length in this area has been shown to be greater than the default trip length in the CalEEMod model. Table I lists the potential origin and destination points for the truck trips that would be associated with the proposed project. The average trip length for the employee commute is assumed to be 17 mi. This is also greater than the default commute trip length included in the CalEEMod model for the Inland Empire area.

Table I: Average Truck Trips Lengths

Truck Route	*Route Length (miles)*	*Percentage of Trucks on Route*
East on State Route 60 to Basin Boundary	*30*	*10%*
Port of Los Angeles/Long Beach	*80*	*50%*
South on the I-215 to San Diego	*50*	*20%*
Inland Empire (i.e., Ontario, Mira Loma, Fontana)	*50*	*10%*
Perris Destinations	*40*	*5%*
Moreno Valley Destinations	*20*	*5%*
Average Truck Trip (54% of trips)	***61***	

Source: Project Plans

Response to Comment E-19. The trip generation for daily trucks is listed in Table 4.5.D in the Draft EIR, Section 4.5.3.1 Project Trip Generation, page 4.5-14. As shown in Table 4.5.D, the total number of daily trips (total raw trucks) is 1,475. The number of daily truck trips is based on NAIOP rates for High-Cube Warehouse that were approved by the City of Moreno Valley.

Response to Comment E-20. Freeway segment and merge/diverge analysis locations are based on Caltrans guidelines which requires analysis to a State highway facility if a project generates over 100 peak hour trips[1]. The project generates over 100 peak hour trips at the Interstate 215/Harley Knox Boulevard interchange and was included in the Draft EIR. Project traffic at freeway segments on SR-60 are less than 100 peak hour trips and were not included in the Draft EIR.

Regarding commenters opinion that payment of DIF and TUMF is inadequate mitigation, please refer to Response to Comment D-82. The payment of DIF and TUMF fees is considered the appropriate mechanism for the project to contribute to future roadway improvements, resulting in full and complete mitigation of project-specific impacts.

Response to Comment E-21. The commentor opines that the project site should not be disced or graded for at least six months prior to doing the burrowing owl survey. Mitigation Measures BIO-1 through BIO-4 require pre-construction surveys and establish what actions must be taken if the burrowing owl is found on-site during the pre-construction surveys that are in accordance with the Burrowing Owl Consortium 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines[2] and referred to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) survey instructions[3] to complete the pre-construction burrowing owl survey.

Response to Comment E-22. This comment states that the Final EIR will be inadequate unless the concerns and issues identified in the comment letter are addressed within the document. This comment does not raise any specific issue associated with the Draft EIR. In addition, any concerns and issues identified in the comment letter have been addressed through Responses E-1 through E-62 of the Final EIR. No further response is required.

Response to Comment E-23. Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27 provides an analysis of the proposed project's impact on greenhouse gas emissions and climate change. The analysis is based on the *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011 included as an Appendix D in the Draft EIR. Responses to Comments E-24 through E-54 include specific responses to the commentor's assertions that the Draft EIR did not thoroughly evaluate alternatives and mitigation measures that would reduce greenhouse gas emissions. Where appropriate additional mitigation measures have been add to the Section 3.0 Errata in the Final EIR.

Response to Comment E-24. The commentor opines that global warming poses a grave threat to California and the Draft EIR is obligated to discuss the threats posed by greenhouse gas emissions for the public and decision makers. Page 4.3-1 through 4.3-3 in the Draft EIR (Section 4.3 Climate Change and Greenhouse Gas Emissions) already established the existing background information related to climate change as requested in this comment.

The commenter suggests that there is consensus among scientists regarding the link between GHG and global warming. However, there is still considerable debate about the existence of anthropogenic global warming, and about the long term environmental effects of anthropogenic global warming if in fact such warming is occurring and will occur long term. (*See, e.g., U.S. Senate Minority Report; More Than 700 International Scientists Dissent Over Man-Made Global Warming Claims*; March 16, 2009.)

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1 *Guide for the Preparation of Traffic Impact Studies*, State of California Department of Transportation, December 2002, page 2.

2 http://www2.ucsc.edu/scpbrg/burrowingowls.htm.

3 http://www.tlma.co.riverside.ca.us/epd/documents/survey_protocols/burrowing_owl_survey_instructions.pdf.

This body of scientific literature argues that (i) there is no scientific consensus on the existence of anthropogenic global warming; (ii) that the Intergovernmental Panel on Climate Change (IPCC) literature is deeply flawed; (iii) that scientists and research grant funding sources have deliberatively ignored other possible explanations in global temperature variations.

In addition, quantitative data published by the State Air Resources Board and the IPPC demonstrates that even if California achieved the specified AB 32 greenhouse reduction goals, that this may have no effect on climate increases based on greenhouse gas emissions because emissions from China, Russia, Indonesia and other developing countries have and will greatly surpass the emissions of California.

Response to Comment E-25. Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27 provides an analysis of the proposed project's impact on greenhouse gas emissions and climate change. The analysis is based on the *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011 included as an Appendix D in the Draft EIR. In addition, the commentor asserts that the "ecological implications of its actions" must be discussed. Also refer to Response to Comment E-38 for an explanation on a recent court case regarding global climate change. As set forth in Response to Comment E-38, the courts have confirmed the longstanding tenant of CEQA that impacts from the environment onto a project need not be analyzed.

Response to Comment E-26. Please see Responses to Comments E-25, E-27, and E-38.

Response to Comment E-27. The commentor is providing information relating to the scientific background on climate change and global warming. See Response to Comment E-24 regarding an alternative view of greenhouse gas emissions and the effect of such emissions.

Response to Comment E-28. Section 4.3 Climate Change and Greenhouse Gas Emissions, Subsection 4.3.2 Regulatory Setting in the Draft EIR pages 4.3-7 through 4.3-11 contains a discussion on the various federal, state, local and City laws, regulations and policies concerning greenhouse gas.

Response to Comment E-29. The greenhouse gas impact study (*Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011) provided emissions from both construction and operation periods. During the construction period, emissions from both equipment exhaust and other area sources were calculated. During the operational period, emissions associated with vehicular (including automobiles and trucks) trips, water and energy usage, waste treatment, and other known sources have been calculated and identified in the study.

Response to Comment E-30. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-31. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-32. Please see Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated. If the commentor is suggesting that an exhaustive "life-cycle" inventory of the project's greenhouse gas

emissions be prepared, the State Office of Planning and Research provided guidance on this issue and clarified that a life-cycle analysis is not required.[1]

Response to Comment E-33. Please see Response to Comment E-29.All known emissions during construction and operations of the proposed project have been identified and calculated.

Response to Comment E-34. Please see the Response to Comment E-29. All known emissions during construction and operations of the proposed project have been identified and calculated. The preparer of the greenhouse gas impact study has followed the guidelines provided by the OPR and CAPCOA and has provided an adequate analysis. It is the City's opinion that it has disclosed the impacts of the proposed project adequately and mitigated the impacts of greenhouse gas emissions where applicable (Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

Response to Comment E-35. The commentor points out that existing conditions must be utilized as the environmental baseline throughout the Draft EIR. The Draft EIR does just this by calculating and presenting the air pollution and greenhouse gas emissions attributable to the proposed project. Because there is currently no land use activity on the project site, existing baseline emissions are zero. Consequently, the calculated emissions represent the emissions associated with the project.

Response to Comment E-36. The project will not be built over a long period of time. There is no phasing proposed with the development. The commentor is confused, the project is not a planned community, it is an approximately 1,616,133 square feet of distribution warehouse (refer to Draft EIR, Section 3.0 Project Description). There is no reason to evaluate the emissions of the proposed project over five year increments since the building will be built all within the same year.

Response to Comment E-37. It is the commentor's opinion that the Draft EIR does not provide a complete inventory of impacts. The Draft EIR evaluated the impacts of the project on air quality (Section 4.2) and greenhouse gas emissions and global climate change (Section 4.3). In addition a full air quality study and greenhouse gas emissions study were prepared for the proposed project and included in their entirety in the Appendix to the Draft EIR. No further response is required.

Response to Comment E-38. According to the greenhouse gas impact study (*Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., December 2011), "*Global climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other significant changes in climate (such as precipitation or wind) that last for an extended period of time. The term "global climate change" is often used interchangeably with the term "global warming," but "global climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures."* The Draft EIR did analyze the project's effects on greenhouse gas emissions which is a component of global climate change or global warming (Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

In addition, the California requires mandatory measures to be implemented on all new construction projects that consist of a wide array of green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources. The Cal Green Building Code refers to Title 24, Part 6 compliance with respect to energy efficiency; however, it encourages 15 percent energy use reduction over the required in Part 6. The Cal Green Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG

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[1] *Transmittal of the Governor's Office of Planning and Research's Proposed SB97 CEQA Guidelines Amendments to the Natural Resources Agency*, California Governor's Office of Planning and Research, April 13, 2009, page 2.

emissions from the Business as Usual Scenario (California Building Code). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.

If the commentor is suggesting that the Draft EIR should analyze global warming on the proposed project there is a a recent CEQA Case *Ballona Wetlands Land Trust v. City of Los Angeles and Ballona Ecosystem Education Project v City of Los Angeles,* No.B231965 (Cal. Ct. App 2d Dist., November 9, 2011) where the opponents claimed that the EIR was inadequate because it did not analyze the effects of sea rise due to global warming on the project. The Court held that CEQA did not require the EIR to analyze this risk, concluding that "the purpose of an EIR is to identify the environmental effects of the project on the environment and not the significant effects of the environment on the project." The court reasoned: "[w]e believe that identifying the environmental effects of attracting development and people to an area is consistent with CEQA's legislative purpose and statutory requirements, but identifying the effects on the project and its users of locating the project in a particular environmental setting is neither consistent with CEQA's legislative purpose not required by CEQA statutes." Therefore an analysis of the effects of global climate change on the project is not appropriate and is not required.

Response to Comment E-39. Refer to Response to Comment E-38.

Response to Comment E-40. Refer to Response to Comment E-38.

Response to Comment E-41. As stated in Response to Comment E-38, CEQA does not require that the effects of global climate change on the project and other environmental resources must be analyzed in the EIR. CEQA does require that the proposed project's effects on greenhouse gas emissions and global climate change must be addressed. This analysis was provided in Section 4.3 Greenhouse Gas Emissions and Global Climate Change in the Draft EIR. The Draft EIR did analyze the significant effects on air quality (Section 4.2), water supply (Section 2.0), flood hazards (Section 2.0) and biological resources (Section 2.0) and provided mitigation to reduce those impacts where feasible.

Response to Comment E-42. The Draft EIR analyzed the cumulative effects of the project on greenhouse gas emissions (Section 4.3.7 Cumulative Impacts, page 4.3-26) and it was determined that "*While it is not possible to determine whether the project individually will have a significant impact on global warming or climate change, it will contribute to cumulative GHG emissions in California. Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of CEQA Guidelines Sections 15065(a)(3) and 15130. The CARB is currently in the process of designing regulations to monitor, limit, and ultimately reduce California GHG emissions but there are as yet no adopted standards for assessing the significance of cumulative impacts from projects.*

Cumulatively, the emissions from electricity production would comprise approximately 3.4 percent of the project's total CO_2e emissions. Water usage and solid waste disposal emissions comprise approximately 18 percent of the project's total CO_2e emissions while the emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO_2e emissions are primarily associated with building systems. The proposed project is required to comply with existing State and Federal regulations regarding the energy efficiency

of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy efficient than older buildings.

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable."

The Draft EIR did analyze the cumulative effects of the project on greenhouse gas emissions and determined the impacts on global climate change are considered to be significant and unavoidable.

Response to Comment E-43. To clarify, the project is not subject to NEPA and the environmental documentation that was completed is under CEQA. The findings or rulings under NEPA do not apply in this case; however, State CEQA Guidelines Section 15064(b) provides that "…the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting." The State CEQA Guidelines further indicate that even when thresholds are established, they may include "identifiable quantitative, qualitative or performance level of a particular environmental effect" (State CEQA Guidelines, Section 15064.7).

Furthermore, the Draft EIR page 4.3-26 as modified in this Final EIR, determined "*project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~* on a project specific basis *because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.*

The Draft EIR (Section 4.3) made a determination that the proposed project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases and no mitigation is required. However, it was determined that the proposed project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and mitigation was proposed to reduce these project-specific effects to less that significant (Draft EIR, page 4.3-21 – 4.3-26).

It should be noted that any GHG emissions reductions achieved locally and within the State may be offset by emissions increases in developing countries such as Brazil, Russia, India and China. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects from greenhouse gas emissions will be fully mitigated because significant impacts from greenhouse gas emissions may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan.

Response to Comment E-44. Refer to Response to Comment E-43.

Response to Comment E-45. Refer to Responses to Comments E-42 and E-43.

Response to Comment E-46. As the comment is the opinion of the commentor the City is not in the position nor is it reasonable to adopt a "zero" significance threshold. SCAQMD and other air quality

agencies agree that GHG and climate change should be assessed as a potentially significant "cumulative impact" rather than a "project-specific" impact. SCAQMD is considering the adoption of a numeric plan-level efficiency target of 6.6 MTCO2E per service population.

The intent of CEQA is to determine the significant effects of a project on the environment and provide feasible and reasonable mitigation to reduce impacts to less than significant. In instances where the impact of the project cannot be reduced to less than significant and it is determined the impact is significant and unavoidable, the Lead Agency, must adopt a Statement of Overriding Considerations that finds (1) under Public Resources Code Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the Final EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093. CEQA does have a provision as stated above that an impact can be significant and unavoidable if the City makes findings as to why it is willing to accept the significant impact; therefore, it was not CEQA's intent to not allow any tolerance for impacts on the environment as long a good faith effort is made to reduce the impacts where reasonable.

Response to Comment E-47. See Response to Comment D-8. Mitigation Measure 4.2.6.3.A (Draft EIR page 4.2-26) requires "Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:" With implementation of this measure, the building will meet a 20% reduction in energy performance standard which will render greenhouse gas emissions impacts to a less than significant level on a project-specific basis and consistent with the intention of AB32. It should be noted, however, that many new mitigation measures have been added in the Final EIR. Please refer to the Table contained in Response to Comment D-45 regarding air quality operational mitigation measures as well as indicated in Section 3.0 Errata in the Final EIR.

Response to Comment E-48. Riverside Transit Authority (RTA) has an established bus route, No. 19, which services the project area and the site. The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary. However, a bus bay has been included in the project design along the site's Perris frontage.

The commentor is erroneously confusing this project which is a distribution warehouse with a mixed use or commercial project that would have residents living within the project area. It is not appropriate to include plazas and pedestrian and bicycle only streets within the project and to create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking as suggested by the commentor. The project is not building transportation routes. The project is located on existing roadways, Perris Boulevard, Indian Street, and Grove View Road.

Response to Comment E-49. The commentor is erroneously confusing the proposed project, which is a high-cube logistics distribution warehouse, by inferring that it is a planned community with a residential component. Nonetheless, the warehouse building will be required to incorporate many green building techniques required as part of Mitigation Measures 4.2.6.3A-4.2.6.3B and 4.3.6.1A-4.3.6.1C.

Response to Comment E-50. The commentor is erroneously confusing the proposed project, which is a high-cube logistics distribution warehouse, by inferring that it is a residential project. Nonetheless,

please see the response to Comments E-29 and E-32. All known emissions during construction and operations of the proposed project have been identified and calculated (Draft EIR Section 4.3 Climate Change and Greenhouse Gas Emissions, pages 4.3-1 – 4.3-27).

Response to Comment E-51. See Response to Comments D-8 and E-47.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" in the following Table have been added to the Final EIR (Section 3.0 Errata) as suggested by the commentor. The changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the EIR. The Table below contains each of the greenhouse gas reduction measures suggested for inclusion by the commentor and if it is already included, if will be added mitigation as part of the Final EIR, or if will not be included and why.

Suggested Mitigation Measure	Response
1. Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.	**Incorporated.** The project description states In recognition of the trend towards Green Building, the proposed project will pursue the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. LEED is a voluntary, consensus-based standard to support and certify successful green building design, construction, and operations.
2. Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
3. Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. Reducing the use of pavement and impermeable surfaces.	**Included where appropriate.** Impermeable surfaces will be installed were appropriate but it is not feasible to use impermeable surfaces in the truck parking area since a soft permeable surface will not support the weight of a large truck.
5. Requiring water re-use systems.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1C** on page 4.3-25.
6. Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
7. Limiting the hours of operation of outdoor lighting.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
8. Maximizing water conservation measures in buildings and landscaping, using drought tolerant plants in lieu of turf, planting shade trees.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
9. Ensure that the Project is fully served by full recycling and composting services.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3B** on page 4.2-28.
10. Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Infeasible.** The site is served by public entities for wastewater and solid waste, Neither the City nor the project proponent has control over those facilities.

Suggested Mitigation Measure	Response
11. Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
Mitigation Related to Construction	
1. Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1B** on page 4.3-25.
2. Minimize, reuse, and recycle construction-related waste.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1A** on page 4.3-24.
3. Minimize grading, earth-moving, and other energy-intensive construction practices.	**Infeasible.** The entire site must be graded to accommodate the building structure and parking lot.
4. Landscape to preserve natural vegetation and maintain watershed integrity.	**Infeasible.** The site does not contain natural/native vegetation**.**
5. Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measures 4.2.6.1B, 4.2.6.1I, and 4.2.6.1K** on pages 4.2-21- 4.2.22.
6. Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.1B** on page 4.3-25.
Transportation Mitigation Measures	
1. Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
2. Create a car sharing program within the planned community;	**Not required.** The project is not a planned community. . As noted in **Mitigation Measure 4.2.6.1K**, documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs.
3. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Included.** This suggested mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27.
4. Provide necessary facilities and infrastructure to encourage residents to use low or zeroemission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Included.** A similar mitigation measure is already included in Section 4.2 Air Quality of the Draft EIR under **Mitigation Measure 4.2.6.3A** on page 4.2-27. The mitigation measure the commentor suggests relates to "residents". This project is a high-cube warehouse not a residential development.
5. Provide a shuttle service to public transit within and beyond the planned community.	**Not required.** The RTA has two stops one on either side of Perris Blvd. and Grove View Rd. From the project site the walk north along Perris Blvd. is approximately 0.2 mile to a stop at Perris Blvd and Nandina. There is another bus stop at 17800 Perris Blvd. approximately 0.1 mile from the project site. Therefore, the site is serviced by the RTA and no further actions are necessary. However, a bus bay has been included in the project design along the site's Perris frontage.

Suggested Mitigation Measure	Response
6. Incorporate bicycle lanes and routes into the planned community's street systems.	**Not required.** Bicycle access to and from the project will take place from the adjacent streets In addition the project is not a planned community.

Response to Comment E-52. See the Table included in the Response to Comment E-51 under "Mitigation Related to Construction" Items 1-6.

Response to Comment E-53. See the Table included in the Response to Comment E-51 under "Transportation Mitigation Measures" Items 1-6.

Response to Comment E-54. The use of carbon offsets are infeasible because:

- The cited precedent is a negotiated settlement for a major oil refinery in Contra Costa County, rather than a warehouse development in Riverside County;
- The cited precedent was for the period prior to 2012;
- California has not established any generally applicable standards for requiring offsets for GHG emissions; and
- Most cities and counties in California have not required offsets for GHG emissions on projects of the scale of the proposed project. Since this is a cumulative rather than a project level impact, mitigation for the cumulative level impact will be ineffective unless it is applied to all the cumulative projects.

Using such carbon offsets to mitigate for cumulative impacts is fraught with uncertainty. As the comment implies ("… offsets purchased are real…"), but there is considerable controversy regarding whether offsets that are available today will actually mitigate this cumulative effect.

First, it requires an accurate measure of the emissions to be offset and the offsets to be provided. That calculation turns out to be riddled with uncertainty on both ends. As noted above in the example cited by the commenter, this initial offset of $7 million for the Rodeo refinery was later reduced to $4.4 million due to revised calculations of GHG emissions. The UN's Intergovernmental Panel on Climate Change found a margin of error of 10% with measuring emissions from making cement or fertilizer; 60% with the oil, gas and coal industries; and 100% with some agricultural processes.

Second, the provision of offsets requires an accurate measure of the carbon saved elsewhere. Most of the earliest offset projects involved planting trees, which naturally ingest carbon, a complex and unpredictable process which forbids accurate measurement.

Finally, the very idea of offsetting relies on what is known as additionally - evidence that a carbon reduction would not have occurred in the natural order of commercial life. For example, one of the biggest UK companies that sells offsets, Climate Care, distributed 10,000 energy-efficient light bulbs in a South African township; offered the carbon reductions as offsets; and then discovered that an energy company was distributing the same kind of light bulbs free to masses of customers, including their township, so the reduction would have happened anyway.

To accurately calculate the amount of credit for each of the above actions, the offset program must make a number of critical assumptions:

- What is the baseline of emissions for the existing facilities that would be retrofitted to reduce their energy consumption? Would they ultimately be retrofitted in any case, thus limiting the actual resulting reduction in GHG emissions?

- Is the development of the alternative energy source actually dependent on the external funding provided by the offset? Or is the alternative energy developer simply achieving another subsidy?

- How much extra energy (and GHG emissions) is required to construct the alternative energy facility? What period of time should this be amortized over? For example, the development of the California High Speed Rail Project is estimated to reduce energy consumption in the long run. However, the extra energy involved with construction is estimated to have a 40 year payback.

As such, the actual amount of mitigation provided by an offset program can be speculative, based upon the actual performance of the program.

While the above cited issues with offsets are problematic, even if they are successful, they are based upon the assumption that a 1:1 reduction in emissions will actually result in the same reduction in global CO2 values. This static analysis fails to take into account the dynamic nature of energy consumption worldwide. When energy consumption (a proxy for GHG emissions) is reduced in one location, there are powerful economic reasons to assert that the same energy consumption (GHG emissions) will simply be shifted to another location.

There is a global marketplace for fossil fuel energy based upon a market between buyers and sellers. The sellers, those who own the sources and production of fossil fuel energy, have a powerful economic interest to keep and increase their income stream from the production of fossil fuels.

To the extent that the actions cited above as potential offset measures, in combination with other conservation measures, reduce the demand for fossil fuels in the countries where they are implemented, the owners of these fossil fuel supplies will still want to preserve and enhance their income as much as possible. And there is a large unmet need (unmet as defined by consumer actions) for increased energy consumption in developing countries. For example the average annual energy consumption of a citizen of China or sub-Saharan Africa, at 4.5 metric tons, is far less than that of the average US citizen, at 20 metric tons. To the extent that the US and other countries reduce energy consumption based upon energy efficiency measures, the owners of fossil fuel resources will seek to sell the same energy, perhaps at a lower price, to the less developed countries. If the energy is sold at a lower price, then more energy would need to be sold to generate the same income, and the resulting energy consumption and GHG emissions could actually increase.

There is uncertainty regarding the efficacy, reliability and legal standing of carbon off-sets at this time. For this reason, such mitigation is considered to be infeasible.

Response to Comment E-55. The commentor is correct in stating that the EIR must contain a "*reasonable*" [emphasis added] range of alternatives to the proposed project that avoid or lessen the significant impacts to the proposed project (Pub. Res. Code §21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126.6(d)). According to CEQA Guidelines §15126.6(a) "[A]n EIR need not consider every conceivable alternative to a project. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of

reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376)."

The Draft EIR does include an analysis of a reasonable range of alternatives to the proposed project (Section 6.0 Alternatives, pages. 6-1 – 6-33) incompliance with CEQA. The Draft EIR discusses the No Project Alternative (Section 6.3.2.1) and an Off-Site Alternative (Section 6.3.2.4) as suggested by the commentor.

Response to Comment E-56. The commentor is misinterpreting the Draft EIR or has failed to understand that the proposed project is not a higher density mixed use commercial/residential project. The project analyzed in the Draft EIR is an industrial project (refer to Draft EIR Section 3.0 Project Description) which is consistent with the General Plan Designation of Business Park/Light Industrial. Zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, which is known as the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002. The entire area surrounding the project site is zoned SP 208 which has planned the area for business park and industrial uses since 1989 (23 years). The area to the south in the City of Perris is also planned for industrial and commercial uses. Clearly, the Cities of Moreno Valley and Perris have planned this area for industrial/business park and commercial uses in their respective General Plans for years. The City has already determined the appropriate lands uses for the area and conducted the appropriate CEQA review for that determination. This project implements that prior determination consistent with the existing general plan and specific plan.

If the commentor is suggesting that a high density mixed use commercial/residential project be considered as an alternative to the proposed project, the Draft EIR Section 6.3.2.3, page 6-22 does include an analysis of Alternative 3 Mixed Use Commercial Office Center. A Mixed Commercial/Residential Alternative was analyzed in Section 6.2.3 and it was determined *[t]hat the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site.*

Also refer to Response to Comment D-96.

Response to Comment E-57. The Draft EIR does analyze the various alternatives impacts on greenhouse gas emissions (Table 6.G page 6-16) biological resources, water resources including water quality and water availability(Table 6.E page 6-16) and traffic (Table 6.C page 6-15). In addition, detailed analysis for each of the alternatives is proposed in Draft EIR Sections 6.3.1.1, 6.3.1.2, 6.3.1.3 and 6.3.1.4 on pages. 6-12 – 6-31 as it related to the environmental issues listed by the commentor. An agricultural alternative was not considered because the site has been planned by the City since 1987 for industrial land uses. In addition the current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." Therefore, an agricultural use as an alternative is not a practical alternative that requires analysis. No further analysis is necessary and the comment does not change the conclusion in the Draft EIR.

Response to Comment E-58. This is the commentor's opinion and is not relevant to the analysis in the Draft EIR. However, the Draft EIR, Section 3.0 Project Description, page 3-1, states that "*The proposed project site has been used historically for agricultural purposes but currently lies fallow. It*

was most recently used as a sod farm growing that ceased operating in August 2005." The site has not been farmed over the last seven years.

Response to Comment E-59. A less dense alternative (which is to assume an alternative that considers a building of less square footage) is analyzed in the Draft EIR as Alternative 2. In this Alternative, warehouse uses would be reduced to 1,212,100 square feet on 71 acres. It was determines that Alternative 2 would be the environmentally superior alternative and it would have similar impacts as the proposed project on: agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources and recreation (Draft EIR Section 6.3.2.2 Alternative 2: Reduced Intensity , pages 6-17 – 6-22). It was concluded on page 6-21 that [*U]nder the Reduced Intensity Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the project but would remain significant and unavoidable. The decrease in warehouse uses would result in a reduction of permanent jobs that would be created. This alternative would have a reduced demand on public services and utilities and service systems. However, similar to the proposed project, the payment of fees and adherence to utility requirements would reduce these impacts to a less than significant level.*

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed project; however, long-term traffic impacts would remain significant and unavoidable. Construction-related noise would be similarly mitigated like the proposed project and would remain less than significant. Water use for this alternative would be less than the proposed project and would generate less wastewater and solid waste. Under this alternative, the proposed project objectives are met and warehouse uses would still be built, but on a smaller scale.

As stated above, the Reduced Intensity Alternative would reduce the intensity of some impacts of the proposed project. However; loss of farmland, long-term air quality, greenhouse gas emissions cumulative impacts, and long-term traffic impacts would remain significant and unavoidable. The Reduced Intensity Alternative is a reduction in actual size of the warehouse but the significant unavoidable impacts of the proposed project are not reduced to less than significant.

Additionally, the Reduced Intensity Alternative would not meet the following project objectives: "Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels" and "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources reduces impacts to air quality, global climate change, and traffic." This is due to the fact that reduced-intensity development patterns are in concept diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development. Development of the project site in such an inefficient manner would result in negative effects such as sprawl leading to increased VMT and associated air pollution and greenhouse gas emissions.

Response to Comment E-60. The City has fully responded to the commentor's concerns and comments and others who had submitted comments on the Draft EIR. The Final EIR is conformance with CEQA Guidelines §§ 15090, 15091, and 15132. In addition, the significant impacts of the proposed project have been analyzed in Section 4.1 through Section 4.5 in the Draft EIR and mitigation proposed for those impacts that were found to be significant. For those impacts for agriculture, air quality, greenhouse gas emissions, and traffic that were determined to be significant and unavoidable the City would have to adopt findings and a statement of overriding considerations

that the state the specific economic, legal, social technological, or other considerations, outweigh the significant unavoidable effects of the proposed project.

Response to Comment E-61. The City has included the Sierra Club on its mailing list for all future notices and documents regarding this project.

Response to Comment E-62. The commentor has attached various references. No response is required.

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

June 4, 2012

Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

Notice of availability DEIR for the VIP Moreno Valley. Riv-215-PM 32.62

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is a 1,616,133 square foot warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations. Located within the Moreno Valley Industrial Area Plan (SP 208) at the City's southern boundary, between Perris Boulevard and Indian Street and between Grove View Road and the Perris Valley storm channel Tentative Parcel Map No. 36162 is proposed to combine four existing parcels into a single parcel for development of the 1.6 million square warehouse facilities. 1

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Moreno Valley due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. 2

We recommend the following: however, additional comments maybe forth coming. 3

Traffic Forecasting

Appendix G- Traffic Study VIP Moreno Valley page 6, Under section "Existing Without Project Traffic Volumes" please use year 2007 for Caltrans AADT volume data which can be found online. This will keep the consistency in traffic volume projections.

Appendix G- Traffic Study VIP Moreno Valley page 7, Under section "Existing Without Project Traffic Volumes" please specify which year(s) have been used to determine the D and K factors derived from Caltrans data. 4

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 383-6908 or myself at (909) 383-4557 for assistance.

"Caltrans improves mobility across California"

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

2.14 RESPONSE TO LETTER F

California Department of Transportation, District 8

Response to Comment F-1. The commentor has accurately summarized the general aspects of the proposed project.

Response to Comment F-2. The comment is introductory and states that the California Department of Transportation (Caltrans) is the owner and operator of the State Highway System as is a "responsible agency" pursuant to Public Resources Code Section 21070 for making recommendations to offset associated traffic impacts with the proposed project.

The comment is introductory in nature and outlines Caltrans' authority and role as a commenting agency. Caltrans' introduction in this comment is noted, and no further response is required.

Response to Comment F-3. Response to Comment F-3. The project Traffic Impact Analysis used 2009 Caltrans Annual Average Daily Traffic (AADT) volume data because it was the most current data available and was comparable to the 2007 AADT. In addition, 2007 counts for the intersection analysis were used because it was determined that the volumes in 2007 were significantly higher at some locations than in 2009 and would represent the worst-case scenario.

Response to Comment F-4. The project Traffic Impact Analysis used 2009 Caltrans data for K and D factors to be consistent with the 2009 Caltrans AADT volume data that was used in the analysis.

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Philip E. Paule

Ronald W. Sullivan
Randy A. Record
David J. Slawson

General Manager
Paul D. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

June 4, 2012

Jeff Bradshaw, Associate Planner
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

SUBJECT: VIP Moreno Valley
Notice of Availability (NOA) of a
Draft Environmental Impact Report

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Notice of Availability (NOA) for the above referenced project. The project proposes to develop approximately 1,616,133 square feet of distribution warehouse space on an approximately 71 acre site. The single building will be constructed with 264 vertical-lift dock-high roll-up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The project is estimated to be constructed by the year 2013. Eastern Municipal Water District (EMWD) offers the following comments. 1

The subject project requires water, sewer and recycled water services from EMWD. The details of said service connection points will be further detailed in a separate document, known as EMWD's Plan of Service, which is still not yet developed by the project proponent. To that end, EMWD requires dialog with the project proponent, to develop the EMWD Plan of Service, as clarified in the attached letter. 2

Again, EMWD appreciates the opportunity to comment on this project. Please forward the Final Environmental Impact Report to the attention of Helen Stratton at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Helen Stratton at 951 928-3777, Ext. 4545, or Eli Rodriguez at Ext. 4450.

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:hs
Cc: Eli Rodriguez
Encls.

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

June 4, 2012

Board of Directors

President and Treasurer
Joseph J. Kuebler, CPA

Vice President
Philip E. Paule

Ronald W. Sullivan
Randy A. Record
David J. Slawson

General Manager
Paul E. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

City Of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re. NOP of DEIR, VIP Moreno Valley, TPM 36162

Attn. Jeff Bradshaw, Associate Planner, City Of Moreno Valley

In order to receive water, sewer or recycled water service(s) from Eastern Municipal Water District (EMWD), the following information will be helpful to the project proponent:

EMWD requires beginning dialogue with the project proponent at an early stage in site design and development, via a one-hour complimentary Due Diligence meeting. To set up this meeting, the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our "New Development Process" web page, under the "Businesses" tab, at www.emwd.org. This meeting will offer the following benefits:

1. Describe EMWD's development work-flow process
2. Identify project scope and parameters
3. Preliminary, high level review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service

Following the Due Diligence meeting, to proceed with this project, a Plan Of Service (POS) will need to be developed by the developer's engineer, and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The POS process will provide the following:

1- Technical evaluation of the project's preliminary design
2- Defined facility requirements, i.e. approved POS
3- Exception: for feasibility evaluation of a purchase acquisition, only a conceptual facilities assessment may be developed.

2

If you have questions or concerns, please do not hesitate to contact me.

Sincerely,

Eli Rodriguez
New Business Development Department
(951) 928-3777 x4450
rodrigue@emwd.org

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

2.16 RESPONSE TO LETTER G

Eastern Municipal Water District

Response to Comment G-1. The commentor has accurately summarized the general aspects of the proposed project.

Response to Comment G-2. Eastern Municipal Water District is providing information to the City and applicant that the applicant must submit a Plan of Services prior to construction of the project. The attachment letter outlines what is required of the applicant prior to construction. The comment does not directly refer to the Draft EIR but is provided for informational purposes.

From: Noelle_Ronan@fws.gov [mailto:Noelle_Ronan@fws.gov]
Sent: Monday, June 04, 2012 4:00 PM
To: Jeffrey Bradshaw
Cc: CLandry@wrcrca.org; Karin_Cleary-Rose@fws.gov
Subject: VIP Moreno Valley Draft Environmental Impact Report (DEIR) [FWS-WRIV-12B0233-12CPA0244]

Mr. Bradshaw,
The City of Moreno Valley submitted the above-mentioned DEIR to identify the proposed project's direct, indirect, and cumulative environmental impacts, to discuss alternatives, and to propose mitigation measures that avoid, minimize, or offset significant environmental impacts. The Service is providing the following comments as they relate to the project's consistency with the Western Riverside County Multiple Species Conservation Plan (MSHCP).

Focused surveys for special status plants and burrowing owls were conducted on the project site in 2009. We typically prefer that surveys for sensitive species are updated (i.e., no more than 1 year old) to demonstrate that the project is consistent with the MSHCP. However; given the disturbed condition of the project site (e.g., annual disking), we acknowledge that the focused surveys for sensitive plants and burrowing owls are sufficient. 1

We appreciate the inclusion of mitigation measures (Mitigation Measure BIO-1 through BIO-4) to avoid or minimize impacts to birds protected by the Migratory Bird Treaty Act (MBTA) and burrowing owls. Mitigation Measure BIO-3 specifies that if nesting special status avian species or burrowing owls occupy an area of disturbance, no construction activity will take place within 500 feet of an active nest/burrow until it has been determined that it is no longer active and all juveniles have fledged. In addition, we recommend that a biological monitor be present to monitor the effects of construction on any active nests and to ensure that there is no encroachment into the 500 foot nest buffer zones. 2

Thank you for the opportunity to review the DEIR. If you have any questions or comments please contact me at 760-322-2070 ext. 215.

Noelle Ronan
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Palm Springs Fish and Wildlife Office
777 E. Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92262
760-322-2070 ext. 215

2.18 RESPONSE TO LETTER H

United States Fish and Wildlife Service

Response to Comment H-1. The City concurs with the United States Fish and Wildlife Service's conclusion that the site is disturbed and that updated focused surveys for sensitive plants and the burrowing owl are not necessary even if the original surveys are now 3 years old.

Response to Comment H-2. The United States Fish and Wildlife Service concurs with the mitigation in the Draft EIR for the burrowing owl and recommends that a biological monitor be present during construction to monitor any active nests to ensure that there is no encroachment into the 500 foot nest buffer zone. The City concurs with this recommendation and mitigation Measure BIO-3 has been amended as follows:

> ***Mitigation Measure BIO-3:*** *If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.*

Letter I

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

51183

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RECEIVED
JUN 06 2012
CITY OF MORENO VALLEY
Planning Division

City of Moreno Valley
Community Development Department -
Planning Division
Post Office Box 88005
Moreno Valley, California 92552-0805

Attention: JEFF BRADSHAW

Ladies and Gentlemen:

Re: PM 36162 (PA 09-0012) + PP 09-0005

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

_____ No comment.

_____ This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

_____ This project involves District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

_____ This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

_____ This project is located within the limits of the District's _____ Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

_____ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266.

✓ The Districts previous comments are still valid. 1

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

Date: 5/22/2012

c: Riverside County Planning Department
Attn: Kristi Lovelady

ATTACHED

Item No. E.2

MV00179498

Letter 1

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.floodcontrol.co.riverside.ca.us
51183_6

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

City of Moreno Valley
Community Development Department -
Planning Division
Post Office Box 88005
Moreno Valley, California 92552-0805

Attention: JEFF Bradshaw

Ladies and Gentlemen: Re: PA09-0004

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

____ No comment.

____ This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

X This project involves District Master Plan facilities. ~~The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.~~ — 2

____ This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

X This project is located within the limits of the District's Perris Valley Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit. — 3

X An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266. — 4

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

DALE V. ANDERSON
Engineering Project Manager

Date: 03/00/09

c: Riverside County Planning Department
Attn: Kathleen Browne

2.20 RESPONSE TO LETTER I

Riverside County Flood Control and Water Conservation District

Response to Comment I-1. The City acknowledged that the previous comments that were provided to the City during the NOP comment period are still valid and are provided in the second page of the response letter and included in Appendix A to the Draft EIR. The comments do not reflect the analysis in the Draft EIR and provide the City with facts that relate to the construction of the project and the project's responsibility to meet the Riverside County Flood Control and Water Conservation District's requirements.

Response to Comment I-2. The City acknowledges the project involves the District's Master Plan of Facilities. Refer to Response to Comment I-1.

Response to Comment I-3. The City acknowledges the project is located in the District's Perris Valley Area Drainage Plan and fees must be paid to the District by the project proponent prior to the issuance of grading permits. Refer to Response to Comment I-1.

Response to Comment I-4. The City acknowledges the project proponent is required to obtain an encroachment permit for any construction in the District's right of way or facilities. Refer to Response to Comment I-1.

Letter J

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

June 5, 2012

RECEIVED
JUN 11 2012
CITY OF MORENO VALLEY
Planning Division

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: PA09-0004 (Plot Plan), PA09-0012 (Tentative Parcel Map No. 36162), and P11-020 (EIR)
SCH#: 2011081084

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 4, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. J-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Item No. E.2

MV00179501

Letter J

Document Details Report
State Clearinghouse Data Base

SCH# 2011081084
Project Title PA09-0004 (Plot Plan), PA09-0012 (Tentative Parcel Map No. 36162), and P11-020 (EIR)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The project is generally described as a Plot Plan for development of a 1,616,133 s.f. warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 s.f. of office area in four potential office locations. Tentative Parcel Map No. 36162 is proposed to combine four existing parcels into a single parcel for development of the 1.6 million square warehouse facility.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone 951 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92552-0805

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 51' 39.5" N / 117° 13' 49.5" W
Cross Streets Southwest corner of Grove View road and Perris Boulevard
Parcel No. 316-210-071, -073, -075, and -076
Township 3S **Range** 3W **Section** 31 **Base** SBB&M

Proximity to:

Highways I-215
Airports March Air Reserve Base
Railways B.N.S.F.
Waterways Perris Valley Storm Channel - Lateral B
Schools Rancho Verde H.S.
Land Use The current General Plan designation is Business Park and the current zoning is Industrial within SP 208.

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Biological Resources; Noise; Traffic/Circulation; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 6; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 04/20/2012 **Start of Review** 04/20/2012 **End of Review** 06/04/2012

Note: Blanks in data fields result from ir nt information provided by lead agency.

Item No. E.2

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

2.22 RESPONSE TO LETTER J

California Governor's Office of Planning and Research, State Clearinghouse

Response to Comment J-1. The City recognizes the receipt of comments from State agencies and the State Clearinghouse's acknowledgement that it has complied with review requirements for environmental documents.

3. EIR ERRATA

Any corrections to the Draft Environmental Impact Report (EIR) text and figures generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. The Draft EIR text and figures have not been modified to reflect these EIR modifications.

These EIR errata are provided to clarify, refine, and provide supplemental information for the Starcrest Distribution Facility Project Draft EIR. Changes may be corrections or clarifications to the text and figures of the original Draft EIR. Other changes to the EIR clarify the analysis in the EIR based upon the information and concerns raised by commentors during the public review period. None of the information contained in these EIR modifications constitutes significant new information or changes to the analysis or conclusions of the Draft EIR.

The information included in this EIR erratum that resulted from the public comment process does not constitute substantial new information that requires recirculation of the Draft EIR. The California Environmental Quality Act (CEQA) Guidelines, Section 15088.5, states in part:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

    (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

    (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

    (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.

    (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The changes to the Draft EIR included in these EIR modifications do not constitute "significant" new information because:

No new significant environmental impact would result from the project or from a new mitigation measure;

There is no substantial increase in the severity of an environmental impact that would result unless mitigation measures are adopted that reduce the identified significant impacts to a level of insignificance;

No feasible project alternative or mitigation measure considerably different from others previously analyzed has been proposed or identified that would clearly lessen the significant environmental impacts of the project; and

The Draft EIR is not fundamentally or basically inadequate or conclusory in nature such that meaningful public review and comment were precluded.

Therefore, recirculation of the Draft EIR is not required because the new information added to the EIR through these modifications clarifies or amplifies information already provided or makes insignificant modifications to the already adequate Draft EIR.

For simplicity, the EIR modifications contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by double underlining (underline) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for easy reference.

Draft EIR, Section 1.0 Executive Summary, Table 1.B: VIP Moreno Valley - Environmental Summary, pages 1-11 through 1-41

Table 1.B: VIP Moreno Valley - Environmental Summary in the Draft EIR has been updated to be consistent with changes that have been made, as a result of the responses to comments. Changes have been made to mitigation measures for air quality, biological resources, cultural resources, geology and soils, hydrology and water quality. These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
AIR QUALITY		
Construction ~~Equipment Exhaust~~ Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.	**4.2.6.1B**. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1K** Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access	Significant and unavoidable

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	• Lunch vendor services shall be ~~provided~~ permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. • Suspend use of all construction equipment operations during second stage smog alerts. **4.2.6.1N**. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. **4.2.6.1O.** All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets. **4.2.6.1P.** Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil. **4.2.6.1Q**. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. **4.2.6.1R** All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. **4.2.6.1S** Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period;	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	and d) phasing of construction activities. **4.2.6.1T** Reroute construction trucks away from congested streets and sensitive receptor areas.	
Long-Term Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NOX; - 550 pounds of CO; - 150 pounds of PM10; - 55 pounds of PM2.5; and - 150 pounds of SOX.	**4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any-combination of design features, including but not limited to the following list, may shall be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • ~~Buildings shall e~~Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • ~~Interior~~Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards~~ shall be installed~~, as deemed acceptable by the City. ~~Automatic~~ Use automatic devices to turn off lights when they are not needed~~ shall be implemented~~. • To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved	Significant and Unavoidable

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	surfaces such as streets and parking lots and buildings ~~shall be planted~~ at the project site. • ~~Paint~~ Use paint and a surface color palette for the project ~~shall~~ emphasizing light and off-white colors which reflect heat away from the buildings. • ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~ • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • ~~To r~~ Reduce energy demand associated with potable water conveyance~~, the project shall implement~~ using the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • ~~The project shall p~~ Provide secure, weather-protected, on-site bicycle storage/parking. • ~~The project shall p~~ Provide on-site showers (one for males and one for females). ~~L~~ Provide lockers for employees ~~shall be provided~~. • ~~The project will e~~ Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	of project completion that outlines the measures implemented by the TMA, as well as contact information. • ~~The project shall p~~Provide preferential parking for carpools~~ and vanpool~~, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools ~~shall be delineated~~ on the project site plan. • ~~The project shall p~~Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations ~~shall be indicated~~ on the project building plans. • Implement compressed workweek schedules. • Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. • Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets. • Establishment and use of carpool/vanpool programs, complemented by parking fees	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	for single-occupancy vehicles. • Provision of preferential parking for EV and CNG vehicles. • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance. • Use of electric (instead of diesel or gasoline-powered) yard trucks. • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes. ~~• Lease/purchase documents shall identify that tenants are encouraged to promote the following:~~ ~~○ Implementation of compressed workweek schedules.~~ ~~○ SmartWay partnership;~~ ~~○ Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.~~ ~~○ Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater~~	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	~~carriers.~~ ~~○ Use of fleet vehicles conforming to 2010 air quality standards or better.~~ ~~○ Installation of catalytic converters on gasoline-powered equipment.~~ ~~○ Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.~~ ~~○ Establishment and use of carpool/vanpool programs, complemented by parking fees for single occupancy vehicles.~~ ~~○ Provision of preferential parking for EV and CNG vehicles.~~ ~~○ Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.~~ ~~○ Use of electric (instead of diesel or gasoline-powered) yard trucks.~~ ~~○ Use of SmartWay 1.25 rated trucks.~~	
BIOLOGICAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	**Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.	Less Than Significant
CULTURAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • ~~If too few fossil remains are found after 50 percent of the planned for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~ • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.	
GEOLOGY AND SOILS (FROM THE INITIAL STUDY [APPENDIX A])		
Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	**Mitigation Measure GEO-1:** Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report. **Mitigation Measure GEO-2:** Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	
GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE		
Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	**4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the	Less than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Use Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the 2008 California Building Code's (CBC) Title 24 energy standard by 20%, including, but not limited to, any combination of the following: • Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project: • The project applicant shall use less than 3,900 low Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.	
HYDROLOGY AND WATER QUALITY (FROM THE INITIAL STUDY [APPENDIX A])		
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	**Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements. ~~submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and~~	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	~~report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.~~	

Draft EIR, Section 2.2.4 Technical Reports, Page 2-4.

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the air quality and noise studies. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

2.2.4 Technical Reports

Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Draft EIR. The technical reports and other information included as appendices to this EIR include the following:

Appendix A: *Initial Study, NOP, and NOP Comment Letters*, August 2011.

Appendix B: Initial Study Technical Reports

- Appendix B-1: *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010.
- Appendix B-2: *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 1, 2009.
- Appendix B-3: *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 9, 2009.
- Appendix B-4: *Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 11, 2009.
  - Appendix B-5: *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California,* Michael Brandman Associates, March 22, 2007.
  - Appendix B-6: *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
  - Appendix B-7: *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.

- Appendix B-8: *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.
- Appendix B-9: *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.
- Appendix B-10: *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

Appendix C: *LESA Modeling Worksheets*, LSA Associates, Inc., August 2011.

Appendix D-1: *Air Quality Analysis VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012

Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012.

Appendix E: *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., ~~August 2011~~ December 2011.

Appendix F: *Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., ~~August 2011~~ March 2012.

Appendix G: *Traffic Study VIP Moreno Valley*, LSA Associates, Inc., ~~January~~ April 9, 2012.

Draft EIR, Section 2.5.2 Biological Resources, Page. 2-9.

The last sentence in paragraph 3 has been deleted because jurisdictional delineation was prepared for the proposed project (Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009). Therefore the sentence was deleted because it was an error. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Thirty-one species in western Riverside County have special status under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). These include species that are listed as “endangered” or “threatened” under the FESA or that have been “proposed” or are “candidates” for such listing. These also include species that are listed as “endangered,” “threatened,” or “rare” under the CESA or that have been petitioned (i.e., are “candidates”) for listing. The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) provides for the long-term survival of protected and sensitive species by designating a contiguous system of habitat to be added to existing public/quasi-public lands. The Plan includes an impact fee collected by the 16 member cities and other local agencies, including the City of Moreno Valley, used to acquire these lands. Depending on the location of a private or public development project, certain biological studies may be required to comply with the MSHCP. The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (Athene cunicularia), five Narrow Endemic Plant Species (NEPS), and nine Criteria

Area Plant Species (CAPS). ~~A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.~~

Draft EIR, Section 2.5.2 Biological Resources, Page. 2-10.

Consistent with the comments provided by Letter H (Fish and Wildlife Service), the text in Draft EIR of Mitigation Measure BIO-3 is amended. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR

Mitigation Measure BIO-3: If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.

Draft EIR, Section 2.5.3 Cultural Resources, Page 2-13.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR of Mitigation Measure CUL-1 is amended. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. ~~If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued.~~ In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
- ~~If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~
- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.

- Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Draft EIR, Section 2.4.4 Geology and Soils, Page 2-16.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR of Mitigation Measure GEO-2 is amended for clarification purposes. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.

Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be ~~reviewed and considered~~ implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties ~~to determine~~ in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

Draft EIR, Section 2.5.6 Hydrology and Water Quality Hydrology, Page. 2-24.

Mitigation Measure HYD-05 has been revised to clarify the finalization of the Hydrologic and Hydraulic Analysis. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. Although adherence to the City's drainage requirements, which includes the preparation of drainage sizing calculations, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-05** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. ~~To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified.~~ With adherence to this mitigation measure, impacts associated with this issue are less than significant.

Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley, a Final Hydrologic and Hydraulic Analysis based on the City's existing drainage requirements. ~~submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.~~

Draft EIR, Section 2.7 Cumulative Projects, Table 2.C, Page 34

There was a topographical error in Table 2.C of the Draft EIR indicating the incorrect map number. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

~~A~~M-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses

Draft EIR Section 4.2 Air Quality, Page 4.2-1

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the air quality, health risk assessment and traffic studies. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.2 AIR QUALITY

This section analyzes the proposed project's potential air quality impacts based on the comprehensive *Air Quality Analysis* contained in Appendix D-1 (LSA Associates, Inc. ~~December 2011~~ March 2012) and the *Health Risk Assessment* (LSA Associates, Inc. ~~December 2011~~ March 2012) contained in Appendix D-2 to this EIR. The air quality analysis evaluates potential air quality impacts and mitigation measures by examining the short-term construction and long-term operational impacts associated with the project and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. Additionally, the analysis provides a discussion of the proposed project, the physical setting of the project area, and the air quality regulatory framework. Modeled air quality levels are based upon vehicle data and project trip generation included in the project's Traffic Study (LSA Associates, Inc. ~~November 2011~~ January 2012, Appendix G of EIR) and peak turn volumes generated for the proposed project combined with emission factors from the California Air Resources Board (ARB). The evaluation was prepared in accordance with appropriate standards, utilizing procedures and methodologies in the South Coast Air Quality Management District (SCAQMD) *CEQA Air Quality Handbook* (SCAQMD 1993). Air quality data posted by the ARB and the U.S. Environmental Protection Agency (EPA) Web sites are included to document the local air quality environment.

Draft EIR Section 4.2.5.5, Operational-Acute Health Risk Impacts Page 4.2-18

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR Section 4.2.5.5, Page 4.2-18 is amended to refer the reader back to the previous section (4.2.5.4) to further substantiate the conclusions identified in Section 4.2.5.5. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. As previously identified in Section 4.2.5.4, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not have a significant impact on localized operational pollutant levels and no mitigation measures would be required. Similarly ~~Therefore,~~ the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

Draft EIR Section 4.2.6.1 Construction Emissions, Page 4.2-19

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text at Draft EIR Section 4.2.6.1, Page 4.2-19 is amended to clarify that the proceeding analysis evaluates all construction emissions. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1 Construction ~~Equipment Exhaust~~ Emissions

Draft EIR Section 4.2.6.1 Construction Emissions, Table 4.2.I, Page 4.2-20.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the data in Table 4.2.I in Draft EIR Section 4.2.6.1, Page 4.2-20 is amended to correct typographical errors in the Draft EIR. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Table 4.2.I: Short-Term Regional Construction Emissions

Construction Phase	Pollutant Emissions (lbs/day)							
	ROG	NO_X	CO	SO_2	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	~~1.8~~ 11	~~0.33~~ 4.1	~~0.02~~ 0.18	~~0.32~~ 3.9
Architectural Coating	72	3.7	11	0.01	~~0.2~~ 1.8	~~2.9~~ 0.33	~~0~~ 0.02	~~2.9~~ 0.32
Paving	~~5.95.9~~ 5.9	~~3434~~ 34	22	0.03	~~329~~ 0.2	~~17~~ 2.9	~~4.4~~ 0	~~16~~ 2.9
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

Draft EIR Section 4.2.6.1, Construction Emissions Page 4.2-21.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text at Mitigation Measure 4.2.6.1B in Draft EIR Section 4.2.6.1, Page 4.2-21 is amended to clarify that clean-fuel means fuel other than diesel or gasoline. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1B. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

Draft EIR Section 4.2.6.1, Construction Emissions Page 4.2-23.

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been added to Draft EIR Section 4.2.6.1, Page 4.2-23 to further reduce construction air quality impacts. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;

- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;

- Lunch vendor services shall be ~~provided~~ permitted onsite during construction to minimize the need for offsite vehicle trips;

- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

- Suspend use of all construction equipment operations during second stage smog alerts.

4.2.6.1N. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

4.2.6.1O. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.

4.2.6.1P. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.

4.2.6.1R All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.

4.2.6.1T Reroute construction trucks away from congested streets and sensitive receptor areas.

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Impact 4.2.6.1 in Draft EIR Section 4.2.6.3, Page 4.2-25 is amended to clarify the impact statement. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

> **Impact 4.2.6.3:** *Implementation of the proposed project may ~~occur~~ have the potential to exceed applicable daily thresholds for operational activities.*

Draft EIR Section 4.2.6.3 Long Term Operation Omissions, Page 4.2-27

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been amended and added to Draft EIR Section 4.2.6.3, Page 4.2-27 to further reduce construction air quality impacts. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- ~~Buildings shall e~~ Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- ~~Interior~~ Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards ~~shall be installed~~, as deemed acceptable by the City. ~~Automatic~~ Use automatic devices to turn off lights when they are not needed ~~shall be implemented~~.
- To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings ~~shall be planted~~ at the project site.
- ~~Paint~~ Use paint and a surface color palette for the project ~~shall~~ emphasizing~~e~~ light and off-white colors which reflect heat away from the buildings.
- ~~All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.~~
- Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.
- ~~To r~~Reduce energy demand associated with potable water conveyance~~, the project shall implement~~ using the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- ~~The project shall p~~ Provide secure, weather-protected, on-site bicycle storage/parking.
- ~~The project shall p~~ Provide on-site showers (one for males and one for females). ~~L~~Provide lockers for employees ~~shall be provided~~.

- ~~The project will e~~ Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- ~~The project shall p~~ Provide preferential parking for carpools ~~and vanpool~~, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools ~~shall be delineated~~ on the project site plan.
- ~~The project shall p~~ Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations ~~shall be indicated~~ on the project building plans.
- Implement compressed workweek schedules;
- Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.
- Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.
- Use of fleet vehicles conforming to 2010 air quality standards or better.
- Installation of catalytic converters on gasoline-powered equipment.
- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;
- Provision of preferential parking for EV and CNG vehicles;
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;
- Use of electric (instead of diesel or gasoline-powered) yard trucks;
- Use of SmartWay 1.25 rated trucks.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.
- Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.
- ~~Lease/purchase documents shall identify that tenants are encouraged to promote the following:~~
    - ~~Implementation of compressed workweek schedules.~~
    - ~~SmartWay partnership;~~

- ~~Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.~~
- ~~Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.~~
- ~~Use of fleet vehicles conforming to 2010 air quality standards or better.~~
- ~~Installation of catalytic converters on gasoline-powered equipment.~~
- ~~Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.~~
- ~~Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.~~
- ~~Provision of preferential parking for EV and CNG vehicles.~~
- ~~Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.~~
- ~~Use of electric (instead of diesel or gasoline-powered) yard trucks.~~
- ~~Use of SmartWay 1.25 rated trucks.~~

Draft EIR, Section 4.2.7.1 Short-Term Air Quality Impacts, Page 4.2-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text in Draft EIR Section 4.2.7.1, Page 4.2-25 is amended to clarify that the short-term and long-term air quality impacts are cumulative. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. In addition, implementation of the AQMP will result in improved air quality levels in the future and full attainment of national and state ambient air quality standards, resulting in less than significant cumulative impacts from all short-term and long-term air pollution sources. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

Draft EIR Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-24 and 25

The Mitigation Measures in the Draft EIR Section 4.3.6.1, Page 4.3-24 and 25 have been clarified. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows in the office areas shall utilize window treatments for efficient energy conservation.

Draft EIR Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-25

Consistent with the comments provided by Letter D (Johnson & Sedlack), the Mitigation Measures have been added to Draft EIR Section 4.3.6.1, Page 4.2-25 to further reduce greenhouse gas emissions. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- ~~Use~~ Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- ~~Use~~ Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the 2008 California Building Code's (CBC) Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
- Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment in the office areas.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:
    - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.

- Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.

- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

Draft EIR, Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, Page 4.3-26, Mitigation Measure 4.3.6.1C

Consistent with the comments provided by Letter D (Johnson & Sedlack), the text for the conclusion of Impact 4.3.6.1 in Draft EIR Section 4.2.6.3, Page 4.3-16 is amended to clarify the impact statement. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:

- The project applicant shall use ~~less than 3,900~~ low Global Warming ~~Potential (GWP) hydrofluorocarbon (HCF)~~ refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment.

- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas.

Level of Significance After Mitigation. The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant ~~and less than cumulatively considerable~~ on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable.

Draft EIR Section 4.4 Noise, Page 4.4-1

There was a topographical error in this section of the Draft EIR indicating the incorrect date on the noise study. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.4 NOISE

This analysis is intended to satisfy the City's requirements for a project-specific noise impact analysis by examining the short-term and long-term noise impacts of the proposed project on sensitive uses adjacent to the proposed project site and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. This includes the potential for the proposed project to result in impacts associated with a substantial temporary and/or permanent increase in ambient noise levels in the vicinity of the project area; exposure of people to excessive noise levels, groundborne vibration, or groundborne noise levels. The analysis contained in this section is based on a comprehensive *Noise Impact Analysis* contained in Appendix E (LSA Associates, Inc., ~~December 2011~~ March 2012), which examines existing ambient noise conditions and project-related impacts.

Draft EIR, Section 5.4 Consistency With Local And Regional Plans, Page 5-12

A new table (Table 5.D: Compass Growth Vision Report Consistency) has been added as a response to a comment received on the Draft EIR. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the EIR.

Compass Growth Vision. The Compass Growth Vision plan provides a framework for local and regional decision-making regarding growth, transportation, land use, and economic development. The framework includes principles and a specific set of strategies intended to achieve and improve a quality of life that promotes and sustains for future generations the region's mobility, livability, and prosperity. The main objective of the Compass Growth Vision is to manage the forecast growth while improving future living conditions for all people within the SCAG area, including live, work, and play activities. The following discussion includes the principles within the Compass Growth Vision plan and their association to the proposed project.

Principle 1: Improve mobility for all residents.

Principle 2: Foster livability in all communities.

Principle 3: Enable prosperity for all people.

Principle 4: Promote sustainability for future generations.

The proposed project is consistent with the four principles identified above (refer to Table 5.D). ~~The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.~~

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
Principle 1: Improve mobility for all residents. • Encourage transportation investments and land use decisions that are mutually supportive. • Locate new housing near existing jobs and new jobs near existing housing. • Promote a variety of travel choices.	The project is consistent with this principle. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial uses and would encourage a reduction of vehicle miles traveled within the City. Implementation of the project would create approximately 646 jobs. Existing housing is located approximately 1 mile to the north and 2 miles to the south of the project site. The project is consistent with this portion of Principle 1. There are a number of transit-oriented strategies that could be implemented by the proposed project to encourage alternate modes of travel, including informational strategies, incentives, and services. (Refer to Mitigation Measure 4.2.6.3A).
Principle 2: Foster livability in all communities. • Promote developments which provide a mix of uses. • Promote "people scaled, "walkable communities. • Support the preservation of stable, single-family neighborhoods.	The project is consistent with the applicable portions of this principle. The proposed project is a warehousing project and does not include any residential uses. Therefore, the project is not considered to be a mixed use project and this portion of Principle 2 is not applicable to the project. The project site is located in an industrial warehouse area. The project would include sidewalks so that the opportunity of being walkable within this warehouse area is possible. Therefore, the project is consistent with this portion of Principle 2. The proposed project is a warehousing project and does not include any residential uses. Therefore this portion of Principle 2 is not applicable to the project.
Principle 3: Enable prosperity for all people. • Provide in each community a variety of housing types to meet the housing needs of all income levels. • Support educational opportunities that promote balanced growth. • Ensure environmental justice regardless of race, ethnicity, or income class. • Support local and state fiscal policies that	Based on the information provided below, this principle is not applicable to the project. The proposed project is a warehousing project and does not include any residential or educational uses. Therefore this portion of Principle 3 is not applicable to the project. The project site is vacant and the project located in an area identified for industrial and commercial uses. Therefore, this issue not applicable to the project. The supporting of local and state fiscal policies and the encouragement of civic engagement is at the City level not the

Table 5.D: Compass Growth Vision Report Consistency

Policy	Consistency Analysis
encourage balanced growth. • Encourage civic engagement.	project level. Therefore, this portion of the principle is not applicable to the project.
Principle 4: Promote sustainability for future generations. • Focus development in urban centers and existing cities. • Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste. • Utilize "green" development techniques.	The project is consistent with this principle. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. Mitigation Measure 4.3.1.6B requires the project to implement various sustainability strategies and "green" development techniques that uses resources efficiently, eliminates pollution, and reduces waste.

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

VIP Moreno Valley Project

The program has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2011081084) prepared for the project by the City of Moreno Valley.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the Initial Study and the Final EIR.

4.2 MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

4.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: VIP Moreno Valley Project **Applicant:** Vogel Engineers, Inc.
Date: June 2012

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
AIR QUALITY						
4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading and during grading operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract	City of Moreno Valley Engineering and Building and Safety Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.						
4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During grading	Review of construction documents and on-site inspection		Issuance of a Stop Work Order
4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
construction areas (previously graded areas inactive for ten days or more).	Planning Division					
4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1K Grading plans, construction specifications and bid documents shall	City of Moreno Valley Engineering	Prior to Grading and during	Prior to Issuance of Grading Permit	Review of construction		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction	and Building and Safety Planning Division	grading operations.		documents and on-site inspection		or Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Suspend use of all construction equipment operations during second stage smog alerts.						
4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1M All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1N When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1O All streets shall be swept at least	City of Moreno	Throughout	During	On-site inspection		Issuance of a

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.	Valley Engineering and Building and Safety	construction	Construction			Stop Work Order
4.2.6.1P Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1Q. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1R All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.2.6.1S Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to Grading and during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.2.6.1T Reroute construction trucks	City of Moreno	Prior to Grading	Prior to Issuance	Review of		Withhold

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
away from congested streets and sensitive receptor areas.	Valley Engineering and Building and Safety and Planning Division	and during grading and construction operations.	of Grading Permit	construction documents and on-site inspection		Grading Permit or Issuance of a Stop Work Order
4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to	City of Moreno Valley Building and Safety Planning Division	Prior to Construction (once)	Prior to Issuance of Building Permits	Review of building plans and on-site inspection		Withhold Building Permits

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards, as deemed acceptable by the City. Use automatic devices to turn off lights when they are not needed. • To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site. • Use paints and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings. • Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs. • Reduce energy demand associated with potable water conveyance using						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the following: ○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements. • Provide on-site showers (one for males and one for females). Provide lockers for employees. • Establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • Provide preferential parking for carpools, vanpools or other						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan. • Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans. • Implement compressed workweek schedules; • Achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. • Achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Use of fleet vehicles conforming to 2010 air quality standards or better. • Installation of catalytic converters on gasoline-powered equipment. • Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; • Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; • Provision of preferential parking for EV and CNG vehicles; • Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; • Use of electric (instead of diesel or gasoline-powered) yard trucks; • Use of SmartWay 1.25 rated trucks. • Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees. • Use landscape maintenance companies that use battery powered or electric equipment or contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
more than three years prior to date of use or any combination of these two themes.						
4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	City of Moreno Valley Building and Safety	Prior to Construction (once)	Prior to Issuance of Building Permits and Final Site Plan Approval	Review of final site plan and building plans and on-site inspection		Withhold Building Permits
BIOLOGICAL RESOURCES						
Mitigation Measure BIO-1: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance,	City of Moreno Valley Planning Division	Prior to Grading	Prior to Issuance of Grading Permit	Submittal of Evidence that the pre-construction survey has been completed.		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Mitigation Measure BIO-3 shall apply.						
Mitigation Measure BIO-2: No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Submittal of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Submittal of a report of the survey findings.		Withhold Grading Permit
Mitigation Measures BIO-3. If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance a biological monitor will be present during construction to ensure no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined by the biological monitor that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit			Withhold Grading Permit
Mitigation Measure BIO-4: If active burrowing owl burrows are detected outside the breeding season, then	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that the passive relocation		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.				plan has been approved by CDFG and USFWS.		
CULTURAL RESOURCES						
Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented: • Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be	City of Moreno Valley Planning Division	Prior to grading and on-going during ground disturbing activities.	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified paleontologist has been retained, and that the paleontologist(s) will be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. A report of findings shall be submitted to the City after the finalization of construction.		Withhold Grading Permit/ Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources						
GEOLOGY AND SOILS						
Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and	City of Moreno Valley Planning Division Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm. It should be noted that the above measure may be modified by the Final Geotechnical or Soils Report.						
Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis [Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007]. The recommendations identified in the project's Expansive Soil Guidelines shall be implemented by the project engineers, architects, owner, maintenance personnel, and other interested parties in the applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading	Prior to Issuance of Grading Permit	Review of grading and construction documents and on-site inspection		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE						
4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows in the office areas shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents and on-site inspection		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
runoff.						
4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Encourage use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Encourage use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed	City of Moreno Valley Building and Safety Planning Division	Prior to construction	Prior to issuance of building permits	Review of construction documents/building plans and on-site inspection		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following: ○ Increase insulation such that heat transfer and thermal bridging is minimized. ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. ○ Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following: ○ Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements. ○ Plant Low-OFP, native, drought-						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. • Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.						
4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project: • The project applicant shall use low	City of Moreno Valley Building and Safety Planning Division	Prior to building permit and occupancy	Prior to issuance of occupancy permit	Review of construction documents and on-site inspection		Withhold Occupancy Permit

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Global Warming refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows in the office areas. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: • Install drought tolerant plants for landscaping. • Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. • Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
HYDROLOGY AND WATER QUALITY						
Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Submittal of copy of Notice of Intent to City filed with the RWQCB		Withhold Grading Permits
Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge	City of Moreno Engineering	Prior to grading	Prior to the Issuance of Grading Permits	Review and approval of SWPPP		Withhold Grading Permits

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.						
Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.						
All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.						
The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.						
Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.						
The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.						
In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
that other BMPs will provide equivalent or superior treatment either on or off site.						
Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.	City of Moreno Engineering	During grading and construction	Prior to Grading	Review of construction documents and on-site inspection		Withhold Grading Permit
Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permit	Submittal of WQMP to City for review and approval		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.						
Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.	City of Moreno Engineering	Prior to grading	Prior to Issuance of Grading Permits	Submittal of evidence that all requirements are fulfilled		Withhold Grading Permit
NOISE						
4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit
4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is	City of Moreno Valley Building and Safety	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-		Withhold Grading Permit or Stop Work

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
directed away from sensitive receptors nearest to the project site.	Engineering Planning Division			site inspection		Order
4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	City of Moreno Valley Building and Safety Engineering Planning Division	Throughout construction /on-site inspection	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
TRANSPORTATION						
4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of City DIF fees		Withhold Certificate of Occupancy

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	Planning Division					
4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.	City of Moreno Valley Building and Safety Engineering	Once after construction	Prior to the Issuance of Certificate of Occupancy	Evidence of Payment of Riverside County TUMF fees		Withhold Certificate of Occupancy
4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	City of Moreno Valley Engineering	Once after construction	Prior to the Issuance of Occupancy Permits	Review of construction documents and on-site inspection		Withhold Occupancy Permits

APPENDIX A:

ATTACHMENTS TO JOHNSON & SEDLACK COMMENT LETTER DATED JUNE 1, 2012

U.S. Department of Transportation
Federal Highway Administration

Search | Feedback

Highway Traffic Noise

Construction Noise
Handbook
RCNM Version 1.1
Special Report
Measurement
Noise Barriers
Noise Compatible Planning
Noise Effect on Wildlife
Regulation and Guidance
Tire Pavement Noise
Traffic Noise Model
Training

Contruction Noise Handbook

3.0 Effects of Construction Noise

3.1 Introduction

Construction noise in the community may not pose a health risk or damage peoples' sense of hearing, but it can adversely affect peoples' quality of life. To some degree, construction noise can be a contributing factor to the degradation of someone's health in that it can cause people to be irritated and stressed and can interrupt their ability to sleep - all of which may lead to higher blood pressure, anxiety, and feelings of animosity toward the people or agencies responsible for producing the noise.

In fact, several of the traditional definitions of "noise" (i.e. unwanted or undesirable sound) can be associated with construction noise. Construction noise can be considered to:

- be too loud;
- be impulsive;
- contain annoying pure tones;
- occur unexpectedly;
- occur at undesirable times of day; and/or
- interrupt people's activities.

Construction noise has the potential to disturb people at home in their residences, in office buildings or retail businesses, in public institutional buildings, at locations of religious services, while attending sporting events, or when on vacation.

Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

Adopted February 6, 2012

2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
:cast Revenues				$ 1,096,752	$ 1,096,752	$ 1,118,687	$ 1,141,061	$ 1,163,882	$ 30,277,463	$ (25,912,959)	$ 64,184,922
yover Revenues (As of 6/30/2011)				$ 24,353,353	$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)			
Availiable Revenue				$ 25,450,105	$ 13,942,881	$ 1,168,732	$ 197,924	$ 247,700			
Funded Expenditures		*Status**	*Phase***								
County of Riverside											
06-CN-RCY-1103	Cajalco Rd, Alexander St to I-215 (3.280 mi. 2 to 4 lanes)	STD	PA&ED	$ 0					$ 0	$ (259,263)	$ 259,263
		PLN	ENG			$ 1,000,000			$ 1,000,000	$ -	$ 1,000,000
05-CN-RCY-1006	Pigeon Pass Rd.(Cantarini), Hidden Springs Dr to Center St.(4.213 mi. 0 to 4 lanes)	STD	PA&ED	$ (0)					$ (0)	$ (649,865)	$ 649,865
05-CN-RCY-1007	Reche Canyon Rd./Reche Vista Dr., Heacock St.to S.B.C. (4.757 mi. 2 to 4 lanes)	STD	PA&ED	$ 905,260	$ 314,000				$ 1,219,260	$ (415,050)	$ 1,634,310
		STD	ROW	$ (0)					$ (0)	$ (661,119)	$ 661,118
City of Menifee/County of Riverside											
-CN-RCY-1003	Murrieta Rd, Ethanac Rd to McCall Blvd (1.982 mi. 2 to 4 lanes)	CPL	PA&ED	$ 0					$ 0	$ (599,406)	$ 599,406
		CPL	ENG	$ 0					$ 0	$ (398,938)	$ 398,938
-CN-RCY-1004	Newport Road/I-215 Interchange (CFD)	STD	PA&ED	$ 1,604,317					$ 1,604,317	$ (1,234,012)	$ 2,838,329
		PLN	ENG		$ 1,440,340				$ 1,440,340	$ -	$ 1,440,340
08-SW-RCY-1128	Newport Road, Murrieta Rd to Goetz Rd North (2.06 mi. 0 to 4 lanes)	STD	CON	$ 856,511					$ 856,511	$ (3,023,489)	$ 3,880,000

MV00179569

2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
Forecast Revenues				**$ 1,096,752**	**$ 1,096,752**	**$ 1,118,687**	**$ 1,141,061**	**$ 1,163,882**	**$ 30,277,463**	**$ (25,912,959)**	**$ 64,184,922**
Carryover Revenues (As of 6/30/2011)				**$ 24,353,353**	**$ 12,846,128**	**$ 50,044**	**$ (943,137)**	**$ (916,182)**			
Availiable Revenue				**$ 25,450,105**	**$ 13,942,881**	**$ 1,168,732**	**$ 197,924**	**$ 247,700**			
Funded Expenditures, continued											
City of Moreno Valley											
06-CN-MOR-1107	Ironwood Ave(Seg A), Heacock St to Perris Blvd. (0.980 mi. 2 to 4 lanes)	CPL	PA&ED	$ -					$ -	$ (124,000)	$ 124,000
		CPL	ENG	$ 21,378					$ 21,378	$ (232,322)	$ 253,700
		CPL	ROW	$ 176,512					$ 176,512	$ (1,480,610)	$ 1,657,122
06-CN-MOR-1113	Ironwood Ave (Seg B), Perris Blvd to Nason St. (2.130 mi. 2 to 4 lanes)	CPL	PA&ED	$ (0)					$ (0)	$ (511,833)	$ 511,833
05-CN-MOR-1012	Moreno Beach/SR-60 Interchange Phase I	CPL	PA&ED	$ 0					$ 0	$ (500,000)	$ 500,000
		PND	ENG	$ 505,141					$ 505,141	$ (2,227,339)	$ 2,732,480
		STD	ROW	$ 2,413,708	$ 1,000,000				$ 3,413,708	$ (2,212,292)	$ 5,626,000
		PLN	CON		$ 3,500,000				$ 3,500,000	$ -	$ 3,500,000
5-CN-MOR-1013	Nason/SR-60 Interchange w/Bridge	CPL	PA&ED	$ -					$ -	$ (500,000)	$ 500,000
		PND	ENG	$ 138,145					$ 138,145	$ (1,243,306)	$ 1,381,451
		PND	ROW	$ 59,619					$ 59,619	$ (881)	$ 60,500
		PLN	CON	$ 133,500		$ 1,000,000	$ 1,000,000	$ 1,000,000	$ 3,133,500	$ -	$ 11,128,000
ity of Perris											
05-CN-PER-1015	Evans Rd, 700' N/of Placentia Ave to Nuevo Rd.(Phasel&II) (1.655 mi. 0 to 4 lanes)	CPL	PA&ED	$ 71,132					$ 71,132	$ (60,559)	$ 131,691
		STD	ENG	$ 523,636					$ 523,636	$ (72,131)	$ 595,767
		STD	CON		$ 879,015				$ 879,015	$ (1,205,799)	$ 2,084,814
05-CN-PER-1019	Nuevo, Murrieta Rd. to Dunlap (0.979 mi. 2 to 4 lanes)	PLN	PA&ED	$ -	$ 50,000				$ 50,000	$ -	$ 50,000
05-CN-PER-1072	Ramona Expressway, I-215 to Evans Road (1.505 mi. 4 to 6 lanes)	CPL	PA&ED	$ 0					$ 0	$ (63,133)	$ 63,133
		CPL	ENG	$ (0)					$ (0)	$ (324,045)	$ 324,045
		CPL	CON	$ -	$ 199,806				$ 199,806	$ (1,742,550)	$ 1,942,356
City of Perris/ City of Menifee											
05-CN-PER-1001	Ethanac Road, Goetz Rd to I-215 (1.936 mi. 2 to 4 lanes)	PLN	PA&ED	$ -	$ 50,000				$ 50,000	$ -	$ 50,000
City of Moreno Valley/ March JPA											
05-CN-JPA-1021	Heacock Ave, Perris Valley Drain to San Michele Rd, Phase I (0.890 mi. 2 to 4 lanes)	CPL	PA&ED	$ -					$ -	$ (65,600)	$ 65,600
		CPL	ENG	$ -					$ -	$ (91,167)	$ 91,167
		CPL	ROW	$ (0)					$ (0)	$ (32,959)	$ 32,959
		STD	CON	$ 229,676					$ 229,676	$ (7,526)	$ 237,202

son/SR-60 CON funding in FY13/14, FY14/15, FY15/16 are illustrative only and not actual commitment.

TUMF WRCOG

Adopted February 6, 2012

2012 Central Zone 5-Year Transportation Improvement Program

Fiscal Year				FY11-12	FY12-13	FY13/14	FY14/15	FY15/16	Current Obligated Phase Balance	Total Phase Payments/ Expenditures	Original Obligated Phase Cost
:cast Revenues				$ 1,096,752	$ 1,096,752	$ 1,118,687	$ 1,141,061	$ 1,163,882	$ 30,277,463	$ (25,912,959)	$ 64,184,922
yover Revenues (As of 6/30/2011)				$ 24,353,353	$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)			
Availiable Revenue				$ 25,450,105	$ 13,942,881	$ 1,168,732	$ 197,924	$ 247,700			
Funded Expenditures, continued											
RCTC/City of Perris											
05-CN-PER-1018	SR-74 (4th)/I-215 Interchange	CPL	PA&ED						$ -	$ (1,050,000)	$ 1,050,000
		PND	ENG	$ 72,345					$ 72,345	$ (648,953)	$ 721,298
		PND	ROW	$ 456,429					$ 456,429	$ (1,656,847)	$ 2,113,276
		STD	CON	$ 2,229,993	$ 2,850,000				$ 5,079,993	$ (1,720,007)	$ 6,800,000
County of Riverside/City of Perris											
07-CN-PER-1120	Ramona Expressway/I-215 Interchange	STD	ENG	$ 97,000					$ 97,000	$ (897,959)	$ 994,959
		STD	CON	$ 2,000,000	$ 3,500,000				$ 5,500,000	$ -	$ 5,500,000
Reimbursements (10% of revenue)***				$ 109,675	$ 109,675	$ 111,869	$ 114,106	$ 116,388			
:tal Funded Capital Expenditures				$ 12,603,977	$ 13,892,837	$ 2,111,869	$ 1,114,106	$ 1,116,388			
:tal Funded Balance Carryover*				$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)	$ (868,688)			

Summary Table								
Fiscal Year	**FY11/12**	**FY12/13**	**FY13/14**	**FY14/15**	**FY15/16**	*5-Year Total Available Forecast Cash*	*5-Year Total Programmed plus TIP*	*5-Year Balance*
Available Revenue	$ 25,450,105	$ 13,942,881	$ 1,168,732	$ 197,924	$ 247,700			
Total Funded/Obligated Expenditures	$ 12,603,977	$ 13,892,837	$ 2,111,869	$ 1,114,106	$ 1,116,388	$ 30,793,842	$ 31,902,557	$ (1,108,715)
Carryover Balance	$ 12,846,128	$ 50,044	$ (943,137)	$ (916,182)	$ (868,688)			
10% Reimbursement Tracking Summary								
Available 10% Reimbursements	$ 933,029	$ 745,401	$ 559,967	$ 376,771	$ 195,856	*10% Reimbursement*	*10% Reimbursement*	*10% Reimbursement Balance*
Programmed Reimbursements	$ 297,303	$ 297,303	$ 297,303	$ 297,303	$ 435,883	$ 1,625,094	$ -	$ 1,625,094
Reimbursement Carryover Balance	$ 635,726	$ 448,098	$ 262,664	$ 79,468	$ (240,027)			

NOTES:

Total Funded Carryover Balance does not reflect total available cash - October 29 Zone TAC approved reducing each funded phase of each funded project by 3% on TIP.
Phase: planning=PA&ED, engineering=ENG, right-of-way=ROW,construction=CON.
Status: PLN=planned, STD=started, PND=pending final invoice, CPL=completed, TER=terminated.
10% Reimbursement Reimbursement Detail Tracked on Separate Spreadsheet.
Actual Forecasts, Carryover, and Payments thru 6/30/11.
Yellow highlight = obligated funds and over-program alert.

MV00179571

Technical Support Document for Cancer Potency Factors:

Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures.

April 2009

California Environmental Protection Agency

Office of Environmental Health Hazard Assessment

Air Toxicology and Epidemiology Branch

Item No. E.2

MV00179572

Prepared by:

John D. Budroe, Ph.D.

James F. Collins, Ph.D.

Melanie A. Marty, Ph.D.

Andrew G. Salmon, M.A., D. Phil.

Joseph P. Brown, Ph.D.

Air Toxicology and Epidemiology Branch

and

Martha S. Sandy, Ph.D., M.P.H.

Claire D. Sherman, Ph.D.

Rajpal S. Tomar, Ph.D.

Lauren Zeise, Ph.D.

Reproductive and Cancer Hazard Assessment Branch,

Office of Environmental Health Hazard Assessment

Reviewed By

George V. Alexeeff, Ph.D., Deputy Director

Melanie A. Marty, Ph.D., Chief, Air Toxicology and Epidemiology Branch

Lauren Zeise, Ph.D., Chief, Reproductive and Cancer Hazard Assessment Branch

EXECUTIVE SUMMARY

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly) was enacted in September 1987. Under this Act, stationary sources of air pollution are required to report the types and quantities of certain substances their facilities routinely release into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks posed by those facilities, notify nearby residents of significant risks and reduce emissions from significant sources.

The Technical Support Document for Cancer Potency Factors (TSD) contains cancer unit risks and potency factors for 107 of the 201 carcinogenic substances or groups of substances for which emissions must be quantified in the Air Toxics Hot Spots program. These unit risks are used in the cancer risk assessment of facility emissions.

The purposes of this revision to the TSD is to provide updated calculation procedures used to derive the estimated unit risk and cancer potency factors, and to describe the procedures used to consider the increased susceptibility of infants and children compared to adults to carcinogens. This updates cancer risk assessment methods originally laid out in the California Department of Health Services' Guidelines for Chemical Carcinogen Risk Assessment (CDHS, 1985), and more recently summarized in the previous Hot Spots technical support document Part II (OEHHA, 2005a). Summaries of cancer potency factors and the underlying data are provided in Appendix A and B. [these did not undergo revision and are not included in this review package.]

The procedures used to consider the increased susceptibility to carcinogens of infants and children as compared to adults include the use of age-specific weighting factors in calculating cancer risks from exposures of infants, children and adolescents, to reflect their anticipated special sensitivity to carcinogens

This document is one part of the Air Toxics Hot Spots Program Risk Assessment Guidelines. The other documents originally included in the Guidelines are Part I: Technical Support Document for the Determination of Acute Toxicity Reference Exposure Levels for Airborne Toxicants; Part III: Technical Support Document for Determination of Noncancer Chronic Reference Exposure Levels; Part IV: Technical Support Document for Exposure Assessment and Stochastic Analysis; Part V: Air Toxic Hot Spots Program Risk Assessment Guidelines. As a part of the same revision process which led to production of this revised TSD on cancer potencies, the original TSDs for Acute and Chronic Reference Exposure Levels have been replaced with a new unified TSD for Acute, 8-hour and Chronic Reference Exposure Levels.

The major changes to the TSD include the following:

- Based on the OEHHA analysis of the potency by lifestage at exposure, OEHHA proposes weighting cancer risk by a factor of 10 for exposures that occur from birth to 2 years of age, and by a factor of 3 for exposures that occur from 2 years through 15 years of age. We propose to apply this weighting factor to all carcinogens, regardless of purported mechanism of action, unless chemical-specific data exist to the contrary. In cases where

there are adequate data for a specific carcinogen of potency by age, we would use the data to make any adjustments to risk.

- OEHHA proposes to use the Benchmark Dose method to compute potency factors rather than the more traditional linearized multistage model (LMS), although the LMS will still be used in some instances. The BMDL model essentially uses an empirical fit to the data (usually best with the multistage model), and then extrapolates with a straight line from the 95 % lower confidence limit of the BMD (BMDL) to zero. This method is simpler and does not assume any underlying theoretical mechanisms at the low dose range. The BMDL method results in very similar estimates of potency as the LMS method.

- OEHHA will use scaling based on body weight to the ¾ power, rather than to the 2/3 power.

- OEHHA's evaluations of the carcinogenicity of chemicals generally follow the guidelines laid out by IARC for identification and classification of potential human carcinogens, which are described in detail in the most recent revision of the *Preamble* to the IARC monographs series (IARC, 2006).

PREFACE

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly) was enacted in September 1987. Under this Act, stationary sources are required to report the types and quantities of certain substances their facilities routinely release into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks posed by those facilities, notify nearby residents of significant risks and reduce emissions from significant sources.

The Technical Support Document for Cancer Potency Factors (TSD) contains cancer unit risks and potency factors for 107 of the 201 carcinogenic substances or groups of substances for which emissions must be quantified in the Air Toxics Hot Spots program. These unit risks are used in risk assessment of facility emissions. The TSD provides updated calculation procedures used to derive the estimated unit risk and cancer potency factors, and procedures to consider early-life susceptibility to carcinogens. Summaries of cancer potency factors and the underlying data are provided in Appendix A and B. [these did not undergo revision and are not included in this review package.]

In this document, OEHHA is responding to the requirements of the 1999 Children's Environmental Health Protection Act, (SB25, Escutia) by revising the procedures for derivation and application of cancer potency factors to take account of general or chemical-specific information which suggests that children may be especially susceptible to certain carcinogens (OEHHA, 2001a). The revised cancer potency derivation procedures described will not be used to impose any overall revisions of the existing cancer potencies, although they do reflect updated methods of derivation. However, individual cancer potency values will be reviewed as part of the ongoing re-evaluation of health values mandated by SB 25, and revised values will be listed in updated versions of the appendices to this document as necessary. The revisions also include the use of weighting factors in calculating cancer risks from exposures of infants, children and adolescents, to reflect their anticipated special sensitivity to carcinogens. Similar legal mandates to update risk assessment methodology and cancer potencies apply to the OEHHA program for development of Public Health Goals (PHGs) for chemicals in drinking water, and Proposition 65 No Significant Risk Levels (NSRLs). The NSRLs may also be revised to reflect concerns for children's health. Revising these numbers will require the originating program to reconsider the value in an open public process. For example, OEHHA would need to release any revised potency factors for public comment and review by the Scientific Review Panel on Toxic Air Contaminants (SRP) prior to adoption under the TAC program. The procedures for outside parties to request reevaluation of cancer potency values by the programs which originated those values are listed in Appendix G.

Appendices A and B provide previously adopted Cal/EPA values which were included in the previous version of the TSD for Cancer Potency Factors (OEHHA, 2005a). Cal/EPA values were developed under the Toxic Air Contaminant (TAC) program, the PHG program, the Proposition 65 program, or in some cases specifically for the Air Toxics Hot Spots program. All the Cal/EPA values are submitted for public comments and external peer review prior to adoption by the program of origin. In the future, new values developed by the Toxic Air

Contaminants or Hot Spots programs or other suitable sources will be added as these are approved.

Some U.S. EPA IRIS cancer unit risk values were adopted under the previous versions of these guidelines, and these values will continue to be used unless and until revised by Cal/EPA. U.S. EPA has recently revised its cancer risk assessment guidelines (U.S. EPA, 2005a). Some of the recommended changes in methodology could result in slightly different potency values compared to those calculated by the previous methodology, although in practice a number of the recommendations (for example, the use of ¾ power of the body weight ratio rather than ⅔ power for interspecies scaling) have been available in draft versions of the revised policy for some time and appear in many more recent assessments. U.S. EPA has stated that cancer potency values listed in IRIS will not be revisited solely for the purpose of incorporating changes in cancer potency value calculation methods contained in the revised cancer risk assessment guidelines. U.S. EPA has also issued supplementary guidelines on assessing cancer risk from early-life exposure (U.S. EPA, 2005b).

OEHHA uses a toxic equivalency factor procedure for dioxin-like compounds, including polychlorinated dibenzo-*p*-dioxins, dibenzofurans and polychlorinated biphenyls (PCBs). The Toxicity Equivalency Factor scheme (TEF_{WHO-97}) developed by the World Health Organization/European Center for Environmental Health (WHO-ECEH) is used for determining cancer unit risk and potency values for these chemicals where individual congener emissions are available (Appendix C).

This document is one part of the Air Toxics Hot Spots Program Risk Assessment Guidelines. The other documents originally included in the Guidelines are Part I: Technical Support Document for the Determination of Acute Toxicity Reference Exposure Levels for Airborne Toxicants; Part III: Technical Support Document for Determination of Noncancer Chronic Reference Exposure Levels; Part IV: Technical Support Document for Exposure Assessment and Stochastic Analysis; Part V: Air Toxic Hot Spots Program Risk Assessment Guidelines. As a part of the same revision process which led to production of this revised TSD on cancer potencies, the original TSDs for Acute and Chronic Reference Exposure Levels have been replaced with a new unified TSD for Acute, 8-hour and Chronic Reference Exposure Levels.

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INTRODUCTION

The Technical Support Document (TSD) for Describing Available Cancer Potency Factors provides technical information support for the Air Toxics Hot Spots Program Risk Assessment Guidelines. The TSD consists of 12 sections:

1. The TSD introduction.
2. A description of the methodologies used to derive the unit risk and cancer potency values listed in the lookup table.
3. A lookup table containing unit risk and cancer potency values. (Appendix A)
4. Chemical-specific summaries of the information used to derive unit risk and cancer potency values. (Appendix B).
5. A description of the use of toxicity equivalency factors for determining unit risk and cancer potency factors for polychlorinated dibenzo-*p*-dioxins, dibenzofurans and dioxin-like polychlorinated biphenyls (Appendix C).
6. A listing of Toxic Air Contaminants identified by the California Air Resources Board (Appendix D).
7. Descriptions of the International Agency for Research on Cancer (IARC) and U.S. Environmental Protection Agency (U.S. EPA) carcinogen classifications (Appendix E).
8. An asbestos quantity conversion factor for calculating asbestos concentrations expressed as 100 fibers/m^3 from asbestos concentrations expressed as $\mu g/m^3$ (Appendix F).
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10. Exposure routes and studies used to derive cancer unit risks and slope factors (Appendix H).
11. "Assessing susceptibility from early-life exposure to carcinogens": Barton *et al.*, 2005 (from *Environmental Health Perspectives)* (Appendix I).
12. "In Utero and Early Life Susceptibility to Carcinogens: The Derivation of Age-at-Exposure Sensitivity Measures" – conducted by OEHHA's Reproductive and Cancer Hazard Assessment Branch (Appendix J)

SELECTION OF CANCER POTENCY VALUES

The Office of Environmental Health Hazard Assessment (OEHHA) has developed a number of cancer potencies for use in the Toxic Air Contaminants and Air Toxics Hot Spots programs. This document also provides summaries of cancer potency factors which were originally developed for other California Environmental Protection Agency (Cal/EPA) programs, or by the U.S. EPA. These were reviewed for accuracy, reliance on up-to-date data and methodology, and applicability in the context of the Air Toxics Hot Spots program. Values found appropriate were adopted after public and peer review rather than devoting the resources necessary for a full *de novo* assessment. Thus, cancer potency values (CPF) included in the Technical Support Document (TSD) for Cancer Potency Factors were from the following sources:

1. Toxic Air Contaminant documents
2. Standard Proposition 65 documents
3. U.S.EPA Integrated Risk Information Systems (Office of Health and Environmental Assessment, U.S.EPA)
4. Expedited Proposition 65 documents
5. Other OEHHA assessments , for example for the drinking water program.

All the cancer potency value sources used generally follow the recommendations of the National Research Council on cancer risk assessment (NRC, 1983, 1994). All Cal/EPA program documents undergo a process of public comment and scientific peer review prior to adoption, although the procedures used vary according to the program. The publication procedure for Toxic Air Contaminant documents includes a public comment period and review by the Scientific Review Panel on Toxic Air Contaminants (SRP) before identification of a Toxic Air Contaminant by the Air Resources Board of the California Environmental Protection Agency (Cal/EPA). Furthermore, a petition procedure is available to initiate TAC document review and revision if appropriate because of new toxicity data. Documents developed for the Air Toxics Hot Spots program similarly undergo public comment and peer review by the SRP before adoption by the Director of OEHHA. The standard Proposition 65 document adoption procedure includes a public comment and external peer review by the Proposition 65 Carcinogen Identification Committee. The expedited Proposition 65 document adoption procedure included a public comment period. Risk assessments prepared for development of Public Health Goals (PHGs) for chemicals in drinking water are subject to two public comment periods before the final versions and responses to comments are published on the OEHHA Web site. PHG documents may also receive external peer review. Documents from U.S. EPA's Integrated Risk Information System (IRIS) receive external peer review and are posted on the Internet for public viewing during the external peer review period, and any public comments submitted are considered by the originating office. Additionally, public comment may be solicited during the document posting period. Future preference for use of developed cancer potency factors/unit risks will be done on a case by case basis. Preference will be given to those assessments most relevant to inhalation exposures of the California population, to the most recent derivations using the latest data sets and scientific methodology, and to those having undergone the most open and extensive peer review process.

CANCER RISK ASSESSMENT METHODOLOGIES

This section describes in general the methodologies used to derive the cancer unit risk and potency factors listed in this document. As noted in the Preface to this document, no new cancer unit risks or potency factors were developed for this document. All of the values contained here were previously developed in documents by Cal/EPA or U.S. EPA. Following the recommendations of the National Academy of Sciences (NRC, 1983), Cal/EPA and U.S. EPA have both used formalized cancer risk assessment guidelines, the original versions of which (California Department of Health Services, 1985; U.S. EPA, 1986) were published some time ago. Both these guidelines followed similar methodologies.

In the twenty years since these original guidelines were published there have been a number of advances in the methodology of cancer risk assessment. There have additionally been considerable advances in the quantity of data available not only from animal carcinogenesis bioassays and epidemiological studies, but also from mechanistic studies of carcinogenesis and related phenomena. Some of these advances have been incorporated into newer risk assessments by both agencies on a more or less *ad hoc* basis. There has also been an ongoing effort to provide updated risk assessment guidance documents. In 1995, U.S. EPA released for public comment the "Proposed and Interim Guidelines for Carcinogen Risk Assessment", which was the first of several drafts released for public comment. Many risk assessments appearing since then have used elements of the recommendations contained in that document, in spite of its draft status. A final version of the U.S. EPA's revised cancer risk assessment guidelines has now been released (U.S. EPA, 2005a). Although these new guidelines incorporate a number of substantial changes from their predecessors (U.S. EPA, 1986; 1995), U.S. EPA has stated that cancer potency values listed in IRIS will not be revisited solely for the purpose of incorporating changes in cancer potency value calculation methods.

Cal/EPA has not produced a revised cancer risk assessment guideline document to replace the original version (DHS, 1985). Rather, Cal/EPA has relied on incorporating new data and methodologies as these became available, and described the methods used on a case by case basis in the individual risk assessment documents where these went beyond the original guidance. However, this revision of the TSD for cancer potencies provides a convenient opportunity to summarize the current status of the methodology used by OEHHA for the air toxics programs, and also to highlight points of similarity to, and difference from, the recommendations of U.S. EPA (2005a).

In this document, OEHHA intends to follow the recommendations of the NRC (1994) in describing a set of clear and consistent principles for choosing and departing from default cancer risk assessment options. NRC identified a number of objectives that should be taken into account when considering principles for choosing and departing from default options. These include, "protecting the public health, ensuring scientific validity, minimizing serious errors in estimating risks, maximizing incentives for research, creating an orderly and predictable process, and fostering openness and trustworthiness". The OEHHA cancer risk methodologies discussed in this document are intended to generally meet those objectives cited above.

Hazard Identification

This section will describe: 1) how weight of evidence evaluations are used in hazard evaluation; 2) guidelines for inferring causality of effect; 3) the use of human and animal carcinogenicity data, as well as supporting evidence (e.g. genetic toxicity and mechanistic data); 4) examples of carcinogen identification schemes.

Evaluation of Weight of Evidence

In evaluating the range of evidence on the toxicity and carcinogenicity of a compound, mixture or other agent, a "weight-of-evidence" approach is generally used to describe the body of evidence on whether or not exposure to the agent causes a particular effect. Under this approach, the number and quality of toxicological and epidemiological studies, as well as the consistency of study results and other sources of data on biological plausibility, are considered. Diverse and sometimes conflicting data need to be evaluated with respect to possible explanations of differing results. Consideration of methodological issues in the review of the toxicological and epidemiological literature is important in evaluating associations between exposure to an agent and animal or human health effects. This aspect of the evaluation process has received particular emphasis with respect to epidemiological data, where concerns as to the statistical and biological significance and reliability of the data and the impacts of confounding and misclassification are pressing. Such concerns are also relevant to some extent in the interpretation of animal bioassay data and mechanistic studies. Although the test animals, laboratory environment and characterization of the test agent are usually much better controlled than the equivalent parameters in an epidemiological study, the small sample size can be problematic. In addition, there are uncertainties associated with extrapolation of biological responses from test animal species to humans.

Criteria for Causality

There has been extensive discussion over the last two centuries on causal inference. This has been particularly with regard to epidemiological data, but is also relevant to interpretation of animal studies. Most epidemiologists utilize causal inference guidelines based on those proposed by Bradford Hill (1971). OEHHA has relied on these and on recommendations by IARC (2006), the Institute of Medicine (2004), the Surgeon General's Reports on Smoking (U.S. DHHS, 2004) and standard epidemiologic texts (*e.g.* Lilienfeld and Lilienfeld, 1980; Rothman and Greenland, 1998). The criteria for determination of causality used by OEHHA have been laid out in various risk assessment documents. The summary below is adapted from the Health Effects section of the document prepared to support the identification of environmental tobacco smoke (ETS) as a Toxic Air Contaminant (OEHHA, 2005b).

1. *Strength of Association.* A statistically significant strong association, which is easier to detect if there is a high relative risk, between a factor and a disease is often viewed as an important criterion for inferring causality because, all other things being equal, a strong and statistically significant association makes alternative explanations for the disease less likely. However, as discussed in Rothman and Greenland (1998), the fact that a relative risk is small in magnitude does not exclude a casual association between the risk factor

and the outcome in question. Since it is more difficult to detect (i.e., reach statistical significance) a small magnitude risk, ~~they are~~it is just as likely to ~~be causal~~indicate causality as a larger magnitude risks.

When assessing all evidence, it is important to consider the strength of the study design (particularly controlling for confounding variables, obtaining an unbiased sample, measurement error) and the level of statistical significance (i.e., the ability to exclude a Type I [false positive] error). The power of the study to detect biologically meaningful effects (i.e., the risk of a Type II [false negative] error) is important in considering studies that do not reach traditional (i.e., P<.05) statistical significance, particularly if the biological endpoint is serious. If the outcome is serious and the study small (i.e., low power), a larger P value (e.g., P<.10) may be adequate evidence for identifying an effect.

There are a number of examples of statistically significant, small magnitude associations that are widely accepted as causal, such as causal links between air pollution and cardiovascular/pulmonary mortality and between second-hand smoke exposure and various cancers and heart disease. From a public health perspective, even a small magnitude increase in risk for a common disease can mean large numbers of people affected by the health outcome when exposure is frequent and widespread, as measured by the population attributable risk or attributable fraction. Small magnitude of association must not be confused with statistical significance, which is much more important.

2. *Consistency of Association.* If several investigations find an association between a factor and a disease across a range of populations, geographic locations, times, and under different circumstances, then the factor is more likely to be causal. Consistency argues against hypotheses that the association is caused by some other factor(s) that varies across studies. Unmeasured confounding is an unlikely explanation when the effect is observed consistently across a number of studies in different populations.

   Associations that are replicated in several studies of the same design or using different epidemiological approaches or considering different sources of exposure and in a number of geographical regions are more likely to represent a causal relationship than isolated observations from single studies (IARC, 2006). If there are inconsistent results among investigations, possible reasons are sought, such as adequacy of sample size or control group, methods used to assess exposure, or range in levels of exposure. The results of studies judged to be rigorous are emphasized over those of studies judged to be methodologically less rigorous. For example, studies with the best exposure assessment are more informative for assessing the association between ETS and breast cancer than studies with limited exposure assessment, all else being equal.

3. *Temporality.* Temporality means that the factor associated with causing the disease occurs in time prior to development of the disease. The adverse health effect should occur at a time following exposure that is consistent with the nature of the effect. For example, respiratory irritation immediately following exposure to an irritant vapor is temporally consistent, whereas ~~effects~~ irritation noted only years later may not be. On the other hand, tumors, noted immediately following exposure, might be temporally

inconsistent with a causal relationship, but tumors arising after a latency period of months (in rodents) or years (in rodents or humans) would be temporally consistent.

4. *Coherence and Biological Plausibility.* A causal interpretation cannot conflict with what is known about the biology of the disease. The availability of experimental data or mechanistic theories consistent with epidemiological observations strengthens conclusions of causation. For example, the presence of known carcinogens in tobacco smoke supports the concept that exposure to tobacco smoke could cause increased cancer risk. Similarly, if the mechanism of action for a toxicant is consistent with development of a specific disease, then coherence and biological plausibility can be invoked. It should be noted that our understanding of the biology of disease, and therefore biological plausibility, changes in light of new information which is constantly emerging from molecular biology (including epigenetics), and from new clinical and epidemiological investigations revealing effects influenced by genetic polymorphisms, pre-existing disease, and so forth.

5. *Dose-Response.* A basic tenet of toxicology is that increasing exposure or dose generally increases the response to the toxicant. While dose-response curves vary in shape and are not necessarily always monotonic, an increased gradient of response with increased exposure makes it difficult to argue that the factor is not associated with the disease. To argue otherwise necessitates that an unknown factor varies consistently with the dose of the substance and the response under question. While increased risk with increasing levels of exposure is considered to be a strong indication of causality, absence of a graded response does not exclude a causal relationship (IARC, 2006).

   The dose-response curves for specific toxic effects may be non-monotonic. Under appropriate circumstances, where the dose response shows saturation, the effect of exposures could be nearly maximal, with any additional exposure having little or no effect. In some instances, a response is seen strongly in susceptible subpopulations, and the dose-response is masked by mixing susceptible and non-susceptible individuals in a sample. Further, there are examples of U-shaped or inverted U-shaped dose-response curves, (e.g., for endocrine disrupters) (Almstrup et al., 2002; Lehmann et al., 2004). Finally, timing of exposure during development may mask an overall increase in risk with increasing dose.

6. *Specificity.* Specificity is generally interpreted to mean that a single cause is associated with a single effect. It may be useful for determining which microorganism is responsible for a particular disease, or associating a single carcinogenic chemical with a rare and characteristic tumor (e.g., liver angiosarcoma and vinyl chloride, or mesothelioma and asbestos). However, the concept of specificity is not helpful when studying diseases that are multifactorial, or toxic substances that contain a number of individual constituents, each of which may have several effects and/or target sites.

7. *Experimental evidence.* While experiments are often conducted over a short period of time or under artificial conditions (compared to real-life exposures), experiments offer the opportunity to collect data under highly controlled conditions that allow strong causal conclusions to be drawn. Experimental data that are consistent with epidemiological

results strongly support conclusions of causality. There are also "natural experiments" that can be studied with epidemiological methods, such as when exposure of a human population to a substance declines or ceases; if the effect attributed to that exposure decreases, then there is evidence of causality. One example of this is the drop in heart disease death and lung cancer risk after smoking cessation.

It should be noted that the causal criteria are guidelines for judging whether a causal association exists between a factor and a disease, rather than hard-and-fast rules. Lilienfeld and Lilienfeld (1980) note that "*In medicine and public health, it would appear reasonable to adopt a pragmatic concept of causality. A causal relationship would be recognized to exist whenever evidence indicates that the factors form part of the complex of circumstances that increases the probability of the occurrence of disease and that a diminution of one or more of these factors decreases the frequency of that disease. After all, the reason for determining the etiological factors of a disease is to apply this knowledge to prevent the disease.*" Rothman and Greenland (2005) discuss the complexities of causation and the use of rules and deductive methods in causal inference. They also concur with Bradford Hill and others that a determination of causality is a pragmatic conclusion rather than an absolute verdict, and advocate that these criteria should be seen as "*deductive tests of causal hypotheses*".

Data sources

Human studies: epidemiology, ecological studies and case reports

The aim of a risk assessment for the California Air Toxics programs is to determine potential impact on human health. Ideally therefore, the hazard identification would rely on studies in humans to demonstrate the nature and extent of the hazard. However, apart from clinical trials of drugs, experimental studies of toxic effects in human subjects are rarely undertaken or justifiable. Pharmacokinetic studies using doses below the threshold for any toxic effect have been undertaken for various environmental and occupational agents, but are not usually regarded as appropriate for suspected carcinogens.

The human data on carcinogens available to the risk assessor therefore mostly consist of epidemiological studies of existing occupational or environmental exposures. It is easier to draw reliable inferences in situations where both the exposures and the population are substantial and well-defined, and accessible to direct measurement rather than recall. Thus, many important findings of carcinogenicity to humans are based on analysis of occupational exposures. Problems in interpretation of occupational epidemiological data include simultaneous exposure to several different known or suspected carcinogens, imprecise quantification of exposures and confounding exposures such as active or passive tobacco smoking. The historical database of occupational data has a bias towards healthy white adult males. Thus, the hazard analysis of these studies may not accurately characterize effects on women, infants, children or the elderly, or on members of minority ethnic groups. Nevertheless, the analysis of occupational epidemiological studies, including meta-analyses, has proved an important source for unequivocal identification of human carcinogens.

Epidemiological evidence may also be obtained where a substantial segment of a general population is exposed to the material of interest in air, drinking water or food sources. Rigorous

cohort and case-control studies may sometimes be possible, in which exposed individuals are identified, their exposure and morbidity or mortality evaluated, and compared to less exposed but otherwise similar controls. More often at least the initial investigation is a cross-sectional study, where prevalence of exposures and outcomes is compared in relatively unexposed and exposed populations. Such studies are hypothesis-generating, but are important sources of information nevertheless, and can often also justify more costly and labor-intensive follow-up cohort and/or case-control studies.

The clinical medical literature contains many case reports where a particular health outcome is reported along with unusual exposures that might have contributed to its occurrence. These reports typically describe a single patient or a small group, and have no statistical significance. They are nevertheless useful as indications of possible associations that deserve follow-up using epidemiological methods, and as supporting evidence, addressing the plausibility of associations measured in larger studies.

Animal studies

Although the observation of human disease in an exposed population can provide definitive hazard identification, adequate data of this type are not always available. More often, risk estimates have to be based on studies in experimental animals, and extrapolation of these results to predict human toxicity. The animals used are mostly rodents, typically the common laboratory strains of rat and mouse.

Rats and mice have many similarities to humans. Physiology and biochemistry are similar for all mammals, especially at the fundamental levels of xenobiotic metabolism, DNA replication and DNA repair that are of concern in identifying carcinogens. However, there are also several important differences between rodents and humans. Rodents, with a short life span, have differences in cell growth regulation compared to longer-lived species such as the human. For instance, whereas laboratory investigations have suggested that mutations in two regulatory genes (*e.g.* H-ras and p-53) are sometimes sufficient to convert a rodent cell to a tumorigenic state, many human cancers observed clinically have seven or eight such mutations. In addition, cultured normal human cells have a very stable karyotype, whereas cultured rodent cells facilely undergo tetraploidization and then aneuploidization in cell culture. Further, cultured human cells senesce and rarely undergo spontaneous immortalization (frequency is 10^{-7} or less), whereas cultured rodent cells facilely undergo immortalization at frequencies on the order of 10^{-3}. The use of genomics to study chemical carcinogenesis is relatively new, but the differences at present appear to be a matter of degree rather than kind.

Differences in regulation of cell division are another likely reason for variation between species in the site of action of a carcinogen, or its potency at a particular site. A finding of carcinogenesis in the mouse liver, for instance, is a reasonably good indicator of potential for carcinogenesis at some site in the human, but not usually in human liver (Huff, 1999). The mouse liver (and to a lesser extent that of the rat) is a common site of spontaneous tumors. It is also relatively sensitive to chemical carcinogenesis. The human liver is apparently more resistant to carcinogenesis; human liver tumors are unusual except when associated with additional predisposing disease, such as hepatitis B or alcoholic cirrhosis, or exposure to aflatoxin B1, or simultaneous exposure to hepatitis B virus and aflatoxin B1. Conversely, other

tumor sites are more sensitive in the human than in experimental animals. Interspecies variation in site and sensitivity to carcinogenesis may also arise from differences in pharmacokinetics and metabolism, especially for carcinogens where metabolic activation or detoxification is important. This variability may cause important differences in sensitivity between individuals in a diverse population such as humans. Variability between individuals in both susceptibility and pharmacokinetics or metabolism is probably less in experimental animal strains that are bred for genetic homogeneity.

Animal carcinogenesis studies are often designed to maximize the chances of detecting a positive effect, and do not necessarily mimic realistic human exposure scenarios. Thus extrapolation from an experimentally accessible route to that of interest for a risk assessment may be necessary. Even for studies by realistic routes such as oral or inhalation, doses may be large compared to those commonly encountered in the environment, in order to counter the limitation in statistical power caused by the relatively small size of an animal experiment. Whereas the exposed population of an epidemiological study might number in the thousands, a typical animal study might have fifty individuals per exposure group. With this group size any phenomenon with an incidence of less than about 5% is likely to be undetectable. Statistically significant results may be obtained even with groups as small as ten animals per dose group, when incidence of a tumor that is rare in the controls approached 100% in a treated group. The consensus experimental design for animal carcinogenesis studies, which has evolved over the last 50 years of investigation, is represented by the protocol used by the U.S. National Toxicology Program (NTP) for studies using oral routes (diet, gavage or drinking water) or inhalation. These carcinogenesis bioassays usually involve both sexes of an experimental species, and most often two species. NTP has standardized the use of the C57BlxC3H F_1 hybrid mouse, and the Fischer 344 rat as the standard test species, although NTP has announced plans to substitute use of the Wistar Han rat for the Fisher 344 rat. There is now an extensive database of background tumor incidences, normal physiology, biochemistry, histology and anatomy for these strains, which aids in the interpretation of pathological changes observed in experiments. Nevertheless, there is enough variation in background rates of common tumors that the use of concurrent controls is essential for hazard identification or dose-response assessment. "Historical control" data are mainly used to reveal anomalous outcomes in the concurrent controls. The fact that a significantly elevated incidence of a tumor relative to the concurrent control group is within the range of historical controls at that site for the test sex and strain is not necessarily grounds for dismissing the biological significance of the finding.

Groups of fifty animals of each sex and species are used, with control groups, and several dose groups, the highest receiving the maximum tolerated dose (MTD). Recent study designs have emphasized the desirability of at least three dose levels covering a decade with "logarithmic" spacing (*i.e.* MTD, 1/2 MTD or 1/3 MTD, and 1/10 MTD). This extended design is aimed at providing better dose-response information, and may contribute important additional information, such as mechanistic insights, for the hazard identification phase.

Supporting evidence: genetic toxicity, mechanistic studies

Investigators have developed additional data sources that can support or modify the conclusions of animal carcinogenesis bioassays, and provide information on mechanisms of action of agents suspected of being carcinogenic based on epidemiological studies or animal bioassays.

Genetic damage in exposed organisms includes both gene mutations (point or frameshift), and larger scale effects such as deletions, gene amplification, sister-chromatid exchanges, translocations and loss or duplication of segments or whole chromosomes. These genetic effects of chemical exposures are deleterious in their own right. In addition, since carcinogenesis results from somatic mutations and similar genetic alterations, agents that cause genetic damage generally have carcinogenic potential. Conversely, many known carcinogens are also known to be genotoxic, although there is also a significant class of carcinogens that are not directly genotoxic according to the usual tests. These latter agents presumably work by some other mechanism, such as methylation of tumor suppressor genes or demethylation of cellular proto-oncogenes, although recent genetic studies have shown that even tumors induced by these agents may show mutations, deletions or amplification of growth regulatory genes.

Experimental procedures to demonstrate and measure genetic toxicity may involve exposure of intact animals, and examination of genetic changes in, for example, bone marrow cells (or cells descended from these e.g. the micronucleus test, which detects remnants of chromosomal fragments in immature erythrocytes), mutations in flies (*Drosophila)*, or appearance of color spots in the coat of mice. However, many tests have employed single celled organisms or mammalian cells in culture. The best known of these tests is the *Salmonella* reverse mutation assay, popularly known as the Ames test after its inventor. This is representative of a larger class of tests for mutagenic activity in prokaryotic organisms (bacteria), which necessarily only look at gene-level mutations. Similar tests in eukaryotic microorganisms (yeasts, *Aspergillus*) and cultured mammalian cells also detect chromosomal effects. Many tests using microorganisms *in vitro* involve addition of activating enzymes (*e.g.* liver postmitochondrial supernatant – "S9") to mimic the metabolism of promutagenic chemicals *in vivo*. Another type of test examines the induction in mammalian cells of morphological transformation or anchorage-independent growth. These two chemically induced, *in vitro* changes are considered two of the many changes that fibroblastic cells must undergo on their route to neoplastic transformation (tumorigenicity). These various genetic tests contribute different information, which may be used to amplify and confirm conclusions drawn from human studies or animal bioassays, or to draw conclusions in the absence of epidemiological or bioassay data. In the latter case they have also been used in prioritizing agents for further evaluation by means of bioassays.

Carcinogen Identification schemes

Some regulatory programs, such as California's Safe Drinking Water and Toxics Enforcement Act ("Proposition 65") and various activities of the U.S. EPA, require that explicit lists of substances having the potential to act as human carcinogens be maintained. Other such lists are developed by non-regulatory research organizations, such as the U.S. National Toxicology Program and the International Agency for Research on Cancer (IARC), an international program of the World Health Organization. The California air toxics programs do not have any statutory requirement to "identify" carcinogens. The requirement instead is to identify hazardous substances as Toxic Air Contaminants, and to determine whether or not a threshold concentration, below which no adverse effects are expected, is likely to exist:

HEALTH AND SAFETY CODE, Division 26 (Air Resources), § 39660.

(2) The evaluation shall also contain an estimate of the levels of exposure that may cause or contribute to adverse health effects. If it can be established that a threshold of adverse health effects exists, the estimate shall include both of the following factors:

(A) The exposure level below which no adverse health effects are anticipated.

(B) An ample margin of safety that accounts for the variable effects that heterogeneous human populations exposed to the substance under evaluation may experience, the uncertainties associated with the applicability of the data to human beings, and the completeness and quality of the information available on potential human exposure to the substance. In cases in which there is no threshold of significant adverse health effects, the office shall determine the range of risk to humans resulting from current or anticipated exposure to the substance.

In practice however this requirement amounts to the need to establish whether or not a substance is carcinogenic. Any such effects are clearly harmful. Whereas the great majority of non-cancer health effects of chemicals are regarded as having a threshold, the default assumption for carcinogens is that there is no threshold (as described below). OEHHA follows the guidelines laid out by IARC for identification and classification of potential human carcinogens, which are described in detail in the most recent revision of the *Preamble* to the IARC monographs series (IARC, 2006). The IARC Monograph series provides evaluations of the carcinogenicity of individual substances or commonly occurring mixtures. The evaluation guidelines used are similar to those used by other scientific or regulatory authorities, including U.S.EPA.

The data inputs to hazard identification for carcinogens are human epidemiological studies, animal bioassays, along with supporting evidence such as mechanistic and genotoxicity data and structure-activity comparisons. IARC also assembles data on the structure and identity of the agent. The list of agents considered includes specific chemicals and also complex mixtures, occupational and lifestyle factors, physical and biological agents, and other potentially carcinogenic exposures.

IARC evaluations determine the quality of evidence for both animal and human evidence as falling into one of four categories: sufficient evidence of carcinogenicity, limited evidence of carcinogenicity, inadequate evidence of carcinogenicity and evidence suggesting lack of carcinogenicity. Stringent requirements for data quality are imposed. In view of their crucial importance, these definitions are quoted directly from the *Preamble* (IARC 2006):

"(a) Carcinogenicity in humans

Sufficient evidence of carcinogenicity: The Working Group considers that a causal relationship has been established between exposure to the agent and human cancer. That is, a positive relationship has been observed between the exposure and cancer in studies in which chance, bias and confounding could be ruled out with reasonable confidence. A statement that there is *sufficient evidence* is followed by a separate sentence that identifies the target organ(s) or tissue(s) where an increased risk of cancer was observed in humans. Identification of a specific target organ or tissue does not preclude the possibility that the agent may cause cancer at other sites.

***Limited evidence of carcinogenicity*:** A positive association has been observed between exposure to the agent and cancer for which a causal interpretation is considered by the Working Group to be credible, but chance, bias or confounding could not be ruled out with reasonable confidence.

Inadequate evidence of carcinogenicity: The available studies are of insufficient quality, consistency or statistical power to permit a conclusion regarding the presence or absence of a causal association between exposure and cancer, or no data on cancer in humans are available.

Evidence suggesting lack of carcinogenicity: There are several adequate studies covering the full range of levels of exposure that humans are known to encounter, which are mutually consistent in not showing a positive association between exposure to the agent and any studied cancer at any observed level of exposure. The results from these studies alone or combined should have narrow confidence intervals with an upper limit close to the null value (e.g. a relative risk of 1.0). Bias and confounding should be ruled out with reasonable confidence, and the studies should have an adequate length of follow-up. A conclusion of *evidence suggesting lack of carcinogenicity* is inevitably limited to the cancer sites, conditions and levels of exposure, and length of observation covered by the available studies. In addition, the possibility of a very small risk at the levels of exposure studied can never be excluded.

(b) Carcinogenicity in experimental animals

Carcinogenicity in experimental animals can be evaluated using conventional bioassays, bioassays that employ genetically modified animals, and other in-vivo bioassays that focus on one or more of the critical stages of carcinogenesis. In the absence of data from conventional long-term bioassays or from assays with neoplasia as the end-point, consistently positive results in several models that address several stages in the multistage process of carcinogenesis should be considered in evaluating the degree of evidence of carcinogenicity in experimental animals.

The evidence relevant to carcinogenicity in experimental animals is classified into one of the following categories:

***Sufficient evidence of carcinogenicity*:** The Working Group considers that a causal relationship has been established between the agent and an increased incidence of malignant neoplasms or of an appropriate combination of benign and malignant neoplasms in (a) two or more species of animals or (b) two or more independent studies in one species carried out at different times or in different laboratories or under different protocols. An increased incidence of tumours in both sexes of a single species in a well-conducted study, ideally conducted under Good Laboratory Practices, can also provide *sufficient evidence*.

A single study in one species and sex might be considered to provide *sufficient evidence of carcinogenicity* when malignant neoplasms occur to an unusual degree with regard to incidence, site, type of tumour or age at onset, or when there are strong findings of tumours at multiple sites.

***Limited evidence of carcinogenicity*:** The data suggest a carcinogenic effect but are limited for making a definitive evaluation because, e.g. (a) the evidence of carcinogenicity is

restricted to a single experiment; (b) there are unresolved questions regarding the adequacy of the design, conduct or interpretation of the studies; (c) the agent increases the incidence only of benign neoplasms or lesions of uncertain neoplastic potential; or (d) the evidence of carcinogenicity is restricted to studies that demonstrate only promoting activity in a narrow range of tissues or organs.

***Inadequate evidence of carcinogenicity*:** The studies cannot be interpreted as showing either the presence or absence of a carcinogenic effect because of major qualitative or quantitative limitations, or no data on cancer in experimental animals are available.

***Evidence suggesting lack of carcinogenicity*:** Adequate studies involving at least two species are available which show that, within the limits of the tests used, the agent is not carcinogenic. A conclusion of *evidence suggesting lack of carcinogenicity* is inevitably limited to the species, tumour sites, age at exposure, and conditions and levels of exposure studied."

IARC utilizes the evaluations of animal and human data, along with supporting evidence including genotoxicity, structure-activity relationships, and identified mechanisms, to reach an overall evaluation of the potential for carcinogenicity in humans. The revised *Preamble* (IARC, 2006) includes a description of the data evaluation criteria for this supporting evidence, and indications as to the situations where the availability of supporting evidence may be used to modify the overall conclusion from that which would be reached on the basis of bioassay and/or epidemiological evidence alone. The overall evaluation is expressed as a numerical grouping, the categories of which are described below, as before by directly quoting IARC (2006):

"Group 1: The agent is *carcinogenic to humans*.

This category is used when there is *sufficient evidence of carcinogenicity* in humans. Exceptionally, an agent may be placed in this category when evidence of carcinogenicity in humans is less than *sufficient* but there is *sufficient evidence of carcinogenicity* in experimental animals and strong evidence in exposed humans that the agent acts through a relevant mechanism of carcinogenicity.

Group 2.

This category includes agents for which, at one extreme, the degree of evidence of carcinogenicity in humans is almost *sufficient*, as well as those for which, at the other extreme, there are no human data but for which there is evidence of carcinogenicity in experimental animals. Agents are assigned to either Group 2A (*probably carcinogenic to humans*) or Group 2B (*possibly carcinogenic to humans*) on the basis of epidemiological and experimental evidence of carcinogenicity and mechanistic and other relevant data. The terms *probably carcinogenic* and *possibly carcinogenic* have no quantitative significance and are used simply as descriptors of different levels of evidence of human carcinogenicity, with *probably carcinogenic* signifying a higher level of evidence than *possibly carcinogenic*.

Group 2A: The agent is *probably carcinogenic to humans*.

This category is used when there is *limited evidence of carcinogenicity* in humans and *sufficient evidence of carcinogenicity* in experimental animals. In some cases, an agent may be classified in this category when there is *inadequate evidence of carcinogenicity* in humans and *sufficient evidence of carcinogenicity* in experimental animals and strong evidence that the carcinogenesis is mediated by a mechanism that also operates in humans. Exceptionally, an agent may be classified in this category solely on the basis of *limited evidence of carcinogenicity* in humans. An agent may be assigned to this category if it clearly belongs, based on mechanistic considerations, to a class of agents for which one or more members have been classified in Group 1 or Group 2A.

Group 2B: The agent is *possibly carcinogenic to humans.*

This category is used for agents for which there is *limited evidence of carcinogenicity* in humans and less than *sufficient evidence of carcinogenicity* in experimental animals. It may also be used when there is *inadequate evidence of carcinogenicity* in humans but there is *sufficient evidence of carcinogenicity* in experimental animals. In some instances, an agent for which there is *inadequate evidence of carcinogenicity* in humans and less than *sufficient evidence of carcinogenicity* in experimental animals together with supporting evidence from mechanistic and other relevant data may be placed in this group. An agent may be classified in this category solely on the basis of strong evidence from mechanistic and other relevant data.

Group 3: The agent is *not classifiable as to its carcinogenicity to humans.*

This category is used most commonly for agents for which the evidence of carcinogenicity is *inadequate* in humans and *inadequate* or *limited* in experimental animals.

Exceptionally, agents for which the evidence of carcinogenicity is *inadequate* in humans but *sufficient* in experimental animals may be placed in this category when there is strong evidence that the mechanism of carcinogenicity in experimental animals does not operate in humans.

Agents that do not fall into any other group are also placed in this category.

An evaluation in Group 3 is not a determination of non-carcinogenicity or overall safety. It often means that further research is needed, especially when exposures are widespread or the cancer data are consistent with differing interpretations.

Group 4: The agent is *probably not carcinogenic to humans.*

This category is used for agents for which there is *evidence suggesting lack of carcinogenicity* in humans and in experimental animals. In some instances, agents for which there is *inadequate evidence of carcinogenicity* in humans but *evidence suggesting lack of carcinogenicity* in experimental animals, consistently and strongly supported by a broad range of mechanistic and other relevant data, may be classified in this group."

The IARC hazard evaluation system provides a detailed and generally accepted scheme to classify the strength of evidence as to the possible human carcinogenicity of chemicals and other agents. This includes careful consideration of mechanistic data and other supporting evidence, the evaluation of which is also important to inform selection of models or defaults used in dose response assessment, as is described below. The extended consideration of supporting evidence is in fact the primary difference between more recent versions of the guidance from IARC, and also by other organizations including U.S. EPA, and the original versions of that guidance. In fact, the basic criteria for hazard identification based on bioassay and epidemiological data have not changed substantially in other respects from earlier guidance documents, including that originally published by California (DHS, 1985). Although as noted earlier the California Air Toxics programs do not categorize identified carcinogens, it has generally been the practice to regard any agent with an IARC overall classification in Group 1 or Group 2 as a known or potential human carcinogen. This implies the selection of various policy-based default options, including absence of a threshold in the dose-response curve, unless specific data are available to indicate otherwise. The same basic identification criteria are used by OEHHA scientific staff to determine the appropriate treatment of agents not evaluated by IARC, or for which newer data or revised interpretations suggest that an earlier IARC determination is no longer appropriate.

U.S. EPA has also proposed a scheme for carcinogen hazard identification and strength of evidence classification in their recently finalized Guidelines for Carcinogen Risk Assessment (U.S. EPA, 2005). These principally differ from the IARC guidance in recommending a more extensive narrative description rather than simply a numerical identifier for the identified level of evidence, and also to some degree in the weight accorded to various types of supporting evidence. However, for most purposes they may be regarded as broadly equivalent to the scheme used by IARC, and OEHHA has chosen to cite the IARC (2006) *Preamble* as representing the most up-to-date and generally accepted guidance on this issue.

Dose Response Assessment

The dose-response phase of a cancer risk assessment aims to characterize the relationship between an applied dose of a carcinogen and the risk of tumor appearance in a human. This is usually expressed as a cancer slope factor [“potency” – in units of reciprocal dose - usually $(\text{mg/kg-body weight.day})^{-1}$ or “unit risk” – reciprocal air concentration – usually $(\mu g/m^3)^{-1}$] for the lifetime tumor risk associated with lifetime continuous exposure to the carcinogen at low doses. Cancer potency factors may also be referred to as “cancer slope factors”. (As will be described later, additional algorithms may need to be applied to determine risk for specific age groups, or at higher doses where toxicokinetic factors have significant effect.) The basic methodologies recommended in this document are similar to those described by U.S. EPA (2005a) in their Carcinogen Risk Assessment Guidelines. This document therefore refers to U.S. EPA (2005a) for explanation of detailed procedures, and will provide only a brief summary except in cases where OEHHA recommendations are different from or more explicit than those of U.S. EPA.

The following descriptions of methods for dose response assessment, and considerations in their application, apply in principle to the analysis of both animal and human (epidemiological) cancer incidence data. Indeed, the original formulation of the multistage model (Armitage and Doll, 1954) described below was developed based on human cancer incidence. Nevertheless, the

number and quality of human cancer incidence datasets is limited. The more complex analyses have usually only been possible for animal experimental data, where the interindividual variability and the exposure conditions can be both measured and controlled. Most commonly, epidemiological studies have necessarily used a form of multivariate analysis to separate the effects of several different variables relating to exposure, demographics and behaviors (e.g. smoking). In these analyses it is usually assumed that the effect measure(s) vary linearly with the exposure: any more complex variance assumptions might exceed the power of the data to determine the required model parameters. However, there are exceptions, especially for occupational studies where the critical exposure is measured as a continuous variable (rather than just categorical) and where the effect of this exposure is substantial relative to other confounding factors. For example, OEHHA (1998) used a multistage model dealing with both exposure intensity and duration in the analysis of cancer incidence in railroad workers exposure to diesel exhaust (Garshick et al., 1988)

Interspecies Extrapolation

The procedures used to extrapolate low-dose human cancer risk from epidemiological or animal carcinogenicity data are generally health-protective in that they determine an upper confidence bound on the risk experienced by an exposed population. As statistical estimates they cannot be regarded as definite predictions of the risk faced by any one specific individual, who might for a variety of reasons, including individual exposure and susceptibility, experience a risk different from the estimate. The risk assessment procedures used aim to include the majority of variability in the general human population within the confidence bound of the estimate, although the possibility that some individuals might experience either lower or even no risk, or a considerably higher risk, cannot be excluded. Additionally, differences may exist between the characteristics of the general public and those of studied populations. For example, healthy workers, the subject of most epidemiological studies, are often found to have lower rates of morbidity and mortality than the general population (Wen et al., 1983; Monson, 1986; Rothman and Greenland, 1998). Most human data are derived from studies of largely male adult workers and risk estimates cannot take into account specific physiological factors of women, children, and older populations that may affect the potency of a carcinogen, including early age-at-exposure.

Dose-response assessment based on environmental epidemiological studies may involve evaluation of health impacts at exposure levels within the range of those measured in the study population. However, more usually the source data are studies of occupationally exposed humans or of animals, in which case the exposures in the study are likely to be much higher than those of concern for risk assessments relating to community or ambient exposures. Further, even when extrapolation from animal species to humans is not required, the general population to which the URF is applied may differ in characteristics relative to the occupational population studied. It is therefore necessary to extrapolate from the available data to the population and exposure range of concern, which is done by using a dose-response model derived from the source data. The models used fall into three main classes; mechanistically based models, empirical models and (where data are lacking to support a true data-based model) default assumptions. The factors affecting the dose-response relationships for carcinogenesis may also be divided into those relating to absorption, distribution, metabolism and excretion on the one hand (*i.e.* toxicokinetics), and those relating to the underlying dose-response characteristics of carcinogenesis at the tissue or cellular level (*i.e.* toxicodynamics). In this sense the problem of

dose response assessment for carcinogens is similar to that for non-cancer toxic effects. The toxicokinetic models used may in fact be similar for both situations, but the toxicodynamic models are generally different.

Intraspecies Extrapolation and Inter-individual Variability

In estimating the impact of a particular level of exposure to a carcinogen on a target human population, it is necessary to consider the range of susceptibility in the target population. In the present case this is typically defined as the general population of the State of California, including of course women (some of whom are pregnant), infants and children, the elderly, the sick, and those with genetic polymorphisms or acquired differences which affect their susceptibility to carcinogens. In general it has been assumed that the upper-bound risk estimates obtained from the standard toxicodynamic models described below are sufficiently health-protective to cover the intrinsic variability of the adult human target population, in spite of the fact that these models do not explicitly address this type of variability, except in the few cases where an estimate is based on epidemiological data from a large and unselected study group (U.S. EPA, 2005a). However, various analyses (Drew et al., 1983; Barton et al., 2005; Appendix J) have suggested that this assumption is inadequate to cover the expected variability within a human population that includes infants and children. Accordingly both U.S. EPA (2005b) and this document ~~(page 30 *et seq.*)~~ now offer guidance on the use of age-specific adjustment factors to allow for the potentially greater sensitivity of infants and children to chemical carcinogenesis.

The ability to accommodate human variability with regard to the toxicokinetic factors affecting susceptibility to carcinogens varies with the level of detail used in the particular assessment. If the generic interspecies extrapolation approach based on body weight is used without any explicit toxicokinetic model then the assumption is made, as in the case of toxicodynamic variability, that the overall health-protective assumptions made are sufficient to cover the toxicokinetic variability. On the other hand if explicit models such as those referenced in the following paragraph are used, this variability may be more explicitly accommodated by using parameter values which are taken as point estimates from measured distributions of population values, or by using Monte Carlo techniques to include those distributions in the model (Bois et al., 1996; OEHHA, 1992; 2001b).

Toxicokinetic Models

Considerable literature exists showing the importance of understanding the toxicokinetics of carcinogens in understanding their mechanism of action, sites of impact and dose-response relationships. U.S. EPA (2005) in Section 3.1 refers to the importance of identifying an appropriate dose metric for the dose-response analysis. Early cancer risk assessments typically used applied dose as the dose metric, which is adequate in simple cases provided appropriate correction factors are applied for interspecies extrapolation. However, it is often observed that the uptake, metabolism and elimination of the carcinogenic substance (and/or a procarcinogen and metabolites) is non-linear, especially at the higher doses employed in experimental animal studies (Hoel *et al.*, 1983, Gaylor *et al.*, 1994). Extrapolation to lower doses where such relationships tend to linearity (Hattis, 1990) is aided by the use of toxicokinetic models. These may be relatively simple compartment models, or sophisticated "physiologically based pharmacokinetic (PBPK) models" which to a greater or lesser degree model the actual

biochemical and physiological events of toxicokinetic importance. Applications of both types of model may be found in various risk assessment documents prepared for the Toxic Air Contaminants program (and other OEHHA risk assessments). Since the details vary widely according to the nature of the chemical and the availability of appropriate kinetic data these general guidelines will defer to those examples rather than attempt a fuller exposition here. Further analysis of the use of toxicokinetic modeling in extrapolation from animals to humans, and in accounting for interindividual variability among adult humans, infants and children is presented in the Air Toxics Hot Spots *Technical Support Document for the Derivation of Noncancer Reference Exposure Levels* (OEHHA, ~~2007: Public Review Draft~~2008). Although this refers to the use of toxicokinetic modeling in non-cancer risk assessment, the primary considerations are similar for cancer risk assessment.

Toxicodynamic Models

An early use of mechanistic analysis to support risk assessment was the development of the Armitage-Doll multistage model of dose-response for carcinogenesis. The multistage model was initially developed on theoretical grounds, and by examination of epidemiological and animal data on time to tumor incidence. Subsequent discovery of the molecular biology of proto-oncogenes has provided a basis for explaining the model in terms of actual biological events and systems (Barrett and Wiseman, 1987). This model was developed by Crump and others into the "linearized multistage model", which has been extensively used for carcinogen risk assessment. It leads to a number of partially verifiable predictions, including linearity of the dose-response relationship at low doses, which is observed for many genotoxic carcinogens. It also predicts the form of the dose-response relationship at higher doses, which generally follow a polynomial form (subject to sampling and background corrections) except where other identifiable factors such as pharmacokinetics intervene.

It has been argued that the simple linearized form of the multistage model has limitations as a description of carcinogenic mechanisms, which detract from its usefulness and generality. Cell proliferation is known to be important in the progression of cancer. It may actually be the primary mechanism of action for a few carcinogens, as opposed to the direct modification of DNA by the carcinogen or a metabolite which is assumed to cause the mutational event at each stage in the original multistage description. A cell proliferation model has been developed (Moolgavkar and Knudson, 1981), which retains the concept of an initiating mutational event (in most cases caused by interaction of the chemical with DNA, although it could also be a spontaneous mutation) as in the original multistage model, but also considers proliferation, death or terminal differentiation of both normal and initiated cells. This model is thought to better describe the biological events in carcinogenesis. However, it has not been used extensively in risk assessment because it requires many parameters that are difficult to define and measure (such as proliferation and death rates for various classes of cell). If these cannot be accurately determined, the model has too many free parameters and is not helpful in defining extrapolated values for risk assessment purposes. This highlights a general problem in using mechanistic models in carcinogen risk assessment, which is that the carcinogenesis data themselves are generally insufficient to define fully the dose response curve shape at low doses or provide much mechanistic information. The analysis is therefore supplemented with policy-based assumptions (such as the expectation of linearity at low doses) and, wherever possible, additional

experimental measurements relating to the mechanism of action, in order to make meaningful prediction of risk from environmental exposures to humans.

Because of the difficulties in validating simplified mechanistic models such as the basic multistage model, and the additional difficulty of parameter estimation with more complex mechanistic models, the new U.S. EPA guidelines (U.S. EPA, 2005a) and some recent California risk assessments have chosen instead to use a less overtly mechanistic approach. This approach combines benchmark dose methodology (described below) with an explicit choice of the method for low-dose extrapolation, either assuming low-dose linearity or, for certain carcinogens where data indicate that this is appropriate, a "margin of exposure" or safety/uncertainty factor based approach. This benchmark method is now normally recommended for carcinogen dose response analysis, and the results generally differ little from those derived by the linearized multistage model. Although the linearized multistage method is no longer recommended as the default approach for cancer potency estimation it remains a plausible alternative in many cases, and still has useful applications, such as for time-to-tumor analyses for which benchmark methods are not yet widely available. Additionally, a considerable number of existing cancer potencies in Appendices A and B, and used in the Air Toxics Hot Spots program were derived by this method. Many of these would not be significantly different if calculated by the benchmark approach, and are unlikely to be replaced soon by newly calculated values. The linearized multistage method will therefore also be briefly described here.

Benchmark dose methodologies

The use of benchmark dose methodology has been explored by various investigators [including Gaylor et al. (1998); van Landingham et al. (2001) and Crump (1984, 1995, 2002)] as a tool for dose response extrapolation. This has been recommended in regulatory guidelines for both carcinogenic (U.S. EPA, 2005a) and non-carcinogenic (U.S. EPA, 1995) endpoints. The basic approach is to fit an arbitrary function to the observed incidence data, and to select a "point of departure" (POD) (benchmark dose) *within the range of the observed data.* From this a low dose risk estimate or assumed safe level may be obtained by extrapolation, using an assumed function (usually linear) or by application of uncertainty factors. The critical issue here is that no assumptions are made about the nature of the underlying process in fitting the data. The assumptions about the shape of the dose response curve (linear, threshold, etc.) are explicitly confined to the second step of the estimation process, and are chosen on the basis of policy, mechanistic evidence or other supporting considerations. The benchmark chosen is a point at the low end of the observable dose-response curve. Usually a dose at which the incidence of the tumor is 10% is chosen for animal studies, although lower effect levels may be appropriate for large epidemiological data sets. Because real experimental data include variability in the response of individual subjects, and measurement errors, likelihood methodology is applied in fitting the data. A lower confidence bound (usually 95%) of the effective dose (LED_{10}), rather than its maximum likelihood estimate (MLE), is used as the point of departure. This properly reflects the uncertainty in the estimate, taking a cautious interpretation of highly variable or error-prone data. It also reflects the instability of MLE values from complex curve-fitting routines, which has been recognized as a problem also with the linearized multistage model.

For cancer dose-response estimation using the benchmark dose method, either animal bioassay data or epidemiological data provide a suitable basis. In the absence of a pharmacokinetic model

(which could provide tissue-specific dose metrics), the potency would ordinarily be based on the time-weighted average exposure during the exposure or dosing period. The model used to fit the data can be chosen from a range of available alternative quantal models, depending on which provides the best fit to the data in the observable range. In practice, the multistage polynomial fit developed for the linearized multistage model works well for most tumor data sets. Here it is being used merely as a mathematical curve-fitting tool, where the model well fits the data set, without making assumptions about its validity as a biological model of carcinogenesis.

Suitable polynomial fits and estimates of the benchmark may be obtained using U.S. EPA's BMDS software. The benchmark often used is the 95% lower confidence bound on the dose producing 10% tumor incidence. However, if data are available which include a significant dose-response at less than 10% tumor incidence, then that lower benchmark should be used (e.g. LED_{05} or LED_{01}). Other software such as Tox_Risk, which was used for the linearized multistage model, has been used successfully, although the earlier GLOBAL program and its relatives are less suitable as curve-fitting tools for benchmark dose analysis.

Since it is usually assumed in cancer risk estimation that the low-dose response relationship is linear, risk estimates and a potency value (slope factor) may be obtained by linear extrapolation from an appropriate benchmark dose. The potency is the slope of that line ($0.1/LED_{10}$). The low dose linearity assumption is a general default for any carcinogen, and it is unlikely to be altered for genotoxic carcinogens.

A calculation using the benchmark dose approach (using a polynomial model with exponents restricted to zero or positive values), and linear extrapolation from the LED_{10} to obtain a potency estimate is shown in Figure 1 (the figure was generated by the U.S. EPA's BMDS program). This is based on tumor incidence data from an actual experiment with vinyl bromide in rats (Benya *et al.*, 1982), with metabolized dose calculated by means of a pharmacokinetic model (Salmon *et al.,* 1992). The value of q_1* obtained by this calculation would then be corrected for the duration of the experiment if it had lasted for less than the standard rat lifetime, and for bodyweight and route-specific pharmacokinetic factors as described below. This is in addition to the correction for exposure duration that would be necessary if the study had not lasted for 105 weeks, and the interspecies correction, both of which are described below.

Figure 1. Benchmark dose calculation for tumor data in rats exposed to vinyl bromide

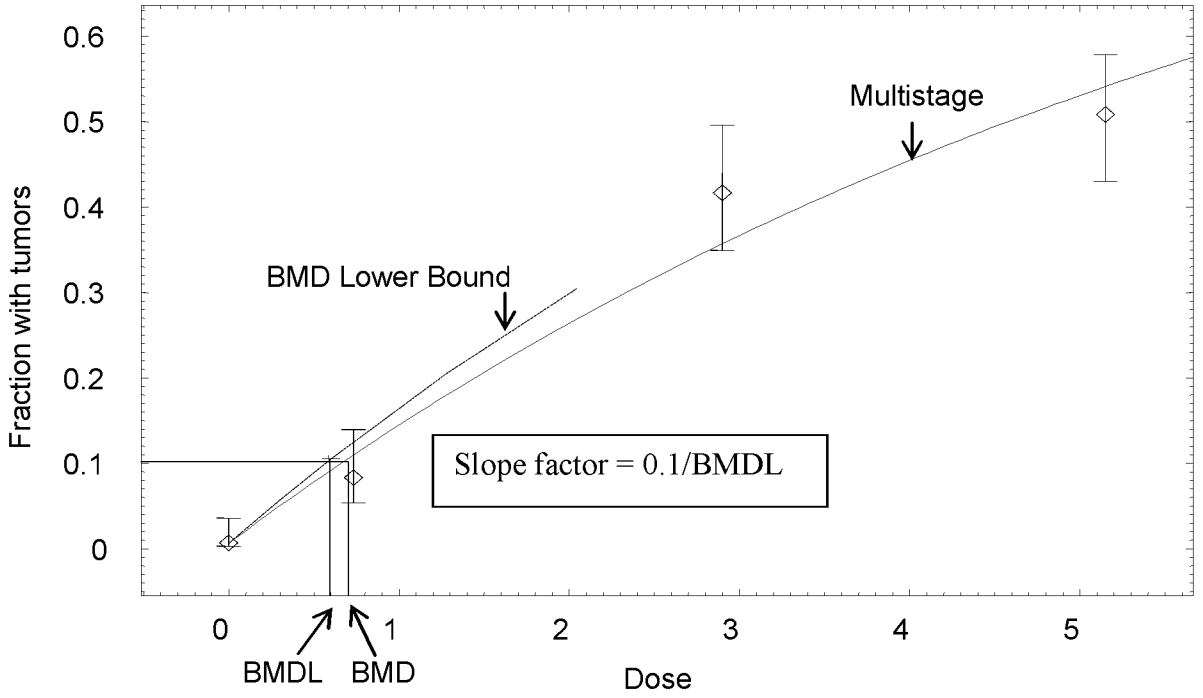

From Salmon *et al.* (1992), based on data from Benya *et al.* (1982)

Linearized Multistage Model

Quantal analyses

A "multistage" polynomial (U.S. EPA, 1986, 2005a; Anderson *et al.*, 1983), based on the mechanistic insights of the original Armitage and Doll model of cancer induction and progression, has been used extensively by U.S. EPA, OEHHA and other risk assessors to model the dose response for lifetime risk of cancer. It usually is used for analysis of animal bioassay data, although related approaches have occasionally been used with epidemiological data. In mathematical terms, the probability of dying with a tumor (P) induced by an average daily dose (d) is:

$$P(d) = 1 - \exp[-(q_0 + q_1 d + q_2 d^2 + \ldots + q_j d^j)]$$

with constraints

$$q_i \geq 0 \text{ for all i.}$$

Equivalently, $A(d) = 1 - \exp[-(q_1 d + q_2 d^2 + \cdots + q_k d^k)]$,

where $A(d) = \dfrac{P(d) - P(0)}{1 - P(0)}$ is the extra risk over background at dose d.

The q_i model parameters are constants that can be estimated by fitting the polynomial to the data from the bioassay, *i.e.* the number of tumor bearing animals (as a fraction of the total at risk) at each dose level, including the controls. The fit is optimized using likelihood methodology, assuming that the deviations from expected values follow a χ^2 distribution, with the number of degrees of freedom (and hence the maximum number of terms allowed in the polynomial) determined by the number of points in the data set. All the coefficients of the terms are constrained to be zero or positive, so the curve is required to be straight or upward curving, with no maxima, minima or other points of inflection. In addition to the maximum likelihood estimates of the parameters, the upper 95% confidence ~~bounds~~ limits on these parameters are calculated.

The parameter q_0 represents the background lifetime incidence of the tumor. The 95% upper confidence limit of the slope factor q_1~~, or more usually its upper bound~~ (q_1^*), is termed the cancer potency. The maximum likelihood estimate (MLE) of q_1 is not usually regarded as a reliable estimate for several reasons. First, it fails to reflect the uncertainty and variability in the data which affect the value of the estimate. This is an important issue for protection of public health, which is emphasized by current regulatory guidelines. Secondly, due to the variable order of the polynomial and the effect of some terms being zero as opposed to having a small but finite value, the MLE is unstable, and may show large and unpredictable changes in response to very slight changes in the input data. It may also erratically have a zero value, even when the data imply a significant positive dose-response relationship. The MLE is not a measure of central tendency for this estimate distribution (which is always asymmetrical and often multi-peaked). For small doses, the cancer potency is the ratio of excess lifetime cancer risk to the average daily dose received. Details of the estimation procedure are given in Crump (1981) and Crump, Guess, and Deal (1977). Several software programs are available to perform the necessary calculations, including U.S. EPA's BMDS, Tox_Risk and the earlier GLOBAL programs by Crump and colleagues, and Mstage, written by Crouch (1987).

When dose is expressed in units of mg/kg-d, the potency is given in units of $(\text{mg/kg-d})^{-1}$. Likewise, when the model input is in units of concentration ($\mu g/m^3$, ppb), the potency is given in units of $\mu g/m^3)^{-1}$ pr $(\text{ppb})^{-1}$. As in the case of potencies obtained by the benchmark approach, the experiment-based potency value needs to be corrected for less-than lifetime or intermittent exposure, and extrapolated from the test species to humans. Risk calculations using potency value estimated using the linearized multistage model predict the cancer risk at low doses only, with the higher order terms of the fitted polynomial being ignored since their contribution is negligible at low doses.

Selection of Site and Tumor Type

In developing cancer potency estimates from animal data, standard practice has been to use dose-response data for the most sensitive tumor site as the basis of the estimate (CDHS, 1985). Where tumors of more than one histological type (e.g. adenomas and carcinomas) are observed at a single site, the combined incidence, i.e. proportion of animals affected with at least one tumor of

any of the relevant types, is used for dose-response assessment. The same rules for combining tumor types are generally applied in determining statistical significance for carcinogen identification (IARC, 2006). Tumor types considered to represent different stages of progression following initiation of a common original normal cell type are combined, whereas tumor types having different cellular origins are generally not combined by this procedure. Other considerations that may influence choice of site for dose response estimation include the quality of the data (especially, the statistical impact of a high or variable rate of a particular tumor type and site in control animals), and biological relevance to humans. However, it is an important principle that, just as for the hazard identification phase, concordance of site or tumor type between animal models and human health effects may occur but is not assumed or required.

Carcinogens inducing tumors at multiple sites

For most carcinogens, the selection of the most sensitive site in the animal studies is recognized as providing a risk estimate which is appropriate to protect human health. However, for chemicals that induce tumors at multiple sites, the single-site approach may underestimate the true carcinogenic potential. For example, the overall assessment of cancer risk from cigarette smoking (U.S. DHHS, 1982) or ionizing radiation (NRC, 1990) is not based on risk at one site, such as lung cancer. Instead, total cancer risk is estimated from all the sites at which agent-induced tumors are observed (lung, bladder, leukemia, etc), combined.

For carcinogens that induce tumors at multiple sites and/or with different cell types in a particular species and sex, OEHHA derives the animal cancer potency by probabilistically summing the potencies from the different sites and/or cell types. Using the combined potency distribution takes into account the multisite tumorigenicity and provides a basis for estimating the cumulative risk of all treatment-related tumors.

The linear term (q_1) of either the multistage model or the multistage-in-dose, Weibull-in-time model is first estimated based on the dose-response data for each of the treatment-related tumor sites. Statistical distributions, rather than point estimates, are generated at each site by tracing the profile likelihood of the linear term (q_1) (Zeise et al., 1991). The distributions of q_1 for each of the treatment-related sites are then statistically summed using a Monte Carlo approach and assuming independence (Figure 2). The sum is created by adding the linear term for each tumor site, according to its distribution, through random sampling. The upper 95 percent confidence limit on the summed distribution is taken as the multisite animal cancer potency estimate (McDonald et al., 2003, McDonald and Komulainen, 2005).

OEHHA has applied this approach in several recent dose-response analyses, including that for naphthalene presented in Appendix B of this document.

Figure 2. Addition of potency distributions for multi-site cancer potency derivations.

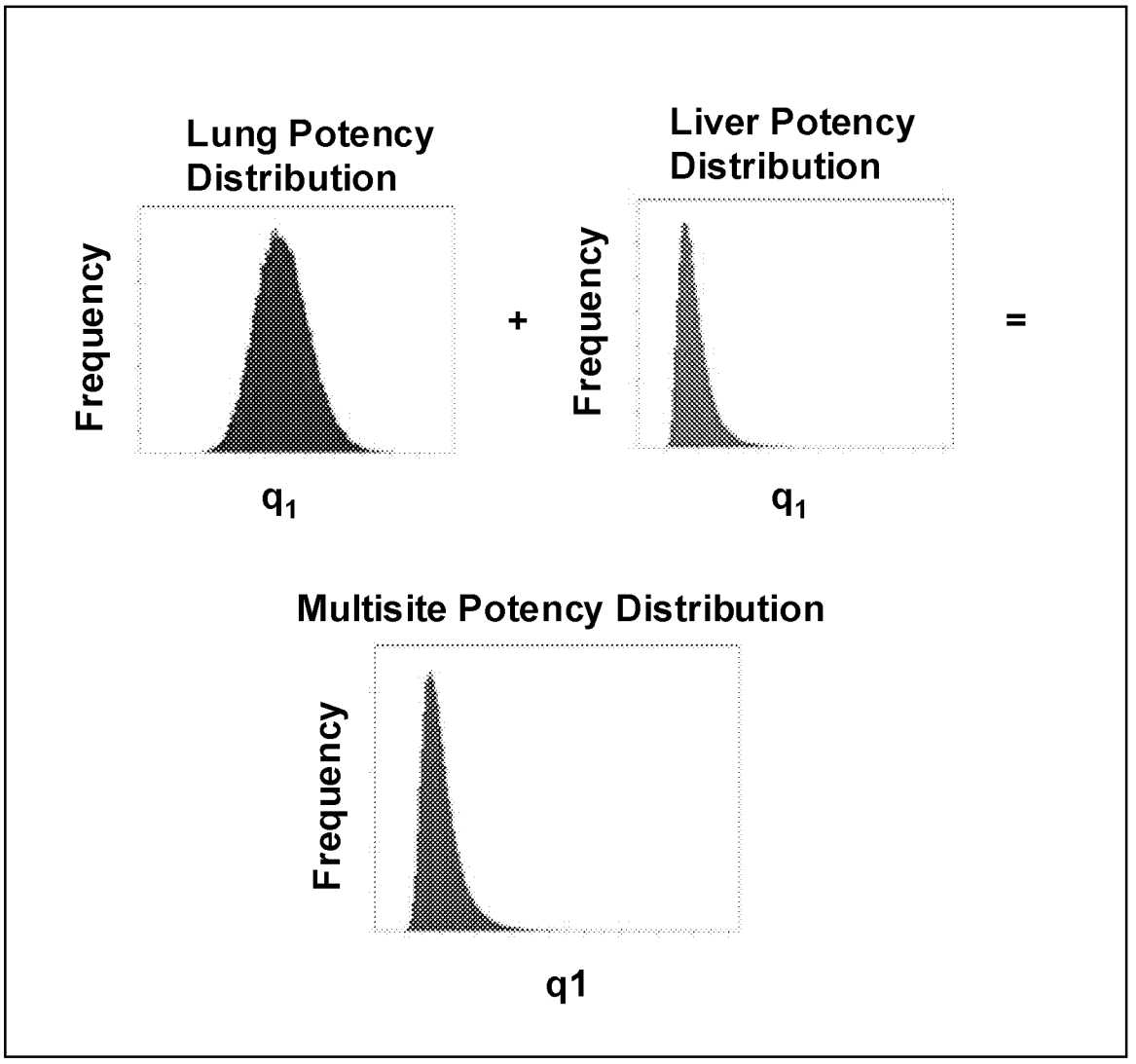

Early-Lifestage Cancer Potency Adjustments

In recent years, there have been growing concerns regarding the exposure of children to environmental chemicals, including the possibility that they may be more susceptible than adults to injury caused by those chemicals. The California Legislature passed the Children's Environmental Health Protection Act (Senate Bill 25, Escutia; Chapter 731, Statutes of 1999; "SB 25") to help address these concerns. Under SB25, OEHHA is mandated to consider infants and children specifically, where data permit, in evaluating the health effects of Toxic Air Contaminants (TACs).

The development of cancer is one of the adverse health effects that may occur in children as a result of exposure to environmental chemicals. The document "Prioritization of Toxic Air Contaminants under the Children's Environmental Health Protection Act" (OEHHA, 2001a) noted that risks of cancer from exposures to carcinogens occurring from conception through puberty can be different than those from exposures occurring in adulthood. Exposure to a carcinogen early in life may result in a greater lifetime risk of cancer for several reasons:

1. Cancer is a multistage process and the occurrence of the first stages in childhood increases the chance that the entire process will be completed, and a cancer produced, within an individual's lifetime.
2. Tissues undergoing rapid growth and development may be especially vulnerable to carcinogenic agents. During periods of increased cell proliferation there is rapid turnover of DNA, and more opportunity for misrepair of damage (e.g., DNA breaks, crosslinks, adducts) or alterations to result in permanent changes to the DNA (e.g., mutations, altered DNA methylation) that may ultimately lead to cancer.
3. During early development, a greater proportion of the body's cells are relatively undifferentiated stem cells, and as such represent a large target population of somatic cells capable of passing along permanent changes to the DNA during future cell divisions.
4. There may be greater sensitivity to hormonal carcinogens early in life since the development of many organ systems is under hormonal control (e.g., male and female reproductive systems, thyroid control of CNS development).
5. Other factors that may play a role in increased cancer risk from exposures during critical developmental periods include differences in immunological activity, intestinal absorption, biliary and kidney excretion, blood and fat distribution, and expression of enzyme systems that activate or detoxify carcinogens.

Data in humans and animals for a variety of carcinogens suggest that exposures to such carcinogens early in life may result in a greater lifetime risk of cancer compared to exposures later in life. Examples of this effect in humans are carcinogenicity due to ionizing radiation, diethylstilbestrol (DES), chemotherapeutic agents, and tobacco smoke.
Ionizing radiation exposure carries an increased risk of cancer when exposures occur early in life compared to adult exposures for a number of tumor types. Children exposed to ionizing radiation (diagnostic X-rays) *in utero* demonstrate a larger excess of leukemia cases than

children exposed to ionizing radiation postnatally (NRC, 1990). Exposure to radioisotopes (^{131}I, ^{137}Cs, ^{134}Cs, ^{90}Sr) as a consequence of the 1986 Chernobyl nuclear accident resulted in an elevated thyroid cancer incidence in children but not adults (Moysich, 2002). Treatment of children for Hodgkins lymphoma with both chemotherapeutic agents and irradiation has been shown to increase the risk of secondary tumors (Swerdlow et al., 2000; Franklin et al., 2006). Age at irradiation in Hodgkin's disease patients treated with radiotherapy strongly influenced the risk of developing breast cancer. The relative risk (RR) of developing breast cancer was 136 for women treated before 15 years of age, 19 for women 15-24 years of age, and 7 for those 24-29 years of age. In women above 30 years of age, the risk was not increased (Hancock *et al.*, 1993).

DES was administered to pregnant women in the 1940s-1960s for the purpose of preventing pregnancy loss. In 1970, Herbst and Scully described 7 cases of vaginal adenocarcinoma (6 cases of the clear-cell type) in women aged 15-22 years. This type of cancer is extremely rare in that age range. A follow-up epidemiological study included an additional case, and noted the fact that the mothers of 7 of the 8 patients had been treated with DES during their pregnancy (Herbst *et al.*, 1971). Reports by other investigators confirmed the association between maternal use of DES during pregnancy and the development of vaginal adenocarcinoma in their female offspring (Preston-Martin, 1989). It was observed that *in utero* DES exposure resulted in female genital tract morphological changes which correlated with both dose and duration of exposure, and those changes were not related to the maternal conditions which were the reason for the DES administration. Additionally, the risk of occurrence of those morphological changes declined with increasing gestational age at first exposure (O'Brien *et al.*, 1979; Preston-Martin, 1989). In contrast, vaginal adenocarcinoma incidence did not increase in the exposed mothers themselves, indicating an increased early-life susceptibility to the carcinogenic effects of DES.

There is evidence in the epidemiological literature indicating that exposure to tobacco smoke during puberty may increase risk of breast cancer later in life, particularly among women who are NAT2 slow deacetylators (Marcus *et al.*, 2000; Morabia *et al.*, 2000; Lash and Aschengrau, 1999). Wiencke et al. (1999) report that early age at initiation of smoking is associated with a higher level of DNA adducts in lung tissue of former-smokers with lung cancer.

It has also been observed by Smith *et al.* (2006) that human *in utero* or early childhood exposure to arsenic in drinking water results in significantly increased lung cancer incidences during adult life.

Data from animal studies provide additional examples of increased sensitivity to early life (typically postnatal and juvenile) exposures. These effects span a range of target tissues, including the liver (vinyl chloride, safrole), brain (methylnitrosourea), reproductive tract (DES, tamoxifen), and lung (urethane) (OEHHA, 2001a).

In the following sections we summarize two efforts to evaluate quantitatively the effect of lifestage at exposure on carcinogenic response in experimental animal studies. The first section provides a description of OEHHA's analysis of data on the effect of age at exposure on carcinogenic potency. (Details of this analysis are in Appendix J.) The second section describes U.S. EPA's work in this area. (We also provide the published paper in Appendix I that presents the U.S. EPA analyses.) Both analyses used extant data available in the published literature. U.S. EPA used their analysis to modify the procedures they have used to estimate cancer risk by

weighting risk by specific factors for childhood exposures. The weighting factors are a policy choice supported by U.S. EPA's data analysis. The results of OEHHA's analysis, summarized below and described in detail in Appendix J, support the decision to modify policy to weight risk when exposure occurs during childhood. Thus, OEHHA is also proposing to weight risk when exposure occurs in childhood.

OEHHA Analysis of the Effect of Age at Exposure on Cancer Potency

The analysis of animal cancer studies which include early life exposure by the Reproductive and Cancer Hazard Assessment Branch (RCHAB) of OEHHA also supports the application of lifestage-specific cancer potency factor adjustments. This analysis is provided in detail as Appendix J of this document.

Early-in-life susceptibility to carcinogens has long been recognized by the scientific community and clinicians as a public health concern. Numerous scientific publications and symposia have addressed this issue over the years and the scientific literature contains a number of human clinical findings and epidemiological studies of early life cancer susceptibility. While there are many indications of increased human cancer susceptibility in early life, the magnitude of the impact has been difficult to gauge. Until recently risk assessment procedures have not in general addressed the issue. As described in the next section, in 2005 the U.S. EPA adopted an approach to weight carcinogens by age at exposure if they act via a mutagenic mode of action. The California legislature in 2000 directed OEHHA to assess methodologies used in addressing early-in-life risk, compile animal data to evaluate those methods, and develop methods to adequately address carcinogenic exposures to the fetus, infants, and children (Children's Environmental Health Initiative [AB 2872, Shelly]; California Health and Safety Code [HSC] section 901 [a] through [e]).

OEHHA assessed cancer risk assessment methodologies, and found that the existing risk assessment approaches did not adequately address the possibility that risk from early-in-life and adult exposures may differ. OEHHA further concluded that there was a need to address early-in-life cancer risk, and undertook studies to develop methods for doing so. Age-related cancer susceptibility data were identified from published animal cancer bioassays in which these issues were addressed. Two types of studies with early-in-life exposures were compiled. The first type are "multi-lifestage exposure studies." These studies have at least two groups exposed during different lifestages: One dose group is exposed to a chemical only during one of the following lifestages (Figure 3):

- prenatal (from conception to birth),
- postnatal (from birth to weaning),
- juvenile (from weaning to sexual maturity).

The second dose group is exposed for some period of time at an older age, preferably during the adult lifestage, that is, after sexual maturity. This group served as the reference group. In some cases where there was no adult exposure group, animals exposed as juveniles served as the reference group. Multi-lifestage exposure studies are available for many chemicals, enabling the exploration of patterns in early-life susceptibility across chemicals.

Figure 3. Definition of Rodent Lifestage Adopted in the OEHHA Analyses

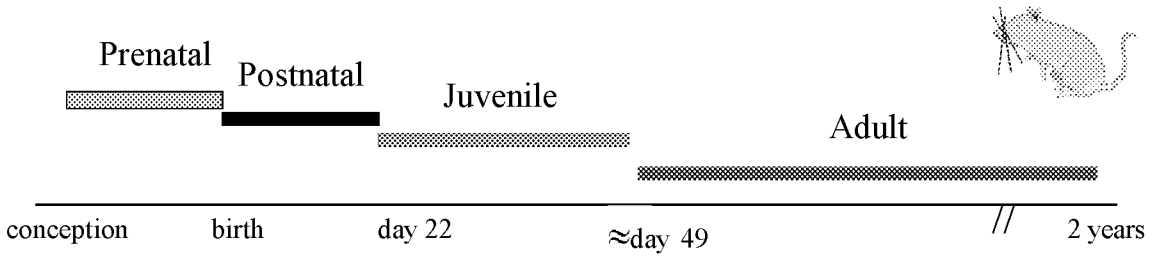

OEHHA also conducted "chemical-specific case studies" of early-life sensitivity for two carcinogens, ethyl-N-nitrosoamine (DEN) and N-ethyl-N-nitrosourea (ENU) that combine data from a number of studies. These "chemical-specific case studies" were conducted to explore the feasibility of analyzing chemical-specific data on age susceptibility from single-lifestage exposure experiments. For these chemicals, OEHHA compiled from the literature a second type of study, "single-lifestage exposure experiments." In these experiments dose groups were exposed only during a particular lifestage and, unlike the "multi-lifestage exposure studies," there was no requirement that the same study also include groups exposed during a different lifestage. Thus, single-lifestage exposure experiments were identified as being either prenatal, postnatal, juvenile, or adult exposure studies. For each of the two chemicals, there were many prenatal studies conducted that were compiled, analyzed, and grouped together. Postnatal studies from different publications were similarly compiled, analyzed and grouped together, as were juvenile studies. Adult studies were not available for either DEN or ENU, thus for both chemicals juvenile exposure studies served as the referent for prenatal studies, and for postnatal studies.

Typical cancer bioassays such as those conducted in rats and mice by NTP involve exposing animals starting at six to eight weeks of age, which is the time at which these animals reach sexual maturity (late teenagers relative to humans). The experiments are run for two years, ending when the animal is in late middle age. Thus, early and very late life exposures are not included in the typical rodent bioassay (see Figure 4). If the NTP bioassay is used as a basis for estimating cancer potency, the potency and resulting risk estimates may be too low. Thus OEHHA focused on finding studies that evaluated early in life exposures.

Figure 4. Dosing Period for Typical Rodent Bioassays.

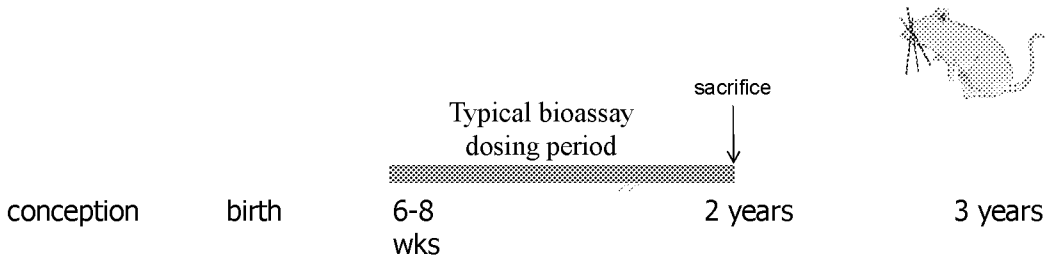

Since bioassays examining the effect of age at exposure on carcinogenesis were conducted by various investigators for different purposes, there is a great deal of variation across studies in terms of dose selection, duration of exposure, number of animals, and length of study duration. To be included in the compilation of studies with early life exposure, a study or an experimental group in a study had to meet minimum requirements.

The criteria for study inclusion are as follows:

- Treated groups were exposed to a single chemical carcinogen or a single carcinogenic chemical mixture.
- Study groups were not compromised by severe treatment-related non-cancer toxicity.
- Overall the duration of exposure period plus observation period exceeded 40 weeks, unless animals died of tumor.
- For included dose groups, the study must report age at dosing, age at sacrifice, and site-specific tumor incidence.
- Each lifestage exposure treatment group has an appropriate concurrent control group, or, for rare tumors only, an appropriate historical control.
- The studies were on mammals.
- Each treatment and control group consists of at least ten animals, unless the conduct and design of the study was well done in all other aspects (e.g., the length of the study was sufficiently long to observe treatment-related tumors) and tumor incidence was high in treated groups and very low in controls.
- Site specific tumor data were reported, not only total number of tumor bearing animals.
- The test compound was administered in the diet, water, via gavage, or by intraperitoneal (i.p.), intravenous (i.v.), or subcutaneous (s.c.) injection. For dermal and subcutaneous injection studies, distal tumor findings are utilized (for dermal, other than skin tumors; for injection, non-injection site tumors).

- While studies designed to histopathologically examine tumors at multiple sites were preferred, studies that examined only a select set of organ/tissue sites were not excluded if the sites examined were known with confidence to be the only target tissues for the chemical and lifestage in question in that particular strain of animal.

Different approaches were taken to identify animal cancer studies that included groups of animals exposed during early life stages. First, MEDLINE and TOXLINE (National Library of Medicine) databases were searched using combinations of various key words for cancer (e.g., tumor(s), neoplasm(s), cancer, neoplasia, cancerous, neoplasms-chemically induced) and for early-life exposure (e.g., age, age-at-exposure, development (al), prenatal, *in utero*, gestation (al), postnatal, neonatal, juvenile, weaning, weanling, adolescent, adolescence, young). Second, the extensive compilation of bioassays in the *Survey of Compounds which have been Tested for Carcinogenic Activity*, was reviewed. This survey, formerly maintained by the National Cancer Institute as Public Health Service Publication Number 149, or PHS 149, is now available from a private source electronically as CancerChem, 2000. Third, from bibliographies from relevant published papers additional studies were identified. Finally the Single Dose Database developed by Calabrese and Blain (1999) was obtained and utilized to identify additional publications that appeared to contain potentially useful data. All of these publications were evaluated to determine if the study dosed separate groups of animals early in life and at or near adulthood. A total of 145 publications, providing data on 84 chemicals, were identified as meeting the criteria for study inclusion. A subset of these met the criteria for inclusion in the multi-lifestage exposure analysis.

Finally, for the OEHHA multi-lifestage analyses, we define "experiment" as a study component consisting of a control group as well as a treated group(s) exposed during the same lifestage (i.e., prenatal, postnatal, juvenile or adult), and using the same experimental protocol (e.g., route of exposure, strain, species, laboratory). Thus, by our definition one publication may report multiple experiments.

In the OEHHA analysis, data from studies on 23 unique carcinogens, 20 of which are considered to act via primarily genotoxic modes of action, were analyzed. Of these 20 carcinogens, 15 are thought to require metabolic activation to the ultimate carcinogenic species (Table 1~~Table 1Table 1~~). Fourteen carcinogens, including one thought to act via primarily nongenotoxic modes of action, were included in the prenatal multi-lifestage exposure studies. Eighteen carcinogens, including two thought to act via primarily nongenotoxic modes of action, were included in the postnatal multi-lifestage exposure studies. Five carcinogens were included in the juvenile multi-lifestage exposure studies. The case study chemicals, DEN and ENU, are both genotoxic. ENU is a direct acting alkylating agent, while DEN requires metabolic activation.

Table 1. Carcinogens for which studies with multi-lifestage exposures in animal studies are available

Genotoxic carcinogens requiring metabolic activation
Benzidine
Benzo[a]pyrene
Dibutylnitrosamine
Diethylnitrosamine (DEN)
7,12-Dimethylbenz[a]anthracene (DMBA)
Dimethylnitrosamine (DMN)
Di-n-propylnitrosamine (DPN)
1 -Ethyl-nitrosobiuret
2-Hydroxypropylnitrosamine
3-Hydroxyxanthine
3-Methylcholanthrene (3-MC)
4-(Methylnitrosamino)-1-(3-pyridyl)-1-butanone (NNK)
Safrole
Urethane
Vinyl chloride
Genotoxic carcinogens not requiring metabolic activation
Butylnitrosourea
1,2-Dimethylhydrazine
Ethylnitrosourea (ENU)
Methylnitrosourea (MNU)
ß-Propiolactone
Nongenotoxic carcinogens
1,1-Bis(p-chlorophenol)-2,2,2-trichloroethane (DDT)
Diethylstilbestrol (DES)
2,3,7,8-Tetrachlorodibenzodioxin (TCDD)

Cancer Potency Estimation

Statistical methods were developed and used to analyze the data and derive measures of early-life susceptibility. These are described in detail in Appendix J. In brief, a cancer potency (the slope of the dose response curve) was developed for each of the experiments selected using the linearized multistage model. This model was chosen because of widespread use in risk assessment, and its flexibility in being able to fit many different data sets needed to evaluate the effect of lifestage-at-exposure on cancer potency. The dose metric used for the potency analyses is cumulative dose normalized to body weight. The cancer potency is thus expressed as the increase in tumor probability with increasing cumulative dose in units of mg/kg body weight.

To take into account uncertainty in potency estimation, cancer potencies are depicted by a statistical distribution, rather than by a single, fixed value, using methods described in Appendix J. While these methods have typically been used to obtain and report the 95th percentile of the cancer slope parameter for cancer risk assessment purposes, here OEHHA utilized the full distribution of the cancer slope parameter to derive measures of early-life susceptibility to carcinogens. This was done to systematically take into account uncertainty in the analysis.

For experiments where treatment related tumors were observed at multiple sites or at the same site but arising from different cell types, slopes from these sites were statistically combined by summing across the potency distributions (assuming independence across the sites that were observed) to create an overall multisite cancer potency. It is not uncommon that a carcinogen causes more than one type of cancer or causes tumors at different sites depending on lifestage at exposure. For example, in humans tobacco smoke causes cancers of the lung, bladder, and certain other organs. This multi-site carcinogenicity is frequently observed in animal experiments as well. In order to account for this, all treatment-related tumors that were observed in a given lifestage were taken into account in estimating cancer potency from that particular experiment.

Addressing Early-Age Sensitivity in Estimating Cancer Risk: Age Sensitivity Factors

Inherent Sensitivity of Lifestages – Lifestage Potency Ratios

For this analysis, OEHHA calculates the ratio of cancer potency derived from an early lifestage exposure experiment(s) to that derived from an experiment(s) conducted in adult animals. OEHHA used the potency distributions for the individual lifestage exposures, rather than a point estimate, to derive the ratios. The lifestage cancer potency ratio is then described as a distribution and one can select specific percentiles from the distribution to better understand and bound the uncertainty (Figure 5). Of particular importance is the location of the ratio distribution in relation to the reference value of 1.0, which would mean no difference in risk from exposures at early versus adult lifestages. A lifestage cancer potency ratio distribution that primarily lies above the value of 1.0 indicates early life exposures to a carcinogen result in a stronger tumor response relative to adult exposure. Conversely, a lifestage cancer potency ratio distribution that mainly lies below the value of 1.0 indicates early life exposure to a carcinogen results in a weaker tumor response relative to adult exposure.

A lifestage potency (LP) ratio distribution was derived for each multi-lifestage study, resulting in 22 prenatal ratio distributions representing 14 unique carcinogens, 55 postnatal LP ratio distributions representing 18 unique carcinogens, and seven juvenile LP ratio distributions representing five unique carcinogens. The LP ratio distributions for a given early lifestage were combined into a single "LP ratio mixture distribution," in order to show the range of susceptibilities of that lifestage to the carcinogens studied.

LP ratio mixture distributions for a given early lifestage were developed by (1) obtaining a single LP ratio distribution for each chemical (when a chemical is represented by more than one study) and then (2) equally sampling across all chemicals. When a chemical is represented by more than one study, then the LP ratio distributions from all studies of that chemical were combined by equally sampling from each LP ratio distribution via Monte Carlo methods to obtain a single

LP ratio distribution for that chemical. (Appendix J describes this in more detail, as well as a sensitivity analysis that included two alternative sampling methods.) Once each chemical is represented by a single LP ratio distribution, then the LP ratio mixture distribution for each early lifestage (prenatal, postnatal, and juvenile) is obtained by equally sampling across all of the chemicals via Monte Carlo methods.

Figure 5. Lifestage Potency Ratio (LPR) distribution.

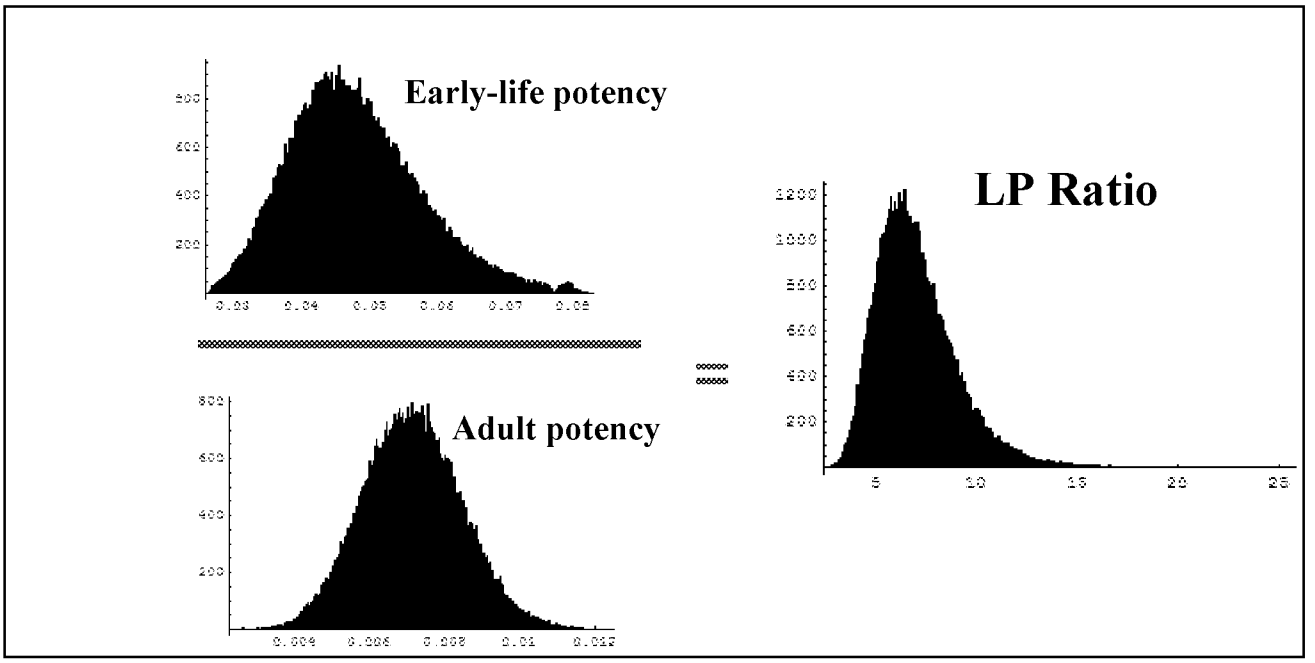

Effect of longer time period for cancer to manifest

The LP ratios described above characterize the inherent susceptibility of early lifestages to carcinogen exposure, by comparing potencies for individuals followed for similar periods of time and similarly exposed, but exposed during different lifestages. Age-specific adjustments to the cancer potency must also take into account the longer period of time that carcinogen exposure to the young has to manifest as cancer. Empirical data from studies of both humans and animals demonstrate that, for many cancers, cancer risk increases with age, or time since first exposure. While some cancers have been seen to increase by as much as the sixth power of age, a general approach taken for example by the National Toxicology Program in analyzing tumor incidences in its chronic bioassays is to assume that cancer risk increases by the third power of age. Thus, consistent with the approach used by the NTP in analyzing rodent cancer bioassay data, the longer period of time that exposed young have to develop tumors is addressed by taking into account time-of-dosing. This was done by multiplying the LP ratio by a time-of-dosing factor, to yield an age sensitivity factor (ASF). Specifically, the prenatal LP ratio is multiplied by a factor of 3.0, the postnatal LP ratio is multiplied by a factor of 2.9, and the juvenile LP ratio is multiplied by 2.7. Thus, ASFs were developed for each experiment, by first calculating the LP ratio to address inherent susceptibility of early lifestages relative to adults, and then accounting for the effect of years available to manifest a tumor following carcinogen exposure. (see Figure

6). Note that we are not using the term "sensitivity" in the immunologic sense (e.g., sensitization), but rather are using the term more generically.

Figure 6. Issues addressed by the Age-Sensitivity Factor (ASF)

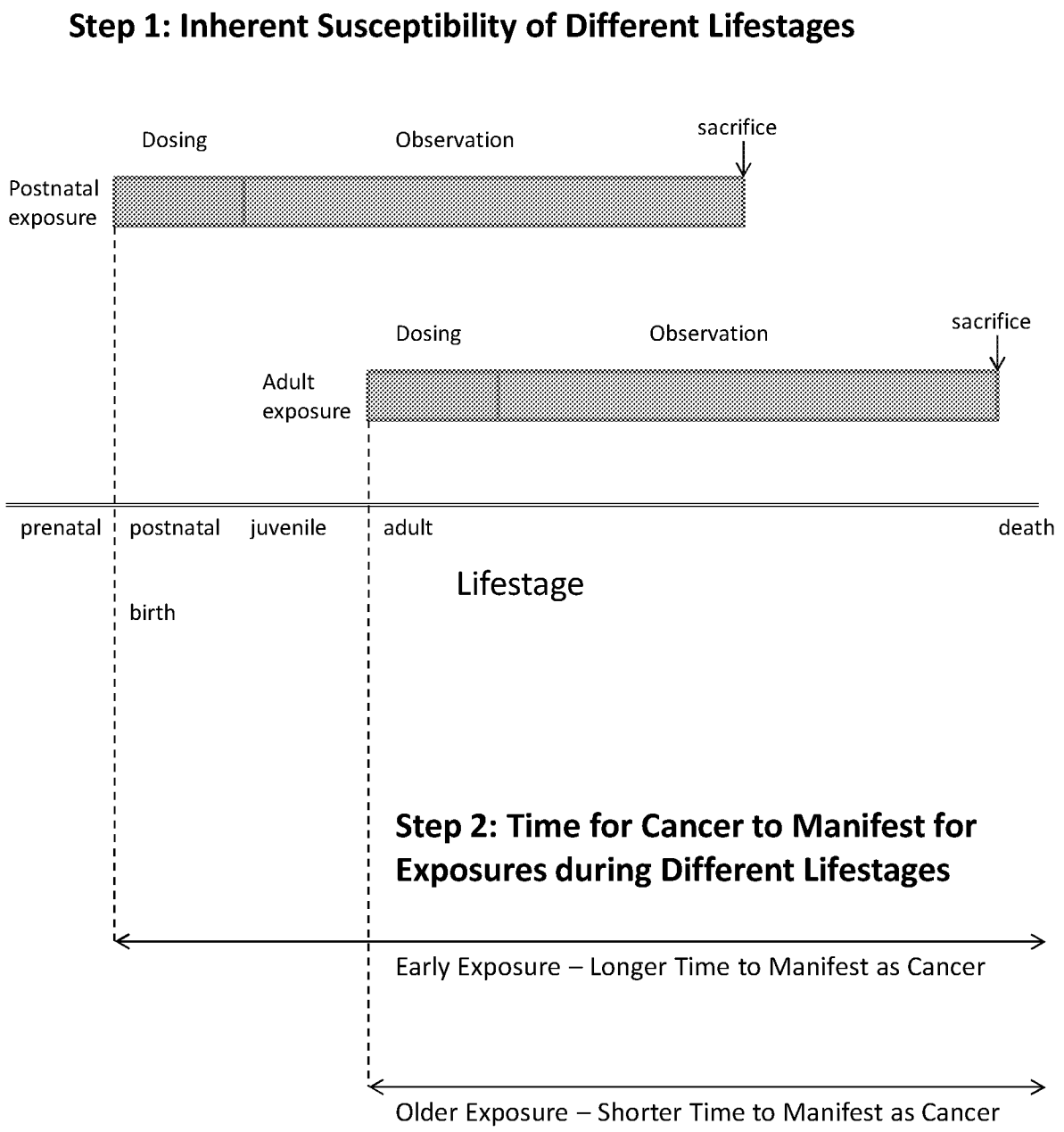

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Application of this approach for risk associated with lifetime exposures would include an ASF of less than 1 for exposures during the latter part of adult life for carcinogens that act on early stages. Therefore, the addition of this adjustment to the younger lifestages but not to the later part of the adult period could overestimate the risk of whole-life exposures. On the other hand, the 70 year "lifetime" used in estimating lifetime cancer risk does not reflect the longer lifespan of the U.S. population. Further, as noted above, the animal bioassays on which potency was based typically exclude pre-weaning dosing and sacrifice animals during their late middle-age. Use of cancer potencies calculated from standard assays can therefore understate lifetime cancer risk. The ASF calculated for carcinogens includes both inherent sensitivity of developing animals and the available time since exposure to develop cancer.

Results of OEHHA Analysis

The analyses indicate that both the prenatal and postnatal lifestages can be, but are not always, much more susceptible to developing cancer than the adult lifestage. The analyses also indicated that the ASFs for these age windows vary by chemical, gender and species.

Regarding prenatal lifestage exposure, few cases were indicative of equal inherent adult and prenatal susceptibility, with an LP ratio of unity. The LP ratio distribution was roughly bimodal, with LP ratios for several studies significantly greater than unity and several others significantly less than unity. Figure 7 below shows the ASFs from each of the prenatal multi-lifestage exposure studies, displayed as a cumulative frequency profile. The median of the prenatal ASF mixture distribution was 2.9 (see also Table 6 in Appendix J),

The modality in the prenatal LP ratio distribution was reflected in the DEN and ENU case studies, with results for DEN suggesting inherently less sensitivity than older animals from exposure *in utero*, and for ENU just the opposite. For the DEN and ENU case studies, the referent groups were juvenile rather than adult animals, and the results may have underestimated the LP ratio and ASF, to the extent that some of the apparent sensitivity for DEN and ENU in the prenatal period carries through to the juvenile period. ENU is a direct acting carcinogen that does not require metabolic activation, whereas DEN can not be metabolized to any significant extent by fetal tissues until relatively late in gestation. This may explain the lower fetal susceptibility of DEN. However, prenatal metabolic status is not the sole determinant of prenatal susceptibility; e.g., benzidine and safrole require metabolic activation and exhibit greater susceptibility from prenatal exposure.

The median of the postnatal ASF mixture distribution was 13.5 (see Table 7 in Appendix J). Figure 8 below shows the ASFs from each of the postnatal multi-lifestage exposure studies, displayed as a cumulative frequency profile. Thus, for the chemicals studied, there was generally greater susceptibility to carcinogens during the early postnatal compared to the adult period, particularly when the ASF accounts for the longer period cancer has to manifest when exposure occurs early in life. The DEN and ENU case studies also exhibited substantial extra susceptibility during the postnatal period. To summarize, for most of the carcinogens studied here, animals are inherently more sensitive in the postnatal period, as indicated by Figure 8.

Figure 7. Prenatal ASF Cumulative Frequency Profile

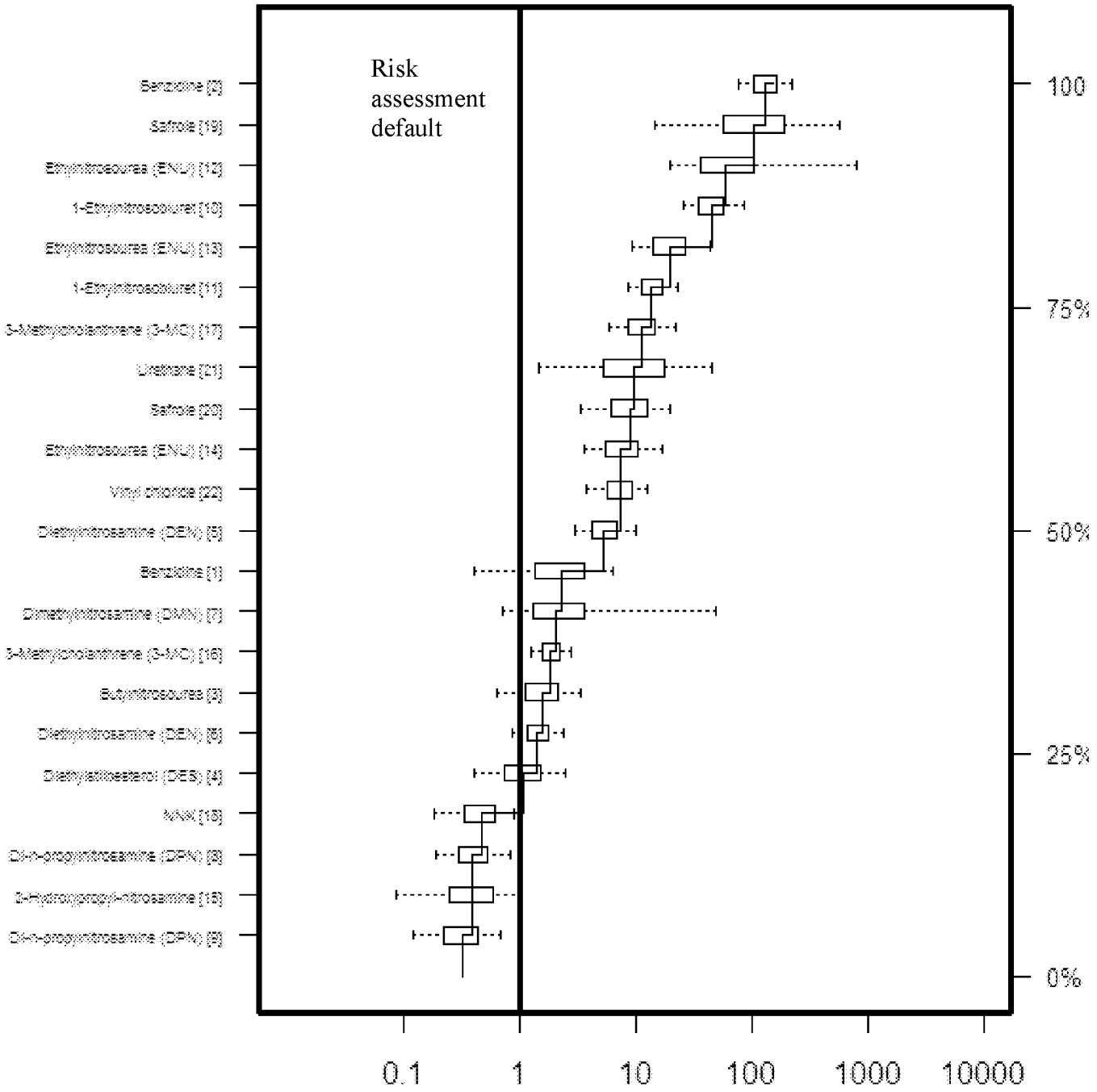

The median of the prenatal ASF mixture distribution was 2.9 (see also Table 6 in Appendix J). References are given in the legend on the next page

Figure 7 Legend (References as in Appendix J)

1. Vesselinovitch *et al*. (1979a), mouse, B6C3F$_1$, F, day -9 to 21
2. Ibid, M, day -9 to 21
3. Zeller *et al*. (1978), rat, Sprague Dawley, M/F day -2
4. Turusov *et al*. (1992), mouse, CBA, F, day -2
5. Mohr et al. (1975), hamster, Syrian Golden, day -15 to -1
6. Mohr *et al*. (1995), hamster, Syrian Golden, F, day -3
7. Althoff *et al*. (1977), hamster, Syrian Golden, M/F, day -9 to -3
8. Ibid, day -9 to -3
9. Althoff and Grandjean (1979), hamster, Syrian Golden, F, day -9 to -3
10. Druckrey and Landschutz (1971), rat, BD IX, M/F, day -10
11. Ibid, day -3
12. Naito *et al*. (1981), rat, Wistar, day -9
13. Ibid, day -9
14. Tomatis *et al*. (1977), rat, BDVi, F, day -5
15. Althoff and Grandjean (1979), hamster, Syrian Golden, M/F, day -9 to -3
16. Tomatis *et al*. (1971), mouse, CF-1, F day -4 to -1
17. Turusov *et al*. (1973), mouse, CF-1, F, day -2
18. Anderson *et al.* (1989), mouse, C3H & B6C3 F$_1$,M/F day -8 to -4
19. Vesselnovitch *et al.* (1979a), mouse, B6C3 F$_1$, M, day -9 to -3
20. Vesselnovitch *et al.* (1979b), mouse, B6C3 F$_1$, F day -9 to -3
21. Choudari Kommineni *et al*. (1970), rat, MRC, M/F, day -4
22. Maltoni *et al.* (1981), rat, Sprague Dawley, M/F day -13 to -7

Figure 8. Postnatal ASF Cumulative Frequency Profile

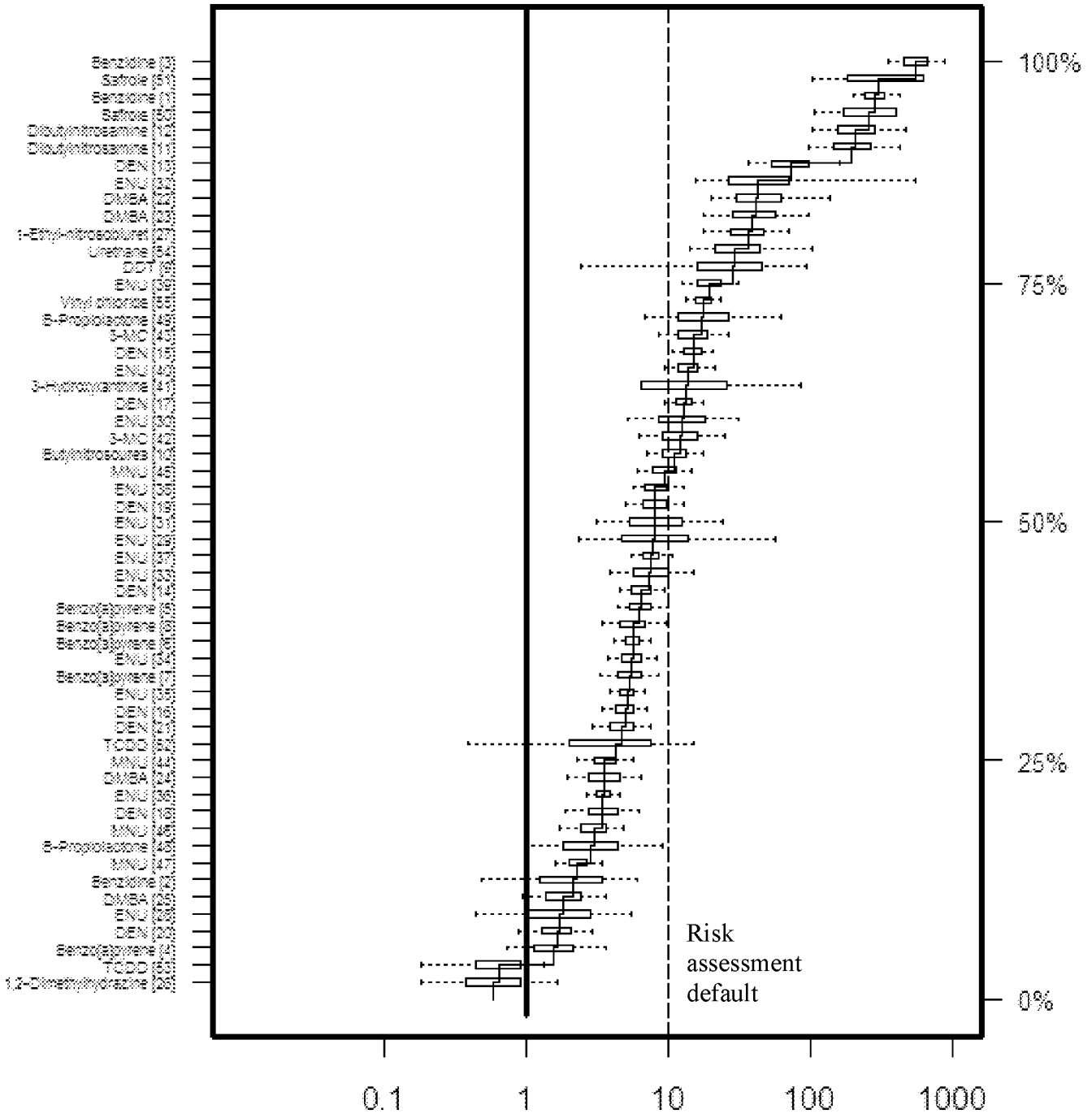

The median of the postnatal ASF mixture distribution is 13.5. The dotted line represents the default ASF for weighting risk for carcinogen exposures between birth and 2 years of age (see next section). References are given in the legend on the next page.

Figure 8~~Figure 8Figure 8~~ Legend (References as in Appendix J)

1 Vesselinovitch *et al.* (1975b), mouse, B6C3F$_1$, M, day 7-27
2 Vesselinovitch *et al.* (1979), mouse, B6C3F$_1$, F, day 1-21
3 Ibid, M, day 1-21
4 Truhaut *et al.* (1966), mouse, swiss, M/F, day 1
5 Vesselinovitch *et al.* (1975a), mouse, B6C3F$_1$, F, day 1
6 Ibid, M, day 1
7 Ibid, C3A F$_1$, F, day 1
8 Ibid, M, day 1
9 Vesselinovitch *et al.* (1979a), mouse, B6C3F$_1$, M, day 1-28
10 Zeller *et al.* (1978), rat, Sprague Dawley, M/F, day 2
11 Wood *et al.* (1970), mouse, IF x C57, F, day 1-15
12 Ibid, M, day 1-15
13 Rao and Vesselinovitch (1973), mouse, B6C3F$_1$, M, day 15
14 Vesselinovitch *et al.* (1984), mouse, B6C3F$_1$, F, day 1
15 Ibid, M, day 1
16 Ibid, F, day 15
17 Ibid, F, day 15
18 Ibid, C3A F$_1$, F, day 1
19 Ibid, M, day 1
20 Ibid, F, day 15
21 Ibid, M, day 15
22 Meranze *et al.* (1969), rat, Fels-Wistar, F, day 10
23 Ibid, M, day 10
24 Walters (1966), mouse, BALB/c, F, day 17
25 Ibid, M, day 17
26 Martin *et al.* (1974), rat, BDIX, M/F, day 10
27 Druckrey and Landschutz (1971), rat, BDIX, M/F, day 10
28 Naito *et al.* (1985), gerbil, mongolian, F, day 1
29 Ibid, M, day 1
30 Bosch (1977), rat, WAG, F, day 8
31 Ibid, M, day 8
32 Naito *et al.* (1981), rat, Wistar, F, day 7
33 Ibid, M, day 7
34 Vesselinovitch *et al.* (1974), mouse, B6C3F$_1$, F, day 1
35 Ibid, M, day 1
36 Ibid, F, day 15
37 Ibid, M, day 15
38 Ibid, C3A F$_1$, F, day 1
39 Ibid, M, day 1
40 Ibid, M, day 15
41 Anderson *et al.* (1978), rat, Wistar, F, day 9
42 Klein (1959), mouse, A/He, F, day 8-31
43 Ibid, M, day 8-31
44 Terracini and Testa (1970), mouse, B6C3F$_1$, F, day 1
45 Ibid, M, day 1
46 Terracini *et al.* (1976), mouse, C3Hf/Dp, F, day 1
47 Ibid, M, day 1
48 Chernozemski and Warwick (1970), mouse, B6A F$_1$, F, day 9
49 Ibid, M, day 9
50 Vesselinovitch *et al.* (1979a), mouse, B6C3F$_1$, M, day 1-21
51 Vesselinovitch *et al.* (1979b), mouse, B6C3F$_1$, M, day 1-21
52 Della Porta *et al.* (1987), mouse, B6C3F$_1$, F, day 10-45
53 Ibid, M, day 10-45
54 Choudari Kommineni *et al.* (1970), rat, MRC, M/F, day 1-17
55 Maltoni *et al.* (1981), rat, Sprague Dawley, M/F, day 1-35

There were only five chemicals and seven studies, two of which were not independent, available to examine susceptibility in the juvenile period. The juvenile LP ratios indicated significantly greater susceptibility in this period for three independent studies, with the remaining studies consistent with equal inherent susceptibility to adult animals (see Figure 16 in Appendix J). Figure 9~~Figure 9Figure 9~~ below shows the ASFs from each of the juvenile multi-lifestage exposure studies, displayed as a cumulative frequency profile. The median of the juvenile ASF mixture distribution was 4.5 (see Table 8 in Appendix J) .

Figure 9. Juvenile ASF Cumulative Frequency Profile

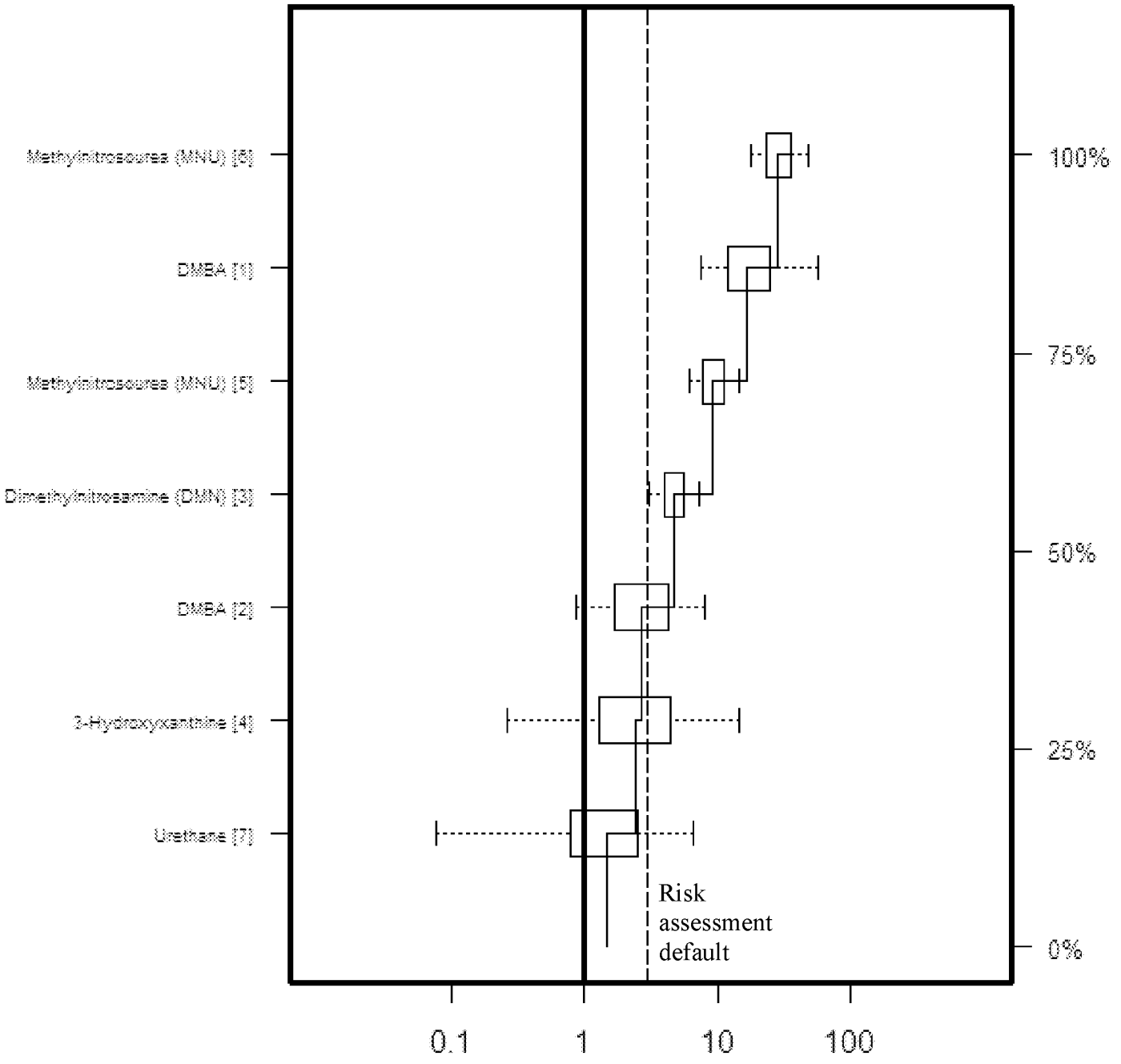

The median of the juvenile ASF mixture distribution is 4.5. The dotted line represents the default value for weighting risk from carcinogen when exposures occur between 2 and 15 years of age (see next section).

Figure 9 Legend (References as in Appendix J)

1.Meranze *et al.* (1969), rat, Fels-Wistar, F, day 45
2. Ibid, M, day 451
3.Noronha and Goodall (1984), rat, CRL/CDF, M, day 46
4. Anderson *et al.* (1978), rat, Wistar, F, day 28
5. Grubbs *et al.* (1983), rat, Sprague Dawley, F, day 50-57
6. Ibid, M, day 50-57
7. Choudari Kommineni *et al.* (1970), rat, MRC, M/F, day 28-43

The studies that comprise the set of multi-lifestage exposure studies available for these analyses were not homogeneous. That is, they do not represent observations from the same distribution. Sensitivity analyses were conducted to test the robustness of the findings to different procedures for analyzing data and combining results. Of the methods used to combine the LC ratio distributions for underlying studies within each lifestage, the method of equally weighting studies within a chemical appeared to best represent the available data.

In calculating the ASF, to take into account the longer period of time for early carcinogen exposures to result in tumors, the hazard function was assumed to increase with the third power of age. This assumption is standard and has been borne out by a number of observations (Bailer and Portier, 1988) If the true rate of increase with age is greater than that, then the use of these ASFs may result in underestimates of the true sensitivity of these early life stages.

As the multi-lifestage exposure and case studies show, there appears to be considerable variability in age-at-exposure related susceptibility across carcinogens. There is also variability in age-at-exposure related susceptibility among studies of the same carcinogen. The sources of variability evident in the analyzed studies include timing of exposure within a given age window, and gender, strain, and species differences in tumor response. The set of studies identified and analyzed was not sufficiently robust to fully describe the variability quantitatively. This variability raises concerns that selection of the median (the 50th percentile) estimates may considerably underestimate effects for certain agents or population groups. Relatively large variability in humans in response to carcinogens is expected to be common (Finkel, 1995). On the other hand, the numbers of carcinogens represented in the available data are limited and may not be representative of the population of carcinogens to which we are exposed (e.g., greater than 500 on the Proposition 65 list alone). Thus, the size of the weighting factors used to weight risk by age at exposure is a policy decision.

Several of the carcinogens studied induced tumors at multiple sites in the same experiment, and at different sites, depending upon the lifestage during which exposure occurred. For these cases the combined multisite potency distribution referred to above was the basis for the lifestage comparison. This approach differs from other researchers investigating early vs. late in life differences who focused on tumor site-specific measures of carcinogenic activity (e.g., Barton *et al.*, 2005; Hattis *et al.*, 2004, 2005). OEHHA believes that use of combined multisite potency distributions provides a more complete approach for considering age specific differences in carcinogenic activity. However, the observation that early life is generally a period of increased susceptibility was similarly found using the tumor site-specific approach by these other researchers.

One limitation of the approach was the focus on lifestages, without attempting to describe changes in susceptibility that occur within a lifestage. Timing of carcinogen exposure within a given age window can affect the cancer outcome. For example, experiments with 1-ethyl-1-nitroso-biuret in prenatal and adult rats showed a three-fold difference in activity between groups exposed on prenatal day -10 versus prenatal day -3. In a second example, female rats exposed early in the adult period were more than three times as sensitive to the breast cancer effects of MNU as females exposed six weeks later. In general, the adult comparison groups in the multi-lifestage exposure studies were fairly young. The extent to which this may result in an overall bias of the results presented here is unclear. Also for several cases, juvenile animals were used as the later life exposure group. In these cases the ASFs are likely underestimates of the relative sensitivity of the prenatal and postnatal lifestages, compared to that of the adult lifestage.

Excluded from the analysis were early in life studies in which the period of exposure for a specific exposure group crossed multiple lifestages. An example of results from studies of this type is provided by mouse studies for two non-genotoxic carcinogens, diphenylhydantoin (Chhabra *et al.*, 1993a) and polybrominated biphenyls (PBBs) (Chhabra *et al.*, 1993b), in which exposures began prior to conception, and continued throughout the prenatal, postnatal, and post-weaning period, up to the age of eight weeks. The data demonstrate an increased sensitivity of the early life period. Some studies that crossed multiple lifestages were included in the analyses of Barton *et al.* (2005) (Appendix I), which are consistent with the general conclusions discussed above.

Selection of Default Age-Sensitivity Factors (ASF)

Selection of appropriate values to use to weight exposures that occur early in life using default ASFs for prenatal, postnatal and juvenile exposures is complicated by the limited database of chemicals and studies available for analysis, and the broad distribution of results for different chemicals as is shown in Figure 7, Figure 8, and Figure 9~~Figure 9Figure 9~~ (see also Appendix J). In view of the variability thus shown, and the considerable uncertainty in applying conclusions from this relatively small set of chemicals to the much larger number of chemicals of concern, it is probably unreasonable to specify a default ASF with greater than half-log precision (*i.e.* values of 1, 3, 10, 30 etc.). Therefore, in the absence of chemical-specific data, OEHHA ~~will~~ proposes to apply a default ASF of 10 for ages birth to 2 years, and a factor of 3 for ages 2 through 15 years to account for potential increased sensitivity to carcinogens during childhood. A factor of 10 for postnatal exposures falls just below the median estimate of the ASF for postnatal studies. This is also the value selected by U.S. EPA; while it is consistent with the OEHHA analysis, it may underestimate risk for some chemicals. The broad distribution of observed chemical-specific sensitivity ratios clearly indicates ~~certain number of~~that there are some chemicals for which the sensitivity ratio is much larger than 10. Further research is needed to develop criteria for identifying these cases. Similarly, a factor of 3 for juvenile exposures is consistent with the range of estimates derived from the multi-lifestage exposure studies, and falls close to the median juvenile ASF estimate. It is acknowledged that there are few data available on which to base an estimate for the juvenile period. A factor of 3 adjusts for the longer time available for cancer to manifest, but may not fully account for some inherent differences in susceptibility to cancer, for example ~~those observed~~the observed susceptibility of ~~in~~ breast tissue of pubescent girls exposed to radiation. For specific carcinogens where data indicate enhanced sensitivity during lifestages other than the immediate postnatal and juvenile periods, or demonstrate ASFs

different from the default ASFs, the chemical-specific data should be used in order to adequately protect public health.

The ASFs will be applied to all carcinogens, regardless of the theorized mode of action. While U.S. EPA currently intends to apply weighting factors only to those carcinogens with "a mutagenic mode of action"(U.S.EPA, 2005), OEHHA notes that there is evidence that early life is a susceptible time for carcinogens that are thought to act via non-mutagenic mode of action (DES is a prime example). Defining a mutagenic mode of action may be problematic if approached narrowly (ERG, 2008). Further, carcinogens may have multiple modes of action and one mode may predominant over other modes at different lifestages. The complexity of carcinogenesis argues against restricting the ASF to chemicals acting via a mutagenic mode of action.

Figure 10~~Figure 10Figure 10~~ provides a visual comparison of the ASF mixture distributions for the three early-life stages, prenatal, postnatal, and juvenile. In this figure, which is in log space, the policy choice for weighting factors of 10 for birth to age 2 years and 3 for the period of life from 2 to 15 years of age are indicated on the figure. ~~The x-axis represents the exponent (the figure is in log space).~~ It is apparent from this figure that weighting risk from exposures to carcinogens early in life is well-supported.

Figure 10. Prenatal, Postnatal, and Juvenile ASF Mixture Distributions and relation to default ASFs

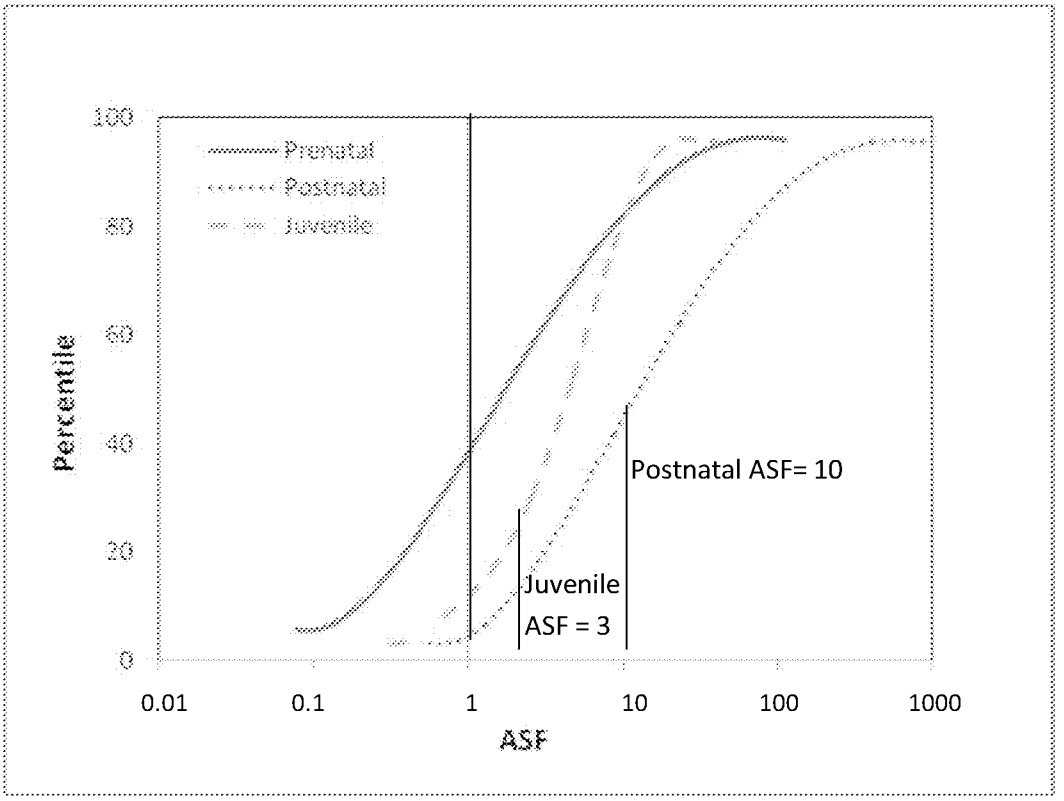

Item No. E.2

OEHHA recognizes the limitations in the data and analyses presented, as discussed above. However, the analyses do provide some guidance on the extent risk may be over or underestimated by current approaches. While there is a great deal of variability across chemicals in the prenatal ASFs, the data indicate that the potency associated with prenatal carcinogen exposure is not zero. A factor of 3 is close to the median ASF, while a factor of 10 falls roughly at the 70th percentile of the prenatal ASF estimate. ~~This value~~An ASF could be applied as a default ~~ASF to the potency estimate~~ when calculating lifetime cancer risk in humans arising from carcinogen exposures that occur *in utero*. In view of the considerable variability in the data for different carcinogens and the limited database available for analysis, OEHHA is not ~~including~~ proposing the application of ~~this~~ a specific factor to cancer potency estimates for prenatal exposures as a default position in these Guidelines. However, given that the rodent is born at a stage of maturation similar to a third trimester fetus, it may be reasonable to include the third trimester in the potency weighting proposed for birth to age 2 years. ~~T~~the applicability of a cancer potency adjustment factor for prenatal exposure will be evaluated on a case-by-case basis, and may be used as evidence develops that supports such use. The consideration of prenatal exposures, including application of an appropriate susceptibility factor, would not make a large difference for risk estimates based on continuous lifetime exposures, due to the relatively short duration of gestation. However, risk estimates for short-term or intermittent exposures ~~might~~ would be ~~significantly~~ slightly increased by inclusion of the risks to the fetus during the prenatal period. Thus, risk may be underestimated when this lifestage is excluded from the analysis.

Age Bins for Application of ASFs

The choice of human ages to which the ASFs apply is based on toxicodynamic ~~information on functional maturation of major organ systems~~ and toxicokinetic considerations. Important toxicodynamic factors related to susceptibility to carcinogens include ~~and the concept that~~ the rate of cellular proliferation and differentiation, which is quite high during organ maturation ~~processes renders the tissue more susceptible to carcinogenesis~~. In addition, toxicokinetic differences by age are important, ~~as noted earlier,~~ due to impacts on detoxification and clearance of ~~xenobiotics~~carcinogens (see following section). ~~OEHHA's analysis of the influence of age-at-exposure on carcinogenesis broke the experimental rodent age bins~~data into age bins that we ~~termed "lifestages" into~~ including prenatal, "postnatal" (birth to weaning, about day 21) and "juvenile" (weaning to sexual maturation, or about day 22 to about day 49). Experiments were placed into the lifestage bins if exposure occurred at some time during the experimental rodent age bin. ~~The investigations of age at exposure and cancer potency used in OEHHA's analysis were all done with dissimilar protocols, and the windows of susceptibility are quite varied by chemical and organ system.~~

There is no simple way to compare the rodent age groups used in the OEHHA analysis of available data to equivalent age groups in humans. Complicating factors include variations in organ system structural and functional maturation both within and between species. Further, the rodent age bins were chosen by gross indicators of development namely birth, weaning and sexual maturation, not on the basis of known susceptibility to carcinogenesis. Thus, critical factors relating to carcinogen susceptibility by age are the focus of the choice of human age bins to which the ASFs of 10 and 3 apply, rather than an attempt at exact correlation of rodent lifestage bin with human age.

~~The investigations of age at exposure and cancer potency used in OEHHA's analysis were~~ not conducted by standardized protocol. Further, the windows of susceptibility are quite varied by chemical and organ system, even within the lifestages defined in the OEHHA analysis. ~~Additional complications in~~ This complicates choosing a default ASF and the human age bin to which it applies ~~are associated with changes in the potency by age-at-exposure that can be large for specific chemicals~~. Examples from animal studies provided in the appendix include the chemical diethylnitrosamine (DEN). The cancer potency varied over several orders of magnitude depending on when during gestation and postnatal life the exposure occurred. While the inability to metabolize DEN in early gestation influences the carcinogenicity of the compound, it is unlikely the only explanation. Benzidine and safrole also require metabolic activation but are more potent with prenatal exposure. A three-fold difference in potency between exposure on postnatal day 3 and postnatal day 10 is noted for 1-ethyl-1-nitrosobiuret in rats. There are also human examples of extensive variation of potency by age at exposure, including radiation, DES, and chemotherapeutic agents. The diversity of responses to different agents obviously underscores uncertainty in the choice of age bins to apply the default ASFs. However, the ASFs are a ***default*** to use when you have no chemical-specific data on influence of age-at-exposure on potency in order to protect public health. There will always be specific chemical examples where the ASF for either the birth-<2 yrs or 2-<16 yrs age bin is quite a bit larger or quite a bit smaller than the default.

In the following sections, we discuss our logic in ~~choosing~~proposing age bins of birth to age <2 years, and 2 to age <16 years to which the ASFs of 10 and 3 apply, respectively, and offer risk estimate results from other possible age bins.

Toxicokinetic Factors Relevant to Age Bins

Choice of the age-bins to which the default ASFs are applied is based on our understanding of the two primary drivers of age-related sensitivity to carcinogens, namely age-related toxicokinetic factors and toxicodynamic factors. In the case of toxicokinetics, the largest postnatal differences in xenobiotic metabolic capability occur between infants and adults. As noted in OEHHA (2001) and reviewed in detail elsewhere (e.g., Cresteil et al., 1998; Ginsberg et al., 2004), hepatic drug metabolism by the cytochrome p450 family of enzymes and the Phase II conjugating enzymes undergoes a maturation process during the first few years of life. The hepatic cytochrome p450 enzymes exist in fetal isoforms at birth, and progressively change to adult isoforms at a relatively early stage of postnatal development. Thus, in humans the metabolic capability towards prototypical substrates develops over the first year of life towards adult levels. Similarly, the largest differences in metabolic capability of Phase II enzymes (conjugation of xenobiotic metabolites prior to excretion) tend to be between infants and adults. Other factors such as renal capability also are most different between neonates and adults. Thus, the first 2 years of life would encompass the increased sensitivity of early life stages due to toxicokinetic differences between early life and adulthood.

Ontogeny of cytochrome P-450 Enzymes in Humans.

Cresteil (1998) describes three groups of neonatal cytochrome P450: Cyp3A7 and Cyp4A1 present in fetal liver and active on endogenous substrates; an early neonatal group including Cyp2D6 and 2E1 which surge within hours of birth; and a later developing group, Cyp3A4,

Cyp2Cs, and Cyp1A2. Total Cyp 3A protein, a major cytochrome p450 enzyme responsible for biotransformation of many xenobiotics, is relatively constant in neonates and adults. However, Cyp3A7 is the primary fetal form (Hakkola et al., 1998), while Cyp3A4 is the primary adult hepatic form of the 3A series. At one month there is about one-third of the Cyp3A4 activity as an adult liver (Lacroix et al., 1997; Hakkola et al., 1998). Allegaert *et al.* (2007) stated that Cyp3A4 (testosterone-6ß-hydroxylase) activity equaled or exceeded adult activity after 1 year of age. Cyp2E1, which metabolizes benzene, trichloroethylene and toluene, among others, increases gradually postnatally, reaching about one-third of adult levels by one year of age and attains adult levels by 10 years of age (Vieira et al., 1996; Cresteil, 1998). Cyp1A2, and Cyp2C9 and 2C19, the most abundant Cyp2 enzymes in adult human liver, appear in the weeks after birth, and reach 30%to 50% of adult levels at about 1 year of age (Treluyer et al., 1997; Hines and McCarver, 2002). Cyp1A1 is expressed in fetal liver where it can activate such xenobiotics as benzo[a]pyrene and aflatoxin B1 (Shimada et al., 1996), but is less important in adult liver (Hakkola et al., 1998).

Ontogeny of cytochrome P-450 Enzymes in Rodents.

Hart et al. (2009) report developmental profiles of a number of cytochrome P-450 enzymes (measured as levels of mRNA transcripts of the specific genes) in mice. They identified three groups of isoforms. Group 1 (Cyp3A16 in both sexes; Cyp3A41b in males) appeared rapidly after birth but declined to essentially zero at 15-20 days, which is the period of weaning in mice. A second group (Cyp2E1, Cyp3A11 and Cyp4A10 in both sexes; Cyp3A41b in females) also increased rapidly after birth, but reached a stable maximal level by postnatal day 5. The third group (Cyp1A2, Cyp2A4, Cyp2B10, Cyp2C29, Cyp2D22, Cyp2F2, Cyp3A13 and Cyp3A25) were expressed only at low levels until days 10 to 15, but reached high stable levels by day 20.

ElBarbry et al. (2007) examined the developmental profiles of two toxicologically significant cytochrome P-450 enzymes, Cyp1A2 and Cyp2E1 in rats. mRNA transcripts of these genes were very low postnatally, but thereafter increased to reach a peak at weaning (postnatal day 21 - 28 for rats). Immunoreactive Cyp1A2 and Cyp2E1 proteins were first detectable at postnatal day 3 and reached 50% of adult levels at weaning and adult levels at puberty. Differences in profiles between gene expression as MmRNA and appearance of specific proteins as determined by immunoassay may reflect changes in the relative importance of transcription and translation control process at various phases in development. Enzyme activities characteristic of Cyp1A2 and Cyp2E1 were found to parallel gene expression levels (ElBarbry et al., 2007) rather than immunodetectable protein levels, so there may also be issues of cross-reactivity between these two isoenzymes and others for which gene expression was not measured in these experiments.

In summary, the gene expression data in rats and mice show differences in details, but broadly resemble one another in that the main changes occur in the early postnatal period, with the major adjustments completed at or around the time of weaning, although the adult pattern may not be completely established until puberty. There do not appear to be substantive data for experimental species other than rats and mice, although the situation in humans appears similar in general outline and one may conclude that this pattern or some variant of it is a characteristic of mammalian species in general.

Ontogeny of Phase II enzymes

Phase II conjugating enzymes are generally less active in the neonate than the adult (Milsap and Jusko, 1994). Hence, there is concern that detoxification and elimination of chemicals is slower in infants. Expression of some of the UGT enzymes matures to adult levels in two months after birth, although glucuronidation of some drugs by the UGT1A subfamily does not reach adult levels until puberty (Levy et al., 1975; Snodgrass, 1992; McCarver and Hines, 2002). Reduced glucuronidation in neonates slows the clearance of *N*-hydroxyarylamines, phenol, and benzene metabolites. Acetylation by the N-acetyltransferases and sulfation by sulfotransferases are generally somewhat comparable to adult levels, although it varies by tissue and by specific sulfotransferase (McCarver and Hines, 2002). Glutathione (GSH) sulfotransferase (GST) is present as a fetal isoform which decreases postnatally, while GST-alpha and GST-mu increase over the first few years of life to adult levels (McCarver and Hines, 2002). Epoxide hydrolase, important in detoxifying reactive epoxide metabolites, is present in neonatal liver although at much reduced activity relative to adults (McCarver and Hines, 2002).

Clearances of drugs in infants and children *vs.* adults

Several investigators have evaluated age-related drug disposition (Renwick, 1998; Renwick et al., 2000; Ginsberg et al., 2002; Hattis et al., 2003). Renwick et al. (2000) noted higher internal doses in neonates and young infants versus adults for seven drugs that are substrates for glucuronidation, one with substrate specificity for CYP1A2, and four with substrate specificity for CYP3A4 metabolism. Ginsberg et al (2002) evaluated toxicokinetic information on 45 drugs in children and adults metabolized by different cytochrome P450 pathways, Phase II conjugations, or eliminated unchanged by the kidney. These authors noted half-lives in infants 3-9-fold longer than those of adults. It was also shown that the bulk of the elevated child/adult half-life ratios occurred primarily in the 0 to 6 month age range, and that for some compounds the clearance is actually higher in the 6 month to 2 year age grouping. In evaluating the interindividual variability by age, Hattis et al (2003) note that the largest interindividual variability occurs in the youngest children, apparently due to variability in development of critical metabolism and elimination pathways. Anderson and Holford (2008) noted that a comparison of three early-life drug clearance models (surface area, allometric ¾ power and per kilogram scaling) all demonstrated an increase in clearance over the first year of life due to the maturation of metabolic capacity.

Renal elimination depends on maturity of processes related to tubular reabsorption and secretion, and glomerular filtration rates. At birth, the glomerular filtration rate (GFR) is low (2-4 ml/min), increases in the first few days (8-20 ml/min) and slowly increases to adult values in 8-12 month old infants (Plunkett et al., 1992; Kearns et al, 2003).

Newborn and young animals have less capacity to excrete chemicals into the bile than do adult animals. A number of chemicals are excreted more slowly via bile in neonates than adult rats, including ouabain, the glucuronide conjugate of sulfobromophthalein (Klaassen, 1973), and methyl mercury (Ballatori and Clarkson, 1982), resulting in a longer half-life in neonates.

Toxicodynamic Factors Relevant to Age Bins

Important as the developmental changes in toxicokinetics are in determining sensitivity to carcinogens and other toxicants, it is likely that the toxicodynamic differences, i.e. intrinsic differences in susceptibility to carcinogenesis at the tissue or cellular level are even more influential. Changes in cell division rates and differentiation, which are thought to be important toxicodynamic determinants of susceptibility to carcinogenesis, peak in the first 2 years of life for most major organ systems. Cell division continues to accommodate growth throughout childhood and adolescence, extending in some cases even into the young adult period in both humans and experimental animals. Adolescence is an important period for organ cell division and differentiation for the mammary gland and reproductive organs.

As noted above, one of the key factors influencing susceptibility to carcinogenesis is believed to be cell division rate, which acts both by forcing error-prone repair which fixes DNA damage as mutated gene sequences (McLean et al, 1982) and by promoting expansion of mutated clones (Moolgavkar and Knudson, 1981). Actual cell division rates as a function of age are hard to determine for practical and (in the human case) ethical reasons. However, growth curves expressed as the proportional increment in body weight with time may be regarded as a reasonable although not perfect surrogate since for most tissues of the body cell size does not change markedly during growth. Both humans and rodents show remarkably high growth rates in infancy, which then drop steeply to a lower but still significant period during childhood. A growth spurt at the beginning of adolescence is noticeable in its absolute magnitude, especially in males, but does not approach the proportional growth rate seen in infancy. The time intervals proposed to reflect the period of highest sensitivity to carcinogenesis (birth to weaning, about 21 days in rodents, up to 24 months in humans) encompass the period of highest growth rate and thus is is assumed the highest cell division rates, as show in the following charts:

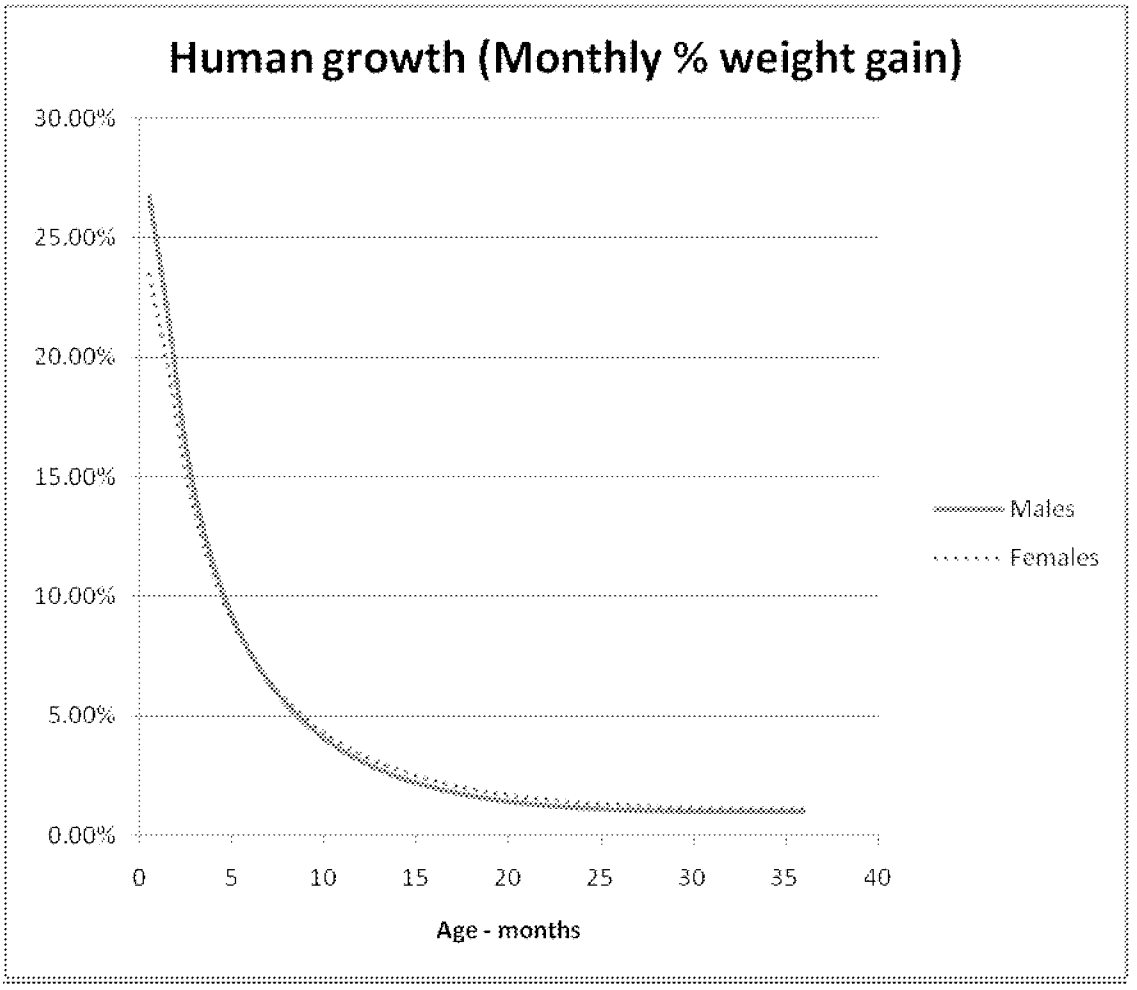

Data from CDC NHANES 2000:
http://www.cdc.gov/nchs/about/major/nhanes/growthcharts/datafiles.htm

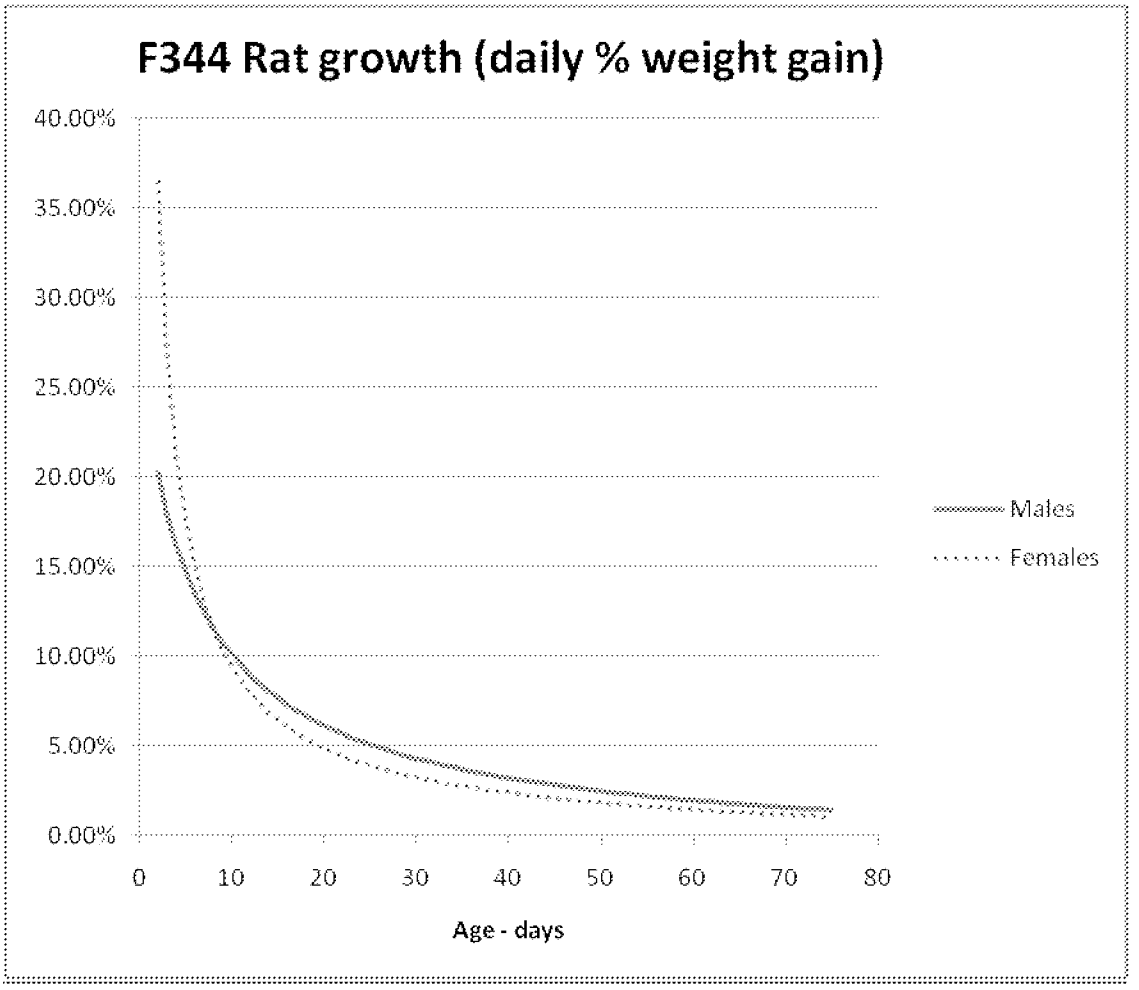

Data from Tables A3 and A4 of Appendix J

Cell division rates in adult rodents and humans are harder to relate to growth curves since at least some tissues retain active cell division as part of their ongoing functionality and repair. In humans growth in body weight slows to essentially zero at the end of adolescence (and any later increments represent tissue specific changes such as increase in muscle or adipose tissue mass rather than overall growth). On the other hand, rodents continue to increase in body size (at a modest rate compared to that seen in earlier lifestages) throughout the adult period. However, it appears reasonable to conclude from the body weight data that an essentially adult pattern of overall cell division is established by the late adolescent period (age six weeks in rodents; 16 years in humans). This clearly does not include the marked growth and increases in cell division and physiological activities seen in the reproductive system and its accessories during puberty.

Organ development

The age intervals chosen for the ASFs are generally supported by human organ system development data. Examples of supporting data are available for the lung, brain, immune system and liver. Zeltner and Burri (1987) stated that postnatal lung development consists of an alveolar stage, which lasts to about 1-1.5 years of age, and a stage of microvascular maturation, which

exists from the first months after birth to the age of 2-3 years. Pinkerton and Joad (2006) describe alveolar proliferation as occurring most prominently in the 0-2 year age range, with alveolar expansion continuing in the 2-8 year age range. Ballinoti et al. (2008) demonstrated that addition of alveoli rather than expansion is a major mode of lung growth in infants and toddlers by measuring a constant carbon monoxide diffusion capacity to lung volume from 3 through 23 months of age. Kajekar (2007) also considered the 0-2 age range to be the primary period of alveolar development, although there is continued cellular proliferation resulting in lung growth and expansion up to approximately 18 years of age.

Rice and Barone (2000) note that most of the cell proliferation phase of human radial glia and neuronal growth is finished by 2 years of age, based on evidence in Bayer et al. (1993). They note further that numerous studies have shown actively proliferating brain regions are more susceptible to anti-mitotic agents than the same structures after active proliferation ceases. Peak brain growth as a percentage of body weight occurs at birth and around post-natal day (PND) 7-8 in humans and rats, respectively (Watson *et al.*, 2006). De Graaf-Peters and Hadders-Algra (2006) reviewed the ontogeny of the human central nervous system and found that a large amount of axon and dendrite sprouting and synapse formation and the major part of telencephalic myelination take place during the first year after birth. While the brain continues to remodel itself throughout life, cellular proliferation in the whole brain peaks by about one year of age and is relatively complete by age 2. Development of the blood-brain barrier (BBB) appears to continue in humans until approximately 6 months of age. Rat BBB functionality is essentially complete by approximately two weeks after birth (Watson *et al.*, 2006).

The immune system development occurs in stages primarily prenatally in primates and both pre- and post-natally in rodents (Dietert et al., 2000). Formation and expansion of hematopoetic stem cells is followed by expansion of lineage-specific stem cells, colonization of bone marrow and thymus, and maturation of cells to immunocompetence. In the primate, this is largely complete by 1 to 2 years of age (Holsapple et al., 2003), although establishment of immune memory develops throughout childhood and beyond. In the rodent, maturation to immunocompetence occurs postnatally from birth to about 30 days of age. In terms of carcinogenesis, perhaps one of the more important immune cells is the NK cell, thought to be responsible for immune surveillance and killing of circulating transformed cells. Based on immunohistochemistry, the principal cell lines including NK cells are present at gestation day 100 in the monkey and are at about 60% of adult values at birth (Holladay and Smialowicz, 2000).

As noted above, renal and hepatic clearance are both lower in humans at birth than in adults. Nephrogenesis is complete by 35 ~~month~~weeks gestation in humans and before birth in the mouse (but after birth in the rat). The ability to concentrate urine and the development of acid-base equilibrium ~~occur~~appear in the first few months after birth (Zoetis and Hurtt, 2003). Renal clearance of drugs, a function of a number of processes in the kidney, appears to be comparable to adults within the first few months of life (Hattis et al., 2003; Ginsberg et al., 2002) , while glomerular filtration, which rises rapidly over the first few postnatal months, is at adult values by two years of age (Zoetis and Hurtt, 2003). While complete anatomic maturity of the human liver is noted by 5 years of age (Walthall et al, 2005), liver function also appears to mature within the first year of life as seen by drug clearance studies cited above.

Critical Windows of Susceptibility to Carcinogens

It has been shown that there are critical windows during development both pre-and postnatally where enhanced susceptibility to carcinogenesis occurs (Anderson et al, 2000). Some of these observations relate to factors affecting the incidence of cancers in childhood, resulting from prenatal or preconception mutational events. For example, prenatal exposure to ionizing radiation and DES can result in leukemia and vaginal carcinoma, respectively, in childhood. Although obviously a source of great concern, these cancers appearing during childhood are relatively rare compared to cancers appearing later in life. Thus the concern in risk assessment for early in life exposures is to address the lifetime cancer incidence as a result of these exposures, including both cancers appearing during childhood and those appearing later.

OEHHA (see Appendix J) and other investigators (U.S. EPA, 2005; Barton et al, 2005; Hattis et al., 2004) have examined the available rodent data on sensitivity to carcinogenic exposures early in life. All these investigators found substantial increases in sensitivity to carcinogens in animal studies where exposures to young animals were compared to similar exposures to adults. Hattis et al. (2004) reported maximum likelihood estimates for the ratio of carcinogenic potency during the period from birth to weaning to the adult potency of between 8.7 and 10.5, whereas Barton et al (2005) reported a weighted geometric mean of 10.4 for the ratio of juvenile (less than 6-8 weeks) to adult potency in rodents. However, the number of experiments which provide information of this type, and the carcinogenic agents which have been studied, are relatively limited. Hattis examined several different datasets and study designs, but these covered only 13 different chemicals, while Barton et al. reported analyses for six of the 18 chemicals which they examined. OEHHA's analysis included data in rodents on 23 chemicals, and found median potency ratios of 13.5 for the postnatal period (birth to day 22) and 4.5 for the juvenile period (postnatal days 22 to 49) relative to adults (day 49 to 2 years). These potency ratios include the adjustment for time to manifest tumor (e.g., age to the power of three), unlike the earlier investigations. All these investigations identified variations in the observed lifetime potency ratio depending on the type of experimental design, the sex of the animals, the time of exposure and especially between chemicals. Nevertheless these analyses, although falling far short of a comprehensive evaluation of the age dependence of carcinogenic potency for all the chemicals of interest, do show a consistent overall trend of increasing potency for exposures early in life, especially soon after birth.

An evaluation of cancer induction by ionizing radiation also provides support for the concept of enhanced sensitivity to carcinogenesis at younger ages. Various studies of this phenomenon have been undertaken in animal models, but the important point for the present discussion is that epidemiological data exist which indicate age-dependent sensitivity in humans (U.S. EPA, 1994; 1999). The most extensive data set showing age-dependent effects is that for Japanese survivors of the atomic bomb explosions at Hiroshima and Nagasaki. Analysis of these data shows linear increases in tumor incidence at a number of sites with increasing radiation dose and younger age at exposure. There are other data suggesting humans are more susceptible to chemical carcinogens when exposure occurs in childhood. These data exist for tobacco smoke (Marcus et al., 2000; Wiencke et al., 1999) and chemotherapy and radiation (Mauch et al., 1996; Swerdlow et al., 2000; Franklin et al., 2006).

Proposed Aage bins for application of default age sensitivity factors

In developing a default science-based risk assessment policy to address this general conclusion, one key variable to define is the age interval or intervals over which age-dependent sensitivity factors should be applied. Different investigators have considered different age ranges, but in general the more sensitive period has at least been defined as including the time from birth up to mid-adolescence when the major phases of growth and hormonal change are complete. This can be somewhat consistently defined in the case of laboratory rodents whose genetic and environmental factors are relatively constant: a transition point in the range of 6 to 8 weeks is generally identified as the start of adulthood. For humans there is inevitably a lot more variation in the timing of developmental landmarks. The comparison of human development with that of rodents is complicated by the fact that the various organ systems have markedly different pre-and postnatal timetables, both between species and between organ systems. Thus there is no single timeline of developmental equivalence for humans and rodents. Nevertheless there is a general similarity for all mammals.

It is also recognized that, apart from the dramatic prenatal developmental events, the earliest postnatal stages represent the greatest differences in physiology and biochemistry from the adult. This reflectsing the immaturity of many organ systems, extremely rapid growth and the incomplete maturation of various metabolic capabilities. In animal studies, as reflected in the analysis of carcinogenesis by OEHHA, an important developmental milestone is generally identified at the time of weaning, which in rodents occurs at or about postnatal day 21. As noted earlier, the rodent age bins in OEHHA's analysis were based on gross developmental milestones (birth, weaning, sexual maturity). OEHHA's analysis of studies that included exposure sometime between birth and weaning indicated this period as having the highest sensitivity to carcinogenesis. The data for the later juvenile period (postnatal days 22 to 49) are somewhat sparse, covering only three carcinogens and only one where there are corresponding data for both infant and juvenile lifestages. However, it appears based on the overall range of potency ratios observed for the juvenile period that sensitivity to many carcinogens is elevated in this period also, but to a lesser extent than during the first 22 days. [Hattis et al. (2005) and Barton et al. (2005) report analyses for exposures at any time during the juvenile period, i.e. up to 6-8 weeks, and do not separate by additional age bins].

Weaning is not such an obvious or consistently timed transition for humans, being subject to a wide range of cultural and economic variables. However, it is generally considered that the human infant period encompasses the first two years of life. This period includes the most rapid periods of cellular division and differentiation for the major organ systems (excluding the breast and reproductive organs). Although there is linear growth between 2 and 8 years of age, the organ development is largely although not entirely complete.

Thus, considering both the development of major organ systems and the associated differences in toxicodynamic and toxicokinetic factors, OEHHA choseproposes to apply the postnatal ASF derived from rodent studies (birth to ~21 days) to the human age intervals of 1birth - <2years. Similarly, OEHHA chose to apply the "juvenile" ASF derived from rodent studies (~22- ~49 days) to the human ages 2 - <16 years. This timetable was also selected by U.S. EPA (2005) in their supplemental guidance for assessing early-life susceptibility to carcinogens. They describe their choice of critical periods as follows:

> "The adjustments described below reflect the potential for early-life exposure to make a greater contribution to cancers appearing later in life. The 10-fold adjustment represents an approximation of the weighted geometric mean tumor incidence ratio from juvenile or adult exposures in the repeated dosing studies (see Table 8). This adjustment is applied for the first 2 years of life, when toxicokinetic and toxicodynamic differences between children and adults are greatest (Ginsberg et al., 2002; Renwick, 1998). Toxicokinetic differences from adults, which are greatest at birth, resolve by approximately 6 months to 1 year, while higher growth rates extend for longer periods. The 3-fold adjustment represents an intermediate level of adjustment that is applied after 2 years of age through <16 years of age. This upper age limit represents middle adolescence following the period of rapid developmental changes in puberty and the conclusion of growth in body height in NHANES data (Hattis et al., 2005). Efforts to map the approximate start of mouse and rat bioassays (i.e., 60 days) to equivalent ages in humans ranged from 10.6 to 15.1 years (Hattis et al., 2005)."

There is general agreement that rodents are born at a maturational stage approximately equivalent to a third trimester human fetus. Thus, there is good rationale to include the third trimester of pregnancy in the age bin for application of the ASF of 10.

While there is strong evidence that growth and therefore cell proliferation rates and cell differentiation are extremely high prior to age 2, there is still residual uncertainty with respect to the cutpoint for application of the ASFs of 10 and 3. Thus, another possible approach is to move the cut point for the application of the ASF of 10 to a later age to account for this uncertainty. We present the effect on risk estimates of varying cutpoints in Tables 2 and 3.

Special consideration of puberty

In addition to the general concerns over increased sensitivity to carcinogenesis during infancy and childhood, there are specific concerns for exposure during the period when hormonal and developmental changes associated with puberty are in process, especially for carcinogens with hormonal modes of action or with impacts on the reproductive system and its accessory organs. At puberty, there is increased development of breast and reproductive organs that clearly involves rapid cellular division and differentiation. Thus, for carcinogens that induce mammary and reproductive organ cancers, puberty represents a time of increased sensitivity. As noted in the section on Selection of Default Age-Sensitivity Factors (page 48), if the risk assessor is evaluating a chemical with the potential for more than usually enhanced potency during this period, such as those which induce mammary or reproductive organ tumors (e.g., a polycyclic aromatic hydrocarbon), then the risk assessment may use a larger ASF to calculate risk from exposure during puberty. OEHHA may recommend chemical-specific ASFs for puberty to the local air quality management districts for use in the Air Toxics Hot Spots program.

Application of ASFs in Risk Assessment

The effect of using the proposed default ASFs in calculating cancer risk over a 70 year lifetime, and for a 9 year exposure common in the Hot Spots program risk assessments is demonstrated in Table 2 and Table 3 below. Ignoring for the moment the increased exposures to carcinogens that children experience, the effect of the weighting factors is to increase the lifetime cancer risk by about 2. For risks from shorter exposures, such as the commonly used 9 year exposure scenario, OEHHA proposes to evaluate risk starting at age 0 in the surrounding general population. The weighting factors in this case increase the risk to a larger extent. Depending on the exposure scenario, the use of age-specific distributions for uptake rates for air, food and water would also increase the risk estimates significantly independent of any application of ASFs. This is because the uptake rates for all these media per unit of body weight are higher in children and, especially, infants.

Assessing risks to short-term exposures to carcinogens involves additional uncertainties. The cancer potency factors are generally based on long-term exposures. However, in reality, the local air districts in California are frequently assessing risk from short term activities related to construction, mitigation of contaminated soils, and so forth. OEHHA recommends that when assessing such shorter term projects, the districts assume a minimum of 2 years of exposure and apply the slope factors and the 10 fold ASF to such assessments. Exposure durations longer than 2 years would use the method for the remaining years as noted above.

Table 2. Example of default ASF use for a lifetime exposure (not adjusted for age-specific exposure)

Carcinogen Potency = 1 $(mg/kg\text{-}d)^{-1}$
Exposure = 0.0001 mg/kg-d
No consideration of differences of exposure

No adjustment: Lifetime Risk = potency × dose			Risk
70 year Lifetime risk = 1 × 0.0001			**1.0×10^{-4}**

With proposed default ASF of 10 for birth to age 2 and 3 for age 2 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 2 yrs)	10	2/70	0.286×10^{-4}
R (age 2 to 16 yrs)	3	13/70	0.557×10^{-4}
R (age 16 to 70 yrs)	1	55/70	0.786×10^{-4}
70 year Lifetime Risk			**1.6×10^{-4}**

With proposed default ASF of 10 for third trimester to age 2 and 3 for ages 2 to 16 years: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (third trimester to age 2yrs)	10	2.25/70.25	0.320×10^{-4}
R (age 2 to age 16 yrs)	3	13/70.25	0.555×10^{-4}
R (age 16 to 70 yrs)	1	55/70.25	0.783×10^{-4}
70 year Lifetime Risk			**1.66×10^{-4}**

With proposed default ASF of 10 for birth to age 5 and 3 for the ages 5 to 16 years. LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 5)	10	4/70	0.571×10^{-4}
R (age 5 to 16 yrs)	3	11/70	0.471×10^{-4}
R (age 16 to 70 yrs)	1	55/70	0.786×10^{-4}
70 year Lifetime Risk			**1.8×10^{-4}**

Table 3. Example of default ASF use for a 9-year exposure

Carcinogen Potency = 1 $(mg/kg\text{-}d)^{-1}$
Exposure = 0.0001 mg/kg-d
No consideration of differences of exposure

No adjustment: Total Risk = potency × dose x fraction of lifetime		Duration	Risk
9-year Total Risk		9/70	**0.13×10^{-4}**

With default ASF of 10 for birth to age 2, and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 2 yrs)	10	2/70	0.286×10^{-4}
R (age 3 to 9 yrs)	3	7/70	0.300×10^{-4}
9 year Total Risk			**0.59×10^{-4}**

With default ASF of 10 for third trimester to age 2 and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (third trimester to age 2yrs)	10	2.25/70.25	0.325×10^{-4}
R (age 2 to 9 yrs)	3	7/70.25	0.300×10^{-4}
9 year Total Risk			**0.625×10^{-4}**

With default ASF of 10 to age 5 and 3 thereafter: LR = Σ (potency x dose x ASF x fraction of lifetime)	ASF	Duration	Risk
R (birth to age 5 yrs)	10	4/70	0.571×10^{-4}
R (age 5 to 9 yrs)	3	5/70	0.214×10^{-4}
9 year Total Risk			**0.785×10^{-4}**

U.S.EPA Analysis of the Effect of Age at Exposure on Cancer Potency

U.S. EPA addressed the potential for increased susceptibility to cancer caused by environmental chemicals when the exposure occurs during an early lifestage in "Supplemental Guidance for Assessing Susceptibility from Early-Life Exposure to Carcinogens" (U.S. EPA, 2005b) (referred to henceforth as the Supplemental Guidance). This document is intended to be a companion to the revised "Guidelines for Carcinogen Risk Assessment" (U.S. EPA, 2005a). We present a summary of their analysis, which support the policy decision to weight cancer potency and therefore risk by age-at-exposure. As previously noted, there are several methodological differences between the U.S. EPA analysis and the OEHHA analysis. Of note, in the OEHHA analysis all treatment-related tumors that were observed in a given lifestage exposure experiment were taken into account in estimating cancer potency. Thus in comparing cancer potencies

associated with early life vs. adult exposure, OEHHA compared the total cancer risk associated with exposure during a given lifestage, rather than comparing the risk for cancers at one single site in each lifestage, as the U.S. EPA did. In addition, the age groupings are a bit different in the U.S. EPA analysis than those used by OEHHA in their analysis (described above). For example, prenatal (*in utero*) exposures were not part of the analysis performed by U.S. EPA, and that Agency's analyses did not distinguish between postnatal and juvenile exposures.

U.S. EPA oral exposure cancer risk methodology relies on estimation of the lifetime average daily dose, which can account for exposure factor differences between adults and children (e.g. eating habits and body weight). However, early lifestage susceptibility differences have not been taken into consideration when cancer potency factors were calculated. The Supplemental Guidance document focused on studies that define the potential duration and degree of increased susceptibility that may arise from early-life exposures. An analysis of those studies including a detailed description of the procedures used was published in Barton *et al.* (2005) (included as Appendix I). The criteria used to decide if a study could be included in the quantitative analysis are as follows (excerpted from U.S. EPA, 2005b):

1. Exposure groups at different post-natal ages in the same study or same laboratory, if not concurrent (to control for a large number of potential cross-laboratory experimental variables including pathological examinations),
2. Same strain/species (to eliminate strain-specific responses confounding age-dependent responses),
3. Approximately the same dose within the limits of diets and drinking water intakes that obviously can vary with age (to eliminate dose-dependent responses confounding age-dependent responses),
4. Similar latency period following exposures of different ages (to control for confounding latency period for tumor expression with age-dependent responses), arising from sacrifice at >1 year for all groups exposed at different ages, where early-life exposure can occur up to about 7 weeks. Variations of around 10 to 20% in latency period are acceptable,
5. Postnatal exposure for juvenile rats and mice at ages younger than the standard 6 to 8 week start for bioassays; prenatal (*in utero*) exposures are not part of the current analysis. Studies that have postnatal exposure were included (without adjustment) even if they also involved prenatal exposure,
6. "Adult" rats and mice exposure beginning at approximately 6 to 8 weeks old or older, i.e. comparable to the age at initiation of a standard cancer bioassay (McConnell, 1992). Studies with animals only at young ages do not provide appropriate comparisons to evaluate age-dependency of response (e.g., the many neonatal mouse cancer studies). Studies in other species were used as supporting evidence, because they are relatively rare and the determination of the appropriate comparison ages across species is not simple, and
7. Number of affected animals and total number of animals examined are available or reasonably reconstructed for control, young, and adult groups (i.e., studies reporting only percent response or not including a control group would be excluded unless a reasonable estimate of historical background for the strain was obtainable).

Cancer potencies were estimated from a one-hit model (a restricted form of the Weibull time-to-tumor model), which estimates cumulative incidence for tumor onset. U.S. EPA (2005b) compared the estimated ratio of the cancer potency from early-life exposure to the estimated cancer potency from adult exposure. The general form of the equation for the tumor incidence at a particular dose, [P(dose)] is:

$$P(dose) = 1-[1-P(0)]\exp(-\text{cancer potency}*\text{dose})$$

where P(0) is the incidence of the tumor in controls. The ratio of juvenile to adult cancer potencies at a single site were calculated by fitting this model to the data for each age group. The model fit depended upon the design of the experiment that generated the data. Studies evaluated by U.S. EPA had two basic design types: experiments in which animals were exposed either as juveniles or as adults (with either a single or multiple dose in each period), and experiments in which exposure began either in the juvenile or in the adult period, but once started, continued through life.

The model equations for the first study type are:

$$P_A = P_0 + (1-P_0)\,(1-e^{-m_A \delta_A})$$

$$P_J = P_0 + (1-P_0)\,(1-e^{-m_A e^{\lambda} \delta_J})$$

where A and J refer to the adult and juvenile period, respectively, λ is the natural logarithm of the juvenile:adult cancer potency ratio, P_0 is the fraction of control animals with the particular tumor type being modeled, P_x is the fraction of animals exposed in age period x with the tumor, m_A is the cancer potency, and δ_x is the duration or number of exposures during age period x.

The goal of the model is to determine λ, which is the logarithm of the estimated ratio of juvenile to adult cancer potencies. This serves as a measure of potential susceptibility for early-life exposure.

For the second study type, the model equations take into account that exposures that were initiated in the juvenile period continue through the adult period. The model equations for the fraction of animals exposed only as adults with tumors in this design are the same as in the first study type, but the fraction of animals whose first exposure occurred in the juvenile period is:

$$P_J = P_0 + (1-P_0)\,(1-e^{-m_A e^{\lambda}(\delta_J - \delta_A) - m_A \delta_A})$$

δ_J includes the duration of exposure during the juvenile period and the subsequent adult period.

Parameters in these models were estimated using Bayesian methods and all inferences about the ratios were based on the marginal posterior distribution of λ. A complete description of these procedures (including the potential effect of alternative Bayesian priors that were examined) was published in Barton *et al.* (2005) (Appendix I). This method produced a posterior mean ratio of the early-life to adult cancer potency, which is an estimate of the potential susceptibility of early-life exposure to carcinogens. Ratios of greater or less than one indicate greater or less susceptibility from early-life exposure, respectively.

U.S. EPA reviewed several hundred studies reporting information on 67 chemicals or complex mixtures that are carcinogenic via perinatal exposure. Eighteen chemicals were identified which had animal study designs involving early-life and adult exposures in the same experiment. Of those 18 chemicals, there were overlapping subsets of 11 chemicals involving repeated exposures during early postnatal and adult lifestages and 8 chemicals using acute exposures (usually single doses) at different ages. Those chemicals are listed in Table 4~~Table 4Table 4~~.

Table 4 Chemicals having animal cancer study data available with early-life and adult exposures in the same experiment.

Chemical	Study Type
Amitrole	repeat dosing
Benzidine	repeat dosing
Benzo[a]pyrene (BaP)	acute exposure
Dibenzanthracene (DBA)	acute exposure
Dichlorodiphenyltrichloroethane (DDT)	lifetime exposure, repeat dosing
Dieldrin	lifetime exposure, repeat dosing
Diethylnitrosamine (DEN)	acute exposure, lifetime exposure
Dimethylbenz[a]anthracene (DMBA)	acute exposure
Dimethylnitrosamine (DMN)	acute exposure
Diphenylhydantoin, 5,5-(DPH)	lifetime exposure, repeat dosing
Ethylnitrosourea (ENU)	acute exposure
Ethylene thiourea (ETU)	lifetime exposure, repeat dosing
3-Methylcholanthrene (3-MC)	repeat dosing
Methylnitrosourea (NMU)	acute exposure
Polybrominated biphenyls (PBBs)	lifetime exposure, repeat dosing
Safrole	lifetime exposure, repeat dosing
Urethane	acute exposure, lifetime exposure
Vinyl chloride (VC)	repeat dosing

U.S. EPA calculated the difference in susceptibility between early-life and adult exposure as the estimated ratio of cancer potency at specific sites from early-life exposure over the cancer potency from adult exposure for each of the studies that were determined qualitatively to have appropriate study designs and adequate data. The results were grouped into four categories: 1) mutagenic chemicals administered by a chronic dosing regimen to adults and repeated dosing in the early postnatal period (benzidine, diethylnitrosamine, 3-methylcholanthrene, safrole, urethane and vinyl chloride); 2) chemicals without positive mutagenicity data administered by a chronic dosing regimen to adults and repeated dosing in the early postnatal period (amitrole, dichlorodiphenyltrichloroethane (DDT), dieldrin, ethylene thiourea, diphenylhydantoin, polybrominated biphenyls); 3) mutagenic chemicals administered by an acute dosing regimen

(benzo[*a*]pyrene, dibenzanthracene, diethylnitrosamine, dimethylbenzanthracene, dimethylnitrosamine, ethylnitrosourea, methylnitrosourea and urethane); 4) chemicals with or without positive mutagenicity data with chronic adult dosing and repeated early postnatal dosing.

The acute dosing animal cancer studies were considered qualitatively useful by U.S. EPA because they involve identical exposures with defined doses and time periods demonstrating that differential tumor incidences arise exclusively from age-dependent susceptibility. However, they were not used to derive a quantitative cancer potency factor age adjustment, primarily because most of the studies used subcutaneous or intraperitoneal injection as a route of exposure. These methods have not been considered quantitatively relevant routes of environmental exposure for human cancer risk assessment by U.S. EPA, for reasons including the fact that these routes of exposure are expected to have a partial or complete absence of first pass metabolism which could affect potency estimates. Additionally, U.S. EPA decided that cancer potency estimates are usually derived from chronic exposures, and therefore, any adjustment to those potencies should be from similar exposures.

The repeated dosing studies with mutagenic chemicals using exposures during early postnatal and adult lifestages were used to develop a quantitative cancer potency factor age adjustment. Studies with repeated early postnatal exposure were included in the analysis even if they also involved earlier maternal and/or prenatal exposure, while studies addressing only prenatal exposure were not used in the analysis. The weighted geometric mean susceptibility ratio (juvenile to adult) for repeated and lifetime exposures in this case was 10.4 (range 0.12 – 111, 42% of ratios greater than 1).

USEPA suggests the use of age-dependent-adjustment factors (ADAF) for chemicals acting through a mutagenic mode of action., based on the results of the preceding analysis, which concluded that cancer risks generally are higher from early-life exposure than from similar exposure doses and durations later in life:

1. For exposures before 2 years of age (i.e., spanning a 2-year time interval from the first day of birth until a child's second birthday), a 10-fold ADAF.

2. For exposures between 2 and <16 years of age (i.e., spanning a 14-year time interval from a child's second birthday until their sixteenth birthday), a 3-fold ADAF.

3. For exposures after turning 16 years of age, no adjustment (ADAF=1).

The ADAF of 10 used for the 0 – 2 years of age range is approximately the weighted geometric mean cancer potency ratio from juvenile versus adult exposures in the repeated dosing studies. U.S. EPA considered this period to display the greatest toxicokinetic and toxicodynamic differences between children and adults. Data were not available to calculate a specific dose-response adjustment factor for the 2 to <16-year age range, so EPA selected an ADAF of 3 because it was half the logarithmic scale difference between the 10-fold adjustment for the first two years of life and no adjustment (*i.e.*, 1-fold) for adult exposure. The ADAF of 3 represents an intermediate level of adjustment applied after 2 years of age through <16 years of age. The upper age limit (16 years of age) reflects the end of puberty and the attainment of a final body height. U.S. EPA recognizes that the use of a weighted geometric mean of the available study

data to develop an ADAF for cancer potencies may either overestimate or underestimate the actual early-life cancer potency for specific chemicals, and therefore emphasizes in the Supplemental Guidance that chemical-specific data should be used in preference to these default adjustment factors whenever such data are available.

U.S. EPA is recommending the ADAFs described above only for mutagenic carcinogens, because the data for non-mutagenic carcinogens were considered to be too limited and the modes of action too diverse to use this as a category for which a general default adjustment factor approach can be applied. OEHHA considers this approach to be insufficiently health protective. There is no obvious reason to suppose that the toxicokinetics of non-mutagens would be systematically different from those of mutagens. It would also be inappropriate to assume by default that non-mutagenic carcinogens are assumed to need a toxicodynamic correction factor of 1. Most if not all of the factors that make individuals exposed to carcinogens during an early-lifestage potentially more susceptible than those individuals exposed during adulthood also apply to non-mutagenic carcinogen exposures (*e.g.*, rapid growth and development of target tissues, potentially greater sensitivity to hormonal carcinogens, differences in metabolism). It should also be noted that carcinogens that do not cause gene mutations may still be genotoxic by virtue of causing chromosomal damage. Additionally, many carcinogens do not have adequate data available for deciding on a specific mode of action, or do not necessarily have a single mode of action. For these reasons, OEHHA will apply the default cancer potency factor age adjustments described above to all carcinogens unless data are available which allow for the development of chemical-specific cancer potency factor age adjustments. In those cases, an agent-specific model of age dependence (based on observational or experimental data) might be used, or alternative (larger or smaller) adjustment factors and age ranges may be applied where understanding of the mechanism of action and target tissues makes this appropriate.

Other Source Documents for Cancer Risk Assessment Guidance

As noted previously, the cancer potencies and unit risks tabulated in this technical support document have been developed by various programs over a number of years. The methods used therefore necessarily varied according to the date of the assessment and the program responsible. The following section summarizes the sources and procedures most commonly applied, and their historical context where this is apposite.

United States Environmental Protection Agency (U.S. EPA)

The U.S. EPA was one of the first regulatory agencies to develop and apply cancer risk assessment methodology. Their guidance documents and technical publications have been influential for many programs, including the California Air Toxics (Toxic Air Contaminants and Hot Spots) programs.

Guidelines for Carcinogen Risk Assessment (U.S. EPA, 1986)

Prior to the more recent guidelines updating project which, after nearly ten years of internal and public review drafts culminated in the 2005 final revision (see below), U.S. EPA carcinogen risk assessment procedures were generally as described in Anderson *et al.* (1983) and "Guidelines for Carcinogen Risk Assessment" (U.S. EPA, 1986). These methods, which are outlined below, were used to calculate the Integrated Risk Information System (IRIS) cancer potency values, some of which are cited in this document. U.S. EPA has always indicated that cancer risk estimates based on adequate human epidemiologic data are preferred if available over estimates based on animal data. Although the newer guidelines offer alternative methods for dose-response analysis of animal bioassays, and updated consideration of specific topics such as lifestage-related differences in sensitivity, and mechanism of action for some types of carcinogen, the underlying principles, and many of the specific procedures developed in these original guidelines are still applicable and in use.

U.S. EPA Calculation of Carcinogenic Potency Based on Animal Data

In extrapolating low-dose human cancer risk from animal carcinogenicity data, it is generally assumed that most agents that cause cancer also damage DNA, and that the quantal type of biological response characteristic of mutagenesis is associated with a linear non-threshold dose-response relationship. U.S. EPA stated that the risk assessments made with this model should be regarded as conservative, representing the most plausible upper limit for the risk. The mathematical expression used by U.S. EPA in the 1986 guidelines to describe the linear non-threshold dose-response relationship at low doses is the linearized multistage procedure developed by Crump (1980). This model is capable of fitting almost any monotonically increasing dose-response data, and incorporates a procedure for estimating the largest possible linear slope at low extrapolated doses that is consistent with the data at all experimental dose levels. A description of the linearized multistage procedure has been provided above (page 292928). U.S. EPA used an updated version (GLOBAL86, Howe *et al.*, 1986) of the computer program GLOBAL79 developed by Crump and Watson (1979) to calculate the point estimate and the 95% upper confidence limit of the extra risk $A(d)$.

U.S. EPA separated tumor incidence data according to organ sites or tumor types. The incidence of benign and malignant tumors was combined whenever scientifically defensible. U.S. EPA considered this incidence combination scientifically defensible unless the benign tumors are not considered to have the potential to progress to the associated malignancies of the same histogenic origin. The primary comparison in carcinogenicity evaluation is tumor response in dosed animals as compared to contemporary matched control animals. However, U.S. EPA stated that historical control data could be used along with concurrent control data in the evaluation of carcinogenic responses, and notes that for the evaluation of rare tumors, even small tumor responses may be significant compared to historical data. If several data sets (dose and tumor incidence) are available (different animal species, strains, sexes, exposure levels, exposure routes) for a particular chemical, the data set used in the model was the set where the incidence is statistically significantly higher than the control for at least one test dose level and/or where the tumor incidence rate shows a statistically significant trend with respect to dose level. The data set generating the highest lifetime cancer risk estimate (q_1^*) was chosen where appropriate. An example of an inappropriate data set would be a set which generates an artifactually high risk estimate because of a very small number of animals used. If there are 2 or more data sets of comparable size for a particular chemical that are identical with respect to species, strain, sex and tumor sites, the geometric mean of q_1^* estimated from each of those data sets was used for risk estimation. U.S. EPA assumed that mg/surface area/day is an equivalent dose between species. Surface area was further assumed to be proportional to the 2/3 power of the weight of the animal in question. Equivalent dose was therefore computed using the following relationship:

$$\mathrm{d} = \frac{l_e * m}{L_e * W^{2/3}}$$

where L_e = experimental duration, l_e = exposure duration, m = average dose (mg/day) and W = average animal weight. Default average body weights for humans, rats and mice are 70, 0.35 and 0.03 kg, respectively.

Exposure data expressed as ppm in the diet were generally converted to mg/day using the relationship $m = \text{ppm} * F * r$, where ppm is parts per million of the chemical in the diet, F is the weight of the food consumed per day in kg, and r is the absorption fraction (assumed to be 1 in the absence of data indicating otherwise). The weight of food consumed, calories required, and animal surface area were generally all considered to be proportional to the 2/3 power of the animal weight, so:

$$m \propto \text{ppm} * W^{2/3} * r, \text{ or } \quad \frac{m}{rW^{2/3}} \propto \text{ppm}$$

The relationship could lead to the assumption that dietary ppm is an equivalent exposure between species. However, U.S. EPA did not believe that this assumption is justified, since the calories/kg food consumed by humans is significantly different from that consumed by laboratory animals (primarily due to differences in moisture content). An empirically derived food factor, $f = F/W$ was used, which is the fraction of a species' body weight consumed per day as food. U.S. EPA (1986) gave the f values for humans, rats and mice as 0.028, 0.05 and 0.13, respectively.

Dietary exposures expressed as concentrations in ppm were converted to mg/surface area using the following relationship:

$$\frac{m}{r * W^{2/3}} = \frac{\text{ppm} * F}{W^{2/3}} = \frac{\text{ppm} * f * W}{W^{2/3}} = \text{ppm} * f * W^{2/3}$$

Exposures expressed as mg/kg/day ($m/Wr = s$) were converted to mg/surface area using the relationship:

$$\frac{m}{rW^{2/3}} = s * W^{2/3}$$

The calculation of dose when exposure is via inhalation was performed for cases where 1) the chemical is either a completely water-soluble gas or aerosol and is absorbed proportionally to the amount of inspired air, or 2) where the chemical is a partly water-soluble gas which reaches an equilibrium between the inspired air and body compartments. After equilibrium is attained, the rate of absorption is proportional to metabolic rate, which is proportional to the rate of oxygen consumption, which is related to surface area.

Exposure expressed as mg/day to completely water-soluble gas or aerosols can be calculated using the expression $m = I * v * r$, where I is the inspiration rate/day in m^3, v is the concentration of the chemical in air (mg/m^3), and r is the absorption fraction (assumed to be the same for all species in the absence of data to the contrary; usually 1). For humans, the default inspiration rate of 20 m^3 has been adopted. Inspiration rates for 113 g rats and 25 g mice have been reported to be 105 and 34.5 liters/day, respectively. Surface area proportionality can be used to determine inspiration rate for rats and mice of other weights; for mice, $I = 0.0345\ (W / 0.025)^{2/3}\ m^3/day$; for rats, $I = 0.105\ (W / 0.113)^{2/3}\ m^3/day$. The empirical factors for air intake/kg/day (i) for humans, rats and mice are 0.29, 0.64 and 1.3, respectively. Equivalent exposures in mg/surface area can be calculated using the relationship:

$$\frac{m}{W^{2/3}} = \frac{Ivr}{W^{2/3}} = \frac{iWvr}{W^{2/3}} = iW^{1/3}vr$$

Exposure expressed as mg/day to partly water-soluble gases is proportional to surface area and to the solubility of the gas in body fluids (expressed as an absorption coefficient r for that gas). Equivalent exposures in mg/surface area can be calculated using the relationships $m = kW^{2/3} * v * r$, and $d = m/W^{2/3} = kvr$. The further assumption is made that in the case of route-to-route extrapolations (e.g., where animal exposure is via the oral route, and human exposure is via inhalation, or vice versa), unless pharmacokinetic data to the contrary exist, absorption is equal by either exposure route.

Adjustments were made for experimental exposure durations shorter than the lifetime of the test animal; the slope q_1^* was increased by the factor $(L/L_e)^3$, where L is the normal lifespan of the experimental animal and L_e is the duration of the experiment. This assumed that if the average dose d is continued, the age-specific rate of cancer will continue to increase as a constant function of the background rate. Since age-specific rates for humans increase by at least the 2nd power of the age, and often by a considerably higher power (Doll, 1971), there is an expectation

that the cumulative tumor rate, and therefore q_1^*, will increase by at least the 3rd power of age. If the slope q_1^* is calculated at age L_e, it would be expected that if the experiment was continued for the full lifespan L at the same average dose, the slope q_1^* would have been increased by at least $(L/L_e)^3$.

U.S. EPA Calculation of Carcinogenic Potency Based on Human Data

U.S. EPA stated that existing human epidemiologic studies with sufficiently valid exposure characterization are always used in evaluating the cancer potency of a chemical. If they showed a carcinogenic effect, the data were analyzed to provide an estimate of the linear dependence of cancer rates on lifetime cancer dose (equivalent to the factor q_1^*). If no carcinogenic effect was demonstrated and carcinogenicity had been demonstrated in animals, then it was assumed that a risk does exist, but it is smaller than could have been observed in the epidemiologic study. An upper limit of cancer incidence was calculated assuming that the true incidence is just below the level of detection in the cohort studied, which is largely determined by the cohort size. Whenever possible, human data are used in preference to animal data. In human epidemiologic studies, the response is measured as the relative risk of the exposed cohort of individuals compared to the control group. The excess risk ($R(X)$ - 1, where $R(X)$ is relative risk) was assumed to be proportional to the lifetime average exposure X, and to be the same for all ages. The carcinogenic potency is then equal to $[R(X) - 1]/X$ multiplied by the lifetime risk at that site in the general population. According to this original procedure, the confidence limit for the excess risk was not usually calculated: this decision was ascribed to the difficulty in accounting for inherent uncertainty in the exposure and cancer response data. More recent assessments have taken the opposite view and attempted to calculate and characterize this uncertainty by determining confidence limits, *inter alia*.

Guidelines for Carcinogen Risk Assessment (U.S. EPA, 2005a)

U.S. EPA revised its "Guidelines for Carcinogen Risk Assessment" (referred to henceforth as the "U.S. EPA Guidelines") in 2005. Compared to the 1986 version of this document, more emphasis is placed on establishing a "mode of action" (MOA). The following excerpt provides a definition of this term:

> "The term "mode of action" is defined as a sequence of key events and processes, starting with interaction of an agent with a cell, proceeding through operational and anatomical changes, and resulting in cancer formation. A "key event" is an empirically observable precursor step that is itself a necessary element of the mode of action or is a biologically based marker for such an element. Mode of action is contrasted with "mechanism of action," which implies a more detailed understanding and description of events, often at the molecular level, than is meant by mode of action".

Cancer risk assessments performed under the prior U.S. EPA Guidelines sometimes included a MOA description. However, the 1986 U.S. EPA Guidelines did not explicitly mandate the development of a MOA description in cancer risk assessments.

The MOA information is then used to govern how a cancer risk assessment shall proceed. Tumor incidence data sets arising from a MOA judged to be not relevant to humans are not used

to extrapolate a cancer potency factor. If an MOA cannot be determined or is determined to have a low-dose linear dose-response and a nonmutagenic MOA, then a linear extrapolation method is used to develop a cancer potency factor. The same linear extrapolation is used for all lifestages, unless chemical specific information on lifestage or population sensitivity is available. Carcinogens that act via an MOA judged to have a nonlinear low-dose dose response are modeled using MOA data, or the RfD/RfC risk assessment method is used as a default. Adjustments for susceptible lifestages or populations are to be performed as part of the risk assessment process.

If a carcinogen is deemed to act via a mutagenic MOA, then the data from the MOA analysis is evaluated to determine if chemical-specific differences between adults and juveniles exist and can be used to develop a chemical-specific risk estimate incorporating lifestage susceptibility. If this cannot be done, then early-life susceptibility is assumed, and age-dependent adjustment factors (ADAFs) are applied as appropriate to develop risk estimates. In cases where it is not possible to develop a toxicokinetic model to perform cross-species scaling of animal tumor data sets which arise from oral exposures, the U.S. EPA Guidelines state that administered doses should be scaled from animals to humans on the basis of equivalence of $mg/kg^{3/4}$-d (milligrams of the agent normalized by the 3/4 power of body weight per day). This is a departure from the 1986 U.S. EPA guidelines, which used a 2/3 power of body weight normalization factor. Other adjustments for dose timing, duration and route are generally assumed to be handled in similar fashion to that described for the 1986 guidelines, although of course updated parameter values would be used where available.

The 2005 U.S. EPA Guidelines also use benchmark dose methodology (described above, page 27) to develop a "point-of departure" (POD) from tumor incidence data. For linear extrapolation, the POD is used to calculate a cancer potency factor, and for nonlinear extrapolation the POD is used in the calculation of a reference dose (RfD) or reference concentration (RfC).

It should be noted that none of the cancer potency factors listed in this document were obtained from U.S. EPA risk assessments performed under the 2005 U.S. EPA Guidelines. All U.S. EPA IRIS cancer potency values contained in this document were obtained from risk assessments using the 1986 U.S. EPA Guidelines.

Office of Environmental Health Hazard Assessment (OEHHA), California Environmental Protection Agency

The cancer risk assessment procedures originally used by the Office of Environmental Health Hazard Assessment (OEHHA) are outlined in "Guidelines for Chemical Carcinogen Risk Assessments and their Scientific Rationale" (referred to below as the Guidelines) (CDHS, 1985). These procedures were generally used in generating Toxic Air Contaminant (TAC) cancer potency values, standard Proposition 65 cancer potency values and Public Health Goal (PHG) cancer potency values. Expedited Proposition 65 cancer potency values depart somewhat from those procedures and are discussed separately below.

OEHHA cancer risk assessment methodology as described by CDHS (1985) generally resembled that used at that time by U.S. EPA (Anderson *et al.*, 1983; U.S. EPA, 1986). OEHHA risk

assessment practice similarly reflects the evolution of the technical methodology (e.g. as described in U.S. EPA, 2005a) since the original guidelines were published. The basic principles and procedures described below are still considered applicable. More recent additions to OEHHA cancer risk assessment methods such as the use of benchmark dose methodologies and early-lifestage cancer potency adjustments are discussed above. The Guidelines state that both animal and human data, when available, should be part of the dose-response assessment.

OEHHA Calculation of Carcinogenic Potency Based on Animal Data

The procedures used to extrapolate low-dose human cancer risk from animal carcinogenicity data assumed that a carcinogenic change induced in a cell is transmitted to successive generations of cell descendents, and that the initial change in the cell is an alteration (e.g. mutation, rearrangement, etc.) in the cellular DNA. Non-threshold models are used to extrapolate to low-dose human cancer risk from animal carcinogenicity data.

Several models were proposed for extrapolating low-dose human cancer risk from animal carcinogenicity data in the original Guidelines. These models include the Mantel-Bryan method (log-probit model), the one-hit model, the linearized multistage procedure, the gamma multihit model, and a number of time-to-tumor models. The Guidelines stated that time-to-tumor models (i.e., a Weibull-in-time model) should be used for low-dose extrapolation in all cases where supporting data are available, particularly when survival is poor due to competing toxicity. However, the Guidelines also noted the difficulty of determining the actual response times in an experiment. Internal tumors are generally difficult to detect in live animals and their presence is usually detected only at necropsy. Additionally, use of these models often requires making the determination of whether a tumor was the cause of death, or was found only coincidentally at necropsy when death was due to other causes. Further, competing causes of death, such as chemical toxicity, may decrease the observed time-to-tumor for nonlethal cancers by allowing earlier necropsy of animals in higher dose groups. The linearized multistage (LMS) procedure was noted as being an appropriate method for dose extrapolation in most cases, with the primary exception being a situation in which sufficient empirical data are available to indicate a dose-response curve of a "quasi-threshold" type (e.g., flat for two or three dose levels, then curving sharply upwards). In this case, the LMS procedure may underestimate the number of stages and overestimate the low-dose risks. In this case, the gamma multihit model was suggested as being a potential alternative. The Mantel-Bryan model was described as having little biological basis as applied to carcinogenesis, and being likely to underestimate risks at low doses. The Guidelines stated that this model should not be used for low dose extrapolation. More recent practice has departed from these original guidelines in some respects, for instance by experimenting with cell-proliferation based models in a few cases: however the LMS model remained the preferred extrapolation model for most purposes. Some of the difficulties in achieving a satisfactory fit to tumor incidence data were found to be alleviated by application of toxicokinetic models and use of an internal rather than applied dose metric with the LMS model. This has resulted in the alternative models originally advocated (Gamma multihit, Mantel-Bryan) being mostly abandoned. As noted above (Dose-Response Assessment, page 23), the use of allegedly biologically based statistical models such as LMS has fallen from favor in recent years, and benchmark dose methodology has become the preferred method for extrapolating cancer potency values from animal cancer incidence data. However, it should also be noted that results

generated by the LMS model and benchmark dose methodology from the same data set are often quite similar.

The 1985 Guidelines stated that both animal and human data, when available, should be part of the dose-response assessment. Although preference was given to human data when these were of adequate quality, animal studies may provide important supporting evidence. Low-dose extrapolation of human cancer risk from animal carcinogenicity data was generally based on the most sensitive site, species and study demonstrating carcinogenicity of a particular chemical, unless other evidence indicates that the data set in question is not appropriate for use. Where both benign and malignant tumors are induced at the same site and the benign tumors are considered to have the potential to progress to malignant tumors, the incidence data for both types of tumors could be combined to form the basis for risk assessment. Pharmacokinetic data on chemical metabolism, effective dose at target site, or species differences between laboratory test animals and humans were considered in dose-response assessments when available. In performing exposure scaling from animals to humans, the "surface area" correction (correcting by the 2/3 power of body weight) was used unless specific data indicates that this should not be done. The Guidelines assumed that in the absence of evidence to the contrary, chemicals that cause cancer after exposure by ingestion will also cause cancer after exposure by inhalation, and vice versa. These original proposals have continued in use with little change except that currently, TAC and PHG cancer potency factor calculations use a 3/4 power of body weight correction for interspecies scaling, in line with current U.S. EPA practice. The standard Proposition 65 cancer potency factor calculations still use a 2/3 power correction because the cancer potency calculation method is specified in regulation (California Health and Safety Code 25249.5 *et seq.*).

Cancer unit risk factors [in units of $(\mu g/m^3)^{-1}$]have been calculated from cancer potency factors [in units of $(mg/kg\text{-}day)^{-1}$] using the following relationship:

$$UR = \frac{CPF * 20\ m^3}{70\ kg\ *\ CV}$$

where UR is the cancer unit risk, CPF is the cancer potency factor, 70 kg is the reference human body weight, 20 m^3 is the reference human inspiration rate/day, and CV is the conversion factor from mg to µg (= 1000). The cancer unit risk describes the excess cancer risk associated with an inhalation exposure to a concentration of 1 $\mu g/m^3$ of a given chemical; the cancer potency factor describes the excess cancer risk associated with exposure to 1 mg of a given chemical per kilogram of body weight.

It should be noted that although this default method is still used in deriving published cancer unit risk values, for site-specific risk assessments age-appropriate distributions and percentile values are used in the current version of the Hot Spots exposure assessment document. Where exposure to children occurs (as it does in most exposures to the general population surrounding a source site) it is also necessary to apply the age-specific adjustment factors for the appropriate durations in accordance with the guidance offered above (Page 30 *et seq.*).

OEHHA Calculation of Carcinogenic Potency Based on Human Data

Human epidemiologic studies with adequate exposure characterization are used to evaluate the cancer potency of a chemical. If they show a carcinogenic effect, the data are analyzed to provide an estimate of the linear dependence of cancer rates on lifetime cancer dose. The 1985 Guidelines stated that with continuous exposure, age-specific incidence continues to increase as a power function (e.g., t^3 or t^4) of the elapsed time since initial exposure. Lifetime risks can be estimated by applying such a power function to the observed data and extrapolating beyond the actual followup period. OEHHA has generally undertaken the calculation of study power and confidence bounds on the potency estimate as important tools to establish the credibility of the estimate obtained and in comparing this with other estimates (from other human studies or from animal data). Due to the diversity in quality and type of epidemiological data, the specific approaches used in OEHHA risk assessments based on human epidemiologic studies vary on a case by case basis rather than following explicit general guidelines. Examples of the methods used can be observed in the Toxic Air Contaminant documents (these documents are listed in Appendix D: the methods used are described in the compound summaries provided in Appendix B).

Expedited Proposition 65 Cancer Risk Assessment Methodology

Expedited cancer potency values developed for several agents listed as carcinogens under Proposition 65 (California Health and Safety Code 25249.5 *et seq.*) were derived from selected animal carcinogenicity data sets of the Carcinogenic Potency Database (CPDB) of Gold *et al.* (1984, 1986, 1987, 1989, 1990, 1997) using default procedures specified in the administrative regulations for Proposition 65 (Title 22 California Code of Regulations [CCR] 12703). OEHHA hazard assessments usually describe all relevant data on the carcinogenicity (including dose-response characteristics) of the chemical under examination, followed by an evaluation of any pharmacokinetic and mechanistic (e.g. genotoxicity) data. An evaluation of the data set for the chemical may indicate that adjustments in target dose estimates or use of a dose response model different from the default are appropriate. The procedure used to derive expedited Proposition 65 cancer potency values differs from the usual methodology in two ways. First, it relies on cancer dose response data evaluated and extracted from the original literature by Gold *et al.* Second, the choice of a linearized multistage procedure for generating cancer potency values is automatic, and pharmacokinetic adjustments are not performed. The methods used to develop expedited cancer potency values incorporate the following assumptions:

1. The dose response relationship for carcinogenic effects in the most sensitive species tested is representative of that in humans.
2. Observed experimental results can be extrapolated across species by use of the interspecies factor based on "surface area scaling."
3. The dose to the tissue giving rise to a tumor is assumed to be proportional to the administered dose.
4. The linearized multistage polynomial procedure can be used to extrapolate potency outside the range of experimental observations to yield estimates of "low" dose potency.
5. Cancer risk increases with the third power of age.

The Carcinogenic Potency Database of Gold *et al.* (1984, 1986, 1987, 1989, 1990) contains the results of more than 4000 chronic laboratory animal experiments on 1050 chemicals by combining published literature with the results of Federal chemical testing programs (Technical Reports from the Carcinogenesis Bioassay Program of the National Cancer Institute (NCI)/National Toxicology Program (NTP) published prior to June 1987). The published literature was searched (Gold *et al.*, 1984) through the period December 1986 for carcinogenicity bioassays; the search included the Public Health Service publication "Survey of Compounds Which Have Been Tested for Carcinogenic Activity" (1948-1973 and 1978), monographs on chemical carcinogens prepared by the International Agency for Research on Cancer (IARC) and Current Contents. Also searched were Carcinogenesis Abstracts and the following journals: British Journal of Cancer, Cancer Letters, Cancer Research, Carcinogenesis, Chemosphere, Environmental Health Perspectives, European Journal of Cancer, Food and Cosmetics Toxicology, Gann, International Journal of Cancer, Journal of Cancer Research and Clinical Oncology (formerly Zeitschrift fur Krebsforschung und Klinische Onkologie), Journal of Environmental Pathology and Toxicology, Journal of Toxicology and Environmental Health, Journal of the National Cancer Institute, and Toxicology and Applied Pharmacology. Studies were included in the database if they met the following conditions:

1. The test animals were mammals.
2. Chemical exposure was started early in life (100 days of age or less for hamsters, mice and rats).
3. Route of administration was via the diet, drinking water, gavage, inhalation, intravenous injection or intraperitoneal injection.
4. The test chemical was administered alone (not in combination with other chemicals).
5. Chemical exposure was chronic (*i.e.*, duration of exposure was at least one-fourth the standard lifespan for that species), with not more than 7 days between exposures.
6. The experiment duration was at least half the standard lifespan for the species used.
7. The study design included a control group and at least 5 animals/exposure group.
8. No surgical interventions were performed.
9. Pathology data were reported for the number of animals with tumors (not total number of tumors).
10. All results reported were original data (not analysis of data reported by other authors).

Included in their data set tabulations are estimates of average doses used in the bioassay, resulting tumor incidences for each of the dose levels employed for sites where significant responses were observed, dosing period, length of study and histopathology. Average daily dose levels were calculated assuming 100% absorption. Dose calculations follow procedures similar to those of Cal/EPA and U.S. EPA; details on methods used and standard values for animal lifespans, body weights, and diet, water and air intake are listed in Gold *et al.* (1984). OEHHA (1992) reviewed the quality assurance, literature review, and control procedures used in compiling the data and found them to be sufficient for use in an expedited procedure. Cancer potency estimates were derived by applying the mathematical approach described in the section below to dose response data in the Gold *et al.* database.

The following criteria were used for data selection:

1. Data sets with statistically significant increases in cancer incidence with dose ($p \leq 0.05$) were used. (If the authors of the bioassay report considered a statistically significant result to be unrelated to the exposure to the carcinogen, the associated data set was not used.)
2. Data sets were not selected if the endpoint was specified as "all tumor-bearing animals" or results were from a combination of unrelated tissues and tumors.
3. When several studies were available, and one study stood out as being of higher quality due to numbers of dose groups, magnitude of the dose applied, duration of study, or other factors, the higher quality study was chosen as the basis for potency calculation if study results were consistent with those of the other bioassays listed.
4. When there were multiple studies of similar quality in the sensitive species, the geometric mean of potencies derived from these studies was taken. If the same experimentalists tested two sexes of the same species/strain under the same laboratory conditions, and no other adequate studies were available for that species, the data set for the more sensitive sex was selected.
5. Potency was derived from data sets that tabulate malignant tumors, combined malignant and benign tumors, or tumors that would have likely progressed to malignancy.

Cancer potency was defined as the slope of the dose response curve at low doses. Following the default approach, this slope was estimated from the dose response data collected at high doses and assumed to hold at very low doses. The Crump linearized multistage polynomial (Crump *et al.*, 1977) was fit to animal bioassay data:

$$\text{Probability of cancer} = 1 - \exp[-(q_0 + q_1 d + q_2 d^2 + \ldots)]$$

Cancer potency was estimated from the upper 95 % confidence bound on the linear coefficient q_1, which is termed q_1^*.

For a given chemical, the model was fit to a number of data sets. As discussed in the section above, the default was to select the data for the most sensitive target organ in the most sensitive species and sex, unless data indicated that this was inappropriate. Deviations from this default occur, for example, when there are several bioassays or large differences exist between potency values calculated from available data sets.

Carcinogenicity bioassays using mice and/or rats will often use an exposure duration of approximately two years. For standard risk assessments, this is the assumed lifespan for these species. Animals in experiments of shorter duration are at a lower risk of developing tumors than those in the standard bioassay; thus potency is underestimated unless an adjustment for experimental duration is made. In estimating potency, short duration of an experiment was taken into account by multiplying q_1^* by a correction factor equal to the cube of the ratio of the assumed standard lifespan of the animal to the duration of the experiment (T_e). This assumes that the cancer hazard would have increased with the third power of the age of the animals had they lived longer:

$$q_{animal} = q_1^* * (104 \text{ weeks}/T_e)^3$$

In some cases excess mortality may occur during a bioassay, and the number of initial animals subject to late occurring tumors may be significantly reduced. In such situations, the above described procedure can, at times, significantly underestimate potency. A time-dependent model fit to individual animal data (i.e., the data set with the tumor status and time of death for each animal under study) may provide better potency estimates. When Gold *et al.* indicated that survival was poor for a selected data set, a time-dependent analysis was attempted if the required data were available in the Tox Risk (Crump *et al.*, 1991) data base. The Weibull multistage model (Weibull-in-time; multistage-in-dose) was fit to the individual animal data.

To estimate human cancer potency, q_{animal} values derived from bioassay data were multiplied by an interspecies scaling factor (K; the ratio of human body weight (bw_h) to test animal body weight (bw_a), taken to the 1/3 power (Anderson *et al.*, 1983)):

$$K = (bw_h/bw_a)^{1/3}$$

Thus, cancer potency = $q_{human} = K * q_{animal}$

Chemical-specific Descriptions of Cancer Potency Value Derivations

Unit Risk and potency values for chemicals whose cancer potency values were obtained from Toxic Air Contaminant documents, standard or expedited Proposition 65 documents, U.S. EPA's Integrated Risk Information System (IRIS) documents and Health Effects Assessment Summary Table (HEAST) entries, or from other documents prepared by OEHHA's Air Toxicology and Epidemiology Branch or Pesticide and Environmental Toxicology Branch are presented in Appendix A. Information summaries for these chemicals are presented in Appendix B.

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U.S. Department of Housing and Urban Development
Office of Community Planning and Development

The Noise Guidebook

Item No. E.2

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The Noise Guidebook

A Reference Document for Implementing the Department of Housing and Urban Development's Noise Policy

Prepared By The Environmental Planning Division,
Office of Environment and Energy

For sale by the Superintendent of Documents, U.S. Government Printing Office Washington, D.C. 20402

Item No. E.2 -1012-

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Preface

Introduction

This *Noise Guidebook* has been prepared to serve as the basic reference document for all HUD field staff who are responsible for implementing the Department's noise policy. It brings together in one place all the various reports, informational papers and other items that have been put out by the Department over the past several years. It also contains several new items designed to make your job easier.

This *Guidebook* is designed to serve not only the experienced HUD staff member but also the new employee or the old employee who is new to the noise field. Because of this, the *Guidebook* contains some fairly basic background material as well as quizzes and other material specifically geared for the "learner."

Chapter 1

Basic Overview of the Environmental Noise Problem

Introduction

Background

Definition and Scope of the Noise Problem

The air around us is constantly filled with sounds, yet most of us would probably not say we are surrounded by noise. What then is the difference between ordinary sound and what we call noise? The traditional definition of noise is that it is "unwanted sound." Sound becomes unwanted when it either interferes with our normal activities such as sleeping, conversation or recreation, when it causes actual physical harm such as hearing loss or has adverse effects on mental health. As we have become a more urbanized country and as technology has advanced, the level of sound in our environment has reached the point when it sometimes does cause interference and does cause physical and psychological harm, and thus we have developed a noise problem. (See Figure 1 for a listing of common sounds.)

The dimensions of the noise problem have grown larger and larger over the past few decades. In its 1979 Annual Report, The Council on Environmental Quality stated that "nearly half the US population is regularly exposed to levels of noise that interfere with ...normal activities" and about "1 in 10 ...are exposed to noises of duration and intensity sufficient to cause a permanent reduction in their ability to hear."

Figure 1
Common Sounds
Basic Theory: Common Sounds in Decibels (dB)

Some common, easily recognized sounds are listed below in order of increasing sound intensity levels in decibels. The sound levels shown for occupied rooms are typical general activity levels only and do *not* represent criteria for design.

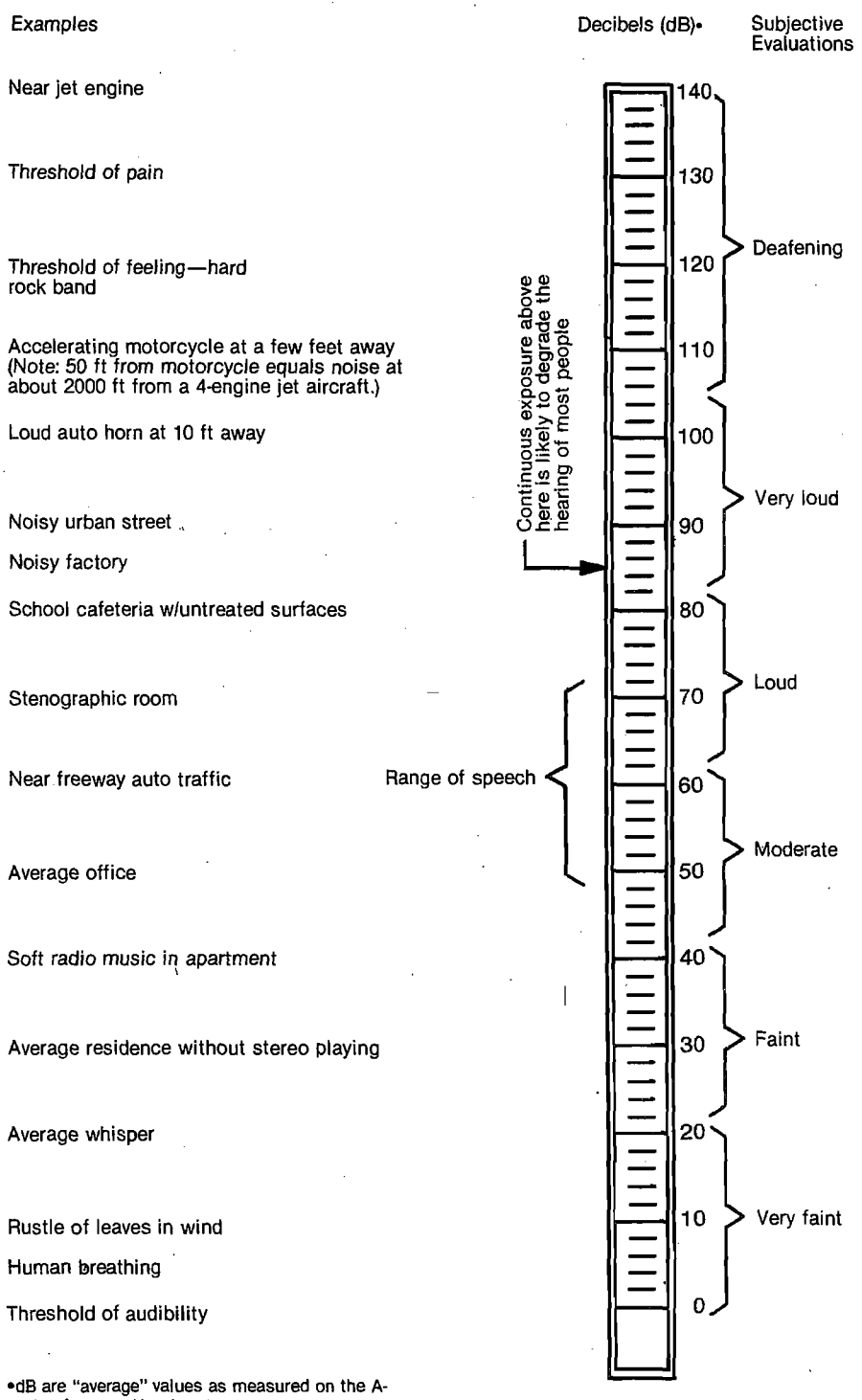

•dB are "average" values as measured on the A-scale of a sound-level meter
(From *Concepts in Architectural Acoustics:* M. David Egan, McGraw Hill, 1972.)

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The Dynamics of the Noise Problem

There are basically two types of noise problems. There is the specific, job related, occupational noise problem created by extremely loud machinery. Then there is the community noise problem where the combined effect of many individual noise sources creates an overall noise level that is unacceptable. In the following pages we will be addressing the community noise problem only.

The main contributors to a community noise problem are transportation sources such as highways, railroads and airports. These sources are the most pervasive and continuing of the noise sources within the community. Of course, at any given site, there may be other noise sources which add to the problem, sources such as jackhammers at a construction site. But in general, and for the purposes of this section, the main concern is with the transportation sources.

The dynamics of a noise problem are based on the relationship between the noise source, the person or place exposed to the noise (hereafter called the receiver) and the path the noise will travel from source to receiver.

The source generates a given amount of noise which travels along the path and arrives at the receiver. The amount of noise will be reduced to some extent as a result of how long that path is or whether there are any barriers along the path. The severity of the impact on the receiver is a function of what type of activity is taking place, whether it is indoors or outdoors, and what type of building it is in if the activity is indoors. Figure 3 contains some basic compatibility guidelines.

The impact of the noise can be altered or mitigated by changing the characteristics of any of the three elements: source, path or receiver. Later on we will look at the various mitigation measures that are possible. Our concern however will be primarily with the receiver and the path. Control of the sources themselves is the specific responsibility of agencies such as the Environmental Protection Agency (EPA) or the Federal Aviation Administration (FAA).

Figure 2
Dynamics of a Noise Problem

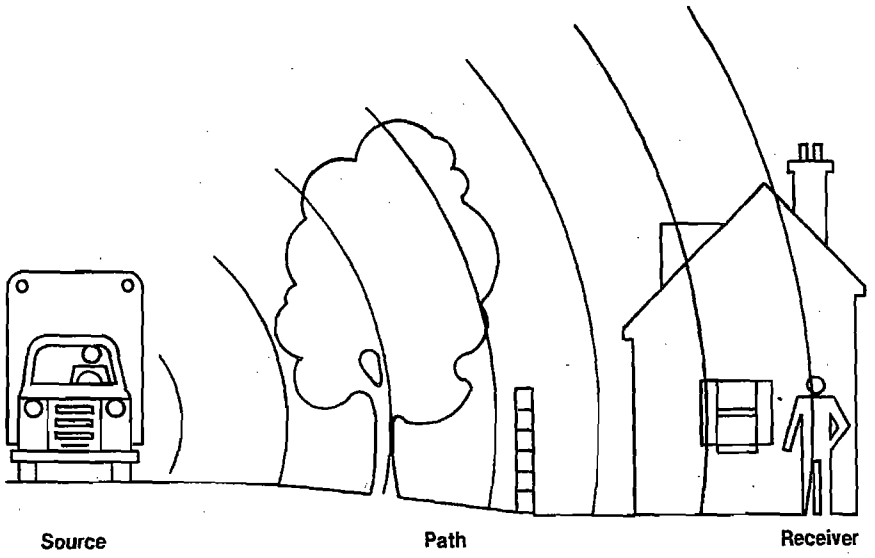

Figure 3
Land Use Compatibility Guidelines

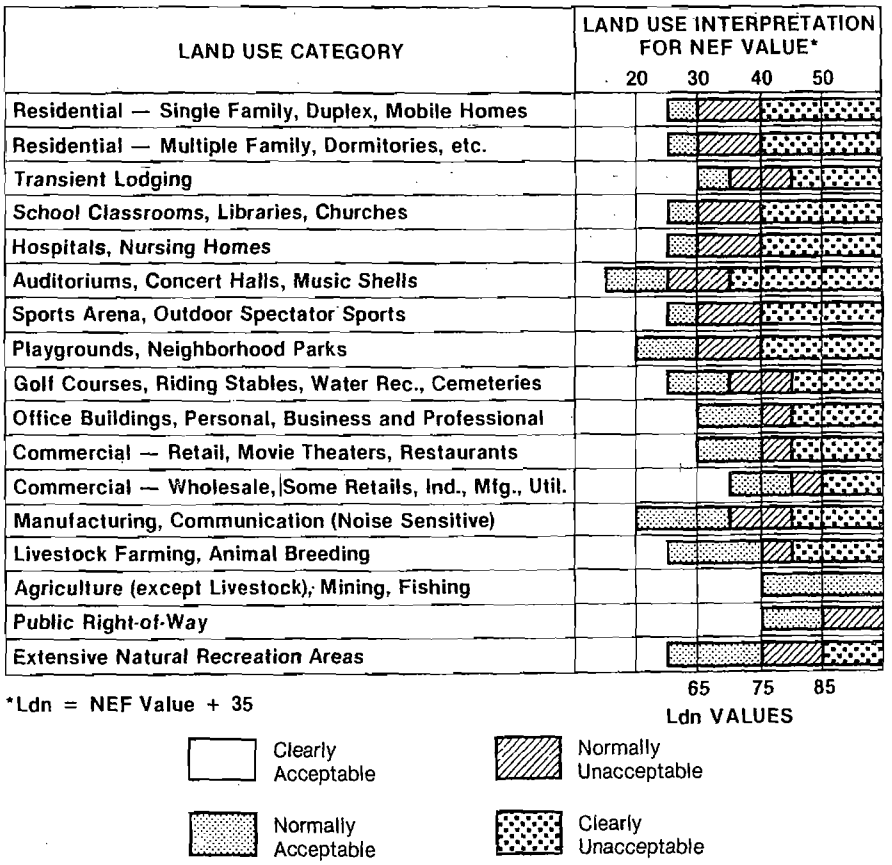

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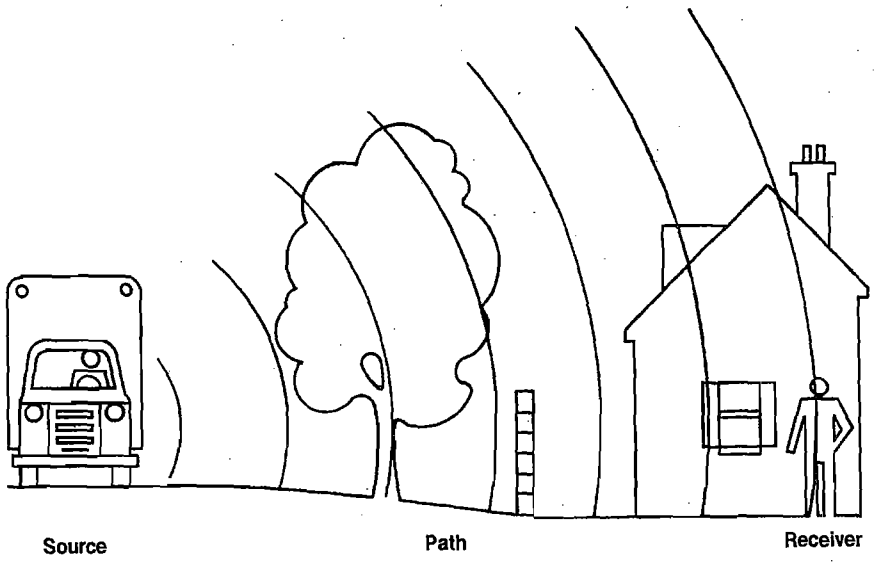

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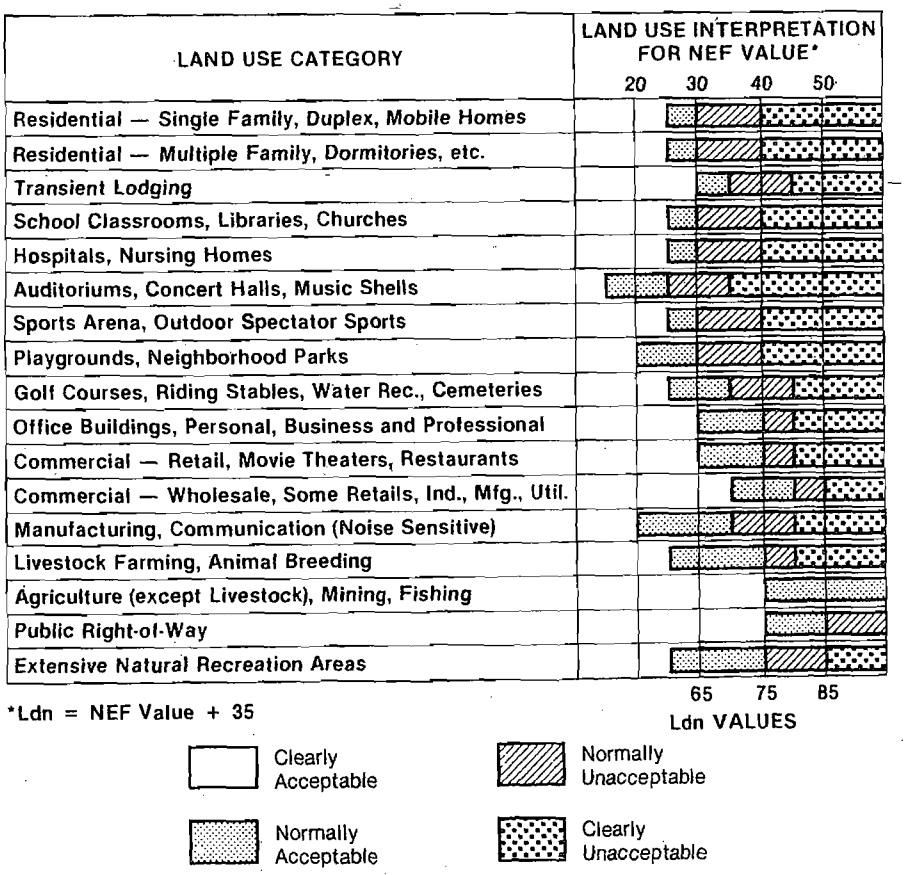

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The ideal solution to a potential problem is to reduce the noise being produced by the source. The best solution available to HUD, or the community, however, is to make sure that noise sensitive uses are located where they will not be exposed to high noise levels. The next best approach to mitigating noise impact is to attempt to reduce the amount of noise that reaches the receiver. This can be accomplished through the use of barriers such as walls or earthen berms, or combinations of both, along the noise path. If the use of barriers is not possible then the only alternative available is to provide noise reduction measures in any structures associated with the activity so that at least the interior spaces are not exposed to high noise levels. This approach is considered the least desirable because most of the land uses we are concerned about, such as residential, do have outdoor areas and activities associated with them which would remain exposed to high noise levels.

A Note on Descriptors

A key factor in the growth of our ability to evaluate and reduce noise impacts has been the development of better tools to measure and describe the noise levels generated by various sources. The development of better tools (called noise descriptors or metrics) has been particularly important for dealing with community noise problems. Many of the older descriptor systems could only be used for one or two sources such as cars and railroads, but not airplanes. Since the community noise problem very often includes noise from all these sources the lack of an adequate descriptor made it difficult to do an adequate evaluation.

The most advanced descriptor currently in general use is the day night average sound level system, abbreviated as DNL and symbolized mathematically as L_{dn}. The day night average sound level is the 24 hour average sound level, expressed in decibels, obtained after the addition of a 10 decibel penalty for sound levels which occur at night between 10 PM and 7 AM. This nighttime penalty is based on the fact that many studies have shown that people are much more disturbed by noise at night than at any other time. This is not unusual in that background noise is often much less at night and also people tend to be doing very noise sensitive things at night, such as trying to sleep.

Another feature of the DNL system that is very important is that it can be used to describe noise from all sources. Thus, using the DNL system, we can describe the total noise exposure at a site, something many other descriptor systems couldn't do.

The DNL system has been adopted by the EPA, the Department of Defense (DOD) and HUD, and more recently by the FAA, specifically for describing environmental impacts for airport actions. We expect that very soon it will be in almost universal use in the U.S.

Issues

The main issues involved in any noise analysis can be summarized briefly.

- How much noise is a site exposed to
- What types of activities are being affected and how severely
- Is it reasonable to redesign the site to relocate noise sensitive activities
- And, if not, how much protection can be provided through various attenuation measures.

Your approach to these issues will be affected in many ways by the location of the project in question. Projects in suburban or rural areas can be approached differently because the available mitigation options are greater and often the noise exposure itself is not so severe. In urban situations, however, the noise exposure is often more severe but at the same time the options for mitigation or resiting are more limited. In the urban setting innovative design and the use of advanced attenuation measures becomes critical. Fortunately our experience has shown that good design and construction can relieve or substantially reduce major noise problems.

Legal Provisions

General Legislation and Background

The Federal legislation which addresses noise issues is somewhat different from other environmental legislation. The Clean Air Act, for example, required the Environmental Protection Agency to set up actual mandatory standards for air quality which were supposed to be met by all jurisdictions. EPA even has the authority to take punitive steps against cities which are not making "reasonable further progress" towards achieving these air quality goals. There is no similar legislation that covers noise. The approach has been to tackle the noise problem at the source by controlling the amount of noise that can be emitted by the individual airplane engine or the individual jackhammer. Agencies like HUD or the Farmers Home Administration have developed regulations which are related to the overall community noise level, but they only affect their own programs and are not binding on local communities. The Veterans Administration program only relates to aircraft noise and also only affects its own programs.

The major pieces of Federal legislation related to noise include:

The Noise Control Act of 1972 directed EPA to promote an environment for all Americans free from noise that jeopardizes their health and welfare. It also included a requirement for EPA to set a criterion for noise level adequate to protect health and welfare with an adequate margin of safety but without regard to cost or feasibility.

Quiet Communities Act of 1978 amended The Noise Control Act of 1972 to encourage noise control programs at the State and community level.

Federal Aid Highway Act of 1970 established the requirement that noise control be a part of the planning and design of all federally aided highways.

Aviation Safety and Noise Abatement Act of 1979 requires FAA to develop a single system for measuring noise at airports and under certain conditions to prepare and publish noise maps.

HUD Regulations

While the Department of Housing and Urban Development has no specific responsibility to try to reduce the noise problem at the source the way the Environmental Protection Agency and the Federal Aviation Administration do, it does have the responsibility to be aware of the noise problem and its impact on the housing environment. The most basic mandate which drives the Department's involvement with the noise issue is the Housing Act of 1949 (Public Law 81-171) which sets forth the national goal of "a decent home and suitable living environment for every American family." This goal was affirmed by the Housing and Urban Development Act of 1968 (Public Law 90-448). The Department was tasked by the Housing and Urban Development Act of 1965 (Public Law 89-117) "to determine feasible methods of reducing the economic loss and hardships suffered by homeowners as a result of the depreciation in the value of their properties following the construction of airports in the vicinity of their homes." The Noise Control Act of 1972, in addition to its specific tasking to EPA, tasked all Federal agencies to administer their programs in ways which reduce noise pollution. Finally, the Department is tasked by Federal Management Circular 75-2: *Compatible Land Uses at Federal Airfields* to make sure that its actions do not promote incompatible land uses around Federal airfields.

All of these legislative and regulatory mandates combine to create a serious requirement for the Department of Housing and Urban Development to be aware of the problem of noise and to take positive steps to protect residential and other sensitive land uses from high noise levels.

The Department of Housing and Urban Development first issued formal requirements related specifically to noise in 1971 (HUD Circular 1390.2). These requirements contained standards for exterior noise levels along with policies for approving HUD supported or assisted housing projects in high noise areas. In general the requirements established three zones: an acceptable zone where all projects could be approved, a normally unacceptable zone where mitigation measures would be required and where each project would have to be individually evaluated for approval or denial, and an unacceptable zone in which projects would not, as a rule, be approved.

In 1979, the Department issued revised regulations (24 CFR Part 51B) which kept the same basic standards but adopted new descriptor systems which were considerably advanced over those in use under the old requirements.

HUD's regulations also require that recipients of Community Development Block Grants (CDBG) and Urban Development Action Grants (UDAG) take into consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land developments are proposed in noise exposed areas. If CDBG or UDAG activities are planned in a noisy area, and HUD assistance is contemplated later for housing and/or other noise sensitive activities, the HUD standards must be met for those activities.

Project Analysis

General

While most of the analysis for noise focuses on noise sources located around the project site, there are some characteristics of the project itself that you should know about. These characteristics will help you to determine what is called the noise assessment location (NAL) for site analysis. (The NAL is a representative point (or points) on the site where significant noise exposure is expected. All distances, etc. are measured from the NAL). This information will also be helpful later in evaluating the potential for mitigating or reducing the impact of noise. All of this data should be available from preliminary plans and specifications. If not, a quick phone call to the developer/sponsor should get you all the information you need.

Data Required

- Location of outdoor noise sensitive uses relative to the noise source.
- Location of buildings containing noise sensitive activities.
- Location of other buildings, particularly ones which might serve to shield sensitive buildings or areas from the noise source.
- Design and construction features of buildings, particularly features such as use of central air conditioning which could provide noise reduction benefits by permitting windows to be kept closed.

Analysis of Site and Environs

General

The primary focus of this impact analysis is on noise sources and the primary item to be determined is the noise level created by those sources. In many instances, particularly with airports, data on the noise levels generated by the source will have already been prepared by another agency such as the airport operator, the local or State highway/transportation department or other similar agency. (Figure 4 shows typical airport noise contours.) In those cases no site or environs analysis is necessary and one can proceed directly to impact analysis. For those instances where there are no current data already prepared, the Department of Housing and Urban Development has developed a handbook called the *Noise Assessment Guidelines* which contains a detailed desk top methodology for use by individuals to determine noise impacts (see Chapter 5). Included in the handbook is a complete listing of the data about the site and its environs that are necessary to conduct an analysis. We don't want to repeat all the detailed requirements here, but the following are some of the types of information you would have to collect if you were to do your own analysis. You might note that most of the information is related to the noise sources themselves.

For the purpose of analysis, the *Noise Assessment Guidelines* require that you consider all military/civilian airports within 15 miles of the project, all significant roads within 1000 feet and basically all railroads within 3000 feet.

Types of Data Required

- Number and type of vehicles
- Operational data:
  - speed
  - daytime/nighttime split
  - conditions where the vehicles are operated, i.e., freely flowing traffic versus stop and go, level versus hilly, welded railroad track versus bolted railroad track.

The *Noise Assessment Guidelines* contain guidance on sources for this data. Most of them are obtained from the "operator" of the transportation source. The *Guidelines* also contains model figures which can be used when actual data is unavailable. For example, if the actual number of vehicles traveling at night is not available then the *Guidelines* state that a figure of 15% should be used. Thus it is possible to make reasonably accurate noise level determinations even if some information is not available.

Determination of Impact

General

The specific procedures for determining the noise exposure levels for a site are clearly spelled out in the *Noise Assessment Guidelines*. The process is a fairly simple one in which the noise level from each source affecting the site is calculated and then combined to derive the overall exposure. If some kind of barrier exists or is proposed, the noise levels can be adjusted to reflect the mitigation provided by the barrier. The overall noise level is then compared to HUD's standards and the appropriate action, as spelled out in the regulations, is taken.

Figure 4
Noise Contours

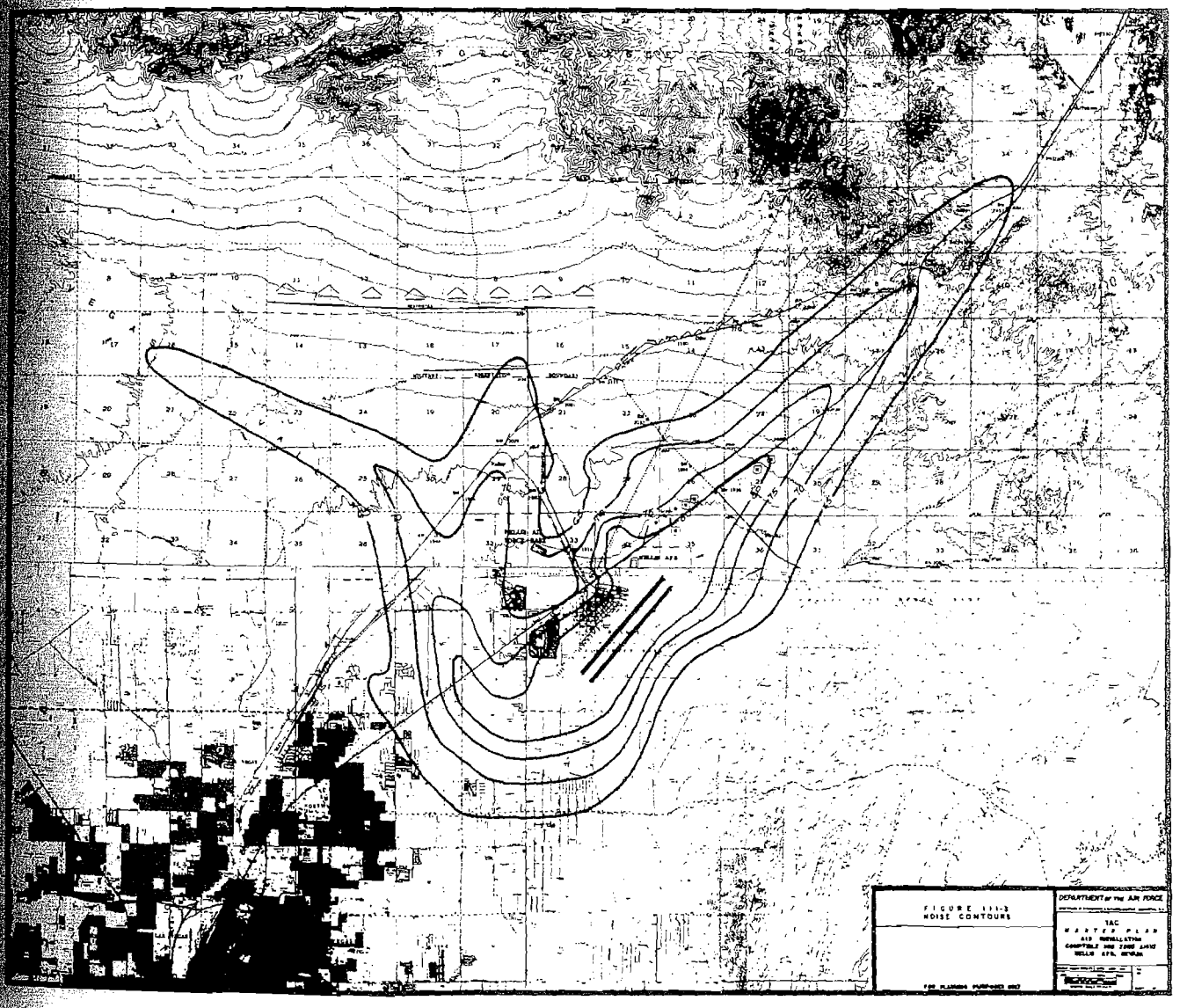

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MV00179670

Evaluation of Impact

HUD Regulations set forth the following exterior noise standards for new housing construction assisted or supported by the Department:

65 L_{dn} or less - Acceptable

Exceeding 65 L_{dn} but not exceeding 75 L_{dn} - Normally Unacceptable - appropriate sound attenuation measures must be provided: 5 decibels attenuation above the attenuation provided by standard construction required in 65 L_{dn} to 70 L_{dn} zone; 10 decibels additional attenuation in 70 L_{dn} to 75 L_{dn} zone.

Exceeding 75 L_{dn} - Unacceptable

HUD's regulations do not contain standards for interior noise levels. Rather a goal of 45 decibels is set forth and the attenuation requirements are geared towards achieving that goal. It is assumed that with standard construction any building will provide sufficient attenuation so that if the exterior level is 65 L_{dn} or less, the interior level will be 45 L_{dn} or less.

Once you have determined the overall noise exposure for the site you compare it to the above standards. If the overall site exposure is 65 L_{dn} or less the project is acceptable. If the exposure is between 65 L_{dn} and 75 L_{dn} you should consider alternative locations or providing adequate attenuation with the first preference, as we've noted, being for the construction of some kind of barrier to prevent noise from reaching the site. If providing adequate attenuation is impossible or impractical then the project should be considered unacceptable.

Suggested Mitigation

General Considerations

As discussed briefly earlier, there are three basic approaches for mitigating the high noise exposures. The first and best is to relocate noise sensitive uses out of the high noise area. The second is to prevent noise from reaching the noise sensitive user through some sort of barrier. And the third, and least desirable approach, is to provide attenuation for at least the interiors of any buildings located in the high noise areas.

Specific Considerations

Relocating Noise Sensitive Uses

By far the most desirable mitigation approach is to relocate noise sensitive uses out of the high noise area although. If the site is large enough it may be possible to locate non-noise sensitive uses between the source and the sensitive use, for example a parking lot might be located between a road and a park (see Figure 5). The workcharts in the *Noise Assessment Guidelines* can be used in reverse to tell you exactly how far away from the noise source you need to be.

When sites are small, very dense or when the source affects the entire site it is very difficult to mitigate by changing the site plan. Then the next option must be considered: erecting some type of barrier between the source and the receiver.

Barriers

Barriers are most effective for at or below ground level sources. They have no effect on noise from aircraft overflights and are limited in practical application with elevated sources such as elevated trains. The key to the effectiveness of a barrier is whether or not it breaks the line of sight between the source and the receiver. If a barrier does not completely break the line of sight either because it is not high enough, or not long enough then its effectiveness is greatly reduced.

Barriers can be actual walls, earthen mounds (called berms) or even other buildings. The use of other non-noise sensitive buildings as barriers is a particularly good approach in that it need not add to the cost of the project and may not create the aesthetic problem a large wall might create (see Figure 6).

Figure 5
The Audible Landscape

In cluster development, open space can be placed near the highway to reduce noise impacts on residences

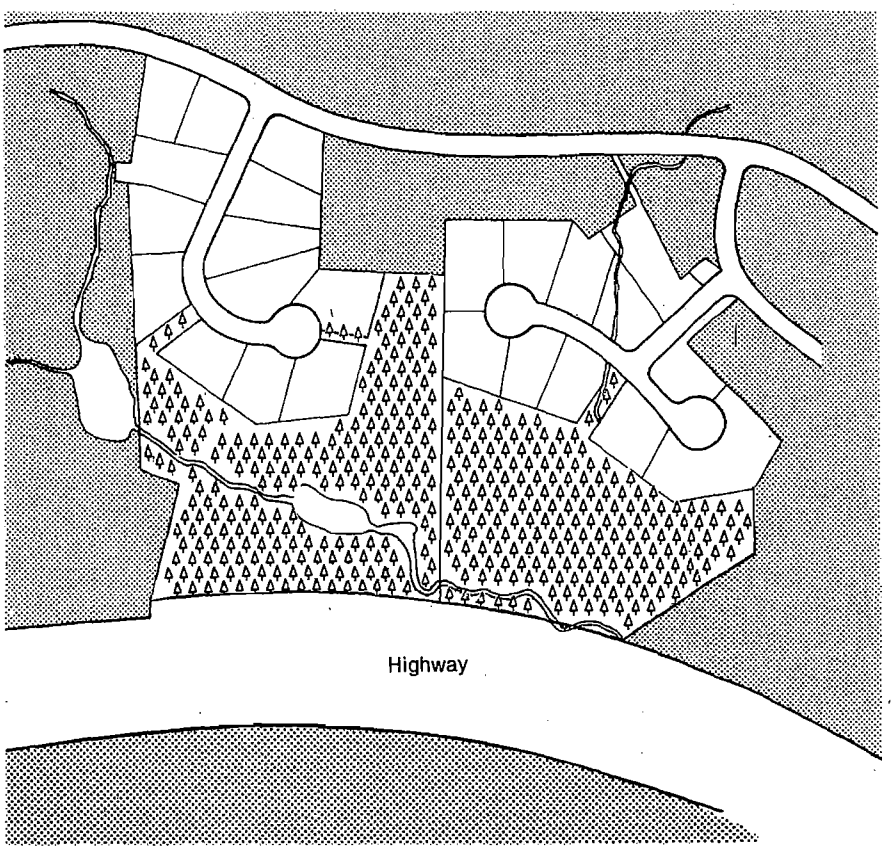

Figure 6
The Audible Landscape

Placement of noise compatible land uses near highway in Planned Unit Development

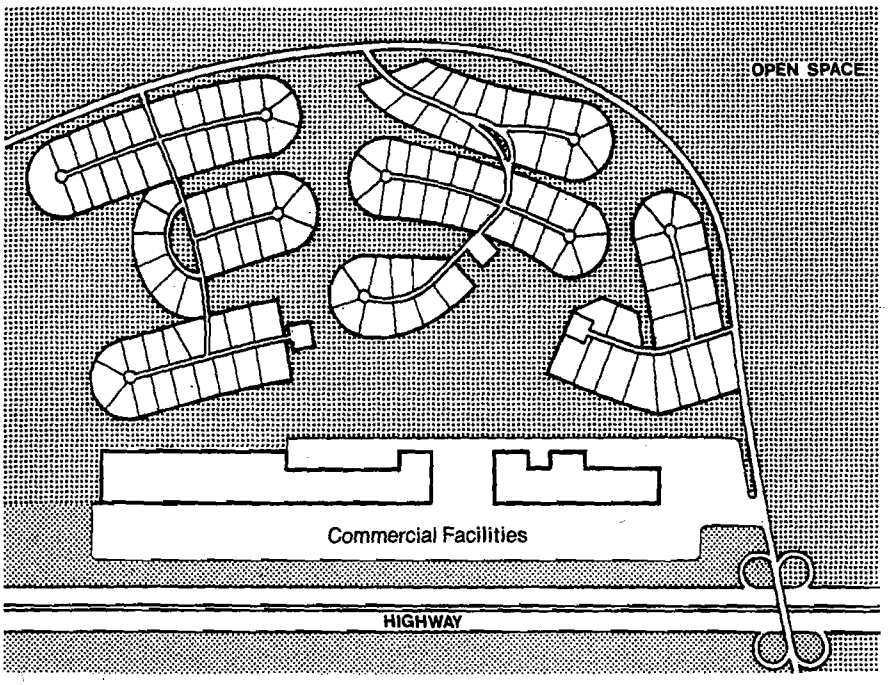

Figure 7
The Audible Landscape

Use of acoustical architectural design to reduce noise impacts on more noise sensitive living spaces

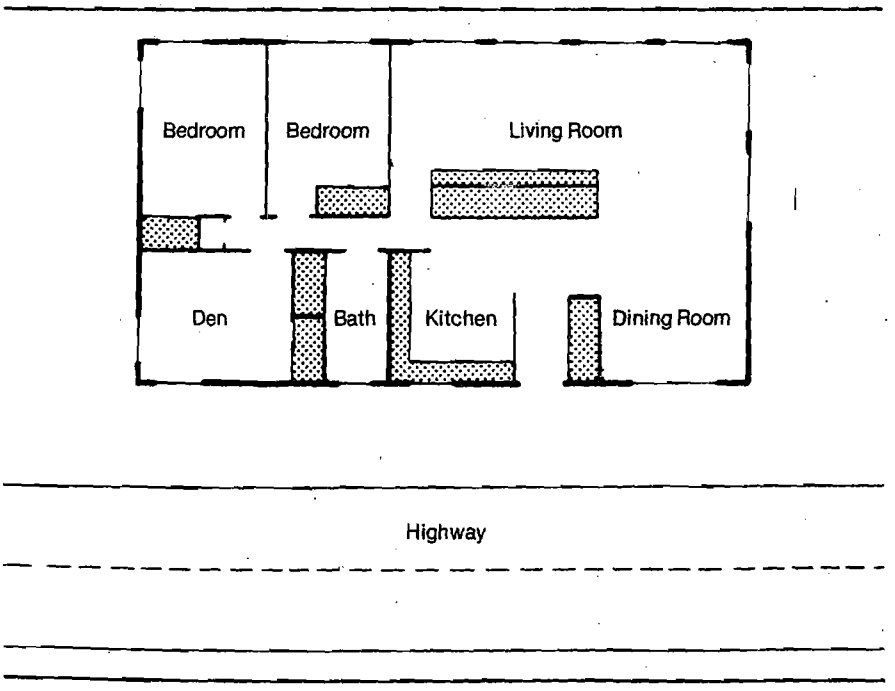

As pointed out earlier, the effectiveness of a barrier is determined in large part by its height and length. Some studies have shown that the effectiveness of a barrier can be reduced by as much as 50% if it isn't long enough. Again, the *Noise Assessment Guidelines* contain procedures for determining the effectiveness of barriers.

Incorporating Noise Attenuation Measures into the Building

If neither relocation or barriers is a reasonable noise attenuation option, the last resort is to incorporate noise attenuation measures into the buildings themselves. This is not considered the best solution because it leaves the outdoor areas, some of which may be for quiet recreation, exposed to high noise levels. But if development **must** take place and barriers are impossible, then the noise attenuation measures should be employed in building design and construction.

Without going into great technical detail, noise attenuation construction measures generally fall into four categories.

(1) Reducing the total area of windows or other acoustically weaker building elements

(2) Sealing off "leaks" around windows, doors, vents.

(3) Improving the actual sound attenuating properties of small building elements such as windows, doors, etc.

(4) Improving the actual sound attenuating properties of major building elements such as roof and wall construction.

In addition, noise attenuation in buildings can be provided by designing interior spaces so that "dead" spaces such as closets or corridors act as buffer zones (see Figure 7). And finally noise attenuation can be provided by reducing the need for open windows by providing air conditioning.

Many of the steps that would be taken to provide noise attenuation also help conserve energy. Good weatherstripping around windows and doors is one example. Another might be reducing window areas in walls if the noise source is to the north or west. Because many of these measures serve two purposes, they should not necessarily be considered a burdensome requirement but rather just good design and construction.

Information Resources

Publications

HUD Regulation 24 CFR Part 51 Subpart B – Noise Abatement and Control.

Noise Assessment Guidelines, HUD 1983, basic technical procedural resource.

Aircraft Noise Impact, HUD 1972, a bit dated but good overview of problem.

The Audible Landscape, DOT (FHWA) 1974, an excellent discusson of mitigation measures including land use planning and building design and construction.

Information on Levels of Environmental Noise Requisite to Protect Public health and Welfare With an Adequate margin of Safety, EPA, 1974. The "levels document" that explains basis for EPA standards.

Noise Barrier Design Handbook, Federal Highway Administration 1976. Good discussion of barriers, technical but readable.

Handbook of Noise Control, 2nd edition, 1979, McGraw Hill. A basic technical handbook covering all aspects of noise for those who wish to go into the subject further.

Experts

HUD environmental officers have been trained in the use of the *Noise Assessment Guidelines* and can help you work with them. Many architects are trained in acoustics and can help in development of noise attenuation strategies.

Quiz

Questions

1. Why is noise considered "unwanted sound"?
2. What is a community noise problem?
3. What are the three main contributors to a community noise problem?
4. What are the three components of a noise problem?
5. What are two key characteristics of the day-night average sound level descriptor system?
6. What are HUD's noise standards?
7. How do HUD's standards apply to CDBG recipients?
8. What are the three general mitigation measures available to HUD and the community and in what order of preference?
9. When are barriers effective and when are they not effective?
10. Describe how the *Noise Assessment Guidelines* can be used to determine appropriate mitigation measures.

Quiz

Answers

1. because it interferes with normal activities or causes physical or psychological damage
2. a community noise problem is where the combined effect of many individual sources creates an overall noise level that is unacceptable
3. highways, railroads and aircraft
4. the source, the path, the receiver
5. it is an average sound level and it can be used for all sources
6. 65 L_{dn} or below: Acceptable
   65 to 75 L_{dn}: Normally unacceptable, noise attenuation measures required, above 75 L_{dn}: Unacceptable
7. CDBG recipients must take into consideration the standards in their planning and environmental review. If they expect to use HUD assistance later for housing or other noise sensitive activities the standards must be met for those activities.
8. 1st relocate noise sensitive uses
   2nd reduce noise reaching receiver
   3rd redesign buildings
9. barriers are effective for at or below ground level sources. Are not effective for aircraft overflights or most elevated sources
10. can be used to determine separation distance required for relocation and the height and length of barriers required

Chapter 2

The Noise Regulation

Introduction

The basic foundation for and structure of the HUD noise program is set out in the noise regulation, 24 CFR 51B. The regulation establishes the actual standards, assigns implementation responsibilities, describes review and approval procedures, and identifies special situations which may warrant waivers of procedures or standards. Therefore, the key to your understanding and implementation of the HUD noise program is a clear understanding of the regulation.

There is no way to escape the task of sitting down and simply reading the regulations, over and over until you thoroughly understand them. We have however done two things that will help you apply the regulations. First, for quick reference, we have prepared a list of the key sections in the regulation and second we have prepared an annotated copy of the regulation.

The list of key sections was prepared to help you find the specific section you need for a specific question or issue. While the regulation itself is not really long, an index is always useful. We caution you, however, against using the index to avoid learning the regulations. The list was prepared for your convenience in applying the regulation once you have come to understand it.

We prepared the annotated regulation because, try as we might, it was impossible to anticipate all the questions, implementation problems and special situations that might arise and to address them in the regulation. So, now that we have had a few years' experience with the regulation, we have gathered together the important questions, notes, second thoughts etc. and prepared this annotated regulation. We hope it will give you further insight into what the regulation means when it is applied in the field.

Key Sections in Noise Regulation

Section	Subject
51.101(a)(2)	Application of Policy to Block Grants
51.101(a)(3)	Policy for New Construction
51.101(a)(4)	Policy for Existing Construction
51.101(a)(5)	Policy for Modernization and Rehabilitation
51.101(a)(8)	The Exterior Noise Goal
51.101(a)(9)	The Interior Noise Goal
51.102(a)	Authority to Approve Projects
51.103(a)	Identification of DNL as *The* Noise Descriptor to be Used
51.103(b)	How to Measure Loud Impulsive Noises
51.103(c)	The Noise Standards
51.104(a)	Attenuation Requirements Discussed
51.104(b)(1)	Special Approval and Environmental Review Requirements for the Normally Unacceptable Zone
51.104(b)(2)	Special Approval and Environmental Review Requirements for the Unacceptable zone
51.105(a)	Flexibility for Non-acoustic Benefits Provisions
51.106(a)	How to Tell If Existing Data on Noise Are Acceptable
51.106(a)(4)	Specific Review and Approval Procedures For Airport Noise Contours
51.106(d)	When Noise Measurements May be Used Instead of Calculated Levels
51.106(f)	When to Give Credit for Proposed Barriers

Part 51—Environmental Criteria and Standards

Subpart A—General Provisions

Sec.
§51.1 Purpose.
§51.2 Authority.
§51.3 Responsibilities.
§51.4 Program coverage.
§51.5 Coordination with environmental clearance requirements.
§51.6 [Reserved]

Subpart B—Noise Abatement and Control
§51.100 Purpose and authority.
§51.101 General policy.
§51.102 Responsibilities.
§51.103 Criteria and standards.
§51.104 Special requirements.
§51.105 Exceptions.
§51.106 Implementation.

Appendix to Subpart B

Authority: Sec. 7(d). Department of HUD Act (42 U.S.C. 3535(d)).

Subpart B—Noise Abatement and Control

§51.100 Purpose and authority.

(a) *Purpose.* The Department of Housing and Urban Development finds that noise is a major source of environmental pollution which represents a threat to the serenity and quality of life in population centers and that noise exposure may be a cause of adverse physiological and psychological effects as well as economic losses.

It is the purpose of this Subpart to:

(1) Call attention to the threat of noise pollution;

(2) Encourage the control of noise at its source in cooperation with other Federal departments and agencies;

(3) Encourage land use patterns for housing and other noise sensitive urban needs that will provide a suitable separation between them and major noise sources;

(4) Generally prohibit HUD support for new construction of noise sensitive uses on sites having unacceptable noise exposure;

(5) Provide policy on the use of structural and other noise attenuation measures where needed; and

(6) Provide policy to guide implementation of various HUD programs.

(b) *Authority.* Specific authorities for noise abatement and control are contained in:

(1) The Noise Control Act of 1972 (Pub. L. 92-574) which directs Federal agencies to administer their programs in ways which reduce noise pollution.

(2) The Quiet Communities Act of 1978 (Pub. L. 95-609) which amended Pub. L. 92-574.

(3) The General Services Administration, Federal Management Circular 75-2: *Compatible Land Uses at Federal Airfields* prescribes the Executive Branch's general policy with respect to achieving compatible land uses on either public or privately owned property at or in the vicinity of Federal airfields.

(4) Section 1113 of the Housing and Urban Development Act of 1965 (Pub. L. 89-117) directs the Secretary "* * * to determine feasible methods of reducing the economic loss and hardships suffered by homeowners as a result of the depreciation in the value of their properties following the construction of airports in the vicnity of their homes, including a study of feasible methods of insulating such homes from the noise of aircraft."

§51.101 General policy.

(a) It is HUD's general policy to provide minimum national standards applicable to HUD programs to protect citizens against excessive noise in their communities and places of residence.

(1) *Comprehensive planning assistance.* HUD requires that grantees give adequate consideration to noise exposures and sources of noise as an integral part of the urban environment in HUD assisted comprehensive planning, as follows:

(i) Particular emphasis shall be placed on the importance of compatible land use planning in relation to airports, highways and other sources of high noise.

(ii) Applicants shall take into consideration HUD environmental standards impacting the use of land as required in 24 CFR Part 600.

(iii) Environmental studies, including noise assessments, are allowable costs.

(2) *Community Development Block Grants.* Recipients of community development block grants under the Housing and Community Development Act of 1974 (Pub. L. 93-383), as amended by the Housing and Community Development Act of 1977 (Pub. L. 95-128), must take into

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This regulation replaces HUD Circular 1390.2, Noise Abatement and Control, 1971, which is now cancelled, along with all instructions and clarifying memoranda pertaining to the circular.

consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land development is proposed in noise exposed areas. Grant recipients shall address deviations from the standards in their environmental reviews as required in 24 CFR Part 58.

Where CDBG activities are planned in a noisy area, and HUD assistance is contemplated later for housing and/or other noise sensitive activities, the CDBG grantee risks denial of the HUD assistance unless the HUD standards are met. Environmental studies, including noise assessments, are allowable costs.

(3) *HUD support for new construction.* HUD assistance for the construction of new noise sensitive uses is prohibited generally for projects with Unacceptable noise exposures and is discouraged for projects with Normally Unacceptable noise exposure. (Standards of acceptability are contained in §51.103(c).) This policy applies to all HUD programs providing assistance, subsidy or insurance for housing, college housing, mobile home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, new communities, redevelopment or any other provision of facilities and services which are directed to make land available for housing or noise sensitive development. The policy does not apply to research demonstration projects which do not result in new construction or reconstruction, flood insurance, interstate land sales registration, or any action or emergency assistance under disaster assistance programs which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance provided that has the effect of restoring facilities substantially as they existed prior to the disaster.

The old definition of major or substantial rehabilitation and modernization as being any project where cost is 75% or more of replacement cost no longer applies. Now the criteria contained in individual program guidance applies.

(4) *HUD support for existing construction.* Noise exposure by itself will not result in the denial of HUD support for the resale and purchase of otherwise acceptable existing buildings. However, environmental noise is a marketability factor which HUD will consider in determining the amount of insurance or other assistance that may be given.

Existing construction means units which are either more than 1 year old or for which this is the second or subsequent purchaser.

(5) *HUD support of modernization and rehabilitation.* For modernization projects located in all noise exposed areas, HUD shall encourage noise attenuation features in alterations. For major or substantial rehabilitation projects in the Normally Unacceptable and Unacceptable noise zones, HUD actively shall seek to have project sponsors incorporate noise attenuation features, given the extent of the rehabilitation being undertaken and the level of exterior noise exposure. In Unacceptable noise zones, HUD shall strongly encourage conversion of noise-exposed sites to land uses compatible with the high noise levels.

(6) *Research, guidance and publications.* HUD shall maintain a continuing program designed to provide new knowledge of noise abatement and control to public and private bodies, to develop improved methods for anticipating noise encroachment, to develop noise abatement measures through land use and building construction practices, and to foster better understanding of the consequences of noise. It shall be HUD's policy to issue guidance documents periodically to assist HUD personnel in assigning an acceptability category to projects in accordance with noise exposure standards, in evaluating noise attenuation measures, and in advising local agencies about noise abatement strategies. The guidance documents shall be updated periodically in accordance with advances in the state-of-the-art.

(7) *Construction equipment, building equipment and appliances.* HUD shall encourage the use of quieter construction equipment and methods in population centers, the use of quieter equipment and appliances in buildings, and the use of appropriate noise abatement techniques in the design of residential structures with potential noise problems.

(8) *Exterior noise goals.* It is a HUD goal that exterior noise levels do not exceed a day-night average sound level of 55 decibels. This level is recommended by the Environmental Protection Agency as a goal for outdoors in residential areas. The levels recommended by EPA are not standards and do not take into account cost or feasibility. For the purposes of this regulation and to meet other program objectives, sites with a day-night average sound level of 65 and below are acceptable and are allowable (see Standards in §51.103(c)).

(9) *Interior noise goals.* It is a HUD goal that the interior auditory environment shall not exceed a day-night average sound level of 45 decibels. Attenuation measures to meet these interior goals shall be employed where feasible. Emphasis shall be given to noise sensitive interior spaces such as bedrooms. Minimum attenuation requirements are prescribed in §51.104(a).

(10) *Acoustical privacy in multifamily buildings.* HUD shall require the use of building design and acoustical treatment to afford acoustical privacy in multifamily buildings pursuant to requirements of the Minimum Property Standards.

The Noise Control Act of 1972 required EPA to "publish information on the levels of environmental noise. . .which. . .are requisite to protect the public health and welfare with an adequate margin of safety." EPA has interpreted this to mean that the levels should not reflect technical feasibility or economic costs. "Health and welfare" is defined as being "complete physical, mental and social well-being and not merely the absence of disease and infirmity."

§51.102 Responsibilities.

(a) *Authority to approve projects.* (1) Decisions on proposed projects with acceptable noise exposures shall be delegated to the program personnel within field offices, including projects where increased noise levels are considered acceptable because of non-acoustic benefits under §51.105(a). Field office program personnel may also approve projects in normally unacceptable noise exposed areas where adequate sound attenuation is provided and where the project does not require an Environmental Impact Statement under §51.104(b).

(2) Other approvals in normally unacceptable noise exposed areas require the concurrence of the Regional Administrator.

(3) Requests for approvals of projects or portions of projects with unacceptable noise exposures shall be referred through the Regional Office to the Assistant Secretary for Community Planning and Development for approval pursuant to §51.104(b).

(4) In cases where the Regional Administrator determines that an important precedent or issue is involved, such cases shall be referred with recommendations to the Assistant Secretary for Community Planning and Development.

(b) *Surveillance of noise problem areas.* Appropriate field staff shall maintain surveillance of potential noise problem areas and advise local officials, developers, and planning groups of the unacceptability of sites because of noise exposure at the earliest possible time in the decision process. Every attempt shall be made to insure that applicants' site choices are consistent with the policy and standards contained herein.

(c) *Notice to applicants.* At the earliest possible stage, HUD program administrators shall:

(1) Determine the suitability of the acoustical environment of proposed projects;

(2) Notify applicants of any adverse or questionable situations; and

(3) Assure that prospective applicants are apprised of the standards contained herein so that future site choices will be consistent with these standards.

(d) *Technical assistance.* Technical assistance in the measurement, estimation, interpretation, or prediction of noise exposure is available from the Office of Community Planning and Development and the Office of Policy Development and Research. Field office questions shall be forwarded through the Regional Office to the Assistant Secretary for Community Planning and Development or his designee.

(e) *Interdepartmental coordination.* Regional Administrators shall foster appropriate coordination between field offices and other departments and agencies, particularly the Environmental Protection Agency, the Department of Transportation, Department of Defense representatives, and the Veterans Administration. HUD staff shall utilize the acceptability standards in commenting on the prospective impacts of transportation facilities and other noise generators in the Environmental Impact Statement review process.

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§51.103 Criteria and standards.

These standards apply to all programs as indicated in §61.101.

(a) *Measure of external noise environments.* The magnitude of the external noise environment at a site is determined by the value of the day-night average sound level produced as the result of the accumulation of noise from all sources contributing to the external noise environment at the site. Day-night average sound level, abbreviated as DNL and symbolized as L_{dn}, is the 24-hour average sound level, in decibels, obtained after addition of 10 decibels to sound levels in the night from 10 p.m. to 7 a.m. Mathematical expressions for average sound level and day-night average sound level are stated in the Appendix.

(b) *Loud impulsive sounds.* On an interim basis, when loud impulsive sounds, such as explosions or sonic booms, are experienced at a site, the day-night average sound level produced by the loud impulsive sounds alone shall have 8 decibels added to it in assessing the acceptability of the site (see Appendix). Alternatively, the C-weighted day-night average sound level (L_{Cdn}) may be used without the 8 decibel addition, as indicated in Section 51.106(a)(3).

Methods for assessing the contribution of loud impulsive sounds to day-night average sound level at a site and mathematical expressions for determining whether a sound is classed as "loud impulsive" are provided in the Appendix.

(c) *Exterior standards.* The degree of acceptability of the noise environment at a site is determined by the sound levels external to buildings or other facilities containing noise sensitive uses. The standards shall usually apply at a location 2 meters (6.5 feet) from the building housing noise sensitive activities in the direction of the predominant noise source. Where the building location is undetermined, the standards shall apply 2 meters (6.5 feet) from the building setback line nearest to the predominant noise source. The standards shall also apply at other locations where it is determined that quiet outdoor space is required in an area ancillary to the principal use on the site.

The noise environment inside a building is considered acceptable if (a) the noise environment external to the building complies with these standards, and (b) the building is constructed in a manner common to the area or, if of uncommon construction, has at least the equivalent noise attenuation characteristics.

This is because the reverberation effect of sound waves hitting the wall will increase the noise levels at the site. You won't pick this up unless you back off from the wall to measure.

Site Acceptability Standards

	Day-night average sound level (in decibels)	Special approvals and requirements
Acceptable	Not exceeding 65 dB(1)	None
Normally Unacceptable	Above 65 dB but not exceeding 75 dB	Special Approvals (2) Environmental Review (3) Attenuation (4)
Unacceptable	Above 75 dB	Special Approvals (2) Environmental Review (3) Attenuation (5)

Notes.—(1) Acceptable threshold may be shifted to 70 dB in special circumstances pursuant to Section 51.105(a)

(2) See Section 51.104(b) for requirements.

(3) See Section 51.104(b) for requirements.

(4) 5 dB additional attenuation required for sites above 65 dB but not exceeding 70 dB and 10 dB additional attenuation required for sites above 70 dB but not exceeding 75 dB. (See Section 51.104(a).)

(5) Attenuation measures to be submitted to the Assistant Secretary for CPD for approval on a case-by-case basis.

§51.104 Special requirements.

(a) *Noise attenuation.* Noise attenuation measures are those required in addition to attenuation provided by buildings as commonly constructed in the area, and requiring open windows for ventilation. Measures that reduce external noise at a site shall be used wherever practicable in preference to the incorporation of additional noise attenuation in buildings. Building designs and construction techniques that provide more noise attenuation than typical construction may be employed also to meet the noise attenuation requirements.

(1) *Normally Unacceptable noise zone.* Approvals in this zone require a minimum of 5 decibels additional sound attenuation for buildings having noise-sensitive uses if the day-night average sound level is greater than 65 decibels but does not exceed 70 decibels, or a minimum of 10 decibels of additional sound attenuation if the day-night average sound level is greater than 70 decibels but does not exceed 75 decibels.

(2) *Unacceptable noise zone.* Noise attenuation measures require the approval of the Assistant Secretary for Community Planning and Development (See §51.104(b)(2).)

(b) *Special Approvals and Environmental Review Requirements.* Environmental clearances shall be conducted pursuant to the requirements of HUD's Departmental Policies, Responsibilities and Procedures for Protection and Enhancement of Environmental Quality (38 FR 19182 as amended) or other environmental regulations which may be issued by the Department. The Special Clearance and Environmental Impact Statement (EIS) threshold requirements are hereby modified for all projects proposed in the Normally Unacceptable and Unacceptable noise exposure zones as follows:

(1) *Normally Unacceptable noise zone.* (i) All projects located in the Normally Unacceptable Noise Zone require a Special Environmental Clearance except an EIS is required for a proposed project located in a largely undeveloped area, or where the HUD action is likely to encourage the establishment of incompatible land use in this noise zone.

Berms and barriers are our first choice because they provide protection for yards, playgrounds, etc. Since outdoor activity is often very important to residents we want to protect the outdoor areas as much as possible.

By definition a barrier must be separate from the building or area it is providing attenuation for. After all barriers are preferred because they improve exterior as well as interior levels. Non-noise sensitive buildings can, however, be used as barriers for noise sensitive buildings or exterior areas.

Assumption is that standard construction provides an average of 20 L_{dn} attenuation. At 65 L_{dn} or below this amount of attenuation would be sufficient to meet interior level of 45 L_{dn}. Additional requirements are designed to meet this goal even when exterior noise levels are higher.

Substitute Environmental Assessment (with ECO concurrence) wherever you see Special Clearance.

(ii) When an EIS is required, the concurrence of the Regional Administrator is also required before a project can be approved. For the purposes of this paragraph, an area will be considered as largely undeveloped unless the area within a 2-mile radius of the project boundary is more than 50 percent developed for urban uses and infrastructure (particularly water and sewers) is available and has capacity to serve the project.

(iii) All other projects in the Normally Unacceptable zone require a Special Environmental Clearance, except where an EIS is required for other reasons pursuant to HUD environmental policies.

(2) *Unacceptable noise zone.* An EIS is required prior to the approval of projects with unacceptable noise exposure. Projects in or partially in an Unacceptable Noise Zone shall be submitted through the Regional Administrator to the Assistant Secretary for Community Planning and Development for approval. The Assistant Secretary may waive the EIS requirement in cases where noise is the only environmental issue and no outdoor sensitive activity will take place on the site. In such cases, a Special Environmental Clearance is required.

When the area in question is in a small community outside an SMSA and the application of the 2 mile radius rule would be unreasonable, an area can be considered largely developed if it is contiguous to existing development and infrastructure is available and has capacity to serve the project. The Assistant Secretary will review them on a case-by-case basis. In all other cases the 2 mile radius/50% rule still applies.

§51.105 Exceptions.

(a) *Flexibility for non-acoustic benefits.* Where it is determined that program objectives cannot be achieved on sites meeting the acceptability standard of 65 decibels, the Acceptable Zone may be shifted to L_{dn} 70 on a case-by-case basis if all the following conditions are satisfied:

(1) The project does not require an Environmental Impact Statement under provisions of section 104(b)(1) and noise is the only environmental issue.

(2) The project has received a Special Environmental Clearance and has received the concurrence of the Environmental Clearance Officer.

(3) The project meets other program goals to provide housing in proximity to employment, public facilities and transportation.

(4) The project is in conformance with local goals and maintains the character of the neighborhood.

(5) The project sponsor has set forth reasons, acceptable to HUD, as to why the noise attenuation measures that would normally be required for new construction in the L_{dn} 65 to L_{dn} 70 zone cannot be met.

What this really means is that the 5db attenuation requirement for the 65–70 L_{dn} zone is waived. Primarily intended for urban areas where alternative sites are not available. Note that *all* conditions must be met.

(6) Other sites which are not exposed to noise above L_{dn} 65 and which meet program objectives are generally not available.

The above factors shall be documented and made part of the project file.

§51.106 Implementation.

(a) *Use of available data.* HUD field staff shall make maximum use of noise data prepared by others when such data are determined to be current and adequately projected into the future and are in terms of the following:

(1) *Sites in the vicinity of airports.* The noise environment around airports is described sometimes in terms of Noise Exposure Forecasts, abbreviated as NEF or, in the State of California, as Community Noise Equivalent Level, abbreviated as CNEL. The noise environment for sites in the vicinity of airports for which day-night average sound level data are not available may be evaluated from NEF or CNEL analyses using the following conversions to DNL:

$DNL \approx NEF + 35$

$DNL \approx CNEL$

Caution—every effort should be made to get official contours—particularly for military installations and large air carrier airports rather than trying to use the *Noise Assessment Guidelines.*

(2) *Sites in the vicinity of highways.* Highway projects receiving Federal aid are subject to noise analyses under the procedures of the Federal Highway Administration.

Where such analyses are available they may be used to assess sites subject to the requirements of this standard. The Federal Highway Administration employs two alternate sound level descriptors: (a) The A-weighted sound level not exceeded more than 10 percent of the time for the highway design hour traffic flow, symbolized as L_{10}; or (b) the equivalent sound level for the design hour, symbolized as L_{eq}. The day-night average sound level may be estimated from the design hour L_{10} or L_{eq} values by the following relationships, provided heavy trucks do not exceed 10 percent of the total traffic flow in vehicles per 24 hours and the traffic flow between 10 p.m. and 7 a.m. does not exceed 15 percent of the average daily traffic flow in vehicles per 24 hours:

$DNL \approx L_{10}$ (design hour)—3 decibels

$DNL \approx L_{eq}$ (design hour) decibels

These requirements are very important. Be careful with design hour values.

Where the auto/truck mix and time of day relationships as stated in this Section do not exist, the HUD Noise Assessment Guidelines or other noise analysis shall be used.

(3) *Sites in the vicinity of installations producing loud impulsive sounds.* Certain Department of Defense installations produce loud impulsive sounds from artillery firing and bombing practice ranges. Noise analyses for these facilities sometimes encompass sites that may be subject to the requirements of this standard. Where such analyses are available they may be used on an interim basis to establish the acceptability of sites under this standard.

The Department of Defense uses day-night average sound level based on C-weighted sound level, symbolized L_{Cdn}, for the analysis of loud impulsive sounds. Where such analyses are provided, the 8 decibel addition specified in 51.103(b), is not required, and the same numerical values of day-night average sound level used on an interim basis to determine site suitability for non-impulsive sounds apply to the L_{Cdn}.

(4) *Use of areawide acoustical data.* HUD encourages the preparation and use of areawide acoustical information, such as noise contours for airports. Where such new or revised contours become available for airports (civil or military) and military installations they shall first be referred to the Regional Office (Environmental Clearance Officer) for review, evaluation and decision on appropriateness for use by HUD. The Regional Office shall submit revised contours to the Assistant Secretary of Community Planning and Development for review, evaluation and decison whenever the area affected is changed by 20 percent or more, or whenever it is determined that the new contours will have a significant effect on HUD programs, or whenever the contours are not provided in a methodology acceptable under §51.106(a)(1) or in other cases where the Regional Office determines that Headquarters review is warranted. For other areawide acoustical data, review is required only where existing areawide data are being utilized and where such data have been changed to reflect changes in the measurement methodology or underlying noise source assumptions.

Contours for future noise levels based on new construction, mission changes etc. which become available as part of the Environmental Impact Statement process shall not be used until the NEPA process is complete and a decision on the proposed action is made.

When new or revised contours are approved, make sure all interested people in local area are informed that HUD will be using different contours. Make a special effort to inform the most active developers in area or developers who have worked with HUD before.

This is also required for noise studies for developers by consultants, whether to provide original data, or to contest existing data or a HUD analysis. It is particularly important to make sure the same traffic, vehicle or operational data were used for each study, when one study is being contested.

Requests for determination on usage of new or revised areawide data shall include the following:

(i) Maps showing old, if applicable, and new noise contours, along with brief description of data source and methodology.

(ii) Impact on existing and prospective urbanized areas and on development activity.

(iii) Impact on HUD-assisted projects currently in processing.

(iv) Impact on future HUD program activity. Where a field office has determined that immediate approval of new areawide data is necessary and warranted in limited geographic areas, the request for approval should state the circumstances warranting such approval. Actions on proposed projects shall not be undertaken while new areawide noise data are being considered for HUD use except where the proposed location is affected in the same manner under both the old and new noise data.

(b) *Site assessments.* Compliance with the standards contained in §51.103(c) shall, where necessary, be determined using noise assessment guidelines, handbooks, technical documents and procedures issued by the Department.

(c) *Variations in site noise levels.* In many instances the noise environment will vary across a site, with portions of the site being in an Acceptable noise environment and other portions in a Normally Unacceptable noise environment. The standards in §51.103(c) shall apply to the portions of a building or buildings used for residential purposes and for ancillary noise sensitive open spaces.

(d) *Noise measurements.* Where noise assessments result in a finding that the site is borderline or questionable, or is controversial, noise measurements may be performed. Where it is determined that noise measurements are required, such measurements will be conducted in accordance with methods and measurement criteria established by the Department. Locations for noise measurements will depend on the location of noise sensitive uses that are nearest to the predominant noise source (see §51.103(c)).

(e) *Projections of noise exposure.* In addition to assessing existing exposure, future conditions should be projected. To the extent possible, noise exposure shall be projected to be representative of conditions that are expected to exist at a time at least 10 years beyond the date of the project or action under review.

When projections for airports are based on new construction or similar actions the likelihood that such major action will actually take place should be carefully evaluated. This is particularly important if local funding is required. Check to see if initial actions such as land purchases, bonds etc. been taken. If projections are just based on expanded traffic levels make sure they are reasonable for the area. Projections for smaller communities are often overly optimistic.

(f) *Reduction of site noise by use of berms and/or barriers.* If it is determined by adequate analysis that a berm and/or barrier will reduce noise at a housing site, and if the barrier is existing or there are assurances that it will be in place prior to occupancy, the environmental noise analysis for the site may reflect the benefits afforded by the berm and/or barrier.

This provision should be used with caution. Very clear and strong assurances that berms or barriers will be constructed should be obtained in writing before approval.

Again also note that by definition a barrier must be physically separate from the building or area it is providing attenuation for.

The *Noise Assessment Guidelines* contain procedures for evaluating barrier effectiveness.

In the environmental review process under §51.104(b), the location height and design of the berm and/or barrier shall be evaluated to determine its effectiveness, and impact on design and aesthetic quality, circulation and other environmental factors.

Appendix to Subpart B—definition of acoustical quantities

1. *Sound Level.* The quantity in decibels measured with an instrument satisfying requirements of American National Standard Specification for Type 1 Sound Level Meters S1.4–1971. Fast time-averaging and A-frequency-weighting are to be used, unless others are specified. The sound level meter with the A-weighting is progressively less sensitive to sounds of frequency below 1,000 hertz (cycles per second), somewhat as is the ear. With fast time averaging the sound level meter responds particularly to recent sounds almost as quickly as does the ear in judging the loudness of a sound.

(2) *Average Sound Level.* Average sound level, in decibels, is the level of the mean-square A-weighted sound pressure during the stated time period, with reference to the square of the standard reference sound pressure of 20 micropascals.

$$L_{dn} = 10 \log_{10} \left[\frac{1}{86400} \left(\int_{0000}^{0700} 10^{[L_A(t)+10]/10}\, dt + \int_{0700}^{2200} 10^{L_A(t)/10}\, dt + \int_{2200}^{2400} 10^{[L_A(t)+10]/10}\, dt \right) \right]$$

Time t is in seconds, so the limits shown in hours and minutes are actually interpreted in seconds. $L_A(t)$ is the time varying value of A-weighted sound level, the quantity in decibels measured by an instrument satisfying requirements of American National Standard Specification for Type 1 Sound Level Meters S1.4–1971.

3. *Loud Impulsive Sounds.* When loud impulsive sounds such as sonic booms or explosions are anticipated contributors to the noise environment at a site, the contribution to day-night average sound level produced by the loud impulsive sounds shall have 8 decibels added to it in assessing the acceptability of a site.

A loud impulsive sound is defined for the purpose of this regulation as one for which:

(i) The sound is definable as a discrete event wherein the sound level increases to a maximum and then decreases in a total time interval of approximately one second or less to the ambient background level that exists without the sound; and

(ii) The maximum sound level (obtained with slow averaging time and A-weighting of a Type 1 sound level meter whose characteristics comply with ANSI S1.4–1971) exceeds the sound level prior to the onset of the event by at least 6 decibels; and

(iii) The maximum sound level obtained with fast averaging time of a sound level meter exceeds the maximum value obtained with slow averaging time by at least 4 decibels.

Issued at Washington, D.C., on July 5, 1979.

Patricia Roberts Harris,
Secretary of Housing and Urban Development.

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Quiz on the Noise Regulations

Questions

1. What is the HUD policy on support for existing constructon in high noise areas?
2. What is the definition of "major or substantial rehabilitation"?
3. What is HUD's Interior noise goal?
4. What project approval authority does the Field Office have?
5. Who approves projects in the Unacceptable Zone?
6. What noise descriptor is used to express noise levels in the regulation?
7. How are loud impulsive sounds to be evaluated?
8. At what point on a building's exterior are sound levels to be determined?
9. What is the basic assumption behind the attenuation levels required?
10. What type of attenuation measures are preferred?
11. When should building attenuation measures be considered?
12. When are EIS's required?
13. When is an area considered "largely undeveloped"?
14. What is "Flexibility for Non-Acoustic Benefits"?
15. Six conditions are listed for waiving the attenuation requirement under the Flexibility for Non-Acoustic Benefits provision, how many must be met for the waiver to be granted?
16. Who has the authority to grant the attenuation requirements waiver under the "flexibility" provision?
17. What noise descriptors other than DNL are acceptable for aircraft noise contours?
18. Who normally approves areawide noise data such as airport noise contours?
19. If a site is partially in the Unacceptable Zone and partially in the Normally Unacceptable Zone, which review and approval procedures apply?
20. When should noise measurements be used in lieu of areawide data or *Noise Assessment Guidelines* calculations?

Quiz on the Noise Regulations

Answers

1. Noise exposure can not, by itself, be the basis for denying support for resale and purchase of existing buildings. (Section 51.101(a)(4))
2. "Major or substantial rehabilitation" is defined in individual program guidance. There is no single definition. (51.101(a)(5) marginal note)
3. 45 L_{dn} (Section 51.101(a)(9))
4. projects in Acceptable Zone; also projects in Normally Unacceptable Zone provided that
• adequate sound attenuation is provided
• no EIS is required (Section 51.102(a)(1))
5. The Assistant Secretary for Community Planning and Development. (Section 51.102(A)(3) and 51.104(b))
6. The day night average sound level system (DNL). (Section 51.103(a))
7. Two ways:
• If plain DNL levels have been calculated or measured, add a 8 decibel penalty.
• Alternatively, the C weighted day night average sound level system (L_{Cdn}) can be used as is. (Section 51.103(b))
8. Two meters (6.5 feet) away from the building exterior, moving towards the predominant noise source. (Section 51.103(c))
9. That current construction practices provide about 20 db attenuation. Thus in a 65 L_{dn} or lower area the interior goal of 45 L_{dn} would be met with standard construction. The additional attenuation required is the increment over that provided by standard construction necessary to achieve the interior goal of 45 L_{dn}. (Section 51.104(a) marginal note)
10. Measures which reduce **exterior** noise levels. (51.104(a))
11. Only after it has been determined that berms and barriers or site redesign are not practical alternatives. (Section 51.104(a))
12. When the project is located in the Unacceptable Zone or the project is located in a largely undeveloped area and the project is in the Normally Unacceptable Zone. (Section 51.104(b))
13. When the area within a 2 mile radius of the project is less than 50% developed for urban uses and infrastructure is not in place and available to serve the project. (Section 51.104(b)(1)(ii))
14. A provision in the regulations which allows the attenuation requirements for the 65–70 L_{dn} zone to be waived. (Section 51.105(a) and marginal note)
15. All six conditions must be met. (Section 51.105(a))
16. The field office. (Section 51.102(a))
17. NEF and CNEL. (Section 51.106(a)(1))
18. The Regional Office. (Section 51.106(a)(4))
19. The review and approval procedures for projects in the Unacceptable Zone apply. (Section 51.104(b)(2))
20. Only when the noise assessment indicates that the site is on the borderline between Acceptable and Unacceptable, or when the site is controversial. (Section 51.106(d))

Chapter 3

Major Policy and Implementation Questions Related to the Noise Regulation

As regulations are applied in the field, it is inevitable that questions will arise. It is, after all, very difficult to anticipate every situation when preparing a regulation. Sometimes the questions relate to specific and unique situations of limited interest to anyone but the office involved. Other questions, however, raise issues of more general concern. In this section we have brought together the most important and most relevant questions that have arisen since the noise regulation went into effect in August of 1979. We have used a question and answer format for your convenience.

The following are the topics included:

1. Noise projections for civil airports
2. Definition of infill for small towns
3. Areawide EIS waivers
4. Requirements for modernization and rehabilitation projects
5. Use of berms and barriers as attenuation measures
6. New and revised airport noise contours

Questions and Answers

1. How valid and useful are civil airport noise projections that show significant reductions in the amount of land exposed to high noise levels? Should we be suspicious?

Contours that show significant reductions in the area exposed to high noise levels may seem questionable, but, according to the Environmental Protection Agency, they may be quite accurate. The EPA does expect to see some significant reductions in the number of people exposed to high levels of aircraft noise over the next 15 years. In their report *Aviation Noise: The Next Twenty years*, EPA stated that they expected to see the number of people exposed to levels of 65 Ldn or greater to drop from a 1975 figure of 5,550,000 to about 2,650,000 in the year 2000. Much of this reduction would occur during the period 1980–1985 with more modest decreases thereafter. The reductions are expected to result from the Federal Aviation Administration's current noise certification requirements, even with up to 100% increases in aircraft operations. (Current certification requirements are for all new aircraft to achieve stage three noise levels and all older aircraft to achieve stage two levels by 1985. Progress has been good in meeting these requirements.)

In general then, you should not be surprised to see significant reductions in contour size if the following conditions are met:

- the decrease in size is no more than 50%;
- the increase in operations is no more than 100%; and
- FAR stage 3 aircraft, such as the B757 and B767, are included in the fleet mix, but not to the total exclusion of all other aircraft.

Assuming that the contours are otherwise technically correct, significantly smaller contours should be acceptable.

2. Many small towns aren't big enough for a project to meet the definition of infill contained in section 51.104 (b)(1)(ii). However, a project located in the heart of town can hardly be considered to be in a largely undeveloped area. Must an EIS be prepared?

Not necessarily. If the jurisdiction in which the project is located is not part of a standard metropolitan area, a project may be considered infill if it is within or contiguous to the already developed area and infrastructure (particularly water and sewer) is available and has the capacity to serve the project. It must also be clear that the project will not encourage the establishment of other incompatible land uses in the normally unacceptable noise zone.

If you believe a project meets these criteria, submit documentation to the Office of Environment and Energy for their review and determination.

3. What can we do to reduce the procedural burden when, for a variety of reasons, the Department expects to be considering a number of projects in an unacceptable noise zone? Most of the projects would probably qualify for an EIS waiver, but how can we avoid filling repetitive, individual requests?

While the number of cases where the Department would be seriously considering a number of projects exposed to unacceptable noise levels in the same jurisdiction is likely to be limited, there is an alternative to individual processing in those situations. The alternative is to issue an areawide waiver for the entire affected jurisdiction. Such a waiver can be useful when the unacceptable noise zone heavily impacts a substantially developed community with limited site alternatives. (In most cases we would expect that the noise source would be aircraft, but in very small towns it is possible that a heavily used rail line could create a large unacceptable noise zone.)

An areawide EIS waiver would, of course, have to have a more detailed environmental assessment than an individual project request, and there are other special processing steps.

But if you have a situation where you think the Department has a good reason to expect to process a number of projects within the unacceptable noise zone, there is an alternative to individual EIS waivers. Contact the Office of Environment and Energy for details on how to request the areawide waiver.

4. What exactly are the processing requirements and general policies for modernization and rehabilitation projects? Does secton 51.104 apply to them as well as to new construction? The noise regulation is a bit confusing on this.

Yes, the noise regulation is a bit confusing on this question. We have seen several instances where field offices have mistakenly applied the provisions of Section 51.104 to modernization and rehabilitation projects. We believe that this happens because section 51.104 is not as clearly titled as it might have been. It would be better if it read "special requirements for new construction" rather than simply "special requirements".

The only parts of the regulation that apply to modernization and rehabilitation projects are sections 51.101 (a)(5) and the definitions of normally unacceptable and unacceptable noise zones contained in the table in section 51.103. None of the other proessing or policy provisions of the table or of sections 51.102 and 51.104 apply. Therefore:

- modernization and rehabilitation projects are to be processed by the field offices regardless of the noise zone.
- EIS's are not required for modernization and rehabilitation projects unless mandated by other applicable environmental regulations.

You must however continue to encourage attenuation features in modernization and rehabilitation projects, in accordance with the general policy stated in section 51.101(a)(5).

5. We know that berms and barriers are the preferred type of noise attenuation because of the protection they provide for outdoor living areas, but we need some further guidance on when they are really the best choice.

While barriers can be an effective noise attenuation technique, they must, indeed, be used with caution and common sense because they can create more problems than they solve. Very high noise barriers can create significant aesthetic and financial problems relative to the noise benefit to be achieved. Barriers can block light, hinder natural ventilation, create an unpleasant sense of being walled in, and can be very unattractive. In addition, barriers do require continuing maintenance and can be very costly to build.

It is important to remember that the noise regulation says that "measures that reduce external noise at a site shall be used **wherever practicable.**" Is it practicable to propose a 20 foot high barrier only 15 feet from the rear of a two-story building? Granted it would certainly protect the building from noise, but what about the blocked light, the reduced ventilation, the visual impact, and the cost? The purpose of a barrier is primarily to reduce the noise levels in those outdoor areas that people use. The secondary purpose is to reduce the need for structural attenuation. Therefore, the barrier should only be as high as is necessary to protect those areas. Structural attenuation should be required for the parts of the building not protected by the barrier. And if there aren't any outdoor areas where low noise levels are important, barriers shouldn't be required unless they would be more cost effective than building attenuation measures.

6. What should we be doing once we have processed new or revised aircraft noise contours and they have been approved for use?

The most important thing you can do once new or revised aircraft noise contours have been approved for use is to tell the people who are most likely to be affected by the change. If you have a newsletter that you regularly publish, that is one way to get the word out. At the very least you should specifically notify the affected jurisdictions and the builders/developers who are known to be active in the vicinity of the noise impacted areas. Make sure you notify builders and developers who have large scale projects that you have been processing in sections. Go back and check your files to find them. Even though you should have done an overall environmental review of the project at the time the first section was submitted, the approval of individual sections is dependent on the noise levels at the time that section is submitted.

Chapter 4

Noise Attenuation

Introducton

HUD's noise policy (24 CFR 51B) clearly requires that noise attenuation measures be provided when proposed projects are to be located in high noise areas. The requirements set out in Section 51.104(a) are designed to insure that interior levels do not exceed the 45 L_{dn} level established as a goal in Section 51.101(a)(9). Thus, in effect, if the exterior noise level is 65 L_{dn} to 70 L_{dn}, 25 db of noise attenuation must be provided; if the exterior noise level is between 70 and 75 L_{dn}, then 30 db of attenuation is required. Likewise, for projects proposed for areas where noise levels exceed 75 L_{dn}, sufficient attenuaton must be provided to bring interior levels down to 45 L_{dn} or below.

There are three basic ways to provide the noise attenuation required:

1. the use of barriers or berms
2. site design
3. acoustical construction

Of these, only the first two provide any improvement in the exterior environment. Because HUD considers a quiet exterior environment to be important, we prefer the use of those measures that reduce exterior levels as well as interior levels. The use of acoustical construction by itself is, therefore, the least preferred alternative since it only affects the interior levels. While we recognize that in many cases barriers or site design cannot provide all the attenuation necessary, you should combine them with acoustical construction whenever possible.

Your responsibility as a HUD staff member is to:

- make sure the project sponsor or developer is aware of the attenuation requirements for the project.
- make the sponsor aware of the options available

and

- review attenuation proposals to make sure they are adequate.

While it is not your responsibility to provide detailed design assistance to the sponsor or developer, you should know enough about the attenuation options to give him or her a basic understanding of what must be done. In many cases, you may be able to reassure the sponsor or developer that the necessary attenuation can be achieved through the use of common construction techniques or materials. Or you may be able to point out how a simple site design change can achieve the desired result without additional cost.

The following sections are designed to provide you with the information you will need to fulfill your responsibilities. Each attenuation approach is discussed both in terms of basic concepts and in terms of what to look for in reviewing attenuation proposals. The discussion does assume that you have a working knowledge of the *Noise Assessment Gujidelines*. If you have not worked with the *Guidelines* before or not recently you may want to go back and review them, particularly the section on calculating the effects of barriers.

Barrier Noise Reduction Concepts

(The following, with some editing and with some additional graphics, is taken from the Federal Highway Administration's *Noise Barrier Design Handbook*.[1])

When no obstacles are present between [a source] and adjoining areas, sound travels by a **direct** path from the "sources"... to [the] "receivers"..., as shown in Figure 1. Introduction of a barrier between the source and receiver redistributes the sound energy into several [indirect] paths: a **diffracted** path, over the top of the barrier; a **transmitted** path, through the barrier; and a **reflected** path, directed away from the receiver. These paths are also illustrated in Figure 1.

[1] *Noise Barrier Design Handbook* US Department of Transportation, Federal Highway Administration, February 1976. (FHWA-RD-76-58).

Figure 1
Alteration of Noise Paths by a Barrier

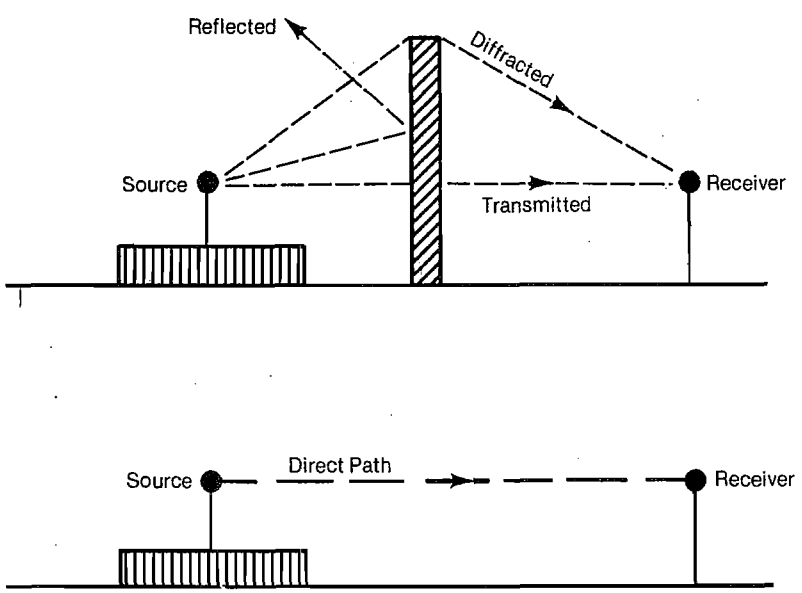

Barrier Diffraction and Attenuation

Consider an infinitely long, infinitely massive noise barrier placed between a highway and the receiver. Figure 2 illustrates a cross-section through such a configuration. [In] this example, the only way that sound can reach the receiver is by bending over the top of the barrier; as shown in the figure. The bending of sound waves in this manner over an obstacle is known as diffraction. The area in which diffraction occurs behind the barrier is known as the "shadow zone." The straight path from the source over the top of the barrier forms the boundary of this zone.

All receivers located in the shadow zone will experience some sound attenuation; the amount of attenuation is directly related to the magnitude of the diffraction angle ϕ. As ϕ increases, the barrier attenuation increases. The angle ϕ will increase if the barrier height increases, or if the source or receiver are placed closer to the barrier. Clearly then the barrier attenuation is a function of the geometrical relationship between the source, receiver, and barrier. One way of relating these parameters to the barrier attenuation is to define the path-length difference as shown in Figure 3. This parameter is the difference in distance that the sound must travel in diffracting over the top of the barrier rather than passing directly through it.

In the preceding discussion it was assumed that the barrier was "infinite"; i.e., long enough to shield the receiver from all sound sources up and down the highway. For short barriers, the attenuation can be seriously limited by the sound from sections of highway beyond the barrier's ends, which are unshielded from the receiver, as shown in Figure 4. Similarly, when there are large gaps in the barrier (to permit access, for example), sound from the unshielded section of highway adjacent to the gap can greatly compromise barrier attenuation, especially for those receivers close to the opening.

Figure 2
Barrier Diffraction

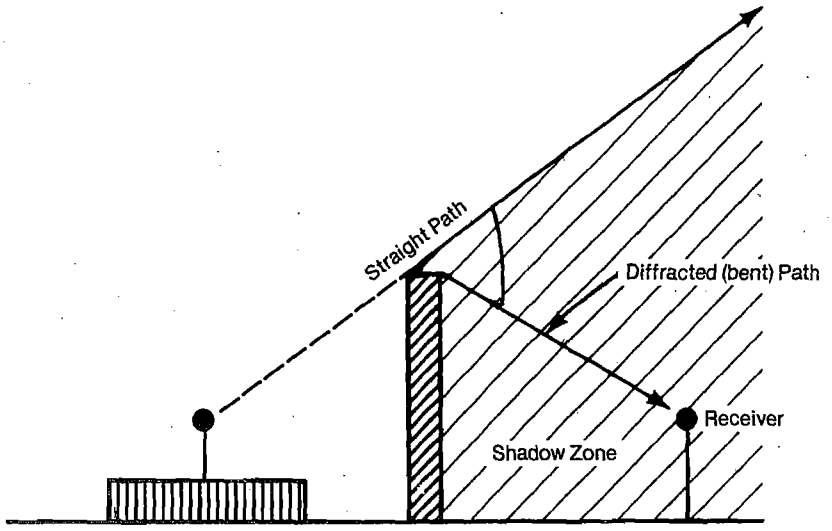

Figure 3
Path Length Difference $\delta = A + B - d$

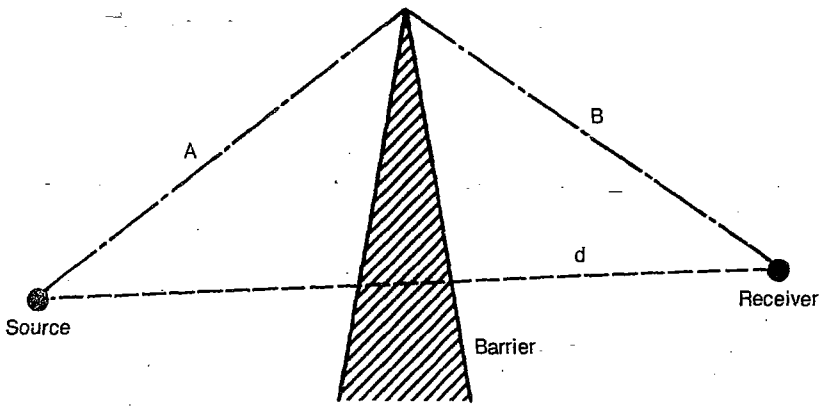

Figure 4
Short-circuit of Barrier Around Ends and Through Openings

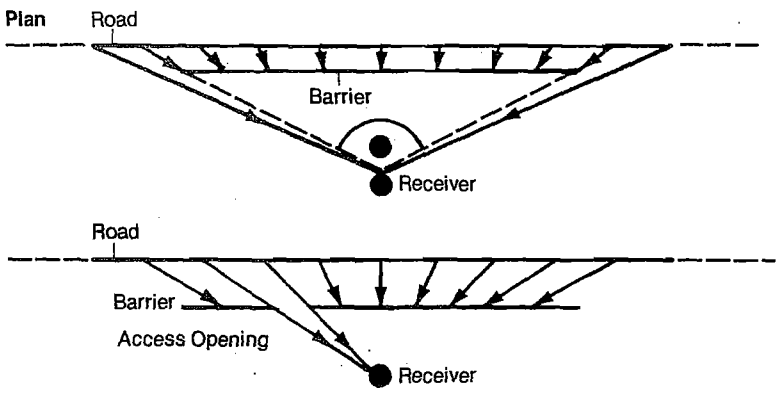

It should be mentioned that the use of barrier walls with sloped sides (forming angles of grater than 10–15 degrees from the vertical) will also generally eliminate multiple reflections. Use of earth berms is particularly appropriate to accomplish this. Sloped barrier walls will require more material to achieve a desired height than a vertical wall, while berms will require greater right-of-way than a thin wall.

Ground Effects

Consider again the direct path of sound from the source to receiver as illustrated in Figure 1 in the absence of any obstacles. For sources and receivers located close to the ground, in addition to this direct path sound energy may reach the receiver by reflecting off the ground. When the terrain is relatively hard and flat, such a reflection will add to the noise from the direct path to increase the level at the receiver. However, when the ground is soft, there may be a phase reversal upon reflection such that the noise from the ground reflection path will destructively interfere with the noise from the direct path resulting in a significant reduction in noise levels at the receiver.

This reduction in level, known as ground-effect attenuation, is in excess of the 3 dB per doubling of distance propagation loss for a line source of noise and occurs only above soft absorptive ground (such as normal earth and most ground with vegetation). Over hard ground (such as concrete, stone and very hard-packed earth) these effects do not occur. These effects are most apparent for receivers on the ground floor, and decrease rapidly as receiver height above ground increases.

While ground absorption effects are not completely understood, it is generally believed that these effects account for the 4.5 dB per doubling of distance propagation loss observed over soft ground, as compared to the 3 dB propagation loss observed over hard ground. The implication with regard to barrier design is that placement of a barrier over soft ground between source and receiver will re-direct the sound over the top of the barrier, thus destroying the ground reflection and the additional 1.5 dB per doubling of distance attenuation. Thus, the barrier must be designed to provide more reduction than would otherwise be necessary, to compensate for the lost ground effects over absorptive ground.

Summary

(From: *Design Guide*, National Bureau of Standards[1])

In summary, the following can be said about noise barriers.

- If a barrier does not block the line-of-sight between the source and receiver, the barrier will provide little or no attenuation.
- If a barrier is constructed of a material with a surface weight density greater than 4 lb/ft^2 and there are no openings through the barrier, transmitted sound will usually be negligible.
- If there are openings totaling over 10 percent or more of the barrier area, barrier attenuation will be negligible.
- Diffracted sound is usually the most important aspect in estimating barrier attenuation.
- Reflected sound can be important for receivers on the source side of a barrier, but it normally is not a factor for receivers on the side opposite from the source. Hence reflected sound is usually not important to your building and site.
- Transmission of sound around the ends of the barrier can be critical if the barrier included angle is less than 170°.
- Barrier attenuations greater than an A-weighted sound level difference of 10 dB are difficult to obtain.
- For two or more barriers "in series," consider only the "dominant" barrier.
- Assume no attenuation for a receiver located beyond the end of a barrier.

Reviewing Barrier Proposals

An effective barrier is one which reduces the noise level behind the barrier to 65 L_{dn} or lower. If a barrier can reduce the exterior noise level to 65 L_{dn}, then standard construction techniques should be sufficient to insure an interior level of 45 L_{dn} or below. Therefore, if you determine that a proposed barrier is adequate to reduce the exterior noise level to 65 L_{dn} then no additional attenuation measures should be necessary.

[1] *Design Guide for Reducing Transportation Noise in and Around Buildings*, US Department of Commerce, National Bureau of Standards, April 1978. (Building Science Series 84)

There are four things to check when determining the adequacy of a proposed barrier:

1. Is it high enough?
2. Is it long enough?
3. Is it made of the right materials?
4. Is it properly constructed?

Is it High Enough?

In order for a barrier to be effective it must be at least high enough to break the line of sight between the source and the receiver. In the *Noise Assessment Guidelines* you will find the procedure for determining how much attenuation is provided by a barrier of a given height.

In general, barriers and berms are most effective for one and two story buildings because a relatively low barrier can often provide the attenuation needed. The height that might be required to provide attenuation for much taller buildings is often not feasible for either cost or aesthetic reasons. However, even if a barrier can not be made high enough to attenuate the upper floors of a multistory building, it may still be able to provide some protection for outdoor recreational areas. Before discarding the barrier idea check for this possibility.

If you find that the barrier as proposed is too short to be effective but the sponsor or developer tells you that he or she can not make the barrier any higher, there are some alternatives you can suggest. There are ways to get more attenuation out of each foot of overall height.

As a general rule, barriers work better the closer they are to the source. Figure 6 shows a barrier that does not block the line of sight at all when it is located next to the receiver, yet is quite tall enough when located next to the source. Thus, if the sponsor or developer can not make the barrier any taller, perhaps he or she can move it closer to the source.

Another way to get more attenuation without increasing overall barrier height is to bend the top of the barrier towards the source. Figure 7 shows a case where a barrier built perfectly straight provides 8 dB of attenuation. A barrier with the same overall height but with a 45 degree bend towards the source provides 9.5 dB of attenuation. Thus if the project sponsor or developer wants to keep the overall height of the barrier down, he or she can still increase the attenuation provided simply by bending the top.

Figure 6
Effect of Moving the Barrier Closer to the Source

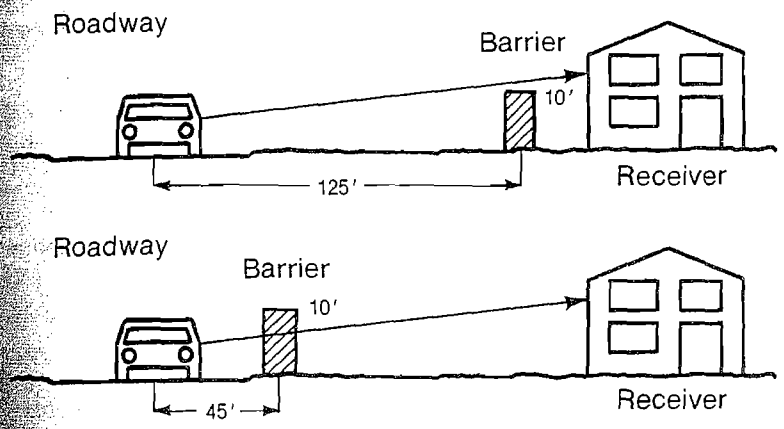

Figure 7
Effect of Bending the Top of the Barrier Towards the Source

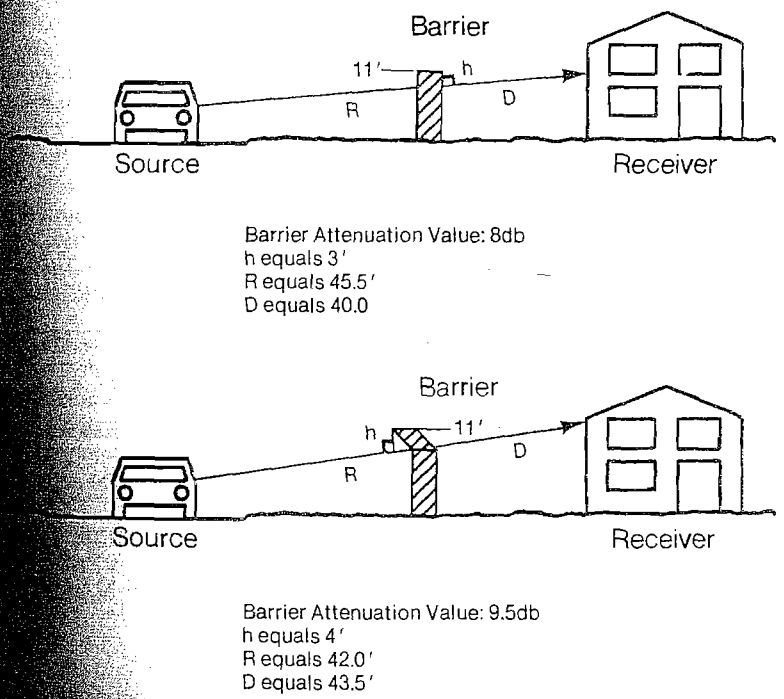

Thus, if your review of a proposed barrier shows it to be too short, but it can not be made any higher, suggest that the barrier be moved closer to the source or that it be bent at the top, or both.

Is It Long Enough?

Once you have established how much attenuation the barrier provides due to its height, you must determine if the length of the barrier compromises that attenuation level. Again, *the Noise Assessment Guidelines* contain a procedure for calculating the effect of barrier length.

If you find that the barrier is too short but that there are limitations on how long it can be made, there are, as there were with barrier heights, some recommendations you can make on how to improve the effectiveness of the barrier.

Again, if you bend the edges of the barrier, this time towards the **receiver** not the source, you will increase the effectiveness of the barrier. Figure 8 shows how much a barrier's effectiveness can be improved by bending the edges.

You can also improve the effectiveness of the barrier by moving it closer to the receiver. Figure 9 shows how much a barrier's effectiveness can be increased by moving it closer to the receiver. Now obviously, this creates a conflict with what we said earlier about moving the barrier closer to the source. Clearly each case will require a different compromise. If height is not a limiting factor but length is, you might recommend to the project sponsor or developer that the barrier be moved closer to receiver and the height increased as necessary. If the reverse is true, you would want to recommend the opposite. If both height and length are limited, then the sponsor or developer must find that optimum point where the effeciveness of both the barrier height and the barrier length is as high as possible.

Figure 8
Effect of Bending the Edges of Barrier Towards Receiver
(Both Barriers have Potential Value of 10db)

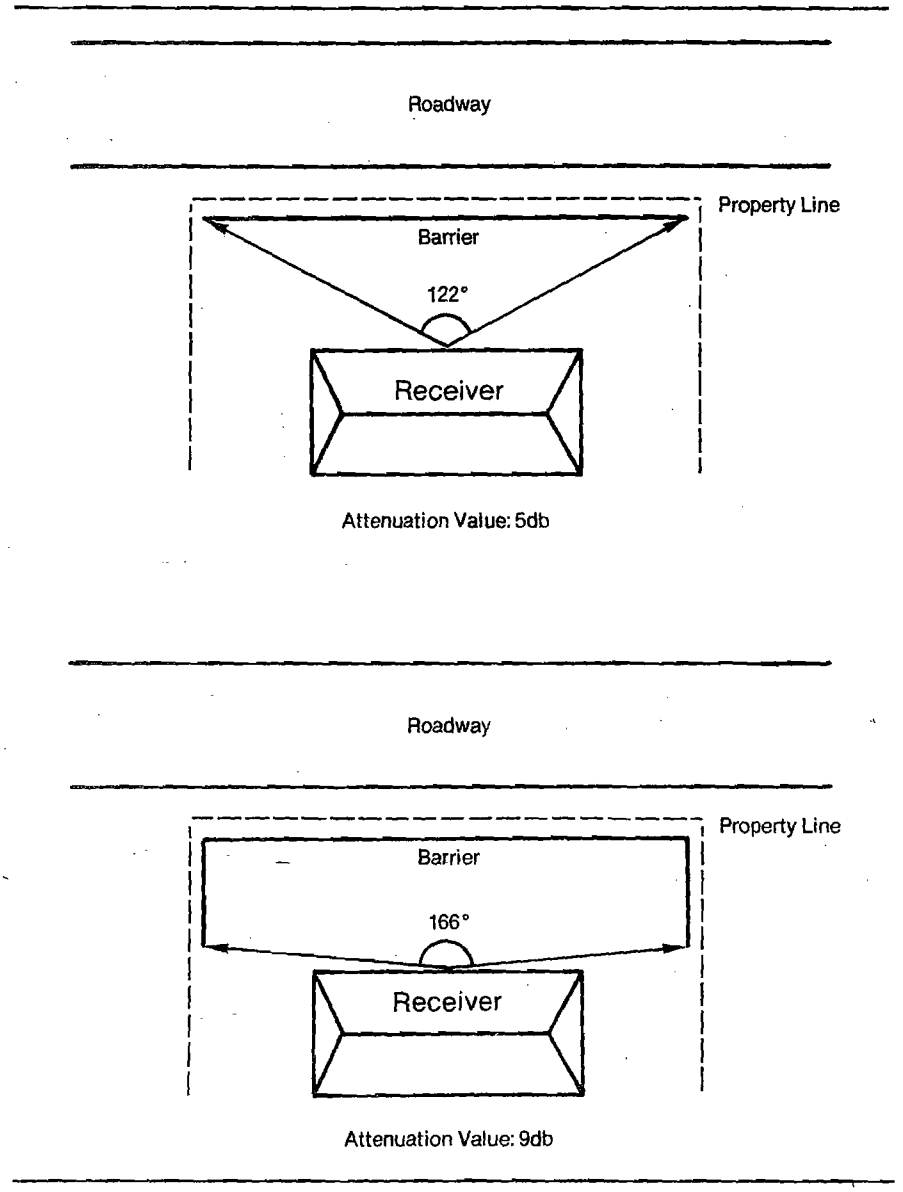

Is It Made of The Right Materials?

Even if a barrier is high enough and long enough, its effectiveness can be severely reduced if it is made up of lightweight materials that easily transmit sound waves. In the preceding section on barrier concepts we talked about how if the transmission loss value for the barrier material was not at least 10 db higher than the attenuation value of the barrier based on length and height there would be a significant reduction in the effectiveness of the barrier.

Therefore, once you have calculated the basic attenuation potential of the barrier, you must check to make sure the proper material is being used to build the barrier. Table 1 lists the transmission loss values for materials commonly used in barrier construction. Once you have found the transmission loss value for the material being used, go to Table 2. Read down the column with the transmission loss for the material at its top and across the line that has the attenuation potential for the barrier listed. Where the two intersect you will find the actual attenuation capability of the barrier.

If you find that the choice of material has severely reduced the effectiveness of the barrier, you should recommend that the sponsor or developer select another material.

Is It Properly Constructed?

Holes or openings can substantially reduce the effectiveness of a barrier. A barrier that has openings totaling 50% or more of its total area will provide no attenuation. A barrier that has openings totaling 10% of its total area has a maximum attenuation value of approximately 4db. That is 4db no matter how high, how long or how thick the barrier. So you can see that it is very important that the barrier is made of solid materials and that it is tightly constructed. In general the intended openings in a barrier should equal no more than 1% of total area and the construction specifications should require that all joints are tightly sealed.

Figure 9
Effect of Moving Barrier Closer to Receiver

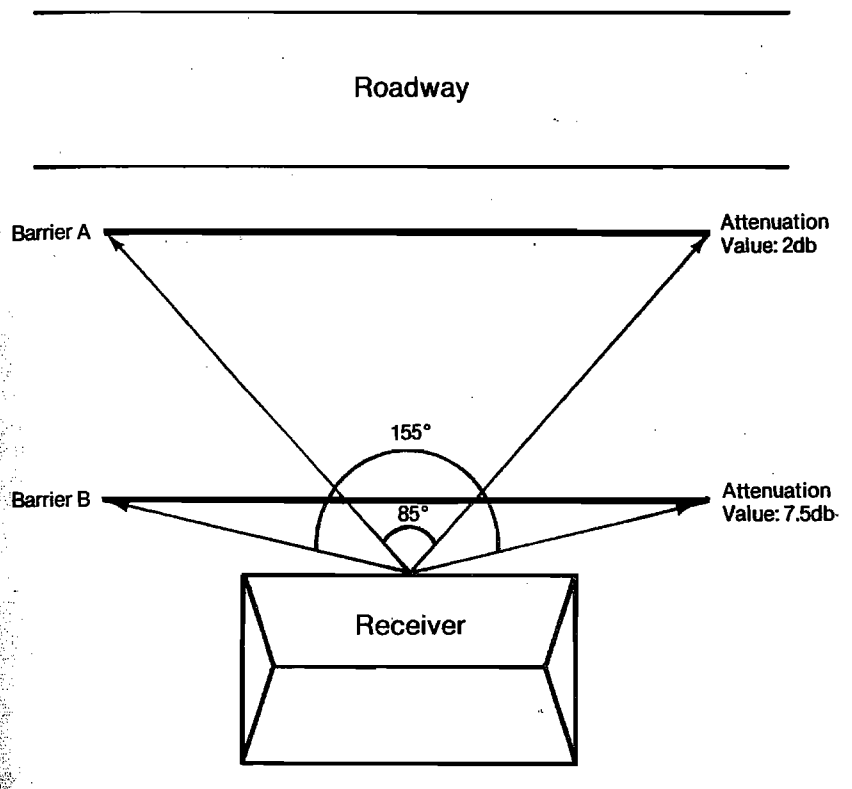

A Final Note

One thing should have become clear to you as you have been reading this section, and that is that in order for you to adequately review a project sponsor or developer's proposed barrier you must be given fairly specific information about the exact dimensions of the proposed barrier, the type and thickness of the barrier material, and the exact design of the barrier including construction specifications. Without this information you will be unable to do any more than a cursory evaluation, an evaluation that could be far from accurate. Make sure you make it clear to the developer or sponsor what you need to have.

Table 1
Transmission Loss Value for Common Barrier Materials

Material	Thickness, (Inches)	Transmission Loss, dBA (1)
Woods		
[illegible]	1/2	17
	1	20
	2	24
[illegible]	1/2	16
	1	19
	2	23
[illegible]ywood	1/2	16
	1	19
	2	23
[illegible]ker	1/2	15
	1	18
	2	22
[illegible]ywood	1/2	20
	1	23
[illegible]cle		
[illegible]rd	1/2	20
Metals		
[illegible]minum	1/16	23
	1/8	25
	1/4	27
	24 ga	18
	20 ga	22
	16 ga	15
	1/16	28
Concrete, Masonry, etc.		
Light Concrete	4	36
	6	39
Dense Concrete	4	40
Concrete Block	4	32
	6	36
Cinder Block (Hollow Core)	6	28
Brick	4	33
Granite	4	40
Composites		
Aluminum Faced Plywood	3/4	21-23
Aluminum Faced Particle Board	3/4	21-23
Plastic Lamina on Plywood	3/4	21-23
Plastic Lamina on Particle Board	3/4	21-23
Miscellaneous		
Glass (Safety Glass)	1/8	22
	1/4	26
Plexiglass (Shatterproof)		22-25
Masonite	1/2	20
Fiberglass/ Resin	1/8	20
Stucco on Metal Lath	1	32
Polyester with Aggregate Surface	3	20-30

[1]A-weighted TL based on generalized truck spectrum. Source: *Noise Barrier Design Handbook*, FHWA

Table 2
Noise Reduction of a Barrier as a Function of its Transmission Loss

Designed Attenuation, dB (from height) and length)	Tramission Loss, dB of Materials				
	10	15	20	25	30
5	3.8	4.6	4.9	5.0	5.0
6	4.5	5.5	5.8	6.0	6.0
7	5.2	6.4	6.8	6.9	7.0
8	5.9	7.2	7.7	7.9	8.0
9	6.5	8.0	8.7	8.9	9.0
10	7.0	8.8	9.6	9.9	10.0
11	7.5	9.5	10.5	10.8	11.0
12	7.9	10.2	11.4	11.8	11.9
13	8.2	10.9	12.2	12.7	12.9
14	8.5	11.5	13.0	13.7	13.9
15	8.8	12.0	13.8	14.6	14.9
16	9.0	12.5	14.5	15.5	15.8
17	9.2	12.9	15.2	16.7	16.8
18	9.4	13.2	15.9	17.2	17.7
19	9.5	13.5	16.5	18.0	18.7
20	9.6	13.8	17.0	18.8	19.6

Source: *Noise Barrier Design Handbook, FHWA*

Item No. E.2

MV00179692

Acoustical Site Planning Concepts

(This section, with some editing, is from *The Audible Landscape*, FHWA.[1])

The arrangement of buildings on a site can be used to minimize noise impacts. If incompatible land uses already exist, or if a noise sensitive activity is planned, acoustical site planning often provides a successful technique for noise impact reduction.

Many site planning techniques can be employed to shield a residential development from noise. These can include:

1. increasing the distance between the noise source and the receiver;
2. placing noise compatible land uses such as parking lots, maintenance facilities, and utility areas between the source and the receivers. Playgrounds and parks are not necessarily noise compatible activities.
3. locating barrier-type buildings parallel to the noise source or the highway; and
4. orienting the residences away from the noise.

The implementation of many of the above site planning techniques can be combined through the use of cluster and planned unit development techniques.

Distance

Noise can be effectively reduced by increasing the distance between a residential building and a highway. Distance itself reduces sound: doubling the distance from a noise source can reduce its intensity by as much as 3 dBA. In the case of highrise buildings, distance may be the only means, besides acoustical design and construction, of reducing noise impacts. This is because it is nearly impossible to provide physical shielding for the higher stories from adjacent noise.

Noise Compatible Land Uses as Buffers

Noise protection can be achieved by locating noise-compatible land uses between the highway and residential units. Whenever possible, compatible uses should be nearest the noise source. Figure 10 shows a proposed parking garage along two sides of a development in Boston. Both the

[1] *The Audible Landscape: A Manual for Highway Noise and Land Use*, US Department of Transportation, The Federal Highway Administration, November 1974. (GPO Stock Number: 5000-00079.)

Figure 10
Use of a Parking Garage to Shield a Residential Area

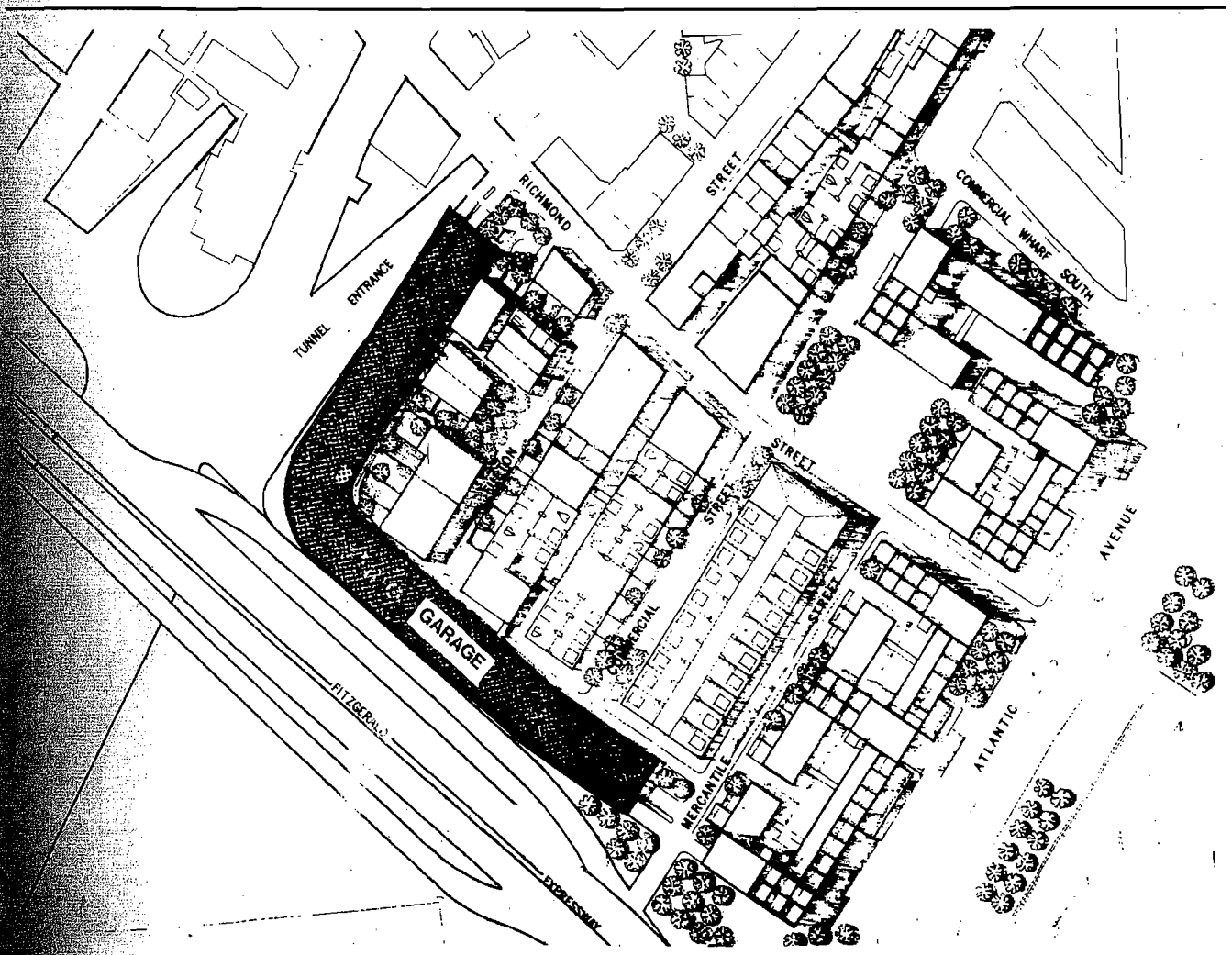

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Fitzgerald Expressway and the entrance to the Callahan Tunnel which are shown on the site plan are major and noisy traffic routes. In addition to protecting the residential development from the noise and dirt of highway traffic, the parking garage provides needed facilities for the residents.

Buildings as Noise Shields

Additional noise protection can be achieved by arranging the site plan to use buildings as noise barriers. A long building, or a row of buildings parallel to a highway can shield other more distance structures or open areas from noise.

If the building being used as a barrier is sensitive to highway noise, the building itself must first be soundproofed. This technique was used in a housing project in England where a 3,900 foot long, 18 foot wide and 45-70 foot high wall (depending on the terrain) serves as both residence and a sound shield. The wall/building will contain 387 apartments in which the kitchens and bathrooms are placed towards the noise, and the bedrooms and living rooms face away from the highway. The wall facing the highway will be soundproofed and windows, when they exist, are sealed. Substantial noise reductions are expected.

Orientation

The orientation of buildings or activities on a site affects the impact of noise, and the building or activity area may be oriented in such a way as to reduce this impact.

Noise impacts can be severe for rooms facing the roadway since they are closest to the noise source. The noise impact may also be great for rooms perpendicular to the roadway because (a) the noise pattern can be more annoying in perpendicular rooms and (b) windows on perpendicular walls do not reduce noise as effectively as those on parallel walls because of the angle of the sound. Road noise can be more annoying in perpendicular rooms because it is more extreme when it suddenly comes in and out of earshot as the traffic passes around the side of the building, rather than rising and falling in a continuous sound, as it would if the room were parallel to passing vehicles.

Whether the noise impact is greater on the perpendicular or the parallel wall will depend on the specific individual conditions. Once the most severely impacted wall or walls are determined, noise impacts may be minimized by reducing or eliminating windows from these walls.

Buildings can also be oriented on a site in such a way as to exploit the site's natural features. With reference to noise, natural topography can be exploited and buildings placed in low noise pockets if they exist. If no natural noise pockets exist, it is possible to create them by excavating pockets for buildings and piling up earth mounds between them and the noise. Such a structure would obstruct the sound paths and reduce the noise impacts on the residences.

Cluster and Planned Unit Development

A cluster subdivision is one in which the densities prescribed by the zoning ordinance are adhered to but instead of applying to each individual parcel, they are aggregated over the entire site, and the land is developed as a single entity. A planned unit development, or P.U.D., is similar but changes in land use are included, such as apartments and commercial facilities in what would otherwise be a single-family district.

From Figure 11 it can be seen how the conventional grid subdivision affords no noise protection from the adjacent highway. The first row of houses bears the full impact of the noise. In contrast, the cluster and P.U.D. techniques enable open space and commercial uses respectively to serve as noise buffers. Examples of this are shown in Figures 12 and 13. A word of caution is necessary: in a cluster development, the required open space can be located near the highway to minimize noise to the residences. However, many recreation uses are noise sensitive, and when one takes advantage of the flexibility of cluster development to minimize noise, care must be taken not to use all of the available open space in

Figure 11
Conventional Grid Subdivision

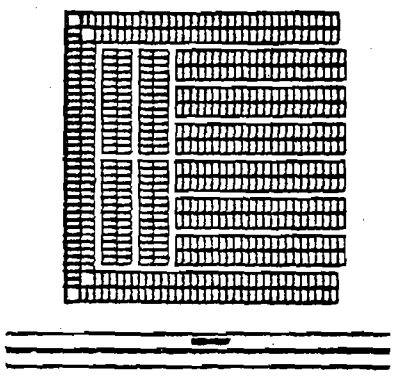

Figure 12
Placement of Noise Compatible Uses Near a Highway in a PUD

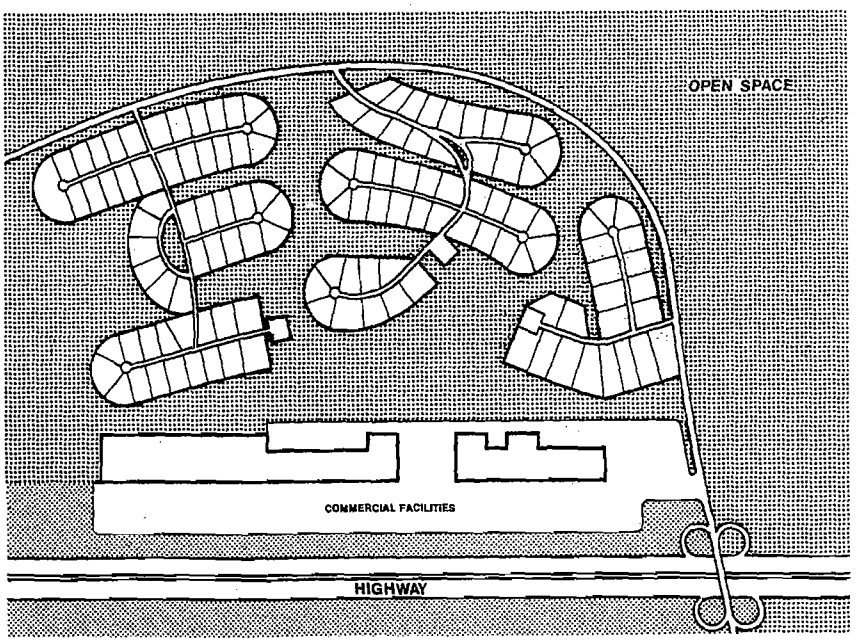

buffer strips, thus depriving the development of a significant open space area. Where high noise levels exist, a combination of buffer strips and other techniques (such as berms and acoustical sound proofing) can be employed.

The flexibility of the cluster and planned unit development techniques allows many of the above site planning techniques to be realized and effective noise reduction achieved.

Reviewing Site Plans

There are two main things to check when reviewing site plan changes to determine if the revised site plan provides adequate attenuation for the noise sensitive uses:

1. Is the separation between the source and the receiver great enough?
2. If noise-compatible buildings are being used as barriers for other buildings, are they adequate barriers, i.e., are they long enough and are they high enough? (And, if the buildings being used as barriers contain noise sensitive activities, have the buildings been properly soundproofed.)

In order to determine whether the proposed site plan changes will provide adequate separation between the source and the receiver, you simply go back to the *Noise Assessment Guidlines* procedures. You can use the *Guidelines* both to determine if the proposed separation distance is sufficient or to determine the necessary separation distance. You should at this point check to make sure that the uses being located in the "buffer zone" between the source and the receiver are indeed noise compatible uses. If parks or playgrounds are located in the buffer zone, make sure they are not the only ones associated with the project.

To determine whether the noise compatible buildings being proposed as barriers are adequate, you simply use the procedures outlined in the preceding section. Determine whether the building is high enough to properly break the line of sight between the receiver and the source. Then determine if the building is long enough. It is not necessary to check to make sure it is made of the proper materials or that it is properly constructed since the building will be inherently thick enough not to have any problems. Again, however, if the building being proposed as a barrier contains noise sensitive uses you must first verify that it is properly soundproofed. (See the next section for guidance on acoustical construction.) If the building is not properly soundproofed then it can not be used as a barrier for other buildings.

As you review the site plan check to see that the building locations will not aggravate noise problems. Figure 14 shows how building arrangement can make the noise problem worse.

Figure 13
Open Space Placed Near a Highway in a Cluster Development

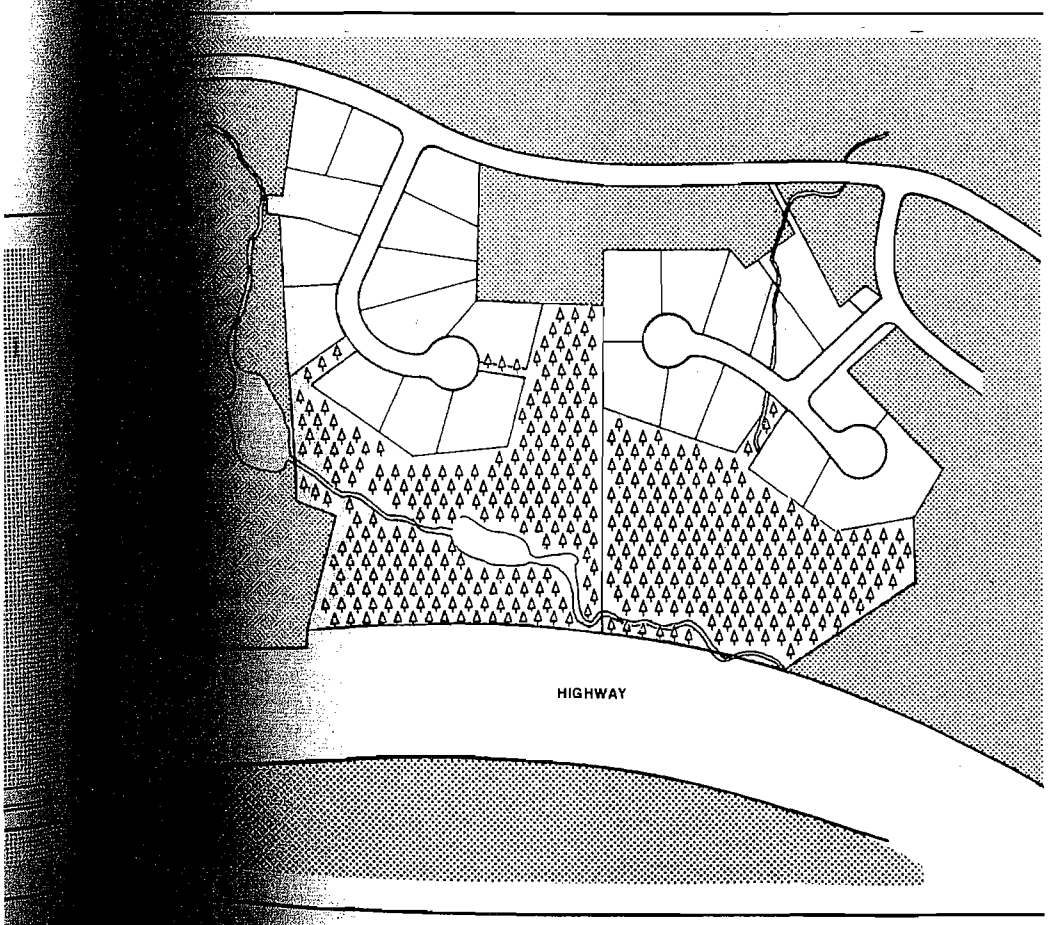

Figure 14
Orientation of Buildings on Sites

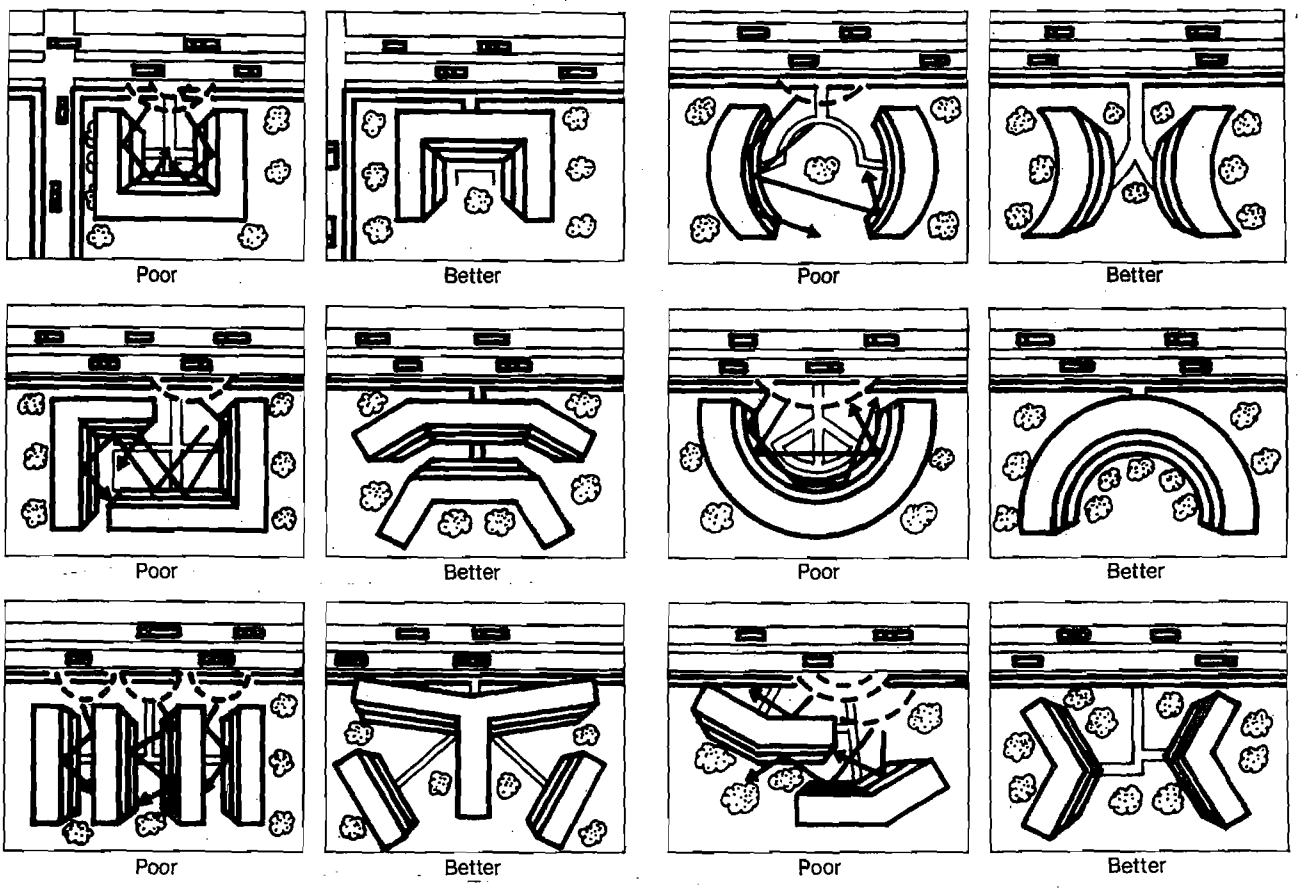

Acoustical Construction Concepts

(This section, with some editing is taken from the *Audible Landscape, FHWA.*[1])

Noise can be intercepted as it passes through the walls, floors, windows, ceilings, and doors of a building. Examples of noise reducing materials and construction techniques are described in the pages that follow.

To compare the insulation performance of alternative constructions, the Sound Transmission Class (STC) is used as a measure of a material's ability to reduce sound. Sound Transmission Class is equal to the number of decibels a sound is reduced as it passes through a material. Thus, a high STC rating indicates a good insulating material. It takes into account the influence of different frequencies on sound transmission, but essentially the STC is the difference between the sound levels on the side of the partition where the noise originates and the side where it is received. For example, if the external noise level is 85 dB and the desired internal level is 45 dB, a partition of 40 STC is required. The Sound Transmission Class rating is the official rating endorsed by the American Society of Testing and Measurement. It can be used as a guide in determining what type of construction is needed to reduce noise.

The use of the STC rating system for transportation noise is a subject of some debate. The STC rating was originally intended primarily for use with interior partitions and relates to the "subjective impressions of the sound insulation provided against the sounds of speech, radio, television, music, and similar sources of noise in offices and dwellings."[2] However, since it remains the only widely used noise reduction rating system for materials the STC system is very often used even with transportation noise. When STC ratings are used for transportation noise you should be aware that the STC ratings may be a few dB too high. For example, the STC rating for a standard frame 2 × 4 wall with exterior siding, and sheathing and interior sheetrock may be 37 dB.[3] If rated specifically for transportation noise the dB reduction rating might drop to 34 dB.[4] All this really means, however, is that you should use the STC ratings with a bit of caution and remain aware of the possible 2-3 dB overstating that you may get with the STC rating system. Throughout this text we will be talking in terms of STC ratings for materials and assemblies.

[1] *The Audible Landscape: A Manual for Highway Noise and Land Use*, US Department of Transportation, the Federal Highway Administration, November 1974. (GPO Stock #5000-00079).

[2] *Acoustical and Thermal Performance of Exterior Residential Walls, Doors, and Windows*, US Department of Commerce, National Bureau of Standards, November 1975. (NBS Building Science Series 77) page 21.

[3] Ibid., p. 29

[4] *Design Guide for Reducing Transportation Noise In and Around Buildings*, p. 137.

Walls

Walls provide building occupants with the most protection from exterior noise. Different wall materials and designs vary greatly in their sound insulating properties. Figure 15 provides a visual summary of some ways in which the acoustical properties can be improved:

Increase the mass and stiffness of the wall. In general, the denser the wall material, the more it will reduce noise. Thus, concrete walls are better insulators than wood walls of equal thickness. Increasing the thickness of a wall is another way to increase mass and improve sound insulation. Doubling the thickness of a partition can result in as much as a 6 dB reduction in sound.[1] However, the costs of construction tend to limit the feasibility of large increases in wall mass.

The relative stiffness of the wall material can influence its sound attenuation value. Care must be taken to avoid wall constructions that can vibrate at audible frequencies and transmit exterior sounds.

[1] R. K. Cooke and P. Chrzanowski, "Transmission of Noise Through Walls and Floors," Cyril Harris, ed., Handbook of Noise Control, McGraw-Hill Book Company, Inc. (New York, 1957).

Figure 15
The Audible Landscape

Factors which influence sound attenuation of walls

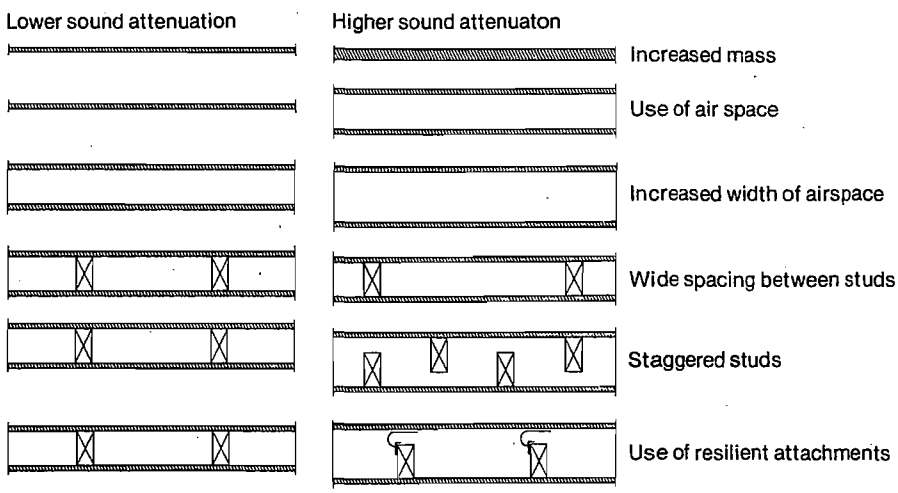

Use cavity partitions. A cavity wall is composed of two or more layers separated by an airspace. The airspace makes the cavity wall a more effective sound insulator than a single wall of equal weight, leading to cost savings.

Increase the width of the airspace. A three inch airspace provides significant noise reduction, but increasing the spacing to six inches can reduce noise levels by an additional 5 dBA. Extremely wide airspaces are difficult to design.

Increase the spacing between studs. In a single stud wall, 24 inch stud spacing gives a 2-5 dB increase in STC over the common 16 inch spacing.[2]

Use staggered studs. Sound transmission can be reduced by attaching each stud to only one panel and alternating between the two panels.

[2]Leslie T. Doelle, Environmental Acoustics (New York, McGraw-Hill Book Company, 1972), pp. 232-233.

Use resilient materials to hold the studs and panels together. Nails severely reduce the wall's ability to reduce noise. Resilient layers such as fiber board and glass fiber board, resilient clips, and semi-resilient attachments are relatively inexpensive, simple to insert, and can raise the STC rating by 2-5 dB.[1]

Use dissimilar layers. If the layers are made of different materials and/or thickness, the sound reduction qualities of the wall are improved.[2]

Add acoustical blankets. Also known as isolation blankets, these can increase sound attenuation when placed in the airspace. Made from sound absorbing materials such as mineral or rock wool, fiberglass, hair felt or wood fibers, these can attenuate noise as much as 10 dB.[3] They are mainly effective in relatively lightweight construction.

Seal cracks and edges. If the sound insulation of a high performance wall is ever to be realized, the wall must be well sealed at the perimeter. Small holes and cracks can be devastating to the insulation value of a wall. A one-inch square hole or a 1/16 inch crack 16 inches long will reduce a 50 STC wall to 40.[4]

Figure 16 shows a sample of wall types ranging from the lowest to the highest sound insulation values.

Remember that the effectiveness of best wall construction will be substantially reduced if you permit vents, mail slots or similar openings in the walls. If vents are permitted the ducts must be specially designed and insulated to make sure noise does not reach the inside. The best approach is simply to eliminate all such openings on impacted walls.

[1]Ibid, p. 172
[2]Ibid, p. 162
[3]Doelle, p. 20
[4]United States Gypsum, Sound Control Construction, Principles and Performance (Chicago, 1972), p. 66

Figure 16
Walls

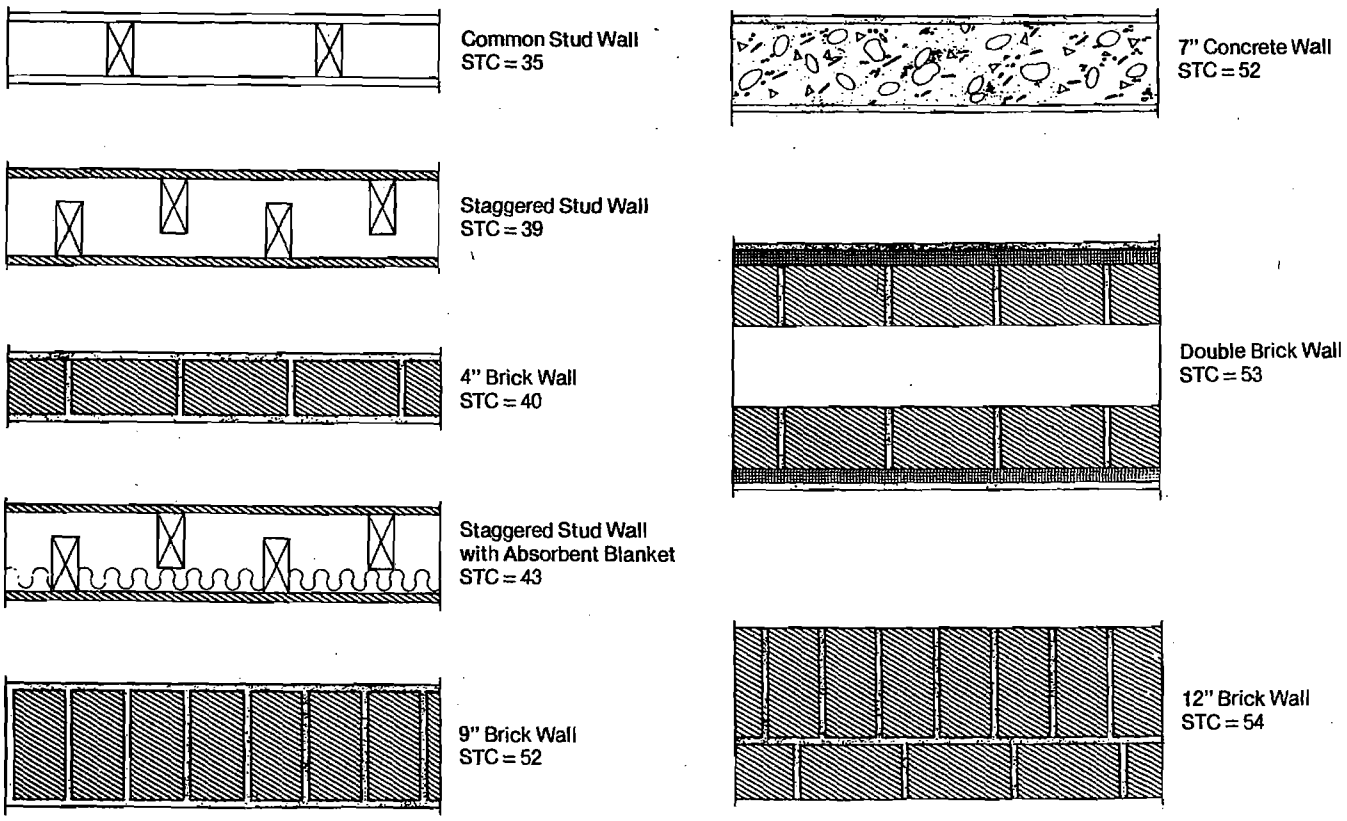

Windows

Sound enters a building through its acoustically weakest points, and windows are one of the weakest parts of a wall. An open or weak window will severely negate the effect of a very strong wall. Whenever windows are going to be a part of the building design, they should be given acoustical consideration. Figure 17 illustrates the effects of windows on the sound transmission of walls. For example, if a wall with an STC rating of 45 contains a window with an STC rating of 26 covering 30% of its area, the overall STC of the composite partition will be 35, a reduction of 10 dB.

The following is a discussion of techniques that can be used to reduce noise in a building by means of its windows. These techniques range from a blocking of the principal paths of noise entry to a blocking of the most indirect paths.

Close windows. The first step in reducing unwanted sound is to close and seal the windows. The greatest amount of sound insulation can be achieved if windows are permanently sealed. However, openable acoustical windows have been developed which are fairly effective in reducing sound.[1] Whether or not the sealing is permanent, keeping windows closed necessitates the installation of mechanical ventilation systems. If you are dealing with single family houses and some of the windows are facing away from all noise sources, a whole house fan may be better and cheaper than air conditioning. In multifamily housing or where all windows are exposed to the noise sources you will have to go with the air conditioning. If windows must be openable, special seals are available which allow windows to be opened.[2]

Reduce window size. The smaller the windows, the greater the transmission loss of the total partition of which the window is a part. Reducing the window size is a technique that is used because (a) it precludes the cost of expensive acoustical windows, and (b) it saves money by cutting down the use of glass. The problems with this technique are (a) it is not very effective in reducing noise; e.g., reducing the proportion of window to wall size from 50% to 20% reduces noise by only 3 decibels; and (b) many building codes require a minimum window to wall size ratio.

Figure 17
STC

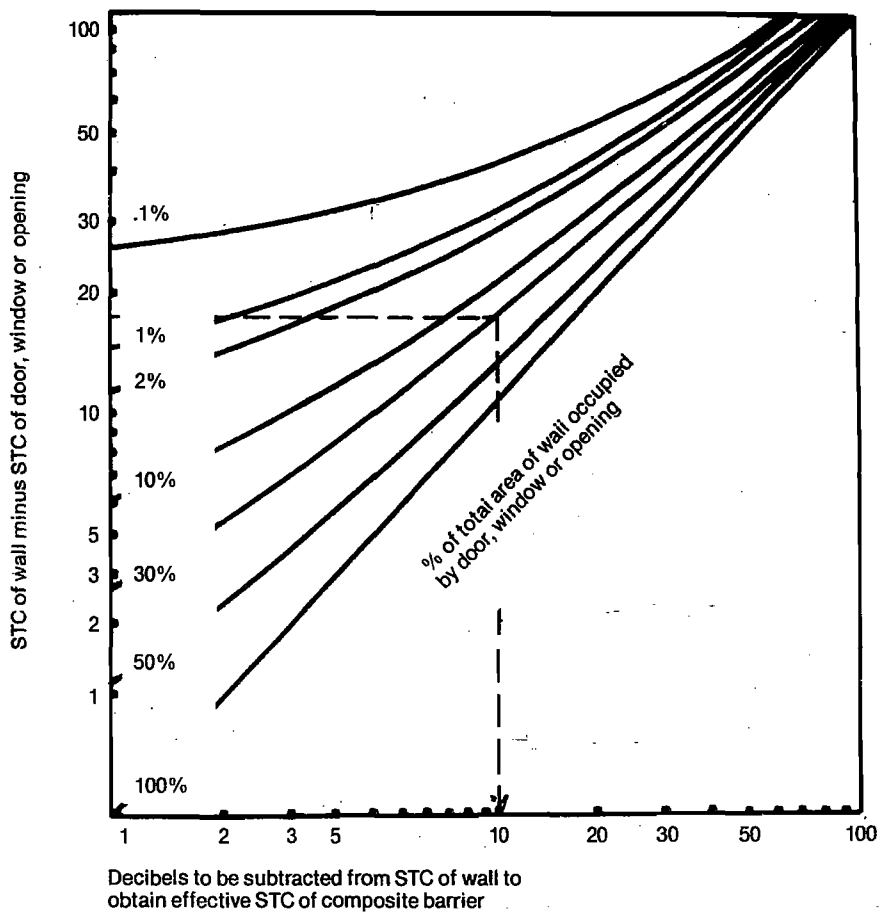

Increase glass thickness. If ordinary windows are insufficient in reducing noise impacts in spite of sealing techniques, then thicker glass can be installed. In addition, this glass can be laminated with a tough transparent plastic which is both noise and shatter resistant. Glass reduces noise by the mass principle; that is, the thicker the glass, the more noise resistant it will be. A 1/2-inch thick glass has a maximum STC rating of 35 dB compared to a 25 dB rating for ordinary 3/16 inch glass.

Instructions on use of graph

1. Subtract the STC value of the door, window or opening from the STC value of the wall.
2. Enter the vertical axis of the graph at the point that matches the value from step 1.
3. Read across to the curve that represents the percentage of the total area of the wall that is taken up by the door, window, or opening.
4. Read down to the horizontal axis.
5. Subtract the value on the horizontal axis from the original STC value of the wall. The result is the composite STC value of the wall and the door, window or opening.

[1] U.S. Department of Housing and Urban Development, A Study of Techniques to increase the Sound Insulation of Building Elements, Report No. WR 73-5, Washington, D.C., June 1973.

[2] Los Angeles Department of Airports, *Guide to the Soundproofing of Existing Homes Against Exterior Noise.* Report No. WRC 70-2, March 1970, pp. 9-11, 22-30. In this report, the function and performance of a number of operable seals are described.

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However, glass thicknesses are only practical up to a certain point, when STC increases become too insignificant to justify the cost. For example, a 1/2 inch thick glass can have an STC of 35; increasing the thickness to 3/4 inch only raises the STC to 37. However, a double glass acoustical window consisting of two 3/16 inch thick panes separated by an airspace will have an STC of 51 and can cost less than either solid window.

In addition to thickness, proper sealing is crucial to the success of the window. To prevent sound leaks, single windows can be mounted in resilient material such as rubber, cork, or felt.

Install Double-Glazed Windows. Double-glazed windows are paired panes separated by an airspace or hung in a special frame. Generally, the performance of the double-glazed window may be increased with:

- increased airspace width
- increased glass thickness
- proper use of sealings
- slightly dissimilar thicknesses of the panes
- slightly non-parallel panes

In general the airspace between the panes should not be less than 2–4 inches if an STC above 40 is desired. If this is not possible, a heavy single-glazed window can be used. The use of slightly non-parallel panes is a technique employed when extremely high sound insulation is required, such as in control rooms of television studios.

The thickness of double-glazed panes may vary from 1/8 to 1/4 inch or more per pane. Although thickness is important, the factors which most determine the noise resistance of the window is the use of sealant and the width of the airspace.

As in the case of all windows, proper sealing is extremely important. To achieve an STC above 43, double-glazed windows should be sealed permanently. If the windows must be openable, there are available special frames and sealers for openable windows which allow a maximum STC of 43.[1]

Permanently sealed double-glazed windows often require an air pressure control system to maintain a constant air pressure and minimal moisture in the airspace. Without this system, the panes may deflect, and, in extremely severe cases, pop out of the frames.

[1]Ibid.

To further insure isolation of noise between double-glazed panes, the panes could be of different thicknesses, different weights, and slightly non-parallel to each other. This prevents acoustical coupling and resonance of sound waves.

Doors

Acoustically, doors are even weaker than windows, and more difficult to treat. Any door will reduce the insulation value of the surrounding wall. The common, hollow core wood door has an STC rating of 17 dB. Taking up about 20% of the wall, this door will reduce a 48 STC wall to 24 STC. To strengthen a door against noise, the hollow core door can be replaced by a heavier solid core wood door that is well sealed[1] and is relatively inexpensive. A solid core wood door with vinyl seal around the edges and carpeting on the floor will reduce the same 48 STC wall to only 33 dB.[2] An increased sound insulation value can be achieved if gasketed stops or drop bar threshold closers are installed at the bottom edge of the door. (See Figure 18)

The alternative solution to doors is to eliminate them whenever possible from the severely impacted walls and place them in more shielded walls.

In any case no mail slots or similar openings should be allowed in exterior doors.

Roofs

Acoustical treatment of roofs is not usually necessary unless the noise is extremely severe or the noise source is passing over the building. The ordinary plaster ceiling should provide adequate sound insulation except in extremely severe cases. An acoustically weak roof which is likely to require treatment is the beamed ceiling.[3] Beamed ceilings may be modified by the addition of a layer of fiberglass or some other noise resistent material. Suspended ceilings are the most effective noise reducers but they are also the most expensive.

[1]D.E. Bishop and P.W. Hirtle, "Notes on the Sound Transmission Loss of Residential-Type Windows and Doors," Journal of the Acoustical Society of America, 43:4 (1968).

[2]U.S. Gypsum, Sound Control... p. 100.

[3]Ibid p. 15.

Figure 18

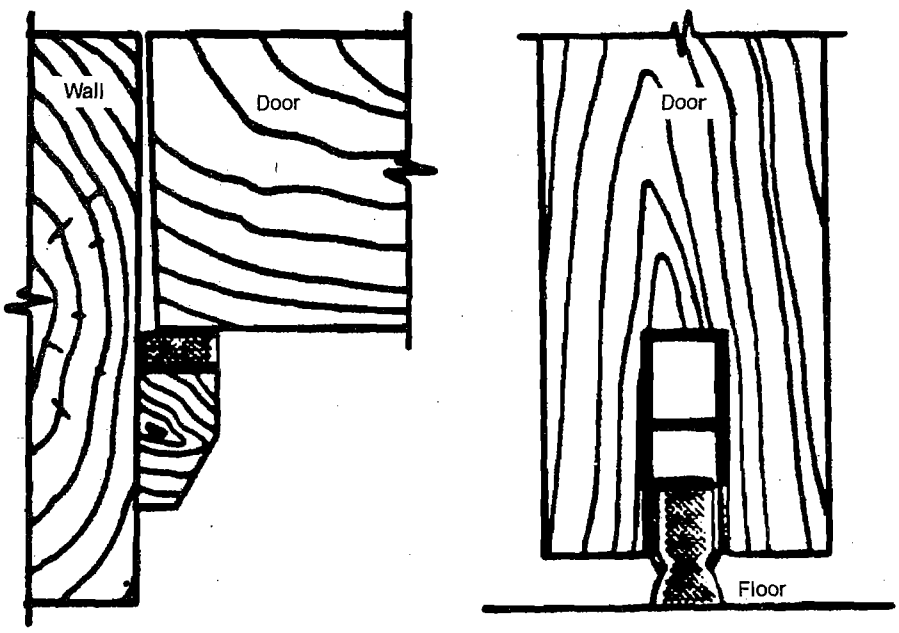

Gasketed door stop

Drop bar threshold closer

Floors

In the case of highway noise, floors would only require acoustical treatment if the highway were passing under the building. In this case, flooring would have to provide protection against structural vibrations as well as airborne sound.

Two ways to insulate a floor from noise are to install a solid concrete slab at least 6 inches thick or install a floating floor. In general, the floating floor gives the greatest amount of sound and vibration insulation; however, it is extremely expensive. Basically, a floating floor consists of a wood or concrete slab placed over the structural slab, but separated by a resilient material. The resilient material isolates the surface slab from the structural slab and the surrounding walls.

What to Look for When Reviewing Plans

The number of possible combinations of the building materials that go into walls, ceilings, windows and doors, is, no doubt, considerably short of infinite. It is however still a very large number, large enough that it would be impossible to compile a list of all the possible combinations. Therefore, do not expect to find in this section, or anywhere else for that matter, a neat table showing the STC ratings for all the types of construction you may encounter. In fact, it is not really your responsibility to determine the precise STC ratings for the walls, ceilings, windows and doors in the projects you review. Your job is simply to review the attenuation levels claimed by the sponsor/developer and determine whether or not they are reasonable.

To enable you to perform the above described task, we have prepared a list of the most common types of construction for which we have STC ratings. By comparing the type of construction proposed to one of these "model" types you should be able to tell whether the claimed STC rating is reasonable. For example, the sponsor/developer submits a description of his building stating that a 2 × 6 stud wall with standard sheathing, insulation, wood siding, and 1/2" gypsum board achieves a STC rating of 48. You look at Table 3 and find that the closest "model" wall is a 2 × 4 stud wall with wood siding, sheathing, insulation, and 1/2" gypsum board. This wall has a STC rating of 39. An 9 dB difference is quite significant considering that the walls are really quite similar. You would probably want to go back to the developer/sponsor and ask for some supporting data that proves that the 2 × 6 wall he proposes will indeed provide 48 dB of noise attenuation.

In order to make it easier to review the attenuation levels provided by the proposed construction, we suggest that you ask the developer/sponsor to complete a form such as shown in Figure 19. Such a form will give you all the information you need in a properly organized format that will facilitate your review. You could fill in the first part and simply have the developer/sponsor fill out the second part and return it with the developer certification or other project documents.

As you will recall from the previous section, most walls provide pretty good attenuation by themselves. It is the presence of windows and doors and openings such as vents that reduces the attenuation capability of the wall. Thus, after you have determined whether the basic wall itself has a reasonable STC, you must review the impact of the windows and doors. You do this by using Figure 17. First you determine the difference between the STC ratings for the wall and the windows. You enter the vertical axis of Figure 17 with that number. You read across until you intersect the line that represents the percentage of the wall taken up by the windows. Then you read down to the horizontal axis where you wil find the value to be subtracted from the basic STC value of the wall. The resulting number is the combined STC value for the wall. If the wall also contains a door, repeat the same procedure, only start out with the modified STC rating for the wall. If the wall has doors only, then obviously you start with the basic wall STC rating. Finally you compare the number you have derived with that listed by the developer/sponsor. If they are fairly close, you need not pursue it further. If there is a substantial difference, you should ask for an explanation or documentation from the developer.

Once again, we caution you about borderline cases. If the attenuation required is 30 dB and the STC rating for the proposed construction is exactly 30 dB, you may want to ask the developer to provide even more attenuation. Remember that we discussed how the STC rating may overstate the actual attenuation provided by as much as 3 dB. If an additional 3 dB can be achieved at minimum cost, we would strongly urge that you seek it from the developer/sponsor.

Finally check to make sure the developer has provided some form of mechanical ventilation. If it's a single family house and a whole house fan is the means of ventilation being provided make sure that there are operable windows on walls which do not face the noise source(s) nor are perpendicular to the source(s). Otherwise the residents will have to open windows on the exposed wall, thus cancelling out much of the attenuation achieved.

Table 3
STC Ratings for Typical Building Components[1]

Building Component	Description	STC Rating
Frame Wall	a. 5/8" x 10" Redwood Siding b. 1/2" Insulation Board Sheathing c. 2 x 4 studs 16" o.c. d. Fiberglass Building Insulation e. 1/2" Gypsum Board attached directly to studs	39 dB
Stucco/Frame Wall	a. 7/8" Stucco b. No. 15 felt Building Paper and 1" Wire Mesh c. 2 x 4 Studs 16" o.c. d. Fiberglass Building Insulation e. 1/2" Gypsum Board attached directly to studs	46
Brick Veneer Wall	a. Face Brick b. 1/2" Airspace with metal ties c. 3/4" Insulation Board Sheathing d. 2 x 4 Studs 16" o.c. e. Fiberglass Building Insulation f. 1/2" Gypsum Board attached directly to studs	56
Masonry Wall	a. 1" Stucco b. 8" thick Hollow Concrete Block c. 1/2" Gypsum Board attached to furring strips	49 (estimated)
Windows	Wood double hung, closed but unlocked, single glazing	23
	Aluminum sliding, latched, single glazing	24
	Wood double hung, closed but unlocked, glazed with 7/16" insulating glass	22
	Aluminum single hung, closed, glazed with 7/16" insulating glass	25
	Wood, double hung, sealed, glazed with 7/16" insulating glass with single glazed storm sash–2 1/8" separation	35
	Aluminum sliding, closed, single glazed with single glazed storm sash, 1/8" separation	22
Exterior Doors	Wood, flush solid core, with brass weather stripping	27
	Wood, flush solid core, plastic weather stripping, aluminum storm door	34
	Wood, French door, brass weather stripping	26
	Steel, flush, with urethane foam core, with magnetic weather stripping	28
Roof	Shingle Roof with attic, 1/2" gypsum wall board ceiling framed independently of roof	43 (estimated)

[1]Except as noted, all STC ratings are from: *Acoustical and Thermal Performance of Exterior Residential Walls, Doors and Windows*, National Bureau of Standards.

Figure 19
Description of Noise Attenuation Measures
(Acoustical Construction)

Part I

Project Name _____

Location _____

Sponsor/Developer _____

Noise Level (From NAG) _____ Attenuation Required _____

Primary Noise Source(s) _____

Part II

1. For Walls (s) facing and parallel to the noise source(s) (or closest to parallel):
   a. Descripton of wall construction* _____

   _____

   b. STC rating for wall (rated for nb windows or doors): _____

   c. Description of Windows: _____

   _____

   d. STC rating for window type _____

   e. Description of doors _____

   _____

   f. STC rating for doors _____

   g. Percentage of wall (per wall, per dwelling unit) composed of windows _____ and doors _____

   h. Combined STC rating for wall component _____

2. For walls perpendicular to noise source(s):
   a. Description of wall construction* _____

   _____

   b. STC rating for wall (rated for no windows or doors) _____

   c. Description of windows _____

   _____

   d. STC rating for windows _____

   e. Description of doors _____

   _____

f. STC rating for doors _____

g. Percentage of wall (per wall, per dwelling unit) composed of windows _____ and doors _____

h. Combined STC rating for wall component _____

3. Roofing component (if overhead attenuation is required due to aircraft noise):
   a. Description of roof construction _____

   _____

   b. STC rating (rated as if no skylights or other openings) _____

   c. Descripton of skylights or overhead windows _____

   _____

   d. STC rating for skylights or overhead windows _____

   e. Percentage of roof composed of skylights or windows (per dwelling unit) _____

   f. Percentage of roof composed of large uncapped openings such as chimneys _____

   g. Combined STC rating for roof component _____

4. Description of type of mechanical ventilation provided _____

   _____

Prepared by _____

Date: _____

*If walls contain vents or similar openings, attach a description of duct arrangement and insulation and a statement of how much the wall STC is reduced by the presence of the vent.

Figure 19
Description of Noise Attenuation Measures
(Acoustical Construction)

Part I

Project Name PARADISE HOMES

Location ANYTOWN

Sponsor/Developer JOAN DOE + ASSOC. INC.

Noise Level (From NAG) 73 Attenuation Required 30db

Primary Noise Source(s) HIGHWAY

Part II

1. For Walls (s) facing and parallel to the noise source(s) (or closest to parallel):
   a. Descripton of wall construction* 3/8" FIR PLYWOOD SIDING, 2x4 STUDS 16" o.c. 3½" FIBERGLASS INSULATION
   b. STC rating for wall (rated for no windows or doors): 37
   c. Description of Windows: WOOD DOUBLE HUNG, INSULATING GLASS
   d. STC rating for window type 22
   e. Description of doors WOOD, FLUSH, SOLID CORE
   f. STC rating for doors 30
   g. Percentage of wall (per wall, per dwelling unit) composed of windows 10% and doors 5%
   h. Combined STC rating for wall component 30db

2. For walls perpendicular to noise source(s):
   a. Description of wall construction* SAME AS ABOVE
   b. STC rating for wall (rated for no windows or doors) 37
   c. Description of windows SAME AS ABOVE
   d. STC rating for windows 22
   e. Description of doors NO DOORS

SAMPLE

f. STC rating for doors —

g. Percentage of wall (per wall, per dwelling unit) composed of windows 10%0 and doors 0

h. Combined STC rating for wall component 30

3. Roofing component (if overhead attenuation is required due to aircraft noise):
   a. Description of roof construction N/A

   b. STC rating (rated as if no skylights or other openings) _____

   c. Descripton of skylights or overhead windows _____

   d. STC rating for skylights or overhead windows _____

   e. Percentage of roof composed of skylights or windows (per dwelling unit) _____

   f. Percentage of roof composed of large uncapped openings such as chimneys _____

   g. Combined STC rating for roof component _____

4. Description of type of mechanical ventilation provided CENTRAL AIR Conditioning

Prepared by _____

Date: _____

*If walls contain vents or similar openings, attach a description of duct arrangement and insulation and a statement of how much the wall STC is reduced by the presence of the vent.

SAMPLE

z on Noise Attenuation

stions

What are the three basic ways to ide noise attenuation?
What are the responsibilities of personnel regarding noise enuation?
When a barrier is introduced een a source and a receiver the nd energy is redistributed along 3 rect paths. What are these three s?
What is "Path Length Difference" ow does it affect the attenuation provided by a barrier?
What are "Transmission Loss s?"
ow does the transmission loss of barrier material affect the ation capability of the barrier?
s a general rule, what mission loss values should you for?
you have more than one barrier en the source and the receiver amount of attenuation sed substantially?
What are the four things to check reviewing a proposed barrier?
st 3 ways to make a barrier more e without increasing its overall

11. List 3 ways to make a barrier more effective without increasing its overall length.
12. What is the maximum percentage of the total area of a barrier that can be made up of openings without a significant loss in barrier effectiveness?
13. List 3 site planning techniques that are used to shield residential developments.
14. When are parks and playgrounds not noise compatible uses that can be employed as buffers?
15. What are the two main things to look for when reviewing site plan changes?
16. What are some of the building orientations which can aggravate noise problems?
17. What is the Sound Transmission Class (STC) rating?
18. Which is better a high STC or a low STC rating?
19. What kinds of conditions were STC ratings originally developed for?
20. What should you do when using STC ratings in a transportation noise situation?
21. List 5 ways to improve the attenuation capability of a wall.
22. Windows are one of the acoustically weakest components in a wall. List 3 ways to reduce the negative effects of windows.
23. What is the best way to reduce the effect of doors?

Quiz on Noise Attenuation

Answers

1. a. barriers or berms
   b. site design
   c. acoustical construction
2. a. to make sure the project sponsor/developer is aware of the attenuation requirements
   b. provide sponsor/developer with an overview of available options
   c. review attenuation proposals to make sure they are adequate
3. a. A **diffracted** path over the top of the barrier
   b. A **transmitted** path through the barrier
   c. A **reflected** path away from the receiver
4. "Path Length Difference" is the difference in distance that sound must travel diffracting over the barrier rather than passing directly through it. Since sound energy decreases over distance, the greater the path length distance the greater the attenuation.
5. "Transmission Loss Values" represent the amount noise levels will be reduced when the sound waves pass through a barrier.
6. Since the attenuation provided by a barrier is a function of both the sound energy that goes over the top **and** the energy that goes through the barrier, if the transmission loss value is low then the effectiveness of the barrier will be greatly reduced.
7. If the transmission loss value of the barrier material is at least 10dB greater than the attenuation level provided by diffraction (i.e. barrier height) there shouldn't be any problem.
8. No. The combined effect of multiple barriers does not normally provide significantly greater attenuation than a single barrier. For design purposes, the general procedure is to assume the attenuation of the most effective barrier.
9. a. Is it high enough?
   b. Is it long enough?
   c. Is it made of the right material?
   d. Is it properly constructed?
10. a. move the barrier closer to the source
    b. bend the top of the barrier towards the source
    c. do both
11. a. move it closer to the receiver
    b. bend the ends toward the receiver
    c. do both
12. 1 percent
13. Any 3 of the below:
    a. increasing the distance between the source and the receiver
    b. placing noise compatible land uses between the source and the receiver
    c. locating barrier type buildings parallel to the source
    d. orienting residences away from the noise
14. when they are the only ones associated with the project
15. a. is the separation between the source and receiver great enough
    b. If a noise compatible building is being used as a barrier is it tall and long enough?
16. Building orientations which trap noise and cause it to reverberate off building walls. This would include shapes where a court is open to the source or where a series of buildings are arranged perpendicular to the source.
17. The STC rating is equal to the number of decibels a sound is reduced as it passes through a material.
18. A high STC rating is better.
19. The STC ratings were originally intended primarily for use with interior partitions and for noise such as speech, radios, television.
20. Recognize that the STC rating may overstate the effectiveness of the materials by 2-3db.
21. Any of the 9 below:
    a. increase the mass and stiffness of the wall
    b. use cavity partitions
    c. increase the width of the airspace
    d. increase the spacing between studs
    e. use staggered studs
    f. use resilient materials to hold the studs and finish materials together
    g. use of dissimilar layers (leaves)
    h. add acoustical blankets
    i. seal cracks and edges
22. Any of the 4 below:
    a. close the windows and provide mechanical ventilation
    b. reduce window size
    c. increase glass thickness
    d. install double glazed windows
23. Eliminate them from severely impacted walls

U.S. Department of Housing and Urban Development
Office of Policy Development and Research

Noise Assessment Guidelines

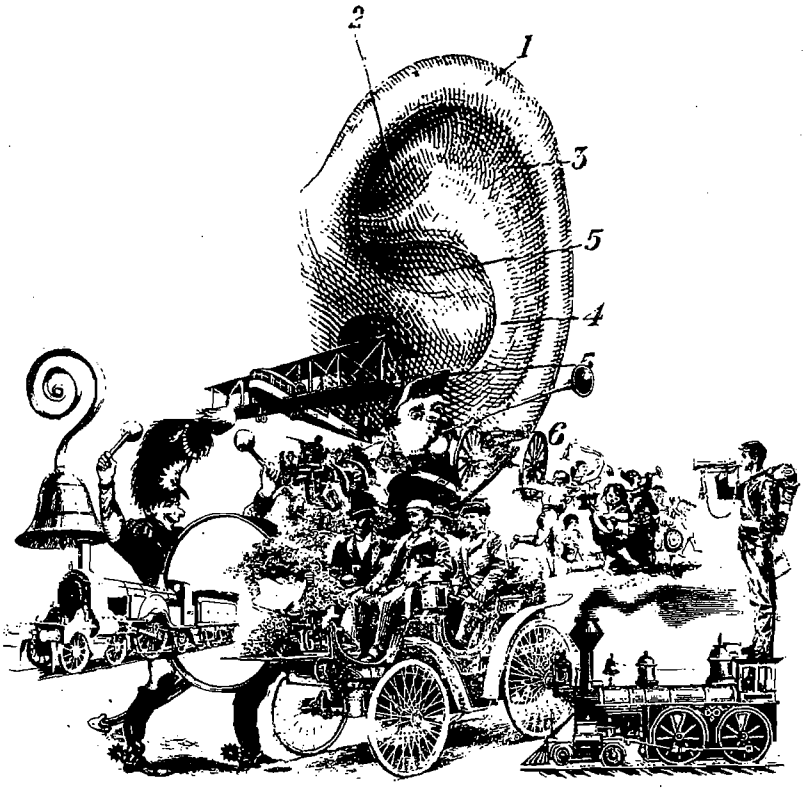

Noise Assessment Guidelines

Foreword

In choosing among alternative sites for housing, potential noise problems are prominent among the issues that must be examined. These Noise Assessment Guidelines were developed to provide HUD field staff, interested builders, developers, and local officials with an easy-to-use method of evaluating noise problems with a minimum of time and effort.

We believe that this set of tools will simplify the process of balancing the goal of environmental protection with those of efficiency and reduced housing costs. We hope you will find them useful, and invite your comments.

Benjamin F. Bobo
Acting Assistant Secretary for
Policy Development and Research

Stephen J. Bollinger
Assistant Secretary for
Community Planning and
Development

Preface

The Department of Housing and Urban Development, in its efforts to provide decent housing and a suitable living environment, is concerned with noise as a major source of environmental pollution and has issued Subpart B on Noise Abatement and Control to Part 51 of Title 24 of the Code of Federal Regulations.

The policy established by Subpart B embodies HUD objectives to make the assessment of the suitability of the noise environment at a site: (1) easy to perform; (2) uniformly applicable to different noise sources; and (3) as consistent as possible with the assessment policies of other Federal departments and agencies. In furtherance of these objectives, the Office of Policy Development and Research has sponsored research to provide site analysis techniques. These *Noise Assessment Guidelines* do not constitute established policy of the Department but do provide a methodology whose use is encouraged by HUD as being consistent with its objectives. The *Guidelines* provide a means for assessing separately the noise produced by airport, highway, and railroad operations, as well as the means for aggregating their combined effect on the overall noise environment at a site.

This booklet has been prepared by Bolt Beranek and Newman Inc., under Contract No. H-2243R for the U.S. Department of Housing and Urban Development. It is a revision of an earlier edition published in August 1971. With the exception of changes made by the Department, the contractor is solely responsible for the accuracy and completeness of the data and information contained herein.

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Introduction

These guidelines are presented as part of a continuing effort by the Department of Housing and Urban Development to provide decent housing and a suitable living environment for all Americans.

The procedures described here have been developed so that people without technical training will be able to assess the exposure of a housing site to present and future noise conditions. In this context, the site may hold only one small building, in which case the noise assessment is straightforward. Larger sites may hold larger buildings, or many buildings, and the noise level may be different at different parts of the site (or building). Assessments of the noise exposure should be made at representative locations around the site where significant noise is expected. These are designated as "Noise Assessment Locations," abbreviated NAL in the following text.

The only materials required are a map of the area, a ruler (straight edge), a protractor and a pencil. Worksheets and working figures are provided separately.

All of the information you need can be easily obtained – usually by telephone. For convenience, this information is listed at the beginning of each section under headings that indicate the most likely source. While you are obtaining this information, be sure to ask about any approved plans for future changes that may affect noise levels at the site – for example: land-use changes, changes in airport runway traffic, widening of roads, and so forth. In all evaluations, you should assess the condition that will have the most severe or most lasting effect on the use of the site.

Wherever possible, you should try to assess noise environments expected at least ten years in the future.

The degree of acceptability of the noise environment at a site is determined by the outdoor day-night average sound level (DNL) in decibels (dB). The assessment of site acceptability is presented first as an evaluation of the site's exposure to three major sources of noise – aircraft, roadways, and railways. These are then combined to assess the total noise at a site. Worksheets are provided at the back of these Guidelines to use in summarizing your evaluations.

The noise environment at a site will come under one of three categories:

Acceptable (DNL not exceeding 65 decibels) The noise exposure may be of some concern but common building constructions will make the indoor environment acceptable and the outdoor environment will be reasonably pleasant for recreation and play.

Normally Unacceptable (DNL above 65 but not exceeding 75 decibels) The noise exposure is significantly more severe; barriers may be necessary between the site and prominent noise sources to make the outdoor environment acceptable; special building constructions may be necessary to ensure that people indoors are sufficiently protected from outdoor noise.

Unacceptable (DNL above 75 decibels) The noise exposure at the site is so severe that the construction cost to make the indoor noise environment acceptable may be prohibitive and the outdoor environment would still be unacceptable.

When measuring the distance from the site to any noise source, measure from the source to the nearest points on the site where buildings having noise-sensitive uses are located. These points define the Noise Assessment Locations for the site. The relevant measurement location for buildings is a point 2 meters (6.5 feet) from the facade.

If at any point during the assessment the site's exposure to noise is found to be Unacceptable or Normally Unacceptable, every effort should be made to improve the condition, e.g., the location of the proposed dwellings can be changed or some shielding can be provided to block the noise from that source.

Where quiet outdoor space is desired at a site, distances should be measured from the important noise sources to the outdoor area in question and the combined noise exposure should be assessed.

Frequently, the locations of dwellings have not yet been specified at the time the noise assessment of a site is made. In these instances, distances used in the noise assessment should be measured as 2 meters less than the distance from the building setback line to the major sources of noise.

Combining Sound Levels in Decibels

The noise environment at a site is determined by combining the contributions of different noise sources. In these Guidelines, Workcharts are provided to estimate the contribution of aircraft, automobile, truck, and train noise to the total day-night average sound level (DNL) at a site. The DNL contributions from each source are expressed in decibels and entered on Worksheet A. The combined DNL from all the sources is the DNL for the site and is the value used to determine the acceptability of the noise environment.

Sound levels in decibels *are not combined by simple addition!* The following table shows how to combine sound levels:

Table

Difference in Sound Level	Add to Larger Level
0	3.0
1	2.5
2	2.1
3	1.8
4	1.5
5	1.2
6	1.0
7	0.8
8	0.6
9	0.5
10	0.4
12	0.3
14	0.2
16	0.1
Greater than 16	0

Use the table by first finding the numerical difference in sound level between two levels being combined. Entering the table with this value, find the value to be added to the larger of the two levels, add this value to the larger level to determine the total. Where more than two levels are to be combined, use the same procedure to combine any two levels; then use this subtotal and combine it with any other level, and so on. Fractional numerical values may be interpolated from the table; however, the final result should be rounded to the nearest whole number.

Example 1: In performing a site evaluation, separate DNL values for airports, road and railroads have been listed on Sheet A as 56, 63, and 61 decibels. In complete the final evaluation of the separate DNL values must be The difference between 63 and from the table you find that 0.8 should to 63, for a subtotal of 63.8. The between 63.8 and 61 is 2.8; from you interpolate that approximately be added to 63.8 for a total of 65.7 when rounded to whole numbers. This example shows how noise from different may be Acceptable, individually, at a when combined, the total noise en- may exceed the Acceptable DNL decibels.

Aircraft

Necessary Information

To evaluate a site's exposure to aircraft noise, you will need to consider all airports (civil and military) within 15 miles of the site. The information required for this evaluation is listed below under headings that indicate the most likely source. Before beginning the evaluation, you should record the following information on Worksheet B:

From the FAA Area Office or the Military Agency in charge of the airport:

- Are current DNL or NEF (Noise Exposure Forecast) contours available? Noise contours are available for almost all military airports. These contours have been developed and published as part of the Air Installation Compatible Use Zone (AICUZ) program of the Department of Defense. The contours are published normally as part of an AICUZ report. Noise contours are also available for many civil airports. When available, they are superimposed on a map with an appropriately marked scale (see Figure 1, page 4).
- Any available information about approved plans for runway changes (extensions or new runways).

From the FAA Control Tower or Airport Operations (if DNL or NEF contours are *not* available):

- The number of nighttime jet operations (10 p.m. - 7 a.m.)
- The number of daytime jet operations (7 a.m. - 10 p.m.)
- The flight paths of the major runways.
- Any available information about expected changes in airport traffic, e.g., will the number of operations increase or decrease in the next 10 or 15 years.

In making your evaluation, use the data for the heaviest air traffic condition, whether present or future.

Evaluation of Site Exposure to Aircraft Noise

If current DNL (or NEF) contours are available (as in Figure 1 page 4), locate the site on the map by referring to the marked distance scale. If there are no other noise sources in the area, you do not need to do anything else. If there are other noise sources affecting the site, you will need to find the precise DNL value so you can combine it with the other sources. Obtain the DNL at the appropriate NAL on the site by interpolation between the contours on either side of the NAL. If NEF contours are used, estimate DNL by adding 35 decibels to the NEF values. Note that contours are usually provided in 5 decibel increments. (See Example 2 on page 4.) When supersonic aircraft operations are present, DNL contours are *required* for the assessment.

If DNL or NEF contours are *not* available, the DNL at a site may be estimated in several different ways:

- An FAA Handbook (Reference 1) can be used to estimate DNL contours for sites in general aviation airport vicinities. General aviation airports exclude commercial jet transports but may include business jets.
- A handbook available from EPA (Reference 2 at the back of this Guide) can be used to calculate DNL at individual points.
- A procedure for constructing approximate DNL contours for sites near commercial jet

Figure 1
Example of DNL Contours

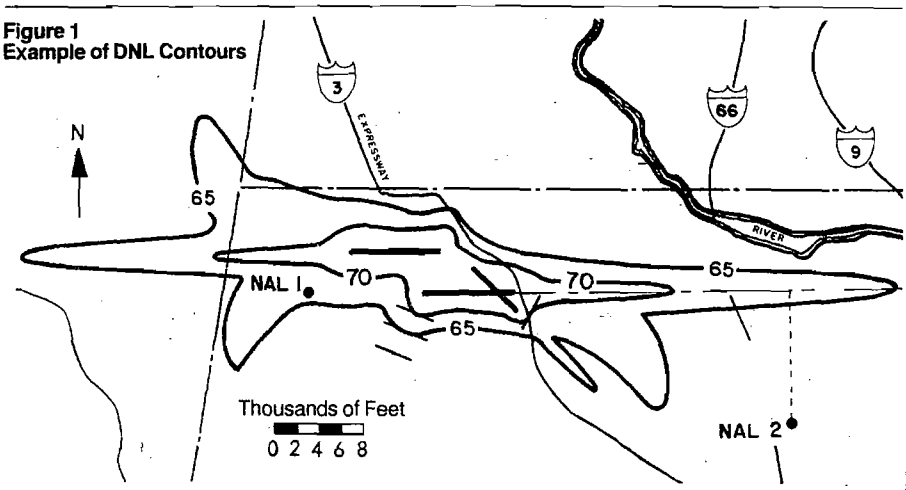

Example 2: The illustration in Figure 1 at the top of page 4 shows the NAL's on a map that has DNL contours. We find that NAL number 1 lies between the 65 and 70 dB contours and that NAL number 2 lies outside the 65 dB contour.

We find the DNL at NAL number 1 by interpolation from the distances between the NAL and the 65 and 70 dB contours.

By scaling off the map, we find that the distance from the NAL, measured perpendicularly to the contours, is 800 feet to the 65 dB contour and 2400 feet to the 70 dB contour. The distance between the 65 and 70 dB contours is 2400 + 800 =3200 feet. We find the DNL at the NAL number 1 to be 65 decibels plus 800/3200 x 5 decibels = 66.3 decibels.

Example 3: The illustration in Figure 2 at the bottom of page 5 shows an airport for which DNL or NEF contours are not available. The airport has 10 nighttime and 125 daytime jet operations.

To construct the approximate contours, we determine the effective number of operations as follows:

10 (nighttime) x 10 = 100

Add to this the actual number of daytime operations:

100 + 125 (daytime) = 225

To determine the distances A and B in relation to the runway (see Figure 3, page 5), enter the effective number of operations on the horizontal scales of the charts in Figure 3:

airports without supersonic aircraft is as follows:

Determine the "effective" number of jet operations at the airport by first multiplying the number of nighttime jet operations by 10.

Then add the number of daytime jet operations to obtain an effective total (see Example 3, page 4).

On a map of the area showing the principal runways, mark the location of the site and, using the diagram and charts of Figure 3 on page 5, construct approximate DNL contours of 65, 70, and 75 dB for the major runways and flight paths most likely to affect the site. (see Figure 2, page 5.)

Although a site may be Acceptable for exposure to aircraft noise; exposure to other sources of noise, when combined with the aircraft noise, may make the site Unacceptable. Therefore, if necessary, values of aircraft noise exposure less than 65 dB can be estimated from Table 2. Scale the shortest distance D^2 from the NAL to the flight path, as in Figure 2. Scale the distance D^1 from the 65 dB contour to the flight path. Divide D^2 by D^1 and enter this value into the following table to find the approximate DNL at the NAL.

Table 2

D^2/D^1	DNL dB
1.00	65
1.12	64
1.26	63
1.41	62
1.58	61
1.78	60
2.00	59
2.24	58
2.51	57
2.82	56
3.16	55

Figure 3
Charts for Estimating DNL for Aircraft Operations

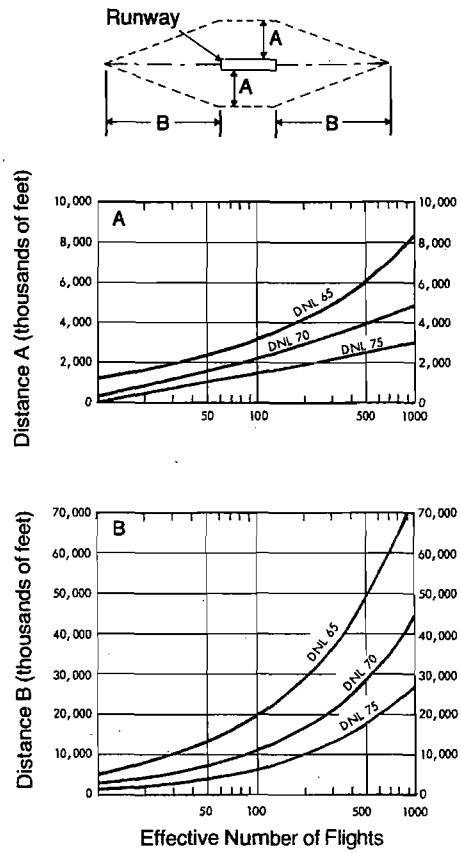

Figure 2
Example of Approximate DNL Contours for an Airport with 225 Effective Number of Operations

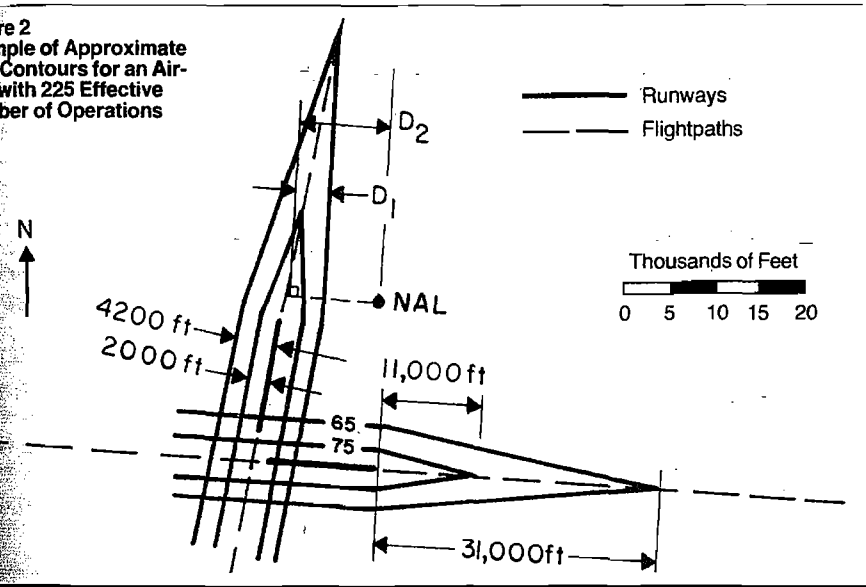

[illegible] up to the DNL curves; read across the [illegible] to the left to obtain distances A and B [illegible] the vertical scales on the charts.

[illegible] we find from Figure 3, for example, that for [illegible] effective operations, distance A is 4200 [illegible] for the 65 dB contour and 2000 feet for [illegible] 75 dB contour. Distance B is 31,000 feet [illegible] the 65 dB contour and 11,000 feet for the [illegible] dB contour.

Example 4a: The NAL shown in Figure 2 is outside the 65 dB contour. The distance D^2 from the NAL to the flight path is 9700 feet. The distance D^1 from the 65 dB contour to the flight path, measured perpendicularly from the contour, is 3700 feet. The ratio D^2/D^1 is 9700/3700 = 2.62. From Table 2 we find the DNL from the airport to be 56.6 dB. We do not know whether the site is Acceptable or not, however, since we must also assess the contribution of roadway and train noise to the total DNL at the site.

Example 4b: We observe that the perpendicular distance (D^2) from NAL number 2 (Figure 1) to the flight path is more than 3 times the distance (D^1) from the 65 dB contour to the flight path. From Table 2 we find that the contribution of the airport to the DNL at NAL number 2 is less than 55 decibels. We need not consider the airport further in accessing the noise environment at this site.

Roadways

Necessary Information

To evaluate a site's exposure to roadway noise, you will need to consider all roads that might contribute to the site's noise environment; roads farther away than 1000 feet normally may be ignored.

Before beginning the evaluation, determine if roadway noise predictions already exist for roads near the site. Also try to obtain all available information about approved plans for roadway changes (e.g., widening existing roads or building new roads) and about expected changes in road traffic (e.g., will the traffic on this road increase or decrease in the next 10 to 15 years).

If noise predictions have been made, they should be available from the City (County) Highway or Transportation Department. If not, record the following information on page 1 of Worksheet C:

- The distances from the NAL's for the site to the near edge of the nearest lane and the far edge of the farthest lane for each road.
- Distance to stop signs.
- Road gradient, if 2 percent or greater.
- Average speed.
- The total number of automobiles for both directions during an average 24-hour day. Traffic engineers refer to this as ADT, Average Daily Traffic (or sometimes AADT, meaning Annual Average Daily Traffic).
- The number of trucks during an average 24-hour day in each direction.

If possible, separate trucks into "heavy trucks" – those weighing more than 26,000 pounds with three or more axles – and "medium trucks" – those between 10,000 and 26,000 pounds. (Each medium truck is counted as equal to 10 automobiles.) Trucks under 10,000 pounds are counted as automobiles. Count buses capable of carrying more than 15 seated passengers as "heavy" trucks – others, as "medium" trucks. If it is not possible to separate the trucks into those that are heavy and those that are not, treat *all* trucks as though they are "heavy."

Note: *If the road has a gradient of 2 percent of more, record the numbers for uphill and downhill traffic separately since these figures will be needed later; otherwise, simply record the total number of trucks. Most often you will have to assume that the uphill and downhill traffic are equally split.*

- The fraction of ADT that occurs during nighttime (10 p.m. to 7 a.m.). If this is unknown, assume 0.15 for both trucks and autos.

Evauation of Site Exposure to Roadway Noise

Traffic surveys show that the amount of roadway noise depends on the percentage of trucks in the total traffic volume. To account for this effect, you must evaluate automobile and truck traffic separately and then combine the results.

The noise environment at each site due to traffic noise is determined by utilizing a series of Workcharts to define the contribution of automobiles and trucks from one or more roads at that site. Each noise source yields a separate DNL value.

Workchart 1 provides a graph for assessing a site with respect to the noise from automobiles, light and medium trucks; Workchart 2 provides a similar graph for assessment of heavy truck noise. These values are combined for each road affecting the noise environment at the site to obtain the total contribution of roadway noise. Remember, the noise from aircraft and railways must also be considered before determining the suitability of this site's noise environment.

Effective Distance

Before proceeding with these separate evaluations, however, determine the "effective distance" to each road from the dwelling or outdoor residential activity (the NAL's for the site) by averaging the distances to the nearest edge of the nearest lane and to the farthest edge of the farthest lane of traffic. (See Example 5, page 6, and Figure 4, page 7.)

Note: For roads with the same number of lanes in both directions, the effective distance is the distance to the center of the roadway (or median strip, if present).

Automobile Traffic

Workchart 1 was derived with the following assumptions:

- There is line-of-sight exposure from the site to the road; i.e., there is no barrier which effectively shields the site from the noise of the road.
- There is no stop sign within 600 feet of the site; traffic lights do not count because there is usually traffic moving on one street or the other.
- The average automobile traffic speed is 55 mph.
- The nightime portion of ADT is 0.15.

If each road meets these four conditions, proceed to Workchart 1 for the evaluation. Enter the horizontal axis with the effective distance from the roadway to the NAL; draw a vertical line upward from this point. Enter the vertical axis with the effective automobile ADT; draw a horizontal line across from this point. (The "effective" automobile ADT is the sum of automobiles, light trucks, and 10 times the number of medium trucks in a 24-hour day.) Read the DNL value from Workchart 1 where the vertical and horizontal lines intersect. Record this value in column 16, Worksheet C.

But:

If any of the four conditions is different, make

Example 5: The site shown in Figure 4 is exposed to noise from three major roads: Road No. 1 has four lanes, each 12 feet wide, and a 30-foot wide median strip which accommodates a railroad track. Road No. 2 has four lanes, each 12 feet wide. Road No. 3 has six lanes, each 15 feet wide, and a median strip 30 feet wide.

The distance from NAL No. 1 to the near edge of Road No. 1 is 300 feet. The distance to the far edge of Road No. 1 is 300 feet, plus the number of lanes times the lane width, plus the width of the median strip. Thus, the distance to the farthest edge of the road is:

$$300 + (4 \times 12) = 378 \text{ ft}$$

The effective distance is

$$\frac{378 + 300}{2} = 339 \text{ ft}$$

This is the value to be entered on line 1c of Worksheet C. The effective distances from the appropriate NAL's to Road No. 2 and Road No. 3 are found by the same method.

The distances shown in Figure 4 will be used for all roadway examples in this booklet.

Figure 4
Plan View of Site showing How Distance Should Be Measured from the Noise Assessment Location (NAL) of the Dwelling Nearest to the Source

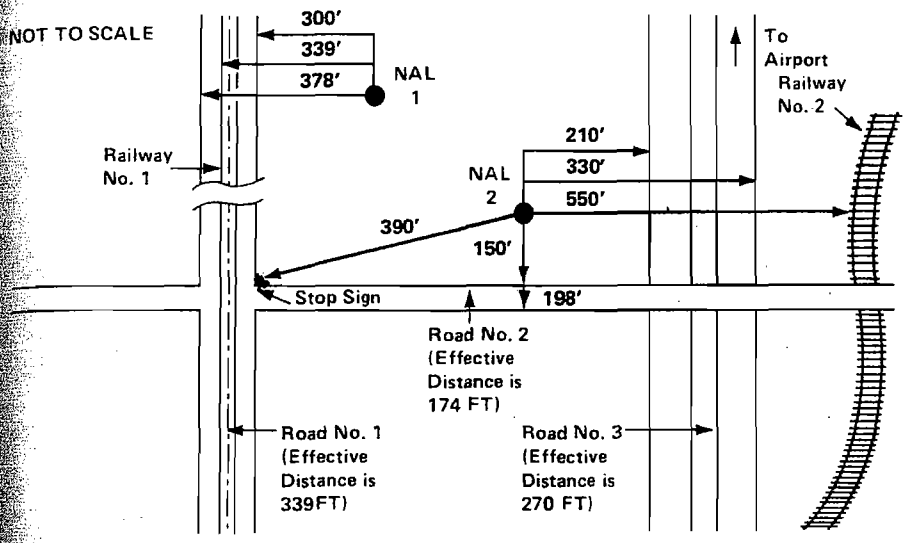

the necessary adjustments (on page 2, Worksheet C) listed below and *then* use Workchart 1 for the final evaluation.

First, a few general words about adjustments as they are applied in these Guidelines. Each Workchart has been derived for a baseline condition which is often found in practical cases. Where conditions differ from the baseline, they are accounted for by a series of one or more adjustment factors.

The adjustment factors are used as multipliers times the average number of vehicles operating during a 24-hour day. If more than one adjustment is required, it is not necessary that each be multiplied times the basic traffic flow separately; all adjustment factors are multiplied together, and them multiplied times the original traffic flow data. This will become clearer as you examine the Worksheets at the back of these Guidelines and work through the examples. After you have become familiar with the Guidelines, you will be able to work examples directly from the worksheets without referring back to the text. To simplify your work, all the adjustment factors are summarized at the back of these Guidelines.

Figure 5
Use of Workchart 1 To Evaluate Automobile Traffic Noise

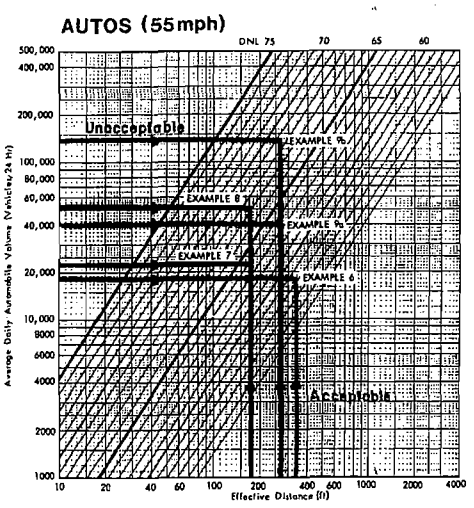

Adjustments for Automobile Traffic

Stop-and-Go Traffic:
If there is a stop sign (not a traffic signal) within 600 feet of the NAL so that the flow of traffic is completely interrupted on the road under consideration, find the stop-and-go adjustment factor for automobiles from Table 3. Enter this value in column 9 on Worksheet C.

Table 3

Distance from NAL to Stop Sign In Feet	Automobile Stop-and-Go Adjustment Factor
0	0.10
100	0.25
200	0.40
300	0.55
400	0.70
500	0.85
600	1.00

Average Traffic Speed:
If the average automobile speed is other than 55 mph, enter the appropriate adjustment from Table 4 in column 10 of Worksheet C.

Table 4

Average Traffic Speed	Auto Speed Adjustment Factor
20 (mph)	0.13
25	0.21
30	0.30
35	0.40
40	0.53
45	0.67
50	0.83
55	1.00
60	1.19
65	1.40
70	1.62

Example 6: Road No. 1 meets the four conditions that allow for an immediate evaluation. Obtaining the information necessary for the evaluation, it was found that the automobile ADT is 18,000 vehicles (Line 5c of Worksheet C). On Workchart 1 we locate on the vertical scale the point representing 18,000 and on the horizontal scale the point representing 339 feet (see Figure 5). (Note that we must estimate the location of this point.) Using a straight-edge we draw lines to connect these two values and find that the [illegible] exposure to automobile noise from this [illegible] is a DNL of 58 dB, as read from the scale [illegible] the top of the graph.

Example 7: Road No. 2 has a stop sign at 390 feet from NAL No. 2. The automobile ADT is reported as being 32,500 vehicles (line 5c of Worksheet C). From Table 3 we interpolate between 300 and 400 feet to find the adjustment factor for stop-and-go traffic to be 0.69. The adjusted traffic ADT is

0.69 × 32,500 = 22,425 vehicles per day

and with an effective distance of 174 feet from NAL No. 2, we find from Workchart 1 that the approximate value of DNL is 64 dB.

Example 8: Suppose that the stop sign on Road No. 2 were replaced by a traffic signal for which no stop-and-go adjustment is made and that the ADT increases to 75,000 vehicles. In addition, assume that the average speed is 45 mph instead of 55 mph. You adjust the new automobile ADT of 75,000 vehicles by the Auto Speed Adjustment Factor from Table 4

0.67 × 75,000 = 50,250 vehicles

and at an effective distance of 174 feet find from Workchart 1 that the approximate value of DNL is 67 dB.

Nightime Adjustment.

DNL values are affected by the proportion of traffic volume that occurs during "daytime" (7 a.m. to 10 p.m.) and "nighttime" (10 p.m. to 7 a.m.). The graph on Workchart 1 assumes that 15 percent of the total ADT occurs during nighttime. If a different proportion of the traffic occurs at night, find the appropriate nighttime adjustment factor from Table 5. Record your answer in column 11 of Worksheet C.

Table 5

Nighttime Fraction of ADT	Nighttime Adjustment Factor
0	0.43
0.01	0.46
0.02	0.50
0.05	0.62
0.10	0.81
0.15	1.00
0.20	1.19
0.25	1.38
0.30	1.57
0.35	1.77
0.40	1.96
0.45	2.15
0.50	2.34

Once you have selected all the appropriate adjustment factors and entered them on page 2 of Worksheet C, multiply all the factors together, then multiply by the automobile ADT (column 12) for 24 hours, found on page 1 of Worksheet C. The resulting adjusted ADT should be entered in column 13. This is the ADT value to be used, in conjunction with the effective distance from the NAL to the road, to find the DNL value from Workchart 1. Enter this DNL value in column 14 of Worksheet C. Remember this is the DNL from automobile (as well as light and medium truck) noise; you must still find the DNL contribution from heavy truck noise in order to obtain the total DNL produced by the roadway you are assessing.

Attenuation of Noise by Barriers:

This adjustment reduces the noise produced by automobiles and trucks on the same road. Instructions for this adjustment appear after the noise assessment for truck traffic below.

Truck Traffic

Wherever possible, separate the average daily volume of trucks into heavy trucks (more than 26,000 pounds vehicle weight and three or more axles); medium trucks (less than 26,000 pounds but greater than 10,000 pounds), light trucks (counted as if they are automobiles). You should already have accounted for medium and light trucks in your automobile evaluation. Do not forget that buses that can carry more than 15 seated passengers are counted as heavy trucks. Heavy trucks (including buses) must be analyzed separately because they have quite different noise characteristics. If it is not possible to separate the trucks into those that are heavy and those that are not, treat *all* trucks as though they are "heavy."

Workchart 2, which is used to evaluate the site's exposure to heavy truck noise, was derived with the following assumptions:

- There is line-of-sight exposure from the site to the road; i.e., there is no barrier which effectively shields the site from the road noise.
- The road gradient is less than 2 percent.
- There is no stop sign (traffic signals are permissible) within 600 feet of the site.
- The average truck traffic speed is 55 mph.
- The nighttime fraction of ADT is 0.15.

If the road meets these five conditions, proceed to Workchart 2 for an immediate evaluation of the site's exposure to heavy truck noise from that road.

But:

If any of the conditions is different, make the necessary adjustment(s) listed below and *then* use Workchart 2 for the evaluation.

Figure 6.
Use of Workchart 2 to Evaluate Heavy Truck Noise

Heavy Trucks (55 mph)

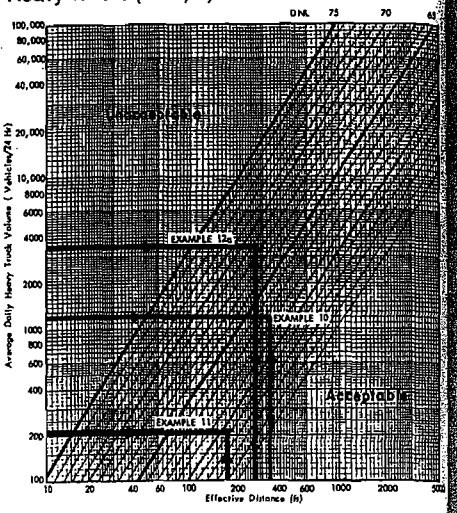

Adjustments for Heavy Trucks

Road Gradient:

If there is a gradient of 2 percent or more, find the appropriate adjustment factor, for heavy trucks going uphill only, as shown in Table 6. List this factor in column 17 of Worksheet C.

Table 6

Percent of Gradient	Adjustment Factor
2	1.4
3	1.7
4	2.0
5	2.3
6 or more	2.5

Example 9a: Road No. 3 is a limited access highway with no stop signs and the average speed is 55 mph. Current traffic data indicate an automobile ADT of 40,000 vehicles of which 15 percent occurs during nighttime hours (10 p.m. to 7 a.m.). With an effective distance of 270 feet to NAL No. 2, Workchart 1 is used to show that the DNL for existing automobile traffic is between 63 and 64 dB. Round off to 64 dB.

Example 9b: However, traffic projections estimate that in 10 years the ADT will increase to 100,000 vehicles at an average speed of 55 mph and nighttime usage will increase to 25 percent. For future traffic, you must adjust the future ADT of 100,000 for the effect of increased nighttime use. From Table 5, you find an adjustment factor of 1.38. The adjusted ADT is

$$1.38 \times 100{,}000 = 138{,}000$$

and at an effective distance of 270 feet you find from Workchart 1 that the DNL will increase to 69 dB; therefore, provision for extra noise control measures should be explored. We will examine in Example 13 the effect of terrain as a shielding barrier that provides sound attenuation.

Example 10: Road No. 1 on Figure 4 meets the four conditions that allow for an immediate evaluation. The ADT for heavy truck flow is 1200 vehicles. Workchart 2 shows that the exposure to truck noise from this road at an effective distance of 339 feet is a DNL of 63 dB at NAL No. 1.

Average Traffic Speed:

Make this adjustment if the average speed differs from 55 mph. If the average truck speed differs with direction, treat the uphill and downhill traffic separately. Select the appropriate adjustment factors from Table 7 below, entering them in column 18 of Worksheet C.

Table 7

Average Traffic Speed MPH	Heavy Truck Speed Adjustment Factor
50 or less	0.81
55	1.00
60	1.17
65	1.38

Once you have found the speed adjustment factor, you can combine the uphill and downhill traffic. For uphill traffic, multiply the gradient factor times the speed adjustment factor times uphill traffic volume (truck ADT column 19) (assuming one half the total 24-hour average number of trucks unless specific information to the contrary exists), entering the product in column 20. Multiply the speed adjustment factor for downhill traffic times the downhill traffic volume (truck ADT/2 column 19). Add the values for uphill and downhill traffic, entering this sum in column 21. You may now complete the assessment of heavy truck noise without regard to uphill and downhill traffic separation.

Stop-and-Go Traffic:

If there is a stop sign (remember, not a traffic signal) within 600 feet of an NAL for the site on the road being assessed, find the adjustment factor determined according to Table 8. Enter it in Column 22 of Worksheet C.

Table 8

Heavy Truck Traffic Volume per Day	Heavy Truck Stop-and-Go Adjustment Factor
Less than 1200	1.8
1201 to 2400	2.0
2401 to 4800	2.3
4801 to 9600	2.8
9601 to 19,200	3.8
More than 19,200	4.5

Nighttime Adjustment

After all the above adjustments are made, do not forget to adjust for nighttime operations if they are not 15 percent of the total ADT, using the factors obtained from Table 5 just as for automobiles. Enter this value in column 23 of Worksheet C.

At this point, multiply the adjustment factors for nighttime and stop-and-go traffic times the heavy truck traffic volume in column 21 to find the adjusted heavy truck ADT, entering the product in column 24. Use this value and the effective distance from the NAL to the road to find the truck DNL from Workchart 2, entering your answer in column 25 of Worksheet C. If no shielding barriers are to be considered, combine the DNL from heavy trucks with the DNL from automobiles (column 14). The result is the DNL from the road being assessed and should be entered on Worksheet C.

But:

If a shielding barrier is to be considered for the site, make the analysis described below separately for automobiles and then for heavy trucks *before* combining the DNL values. This step is necessary since barriers are far more effective for automobiles than for heavy trucks. Once you have found the amount of attenuation provided by the barrier for automobiles, enter it in column 15. Find the value of barrier attenuation for heavy trucks and enter it in column 25. Subtract these attenuation values from the DNL values obtained previously (columns 14 and 24), entering the reduced DNL values in columns 16 and 27. Combine the automobile and heavy truck DNL values, reduced by the attenuation provided by the barrier, to find the final DNL produced by the roadway at the site.

Remember to combine the contributions to DNL of *all* roads that affect the noise environment at each NAL for the site to obtain the total DNL from all roadways. Enter this DNL on both Worksheet C and the summary Worksheet A.

Attenuation of Noise by Barriers

Noise barriers are useful for shielding sensitive locations from ground level noise sources. For example, a barrier may be the best way to deal with housing sites at which the noise exposure is not acceptable because of nearby roadway traffic.

A barrier may be formed by the road profile, by a solid wall or embankment, by a continuous row of noise-compatible buildings, or by the terrain itself. To be an *effective* shield, however, the barrier must block all residential levels from line of sight to the road; it must not have any gaps that would allow noise to leak through.

Some Preliminary Matters:

In evaluating noise barrier performance, you will be working with different kinds of "distances" between the sound source, the observer, and the barrier.

Actual Distance – the existing distance that would be measured using a tape measure with no corrections or adjustments. This may mean one of two things, *depending on the application;* either the:

- *slant distance* – the actual distance,

Example 11: Road No. 2 has a stop sign at 390 feet from NAL No. 2. There is also a road gradient of 4 percent. No heavy trucks are allowed on this road, but a schedule shows an average of 12 large buses pass along the road per hour between 7 a.m. and 10 p.m., although no buses are scheduled during the remaining nighttime period. The buses are equally divided in each direction along the road. (Remember large buses, those that carry over 15 seated passengers, count as heavy trucks.)

We find the ADT for the "heavy trucks" (the buses in this case) by multiplying the average number of vehicles per hour by the number of hours between 7 a.m. and 10 p.m. That is, 12 x 15 = 180, or 90 vehicles in each direction. We find from Table 6 that the gradient adjustment factor for uphill traffic is 2.0. We find the truck volume adjusted for gradient is

uphill:	*90 x 2.0 = 180*
downhill:	*= 90*
total (column 21)	*= 270 vehicles*

From Table 8, we find the adjustment factor for stop-and-go traffic to be 1.8.

We also remember that we have no buses in the nighttime period and find the factor in Table 5 on page 8 for zero nighttime operations to be 0.43.

Our final adjusted ADT is (column 24)

1.8 x 0.43 x 270 = 209 Vehicles

From Workchart 2, with an effective distance of 174 feet, we find a DNL of 59 dB.

Example 12a: Road No. 3 is a depressed highway and the profile shields all residential levels of the housing from line of sight to the traffic. The average truck speed is 50 mph. The ADT for heavy trucks is 4400 vehicles. We adjust for average speed (from Table 7)

4400 x 0.81 = 3564

and find from Workchart 2 that, with an effective distance of 270 feet, the DNL from truck noise would be 69 dB if no barrier existed. We proceed to analyze the barrier attenuation.

measured along the line of sight between two points; or the

- *map distance* – the actual distance, measured on a horizontal plane, between the two points, as on a map or on the project plan.

For an observer high in an apartment tower, the slant distance to the road may be much longer than the map distance.

Barrier effectiveness is expressed in terms of noise attenuation in decibels (dB), determined with the aid of Workchart 6. This numerical value is subtracted from the previously calculated DNL in order to find the resultant DNL at the Noise Assessment Location.

Note: A noise barrier can be considered as a means of protecting a site from noise even if it cannot wrap around the site to shield from view practically all of the source of noise at every sensitive location on the site. It must be recognized, however, that such a barrier is much less effective than an ideal barrier. (See Workchart 7 and Step 6 below.)

Barriers of reasonable height cannot be expected to protect housing more than a few stories above ground level. Barriers will generally protect the ground and the first two or three floors, but not the higher floors. If there are to be frequently occupied balconies on the upper levels, one solution is to move the building farther from the noise source and face the sensitive areas away from the noise.

Steps to Evaluate a Barrier

1. For the observer's position, use the mid-height of the highest residential level. For the source position, use the following heights (see Figure 7):

- autos, medium trucks, railway cars – the road or railway surface height
- heavy trucks – 8 feet above the road surface
- diesel locomotives or trains using horns or whistles at grade crossings – 15 feet above the rails.

Figure 7.
Source Heights to Be Used in Roadway Barrier Designs

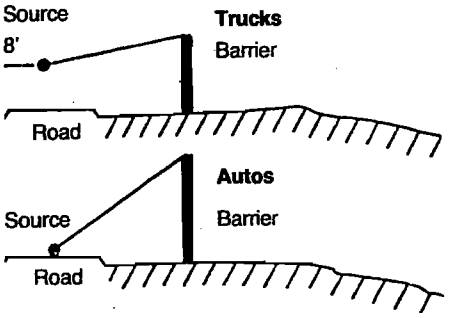

Get accurate values for the following quantities: h, the shortest distance from the barrier top to the line of sight from source to observer; R and D, the slant distances along the line of sight from the barrier to the source and observer, respectively (see Figure 8).

Figure 8.
Generalized Geometry of Acoustical Barrier

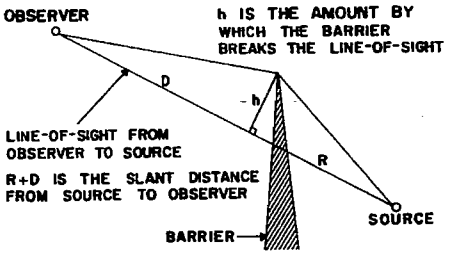

Specifically, R and D are the two segments into which h breaks the line of sight. Note that h is *not* the height of the barrier above the ground but the distance from the barrier top to the line of sight.

2. Enter at the top of Workchart 6 with the value of h on the left-hand scale; move right to intersect the curve corresponding to R (or D, whichever is *smaller*).

3. Move down to intersect the curve corresponding to the value of D/R (or R/D, whichever is *smaller*).

4. Move right to intersect the vertical scale in order to find the barrier shielding value A in decibels.

5. Interruption of the line of sight with a barrier between the noise source and an observer reduces the amount of sound attenuation provided by the ground. Find the amount of this loss B from the table on Workchart 6 by entering the table with the value of D/R. Find the barrier attenuation value S corresponding to an ideal barrier that completely hides the noise source from view by subtracting B from the value of A obtained in Step 4.

6. If the barrier exists along only a part of the road so that unshielded sections of the road would be visible from the site, the barrier is less effective than an ideal barrier. On a plan view of the site, locate the two ends of the barrier and draw lines from these points to the Noise Assessment Location. Use a protractor to measure the angle formed at the NAL by the two lines. Enter the horizontal scale of Workchart 7 with the values of this angle; read up to the curve having the value of S determined from Step 5 (interpolating if necessary); read left across to the vertical scale labeled "actual barrier performance" to find the value of FS to use for the actual barrier in question.

7. Subtract the barrier attenuation value S (or FS if adjusted for finite barrier length according to Workchart 7) from the value of DNL previously determined to reevaluate the site with the noise barrier in place.

Example 12b: (Refer to Figure 9.) Six stories are planned for the housing where the site has an elevation of 130 feet. The effective elevation for the highest story is found by multiplying the number of stories by 10 feet, adding the site elevation, and subtracting 5 feet.

(6 × 10) + 130 - 5 = 185 feet

The barrier, which in this case is formed by the road profile, has no "height" other than the elevation of the natural terrain above the noise sources traveling on the roadway. The important dimensions are indicated in Figure 9.

Some people with a technical background will be able to fit the geometric diagram to the site situation readily, working from the project drawings and a scratch sheet.

But if you are *not* confident of your geometry, Workchart 5 gets you the values of R, D, and h from the map distances and elevations of the site. We illustrate that procedure in this example.

First, enter the elevations of the source (S), the observer (O), and the top of the barrier (H), as well as the map distances from the barrier to the source (R') and observer (D'), at the top right of Workchart 5. Then, follow the steps on that Workchart to derive the values of h, R, and D that are needed in using Workchart 6.

Entering Workchart 6 at the upper left with the value of h (5.5 feet), we move horizontally

Figure 9.
Detail of Site Showing Measurements Necessary for a Barrier Adjustment

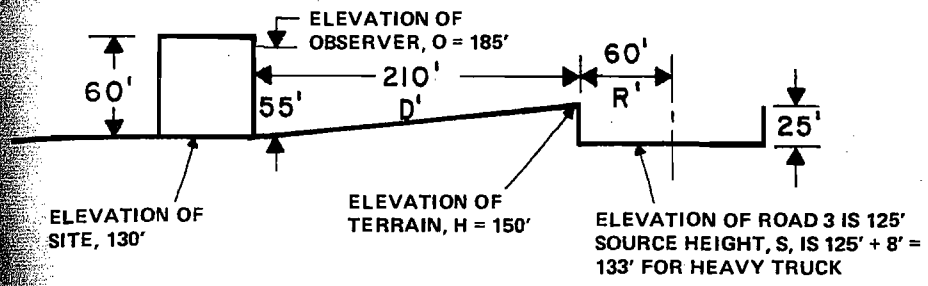

Figure 10.
Use of Workchart 5 to Determine Barrier Dimensions in Example 12b

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Enter the values for:

H= 150 R'= 60
S= 133 D'= 210
O= 185

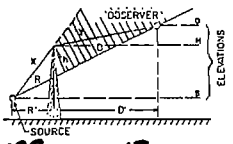

Fill out the following worksheet (all quantities are in feet):

Elevation of barrier top minus elevation of source	[11 150] − [5 133]	= [1 17]	
Elevation of observer minus elevation of source	[0 185] − [5 133]	= [2 52]	
Line distance between source and observer (R' + D')		[3 270]	
Line distance between barrier and source (R')		[4 60]	
Line 2 divided by line 3	[2 52] ÷ [3 270]	= [5 0.19]	
Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 0.19] × [5 0.19]	= [6 0.04]	
0.4 times line 6	[0.4] × [6 0.04]	= [7 0.016]	
1.0 minus line 7	[1.0] − [7 0.016]	= [8 0.984]	
5 times line 4 (will be negative if line 2 is negative)	[5 0.19] × [4 60]	= [9 11.4]	
1 minus line 9	[1 17] − [9 11.4]	= [10 5.6]	
10 times line 8	[10 5.6] × [8 0.984]	= [11 5.5]	= h
5 times line 10	[5 0.19] × [10 5.6]	= [12 1.06]	
4 divided by line 8	[4 60] ÷ [8 0.984]	= [13 61]	
13 plus line 12	[13 61] + [12 1.06]	= [14 62]	= R
3 minus line 4	[3 270] − [4 60]	= [15 210]	
15 divided by line 8	[15 210] ÷ [8 0.984]	= [16 213]	
16 minus line 12	[16 213] − [12 1.06]	= [17 212]	= D

Value on line 2 may be negative, in which the values on lines 5, 9, and 12 will be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x + y.

Round off R and D to nearest integer, h to one decimal place

Figure 11.
Use of Workchart 6 to Evaluate Barrier in Examples 12b, 13 and 14

Noise Barrier Workchart 6

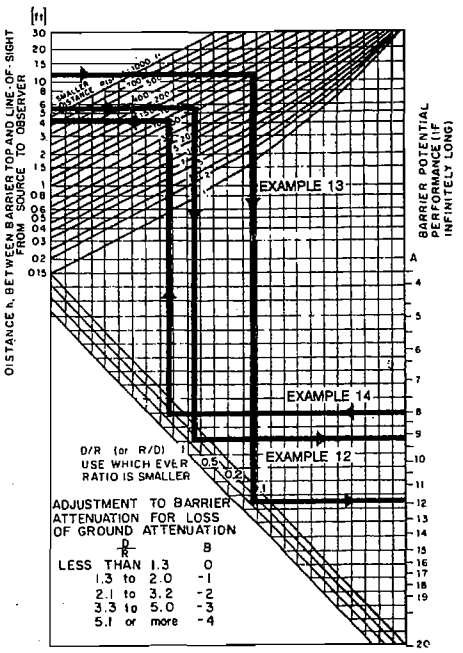

right until we meet the value of R or D, ever is smaller: in this example, R = 62 From that point we drop vertically down- until we meet the value of R/D or D/R, ever is smaller: in this case, R/D = From that point, move horizontally to to find the value for A = 9 dB. Enter- able for determining loss of ground tion effect due to the barrier with a D/R of 3.5, the reduction in tion (B) is found to be 3 dB. cting 3 dB from 9 dB provides a net tion of 6 dB. With 6 dB of attenuation, al DNL of 69 dB (Example 12a) is to 63 dB.

Example 13: An alternative approach, which is somewhat more direct, is illustrated here for the noise of automobiles on Road No. 3.

A preliminary step is to make an accurately scaled sketch of the general geometry introduced on page 8. It must include the positions of the source (this time at the road surface), the observer, and the top of the barrier; and will show the distances h, R, and D. Such a sketch is shown superimposed on the profile of the road and its neighborhood in Figure 12.

If we carefully scale the dimensions directly from this sketch, we find the following values for h, R, and D:

R=63 feet

R/D=0.3

D=214 feet

h=11 feet

The barrier attenuation is found, by entering Workchart 6 with these values, to be A=12 dB. It is larger than that found for trucks because the noise source is lower and is, therefore, better shielded by the barrier. The loss from ground attenuation is again B=3 dB for a net attenuation of 12 - 3 = 9 dB. In Example 9b, we found that the DNL

Figure 12.
Sketch Showing Dimensions for Example 13

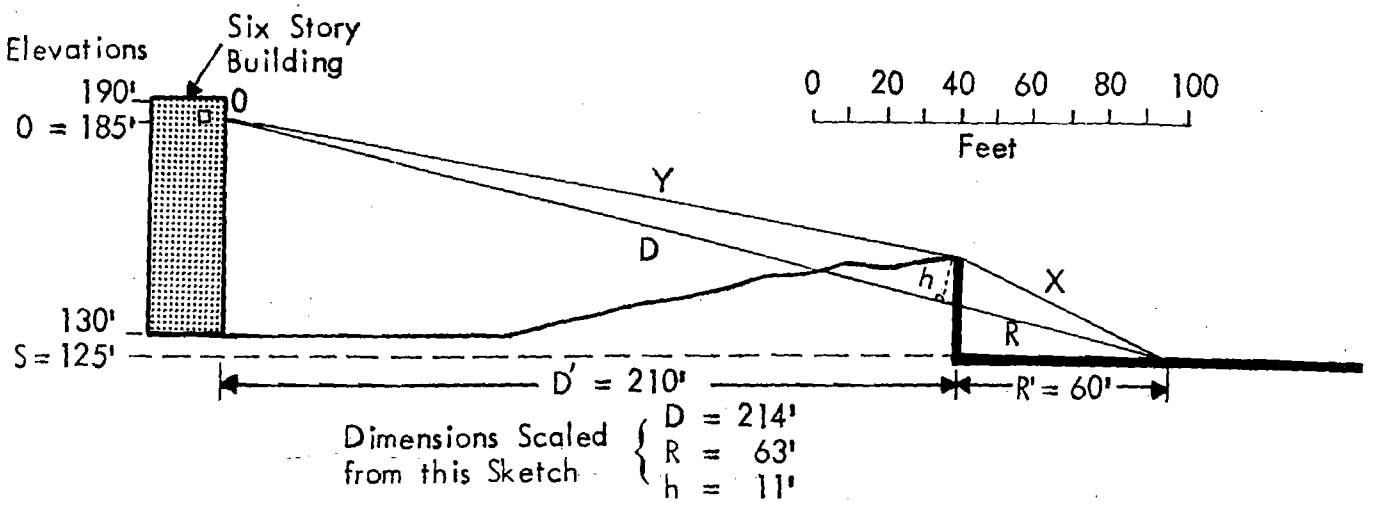

for the projected traffic volume of 100,000 vehicles per day was 69 dB if no consideration was given the shielding provided by the terrain. Subtracting the 9 dB attenuation from 69, we find the partial DNL for automobiles is 60 dB.

In order to find the combined truck and automobile noise for Road No. 3, we combine the 63 dB of truck noise with the 60 dB of automobile noise using Table 1. We find that 1.8 should be added to 63 dB, for a combined DNL of 64.8 dB, or 65 dB when rounded to the nearest whole number.

Example 14: Where no natural barrier exists, Workchart 6 can be used in reverse to estimate the height of a barrier needed to obtain a required attenuation. In example 9b we found that, without any attenuation from terrain or a barrier, the automobile traffic produced a DNL of 69 dB, and in Example 12a the heavy truck traffic produced a DNL of 69 dB. When combined, the total DNL is 72 dB. Suppose the terrain were not rising between NAL and Road No. 3, as shown in Figure 12, but instead was level between the NAL and the edge of the road, as shown in Figure 13. We want to find out how high a wall, infinite in length, would be required at the edge of the road to reduce the combined truck and automobile noise to less than 65 dB. We have found in the previous examples that a barrier of a given height will provide more attenuation for automobiles than it will for trucks. As a first step in our analysis, we will find the height of a wall that will reduce the truck noise to just below 65 dB, say 64 dB, and then find out whether the additional attenuation it provides for automobile noise will be sufficient to reduce the combined truck and automobile noise to less than 65 dB. We begin by finding the height of wall that will provide 5 dB attenuation for truck noise.

We estimate that the ratio of R/D is about the same as R'/D', the ratio of horizontal distance in Figure 13, which is equal to 0.29. Before entering Workchart 6, we find from the loss of ground attenuation table that for D/R = 3.4 we will lose 3 dB attenuation from an ideal barrier. In order to have a net attenua-

Figure 13.
Sketch Showing Dimensions for Example 14

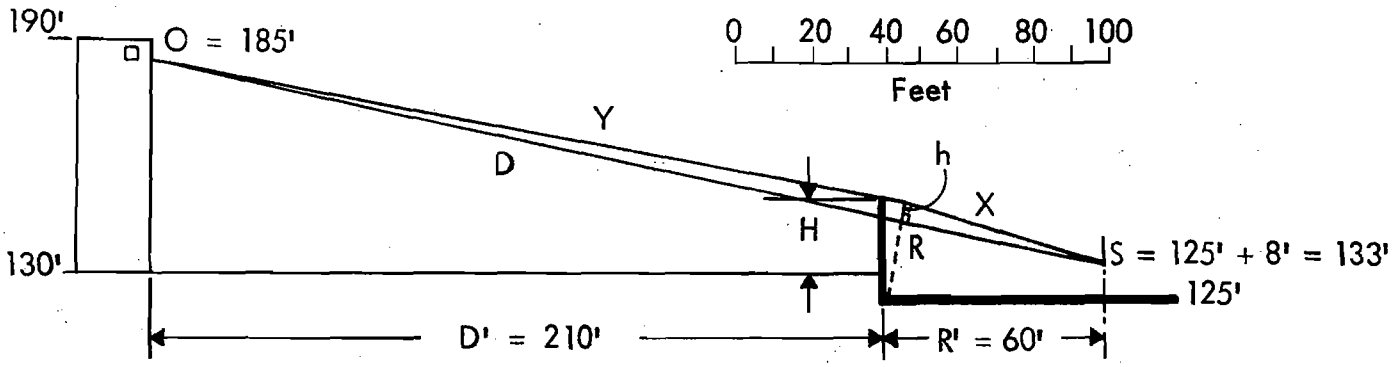

tion of 5 dB, we must have an ideal barrier that provides 5 + 3 = 8 dB attenuation.

Entering Workchart 6 on the right side scale A at 8 decibels, we move across to the diagonal lines, finding 0.29 by interpolating between the lines marked at 0.2 and 0.5. Moving directly up to a point midway between the R lines of 50 and 70, we find our estimated R of approximately 60. Moving across to the left we find that the line of sight between the observer and the truck source height must be broken by a value of h equal to 4.5 feet.

We can determine the height of the wall H in several ways. By drawing h=4.5 feet to scale on Figure 13, we can scale the total wall height H to be approximately 20 feet. Those who feel comfortable with geometry can calculate H by using the similar triangle relationships in Figure 13 to determine that H is 19.1 feet.

Now we must find how much a wall 19 feet high will attenuate automobile noise, remembering that the source height for automobiles is at the road surface elevation of 125 feet. By scaling the drawing, or by geometry, we determine that the line of sight between the observer position and the automobile source is broken by a value of h that is approximately 13 feet. Entering Workchart 6 at 13 feet we find, for R=60 feet and R/D=0.29, that the potential barrier attenuation is 12dB. We must reduce this by 3 dB for loss of ground attenuation to find the actual shielding of automobile noise to be 9 dB. The original 69 dB of automobile noise is reduced to 69 - 9 = 60 dB.

Finally, we combine the heavy truck noise, attenuated by the wall to 69 - 5 = 64 dB, with the automobile noise reduced to 60 dB, to find a combined DNL of 65.5 dB, or 66 dB when rounded upward. Remember, however, that this is for an infinite wall. Further adjustments would have to be made once the actual length was known.

Necessary Information

To evaluate a site's exposure to railway noise, you will need to consider all rapid transit lines and railroads within 3000 feet of the site (except totally covered subways). The information required for this evaluation is listed below under headings that indicate the most likely source.

Before beginning the evaluation, you should record the following information on Worksheet D:

From the area map and/or the (County) Engineer:

- The distance from the appropriate NAL on the site to the center of the railway track carrying most of the traffic.

From the Supervisor of Customer Relations for the railway:

- The number of diesel trains and the number of electrified trains in both directions during an average 24-hour day.
- The fraction of trains that operate during nighttime (10 p.m. - 7 a.m.) If this is unknown, assume 0.15.
- The average number of diesel locomotives per train. If this is unknown, assume 2.
- The average number of railway cars per diesel train and per electrified train. If this is unknown, assume 50 for diesel trains and 8 for electrified trains.
- The average train speed. If this is unknown, assume 30 mph.
- Is the track made from welded or bolted rails?

From the Engineering Department of the railway:

- Is the site near a grade crossing that requires prolonged use of the train's horn or whistle? if so, where are the whistle posts located? (Whistle posts are signposts which tell the engineer to start blowing the horn or whistle. Every grade crossing has whistle posts and they are listed on the railroad's "track charts." If traffic on the track is one-way, there will be only one whistle post. The grade crossing itself is the other "whistle post."

Electrified rapid transit and commuter trains that do not use diesel engines should be treated the same as railway cars.

Note: Buildings closer than 100 feet to a railroad track are often subject to excessive vibration transmitted through the ground. Construction at such sites is discouraged.

Evaluation of Site Exposure to Railway Noise

Railway noise is produced by the combination of diesel engine noise and railway car noise. These Guidelines provide for the separate evaluation of diesel locomotives and railroad cars, and then the combination of the two, in order to obtain the DNL from trains. When rapid transit or electrified trains that do *not* use diesel engines are the only trains passing near a site go directly to the second part of the evaluation since these trains are treated in the same manner as railway cars.

Diesel Locomotives

Workchart 3 was derived with the following assumptions:

- A clear line of sight exists between the railway track and the Noise Assessment Location.
- There are two diesel locomotives per train.
- The average train speed is 30 mph.
- Nighttime operations are 0.15 of the 24-hour total.
- The site is not near a grade crossing requiring prolonged use of the train's horn or whistle.

If the situation meets these conditions, proceed to Workchart 3 for an immediate evaluation of diesel locomotive noise.

But:

If any of the conditions is different, make the necessary adjustments listed below and *then* use Workchart 3 for the evaluation.

Figure 14.
Use of Workchart 3 to Evaluate Diesel Locomotive Noise

Railroads – Diesel Locomotives

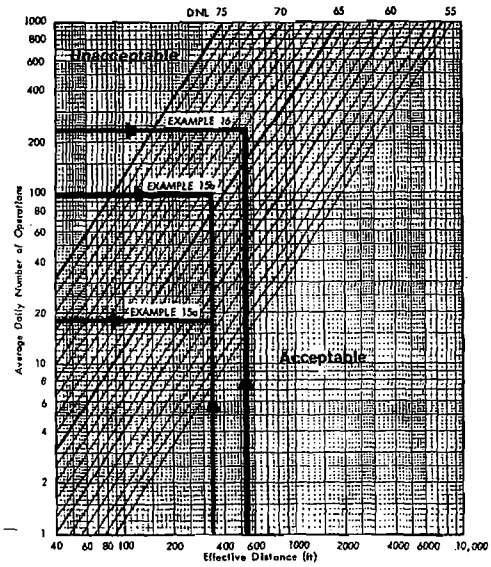

Adjustments for Diesel Locomotives

Number of Locomotives:

If the average number of diesel locomotives per train is not 2, divide the average number by 2. Enter this value in column 9 of Worksheet D.

Example 15a: The distance from NAL number 1 to Railway Number 1 is 339 feet. Two percent of the 35 daily operations occur at night; there is clear line of sight between the tracks and the NAL, and no horns or whistles are used. No information is available on train size or speed, therefore we will assume 2 engines per train and a speed of 30 mph.

Since the percentage of nighttime operations is different from 15 percent, we must adjust the actual number of daily operations, multiplying by 0.50 according to Table 5.

0.50 x 35 = 17.5 = 18

Entering Workchart 3 with 18 daily operations and a distance of 339 feet, we find that the contribution of diesel engine noise is a DNL of 59 dB (see Figure 14).

In order to find the total contribution of the trains to the total DNL, we must also find the noise level produced by the train's cars. Entering Workchart 4 (see Figure 15) with 18 daily operations and a distance of 339 feet, we find the DNL is below 50 on the chart, or more than 10 decibels lower than the noise level produced by the engines. Based on the chart for decibel addition, the combination of the noise from the engines and the cars adds less than 0.5 decibels to the DNL value for the engines alone, 59 dB.

Example 15b: Suppose that a forecast of train operations for Railway 1 indicates that there will still be 35 trains per day, but now 50 percent of the operations will occur at night, the average train will have 4 engines and 75 cars, and the average speed will be 50 mph.

We first find the contribution to DNL made by diesel locomotives by using the following adjustment factors:

- number of engines adjustment: 2
- speed adjustment: 0.60
- day/night adjustment: 2.34

We multiply these adjustments together with the number of trains:

2 X 0.60 X 2.34 X 35 = 98

Entering Workchart 3 (see Figure 14) with 98 daily operations and a distance of 339

Average Train Speed:

If the average train speed is different from 30 mph, find the appropriate adjustment factor from Table 9 and list in column 10 of Worksheet D.

Table 9

Average Speed (mph)	Speed Adjustment Factor
10	3.00
20	1.50
30	1.00
40	0.75
50	0.60
60	0.50
70	0.43

Horns or Whistles:

If the NAL is perpendicular to any point on the track between the whistle posts for the grade crossing, enter the number 10 in column 11, Worksheet D.

Nighttime Adjustment:

Remember to adjust for nighttime operations, if different from 0.15 of the total, by selecting the appropriate adjustment factor from Table 5 on page 8. Enter in column 12, Worksheet D.

Multiply the adjustment factors together, times the number of diesel trains per day (you have listed this number previously on line 2a, page 1, of Worksheet D, and should enter this number again in column 13) to obtain the adjusted number of trains per day. Enter the adjusted number of diesel trains per day in column 14. Use this value, in conjunction with the distance from the NAL to the track (line 1, page 1, of Worksheet D), to find from Workchart 3 the DNL produced by diesel locomotives. List in column 15 of Worksheet D.

Railway Cars and Rapid Transit Systems

Workchart 4 was derived with the following assumptions:

- A clear line of sight exists between the railway and the NAL.
- There are 50 cars per train.
- The average train speed is 30 mph.
- Nighttime operations are 0.15 of the 24-hour total.
- Rails are welded together.

If the situation meets these conditions, proceed to Workchart 4 for an immediate evaluation of railway car noise. Again, if any of the conditions is different, make the necessary adjustments listed below and then use Workchart 4 for the evaluation.

Figure 15.
Use of Workchart 4 to Evaluate Railway Car Noise

Railroads – Cars and Rapid Transit

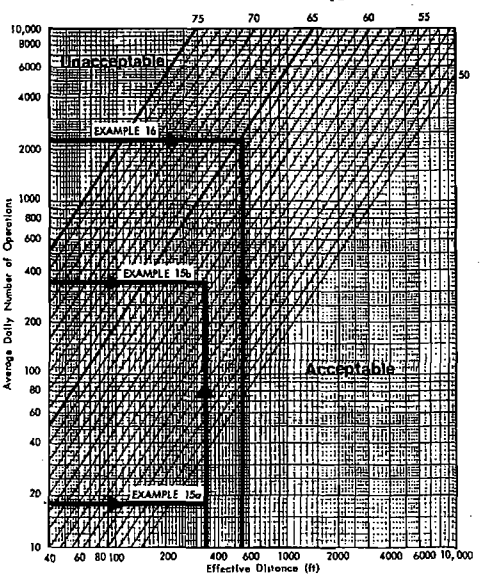

Adjustments for Railway Cars and Rapid Transit Trains

Number of Cars:

Divide the average number of cars by 50 and enter this number in column 18 of Workchart D.

Average Speed:

Make this adjustment, if the average speed is not 30 mph, by selecting the appropriate value from Table 10, entering it in column 19 of Worksheet D.

Table 10

Average Speed (mph)	Speed Adjustment Factor
10	0.11
20	0.44
30	1.00
40	1.78
50	2.78
60	4.00
70	5.44
80	7.11
90	9.00
100	11.11

Bolted Rails:

Enter the number 4 in column 20 of Worksheet D.

Nighttime Adjustment:

Enter the appropriate adjustment factor from Table 5 in column 21 of Worksheet D.

feet, we find that the site has an engine noise contribution to DNL of 66 dB.

We next obtain the adjustment factors for the noise produced by the cars:

- number of cars adjustment: 1.50
- speed adjustment: 2.78
- day/night adjustment: 2.34

Multiplying the adjustment factors times the average daily number of trains:

1.5 X 2.78 X 2.34 X 35 = 342

Entering Workchart 4 (see Figure 15) with 342 operations and a distance of 339 feet, we find the contribution of the cars to the DNL is 60 dB. Using Table 1 for combining levels, we find that the 6 dB difference between engine noise at 66 and car noise at 60 gives a combined DNL of 67 dB for these trains.

Example 16: The distance from NAL number 2 to Railroad Number 2 is 550 feet; there are 100 operations per day, of which 30 percent occur at night. A clear line of sight exists between the site and the railroad, and no horns or whistles are used nearby. An average train on this track uses 4 engines, has 100 cars, the average speed is 40 miles per hour, and the track has bolted, not welded, rails.

We first find the adjustment factors for the diesel engines:

- number of engines adjustment: 2
- speed adjustment: 0.75
- day/night adjustment: 1.57

Multiplying the adjustments together, times the number of trains:

2 X 0.75 X 1.57 X 100 = 236

Entering Workchart 3 (see Figure 14) with 236 operations at a distance of 550 feet, we find the DNL contribution from engine noise to be 67 dB.

Next we find the adjustment factors for the railroad cars:

- number of cars adjustment: 2
- speed adjustment: 1.78
- bolted track adjustment: 4
- day/night adjustment: 1.57

Multiplying the adjustments together, times the number of trains:

2 X 1.78 X 4 X 1.57 X 100 = 2236

Entering Workchart 4 (see Figure 15) with

(Continued next page)

Figure 16.
Sketch Showing Dimensions for Example 16

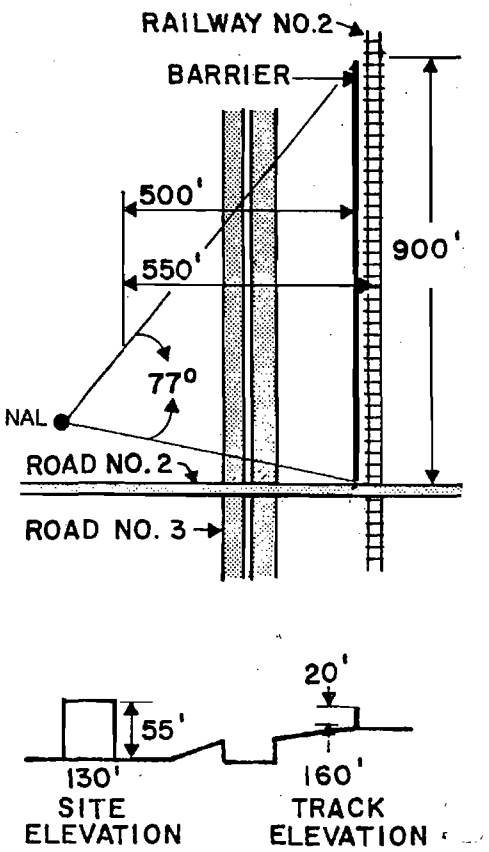

Figure 17.
Use of Workchart 6 in Example 16

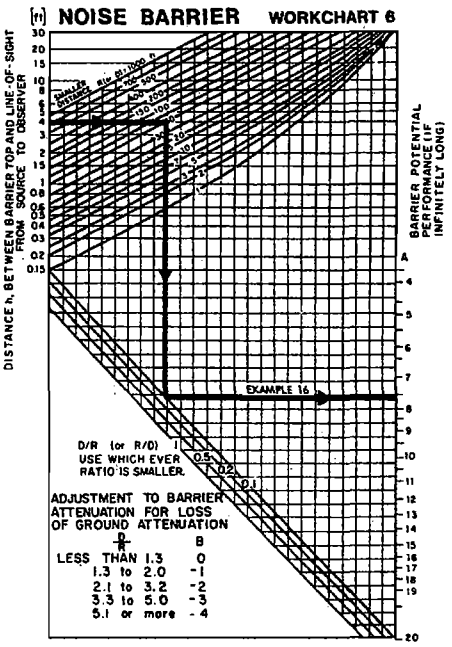

Figure 18.
Use of Workchart 7 in Example 16

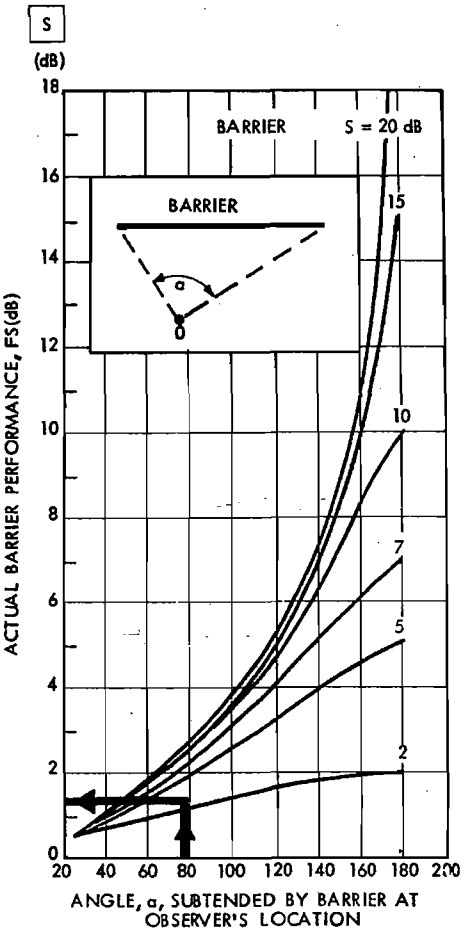

2236 operations at a distance of 550 feet, we find the DNL contribution from the railroad cars to be 65 dB. Combining the engine sound levels with the car sound levels we find the total DNL from the trains to be 69 dB.

It would be possible to erect a 20-foot noise barrier, running parallel to the track at a distance of 50 feet; it could start at Road Number 2 and run 900 feet north toward the airport, as shown in Figure 16. Both the railroad track and the ground level at the barrier location are at an elevation of 160 feet. Thus, we have the following values with which to calculate the potential reduction in engine noise (using Workchart 5). (Because the distances involved are so unequal, this situation does not lend itself to direct scaling of the distances.)

H = 180 feet (20' above the ground)

S = 175 feet (15' above the track, see page 19)

0 = 285 feet (from Example 11 in the section on roadway noise)

R' = 50 feet

D' = 500 feet

We find from Worksheet 5 that the values of R and D are no different (within the accuracy of the calculation) from R' and D', a situation that will always occur when the differences in elevation are so much smaller than the distances from the site to the noise source. The value of h is 4 feet; R/D = 0.1

We can now use these numbers to enter Workchart 6 to find the *potential* barrier performance (that is, the barrier adjustment factor that would apply in the case of an infinitely long barrier). Entering Workchart 6 at h = 4 feet, with R/D = 0.1, we find the basic attenuation of the barrier to be 7.5 dB. However, with D/R = 10, we find from the table of loss-of-ground-effect attenuation that we must subtract 4 dB from the 7.5, or a net effect of 3.5 dB. However, the situation is even worse, since the barrier is finite in length.

To find the actual attenuation for this *finite* barrier, we must first find the angle subtended by the barrier to the NAL. Referring to Figure 16, we draw lines from the NAL each end of the barrier. With

References

1. D.E. Bishop, A.P. Hays, "Handbook for Developing Noise Exposure Contours for General Aviation Airports," FAA-AS-75-1, December 1975 (NTIS No. AD-A023429).

2. D.E. Bishop, et al., "Calculation of Day-Night Levels Resulting From Civil Aircraft Operations," BBN Report 3157 for Environmental Protection Agency, March 1976 (NTIS No. PB 266 165).

3. B.A. Kugler, D.E. Commins, W.J. Galloway, "Highway Noise – A Design Guide for Prediction and Control," NCHRP Report 174, Transportation Research Board, National Research Council, 1976.

4. T.J. Schultz, W.J. Galloway, "Noise Assessment Guidelines – Technical Background," Office of Policy Development and Research, U.S. Department of Housing and Urban Development," 1980.

5. M.A. Simpson, "Noise Barrier Design Handbook," FHWA-RD-76-58, Federal Highway Administration, February 1976 (NTIS No. PB 266 378).

a protractor we measure the angle between the two lines to be 77 degrees. Locate the curve on Workchart 7 corresponding to the potential barrier attenuation of 3.5 dB; it lies midway between the two lowest curves (see Figure 18). The point on this curve corresponding to a subtended angle of 77 degrees indicates that the actual barrier performance would be only 1.5 dB. With only 1.5 dB of attenuation, the barrier is clearly not cost-effective. In order to achieve a usable attenuation from the barrier, it would have to be extended beyond the other side of Road Number 2 to obtain a larger subtended angle. This extension, however, would still not be cost-effective unless the height of the barrier were increased substantially.

Summary of Adjustment Factors

Combination of Sound Levels

Table 1

Difference in Sound Level	Add to Larger Level
0	3.0
1	2.5
2	2.1
3	1.8
4	1.5
5	1.2
6	1.0
7	0.8
8	0.6
9	0.5
10	0.4
12	0.3
14	0.2
16	0.1
greater than 16	0.

Aircraft

Table 2 DNL Outside 65 dB Contour

D^1 = distance from 65 dB contour to flight path
D^2 = distance from site to flight path

D2 / D1	DNL dB
1.0	65
1.12	64
1.26	63
1.41	62
1.58	61
1.78	60
2.00	59
2.24	58
2.51	57
2.82	56
3.16	55

Automobile Traffic

Table 3 Stop-and-go

Distance from Site to Stop Sign feet	Automobile Stop-and-go Adjustment Factor
0	0.10
100	0.25
200	0.40
300	0.55
400	0.70
500	0.85
600	1.00

Table 4 Average Traffic Speed

Average Traffic Speed	Adjustment Factor
20 (mph)	0.13
25	0.21
30	0.30
35	0.40
40	0.53
45	0.67
50	0.83
55	1.00
60	1.19
65	1.40
70	1.62

Table 5 Nighttime (applies to all sources)

Nighttime Fraction of ADT	Nighttime Adjustment Factor
0	0.43
0.01	0.46
0.02	0.50
0.05	0.62
0.10	0.81
0.15	1.00
0.20	1.19
0.25	1.38
0.30	1.57
0.35	1.78
0.40	1.96
0.45	2.15
0.50	2.34

Medium Trucks

(less than 26,000 pounds, greater than 10,000 pounds)

Multiply adjusted automobile traffic by 10.

Heavy Trucks

Table 6 Road Gradient

Percent of Adjustment Gradient Factor	
2	1.4
3	1.7
4	2.0
5	2.2
6 or more	2.5

Table 7 Average Speed

Average Traffic Speed (mph)	Truck Speed Adjustment Factor
50 or less	0.81
55	1.00
60	1.17
65	1.38

Table 8 Stop-and-go

Heavy Truck Traffic Volume per Day	Heavy Truck Stop-and-Go Adjustment Factor
Less than 1200	1.8
1201 to 2400	2.0
2401 to 4800	2.3
4801 to 9600	2.8
9601 to 19,200	3.8
More than 19,200	4.5

Railroads - Diesel Engines

Number of Engines per Train
The number of engines divided by 2.

Table 9 Average Train Speed

Average Speed (mph)	Speed Adjustment Factor
10	3.00
20	1.50
30	1.00
40	0.75
50	0.60
60	0.50
70	0.43

Whistles or horns
Multiply number of trains by 10.

Railroads - Cars and Rapid Transit

Numbers of cars.
Number of cars per train divided by 50.

Table 10 Average Train Speed

Average Speed (mph)	Speed Adjustment Factor
10	0.11
20	0.44
30	1.00
40	1.78
50	2.78
60	4.00
70	5.44
80	7.11
90	9.00
100	11.11

Bolted Rails
Multiply number of trains by 4.

Whistles or Horns
Multiply number of trains by 100.

kchart 1
os (55 mph)

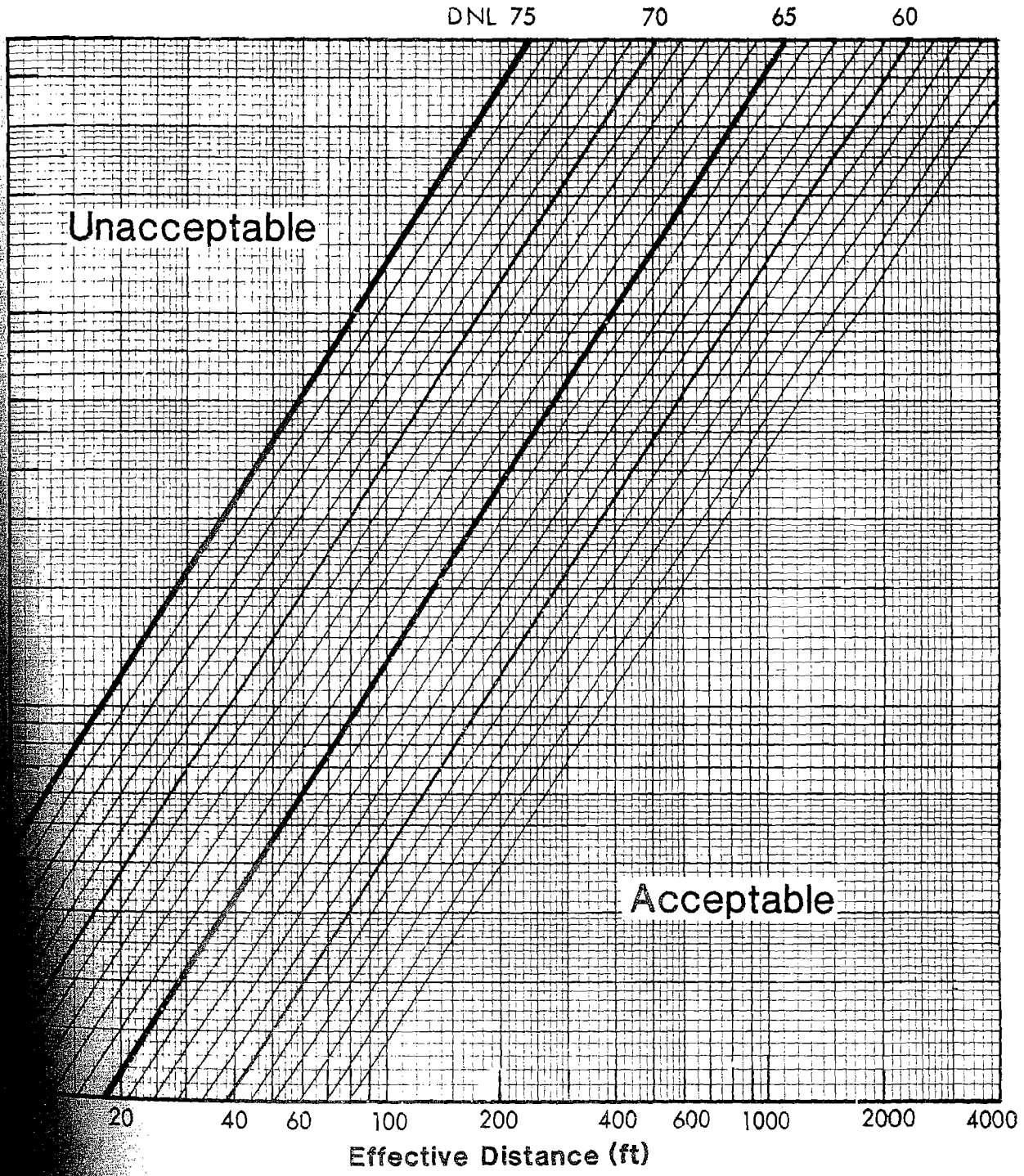

Item No. E.2

Workchart 2
Heavy Trucks (55 mph)

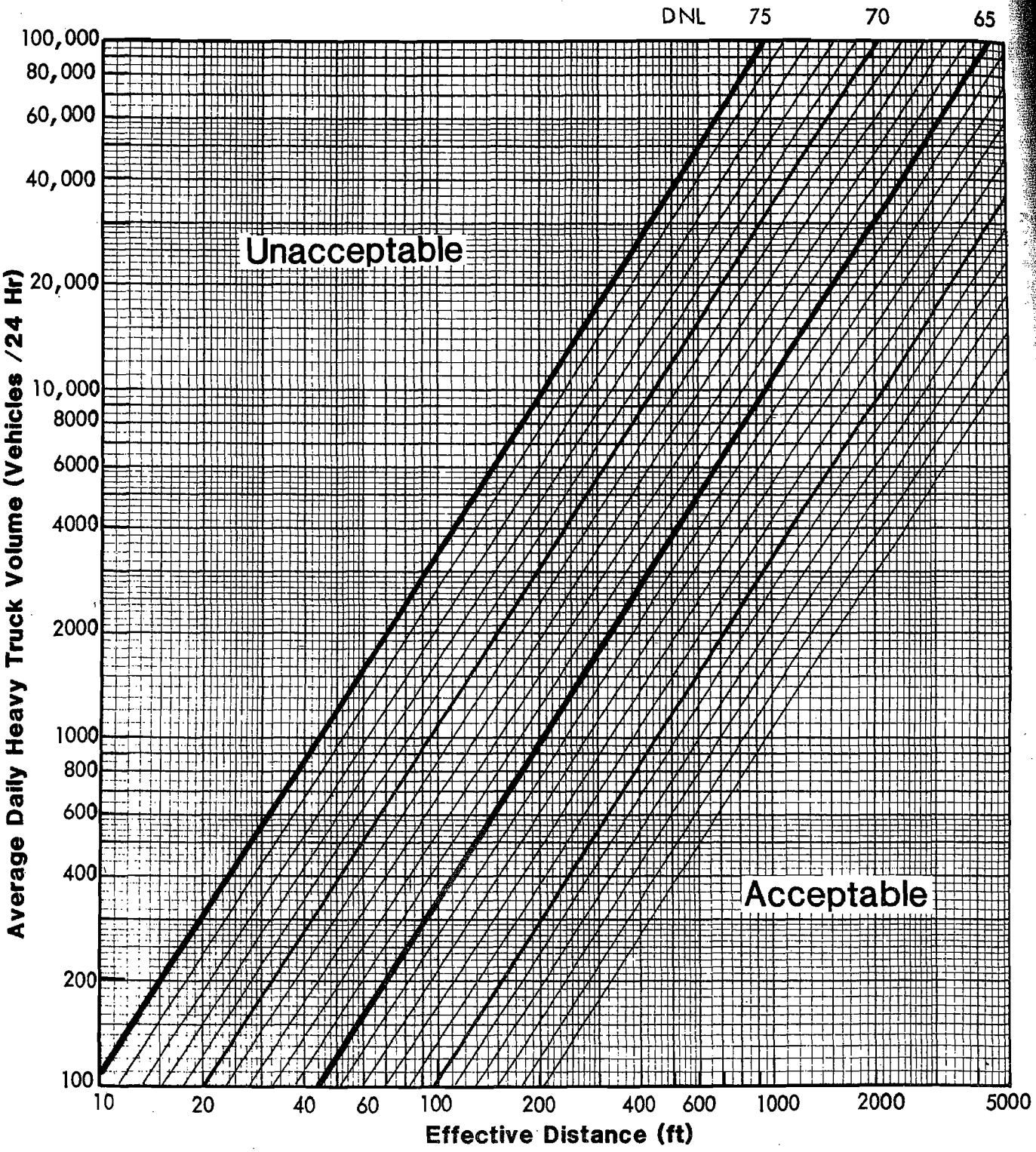

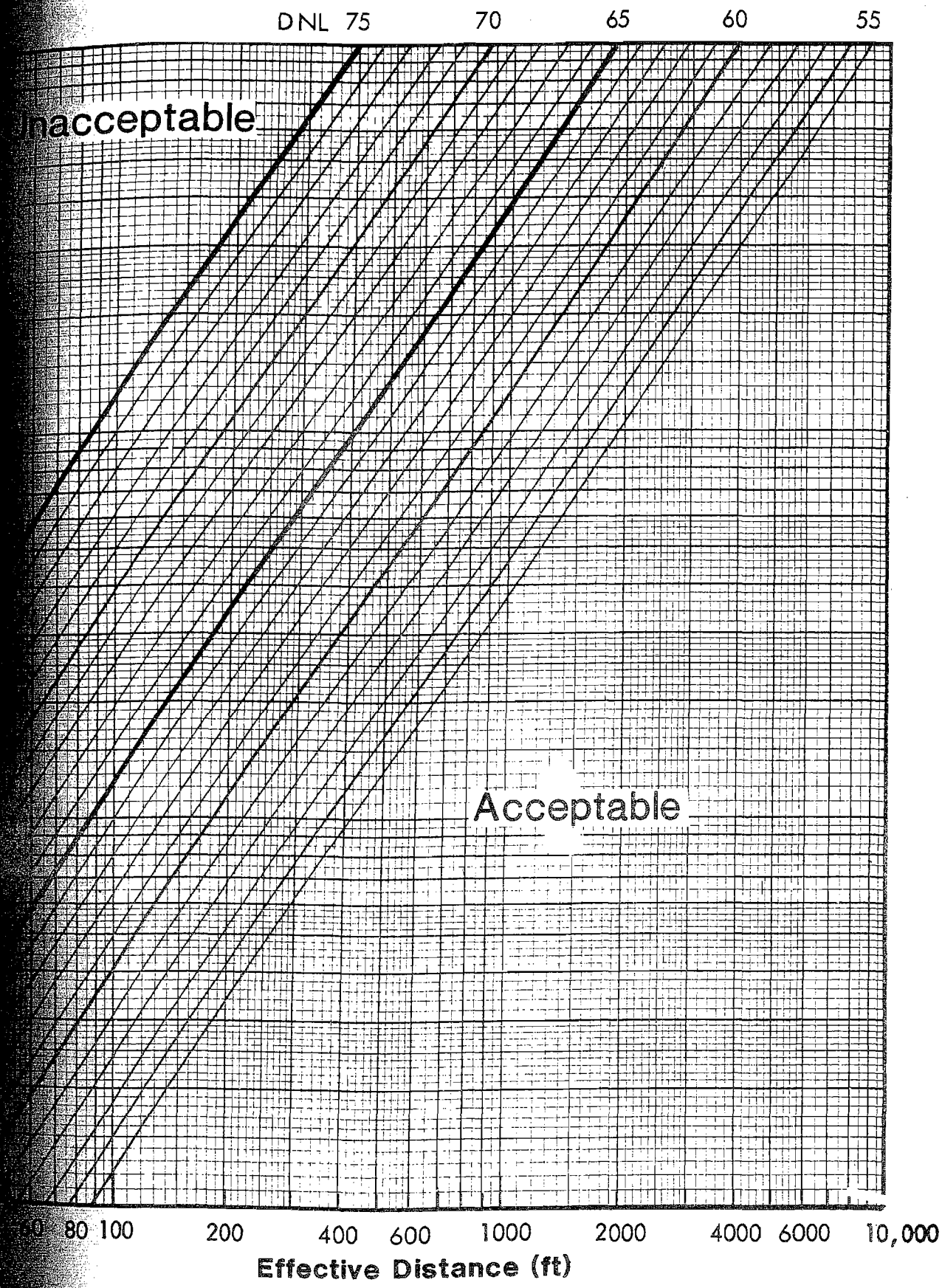
DNL 75
70
65
60
55
Unacceptable
Acceptable
60 80 100
200
400
600
1000
2000
4000
6000
10,000
Effective Distance (ft)

Workchart 4
Railroads - Cars and Rapid Transit

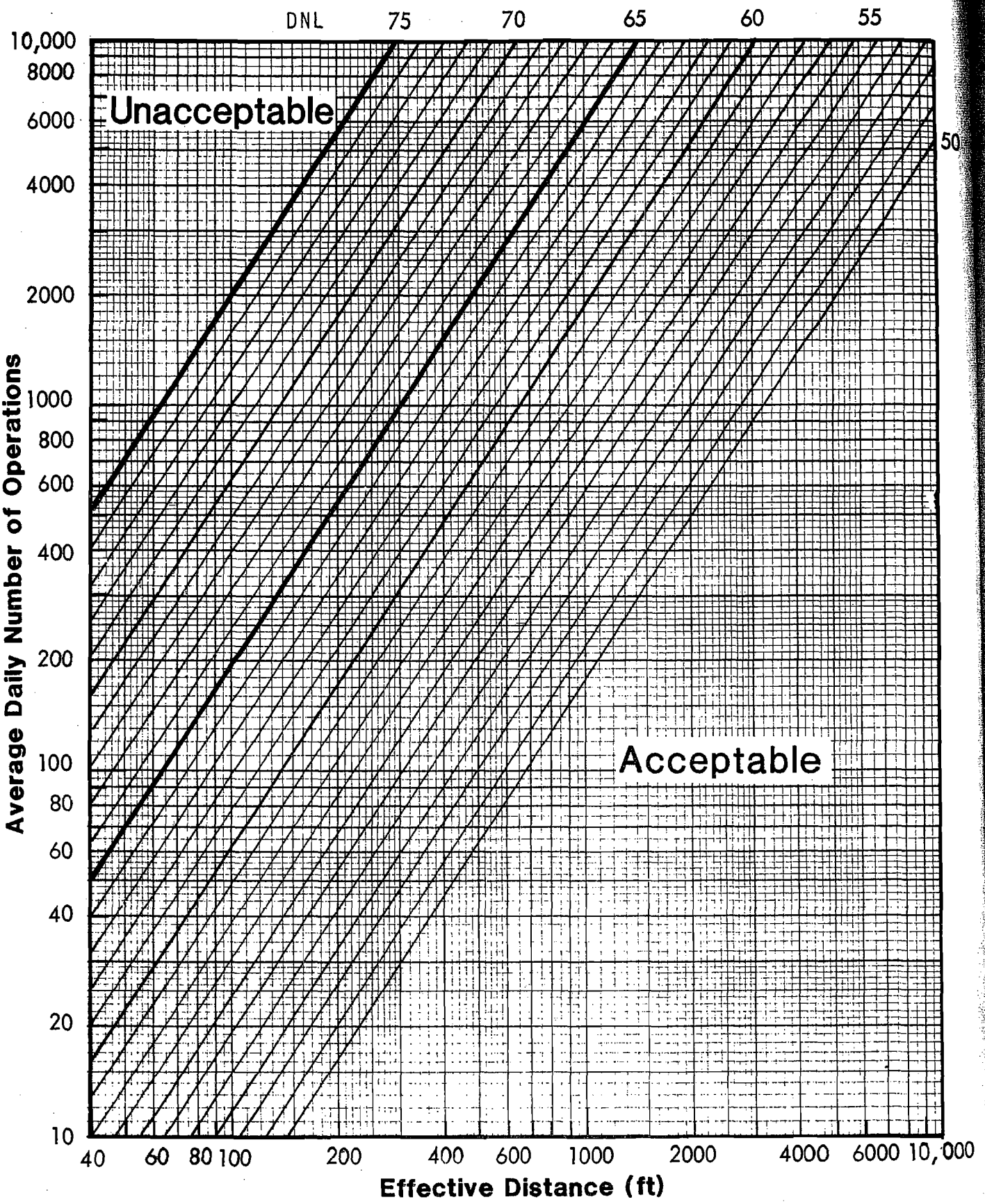

22

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= _____ R'= _____

S= _____ D'= _____

O= _____

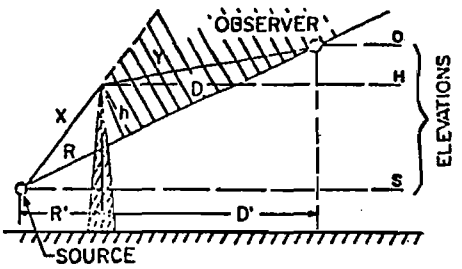

Elevation of barrier top minus elevation of source	[H	] −	[S	] =	[1	]	
Elevation of observer minus elevation of source	[O	] −	[S	] =	[2	]	
Map distance between source and observer (R' + D')					[3	]	
Map distance between barrier and source (R')					[4	]	
Line 2 divided by line 3	[2	] ÷	[3	] =	[5	]	
Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5	] ×	[5	] =	[6	]	
40% of line 6	[0.4	] ×	[6	] =	[7	]	
One minus line 7	[1.0	] −	[7	] =	[8	]	
Line 5 times line 4 (will be negative if line 2 is negative)	[5	] ×	[4	] =	[9	]	
Line 1 minus line 9	[1	] −	[9	] =	[10	]	
Line 10 times line 8	[10	] ×	[8	] =	[11	]	= h
Line 5 times line 10	[5	] ×	[10	] =	[12	]	
Line 4 divided by line 8	[4	] ÷	[8	] =	[13	]	
Line 13 plus line 12	[13	] +	[12	] =	[14	]	= R
Line 3 minus line 4	[3	] −	[4	] =	[15	]	
Line 15 divided by line 8	[15	] ÷	[8	] =	[16	]	
Line 16 minus line 12	[16	] −	[12	] =	[17	]	= D

If the value on line 2 may be negative, in that case so will the values on lines 5,9, and 12; it may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: $x+(-y)=x-y$. And subtracting a negative number is like adding: $x-(-y)=x+y$.

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

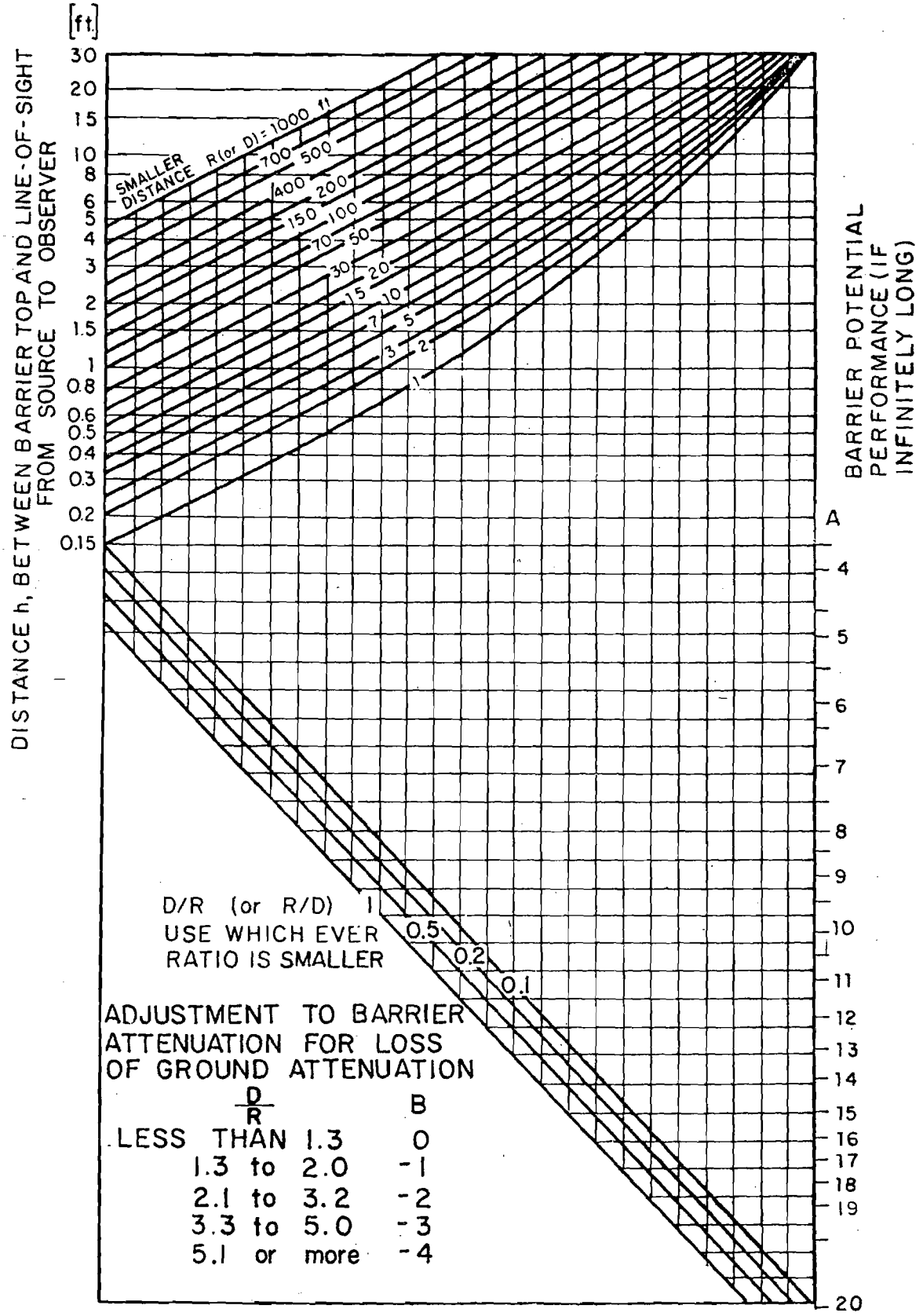

Workchart 7

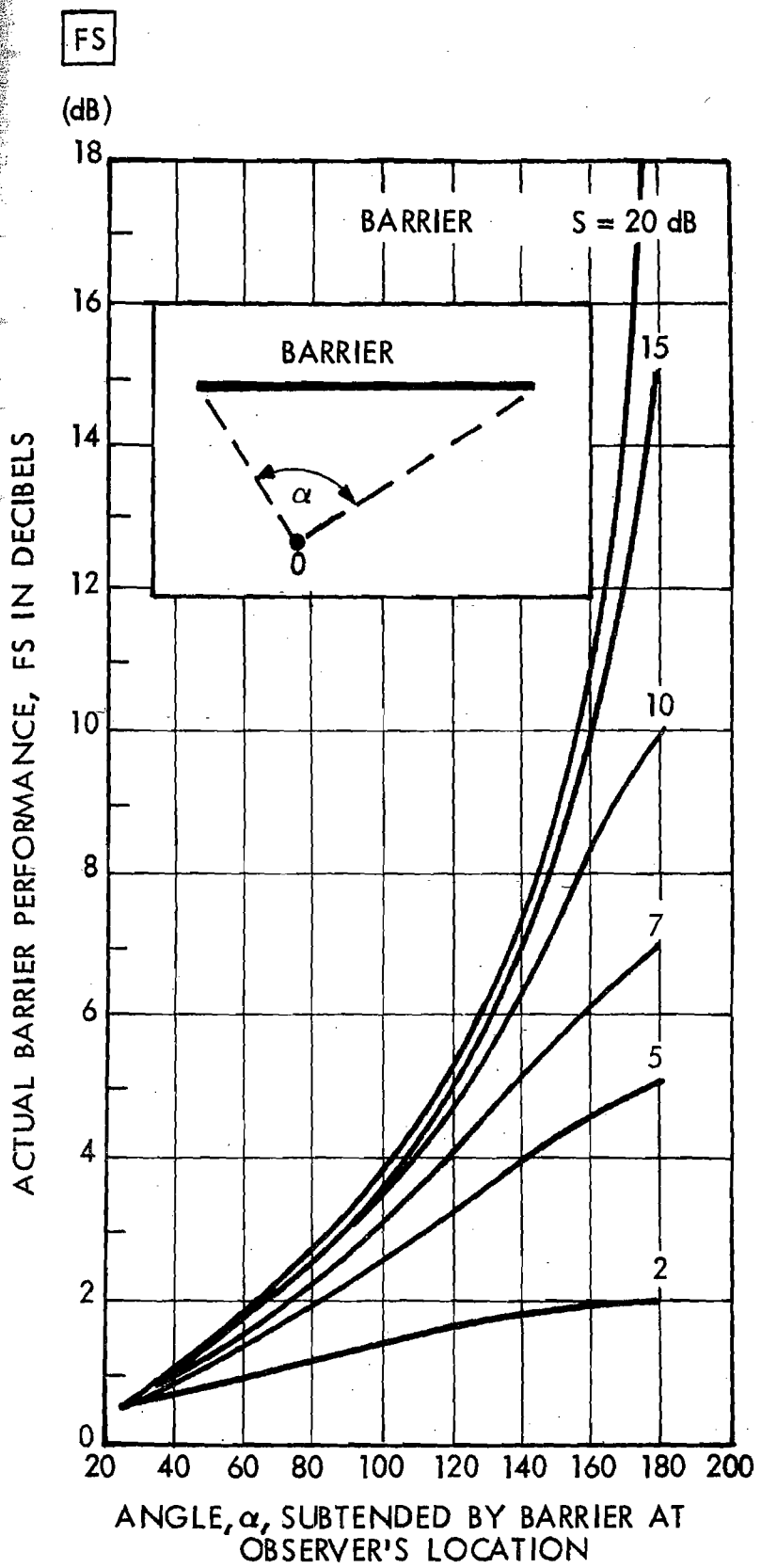

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

Worksheet A
Site Evaluation

Site Location

Program

Project Name

Locality

File Number

Sponsor's Name | Phone

Street Address | City, State

	Acceptability Category	DNL	Predicted for Operations in Year
1. Roadway Noise			
2. Aircraft Noise			
3. Railway Noise			

Value of DNL for all noise sources: (see page 3 for combination procedure) _____

Final Site Evaluation (circle one)

Acceptable

Normally Unacceptable

Unacceptable

Signature _____ Date _____

Clip this worksheet to the top of a package containing Worksheets B-E and Workcharts 1-7 that are used in the site evaluations

List all airports within 15 miles of the site:

1. _____

2. _____

3. _____

Necessary Information:	**Airport 1**	**Airport 2**	**Airport 3**
1. Are DNL, NEF or CNR contours available? (yes/no)			
2. Any supersonic aircraft operations? (yes/no)			
3. Estimating approximate contours from Figure 3:			
a. number of nighttime jet operations			
b. number of daytime jet operations			
c. effective number of operations (10 times a + b)			
d. distance A for 65 dB			
70dB			
75 dB			
e. distance B for 65 dB			
70 dB			
75 dB			
4. Estimating DNL from Table 2:			
a. distance from 65 dB contour to flight path, D^1			
b. distance from NAL to flight path, D^2			
c. D^2 divided by D^1			
d. DNL			
5. Operations projected for what year?			
6. Total DNL from all airports			

Signed _____ Date _____

List all major roads within 1000 feet of the site:

1. _____

2. _____

3. _____

4. _____

Necessary information	**Road 1**	**Road 2**	**Road 3**	**Road 4**
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane				
b. farthest lane				
c. average (effective distance)				
2. Distance to stop sign				
3. Road gradient in percent				
4. Average speed in mph				
a. Automobiles				
b. heavy trucks - uphill				
c. heavy trucks - downhill				
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles				
b. medium trucks				
c. effective ADT (a + (10xb))				
6. 24 hour average number of heavy trucks				
a. uphill				
b. downhill				
c. total				
7. Fraction of nighttime traffic (10 p.m. to 7 a.m.)				
8. Traffic projected for what year?				

Adjustments for Automobile Traffic

	9 Stop and-go Table 3		10 Average Speed Table 4		11 Night-Time Table 5		12 Auto ADT (line 5c)		13 Adjusted Auto ADT		14 DNL (Workchart 1)		15 Barrier Attenuation		16 Partial DNL
Road No. 1	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____
Road No. 2	_____	X	_____	X	_____	x	_____	=	_____		_____	–	_____	=	_____
Road No. 3	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____
Road No. 4	_____	X	_____	X	_____	X	_____	=	_____		_____	–	_____	=	_____

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6		18 Average Speed Table 7		19 Truck ADT / 2		20		21		22 Stop and-go Table 8		23 Night-Time Table 5		24 Adjusted Truck ADT		25 DNL (Work-chart 2)		26 Barrier Attn.		27 Partial DNL
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 1									Add	____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 2									Add	____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 3									Add	____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														
Uphill	_____	X	_____	X	_____	=	_____														
Road No. 4									Add	____	X	_____	X	_____	=	_____	_____	–	_____	=	_____
Downhill			_____	X	_____	=	_____														

Combined Automobile & Heavy Truck DNL

Road No. 1 _____ Road No. 2 _____ Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads _____

Signature _____ Date _____

List All Railways within 3000 feet of the site:

1. _____

2. _____

3. _____

Necessary Information:	**Railway No. 1**	**Railway No. 2**	**Railway No. 3**
1. Distance in feet from the NAL to the railway track:	_____	_____	_____
2. Number of trains in 24 hours:			
a. *diesel*	_____	_____	_____
b. electrified	_____	_____	_____
3. Fraction of operations occuring at night (10 p.m. – 7 a.m.):	_____	_____	_____
4. Number of diesel locomotives per train:	_____	_____	_____
5. Number of rail cars per train:			
a. diesel trains	_____	_____	_____
b. electrified trains	_____	_____	_____
6. Average train speed:	_____	_____	_____
7. Is track welded or bolted?	_____	_____	_____
8. Are whistles or horns required for grade crossings?	_____	_____	_____

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 2	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 3	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 2	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____
Railway No. 3	_____ X	_____ X	_____ X	_____ X	_____ =	_____	_____ –	_____ =	_____

Combined Locomotive and Railway Car DNL

Railway No. 1 _____ Railway No. 2 _____ Railway No. 3 _____ Total DNL for all Railways _____

Signature_____ Date_____

MV00179744

Chapter 6

A Workbook for the Noise Assessment Guidelines

Introduction

The following problems were prepared to give you the opportunity to practice the calculations and procedures described in the *Noise Assessment Guidelines*. Because it is so rarely used, we have not included any problems dealing with the aircraft noise procedure.

We have not reproduced the charts or tables from the *Guidelines* so you will need to have it at hand to do the problems.

Noise Assessment Guidelines Workbook

Problems

Problems 1 Through 7: Combining Sound Levels in Decibels

Calculate the Combined Sound Level for the Following Sets of Individual Levels:

1. 67 LDN
   61 LDN
   _____ Combined Level

2. 63 LDN
   63 LDN
   _____ Combined Level

3. 51 LDN
   68 LDN
   _____ Combined Level

4. 62 LDN
   65 LDN
   _____ Combined Level

5. 67 LDN
   72 LDN
   _____ Combined Level

6. 59 LDN
   63 LDN
   71 LDN
   _____ Combined Level

7. 73 LDN
   72 LDN
   61 LDN
   67 LDN
   _____ Combined Level

Problems 8 and 9: Calculating Effective Distance

Calculate the Effective Distances for the Following Roads:

8. Distance in Feet from NAL to:

Near Edge of Nearest Lane	22 Feet
Far Edge of Farthest Lane	76 Feet
Effective Distance	_____

9. Distance in Feet from NAL to:

Near Edge of Nearest Lane	60 Feet
Far Edge of Farthest Lane	84 Feet
Effective Distance	_____

Problems 10 Through 15: Adjustment Factors

List The Adjustment Factors Necessary for Each of the Following Situations and the Numerical Value for Each Adjustment Factor.

10. A Roadway Where the Road Gradient Is 1%, the Average Speed for Both Autos and Trucks Is 30 MPH and the Fraction of Nighttime Traffic is 10%.

    Adjustment Factors Needed: _____

    _____

    _____

    Value of Adjustment Factors: _____

    _____

    _____

11. A Roadway Where There Is A Stop Sign 400 Feet from the NAL. The Gradient Is 1%, the Average Speed for Autos Is 45 MPH (There Are No Trucks) and the Fraction of Nighttime Traffic Is 15%.

    Adjustment Factors Needed: _____

    _____

    _____

    Value of Adjustment Factors: _____

    _____

    _____

12. A Roadway Where the Road Gradient Is 2%, the Average Speed for Autos Is 50 MPH and for Trucks (Both Uphill and Downhill) Is 50 MPH and the Fraction of Nighttime Traffic Is 10%.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

13. A Railroad Where the Fraction of Operations Occurring at Night Is 30%, the Average Train Speed Is 40 MPH, the Track Is Bolted and There Are No Whistle Or Horns Required for Grade Crossings.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

14. A Railroad Where the Fraction of Operations Occurring at Night Is 5%, the Average Train Speed Is 10 MPH, the Tracks Are Welded and There Are No Whistles Or Horns Required for Grade Crossing.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

15. A Railroad Where the Fraction of Operations Occurring at Night Is 20%, the Average Train Speed Is 30 MPH, the Track Is Bolted and No Whistles or Horns Are Required for Grade Crossings.

Adjustment Factors Needed: _____

_____

_____

Value of Adjustment Factors: _____

_____

_____

Problems 16 Through 21: Some Basic Problems

Calculate the Combined Noise Levels for Each of the Following Situations:

16. A Roadway Where the distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 310 Feet, the Distance to the Far Edge of the Farthest Lane Is 358 Feet. There Is A Stop Sign 400 Feet from the NAL. The Gradient Is 1%. The Average Number of Automobiles Is 17,000, the 24 Hour Average Number of Medium Trucks Is 1,500, the 24 Hour Average Number of Heavy Trucks Is 400 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Roadway Is _____.

17. A Site Exposed to Noise from Two Roads. For Roadway Number 1 the Distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 125 Feet, the Distance to the Far Edge of the Farthest Lane Is 233 Feet. There Is A Stop Sign 250 Feet from the NAL. The Gradient Is 3%. The Average Speed for Both Autos and Trucks Is 30 MPH.

    The 24 Hour Average Number of Autos Is 22,000, the 24 Hour Average Number of Medium Trucks Is 2,000. The 24 Hour Average Number of Heavy Trucks Is 950 Total. The Fraction of Nighttime Traffic Is 10%.

    For Roadway Number 2, the Distance to the Near Edge of the Nearest Lane Is 45 Feet, the Distance to the Far Edge of the Farthest Lane Is 93 Feet. There Is A Stop Sign 100 Feet from the NAL and the Gradient Is 1%. The Average Speed for Both Autos and Heavy Trucks Is 30 MPH. The 24 Hour Average Number of Automobiles Is 14,000, for Medium Trucks 700, and for Heavy Trucks 600 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Site Is _____

18. A Site Exposed to Noise from Two Railroads. For Railroad 1, the Distance in Feet from the NAL to the Railway Track Is 150 Feet. There Are 35 Diesel Trains Every 24 Hours, No Electrified Trains. The Fraction of Operations Occurring at Night Is 25%. There Are 3 Diesel Locomotives Per Train and 70 Cars Per Train. The Average Speed Is 30 MPH and the Track Is Bolted. No Whistles Or Horns Are Used.

    For Railroad 2, the Distance in Feet from the NAL to the Railway Track Is 310 Feet. There Are 20 Diesel and 2 Electrified Trains Each 24 Hours. The Fraction of Operations Occurring at Night Is 15%. There Are 2 Locomotives Per Diesel Train and 45 Cars for Each Diesel Train and 15 Cars Per Electrified Train. The Average Train Speed Is 40 MPH and the Track Is Bolted. No Horns Or Whistles Are Used.

    The Combined Noise Level for This Site Is _____.

19. A Site Exposed to Noise from Two Railroads. For Railroad 1, the Distance in Feet from the NAL to the Railway Track Is 75 Feet. There Are 34 Diesel Trains Every 24 Hours, No Electrified Trains. Twenty Percent of the Operations Occur at Night. There Are 5 Locomotives Per Train and 75 Cars Per Train. The Average Train Speed Is 35 MPH and the Track Is Welded. No Horns Or Whistles.

    For Railway 2, the Distance in Feet from the NAL to the Railway Track Is 120 Feet. There Are 12 Diesel Trains in 24 Hours, No Electrified Trains. Twenty-Five Percent of the Operations Occur at Night. There Are 4 Locomotives Per Train and 40 Cars Per Train. The Average Train Speed Is 20 MPH and the Track Is Bolted. No Horns Or Whistles Are Used.

    The Combined Noise Level for This Site Is _____

20. A Site Exposed to Noise from Three Roads. For Road 1, the Distance in Feet from the NAL to the Near Edge of the Nearest Lane Is 100 Feet, to the Far Edge of the Farthest Lane, 208 Feet. There Is No Stop Sign and the Gradient Is 1%. The Average Speed for Autos Is 55 MPH. (There Are No Trucks Allowed On This Road.) The 24 Hour Average Number of Autos Is 40,000. The Fraction of Nighttime Traffic Is 15%.

    For Road 2, the Distance from the NAL to the Near Edge of the Nearest Lane Is 45 Feet, to the Far Edge of the Farthest Lane 75 Feet. There Is A Stop Sign 175 Feet from the NAL and the Road Gradient Is 4%. The average Speed for Both Autos and Trucks Is 40 MPH. The 24 Hour Average Number of Autos Is 15,000, for Medium Trucks 900 and for Heavy Trucks 320 Total. The Fraction of Nighttime Traffic Is 20%.

    For Road 3, the Distance from the NAL to the Near Edge of the Nearest Lane Is 52 Feet, to the Far Edge of the Farthest Lane 92 Feet. There Is A Stop Sign 400 Feet from the NAL and the Gradient Is 1%. The Average Speed for Both Autos and Trucks Is 25 MPH. The 24 Hour Average Number of Autos Is 5,000, for Medium Trucks 1,050 and for Heavy Trucks 175 Total. The Fraction of Nighttime Traffic Is 20%.

    The Combined Noise Level for This Site Is _____.

21. A Site Exposed to Noise from A Railroad. The Distance from the NAL to the Railroad Is 110 Feet. There Are 30 Diesel Trains Every 24 Hours, No Electrified Trains. Twenty Percent of the Operations Occur at Night. There Are 3 Locomotives Per Train and 50 Cars Per Train. The Average Train Speed Is 30 MPH, the Track Is Bolted and There Is A Grade Crossing Where Horns and Whistles Are Used 100 Feet from the NAL.

The Combined Noise Level at This Site Is _____.

Problems 22 Through 24: Barriers - Identifying the Values for H, R, R′, D and D′

Identify the Values for H, R, R′, D and D′ for Each of the Following Barriers:

22.

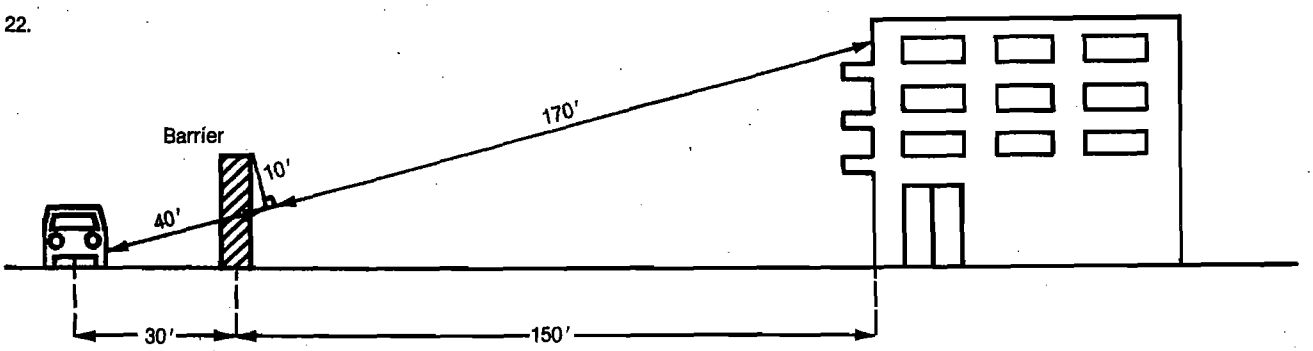

H = _____, R = _____, R′ = _____ D = _____ and D′ = _____

23.

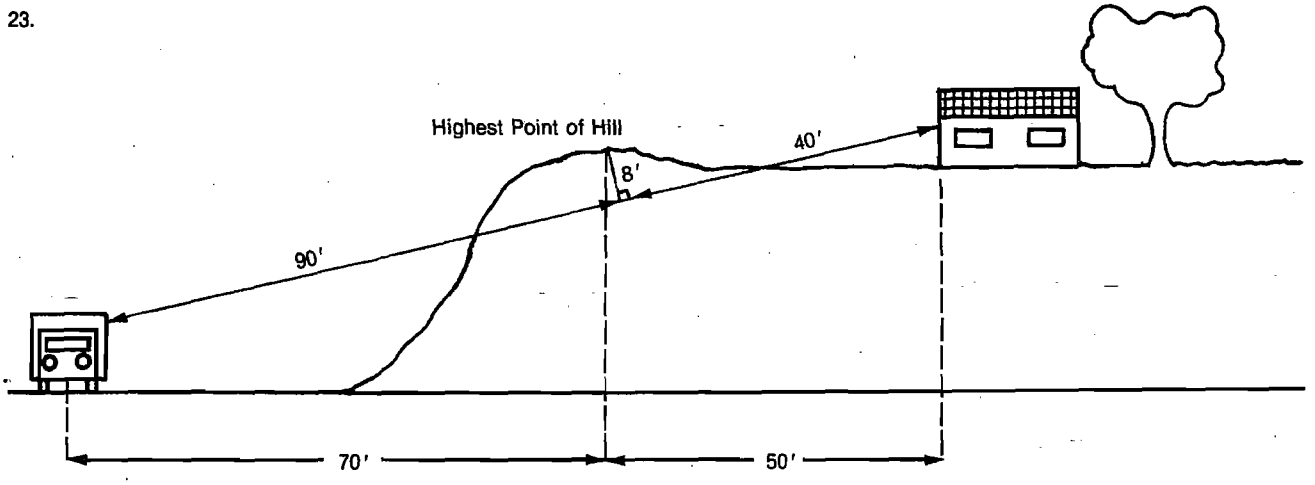

H = _____, R = _____, R′ = _____, D = _____ and D′ = _____

Barrier	40′	10′	170′	90′	70′
Highest Point of Hill	30′	150′		8′ 40′	50′

24.

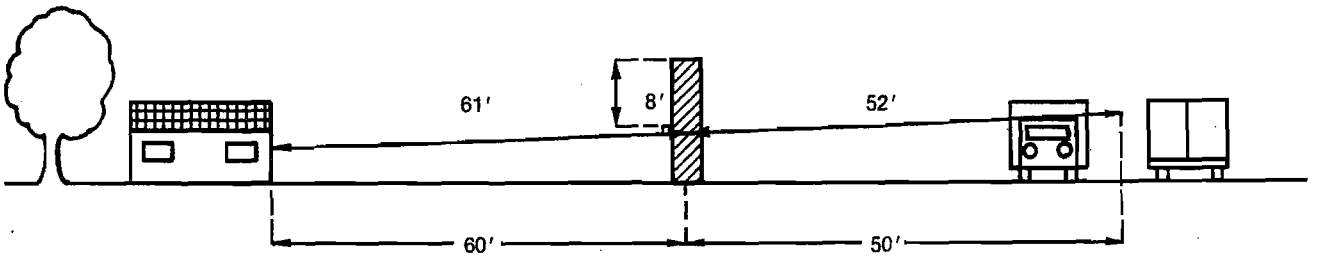

H = _____, R = _____, R′ _____, D = _____ and D′ _____

Problems 25 Through 27: Barrier Calculations Using Workcharts 6 and 7.

Using Workcharts 6 and 7 Only, Calculate the Noise Attenuation Provided by the Barriers Illustrated in Problems 22 Through 24. Additional Data on the Angles Subtended by the Ends of the Barriers and the NAL for Each Location Is Provided.

25. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 22. The Angle Subtended by the Ends of the Barrier and the NAL Is 150 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

26. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 23. The Angle Subtended by the Ends of the Barrier and the NAL Is 90 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

27. Calculate the Noise Attenuation Provided by the Barrier Described in Problem 24. The Angle Subtended by the Ends of the Barrier and the NAL Is 130 Degrees.

    The Noise Attenuation Provided Is _____ Decibels.

Problems 28 Through 30: Barrier Calculations Using Workcharts 5, 6 and 7

Calculate the Attenuation Provided By the Barriers in the Following Situations. Use Workcharts 5, 6 and 7.

28. A Two Story Building Is Exposed to Noise Levels of 68 LDN from Automobiles. The Barrier Is 15 Feet High and Is Located 40 Feet from the Source and 20 Feet from the Building. The Source, Barrier, and Building Are All On Level Ground. The Angle Subtended by the Ends of the Barrier and the Noise Assessment Location Is 110 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

29. A Three Story Building Is Exposed to A Noise Level of 72 LDN from Diesel Locomotives and 60 LDN from Railroad Cars. The Barrier Is 12 Feet High and Is Located 40 Feet from the Source and 85 Feet from the Building. The Barrier and the Building Are on the Same Level, But the Track Is Depressed 25 Feet. The Angle Subtended by the Ends Of the Barrier and the NAL Is 120 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

30. A Three Story Building Is Exposed to Noise Levels of 67 LDN from Automobiles and 71 LDN from Trucks. The Barrier Is 16 Feet High and Is Located 36 Feet from the Source and 56 Feet from the Building. The Source, the Barrier and the Building Are All At the Same Level. The Angle Subtended by the Barrier Ends and the NAL Is 130 Degrees.

    The Noise Attenuation Provided by This Barrier Is _____ Decibels.

    Is This Sufficient? _____

Noise Assessment Guidelines Workbook
Answers

Problem

1. 68 LDN (67-61 = 6, Add 1dB (From Table) to 67 = 68 LDN)
2. 66 LDN (63-63 = 0, Add 3dB (From Table) to 63 = 66 LDN)
3. 69 LDN (69-51 = 0, Add 0dB to 69 = 69 LDN)
4. 67 LDN (65-62 = 3, Add 1.8dB to 65, Round Off to Nearest Whole Number, 66.8 = 67 LDN)
5. 73 LDN (72-65 = 5, Add 1.2 = 73.2 = 73 LDN)
6. 72 LDN (63-59 = 4, Add 1.5 = 64.5, 71-64.5 = 6.5
Interpolate From Table: 6 = 1.0, 7 = .8
6.5 = .9) 71 + .9 = 71.9 = 72 LDN)

7. 76 LDN (67-61 = 6, Add 1.0 = 68, 72-68 = 4, Add 1.5 = 73.5, 73.5-73 = .5, Interpolate From Table, Add 2.75 = 76.25 = 76 LDN)

8. 49 Feet (76 + 22 = 98 – 2 = 49)
9. 72 Feet (84 + 60 = 144 – 2 = 72)

10. Adjustment Factors Needed: Speed and Night-Time Percentage

    Value of Factors: Speed = Autos .30
    Trucks .81
    Nighttime
    Percentage .81

    Note—You Must Have Different Speed Adjustments for Autos and Trucks.

11. Adjustment Factors Needed: Speed and Stop and Go Traffic
    Value of Factors: Speed .67
    Stop and Go .70

12. Adjustment Factors Needed: Gradient, Speed and Nighttime Percentage

    Value of Factors: Gradient 1.4
    Speed = Autos .30
    Trucks .81
    Nighttime
    Percentage .81

13. Adjustment Factors Needed: Nighttime Percentage, Speed, Bolted Track

    Value of Factors: Nighttime
    Percentage 1.57
    Speed = Engines .75
    Cars 1.78
    Bolted Track 4

    Note—You Must Have Different Speed Adjustments for Engines and Cars.

14. Adjustment Factors Needed: Nighttime Percentage and Speed

    Value of Factors: Nighttime
    Percentage .62
    Speed = Engines 3.0
    Cars .11

15. Adjustment Factors Needed: Nighttime Percentage and Bolted Track

    Value of Factors: Nighttime
    Percentage 1.19
    Bolted Track 4

16. Combined Noise Level = 62 LDN (If Your Answer Is Plus or Minus 1dB Its OK - Between Rounding Off and the Large Scale on the Nomographs, That's Close Enough)

Worksheet C
Roadway Noise — **Page 1** — **Noise Assessment Guidelines**

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	310			
b. farthest lane	358			
c. average (effective distance)	334			
2. Distance to stop sign	400			
3. Road gradient in percent	1%			
4. Average speed in mph				
a. Automobiles	40			
b. heavy trucks - uphill	40			
c. heavy trucks - downhill	40			
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	17000			
b. medium trucks	1500			
c. effective ADT (a + (10xb))	32000			
6. 24 hour average number of heavy trucks				
a. uphill	200			
b. downhill	200			
c. total	400			
7. Fraction of nighttime traffic (10:00 p.m. to 7: a.m.)	20%			
8. Traffic projected for what year?	—			

Worksheet C
Roadway Noise — **Page 2** — **Noise Assessment Guidelines**

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	.70	x .53	x 1.19	x 32000	.14128	57	- 0	= 57
Road No. 2		x	x	x	=		-	=
Road No. 3		x	x	x	=		-	=
Road No. 4		x	x	x	=		-	=

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6	18 Average Speed Table 7	19 Truck ADT 2	20	21	22 Stop and-go Table 8	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	—	x .81	x 200	= 162							
Road No. 1					Add	324	x 1.8	x 1.19	= 694	60 - 0	= 60
Road No. 1 Downhill		.81	x 200	= 162							
Road No. 2 Uphill		x	x	=							
Road No. 2					Add		x	x	=	-	=
Road No. 2 Downhill			x	=							
Road No. 3 Uphill		x	x	=							
Road No. 3					Add		x	x	=	-	=
Road No. 3 Downhill			x	=							
Road No. 4 Uphill		x	x	=							
Road No. 4					Add		x	x	=	-	=
Road No. 4 Downhill			x	=							

Combined Automobile & Heavy Truck DNL

Road No. 1 62 Road No. 2 _____ Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads 62

Signature _____ Date _____

Workchart 1
Autos (55 mph)

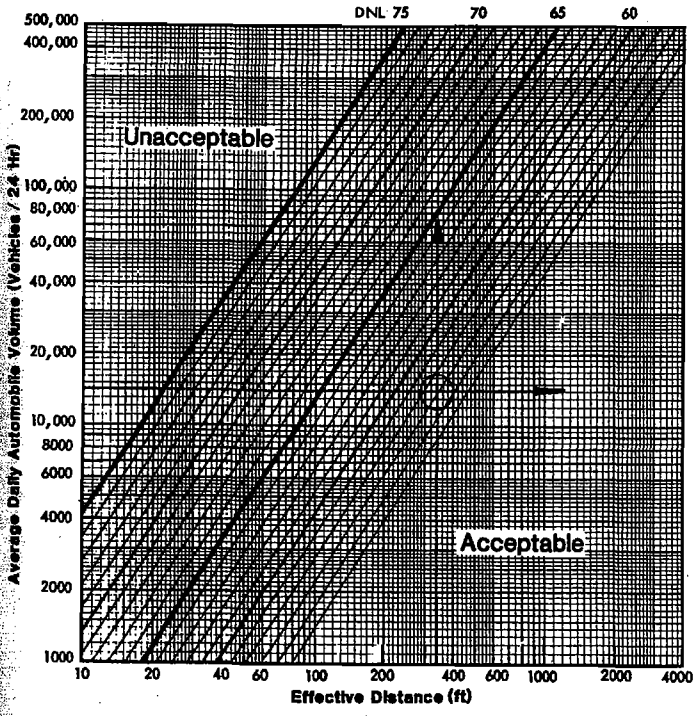

Workchart 2
Heavy Trucks (55 mph)

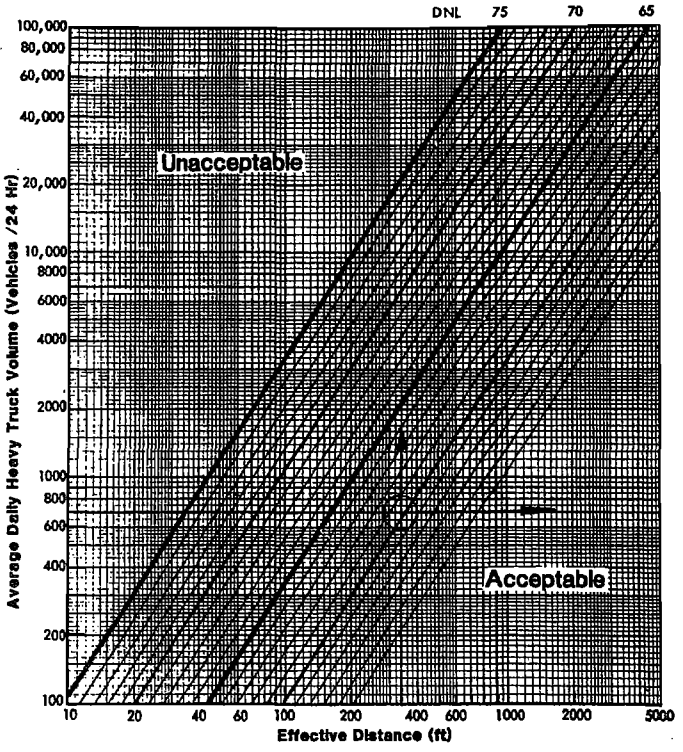

17. Combined Noise Level = 74 LDN (+ OR – 1 dB)

Worksheet C
Roadway Noise — **Page 1** — **Noise Assessment Guidelines**

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	125	45		
b. farthest lane	233	93		
c. average (effective distance)	179	69		
2. Distance to stop sign	250	100		
3. Road gradient in percent	3%	1%		
4. Average speed in mph				
a. Automobiles	30	30		
b. heavy trucks - uphill	30	30		
c. heavy trucks - downhill	30	30		
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	22000	14000		
b. medium trucks	2000	700		
c. effective ADT (a + (10xb))	42000	21000		
6. 24 hour average number of heavy trucks				
a. uphill	475	300		
b. downhill	475	300		
c. total	950	600		
7. Fraction of nighttime traffic (10:00 p.m. to 7:a.m.)	10%	20%		
8. Traffic projected for what year?	–	–		

Worksheet C
Roadway Noise — **Page 2** — **Noise Assessment Guidelines**

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	.48	x .30	x .81	x 42000	= 4899	57	- 0	= 57
Road No. 2	.25	x .30	x 1.19	x 21000	= 1874	59	- 0	= 59
Road No. 3		x	x	x	=		-	=
Road No. 4		x	x	x	=		-	=

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6	18 Average Speed Table 7	19 Truck ADT ÷ 2	20	21	22 Stop and-go Table 8	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	1.7	x .81	x 475	= 654							
Road No. 1					Add 1039	x 1.8	x .81	= 1515	68	- 0	= 68
Road No. 1 Downhill	.81	x 475	= 385								
Road No. 2 Uphill	–	x .81	x 300	= 243							
Road No. 2					Add 486	x 1.8	x 1.19	= 1041	72	- 0	= 72
Road No. 2 Downhill	.81	x 300	= 243								
Road No. 3 Uphill		x	x	=							
Road No. 3					Add	x	x	=		-	=
Road No. 3 Downhill		x	=								
Road No. 4 Uphill		x	x	=							
Road No. 4					Add	x	x	=		-	=
Road No. 4 Downhill		x	=								

Combined Automobile & Heavy Truck DNL

Road No. 1 68 Road No. 2 72 Road No. 3 _____ Road No. 4 _____ Total DNL for All Roads 74

Signature _____ Date _____

Workchart 1
Autos (55 mph)

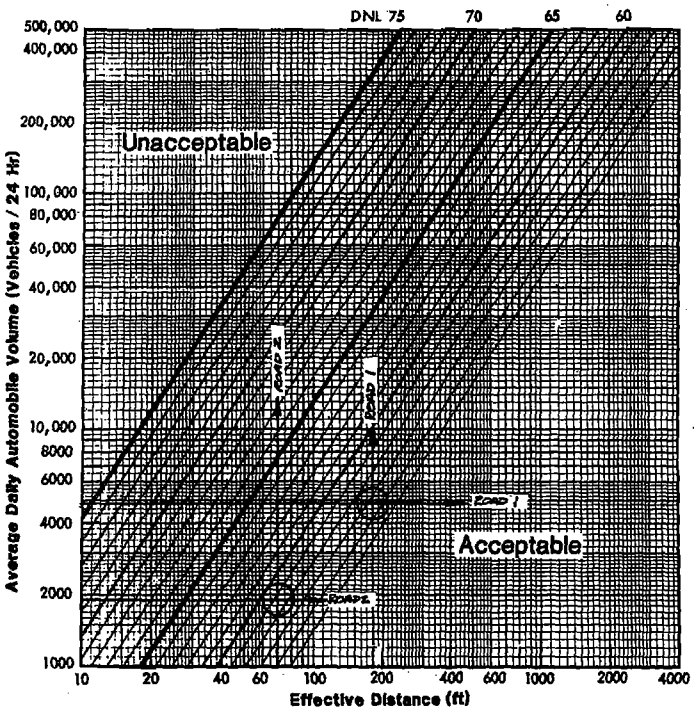

Workchart 2
Heavy Trucks (55 mph)

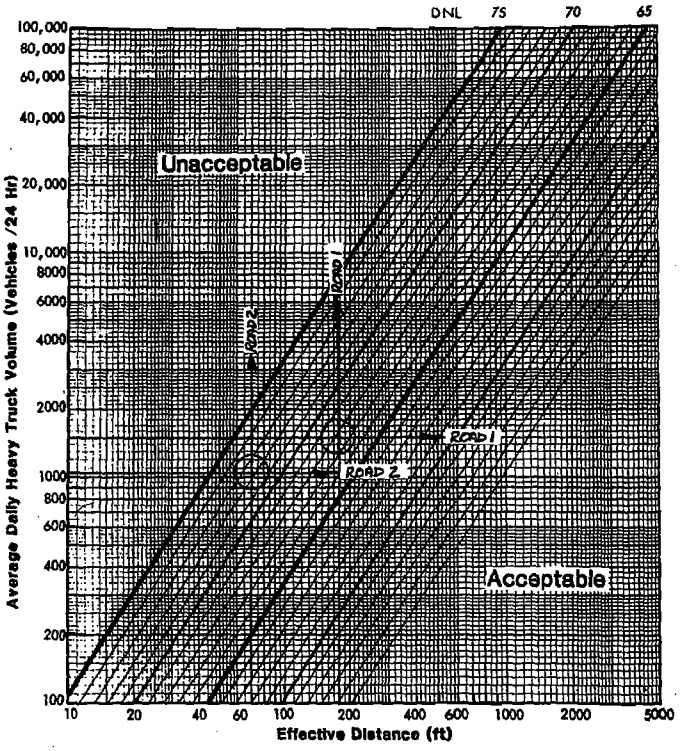

Item No. E.2

MV00179752

18. Combined Noise Level = 71 LDN

Note—In Order to Complete Column 18 for Railway #2 You Must Find the Average Number of Cars Per Train. Multiply the Number of Diesel Trains Times the Number of Cars Per Train (20 × 45 = 900). Multiply the Number of Electrified Trains Times the Number of Cars Per Train (2 × 15 = 30). Add the Two Totals Together and Divide By the Total Number of Trains (900 + 30 = 930 – 22 = 42).

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	1.5	1.0	–	1.38	35	72	70	0	72
Railway No. 2	1	.75	–	1.0	20	15	58	0	58
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	1.4	1.0	4	1.38	35	270	64	0	64
Railway No. 2	.84	1.78	4	1.38	22	182	57	0	57
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 71 Railway No. 2 61 Railway No. 3 71 Total DNL for all Railways

Signature _____ Date _____

19. Combined Noise Level = 76 LDN

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Attn.	17 Partial DNL
Railway No. 1	2.5	.88	–	1.19	34	89	75	0	75
Railway No. 2	2	1.50	–	1.38	12	50	70	0	70
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 50	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Attn.	26 Partial DNL
Railway No. 1	1.5	1.39	–	1.19	34	84	63	0	63
Railway No. 2	.80	.44	4	1.38	12	23	55	0	55
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 75 Railway No. 2 70 Railway No. 3 _____ Total DNL for all Railways 76

Signature _____ Date _____

20. Combined Noise Level = 75 LDN

Worksheet C
Roadway Noise

Page 1

Noise Assessment Guidelines

List all major roads within 1000 ft of the site:

1. _____
2. _____
3. _____
4. _____

Necessary Information	Road 1	Road 2	Road 3	Road 4
1. Distance in feet from the NAL to the edge of the road				
a. nearest lane	100	45	52	
b. farthest lane	208	75	92	
c. average (effective distance)	154	60	72	
2. Distance to stop sign	–	175	400	
3. Road gradient in percent	1%	4%	1%	
4. Average speed in mph				
a. Automobiles	55	40	25	
b. heavy trucks - uphill	55	40	25	
c. heavy trucks - downhill	55	40	25	
5. 24 hour average number of automobiles and medium trucks in both directions (ADT)				
a. automobiles	40000	15000	5000	
b. medium trucks	–	900	1050	
c. effective ADT (a + (10xb))	40000	24000	15500	
6. 24 hour average number of heavy trucks				
a. uphill	–	160	87	
b. downhill	–	160	88	
c. total	–	320	175	
7. Fraction of nighttime traffic (10:00 p.m. to 7: a.m.)	15%	20%	20%	
8. Traffic projected for what year?	–	–	–	

Worksheet C
Roadway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Automobile Traffic

	9 Stop and-go Table 3	10 Average Speed Table 4	11 Night-Time Table 5	12 Auto ADT (line 5c)	13 Adjusted Auto ADT	14 DNL (Workchart 1)	15 Barrier Attenuation	16 Partial DNL
Road No. 1	0	x 1.0	x 1.0	x 40000	= 40000	67	- 0	= 67
Road No. 2	.36	x .53	x 1.19	x 24000	= 5450	65	- 0	= 65
Road No. 3	.70	x .21	x 1.19	x 15500	= 2711	60	- 0	= 60
Road No. 4		x	x	x	=		-	=

Adjustments for Heavy Truck Traffic

	17 Gradient Table 6	18 Average Speed Table 7	19 Truck ADT 2	20	21	22 Stop and-go Table 8	23 Night-Time Table 5	24 Adjusted Truck ADT	25 DNL (Work chart 2)	26 Barrier Atn.	27 Partial DNL
Road No. 1 Uphill	–	x –	x –	= –							
Road No. 1					Add –	x –	x –	= –	–	–	= –
Road No. 1 Downhill		–	x –	= –							
Road No. 2 Uphill	2.0	x .81	x 160	= 259							
Road No. 2					Add 389	x 1.8	x 1.19	= 833	72	- 0	= 72
Road No. 2 Downhill		.81	x 160	= 130							
Road No. 3 Uphill	1.0	x .81	x 87	= 70							
Road No. 3					Add 141	x 1.8	x 1.19	= 303	67	- 0	= 67
Road No. 3 Downhill		.81	x 88	= 71							
Road No. 4 Uphill		x	x	=							
Road No. 4					Add	x	x	=			=
Road No. 4 Downhill			x	=							

Combined Automobile & Heavy Truck DNL

Road No. 1 67 Road No. 2 73 Road No. 3 68 Road No. 4 _____ Total DNL for All Roads 75

Signature _____ Date _____

21. Combined Noise Level = 81 LDN

To Solve This Problem You Must Add Some More Lines to the Workchart for Engines Because the Workchart as Set up Does Not Go High Enough. There Are A Variety of Ways to Do This But One of the Easiest Is to Take A Piece of Blank Paper (A 3 x 5 Card Does Very Well) Place the Edge of the Paper Along Either the Top Or Bottom Edge of the Workchart and Mark Where the LDN Lines Fall Along the Edge of the Blank Paper. Then Once You Have Drawn Your Distance and Operations Lines on the Work Chart, You Take Your Paper with the Line Markings and Lay It along the Line for Adjusted Operations with the Mark Farthest to the Right Lined up with the 75 LDN Line. Now Just Count over until You Reach the Intersection of the Operations and Distance Lines.

Worksheet D
Railway Noise

Page 2

Noise Assessment Guidelines

Adjustments for Diesel Locomotives

	9 No. of Locomotives / 2	10 Average Speed Table 9	11 Horns (enter 10)	12 Night-time Table 5	13 No. of Trains (line 2a)	14 Adj. No. of Opns.	15 DNL Workchart 3	16 Barrier Atn.	17 Partial DNL
Railway No. 1	1.5	1.0	10	1.19	30	535	81	0	81
Railway No. 2									
Railway No. 3									

Adjustments for Railway Cars or Rapid Transit Trains

	18 Number of cars / 60	19 Average Speed Table 10	20 Bolted Rails (enter 4)	21 Night-time Table 5	22 No. of Trains (Line 2a or 2b)	23 Adj. No. of Opns.	24 DNL Work-chart 4	25 Barrier Atn.	26 Partial DNL
Railway No. 1	1.0	1.0	4	1.19	30	143	63	0	63
Railway No. 2									
Railway No. 3									

Combined Locomotive and Railway Car DNL

Railway No. 1 81 Railway No. 2 _____ Railway No. 3 _____ Total DNL for all Railways 81

Signature _____ Date _____

Workchart 3
Railroads - Diesel Locomotives

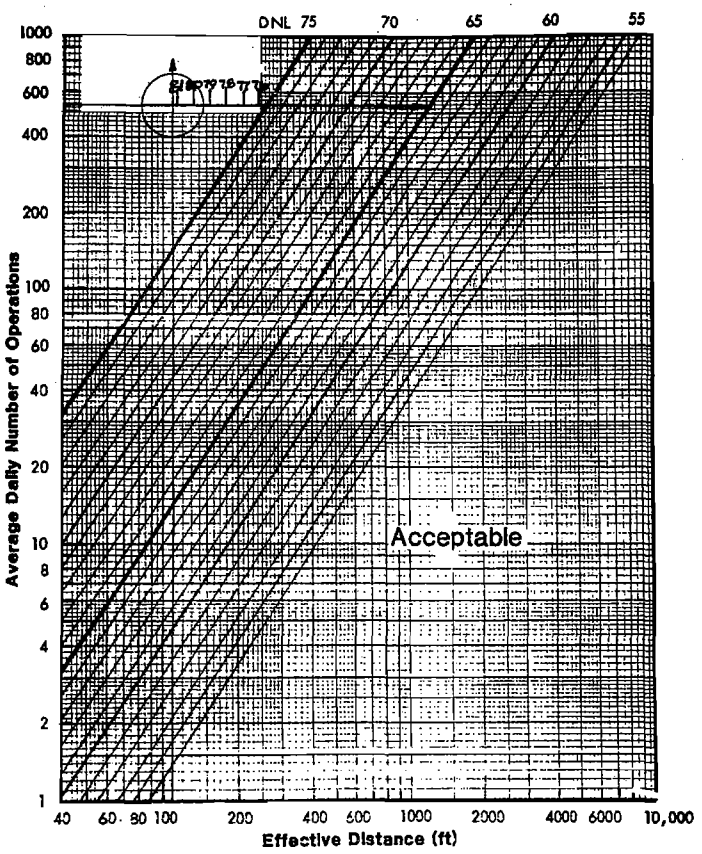

Workchart 4
Railroads - Cars and Rapid Transit

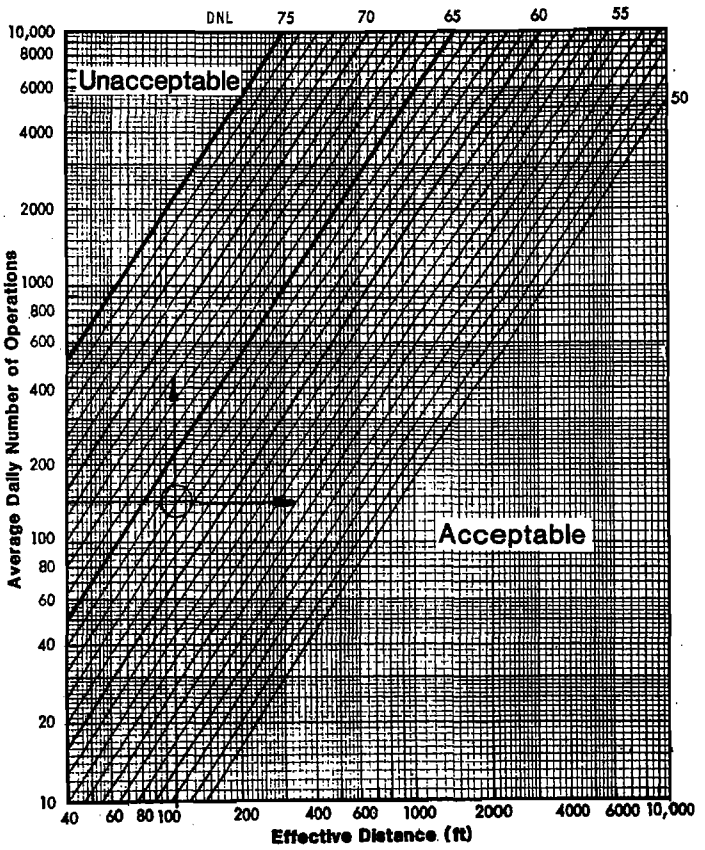

22. H = 10 Feet, R = 40 Feet, R′ = 30 Feet, D = 170 Feet, D′ = 150 Feet

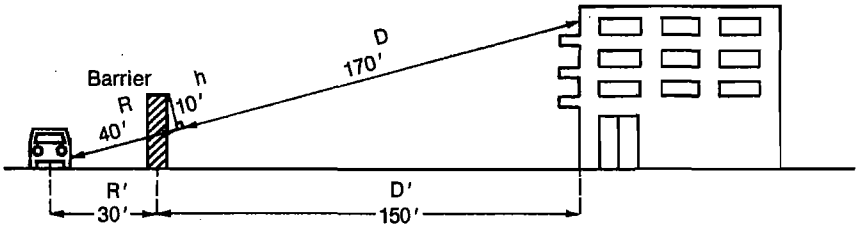

23. H = 8 Feet, R = 90 Feet, R′ = 70 Feet, D = 40 Feet, D′ = 50 Feet

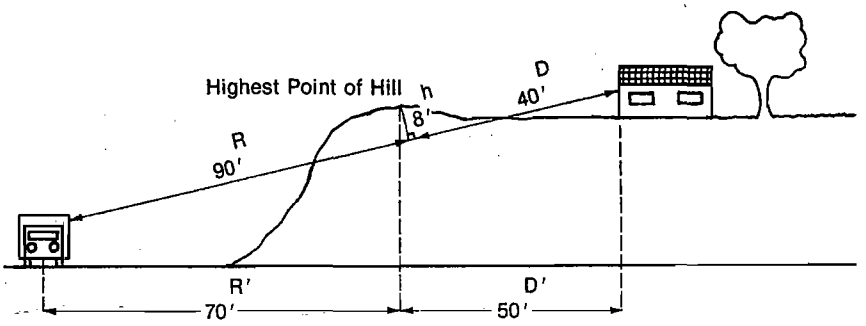

Note—The Line of Sight Line Starts Above the Road Level Because of the Trucks.

24. H = 8 Feet, R = 52 Feet, R′ = 50 Feet, D = 61 Feet, D′ = 60 Feet

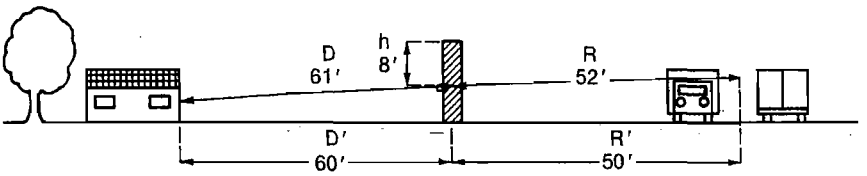

25. The Noise Attenuation Provided Is 7 Decibels

Workchart 6
Noise Barrier

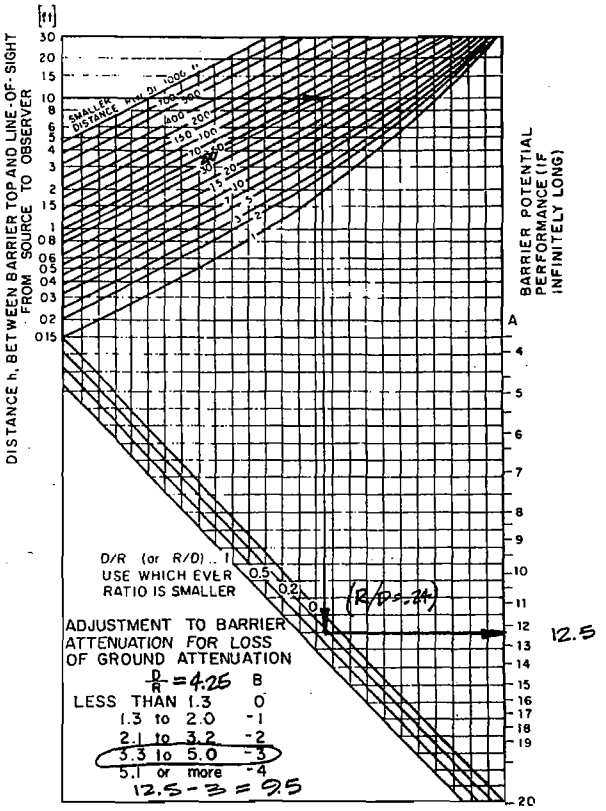

Workchart 7

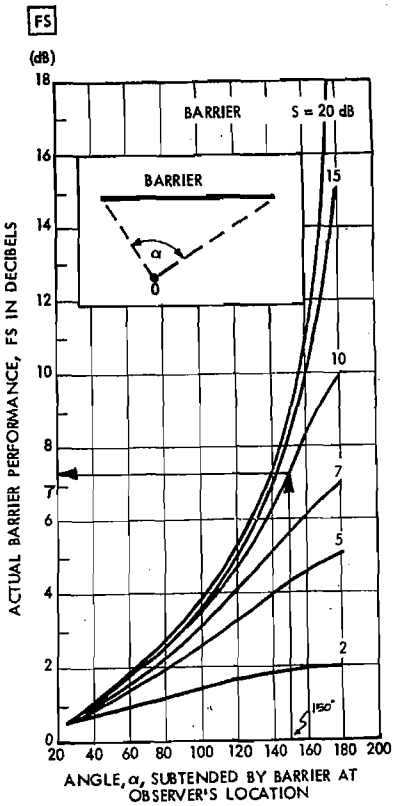

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

MV00179757

26. The Noise Attenuation Provided Is 3 Decibels

Note—When the Curves ARe So Close Together Don't Worry About Extrapolating.
In This Case You Couldn't Anyway, the 15 dB and 10 dB Curves Have Merged.

Workchart 6
Noise Barrier

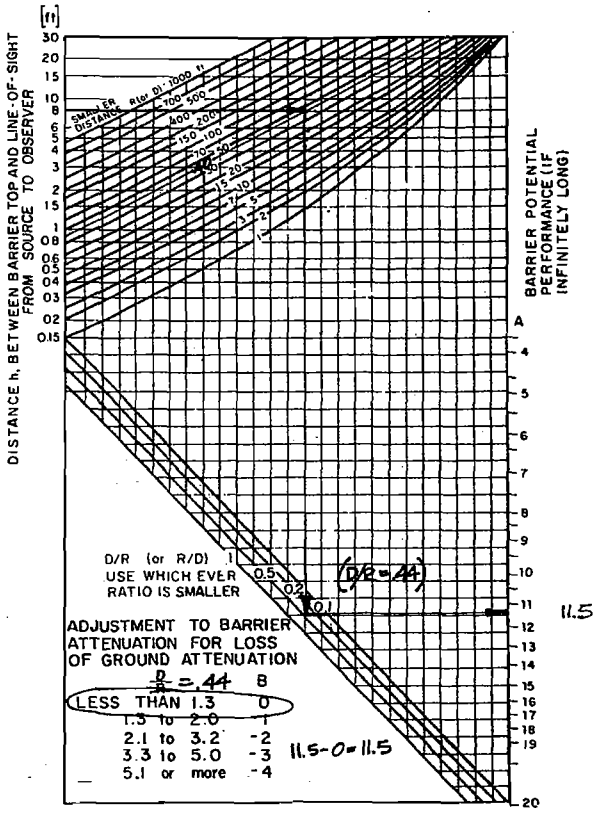

Workchart 7

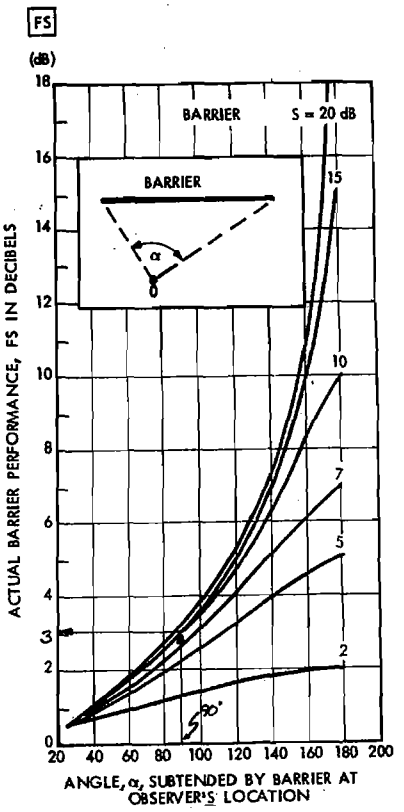

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

27. The Noise Attenuation Provided Is 6 Decibels (5.5 Rounded Up)

Note—Again You Have Problems With Extrapolating—Don't Worry About Being Too Precise.

Workchart 6
Noise Barrier

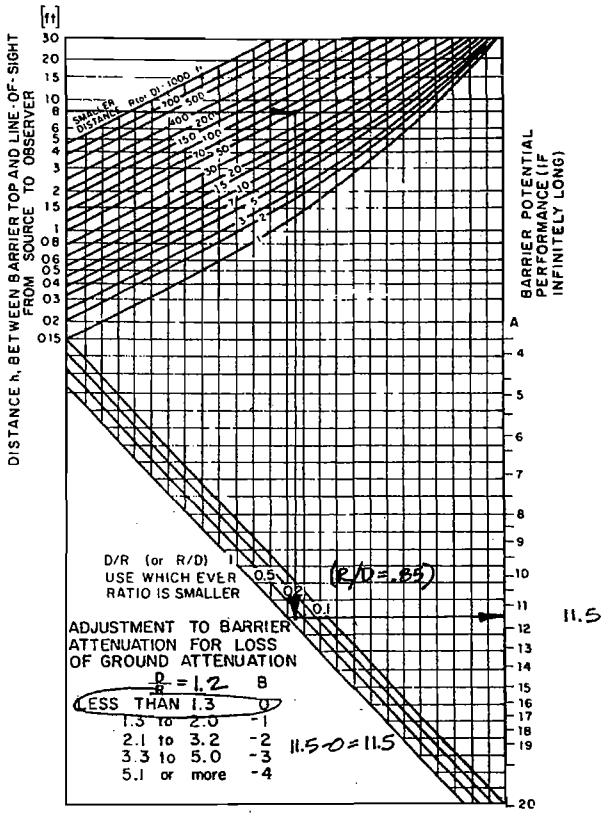

Workchart 7

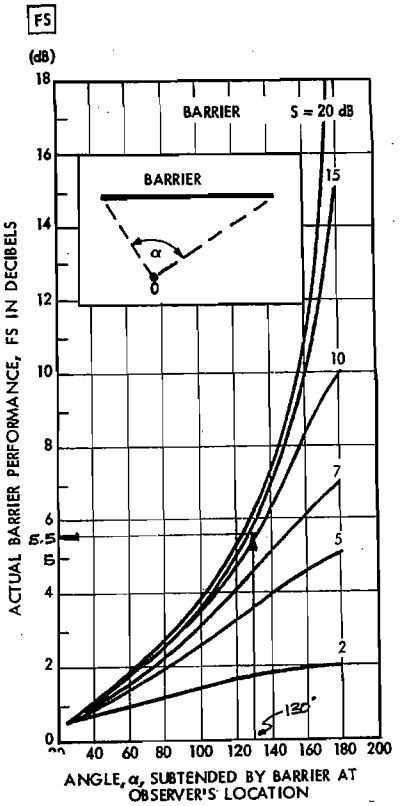

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

28. The Noise Attenuation Provided by This Barrier Is 4 dB. This Is Sufficient

Note—Don't Forget That the Height of the observor Is 5′ Less Than the Total Height of the Building and the Height of the Building Is 10 Feet Times the Number of Stories. And Did You Remember to Make the Adjustment for Ground Attenuation Loss.

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Enter the values for:

H= 15 R'= 40
S= 0 D'= 20
O= 15

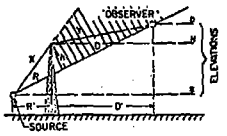

Fill out the following worksheet (all quantities are in feet):

1. *Elevation of barrier top minus elevation of source*	[H 15] − [S 0]	= [1 15]		
2. Elevation of observer minus elevation of source	[O 15] − [S 0]	= [2 15]		
3. Map distance between source and observer (R' + D')		[3 60]		
4. Map distance between barrier and source (R')		[4 40]		
5. Line 2 divided by line 3	[2 15] ÷ [3 60]	= [5 .25]		
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .25] × [5 .25]	= [6 .0625]		
7. 40% of line 6	[0.4] × [6 .0625]	= [7 .025]		
8. *One minus line 7*	[1.0] − [7 .025]	= [8 .975]		
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .25] × [4 40]	= [9 10]		
10. *Line 1 minus line 9*	[1 15] − [9 10]	= [10 5]		
11. Line 10 times line 8	[10 5] × [8 .975]	= [11 4.9]	= h	
12. Line 5 times line 10	[5 .25] × [10 5]	= [12 1.25]		
13. Line 4 divided by line 8	[4 40] ÷ [8 .975]	= [13 41]		
14. Line 13 plus line 12	[13 41] + [12 1.25]	= [14 42]	= R	
15. Line 3 minus line 4	[3 60] − [4 40]	= [15 20]		
16. Line 15 divided by line 8	[15 20] ÷ [8 .975]	= [16 20.5]		
17. *Line 16 minus line 12*	[16 20.5] − [12 1.25]	= [17 19]	= D	

[Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (−y) = x−y. And subtracting a negative number is like adding: X-(−y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

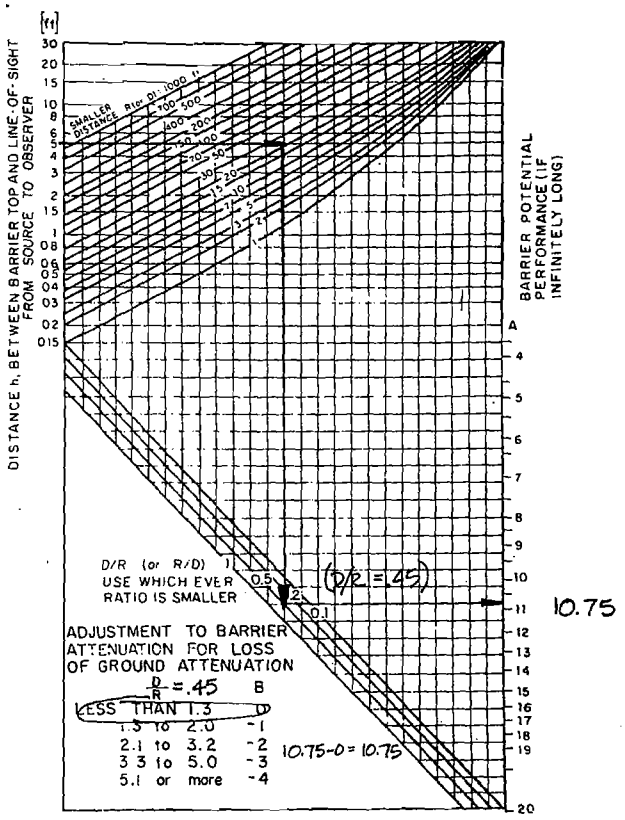

Workchart 7

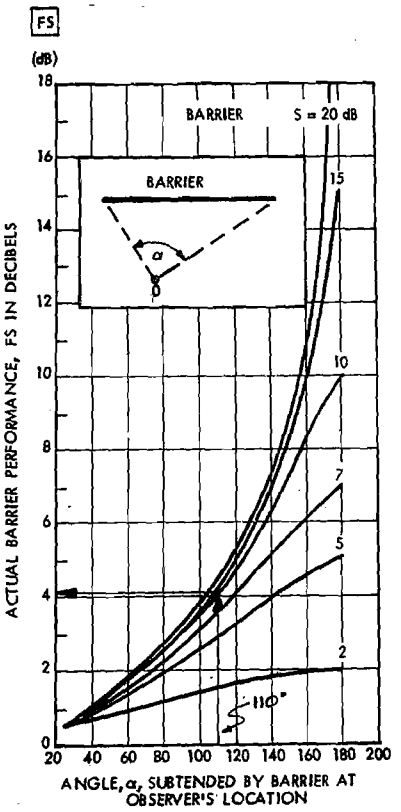

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

Item No. E.2

MV00179760

29. The Noise Attenuation Provided by This Barrier Is Approximately 5 dB for Both the Engines and the Railroad Cars.

This Is Not Sufficient.

Note—You Were Supposed to Calculate Attenuation for Diesel Engines and Cars Separately Because the Source Heights Are Different. The Value of S for the Engines Should Have Been −10 and the Value of S for the Railroad Cars Should Have Been −25.

Workchart 5
Noise Barrier

To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 12 R'= 40

S= −10 D'= 85

O= 25

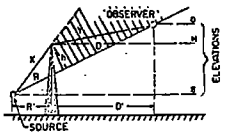

1. Elevation of barrier top minus elevation of source	[H 12] − [S −10]	= [1 22]		
2. Elevation of observer minus elevation of source	[O 25] − [S −10]	= [2 35]		
3. Map distance between source and observer (R' + D')		[3 125]		
4. Map distance between barrier and source (R')		[4 40]		
5. Line 2 divided by line 3	[2 35] ÷ [3 125]	= [5 .28]		
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .28] × [5 .28]	= [6 .08]		
7. 40% of line 6	[0.4] × [6 .08]	= [7 .03]		
8. One minus line 7	[1.0] − [7 .03]	= [8 .97]		
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .28] × [4 40]	= [9 11.2]		
10. Line 1 minus line 9	[1 22] − [9 11.2]	= [10 10.8]		
11. Line 10 times line 8	[10 10.8] × [8 .97]	= [11 10.5]	= h	
12. Line 5 times line 10	[5 .28] × [10 10.8]	= [12 3]		
13. Line 4 divided by line 8	[4 40] ÷ [8 .97]	= [13 41]		
14. Line 13 plus line 12	[13 41] + [12 3]	= [14 44]	= R	
15. Line 3 minus line 4	[3 125] − [4 40]	= [15 85]		
16. Line 15 divided by line 8	[15 85] ÷ [8 .97]	= [16 88]		
17. Line 16 minus line 12	[16 88] − [12 3]	= [17 85]	= D	

[Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (−y) = x−y. And subtracting a negative number is like adding: X−(−y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

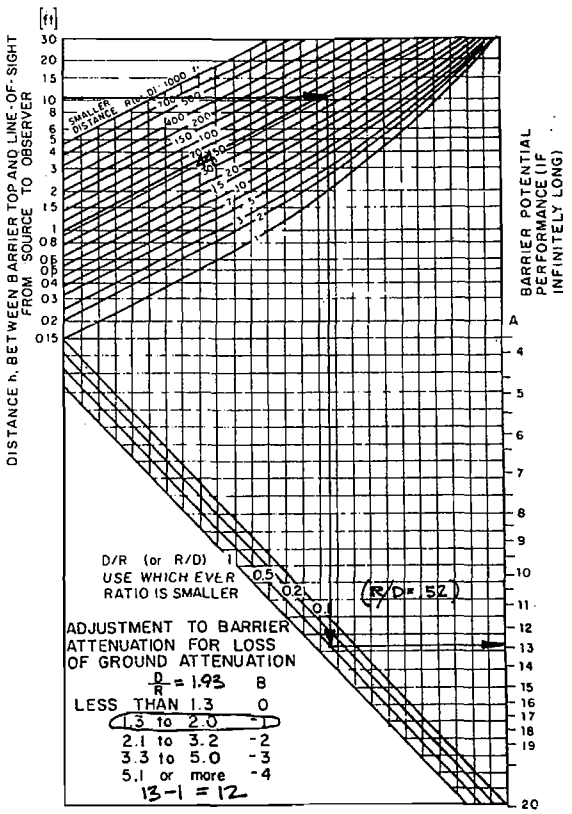

Workchart 7

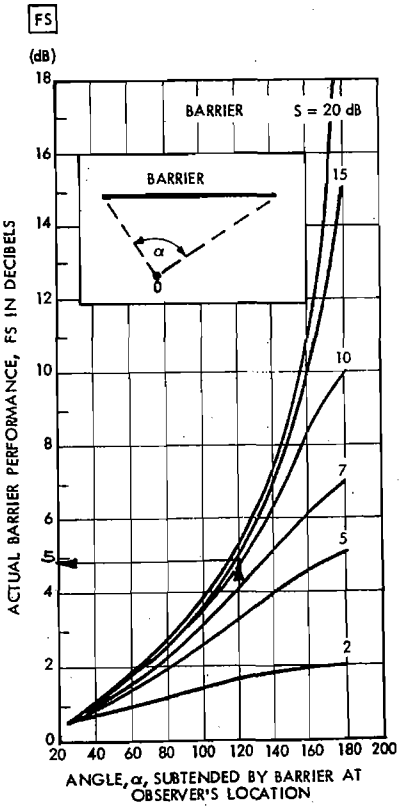

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Enter the values for:

H= 12 R'= 40

S= -25 D'= 85

O= 25

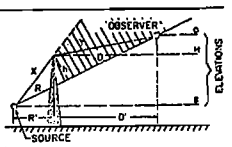

Fill out the following worksheet (all quantities are in feet):

1. Elevation of barrier top minus elevation of source	[H 12]	− [S −25]	= [1 37]	
2. Elevation of observer minus elevation of source	[O 25]	− [S −25]	= [2 50]	
3. Map distance between source and observer (R' + D')			[3 125]	
4. Map distance between barrier and source (R')			[4 40]	
5. Line 2 divided by line 3	[2 50]	÷ [3 125]	= [5 .4]	
6. Square the quantity on line 5 (i.e., multiply it by itself): always positive	[5 .4]	× [5 .4]	= [6 .16]	
7. 40% of line 6	[0.4]	× [6 .16]	= [7 .06]	
8. One minus line 7	[1.0]	− [7 .06]	= [8 .94]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .4]	× [4 40]	= [9 16]	
10. Line 1 minus line 9	[1 37]	− [9 16]	= [10 21]	
11. Line 10 times line 8	[10 21]	× [8 .94]	= [11 19.7]	= h
12. Line 5 times line 10	[5 .4]	× [10 21]	= [12 8.4]	
13. Line 4 divided by line 8	[4 40]	÷ [8 .94]	= [13 42.6]	
14. Line 13 plus line 12	[13 42.6]	+ [12 8.4]	= [14 51]	= R
15. Line 3 minus line 4	[3 125]	− [4 40]	= [15 85]	
16. Line 15 divided by line 6	[15 85]	÷ [8 .94]	= [16 90.4]	
17. Line 16 minus line 12	[16 90.4]	− [12 8.4]	= [17 82]	= D

[Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y)=x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

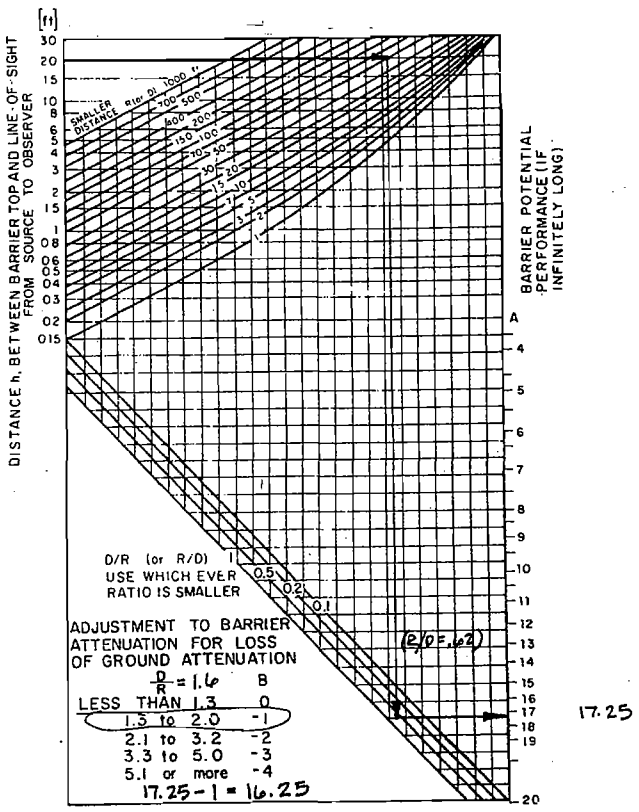

Workchart 7

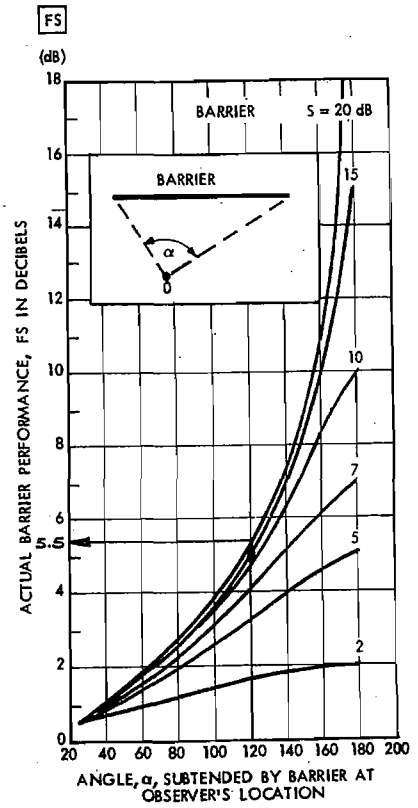

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

30. The Noise Attenuation Provided by This Barrier Is 3 dB for Trucks and 5 dB for Autos. The Combined Level Resulting Is 69 LDN.

This Is Not Sufficient

Note—You Must Calculate the Barrier Effect Separately for Autos and Trucks Because the Source Height is Different. Then Recombine levels.

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 16 R'= 36

S= 0 D'= 56

O= 25

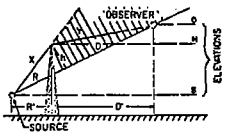

1. Elevation of barrier top minus elevation of source	[H 16] − [S 0]	= [1 16]		
2. Elevation of observer minus elevation of source	[O 25] − [S 0]	= [2 25]		
3. Map distance between source and observer (R' + D')		[3 92]		
4. Map distance between barrier and source (R')		[4 36]		
5. Line 2 divided by line 3	[2 25] ÷ [3 92]	= [5 .27]		
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .27] × [5 .27]	= [6 .07]		
7. 40% of line 6	[0.4] × [6 .07]	= [7 .03]		
8. One minus line 7	[1.0] − [7 .03]	= [8 .97]		
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .27] × [4 36]	= [9 9.7]		
10. Line 1 minus line 9	[1 16] − [9 9.7]	= [10 6.3]		
11. Line 10 times line 8	[10 6.3] × [8 .97]	= [11 6.1]	= h	
12. Line 5 times line 10	[5 .27] × [10 6.1]	= [12 1.7]		
13. Line 4 divided by line 8	[4 36] ÷ [8 .97]	= [13 37]		
14. Line 13 plus line 12	[13 37] + [12 1.7]	= [14 39]	= R	
15. Line 3 minus line 4	[3 92] − [4 36]	= [15 56]		
16. Line 15 divided by line 8	[15 56] ÷ [8 .97]	= [16 58]		
17. Line 16 minus line 12	[16 58] − [12 1.7]	= [17 56]	= D	

(Note: the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x +(-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x+y.)

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

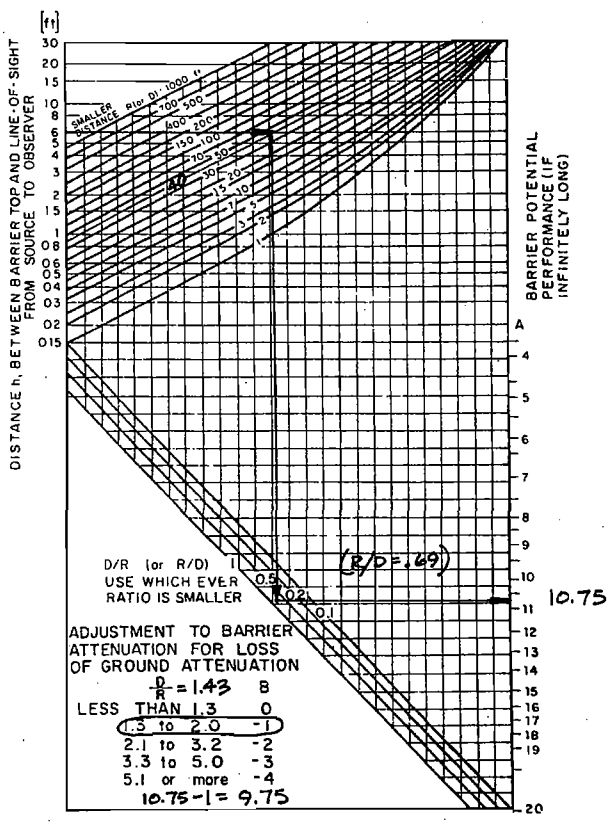

Workchart 7

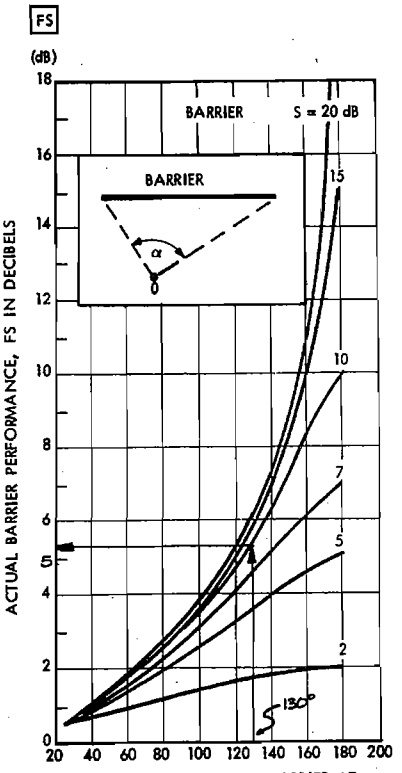

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

Workchart 5
Noise Barrier
To find R, D and h from Site Elevations and Distances

Fill out the following worksheet (all quantities are in feet):

Enter the values for:

H= 16 R'= 36

S= 8 D'= 56

O= 25

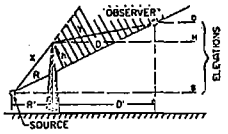

1. Elevation of barrier top minus elevation of source	[H 16] −	[S 8] =	[1 8]	
2. Elevation of observer minus elevation of source	[O 25] −	[S 8] =	[2 17]	
3. Map distance between source and observer (R' + D')			[3 92]	
4. Map distance between barrier and source (R')			[4 36]	
5. Line 2 divided by line 3	[2 17] ÷	[3 92] =	[5 .2]	
6. Square the quantity on line 5 (i.e., multiply it by itself); always positive	[5 .2] ×	[5 .2] =	[6 .04]	
7. 40% of line 6	[0.4] ×	[6 .04] =	[7 .02]	
8. One minus line 7	[1.0] −	[7 .02] =	[8 .98]	
9. Line 5 times line 4 (will be negative if line 2 is negative)	[5 .2] ×	[4 36] =	[9 7]	
10. Line 1 minus line 9	[1 8] −	[9 7] =	[10 1]	
11. Line 10 times line 8	[10 1] ×	[8 .98] =	[11 .98]	= h
12. Line 5 times line 10	[5 .2] ×	[10 1] =	[12 .2]	
13. Line 4 divided by line 8	[4 36] ÷	[8 .98] =	[13 37]	
14. Line 13 plus line 12	[13 37] +	[12 .2] =	[14 37]	= R
15. Line 3 minus line 4	[3 92] −	[4 36] =	[15 56]	
16. Line 15 divided by line 8	[15 56] ÷	[8 .98] =	[16 57]	
17. Line 16 minus line 12	[16 57] −	[12 .2] =	[17 57]	= D

[**Note:** the value on line 2 may be negative, in which case so will the values on lines 5,9, and 12; line 1 may also be negative. Remember, then, in lines 10, 14, and 17, that adding a negative number is the same as subtracting: x + (-y) = x-y. And subtracting a negative number is like adding: X-(-y) = x+y.]

Round off R and D to nearest integer, h to one decimal place.

Workchart 6
Noise Barrier

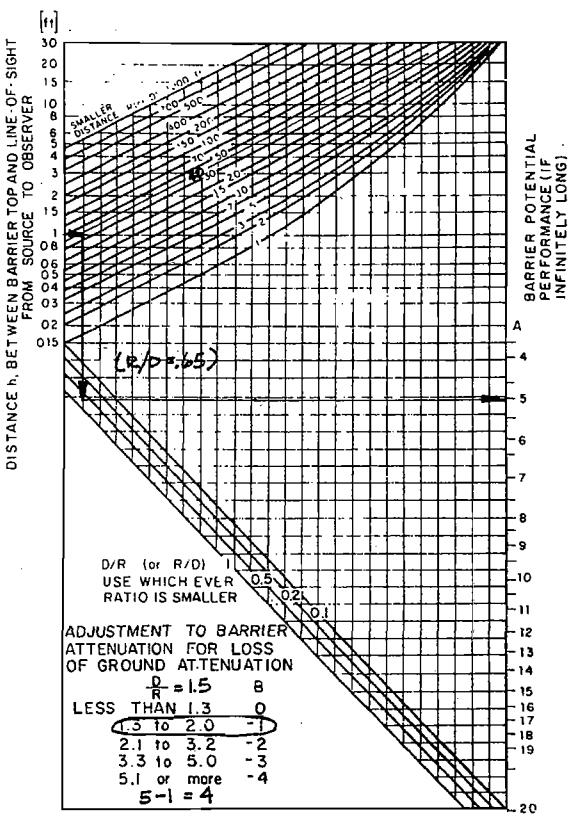

Workchart 7

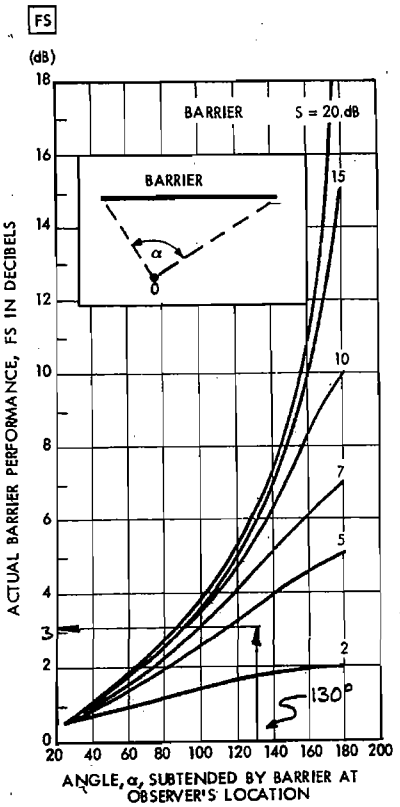

Correction to be applied to barrier potential in order to find the actual performance of the barrier of the same construction but of finite length.

Chapter 7

The Use of Noise Measurements

Noise Calculations Are Best For HUD Use

There are two ways to determine noise levels for a site under review: the noise can be calculated or it can be measured. While one's first reaction might well be that it would obviously be better to go out and actually measure the noise levels at the site, calculated noise levels are really much better for implementing HUD's noise policy.

Calculated noise levels are developed using mathematical models that contain a variety of assumptions about the process of noise propagation as well as data on sound levels generated by typical sources (i.e. aircraft engines, automobile tires etc.). The model can be a complex computer model or it can be a simple desktop model such as the procedures in the *Noise Assessment Guidelines*. The models can also employ a variety of noise descriptors. (See chapter 1 for a discussion of noise descriptors.) Most noise studies done for the Federal Highway Administration, for example, use either the L_{10} or the L_{eq} noise descriptor. Many aircraft noise studies use the NEF or CNEL descriptor. All of these descriptors are compatible with the L_{dn} noise descriptor system that is preferred by HUD and the HUD noise regulation contains instructions for converting all of them into L_{dn}. (sections 51.106(a)(1) and (2))

Whether produced by a sophisticated computer model or by the desktop *Noise Assessment Guidelines*, calculated noise levels are more useful for HUD needs than measured levels for two significant reasons: The first is that with noise measurements you have no good way to take into account future changes in the future noise environment. The houses we help build today are going to be around for a long time and it is very important that we determine, to the extent we can, the noise environment that will exist throughout the life of the buildings. While there are clearly limitations on how far into the future we can reasonably project traffic levels for roads, railroads and airports, we can at least look 5 to 10 years ahead. The HUD noise regulation (24 CFR 51B) requires that "to the extent possible, noise exposure shall be projected to be representative of conditions that are expected to exist at a time at least 10 years beyond the date of the project or action under review." It is very easy to make these projections if you use the *Noise Assessment Guidelines* or a computer model to determine noise levels.

The second reason why we prefer that you calculate noise levels is that through the calculation process you can use monthly or yearly data to determine traffic levels. Thus you come up with a more typical picture of conditions. With noise measurements there is always the possibility that the day or even days chosen for measurements will not be typical and that the measurements may over or understate the problem. While the conscientious measurer will try to account for any unusual conditions, it isn't always possible. So long as cost considerations limit the number of days that measurements can be taken there will always be the problem of unrepresentative data. With calculations this isn't a problem. The computer model that generates contours for airports, for example, uses an entire years data to develop the average day. Certainly the results are more likely to be representative than the results that would be derived from just a few days measurements.

When Noise Measurements Are Useful

While it is the preferred procedure to calculate noise levels, there are a few situations where the noise models might not be accurate and it might be better to rely on measurements. One instance would be when there is insufficient or inadequate traffic data. Another case might be where you have a unique physical situation that is not accounted for in whatever mathematical model is available.

Obtaining good traffic data can be difficult. You may only be able to get gross data that simply lists total vehicles without making any distinctions between trucks and automobiles. Or you may not be able to get any reliable data on the percentage of traffic between 10 pm and 7 am. While the *Noise Assessment Guidelines* do contain some assumptions that you can use when you don't have all the data you need, there may be instances when you just don't think those assumptions would accurately portray the problem.

By the same token, there are certain physical situations that mathematical models such as the *Noise Assessment Guidelines* couldn't anticipate and therefore do not reflect in their formulas. For example, the *Guidelines* say that you don't have to calculate the noise levels for underground transit lines. Well what if the line is underground but there are large air vents that reach from the belowground tunnels to the surface? A great deal of noise can reach the surface through these vents but the *Noise Assessment Guidelines* don't have any way to take it into account. You couldn't treat it as if the subway line were aboveground because it isn't really and at least some of the noise is blocked. This would be a case where a noise measurement would probably be the best way to determine the noise levels. By the same token, the guidelines do not really take into account the sometimes significant amounts of reflected noise that can occur at urban sites surrounded by tall buildings, i.e. the canyon effect.

When Not to Use Measurements

One thing noise measurements should not be used for is to confirm or refute calculated noise levels, especially computer generated aircraft contours. Our experience with both the *Noise Assessment Guidelines* and with computer noise models is that both are quite accurate if done properly. If you are convinced that the calculations were done correctly, and if you believe that the data used were good, you should strongly discourage anyone who wants to take measurements because they think that measurements are inherently more accurate than calculations. Comparing measured noise levels to calculated levels is like comparing apples and oranges. The

calculated noise levels should include projected traffic levels, the measured ones will not. The calculated levels will be based on daily traffic counts derived by averaging months of data, the measured levels will, at best, reflect just a few days. (This is particularly true for aircraft noise contours. The day-to-day operations of an airport can vary significantly depending upon weather conditions and any one or two days worth of measurements are very likely to show different levels from those generated by a computer model employing a year of data to derive an average day.)

If you have determined that noise measurements are appropriate, you must make sure that they are done properly, otherwise the data will be useless. There are four elements to proper measurements: 1) where the measurements are taken; 2) when they are taken; 3) the type of equipment used; and 4) the actual measurement procedure.

Where measurements should be taken: The locations for noise measurements should be selected using the same criteria you would use to select a Noise Assessment Location for a *Noise Assessment Guidelines* calculation. The *Noise Assessment Guidelines* recommend that "assessments of the noise exposure should be made at representative locations around the site where significant noise is expected." Further, the *Guidelines* state that when selecting these locations you should consider those buildings containing noise sensitive uses which are closest to the predominant noise sources. Where quiet outdoor space is desired at a site, you should also select points in the outdoor area in question. Specifically, the "relevant measurement location for buildings is a point 2 meters (6.5 feet) from the facade." If there are no buildings yet the measurement point should be 2 meters from the closest point setback requirements would allow a building facade.

When measurements should be taken: Because measurements are only going to be taken for a few days at best, special care should be taken to make sure that the days selected are representative of average traffic levels. For highways, avoid both Monday and Friday, particularly before or after a holiday. In fact holiday periods, such as the Christmas/New Years season, should be avoided entirely. Highway traffic, or rather more importantly, truck traffic is likely to be down during these periods and noise levels may be significantly lower than normal. On the other hand, holiday periods are often peak travel periods for airlines and measurements taken around airports then would show unusually high noise levels.

Whoever is taking the measurements should also check to make sure that there aren't any special circumstances that might affect traffic levels. For example road construction or repair work might divert additonal traffic onto the road being measured, or divert traffic away. In both cases the noise levels measured would not be representative.

And finally, noise measurements should not be taken during extreme weather conditions both because of the possible effects on traffic levels but also because the weather conditions can exaggerate the actual noise levels.

Ideally, noise measurements should be taken over several days spread over at least a few months. But given that time and money will normally preclude this, at least make sure the one or two days you can get are as close to typical as possible.

What equipment to use: There are many sound level meters on the market which are suitable for taking noise measurements for transportation sources. They need only to meet the requirements of American National Standard Specification for Type 1 Sound Level Meters: S1.4-1971. Type 1 sound level meters are "precision" meters and provide the most accurate measurements. They are also, of course, the most expensive. Fast time-averaging and A frequency weighting are to be used. The sound level meter with the A-weighting is progressively less sensitive to sound with frequencies below 1,000 hertz, somewhat as is the ear. With fast time averaging the sound level meter responds particularly to recent sounds almost as quickly as does the ear in judging the loudness of a sound. Fast time averaging has a time constant of about 1/8 second.

While a sound level measuring system that averages decibel readouts on a short term basis such as for every minute or every hour is acceptable, it would be far better if a system that actually provides a 24 hour integrated L_{dn} readout were used. Such a system eliminates the need for calculating the L_{dn} value, an area where many inexperienced consultants go astray. These systems are more expensive however, and the consultant who doesn't do much noise work is unlikely to have one.

Measurement procedures: Detailed procedures for making sound level measurements are spelled out in the American National Standards Institute's Standard Methods ANSI S1.2-1962(R1976) *American National Standard Method for the Physical Measurement of Sound* and ANSI S1.13-1971(R1976) *American National Standard Methods for the Measurement of Sound Pressure Levels.*

Some of the basic procedures that should be followed are:

1. Measurements should normally be made over a continuous 24 hour period. If this is not possible, measurements may be made over a period of days but still must cover the entire 24 hour period. The selection of the days becomes even more critical so that they are as similar as possible. Sampling is not acceptable.
2. The sound level meter must be calibrated before each use.
3. The sound level meter should be provided with a wind screen.
4. Care should be taken to insure that there are no temporary obstructions, such as parked trucks, between the meter and the source.

The Noise Study

The noise study prepared to describe the measurement results should contain at least the following:

1. A map showing where the measurements were taken
2. A vicinity map showing the site and the major noise sources
3. A chart indicating the date, the time, and weather conditions when measurements were taken at each measurement location
4. The type of microphone used
5. Any variations from ANSI procedures
6. The results of the measurements in L_{dn} for each measurement location
7. Any unusual conditions that existed during the measurement period—i.e. construction activity, major traffic tieup, etc.
8. If an integrating sound level meter was not used, the calculations used to derive the L_{dn} value.

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Noise and Its Effects

By Dr. Alice H. Suter, Conference Consultant, Administrative Conference of the United States, November 1991

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I. Introduction

This report presents an overview of noise and its effects on people. Special emphasis is placed on developments over the past decade, both in terms of noise conditions and noise effects research. By doing so, this report should illustrate some of the reasons for concern about noise problems, which persist after the closing of EPA's Office of Noise Abatement and Control (ONAC).

Noise has a significant impact on the quality of life, and in that sense, it is a health problem in accordance with the World Health Organization's (WHO) definition of health. WHO's definition of health includes total physical and mental well-being, as well as the absence of disease. Along these lines, a 1971 WHO working group stated: "Noise must be recognized as a major threat to human well-being." (Suess, 1973)

The effects of noise are seldom catastrophic, and are often only transitory, but adverse effects can be cumulative with prolonged or repeated exposure. Although it often causes discomfort and sometimes pain, noise does not cause ears to bleed and noise-induced hearing loss usually takes years to

develop. Noise-induced hearing loss can indeed impair the quality of life, through a reduction in the ability to hear important sounds and to communicate with family and friends. Some of the other effects of noise, such as sleep disruption, the masking of speech and television, and the inability to enjoy one's property or leisure time also impair the quality of life. In addition, noise can interfere with the teaching and learning process, disrupt the performance of certain tasks, and increase the incidence of antisocial behavior. There is also some evidence that it can adversely affect general health and well-being in the same manner as chronic stress. These effects will be discussed in more detail in the paragraphs below.

II. ONAC'S Activities in Noise Effects Research and Criteria

In response to the mandates of Section 5 of the Noise Control Act of 1972, ONAC published Public Health and welfare Criteria for Noise (EPA, 1973a) and Information on Levels of Environmental Noise Requisite to Protect Public Health and welfare with an Adequate Margin of Safety (EPA, 1974a), popularly known as the "Levels Document" for obvious reasons). Also in 1973,ONAC sponsored an international conference in Yugoslavia on the effects of noise, from which voluminous proceedings there published (EPA, 1973b). All of these documents there widely distributed and, although somewhat dated, are still read and referenced today. Because a considerable amount of research in this area has been conducted over the past 2 decades, these documents would benefit from revision.

In these documents ONAC established dose-response relationships for noise and its effects, and identified safe levels of noise to prevent hearing loss and activity interference. The agency also established the day-night average noise level as a universal descriptor to be used in assessing the impact of community noise.

Section 14 of the Act directs ONAC to conduct or finance research on noise effects, including investigations of the psychological and physiological effects of noise on humans and the effects of noise on animals. Approximately 35 technical reports resulted from these efforts, as well as contractor reports and numerous articles in scientific journals.

Some of the more noteworthy examples of EPA's research program there:

- Projects involving the cardiovascular effects of noise at the University of Miami, Johns Hopkins University and the Massachusetts Institute of Technology (Peterson, et al., 1978, 1981, 1983; Hattis and Richardson,1980; Turkkan et al, 1983).
- A longitudinal study of noise exposure and hearing threshold levels in children conducted by the Fels Institute (Roche et al., 1977).
- An interagency agreement with the U.S. Air Force to study the effects of noise on hearing (e.g., Guignard, 1973; Johnson, 1973; Schori and McGatha, 1978; Suter, 1978).
- A study identifying the sound levels of speech communication in various environments (Pearsons, et al., 1977).
- Two studies at Northeastern University comparing methods for predicting the loudness and acceptability of noise (Scharf et al., 1977; Scharf and Hellman, 1979).

Although much useful information was derived from these programs, some of them there irreparably damaged by the abrupt termination of funding from ONAC that occurred in 1981 and 1982. For one example, the Johns Hopkins study of cardiovascular effects of noise on primates was terminated after testing on only one subject had been completed. For another, the longitudinal data from the Fels Institute is now of little value after a hiatus of more than a decade.

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III. Physical Properties and Measurement of Sound

A. Physical Properties

Noise is often defined as unwanted sound. To gain a satisfactory understanding of the effects of noise, it would be useful to look briefly at the physical properties of sound.

Sound is the result of pressure changes in a medium (usually air), caused by vibration or turbulence. The amplitude of these pressure changes is stated in terms of sound level, and the rapidity with which these changes occur is the sound's frequency. Sound level is measured in decibels (abbreviated dB), and sound frequency is stated in terms of cycles per second, or nowadays, Hertz (abbreviated Hz). Sound level in decibels is a logarithmic rather than a linear measure of the change in pressure with respect to a reference pressure level. A small increase in decibels can represent a large increase in sound energy. Technically, an increase of 3 dB represents a doubling of sound energy, and an increase of 10 dB represents a tenfold increase. The ear, however, perceives a 10-dB increase as doubling of loudness.

Another important aspect is the duration of the sound, and the way it is distributed in time. Continuous sounds have little or no variation in time, varying sounds have differing maximum levels over a period of time, intermittent sounds are interspersed with quiet periods, and impulsive sounds are characterized by relatively high sound levels and very short durations.

The effects of noise are determined mainly by the duration and level of the noise, but they are also influenced by the frequency. Long-lasting, high-level sounds are the most damaging to hearing and generally the most annoying. High-frequency sounds tend to be more hazardous to hearing and more annoying than low-frequency sounds. The way sounds are distributed in time is also important, in that intermittent sounds appear to be somewhat less damaging to hearing than continuous sounds because of the ear's ability to regenerate during the intervening quiet periods. However, intermittent and impulsive sounds tend to be more annoying because of their unpredictability.

B. Instrumentation

The instrument for measuring noise is the basic sound level meter or a number of its derivatives, including noise dose meters (usually called dosimeters), integrating sound level meters, graphic level recorders, and community noise analyzers. Improvements in all of these instruments have taken place during the last decade. This is especially true of the computerized dosimeters and integrating meters, which can measure, compute, store, and display comprehensive data on the noise field (Earshen, 1986). These instruments are now able to measure over very wide dynamic ranges and to measure impulsive sounds with a high degree of accuracy.

C. Measurement and Descriptors

Most sound level meters and dosimeters use built-in frequency filters or "weighting networks " in the measurement process. By far the most frequently used filter is the A weighting network, which discriminates against low-frequency and very high-frequency sounds. A weighting approximates the equal-loudness response of the ear at moderate sound levels, and correlates well with both hearing damage and annoyance from noise. A weighting will be assumed throughout this report unless otherwise specified.

Composite measures of noise, such as the equivalent continuous sound level (Leq) and the day-night average sound level (DNL) incorporate A weighting, (The mathematical notation for DNL is Ldn.) these levels constitute sound energy averages over given periods of time, the DNL incorporates a 10-dB nighttime penalty from 10:00 pm to 7:00 am, meaning that events occurring during

that time are counted as 10 dB higher than they really are. A variant of the DNL that is used in California (and Europe) is the community noise equivalent level (CNEL), which incorporates a 5-dB penalty for evening noise events, as well as the 10-dB nighttime penalty (California Code of Regulations, 1990).

For more than a decade, both the DNL and the simple Leq have been used extensively for assessing the impact of aircraft/airport noise. Recently, however, communities have expressed dissatisfaction with these metrics when used to regulate noise (Wesler, 1990). Metrics that employ averaging fail to describe the disturbance arising from single events, especially low-flying aircraft, unexpected or newly occurring flights, or flights occurring in areas where solitude is at a premium. The sound exposure level (SEL), an event's sound level normalized to one second, is gaining popularity as a supplement to the DNL and the Leq for characterizing single events.

IV. Noise in America

A. Population Trends

The U.S. population has increased an average of 25 million with each census since 1950. According to the World Almanac (1991), the population in 1980 was 226 million and approximately 250 million in 1990. This reflects an increase of nearly 11 percent over the decade, or slightly more than 1 percent per year. Presently, 77 percent of the U.S. population lives in the nation's 283 designated metropolitan areas, and the rate of growth in these areas is twice that of nonmetropolitan areas (Bryant, 1991).

Not surprisingly, EPA research indicates that noise levels in communities is directly related to the population density (EPA, 1974b).[1] Because the noise in urban areas generally exceeds that of suburban and rural areas, it is not unreasonable to assume that noise in the U.S. is increasing at least in proportion to the increase in urbanization and more rapidly than the growth of the general population. In addition, noise sources appear to be multiplying at a faster pace than the population.

B. Noise Sources

Figure 1, from EPA's simplified version of the Levels Document, Protective Noise Levels, shows the range of sound levels for some common noise sources (EPA, 1978). Most leading noise sources will fall into the following categories: road traffic, aircraft, railroads, construction, industry, noise in buildings, and consumer products.

1. Road traffic noise

In its Levels Document (1974), EPA estimated that road traffic noise was the leading source of community noise. EPA's contractors found that to be true in 1981 (EPA, 1981), and there is little reason to believe otherwise today.

Truck transportation, as a convenient and economical means of moving raw materials and consumer goods from place to place, is growing at a faster pace than the general population. For example, a total[2] of 33.6 million trucks there registered in the U.S. in 1980. That number grew to 45.5 million in 1989, an increase of about 35 percent (American Trucking Assoc., 1991).

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[1] The day-night average sound level appears to be proportional to the log of population density in people per square mile (EPA.1974b).

[2] The total number of trucks registered includes personal-use as well as commercial trucks of all weight classes.

Noise from the motors and exhaust systems of large trucks provides the major portion of highway noise impact, and provides a potential noise hazard to the driver as well.[3] In addition, noise from the interaction of tires with the roadway is generated by trucks, buses, and private autos.

In the city, the main sources of traffic noise are the motors and exhaust systems of autos, smaller trucks, buses, and motorcycles. This type of noise can be augmented by narrow streets and tall buildings, which produce a "canyon" in which traffic noise reverberates.

Typical Range of Common Sounds

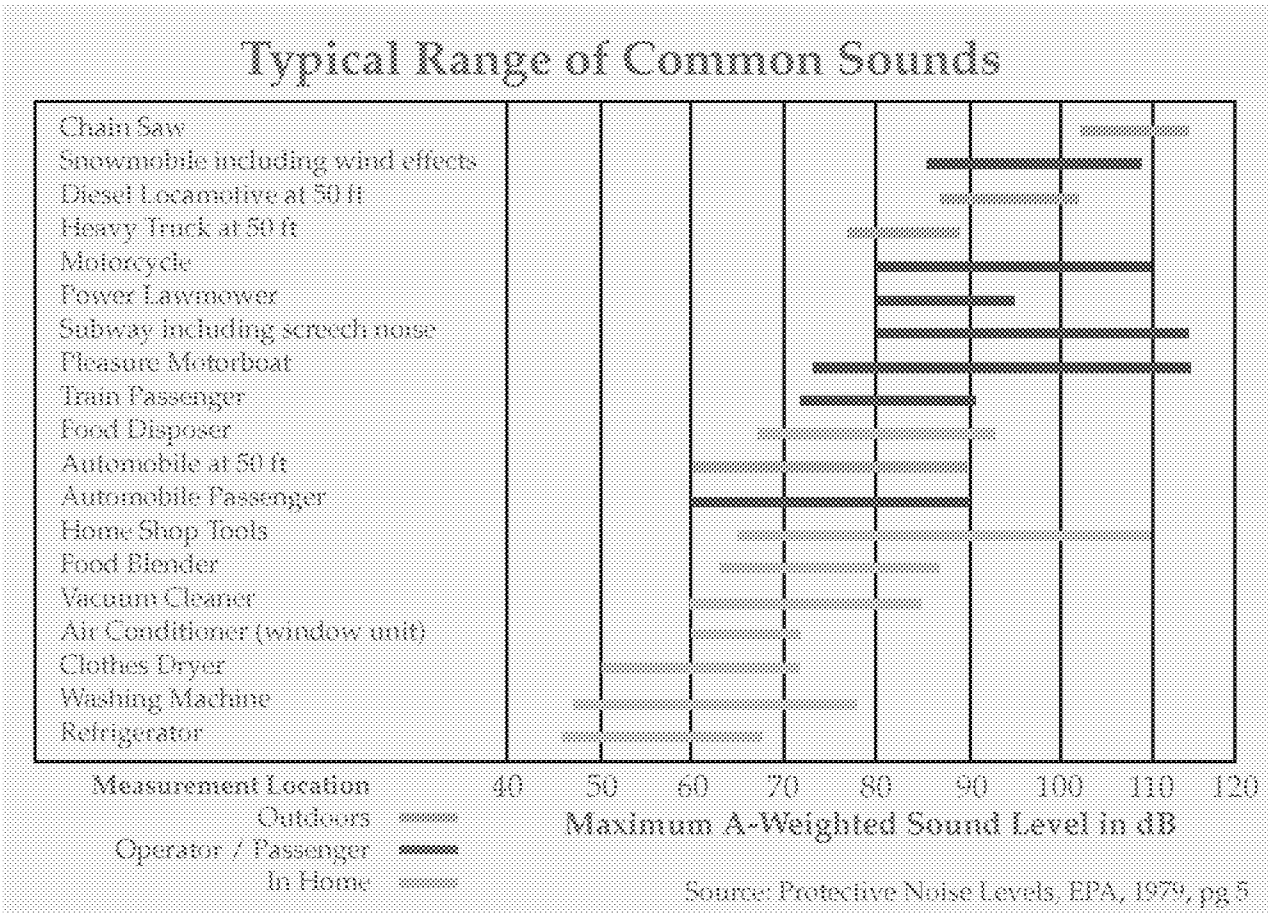

2. Aircraft noise

Air traffic also appears to be increasing more rapidly than the U.S. population. In 1980, U.S. scheduled airlines flew approximately 255.2 billion passenger miles and 5.7 billion cargo (ton) miles. By 1990, these figures there 457.9 billion and 10.6 billion, respectively (Air Transport Assoc., 1991a). This represents an increase of 79 percent in passenger mileage, and 86 percent in air height mileage. Air cargo traffic has grown particularly rapidly in the last five years, and will probably continue that trend over the next decade.

By 1989, the quieter "Stage III" airplanes comprised nearly 40 percent of the domestic fleet (Air Transport Assoc, 1991b). By the year 2004, all of the noisier Stage II aircraft must be phased out

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[3] According to Reinhart (1991) the most common complaint about truck noise is related to problems caused by tampering with the mufflers of trucks using compression brakes. About 5 percent of the heavy trucks surveyed by Reinhart and his colleagues had no functioning muffler, despite the existence of antitampering laws.

(Airport Noise and Capacity Act, 1990). This requirement should promote a quieter environment around airports, but the growth of air transportation and the pressing need for airport expansion threatens to offset the benefits of the quieter aircraft.

Nowadays, the problem of low-flying military aircraft has added a new dimension to community annoyance, as the nation seeks to improve its "nap-of-the-earth" warfare capabilities. In addition, the issue of aircraft operations over national parks, wilderness areas, and other areas previously unaffected by aircraft noise has claimed national attention over recent years (Fidell, 1990; Cantoni, 1991; Weiner, 1990; Mouat, 1990).

3. Noise from railroads

The noise from locomotive engines, horns and whistles, and switching and shunting operations in rail yards can impact neighboring communities and railroad workers. For example, rail car retarders can produce a high-frequency, high-level screech that can reach peak levels of 120 dB at a distance of 100 feet (EPA, 1974), which translates to levels as high as 138 or 140 dB at the railroad worker's ear.

Unlike truck and air transportation, however, rail transportation does not appear to be increasing. According to the Association of American Railroads, the railroad industry loaded 22.1 million freight cars in 1988, down slightly from 22.6 million in 1980 (AAR, 1991).

4. Construction noise

The noise from construction of highways, city streets, and buildings is a major contributor to the urban scene. Construction noise sources include pneumatic hammers, air compressors, bull dozers, loaders, dump trucks (and their back-up signals), and pavement breakers. The construction industry has done very well over recent years with a value-added GNP of $97.9 billion in 1977, increasing to $247.7 billion in 1989 (Dept. of Commerce, 1991), an increase of about 153 percent. The number of workers employed in construction grew from 4.3 million in 1980 to about 5.2 million in 1990, an increase of nearly 21 percent (BLS, 1991a).

5. Noise in industry

Although industrial noise is one of the less prevalent community noise problems, neighbors of noisy manufacturing plants can be disturbed by sources such as fans, motors, and compressors mounted on the outside of buildings. Interior noise can also be transmitted to the community through open windows and doors, and even through building walls. These interior noise sources have significant impacts on industrial workers, among whom noise-induced hearing loss is unfortunately common.

The size of the U.S. manufacturing industry has not grown significantly over the last decade. Although the industrial. GNP increased from $673.9 billion in 1980 to $969.6 billion in 1990 (in terms of constant dollars) (BLS, 1991b), the workforce has declined from slightly more than 20 million to about 19 million during that period (BLS, 1991c). Consequently, industrially-generated community noise is probably no greater than it was in 1980.

From the worker's perspective the industrial noise problem is still very serious. The Occupational Safety and Health Administration has cut back on the enforcement of occupational noise standards and has allowed the substitution of hearing protection devices in lieu of engineering controls in many cases (OSHA, 1986). However, it is difficult to know whether noise levels in industry are increasing or decreasing because no comprehensive survey has been performed since the 1976 survey performed by Bolt Beranek and Newman Inc. (BBN, 1976).

6. Noise in buildings

Apartment dwellers are often annoyed by noise in their homes, especially when the building is not well designed and constructed. In this case, internal building noise from plumbing, boilers, generators, air conditioners, and fans, can be audible and annoying. Improperly insulated walls and ceilings can reveal the sound of amplified music, voices, footfalls, and noisy activities from neighboring units. External noise from emergency vehicles, traffic, refuse collection, and other city noises can be a problem for urban residents, especially when windows are open or insufficiently glazed.

Wetherill (1987) reports that although the lack of soundproofing is the most frequent environmental complaint of apartment dwellers, the knowledge to solve these problems is not being applied. In fact, the quality of construction is steadily declining, and the noise problems are getting worse (Wetherill, 1991).

7. Noise from consumer products

Certain household equipment, such as vacuum cleaners and some kitchen appliances, have been and continue to be noisemakers, although their contribution to the daily noise dose is usually not very large. Added to this list would be yard maintenance equipment, such as lawn mowers and snow blowers, which can, at least, cause disharmony with one's neighbors, and pother shop tools, which can be hazardous to hearing if used for sufficient periods of time.

One example of a fairly new product is the gasoline-pothered leaf blower, with average A-weighted sound levels at the operator's position of 103.6 dB, and maximum levels of 110-l12 dB (Clark, 1991). In an extensive review of nonoccupational noise exposures, Davis et al. (1985) report that the manufacturers of household devices have been reluctant to release sound level information. Consequently, it could be difficult to assess the magnitude of the problem and the extent to which noise levels are increasing or decreasing.

Residents of suburban and rural areas are sometimes disturbed by recreational noise sources, such as off-road vehicles, high-pothered motor boats, and snowmobiles. Some of these sources, such as snowmobiles, are not as noisy as they there more than a decade ago, due to attention to the problem by the manufacturers and their trade associations. Others are no less noisy, and possibly more so because noise seems to be generic to the sport. Example would be motorcycle and car racing, and events like "tractor pulls."

In fact, the allure of noisy recreational activities seems to be considerably greater now than it was a decade or so ago. The technology of sound reproduction has advancer to the point where loudspeakers can faithfully reproduce music and other sounds at levels well above 120 dB. Sporting events use giant digital "applause meters" to measure and display enthusiasm for the more popular team. The extreme in car stereo technology is now the "boom car", with sound levels exceeding 140 dB.[4] Activities like aerobic exercising and ice skating, as well as disco dancing, are accompanied by amplified music played at high sound levels. After summarizing the results of 16 studies of discotheques and rock concerts Clark (1991) reported the geometric mean of the measured sound levels as 103.4 dB. The trend in noise levels for these kinds of activities is definitely upward.

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[4] The International Auto Sound Challenge Association sponsors contests and gives the most points to contestants whom speakers produce the highest sound pressure levels, up to 140 dB. However, levels above that merit no more than 140 points.

One of the most serious sources of recreational noise is sport shooting, where peak sound pressure levels at the ear can range from about 144 dB up to more than 170 dB[5] (Odess, 1972). In his analysis of this literature, Clark (1991) cites estimates of the number of people responding positively to questions about hunting or target shooting. These estimates range from 14 percent of the general population in Scandinavia and the U.K. (Axelsson et al., 1981; Davis et al., 1985) to nearly 50 percent in the Canadian workforce (Chung et al., 1981), which Clark found to be consistent with estimates from U.S. industry. In a population of rural schoolchildren, 45 out of 47 boys and 2 out of 21 girls reported having used guns (Kramer and Wood, 1982).

A subcategory of consumer product noise that deserves mention is noisy toys. A few toys, such as firecrackers, snappers, and cap pistols have been part of the adventurous child's experience for generations. The general assumption is that these toys do not pose a hazard when used occasionally and located at a sufficient distance from the ear[6]. Nowadays, there is a large variety of noisy toys, thanks to the availability of improved technology. Many of them mimic adult noisemakers, such as amplified toy guitars, child-shed vacuum cleaners, and miniature pother saws. Some of these toys generate quite high levels of sound. For example, a baby's squeeze toy (Fay, 1991) and the battery operated siren of a toy police car have both been measured at 110 dB[7].

In a recent report on noisy toys, Leroux and Laroche (1991) cite studies showing A-weighted noise levels for a toy motor at 107 dB and a child's rattle at 99-100 dB (LNE, 1973). Current Canadian legislation limits the sound output of toys to "one hundred decibels measured at the distance that the product ordinarily would be from the ear of the child using it..." (Act, 1969), but Leroux and Laroche propose that this limit be lowered to an A-weighted level of 75 dB.

C. Numbers of People Exposed to Noise

The fact that people are variously exposed to noise is not surprising. Considering that decibels are measured on a logarithmic scale, however, the magnitude of these variations can be enormous. For example, the average noise level outside an urban apartment can be 1,000 times more intense than in a rural residential neighborhood. Fortunately, this difference will be perceived more like an eight-fold rather than a thousand-fold increase. Figure 2, from EPA's document Protective Noise Levels, shows examples of outdoor day-night average sound levels measured at various locations (EPA, 1978).

In 1974, EPA estimated that nearly 100 million Americans lived in areas where the daily average noise levels exceeded its identified safe DNL of 55 dB (EPA, 1974a). Figure 3, from EPA's Levels

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[5] A-weighted level. of these weapons would measure somewhat lower, with levels for .22 caliber rifles at about 132-139 dB and shotguns at 150-165 dB. (See Clark, 1991)

[6] Certain European studies, however, have reported as many as 1 percent to 3.7 percent of teenage children suffer hearing losses caused by impulsive noise from toys (Gjaevenes, 1967; Moe, 1966). Noise from cap guns, for example, can exceed peak sound pressure levels of 140 dB (Gjaevenes, 1966; Hodge and McCommons, 1966; Marshall and Brandt, 1973; all as cited by Leroux and Laroche,
1991).

[7] New York audiologist Thomas Fay has measured the noise levels of a variety of children's toys. In doing so he places the sound level meter's microphone quite close to the noise source (from 2 inches to 1/2 inch away), based on his observations of the children at play. (Personal communication, April 1991).

Document, shows the residential noise environment of the U.S. population as a function of the exterior DNL, with separate curves for the freeway and aircraft increments.

Examples of Outdoor Day-Night Average Sound Levels in dB Measured at Various Locations

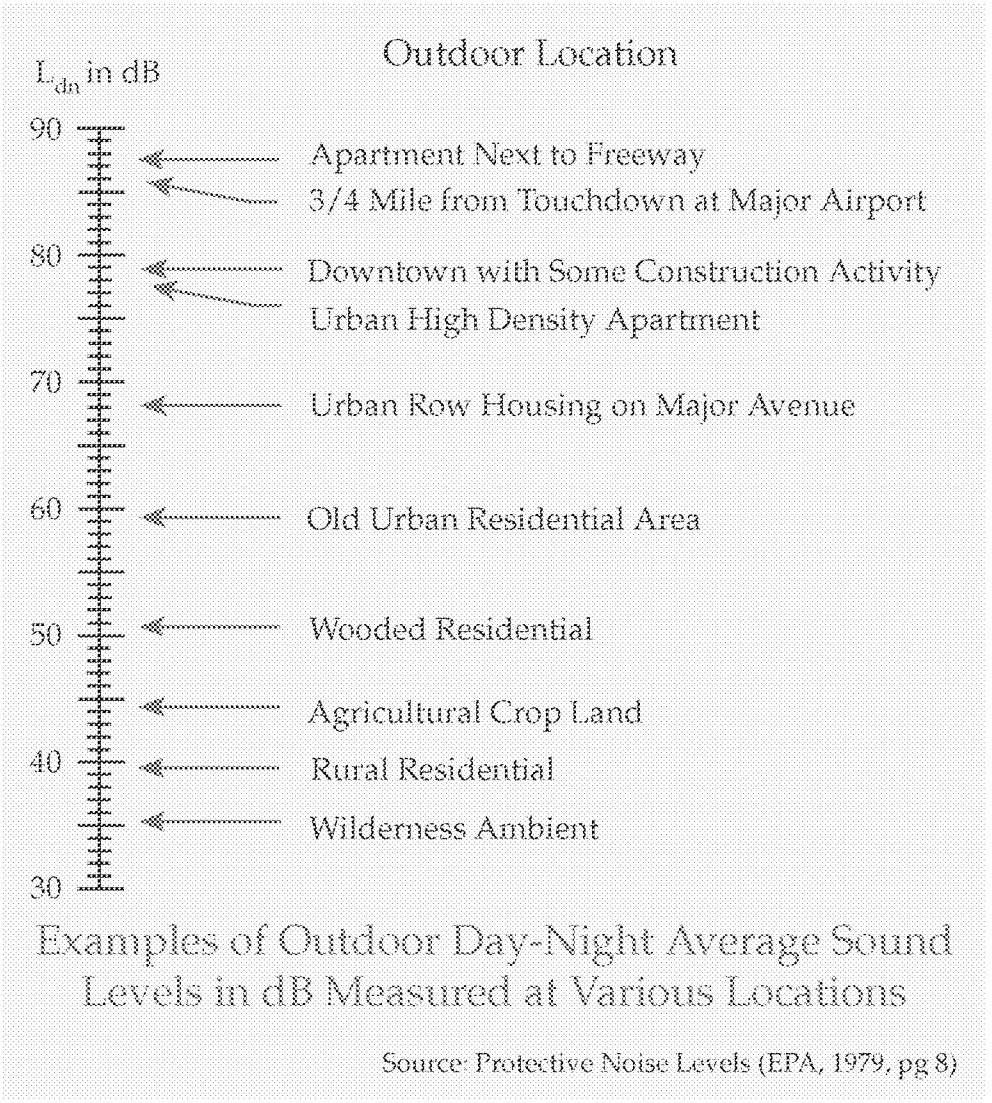

A few years later EPA contracted with the consulting firm Bolt Beranek and Newman (BBN) to develop more detailed estimates. The resulting report, Noise in America, includes a breakdown according to noise exposure source (EPA, 1981). Table I gives the estimated number of Americans exposed to traffic; aircraft, construction, rail, and industrial noise for various DNLs from 55 dB to 80 dB. The authors note that there will be some overlap among populations exposed to different sources, so the numbers across categories are not additive. The far right column represents the total estimated number of people exposed to the combined sources. Although the authors do not give an estimate for the number of people exposed above Ldn 55 dB, another authority puts it at 138 million at that time (Eldred, 1990).

These estimates do not represent the results of a national survey. Instead, the authors used data and models available to EPA and BBN at the time. Because of this, some categories of noise exposure are likely to be more accurate than others. They did, however, represent the best available esti-

mates at the time, and because no efforts have been made to update them, they are the best estimates available today.

D. Summary: Noise in America

It is safe to assume that noise in communities is increasing. Noise levels are directly related to population density, and the urban population is increasing at twice the pace of the nonurban population. In addition, the last decade has seen rapid growth in air transportation, trucking, and the construction industries, indicating that noise levels from these sources has most likely increased. The fact that some of these sources have been and continue to be quieted (especially new generations of trucks and aircraft) should mitigate this increase, but the extent of this mitigation will remain unknown until some sort of national survey is performed. Noise from construction continues to be a problem, and it appears that noise inside buildings as well as noise from recreational activities and consumer products is on the rise. Estimates of the number of people exposed to noise at various levels are now somewhat outdated.

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Residential Noise Environment of the National Population As a Function of Exterior Day-Night Average Sound Level

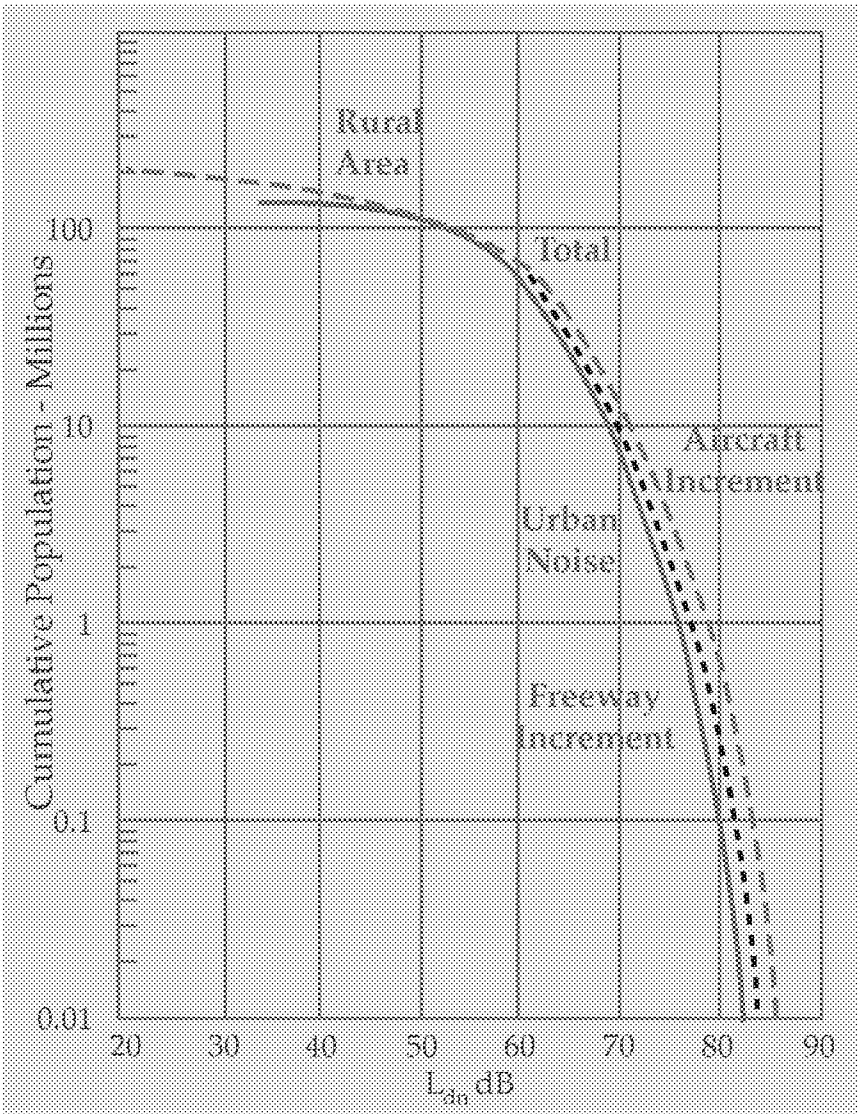

Residential Noise Environment of National Population as Function of Exterior Day-Night Average Sound Level

Source: Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (EPA, 1974a, pg 16)

Table 1: Summary of U.S. Population Exposed to Various Day-Night Average Sound Levels (or higher) From Noise Sources in the Community. (1) From Noise in America (EPA, 1981, pp. 10 and 15)

Estimated Number (in Millions) of People in Each Noise Category

DNL (dB)	Traffic	Aircraft	Construction	Rail	Industrial	Total
>80	0.1	0.1	—	—	—	0.2
>75	1.1	0.3	0.1	—	—	1.5
>70	5.7	1.3	0.6	0.8	—	8.1
>65	19.3	4.7	2.1	2.5	0.3	27.8
>60	46.6	11.5	7.7	3.5	1.9	63.6
>55	96.8	24.5	27.5	6.0	6.9	92.4*

(1) DNL values are yearly averages, outdoors
(2) Note that there is some overlap among populations exposed to different noise sources. For example, some of the 96.8 million people exposed to Ldn 55 dB and above from traffic noise are also exposed to aircraft noise.
(3) Construction estimates include both residential and nonresidential exposure.

*Distribution of total exposed to all sources starts at Ldn 58 dB since the analysis involves combining distributions exposed to 55 dB and above.

V. Effects of Noise

A. Noise-Induced Hearing Loss

Hearing loss is one of the most obvious and easily quantified effects of excessive exposure to noise. Its progression, however, is insidious, in that it usually develops slowly over a long period of time, and the impairment can reach the handicapping stage before an individual is aware of what has happened. While the losses are temporary at first, they become permanent after continued exposure, and there is no medical treatment to counteract the effect. When combined with presbycusis, hearing loss naturally occurring with the aging process, the result is a premature impairment that grows inexorably with age.

According to the U.S. Public Health Service (PHS, 1991), some 10 million of the estimated 21 million Americans with hearing impairments owe their losses to noise exposure (as cited in Carney, 1991). The study goes on to say that it is unclear whether the incidence of hearing impairment has risen in recent years because the necessary studies have not been conducted.

1. Extent of noise-induced hearing loss from environmental sources

Although the major cause of noise-induced hearing loss is occupational, substantial damage can be caused by nonoccupational sources. In addition to the frequently-blamed sources of loud music and shooting, noise-induced hearing loss has been noted in the children of farm families, presumably from the frequent use of tractors (e.g., Broste et al., 1979); general aviation pilots because of the high noise levels emitted by piston aircraft (Anon., 1982); and users of earlier generations of cordless telephones because of the placement of the ring mechanism in the earpiece (Orchik et al., 1985 and 1987).

The prevailing notion among parents is that the hearing threshold levels of children are worse than they used to be because of exposure to loud music. Actually, a recent national survey of 38,000 school children found better hearing threshold levels than 30 years ago, but blames the discrepancies on the sampling methods used in the earlier study and the conversion from an older to a nether zero reference level (Lundeen, 1991). There is, however, evidence that the hearing of some young people is being affected by noisy leisure time activities (Axelsson et al., 1987).

Loud music in particular appears to be the cause of hearing impairment and tinnitus in rock musicians. Such luminaries as Pete Townshend and Ted Nugent[8] have acquired substantial hearing losses and are now campaigning for hearing conservation (Murphy, 1989). Some studies point to a hearing hazard for attendees as well (see in Clark, 1991; Clark and Bohne, 1986; Danenberg et al.,1987).

As mentioned above, probably the greatest nonoccupational hazard to hearing comes from sport shooting. Clark (1991) cites studies of industrial workers by Chung et al. (1981), Johnson and Riffle (1982), and Prosser et al. (1988), showing significantly greater hearing losses among sport-shooters than among their nonshooting counterparts. These losses are almost always characterized by worse hearing in the left ear than the right.

The contribution from nonoccupational sources is called "sociocusis" (a contraction of "socio-acusis"). Evidence from primitive societies suggests that the absence of sociocusis explains the large differences in hearing threshold level between these populations and those of the "civilized" nations (Rosen, 1962). Sociocusis, occupational hearing loss, and presbycusis contribute in various

2. The handicap of noise-induced hearing loss

Vowel sounds tend to be low in frequency and high in sound energy, while the consonants are much higher in frequency and have considerably less amplitude. It also happens that consonants provide the primary intelligibility to speech. Because noise damages the ear's ability to perceive high-frequency sounds much earlier and more severely than the low-frequency sounds, individuals with noise-induced hearing loss are at a particular disadvantage in understanding speech.

Individuals with early noise-induced hearing loss often think that other people no longer speak dearly. They soon begin to notice that they have difficulty understanding speech when there is noise in the background, and in groups of people, and that it is hard to identify which person is talking. As the hearing loss progresses, these individuals avoid social occasions and situations where they must listen at a distance, like church and theater. The eventual result can be loneliness and isolation.

3. The study of noise-induced hearing loss

Noise damages the delicate sensory cells of the inner ear, the cochlea. This process can be studied in the laboratory by inducing temporary shifts in hearing threshold level in humans. Over recent years the preferred method of investigation is to produce temporary and permanent threshold shifts in animals, and to study the resulting physiological and anatomical changes in the cochlea, as well as shifts in hearing threshold level. The laboratory allows for strict control of noise level and

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[8] According to Nugent, who has worn an earplug in his right ear since 1967: "My left ear is there just to balance my face, because it doesn't work at all." (Murphy 1989) proportion to an individual's total hearing impairment. While the contribution of each source may be less than significant, the combination of all three can be enough to produce a handicapping condition. As longevity in the U.S. population increases, the toll of noise-induced hearing loss will become increasingly evident (Carney, 1991).

duration, but the durations are usually relatively short because of the time and expense involved. Also there is some controversy over the extent to which the results can be generalized to humans.

Much of the recent laboratory effort in noise research has focused on the structural and functional basis of noise-induced hearing loss, which has been greatly aided by the electron microscope. Investigators have identified the sensory cell's stereocilia and the rootlets which anchor them as the auditory system's most vulnerable components with respect to noise exposure (Libermnan, 1990).

Field studies of noise-exposed workers avoid the problems of species generalization, and the exposure durations can be over many decades. They are usually cross-sectional studies, however, meaning that the current hearing threshold levels are related to noise exposures that have been experienced over many years. Although the current noise measurements may be valid, their validity over prior years usually has to be assumed without benefit of precise data.

4. Risk of hearing impairment from continuous noise

The methods and results of the major field studies of continuous noise exposure conducted in the late 1960s and early 1970s remain unchallenged. Examples are the studies of Burns and Robinson (1970), Baughn (1973), Passchier-Vermeer (1968), and the U.S. National Institute for Occupational Safety and Health (NIOSH, 1973). Data from these studies have been used by various organizations to estimate the risk of hearing impairment over a working lifetime of exposure to noise. These types of studies have also been used by the EPA to estimate the hazard of nonoccupational noise (Guignard, 1973; Johnson, 1973; EPA, 1973a). The data cited above of Burns and Robinson, Baughn, and Passchier-Vermeer went into EPA's identification of a yearly average exposure level of 70 dB as the safe level, which could be experienced over a lifetime (EPA, 1974a)[9].

A new international standard (ISO, 1989), which is based mainly on the data of Passchier-Vermeer and Burns and Robinson, contains formulas for assessing the risk of noise-induced hearing impairment and handicap: using either a highly screened (for non-occupational hearing loss) or an unscreened population as a control group. The data and analyses found in these major studies have not been seriously challenged, and remain in use today.

5. Varying and intermittent noise

There has been some debate over the best rule for combining noise level and duration to assess the damaging effects of noise, especially varying and intermittent noise. This relationship is often called the doubling rate, or nowadays, the exchange rate. The EPA, as well as most other federal agencies (and most European countries, the United Kingdom, some Canadian provinces) use the equal-energy rule, which incorporates a 3-dB exchange rate. OSHA uses the 5-dB exchange rate, and the U.S. Air Force, uses 4 dB. None of these rules makes any provisions for the temporal order of sounds, although the 5-dB exchange rate supposedly represents a simplification of criteria that take a certain number of intermittencies into account.[10]

Investigations of the relationship between noise level and duration have been conducted over recent years using laboratory animals. The results have confirmed the validity of the equal energy (3-dB) rule for single exposures to continuous noise (Bohne and Pearse, 1982; Ward and Turner, 1982),

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[9] The 70-dB 24-hour average sound level can be interpreted as a 75-dB 8-hour average sound level plus an average sound level during the other 16 hours of less than 60 dB (see EPA's Levels Document, p.29, footnote d).

[10] The 5-dB rule does not necessarily provide for intermittencies because it allows uninterrupted exposures to continuous noise at high levels. See Suter 1983.

or when the exposures are broken up into 8-hour, or even 1-hour "workdays", 5 days per week, so long as the sound energy is equivalent (Ward, 1983). There is, however, some benefit to intermittent quiet periods (Ward and Turner, 1982), during which the ear can recover from small, temporary hearing losses. For this reason EPA has adjusted its identified safe level upward by 5 dB[11] since most environmental noise exposures are intermittent in nature. EPA's use of the equal-energy rule and the 5-dB adjustment have not been seriously challenged.

6. Impulse noise

The effects of impulse noise have been studied extensively over recent years, but there is less agreement on this topic than there is for continuous and intermittent noise. Although there was consensus favoring the 3-dB rule at a 1981 international meeting in England (von Gierke et al., 1981), actual dose-response relationships are still elusive. The effects of impulse noise do not always follow the 3-dB rule, in that temporal pattern, waveform, and rise time can affect the growth of hearing loss, despite constancy of sound energy (Henderson and Hamernik, 1986).

Frequency also has some bearing on the damage caused by impulse noise, in that low-frequency impulses produce significantly less damage than sounds in the mid-to-high-frequency range (Price, 1983). The ear appears to be most susceptible to impulses with peaks around 4,000 Hz (Price, 1989). Also, there may be a critical level, above which the ear is considerably more at risk because of a change in the response mechanism. On the basis of his research, Price (1981) has suggested a critical level of 145 dB, with a standard deviation of 8 dB.

7. Susceptibility

Evidence from field studies indicates that men incur more hearing loss than women from comparable noise exposures (Burns and Robinson, 1970; Berger et al., 1978; Royster et al., 1980), and that Caucasians appear to be more susceptible than Blacks to noise-induced hearing loss (Royster et al., 1980). Other factors, such as age, preexposure hearing threshold level, general health, and use of alcohol, have not yet proved to be reliable predictors of susceptibility (Ward, 1986), although

8. Interactions with other agents

Noise can interact with drugs and industrial agents to produce additive or even synergistic effects on hearing. As expected, the higher the levels of noise and the greater the dose of the other agent, the greater will be the resulting hearing loss. The ototoxic properties of certain drugs, most notably the aminoglycoside antibiotics (the "mycin" drugs), are heightened by exposure to noise. Numerous studies of kanamycin plus noise exposure have revealed additive and some synergistic results (Humes, 1984). High doses of salicylates (aspirin) accompanied by noise exposure can produce temporary hearing losses (McFadden and Plattsmier, 1983), but permanent losses do not seem to occur. Cisplatin, used in cancer chemotherapy, is known to be toxic to the auditory system, and has been shown to interact significantly with none exposure (Boettcher et al., 1989).

A variety of industrial agents, which can be potent neurotoxins, have been shown to be capable of producing hearing loss (Fechter, 1989). These agents include heavy melds, such as lead and mercury, organic solvents, such as toluene, xylene, and carbon disulfide, and an asphyxiant, carbon monoxide.

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[11] The identified safe level of 70 dB reflects the incorporation of the 5-dB adjustment there is some indication that the use of tobacco may increase susceptibility to noise-induced hearing loss (Barone, et al., 1987; Stark, et al., 1988)

9. Hearing protectors

As its first (and only) labeling regulation, EPA promulgated a regulation for labeling the attenuation of hearing protection devices (EPA, 1979). The standard required manufacturers to subject their hearing protectors to specific laboratory tests, and to publish a "Noise Reduction Rating" (NRA) on the product's package. The NRA was subsequently adopted by OSHA in its hearing conservation amendment, which required employers to use it in assessing the adequacy of hearing protectors for given noise environments (OSHA, 1981 and 1983). Recent research shows that the NRA greatly overestimates the noise reduction to be achieved by these devices in actual field use.[12] These kinds of findings have led to the formation of a new ANSI working group to investigate alternatives to the current NRA (Berger et al. 1990), and the recommendation that EPA revise its existing labeling regulation (Berger, 1991; Stewart, 1991).

10. Summary: Noise-induced hearing loss

Noise-induced hearing loss is probably the most well-defined of the effects of noise. Predictions of hearing loss from various levels of continuous and varying noise have been extensively researched and are no longer controversial. Some discussion still remains on the extent to which intermittencies ameliorate the adverse effects on hearing and the exact nature of dose-response relationships from impulse noise. It appears that some members of the population are somewhat more susceptible to noise-induced hearing loss than others, and there is a growing body of evidence that certain drugs and chemicals can enhance the auditory hazard from noise.

Although the incidence of noise-induced hearing loss from industrial populations is more extensively documented, there is growing evidence of hearing loss from leisure time activities, especially from sport shooting, but also from loud music, noisy toys, and other manifestations of our "civilized" society. Because of the increase in exposure to recreational noise, the hazard from these sources needs to be more thoroughly evaluated. Finally, the recent evidence that hearing protective devices do not perform in actual use the way laboratory tests would imply, lends support to the need for reevaluating current methods of assessing hearing protector attenuation.

B. Interference With Communication

Noise can mask important sounds and disrupt communication between individuals in a variety of settings. This process can cause anything from a slight irritation to a serious safety hazard involving an accident or even a fatality because of the failure to hear the warning sounds of imminent danger. Such warning sounds can include the approach of a rapidly moving motor vehicle, or the sound of malfunctioning machinery. For example, Aviation Safety (Anon., 1982), states that hundreds of accident reports have many "say again" exchanges between pilots and controllers, although neither side reports anything wrong with the radios.

Noise can disrupt face-to-face and telephone conversation, and the enjoyment of radio and television in the home. It can also disrupt effective communication between teachers and pupils in schools, and can cause fatigue and vocal strain in those who need to communicate in spite of the noise. Interference with communication has proved to be one of the most important components of noise-related annoyance (EPA, 1974a).

In its Levels Document, EPA determined that a yearly average day-night sound level of 45 dB would permit adequate speech communication in the home, and a DNL of 55 dB would permit

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[12] In a summary of 10 studies, Berger (1983) shows that most hearing protectors in the field provide only one-third to one-half the attenuation that they do in the laboratory.

normal communication outdoors at a distance of about 3 meters.[13] These levels also apply to hospitals and educational facilities. Higher average noise levels would be satisfactory for certain nonresidential spaces, such as commercial and industrial facilities, and inside transportation, depending on the degree to which speech communication is critical. Research over the last 20 years has expanded and refined EPA's criteria development in this area, but has not generated any major changes.

1. Prediction of speech interference

Methods of predicting the amount of speech that can be communicated in various noise backgrounds have been available for decades. Probably the most popular and respected method is the articulation index (AI) (French and Steinberg, 1947), which requires the measurement or estimation of the spectrum level of both speech and noise in 20 contiguous bands. Over the past 2 decades investigators have suggested adjustments to the AI for l13-octave bands, reverberation time, various vocal efforts, etc., and more recently for various degrees of hearing impairment (Humes, et al., 1986 and 1987).

The speech interference level (SIL) (Beranek, 1954) provides a quick method for estimating the distance at which communication can occur for different levels of vocal effort. The current method involves measuring octave-band sound pressure levels at 500, 1,000, 2,000, and 4,000 Hz and referring to a chart to determine the die potential communication distance. The basic chart has been expanded to include such parameters as a broader range of voice levels and provisions for room reverberation (Webster, 1983). Additions to both the AI and the SIL have been proposed by Lazarus (1990), who offers modifications and extensions to account for strain on the part of both talker and listener, and the wearing of hearing protectors.

Another popular method to predict speech communication in a variety of conditions, the speech transmission index (STI), has been developed by a Netherlands research group (Houtgast, 1980; Houtgast and Steeneken, 1983). The STI takes into account room volume and reverberation time, in addition to speech and none levels, and distance between talker and listener. A more recent outgrowth, the rapid speech transmission index (RASTI), represents a simplified version of the STI intended for field use, and is available in an instrument conforming to an international standard (IEC, 1987).

Finally the sound level meter's A-weighting network can be successfully used to predict speech interference levels. It is easy to use, available on virtually all sound level meters, and effective when the noise spectra are not complex.

2. Criteria for speech and warning signals

In addition to the classic work of Beranek and his colleagues (Beranek et al., 1971), Beranek has recently refined the traditional curves to account for the annoyance due to low-frequency "rumble" (Beranek, 1989). New criteria for determining acceptable background levels of noise in rooms are also offered by Lazarus (1986a, 1986b, 1987, and 1990). Lazarus includes in his criteria a variety of parameters such as: type of room, type of communication, communication distance, vocal effort, quality of speech intelligibility, AI, communication strain, listener's hearing sensitivity, and the use of hearing protectors.

Guidelines for audible warning signals have been developed by Patterson (1982). These guidelines, which there originally created for civil aircraft, there later adapted to helicopters and even station-

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[13] These levels represent EPA's identification of safe levels of environmental noise to protect the public health and welfare against all adverse effects of noise with the exception of hearing loss.

ary workplaces like hospitals (Patterson, 1985; Rood et al., 1985). Another set of guidelines for acoustic warning signals has been developed by Lazarus and Hoge (1986), and are based on the compatibility of signal type with various desired or undesired situations.

Although criteria have not yet been developed for speech recognition involving nonnative listeners, experiments by Florentine (1985) and Nabelek (1983) indicate that these individuals need more favorable listening conditions (less background noise and reverberation) than their native- language counterparts. These findings have implications for air traffic control systems.

3. The effect of hearing protectors on speech and warning signal perception

Hearing protectors attenuate both noise and the desired signal by equal amounts in a given frequency band, reducing both to levels where the ear is less likely to distort. This process often improves speech recognition when the level of background noise exceeds 80 to 90 dB. However, because hearing protectors usually provide considerably more attenuation in the high frequencies than in the low frequencies, listeners who have high-frequency hearing losses are at a disadvantage. Many speech sounds and some warning signals will be attenuated beyond the range of audibility. This is especially true of individuals whose losses exceed an average of 30 dB at the audiometric frequencies 2000, 3000, and 4000 Hz (Lindeman, 1976). A potential solution for this problem lies in some newly developed hearing protectors with flat attenuation across the frequency spectrum (Allen and Berger, 1990; Killion et. al., 1988). One type of these protectors has already become popular with orchestral musicians (Killion et al., 1988) and even some rock musicians (Cohen, 1990).

Individuals tend to speak more softly when they wear hearing protectors, and consequently, speech communication is degraded when both talker and listener wear these devices (Hoermann et al,, 1984), Hearing protectors also interfere with the localization of sounds in space, and this is especially true of the ability to localize sounds in the vertical plane while wearing ear muffs (Noble, 1981). Both ear plugs and ear muffs cause these types of problems, but it appears that they are more pronounced with ear muffs (Howell and Martin, 1975; Abel et al., 1982). These findings can have serious implications for safety in some circumstances.

4. Scholastic performance

Noise can disrupt communication in the classroom to the extent that the instructional method used in schools close to airports is sometimes nicknamed " jet pause" teaching. Cohen and Weinstein (1981) have reviewed several studies, which, after controlling for socioeconomic factors, indicate that the academic performance of children in quiet schools is better than that of children in noisy schools.

For example, elementary school children on the side of a school facing train tracks. performed more poorly on a reading achievement test than children in classrooms on the quiet side of the school (Bronzaft and McCarthy,:1975).[14] Cohen and Weinstein also discuss research showing that skills, such as auditory discrimination and reading achievement can be adversely affected when children live in noisy circumstances, even though their schools may be no noisier than average. These latter studies indicate that interference with communication in the classroom is not the only

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[14] Bronzaft reported that in 1978 the city of New York reduced the noise of the elevated train and installed acoustical insulation in the affected classrooms, providing a total reduction in the A-weighted noise level of 6 to 8 dB (Bronzaft, 1981). By 1981, there was essentially no difference. in reading achievement between students on the two sides of the school for the classroom studied.

process at work here. Possible additional explanations include adverse effects on children's information processing strategies and their feelings of personal control[15] (Cohen and Weinstein, 1981).

5. Summary: Interference with communication

Interference with speech communication and other sounds is one of the most salient components of noise-induced annoyance. The resulting disruption can constitute anything from an annoyance to a serious safety hazard, depending on the circumstance.

Research over the past 2 decades has expanded and refined methods for predicting communication interference, but has not produced any major changes. Numerous adjustments have been suggested for the AI, the SIL has been modified and refined, and a new predictive method, the STI has been added. Criteria for determining acceptable background levels in rooms have also been expanded and refined, and progress has been made on the development of effective acoustic warning signals.

It is now clear that hearing protection devices can interfere with the perception of speech and warning signals, especially when the listener is hearing impaired, both talker and listener wear the devices, and when wearers attempt to locate a signal's source.

Noise can interfere with the educational process, and the result has been dubbed "jet-pause teaching" around some of the nation's noisier airports, but railroad and traffic noise can also produce scholastic decrements.

C. Effects of Noise on Sleep

Noise is one of the most common forms of sleep disturbance, and sleep disturbance is a critical component of noise-related annoyance. A study used by EPA in preparing the Levels Document showed that sleep interference was the most frequently cited activity disrupted by surface vehicle noise (BBN, 1971). Aircraft none can also cause sleep disruption, especially in recent years with the escalation of nighttime operations by the air cargo industry. When sleep disruption becomes chronic, its adverse effects on health and well-being are well-known.

1. Assessing sleep disturbance

Noise can cause the sleeper to awaken repeatedly and to report poor sleep quality the next day, but noise can also produce reactions of which the individual is unaware. These reactions include changes from heavier to lighter stages of sleep, reductions in "rapid eye movement" (REM) sleep, increases in body movements during the night, changes in cardiovascular responses, and mood changes and performance decrements the next day. The accuracy and efficiency with which these effects are measured has been greatly assisted by the use of contemporary computers. The most popular measurement tool nowadays is electro-encephalography, but other methods, such as electrocardiography, electromyography, and electrooculography are also used, as well as clinical observation, self-assessment surveys, and accelerometry to measure the motion of the bed frame.

As a result of many years of research on the effects of noise on sleep, it is clear that intermittent and impulsive noise is more disturbing than continuous noise of equivalent energy, and that meaningful sounds are more likely to produce sleep disruption than sounds with neutral content. Also, older people are more likely to have their sleep disturbed by noise than younger people. In fact, children appear to be about 10 dB less sensitive to noise-induced sleep disruption than adults (Eberhardt, 1990). Sleep disturbance from noise tends to be greater in the early hours of the morn-

[15] See also the discussion of noise, performance, and behavior in sections D.4, and D.5. below.

ing, when individuals spend more time in lighter sleep stages, and this is particularly true of the elderly.

2. Criteria for sleep interference

In the Levels Document EPA identified an indoor DNL of 45 dB, which translates to a nighttime average sound level of 35 dB, as necessary to protect against sleep interference. However, consensus on the levels of noise that can be tolerated without sleep disruption is incomplete at this time. In an attempt to develop a quantitative model for predicting noise-induced sleep interference, Pearsons et al., (1989) reviewed and analyzed 21 studies. However, the authors there unable to derive dose-response relationships from these studies because of large discrepancies between studies conducted in the laboratory and those conducted in the field.

In a recent review of the noise and sleep research, Griefahn (1990) recommends that the nighttime average sound level be kept below 45 dB in the sleeper's quarters. She cites research by Eberhardt (1987 and 1990; Eberhardt et al., 1987;) and Vallet et al., (1976 and 1990) showing self- reported adverse effects from continual road traffic when the average sound level is 40 dB and physiological responses at an average level of 37 dB. For intermittent road traffic noise, maximum recommended levels for single events (as opposed to average levels) range from 45 to 68 dB, depending on the investigation (Griefahn, 1990). Vallet et al. (1990), recommend maximum outside levels of 65 dB, which, of course, relies on some attenuation by the residence. Griefahn also points out that higher maximum levels can be tolerated if the ambient noise level is not very low, and that the difference between single events and the ambient level should not exceed 8 to 10 dB.

3. After-effects and habituation

Numerous recent investigations have revealed after-effects due to noisy nights. Ohrstrom (1983) found mood changes on the day following nights when the average sound level was as low as 35 dB. Adverse effects on performance, such as increased reaction time, have also been measured (Jurriens et al., 1983), and it appears that older peoples' next day performance is more adversely affected by noise than that of younger people (Griefahn and Gros, 1983).

Although people often believe they get used to nighttime noise, physiological tests point to the contrary. Studies have shown that while the subjective response improves with time, cardiovascular responses remain unchanged (Muzet, 1983). Vallet et al. (1990) conclude that habituation is not complete, even after 5 years of exposure to noise.

4. Summary: Effects of noise on sleep

Noise-induced sleep interference is one of the critical components of community annoyance. It can produce short-term adverse effects, such as mood changes and decrements in task performance the next day, with the possibility of more serious effects on health and well-being if it continues over long periods.

EPA's identified indoor DNL of 45 dB has not been seriously challenged over the past decade, but consensus in this area is lacking. One problem is that different experimenters tend to use a variety of descriptors (DNL, Leq, and maximum single-event levels) and a variety of methods for evaluating the effects (EEG, EKG, self-report, etc.). Perhaps one reason for the lack of clear-cut criteria is that this a complex area to research, requiring considerable time and expense. Another is, of course, a need for more field studies in this area.

D. Effects on Performance and Behavior

EPA did not use the literature on the effects of noise on performance and behavior in the identification of its levels of noise to protect against activity interference. One reason may have been that much of the information at that time related to the occupational setting rather than the general environment. Another may have been the complexity of the topic and the difficulty involved in identifying a single noise level that could apply to a great variety of tasks and conditions. Although these difficulties still pertain, much research has been generated in this area over recent years.[16]

Noise can cause adverse effects on task performance and behavior at work, and in nonoccupational and social settings. These effects are the subject of some controversy, however, since they do not always occur as predicted. Sometimes noise actually improves performance, and sometimes there are no measurable differences between performance in noisy and quiet conditions. The presence and degree of effects depends on a variety of intervening variables.

1. Sensory and motor effects

Experiments on the effects of noise on vision have produced conflicting results, with the suggestion of some effects on visual discrimination (Cohen, 1977). There is evidence, however, that high levels of noise can produce shifts in visual field (Parker, et al., 1976, 1978). High levels of noise can affect vestibular function, especially when the presentation to the two ears is asymmetrical, (or the level of attenuation is greater in one ear) (Harris, 1968). Impulsive or other sudden loud sounds can produce a startle response that does not completely habituate with repeated, predictable exposures (May and Rice, 1971).

2. Noise variables

Sound level is one of the most important parameters when predicting performance effects. The level of noise necessary to produce adverse effects is greatly dependent upon the type of task. Simple tasks remain unaffected at noise levels as high as 115 dB or above, while more complex tasks are disrupted at much lower levels. Until fairly recently, the level of beginning effects was thought to be around 95 dB for most conditions, but a summary of recent research (Jones, 1990) points to effects at much lower levels. Effects on serial reaction tasks have been noted for continuous noise with C-weighted noise levels of 90 dB (Jones, 1983) and for intermittent noise with C-weighted levels of around 80 dB (Lahtela et al., 1986).

Frequency and temporal characteristics also play a part. High-frequency sound is more disruptive titan low-frequency sound, and intermittent noise can affect performance more adversely titan continuous noise of equivalent energy. Aperiodic intermittencies are more likely to produce adverse effects than regular ones, and impulse noise may be even more disruptive. Again the effects are variable, depending upon task complexity and other factors.

Much of the important research in the effects of noise on performance conducted over the last decade has focused on the effects of irrelevant speech.[17] The adverse effects of irrelevant speech appear to be fairly independent of sound level, at least in the 55-95 dB range, and therefore, are not mitigated simply by attenuating them by 10 dB or so (Jones, 1990). It also appears that irrelevant speech affects processes involving memory (e.g., reasoning, mental arithmetic, and problem solving)

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[16] For a comprehensive review of the effects of noise on job performance, see Suter, 1989.

[17] The initial work was performed by Salame and Baddeley (1982, 1983, and 1987), and has been summarized by Jones (1990) at a recent conference in Stockholm.

rather than attention. With respect to reading tasks, however, meaningful speech is more disruptive than meaningless speech (Jones, 1990). These findings have significance for many modern work and school environments, where information processing and exchange is so important, especially those of the "open plan" variety.

3. Task variables

Task complexity has been identified in numerous experiments as a crucial determinant of the effects of noise on performance. Noise exposure usually leaves simple routine tasks unaffected, and can even improve performance of monotonous tasks, presumably by elevating one's level of arousal (Broadbent, 1971). Some tasks, such as tracking and jobs requiring intellectual function, can be momentarily disrupted without decrements in overall performance (Broadbent, 1979). But if the noise level is sufficiently high or if the task becomes more complex, noise will have an adverse effect. When two or more tasks must be performed simultaneously in a noisy environment, performance on the primary task usually remains unaffected, while performance on the subsidiary task deteriorates (Hockey and Hamilton, 1970; Davies and Jones, 1975; Finkleman and Glass, 1970).

4. After-effects

It seems that noise can have even greater effects after than during exposure. The most common after-effect appearing in the experimental literature is a reduced tolerance for frustration, manifested in a series of experiments as a reduction in willingness to persist in trying to solve insoluble puzzles (Glass and Singer, 1972; Percival and Loeb, 1980). This research also indicates that predictability of the noise signal greatly reduces its adverse after-effects (Glass and Singer, 1972). One study found that the type of noise also influenced the after-effect. Aircraft noise modified to produce sudden onsets and offsets resulted in a lower tolerance for frustration after the exposure than white noise that ad been similarly modified (Percival and Loeb, 1980).

5. Effects of noise on social behavior

There is an extensive literature concerning the effect of noise on social behavior, and just a few examples of this research will be discussed here. Singer et al. (1990) point out that noise has been used as a noxious stimulus in a variety of investigations because it produces the same biological and psychological effects as other stressors. In fact, they observe that the effects of noise combined with perceived control have been frequently demonstrated, and these investigations have also been extended to many other situations where the presence of control reliably moderates the effects of stress.[18]

In a frequently-cited laboratory study, Matthews and Cannon (1975) found that fewer subjects there willing to help someone who had "accidentally" dropped materials when background noise levels there 85 dB than when they there 65 dB. In a subsequent field study, the same results there demonstrated in a background of lawn mother noise, and this time the addition of a cast on the "victim's" arm enhanced helping behavior under quiet conditions, but failed to do so during the noise episodes (Matthews and Cannon, 1975). In another such experiment, Sauser et al. (1978) found that subjects recommended lower salaries for fictitious employees when exposed to A-weighted levels of office noise at 70 to 80 dB than in quiet. Broadbent (1979 and 1983) cites additional evidence suggesting that subjects will give each other increased amounts of shock and noise when they themselves are exposed to noise, and also cites evidence that noise increases anxiety levels (Broadbent, 1983).

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[18] Singer et al. (1990) cite the research of Langer and Rodin on the effects of patient control in a nursing home situation.

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As mentioned above, the presence of control, or even perceived control, is one of the most important predictors of adverse behavioral effects. Subjects who perceive that they have control over the noise show significantly greater tolerance for frustration than subjects without control, even if the control is never exercised (Glass and Singer, 1972). In a recent experiment, Singer and his colleagues found that subjects who there told that they had control of an A-weighted, 103-dB noise stimulus showed significantly greater persistence on a difficult task than subjects who had no control or subjects that had control for only part of the experiment (Singer et al., 1990). This finding occurred despite the fact that the subjects with only partial control reported feelings of control no different from those with full control. To the extent that these findings can be generalized to populations living in noisy areas, this kind of research may have significant sociological implications.

6. Summary: Effects on performance and behavior

Noise can adversely affect task performance in a variety of circumstances. In the past, research in this area has focused mainly on the occupational setting, where noise levels must be sufficiently high and the task sufficiently complex for performance decrements to occur. Recent research implicates more moderate noise levels, especially when speech is the disruptive noise stimulus. Some research indicates that noise can also produce disruptive after-effects, commonly manifested as a reduced tolerance for frustration, and it appears that the presence and timing of control over the noise are critical to the prediction of after-effects. Even moderate noise levels can increase anxiety, decrease the incidence of helping behavior, and increase the risk of hostile behavior in experimental subjects. These effects may, to some extent, help explain the "dehumanization" of today's urban environment.

E. Extra-Auditory Health Effects

Noise has been implicated in the development or exacerbation of a variety of health problems, ranging from hypertension to psychosis. Some of these findings are based on carefully controlled laboratory or field research, but many others are the products of studies that have been severely criticized by the research community. In either case, obtaining valid data can be very difficult because of the myriad of intervening variables that must be controlled, such as age, selection bias, preexisting health conditions, diet, smoking habits, alcohol consumption, socioeconomic status, exposure to other agents, and environmental and social stressors. Additional difficulties lie in the interpretation of the findings, especially those involving acute effects. For example, if noise raises blood pressure on a temporary basis, will prolonged exposure produce permanent changes? In cases where these effects are permanent but slight, what are the long-term implications? These types of questions and problems have caused this particular area of noise research and criteria development to be very controversial.

1. Theoretical basis

Noise is considered a nonspecific biological stressor, eliciting a response that prepares the body . for action, sometimes referred to as the "fight or flight" response. The physiological mechanism thought to be responsible for this reaction is the stimulation by noise (via the auditory system) of the brain's reticular activating system (Cohen, 1977). Neural impulses spread from the reticular system to the higher cortex and throughout the central nervous system. Noise can, therefore, influence perceptual, motor, and cognitive behavior, and also trigger glandular, cardiovascular, and gastrointestinal changes by means of the autonomic nervous system. Evidence of these effects, however, is not easy to. come by. Despite decades of research and probably hundreds of studies, relatively little can be said with much confidence.

2. Effects on blood pressure

Probably the most attention has been directed toward cardiovascular effects, especially potential elevations in blood pressure. Many studies of the stressful effects of noise have been conducted on rodents and other laboratory animals. the advantage of these studies is that they offer a greater degree of control and it is possible to have longer exposures than with human subjects. The disadvantages are that there is difficulty generalizing to humans, especially with the smaller animals, the expense involved when larger animals are used, and the prevailing public sentiment against animal experimentation.

EPA sponsored one of the most notable animal studies of noise exposure, in which Peterson and his colleagues performed five sets of experiments on the cardiovascular effects of noise on monkeys (Peterson et al., 1978, 1981, and 1983). The stimulus consisted of A-weighted levels of workplace noise at 85 to 90 dB, and the exposures there as long as 9 months. The results showed significant elevations of both systolic and diastolic blood pressure the fact that these changes persisted long after exposure cessation argues for a chronic effect, at least in this case. Unfortunately, an attempt to replicate this experiment with another primate model was discontinued for lack of funding after only two subjects had been exposed (Turkkan, et al., 1983). Relatively few animal experiments have been conducted in this area over recent years.

With respect to laboratory investigations involving human subjects, Rehm (1983) cites six studies showing increases in blood pressure, but questions whether these effects would be permanent. In an attempt to identify more susceptible populations, Michalak et al. (1990) investigated the effects of low-flying aircraft on elderly subjects. Using recorded aircraft sounds, they found significant increases in both systolic and diastolic blood pressure after exposure to the two types of noise, with significantly greater response to the rapid-onset flyover noise. Whether or not these increases would become permanent with protracted exposure is not known.

Field studies of noise and blood pressure among workers or community residents are becoming increasingly popular, but the results are not always consistent. Rehm (1983) has reviewed 14 field studies, mostly of occupational noise exposure, and reports that the majority showed significant increases in either systolic or diastolic blood pressure, or both. Van Dijk et al. (1983), however, reports that six other studies of exposure to occupational noise found no significant differences between exposed and nonexposed groups.

Knipschild and Oudshoom (1977) avoided some of the pitfalls characteristic of epidemiological studies by examining a population near the Amsterdam airport before and after an increase in exposure to aircraft noise, and comparing it to a nonexposed population nearby. The dependent variable was the purchase of certain prescription drugs: tranquilizers, sleeping pills, antacids, and cardiovascular drugs. The investigators found that the use of these drugs in the nonnoise area was essentially stable, whereas the use of most types of these drugs in the area newly impacted by noise increased steadily over the years investigated. This increase was especially noticeable for antihypertensive drugs.

In a more recent review, van Dijk (1990) analyzed 12 cross-sectional studies, with half of them showing a positive relation between noise exposure and blood pressure, and the others no significant effects. Van Dijk criticizes these kinds of investigations for the following kinds of weaknesses: inadequate description of noise and blood pressure measurements; absence or inadequate control of intervening variables; use of hearing loss as a determinant of exposure magnitude; use of hearing. protectors; and questionable interpretation of the results. Part of the problem may be that the investigators often come from only one discipline, when, in fact, a multi-disciplinary team is needed.

Thompson and Fidell (1990) recommend the use of prospective or case-control models, rather than the more convenient cross-sectioned study, and they stress the importance of adequate sample size. They maintain that because any changes in blood pressure resulting from community noise are likely to be small, careful controls, large sample sizes, and at least 5 years of exposure to noise would be nerved to identify significant effects.

3. Effects on blood chemistry

Blood chemistry is also of interest in studies of wire exposure and the cardiovascular system. In the review cited above, Rehm (1983) reports on a series of experiments, both laboratory and field, which show increased levels of the catecholamines epinephrine and norepinephrine. Among them are the series of experiments by Ising and his colleagues (1981a, 1981b, 1981c), showing a connection between noise exposure and magnesium metabolism and humans and animals. According to Rehm, this finding suggests a possible mechanism for cardiovascular effects in that a chronic magnesium imbalance can lead to increased intracellular levels of calcium (in the heart, for instance), which, in turn, can cause vasoconstriction and increases the sensitization for catecholamines.

A large epidemiological study, the Caerphilly and Speedwell Heart Disease Study in England, holds some promise for investigating the effects of road traffic noise (Babisch and Gallacher, 1990). This study of heart disease and a variety of environmental factors uses both the cross-sectional and prospective approaches, and should continue for more than 10 years. The investigators have performed detailed noise exposure measurements. Sample sizes of more than 2000 men have been drawn from both the Caerphilly and Speedwell communities, and controls for age, socio-economic factors, family history, body weight, smoking habits, alcohol, and physical activity have been instituted. Initial results (from the cross-sectional study) indicate significant noise related elevations of serum cholesterol and glucose levels, and plasma viscosity, with an absence of significance for blood pressure or any of the other cardiovascular risk factors. The authors point out that all of the effects there slight, but even small increases, should they prove to be real, would be relevant to the public health.

4. Interactions

Several investigators have suggested that aversion to noise may be more highly correlated with health problems than the noise itself. For example, a study by Rehm (1983) found a significant correlation between noise annoyance and cardiovascular disorders. Her data also suggest that those with existing health problems are more annoyed by environmental factors, such as noise. Similarly, Rovekamp (1983) found that subjects who described themselves as sensitive to noise showed significantly greater noise-induced increases in peripheral vasoconstriction than their "normal" counterparts. Finally, a recent study . of road traffic and aircraft noise failed to show a significant increase in blood pressure resulting from noise, but did show a correlation between the presence of noise and subjective health complaints (Pulles et al.,1990). Differences in effects between noise and non-noise groups there dependent upon the subjects' perceived control over the noise, but independent of noise level.

5. Other adverse effects

Adverse health effects from noise exposure other than cardiovascular effects are even more difficult to isolate. Several studies have investigated the effects of noise on fetal development, with inconclusive results. Some have shown an indication of reduced birth weight or an increase in premature births, but the effects are usually slight, and (except in one case, McDonald et al., 1988), not statistically significant (Rehm and Jansen, 1978; Knipschild et al.., 1981).

The effects of noise on documented mental health disorders are likewise inconclusive. Rehm (1990) cites a series of studies showing increased numbers of psychoneurotic and psychosomatic complaints due to noise exposure, but whether or not these complaints lead to chronic disfunction or illness is not obvious.

6. Summary: Extra-auditory effects

As a biological stressor, noise can influence the entire physiological system. Most effects appear to be transitory, but with continued exposure some effects have been shown to be chronic in laboratory animals. Probably the strongest evidence lies in the cardiovascular effects. However, many studies show adverse effects, while many others show no significant differences between experimental and control populations.

Undoubtedly because of the lack of consistent evidence in thin area, EPA could not use data on extra-auditory health effects in its identification of safe levels of environmental noise. Instead, this subject was relegated to a brief discussion in an appendix in the Levels Document. Although considerable attention was devoted to this topic at the international conference in Yugoslavia, and some coverage was given in the 1973 Criteria Document, the evidence was far from sufficient and much too complex to enable the formulation of dose-response relationships. Later, EPA did fund some promising research in this area (Hattis and Richardson, 1980; Peterson et al., 1978, 1981, 1983; Turkkan, 1983), some of which has clearly demonstrated adverse cardiovascular effects at noise levels typical of occupational settings.

In the interim, there has been considerable European research activity in this area, but nearly 20 years later, criteria are still lacking. What is available, however, should give public policymakers as well as noise producers some reason for concern, especially in situations where those impacted by the noise have no control over or perceive they have no control over their exposures.

F. Annoyance

Annoyance is the measured outcome of a community's response to survey questions on various environmental and other factors, such as noise exposure. Although annoyance in individuals is sometimes measured in the laboratory, field evaluations of community annoyance are most useful for predicting the consequences of planned actions involving highways, airports, road traffic, railroads, or other noise sources. Factors directly affecting annoyance from noise include interference with communication and sleep disturbance, which have been discussed in earlier sections. Other less direct effects are disruption of one's peace of mind, the enjoyment of one's property, and the enjoyment of solitude. The consequences of noise-induced annoyance are privately felt dissatisfaction, publicly expressed complaints to authorities, and potential adverse health effects, as suggested above.

"Annoyance" has been the term used to describe the community's collective feelings about noise ever since the early noise surveys in the 1950s and 1960s, although some have suggested that this term tends to minimize the impact. While "aversion" or "distress" might be more appropriate descriptors, their use would make comparisons to previous research difficult. It should be clear, however, that annoyance can connote more than a slight irritation; it can mean a significant degradation in the quality of life. This represents a degradation of health in accordance with the WHO's definition of health, meaning total physical and mental well-being, as well as the absence of disease.

1. Predicting annoyance for public policy purposes

To facilitate the development of criteria and public policy, Schultz (1978) summarized and analyzed a large number of studies of community annoyance from aircraft, road traffic, and railroad noise. As

part of this effort, Schultz made several simplifying assumptions, among them that the percentage of the population determined to be "highly annoyed" would be the only parameter plotted as a function of day-night average sound level. The resulting curve portrays annoyance as independent of noise source, and it has been dubbed the Schultz curve.

Recently, Fidell et al. (1991) reanalyzed the original data used by Schultz, adding new data from it community noise surveys. The resulting function shows slightly greater annoyance in the range between DNLS of 51 dB and 72 dB, and slightly less annoyance above about a DNL of 76 dB than the original curve. In general, the two curves are fairly close, indicating that the new studies have not drastically altered the prediction of community annoyance, at least when reactions to various noise sources are plotted together. When annoyance from various noise sources is analyzed separately, however, the new data are quite revealing, as will be discussed below.

Although it has been used internationally in the formation of noise policy, the Schultz curve has been the subject of much debate (Kryter, 1982a, 1982b; Griffiths, 1983). For example, Griffiths (1983) criticizes Schultz for treating attitudinal data categorically (highly annoyed or otherwise) rather than scaling it, for failing to analyze the distribution of annoyance, for assuming a fixed threshold for noise-related annoyance, and for choosing such an extreme criterion as highly annoyed. Perhaps because of these reasons, as well as a number of others, researchers and policymakers are beginning to examine alternatives to the Schultz curve for predicting community annoyance from noise.

2. Metrics

The metrics most commonly used to describe the relationship between noise and community annoyance are the equivalent continuous sound level, and the day-night average sound level (DNL), composite ratings based on the A-weighted sound level. The DNL is used almost exclusively for airport planning in the U.S., but this practice has recently been called into question. For example, the importance of communication and relaxation in the evening hours has been recognized (in California and occasionally in Europe) by the use of the community noise equivalent level (CNEL), a metric that includes a 5-dB penalty for noises occurring between 7:00 and 10:00 pm as well as the 10-dB nighttime penalty (California Code of Regulations, 1990). In a study of the communities surrounding two French airports, residents expressed the greatest annoyance during the hours between 7:00 and 11:00 pm (Francois, 1977).

Some authorities are considering the use of the sound exposure level (SEL) for evaluating the effects of single events, such as aircraft flyovers (EPA/FAA, 1990). The importance of other parameters are also being considered, such as rise time (or onset time) as an indicator of the annoyance from low-flying military aircraft (Harris, 1989). Officials from the U.S. Forest Service report that their agency has begun to use an aircraft detectability criterion to site recreational facilities (Harrison et al., 1990).

3. Criteria

Community annoyance resulting from noise-induced activity interference was one of the most important considerations in EPA's identification of an outdoor DNL of 55 dB as the "safe" level of environmental noise (EPA, 1974a). Some years later, a Federal Inter-Agency Committee on Urban

Noise (FICUN) developed guidelines for considering noise in land-use planning and control (DOT, 1980).[19]

In its noise zone classification table, "minimal" exposures to noise there defined as DNLS below 55 dB, and between DNLS of 55 and 65 dB, the exposures there labeled "moderate." However, all of these exposures there considered "acceptable" according to land-use planning standards specified by the Department of Housing and Urban Development (HUD). No research was cited to support these conclusions. In a footnote, FICUN stated the following:

HUD, DOT and EPA recognize Ldn = 55 dB as a goal for outdoors in residential areas in protecting the public health and welfare with an adequate margin of safety (Reference: EPA "Levels" Document.) However, it is not a regulatory goal. It is a level defined by a negotiated scientific consensus without concern for economic and technological feasibility or the needs and desires of any particular community.

The Department of Transportation's Federal Aviation Administration (FAA) has adopted a DNL of 65 as the point above which residential land-use becomes "normally unacceptable." Below this level, the FAA does not require airport authorities to draw noise contours or discuss the impact of airport noise on the surrounding communities for purposes of compatibility planning or to receive grants under the Part 150 program.[20] Thus, public policy decisions, at least on the federal level, have not considered the annoyance of individuals living in the DNL 55-65 dB range.

Recent research confirms the findings of earlier investigations relied upon by the EPA, that annoyance is often generated at day-night average sound levels well below 65 dB (Fidell et al., 1985; Fidell et al., 1991; Hall et al., 1981). Figures 4 and 5 from Fidell et al. (1991) portray the responses from surveys of two mid-sized airports in California: Burbank Airport and the Orange County Airport. The percentage of respondents highly annoyed is depicted as a function of DNL, and compared to the Schultz curve. Both studies show significantly greater numbers of people highly annoyed than would have been predicted by the Schultz curve. For example, at 60 dB, as many as 70 percent of the Burbank population described themselves as highly annoyed and some 40 percent near the Orange County Airport.

Presumably because of this kind of evidence, another interagency task force has convened to discuss the extent to which day-night average sound levels below 65 dB should be taken into account in assessing the impact of aircraft/airport noise, and to examine the possible need for a single-event metric to supplement the DNL (EPA/FAA, 1990).[21]

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[19] FICUN was an ad-hoc interagency panel composed of representatives from EPA, FAA, HUD, the Department of Defense, and the Veterans Administration. In 1990 another such group, the Federal Interagency Committee on Noise (FICON) has been activated (focussing mainly on aircraft noise), but a report has not been published to date.

[20] Part 150 studies are conducted at airports where the noise generated by airport construction or expansion is potentially incompatible with the surrounding community. These studies must follow the procedure set out by Federal Aviation Regulations (FAR) Part 150.

[21] The U.S. EPA and FAA put together an intragency agreement to examine the extent to which single event analyses and information beyond the Ldn = 65 contour provide useful additions to current methods of evaluating potential airport noise impacts. Under this agreement, a contractor would identify eight existing airports and perform a quantitative analysis using existing data. No new annoyance data would be developed.

4. Sources

The sources of noise producing community annoyance are primarily aircraft, road traffic, and railroad noise, although noise from industry, construction, and within buildings can also be problematical. The leading offenders are usually aircraft and road traffic noise, although the hierarchy depends upon many factors, such as urbanization, numbers of noise events, and proximity to the sources. Recent research indicates that, despite equivalent noise levels, some sources of community noise are more annoying than others, providing further indication that the Schultz curve cannot be valid for all circumstances.

Treating annoyance from all sources with one predictive curve provokes the hoards of oversimplification. De Jong (1990a) reports that an analysis of Dutch studies carried out over the previous 15 years showed that aircraft and highway noise produced considerably more annoyance than equivalent levels of train, tramway, and urban road noise (Miedema, 1988). The divergence was particularly pronounced at high noise levels. The fact that aircraft generate more annoyance than surface transportation is portrayed dramatically in the analysis described above by Fidell et al. (1991), where annoyance related to mid-sized airports appears substantially greater than that predicted by the Schultz curve, while annoyance from urban sources, such as trains, trams, and street traffic, is considerably less than that predicted by the Schultz curve.[22] Figures 6 and 7, also from Fidell et al. (1991), depict data from British and Swedish railroad studies, showing somewhat less annoyance from these sources in relation to the Schultz curve.

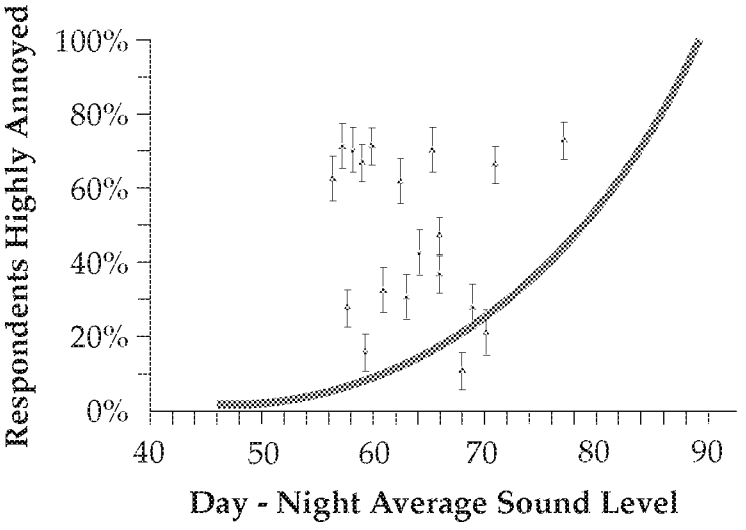

Relationship of data from Burbank Airport Study to 1978 synthesis (Schultz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. (After Fidell et al. 1991)

[22] See also Fidell et al. (1985), Hall et al. (1981), and de Jong (1990).

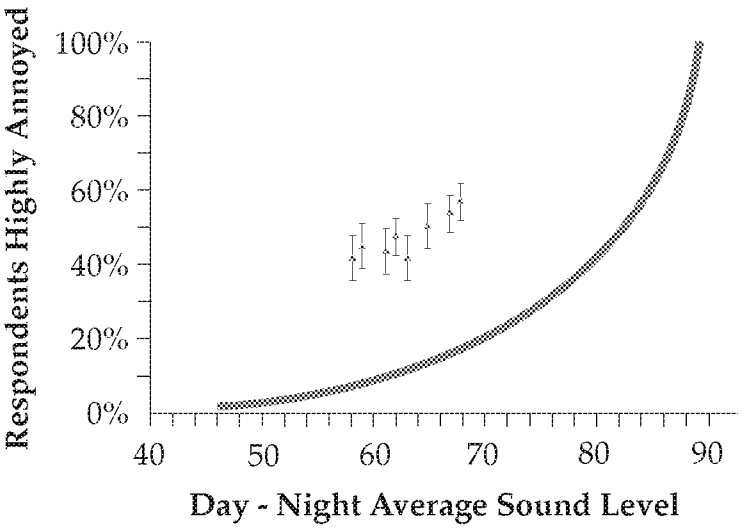

Figure 5
Relationship of data from Orange Country Airport Study to 1978 synthesis (Schultz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. (After Fidell et al., 1991).

The explanation for these source-related differences is not necessarily that aircraft noise is inherently more annoying than surface transportation noise. It may be related to differences in people's criteria for responding to various noise sources (de Jong, 1990b; Green and Fidell, 1991). Or it may be caused by differences in sensitivity which are actually biologically based.[23] Green and Fidell (1991) point out that this evidence does not discredit the predictive validity of the DNL, but suggest that communities adopt a more sensitive criterion when evaluating the impact of aircraft noise.[24]

Impulse noise also appears to be more annoying than continuous noise of equivalent energy, and various penalties have been proposed ranging from 0 dB at relatively high ambient noise levels of about 67 dB, to 10 dB at ambient levels as low as 35 dB (Rice, 1983). Vos and Smoorenburg (1983) have recommended a formula for computing the impulse noise penalty, taking into account the type of noise source, the signal level, and the ambient noise level.

As de Jong points out (1990b), most people are exposed to some combination of noise sources, posing a very complex predictive problem. Several models for predicting noise annoyance from complex sources have been proposed, but most fail to solve the difficult theoretical problems involved (de Jong cites Berglund et al., 1981, and Miedema, 1985). Among the groups working on these models are the Institute for Sound and Vibration Research in England, and the Netherlands' Organization for Applied Scientific Research, TNO.

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[23] De Jong (1990b) cites the work of Di Nisi et al. (1987) and Ising, et al.(1981b) to support this theory.

[24] Green and Fidell found a difference of 5.2 dB bettheen the noise levels at which the same percentage of people are highly annoyed by aircraft noise versus noise from surface transportation.

5. Nonacoustics variables

Although it is dear that community annoyance is positively correlated with noise exposure level, other variables also appear to be important, such as ambient noise level, time of day and year, location, and socioeconomic status. None of these other variables, however, is as powerful as the attitude of the residents surveyed. This is a good example of the fact that the human being is not a black box, where the effect is a simple consequence of the input. In a recent analysis of 280 social surveys, Fields (1990) examined 17 hypotheses as they relate to community annoyance from noise. Besides noise exposure level, the only variables Fields identified as strongly correlated with noise annoyance there the attitudinal hypotheses: (1) fear that the noise source might be a danger to the neighborhood, (2) belief that the noise is preventable, (3) awareness that non-noise problems are associated with the noise source, (4) stated sensitivity to noise, and (5) belief that the economic activity represented by the source is not important for the community.

6. Habituation

The evidence is fairly dear that so long as the stimulus remains the same, noise annoyance does not subside over time (e.g., Fields, 1990). Griffiths (1983) cites studies showing no habituation for highway noise 4 months to 2 years after the opening of new routes. De long (1990) found that annoyance in a previously surveyed community increased by 10 percent with no change in noise levels. He suggests that this increase could represent a shift of internal criteria due to increased publicity and other factors, or perhaps an increase in physiological sensitization.

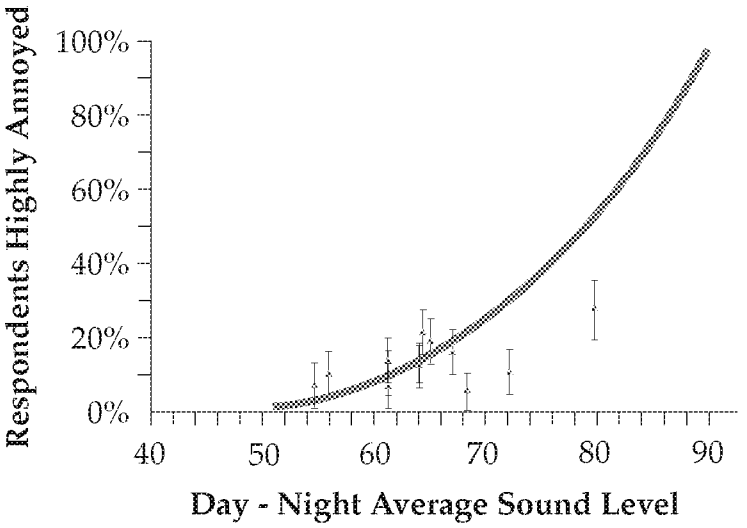

Figure 7 - Relationship of data from Swedish Railroad Study to 1978 synthesis (Schulz) curve, showing percentage of respondents highly annoyed as a function of day-night average sound level. After Fidell et al, 1991).

There has been very little study of the effects of noise-related annoyance on general health, although this would appear to be a fertile field. The study mentioned in section E.4, above by Rehm (1983) suggests a relationship between annoyance and cardiovascular disorders. Likewise, another study indicates a connection between noise and subjective health complaints (Pulles, et al., 1990). De Jong (1990a) refers to the recent use in Germany of the concept of "substantial annoyance" as a

predictor of possible health damage.[25] He recommends the development of an integrated theory of noise effects "to uncover the relationships among medical, physiological, behavioral, and ecological effects of environmental noise. " (de Jong, 1990a, p.520)

8. Summary: Annoyance

Annoyance can be viewed as the expression of negative feelings resulting from interference with activities, as well as disruption of one's peace of mind and the enjoyment of one's environment. Although this reaction can run the gamut of mild irritation to extreme distress, only responses categorized as "highly annoyed" (and greater) have been used to measure the impact of noise on communities. The most respected and widely used criterion to assess community annoyance in the U.S. has been the Schultz curve, although this criterion has been the subject of heated debate. Several recent studies indicate that the Schultz curve underestimates annoyance due to aircraft noise and overestimates annoyance from the noise of urban traffic and trains, leading to the conclusion that annoyance from these categories should be assessed separately. In addition, there has been growing interest in supplementing the traditional DNL with a descriptor for single events.

EPA's Levels Document identified the outdoor level to protect against activity interference as a day-night average sound level of 55 dB. This identification was not to be construed as a standard or regulation,[26] but as information to aid states, localities, and the general public. Later, an interagency task force identified average levels between 55 and 65 dB as "acceptable" for purposes of land-use planning. The DNL 65-dB criterion, which has been applied particularly to airport noise assessments, is now being reconsidered by another interagency task force.

There is evidence that impulse noise is more annoying than continuous noise of equivalent energy, and various correction factors have been proposed to account for the difference. In addition, most people are exposed to a combination of noise sources, and models for predicting the resulting annoyance are in the formative stages.

The most important variables other than noise exposure level relate to people's attitudes about the noise, such as fear of possible danger, stated sensitivity, and the belief that the noise is preventable. Finally, it appears that noise-related annoyance does not subside over time.

VI. Conclusions

Noise has a significant impact on the quality of American life. There is no evidence that the impact has diminished in the years since ONAC was abolished. Rather, it appears that the impact is at least as great, and most probably greater, than it was 10 years ago, due to population growth, especially in urban areas, and the proliferation of certain noise sources.

A considerable amount of noise effects research has been conducted over the last decade, much of it taking place in the European nations where governmental concern about noise is greater than it is in the U.S. at this time. These studies have expanded the knowledge base and filled certain gaps. Many of them suggest important interrelationships between the various noise effects that remain largely unexplored. For example, perceived control over noise appears to decrease its adverse effects on the subsequent performance of certain tasks. The concept of control also has a bearing on annoyance from noise, as do several other nonacoustic factors. Annoyance appears to be related to

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[25] De Jong cites Jansen (1986).

[26] See Foreword, Levels Document (EPA, 1974a).

extra-auditory health effects, and chronic sleep interference, which is a component of annoyance, can have adverse effects on health and well-being.

All of these effects are, to a varying degree, stress related. Nowadays there is increasing evidence in the medical literature on the relationship between stress and illness, one which is often exacerbated by lack of control.

Cumulatively, this evidence suggests the potential for a unifying hypothesis that may well explain some of the health effects that have been observed in connection to noise exposure, but have usually been dismissed because of the absence or insufficiency of direct cause and effect relationships. Such a hypothesis, however, can only be validated by a new interdisciplinary approach, one which takes a broader and somewhat different perspective than is currently employed. This approach could very well provide the key to understanding a great deal more about the general impact of noise on society, and the extra-auditory effects in particular.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

THE HEALTH EFFECTS OF AIR POLLUTION ON CHILDREN

Fall 2000

Michael T. Kleinman, Ph.D.
Professor, Department of Community and Environmental Medicine
University of California, Irvine.

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Introduction

Air pollution has many effects on the health of both adults and children. The purpose of this article will be to examine what is known about how air pollution affects health, especially children's.

Over the past several years the incidence of a number of diseases has increased greatly. Asthma is perhaps the most important disease with an increasing incidence, but other diseases, such as allergic reactions, bronchitis and respiratory infections also have been increasing. The cause of these increases may be due at least in part to the effects of air pollution. This review will address the following questions:

1. Why are children more susceptible to the effects of air pollution than adults?
2. Which air pollutants have the greatest impact on the health of children and adults?
3. What can be done to reduce the effects of air pollution on children's health?

Why are Children More Susceptible to Air Pollution Than Adults?

In many health effects research studies, children are considered as if they were small adults. This is not really true. There are many differences between children and adults in the ways that they respond to air pollution. For example, children take in more air per unit body weight at a given level of exertion than do adults. When a child is exercising at maximum levels, such as during a soccer game or other sports event, they may take in 20 percent to 50 percent more air -- and more air pollution -- than would an adult in comparable activity.

Another important difference is that children do not necessarily respond to air pollution in the same way as adults. Adults exposed to low levels of the pollutant ozone will experience symptoms such as coughing, soreness in their chests, sore throats, and sometimes headaches. Children, on the other hand, may not feel the same symptoms, or at least they do not acknowledge them when asked by researchers. It is currently not known if children actually do not feel the symptoms or if they ignore them while preoccupied with play activities.

This probably does not mean that children are less sensitive to air pollution than adults. There are several good studies that show children to have losses in lung functions even when they don’t cough or feel discomfort. This is important because symptoms are often warning signals and can be used to trigger protective behavior. Children may not perceive these warning signals and might not reduce their activities on smoggy days.

Children also spend more time outside than adults. The average adult, except for those who work mostly outdoors, spends most of their time indoors -- at home, work, or even at the gym. Children spend more time outside, and are often outdoors during periods when air pollution is at its highest.

The typical adult spends 85 percent to 95 percent of their time indoors, while children may spend less than 80 percent of their time indoors. Children may also exert themselves harder than adults when playing outside.

Perhaps the most important difference between adults and children is that children are growing and developing. Along with their increased body size, children's lungs are growing and changing, too.

The Lung's Important Role in Health
The lung is an extremely complex organ. While most organs in your body are made up of a few different types of cells, the lung contains more than 40 different kinds of cells. Each of these cells is important to health and maintaining the body's fitness.

Air pollution can change the cells in the lung by damaging those that are most susceptible. If the cells that are damaged are important in the development of new functional parts of the lung, then the lung may not achieve its full growth and function as a child matures to adulthood. Although very little research has been conducted to address this extremely important issue, this review will discuss the information that is available.

USC Children's Health Study
Recent results from the Children's Health Study, conducted by investigators at the University of Southern California, suggest that children with asthma are at much greater risk of increased asthma symptoms when they live in communities with higher levels of ozone and particles and participate in three or more competitive sports. Having said all this, the purpose of this review is not to discourage children or adults from normal daily activities and outdoor exercise. Exercise has very important, beneficial outcomes. Appropriate exercise and prudent exposures of children and adults should be encouraged even in an environment that may always contain some amount of air pollution.

Which Air Pollutants Have the Greatest Impact on the Health of Children and Adults?

Ozone

Ozone is one of the most important air pollutants affecting human health in regions like Southern California.

Ozone (O_3) is a molecule built of three atoms of oxygen linked together in a very energetic combination. When ozone comes into contact with a surface it rapidly releases this extra force in the form of chemical energy. When this happens in biological systems, such as the respiratory tract, this energy can cause damage to sensitive tissues in the upper and lower airways.

Ozone formation

Because ozone forms as a product of solar energy and photochemical reactions of pollutants, it is not surprising that the highest concentrations of ozone in the atmosphere occur when sunlight is most intense. Thus, ozone generally reaches peak levels during the middle of the day in the summer months. These types of air pollution patterns are called diurnal and seasonal variations. The following graph shows that ozone levels in the San Bernardino Mountains are highest in the summer and fall, and peak in the late afternoon.

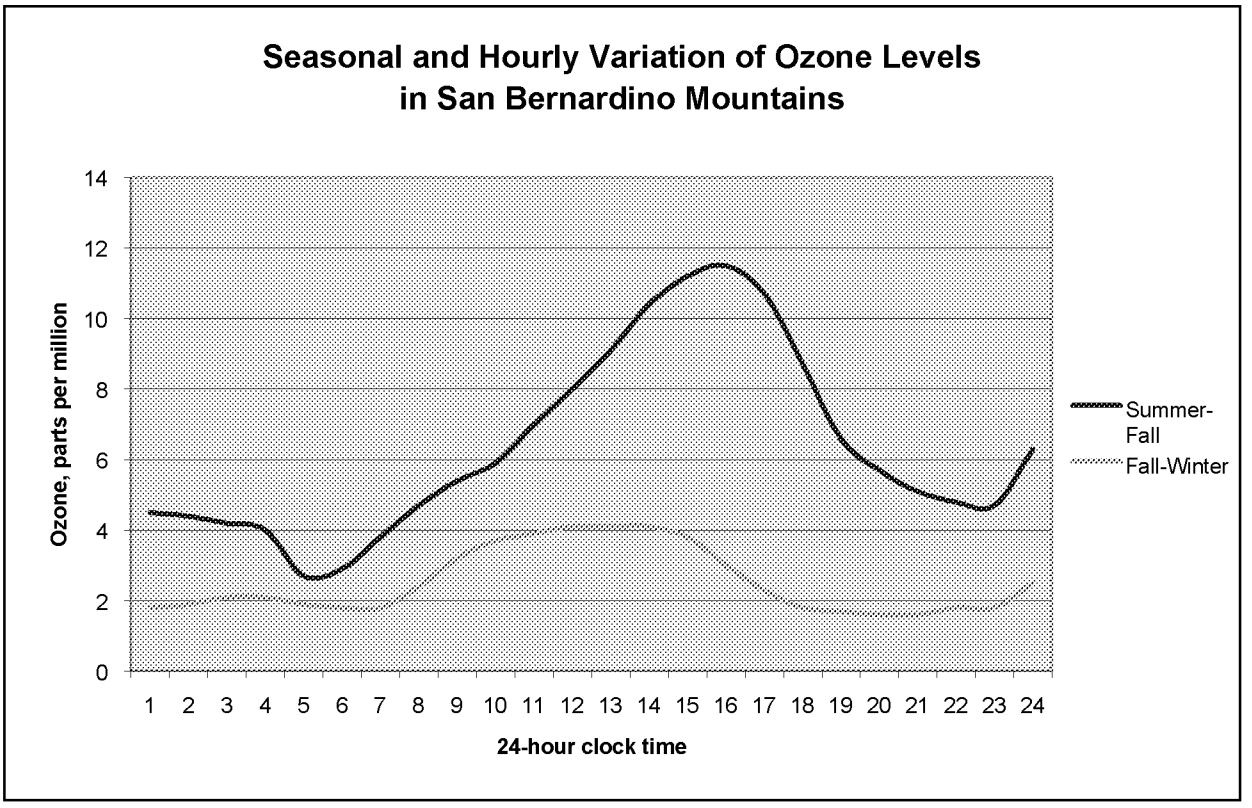

Ozone Air Quality Standards

Federal and state agencies have set air quality standards for ozone. An ozone level greater than 0.08 parts per million (ppm) averaged over eight hours is considered unhealthful. This level has been set because both laboratory and community studies have demonstrated measurable effects of ozone at or above that threshold.

The effects of ozone on people include:

- irritation of the nose and throat;
- increased mucus production and tendency to cough;
- eye irritation and headaches for some; and
- during severe episodes, chest pain and difficulty taking a deep breath without coughing.

How Ozone Damages Lungs

What happens when you breathe air that is contaminated with ozone? Like oxygen, ozone is soluble in the fluids that line the respiratory tract. Therefore some ozone can penetrate into the gas-exchange, or alveolar, region of the deep lung.

The following photos show how ozone affects the sensitive tissue in the deep lung. The pictures are from the lungs of rats exposed to ozone in a laboratory under carefully controlled conditions. The human lung is similar --although not identical -- to the rat's lung in terms of the types of cells and the overall structure of the alveolar region.

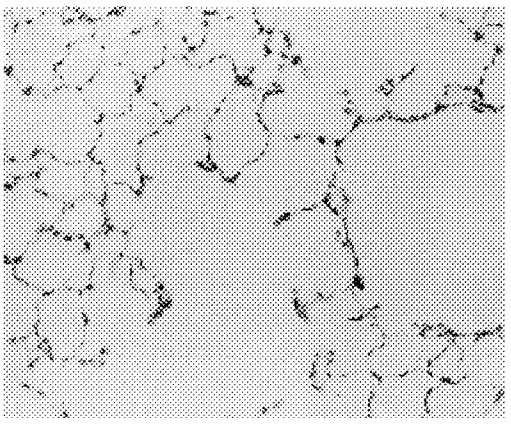

Figure 1

Figure 1 shows a magnified view of the structure of the normal gas-exchange region of the lung. It is called the gas-exchange region because oxygen inhaled from the air is transferred to the hemoglobin in blood in small blood vessels located inside the thin walls separating the alveolar air spaces.

At the same time, carbon dioxide, produced by normal metabolism and dissolved in the blood, is excreted into the air and expired when you breathe out.

The walls of a normal alveolus are very thin. There are only two layers of cells and a thin interstitial matrix separating the air in the alveolar space, or lumen, from the fluid inside the blood vessels. The cells that line the healthy alveoli are mostly very broad and very thin, and are called Type I lung cells or Type I pneumocytes. This provides a very large surface area across which gases can be efficiently transported.

Figure 2 shows the effects of breathing 0.2 ppm ozone for 4 hours. In Southern California air pollution levels can approach 0.2 ppm -- a Stage 1 ozone alert -- during the smoggiest summer days. The photo shows evidence of additional cells, called macrophages, and some material that may be fragments of ozone-injured alveolar wall cells inside the alveolar space.

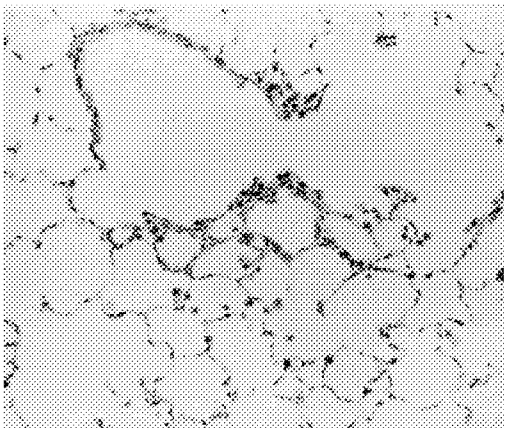

Figure 2

Macrophages are immune system cells that respond to the injury of the delicate cells that line the alveolar lumen. These macrophages play important roles in protecting the lungs from inhaled bacteria,

fungi and viruses, and are also important in helping to repair lung tissue injury caused by inhaled pollutants.

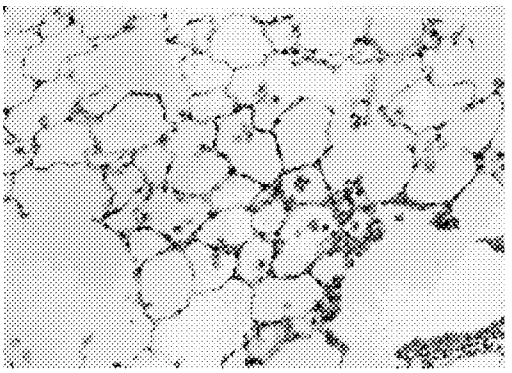

Figure 3

Figure 3 shows more extensive damage following exposure a higher concentration of ozone, 0.6 ppm. The alveolar walls are thicker and there is evidence of cells infiltrating within the walls. There are more macrophages in the alveolar spaces and the thin, Type I cells have been damaged and replaced with thicker Type II, almost cube-shaped cells that are more resistant to the toxic effects of ozone. All of these changes occurred within 48 hours after exposure. If exposure continues for more than three days, the evidence of cell injury seems to be reduced, except for the continuing presence of the Type II cells.

Is Ozone-Related Lung Damage Permanent?
People actually report that the symptoms they feel when first exposed to ozone seem to go away, even though their exposure continues.

Following ozone injury, if the lung is not exposed to ozone for approximately five to seven days, it can for the most part repair itself provided the injury is not too extensive. However, long-term studies with laboratory animals have shown that there may be residual and in some cases permanent damage. This damage might be thought of as accelerated aging of the lung. Thus, frequent exposures to ozone can cause transient damage. The lung's defenses can repair most but probably not all of that damage within a relatively short time in most healthy individuals.

Research and Air Quality Standards
Health scientists probably know more about the effects of ozone on human health than about any other pollutants. This is because ozone is pervasive in the environment. Also there are excellent methods of measuring ozone so the pollutant can be studied using epidemiological methods. The findings of these epidemiological studies can be verified using well-controlled laboratory studies with human volunteers and laboratory animals. Thousands of scientific papers on the health effects of ozone have been published and these have been critically reviewed in documents that provide the scientific basis for National and State Ambient Air Quality Standards. (Ambient refers to outdoor air.)

These so-called Criteria Documents are important because they are extensively reviewed by scientists, public agencies, industry representatives, environmental groups such as the American Lung Association and the Natural Resources Defense Council,

and the public. National and state ambient air quality standards set the goals for healthy air quality in Southern California and across the country.

Based upon the most recent studies, it is now apparent that ozone plays an important role in causing acute health effects, such as heightening asthma symptoms and developing bronchitis symptoms.

The role of ozone in producing long-term or chronic effects is less clear, at least from the available epidemiological studies. However, laboratory animal studies suggest that there can be long-term consequences.

How to Reduce Ozone Exposure
The U.S. Environmental Protection Agency (EPA) has recommended that ozone should not exceed 0.08 ppm averaged over an 8-hr period. When ozone exceeds this level, active children and adults, those with respiratory disease such as asthma, and other people with unusual susceptibility to ozone should limit prolonged outdoor exposure.

Incidentally, personal tobacco smoking during periods of high ozone exposure doubled the risk of asthmatic individuals needing to go to the emergency room for treatment of asthma symptoms.

Carbon Monoxide

Carbon monoxide (CO), a colorless, odorless gas, is a byproduct of combustion.

When inhaled, carbon monoxide reacts very rapidly with hemoglobin in the blood, preventing uptake and transport of oxygen. Because carbon monoxide readily and firmly attaches to hemoglobin, it stays in the blood for a relatively long time. Thus, during an exposure carbon monoxide concentrations in blood can rise in a matter of minutes, then stay high for hours.

Who is Most Sensitive to the Health Effects of Carbon Monoxide?
Most of the health effects directly associated with carbon monoxide are most likely due to decreases in oxygen delivery to vital organs such as the heart and the brain.

People with heart disease may be especially sensitive to the effects of carbon monoxide. In addition, people with lung diseases that limit efficient use of inhaled oxygen, such as asthma and emphysema, may also be susceptible. Even in people without heart or lung diseases, reduced delivery of oxygen to skeletal muscles, especially during exercise, can reduce the ability to perform strenuous work.

At high levels of carbon monoxide exposure, impaired delivery of oxygen to the central nervous system can reduce the ability to respond quickly to external stimuli. After exposures that convert 5 percent to 10 percent of the circulating hemoglobin to carboxyhemoglobin (COHb), people's ability to recognize and react to flashes of light in a test system are reduced. At 10 percent to 30 percent carboxyhemoglobin, nausea,

headaches, unconsciousness, and sometimes death can result. The severity of symptoms increases with the concentration of carboxyhemoglobin.

Air Quality Standards for Carbon Monoxide
Both the EPA and the State of California have set air quality standards for carbon monoxide based on the results of epidemiological and laboratory findings. Ambient levels of carbon monoxide should not exceed 9 ppm, when averaged over an 8-hour interval, and should not exceed 20 ppm in any one-hour period. (The USEPA has a slightly higher 1-hour standard of 35 ppm).

Sources of Carbon Monoxide
The major sources of carbon monoxide pollution are automotive exhaust and emissions from large industrial combustion sources such as electrical power plants. Because these sources produce many contaminants in addition to carbon monoxide -- such as fine particles and nitrogen oxides -- it is often difficult to isolate the health effects of ambient carbon monoxide from those of other pollutants.

In addition to carbon monoxide generated outside, there are also important indoor sources of the pollutant. The most important of these are combustion sources such as gas ovens, gas burners, water heaters, and heating systems. However, in most cases emissions from well-maintained and vented gas appliances are small.

Tobacco smoking is a more significant source of carbon monoxide. Tobacco smoke can contain very high concentrations of carbon monoxide (1,000 ppm to 50,000 ppm). Carbon monoxide levels in the homes of children whose relatives smoke tobacco products can be higher than the carbon monoxide levels outdoors.

Health Effects of Carbon Monoxide
There are hundreds of cases per year of deaths or severe illness due to carbon monoxide poisoning from faulty appliances, indoor emissions of automobile exhaust and industrial exposures. These cases show that carbon monoxide poisoning causes symptoms very similar to those of the flu. In fact, the true number of cases is not really known because many people may have been poisoned slightly and thought that they were just fighting off a cold or the flu. Thus it is very important to make sure that home appliances are well-maintained and that all combustion sources are properly vented to the outdoors.

Epidemiological studies have shown significant association between several health effects and carbon monoxide, although as mentioned earlier it is difficult to completely isolate carbon monoxide's effects from those of other air pollutants.

For example, asthmatic children in Taiwan who were exposed to high levels of traffic-related air pollution -- using carbon monoxide and nitrogen dioxide as marker compounds-- reported more respiratory symptoms than children with lower exposures.

A study of physician office visits in London showed associations between air pollution and doctor visits for asthma and other lower respiratory disease. For children, levels of nitrogen dioxide, carbon monoxide, and sulfur dioxide were associated with increased numbers of medical consultations. However, in adults, the only consistent association was with levels of airborne particles. This suggests that children and adults might respond differently to pollution exposures.

Prenatal Effects of Carbon Monoxide

Carbon monoxide may also have prenatal effects. Pregnant women who were exposed to high levels of ambient carbon monoxide (5 ppm to 6 ppm) were at increased risk of having low birth-weight babies. It has long been known that women who smoke cigarettes during pregnancy have low birth-weight babies, but this is the first study of similar findings in women exposed to environmental carbon monoxide.

Babies exposed to carbon monoxide during the maturation of their organs may suffer permanent changes to those organs. Studies using newborn rats showed that carbon monoxide exposure could cause changes in the heart muscle tissue. This is turn could increase the severity of effects of artery constrictions when they became adults. Other animal studies have shown that long-term carbon monoxide exposure can contribute to a disease called ventricular hypertrophy, in which the cells of the heart's ventricle chambers are enlarged and possibly weakened.

Airborne Particles

Particles, including nitrates, sulfates, carbon[1] and acid aerosols[2] are a complex group of pollutants.

Unlike ozone, which has a specific chemical composition, airborne particles vary in size and composition depending on time and location. Although the components of particles may have common sources, the types and amounts of particles collected at any one time and location may be unique.

To add to the problem, gaseous pollutants including ozone, sulfur dioxide, nitrogen dioxide and carbon monoxide often are present in the atmosphere at the same time as are particles. It is not always possible to clearly differentiate between the health effects of the gases, the particles, and possibly the combination of particles and gases. This complexity presents a tremendous challenge to the scientific community and to public in trying to understand how inhaled particles affect human health.

The Challenge of Measuring Particle Pollution

Precisely measuring particulate pollution is more difficult and labor intensive than measuring gaseous pollutants such as ozone. For this reason, particle concentrations are not measured on a daily basis in most communities. Frequently, they are measured once every six days.

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[1] Both elemental and organic. Elemental carbon is pure carbon from combustion sources, including diesel particulate. Organic carbon is a semi-volatile hydrocarbon from combustion and some evaporative sources.
[2] Aerosol is the scientific term used to describe particles suspended in a fluid, such as air.

Particle samples are collected on filters that are then weighed. Particle concentrations are reported in terms of micrograms of particles per cubic meter ($\mu g/m^3$) of collected air.

Originally, the particle samples were relatively indiscriminate with respect to particle size and often contained very large particles. These large particles contributed a great deal to the weighed particle mass, but might not have been very important with respect to lung health. This is because most of the particles were too large to penetrate through the nasal and head airways to reach the lung. A more health-related sample was needed.

After a great deal of scientific consideration it was decided that particulate matter with aerodynamic diameters[3] less than or equal to 10 microns (µm) should be collected. Ambient air quality standards were developed for this material, which is called PM_{10}.

Sources of Particle Pollution

Researchers noted that the sources of relatively large-size particles (greater than 3 microns in aerodynamic diameter) were quite distinct from the sources of particles less than 1 micron in diameter.

The larger, so-called "coarse" particles are mostly produced by mechanical processes, such as automobile tire wear on the road, industrial cutting, grinding and pulverizing processes and re-suspension of particles from the ground or other surfaces by wind and human activities. The chemical composition of coarse particles may be somewhat similar to the chemical composition of soil in that area, along with industrial compounds from activities such as mining or smelting operations. The coarse fraction of urban aerosols also contains bits of plants, molds, spores and some bacteria. Thus the characteristics of the coarse particles may vary greatly in different communities.

In contrast, the smaller or so-called "fine" particles in the urban aerosol come from combustion sources, such as power plants, automobile, truck, bus and other vehicle exhaust or from the reactions that transform some of the pollutant gases into solid or liquid particles. These distinctions may be important because the current air pollution health effects literature suggests, although not with certainty, that for some key health effects the fine particles are more important than the coarse particles. These findings have led EPA to propose a new nationwide $PM_{2.5}$ standard that would reduce exposure to particles that are 2.5 microns or less in diameter.

Historic Air Pollution Disasters

Epidemiological studies have consistently associated adverse health effects with exposures to particulate air pollution. Early studies implicated particulate and sulfur dioxide pollution in the acute illnesses and premature deaths associated with extremely

[3] Aerodynamic diameter is used to define particles' size. Particle deposition on a surface, or in the lung, depends on the particle's aerodynamic and diffusion characteristics. A particle's aerodynamic characteristics depend on its density, shape, actual size, and velocity while its diffusion characteristics are functions of its size and the density of the air in which it is suspended.

severe pollution episodes in Donora, Penn., London, and New York in the 1940s, 1950s, and 1960s. The particle levels in a four-week pollution disaster in London in 1955 were more than 50 times higher than the California standard.[4] Twenty percent of that aerosol was composed of acid sulfates -- probably sulfuric acid. The number of people hospitalized for lung or heart-related diseases was extraordinarily high, but more importantly there were more than 4,000 premature, or "excess," deaths in the London population.

Fortunately, major efforts by government agencies, the public, and industries have made it very unlikely there will ever be a similar episode in modern urban communities. However, the lessons learned from these disasters are still relevant. Despite the fact that our levels of airborne particles are much lower than those that occurred during the disasters, EPA estimates that there are still more than 6,000 excess deaths in the United States that could be associated with inhaled particles.

Health Effects of Particulate Pollution

Current ambient levels of PM_{10} -- 30 to 150 micrograms per cubic meter -- are associated with increases in the numbers of people that die daily from heart or lung failure. Most of these deaths are among the elderly. However there is a strong body of evidence that some children are also adversely affected by particulate matter.

The American Thoracic Society's Environmental and Occupational Health Assembly reviewed current health effects literature. They report that daily fluctuations in PM_{10} levels have been related to:

- acute respiratory hospital admissions in children;
- school and kindergarten absences;
- decreases in peak lung air flow rates in normal children; and
- increased medication use in children and adults with asthma.

The USC Children's Health Study suggests that children with asthma living in a community with high particle concentrations may have suppressed lung growth. After children moved into cleaner cities their lung growth returned to the normal rate, but they did not recover the lost potential growth, according to John Peters, the study's principle investigator.

It is difficult to positively assign a quantitative risk associated with particulate matter because nearly all studies of its health effects find other pollutants present that may account for some of the effects.

Part of the problem is due to the nature of the data being collected. The levels of particulate matter vary during the course of the day and peak values can be quite high. Few studies have evaluated the effect of these short-term "spikes." However, at least one epidemiological study of children with asthma suggested that changes in symptoms

[4] The California standard for particulate matter (PM_{10}) is 50 micrograms per cubic meter averaged over 24 hours

and lung function correlate more strongly with 1-hour peaks than with 24-hour average concentrations.

Other studies, primarily with laboratory animals, suggest that the chemical composition[5] and surface areas of the particles may be more important than particle mass. Scientists are continuing to study the health effects of particles and are developing better methods for measuring the important constituents. It may be possible in the near future to more accurately assess the effects of inhaled particles on human health.

Nitrogen Oxides

Nitrogen oxides are produced during most combustion processes. Mobile sources and power plants are the major contributors in Southern California.

About 80 percent of the immediately released nitrogen oxide is in the form nitric oxide (NO). Small amounts of nitrous oxide (N_2O) are also produced. Nitrous oxide is a "greenhouse" gas that is suspected of playing an important role in global warming.

Nitric oxide reacts with oxygen in the air to produce nitrogen dioxide (NO_2). Further oxidation during the day causes the nitrogen dioxide to form nitric acid and nitrate particles. In the dark, nitrogen dioxide can react with ozone and form a very reactive free radical. The free radical then can react with organic compounds in the air to form nitrogenated organic compounds, some of which have been shown to be mutagenic and carcinogenic.

Health Effects of Nitrogen Dioxide

Nitrogen dioxide is the most important nitrogen oxide compound with respect to acute adverse health effects. Under most chemical conditions it is an oxidant, as is ozone. However, it takes about 10 times more nitrogen dioxide than ozone to cause significant lung irritation and inflammation.

Nitrogen dioxide differs from ozone in that it suppresses the immune system to a much greater degree. As discussed below, some epidemiological studies have shown that children exposed to high levels of ambient nitrogen dioxide may be at increased risk of respiratory infections. Studies with laboratory animals have indeed shown that if mice are exposed first to nitrogen dioxide and later to bacteria at a level that would not infect a healthy control animal, their normal lung defense mechanisms are suppressed and the bacteria are able to infect the host.

[5] The idea that all particles are equally toxic is not scientifically justified. There are many good examples that can be taken from studies of particles in the workplace. For example, certain types of particles that contain quartz --a natural mineral composed of silicon dioxide but with a specific crystal structure -- are very potent lung irritants. Repeated exposures to this material can lead to a serious, permanent lung disease called lung fibrosis. Other mineral particles that are fibrous, such as specific forms of asbestos, can cause lung cancer. Other particles such as titanium dioxide do not seem to cause occupational diseases.

Average levels of nitrogen dioxide in the United States range from 0.02 to 0.04 ppm. Levels in major urban areas in Southern California may be higher, but the region has not exceeded the federal standard[6] for nitrogen dioxide since 1991.

During the 1970s, one of the first studies relating respiratory illnesses and changes in lung function to ambient nitrogen dioxide concentrations reported that children living in areas with high nitrogen dioxide concentrations had greater incidences of lung-related illness than children living in areas with lower concentrations. Since then, other epidemiological studies have suggested that children with asthma are more likely than children without asthma to have reduced lung function and symptoms of respiratory irritation, such as cough and sore throat, when outdoor average nitrogen dioxide concentrations exceed about 0.02 ppm.

Some studies also have suggested that children younger than five years old may be more severely affected by nitrogen dioxide than older children. Several epidemiological studies have suggested that for children, the most important effect of ambient exposure to nitrogen dioxide might be increased susceptibility to respiratory infections and increased severity of responses to inhaled allergens.

Although many epidemiological studies show significant associations between outdoor nitrogen dioxide concentrations and adverse health outcomes, some studies do not corroborate these effects. In part, this is because it is often difficult to fully account for the influences of indoor sources of nitrogen dioxide.

Improvements in Nitrogen Dioxide Measurements

More recent studies have used special devices, called passive dosimeters, that can be worn by children to collect nitrogen dioxide for later analysis. These measurements give epidemiologists the ability to better assess a child's total nitrogen dioxide exposure over the course of the day. These studies show that there can be a great deal of individual variation in exposures, even for children living in the same communities. Thus, it is not surprising that epidemiological studies that do not estimate a nitrogen dioxide dose may reach different conclusions.

However, laboratory studies involving controlled exposures of human volunteers and laboratory animals have demonstrated plausible effects of nitrogen dioxide on human health. For example, if one exposes rats or other animals to nitrogen dioxide, and then examines their respiratory tract tissues, it is very evident that the pollutant can cause short-term injury similar to that seen after ozone exposure.

Long-term exposures to high concentrations of nitrogen dioxide can produce chronic damage to respiratory tract tissue that resembles the lung disease emphysema.

The pollutant's suppression of immune system functions reduces the ability of the host to fight off bacterial and viral infections. Human volunteers who inhaled weakened

[6] 0.053 ppm as an annual average

influenza virus after being exposed to nitrogen dioxide in laboratories were more susceptible to the infection than a control group that did not inhale nitrogen dioxide.

Other studies show that nitrogen dioxide decreases the body's ability to generate antibodies when challenged by pathogens, and may reduce the ability of the respiratory system to remove foreign particles such as bacteria and viruses from the lung.

Lead

People can be exposed to lead (Pb) through air, food and water. Lead is a toxic heavy metal that causes nerve damage and impairs the body's ability to make hemoglobin, leading to a form of anemia.

Sources of Lead Pollution

Large amounts of lead were emitted to the atmosphere when it was used as a gasoline additive.[7] The emitted lead could be inhaled. In addition, lead fallout from the air caused widespread contamination of soil, plants, food products, and water.

Lead is often measured in children's blood as an index of environmental exposure. Even low levels[8] of lead in the blood of children aged 6 to 7 are linked to measurable changes in intelligence quotient and certain perceptual-motor skills. Higher levels of lead exposure can also result in kidney damage and may be related to high blood pressure in adults.

Sulfur Oxides

Most manmade emissions of the gas sulfur dioxide (SO_2) come primarily from the combustion of fossil fuels such as coal, oil, and diesel fuel.

Most of the sulfur in fossil fuel is converted sulfur dioxide, but a small amount is also converted to sulfuric acid. In the atmosphere, gaseous sulfur dioxide can also be converted to sulfuric acid and sulfate-containing particles. Thus, atmospheric concentrations of sulfur dioxide are often highly associated with acidic particles, sulfuric acid particles and sulfate particle concentrations.

The current National Ambient Air Quality Standards for sulfur dioxide are 18 micrograms per cubic meter averaged annually, and 365 micrograms per cubic meter averaged over 24 hours. Southern California does not exceed the national air quality standard because its industries primarily burn low-sulfur fuels such as natural gas. Much of the sulfur oxide air pollution in Southern California is likely to be associated with diesel emissions.

[7] Lead in the form of tetraethyl lead was added to gasoline in the United States in large amounts from the 1950s until it was banned in the mid-1970s.
[8] 10 to 30 micrograms per 100 milliliters

Sulfur dioxide is a very water-soluble gas and therefore most of the sulfur dioxide that is inhaled is absorbed in the upper respiratory tract and does not reach the lung's airways. However, the small amount of sulfur dioxide that does penetrate into the airways can provoke important health effects, primarily in individuals with asthma.

For those with asthma, even relatively short-term, low-level exposures to sulfur dioxide can result in airway constriction leading to difficulty in breathing and possibly contribute to the severity of an asthmatic attack.

A number of epidemiological studies have shown associations between ambient sulfur dioxide and rates of mortality (death) and morbidity (illness). However, because sulfur dioxide is often strongly correlated with fine particles and especially sulfate-containing particles, it is difficult to separate the effects of sulfur dioxide from those of the particle compounds.

A study in France found an increase of 2.9 visits to the emergency room for every 20 micrograms per cubic meter increase in atmospheric sulfur dioxide. The results pertained to days when the average sulfur dioxide levels were above 68 micrograms per cubic meter but below the U.S. health standard.

In London, asthma and other lower respiratory diseases in children were most significantly associated with exposures to nitrogen dioxide, carbon monoxide, and sulfur dioxide. In adults the only consistent association was with particulate matter.

Hospital admissions for children with asthma may increase by 20 percent following acute exposure to ozone peaks and possibly with sulfur dioxide. Chronic exposure to increased levels of fine particles, sulfur dioxide, and nitrogen dioxide may be associated with up to threefold increase in nonspecific respiratory symptoms. Thus, recent literature suggests that sulfur dioxide affects adults and children differently and that chronic and acute effects may also be different.

Diesel Emissions

Diesel fuel is burned to power buses, trucks, road-building equipment, trains, boats and ships and electricity-generating equipment. When diesel fuel is burned, the exhaust includes both particles and gases. Diesel emissions are important constituents of ambient air pollution.

What's in Diesel?

Diesel particles consist mainly of elemental carbon and other carbon-containing compounds. Hundreds of compounds have been identified as constituents of diesel particles. These include polycyclic aromatic hydrocarbons (PAHs) and other compounds that have been associated with tumor formation and cancer. In 1998, the California Air Resources Board designated diesel particulate a cancer-causing toxic air contaminant.

Diesel particles are microscopic. More than 90 percent of them are less than 1 micron in diameter. Due to their minute size, diesel particles can penetrate deeply into the lung. There is evidence that once in the lung, diesel particles may stay there for a long time.

In addition to particles, diesel exhaust contains several gaseous compounds including carbon monoxide, nitrogen oxides, sulfur dioxide and organic vapors, for example formaldehyde and 1,3-butadiene. Formaldehyde and 1,3-butadiene have been classified as toxic and hazardous air pollutants. Both have been shown to cause tumors in animal studies and there is evidence that exposure to high levels of 1,3-butadiene can cause cancer in humans.

AQMD's recent landmark research project, the Multiple Air Toxics Exposure Study II, found that diesel particulate is responsible for about 70 percent of the total cancer risk from all toxic air pollution in the greater Los Angeles metropolitan area.

Diesel emissions may also be a problem for asthmatics. Some studies suggest that children with asthma who live near roadways with high amounts of diesel truck traffic have more asthma attacks and use more asthma medication.

Some human volunteers, exposed to diesel exhaust in carefully controlled laboratory studies, reported symptoms such as eye and throat irritation, coughing, phlegm production, difficulty breathing, headache, lightheadedness, nausea and perception of unpleasant odors. Another laboratory study, in which volunteers were exposed to relatively high levels of diesel particles for about an hour, showed that such exposures could cause lung inflammation.

Thus current epidemiological and laboratory evidence suggests that at typical urban concentrations, diesel exhaust may contribute significantly to the health effects of air pollution.

What Can Be Done to Reduce the Effects of Air Pollution on Children's Health?

After reviewing the literature on how children’s exposures differ from those of adults, it is evident that:

- children are outdoors more hours per day than most adults;
- they exert themselves to a greater degree while they are outside than most adults; and
- they participate in more organized activities than adults.

There are definite health benefits to having children participate in outdoor activities. However, scientific evidence also suggests that air pollution exposures can injure children’s lungs and other organs.

Air quality information in the form of health reports and air quality advisories are now a regular part of life in California. One logical step is to reduce strenuous activities during pollution episodes and try to take advantage of those hours when airborne pollutant levels are lower.

At the public level there is a long-standing commitment to improve air quality. When you look at the air pollution levels in California today you can see that a great deal of progress has been made. There has been a cost for this progress. For instance, some products are more expensive. In return, the lower levels of pollutant exposure compared to 20 years ago should decrease the adverse effect of air pollution on the long-term health of our developing children.

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AGRICULTURAL MITIGATION POLICIES

Background

LAFCO's mission is to encourage orderly growth and development, discourage urban sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services and encourage the orderly formation of local agencies. LAFCO will consider impacts to agricultural lands along with other factors in its evaluation of proposals. LAFCO's Urban Service Area (USA) Amendment Policies discourage premature conversion of agricultural lands, guide development away from existing agricultural lands and require the development of existing vacant lands within city boundaries prior to conversion of additional agricultural lands. In those cases where LAFCO proposals involve conversion of agricultural lands, LAFCO's USA Amendment Policies require an explanation of why the inclusion of agricultural lands is necessary and how such loss will be mitigated.

Purpose of Policies

The purpose of these policies is to provide guidance to property owners, potential applicants and cities on how to address agricultural mitigation for LAFCO proposals and to provide a framework for LAFCO to evaluate and process in a consistent manner, LAFCO proposals that involve or impact agricultural lands.

General Policies

1. LAFCO recommends provision of agricultural mitigation as specified herein for all LAFCO applications that impact or result in a loss of prime agricultural lands as defined in Policy #6. Variation from these policies should be accompanied by information explaining the adequacy of the proposed mitigation.
2. LAFCO encourages cities with potential LAFCO applications involving or impacting agricultural lands to adopt citywide agricultural mitigation policies and programs that are consistent with these policies.
3. When a LAFCO proposal impacts or involves a loss of prime agricultural lands, LAFCO encourages property owners, cities and agricultural conservation agencies to work together as early in the process as possible to initiate and execute agricultural mitigation plans, in a manner that is consistent with these policies.
4. LAFCO will work with agricultural entities, the County, cities and other stakeholders to develop a program and public education materials to improve the community's understanding of the importance of agriculture in creating sustainable communities within Santa Clara County.

5. LAFCO will review and revise these policies as necessary.

Definition of Prime Agricultural Lands

6. "Prime agricultural land" as defined in the Cortese Knox Hertzberg Act means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

    a. Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.

    b. Land that qualifies for rating 80 through 100 Storie Index Rating.

    c. Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935.

    d. Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars ($400) per acre.

    e. Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars ($400) per acre for three of the previous five calendar years.

Mitigation Recommendations

7. Proposals involving the conversion of prime agricultural lands should provide one of the following mitigations at a not less than 1:1 ratio (1 acre preserved for every acre converted) along with the payment of funds as determined by the city / agricultural conservation entity (whichever applies) to cover the costs of program administration, land management, monitoring, enforcement and maintenance of agriculture on the mitigation lands:

    a. The acquisition and transfer of ownership of agricultural land to an agricultural conservation entity for permanent protection of the agricultural land.

    b. The acquisition and transfer of agricultural conservation easements to an agricultural conservation entity for permanent protection of the agricultural land.

c. The payment of in-lieu fees to an agricultural conservation entity that are sufficient to fully fund*:

   1. The cost of acquisition of agricultural lands or agricultural conservation easements for permanent protection, and

   2. The cost of administering, managing, monitoring and enforcing the agricultural lands or agricultural conservation easements, as well as the costs of maintaining agriculture on the mitigation lands.

   * with provisions for adjustment of in-lieu fees to reflect potential changes in land values at the time of actual payment

8. Agricultural lands or conservation easements acquired and transferred to an agricultural conservation entity should be located in Santa Clara County and be lands deemed acceptable to the city and entity.

9. The agricultural mitigation should result in preservation of land that would be:

   a. Prime agricultural land of substantially similar quality and character as measured by the Average Storie Index rating and the Land Capability Classification rating, and

   b. Located within cities' spheres of influence in an area planned/envisioned for agriculture, and

   c. That would preferably promote the definition and creation of a permanent urban/agricultural edge.

10. Because urban/non-agricultural uses affect adjacent agricultural practices and introduce development pressures on adjacent agricultural lands, LAFCO encourages cities with LAFCO proposals impacting agricultural lands to adopt measures to protect adjoining agricultural lands, to prevent their premature conversion to other uses, and to minimize potential conflicts between the proposed urban development and adjacent agricultural uses. Examples of such measures include, but are not limited to:

    a. Establishment of an agricultural buffer on the land proposed for development. The buffer's size, location and allowed uses must be sufficient to minimize conflicts between the adjacent urban and agricultural uses.

    b. Adoption of protections such as a Right to Farm Ordinance, to ensure that the new urban residents shall recognize the rights of adjacent property owners conducting agricultural operations and practices in compliance with established standards.

    c. Development of programs to promote the continued viability of surrounding agricultural land.

Agricultural Conservation Entity Qualifications

11. The agricultural conservation entity should be a city or a public or non-profit agency. LAFCO encourages consideration of agricultural conservation entities that:

    a. Are committed to preserving local agriculture and have a clear mission along with strategic goals or programs for promoting agriculture in the areas that would be preserved through mitigation,

    b. Have the legal and technical ability to hold and administer agricultural lands and agricultural conservation easements and in-lieu fees for the purposes of conserving and maintaining lands in agricultural production and preferably have an established record for doing so, and

c. Have adopted written standards, policies and practices (such as the Land Trust Alliance's "Standards and Practices") for holding and administering agricultural lands, agricultural conservation easements and in-lieu fees and are operating in compliance with those standards.

Timing and Fulfillment of Mitigation

12. LAFCO prefers that agricultural mitigation be in place at the time of LAFCO approval or as soon as possible after LAFCO approval. The mitigation (as detailed in the Plan for Mitigation) should be fulfilled no later than at the time of city's approval of the final map, or issuance of a grading permit or building permit, whichever occurs first.

13. Cities should provide LAFCO with information on how the city will ensure that the agricultural mitigation is provided at the appropriate time.

14. Cities should provide LAFCO with a report on the status of agricultural mitigation fulfillment every year following LAFCO approval of the proposal until the agricultural mitigation commitments are fulfilled.

15. The agricultural conservation entity should report annually to LAFCO on the use of the in-lieu fees until the fees have been fully expended.

Plan for Mitigation

16. A plan for agricultural mitigation that is consistent with these policies should be submitted at the time that a proposal impacting agricultural lands is filed with LAFCO. The plan for mitigation should include all of the following:

    a. An agreement between the property owner, city and agricultural conservation entity (if such an entity is involved) that commits the property owner(s) to provide the mitigation for the loss of prime agricultural lands and establishes the specifics of the mitigation. Upon LAFCO approval of the proposal, the agreement should be recorded with

the County Recorder's office against the property to be developed. The agreement should specify:

1. The type of mitigation that will be provided in order to mitigate for conversion of agricultural lands. (purchase of fee title or easement or payment of in-lieu fees)
2. The agricultural conservation entity that will be involved in holding the lands, easements, or in-lieu fees.
3. The acreage that would be preserved through mitigation and /or the amount of in-lieu fees that would be paid (with provisions to adjust fees to reflect land values at time of payment) along with the methodology adopted by the entity for calculating the in-lieu fees.
4. The location of the mitigation lands, when possible.
5. Information on the specific measures adopted by the city as encouraged in Policy #10 (mitigation for impacts to adjacent agricultural lands)
6. The time-frame within which the mitigation will be fulfilled, which should be no later than at the time of city's approval of the final map, or issuance of the grading permit or building permit, whichever occurs first.
7. The mitigation agreement is to be contingent on LAFCO approval of the proposal.

b. Applicant should provide all other supporting documents and information to demonstrate compliance with these policies.

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Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis

(Part of AIHA Journal (63) November/December 2002)

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Alice Suter
American Industrial Hygiene Association

More than one-half million construction workers are exposed to potentially hazardous levels of noise, yet federal and state Occupational Safety and Health Administration (OSHA) programs provide little incentive to protect them against noise-induced hearing loss. Construction noise regulations lack the specificity of general industry noise regulations. In addition, problems that characterize the construction industry, such as worker mobility and the large proportion of small businesses, make implementing hearing conservation measures more difficult. The apparent severity of exposure depends greatly on the measurement method, with the 3-dB exchange rate almost always showing higher average exposure levels than the 5-dB (OSHA) rule. Construction workers demonstrate hearing threshold levels that generally conform to those expected in manufacturing. The prevalence of hearing protection device (HPD) use among U.S. construction workers is very poor, partly because of perceived difficulties in hearing and understanding speech communication and warning signals. In addition, masking by noise of necessary communication and warning signals is of particular concern in construction, where recent research demonstrated the association between fatalities and the failure to hear reverse alarms. Judicial use of HPDs is of the utmost importance, along with avoiding overattenuation, selecting HPDs with uniform attenuation, and using noise-attenuating communication systems when possible. A successful hearing conservation program in British Columbia can serve as a model for the United States, with a long-standing positive safety culture, a high percentage of HPD use, improvement in average hearing threshold levels over the last decade, and a centralized record-keeping procedure, which helps solve the problem of worker mobility. However, controlling construction noise at the source is the most reliable way to protect worker hearing. US manufacturers and contractors should benefit from the activities of the

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European Community, where noise control and product labeling in construction has been carried out for more than 20 years.

Keywords: construction workers, hearing conservation, noise exposure

The fact that US construction workers are exposed to hazardous levels of noise and sustain significant hearing impairments is not news. That these impairments are at least as great as would be expected from an industrial population became evident during the 1960s and 1970s. [1,2] Estimated numbers of construction workers exposed to potentially hazardous levels of noise range from about half a million to 750,000. [3,4] In 1988 the National Institute for Occupational Safety and Health (NIOSH) recommended that the Occupational Safety and Health Administration's (OSHA's) noise regulation, including the hearing conservation provisions, be extended to construction workers as well as to other occupations not then covered. [5] A 1995 conference jointly sponsored by NIOSH and the National Hearing Conservation Association identified construction workers as an "undeserved" population. [6]

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In the United States there are separate noise regulations for construction (29 CFR 1926.52 and 1926.101) and general industry (29 CFR 1910.95). The permissible exposure limits (PEL) and requirements for noise control are essentially the same, an 8- hour time-weighted average exposure level (TWA) of 90 dBA with a 5-dB exchange rate between allowable duration and noise level. Engineering or administrative controls are required to be implemented above this level, and hearing protection devices (HPDs) must be issued and worn when exposures exceed the PEL. Both regulations require hearing conservation programs (HCPs) for overexposed workers, but there are two essential differences: (1) the noise regulation for general industry requires the initiation of HCPs at an action level of 85 dBA, whereas the construction regulation does not use an action level; and (2) the general industry regulation gives detailed requirements for noise exposure monitoring, audiometric testing, (HPDs), worker training and education, and record keeping, whereas the construction regulation (1926.52) has only a general requirement for "continuing effective hearing conservation programs" above the PEL. Construction regulation 1926.101 merely mandates the use of hearing protection above the PEL and requires insert devices to be fitted or determined individually by "competent persons."

Current enforcement of these noise regulations is not rigorous, particularly in construction. Neither the noise reduction nor the hearing conservation provisions are well enforced in construction. For example, of more than 18,000 federal construction inspections during

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fiscal year 1998, only 63 inspections were conducted for the noise regulations, resulting in a total of 79 citations. (7) Lack of enforcement characterizes state as well as federal programs. Even those states that have adopted the general industry noise regulation for construction, such as the state of Washington, have failed to enforce the hearing conservation provisions.

Part of the problem has been a perceived lack of information about the noise exposures of construction workers, although several studies have been conducted over recent decades in the United States and Canada. A more salient reason for the lack of activity in this area is the impracticality of the usual approaches to HCPs in the construction arena. Mobility among construction workers, short periods of employment, and the consequent difficulty in record keeping and follow-up present daunting obstacles. This report attempts to address these issues and offer possible solutions.

NOISE EXPOSURE LEVELS OF CONSTRUCTION WORKERS

Evidence of Overexposure

Several studies conducted in the 1960s and 1970s indicated that construction workers were overexposed. In the early 1980s NIOSH estimated the numbers of workers in various occupations, including construction, exposed to noise levels above 85 dBA. (8) Table I gives the estimated percentage of workers in various construction trades exposed to noise levels above 85 dBA. Although the percentages were derived in the early 1980s, the data on numbers of employees in the various trades has been updated to 1995. (4)

TABLE I. Construction Employment Data (1995) and NIOSH Estimates (1981-1983) of Numbers Exposed at or Above 85 dBA (Adapted from Hattis (4))

SIC	Industry Description	1995 1000s Employees	NIOSH % Exposed .85 dBA A,B
152	Residential builders	609	12
154	Nonresidential builders	567	12
161	Highway and street construction	223	27
162	Other heavy construction	526	17
171	Plumbing, heating, and air conditioning	712	7
172	Painting and paper hanging	179	20
173	Electrical work	593	13

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174	Masonry, stonework, and plastering	409	8
175	Carpentry and floor laying	219	32
176	Roofing, siding, and sheet metal	208	11
177	Concrete work	248	40
179	Miscellaneous special trade contractors	548	14
Total (in 1000's)		5041	
A Percentages were rounded to the nearest integer.			
B Total number exposed .85 5 754,174. [4]			

The highest percentages of overexposed workers occur in highway and street construction, carpentry, and concrete work. Of the approximately 5 million construction workers in 1995, the total number exposed to noise levels of 85 dBA and above was about 754,000. Because NIOSH sampled noise levels rather than exposures, these are not TWAs, and the actual numbers would be somewhat lower when using TWA, but these numbers are useful for ranking the extent of the hazard by trade and to estimate the upper bound of the total number exposed.

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Studies of Noise Exposure in Construction Workers

Recent studies have supplemented the earlier ones with noise dosimetry, providing a more precise and comprehensive picture of construction workers' exposures. Table II, containing information from Sinclair and Haflidson, [(9)] shows average daily noise exposures of construction workers by type of construction. The authors obtained samples of up to 5 hours in 27 construction projects during 1991-1992, which, due to the repetitive nature of the work, they considered representative of a full shift. They measured according to the proposed Ontario Noise Regulation, which specifies a 3-dB exchange rate. [(10)] TWA sound levels using the 3-dB exchange rate are sometimes referred to as "equivalent continuous sound levels" or L^{eq}. Of the 103 workers sampled, the average noise exposure level was approximately 99 dBA.

TABLE II. Average Noise Exposure Levels (Daily L_{eq}) by Type of Construction (Adapted from Sinclair and Haflidson [(9)])

Type of Construction	Number Samples	Average dBA [A]	Range dBA [A]
Residential	7	93	87-96

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Roads/bridges	16	93	84-100
Shop work [B]	26	95	85-104
Maintenance	2	95	91-97
ICI [C]	23	96	81-108
Sewer/water	17	99	85-108
Plant work [D]	6	101	87-106
Power station	6	108	93-113
Total	103	99	81-113

[A] Rounded to the nearest integer

[B] Shop work = work in a contractor's fabrication shop.

[C] ICI = industrial, commercial, or institutional.

[D] Plant work = work in a construction contractor's plant.

Table III, also from data gathered by Sinclair and Haflidson, [9] shows daily average noise exposure levels by trade, activity, or equipment. The authors caution that in many cases the samples are too small to state definitively which sectors of construction have the greatest risk, but, in their words, "the magnitude of the problem is obvious." [p. 459] From Table III it is clear that boiler- makers and iron workers, at least those studied here, are heavily exposed, with average exposure levels of 108 and 105 dBA, respectively. The authors concluded that pneumatic tools were largely responsible.

TABLE III. Average Noise Exposure Levels (Daily L_{eq}) by Trade, Activity, or Equipment (Adapted from Sinclair and Haflidson [9]))

Trade, Activity, or Equipment	Number of Samples	Average dBA [A]	Range dBA [A]
Install rebar	2	89	88-90
Carpenter	3	90	82-94
Mason	14	91	84-97
Framer	7	93	87-96
Sprinkler	6	94	86-97
Forming	5	94	87-97
Refractory	2	95	91-97
Sheet metal	17	96	85-104

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Ironworker	2	105	98-108
Boilermaker	6	108	93-113
Paver	6	90	84-92
Front-end loader	2	90	87-92
Scraper	5	90	88-91
Curb machine	3	93	86-96
Roller	2	98	93-100
Crane	3	99	95-102
Dozer	6	102	85-108
Heavy equipment	4	90	86-94
Gravel plant	4	102	88-106
Other	4	88	81-90
Total	103	99	81-113
[A] Rounded to the nearest integer			

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In another Canadian study, Legris and Poulin [11] reported on the noise exposure of heavy equipment operators and laborers. The data were collected in Quebec in the late 1980s and the measurements used a 5-dB exchange rate. The average duration of the work shift was 9.5 hours with a range of 8-12 hours, and the data were normalized to an 8-hour shift. Of the 250 samples taken, 65 were from laborers and 185 from heavy equipment operators.

Table IV gives 8-hour average noise exposure levels for heavy equipment operators and laborers according to Legris and Poulin. The authors explained the variations in exposures by such factors as the location and type of muffler, amount of time the equipment was idling or under load, the power rating of the engine, and the nature of the task. Of particular importance were the presence or absence of an insulated cab and the design of the equipment. Note the 10-dB difference between insulated and noninsulated cabs and the 13-dB difference between crawler and rubber-tired cranes weighing more than 35 tons with noninsulated cabs.

TABLE IV. Average Daily Noise Exposure Levels (8-Hour TWA) of Heavy Equipment Operators and Associated Laborers in dBA (Adapted from Legris and Poulin [11])

Operator or Task	Mean TWA	SD	Range
Heavy-duty bulldozer	9	5	91-107
Vibrating road roller	97	4	91-104

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Light-duty bulldozer	96	2	93-101
Asphalt road roller	95	4	85-103
Wheel loader	94	4	87-100
Asphalt spreader	91	3	87-97
Light-duty grader	89	1	88-91
Power shovel	88	3	80-93
Laborers	90	6	78-107
Crawler crane .35 ton Noninsulated cab	97	2	93-101
Crawler crane ,35 ton			
Noninsulated cab	94	3	90-98
Insulated cab	84	3	80-89
Rubber tired cane .35 ton			
Noninsulated cab	84	5	78-90
Insulated cab	74	9	59-87
Rubber tired crane, 35 ton Insulated cab	81	4	77-87
Truck-mounted crane	79	2	76-83
Tower crane	74	2	70-76

The results of another, smaller study of operating engineers and laborers are in general agreement with those of Legris and Poulin. Greenspan et al. (12) found 8-hour TWAs ranging from about 68 to 103 dBA, with a mean TWA of 89 dBA, although five of the eight samples were above 90 dBA. The study should not be considered conclusive because of the small sample size (N58) and the wide range of exposures, but it gives a clear example of the benefits of noise reduction in machinery design. The 68-dBA exposure was achieved in a Caterpillar 980 front-end loader with an enclosed, sound insulated cab.

Data from the Worker Compensation Board of British Columbia (13) are also in general agreement with the above data, although such factors as occupations, sample sizes, and the exchange rate vary from study to study.

Several factors make it difficult to draw comparisons between these kinds of studies. First, the exchange rate has an effect, with the 3-dB exchange rate almost always producing higher exposure levels than the 5-dB exchange rate. Second, the length of the work shift, of course, increases the exposure level; and third, the amount of time each worker spends on each piece of equipment also has an effect.

Effect of the Exchange Rate

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Varying and intermittent noise environments are typical of the construction industry, unlike many manufacturing industries in which the noise is relatively continuous. Much of the construction process takes place outdoors, without the reverberant buildup typical of factories, and it is often characterized by the high-level short-duration sounds of hand tools. When noise from heavy equipment predominates, however, the sound tends to be more continuous. Thus, the differences between measurements using the 3- and the 5-dB exchange rate become more pronounced as the type of construction moves from site preparation, which involves much use of heavy equipment, to finishing work involving carpentry and the use of hand tools.

Neitzel, Seixas, and their colleagues at the University of Washington measured the noise exposure levels of 133 carpenters, laborers, ironworkers, and operating engineers with data-logging dosimeters. [14,15] They found that using the 5-dB exchange rate (“OSHA TWA"), 13% of their samples exceeded the 90-dBA criterion and 40% exceeded the 85-dBA criterion. Using the 3-dB exchange rate (“ISO-slow TWA"), 45% exceeded the 90-dBA criterion and 80% exceeded the 85-dBA criterion. These large differences, according to stage of construction, are presented graphically in Figure 1. [14] The boxes represent the range of noise exposure between the 25th and 75th centiles, the brackets show the entire range of exposures, and the horizontal lines within the boxes represent medians. One can see that the differences are larger in finish work than in site preparation and structural work. The authors found the differences to be statistically significant for both finish work and structural work, although not for site preparation.

FIGURE 1. Comparison of OSHA and NIOSH/ISO TWAs by site stage of construction. Reprinted from Neitzel et al. [14] with permission of the first author.

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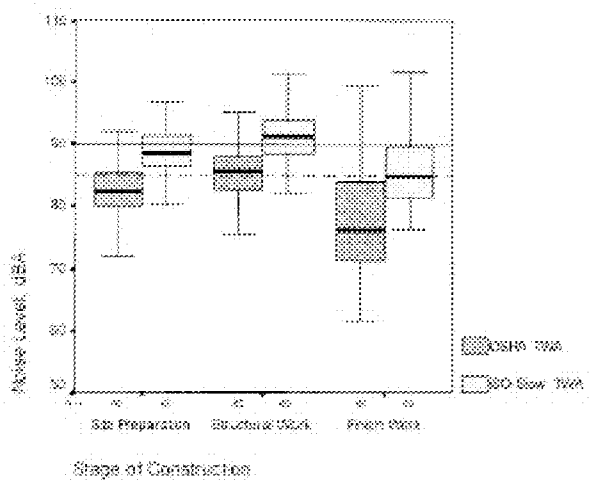

Figure 2, also from Neitzel et al., compares noise exposure levels using the 3- and 5-dB exchange rates by construction trade. The differences are smallest for the operating engineers and greatest for carpenters, but they are also substantial for ironworkers and laborers. In this case all of the differences were significant at the 0.05 level. The authors found an overall difference between the 3- and 5-dB exchange rates of about 7 dB.

FIGURE 2. Comparison of OSHA and NIOSH/ISO TWAs by trade. Reprinted from Neitzel et al. [14] with permission of the first author.

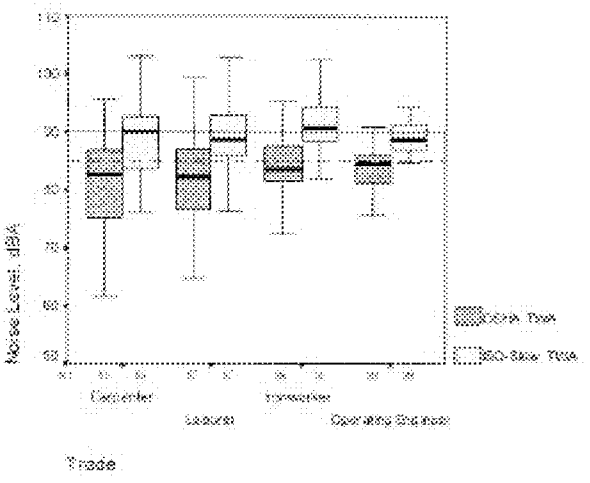

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Relative Hazard of Construction Equipment

Because construction workers often use several different pieces of equipment, Neitzel and Seixas developed a method by which the average noise contribution of the various tools and equipment could be assessed. Table V gives "1-min sound levels" of construction equipment. This term represents an average of the 1-min dosimeter readings in L_{eq} (3-dB exchange rate) that came from periods when workers reported using a particular piece of equipment. For example, there was a total of 255 min during which workers reported using an air compressor, and the median sound level, integrated during each 1-min period, was 96 dBA, with a range of 70 to 114 dBA and a standard deviation of 11.2 dBA. The large standard deviations for most pieces of equipment reflect the variations of sound levels and conditions of use.

TABLE V. Median 1-Min Sound Levels in L_{eq} by Equipment/Tool (Adapted from Neitzel et al. [14] Using Additional Data Supplied by Neitzel [16])

Tool Name	Tool Drive Type	Minutes	Median dBA	SD dBA	Range dBA
Air compressor	pneumatic	255	96	11.2	70-114
Backhoe	gasoline	1908	86	6.0	70-108
Bulldozer	gasoline	494	89	8.2	70-104
Chipping gun	pneumatic	1151	93	13.1	70-120
Chopsaw	electric	631	80	8.6	70-106
Crane	electric	3059	78	7.7	70-110
Forklift	gasoline	3727	85	5.8	62-125
Hand hammer	mechanical	4443	85	8.0	56-110
Jackhammer	pneumatic	267	104	11.4	70-112
Lejeune gun	pneumatic	390	89	8.4	70-120
Truck	gasoline	970	78	8.0	70-123
Welding torch	other	1923	84	8.9	70-118

These 1-min average noise levels do not represent noise doses or 8-hour time-weighted exposures, but they do provide a means for estimating the relative hazard of the various pieces of equipment. The reason they may be somewhat lower than measurements taken with a sound level meter is that they tend to incorporate some amount of time when the equipment is either idling or actually turned off. Although it would be useful to have data on additional types of equipment, as well as various models of the same type of equipment,

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these data show that pneumatic tools, such as jackhammers and chipping guns, pose a greater risk than those powered by other means.

Chemical and Combined Exposures

In recent years there has been a substantial increase in information on the adverse auditory effects of chemicals, especially when combined with high levels of noise. OSHA estimates nearly one million construction workers are occupationally exposed to lead, [17] a substance known to be ototoxic. [18,19] Solvents, such as toluene and xylene, have been implicated as causes of occupational hearing loss, and, particularly when combined with noise, appear to exacerbate the hazard to hearing. [20-23] In a report on construction laborers, Burkhart et al. [24] placed toluene and xylene high on the list of hazardous chemicals and physical agents in terms of estimated number of exposed workers. Until more details are known about the combined exposures of construction workers, the existing data in this area should be used as added incentive for diligence in protecting workers, both from noise and from potentially hazardous chemicals.

HEARING THRESHOLD LEVELS OF CONSTRUCTION WORKERS

Although there is not nearly as much information on hearing threshold levels of construction workers as there is on noise exposure levels, fortunately, some data do exist. Studies as early as the 1960s and 1970s pointed out the problem. LaBenz et al. [1] measured the hearing of 66 operators of earth-moving vehicles and found considerably more hearing loss than in a population not exposed to noise for all age groups. Kenney and Ayer, [2] with more sophisticated audiometric equipment, measured hearing threshold levels of 33 sheet metal construction workers who regularly used handheld power tools. They found noise-induced threshold shifts that were significant for every age group and greatly exceeded expected hearing threshold levels for the older age groups.

Ohlin [25] prepared an inventory of civilian job specialties giving the number and percentage of workers in each specialty with hearing loss, defined as hearing threshold levels (HTLs) greater than an average of 25 dB at 1000, 2000, and 3000 Hz. The list, found in Table VI, includes several jobs that are associated with construction activity.

TABLE VI. Job Specialties Showing Incidence of Hearing Loss (Adapted from Ohlin [25])

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Job Title	No. Audiograms in Specialty	No. with Hearing Loss [A]	Percentage with Hearing Loss[A]
Crane operator	116	38	33
Welder	602	176	29
Carpenter	811	214	26
Engineering equipment operator	340	84	24
Wood worker	258	61	24
Motor vehicle operator	983	185	19
Electrician	495	92	19

[A] HTLs greater than an average of 25 dB at 1000, 2000, and 3000 Hz.

Waitzman and Smith [26] performed a multivariate regression analysis based on the combined data from the Public Health Service and Health Examination Surveys of 1960-1961 and 1971- 1975. The authors divided industrial workers into three categories: construction, manufacturing/mining, and other. They found that the construction category showed the greatest amount of hearing loss for all degrees of severity and at all ages, demonstrating the magnitude of the problem in construction and indicating that the onset of noise-induced hearing loss starts early. The relative risk for blue-collar construction workers was three times that of white-collar workers. In addition, white-collar construction workers also had more hearing loss than their counterparts in other industries.

A recent study of hearing loss among 66 roofers was conducted by Schneider and Tennenbaum. [27] Subjects completed a questionnaire that included information on other hazards, such as exposure to vibration, fuels, thinners/solvents, paints, glues, lead, extreme heat, and extreme cold, as well as information on hypertension and shooting habits. The average age was 48 years with 20 years on the job. Subjects reported that they generally worked slightly more than half time and they wore hearing protection infrequently (2 always, 7 often, 11 sometimes, and 46 never). The only confounding variables that showed an effect were hypertension and shooting. The authors adjusted the data for shooting by using only the right ear of the 18 subjects that reported use of weapons.

Figure 3, from Schneider and Tennenbaum, [27] shows the average hearing threshold levels of roofers compared with the median, 90th, and 10th centiles predicted by ISO 1999 for the same age group exposed for 20 years to average levels of 85 dBA. The roofers' hearing

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threshold levels fall between the median and 10th centiles of the ISO prediction.

FIGURE 3. Average hearing threshold levels among roofers compared with those of a hypothetical 50-year-old population exposed to 85 dBA for 20 years as predicted by ISO 1999 using Annex B. Reprinted from Schneider and Tennenbaum [27] with permission of the first author.

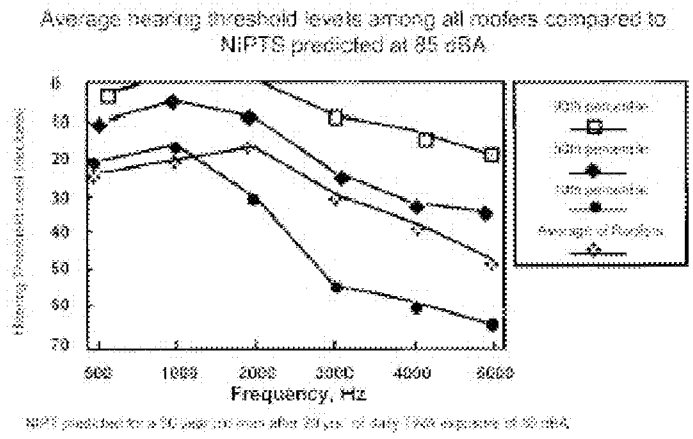

Two factors might cause these thresholds to be overestimates of the true hearing thresholds of roofers. First, the audiometric room was quiet but not soundproofed, which would be likely to produce elevated thresholds in the low and middle frequencies, although lack of soundproofing is unlikely to affect thresholds above 1000 Hz, where the major differences manifest. Secondly, a self-selection bias could occur because these subjects were volunteers at a convention. The bias could, however, work the other way in that some roofers might not volunteer because they did not want to confront the fact of hearing loss. One factor that would cause these thresholds to be underestimates is that they are part-time exposures that are compared with full-time exposures in the ISO method. Thus, to the extent that other roofers work longer hours their hearing losses could be more severe.

Figure 4, from Stephenson, [28] shows predicted compared with actual hearing threshold levels at 4000 Hz for carpenters. The data were collected by NIOSH personnel at a convention, so once again, self-selection may have introduced a bias, either to higher or lower hearing threshold levels. The results are interesting, however, because the author compares mean hearing levels of carpenters with a control group not exposed to noise (Annex A of ISO 1999 or ANSI S3.44, which comprises hearing threshold levels of an ontologically normal [highly screened] population) and to median hearing levels predicted

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by ISO 1999 (or ANSI S3.44) of persons exposed to average daily levels of 95 dBA for the same age groups. One can see that the carpenters' hearing threshold levels are considerably greater than those of the subjects not exposed to noise in all age groups, and worse than the 95-dBA populations in the older age groups. These data would indicate, to the extent that this is a representative sample, that the exposures of carpenters equal or exceed an average Leq of 95 dBA.

FIGURE 4. Predicted compared with actual hearing threshold levels at 4000 Hz for carpenters. Reprinted from Stephenson [28] with permission of the author.

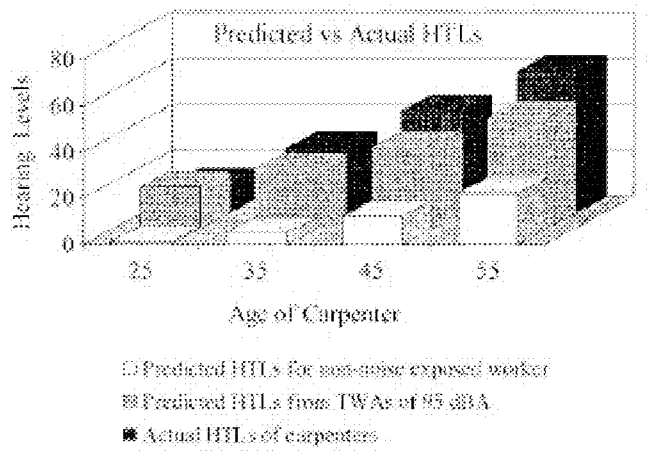

Undoubtedly, the most comprehensive HCPs for construction workers are those of the Worker's Compensation Board (WCB) in British Columbia. Figure 5, supplied by the WCB, shows HTLs of carpenters dating from 1988 and 1997. [29] These HTLs are plotted against a population from ISO 1999 Annex B (hearing threshold levels listed in Annex B of ISO 1999 [and ANSI S3.44] are for an unscreened population in an industrialized country) not exposed to noise and predictions of expected hearing threshold levels (noise-induced permanent threshold shift plus age) calculated from the measured exposures of a group of 63 carpenters in British Columbia. The carpenters' data are for the right ear and Annex B data are for the better ear, although any effect caused by this difference should be minimal. The average exposure of the measured group was an Leq of 91.3 dBA. One can see that the carpenters' HTLs were slightly worse than that of the population not exposed to noise but somewhat better than the predictions based on ISO 1999. Also, there is a slight improvement between the measured thresholds in 1997 and those from 1988 in the 6000- and 8000-Hz frequencies.

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FIGURE 5. Hearing threshold levels of British Columbia carpenters (triangles, 1988; open circles, 1997) plotted against a population not exposed to noise (closed circles) and predictions of expected hearing threshold levels due to average measured exposures of carpenters of L_{eq} 91.3 dBA (dashed line). Reprinted from Gillis and Harrison [29] with permission of the first author.

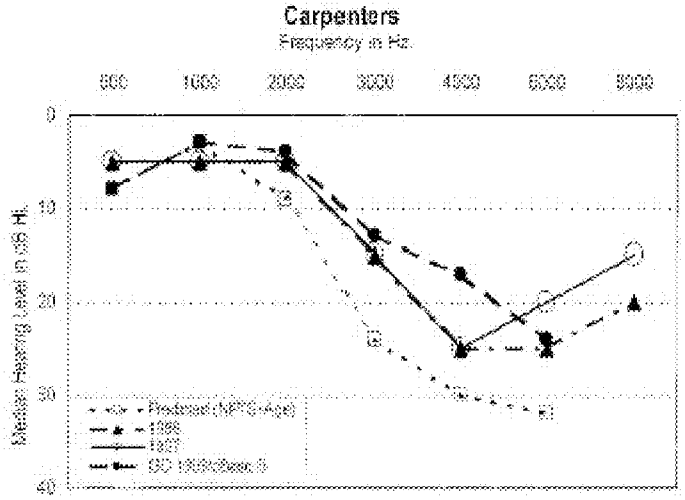

Figure 6 shows the same kind of data for equipment operators. [29] The ISO 1999 estimates of HTL are based on the measured noise exposures of 46 workers with an average L_{eq} of 91.6 dBA. Once again the 1988 HTLs are worse than those of the control population not exposed to noise and better than would be predicted according to the ISO standard. HTLs of the 1997 population, however, mimic the nonexposed curve and are substantially better than would be predicted by the average exposure level of a similar group of equipment operators. The reasons for these improvements are most likely attributable to the success of HCPs, which will be discussed further in the following sections. It is possible that some of the improvements may be due to the learning effect, an artifactual improvement in HTLs that occurs when people take several audiometric tests over a period of time. However, one cannot dispute the large differences between HTLs of these workers and the HTLs that would be predicted from their noise exposures.

FIGURE 6. Hearing threshold levels of British Columbia equipment operators (triangles, 1988; open circles, 1997) plotted against a population not exposed to noise (closed circles) and predictions of expected hearing threshold levels due to average

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measured exposures of equipment operators of L_{eq} 91.6 dBA (dashed line). Reprinted from Gillis and Harrison [29] with permission of the first author.

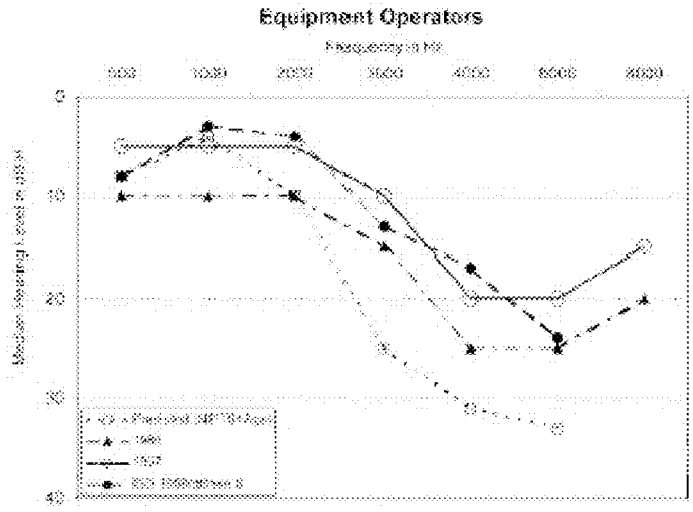

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HEARING PROTECTOR USE AMONG CONSTRUCTION WORKERS

Prevalence of Use

The use of HPDs by US construction workers has been notoriously poor, although it has improved slightly in recent years. For example, a 1967 study of occupational health in California noted that HPDs were not considered practical because of heat, dust, dirt, and lack of washing and fitting facilities on job sites. [30] This attitude was probably typical of construction in the United States until fairly recently. Even today, the use of HPDs in construction is not widespread. Greenspan et al. [12] found that only one individual out of the group of operating engineers and laborers they studied used HPDs, and this individual reported that he already had a hearing loss. Most of the group was older than 50 years and most reported that HPDs interfered with communication.

Table VII gives estimated numbers of workers exposed to noise levels of 85 dBA and above in various segments of the construction industry and the reported percentage using HPDs. The numbers of exposed workers are based on NIOSH estimates from 1981-1983, updated to reflect 1995 construction employment data. [4] The percentages are based on NIOSH observations from 1981-1983. One should keep in mind that the numbers exposed include

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all of those exposed to levels, not TWAs, of 85 dBA and above. Even so, the percentage observed using HPDs is quite low, and virtually nonexistent in certain trades.

TABLE VII. Estimated Numbers of Workers Exposed at or Above 85 dBA and Percentage Using HPDs (NIOSH Percentage Estimates [1981- 1983] Using 1995 Construction Employment Data. Adapted from Hattis [4])

SIC	Industry Description	NIOSH Est. No. Exposed >85 dBA	Reported % Using Hearing Protection
152	Residential builders	75,500	1
154	Nonresidential builders	66,300	15
161	Highway and street construction	60,400	11
162	Other heavy construction	90,500	44
171	Plumbing, heating, and air conditioning	52,700	16
172	Painting and paper hanging	35,100	0
173	Electrical work	74,100	0
174	Masonry, stonework, and plastering	33,500	11
175	Carpentry and floor laying	70,700	0
176	Roofing, siding, and sheet metal	22,300	3
177	Concrete work	98,500	19
179	Miscellaneous special trade contractors	74,500	35
Total		754,100	avg. 15%

The information in Table VIII summarizes the prevalence of HPD use according to various studies. In their survey of operating engineers, carpenters, and plumbers/pipefitters, Lusk and her colleagues found that overall, 24% of those surveyed never used HPDs when exposed to high levels of noise, and only 5.3% always wore them when exposed. [32]

TABLE VIII. Summary of Prevalence of HPD Use According to Various Studies

NIOSH (NOES) (1981-1983)[A]
Highway and street construction, 11%
Carpentry and floor laying, 0%
Plumbing, heating, and air conditioning, 16%
Overall average, 15%

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Lusk et al. [31]		
Operating engineers, 49%		
Carpenters, 18%		
Plumbers/pipefitters, 32%		
Overall average, 33%		
British Columbia WCB [29]	1988	1998
Equipment operators	74%	90%
Carpenters	49%	77%
Electricians	55%	87%
Laborers	64%	64%
Truck drivers	46%	73%
Welders	76%	94%
Overall average	56%	75%

[A] Examples from Table VII

By contrast, the majority of British Columbia construction workers regularly used HPDs, even in 1988, when hearing conservation efforts were formally initiated in construction. According to Harrison, [33] British Columbia has required the use of HPDs since 1967, and a positive safety culture has existed there since the early 1970s, when hard hats and HPDs were fairly widely accepted. Enforcement of hearing conservation requirements was stepped up in the early 1970s, mainly in the forestry industry, but compliance appeared to spread into other sectors at that time. The widespread use of HPDs by 1988 is likely to be the primary reason for the better-than-expected hearing threshold levels of the carpenters and equipment operators shown in Figures 5 and 6.

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Practical Considerations

The need for construction workers to communicate with each other is as great or greater than in most manufacturing industries. This is particularly true of personnel operating heavy and mobile equipment, such as loaders, dozers, and cranes, as well as personnel on the ground or in structures who need to communicate with them. Unless these workers are fitted with effective two-way or multiway communication systems, HPDs are likely to be viewed as a hindrance to communication and the perception of warning signals. This is especially true of workers who have already incurred a noise-induced hearing loss.

Most of these noise-induced hearing losses occur in the frequencies above 1000 Hz, which

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is the area most critical for the understanding of speech. Unfortunately, HPDs attenuate most effectively in this same frequency range. Consequently, spoken communication and indeed many warning signals become more difficult to perceive and understand when the person with noise-induced hearing impairment wears HPDs. There is a considerable body of research indicating that persons with noise-induced hearing loss are at an increased disadvantage in the perception of speech and warning signals when they wear HPDs. (34)

By contrast, a recent laboratory study of the effects of HPDs and hearing loss on the ability to perceive a common back-up signal indicated that persons with fairly severe losses could still detect a common reverse alarm at a signal-to-noise ratio of 0 dB. (35) These results are not definitive, however, because of the small size of the experimental population and because the subjects had no additional demands on their attention. It does suggest that even hearing-impaired persons wearing HPDs are able to perceive warning signals under certain favorable conditions.

There is also a body of research on listeners with normal hearing that shows that the use of HPDs can actually improve the perception of speech and warning signals in high-noise conditions. This is especially true when the noise is continuous. It appears that the point at which HPDs no longer provide an advantage for normal-hearing listeners is between about 80 and 90 dBA. (34)

However, much of construction noise tends to be intermittent or varying. Intermittent noise, which is typical of carpentry and finishing operations, is characterized by large differences in sound level and periodic interruptions at relatively low levels. Varying noise, which is more typical of the heavy equipment noise generated during site preparation, is characterized by ample differences between maximum and minimum levels, but low-to-moderate levels in between are present for a considerable amount of time. (36,37) Although HPDs may benefit communication during high noise periods, they are likely to be an impediment during the periods of intermittency when noise is below 80-90 dBA, and yet construction workers need to communicate and hear warning sounds during these periods.

This problem would suggest the need for HPDs that can be easily put on and taken off, such as muffs or semiaurals. There are, however, drawbacks to both of these protectors in the construction environment. First, muffs are sometimes incompatible with hard hats and safety glasses. Some muffs can be worn with the headband under the chin, but this position may be awkward. Muffs that are actually attached to the helmet are a popular alternative, but the attenuation is not always as great as with standard muffs because of difficulties in

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proper orientation and fit. The temple bars of safety glasses will often break an earmuff 's seal and attenuation will be reduced. Semiaurals may be useful as they are very easy to don and doff, but workers often find them uncomfortable and dislike the effects on the perception of their own voices due to the "occlusion effect" they sometimes generate. (38)

Interestingly, most workers in the British Columbia program, where the rate of use is highest, prefer to wear earplugs rather than earmuffs or semiaurals. In 1997, 64% of the construction workers reported using plugs, 13% used muffs, 1% used a combination of plugs and muffs, and 22% used no HPD. The use of plugs in British Columbia has greatly increased since a previous survey in 1981, and the use of muffs has decreased. (39)

Earplugs also have their disadvantages, aside from the fact that they require more time and effort to put on and take off than muffs or semiaurals. User-molded plugs, which have become by far the most popular type of plug, require clean hands to roll down and insert. The dust and dirt typical of construction sites can become imbedded in the plug and therefore a possible hygiene problem.

Localization of the sound source can be very important in construction. Workers need to be aware of warning signals, shouts from coworkers, and back-up alarms from moving vehicles. Both plugs and muffs degrade the ability to localize in the horizontal plane (left-right) and muffs have a devastating effect on localization in the vertical plane. (34,40,41) This fact has particular implications for the safety of iron workers and others who depend on communication in the up-down dimension.

It is true that hearing loss itself degrades the ability to localize (42) and to perceive speech and warning signals, (34) and one of the best ways to prevent hearing loss is the effective use of HPDs. This presents a difficult paradox because one is reluctant to generate safety problems in the effort to reduce an adverse effect on both safety and health.

The most recent noise regulation in British Columbia, which applies to construction as well as general industry, requires the posting of noise hazard areas when average exposure levels exceed 85 dBA (L_{eq}) or peak sound levels exceed 135 dBA. Employers must supply HPDs and workers must wear them in areas that have been posted. (43) This would presume that construction workers would be obliged to wear HPDs during the quiet periods and in noise levels between 80 and 90 dBA, even if they should pose a safety hazard. The regulation does state, however, that workers must wear HPDs "in accordance with instructions provided by the employer." Hopefully, employers would see fit to allow, even encourage

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workers to remove protectors when noise levels drop below about 85 dBA, but such flexibility on the part of both contractors and workers may not be easy to achieve. Employers often have the idea that bigger is better, and seek out HPDs with the most attenuation, regardless of an employee's noise environment and job needs. This practice can lead to overprotection, when too much attenuation can prevent workers from hearing sounds that are necessary to their job performance and safety. HPDs with only mild or moderate levels of attenuation can be quite adequate, as long as they are worn properly.

The British Columbia noise regulation requires certain selection criteria for HPDs, which are based on the Canadian Standards Association Standard, Z94.2-94, "Hearing Protectors" and its appendix. These criteria include communication demands on the worker as well as the worker's hearing ability and daily noise exposure. (43) The requirements should have the effect of encouraging employers not to overprotect.

In the United States the ANSI standard (S12.6) for estimating the attenuation of HPDs has recently been revised to include a subject-fit protocol (Method B) in addition to the traditional experimenter- fit method (Method A). (44) Using the new subject-fit procedure results in noise reduction ratings (NRRs) that are somewhat lower, but considerably more realistic than those derived by the earlier method, which is still printed on the HPD's package. US employers should be encouraged to use the newer Method B values whenever available, and to understand that they are more reflective of real-world use. In other words, employers should understand that hearing protector attenuation needs to be adequate but not excessive, and that overkill is a bad idea.

Regardless of whether HPDs improve or interfere with the perception and identification of warning sounds in specific cases, many construction workers believe that they will be a hindrance and therefore resist wearing them. A survey of carpenters' attitudes showed that nearly 50% believed they would be unable to hear warning sounds when wearing HPDs, and an additional 17% was unsure. (45) This problem calls not only for improved training, but an educated sensitivity on the part of those who dispense and supervise the wearing of HPDs.

Potential Solutions

Over recent decades, certain HPDs have been developed with speech communication and warning signal detection in mind. They may be classified as passive attenuators, attenuators aided by electronics, and communication systems. (For a comprehensive review of

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technology advances in HPDs, see Casali and Berger. [46])

Passive attenuation is characteristic of conventional plugs and muffs that do not use electronic systems. An example of a relatively new passive device is the Ultra 9000 (Aearo Co. Indianapolis, Ind.), a level-dependent earmuff that uses a valve system to achieve low levels of attenuation in low noise levels, with substantial attenuation in impulsive noise conditions. [47] Although this muff provides somewhat less attenuation in the low frequencies than in the middle and high frequencies, the slope between 500 and 8000 Hz is relatively flat (when worn correctly), which is desirable for speech communication. Other earmuffs without the level-dependent characteristic are currently being marketed for their communication advantages. An example is the Bilsom NST (Bacou-Dalloz Inc., Reading, Pa.), which has a relatively uniform attenuation between 250 and 6000 Hz.

Another promising development in the passive category are the ER-15 and the ER-25 plugs (Etymötic Research, Elk Grove Village, Ill.). The former provides a uniform attenuation of approximately 15 dB throughout nearly the entire frequency range, and the latter 25 dB of attenuation, although it rolls off slightly in the low frequencies. According to Killion et al., [48] the acoustics of the ER-15 plug were developed to mirror the natural response of the open ear while providing some amount of attenuation. It has become known as the "musician's earplug" because of its popularity among musicians, who require spectral "fidelity." Because its official NRR is only 7 dB, it is not appropriate for all occupational uses. The ER-25, however, does provide more attenuation, with an NRR of 16. The major drawback to these HPDs is that they must be custom molded to the user's ear, which adds considerably to the cost.

There are some conventional earplugs that attempt to achieve a flat attenuation at much lower cost. For example, Aearo's Ultratech plugs, with NRRs of 12 or 16 dB, are premolded plugs that have a slope of only 10 dB between 125 and 8000 Hz when worn correctly. Even though the NRRs of these devices are not as impressive as the 25-to-30 dB of many other HPDs, their attenuation would be sufficient for many construction activities, as long as they are inserted and worn properly.

There are two types of earmuffs that employ electronics. One uses noise cancellation to achieve attenuation. The other uses amplification to permit the passage of low and moderate levels of sound, maintaining a constant level at the ear. It then acts as a passive attenuator at high levels. An example of the latter is the Peltor Tactical 7-S (Aearo Co., Indianapolis, Ind.). This type of HPD offers promise of protection against high-level impulses

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superimposed against a background of relative quiet. [46]

Noise canceling earmuffs use electronics to generate an "antinoise" signal that reduces incoming noise levels by 20 dB or so in the low frequencies. An example of this HPD would be the ProActive 3000 muff (Noise Cancellation Technologies Inc., Stamford, Conn.), with an NRR of 21 dB assessed in the passive mode. These devices are useful mainly in environments characterized by high levels of low-frequency noise, where C-weighted levels exceed A-weighted levels by at least 10 dB. Because the electronics take up considerable room in the earcup, they cannot achieve as much passive attenuation as certain other protectors. However, they can produce a flatter attenuation curve when the active noise reduction feature is activated by boosting attenuation in the low frequencies and they can also reduce the troublesome masking properties of low-frequency noise. As of 1989, at least seven different companies had working models of active noise reduction headsets using noise cancellation technology, [49] but that number is probably lower today. Cost is a drawback, with prices ranging from $150 up to $1000 per set. [46]

It appears that there has been little laboratory or field testing of speech recognition with either type of electronically aided muffs. These HPDs may indeed be of benefit to speech communication and warning signal detection, but further evaluation is indicated before they are relied on in situations when speech communication is critical.

Communication headsets, however, have been used successfully over the years when communication at a distance is necessary. Although they cost anywhere from $200 to over $600, the expense can be more than offset by the benefits of clear and necessary communication. Noise cancellation may be used in these devices as an added benefit in the reduction of low-frequency noise, as in the Aviation Headset X (Bose Corp., Framingham, Mass.). Passive attenuating muffs may be plugged into existing radio systems, or self-contained units are also available for communication at distances of up to 2 miles. Several companies manufacture HPDs as communication headsets, with NRRs ranging from 21 to 29 dB. (50)

With the passage of the Americans with Disabilities Act in 1990, it is within reason to speculate that employers, including construction contractors, may need to provide workers who have hearing losses with HPDs that are suited to their communication needs, both in terms of spoken communication and the perception of warning signals. [51]

Clearly, the only practical, long-term solution to the many problems of hearing protector use

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in construction is noise control, both in the design and manufacture of construction equipment and at the construction work site.

AUDIOMETRIC MONITORING/ RECORD KEEPING

Audiometric testing is of little value unless serial audiograms can be compared, threshold shifts detected, and measures taken to halt the progression of noise-induced hearing loss. Single audio-grams may indicate hearing loss, but unless a series of audiograms imply an occupational cause, the process is only one of documentation rather than conservation of hearing.

Barriers to Successful Audiometric Monitoring and Record Keeping

There are several reasons why meaningful audiometric testing and the proper keeping of records are difficult in the construction industry. These include (1) mobility of construction workers, (2) the temporary and seasonal nature of employment, (3) the small size of construction companies, and (4) the prevalence of self-employment.

The Center for the Protection of Workers Rights has compiled a substantial amount of information about the construction industry and its workers from the Bureau of Labor Statistics, the Bureau of the Census, and other sources, which can illuminate these issues. (52)

Mobility. Depending on the size and nature of the project, construction workers may work for one company for only a matter of weeks or months, or up to many years. The average duration, however, is less than in the manufacturing industries. Job tenure in construction also depends on whether an employee belongs to a union. In 1993 the median job tenure in construction for union employees was 5 years and for nonunion employees, 3 years. (52, chart 20b) However, nearly 80% of construction employees are not unionized. (52, chart 14a)

Temporary and Seasonal Nature of Employment. Temporary unemployment is common among construction workers, and seasonal breaks are particularly common in the northern states. Unemployment ranges from 5 to 10% higher in construction than in the general population (52, chart 20c) and the rate of failure in construction companies has been consistently greater than in other industries as a whole. (52, chart 11a)

Small Size of Construction Companies. Small businesses are less likely to conduct

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audiometric testing, and those with 10 employees or fewer are generally exempt from record-keeping requirements. Nearly 82% of construction establishments have less than 10 employees and less than 1% have more than 100 employees. (52, chart 3c)

Prevalence of Self-Employment. Construction workers who are self-employed are less likely to be part of an employer's safety and health program, and are unlikely to have their own hearing tested. About 2 million of the estimated 5 million construction workers list themselves as self-employed, and 75% of these are unincorporated. (52)

Potential Solutions
Centralized Systems

British Columbia. The most successful HCP for construction workers is the program conducted by the Worker Compensation Board (WCB) of British Columbia. One measure of its success can be seen in the better-than-expected hearing threshold levels of construction workers and the improvements between the thresholds in 1988 and those measured in 1997. The examples given in Figures 5 and 6 are representative of all of the trades measured. (29) This program has the advantage of being centralized in the WCB, which is supported from fees taken out of the worker compensation premiums of British Columbia employers.

The program has been in effect for construction workers since 1987, when audiometric tests were initiated, and since then tests have been conducted annually. An updated noise regulation specifies a PEL of 85 dBA, a 3-dB exchange rate, a peak sound level limit of 135 dBA, and engineering controls above these limits whenever practicable. (43) Noise exposure monitoring and training and education are required at an action level of 0.5 (an L_{eq} of 82 dBA), but these latter requirements are not rigorously enforced in the construction industry. (53)

The WCB trains and certifies all technicians, who then provide audiometric testing, training, and counseling to construction workers. Audiometric information, including a medical history, is collected by the technicians on an optical-read form and scanned onto a WCB mainframe. In addition, workers carry with them a "WorkSafe" card, which contains a record of their hearing test, the date of the test, and boxes in which the technician may check whether the worker has received an explanation of the results, a fit test of hearing protection, or whether the requirement to wear HPDs has been discussed. Workers are advised to show the card at the next test in one year. The regulation requires also that the

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employer maintain, "in a manner acceptable to the board," (sec. 13.120) a record of the hearing tests for each worker as long as the worker is employed by that employer. (43)

Information about noise control and other aspects of hearing conservation is made available to employers through a WCB newsletter as well as through the technicians. Roberts (53) reports that compliance with the regulations is fairly good in heavy construction, commercial building, and road construction, but poorer in housing construction and among small-business contractors (which is not surprising). Also, because the regulation requires hearing tests "not later than 6 months after the start of employment, " (sec. 13.116) workers on short jobs are likely to be overlooked.

European Programs. Bygghälsan, the Swedish Foundation for Industrial Safety and Health in the Construction Industry, was founded in 1968. Its support was generated by assessing contractors for fees based on hours worked, and, like the British Columbia program, provided a central repository for hearing test data and other types of information. Its activities in recent years have been severely curtailed because of government cutbacks. The CPWR Chart Book, however, does contain data showing the decreased prevalence of "severe high-tone hearing loss" in Swedish construction workers between 1971-1974 and 1986-1990. (52, chart 40c)

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In Germany, Arbeitsmedizinischer Dienst, state-run occupational health centers assist small companies with audiometric testing and the retention of audiometric records. (54)

Requirements of Other OSHA Regulations. Welch and Roto (55) report that of the 21 OSHA regulations requiring medical monitoring, 13 apply to construction. Both lead and asbestos have their own construction versions, although lead is, at this time, a final interim rule. The lead standard, 29 CFR 1926.62, requires a full medical examination when blood-lead or air sampling levels exceed certain criteria. The asbestos standard, 29 CFR 1926.1101, requires medical monitoring for all employees who are exposed above the PEL or an "excursion limit" for a combined total of 30 days or more per year. A medical exam must be given at least annually. It should include pulmonary function tests and may include a chest X-ray at the discretion of the physician. An exam is not required if records show that an employee has been examined within the past year.

The general industry regulation for hazardous waste operations, 29 CFR 1910.120, also requires medical examinations, and the revised respirator standard, 1910.134, requires

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physician clearance for workers to wear continuous-flow respirators. These standards also apply to construction.

Employers, including construction contractors, are required to ensure that these tests are performed and must pay for them. The problem is that the many complex characteristics of construction mentioned above (mobility, seasonal and short-term nature of the work, prevalence of self-employment, etc.) work against efficient medical monitoring programs, especially the keeping of records. OSHA's record-keeping rules, which have the same provisions for construction as for general industry, limit the requirements for short-term employment and for companies with 10 or fewer employees, except in cases of fatalities or multiple hospitalization accidents. Clearly, great numbers of construction workers are falling through the cracks.

Even for those companies that would be responsible for keeping records of medical monitoring, the question remains as to what to do when employees move on. The construction regulation for access to medical records (29 CFR 1926.33), which is identical to the general industry regulation (29 CFR 1910.1020), states that employers need not retain records after an employee's termination, but may simply give the records to the employee, provided that the employee has not worked there for more than 1 year.

But the question of effective follow-up remains open, especially in the case of audiometric testing, which is so dependent on the comparison of serial audiograms. There appears to be little experience with effective records management for construction employees for any health hazard outside of British Columbia. The one exception may be joint labor-management programs.

Joint Programs. Several of the unions whose members perform construction work have negotiated medical monitoring, testing, and training programs through the collective bargaining process. Examples of these are ironworkers, painters, carpenters, laborers, and sheet metal workers. All of these unions have centralized funds used mainly for training, but that also pay for some medical testing, such as asbestos exams, lead, and clearance for working with hazardous waste. (56)

A good example of this type of program is the MOST (Mobilization Optimization, Stabilization, and Training) program run by the boilermakers union. (57) The program covers drug, pulmonary function, and respirator fit testing, as well as safety glasses and safety training for some 20,000 boilermakers at this time, and it will soon involve 26,000 construction workers in Michigan. In addition, it is now open to all crafts in the nation. One

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of its most interesting aspects is the Employee Verification System, the ability of employers to call in to the program headquarters and obtain information on pulmonary function levels, as well as the dates on which all testing and training occurred. The program used to include full medical exams, including audiometric testing, but that segment was discontinued due to expense.

Unfortunately, there is no evidence in the United States of joint labor-management programs for construction workers that include audiometric testing and record keeping.

Even though these joint programs may be very successful, there are two principle disadvantages. First, union members are understandably reluctant to pay for medical monitoring and training when OSHA regulations have mandated these as employer responsibilities. Even though it is actually the employer who pays, workers may be reluctant to use collective bargaining to achieve benefits that are their right by law. The second and most obvious disadvantage is that 80% of the construction work force is not organized and therefore would not benefit from this type of arrangement.

There is no reason, however, why contractors could not pay into a fund for purposes of medical monitoring, including audiometric testing and record keeping, which would be managed by a public or private agency. This fund would then cover all construction workers, whether or not they were unionized.

State-Run Programs. There are, in fact, some states that have adopted OSHA's hearing conservation amendment for construction workers. For example, the State of Washington's Department of Labor and Industry is divided into a worker compensation section and an occupational safety and health section, the latter having jurisdiction over noise regulations. However, there has been virtually no enforcement or compliance with the construction noise standard, so merely adopting the federal hearing conservation standard for construction workers is not necessarily the answer unless the state is willing and able to enforce it.

It appears that the best solution would be a program like that of the WCB. Here, a centralized agency, in this case the WCB of the Province of British Columbia, not only keeps the records but trains the technicians, ensures follow-up, and provides quality control. This function could be carried out within the United States by state agencies, such as health departments.

There is a program called the Adult Blood Lead Surveillance program, funded by NIOSH

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and the Centers for Disease Control and Prevention, in which 26 states keep a register of the effects of lead and other heavy metals. These data are generally used for epidemiological purposes, but in some cases for individual follow-up. In New York, for example, all blood lead levels are sent to the State Department of Health and high levels can trigger follow-up phone calls to lead-exposed individuals. (58) In addition, some states have cancer or silicosis registries.

Although a state-run program is likely to be the most efficient solution for HCP elements such as audiometric testing and record keeping, these programs are always susceptible to the whims of state legislatures or federal funding sources. The perfect solution is elusive.

Credit-Card Type Storage Devices

Contemporary technology could make the problem of construction worker mobility somewhat more tractable. These devices, like optical cards, may be carried in one's wallet and are capable of storing considerable amounts of information. Evidently they are already being used for documenting safety training. According to Stephenson, (59) any audiometer that can communicate with a personal computer (which is a great many audiometers nowadays) can handle these devices. All that is needed is the appropriate software and a special drive. NIOSH has this capability at this time.

An example of the effective use of these "smart" cards is the program that allows travelers to cross the US/Canadian border by inserting a card encoded with the individual's fingerprint into an optical reader. According to a press release issued by Canon USA in 1995, these cards can store the equivalent of 1600 pages of text or other digital data, and they are already widely used in the health care field as a portable clinical record. (60) No doubt the technology has advanced considerably since then.

NOISE, HEARING LOSS, AND ACCIDENTS IN CONSTRUCTION

Accidents in Construction

Traditionally there has been a high rate of occupational injuries in the construction industry. Sweeney and her colleagues collected the following data from the Bureau of Labor Statistics and various other sources: (61) Construction workers represent 6.5% of the work force, but 18% of the fatal injuries occur in construction. After mining and agriculture, construction ranks third for workplace fatalities and injuries. The leading causes of

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construction fatalities include falls (31%) and transportation incidents (27%). Contact with or being struck by an object and musculoskeletal disorders account for more than 50% of all traumatic injuries. Construction workers are twice as likely as the average worker to be killed by a motor vehicle, and 40% of worker fatalities from motor vehicle accidents are pedestrians. Nearly 2000 machine-related deaths in construction occurred between 1980 and 1992 and in nearly one-third of the cases the worker was struck by a moving mobile machine. Laborers (23.5%) and operating engineers (22.6%) accounted for nearly half of the machine-related deaths.

Possible Contribution of Noise and Hearing Loss

There is little objective information linking noise exposure or hearing loss with accidents specific to construction, but common sense would suggest that many of these accidents might have been prevented had workers been able to perceive warning shouts or signals. The high incidence of fatalities from being struck by objects, of transportation incidents, and the frequency of fatal accidents from moving machines (especially with pedestrians as victims) all suggest a breakdown in communication.

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Noise and hearing loss have been implicated in studies of other industries. For example, noise and hearing loss were found to be accountable for 43% of the injuries in a shipyard setting. (62) The authors considered other possible causes, such as alcohol consumption, cigarette smoking, and the use of earplugs, and found that alcohol consumption was the only significant factor besides noise and hearing loss. It appears that the authors controlled for age and job hazard.

Zwerling et al. (63) assessed the likelihood of occupational injuries in a large sample of workers drawn from the National Health Interview Survey. These workers had listed themselves as having some kind of preexisting impairment: visual or hearing impairment, back conditions, upper or lower extremity conditions, diabetes, epilepsy, and arthritis. The authors found that the highest risk of job-related injuries came from workers having sensory impairments with odds ratios for blindness of 3.21, deafness 2.19, hearing impairment 1.55, and visual impairment 1.37 (which was not statistically significant). Of the seven occupational groups studied, laborers represented about 8% of the total cohort, and approximately 36,000 in this group (13%) were construction laborers.(64) The remainder of the group included material handlers, as well as operators of various kinds of vehicles and equipment, some of whom might also be considered construction workers. The category titled laborers was one of three blue-collar categories, the others being mechanics/repairers,

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and operators/assemblers. The odds ratio for injury among laborers was 4.16, the highest of any of the groups.

Another study of a large industrial population compiled accident data from factories over a 2-year period. (65) The authors found that the frequency of accidents and illness-related absences increased with increasing noise exposure levels for both men and women. The relationship between noise exposure and accidents was significant for men but not for women. Unfortunately, it can be very difficult to control for the hazardous nature of various jobs in this kind of study, and it is possible that high levels of noise may be related to jobs that are inherently hazardous.

Reverse Alarms

In recent years there has been some attention to the questionable effectiveness of back-up alarms in mobile machinery. A study by Laroche et al. (66) demonstrated that the audibility of back-up alarms on dump trucks is compromised because of the ineffectiveness of their acoustic signals. Laroche and Lefebvre (67) traced 22 fatalities to faulty back-up alarms in the Province of Quebec over a 15-year period. Table IX provides an updated version of these data, giving the cause of each accident and comments about noise levels and the back-up alarm specific to each situation. (68)

TABLE IX. Deadly Accidents Involving Heavy Vehicles and Noise (After Laroche et al.; (69) Updated, Expanded Version Translated into English Provided by Laroche (68))

Case No.	Date of Accident	Employee	Vehicle Involved	Cause of Accident	Comments
1	08-29-91		tow truck		noise level exceeded alarm
2	06-02-88	splitter/operator (aluminum co.)	forklift	poor visibility, plus backup alarm not detected	
3	04-28-88	water system installer	dump truck (?)	backup alarm not detected	poor synchronization of maneuvers
4	09-04-87	flag person (construction site)	dump truck (10 wheeler) backup alarm:	backup alarm not detected	alarm: 90 dBA; noise from steamroller: 87

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			DAP		dBA
5	07-01-87	quality control attendant (construction site)	dump truck (10 wheeler) Kenworth 1974	backup alarm not detected	backup alarm in front of the 2 back axles and directed toward the left. alarm : 80-85 dBA; noise: 105-107 dBA
6	01-09-87	flag person (construction site)	dump truck (10 wheeler)	misjudgment by worker	alarm level greater than noise levels
7	08-08-86	marine docker	forklift	backup alarm not detected, plus driver's vision obstructed	noise: 84-96 dBA; alarm: 12 dBA
8	08-15-85	flag person (road repair)	5-ton truck backup alarm: DAP 50	backup alarm not detected, plus poor planning of operations	noise: 92 dBA; alarm: 75 dBA
9	11-21-83	shipping and receiving clerk (interior site of a pharmaceutical co.)	delivery truck	noise from truck was not detected	high noise level because of construction
10	10-06-82		loaded dump truck, Mack 76 (10 wheeler) (28,800 kg)		poor judgment or noise level same as alarm
11	09-24-82	docker (port)	road hauler	noise from hauler was not detected	high noise level, poor lighting; one-way circulation

12	09-17-82		10 wheeler dump truck		alarm was not functioning, high noise level
13	01-20-82	general foreman (James Bay site)	loaded cement mixer (82,000 kg)	backup alarm not detected	alarm: 83 dBA at 1 ft noise: 107 dBA at 3 ft
14	11-23-81	welder (railroad)	grinder, LORAM	horn was not detected	horn: 97 dBA welding noise: 90.5 dBA
15	08-10-81		loader		lack of good work method, no backup alarm
16	12-06-78	garbage collector assistant	garbage truck	backup alarm or noise not detected (?)	surrounding noise greater than truck noise
17	08-21-78	flag person (road repair)	dump truck (10 wheeler)	backup alarm not detected	noise level greater than alarm
18	01-08-76	digger operator (Miron)	Ford 8000 dump truck (8 wheeler) (10 tons)	noise from truck was not detected	no backup alarm
19	12-29-75	flag person (snow removal)	leveler	noise from leveler was not detected	no backup alarm
20	07-08-75	flag person (steel works site)	dump truck (19 tons)	noise from truck was not detected	worker was walking with his back to the truck
21	08-14-75	crane operator	platform type tow truck	noise from truck was not detected	no backup alarm
22	07-08-75	truck driver (road repair)	dump truck (7 tons)	noise from truck was not detected, also subject was very close to the back of the truck	high noise level

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23	03-18-75	pedestrian (construction site)	dump truck	noise from truck was not detected	high noise level, no backup alarm
24	03-12-75	engineer (road excavation)	loader (2.5 tons)	noise from loader was not detected	high noise level

Laroche and Lefebvre [67] concluded that there are at least five principle causes for these types of accidents: (1) hearing loss among construction workers, (2) high noise levels on some sites, (3) worker attentional demand or complacency, (4) inadequate placement of alarms, and (5) deficient acoustic features of the alarms.

The adverse effect of hearing loss should be self-evident, as with high noise levels, because they both would degrade the ability to perceive back-up alarms as well as warning shouts. Worker at-tentional demand from complex tasks or stimuli could cause the failure not so much to hear but to attend to the warnings produced by back-up alarms (see review of this subject by Suter, Ref. 34, Chapter 4). Inattention caused by habituation also could reduce the ability to react appropriately to the sound of warning alarms.

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Laroche and Lefebvre [67] reported that placement of the back-up alarm is often problematical. For example, some owners position the alarm underneath the vehicle to protect it against weather, which placement has an attenuating effect. With regard to deficient acoustic features, the authors found that most back-up alarms produce puretone signals around 1400 Hz or modulations of two neighboring sounds, 1250 and 1350 Hz. Reflections of these sound waves on the ground or diffraction by the sides of vehicles have the effect of reducing or even canceling them before reaching the listener. Within spaces of less than a few inches, Laroche and Lefebvre found variations in sound pressure level of more than 15 dB behind vehicles. Finally, the use of a pure tone in the 1500-3000 Hz range is not efficient for purposes of auditory localization. [69]

There are several reasonable solutions to these problems. First would be to prevent hearing loss through noise control, the judicial use of HPDs, and training. Second, noise levels on the construction site should be reduced through the manufacture and purchase of quieter equipment and the proper maintenance of all noise-producing equipment. Third, workers should be trained in the awareness of warning signals as well as all aspects of hearing conservation. Fourth, back-up alarms should be placed for optimal reception by the intended listener. Fifth, greater attention should be given to the workers' sound environment and sound propagation in the design of the alarm, as well as the psychoacoustics of audition.

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Laroche and Lefebvre [67] caution that back-up alarms should not emit just one pure tone because of the considerable risk of sound cancellation, but instead should produce several frequencies in the 500 to 2000 Hz range that are not harmonically related.

In optimal conditions the sound level of an alarm should exceed the background noise by 10-15 dB. However, this can pose a problem to the residents neighboring construction sites, who often complain about the noise of back-up alarms. A partial solution could be found in the form of an auto-adjusting alarm, which senses noise in the environment and adjusts its signal to a level 10 dB above that of the background noise. An example is the Starmatic 63-000 (Star Warning Systems Co., Avon, N.Y.), an auto-adjusting back-up alarm, with a range of 87-112 dB.

One final recommendation came from a safety workshop attended by laborers, and that is that personnel backing heavy vehicles should use an additional worker as a "spotter." [56] This worker is presumably in a place where the operator can see him or her, and it is important that the worker is trained and alert because Laroche and her colleagues found that the "signalman" was sometimes the one who was fatally hit. [66]

NOISE CONTROL IN CONSTRUCTION

There is a considerable amount of information available on the control of noise in the various aspects of construction, and a detailed discussion of this topic is beyond the scope of this report. A brief overview, however, would be useful. Noise control solutions include the efficient operation and maintenance of construction equipment, retrofit of existing equipment, and the design of quieter new equipment.

Feasibility

It appears that noise reduction in most construction sites and for most construction equipment is feasible. Although some tools will still require the use of HPDs for adequate protection, there is a great deal that can be done. Figure 7, from the Bureau of Mines, gives examples of how noise control could be applied to surface mining machines, several of which are used in construction. [70] Note the dramatic reductions achieved in haulage trucks, front-end loaders, and graders. Although some of these noise problems may have been mitigated in contemporary equipment, undoubtedly many have not yet been sufficiently quieted.

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FIGURE 7. Examples of how noise control may be applied to surface mining equipment, some of which is used in construction. Reprinted from Bartholomae and Parker, [70] US Bureau of Mines publication.

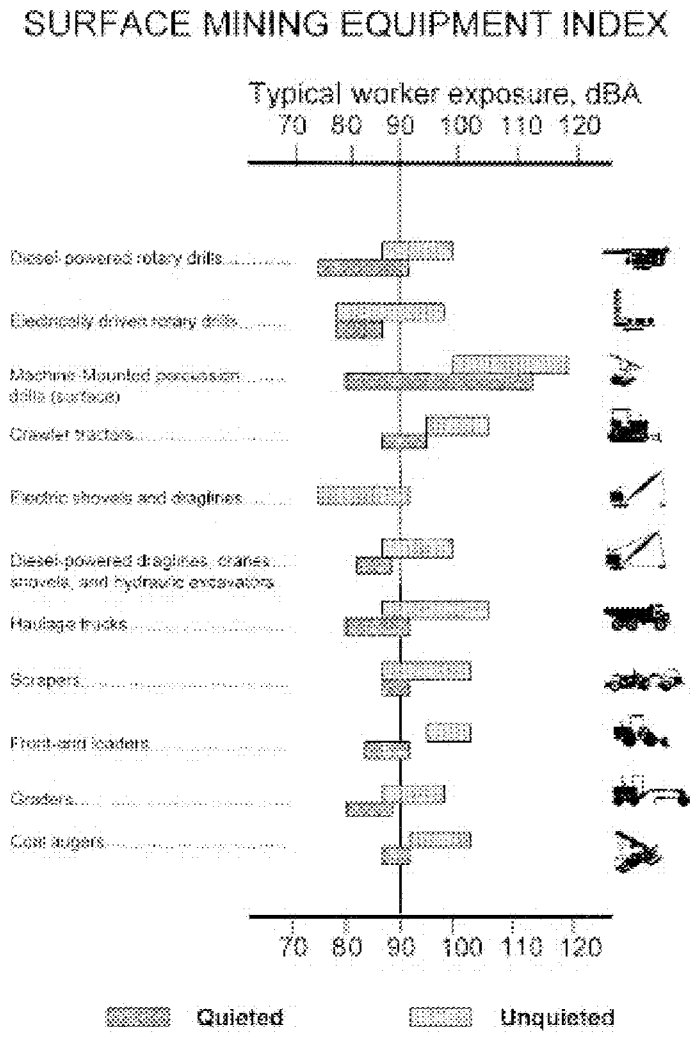

Maintenance

One of the least expensive and most rewarding noise control practices is the proper operation and maintenance of equipment. This includes keeping noisy operations away from workers who are not involved in that process, lubricating parts, keeping saw blades

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sharpened, and replacing worn bearings and other parts as needed. It also involves keeping the doors and windows of noisy vehicles closed to the extent possible to protect the operator from the engine and exhaust noise. Like any vulnerable part, noise control measures, such as gaskets and mufflers, need to be maintained and replaced when necessary to provide the desired attenuation.

Retrofit

Retrofit applications, such as those advocated in the Bureau of Mines Handbook, [70] include installing mufflers, enclosing and insulating the cabs of noisy vehicles, and enclosing parts of noisy machines. Table X, from Schneider et al. [51] lists types of construction equipment and suggested retrofit controls. The authors give references for each control measure. For example, they cite a report by the Society of Automotive Engineers, which found that changing from an inadequate to a better muffler could make a difference of 1-3 dB, and installing a muffler where one had been lacking could make a difference of 10-12 dB. [71]

TABLE X. Noise Controls for Construction Equipment (from Schneider et al. [51])

Equipment	Noise Controls
Pile driver	Enclosure, muffler
Stone cutting saw	Noise control pad with water
Handheld impact drills	Reduction of reflected sound
Circular saw blades	158 tooth angle, new tooth configuration, slotted saw blades, viscoelastic damping
Pneumatic tools	Muffler
Pavement breaker/Rock drill	Muffler, enclosure of cylinder case and front head, moil damping
Portable air compressor	Muffler, acoustic enclosures
Bulldozer	Cab-liner material, enclosure, sound absorption in canopy, sealing of all openings
Wheeled loader	Absorption of sound cooling air route
Vibratory roller	Flexible mounting for pump compartment
Joint cutter	Antivibration mounting fixtures

There may be times when retrofits yield only small improvements in noise level and HPDs

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are still necessary to prevent hearing loss. Researchers at the Mine Safety and Health Administration found that retrofit controls tend to reduce high-frequency noise more readily than low-frequency noise, often resulting in differences between C-weighted and A-weighted noise levels that exceed the nonretrofit condition, even though A-weighted levels had been reduced. [72] Although this finding should not discourage the use of retrofit measures, it does provide additional support for choosing HPDs with good low-frequency attenuation and careful training in their effective use.

Design

The most efficient and economical stage at which to control noise is in the design phase. This is true both in the design of a potentially noisy work space and in the design of equipment. For example, changes in the pathways of ductwork can reduce fan noise, [73] and changing low-frequency jet noise to high-frequency can make it easier to control. [74]

At an Environmental Protection Agency (EPA) hearing many years ago, George Diehl, an acoustical engineer with the Ingersoll-Rand Co. (Woodcliff Lake, N.J.), reported on a "whisperized" air compressor, in which the noise level had been reduced from 110 dBA to 85 dBA. [75] At that time the company was also working on noise from rock drills (pavement breakers and jackhammers), and had reduced the noise between 8 and 10 dB, while simultaneously reducing vibration. Mr. Diehl also discussed another type of demolition tool called a "hobgoblin," which was mounted on a backhoe. Because it was hydraulically operated it had no air exhaust, and therefore, the major source of noise was reduced. He reported that it could do the work of 10 to 24 regular paving breakers while producing considerably less noise. [75] It appears that this kind of push for the control of construction noise in the United States has diminished, but it continues to progress in Europe.

There is, however, an interesting innovation being developed called the Raptor (Brookhaven National Laboratory, Upton, NY), a machine that fractures concrete by firing steel nails from silencer-equipped guns. It is reported to work more rapidly than the conventional jackhammer, does not rely on an air compressor, and the noise level is projected to be below 80 dB. [76]

Resources

There are many such reports on noise control solutions in the construction industry. Some of

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them are consolidated in booklets or a series of articles. In addition to the sources cited by Schneider et al., [51] the following are some examples.

Mining Machinery Noise Control Guidelines, 1983, a Bureau of Mines Handbook. [70] This publication contains information on the noise levels of surface and underground mining equipment, some of which is used in construction, particularly in the site preparation phase of large construction projects. For each piece of equipment the booklet lists typical noise levels, along with recommended treatments, quieted noise levels, costs in dollars and labor in hours, and the availability of treatments. These descriptions include sources for commercially available noise control products and materials, technical reports on the development and demonstration of noise control treatments, and case histories.

Noise Control, Proceedings: Bureau of Mines Technology Transfer Seminars. [77] This book of proceedings contains specific articles covering some of the same types of information as above, with more text.

Constructional Noise: A Survey of Noise on Building Sites, Byggha¨lsan, Stockholm. (78) This booklet gives octave band and A-weighted noise measurement data for more than 30 examples of construction noise sources, along with information on the work operation, cause of the noise, and suggested control measures for each type of equipment or setting. Although these data are more than 25 years old, many are undoubtedly still applicable. It includes comments about controls and the need for hearing protection.

Noise Control: A Guide for Workers and Employers, US Department of Labor. [79] Although this guide pertains to general noise problems and their solutions, some of the principles of noise control also apply to construction. It was originally published by the Swedish Work Environment Fund, translated, then edited and adapted by OSHA.

"Noise Control: Principles and Practice," published in *Noise News International* between June 1994 and June 1999, form a series of 15 articles by Stig Ingemansson, the original author of the Swedish guide previously cited. [80] The articles represent an edited and updated version of the older guide.

Many papers and articles on noise control, some of which deal with construction, are available in the publications of the Institute of Noise Control Engineering, which has headquarters in Pough-keepsie, NY These include Noise Control Engineering Journal, Noise News International, and the proceedings of annual conferences, both US and international.

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In addition to the preceding suggestions, there are other publications, such as those cited by Neitzel and Seixas: [15] Alfredson and May, [81] Kessler, [82] and Mulholland and Attenborough. [83]

EPA

The Office of Noise Abatement in the US EPA, which functioned between 1972 and 1982, made significant efforts to control noise in the general environment, including construction noise. Funding for the program was terminated in 1982 by the Reagan administration, and the office was closed. However, the statutory requirements still stand because Congress has never rescinded them: the Noise Control Act of 1972 and the Quiet Community Act of 1988 (P.L. 92-574, 1972 as amended at U.S.C. 4901-4918, 1988).

Of interest in the area of construction are the regulations for medium- and heavy-duty trucks, air compressors, and regulations for the existing motor carrier fleet. These regulations are still in effect but are not being enforced. Two pieces of construction equipment, pavement breakers and rock drills, were identified as major sources of noise and set on the path toward regulation, but were "disidentified" when the program closed in 1982. The agency also considered the regulation of wheel and crawler tractor noise emission. The Noise Control Act required EPA to regulate the labeling of products that emitted or reduced noise, but EPA only promulgated one regulation in this category, the attenuation of HPDs.

A considerable amount of information about construction noise was generated by the agency, most of which is listed in EPA's *Bibliography of Noise Publications.* [84] Some titles pertaining to construction noise are listed in Appendix A. In addition, EPA has microfilmed much of the materials from the Office of Noise Abatement, and many of its contractor reports are still obtainable.

EUROPEAN STANDARDS AND DIRECTIVES

Activities of the European Community Undoubtedly the most interesting developments in noise standards and regulations are currently occurring in the European Community (EC), now known as the European Union (EU). With the economic unification of European countries, the effort to harmonize existing standards and to develop a unified approach to new standards has been taking place for nearly two decades. There are now a great many

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European standards and directives in the field of noise measurement, effects, permissible limits, and control, including some that are specific to construction.

Although publications in this area tend to use the terms "standard" and "directive" interchangeably, the word "standard" is usually applied to measurement procedures or proposals set forward by consensus groups such as the International Organization for Standardization (ISO) or the International Electrotechnical Commission (IEC). The term "directive" usually applies to an order issued by the Council of the European Community (CEC), and this order is generally mandatory for implementation by the member states of the EU.

The EU speaks in terms of the "old approach" and the "new approach" to the issuance of directives. The old approach, taken prior to 1985, applied to one product at a time and was very time-consuming. The new approach resembles enabling legislation, in that these directives apply to broad categories of products. Under the new approach, the CEN prepares nonmandatory technical specifications, the purpose of which is to assist manufacturers in the design of products so that these products will meet mandatory directives. Although the new approach was followed for directives issued in 1985 and thereafter, directives issued under the old approach still apply. Some of the old approach directives are being revised, and some new directives are still being issued under the old approach. (85)

Construction Directives

One of the earliest directives issued by the EC specified measurement methods for determining the A-weighted sound power levels of construction plants and equipment. (86) This directive was followed in 1984 by several specific directives, (85) which stipulated measurement methods and permissible sound power levels for air compressors (84/553/EEC; 85/406/EEC), tower cranes (84/ 84/534/EEC), welding generators (84/553/EEC; 85/407/ EEC), power generators (84/536/EEC; 85/408/EEC), and concrete breakers and picks (84/537/EEC; 85/409/EEC). In 1986 the EC issued a directive on hydraulic and rope-operated excavators, dozers, loaders, and excavator-loaders (86/662/EEC; 89/514/EEC). Several of these directives have been revised (indicated by the second date). Tables 3-8 in Ref. 85 present a summary of the sound power level limit values for the construction equipment listed above. The permissible sound power levels range from 100 dBA to 118 dBA, depending on size, weight, and type of equipment. (One needs to keep in mind that the sound power level can be some 25 dB greater than the sound pressure

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level at the operator's position.)

1986 Directive to Protect Workers Against Noise

In 1986 the CEC issued directive 86/188/EEC "on the protection of workers from the risks related to exposure to noise at work." (87) This directive required all employers to reduce TWA noise exposure levels (using the 3-dB exchange rate) to 90 dBA or "to the lowest level reasonably practicable, taking account of technical progress and the availability of measures to control the noise, in particular at source." (article 5-1) This means that employers must reduce noise to levels below 90 dBA whenever "reasonably practicable." (Article 5-2) Other measures, such as information and training, the provision of HPDs, and hearing testing must be instituted at an L_{eq} of 85 dBA. Those countries comprising the EC were required to have regulations that conformed to the CEC directive, or were at least as stringent, by January 1, 1990. Article 8 of the directive states that the design, building, and/ or construction of new plants must comply with the 90-dBA exposure limit, and tools or machines that expose workers to daily average levels greater than 85 dBA must provide adequate information "about the noise produced in conditions of use to be specified."

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Machinery Directive

In 1989 the CEC issued the Machinery Directive, under the procedures of the new approach. (88) This directive, 89/392/EEC, requires manufacturers of a wide variety of machines, including many that are used in construction, to make noise reduction an integral part of machinery design by implementing state-of-the art design methods. (85) Manufacturers must include information on noise levels when any machinery exceeds exposure levels of 70 dBA or 130 dBC at the operator's work station, or when sound power levels exceed 85 dBA. (88) Both the sound pressure and sound power level information are to be based on durations representative of the typical work-cycle of the machine. Noise emission information must be included in the instruction handbook of the machine (for the user's benefit) and in the technical information describing the machine (for the benefit of the purchaser.)

Since the promulgation of the machinery directive, several safety standards have been issued specific to certain machines. These standards contain a description of the hazard, the safety objectives to be achieved, measures for reducing the hazards, test methods to establish compliance, and user information. Lazarus and Zimmerman (89) present a

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discussion of these standards, along with some of their limitations.

Draft standard EN 1746 gives the noise provisions that should be included in machine safety standards: the identification of a machine's main noise sources; reference to principles of low-noise design, along with examples of design for noise control; a compilation of ranges of noise emission values; and the development of information necessary for user instructions to allow for low-noise operation. The authors report that the majority of "framework" standards necessary for the preparation of machine-specific safety standards already exist for noise, but they need to be developed further and adapted to the practical problems of manufacturers and operators. For example, typical operating conditions still need to be agreed on and differences between the conditions specified in the standards and actual use need to be resolved. [89]

Labeling

Another interesting provision of the machinery directive is its requirement for compliant machinery to carry the "CE" mark. An amendment to the machinery directive gives the form in which the CE mark is to be displayed (93/68/EEC). In addition, the construction noise directive (79/113/EEC) requires manufacturers to display labels in the form of plates showing either the sound power level (L_{WA}) or sound pressure level (L_{pA}) at the operator's position. The specifications for these labels are shown in Figure 8.

FIGURE 8. Models of plates showing the sound power level (L_{WA}) and sound pressure levels (L_{pA}) at the operator's position required by the European Community's construction noise directive (79/113/EEC). Reprinted from Higginson et al. [85] with permission from Noise News International.

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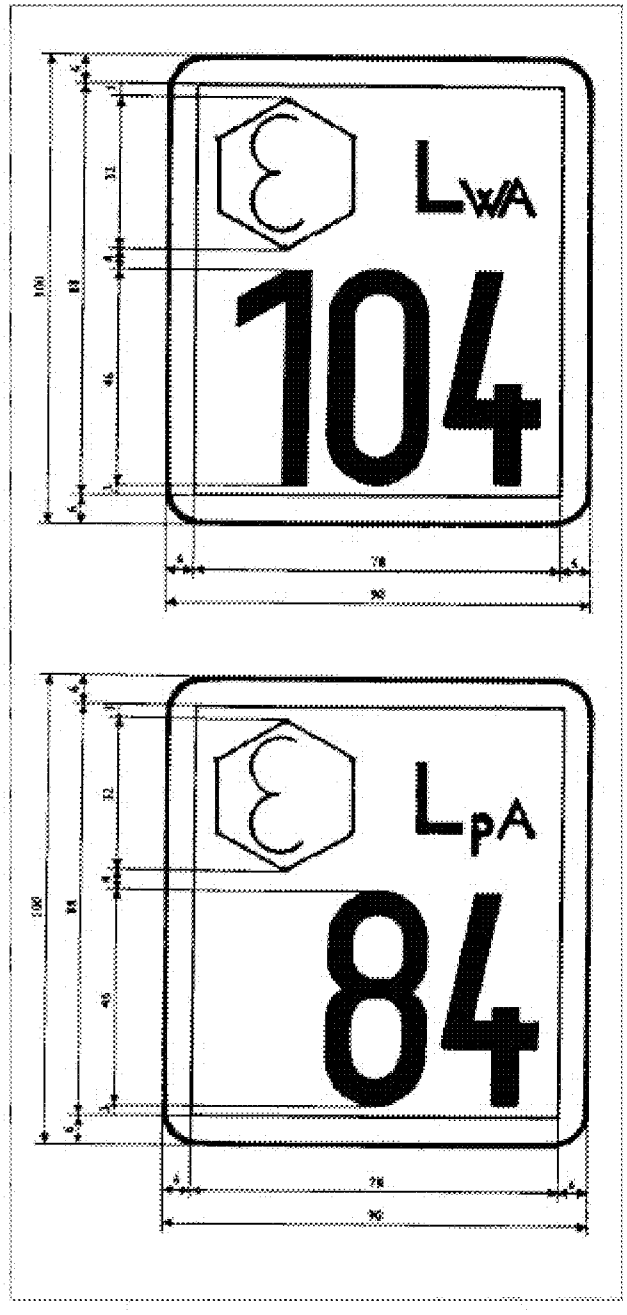

There is an ISO standard pertaining to the noise labeling of machinery and equipment, ISO 4871. (90) This standard prescribes the labeling of machines, or families of machines, with

the A-weighted sound power level in more than one mode of operation, preferably the mode resulting in the highest value. Although the labeled sound power level may be useful for deciding which machine to purchase, it gives relatively little information on the worker's exposure in actual use.

A draft American National Standard is currently being prepared by an ANSI working group [91] that adopts the provisions of ISO 4871, with the addition of a series of annexes. Proposed Annex E gives the option of including A-weighted sound pressure levels and C-weighted peak sound pressure instead of or along with sound power levels. A proposed modification to Annex B gives examples of declarations for both sound power level and sound pressure level in the "idle" and "operating" modes. It is important to remember, however, that the operating mode means under load but not necessarily in actual working conditions, as in the case of a tool contacting a work piece.

Evaluation of Noise Limits and Labeling Requirements

The success of these programs is bound to be variable because enforcement of the EC directives is carried out by the individual member states, some of which are likely to be more zealous than others. Also, the problems raised above by Lazarus and Zimmerman have been mentioned by other researchers. Kyttala and Airo [92] found that although a majority of the handheld power tools they surveyed carried noise declarations (labels), the authors questioned whether the information provided would apply to the tools as they were being used. They found that the declared noise levels were usually lower and sometimes considerably lower than those measured in actual use.

Irmer and Fischer-Sheikh Ali [93] pointed out that the primary purpose of the machinery noise directives was to enhance the functioning of the common market by eliminating trade barriers. Thus, noise limits were set high enough so that very few products would be excluded from the market. They maintain that setting an easily achieved upper limit for construction equipment removes any pressure to produce products with lower noise emission levels. They do mention, however, that the EC has recently published a proposal on the noise emission of equipment used outdoors, which will replace existing directives and revise existing noise limits in such a way as to give a higher priority to environmental concerns like construction noise. [93,94]

INCENTIVES FOR QUIET

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Disincentives of the Last Two Decades

With the demise of EPA's Office of Noise Abatement in 1982 and along with it the regulatory program for construction equipment, the incentive for noise control has declined. This is true of equipment manufacturers as well as contractors. Some small incentive has been supplied by municipalities and local groups seeking to mitigate the noise exposure of communities, but the noise abatement capabilities of local governments were adversely impacted by the closing of the national noise office. Within the last few years there has been a rekindling of interest in environmental noise abatement, both on the national and local levels, but Congress has still not seen fit to appropriate funds for the implementation of the Noise Control Act. There are now two self-sustaining national organizations concerned with noise abatement: the Noise Pollution Clearinghouse and the League for the Hard of Hearing. There also has been considerable media attention to the problem in recent years, as well as increased interest in local ordinances throughout the nation.

Efforts to control noisy products and workplaces have been severely curtailed by OSHA's compliance directive of 1983, [95] which effectively raised the PEL to a TWA of 100 dBA and discouraged noise control even above that level due to extremely permissive enforcement procedures. [96] To the extent that manufacturers of construction equipment concerned themselves with the prospect of noise regulation from either EPA or OSHA, that incentive has disappeared.

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The Blue Angel Program

Europe, however, does provide some incentive for noise reduction by the manufacturers of construction machinery, even in the United States. First, there are the directives for noise limits and labeling, with which American manufacturers must comply if they wish to sell their products on the European market. The advent of the ANSI standard on labeling of machinery for noise could possibly encourage US manufacturers to reduce product noise levels, even though the standard will not be mandatory.

The most promising development is Germany's "Blue Angel" program, which could have beneficial spillover for construction workers in the United States and which could also be used as a model in this country. The Blue Angel refers to a program for the voluntary designation of products as favorable to the environment. It was developed in Germany in 1977 and is flourishing today. The program's two main purposes are to assist customers in the choice of products and to encourage manufacturers to develop and market environmentally friendly products. Figure 9 shows the Blue Angel label with the

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environmental logo of the United Nations, the inscription "Umweltzeichen" (environmental label) above, the words "weil la ¨rmarm" (because low-noise) below, and the words "Jury Umweltzeichen" (Environmental Label Jury) underneath.

FIGURE 9. The "Blue Angel" label. Reprinted from Irmer and Fischer-Sheikh Ali [93] with permission from Noise News International.

Blue Angel awards for low-noise construction equipment were established in 1988. Irmer and Fischer-Sheikh Ali [93] reported that more than 40 companies had applied for the award with about 200 products displaying the label. Differences in sound levels between the existing noise limits in EC directives and those emitted by the Blue Angel products range from 5 to 14 dBA. In the early days of low-noise construction equipment the Federal Environmental Agency gave some financial support to interested manufacturers, but the authors report that the Blue Angel proved to be a good advertising tool and financial incentives are no longer needed.

Some local governments in Germany have given preference to Blue Angel construction products and are allowing them to be used in noise-sensitive areas, where the use of noisier products would be proscribed. Irmer and Fischer-Sheikh Ali [93] also mention that the

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number of non-German applicants is steadily increasing, with about 15% of the Blue Angel manufacturers coming from outside Germany. A 1997 publication of the German government gives an overview of construction machinery bearing the Blue Angel label. (97) The Caterpillar Co. is one of 14 manufacturers of excavators, with four types of machines displaying the Blue Angel. Their sound pressure levels range from 72 to 77 dBA. Of the 12 manufacturers of loaders, Caterpillar manufactures six models with sound pressure levels ranging from 68 to 78 dBA. Other products listed include compressors, power generators, welding generators, paver-finishers, concrete mixers, and tower cranes. Additional products and companies are undoubtedly certified today. Current information on the Blue Angel program is available at http://www.blauer-engel.de.

Buy Quiet Programs

EPA's Office of Noise Abatement and Control initiated an ambitious Buy Quiet program during the 1970s. (98) Its purpose was to leverage the multibillion dollar public sector market to buy quiet products. This would be done by organizing government purchasing cooperatives and working through professional purchasing organizations. The agency's program included the Government Services Administration, the National Institute of Governmental Purchasing, the National League of Cities, and various federal, state, and local purchasing agencies and cooperatives.

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The EPA's Buy Quiet program consisted of four parts: (1) a series of conferences to develop quiet product purchase descriptions, (2) local Buy Quiet programs in which governments and purchasing cooperatives agree to buy quiet products as an ongoing activity, (3) a data bank for quiet purchasing operated by the National Institute of Governmental Purchasing, and (4) demonstrations of quiet products loaned by the EPA to local governments. Bids were evaluated on the basis of both noise level and price. In 1981, 64 governments had either committed themselves to a Buy Quiet program or were considering doing so.

EPA's Buy Quiet program had a short life because the agency was closed in 1982. At present there are no data on the number of government agencies (federal, state, or local) with these kinds of programs, but it is likely to be relatively few.

There is evidence, however, that these programs may continue in some places. Haag (99) reported that the 1987 edition of the National Fire Protection Association (NFPA) Standard on Fire Department Occupational Safety and Health Program contained noise specifications. Section A-5-8.1 stated that "new fire apparatus should provide maximum

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sound requirements that would allow members to ride in those vehicles without hearing protective devices. A maximum limit of 85 dBA without audible warning devices and 90 dBA with warning devices in operation is recommended." (99, p. F-22)

CONCLUSIONS

Approximately one-half million construction workers are exposed to hazardous levels of noise. Studies of construction workers' HTLs in the United States reflect excessive exposure, and it appears that the onset of noise-induced hearing loss starts early and continues throughout the career.

The prevalence of HPD use in the US construction industry is very poor and only recently has begun to improve. Anxiety concerning the ability to perceive and understand warning signals and communication is an important factor in resisting HPDs, and research over recent years supports the validity of this anxiety. In British Columbia, however, the use of HPDs is significantly higher than in the United States, which is related to the success of its overall HCP. Today's broad range of HPDs, with several models designed specifically to mitigate the problems of hearing and understanding communication and warning signals in noise, points toward the necessity of careful selection and fitting of HPDs.

Audiometric testing in industry is of virtually no value unless serial audiograms can be compared. The problem of audiometric record keeping is especially difficult in construction because of the mobility of construction workers and the small size of many construction companies. Some kind of centralization, such as that found in the British Columbia program, would appear to be the best solution. Credit card storage devices or "smart cards" could make audiometric record keeping considerably more efficient for mobile employees because workers could easily carry them from job to job.

Although there has been relatively little investigation into the effects of noise, hearing loss, and HPDs on accidents in the construction industry, the existing research, along with evidence from studies of other industries, demonstrates the likelihood of adverse effects in construction. There are several steps that can be taken to reduce this hazard.

Noise control is the most effective way to prevent noise-induced hearing loss in construction, and very possibly reduce the incidence of serious accidents. Although maintenance and retrofit are viable approaches, control at the design stage is most desirable. Considerable information in this area is available, although some of it may be dated.

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European standards and directives have focused attention on noise emission in European countries. These directives, which limit noise exposure and mandate labeling and provision of information, must provide some incentive to manufacturers, even though these requirements need to be made more relevant to the workplace in some cases.

Incentives for noise control on construction sites in the United States have diminished over the last two decades. The most likely reasons are the closing of EPA's Office of Noise Abatement and the issuance of OSHA's compliance directive for general industry, which effectively raised the PEL to 100 dBA. European directives may provide some incentives to US manufacturers, especially in the form of programs like Germany's Blue Angel. Governmental Buy Quiet programs could also provide some incentive for noise control.

RECOMMENDATIONS

Professionals in industrial hygiene and hearing conservation should make every effort to control excessive noise on construction sites through the purchase of quieter equipment, as well as retrofit and proper maintenance of existing equipment. These efforts would not only conserve hearing but also aid in the prevention of noise-related accidents and fatalities.

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Training programs should be developed for workers and contractors that include the importance of communication in the construction workplace, the dangers of overfitting HPDs, and how to tailor HPDs to communication needs. Contractors should be warned that they may have to spend more money on HPDs than they anticipated to ensure worker safety and efficiency, as well as the prevention of noise-induced hearing loss.

Manufacturers of reverse alarms and other warning devices should be encouraged to design their products for maximum audibility in the noise conditions most typical of their use, and to be perceived and understood by workers with noise-induced hearing loss, workers wearing HPDs, and workers under varying degrees of attentional demand. Contractors should be encouraged to purchase warning devices that are suitable for the work environments for which they are intended.

Pressure should be brought to bear on OSHA to move as rapidly as possible to extend the general industry noise regulation, including its amendment for HCPs, to cover construction workers. Although sections of the regulation would need to be tailored specifically to construction, it appears that the necessary knowledge and technology are available.

The agency should also be encouraged to rescind its instruction of Nov. 8, 1983, CPL

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2-2.35 and all references to a TWA of 100 dBA in its directives and manuals. This policy was not subject to public notice and comment and provides a powerful disincentive for noise control and the conservation of workers' hearing in all industries, including construction.

Additional noise measurement data are needed on the sound levels of various types of construction equipment and various models within the same type. These data would facilitate the identification of low-noise and high-noise equipment, both for OSHA to assess the technological capabilities of the industry and for the sake of contractors who wish to purchase quieter equipment.

Consideration should be given to the identification and use of a centralized agency (or agencies) in which audiometric test results could be kept on a permanent basis.

The use of "smart cards" to store and transfer audiometric data should be further investigated.

A noise control database for the construction industry needs to be developed. It should include noise sources and levels, recommended treatments, quieted noise levels, estimated costs, and the availability of materials for treatments. The database should be made available electronically as well as on paper, and should be targeted to contractors, worker representatives, professionals in industrial hygiene and noise control, and federal and state compliance officers.

Government agencies should make financial and technical assistance available to organizations that could renew interest in Buy Quiet programs.

Organizations within the United States should obtain information about and publicize the achievements of all companies that currently display Germany's Blue Angel label for quiet equipment.

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APPENDIX A

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- "Availability of Workplace Noise Control Technology of Selected Machines" (1981) n "A Comparison of Sound Power Levels for Portable Air Compressors Based Upon Test Methodologies Adopted by U.S. EPA and the CEC" (1980)
- "Construction Noise Control Technology Initiatives" (1980)
- "Noise Technology Research Needs and the Relative Roles of the Federal Government and the Private Sector" (1979)
- "Foreign Noise Research in Machinery/Construction Equipment" (1978)
- "Federal Research, Development and Demonstration Programs: Machinery and Construction Noise" (1978)
- "Understanding Noise and Noise Control Instruction Units for Operating Engineers in

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Apprenticeship Programs" (1978)
- "Proposed Wheel and Crawler Tractor Noise Emission Regulation: Part I, Draft Environmental Impact Statement. Part II, Background Document" (1977)
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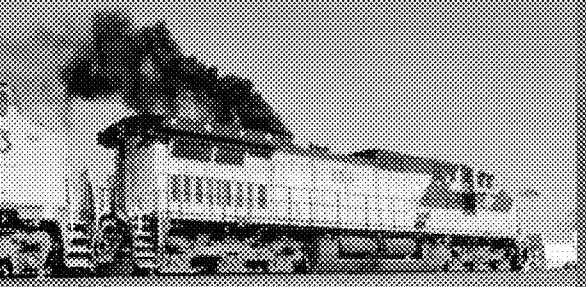

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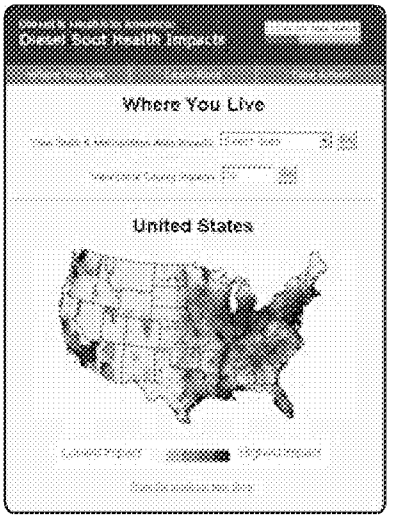

CLEAN AIR TASK FORCE

18 Tremont Street, Suite 530, Boston, MA 02108
Tel: 617-624-0234 / Fax: 617-624-0230

Credits –

Written by: **Conrad G. Schneider**, *Advocacy Director*
and **L. Bruce Hill, Ph.D.**, *Senior Scientist*

Edited by: **Maria Padian**

Designed by: **Jill Bock Design**

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Foreword

Scientists have been examining relationships between air pollution and death and disease for decades but only now are we beginning to understand the impacts of one of the most toxic sources of emissions today – the diesel engine. Diesels churn out a hazardous mix of gaseous and particle pollutants. What's more, diesel exhaust is emitted at ground level – where we breathe it – by trucks and buses around us in traffic, at school and transit bus stops, and by heavy construction or agricultural equipment. Diesel exhaust contains numerous dangerous compounds, ranging from respiratory irritants to carcinogens including a host of air toxics, particulate matter, carbon monoxide and nitrogen oxides.

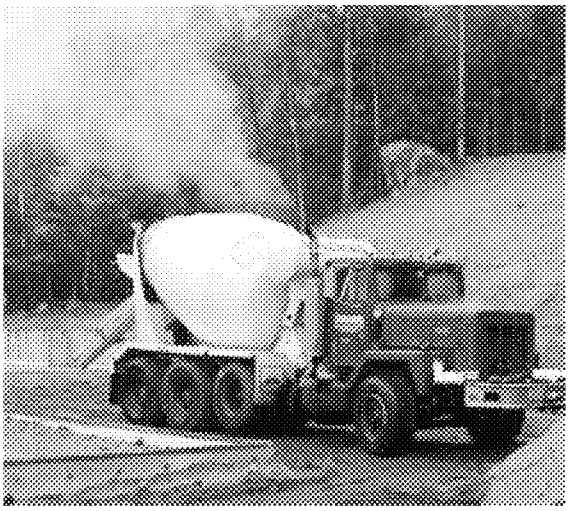

While scientists have concluded that combustion-related particulate matter from all combustion sources is associated with premature death from heart attacks and cancer, we also are finding that carbon particles from mobile sources may be particularly unhealthy. These particles adsorb other metals and toxic gases produced by diesel engines – such as cancer causing-PAH (polycyclic aromatic hydrocarbons) – onto their surfaces making them even more dangerous. Furthermore, research on personal exposures demonstrates that these small particles easily penetrate our indoor environment where they may be trapped for days when ventilation is poor.

This report presents for the first time estimates of the health toll from diesel vehicle pollution. Using methodology approved by the U.S. Environmental Protection Agency's Science Advisory Board (SAB), the analysis finds that approximately 21,000 people die prematurely each year due to particulate matter pollution from diesels. Other serious adverse health impacts include tens of thousands of heart attacks, asthma attacks, and other respiratory ailments that can lead to days missed at work and at school.

Using more highly time-resolved studies we are increasingly able to understand the inflammation mechanism by which particles can lead to atherosclerosis, heart attacks, strokes and ultimately, untimely deaths. From all we know today, we can confidently say that reducing diesel exhaust in our environment will mean improving public health, and as this report demonstrates, reducing preventable premature deaths. We do not need to wait. Technology is available today that can reduce particulate matter emissions by up to 90 percent. Now is the time to clean up our old trucks, buses, heavy equipment and locomotives to provide a cleaner future for us and our children.

Howard Frumkin, M.D., Dr.P.H., FACP, FACOEM
Professor and Chair, Department of Environmental and Occupational Health
Emory University, Rollins School of Public Health

Executive Summary

Everyone has experienced it: getting hit right in the face by a cloud of acrid diesel smoke. Perhaps you were standing on a street corner when a bus or truck whizzed by. Or maybe you were standing at a bus stop or stuck behind a dump truck grinding up a hill. But breathing diesel exhaust isn't just unpleasant. It is hazardous to your health. In fact, health research indicates that the portion of the exhaust you can't see may be the most dangerous of all. Asthma attacks, respiratory disease, heart attacks, and even premature death – all of these are among the most serious public health problems linked to emissions from the nation's fleet of diesel vehicles. The good news is that the technology exists right now to clean up emissions from these engines, so that most of the adverse health impacts can be prevented.

Today in the U.S. more than 13 million diesel vehicles help to build our cities and towns, transport our food and goods, and take us to and from work. More than three quarters of all Americans live near intersections, bus stops, highways, bus and truck depots, or construction sites with heavy equipment – all of which are concentrated sources of diesel exhaust. In rural areas, those who live near heavy diesel agricultural equipment suffer their share of exposure to diesel as well.

The U.S. Environmental Protection Agency has issued important regulations that will require dramatic reductions in emissions from new diesel vehicles starting in 2007 – but only the new ones. These regulations, to be phased in over the next quarter century, apply only to *new* engines. What about the diesels on the road today? The lifespan of the average diesel vehicle is nearly 30 years. Many diesels are driven over a million miles. Because of this longevity, we will be left with the legacy of pollution from dirty diesel vehicles for decades to come. That is, ***unless*** we take action to reduce emissions from vehicles currently on the road. We don't have to wait. Control technologies exist right now that can significantly reduce deadly fine particle emissions from diesel vehicles, in some cases by upwards of 90 percent.

American know-how, witnessed by the success of the manufacturers of engines, control devices, and fuel refiners in developing innovative solutions for reducing diesel exhaust, provides a lifesaving opportunity we can seize today. Pollution from dirty diesels on the road now can be dramatically reduced using a combination of cleaner fuels, retrofit emission controls, rebuilt engines, engine repowerings, and accelerated purchase of new, cleaner vehicles. Unlike so many other vexing environmental issues, these affordable solutions present a highly unusual opportunity to actually address a major risk to public health and the environment. In fact, we could virtually eliminate this problem if diesel manufacturers, fleet owners, environmentalists, concerned citizens, and government regulators make the commitment to work together.

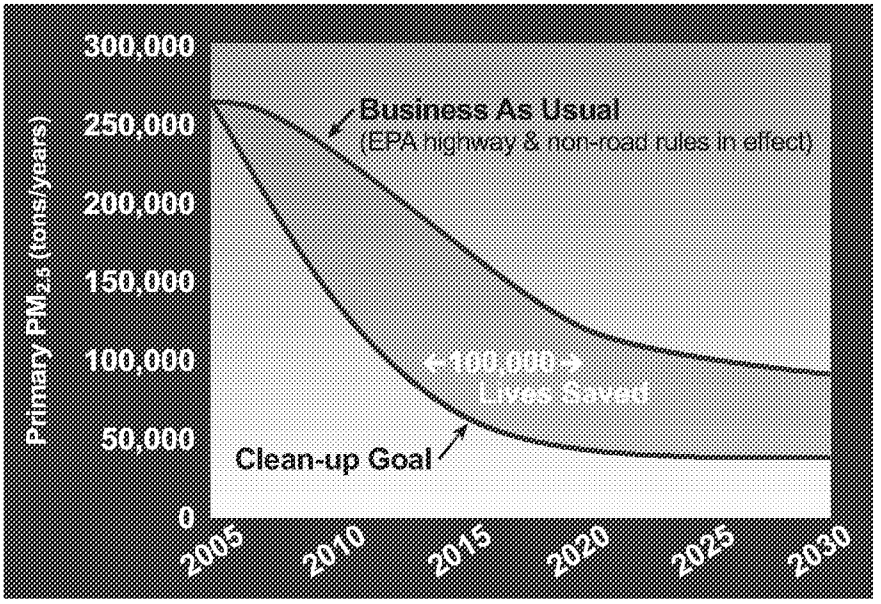

An Aggressive Program to Reduce Diesel Emissions Could Save About 100,000 Lives between Now and the Year 2030.

What are the health impacts of these dirty diesel vehicles? What benefits will we realize if we act now to clean them up? The Clean Air Task Force commissioned Abt Associates, an highly-respected consulting firm that U.S. EPA and other agencies rely upon to assess the benefits of national air quality policies, to quantify for the first time the health impacts of fine particle air pollution from America's diesel fleet. Using this information, we were able to estimate the expected benefits – in lives saved – from an aggressive but feasible program to clean up dirty diesel buses, trucks, and heavy equipment across the U.S.

This report summarizes the findings of the Abt Associates study. It then reviews the degree to which diesel vehicles increase the level of fine particle pollution in the air we breathe, and recommends reduction measures that will save thousands of lives each year.

Key findings include:

- Reducing diesel fine particle emissions 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save nearly 100,000 lives between now and 2030. These are additional lives saved above and beyond the projected impact of EPA's new engine regulations.
- Fine particle pollution from diesels shortens the lives of nearly 21,000 people each year. This includes almost 3,000 early deaths from lung cancer.
- Tens of thousands of Americans suffer each year from asthma attacks (over 400,000), heart attacks (27,000), and respiratory problems associated with fine particles from diesel vehicles. These illnesses result in thousands of emergency room visits, hospitalizations, and lost work days. Together with the toll of premature deaths, the health damages from diesel fine particles will total $139 billion in 2010.
- Nationally, diesel exhaust poses a cancer risk that is 7.5 times higher than the *combined* total cancer risk from all other air toxics.
- In the U.S., the average lifetime nationwide cancer risk due to diesel exhaust is over 350 times greater than the level U.S. EPA considers to be "acceptable" (i.e., one cancer per million persons over 70 years).
- Residents from more than two-thirds of all U.S. counties face a cancer risk from diesel exhaust greater than 100 deaths per million population. People living in eleven urban counties face diesel cancer risks greater than 1,000 in a million – one thousand times the level EPA says is acceptable.
- People who live in metropolitan areas with a high concentration of diesel vehicles and traffic feel their impacts most acutely. The risk of lung cancer from diesel exhaust for people living in urban areas is three times that for those living in rural areas.

The vast majority of the deaths due to dirty diesels could be avoided by an aggressive program over the next 15 years to require cleanup of the nation's existing diesel fleet. Practical, affordable solutions are available that can achieve substantial reductions in diesel risk. The only thing that stands between us and dramatically healthier air is the political will to require these reductions and the funding to make it a reality.

What We Must Do to Protect Public Health from Today's Dirty Diesels.

Although the EPA has mandated the phase-in of cleaner new engines and fuels beginning in 2007 for highway vehicles and heavy equipment, EPA has limited authority to mandate emissions controls on the fleet of existing diesel vehicles. To date, EPA has adopted a "voluntary" approach. Nevertheless, in order to meet the new ambient air quality standards for fine particles, states and cities must require controls to reduce diesel emissions. Diesel cleanup is also an important next step in areas that are having difficulty meeting existing and new ambient air quality standards for ozone such as Houston and Dallas, Texas.

States can enact legislation requiring diesel cleanup as some, such as California and Texas, have already begun to do. States should also consider measures to require early engine retirement and speed fleet turnover. For vehicles like long-haul trucks, ships, and locomotives that are engaged in interstate transport, federal regulations, federal legislation, or both may be needed. Funding for such initiatives may pose a challenge for public fleets (school buses, transit vehicles, garbage trucks, etc.), so support for expanded state and federal funding to help the cleanup of fleets owned by cash-strapped states and cities will be necessary. Local and state budget writers will need a strong commitment to come up with the necessary appropriations or bonds to fund the local share.

Particle filters combined with the use of Ultra Low Sulfur Diesel (ULSD) fuel have been found to reduce diesel particles and particle-bound toxics from diesel exhaust by up to 90 percent. Under the new engine rules, ULSD will be available for highway vehicles nationwide starting in 2006. It is already available in cities in 21 states. Not all vehicles can be retrofitted with a particle filter, but there are a variety of options available for the cleanup of every vehicle regardless of make or model year.

Cities and states should:

- Establish ambitious goals for reducing risk to their citizens by cleaning up existing diesels;
- Identify priority geographic areas and diesel "hotspots" for immediate attention;
- Adopt a package of options for reducing diesel exhaust including:
  - Retrofits accomplished by replacing mufflers with an optimal mix of filters or oxidation catalysts depending on vehicle age and type;
  - Requiring Ultra Low Sulfur Diesel and cleaner alternative fuels;
  - Closed crankcase ventilation systems to eliminate engine exhaust from penetrating the cabin of vehicles such as school and transit buses;
  - Engine rebuild and replacement requirements;
  - Truck stop electrification programs to give long-haul truckers a way to power their rigs overnight without running their engines;
  - Contract specifications requiring cleanup of trucks and construction equipment used in public works projects.
- Adopt diesel cleanup measures as federally-enforceable requirements in State Implementation Plans (SIPs) for the attainment of the fine particle and ozone air quality standards;
- Create and fund programs, such as California's "Carl Moyer" and the Texas Emission Reduction Plan (TERP) program, which provide funding for diesel equipment owners to replace or rebuild high-polluting diesel engines;
- Adopt and enforce anti-idling ordinances and legislation.

The Federal government should:

- Pass legislation providing funding for the cleanup of municipal and state fleet vehicles;
- Explore regulatory options for reducing emissions from existing interstate fleets such as long-haul trucks, shipping, and locomotives;
- Retain and enforce the tighter new engine and cleaner fuel standards for highway and non-road diesels.

NESCAUM

Retrofits are effective in reducing particle emissions from heavy equipment. The tractor on the left is retrofitted with a particle emissions control device.

New Findings

While numerous medical studies have linked diesel exhaust to a host of serious adverse health outcomes, no single study has yet quantified the death and disease attributable to diesel across America – until now. Researchers estimate that as many as 60,000 people in the U.S. die prematurely each year because of exposure to fine particles from all sources.[1] And some researchers believe that this figure may even underestimate the total number of particle-related deaths.[2] A reanalysis of the major particle mortality study in over 150 cities suggests that particles from motor vehicles may be more toxic than average.[3]

We know that diesel exhaust is a hazardous mixture of gases and particles including carcinogens, mutagens, respiratory irritants or inflammatory agents and other toxins that cause a range of diverse health effects. Diesel particles act like magnets for toxic organic chemicals and metals. The smallest of these particles (ultrafine particles) can penetrate deep into the lung and enter the bloodstream, carrying with them an array of toxins.[4] Diesel exhaust can contain 40 hazardous air pollutants as listed by EPA, 15 of which are listed by the International Agency for Research on cancer (IARC) as known, probable or possible human carcinogens.[5] Thousands of studies also have documented that fine particles are associated with respiratory and cardiovascular diseases and death. Additional studies have documented effects in infants and children such as Sudden Infant Death syndrome (SIDS) and retarded lung development.[6]

Now, for the first time, this report reveals the staggering toll of death and disease from diesel exhaust in our air – and the dramatic benefits of requiring the cleanup of the nation's existing diesel fleet. Abt Associates, using peer-reviewed, state-of-the-art research methodology employed by U.S. EPA in assessing the national benefits of proposed

National Annual Diesel Fine Particle Health Impacts[7]

Annual Cases in the U.S., 2010	
Premature Deaths	21,000
Lung Cancer Deaths	3,000
Hospital Admissions	15,000
Emergency Room Visits for Asthma	15,000
Non-fatal Heart Attacks	27,000
Asthma Attacks	410,000
Chronic Bronchitis	12,000
Work Loss Days	2,400,000
Restricted Activity Days	14,000,000

rules and legislation, finds that nearly 21,000 people will die prematurely in 2010 in the U.S. as a result of exposure to fine particle emissions from mobile diesel sources (i.e., all on-and non-road engines such as highway, construction, rail, and marine engines). The average number of life-years lost by those who die prematurely from exposure to fine particles is 14 years.[8]

The deaths from diesel fine particle pollution equal or exceed the death toll from other causes commonly understood to be major public policy priorities. For instance, drunk driving causes more than 17,000 deaths per year.[9] There are more than 20,000 homicides in the U.S. each year.[10] Moreover, the approximately 15,000 premature deaths per year that could be avoided by achieving a 75 percent diesel-risk-reduction target exceed the 11,000 automobile fatalities avoided each year through the use of safety belts.[11]

The Abt Associates analysis further shows that hundreds of thousands of Americans suffer from asthma attacks, cardiac problems, and respiratory ailments associated with fine particles from diesels. These health damages result in thousands of respiratory and cardio-pulmonary related hospitalizations and emergency room visits annually as well as hundreds of thousands of lost work days each year. For instance, the study finds that diesel pollution leads to 27,000 heart attacks and 400,000 asthma attacks each year.[12]

You can find the adverse health impacts from diesel for your state, metropolitan area, and county on the web at: **www.catf.us/goto/dieselhealth**.

The risk from diesel exhaust can be virtually eliminated by the application of emissions control strategies available today. For example, an aggressive but feasible program to reduce diesel particle emissions nationwide 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save about 100,000 lives between now and 2030 – beyond those lives that will be saved under EPA's new engine regulations.[13] Indeed, in the year 2000, the State of California set a Diesel Risk Reduction goal of a 75 percent reduction in diesel risk by 2010 and 85 percent by 2020 and the California Air Resources Board over the past few years has begun to issue regulations to achieve it.[14]

Cancer Risk

CATF has calculated the national average lifetime excess cancer risk posed by diesel. We base these estimates on 1999 modeled directly-emitted diesel fine particle concentrations and by applying both the EPA range of individual risk estimates and the California Air Resources Board (CARB) diesel risk factor for lung cancer over the U.S. population.[15] Although EPA has found diesel exhaust to be a "likely" human carcinogen, EPA has not adopted a risk factor but has, instead, provided a range of lung cancer risk.[16] Based on the national average diesel particulate matter concentration, we find average lung cancer risk ranges from 12 to 1210 per million people over a 70-year lifetime using EPA's range of lung cancer risk.[17] Using the same methodology, CATF finds that, based on the single CARB risk factor, the nationwide average lifetime cancer risk posed by diesel exhaust is over 350 times greater than EPA's "acceptable" level of one cancer in a million.

For comparison, according to EPA's 1999 NATA assessment, the combined risk from all other air toxics is 48 per million.[18] Therefore, diesel exhaust presents a lung cancer risk that is 7.5 times higher than the cancer risk of all other air toxics – *combined!*[19] In addition, CATF has calculated the cancer risk posed by diesel for residents of each U.S. county. Residents of over two-thirds of U.S. counties experience a cancer risk greater than 100 in a million from diesel exhaust. Moreover, residents of eleven urban U.S. counties face a diesel cancer risk equal to 1,000 new cases of cancer in a population of one million.

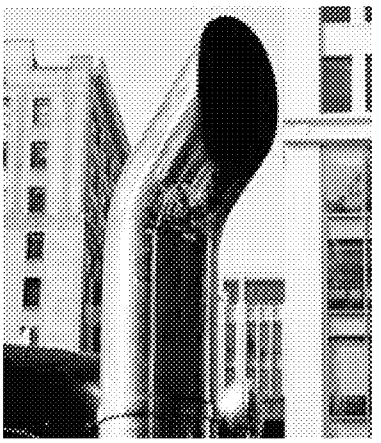

People who live in metropolitan areas with a high concentration of diesel vehicles and traffic feel their impacts

most acutely. For example, the estimated risk of lung cancer from diesel in metropolitan areas is much higher than in areas with fewer diesels. In the rural counties we estimate a risk of 142 cancers per million based on the CARB unit risk, but three times that rate, 415 cancer per million, in urban counties. Therefore, the risk of lung cancer for people living in urban areas is three times that for those living in rural areas.[20]

You can find the community cancer risk from diesel for your state, metropolitan area, and county on the web at: **www.catf.us/goto/dieselhealth**. Personal risk varies with location and lifestyle. For example, if you live near a bus, truck, or train terminal, highway, construction site, or warehouse, or commute to work on congested roadways, your exposure may be higher than indicated by the county-wide average estimated here.

The Economic Toll of Health Effects

Respiratory distress severe enough to require a trip to the emergency room can be a terrifying experience for patients and their families. Victims of asthma attacks say that during an attack they wonder if and when their next breath will come. In addition to its serious physical and emotional costs, air pollution also takes a large monetary toll. Emergency room and hospital treatment costs can cripple a family financially, with the average stay for a respiratory ailment lasting about a week.[21] Bouts of respiratory illness and asthma attacks mean lost workdays and lost productivity. Although life is priceless, the government often monetizes loss of life when setting policies related to health and environmental protection. Using accepted valuation methodology employed by EPA in recent regulatory impact analyses, Abt Associates finds that the total monetized cost of the U.S. diesel fleet's fine particle pollution is a staggering $139 billion in 2010.

Pollution from motor vehicles, including diesels, can obscure city vistas such as illustrated in this split view of Dallas, Texas.

State and Metropolitan Area Findings

Using modeled concentrations of directly-emitted diesel fine particles throughout the lower 48 states, Abt Associates developed health impact estimates for every state and major metropolitan area in 1999, the latest year for which EPA's best emissions inventory for diesel fine particles is available.[22] Not surprisingly, heavily populated states with concentrated urban areas and significant diesel traffic fared the worst. Conversely, rural areas with a lower concentration of diesel vehicles fared much better. Similarly, metropolitan areas with large populations and heavy concentrations of diesel vehicles feel the impacts of diesel pollution most acutely.[23] In such large metropolitan areas, many hundreds of lives are shortened every year. However, because these state and metropolitan-area health estimates include only fine particles that are ***directly emitted*** from diesels – excluding any secondarily-formed particles from diesel emissions of nitrogen or sulfur oxides – they significantly understate the total adverse impact of diesel-related particles on public health.[24] Moreover, these estimates exclude any health impacts due to diesel's contribution to ozone smog.

States: Health Impacts from Diesel Fine Particles (1999)

Rank	State	Deaths	Cancer Deaths	Heart Attacks	Asthma Attacks	Chronic Bronchitis	Work Loss Days	Restricted Activity Days
1	New York	2,332	169	3,692	51,251	1,499	318,532	1,827,525
2	California	1,784	144	2,263	49,499	1,356	292,622	1,683,642
3	Pennsylvania	1,170	103	1,660	19,021	575	110,404	643,926
4	New Jersey	880	77	1,382	17,926	535	107,364	620,975
5	Texas	879	83	1,070	25,348	664	148,394	854,045
6	Illinois	878	76	1,193	19,162	539	112,205	649,445
7	Florida	805	77	980	13,926	438	81,462	474,601
8	Ohio	769	72	1,002	14,464	422	83,963	489,355
9	Michigan	484	43	667	10,511	299	61,109	355,260
10	Massachusetts	475	43	727	9,925	289	61,842	355,473
11	Maryland	409	39	454	8,418	246	50,275	291,675
12	Indiana	369	36	483	7,372	209	42,730	249,056
13	Georgia	329	29	377	8,514	235	51,808	298,317
14	Louisiana	324	32	339	7,131	188	40,740	236,444
15	Missouri	305	28	377	5,435	157	31,476	183,033
16	North Carolina	301	29	347	6,518	189	39,589	229,591
17	Tennessee	269	26	283	5,169	150	30,870	179,656
18	Washington	248	23	308	6,201	181	37,787	218,889
19	Virginia	248	24	303	5,991	174	36,963	214,083
20	Wisconsin	226	18	320	4,789	137	27,923	162,404
21	Arizona	214	19	268	5,215	144	30,053	173,721
22	Connecticut	206	18	340	4,091	125	24,097	140,140
23	Kentucky	198	22	213	3,764	110	22,385	130,403
24	Minnesota	193	15	291	4,713	134	27,979	161,954
25	Alabama	175	16	184	3,200	92	18,646	108,961

Metro Areas: Health Impacts from Diesel Fine Particles (1999)

Metropolitan Area	Rank	Deaths	Cancer Deaths	Heart Attacks
New York, NY	1	2,729	202	4,342
Los Angeles, CA	2	918	72	1,193
Chicago, IL	3	755	65	1,021
Philadelphia, PA	4	727	69	990
Boston, MA	5	391	36	602
Houston, TX	6	356	35	444
San Francisco, CA	7	291	23	358
Miami, FL	8	288	23	358
Baltimore, MD	9	285	28	290
Detroit, MI	10	279	25	378
Pittsburgh, PA	11	237	21	340
Washington, DC	12	226	19	302
St. Louis, MO	13	217	20	263
Dallas, TX	14	205	19	258
Atlanta, GA	15	199	17	239
Tampa, FL	16	185	18	210
Phoenix, AZ	17	183	16	230
Cleveland, OH	18	180	15	232
Cincinnati, OH	19	171	18	219
Seattle, WA	20	165	15	208
San Diego, CA	21	150	13	191
Portland, OR	22	140	13	157
Minneapolis, MN	23	133	11	205
New Orleans, LA	24	128	13	131
Riverside, CA	25	123	10	142
Baton Rouge, LA	26	102	10	109
Milwaukee, WI	27	95	8	130
Columbus, OH	28	84	9	113
Indianapolis, IN	29	82	8	107
Louisville, KY	30	82	9	91
Memphis, TN	31	81	7	79
Kansas City, MO	32	79	8	109
Providence, RI	33	76	7	119
Bridgeport, CT	34	69	6	121
Beaumont, TX	35	65	7	65
Orlando, FL	36	65	7	85
Allentown, PA	37	65	5	101
Hartford, CT	38	63	5	100
Las Vegas, NV	39	62	7	71
Virginia Beach, VA	40	62	6	65

Metro Areas: Per Capita Impacts from Diesel Fine Particles (1999)

Rank Based on Mortality Risk	MSA	Deaths per 100,000 Adults	Heart Attacks per 100,000 Adults	Cancer Risk per Million
1	Beaumont, TX	29	29	865
2	Baton Rouge, LA	27	29	992
3	New York, NY	25	40	959
4	Philadelphia, PA	22	29	658
5	Trenton, NJ	20	31	699
6	Baltimore, MD	19	19	584
7	Huntington, WV	18	18	477
8	New Orleans, LA	17	18	889
9	Pittsburgh, PA	15	22	415
10	Cincinnati, OH	15	19	504
11	Boston, MA	15	23	563
12	Chicago, IL	15	20	539
13	Mobile, AL	14	15	435
14	Longview, WA	14	15	441
15	Houston, TX	14	18	691
16	Allentown, PA	14	22	450
17	Cleveland, OH	14	18	416
18	Toledo, OH	14	17	423
19	Los Angeles, CA	14	18	633
20	Lancaster, PA	14	22	463
21	Scranton, PA	14	18	319
22	St. Louis, MO	14	17	405
23	Reading, PA	14	21	428
24	Lake Charles, LA	14	14	437
25	Springfield, OH	13	16	356
26	Portland, OR	13	14	488
27	Bridgeport, CT	13	22	494
28	Harrisburg, PA	12.	19	412
29	York, PA	12	21	460
30	Wheeling, WV	12	14	309
31	Lebanon, PA	12	19	373
32	Evansville, IN	12	15	368
33	Memphis, TN	12	12	397
34	Savannah, GA	12	13	376
35	Dayton, OH	12	16	389
36	Vineland, NJ	12	17	365
37	Tampa, FL	12	14	365
38	Louisville, KY	12	13	384
39	Sandusky, OH	12	15	345
40	Kankakee, IL	12	14	336
41	San Francisco, CA	12	14	480
42	Muncie, IN	11	14	327
43	Duluth, MN	11	14	308
44	Michigan City, IN	11	15	370
45	Salt Lake City, UT	11	14	533
46	New Haven, CT	11	18	365
47	Steubenville, OH	11	13	279
48	Milwaukee, WI	11	15	376
49	South Bend, IN	11	15	342
50	Detroit, MI	11	15	381

The Dirty Diesel Legacy

Since 1997, the U.S. EPA has promulgated major regulations that impose stringent emissions controls on new diesel vehicles, requiring tight emission standards and cleaner diesel fuel. These standards go into effect in 2007 and phase in over the next few decades. For example, the table below illustrates the progressively tighter standards for particulate matter and nitrogen oxides from trucks and buses over the next few years.

However, the emission rates of the diesel engines on the road and in use on construction sites and farms today are not affected by these rules. Considering that according to the U.S. Department of Energy the median lifetime for a heavy truck is nearly 30 years,[26] and a typical heavy duty diesel engine may power a truck for as long as one and a half million miles,[27] these vehicles will continue to pollute our air at unnecessarily high levels for years to come ***unless*** we act to clean them up now.

EPA Standards for New Trucks and Buses (g/bhphr)[25]

YEAR	NO_X	$PM_{2.5}$
1984	10.7	0.60
1991	5.0	0.25
1998	4.0	0.10
2004	2.0	0.10
2007	0.2	0.01

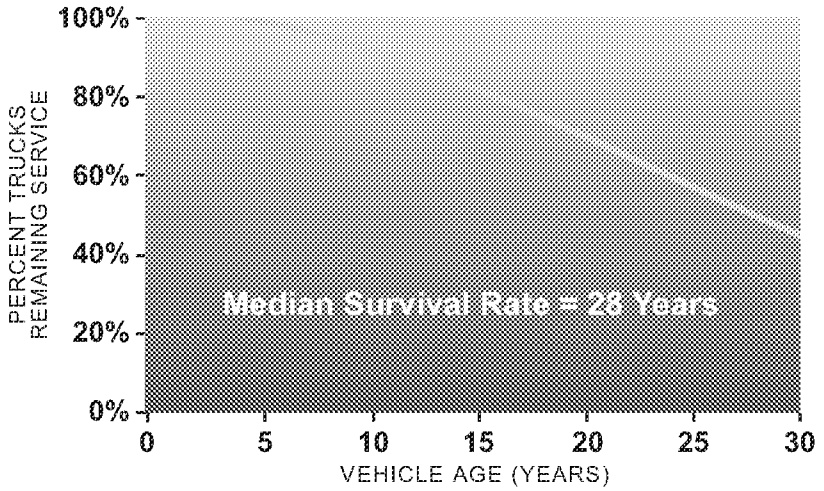

Median Heavy Truck Lifetime is Nearly 30 Years[28]

The Most Widespread Air Pollution Risk in the U.S.

There are few other sources of widespread pollution in our environment that rival diesel exhaust as an airborne toxin. America's 13 million diesel engines release a host of harmful substances including fine particles, ozone smog-forming nitrogen oxides, carbon monoxide, and a variety of toxic metals and organic gases such as formaldehyde, acrolein, and polycyclic aromatic hydrocarbons (PAH.)[29] In this report we focus on the respiratory, cardiovascular, and cancer effects of diesel fine particles only.[30]

Fine Particles are Linked to Heart Attacks, Asthma Attacks, and Stunted Lung Growth.

Fine particles have been linked to a wide variety of serious health impacts, from upper and lower respiratory ailments, such as asthma attacks and possible asthma onset, to heart attacks, stroke, and premature death, including crib death in children.[31] How risky is breathing air polluted with particles? A study published in the Journal of the American Medical Association found that living in the most polluted U.S. cities poses a risk similar to living with a smoker.[32] Based on thousands of studies compiled by EPA, federal health standards were established for fine particles in 1997.[34]

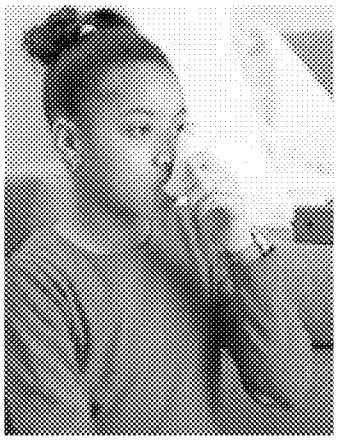

Health researchers have recently described serious health impacts of fine particles, including:

- Abnormal heart rhythms and heart attacks and atherosclerosis;[35]
- Increased incidence of stroke;[36]
- Permanent respiratory damage, characterized by fibrosis causing obstruction to airflow;[37]
- Chronic adverse effects on lung development resulting in deficits in lung function.[38]

How Particulate Matter Kills

Fine particles, known as "$PM_{2.5}$", are particles less than 2.5 microns in diameter or 1/100th the width of a human hair, so small that they are often invisible. They can be deposited deep in the lung where they can affect both the respiratory and cardiovascular systems. Researchers believe that many deaths caused by particulate matter are related to cardiovascular illness. Fine particles aggravate cardiovascular disease and trigger heart attacks by invading the bloodstream and initiating an inflammatory response, disrupting heart rate and increasing blood clotting. In a recent experimental study, diesel particles caused blood clots providing "a plausible explanation for the increase in cardiovascular morbidity and mortality accompanying urban air pollution."[33]

Diesel Exhaust is a Likely Carcinogen that also Impairs Immune, Reproductive, and Nervous Systems.

In 1998, the Scientific Review Panel for the California Air Resources Board reviewed diesel exhaust as a toxic air contaminant and set a lifetime unit cancer risk from diesel particles at 3 in 10,000 persons for each microgram of annual average diesel exposure.[39] This is equivalent to 300 in a million excess lung cancers. In May 2002, EPA issued its Health Assessment for Diesel Exhaust which found diesel particulate matter to be a "likely" carcinogen. EPA did not settle on a unit risk factor but recommended a lifetime cancer risk range from 1 in 1,000 to 1 in 100,000.[40] The California unit risk falls within this range.[41]

> Diesel particles are carbon at their core with toxics and carcinogenic substances attached to their surfaces.

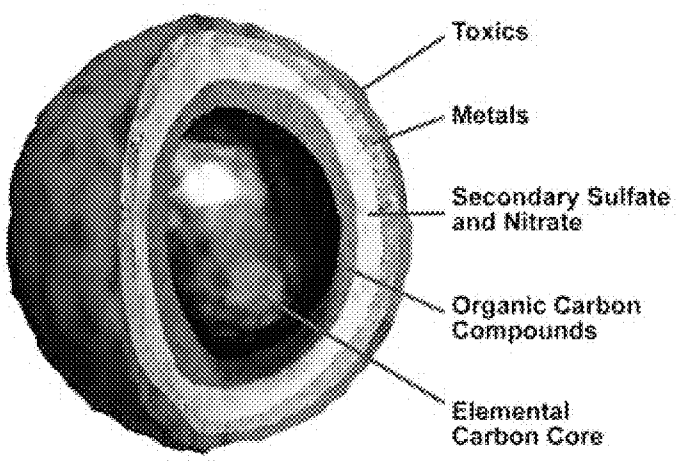

Applying California's cancer unit risk for diesel particulate matter to the national average concentration of directly-emitted diesel fine particles in 1999, results in a conservative estimate of 1,530 excess cases of lung cancer per year for 2005.[42] An American Cancer Society study of 150 metropolitan areas across the U.S published in 2002 supports the particulate matter cancer link.[43]

Other effects include:

- **Immune System Effects** – Diesel exposure is associated with numerous immune system responses in humans and animals culminating in increased allergic inflammatory responses and suppression of infection-fighting ability. These effects include disruption of chemical signals and production of antibodies, and an alteration in mobilization of infection-fighting cells.[44]
- **Reproductive, Developmental, and Endocrine Effects** – Diesel emissions have also been associated with reproductive, developmental and endocrine effects in animals. Specifically, diesel exposure has been associated in animals with decreased sperm production,[45] masculinization of rat fetuses,[46] changes in fetal development (thymus,[47] bone[48] and nervous system[49]) and endocrine disruption, i.e., production of adrenal and reproductive hormones.[50]
- **Nervous System Effects** – In addition to animal studies that have shown neurodevelopmental effects, a human study of railroad workers suggested that diesel exposure may have caused serious permanent impairment to the central nervous system.[51]

Cancer-causing Pollutants in Diesel Exhaust

Pollutant	Diesel Emissions % of all Mobile 1996[52]	EPA Carcinogen Status	Cancer Risk (per million/microgram in 70-yr life)
Formaldehyde	52%	probable	1 in a million
Acetaldehyde	59%	probable	1 in a million
Butadiene	8%	probable	2 in a million
Acrolein	50%	possible	n/a
Benzene	5%	known	2-8 in a million
Diesel Particulate Matter	77%	probable[53]	EPA: 12 to 1210 in a million; CARB: 300 in a million[54]

Children and Seniors are at Greatest Risk

Health researchers believe that children are more susceptible than adults to the adverse health effects of air pollution for a variety of reasons.[55] For example, children are more active than adults and therefore breathe more rapidly. Children also have more lung surface area compared to their body weight and therefore they inhale more air pound-for-pound than adults do. Compared to adults, children also have higher lung volume to body size, higher respiration rates, and spend more active time in the polluted outdoor environment. Fine particles have been linked in medical studies to serious health impacts in children such as slowed lung function growth, increased emergency room visits, increased incidences of asthma and bronchitis, and crib death. Furthermore, proximity to traffic has been linked to increased prevalence of asthma respiratory infections and allergic symptoms and asthma hospitalizations in children.[56]

Seniors are another important population at risk. Studies of the impacts of fine particles on seniors in Boston and Baltimore suggest that changes in their heart rhythms and control mechanisms occur when particle levels rise. In Phoenix, daily mortality increased in

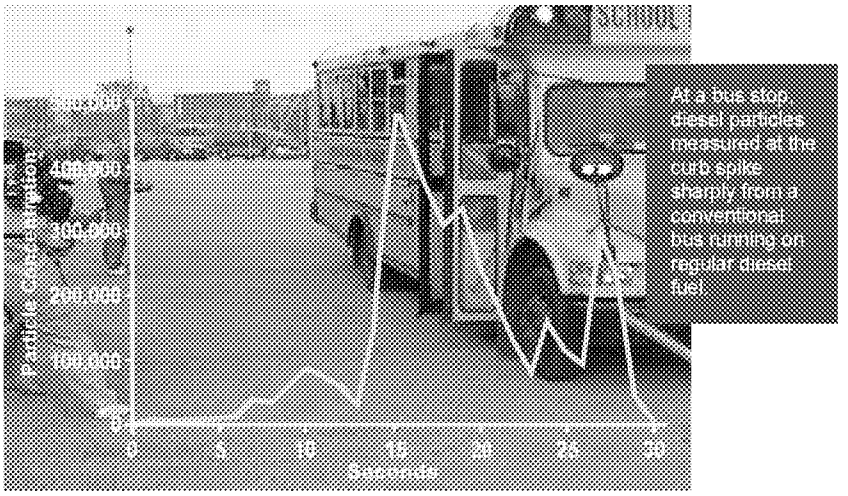

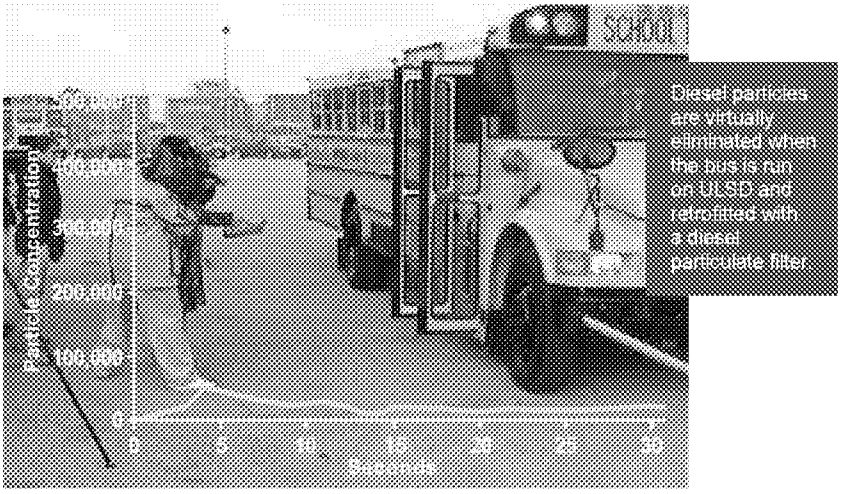

Children Exposed on School Buses

CATF Study: Cabin particulate matter eliminated with retrofit emissions controls.

Twenty four million students ride to school every day on yellow school buses that travel a total of four billion miles a year. While riding on a school bus is the safest way a student can travel to school,[57] children may be exposed to harmful pollutants, a concern since students spend an average of an hour and a half a day on school buses.[58] A recent study undertaken by Clean Air Task Force in cooperation with Purdue University investigated cabin air quality on school buses in three cities (Chicago, IL; Atlanta, GA; and Ann Arbor MI). The study found that particulate matter routinely entered the bus cabin from the tailpipe and the engine through the open front door. At some stops, particulate matter in the bus cabin exceeded levels in the outdoor air by as much as ten times. While idling or lined up in a schoolyard, rapid buildup of particulate matter in the buses also occurred. Most importantly, retrofit emissions controls worked: installation of a diesel particulate filter and the use of Ultra Low Sulfur Diesel (ULSD) fuel and a closed crankcase filtration device eliminated fine particles, ultrafine particles, black carbon and particle-bound PAH in the bus cabin. A closed crankcase filtration system by itself demonstrated major benefits and can provide immediate and low cost reductions in particulate matter levels on school buses. For a comprehensive report: **www.catf.us/goto/schoolbusreport**

seniors with increased levels of elemental and organic carbon (typical of diesels and other motor vehicles) and fine particles. Collectively, these studies demonstrate that elevated fine particle levels put the elderly at risk and suggest a possible mechanistic link between fine particles and cardiovascular disease mortality.[59]

Today's Dirty Diesels

- **"On-road" or highway diesels** include many types of vehicles, such as municipal and commercial trucks and buses. Heavy duty highway diesels range from 8,500 lbs to those exceeding 60,000 lbs, such as 18-wheelers. Of the seven million diesels on the road today, 400,000 are school buses and 70,000 are transit buses. Highway diesels released 100,000 tons of directly-emitted fine particles in 2002, about one third of the total from diesels. Highway diesels also released 3.4 million tons of nitrogen oxides (NO_X) in 2002, which accounted for 16 percent of all NO_X emissions and half of all diesel NO_X emissions in the U.S. [60]

- **"Non-road" diesel engines and equipment** do not typically travel on roads or highways. There were approximately six million non-road diesel engines in service in 2003. Examples of these non-road diesels include construction equipment such as excavators, mining equipment and agricultural machinery. In 2002, 155,000 tons or half of all the fine particles directly emitted from diesels came from non-road engines. Non-road diesels also released 1.6 million tons of NO_X, 8 percent of all NO_X emissions and one quarter of all diesel NO_X emissions in the U.S. in 2002.[61]

- **Marine and river diesel** emissions are dominated by large commercial ships polluting our largest ocean and river port cities. Efforts to control pollution from shipping have focused on NO_X, although these engines also emit substantial quantities of fine particles. In 2002 marine diesel released 40,000 tons of directly-emitted fine particles, 13 percent of all diesel fine particles in the U.S. Marine diesels in the U.S. produced one million tons of diesel NO_X in 2002, 5 percent of all U.S. NO_X emissions and 14 percent of all diesel NO_X emissions.[62]

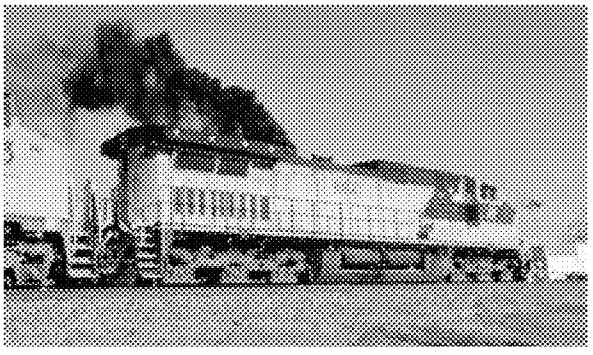

- **Locomotive diesels** account for a significant fraction of mobile source emissions in the U.S. today. In many areas, diesel trains travel through and pollute core urban and industrial areas. Diesel locomotives released 20,000 tons of directly-emitted diesel fine particles (six percent of all diesel fine particles) and 900,000 tons NO_X (13 percent of diesel NO_X). Diesel locomotives typically have a useful life of 40 years and are commonly rebuilt 5-10 times during their long service lives. For this reason, cleaning up today's locomotives is an important priority.[63]

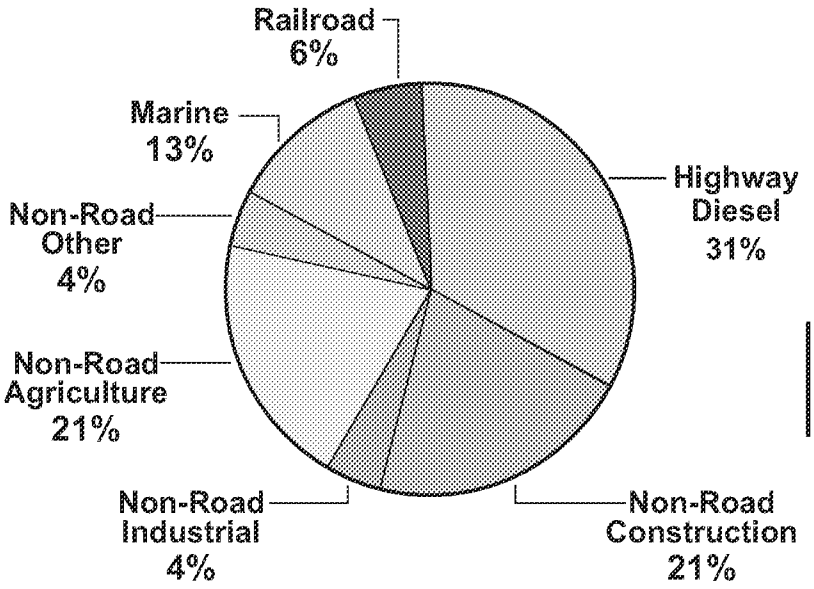

Sources of Directly-Emitted Mobile Diesel Fine Particles

Source: EPA (2004)

Diesel "Hotspots"

Diesel Exhaust is Concentrated Near Roadways and Intersections.

Unlike industrial smokestack emissions, diesel typically is emitted at ground-level in places of concentrated population in our communities along busy streets and at our places of work. We often breathe diesel exhaust where it is fresh and most toxic. While air quality modeling, such as reported in our study, estimates average exposures in a community, your individual exposure may be much greater or smaller depending on a variety of factors. For example, the distance from where you live to major roadways and the nature of your commute to work may play a role.

Exposure to diesel exhaust is highest for those who:

- **Operate or work around diesel engines** – Occupational exposures to diesel are among the highest and have been associated with increased incidence of cancer. Furthermore, a study of diesel mechanics, train crewmen, and electricians working in a closed space near diesel generators suggests that diesel exposure may have caused both airway obstruction and serious impairment to the central nervous system. The report concludes that "impaired crews may be unable to operate trains safely."[64]
- **Live or work near areas where diesel emissions are concentrated** – Ambient diesel levels are highest near highways, busy roadways, bus depots, construction sites, railroad yards, ports and inland waterways with diesel boat traffic, major bridges, tunnels, or freight warehouses. People who live or work near these

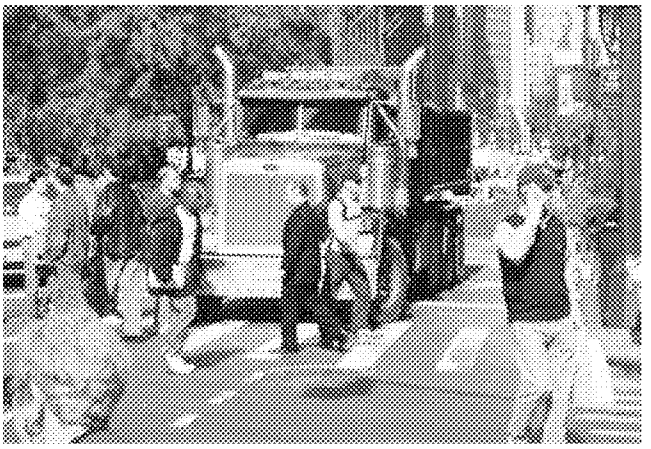

facilities face the greatest risk. Numerous recent medical studies have linked roadway proximity and traffic pollution to disease, asthma hospitalizations, and shortened life expectancy.[65] For example, a 2004 study in Ontario, Canada found increased risk of mortality from heart and lung disease in people living within 100 meters of a roadway.[66] New York City studies demonstrate that diesel trucks create air toxics hot spots at crossings, bus stops, and bus depots.[67] Rail yards can be diesel hotspots as well. For example, one study found elevated risk levels – up to 500 in a million – adjacent to a California rail yard.[68] Another study found elevated cancer risk for persons living near a ferry port.[69]

- **Regularly ride on school or transit buses, or commuter trains** – Children are exposed to elevated levels of diesel as a result of the buildup of diesel exhaust inside school buses – especially with windows closed.[70] Diesel exhaust levels on commuter trains and

People living and working near concentrated diesel emissions such as busy roadways have the greatest exposure to diesel exhaust.

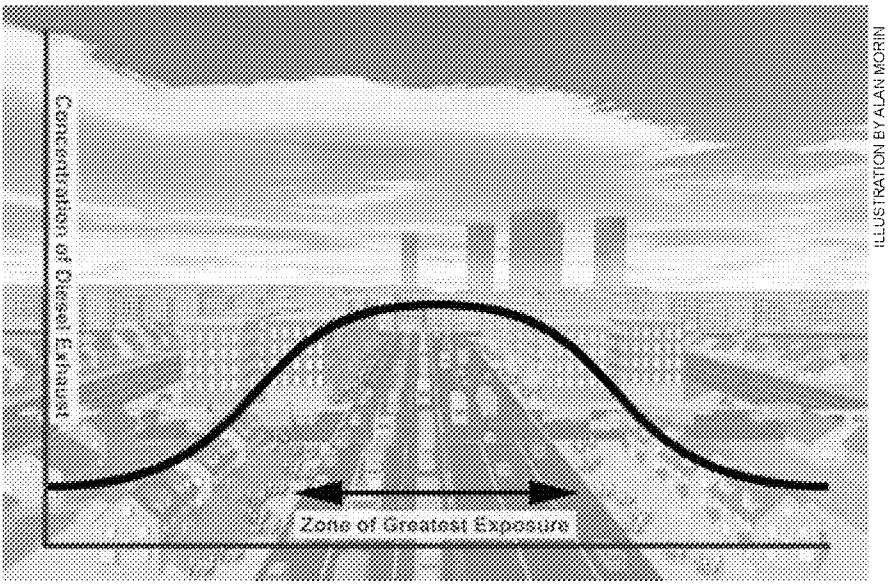

ILLUSTRATION BY ALAN MORIN

station platforms may also be high.[71]

- **Commute daily in heavy traffic** – Commuters are exposed to some of the highest diesel emissions in their cars due to pollutants released from trucks and buses on the road with them. Car occupants riding behind a diesel bus, for example, can experience extremely high levels of dangerous fine particles. Researchers in Los Angeles measured high fine particle levels (130 ug/m^3) behind an urban transit bus making numerous stops.[72] Exposures to drivers can have serious effects: a 2004 study suggests that young male state troopers experienced cardiac inflammation and heart rhythm changes from in-vehicle exposure to fine particles.[73]

Diesel exhaust from trucks and buses can be found in places we don't expect. For example it can be trapped in "urban canyons" and penetrate buildings through HVAC systems.

Exposure to diesel exhaust is also an Environmental Justice issue. Concentration of minority and low-income populations are more likely to be found in cities near diesel sources. Because these neighborhoods are exposed to some of the highest diesel exhaust levels, residents are certain to experience disproportionate health impacts.

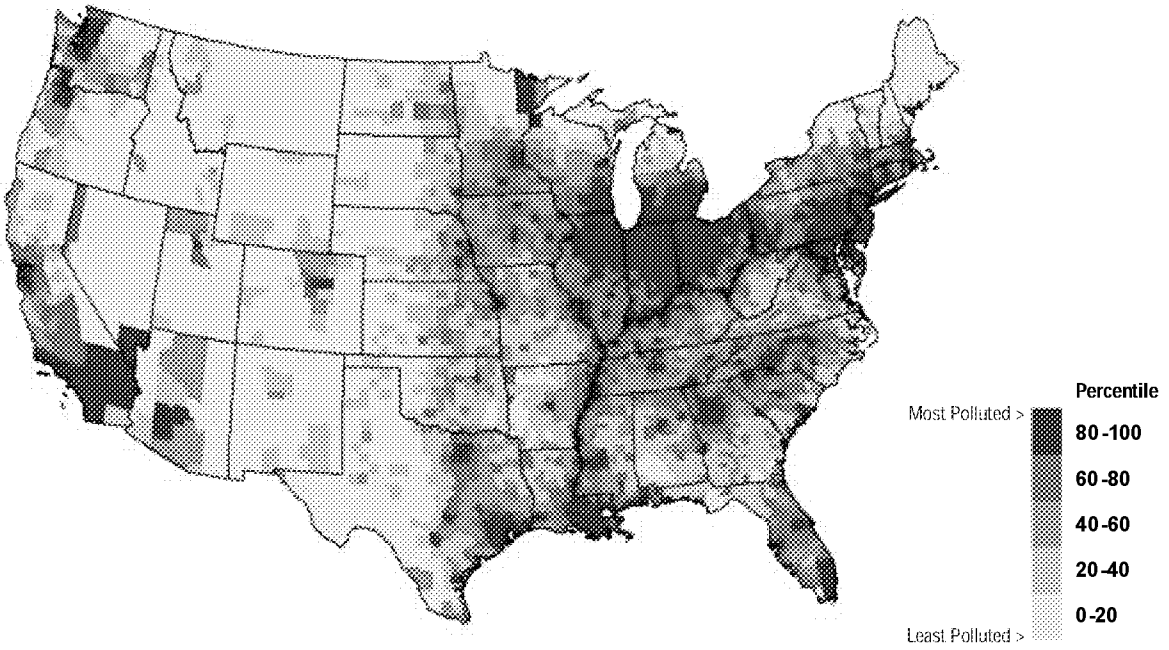

Directly-Emitted Diesel Fine Particle Concentrations by County in the U.S. (1999)

A Solution Within Our Reach

Diesel Fine Particles Can Be Virtually Eliminated by Emission Controls Available Today.

Virtually all of the health risk posed by diesel exhaust can be eliminated through the application of emissions control strategies available today. For example, an aggressive but feasible program to reduce diesel particle emissions nationwide 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would save about 100,000 lives between now and 2030 – beyond those lives that will be saved under EPA's new engine regulations.[74] Adopting this as a national goal would help states and municipalities set milestones for improvement and would be consistent with EPA's recently announced goal of retrofitting the entire U.S. fleet of diesel vehicles by 2015.[75] Indeed, California has already set a Diesel Risk Reduction goal of 75 percent 2010 and 85 percent by 2020. Over the last few years the California Air Resources Board has begun to issue regulations to achieve these goals.[76]

"Retrofit, Rebuild, Replace"

A variety of practical strategies exist to reduce diesel particle levels in America: tailpipe retrofits, clean fuels, closed crankcase filtration systems, engine rebuild and replacement requirements, emission specifications for vehicles used in public works contracts, anti-idling ordinances and legislation, truck stop electrification programs, aggressive fleet turnover policies, and more.

The most cost-effective approach to reducing diesel exhaust is likely in many cases to be the direct application of retrofit technology. Although the purchase of new, much cleaner vehicles will remain an important remedial strategy, the replacement of the entire diesel fleet is an expensive proposition that will have to be phased in over time. What's more, we can meet the challenge of reducing fine particles and related air toxics without replacing all vehicles right now. Current technology can easily remove particles from diesel exhaust. Retrofits that eliminate over 90 percent of fine particles from a heavy duty diesel bus engine typically cost $3,000-$7,500. This is a small expenditure when compared to the typical $60,000-75,000 price tag for a new school bus or $300,000 for a transit bus.[77]

Retrofits are available from many engine manufacturers. They generally are easy to install especially on highway vehicles. Nonetheless, it is important to point out that retrofits are not a "one size fits all" proposition. Retrofitting a fleet calls for careful planning and, often, a mix of strategies that will depend on the make and model year of the engines being retrofitted and funds available. For example, some heavy-duty engines lack modern electronic engine controls and are therefore are too old for some retrofit devices. Other diesel equipment simply does not have space for retrofit installation. Duty cycle is an important consideration too. Some engines do not run constantly which means that catalytic retrofit devices requiring consistent high engine temperatures do not operate as efficiently. Furthermore, some engines release pollution from crankcase ventilation in addition to the tailpipe. This calls for additional strategies. For some vehicles and model years, replacement may be the best option. As a result, fleets will need to develop individualized strategies that optimize emission reduction from their vehicles and equipment. Fortunately, this is not hard to do.

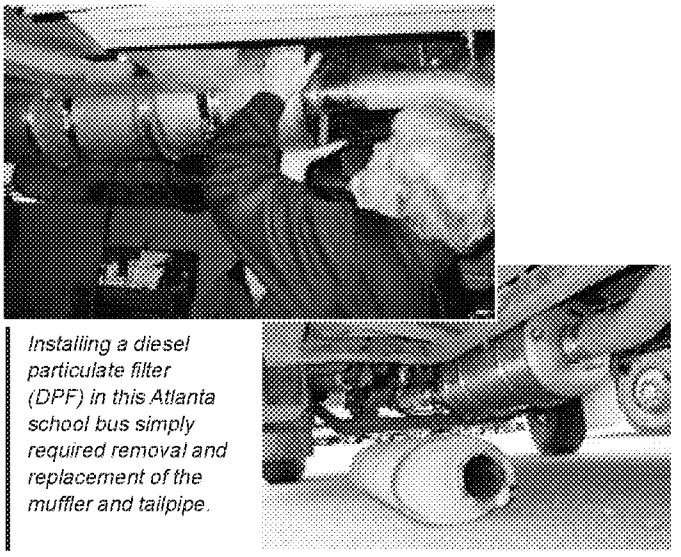

Installing a diesel particulate filter (DPF) in this Atlanta school bus simply required removal and replacement of the muffler and tailpipe.

Catalyzed diesel particulate matter filters (DPF) can reduce emissions of fine particles and adsorbed air toxics by over 90 percent. DPFs have been used in thousands of on- and non-road diesel applications. Diesel oxidation catalysts (DOCs) represent a less expensive albeit less effective option. They are smaller and therefore easier to install. EPA has verified that they can reduce total particulate matter emissions by 10-30 percent. Like the DPF, the DOC is also attached to the exhaust system. Installing one on a diesel truck or bus costs about $1,000. DOCs may be appropriate for vehicles built before 1995 that lack electronic controls and for construction equipment where there is inadequate space for a DPF to be installed. DOCs have been installed in more than 1.5 million trucks in the U.S.[78]

Low Sulfur Diesel Fuels Are Requisite for Effective Retrofit Controls.

Diesel particulate filters require low sulfur fuels because sulfur in the fuel can foul the emission control device. Unfortunately, low sulfur fuels are not available everywhere in the U.S. today (see http://www.epa.gov/otaq/retrofit/fuelsmap.htm for the current fuel availability map). Where ULSD is available, decision makers should consider requiring installation of filters where possible. Federal regulations have established diesel fuel and additive formulation requirements for on-road vehicles, limiting fuel sulfur content to 15 ppm nationwide beginning in 2006 for use with 2007 highway vehicles. Starting in 2010, non-road equipment will be required to use ULSD.

Biodiesel is another potential low-sulfur fuel choice that can achieve modest reductions in emissions when used as a blend, or higher reductions when used at 100 percent. Biodiesel is an alternative diesel fuel made from either animal fats or plants such as soybeans.

Ultra low sulfur diesel fuel will be available nationwide mid-2006.

Cleaning up All School Buses Within a Decade

With today's emissions controls, students need not be exposed to diesel exhaust while riding to school. EPA in the summer of 2004 announced the goal of retrofitting all existing school buses with pollution controls within a decade.[79] Funding retrofits and cleaner fuel presents the greatest obstacle facing school districts. To achieve this goal, adequate funds must be appropriated by states and the federal government.

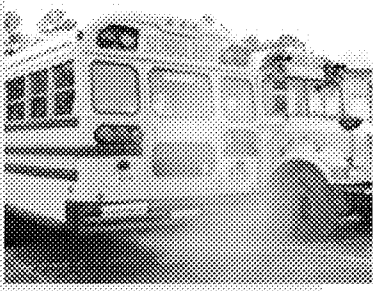

Recommendations

Cities and States Must Act to Reduce Diesel.

The fine particle pollution problem is so widespread in the U.S. about one quarter of the U.S. population resides in areas that violate the standard. EPA recently formally designated over 200 counties in "nonattainment" with the annual fine particle standard.[80] Countless additional commuters may also spend significant time in areas exceeding the standard where they work. But the rest of the country is not safe from the risk posed by diesel particles – science tells us that particle-related health impacts don't stop once the standard is achieved. Health research has shown that there are adverse health impacts from particles even at very low concentrations.[81]

Cities and states that have been designated as "nonattainment" must act now to achieve meaningful reductions in fine particles. For those areas, state implementation plans must be developed and presented to EPA for approval within three years. Controls must then be implemented and air quality standards achieved by 2010. For this reason, states and cites must start now to determine how to achieve substantial emissions reductions. With rules to reduce particles from power plants pending at EPA and expected to be finalized in the near future, diesel emissions will become the largest remaining share of the problem and the most cost-effective solution, one that largely is within the control of states and municipalities.

MA TURNPIKE AUTHORITY

Cities should adopt and enforce anti-idling ordinances.

Cities and states should:

- Establish ambitious goals for reducing risk to their citizens by cleaning up existing diesels;
- Identify priority geographic areas and diesel "hotspots" for immediate attention;
- Adopt a package of options for reducing diesel exhaust including:
  - Retrofits accomplished by replacing mufflers with an optimal mix of filters or oxidation catalysts depending on vehicle age and type;
  - Requiring Ultra Low Sulfur Diesel and cleaner alternative fuels;
  - Closed crankcase ventilation systems to eliminate engine exhaust from penetrating the cabins of school and transit buses;
  - Engine rebuild and replacement requirements;
  - Truck stop electrification programs to give long-haul truckers a way to power their rigs overnight without running their engines;
  - Contract specifications requiring cleanup of trucks and construction equipment used in public works projects.
- Adopt diesel cleanup measures as federally-enforceable requirements in State Implementation Plans (SIPs) for the attainment of the fine particle and ozone air quality standards;
- Create and fund programs to provide money for diesel equipment owners to replace or rebuild high-polluting diesel engines;
- Adopt and enforce anti-idling ordinances and legislation.

To meet this challenge, several states and cities have begun to take action. California continues to lead the way in reducing diesel emissions: adopting stricter fine particle air quality standards, developing a statewide diesel risk reduction plan, and establishing a state program to clean up on- and non-road diesel engines ranging from garbage trucks to stationary generators.[82] When completed, the California program will regulate emissions from all existing diesels within its jurisdiction.

Trucks parked at New York Thruway rest area shut off their engines and plug into IdleAire facility for heat and electricity.

In New York, over 120,000 kids now ride a school bus that has had a retrofit kit installed to reduce diesel emissions. Under city and state law all New York City-sponsored construction projects are required to use ULSD and all heavy equipment engines at the sites must be retrofitted. Likewise, Seattle, King County, and the State of Washington have made a solid start on diesel cleanup from on- and non-road vehicles, and ships including a commitment to retrofit up to 8,000 school buses using local, state, federal, and SEP monies and buy up to 250 new diesel/electric hybrid buses. Other cities also have made a start.[83]

California and Texas have created funds – the "Carl Moyer" program in California and the Texas Emission Reduction Program (TERP) – to provide funding for diesel equipment owners to replace or rebuild high-polluting diesel engines.

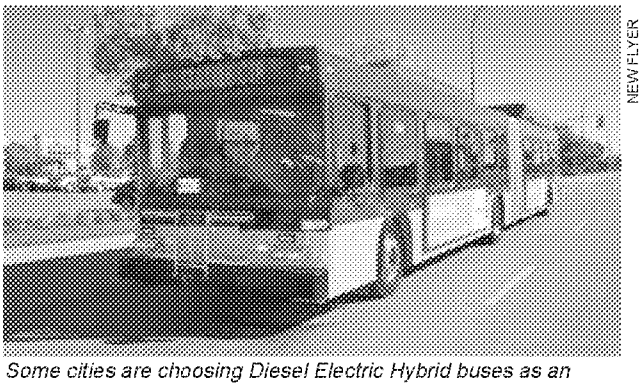

NEW FLYER

Some cities are choosing Diesel Electric Hybrid buses as an alternative to conventional diesel buses.

Washington Must Support States

States and cities cannot meet the challenge of diesel pollution alone. U.S. EPA has recognized the dangers and societal costs of diesel exhaust and set tighter emission standards for new highway and non-road diesel engines and mandated the availability beginning in 2006 of Ultra Low Sulfur Diesel (ULSD) fuel nationwide. These requirements must be retained with no backsliding. In addition, EPA has set a national goal of cleaning up all of America's existing diesels by 2015 and has established a voluntary retrofit program to begin to meet it.[84] However, this challenge will only be met with an aggressive set of policies and adequate funding to ensure the goal can be accomplished.

Many states do not have the resources to clean up state and municipally-owned vehicles. They will need the support of the federal government to achieve EPA's goal.

Federal action may also be needed to clean up transient diesel vehicles, including long-haul trucks, marine diesel shipping in U.S. ports, and locomotives that typically travel from city to city dispersing their emissions along travel corridors. Because the Clean Air Act contains limited authority for EPA to establish national diesel retrofit rules, federal legislation will ultimately be needed to establish federal requirements and funding for a national retrofit program for all diesel engines as well as these interstate diesels.

The Federal government should:

- Pass legislation providing funding for the cleanup of municipal and state fleet vehicles;
- Explore regulatory options for reducing emissions from existing interstate fleets such as long-haul trucks, shipping, and locomotives;
- Retain and enforce the tighter new engine and cleaner fuel standards for highway and non-road diesels.

Endnotes

1 Wilson, Richard and Spengler, John, eds. *Particles in Our Air: Concentrations and Health Effects* (1999) p. 212.

2 Schwartz, J.,"Air Pollution Deadlier than Previously Thought," Harvard School of Public Health, Press Release, March 2, 2000.

3 Laden, F., Neas, L., Dockery, D. and Schwartz, J., *Association of Fine Particulate Matter from Different Sources with Daily Mortality in Six U.S. Cities*, Environmental Health Perspectives, Vol. 108, No. 10, (2000) p. 941-947.

4 Nemmar, A. et al., *Passage of Inhaled Particles Into the Blood Circulation in Humans.* Circulation, Vol. 105, (2002), 411-414 ; Donaldson, Ken, et al., *Ambient Particle Inhalation and the Cardiovascular System: Potential Mechanisms*, Envir. Health Perspectives, Vol. 109, Supp. 4, Aug. 2001, p. 525.1

5 National Center for Environmental Assessment, Office of Research and Development, U.S. EPA. EPA/600/8-90/057F. May 2002. International Agency on Cancer, Monograph 46. See at: http://www-cie.iarc.fr/htdocs/monographs/vol46/46-01.htm; California Air Resources Board (1998) Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant; See also, California Environmental Protection Agency, Air Resources Board, Office of Environmental Health Hazard Assessment, April 22, 1998; CalEPA (2002). Health Assessment for Diesel Engine Exhaust;

6 American Academy of Pediatrics, Committee on Environmental Health, *Ambient Air Pollution: Health Hazards to Children*, Pediatrics, Vol 114, No. 6, (December 2004) pp. 1699-1707. Available at www.pediat rics.org. For a complete summary of studies of particulate matter and health see: EPA Air Quality Criteria for Particulate Matter, October 2004 avaialble at: http://cfpub.epa.gov/ncea/cfm/partmatt.cfm

7 Modeled health impacts of less severe acute health impacts (e.g. other than mortality, heart attacks) likely understate the full magnitude of the impacts because many cases go unreported (e.g. asthma, bronchitis self-treatment, or treatment in small clinics or private offices.) Furthermore, the U.S. does not manage a central database of national health records.

8 U.S. EPA, OAR, "Final Report to Congress on Benefits and Costs of the Clean Air Act,1970-1990," EPA 410-R-97-002, (1997) page I-23 at http://www.epa.gov/air/sect812/appen_i.pdf.

9 Mothers Against Drunk Driving online at: http://www.madd.org/stats/0,1056,1112,00.html

10 Arias, E. et al., "Deaths: Final Data for 2001," Centers for Disease Control, 52 National Vital Statistics Reports No. 3 (September 18, 2003). Available online at: http://www.cdc.gov/nchs/data/nvsr/nvsr52/nvsr52_03.pdf

11 U.S. Department of Transportation, National Highway Traffic Safety Administration *Traffic Safety Facts 2000: Occupant Protection* (Washington, D.C. 2001). Available online at: http://www.bts.gov/publications/transportation_statistics_annual_report/2001/html/chapter_06_figure_01_152_table_.html

12 This analysis is based on methodology approved by U.S. EPA's Science Advisory Board and used by EPA in the Regulatory Impact Analysis (RIA) of the non-road rule. EPA Final Regulatory Impact Analysis, "Control of Emissions from Nonroad Diesel Engines," EPA420-R-04-007. (May 2004) http://www.epa.gov/nonroad-diesel/2004fr/420r 04007.pdf. It begins with EPA emissions inventory data, models the dispersion of those emissions using the Regional Emissions Modeling System for Acid Deposition (REMSAD) air quality model, and then applies a damage function model using concentration-response relationships to estimate adverse health endpoints from modeled changes in air quality. This analysis estimates the adverse health endpoints attributable to diesel PM2.5 in the year 2010. For a summary of CATF's methodology and FAQs please go to www.catf.us/goto/dieselhealth/ and click on "learn more." For Abt Associates' ASPEN and REMSAD reports please see: www.catf.us/goto/AbtASPEN/ and www.catf.us/goto/AbtREMSAD/.

13 Estimate is based on EPA methodology described in EPA Memorandum, Bryan Hubbell to Sam Napolitano, July 2, 2001. Estimated NO_X, SO_2 and PM emissions health damages for heavy duty vehicle emissions.

14 Through only those diesel regulations promulgated to date, California will reduce diesel fine particles by 30 percent from year 2000 levels. California has announced plans to promulgate additional critical regulations in the next few years to address significant sources such as construction, agriculture, and inland shipping. California Air Resources Board (CARB) 2004a. Air Quality Almanac Emission Projections. Online at http://www.arb.ca.gov/emisinv/emsmain/emsmain.htm; California Air Resources Board (CARB). 2003a. Staff Report: Initial Statement of Reasons: Proposed Diesel Particulate Matter Control Measure for On Road Heavy-Duty Residential and Commercial Solid Waste Collection Vehicles. Sacramento, CA: California Environmental Protection Agency. California Air Resources Board (CARB) 2003b Staff Report: Initial Statement of Reasons for Proposed Rulemaking: Airborne Toxic Control Measure for Stationary Compression Ignition Engines. Sacramento, CA: California Environmental Protection Agency, Stationary Source Division Emissions Assessment Branch;. California Air Resources Board (CARB) 2003c. REVISED – Staff Report: Initial Statement of Reasons for Proposed Rulemaking: Airborne Toxic Control Measure for In-use Diesel Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate. Sacramento, CA: California Environmental Protection Agency, Stationary Source Division Emissions Assessment Branch. The Union of Concerned Scientists recently estimated the costs and benefits of achieving the CARB Diesel Risk Reduction goal. See Union of Concerned Scientists, *Sick of Soot: Reducing the Health Impacts of Diesel Pollution in California* (June 2004) available online at: http://www.ucsusa.org/clean_vehicles/trucks_ and_buses/page.cfm?pageID=1429

15 This analysis was performed by multiplying modeled ASPEN (Assessment System for Population Exposure Nationwide) 1999 county-level ambient diesel PM2.5 concentration data times: (1) the upper and lower bounds of EPA's possible diesel particulate matter cancer risk range; and (2) the California Air Resources Board diesel cancer unit risk factor. See: California Diesel Risk Reduction Plan: http://www.arb.ca.gov/diesel/documents/rrpapp.htm; EPA, Health Assessment Document for Diesel Exhaust, Office of Research and Development, EPA/600/8-90/057F (May 2002). The United States Public Interest Research Group previously used

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16 "The estimated possible risk ranges (10^{-5} to 10^{-3} as well as lower and zero risk) provide a perspective of the potential significance of the lung cancer hazard." EPA, Health Assessment Document for Diesel Exhaust, Office of Research and Development, EPA/600/8-90/057F (May 2002) at p. 8-15. For CARB unit risk value, see: Findings of the Scientific Review Panel on *The Report on Diesel Exhaust* as adopted at the Panel's April 22, 1998, meeting. http://www.arb.ca.gov/toxics/dieseltac/defnds.pdf. See also, http://www.arb.ca.gov/regact/diesltac/diesltac.htm. The findings in this report based on the CARB unit risk factor are consistent with EPA's possible diesel risk range e.g., 3 X 10^{-4} is within EPA's range of 10^{-3} to 10^{-5}.

17 The number per million is the chance in a population of a million people who might be expected to get cancer over a 70-year lifetime. A potential cancer risk of 10 in a million means if one million people were exposed to a certain level of a pollutant or chemical there is a chance that 10 of them may develop cancer over their 70-year lifetime. This would be 10 new cases of cancer above the expected rate of cancer in the population. According to CARB the expected rate of cancer for all causes, including smoking, is about 200,000 to 250,000 chances in a million (one in four to five people).

18 For 1999 NATA national excess cancer risk from air toxics other than diesel see: Inside EPA, Inside Washington Publishers, (December 15, 2004) http://www.insideepa.com/

19 This finding is based on inhalation as the only exposure path and is limited to the thirty-three air toxics included in EPA's National Air Toxics Assessment (NATA). The relative cancer risk of diesel particulate matter is calculated as a ratio of the cancer risk of all air toxics tracked by EPA in the NATA divided by the risk of diesel particulate. We calculated the cancer risk for diesel PM in the U.S. based by applying the CARB cancer unit risk factor for diesel particulate matter to 1999 ASPEN model average national ambient concentration results for diesel PM. (Source for national toxic risk: Inside EPA, Inside Washington Publishers, December 15, 2004.)

20 According to the EPA's categorization of counties as urban or rural, the average ASPEN 1999 ambient diesel fine particle concentration is 1.3822 ug/m^3 for urban counties and 0.4730 ug/m^3 for rural counties. The overall national average is 1.2096 ug/m^3. These averages are population weighted. These averages convert (using the 0.0003 factor) to cancer risks of 415 per million urban, 142 per million rural, and 363 per million average.

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23 The new health findings provided in this report by Abt Associates are derived from average modeled estimates of ambient concentrations of diesel particulate matter for entire counties. Many people experience higher diesel exposure situations depending upon where they live and work, for example, such as working near diesel engines, living near diesel sources or commuting regularly on roadways with diesel traffic. The quantitative estimates of death and disease we provide in this report are based on average exposures only and do not represent the risks associated with high diesel exposures. Furthermore, these health findings do not include the impacts from all toxic constituents in diesel exhaust, only directly-emitted particulate matter.

24 The state and metropolitan area health effects reported here exclude those associated with secondarily-formed fine particles, i.e., particles formed from gaseous emissions through post-emission atmospheric chemical reactions. Typically, these include nitrate from nitrogen oxide emissions and sulfate from sulfur dioxide emissions. Secondarily-formed fine particles may make up as much as one-third of diesel-related particles. See Lloyd, A. C., and Cackette, T.A. (2001). Diesel engines: Environmental Impact and Control. Journal of Air and Waste Management Association, v. 51, p. 809-847, June 2001.

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77 MECA: http://www.epa.gov/otaq/retrofit/documents/meca1.pdf; CARB cost-effectiveness analysis: http://www.arb.ca.gov/regact/bus02/appf.pdf

78 MECA: http://www.meca.org/jahia/Jahia/engineName/filemanager/pid/229/dieselfact.PDF?actionreq=actionFileDownload&fileItem=213. A newly verified Diesel Oxidation Catalyst technology, called "a torturous path filter" achieves a 50 percent reduction in diesel particulate at about half the cost of a diesel particulate filter.

79 Motor Age, "EPA to Retrofit 11 Million Diesels," Advanstar Communications (August 2004). Available online at: http://www.motorage.com/motorage/article/articleDetail.jsp?id=141102. See also, http://www.epa.gov/cleanschoolbus/

80 See: http://www.epa.gov/air/oaqps/particles/designations/index.htm

81 Vedal, S., Brauer, M., White, R., and Petkau, R., (2003). Air Pollution and Daily Mortality in a City With Low Levels of Air Pollution, Environmental Health Perspectives Vol.111, No.1, (2003), pp. 45-51.

82 See: California Risk Reduction Plan at: http://www.arb.ca.gov/diesel/documents/rrpfinal.pdf

83 For more information about retrofit programs in your area see: http://www.epa.gov/otaq/retrofit/projectmap.htm

84 For more information on EPA's Voluntary Retrofit Program see: http://www.epa.gov/otaq/retrofit

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18 Tremont Street, Suite 530
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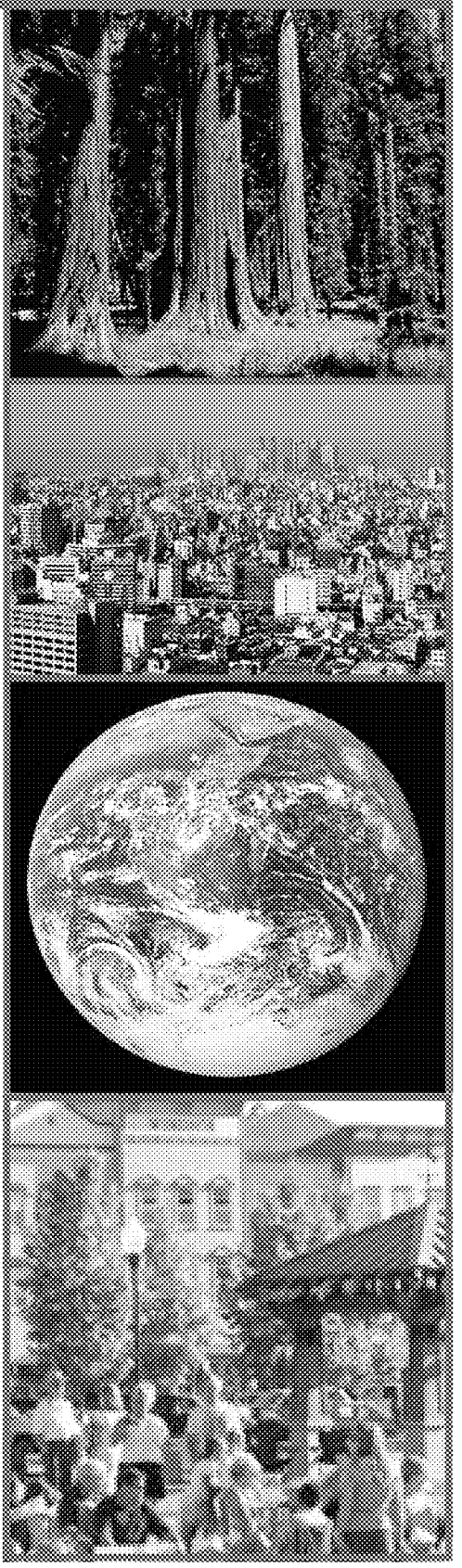

CEQA & Climate Change

Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act

January 2008

Item No. E.2

MV00179912

Disclaimer

The California Air Pollution Control Officers Association (CAPCOA) has prepared this white paper consideration of evaluating and addressing greenhouse gas emissions under the California Environmental Quality Act (CEQA) to provide a common platform of information and tools to support local governments.

This paper is intended as a resource, not a guidance document. It is not intended, and should not be interpreted, to dictate the manner in which an air district or lead agency chooses to address greenhouse gas emissions in the context of its review of projects under CEQA.

This paper has been prepared at a time when California law has been recently amended by the Global Warming Solutions Act of 2006 (AB 32), and the full programmatic implications of this new law are not yet fully understood. There is also pending litigation in various state and federal courts pertaining to the issue of greenhouse gas emissions. Further, there is active federal legislation on the subject of climate change, and international agreements are being negotiated. Many legal and policy questions remain unsettled, including the requirements of CEQA in the context of greenhouse gas emissions. This paper is provided as a resource for local policy and decision makers to enable them to make the best decisions they can in the face of incomplete information during a period of change.

Finally, this white paper reviews requirements and discusses policy options, but it is not intended to provide legal advice and should not be construed as such. Questions of legal interpretation, particularly in the context of CEQA and other laws, or requests for advice should be directed to the agency's legal counsel.

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Principal Authors

Greg Tholen, BAAQMD
Dave Vintze, BAAQMD
Jean Getchell, MBUAPCD
Matt Jones, YSAQMD
Larry Robinson, SMAQMD
Ron Tan, SBCAPCD

Editor

Barbara Lee, NSAPCD

Reviewers

CAPCOA Climate Protection Committee

Barbara Lee (NSCAPCD), Chair

Larry Allen, SLOCPCD
Bobbie Bratz, SBAPCD
Karen Brooks, SLOCAPCD
Chris Brown, MCAQMD
Tom Christofk, PCAPCD
Jorge DeGuzman, SMAQMD
Mat Ehrhardt, YSAQMD
Jean Getchell, MBUAPCD
Larry Greene, SMAQMD
Henry Hilken, BAAQMD
Alan Hobbs, PCAPCD
Jim Jester, SMAQMD
Dave Jones, KCAPCD
Tom Jordan, SJVUAPCD
Tom Murphy, SBAPCD
Don Price, VCAPCD
Jean Roggenkamp, BAAQMD
Ana Sandoval, BAAQMD
Amy Taketomo, MBUAPCD
Tim Taylor, SMAQMD
Mike Villegas, VCAPCD
David Vintze, BAAQMD
Dave Warner, SJVUAPCD
Jill Whynot, SCAQMD
John Yu, CAPCOA
Mel Zeldin, CAPCOA

CAPCOA Planning Managers: CEQA & Climate Change Subcommittee

Dave Vintze (BAAQMD), Chair
Greg Tholen (BAAQMD), Project Manager

Charles Anderson, SMAQMD
Aeron Arlin Genet, SLOCAPCD
Jean Getchell, MBUAPCD
Melissa Guise, SLOCAPCD
Matt Jones, YSAQMD
Barbara Lee, NSCAPCD
Ryan Murano, NSAQMD
Tom Murphy, SBCAPCD
Susan Nakamura, SCAQMD
Larry Robinson, SMAQMD
Jean Roggenkamp, BAAQMD
Ana Sandoval, BAAQMD
Ron Tan, SBCAPCD
Brigette Tollstrup, SMAQMD
Jill Whynot, SCAQMD

External Reviewers

James Goldstene, CARB
Annmarie Mora, CARB
Terri Roberts, OPR

Proofing & Layout

Jake Toolson, CAPCOA
John Yu, CAPCOA

Contract Support

Jones & Stokes, Sacramento, CA *(analysis of non-zero threshold approaches)*
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List of Acronyms and Abbreviations

Acronym/ Abbreviation	Meaning
AB 32	Assembly Bill 32 Global Warming Solutions Act of 2006
AG	Attorney General
ARB	Air Resources Board
ASTM	American Society of Testing and Material
BAAQMD	Bay Area Air Quality Management District
BAU	Business as Usual
BEES	Building for Environmental and Economic Sustainability
Calfire	California Fire
Caltrans	California Department of Transportation
CAP	Criteria Air Pollutants
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resource Board
CAT	Climate Action Team
CCAP	Center for Clean Air Policy
CCAR	California Climate Action Registry
CDFA	California Department of Food and Agriculture
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CF	Connectivity Factor
CH_4	Methane
CIWMB	California Integrated Waste Management Board
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CNG	Compressed Natural Gas
CPUC	California Public Utilities Commission
CUFR	California Urban Forestry
DGS	Department of General Services
DOE	U.S. Department of Energy
DOF	Department of Finance
DPF	Diesel Particulate Filter
DWR	Department of Water Resources
E85	85% Ethanol
EEA	Massachusetts Executive Office of Energy and Environmental Affairs
EERE	Energy Efficiency and Renewable Energy
EIR	Environmental Impact Report
EOE	Encyclopedia of Earth
EPA	U.S. Environmental Protection Agency
ETC	Edmonton Trolley Coalition
EV	Electric Vehicles
FAR	Floor Area Ratio

GHG	Greenhouse Gas
GGEP	Greenhouse Gas Emissions Policy
GGRP	Greenhouse Gas Reduction Plan
GP	General Plan
GWP	Global Warming Potential
IGCC	Integrated Gasification Combined Cycle
IOU	Investor Owned Utility
IPCC	International Panel on Climate Change
IT	Information Technology
ITE	Institute of Transportation Engineers
J&S	Jones & Stokes
km	Kilometer
LandGem	Landfill Gas Emissions Model
LEED	Leadership in Energy and Environmental Design
LNG	Liquefied Natural Gas
MBUAPCD	Monterey Bay Unified Air Pollution Control District
MEPA	Massachusetts Environmental Policy Act
MND	Mitigated Negative Declaration
MMT CO_2e	Million Metric Tons Carbon Dioxide Equivalent
MW	Megawatts
N_2O	Nitrous Oxide
NACAA	National Association Clean Air Agencies
ND	Negative Declaration
NEV	Neighborhood Electric Vehicle
NIST	National Institute of Standards and Technology
NO_X	Oxides of Nitrogen
NREL	National Renewable Energy Laboratory
NSCAPCD	Northern Sonoma County Air Pollution Control District
NSR	New Source Review
OPR	State Office of Planning and Research
PFC	Perfluorocarbon
PG&E	Pacific Gas & Electric
POU	Publicly Owned Utility
PM	Particulate Mater
RoadMod	Road Construction Emissions Model
ROG	Reactive Organic Gas
RPS	Renewable Portfolio Standards
RTP	Regional Transportation Plan
S-3-05	Executive Order S-3-05
SB	Senate Bill
SBCAPCD	Santa Barbara County Air Pollution Control District
SCAQMD	South Coast Air Quality Management District
SCM	Sustainable Communities Model
SIP	State Implementation Plan
SJVAPCD	San Joaquin Valley Unified Air Pollution Control District
SLOCAPCD	San Luis Obispo County Air Pollution Control District

SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utilities District
SO_X	Sulfur Oxides
SP	Service Population
SRI	Solar Reflectance Index
SWP	State Water Project
TAC	Toxic Air Contaminants
TBD	To Be Determined
TDM	Transportation Demand Management
TMA	Transportation Management Association
THC	Total Hydrocarbon
UC	University of California
ULEV	Ultra Low Emission Vehicle
UNFCCC	United Nations Framework Convention on Climate Change
URBEMIS	Urban Emissions Model
USGBC	U.S. Green Building Council
VMT	Vehicle Miles Traveled
VTPI	Victoria Transit Policy
YSAQMD	Yolo-Solano Air Quality Management District

Introduction

The California Environmental Quality Act (CEQA) requires that public agencies refrain from approving projects with significant adverse environmental impacts if there are feasible alternatives or mitigation measures that can substantially reduce or avoid those impacts. There is growing concern about greenhouse gas emissions[1] (GHG) and recognition of their significant adverse impacts on the world's climate and on our environment. In its most recent reports, the International Panel on Climate Change (IPCC) has called the evidence for this "unequivocal." In California, the passage of the Global Warming Solutions Act of 2006 (AB 32) recognizes the serious threat to the "economic well-being, public health, natural resources, and the environment of California" resulting from global warming. In light of our current understanding of these impacts, public agencies approving projects subject to the CEQA are facing increasing pressure to identify and address potential significant impacts due to GHG emissions. Entities acting as lead agencies in the CEQA process are looking for guidance on how to adequately address the potential climate change impacts in meeting their CEQA obligations.

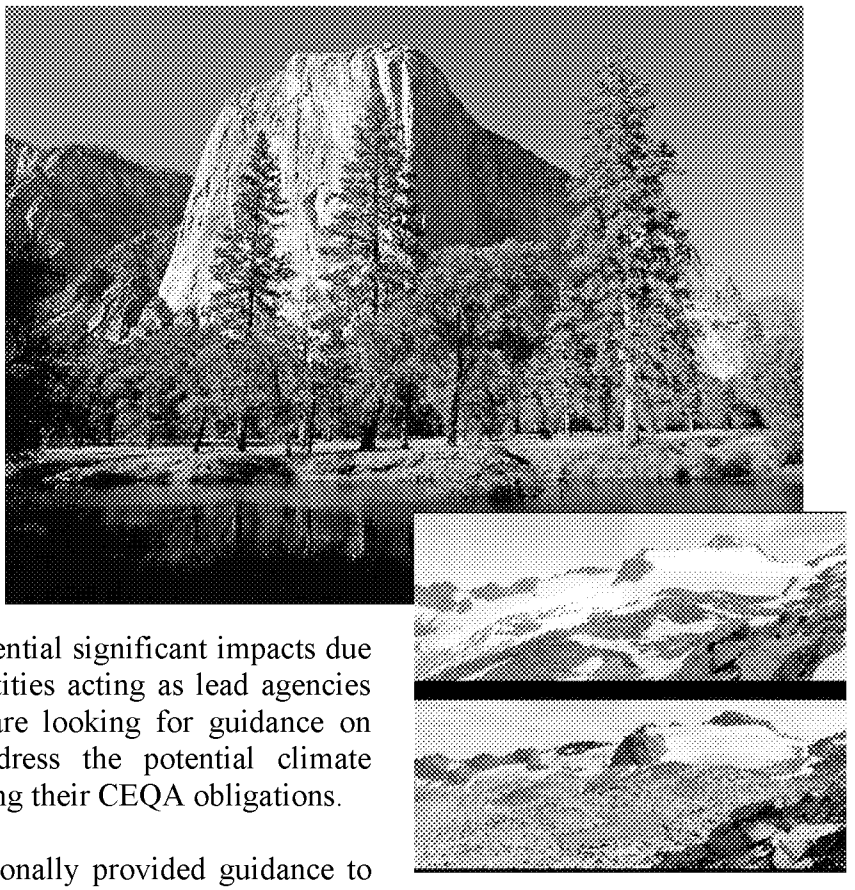

Air districts have traditionally provided guidance to local lead agencies on evaluating and addressing air pollution impacts from projects subject to CEQA. Recognizing the need for a common platform of information and tools to support decision makers as they establish policies and programs for GHG and CEQA, the California Air Pollution Control Officers Association has prepared a white paper reviewing policy choices, analytical tools, and mitigation strategies.

This paper is intended to serve as a resource for public agencies as they establish agency procedures for reviewing GHG emissions from projects under CEQA. It considers the application of thresholds and offers three alternative programmatic approaches toward

[1] Throughout this paper GHG, CO_2, CO_2e, are used interchangeably and refer generally to greenhouse gases but do not necessarily include all greenhouse gases unless otherwise specified.

determining whether GHG emissions are significant. The paper also evaluates tools and methodologies for estimating impacts, and summarizes mitigation measures. It has been prepared with the understanding that the programs, regulations, policies, and procedures established by the California Air Resources Board (CARB) and other agencies to reduce GHG emissions may ultimately result in a different approach under CEQA than the strategies considered here. The paper is intended to provide a common platform for public agencies to ensure that GHG emissions are appropriately considered and addressed under CEQA while those programs are being developed.

Examples of Other Approaches

Many states, counties, and cities have developed policies and regulations concerning greenhouse gas emissions that seek to require or promote reductions in GHG emissions through standards for vehicle emissions, fuels, electricity production/renewables, building efficiency, and other means. A few have developed guidance and are currently considering formally requiring or recommending the analysis of greenhouse gas emissions for development projects during their associated environmental processes. Key work in this area includes:

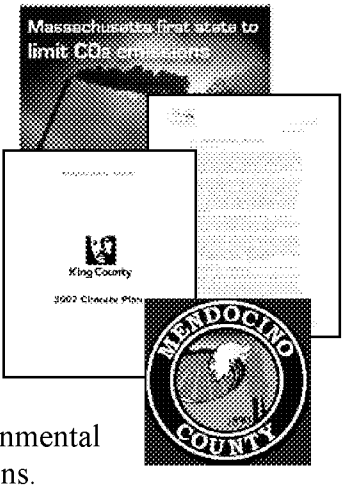

- Massachusetts Office of Energy and Environmental Affairs Greenhouse Gas Emissions Policy;
- King County, Washington, Executive Order on the Evaluation of Climate Change Impacts through the State Environmental Policy Act;
- Sacramento AQMD interim policy on addressing climate change in CEQA documents; and
- Mendocino AQMD updated guidelines for use during preparation of air quality impacts in Environmental Impact Reports (EIRs) or mitigated negative declarations.

The following paper evaluates options for lead agencies to ensure that GHG emissions are appropriately addressed as part of analyses under CEQA. It considers the use of significance thresholds, tools and methodologies for analyzing GHG emissions, and measures and strategies to avoid, reduce, or mitigate impacts.

Greenhouse Gas Significance Criteria

This white paper discusses three basic options air districts and lead agencies can pursue when contemplating the issues of CEQA thresholds for greenhouse gas emissions. This paper explores each path and discusses the benefits and disbenefits of each. The three basic paths are:

- No significance threshold for GHG emissions;

- GHG emissions threshold set at zero; or
- GHG threshold set at a non-zero level.

Each has inherent advantages and disadvantages. Air districts and lead agencies may believe the state or national government should take the lead in identifying significance thresholds to address this global impact. Alternatively, the agency may believe it is premature or speculative to determine a clear level at which a threshold should be set. On the other hand, air districts or lead agencies may believe that every GHG emission should be scrutinized and mitigated or offset due to the cumulative nature of this impact. Setting the threshold at zero will place all discretionary projects under the CEQA microscope. Finally, an air district or lead agency may believe that some projects will not benefit from a full environmental impact report (EIR), and may believe a threshold at some level above zero is needed.

This paper explores the basis and implications of setting no threshold, setting a threshold at zero and two primary approaches for those who may choose to consider a non-zero threshold. The first approach is grounded in statute (AB 32) and executive order (EO S-3-05) and explores four possible options under this scenario. The options under this approach are variations of ways to achieve the 2020 goals of AB 32 from new development, which is estimated to be about a 30 percent reduction from business as usual.

The second approach explores a tiered threshold option. Within this option, seven variations are discussed. The concepts explored here offer both quantitative and qualitative approaches to setting a threshold as well as different metrics by which tier cut-points can be set. Variations range from setting the first tier cut-point at zero to second-tier cut-points set at defined emission levels or based on the size of a project. It should be noted that some applications of the tiered threshold approach may require inclusion in a General Plan or adoption of enabling regulations or ordinances to render them fully effective and enforceable.

Greenhouse Gas Analytical Methodologies

The white paper evaluates various analytical methods and modeling tools that can be applied to estimate the greenhouse gas emissions from different project types subject to CEQA. In addition, the suitability of the methods and tools to characterize accurately a project's emissions is discussed and the paper provides recommendations for the most appropriate methodologies and tools currently available.

The suggested methodologies are applied to residential, commercial, specific plan and general plan scenarios where GHG emissions are estimated for each example. This chapter also discusses estimating emissions from solid waste facilities, a wastewater treatment plant, construction, and air district rules and plans.

Another methodology, a service population metric, that would measure a project's overall GHG efficiency to determine if a project is more efficient than the existing statewide average for per capita GHG emissions is explored. This methodology may be more directly correlated to a project's ability to help achieve objectives outlined in AB 32, although it relies on establishment of an efficiency-based significance threshold. The subcommittee believes this methodology may eventually be appropriate to evaluate the long-term GHG emissions from a project in the context of meeting AB 32 goals. However, this methodology will need further work and is not considered viable for the interim guidance presented in this white paper.

Greenhouse Gas Mitigation Measures

Common practice in environmental protection is first to avoid, then to minimize, and finally to compensate for impacts. When an impact cannot be mitigated on-site, off-site mitigation can be effectively implemented in several resource areas, either in the form of offsetting the same impact or preserving the resource elsewhere in the region.

This white paper describes and evaluates currently available mitigation measures based on their economic, technological and logistical feasibility, and emission reduction effectiveness. The potential for secondary impacts to air quality are also identified for each measure. A summary of current rules and regulations affecting greenhouse gas emissions and climate change is also provided.

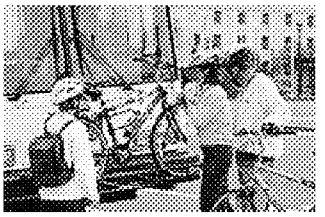

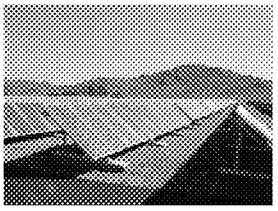

Reductions from transportation related measures (e.g., bicycle, pedestrian, transit, and parking) are explored as a single comprehensive approach to land use. Design measures that focus on enhancing alternative transportation are discussed. Mitigation measures are identified for transportation, land use/building design, mixed-use development, energy efficiency, education/social awareness and construction.

Purpose

CEQA requires the avoidance or mitigation of significant adverse environmental impacts where there are feasible alternatives available. The contribution of GHG to climate change has been documented in the scientific community. The California Global Warming Solutions Act of 2006 (AB 32) mandates significant reductions in greenhouse gases (GHG); passage of that law has highlighted the need to consider the impacts of GHG emissions from projects that fall under the jurisdiction of the California Environmental Quality Act (CEQA). Because we have only recently come to fully recognize the potential for significant environmental impacts from GHG, most public agencies have not yet established policies and procedures to consider them under CEQA. As a result, there is great need for information and other resources to assist public agencies as they develop their programs.

Air districts have historically provided guidance to local governments on the evaluation of air pollutants under CEQA. As local concern about climate change and GHG has increased, local governments have requested guidance on incorporating analysis of these impacts into local CEQA review. The California Air Pollution Control Officers Association (CAPCOA), in coordination with the CARB, the Governor's Office of Planning and Research (OPR) and two environmental consulting firms, has harnessed the collective expertise to evaluate approaches to analyzing GHG in CEQA. The purpose of this white paper is to provide a common platform of information and tools to address climate change in CEQA analyses, including the evaluation and mitigation of GHG emissions from proposed projects and identifying significance threshold options.

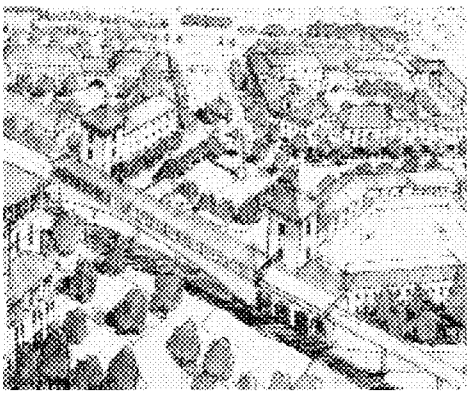

CEQA requires public agencies to ensure that potentially significant adverse environmental effects of discretionary projects are fully characterized, and avoided or mitigated where there are feasible alternatives to do so. Lead agencies have struggled with how best to identify and characterize the magnitude of the adverse effects that individual projects have on the global-scale phenomenon of climate change, even more so since Governor Schwarzenegger signed Executive Order S-3-05 and the state Legislature enacted The Global Warming Solutions Act of 2006 (AB 32). There is now a resounding call to establish procedures to analyze and mitigate greenhouse gas (GHG) emissions. The lack of established thresholds does not relieve lead agencies of their responsibility to analyze and mitigate significant impacts, so many of these agencies are seeking guidance from state and local air quality agencies. This white paper addresses issues inherent in establishing CEQA thresholds, evaluates tools, catalogues mitigation measures and provides air districts and lead agencies with options for incorporating climate change into their programs.

Background

National and International Efforts

International and Federal legislation have been enacted to deal with climate change issues. The Montreal Protocol was originally signed in 1987 and substantially amended in 1990 and 1992. In 1988, the United Nations and the World Meteorological Organization established the IPCC to assess the scientific, technical and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation. The most recent reports of the IPCC have emphasized the scientific consensus around the evidence that real and measurable changes to the climate are occurring, that they are caused by human activity, and that significant adverse impacts on the environment, the economy, and human health and welfare are unavoidable.

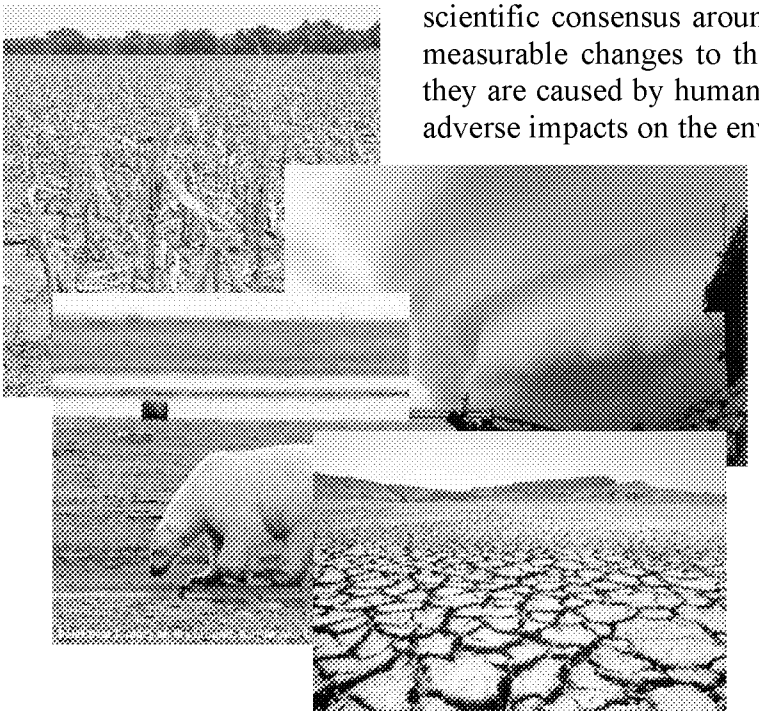

In October 1993, President Clinton announced his Climate Change Action Plan, which had a goal to return greenhouse gas emissions to 1990 levels by the year 2000. This was to be accomplished through 50 initiatives that relied on innovative voluntary partnerships between the private sector and government aimed at producing cost-effective reductions in greenhouse gas emissions. On March 21, 1994, the United States joined a number of countries around the world in signing the United Nations Framework Convention on Climate Change (UNFCCC). Under the Convention, governments agreed to gather and share information on greenhouse gas emissions, national policies, and best practices; launch national strategies for addressing greenhouse gas emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

These efforts have been largely policy oriented. In addition to the national and international efforts described above, many local jurisdictions have adopted climate change policies and programs. However, thus far little has been done to assess the significance of the affects new development projects may have on climate change.

Executive Order S-3-05

On June 1, 2005, Governor Schwarzenegger issued Executive Order S-3-05 (S-3-05). It included the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels. To meet the targets, the Governor directed the Secretary of the California Environmental Protection Agency to coordinate with the Secretary of the Business, Transportation and Housing Agency, Secretary of the Department of Food and Agriculture, Secretary of the Resources Agency, Chairperson of the CARB, Chairperson of the Energy Commission and President of the Public Utilities Commission on development of a Climate Action Plan.

The Secretary of CalEPA leads a Climate Action Team (CAT) made up of representatives from the agencies listed above to implement global warming emission reduction programs identified in the Climate Action Plan and report on the progress made toward meeting the statewide greenhouse gas targets that were established in the Executive Order.

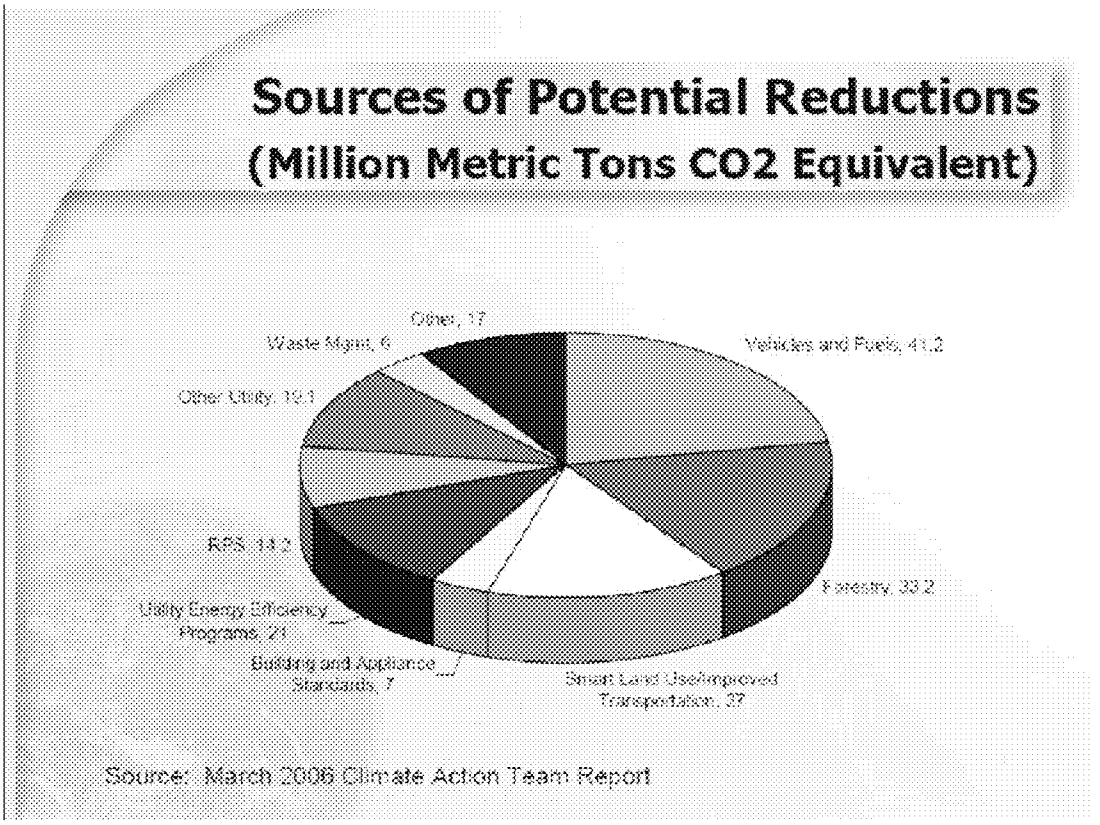

SOURCE: ARB 2007

In accord with the requirements of the Executive Order, the first report to the Governor and the Legislature was released in March 2006 and will be issued bi-annually thereafter. The CAT Report to the Governor contains recommendations and strategies to help ensure the targets in Executive Order S-3-05 are met.

California Global Warming Solutions Act of 2006 (AB 32)

In 2006, the California State Legislature adopted the California Global Warming Solutions Act of 2006. AB 32 establishes a cap on statewide greenhouse gas emissions and sets forth the regulatory framework to achieve the corresponding reduction in statewide emissions levels. AB 32 charges the California Air Resources Board (CARB), the state agency charged with regulating statewide air quality, with implementation of the act. Under AB 32, greenhouse gases are defined as: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

The regulatory steps laid out in AB 32 require CARB to: adopt early action measures to reduce GHGs; to establish a statewide greenhouse gas emissions cap for 2020 based on 1990 emissions; to adopt mandatory reporting rules for significant source of greenhouse gases; and to adopt a scoping plan indicating how emission reductions will be achieved via regulations, market mechanisms and other actions; and to adopt the regulations needed to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gases.

AB 32 requires that by January 1, 2008, the State Board shall determine what the statewide greenhouse gas emissions inventory was in 1990, and approve a statewide greenhouse gas emissions limit that is equivalent to that level, to be achieved by 2020. While the level of 1990 GHG emissions has not yet been approved, CARB's most recent emission inventory indicates that California had annual emissions of 436 million metric tons of carbon dioxide equivalent (MMT CO_2e) in 1990 and 497 MMT CO_2e in 2004.

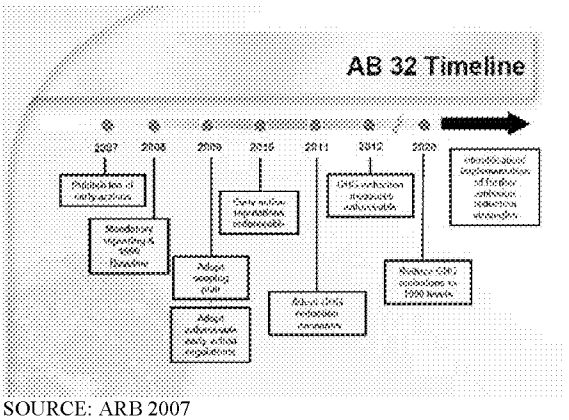

SOURCE: ARB 2007

The regulatory timeline laid out in AB 32 requires that by July 1, 2007, CARB adopt a list of discrete early action measures, or regulations, to be adopted and implemented by January 1, 2010. These actions will form part of the State's comprehensive plan for achieving greenhouse gas emission reductions. In June 2007, CARB adopted three discrete early action measures. These three new proposed regulations meet the definition of "discrete early action greenhouse gas reduction measures," which include the following: a low carbon fuel standard; reduction of HFC-134a emissions from non-professional servicing of motor vehicle air conditioning systems; and improved landfill methane capture. CARB estimates that by 2020, the reductions from those three discrete early action measures would be approximately 13-26 MMT CO_2e.

CARB evaluated over 100 possible measures identified by the CAT for inclusion in the list of discrete early action measures. On October 25, 2007 CARB gave final approval to the list of Early Action Measures, which includes nine discrete measures and 35

additional measures, all of which are to be enforceable by January 1, 2010. AB 32 requires that by January 1, 2009, CARB adopt a scoping plan indicating how emission reductions will be achieved via regulations, market mechanisms and other actions.

Senate Bill 97

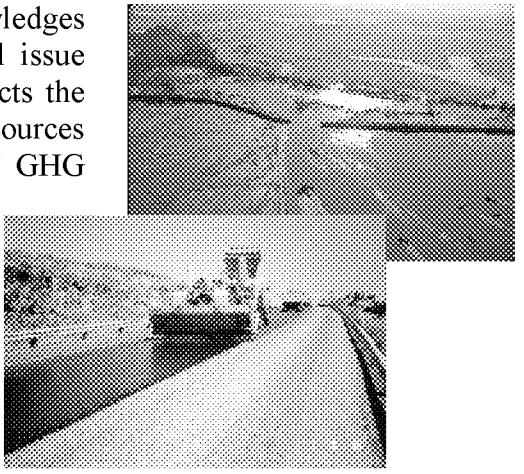

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an important environmental issue that requires analysis under CEQA. This bill directs the OPR to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, by July 1, 2009. The Resources Agency is required to certify or adopt those guidelines by January 1, 2010. This bill also protects projects funded by the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, or the Disaster Preparedness and Flood Protection Bond Act of 2006 (Proposition 1B or 1E) from claims of inadequate analysis of GHG as a legitimate cause of action. This latter provision will be repealed on January 1, 2010. Thus, this "protection" is highly limited to a handful of projects and for a short time period.

The Role of Air Districts in the CEQA Process

Air districts assume one of three roles in the CEQA process. They may be lead agencies when they are adopting regulations and air quality plans. In some instances, they can also be a lead agency when approving permits to construct or operate for applicants subject to district rules. However, in many cases where an air district permit is involved, another agency has broader permitting authority over the project and assumes the role of lead agency. In these situations, the air district becomes what is referred to as a responsible agency under CEQA. When CEQA documents are prepared for projects that do not involve discretionary approval of a district regulation, plan or permit, the air district may assume the role of a concerned or commenting agency. In this role, it is typical for air districts to comment on CEQA documents where there may be air quality-related adverse impacts, such as projects that may create significant contributions to existing violations of ambient standards, cause a violation of an ambient standard or create an exposure to toxic air contaminants or odors. In some cases, the air district may also act in an "advisory" capacity to a lead agency early on in its review of an application for a proposed development project.

A few air districts in California began developing significance thresholds for use in CEQA analyses in the late 1980's and early 1990's. By the mid-1990's most air districts had developed CEQA thresholds for air quality analyses. Many of the districts have included in their guidance the analysis of rule development and permits that may be subject to CEQA.

What is Not Addressed in this Paper

Impacts of Climate Change to a Project

The focus of this paper is addressing adverse impacts to climate change and the ability to meet statewide GHG reduction goals caused by proposed new land development projects. CEQA also requires an assessment of significant adverse impacts a project might cause by bringing development and people into an area affected by climate change (CEQA Guidelines §15126.2). For example, an area that experiences higher average temperatures due to climate change may expose new development to more frequent exceedances and higher levels of ozone concentrations. Alternatively, a rise in sea level brought on by climate change may inundate new development locating in a low-lying area. The methodologies, mitigation and threshold approaches discussed in this paper do not specifically address the potential adverse impacts resulting from climate change that may affect a project.

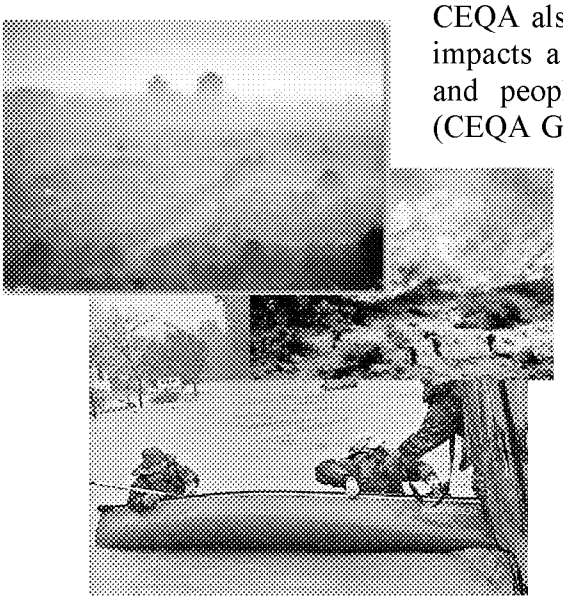

Impacts from Construction Activity

Although construction activity has been addressed in the analytical methodologies and mitigation chapters, this paper does not discuss whether any of the threshold approaches adequately addresses impacts from construction activity. More study is needed to make this assessment or to develop separate thresholds for construction activity. The focus of this paper is the long-term adverse operational impacts of land use development.

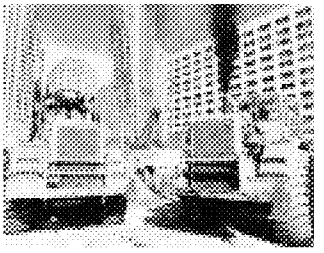

Introduction

Any analysis of environmental impacts under CEQA includes an assessment of the nature and extent of each impact expected to result from the project to determine whether the impact will be treated as significant or less than significant. CEQA gives lead agencies discretion whether to classify a particular environmental impact as significant. "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved," ref: CEQA Guidelines §15064(b) ("Guidelines"). Ultimately, formulation of a standard of significance requires the lead agency to make a policy judgment about where the line should be drawn distinguishing adverse impacts it considers significant from those that are not deemed significant. This judgment must, however, be based on scientific information and other factual data to the extent possible (Guidelines §15064(b)).

CEQA does not require that agencies establish thresholds of significance. Guidelines §15064.7(a) encourages each public agency "…to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which normally means the effect will be determined to be less than significant."

Once such thresholds are established, an impact that complies with the applicable threshold will "normally" be found insignificant and an impact that does not comply with the applicable threshold will "normally" be found significant.

Additionally, Guidelines §15064.7(b) requires that if thresholds of significance are adopted for general use as part of the lead agency's environmental review process they must be adopted by ordinance, resolution, rule or regulation, and developed through a public review process and be supported by substantial evidence.

While many public agencies adopt regulatory standards as thresholds, the standards do not substitute for a public agency's use of careful judgment in determining significance. They also do not replace the legal standard for significance (i.e., if there is a fair argument, based on substantial evidence in light of the whole record that the project may have a significant effect, the effect should be considered significant) (Guidelines §15064(f)(1). Also see *Communities for a Better Environment v. California Resource Agency* 103 Cal. App. 4th 98 (2002)). In other words, the adoption of a regulatory standard does not create an irrebuttable presumption that impacts below the regulatory standard are less than significant.

Summary of CEQA Thresholds at Air Districts

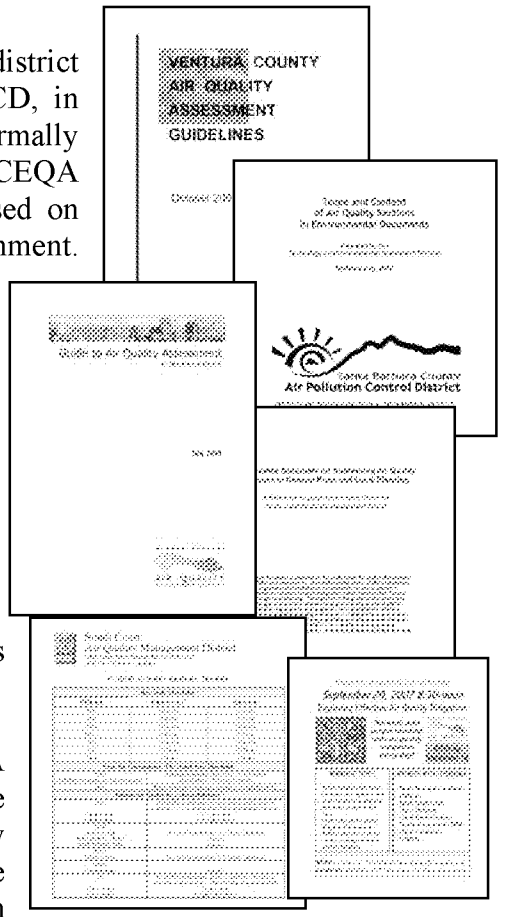

This section briefly summarizes the evolution of air district CEQA significance thresholds. Ventura County APCD, in 1980, was the first air district in California that formally adopted CEQA significance thresholds. Their first CEQA assessment document contained impact thresholds based on project type: residential, nonresidential, and government. Then, as now, the District's primary CEQA thresholds applied only to ROG and NO_x. The 1980 Guidelines did not address other air pollutants.

Santa Barbara County APCD and the Bay Area AQMD adopted thresholds in 1985. The South Coast AQMD recommended regional air quality thresholds in 1987 for CO, SO_2, NO_2, particulates, ROG, and lead. Most of the other California air districts adopted CEQA guidance and thresholds during the 1990's. Air districts have updated their thresholds and guidelines several times since they were first published.

Originally, most districts that established CEQA thresholds focused on criteria pollutants for which the district was nonattainment and the thresholds only addressed project level impacts. Updates during the 1990's began to add additional air quality impacts such as odors, toxic air contaminants and construction. Several air districts also developed thresholds for General Plans that relied on an assessment of the plan consistency with the district's air quality plans. A consistency analysis involves comparing the project's land use to that of the general plan and the population and employment increase to the forecasts underlying the assumptions used to develop the air quality plan.

Most air district thresholds for CEQA are based on the threshold for review under the New Source Review (NSR). The NSR threshold level is set by district rule and is different depending on the nonattainment classification of the air district. Areas with a less severe classification have a higher NSR trigger level while the most polluted areas have the lowest NSR trigger level. Some districts, such as Ventura County APCD, have significantly lower CEQA thresholds that are not tied to the NSR requirements. In Ventura, one set of CEQA thresholds is 25 pounds per day for all regions of Ventura County, except the Ojai Valley. The second set of CEQA thresholds was set at 5 pounds per day for the Ojai Valley.

The Sacramento Metropolitan AQMD bases its thresholds for ozone precursors on the projected land use share of emission reductions needed for attainment. The emission reductions needed to reach attainment are based on commitments made in the state implementation plan (SIP) prepared for the federal clean air act.

CEQA Considerations in Setting Thresholds

Public agencies use significance thresholds to disclose to their constituents how they plan on evaluating and characterizing the severity of various environmental impacts that could be associated with discretionary projects that they review. Significance thresholds are also used to help identify the level of mitigation needed to reduce a potentially significant impact to a less than significant level and to determine what type of an environmental document should be prepared for a project; primarily a negative declaration, mitigated negative declaration or an environmental impact report.

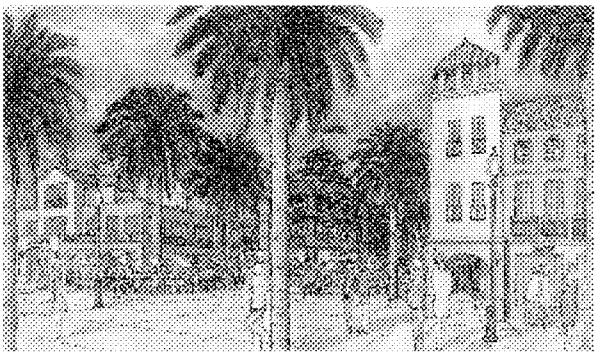

While public agencies are not required to develop significance thresholds, if they decide to develop them, they are required to adopt them by ordinance, resolution, rule or regulation through a public process. A lead agency is not restrained from adopting any significance threshold it sees as appropriate, as long as it is based on substantial evidence. CEQA Guidelines §15064.7 encourages public agencies to develop and publish significance thresholds that are identifiable, quantitative, qualitative or performance level that the agency uses in the determination of the significance of environmental effects. The courts have ruled that a "threshold of significance" for a given environmental effect is simply that level at which the lead agency finds the effects of the project to be significant.

Before an agency determines its course with regard to climate change and CEQA, it must be made clear that a threshold, or the absence of one, will not relieve a lead agency from having to prepare an EIR or legal challenges to the adequacy of an analysis leading to a conclusion, or lack of a conclusion, of significance under CEQA. CEQA has generally favored the preparation of an EIR where there is any substantial evidence to support a fair argument that a significant adverse environmental impact may occur due to a proposed project. This paper explores three alternative approaches to thresholds, including a no threshold option, a zero threshold option and a non-zero threshold option.

Fair Argument Considerations

Under the CEQA fair argument standard, an EIR must be prepared whenever it can be fairly argued, based on substantial evidence in the administrative record, that a project may have a significant adverse effect on the environment. "Substantial evidence" comprises "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (Guidelines §15384) This means that if factual information is presented to the public agency that there is a reasonable possibility the project could have

a significant effect on the environment, an EIR is required even if the public agency has information to the contrary (Guidelines §15064 (f)).

The courts have held that the fair argument standard "establishes a low threshold for initial preparation of an EIR, which reflects a preference for resolving doubts in favor of environmental review." (*Santa Teresa Citizen Action Group v. City of San Jose* [2003] 114 Cal.App.4th 689) Although the determination of whether a fair argument exists is made by the public agency, that determination is subject to judicial scrutiny when challenged in litigation. When the question is whether an EIR should have been prepared, the court will review the administrative record for factual evidence supporting a fair argument.

The fair argument standard essentially empowers project opponents to force preparation of an EIR by introducing factual evidence into the record that asserts that the project may have a significant effect on the environment. This evidence does not need to be conclusive regarding the potential significant effect.

In 1998, the Resources Agency amended the State CEQA Guidelines to encourage the use of thresholds of significance. Guidelines §15064 (h) provided that when a project's impacts did not exceed adopted standards, the impacts were to be considered less than significant. The section went on to describe the types of adopted standards that were to be considered thresholds. Guidelines § 15064.7 provided that agencies may adopt thresholds of significance to guide their determinations of significance. Both of these sections were challenged when environmental groups sued the Resources Agency in 2000 over the amendments. The trial court concluded that §15064.7 was proper, if it was applied in the context of the fair argument standard.

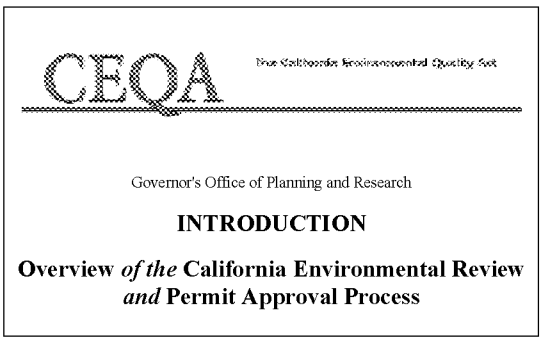

At the appellate court level, §15064(h) was invalidated. [2] Establishing a presumption that meeting an adopted standard would avoid significant impacts was "inconsistent with controlling CEQA law governing the fair argument approach." The Court of Appeal explained that requiring agencies to comply with a regulatory standard "relieves the agency of a duty it would have under the fair argument approach to look at evidence beyond the regulatory standard, or in contravention of the standard, in deciding whether an EIR must be prepared. Under the fair argument approach, any substantial evidence supporting a fair argument that a project may have a significant environmental effect would trigger the preparation of an EIR." (*Communities for a Better Environment v. California Resources Agency* [2002] 103 Cal.App.4th 98)

[2] Prior §15064(h) has been removed from the State CEQA Guidelines. Current §15064(h) discusses cumulative impacts.

In summary, CEQA law does not require a lead agency to establish significance thresholds for GHG. CEQA guidelines encourage the development of thresholds, but the absence of an adopted threshold does not relieve the agency from the obligation to determine significance.

Defensibility of CEQA Analyses

The basic purposes of CEQA, as set out in the State CEQA Guidelines, include: (1) informing decision makers and the public about the significant environmental effects of proposed projects; (2) identifying ways to reduce or avoid those impacts; (3) requiring the implementation of feasible mitigation measures or alternatives that would reduce or avoid those impacts; and (4) requiring public agencies to disclose their reasons for approving any project that would have significant and unavoidable impacts (Guidelines §15002). CEQA is enforced through civil litigation over procedure (i.e., did the public agency follow the correct CEQA procedures?) and adequacy (i.e., has the potential for impacts been disclosed, analyzed, and mitigated to the extent feasible?).

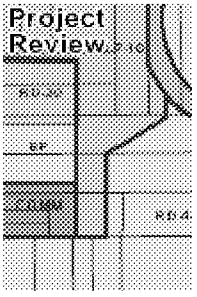

The California Supreme Court has held that CEQA is "to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Friends of Mammoth v. Board of Supervisors* [1972] 8 Cal.3d 247, 259) Within that context, the role of the courts is to weigh the facts in each case and apply their judgment. Although the court may rule on the adequacy of the CEQA work, the court is not empowered to act in the place of the public agency to approve or deny the project for which the CEQA document was prepared. Further, the court's review is limited to the evidence contained in the administrative record that was before the public agency when it acted on the project.

Putting aside the issue of CEQA procedure, the defensibility of a CEQA analysis rests on the following concerns:

- whether the public agency has sufficiently analyzed the environmental consequences to enable decision makers to make an intelligent decision;
- whether the conclusions of the public agency are supported by substantial evidence in the administrative record; and
- whether the agency has made a good faith effort at the full disclosure of significant effects.

CEQA analyses need not be perfect or exhaustive -- the depth and breadth of the analysis is limited to what is "reasonably feasible." (Guidelines §15151) At the same time, the analysis "must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed

project." (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376)

By itself, establishment of a GHG threshold will not insulate individual CEQA analyses from challenge. Defensibility depends upon the adequacy of the analysis prepared by the lead agency and the process followed. However, the threshold can help to define the boundaries of what is a reasonable analysis by establishing when an analysis will be required and the basic scope of that analysis. The threshold would attempt to define the point at which an analysis will be required and when a level of impact becomes significant, requiring preparation of an EIR. If the threshold includes recommendations for the method or methods of analysis, it can establish the minimum level of analysis to address this issue.

Considerations in Setting Thresholds for Stationary Source Projects

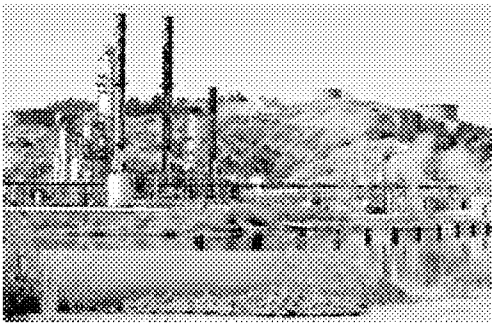

In many respects, the analysis of GHG emissions from stationary sources is much more straightforward than the analysis of land use patterns, forecasted energy consumption, and emissions from mobile sources. The reason is that, for the most part, the latter analyses depend largely on predictive models with myriad inputs and have a wider range of error. Emissions from stationary sources involve a greater reliance on mass and energy balance calculations and direct measurements of emissions from the same or similar sources. Energy demand is more directly tied to production, and even associated mobile source emissions will likely fall within narrower predictive windows.

Implementing CEQA Without a Threshold

A lead agency is not required to establish significance thresholds for GHG emissions from stationary sources. The lead agency may find that it needs more information or experience evaluating GHG from these types of projects to determine an appropriate significance threshold. As with other project types, the lead agency could conduct a project specific analysis to determine whether an environmental impact report is needed and to determine the level of mitigation that is appropriate. The agency might also rely on thresholds established for criteria pollutants as a screening method, and analyze GHG emissions (and require mitigation) from projects with emissions above the criteria pollutant thresholds. Over time, the agency could amass information and experience with specific project categories that would support establishing explicit thresholds. The lead agency may also choose to base local CEQA thresholds on state guidelines or on the category-specific reduction targets established by ARB in its scoping plan for implementing AB32. Resource constraints and other considerations associated with implementing CEQA without GHG thresholds for stationary sources would be similar to those outlined for other types of projects (see Chapter 5 – No Threshold Option).

Implementing CEQA with Threshold of Zero

A lead agency may find that any increase in GHG emissions is potentially significant under CEQA. The resources and other considerations for implementing a threshold of zero for stationary sources are the same as those outlined for other types of projects (see Chapter 6 – Zero Threshold Option).

Implementing CEQA with a Non-Zero Threshold

A lead agency may identify one or more non-zero thresholds for significance of emissions of GHG from stationary sources. The agency could elect to rely on existing thresholds for reviewing new or modified stationary sources of GHG, if the state or local air district has established any. The agency could also apply the threshold(s) established for non-stationary sources to GHG emissions from stationary sources. Significance thresholds could also be established by ordinance, rule, or policy for a given category of stationary sources; this approach is especially conducive to a tiered threshold approach. For example, the agency could establish significance and mitigation tiers for stationary compression-ignition diesel-fueled generators. Under such an approach, the project proponent could be first required to use a lower GHG-emitting power source if feasible, and if not, to apply mitigation based on the size of the generator and other defined considerations, such as hours of operation. Certain classes of generators could be found to be insignificant under CEQA (e.g., those used for emergency stand-by power only, with a limit on the annual hours of use). As with non-stationary projects, the goal of establishing non-zero thresholds is to maximize environmental protection, while minimizing resources used. Resource and other considerations outlined for non-stationary projects are applicable here (see Chapter 7 – Non-Zero Threshold Options).

Implementing CEQA with Different Thresholds for Stationary and Non-stationary Projects

Although a lead agency may apply the same thresholds to stationary and non-stationary projects, it is not required to do so. There are, in fact, some important distinctions between the two types of projects that could support applying different thresholds. The lead agency should consider the methods used to estimate emissions. Are the estimates a "best/worst reasonable scenario" or are they based on theoretical maximum operation? How accurate are the estimates (are they based on models, simulations, emission factors, source test data, manufacturer specifications, etc.)? To what extent could emissions be reduced through regulations after the project is constructed if they were found to be greater than originally expected (i.e., is it possible to retrofit emissions control technology onto the source(s) of GHG at a later date, how long is the expected project life, etc.)? Are there emission limits or emissions control regulations (such as New Source Review) that provide certainty that emissions will be mitigated? Generally, stationary source emissions are based on maximum emissions (theoretical or allowed under law or regulation), are more accurate, and are more amenable to retrofit at a later time than non-stationary source emissions. It is also more likely that category specific

rules or some form of NSR will apply to stationary sources than non-stationary projects. Notwithstanding, it is almost always more effective and cost-efficient to apply emission reduction technology at the design phase of a project. There are, therefore, a number of considerations that need to be evaluated and weighed before establishing thresholds – and which may support different thresholds for stationary and non-stationary projects. Furthermore, the considerations may change over time as new regulations are established and as emissions estimation techniques and control technology evolves.

Direct GHG Emissions from Stationary Sources

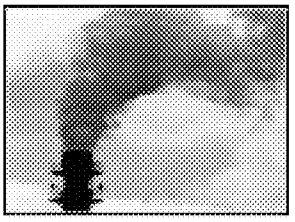

The main focus of this paper has been the consideration of projects that do not, in the main, involve stationary sources of air pollution, because stationary source projects are generally a smaller percentage of the projects seen by most local land use agencies. That said, some discussion of stationary sources is warranted. As the broader program for regulating GHG from these sources is developed, the strategies for addressing them under CEQA will likely become more refined.

The primary focus of analysis of stationary source emissions has traditionally been those pollutants that are directly emitted by the source, whether through a stack or as fugitive releases (such as leaks). CAPCOA conducted a simplified analysis of permitting activity to estimate the number of stationary source projects with potentially significant emissions of greenhouse gases that might be seen over the course of a year. This analysis looked only at stationary combustion sources (such as boilers and generators), and only considered direct emissions. A lead agency under CEQA may see a different profile of projects than the data provided here suggest, depending on what other resources are affected by projects. In addition, air districts review like-kind replacements of equipment to ensure the new equipment meets current standards, but such actions might not constitute a project for many land use agencies or other media regulators. The data does provide a useful benchmark, however, for lead agencies to assess the order of magnitude of potential stationary source projects. A similar analysis is included for non-stationary projects in Chapter 7.

Table 1: Analysis of GHG Emissions from Stationary Combustion Equipment Permits[3]

	BAAQMD	SMAQMD	SJVUAPCD	SCAQMD
Total Applications for Year	1499	778	1535	1179
Affected at threshold of:				
900 metric tons/year	26	43	63	108
10,000 metric tons/year	7	5	26	8
25,000 metric tons/year	3	1	11	4

[3] District data varies based on specific local regulations and methodologies.

Emissions from Energy Use

In addition to the direct emissions of GHG from stationary projects, CEQA will likely need to consider the project's projected energy use. This could include an analysis of opportunities for energy efficiency, onsite clean power generation (e.g., heat/energy recovery, co-generation, geothermal, solar, or wind), and the use of dedicated power contracts as compared to the portfolio of generally available power. In some industries, water use and conservation may provide substantial GHG emissions reductions, so the CEQA analysis should consider alternatives that reduce water consumption and wastewater discharge. The stationary project may also have the opportunity to use raw or feedstock materials that have a smaller GHG footprint; material substitution should be evaluated where information is available to do so.

Emissions from Associated Mobile Sources

The stationary project will also include emissions from associated mobile sources. These will include three basic components: emissions from employee trips, emissions from delivery of raw or feedstock materials, and emissions from product transport. Employee trips can be evaluated using trip estimation as is done for non-stationary projects, and mitigations would include such measures as providing access to and incentives for use of public transportation, accessibility for bicycle and pedestrian modes of transport, employer supported car or vanpools (including policies such as guaranteed rides home, etc). Upstream and downstream emissions related to goods movement can also be estimated with available models. The evaluation will need to determine the extent of the transport chain that should be included (to ensure that all emissions in the chain have been evaluated and mitigated, but to avoid double counting). Mitigations could include direct actions by operators who own their own fleet, or could be implemented through contractual arrangements with independent carriers; again, the evaluation will need to consider how far up and down the chain mitigation is feasible and can be reasonably required.

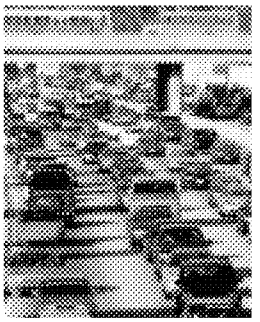

Comparing Emissions Changes Across Pollutant Categories

The potential exists for certain GHG reduction measures to increase emissions of criteria and toxic pollutants known to cause or aggravate respiratory, cardiovascular, and other health problems. For instance, GHG reduction efforts such as alternative fuels and methane digesters may create significant levels of increased pollutants that are detrimental to the health of the nearby population (e.g.; particulate matter, ozone precursors, toxic air contaminants). Such considerations should be included in any CEQA analysis of a project's environmental impacts. While there are many win-win

strategies that can reduce both GHG and criteria/toxic pollutant emissions, when faced with situations that involve tradeoffs between the two, the more immediate public health concerns that may arise from an increase in criteria or toxic pollutant emissions should take precedence. GHG emission reductions could be achieved offsite through other mitigation programs.

Introduction

Under state law, it is the purview of each lead agency to determine what, if any, significance thresholds will be established to guide its review of projects under CEQA. While the state does provide guidelines for implementing CEQA, the guidelines have left the decision of whether to establish thresholds (and if so, at what level) to individual lead agencies. Frequently, lead agencies consult with resource-specific agencies (such as air districts) for assistance in determining what constitutes a significant impact on that specific resource.

With the passage of AB 32, the ARB has broad authority to regulate GHG emissions as necessary to meet the emission reduction goals of the statute. This may include authority to establish emission reduction requirements for new land use projects, and may also enable them to recommend statewide thresholds for GHG under CEQA.

In developing this white paper, CAPCOA recognizes that, as the GHG reduction program evolves over time, GHG thresholds and other policies and procedures for CEQA may undergo significant revision, and that uniform statewide thresholds and procedures may be established. This paper is intended to serve as a resource for public agencies until such time that statewide guidance is established, recognizing that decisions will need to be made about GHG emissions from projects before such guidance is available. This paper is not, however, uniform statewide guidance. As stated before, it outlines several possible approaches without endorsing any one over the others.

Some air districts may choose to use this paper to support their establishment of guidance for GHG under CEQA, including thresholds. This paper does not, nor should it be construed to require a district to implement any of the approaches evaluated here. Decisions about whether to provide formal local guidance on CEQA for projects with GHG emissions, including the question of thresholds, will be made by individual district boards.

Each of the 35 air districts operates independently and has its own set of regulations and programs to address the emissions from stationary, area and mobile sources, consistent with state and federal laws, regulations, and guidelines. The independence of the districts allows specific air quality problems to be addressed on a local level. In addition, districts have also established local CEQA thresholds of significance for criteria pollutants – also to address the specific air quality problems relative to that particular district.

The overall goal of air district thresholds is to achieve and maintain health based air quality standards within their respective air basins and to reduce transport of emissions to other air basins. In establishing recommended thresholds, air districts consider the existing emission inventory of criteria pollutants and the amount of emission reductions needed to attain and maintain ambient air quality standards.

However, unlike criteria pollutants where individual districts are characterized by varying levels of pollutant concentrations and source types, greenhouse gases (GHG) and their attendant climate change ramifications are a global problem and, therefore, may suggest a uniform approach to solutions that ensure both progress and equity.

Under SB97, the Office of Planning and Research is directed to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions through CEQA by July 1, 2009. Those guidelines may recommend thresholds. As stated, this paper is intended to provide a common platform of information and tools to support local decision makers until such time that statewide guidance or requirements are promulgated.

Local Ability to Promulgate District-Specific GHG Thresholds

One of the primary reasons behind the creation of air districts in California is the recognition that some regions within the state face more critical air pollution problems than others and, as has often been pointed out – one size does not fit all. For example, a "Serious" federal nonattainment district would need greater emission reductions than a district already in attainment – and, therefore, the more "serious" district would set its criteria pollutant CEQA thresholds of significance much lower than the air district already in attainment.

The action of GHGs is global in nature, rather than local or regional (or even statewide or national). Ultimately there may be a program that is global, or at least national in scope. That said, actions taken by a state, region, or local government can contribute to the solution of the global problem. Local governments are not barred from developing and implementing programs to address GHGs. In the context of California and CEQA, lead agencies have the primary responsibility and authority to determine the significance of a project's impacts.

Further, air districts have primary authority under state law for "control of air pollution from all sources, other than emissions from motor vehicles." (H&SC §40000) The term air contaminant or "air pollutant" is defined extremely broadly, to mean "any discharge, release, or other propagation into the atmosphere" and includes, but is not limited to, soot, carbon, fumes, gases, particulate matter, etc. Greenhouse gases and other global warming pollutants such as black carbon would certainly be included in this definition, just as the U.S. Supreme Court held in Massachusetts v. EPA that greenhouse gases were air pollutants under the federal Clean Air Act. Therefore, air districts have the primary authority to regulate global warming pollutants from nonvehicular sources. AB 32 does not change this result. Although it gives wide responsibility to CARB to regulate greenhouse gases from all sources, including nonvehicular sources, it does not preempt the districts. AB 32 specifically states That "nothing in this division shall limit or expand the existing authority of any district..."(H&SC § 38594). Thus, districts and CARB retain concurrent authority over nonvehicular source greenhouse gas emissions.

Introduction

The CEQA statutes do not require an air district or any lead agency to establish significance thresholds under CEQA for any pollutant. While there are considerations that support the establishment of thresholds (which are discussed in other sections of this document), there is no obligation to do so.

An air district or other lead agency may elect not to establish significance thresholds for a number of reasons. The agency may believe that the global nature of the climate change problem necessitates a statewide or national framework for consideration of environmental impacts. SB 97 directs OPR to develop "guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions by July 1, 2009," and directs the California Resources Agency to certify and adopt the guidelines by June 30, 2010.

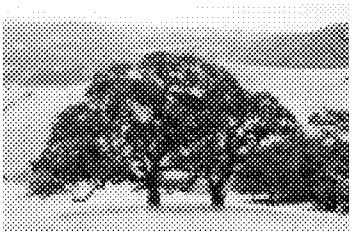

An agency may also believe there is insufficient information to support selecting one specific threshold over another. As described earlier, air districts have historically set CEQA thresholds for air pollutants in the context of the local clean air plan, or (in the case of toxic air pollutants) within the framework of a rule or policy that manages risks and exposures due to toxic pollutants. There is no current framework that would similarly manage impacts of greenhouse gas pollutants, although the CARB is directed to establish one by June 30, 2009, pursuant to AB 32. A local agency may decide to defer any consideration of thresholds until this framework is in place.

Finally, an agency may believe that the significance of a given project should be assessed on a case-by-case basis in the context of the project at the time it comes forward.

Implementing CEQA Without Significance Thresholds for GHG

The absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA. The implications of not having a threshold are different depending on the role the agency has under CEQA – whether it is acting in an advisory capacity, as a responsible agency, or as a lead agency.

Implications of No Thresholds for an Agency Acting in an Advisory Capacity

Air districts typically act in an advisory capacity to local governments in establishing the framework for environmental review of air pollution impacts under CEQA. This may include recommendations regarding significance thresholds, analytical tools to assess emissions and impacts, and mitigations for potentially significant impacts. Although districts will also address some of these issues on a project-specific basis as responsible agencies, they may provide general guidance to local governments on these issues that

are program wide, and these are advisory (unless they have been established by regulation).

An air district that has not established significance thresholds for GHG will not provide guidance to local governments on this issue. This does not prevent the local government from establishing thresholds under its own authority. One possible result of this would be the establishment of different thresholds by cities and counties within the air district. Alternatively, the air district could advise local governments not to set thresholds and those jurisdictions may follow the air district's guidance.

It is important to note here (as has been clearly stated by the Attorney General in comments and filings) that lack of a threshold does *not* mean lack of significance. An agency may argue lack of significance for any project, but that argument would have to be carried forth on a case-by-case, project specific basis. By extension then, a decision not to establish thresholds for GHG is likely to result in a greater workload for responsible and lead agencies as they consider individual projects under CEQA.

Implications of No Thresholds for a Responsible Agency

If there are no established thresholds of significance, the significance of each project will have to be determined during the course of review. The responsible agency (e.g., the air district) will review each project referred by the lead agency. The review may be qualitative or quantitative in nature. A qualitative review would discuss the nature of GHG emissions expected and their potential effect on climate change as the district understands it. It could also include a discussion of the relative merits of alternative scenarios. A quantitative analysis would evaluate, to the extent possible, the expected GHG emissions; it would also need to evaluate their potential effect on climate change and might include corresponding analysis of alternatives. The air district, as a responsible agency, may also identify mitigation measures for the project.

The lack of established thresholds will make the determination of significance more resource intensive for each project. The district may defer to the lead agency to make this determination, however the district may be obligated, as a responsible agency, to evaluate the analysis and determination.

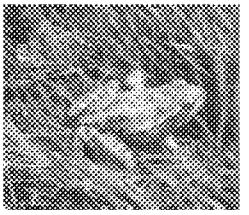

Implications of No Thresholds for a Lead Agency

The main impact of not having significance thresholds will be on the primary evaluation of projects by the lead agency. Without significance thresholds, the agency will have to conduct some level of analysis of every project to determine whether an environmental impact report is needed. There are three fundamental approaches to the case-by-case analysis of significance, including presumptions of significance or insignificance, or no presumption:

1. The agency can begin with a presumption of significance and the analysis would be used to support a case-specific finding of no significance. This is similar to establishing a threshold of zero, except that here, the "threshold" is rebuttable. This approach may result in a large number of projects proceeding to preparation of an environmental impact report. Because of the attendant costs, project proponents may challenge the determination of significance, although formal challenge is less likely than attempts to influence the determination.

2. The agency can begin with a presumption of insignificance, and the analysis would be used to support a case-specific finding of significance. A presumption of insignificance could be based on the perspective that it would be speculative to attempt to identify the significance of GHG emissions from a project relative to climate change on a global scale. This approach might reduce the number of projects proceeding to preparation of environmental impact reports. It is likely to have greater success with smaller projects than larger ones, and a presumption of *insignificance* may be more likely to be challenged by project opponents.

3. It is not necessary for the lead agency to have any presumption either way. The agency could approach each project from a *tabula rasa* perspective, and have the determination of significance more broadly tied to the specific context of the project; this approach is likely to be resource intensive, and creates the greatest uncertainty for project proponents. To the extent that it results in a lead agency approving similar projects based on different determinations of significance for GHG emissions, it may be more vulnerable to challenge from either proponents or opponents of the project. Alternatively, in the absence of either thresholds or presumptions, the lead agency could use each determination of significance to build its approach in the same way that subsequent judgments define the law.

Relevant Citations

The full text of relevant citations is in Appendix A.

Public Resources Code – §21082.2, Significant Effect on Environment; Determination; Environmental Impact Report Preparation.

State CEQA Guidelines – §15064, Determining the Significance of the Environmental Effects Caused by a Project.

Introduction

If an air district or lead agency determines that any degree of project-related increase in GHG emissions would contribute considerably to climate change and therefore would be a significant impact, it could adopt a zero-emission threshold to identify projects that would need to reduce their emissions. A lead agency may determine that a zero-emission threshold is justified even if other experts may disagree. A lead agency is not prevented from adopting any significance threshold it sees as appropriate, as long as it is based on substantial evidence.

If the zero threshold option is chosen, all projects subject to CEQA would be required to quantify and mitigate their GHG emissions, regardless of the size of the project or the availability of GHG reduction measures available to reduce the project's emissions. Projects that could not meet the zero-emission threshold would be required to prepare environmental impact reports to disclose the unmitigable significant impact, and develop the justification for a statement of overriding consideration to be adopted by the lead agency.

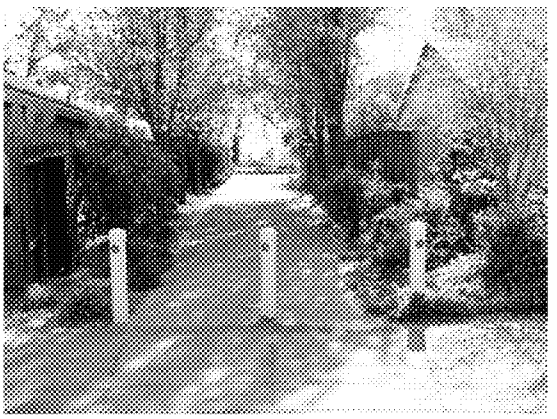

Implementing CEQA With a Zero Threshold for GHG

The scientific community overwhelmingly agrees that the earth's climate is becoming warmer, and that human activity is playing a role in climate change. Unlike other environmental impacts, climate change is a global phenomenon in that all GHG emissions generated throughout the earth contribute to it. Consequently, both large and small GHG generators cause the impact. While it may be true that many GHG sources are individually too small to make any noticeable difference to climate change, it is also true that the countless small sources around the globe combine to produce a very substantial portion of total GHG emissions.

A zero threshold approach is based on a belief that, 1) all GHG emissions contribute to global climate change and could be considered significant, and 2) not controlling emissions from smaller sources would be neglecting a major portion of the GHG inventory.

CEQA explicitly gives lead agencies the authority to choose thresholds of significance. CEQA defers to lead agency discretion when choosing thresholds. Consequently, a zero-emission threshold has merits.

The CEQA review process for evaluating a project's impact on global climate change under the zero threshold option would involve several components. Air quality sections would be written by lead agencies to include discussions on climate change in CEQA documents, GHG emissions would be calculated, and a determination of significance would be made. The local air districts would review and comment on the climate change discussions in environmental documents. Lead agencies may then revise final EIRs to accommodate air district comments. More than likely, mitigation measures will be specified for the project, and a mitigation monitoring program will need to be put in place to ensure that these measures are being implemented.

Since CEQA requires mitigation to a less than significant level, it is conceivable that many projects subjected to a zero threshold could only be deemed less than significant with offsite reductions or the opportunity to purchase greenhouse gas emission reduction credits. GHG emission reduction credits are becoming more readily available however the quality of the credits varies considerably. High quality credits are generated by actions or projects that have clearly demonstrated emission reductions that are real, permanent, verifiable, enforceable, and not otherwise required by law or regulation. When the pre- or post-project emissions are not well quantified or cannot be independently confirmed, they are considered to be of lesser quality. Similarly, if the reductions are temporary in nature, they are also considered to be poor quality. Adoption of a zero threshold should consider the near-term availability and the quality of potential offsets.

There are also environmental justice concerns about the effects of using offsite mitigations or emission reduction credits to offset, or mitigate, the impacts of a new project. Although GHGs are global pollutants, some of them are emitted with co-pollutants that have significant near-source or regional impacts. Any time that increases in emissions at a specific site will be mitigated at a remote location or using emission reduction credits, the agency evaluating the project should ensure that it does not create disproportionate impacts.

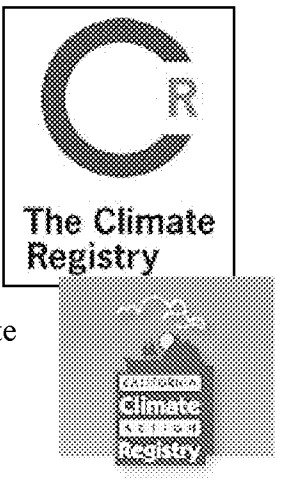

Administrative Considerations

If electing to pursue a zero threshold, an air district or lead agency should consider the administrative costs and the environmental review system capacity. Some projects that previously would have qualified for an exemption could require further substantial analysis, including preparation of a Negative Declaration (ND), a Mitigated Negative Declaration (MND) or an EIR. Moreover, the trade-offs between the volume of projects requiring review and the quality of consideration given to reviews should be considered. It may also be useful to consider whether meaningful mitigation can be achieved from smaller projects.

Consideration of Exemptions from CEQA

A practical concern about identifying GHG emissions as a broad cumulative impact is whether the zero threshold option will preclude a lead agency from approving a large set of otherwise qualified projects utilizing a Categorical Exemption, ND, or MND. The results could be a substantial increase in the number of EIR's. This is a valid and challenging concern, particularly for any threshold approach that is based on a zero threshold for net GHG emission increases.

CEQA has specified exceptions to the use of a categorical exception. Specifically, CEQA Guidelines §15300.2 includes the following exceptions:

"(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant."

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances."

These CEQA Guidelines sections could be argued to mean that any net increase in GHG emissions would preclude the use of a categorical exemption. However, as described below, if the following can be shown, then the exceptions above could be argued not to apply:

(1) Cumulative local, regional and/or state GHG emissions are being reduced or will be reduced by adopted, funded, and feasible measures in order to meet broader state targets.

(2) Mandatory state or local GHG reduction measures would apply to the project's emissions such that broader GHG reduction goals would still be met and the project contributions would not be cumulatively considerable.

(3) Project GHG emissions are below an adopted significance threshold designed to take into account the cumulative nature of GHG emissions.

A similar argument could be made relative to the use of a ND (provided no additional mitigation (beyond existing mandates) is required to control GHG emissions) and to the use of a MND instead of an EIR. However, due to the "fair argument" standard, which is discussed in Chapter 3, caution is recommended in use of a ND or MND unless all three elements above can be fully supported through substantial evidence and there is no substantial evidence to the contrary. Establishing a significance threshold of zero is likely to preclude the use of a categorical exemption.

Relevant Citations

The full text of relevant citations is in Appendix A.

Public Resources Code – §21004, Mitigating or Avoiding a Significant Effect; Powers of Public Agency.

State CEQA Guidelines – §15064, Determining the Significance of the Environmental Effects Caused by a Project.

State CEQA Guidelines – §15130, Discussion of Cumulative Impacts.

State CEQA Guidelines – §15064.7, Thresholds of Significance.

Introduction

A non-zero threshold could minimize the resources spent reviewing environmental analyses that do not result in real GHG reductions or to prevent the environmental review system from being overwhelmed. The practical advantages of considering non-zero thresholds for GHG significance determinations can fit into the concept regarding whether the project's GHG emissions represent a "considerable contribution to the cumulative impact" and therefore warrant analysis.

Specifying a non-zero threshold could be construed as setting a *de minimis* value for a cumulative impact. In effect, this would be indicating that there are certain GHG emission sources that are so small that they would not contribute substantially to the global GHG budget. This could be interpreted as allowing public agencies to approve certain projects without requiring any mitigation of their GHG. Any threshold framework should include a proper context to address the *de minimis* issue. However, the CEQA Guidelines recognize that there may be a point where a project's contribution, although above zero, would not be a *considerable contribution* to the cumulative impact and, therefore, not trigger the need for a significance determination.

GHG emissions from all sources are under the purview of CARB and as such may eventually be "regulated" no matter how small. Virtually all projects will result in some direct or indirect release of GHG. However, a decision by CARB to regulate a class of sources does not necessarily mean that an individual source in that class would constitute a project with significant GHG impacts under CEQA. For example, CARB has established criteria pollutant emission standards for automobiles, but the purchase and use of a single new car is not considered a project with significant impacts under CEQA. At the same time, it is important to note that it is likely that all meaningful sources of emissions, no matter how small are likely to be considered for regulation under AB 32. It is expected that projects will have to achieve some level of GHG reduction to comply with CARB's regulations meant to implement AB 32. As such all projects will have to play a part in reducing our GHG emissions budget and no project, however small, is truly being considered *de minimis* under CARB's regulations.

This chapter evaluates a range of conceptual approaches toward developing GHG significance criteria. The air districts retained the services of J&S an environmental consulting, firm to assist with the development of a Statute and Executive Order-based threshold (Approach 1) and a tiered threshold (Approach 2) based on a prescribed list of tasks and deliverables. Time and financial constraints limited the scope and depth of this analysis, however, the work presented here may be useful in developing interim guidance while AB 32 is being implemented. J&S recognized that approaches other than those described here could be used.

As directed, J&S explored some overarching issues, such as:

- what constitutes "new" emissions?

- how should "baseline emissions" be established?
- what is cumulatively "considerable" under CEQA?
- what is "business as usual" ? and
- should an analysis include "life-cycle" emissions?

The answers to these issues were key to evaluating each of the threshold concepts.

Approach 1 – Statute and Executive Order Approach

Thresholds could be grounded in existing mandates and their associated GHG emission reduction targets. A project would be required to meet the targets, or reduce GHG emissions to the targets, to be considered less than significant.

AB 32 and S-3-05 target the reduction of statewide emissions. It should be made clear that AB 32 and S-3-05 do not specify that the emissions reductions should be achieved through uniform reduction by geographic location or by emission source characteristics. For example, it is conceivable, although unlikely, that AB 32 goals could be achieved by new regulations that only apply to urban areas or that only apply to the transportation and/or energy sector. However, this approach to evaluating GHG under CEQA is based on the presumption that a new project must at least be consistent with AB 32 GHG emission reduction mandates.

The goal of AB 32 and S-3-05 is the significant reduction of future GHG emissions in a state that is expected to rapidly grow in both population and economic output. As such, there will have to be a significant reduction in the per capita GHG output for these goals to be met. CEQA is generally used to slow or zero the impact of new emissions, leaving the reduction of existing emission sources to be addressed by other regulatory means. With these concepts in mind, four options were identified for statute/executive order-based GHG significance thresholds and are described below.

Threshold 1.1: AB 32/S-3-05 Derived Uniform Percentage-Based Reduction. AB 32 requires the state to reduce California-wide GHG emissions to 1990 levels by 2020. Reducing greenhouse gas emission levels from 2020 to 1990 levels could require a 28 to 33 percent reduction of business-as-usual GHG emissions depending on the methodology used to determine the future emission inventories. The exact percent reduction may change slightly once CARB finalizes its 1990 and 2020 inventory estimates. In this context, business-as-usual means the emissions that would have occurred in the absence of the mandated reductions. The details of the business-as-usual scenario are established by CARB in the assumptions it uses to project what the state's GHG emissions would have been in 2020, and the difference between that level and the level that existed in 1990 constitutes the reductions that must be achieved if the mandated goals are to be met.

This threshold approach would require a project to meet a percent reduction target based on the average reductions needed from the business-as-usual emission from all GHG sources. Using the 2020 target, this approach would require all discretionary projects to achieve a 33 percent reduction from projected business-as-usual emissions in order to be considered less than significant. A more restrictive approach would use the 2050 targets. S-3-05 seeks to reduce GHG emissions to 80 percent below 1990 levels by 2050. To reach the 2050 milestone would require an estimated 90 percent reduction (effective immediately) of business-as-usual emissions. Using this goal as the basis for a significance threshold may be more appropriate to address the long-term adverse impacts associated with global climate change. Note that AB 32 and S-3-05 set emission inventory goals at milestone years; it is unclear how California will progress to these goals in non-milestone years.

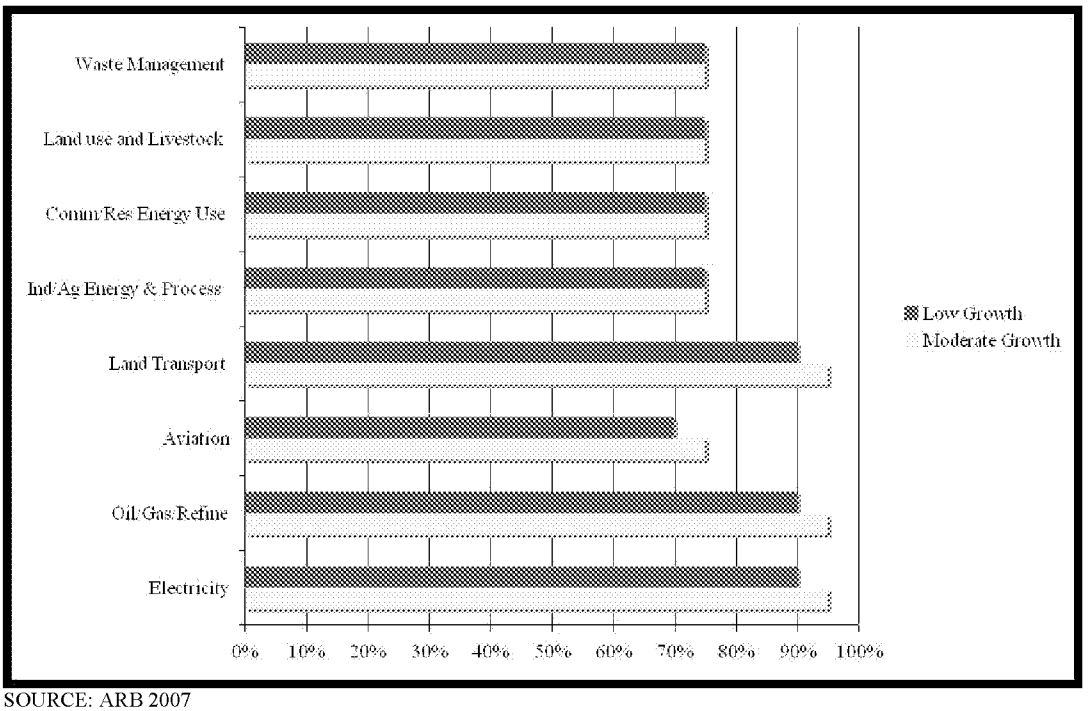

SOURCE: ARB 2007

<u>Threshold 1.2: Uniform Percentage-Based (e.g.50%) Reduction for New Development</u>. This threshold is based on a presumption that new development should contribute a greater percent reduction from business-as-usual because greater reductions can be achieved at lower cost from new projects than can be achieved from existing sources. This approach would establish that new development emit 50 percent less GHG emissions than business-as-usual development. This reduction rate is greater than the recommended reduction rate for meeting the Threshold 1.1 2020 target (33 percent) but is significantly less restrictive than the Threshold 1.1 2050 target reduction rate (90 percent). If a 50 percent GHG reduction were achieved from new development, existing emissions would have to be reduced by 25 to 30 percent in order to meet the 2020 emissions goal depending on the year used to determine the baseline inventory. Although this reduction goal is reasonable for achieving the 2020 goal, it would not be possible to

reach the 2050 emissions target with this approach even if existing emissions were 100 percent controlled.

Threshold 1.3: Uniform Percentage-Based Reduction by Economic Sector. This threshold would use a discrete GHG reduction goal specific to the economic sector associated with the project. There would be specific reduction goals for each economic sector, such as residential, commercial, and industrial development. Specifying different reduction thresholds for each market sector allows selection of the best regulatory goal for each sector taking into account available control technology and costs. This approach would avoid over-regulating projects (i.e. requiring emissions to be controlled in excess of existing technology) or under-regulating projects (i.e. discouraging the use of available technology to control emissions in excess of regulations). This approach requires extensive information on the emission inventories and best available control technology for each economic sector. This data will be compiled as CARB develops its scoping plan under AB 32 and its implementing regulations; as a result, this approach will be more viable in the long term.

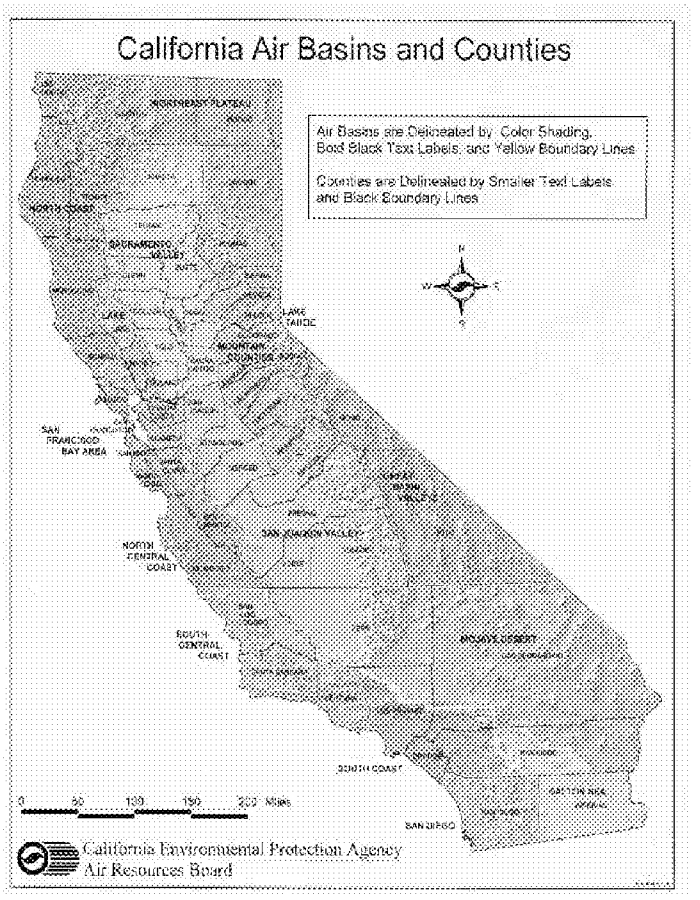

Threshold 1.4: Uniform Percentage-Based Reduction by Region. AB 32 and S-3-05 are written such that they apply to a geographic region (i.e. the entire state of California) rather than on a project or sector level. One could specify regions of the state such as the South Coast Air Basin, Sacramento Valley, or Bay Area which are required to plan (plans could be developed by regional governments, such as councils of governments) and demonstrate compliance with AB 32 and S-3-05 reduction goals at a regional level. To demonstrate that a project has less than significant emissions, one would have to show compliance with the appropriate regional GHG plan. Effectively this approach allows for analysis of GHG emissions at a landscape scale smaller than the state as a whole. Specifying regions in rough correlation to existing air basins or jurisdictional control allows for regional control of emissions and integration with regional emission reduction strategies for criteria and toxic air pollutants. Although differing GHG reduction controls for each region are possible, it is likely that all regions would be

required to achieve 1990 emission inventories by the year 2020 and 80 percent less emissions by 2050. Threshold 1.4 is considered viable long-term significance criteria that is unlikely to be used in the short term.

Implementing CEQA Thresholds Based on Emission Reduction Targets

Characterizing Baseline and Project Emissions

While the population and economy of California is expanding, all new projects can be considered to contribute new emissions. Furthermore, GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. "Business-as-usual" is the projection of GHG emissions at a future date based on current technologies and regulatory requirements in absence of other reductions. For example to determine the future emissions from a power plant for "business-as-usual" one would multiply the projected energy throughput by the current emission factor for that throughput. If adopted regulations (such as those that may be promulgated by CARB for AB 32) dictate that power plant emissions must be reduced at some time in the future, it is appropriate to consider these regulation standards as the new business-as-usual for a future date. In effect, business-as-usual will continue to evolve as regulations manifest. Note that "business-as-usual" defines the CEQA No Project conditions, but does not necessarily form the baseline under CEQA. For instance, it is common to subtract the future traffic with and without a project to determine the future cumulative contribution of a project on traffic conditions. However, existing conditions at the time of issuance of the notice of preparation is normally the baseline.

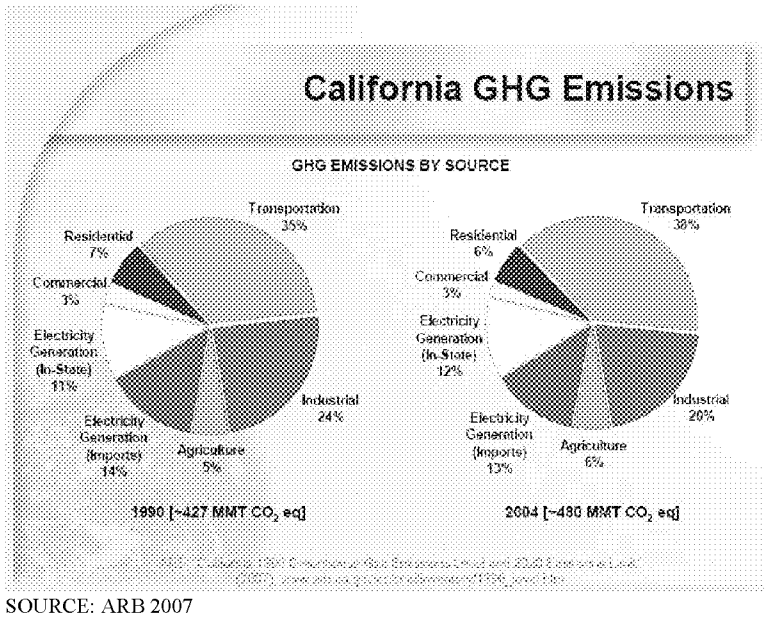

SOURCE: ARB 2007

Establishing Emission Reduction Targets

One of the obvious drawbacks to using a uniform percent reduction approach to GHG control is that it is difficult to allow for changes in the 1990 and future emission inventories estimates. To determine what emission reductions are required for new projects one would have to know accurately the 1990 budget and efficacy of other GHG promulgated regulations as a function of time. Since CARB will not outline its

regulation strategy for several more years, it is difficult to determine accurately what the new project reductions should be in the short term. Future updates to the 1990 inventory could necessitate changes in thresholds that are based on that inventory. It is important to note that it is difficult to create near term guidance for a uniform reduction threshold strategy since it would require considerable speculation regarding the implementation and effectiveness of forthcoming CARB regulations.

Of greater importance are the assumptions used to make the projected 2020 emission inventories. Projecting future inventories over the next 15-50 years involves substantial uncertainty. Furthermore, there are likely to be federal climate change regulations and possibly additional international GHG emission treaties in the near future. To avoid such speculation, this paper defines all future emission inventories as hypothetical business-as-usual projections.

This white paper is intended to support local decisions about CEQA and GHG in the near term. During this period, it is unlikely that a threshold based on emission reduction targets would need to be changed. However, it is possible that future inventory updates will show that targets developed on the current inventory were not stringent enough, or were more stringent than was actually needed.

Approach 2 – Tiered Approach

The goal of a tiered threshold is to maximize reduction predictability while minimizing administrative burden and costs. This would be accomplished by prescribing feasible mitigation measures based on project size and type, and reserving the detailed review of an EIR for those projects of greater size and complexity. This approach may require inclusion in a General Plan, or adoption of specific rules or ordinances in order to fully and effectively implement it.

A tiered CEQA significance threshold could establish different levels at which to determine if a project would have a significant impact. The tiers could be established based on the gross GHG emission estimates for a project or could be based on the physical size and characteristics of the project. This approach would then prescribe a set of GHG mitigation strategies that would have to be incorporated into the project in order for the project to be considered less than significant.

The framework for a tiered threshold would include the following:

- disclosure of GHG emissions for all projects;
- support for city/county/regional GHG emissions reduction planning;
- creation and use of a “green list” to promote the construction of projects that have desirable GHG emission characteristics;
- a list of mitigation measures;

- a decision tree approach to tiering; and
- quantitative or qualitative thresholds.

Decision-Tree Approach to Tiering

CEQA guidance that allows multiple methodologies to demonstrate GHG significance will facilitate the determination of significance for a broad range of projects/plans that would otherwise be difficult to address with a single non-compound methodology. Even though there could be multiple ways that a project can determine GHG significance using a decision-tree approach, only one methodology need be included in any single CEQA document prepared by the applicant. The presence of multiple methodologies to determine significance is designed to promote flexibility rather than create additional analysis overhead. Figure 1 shows a conceptual approach to significance determination using a tiered approach that shows the multiple routes to significance determination.

Figure 1 Detail Description

Figure 1 pictorially represents how an agency can determine a project's or plan's significance for CEQA analysis using the non-zero threshold methodology. The emissions associated with a project/plan are assumed to have a significant impact unless one can arrive at a less-than-significant finding by at least one of the methodologies below.

1. Demonstrate that a General Plan (GP) or Regional Plan is in Compliance with AB32

   - For most GPs or RPs this will require demonstration that projected 2020 emissions will be equal to or less than 1990 emissions.
   - GPs or RPs are expected to fully document 1990 and 2020 GHG emission inventories.
   - Projection of 2020 emissions is complicated by the fact that CARB is expected to promulgate emission reductions in the short term. Until explicit CARB regulations are in place, unmitigated GP 2020 emission inventories represent business-as-usual scenarios.
   - EIRs for GPs or RPs which demonstrate 2020 mitigated emissions are less than or equal to 1990 emissions are considered less than significant.

2. Demonstrate the Project is Exempt Based on SB 97

   - As specified in SB 97, projects that are funded under November 2006 Proposition 1B (Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act) and 1C (Disaster Preparedness and Flood Prevention Bond Act) may be exempt from analysis until January 1, 2010.

Climate Change Significance Criteria Flow Chart

- This chart pictorially represents how an agency can determine a project's or plan's significance for CEQA analysis.
- The emissions associated with a project/plan are assumed to have a significant impact unless one can arrive at a less-than-significant finding by at least one of the methodologies below.

The Green List *(Conceptual Approach)*

- *Publish and update a list of projects and project types that are deemed a positive contribution to CA efforts to reduce GHG emissions.*
- *Consult the ARB and the AG prior to listing a project on the Green List to ensure consistency with ARB AB-32 efforts and to ensure that the Green List entries are consistent with how the AG office interprets AB-32 and GHG CEQA compliance.*
- *The Green List will be updated every 6 months or as major regulatory or legal developments unfold.*
- *Projects that are on the green list are to be considered less than significant for GHG emissions purposes.*
- *An example of a Green List entry would be a wind farm that had negligible construction emissions.*

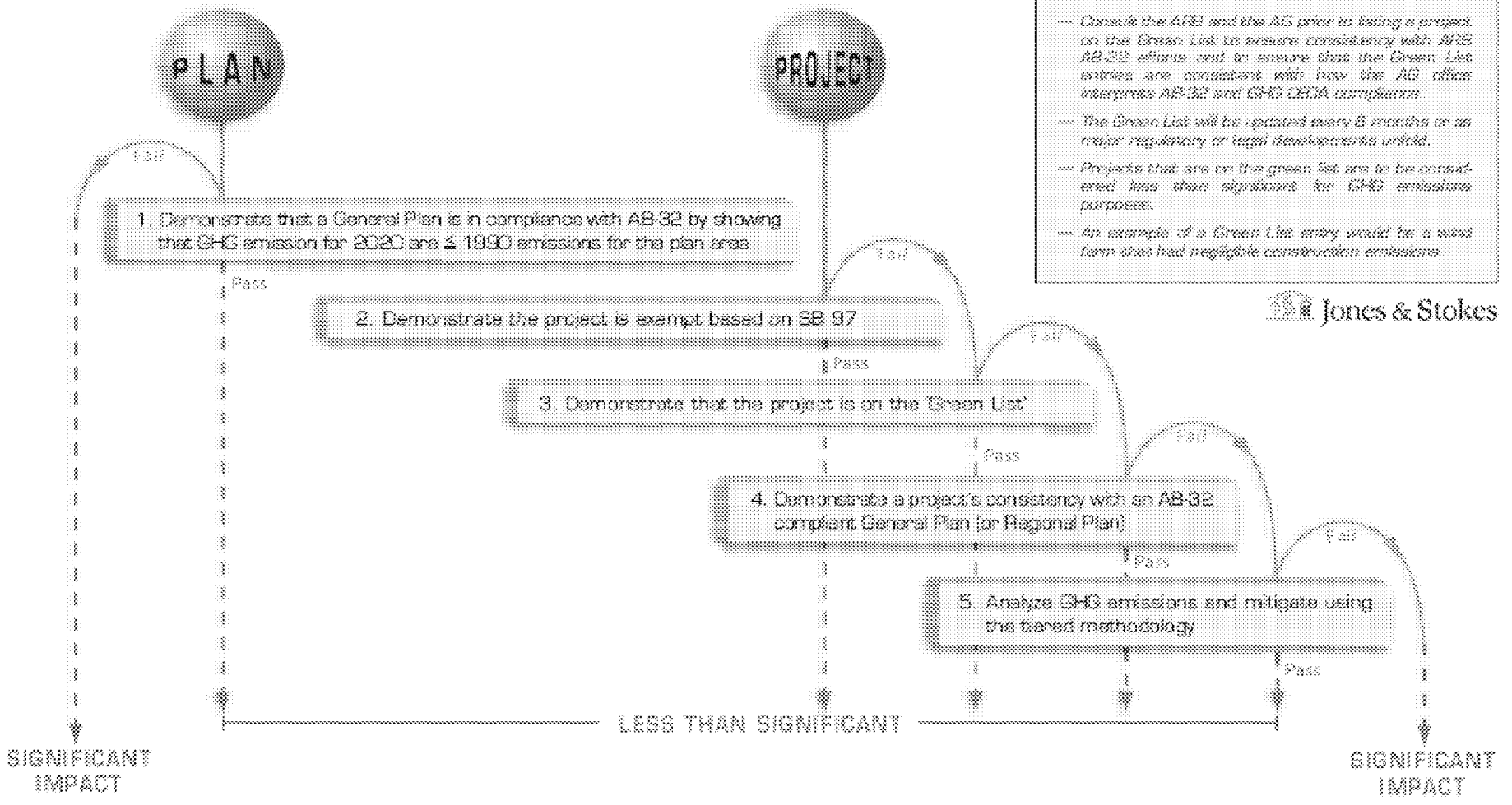

Jones & Stokes

Figure 1
Climate Change Significance Criteria Flow Chart

- An exemption can be used in an ND, MND, or EIR to support a less than significant finding for GHG impacts.

3. Demonstrate that the Project is on the 'Green List'

- This list would include projects that are deemed a positive contribution to California efforts to reduce GHG emissions. If the project is of the type described on the Green List it is considered less than significant.
- If the Green List entry description requires mitigation for impacts other than GHG, this methodology can be used in MNDs or EIRs; if the Green List entry does not require mitigation this methodology can be used in NDs, MNDs, or EIRs.

4. Demonstrate a Project's Compliance with a General Plan

- If a project is consistent with an appropriate General Plan's Greenhouse Gas Reduction Plan (GGRP), a project can be declared less than significant.
- Note that at this time there are no known jurisdictions that have a GGRP that has been fully subject to CEQA review. While Marin County has adopted a forward-thinking GGRP and it is described in the most recent GP update, the associated EIR does not analyze the secondary environmental impacts of some of the GGRP measures such as tidal energy. While one can reference GGRPs that have not been reviewed fully in CEQA, to attempt to show a project's compliance with such a plan as evidence that the project's GHG emission contributions are less than significant may not be supported by substantial evidence that cumulative emissions are being fully addressed in the particular jurisdiction.
- Compliance with a CEQA-vetted GGRP can be cited as evidence for all CEQA documents (Categorical Exemption, ND, MND, and EIR).

5. Analyze GHG Emissions and Mitigate using the Tiered Methodology

- Guidance and mitigation methodology for various development projects (residential, commercial, industrial) are listed in the form of tiered thresholds. If a project incorporates the mitigation measures specified in the tiered threshold tables the project is considered less than significant.
- All project emissions are considered less than significant if they are less than the threshold(s).
- If the tiered approach requires mitigation, this methodology can be used in MNDs or EIRs; if the tiered approach does not require mitigation this methodology can be used in NDs, MNDs, or EIRs.

The Green List

- The Green List would be a list of projects and project types that are deemed a positive contribution to California's efforts to reduce GHG emissions.
- If this approach is followed, it is suggested that CARB and the Attorney General (AG) are consulted prior to listing a project on the Green List to ensure consistency with CARB AB 32 efforts and to ensure that the Green List entries are consistent with how the AG office interprets AB 32 and GHG CEQA compliance.
- The Green List should be updated every 6 months or as major regulatory or legal developments unfold.
- Projects that are on the Green List are to be considered less than significant for GHG emissions purposes.
- A tentative list of potential Green List entries is presented below. Actual Green List entries should be far more specific and cover a broad range of project types and mitigation approaches. The list below is merely a proof-of-concept for the actual Green List.

1. Wind farm for the generation of wind-powered electricity
2. Extension of transit lines to currently developed but underserved communities
3. Development of high-density infill projects with easily accessible mass transit
4. Small hydroelectric power plants at existing facilities that generate 5 mw or less (as defined in Class 28 Categorical Exemption)
5. Cogeneration plants with a capacity of 50 mw or less at existing facilities (as defined in Class 29 Cat Exemption)
6. Increase in bus service or conversion to bus rapid transit service along an existing bus line
7. Projects with LEED "Platinum" rating
8. Expansion of recycling facilities within existing urban areas
9. Recycled water projects that reduce energy consumption related to water supplies that services existing development
10. Development of bicycle, pedestrian, or zero emission transportation infrastructure to serve existing regions

There are also several options for tiering and thresholds, as shown in Table 2 below. One could establish strictly numeric emissions thresholds and require mitigation to below the specific threshold to make a finding of less than significant. One could establish narrative emissions threshold that are based on a broader context of multiple approaches to GHG reductions and a presumption that projects of sufficiently low GHG intensity are less than significant.

In Concept 2A, a zero threshold would be applied to projects and thus only projects that result in a reduction of GHG emissions compared to baseline emissions would be less than significant absent mitigation. All projects would require quantified inventories. All projects that result in a net increase of GHG emissions would be required to mitigate their emissions to zero through direct mitigation or through fees or offsets or the impacts

Table 2: Approach 2 Tiering Options

	Concept 2A Zero	Concept 2B Quantitative	Concept 2C Qualitative
Tier 1	Project results in a net reduction of GHG emissions *Less than Significant*	Project in compliance with an AB 32-compliant General/Regional Plan, on the Green List, or below Tier 2 threshold. Level 1 Reductions (Could include such measures as: bike parking, transit stops for planned route, Energy Star roofs, Energy Star appliances, Title 24, water use efficiency, etc.) *Less than Significant*	Project in compliance with an AB 32-compliant General/Regional Plan, on the Green List, or below Tier 2 threshold. Level 1 Reductions (See measures under 2B) *Less than Significant*
Tier 2	Project results in net increase of GHG emissions Mitigation to zero (including offsets) *Mitigated to Less than Significant*	Above Tier 2 threshold Level 2 Mitigation (Could include such measures as: Parking reduction beyond code, solar roofs, LEED Silver or Gold Certification, exceed Title 24 by 20%, TDM measures, etc.) *Mitigated to Less than Significant*	Above Tier 2 threshold Level 2 Mitigation (See measures under 2B) *Mitigated to Less than Significant*
Tier 3	Mitigation infeasible to reduce emissions to zero (e.g., cost of offsets infeasible for project or offsets not available) *Significant and Unavoidable*	Above Tier 2 threshold With Level 1, 2 Mitigation Level 3 Mitigation: (Could include such measures as: On-site renewable energy systems, LEED Platinum certification, Exceed Title 24 by 40%, required recycled water use for irrigation, zero waste/high recycling requirements, mandatory transit passes, offsets/carbon impact fees) *Mitigated to Less than Significant*	Above Tier 3 thresholds Quantify Emissions, Level 3 Mitigation (see measures under 2B), and Offsets for 90% of remainder *Significance and Unavoidable*

would be identified as significant and unavoidable. This could be highly problematic and could eliminate the ability to use categorical exemptions and negative declarations for a wide range of projects.

In Concepts 2B and 2C, the first tier of a tiered threshold includes projects that are within a jurisdiction with an adopted greenhouse gas reduction plan (GGRP) and General Plan/Regional Plan that is consistent with AB 32 (and in line with S-3-05), or are on the Green List, or are below the Tier 2 threshold. All Tier 1 projects would be required to implement mandatory reductions required due to other legal authority (Level 1 reductions) such as AB 32, Title 24, or local policies and ordinances. With Level 1

reduction measures, qualifying Tier 1 projects would be considered less than significant without being required to demonstrate mitigation to zero.

In Concept 2B, the Tier 2 threshold would be quantitative, and quantified inventories would be required. Several quantitative threshold options are discussed below. A more comprehensive set of Level 2 mitigation would be required. If the project's emissions still exceed the Tier 2 threshold, an even more aggressive set of Level 3 mitigation measures would be required including offsets (when feasible) to reduce emissions below the Tier 2 threshold.

In Concept 2C, there would be two thresholds, a lower Tier 2 threshold (the "low bar") and a higher Tier 3 threshold (the "high bar"). The Tier 2 threshold would be the significance threshold for the purposes of CEQA and would be qualitative in terms of units (number of dwelling units, square feet of commercial space, etc.) or a per capita ratio. Projects above the Tier 2 threshold would be required to implement the comprehensive set of Level 2 mitigation. Projects below the Tier 2 threshold would not be required to quantify emissions or reductions. The Tier 3 threshold would be a threshold to distinguish the larger set of projects for which quantification of emissions would be required. Level 3 mitigation would be required and the project would be required to purchase offsets (when feasible) in the amount of 90 percent of the net emissions after application of Level 1 reductions and Level 2 and 3 mitigation. A variant on Concept 2C would be to require mandatory Level 3 mitigation without quantification and offsets.

Approach 2 Threshold Options

Seven threshold options were developed for this approach. The set of options are framed to capture different levels of new development in the CEQA process and thus allow different levels of mitigation. Options range from a zero first-tier threshold (Threshold 2.1) up to a threshold for GHG that would be equivalent to the capture level (i.e., number of units) of the current criteria pollutant thresholds used by some air districts (Threshold 2.4). The decision-based implementation approach discussed above could be used for any of these options. Table 3 below compares the results of each of the approaches discussed here.

Threshold 2.1: Zero First Tier Tiered Threshold.

This option would employ the decision tree concept and set the first tier cut-point at zero. The second tier cut-point could be one of the qualitative or quantitative thresholds discussed below. First-tier projects would be required to implement a list of very feasible and readily available mitigation measures.

Threshold 2.2: Quantitative Threshold Based on Market Capture

A single quantitative threshold was developed in order to ensure capture of 90 percent or more of likely future discretionary developments. The objective was to set the emission

threshold low enough to capture a substantial fraction of future residential and non-residential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions.

The quantitative threshold was created by using the following steps:

- Reviewing data from four diverse cities (Los Angeles in southern California and Pleasanton, Dublin, and Livermore in northern California) on pending applications for development.

- Determining the unit (dwelling unit or square feet) threshold that would capture approximately 90 percent of the residential units or office space in the pending application lists.

- Based on the data from the four cities, the thresholds selected were 50 residential units and 30,000 square feet of commercial space.

- The GHG emissions associated with 50 single-family residential units and 30,000 square feet of office were estimated and were found to be 900 metric tons and 800 metric tons, respectively. Given the variance on individual projects, a single threshold of 900 metric tons was selected for residential and office projects.

- A 900 metric ton threshold was also selected for non-office commercial projects and industrial projects to provide equivalency for different projects in other economic sectors.

- If this threshold is preferred, it is suggested that a more robust data set be examined to increase the representativeness of the selected thresholds. At a minimum, a diverse set of at least 20 cities and/or counties from throughout the state should be examined in order to support the market capture goals of this threshold. Further, an investigation of market capture may need to be conducted for different commercial project types and for industrial projects in order to examine whether multiple quantitative emissions thresholds or different thresholds should be developed.

The 900-ton threshold corresponds to 50 residential units, which corresponds to the 84th percentile of projects in the City of Los Angeles, the 79th percentile in the City of Pleasanton, the 50th percentile in the City of Livermore and the 4th percentile in the City of Dublin. This is suggestive that the GHG reduction burden will fall on larger projects that will be a relatively small portion of overall projects within more developed central cities (Los Angeles) and suburban areas of slow growth (Pleasanton) but would be the higher portion of projects within moderately (Livermore) or more rapidly developing areas (Dublin). These conclusions are suggestive but not conclusive due to the small sample size. The proposed threshold would exclude the smallest proposed developments

from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. While this would exclude perhaps 10 percent of new residential development, the capture of 90 percent of new residential development would establish a strong basis for demonstrating that cumulative reductions are being achieved across the state. It can certainly serve as an interim measure and could be revised if subsequent regulatory action by CARB shows that a different level or different approach altogether is called for.

The 900-ton threshold would correspond to office projects of approximately 35,000 square feet, retail projects of approximately 11,000 square feet, or supermarket space of approximately 6,300 square feet. 35,000 square feet would correspond to the 46th percentile of commercial projects in the City of Los Angeles, the 54th percentile in the City of Livermore, and the 35th percentile in the City of Dublin. However, the commercial data was not separated into office, retail, supermarket or other types, and thus the amount of capture for different commercial project types is not known. The proposed threshold would exclude smaller offices, small retail (like auto-parts stores), and small supermarkets (like convenience stores) from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA but would include many medium-scale retail and supermarket projects.

The industrial sector is less amenable to a unit-based approach given the diversity of projects within this sector. One option would be to adopt a quantitative GHG emissions threshold (900 tons) for industrial projects equivalent to that for the residential/commercial thresholds described above. Industrial emissions can result from both stationary and mobile sources. CARB estimates that their suggested reporting threshold for stationary sources of 25,000 metric tons accounts for more than 90 percent of the industrial sector GHG emissions (see Threshold 2.3 for 25,000 metric ton discussion). If the CARB rationale holds, then a 900 metric ton threshold would likely capture at least 90 percent (and likely more) of new industrial and manufacturing sources. If this approach is advanced, we suggest further examination of industrial project data to determine market capture.

This threshold would require the vast majority of new development emission sources to quantify their GHG emissions, apportion the forecast emissions to relevant source categories, and develop GHG mitigation measures to reduce their emissions.

Threshold 2.3: CARB Reporting Threshold

CARB has recently proposed to require mandatory reporting from cement plants, oil refineries, hydrogen plants, electric generating facilities and electric retail providers, cogeneration facilities, and stationary combustion sources emitting $\geq$ 25,000 MT CO_2e/yr. AB 32 requires CARB to adopt a regulation to require the mandatory reporting and verification of emissions. CARB issued a preliminary draft version of its proposed reporting requirements in August 2007 and estimates that it would capture 94 percent of the GHG emissions associated with stationary sources.

This threshold would use 25,000 metric tons per year of GHG as the CEQA significance level. CARB proposed to use the 25,000 metric tons/year value as a reporting threshold, not as a CEQA significance threshold that would be used to define mitigation requirements. CARB is proposing the reporting threshold to begin to compile a statewide emission inventory, applicable only for a limited category of sources (large industrial facilities using fossil fuel combustion).

A 25,000 metric ton significance threshold would correspond to the GHG emissions of approximately 1,400 residential units, 1 million square feet of office space, 300,000 square feet of retail, and 175,000 square feet of supermarket space. This threshold would capture far less than half of new residential or commercial development.

As noted above, CARB estimates the industrial-based criteria would account for greater than 90 percent of GHG emissions emanating from stationary sources. However, industrial and manufacturing projects can also include substantial GHG emissions from mobile sources that are associated with the transportation of materials and delivery of products. When all transportation-related emissions are included, it is unknown what portion of new industrial or manufacturing projects a 25,000-ton threshold would actually capture.

An alternative would be to use a potential threshold of 10,000 metric tons considered by the Market Advisory Committee for inclusion in a Greenhouse Gas Cap and Trade System in California. A 10,000 metric ton significance threshold would correspond to the GHG emissions of approximately 550 residential units, 400,000 square feet of office space, 120,000 square feet of retail, and 70,000 square feet of supermarket space. This threshold would capture roughly half of new residential or commercial development.

Threshold 2.4: Regulated Emissions Inventory Capture

Most California air districts have developed CEQA significance thresholds for NOx and ROG emissions to try to reduce emissions of ozone precursors from proposed sources that are not subject to NSR pre-construction air quality permitting. The historical management of ozone nonattainment issues in urbanized air districts is somewhat analogous to today's concerns with greenhouse gas emissions in that regional ozone concentrations are a cumulative air quality problem caused by relatively small amounts of NOx and ROG emissions from thousands of individual sources, none of which emits enough by themselves to cause elevated ozone concentrations. Those same conditions apply to global climate change where the environmental problem is caused by emissions from a countless number of individual sources, none of which is large enough by itself to cause the problem. Because establishment of NOx/ROG emissions CEQA significance thresholds has been a well-tested mechanism to ensure that individual projects address cumulative impacts and to force individual projects to reduce emissions under CEQA, this threshold presumes the analogy of NOx/ROG emission thresholds could be used to develop similar GHG thresholds.

The steps to develop a GHG emission threshold based on the NOx/ROG analogy were as follows:

- For each agency, define its NOx/ROG CEQA thresholds.
- For each agency, define the regional NOx/ROG emission inventory the agency is trying to regulate with its NOx/ROG thresholds.
- For each agency, calculate the percentage of the total emission inventory for NOx represented by that agency's CEQA emission threshold. That value represents the "minimum percentage of regulated inventory" for NOx.
- The current (2004) California-wide GHG emission inventory is 499 million metric tons per year of CO_2 equivalent (MMT CO_2e). Apply the typical "minimum percentage of regulated inventory" value to the statewide GHG inventory, to develop a range of analogous GHG CEQA thresholds.

The preceding methodology was applied to two different air quality districts: the Bay Area Air Quality Management District (BAAQMD), a mostly-urbanized agency within which most emissions are generated from urban areas; and the San Joaquin Valley Air Pollution Control District (SJVAPCD), which oversees emissions emanating in part from rural areas that are generated at dispersed agricultural sources and area sources. For example, in the Bay Area the NOx threshold is 15 tons/year. The total NOx inventory for 2006 was 192,000 tons/year (525 tons/day). The threshold represents 0.008 percent of the total NOx inventory. Applying that ratio to the total statewide GHG emissions inventory of 499 MMT CO_2e (2004) yields an equivalent GHG threshold of 39,000 MMT CO_2e.

The range of analogous CEQA GHG thresholds derived from those two agencies is tightly clustered, ranging from 39,000 to 46,000 tons/year. A 39,000 to 46,000 metric ton threshold would correspond to the GHG emissions of approximately 2,200 to 2,600 residential units, 1.5 to 1.8 million square feet of office space, 470,000 to 560,000 square feet of retail, and 275,000 to 320,000 square feet of supermarket space. This threshold would capture far less than half of new residential or commercial development. Similarly, this threshold would capture less of new industrial/manufacturing GHG emissions inventory than Thresholds 2.2 or 2.3.

Threshold 2.5: Unit-Based Thresholds Based on Market Capture

Unit thresholds were developed for residential and commercial developments in order to capture approximately 90 percent of future development. The objective was to set the unit thresholds low enough to capture a substantial fraction of future housing and commercial developments that will be constructed to accommodate future statewide population and job growth, while setting the unit thresholds high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions. Sector-based thresholds were created by using the same steps

and data used to create Threshold 2.2- Quantitative Threshold Based on Market Capture above.

The distribution of pending application data suggests that the GHG reduction burden will fall on larger projects that will be a relatively small portion of overall projects within more developed central cities and suburban areas of slow growth but would be the higher portion of projects within moderately or rapidly developing areas. The proposed threshold would exclude the smallest proposed developments from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. While this would exclude perhaps 10 percent of new residential development, the capture of 90 percent of new residential development would establish a strong basis for demonstrating that cumulative reductions are being achieved across the state. It can certainly serve as an interim measure and could be revised if subsequent regulatory action by CARB shows that a different level or different approach altogether is called for.

A similar rationale can be applied to the development of a commercial threshold. Threshold 2.5 would exclude many smaller businesses from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. It should be noted that the GHG emissions of commercial projects vary substantially. For example, the carbon dioxide emissions associated with different commercial types were estimated as follows:

- 30,000 square-foot (SF) office = 800 metric tons/year CO_2
- 30,000 SF retail = 2,500 metric tons/year CO_2
- 30,000 SF supermarket = 4,300 metric tons/year CO_2

Thus, in order to assure appropriate market capture on an emissions inventory basis, it will be important to examine commercial project size by type, instead of in the aggregate (which has been done in this paper).

The industrial sector is less amenable to a unit-based approach given the diversity of projects within this sector. One option would be to use a quantitative threshold of 900 tons for industrial projects in order to provide for rough equivalency between different sectors. Industrial emissions can result from both stationary and mobile sources. However, if the CARB rationale for > 90 percent stationary source capture with a threshold of 25,000 metric tons holds, then a 900 metric ton threshold would likely capture at least 90 percent (and likely more) of new industrial sources. Further examination of unit-based industrial thresholds, such as the number of employees or manufacturing floor space or facility size, may provide support for a unit-based threshold based on market capture.

This threshold would require the vast majority of new development emission sources to quantify their GHG emissions, apportion the forecast emissions to relevant source categories, and develop GHG mitigation measures to reduce their emissions.

Threshold 2.6. Projects of Statewide, Regional, or Areawide Significance

For this threshold, a set of qualitative, tiered CEQA thresholds would be adopted based on the definitions of "projects with statewide, regional or areawide significance" under the Guidelines for California Environmental Quality Act, CCR Title 14, Division 6, Section 15206(b).

Project sizes defined under this guideline include the following:

- Proposed residential development of more than 500 dwelling units.
- Proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
- Proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
- Proposed hotel/motel development of more than 500 rooms.
- Proposed industrial, manufacturing or processing plant or industrial park planned to house more than 1,000 persons, or encompassing more than 600,000 square feet of floor space.

These thresholds would correspond to the GHG emissions of approximately 9,000 metric tons for residential projects, 13,000 metric tons for office projects, and 41,000 metric tons for retail projects. These thresholds would capture approximately half of new residential development and substantially less than half of new commercial development. It is unknown what portion of the new industrial or manufacturing GHG inventory would be captured by this approach.

Threshold 2.7 Efficiency-Based Thresholds

For this approach, thresholds would be based on measurements of efficiency. For planning efforts, the metric could be GHG emissions per capita or per job or some combination thereof. For projects, the metric could be GHG emission per housing unit or per square foot of commercial space. In theory, one could also develop metrics for GHG emissions per dollar of gross product to measure the efficiency of the economy.

This approach is attractive because it seeks to benchmark project GHG intensity against target levels of efficiency. The thresholds would need to be set such that there is reasonably foreseeable and sufficient reductions compared to business as usual to support meeting AB 32 and S-3-05 goals in time (in combination with command and control regulations). Because this approach would require substantial data and modeling to fully develop, this is a concept considered as a potential future threshold and not appropriate

for interim guidance in the short term. Thus, it is not evaluated in the screening evaluation in the next section.

Table 3 compares the results for each of the approaches.

Table 3: Comparison of Approach 2 Tiered Threshold Options

Threshold	GHG Emission Threshold (metric tons/year)	Future Development Captured by GHG Threshold
2.1: Zero Threshold	0 tons/year	All
2.2: Quantitative Threshold Based on Market Capture	~900 tons/year	Residential development > 50 dwelling units Office space > 36,000 ft^2 Retail space >11,000 ft^2 Supermarkets >6.300 ft^2 small, medium, large industrial
2.3: CARB GHG Mandatory Reporting Threshold OR Potential Cap and Trade Entry Level	25,000 metric tons/year OR 10,000 metric tons/year	Residential development >1,400 dwelling units OR 550 dwelling units Office space >1 million ft^2 OR 400,000 ft^2 Retail space >300,000 ft^2 OR 120,000 ft^2 Supermarkets >175,000 ft^2 OR 70,000 ft^2 medium/larger industrial
2.4: Regulated Inventory Capture	40,000 – 50,000 metric tons/year	Residential development >2,200 to 2,600 dwelling units Office space >1.5 to 1.8 million ft^2 Retail space >470,000 to 560,000 ft^2 Supermarkets >270,000 to 320,000 ft^2 medium/larger industrial
2.5: Unit-Based Threshold Based on Market Capture	Not applicable.	Residential development >50 dwelling units Commercial space >50,000 ft^2 > small, medium, large industrial (with GHG emissions > 900 tonsCO2e)
2.6: Projects of Statewide, Regional, or Areawide Significance	Not applicable.	Residential development >500 dwelling units Office space >250,000 ft^2 Retail space >500,000 ft^2 Hotels >500 units Industrial project >1,000 employees Industrial project >40 acre or 650,000 ft^2
2.7: Efficiency-Based Thresholds	TBD tons/year/person TBD tons/year/unit	Depends on the efficiency measure selected.

Implementing CEQA With Tiered Thresholds

Several issues related to Approach 2 are addressed below:

1. *Some applications of this approach may need to be embodied in a duly approved General Plan, or in some other formal regulation or ordinance to be fully enforceable.* Because CEQA does not expressly provide that projects may be deemed insignificant based on implementation of a set of mitigations, this approach may need to be supported with specific and enforceable mechanisms adopted with due public process.

2. *How would this concept affect adoption of air district rules and regulations?* Proposed air district rules and regulations may be subject to CEQA like other projects and plans. Thus, if significance thresholds were adopted by an APCD or AQMD, then they could also apply to air district discretionary actions. If GHG emissions would be increased by a rule or regulation for another regulated pollutant, that would be a potential issue for review under CEQA.

3. *Mitigation measures may not be all-inclusive; better measures now or new future technology would make these measures obsolete.* The mandatory mitigation measures could be periodically updated to reflect current technology, feasibility, and efficiency.

4. *Total reduction may not be quantified or difficult to quantify.* CEQA only requires the adoption of feasible mitigation and thus the reduction effectiveness of required mitigation should not be in question. However, the precise reduction effectiveness may indeed be difficult to identify. As described above, if a quantitative threshold is selected as the measure of how much mitigation is mandated, then best available evidence will need to be used to estimate resultant GHG emissions with mitigation adoption. If a qualitative threshold is selected, then it may not be necessary to quantify reductions.

5. *Difficult to measure progress toward legislative program goals.* One could require reporting of project inventories to the Climate Action Registry, air district, or regional council of governments, or other suitable body. Collection of such data would allow estimates of the GHG intensity of new development over time, which could be used by CARB to monitor progress toward AB 32 goals.

6. *Measures may have adverse impacts on other programs.* The identification of mandatory mitigation will need to consider secondary environmental impacts, including those to air quality.

7. *Consideration of life-cycle emissions.* In many cases, only direct and indirect emissions may be addressed, rather than life-cycle emissions. A project applicant has traditionally been expected to only address emissions that are closely related and within the capacity of the project to control and/or influence. The long chain

8. of economic production resulting in materials manufacture, for example, involves numerous parties, each of which in turn is responsible for the GHG emissions associated with their particular activity. However, there are situations where a lead agency could reasonably determine that a larger set of upstream and downstream emissions should be considered because they are being caused by the project and feasible alternatives and mitigation measures may exist to lessen this impact.

Approach 2 Tiered Threshold with Mandatory Mitigation

As shown in Table 2, due to the cumulative nature of GHG emissions and climate change impacts, there could be a level of mandatory reductions and/or mitigation for all projects integrated into a tiered threshold approach. In order to meet AB 32 mandates by 2020 and S-3-05 goals, there will need to be adoption of GHG reduction measures across a large portion of the existing economy and new development. As such, in an effort to support a determination under CEQA that a project has a less than considerable contribution to significant cumulative GHG emissions, mitigation could be required on a progressively more comprehensive basis depending on the level of emissions.

- Level 1 Reductions – These reduction measures would apply to all projects and would only consist of AB 32 and other local/state mandates. They would be applied to a project from other legal authority (not CEQA). Level 1 reductions could include such measures as bike parking, transit stops for planned routes, Energy Star roofs, Energy Star appliances, Title 24 compliance, water use efficiency, and other measures. All measures would have to be mandated by CARB or local regulations and ordinances.

- Level 2 Mitigation – Projects that exceed the determined threshold would be required to first implement readily available technologies and methodologies with widespread availability. Level 2 Mitigation could include such measures as: parking reduction below code minimum levels, solar roofs, LEED Silver or Gold Certification, exceed Title 24 building standards by 20 percent, Traffic Demand Management (TDM) measures, and other requirements.

- Level 3 Mitigation - If necessary to reduce emissions to the thresholds, more extensive mitigation measures that represent the top tier of feasible efficiency design would also be required. Level 3 Mitigation could include such measures as: on-site renewable energy systems, LEED Platinum certification, exceed Title 24 building requirements by 40 percent, required recycled water use for irrigation, zero waste/high recycling requirements, mandatory transit pass provision, and other measures.

- Offset Mitigation – If, after adoption of all feasible on-site mitigation, the project is still found to exceed a Tier 2 quantitative threshold, or exceed a Tier 3 qualitative threshold, or if a project cannot feasibly implement the mandatory on-site mitigation, then purchases of offsets could be used for mitigation. In the case

of a quantitative threshold, the amount of purchase would be to offset below the Tier 2 significance threshold. In the case of a qualitative threshold, the amount of purchase could be to offset GHG emissions overall to below the lowest equivalent GHG emissions among the Tier 2 qualitative thresholds. With Threshold 2.5, this would be approximately 900 tons of GHG emissions (corresponding to 50 residential units). With Threshold 2.6, this would be approximately 9,000 tons (corresponding to 500 residential units). Alternatively, one could require purchase of offsets in the amount of a set percentage (such as 90% or 50% for example) of the residual GHG emissions (after other mitigation). As discussed earlier, any decision to include or require the use of emission reduction credits (or offsets) must consider issues of availability, quality, and environmental justice.

Substantial Evidence Supporting Different Thresholds

If a project can be shown by substantial evidence not to increase GHG emissions relative to baseline emissions, then no fair argument will be available that the project contributes considerably to a significant cumulative climate change impact.

It is more challenging to show that a project that increases GHG emissions above baseline emissions does not contribute considerably to a significant cumulative climate change impact. It is critical therefore, to establish an appropriate cumulative context, in which, although an individual project may increase GHG emissions, broader efforts will result in net GHG reductions.

Approach 1-based thresholds that by default will require an equal level of GHG reductions from the existing economy (Thresholds 1.1, 1.3, and 1.4) may be less supportable in the short run (especially before 2012) than Approach 1.2 (which requires new development to be relatively more efficient than a retrofitted existing economy). This is because, prior to 2012, there will only be limited mandatory regulations implementing AB 32 that could address the existing economy in a truly systematic way that can be relied upon to demonstrate that overall GHG reduction goals can be achieved by 2020. Approach 1.2 will still rely on substantial reductions in the existing economy but to a lesser degree.

Approach 1-based thresholds that would spread the mitigation burden across a sector (Threshold 1.3) or across a region (Threshold 1.4) will allow for tradeoffs between projects or even between municipalities. In order to demonstrate that a sector or a region is achieving net reductions overall, there would need to be feasible, funded, and mandatory requirements in place promoting an overall reduction scheme, in order for a project to result in nominal net increased GHG emissions.

Approach 2-based thresholds that capture larger portions of the new development GHG inventory (Thresholds 2.2 and 2.5) would promote growth that results in a smaller increase in GHG emissions; they may therefore be more supportable than thresholds that do not and that have a greater reliance on reductions in the existing economy (Thresholds

2.3, 2.4, and 2.6), especially in the next three to five years. With an established cumulative context that demonstrates overall net reductions, all threshold approaches could be effective in ensuring growth and development that significantly mitigates GHG emissions growth in a manner that will allow the CARB to achieve the emission reductions necessary to meet AB 32 targets. In that respect, all of these thresholds are supported by substantial evidence.

Evaluation of Non-Zero Threshold Options

Overarching issues concerning threshold development are reviewed below. Where appropriate, different features or application of the two conceptual approaches and the various options for thresholds under each conceptual approach described above are analyzed. The screening evaluation is summarized in Tables 4 (Approach 1) and 5 (Approach 2). The summary tables rate each threshold for the issues discussed below based on the level of confidence (low, medium or high) ascribed by J&S. The confidence levels relate to whether a threshold could achieve a particular attribute, such as emission reduction effectiveness. For example, a low emission reduction effectiveness rating means the threshold is not expected to capture a relatively large portion of the new development inventory.

As described above, Threshold 2.7 is not included in this evaluation because the data to develop an efficiency-based threshold has not been reviewed at this time and because this threshold is not considered feasible as an interim approach until more detailed inventory information is available across the California economy.

<u>What is the GHG Emissions Effectiveness of Different Thresholds?</u>

Effectiveness was evaluated in terms of whether a threshold would capture a large portion of the GHG emissions inventory and thus require mitigation under CEQA to control such emissions within the larger framework of AB 32. In addition, effectiveness was also evaluated in terms of whether a threshold would require relatively more or less GHG emissions reductions from the existing economy verses new development. This is presumptive that gains from the existing economy (through retrofits, etc.) will be more difficult and inefficient relative to requirements for new development.

Approach 1-based thresholds that require equivalent reductions relative to business-as-usual (Thresholds 1.1, 1.3, and 1.4) for both the existing and new economy will be less effective than thresholds that support lower-GHG intensity new development (Approach 1.2). However, since Approach 1-based thresholds do not establish a quantitative threshold below which projects do not have to mitigate, the market capture for new development is complete.

Approach 2-based thresholds can be more or less effective at capturing substantial portions of the GHG inventory associated with new development depending on where the quantitative or qualitative thresholds are set. Lower thresholds will capture a broader range of projects and result in greater mitigation. Based on the review of project data for

the select municipalities described in the Approach 2 section above, thresholds based on the CARB Reporting Threshold/Cap and Trade Entry Level (Threshold 2.4) or CEQA definitions of "Statewide, Regional or Areawide" projects (Threshold 2.6) will result in a limited capture of the GHG inventory. Lower quantitative or qualitative thresholds (Thresholds 2.1, 2.2 and 2.5) could result in capture of greater than 90 percent of new development.

Are the Different Thresholds Consistent with AB 32 and S-3-05?

Thresholds that require reductions compared to business-as-usual for all projects or for a large portion of new development would be consistent with regulatory mandates. In time, the required reductions will need to be adjusted from 2020 (AB 32) to 2050 (S-3-05) horizons, but conceptually broad identification of significance for projects would be consistent with both of these mandates. Thresholds that exclude a substantial portion of new development would likely not be consistent, unless it could be shown that other more effective means of GHG reductions have already been, or will be adopted, within a defined timeframe.

All Approach 1-based thresholds would be consistent with AB 32 and S-3-05 if it can be demonstrated that other regulations and programs are effective in achieving the necessary GHG reduction from the existing economy to meet the overall state goals.

Approach 2-based thresholds that include substantive parts of the new development GHG inventory (Thresholds 2.1, 2.2 and 2.5) will be more consistent with AB 32 and S-3-05 than those that do not (Thresholds 2.3, 2.4, and 2.6) unless it can be demonstrated that other regulations and programs are effective in achieving the necessary GHG reduction from the existing economy to meet the overall state goals.

What are the Uncertainties Associated with Different Thresholds?

All thresholds have medium to high uncertainties associated with them due to the uncertainty associated with the effectiveness of AB 32 implementation overall, the new character of GHG reduction strategies on a project basis, the immaturity of GHG reduction technologies or infrastructure (such as widespread biodiesel availability), and the uncertainty of GHG reduction effectiveness of certain technologies (such as scientific debate concerning the relative lifecycle GHG emissions of certain biofuels, for example).

In general, Approach 1-based thresholds have higher uncertainties than Approach 2 thresholds because they rely on a constantly changing definition of business-as-usual. Threshold 1.2, with its relatively smaller reliance on the existing economy for GHG reductions has relatively less uncertainty than other Approach 1 thresholds. Thresholds that spread mitigation more broadly (Thresholds 1.3 and 1.4) have less uncertainty by avoiding the need for every project to mitigate equally.

Approach 2 thresholds with lower quantitative (2.1 and 2.2) or qualitative (2.5) thresholds will have uncertainties associated with the ability to achieve GHG reductions

from small to medium projects. Approach 2 thresholds with higher quantitative (2.3, 2.4) or qualitative (2.6) thresholds will have uncertainties associated with the ability to achieve relatively larger GHG reductions from the existing economy.

What are Other Advantages/Disadvantages of the Different Thresholds?

Thresholds with a single project metric (Thresholds 1.1, 1.2, 2.1, 2.2, 2.3, 2.4, 2.5, and 2.6) will be easier to apply to individual projects and more easily understood by project applicants and lead agencies broadly. Thresholds that spread mitigation across sectors (1.3) or regions (1.4), while simple in concept, will require adoption of more complicated cross-jurisdictional reduction plans or evaluation of broad sector-based trends in GHG intensity reduction over time. Approach 1 options would require all projects to quantify emissions in order to determine needed reductions relative to business-as-usual (which will change over time as described above). Concepts that are unit-based (Threshold 2.5 and 2.6) will not result in thresholds that have equal amount of GHG emissions, and thus equity issues may arise.

Table 4: Non-Zero Threshold Evaluation Matrix – Approach 1

Approach 1	**1.1**	**1.2**	**1.3**	**1.4**
	28% - 33% Reduction from BAU by 2020 by Project	**50% Reduction from BAU by 2020 by Project**	**28% - 33% Reduction by 2020 by Sector**	**28% - 33% Reduction by 2020 by Region**
GHG Emissions Reduction Effectiveness	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.	**Medium** - Captures all new projects and has a more realistic level of reductions from the existing economy.	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.	**Low** - Captures all new projects but relies on a high level of reductions from the existing economy.
Economic Feasibility	**Low** - Some projects will not be able to afford this level of reduction without effective market-based mechanisms like offsets.	**Low** - Some projects will not be able to afford this level of reduction without effective market-based mechanisms like offsets.	**Medium** - Sectors as a whole will be better able to achieve reductions than individual projects.	**Low** - Some regions and newly developed areas may not be able to afford this level of reduction without effective market-based mechanisms like offsets.
Technical Feasibility	**Medium** - Some projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**Low** - Relatively larger set of projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**High** - Some projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets	**Medium** - Some regions and newly developed areas may not be able to afford this level of reduction without effective market-based mechanisms like offsets.
Logistical Feasibility	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.	**Low** - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions.
Consistency with AB-32 and S-03-05	**Medium** - Would require heavy reliance on command and control gains.	**High**	**Medium-High** - Would rely on command and control gains, but would allow sectoral flexibility.	**Medium-High** - Would rely on command and control gains, but would allow regional flexibility.
Cost Effectiveness	**Low** - Will require all types of projects to reduce the same regardless of the cost/ton of GHG reductions.	**Low** - Will require all types of projects to reduce the same regardless of the cost/ton of GHG reductions.	**Low/Medium** - Allows tradeoffs within sector between high and low cost reduction possibilities but not between sectors.	**Low/Medium** - Allows tradeoffs within region between high and low cost reduction possibilities, but not between regions.
Uncertainties	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.	**Medium/High** - BAU changes over time. Ability to limit GHG emissions from other new development will take years to demonstrate.	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.	**High** - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.
Other Advantages	Simple/easy to explain.	Simple/easy to explain.	Spreads mitigation broadly	Spreads mitigation broadly
Other Disadvantages	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.

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Table 5: Non-Zero Threshold Evaluation Matrix – Approach 2

Approach 2	2.1	2.2	2.3	2.4	2.5	2.6
	Zero Threshold	**Quantitative (900 tons)**	**Quantitative CARB Reporting Threshold/Cap and Trade (25,000 tons/ 10,000 tons)**	**Quantitative Regulated Inventory Capture (~40,000 - 50,000 tons)**	**Qualitative Unit-Based Thresholds**	**Statewide, Regional or Areawide (CEQA Guidelines 15206(b)).**
GHG Emissions Reduction Effectiveness	**High** - Captures all sources.	**High** - Market capture at >90%. Captures diverse sources.	**Medium** - Moderate market capture.	**Low** - Low market capture.	**High** - Market capture at ~90%. Captures diverse sources; excl. smallest proj.	**Medium** - Moderate market capture. Excludes small and med. projects.
Economic Feasibility	**Low** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**High** - Large projects have greater ability to absorb cost.	**High** - Large projects have greater ability to absorb cost.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**High** - Large projects have greater ability to absorb cost.
Technical Feasibility	**Low** - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	**Medium** - Early phases will be substantial change in BAU, esp. for smaller projects; may be inefficient to mitigate.	**High** - Greater opportunities for multiple reduction approaches.	**High** - Greater opportunities for multiple reduction approaches.	**Medium** - Early phases will be substantial change in BAU, particularly for smaller projects may be inefficient to mitigate.	**High** - Greater opportunities for multiple reduction approaches.
Logistical Feasibility	**Low** - Unless fee or offset basis,very difficult to mitigate all projects.	**Medium** - BMPs broadly written to allow diversity; new req. will take time to integrate into new dev.	**High** - Less mitigation.	**High** - Less mitigation.	**Medium** - BMPs broadly written to allow diversity; new req. will take time to integrate into new dev.	**High** - Less mitigation.
Consistency with AB-32 and S-03-05	**High** - Market capture.	**High** - Market capture at >90%.	**Low** - Would rely on command and control success heavily.	**Low** - Would rely on command and control success heavily.	**Medium** - Need to demonstrate adequate market capture over time.	**Low** - Would rely on command and control success heavily.
Cost Effectiveness	**Low** - Will result in inefficient mitigation approaches. Efficiency will improve in time.	**Medium** - Emphasis is on new dev., req. for mitigation will result in inefficient mitigation approaches in early phases. Efficiency will improve in time.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.	**Medium** - Emphasis is on new dev.; req. for mitigation will result in inefficient mitigation approaches in early phases. Efficiency will improve in time.	**Medium** - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.
Uncertainties	**High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects unlikely.	**Medium/High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects uncertain.	**High** - Gains from command and control likely longer to be realized.	**High** - Gains from command and control likely longer to be realized.	**Medium/High** - Time to adapt for res. and comm.. sectors. Ability to mitigate without market-based mechanism for smaller projects uncertain.	**High** - Gains from command and control likely longer to be realized.
Other Advantages	Single threshold.	Single threshold. BMPs can be updated. Greenlist can be updated.	Single threshold. Does not change CEQA processing for most projects. CARB inventory = project inv.. All projects treated same.	Single threshold. Does not change CEQA processing for most projects. Follows established SIP practice.	BMPs can be updated. Greenlist can be updated. Unit-Based thresholds can be updated.	Existing guideline. Does not change CEQA processing for most projects. Endorsed by Cal. Chapter of the APA.
Other Disadvantages	Requires all projects to quantify emissions.	Requires nearly all projects to quantify emissions.			Sectoral projects have different GHG emis. Only largest projects to quantify emis.	Sectoral projects have different GHG emissions.

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Introduction

This chapter evaluates the availability of various analytical methods and modeling tools that can be applied to estimate the greenhouse gas emissions from different project types subject to CEQA. This chapter will also provide comments on the suitability of the methods and tools to accurately characterize a projects emissions and offer recommendations for the most favorable methodologies and tools available. Some sample projects will be run through the methodologies and modeling tools to demonstrate what a typical GHG analysis might look like for a lead agency to meet its CEQA obligations. The air districts retained the services of EDAW environmental consultants to assist with this effort.

Methodologies/Modeling Tools

There are wide varieties of discretionary projects that fall under the purview of CEQA. Projects can range from simple residential developments to complex expansions of petroleum refineries to land use or transportation planning documents. It is more probably than not, that a number of different methodologies would be required by any one project to estimate its direct and indirect GHG emissions. Table 10 contains a summary of numerous modeling tools that can be used to estimate GHG emissions associated with various emission sources for numerous types of project's subject to CEQA. The table also contains information about the models availability for public use, applicability, scope, data requirements and its advantages and disadvantages for estimating GHG emissions.

In general, there is currently not one model that is capable of estimating all of a project's direct and indirect GHG emissions. However, one of the models identified in Table 9 would probably be the most consistently used model to estimate a projects direct GHG emissions based on the majority of projects reviewed in the CEQA process. The Urban Emissions Model (URBEMIS) is designed to model emissions associated with development of urban land uses. URBEMIS attempts to summarize criteria air pollutants and CO_2 emissions that would occur during construction and operation of new development. URBEMIS is publicly available and already widely used by CEQA practitioners and air districts to evaluate criteria air pollutants emissions against air district-adopted significance thresholds. URBEMIS is developed and approved for statewide use by CARB. The administrative reasons for using URBEMIS are less important than the fact that this model would ensure consistency statewide in how CO_2 emissions are modeled and reported from various project types.

One of the shortfalls of URBEMIS is that the model does not contain emission factors for GHGs other than CO_2, except for methane (CH_4) from mobile-sources, which is converted to CO_2e. This may not be a major problem since CO_2 is the most important GHG from land development projects. Although the other GHGs have a higher global warming potential, a metric used to normalize other GHGs to CO_2e, they are emitted in far fewer quantities. URBEMIS does not calculate other GHG emissions associated with

off-site waste disposal, wastewater treatment, emissions associated with goods and services consumed by the residents and workers supported by a project. Nor does URBEMIS calculate GHGs associated with consumption of energy produced off-site. (For that matter, URBEMIS does not report criteria air pollutant emissions from these sources either).

Importantly, URBEMIS does not fully account for interaction between land uses in its estimation of mobile source operational emissions. Vehicle trip rates are defaults derived from the Institute of Transportation Engineers trip generation manuals. The trip rates are widely used and are generally considered worst-case or conservative. URBEMIS does not reflect "internalization" of trips between land uses, or in other words, the concept that a residential trip and a commercial trip are quite possibly the same trip, and, thus, URBEMIS counts the trips separately. There are some internal correction settings that the modeler can select in URBEMIS to correct for "double counting"; however, a project-specific "double-counting correction" is often not available. URBEMIS does allow the user to overwrite the default trip rates and characteristics with more project-specific data from a traffic study prepared for a project.

Residential, Commercial, Mixed-Use Type Projects/ Specific Plans

Direct Emissions

URBEMIS can be used to conduct a project-specific model run and obtain CO_2e emissions for area and mobile sources from the project, and convert to metric tons CO_2e. When a project-specific traffic study is not available, the user should consult with their local air district for guidance. Many air district staff are experienced practitioners of URBEMIS and can advise the lead agency or the modeler on how to best tailor URBEMIS default input parameters to conduct a project-specific model run. When a traffic study has been prepared for the project, the user must overwrite default trip length and trip rates in URBEMIS to match the total number of trips and vehicle miles traveled (VMT) contained in the traffic study to successfully conduct a project-specific model run. URBEMIS is recommended as a calculation tool to combine the transportation study (if available) and EMFAC emission factors for mobile-sources. Use of a project-specific traffic study gets around the main shortfall of URBEMIS: the lack of trip internalization. URBEMIS also provides the added feature of quantifying direct area-source GHG emissions.

Important steps for running URBEMIS

1. Without a traffic study prepared for the project, the user should consult with the local air district for direction on which default options should be used in the modeling exercise. Some air districts have recommendations in the CEQA guidelines.

2. If a traffic study was prepared specifically for the project, the following information must be provided:

a. Total number of average daily vehicle trips *or* trip-generation rates by land use type per number of units; and,

b. Average VMT per residential *and* nonresidential trip.

c. The user overwrites the "Trip Rate (per day)" fields for each land use in URBEMIS such that the resultant "Total Trips" and the "Total VMT" match the number of total trips and total VMT contained in the traffic study.

d. Overwrite "Trip Length" fields for residential and nonresidential trips in UBEMIS with the project-specific lengths obtained form the traffic study.

3. Calculate results and obtain the CO_2 emissions from the URBEMIS output file (units of tons per year [TPY]).

Indirect Emissions

URBEMIS does estimate indirect emissions from landscape maintenance equipment, hot water heaters, etc. URBEMIS does not however, provide modeled emissions from indirect sources of emissions, such as those emissions that would occur off-site at utility providers associated with the project's energy demands. The California Climate Action Registry (CCAR) Protocol v.2.2 includes methodology, which could be used to quantify and disclose a project's increase in indirect GHG emissions from energy use. Some assumptions must be made for electrical demand per household or per square foot of commercial space, and would vary based on size, orientation, and various attributes of a given structure. An average rate of electrical consumption for residential uses is 7,000 kilowatt hours per year per household and 16,750 kilowatt hours per thousand square feet of commercial floor space. Commercial floor space includes offices, retail uses, warehouses, and schools. These values have been increasing steadily over the last 20 years. Energy consumption from residential uses has increased due to factors such as construction and occupation of larger homes, prices of electricity and natural gas, and increased personal income allowing residents to purchase more electronic appliances. Commercial energy consumption is linked to factors such as vacancy rates, population, and sales.

The modeler will look up the estimated energy consumption for the project's proposed land uses under year of project buildout, or use the values given in the previous paragraph for a general estimate. The CCAR Protocol contains emission factors for CO_2, CH_4, and nitrous oxide. The "CALI" region grid serves most of the State of California. If a user has information about a specific utility provider's contribution from renewable sources, the protocol contains methodology to reflect that, rather than relying on the statewide average grid. The incremental increase in energy production associated with project operation should be accounted for in the project's total GHG emissions for inclusion in the environmental document.

The incremental increase in energy production associated with project operation should be accounted for in the project's total GHG emissions, but it should be noted that these emissions would be closely controlled by stationary-source control-based regulations and additional regulations are expected under AB 32. However, in the interest of disclosing project-generated GHG emissions and mitigating to the extent feasible, the indirect emissions from off-site electricity generation can be easily calculated for inclusion in the environmental document.

Example Project Estimates for GHG Emissions

Residential Project

Project Attributes:

- 68 detached dwelling units
- 15.9 acres
- 179 residents
- 0 jobs
- Located in unincorporated Placer County (PCAPCD jurisdiction)
- Analysis year 2009

As shown in Table 6, the project's direct GHG emissions per service population (SP) would be approximately 8 metric tons CO_2e/SP/year.

Table 6: Residential Project Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	251	Residents	179
Mobile-source emissions	1,044	Jobs	0
Indirect emissions (from CCAR Protocol)	174		
Total operational emissions	**1,469**	Service population	179
Operational emissions/SP	**8.2**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population(see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Commercial Project

Project Attributes:

- Free Standing Discount Superstore: 241 thousand square feet (ksf)
- 0 residents

- 400 jobs
- Located in the San Joaquin Valley Air Pollution Control District's (SJVAPCD) jurisdiction
- Analysis year 2009

Table 7: Commercial Project Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	464	Residents	0
Mobile-source emissions	13,889	Jobs	400
Indirect emissions (from CCAR Protocol)	1,477		
Total operational emissions	**15,830**	Service population	400
Operational emissions/SP	**39.6**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Specific Plan

If used traditionally with default trip rates and lengths, rather than project-specific (Traffic Analysis Zone-specific) trip rates and lengths, URBEMIS does not work well for specific plan or general plan-sized projects with multiple land use types proposed. However, in all instances, projects of these sizes (several hundred or thousand acres) would be accompanied by a traffic study. Thus, for large planning-level projects, URBEMIS can be used as a calculation tool to easily obtain project-specific mobile-source emissions. The user should follow the steps discussed above; wherein he/she overwrites the default ITE trip rates for each land use type with that needed to make total VMT match that contained in the traffic study. The URBEMIS interface is a simple calculator to combine the traffic study and EMFAC emissions factors for mobile-source CO_2.

Project Attributes:

- 985 acres
- Total dwelling units: 5,634
- Commercial/Mixed Use: 429 ksf
- Educational: 2,565 ksf
- 14,648 residents
- 3,743 jobs
- Located in Sacramento County (SMAQMD jurisdiction)
- Analysis year 2009

Table 8: Specific Plan Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Area-source emissions	23,273	Residents	14,648
Mobile-source emissions	73,691	Jobs	3,743
Indirect emissions (from CCAR Protocol)	32,744		
Total operational emissions	**129,708**	Service population	18,391
Operational emissions/SP	**7.1**		

Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).

Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

The specific plan example, when compared to the residential or commercial examples, illustrates the benefit of a mixed-use development when you look at CO_2e emissions per resident or job (service population) metric (see definition of service population below in discussion of Normalization/Service Population Metric). Though this particular specific plan is not an example of a true jobs/housing balance, the trend is clear: accommodating residents and jobs in a project is more efficient than residents or jobs alone.

Stationary- and Area-Source Project Types

GHG emissions from stationary or area sources that require a permit to operate from the air district also contain both direct and indirect sources of emissions. Examples of these types of sources would be fossil fuel power plants, cement plants, landfills, wastewater treatment plants, gas stations, dry cleaners and industrial boilers. All air districts have established procedures and methodologies for projects subject to air district permits to calculate their regulated pollutants. It is anticipated that these same procedures and methodologies could be extended to estimate a permitted facility's GHG calculations. For stationary and area sources that do not require air district permits, the same methodologies used for permitted sources could be used in addition to URBEMIS and CCAR GRP to calculate GHG emissions from these facilities.

Wastewater Treatment Facilities

Direct GHG emissions associated with a proposed waste water treatment plant can be calculated using AP-42 emission factors from Chapter 4.3.5 Evaporative Loss Sources: Waste Water-Greenhouse Gases and the CCAR methodology. In general, most wastewater operations recover CH_4 for energy, or use a flare to convert the CH_4 to CO_2. There are many types of wastewater treatment processes and the potential for GHG emissions from different types of plants varies substantially. There is not one standard set of emission factors that could be used to quantify GHG emissions for a state

"average" treatment plant. Thus, research will need to be conducted on a case-by-case basis to determine the "Fraction Anaerobically Digested" which is a function of the type of treatment process. Indirect emissions from these facilities can be calculated using the CCAR energy use protocols and URBEMIS model for transportation emissions.

Solid Waste Disposal Facilities

Air districts will have emission estimate methodologies established for methane emissions at permitted landfills. In addition, EPA's Landfill Gas Emissions Model (LandGem) and the CCAR methodology could also be used to quantify GHG emissions from landfill off gassing; however, this model requires substantial detail be input. The model uses a decomposition rate equation, where the rate of decay is dependent on the quantity of waste in place and the rate of change over time. This modeling tool is free to the public, but substantial project detail about the operation of the landfill is needed to run the model. Indirect emissions from these facilities can be calculated using the CCAR energy use protocols and URBEMIS model for transportation emissions.

Construction Emissions

GHG emissions would occur during project construction, over a finite time. In addition, a project could result in the loss of GHG sequestration opportunity due primarily to the vegetation removed for construction. URBEMIS should be used to quantify the mass of CO_2 that would occur during the construction of a project for land development projects. Some construction projects would occur over an extended period (up to 20–30 years on a planning horizon for general plan buildout, or 5–10 years to construct a dam, for example). OFFROAD emission factors are contained in URBEMIS for CO_2 emissions from construction equipment. For other types of construction projects, such as roadway construction projects or levee improvement projects, SMAQMD's spreadsheet modeling tool, the Road Construction Emissions Model (RoadMod), should be used. This tool is currently being updated to include CO_2 emissions factors from OFFROAD.

The full life-cycle of GHG emissions from construction activities is not accounted for in the modeling tools available, and the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. The emissions disclosed will be from construction equipment and worker commutes during the duration of construction activities. Thus, the mass emissions in units of metric tons CO_2e/year should be reported in the environmental document as new emissions.

General Plans

In the short-term, URBEMIS can be used as a calculation tool to model GHG emissions from proposed general plans, but only if data from the traffic study is incorporated into model input. The same methodology applied above in the specific plan example applies to general plans. The CCAR GRP can be used to approximate indirect emissions from

increased energy consumption associated with the proposed plan area. The same models and methodologies discussed previously for wastewater, water supply and solid waste would be used to estimate indirect emissions resulting from buildout of the general plan.

In the longer-term, more complex modeling tools are needed, which would integrate GHG emission sources from land use interaction, such as I-PLACE^{3}S or CTG Energetics' Sustainable Communities Custom Model attempt to do. These models are not currently available to the public and only have applicability in certain areas of the state. It is important that a tool with statewide applicability be used to allow for consistency in project treatment, consideration, and approval under CEQA.

Scenarios

At the general plan level, the baseline used for analyzing most environmental impacts of a general plan update is typically no different from the baseline for other projects. The baseline for most impacts represents the existing conditions, normally on the date the Notice of Preparation is released. Several comparative scenarios could be relevant, depending on the exact methodological approach and significance criteria used for GHG assessment:

- Existing Conditions. The GHG emissions associated with the existing, on-the-ground conditions within the planning area.

- 1990 conditions. The GHG emissions associated with the general plan area in 1990. This is relevant due to the state's AB 32 GHG emission reduction goals' benchmark year of 1990. The GHG-efficiency of 1990 development patterns could be compared to that of the general plan buildout.

- Buildout of the Existing General Plan. The GHG emissions associated with buildout of the existing general plan (without the subject update). This is the no project alternative for the purposes of general plan CEQA analysis.

- Buildout of the Updated General Plan. The GHG emissions associated with buildout of the general plan, as proposed as a part of the subject update. This would include analysis of any changes included as a part of the general plan update for the existing developed portions of the planning area. Many communities include redevelopment and revitalization strategies as a part of the general plan update. The general plan EIR can include assumptions regarding what level and type of land use change could be facilitated by infill and redevelopment. Many jurisdictions wish to provide future projects consistent with these land use change assumptions with some environmental review streamlining. In addition, many communities include transit expansions, pedestrian/bicycle pathway improvements, multi-modal facility construction, travel demand policies, energy efficiency policies, or other measures that could apply to the existing developed area, just as they may apply to any new growth

areas. Such policies could affect the overall GHG emissions of the built out general plan area.

- Increment between Buildout of Updated General Plan and Existing General Plan Area. There are many important considerations associated with the characterization of the impact of the General Plan update. The actual GHG emissions impact could be described as the difference between buildout under the existing and proposed land use plan (No-Build Alternative). However, the courts have held that an EIR should also analyze the difference between the proposed General Plan and the existing environment (*Environmental Planning & Information Council v. County of El Dorado* (EPIC) (1982) 131 Cal.App.3d 350). At the General Plan level, over the course of buildout, some new land uses are introduced, which could potentially add operational GHG emissions and potentially remove existing sequestration potential. Some properties become vacant and are not redeveloped. Other properties become vacant and then are redeveloped. Communities cannot pretend to understand fully in advance each component of land use change. The programmatic document is the preferred method of environmental analysis. Through this programmatic framework, communities develop buildout assumptions as a part of the General Plan that are normally used as a basis of environmental analysis. For certain aspects of the impact analysis, it becomes important not just to understand how much "new stuff" could be accommodated under the updated General Plan, but also the altered interactions between both "new" and "existing" land uses within the planning area. As addressed elsewhere, there are tools available for use in understanding land use/transportation interactions at the General Plan level. Without the GHG targets established by AB 32, a simple mass comparison of existing conditions to General Plan buildout might be appropriate.

However, within the current legal context, the GHG efficiency of the updated General Plan becomes the focus of analysis. Some options in this regard include:

- Estimate the GHG emissions associated with all the land uses included within the planning area upon buildout of the General Plan using no project specific information (regional, countywide, or statewide defaults). Estimate GHG emissions using project specific information from the transportation engineer, transportation demand policies, community design elements, energy efficiency requirements, wastewater treatment and other public infrastructure design changes, and other components. Compare these two calculations. Is the second calculation reduced by the percent needed to meet AB 32 goals compared to the first calculation?

- Estimate the GHG emissions associated with the 1990 planning area and the per-capita or per-service population GHG associated with the 1990 planning area. (Many communities are establishing GHG inventories using different tools). Estimate the GHG emissions associated with buildout of the proposed General Plan update and the resulting per-capita or per-service population GHG

emissions. Compare the two calculations. Is the General Plan buildout per-capita or per-service population level greater than the 1990 estimate?

Example General Plan Update: Proposed new growth area

Project Attributes:

- 10,050 single family dwelling units
- 652 multi-family dwelling units
- 136 acres parks
- 2,047 ksf commercial (regional shopping center)
- 2,113 ksf office
- 383 acres industrial park
- 31,293 new residents
- 4,945 new jobs
- Located in Stanislaus County (SJVAPCD jurisdiction)
- Analysis year 2025

Table 9: General Plan Example GHG Emissions Estimates

URBEMIS Output (Project Specific)	Metric Tons/Year CO_2e	Demographic Data	
Construction emissions	12,083*	Residents	31,293
Area-source emissions	45,708		
Mobile-source emissions	263,954	Jobs	4,945
Indirect emissions (from CCAR Protocol)	78,385		
Total operational emissions	**388,046**	Service population	36,238
Operational emissions/SP	**10.7**		

* Approximately 241,656 metric tons CO_2e total at general plan buildout (assumes 20-year buildout period). Construction emissions were not included in total operational emissions.
Notes:
CO_2e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).
Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Due to the programmatic level of analysis that often occurs at the general plan level, and potential for many relevant GHG emission quantities, it could be preferable to use a qualitative approach. Such an analysis could address the presence of GHG-reducing policy language in the general plan.

Three possible tiers of approaches to addressing GHG mitigation strategies, either as general plan policy, general plan EIR mitigation measures, or both, include:

- Forward planning
- Project toolbox
- Defer to GHG reductions plan

The three basic approaches are described below.

1. Bring reduction strategies into the plan itself. The most effective way for local jurisdictions to achieve GHG emissions reductions in the medium- and long-term is through land use and transportation policies that are built directly into the community planning document. This involves creating land use diagrams and circulation diagrams, along with corresponding descriptive standards, that enable and encourage alternatives to travel and goods movement via cars and trucks. The land use and circulation diagrams provide a general framework for a community where people can conduct their everyday business without necessarily using their cars. The overall community layout expressed as a part of the land use and circulation diagrams is accompanied by a policy and regulatory scheme designed to achieve this community layout. Impact fees, public agency spending, regulations, administrative procedures, incentives, and other techniques are designed to facilitate land use change consistent with the communities' overall vision, as expressed in policy and in the land use diagram. There are many widely used design principles that can be depicted in land use and circulation diagrams and implemented according to narrative objectives, standards, and policies:

- Connectivity. A finely-connected transportation network shortens trip lengths and creates the framework for a community where homes and destinations can be placed close in proximity and along direct routes. A hierarchical or circuitous transportation network can increase trip lengths and create obstacles for walking, bicycling, and transit access. This policy language would likely be found in the Circulation Element.

- Compactness. Compact development, by its nature, can increase the efficiency of infrastructure provision and enable travel modes other than the car. If communities can place the same level of activity in a smaller space, GHG emissions would be reduced concurrently with VMT and avoid unnecessary conversion of open space. This policy language would likely be found in the Land Use Element.

- Diversity. Multiple land use types mixed in proximity around central "nodes" of higher-activity land uses can accommodate travel through means other than a car. The character and overall design of this land use mix is, of course, different from community to community. This policy language would likely be found in the Land Use Element.

- Facilities. Pedestrian, bicycle, and public transportation improvements, planning, and programming are sometimes an afterthought. To get a more GHG-efficient mode share, safe and convenient bike lanes, pedestrian pathways, transit shelters, and other facilities are required to be planned along with the vehicular travel network. This policy language would likely be found in the Circulation Element.

- Redevelopment. One way to avoid GHG emissions is to facilitate more efficient and economic use of the lands in already-developed portions of a community. Reinvestment in existing neighborhoods and retrofit of existing buildings is appreciably more GHG efficient than greenfield development, and can even result in a net reduction in GHG emissions. This policy language would likely be found in the Conservation or Land Use Element.

- Housing and Employment. Most communities assess current and future economic prospects along with long-range land use planning. Part of the objective for many communities is to encourage the coalescence of a labor force with locally available and appropriate job opportunities. This concept is best known as "jobs-housing balance." This policy language would likely be found in the Housing Element.

- Planning Level Versus Project Level. For transportation-related GHG emissions that local governments can mitigate through land use entitlement authority, the overall community land use strategy and the overall transportation network are the most fruitful areas of focus. The reduction capacity of project-specific mitigation measures is greatly limited if supportive land use and transportation policies are lacking at the community planning level. The regional economic context, of course, provides an important backdrop for land use and transportation policy to address GHG emissions. Within this context, the general plan is the readily available tool for local governments to establish such land use and transportation strategies. This policy language would likely be found in the Land Use and Circulation Elements.

- Shipping Mode Shift. Locate shipping-intensive land uses in areas with rail access. Some modes of shipping are more GHG-intensive than others. Rail, for example, requires only about 15 to 25 percent of the energy used by trucks to ship freight equivalent distances and involves reduced transportation-related GHG emissions. Cities and counties have little direct control over the method of shipment that any business may choose. Nevertheless, as a part of the general planning process, cities and counties can address constraints on the use of rail for transporting goods. This policy language would likely be found in the Land Use and Circulation Elements.

2. Provide a "toolbox" of strategies after the project site has been selected. In addition to the examples of design principles that are built into the community planning process, communities can offer project applicants a range of tools to reduce GHG emissions. Mitigation strategies are elaborated in detail in Chapter 9.

3. Defer to General Plan implementation measure. Develop and implement a GHG Emissions Reduction Plan. Another option for local governments would be development of an implementation measure as a part of the general plan that outlines an enforceable GHG reduction program. Perhaps the most well known example of this approach is the result of California's Attorney General settlement of the lawsuit brought against San

Bernardino County. The County has agreed to create a 1990 GHG inventory and develop measures to reduce such emissions according to the state's overall goals. Other communities have pursued similar programs (i.e., the City of San Diego, Marin County). Along with the inventories, targets, and example reduction measures, these programs would include quantitative standards for new development; targets for reductions from retrofitting existing development; targets for government operations; fee and spending program for GHG reduction programs; monitoring and reporting; and other elements. The local government itself should serve as a model for GHG reduction plan implementation, by inventorying emissions from government operations and achieving emission reductions in accordance with the plan's standards. An optional climate change element could be added to contain goals, policies, and this implementation strategy, or this could belong in an optional air quality element.

Other Project Types

Air District Rules, Regulations and Air Quality Plans

Air district air quality plans, rules and regulations could have the potential to increase or decrease GHG emissions within their respective jurisdiction. In general, air district air quality plans, rules and regulations act to reduce ozone precursors, criteria air pollutant and toxic air contaminant emissions, which would almost always act to reduce GHG emissions simultaneously. However, this may not always be the case.

Air Quality Plans

Air districts will have to include GHG emissions analysis as part of their criteria air pollutant and toxic air contaminant air pollutant analysis when considering the adoption of air quality plans and their subsequent rules and regulations needed to implement the plans. Multiple models and methodologies will be needed to accomplish this analysis.

Regional Transportation Plans

Regional transportation plans would also need to be evaluated on a case-by-case basis to determine if a net increase or decrease in GHG emissions would occur. Complex interactions between the roadway network, operating conditions, alternative transportation availability (such as public transit, bicycle pathways, and pedestrian infrastructure), and many other independent parameters specific to a region should be considered. Regional transportation models exist to estimate vehicular emissions associated with regional transportation plans, which includes the ability to estimate GHG emissions.

Normalization/Service Population Metric

The above methodology would provide an estimate of the mass GHG emissions generated by a proposed project, which could be compared to a mass emission threshold. EDAW developed a methodology that would measure a project's overall GHG efficiency

in order to determine if a project is more efficient than the existing statewide average for per capita GHG emissions. The following steps could be employed to estimate the GHG-"efficiency," which may be more directly correlated to the project's ability to help obtain objectives outlined in AB 32, although it relies on establishment of an efficiency-based significance threshold. The subcommittee believes this methodology may eventually be appropriate to evaluate the long-term GHG emissions from a project in the context of meeting AB 32 goals. However, this methodology will need substantially more work and is not considered viable for the interim guidance presented in this white paper.

- Divide the total operational GHG emissions by the Service Population (SP) supported by the project (where SP is defined as the sum of the number of residents and the number of jobs supported by the project). This value should be compared to that of the projected statewide GHG emissions inventory from the applicable end-use sectors (electricity generation, residential, commercial/institutional, and mobile-source) in 1990 divided by the projected statewide SP for the year 2020 (i.e., AB 32 requirements), to determine if the project would conflict with legislative goals.

    - If the project's operational GHG/SP falls below AB 32 requirements, then the project's GHG emissions are less than cumulatively considerable.

    - If the project's operational GHG/SP exceed AB 32 requirements (a substantial contribution), then the project's GHG emissions would conflict with legislative requirements, and the impact would be cumulatively considerable and mitigation would be required where feasible.

- New stationary and area sources/facilities: calculate GHG emissions using the CCAR GRP. All GHG emissions associated with new stationary or area sources should be treated as a net increase in emissions, and if deemed significant, should be mitigated where feasible.

- Road or levee construction projects or other construction-only projects: calculate GHG emissions using the RoadMod, which will be updated to contain GHG emission factors from EMFAC and OFFROAD. All construction-generated GHG emissions should be treated as a net increase, and if deemed significant, should be mitigated to the extent feasible.

- Air District rulemaking or air quality management plan-type projects should be evaluated on a case-by-case basis for secondary impacts of increased GHG emissions generation. In most cases, the types of projects that act to reduce regional air pollution simultaneously act to reduce GHG emissions, and would be beneficial, but should be evaluated for secondary effects from GHG emissions.

- Regional transportation plans should also be evaluated on a case-by-case basis for potential to either reduce or increase GHG emissions from the transportation sector. EMFAC can be utilized to determine the net change in GHG emissions

associated with projected vehicle VMT and from operating speed changes associated with additional or alleviated congestion.

To achieve the goals of AB 32, which are tied to GHG emission rates of specific benchmark years (i.e., 1990), California would have to achieve a lower rate of emissions per unit of population and per unit of economic activity than it has now. Further, in order to accommodate future population and economic growth, the state would have to achieve an even lower rate of emissions per unit than was generated in 1990. (The goal to achieve 1990 quantities of GHG emissions by 2020 means that this will need to be accomplished in light of 30 years of population and economic growth in place beyond 1990.) Thus, future planning efforts that would not encourage new development to achieve its fair share of reductions in GHG emissions would conflict with the spirit of the policy decisions contained in AB 32, thus impeding California's ability to comply with the mandate.

Thus, if a statewide context for GHG emissions were pursued, any net increase in GHG emissions within state boundaries would be considered "new" emissions. For example, a land development project, such as a specific plan, does not necessarily create "new" emitters of GHG, but would theoretically accommodate a greater number of residents in the state. Some of the residents that move to the project could already be California residents, while some may be from out of state (or would 'take the place' of in-state residents who 'vacate' their current residences to move to the new project). Some may also be associated with new births over deaths (net population growth) in the state. The out-of-state residents would be contributing new emissions in a statewide context, but would not necessarily be generating new emissions in a global context. Given the California context established by AB 32, the project would need to accommodate an increase in population in a manner that would not inhibit the state's ability to achieve the goals of lower total mass of emissions.

The average net influx of new residents to California is approximately 1.4 percent per year (this value represents the net increase in population, including the net contribution from births and deaths). With population growth, California also anticipates economic growth. Average statewide employment has grown by approximately 1.1 percent over the last 15 years. The average percentage of population employed over the last 15 years is 46 percent. Population is expected to continue growing at a projected rate of approximately 1.5 percent per year through 2050. Long-range employment projection data is not available from the California Department of Finance (DOF) and can be extrapolated in different ways (e.g., linear extrapolation by percentage rate of change, percentage of population employed, mathematical series expansion, more complex extrapolation based on further research of demographic projections such as age distribution). Further study would be needed to refine accurate employment projections from the present to 2050. For developing this framework, employment is assumed to have a constant proportionate relationship with the state's population. The projected number of jobs is assumed to be roughly 46 percent of the projected population.

In light of the statewide context established by California law, consistency is most important for evaluating GHG emissions from projects. Thus, URBEMIS and the CCAR GRP are the recommended tools for quantification of GHG emissions from most project types in the short term. Over the long term, more sophisticated models that integrate the relationship between GHG emissions and land use, transportation, energy, water, waste, and other resources, and have similar application statewide would have better application to the problem, but may not currently be as accessible or as easily operable. I-PLACE^{3}S and CTG Energetics' Sustainable Communities Model (SCM) are two examples of such models that contain emission factors for GHGs, which could be refined to have applicability statewide and made available to CEQA practitioners. Other models are likely to be developed, given the importance of this issue.

Short-Term and Long-Term Methodologies

The following tools can be used to quantify a project's GHG emissions until tools that are more comprehensive become available statewide:

1. Land development projects: URBEMIS 2007 v. 9.2 and the CCAR GRP v. 2.2 (short-term); further development of I-PLACE^{3}S or CTG's Sustainable Communities Model (long-term).
2. New stationary and area sources/facilities: AP-42 Chapter 4.3, LandGem v. 3.02, and/or CCAR GRP v. 2.2.
3. Road or levee construction projects or other construction-only projects: RoadMod/OFFROAD 2007.

Ideally, I-PLACE^{3}S or CTG's Sustainable Communities Model would be expanded to apply to all regions of the state. These types of models use an integrated approach, which is the best approach for reasonably approximating the emissions that result from interaction between land uses, but neither is available to the public and would create consistency problems in reporting emissions from projects across the state if these were used today. However, a similar model with statewide applicability will likely be developed due to the importance of the issue.Table 10 Summary of Modeling Tools for Estimating GHG Emissions and Project Applicability

Table 10: Summary of Modeling Tools for GHG Emissions

Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
URBEMIS 2007	*Public domain -Download (www.urbemis.com) free of charge*	*Land development and construction projects (construction, mobile- and area-source emissions)*	*Local*	*Fairly Easy*	*Land use information, construction and operational data and assumptions (e.g., jurisdiction, acres of land use type, year of operation, etc.)*	*Mobile-source Construction & Operational CO_2 (lb/day or tons/year)*	*-Recommended for land use development and construction projects -Also recommended for net change in land use (zoning changes)*	*-Does not quantify indirect emissions from energy consumption or other GHGs (except methane from mobile-sources) -Free, available to public, and applicable statewide -Widely used for assessment of other air quality impacts*
California Climate Action Registry General Reporting Protocol v. 2.2	*Public guidance document*	*Indirect emissions from land development projects, stationary- and area-source facilities regulated under AB 32*	*State*	*Easy*	*Energy consumption*	*CO_2e (Metric tons/year)*	*-Recommended for indirect emissions from energy consumption for land use development projects, and for new stationary- or area- sources to be regulated*	*-Contains emission factors for CH_4 and N_2O in addition to CO_2 -Does not contain emission factors broken down by utility provider (statewide average grid only)*
Clean Air and Climate Projection (CACP) Software	*Public agencies (members of ICLEI, NACAA, or similar)*	*Local governments used for emissions inventories*	*Local*	*N/A*	*Energy usage, waste generation/disposal transportation*	*CO_2e (tons/year)*	*-Recommended for inventories of local government entities activities (must be a member of affiliated agency or group)*	*-Not available to public*
CTG Sustainable Communities Model	*Custom model*	*Land development*	*Regional, scalable*	*N/A*	*Land use information, operational (mobile, energy, economic, infrastructure) assumptions*	*CO_2e (tons/year)*	*-An integrated and comprehensive modeling tool, but cannot obtain*	*-Not available to public*

Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
I-PLACE^{3}S	*Access fee through local COG* *Only available for eight California counties*	*Land use change*	*Regional, scalable*	*Fairly Easy*	*Parcel information*	*CO_2 (lb/day or tons/year)*	*-Recommended for land use development projects and land use changes* *-Especially good for general plans*	*-Not freely available to public* *-Not applicable statewide* *-Actually provides insight into land use interaction* *-Can include very specific project attributes* *-Trip rates are from behavioral survey data, instead of ITE*
EMFAC 2007	*Public domain*	*On-road mobile-sources*	*Statewide, regional*	*Fairly Easy*	*Vehicle fleet information*	*CO_2 (grams/mile)*	*-Not recommended for most projects (URBEMIS preferred)* *-Could be used for certain Air District Rulemaking applications*	*-Can compare emissions based on speed-distribution* *-Emission factors contained in URBEMIS* *-Not a stand-alone model*
OFFROAD 2007	*Public domain*	*Off-road mobile sources (construction equipment)*	*Statewide, regional*	*Fairly Easy*	*Construction fleet information*	*CO_2 (lb/day)*	*-Not recommended (URBEMIS preferred)* *-could be used for certain Air District Rulemaking applications (re: construction equipment)*	*-Emission factors contained in URBEMIS*
RoadMod (to be updated to include CO_2)	*Public domain*	*Off-road and on-road mobile sources (construction equipment and material haul trucks)*	*Statewide*	*Easy*	*Construction information*	*CO_2 (lb/day or tons/project)*	*-Recommended for construction-only projects (linear in nature; i.e., levees, roads, pipelines)*	*-To be updated to support emissions factors from OFFROAD 2007*

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Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
DTIM	*Public domain*	*On-road mobile-sources*	*Statewide, regional*	*Difficult (consists of a series of three programs and requires input files from traffic and emissions modeling)*	*-EMFAC files* *-Traffic model output files (e.g., link, interzonal, and trip end data)* *-User options file* *-Optional files*	*CO_2 (tons/year)*	*-Not recommended*	*-Not updated to support EMFAC 2007 emission factors* *-Input files include output files from regional transportation models which more accurately reflect VMT*
Southeast Climate Change Partnership Spreadsheet Model (UK)	*Public domain http://www.climatesoutheast.org.uk/*	*UK Local government/ agencies/ organizations used for emissions inventories*	*Local, county, regional*	*Fairly easy*	*Energy usage, waste generation/disposal, transportation*	*CO_2 (tonnes/year)*	*-Not recommended for use in California, but could be a valuable source for building an applicable spreadsheet model*	*-Applicability for UK, but could be updated with CA-specific emission factors*
EPA AP-42; Evaporation Loss Sources Chapter 4.3.5	*Public reference document*	*GHG emissions from waste water treatment facilities*	*Facility level*	*Easy equation; substantial research needed to use*	*Biochemical oxygen demand (BOD) loading, Fraction anaerobically digested*	*CH4 (lb/year)*	*-Recommended for Publicly owned treatment works (POTW) projects*	*-Substantial research needed to determine the "fraction anaerobically digested" parameter, which is dependent on the type of treatment plant/process*
LandGem v. 3.02	*Public domain http://www.epa.gov/ttn/catc/dir1/landgem-v302.xls*	*GHG emissions from anaerobic decomposition associated with landfills*	*Facility Level*	*Moderate*	*Solid waste processing, year of analysis, lifetime of waste in place*	*CO_2, CH_4 (Mega grams/year)*	*-Recommended for landfill emissions*	*-Emission rates change dependent on years of decomposition, waste in place rates of change.* *-Complex decomposition rate equation, but good first approximation*

Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/ Disadvantages
CARROT	*Registry members*	*Stationary source emissions, vehicle fleet mobile sources*	*Facility level*	*Moderate*	*Facility-specific information*	*All GHGs*	*-Recommended for reporting facilities under AB 32 and for indirect emissions from energy consumption (CCAR Protocol)*	*-Estimates all GHGs and normalizes to CO_2e* *-Not publicly available*

Notes:

GHG = greenhouse gas; AB = assembly bill; CO_2e = carbon dioxide equivalent; CH_4 = methane; N_2O = nitrous oxide; COG = council of governments ; ITE = Institute of Transportation Engineers; CCAR = California Climate Action Registry

Source: Data compiled by EDAW and the California Air Pollution Control Officers Association in 2007

Introduction

This chapter (and Appendix B) identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions that would be identified using the analytical methodologies included in this white paper. The Subcommittee retained the services of EDAW to assist with this effort. EDAW performed a global search of mitigation measures currently in practice and under study that would reduce GHG emissions.

Table 16 (Appendix B) provides a brief description of each measure along with an assessment of their feasibility (from a standpoint of economical, technological, and logistical feasibility, and emission reduction effectiveness), and identifies their potential for secondary impacts to air quality. During the global search performed, EDAW also took note of GHG reduction strategies being implemented as rules and regulation (e.g., early action items under AB 32), which are summarized in Table 18 (Appendix C). It is important to note that though compliance with such would be required by regulation for some sources, such strategies may be applicable to other project and source types.

The recurring theme that echoes throughout a majority of these measures is the shift toward New Urbanism, and research has consistently shown that implementation of Neotraditional Development techniques reduces VMT and associated emissions. The material reviewed assessed reductions from transportation-related measures (e.g., bicycle, pedestrian, transit, and parking) as a single comprehensive approach to land use. This comprehensive approach focuses on development design criteria conducive to enhancing alternate modes of transportation, including transit, walking, and bicycling. Transportation Demand Management (TDM) programs are viewed as a mechanism to implement specific measures. TDM responsibilities may include offering incentives to potential users of alternative modes of transportation and monitoring and reporting mode split changes.

The comprehensive approach makes it more difficult to assess reductions attributable to each measure. Nevertheless, there is a strong interrelationship between many of the measures, which justifies a combined approach. Consider the relationship between bike parking nonresidential, bike parking residential, endtrip facilities, and proximity to bike path/bike lane measures. In reality, these measures combined act as incentives for one individual to bike to work, while implementation of a single measure without the others reduces effectiveness.

The global nature of GHG emissions is an important feature that enables unique mitigation: abatement. When designing a project subject to CEQA, the preferred practice is first to avoid, then to minimize, and finally to compensate for impacts. Where the impact cannot be mitigated on-site, off-site mitigation is often and effectively implemented in several resource areas, either in the form of offsetting the same impact or preserving the resource elsewhere in the region. Frequently, mitigation fee programs or funds are established, where the proponent pays into the program and fees collected

throughout the region or state are used to implement projects that, in turn, proportionately offset the impacts of the projects to the given resource. It may be more cost-effective to reduce as much GHG on-site as feasible (economically and technologically). Then the proponent would pay into a "GHG retrofit fund" to reduce equivalent GHG emissions off-site. In contrast to regional air pollutant offset programs such as the Carl Moyer Program, it matters greatly where reductions of ozone precursors occur, as ozone affects regional air quality. The GHG retrofit fund could be used to provide incentives to upgrade older buildings and make them more energy efficient. This would reduce demand on the energy sector and reduce stationary source emissions associated with utilities. This program has been successfully implemented in the United Kingdom where developments advertise "carbon neutrality." Of course, some GHG emissions occur associated with operation of the development, but the development would offset the remainder of emissions through off-site retrofit. Avoiding emissions that would otherwise continue to occur at existing development would be a unique opportunity for mitigation of GHG emissions. Reduction of GHG emissions also may have important side benefits including reduction of other forms of pollution.

Depending on the significance threshold concept adopted, projects subject to the CEQA process would either qualitatively or quantitatively identify the amount of GHG emissions associated with their project using the analytical methodologies identified in the previous chapter. The analysis would then apply the appropriate number of mitigation measures listed in Appendix B to their project to reduce their GHG emissions below the significance level. Calculating the amount of GHG emission reductions attributable to a given mitigation measure would require additional research. The examples below illustrate how a project would be mitigated using this approach.

Residential Project Example

Project Attributes:

- 68 detached dwelling units
- 15.9 acres
- Located in unincorporated Placer County PCAPCD jurisdiction)
- Assume URBEMIS defaults for a rural project in Placer County, in absence of a traffic study (This is contrary to the recommendations contained under Task 1; a traffic study is necessary to asses project-specific GHG emissions).
- Analysis year 2009

Table 11: Residential Project Example GHG Emissions Estimates with Mitigation

URBEMIS Output (Unmitigated)	Metric Tons/Year CO_2e	URBEMIS Output (Mitigated)	Metric Tons/Year CO_2e	Percent Reduction
Area-source emissions	252	Area-source emissions	215	14.6
Mobile-source emissions	1,047	Mobile-source emissions	916	12.5
Total direct operational emissions (area + mobile)	1,299	Total operational emissions (area + mobile)	1,131	12.9

Notes:
CO_2e = carbon dioxide equivalent

Sources: Data compiled by EDAW in 2007

Using URBEMIS 2007 and assuming the project would implement the mitigation measures listed below, yearly project-generated emissions of CO_2e would be reduced by approximately 13 percent. Implementation of the following mitigation measures is assumed:

- 100 housing units within one-half-mile radius of project's center, including this project's 68 residential units;
- provision of 80 jobs in the study area;
- retail uses present with one-half-mile radius of project's center;
- 10 intersections per square mile;
- 100% of streets with sidewalks on one side;
- 50% of streets with sidewalks on both sides;
- 30% of collectors and arterials with bike lanes, or where suitable, direct parallel routes exist;
- 15% of housing units deed restricted below market rate;
- 20% energy efficiency increase beyond Title 24; and
- 100% of landscape maintenance equipment electrically powered and electrical outlets in front and rear of units.

Example Project Methodology and Mitigation

Table 12 –Residential Projects Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	URBEMIS (EMFAC emission factors)	MM T-3→MM T-8, MM T-10→ MM T-14, MM T-16, MM T-19→ MM T-21 MM D-2→MM D-8, MM D-10→ MM D-15, MM D-17 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	URBEMIS	MM D-13→MM D-15, MM D-17 MM E-1→MM E-8, MM E-10, MM E-12→MM E-23 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	CCAR GRP & CEC	

Table 13 –Commercial Projects Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	URBEMIS (EMFAC emission factors)	MM T-1→MM T-2, MM T-4→ MM T-15, MM T-17→MM T-21 MM D-1→MM D-3, MM D-5→ MM D-6, MM D-10, MM D-12, MM D-14→MM D-17 MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	URBEMIS	MM D-14→MM D-17 MM E-1, MM E-4→MM E-13, MM E-16→MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	CCAR GRP & CEC	

Table 14 –Specific Plans Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MM T-1→MM T-21 MM D-1→MM D-12, MM D-18→ MM D-19 MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MM D-13→MM D-19 MM E-1→MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Indirect Emissions		
Energy Consumption	Short-term: CCAR GRP & CEC. Long-term: I-PLACE^{3}S/CTG SCM	

General Plans

- Include a general plan policy to reduce emissions within planning area to a level consistent with legislative requirements.
- Implementation strategies include preparation of a GHG reduction plan.
- Projects consistent with a general plan could be responsible for complying with such a policy.

Table 15 –General Plans Example Methodology and Mitigation

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors).	MS G-1 MM G-15
Mobile Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MS G-1 MS G-2→MS C-7, MS G-9, MS G-12, MS-13→MS-14, MS-16→MS-23
Area Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE^{3}S/CTG SCM	MS G-1 MS G-8→MS C-11, MS G-134, MS G-12, MS-15, MS-17, MS-22
Indirect Emissions		
Energy Consumption	Short-term: CCAR GRP & CEC. Long-term: I-PLACE^{3}S/CTG SCM	

Other Project Types

Air District Rules and Regulations

Air district rules and regulations could have the potential to increase or decrease GHG emissions within the respective jurisdiction. In general, air district rules and regulations act to decrease criteria air pollutant or toxic air contaminant emissions, which would usually act to reduce GHG emissions simultaneously. However, this may not always be the case and air district rules and regulations could address emissions from a large variety of different source types. Reductions of GHG emissions associated with implementation of applicable mitigation, which could also vary greatly, would need to be evaluated on a case-by-case basis. However, once applicable mitigation measures are identified, percent reductions based on the best available research to date, such as those specified in Table 15, could be applied to determine mitigated emissions.

Air Quality Plans

Similarly to air district rules and regulations, air quality plans could have the potential to increase or decrease GHG emissions because of criteria air pollutant reduction strategies. In general, strategies implemented by air districts to reduce criteria air pollutants also act to reduce GHG emissions. However, this may not always be the case. Reductions of GHG emissions associated with implementation of applicable mitigation would need to be evaluated on a case-by-case basis. The methodology identified above for determining whether the strategies contained within the GHG reduction plan would adhere to the level specified in general plan policy could also be used to determine the reductions associated with CAP strategies.

Regional Transportation Plans

Regional transportation plans and reductions of GHG emissions associated with implementation of applicable mitigation would also need to be evaluated on a case-by-case basis to determine if a net increase or decrease in GHG emissions would occur. Complex interactions between the roadway network, operating conditions, alternative transportation availability (such as public transit, bicycle pathways, and pedestrian infrastructure), and many other independent parameters specific to a region should be considered. EMFAC 2007 can be used with VMT from the RTP to create an inventory of GHG emissions. Reductions associated with implementation of applicable measures contained in Table 16 could be accomplished by accounting for VMT reductions in the traffic model.

Many states, counties, and cities have developed policies and regulations concerning greenhouse gas emissions that seek to require or promote reductions in GHG emissions through standards for vehicle emissions, fuels, electricity production/renewables, building efficiency, and other means. However, we could only identify three public agencies in the United States that are considering formally requiring the analysis of greenhouse gas emissions and climate change for development projects during their associated environmental processes. There may be others, but they were not identified during research conducted during preparation of this paper.

The following is a summary of those three efforts.

Commonwealth of Massachusetts - MEPA Greenhouse Gas Emissions Policy and Protocol

The Massachusetts Executive Office of Energy and Environmental Affairs (EEA) has determined that the phrase "damage to the environment" as used in the Massachusetts Environmental Policy Act (MEPA) includes the emission of greenhouse gases caused by projects subjects to MEPA Review. EEA has published a Greenhouse Gas Emissions Policy (GGEP) to fulfill the statutory obligation to take all feasible measurers to avoid, minimize or mitigate damage to the environment.

The GGEP concerns the following projects only:

- The Commonwealth or a state agency is the proponent;
- The Commonwealth or a state agency is providing financial assistance;
- The project is privately funded, but requires an Air Quality Permit from the department of Environmental Protection;
- The project is privately funded, but will generate:
    - 3,000 or more new vehicle trips per day for office projects;
    - 6,000 or more new vehicle trips per day for mixed use projects that are 25% or more office space; or
    - 10,000 or more new vehicle trips per day for other projects.

As a comparison, the trip generation amounts correspond as follows:

- 3,000 vehicle trips per day = approximately 250,000 square foot office development;
- 6,000 or more new vehicle trips per day for mixed use projects that are 25% or more office space = if 25% office space, then equivalent to approximately 130,000 square feet of office and either 100,000 square feet of retail or 450 single-family residential units or some combination thereof.
- 10,000 or more new vehicle trips per day = approximately 1,000 single family residential units or 250,000 square feet retail.

The draft policy states it is not intended to create a numerical GHG emission limit or a numerical GHG emissions reduction target, but rather to ensure that project proponents and reviewers have considered the GHG emissions impacts of their projects and taken all feasible means and measure to reduce those impacts.

The draft policy notes that some projects within these categories will have little or no greenhouse gas emission and the policy will not apply to such projects. EEA intends to identify in the scoping certificate whether a project falls within this *de minimis* exception.

The GGEP requires qualifying projects to do the following:

- to quantify their GHG emissions;
- identify measures to minimize or mitigate such emissions;
- quantify the reduction in emissions and energy savings from mitigation.

Emissions inventories are intended to focus on carbon dioxide, but analysis of other GHGs may be required for certain projects. EEA will require analysis of direct GGH emissions and indirect (electricity and transportation) emissions. The GGEP references the protocols prepared by the World Resource Institute as guidance for inventory preparation.

The policy is still in draft form, but the comment period closed on August 10, 2007.

King County, Washington - Executive Order on the Evaluation of Climate Change Impacts through the State Environmental Policy Act (SEPA)

On June 27, 2007, the King County Executive Ron Sims directed all King County Departments, as follows:

> *"...effective September 1, 2007 to require that climate impacts, including, but not limited to those pertaining to greenhouse gases, be appropriately identified and evaluated when such Departments are acting as the lead agency in reviewing the environmental impacts of private or public proposals pursuant to the State Environmental Policy Act".*

The Executive Order does not define what a "climate impact" is. Based on statements of the County Deputy Chief of Staff[*]

- County agencies will ask project proponents to supply information on transportation, energy usage and other impacts of proposed projects using the County's existing SEPA checklist.

[*] Marten Law Group: Environmental News, August 1, 2007, "King County (WA) First in Nation to Require Climate Change Impacts to be Considered During Environmental Review of New Projects".

- There is no current plan to require project proponents to take action to mitigate the impacts identifies.
- Development of emissions thresholds and mitigation requirements will be undertaken in connection with the County's upcoming 2008 update of its Comprehensive Plan.

Sacramento Metropolitan Air Quality Management District

The Sacramento Metropolitan Air Quality Management District released an interim guidance on addressing climate change in CEQA documents on September 6, 2007. While very general in nature, the District recommends that CEQA environmental documents include a discussion of anticipated GHG emissions during both the construction and operation phases of the project. This includes assessing the GHG emissions from projects (using readily available models) to determine whether a project may have a significant impact. If so, then the District recommends addressing all of the District's GHG mitigation measures (drawn from comments made by the California Attorney General) – with explanations on how the mitigation will be implemented or providing rationale for why a measure would be considered infeasible. The District provides assistance to agencies in their analysis of GHG emissions and the applicability of specific mitigation measures. The District's guidance can be found at: http://64.143.64.21/climatechange/ClimateChangeCEQAguidance.pdf

Mendocino Air Quality Management District – CEQA Guidelines

The Mendocino AQMD updated its "Guidelines for Use During Preparation of Air Quality Impacts in EIRs or Mitigated Negative Declarations" in May 2007. The guidelines call for preparing estimates of the increased emissions of air contaminations (including GHG) for projects.

The guidelines state that GHG emissions should be presumed to have a significant impact if CO emissions from District-approved modeling exceed either of the following:

- 80% of the level defined as significant for stationary sources in Regulation1, Rule 130 (s2) of the District (which is 550 lbs/day for CO, meaning a threshold of 440 lbs/day for CO for stationary sources); or
- levels established in District Regulation 1 Rule 130 (i2) for indirect sources (which is 690 lbs/day for CO for indirect sources).

If an average passenger vehicle emits 22 grams of CO/mile and 0.8 lb/mile of CO_2, then the 690-lb/day threshold for CO corresponds to approximately 11,400 lb/day CO_2 threshold for passenger vehicle-related emissions. If one assumes that the average passenger vehicle goes 12,500 miles/year (about 35 miles/day), then this is a threshold equivalent to about 420 vehicles. Using an average in California of about 1.77 vehicles/household, this would correspond to about 250 households/dwelling units.

Appendix A

Relevant Citations

Citations from the Public Resources Code (Division 13, §21000 et seq.) as amended through January 1, 2005.

Public Resources Code – Section 21004, MITIGATING OR AVOIDING A SIGNIFICANT EFFECT; POWERS OF PUBLIC AGENCY:
"In mitigating or avoiding a significant effect of a project on the environment, a public agency may exercise only those express or implied powers provided by law other than this division. However, a public agency may use discretionary powers provided by such other law for the purpose of mitigating or avoiding a significant effect on the environment subject to the express or implied constraints or limitations that may be provided by law."

Public Resources Code – Section 21082.2, SIGNIFICANT EFFECT ON ENVIRONMENT; DETERMINATION; ENVIRONMENTAL IMPACT REPORT PREPARATION:
(a) The lead agency shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record.
(b) The existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment.
(c) Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.
(d) If there is substantial evidence, in light of the whole record before the lead agency, that a project may have a significant effect on the environment, an environmental impact report shall be prepared.
(e) Statements in an environmental impact report and comments with respect to an environmental impact report shall not be deemed determinative of whether the project may have a significant effect on the environment.

Citations from the Guidelines for California Environmental Quality Act, CCR, Title 14, Division 6 (§15000 et seq.) as amended through July 27, 2007.

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO= Carbon Monoxide; CO_2=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EVs/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m^2=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO_X=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SJVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=Sacramento Metropolitan Air Quality Management District; SMUD=Sacramento Municipal Utilities District; SO_x=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTPI=Victoria Transit Policy.

State CEQA Guidelines – Section 15064, DETERMINING THE SIGNIFICANCE OF THE ENVIRONMENTAL EFFECTS CAUSED BY A PROJECT:

(a) Determining whether a project may have a significant effect plays a critical role in the CEQA process.

(1) If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, the agency shall prepare a draft EIR.

(2) When a final EIR identifies one or more significant effects, the Lead Agency and each Responsible Agency shall make a finding under Section 15091 for each significant effect and may need to make a statement of overriding considerations under Section 15093 for the project.

(b) The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.

(c) In determining whether an effect will be adverse or beneficial, the Lead Agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency. Before requiring the preparation of an EIR, the Lead Agency must still determine whether environmental change itself might be substantial.

(d) In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.

(1) A direct physical change in the environment is a physical change in the environment which is caused by and immediately related to the project. Examples of direct physical changes in the environment are the dust, noise, and traffic of heavy equipment that would result from construction of a sewage treatment plant and possible odors from operation of the plant.

(2) An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. If a direct physical change in the environment in turn causes another change in the environment, then the other change is an indirect physical change in the environment. For example, the construction of a new sewage treatment plant may facilitate population growth in the service area due to the increase in sewage treatment capacity and may lead to an increase in air pollution.

(3) An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.

(e) Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a

project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. For example, if a project would cause overcrowding of a public facility and the overcrowding causes an adverse effect on people, the overcrowding would be regarded as a significant effect.
(f) The decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency.
(1) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment, the lead agency shall prepare an EIR (Friends of B Street v. City of Hayward (1980) 106 Cal.App.3d 988). Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect (No Oil, Inc. v. City of Los Angeles (1974) 13 Cal.3d 68).
(2) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment then a mitigated negative declaration shall be prepared.
(3) If the lead agency determines there is no substantial evidence that the project may have a significant effect on the environment, the lead agency shall prepare a negative declaration (Friends of B Street v. City of Hayward (1980) 106 Cal.App. 3d 988).
(4) The existence of public controversy over the environmental effects of a project will not require preparation of an EIR if there is no substantial evidence before the agency that the project may have a significant effect on the environment.
(5) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion support by facts.
(6) Evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.
(7) The provisions of sections 15162, 15163, and 15164 apply when the project being analyzed is a change to, or further approval for, a project for which an EIR or negative declaration was previously certified or adopted (e.g. a tentative subdivision, conditional use permit). Under case law, the fair argument standard does not apply to determinations of significance pursuant to sections 15162, 15163, and 15164.
(g) After application of the principles set forth above in Section 15064(f)(g), and in marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts

over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.
(h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
(2) A lead agency may determine in an initial study that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. When a project might contribute to a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures set forth in a mitigated negative declaration, the initial study shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable.
(3) A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project.
(4) The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

State CEQA Guidelines – Section 15130, DISCUSSION OF CUMULATIVE IMPACTS:
(a)(3). "An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.

State CEQA Guidelines – Section 15064.7, THRESHOLDS OF SIGNIFICANCE:
"Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level

of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant."

Appendix B

Mitigation Measure Summary

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Transportation								
Bicycle/Pedestrian/Transit Measures								
MM T-1: Bike Parking	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	1%-5%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates combined reductions among individual measures (e.g., 2.5% reduction for all bicycle-related measures and one-quarter of 2.5% for each individual measure) (TIAX 2005, EDAW 2006, SMAQMD 2007). VTPI presents % reductions for showers and combined measures in the TDM encyclopedia (VTPI	Yes: Lockers ($1,200-$2,950, $700/bike on average), Racks ($70-$2,000, $70/bike on average).	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	Caltrans, Portland Bicycle Master Plan (City of Portland 1998), CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Nonresidential projects provide plentiful short- and long-term bicycle parking facilities to meet peak season maximum demand (e.g., one bike rack space per 20 vehicle/employee parking spaces.
IM T-2: End of rip Facilities	LD (C, M), I, SP, TP, AQP, RR, P/Mobile		Yes	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Nonresidential projects provide "end-of-trip" facilities including showers, lockers, and changing space (e.g., four clothes lockers and one shower provided for every 80 employee parking spaces, separate facilities for each gender for projects with 160 or more employee parking spaces).
MM T-3: Bike-Parking at Multi-	LD (R, M), SP, AQP, RR,		Yes: Lockers ($1,200-	Yes (Caltrans 2005,	Yes (Caltrans	Adverse: No Beneficial:		Long-term bicycle parking is provided at apartment

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO= Carbon Monoxide; CO_2=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EVs/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m^2=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO_X=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SJVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=Sacramento Metropolitan Air Quality Management District; SMUD=Sacramento Municipal Utilities District; SO_x=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTPI=Victoria Transit Policy.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Unit Residential	P/Mobile	2007). JSA bases estimates on CCAP information (JSA 2004).	$2,950, $700/bike on average), Racks ($70-$2,000, $70/bike on average).	Dierkers et al. 2007, VTPI 2007)	2005, Dierkers et al. 2007, VTPI 2007)	CAPs, TACs		complexes or condominiums without garages (e.g., one long-term bicycle parking space for each unit without a garage). Long-term facilities shall consist of one of the following: a bicycle locker, a locked room with standard racks and access limited to bicyclists only, or a standard rack in a location that is staffed and/or monitored by video surveillance 24 hours per day.
[M T-4: roximity to Bike Path/Bike Lanes	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile		Yes	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Entire project is located within one-half mile of an existing/planned Class I or Class II bike lane and project design includes a comparable network that connects the project uses to the existing offsite facility. Project design includes a designated bicycle route connecting all units, on-site bicycle parking facilities, offsite bicycle facilities, site entrances, and primary building entrances to existing Class I or Class II bike lane(s) within one-half mile. Bicycle route connects to all streets contiguous with project site. Bicycle route has minimum conflicts with automobile parking and circulation

MV00180015

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								facilities. All streets internal to the project wider than 75 feet have Class II bicycle lanes on both sides.

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO= Carbon Monoxide; CO_2=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EVs/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m^2=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO_X=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SJVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=Sacramento Metropolitan Air Quality Management District; SMUD=Sacramento Municipal Utilities District; SO_x=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTPI=Victoria Transit Policy.

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-5: Pedestrian Network	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-10%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates 1% for each individual measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	The project provides a pedestrian access network that internally links all uses and connects to all existing/planned external streets and pedestrian facilities contiguous with the project site. Project design includes a designated pedestrian route interconnecting all internal uses, site entrances, primary building entrances, public facilities, and adjacent uses to existing external pedestrian facilities and streets. Route has minimal conflict with parking and automobile circulation facilities. Streets (with the exception of alleys) within the project have sidewalks on both sides. All sidewalks internal and adjacent to project site are minimum of five feet wide. All sidewalks feature vertical curbs. Pedestrian facilities and improvements such as grade separation, wider sidewalks, and traffic calming are implemented wherever feasible to minimize pedestrian barriers. All site entrances provide pedestrian access.
MM T-6: Pedestrian	LD (R, C, M), I, SP, TP,		Yes	Yes (Dierkers et al. 2007,	Yes (Dierkers et	Adverse: No Beneficial:		Site design and building placement minimize barriers to

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Barriers Minimized	AQP, RR, P/Mobile			VTPI 2007)	al. 2007, VTPI 2007)	CAPs, TACs		pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation are eliminated.
MM T-7: Bus Shelter for Existing/Planned Transit Service	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-2%/High: CCAP presents these % reductions (Dierkers et al., 2007). SMAQMD assigns from .25%-1%, depending on headway frequency (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes: $15,000-$70,000.	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, City of Calgary (City of Calgary 2004), CA air quality management and control districts, and cities/counties.	Bus or streetcar service provides headways of one hour or less for stops within one-quarter mile; project provides safe and convenient bicycle/pedestrian access to transit stop(s) and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).

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Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-8: Traffic Calming	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-10%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates .25%-1.0% for each individual measure depending on percent of intersections and streets with improvements (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Project design includes pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways are designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming features. All sidewalks internal and adjacent to project site are minimum of five feet wide. All sidewalks feature vertical curbs. Roadways that converge internally within the project are routed in such a way as to avoid "skewed intersections;" which are intersections that meet at acute, rather than right, angles. Intersections internal and adjacent to the project feature one or more of the following pedestrian safety/traffic calming design techniques: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, and roundabouts or mini-circles. Streets internal and adjacent to the project feature pedestrian safety/traffic calming measures such as on-street parking, planter strips with street trees,

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								and chicanes/chokers (variations in road width to discourage high-speed travel).
Parking Measures								
MM T-9: Paid Parking (Parking Cash Out)	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a range of 1.0%-7.2%, depending on cost/day and distance to transit (TIAX 2005, EDAW 2006, SMAQMD 2007). Shoupe presents a 21% reduction [$5/day for commuters to downtown LA, with elasticity of -0.18 (e.g., if price increases 10%, then solo driving goes down by 1.8% more)] (Shoupe 2005). Urban Transit Institute	Yes: Vary by location and project size.	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Project provides employee and/or customer paid parking system. Project must have a permanent and enforceable method of maintaining user fees for all parking facilities. The facility may not provide customer or employee validations. Daily charge for parking must be equal to or greater than the cost of a transit day/monthly pass plus 20%.

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Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		presents a range of 1%-10% reduction in trips to central city sites, and 2%-4% in suburban sites (VTPI 2007).						
MM T-10: Minimum Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a maximum of 6% (Nelson/Nygaard Consulting Associates, 2005, TIAX 2005, EDAW 2006).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007), Note that in certain areas of the state, the minimum parking required by code is greater than the peak period parking demand for most land uses. Simply meeting minimum code requirements in these areas would not result in an emissions reduction.	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, Governor's Office of Smart Growth (Annapolis, Maryland) (Zimbler), CA air quality management and control districts, and cities/counties.	Provide minimum amount of parking required. Once land uses are determined, the trip reduction factor associated with this measure can be determined by utilizing the ITE parking generation publication. The reduction in trips can be computed as shown below by the ratio of the difference of minimum parking required by code and ITE peak parking demand to ITE peak parking demand for the land uses multiplied by 50%. Percent Trip Reduction = 50 * [(min parking required by code – ITE peak parking demand)/ (ITE peak parking demand)]

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-11: Parking Reduction Beyond Code/Shared Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a maximum of 12% (Nelson/Nygaard, 2005, TIAX 2005, EDAW 2006).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Provide parking reduction less than code. This measure can be readily implemented through a shared parking strategy, wherein parking is utilized jointly among different land uses, buildings, and facilities in an area that experience peak parking needs at different times of day and day of the week.
MM T-12: Pedestrian athway hrough Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-4%/Moderate: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates 0.5% reduction for this measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances.

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Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-13: Off - Street Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-4%/Moderate: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates a range of 0.1%-1.5% for this measure (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Parking facilities are not adjacent to street frontage.
IM T-14: arking Area ree Cover	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	Annual net CO_2 reduction of 3.1 kg/m^2 canopy cover/Moderate (McPherson 2001).	Yes: $19 per new tree for CA, cost varies for maintenance, removal and replacement (McPherson 2001).	Yes	Yes	Adverse: VOCs Beneficial: CAPs, TACs	AG, State of CA Department of Justice (Goldberg 2007) and cities/counties (e.g., parking lot ordinances in Sacramento, Davis, and Los Angeles, CA).	Provide parking lot areas with 50% tree cover within 10 years of construction, in particular low emitting, low maintenance, native drought resistant trees. Reduces urban heat island effect and requirement for air conditioning, effective when combined with other measures (e.g., electrical maintenance equipment and reflective paving material).
MM T-15: Valet Bicycle Parking	LD (C, M), SP, AQP, TP, RR, P/Mobile	NA/Low	Yes	Yes	Yes: Raley Field (Sacramento, CA)	Adverse: No Beneficial: CAPs, TACs	Raley Field (Sacramento, CA).	Provide spaces for the operation of valet bicycle parking at community event "centers" such as amphitheaters, theaters, and stadiums.
MM T-16: Garage Bicycle Storage	LD (R, M), SP, AQP, TP, RR, P/Mobile	NA/Low	Yes: Less than $200/multiple bike rack.	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	City of Fairview, OR	Provide storage space in one-car garages for bicycles and bicycle trailers.

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM T-17: Preferential Parking for EVs/CNG Vehicles	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	USGBC, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Provide preferential parking space locations for EVs/CNG vehicles.
MM T-18: Reduced/No Parking Fee for EVs/CNG Vehicles	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Hotels (e.g., Argonaut in San Francisco, CA)	Provide a reduced/no parking fee for EVs/CNG vehicles.

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Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Miscellaneous Measure								
MM T-19: TMA Membership	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-28%/High: CCAP presents a range of 3%-25% for TDMs with complementary transit and land use measures (Dierkers et al. 2007). VTPI presents a range of 6%-7% in the TDM encyclopedia (VTPI 2007). URBEMIS offers a 2%-10% range in reductions for a TDM that has 5 elements that are pedestrian and transit friendly and 1%-5% for 3 elements. SMAQMD presents a reduction of 5% (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Include permanent TMA membership and funding requirement. Funding to be provided by Community Facilities District or County Service Area or other nonrevocable funding mechanism. TDMs have been shown to reduce employee vehicle trips up to 28% with the largest reductions achieved through parking pricing and transit passes. The impact depends on the travel alternatives.
MM T-20: ULEV	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes: Higher than corresponding gasoline models.	Yes	Yes: Fueling stations might not be readily available depending on location. More than 900 E85 fueling	Adverse: No Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Use of and/or provide ULEV that are 50% cleaner than average new model cars (e.g., natural gas, ethanol, electric).

MV00180025

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					stations in the U.S., 5 in CA. Vehicles available in select regions only			
MM T-21: Flex Fuel Vehicles	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	5466.97 lb GHG/year/Low (DOE Fuel Economy)	Yes: E85 costs less than gasoline per gallon, but results in lower fuel economy.	Yes	Yes: More than 900 E85 fueling stations in the U.S., 5 in CA. Vehicles available in select regions only	Adverse: Yes Issues with the energy intensive ethanol production process (e.g., wastewater treatment requirements). Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., SJVAPCD).	Use of and/or provide vehicles that utilize gasoline/ethanol blends (e.g., E85).
Design								
Commercial & Residential Building Design Measures								
MM D-1: Office/Mixed Use Density	LD (C, M), SP, TP, AQP, RR, P/Mobile	0.05%-2%/Moderate: This range is from SMAQMD, depending	Yes	Yes (VTPI 2007)	Yes (VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties	Project provides high density office or mixed-use proximate to transit. Project must provide

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		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		on FAR and headway frequencies (Nelson/Nygaard Consulting Associates 2005, EDAW 2006, SMAQMD 2007).					(e.g., SMAQMD).	safe and convenient pedestrian and bicycle access to all transit stops within one-quarter mile.
MM D-2: Orientation to Existing/Planned Transit, Bikeway, or Pedestrian Corridor	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	0.4%-1%/Moderate: CCAP attributes a 0.5% reduction per 1% improvement in transit frequency (Dierkers et al. 2007). SMAQMD presents a range of 0.25%-5% (JSA 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007)	Yes (Dierkers et al. 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project is oriented towards existing transit, bicycle, or pedestrian corridor. Setback distance between project and existing or planned adjacent uses is minimized or nonexistent. Setback distance between different buildings on project site is minimized. Setbacks between project buildings and planned or existing sidewalks are minimized. Buildings are oriented towards existing or planned street frontage. Primary entrances to buildings are located along planned or existing public street frontage. Project provides bicycle access to any planned bicycle corridor(s). Project provides pedestrian access to any planned pedestrian corridor(s).
MM D-3: Services Operational	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	0.5%-5%/Moderate	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides on-site shops and services for employees.

MV00180027

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-4: Residential Density (Employ Sufficient Density for New Residential Development to Support the Use of Public Transit)	LD (R, M), SP, TP, AQP, RR, P/Mobile	1%-40%/High: #7, EPA presents a range of 32%-40% (EPA 2006). SMAQMD presents a range of 1%-12% depending on density and headway frequencies (Nelson/Nygaard Consulting Associates 2005, JSA 2005, EDAW 2006, SMAQMD 2007). Nelson/Nygaard presents a trip reduction formula: Trip Reduction = 0.6*(1-(19749*((4.814+ households per residential acre)/(4.814+7.14))^-06.39)/25914).	Yes	Yes (VTPI 2007, Holtzclaw 2007)	Yes (VTPI 2007, Holtzclaw 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides high-density residential development. Transit facilities must be within one-quarter mile of project border. Project provides safe and convenient bicycle/pedestrian access to all transit stop(s) within one-quarter mile of project border.
MM D-5: Street Grid	LD (R, C, M), I, SP, TP, AQP, RR,	1%/Moderate: SMAQMD presents this % reduction (JSA	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007,	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties	Multiple and direct street routing (grid style). This measure only applies to projects

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	P/Mobile	2005, EDAW 2006, SMAQMD 2007).			VTPI 2007)		(e.g., SMAQMD).	with an internal CF >/= 0.80, and average of one-quarter mile or less between external connections along perimeter of project. [CF= # of intersections / (# of cul-de-sacs + intersections)]. Cul-de-sacs with bicycle/pedestrian through access may be considered "complete intersections" when calculating the project's internal connectivity factor. External connections are bike/pedestrian pathways and access points, or streets with safe and convenient bicycle and pedestrian access that connect the project to adjacent streets, sidewalks, and uses. If project site is adjacent to undeveloped land; streets, pathways, access points, and right-of-ways that provide for future access to adjacent uses may count for up to 50% of the external connections. Block perimeter (the sum of the measurement of the length of all block sides) is limited to no more than 1,350 feet. Streets internal to the project should connect to streets external to the project whenever possible.

MV00180029

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-6: NEV Access	LD (R, C, M), SP, TP, AQP, RR, P/Mobile	0.5%-1.5%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (Litman 1999, Sperling 1994)	Yes (Litman 1999, Sperling 1994)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Make physical development consistent with requirements for neighborhood electric vehicles. Current studies show that for most trips, NEVs do not replace gas-fueled vehicles as the primary vehicle.
MM D-7: Affordable Housing Component	LD (R, M), SP, TP, AQP, RR, P/Mobile	0.4%-6%/Moderate: SMAQMD presents this % reduction (Nelson/Nygaard Consulting Associates 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Residential development projects of five or more dwelling units provide a deed-restricted low-income housing component on-site (or as defined in the code). Developers who pay into In-Lieu Fee Programs are not considered eligible to receive credit for this measure. The award of emission reduction credit shall be based only on the proportion of affordable housing developed on-site because in-lieu programs simply induce a net increase in development. Percentage reduction shall be calculated according to the following formula:

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Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								% reduction = % units deed-restricted below market rate housing * 0.04
MM D-8: Recharging Area	LD (R, M), SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Provide residential buildings with a "utility" room or space for recharging batteries, whether for use in a car, electric lawnmower, other electric landscaping equipment, or even batteries for small items such as flashlights.
Mixed-Use Development Measures								
MM D-9: Urban Mixed-Use	LD (M), SP, TP, AQP, RR, P/Mobile	3%-9%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Development of projects predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with functional interrelationships and a coherent physical design.
MM D-10: Suburban Mixed-Use	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	3%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Have at least three of the following on site and/or offsite within one-quarter mile: Residential Development, Retail Development, Park, Open Space, or Office.
MM D-11: Other Mixed-Use	LD (R, M), SP, TP, AQP, RR, P/Mobile	1%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAW	Yes	Yes (EPA 2006)	Yes (EPA 2006)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	All residential units are within one-quarter mile of parks, schools or other civic uses.

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MV00180031

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
		2006, SMAQMD 2007).						
MM D-12: Infill Development	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	3%-30%/High: Infill development reduces vehicle trips and VMT by 3% and 20%, respectively (Fehr & Peers 2007). CCAP identifies a site level VMT reduction range of 20%-30% (Dierkers et al. 2007).	Yes	Yes (Dierkers et al. 2007)	Yes (Dierkers et al. 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project site is on a vacant infill site, redevelopment area, or brownfield or greyfield lot that is highly accessible to regional destinations, where the destinations rating of the development site (measured as the weighted average travel time to all other regional destinations) is improved by 100% when compared to an alternate greenfield site.
Miscellaneous Measures								
MM D-13: Electric Lawnmower	LD (R, M), SP, AQP, RR, P/Area	1%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Provide a complimentary electric lawnmower to each residential buyer.

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Item No. E.2
MV00180032

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM D-14: Enhanced Recycling/Waste Reduction, Reuse, Composting	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Low	Yes	Yes	Yes: Association with social awareness.	Adverse: No Beneficial: CAPs, TACs	CIWMB	Provide infrastructure/education that promotes the avoidance of products with excessive packaging, recycle, buying of refills, separating of food and yard waste for composting, and using rechargeable batteries.
MM D-15: LEED Certification	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Moderate	Yes: Receive tax rebates, incentives (e.g., EDAW San Diego office interior remodel cost $1,700,000 for 32,500 square feet) (USGBC 2007)	Yes	Yes: More than 700 buildings of different certifications in CA (USGBC 2007).	Adverse: No Beneficial: CAPs, TACs	USGBC, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.
MM D-16: Retro-Commissioning	LD (C, M), I, SP, AQP, RR, P/Stationary & Area	8%-10% reduction in energy usage/Moderate: (Mills et al. 2004)	Yes: Average $0.28/square feet, varies with building size (Haasl and Sharp 1999).	Yes	Yes: 27 projects underway in CA, 21 more to be completed in 2007, mostly state buildings owned by DGS (DGS 2007).	Adverse: No Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	The process ensures that all building systems perform interactively according to the contract documents, the design intent and the owner's operational needs to optimize energy performance.
MM D-17 Landscaping	LD (R, C, M), I, SP, AQP, RR,	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Alliance for the Chesapeake Bay, EPA Green Landscaping	Project shall use drought resistant native trees, trees with low emissions and high carbon

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Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	P/Stationary & Area						Resources	sequestration potential. Evergreen trees on the north and west sides afford the best protection from the setting summer sun and cold winter winds. Additional considerations include the use of deciduous trees on the south side of the house that will admit summer sun; evergreen plantings on the north side will slow cold winter winds; constructing a natural planted channel to funnel summer cooling breezes into the house. Neighborhood CCR's not requiring that front and side yards of single family homes be planted with turf grass. Vegetable gardens, bunch grass, and low-water landscaping shall also be permitted, or even encouraged.
MM D-18: Local Farmers' Market	LD (M), SP/Mobile, Stationary, &	NA/Low	Yes	Yes	Yes: Associated with social	Adverse: No Beneficial: CAPs, TACs	Cities/counties (e.g., Davis, Sacramento)	Project shall dedicate space in a centralized, accessible location for a weekly farmers' market.

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Mitigation Measure Summary

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		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
	Area				choice and public awareness.			
MM D-19: Community Gardens	LD (M), SP/Mobile, Stationary, & Area	NA/Low	Yes	Yes	Yes: Associated with social choice and public awareness.	Adverse: No Beneficial: CAPs, TACs	Cities/counties (e.g., Davis)	Project shall dedicate space for community gardens.
Energy Efficiency/Building Component								
MM E-1: High-efficiency pumps	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Project shall use high-efficiency pumps.
MM E-2: Wood Burning Fireplaces/Stoves	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low: EDAW 2006	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project does not feature fireplaces or wood burning stoves.
MM E-3: Natural Gas Stove	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low: EDAW 2006	Yes: Cost of stove—$350 (gas) and $360 (electric) same brand, total yearly cost of $42.17 as opposed to $56.65 for electric (Saving Electricity 2006).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project features only natural gas or electric stoves in residences.

MV00180035

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Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-4: Energy Star Roof	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	0.5%-1%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes: 866 Energy Star labeled buildings in California (Energy Star 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project installs Energy Star labeled roof materials.
MM E-5: On-site Renewable Energy System	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	1%-3%/Moderate: SMAQMD presents this % reduction (USGBC 2002 and 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project provides onsite renewable energy system(s). Nonpolluting and renewable energy potential includes solar, wind, geothermal, low-impact hydro, biomass and bio-gas strategies. When applying these strategies, projects may take advantage of net metering with the local utility.

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		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-6: Exceed Title 24	LD (R, C, M), I, GSP, AQP, RR, P/Stationary & Area	1%/Moderate: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (PG&E 2002, SMUD 2006)	Yes (PG&E 2002, SMUD 2006)	Adverse: No Beneficial: CAPs, TACs	PG&E, SMUD, CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project exceeds title 24 requirements by 20%.
MM E-7: Solar Orientation	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	0.5%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project orients 75% or more of homes and/or buildings to face either north or south (within 30° of N/S). Building design includes roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows. Trees, other landscaping features and other buildings are sited in such a way as to maximize shade in the summer and maximize solar access to walls and windows in the winter.
MM E-8: Nonroof Surfaces	LD (R, C, M), I, GSP, AQP, RR, P/Stationary & Area	1.0%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's nonroof impervious surfaces, including parking lots, walkways, plazas, etc.; OR place a minimum of 50% of parking spaces underground or covered by structured parking; OR use an open-grid pavement system (less than 50% impervious) for a minimum of

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								50% of the parking lot area. The mitigation measure reduces heat islands (thermal gradient differences between developed and undeveloped areas to minimize impact on microclimate and human and wildlife habitats. This measure requires the use of patented or copyright protected methodologies created by the ASTM. The SRI is a measure of the constructed surface's ability to reflect solar heat, as shown by a small rise in temperature. It is defined so that a standard black (reflectance 0.05, emittance 0.90) is "0" and a standard white (reflectance 0.80, emittance 0.90) is 100. To calculate SRI for a given material, obtain the reflectance value and emittance value for the material. SRI is calculated according to ASTM E 1980-01. Reflectance is measured

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		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
								according to ASTM E 903, ASTM E 1918, or ASTM C 1549. Emittance is measured according to ASTM E 408 or ASTM C 1371. Default values for some materials will be available in the LEED-NC v2.2 Reference Guide.
MM E-9: Low-Energy Cooling	LD (C, M), I, SP, AQP, RR, P/Stationary & Area	1%-10%/Low: EDAW presents this percent reduction range (EDAW 2006).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project optimizes building's thermal distribution by separating ventilation and thermal conditioning systems.
[M E-10: reen Roof	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	1.0%/Moderate: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: Increased Water Consumption Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Install a vegetated roof that covers at least 50% of roof area. The reduction assumes that a vegetated roof is installed on a least 50% of the roof area or that a combination high albedo and vegetated roof surface is installed that meets the following standard: (Area of SRI Roof/0.75)+(Area of vegetated roof/0.5) >= Total Roof Area. Water consumption reduction measures shall be considered in the design of the green roof.
MM E-11: EV Charging Facilities	LD (C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: $500-$5000/ vehicle site (PG&E 1999)	Yes	Yes: 381 facilities in CA (Clean Air Maps 2007).	Adverse: No Beneficial: CAPs, TACs	DOE, EERE, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Project installs EV charging facilities.
MM E-12:	LD (R, C, M),	NA/Low: Increasing	Yes: Light	Yes	Yes: Apply	Adverse: No		Project provides light-colored

MV00180039

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Light-Colored Paving	I, SP, AQP, RR, P/Stationary & Area	the albedo of 1,250 km of pavement by 0.25 would save cooling energy worth $15M per year.	colored aggregates and white cement are more expensive than gray cement. Certain blended cements are very light in color and may reflect similarly to white cement at an equivalent cost to normal gray cement.		natural sand or gravel colored single surface treatments to asphalt (EOE 2007).	Beneficial: CAPs, TACs		paving (e.g., increased albedo pavement).
MM E-13: Cool Roofs	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: 0.75–1.5/square feet coating (EPA 2007a)	Yes	Yes: Over 90% of the roofs in the United States are dark colored	Adverse: No Beneficial: CAPs, TACs	CEC	Project provides cool roofs. Highly reflective, highly emissive roofing materials that stay 50-60°F cooler than a normal roof under a hot summer sun. CA's Cool Savings

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Item No. E.2
MV00180040

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					(EPA 2007a).			Program provided rebates to building owners for installing roofing materials with high solar reflectance and thermal emittance. The highest rebate went to roofs on air conditioned buildings, while buildings with rooftop ducts and other nonresidential buildings were eligible for slightly less. The program aimed to reduce peak summer electricity demand and was administered by the CEC.
[M E-14: Solar /ater Heaters	LD (R, M), SP, AQP, RR, P/Stationary & Area	20%–70% reduction in cooling energy needs/Moderate	Yes: $1675/20 square feet, requires a 50 gallon tank, annual operating cost of $176 (DOE 2007).	Yes	Yes: Based on solar orientation, building codes, zoning ordinances.	Adverse: No Beneficial: CAPs, TACs	Europe	Project provides solar water heaters.
MM E-15: Electric Yard Equipment Compatibility	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: $75–$250/outlet from existing circuit (Cost Helper 2007).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Project provides electrical outlets at building exterior areas.
MM E-16: Energy Efficient Appliance Standards	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: Varies for each appliance—higher capital costs, lower operating costs (Energy	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Project uses energy efficient appliances (e.g., Energy Star).

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			Star 2007).					
MM E-17: Green Building Materials	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low: 25-30% more efficient on average.	Yes	Yes: BEES software allows users to balance the environmental and economic performance of building products; developed by NIST (NIST 2007).	Yes	Adverse: No Beneficial: CAPs, TACs		Project uses materials which are resource efficient, recycled, with long life cycles and manufactured in an environmentally friendly way.
IM E-18: ıading Mechanisms	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: Up to $450 annual energy savings (Energy Star 2007).	Yes: Higher capital costs, lower operating and maintenance costs (Energy Star 2007).	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing shading mechanisms for windows, porch, patio and walkway overhangs.

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Item No. E.2
MV00180042

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
MM E-19: Ceiling/Whole-House Fans	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: 50% more efficient than conventional fans (Energy Star 2007).	Yes: $45-$200/fan, installation extra (Lowe's 2007).	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing ceiling/whole-house fans.
MM E-20: Programmable Thermostats	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: $100 annual savings in energy costs (Energy Star 2007).	Yes: $60/LCD display and 4 settings for typical residential use (Lowe's 2007).	Yes	Yes: Major retail stores.	Adverse: Yes, Mercury Beneficial: CAPs, TACs		Install energy-reducing programmable thermostats that automatically adjust temperature settings.
MM E-21: Passive Heating and Cooling Systems	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low	Yes: $800 (wall heaters) to $4,000+ (central systems)	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing passive heating and cooling systems (e.g., insulation and ventilation).
MM E-22: Day Lighting Systems	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low	Yes: $1,300 to $1,500 depending upon the kind of roof (Barrier 1995), installation extra.	Yes	Yes: Work well only for space near the roof of the building, little benefit in multi-floor buildings.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing day lighting systems (e.g., skylights, light shelves and interior transom windows).
MM E-23: Low-Water Use Appliances	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: Avoided water agency cost for using water-efficient kitchen pre-rinse spray valves of $65.18 per acre-foot.	Yes: Can return their cost through reduction in water consumption,	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Require the installation of low-water use appliances.

MV00180043

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			pumping, and treatment.					
MM E-24: Goods Transport by Rail	LD (C, M), I, SP, AQP, RR, P/Mobile	NA/Moderate	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	ARB Goods Movement Plan (ARB 2007)	Provide a spur at nonresidential projects to use nearby rail for goods movement.
Social Awareness/Education								
MM S-1: GHG Emissions Reductions Education	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Mobile	NA/Low	Yes	Yes	Yes: Similar programs currently exist in CA.	Adverse: No Beneficial: CAPs, TACs		Provide local governments, businesses, and residents with guidance/protocols/information on how to reduce GHG emissions (e.g., energy saving, food miles).
IM S-2: School urriculum	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Mobile	NA/Low	Yes	Yes	Yes: Similar programs currently exist in CA.	Adverse: No Beneficial: CAPs, TACs		Include how to reduce GHG emissions (e.g., energy saving, food miles) in the school curriculum.
Construction								
MM C-1: ARB-Certified Diesel Construction Equipment	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes: Oxidation Catalysts, $1,000-	Yes	Yes	Adverse: Yes, NO_x Beneficial: CAPs, TACs	AG, EPA, ARB, and CA air quality management and pollution control districts.	Use ARB-certified diesel construction equipment. Increases CO_2 emissions when trapped CO and carbon particles

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Item No. E.2
MV00180044

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
			$2,000. DPF, $5000-$10,000; installation extra (EPA 2007b).					are oxidized (Catalyst Products 2007, ETC 2007).
MM C-2: Alternative Fuel Construction Equipment	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: Yes, THC, NO_x Beneficial: CO, PM, SO_x	AG, EPA, ARB, and CA air quality management and pollution control districts.	Use alternative fuel types for construction equipment. At the tailpipe biodiesel emits 10% more CO_2 than petroleum diesel. Overall lifecycle emissions of CO_2 from 100% biodiesel are 78% lower than those of petroleum diesel (NREL 1998, EPA 2007b).
MM C-3: Local Building Materials	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes: Depends on location of building material manufacture sites.	Adverse: No Beneficial: CAPs, TACs		Use locally made building materials for construction of the project and associated infrastructure.
MM C-4: Recycle Demolished Construction Material	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Recycle/Reuse demolished construction material. Use locally made building materials for construction of the project and associated infrastructure.

MV00180045

Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective	Feasible (Yes/No)			Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
Miscellaneous								
MM M-1: Off-Site Mitigation Fee Program	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile & Area	NA/Moderate-High: Though there is currently no program in place, the potential for real and quantifiable reductions of GHG emissions could be high if a defensible fee program were designed.	Yes	Yes	No: Program does not exist in CA, but similar programs currently exist (e.g., Carl Moyer Program, SJVAPCD Rule 9510, SMAQMD Off-Site Construction Mitigation Fee Program).	Adverse: No Beneficial: CAPs, TACs		Provide/Pay into an off-site mitigation fee program, which focuses primarily on reducing emissions from existing development and buildings through retro-fit (e.g., increased insulation).
MM M-2: Offset Purchase	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Area	NA/Low	Yes	Yes	No: ARB has not adopted official program, but similar programs	No		Provide/purchase offsets for additional emissions by acquiring carbon credits or engaging in other market "cap and trade" systems.

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Table 16
Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type[1]	Effective		Feasible (Yes/No)		Secondary Effects (Yes/No)	Agency/Organization/Other[6]	Description/Comments
		Emissions Reduction/Score[2]	Cost (Yes/No)[3]	Technical[4]	Logistical[5]			
					currently exist.			
Regional Transportation Plan Measures								
MM RTP-1: Dedicate High Occupancy Vehicle (HOV) lanes prior to adding capacity to existing highways.	RTP		Yes	Yes	Yes	Adverse: possible local CO Beneficial: regional CAPs, TACs	Caltrans, local government	Evaluate the trip reduction (and GHG reduction) potential of adding HOV lanes prior to adding standard lanes.
[M RTP-2: nplement ll/user fee programs prior to adding capacity to existing highways.	RTP		Yes	Yes	Yes	Adverse: possible local CO. Beneficial: regional CAPs, TACs	Caltrans	Evaluate price elasticity and associated trip reduction (and GHG reduction) potential with adding or increasing tolls prior to adding capacity to existing highways.

Note:
[1] Where LD (R, C, M) =Land Development (Residential, Commercial, Mixed-Use), I=Industrial, GP=General Plan, SP=Specific Plan, TP=Transportation Plans, AQP=Air Quality Plans, RR=Rules/Regulations, and P=Policy. It is important to note that listed project types may not be directly specific to the mitigation measure (e.g., TP, AQP, RR, and P) as such could apply to a variety of source types, especially RR and P.
[2] This score system entails ratings of high, moderate, and low that refer to the level of the measure to provide a substantive, reasonably certain (e.g., documented emission reductions with proven technologies), and long-term reduction of GHG emissions.
[3] Refers to whether the measure would provide a cost-effective reduction of GHG emissions based on available documentation.
[4] Refers to whether the measure is based on currently, readily available technology based on available documentation.
[5] Refers to whether the measure could be implemented without extraordinary effort based on available documentation.
[6] List is not meant to be all inclusive.
Source: Data complied by EDAW in 2007

MV00180047

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-1: Adopt a GHG reduction plan	GP/ Mobile, Stationary, & Area	City of San Bernardino	- Adopt GHG reduction targets for the planning area, based on the current legislation providing direction for state-wide targets, and update the plan as necessary. -The local government agency should serve as a model by inventorying its GHG emissions from agency operations, and implementing those reduction goals.
Circulation			
MS G-2: Provide for convenient and safe local travel	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Create a gridded street pattern with small block sizes. This promotes walkability through direct routing and ease of navigation. -Maintain a high level of connectivity of the roadway network. Minimize cul-de-sacs and incomplete roadway segments. -Plan and maintain an integrated, hierarchical and multi-modal system of roadways, pedestrian walks, and bicycle paths throughout the area. -Apply creative traffic management approaches to address congestion in areas with unique problems, particularly on roadways and intersections in the vicinity of schools in the morning and afternoon peak hours, and near churches, parks and community centers. -Work with adjacent jurisdictions to address the impacts of regional development patterns (e.g. residential development in surrounding communities, regional universities, employment centers, and commercial developments) on the circulation system. -Actively promote walking as a safe mode of local travel, particularly for children attending local schools. -Employ traffic calming methods such as median landscaping and provision of bike or transit lanes to slow traffic, improve roadway capacity, and address safety issues.
MS G-3: Enhance the regional transportation network and maintain effectiveness	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage the transportation authority to reduce fees for short distance trips. -Ensure that improvements to the traffic corridors do not negatively impact the operation of local roadways and land uses.

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Item No. E.2
MV00180048

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			-Cooperate with adjacent jurisdictions to maintain adequate service levels at shared intersections and to provide adequate capacity on regional routes for through traffic. -Support initiatives to provide better public transportation. Work actively to ensure that public transportation is part of every regional transportation corridor. - Coordinate the different modes of travel to enable users to transfer easily from one mode to another. -Work to provide a strong paratransit system that promotes the mobility of all residents and educate residents about local mobility choices. - Promote transit-oriented development to facilitate the use of the community's transit services.
MS G-4: Promote and support an efficient public transportation network connecting activity centers in the area to each other and the region.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Promote increased use of public transportation and support efforts to increase bus service range and frequency within the area as appropriate. -Enhance and encourage provision of attractive and appropriate transit amenities, including shaded bus stops, to encourage use of public transportation. -Encourage the school districts, private schools and other operators to coordinate local bussing and to expand ride-sharing programs. All bussing options should be fully considered before substantial roadway improvements are made in the vicinity of schools to ease congestion.
MS G-5: Establish and maintain a comprehensive system, which is safe and convenient, of pedestrian ways and bicycle routes that provide viable options to travel by automobile.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Improve area sidewalks and rights-of-way to make them efficient and appealing for walking and bicycling safely. Coordinate with adjacent jurisdictions and regional agencies to improve pedestrian and bicycle trails, facilities, signage, and amenities. -Provide safe and convenient pedestrian and bicycle connections to and from town centers, other commercial districts, office complexes, neighborhoods, schools, other major activity centers, and surrounding communities. -Work with neighboring jurisdictions to provide well-designed pedestrian and bicycle crossings of major roadways. -Promote walking throughout the community. Install sidewalks where missing and make improvements

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			to existing sidewalks for accessibility purposes. Particular attention should be given to needed sidewalk improvement near schools and activity centers. -Encourage businesses or residents to sponsor street furniture and landscaped areas. - Strive to provide pedestrian pathways that are well shaded and pleasantly landscaped to encourage use. - Attract bicyclists from neighboring communities to ride their bicycles or to bring their bicycles on the train to enjoy bicycling around the community and to support local businesses. - Meet guidelines to become nationally recognized as a Bicycle-Friendly community. - Provide for an education program and stepped up code enforcement to address and minimize vegetation that degrades access along public rights-of-way. -Engage in discussions with transit providers to increase the number of bicycles that can be accommodated on buses
MS G-6: Achieve optimum use of regional rail transit.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Support regional rail and work with rail authority to expand services. - Achieve better integration of all transit options. -Work with regional transportation planning agencies to finance and provide incentives for multimodal transportation systems. - Promote activity centers and transit-oriented development projects around the transit station.
MS G-7: Expand and optimize use of local and regional bus and transit systems.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage convenient public transit service between area and airports. -Support the establishment of a local shuttle to serve commercial centers. -Promote convenient, clean, efficient, and accessible public transit that serves transit-dependent riders and attracts discretionary riders as an alternative to reliance on single-occupant automobiles.

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Item No. E.2
MV00180050

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			- Empower seniors and those with physical disabilities who desire maximum personal freedom and independence of lifestyle with unimpeded access to public transportation. -Integrate transit service and amenities with surrounding land uses and buildings.
Conservation, Open Space			
MS G-8: Emphasize the importance of water conservation and maximizing the use of native, low-water landscaping.	GP/Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Reduce the amount of water used for landscaping and increase use of native and low water plants. Maximize use of native, low-water plants for landscaping of areas adjacent to sidewalks or other impermeable surfaces. -Encourage the production, distribution and use of recycled and reclaimed water for landscaping projects throughout the community, while maintaining urban runoff water quality objectives. -Promote water conservation measures, reduce urban runoff, and prevent groundwater pollution within development projects, property maintenance, area operations and all activities requiring approval. -Educate the public about the importance of water conservation and avoiding wasteful water habits. -Work with water provider in exploring water conservation programs, and encourage the water provider to offer incentives for water conservation.
MS G-9: Improve air quality within the region.	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Integrate air quality planning with area land use, economic development and transportation planning efforts. -Support programs that reduce air quality emissions related to vehicular travel. -Support alternative transportation modes and technologies, and develop bike- and pedestrian-friendly neighborhoods to reduce emissions associated with automobile use. -Encourage the use of clean fuel vehicles. -Promote the use of fuel-efficient heating and cooling equipment and other appliances, such as water

MV00180051

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces, and boiler units. - Promote the use of clean air technologies such as fuel cell technologies, renewable energy sources. UV coatings, and alternative, non-fossil fuels. -Require the planting of street trees along streets and inclusion of trees and landscaping for all development projects to help improve airshed and minimize urban heat island effects. - Encourage small businesses to utilize clean, innovative technologies to reduce air pollution. - Implement principles of green building. - Support jobs/housing balance within the community so more people can both live and work within the community. To reduce vehicle trips, encourage people to telecommute or work out of home or in local satellite offices.
MS G-10: Encourage and maximize energy conservation and identification of alternative energy sources.	GP/ Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage green building designs for new construction and renovation projects within the area. -Coordinate with regional and local energy suppliers to ensure adequate supplies of energy to meet community needs, implement energy conservation and public education programs, and identify alternative energy sources where appropriate. -Encourage building orientations and landscaping that enhance natural lighting and sun exposure. -Encourage expansion of neighborhood-level products and services and public transit opportunities throughout the area to reduce automobile use. - Incorporate the use of energy conservation strategies in area projects. - Promote energy-efficient design features, including appropriate site orientation, use of light color roofing and building materials, and use of evergreen trees and wind-break trees to reduce fuel consumption for heating and cooling.

MV00180052

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			-Explore and consider the cost/benefits of alternative fuel vehicles including hybrid, natural gas, and hydrogen powered vehicles when purchasing new vehicles. -Continue to promote the use of solar power and other energy conservation measures. - Encourage residents to consider the cost/benefits of alternative fuel vehicles. - Promote the use of different technologies that reduce use of non-renewable energy resources. -Facilitate the use of green building standards and LEED in both private and public projects. -Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, as appropriate. -Support sustainable building practices that integrate building materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction, and operation of the built environment. - Investigate the feasibility of using solar (photovoltaic) street lights instead of conventional street lights that are powered by electricity in an effort to conserve energy. - Encourage cooperation between neighboring development to facilitate on-site renewable energy supplies or combined heat and power co-generation facilities that can serve the energy demand of contiguous development.

MV00180053

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-11: Preserve unique community forests, and provide for sustainable increase and maintenance of this valuable resource.	GP/Stationary & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Develop a tree planting policy that strives to accomplish specific % shading of constructed paved and concrete surfaces within five years of construction. -Provide adequate funding to manage and maintain the existing forest, including sufficient funds for tree planting, pest control, scheduled pruning, and removal and replacement of dead trees. -Coordinate with local and regional plant experts in selecting tree species that respect the natural region in which Claremont is located, to help create a healthier, more sustainable urban forest. - Continue to plant new trees (in particular native tree species where appropriate), and work to preserve mature native trees. -Increase the awareness of the benefits of street trees and the community forest through a area wide education effort. -Encourage residents to properly care for and preserve large and beautiful trees on their own private property.
Housing			
MS G-12: Provide affordability levels to meet the needs of community residents.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Encourage development of affordable housing opportunities throughout the community, as well as development of housing for elderly and low and moderate income households near public transportation services. -Ensure a portion of future residential development is affordable to low and very low income households.
Land Use			
MS G-13: Promote a visually-cohesive urban form and establish connections between the urban core and outlying portions of the	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Preserve the current pattern of development that encourages more intense and higher density development at the core of the community and less intense uses radiating from the central core. -Create and enhance landscaped greenway, trail and sidewalk connections between neighborhoods and to commercial areas, town centers, and parks.

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MV00180054

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
community.			-Identify ways to visually identify and physically connect all portions of the community, focusing on enhanced gateways and unifying isolated and/or outlying areas with the rest of the area. -Study and create a diverse plant identity with emphasis on drought-resistant native species.
MS G-14: Provide a diverse mix of land uses to meet the future needs of all residents and the business community.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Attract a broad range of additional retail, medical, and office uses providing employment at all income levels. -Support efforts to provide beneficial civic, religious, recreational, cultural and educational opportunities and public services to the entire community. -Coordinate with public and private organizations to maximize the availability and use of parks and recreational facilities in the community. -Support development of hotel and recreational commercial land uses to provide these amenities to local residents and businesses.
MS G-15: Collaborate with providers of solid waste collection, disposal and recycling services to ensure a level of service that promotes a clean community and environment.	GP/ Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Require recycling, composting, source reduction and education efforts throughout the community, including residential, businesses, industries, and institutions, within the construction industry, and in all sponsored activities.
MS G-16: Promote construction, maintenance and active use of publicly- and privately-operated parks, recreation programs, and a community center.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Work to expand and improve community recreation amenities including parks, pedestrian trails and connections to regional trail facilities. -As a condition upon new development, require payment of park fees and/or dedication and provision of parkland, recreation facilities and/or multi-use trails that improve the public and private recreation system. -Research options or opportunities to provide necessary or desired community facilities.

MV00180055

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
MS G-17: Promote the application of sustainable development practices.	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Encourage sustainable development that incorporates green building best practices and involves the reuse of previously developed property and/or vacant sites within a built-up area. - Encourage the conservation, maintenance, and rehabilitation of the existing housing stock. -Encourage development that incorporates green building practices to conserve natural resources as part of sustainable development practices. -Avoid development of isolated residential areas in the hillsides or other areas where such development would require significant infrastructure investment, adversely impact biotic resources. - Provide land area zoned for commercial and industrial uses to support a mix of retail, office, professional, service, and manufacturing businesses.
MS G-18: Create activity nodes as important destination areas, with an emphasis on public life within the community.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide pedestrian amenities, traffic-calming features, plazas and public areas, attractive streetscapes, shade trees, lighting, and retail stores at activity nodes. -Provide for a mixture of complementary retail uses to be located together to create activity nodes to serve adjacent neighborhoods and to draw visitors from other neighborhoods and from outside the area.
MS G-19: Make roads comfortable, safe, accessible, and attractive for use day and night.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide crosswalks and sidewalks along streets that are accessible for people with disabilities and people who are physically challenged. -Provide lighting for walking and nighttime activities, where appropriate. -Provide transit shelters that are comfortable, attractive, and accommodate transit riders.
MS G-20: Maintain and expand where possible the system of neighborhood connections that attach neighborhoods to larger roadways.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Provide sidewalks where they are missing, and provide wide sidewalks where appropriate with buffers and shade so that people can walk comfortably. -Make walking comfortable at intersections through traffic-calming, landscaping, and designated crosswalks.

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Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
			-Look for opportunities for connections along easements & other areas where vehicles not permitted.
MS G-21: Create distinctive places throughout the area.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	-Provide benches, streetlights, public art, and other amenities in public areas to attract pedestrian activities. -Encourage new developments to incorporate drought tolerant and native landscaping that is pedestrian friendly, attractive, and consistent with the landscaped character of area. -Encourage all new development to preserve existing mature trees. -Encourage streetscape design programs for commercial frontages that create vibrant places which support walking, bicycling, transit, and sustainable economic development. -Encourage the design and placement of buildings on lots to provide opportunities for natural systems such as solar heating and passive cooling. - Ensure that all new industrial development projects are positive additions to the community setting, provide amenities for the comfort of the employees such as outdoor seating area for breaks or lunch, and have adequate landscape buffers.
MS G-22: Reinvest in existing neighborhoods and promote infill development as a preference over new, greenfield development	GP/ Mobile, Stationary, & Area	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Identify all underused properties in the plan area and focus development in these opportunity sites prior to designating new growth areas for development. - Implement programs to retro-fit existing structures to make them more energy-efficient. -Encourage compact development, by placing the desired activity areas in smaller spaces.

MV00180057

Table 17
General Planning Level Mitigation Strategies Summary

Strategy	Source Type[1]	Agency/Organization[2]	Description/Comments
Public Safety			
MS G-23: Promote a safe community in which residents can live, work, shop, and play.	GP/ Mobile	Cities/Counties (e.g., Aliso Viejo, Claremont)	- Foster an environment of trust by ensuring non-biased policing, and by adopting policies and encouraging collaboration that creates transparency. - Facilitate traffic safety for motorists and pedestrians through proper street design and traffic monitoring.

Note:
[1] Where GP=General Plan.
[2] List is not meant to be all inclusive.
Source: Data complied by EDAW in 2007

Appendix C

Rule and Regulation Summary

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Low Carbon Fuel Standard	10-20 MMT CO_2e by 2020	January 1, 2010	ARB	This rule/regulation will require fuel providers (e.g., producers, importers, refiners and blenders) to ensure that the mix of fuels they sell in CA meets the statewide goal to reduce the carbon intensity of CA's transportation fuels by at least 10% by the 2020 target.	ARB Early Action Measure
Reduction of HFC-134a Emissions from Nonprofessional Servicing of Motor Vehicle Air Conditioning Systems	1-2 MMT CO_2e by 2020	January 1, 2010	ARB	This rule/regulation will restrict the use of high GWP refrigerants for nonprofessional recharging of leaky automotive air conditioning systems.	ARB Early Action Measure
Landfill Gas Recovery	2-4 MMT CO_2e by 2020	January 1, 2010	IWMB, ARB	This rule/regulation will require landfill gas recovery systems on small to medium landfills that do not have them and upgrade the requirements at landfills with existing systems to represent best capture and destruction efficiencies.	ARB Early Action Measure
Vehicle Climate Change Standards (AB 1493 Pavley, Chapter 200, Statutes of 2002)	30 MMT CO_2e by 2020	2009	ARB	This rule/regulation will require ARB to achieve the maximum feasible and cost effective reduction of GHG emissions from passenger vehicles and light-duty trucks.	ARB Early Action Measure
Reduction of PFCs from the Semiconductor Industry	0.5 MMT CO_2e by 2020	2007–2009	ARB	This rule/regulation will reduce GHG emissions by process improvements/source reduction, alternative chemicals capture and beneficial reuse, and destruction technologies	Underway or to be initiated by CAT members in 2007-2009 period

AB=Assembly Bill; ARB=California Air Resources Board; Calfire=California Fire; CA=California; Caltrans=California Department of Transportation; CAT=California Action Team; CEC=California Energy Commission; CDFA=California Department of Food and Agriculture; CH_4=Methane; CO_2=Carbon Dioxide; CPUC=California Public Utilities Commission; CUFR=California Urban Forestry; DGS=Department of General Services; DWR=Department of Water Resources; GHG=Greenhouse Gas; GWP=Global Warming Potential; IGCC= Integrated Gasification Combined Cycle; IOU= Investor-Owned Utility; IT=Information Technology; IWCB= Integrated Waste Management Board; LNG= Liquefied Natural Gas; MMT CO_2e=Million Metric Tons Carbon Dioxide Equivalent; MW=Megawatts; NA=Not Available; N_2O=Nitrous Oxide; PFC= Perfluorocompound; POU= Publicly Owned Utility; RPS= Renewable Portfolio Standards; RTP=Regional Transportation Plan SB=Senate Bill; SWP=State Water Project; TBD=To Be Determined; UC/CSU=University of California/California State University; ULEV=Ultra Low Emission Vehicle.

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
estrictions on High GWP Refrigerants	9 MMT CO_2e by 2020	2010	ARB	This rule/regulation will expand and enforce the national ban on release of high GWP refrigerants during appliance lifetime.	ARB Early Action Measure
Cement Manufacture	<1 MMT CO_2e per year (based on 2004 production levels)	2010	Caltrans	This rule/regulation will allow 2.5% interground limestone concrete mix in cement use.	CAT Early Action Measure
Hydrogen Fuel Standards (SB 76 of 2005)	TBD	By 2008	CDFA	This rule/regulation will develop hydrogen fuel standards for use in combustion systems and fuel cells.	CAT Early Action Measure
Regulation of GHG from Load Serving Entities (SB 1368)	15 MMT CO_2e by 2020	May 23, 2007	CEC, CPUC	This rule/regulation will establish a GHG emission performance standard for baseload generation of local publicly owned electric utilities that is no higher than the rate of emissions of GHG for combined-cycle natural gas baseload generation.	CAT Early Action Measure
Energy Efficient Building Standards	TBD	In 2008	CEC	This rule/regulation will update of Title 24 standards.	CAT Early Action Measure
Energy Efficient Appliance Standards	TBD	January 1, 2010	CEC	This rule/regulation will regulate light bulb efficiency	CAT Early Action Measure
Tire Efficiency (Chapter 8.7 Division 15 of the Public Resources Code)	<1 MMT CO_2e by 2020	January 1, 2010	CEC & IWMB	This rule/regulation will ensure that replacement tires sold in CA are at least as energy efficient, on average, as tires sold in the state as original equipment on these vehicles.	CAT Early Action Measure
New Solar Homes Partnership	TBD	January 2007	CEC	Under this rule/regulation, approved solar systems will receive incentive funds based on system performance above building standards.	CAT Early Action Measure

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Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Water Use Efficiency	1 MMT CO_2e by 2020	2010	DWR	This rule/regulation will adopt standards for projects and programs funded through water bonds that would require consideration of water use efficiency in construction and operation.	CAT Early Action Measure
State Water Project	TBD	2010	DWR	This rule/regulation will include feasible and cost effective renewable energy in the SWP's portfolio.	CAT Early Action Measure
Cleaner Energy for Water Supply	TBD	2010	DWR	Under this rule/regulation, energy supply contracts with conventional coal power plants will not be renewed.	CAT Early Action Measure
IOU Energy Efficiency Programs	4 MMT CO_2e by 2020	2010	CPUC	This rule/regulation will provide a risk/reward incentive mechanism for utilities to encourage additional investment in energy efficiency; evaluate new technologies and new measures like encouraging compact fluorescent lighting in residential and commercial buildings	CAT Early Action Measure
Solar Generation	TBD	2007–2009	DGS	3 MW of clean solar power generation implemented in CA last year, with another 1 MW coming up. The second round is anticipated to total additional 10 MW and may include UC/CSU campuses and state fairgrounds.	Underway or to be initiated by CAT members in 2007-2009 period

AB=Assembly Bill; ARB=California Air Resources Board; Calfire=California Fire; CA=California; Caltrans=California Department of Transportation; CAT=California Action Team; CEC=California Energy Commission; CDFA=California Department of Food and Agriculture; CH_4=Methane; CO_2=Carbon Dioxide; CPUC=California Public Utilities Commission; CUFR=California Urban Forestry; DGS=Department of General Services; DWR=Department of Water Resources; GHG=Greenhouse Gas; GWP=Global Warming Potential; IGCC= Integrated Gasification Combined Cycle; IOU= Investor-Owned Utility; IT=Information Technology; IWCB= Integrated Waste Management Board; LNG= Liquefied Natural Gas; MMT CO_2e=Million Metric Tons Carbon Dioxide Equivalent; MW=Megawatts; NA=Not Available; N_2O=Nitrous Oxide; PFC= Perfluorocompound; POU= Publicly Owned Utility; RPS= Renewable Portfolio Standards; RTP=Regional Transportation Plan SB=Senate Bill; SWP=State Water Project; TBD=To Be Determined; UC/CSU=University of California/California State University; ULEV=Ultra Low Emission Vehicle.

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
ransportation Efficiency	9 MMT CO_2e by 2020	2007–2009	Caltrans	This rule/regulation will reduce congestion, improve travel time in congested corridors, and promote coordinated, integrated land use.	Underway or to be initiated by CAT members in 2007-2009 period
Smart Land Use and Intelligent Transportation	10 MMT CO_2e by 2020	2007–2009	Caltrans	This rule/regulation will integrate consideration of GHG reduction measures and energy efficiency factors into RTPs, project development etc.	Underway or to be initiated by CAT members in 2007-2009 period
Cool Automobile Paints	1.2 to 2.0 MMT CO_2e by 2020	2009	ARB	Cool paints would reduce the solar heat gain in a vehicle and reduce air conditioning needs.	ARB Early Action Measure
Tire Inflation Program	TBD	2009	ARB	This rule/regulation will require tires to be checked and inflated at regular intervals to improve fuel economy.	ARB Early Action Measure
Electrification of Stationary Agricultural Engines	0.1 MMT CO_2e by 2020	2010	ARB	This rule/regulation will provide incentive funding opportunities for replacing diesel engines with electric motors.	ARB Early Action Measure
Desktop Power Management	Reduce energy use by 50%	2007–2009	DGS, ARB	This rule/regulation will provide software to reduce electricity use by desktop computers by up to 40%.	Currently deployed in DGS
Reducing CH_4 Venting/Leaking from Oil and Gas Systems (EJAC-3/ARB 2-12)	1 MMT CO_2e by 2020	2010	ARB	This rule/regulation will reduce fugitive CH_4 emissions from production, processing, transmission, and distribution of natural gas and oil.	ARB Early Action Measure
Replacement of High GWP Gases Used in Fire Protection Systems with Alternate Chemical (ARB 2-10)	0.1 MMT CO_2e by 2020	2011	ARB	This rule/regulation will require the use of lower GWP substances in fire protection systems.	ARB Early Action Measure
Contracting for Environmentally Preferable Products	NA	2007–2009	DGS	New state contracts have been or are being created for more energy and resource efficient IT goods, copiers, low mercury fluorescent lamps, the CA Gold Carpet Standard and office furniture.	Underway or to be initiated by CAT members in 2007-2009 period
Hydrogen Fuel Cells	NA	2007–2009	DGS	This rule/regulation will incorporate clean hydrogen fuel cells in stationary applications	Underway or to be initiated by CAT members in 2007-2009

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Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
				at State facilities and as back-up generation for emergency radio services.	period
High Performance Schools	NA	2007–2009	DGS	New guidelines adopted for energy and resource efficient schools; up to $100 million in bond money for construction of sustainable, high performance schools.	Underway or to be initiated by CAT members in 2007-2009 period
Urban Forestry	1 MMT CO_2e by 2020	2007–2009	Calfire, CUFR	This rule/regulation will provide five million additional trees in urban areas by 2020.	Underway or to be initiated by CAT members in 2007-2009 period
Fuels Management/Biomass	3 MMT CO_2e by 2020	2007–2009	Calfire	This rule/regulation will provide biomass from forest fuel treatments to existing biomass utilization facilities.	Underway or to be initiated by CAT members in 2007-2009 period
Forest Conservation and Forest Management	10 MMT CO_2e by 2020	2007–2009	Calfire, WCB	This rule/regulation will provide opportunities for carbon sequestration in Proposition 84 forest land conservation program to conserve an additional 75,000 acres of forest landscape by 2010.	Underway or to be initiated by CAT members in 2007-2009 period
Afforestation/Reforestation	2 MMT CO_2e by 2020	2007–2009	Calfire	This rule/regulation will subsidize tree planting.	Underway or to be initiated by CAT members in 2007-2009 period
Dairy Digesters	TBD	January 1, 2010	CDFA	This rule/regulation will develop a dairy digester protocol to document GHG emission reductions from these facilities.	ARB Early Action Measure

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Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
onservation Tillage and Enteric ermentation	1 MMT CO_2e by 2020	2007–2009	CDFA	This rule/regulation will develop and implement actions to quantify and reduce enteric fermentation emissions from livestock and sequester soil carbon using cover crops and conservation tillage.	Underway or to be initiated by CAT members in 2007-2009 period
ULEV	TBD	2007–2009	DGS	A new long term commercial rental contract was released in March 2007 requiring a minimum ULEV standard for gasoline vehicles and requires alternative fuel and hybrid-electric vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Flex Fuel Vehicles	370 metric tons CO_2, 0.85 metric tons of CH_4, and 1.14 metric tons of N_2O	2007–2009	DGS	Under this rule/regulation, DGS is replacing 800 vehicles with new, more efficient vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Climate Registry	TBD	2007–2009	DGS	Benchmarking and reduction of GHG emissions for state owned buildings, leased buildings and light duty vehicles.	Underway or to be initiated by CAT members in 2007-2009 period
Municipal Utilities Electricity Sector Carbon Policy	Included in SB 1368 reductions	2007–2009	CEC, CPUC, ARB	Under this rule/regulation, GHG emissions cap policy guidelines for CA's electricity sector (IOUs and POUs).	Underway or to be initiated by CAT members in 2007-2009 period
Alternative Fuels: Nonpetroleum Fuels	TBD	2007–2009	CEC	State plan to increase the use of alternative fuels for transportation; full fuel cycle assessment.	Underway or to be initiated by CAT members in 2007-2009 period
Zero Waste/High Recycling Strategy	5 MMT CO_2e by 2020	2007–2009	IWMB	This rule/regulation will identify materials to focus on to achieve GHG reduction at the lowest possible cost; Builds on the success of 50% Statewide Recycling Goal.	Underway or to be initiated by CAT members in 2007-2009 period
Organic Materials Management	TBD	2007–2009	IWMB	This rule/regulation will develop a market incentive program to increase organics diversion to the agricultural industry.	Underway or to be initiated by CAT members in 2007-2009 period
Landfill Gas Energy	TBD	2007–2009	IWMB	Landfill Gas to Energy & LNG/biofuels	Underway or to be initiated by CAT members in 2007-2009 period

MV00180065

Table 18
Rule and Regulation Summary

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Target Recycling	TBD	2007–2009	IWMB	This rule/regulation will focus on industry/public sectors with high GHG components to implement targeted commodity recycling programs.	Underway or to be initiated by CAT members in 2007-2009 period
Accelerated Renewable Portfolio Standard	Included in SB 1368 reductions	2007–2009	CPUC	This rule/regulation will examine RPS long term planning and address the use of tradable renewable energy credits for RPS compliance.	Underway or to be initiated by CAT members in 2007-2009 period
CA Solar Initiative	1 MMT CO_2e by 2020	2007–2009	CPUC	Initiative to deliver 2000 MWs of clean, emissions free energy to the CA grid by 2016.	Underway or to be initiated by CAT members in 2007-2009 period
Carbon Capture and Sequestration	TBD	2007–2009	CPUC	Proposals for power plants with IGCC and/or carbon capture in the next 18 months.	Underway or to be initiated by CAT members in 2007-2009

Source: Data complied by EDAW in 2007

AB=Assembly Bill; ARB=California Air Resources Board; Calfire=California Fire; CA=California; Caltrans=California Department of Transportation; CAT=California Action Team; CEC=California Energy Commission; CDFA=California Department of Food and Agriculture; CH_4=Methane; CO_2=Carbon Dioxide; CPUC=California Public Utilities Commission; CUFR=California Urban Forestry; DGS=Department of General Services; DWR=Department of Water Resources; GHG=Greenhouse Gas; GWP=Global Warming Potential; IGCC= Integrated Gasification Combined Cycle; IOU= Investor-Owned Utility; IT=Information Technology; IWCB= Integrated Waste Management Board; LNG= Liquefied Natural Gas; MMT CO_2e=Million Metric Tons Carbon Dioxide Equivalent; MW=Megawatts; NA=Not Available; N_2O=Nitrous Oxide; PFC= Perfluorocompound; POU= Publicly Owned Utility; RPS= Renewable Portfolio Standards; RTP=Regional Transportation Plan SB=Senate Bill; SWP=State Water Project; TBD=To Be Determined; UC/CSU=University of California/California State University; ULEV=Ultra Low Emission Vehicle.

2011 Annual Report

Transportation Uniform Mitigation Fee Program

WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS

Item No. E.2

MV00180067

Dear Friend,

No doubt about it, crop circles are intriguing, even fascinating, to many. Are the circles the work of alien visitors? Are they a natural phenomenon? Perhaps elaborate hoaxes perpetrated by some very dedicated humans? Whatever you believe them to be, you can't deny that the topic makes for great conversation.

Farmers have reported finding strange circles in their fields for centuries. The earliest mention of a crop circle dates back to the 1500s. Observations of crop circles were sporadic until the 20th century, when circles began appearing in the 1960s and 1970s in England and the United States. By the 1990s, crop circles had become something of a tourist attraction. In 1990 alone, more than 500 circles emerged in Europe. Within the next few years, there were thousands. Visitors came from around the world to see them. They became associated with strange lights, reports of malfunctioning electronic equipment, and positive health effects on people visiting circles, suggesting that the phenomenon involves unexplained forces.

In 2003, to considerably less fanfare, a series of circles also began appearing in Western Riverside County. Unlike the mysteriousness surrounding crop circle origins, those sighted in the WRCOG subregion (see p. 46 of this Annual Report for a closer look) do not defy explanation. The concentric circles found in these pages simply show the total value of road, bridge and interchange improvements to be constructed using revenues from WRCOG's Transportation Uniform Mitigation Fee (TUMF) Program within 3, 5, and 10-mile diameters from each city center in Western Riverside County. No hoaxes. No flashy lights. No alien trails. Just fact.

WRCOG's circles demonstrate the immense ***regional value*** of the TUMF Program, the nation's largest uniform development fee program for transportation improvements. ***Regional value*** is the centerpiece of the TUMF Program, recognizing that residents and employees in all of Western Riverside County's jurisdictions utilize arterials located not just in the city in which they live and/or work, but also those in adjacent jurisdictions and beyond. Without TUMF's regional approach to funding transportation improvements, there is no way any single jurisdiction could, by itself, raise the revenues needed to construct the transportation infrastructure that will be coming their way via this Program. Developers in the City of Lake Elsinore, for example, will contribute approximately $50 million to the TUMF Program over time, yet more than $480 million in TUMF improvements are identified to be constructed within 10 miles from the City center. The circle pattern repeats itself in each of WRCOG's jurisdictions: $429 million in TUMF improvements are identified within 10 miles of Hemet's City center, $648 million from Jurupa Valley's city center, $827 million from Murrieta's City center, and so on.

When completed, the TUMF Program will construct 1,229 new lane-miles of arterials, improve 58 interchanges, construct or widen 56 bridges, construct 17 railroad grade separations, provide more than $61 million for regional transit improvements, and provide nearly $60 million for acquisition of sensitive habitat. Already, at the end of the 2010/2011 fiscal year, 46 TUMF-funded projects had been completed.

As the administrator of the TUMF Program, WRCOG is pleased to provide this 2011 TUMF Annual Report. The Report provides detailed information about the history and status of the Program, including revenues collected, projects completed and programmed, as well as the latest updates regarding which projects are to be constructed. Our goal is to provide information that will be helpful in understanding the direction and accomplishments of the TUMF Program.

Crop circles have been said to bestow health benefits to those who visit them. We can't vouch for that, but we do believe that health benefits - in the form of reduced congestion - will come to residents and employees who drive within WRCOG's circles in the future.

Rick Bishop

Rick Bishop, Executive Director
Western Riverside Council of Governments

MV00180068

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Cover photo: Construction underway on the Cal Oaks / I-15 Interchange Improvement Project, City of Murrieta (Photo courtesy of

Introduction

MV00180071

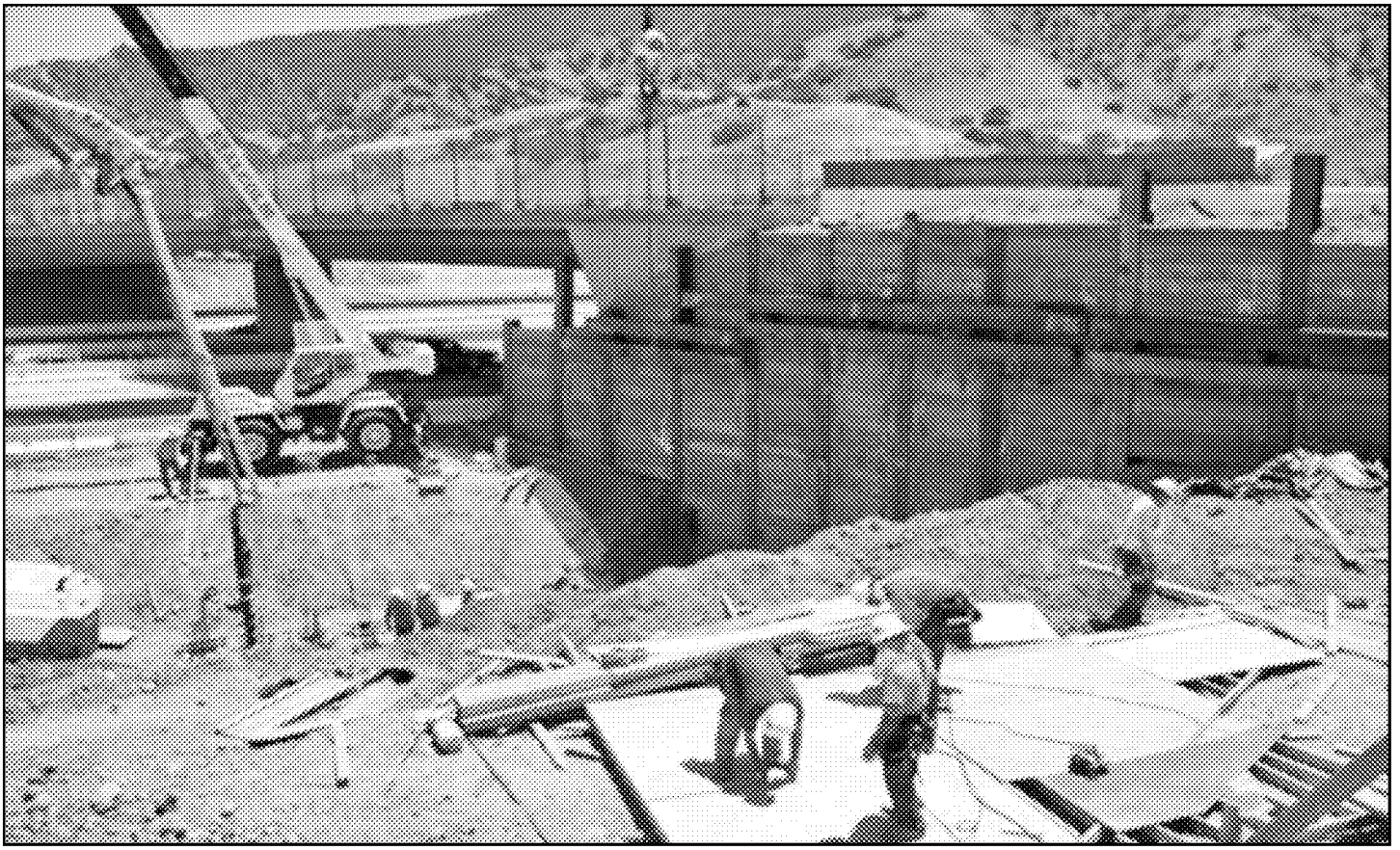

Green River Road / SR-91 Interchange construction (Photo courtesy of RCTC)

Riverside County is the fourth most populated California county, and the eleventh most populated County in the United States. Western Riverside County includes seventeen incorporated Cities and the unincorporated county, covering an area of approximately 2,100 square miles. The subregion's population is over 1.7 million people and will grow by over 700,000 between now and 2035, reaching 2.46 million residents (in 1990, Western Riverside County had approximately 869,559 people). Between 2010 and 2011, Riverside County had the highest growth rate (1.59 percent) in the state, adding over 34,000 new residents during the year.

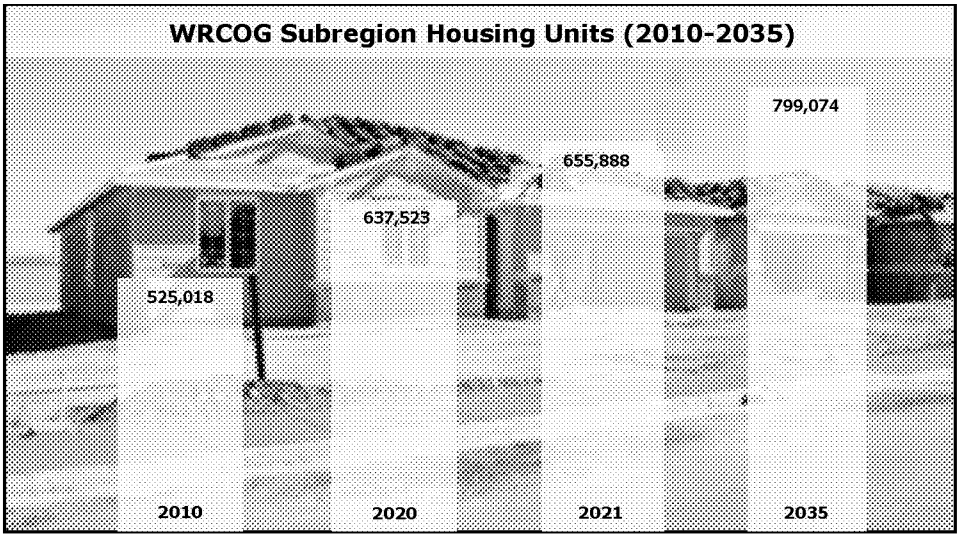

Source: Riverside County Center for Demographic Research

Along with the tremendous opportunities that growth brings comes consequences and challenges, including a heavy impact on transportation infrastructure.

Projected growth in Western Riverside County can be expected to significantly increase congestion and degrade mobility unless substantial investments are

made in the subregion's transportation infrastructure. This challenge is especially critical for arterial highways and roadways that carry a significant number of trips between the jurisdictions within the subregion. As more jobs come to the subregion, thousands of vehicle trips that occur on the freeways as commuters travel to other counties for employment are transitioning to the subregion's arterials, which are already heavily used by current commuters.

Traditional sources of transportation improvement funding (such as the gasoline tax) will not be sufficient to fund the transportation improvements needed to serve this significant new growth. Development conditions and local Development Impact Fees (DIFs) are limited in scope, and when applied, do not provide for regional improvements necessary to accommodate new growth, as improvements are usually confined to the area immediately adjacent to the respective development. Broad-based county-level funding sources, such as Riverside County's half-cent sales tax known as Measure A, focus most expenditures for freeways, designating lesser revenue allocations for arterial roadway improvements.

As a result of growth in Western Riverside County, additional pressure will be placed on the subregion's transportation infrastructure, particularly the arterial roadways, with Vehicle Miles Traveled (VMT) estimated to increase by 55 percent, or 1.6 percent compounded annually. By 2035, 36 percent of the total VMT on the regional arterial highway system is forecast to operate on facilities at Level Of Service (LOS) E or worse. (LOS is a qualitative measure used to describe traffic flow conditions, ranging from free flow conditions at LOS A to congested conditions at LOS F.)

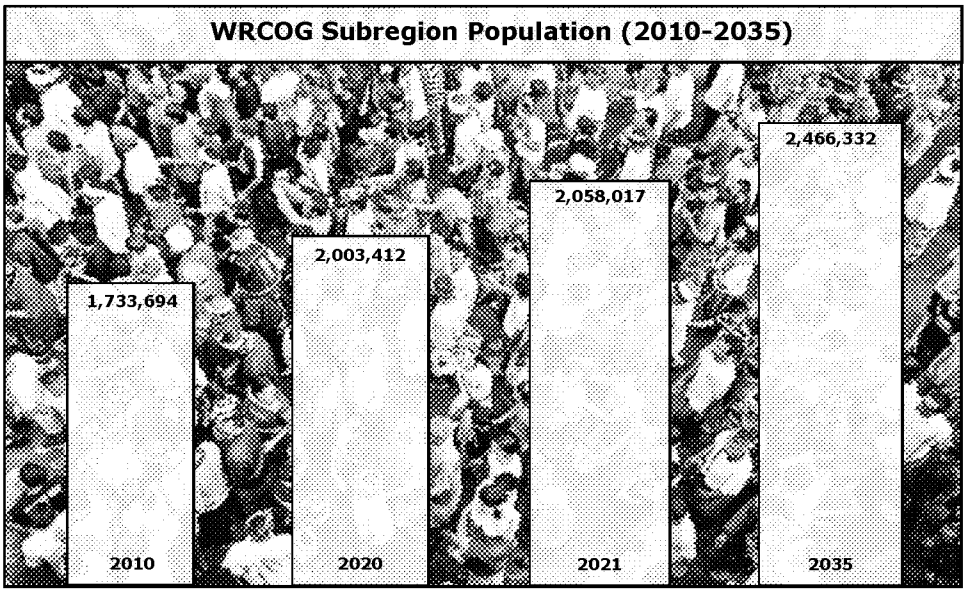

Source: Riverside County Center for Demographic Research

In 2007, the total Vehicle Hours of Delay (VHD) experienced by area motorists on arterial highways was 25.8 million hours. Without improvements to the arterial highway system, VHD will increase by more than 5.4 percent per year to 50 million VHD by 2035. The need to improve these roadways and relieve future congestion is, therefore, directly linked to the future development that generates the travel demand.

Additionally, a substantial number of future trips will be served by bus transit services within Western Riverside County, which is also a result of future development.

In August 2000, the WRCOG Executive Committee directed that the development of a consolidated uniform mitigation fee program for all of Western Riverside County be undertaken. This action was based on the desire to establish a single uniform fee program to mitigate the cumulative regional impacts of new development on the subregion's arterial [illegible] than having multiple and potentia[illegible] dinated fee programs with

varying policies, fee amounts and improvement projects. A regional transportation program was viewed as the most effective way to address the cumulative impacts of new development in the WRCOG subregion.

Corona Transit Center, City of Corona

The subregion's Public Works Directors identified a network of roads, bridges, interchanges and railroad grade separations that should be included in this Program. The network, known as the Regional System of Highways and Arterials (RSHA), represents the subregion's cumulative and seamless identification of transportation improvements needed to accommodate future growth in the subregion through 2035. The RSHA (see p. 8 of this Report) serves as the cornerstone of the TUMF Program, and provides the basis for the "Nexus Study" prepared to demonstrate the impact of future development on the subregion's RSHA, identify improvements needed to accommodate the projected growth, establish improvement costs and - ultimately - to determine the fee structure for the TUMF Program.

In order to ensure the TUMF Program's "Nexus Study" remains current, a new Nexus Study was prepared by WRCOG during the 2009/2010 fiscal year to update the TUMF Program. The updated Nexus Study continues to demonstrate the relationship between the fee collected and the proposed improvements due to new growth. Factors that reflect this relationship include the following:

- Western Riverside County is expected to continue to examine significant long-term growth.
- Continuing new growth will result in increasing congestion on arterial roadways.
- Future arterial roadway congestion is directly attributable to the cumulative regional transportation impacts of future development in Western Riverside County.
- Capacity improvements to the transportation system will be needed to mitigate the cumulative impacts of new development.
- Roads on the TUMF Network (Network) are the facilities that merit improvement through this fee Program.
- Improvements to the public transportation system will be needed to provide adequate mobility for the transit-dependent travelers and to provide an alternative to automotive travel.

The WRCOG Executive Committee approved the findings of the Nexus Study update and adopted the proposed fee structure. The fee is based on an updated growth forecast, an

updated cost of the improvements, a revised RSHA, and the elimination of existing need since it cannot be part of the fee.

Between now and 2035, the TUMF Program is estimated to provide $4.2 billion in arterial road, bridge, intersection and interchange improvements in Western Riverside County. Once fees are collected from new development by each of WRCOG's participating jurisdictions, TUMF Program dollars are programmed by WRCOG's partner agencies to implement the TUMF Program, which includes: the jurisdictions, the Riverside Transit Agency (RTA), the March Joint Powers Authority, and the Riverside County Transportation Commission (RCTC).

These jurisdictions and agencies are responsible for prioritizing which TUMF projects will be constructed first, and also for overseeing all aspects of project development. This implementation approach allows those agencies to move quickly in developing priorities and constructing projects.

As part of the Nexus Study update, the RSHA was revised to reflect the most current transportation needs and costs for Western Riverside County. The new Network reflected several changes due to completed projects and recommendations from the WRCOG Public Works Committee (PWC) to better represent the transportation needs of Western Riverside County.

The updated Network revised the number of lane miles, interchanges, intersections and grade separations from the previous network. In addition, it eliminated the following improvements: Category 4 interchange improvements (generally ramp improvements) and Category 5

:hange Project, City of Temecula (Photo courtesy of City of Temecula)

interchange improvements (TUMF-to-TUMF grade separations); all costs associated with TUMF facilities as part of Communities Facilities District 93-1 in the City of Beaumont; TUMF-to-TUMF intersection improvements; and the Mid County Parkway segment from I-215 to I-15.

Van Buren Bridge over Santa Ana River (Photo courtesy of TLMA)

The updated Ntwork also reflects all completed TUMF projects, and no new projects were added, resulting in an overall RSHA reduction in cost.

A summary of improvements to the RSHA that will be provided by the TUMF Program is as follows:

- Construct 1,229 new lane miles of arterials.
- Improve 58 interchanges.
- Construct or widen 56 bridges.
- Provide more than $61 million for regional transit improvements.
- Provide nearly $60 million for acquisition of sensitive habitat.
- Construct 17 railroad grade separations.

This Annual Report provides a summary of revenues collected and expended during the 2010/2011 fiscal year. It summarizes projects that have been constructed, programmed, or are underway in accordance with adopted Transportation Improvement Programs (TIPs) for each of the Program's five zones, RCTC and RTA.

Visible evidence of Program implementation already exists, as 47 TUMF-funded projects are already built. The list of completed projects can be found in the "Projects" section (p. 45) of this Report.

The TUMF Program is administered by WRCOG, a joint powers authority consisting of the 17 cities in Western Riverside County, the County of Riverside, the Eastern Municipal Water District and Western Municipal Water District, the Riverside County Superintendent of Schools and the March JPA (a voting member on TUMF items at the Technical Advisory Committee level).

For more information regarding WRCOG, or to find more details related to the TUMF Program, please visit WRCOG's website at www.wrcog.cog.ca.us.

When the TUMF Program was initiated in 2003, there were virtually no "shelf-ready" projects ready to be built. Development of the TUMF Network (the RSHA) by the Public Works Directors in the subregion's then 15 jurisdictions was a significant accomplishment in itself, as it meant that for the first time the subregion had a comprehensive and cohesive arterial system that recognized the region's — and not just an individuals jurisdiction's — projected growth. By not having "shelf-ready" projects (projects that had already completed necessary planning and engineering studies, had right-of-way acquired, and had secured all required permits and funding), many projects proposed by the TUMF Program had to be developed from the ground up. In the initial stages of preparing projects for the jurisdictions in each Zone, WRCOG assisted with revenue projections and individual zone-level TIP development. Now that the Zone programs are up and running, the task of building projects takes center stage.

But how long does it take to deliver a project? As jurisdictions bring forward new projects, when can these projects expect to become a reality? There are a number of steps that need to occur for a typical transportation project to be built, and it is important to understand general timelines so that expectations can be realistic regarding the pace of TUMF project implementation. The "Life Cycle of a TUMF Project" diagram below provides, in general terms, the various steps and associated timeframes for a typical TUMF project.

LIFE CYCLE OF A TUMF PROJECT

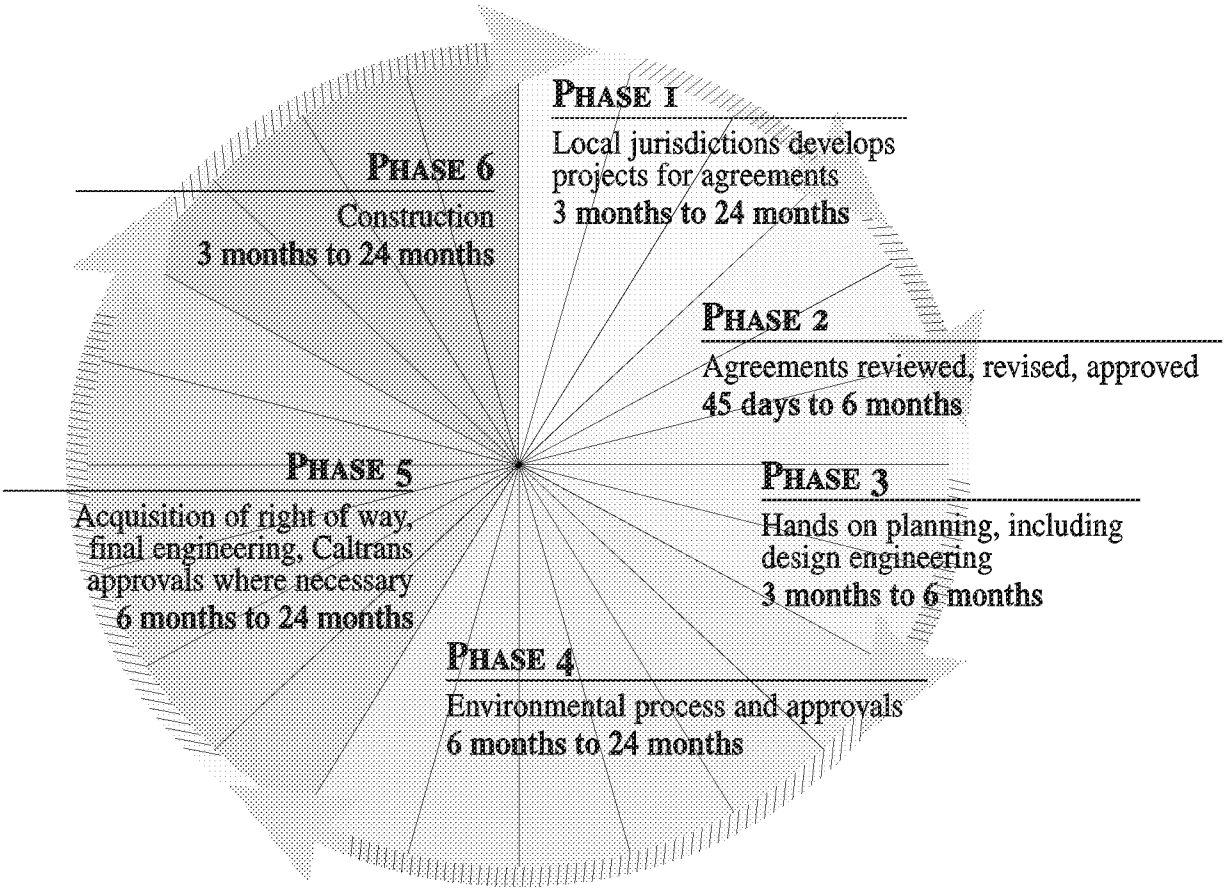

Regional System of Highways and Arterials (RSHA)

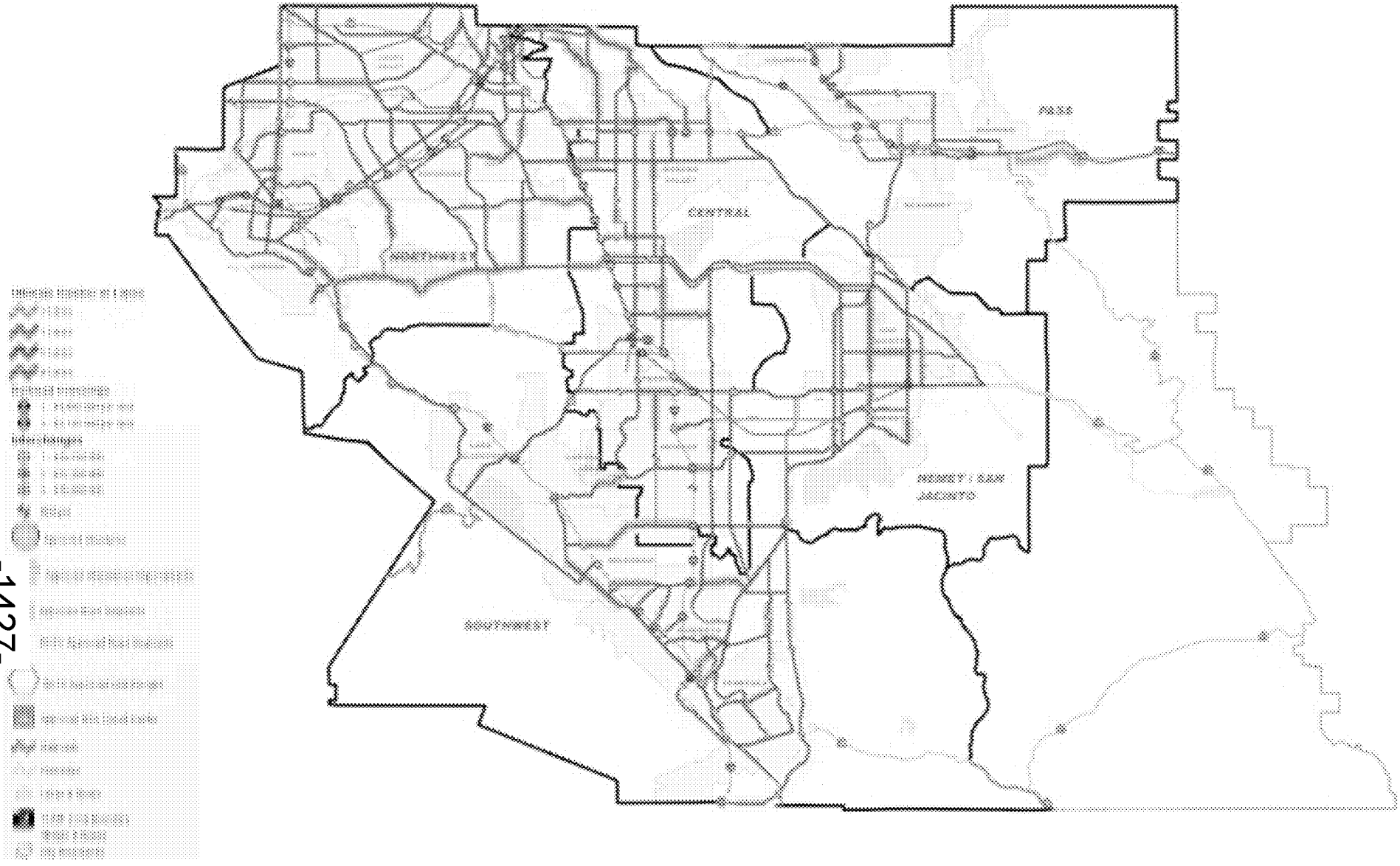

The Regional System of Highways & Arterials depicts TUMF Program improvements. A detailed listing of Program improvements can be obtained by calling WRCOG at (951) 955-7985 or by visiting WRCOG's website at www.wrcog.cog.ca.us.

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Revenue

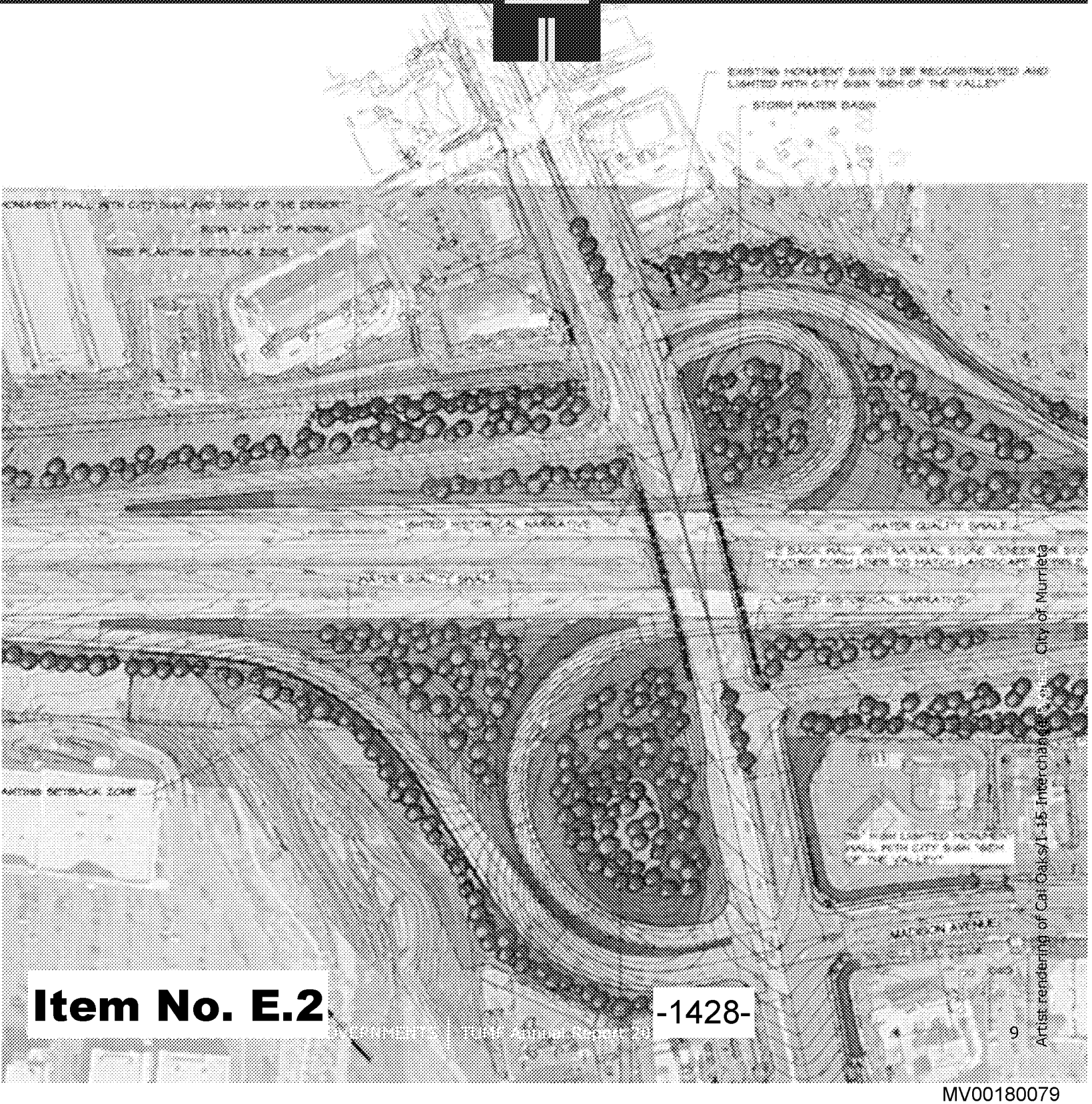

Artist rendering of Cal Oaks/I-15 Interchange, City of Murrieta

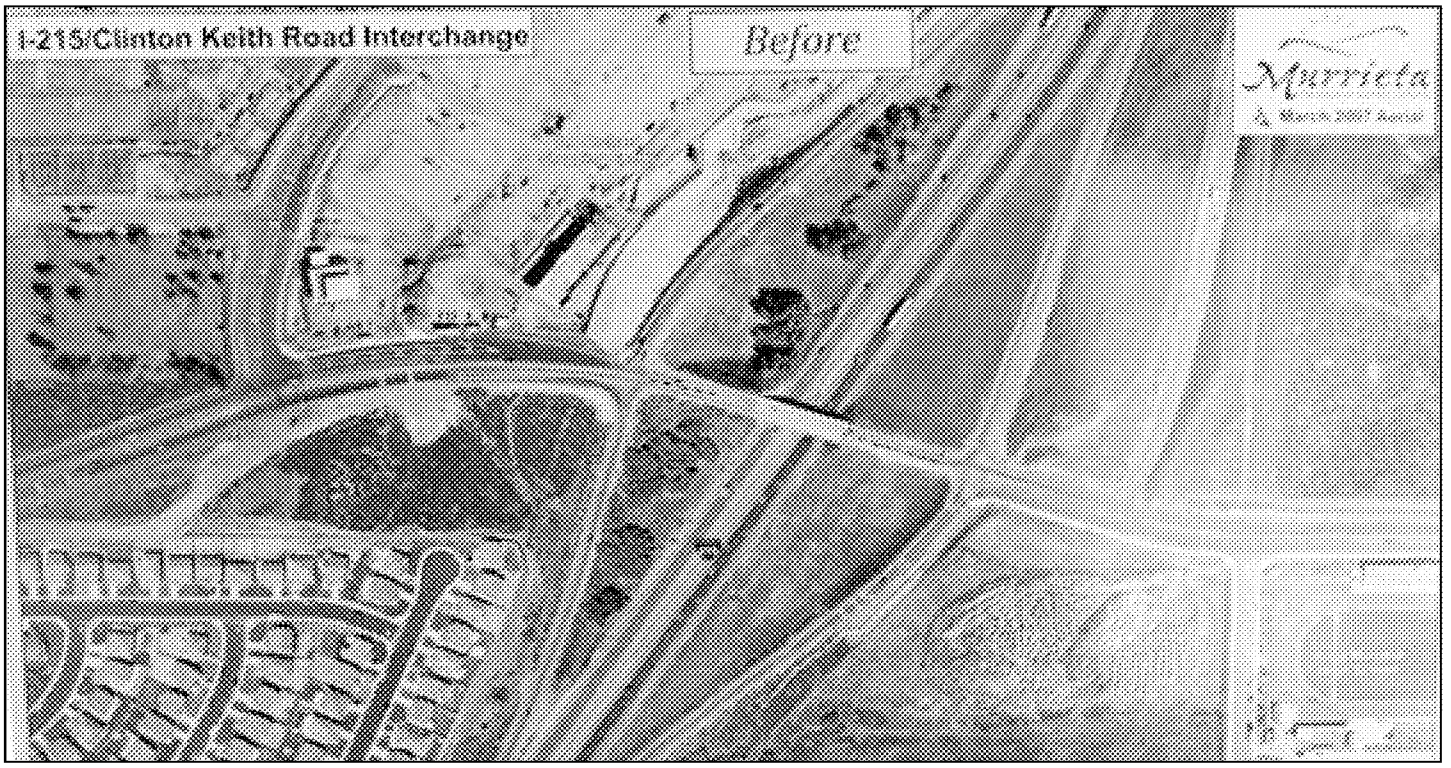

I-215 / Clinton Keith Road Interchange Project, City of Murrieta (Photo courtesy City of Murrieta)

How Does the TUMF Program Work?

AB 1600, the California Mitigation Fee Act, requires that a reasonable relationship exist between a development impact fee collected and the proposed improvements for which a fee is used. WRCOG's TUMF Program Nexus Study satisfies the requirements of AB 1600, and has two primary objectives: 1) to demonstrate the relationship between the transportation improvements needed due to new growth and the estimated cost to construct improvements; and 2) to establish the "fair share" component of the improvements for each land use category (the TUMF Program cost to be applied to different land uses based on the trip-generating characteristics that are typically associated with such uses). The TUMF Program distinguishes between transportation improvements and trip-productions in five geographic zones (Northwest, Southwest, Hemet/San Jacinto, Central, and the Pass), regional transportation improvements, and regional transit improvements.

This distinction provides maximum flexibility for programming projects. The Nexus Study identifies the percentage of collected revenues that can be allocated for zone-level improvements, regional improvements, and for transit improvements.

After administrative costs and Multiple Species Habitat Conservation Plan (MSHCP) mitigation allocations are extracted from the revenues collected, WRCOG allocates revenues as follows:

- **46.9** percent is allocated for regional improvements. These revenues are programmed by the RCTC pursuant to an agreement with WRCOG.
- **46.9** percent is allocated to the geographic zone from which the fees are collected. Project prioritization and programming are undertaken by the jurisdictions in each of the five zones.

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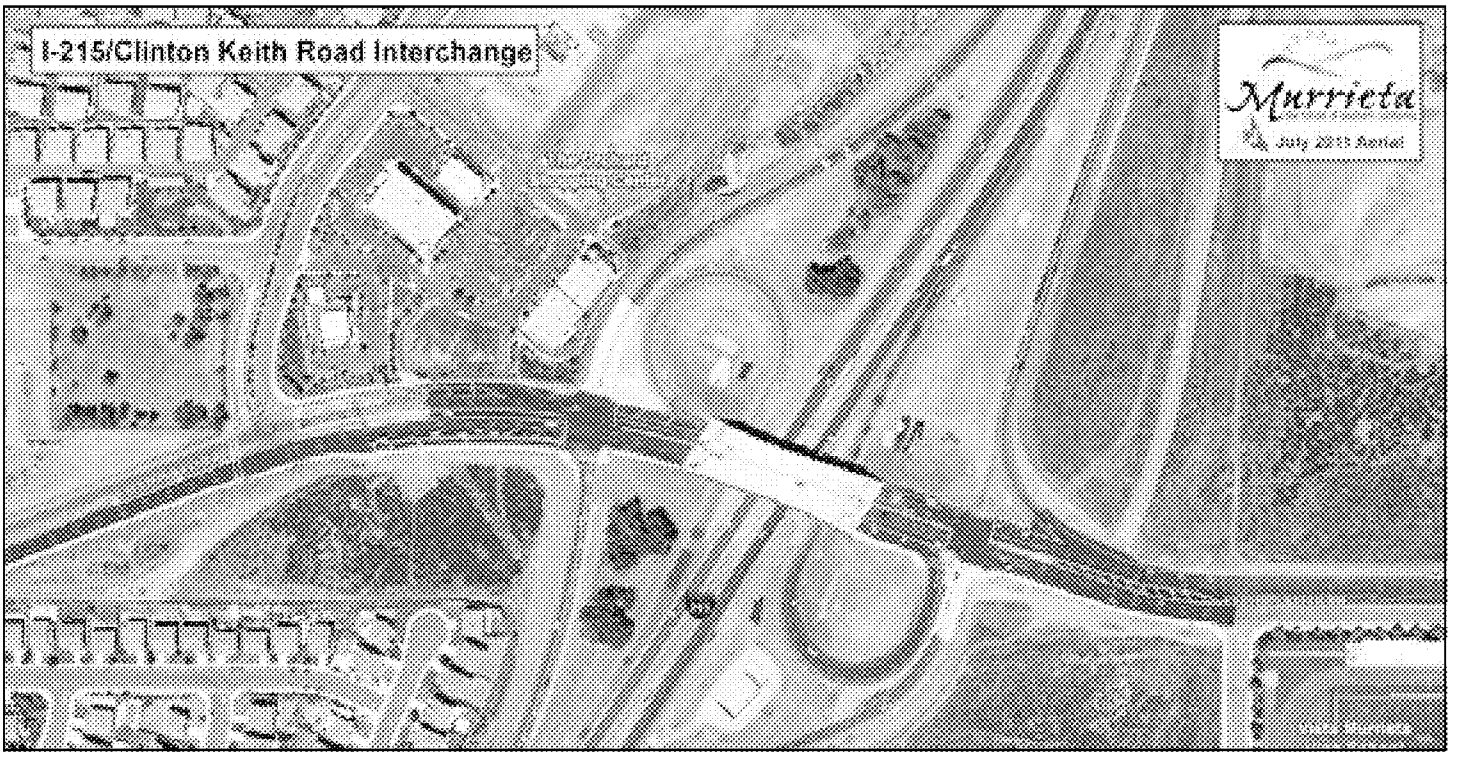

I-215 / Clinton Keith Road Interchange Project, City of Murrieta (After improvements) (Photo courtesy City of Murrieta)

- **1.7** percent is allocated for regional transit projects. WRCOG administers the funds on behalf of the RTA which prioritizes and programs capital transit projects.

As of June 30, 2011, WRCOG has received $539.9 million in revenues from the time the Program commenced (February 2003).

For Fiscal Year 2010/2011, $15.2 million in Program revenue was collected.

This report summarizes TUMF activities from July 1, 2010, to June 30, 2011. Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.

The TUMF Program collects fees from new residential and non-residential land uses.

Residential Uses

Residential uses include two categories; single-family residential and multi-family residential. A residential development with densities lower than eight units per acre is considered single-family residential for the purposes of calculating the fee. Developments with densities greater than eight units per acre are considered multi-family residential.

Non-residential Uses

Non-residential uses include three categories; industrial, retail and service commercial. The non-residential fee is based on the total square footage of the building or structure identified on the building permit and further specified and determined in WRCOG's TUMF Administrative Plan and TUMF 2005 Updated Fee Calculation Handbook Revised January 26, 2012. The applicable non-residential land use category is determined based on the predominate use of the building or structure associated with the new development and as further prescribed in the

Nexus Study and Temporary Fee Reductions

In October 2009, WRCOG member agencies approved an updated TUMF Program Nexus Study. The Nexus Study established the impact future development will have on the existing subregion's arterials and determined the fee structure needed to pay for infrastructure to mitigate these impacts.

The 2009 Nexus Study projected a slower, more moderate forecast than previous studies. Coupled with lower construction costs and a revised Network, fees were reduced. For example, the fee for a single-family home decreased from $9,812 to $8,873. Fees for other residential and non-residential uses were also revised pursuant to the new Nexus Study. All participating agencies adopted the 2009 Nexus Study and fee structure.

In 2009, the WRCOG Executive Committee authorized jurisdictions to temporarily reduce TUMF by 50 percent so long as they "made up" any revenue gaps through alternative funding, cost saving and in-kind matches. Fee reductions are scheduled to sunset on December 31, 2012, or possibly sooner (the Executive Committee capped the total revenue shortfall at $20 million).

Fees effective July 1, 2010 through June 30, 2011:

Single-family residential	$8,873	per unit
Multi-family residential	$6,231	per unit
Industrial	$ 1.73	per square foot
Retail	$10.49	per square foot
Service	$ 4.19	per square foot
Class A & B Office	$ 2.19	per square foot

50% reduced fee is:

Single-family residential	$4,437	per unit
Multi-family residential	$3,115	per unit
Industrial	$ 0.86	per square foot
Retail	$ 5.24	per square foot
Service	$ 2.10	per square foot
Class A & B Office	$ 1.10	per square foot

TUMF Revenue by Jurisdiction and Zone

February 2003 through June 2011

Total Revenue: $539,996,519

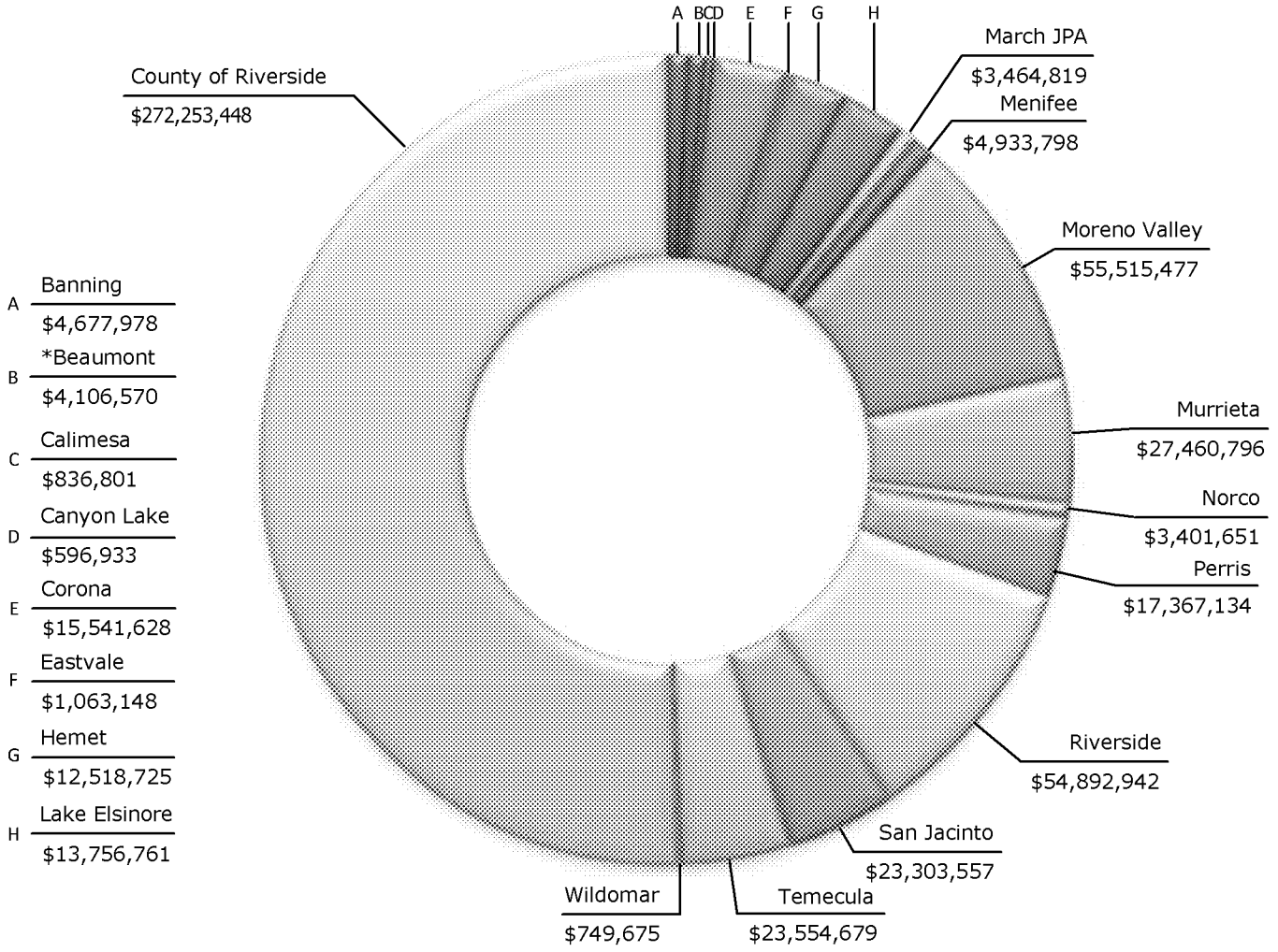

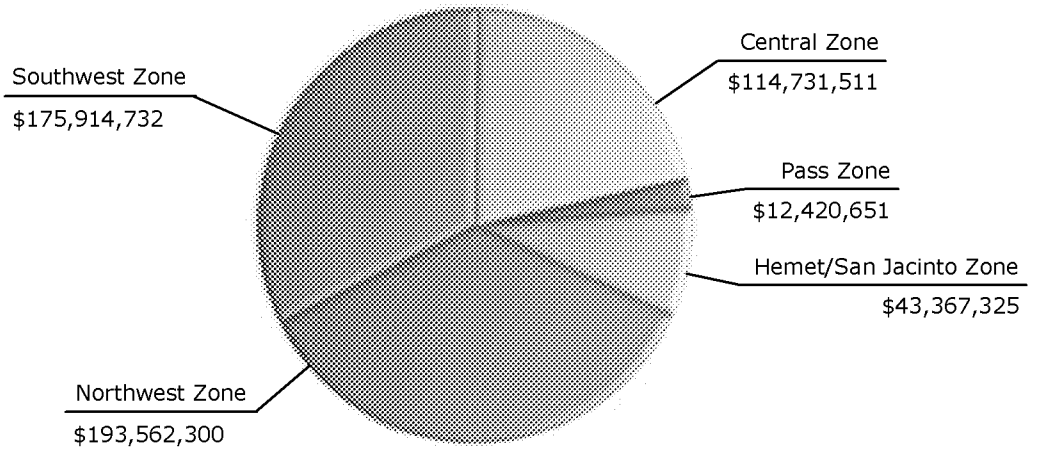

TUMF revenues are collected by each of the jurisdictions in the WRCOG subregion (17 cities and the County of Riverside unincorporated area within WRCOG's boundaries). TUMF revenues are also collected by the March Joint Powers Authority. From Program inception (February 2003) through the end of Fiscal Year 2010/2011 (June 30, 2011), a total of $539.9 million in TUMF Program revenue fees was collected.

participating in the TUMF Program.
ry by a dollar due to rounding.

TUMF Revenue Breakdown By Zone and Jurisdiction (2003-2011)

Northwest Zone - $193,562,300

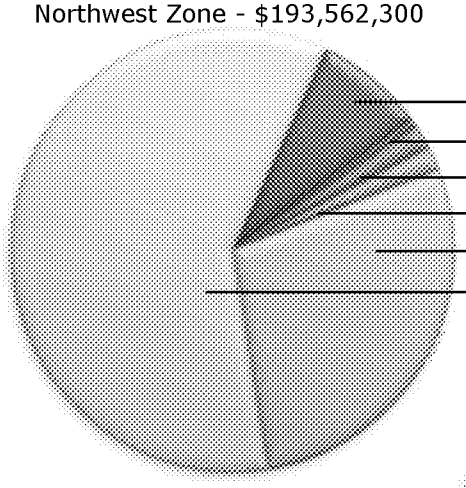

Corona	$	15,541,628
Eastvale	$	1,063,148
March JPA	$	3,464,819
Norco	$	3,401,651
Riverside	$	54,892,942
County of Riverside	$	115,198,113

Central Zone - $114,731,511

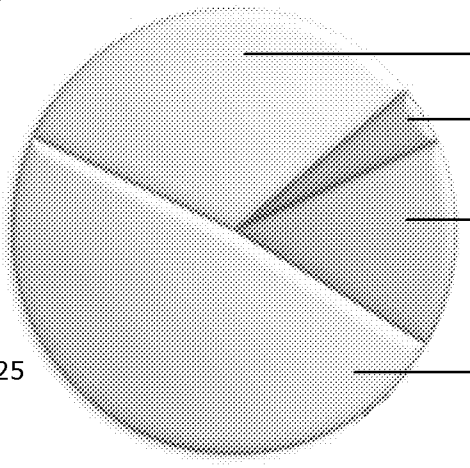

County of Riverside	$	36,915,103
Menifee	$	4,933,798
Perris	$	17,367,134
Moreno Valley	$	55,515,477

Hemet/San Jacinto Zone - $43,367,325

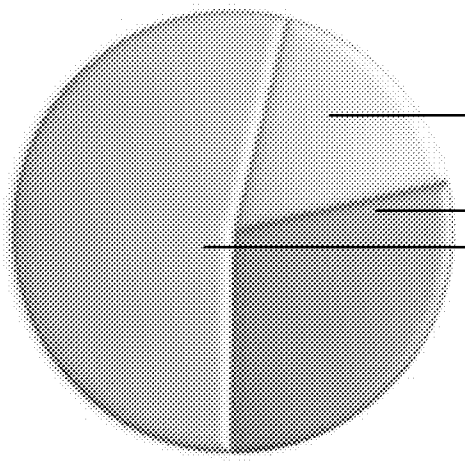

County of Riverside	$	7,545,042
Hemet	$	12,518,725
San Jacinto	$	23,303,557

Pass Zone - $12,420,651

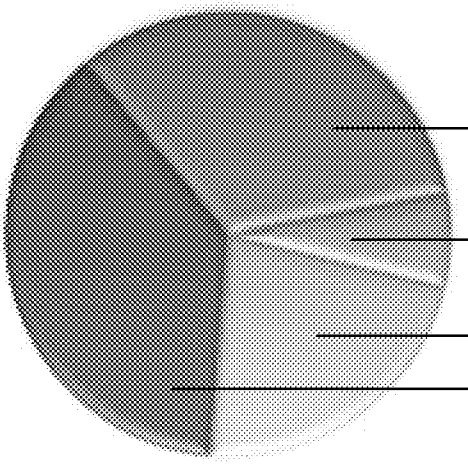

Banning	$	4,677,978
Calimesa	$	836,801
County of Riverside	$	2,799,302
*Beaumont	$	4,106,570

Southwest Zone - $175,914,732

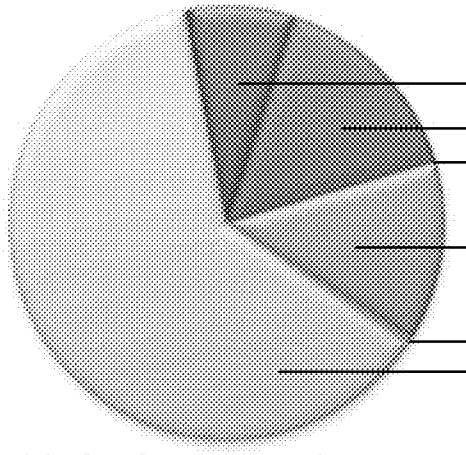

Lake Elsinore	$	13,756,761
Murrieta	$	27,460,796
Canyon Lake	$	596,933
Temecula	$	23,554,679
Wildomar	$	749,675
County of Riverside	$	109,795,888

2003-2011 Revenue Total $539,996,519

*The City of Beaumont is no longer participating in the TUMF Program. Actual jurisd[illegible] may vary by a dollar due to rounding.

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TUMF Revenues Collected by Fiscal Year

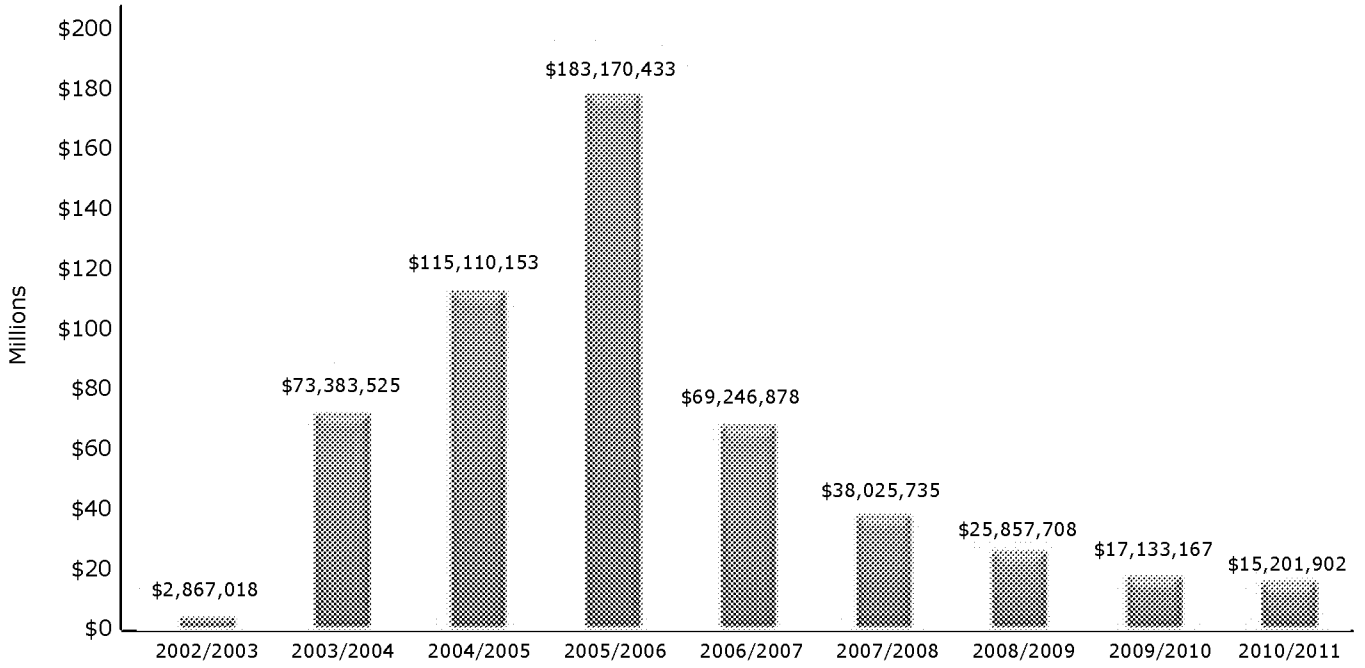

Note: In FY 2002/2003, revenues were not collected until February 2003

Total TUMF Revenue Collection (Cumulative) February 2003 through June 2011

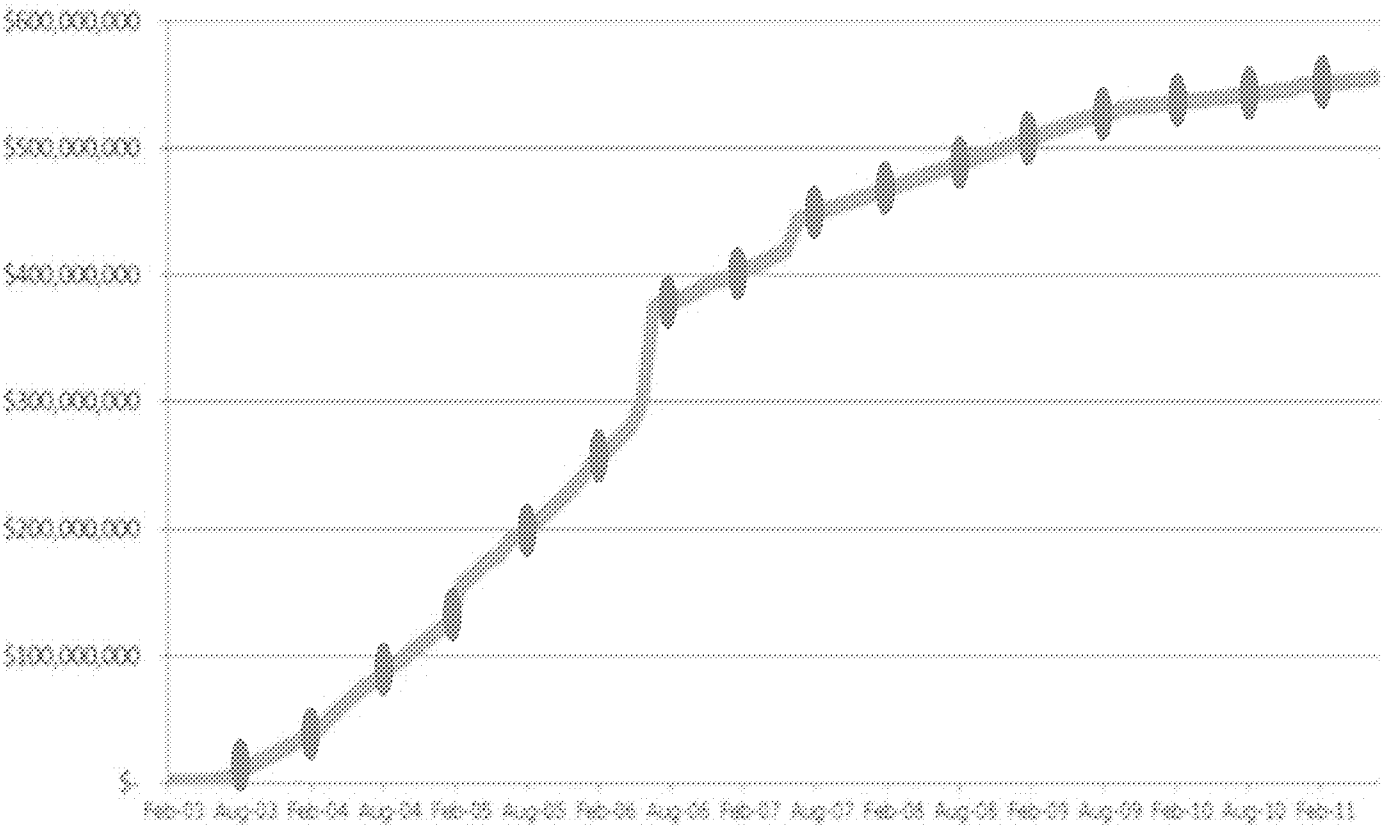

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WRCOG TUMF Revenue vs. Expenditure (Cumulative)

February 2003 through June 2011

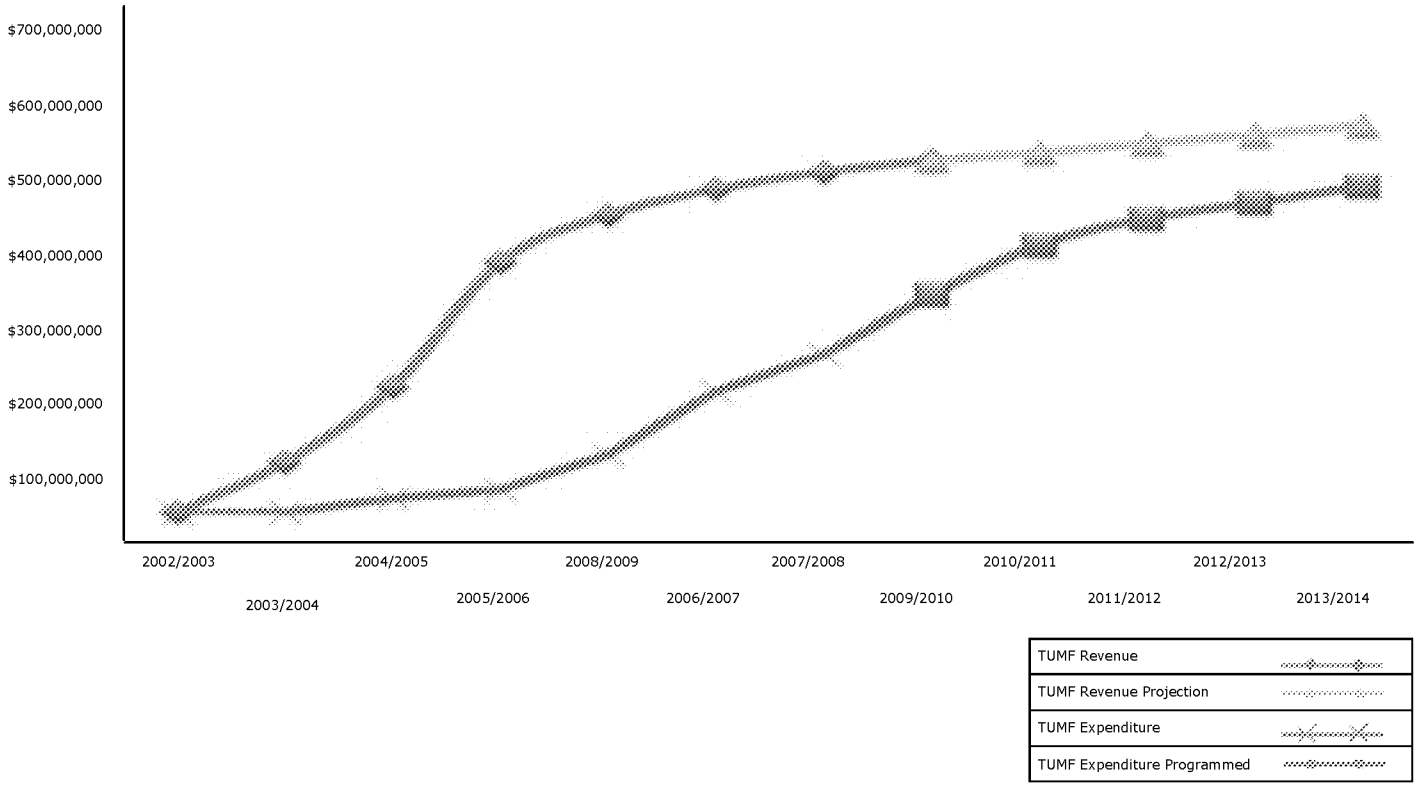

TUMF System Costs vs. Revenue Stream

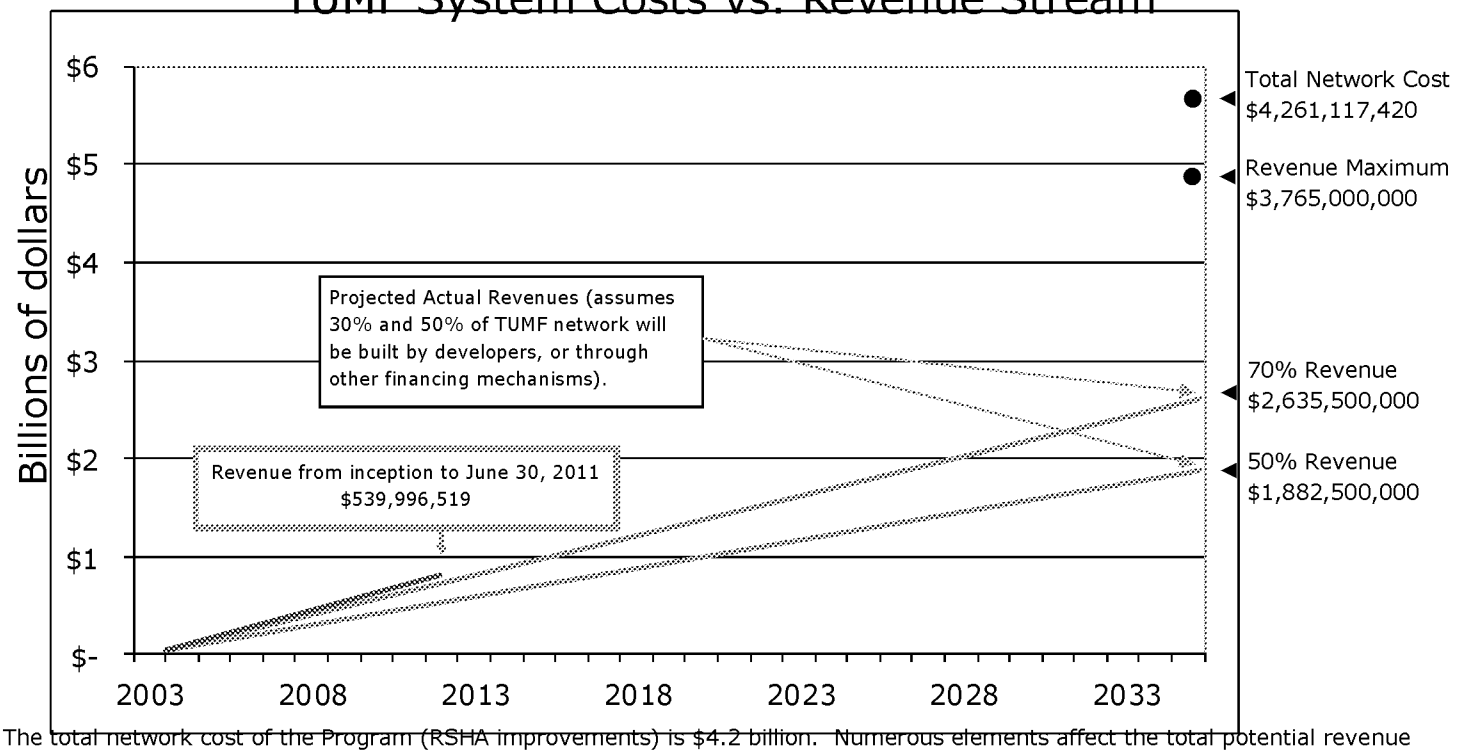

The total network cost of the Program (RSHA improvements) is $4.2 billion. Numerous elements affect the total potential revenue collected by the Program such as exemptions from TUMF due to vesting maps, development agreements, phasing of fees, and policy actions. As such, the maximum amount of fees that can be collected by the TUMF Program is approximately $3.765 billion. It is estimated that between 30% and 50% of the TUMF Network will be built by developers, or through alternative funding mechanisms such as Community Facilities Districts and Road and Bridge Benefit Districts. Actual fees to be collected, therefore, are estimated at $1.882 billion (assuming 50% of the Network is constructed by developers or through financing mechanisms in which case fees are not collected) or $2.635 billion (assuming 30% of the Network is constructed with [illegible]ted.)

TUMF Revenue by Jurisdiction and Zone

Fiscal Year 2010/2011 (July 1, 2010, to June 30, 2011)

Total Revenue: $15,201,902

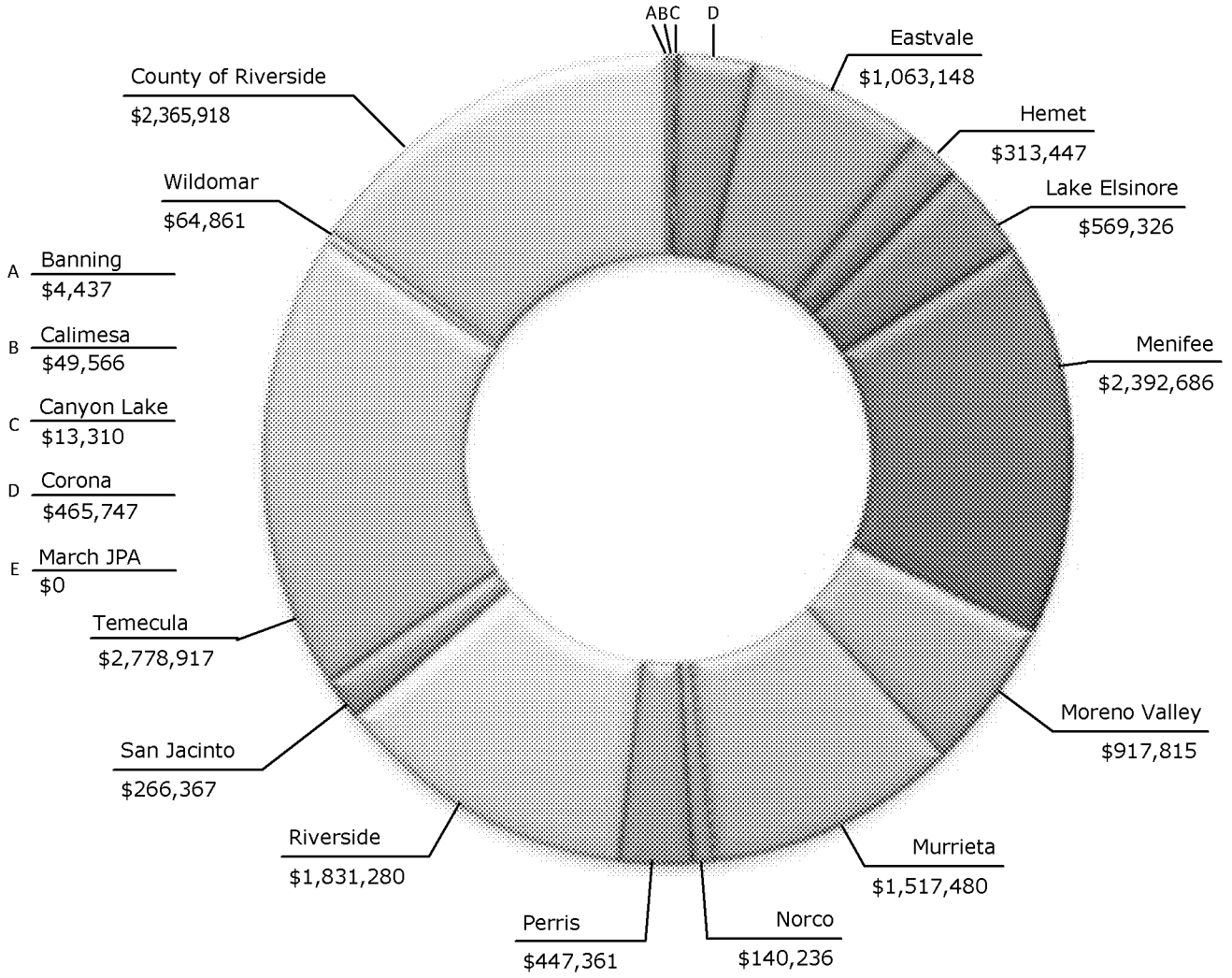

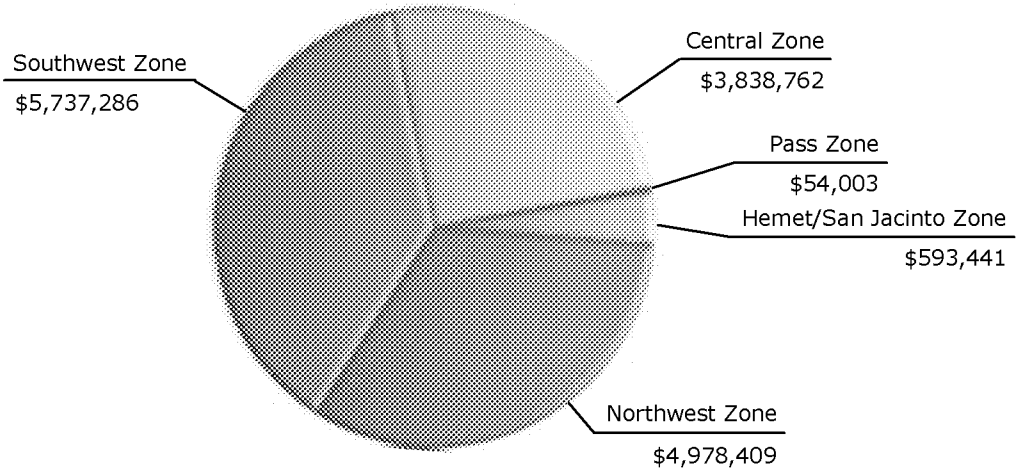

TUMF Revenue Breakdown By Zone and Jurisdiction (FY 2010/2011)

Northwest Zone - $4,978,409

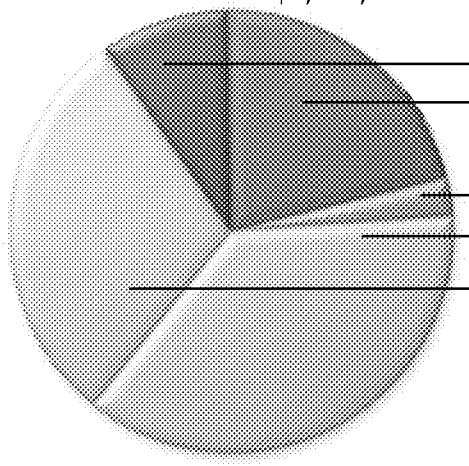

Corona	$	465,747
Eastvale	$	1,063,148
March JPA	$	0
Norco	$	140,236
Riverside	$	1,831,280
County of Riverside	$	1,477,999

Central Zone - $3,838,762

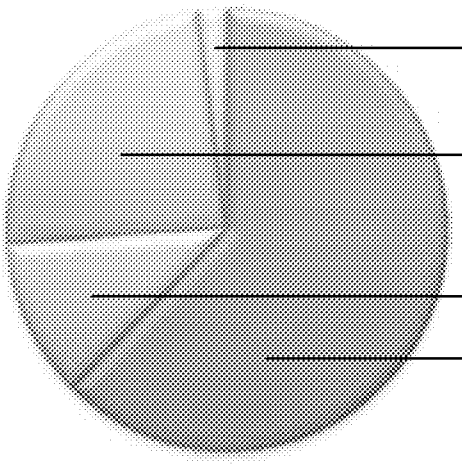

County of Riverside	$	80,900
Moreno Valley	$	917,815
Perris	$	447,361
Menifee	$	2,392,686

Hemet/San Jacinto Zone - $593,441

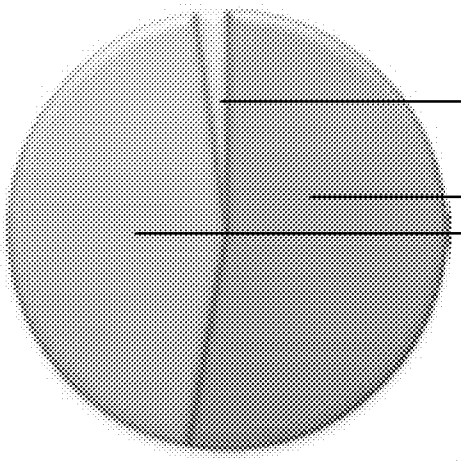

County of Riverside	$	13,627
Hemet	$	313,447
San Jacinto	$	266,367

Pass Zone - $54,003

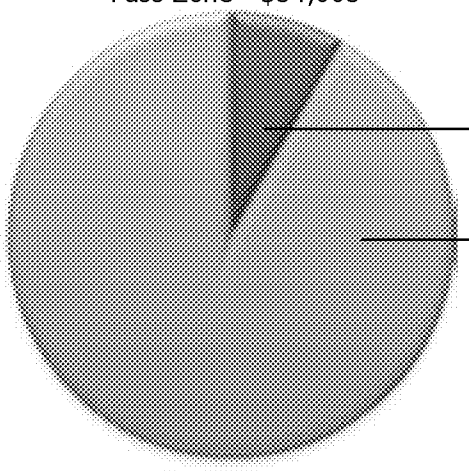

Banning	$	4,437
Calimesa	$	49,566
County of Riverside	$	0

Southwest Zone - $5,737,286

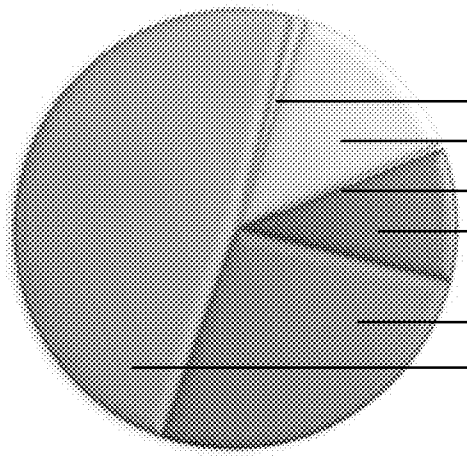

Wildomar	$	64,861
County of Riverside	$	793,392
Canyon Lake	$	13,310
Lake Elsinore	$	569,326
Murrieta	$	1,517,480
Temecula	$	2,778,917

Fiscal Year 2010/2011 Revenue Total $15,201,902

Actual jurisdiction revenues may vary by a dollar due to rounding.

TUMF Revenue by Land Use (2003-2011)

Total Revenue: $539,996,519

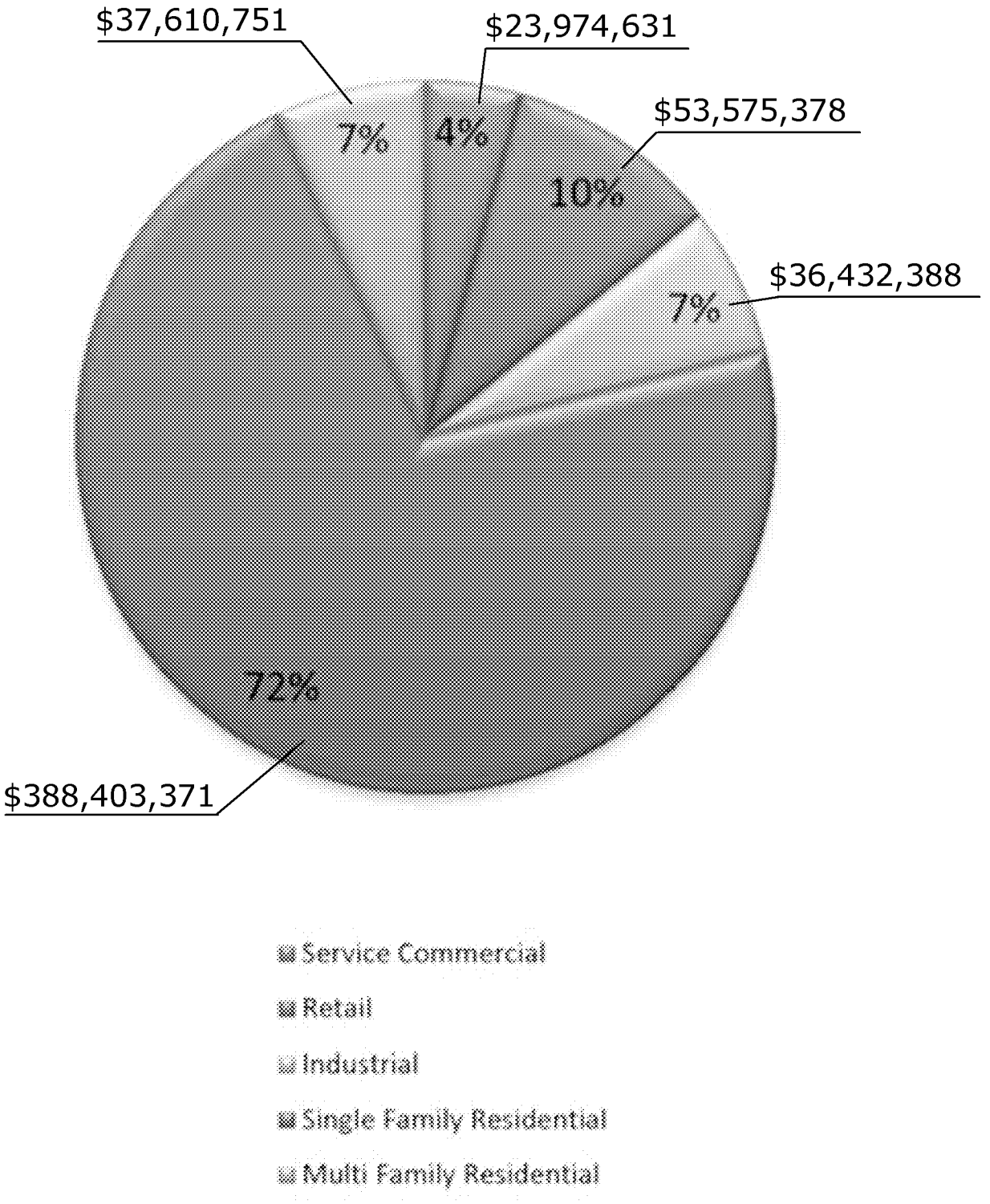

TUMF Revenue by Land Use (2003-2011)

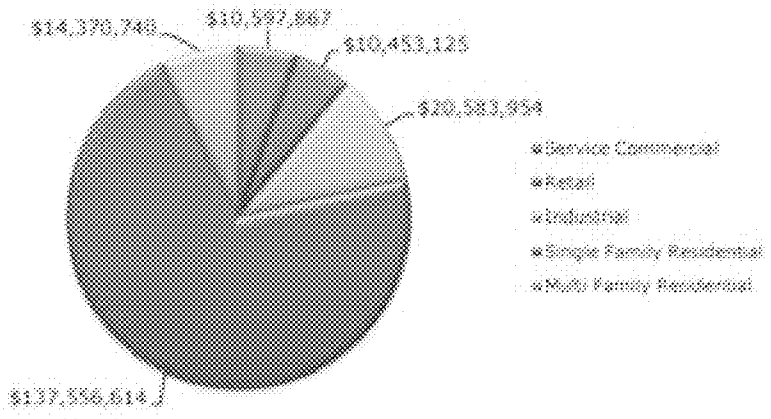

Northwest Zone

- County of Riverside unincorporated
- City of Corona
- City of Eastvale
- *City of Jurupa Valley
- City of Norco
- City of Riverside
- March Joint Powers Authority

County of Riverside

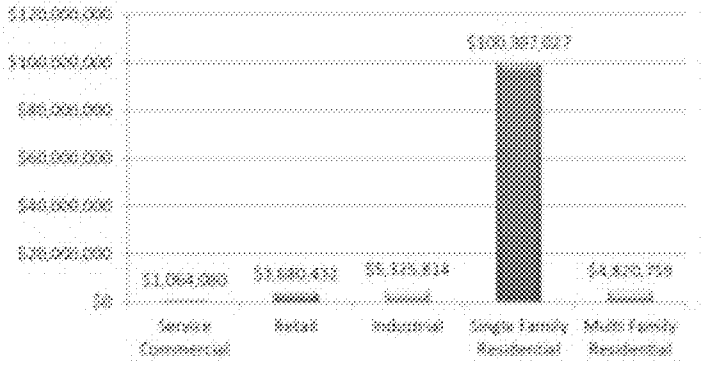

Corona

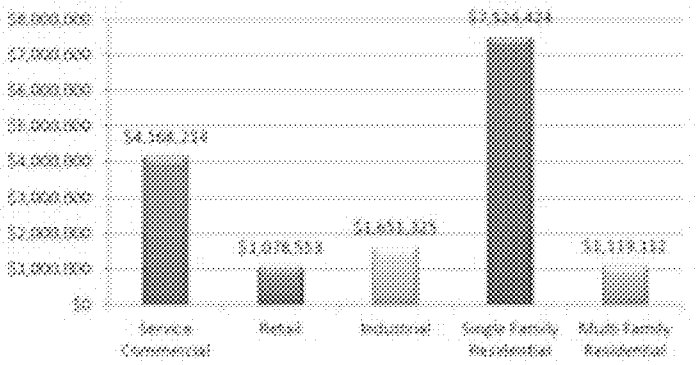

Eastvale

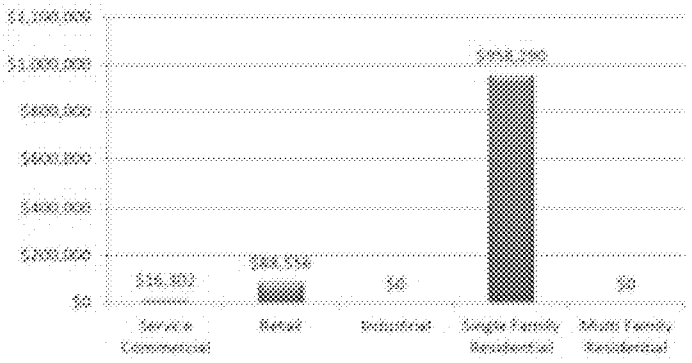

Norco

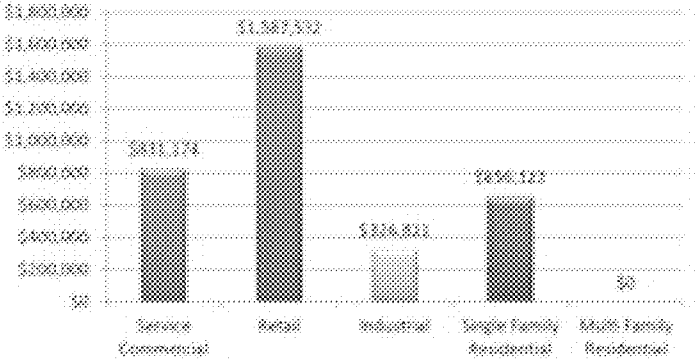

Riverside

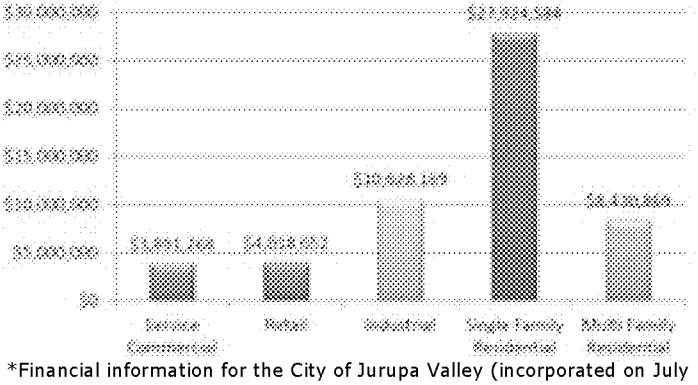

March JPA

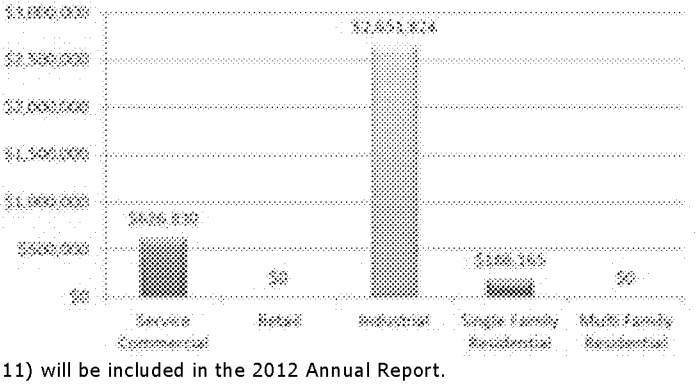

*Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.
The County of Riverside and the Cities of Corona, Eastvale, Norco, and Riverside for all or pa[illegible] duced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00180090

TUMF Revenue by Land Use (2003-2011)

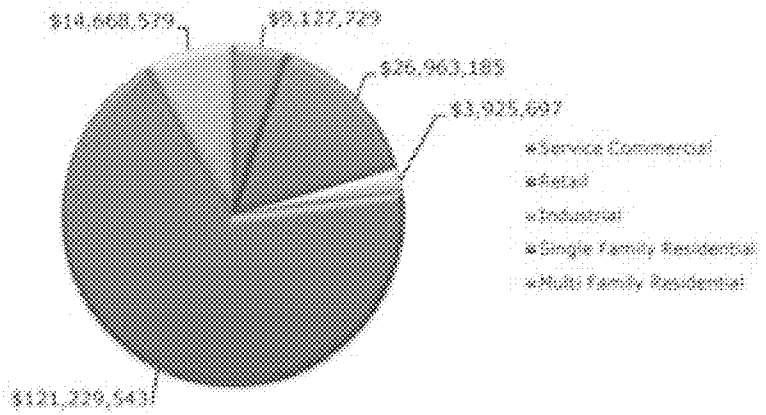

Southwest Zone

- County of Riverside unincorporated
- City of Canyon Lake
- City of Lake Elsinore
- City of Murrieta
- City of Temecula
- City of Wildomar

County of Riverside

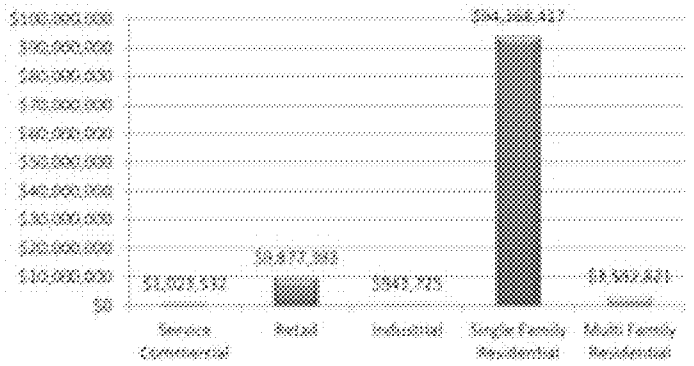

Canyon Lake

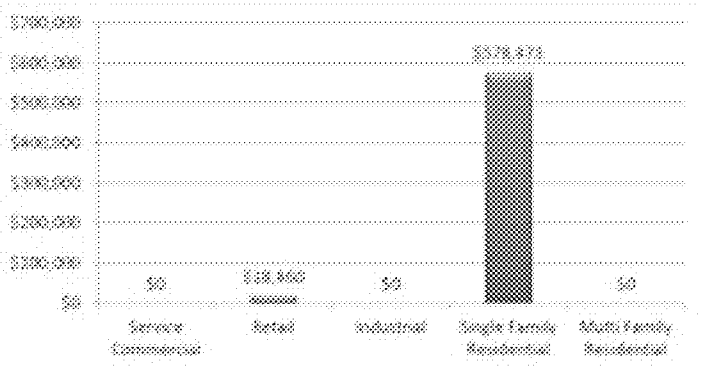

Lake Elsinore

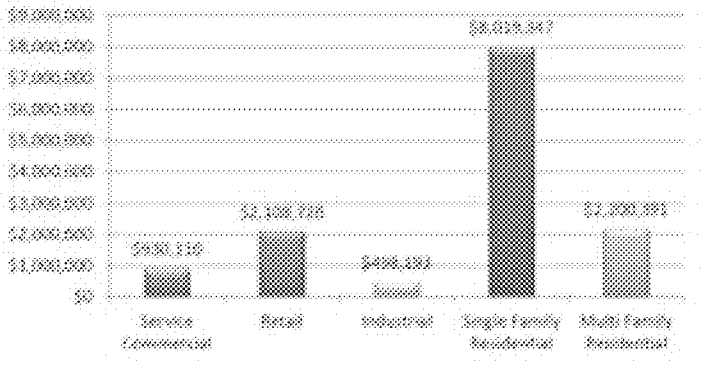

Murrieta

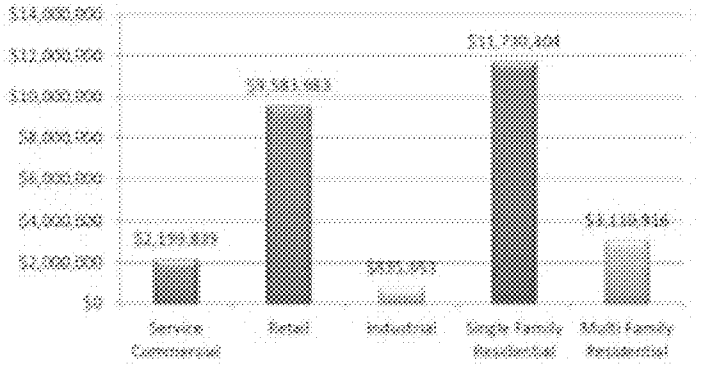

Temecula

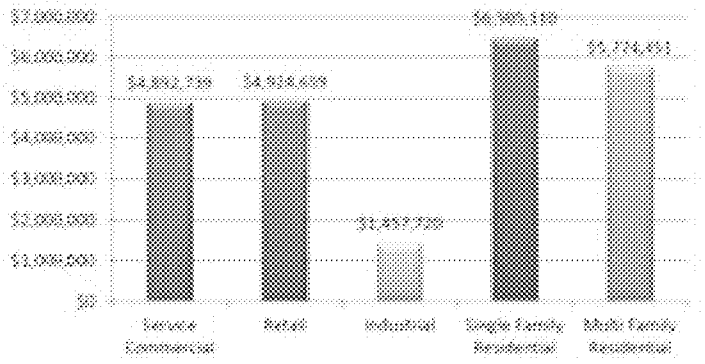

Wildomar

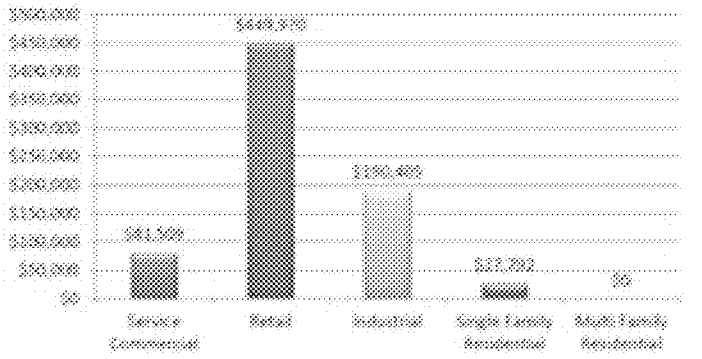

time reduced the fee by 50%.
a dollar due to rounding.

Item No. E.2

-1440-

MV00180091

TUMF Revenue by Land Use (2003-2011)

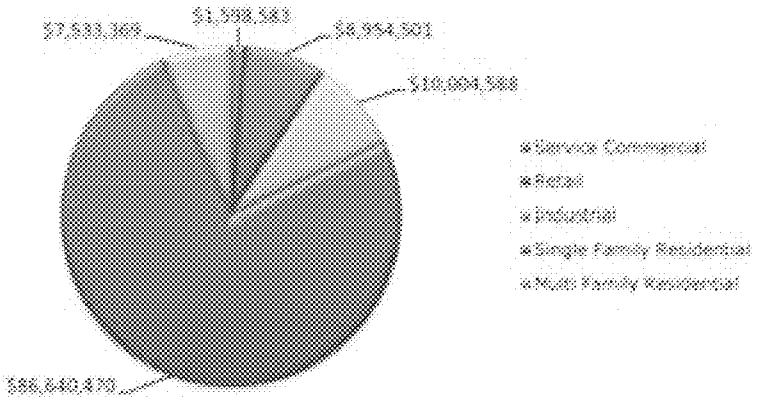

Central Zone

- County of Riverside unincorporated
- City of Menifee
- City of Moreno Valley
- City of Perris

County of Riverside

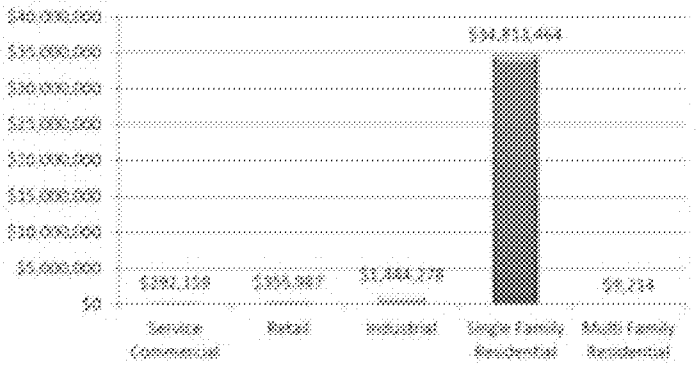

Menifee

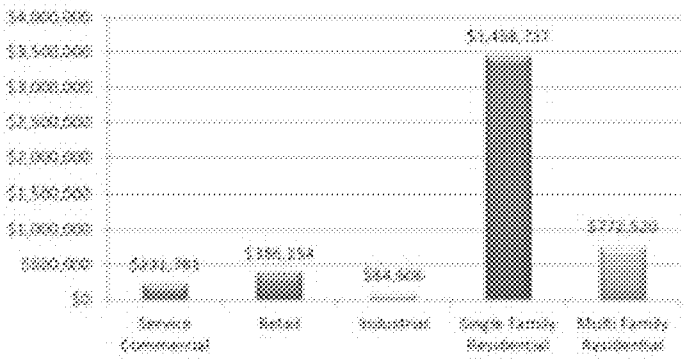

Moreno Valley

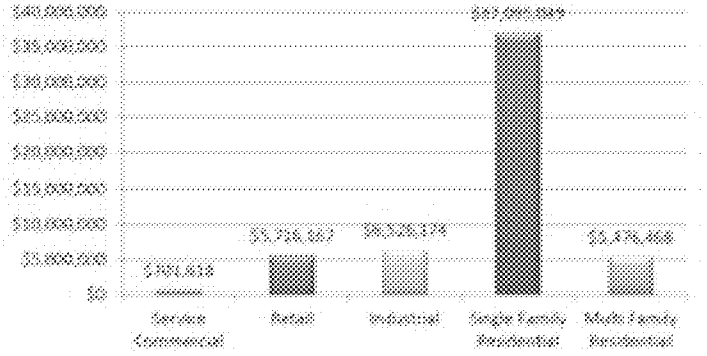

Perris

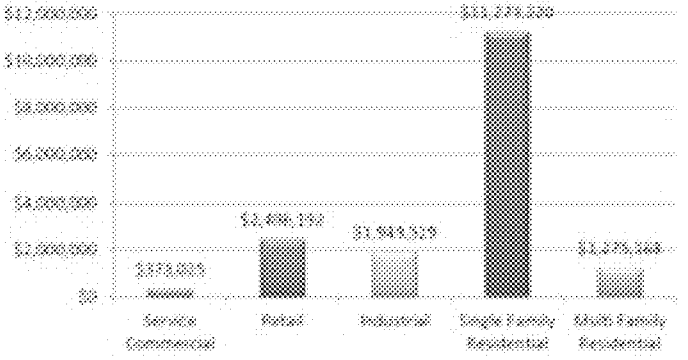

The County of Riverside and the Cities of Menifee, Moreno Valley, and Perris for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00180092

TUMF Revenue by Land Use (2003-2011)

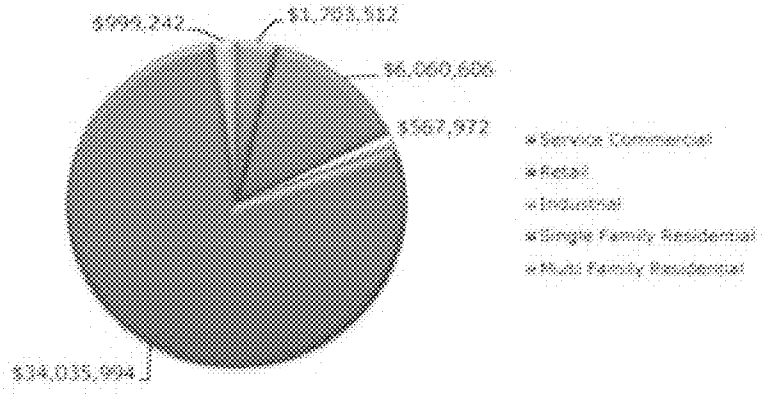

Hemet/San Jacinto Zone

- County of Riverside unincorporated
- City of Hemet
- City of San Jacinto

County of Riverside

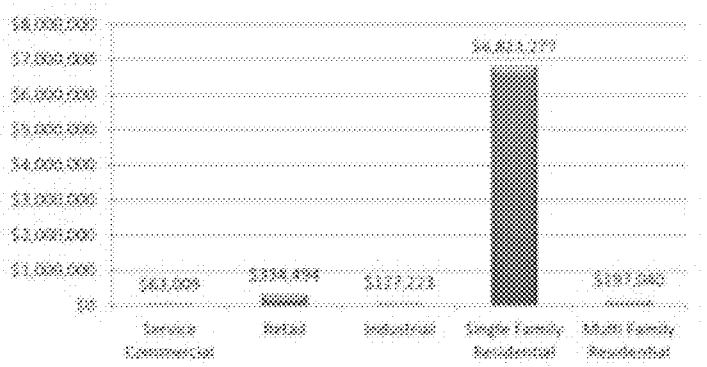

Hemet

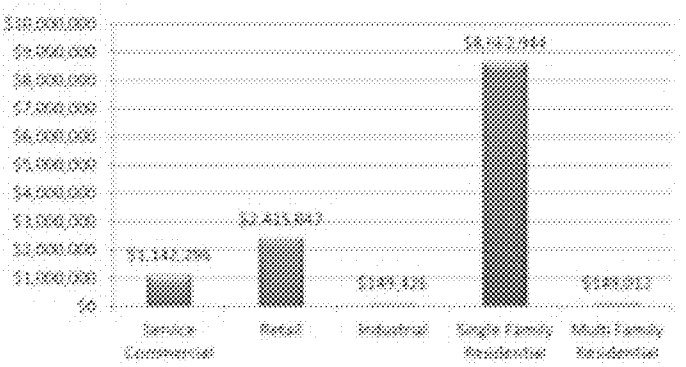

San Jacinto

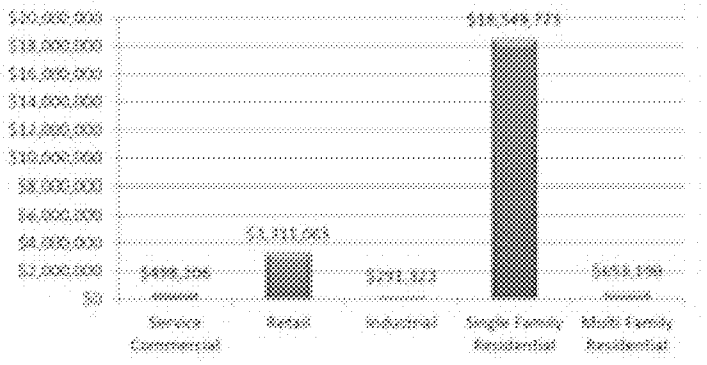

y of San Jacinto for all or part of this time red ced the fee by 50%.
ry by a dollar due to rounding.

TUMF Revenue by Land Use (2003-2011)

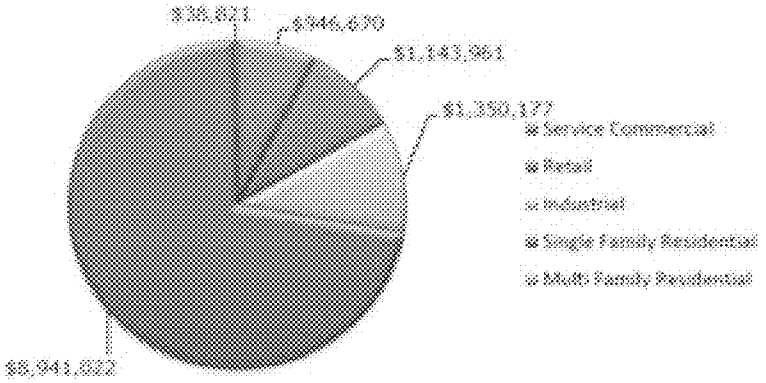

Pass Zone

- County of Riverside unincorporated
- City of Banning
- *City of Beaumont
- City of Calimesa

County of Riverside

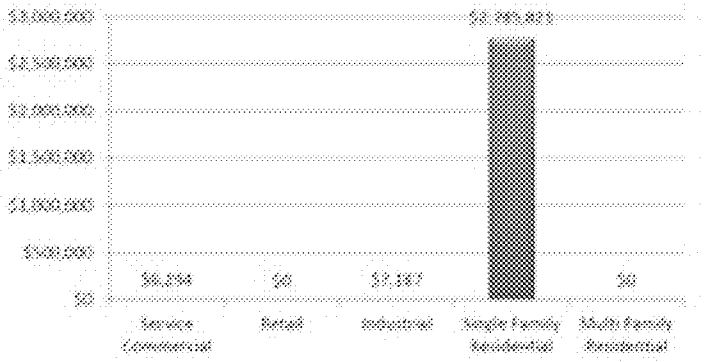

Banning

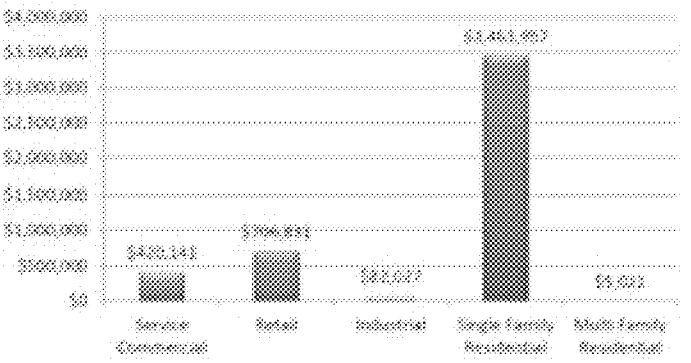

***Beaumont**

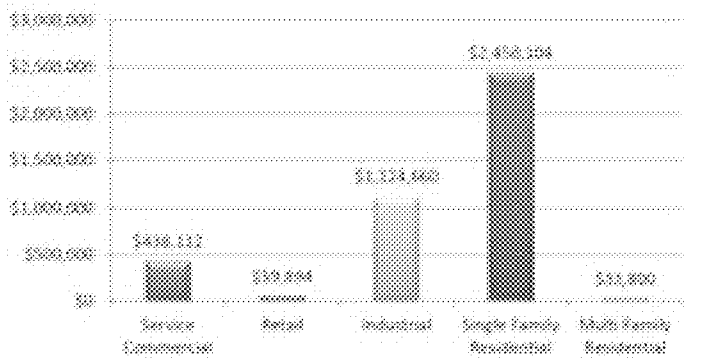

Calimesa

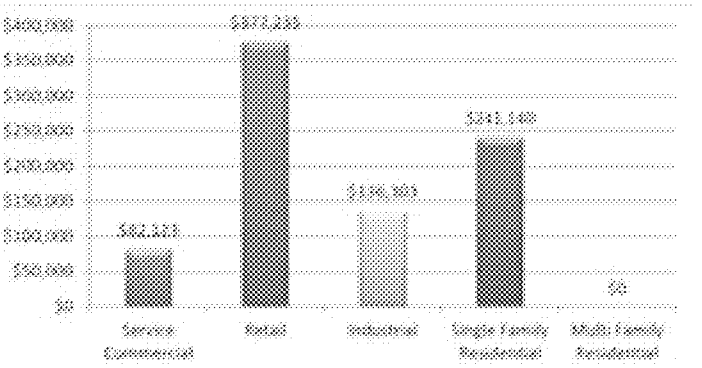

*The City of Beaumont is no longer participating in the TUMF Program.
The County of Riverside and the Cities of Banning and Calimesa for all or part of this time reduced the fee by 50%.
Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00180094

TUMF Revenue by Land Use

Fiscal Year 2010-2011 (July 1, 2010, to June 30, 2011)

Total Revenue: $15,201,902

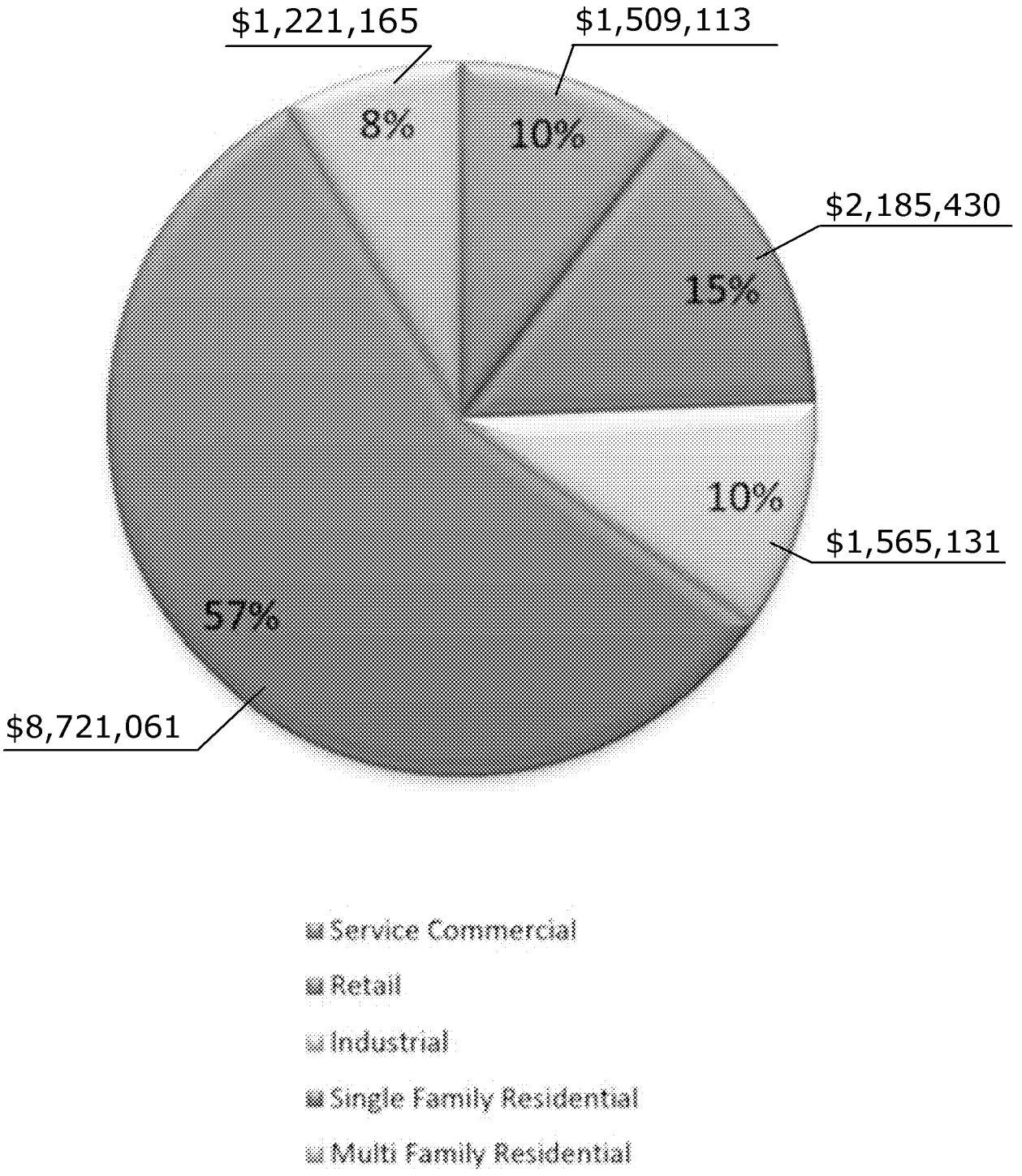

Item No. E.2 ry by a dollar due to rounding.

-1444-

MV00180095

TUMF Revenue by Land Use (FY 2010/2011)

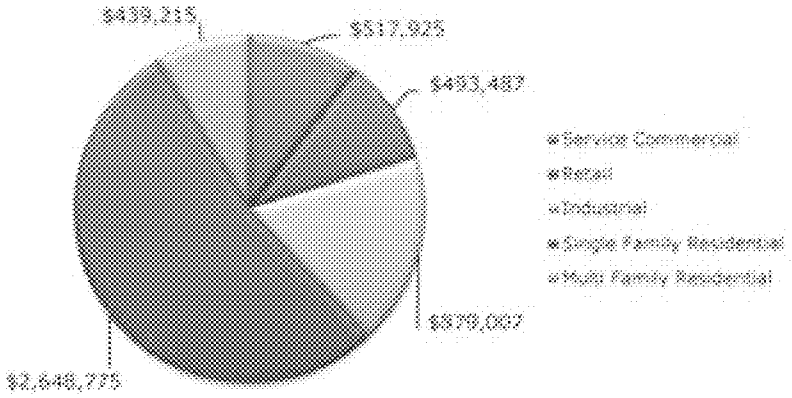

Northwest Zone

- County of Riverside unincorporated
- City of Corona
- City of Eastvale
- City of Jurupa Valley
- City of Norco
- City of Riverside
- March Joint Powers Authority

County of Riverside

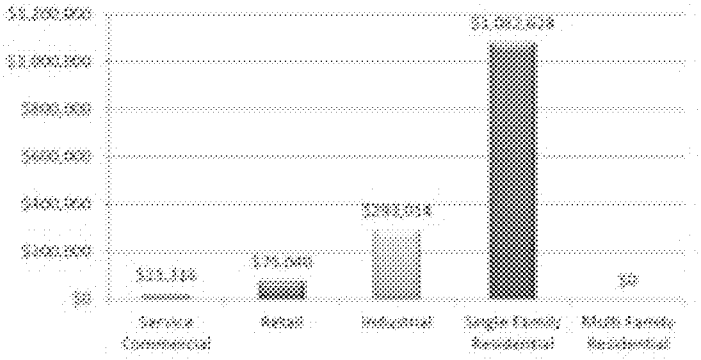

Corona

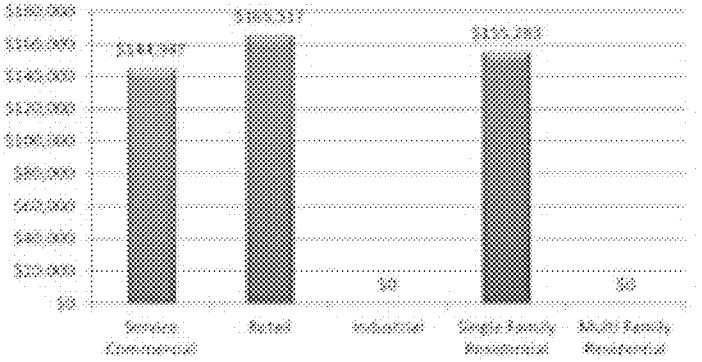

Eastvale

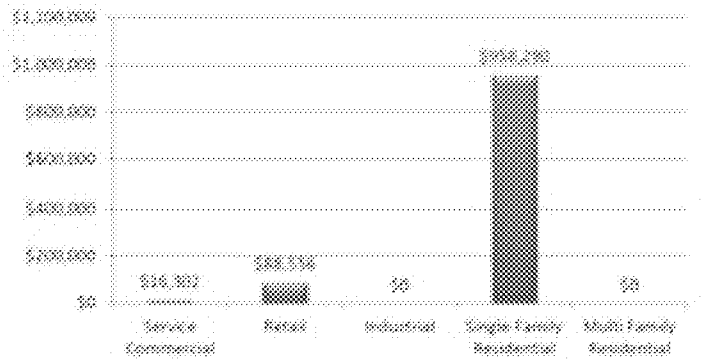

Norco

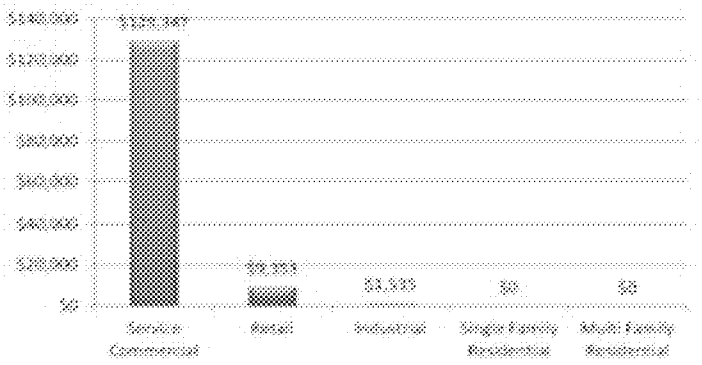

Riverside

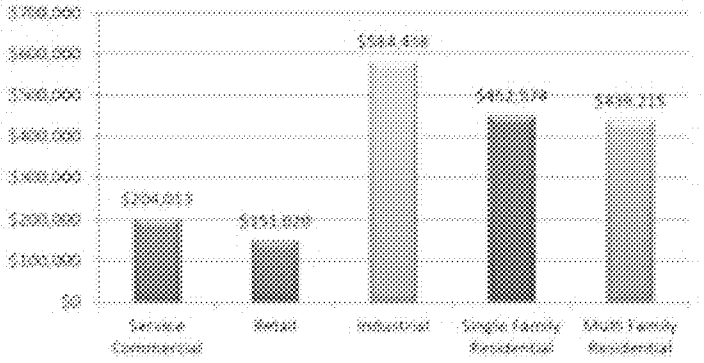

Financial information for the City of Jurupa Valley (incorporated on July 1, 2011) will be included in the 2012 Annual Report.

For Fiscal Year 2010/2011, the March JPA did not have any projects in final inspection and therefore did not collect or remit any TUMF dollars to WRCOG.

Actual jurisdiction revenues may vary by a dollar due to rounding.

MV00180096

TUMF Revenue by Land Use (FY 2010/2011)

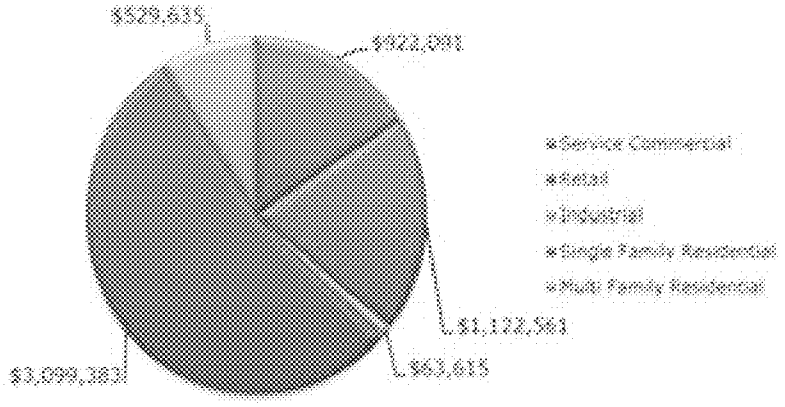

Southwest Zone

- County of Riverside unincorporated
- City of Canyon Lake
- City of Lake Elsinore
- City of Murrieta
- City of Temecula
- City of Wildomar

County of Riverside

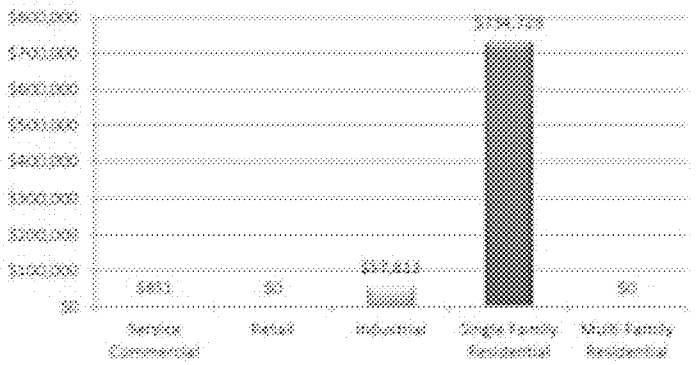

Canyon Lake

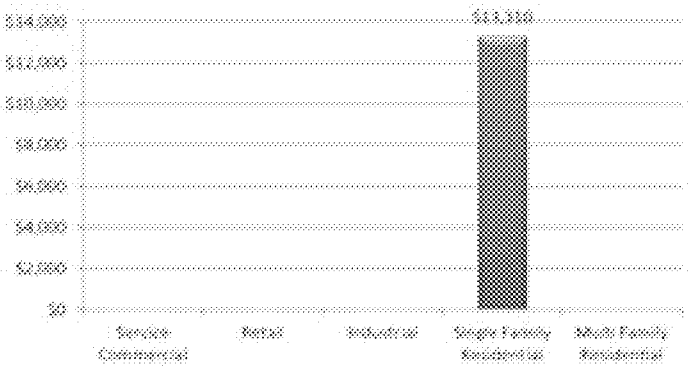

Lake Elsinore

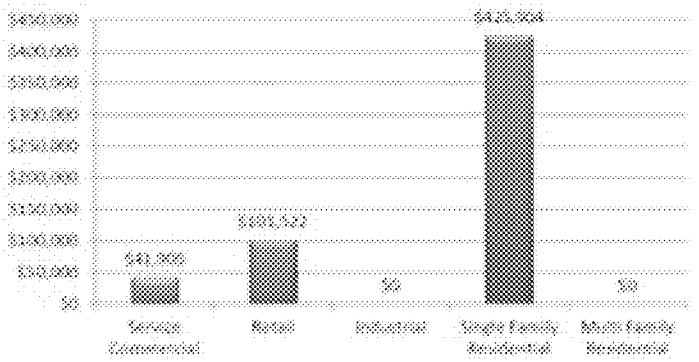

Murrieta

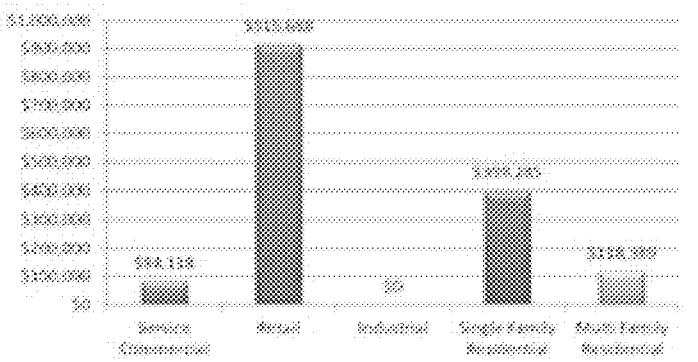

Temecula

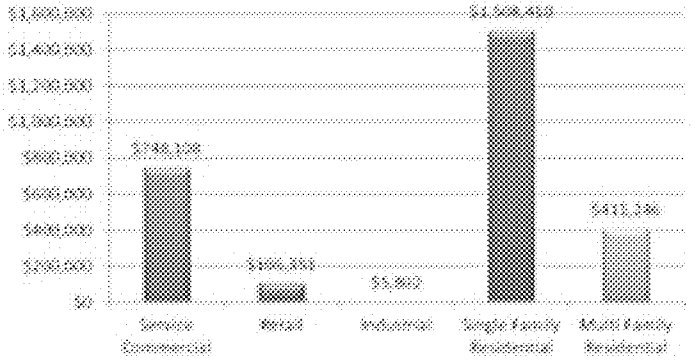

Wildomar

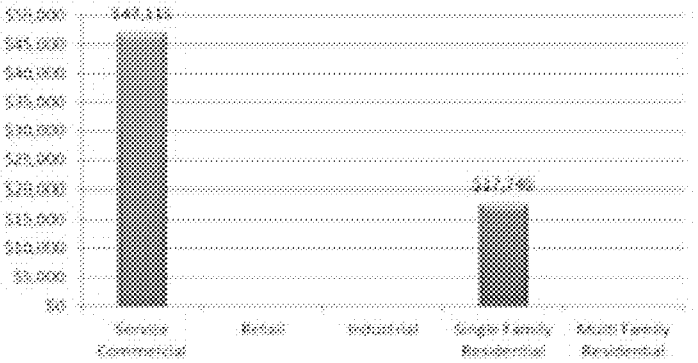

Item No. E.2 y by a dollar due to rounding.

-1446-

MV00180097

TUMF Revenue by Land Use (FY 2010/2011)

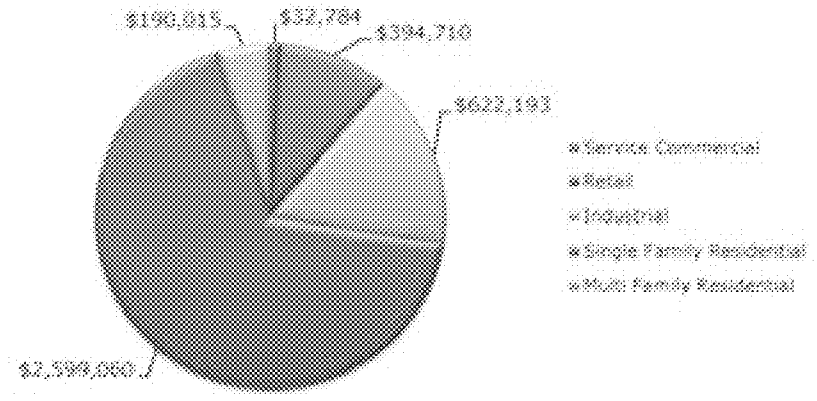

Central Zone

- County of Riverside unincorporated
- City of Menifee
- City of Moreno Valley
- City of Perris

County of Riverside

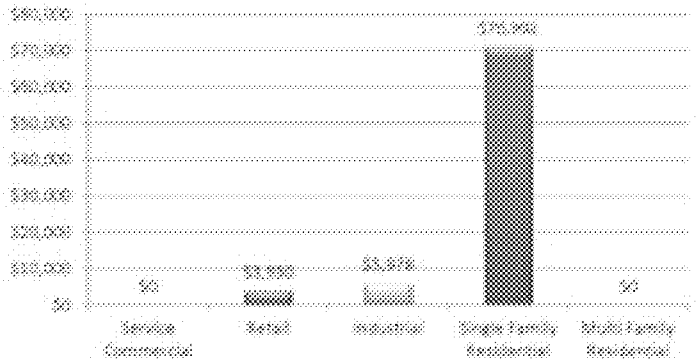

Menifee

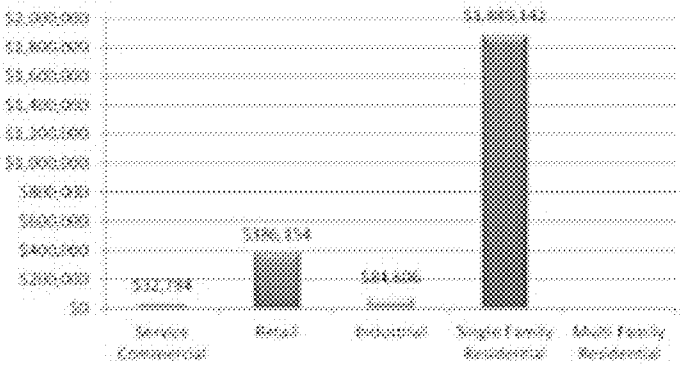

Moreno Valley

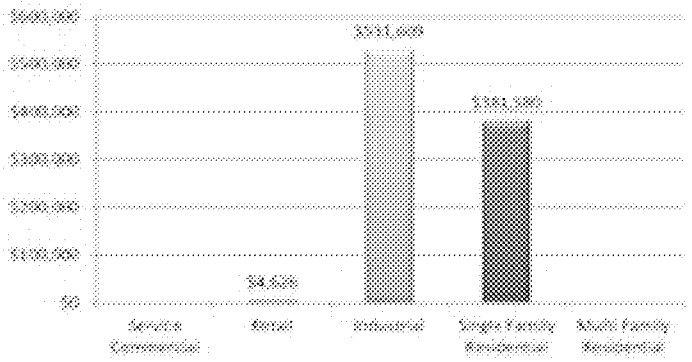

Perris

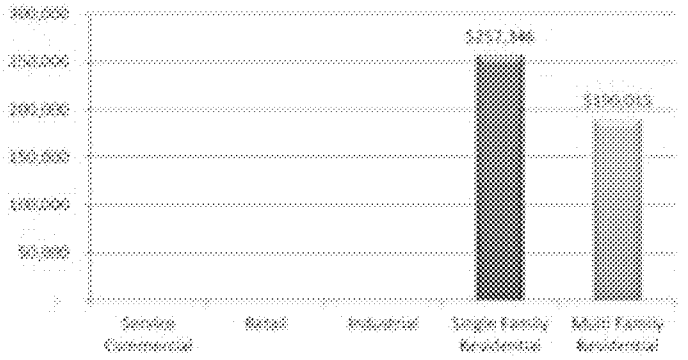

TUMF Revenue by Land Use (FY 2010/2011)

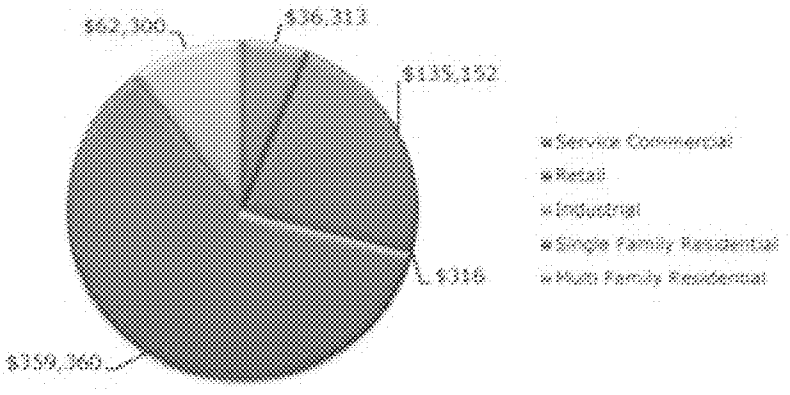

Hemet/San Jacinto Zone

- County of Riverside unincorporated
- City of Hemet
- City of San Jacinto

County of Riverside

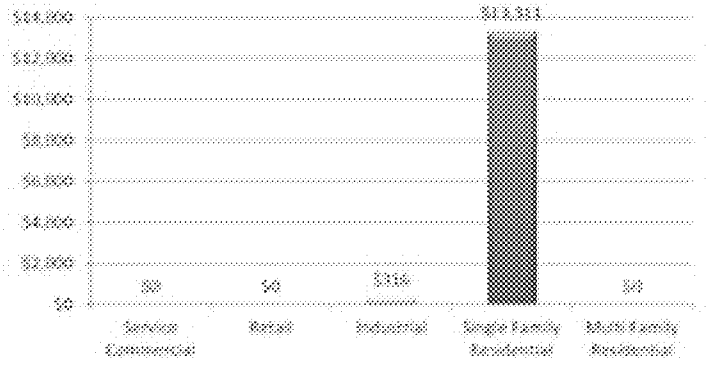

Hemet

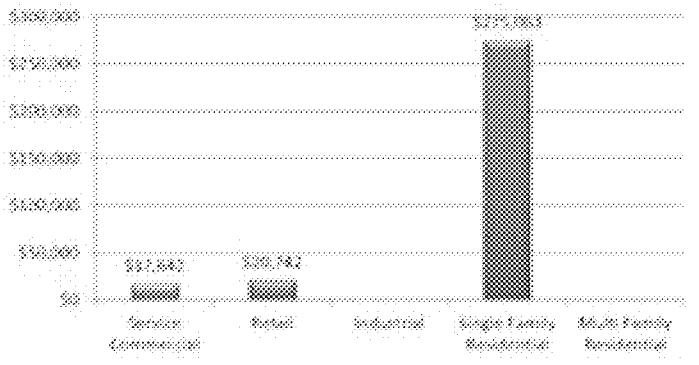

San Jacinto

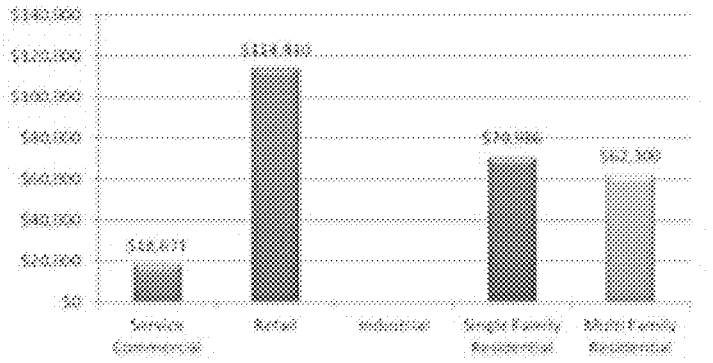

TUMF Revenue by Land Use (FY 2010/2011)

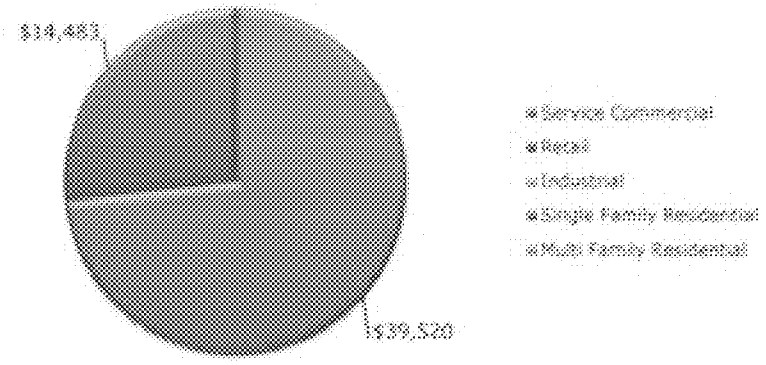

Pass Zone

- City of Banning
- City of Calimesa
- County of Riverside unincorporated

Banning

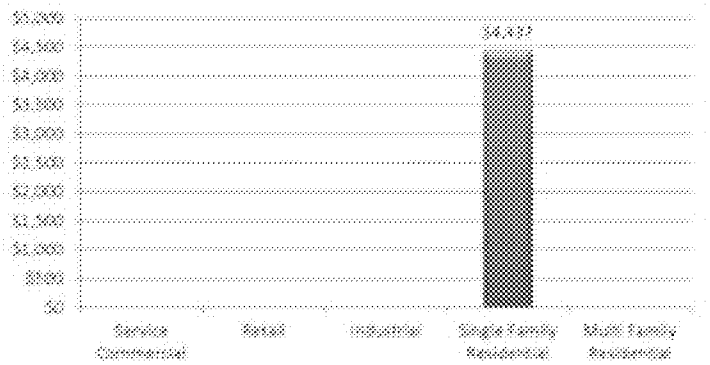

Calimesa

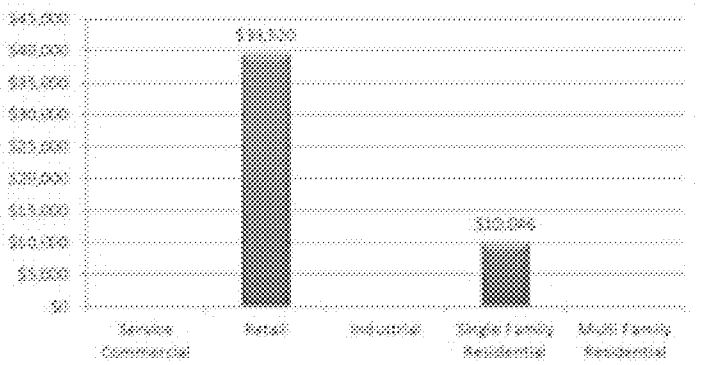

For Fiscal Year 2010/2011, the County of Riverside did not have any projects in final inspection and therefore did not collect or remit any TUMF dollars to WRCOG.

MV00180100

Projects

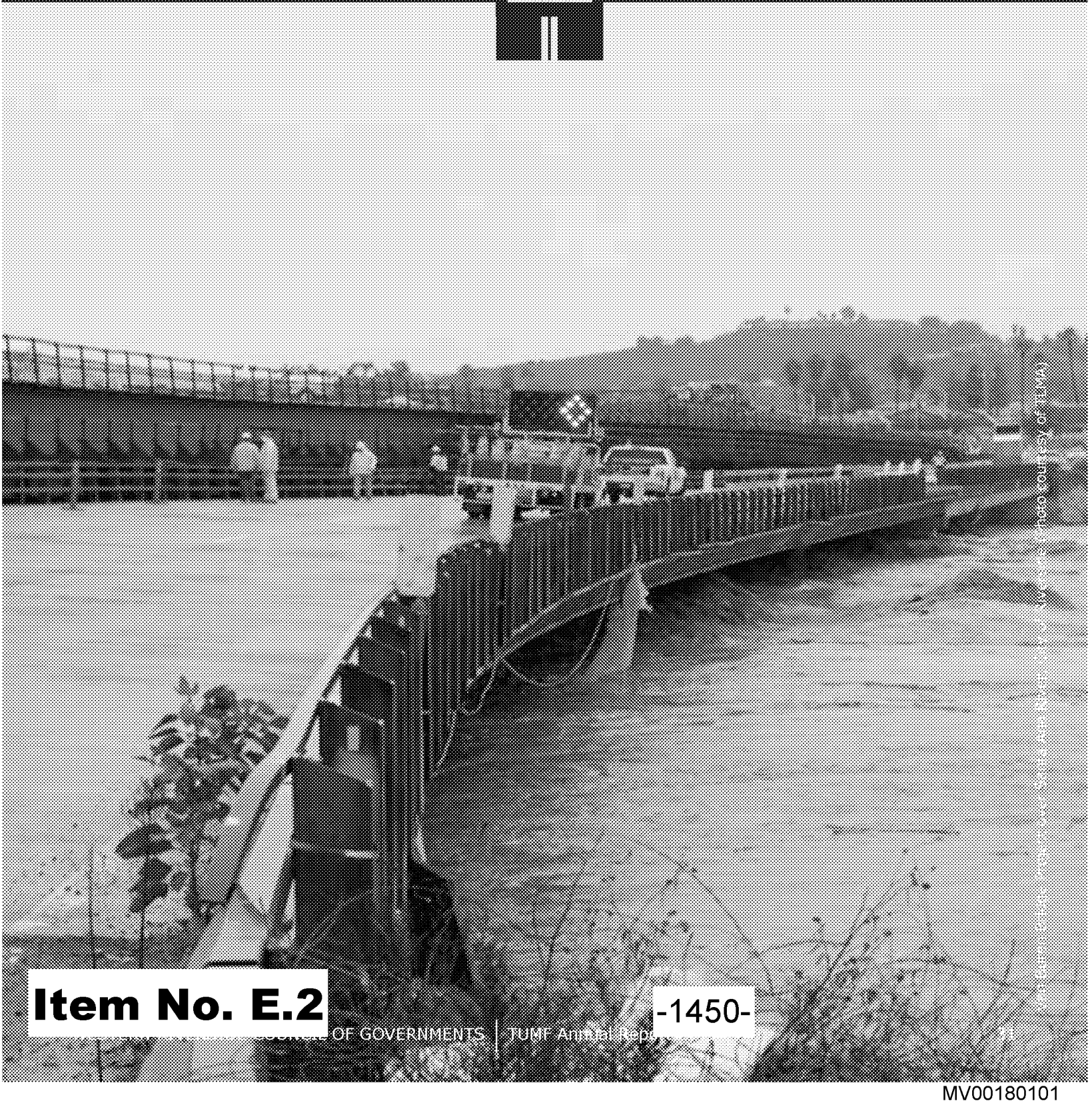

Wichita Falls Flood Control Project, Wichita Falls, Texas

WRCOG's TUMF Program is first and foremost an infrastructure program. It is about building infrastructure – not collecting a fee. Constructing TUMF improvements as quickly as possible is the Program's paramount objective.

WRCOG's partners in the TUMF Program, including 18 member jurisdictions, RCTC, RTA, the March JPA, and the development community have all placed the TUMF Program as a top priority. The results of our partners' commitment to the Program is evidenced on a number of fronts. All of the agencies and jurisdictions have developed and updated TUMF project expenditure plans called Transportation Improvement Programs (TIPs) that estimate revenues from TUMF and prioritize which project improvements will be made during a five-year period. Within six months of the initiation of the Program, TIPs were being approved and work was underway to implement the nation's largest multi-jurisdictional uniform development fee program.

TUMF projects do not result just from the TIPs. Community Facilities Districts (CFDs) and Road and Bridge Benefit Districts (R&BBDs) are also used to construct TUMF improvements, and developers sometimes build TUMF facilities in lieu of paying TUMF fees. By being creative, WRCOG and its partners are working to find the fastest, most cost-effective ways to build the TUMF Network.

As of the end of Fiscal Year 2010/2011, 46 TUMF projects have been completed, 8 projects are under construction, 28 projects are in engineering or right-of-way (ROW) acquisition, and another 27 projects are in planning and environmental stages. The balance of the projects are in preliminary design and planning phases. Furthermore, of the currently programmed Zone-level TIP projects, over 40 percent of these are slated for construction during the five-year TIP period. Western Riverside County residents are seeing TUMF Program dollars at work in dozens of locations throughout the subregion.

The following pages highlight TUMF activities in each of the five zones, and for RTA and RCTC.

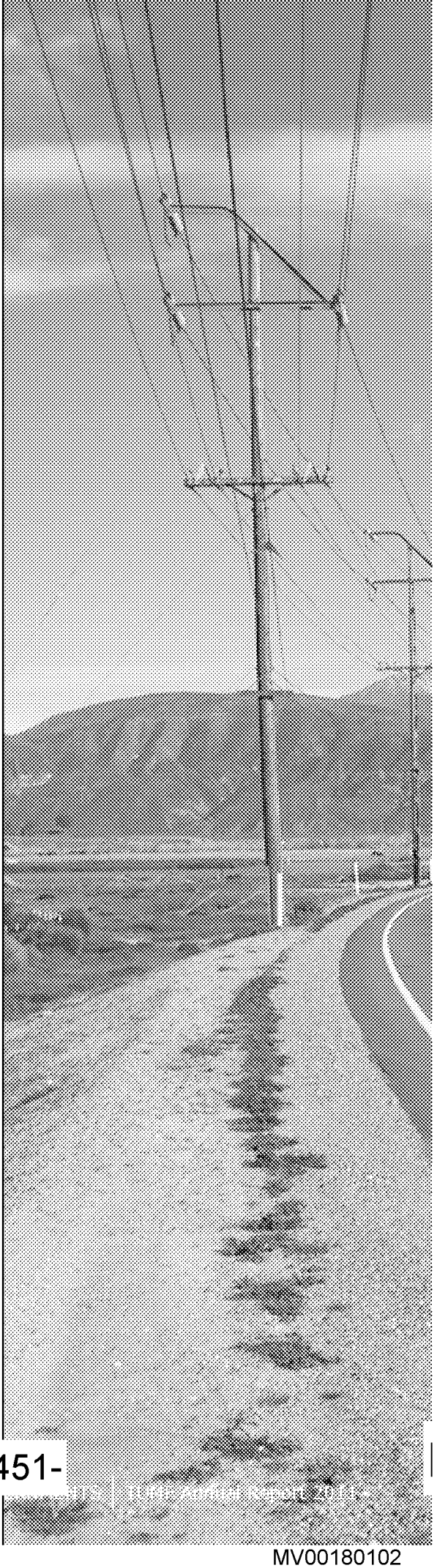

Sanderson Avenue, City of San Jacinto

Northwest Zone: Corona, Eastvale, Jurupa Valley, Norco, Riverside, County of Riverside and March JPA

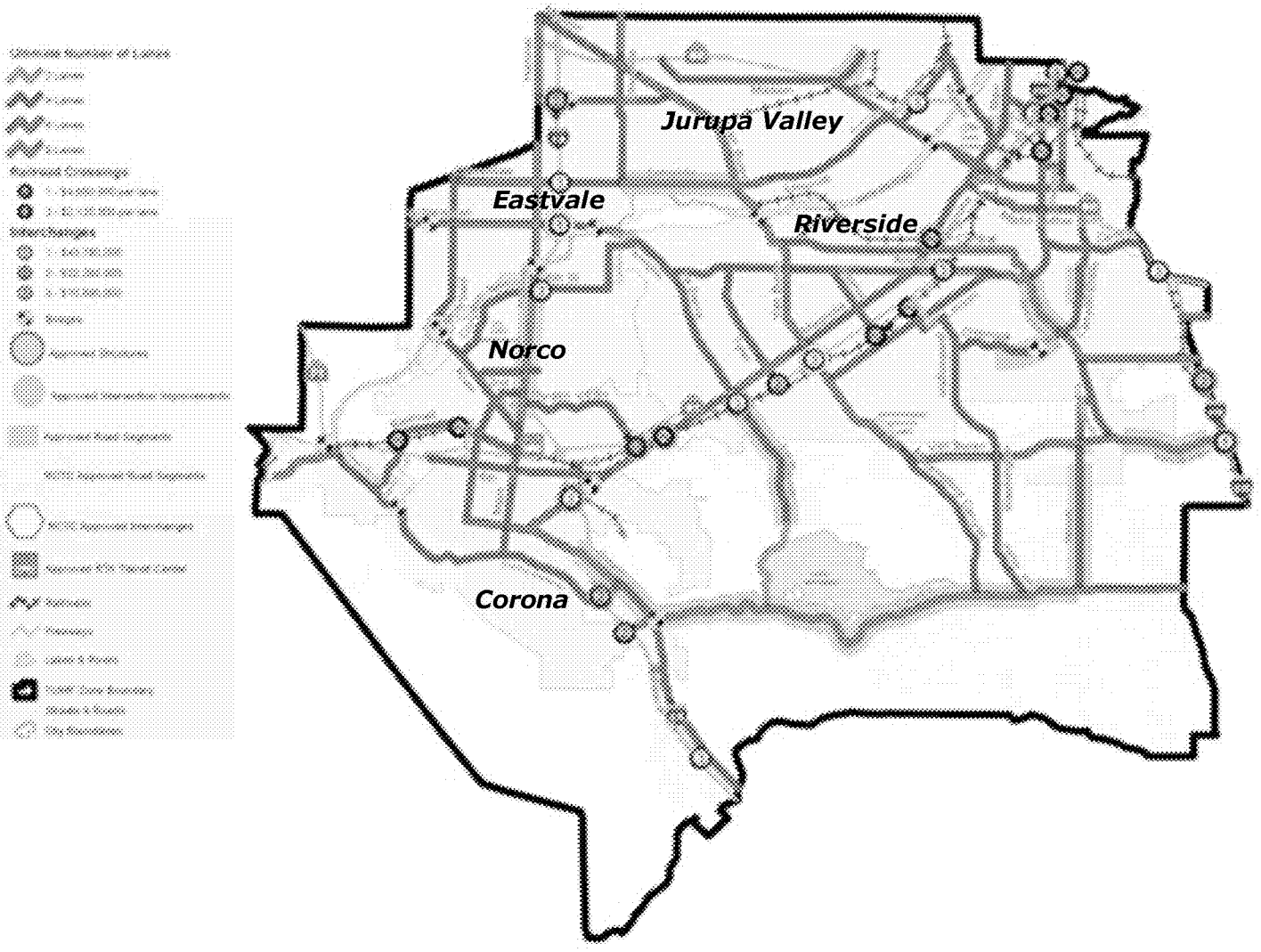

The Northwest Zone is comprised of the unincorporated County and the Cities of Corona, Eastvale, Jurupa Valley, Norco, and Riverside. The Zone covers an estimated 332.8 square miles and has a population of approximately 710,226. The Northwest Zone has 12 projects on the adopted TIP, of which 1 project is under construction, 4 projects are in engineering, 5 projects are in planning and environmental stages, and 2 projects are complete. (Note: Project data for the City of Jurupa Valley will be included in the 2012 Annual Report.)

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Northwest Zone that are underway and/or completed. These projects represent $15.3 million in TUMF investment.

Magnolia Avenue Grade Separation (City of Riverside)
This project will lower Magnolia Avenue under the Union Pacific Railroad tracks, and a two-track railroad bridge is being constructed over Magnolia Avenue. The project will also shift the alignment of Magnolia Avenue 50 feet to the west.

In addition, Beatty Drive will be widened from two to four lanes between Brockton and De Anza

MV00180104

Northwest Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				County of Riverside	Cajalco Road (La Sierra to Wood) – widen 2 to 4 lanes
					Cajalco Road (Temescal Canyon Road to La Sierra) – widen 2 to 4 lanes
					Mockingbird Avenue (Etiwanda to Van Buren) – widen 2 to 4 lanes
					Magnolia Grade Separation at BNSF Railroad
					Wood Road (Cajalco to Kramer Rd) – widen to 4 lanes
				Corona	Auto Center Underpass (Railroad to Rincon) – widen 2 to 4 lanes
					McKinley Rail Underpass and Bridge – widen to 6 lanes
				City of Riverside	Canyon Crest Drive (Country Club to via Vista) – widen 2 to 4 lanes
					Magnolia Ave Grade Separation (Beatty to Elizabeth) – widen to 4 lanes
				Norco	Hamner Avenue (Santa Ana River to Parkridge) – widen 4 to 6 lanes
				County of Riverside/Moreno Valley	Van Buren/I-215 Interchange

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Avenues, and new traffic signals will be installed at the intersections of Beatty Drive and Brockton, Magnolia, and De Anza Avenues. Construction started in early 2010. The project is anticipated to be completed by in 2012. The estimated project cost is $53.1 million, of which TUMF will provide $12 million.

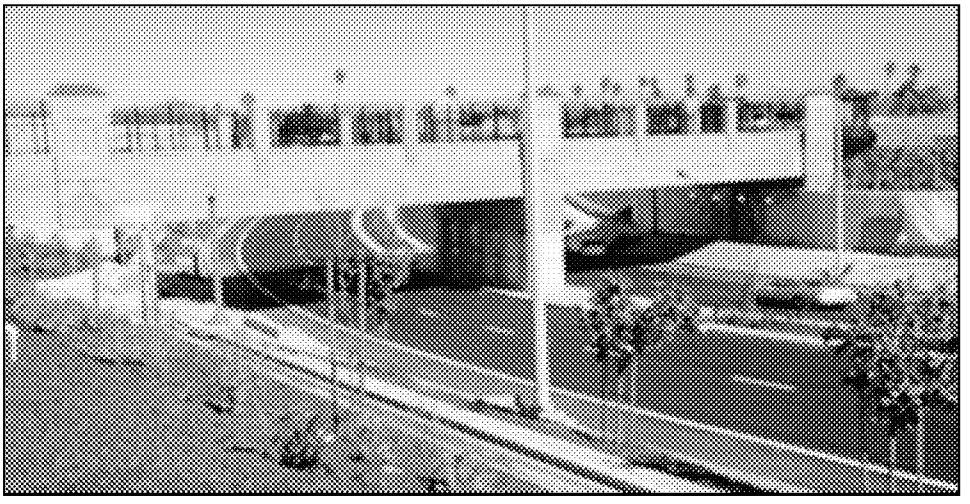

Magnolia Grade Separation Project, City of Riverside (Photo courtesy City of Riverside)

Hamner Avenue (City of Norco)

This project will widen a portion of Hamner Avenue between Santa Ana River to Parkridge Avenue from four to six lanes. The project is being completed in phases. The City recently widened Hamner Avenue from Sixth Street north to a few hundred feet south of Detroit Street.

The project's estimated cost is $8.6 million, of which TUMF has programmed $3.3 million.

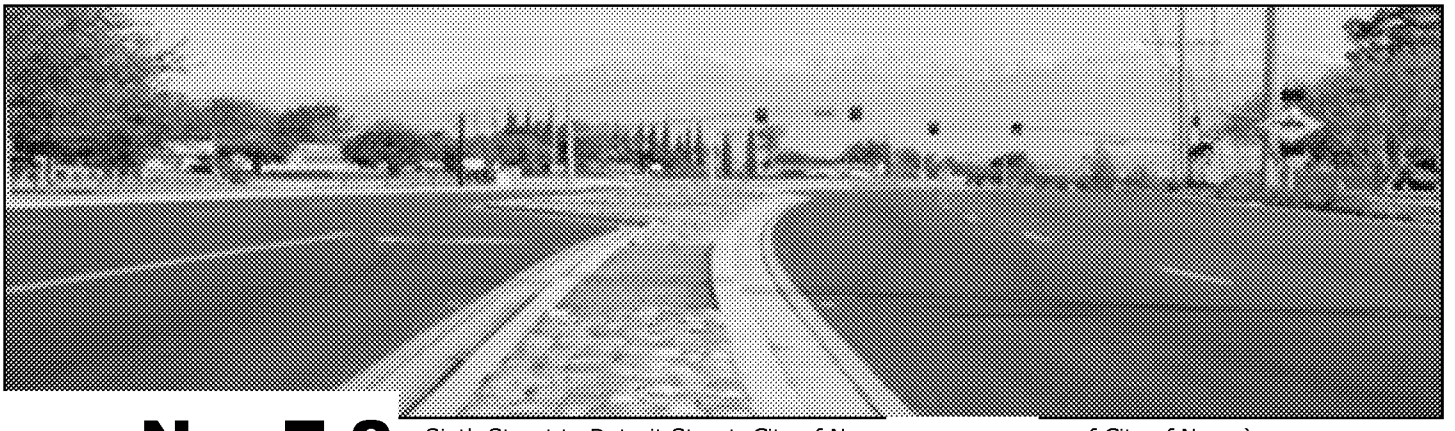

m Sixth Street to Detroit Street, City of Norco esy of City of Norco)

Southwest Zone: Canyon Lake, Lake Elsinore, Murrieta, Temecula, Wildomar, and County of Riverside

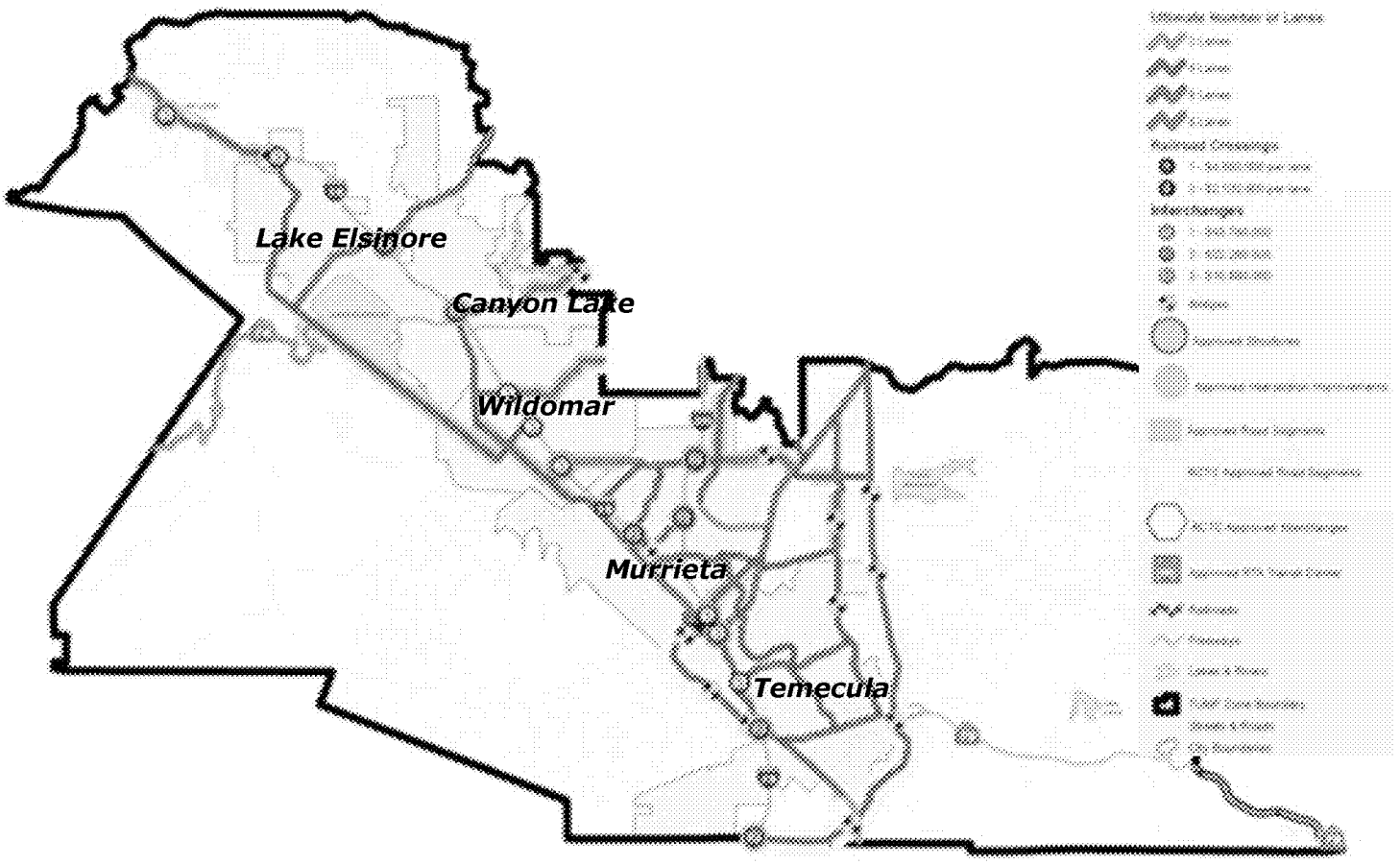

The Southwest Zone is comprised of the unincorporated County and the Cities of Canyon Lake, Lake Elsinore, Murrieta, Temecula, and Wildomar. The Zone covers an estimated 536.1 square miles and has a population of approximately 380,193.

The Southwest Zone has 16 projects on the adopted TIP, of which 1 project is under construction, 8 projects are in engineering, 3 projects are in planning and environmental stages, and 3 projects are completed. The remaining project is in the preliminary design and planning phase.

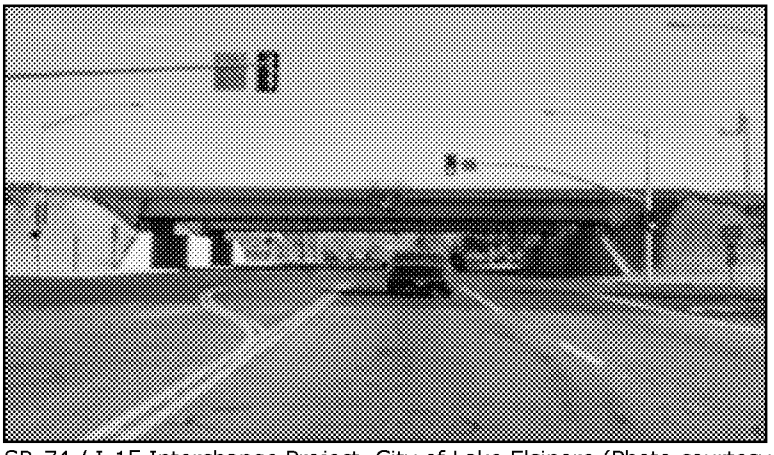

SR-74 / I-15 Interchange Project, City of Lake Elsinore (Photo courtesy of City of Lake Elsinore)

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Southwest Zone that are underway and/or completed. These projects represent $56.8 million in TUMF investment.

Southwest Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				City of Murrieta	Winchester Street (Auld to Murrieta Hot Springs) - widen 2 to 4 lanes
					Clinton Keith Road (SR-79 to I-215) - widen 2 to 4 lanes
					Madison Ave/I-15 Interchange Improvements
				Canyon Lake	Railroad Canyon Road (Goetz to City Limits)
				Murrieta	California Oaks/I-15 Interchange and widen 2 to 4 lanes from Madison to Sky Canyon
				Temecula	SR-79 (Rancho Vista Bridge) Bridge over Murrieta Creek - widen from 2 to 4 lanes
					SR-79 (Winchester)/I-15 Interchange
					French Valley Parkway/I-15 Overcrossing and Interchange
				Lake Elsinore/County of Riverside	Glen Eagles Canyon Road (Lake Elsinore City Limits to Lake Hills Bridge)
				Wildomar	Clinton Keith Road (I-15 to Gibbel Road) - widen 2 to 4 lanes
					Central Avenue (SR-74/Grand to Sunset) - widen 2 to 4 lanes
					Palomar Street (Mission Trail to Jefferson) - widen 2 to 4 lanes
				Wildomar/County of Riverside	Clinton Keith/I-15 Interchange

3 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

California Oaks/I-15 Interchange (City of Murrieta)

This project will widen California Oaks Road between Madison Avenue and Cal Oaks Plaza Drive to six lanes and add two loop on-ramps at the interchange. Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $26 million, of which TUMF will provide $6 million.

Clinton Keith/I-15 Interchange (City of Wildomar)

The Clinton Keith Road/I-15 Interchange is a diamond configuration with Clinton Keith Road spanning the I-15 freeway. This project will widen the bridge structure to accommodate six through lanes plus dual median left-turn lanes in each direction. The freeway ramps will be reconstructed to connect with the widened cross section of Clinton Keith Road. The project has completed design and right-of-way acquisition. Construction is anticipated to begin in early 2012. The estimated project cost is $23 million, of which TUMF will provide $9.3 million.

French Valley Parkway / I-15 Overcrossing and Interchange (City of Temecula)

This project provides for construction of a new interchange on the I-15 freeway between the existing Winchester Road interchange and the I-15/I-215 junction. The project will utilize a partial cloverleaf interchange at French Valley Parkway, with loop on-ramps and direct off-ramps in the northwest quadrants and direct on-ramps in the southwest and northwest quadrants.

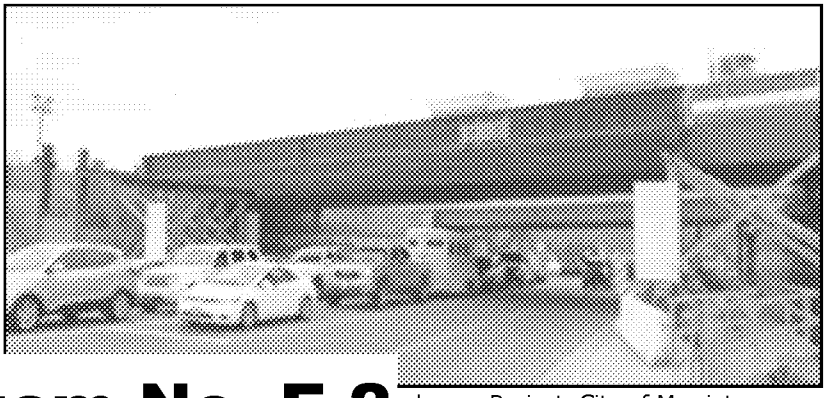

rchange Project, City of Murrieta

The project is in the design phase with construction anticipated to begin in 2012. The estimated project cost is $192 million, of which TUMF will provide $4

Item No. E.2

-1456-

MV00180107

Central Zone: Menifee, Moreno Valley, Perris, and County of Riverside

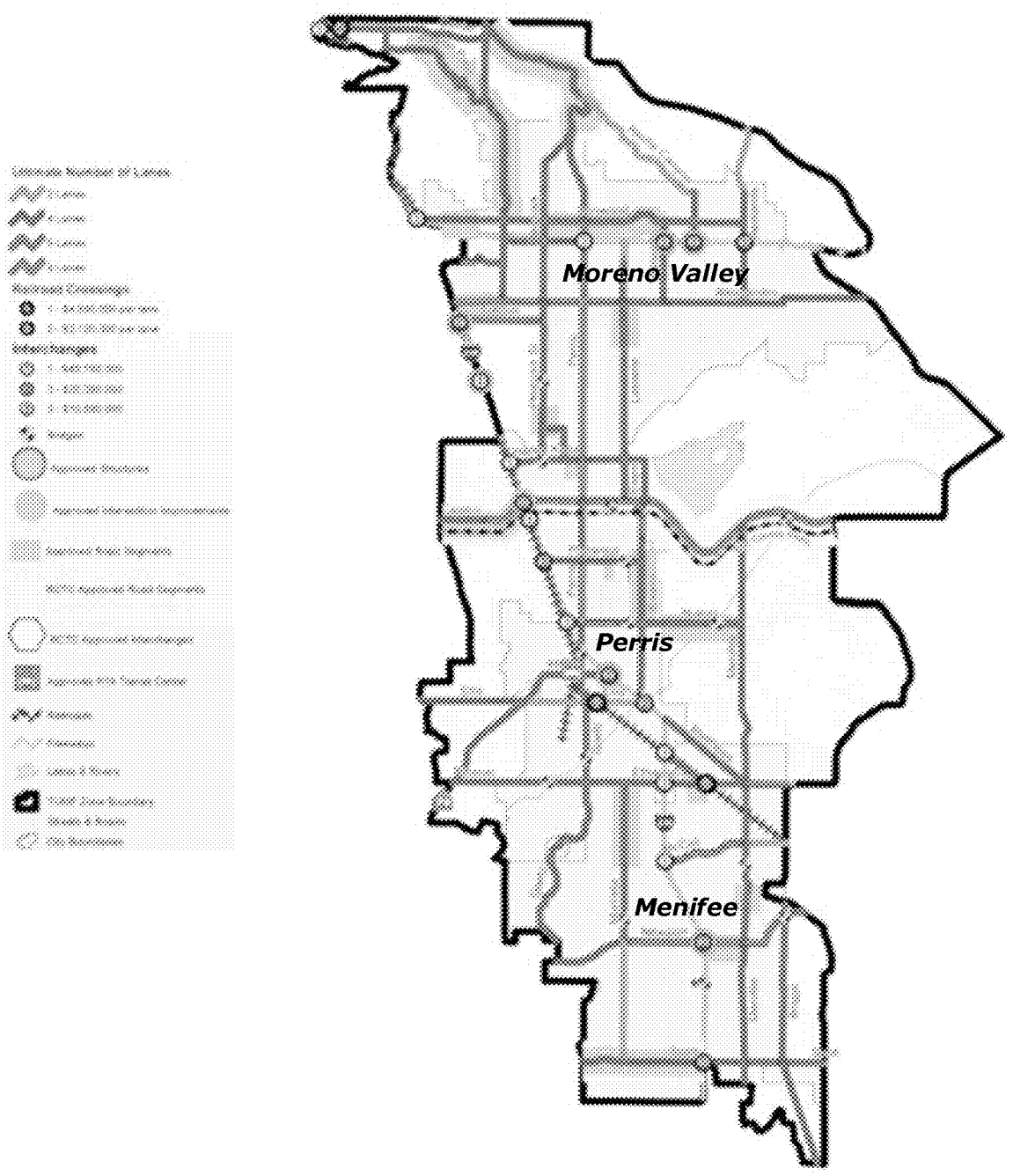

The Central Zone is comprised of the unincorporated County and the Cities of Menifee, Moreno Valley and Perris. The Zone covers an estimated 222.2 square miles and has a population of approximately 376,638. The Central Zone has 18 projects on the adopted TIP, of which 4 projects are under construction, 5 projects are in engineering, 6 projects are in planning and environmental stages, and 2 projects are completed. The remaining project is in the preliminary design and planning phases.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Central Zone that are underway and/or completed. These projects represent $21.67 million in TUMF investment.

MV00180108

Central Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				County of Riverside	Gilman Road (Cajalco to Rice) – widen 2 to 4 lanes
					Cajalco Road (Gilman to Harvard) – widen 2 to 4 lanes
					Rice Road (Gilman to Sky Ranch) – widen 2 to 4 lanes
				Riverside County of Riverside	Bradley/Glenn Road Rout – widen 2 to 4 lanes
					Mockingbird Road (Gilman to McCall) – widen 2 to 4 lanes
					Meadow Road (Gilman to Simpson) – widen 2 to 4 lanes
					Meadow Road (Gilman to Simpson) – widen 2 to 4 lanes
				Moreno Valley	Box Spring Road (Sol – last 4 Sub – widen 2 to 4 lanes)
					Eucalyptus Avenue (SR-60 to Cactus) – widen 2 to 4 lanes
					Eucalyptus Avenue (SR-60 to Cactus) – widen 2 to 4 lanes
					Moreno Beach Drive (SR-60 to Alessandro)
					Moreno Beach Drive (SR-60 to Alessandro)
					Nason/SR-60 Interchange
				Perris	Evans Road (Nuevo to Ingram) – widen 2 to 4 lanes
				Perris Valley/Menifee	Murrieta Road (Perris Valley Airport to Sun Lakes) – widen 2 to 4 lanes
				RCTC/Caltrans	Ramona Expressway (215 to Lake Perris)
				Riverside County of Riverside	Mira Loma Expressway (215 to Hamilton)

2 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Nason/SR-60 Interchange (City of Moreno Valley)

The SR-60/Nason Street Overcrossing project consists of replacing the overcrossing structure, widening Nason Street overcrossing approaches and modifying the intersection.

Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $43 million, of which TUMF has programmed $13.2 million.

Ramona Expressway - Completed (City of Perris)

This project widened Ramona Expressway between Perris Boulevard and I-215, a distance of 1.4 miles, from four to six lanes.

$2.47 million in TUMF is programmed for this project, of which over $2.1 million has been reimbursed to the City for work underway.

Moreno Beach/SR-60 Interchange (City of Moreno Valley)

This project will realign the SR-60/Moreno Beach Drive freeway ramps with auxiliary lanes at the eastbound off-ramp and the westbound on-ramps. It will also replace the SR-60/Moreno Beach Drive overcrossing structure.

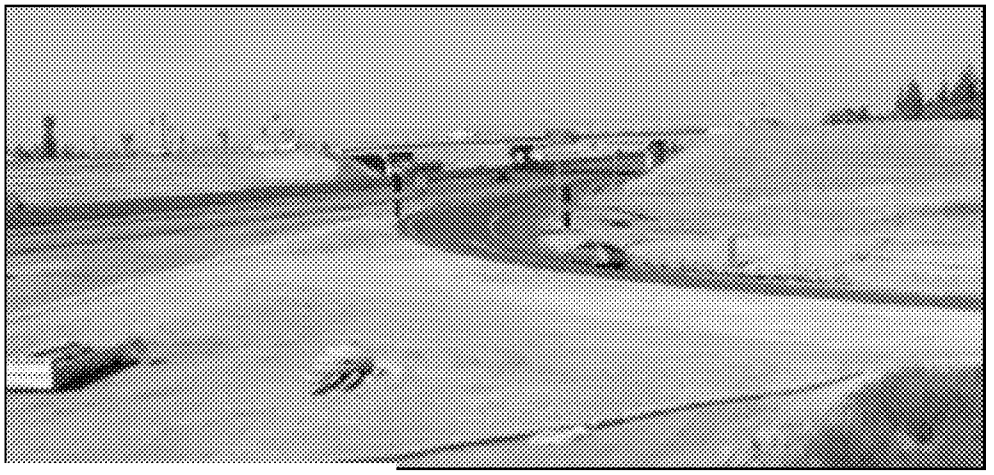

City of Moreno Valley (Photo courtesy City of

Construction is underway with an anticipated completion date of August 2012. The estimated project cost is $43 million, of which TUMF has programmed $6 million.

Hemet/San Jacinto Zone: Hemet, San Jacinto and County of Riverside

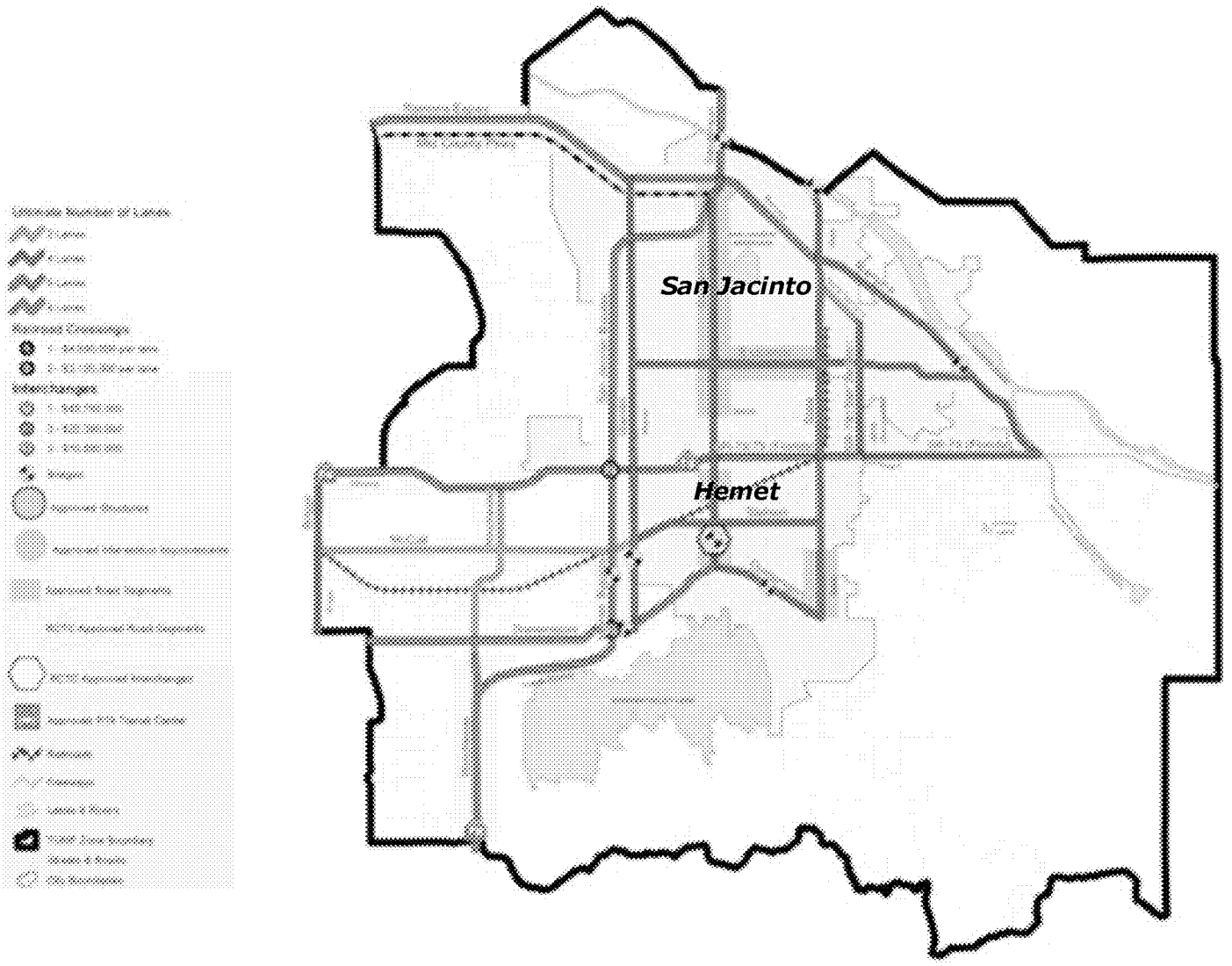

The Hemet/San Jacinto Zone is comprised of the unincorporated County and the Cities of Hemet and San Jacinto. The Zone covers an estimated 209.9 square miles and has a population of approximately 171,245. The Hemet/San Jacinto Zone has 6 projects on the adopted TIP, 1 project is in engineering, 2 projects are in planning and environmental stages, and 3 projects are completed.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Hemet/San Jacinto Zone that are underway and/or completed. These projects represent $11.1 million in TUMF investment.

Sanderson Avenue - Completed (City of San Jacinto)

This Project widened Sanderson Avenue from two to four lanes from Esplanade Avenue to Ramona Expressway for a length of 3.6 miles. The project eases congestion at the intersection of Sanderson and Ramona Expressway. The ultimate configuration of this segment will be a six -lane facility with a raised median, curb and gutter, sidewalks and a landscaped parkway. The project's cost is $7.72 million, of which TUMF has paid $7

MV00180110

[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

3 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

Source: Information provided by each jurisdiction's Public Works Department

Sanderson Avenue (City of Hemet)

The project will widen the west side of Sanderson Avenue from Acacia to Wentworth Avenue.

Sanderson Avenue will be widened from two to four lanes for a distance of 3,000 feet.

The project is currently in the engineering phase and is negotiating for additional right-of-way acquisition.

TUMF has programmed $1.23 million for this project, of which TUMF has reimbursed the City $1 million for work underway.

Ramona Expressway (City of San Jacinto)

This project will widen Ramona Expressway between Sanderson Avenue and Main Street in two phases. The entire project alignment from Sanderson Avenue to Main Street is currently a two-lane road.

The first phase will widen Ramona Expressway from Sanderson Avenue to State Street. This portion will widen the existing two-lane alignment to six lanes for an approximate distance of 2.45 miles.

The second phase of work will widen Ramona Expressway from State Street to Main Street. This second segment will widen the existing two-lane alignment to four lanes for a distance of approximately 2.7 miles. Construction is anticipated to begin in late 2012.

The project is estimated to cost over $8.3 million, of which TUMF has programmed $4 million.

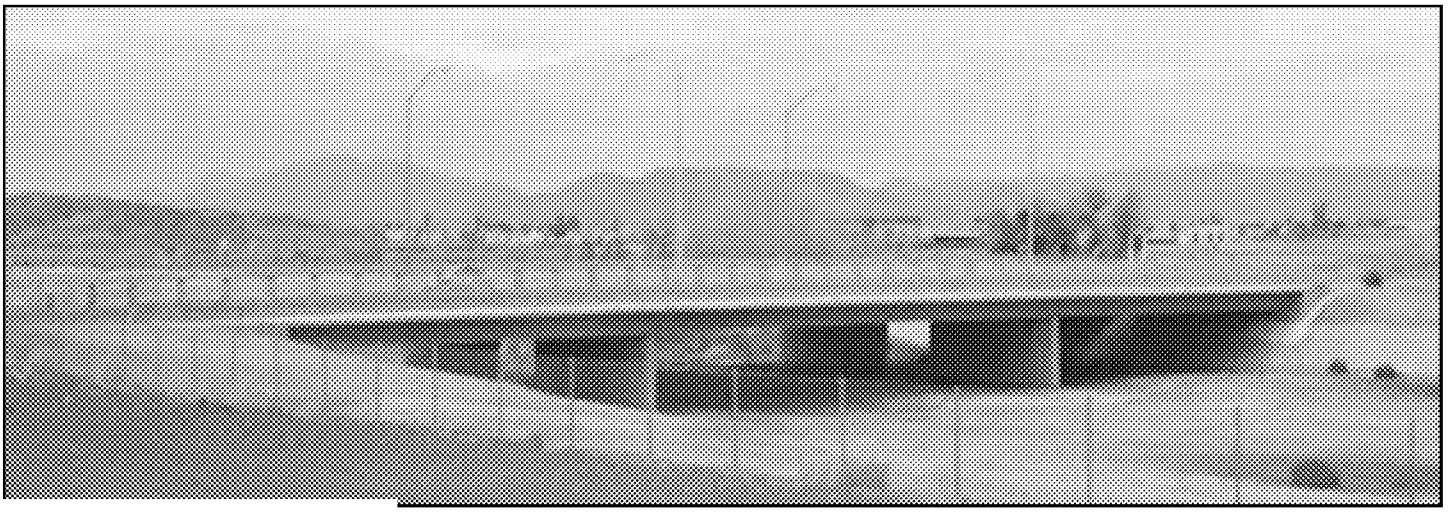

er Salt Creek, City of Hemet (Photo courtesy of City of Hemet)

Pass Zone: Banning, Calimesa, and County of Riverside

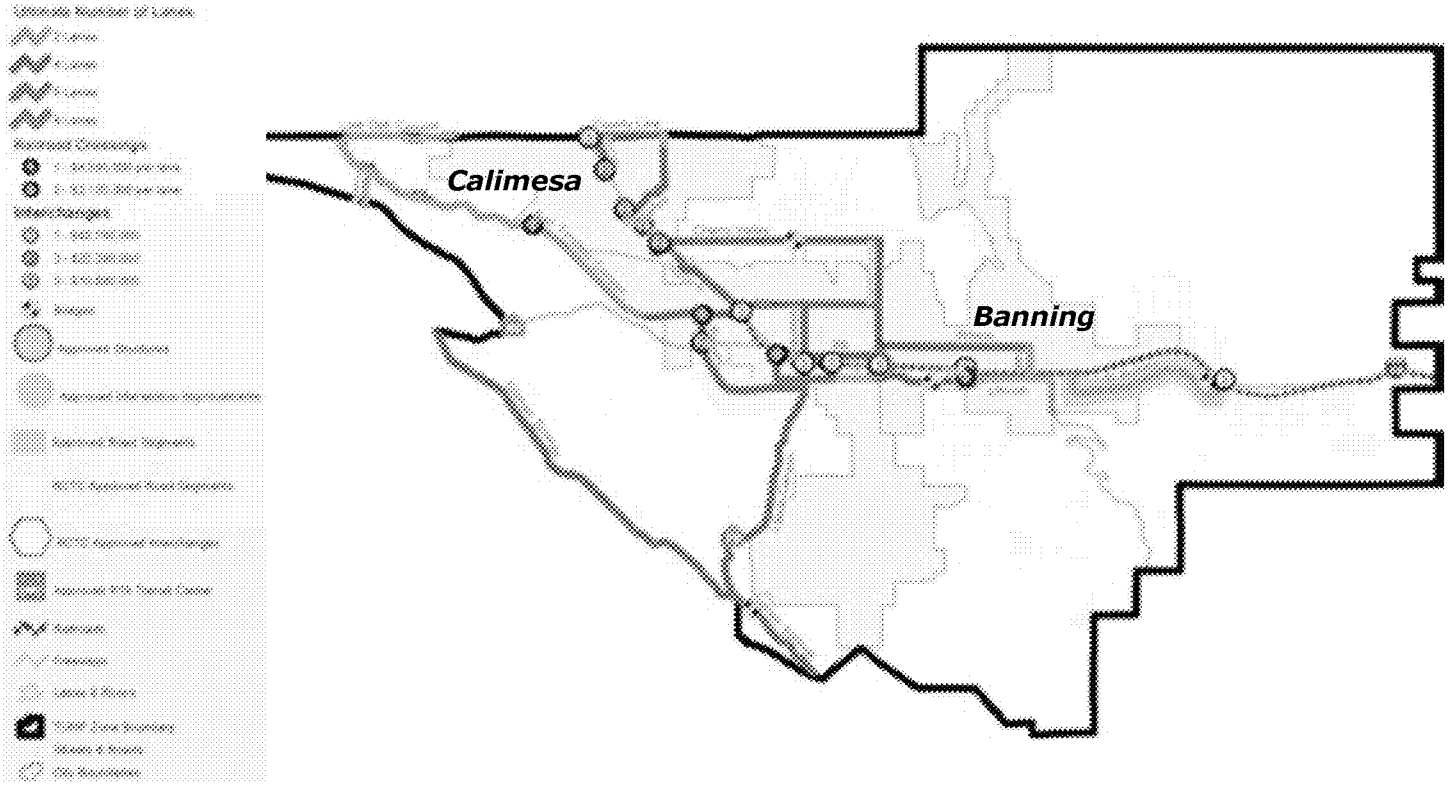

Pass Zone 5-Year Transportation Improvement Program

Planning	Environmental Study	Engineering	Construction		
				Banning	•Sunset Avenue Grade Separation
					•Highland Springs/I-10 Interchange Improvements and Widening
				County of Riverside/City of Banning	•I-10 Bypass South & 300' Bridge (Hathaway to Fields) - widen 0 to 4 lanes

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.
Source: Information provided by each jurisdiction's Public Works Department

The Pass Zone is comprised of the unincorporated County and the Cities of Banning and Calimesa. The Zone covers an estimated 260.9 square miles and has a population of approximately 86,840. The Pass Zone has 4 projects on the adopted TIP, of which 2 projects are in engineering, 1 project is in planning and 1 project is complete.

Following are examples of projects that WRCOG has participated in with local jurisdictions in the Pass Zone that are underway and/or completed. These projects represent $3.8 million in TUMF investment.

Sunset Avenue Grade Separation (City of Banning)

This project will lower Sunset Avenue by 20 feet to construct a new underpass at the UPRR tracks, modify Sunset Avenue, and replace the I-10 bridge and the on- and off-ramps.

The project is in design with construction anticipated to begin in winter 2012. The TUMF has programmed $2.1 million for this project.

MV00180112

Riverside Transit Agency

The Riverside Transit Agency (RTA) receives TUMF funds for capital transit improvements (1.7 percent) of the total collected. RTA has 6 projects on the adopted TIP, of which 1 project is under construction, 1 project is in engineering, 1 project is in planning and environmental and 1 project is complete. The remaining 2 projects are still in the preliminary design/planning phases.

Following are projects below provide examples of projects that WRCOG has participated in with RTA that are underway and/or completed. These projects represent $3.8 million in TUMF investment.

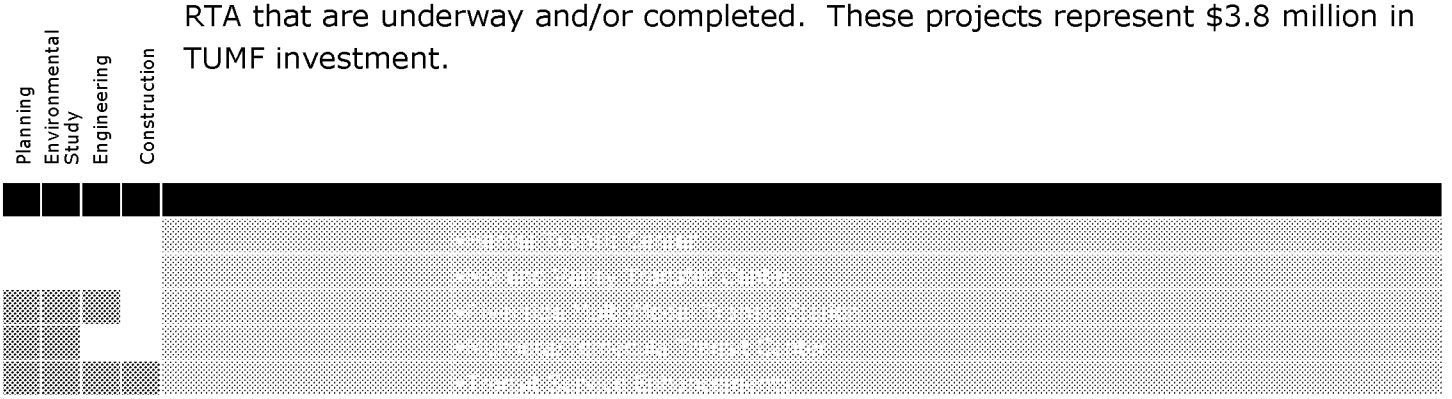

1 project currently on the TIP is completed and is listed under the Completed Projects list on Page 45.

Source: Information provided by the Riverside Transit Agency

I-10 Bypass Project (City of Banning) The project will construct two lanes of new roadway to support a future four-lane secondary highway between Banning and Cabazon. The scope also includes a new bridge crossing over the San Gorgonio River.

The project is in planning. The TUMF has programmed $1.7 million for this project.

Transit Service Enhancements This project will prepare plans and designs for enhancements of bus stops throughout the RTA service area in Western Riverside County. Enhancements include transit technology that will provide real-time customer information and amenities built into and around each stop for customer convenience, comfort and safety. State-of-the-art bus shelters, kiosks, and benches will be installed at selected stops within the service area.

The TUMF has programmed $3.7 million for this project.

Moreno Valley Transfer Center This project, located at Town Circle Centerpoint near Frederick Street, will expand and improve a key transfer and destination point for passengers traveling to Riverside and Perris from the Moreno Valley area.

Improvements include the addition of bus shelters, benches, RTA's Intelligent Transportation System program that relays real-time arrival information to kiosks to accommodate anticipated future growth. The TUMF has programmed $125,000

SmartSTOP at the Corona Transit Center provides customers real-time arrival information

Item No. E.2

-1462-

MV00180113

Riverside County Transportation Commission

RCTC receives 46.9 percent of the TUMF fees collected and uses these revenues for regional TUMF projects. During fiscal year 2010/2011, WRCOG transmitted over $6.5 million and over $240 million since the TUMF Program commenced. RCTC has 22 projects on the TIP, of which 1 project is under construction, 7 projects are in engineering, 9 projects are in planning and environmental stages, and 5 projects are completed. Below is a summary description of selected projects completed, under construction, or in planning phases.

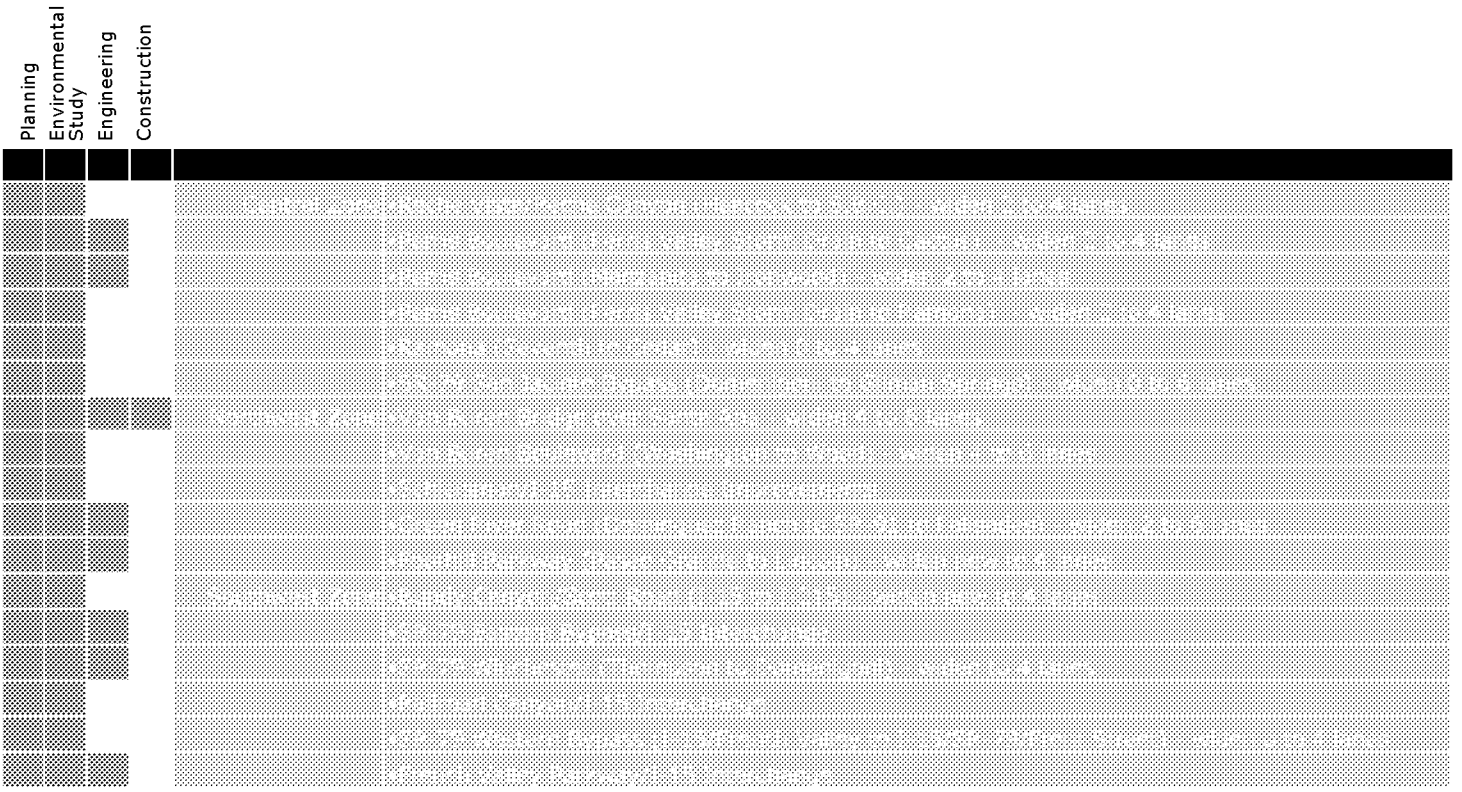

5 projects currently on the TIP are completed and are listed under the Completed Projects list on Page 45.

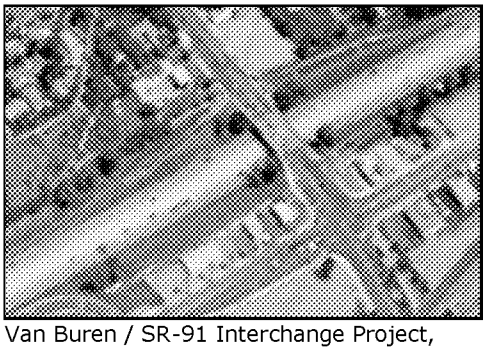

Van Buren / SR-91 Interchange Project, City of Riverside (Photo courtesy of City of Riverside)

Van Buren/SR-91 Interchange Completed (City of Riverside) The SR-91/Van Buren Boulevard Interchange Project widened the existing four-lane overcrossing bridge to six lanes with dual left-turn lanes.

The westbound ramps were also widened to three lanes. A new eastbound onramp was constructed on Indiana Avenue. Construction started in March 2010 and lasted 15 months ending in June 2011. The project cost was $35 million, of which TUMF provided $10 million.

SR-79 Winchester Widening (County of Riverside) This project will improve State Route 79 between Thompson Road and Domenigoni Parkway by widening the 7.4-mile stretch from two to four lanes.

Construction is estimated to take 12 months and will occur in two stages. The first stage will be from Scott Road to Domenigoni Parkway and the second stage will be from Abelia Street to Scott Road. The project is estimated to cost over $33 million, of which TUMF has programmed $6 million.

MV00180114

46 Projects Completed Since 2003

Central Zone

Menifee/County of Riverside	•Newport Road (Goetz to Murrieta) - widen 0 to 4 lanes
Moreno Valley	•Ironwood/Moreno Beach Intersection
	•Ironwood/Nason Intersection
	•Pigeon Pass Road (Climbing Rose to Hidden Springs) - widen 2 to 4 lanes
	•Lasselle Street (John F Kennedy to Alessandro) - widen an additional northbound lane
Perris	•Oleander Avenue (Perris to Indian) - widen new to 2 lanes
	•Placentia Avenue Gap Closure (Redlands to Wilson) - construct 2 new lanes
	•Ramona Expressway (I-215 to Perris) (Phase 1) - widen 4 to 6 lanes
	•Ramona Expressway (I-215 to Evans Road) - widen 2 to 4 lanes
March JPA/Moreno Valley	•Heacock Avenue (Perris Valley Drain to San Michele) - widen 2 to 4 lanes

Hemet/San Jacinto Zone

Hemet	•Sanderson Avenue (Stetson to Domenigoni), Salt Creek Bridge - widen 2 to 4 lanes
	•Sanderson Avenue (Acacia to BNSF railroad tracks) - widen 2 to 4 lanes
	•Sanderson Avenue (Menlo to Esplanade) - widen 2 to 4 lanes
	•State Street (Chambers to Domenigoni) - widen 2 to 4 with center turn-lane
San Jacinto	•Sanderson Avenue (Esplanade to Ramona) - widen 2 to 4 lanes
San Jacinto/County of Riverside	•Sanderson Avenue/Ramona Expressway Intersection Improvements
County of Riverside	•Newport Road (Domenigoni Parkway) Leon to SR-79 - widen 0 to 6 lanes

Northwest Zone

County of Riverside	•Cantu-Galleano/I-15 Interchange
	•Washington Street Improvements, William Lyon Homes
	•La Sierra Avenue (Cleveland to El Sobrante) - widen 2 to 4 lanes
	•Valley Way (Sierra to Mission) - widen 2 to 4 lanes
Corona	•Lincoln/SR-91 Interchange
	•Ontario Avenue (Compton to Rimpau) - widen 5 to 6 lanes
	•Railroad Street (Buena Vista to Grand) - widen 2 to 4 lanes
	•Magnolia Avenue, I-15 to Sherborn Street - widen 4 to 6 lanes
	•Magnolia Corridor/Magnolia/I-15 Interchange
Riverside	•La Sierra Avenue (Cleveland to Indiana) - widen 2 to 4 lanes
	•La Sierra/SR-91 Interchange
	•SR-60/Market Street Ramps - widen ramps and install traffic signal
	•Wood/Van Buren Intersection Improvements
	•Overlook Parkway except bridge (Chateau Ridge to Sandtrack) - widen 2 to 4 lanes
	•Alessandro Boulevard (Arlington to Trautwein) - widen 4 to 6 lanes
	•Columbia Avenue Grade Separation Overpass - widen to 4 lanes

Pass Zone

Calimesa	•Desert Lawn Drive (Palmer to Cherry Valley) - widen 2 to 4 lanes

Southwest Zone

Lake Elsinore	•SR-74 Ortega/SR-74 Grand Intersection
	•SR-74/I-15 Interchange
Murrieta	•Los Alamos/I-215 Interchange
	•Clinton Keith Road/I-215 Interchange
	•Meadowlark (Clinton Keith to Keller) - widen 2 to 4 lanes

Riverside Transit Agency

	•Corona Multi-Modal Transit Terminal
	•Perris Transit Center

Riverside County Transportation Commission

	•Ramona (SR-79/Sanderson to West City Limits) - widen 2 to 4 lanes
	•Foothill Parkway (El Cerrito)/I-15 Interchange
	•Van Buren Boulevard/SR-91 Interchange
	•Van Buren Boulevard (Andrew to Garfield) - widen 4 to 6 lanes
	•Green River Road/SR-91 Interchange - widen 2 to 6 lanes

Item No. E.2 projects that were completed during Fiscal Ye -1464- and are currently on the TIP.

MV00180115

3, 5, 10-Mile Value of TUMF Improvements from City Centers

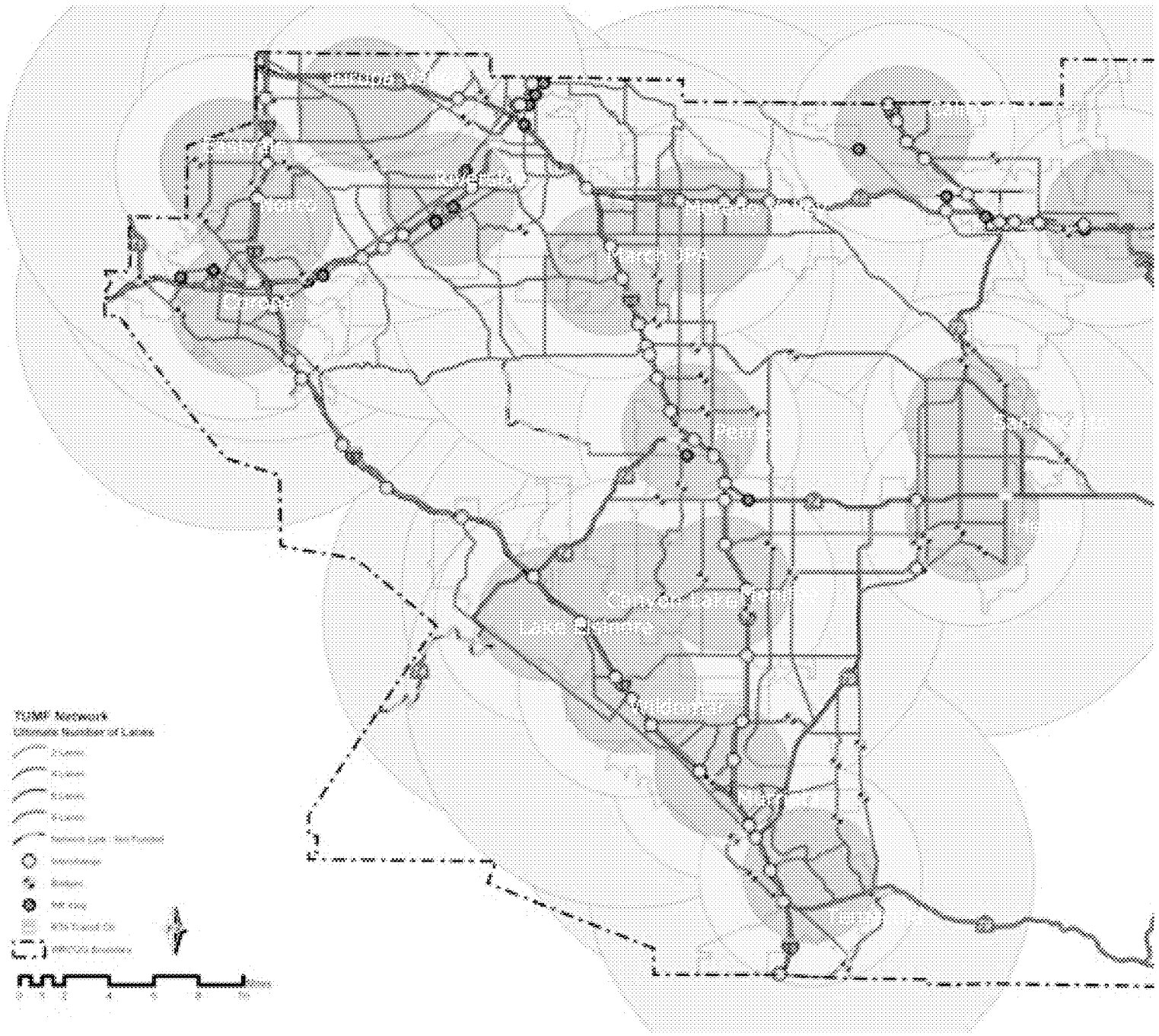

This map identifies the value of TUMF improvements within a 3, 5, and 10-mile radius from each participating City's center. The purpose of this map is to graphically depict the benefits of TUMF Program improvements that residents in cities and the unincorporated County benefit from, even when the improvements are not located specifically within that jurisdiction. This map demonstrates the regional aspect of the program and how the WRCOG TUMF participants are knitted together with TUMF improvements over the next 25 years. Maps for individual WRCOG jurisdictions can be found at our website at http://www.wrcog.cog.ca.us/content/tumf_jurisdictional_map.asp.

March JPA

Value of Improvements (3 miles)	$78,446,000
Value of Improvements (5 miles)	$267,153,000
Value of Improvements (10	$723,784,477
Total Value of Improvements	$1,069,383,477

City of Banning

Value of Improvements (3 miles)	$68,821,000
Value of Improvements (5 miles)	$44,861,000
Value of Improvements (10 miles)	$162,828,000
Total Value of Improvements	$276,510,000

City of Calimesa

Value of Improvements (3 miles)	$123,987,000
Value of Improvements (5 miles)	$9,066,000
Value of Improvements (10 miles)	$233,405,000
Total Value of Improvements	$366,458,000

City of Canyon Lake

Value of Improvements (3 miles)	$50,836,000
Value of Improvements (5 miles)	$160,844,000
Value of Improvements (10 miles)	$751,189,000
Total Value of Improvements	$962,869,000

City of Corona

Value of Improvements (3 miles)	$100,498,377
Value of Improvements (5 miles)	$130,275,000
Value of Improvements (10 miles)	$366,483,600
Total Value of Improvements	$597,256,977

City of Eastvale

Value of Improvements (3 miles)	$217,187,000
Value of Improvements (5 miles)	$63,071,377
Value of Improvements (10 miles)	$238,628,600
Total Value of Improvements	$518,886,977

City of Hemet

Value of Improvements (3 miles)	$95,470,765
Value of Improvements (5 miles)	$120,732,000
Value of Improvements (10 miles)	$213,166,000
Total Value of Improvements	$429,368,765

City of Lake Elsinore

Value of Improvements (3 miles)	$102,607,000
Value of Improvements (5 miles)	$32,614,000
Value of Improvements (10 miles)	$345,378,000
Total Value of Improvements	$480,599,000

City of Jurupa Valley

Value of Improvements (3 miles)	$44,118,067
Value of Improvements (5 miles)	$94,179,000
Value of Improvements (10 miles)	$509,772,159
Total Value of Improvements	$648,069,226

City of Menifee

Value of Improvements (3 miles)	$101,192,000
Value of Improvements (5 miles)	$206,284,000
Value of Improvements (10 miles)	$787,635,000
Total Value of Improvements	$1,095,111,000

City of Moreno Valley

Value of Improvements (3 miles)	$115,584,000
Value of Improvements (5 miles)	$271,761,000
Value of Improvements (10 miles)	$541,708,065
Total Value of Improvements	$875,053,065

City of Murrieta

Value of Improvements (3 miles)	$252,477,869
Value of Improvements (5 miles)	$130,801,000
Value of Improvements (10 miles)	$444,238,000
Total Value of Improvements	$827,516,869

City of Norco

Value of Improvements (3 miles)	$191,552,377
Value of Improvements (5 miles)	$122,962,000
Value of Improvements (10 miles)	$296,472,067
Total Value of Improvements	$610,986,444

City of Perris

Value of Improvements (3 miles)	$178,386,000
Value of Improvements (5 miles)	$249,545,000
Value of Improvements (10 miles)	$535,907,200
Total Value of Improvements	$963,838,200

City of Riverside

Value of Improvements (3 miles)	$104,806,525
Value of Improvements (5 miles)	$136,409,540
Value of Improvements (10 miles)	$632,501,444
Total Value of Improvements	$873,717,509

City of San Jacinto

Value of Improvements (3 miles)	$176,414,000
Value of Improvements (5 miles)	$42,473,659
Value of Improvements (10 miles)	$197,959,000
Total Value of Improvements	$416,846,659

City of Temecula

Value of Improvements (3 miles)	$95,937,000
Value of Improvements (5 miles)	$153,859,869
Value of Improvements (10 miles)	$320,535,000
Total Value of Improvements	$570,331,869

City of Wildomar

Value of Improvements (3 miles)	$116,577,000
Value of Improvements (5 miles)	$119,213,000
Value of Improvements (10 miles)	$588,424,869
Total Value of Improvements	$824,214,869

Item No. E.2

Jackpot Road facing West, Area of Nuisance Flooding, Subdivision of Skyview (Flooding)

Item No. E.2

MV00180119

Program Participants

TUMF WRCOG

MORENO VALLEY
WHERE DREAMS SOAR

CITY OF PERRIS

CORONA

CITY OF LAKE ELSINORE
DREAM EXTREME

SAN JACINTO

CITY OF EASTVALE

CALIMESA

MENIFEE

Murrieta
the future of southern california

COUNTY OF RIVERSIDE

CITY OF RIVERSIDE

Report Contributors

Management Team

Rick Bishop
Executive Director
bishop@wrcog.cog.ca.us

Ruthanne Taylor Berger
Deputy Executive Director
berger@wrcog.cog.ca.us

Ernie Reyna
Chief Financial Officer
reyna@wrcog.cog.ca.us

Project Team

Donna Dean
Program Manager
dean@wrcog.cog.ca.us

Alex Serena
Staff Analyst
serena@wrcog.cog.ca.us

Sherri Cruz
Staff Analyst
cruz@wrcog.cog.ca.us

Connie Cardenas
Staff Analyst
cardenas@wrcog.cog.ca.us

Lupe T. Lotman
Executive Assistant
lotman@wrcog.cog.ca.us

4080 Lemon Street, 3rd Floor, MS 1032
Riverside, CA 92501
P: (951) 955-7985
F: (951) 787-7991
www.wrcog.cog.ca.us

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Item No. E.2

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Western Riverside Council of Governments

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Kelly Bennett, Vice-Chair
Council Member
City of Murrieta

Jim Hyatt, Second Vice-Chair
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Robert Youssef
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City of Hemet

Micheal Goodland
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Mayor
City of Menifee

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City of San Jacinto

Chuck Washington
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City of Temecula

Ben Benoit
Mayor
City of Wildomar

Bob Buster
Supervisor, District 1
County of Riverside

John Tavaglione
Supervisor, District 2
County of Riverside

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County of Riverside

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Riverside County Superintendent of Schools

"Respect Local Control... Provide Regional Perspective"

MV00180122

U.S. Department of Transportation
Federal Highway Administration

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Highway Traffic Noise

Construction Noise
Handbook
RCNM Version 1.1
Special Report
Measurement
Noise Barriers
Noise Compatible Planning
Noise Effect on Wildlife
Regulation and Guidance
Tire Pavement Noise
Traffic Noise Models
Training

Contruction Noise Handbook

9.0 Construction Equipment Noise Levels and Ranges

9.1 Equipment Type Inventory and Related Emission Levels

Noise levels generated by individual pieces of construction equipment and specific construction operations form the basis for the prediction of construction-related noise levels. A variety of information exists related to sound emissions related to such equipment and operations. This data transcends the period beginning in the 1970s thru 2006. This information exists for both stationary and mobile sources and for steady, intermittent, and impulse type generators of noise.

Stationary equipment consists of equipment that generates noise from one general area and includes items such as pumps, generators, compressors, etc. These types of equipment operate at a constant noise level under normal operation and are classified as non-impact equipment. Other types of stationary equipment such as pile drivers, jackhammers, pavement breakers, blasting operations, etc., produce variable and sporadic noise levels and often produce impact-type noises. Impact equipment is equipment that generates impulsive noise, where impulsive noise is defined as noise of short duration (generally less than one second), high intensity, abrupt onset, rapid decay, and often rapidly changing spectral composition. For impact equipment, the noise is produced by the impact of a mass on a surface, typically repeating over time.

Mobile equipment such as dozers, scrapers, graders, etc., may operate in a cyclic fashion in which a period of full power is followed by a period of reduced power. Other equipment such as compressors, although generally considered to be stationary when operating, can be readily relocated to another location for the next operation.

9.2 Sources of Information

Construction-related equipment and operation noise level data may be provided by numerous sources, including suppliers, manufacturers, agencies, organizations, etc. Some information is included in this document, and many web-based links are given for equipment manufacturers.

9.3 Specifics of Construction Equipment and Operation Noise Inventories

Details included in each specific inventory of construction equipment and operation noise emission levels are often variable in terms of how data is represented. Some inventories include ranges of noise levels while others present single numbers for each equipment type. Others provide levels for specific models of each type of construction equipment. Often, different noise descriptors are used, such as L_{Aeq}, L_{max}, L_{10}, sound power level, etc. As such, the array of data does not readily lend itself to being combined into a single table or easily compared. As such, this Handbook attempts to summarize a variety of such inventories and provide links to each, thereby providing the reader with a variety of sources from which to choose the appropriate levels for use in his or her respective analysis.

9.4 Summaries of Referenced Inventories

Included below are examples of several inventories of construction-related noise emission values. These and additional inventories are included on the companion CD-ROM.

Equipment and operation noise levels in this inventory are expressed in terms of L_{max} noise levels and are accompanied by a usage factor value. They have been recently updated and are based on extensive measurements taken in conjunction with the Central Artery/Tunnel (CA/T) Project. Table 9.1 summarizes the equipment noise emissions database used by the CA/T Project. While these values represent the "default" values for use in the RCNM, user-defined equipment and corresponding noise levels can be added.

Table 9.1 RCNM Default Noise Emission Reference Levels and Usage Factors.

Equipment Description	Impact Device?	Acoustical Usage Factor (%)	Spec. 721.560 L_{max} @ 50 feet (dBA, slow)	Actual Measured L_{max} @ 50 feet (dBA, slow) (Samples Averaged)	Number of Actual Data Samples (Count)
All Other Equipment > 5 HP	No	50	85	N/A	0
Auger Drill Rig	No	20	85	84	36
Backhoe	No	40	80	78	372
Bar Bender	No	20	80	N/A	0
Blasting	Yes	N/A	94	N/A	0

Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

Item No. E.2

MV00180123

Boring Jack Power Unit	No	50	80	83	1
Chain Saw	No	20	85	84	46
Clam Shovel (dropping)	Yes	20	93	87	4
Compactor (ground)	No	20	80	83	57
Compressor (air)	No	40	80	78	18
Concrete Batch Plant	No	15	83	N/A	0
Concrete Mixer Truck	No	40	85	79	40
Concrete Pump Truck	No	20	82	81	30
Concrete Saw	No	20	90	90	55
Crane	No	16	85	81	405
Dozer	No	40	85	82	55
Drill Rig Truck	No	20	84	79	22
Drum Mixer	No	50	80	80	1
Dump Truck	No	40	84	76	31
Excavator	No	40	85	81	170
Flat Bed Truck	No	40	84	74	4
Front End Loader	No	40	80	79	96
Generator	No	50	82	81	19
Generator (<25KVA, VMS Signs)	No	50	70	73	74
Gradall	No	40	85	83	70
Grader	No	40	85	N/A	0
Grapple (on backhoe)	No	40	85	87	1
Horizontal Boring Hydraulic Jack	No	25	80	82	6
Hydra Break Ram	Yes	10	90	N/A	0
Impact Pile Driver	Yes	20	95	101	11
Jackhammer	Yes	20	85	89	133
Man Lift	No	20	85	75	23
Mounted Impact Hammer (hoe ram)	Yes	20	90	90	212
Pavement Scarifier	No	20	85	90	2
Paver	No	50	85	77	9
Pickup Truck	No	40	55	75	1
Pneumatic Tools	No	50	85	85	90
Pumps	No	50	77	81	17
Refrigerator Unit	No	100	82	73	3
Rivit Buster/Chipping Gun	Yes	20	85	79	19

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MV00180124

Rock Drill	No	20	85	81	3
Roller	No	20	85	80	16
Sand Blasting (single nozzle)	No	20	85	96	9
Scraper	No	40	85	84	12
Sheers (on backhoe)	No	40	85	96	5
Slurry Plant	No	100	78	78	1
Slurry Trenching Machine	No	50	82	80	75
Soil Mix Drill Rig	No	50	80	N/A	0
Tractor	No	40	84	N/A	0
Vacuum Excavator (Vac-Truck)	No	40	85	85	149
Vacuum Street Sweeper	No	10	80	82	19
Ventilation Fan	No	100	85	79	13
Vibrating Hopper	No	50	85	87	1
Vibratory Concrete Mixer	No	20	80	80	1
Vibratory Pile Driver	No	20	95	101	44
Warning Horn	No	5	85	83	12
Welder/Torch	No	40	73	74	5

For each generic type of equipment listed in Table 9.1, the following information is provided:

- an indication as to whether or not the equipment is an impact device;
- the acoustical usage factor to assume for modeling purposes;
- the specification "Spec" limit for each piece of equipment expressed as an L_{max} level in dBA "slow" at a reference distance of 50 foot from the loudest side of the equipment;
- the measured "Actual" emission level at 50 feet for each piece of equipment based on hundreds of emission measurements performed on CA/T work sites; and
- the number of samples that were averaged together to compute the "Actual" emission level.

A comparison of the "Spec" emission limits against the "Actual" emission levels reveals that the Spec limits were set, in general, to realistically obtainable noise levels based on the equipment used by contractors on the CA/T Project. When measured in the field, some equipment such as pile drivers, sand blasting, demolition shears, and pumps tended to exceed their applicable emission limit. As such, these noisy devices needed to have some form of noise mitigation in place in order to comply with the Spec emission limits. Other equipment, such as clamshell shovels, concrete mixer trucks, truck-mounted drill rigs, man-lifts, chipping guns, ventilation fans, pavers, dump trucks, and flatbed trucks, easily complied. Therefore, the Spec emission limits for these devices could have been reduced somewhat further. It is recommended that the user review the RCNM User's Guide contained in Appendix A for detailed guidance regarding application of values contained in Table 9.1.

Appendix A of the 1977 Handbook provides tables of construction equipment noise levels and ranges. The majority of the data were provided by the American Road Builders Association. These data were taken during a 1973 survey in which member contractors were asked to secure readings of noise exposure to operators of various types of equipment. Additionally, the contractors were asked to take readings at 50 feet from the machinery. These 50-foot peak readings are provided in Tables 9.2 through 9.8. Though the data were produced under varying conditions and degrees of expertise, the values are relatively consistent.

Table 9.2 Construction Equipment Noise Levels Based on Limited Data Samples - Cranes.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Northwestern	80D	77	Within 15m 1958 mod
Northwestern	8	84	Within 15m 1940 mod
Northwestern	6	72	Within 15m 1965 mod
American	7260	82	Within 15m 1967 mod

American	599	76	Within 15m 1969 mod
American	5299	70	Within 15m 1972 mod
American	4210	82	Within 15m 1968 mod
Buck Eye	45C	79	Within 15m 1972 mod
Buck Eye	308	74	Within 15m 1968 mod
Buck Eye	30B	73	Within 15m 1965 mod
Buck Eye	30B	70	Within 15m 1959 mod
Link Belt	LS98	76	Within 15m 1956 mod
Manitowoc	4000	94	Within 15m 1956 mod
Grove	RF59	82	Within 15m 1973 mod
Koehr	605	76	Within 15m 1967 mod
Koehr	435	86	Within 15m 1969 mod
Koehr	405	84	Within 15m 1969 mod

Table 9.3 Construction Equipment Noise Levels Based on Limited Data Samples - Backhoes.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Link Belt	4000	92	Within 15m 1971 mod
John Deere	609A	85	Within 15m 1971 mod
Case	680C	74	Within 15m 1973 mod
Drott	40 yr.	82	Within 15m 1971 mod
Koehr	1066	81 & 84	Within 15m 2 tested

Table 9.4 Construction Equipment Noise Levels Based on Limited Data Samples - Front Loaders.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	980	84	Within 15m 1972 mod
Caterpillar	977K	79	Within 15m 1969 mod
Caterpillar	977	87	Within 15m 1971 mod
Caterpillar	977	94	Within 15m 1967 mod
Caterpillar	966C	84	Within 15m 1973 mod
Caterpillar	966C	85	Within 15m 1972 mod
Caterpillar	966	81	Within 15m 1972 mod
Caterpillar	966	77	Within 15m 1972 mod
Caterpillar	966	85	Within 15m 1966 mod
Caterpillar	955L	90	Within 15m ;1973 mod
Caterpillar	955K	79	Within 15m 1969 mod
Caterpillar	955H	94	Within 15m 1963 mod
Caterpillar	950	78 & 80	Within 15m 1972 mod
Caterpillar	950	75	Within 15m 1968 mod
Caterpillar	950	88	Within 15m 1967 mod
Caterpillar	950	86	Within 15m 1965 mod
Caterpillar	944A	80	Within 15m 1965 mod
Caterpillar	850	82	Within 15m 1968 mod
Michigan	75B	90	Within 15m 1969 mod

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Michigan	475A	96	Within 15m 1967 mod
Michigan	275	85	Within 15m 1971 mod
Michigan	125	87	Within 15m 1967 mod
Hough	65	82	Within 15m 1971 mod
Hough	60	91	Within 15m 1961 mod
Hough	400B	94	Within 15m 1961 mod
Hough	H90	86	Within 15m 1961 mod
Trojan	3000	85	Within 15m 1956 mod
Trojan	RT	82	Within 15m 1965 mod
Payloader	H50	85	Within 15m 1963 mod

Table 9.5 Construction Equipment Noise Levels Based on Limited Data Samples - Dozers.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	D5	83	Within 15m 1967 mod
Caterpillar	D6	85	Within 15m 1967 mod
Caterpillar	D6	86	Within 15m 1964 mod
Caterpillar	D6	81	Within 15m 1967 mod
Caterpillar	D6B	83	Within 15m 1967 mod
Caterpillar	D6C	82	Within 15m 1962 mod
Caterpillar	D7	85	Within 15m 1956 mod
Caterpillar	D7	86	Within 15m 1969 mod
Caterpillar	D7	84	Within 15m 1969 mod
Caterpillar	D7	78	Within 15m 1970 mod
Caterpillar	D7	78	Within 15m 1972 mod
Caterpillar	D7E	86	Within 15m 1965 mod
Caterpillar	D7E	78	Within 15m 1970 mod
Caterpillar	D7E	84	Within 15m 1973 mod
Caterpillar	D7F	80	Within 15m 1972 mod
Caterpillar	D8	92	Within 15m 1954 mod
Caterpillar	D8	95	Within 15m 1968 mod
Caterpillar	D8	86	Within 15m 1972 mod
Caterpillar	D8H	88	Within 15m 1966 mod
Caterpillar	D8H	82	Within 15m 1972 mod
Caterpillar	D9	85	Within 15m 1972 mod
Caterpillar	D9	94	Within 15m 1972 mod
Caterpillar	D9	90	Within 15m 1963 mod
Caterpillar	D9	87	Within 15m 1965 mod
Caterpillar	D9	90	Within 15m 1965 mod
Caterpillar	D9	88	Within 15m 1968 mod
Caterpillar	D9	92	Within 15m 1972 mod
Caterpillar	D9G	85	Within 15m 1965 mod
Allis Chambers	HD41	93	Within 15m 1970 mod

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International	TD15	79	Within 15m 1970 mod
International	TD20	87	Within 15m 1970 mod
International	TD25	90	Within 15m 1972 mod
International	TD8	83	Within 15m 1970 mod
Case	1150	82	Within 15m 1972 mod
John Deer	350B	77	Within 15m 1971 mod
John Deer	450B	65	Within 15m 1972 mod
Terex	8230	70	Within 15m 1972 mod
Terex	8240	93	Within 15m 1969 mod
Michigan	280	85	Within 15m 1961 mod
Michigan	280	90	Within 15m 1962 mod
Caterpillar	824	90	Within 15m 1968 mod

Table 9.6 Construction Equipment Noise Levels Based on Limited Data Samples - Graders.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	16	91	Within 15m 1969 mod
Caterpillar	16	86	Within 15m 1968 mod
Caterpillar	140	83	Within 15m 1970 mod
Caterpillar	14E	84	Within 15m 1972 mod
Caterpillar	14E	85	Within 15m 1971 mod
Caterpillar	14C	85	Within 15m 1971 mod
Caterpillar	14B	84	Within 15m 1967 mod
Caterpillar	12F	82	Within 15m 1961-72 mod
Caterpillar	12F	72-92	Within 15m 1961-72 mod
Caterpillar	12E	81.3	Within 15m 1959-67 mod
Caterpillar	12E	80-83	Within 15m 1959-67 mod
Caterpillar	12	84.7	Within 15m 1960-67 mod
Caterpillar	12	82-88	Within 15m 1960-67 mod
Gallon	T500	84	Within 15m 1964 mod
Allis Chambers		87	Within 15m 1964 mod

Table 9.7 Construction Equipment Noise Levels Based on Limited Data Samples - Scrapers.

Manufacturer	Type or Model	Peak Noise Level (dBA)	Remarks
Caterpillar	660	92	Within 15m
Caterpillar	641B	85	Within 15m 1972 mod
Caterpillar	641B	86	Within 15m 1972 mod
Caterpillar	641	80 & 84	Within 15m 1972 mod
Caterpillar	641	83 & 89	Within 15m 1965 mod
Caterpillar	637	87	Within 15m 1971 mod
Caterpillar	633	87	Within 15m 1972 mod
Caterpillar	631C	89	Within 15m 1973 mod
Caterpillar	631C	83	Within 15m 1972 mod
Caterpillar	631B	94	Within 15m 1969 mod

Caterpillar	631B	84-87	Within 15m 1968 mod
Caterpillar		85 avg.	Within 15m 1968 mod
Caterpillar	621	90	Within 15m 1970 mod
Caterpillar	621	86	Within 15m 1967 mod
Caterpillar	613	76	Within 15m 1972 mod
Terex	TS24	87	Within 15m 1972 mod
Terex	TS24	84-91	
Terex	TS24	82	Within 15m 1971 mod
Terex	TS24	81-83	Within 15m 1971 mod
Terex	TS24	94	Within 15m 1966 mod
Terex	TS24	92-98	Within 15m 1966 mod
Terex	TS24	94.7	Within 15m 1963 mod
Terex	TS24	94-95	Within 15m 1963 mod
Terex	TS14	82	Within 15m 1969 mod
Terex	S35E	84	Within 15m 1971 mod

Table 9.8 Noise Levels of Standard Compressors.

Manufacturer	Model	Silenced or Standard	Type Eng.	Type Comp.	Test Avg. Cond. (cfm.psi)	Avg. Cond. Noise Lev. (cfm.psi) (dBA) at 7m*
Atlas	ST-48	Standard	Diesel	Reciprocal	160,100	83.6
Atlas	ST-95	Standard	Diesel	Reciprocal	330,105	80.2
Atlas	VSS-170Dd	Silenced	Diesel	Reciprocal	170,850	70.2
Atlas	VT-85M	Standard	Gas	Reciprocal	85,100	81.4
Atlas	VS-85Dd	Silenced	Gas	Reciprocal	85,100	75.5
Atlas	VSS-125Dd	Silenced	Diesel	Reciprocal	125,100	70.1
Atlas	STS-35Dd	Silenced	Diesel	Reciprocal	125,100	73.5
Atlas	VSS-170Dd	Silenced	Diesel	Reciprocal	170,100	
Gardner-Denver	SPWDA/2	Silenced	Diesel	Rotary-Screw	1200,000	73.3
Gardner-Denver	SPQDA/2	Silenced	Diesel	Rotary-Screw	750,000	78.2
Gardner-Denver	SPHGC	Silenced	Gas	Rotary-Screw	185,000	77.1
Ingersoll-Rand	DXL 1200	Standard	Diesel	Rotary-Screw	1200,125	92.6
Ingersoll-Rand	DXL 1200 (doors open)	Standard	Diesel	Rotary-Screw	1200,125	
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	76.0
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.1
Ingersoll-Rand	DXLCU1050	Standard	Diesel	Rotary-Screw	1050,125	90.2
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.3
Ingersoll-Rand	DXL 900S	Silenced	Diesel	Rotary-Screw	900,125	75.0
Ingersoll-Rand	DXL 900	Standard	Diesel	Rotary-Screw	900,125	89.9
Ingersoll-Rand	DXL 750	Standard	Diesel	Rotary-Screw	750,125	87.7
Jaeger	A	Standard	Gas	Rotary-Screw	175,100	88.2

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Jaeger	A(doors open)	Standard	Gas	Rotary-Screw	175,100	
Jaeger	E	Standard	Gas	Vane	85,100	81.5
Jaeger	E(doors open)	Standard	Gas	Vane	85,100	
Worthington	60 G/2Qt	Silenced	Gas	Vane	160,100	74.2
Worthington	750-QTEX	Silenced	Diesel	Rotary-Screw	750,100	74.7

*Data taken from EPA Report - EPA 550/9-76-004.

9.4.3 FTA Noise and Vibration Assessment Procedure

Chapter 12 of the FTA Transit Noise and Vibration Guidance Handbook discusses construction noise evaluation methodology and contains the noise emission levels for construction equipment displayed in Table 9.9.

Table 9.9 FTA Construction Equipment Noise Emission Levels.

Equipment	Typical Noise Level (dBA) 50 ft from Source*
Air Compressor	81
Backhoe	80
Ballast Equalizer	82
Ballast Tamper	83
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane Derrick	88
Crane Mobile	83
Dozer	85
Generator	81
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	85
Paver	89
Pile Driver (Impact)	101
Pile Driver (Sonic)	96
Pneumatic Tool	85
Pump	76
Rail Saw	90
Rock Drill	98
Roller	74
Saw	76
Scarifier	83
Scraper	89
Shovel	82
Spike Driver	77
Tie Cutter	84

Tie Handler	80
Tie Inserter	85
Truck	88

*Table based on EPA Report, measured data from railroad construction equipment taken during Northeast Corridor improvement project and other measured data.

9.5 Links to Equipment Manufacturers

Table 9.10 contains web-based links to manufacturers of construction equipment. While few of these links contain noise-related data associated with the equipment, they provide descriptions and/or specifications related to the equipment, as well as sources for possibly obtaining additional information related to the equipment. Information in this table is by no means all-inclusive and does not represent any type of endorsement of the manufacturers, suppliers, or equipment. Users are hereby advised that the referenced websites may have certain restrictions, copyrights, etc., associated with any use of data contained therein.

Table 9.10 Equipment Manufacturers and Websites.

Equipment	Manufacturer	Website Address
Arrow Boards		
	North Star	http://northstar-traffic.com/index.cfm?SC=14&PT=1
	Trafcom	http://www.trafcon.com
	Allmand	http://www.allmand.com/MB%20AB%20page.htm
Articulated Trucks		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=196
	Hitachi	http://www.hitachi-c-m.com/global/products/articulate/index.html
	Terex	http://www.terex.com/main.php
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/articulatedhaulers/
Asphalt Saws		
	Allied	http://www.alliedcp.com/products/rotocut.asp
Augers - See Drills / Augers		
Backhoes - See Loaders/Backhoes		
Boring Equipment - See Pile Drivers/Boring Equipment		
Compaction Equipment		
	Allied	http://www.alliedcp.com/products/compactor.asp
Compressors		
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5714,00.html
	Compair	http://www.compair.com/Products/Portable_Compressors.aspx
Concrete and Asphalt Batch/Mixing Plants and Equipment		
	Con-E-Co	http://www.con-e-co.com/products.cfm
	Terex	http://www.terex.com/main.php
	Gunter & Zimmerman	http://www.guntert.com/concrete_mobilebatching.asp
	Rex Con	http://www.rexcon.com
Concrete Breakers/ Hydraulic Hammers/Hydraulic Breakers		
	Drillman	http://www.drillmanindia.com/concrete-breaker.html
	Hydro Khan	http:/www.sangi.co.kr/english/e_product1_2.php
	Stanley	http://www.stanley-hydraulic-tools.com/Hand%20Held/NoAmbreakers.htm

	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/breakers.htm
Concrete Chain Saws		
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/concrete-saws.htm
Concrete Core Drilling Machines		
	Multiquip	http://www.multiquip.com/multiquip/318_ENU_HTML.htm
Concrete Cutters		
	Vermeer	http://www.vermeermfg.com/vcom/TrenchingEquipment/Line.jsp?PrdlnID=3618
Concrete/Material Pumps		
	Multiquip	http://www.multiquip.com/multiquip/309_ENU_HTML.htm
	Reed	http://www.reedpumps.com/
Concrete Mixer Trucks		
	Oshkosh	http://www.oshkoshtruck.com/concrete/products~overview~home.cfm
	London	http://www.lmi.ca/mixers.cfm
	Terex/Advance	http://www.advancemixer.com
Concrete Saws		
	Multiquip	http://www.multiquip.com/multiquip/315_ENU_HTML.htm
	Diamond Core Cut	http://www.diamondproducts.com/dp_home.htm
Concrete Screeds		
	Multiquip	http://www.multiquip.com/multiquip/317_ENU_HTML.htm
Concrete Vibrators		
	Multiquip	http://www.multiquip.com/multiquip/313_ENU_HTML.htm
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5722,00.html
Cranes		
	Malcolm Drilling	www.malcolmdrilling.com
	Link-Belt	http://www.linkbelt.com/lit/products/frameproducthome.htm
	Casagrande	http://www.casagrandegroup.com
	Liebherr	http://www.liebherr.com/em/en/35381.asp
	Terex	http://www.terex.com/main.php
Crawler Tractors - See Dozers/Crawler Tractors		
Crushing and Screening Equipment		
	Cedarapids	http://www.cedarapids.com/crushscr.htm
	Hitachi	http://www.hitachi-c-m.com/
	Komatsu	http://www.komatsu.com/ce/products/mobile_crushers.html
	Terex	http://www.terex.com/main.php
Crushers/Pulverizers		
	Hydro Khan	http://www.sangi.co.kr/english/e_product3.php
Cutoff Saws		
	Multiquip	http://www.multiquip.com/multiquip/309_ENU_HTML.htm
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/cutoff%20saw.htm
Dozers/CrawlerTractors		

	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/crawlers/deere_dozer_selection.html
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=2
	Komatsu	http://www.komatsu.com/ce/products/crawler_dozers.html
Dewatering Pumps		
	Multiquip	http://www.multiquip.com/multiquip/371_ENU_HTML.htm
Drills / Augers		
	Malcolm Drilling	www.malcolmdrilling.com
	Casagrande	www.casagrandegroup.com
	Soilmec	http://www.soilmec.com/_vti_g1_techno.aspx?rpstry=4_
	Terex	http://www.terex.com/main.php
Excavators		
	Hitachi	http://www.hitachi-c-m.com/global/products/excavator/index.html
	Caterpiller	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/compactexcavators/
		http://www.volvo.com/constructionequipment/na/en-us/products/wheeledexcavators/
		http://www.volvo.com/constructionequipment/na/en-us/products/crawlerexcavators/
	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/excavators/deere_excavator_selection.html
	Liebherr	http://www.liebherr.com/em/en/18891.asp
	Soilmec	http://www.soilmec.com/_vti_g1_t02.aspx?rpstry=29_
	Gehl	http://www.gehl.com
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=216
	Komatsu	http://www.komatsu.com/ce/products/crawler_excavators.html
		http://www.komatsu.com/ce/products/wheel_excavators.html
	Terex	http://www.terex.com/main.php
	Link-Belt	http://www.lbxco.com/lx_series.asp
	Gradall	http://www.gradall.com/
	Badger Daylighting	http://www.badgerinc.com/
Fork Lifts - See Lifts / Variable Reach Fork Lifts/ Material Handlers		
Generators		
	Terex	http://www.terex.com/main.php
	Multiquip	http://www.multiquip.com/multiquip/212_ENU_HTML.htm
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5714,00.html
	Baldor	http://www.baldor.com/products/generators/ts.asp
Graders		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=190
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/MotorGraders/
	Komatsu	http://www.komatsu.com/ce/products/motor_graders.html
	Terex	http

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Hand Compaction Equipment		
	Terex	http://www.terex.com/main.php
	Multiquip	http://www.multiquip.com/multiquip/56_ENU_HTML.htm
Hydraulic Hammers/Hydraulic Breakers - See Concrete Breakers/ Hydraulic Hammers/Hydraulic Breakers		
Jackhammers - See Rock Drilling Equipment/Jackhammers		
Lifts / Variable Reach Fork Lifts/ Material Handlers		
	Genie Lift	www.genielift.com
	Sky Track	www.kirby-smith.com/
	Ingersol-Rand	www.ingersollrand.com
	Terex	http://www.terex.com/main.php
	Roadtec	http://www.roadtec.com/www/docs/102/mtv-material-transfer-vehicle/
Light Towers		
	Baldor	http://www.baldor.com/products/generators/mlt.asp
	Multiquip	http://www.multiquip.com/multiquip/293_ENU_HTML.htm
	Allmand	http://www.allmand.com/Night%20Lite%20Pro%20page.htm
Loaders/Backhoes		
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=54
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products/backhoeloaders/
	John Deere	http://www.deere.com/en_US/cfd/construction/deere_const/backhoes/deere_backhoe_selection.html
	Komatsu	http://www.komatsu.com/ce/products/backhoe_loaders.html
Material Handlers - See Lifts / Variable Reach Fork Lifts/ Material Handlers		
Milling Machines		
	Wirtgen	http://www.wirtgenamerica.com/us/
Mining Trucks - See Rigid Dump Trucks/Mining Trucks		
Pans - See Scrapers/Pans		
Pavers/Paving Equipment		
	Caterpillar/ Barber Greene	http://www.cat.com/cda/layout?m=37840&x=7
	Rosco	http://www.leeboy.com/rosco/
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478
	Gehl	http://www.gehl.com/const/prodpg_ap.html
	Leeboy	http://www.leeboy.com/leeboy/
	Terex	http://www.terex.com/main.php
	Ingersoll-Rand	http://www.road-development.irco.com/Default.aspx?MenuItemID=12
	Vogele	http://www.vogeleamerica.com/noflash.html
	GOMACO	http://www.gomaco.com/index.html
	Roadtec	http://www.roadtec.com
Pile Drivers/Boring Equipment		
	Soilmec	http://www.soilmec.com/_vti_g1_t09.aspx?rpstry=29_
	Leffer	http://www.leffer.com/bme.html

	Bauer	http://www.bauer.de/en/maschinenbau/produkte/drehbohrgeraete/bg_reihe/usbg15h.htm
Pipelayers/Trenchers		
	Liebherr	http://www.liebherr.com/em/en/18908.asp
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=28&archived=1
	Vermeer	http://www.vermeermfg.com/vcom/TrenchingEquipment/trenching-equipment.htm
	Ditchwitch	http://www.ditchwitch.com/dwcom/Product/ProductView/115
	Eagle	http://www.guntert.com/trenchers_home.asp
Profilers - See Roadway Planers/Profilers		
Rammers		
	Multiquip	http://www.multiquip.com/multiquip/56_ENU_HTML.htm
Rebar Benders/Cutters		
	Multiquip	http://www.multiquip.com/multiquip/1316_ENU_HTML.htm
Recyclers - See Stabilizers/Recyclers		
Rigid Dump Trucks/Mining Trucks		
	Hitachi	http://www.hitachi-c-m.com/global/products/rigid/index.html
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Liebherr	http://www.liebherr.com/em/en/18898.asp
	Komatsu	http://www.komatsu.com/ce/products/dump_trucks.html
	Terex	http://www.terex.com/main.php
Roadway Planers/Profilers		
	Terex	http://www.terex.com/main.php
	Roadtec	http://www.roadtec.com/products/cold_planers/default.htm
Rock Drilling Equipment/Jackhammers		
	Drillman	http://www.drillmanindia.com/rock-drilling-machine.html
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
	Sullair	http://www.sullair.com/corp/details/0,10294,CLI1_DIV61_ETI5721,00.html
	Allied	http://www.alliedcp.com/products/hammers.asp
Rollers - See Tampers/Rollers		
Scrapers/Pans		
	Terex	http://www.terex.com/main.php
Screening Equipment - See Crushing and Screening Equipment		
Slabbuster		
	Allied	http://www.alliedcp.com/products/slabbuster.asp
Slip Form Pavers		
	Huron	http://www.huronmanufacturing.com/
	Guntert & Zimmerman	http://www.guntert.com/concreteSlipformPavers.asp
Stabilizers/Recyclers		
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478

	Komatsu	http://www.komatsu.com/ce/products/mobile_crushers.html
	Terex	http://www.terex.com/main.php
	Wirtgen	http://www.wirtgenamerica.com/us/
	Roadtec	http://www.roadtec.com
Sweepers		
	Elgin	http://www.elginsweeper.com
	Johnston	http://www.johnstonsweepers.com/
Tampers/ Rollers		
	Bomag	http://www.bomag.com/americas/index.aspx?&Lang=478
	Komatsu	http://www.komatsu.com/ce/products/vibratory_rollers.html
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
	Lynx	http://www.stanley-hydraulic-tools.com/Lynx/tamper.htm
	Multiquip	http://www.multiquip.com/multiquip/181_ENU_HTML.htm
	Ingersoll-Rand	http://www.road-development.irco.com/Default.aspx?MenuItemID=15
Trenchers - See Pipelayers/Trenchers		
Trucks - See Articulated Trucks, Concrete Mixer Trucks, Rigid Dump Trucks/Mining Trucks		
Vacuum Units		
	Advanced Recycling Systems	www.arsrecycling.com/
	Vacmasters	http://www.vacmasters.com/airsystm.htm
	Vector	http://www.vector-vacuums.com/
Variable Message Signs		
	Allmand	http://www.allmand.com/MB%20only%20page.htm
	North Star	http://northstar-traffic.com/index.cfm?SC=13&PT=1
	Trafcom	http://www.trafcon.com
	Daktronics	http://www.daktronics.com/vms_prod/dak_vms_products.cfm
Vibratory Rammers		
	Whaker	http://www.wackergroup.com/webapp/wcs/stores/servlet/
Welders/Welding Equipment		
	Airgas	www.airgas.com
	Multiquip	http://www.multiquip.com/multiquip/408_ENU_HTML.htm
	Miller	http://www.millerwelds.com/products/
	Lincoln	http://www.mylincolnelectric.com/Catalog /equipmentseries.asp?browse=101|400|
Wheel Loaders		
	Hitachi	http://www.hitachi-c-m.com/global/products/loader/index.html
	Case	http://www.casece.com/products/products.asp?RL=NAE&id=30
	Caterpillar	http://www.cat.com/cda/layout?m=37840&x=7
	Volvo	http://www.volvo.com/constructionequipment/na/en-us/products /wheelloaders/
	Terex	http://www.terex.com/main.php
	Komatsu	http://www.komatsu.com/ce/products/wheel_loaders.html
	TCM	http://www.tcmglobal.net/products/main02.html

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Highway Traffic Noise

Contruction Noise Handbook

4.0 Construction Noise Criteria and Descriptors

4.1 Criteria

Construction noise levels may be evaluated in terms of human response and considered in the assessment of effects on wildlife and other non-human species. Noise levels and criteria are expressed in English, metric, or both conventions, depending upon the geographic area or the policies of the controlling agency. Typically, the English convention is used mostly in the United States, with the metric convention used in Canada and other countries.

While the issue of construction noise must be addressed as part of the planning of any transportation project, there are no standardized criteria on the federal level for assessing construction noise impacts related to transportation projects. Where project-specific construction noise criteria have been developed by individual agencies or municipalities, they typically consider the following factors which form the fundamentals for defining construction noise impact:

- Difference between existing noise levels prior to construction startup and expected noise levels during construction: This takes into account specific construction operations and/or individual pieces of equipment.
- Absolute level of expected construction noise: This may constitute the combined levels of all equipment and operations at a given time or be specifically related to the absolute noise level of a specific operation and/or piece of equipment.
- Adjacent land uses: Consideration of this factor provides an indicator of the degree of sensitivity that may be expected and will likely have a major effect on the operational time restraints and the noise level increases tolerated. For example, residential areas may typically have a restriction on night operations and possibly a noise level restriction during the day. Industrial areas may have no restrictions at all, and offices may or may not have a restriction on the noise levels during the day, with possibly no restriction for night operations. Examples of absolute and relative construction noise level criteria are provided in Table 7.1.
- Duration of construction/operation: The duration of high noise levels may play a significant role in how a noise impact is perceived and/or mitigated. If the levels are of a brief nature, possibly only occurring once or twice during the project, the perceived impact could be quite different than that associated with a constant noise source. Similarly, any related noise mitigation techniques employed could be substantially different in terms of type and/or duration of application.

4.1.1.1 United States

While noise impact and abatement criteria have been established for the operation of transportation facilities in the United States, standardized criteria have not yet been established related to noise associated with the construction of such facilities. However, since the publication of the original 1977 Report[ref001], additional guidance has been disseminated (through agencies such as FHWA and FTA) and analysis tools developed to better address construction noise. For example, the FTA Transit Noise and Vibration Impact Assessment document[ref014] presents guidelines that "can be considered reasonable criteria for assessment" of construction noise impacts. In addition, a number of agencies, municipalities, and other entities have developed procedures for addressing construction noise impacts and implementing related noise mitigation for their areas of jurisdiction or on a project-specific basis.

In some instances, local entities may have developed noise ordinances that contain restrictions associated with construction noise levels. Noise practitioners and others involved in the project development process are encouraged to become familiar with such ordinances and their relationship to other State and/or municipal ordinances. In certain instances, the State jurisdiction may supersede any local noise ordinances.

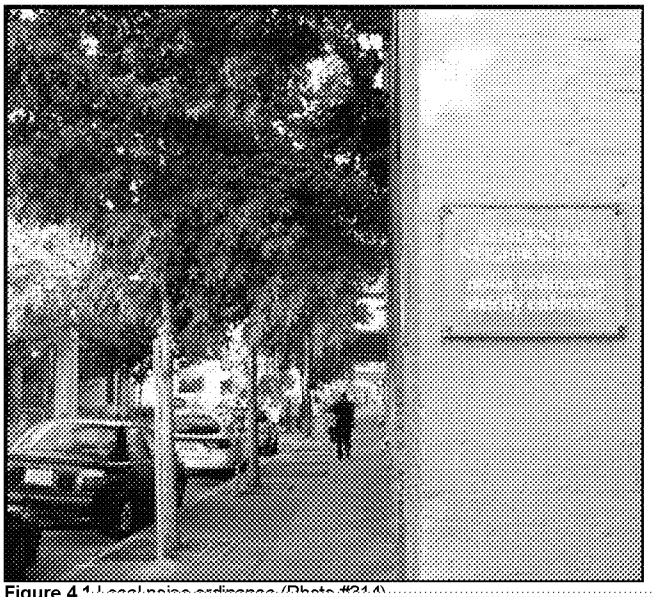

Figure 4.1 Local noise ordinance (Photo #314)

Contacts

For more information, please contact:

Mark Ferroni
Phone: 202-366-3233

Adam Alexander
Phone: 202-366-1473

Resource Center

Mary Ann Rondinella
Phone: 720-963-3207

Stephanie Stoermer
Phone: 720-963-3218

Michael Roberts
Phone: 404-562-3928

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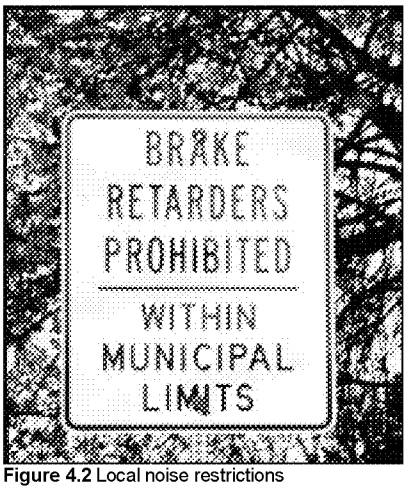

Figure 4.2 Local noise restrictions (Photo #1206)

Noise restrictions may also be imposed by local and/or State authorities to deal with specific activities or operations. An example is the growing practice of restricting the use of engine compression brakes on heavy trucks in residential areas.

Noise restrictions may also be applied within the workplace associated with employee/worker exposure to noise levels over varying durations. These criteria have been established by OSHA. However, such criteria are typically not relevant or applicable to the transportation-related project construction noise levels experienced by people residing or working in areas adjacent to such projects. As such, they are not discussed within this Handbook.

Construction noise criteria within the United States vary considerably in terms of both scope and specificity and can be broadly categorized as follows, in order of complexity:

No criteria specified;

Qualitative criteria, e.g. "Noise levels shall not cause a disturbance";

- Relative criteria, e.g. "Noise levels shall not exceed existing (or ambient, or background) noise levels by more than x dB";
- Absolute criteria, e.g. "Maximum noise levels shall not exceed xx dB";
- Criteria containing a combination absolute and relative noise level limits; and
- Combinations of the above criteria elements with additional restrictions placed on time periods and types of land uses or activities.

An example of more complex criteria is that associated with the Central Artery/Tunnel Project in Boston, MA. Data related to these criteria are discussed in Reference 023 and illustrated in Table 7.1 of this Handbook. This project established criteria that include both L_{10} and L_{max} absolute noise level limits for defined noise sensitive locations (residences, institutions, hotels, etc.) for daytime, evening, and nighttime periods. In addition, the criteria established maximum noise level increases relative to established baseline noise levels. Relative and absolute noise level limits were also established for commercial and industrial areas.

From the standpoint of construction noise criteria, the intent of this Handbook is not to address all State and local noise ordinances and/or criteria, but rather, to address the approaches and techniques that may be contained in such criteria. As such, the discussions contained within this Handbook are meant to provide a summary of considerations related to all aspects of construction noise. The reader is encouraged to refer to specific references in Table 10.1 for more detailed information on noise criteria and other factors related to construction noise.

4.1.1.2 Canada

Similar to the United States, no standardized Canadian criteria exist related to transportation project construction noise. Where project-specific analysis techniques have been employed to address and/or mitigate construction-related noise and its impacts, such methods have been similar to those employed in the United States. Examples of such efforts may be found in References 010 and 019.

4.1.1.3 Other International

While an exhaustive survey of international criteria was not conducted, several criteria are discussed here for informational use only. More specifics may be found by accessing the relative links found in the Reference Database in Chapter 10.

- The Official Journal of the European Communities' Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000[ref017] establishes legislation dictating specific noise levels for individual pieces of construction equipment. It also contains specifics related to the measurement locations and equipment operating conditions relative to the testing of individual pieces of equipment.
- The Australian EPA's Environmental Noise Control Manual[ref015] establishes the following criteria which officers may specify related to construction noise:
  - For a construction period of four (4) weeks or less, the maximum L_{10} noise level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background noise level by more than 20 dBA;
  - For a construction period greater than four (4) weeks, the maximum L_{10} noise level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background noise level by more than 10 dBA;
  - Construction limited to 0700 to 1800 time period on Monday through Friday;
  - Construction limited on Saturdays to 0700 to 1300 time period if inaudible on residential premises; otherwise, 0800 to 1300;
  - No construction work may take place on Sundays or public holidays; and
  - All possible steps should be taken to silence construction site equipment. It is particularly important that silenced equipment should be used on road or rail works where 24-hour operation is necessary.

4.2 Descriptors

While it is not the intent of this Handbook to establish criteria for evaluating construction noise impacts, it is important to stress that reasonable and defensible noise descriptors must be used to describe construction noise levels. The following are important elements related to selecting a workable noise descriptor for use in measuring and analyzing construction noise:

- Suitable for practical measuring methods;
- Accounts for temporal variations in equipm
- Accounts for temporal variations in overall s

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- Suitable for prediction modeling;
- Suitable for combining noise levels from various source types; and
- Relative to subjective responses.

The descriptor most commonly chosen for use is the A-weighted equivalent sound level (energy basis), L_{Aeq}. In many cases, the time average period applied to the L_{Aeq} value is one hour (designated L_{Aeq1h}). For certain projects and operations, the time period over which the L_{Aeq} is applied may need to be examined on a case-by-case basis. For several major construction projects in the United States and Canada, the L_{10} (applied generally during daytime periods) and L_{max} (applied for specific equipment and/or nighttime operations) descriptors have been used over varying time periods.

The L_{dn} descriptor has been used to assess annoyance and community reaction to construction noise. L_{dn} is an L_{Aeq}-based descriptor that applies a 10 dBA penalty to nighttime noise levels.

The L_{Aeq}-based and L_{10}-based descriptors satisfy the first four elements listed above. The L_{Aeq} satisfies the fifth element and may also satisfy the sixth element (relative to subjective responses). However, the L_{Aeq}, L_{10}, and L_{max} descriptors may not be suited for determining responses by some aquatic wildlife (where using an un-weighted sound pressure level may be more suitable) or for owls (where use of a different weighting category such as dBO or a descriptor such as SEL may be more suitable to account for effects such as air blasts associated with blasting). More detailed information related to these specific conditions might be found in documents listed in Section 3.2.6 of this document.

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Figure 3.1 Construction in residential area (Photo #924)

Figure 3.2 Construction in business district (Photo #714)

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Figure 3.3 Construction in vicinity of sporting event venue (Photo #718)

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Figure 3.4 Construction in paradise (Photo #1033)

While construction noise can be unwelcome during nighttime periods in residential areas when people are trying to sleep, it can be equally unwelcome during the daytime in commercial areas if it interferes with peoples' ability to conduct business. In short, construction noise has the potential to disturb people 24 hours a day, 7 days a week. If not properly addressed, specific public concerns related to a project could result in actions affecting the progress and/or cost of a project.

There is nothing particularly unique about construction noise - it's a fluctuation in air pressure oscillating above and below atmospheric pressure that is produced by construction equipment or activities with sufficient magnitude (loudness) and within a certain frequency range (audible spectrum) such that human beings can hear it - just like any other noise. Being a physical parameter, it can be measured, quantified, modeled, predicted, and in certain instances, abated to some degree.

Noise from construction-related activities can also affect non-human species such as aquatic life and land and airborne animals in a variety of ways. The non-human category includes domestic, farm-based, and creatures living in the wild. In assessing the effects of noise on non-humans, it is essential that noise analysts closely coordinate with qualified biologists in the assessment and mitigation of noise impacts.

Issues related to vibration may also be raised during project development. This is particularly true when blasting operations occur. There are no FHWA requirements directed specifically to traffic-induced or construction-related vibration. Most studies that State DOTs have done to assess the impact of operational traffic-induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings, although levels may be such as to cause various degrees of annoyance. Analysis of construction-related vibration effects is beyond the scope of this Handbook.

The intent of this Handbook is not to provide det
information regarding specific effects of constru

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3.2 Types of Effects

Physical effects related to humans are probably most applicable to the operators of construction equipment as opposed to people residing adjacent to construction projects. An exception to this would be unique situations such as scuba diving or swimming activities occurring in the vicinity of a water-based pile driving or blasting operation. The potential for hearing loss or physical damage to the human hearing mechanism is protected by Occupational Safety and Health Administration (OSHA) criteria, and as such, is not discussed herein. While resulting in the potential to annoy or disturb humans, construction noise is typically not a danger to people's hearing.

Knowledge related to the physical effects of construction noise on non-human species such as land-based animals, birds, and owls is limited. It is recognized that aquatic mammals and fish can be physically damaged by water-born sound and vibration waves caused by construction activities such as underwater blasting and pile driving. In lieu of detailed discussions within this Handbook of the variety of specialized studies related to the physical effects of construction noise on such species, references to such studies are provided in a list at the end of this chapter.

Loud noises from construction activities can create situations where people cannot effectively communicate, as documented in Tables 3.1 and 3.2. While such situations may be merely an annoyance or inconvenience in certain situations, they could be construed as a safety issue if such noises prevent people from hearing important local noises such as approaching traffic, emergency warning devices, alerts from other people, etc.

Noise from construction activities can affect humans, land-based animals, aquatic wildlife, and airborne wildlife in a variety of ways. Humans are most affected in terms of sleep deprivation and the carrying on of normal daily activities such as watching television, listening to the radio, recreational activities, and activities requiring concentration, such as reading. Special activities such as those associated with churches, schools, and libraries can also be negatively affected by construction noise. Water-based activities such as scuba diving, swimming, and boating can also be affected.

While non-humans are most likely annoyed by construction noise, there is little known about the related effects. However, the annoyance of noise on humans has been studied for some time and is documented in a 1974 EPA report commonly referred to as the "Levels Document"[ref033]. It is complementary to the 1979 EPA document, "Protective Noise Levels"[ref052].

A variety of studies have attempted to quantify the effects of noise on humans. An example is provided in the following table contained in the "Levels Document" referred to above. Note that all noise levels referred to in the "Levels Document" are A-weighted.

Table 3.1 Summary of Human Effects in Terms of Speech Communication, Community Reactions, Annoyance, and Attitude toward Area Associated with an Outdoor Day/Night Sound Level of 55 dB re 20 Micropascals.

Type of Effect	Magnitude of Effect
Speech - Indoors	100% sentence intelligibility (average) with a 5 dB margin of safety
Speech - Outdoors	100% sentence intelligibility (average) at 0.35 meters
	99% sentence intelligibility (average) at 1.0 meters
	95% sentence intelligibility (average) at 3.5 meters
Average Community Reaction	None evident; 7 dB below level of significant "complaints and threats of legal action" and at least 16 dB below "vigorous action" (attitudes and other non-level related factors may affect this result)
Complaints	1% dependent on attitude and other non-level related factors
Annoyance	1% dependent on attitude and other non-level related factors
Attitude Toward Area	Noise essentially the least important of various factors

Table 3.2. Steady A-weighted Sound Levels that Allow Communication with 95 Percent Sentence Intelligibility over Various Distances Outdoors for Different Voice Levels.

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Communication Distance (meters)	0.5	1	2	3	4	5
Normal Voice (dB)	72	66	60	56	54	52
Raised Voice (dB)	78	72	66	62	60	58

The effects of construction-related noise on non-humans are less understood and probably most related to mating, nesting, migration, and feeding activities. While data on such effects is limited as compared with information on humans, some research is available[ref031 and ref032].

For a more detailed discussion of the general effects of noise on wildlife and other non-human species, the reader is directed to references dealing with the following:

- Effects on wildlife and other animals: ref031 and ref032;
- Effects on marine mammals: ref102;
- Effects on fish: ref030, ref036, ref046, ref054, ref060, and ref061; and
- Effects on owls: research underway as of the publication date of this Handbook by Washington State DOT (WSDOT); when available, any published reports will be available through the WSDOT webpage (see Table 10.1).

In determining noise impacts and possible mitigation measures for construction projects involving non-human species, noise analysts should closely coordinate with qualified biologists.

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APPENDIX B

OVERVIEW OF LEGAL RESTRAINTS ON AGRICULTURAL LAND MITIGATION PROGRAMS

OVERVIEW OF LEGAL RESTRAINTS ON AGRICULTURAL LAND MITIGATION PROGRAMS*

Prepared for Department of Conservation
Division of Land Resource Protection
Brown Bag Discussion on CEQA and Mitigation as a Tool for Preserving Farmland and Our Agricultural Economy

February 16, 2011

Osha R. Meserve
Soluri Meserve, A Law Corporation
1822 21st St.
Sacramento, CA 95811
(916) 455-7300
osha@semlawyers.com

* Disclaimer: These materials are for informational purposes only and do not substitute for legal advice regarding the particular facts of a given matter.

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I. INTRODUCTION

This paper explores the possible legal impediments to in-kind and fee-based agricultural mitigation programs that may be adopted by local agencies. A review of applicable legal restraints on such programs indicates that they are generally permissible when properly drafted. In light of the high rate of conversion of agricultural lands in California, local agencies that have not yet adopted such programs should consider doing so. In the interim, review of projects under the California Environmental Quality Act ("CEQA"),[1] can also lead to the adoption of legally defensible mitigation requirements, though mitigation may not always be required.

II. LEGISLATIVE POLICIES REGARDING PROTECTION OF AGRICULTURAL LAND

The California Legislature has directly addressed conservation of agricultural land in legislative policy statements. In CEQA, the Williamson Act,[2] and the California Farmland Conservancy Program Act,[3] the Legislature emphasizes the importance of agricultural land to the State. Moreover, the Williamson Act and the California Farmland Conservancy Program are specifically dedicated to preserving farmland throughout California.[4] The statutes indicate that the State of California values agricultural land, and the protection of farmland is a statewide priority.

A. CEQA

In 1993, the California State Legislature added a requirement to CEQA that the Resources Agency create an appendix to the CEQA Guidelines ("CEQA Guidelines").[5] The Legislature required that this appendix propose methods to analyze significant effects on the environment from conversion of agricultural land.[6] The findings for this statutory requirement state that:

(a) Agriculture is the State's leading industry and is important to the State's economy.

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[1]/ Pub. Resources Code, § 21000 et seq.
[2]/ Gov. Code, § 51200 et seq.
[3]/ Pub. Resources Code, § 10200 et seq.
[4]/ Pub. Resources Code, § 21000 et seq., Gov. Code, § 51200 et seq., Pub. Resources Code, § 10200 et seq.
[5]/ Pub. Resources Code, § 21095.
[6]/ *Ibid.*

(b) The continued productivity of agricultural lands in California is important in maintaining a healthy agricultural economy.

(c) The conversion of agricultural lands to nonagricultural use threatens the long-term health of the State's agricultural industry.[7]

In response to this mandate, the Resources Agency added Appendix G to the CEQA Guidelines.[8] Appendix G suggests that when analyzing impacts on agricultural resources, an agency might assess the type of farmland that a project would convert (i.e. "prime" farmland or farmland of statewide importance).[9] It also recommends that an agency consider whether a proposed project would involve other changes in the environment that could result in the conversion of farmland to non-agricultural use.[10]

B. Williamson Act

In its findings for the Williamson Act, the California Legislature stated:

> That the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and is necessary not only to the maintenance of the agricultural economy of the state, but also for the assurance of adequate, healthful and nutritious food for future residents of this state and nation.[11]

The Legislature further asserted:

> That in a rapidly urbanizing society, agricultural lands have a definite public value as open space, and the preservation in agricultural production of such lands, the use of which may be limited under the provisions of this chapter, constitutes an important physical, social, esthetic and economic asset to existing or pending urban or metropolitan developments.[12]

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[7]/ Section 1 of Stats. 1993, c. 812 (SB 850).
[8]/ 14 CCR, § 15000 et seq.
[9]/ *Id.* at Appendix G.
[10]/ *Ibid.*
[11]/ Gov. Code, § 51220, subd. (a).
[12]/ Gov. Code, § 51220, subd. (d).

C. California Farmland Conservancy Program Act

In the California Farmland Conservancy Program Act, the California Legislature again emphasized the importance of agricultural land to the State:

> The agricultural lands of the state contribute substantially to the state, national, and world food supply and are a vital part of the state's economy. Agricultural lands near urban areas that are maintained in productive agricultural use are a significant part of California's agricultural heritage. These lands contribute to the economic betterment of local areas and the entire state and are an important source of food, fiber, and other agricultural products. Conserving these lands is necessary due to increasing development pressures and the effects of urbanization on farmlands close to cities. The long-term conservation of agricultural land is necessary to safeguard an adequate supply of agricultural land and to balance the increasing development pressures around urban areas.[13]

III. STATUS OF AGRICULTURAL MITIGATION REQUIREMENTS IN THE CENTRAL VALLEY

A handful of local jurisdictions presently require some form of mitigation for the loss of agricultural land. For example, the City of Davis has instituted a 2:1 mitigation requirement for changes to farmland.[14] Developers may satisfy this requirement either through the dedication of a farmland conservation easement or payment of in-lieu fees.[15]

Yolo County, San Joaquin County, the City of Stockton, and City of Brentwood have also established similar programs.[16] These ordinances generally allow developers to satisfy farmland mitigation requirements by granting a farmland conservation easement, or by paying in-lieu fees sufficient to purchase an easement and pay for administrative costs.[17] These ordinances require 1:1 mitigation for the loss of agricultural land.[18] The

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[13]/ Pub. Resources Code, § 10201, subds. (a)-(d).
[14]/ City of Davis Mun. Code, § 40A.03.030: www.cityofdavis.org/cmo/citycode/ (as of July 19, 2007).
[15]/ *Id.* at subd. (b)(1).
[16]/ Yolo County Code, § 8-2.2416: http://www.yolocounty.org/CountyCode/Title08.pdf (as of July 19, 2007); City of Stockton Administrative Guidelines, § I.A.6; Ordinance Code of San Joaquin County, § 9-1080 et seq.; Brentwood Mun. Code, §§ 17.730.010 et seq.: http://www.ci.brentwood.ca.us/boards/aarg/enterprise/ord683.cfm (as of February 11, 2011).
[17]/ The applicable mitigation fees were calculated according to nexus studies.
[18]/ *Ibid.*

Brentwood ordinance also allows for transfer of agricultural credits from certain areas to satisfy the mitigation requirement.[19]

The Cities of Lathrop, Manteca, and Tracy have also adopted agricultural mitigation fee programs in their Municipal Codes.[20] These programs, rather than specify the amount of the fee to be charged, authorize each respective City Council to "calculate the amount of the fee in an implementing resolution."[21] Moreover, the regulations require the Cities to enact such fees by resolution, and to identify specific findings to satisfy the requirements of the Mitigation Fee Act.[22]

Furthermore, some settlement agreements entered into during the CEQA and project approval process have resulted in imposition of mitigation for agricultural land conversion. For example, two CEQA-related settlement agreements in the City of Lodi included farmland mitigation requirements for major development projects despite the lack of a local mitigation ordinance.[23] In these agreements, the developer agreed to obtain permanent agricultural easements, at a minimum 1:1 ratio.[24] One of the agreements specified that the compensatory easement(s) must be located within 15 miles of the project site, while the other agreement required only that the mitigation property be located within San Joaquin County.

In another example, developers entered into a settlement agreement with the Sierra Club after a CEQA lawsuit was filed.[25] In this agreement, the developers agreed to contribute funds to assist in creating a land trust organization.[26] Moreover, the developer agreed to provide 1:1 mitigation of all lands removed from agricultural use through development fees.[27]

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[19]/ Brentwood Mun. Code, §§ 17.730.040, 17.730.070.

[20]/ City of Lathrop Mun. Code, Chapter 3.40; City of Manteca Mun. Code, Chapter 13.42, City of Tracy Mun. Code, Chapter 13.26.

[21]/ City of Lathrop Mun. Code, § 3.40.060; City of Manteca Mun. Code, § 13.42.060; City of Tracy Mun. Code, § 13.28.060; see also City of Brentwood Mun. Code, § 17.730.040, subd. (2) (providing option of payment of in-lieu fee).

[22]/ *Id.* Gov. Code, § 66000 et seq.

[23]/ These agreements pertained to (1) the Reynolds Ranch project, a mixed use project proposed by the San Joaquin Valley Land Company and, (2) two large residential subdivisions proposed by FCB Homes ("Westside" and "Southwest Gateway").

[24]/ Westside Agreement at p. 2; Southwest Gateway Agreement at p. 2; Reynolds Ranch Agreement at p. 2.

[25]/ Agreement to Settle Litigation Regarding River Islands at Lathrop (2003).

[26]/ *Ibid.*

[27]/ *Ibid.*

Finally, there have been legal challenges related to agricultural mitigation programs. On May 25, 2007, the Building Industry Association of the Delta ("BIA") filed a lawsuit against the City of Stockton in the Superior Court of California for the County of San Joaquin.[28] The lawsuit challenged the City of Stockton's agricultural land mitigation program and in-lieu fees, which were adopted in 2007. BIA's complaint included a number of the potential arguments challenging in-lieu fees and agricultural land mitigation. BIA alleged that the City of Stockton's in-lieu fee was facially invalid because, among other claims, it: (1) was excessive and violates the California Mitigation Fee Act; (2) constituted an invalid requirement for payment of a fee or dedication of easement prior to the final map under Government Code sections 66007 and 66410 et seq.; (3) constituted an invalid exaction both under constitutional nexus and rough proportionality tests, and due to its failure to comply with CEQA; (4) was an authorized special tax in violation of Propositions 13 and 218; and (5) violated equal protection and due process rights under the United States and California Constitutions.

A decision was issued in February 2009, upholding the City's agricultural mitigation program. The court's ruling noted that the City had adopted detailed findings in support of the in-lieu fee program, which were consistent with the studies and analyses in the record of decision for the program. The court also found that the City had the authority to adopt the fee program under its plenary police power. Moreover, the program was entitled to a presumption of constitutionality. With respect to the Mitigation Fee Act claims, the court found: (1) that the in-lieu easement requirement was not a fee within the meaning of the Act; (2) the in-lieu fee is selected at certain developers' option, and is not imposed; (3) no "public facilities" would be funded; (4) the challenge to the fee was not ripe prior to having been applied to a particular project; and (5) even if the act applied it would survive challenge under the applcable deferential standard. With respect to the Proposition 13 and 218 claims, the court found that the in-lieu fees were not taxes because they are voluntarily chosen by developers. Moreover, the fees do not exceed the cost of mitigating the impacts caused by the project. The court also found that the restrictions in Civil Code section 815.3, subdivision (b) were inapplicable and that the 1:1 mitigation ratio was amply supported in the record.

The events described above indicate that mitigation for agricultural land is becoming more prevalent in the Central Valley. Where lead agencies do not directly require agricultural mitigation through their development codes or through the CEQA process, mitigation for farmland conversion may occur as a result of settlement negotiations between community groups, developers and local agencies. These

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[28]/ *BIA v. City of Stockton* (Super. Court San Joaquin County, 2007, No. CV032651).

developments show both that preserving agricultural land is important to California communities and that agricultural mitigation is feasible for developers.

IV. POTENTIAL LEGAL ISSUES RELATED TO AGRICULTURAL MITIGATION REQUREMENTS

In many instances, courts have upheld in-lieu fees and other exactions.[29] However, for an exaction to be valid: (1) the public agency must have the legal authority to impose the exaction; (2) the agency must properly exercise its authority when imposing the exaction; and (3) a reasonable relationship must exist between the imposed exaction and the public needs created by the development.[30] In addition, there may be other limitations that the agency must overcome.[31]

A. Authority to Impose Exactions – The Police Power

Cities and counties may impose exactions under the general police power granted in Article XI, Section 7 of the California Constitution.[32] The police power is the right of a local government to protect the public health, safety, and welfare of its residents.[33] Land use regulations, including exactions, are within an agency's police power as long as they are reasonably related to the public welfare.[34] This authority is "as broad as the

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[29]/ 2 Longtin, Longtin's California Land Use (2nd ed. 1987), § 8.02[2], p. 722 (hereafter 2 Longtin).

[30]/ See 2 Longtin at § 8.04, p. 780.

[31]/ Potential limitations include statutory restrictions, such as Propositions 13, 62, and 218, and the Mitigation Fee Act. Recently filed lawsuits, including *A.G. Spanos Construction, Inc. v. City of Stockton* and *BIA v. City of Stockton*, have alleged that agricultural mitigation fees did not comply with the Subdivision Map Act. Although these claims may be valid in specific situations, they likely will not arise often in relation to agricultural mitigation programs. Thus, though agencies must ensure that the requirements of the Subdivision Map Act are met, this issue is not addressed further in this memorandum.

[32]/ See, e.g., *Candid Enters., Inc. v. Grossmont Union High School Dist.* (1985) 39 Cal.3d 878, 885 (*Candid Enters.*); *Griffin Development Co. v. City of Oxnard* (1985) 39 Cal.3d 256; *Trent Meredith, Inc. v. City of Oxnard* (1981) 114 Cal.App.3d 317, 325; *Scroging v. Kovatch* (1976) 64 Cal.App.3d 54, 57; *Associated Homebuilders, Inc. v. City of Livermore* (1976) 18 Cal.3d 582. The California Constitution confers on local governments the power to "make and enforce within [their] limits all local police, sanitary and other ordinances and regulations not in conflict with general laws."

[33]/ See *Berman v. Parker* (1954) 348 U.S. 26, 32-33.

[34]/ See *Associated Home Builders, Inc. v. City of Livermore* (1976) 18 Cal.3d 582, 600-601.

police power exercisable by the Legislature itself."[35] Thus, cities and counties have broad authority to impose exactions on development.

Though public agencies have general authority to impose exactions, many potential limitations exist that may limit the imposition of agricultural mitigation fees. Such exactions must: (1) meet nexus and rough proportionality tests and comply with equal protection and due process requirements under the United States Constitution; (2) be exempt from or comply with the requirements of Propositions 13, 62, and 218; (3) meet the requirements under the Mitigation Fee Act; and (4) be consistent with local General and Specific Plans. These requirements are described in detail below.

B. United States Constitution

1. Nexus and Rough Proportionality

Known as the "Takings Clause," the Fifth Amendment of the United States Constitution prohibits the taking of private land for public use without just compensation.[36] According to the Court in *Armstrong v. United States* (1960) 364 U.S. 40, as quoted in *Dolan v. City of Tigard* (1994) 512 U.S. 374, 384 (Dolan), the principal purpose of the Takings Clause is "to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole." Exactions may be considered unconstitutional takings if they do not meet the "reasonable relationship nexus" test, as set out in *Dolan* and *Nollan v. California Coastal Commission* (1987) 483 U.S. 825 (Nollan). In order for an exaction to be valid: (1) the legislation must serve a legitimate governmental purpose, and (2) the means used to achieve the objective must substantially advance the intended purpose.[37]

a) *Nollan v. California Coastal Commission*

The *Nollan* case described the "nexus" requirement for exactions. In *Nollan*, the California Coastal Commission ("Commission") granted a permit to the Nollan family to construct a home on their coastal property, on the condition that they grant an access easement for the public to use their beach.[38] The Supreme Court found the requirement unconstitutional because of the insufficient nexus between the public burden created by

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[35]/ *Candid Enters.*, *supra*, 39 Cal.3d at p. 885.
[36]/ "[N]or shall private property be taken for public use, without just compensation." U.S. Const., 5th Amend.
[37]/ See 2 Longtin, Longtin's California Land Use (2007 Update), § 8.22, p. 652 (hereafter 2 Longtin Update).
[38]/ *Nollan*, *supra*, 483 U.S. at p. 828.

the proposed construction and the permit condition required by the Commission.[39] According to the Court, "unless the permit condition serves the same governmental purpose as the development ban, the building restriction is not a valid regulation of land use but an out-and-out plan of extortion."[40] Thus, in order for an exaction to be valid, the type of condition imposed must address the same type of impact caused by the new development.[41]

b) *Dolan v. City of Tigard*

In *Dolan*, the Supreme Court further clarified the *Nollan* nexus test for an unconstitutional taking. The City of Tigard approved a building permit for Dolan to redevelop a retail site, on the condition that she donates a portion of her property for flood control and traffic improvements.[42] The Court found that there was a legitimate public purpose in flood control and traffic improvements.[43] Unlike in *Nollan*, the Court also found a nexus between the public purpose and the permit requirement that Dolan donate a portion of her property.[44] However, the Court established an additional step to Takings Clause analysis, and analyzed whether the "required dedication [was] related both in nature and extent to the impact of the proposed development."[45] Known as the "rough proportionality" test, the public agency imposing the requirement must make an individualized determination that this element is met.[46] In *Dolan*, the Court found that the City did not make such a determination, and therefore remanded the matter to the City for further proceedings.[47]

c) *Ehrlich v. City of Culver City*

The Supreme Court of California addressed the validity of development or impact fee conditions in *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854 (*Ehrlich*). In *Ehrlich*, the court decided whether the requirement to pay a monetary fee as a condition of a permit triggers the application of the nexus and rough proportionality tests in *Nollan* and *Dolan*. The court held that:

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[39]/ *Id.* at p. 841.
[40]/ *Id.* at p. 837.
[41]/ See 2 Longtin Update, § 8.22[2], p. 654.
[42]/ *Dolan* at p. 377.
[43]/ *Id.* at p. 387.
[44]/ *Ibid.*
[45]/ *Id.* at p. 391.
[46]/ *Ibid.*
[47]/ *Id.* at p. 396.

> If a condition is imposed pursuant to an ordinance or rule of general applicability . . . the condition is constitutionally permissible unless the landowner meets his or her burden of proving that the condition either does not substantially advance a legitimate governmental purpose or deprives the landowner of any economically viable use of the land.[48]

Thus, if a condition is adjudicatively imposed on an individual basis, the government must meet the heightened requirements of *Nollan* and *Dolan*.[49] To the extent an agricultural mitigation program proposal is imposed legislatively, however, it would not need to meet the nexus and rough proportionality tests of *Nollan* and *Dolan*.[50]

2. Equal Protection and Due Process

The Fourteenth Amendment of the United States Constitution ("Fourteenth Amendment") requires that a local government regulation may not deprive a person of equal protection of the laws.[51] In the context of land use, equal protection does not necessarily require uniform treatment. Instead, an agency must be able to demonstrate that a regulation has a rational relationship to a legitimate government interest.[52] The agency need only demonstrate some plausible reason for the classification in the regulation.[53] It is relatively simple for agencies to meet this test, and courts have generally rejected equal protection claims in the land use context.[54]

The Fourteenth Amendment also requires that a local government regulation or action may not deprive a person of life, liberty or property without due process of law.[55] Under Fourteenth Amendment case law, an agency's exercise of power must: (1) bear a rational relationship to a legitimate government interest, and (2) not be unreasonable or

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[48]/ *Ehrlich*, *supra*, 12 Cal. 4th at p. 906.
[49]/ *Id.* For example, conditions in individual land use agreements created between local agencies and developers generally constitute "ad hoc" requirements, and therefore must meet the tests of *Nollan* and *Dolan*.
[50]/ Adjudicative determinations are those that are decided on an individual basis. Legislative determinations, on the other hand, apply to large classes of people
[51]/ See also Cal. Const., art. I, § 7.
[52]/ See 1 Longtin, Longtin's California Land Use (2007 Update), § 1.32[2], p. 35 (hereafter "1 Longtin Update"); see also, *Nordlinger v. Hahn* (1992) 505 U.S. 1.
[53]/ See *Id.*
[54]/ See 1 Longtin Update, § 1.32[2], p. 36.
[55]/ See also Cal. Const., art. I, § 7.

arbitrary.[56] Like with equal protection, courts almost always rule in favor of public agencies in due process challenges.[57]

3. Effect of the United States Constitution on Mitigation Programs

Though the nexus and rough proportionality tests from *Nollan* and *Dolan* may apply to fee exactions, farmland mitigation fees that are imposed through legislation rather than adjudication likely will not be subject to scrutiny under these standards. "It is clear that . . . so long as cities base development conditions on general legislative determinations, the conditions will almost always be within the police power."[58] However, it is important to note that regardless of whether a fee is imposed legislatively or adjudicatively, such exactions must meet nexus requirements under the Mitigation Fee Act. (See section IV.D.1, *post.*)

Similarly, equal protection and due process claims under the Constitution likely do not provide barriers to mitigation programs. The agency must be able to demonstrate that a regulation bears a rational relationship to a legitimate governmental interest, and that the regulation is not arbitrary. In the land use context, these requirements are straightforward, and courts generally defer to the discretion of public agencies.

C. California Constitution

1. Proposition 13, Proposition 62, and Proposition 218

Proposition 13 ("Prop 13"), passed in 1978, added Article XIII A to the California Constitution.[59] Article XIII A requires a two-thirds vote of the electorate for implementation of any local special tax. In 1986, voters approved Proposition 62 ("Prop 62"), which "close[d] loopholes" in Prop 13. This measure established that all taxes must be classified as either "special taxes" or "general taxes."[60]

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[56]/ See 1 Longtin Update, § 1.31[1], p. 27. Note that the "rational relationship" test is easy to satisfy; where a rational relationship is at least fairly debatable, the court must uphold the action. *Nelson v. City of Selma* (9th Cir. 1989) 881 F.2d 836, 839.
[57]/ See 1 Longtin Update, § 1.31[2], p. 27.
[58]/ See Curtin & Talbert, Curtin's California Land Use and Planning Law (21st ed. 2001) Exactions, pp. 252-255 (hereafter "Curtin").
[59]/ See *Howard Jarvis Taxpayers Ass'n v. City of Riverside* (1999) 73 Cal.App.4th 679 (overview of Prop 13).
[60]/ See Longtin Update at § 8.25[2], p. 663.

Development fees exacted in return for building permits or other governmental privileges are generally not "special taxes" under Article XIII A. A fee is not a special tax when it does not exceed the reasonable cost of providing the service for which the fee is charged, and it is not reasonably related to the type of activity on which it is based. Thus, so long as a fee meets these requirements, it is not subject to the requirements of Prop 13.[61] Moreover, Prop 62 did not impose any additional limitations on local government's authority to implement "special assessments," "fees," or "charges." Thus, Prop 62 does not typically affect development fees.

Proposition 218 ("Prop 218"), approved by voters in 1996, added Articles XIII C and D to the California Constitution. Prop 218 requires voter approval of all new increases in local general taxes, assessments, and certain fees and charges.[62] Under Prop 218, "fees" or "charges" are defined as "any levy other than an ad valorem tax, a special assessment, or an assessment, imposed by an agency on a parcel or a person as an incident of property ownership, including user fees or charges for a property related service."[63] "Property related service" is defined as "a public service having a direct relationship to property ownership." However, "incident of property ownership" is not defined.

Prop 218 states that it does not affect laws existing prior to July 1, 1997, related to the imposition of fees or charges as a condition of property development. Furthermore, development fees that do not fall under the definition of "fees" or "charges" under Prop 218 generally need not meet the requirements of the Proposition.[64]

2. Effect of California Constitution on Agricultural Mitigation Requirements

Mitigation requirements likely do not need to meet the requirements of Props 13 and 62. So long as an agency's fee requirement does not exceed the reasonable cost of

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[61]/ See, e.g., *Sinclair Paint Co. v. State Board of Equalization* (1997) 64 Cal.Rptr.2d 447; *Shapell Industries, Inc. v. Governing Board* (1992) 1 Cal.App.4th 218, 240; *California Bldg. Industry Assn. v. Governing Bd.* (1988) 206 Cal.App.3d 212, 235-237; *Beaumont Investors v. Beaumont-Cherry Valley Water Dist.* (1985) 165 Cal.App.3d 227, 235-238; *Trent Meredith, Inc. v. City of Oxnard* (1981) 114 Cal.App.3d 317, 325-328; *Mills v. County of Trinity* (1980) 108 Cal.App.3d 656, 661-663; *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854, 898.

[62]/ See Longtin Update at § 8.25[3], p. 664.

[63]/ Cal. Const., art. XIIID, § 2(e).

[64]/ For example, in a 1997 opinion, the Attorney General ruled that water charges were not subject to Prop 218 because they were based on water usage, and not imposed as an "incident of property ownership." (80 Ops.Cal.Atty.Gen. 183 (1997).)

providing the service or facility for which the fee is imposed, and it is reasonably related to the type of activity on which it is based, the fee will not be subject to these requirements.[65]

Although Prop 218 clearly does not apply to fee impositions existing prior to July 1, 1997, the law may apply to new development fee exactions that are related to property ownership. Under Prop 218, such regulations must be approved by a majority vote of the local electorate.[66] Agricultural mitigation fees are typically based on development, and are not an incident of property ownership. Thus, such exactions would not be subject to the requirements of Prop 218.[67]

D. State Laws

1. Mitigation Fee Act

The Mitigation Fee Act, passed by California voters in 1987, establishes requirements for the imposition of fees on a project.[68] The Mitigation Fee Act would not apply to in-kind mitigation requirements.[69] Thus, the Mitigation Fee Act would only apply to in-lieu fee programs.

The agency imposing a fee as a condition of approval of a development project must comply with four specific requirements:

(1) Identify the purpose of the fee;
(2) Identify the use to which the fee is to be put;

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[65]/ Mitigation requirements for the development of farmland to implement agricultural easements may not constitute a "service" or "facility" in the first place. If this is the case, Propositions 13 and 62 may not apply at all to such exactions.
[66]/ See Curtin, at p. 272.
[67]/ For example, in *Richmond v. Shasta Community Services District* (2004) 32 Cal.4th 409, 426, the California Supreme Court held that an increase of a water service connection fee charged to new users is not subject to Proposition 218 because it is not a property-related fee. The court stated that the water connection charges were not imposed simply by virtue of property ownership, but instead, as an incident of the voluntary act of the property owner in applying for a water service connection. The fees for connection to the system therefore were not imposed as "an incident of property ownership" and were not subject to Proposition 218.
[68]/ Gov. Code, § 66000 et. seq.
[69]/ "'Fee' means a monetary exaction other than a tax or special assessment…that is charged by a local agency to the applicant in connection with approval of a development project." Gov. Code, § 66000, subd. (b) (italics added).

(3) Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed; and

(4) Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

Moreover, the agency must be able to demonstrate a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development.[70] The fee cannot include costs attributable to existing deficiencies in public facilities.[71] Fees or exactions "shall not exceed the estimated reasonable cost of providing the service or facility for which the fee or exaction is imposed."[72] A local agency cannot require the payment of fees until the final inspection of the development.[73] And finally, "the fee shall not be levied, collected, or imposed for general revenue purposes."[74]

An agricultural mitigation fee that meets these requirements would not violate the Mitigation Fee Act.[75]

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[70]/ Mitigation Fee Act, § 66001, subd. (b). Note that it is unclear whether an agricultural easement would be considered a "public facility" under the Mitigation Fee Act. Mitigation Fee Act, § 66000, subd. (a) defines "public facilities" as including: "public improvements, public services, and community amenities." Agricultural conservation easements typically do not provide public access, though they do provide a benefit to the public.

[71]/ *Id.* at subd. (g).

[72]/ *Id.* at § 66005.

[73]/ *Id.* at § 66007. According to the trial court ruling in the *Stockton* case, the adopted mitgation program did not violate this provision (nor § 66001) because fundamentally it was not a fee program. Instead, the program was "a land use regulation that requires developers of agricultural lands to obtain an in-kind easement preserving an equal amount of other agricultural lands." Payment of the fee is not required; rather, developers were provided an option of paying a fee in certain limited circumstances. (See Statement of Decision dated March 5, 2009 in *BIA v. City of Stockton* (Super. Court San Joaquin County, 2007, No. CV032651). No appeal was filed in this case.

[74]/ *Id.* at § 66008.

[75] / See also *San Mateo County Coastal Landowners' Ass'n v. County of San Mateo* (1995) 38 Cal. App. 4th 523, 551 ("Clearly, the county has ample authority to require dedication of agricultural and open space easements under several provisions of law.").

2. CEQA

CEQA requires that significant impacts must be mitigated through feasible mitigation measures. According to CEQA, such mitigation includes:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.
(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the line of the action.
(e) Compensating for the impact by replacing or providing substitute resources or environments.

(CEQA Guidelines, § 15370.)

To date, the issue of whether a city or county may impose mitigation under CEQA for the loss of agricultural land is not discussed in a published appellate opinion. However, case law demonstrates that courts and agencies alike have assumed that cities and counties have such authority. Moreover, only a handful of California appellate decisions have addressed whether a city or county must impose such measures under certain circumstances. These cases generally indicate that mitigation for agricultural loss, under the specific circumstances, was not a requirement under CEQA.

a) Published Case Law

Defend the Bay v. City of Irvine (2004) 119 Cal.App.4th 1261 (*Defend the Bay*) is one of only two published decisions to address the issue of mitigation for the loss of agricultural lands. The Fourth District Court of Appeal considered both offsite and onsite preservation as a means for mitigation for the loss of farmland in the context of an Environmental Impact Report ("EIR") prepared for a mixed use development project. The court ultimately agreed with the defendant agency that it was not feasible to mitigate the impact of developing agricultural land.[76] Because agriculture in the area was not feasible in the long-term, and because on-site preservation would reduce development and therefore "impede the City from achieving its General Plan goals and objectives," the court ruled that the City did not need to require mitigation for the project.[77]

[76]/ *Id.* at p. 1269-1270.
[77]/ *Ibid.*

Also from the Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) concerned a challenge to an EIR for a project that would convert agricultural land to residential uses. Though recognizing the potential for mitigation in the form of agricultural "*conservation easements, Williamson Act preserve status, or temporary protection or conservation plans*," the EIR noted the long-term trend in agricultural land conversion in the region and concluded that mitigation was not feasible.[78] The court upheld the City's determination regarding the feasibility of mitigation on the grounds it was supported by substantial evidence in the record.[79] The court also examined the City and County General Plans, which acknowledged that development pressures were constraining the continued viability of agriculture and included the expansion of housing, commercial and industrial land uses.[80] The court then determined that the project was compatible with these planning documents.[81]

Notably, the opinions in both *Defend the Bay* and *Cherry Valley* did not conclude that, as a matter of law, agricultural easements are never a feasible form of mitigation for the loss of farmland. Instead, these cases concluded that in the particular circumstances surrounding the project, such mitigation was infeasible and therefore was not required to be adopted.

b) Unpublished Case Law

Opinions of any California Court of Appeal or superior court appellate division that are not certified for publication or ordered published cannot be cited or relied on by a court or a party in any other action.[82] There are three unpublished cases addressing agricultural impacts; these cases cannot be relied upon as legal precedent. However, they do provide some insight into potential arguments that may arise in relation to mitigation for the loss of agricultural land, and possible reasoning of the courts.

In *County of Santa Cruz v. City of San Jose* (2003) WL No. 1566913 (*County of Santa Cruz*), the Appellate Court for the Sixth District ruled that CEQA does not require the adoption of mitigation measures for the loss of agricultural land in every Environmental Impact Report ("EIR"). The appellants argued that the EIR for a large-scale development project was insufficient because the City of San Jose ("City") failed to

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[78] / *Id.* at pp. 349-350.
[79] / *Id.* at p. 350.
[80]/ *Id. at p. 353.*
[81]/ *Ibid.*
[82]/ Cal. Rules of Court, rule 8.1115(a).

require mitigation for the project's significant impact on the loss of open space and agricultural lands.[83] However, the City argued and the court agreed that the purchase of easements or fee title over off-site agricultural lands would not offset the loss of agricultural land caused by the project. According to the City, there would still be a net reduction in the total amount of land suitable for agricultural use that is available for such use.[84] Further, the court recognized that the City's General Plan did not recognize the protection of agricultural land, and instead stated that "it is the City's policy that land designated for development in the General Plan should be developed in the General Plan."[85] Thus, the court ruled that San Jose had acted within its prerogative in deciding not to require agricultural mitigation measures.[86]

In *Friends of the Kangaroo Rat v. California Department of Corrections* (2003) WL No. F040956 (*Kangaroo Rat*) the Fifth District Court of Appeal ruled similarly to the court in County of Santa Cruz.[87] The court held that a subsequent EIR for a prison construction project was adequate even though it did not require any mitigation for the loss of farmland due to the project. As in County of Santa Cruz, the court agreed with the defendants that the loss of farmland could not be mitigated because any attempts at mitigation would not create new farmland, nor would they compensate for the loss of farmland incurred by the project.[88] The court discussed the definition of "mitigation" from the CEQA Guidelines, and stated that "the creation of an agricultural easement does not appear to fall into any of these five categories."[89]

In a 2004 decision, the Third District Court of Appeal explicitly disagreed with *Kangaroo Rat* and supported the theory that, in the context of CEQA, measures should be applied to mitigate for the loss of agricultural land due to development. In *South County Citizens for Responsible Growth v. City of Elk Grove* (2004) WL No. 219789 (Cal.App.3 Dist.) (*South County Citizens*), also unpublished, the court ruled that mitigation of agricultural losses must be addressed in CEQA documents, and conservation fees and easements can potentially mitigate for the loss of agricultural land.

The court decided whether the City of Elk Grove ("City") was required to include mitigation measures in its EIR for the Lent Ranch Marketplace Development Project

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[83]/ *County of Santa Cruz*, at p. 29.
[84]/ *Id.* at p. *30.
[85]/ *Id.* at p. *31.
[86]/ *Id.* at p. *31.
[87]/ Note that *Kangaroo Rat* was initially published, but the California Supreme Court later de-published the decision.
[88]/ *Id.* at p. 565.
[89]/ *Id.* at p. 566.

("Project").[90] In its EIR, the City concluded that the conversion of farmland from the Project constituted a significant environmental effect.[91] However, the City also concluded in the EIR that no feasible mitigation measure to offset the loss of farmland existed.[92] The City argued that because it was not possible to create or manufacture new farmland, or to reduce the specific loss of farmland converted to urban use through the project, it did not need to impose mitigation measures to offset these losses.[93] Further, the City argued that because it had not conducted a nexus study and did not have a City or County ordinance imposing agricultural mitigation fees, it could not impose such requirements at all.[94]

The Third District Court of Appeal ruled against the City and held that conservation fees can in fact mitigate for the loss of agricultural lands.[95] According to the court, conservation fees and easements can diminish development pressures created by the conversion of farmland, and can help to preserve against the danger of the domino effect created by projects.[96] Thus, the City prepared an addendum to its EIR addressing mitigation for the loss of agricultural land.

3. Conservation Easement Act

The Conservation Easement Act enables a city, county, district, or nonprofit organization to acquire perpetual easements for the conservation of agricultural land and open space, or for historic preservation. (Civ. Code, §§ 815-816.) Under Civil Code section 815.3, a local government entity may not "condition the issuance of an entitlement for use on the applicant's granting of a conservation easement."

Building Industry Association of Central California v. County of Stanislaus, et al. (2010) 190 Cal. App. 4th 582 (*County of Stanislaus*) addresses whether Civil Code section 815.3, subdivision (b) applies to agricultural conservation easements mandated by a city or county's General Plan policies. In the *County of Stanislaus* case, the BIA challenged the Farmland Mitigation Program ("FMP") adopted as an update to the Agricultural Element of the County's General Plan. The General Plan update included specific mitigation requirements for the conversion of agricultural land to residential development via the FMP. Specifically, the FMP required the County to condition

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[90]/ *Id.* at p. *1.
[91]/ *Id.* at p. *3.
[92]/ *Ibid.*
[93]/ *Ibid.*
[94]/ *Id.* at p. *4.
[95]/ *Id.* at p. *8.
[96]/ *Id.* at p. *8.

discretionary projects converting agricultural land to residential development with the requirement that the agricultural land be replaced at a 1:1 ratio with agricultural land of equal quality located within the County. FMP Guidelines were also considered and adopted. The FMP Guidelines furthermore specified that for a project of 20 acres or more, farmland mitigation must be satisfied by direct acquisition of a permanent agricultural conservation easement, but for a project of less than 20 acres, the County can authorize the payment of an in-lieu mitigation fee.

The BIA challenged the FMP on the grounds that: (1) the County failed to identify its legal authority for mandating the dedication of permanent conservation easements pursuant to its General Plan; (2) there is no reasonable relationship between the requirements of the FMP and the adverse public impacts resulting from agricultural conversion (police power argument); and (3) conservation easements must be voluntary and thus, cannot be required by policies like the FMP.

With respect to the police power argument, the Court held that the BIA had the burden at trial of demonstrating the invalidity of the FMP (not the County's burden to prove the FMP valid), which it did not sufficiently do. Additionally, the court held that the FMP requirements clearly bear a reasonable relationship to the loss of farmland to residential development citing to the goals and policies in the County's agricultural element. The court clarified that "to meet the reasonable relationship standard it is not necessary to fully offset the loss." Reasoning that land use regulation is a function of local government pursuant to the police power, the court also held that, "the trial court [] erred in concluding that the FMP was not authorized by the County's police power."

Finally, and most importantly, the Court held that Civil Code section 815.3, subdivision (b) did not invalidate the FMP. In considering this issue of first impression, the court sided with the County reasoning that the FMP did not violate the statute's prohibition against conditioning the issuance of an approval on the grant of a conservation easement because the applicant and/or developer was not required to grant the easement. "Rather, the FMP allows the applicant to arrange for a third party to voluntarily convey an easement to a land trust or the County." The court's reasoning appeared to be that a developer has a choice to develop or not, and if the developer chooses to develop, that voluntary choice may come with a price (e.g., the permanent protection of one acre of farmland for every acre of farmland developed).

4. Effect of State Laws on Agricultural Mitigation Requirements

The Mitigation Fee Act, CEQA and the Conservation Easement Act do not preclude a jurisdiction from requiring mitigation for impacts to agricultural land. Where

local governments impose in-kind mitigation requirements rather than fee requirements, the Mitigation Fee Act does not apply. However, when the Mitigation Fee Act is applicable, such as when agencies impose fee requirements to mitigate for the loss of agricultural land, regulations must comply with the requirements of the Act.

Under CEQA, local governments generally have the authority to require mitigation for significant impacts to agricultural lands.[97] As outlined above, courts that have addressed agricultural mitigation programs under CEQA have considered whether such mitigation is necessary, and not whether it is permissible. Furthermore, no challenge of the imposition of agricultural mitigation in the CEQA context has resulted in a published opinion. Moreover, CEQA case law demonstrates that where there is a solid basis in local planning documents, including General and Specific Plans, the courts are more likely to uphold agricultural mitigation programs.

Last, the purpose of the Conservation Easement Act is to voluntarily convey conservation easements to qualified entities to conserve open spaces and other environmental values. Civil Code section 815.3 prohibits jurisdictions from requiring an involuntary conveyance of a conservation easement. Where a landowner chooses to develop a property within a jurisdiction that requires converted farmland to be mitigated with placement of easements on other property, however, this requirement not run afoul of this prohibition.

E. Local Laws

1. Planning and Zoning Law

City and county zoning ordinances and land use decisions must be consistent with General and Specific Plans.[98] Thus, local jurisdictions can justify exactions on the basis that they are necessary to assure consistency with adopted General and Specific Plans.[99] Thus, when development fees and dedication requirements are judicially attacked, many local governments now rely on General and Specific Plans to support their decisions.[100]

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[97]/ Under CEQA, mitigation measures must meet the essential nexus and rough proportionality tests of *Nollan* and *Dolan*. (CEQA Guidelines, § 15126.4, subd. (a)(4).)

[98]/ Gov. Code, §§ 65860 and 65910; see also, *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 570.

[99]/ See, e.g., 58 Ops.Cal.Atty.Gen. 41 (1975), as cited in Longtin § 8.14, p. 787; see also, *J.W. Jones Cos. v. City of San Diego* (1984) 157 Cal.App.3d 745.

[100]/ See *Curtin, supra*, at pp. 27, 259.

2. Effect of Local Laws on Agricultural Mitigation Requirements

Planning and zoning law provides jurisdictions an opportunity to implement mitigation programs to protect agricultural land. If cities and counties clearly emphasize the importance of farmland in their General and Specific Plans, and include specific programs to protect agricultural land, subsequent regulations to preserve agricultural land should be defensible.

IV. CONCLUSIONS AND RECOMMENDATIONS

A. Legality of Fee and In-Kind Mitigation Requirements

Local agencies have the general authority to implement in-kind and fee mitigation requirements under the police power of the California Constitution.[101] Moreover, the California Legislature's support of and emphasis on agricultural preservation provides a backdrop by which agencies can implement these regulations. However, it is necessary for agencies to ensure compliance with requirements under the United States and California Constitutions, the Mitigation Fee Act, CEQA, the Conservation Easement Act and planning and zoning laws.

1. In-Kind Mitigation Requirements

Because in-kind mitigation requirements do not involve monetary fees, they generally will not trigger Propositions 13, 62 or 218, or the Mitigation Fee Act. Moreover, so long as they are applied legislatively, in-kind mitigation requirements need not meet the nexus and rough proportionality tests under Nollan and Dolan. To comply with Civil Code section 815.3, though a particular landowner may be required to *arrange* for the grant of compensatory easements, the landowner may not be required to actually *grant* a conservation easement.

Under the Equal Protection and Due Process clauses of the United States and California Constitutions, mitigation requirements must bear a rational relationship to a legitimate government interest. Such regulations also cannot be arbitrary. To support the assertion that the protection of agricultural land is a legitimate interest, agencies can also point to their own General and Specific Plans and the State Legislature's statements. As outlined above, courts generally hold in favor of local agencies on this issue in the land use context. As long as in-kind mitigation programs satisfy these requirements, agencies have the legal authority to impose such regulations.

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[101]/ Cal. Const., art. XI, § 7.

2. In-Lieu Fee Mitigation Requirements

In-lieu fee requirements, in addition to meeting the requirements under Due Process and Equal Protection as outlined above, must either be exempt from or comply with Props 13, 62 and 218. They also must comply with the Mitigation Fee Act.

In order to qualify as exempt from Propositions 13 and 62, a development fee must not exceed the reasonable cost of providing the service for which the fee is charged. Furthermore, the fee must be reasonably related to the type of activity on which it is based. Also, because mitigation fees are not imposed incident of property ownership, such exactions need not meet the requirements under Prop 218.

Under the Mitigation Fee Act, an agency imposing a fee must: (1) identify the purpose of the fee; (2) identify the use to which the fee is to be put; (3) determine that there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed; (4) determine that there is a reasonable relationship between the need for the public facility and type of development project on which the fee is imposed; and (5) determine that there is a reasonable relationship between the amount of the fee and the cost of the public facility attributable to development.

B. Recommendations to Provide a Foundation for and Implement Fee and In-Kind Mitigation Requirements

1. Incorporate Policies and Programs Related to Preservation of Agricultural Land in General and Specific Plans

As demonstrated in the CEQA cases outlined above, courts generally defer to city and county General Plans. Moreover, the General Plan is considered the "constitution for development," and all land use approvals must be consistent with such plans.[102] Thus, agencies can use policies in their General Plans to support implementation of dedication and fee requirements for preserving agricultural land. Jurisdictions should incorporate policies into General and Specific Plans that emphasize the need for permanent preservation of agricultural land. Such policies should specifically support the use of conservation easements for mitigation for the loss of farmland.

[102]/ See *J.W. Jones Cos. v. City of San Diego* (1984) 157 Cal.App.3d 745, 749.

2. Conduct Nexus Studies

Particularly if implementing a fee program, local agencies should conduct nexus studies. Such studies should analyze and demonstrate an adequate nexus between the mitigation requirement and the impacts of the project, thus providing support for the nexus requirements of *Nollan* and *Dolan* and the Mitigation Fee Act. Such studies should also substantiate the selected mitigation ratio.

3. Include Findings That Demonstrate Compliance

When public agencies adopt mitigation programs, they should also adopt findings that demonstrate compliance with each applicable legal requirement.

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APPENDIX C

ASSESSING THE ECONOMIC AND MARKET TRENDS AFFECTING AGRICULTURE IN THE WESTERN INLAND EMPIRE

Appendix L: Agriculture

Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire

Prepared by:
Justin L. Adams, Ph.D.

Chang & Adams Consulting

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Item No. E.2

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About Chang & Adams Consulting:
Chang & Adams Consulting is Sacramento's premier management consulting firm, operating at the intersection of the public and private sectors. We are professional economists who routinely advise clients on market and business trends so that they may assess and understand the environment in which they are operating. We specialize in applying cutting-edge quantitative analyses to help frame and solve public policy and business strategy issues. We advise a range of clients, including government agencies, non-profit organizations, campaigns for initiatives and candidates, and Fortune 1000 companies. We provide them with the analytical insight to shape their strategic direction, improve their operations, and develop sound policies. Copies of resumes of our principals are attached to this report as Appendix A.

Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire
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Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire (Key Findings)

- The Inland Empire makes up a small part of California's agriculture industry. In 2009, the value of all agricultural production in Riverside and San Bernardino Counties totaled $1.4 billion, compared with $41.4 billion of agricultural production in California as a whole. Additionally, each of the ten most productive agricultural counties in California produces more than Riverside and San Bernardino combined.

- Agriculture is also small compared to other industries in the Inland Empire. The Natural Resources and Mining sector, which is comprised mostly of the agriculture industry, made up 1 percent of the regional economy that year. The largest sectors were Financial Activities (23 percent), Trade (18 percent), and Education and Health Services (11 percent).

- Agriculture is also in decline in the Inland Empire. Between 2006 and 2010, three of the top five agricultural products in Riverside County (nursery stock, milk, and table grapes) decreased in production value or remained flat. Similarly, three of the top five agricultural products in San Bernardino County (cattle and calves, replacement heifers, and trees/shrubs) also have decreased in value and are expected to continue to decrease in value as agricultural operators relocate from the Riverside and San Bernardino Counties in general to places such as Kern County and in some instances out of state.

- The decline in agriculture can be attributed to five key factors:
  - Growth in the demand for housing and development following the 2007 market collapse: After the market collapse in 2007, home prices have stabilized to 2002-2003 prices and monthly home sales have increased since 2009.
  - Growth in the transportation and warehousing sector: Over 40 percent of all goods imported into the United States enter through the Ports of Los Angeles and Long Beach, and most of these goods pass through the Inland Empire for distribution. After declining from 2006 through 2009, imports are rising to near-record levels again.
  - Increased restrictions on water deliveries for agricultural uses after several consecutive drought seasons: Drought conditions led to water allocation cutbacks from both the State Water Project and local water sources, driving the cost of water up across the region as well as limiting access.
  - Higher wages in other industries in the region: Trade, transportation, and construction industries have all seen significant growth in the region and offer higher annual salaries than agriculture for the same skilled and semi-skilled labor.
  - Strong agricultural competition from the southern Central Valley for dairies: The Valley offers cheaper land, a greater number of support industries for agriculture, a larger

agricultural employment base, and cheaper labor for the dairy industry, as well as agriculture in general.

- Increased regulatory pressures from air quality and local jurisdictions regarding particulate matter emissions and land use adjacency issues.
- The trend in Riverside and San Bernardino Counties is for agricultural operations to continue to shift to places like Kern County regardless independent of land use policy due to the economic issues set forth in this report.

Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire

1. Introduction

The Inland Empire region of Southern California generally consists of Riverside and San Bernardino Counties, and is located just east of Los Angeles. The two counties encompass more than 4.2 million people. Figure 1.1 below shows the general geography of the region.

Figure 1.1
The Inland Empire

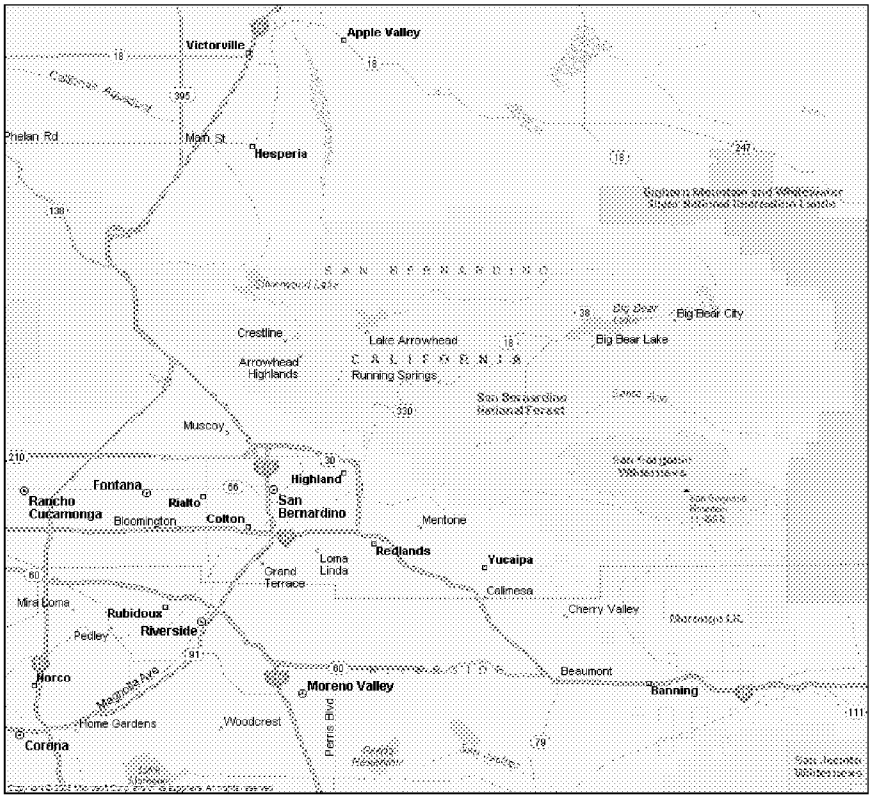

Compared to the rest of the state, the Inland Empire makes up only a small part of California's agriculture industry. In 2009, the value of all agricultural production in Riverside and San Bernardino totaled $1.4 billion. Agricultural production includes crop production, such as for food grains, feed crops, cotton, oil crops, fruits and tree nuts, and vegetables, and livestock production, including meat animals, dairy products, poultry, and eggs.

Table 1.1
Agricultural Production in California and Inland Empire

Geographic Region	Agricultural Production, 2009 (% of State)	Agricultural Employment, 2007 (% of State)
Riverside/San Bernardino	$1.4 Billion (3.3%)	16,800 (4.3%)
California	$41.4 Billion (100%)	386,400 (100%)

SOURCES: California Department of Food and Agriculture, "County Rank by Gross Value of Agricultural Production, 2008–2009," California Agricultural Resource Directory 2010-2011; California Statistical Abstract, "Wage and Salary Employees in Agricultural Establishments by Areas in California, 1995 to 2007," 2008

By comparison, the value of all agricultural production in California in 2009 was $41.4 billion. The Inland Empire represented just 3.3 percent of this total.

The distribution of employment in the agriculture industry resembles that of production value. In 2007, Riverside and San Bernardino Counties had 16,800 workers in the agriculture industry. This represented 4.3 percent of the 386,000 Californians employed in agriculture that year.

2. Agricultural Production in the Inland Empire is Small

Compared to other individual counties across the state, both Riverside and San Bernardino Counties produce significantly smaller agricultural output. Each of the ten most productive agricultural counties in California produces more than both counties combined.

Table 2.1
Top California Counties by Value of Agricultural Production, 2009

Rank	County	Total Value ($000)	Leading Commodities
1	Fresno	$5,372,009	Grapes, Tomatoes, Poultry, Almonds, Cattle & Calves
2	Tulare	$4,046,355	Milk, Oranges, Grapes, Cattle & Calves, Corn
3	Monterey	$4,033,718	Lettuce, Strawberries, Nursery, Broccoli, Grapes
4	Kern	$3,606,356	Grapes, Milk, Vegetables, Almonds, Pistachios
5	Merced	$2,460,474	Milk, Chickens, Almonds, Cattle & Calves, Sweet Potatoes
6	Stanislaus	$2,310,071	Milk, Almonds, Chickens, Cattle & Calves, Tomatoes
7	San Joaquin	$2,000,474	Grapes, Milk, Cherries, Tomatoes, Walnuts
8	Ventura	$1,621,575	Strawberries, Nursery Stock, Celery, Raspberries, Lemons
9	San Diego	$1,548,124	Woody Ornamentals, Flowers & Foliage, Bedding Plants, Avocados, Tomatoes
10	Imperial	$1,452,970	Lettuce, Cattle, Wheat, Alfalfa, Broccoli
13	Riverside	$1,015,755	Nursery Stock, Milk, Eggs, Table Grapes, Hay
25	San Bernardino	$355,379	Milk, Eggs, Cattle & Calves, Alfalfa, Replacement Heifers

SOURCE: California Department of Food and Agriculture, "County Rank by Gross Value of Agricultural Production, 2008–2009," California Agricultural Resource Directory 2010-2011

The largest California county by agricultural production in 2009 was Fresno. The county produced nearly $5.4 billion in agricultural commodities, including grapes, tomatoes, poultry and almonds, while the tenth largest California county in 2009 was Imperial, producing almost $1.5 billion in agricultural commodities, primarily through lettuce, cattle, wheat, alfalfa, and broccoli.

By contrast, Riverside was the 13th largest agricultural producer, generating $1.0 billion in commodities such as nursery stock, milk, eggs, table grapes, and hay, and San Bernardino was the 25th largest agricultural producer, with $355 million in products including milk, eggs, cattle and calves, alfalfa, and replacement heifers. Together, Riverside and San Bernardino Counties produced nearly $1.4 billion in commodities, but still less than Imperial County.

Agriculture is also small compared to other industries in the Inland Empire region. The largest industrial sectors in the Riverside-San Bernardino-Ontario Metropolitan Statistical Area in 2009 were Financial Activities, Trade, and Education and Health Services. These represented 23 percent, 18 percent, and 11 percent of the Inland Empire's economic activity, respectively, as seen in Figure 2.1.

Figure 2.1
Shares of Private GDP for Riverside-San Bernardino-Ontario, 2009

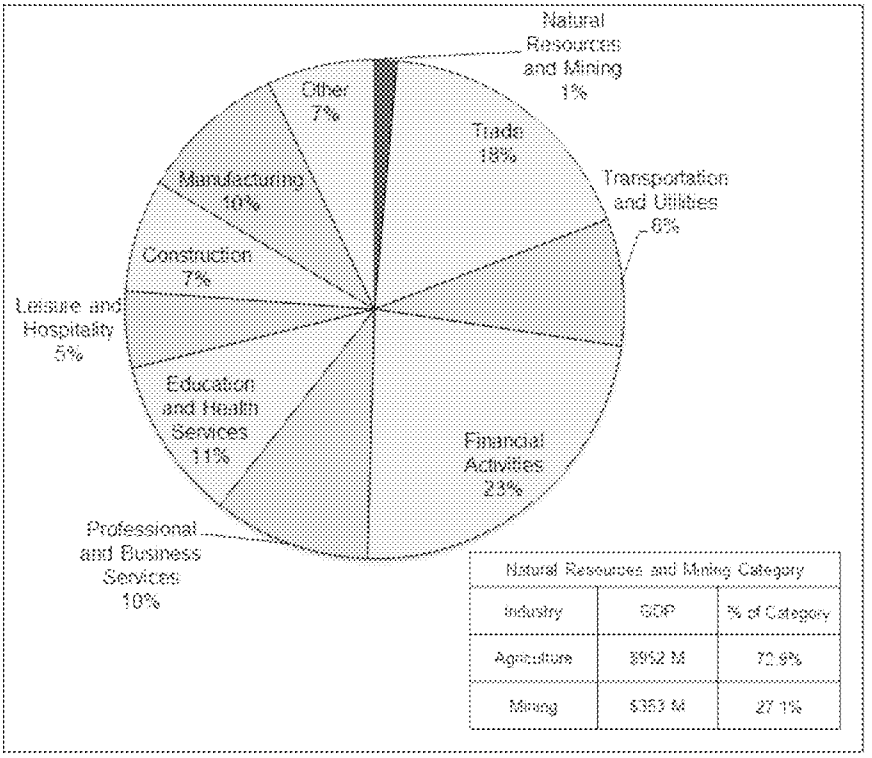

SOURCE: Bureau of Economic Analysis, U.S. Department of Commerce, "Gross Domestic Product by Metropolitan Statistical Area, Riverside-San Bernardino-Ontario 2009," accessed August 2011 (http://www.bea.gov/iTable/iTable.cfm?reqid=70&step=1&isuri=1&acrdn=2)

By contrast, the Natural Resources and Mining sector made up 1 percent of the regional economy that year. This sector includes both the agriculture and mining industries. In fact, given that the agriculture industry comprises about 73 percent of the sector, then in essence agriculture currently makes up about seven-tenths of 1 percent of the Inland Empire's economy.

3. Agriculture in the Inland Empire Continues to Decline

Both Riverside and San Bernardino Counties have seen declines in production for some of their top agricultural products since 2006. Three of the top five agricultural products in Riverside County have decreased in production value or remained flat since 2006 as seen in Figure 3.1. From 2006 to 2010, the top five agricultural products in Riverside County by combined value were nursery stock, milk, table grapes, eggs, and bell peppers.

Figure 3.1
Riverside County Leading Agricultural Values (Top 5 Products)

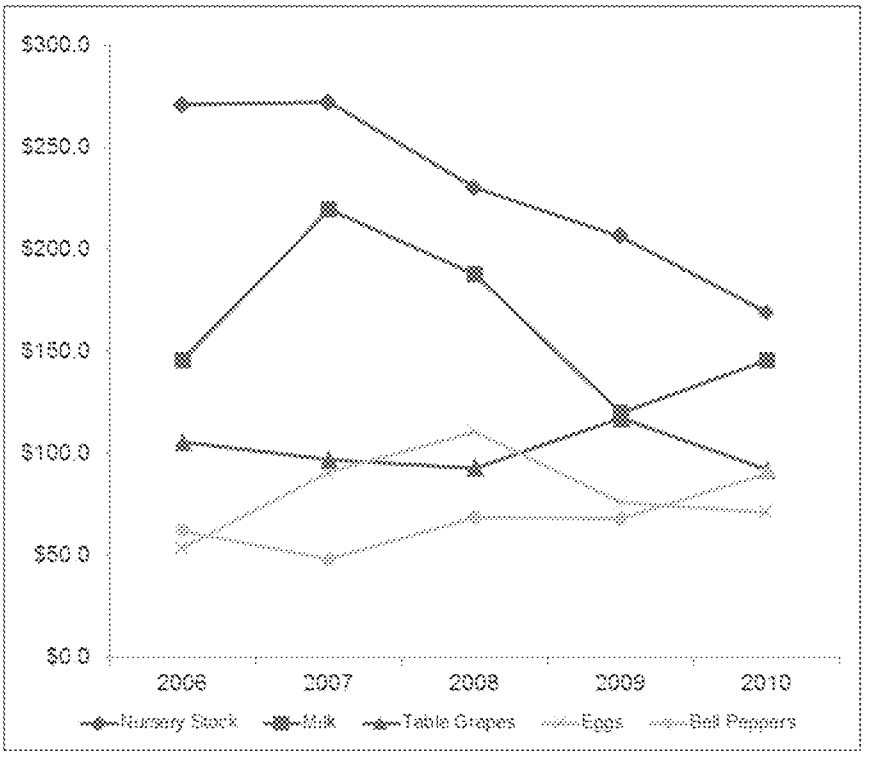

SOURCE: Agricultural Commissioner's Office, County of Riverside, Riverside County Annual Production Report, Assorted Years

Over this five-year time period, three of these agricultural products declined in value in the County or remained flat: nursery stock dropped from $270 million in production value to under $170 million; after a brief run-up, milk production began and ended at $145 million; and table grapes declined in production value from over $105 million to around $92 million. Although eggs and bell peppers did experience higher production values over the five-year period, these are less valuable agricultural products.

Figure 3.2
San Bernardino County Leading Agricultural Values (Top 5 Products)

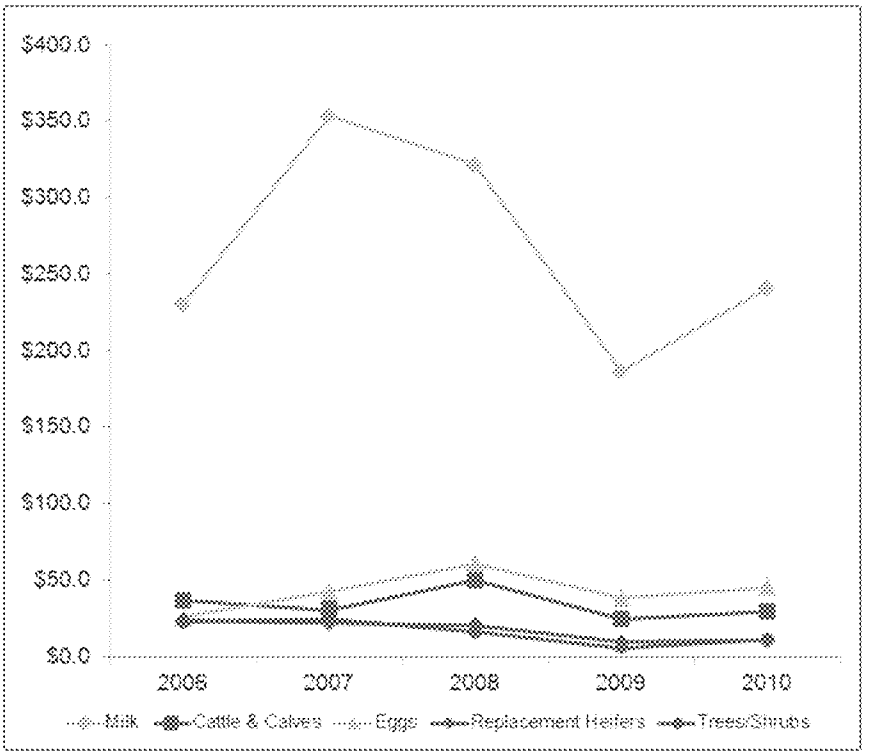

SOURCE: Department of Agriculture/Weights and Measures, County of San Bernardino, Crop and Livestock Report, Assorted Years

Though San Bernardino did not face as significant losses as Riverside, it has still seen falling revenues. Since 2006, three of the top five agricultural products in San Bernardino County have decreased in value, seen in Figure 3.2. From 2006 to 2010, the top five agricultural products in San Bernardino County by combined value were milk, cattle and calves, eggs, replacement heifers, and trees/shrubs.

Over this five-year time period, three of these agricultural products declined in value in the County: the production value of cattle and calves decreased by nearly $7 million; replacement heifers lost over half of their production value, with a drop from $24.2 million to $10.4 million; and trees and shrubs lost nearly half of their production value, declining from $22.8 million to $11.5 million. Additionally, there was little growth in milk production (just over $10 million) in the county despite it being the top product, and eggs also saw higher production by about $19 million over the five years.

4. Five Major Barriers Limit the Inland Empire's Agriculture Industry

With the agriculture industry continuing to decline in the Inland Empire, five major barriers to the industry were identified. These barriers center on pressures from competing industries, environmental concerns, and operations costs:

- Growth in Demand for Housing and Development
- Growth in Trade and Transportation Sectors
- Increased Restrictions on Water
- Higher Wages in Other Industries
- Strong Agricultural Competition from Central Valley

4.1. Growth in Demand for Housing and Development

The Inland Empire generally boasts relatively inexpensive land values compared to other regions of California, such as the coastal counties, making the Inland Empire attractive to developers looking to build residential and commercial property. Beyond this, the return of home prices in the region to more traditional levels has also spurred additional investment in land purchases and developments.

The Inland Empire region saw robust demand for housing during the previous decade, as reflected by significant increases in median home prices between 2002-03 and 2006 to record highs for the region. Much of these gains were erased with the market collapse of 2007, however, with home prices returning to levels last seen in 2002 and 2003. But some analysts believe that the housing market in the region has finally begun to stabilize given that home and land prices are beginning to inch higher. Whittlesey Doyle, a land brokerage firm based in Irvine, stated that a number of recent land deals to homebuilders in the Inland Empire indicate that the market is rebounding.[1]

[1] Wesley G. Hughes, "Land buyers back in game," Inland Valley Daily Bulletin, December 6, 2010.

Figure 4.1
Inland Empire Median Home Sales Price, July 2000-July 2011

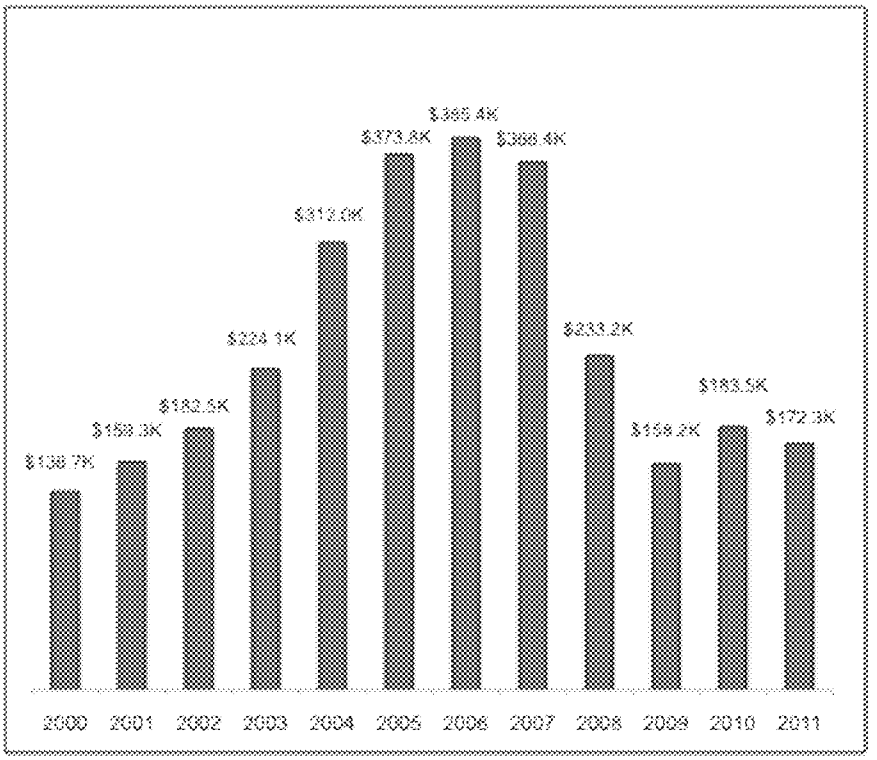

SOURCE: California Association of REALTORS, "Median Prices of Existing Detached Homes, Historical Data"

As shown in Figure 4.1, the median home sales price in the Inland Empire was just over $385,000 at the peak of the real estate market in 2006. When the market dropped to its low in 2009, the median sales price had fallen 59 percent to just over $158,000. Though prices have fallen significantly since 2007, the median price actually began to increase in 2010 to over $183,000. While there has been some retrenchment in prices this year, they still remain above $172,000.

Figure 4.2
Monthly Home Sales

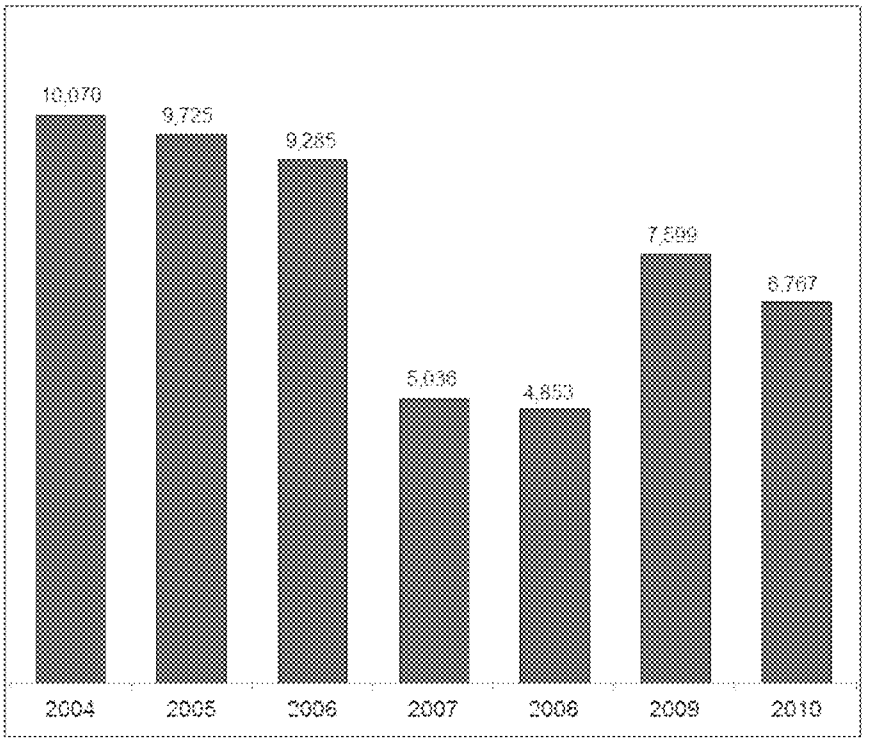

SOURCE: DataQuick Information Systems, "Southland Home Sales," 2004-2010

Correspondingly, monthly home sales have tapered off from their peak in 2004, as illustrated in Figure 4.2. As home prices have decreased, there has been an increase in monthly home sales in the region. Though sales remain off of their historic highs, monthly home sales indicate that consumers are buying properties again and driving some growth in the market.

With home prices stabilizing and home sales returning, newspaper accounts and anecdotal evidence suggest that several large homebuilders have indicated that they have begun purchasing more land and restarting stalled home developments across the region.

4.2. Growth in Trade and Transportation Sectors

On the commercial front, the agriculture industry faces increasing competition from trade and transportation, two of the largest industrial sectors in the Inland Empire. Transportation, warehousing, and other goods movement industries are strong in the region because of their proximity to the Ports of Los Angeles and Long Beach and because of the abundance of relatively inexpensive land for distribution centers and transportation hubs.

Figure 4.3
Flow of Imported Containers, Los Angeles-Long Beach Ports

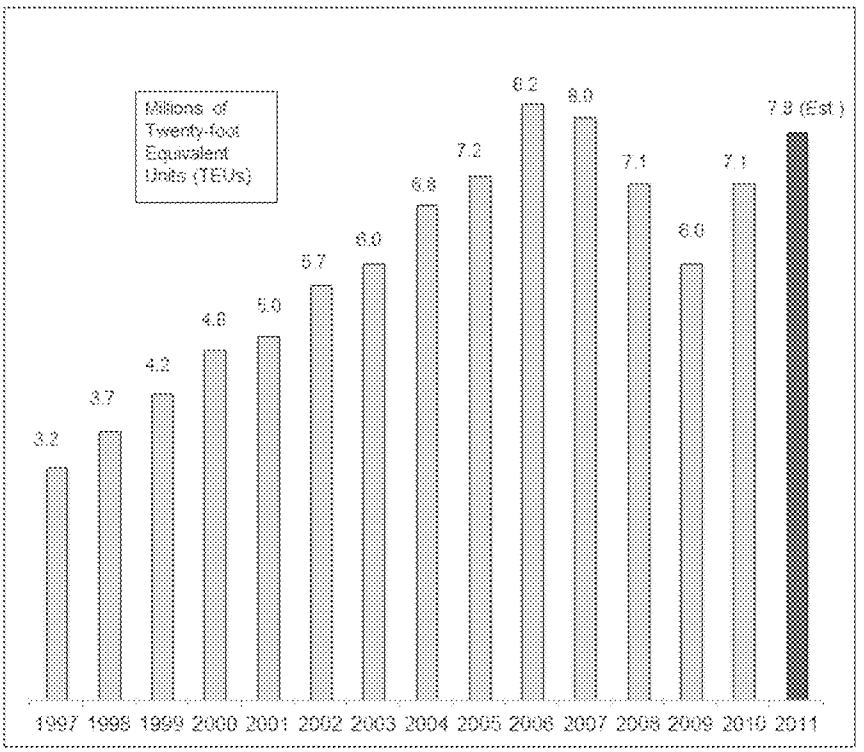

SOURCE: Husing, John, Inland Empire 2011… Start of the Recovery?, Economics & Politics, Inc., April 2011

Over 40 percent of all goods imported into the United States enter through the Ports of Los Angeles and Long Beach, and most of these goods pass through the Inland Empire for distribution. The Burlington Northern Santa Fe (BNSF) Railway has an intermodal railroad yard located in San Bernardino, for example. The Union Pacific Railroad has its main switching yard in Colton as well.

And as shown in Figure 4.3, imports into the Ports of Los Angeles and Long Beach have begun to rebound from the recent recession. Imports as measured by Twenty-foot Equivalent Unit (TEU) containers steadily increased between 1997 and 2006 from 3.2 million TEUs to 8.2 million TEUs. With the recession, imports dropped in 2009 to 6.0 million – the same level as seen in 2003. But as a sign that economic activity is returning to California and the United States, imports into the Ports of Los Angeles and Long Beach increased to 7.1 million TEUs in 2010 and are projected to reach 7.8 million TEUs in 2011. These represent near-record levels of goods movement in the region.

4.3. Increased Restrictions on Water

The State Water Project was constructed in the 1950s and 1960s to provide most of California, particularly Southern California, with a stable statewide water resource to

augment local sources. Currently, the State Water Project provides supplemental water to approximately 25 million Californians and about 750,000 acres of irrigated farmland. Each year, its contracting water agencies make water allocation requests and the state Department of Water Resources plans the initial allocation percentage. Over the course of the year, these allocations can be increased to adjust for wet years, or rolled back in cases of drought.

California faced severe drought conditions for most of the latter-half of the previous decade, however. These conditions necessitated reduced water allocations to the Inland Empire through the State Water Project, and hindered farms and dairies' ability to extract water from their nearby groundwater basins and reservoirs.

Figure 4.4
State Water Project Allocations to Inland Empire Water Districts

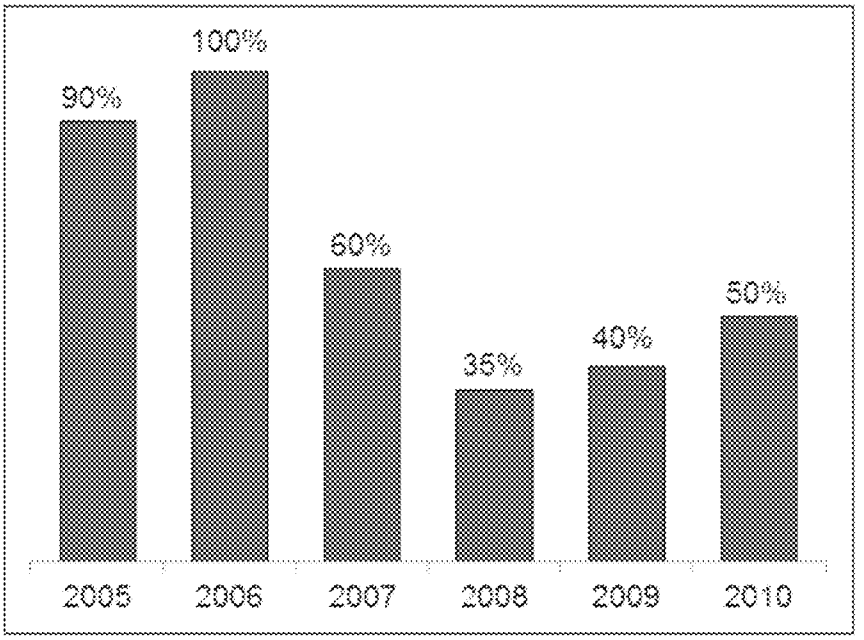

SOURCE: California Department of Water Resources, Notice to State Water Project Contractors, 2005-2010

As illustrated in Figure 4.4, drought conditions following 2006 led to a decrease in State Water Project allocations across California between 2007 and 2010. The drought was so severe that in 2008 only 35 percent of water allocations were provided. Last year the allocation was only 50 percent. A wet 2011 combined with heavy snowpacks promises to increase allocations, however much of the damage to the agriculture industry has already occurred considering that the operating costs to the Inland Empire's agriculture industry have been severely impacted by the water restrictions.

Additionally, water extractions from the San Bernardino Basin have also steadily declined over the previous decade. This is shown in Figure 4.5 below. As the secondary water resource for the region, groundwater and reservoir stores backfill losses to agriculture from the State Water Project. Restrictions on forced groundwater recharge and environmental regulations have also decreased the amount of water extracted from these sources, even in drought seasons.

Figure 4.5
Water Extractions from the San Bernardino Basin

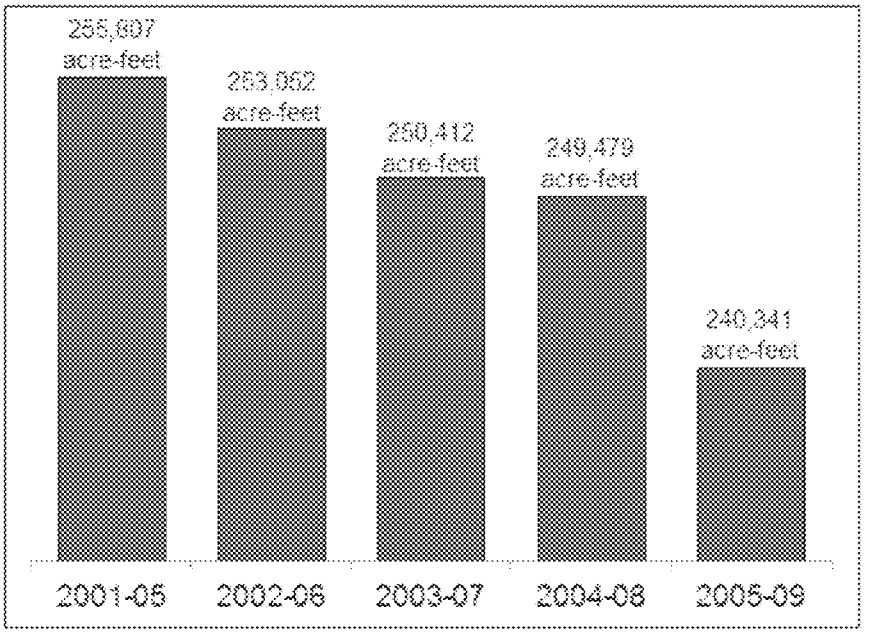

SOURCE: Western-San Bernardino Watermaster, "Annual Report of the Western-San Bernardino Watermaster," Calendar Year 2010

With respect to agriculture, water restrictions adversely impact the industry in a couple of ways. First, they limit the amount of water available for crops and livestock, requiring farmers and ranchers to reduce the size of their production and thus negatively impacting their revenue, according to Gregg Warren, vice president of American AgCredit[2]. Additionally, farmers and ranchers' costs rise as well since the inputs obtained from associated agricultural industries, such as feed, become more scarce and therefore more expensive.

[2] Chris Sieroty, "Inland Farmers Facing Several Threats," The Business Press (Riverside, CA), March 23, 2009.

4.4. Higher Wages in Other Industries

Improved economic conditions have brought a resurgence of housing and other industries such as trade and transportation in the Inland Empire. This resurgence has resulted in more job opportunities that provide higher salary options for skilled and semi-skilled labor.

Figure 4.6
Occupations in the Inland Empire

Occupation	Estimated Employment, 2010	Mean Annual Salary, 2010
Construction and Extraction	51,850	$48,720
Office and Administrative Support	195,850	$33,900
Sales and Related Occupations	121,510	$32,860
Transportation and Material Moving	108,130	$32,400
Personal Care and Service	31,190	$24,370
Farming, Fishing, and Forestry	58,402	$21,400
Food Preparation and Serving Related Occupations	111,450	$21,310

SOURCE: U.S. Department of Labor, "Occupational Employment Statistics, May 2010, Riverside-San Bernardino-Ontario, CA, " accessed August 2011 (http://www.bls.gov/oes/current/oes_40140.htm)

As shown in Figure 4.6, agriculture competes with a number of other higher-paying industries for hired labor. Compared to other skilled and semi-skilled employment, agricultural salaries lag behind most of their counterparts across the region. Construction jobs, for example, have highest mean salary of the group at $48,720 a year. Additionally, three of the four largest occupations in the Inland Empire – office and administrative support, sales and related occupations, and transportation and material moving – all provide higher mean salaries for employees with semi-skilled or low-skilled backgrounds. In fact the third-largest occupation, food preparation and serving, had a mean annual salary only $90 below that of agriculture.

Jack King, of the California Farm Bureau Federation, pointed out that even agricultural wages increases were not enough to draw an adequate amount of agricultural workers. He

stated that even with raises, the soft market will only allow agriculture to make limited raises.[3]

It should be noted that the farming employment figure does not take into account family labor and other non-paid employment. That said, the total employment and mean annual salary for agriculture do not compare favorably to other equivalent employment opportunities in the region, particularly as the agricultural industry continues to decline relative to other industries such as transportation and construction.

4.5. Strong Agricultural Competition from Central Valley

The fifth barrier involves competition with the southern Central Valley for agricultural production, particularly with respect to the dairy industry. The dairy industry comprises the production of milk, meat, and feed, such as alfalfa and hay. Milk is the largest agricultural product for San Bernardino County, and it is the second largest in Riverside County. As shown in Figure 4.7 below, dairy and nursery production accounts for approximately 45.4 percent of all agricultural production in the Inland Empire. In fact, dairy alone accounts for approximately one-third of all agriculture in the region.

Figure 4.7
Agriculture in the Region

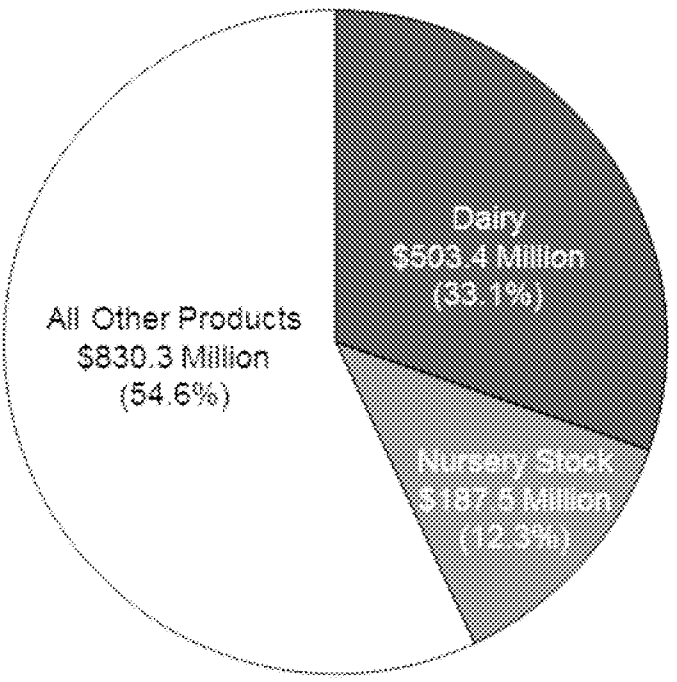

SOURCE: Department of Agriculture/Weights and Measures, County of San Bernardino, Crop and Livestock Report, Assorted Years; Agricultural Commissioner's Office, County of Riverside, Riverside County Annual Production Report, Assorted Years

[3] Andrew Silva, "Lack of laborers leaves crops to rot," Inland Valley Daily Bulletin (Ontario, CA), December 13, 2006.

Bill Van Leeuwen, a dairy farmer from the region, has expressed surprise at the speed with which the milk industry is leaving the Inland Empire for places such as the Central Valley.[4]

The Central Valley produces milk more cheaply than the Inland Empire does. In the Southern California region (consisting of San Luis Obispo, Santa Barbara, San Bernardino, Los Angeles, Riverside, Imperial and San Diego counties), the average total investment per cow is $274 more than in the Southern Central Valley (consisting of Fresno, Tulare, Kings and Kern counties). The average total investment per cow takes into account all expenses, capital costs, and operating costs for every cow on the dairy. This is shown in Figure 4.8 below.

Moreover, dairy production in the Central Valley is far larger than that in the Inland Empire. The total number of milk cows in Tulare County alone (502,395) more than quadruples the number in the Southern California region. This is also shown in Figure 4.8 below.

Figure 4.8
Total Dairy Costs, 2010

	Southern California	**Southern Central Valley**
Average Total Investment per Cow	$2,993	$2,719
Total Cows	119,805 (San Bernardino and Riverside)	983,954
Hourly Wage, All Hired Labor	$16.23	$13.78

SOURCE: California Department of Food and Agriculture, "California Dairy Statistics," 2010 Data; California Department of Food and Agriculture, "Cost of Production" 2010 Annual Report

Additionally, hourly wages are roughly $2.50 higher in the Southern California region than the Central Valley. The cheaper costs to operate in the Southern Central Valley can make a significant difference in the bottom line of dairy producers. In fact, there has been anecdotal evidence of dairy ranchers selling land in the Inland Empire and using those profits to open or expand dairy operations in the Central Valley.

[4] Jerry Hirsch, "Dairies Moving Out of Inland Empire," Los Angeles Times, January 9, 2006.

5. Conclusion

Our analysis shows that agriculture is small compared to other industries in the Inland Empire – Riverside and San Bernardino Counties – and is continuing to decline in importance in the region. We identify a number of systemic and regional economic factors that create significant economic barriers to the continued viability of agriculture in the Inland Empire. These barriers include the growth in demand for housing and development; the growth in the trade and transportation sectors; increased restrictions on water; higher wages in other industries; and strong agricultural competition from the Central Valley.

It should be pointed out that the decline of agriculture in the Inland Empire and the barriers to its viability are independent of any land use policies pursued by Riverside and San Bernardino Counties. That is, the market forces affecting agricultural production in Riverside and San Bernardino Counties will continue to shrink the industry in the future regardless of potential local efforts to preserve agricultural production through land use policies or other similar measures.

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JUSTIN L. ADAMS, PH.D.
Director
Chang & Adams Consulting

PROFILE: A seasoned political economist who brings a combination of practical and theoretical expertise in public policy as well as fiscal and economic analysis. Over 12 years of experience as a consultant and an executive in state government. A Ph.D. with deep knowledge of economics, political science, game theory, and public policy. Familiarity with techniques for surveying and analyzing large data sets, including regression analysis.

PROFESSIONAL EXPERIENCE:

07/09 – present **Chang & Adams Consulting** Sacramento, CA
Director
- Provide economic analysis and strategy consulting to Fortune 1000 companies at the intersection of the public- and private-sectors. Provide policy, economic, and public finance analysis as well as operations consulting for government agencies and not-for-profit organizations.

10/07 – 06/09 **Forward Observer, Inc.** Sacramento, CA
Director of Economics
- Led the economics business unit of a political and public policy consulting firm. Oversaw the development of all of the firm's fiscal and economic studies, approved their analytical methodologies, and testified in front of the Legislative Analyst's Office.

08/01 – 09/07 **The RAND Corporation** Santa Monica, CA
Associate Economist
- Specialized in research and analysis focusing on domestic and international economic development, defense economics, and the economics of public-sector organizations. Projects included performance-based logistics and information technology consulting for the U.S. Army; purchasing and supply management best practices for the U.S. Air Force; and, the design of a viable economy for an independent Palestinian state. Developed growth accounting models and other economic frameworks to guide the analyses, and supplemented these analyses with surveys and insights drawn from expert interviews and background research.

06/96 – 09/97 **California Department of Transportation** Sacramento, CA
Special Assistant to the Chief Deputy Director
- Supported the COO of a $6 billion, 17,000-person organization. Managed Caltrans' $200 million Administrative Program, providing accounting, personnel, information technology and facilities services to the entire department. Led cross-functional team in reorganization of Caltrans' administrative service units. Collaborated on executive-level teams to spin off Equipment Service Center, streamline Caltrans, and protect California's infrastructure.

03/95 – 05/96 **California Department of Housing and Community Development** Sacramento, CA
Assistant for Policy Development
- A member of the Department's executive staff. Analyzed the fiscal and economic impact to California of state and federal legislation affecting housing. Authored policy white papers on homelessness and departmental reorganization.

08/94 – 02/95 **California Office of the Governor** Sacramento, CA
Staff Economist
- Analyzed the fiscal and economic impact to California of federal appropriations, clean air regulations, and natural disasters.

EDUCATION: **Stanford University Graduate School of Business** Stanford, CA
Ph.D., Business. Specialization in Political Economics
Dissertation: *Expertise vs. Control in the U.S. Congress*

Stanford University Stanford, CA
A.M., Political Science

Stanford University Stanford, CA
A.B., Economics and Political Science

FELLOWSHIPS AND AWARDS:

1998-99	Public Affairs Fellow, Hoover Institution on War, Revolution and Peace	Stanford, CA
1990-94	Stanford Graduate School of Business Fellowship	Stanford, CA
1990	National Science Foundation Minority Graduate Fellow, Economics	Stanford, CA

ANDREW J. CHANG
Managing Director
Chang & Adams Consulting

PROFILE: Seventeen years of experience working with both high-level executives and operations staff on sensitive issues under tight deadlines in both the private and public sectors. Eight years strategy and operations consulting experience with emphasis on customer analysis and market entry strategies. Twelve years public policy development and implementation experience in California State government. Extensive experience working with a broad array of stakeholders to design, implement and monitor organizational initiatives.

PROFESSIONAL EXPERIENCE:

07/09 – present **Chang & Adams Consulting** Sacramento, CA
Managing Director
- Provide business intelligence and strategy consulting to Fortune 1000 companies with an emphasis on private sector interaction with government. Private sector specialization in assessing and identifying new market opportunities and developing strategies to enter new markets. Public sector emphasis on public policy, economic and public finance analysis and operations management consulting.

04/07 – 07/09 **Forward Observer, Inc.** Sacramento, CA
Vice President
- Provide business intelligence and strategy consulting to Fortune 1000 companies to support market entry initiatives. Provide business-political risk and due diligence assessment for investment companies. Conduct fiscal, economic and public policy assessments.

08/04 – 04/07 **California Department of General Services** Sacramento, CA
Chief Deputy Director
- Chief Financial and Operations Officer of a state department with $1 billion annual operating budget, thirteen business units and 4,000 employees. Oversaw the state's procurement and real estate operations. Also responsible for the state's telecommunications, automobile fleet, printing, warehousing, insurance and school construction operations.
- Special assignment to the Governor's Office to serve as chief staff economist for the Governor's Council of Economic Advisors. Facilitated Council meetings, prepared written briefings for the Governor on policy issues for consideration and assisted Council members with original research to present at the Council meetings.
- Special assignment to the California Department of Corrections and Rehabilitation to assess the agencies procurement operations and develop recommendations to improve procedures and operations.

06/00 – 08/04 **A.T. Kearney, Inc.** San Francisco, CA
Senior/Engagement Manager (06/02 – 08/04)
- Lead teams to develop strategies for new lines of business for a Fortune 1000 technology company, a national consumer products consortium and an international consumer products retail company.
- Lead teams to develop strategies to both acquire and sell technology services, R&D and manufacturing business units.
- Analytic and modeling methods subject matter expert. Finance and Accounting business processes subject matter expert.

Associate Management Consultant (06/00 – 06/02)
- Conduct research and develop recommendations for various clients in the high technology and consumer products industries.

12/98 – 02/00 **MGT of America, Inc.** Sacramento, CA
Senior Management Consultant
- Implemented studies to improve finances and operations for Cleveland Unified School District, Florida State University and the California Resources Agency.

10/95 – 12/98 **California State and Consumer Services Agency** Sacramento, CA
Assistant Secretary for Policy and Operations
- Executive of a government agency with an annual operating budget of $1.3 billion, twelve departments and over 14,000 employees.
- Under supervision of the Secretary, guided agency and department policies, budgets and strategic plans.

05/95 – 10/95 **Personal Staff of Governor Pete Wilson** Sacramento, CA
Chief Economist/Deputy Issues Director
- Managed the development of national tax, trade, environment, agriculture and crime policies for Governor Pete Wilson's presidential campaign.

09/93 – 05/95 **California Office of the Governor** Sacramento, CA
Deputy Chief Economist
- Lead research teams to assess the economic and fiscal impact of tax, economic development, health care and immigration policies.

EDUCATION: **University of Michigan** Ann Arbor, MI
Master of Business Administration Essentials (1 of 30 A.T. Kearney consultants selected globally to participate in a tailored executive MBA program.)

Georgetown University Washington, DC
Master of Public Policy

University of California Berkeley, CA
Bachelor of Arts

CBRE CONSULTING

CBRE
CB RICHARD ELLIS

355 South Grand Avenue, Suite 1200
Los Angeles, CA 90071-1549

T 213 613 3750
F 213 613 3780
www.cbre.com

January 19, 2009

Dana Whitmer
Vice President
Sares Regis Group
18802 Bardeen Avenue
Irvine, CA 92612

Re: Economic Viability of Agriculture in the West Inland Empire

Dear Mr. Whitmer:

Per your request CBRE Consulting has examined the economic and market trends affecting agriculture operations throughout California, with particular attention to the specific challenges relative to the communities of Chino and Ontario in the western Inland Empire.

Founded in 1978 as Sedway Group, CBRE Consulting is a nationally recognized full-service real estate and urban economics consulting firm with offices in Los Angeles and San Francisco. CBRE brings a multi-disciplined approach to property evaluation of all major land use types. CBRE specializes in real estate market analysis, economic development studies for residential, commercial and industrial projects throughout California and the western United States.

BACKGROUND

The Inland Empire once held the largest concentration of dairies in the world, with most of them in the Chino/Ontario basin. This region is now facing tremendous urbanization and development pressures. According to the San Bernardino County General Plan, the agricultural land is continually declining. According to the State of California, Department of Conservation, the County lost 47,000 cares of farmland from 1990 through 2002. Riverside County lost 50,000 acres in prime farmland over the same period.

For this analysis, CBRE performed an extensive internet/literature search relative to the economics of agricultural and dairy farming to understand the economic and other challenges to continued agriculture uses in the Inland Empire. CBRE also gathered relevant demographic, real estate and other economic data to illustrate historic and projected land use trends near Chino and the western Inland Empire.

There are many factors which demonstrate the infeasibility of agriculture production in Western Inland Empire, resulting in many dairy operators moving to Kern County.

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- Urbanization in the Inland Empire, resulting in dramatically increasing land prices,
- Higher water and labor costs;
- Environmental regulation (insects, odors, ground water contamination and solid waste removal) and,
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

1. **Increasing Land Values**
   Due to competing land uses, land prices have increased dramatically in the area in excess of $300,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of the Ontario Sphere of Influence General Plan in 1998, which provided for significant residential and commercial development, encouraged the farmers to sell their land and relocate.

2. **Conflicts between Urban Neighbors and Dairy Farms**
   The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

3. **Increasingly Stringent Environmental Regulations**
   The Region 8 Water Board, which encompasses Chino/Ontario, was among the first to develop environmental regulations to control dairy operations, with increasing restrictions imposed in 1994, 1999 and 2004, as the proximity of urban neighborhoods, contamination of ground water and air pollution started raised more concerns.

4. **Competition from Central Valley**
   The dairy farmers in the Chino basin face stiff competition from the farmers in the Central Valley because of "high operating costs, including high feed costs and the cost of manure disposal" (Ontario Sphere of Influence General Plan, which is hereby incorporated by reference).

   A study published in Agriculture and Resource Economics Review in 2008 demonstrated the effect of environmental regulations over time and the growth in dairy industries, attributed to the cheap land and relatively weak regulations in the Central Valley.

   According to CDFA, milk production has declined by 55 percent in San Bernardino County between 2003 and 2007, while production increased by 88 percent in Kern County.

   Figures 1 and 2 on the following page show trends in the number of milk cows in the Central Valley (Region 5) as compared to the loss in Region 8 from 1980 to 2008.

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Figure: 1
Milk Cows in Counties of Region 5 Central Valley

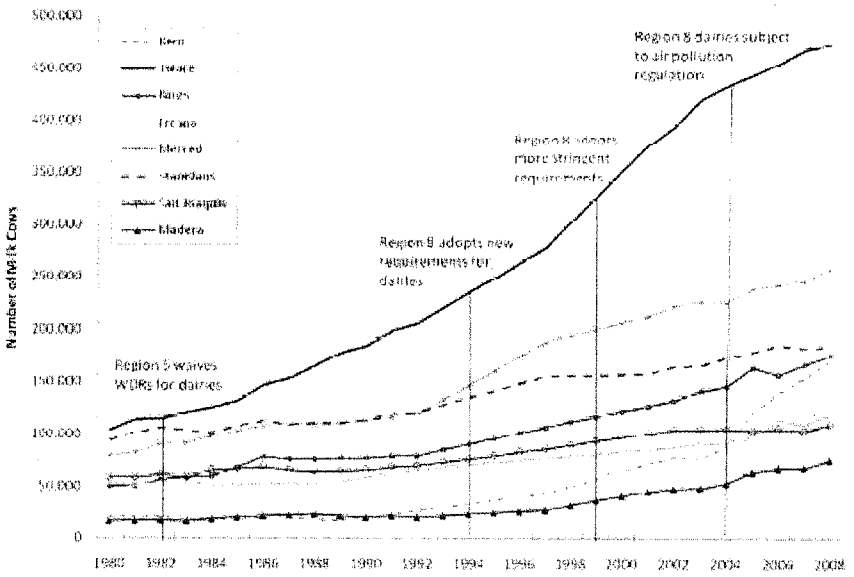

Source: Steeringer and Hogle, 2008

Figure: 2
Milk Cows in Region 8 – Inland Empire

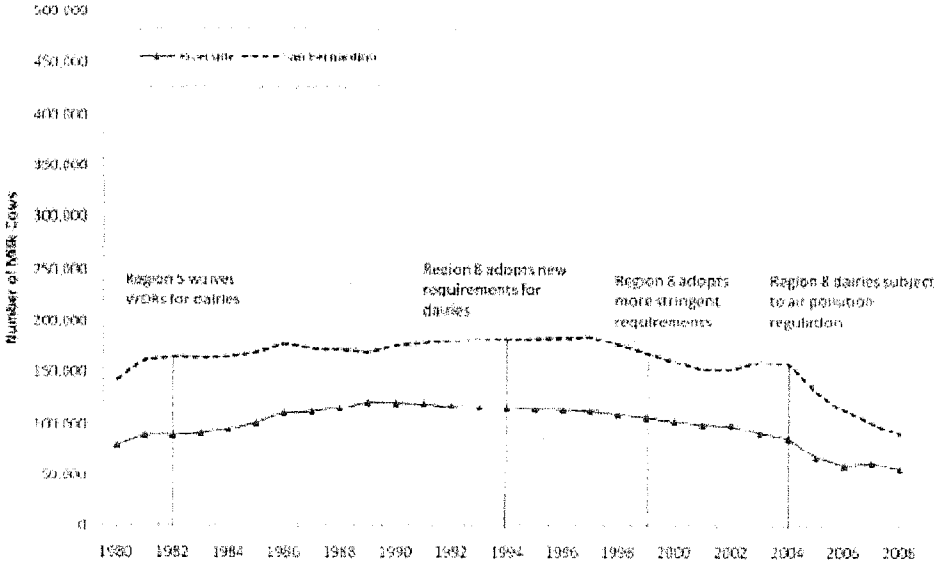

Source: Steeringer and Hogle, 2008

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The Central Valley farmers also face few development pressures as compared to the Chino area and they benefit from diverse farm economy, which is no longer present in the Chino basin. For example, the farmers use dairy waste to fertilize their own crops or of the neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

5. Operating Costs

According to the CDFA, production costs in dairy industry have risen by 50 percent since 2002 in California, putting more pressure on dairy farmers to cut other costs. Figure 3 below shows the growth in cost of production per CWT from 2002 to 3rd quarter 2008.

Figure 3
Cost of Production in the California Dairy Industry

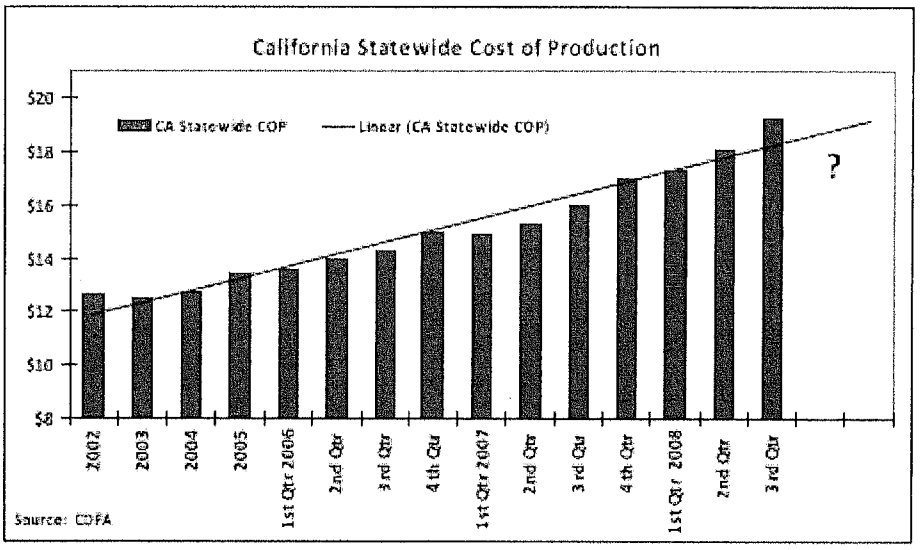

Source: California Department of Food and Agriculture, 2008

Labor Costs

There is a shortage of labor in the dairy industry. Many agricultural workers are looking for higher paying jobs in non-agricultural industries according to the CDFA, which makes it difficult for the dairy farmers to compete for labor and leads to increased labor costs.

The issue of immigration and compliance also leads to labor problems. As shown in Figure 4 there is significant difference in labor costs in the different milk-producing regions of California. In the chart, South Valley represents the counties of the Central Valley composed of Fresno, Kings, Tulare and Kern County. Overall labor costs are 25 percent higher in the Southern California region as compared to the statewide average.

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Figure 4 – Labor Costs, 2007

Labor Costs	North Coast	North Valley	South Valley	Southern California	2007 State Average
Per Hired Milker					
Hourly Cash Wage	$8.77	$10.29	$9.82	$12.38	$10.02
Hourly Perquisites (1)	1.84	2.24	0.95	1.49	1.40
Hourly Wage (2)	12.53	14.60	12.67	16.52	13.40
Per Hired Labor					
Hourly Cash Wage	8.87	10.88	11.36	13.79	11.18
Hourly Perquisites (1)	1.58	2.49	1.44	1.52	1.86
Hourly Wage (2)	12.40	15.56	14.94	18.18	15.21
Per All Hired					
Hourly Cash Wage	8.81	10.55	10.37	12.89	10.47
Hourly Wage (2)	12.48	15.03	13.48	17.12	14.10

(1) Includes Fair Market Value For Housing Supplied By Employer, Health Insurance, Meat, Etc.
(2) Includes Cash Wages, Perquisites, and Employment Taxes Paid by Employer

Source: *Cost of production, 2007, California Department of Food and Agriculture (CDFA)*

Water and Feed Costs

The San Bernardino County General Plan indicates that increasing cost of water is another reason for the conversion of agricultural land into other uses. Dairying itself does not need as much water, but increasing cost and lower supply of water affects the feed supply for dairy. Dairy producers rely on alfalfa produced in the state as the source for their feed supply. If production of alfalfa is curtailed, the dairy farmers will incur high costs in getting the feed from outside the area.

Waste Disposal Costs

It is estimated that the cows in Chino corrals[1] produce 500,000 tons of manure every year. With nearby farmland, encroached by urbanization, the cost of waste disposal increases, as distances to where the waste can be disposed increases, as well as the frequency of disposal that is required. As a result many farmers need to hire professional corral cleaners, which increases costs by up to $50,000 a year.

Commercial/Industrial and Residential Development Trends

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino County. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Chino, there have been almost 4,000 new housing units

[1] An enclosure for confining livestock

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built since 2000, with median housing prices tripling by 2007 (still more than doubling after the dramatic 2008 market declines).

Industrial development in the West Inland Empire region has seen similar growth with inventory increasing by 40 percent, or 75 million square feet since 2000. In Chino the growth has been over 50 percent, with 13 million square feet built in past eight years.

As a result of these trends, average land prices in the Inland Empire have increased to over $300,000 per acre, which compares to Kern County land values of less than $50,000 per acre

See Appendix Exhibits A-1 through A-6 for detailed trends in Chino/Inland Empire population, employment, residential building permits, home prices, industrial markets and land prices. Exhibit A-7 illustrates land sales in Kern County over the past three years.

Conclusion

Agriculture is being been significantly impacted by numerous economic, political and regulatory factors. As a result over 100,000 acres of farmland has been taken out of service since 1990 and is being redeveloped for residential, commercial and industrial uses. With massively lower land costs and less regulation, dairy operators have been steadily moving out of the Inland Empire towards Central Valley, Barstow and Kern County.

Continued agricultural operations are not financially feasible in western San Bernardino County. Agricultural operations of all types will continue to decline as a result of the economic forces at work impacting land owners. Agricultural operator's business decisions to cease production in western San Bernardino County will continue to occur regardless of land use decisions made by local agencies. In other words, land designated for agricultural use has little impact on the continued declining agricultural trends in western San Bernardino County.

Respectfully submitted,

Thomas R. Jirovsky
Senior Managing Director

Attachment

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Exhibit A-1:

POPULATION, HOUSEHOLD & EMPLOYMENT TRENDS

City of Chino and Inland Empire Region, 1990 - 2028

	1990	2000	2008	2013	2018	2023	2028	
City of Chino								
Population	59,542	67,159	80,840	87,171	95,363	103,310	110,925	
Households	15,591	17,302	20,037	22,439	25,267	28,129	31,011	
Employment (1)	--	34,055	40,083	43,601	46,369	49,176	52,014	
Inland Empire								
Population	2,588,793	3,254,821	4,170,780	4,412,362	4,860,408	5,288,378	5,694,330	
Households	866,804	1,034,812	1,297,214	1,408,835	1,589,394	1,770,540	1,951,244	
Employment (1)	--	1,121,464	1,403,755	1,622,181	1,837,011	2,055,234	2,276,332	
Growth - #		**1990-2000**	**2000-08**	**2008-13**	**2013-18**	**2018-23**	**2023-28**	**2008-28 Total**
City of Chino								
Population		7,617	13,681	6,331	8,192	7,947	7,615	30,085
Households		1,711	2,735	2,402	2,828	2,862	2,882	10,974
Employment (1)		--	6,028	3,518	2,769	2,806	2,838	11,931
Inland Empire								
Population		666,028	915,959	241,582	448,046	427,970	405,952	1,523,550
Households		168,008	262,402	111,621	180,559	181,147	180,704	654,030
Employment (1)		--	282,291	218,426	214,830	218,223	221,097	872,577
Growth - % CAGR		**1990-2000**	**2000-08**	**2008-13**	**2013-18**	**2018-23**	**2023-28**	**2008-28**
City of Chino								
Population		1.2%	2.3%	1.5%	1.8%	1.6%	1.4%	1.6%
Households		1.0%	1.9%	2.3%	2.4%	2.2%	2.0%	2.2%
Employment (1)		--	2.1%	1.7%	1.2%	1.2%	1.1%	1.3%
Inland Empire								
Population		2.3%	3.1%	1.1%	2.0%	1.7%	1.5%	1.6%
Households		1.8%	2.9%	1.7%	2.4%	2.2%	2.0%	2.1%
Employment (1)		--	2.8%	2.9%	2.5%	2.3%	2.1%	2.4%

Sources: Southern California Association of Governments (SCAG); Claritas; and CBRE Consulting

(1) Daytime employment data available from the year 2000.

(2) Projections based on forecast growth rates in population, households and employment according to SCAG.

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Exhibit A-2:
RESIDENT EMPLOYMENT TRENDS BY INDUSTRY & OCCUPATION
US Census, 1990 and 2000

	City of Chino, California					Inland Empire Region, CA				
	1990		2000		Change	1990		2000		Change
	#	%	#	%	('90-'00)	#	%	#	%	('90-'00)
RESIDENT EMPLOYMENT BY INDUSTRY										
Agriculture, forestry, and fisheries	**995**	*4.0%*	**378**	*1.4%*	**-62.0%**	**36,314**	*3.4%*	**18,997**	*1.5%*	**-47.7%**
Construction	2,172	*8.6%*	1,904	*7.1%*	-12.3%	109,894	*10.2%*	105,268	*8.3%*	-4.2%
Manufacturing	5,062	*20.1%*	4,660	*17.3%*	-7.9%	161,282	*14.9%*	157,003	*12.4%*	-2.7%
Transportation, Communication & Utilities	1,921	*7.6%*	1,907	*7.1%*	-0.7%	79,357	*7.4%*	78,459	*6.2%*	-1.1%
Wholesale trade	1,148	*4.6%*	1,355	*5.0%*	18.0%	44,018	*4.1%*	48,574	*3.8%*	10.4%
Retail trade	4,324	*17.2%*	3,360	*12.5%*	-22.3%	191,714	*17.8%*	160,926	*12.7%*	-16.1%
Finance, insurance, and real estate	1,811	*7.2%*	1,772	*6.6%*	-2.2%	68,174	*6.3%*	71,208	*5.6%*	4.5%
Services	6,404	*25.4%*	10,402	*38.6%*	62.4%	333,481	*30.9%*	557,909	*44.1%*	67.3%
Public administration	1,344	*5.3%*	1,243	*4.6%*	-7.5%	55,394	*5.1%*	65,784	*5.2%*	18.8%
RESIDENT EMPLOYMENT BY OCCUPATION										
Managerial & professional specialty	5,777	*22.9%*	7,702	*28.5%*	33.3%	253,002	*23.4%*	353,835	*28.0%*	39.9%
Technical, sales, & administrative support	8,655	*34.4%*	7,920	*29.4%*	-8.5%	338,842	*31.4%*	343,542	*27.2%*	1.4%
Service occupations, excl. Farming	6,098	*24.2%*	3,649	*13.5%*	-40.2%	297,318	*27.5%*	210,174	*16.6%*	-29.3%
Farming, forestry, & fishing	**825**	*3.3%*	**230**	*0.9%*	**-72.1%**	**31,593**	*2.9%*	**12,539**	*1.0%*	**-60.3%**
Operators, fabricators, & laborers	3,826	*15.2%*	7,480	*27.7%*	95.5%	158,873	*14.7%*	344,038	*27.2%*	116.5%

Sources: US Census 1990 and 2000; and, CBRE Consulting

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Exhibit A-3:

RESIDENTIAL BUILDING PERMIT TRENDS

City of Chino and Inland Empire, 2003 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008 YTD (1)	Total
CITY OF CHINO											
Number of Units											
Single Family	208	97	213	290	133	461	548	1,530	270	233	3,983
2-4 Units	2	0	0	6	0	6	3	2	10	11	40
Over 5 Units	0	0	0	0	0	46	0	0	5	0	51
Total	**210**	**97**	**213**	**296**	**133**	**513**	**551**	**1,532**	**285**	**244**	**4,074**
INLAND EMPIRE											
Number of Units											
Single Family	18,776	18,824	23,588	29,876	35,965	43,029	43,911	33,001	15,807	5,723	268,500
2-4 Units	154	169	335	323	719	1,085	971	943	717	218	5,634
Over 5 Units	1,730	2,198	3,486	2,103	5,568	7,206	3,887	3,609	3,346	2,667	35,800
Total	**20,660**	**21,191**	**27,409**	**32,302**	**42,252**	**51,320**	**48,769**	**37,553**	**19,870**	**8,608**	**309,934**

Source: US Census Bureau; and CBRE Consulting

(1) Year-to-date figures are through November.

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Exhibit A-4:
SINGLE FAMILY DETACHED AND CONDOMINIUM RESALES AND MEDIAN PRICES
1999 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	CAGR (1) 1999-2007	2008 YTD (2)
CITY OF CHINO											
Single Family Detached											
Number of Sales	771	742	734	824	807	812	892	638	383	-8.4%	390
Median Price	$165,000	$180,000	$200,000	$245,000	$293,000	$393,000	$468,000	$510,000	$493,000	14.7%	$348,828
Median Price per Sq. Ft.	$107	$117	$130	$150	$186	$242	$282	$316	$299	13.7%	$205
Condominium											
Number of Sales	176	177	249	227	270	297	249	199	114	-5.3%	75
Median Price	$89,000	$101,000	$213,000	$139,000	$172,000	$257,000	$350,000	$360,000	$349,000	18.6%	$220,000
INLAND EMPIRE (3)											
Single Family Detached											
Number of Sales	53,616	53,280	53,402	60,923	66,117	71,107	77,105	57,655	34,418	-5.4%	47,428
Median Price	$114,093	$127,093	$147,072	$169,301	$209,463	$279,000	$351,000	$384,000	$371,000	15.9%	$237,000
Median Price per Sq. Ft.	$80	$89	$100	$114	$139	$183	$225	$243	$219	13.4%	$129
Condominium											
Number of Sales	7,907	8,241	7,523	9,135	9,556	10,125	9,208	6,234	4,526	-6.7%	3,818
Median Price	$110,654	$125,616	$134,856	$156,656	$185,689	$246,000	$305,000	$324,000	$309,000	13.7%	$235,000

Source: DataQuick; and CBRE Consulting

(1) CAGR is the Compounded attached product.
(2) Through November of 2008.
(3) Counties of Riverside and San Bernardino.

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Exhibit A-5:

INDUSTRIAL MARKET TRENDS (Including Manufacturing, Warehouse/ Distribution and Flex/ R&D Space)

All Industrial Space, 2000 - 2008

Annual Trend by Market Area	SUPPLY				DEMAND				LEASE RATE ($/ SF/ Yr.) (1,2)
	Inventory Bldgs.	Inventory GLA (SF)	Vacancy Rate % (1)	SF Delivered	Availability Rate % (1)	Total Deals	Total SF Leased	SF Net Absorption	
CITY OF CHINO									
2000	700	26,193,974	6.3%	1,324,718	6.2%	48	2,837,298	2,066,088	$4.22
2001	740	29,556,952	9.1%	3,356,978	7.0%	69	3,992,191	1,143,131	4.23
2002	746	30,987,160	9.5%	1,430,208	6.7%	62	1,837,843	2,333,176	4.22
2003	759	31,808,016	6.9%	840,856	5.3%	70	3,269,765	1,233,039	4.28
2004	810	34,244,597	5.8%	2,436,581	4.8%	58	2,298,219	2,646,719	4.05
2005	839	35,806,075	6.0%	1,561,478	3.2%	49	4,086,926	1,408,611	4.37
2006	890	36,983,611	4.1%	1,177,536	3.2%	90	2,519,670	1,741,256	4.89
2007	920	37,807,715	3.5%	824,104	1.9%	79	3,439,874	1,253,582	5.27
2008	940	39,388,723	3.8%	1,532,073	3.0%	92	1,272,884	236,914	5.62
Total				**14,484,532**		617	25,554,670	14,062,516	
INLAND EMPIRE - WEST									
2000	4,525	182,350,197	7.0%	11,832,057	6.0%	327	20,719,392	11,652,452	$4.33
2001	4,647	196,559,678	9.1%	14,229,605	7.0%	386	16,767,690	7,590,465	4.10
2002	4,733	205,652,089	9.7%	9,112,241	8.0%	449	14,359,710	10,426,034	4.07
2003	4,846	212,236,879	8.1%	6,616,190	6.9%	420	17,009,833	8,889,859	4.10
2004	5,020	221,351,863	6.7%	9,114,984	5.1%	520	15,696,199	11,621,860	4.16
2005	5,193	231,106,533	5.9%	9,754,670	4.1%	428	17,533,422	9,322,643	4.37
2006	5,354	241,718,326	6.6%	10,693,858	5.2%	556	14,797,337	7,318,331	4.76
2007	5,517	247,095,120	4.9%	5,357,915	3.5%	492	18,765,295	10,781,364	5.28
2008	5,605	256,069,663	7.0%	8,902,188	6.3%	656	12,466,952	(807,685)	5.50
Total				**85,613,708**		4,234	148,115,830	76,795,323	

Sources: Costar Group Inc., 2008; and, CBRE Consulting

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Exhibit A-6:

LAND SALES IN THE CITY OF CHINO

5+ Acres' Land Sales, 2005 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address	Property Name	Land Improvements	Zoning	Acres	Land SF	Sale Date	Sale Price	$/Acre
1	8649 Merrill Ave	Land			83.5	3,635,082	11/30/2006	$36,050,400	$432,000
2	8711 Pine Ave	Single Family Residence Site	Previously developed lot	LDR, Chino	51.3	2,233,321	4/17/2006	14,242,000	277,784
3	Bickmore Ave	Warehouse/distribution Site	Raw land	M2, Chino	33.2	1,444,014	10/4/2005	14,229,525	429,247
4	7851 Bickmore Ave	H & R Westra Dairy Land	Raw land	N/Av, Chino	27.7	1,206,612	6/30/2006	6,248,000	225,560
5	4619 Eucalyptus Ave	26.67 acres		C	26.7	1,161,745	11/9/2006	6,774,500	254,012
6	Riverside Dr	Single Family Residence Site	Not Available	N/Av, Chino	23.6	1,028,016	3/29/2006	4,250,000	180,085
7	Mountain Ave	M2 Zoned Acreage	Raw land	M2, Chino	19.1	832,919	11/4/2005	1,102,000	57,632
8	7850 Bickmore Ave	Mdr Zoned Land	None	MDR, Chino	18.8	817,246	10/5/2005	6,097,000	324,976
9	Kimball Ave	Lewis Preserve	Finished lot	PD, Chino	18.8	817,185	7/15/2005	11,300,000	602,346
10	4500 Chino Hills Pky	The Village At Chino Walk	Raw land	CO, Chino	12.8	558,439	2/10/2006	7,889,000	615,367
11	13945 Ramona Ave	Planned Industrial Development Site	Fully Improved Lot	M2, Chino	9.0	392,911	11/3/2005	935,000	103,659
12	7.19 Acres Mountain Ave				7.2	313,196	9/4/2007	725,000	100,835
13	15757 Mountain Ave				6.2	270,072	10/12/2006	5,075,000	818,548
14	Kimball Ave	58 Lot Condominums Site	Raw land	RD8, Chino	6.1	266,587	7/22/2005	7,431,000	1,214,217
15	12594 Roswell Ave		Previously developed lot	RD-20M	4.9	214,315	7/22/2005	1,100,000	223,577
16	13116-13142 Norton Ave	Residential Zoned Acreage		RS-1, SB County	4.8	211,004	9/19/2006	1,625,000	335,468
							Land Sales Avg.:		**$353,718**
							Land Sales Median:		**$301,380**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information as reported by the Costar Group are presented.

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Exhibit A-7:

LAND SALES IN KERN COUNTY

Commercial, Industrial and Residential Land Sales, 2005 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address in City of Chino	City	Property Name/ Land Imp.	Zoning	Acres	Land SF	Sale Date	Sale Price	$/ Acre
1	SE Elmo Hwy @ Elmo Hwy & Browning Rd	Mc Farland	Falcon Heights		135.0	5,880,600	11/15/2007	$2,142,000	$15,867
2	Pacheco Rd	Bakersfield	Vacant Land 67.57 Acres	M-3, Bakersfield	67.6	2,943,349	10/10/2008	2,500,000	36,999
3	1234 Willow Springs Rd	Mojave			40.0	1,742,400	12/19/2008	128,000	3,200
4	Scofield Rd	Wasco	Wasco Valley Rose - vacant land		40.0	1,742,400	9/29/2006	1,999,582	49,990
5	Mojave Tropical Rd	Rosamond			40.0	1,742,400	6/7/2007	335,000	8,375
6	NW Hanawalt Ave @ Hanawalt & Mast Ave	Mc Farland	Sierra Springs		38.2	1,665,655	11/15/2007	599,000	15,665
7	16701 Brimhall Rd	Bakersfield		E-1 RS, Bakersfield	35.0	1,524,164	12/7/2007	2,000,000	57,159
8	17174 Highway 14	Mojave		M-2	34.4	1,496,286	2/22/2008	550,000	16,012
9	4057-4061 Industrial Pky	Lebec	Tejon Industrial Complex - Bldg. U.C.		23.8	1,034,550	7/1/2008	2,500,000	105,263
10	College Heights Blvd @ Kendall Avenue	Ridgecrest	Villas at College Heights		22.7	988,812	3/22/2007	2,300,000	101,322
11	Stockdale Hwy @ Heath	Bakersfield		Commercial	20.0	871,200	5/1/2007	3,600,000	180,000
12	Archibald Ave	Maricopa	Parcel 4		20.0	871,200	4/20/2007	165,000	8,250
13	Johnson Rd @ Driver	Bakersfield		A-1	20.0	871,200	9/11/2007	1,000,000	50,000
14	Wheeler Ridge Rd @ Creekside Dr.	Arvin	Wheeler Ridge Site		19.5	847,242	11/17/2008	379,990	19,537
15	132 White Ln	Bakersfield	3 Buildings apx 2,555 SF	Light Industrial	15.5	673,002	11/28/2007	1,300,000	84,142
16	Avenue A & 120th W	Rosamond	no zoning restrictions		14.5	631,620	1/24/2007	125,000	8,621
17	Henry Rd	Taft		M-2	14.3	620,730	2/5/2008	505,000	35,439
18	NWC McCutchen & Gosford Rd	Bakersfield		C2	10.0	435,600	6/15/2007	2,275,000	227,500
19	Compagnoni St	Bakersfield			10.0	435,600	9/21/2007	650,000	65,000
20	Mercedes Blvd	California City	10 Acres	R2.5	10.0	435,600	5/4/2007	25,000	2,500
21	Redrock Randsburg Rd	North Edwards	Vacant Land-10 Acres		10.0	435,600	5/26/2006	20,000	2,000
22	Eucalyptus Dr (2 Properties)	Bakersfield	Multi-Property Sale		9.6	418,176	11/9/2007	980,000	102,083
23	5901 Mills Rd	Bakersfield	Mills Road Land		8.8	381,150	9/12/2007	820,000	93,714
24	S China Lake Blvd @ Bowmen Ave.	Ridgecrest	NEC of S. China Lake @ Bowman	GC, Ridgecrest	6.9	302,306	7/3/2008	1,500,000	216,139
25	1245 Kern St	Taft			6.4	279,655	8/31/2007	200,000	31,153
26	N Norma St @ West Ward Avenue	Ridgecrest		R-2	6.0	259,618	10/4/2006	420,000	70,470
27	W Day Ave @ Airport Drive	Bakersfield			5.8	250,470	10/4/2007	1,300,000	226,087
				Residential Land Sales Avg.:					**$44,347**
				Residential Land Sales Median:					**$49,990**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information as reported by the Costar Group are presented.

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355 South Grand Avenue, Suite 1200
Los Angeles, CA 90071-1549

T 213 613 3750
F 213 613 3780
www.cbre.com

March 18, 2009

Matt Englhard
Regional Development Officer
First Industrial Realty Trust, Inc.
114 Pacifica, Suite 220
Irvine, CA 92618

Re: Economic Viability of Agriculture in the East Inland Empire

Dear Mr. Englhard:

Per your request CBRE Consulting has examined the economic and market trends affecting agriculture operations throughout California, with particular attention to the specific challenges relative to the communities of Perris and Sun City in eastern Riverside County area of the Inland Empire.

Founded in 1978 as Sedway Group, CBRE Consulting is a nationally recognized full-service real estate and urban economics consulting firm with offices in Los Angeles and San Francisco. CBRE brings a multi-disciplined approach to property evaluation of all major land use types. CBRE specializes in real estate market analysis, economic development studies for residential, commercial and industrial projects throughout California and the western United States.

BACKGROUND

The Inland Empire once held the largest concentration of dairies and supporting agriculture (e.g., alfalfa farming) in the world. This region is now facing tremendous urbanization and development pressures. The agricultural land is continually declining in the Inland Empire. According to the State of California, Department of Conservation, Riverside County lost 50,000 acres of farmland from 1990 through 2002. San Bernardino County lost 47,000 acres in prime farmland over the same period.

For this analysis, CBRE performed an extensive internet/literature search relative to the economics of agricultural and dairy farming to understand the economic and other challenges to continued agriculture uses in the Inland Empire. CBRE also gathered relevant demographic, real estate and other economic data to illustrate historic and projected land use trends near Perris and the eastern Inland Empire.

There are many factors which demonstrate the infeasibility of agriculture production in Eastern Inland Empire, resulting in many dairy operators and supporting agricultural operations moving to Kern County.

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- Urbanization in the Inland Empire, resulting in dramatically increasing land prices,
- Higher water and labor costs;
- Environmental regulation (insects, odors, ground water contamination and solid waste removal) and,
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

1. **Increasing Land Values**
   Due to competing land uses, land prices have increased dramatically in the area in excess of $250,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of various General Plans in the Inland Empire emphasizing significant residential and commercial development have also encouraged the farmers to sell their land and relocate.

2. **Conflicts between Urban Neighbors and Dairy Farms**
   The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

3. **Increasingly Stringent Environmental Regulations**
   The Region 8 Water Board, which encompasses Perris, was among the first to develop environmental regulations to control dairy operations, with increasing restrictions imposed in 1994, 1999 and 2004, as the proximity of urban neighborhoods, contamination of ground water and air pollution started raised more concerns.

4. **Competition from Central Valley**
   The dairy farmers in the Inland Empire face stiff competition from the farmers in the Central Valley because of high operating costs, including high feed costs and the cost of manure disposal.

   A study published in Agriculture and Resource Economics Review in 2008 demonstrated the effect of environmental regulations over time and the growth in dairy industries, attributed to the cheap land and relatively weak regulations in the Central Valley.

   According to CDFA, milk production has declined by approximately 45 percent in Riverside County between 2002 and 2007, while production increased by 88 percent in Kern County.

   Figures 1 and 2 on the following page show trends in the number of milk cows in the Central Valley (Region 5) as compared to the loss in Region 8 from 1980 to 2008.

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Figure: 1
Milk Cows in Counties of Region 5 Central Valley

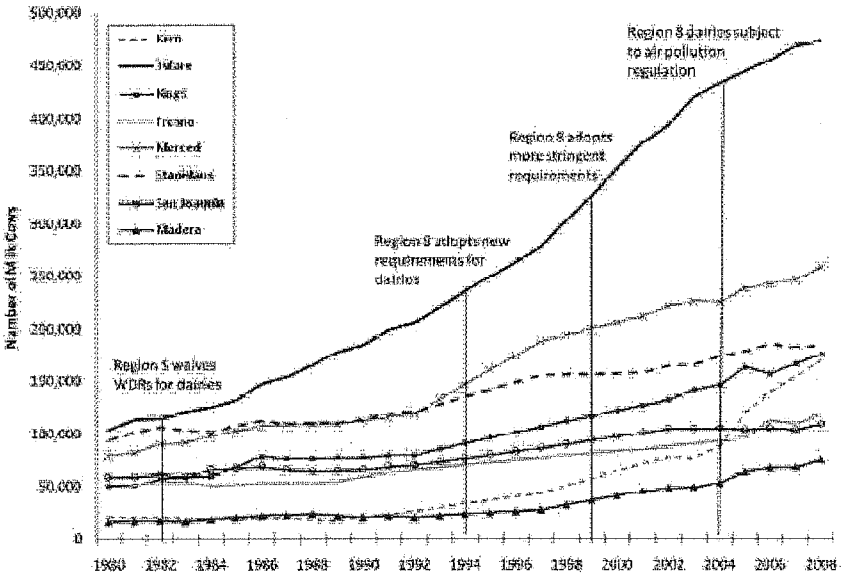

Source: Steeringer and Hogle, 2008

Figure: 2
Milk Cows in Region 8 – Inland Empire

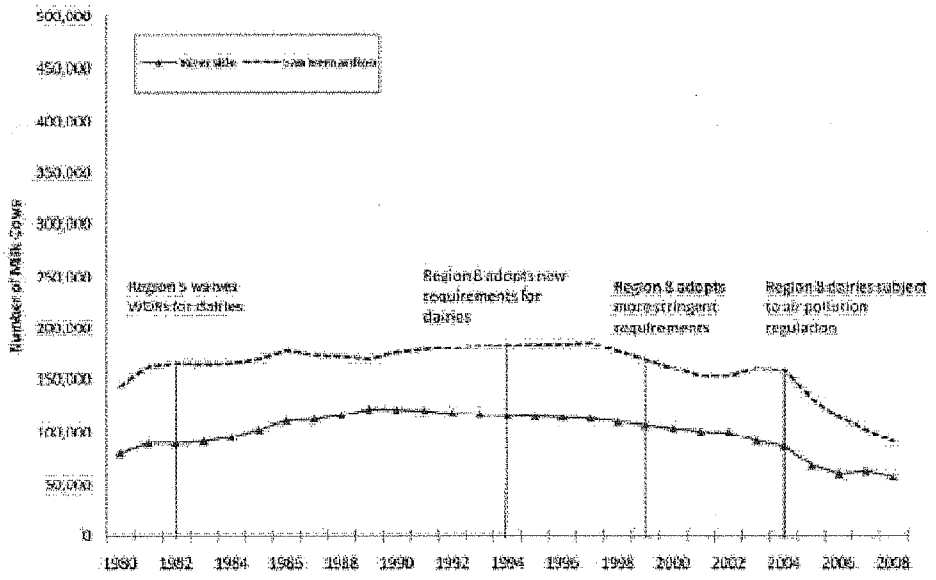

Source: Steeringer and Hogle, 2008

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The Central Valley farmers also face few development pressures as compared to the Inland Empire and they benefit from diverse farm economy. For example, the farmers use dairy waste to fertilize their own crops or of the neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

5. Operating Costs

According to the CDFA, production costs in dairy industry have risen by 50 percent since 2002 in California, putting more pressure on dairy farmers to cut other costs. Figure 3 below shows the growth in cost of production per CWT from 2002 to 3rd quarter 2008.

Figure 3
Cost of Production in the California Dairy Industry

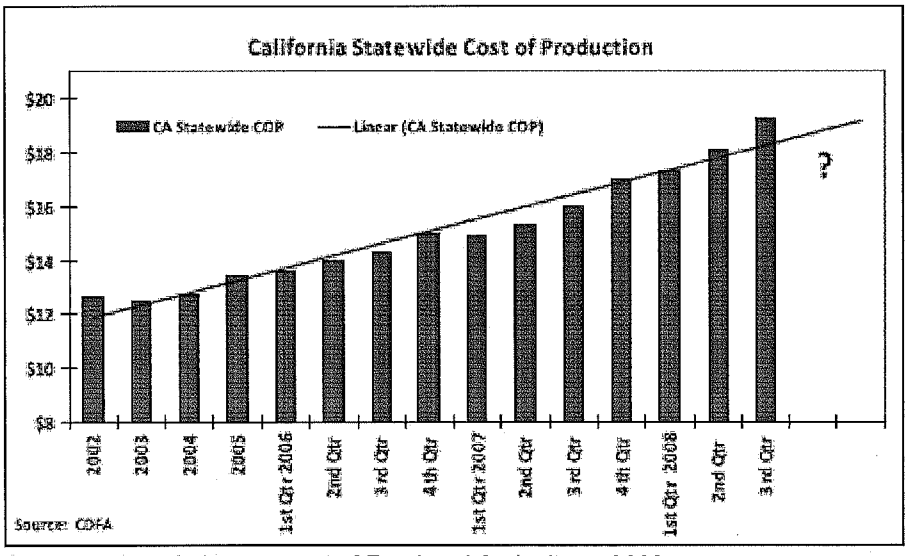

Source: California Department of Food and Agriculture, 2008

Labor Costs

There is a shortage of labor in the dairy industry. Many agricultural workers are looking for higher paying jobs in non-agricultural industries according to the CDFA, which makes it difficult for the dairy farmers to compete for labor and leads to increased labor costs.

The issue of immigration and compliance also leads to labor problems. As shown in Figure 4 there is significant difference in labor costs in the different milk-producing regions of California. In the chart, South Valley represents the counties of the Central Valley composed of Fresno, Kings, Tulare and Kern County. Overall labor costs are 25 percent higher in the Southern California region as compared to the statewide average.

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Figure 4 – Labor Costs, 2007

Labor Costs	North Coast	North Valley	South Valley	Southern California	2007 State Average
Per Hired Milker					
Hourly Cash Wage	$8.77	$10.29	$9.82	$12.38	$10.02
Hourly Perquisites (1)	1.84	2.24	0.95	1.49	1.40
Hourly Wage (2)	12.53	14.60	12.67	16.52	13.40
Per Hired Labor					
Hourly Cash Wage	8.87	10.88	11.36	13.79	11.18
Hourly Perquisites (1)	1.58	2.49	1.44	1.52	1.86
Hourly Wage (2)	12.40	15.56	14.94	18.18	15.21
Per All Hired					
Hourly Cash Wage	8.81	10.55	10.37	12.89	10.47
Hourly Wage (2)	12.48	15.03	13.48	17.12	14.10

(1) Includes Fair Market Value For Housing Supplied By Employer, Health Insurance, Meat, Etc.
(2) Includes Cash Wages, Perquisites, and Employment Taxes Paid by Employer

Source: *Cost of production, 2007, California Department of Food and Agriculture (CDFA)*

Water and Feed Costs

Increasing cost of water is another reason for the conversion of agricultural land into other uses. Dairying itself does not need as much water, but increasing cost and lower supply of water affects the feed supply for dairy. Dairy producers rely on alfalfa produced in the state as the source for their feed supply. If production of alfalfa is curtailed, the dairy farmers will incur high costs in getting the feed from outside the area.

Waste Disposal Costs

The livestock at dairy farms produce significant tonnage of manure every year. With nearby farmland, encroached by urbanization, the cost of waste disposal increases, as distances to where the waste can be disposed increases, as well as the frequency of disposal that is required. As a result many farmers need to hire professional corral cleaners, which increases costs by up to $50,000 a year.

Commercial/Industrial and Residential Development Trends

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino County. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Perris, there have been almost 4,500 new housing units built since 2000, with median housing prices more than tripling by 2007, and still nearly doubling after the dramatic 2008 market declines.

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Industrial development in the East Inland Empire region has seen similar growth with inventory increasing by 60 percent, or 92 million square feet since 2000. In Perris the growth has been nearly 100 percent, with 5 million square feet built in past eight years.

As a result of these trends, average land prices in the Inland Empire have increased to over $250,000 per acre, which compares to Kern County land values of less than $50,000 per acre

See Appendix Exhibits A-1 through A-6 for detailed trends in Perris/Inland Empire population, employment, residential building permits, home prices, industrial markets and land prices. Exhibit A-7 illustrates land sales in Kern County over the past three years.

Conclusion

Agriculture is being been significantly impacted by numerous economic, political and regulatory factors. As a result over 100,000 acres of farmland has been taken out of service since 1990 and is being redeveloped for residential, commercial and industrial uses. With lower land costs and less regulation, dairy operators and supporting agricultural uses such as dry farming and alfalfa production have been steadily moving out of the Inland Empire towards Central Valley, Barstow and Kern County.

Continued agricultural operations are not financially feasible in the Perris/eastern Riverside County region. Agricultural operations of all types will continue to decline as a result of the economic forces at work impacting land owners. Agricultural operator's business decisions to cease production will continue to occur regardless of land use decisions made by local agencies. In other words, land designated for agricultural use has little impact on the continued declining agricultural trends in Perris/eastern Riverside County.

Respectfully submitted,

Thomas R. Jirovsky
Senior Managing Director

Attachment

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Exhibit A-1:

POPULATION, HOUSEHOLD & EMPLOYMENT TRENDS

City of Perris and Inland Empire Region, 1990 - 2029

	1990	2000	2009	2014	2019	2024	2029	
City of Perris								
Population	22,202	36,189	54,592	62,440	69,956	77,175	83,601	
Households	6,848	9,652	14,160	16,300	18,032	19,808	21,616	
Employment (1)	--	11,715	17,332	19,042	20,108	22,194	24,810	
Inland Empire								
Population	2,588,793	3,254,821	4,170,780	4,505,315	4,950,365	5,373,155	5,774,903	
Households	866,804	1,034,812	1,297,214	1,445,415	1,626,549	1,807,342	1,988,035	
Employment (1)	--	1,121,464	1,450,397	1,665,604	1,881,342	2,099,942	2,321,648	
Growth - #		**1990-00**	**2000-09**	**2009-14**	**2014-19**	**2019-24**	**2024-29**	**2009-29 Total**
City of Perris								
Population		13,987	18,403	7,848	7,516	7,219	6,426	29,009
Households		2,804	4,508	2,140	1,732	1,776	1,808	7,456
Employment (1)		--	5,617	1,710	1,066	2,086	2,616	7,478
Inland Empire								
Population		666,028	915,959	334,535	445,050	422,791	401,748	1,604,123
Households		168,008	262,402	148,201	181,134	180,793	180,693	690,821
Employment (1)		--	328,933	215,207	215,738	218,600	221,706	871,251
Growth - % CAGR		**1990-00**	**2000-09**	**2009-14**	**2014-19**	**2019-24**	**2024-29**	**2009-29**
City of Perris								
Population		5.0%	4.7%	2.7%	2.3%	2.0%	1.6%	2.2%
Households		3.5%	4.4%	2.9%	2.0%	1.9%	1.8%	2.1%
Employment (1)		--	4.4%	1.9%	1.1%	2.0%	2.3%	1.8%
Inland Empire								
Population		2.3%	2.8%	1.6%	1.9%	1.7%	1.5%	1.6%
Households		1.8%	2.5%	2.2%	2.4%	2.1%	1.9%	2.2%
Employment (1)		--	2.9%	2.8%	2.5%	2.2%	2.0%	2.4%

Sources: Southern California Association of Governments (SCAG); Claritas; and CBRE Consulting

(1) Daytime employment data available from the year 2000.

(2) Projections based on forecast growth rates in population, households and employment according to SCAG.

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Exhibit A-2:
RESIDENT EMPLOYMENT TRENDS BY INDUSTRY & OCCUPATION
US Census, 1990 and 2000

	City of Perris, California					Inland Empire Region, CA				
	1990		2000		Change	1990		2000		Change
	#	%	#	%	('90-'00)	#	%	#	%	('90-'00)
RESIDENT EMPLOYMENT BY INDUSTRY										
Agriculture, forestry, and fisheries	**389**	*5.0%*	**97**	*0.8%*	**-75.1%**	**36,314**	*3.4%*	**18,997**	*1.5%*	**-47.7%**
Construction	965	*12.4%*	1,352	*11.3%*	40.1%	109,894	*10.2%*	105,268	*8.3%*	-4.2%
Manufacturing	1,668	*21.4%*	2,233	*18.7%*	33.9%	161,282	*14.9%*	157,003	*12.4%*	-2.7%
Transportation, Communication & Utilities	484	*6.2%*	634	*5.3%*	31.0%	79,357	*7.4%*	78,459	*6.2%*	-1.1%
Wholesale trade	242	*3.1%*	474	*4.0%*	95.9%	44,018	*4.1%*	48,574	*3.8%*	10.4%
Retail trade	1,274	*16.3%*	1,563	*13.1%*	22.7%	191,714	*17.8%*	160,926	*12.7%*	-16.1%
Finance, insurance, and real estate	400	*5.1%*	408	*3.4%*	2.0%	68,174	*6.3%*	71,208	*5.6%*	4.5%
Services	2,019	*25.9%*	4,653	*39.0%*	130.5%	333,481	*30.9%*	557,909	*44.1%*	67.3%
Public administration	357	*4.6%*	520	*4.4%*	45.7%	55,394	*5.1%*	65,784	*5.2%*	18.8%
RESIDENT EMPLOYMENT BY OCCUPATION										
Managerial & professional specialty	1,357	*17.4%*	2,110	*17.7%*	55.5%	253,002	*23.4%*	353,835	*28.0%*	39.9%
Technical, sales, & administrative support	2,042	*26.2%*	2,967	*24.9%*	45.3%	338,842	*31.4%*	343,542	*27.2%*	1.4%
Service occupations, excl. Farming	2,327	*29.8%*	2,071	*17.4%*	-11.0%	297,318	*27.5%*	210,174	*16.6%*	-29.3%
Farming, forestry, & fishing	**345**	*4.4%*	**52**	*0.4%*	**-84.9%**	**31,593**	*2.9%*	**12,539**	*1.0%*	**-60.3%**
Operators, fabricators, & laborers	1,727	*22.1%*	4,734	*39.7%*	174.1%	158,873	*14.7%*	344,038	*27.2%*	116.5%

Sources: US Census 1990 and 2000; and, CBRE Consulting

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Exhibit A-3:
RESIDENTIAL BUILDING PERMIT TRENDS
City of Perris and Inland Empire, 10-Year Trends

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total
CITY OF PERRIS											
Number of Units											
Single Family	186	9	145	492	1,269	1,573	1,746	812	599	107	6,938
2-4 Units	4	8	0	0	0	0	0	0	0	0	12
Over 5 Units	76	62	0	186	0	0	0	0	96	0	420
Total	**266**	**79**	**145**	**678**	**1,269**	**1,573**	**1,746**	**812**	**695**	**107**	**7,370**
INLAND EMPIRE											
Number of Units											
Single Family	18,776	18,824	23,588	29,876	35,965	43,029	43,911	33,001	15,807	5,723	268,500
2-4 Units	154	169	335	323	719	1,085	971	943	717	218	5,634
Over 5 Units	1,730	2,198	3,486	2,103	5,568	7,206	3,887	3,609	3,346	2,667	35,800
Total	**20,660**	**21,191**	**27,409**	**32,302**	**42,252**	**51,320**	**48,769**	**37,553**	**19,870**	**8,608**	**309,934**

Source: US Census Bureau; and CBRE Consulting

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Exhibit A-4:
SINGLE FAMILY DETACHED AND CONDOMINIUM RESALES AND MEDIAN PRICES
1999 - 2008 YTD

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	CAGR(1) 1999-2008
CITY OF PERRIS											
Single Family Detached											
Number of Sales	1,042	970	919	976	1,069	1,166	1,657	1,466	638	1,670	5.4%
Median Price	$81,246	$94,597	$116,899	$133,884	$170,564	$241,973	$326,336	$372,010	$348,354	$183,635	9.5%
Median Price per Sq. Ft.	$62	$72	$87	$101	$126	$178	$224	$240	$207	$96	5.1%
Condominium											
Number of Sales	0	0	0	0	1	0	0	0	0	6	n.a.
Median Price	$0	$0	$0	$0	$140	$0	$0	$0	$0	$138	n.a.
INLAND EMPIRE (2)											
Single Family Detached											
Number of Sales	53,616	53,280	53,402	60,923	66,117	71,107	77,105	57,655	34,418	53,947	0.1%
Median Price	$114,093	$127,093	$147,072	$169,301	$209,463	$279,000	$351,000	$384,000	$371,000	$231,000	8.2%
Median Price per Sq. Ft.	$80	$89	$100	$114	$139	$183	$225	$243	$219	$125	5.0%
Condominium											
Number of Sales	7,907	8,241	7,523	9,135	9,556	10,125	9,208	6,234	4,526	4,095	-7.1%
Median Price	$110,654	$125,616	$134,856	$156,656	$185,689	$246,000	$305,000	$324,000	$309,000	$220,000	7.9%

Source: DataQuick; and CBRE Consulting

(1) CAGR is the Compounded annual growth rate.
(2) Counties of Riverside and San Bernardino.

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Exhibit A-5:

INDUSTRIAL MARKET TRENDS (Including Manufacturing, Warehouse/ Distribution and Flex/ R&D Space)

All Industrial Space, 2000 - 2008

Annual Trend by Market Area	SUPPLY				DEMAND				LEASE RATE ($/SF/Yr.) (1,2)
	Inventory Bldgs.	Inventory GLA (SF)	Vacancy Rate % (1)	SF Delivered	Availability Rate % (1)	Total Deals	Total SF Leased	SF Net Absorption	
CITY OF PERRIS SUB-MARKET									
2000	141	5,373,641	0.6%	38,110	0.6%	1	1,272,500	51,860	$4.88
2001	146	7,076,631	1.7%	1,702,990	1.6%	1	20,350	1,606,362	5.64
2002	146	7,076,631	2.1%	0	1.4%	2	115,960	5,509	4.68
2003	147	7,125,503	2.2%	48,872	2.2%	2	65,303	28,429	5.11
2004	150	7,381,220	1.0%	255,717	0.7%	0	17,800	367,551	n.a.
2005	153	7,595,862	0.9%	214,642	0.9%	2	2,500	165,460	n.a.
2006	157	7,663,213	1.3%	67,351	1.3%	3	3,458	4,173	5.72
2007	175	9,666,032	8.8%	2,002,819	8.7%	5	1,760,642	1,768,468	7.08
2008	206	10,458,307	11.1%	792,275	11.1%	13	38,674	(339,813)	6.74
Total				**5,122,776**		29	3,297,187	3,657,999	
INLAND EMPIRE - EAST MARKET									
2000	5,002	150,133,588	3.9%	6,630,360	3.6%	312	10,892,596	7,668,578	$6.50
2001	5,076	157,202,306	3.9%	7,068,718	3.1%	355	7,684,689	6,501,787	4.68
2002	5,182	161,820,506	4.3%	4,582,653	3.8%	404	6,636,531	2,394,637	4.57
2003	5,269	167,822,636	5.0%	6,098,659	4.3%	387	9,055,454	5,240,209	4.59
2004	5,470	176,211,830	4.6%	8,389,194	3.1%	500	8,017,923	9,626,436	4.98
2005	5,725	188,313,075	4.6%	12,120,753	3.6%	470	7,611,452	8,938,859	5.01
2006	6,055	208,029,558	7.5%	19,691,663	5.7%	545	13,195,412	13,006,436	5.90
2007	6,291	226,876,355	8.4%	18,563,797	7.5%	624	17,026,809	16,405,909	6.28
2008	6,541	242,869,862	13.0%	15,234,949	12.0%	996	12,632,717	1,932,294	5.71
Total				**98,380,746**		4,593	92,753,583	71,715,145	

Sources: Costar Group Inc., 2008; and, CBRE Consulting

(1) The sub-market is defined as a 5-mile radius from the City Hall and includes the entire City of Perris.

(2) Inland Empire East market, which comprises the City of Perris per Costar definition, also includes the Coachella Valley, Corona, East San Bernardino, Riverside, South Riverside and Outlying San Bernardino sub-markets.

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Exhibit A-6:
LAND SALES IN THE CITY OF PERRIS SUB-MARKET
5+ Acres Land Sales, 2006 - 2009

	Property Location		Property Characteristics					Sales Characteristics		
#	Address	Property Name	Land Improvements	Type	Zoning	Acres	Land SF	Sale Date	Sale Price	$/ Acre
1	Lukens Ln			Commercial	M3	36.7	1,599,087	9/21/2007	$500,000	$13,620
2	Nuevo Rd @ I-215	Nuevo & A St.		Commercial		6.0	261,360	7/27/2007	1,833,000	305,500
3	Dawson Rd @ San Jacinto			Commercial	RR	14.4	628,570	6/13/2007	1,734,000	120,166
4	Ethanac Rd @ McPherson r	5.0 Acres		Commercial	Commercial Commuity	5.0	217,800	5/17/2007	1,250,000	250,000
5	Nuevo Rd @ I-215	Nuevo & A St.		Commercial		6.0	261,360	5/10/2007	653,400	108,900
6	Morgan St	Hold For Development Site	Raw land	Commercial	CC, Perris	6.2	268,329	2/7/2007	1,895,000	307,631
7	9.24 acres Nuevo Rd	Vacant Land	None	Commercial	LI	9.2	402,494	1/24/2007	1,600,000	173,160
8	Old Nuevo Rd @ Perris Blvd		None	Commercial	C1	7.8	341,510	1/2/2007	4,960,000	632,654
9	23040 Rider St			Commercial		7.3	318,423	12/7/2006	875,000	119,699
10	Palomar Rd @ McLaughlin Rd			Commercial		18.2	794,098	11/15/2006	1,700,000	93,253
11	23641 Placentia Ave	Zoned Acreage	Not Available	Commercial	RR	9.5	412,077	9/5/2006	900,000	95,138
12	Redlands Ave	Sp Zoned Acreage	Raw land	Commercial	SP, Perris	20.7	901,774	8/25/2006	3,500,000	169,067
13	Citrus Ave	CC Zoned Acreage	Raw land	Commercial	CC, Perris	38.4	1,670,765	6/29/2006	7,087,000	184,771
14	Cajalco Rd	Acreage	Raw land	Commercial	N/Av, Riverside Co.	13.3	580,219	6/14/2006	2,800,000	210,210
15	23772 Water St	Indacochea Sheep Farm	Not Available	Commercial	N/Av	9.7	420,354	6/6/2006	1,650,000	170,984
16	28067 State Highway 74	Rr Zoned Acreage	Raw land	Commercial	RR, Riverside Co.	5.2	227,383	5/23/2006	1,275,000	244,253
17	Markham St	Unknown Site	Raw land	Commercial	A102, Riverside	9.7	422,967	3/3/2006	1,150,000	118,435
								Commercial Average:		**$158,336**
								Commercial Median:		**$170,984**
18	Mountain Ave	Future Cemex Location		Industrial	GI	5.0	218,235	12/5/2008	1,819,837	363,242
19	355 W Markham St	22.25 acres		Industrial	RA	22.4	977,050	5/20/2008	5,446,960	242,843
20	24390 Nuevo Rd		None	Industrial	IP	6.0	261,360	11/8/2007	1,090,000	181,667
21	Rider St @ Redlands Ave	17.1 Acres		Industrial	M1, RA	17.1	744,876	6/26/2007	3,550,000	207,602
22	Webster Ave @ Morgan St	6.0-Acres Vacant Land		Industrial		6.0	261,360	3/9/2007	1,895,000	315,833
23	24345 Citrus Ave	First Park Nuevo Rd Phase I	None	Industrial	M-H	16.2	707,414	3/9/2007	6,366,730	392,040
24	23121 Cajalco Rd	6.91 ac		Industrial	MSC	6.9	300,999	11/20/2006	2,521,500	364,907
25	Mountain Ave	Finished Land Parcels		Industrial	GI	19.2	838,094	10/4/2006	4,350,000	226,092
26	Cajalco Expy @ 215 Freew	10.42 Acre Industrial Park Site		Industrial	M-SC, Riverside	10.4	453,895	9/13/2006	2,500,000	239,923
27	24475 Markham St	Planned Industrial Development Site	Previously developed lot	Industrial	LI, Perris	9.1	396,901	7/18/2006	2,778,000	304,886
28	Ramona Expy	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	9.2	399,880	7/12/2006	1,999,500	217,811
29	Indian Ave	Planned Industrial Development Site	Raw land	Industrial	MSC, Perris	8.4	366,661	6/30/2006	2,099,500	249,424
30	Perry St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	9.1	396,901	6/30/2006	1,954,000	214,452
31	4244 Perry St	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	18.2	793,798	6/30/2006	5,562,000	305,217
32	24392 Nance St	Auto Salvage Yard Site	Raw land	Industrial	GI, Perris	9.1	395,960	6/14/2006	2,079,000	228,713
33	Perry St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	8.8	384,634	6/9/2006	2,308,000	261,382
34	Markham St	Planned Unit Development Site	Raw land	Industrial	LI, Perris	9.1	396,901	5/31/2006	2,600,000	285,351
35	Harvill Ave	M-Sc Zoned Acreage	Raw land	Industrial	L1	20.8	903,870	5/9/2006	3,358,500	161,855
36	Mapes Rd	Gi Zoned Acreage	Raw land	Industrial	GI, Perris	5.9	258,746	5/8/2006	1,113,000	187,374
37	Rider St	Planned Industrial Development Site	Raw land	Industrial	LI, Perris	16.3	709,592	3/15/2006	3,550,000	217,925
								Industrial Average:		**$252,529**
								Industrial Median:		**241,383**

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Exhibit A-6: ..... Continued.....

LAND SALES IN THE CITY OF PERRIS SUB-MARKET

5+ Acres' Land Sales, 2006 - 2009

	Property Location		Property Characteristics					Sales Characteristics		
#	Address	Property Name	Land Improvements	Type	Zoning	Acres	Land SF	Sale Date	Sale Price	$/ Acre
38	Barnett Rd @ McLughlin Road			Residential	RR	42.3	1,842,587	11/14/2006	4,600,000	108,747
39	Evans Rd			Residential		12.8	558,874	9/27/2006	885,000	68,979
40	Evans Rd	R6000 Zoned Acreage	Raw land	Residential	R6000	12.8	558,874	8/25/2006	885,500	69,018
41	Nuevo Rd	A1 Zoned Acreage	Not Available	Residential	CC & R14	29.8	1,298,523	5/24/2006	2,700,000	90,574
42	Dockery Ln	Residential Zoned Acreage	Raw land	Residential	N/Av, Perris	6.0	259,617	4/19/2006	1,050,000	176,175
43	Dockery Ln	Residential Zoned Acreage	Raw land	Residential	N/Av, Perris	9.7	420,789	4/19/2006	1,750,000	181,160
								Residential Average:		**$104,687**
								Residential Median:		**99,660**
								All Land Sales Average:		**$186,228**
								All Land Sales Median:		**210,210**

Sources: Costar Group Inc., 2009; and, CBRE Consulting

(1) The sub-market is defined as a 5-mile radius from the City Hall and includes the entire City of Perris.

(2) The above is not an exhaustive list of sales. Only those sales greater than 5 and up to 50 acres in size with complete sale price information as reported by the Costar Group are presented.

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Exhibit A-7:

LAND SALES IN KERN COUNTY

Commercial, Industrial and Residential Land Sales, 2006 - 2008

	Property Location		Property Characteristics				Sales Characteristics		
#	Address in City of Chino	City	Property Name/Land Imp.	Zoning	Acres	Land SF	Sale Date	Sale Price	$/Acre
1	SE Elmo Hwy @ Elmo Hwy & Browning Rd	Mc Farland	Falcon Heights		135.0	5,880,600	11/15/2007	$2,142,000	$15,867
2	Pacheco Rd	Bakersfield	Vacant Land 67.57 Acres	M-3, Bakersfield	67.6	2,943,349	10/10/2008	2,500,000	36,999
3	1234 Willow Springs Rd	Mojave			40.0	1,742,400	12/19/2008	128,000	3,200
4	Scofield Rd	Wasco	Wasco Valley Rose - vacant land		40.0	1,742,400	9/29/2006	1,999,582	49,990
5	Mojave Tropical Rd	Rosamond			40.0	1,742,400	6/7/2007	335,000	8,375
6	NW Hanawalt Ave @ Hanawalt & Mast Ave	Mc Farland	Sierra Springs		38.2	1,665,655	11/15/2007	599,000	15,665
7	16701 Brimhall Rd	Bakersfield		E-1 RS, Bakersfield	35.0	1,524,164	12/7/2007	2,000,000	57,159
8	17174 Highway 14	Mojave		M-2	34.4	1,496,286	2/22/2008	550,000	16,012
9	4057-4061 Industrial Pky	Lebec	Tejon Industrial Complex - Bldg. U.C.		23.8	1,034,550	7/1/2008	2,500,000	105,263
10	College Heights Blvd @ Kendall Avenue	Ridgecrest	Villas at College Heights		22.7	988,812	3/22/2007	2,300,000	101,322
11	Stockdale Hwy @ Heath	Bakersfield		Commercial	20.0	871,200	5/1/2007	3,600,000	180,000
12	Archibald Ave	Maricopa	Parcel 4		20.0	871,200	4/20/2007	165,000	8,250
13	Johnson Rd @ Driver	Bakersfield		A-1	20.0	871,200	9/11/2007	1,000,000	50,000
14	Wheeler Ridge Rd @ Creekside Dr.	Arvin	Wheeler Ridge Site		19.5	847,242	11/17/2008	379,990	19,537
15	132 White Ln	Bakersfield	3 Buildings apx 2,555 SF	Light Industrial	15.5	673,002	11/28/2007	1,300,000	84,142
16	Avenue A & 120th W	Rosamond	no zoning restrictions		14.5	631,620	1/24/2007	125,000	8,621
17	Henry Rd	Taft		M-2	14.3	620,730	2/5/2008	505,000	35,439
18	NWC McCutchen & Gosford Rd	Bakersfield		C2	10.0	435,600	6/15/2007	2,275,000	227,500
19	Compagnoni St	Bakersfield			10.0	435,600	9/21/2007	650,000	65,000
20	Mercedes Blvd	California City	10 Acres	R2.5	10.0	435,600	5/4/2007	25,000	2,500
21	Redrock Randsburg Rd	North Edwards	Vacant Land-10 Acres		10.0	435,600	5/26/2006	20,000	2,000
22	Eucalyptus Dr (2 Properties)	Bakersfield	Multi-Property Sale		9.6	418,176	11/9/2007	980,000	102,083
23	5901 Mills Rd	Bakersfield	Mills Road Land		8.8	381,150	9/12/2007	820,000	93,714
24	S China Lake Blvd @ Bowmen Ave.	Ridgecrest	NEC of S. China Lake @ Bowman	GC, Ridgecrest	6.9	302,306	7/3/2008	1,500,000	216,139
25	1245 Kern St	Taft			6.4	279,655	8/31/2007	200,000	31,153
26	N Norma St @ West Ward Avenue	Ridgecrest		R-2	6.0	259,618	10/4/2006	420,000	70,470
27	W Day Ave @ Airport Drive	Bakersfield			5.8	250,470	10/4/2007	1,300,000	226,087
				Land Sales Avg.:					**$44,347**
				Land Sales Median:					**$49,990**

Sources: Costar Group Inc., 2008; and, CBRE Consulting

- The above is not an exhaustive list of sales. Only those sales greater than 5 acres in size with complete sale price information, as reported by the Costar Group, are presented.

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MV00180227

DRAFT

ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY
STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

LSA

April 18, 2012

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ENVIRONMENTAL IMPACT REPORT

VIP MORENO VALLEY
STATE CLEARINGHOUSE NO. 2011081084

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

Lead Agency:

City of Moreno Valley Community and Economic Development Department
Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552
Attn: Jeff Bradshaw, Associate Planner
(951) 413-3224

Prepared by:

LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, California 92507
(951) 781-9310

LSA Project No. VOG1001

LSA

April 18, 2012

Item No. E.2

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- B-2: Jurisdictional Survey a nd MSHCP Riparian/Riverine/Vernal Po ols Evalu ation, 71 ± Site (APNs: 316-210 -071, -073, -0 75, -076), Moren o Valley , Riversi de County California, Ecological Sciences, Inc., November 1, 2009.
- B-3: Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210 -071, -073, -0 75, -076), Moren o Valley , Riversi de County California, Ecological Sciences, Inc., November 9, 2009.
- B-4: Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Mo reno Valley, Riverside County California, Ecol ogical Scie nces, Inc., November 11, 2009.
- B-5: Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, M oreno Valley, Riverside Co unty, California, Michael B randman Associates, March 22, 2007.

B-6: Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California, NorCal Engineering, March 7, 2007.

B-7: Phase I Environmental for the Evaluation of Potentially Hazardous Materials, Centec Engineering, February 23, 2007.

B-8: Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., March 27, 2009.

B-9: Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road, Robert A. Bebensee, R.C.E., July 24, 2009.

B-10: Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004, Eastern Municipal Water District, January 20, 2010.

C: LESA Modeling Worksheets and Agriculture Viability Report

C-1: LESA Modeling Worksheets, LSA Associates, Inc., August 2011.

C-2: Economic Viability of Agriculture in the East Inland Empire, CB Richard Ellis, March 18, 2009.

D: Air Quality Reports

D-1: Air Quality Analysis VIP Moreno Valley, LSA Associates, Inc., March 2012.

D-2: Health Risk Assessment VIP Moreno Valley, LSA Associates, Inc., March 2012.

E: Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., December 2011.

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1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

The Draft Environmental Impact Report (EIR) (State of California Clearinghouse No. 2011081084) for the VIP Moreno Valley Project (proposed project or project) has been prepared by LSA Associates, Inc. on behalf of the City of Moreno Valley (City) to: 1) identify the proposed project's impacts on the environment; 2) to discuss alternatives to the proposed project; and 3) to propose mitigation measures that will offset, minimize or otherwise avoid significant environmental impacts. This EIR has been prepared in accordance with the *California Environmental Quality Act*[1] and Sections 15120 through 15131 and 15161 of the *Guidelines for California Environmental Quality Act,*[2] both of which regulate the preparation of EIRs. Based on the potential impacts of the proposed project, including cumulative impacts, and the comments received during the public review of the Initial Study (IS) and public scoping meeting, the City determined that an EIR should be prepared to analyze potential impacts of the proposed project with respect to the following environmental issues:

- Agricultural and Forest Resources;
- Air Quality;
- Greenhouse Gas Emissions and Global Climate Change;
- Noise; and
- Traffic and Circulation.

These five environmental issues are individually addressed in Section 4.0 (Environmental Analysis). Based on the analysis provided in the IS (contained in Appendix A) for the proposed project, all impacts associated with the following eight environmental issues were determined to be "Effects Not Found to be Significant" according to §15128 of the *CEQA Guidelines* and are not addressed in detail in Section 4 of this EIR:

- Aesthetics
- Hazards and Hazardous Materials
- Land Use/Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities/Services Systems

Based on the analysis provided in the IS (contained in Appendix A) for the proposed project, all impacts associated with the following four environmental issues were determined to be less than significant with implementation of mitigation measures. These topics are not addressed in detail in Section 4 of this EIR but the mitigation measures will be contained in the mitigation monitoring and reporting plan to ensure that the measures are implemented:

- Biological Resources
- Cultural Resources
- Geology and Soils
- Hydrology/Water Quality

[1] *California Environmental Quality Act*, as of January 1, 2011, §§21000–21177, Public Resources Code, State of California.
[2] *Guidelines for California Environmental Quality Act*, as of January 1, 2011, §§15000–15387, California Code of Regulations, Title 14, Chapter 3, State of California.

Additional discussion of these issues is provided in Section 2.0 of this EIR and the IS prepared for the proposed project.

1.2 PROPOSED PROJECT

The project site is located in the City of Moreno Valley, Riverside County (Figure 1.1). The approximately 71-acre site is generally located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary.

The proposed development would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse uses on an approximately 71-acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. See Figure 1.2.

Site and building design attributes for the proposed project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

Green building designs typically exhibit the following features:

- More natural ventilation or, at least, a mixture of natural ventilation and air conditioning, and/or increased fresh air via the mechanical ventilation system.
- Narrow plan forms, often within the 15m limits of natural ventilation and daylight access, the corollary of which is less 'deep' space in the middle, which users dislike.
- Better utilization of daylight.
- More user controls for windows, blinds, lights and ventilators. This can mean that needs (like thermal comfort) are met more quickly even though the conditions may only be 'good enough'. Users preferred rapid response when things go wrong or needed changing, and will tolerate conditions which are reasonable.
- Higher floor to ceiling heights, which helps, e.g., with daylight penetration.
- More open plan workspaces (usually desks) close to or next to windows.

1.3 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

The EIR discusses impacts that would occur to on-site and off-site uses as a result of implementation of the proposed project. This EIR also includes proposed mitigation measures that have been identified to reduce or avoid significant effects that would result from the construction and operation of the proposed on-site uses. *CEQA Guidelines* Section 15123(b)(2) requires that areas of controversy known to the Lead Agency (City of Moreno Valley) be stated in the EIR summary. The following discussion identifies issues raised by other agencies and the public during the 30-day public comment period of the Initial Study (IS) and Notice of Preparation (NOP), as well as comments received during the public scoping meeting that was held for the proposed project at the City of Moreno Valley City Council Chambers on September 19, 2011, at 6:00 p.m.

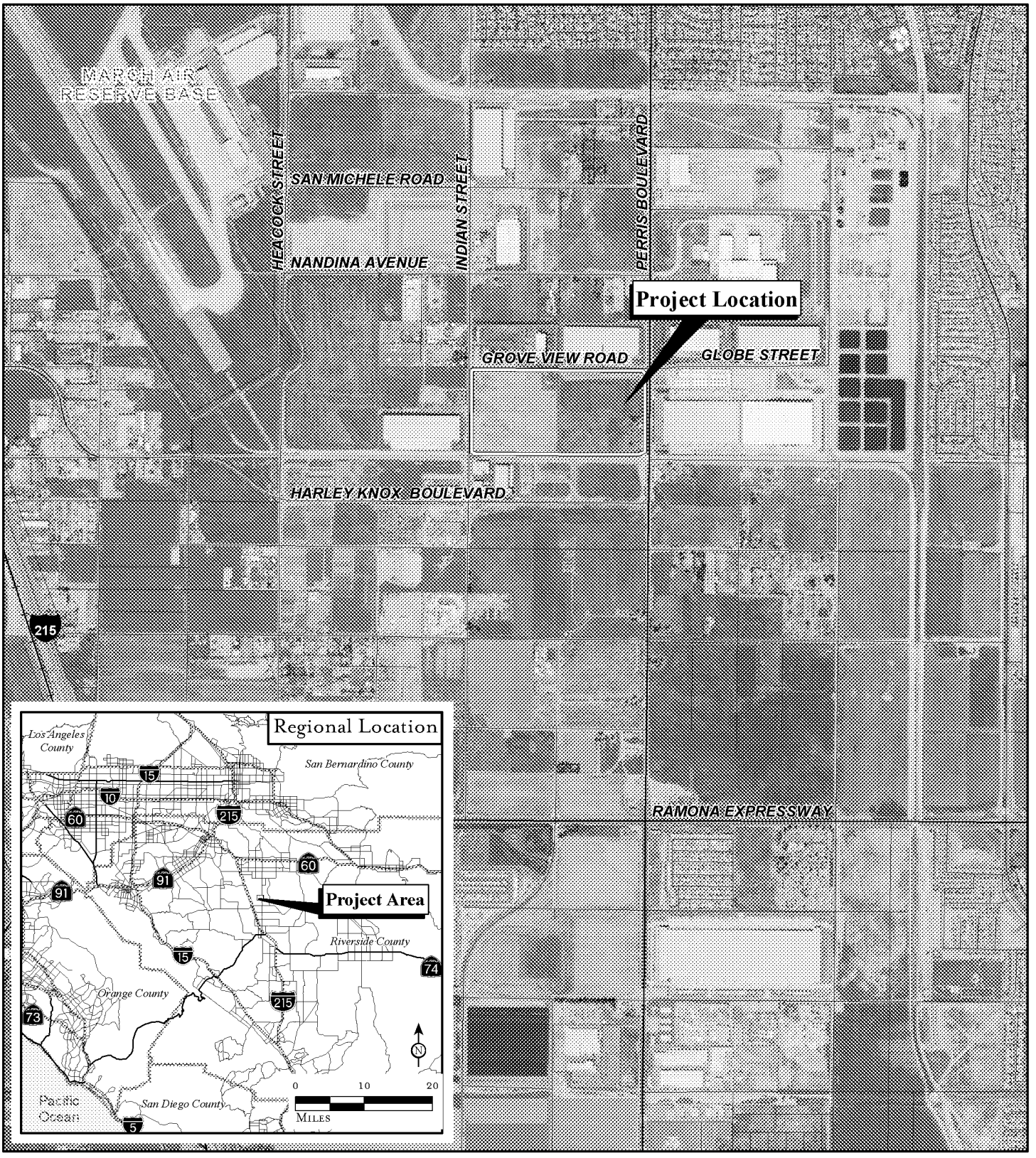

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FIGURE 1.1

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SOURCE: AirPhotoUSA, 2008; Thomas Bros., 2009

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VIP Moreno Valley
Environmental Impact Report

Regional and Project Location

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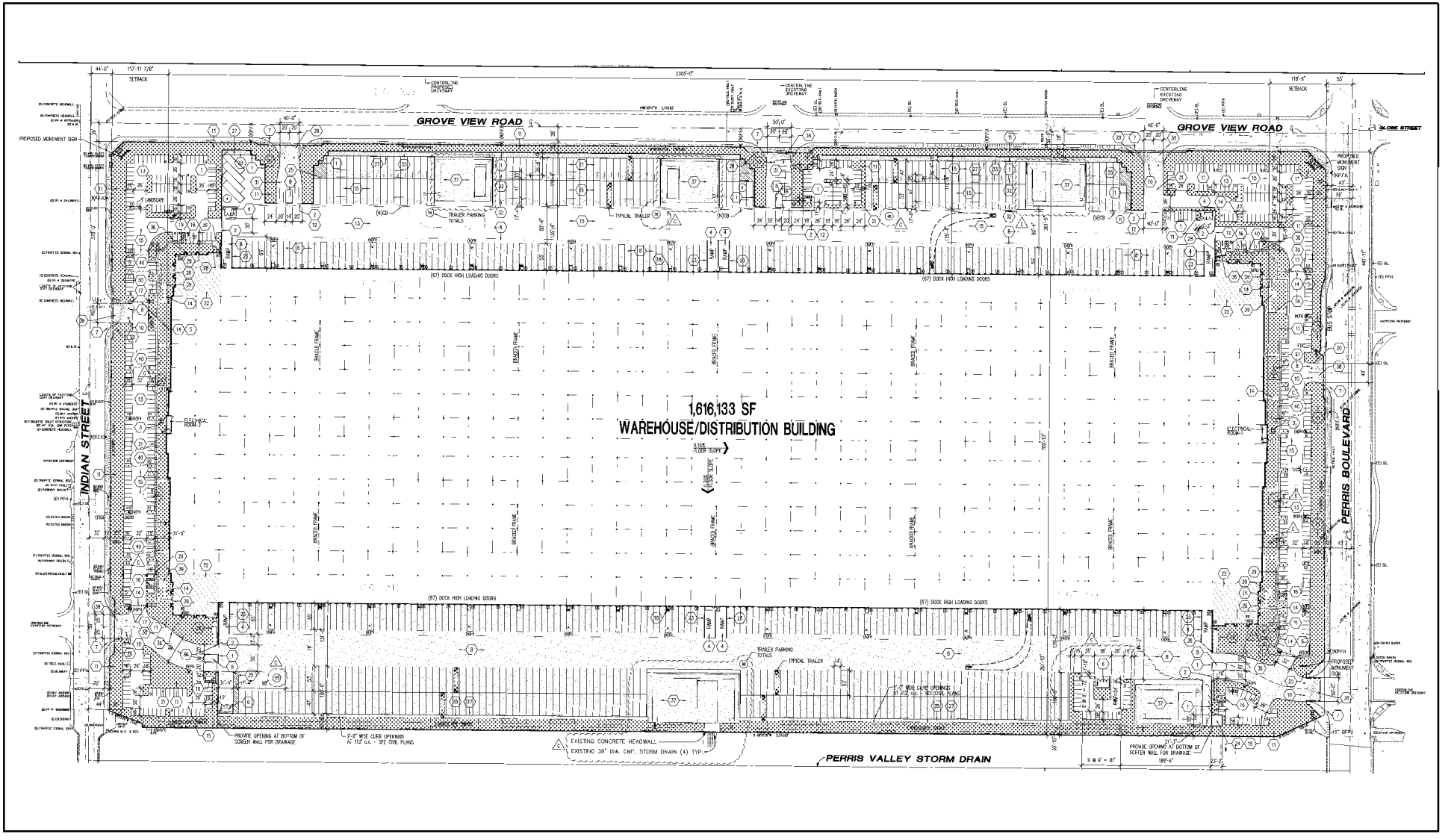

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FIGURE 1.2

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SOURCE: RKZ, Inc., 2009

VIP Moreno Valley
Environmental Impact Report

Site Plan

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1.3.1 Notice of Preparation

The objective of distributing a Notice of Preparation (NOP) is to solicit public comment in order to identify and determine the full range and scope of issues of concern so that these issues might be fully examined in the EIR. An IS was distributed in tandem with the NOP. The NOP was distributed to the State Clearinghouse, as well as to the organizations and persons considered likely to be interested in the project and its potential impacts. Comments received regarding the NOP were used to help identify impacts that could result from implementation of the proposed project. An NOP for the Draft EIR was distributed to state, regional, and local agencies on August 26, 2011, for a 30-day review period ending on September 26, 2011.

The IS, NOP, distribution list, Notice of Public Scoping Meeting, and response letters are included in Appendix A of the Draft EIR. As of the close of the 30-day NOP public review period, 12 responses to the NOP had been received. Table 1.A summarizes the comments received regarding the NOP.

Table 1.A: Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments	Addressed in EIR Section
State of California Governor's Office of Planning and Research	August 25, 2011	Explanation of Notice of Preparation procedures.	Not applicable
Native American Heritage Commission	August 26, 2011	Explanation of SB18 Consultation Process (e.g. sacred lands file search and associated mitigation measures)	Not applicable
California Department of Transportation – District 8	August 30, 2011	Recommendation of coordination with Caltrans District 8 for project's local traffic and circulation impacts. Identifies concern regarding potential impacts to I-215 ramps and interchange in the project area.	4.5
South Coast Air Quality Management District	September 7, 2011	Request to discuss air pollutant emissions for construction and operational phases; calculation of $PM_{2.5}$ emissions using $PM_{2.5}$ significance thresholds; calculation of localized significance thresholds; and inclusion of a mobile source health risk assessment.	4.5
Southern California Association of Governments	September 7, 2011	Request to include a project consistency analysis with SCAG's Regional Transportation Plan and Compass Growth Visioning goals and policies.	5.0
Riverside County Flood Control and Water Conservation District	September 8, 2011	Explanation of the payment of drainage fees associated with the District's Perris Valley Area Drainage Plan, the obtainment of an encroachment permit (if applicable) for any construction related activities occurring within District right of way or facilities.	Not applicable
Department of Toxic Substances Control	September 14, 2011	Request for the EIR to take a look at hazardous materials databases run by regulatory agencies and the inclusion of mitigation measures for any recommended remediation efforts in the EIR.	Initial Study (Appendix A)

Table 1.A: Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments	Addressed in EIR Section
California Department of Fish and Game	September 19, 2011	Request to include discussion on MSHCP consistency, impacts to red-tailed hawk, American kestrel, associated common bird species, the side-blotched lizard, the western fence lizard, and desert cottontail. Also request for information on any loss of jurisdictional waters, vernal pools and development into areas with native habitat values.	Initial Study (Appendix A) and Biological Resources Study (Appendix B-)
City of Riverside	September 23, 2011	Request to include information on number of projected employees, evaluation of projected local and regional traffic impacts to existing transportation systems and networks in the area.	4.5 and 5.0
Eastern Municipal Water District	September 23, 2011	Disclosure that EMWD intends to construct additional recycled water facilities immediately north of its existing facility on Trumble Road in Perris with the excavated soil temporarily stockpiled and available to others for use as fill. Letter also requests that the project initiate the New Development process with EMWD.	Not applicable
Sierra Club – San Gorgonio Chapter	September 25, 2011	Request for information to be included in EIR involving LEED certification levels, mitigation for agricultural lands, providing amenities encouraging the use of alternative modes of transportation, truck routes, global climate change, projected greenhouse gas emissions, and a reasonable range of alternatives.	Initial Study (Appendix A); 4.1; 4.3; 4.3; 6.0
City of Perris	September 26, 2011	Request for the EIR to include information regarding impacts to I-215/Harely Knox Boulevard Interchange, Indian Avenue, Perris Boulevard, and other roadways within the project area. Request to identify mitigation for impacted intersections in the EIR.	4.5

Note: All NOP response letters (along with the Initial Study) are included in Appendix A of the Draft EIR.

1.3.2 Public Scoping Meeting

In compliance with *State CEQA Guidelines*, the City of Moreno Valley has taken steps to maximize opportunities for individuals, parties, and agencies to participate in the environmental process. During circulation of the NOP, various federal, state, regional, and local government agencies, and other interested parties were contacted to solicit comments and to inform the public of the proposed project. A public scoping meeting was held to solicit public comment on direction and scope of the analysis necessary for the Draft EIR. The public scoping meeting was held on September 19, 2011, at 6:00 p.m., at the City of Moreno Valley City Council Chambers, Moreno Valley California. Copies of the IS, NOP, and the conceptual site plan were available to the public for review. City staff, the project applicant, and the EIR consultant (LSA Associates, Inc.) were present to provide information regarding the project and collect public comment. Two members from the public attended the scoping meeting.

1.4 ALTERNATIVES TO THE PROPOSED PROJECT

In compliance with *CEQA Guidelines* (Section 15126.6), an EIR must describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project objectives, and would avoid or substantially lessen significant effects of the project. The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives. An EIR must evaluate a "No Project" alternative in order to allow decision-makers to compare the effect of approving the project to the effect of not approving the project. A more detailed description of each project alternative as well as an analysis of the potential environmental impacts associated with the construction and operation of each is provided in Section 6.0.

1.4.1 No Project Alternative

Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The project site's zoning designation is currently Specific Plan 208 – Moreno Valley Industrial Area Plan. The project site is currently designated by the General Plan for Business Park/Light Industrial uses. Given the goals and objectives of the City of Moreno Valley, it is highly reasonable in the event the proposed project were not approved that the site would be developed with some type of industrial park uses. For analysis purposes, it is assumed that the No Project Alternative would be developed with approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial on 8 acres.

1.4.2 Reduced Intensity Alternative

With the intent of avoiding or substantially reducing significant impacts created by the project traffic, air quality, and noise, the City has considered a Reduced Intensity Warehouse Alternative. This alternative includes one warehouse building covering approximately 1,212,100 square feet. Under this alternative, the proposed warehouse uses would represent a net decrease of approximately 25 percent (400,000 square feet) as compared to the proposed project.

1.4.3 Commercial Center (Mixed Commercial/Office) Alternative

The Commercial Center Alternative would result in the development of commercial service and office uses on the project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.[1]

[1] Square footage is based on a 50 percent development of the project site.

1.4.4 Off-Site Location Alternative

This alternative would result in the development of approximately 1,616,133 square feet of warehouse uses on approximately 70 acres. The alternative project site identified by the City is bounded by Krameria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is currently zoned SP 208 I and is designated BP in the City's General Plan, identical to the proposed project. Since the proposed uses are consistent with the uses identified for the off-site location, no zone change or General Plan Amendment would be required.

1.5 IMPACTS, MITIGATION, AND LEVEL OF IMPACTS SUMMARY TABLE

Table 1.B provides a summary of the proposed project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures.

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
AESTHETICS (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project Have a substantial adverse effect on a scenic vista?	Less than significant impact. No mitigation is required.	Less Than Significant
Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact. No mitigation is required.	Not applicable - No Impact
Substantially degrade the existing visual character or quality of the site and its surroundings?	Less than significant impact. No mitigation is required.	Less Than Significant
Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact. No mitigation is required.	Less Than Significant
4.1 AGRICULTURAL RESOURCES		
Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project result in the loss of forest land or conversion of forest land to non-forest uses?	No Impact. No mitigation is required.	Not applicable - No Impact
Would the proposed project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable
Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable
Cumulative Impacts: The cumulative area for agricultural resource impacts is Riverside County. No local or regional program to mitigate for the cumulative impacts to agricultural resources is available. Because agricultural	Significant Impact. No feasible mitigation is available.	Significant and Unavoidable

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
land, including Prime Farmland is a finite resource, and because neither the City of Moreno Valley nor the County of Riverside maintains a program to offset agricultural resource impacts, the conversion of the project site to warehouse uses, in conjunction with planned and future development in the City and region, would contribute to a further reduction in the amount of land available for agricultural uses. This reduction in agricultural land represents a significant impact.		
4.2 AIR QUALITY		
Would the project conflict with or obstruct implementation of the applicable air quality plan?	No impact. No mitigation is required.	Not applicable - No Impact
Would the proposed project create objectionable odors affecting a substantial number of people?	Less than significant impact. No mitigation is required.	Less Than Significant
Long-Term Microscale (CO Hot Spot) Emissions: Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation? For CO, the applicable thresholds are: - California State one-hour CO standard of 20.0 ppm; - California State eight-hour CO standard of 9.0 ppm.	No impact. No mitigation is required.	Not applicable - No Impact
Localized Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operation, the applicable localized daily thresholds are: - 12,083 pounds per day of CO; - 585 pounds per day of NO_X; - 32 pounds per day of PM_{10}; and - 14 pounds per day of $PM_{2.5}$.	Less than significant impact. No mitigation is required.	Less Than Significant
Operational-Acute and Operational–Chronic Health Risk Impacts: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Construction Equipment Exhaust Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.	Significant Impact. Mitigation is required. **4.2.6.1A** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1B** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1C** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.2.6.1D** All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. **4.2.6.1E** The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid- morning,	Significant and Unavoidable

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	afternoon, and after work is done for the day. **4.2.6.1F** The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes. **4.2.6.1G** Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more). **4.2.6.1H** The contractors shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law). **4.2.6.1I** The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less). **4.2.6.1J** If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel-powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered	

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to car pool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be provided onsite during construction to minimize the need for offsite vehicle trips; • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. **4.2.6.1L** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM 10 (fugitive dust) generation or other construction-related air quality issues. **4.2.6.1M** All project entrances shall be posted with signs which state: • Truck drivers shall turn off engines when not in use; • Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations. These measures shall be enforced by the on-site facilities manager (or equivalent).	

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Localized Construction Emissions: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?	Significant Impact. Mitigation is required. Implement **Mitigation Measures 4.2.6.1A** through **4.2.6.1M.** There is no feasible mitigation over and above those measures prescribed by Rule 403 and Mitigation Measures 4.2.6.1A through 4.2.6.1M.	Significant and Unavoidable
Long-Term Operational Emissions: Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NO_X; - 550 pounds of CO; - 150 pounds of PM_{10}; - 55 pounds of $PM_{2.5}$; and - 150 pounds of SO_X.	Significant Impact. Mitigation is required. **4.2.6.3A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. Any combination of design features including but not limited to the following list may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City.	Significant and Unavoidable

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation

	Automatic devices to turn off lights when they are not needed shall be implemented.
	• To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.
	• Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
	• All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.
	• To reduce energy demand associated with potable water conveyance, the project shall implement the following:
	  ○ Landscaping palette emphasizing drought-tolerant plants;
	  ○ Use of water-efficient irrigation techniques; and,
	  ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
	• The project shall provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
	• The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.
	• The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to	

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	encourage and co ordinate ca rpooling a mong building occ upants. T he TMA will a dvertise its services to bui lding occu pants, and offer transit and/or oth er inc entives to red uce GHG emissions. A plan will be su bmitted by the TMA to the Cit y within t wo m onths of project completion t hat o utlines the m easures implemented b y th e T MA, as well as co ntact information. • The project shall provide preferential parking for carpools and van pool. Locati ons an d configurations of proposed p referential p arking for carpo ols and vanpools are subject to revi ew and approval b y the City. Prio r to final s ite pl an approval, pr eferential p arking for carp ools a nd vanpools shall be del ineated on the proj ect site plan. • The project s hall pr ovide at least t wo electric vehicle ch arging statio ns. Locatio ns and configurations of propos ed charging stations are subject to review and approval by the City. Prior to issuance of the first b uilding permit, stub outs for chargi ng st ations s hall be indic ated on the project building plans. • Lease/purchase docum ents shall i dentify t hat tenants are enc ouraged to pr omote the following: ○ Implementation of compres sed workweek schedules; ○ SmartWay partnership; ○ Achievement of at le ast 20% per year (as a percentage of previo us per centage, not total trips) i ncrease in percentage o f consolidated t rips carri ed b y SmartW ay carriers until it reach es a m inimum of 90 % of al l l ong h aul trips carri ed by SmartW ay 1.0 or greater carriers.	

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	○ Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. ○ Use of fleet vehicles conforming to 2010 air quality standards or better. ○ Installation of catalytic converters on gasoline-powered equipment. ○ Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; ○ Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles; ○ Provision of preferential parking for EV and CNG vehicles; ○ Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; ○ Use of electric (instead of diesel or gasoline-powered) yard trucks; ○ Use of SmartWay 1.25 rated trucks. **4.2.6.3B** The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Cumulative Impacts: The cumulative area for air quality impacts is the Basin. The project would contribute criteria pollutants to the area during project construction. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulatively significant air quality impacts. The Basin is in nonattainment for PM10 and ozone at the present time; therefore, the construction and operation of the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed project would unavoidably contribute to significant cumulative air quality impacts.	Significant unavoidable. The project-specific measures will help reduce project-related air pollutants, however, no feasible mitigation is available to reduce cumulative air quality impacts to a less than significant level.	Significant and Unavoidable
BIOLOGICAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply. **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply. **Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.	
Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Wildlife Service?	Less than significant impact. No mitigation is required.	Less Than Significant
Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact. No mitigation is required.	Less Than Significant
Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less than significant impact. No mitigation is required.	Less Than Significant
Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or	No impact. No mitigation is required.	Not applicable - No Impact

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
ordinance?		
CULTURAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	Less tha n si gnificant im pact. No mitigation is required.	Less Than Significant
Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less tha n si gnificant im pact. No mitigation is required.	Less Than Significant
Directly or in directly destro y a un ique pal eontological resource or site or unique geologic feature?	Potentially Si gnificant Imp act Unless Mitigation Incorporated. **Mitigation Measure CUL-1:** Prior to construction involving excavation four feet or more below existing surface gr ade, the constru ction co ntractor sha ll provide evidence that a q ualified p aleontologist has been retained, and that the paleontologist(s) shall be present dur ing al l gr ading and oth er s ignificant ground-disturbing activiti es that reach fo ur feet or more be low existing s urface gra de. If the paleontologist(s) do not find evidence for Pleistocene-era d eposits once the maximum excavation d epth is re ached, monitor ing shall be discontinued. In the ev ent fo ssiliferous d eposits are encountered, the follo wing measures shall be implemented: • Monitoring s hall b e co nducted b y q ualified paleontological monitor(s) of excavation in areas identified as l ikely to conta in pa leontological resources, inclu ding un disturbed o lder Pleistocene a lluvium. P aleontological mon itors shall be equipped to sa lvage fossils as the y are unearthed, to avoi d construc tion de lays, an d to remove sam ples of sedime nts that are like ly to contain the re mains of small fossil inverteb rates and verte brates. Monitors sh all b e empo wered to temporar ily halt or divert e quipment to allow removal of abundant or larg e spec imens. Monitoring ma y be re duced if the potenti ally fossiliferous units are determi ned upo n exposure a nd e xamination b y qu alified	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	paleontological personnel to have low potential to contain fossil resources. • Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored. • If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction. • Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. • Preparation or a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.	
Disturb any human remains, including those interred outside of formal cemeteries?	Less than significant impact. No mitigation is required.	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
GEOLOGY AND SOILS (FROM THE INITIAL STUDY [APPENDIX A])		
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	No impact. No mitigation is required.	Not applicable - No Impact
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (ii) Strong seismic ground shaking?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (iii) Seismic-related ground failure, including liquefaction?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (iv) Landslides?	No impact. No mitigation is required.	Not applicable - No Impact
Result in substantial soil erosion or the loss of topsoil?	Less than significant impact. No mitigation is required.	Less Than Significant
Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure GEO-1:** Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	necessary in order to provide uniform support and avoid differential settlement of the structure. The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site. The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed. The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.	
Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure GEO-2:** Prior the issuance of	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.	
Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No impact. No mitigation is required.	Not applicable - No Impact
4.3 GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE		
Would the proposed project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	Less than significant. No mitigation is required.	Less Than Significant
Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant Impact. Mitigation is required. Previously referenced **Mitigation Measures 4.2.6.3A** and **4.2.6.3B** will reduce project greenhouse gas emissions. **4.3.6.1A** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. **4.3.6.1B** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project: • Use locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the California Building Code's (CBC) Title 24 energy	

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	standard, including, but not limited to, any combination of the following: ○ Increase insulation such that heat transfer and thermal bridging is minimized. ○ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. ○ Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. **4.3.6.1C** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the operation of the project: • The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide	

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	[CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: ○ Install drought tolerant plants for landscaping. ○ Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. ○ Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.	
Cumulative Greenhouse Gas Emissions and Climate Change: Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of *CEQA Guidelines* Sections 15065(a)(3) and 15130.	Significant impact. Mitigation is required. **Mitigation Measures 4.2.6.3A** and **4.3.6.3.B**. **Mitigation Measures 4.3.6.1A** through **4.3.6.1.C**.	Significant and Unavoidable. Given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
HAZARDS AND HAZARDOUS MATERIALS (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No impact. No mitigation is required.	Not applicable - No Impact
Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	Less than significant impact. No mitigation is required.	Less Than Significant
For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	No impact. No mitigation is required.	Not applicable - No Impact
Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than significant impact. No mitigation is required.	Less Than Significant
Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Less than significant impact. No mitigation is required.	Less Than Significant
HYDROLOGY AND WATER QUALITY (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project: Violate any water quality standards or waste discharge requirements?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure HYD-01:** Prior to grading plan approval and the issuance of a grading permit by the	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner that would result in flooding on site or off site? Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? Otherwise substantially degrade water quality?	City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of storm water associated with construction activities. **Mitigation Measure HYD-02:** Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following: • Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP. • Materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas. • All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge	

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	from the site. Stockpiles will be surrounded by silt fences. • The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance. • Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. • The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site. **Mitigation Measure HYD-03:** Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board. **Mitigation Measure HYD-04:** Prior to grading plan	

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.	
Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	Less than significant impact. No mitigation is required.	Less Than Significant
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	Potentially Significant Impact Unless Mitigation Incorporated. **Mitigation Measure HYD-05:** Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.	Less Than Significant
Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	No impact. No mitigation is required.	Not applicable - No Impact
Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Less than significant impact. No mitigation is required.	Less Than Significant

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Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	No impact. No mitigation is required.	Not applicable - No Impact
Expose people or structures to inundation by seiche, tsunami, or mudflow?	Less than significant impact. No mitigation is required.	Less Than Significant
LAND USE (FROM THE INITIAL STUDY [APPENDIX A])		
Physically divide an established community?	No impact. No mitigation is required.	Not applicable - No Impact
Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant impact. No mitigation is required.	Less Than Significant
Conflict with any applicable habitat conservation plan or natural community conservation plan?	Potentially Significant Impact Unless Mitigation Incorporated. Implementation of **Mitigation Measures BIO-1 through BIO-4**	Less Than Significant
MINERAL RESOURCES (FROM THE INITIAL STUDY [APPENDIX A])		
Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No impact. No mitigation is required.	Not applicable - No Impact
Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No impact. No mitigation is required.	Not applicable - No Impact
4.4 NOISE		
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, results in exposure of people residing or working in the project area to excessive noise levels.	No impact. No mitigation is required.	Not applicable - No Impact
For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.	No impact. No mitigation is required.	Not applicable - No Impact
Would the project result in exposure of persons to or generation of excessive groundborne vibration or	Less than significant impact. No mitigation is required.	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
groundborne noise levels?		
Long-Term Traffic Noise Impacts: Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Less than significant impact. No mitigation is required.	Less Than Significant
Long-Term Operational Noise Impacts: Would the project cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies?	Less than significant impact. No mitigation is required	Less Than Significant
Short-Term Construction Noise Impacts: Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Significant impact. Mitigation is required. **4.9.6.1A** During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. **4.9.6.1B** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site. **4.9.6.1C** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction. **4.9.6.1D** During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
Cumulative Noise Impacts: It is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, However, in the event that adjacent properties are developed at the same time as the proposed project, implementation of the required mitigation at each development site would reduce the cumulative impacts of the proposed project to less than significant levels. The increases over existing traffic volume are attributable to cumulative development projects in the project vicinity and region. Cumulative noise impacts associated with roadway noise have been addressed based on the projected future traffic volumes. Comparing cumulative noise levels that would occur both with and without the project, the proposed project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. Therefore, the proposed project's contribution to cumulative noise impacts at sensitive uses would not be significant.	No Impact. No mitigation is required.	Less Than Significant
POPULATION AND HOUSING (FROM THE INITIAL STUDY [APPENDIX A])		
Induces substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less than significant impact. No mitigation is required.	Less Than Significant
Displaces substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	No Impact. No mitigation is required.	Not applicable - No Impact
Displaces substantial numbers of people, necessitating the construction of replacement housing elsewhere?	No Impact. No mitigation is required.	Not applicable - No Impact
PUBLIC SERVICES (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other	Less than significant impact. No mitigation is required.	Less Than Significant

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
performance objectives for any of the public services: A) Fire Protection		
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: B) Police Protection	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: C) Schools	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: D) Parks	No Impact. No mitigation is required.	Not applicable - No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: E) Other Public Facilities	Less than significant impact. No mitigation is required.	Less Than Significant

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Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
RECREATION (FROM THE INITIAL STUDY [APPENDIX A])		
Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less than significant impact. No mitigation is required.	Less Than Significant
4.5 TRANSPORTATION		
Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project result in inadequate emergency access?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Less than significant impact. No mitigation is required.	Less Than Significant
Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<u>Existing Plus Project Intersection, Roadway Segment, and Freeway Segment Impacts</u>: Significant impact. Mitigation is required. **4.5.6.1A.** Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframes established by the City of Moreno Valley Development Impact Fee Program.	Intersections and Roadway Segments: Less Than Significant Freeway Segments: Significant and Unavoidable

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
	4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.	
Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<u>Opening Year 2013 Cumulative With Project Conditions Project Intersection, Roadway Segment, and Freeway Segment Impacts:</u> Significant impact. Mitigation is required. **4.5.6.2A.** Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below. • Indian Street/South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.	Intersections and Roadway Segments: Less Than Significant Freeway Segments: Significant and Unavoidable
<u>Cumulative Impacts:</u> With the development of the proposed project and the cumulative projects, ten intersections and four roadway segments would require improvements in order to maintain the City's LOS standard. The LOS analysis for freeway segments and ramp merge/diverge areas indicates that three freeway segments and ramp merge/diverge areas would operate at unsatisfactory levels of service with the development of proposed project and cumulative projects.	Significant impact. Mitigation is required. **Mitigation Measures 4.5.6.1A, 4.5.6.1B and 4.5.6.2A.**	The roadway and intersection improvements are consistent with the City's General Plan and are included in the County's TUMF program, with the exception of Indian Street/South Project Driveway which would be constructed entirely by the project applicant. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element. For these reasons, the project's impacts to affected roadway segments will be mitigated

Table 1.B: VIP Moreno Valley - Environmental Summary

Thresholds of Significance	Significance Impact & Mitigation Measures	Level of Significance after Mitigation
		through payment of the City's DIF and the County's TUMF resulting in a less than significant impact. Improvements to affected freeway segments and ramp merge/diverge areas are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with the se identified freeway segments would remain significant and unavoidable until such improvements are constructed.
UTILITIES AND SERVICE SYSTEMS (FROM THE INITIAL STUDY [APPENDIX A])		
Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Less than significant impact. No mitigation is required.	Less Than Significant
Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Less than significant impact. No mitigation is required.	Less Than Significant
Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	Less than significant impact. No mitigation is required.	Less Than Significant
Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Less than significant impact. No mitigation is required.	Less Than Significant
Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant impact. No mitigation is required.	Less Than Significant
Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Less than significant impact. No mitigation is required.	Less Than Significant
Comply with federal, state, and local statues and regulations related to solid waste?	Less than significant impact. No mitigation is required.	Less Than Significant

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2.0 INTRODUCTION AND PURPOSE

This section of the Draft EIR describes the purpose and type of EIR, the intended uses of the EIR, documents incorporated by reference, and the process and procedures governing the preparation of the environmental document. Included in this section is a discussion of issues determined to be less than significant. This section also identifies topic areas of discussion and analysis in the Draft EIR and provides an outline of the document format.

2.1 DOCUMENT FORMAT

To assist the reader's review of the document, the following describes the format of this EIR.

Section 1.0 *Executive Summary* provides a summary of the EIR document and (in Table 1.B) the proposed project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures.

Section 2.0 *Introduction and Purpose* provides a discussion of the EIR's purpose, focus, legal requirements, and an outline of the document's format and content.

Section 3.0 *Project Description* provides a detailed description of the proposed project, discretionary actions required to implement the project, and objectives of the proposed project.

Section 4.0 *Existing Setting, Impacts, and Mitigation Measures* evaluates the impacts associated with the proposed project. This section is organized by issue area and follows the following framework:

- *Existing Setting*. Information in the existing setting contains a discussion of the local and regional environment conditions (environmental and man-made) in existence at the time the NOP was circulated for public review. Existing setting information provides the reader with the "baseline" from which future impacts are analyzed, and provides a standard against which to measure these impacts.
- *Existing Policies and Regulations.* Regulatory requirements and policies (federal, state, and local) applicable to the issue area are summarized.
- *Methodology.* Identification of methods and techniques utilized for analysis.
- *Thresholds of Significance*. Determinations regarding the significance of potential impacts resulting from implementation of the proposed project are provided. These thresholds represent the criteria used in this EIR to determine whether identified impacts are significant.
- *Impacts*. Potential impacts are identified based on implementation of the proposed project. An analysis of potential impacts of the proposed project is presented in this section. This discussion focuses on the impacts of implementation of the proposed project, and includes potential short-term/long-term and direct/indirect project impacts, and consistency with applicable planning documents or regulations.
    - *Mitigation Measures*. The measures proposed to mitigate any potential impacts of the proposed project.
    - *Level of Significance after Mitigation.* Discussion that provides a conclusion as to whether implementation of the mitigation measures will reduce the project-related and cumulative impacts to a level that is less than significant.

- *Cumulative Impacts.* This discussion focuses on the potential environmental effect of the proposed project combined with the effects of reasonably foreseeable development within the project study area.

Section 5.0 *Additional Topics Required by CEQA* contains discussions of additional topics required by CEQA, including unavoidable effects of the proposed project, growth inducement, and significant irreversible environmental changes.

Section 6.0 *Alternatives* contains discussion of alternatives to development of the proposed project. As intended by CEQA, sufficient information about each alternative is included to provide meaningful evaluation, analysis, and comparison with the proposed project. This section also evaluates the proposed effects of the No Project Alternative and identifies the environmentally superior alternative.

Sections 7.0–9.0 Contain listings of organizations and persons consulted in preparation of the EIR, references cited, a list of the EIR preparers, and acronyms used in the document.

The *Appendices* contain a copy of the NOP, NOP mailing list, NOP comment letters and responses, public scoping meeting information, technical reports, and other relevant correspondence received during the course of the analysis of the proposed project.

2.2 PURPOSE OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

Approval of the proposed project requires the following discretionary actions by the City:

- Certification of the Project EIR;
- Approval of a Tentative Parcel Map; and
- Approval of the Development Plan Review.

Because of these discretionary actions to be considered by the City, CEQA requires that the proposed project be reviewed to determine the environmental effects that would result if the project is approved and implemented. The City is the Lead Agency and has the responsibility for preparing and certifying this EIR prior to consideration of the proposed project. The City has the authority to make decisions regarding discretionary actions relating to implementation of the proposed project. Ministerial actions include approval of a Preliminary Water Quality Management Plan (P-WQMP) and Final WQMP (F-WQMP), Grading Plans, and Improvement Plans.

The objective of the Draft EIR is to inform City decision-makers, representatives of other affected/responsible agencies, the public, and other interested parties of the potential environmental consequences that may be associated with the approval and implementation of the proposed project. The Draft EIR also examines various alternatives to the proposed project and describes potential impacts relating to a variety of environmental issues and methods in which these impacts would be mitigated or avoided. This Draft EIR has been prepared in accordance with CEQA, California Public Resources Code Section 21000 *et seq.*; the *Guidelines for California Environmental Quality Act* (California Code of Regulations, Title 14, Chapter 3); and the rules, regulations, and procedures for implementing CEQA as adopted by the City.

2.2.1 Purpose of the California Environmental Quality Act

According to Section 15002 of *CEQA Guidelines*, the basic purposes of CEQA are to:

- Inform government decision-makers and the public about the potential significant environmental effects of proposed activities;

- Identify ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governing agency finds the changes to be feasible; and
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

2.2.2 Intended Use of This EIR

The City, as the Lead Agency, has the responsibility for reviewing and approving the project-related actions. Under contract to the City and as permitted under *CEQA Guidelines* (§ 15084[d-e]), LSA Associates, Inc. (LSA), an independent environmental consulting firm, has prepared the Draft EIR. Prior to certification, this EIR must be subjected to the City's independent review and analysis. The information and conclusions must represent the City's independent judgment. This Draft EIR has been prepared utilizing information from City planning and environmental documents, applicant-provided technical studies; and other publicly available data. This Draft EIR is intended to provide the City with relevant information to use in considering approval of the proposed project by the City, and will serve as an informational document to assess the environmental effects of the proposed project and mitigation measures recommended to avoid or minimize identified significant impacts. As a public disclosure document, the Draft EIR has been made available to public agencies and the public for review prior to the City's consideration of the discretionary actions required for project approval.

2.2.3 Incorporated Documents

CEQA *Guidelines* (§ 15150) permits the incorporation by reference of all or portions of other documents that are generally available to the public. Any documents incorporated by reference are to be made available to the public for inspection at a public place or public building and CEQA requires that the EIR state where the incorporated documents will be made available for public inspection. The following documents have been incorporated by reference:

- *City of Moreno Valley General Plan*, adopted June 11, 2006.
- *City of Moreno Valley General Plan Final Environmental Impact Report*, July 2006.

Information from these documents relates to the condition of the natural and built environment; the type and level of services provided; City objectives, goals, and policies; thresholds for the evaluation of potential environmental impacts; and mitigation measures incorporated into the analysis contained in this Draft EIR. All of the project-related documents are available for review at the following locations:

City of Moreno Valley
Community Development Department
Planning Division
14177 Frederick Street
Moreno Valley, California 92553
(951) 413-3206
e-mail: jeffreyb@moval.com
Hours:
Monday through Thursday: 7:30 a.m. to 5:30 p.m.
Friday: closed

Moreno Valley Main Library
25480 Alessandro Boulevard
Moreno Valley, California 92553
(951) 413-3880
Hours:
Monday–Thursday: 9:00 a.m. to 8:00 p.m.
Saturday: 9:00 a.m. to 5:00 p.m.
Friday and Sunday: closed

The Draft EIR and technical studies is available online at the City's website: http://www.moval.org.

2.2.4 Technical Reports

Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Draft EIR. The technical reports and other information included as appendices to this EIR include the following:

- Appendix A: *Initial Study, NOP, and NOP Comment Letters*, August 2011.
- Appendix B: Initial Study Technical Reports
  - Appendix B-1: *General Habitat Assessment, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., August 1, 2010.
  - Appendix B-2: *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 1, 2009.
  - Appendix B-3: *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 9, 2009.
  - Appendix B-4: *Focused Western Burrowing Owl Survey, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California*, Ecological Sciences, Inc., November 11, 2009.
  - Appendix B-5: *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Bouldevard Project, Moreno Valley, Riverside County, California,* Michael Brandman Associates, March 22, 2007.
  - Appendix B-6: *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.
  - Appendix B-7: *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.
  - Appendix B-8: *Preliminary Hydrology Report and Hydraulic Analysis for PA09-004, VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.
  - Appendix B-9: *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.
  - Appendix B-10: *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.
- Appendix C: *LESA Modeling Worksheets*, LSA Associates, Inc., August 2011.
- Appendix D-1: *Air Quality Analysis VIP Moreno Valley*, LSA Associates, Inc., August 2011.
- Appendix D-2: *Health Risk Assessment VIP Moreno Valley*, LSA Associates, Inc., August 2011.
- Appendix E: *Greenhouse Gas Emissions and Global Climate Change Study*, LSA Associates, Inc., August 2011.
- Appendix F: *Noise Impact Analysis VIP Moreno Valley*, LSA Associates, Inc., August 2011.

- Appendix G: *Traffic Study VIP Moreno Valley*, LSA Associates, Inc., January 2012.

In addition to these technical studies, this Draft EIR includes the Initial Study, NOP, Distribution List, and public responses to the NOP, which are included as Appendix A.

2.3 PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

This Draft EIR will be distributed to responsible and trustee agencies, other affected agencies, and interested parties. Additionally, in accordance with Public Resources Code 21092(b)(3), the Draft EIR will be provided to all parties who have previously requested copies. Notice of Completion and Availability of the Draft EIR will be distributed as required by CEQA. During the 45-day public review period, the Draft EIR and technical appendices will be made available for review.

Written comments regarding this Draft EIR should be addressed to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley, Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92553
Phone: (951) 413-3224
e-mail: jeffreyb@moval.com

After the 45-day public review period, written responses to all significant environmental issues raised will be prepared. These responses will be available for review for a minimum of 10 days prior to the public hearing before the Planning Commission, at which time the certification of the Final EIR will be considered. The Final EIR, which includes the Draft EIR, the public comments and responses to the Draft EIR, and findings will be included as part of the environmental record for consideration by the City decision-makers.

2.3.1 Initial Study and Notice of Preparation

The City formally initiated the environmental process with circulation of an NOP, which it sent to responsible agencies and interested individuals for a 30-day review period from August 26 to September 26, 2011. At the close of the public review period, the City had received 12 letters on the NOP. Summaries of the comments received during the NOP comment period have been previously identified in Section 1.3.1 of this Draft EIR. The NOP and the responses to the NOP from agencies and individuals are included in Appendix A of this EIR.

2.3.2 Public Scoping Meeting

A public scoping meeting was held to solicit public comment as to the scope of the EIR. This meeting was held on September 19, 2011, at 6:00 p.m. at the City of Moreno Valley City Council Chambers. Other than City staff and the EIR consultant, two members of the public attended and only one question was asked regarding the location of the project's soil export site.

2.4 POTENTIAL SIGNIFICANT IMPACTS OF THE PROPOSED PROJECT DISCUSSED IN THE EIR

As identified in the NOP, this Draft EIR includes an analysis of potential environmental effects associated with the following issues:

- Agricultural and Forest Resources
- Air Quality
- Greenhouse Gases and Global Climate Change
- Noise
- Transportation

2.5 EFFECTS FOUND NOT TO BE SIGNIFICANT

As required under CEQA (§ 15128), an EIR is to contain a statement supporting the Lead Agency's determination that some of the possible effects of a project are not significant and, therefore, are not discussed in detail in the EIR. The City has determined that potential impacts related to the following issue areas are either no impact, less than significant, or less than significant with implementation of mitigation measures (as indicated in the Initial Study (Appendix A). Mitigation that is identified for issues that were determined to be less than significant with the implementation of mitigation measures will be identified in the Mitigation Monitoring Plan that will be attached to the Final EIR and adopted by the City. The discussion below addresses each significance threshold as indicated in Appendix G of the CEQA Guidelines to make it clear to the reader which impacts are no impact, less than significant and less than significant with the implementation of mitigation measures.

2.5.1 Aesthetics

Would the project:

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. According to the Moreno Valley General Plan EIR, much of the existing development within the planning area is limited to the flat valley floor, preserving the views of the largely undeveloped surrounding hillsides. Existing urbanized development consists of residential, business park, commercial, office, and public uses, with single-family residential uses comprising the great majority of urbanized land. Non-residential urban uses are concentrated along major transportation corridors and around the joint civilian and military use March Air Reserve Base. The proposed project is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Although the General Plan identifies major scenic resources (i.e., surrounding mountains, San Jacinto/Hemet Valley, buildings, landscaping, and signs) in Moreno Valley as being visible from SR-60, the project would not affect views of these major scenic resources. In addition, the proposed project is consistent with development envisioned in the General Plan and Specific Plan 208, and based on the narrow definition of what constitutes a scenic vista as described in the City's General Plan EIR,[1] the potential impact to scenic vistas would be less than significant

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The proposed project is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity.[2] As noted in the discussion above, the City's General Plan identifies major scenic resources as being visible from SR-60 and the project would not affect views of these major scenic resources. In addition, the proposed site does not contain rock outcroppings,

[1] *Figure 5.11-1 Major Scenic Resources*, City of Moreno Valley General Plan Final Program EIR, July 2006.
[2] Caltrans California Scenic Highway Program, http://www.dot.ca.gov/hq/LandArch/scenic/cahisys.htm, website accessed June 8, 2011.

historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. As no impact to an identified scenic resource within a state scenic highway would result from development of the proposed on-site uses, no impact associated with this issue would occur.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. Visual impacts associated with changes to the general character of the *project site (e.g., loss of open area), the components of the visual settings (e.g., landscaping and* architectural elements), and the visual compatibility between proposed site uses and adjacent land uses would occur. The significance of visual impacts is inherently subjective as individuals respond differently to changes in the visual characteristics of an area. The project site is currently undeveloped with existing warehousing and industrial uses to the north, east, and west. Implementation of the proposed project would result in the construction and operation of approximately 1,616,133 square feet of warehouse distribution uses with associated parking areas, landscaping, and roadway infrastructure within approximately 71 acres. Therefore, development of the proposed project would change the character of the project site from open space to a more urbanized setting. The change in the character of the site would constitute an alteration of the existing visual character of the project site.

The proposed project features a variety of architectural elements including façade accents such as corner treatments and roof trim. The project would also provide variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation creates shadow lines at various times of the day. The proposed landscaping would replace the scattered weedy vegetation with a consistent and integrated vegetation palette. Landscaping on site would be provided in accordance with City Municipal Code Chapter 9.17, which requires the installation of landscaping on site and the planting of one tree for every 30 linear feet of building dimension that is visible from the parking lot or public right-of-way. The proposed project would also be required to install landscape and irrigation and provide screen walls to block view of activity in truck court. Additionally, the proposed project would include the installation of water-efficient landscaping throughout the development with landscaping proposed along the project perimeter, internal drives, and throughout the on-site parking areas. The City's Municipal Code (Section 19.05 and Table 9.05.040-8) establishes the number, location, height, and style of signage permitted within industrial zones. The submittal and approval of signs are required for all development in the City; therefore, it is reasonable to conclude that any on-site signs are internally compatible and consistent with the City's current signage standards. Adherence to City requirements would result in a less than significant level.

Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The proposed project would replace the existing vacant parcel with development that is visually compatible with existing development in the vicinity as well as the proposed future urbanization of the area through the use of architectural elements, landscaping, and project design. In addition, the proposed project would be designed and constructed per applicable City Municipal Code and General Plan standards. Therefore, because no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings is anticipated to result from the proposed project, no significant impact related to this issue would occur.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Currently, there are no sources of light or glare on the project site. Existing sources of light and glare from surrounding areas include streetlights, exterior lighting from the nearby warehouse buildings, and vehicle headlights from motorists driving along Perris

Boulevard. Development of the project site would introduce a new source of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings. It is anticipated that the materials utilized in the construction of the proposed lighting fixtures would be generally similar to those utilized in nearby warehouse uses within the City. Lighting within loading areas will be directed downward so as to not project lighting into the sky.

Exterior surfaces of the concrete tilt-up structure would be finished with a combination of architectural coatings, trim, glazing, and other building materials such as concrete and brushed metal. The proposed project is not expected to significantly increase the amount of daytime glare in the project area. All development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses. Therefore, impacts associated with this issue are less than significant

2.5.2 Biological Resources

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Potentially Significant Unless Mitigation Incorporated. The following discussion is based in part on the *General Habitat Assessment*[1] prepared for the proposed project, including focused burrowing owl, special status plant, and wetland determination studies contained in its appendices. Biological resources surveys were conducted on the project site in February, May, June, and July 2007, and August and October 2009.

The proposed project site was last used for agricultural purposes in 2005 and currently lies fallow. The site is disked annually to reduce weed growth and fire hazards. Portions of the site have also been scraped by earthmoving equipment associated with adjacent development, roadway work, construction equipment staging, and stockpiling. Non-native, ornamental trees are located in the southeast portion of the site. Four small depressions created by construction activities are located on the eastern edge of the site. A north-south ditch is located through the center of the site.

In general, the existing condition on site is characterized as a regularly disked field that supports little to no standing vegetation. Ruderal (weedy) herbs and grasses occupy portions of the site perimeter, the ditch, and depressions. Ruderal, invasive species observed on the site included Palmer's amaranthus (*Amaranthus palmeri*), Russian thistle (*Salsola tragus*), pigweed (*Chenopoium album*), cheeseweed (*Malva parviflora*), foxtail chess (*Bromus madritensis*), ripgut grass (*Bromus diandrus*), barely (*Hordeum murinum*), common sow thistle (*Sonchus oleraceus*), prickly lettuce (*Lactuca serriola*), five-hook bassia (*bassia hysopifolila*), knotweed (*Polygonum arenastrum*), and short-pod mustard (*Hirschfeldia incana*). Ornamental trees include gum tree (*Eucalyptus* sp.), pine (*Pinus* sp.), and Peruvian pepper (*Schinus molle*). Native plant species present on the site include common sunflower (*Helianthus annuus*), Rancher's fireweed (*Amsinckia menziesii*), California-aster (*Lessingia filaginifolia*), horseweed (*Conyza canadensis*), a few mule fat (*Baccharis salicifolia*), and one broom baccharis (*Baccharis sarothroides*). The ditch supports many of the ruderal species cited above as well as scattered night shade (*Solanum* sp.), pineapple weed (*Chamomilla suaveolens*), dog

[1] *General Habitat Assessment, 71-acre Site, APNs 316-210-071, -073, -075, -076*, Ecological Sciences, Inc. August 1, 2010.

mayweed (*Anthemis cotula*), curly dock (*Rumex crispus*), tarplant (*Centromadia pungens* ssp. *pungens*), willow-herb (*Epilobium ciliatum*), saltheliotrope (*Heliotropium curassavicum*), fleabane (*Conyza bonariensis*), thistle (*Cirsium* sp.), Rancher's fireweed, decaying stalks of cattails (*Typha latifolia*), one willow (*Salix* sp.), and invasive saltcedar (*Tamarix* sp.). The four depressions are dominated by brome grasses, filaree (*Erodium cicutarium*), mustards (*Brassica/Hirschfeldia* sp.), Russian thistle, Bermuda grass (*Cynodon dactylon*), aster, mayweed, telegraph weed (*Heterotheca grandiflora*), common sunflower, Australian saltbush (*Atriplex semibaccata*), fleabane, and nettle-leaved goosefoot (*Chenopoium murale*).

Birds observed on the site included the red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), Brewer's blackbird (*Euphagus cyanocephalus*), European starling (*Sturnus vulgaris*), rock dove (*Columbia livia*), Say's phoebe (*Sayornis saya*), northern mockingbird (*Mimus polyglottos*), western kingbird (*Tyrannus verticalis*), western meadowlark (*Sturnella neglecta*), morning dove (*Zenaida macroura*), house finch (*Carpodacus mexicanus*), and house sparrow (*Passer domesticus*). Reptiles observed on the site included the side-blotched lizard (*Uta stansburiana*) and western fence lizard (*Sceloporus occidentialis*). Mammals observed on the site included the California ground squirrel (*Spermophilus beecheyi*), desert cottontail (*Sylvilagus audubonii*), and pocket gopher (*Thomomys bottae*).

Thirty-one species in western Riverside County have special status under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). These include species that are listed as "endangered" or "threatened" under the FESA or that have been "proposed" or are "candidates" for such listing. These also include species that are listed as "endangered," "threatened," or "rare" under the CESA or that have been petitioned (i.e., are "candidates") for listing. The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) provides for the long-term survival of protected and sensitive species by designating a contiguous system of habitat to be added to existing public/quasi-public lands. The Plan includes an impact fee collected by the 16 member cities and other local agencies, including the City of Moreno Valley, used to acquire these lands. Depending on the location of a private or public development project, certain biological studies may be required to comply with the MSHCP. The MSHCP defines two distinct consistency processes for development projects based on their location within the MSHCP Plan Area, with separate processes for projects located outside of Criteria Areas and those within a Criteria Area. Through implementation of these requirements, development projects are found to be consistent with the MSHCP, and impacts to covered species are considered less than significant. The project site is not located within an MSHCP Criteria Area, but is located in an area requiring habitat assessments for burrowing owl (*Athene cunicularia*), five Narrow Endemic Plant Species (NEPS), and nine Criteria Area Plant Species (CAPS). A Jurisdictional Delineation is required to assess potential jurisdiction of the ditch running north/south through the center of the project site.

Species Status Avian and Burrowing Owl Species

Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site. Due to intensive disking that had occurred on site, only a few marginally suitable potential burrows were identified. Although burrowing owl is known to occur on land that has been disturbed, it tends to avoid heavily disked areas because potential burrows occlude/collapse. However, burrowing owls, and other native bird species protected under the Migratory Bird Treaty Act (MBTA), are very mobile and opportunistic species that can occupy a site. For this reason, **Mitigation Measures BIO-1** through **BIO-4** requiring pre-construction surveys will be implemented to reduce impacts to nesting birds and burrowing owl.

- **Mitigation Measure BIO-1:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction survey shall be completed by a qualified biologist. The survey will identify special status avian species (if any) within the area of intended disturbance. In the event no special status avian species are identified within the limits of disturbance, no further

mitigation is required. In the event such species are identified within the limits of ground disturbance, **Mitigation Measure BIO-3** shall apply.

- **Mitigation Measure BIO-2:** No more than 72 hours prior to initiation of ground-disturbing activities, a pre-construction burrowing owl survey shall be completed by a qualified biologist for the planned disturbance area. The pre-construction burrowing owl surveys may be conducted as part of the survey required in **Mitigation Measure BIO-1**. A report detailing the findings of the pre-construction survey shall be submitted to the City prior to the initiation of ground-disturbing activities. In the event no burrowing owls are identified within the limits of ground disturbance, no further mitigation is required. In the event burrowing owls are identified within the limits of ground disturbance, **Mitigation Measures BIO-3** and **BIO-4** shall apply.
- **Mitigation Measure BIO-3:** If nesting special status avian or burrowing owl species are determined to occupy a proposed area of disturbance, no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.
- **Mitigation Measure BIO-4:** If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation may be approved following consultation with the CDFG and/or USFWS. One-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not re-enter the holes/dens.

Implementation of the above-listed mitigation measures would reduce impacts to burrowing owl and special status avian species to a less than significant level.

Special Status Plant Species

The five NEPS and nine CAPS were not observed during the general survey (February 2007) and focused surveys (May, June, and July 2009) conducted on site. Overall, the project site lacks suitable habitat for these species due to historic agricultural activities. Nonetheless, focused surveys were conducted to cover the four depressed areas and the ditch. No special status plants were observed during the focused surveys. Because of the absence of members of the species and suitable habitat, a less than significant impact to special status plants would occur.

b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Wildlife Service?

Less than Significant Impact. Assessment of the MSHCP objectives associated with Riparian/Riverine Areas, Vernal Pools, and Fairy Shrimp is required because of the presence of the four depressions on the eastern project boundary and the ditch that runs north-south through the center of the site. This assessment was included in the *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation* prepared for the project.[1] No evidence of a natural stream course, riparian area, or vernal pool was observed during the February 2007 general site survey. Subsequent field survey in October 2009 identified mud cracks in the four depressions along the eastern project boundary. In 2007, this area had been recently scraped as part of the City's Perris Boulevard widening project. As part of the biological resources assessment for the roadway widening project, dry season fairy shrimp surveys yielded the presence of the common Lindahl's (versatile) fairy shrimp (*Branchinecta lindahli*), which is a non-listed species. The City mitigated impacts to the vernal pool by purchasing mitigation bank credits toward an off-site wetland mitigation bank. Complete mitigation of impacts to these vernal pools has been satisfied. No further analysis of this issue in the EIR is required.

[1] Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation, Ecological Sciences, Inc., November 1, 2009.

As stated in the jurisdictional survey report, water does not appear to remain in the ditch long enough to support wetland hydrology and extensive hydrophytic vegetation. The drainage ditch was created approximately 20 years ago in order to receive off-site drainage flows from the property to the north. That property and Grove View Road were developed last year, and drainage from the property to the north now flows into a storm drain located in Grove View Road. The ditch no longer accepts off-site flows and now only accepts minimal amounts of drainage from on-site sheet flow. In accordance with the MSHCP definition of a wetland habitat or a natural stream, the ditch was artificially created for the purposes of drainage and is therefore not defined as a wetland habitat or an altered natural stream course. For this reason, the proposed project would have a less than significant impact on riparian/riverine areas, vernal pools, and fairy shrimp.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less than Significant Impact. The potential for agency jurisdiction of the on-site drainage ditch was assessed as part of the previously referenced *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation* prepared for the project. The ditch does not meet the three-parameter test for jurisdiction (vegetation, hydrology, and soils). The jurisdictional survey report notes the ditch contains only one riparian indicator species, a willow tree. The ditch is not part of a remnant blue line stream or connected upstream or downstream from a known natural stream or modified natural drainage way. Soil samples at three locations indicated a lack of hydric soils. The proposed project would have a less than significant impact on protected wetlands.

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact. Habitat fragmentation occurs when a proposed action results in a single, unified habitat area being divided into two or more areas, such that the division isolates the two new areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of the habitat to another or from one habitat type to another. An example is the fragmentation of habitats within and around clustered residential development. Habitat fragmentation may occur when a portion of one or more habitats is converted into another habitat, as when scrub habitats are converted into annual grassland habitat because of frequent burning.

Upon completion, implementation of the MSHCP will create an interconnected link of natural habitat areas by utilizing existing public and quasi-public areas and acquiring additional areas to establish this interconnected link of natural habitats using fees collected by the member agencies as private land is developed. The resulting habitat areas will result in the protection of sensitive and special status species, partly through the interconnected habitat areas. Because the proposed project is not covered by a proposed or existing Core or Linkage as identified in the MSHCP, development of the site will not impede wildlife movement. The project site is not in proximity to any known wildlife corridors. Intervening development (industrial uses) and roadways adjacent to the project site separate the project site from surrounding areas. These features already restrict wildlife movement in the project vicinity. Due to the disturbed condition of the project site, the nature of adjacent development, and the intervening presence of roadways and infrastructure, development of the proposed project would not result in significant habitat fragmentation or substantially affect established wildlife corridors or wildlife movement. Therefore a less than significant impact associated with this issue would occur.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. City policies or ordinances identified in the General Plan protecting biological resources include mitigation of impacts to riparian areas or other natural sensitive communities (Policy 7.4.1), preservation of natural drainage courses in their natural hydrological state (Policy 7.4.3), and City fulfillment of obligations set forth within any agreements and permits related to MSHCP implementation (Policy 7.4.5). Adherence to Policy 7.4.5 was discussed previously in response to Questions a), b), and d) above.

The drainage ditch running north-south through the center of the project site does not contain the vegetation, hydrology, or soils characteristics associated with a wetland or natural drainage. As previously identified, the ditch is not considered a riparian area and therefore the project would not conflict with the City's polices to protect natural drainages and sensitive communities. Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources and a less than significant impact would occur.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?

Potentially Significant Impact Unless Mitigation Incorporated. See responses to Questions a), b), and d) above. The proposed project is located within the boundaries of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the MSHCP, a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in western Riverside County. The project is not within any MSHCP Criteria Areas or Public/Quasi-Public Land. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR HCP will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the MSHCP. The fee is currently $6,597 per acre.

2.5.3 Cultural Resources

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Less than Significant Impact. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the site contains a historic site and a historic isolate, which were recorded and evaluated for significance in accordance with CEQA. Based on the study, it was determined that the historic resource and historic isolate were not considered to be significant. Consequently, construction and grading of the proposed project site will not affect significant historic resources, resulting in a less than significant impact.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less than Significant Impact. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the site has a low potential for containing archeological resources due to the lack of such resources previously discovered in the surrounding area and the disturbed nature of the project site. Consequently, construction and grading of the proposed project site will have a low probability of damaging archeological resources. Impacts to archeological resources are considered to be less than significant.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact Unless Mitigation Incorporated. Based on the Phase I Cultural Resources Assessment and Paleontological Records Review prepared for the proposed project, the

site has a high potential to contain significant fossil resources due to the presence of early to middle Pleistocene alluvial fan deposits. These resources are the fossilized biotic remains of ancient environments valued for the information they yield about the history of the earth and its past ecological settings. These resources have the potential for being unearthed and damaged during grading and construction activities and are estimated to lie at approximately 4 feet below ground surface. Construction and grading of the proposed project site will result in soil disturbance below 4 feet, which may unearth previously undetected subsurface paleontological resources. **Mitigation Measure CUL-1** has been identified to reduce the significance of paleontological resource impacts.

Mitigation Measure CUL-1: Prior to construction involving excavation four feet or more below existing surface grade, the construction contractor shall provide evidence that a qualified paleontologist has been retained, and that the paleontologist(s) shall be present during all grading and other significant ground-disturbing activities that reach four feet or more below existing surface grade. If the paleontologist(s) do not find evidence for Pleistocene-era deposits once the maximum excavation depth is reached, monitoring shall be discontinued. In the event fossiliferous deposits are encountered, the following measures shall be implemented:

- Monitoring shall be conducted by qualified paleontological monitor(s) of excavation in areas identified as likely to contain paleontological resources, including undisturbed older Pleistocene alluvium. Paleontological monitors shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.
- Paleontological monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments are buried, but not otherwise disturbed, will not be monitored.
- If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.
- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Identification and curation of specimens into a professional, fully accredited museum repository with permanent retrievable storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities.
- Preparation of a report of findings with and appended itemized inventory of specimens. The report and report and inventory, when submitted to the City of Moreno Valley along with confirmation of the curation of recovered of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

Adherence to this measure would reduce impacts to paleontological resources to a less than significant level.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact. No evidence is in place to suggest the project site has been used for human burials.[1] The California Health and Safety Code states that if human remains are discovered on site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition.[2] Disposition of the human remains should occur in the manner provided in §

[1] *Chapter 5.10 Cultural Resources*, City of Moreno Valley General Plan Final EIR, July 2006.
[2] Division 7, *Dead Bodies;* Chapter 2, *General Provisions*, § 7050.5, California Health and Safety Code.

5097.98 of the Public Resources Code. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. As adherence to State regulations is required for all development, no mitigation is required in the unlikely event that human remains were discovered on the site. Therefore, impacts associated with the discovery of human remains would be less than significant.

2.5.4 Geology and Soils

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

   (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

   No Impact. The proposed project site is not located within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. The nearest faults are those that form the San Jacinto Fault Zone,[1] located approximately 7.0 miles from the project site. As such, the potential for fault ground rupture at the site is considered low; therefore, no impact related to this issue would occur

   (ii) Strong seismic ground shaking?

   Less Than Significant Impact. Like all of Southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. The maximum event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2.[2] The maximum credible earthquake (MCE) is generally less than or equal to design levels as defined by the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Adherence to the UBC and the California Building Code standards would ensure potential ground shaking impacts are reduced to a less than significant level.

   (iii) Seismic-related ground failure, including liquefaction?

   Less Than Significant Impact. Liquefaction is a phenomenon that occurs when strong earthquake shaking causes soils to collapse from a sudden loss of cohesion and undergo a transformation from a solid to a liquefied state. Factors influencing a site's potential for liquefaction include area seismicity, the type and characteristics of on-site soils, and the level of groundwater. Liquefaction typically occurs in areas where groundwater is shallower than approximately 30 feet, and where there is the presence of loose, sandy soils. According to the City's General Plan, liquefaction is not considered to be a local hazard since groundwater levels in Moreno Valley are far below the surface.[3] The project's geotechnical analysis[4] indicates that the depth of groundwater within the project vicinity is in excess of 100 feet. The proposed project site is not located in an area identified as being prone to liquefaction. The potential for earthquake-induced liquefaction within

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1 California Geological Survey, 2002 and 2005.
2 *Table 5.6-1 Potential Earthquake Scenarios for Moreno Valley*, Moreno Valley General Plan Final Program EIR, July 2006.
3 *Chapter 6 Safety*, City of Moreno Valley General Plan, July 11, 2006.
4 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

the proposed project is considered very low.[1] Because liquefaction at the project site is considered to be very low, a less than significant impact related to liquefaction would occur

(iv) Landslides?

No Impact. Landslides are rock, earth, or debris flows on slopes as a result of gravity. They occur on any terrain given the right conditions of soil, moisture, and the angle of slope and are triggered by rains, floods, earthquakes, and other natural causes as well as human-made causes, such as grading, terrain cutting and filling, excessive development.[2] The topography of the site is generally flat with a gentle slope from east to west and does not present any significant topographical features that would result in any landslide occurrences. No landslide impact would result from the development of the proposed on-site uses.

(b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Based on a review of the Soil Survey, Western Riverside Area, California,[3] the proposed project site is mapped as containing Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2). The erosion hazard for EnA, EpA, GyA, and RaA soils is slight, while EwB, EyB, and Tp2 soils have a slight to moderate erosion hazard. ReC2 soils have a moderate erosion hazard. Development would require the movement of on-site soils and the import of fill material. Prior to the issuance of grading permits, the project proponent would be required to prepare and submit detailed grading plans for the project site. These plans must be prepared in conformance with applicable standards of the City's Grading Ordinance.

Development of the site would involve more than one acre; therefore, the proposed project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) would also be required to address erosion and discharge impacts associated with the proposed on-site grading. In addition to preparation of an SWPPP, new development projects submitted to the City would be required to submit a project-specific Water Quality Management Plan (WQMP). The WQMP would identify measures to treat and/or limit the entry of contaminants into the storm drain system. The WQMP is required to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan.

As soils covering the majority of the project site have a slight to moderate erosion hazard potential, imported fill material would be approved by a soils engineering firm, and because the project would be required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, and prepare an SWPPP, construction and operational, impacts associated with soil erosion hazards are less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Potentially Significant Impact Unless Mitigation Incorporated. The project's geotechnical analysis[4] performed in-place density tests, which revealed that soil shrinkage that may occur would be approximately 10 percent to 15 percent due to excavation and recompaction. This is based on the assumption that the fill would be compacted to 90 percent of the dry density per ASTM standards. As a result subsidence is estimated at 0.2 feet due to earthwork operations. Impacts are considered potentially significant and mitigation measures are required. The geotechnical analysis determined that there is no potential for landslides or liquefaction. Additionally, potential impacts related to lateral

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1 *Figure 5.6-2 Seismic Hazards*, Moreno Valley General Plan Final Program EIR, July 2006.
2 American Planning Association Research, http://www.planning.org/landslides/docs/whatare.html, October 2007.
3 Soil Survey Geographic database (SSURGO)/Soil Data Mart, 2003.
4 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

spreading would be reduced to less than significant level through adherence to the UBC. The following mitigation measure would reduce potential impacts associated with unstable soils to a less than significant level.

Mitigation Measure GEO-1: Prior to the issuance of grading permits, any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557). In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

The on-site soils or approved import soils may be utilized for the compacted fill, provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete, or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 24 hours prior to importation to the site.

The approved fill soils shall be placed in layers not in excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2 percent of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90 percent relative compaction (in accordance with ASTM: D-1557) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every two feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread, or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Potentially Significant Impact Unless Mitigation Incorporated. Expansive soils generally have a significant amount of clay particles, which can give up water (shrink) or take on water (swell). The change in volume exerts stress on buildings and other loads placed on these soils. The extent of shrink/swell is influenced by the amount and kind of clay in the soil. The occurrence of these soils is often associated with geologic units having marginal stability. The distribution of expansive soils can be widely dispersed, and they can occur in hillside areas as well as low-lying alluvial basins.

As discussed above, soils on site include Exeter sandy loam, 0–2 percent slopes (EnA), Exeter sandy loam, deep (EpA), Exeter very fine sandy loam (EwB), Exeter very fine sandy loam, deep (EyB), Greenfield sandy loam (GyA), Ramona sandy loam (RaA), Ramona very fine sandy loam (ReC2), and Travor loamy fine sand, eroded (Tp2).[1] As detailed in the project's geotechnical analysis,[2] expansive soils were observed on the project site. Exploratory trenches revealed the existing earth materials on site to consist of a disturbed soil/fill and natural soil. A fill/disturbed natural soil classifying as a brown, sandy to clayey silt to a silty sand was encountered across the site and ranged in depth from 1 foot to 1½ feet. These soils were noted to be soft to loose and damp. An undisturbed alluvium soil classifying as a brown sandy to clayey silt to a silty sand was encountered beneath the disturbed top soils and fill. These native soils were noted to be firm to stiff, medium dense to dense, and moist.

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1 Soil Survey Geographic database (SSURGO)/Soil Data Mart, November 23, 1998.
2 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

Development of the proposed project site would be required to adhere to UBC and City design and engineering standards. However, because expansive soils are present on site, impacts associated with this issue are potentially significant and mitigation measures are required. The following mitigation measure would reduce potential impacts associated with expansive soils to a less than significant level.

Mitigation Measure GEO-2: Prior the issuance of grading permits, the project proponent shall inform the project engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the project's geotechnical analysis. The recommendations identified in the project's Expansive Soil Guidelines shall be reviewed and considered by the project engineers, architects, owner, maintenance personnel, and other interested parties to determine applicable design guidelines. Applicable design guidelines shall be included and implemented in the project's grading plans.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The proposed project would connect to the existing sanitary sewer system. Because septic or alternative waste disposal systems would not be utilized, no impact related to this issue would occur.

2.5.5 Hazards and Hazardous Materials

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The proposed project would result in the construction of industrial uses. Potentially hazardous materials such as fuel, paint products, lubricants, solvents, and cleaning products may be used and/or stored on site during the construction and/or occupancy of the proposed industrial facilities. The transport, use, and storage of hazardous materials during the construction and operation of the site would be conducted in accordance with all applicable state and federal laws. Compliance with all applicable laws and regulations would reduce the potential impact associated with the routine transport, use, storage, or disposal of hazardous materials to a less than significant level.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

Less Than Significant Impact. Exposure to hazardous materials during the construction and operation of the proposed on-site uses would result from (1) the improper handling or use of hazardous substances; (2) transportation accident; or (3) an unforeseen event (e.g., fire, flood, or earthquake). The severity of any such exposure is dependent upon the type, amount, and characteristic of the hazardous material involved; the timing, location, and nature of the event; and the sensitivity of the individual or environment affected.

The transport, storage, and handling of hazardous material is governed by existing local, state, and federal regulations, including applicable sections of the California Code of Regulations. In Moreno Valley, the Riverside County Community Health Agency, Department of Environmental Health is the local agency that has been certified by the California Environmental Protection Agency (CalEPA) to implement and ensure compliance with six state environmental and emergency programs. These programs include Hazardous Materials Business Plan/Emergency Response Plan, Hazardous Waste/Tiered Permitting, Underground Storage Tanks, Above ground Storage Tanks, California

Accidental Release Program, and the Uniform Fire Code Hazardous Materials Management Plan and Hazardous Material Inventory Statements. The Riverside County Community Health Agency, Department of Environmental Health, as the local agency charged with implementing these programs, will provide permitting, inspections, and enforcement with the required regulations. Hazardous wastes produced on site are subject to requirements associated with accumulation time limits, proper storage locations and containers, and proper labeling. Additionally, for removal of hazardous waste from the site, hazardous waste generators are required to use a certified hazardous waste transportation company, which must ship hazardous waste to a permitted facility for treatment, storage, recycling, or disposal.

As with any operation in which hazardous materials are utilized, any on-site activity involving hazardous substances must adhere to applicable local, state, and federal safety standards, ordinances, or regulations. Businesses engaged in the use, storage, or transport of hazardous substances are monitored by various local (e.g., Riverside County Fire Department) and State (e.g., Department of Toxic Substance Control) entities. Compliance with applicable regulations will ensure impacts associated with the use, transport, storage, and sale of hazardous materials will be less than significant.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The nearest existing school to the project site is Rancho Verde High school, which is located at 17750 Lasselle Street, approximately 1.0 mile to the east and El Potrero Elementary School at 16820 Via Pamplona Drive located approximately 1.0 mile to the northeast. There are no proposed schools located within a quarter mile of the project site. In the absence of an existing or proposed school within a quarter mile of the project site, no impact would occur.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. The Department of Toxic Substance Control (DTSC), which designates the sites for the Hazardous Waste and Substance Site (Cortese) List, does not indicate any underground storage tanks, hazardous waste generators, landfills, or other potentially hazardous materials located on the site.[1] The project site and adjacent sites were not listed in any of the databases searched, including the Cortese list. Although past agricultural activity, which included the use of pesticides, was occurring as recent as 2005, the Phase I Site Assessment concluded that common practices in the application of these pesticides, including the ordinarily limited quantities in which they are applied and limited lifespan of these materials, no significant environmental concerns remain on the site from the past use of these materials. The proposed project site is not noted on public records reviewed in the Phase I Site Assessment as a known source of hazardous materials contamination. As such, impacts are less than significant.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

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[1] *Phase I Environmental Assessment for the Evaluation of Potentially Hazardous Materials for Approximately 75 Acres Between Indian Avenue and Perris Boulevard, North of the Perris Valley Storm Drain, Moreno Valley, California 92551*, Centec Engineering, Inc., February 23, 2007/

Less Than Significant Impact. The nearest airport, March Reserve Base Airport, is located approximately 0.5 mile northwest of the proposed project site. The proposed project is located outside of the Accident Potential Zones (APZ) of the March Air Reserve Base Air Installation Compatibility Use Zone Study.[1] The proposed uses and building structure are therefore compatible with the permitted uses and building structure height restrictions for the March Reserve Base. The proposed project is also consistent with the permitted uses and building height restrictions contained in Specific Plan 208. No other airport exists within the City of Moreno Valley. The development of the proposed project uses would not result in a safety hazard to persons residing or working in the project area. A less than significant impact would occur.

g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed project is consistent with the General Plan Circulation Element and Specific Plan 208. The proposed project would be required to design, construct, and maintain structures, roadways, and facilities in accordance with applicable standards associated with vehicular access, resulting in the provision of adequate vehicular access that would provide for adequate emergency access and evacuation. Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures would reduce potential impacts related to this issue to a less than significant level.

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less Than Significant Impact. The project site is not located within a Fire Hazard Area or within an area susceptible to wildfires identified by the City of Moreno Valley.[2] Areas surrounding the project site consist of urban, built, and open space. Because of lack of abundant vegetation and the moderate amount of development within the vicinity of the project site, on-site and adjacent areas do not have the capability to support a wildfire. Because of the low probability that the project site would be subject or susceptible to wildland fires, no significant impact related to this issue would occur.

2.5.6 Hydrology and Water Quality

Would the project:

a) Violate any water quality standards or waste discharge requirements?

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner that would result in flooding on site or off site?

e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

Potentially Significant Impact Unless Mitigation Incorporated. Development of the project site is in excess of one acre; therefore, the project is required to obtain coverage under an NPDES permit, which includes the submittal of a Notice of Intent (NOI) application to the State Water Resources

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1 Air Installation Compatibility Use Zone Study for March Air Reserve Base, August, 2005. http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf. Accessed June 8, 2011.

2 *Figure 5.5-2 Floodplains and Fire Hazard Areas,* City of Moreno Valley General Plan Final Program EIR, July 2006.

Control Board (SWRCB), the receipt of a Waste Discharge Identification Number (WDID) from SWRCB, and the preparation of an SWPPP for construction discharges. During the construction period, the project would use a series of Best Management Practices (BMPs) to reduce erosion and sedimentation. These measures may include the use of gravel bags, silt fences, hay bales, check dams, hydroseed, and soil binders. The construction contractor would be required to operate and maintain these controls throughout the duration of on-site activities. In addition, the construction contractor would be required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the RWQCB.

The implementation of NPDES permits ensures that the state's mandatory standards for the maintenance of clean water and the federal minimums are met. Coverage with the permit would prevent sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. An SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES permit. The SWPPP is intended to facilitate a process whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed to prevent or control the discharge of pollutants in stormwater runoff.

The construction and grading phases of the project site would require the disturbance of surface soils and removal of existing vegetative cover. During the construction period, grading and excavation activities would result in exposure of soil to storm runoff, potentially causing erosion and sediment in runoff. If not managed through BMPs, the runoff could cause erosion and increased sedimentation in local drainage ways. By volume, sediment is the principal component in most storm runoff. Sediments also transport substances such as nutrients, hydrocarbons, and trace metals, which are conveyed to the receiving waters. The potential for chemical releases is present at most construction sites in the form of fuels, solvents, glues, paints, and other building construction materials. Once released, substances such as fuels, oils, paints, and solvents could be transported to nearby surface waterways and/or to groundwater in stormwater runoff, wash water, and dust control water, potentially reducing the quality of the receiving waters and potentially result in impairment of downstream water sources.

The NPDES permit program was established under Section 402 of the Clean Water Act, which prohibits the unauthorized discharge of pollutants, including municipal, commercial, and industrial wastewater discharges. An NPDES permit would generally specify an acceptable level of a pollutant or pollutant parameter in a discharge (for example, a certain level of bacteria). The permittee may choose which technologies to use to achieve that level. Some permits, however, do contain certain generic BMPs. Table 2.A lists BMPs for runoff control, sediment control, erosion control, and housekeeping that may be used during the construction and operations phases of the proposed project.

Table 2.A: General Best Management Practices

Runoff Control	Sediment Control	Erosion Control	Good Housekeeping
• Minimize clearing • Preserve natural vegetation • Stabilize drainage ways	• Install perimeter controls • Install sediment trapping devices • Inlet protection	• Stabilize exposed soils • Protect steep slopes • Complete construction in phases	• Create waste collection area • Put lids on containers • Clean up spills immediately

Source: National Pollutant Discharge Elimination System, Construction Site Storm Water Runoff Control, http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm, website accessed June 8, 2011. More detailed Best Management Practices are available at this web site.

Adherence to NPDES requirements is required of all development within the City. Incorporation of **Mitigation Measures HYD-01** through **HYD-03** is designed to track both standard requirements and mitigation measures as part of the project's MMRP. On-site grading activities and the development of the proposed on-site uses would increase the potential for the erosion of soils. However, adherence to the BMPs identified by the above mitigation measures would reduce impacts associated with short-

term (construction) stormwater discharges during project construction. Therefore, impacts associated with this issue are reduced to a less than significant level.

The proposed project would result in the conversion of existing on-site permeable surfaces to impermeable surfaces, thereby altering the current drainage pattern. Upon development of the proposed on-site uses, storm runoff from the roadways, parking lots, and buildings may carry a variety of pollutants. As identified in the Preliminary WQMP [1] prepared for the proposed project, expected pollutants are trash, debris, oil, and grease. Potential pollutants of concern include organic compounds (specifically solvents), metals, sediment/turbidity, nutrients, oxygen-demanding substances, and pesticides if landscaping or open area exists on the project site. Since the parking area is greater than 5,000 square feet, expected pollutants from parking lots include organic compounds (specifically petroleum hydrocarbons), trash, debris, oil, grease, and metals. Potential pollutants of concern associated with parking areas greater than 5,000 square feet include sediment/turbidity, nutrients, oxygen-demanding substances, pesticides, and bacteria and viruses (bacterial indicators are routinely detected in pavement runoff).

The site's "first flush" storm runoff will be directed to five (5) Austin sand filters at appropriate locations of the site. Hydro-dynamic clarifiers, equipped with oil absorptive and/or screening devices will be placed upstream of the filters where appropriate to provide initial removal of trash, debris, and sediment. Three (3) of the storage areas of these filters will be lined with concrete to prevent recontamination of sediment. The fourth Austin sand filter located at the south property line opposite the center of the building will accept flows from a flat gradient, landscaped swale, which is intended to allow sediment to drop out of suspension prior to being treated by that Austin sand filter. The fifth Austin sand filter will utilize a combination of both approaches (clarifier and settling). Once the required treatment quantities have been captured, bypass designs will allow the excess runoff to be discharged into adjacent off-site storm drain facilities. The design will not incorporate infiltration due to excessively low percolation rates.

The storm water for the proposed project will discharge into existing storm drains located in Perris Boulevard (Perris Valley ADP Lateral B-1) and Indian Street (Perris Valley ADP Lateral B-3), as well as directly into the Perris Valley Storm Drain Lateral B channel. From the Perris Boulevard and Indian Street storm drains, the storm water will be discharged into the Perris Valley Storm Drain Lateral B channel and onto the proximate receiving water, which is Reach 3 of the San Jacinto River. This water body segment flows into Canyon Lake, Reach 1 of the San Jacinto River, and Lake Elsinore. Both Canyon Lake and Lake Elsinore are on the Federal 303(d) list of Impaired Water Bodies. Downstream receiving waters include Reach 3 of the Santa Ana River, Reach 2 of the Santa Ana River, Reach 1 of the Santa Ana River, and the Pacific Ocean. The waters on this list do not meet Water Quality Standards associated with Beneficial Uses for the listed water bodies. Canyon Lake is impaired for nutrients and pathogens, Lake Elsinore is impaired for nutrients, organic enrichment/low dissolved oxygen, sedimentation/siltation, and unknown toxicity. Santa Ana River is impaired for pathogens. Lake Elsinore is considered a closed system and is not discharged regularly. Only during severe storm events do flood waters discharge into Temescal Creek.

The implementation of the identified treatment controls is planned to further supplement the pollution prevention and source control measures by treating the water to remove pollutants before it is released from the project site. Basins constructed on the site would be anticipated to function as extended detention basins. The proposed project also includes the use of vegetated swales and sand filters, which would filter runoff coming from the project site. The use of the detention basins, vegetated swales, and sand filters has a medium-to-high removal efficiency for the pollutants that are anticipated to occur on the project site.

Although adherence to the Riverside County Storm Water Clean Water Protection Program, which includes the preparation of a WQMP, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure HYD-04** is designed to track both standard requirements and mitigation measures as part of the project's MMRP.

[1] *Preliminary Water Quality Management Plan for VIP Moreno Valley, Robert* A. Bebensee, R.C.E, July 24, 2009.

The proposed project would incorporate on-site drainage that would have hydrodynamic infrastructure components that would meet the City's, as well as the County's, water quality and flow requirements. Through the use of site design BMPs, source control BMPs (e.g., street and parking lot sweeping and vacuuming), and treatment control BMPs (e.g., extended detention basins, sand filters and catch basin drain inserts), the resulting pollutant loads coming from the proposed project would be reduced, thereby ultimately reducing pollutants discharged from urban stormwater runoff to surface water bodies. Because adherence to the requirements of the NPDES permit, which include implementation of the BMPs outlined in the WQMP, would be required by the City during the operation of the proposed project, potential water quality impacts resulting from stormwater and urban runoff would be reduced to a less than significant level.

Mitigation Measure HYD-01: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) with the Regional Water Quality Control Board has been filed to be covered under the State NPDES General Construction Permit for discharge of stormwater associated with construction activities.

Mitigation Measure HYD-02: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall submit to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and non-visible discharges from the site. BMPs to be implemented in the SWPPP may include but shall not be limited to the following:

- Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.
- The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.
- Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.
- The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

Mitigation Measure HYD-03: Prior to the issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.

Mitigation Measure HYD-04: Prior to grading plan approval and the issuance of a grading permit by the City, the project proponent shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollutants of concern, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less Than Significant Impact. The availability of ground water and issues involving the adequacy of recharge capability are regional in nature. The Groundwater Management Act[1] (AB 3030) provides a systematic procedure for an existing local agency to develop a groundwater management plan. AB 3030 allows a local agency whose service includes a groundwater basin that is not already subject to groundwater management pursuant to law or court order to adopt and implement a groundwater management plan and includes plans to mitigate overdraft conditions, control brackish water, and to monitor and replenish groundwater. There are currently few domestic uses for groundwater in the area as the City primarily relies upon imported water from the Eastern Municipal Water District (EMWD).[2] Water sources for the EMWD include imported water purchased from the Metropolitan Water District (Metropolitan), groundwater sources, and recycled water from the EMWD's five regional water reclamation facilities. Approximately 75 percent of the EMWD's water is imported from Metropolitan, with the remaining 25 percent supplied by groundwater wells.[3] Groundwater supplies are drawn from the EMWD wells located in the Hemet, San Jacinto, Moreno Valley, Perris Valley, and Murrieta areas.

The EMWD adopted the West San Jacinto Groundwater Basin Management Plan (Plan) in June 1995. The Plan serves to protect the interests of existing groundwater producers and to provide a framework for new water supply projects within the 256-square mile Management Plan area. This Plan encompasses more than 164,200 acres and includes the groundwater management zones, as well as essentially non-water bearing areas such as the Lakeview Mountains, the Bernasconi Hills around Lake Perris, the Double Butte area near Winchester, and areas in the extreme northern, western, and southern portions of the EMWD.[4]

Based on the Water Supply Assessment (WSA) prepared for the proposed project, water demand for the proposed on-site uses would total 49,805 gpd or 55.8 AFY.[5] The proposed project would obtain water service from the EMWD. It is anticipated that the proposed project would primarily utilize imported water purchased from Metropolitan. This imported water would be supplemented by local groundwater sources. The implementation of the existing West San Jacinto Groundwater Basin Management Plan would ensure that local groundwater resources are conserved and groundwater overdraft does not occur. Because this plan is in place, it is reasonable to conclude that the proposed project would not substantially deplete groundwater supplies in the area.

The proposed project would not interfere with groundwater recharge as the project site is not identified as a groundwater recharge area. The development of the proposed project would reduce the amount of pervious surfaces that could facilitate percolation on site. However, the proposed project would consist of other project design features such as sand filters that would be designed to offset the conversion of pervious surfaces to impervious surfaces. Because project design features

1 Sections 10750–10756 of the California Water Code.
2 *Section 5.7 Hydrology/Water Quality, Moreno Valley General Plan Final Program EIR*, City of Moreno Valley, July 2006.
3 EMWD History and Mission, http:// www.emwd.org/emwd/history_water.html, Eastern Municipal Water District, web site accessed June 8, 2011.
4 *West San Jacinto Groundwater Basin Management Plan* 2006 Annual Report, Eastern Municipal Water District, June 2007.
5 Table 7- Project Demand, *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

would be sized to accommodate increased flows on site, it is anticipated that the amount of water percolated on site would be similar to existing conditions. Therefore, the proposed project would not interfere with groundwater recharge activities. Impacts associated with this issue are less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?

Potentially Significant Impact Unless Mitigation Incorporated. As identified in the preliminary hydrology report[1] prepared for the proposed project, storm flows generated from the northerly portion of the proposed building and truck court would be collected by a series of drop inlet catch basins. Storm water runoff generated on site would be routed to three Austin sand filters and pre-treatment hydro-dynamic clarifiers that are intended to remove and reduce the amount of oils, sediment and trash from the storm water. The treated water from these sand filters is pumped into an adjacent on-site storm drain. The on-site storm drain system has been designed to accept a full 100-year storm event and flows would ultimately be routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard that connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from the westerly side of the proposed building would be collected by a drop inlet catch basin and routed by pipe to a landscaped swale that would be located along the southerly portion of the property. In the event that the landscape swale receives excess flows, the excess flows would be then routed to a second drop inlet catch basin. From the second drop inlet catch basin, flows would continue to an off-site catch basin and ultimately be routed to the Perris Valley ADP Lateral B-3 in Indian Street, which connects to the Perris Valley Storm Drain Lateral B channel. Storm water runoff generated from the easterly side of the building would be collected by a drop inlet catch basin and route via pipe to a hydro-dynamic clarifier then to an Austin sand filter located in the southeasterly corner of the project site. In the event that the clarifier and sand filter receive excess storm flows, these excess storm flows would be routed to an off-site catch basin and ultimately routed to the Perris Valley ADP Lateral B-1 in Perris Boulevard, which connects to the Perris Valley Storm Drain Lateral B channel. Storm flows generated from would also be routed to a landscaped swale running along the southerly portion of the project site. Flows would then be routed to an Austin sand filter located near the center of the site and ultimately routed to four existing 36-inch diameter reinforced concrete pipes (RCPs) that connect to Lateral B of the Perris Valley Channel. The Austin sand filter located in the southeasterly corner of the project site would also accept stormwater flows from the project site. In the event that flows are in excess of what the sand filter can handle, the excess flows would be directed back to the southerly landscaped swale, and ultimately to an existing 30-inch diameter RCP that connects to Lateral B of the Perris Valley Channel.

To reduce the flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's drainage system would accept and accommodate runoff that would result from project construction at or below pre-project conditions. Therefore, the post-development flows generated on the project site would not exceed the capacity of the planned storm water drainage systems. To ensure that long-term drainage capacity issues are reduced to a less than significant level, **Mitigation Measure HYD-05** has been identified. With adherence to this mitigation measure, impacts associated with this issue are less than significant.

Mitigation Measure HYD-05: Prior to grading plan approval and the issuance of a grading permit, the project proponent shall submit a detailed grading plan and drainage report, with supporting engineering calculations, to the City Engineer for review and approval. The plan and report shall incorporate relevant requirements identified by the City and/or site-specific geotechnical

[1] *Preliminary Hydrology Report and Hydraulic Analysis for APA09-0004 VIP Moreno Valley,* Robert A. Bebensee, R.C.E, March 27, 2009.

investigations. The plan and report shall provide evidence that the storm drainage system would be adequate to convey water for the 100-year storm event from the project site and that the post-development flows exiting the proposed project site are less than or equal to pre-development flows.

g) Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The project does not include a residential component; therefore, it would not place housing within a 100-year flood hazard area, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map. No impact related to this issue is anticipated to occur with the implementation of the proposed project.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Less Than Significant Impact. Flooding in the City of Moreno Valley could result from intense storms resulting in rapid runoff. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identify areas subject to flooding during the 100-year storm.[1] Based on these FIRM maps, the project site does not fall within a 100-year flood zone.[2] The proposed project is industrial in nature and the implementation of the proposed project would not result in the placement of structures within a 100-year flood plain. Because the project site does not lie within a 100-year floodplain, impacts related to this issue are less than significant.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. The nearest dam to the project site is the Lake Perris Dam located approximately 1.6 miles east of the project site. The project site is not identified as being located within the City's mapped inundation area;[3] therefore, the proposed project would not result in the exposure of people or structures to risk of loss, injury, or death involving flooding as a result of failure of the Lake Perris Dam. No impacts related to this issue would occur.

j) Expose people or structures to inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. A tsunami is a series of waves generated in a body of water by a pulsating or abrupt disturbance that vertically displaces water. Inundation of the proposed project's site by a tsunami is highly unlikely as the project site is approximately 40 miles northeast of the Pacific Ocean. Seiches are oscillations in enclosed bodies of water that are caused by a number of factors, most often wind or seismic activity. The nearest water feature is Lake Perris approximately 1.5 miles east of the project site. Any seiche-related events would likely be of a lesser extent than the failure of the Lake Perris Dam. Therefore, although the proposed project site is located near Lake Perris, seiche-related flooding is not anticipated to occur on site[4] because the proposed site outside of the Lake Perris Dam inundation zone. The project site is not located within an area that is susceptible to mudslide. For these reasons, a less than significant impact associated with this issue would occur.

2.5.7 Land Use

Would the project:

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1 The term "100-year" is a measure of the size of the flood, not how often it occurs. The "100-year flood" is a flooding event that has a one percent chance of occurring in any given year.
2 FEMA DFIRM Flood Data, 2008.
3 *Figure 5.5-2 Floodplains and Fire Hazard Areas*, City of Moreno Valley General Plan Final Program EIR. July 2006.
4 *Figure 5.5-2 Floodplains and Fire Hazard Areas*, City of Moreno Valley General Plan Final Program EIR. July 2006.

a) Physically divide an established community?

No Impact. As previously stated, the project site is currently undeveloped and is a fallow field. There are no structures existing on site. The Perris Valley Storm Drain Lateral B forms the southern boundary of the site and is also the City's southern limits. Adjacent land uses include primarily vacant land to the south across the Perris Valley Storm Drain Lateral B intermixed with warehouse uses, vacant land and an industrial warehouse use to the west, and industrial and warehouse uses to the north and east. Existing homes are located at the northwest corner of Indian Street and Grove View Road and an existing plant nursery is located at the southeast corner of Perris Boulevard and the Perris Valley Storm Drain Lateral B channel. There are no other residential uses in the vicinity of the proposed project site. The site would not be located within or divide an existing neighborhood, nor would it introduce a barrier between residential uses.

b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. The applicable land use plans governing the proposed project site are the City of Moreno Valley General Plan (Moreno Valley 2006) and the Moreno Valley Industrial Area Specific Plan 208 (Moreno Valley 2002). Other applicable regional plans developed by the Southern California Association of Governments (SCAG) include the Regional Comprehensive Plan [SCAG 2008b: (RCP)], and Regional Transportation Plan [SCAG 2008a: (RTP)]. The existing General Plan land use designation underlying the proposed project site is Business Park/Industrial with an existing Zoning designation of Industrial per Specific Plan 208, with supporting commercial permitted at the Perris Boulevard/Grove View Road intersection. The proposed warehouse use is consistent with the City's General Plan land use designation as well as the Zoning identified in Specific Plan 208. Consistency with existing General Plan land use designation and Zoning designations ensure compatibility with the City of Moreno Valley General Plan Goals and Policies.

Other applicable land use plans underlying the proposed project site include the March Air Reserve Base AICUZ Study) and the Southern California Association of Governments Regional Comprehensive Plan and Regional Transportation Plan.

As described in the City's General Plan Final EIR, [1] the three proposed General Plan Alternatives would result in the development of land surrounding the March Air Reserve Base. Based on the allowable uses identified in the AICUZ, the proposed development under any of the three General Plan Alternatives would be consistent with the AICUZ guidelines for land uses within the areas most susceptible to air crashes. The project is outside of the APZ crash zones identified in the AICUZ, but is within the noise contours. Because the proposed project is consistent with the existing General Plan, the proposed project would be consistent with the AICUZ. No significant land use impact would occur.

The SCAG has prepared the 2008 RCP to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the region. The RCP is a major advisory plan prepared by the SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance.

The RCP's overall goal is to reinvigorate the region's economy, avoid social and economic inequities and the geographical dislocation of communities, and to maintain the region's quality of life. The document is described as a regional policy framework for future land use decisions in the SCAG area that respects the need for strong local control, but that also recognizes the importance of regional comprehensive planning for issues of regional significance.

[1] *Moreno Valley General Plan Final EIR*, City of Moreno Valley, July 2006.

Formulation of the RCP is based on input from local jurisdictions based on what is contained within their respective General Plans. The proposed project is consistent with the City's existing General Plan. As such, implementation of the proposed project would not result in unanticipated growth documented in the RCP. Impacts are less than significant.

The 2008 RTP adopted by the SCAG in May 2008 contains a set of existing socioeconomic projections used as the basis for the SCAG's transportation planning efforts. They include projections of population, housing, and employment at the regional, county, sub-regional, jurisdictional, Census tract, and transportation analysis zone levels. The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections.

The proposed project is consistent with the RTP in that it would be required to adhere to the City of Moreno Valley's General Plan and the City's Industrial Area Plan. The General Plan and Industrial Area Plan contain goals and policies that aim to minimize traffic congestion, provide adequate transportation facilities, and require development to pay its share of costs. The goals and policies identified in the City's General Plan and Industrial Area Plan resemble those of the RTP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Furthermore, the project will be consistent with the General Plan and Industrial Area Plan and, since the General Plan and Industrial Area Plan is required to be consistent with the RTP, it is reasonable to infer that the project is consistent with policies set forth in the RTP.
Impacts are less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Refer to the discussion on the Western Riverside County MSHCP in Section 2.5.2.

2.5.8 Mineral Resources

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. There are no identified Mineral Resource Zones (MRZ) located with the General Plan Study Area.[1] The project site has been historically been utilized for agricultural production and does not harbor any known mineral resource. Implementation of the proposed project would not result in the loss of availability of a known mineral resource. No impact related to this issue would occur.

2.5.9 Population and Housing

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

[1] *Section 5.14 Mineral Resources*, City of Moreno Valley General Plan EIR, July 2006.

Less Than Significant Impact. The California Department of Finance (DOF) estimates the City's population at 195,216 persons as of January 1, 2011.[1] As detailed in Table 2.B, SCAG projections estimate the population of the City, the County of Riverside, and the SCAG region would continue to grow.

Table 2.B: Local and Regional Population, Housing, and Employment Projections

	2015	2020	2025	2030	2035
Population					
City of Moreno Valley	206,657 220,3	90 234,4	10 246,8	04 258,3	50
Riverside County	2,509,330	2,809,003 3,089,9	99 3,343,7	77 3,596,6	80
SCAG *	20,465,819 21,46	8,934 22,	395,124 23,25	5,378 2,405	7,292
Housing					
City of Moreno Valley	55,407 60,02	5 64,69	9 69,35	3 72,97	7
Riverside County	811,486	913,207	1,008,909 1,097,9	50 1,183,0	97
SCAG	6,474,074 6,840,3	31 7,	156,635 7,449,4	84 7,710,7	16
Employment					
City of Moreno Valley	49,414 61,97	4 71,35	9 80,66	7 91,64	2
Riverside County	911,381	1,042,145 1,168,7	69 1,295,4	87 1,413,5	22
SCAG	8,811,402 9,183,0	26 9,	546,782 9,913,3	72 10,28	7,122

*Includes Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties.
Source: *Regional Transportation Plan Growth Forecast by City*, Southern California Association of Governments, adopted April 1, 2008.

The SCAG projects the City's population would grow to 206,657 persons by the year 2015 and 258,350 persons by the year 2035. The proposed project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space[2]. The extent to which new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. The construction of the proposed project would create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the project area; therefore, construction of the proposed project would not generate a permanent increase in population within the project area. Utilizing 1 employee per 2,500 square feet of warehousing space, the proposed project is expected to employ 646 people.[3] As most of the new employment opportunities are anticipated to be filled by existing local area residents, a large influx of new residents to the City is not anticipated. Additionally, the project would not directly affect population growth as compared with new residential development, because it is not creating homes. While the proposed project would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Infrastructure, including roads, sewers, water, and electricity, already exists around the project site. These impacts are considered less than significant.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

[1] E-5 Population and Housing Estimates, for Cities, Counties, and the State, 2010–2011, with 2010 Benchmark, State of California Department of Finance, http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/documents/E-5_2011_Internet_Version.xls, May 2011, website accessed June 7, 2011.
[2] Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.
[3] 1 employee per 2,500 square feet, 1,616,133 sf ÷ 2,500 sf = 646 employees.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed project site consists of undeveloped land with no residential structures located within the project limits. Therefore, no displacement of housing or residents would occur and construction of replacement housing is not required.

2.5.10 Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire Protection

Less Than Significant Impact. The City of Moreno Valley contracts with the Riverside County Fire Department to provide fire protection, fire prevention, and emergency services to its residents. The fire station nearest the project site is Station No. 65 (Kennedy Park Fire Station), located at 1511 Indian Street, 3.0 miles north of the proposed project site. The proximity of Station No. 65 to the project site is sufficient to meet the City's General Plan performance standard requiring a response time of five minutes or less. As with any new development, the proposed project would increase the need for fire protection services within the City. While the proposed project would increase the need for fire protection, it would not require the construction of new fire facilities to maintain acceptable service ratios, response times, or other performance objectives. The proposed project would be required to adhere to all standards and conditions required by the City and the Riverside County Fire Department including, but not limited to, restrictions on project design, the imposition of construction standards, and including the payment of impact fees. Adherence to these standards would reduce potential impacts related to the provision of fire protection services and the need for the construction of new facilities which would result in adverse physical impacts to a less than significant level.

b) Police Protection

Less Than Significant Impact. The City of Moreno Valley contracts police services from the Riverside County Sheriff's Department. The Moreno Valley Police Department (MVPD) operates out of the Central Police Station, located at 22850 Calle San Juan de Los Lagos. The MVPD has 143 authorized sworn personnel and 45.5 authorized civilian personnel.[1] As with any new development, the proposed project would increase the need for police protection services within the City. The proposed project would be required to adhere to all standards and conditions required by the City and the MVPD, including the payment of impact fees. Adherence to conditions and standards identified by the City and the MVPD are required of all development within the City. While the proposed project would increase the need for police protection, it would not require the construction of new facilities to maintain acceptable service ratios, response times, or other performance objectives. The proposed project would result in a less than significant impact, and no additional mitigation is required. With adherence to City and MVPD requirements, no need for the construction of police facilities which would result adverse physical impacts would occur.

c) Schools

Less Than Significant Impact. The proposed project site is located within the Moreno Valley Unified School District (MVUSD). The proposed project does not include the construction of residential

[1] *Section 5.13 Public Services and Utilities*, The City of Moreno Valley General Plan Final EIR, July 2006.

dwelling units. There is a potential for the employees to move within the vicinity of the project; however, it is not anticipated that the growth would significantly impact existing school services or facilities.

Per California Government Code (§ 65995[h]), "The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts … on the provision of adequate school facilities." MVUSD requires the payment of 47 cents per square foot of industrial development.[1] With the payment of required fees and with no additional students generated from the proposed project, no significant impacts related to the provision of school services would occur. Upon payment of required fees, a less than significant impact to school services and/or facilities would occur. In the absence of a significant impact, the construction of new facilities that would result in a significant environmental impact would not occur.

d) Parks

*No Impact***.** The project does not include recreational facilities. Neighborhood or regional parks are not associated with industrial projects; therefore, there will be no impacts associated on these facilities from the proposed project.

e) Other Public Facilities

Less Than Significant Impact. The proposed project is an industrial project and, as a result, would not cause in an increase in population resulting in a significant impact on other public facilities such as libraries and hospital services. The local library serving the City is the Moreno Valley Public Library located at 25480 Alessandro Boulevard approximately 4.0 miles north of the project site. The nearest health service facility is the Moreno Valley Community Hospital located at 27300 Iris Avenue in the City of Moreno Valley approximately 3.5 miles northeast of the project site. The proposed project does not include a residential component and would not contribute to a direct increase in population. As there is no direct increase in population resulting from the proposed project, no new significant demand on library or medical facilities would occur. In the absence of a significant impact, the construction of new facilities that would result in a significant environmental impact would not occur.

All on-site access, parking areas, utilities, and structures would be maintained by the project applicant or operator of the proposed facility. Maintenance of public facilities and infrastructure would not be significantly altered by the development of the proposed project. The proposed project would not add any significant new public facilities that would require maintenance. In addition, the project proponent would be required to pay all developmental fees required by the City of Moreno Valley. Additionally, as with any industrial operation, the proposed project would provide revenue to the City in the form of fees, property taxes, etc. It is anticipated that the payment of such monies would offset any increased maintenance burden associated the development of the project site; therefore, potential impacts associated with this issue are anticipated to be less than significant.

2.5.11 Recreation

Would the project:

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. The proposed project does not include a residential component and is unlikely to significantly increase local or regional populations; therefore, the proposed project would not cause a significant increase in the use of existing neighborhood or regional parks or other

[1] *School Developer Impact Fees*, Moreno Valley Unified School District, http://www.mvusd.net/, website accessed June 7, 2011.

recreational facilities in the area. Impacts associated with this issue are considered less than significant.

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact. The proposed project would result in the construction and operation of a warehouse distribution facility. Implementation of the proposed project does not include the construction or expansion of recreational facilities. Therefore, no impacts associated with this issue would occur.

2.5.12 Utilities and Service Systems

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. The proposed project would be required to comply with the applicable waste discharge prohibitions and water quality objectives established by the Santa Ana RWQCB. The project proponent would also be required to satisfy City and EMWD requirements related to the payment of fees and/or the provision of wastewater conveyance features, and installation and maintenance prior to the issuance of building permits. Adherence to requirements included in the NPDES permit, SWPPP, WQMP, and EMWD wastewater conveyance standards would reduce potential wastewater quality impacts to a less than significant level.

b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. Wastewater flows from the proposed project site would be handled by the EMWD and would be conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF) located in the southwestern portion of the City. Current capacity at this facility is 16 million gallons per day (mgd) with an existing average inflow of approximately 11.2 mgd per day.[1] The MVRWRF will ultimately be expanded to accommodate 41 mgd. Under current conditions, the average daily surplus treatment capacity is approximately 4.5 mgd. Generally, water use and wastewater flows are related in that wastewater is generated from indoor water uses. For industrial uses, typical wastewater generation factors are 1,700 gallons per day (gpd) for every acre of gross industrial uses.[2] Based on this generation factor, up to 63,070 gallons (0.063 mgd) of wastewater would be generated from the project site.[3] The additional wastewater treatment demand of 0.063 mgd resulting from development of the proposed project totals approximately 1.4 percent of current surplus treatment capacity. Because the amount of wastewater generated would be within the existing surplus treatment capacity, the proposed project would not require the construction of a new water or wastewater treatment facilities or expansion of existing facilities, which could cause

1 Eastern Municipal Water District Moreno Valley Regional Water Reclamation Facility. http://www.emwd.org/news/Insights/insights_moval.pdf, accessed June 7, 2011.

2 *Table 1 – EMWD System Design and Loading Criteria – Average Daily* Flow, Eastern Municipal Water District Sanitary Sewer System Planning & Design Principle Guidelines Criteria, September 2006.

3 1,616,133 square feet of warehouse uses ÷ 43,560 square feet/acre = 37.10 acres of warehouse uses; 1,700 gallons per acre of industrial use per day × 37.10 acres = 63,070 gallons per day (0.19 acre-foot) or 0.063 million gallons per day (mgd).

significant environmental effects; and impacts related to this issue would be considered less than significant.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. There is existing storm drain infrastructure in the vicinity of the proposed project that is capable of accommodating most existing storm water flows. Approvals of drainage features/improvements are made through the plan check process. As part of this process, all project-related drainage features would be required to meet the City's Public Works Division and RCFCWCD standards. The installation of project-related storm drain systems would occur within an existing urbanized area and the on-site storm drain system would be designed, installed, and maintained per Public Works Division and RCFCWCD standards. Because the project would be required to design and install drainage systems according to standards and provisions set forth by the City of Moreno Valley and RCFCWCD, impacts related to this issue are anticipated to be less than significant.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less Than Significant Impact. There has been a shift in the water demand patterns in the last 15 years, as a residential market has replaced an agricultural market. Metropolitan, based on the IRP update and IRPSIM [1] model, has stated that with the addition of all water supplies existing and planned, it would have the ability to meet all of its member agencies' projected supplemental demand through 2030 even under a repeat of a worst drought scenario and with a reduction in deliveries from the SWP as imported sources of water will be supplemented by an increase in desalination of brackish groundwater, recycled water use, and water use efficiency. Based on this assertion, the EMWD has stated in the WSA prepared for the project it is able to meet an increased demand for water over the next 20 years, even during drought conditions. This is based on continued commitment to conservation programs, additional water recycling, and continued development of local water resources.

To develop the projections used in the WSA, EMWD used a development-tracking database that assesses future water demands for specific projects. EMWD uses this database to help plan for future water supply and infrastructure needs by monitoring new projects through various stages of development. Changes in density and land use are also tracked in this database for planning purposes. The supply for dry years is driven by demand. Demand increases slightly (less than 2%) during dry years, primarily due to the increased demand in winter for landscaping or agricultural water, and can be decreased up to 10 percent due to conservation as dry periods are extended. Neither groundwater production nor recycled water deliveries are expected to increase or decrease significantly during dry years. For water shortages and interruptions, the plans and policies outlined in the Regional Urban Water Master Plan (RUWMP) will be implemented.

Based on the WSA conducted for the proposed project, water demand for the proposed on-site uses would total 49,805 gpd or 55.8 acre-feet per year (AFY). Based on the information contained in the WSA for the project site and the assurance that MWD is engaged in a planning process that will ensure a reliable long-term water supply for its member agencies, EMWD has determined that it will be able to provide adequate water supply to meet the potable water demand for the project in addition to existing and future users. Impacts are less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

[1] IRPSIM is a sophisticated water supply and demand-balancing model that utilizes 77 sequential hydrologies to determine variations in supply and demand due to changes in weather conditions.

Less Than Significant Impact. Solid waste collection is a "demand-responsive" service and current service levels can be expanded and funded through user fees without difficulty. Based on a solid waste generation of approximately 3.6 pounds per employee per day,[1] and 646 employees estimated for the project (See Population and Housing, Checklist Response 12a), the proposed on-site warehouse uses, in their entirety would generate approximately 2,326 pounds (1.16 tons) of waste per day.[2] Solid waste from the proposed project would be hauled by Waste Management of Inland Valley[3] and transferred to the Badlands Landfill, located to the northeast of the City's limits. The Badlands Sanitary Landfill has a daily permitted throughput of 4,000 tons per day, a remaining capacity of 14,730,025 cubic yards, and an estimated closure date of 2024.[4] Average daily throughput as of 2010 is estimated at 1,667 tons/day.[5] Current surplus capacity totals 2,333 tons/day. The volume of solid waste generated by the proposed project per day represents 0.029 percent of the current permitted throughput and 0.049 percent of the current surplus capacity at the Badlands Sanitary Landfill. As adequate daily surplus capacity exists at the receiving landfill, development of the proposed project would not significantly affect current operations or the expected lifetime of the landfill serving the project area. No significant solid waste disposal impact would occur.

g) Comply with federal, state, and local statues and regulations related to solid waste?

Less Than Significant Impact. The proposed project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, state, and federal solid waste disposal standards, thereby ensuring that the solid waste stream to the Badlands Sanitary Landfill is reduced in accordance with existing regulations. Impacts are considered less than significant.

2.6 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) will be prepared to comply with the requirements of State law (Public Resources Code, Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts or reduce impacts to a less than significant level. The MMRP is intended to ensure compliance with mitigation measures during implementation of the proposed project. The MMRP will be adopted by the Planning Commission concurrent with certification of the Final EIR for the proposed project.

2.7 CUMULATIVE PROJECTS

Substantial changes are anticipated to occur as the result of population and employment as well as the development of other projects in the City and region. *CEQA Guidelines* (Section 15130) require that an EIR include a discussion of the potential cumulative impacts of a proposed project. Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period of time. The *CEQA Guidelines*, state:

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1 Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008
2 646 employees × 3.6 lbs per employee per day = 2,326 lbs per day or 1.16 tons per day.
3 Trash service in the City of Moreno Valley is mandatory and Waste Management of Inland Valley is the only solid waste service provider.
4 *Badlands Sanitary Landfill Facility/Site Summary Details*, CalRecycle, http:// www.calrecycle.ca.gov/profiles/Facility/Landfill/LFProfile1.asp?COID=33&FACID=33-AA-0006, website accessed on June 8, 2011.
5 Communication with Ryan Ross, Riverside County Waste Management Department, June 6, 2011.

(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The cumulative baseline for this project includes past, present, and probable future projects, which are either approved or being considered for approval, or anticipated to be submitted for consideration, including projects in the design phase or under construction. In determining the cumulative impacts of a proposed project with other area projects, an EIR may either consider a list of past, present, and probable future projects, or it may consider a summary of projections method or a combination of both.[1] This EIR utilizes the list method.

Information was collected and compiled from the Cities of Moreno Valley, Riverside, Perris, and Riverside County. The list of cumulative projects is based on project lists provided by staff from the City of Moreno Valley.[2] The project listings provided by the cities identify projects for which applications either have been submitted or are "foreseeable." As noted by the respective development reports, some of the identified applications are "inactive," "on-hold," or pending Planning Commission approval. It is not possible to determine with a reasonable level of certainty which or how many of the projects listed on the respective development inventories will complete the entitlement process and be issued permits for construction and occupancy; therefore, the figures cited represent a conservative scenario of what may be developed and interact with the project site. Because of market demands, demographic and economic conditions, and local development trends, it is reasonable to conclude that the number and amount of uses developed may vary from the total potential cumulative development identified in Table 2.C. The list of cumulative projects is illustrated in Figure 2.1.

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-1	First Industrial Realty Trust (PA06-0152, PA06-0153)	NEC Heacock St. and Nandina Ave.	1,183,000 SF of high cube warehouse uses
M-2	Moreno Valley Industrial Park (PA07-0035, PA07-0039)	Northeast corner of Heacock Street and Iris Avenue	205,000 SF of light industrial uses; 410,000 SF of high cube warehouse uses
M-3	Indian Business Park (PA07-0079)	Southwest corner of Indian Street/Iris Avenue	1,560,000 SF of high cube warehouse uses
M-4	Komar Investments	NEC of Heacock Street and San Michele Road	2,057,000 SF of high cube warehouse uses
M-5	Ivan Devries (PA06-0017)	Northeast corner of Perris Boulevard and Edwin Road	569,000 SF of industrial park uses
M-6	TM34748 (PA06-185, PA06-184, PA06-0183)	Southeast corner of Heacock Street and Gentian Avenue	135 single family homes
M-7	San Michele Logistics Center (PA07-0166)	North side of Nandina Avenue west of Perris Boulevard	866,000 SF of high cube warehouse uses

[1] State *CEQA Guidelines*, Section 15130(b) (1).
[2] Input from Jeff Bradshaw, City of Moreno Valley Community Development – Planning Division, dated April 2011.

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-8	TM 33810 (PA05-0089)	South of Iris Avenue between Indian Street and Emma Lane	16 single family homes
M-9	TM 34151 (PA05-0174)	East of Indian Street and north of Krameria Street	37 single family homes
M-10	TM 32716 (PA05-0148)	East of Indian Street, north of Perris Valley Channel	57 single family homes
M-11	TM 32917 (PA04-0051)	NEC of Lasselle Street and Krameria Street	227 condominiums
M-12	P05-0113	Northwest corner of Markham Street and Perris Boulevard	1,743,000 SF of high cube warehouse uses
M-13	Oakmont I (P05-0192)	Southwest corner of Markham Street and Perris Boulevard	698,000 SF of high cube warehouse uses
M-14	P05-0477	Northwest corner of Markham Street and Redlands Avenue	462,000 SF of high cube warehouse uses
M-15	P06-0425	North of Nance Street and west of Indian Street	6,300 SF of light industrial uses
M-16	P07-09-0018	NEC of Heacock Street and Nance St.	170,000 SF of warehousing uses
M-17	Oakmont II (P07-07-0029)	North of Ramona Expressway between Heacock Street and Indian Street	1,600,000 SF of high cube warehouse uses
M-18	TR 32707	Southeast corner of Harley Knox Boulevard and Evans Road	137 single family homes
M-19	TR 34716	Northwest corner of Markham Street and Redlands Avenue	318 single family homes
M-20	Ridge II	Northeast corner of Rider Street and Indian Street	2,000,000 SF of high cube warehouse uses
M-21	Jordan Distribution	Northeast corner of Rider Street and Redlands Avenue	378,000 SF of high cube warehouse uses
M-22	Aliere	Northwest corner of Rider Street and Redlands Avenue.	642,000 SF of high cube warehouse uses
M-23	Starcrest (08-11-0005, 08-11-0006)	Southeast corner of Ramona Expressway and Webster Street	454,000 SF of high cube warehouse uses
M-24	—	Northeast corner of Indian Street and Markham Street	189,000 SF of high cube warehouse uses

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
P-25	Stratford Ranch Industrial	NEC of Redlands Avenue and Perry Street (extended)	1,725,411 SF of high-cube warehouse uses
M-26	Rados Distribution Center	Northeast corner of Webster Avenue and Rider Street	1,191,000 SF of high cube warehouse uses
M-27	Ridge I (P 05-07-0493)	South of Ramona Expressway between Perris Boulevard and Indian Street	700,000 SF of high cube warehouse uses
M-28 —		North of Rider Street between Perris Boulevard and Redlands Avenue	40,000 SF of warehousing uses
M-29 IDS	II	SWC of Redlands Avenue and Rider Street	350,000 SF of high cube warehousing uses
M-30 —		Northeast of Indian Avenue and San Michele Road	408,000 SF of light industrial uses
M-31 —		Northeast of Perris Boulevard and San Michele Road	681,000 SF of light industrial uses
M-32 —		Southwest of Perris Boulevard and Nandina Avenue	482,000 SF of high cube warehouse uses
M-33 —		Northwest of Indian Avenue and Harley Knox Boulevard	360,000 SF of light industrial uses
A-34	March Lifecare Specific Plan	SWC Heacock & Cactus	190,000 SF medical offices, 210,000 SF commercial retail, 200,000 SF research & education, 50 hospital beds, 660 beds institutional residential
A-35	Airport Master Plan	March ARB	559,000 SF airport use
C-36	Majestic Freeway Business Center (SP 341, PP 20699, PP21027, PP21552)	West of 215, south of Nandina, north of Cajalco	6,200,000 SF high-cube warehouse
M-37	Oleander Business Park	West of I-215 at Harley Knox Boulevard	1,206,710 SF of warehousing
M-38	Cemex Materials	24365 Nandina Ave (west of Indian St.)	Concrete batch plant on 5 ac
M-39 06-0	411	East of Patterson Avenue, south of Nandina, north of Harley Know	Concrete batch plant, 400 SF office, 1,600 SF maintenance shop
M-40	Pierce Hardy Limited Partnership (PA06-0014)	SEC Heacock St. & Nandina Ave.	67,000 SF retail lumber yard complex
P-41 P05-0	302	South of Markham St., east of I-215	900 SF office

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
M-42	March Business Center (PA11-0001)(P11-004)(PA11-0007)(PA11-0002, -0003, -0004, -0005, -0006)	SE corner of Heacock Street and Iris Avenue	Business center totaling 1,484,407 SF of building space on 75 acres.
C-43	Ramona Metrolink Station	NEC Cajalco and Harvill	Light rail station; 300 parking spaces
M-44	Centrepointe Buildings 8 and 9 (PA04-0063)	SEC Heacock St. & Alessandro Blvd.	361,384 SF general light industrial
M-45	Komar Cactus Plaza (PA08-0047, PA08-0048, PA08-0049, PA08-0050, PA08-0051, PA08-0052)	N side of Cactus Ave. & W of Elsworth St.	110 hotel rooms, 8,000 SF fast food w/drive thru, 42,400 SF commercial
M-46	MV Centerpointe Business Ctr. (PA07-0147, PA07-0157)	NEC Cactus Ave. & Frederick St.	353,859 SF warehousing
M-47	Centerpointe Business Park (PA08-0002, PA08-0003)	Corner of Brodiaea Ave & Graham St.	391,231 SF warehousing
M-48	Centerpointe Business Park (PA08-0093)	Corner of Heacock St. and Brodiaea Ave.	99,988 SF light industrial
M-49	Highland Fairview Corporate Park (PA07-0088, PA07-0089, PA07-0090, PA07-0091)	Immediately south of Hwy 60, between Redlands Blvd. and Theodore St.	2,620,000 SF industrial warehouse/commercial
M-50	Alessandro and Laselle - Winco Foods (PA08-0079, PA08-0080, PA08-0081)	NEC of Alessandro Blvd. and Laselle St.	110,240 SF shopping center (anchored by 95.440 TSF WinCo Foods)
M-51	Yoon Byun (PA09-0031)	NEC Alessandro and Graham	5,044 SF retail center w/ convenience store, restaurant and carwash
M-52	Classic Opportunities Group/Optiflex - Moreno Valley Medical Plaza (PA09-0033, PA09-0034, PA09-0035, PA09-0036, PA09-0037, PA09-0038, PA09-0039, PA09-0019, PA09-0020)	East side of Nason, south of Brodiaea Ave.	311,633 SF commercial medical plaza
M-53	TM 32505 (PA05-0017)	SWC Bay Avenue & Morrison Street	72 detached single-family units
M-54	TM 33417 (PA05-0142)	NWC Perris Blvd. & Delphinium Ave	60 condominiums
M-55	TM 33607 (PA06-0096)	NEC Perris Blvd. & Delphinium Ave	52 condominiums
M-56	TM 34988 (PA06-0141)	NEC Perris Blvd. & Brodiaea	251 townhomes
M-57	TM 34216 (PA05-0193)	NEC of Kitching and Alessandro	40 condominiums
M-58	TM 34681 (PA06-0052)	South of Alessandro, west of Lasselle	49 townhomes
M-59	Moreno Valley Medical Campus	North side of Iris Ave., west of Moreno Valley Community Hospital	75,000 SF medical office complex
M-60	Overton Moore Properties (PA08-0072)	NWC Cactus Ave. & Frederick St.	520,000 SF high-cube warehouse

Table 2.C: Cumulative Project List

Map No	Project	Location	Type
R-61	Alessandro Business Park (P07-1028)	North of Alessandro, west of I-215 frontage road	652,018 SF general light industrial
R-62	P06-1408	East of I-215, north of Gateway Dr.	73,500 SF office
P-63	Harvest Landing Specific Plan	East of I-215, south of Placentia, west of Perris Blvd, north of Nuevo	1860 single family dwelling units, 1,306,582 SF multiple use business park
C-64	Amstar/Kaliber Development (PP 22925)	South of Alessandro Blvd, west of I-215 Frontage Road	258,102 SF office, 409,312 SF warehousing, 42,222 SF general light industrial, 10,000 SF retail
A-65	Alessandro Metrolink Station	South of Alessandro, east of Frontage Road	Light rail station; 300 parking spaces
A-66	Meridian Business Park	North West of 215, south of Alessandro	5,985,000 SF industrial park
A-67	Eucalyptus Industrial Park	East of Moreno Beach Drive, west of Quincy channel, south of SR-60	2,244,638 SF of high cube warehouse uses
A-68	West Ridge Commerce Center	West of Redlands Boulevard, south of SR-60	937,260 SF of high cube warehouse uses
A-69	World Logistics Center	East of Redlands Avenue, south of SR-60	41,500,000 SF high cube warehouse uses
A-70	Perris Valley Commerce Center Specific Plan	3,500 acres in north Perris	Various Light Industrial, business park, and commercial uses

Notes: NWC = northwest corner; SWC = southwest corner; NEC = northeast corner; SEC = southeast corner; SF=square feet
Sources: City of Moreno Valley, August 2011

The cumulative analyses are provided following the discussion of the individual impacts associated with the proposed project in Section 4.0. For example, the cumulative impact for air quality is provided in Section 4.1, and so forth. Depending on the issue discussed, the area addressed in the cumulative analysis varies. For example, because of the cumulative nature of regional air quality emissions, the cumulative area for air quality impacts would encompass the South Coast Air Basin; while the cumulative area associated with noise would be limited to areas in the proximity of the project site. Because of the nature of the various cumulative discussions, the consideration of all the cumulative projects in every cumulative analysis is not warranted.

The traffic study is based on existing count data taken in 2007. For this reason, projects that were approved subsequent to 2011 were added to the background trip generation in the TIA. These are listed as cumulative projects 1 through 44 in Table 2.C and Figure 2.1.

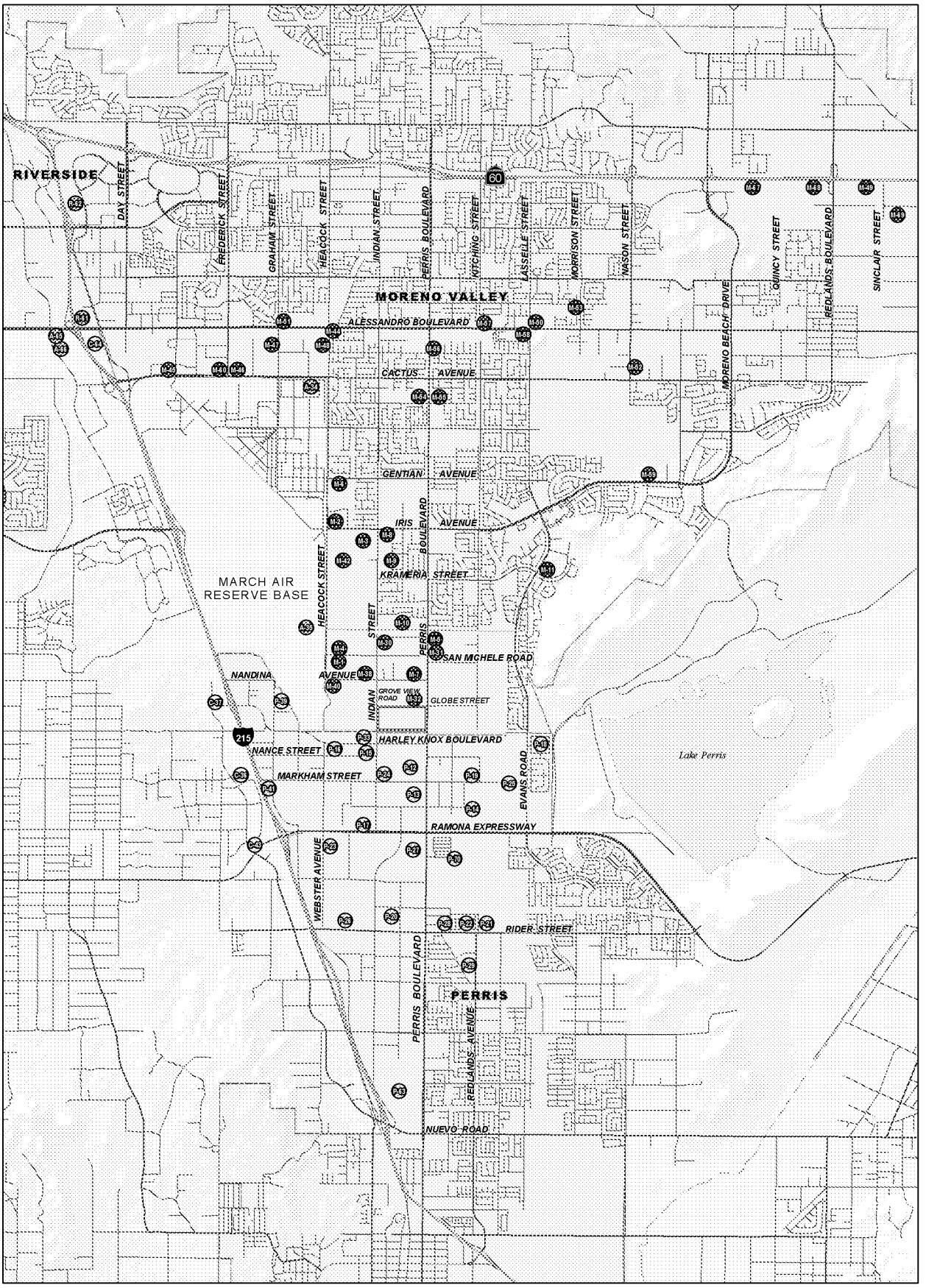

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FIGURE 2.1

Cumulative Projects

- Proposed Project Location
- City Boundaries
- City of Moreno Valley
- City of Perris
- City of Riverside
- County of Riverside
- March JPA

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Environmental Impact Report

SOURCE: City of Moreno Valley, August 2011; Riverside County, 2011
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3.0 PROJECT DESCRIPTION

The project description is provided in this section of the EIR in conformance with *CEQA Guidelines* §15124. It discusses the geographic setting, project location, project setting, City of Moreno Valley General Plan and zoning designations, project characteristics, discretionary actions, and project objectives. The project description is used as the basis for analysis in Section 4.0 of the EIR.

3.1 GEOGRAPHIC SETTING

As illustrated in previously referenced Figure1.1, the proposed project is located within the southwestern portion of the City of Moreno Valley, in Riverside County, California, east of Interstate 215 (I-215) and south of State Route 60 (SR-60). The City is located within the Perris Block geologic unit, which in turn lies within the Peninsular Ranges Geomorphic Province of southern California. The Peninsular Ranges Geomorphic province is characterized by a series of northwesterly trending mountain ranges extending from the coast of California eastward into the California desert and south to the tip of Baja California. The Perris Block is bounded on the northeast by the San Jacinto Fault, on the north by the Cucamonga Fault and the San Gabriel Mountains, and on the southwest by the Elsinore Fault and the Santa Ana Mountains. The City of Perris borders Moreno Valley to the south and the City of Riverside to the west, with unincorporated areas of Riverside County bordering the City to the north and east. The Box Springs Mountains border the City to the north.

3.2 PROJECT LOCATION

The project site consists of four parcels (APNs 316-210-71, 316-210-73, 316-210-75, and 316-210-76) totaling approximately 71 net acres located on the southwest corner of Perris Boulevard and Grove View Road. The Perris Valley Storm Drain Lateral B channel forms the southern boundary of the site while Indian Street forms the western boundary. The site is located approximately 1.3 miles east of I-215, 4.5 miles south of SR-60, and 1.75 miles west of Lake Perris. March Air Reserve Base is located approximately one half mile west of the project site.

3.3 PROJECT SETTING

The project site is relatively level, descending gradually from northwest to southeast, at an elevation ranging from approximately 1,465 to 1,461 feet above sea level. On-site soils consist of disturbed top soil/fill and natural soils, classified as brown clayey silts to silty sands.

The project vicinity is characterized by a mix of developed and undeveloped properties, as can be seen in previously referenced Figure 1.1. Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north, industrial/warehouse and undeveloped property to the south, industrial/warehouses and a self storage facility to the east, and warehouses, vehicle storage, residences, and undeveloped property to the west.

The proposed project site has been used historically for agricultural purposes but currently lies fallow. It was most recently used as a sod farm growing that ceased operating in August 2005. Within the past two years, the proposed Project site has received approximately 80,000 cubic yards of fill as part of an approved stockpile permit previously issued by the City. The major roads that provide access to the project are Perris Boulevard, Indian Street, Grove View Street, and Harley Knox Boulevard, with the nearest I-215 interchanges at Harley Knox Boulevard and Ramona Expressway.

3.4 CITY OF MORENO VALLEY GENERAL PLAN AND ZONING DESIGNATIONS

A review of the Cities of Moreno Valley and Perris General Plans reveals the site and surrounding area is designated Business Park/Light Industrial to the north, east and west in the City of Moreno Valley (City) and Light Industrial and Community Commercial south of the Lateral B channel in Perris. Similarly, zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, which is known as the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002.

As illustrated in Figure 3.1, SP 208 encompasses approximately 1,540 acres in the southwest portion of the City covering an "L" shaped area. South of Mariposa Avenue/Lateral A channel, the SP area is bordered by City of Perris to the south, the Perris Valley Storm drain to the east, and Heacock Street to the west. North of Mariposa Avenue/Lateral A channel, the SP is bordered by Indian Street to the east, Heacock Street to the west, and Iris Avenue to the north. The SP also includes the area north of Iris Street bordered by Gentian Avenue to the north, Indian Street to the east, and Heacock Street to the west. SP 208 functions as the zoning for the applicable planning area, defining permitted uses and establishing design guidelines.

The proposed project site as well as the surrounding areas are planned for industrial development per SP 208. The SP also permits supporting commercial land uses at key intersections in its planning area, including the intersection of Perris Boulevard and Grove View Road. Zoning for the area to the south across the Lateral B channel in Perris is Light Industrial and Community Commercial. Table 3.A provides a summary of existing on-site and adjacent land use, zoning, and General Plan designations. Figure 3.2 illustrates existing on-site and adjacent General Plan Land use designations and zoning for the site.

Table 3.A: On-Site and Adjacent Land Use Designations

Location	Current Land Uses	General Plan Land Uses	Zoning Designations
On-site	Vacant/Fallow	Business Park/Light Industrial	SP 208
North	industrial	Business Park/Light Industrial	SP 208
South[1]	industrial and vacant	Community Commercial and Light Industrial	Light Industrial and Community Commercial
East	industrial	Business Park/Light Industrial	SP 208
West	industrial and vacant	Business Park/Light Industrial	SP 208

[1] Land use, General Plan, and Zoning information shown is in the City of Perris.
Sources: City of Moreno Valley General Plan Land Use Map, adopted August 2010; City of Moreno Valley Zoning, accessed April 7, 2011; City of Perris General Plan Land Use Map, approved February 2008; City of Perris Zoning February 2009.

3.5 PROJECT CHARACTERISTICS

The proposed project would result in the construction and operation of approximately 1,616,133 square feet of distribution warehouse space on an approximately 71 acre site. The single building will be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 truck trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. Previously referenced Figure 1.2 provides a conceptual site plan for the proposed project.

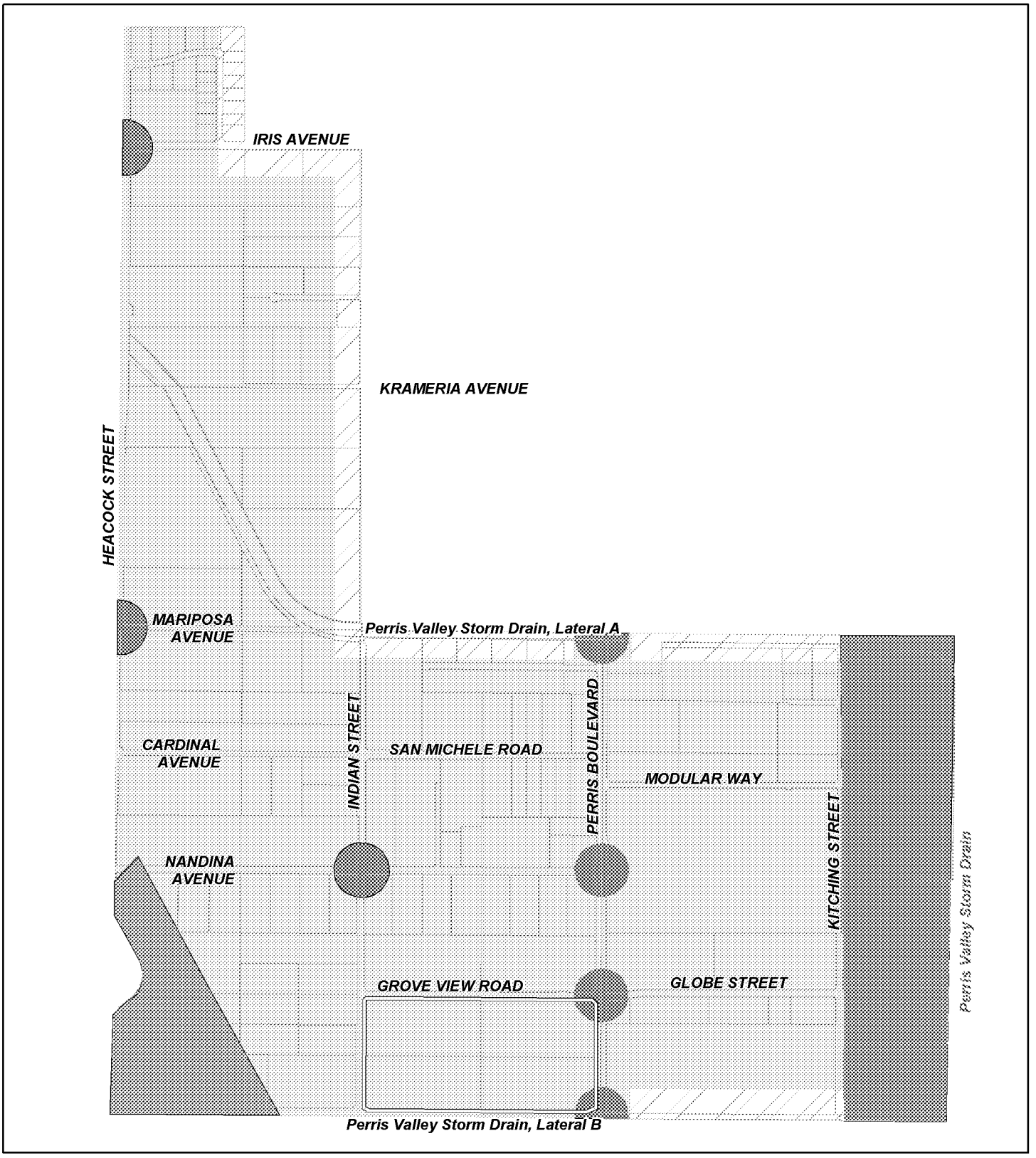

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Project Boundary

Moreno Valley Industrial Area Plan Boundary
Industrial
Public
Clear Zone
Commercial (Industrial/Business Support)
300' Residential Buffer

FIGURE 3.1

VIP Moreno Valley
Environmental Impact Report

Moreno Valley Industrial Area Plan Boundaries (SP 208)

SOURCE: City of Moreno Valley (Specific Plan 208), 2002.

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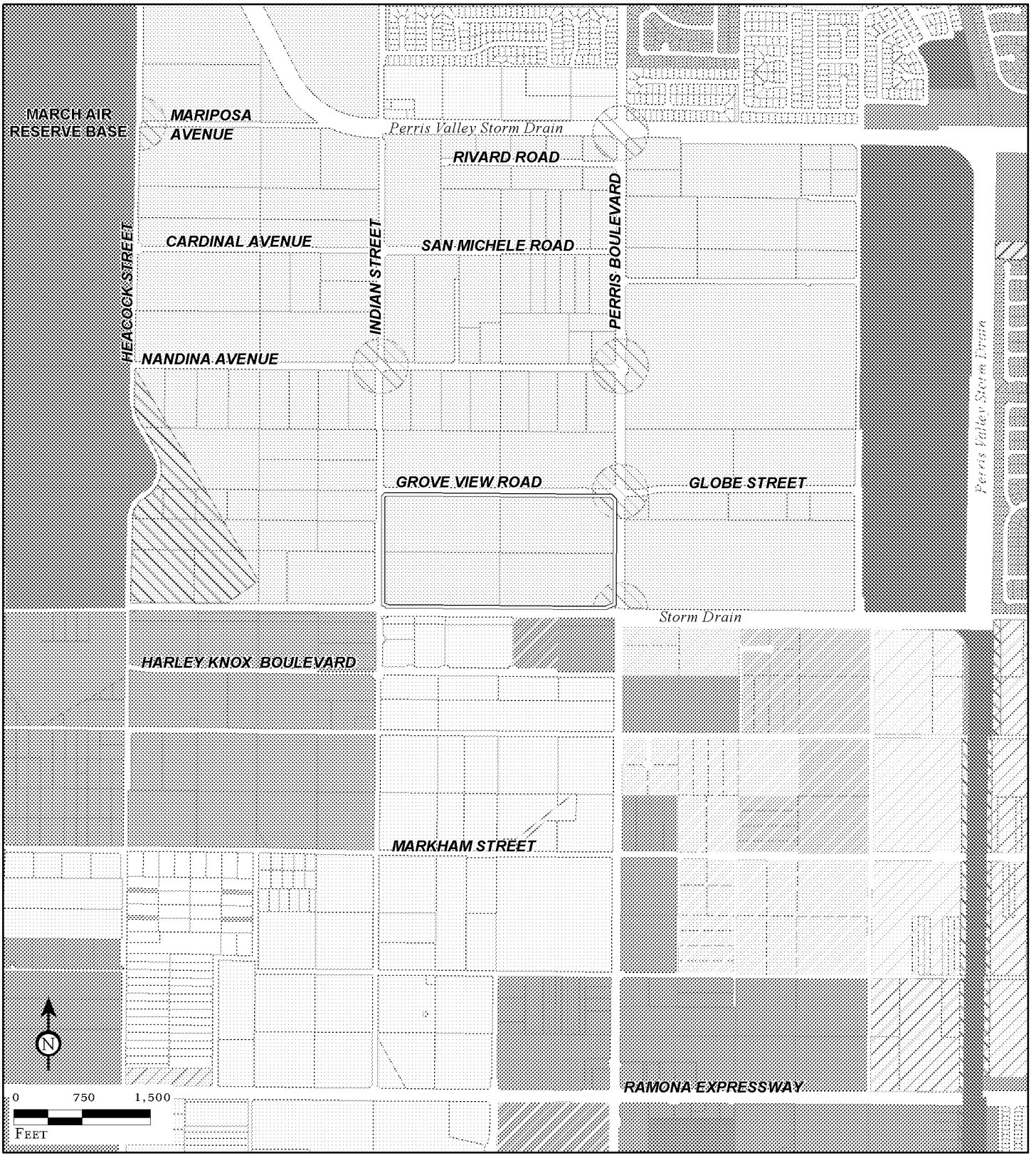

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Project Boundary

Zoning

Public Facilities

NC - Neighborhood Commercial

Commercial

SP - Specific Plan

LI - Light Industrial

A1 - Light Agriculture

OS - Open Space

R - 6,000 - Residential

R - 10,000

General Plan - Land Use

March Air Reserve Base

BP - Business Park

CC - Community Commercial

GI - General Industrial

LI - Light Industrial

MFR - 14

NC - Neighborhood Commercial

OS - Parks/Recreational/Natural Open Space

P - Public/Semi-Public Facilities/Utilities

Residential: Max. 5 du/ac

R - 6000

Residential: Max. 10 du/ac

Residential: Max. 15 du/ac

R - 20,000

SP

SOURCE: City of Moreno Valley Land Use Map, August 12, 2010; City of Perris - General Plan, February 19, 2009; City of Moreno Valley - Zoning, April 20, 2011; City of Perris - Zoning, February 19, 2009.

FIGURE 3.2

VIP Moreno Valley
Environmental Impact Report

Existing General Plan Land Use Designations and Zoning

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The proposed project features a variety of architectural elements including façade accents such as corner treatments and roof trim (refer to Figure 3.3). The project would also provide variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation creates shadow lines at various times of the day.

Access to the project site will be provided via two driveways on Indian Street, three driveways on Grove View Road, and two driveways on Perris Boulevard. The northern driveway on Perris Boulevard will be for passenger vehicle and emergency access only. The southern driveway on Perris Boulevard will align with the existing signalized intersection at the Ross Distribution Warehouse entrance. The north project driveway on Indian Street will be for passenger vehicle and emergency access only; all other driveways will be used by both passenger vehicles and trucks. The proposed project is anticipated to be constructed by the year 2013.

The proposed project will function as a trucking distribution hub for several types of items. Goods imported from the ports of California as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in and out of state locations, thus benefiting both local and interstate commerce.

Due to the project site's topography and drainage requirements, approximately 220,000 additional cubic yards of fill will be required. The specific location of the fill import site is not known at this time. It is reasonable to estimate that the fill will be obtained from a site located within 10 miles of the proposed project in order to reduce import hauling costs, consistent with soil import/export hauling distances for projects in Moreno Valley.

In addition to construction of required street frontage improvements on Indian Street, Perris Boulevard, and Grove View Road, the proposed project includes construction of necessary infrastructure to provide water, sewer, phone, cable, natural gas, and electricity service. Drainage will be handled by a system of on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features. All utilities hook ups are immediately available, with no off-site improvement required.

Site and building design attributes for the proposed project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

Green building designs typically exhibit the following features:

- More natural ventilation or, at least, a mixture of natural ventilation and air conditioning, and/or increased fresh air via the mechanical ventilation system.
- Narrow plan forms, often within the 15m limits of natural ventilation and daylight access, the corollary of which is less 'deep' space in the middle, which users dislike.
- Better utilization of daylight.
- More user controls for windows, blinds, lights, and ventilators. This can mean that needs (like thermal comfort) are met more quickly even though the conditions may only be 'good enough'. Users preferred rapid response when things go wrong or needed changing, and will tolerate conditions which are reasonable.
- Higher floor to ceiling heights, which helps, e.g., with daylight penetration.
- More open plan workspaces (usually desks) close to or next to windows.

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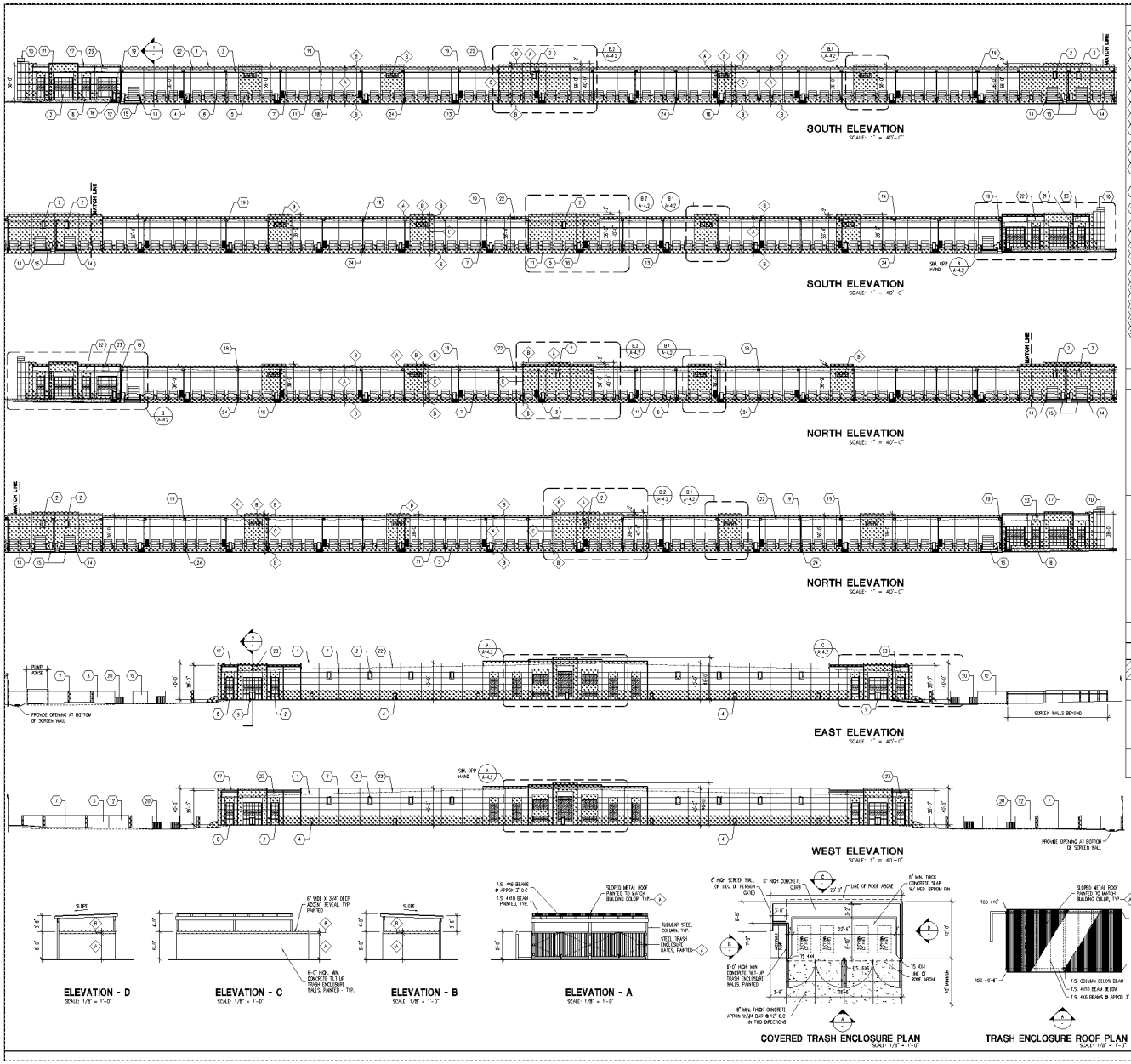

KEYNOTES

1. SMOOTH FINISH CONCRETE TILT-UP PANEL PAINTED PER THE EXTERIOR COLOR SCHEDULE.
2. GLAZING – SEE GLAZING NOTES BELOW
3. 2" WIDE x 3/4" DEEP HORIZONTAL REVEAL. PAINTED. TYPICAL
4. HOLLOW CORE METAL DOOR PAINT TO MATCH BUILDING COLOR
5. METAL VERTICAL LIFT DOOR PAINT TO MATCH BUILDING COLOR
6. 5'-0" HIGH STEEL PLATE JAMB GUARD PAINT TO MATCH BUILDING COLOR.
7. PANEL JOINT
8. 3/4" CHAMFER REVEAL WITH RECESSED AREA. PAINTED ACCENT COLOR
9. FULLY TEMPERED GLASS AT STOREFRONT FLOOR LEVEL AROUND DOORS TO WITHIN 36" INCLUDING THE DOOR.
10. LINE OF BUILDING PARAPET BEYOND
11. RUBBER DOOR BUMPERS.
12. CONCRETE TILT-UP SCREEN WALL PAINTED TO MATCH BUILDING COLOR (VARIES IN HEIGHT BASED ON GRADES) SEE SCREEN WALL ELEVATIONS SHEETS A-5 & A-6
13. 4" WIDE x 8' HIGH LOUVERS FOR MAKE-UP AIR. PAINTED TO MATCH BUILDING
14. 42" HIGH TRUCK RAMP WALL ABOVE HIGH SIDE OF FINISH GRADE. PAINTED TO MATCH BUILDING
15. CONCRETE TRUCK RAMP
16. CONCRETE STAIRS WITH CONCRETE TILT UP GUARDRAILS. PAINTED
17. DECORATIVE 1 1/2" DEEP BY 24" HIGH REVEAL AT TOP OF PANEL. PAINTED.
18. 6" x 20" TEMPERED VISION LITE WITH TYPE "D" NEOPRENE GASKET. MOUNTED AT 4'-0" A.F.F.
19. GALVANIZED METAL DOWNSPOUT & OVERFLOW SCUPPER WITH SHIELD – PAINTED
20. 8'-0" HIGH TUBULAR STEEL ROLLING GATE – PAINTED EPOXY GLOSS BLACK
21. INTERIOR ROOF DRAIN AND INTERIOR OVERFLOW PIPES
22. ROOF LINE
23. FUTURE HVAC EQUIPMENT TO BE SCREENED FROM VIEW BY THE PARAPET
24. DOWNSPOUT PROTECTION – BENT STEEL PLATE. PAINTED TO MATCH BLDG. COLOR

GLAZING NOTES

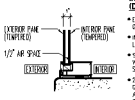

INSULATED VISION GLAZING (DUAL PANE):

- EXTERIOR PANE: 1/4" THICK VISTEON VOPSAIUX GREEN 2000R (REFLECTIVE)
- INTERIOR PANE: 1/4" THICK CLEAR LOW-E #2 BY PPG
- SHADING COEFFICIENT: 0.31
  WINTER U-FACTOR: 0.47
  SOLAR HEAT GAIN COEFFICIENT: 0.26
- 2" x 4 1/2" FULLY CAPTURED OFFSET GLAZING SYSTEM AS MANUFACTURED BY ARCADIA ALUMINUM PRODUCTS OR EQUAL. CLEAR ANODIZED CLASS-1 FINISH

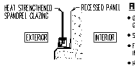

RECESSED GLAZING:

- GLASS PANE: 1/4" THICK VISTEON VOPSAIUX GREEN 2000R (REFLECTIVE)
- SHADING COEFFICIENT: 0.43
- FRONT GLAZED SILICONE BUTT JOINT SET IN CLEAR ANODIZED ALUMINUM FRAMES.
- HEAT STRENGTHENED SPANDREL GLASS

NOTE:

1. VISION GLASS SHALL BE TEMPERED AT LOCATIONS REQUIRED PER CODE AND PER KEY NOTE #9 THIS SHEET
2. ALL STOREFRONT CONSTRUCTION, GLASS, METAL ATTACHMENTS, JAMBS, SILLS AND LINTELS SHALL BE DESIGNED TO WITHSTAND 90 MPH MINIMUM WIND LOADS PER CBC CHAPTER 16, TABLE 16-G

GLAZING LEGEND

T = TEMPERED VISION GLASS – SEE GLAZING NOTES ABOVE

= AT HATCHED AREAS, USE 1/4" HEAT STRENGTHENED GREEN 2000R SPANDREL GLASS SET IN 4" RECESSED (DUAL) CONCRETE PER STRUCTURAL PLANS.

EXTERIOR COLORS

A	DUNN EDWARDS #DE6143 "ALMOND LATTE"	(FIELD)
B	DUNN EDWARDS #DE6145 "ROCKY RIDGE"	(BASE / CAP)
C	DUNN EDWARDS #DE6172 "BUNGALOW TAUPE"	(ACCENT)

NOTE:

1. WALL HEIGHTS ARE PRELIMINARY AND SUBJECT TO CHANGE PENDING THE STRUCTURAL ENGINEERS REVIEW

RKZ, INC.
9620 DOV AVENUE SUITE 200
TUSTIN, CALIFORNIA 92780
PH: 714.730.1160 FAX: 714.730.1850
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
3010 PASEO TESORO
WALNUT, CA 91789-2701
PHONE: 909 598-2365
FAX: 909 598-2317

VIP MORENO VALLEY

XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY, CA

2	PLANNING DEPT COPY 07-08-04
1	PLANNING DEPT COPY 04-05-04
REVISIONS	
CONSTR.	
BID	
PLAN CHECK	
DRAWN	05-12-03
JOB NO.	08-25
SHEET NAME	EXTERIOR ELEVATIONS
SHEET NO.	A-4.1
OF	SHEETS

PROJECT IPA08-0004 & PA08-0012

LSA FIGURE 3.3

VIP Moreno Valley
Environmental Impact Report
Building Elevations

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SOURCE: RKZ, Inc., 2011

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- More care t aken in d esign of a chieving comf ortable conditio ns, espe cially in su mmertime. Examples of green building features include

Sustainable commercial buildings have been described to have the following building elements:

- Site which o ptimizes the building o rientation, t he natural lighting, shading, and ventilation it can capture.
- The building fabrics and materials use low embodied energy materials; use of recycled materials; and the use of high performance material.
- The building has efficient operational and maintenance costs.
- The b uilding is efficie nt with the use of energy and water mana ged t hrough a Buildin g Management System. For example, u se of photovol taic array on its roof o r faça de; rai nwater collection and storage tanks.

In recognition of the trend towards Green Building, the proposed project will pursue the Leadership in Energy an d Environme ntal De sign (L EED) Co re & Shell rating prog ram. LEED is a voluntary, consensus-based standard to support and certify successful green building design, construction, and operations. L EED pro grams evalu ate the com plete life cycle of proje cts a nd associ ated buildings through d esign, con struction, an d o perations. Th e Core & S hell rating system i s for de signers, builders, developers, and new building owners of new core and shell construction where the tenants and needs for inside the building are not known. The rating system covers the base building elements including the structure, building envelope, and HVAC system.

Projects seeking LEED co mpliance are given points for compliance with sp ecific concepts promoting green build ing. The points rating for a project incr eases a s the numbe r of p olicies that the proje ct complies with increases. A point scale i s appli ed an d proj ects are rated o n th is scale. Th e scal e is broken d own into four levels, LEED Certified, Silver, Gold, and Platinum, with Platinum being the highest attai nable certification availa ble for a given proje ct. The pro posed project will in corporate Green Building concepts and is expected to reach the LEED “Certified” rating.

3.6 PROJECT OBJECTIVES

The purpose of the proposed project is to provide a new facility specializing in warehouse distribution services. Upon development, the proposed project will achieve the following:

- Create e mployment-generating opportunities for the citi zens of Moreno Vall ey and surrounding communities;
- Encourage in dustrial devel opment a s at tractive an d prod uctive u ses while mini mizing conflicts with the surrounding existing uses;
- Encourage ware h ouse di stribution services that take advantage o f the area’ s close p roximity to various freeways and transportation corridors;
- Provide the i nfrastructure improvements required to meet project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a hi gh den sity, high-quality l arge-scale industrial deve lopment to provide j obs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of good s in a nd throu g h t he City, which, in turn, allows the City to compete economically on a domestic and international scale;

- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

3.7 REQUIRED PERMITS AND DISCRETIONARY ACTIONS

The following discretionary actions are anticipated to be taken by the City of Moreno Valley as part of the proposed project:

- Tentative Parcel Map approval (TPM 36162);
- Certification of Environmental Impact Report; and
- Site Plan approval.

Other non-discretionary actions anticipated to be taken by the City at the Staff level as part of the proposed project include the following:

- Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction. Approval of a Water Quality Management Plan (WQMP) to mitigate for post-construction runoff flows.
- Issuance of a Grading permit that requires approval of a grading plan, approval of the final drainage study, approval of the Final WQMP, obtaining an NOI and WDID number, and satisfying those conditions of approval required prior to grading.
- Issuance of an Encroachment permit for any construction work done in any City-controlled right-of-way. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.
- Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits.

Approvals and permits required by other agencies include:

- A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that downstream water quality is not worsened;
- Approval of water and sewer improvement plans by the Eastern Municipal Water District.

- Approval from the City and Riverside County Flood Control and Water Conservation District to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions.

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4.0 ENVIRONMENTAL IMPACT EVALUATION

As stated previously, there are five environmental topic areas that are analyzed in this EIR with respect to the proposed project. These topics are:

4.1 Agricultural Resources

4.2 Air Quality

4.3 Climate Change and Greenhouse Gas Emissions

4.4 Noise

4.5 Transportation and Traffic

Within each subsection described in Section 4.0, the following information is presented relative to each environmental issue described:

- Description of the existing setting as it relates to the specific environmental issue;
- A summary of policies and regulations relevant to the specific environmental issue;
- Identification of the thresholds of significance;
- Evaluation of project-specific impacts and a determination of significance based on identified threshold levels;
- Identification of mitigation measures;
- A determination of the level of significance after mitigation measures are implemented; and
- Cumulative impacts.

The following environmental analysis provided in Sections 4.1 through 4.5 focuses on changes in the existing physical environment and identifies direct and indirect and short-term and long-term significant effects associated with the proposed project. The cumulative impacts for each of the proposed project components are analyzed within the discussion of each component for each threshold.

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4.1 AGRICULTURE AND FORESTRY RESOURCES

This chapter discusses agricultural and forest resource impacts attributable to the proposed project. It describes existing agricultural resources, respective State farmland classifications for the project site, and existing forest resources. This chapter focuses on discussions involving applicable State, regional, and local policies regarding agricultural and forest resources and the conversion of farmland and forest to non-agricultural and non-forest uses. This section is based in part on the following reference documents:

- *A Guide to the Farmland Mapping and Monitoring Program*, California Department of Conservation, Division of Land Resources Protection, 2004 Edition.
- *California Land Evaluation and Site Assessment Model, Instruction Manual*, California Department of Conservation, Office of Land Conservation, 1997.
- *City of Moreno Valley General Plan*, City of Moreno Valley, July 2006.
- *City of Moreno Valley General Plan Final Environmental Impact Report*, P & D Consultants, July 2006.
- *Economic Viability of Agriculture in the East Inland Empire,* CB Richard Ellis, March 18, 2009.
- *Riverside County Land Use Conversions, 1998–2008*, California Department of Conservation, Division of Land Resources Protection.
- *Riverside County 2009 Agricultural Production Report, 2009.*
- *Soil Survey Western Riverside County Area, California*, United States Department of Agriculture, November 1971.

The California Land Evaluation and Site Assessment (LESA) Model worksheets prepared for the proposed project are included as Appendix B to this EIR.

4.1.1 Existing Setting

4.1.1.1 Agricultural Resources

As described in the City's General Plan (July 2006), land used for agricultural production is generally concentrated in the eastern portion of the City. Farmland within the City at the time of the preparation of the General Plan was most often used for grazing, citrus orchards, and potato and dryland farming.[1] However, in recent years the City and region have faced and still face urbanization and development pressures contributing to the decline of agricultural uses in the project area and region. Of the land in the City that is utilized for agricultural use, few parcels are owner- operated with the majority of the properties being leased for agricultural use. Many agricultural fields within the City have been out of production for a number of years and are dominated by disturbed ruderal (weedy) vegetation. This condition is also true of the proposed project site. Various forms of disturbance related to agricultural uses include frequent disking, pesticide application, and irrigation. The project vicinity is characterized by a mix of developed and undeveloped properties, as can be seen in previously referenced Figure 1.1. Developed properties in the vicinity include a waste transfer station and an industrial/warehouse to the north; industrial/warehouse and undeveloped property to the south; industrial/warehouses and a self storage facility to the east; and warehouses, vehicle storage, residences, and undeveloped property to the west. Active agricultural operations (alfalfa) take place on properties located to the southwest of the project site, west of Indian Street and south of Harley Knox Boulevard.

[1] *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.

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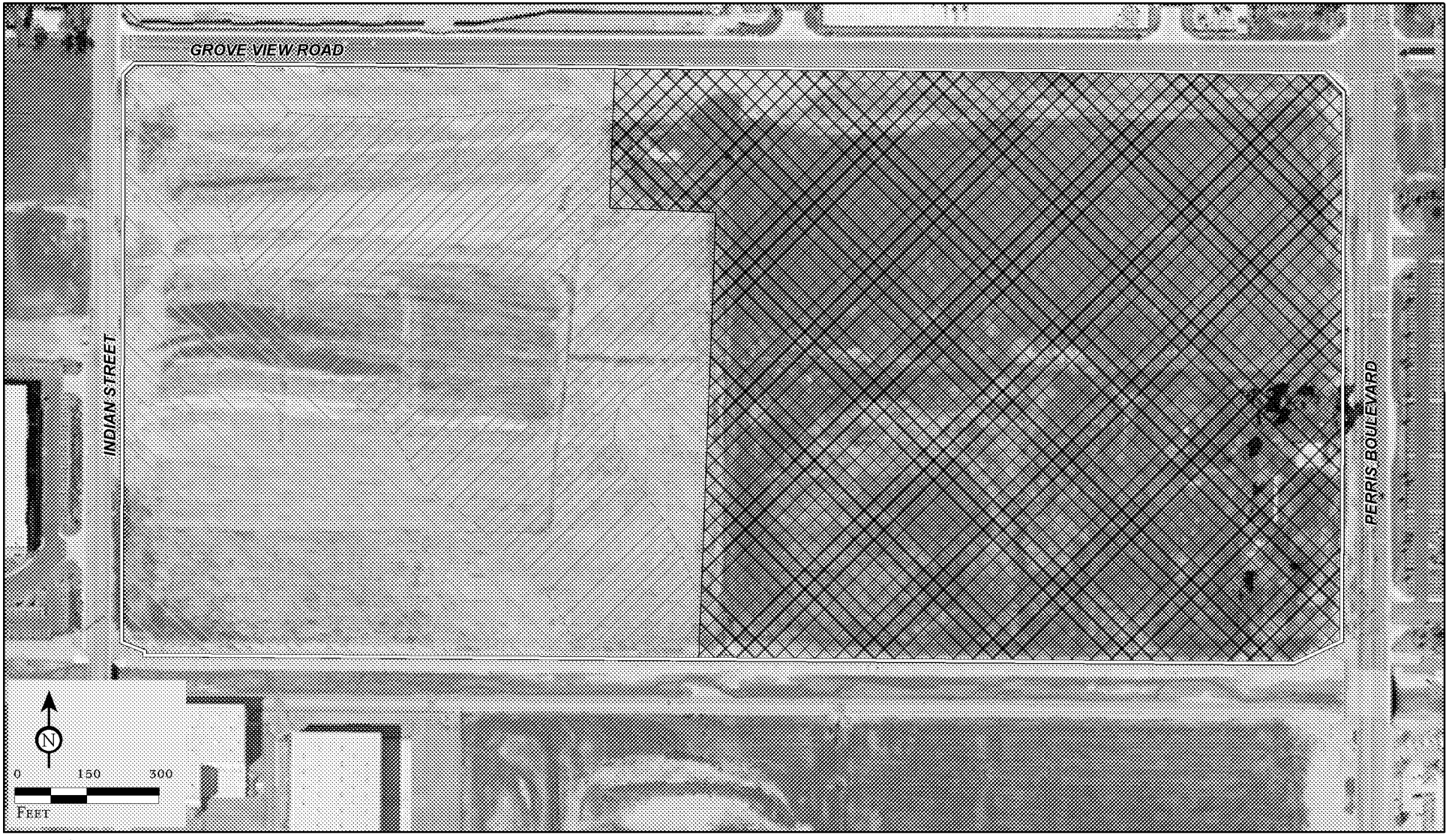

LSA

FIGURE 4.1.1

Project Boundary

State Designated Farmland

Farmland of Local Importance

Farmland of Statewide Importance

Prime Farmland

VIP Moreno Valley
Environmental Impact Report

State Designated Farmland

SOURCE: ESRI World Imagery: Aerials Express, 2010; Farmland Mapping and Monitoring Program, 2008.

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The proposed project site has been used historically for agricultural purposes but currently lies fallow and has been fallow for a number of years. It was most recently used as a sod farm that ceased operating in August 2005 and has not been in agricultural production since that time. Within the City, approximately 1,639 acres are designated as Prime Farmland.[1] As illustrated in Figure 4.1.1, the project site is identified as Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Approximately 16.89 acres (23%) of the project site is designated as Prime Farmland,[2] 16.23 acres (23%), is designated Farmland of Statewide Importance, and 38.69 acres (54%) is designed Farmland of Local Importance.

4.1.1.2 Forestry Resources

Based on data from the Fire and Resource Assessment Program, Riverside County does not have land set aside for timber production.[3] In addition, no land is currently identified as suitable for timber sale production in Southern California. Therefore, there are currently no areas within the City designated for timber production. Harvesting of trees may occur to meet wildlife, fuel, watershed, or other needs.[4]

4.1.1.3 General Plan and Zoning Designations

The City of Moreno Valley's General Plan policies support agriculture as an interim use. No land in the City is dedicated for agricultural use. The site and surrounding area is designated Business Park/Light Industrial to the north, east and west in the City and Light Industrial and Community Commercial south of the Lateral B channel in Perris. Similarly, zoning for the site and surrounding area in the City is governed by Specific Plan (SP) 208. SP 208, the Moreno Valley Industrial Area Plan, was originally adopted in 1989, amended in 2001 and 2002, and encompasses approximately 1,540 acres in the southwest portion of the City covering an L-shaped area. SP 208 functions as the zoning for the applicable planning area, defining permitted uses and establishing design guidelines. The proposed project site, as well as the surrounding areas, is planned for industrial development per SP 208. The SP also permits supporting commercial land uses at key intersections in its planning area, including the intersection of Perris Boulevard and Grove View Road. Zoning for the area to the south across the Lateral B channel in Perris is Light Industrial and Community Commercial.

4.1.2 Existing Policies and Regulations

The preservation of agricultural activities and soils has been an explicit goal of the United States Department of Agriculture (USDA) and California Department of Conservation (CDC). Agricultural soils are limited non-renewable resources that are usually confined to particular locations; however, not all agricultural activities occur on soils suitable for agriculture and not all soils highly suited for farming are used for crop production. Generally, policies implemented to preserve agriculture are aimed at either protection of agricultural areas or the protection of the soils most suitable for agricultural production.

4.1.2.1 Federal Regulations

Federal regulations, such as the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA) and National Forest Management Act of 1976 (NFMA), authorize long-range planning by the

1 *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.
2 Important Farmland Map Riverside County, Farmland Mapping and Monitoring Program, 2004.
3 *Table 7 Timberland Production Zone (TPZ) acreage by Site Class in California as of 2000–2001*, Timberland Site Class on Private Lands Zoned for Timber Production, Fire and Resource Assessment Program, Department of Forestry and Fire Protection, http://frap.cdf.ca.gov/publications/Timberland_Site_Class_on_Private_Lands_Zoned_for_Timber_Production.pdf.
4 *Vegetation Management Standards, Land Management Plan Part 3 Design Criteria for the Southern California National Forests, Angeles National Forest, Cleveland National Forest, Los Padres National Forest, San Bernardino National Forest*, United States Department of Agriculture Forest Service, September 2005.

United States Forest Service (USFS) to ensure the future supply of forest resources, as well as to provide for the management of renewable resources on national forest lands.

4.1.2.2 State Regulations

State Designated Farmland. The California Government Code (Section 65570) requires the collection and reporting of agricultural land use acreage and conversion by June 30 of each even-numbered year. Utilizing data from the USDA Natural Resource Conservation Service (NRCS) soil survey and current land use information, the CDC and the Farmland Mapping and Monitoring Program (FMMP)[1] compile important farmland maps for each county within the State. Farmland maps and statistics are produced biannually using a process that integrates aerial photo interpretation, field mapping, and a computerized mapping system. These maps delineate land use in eight mapping categories (and one overlay category) and represent an inventory of agricultural soil resources within each county. The categories of land delineated on these maps include:

- **Prime Farmland:** Land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods.
- **Farmland of Statewide Importance:** Land that is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to hold and store moisture.
- **Unique Farmland:** Land of lesser-quality soils used to produce specific high economic value crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. It is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Examples of Unique Farmland crops include oranges, olives, avocados, rice, grape, and cut flowers.
- **Farmland of Local Importance:** Land of importance to the local agricultural economy, as determined by each county's board of supervisors and local advisory committees, e.g., dairies, dry land farming, aquaculture, and uncultivated areas with soils qualifying for Prime Farmland and Farmland of Statewide Importance. Farmland of Local Importance in Riverside County is defined[2] as:
    - Lands with soils that would be classified as Prime and Statewide Farmland but lack available irrigation water.
    - Lands planted with dryland crops of barley, oats, and wheat.
    - Lands producing major crops for Riverside County but that are not listed as Unique crops. These crops are identified as returning one million or more dollars on the 1980 Riverside County Agriculture Crop Report. Crops identified are permanent pasture (irrigated), summer squash, okra, eggplant, radishes, and watermelons.
    - Dairylands, including corrals, pasture, milking facilities, and hay and manure storage areas if accompanied with permanent pasture or hayland of 10 acres or more.
    - Lands identified by city or county ordinance as Agricultural Zones or Contracts, which includes Riverside City "Proposition R" lands.
    - Lands planted to jojoba, which are under cultivation and are of producing age.

[1] A Guide to the Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resources Protection, 2004 Edition.

[2] *Farmland of Local Importance, Local Definitions,* http://www.conservation.ca.gov/dlrp/fmmp/Documents/Local_definitions_00.pdf, website accessed February 16, 2011.

- **Grazing Land:** Land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock.
- **Urban and Built-Up Land:** Land used for residential, industrial, commercial, construction, institutional, public administrative purposes such as railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities also are included in this category.
- **Other Land:** Land not included in any of the other mapping categories. Common examples include low-density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres.
- **Water:** Water areas with an extent of at least 40 acres.
- **Land Committed to Nonagricultural Use:** This optional designation is an overlay to the standard farmland categories and represents existing farmland and grazing land and vacant areas that have a permanent commitment for development. Examples of Land Committed to Nonagricultural Use would include an area undergoing permanent infrastructure installation or for which bonds or assessments have been issued for public utilities. Such lands represent planning areas where there are commitments for future nonagricultural developments that are not reversible by a simple majority vote by a city council or board of supervisors.

California Land Conservation Act (Williamson Act). The California Land Conservation Act of 1965, also referred to as the Williamson Act, is a non-mandated State program administered by counties and cities for the preservation of agricultural land. This program enables local governments to enter into contracts with private landowners to restrict specific parcels of land to agricultural or related open space use.

Participation in the program is voluntary on the part of both landowners and local governments. Participation is implemented through the establishment of Agricultural Preserves and the execution of Williamson Act contracts. Individual property owners enter into a contract that restricts or prohibits development of their properties to non-agricultural uses during the term of the contract in return for lower property taxes. Initially signed for a minimum ten-year period, the contracts are automatically renewed each year for a successive minimum ten-year period unless a notice of non-renewal is filed, or a contract cancellation is approved by the local government. In the City of Moreno Valley, currently there is no land currently under a Williamson Act contract.[1]

State regulations, such as the Forest Taxation Reform Act of 1976 and the Z'berg-Nejedly Forest Practice Act of 1973–California Forest Practice Act, provide for the preservation of forest lands from encroachment by other incompatible land uses and provide for oversight of the management of forest practices and forest resources in California. As no forest or timber resources are located within the project site, no further discussion of these State regulations is warranted.

4.1.2.3 Local Policies

The City of Moreno Valley General Plan recognizes the high demand for land and housing and development in the region and that many of the current agricultural operations in the City are "interim uses" or uses that will ultimately be converted to urban uses. The following objective pertains to agriculture and is applicable to the proposed project.

[1] *5.8 Agricultural Resources*, City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.

Parks, Recreation, and Open Space Element

Objective 4.1 Retain agricultural open space as long as agricultural activities can be economically conducted, and are desired by agricultural interests (with some agriculture retained in long-term use), and provide for an orderly transition of agricultural lands to other urban and rural uses.

To support this objective, the City identifies policies to encourage grazing and crop production as a compatible part of a rural residential atmosphere. Additionally, where practical, the City plans to incorporate existing groves into the design of future development projects. These groves can help retain the agricultural character of the area as well as provide a buffer between different land uses.[1]

4.1.3 Methodology

Important Farmland maps for Riverside County and the City were reviewed to determine whether the proposed project site contains or consists of Prime, Unique, or Statewide Important farmland. Second, the analysis evaluates the current General Plan land use designations and zoning applicable to the site to determine the existence of any conflicts between the proposed project and any potential existing agricultural general plan and zoning designations applicable to the site.

To quantify a development project's potential impacts on agricultural resources, the CDC has developed the California Agriculture LESA Model, a method of rating the relative quality of land resources and potential impacts to agricultural resources. The LESA Model is intended to provide lead agencies with a methodology to identify potentially significant impacts that may result from agricultural land conversions.

The LESA Model uses six different factors (two based on soil resource quality and four based on on-site and adjacent land characteristics) to develop a weighted score that identifies the significance of potential impacts to agricultural resources. The Land Evaluation (LE) scoring utilizes two soil factors. The Land Capability Classification (LCC) indicates the suitability of soils for most kinds of crops, and the risk of damage when they are used in agriculture, while the Storie Index provides a numeric rating (0–100) of the relative degree of suitability or value of a given soil for intensive agriculture. The Site Assessment (SA) scoring considers the size of the site to be converted, water supply restrictions in drought and non-drought years, and the presence (or absence) of adjacent agricultural, habitat, or parkland uses.

By assessing and weighing a variety of soil, water, and land use characteristics, it is possible that the conversion of a large parcel containing poor soils and with limited access to water would not result in a significant impact, while the conversion of a much smaller well-watered parcel with quality soils could be considered significant. To ensure potential impacts to adjacent agricultural activities are appropriately considered, the LESA model requires an examination of land use on all parcels within a Zone of Influence (ZOI) that extends a minimum 0.25 mile from the boundary of the site. For any site evaluated using the LESA model, the factors are rated, weighed, and combined, resulting in a single numeric score that becomes the basis for determining a project's potential significance.[2]

This EIR utilizes the LESA model as one of the analytical tools by which to assess the proposed project's impacts on agricultural conversion. Appendix G of the CEQA Guidelines states as follows:

> "In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland."

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1 *City of Moreno Valley General Plan*, City of Moreno Valley, July 2006.
2 California Land Evaluation and Site Assessment Model, Instruction Manual, State of California Department of Conservation, Office of Land Conservation, 1997.

Further, as stated above, the LESA model was specifically created by the CDC in order to provide "specific guidance concerning how agencies should address farmland conversion impacts."[1] Because of its use of localized inputs as part of the model, the LESA model is generally considered the preferred methodological tool by which to assess the significance of a proposed project's impacts related to agricultural resources.

4.1.4 Thresholds of Significance

Appendix G of the State CEQA Guidelines recognizes the following significance thresholds related to agricultural resources. Based on these significance thresholds, potential impacts to agricultural resources could be considered significant if the proposed project:

- Conflicts with existing zoning for agricultural use, or a Williamson Act contract;
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?
- Result in the loss of forest land or conversion of forest land to non-forest use?
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?
- Converted Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; and/or

4.1.5 No Impact/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.1.5.1 Conflict with existing zoning or a Williamson Act Contract

Threshold	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local government to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space uses. In return, landowners receive property tax assessments much lower than normal because they are based upon farming and open space uses as opposed to full market value. The purpose of the Williamson Act is to encourage property owners to continue to farm their land and to prevent the premature conversion of farmland to urban uses. The project site is not located within a Williamson Act contract area;[2] therefore, no impact would result from implementation of the project.

It should be noted that the Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. The uses proposed for the project site are consistent with the existing

[1] California Agricultural Land Evaluation and Site Assessment Model, Instruction Manual, 1987, p. 3.
[2] Williamson Act Geographic Information Systems data, Riverside County, 2006.

underlying General Plan and Zoning designations. The project site is not zoned for agricultural uses. No impact would occur and no mitigation is required.

4.1.5.2 Conflict with/Loss of Existing Forest Land or Timberland Zoning

Threshold	Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? Would the project result in the loss of forest land or conversion of forest land to non-forest uses?

The project site is currently vacant and fallow although it was previously utilized for sod farming up until August 2005. As previously identified, no forest or timberland resources are located within the project site nor is the project site zoned for forest land or timberland. Implementation of the proposed project would not require any rezoning or General Plan Amendments as the proposed uses are consistent with the existing underlying General Plan land use designation and zoning designation. The proposed project would not conflict with existing forest zoning, cause rezoning of forest land, or result in the loss or conversion of forest lands to non-forest uses as no such resources exist in the City. No impacts associated with this issue would occur and no mitigation is required.

4.1.6 Significant Impacts

4.1.6.1 Conversion of State Designated Farmland

Threshold	Would the proposed project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?

As discussed above, the CDC, as part of the FMMP process, publishes a Farmland Conversion Report every two years. This report documents land use conversion by acreage for each county in the State. The amount of Prime Farmland inventoried in Riverside County during the last countywide survey of farmland (2008) totaled 122,936 acres. The amount of Farmland of Statewide Importance totaled 44,651 acres. The amount of Farmland of Local Importance totaled 229,157 acres. The most recent data are for the 2006–2008 survey period, during which Riverside County experienced a net loss of 5,569 acres of Prime Farmland, 2,265 acres of Farmland of Statewide Importance, and 2,050 acres of Farmland of Local Importance.[1]

As previously stated, approximately 16.89 acres of the proposed project site are designated as Prime Farmland, 16.23 acres are designated as Farmland of Statewide Importance, and 38.69 acres are designated as Farmland of Local Importance. The conversion of the 16.89 acres of on-site Prime Farmland would be equivalent to 0.03 percent of the total loss of Prime Farmland in the County during this period. Similarly, the conversion of the 16.23 acres of on-site Farmland of Statewide Importance would be equivalent to 0.07 percent of the total loss of Farmland of Statewide Importance in the County during this period. The conversion of the 38.69 acres of on-site Farmland of Local Importance would be equivalent to 1.89 percent of the total loss of Farmland of Local Importance in the County during this period. Because Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance are considered to be a finite resource, its conversion to a non-agricultural use is a significant impact.

[1] Table A-25 Riverside County 2006–2008 Land use Conversion, Farmland Mapping and Monitoring Program, California Department of Conservation Division of Land Resource Protection, http://redirect.conservation.ca.gov/dlrp/fmmp/pubs/2006-2008/conversion_tables/rivcon08.xls; website accessed August 17, 2011.

Demographic increases, coupled with the availability of developable land and the rising cost of water, increasingly exert pressure on the owners/operators of agricultural operations to sell and/or convert agricultural lands to non-agricultural uses. The CDC has identified potential "conservation tools" available to mitigate for the loss of agricultural land. These include the purchase of agricultural conservation easements; transfer of development rights; acquisition of farmland by the city or county; mitigation banking; the establishment of "urban limits," greenbelts, and buffers; the payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements; and planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.[1]

Various techniques and programs have been utilized in selected areas of the State to mitigate for the loss of State-designated Farmland and/or to ensure the continued economic viability of agricultural operations. The City of Davis requires the granting of a farmland conservation easement or other conservation mechanism for twice the amount of agricultural land being converted to a non-agricultural uses; or the payment of in-lieu fees based upon a two-to-one mitigation requirement.[2] In its "Agricultural Lands Conversion Ordinance," Yolo County requires a one-to-one replacement of converted agricultural lands, either through the granting of a conservation easement, or payment of in-lieu fees. Generally, mitigation lands are required to have similar soil quality, water supply adequacy, and should be in relative proximity to the lands being converted.[3]

The CDC's California Farmland Conservancy Program (CFCP) seeks to encourage the long-term, private stewardship of agricultural lands through the voluntary use of agricultural conservation easements. Implementation of conservation easements is typically achieved either through (1) the outright purchase of easements or (2) the donation of mitigation fees to a local, regional, or statewide organization whose purpose includes the acquisition and stewardship of conservation easements. Additional agricultural conservation easements have been funded by various entities without the use of CFCP funds. While the amount of CFCP grants varies depending on location, farmland type, and size, CFCP grants to conservancy agencies made to offset the cost of purchasing agricultural conservation easements has averaged approximately $3,000 per acre statewide.[4]

The City does not maintain a program for mitigating impacts resulting from the conversion of farmland. Because State-designated Farmland is a finite resource, the loss of 16.89 acres of on-site Prime Farmland, 16.23 acres of Farmland of Statewide Importance, and 38.69 acres of Farmland of Local Importance is significant. While the proposed project would result in the conversion of State-designated Farmland, development of this site and the surrounding area is consistent with the long-term vision of the City as outlined SP 208 and in the General Plan. While the Moreno Valley General Plan policies support agriculture as an interim use, no land in the City is designated for agricultural preservation.

The City of Moreno Valley General Plan EIR discusses impacts related to agriculture in the City as well as potential mitigation. Potential mitigation measures exist that would reduce the impact related to the loss of agricultural resources within the City. These potential mitigation measures include:

- Enrolling productive agricultural land, not presently under contract, under a Williamson Act Contract;
- Providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development;
- Protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights;

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1 Discussion Paper, Agricultural Land Conservation Tools, California Department of Conservation.
2 Chapter 40 (Right to Farm and Farmland Preservation), City of Davis Municipal Code.
3 Yolo County General Plan Agricultural Element, November 2002.
4 http://www.consrv.ca.gov/dlrp/cfcp/stories/easement_projects.htm, site accessed August 17, 2011.

- Purchasing conservation easements on existing agricultural land to ensure that the land is never converted to urban uses; and
- Donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.[1]

Mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding considerations. To be feasible, mitigation must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account the economic, environmental, legal, social, and technological factors.[2]

While the City of Moreno Valley General Plan EIR identifies potential mitigation measures for impacts to agricultural resources, such mitigation measures have deemed infeasible. No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." The proposed project is a continued extension of development in the surrounding area (industrial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development. However, the project would permanently remove State-designated Farmland, and thus is considered a significant impact on agricultural resources.

Based on input from the Riverside County Farm Bureau, the major reason why farming appears to be no longer profitable in the Moreno Valley area is due to the high cost of water, which represents over a third (38%) of the estimated cost for farming. As property values and water costs (at domestic rates) increase due to suburbanization, no crop that can be grown in this area would yield enough revenue to make farming profitable. Dry farming continues to be economical in this area only because there are no costs for water or installing/maintaining irrigation equipment. However, most of the local farming has been and is continuing to move out to the Coachella Valley as it is the only way to continue making a profit. Additionally, as documented in the *Economic Viability of Agriculture in the East Inland Empire,*[3] which examines the economic and market trends affecting agriculture operations throughout California, the following factors demonstrate the infeasibility of agricultural production in the Eastern Inland Empire:

- Urbanization in the Inland Empire, resulting in dramatically increasing land prices;
- Higher water and labor costs;
- Environmental regulation (e.g., insects, odors, groundwater contamination, and solid waste removal); and
- Competition from Kern County and the Central Valley with lower land costs and reduced regulations

As summarized in the *Economic Viability of Agriculture in the East Inland Empire,* due to competing land uses, land prices have increased dramatically in the area in excess of $250,000 per acre. It has become more profitable for farmers to sell their land for a premium and relocate to a different area. The adoption of various General Plans in the Inland Empire emphasizing significant residential and commercial development has also encouraged the farmers to sell their land and relocate.

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1 Moreno Valley General Plan Final Program EIR, July 2006.
2 CEQA Guidelines, Sections 15126.4 and 15364.
3 *Viability of Agriculture in the East Inland Empire*, CB Richard Ellis, March 18, 2009.

The proximity of agriculture and urban development in the Inland Empire region bring with it many conflicts. There is an increase in the land use incompatibility with nuisance complaints from the urban neighbors regarding flies, farm odors, early morning noise, and also water and air pollution. The farmers also face pressures due to increased water and land-use restrictions.

Central Valley farmers also face few development pressures as compared to the Inland Empire and they benefit from a diverse farm economy. For example, the farmers use dairy waste to fertilize their own crops or of their neighbors. They also use agricultural waste from neighboring farms as feed. This reduces their waste disposal and feed costs.

With historic growth in commercial/industrial/residential demand throughout southern California over the past 50 years, there has been a consistent growth in residential and commercial/industrial development activity on former agricultural lands throughout Orange County, Los Angeles County and more recently into Riverside and San Bernardino Counties. Since 1990, the Inland Empire has seen population growth of over 1.5 million people, and it is projected to add another 75,000 people each year over the coming decade. In the City of Moreno Valley, there have been over 14,000 new housing units built since 2000.[1]

Industrial development in the Inland Empire region has seen similar growth with inventory increasing by 60 percent, or 92 million square feet since 2000. As a result of these trends, average land prices in the Inland Empire have increased to over $250,000 per acre, which compares to Kern County land values of less than $50,000 per acre.

Mitigation Measures. The potential mitigation measures identified by the City listed previously are not considered to be feasible by the City of Moreno Valley. Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. The City does have the ability to encourage property owners to participate in Williamson Act programs; however, this is expected to result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. The land would then be available to be developed with urban uses.

Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified.

[1] *State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2010, with 2000 Benchmark. Sacramento, California, May 2010.*

Level of Impact after Mitigation. Since the mitigation measures discussed are not consistent with the objectives of the Moreno Valley General Plan and are not economically feasible, no mitigation measures are proposed and impacts related to this issue remain significant and unavoidable.

4.1.6.2 Conversion of Farmland to a Non-Agricultural Use

Threshold	Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

The proposed project would result in the development of industrial uses on land that has historically been utilized for sod production; however, no active agricultural operation has occurred on the site since August of 2005. Approximately 16.89 acres of the proposed project site are designated as Prime Farmland, 16.23 acres are designated as Farmland of Statewide Importance, and 36.69 acres are designated as Farmland of Local Importance. The conversion of the project site to a non-agricultural use is a result of various economic and demographic factors. As previously noted, increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion.

To further evaluate the proposed project's impacts on agricultural resources, an analysis was completed utilizing the DOC's LESA Model. The LESA model is one of the analytical tools by which to assess the proposed project's impacts on agricultural conversion. Appendix G of the CEQA Guidelines states: "In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland." Further, as stated above, the LESA model was specifically created by the CDC in order to provide "specific guidance concerning how agencies should address farmland conversion impacts." Because of its use of localized input as part of the model, the LESA model is generally considered the preferred methodological tool by which to assess the significance of a proposed project's impacts on agricultural resources.

The LESA model is a method to rate the relative quality of land resources and potential impacts to agricultural resources using six different factors (two based on soil resource quality, and four based on on-site and adjacent resources) to develop a weighted score used to identify the significance of potential impacts to agricultural resources. For a given project, the factors are rated, weighted, and combined, resulting in a single numeric score, which becomes the basis for making a determination of a project's potential significance.[1] The resulting LESA score for the project site is provided in Table 4.1.A while the scoring threshold is provided in Table 4.1.B.

Table 4.1.A: Land Evaluation and Site Assessment Model Score

Factor Name	Factor Rating (0–100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
Land Evaluation					
1. Land Capabilities	83.6	×	0.25	=	20.90
2. Storie Index Rating	71.93	×	0.25	=	17.98
Land Evaluation (LE) Subscore					**38.88**
Site Assessment					
1. Project Size	80	×	0.15	=	12.00
2. Water Resources Available	90	×	0.15	=	13.50

[1] *California Land Evaluation and Site Assessment Model, Instruction Manual*, State of California Department of Conservation, Office of Land Conservation, 1997.

Table 4.1.A: Land Evaluation and Site Assessment Model Score

Factor Name	Factor Rating (0–100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
3. Surrounding Agriculture	0	×	0.15	=	0
4. Protected Resource Lands	0	×	0.15	=	0
Site Assessment (SA) Subscore					**25.50**
TOTAL LESA SCORE (LE+SA)					**64.38**

Table 4.1.B: LESA Model Scoring Threshold

Total LESA Score	Scoring Decision
0–39 Points	Not Considered Significant
40–59 Points	Considered Significant only if LE and SA subscores are each greater than or equal to 20 points
60–79 Points	Considered Significant unless either LE or SA subscore is less than 20 points
80–100 Points	Considered Significant

As identified in Table 4.1.A, the proposed project's LESA score is 64.38. As indicated in Table 4.1.B, a LESA score of 64.38 is considered significant. Therefore, the proposed project would result in a significant impact to agricultural resources.

Currently, property southwest of the project site (south of Lateral B or the Perris Valley Storm Drain and west of Indian Street) is utilized for agriculture. While the proposed project will result in the construction and operation of industrial uses, it would not preclude the continuation of agricultural uses on adjacent properties, in the event the property owners elected to do so. Whether or not adjacent agricultural land is developed relies on several factors including market demand, availability of property, profitability of the agricultural use, and the landowner's interest in continuing farming. While the operation of industrial uses would increase development pressure on adjacent agricultural properties, conversion of the adjacent agricultural properties is reasonably foreseeable.

The project does not include design features that would prevent the existing agricultural operations in the area from continuing. The project would convert land that was previously used for agriculture and the development of the proposed project may contribute to the conversion of adjacent lands. However, the project is a logical extension of development in the City and does not create leapfrog development or islands of agricultural land that would be difficult to farm. The City recognizes development pressures within the City, and that these pressures will increase as the City continues to build out.

Additionally, while the project would not directly cause the conversion of adjacent agricultural land to non-agricultural uses, it would contribute to development pressure within the City that could potentially lead to the conversion of agricultural land off site. This is a significant impact requiring mitigation. However, as stated in Section 4.1.6.1, no feasible mitigation for the loss of agricultural land within the City of Moreno Valley exists; infeasibility is based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly thus resulting an inability to make farming profitable.

As with impacts associated with the conversion of State-designated Farmland, no feasible mitigation is available to mitigate for the direct impacts associated with the conversion of farmland, as previously discussed in Section 4.1.6.1. While the City has identified that the conversion of agricultural land under its jurisdiction is an eventual outcome of current and future growth, the impacts associated with this issue remain significant and unavoidable.

4.1.7 Cumulative Impacts

The cumulative area for agricultural resource impacts is Riverside County. As with the project-related impacts to Prime Farmland and Farmland of Statewide Importance, no local or regional program to mitigate for the cumulative impacts to agricultural resources is available. As stated previously, the City does not maintain a General Plan or zoning designation for agricultural uses and there are no project-level feasible mitigation measures that would help reduce cumulative impacts. During the last reporting period (2006–2008), 6,540 acres of Prime Farmland, 2,366 acres of Farmland of Statewide Importance, and 8,873 acres of Farmland of Local Importance were converted to other uses. The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance is a finite resource, the conversion of approximately 71 acres to industrial uses, combined with planned and future development in the City and region, represents a significant cumulative impact to agricultural operations and resources.

4.2 AIR QUALITY

This section analyzes the proposed project's potential air quality impacts based on the comprehensive *Air Quality Analysis* contained in Appendix D-1 (LSA Associates, Inc. December 2011) and the *Health Risk Assessment* (LSA Associates, Inc. December 2011) contained in Appendix D-2 to this EIR. The air quality analysis evaluates potential air quality impacts and mitigation measures by examining the short-term construction and long-term operational impacts associated with the project and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. Additionally, the analysis provides a discussion of the proposed project, the physical setting of the project area, and the air quality regulatory framework. Modeled air quality levels are based upon vehicle data and project trip generation included in the project's Traffic Study (LSA Associates, Inc. November 2011, Appendix G of EIR) and peak turn volumes generated for the proposed project combined with emission factors from the California Air Resources Board (ARB). The evaluation was prepared in accordance with appropriate standards, utilizing procedures and methodologies in the South Coast Air Quality Management District (SCAQMD) *CEQA Air Quality Handbook* (SCAQMD 1993). Air quality data posted by the ARB and the U.S. Environmental Protection Agency (EPA) Web sites are included to document the local air quality environment.

4.2.1 Existing Setting

The project site is located in the South Coast Air Basin (Basin), a geographic area that encompasses the coastal plain and connecting broad inland valleys and low hills. The Pacific Ocean forms the southwestern border of the Basin, with mountain ranges forming the remainder of the border. The Basin includes Orange County and the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County. The Basin is under the jurisdiction of the SCAQMD.

4.2.1.1 Climate and Meteorology

Air quality in the project area is not only affected by various emission sources (mobile, industry, etc.), but also by atmospheric conditions such as wind speed, wind direction, temperature, rainfall, and amount of sunshine. The combination of topography, low mixing height, abundant sunshine, and emissions from the second largest urban area in the United States combine to give the Basin the worst air pollution problem in the nation.

Winds in the Basin are predominantly of relatively low velocities, averaging about 4.0 miles per hour (mph). These low average wind speeds, together with a persistent temperature inversion, limit the vertical dispersion of air pollutants throughout the Basin. Strong, dry, north or northeasterly winds, known as Santa Ana winds, occur during the fall and winter months, dispersing air contaminants, and these conditions tend to last for several days at a time.

During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino Counties. In the winter, the greatest pollution problems are carbon monoxide (CO) and oxides of nitrogen (NO_X), because of extremely low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and the brighter sunshine combine to cause a reaction between hydrocarbons and NO_X to form photochemical smog.

4.2.1.2 Regional Air Quality

Both the State of California and the Federal government have established health-based ambient air quality standards (AAQS) for six air pollutants:

- Carbon monoxide (CO)
- Ozone (O_3)

- Lead (Pb)
- Nitrogen dioxide (NO_2)
- Particulate matter with a diameter of 10 microns or less (PM_{10})
- Sulfur dioxide (SO_2)

Federal standards for 8-hour ozone and for fine particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) have also been adopted. In addition, the State has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety and are listed in Table 4.2.A.

In addition to setting out AAQS, the State has established a set of episode criteria for O_3, CO, NO_2, SO_2, and PM_{10}. These episode criteria refer to periods of short-term exposure to air pollutants that threaten public health. Health effects are progressively more severe as pollutant levels increase from Stage One to Stage Three. An alert level is that concentration of pollutants at which initial stage control actions are to begin. An alert will be declared when any one of the pollutant alert levels is reached at any monitoring site and meteorological conditions are such that the pollutant concentrations can be expected to remain at these levels for 12 or more hours or to increase; or, in the case of oxidants, the situation is likely to recur within the next 24 hours unless control actions are taken. At times, meteorological conditions are so adverse to pollutant dispersion that concentrations of ozone exceed the State air quality standard by as much as a factor of three. The California Air Resources Board (CARB) has defined Episode Levels of ozone air pollution as follows:

- **Health Advisory Levels** occur when hourly ozone concentrations equal or exceed 0.15 parts per million (ppm). At this level, residents are advised to avoid prolonged, vigorous outdoor exercise, and persons with respiratory or coronary disease should avoid exercise.
- **Stage 1 Episodes** occur when hourly ozone concentrations equal or exceed 0.20 ppm. At these times, persons with respiratory or coronary artery disease should be notified to take precautions against exposure and should stay indoors as much as possible. Schools are also notified to advise against strenuous physical activity for their students. To this end, schools are in regular communication with the SCAQMD.
- **Stage 2 Episodes** occur when hourly ozone concentrations equal or exceed 0.35 ppm. The SCAQMD requires industry to take prompt actions to reduce emissions at those times. No Stage 2 episodes occurred between 1989 and 1992.
- **Stage 3 Episodes** occur when hourly ozone concentrations equal or exceed 0.50 ppm. The last Stage 3 episode occurred in the Basin in 1974.

Pollutant alert levels:

- O_3: 392 micrograms per cubic meter ($\mu g/m^3$) (0.20 ppm), 1-hour average.
- CO: 17 milligrams per cubic meter (mg/m^3) (15 ppm), 8-hour average.
- NO_2: 1,130 $\mu g/m^3$ (0.6 ppm) 1-hour average; 282 $\mu g/m^3$ (0.15 ppm) 24-hour average.
- SO_2: 800 $\mu g/m^3$ (0.3 ppm), 24-hour average.
- Particulates, measured as PM_{10}: 350 $\mu g/m^3$, 24-hour average.

Health effects are progressively more severe as pollutant levels increase from Stage 1 to Stage 3. These health effects will not occur unless the standards are exceeded by a large margin or for a prolonged period of time. Among the pollutants, O_3 and particulate matter ($PM_{2.5}$ and PM_{10}) are considered regional pollutants, while the others have more localized effects. Table 4.2.B lists the health effects of these criteria pollutants and their potential sources.

Table 4.2.A: Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]		
		Concentration[3]	Method[4]	Primary[3,5]	Secondary[3,6]	Method[7]
Ozone (O_3)	1-Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8-Hour	0.070 ppm (137 µg/m^3)		0.075 ppm (147 µg/m^3)		
Respirable Particulate Matter (PM_{10})	24-Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter ($PM_{2.5}$)	24-Hour	No Separate State Standard		35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	15.0 µg/m^3		
Carbon Monoxide (CO)	8-Hour	9.0 ppm (10 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m^3)	None	Non-Dispersive Infrared Photometry (NDIR)
	1-Hour	20 ppm (23 mg/m^3)		35 ppm(40 mg/m^3)		
	8-Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	—
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	Gas Phase Chemiluminescence	53 ppb (100 µg/m^3) (see footnote 8)	Same as Primary Standard	Gas Phase Chemiluminescence
	1-Hour	0.18 ppm (339 µg/m^3)		100 ppb (188 µg/m^3) (see footnote 8)	None	
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	—	Ultraviolet Fluorescence		—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	24-Hour	0.04 ppm (105 µg/m^3)			—	
	3-Hour	—		—	0.5 ppm (1300 µg/m^3)	
	1-Hour	0.25 ppm (655 µg/m^3)		75 ppb (196 µg/m^3) (see footnote 9)	—	
Lead[10]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High-Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3	Same as Primary Standard	
	Rolling 3-Month Average[9]	—		0.15 µg/m^3		
Visibility-Reducing Particles	8-Hour	Extinction coefficient of 0.23 per kilometer - visibility of ten miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.		No Federal Standards		
Sulfates	24-Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1-Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[9]	24-Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

Source: California Air Resources Board, September 8, 2010.

Footnotes

1 California standards for ozone; carbon monoxide (except Lake Tahoe); sulfur dioxide (1- and 24-hour); nitrogen dioxide; suspended particulate matter - PM_{10}, $PM_{2.5}$ and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2 National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth-highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current federal policies.

3 Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4 Any equivalent procedure which can be shown to the satisfaction of ARB to give equivalent results at or near the level of the air quality standard may be used.

5 National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6 National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7 Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.

8 To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100 ppm (effective January 22, 2010). Note that the EPA standards are in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national standards to the California standards the units can be converted from ppb to ppm. In this case, the national standards of 53 ppb and 100 ppb are identical to 0.053 ppm and 0.100 ppm, respectively.

9 On June 2, 2010, the U.S. EPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. EPA also proposed a new automated Federal Reference Method (FRM) using the ultraviolet technology, but will retain the older pararosaniline methods until the new FRM have adequately permeated State monitoring networks. The EPA also revoked both the existing 24-hour SO_2 standard of 0.14 ppm and the annual primary SO_2 standard of 0.030 ppm, effective August 23, 2010. The secondary SO_2 standard was not revised at that time; however, the secondary standard is undergoing a separate review by EPA. Note that the new standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the new primary national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

10 The ARB has identified lead and vinyl chloride as "toxic air contaminants" with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

11 National lead standard, rolling 3-month average: final rule signed October 15, 2008.

°C = degrees Celsius
EPA = United States Environmental Protection Agency
g/m^3 = micrograms per cubic meter
mg/m^3 = milligrams per cubic meter
ppm = parts per million

Table 4.2.B: Summary of Health Effects of the Major Criteria Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O_3)	▪ Atmospheric reaction of organic gases with nitrogen oxides in the presence of sunlight.	▪ Breathing difficulty. ▪ Lung tissue damage. ▪ Damage to rubber and some plastics.
Nitrogen Dioxide (NO_2)	▪ Motor vehicle exhaust. ▪ Heavy construction equipment exhaust. ▪ Farming equipment exhaust. ▪ Residential heating.	▪ Lung irritation and damage. ▪ Formation of acid rain.
Carbon Monoxide (CO)	▪ Motor vehicle exhaust. ▪ Heavy construction equipment exhaust. ▪ Farming equipment exhaust. ▪ Residential heating.	▪ Reduced tolerance for exercise. ▪ Impairment of mental function. ▪ Impairment of fetal development. ▪ Death at high levels of exposure. ▪ Aggravation of some heart diseases (angina).
Suspended Particulate Matter ($PM_{2.5}$ and PM_{10})	▪ Motor vehicle exhaust ($PM_{2.5}$). ▪ Equipment and industrial sources ($PM_{2.5}$). ▪ Residential and agricultural burning ($PM_{2.5}$ and PM_{10}). ▪ Atmospheric chemical reactions ($PM_{2.5}$ and PM_{10}). ▪ Road dust (PM_{10}). ▪ Windblown dust (Agriculture [PM_{10}]) ▪ Construction (Fireplaces [PM_{10}])	▪ Reduced lung function. ▪ Aggravation of the effects of gaseous pollutants. ▪ Aggravation of respiratory and cardiorespiratory diseases. ▪ Increased cough and chest discomfort. ▪ Soiling. ▪ Reduced visibility.
Sulfur Dioxide (SO_2)	▪ Coal/oil- burning power plants. ▪ Industries, refineries, and diesel engines.	▪ Increased lung disease. ▪ Breathing problems for asthmatics. ▪ Formation of acid rain.
Lead (Pb)	▪ Metal smelters. ▪ Resource recovery. ▪ Leaded gasoline. ▪ Deterioration of lead paint.	▪ Learning disabilities. ▪ Brain and kidney damage.

Source: California Air Resources Board 2009 (http://www.arb.ca.gov/research/health/fs/fs2/fs2.htm).

Table 4.2.C: Attainment Status of Criteria Pollutants in the South Coast Air Basin

Pollutant	State	Federal
O_3 1-hour	Nonattainment	N/A
O_3 8-hour	Nonattainment	Extreme Nonattainment
PM_{10}	Nonattainment	Serious Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Attainment/Maintenance
NO_2	Nonattainment	Attainment/Maintenance
SO_2	Attainment	Attainment
Pb	Attainment (except Los Angeles County)	Attainment (except Los Angeles County)
All others	Attainment/Unclassified	Attainment/Unclassified

Unclassified designation: a pollutant that is designated unclassified if the data are incomplete and do not support a designation of attainment or nonattainment.
Attainment designation: a pollutant is designated attainment if the State standard for that pollutant was not violated at any site in the area during a 3-year period.
Nonattainment: a pollutant is designated nonattainment if there was at least one violation at any site in the area during a 3-year period.
Source: California Air Resources Board website: www.arb.ca.gov/desig/desig.htm, 2010.

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Indirect sources of pollution are generated when minor sources collectively emit a substantial amount of pollution. Examples of this would be the motor vehicles at intersections, malls, and on highways. The California Clean Air Act (CCAA) provides the SCAQMD with the authority to manage transportation activities at indirect sources. The SCAQMD also regulates stationary sources of pollution throughout its jurisdictional area. Direct emissions from motor vehicles are regulated by the CARB.

4.2.1.3 Air Pollution Constituents and Attainment Status

The CARB has many responsibilities with respect to air quality, including the following:

- Coordinates and oversees State and Federal air pollution control programs in California;
- Oversees activities of local air quality management agencies (e.g., the SCAQMD);
- Responsible for incorporating air quality management plans for local air basins into a State Implementation Plan (SIP) for EPA approval; and
- Maintains air quality monitoring stations throughout the State in conjunction with local air districts.

Data collected at these stations are used by the CARB to classify air basins as “attainment” or “nonattainment” with respect to each pollutant and to monitor progress in attaining air quality standards. The State is divided geographically into 15 air basins for the purpose of managing the air resources of the State on a regional basis. An air basin generally has similar meteorological and geographic conditions throughout. Significant authority for air quality control within them has been given to local air districts that regulate stationary source emissions and develop local nonattainment plans. Table 4.2.C (previous page) identifies the attainment status for the criteria pollutants in the Basin.

4.2.1.4 Local Air Quality

The SCAQMD, together with the CARB, maintains ambient air quality monitoring stations in the Basin. The air quality monitoring station closest to the project site is the Perris station. This station monitors ozone and PM_{10}. The air quality monitoring station closest to the site monitoring the rest of the criteria pollutants is the Riverside-Rubidoux station. This monitoring data for SO_2 has been omitted as attainment is regularly met for this pollutant within the Basin. These stations characterize the air quality representative of the ambient air quality in the project area.[1] The ambient air quality data in Table 4.2.D identify that CO and NO_2 levels are consistently below the relevant State and Federal standards in the project vicinity. O_3, PM_{10}, and $PM_{2.5}$ levels all exceed State and/or Federal standards regularly.

Table 4.2.D: Ambient Air Quality Monitored in the Project Vicinity

Pollutant	Standard	2008	2009	2010
Carbon Monoxide (CO) (Riverside-Rubidoux data)				
Maximum 1-hr concentration (ppm)		2.7	2.7	2.0
Number of days exceeded:	State: > 20 ppm	0	0	0
	Federal: > 35 ppm	0	0	0
Maximum 8-hr concentration (ppm)		1.86	1.85	1.20
Number of days exceeded:	State: ≥ 9.0 ppm	0	0	0
	Federal: ≥ 9.0 ppm	0	0	0

[1] Air quality data, 2008-2010; EPA and CARB websites.

Table 4.2.D: Ambient Air Quality Monitored in the Project Vicinity

Pollutant	Standard	2008	2009	2010
Ozone (O_3) (Perris Station Data)				
Maximum 1-hr concentration (ppm)		0.142	0.125	0.122
Number of days exceeded:	State: > 0.09 ppm	65	53	46
Maximum 8-hr concentration (ppm)		0.115	0.109	0.108
Number of days exceeded:	State: > 0.07 ppm	94	88	77
	Federal: > 0.075 ppm	77[1]	67	50
Coarse Particulates (PM_{10}) (Perris Station data)				
Maximum 24-hr concentration (µg/m^3)		87	76	48
Number of days exceeded:	State: > 50 µg/m^3	8	6	0
	Federal: > 150 µg/m^3	0	0	0
Annual arithmetic mean concentration (µg/m^3)		29.6	34.8	28.0
Exceeded for the year	State: > 20 µg/m^3	Yes	Yes	Yes
Fine Particulates ($PM_{2.5}$) (Riverside-Rubidoux data)				
Maximum 24-hr concentration (µg/m^3)		57.6	54.4	ND
Number of days exceeded:	Federal: > 35 µg/m^3	13[3]	13	ND
Annual arithmetic mean (µg/m^3)		16.3	15.2	ND
Exceeded for the year	State: > 12 µg/m^3	Yes	Yes	ND
	Federal: > 15 µg/m^3	Yes	Yes	ND
Nitrogen Dioxide (NO_2) (Riverside-Rubidoux data)				
Maximum 1-hr concentration (ppm)		0.092	0.078	0.052
Number of days exceeded:	State: > 0.18 ppm	0	0	0
Annual arithmetic mean concentration (ppm)		0.019	0.017	ND
Exceeded for the year	State: > 0.030 ppm	No	No	ND
	Federal: > 0.053 ppm	No	No	ND
Sulfur Dioxide (SO_2) (Riverside-Rubidoux data)				
Maximum 24-hr concentration (ppm)		0.003	0.003	0.002
Number of days exceeded:	State: > 0.04 ppm	0	0	0
	Federal: > 0.14 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.000	0.001	ND
Exceeded for the year:	Federal: > 0.030 ppm	No	No	ND

[1] The exceedances of the federal 8-hour O3 standard are based on the old 0.08 ppm standard. In April 2008, the EPA revised the standard to 0.075 ppm.
[2] No data available.
[3] The exceedances of the federal 24-hour PM2.5 standard are based on the old 65 µg/m3 standard. In 2006, the EPA revised the standard to 35 µg/m3.
µg/m3 = micrograms per cubic meter
ARB = California Air Resources Board
EPA = United States Environmental Protection Agency
ppm = parts per million
Source: South Coast AQMD (www.aqmd.gov).

4.2.1.5 Sensitive Land Uses in the Project Vicinity

Sensitive receptors include residences, schools, medical offices, convalescent facilities, and similar uses that are sensitive to air pollutants. The nearest existing sensitive receptors in the vicinity of the proposed project site are rural residential residences located approximately 1,000 feet (ft) to the north

along Nandina Avenue. There are also nonconforming residences within commercial and industrial zoned property approximately 0.5 mile southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

4.2.1.6 Existing Project Area Emissions

The project site is currently vacant, and therefore does not generate emissions. Existing air quality conditions at the proposed project site reflect ambient monitored conditions as presented at the previously referenced Table 4.2.D.

4.2.2 Policies and Regulations

4.2.2.1 Federal Regulations

Clean Air Act. Pursuant to the Federal Clean Air Act (CAA) of 1970, the EPA established national ambient air quality standards (NAAQS). The NAAQS were established for six major pollutants, termed "criteria" pollutants. Criteria pollutants are defined as those pollutants for which the Federal and State governments have established ambient air quality standards, or criteria, for outdoor concentrations in order to protect public health.

The EPA established new national air quality standards for ground-level O_3 and $PM_{2.5}$ in 1997. On May 14, 1999, the Court of Appeals for the District of Columbia Circuit issued a decision ruling that the CAA, as applied in setting the new public health standards for O_3 and particulate matter, was unconstitutional as an improper delegation of legislative authority to the EPA. On February 27, 2001, the U.S. Supreme Court upheld the way that the government sets air quality standards under the CAA. The Court unanimously rejected industry arguments that the EPA must consider financial cost as well as health benefits in writing standards. The Justices also rejected arguments that the EPA took too much lawmaking power from Congress when it set tougher standards for O_3 and soot in 1997. Nevertheless, the Court threw out the EPA's policy for implementing new O_3 rules, stating that the EPA ignored a section of the law that restricts its authority to enforce such rules.

In April 2003, the EPA was cleared by the White House Office of Management and Budget (OMB) to implement the eight-hour ground-level O_3 standard. The EPA issued the proposed rule implementing the eight-hour O_3 standard in April 2003. The EPA completed final eight-hour nonattainment status on April 15, 2004. The EPA issued the final $PM_{2.5}$ implementation rule in fall 2004. The EPA issued final designations on December 14, 2004.

Effective January 22, 2010, the EPA strengthened the standard for NO_2 by setting a new 1-hour standard at the level of 100 parts per billion (ppb). This standard defines the maximum allowable concentration anywhere in an area and will protect against adverse health effects associated with short-term exposure to NO_2. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 100 ppb. On January 25, 2010 the EPA issued the final rule setting the one-hour maximum standard for NO_2 at 100 ppb. The agency retained the annual standard of 53 ppb.

Additionally, effective June 2, 2010, the EPA revised the primary standard for SO_2 by establishing a new 1-hour standard at a level of 75 ppb. The EPA revoked the two existing primary standards of 140 ppb evaluated over 24-hours, and 30 ppb evaluated over an entire year as they would not provide additional public health protection given a 1-hour standard at 75 ppb. To attain this standard, the 3-year average of the 99th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 75 ppb.

4.2.2.2 State Regulations

Mulford-Carrell Act. The State began to set California Ambient Air Quality Standards (CAAQS) in 1969 under the mandate of the Mulford-Carrell Act. The CAAQS are generally more stringent than the NAAQS. In addition to the six criteria pollutants covered by the NAAQS, there are CAAQS for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles.

Originally, there were no attainment deadlines for CAAQS; however, the CCAA of 1988 provided a time frame and a planning structure to promote their attainment. The CCAA required nonattainment areas in the State to prepare attainment plans and proposed to classify each such area on the basis of the submitted plan, as follows: moderate, if CAAQS attainment could not occur before December 31, 1994; serious, if CAAQS attainment could not occur before December 31, 1997; and severe, if CAAQS attainment could not be conclusively demonstrated at all. The attainment plans are required to achieve a minimum 5 percent annual reduction in the emissions of nonattainment pollutants unless all feasible measures have been implemented. The EPA has designated the Southern California Association of Governments (SCAG) as the Metropolitan Planning Organization (MPO) responsible for ensuring compliance with the requirements of the CAA for the Basin.

4.2.2.3 Regional Regulations

Lewis Air Quality Management Act. The 1976 Lewis Air Quality Management Act established the SCAQMD and other air districts throughout the State. The Federal CAA Amendments of 1977 required that each state adopt an implementation plan outlining pollution control measures to attain the Federal standards in nonattainment areas of the state.

The CARB is responsible for incorporating air quality management plans for local air basins into an SIP for EPA approval. Significant authority for air quality control within them has been given to local air districts that regulate stationary source emissions and develop local nonattainment plans.

Regional Air Quality Management Plan (AQMP). The SCAQMD and the SCAG are responsible for formulating and implementing the AQMP, which has a 20-year horizon for the Basin. The SCAQMD and SCAG must update the AQMP every three years. The current regional air quality plan is the Final 2007 Air Quality Management Plan (AQMP) adopted by the SCAQMD on June 1, 2007.

The Final 2007 AQMP proposes attainment demonstration of the Federal $PM_{2.5}$ standards through a more focused control of sulfur oxides (SO_X), directly-emitted $PM_{2.5}$, and nitrogen oxides (NO_X) supplemented with volatile organic compounds (VOC) by 2015. The 8-hour ozone control strategy builds upon the $PM_{2.5}$ strategy, augmented with additional NO_X and VOC reductions to meet the standard by 2024 assuming a bump-up[1] is obtained.

The Final 2007 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve Federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin that are under District jurisdiction. This Final Plan also addresses several Federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools. This Final Plan builds upon the approaches taken in the 2003 AQMP for the

[1] A "bump-up" is a voluntary reclassification of a nonattainment area to a higher classification allowing for an extension of an attainment deadline.

Basin for the attainment of the Federal ozone air quality standard.[1] The Basin is currently a Federal and State nonattainment area for PM_{10}, $PM_{2.5}$, and ozone.

4.2.3.4 Local Policies

City of Moreno Valley General Plan Policies. Chapter 9 of the City's General Plan defines goals and policies related to air quality within the City of Moreno Valley. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Objective 6.7 Reduce mobile and stationary source air pollutant emissions.

- **Policy 6.7.1** Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.
- **Policy 6.7.2** Encourage the financing and construction of park and ride facilities.
- **Policy 6.7.4** Locate heavy industrial and extraction facilities away from residential areas and sensitive receptors.
- **Policy 6.7.5** Require grading activities to comply with South Coast Air Quality Management District's Rule 403 regarding the control of fugitive dust.
- **Policy 6.7.6** Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.

4.2.3 Methodology

The *Air Quality Analysis*[2] evaluated the air quality impacts associated with the development of the proposed project. Evaluation of air quality impacts associated with the proposed project includes the following:

- Determine the short-term construction air quality impacts based on SCAQMD emissions thresholds;
- Determine the long-term air quality impacts, including vehicular traffic, on both on-site and off-site air quality sensitive uses based on SCAQMD emissions thresholds; and
- Determine the required mitigation measures to reduce short-term and long-term on-site air quality impacts from all sources.

Air quality in the project area would be affected by long-term air pollutant emissions from stationary sources and mobile sources related to the proposed project. On February 3, 2011, the SCAQMD released the California Emissions Estimator Model (CalEEMod). The purpose of this new model is to more accurately calculate air quality and greenhouse gas (GHG) emissions from direct and indirect sources and quantify applicable air quality and GHG reduction achieved from mitigation measures. The latest version of CalEEMod was utilized to predict these project-related air quality impacts.

Construction-related emissions are expected from construction activities such as rough grading, infrastructure construction, asphalt paving, building construction, architectural coatings, and construction workers commuting. This estimate represents the "worst-case" scenario as construction equipment emissions would decrease with time due to technological advancements. Construction emissions for construction worker vehicles traveling to and from the project site, in addition to vendor trips (construction materials delivered to the project site) were also accounted for in the analysis. Localized air quality in the project area would be affected by both heavy-duty construction equipment

1 *Final 2007 Air Quality Management Plan*, South Coast Air Quality Management District, June 1, 2007.
2 *VIP Moreno Valley Air Quality Analysis*, LSA Associates, Inc., December 2011.

usage on site as well as local traffic due to the equipment delivery and construction worker commuting. The SCAQMD CEQA methodology[1] was used to analyze the criteria pollutant emissions from these activities.

Air quality in the project area would be affected by long-term air emissions from stationary sources and mobile sources related to the proposed project. The CalEEMod model was used to predict these project-related long-term impacts. Localized air quality impacts (i.e., CO concentrations [CO hot spots]) in the project area would be affected by increased traffic flow due to the proposed project. The Caltrans CALINE4 model and the CARB EMFAC 2007 model were used to assess the project's impact on the local CO concentrations.

SCAQMD has developed Local Significance Threshold (LST) methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State AAQS and are developed based on the ambient concentrations of that pollutant for each source receptor area. SCAQMD's current guidelines, *Final Localized Significance Threshold Methodology* (June 2003), were adhered to in the assessment of air quality impacts for the proposed project. The LST mass rate look-up tables were used to determine whether the daily emissions for the proposed construction activities could result in significant localized air quality impacts. The emissions of concern from construction activities are NOx, CO, PM_{10}, and $PM_{2.5}$ combustion emissions from construction equipment and fugitive PM_{10} dust from construction site preparation activities.

4.2.4 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, air quality impacts would occur if the proposed project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; and/or
- Create objectionable odors affecting a substantial number of people.

In addition to the Federal and State AAQS, there are daily emissions thresholds for construction and operation of a proposed project in the Basin. The Basin is administered by the SCAQMD, and guidelines and emissions thresholds established by the SCAQMD in its *CEQA Air Quality Handbook*[2] are used in this analysis. It should be noted that the emissions thresholds were established based on the attainment status of the air basin with regard to air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety (EPA), these emissions thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

[1] *CEQA Air Quality Handbook*, April 1993.
[2] *CEQA Air Quality Handbook*, April 1993.

4.2.4.1 Thresholds for Construction Emissions

The following CEQA significance thresholds for construction emissions have been established by the SCAQMD for the Basin:

- 75 pounds per day of reactive organic compounds (ROC).
- 100 pounds per day of NO_X.
- 550 pounds per day of CO.
- 150 pounds per day of PM_{10}.
- 150 pounds per day of SO_X.
- 55 pounds per day of $PM_{2.5}$.

Projects in the Basin with construction-related emissions that exceed any of the emission thresholds are considered to be significant under CEQA.

4.2.4.2 Thresholds for Operational Emissions

Projects with operation-related emissions that exceed any of the emission thresholds listed below are considered significant under the SCAQMD guidelines.

- 55 pounds per day of ROC.
- 55 pounds per day of NO_X.
- 550 pounds per day of CO.
- 150 pounds per day of PM_{10}.
- 150 pounds per day of SO_X.
- 55 pounds per day of $PM_{2.5}$.

4.2.4.3 Federal 1 Hour NO_2 Standard

On January 22, 2010, the EPA revised the primary nitrogen dioxide (NO_2) NAAQS in order to provide requisite protection of public health. Specifically, the EPA established a new 1-hour standard at a level of 100 ppb (188.68 µg/m^3), based on the 3-year average of the annual 98th percentile of the daily maximum 1-hour concentrations (form of the standard), in addition to the existing annual secondary standard (100 µg/m^3). EPA has also established requirements for a NO_2 monitoring network that will include monitors at locations where maximum NO_2 concentrations are expected to occur, including within 50 meters of major roadways, as well as monitors sited to measure the area-wide NO_2 concentrations that occur more broadly across communities.

The effective date of the new 1-hour standard was 60 days after the final rule was published in the Federal Register. The final rule was published in the Federal Register on February 9, 2010 with an effective date of April 12, 2010.

4.2.4.4 Air Pollutant Standards for CO with Localized Effects

The significance of localized project impacts under CEQA depends on whether ambient CO levels in the vicinity of the project are above or below State and Federal CO standards (previously referenced Table 4.2.A). If ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient

levels already exceed a State or Federal standard, project emissions are considered significant if they increase one-hour CO concentrations by 1.0 ppm[1] or more or eight-hour CO concentrations by 0.45 ppm or more. The Basin meets State and Federal attainment standards for CO; therefore, the proposed project would have a significant CO impact if project emissions result in an exceedance of State or Federal one-hour or eight-hour standard. The following emission concentration standards for CO, based on the SCAQMD *CEQA Air Quality Handbook* (1993), apply to the proposed project:

- California State one-hour CO standard of 20.0 ppm.
- California State eight-hour CO standard of 9.0 ppm.

4.2.4.5 Localized Significance Thresholds

The SCAQMD published its *Final Localized Significance Threshold Methodology* in June 2003, revised July 2008) and Final –Methodology to Calculate Particulate Matter (PM) 2.5 and $PM_{2.5}$ Significance Thresholds (October 2006), recommending that all air quality analyses include an assessment of both construction and operational impacts on the air quality of nearby sensitive receptors. LSTs represent the maximum emissions from a project site that are not expected to result in an exceedance of the national or State AAQS. LSTs are based on the ambient concentrations of that pollutant within the project Source Receptor Area (SRA) and the distance to the nearest sensitive receptor. For this project, the appropriate SRA for the LST is the Perris Valley (SRA 24).

In the case of CO and NO_2, if ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient levels already exceed a State or federal standard, then project emissions are considered significant if they increase ambient concentrations by a measurable amount. This would apply to PM_{10} and $PM_{2.5}$, both of which are non-attainment pollutants. For these two, the significance criteria are the pollutant concentration thresholds presented in SCAQMD Rules 403 and 1301. The Rule 403 threshold of 10.4 µg/m3 applies to construction emissions (and may apply to operational emissions at aggregate handling facilities). The Rule 1301 threshold of 2.5 $\mu g/m^3$ applies to non-aggregate handling operational activities.

To avoid the need for every air quality analysis to perform air dispersion modeling, the SCAQMD performed air dispersion modeling for a range of construction sites less than or equal to 5 acres (ac) in size and created look-up tables that correlate pollutant emissions rates with project size to screen out projects that are unlikely to generate enough emissions to result in a locally significant concentration of any criteria pollutant. These look-up tables can also be used as screening criteria for larger projects to determine whether or not dispersion modeling may be required.

Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to adverse air quality. The nearest existing sensitive receptors are approximately 300 meters (m) (1,000 ft) away from the project site.

Following the SCAQMD LST methodology, for sites larger than 5 ac, dispersion modeling needs to be conducted. Because the project site encompasses approximately 71 ac, the localized significance for project air emissions is determined by performing dispersion modeling to see if the pollutant concentrations would exceed the ambient air quality standards, or for particulate matter, if the pollutant concentrations would exceed thresholds presented in SCAQMD Rules 403 and 1301.

For operational emissions, the localized significance for a project larger than 5 ac can be determined by performing the screening-level analysis before using the dispersion modeling because the screening-level analysis is more conservative, and if no exceedance of the screening-level thresholds

[1] ppm = parts per million.

is identified, then the chance of operational LST exceeding concentration standards is small. Therefore, for a conservative approach, the LST screening thresholds for 5 ac are used in this analysis for operational emissions. Since the project is not an aggregate handling facility, operational LSTs are assessed with the SCAQMD screening thresholds. Therefore, the following emissions thresholds apply during project operations:

- 585 lbs/day of NO_X
- 12,083 lbs/day of CO
- 32 lbs/day of PM_{10}
- 14 lbs/day of $PM_{2.5}$

4.2.4.6 Diesel Exhaust Health Risk Thresholds

For pollutants without defined significance standards or air contaminants not covered by the standard criteria cited above, the definition of substantial pollutant concentrations varies. For toxic air contaminants (TAC), "substantial" is taken to mean that the individual cancer risk exceeds a threshold considered to be a prudent risk management level. If best available control technology for toxics (T-BACT) has been applied, the individual cancer risk to the maximum exposed individual (MEI) must not exceed 10 in 1 million if an impact is to be considered less than significant.

The following limits for maximum individual cancer risk (MICR), cancer burden and non-cancer acute and chronic hazard indices (HI) from project emissions of TACs have been established for the Basin:

- **MICR and Cancer Burden.** MICR is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to TACs over a period of 70 years for residential and 40 years for worker receptor locations. The MICR calculations include multipathway consideration, when applicable. Cancer burden is the estimated increase in the occurrence of cancer cases in a population subject to a MICR of greater than or equal to one in one million (1.0×10^{-6}) resulting from exposure to TACs.

  The total increase in MICR that is the sum of the calculated MICR values for all TACs emitted from the project will not result in any of the following:

  (A) An increased MICR greater than 10 in 1 million (1.0×10^{-5}) at any receptor location (assumes the project will be constructed with T-BACT); or

  (B) A cancer burden greater than 0.5.

- **Chronic HI.** This is the ratio of the estimated long-term level of exposure to a TAC for a potential maximally exposed individual to its chronic reference exposure level. The chronic HI calculations include multipathway consideration, when applicable.

  The cumulative increase in total chronic HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

- **Acute HI.** This is the ratio of the estimated maximum one-hour concentration of a TAC for a potential maximally exposed individual to its acute reference exposure level.

  The cumulative increase in total acute HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

4.2.5 Less than Significant Impacts

The following impacts were determined to be less than significant. For each of the following issues either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.2.5.1 Air Quality Plan Management Plan Consistency

Threshold	Would the proposed project conflict with or obstruct implementation of the applicable air quality plan?

The current regional air quality management plan is the *Final 2007 Air Quality Management Plan* adopted by the SCAQMD on June 1, 2007. The Final 2007 AQMP proposes attainment demonstration of the Federal $PM_{2.5}$ standards through a more focused control of SO_X, directly-emitted $PM_{2.5}$, and NO_X supplemented with VOC by 2015. The 8-hour ozone control strategy builds upon the $PM_{2.5}$ strategy, augmented with additional NO_X and VOC reductions to meet the standard by 2024 assuming a bump-up[1] is obtained.

The Final 2007 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve Federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin that are under SCAQMD jurisdiction. This AQMP also addresses several Federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools. This AQMP builds upon the approaches taken in the 2003 AQMP for the Basin for the attainment of the Federal ozone air quality standard.[2] The Basin is currently a Federal and State nonattainment area for PM_{10}, $PM_{2.5}$, and ozone.

To assess the environmental impacts as a result of new development accurately, environmental pollution and population growth are projected by the SCAQMD in the AQMP for future scenarios. The AQMP projections are based, in part, on the growth forecasts and General Plans from cities and counties located in the Basin. As the Growth Management Chapter of the SCAG's Regional Comprehensive Plan and Guide (RCPG) forms the basis of the land use and transportation control portions of the AQMP, projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter are considered consistent with the AQMP growth projections. A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the air quality plans. It fulfills the CEQA goal of fully informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Only new or amended General Plan elements, Specific Plans, and significantly unique projects need to undergo a consistency review due to the air quality plan strategy being based on projections from local General Plans. Projects that propose general plan amendments and changes of zone may increase the intensity of use and/or result in higher traffic volumes, thereby resulting in increased stationary area source emissions and/or vehicle source emissions when compared to the AQMP assumptions.

Another measurement tool in determining consistency with the AQMP is to determine how a project accommodates the expected increase in population or employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT) both within the project and the community in which it is located, and consequently the minimization of air pollutant emissions, that aspect of the project is consistent with the AQMP. The proposed project site is located in an urbanizing area of the City of Moreno Valley west of Perris Boulevard, which accommodates traffic in the area. In addition, the proposed uses would be within short travel distance of existing homes and commercial areas in the local vicinity. The proposed project would add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community.

Implementation of the proposed project would not require a General Plan Amendment and zone change that would change the General Plan designations and zoning designations of the project site.

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1 A "bump-up" is a voluntary reclassification of a nonattainment area to a higher classification allowing for an extension of an attainment deadline.

2 *Final 2007 Air Quality Management Plan,* South Coast Air Quality Management District, June 1, 2007.

Since the proposed project would not require a General Plan Amendment, the project has been considered in preparation of the General Plan and therefore is consistent with the AQMP; therefore, no significant impact would occur and no mitigation measures are required.

4.2.5.2 Odors

Threshold	Would the proposed project create objectionable odors affecting a substantial number of people?

SCAQMD Rule 402 dictates that air discharged from any source shall not cause injury, nuisance, or annoyance to the health, safety, or comfort of the public. With the exception of short-term construction-related odors (e.g., equipment exhaust, paint, and asphalt odors), the proposed uses that would be developed on the proposed site do not include uses that are generally considered to generate offensive odors (e.g., agricultural uses, wastewater treatment plants, or landfills). While the application of architectural coatings and installation of asphalt may generate odors, these odors are temporary and not likely to be noticeable beyond the project boundaries. SCAQMD Rules 1108 and 1113 identify standards regarding the application of asphalt and architectural coatings, respectively.

SCAQMD Rule 1108 sets limitations on ROG (reactive organic gases), which are similar to and for the purposes of this EIR equivalent to and therefore interchangeable with volatile organic compounds (VOC) content in asphalt. This rule is applicable to any person who supplies, sells, offers for sale, or manufactures any asphalt materials for use in the Basin. Rule 1113 of the SCAQMD deals with the selling and application of architectural coatings. Rule 1113 is applicable to any person who supplies, sells, offers for sale, or manufactures any architectural coating for use in the Basin that is intended to be applied to buildings, pavements, or curbs. This rule is also applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of VOC emissions allowed for all types of architectural coatings, along with a time table for tightening the emissions standards in the future. Compliance with Rule 1113 means that architectural coatings used during construction would have VOC emissions that comply with these limits.

Adherence to applicable provisions of these rules is standard for all development within the Basin. In addition, conditions for the design of waste storage areas on the proposed site would be established through the permit process to ensure enclosures are appropriately designed and maintained to prevent the proliferation of odors. Solid waste generated by the proposed on-site uses will be collected by a contracted waste hauler, ensuring that any odors resulting from on-site uses would be adequately managed. Therefore, impacts associated with this issue would be less than significant and no mitigation is required.

4.2.5.3 Long-Term Microscale (CO Hot Spot) Emissions

Threshold	Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation? For CO, the applicable thresholds are: - California State one-hour CO standard of 20.0 ppm; and - California State eight-hour CO standard of 9.0 ppm.

Vehicular trips associated with the implementation of the proposed project would contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase in local areas as a result of the proposed project. The primary mobile source pollutant of local concern is CO, which is a direct

function of vehicle idling time and, thus, traffic flow conditions. CO transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. However, under certain extreme meteorological conditions, CO concentrations proximate to a congested roadway or intersection may reach unhealthful levels affecting local sensitive receptors (residents, schoolchildren, etc). High CO concentrations are typically associated with roadways or intersections operating at unacceptable levels of service or with very high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. As identified in Table 4.2.E, ambient CO levels monitored at the Riverside – Rubidoux Station, the closest station with complete monitored CO data, showed a highest recorded 1-hour concentration of 2.7 ppm (State standard is 20 ppm) and a highest 8-hour concentration of 1.9 ppm (State standard is 9 ppm) during the past 3 years.

The highest CO concentrations would normally occur during peak traffic hours; hence, CO impacts calculated under peak traffic conditions represent a worst-case analysis. Based on the Traffic Study,[1] CO hotspot analyses were conducted for future cumulative conditions. The impact on local CO levels was assessed with the CARB-approved CALINE4 air quality model, which allows microscale CO concentrations to be estimated along roadway corridors or near intersections. This model is designed to identify localized concentrations of CO, often termed "hot spots."

The proposed project would have a significant CO impact if project emissions increase 1-hour CO concentrations by 1.0 ppm or more. Similarly, the proposed project would also have a significant CO impact if project emissions increase 8-hour CO concentrations by 0.45 ppm or more. Existing (2008) and opening year (2013) scenarios were evaluated for traffic impacts from the proposed project. It is anticipated that emissions in the future years, including CO, would decrease with advances in technology. The highest one-hour CO concentrations for intersections within the project vicinity are identified in Table 4.2.E.

Table 4.2.E: One-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest One-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	1-Hr
Existing Year (2011)	4.0	NA [2]	No
Opening Year (2013)	5.1	5.1	No

1 The one-hour CO State standard is 20 ppm.
2 NA = not applicable.
Source: *Air Quality Analysis*, LSA Associates, Inc. December 2011.

As identified in Table 4.2.E, the highest one-hour CO concentration experienced at any of the intersections in the project vicinity would not exceed the one hour CO State standard of 20 ppm. Based on the *Air Quality Analysis* prepared for the proposed project, the proposed project would contribute, at most, a 0.2 ppm increase to the one-hour CO concentrations for all scenarios. This is below the 1.0 ppm increase threshold. The highest eight-hour CO concentrations for intersections within the project vicinity are identified in Table 4.2.F.

Table 4.2.F: Eight-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest Eight-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	8-Hr
Existing Year (2011)	2.8	NA [2]	No

1 *Traffic Study VIP Moreno Valley*, LSA Associates, Inc., November 2011.

Table 4.2.F: Eight-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest Eight-Hour CO Concentration		Exceeds State Standards[1]
	Without Project	With Project	8-Hr
Opening Year (2013)	3.5	3.5	No

1 The eight-hour CO State standard is 35 ppm.
2 NA = not applicable.
Source: *Air Quality Analysis*, LSA Associates, Inc. December 2011.

As identified in Table 4.2.F, the highest eight-hour CO concentration experienced at any of the intersections in the project vicinity would not exceed the eight-hour CO state standard of 35 ppm. Based on the Air Quality Analysis prepared for the proposed project, the proposed project would contribute, at most, a 0.2 ppm increase to the eight-hour CO concentrations for all scenarios. This is below the 0.45 ppm increase threshold. Since the proposed project would not exceed the one-hour or eight-hour CO concentration standards, it is reasonable to conclude that no CO hot spots would occur. Therefore, the proposed project would not have a significant impact on local air quality for CO and no mitigation measures would be required.

4.2.5.4 Localized Operational Emissions

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operation, the applicable localized daily thresholds are: - 12,083 pounds per day of CO; - 585 pounds per day of NO_X; - 32 pounds per day of PM_{10}; and - 14 pounds per day of $PM_{2.5}$.

As previously stated, the SCAQMD has developed an LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. These emission levels have been developed based on the ambient concentrations of that pollutant for each source receptor area. Table 4.2.G summarizes the results of the modeled localized emissions during the operational phase of the project.

Table 4.2.G: Modeled Localized Operation Impacts (lbs/day)

Emissions Sources	NO_x	CO	PM_{10}	$PM_{2.5}$
On-site emissions	50	42	8.5	2.1
LST Thresholds	**550**	**11,302**	**126**	**53**
Significant?	**No**	**No**	**No**	**No**

Source: LSA Associates, Inc., December 2011.

The SCAQMD LST threshold for NO_X is designed to ensure that the NO_2 concentrations from project construction emissions added to the ambient NO_2 concentrations are below the State ambient air quality standards (AAQS) of 180 ppb. The emissions rate of NO_X at 97 lbs/day is approximately 18 percent of the LST threshold of 550 lbs/day. Since the federal NO_2 AAQS of 100 ppb is approximately 55 percent of the State NO_2 AAQS of 180 ppb, the construction emissions of NO_X will not result in an exceedance of the federal NO_2 AAQS.

As identified in Table 4.2.G, none of the criteria pollutant emissions would exceed localized thresholds during the operation of the proposed project. Therefore, the proposed project would not

have a significant impact on localized operational pollutant levels and no mitigation measures would be required.

4.2.5.5 Operational-Acute Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. Therefore, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant and no mitigation is required.

4.2.5.6 Operational-Chronic Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations? For Maximum Individual Cancer Risk, the applicable thresholds are: • An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or For non-cancer chronic hazard indices (HI); the applicable threshold is: • A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

A screening level health risk assessment was performed for the operational emissions associated with the proposed project based on the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* guidance. The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with state and federal handling regulations will bring emissions to below a level of significance. Due to the lack of data, precise evaluation of vehicle exhaust impacts is not feasible; however, based on the limited amount of TAC from vehicle exhaust associated with the project operations in relation to background levels, the impact is not expected to be significant.

The nearest existing sensitive receptors are rural residential units located approximately 1,000 feet (ft) to the north along Nandina Avenue. There are also nonconforming residential dwelling units within commercial and industrial uses on property zoned commercial or industrial approximately 0.5 mi southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue. The workers at the nearby commercial and industrial facilities are also considered. Sensitive receptors were placed in a general grid extending in all directions to characterize the risk level surrounding the project site. Meteorological data from the Moreno Valley area were utilized to

represent the conditions at the project site. Table 4.2.H provides the results of the operational related health risk assessment conducted.

Table 4.2.H: Operational-Related Health Risk Assessment Results (risk per million)

Location	Maximum Cancer Risk	Maximum Noncancer Risk
School 1	0.11	0.000069
School 2	0.79	0.00050
School 3	0.26	0.00016
Nearest Residential to the north	6.6	0.0041
Nearest Residential to the east	5.0	0.0031
Nearest Residential to the south	1.2	0.00074
Workers at facility to the west	4.5	0.0029
SCAQMD Threshold	**10**	**1**
Significant?	**No**	**No**

Source: LSA Associates, March 2012.

As identified in Table 4.2.H, the nearest residences would experience a cancer risk of 6.6 in 1 million, which is below the 10 in 1 million threshold. The nearest residences would also experience a chronic hazard index of 0.0041, which is below the 1.0 threshold. The peak off-site worker cancer risk level is 4.5 in a million, which is also below the 10 in 1 million threshold. Chronic hazard index for the peak off-site worker would be 0.0029, which is below the 1.0 threshold. Since the operational phase of the proposed project would not exceed any of the operational related health risk assessment thresholds, a less than significant impact would occur and no mitigation is required.

4.2.6 Significant Impacts

The following impacts were determined to be potentially significant. In each of the following issues, mitigation measures have been recommended to reduce the significance of the identified impacts.

4.2.6.1 Construction Equipment Exhaust Emissions

Impact 4.2.6.1: *Construction of the proposed project has the potential to exceed applicable daily thresholds that may affect sensitive receptors.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For construction operations, the applicable daily thresholds are: - 75 pounds per day of ROC; - 100 pounds per day of NO_X; - 550 pounds per day of CO; - 150 pounds per day of PM_{10}; - 150 pounds per day of SO_X; and - 55 pounds per day of $PM_{2.5}$.

Grading and other construction activities produce combustion emissions from various sources such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions during these construction activities will vary daily as construction activity levels change. The use of construction

equipment on site would result in localized exhaust emissions. Activity during peak grading days typically generates a greater amount of air pollutants than other project construction activity.

While the actual details of the future construction schedule are not known, it is expected that project construction would occur in four phases: 1) rough grading which includes mass site grading; 2) infrastructure construction which includes underground construction, curb, gutter, sidewalk, subgrade preparation, drop rock, and paving activities; 3) asphalt paving; and 4) building construction and painting. Appendix D-1 of this EIR includes details of the emission factors and other assumptions.

Projected emissions resulting from grading and construction activities for the proposed project are identified in Table 4.2.I, which identifies the estimated maximum daily construction emissions over the course of project construction.

Table 4.2.I: Short-Term Regional Construction Emissions

	Pollutant Emissions (lbs/day)							
Construction Phase	**ROG**	**NO_X**	**CO**	**SO_2**	**Fugitive PM_{10}**	**Exhaust PM_{10}**	**Fugitive $PM_{2.5}$**	**Exhaust $PM_{2.5}$**
Site Preparation	40	386	212	0.53	329	17	4.4	16
Grading	29	272	149	0.36	325	12	1.6	12
Building Construction	13	82	94	0.18	1.8	0.33	0.02	0.32
Architectural Coating	72	3.7	11	0.01	0.2	2.9	0	2.9
Paving	5.95.9	3434	22	0.03	329	17	4.4	16
Peak Day (Phase Overlap)	90	390	210	0.53	329	17	4.4	16
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**		**55**	
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**Yes**		**No**	

CO = carbon monoxide
CO_2 = carbon dioxide
lbs/day = pounds per day
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SO_x = sulfur oxides
SCAQMD = South Coast Air Quality Management District

Source: LSA Associates, Inc., December 2011.

The construction emissions estimates summarized in Table 4.2.I are based on the assumed construction scenario described in the *Air Quality Analysis* prepared for the proposed project. Using emission factors from the SCAQMD *CEQA Air Quality Handbook* and the ARB EMFAC2007 model, Table 4.2.I indicates that construction emissions of criteria pollutants would exceed the SCAQMD daily emission thresholds for ROG from architectural coating, NO_X from diesel exhaust and fugitive PM_{10} during the site preparation and grading phases. It should be noted that site preparation and grading emissions are projected to be higher due to an estimated 220,000 cy of soil import by haul trucks. Although construction of the structure uses different types of equipment on site than during grading periods, similarities do exist in terms of equipment exhaust emissions and fugitive dust emissions. While it is anticipated that total emissions during construction would be below the peak grading day emissions presented in Table 4.2.I, construction emissions of ROG, NOx and PM_{10} would still exceed the SCAQMD daily threshold. This is a significant impact requiring mitigation.

Fugitive dust emissions are generally associated with land clearing and exposure of soils to the air and wind, and cut-and-fill grading operations. Dust generated during construction varies substantially on a project-by-project basis, depending on the level of activity, the specific operations, and weather conditions at the time of construction. Fugitive dust emissions can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors. The proposed project will be required to comply with SCAQMD Rules

402 and 403 to control fugitive dust. There are a number of feasible control measures that can be reasonably implemented to significantly reduce PM_{10} emissions from construction.

As identified in Table 4.2.I, fugitive dust emissions (i.e., PM_{10}) during the anticipated peak construction day for the proposed project would exceed SCAQMD daily construction thresholds.

The proposed project is required to comply with regional rules that assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires implementation of dust-suppression techniques to prevent fugitive dust from creating a nuisance off site. SCAQMD Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rule 403 are summarized below. Implementation of these dust suppression techniques can reduce the fugitive dust generation (and thus the PM_{10} component). Compliance with these rules would reduce impacts on nearby sensitive receptors. The applicable Rule 403 measures are as follows:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce fugitive dust haul road emissions.

As previously discussed, SCAQMD Rule 1113 regulates the sale and application of architectural coatings. Rule 1113 is applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of ROG or VOC emissions allowed for all types of architectural coatings. Compliance with Rule 1113 means that architectural coatings used during construction would have ROG or VOC emissions that comply with these limits.

Mitigation Measures. To facilitate monitoring and compliance, applicable SCAQMD regulatory requirements are restated in the following mitigation. These measures shall be incorporated in all project plans, specifications, and contract documents. Typical mitigation measures identified to reduce the level of emissions of ROG, NO_X, and PM_{10} include the following:

4.2.6.1A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract

specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.2.6.1D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

4.2.6.1E The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.

4.2.6.1F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

4.2.6.1G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).

4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.2.6.1I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

4.2.6.1J If available, the project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High-pressure injectors shall be provided on diesel construction equipment where feasible;

- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be provided on site during construction to minimize the need for off-site vehicle trips; and
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.2.6.1M All project entrances shall be posted with signs which state:

- Truck drivers shall turn off engines when not in use;
- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes; and
- Telephone numbers of the building facilities manager and CARB, to report violations.

These measures shall be enforced by the on-site facilities manager (or equivalent).

Level of Significance After Mitigation. The implementation of CARB Tier 2 Certified or better equipment would reduce PM_{10} and $PM_{2.5}$ emissions that would otherwise result from off-road equipment in use (e.g., dozers, motor graders, loaders, and excavators); however, emissions of PM_{10} would still exceed established SCAQMD thresholds during construction. It is not possible to quantify the reduction in the amount of NO_x emissions that may occur. During project construction, it is not known specifically what type of on-site equipment will be used (e.g., gasoline- or diesel-powered) therefore, no additional reduction in NO_x emissions were taken. No other feasible mitigation measures have been identified to reduce the construction emissions of NO_x or PM_{10} to a less than significant level. Project-related construction emissions of NO_x and PM_{10} would continue to exceed thresholds. Although implementation of standard Rule 1113 measures will reduce ROG/VOC emissions during application of architectural coatings to 72 pounds per day, which is less than the 75 pounds per day threshold of significance, ROG/VOC emissions are estimated to reach 90 pounds per day due to construction phase overlap. In the absence of feasible mitigation to reduce the proposed project's emission of ROG, NO_x, and PM_{10} to below SCAQMD thresholds, potential air quality impacts resulting from exhaust from construction equipment will remain significant and unavoidable.

4.2.6.2 Localized Construction Emissions

Impact 4.2.6.2: *Construction of the proposed project has the potential to exceed localized daily thresholds that may affect sensitive receptors.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For short-term construction, the applicable localized daily thresholds are: - 11,302 pounds per day of CO; - 550 pounds per day of NO_X; - 126 pounds per day of PM_{10}; and - 53 pounds per day of $PM_{2.5}$.

The SCAQMD has developed an LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State ambient air quality standard. These emission levels have been developed based on the ambient concentrations of that pollutant for each source receptor area. The emissions of concern from construction activities are NO_X and CO combustion emissions from construction equipment and fugitive PM_{10} and $PM_{2.5}$ dust from construction site preparation activities.

Table 4.2.J summarizes the results of the modeled localized emissions during peak construction activity. LSTs for the project area as calculated using AERMOD air dispersion modeling and following the SCAQMD LST methodology. The concentration increases shown in Table 4.2.J occur at the sensitive receptors are approximately 300 meters (m) (1,000 ft) from the project site. The LST dispersion analysis details and calculations are included in the Appendix to the Air Quality Study (Appendix D-1).

Table 4.2.J: Modeled Localized Construction Impacts

Pollutant	AAQS	Ambient Concentration	Threshold	Maximum Concentration Increase	Over/(Under)	Adverse Concentration
CO (1-hour)	20 ppm	2.7 ppm	17.3 ppm	3 ppm	(14.3 ppm)	No
CO (8-hour)	9.0 ppm	1.9 ppm	7.1 ppm	1.8 ppm	(5.3 ppm)	No
NO_2 (1-hour)	0.18 ppm	0.092 ppm	0.088 ppm	0.55 ppm	0.46	**Yes**
NO_2 (annual)	0.03 ppm	0.019 ppm	0.011 ppm	0.014 ppm	0.003	No
PM_{10} (24-hour)[a]			10.4 µg/m3	85 µg/m3	74.6 µg/m3	**Yes**
PM_{10} (annual)[a]			1.0 µg/m3	0 µg/m3	(1 µg/m3)	No
$PM_{2.5}$ (24-hour)[a]			10.4 µg/m3	80 µg/m3	69.6 µg/m3	**Yes**

Source: LSA Associates, Inc., March 2012.
a. Since both PM_{10} and $PM_{2.5}$ are in nonattainment, the thresholds are not based on AAQS exceedance, but rather a violation of SCAQMD Rule 403.
AAQS = ambient air quality standards
CO = carbon monoxide
µg/m3 = microgram of pollutant per cubic meter of air
NO2 = nitrogen dioxide
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ppm = parts per million
SCAQMD = South Coast Air Quality Management District

The SCAQMD LST threshold for NO_X is designed to insure that the NO_2 concentrations from project construction emissions added to the ambient NO2 concentrations are below the State AAQS of 180ppb. The emissions rate of NO_X at 97 lbs/day is approximately 18 percent of the LST threshold of 550 lbs/day. Since the federal NO_2 AAQS of 100 ppb is approximately 55 percent of the State NO_2 AAQS of 180 ppb, the construction emissions of NO_X will not result in an exceedance of the federal NO_2 AAQS.

Mitigation Measures. Typical mitigation measures identified to reduce the level of emissions of NOx and PM_{10} have been identified above as **Mitigation Measures 4.2.6.1A** through **4.6.1.M.** The project will also be required to comply with SCAQMD Rule 402 and 403.

Level of Significance After Mitigation. The implementation of CARB Tier 2 Certified or better equipment would reduce PM_{10} and $PM_{2.5}$ emissions that would otherwise result from off-road equipment in use (e.g., dozers, motor graders, loaders, and excavators); however, emissions of PM_{10} would still exceed established SCAQMD thresholds during construction. It is not possible to quantify the reduction in the amount of NO_x emissions that may occur. During project construction, it is not known specifically what type of on-site equipment will be used (e.g., gasoline- or diesel-powered) therefore, no additional reduction in NO_x emissions were taken. No other feasible mitigation measures have been identified to reduce the construction emissions of NO_x or PM_{10} to a less than significant level. Project-related construction emissions of NO_x and PM_{10} would continue to exceed thresholds. In the absence of feasible mitigation to reduce the proposed project's emission of NO_x and PM_{10} to below SCAQMD thresholds, potential air quality impacts resulting from exhaust from construction equipment will remain significant and unavoidable.

4.2.6.3 Long-Term Operational Emissions

Impact 4.2.6.3: *Implementation of the proposed project may occur have the potential to exceed applicable daily thresholds for operational activities.*

Threshold	Would the proposed project violate any AAQS or contribute to an existing or projected air quality violation; or expose sensitive receptors to pollutants? For long-term operations, the applicable daily thresholds are: - 55 pounds of ROC; - 55 pounds of NO_X; - 550 pounds of CO; - 150 pounds of PM_{10}; - 55 pounds of $PM_{2.5}$; and - 150 pounds of SO_X.

Long-term air pollutant emission impacts that would result from the proposed project are those associated with stationary sources and mobile sources involving any project-related change (e.g., emissions from landscape maintenance activities and other facility maintenance operations and the use of motor vehicles by project-generated traffic). The analysis assesses the mobile source emissions generated by vehicles driving to and from the proposed land uses, as well as area source emissions generated by project maintenance operations. Projected emissions resulting from operational activities of the proposed project are identified in Table 4.2.K.

Table 4.2.K: Summary of Operational Emissions

Source	Pollutant Emissions, lbs/day					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source Emissions[1]	33	0	0	0	0	0
Energy Source Emissions[2]	0.1	0.93	0.78	0.01	0.07	0.07
Mobile Emissions[3]	110	990	830	1.5	170	42
Maximum Daily Emissions	**143**	**990**	**830**	**1.5**	**170**	**42**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Significant?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**No**

Notes:
1 = Includes emissions of landscape maintenance equipment, consumer products, and architectural coatings emissions.
2 = Includes emissions of natural gas consumption.
3 = Includes emissions of vehicle emissions and fugitive dust related to vehicular traffic.

CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
VOC = volatile organic compounds
SO_X = sulfur oxides

Source: LSA Associates, Inc., December 2011.

As identified in Table 4.2.K, operational emissions for the proposed project would exceed SCAQMD daily operational thresholds for ROG, NO_X, CO, and PM_{10}. Therefore, project-related long-term air quality impacts for ROG, NO_X, CO, and PM_{10} would be significant and mitigation measures are required.

Mitigation Measures. The following measures have been identified to reduce operational emissions of ROG, NO_X, CO, and PM_{10}:

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.
- To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.

- Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
- All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.
- To reduce energy demand associated with potable water conveyance, the project shall implement the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- The project shall provide secure, weather-protected, on-site bicycle storage/parking.
- The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.
- The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- The project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.
- The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.
- Lease/purchase documents shall identify that tenants are encouraged to promote the following:
  - Implementation of compressed workweek schedules.
  - SmartWay partnership;
  - Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.
  - Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.
  - Use of fleet vehicles conforming to 2010 air quality standards or better.
  - Installation of catalytic converters on gasoline-powered equipment.

- Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.
- Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.
- Provision of preferential parking for EV and CNG vehicles.
- Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.
- Use of electric (instead of diesel or gasoline-powered) yard trucks.
- Use of SmartWay 1.25 rated trucks.

4.2.6.3B The project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.

It is important to note that in addition to the operational activity mitigation measures identified above, the proposed project would incorporate physical attributes and operational programs that will act to generally reduce operational-source pollutant emissions including GHG emissions. These project characteristics are identified in Section 4.3 (Climate Change and Greenhouse Gas Emissions) of this EIR.

Level of Significance after Mitigation. Even with implementation of the identified mitigation measure, it is not possible to quantify the reduction in the amount of ROG, NO_X, CO, and PM_{10} emissions that may occur with the operation of the proposed project. Despite implementation of mitigation measures, emissions of ROG, NO_X, CO, and PM_{10} would still exceed SCAQMD significance thresholds resulting in a significant and unavoidable operational air quality impact.

4.2.7 Cumulative Impacts

4.2.7.1 Short-Term Air Quality Impacts

The cumulative area for air quality impacts is the Basin. The implementation of the project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. Therefore, cumulative impacts associated with short-term air quality impacts would be less than significant.

4.2.7.2 CO Hot Spot Impacts

As identified in Section 4.2.5.3, no significant CO hot spot impacts would occur. It is anticipated that CO emissions in the future will decrease with advances in technology. As previously identified, background concentrations in future years are anticipated to continue to decrease as the concerted effort to improve regional air quality progresses. Therefore, CO concentrations in the future years would generally be lower than existing conditions. Based on the analysis, because no CO hot spot

impacts would occur, it is reasonable to assume that a less than significant cumulative CO impact would occur.

4.2.7.3 Long-Term Regional Air Quality Impacts

Previously identified Table 4.2.K indicates that the long-term operation of the project would contribute to long-term regional air pollutants despite implementation of mitigation measures. The Basin is in nonattainment for NO_X, PM_{10}, $PM_{2.5}$, and ozone at the present time; therefore, the operation of the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed project would unavoidably contribute to significant long-term cumulative air quality impacts.

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4.3 CLIMATE CHANGE AND GREENHOUSE GAS EMISSIONS

This section analyzes the proposed project's potential climate impacts based on the comprehensive *Greenhouse Gas Emissions and Global Climate Change Study* (LSA Associates, Inc. December 2011) contained in Appendix E to this EIR. This section provides a discussion of global climate change, existing regulations pertaining to global climate change, and an analysis of greenhouse gas (GHG) emissions associated with the proposed project. This analysis examines the short-term construction and long-term operational impacts and evaluates the effectiveness of measures incorporated as part of the project design.

4.3.1 Existing Setting

4.3.1.1 Global Climate Change

Global climate change is the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. The Earth's average near-surface atmospheric temperature rose 0.6 ± 0.2 degrees Celsius (°C) (1.1 ± 0.4 °F) in the 20th century. Climate change refers to any significant change in measures of climate such as temperature, precipitation, or wind, lasting for decades or longer (Environmental Protection Agency [EPA], 2007). Climate change may result from:

- Natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun;
- Natural processes within the climate system (e.g., changes in ocean circulation); and/or
- Human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and the land surface (e.g., deforestation, reforestation, urbanization, and desertification).

Human activities, such as fossil fuel combustion and land use changes release carbon dioxide (CO_2) and other compounds, cumulatively termed greenhouse gases (GHGs). GHGs are effective in trapping infrared radiation that otherwise would have escaped the atmosphere, thereby warming the atmosphere, the oceans, and earth's surface (EPA, 2007). The prevailing scientific opinion on climate change is that "most of the warming observed over the last 50 years is attributable to human activities."[1] The increased amounts of CO_2 and other GHGs are the primary causes of the human-induced component of warming.

GHGs are present in the atmosphere naturally, released by natural sources, or formed from secondary reactions taking place in the atmosphere. They include CO_2, methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). In the last 200 years, substantial quantities of GHGs have been released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, enhancing the natural greenhouse effect, which is believed to be causing global warming. While human-made GHGs include CO_2, CH_4, and N_2O, some (like chlorofluorocarbons [CFCs]) are completely new to the atmosphere.

Natural sources of CO_2 include the respiration (breathing) of humans and animals and evaporation from the oceans. Together, these natural sources release approximately 150 billion tonnes[2] of CO_2 each year, far outweighing the 7 billion tonnes of human-made emissions from fossil fuel burning, waste incineration, deforestation, and cement manufacture. Nevertheless, natural removal processes such as photosynthesis by land- and ocean-dwelling plant species cannot keep pace with this extra input of human-made CO_2, and consequently the gas is building up in the atmosphere.[3]

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1 Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2007: The Physical Science Basis*, http://www.ipcc.ch.

2 A tonne means a ton in the metric unit system; it is also called a metric ton. A tonne is 1,000 kilograms, or approximately 2,204 pounds.

3 Enviropedia, http://www.enviropedia.org.uk/Global_Warming/Emissions.php.

Methane is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, termites, and oceans. Human-made sources include the mining and burning of fossil fuels; digestive processes in ruminant animals such as cattle; rice paddies; and the burying of waste in landfills. Total annual emissions of CH_4 are approximately 500 million tonnes, with human-made emissions accounting for the majority. As for CO_2, the major removal process of atmospheric CH_4—chemical breakdown in the atmosphere—cannot keep pace with source emissions, and CH_4 concentrations in the atmosphere are increasing.

Worldwide emissions of GHGs in 2008 were 30.1 billion metric tons of carbon dioxide equivalent (CO_2E).[1] It is important to note that the global emissions inventory data are not all from the same year and may vary depending on the source of the emissions inventory data.[2] Emissions from the top five countries and the European Union accounted for approximately 55 percent of the total global GHG emissions, according to the most recently available data. The United States was the number two producer of GHG emissions. The primary GHG emitted by human activities in the United States was CO_2, representing approximately 84 percent of total GHG emissions. CO_2 from fossil fuel combustion, the largest source of GHG emissions, accounted for approximately 80 percent of the GHG emissions.[3]

In 2009, the United States emitted approximately 6.6 billion metric tons of CO_2e or approximately 25 tons per year (tpy) per person. Of the six major sectors nationwide (electric power industry, transportation, industry, agriculture, commercial, residential) the electric power industry and transportation sectors combined account for approximately 62 percent of the GHG emissions; the majority of the electrical power industry and all of the transportation emissions are generated from direct fossil fuel combustion. Between 1990 and 2006, total United States GHG emissions rose approximately 14.7 percent.[4]

The California ARB is responsible for developing the California Greenhouse Gas Emission Inventory. This inventory estimates the amount of GHGs emitted to and removed from the atmosphere by human activities within the State of California and supports the Assembly Bill (AB) 32 Climate Change Program. The California ARB's current GHG emission inventory covers the years 1990-2008 and is based on fuel use, equipment activity, industrial processes, and other relevant data (e.g., housing, landfill activity, agricultural lands).

According to California ARB emission inventory estimates, California emitted approximately 478 million metric tons of CO_2e emissions in 2008.[5] The year 2008 saw a small decrease in statewide GHG emissions, driven by a noticeable drop in on-road transportation emissions. 2008 also reflects the beginning of the economic recession and fuel price spikes. As the economy recovers, GHG emissions are likely to rise again without other mitigation actions. California's gross emissions of GHG increased 4.3 percent from 458 million metric tons of CO_2e in 2000 to 477.7 million in 2008, with a maximum of 483.9 million in 2004.

During the same period, California's population grew by 11.8 percent from 34.1 to 38.1 million people, and GHG emissions per person decreased from 13.4 to 12.5 metric tons of CO_2e per person. The California ARB estimates that transportation was the source of approximately 36 percent of the State's GHG emissions in 2008, followed by electricity generation at 21 percent. Other sources of GHG emissions were industrial sources at 10 percent, residential and commercial activities at 9 percent, agriculture at 5 percent, and recycling and waste at 2 percent.

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1 United Nations, *The Millennium Development Goals Report 2011,* http://unstats.un.org/unsd/default.htm, accessed July 26, 2011.

2 US Environmental Protection Agency, "Inventory of US Greenhouse Gas Emissions and Sinks 1990–2006," http://www.epa.gov/climatechange/emissions/usinventoryreport.html, 2008.

3 Ibid.

4 U.S. Environmental Protection Agency (EPA). 2011. *Inventory of U.S. Greenhouse Gas Emissions And Sinks: 1990–2009*. http://www.epa.gov/climatechange/emissions/usinventoryreport.html. Accessed July 2011.

5 California ARB, Greenhouse Gas Inventory Data - 2000 to 2008. http:// www.arb.ca.gov/cc/inventory/data/data.htm. Accessed July 2011.

The California ARB staff has projected statewide unregulated GHG emissions for the year 2020, which represent the emissions that would be expected to occur in the absence of any GHG reduction actions, will be 596 million metric tons (MMT) of CO_2e. GHG emissions from the transportation and electricity sectors as a whole are expected to increase, but remain at approximately 38 percent and 23 percent of total CO_2e emissions, respectively. The industrial sector consists of large stationary sources of GHG emissions and the percentage of the total 2020 emissions is projected to be 17 percent of total CO_2e emissions. The remaining sources of GHG emissions in 2020 are high global warming potential gases at 8 percent, residential and commercial activities at 8 percent, agriculture at 5 percent, and recycling and waste at 1 percent.

4.3.1.2 Effects of Global Climate Change

Effects from global climate change may arise from temperature increases, climate-sensitive diseases, extreme weather events, and air quality. There may be direct temperature effects through increases in average temperature leading to more extreme heat waves and less extreme cold spells. Those living in warmer climates are likely to experience more stress and heat-related problems. Heat-related problems include heat rash and heat stroke. In addition, climate-sensitive diseases may increase, such as those spread by mosquitoes and other disease-carrying insects. Such diseases include malaria, dengue fever, yellow fever, and encephalitis. Extreme events such as flooding and hurricanes can displace people and agriculture. Global warming may also contribute to air quality problems from increased frequency of smog and particulate air pollution. Table 4.3.A lists greenhouse gases, the effects of each greenhouse gas, and sources for each of the greenhouse gases.

Additionally, according to the 2006 California Climate Action Team (CAT) Report,[1] the following climate change effects, which are based on trends established by the United Nations Intergovernmental Panel on Climate Change (IPCC), can be expected in California over the course of the next century:

- A diminishing Sierra snowpack declining by 70 percent to 90 percent, threatening the State's water supply;
- Increasing temperatures from 8 to 10.4 degrees Fahrenheit under the higher emission scenarios, leading to a 25 percent to 35 percent increase in the number of days ozone pollution levels are exceeded in most urban areas;
- Increased vulnerability of forests due to forest fires, pest infestation, and increased temperatures;
- Increased electricity demand, particularly in the hot summer months; and
- Increased ground-level ozone formation due to higher reaction rates of ozone precursors.

4.3.1.3 Existing Greenhouse Gas Emissions

The project site is currently vacant, and therefore does not generate emissions.

[1] California Environmental Protection Agency, *Climate Action Team Report to Governor Schwarzenegger and the Legislature*, March 2006.

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Table 4.3.A: Greenhouse Gas Properties, Effects, and Sources

Constituent	Description and Physical Properties	Health Effects	Sources
Water Vapor	Water vapor (H_2O) is the most abundant, important, and variable greenhouse gas in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization.	There are no health effects from water vapor. When some pollutants come in contact with water vapor, they can dissolve and then the water vapor can be a transport mechanism to enter the human body.	The main source of water vapor is evaporation from the oceans (approximately 85%). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves.
Carbon Dioxide	Carbon dioxide (CO_2) is an odorless, colorless natural greenhouse gas.	Outdoor levels of carbon dioxide are not high enough to result in negative health effects.	Carbon dioxide is emitted from natural and anthropocentric (human) sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood.
Methane	Methane (CH_4) is an extremely effective absorber of radiation, though its atmospheric concentration is less than carbon dioxide and its lifetime in the atmosphere is brief (10–12 years) compared to other greenhouse gases.	There are no health effects from methane.	Methane has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other anthropocentric sources include fossil-fuel combustion and biomass burning.
Nitrous Oxide	Nitrous oxide (N_2O), also known as laughing gas, is a colorless greenhouse gas.	Nitrous oxide can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses it is harmless. In some cases, heavy and extended use can cause Olney's Lesions (brain damage).	Concentrations of nitrous oxide also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 ppb. Nitrous oxide is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant, e.g., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars.
Chloro-fluorocarbons	Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface).	In confirmed indoor locations, working with CFC-113 or other CFCs is thought to have resulted in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.	CFCs have no natural source, but were first synthesized in 1928. They were used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and was extremely successful, so much so that levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CECs will remain in the atmosphere for over 100 years.
Hydro-fluorocarbons	Hydrofluorocarbons (HFCs) are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the greenhouse gases, they are one of three groups with the highest global warming potential. Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant.	None.	HFCs are man made for applications such as automobile air conditioners and refrigerants.
Per-fluorocarbons	Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6).	None.	The two main sources of PFCs are primary aluminum production and semiconductor manufacture.
Sulfur Hexafluoride	Sulfur hexafluoride (SF_6) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated, 23,900. Concentrations in the 1990's were about 4 ppt.	In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.	Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.
Aerosols	Aerosols are particles emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light. Cloud formation can also be affected by aerosols.	Similar health effects associated with particulate matter.	Sulfate aerosols are emitted when fuel containing sulfur is burned. Another source of aerosols (in the form of black carbon or soot) is the result of incomplete combustion or the incomplete burning of fossil fuels. Although particulate matter regulation has been lowering aerosol concentrations in the United States, global concentrations are likely increasing as a result of other sources around the world.

Source: LSA Associates, August 2011

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4.3.2 Regulatory Setting

4.3.2.1 Federal Regulations/Standards

Energy Policy and Conservation Act. The Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the U.S. would meet certain fuel economy goals. Through this Act, Congress established the first fuel economy standards for on-road motor vehicles in the U.S. Pursuant to the Act, the National Highway Traffic and Safety Administration (NHTSA), which is part of the U.S. Department of Transportation (USDOT), is responsible for establishing additional vehicle standards and for revising existing standards. Since 1990, the fuel economy standard for new passenger cars has been 27.5 miles per gallon (mpg). Since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 mpg. The Corporate Average Fuel Economy (CAFE) program, administered by the Environmental Protection Agency (EPA), was created to determine vehicle manufacturers' compliance with the fuel economy standards. The EPA calculates a CAFE value for each manufacturer based on city and highway fuel economy test results and vehicle sales. Based on the information generated under the CAFE program, the USDOT is authorized to assess penalties for noncompliance.

Energy Policy Act of 1992. The Energy Policy Act (EPAct) of 1992 was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct requires certain Federal, State, and local governments and private fleets to purchase a percentage of light-duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are also included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

Energy Policy Act of 2005. The Energy Policy Act of 2005 includes provisions for renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a Federal purchase requirement for renewable energy.

Federal Regulation of Climate Change. Climate change and GHG reduction are also concerns at the Federal level; however, at this time, no Federal legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. California, in conjunction with several environmental organizations and several other states, sued to force the EPA to regulate GHG as a pollutant under the Clean Air Act (*Massachusetts vs. Environmental Protection Agency et al.*, 549 U.S. 497 (2007). The court ruled that GHG does fit within the Clean Air Act's definition of a pollutant, and that the EPA does have the authority to regulate GHG. Despite the Supreme Court ruling, there are no promulgated Federal regulations to date limiting GHG emissions.

On December 7, 2009, the EPA Administrator signed two distinct findings regarding greenhouse gases under Section 202(a) of the Clean Air Act:

- *Endangerment Finding:* The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases—carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6)—in the atmosphere threaten the public health and welfare of current and future generations.
- *Cause or Contribute Finding:* The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

These findings do not themselves impose any requirements on industry or other entities. However, this action is a prerequisite to finalizing the EPA's proposed greenhouse gas emission standards for light-duty vehicles, which were jointly proposed by EPA and the Department of Transportation's National Highway Safety Administration on September 15, 2009.[1]

4.3.2.2 State Regulations/Standards

California Code of Regulations Title 24, Part 6. Enacted in 1978, this part of the California Code established energy efficiency standards for residential and nonresidential buildings in response to a legislative mandate to reduce California's energy consumption. These standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The most recent standards were adopted and went into effect January 1, 2010.[2] Such standards include the provision of cool roofs, demand control ventilation, skylights for day-lighting in buildings, thermal breaks for metal building roofs, and lighting power limits. These standards are expected to reduce the growth in electricity use of residential and non-residential buildings. Continual updates to Title 24 along with the State's implementation of AB 1493 and SB 1368 will have a major impact on the State's attainment of the AB 32 goals.

California Code of Regulations Title 24, Part 11. This part of the California Code is known as the California Green Building Standards Code (CALGreen Code) and was enacted to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts with positive environmental impacts and through encouragement of sustainable construction practices. The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). This update to Part 11 of Title 24 of the California Code of Regulations was effective January 1, 2011.

California Code of Regulations Titles 14 and 27. These parts of the California Code require energy efficient practices as part of solid and hazardous waste handling and disposal.

Assembly Bill 4420 (AB 4420). The State of California has been studying the impacts of climate change since 1988, when AB 4420 was approved. This legislation directed the California Energy Commission (CEC), in consultation with the CARB and other agencies, to study the implications of global warming on California's environment, economy, and water supply. The CEC was also directed to prepare and maintain the State's inventory of GHG emissions.

Assembly Bill 1493 (AB 1493). In 2002, Governor Grey Davis signed AB 1493 which required the CARB to develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty truck and other vehicles determined by the CARB to be vehicles whose primary use is noncommercial personal transportation in the State."

Executive Order S-3-05. Executive Order S-3-05 was signed by Governor Schwarzenegger in 2005 proclaiming California is vulnerable to the impacts of climate change. It states that increased temperatures could reduce the Sierra Nevada's snowpack, worsen California's air quality problems, and potentially cause a rise in sea levels. The Executive Order establishes total GHG emission

[1] http://www.epa.gov/climatechange/endangerment.html.
[2] *Nonresidential Compliance Manual for California's 2008 Energy Efficiency Standards*, California Energy Commission, effective January 1, 2010, http://www.energy.ca.gov/title24/2008standards/index.html, website accessed on March 4, 2010.

targets including emissions reductions to the 2000 level by 2010, and the 1990 level by 2020, and to 80 percent below the 1990 level by 2050.

Assembly Bill 32 (AB 32). In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 directs the CARB to implement regulations for a cap on sources or categories of sources of GHG emissions. The bill requires that the CARB develop regulations to reduce emissions with an enforcement mechanism to ensure that the reductions are achieved, and to disclose how it arrives at the cap. It also includes conditions to ensure businesses and consumers are not unfairly affected by reductions.

AB 32 requires the CARB to:

- Adopt a list of discrete early action measures by July 1, 2007, that can be implemented before January 1, 2010;
- Establish a statewide GHG emissions cap for 2020 based on 1990 emissions and adopt mandatory reporting rules for significant sources of GHG by January 1, 2008;
- Indicate how emission reductions will be achieved from significant GHG sources via regulations, market mechanisms and other actions by January 1, 2009; and
- Adopt regulations by January 1, 2011, to achieve the maximum technologically feasible and cost-effective reductions in GHG, including provisions for using both market mechanisms and alternative compliance mechanisms.

AB 32 codifies Executive Order S-3-05's[1] year 2020 goal by requiring that statewide GHG emissions be reduced to 1990 levels by the year 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be implemented no later than January 1, 2012. To effectively implement the cap, AB 32 directs the CARB to develop appropriate regulations and establish a mandatory reporting system to track and monitor global warming emissions levels.

Senate Bill 1368 (SB 1368). In September 2006, Governor Arnold Schwarzenegger signed Senate Bill 1368, which calls for the adoption of a GHG performance standard for in-State and imported electricity generators to mitigate climate change. On January 25, 2007, the California Public Utilities Commission adopted an interim GHG emission s performance standard. This standard is a facility-based emissions standard requiring all new long-term commitments for baseload generation to serve California consumers with power plants that have emissions no greater than a combined cycle gas turbine plant. The established level is 1,100 pounds of CO_2 per megawatt-hour.

Executive Order S-01-07. Executive Order S-01-07 was signed by Governor Schwarzenegger on January 18, 2007 mandating a statewide goal to reduce the carbon intensity of California's transportation fuel by at least ten percent by 2020. The order also requires that a California specific Low Carbon Fuel Standard be established for transportation fuels.

Senate Bill 97 (SB 97). Senate Bill 97 was approved on August 25, 2007, to address GHG analysis under CEQA. This legislation mandates that the Office of Planning and Research (OPR) prepare and submit guidelines to the California Resource Agency (CRA) for the mitigation of GHG emissions and their effects by July 1, 2009, and their adoption by January 1, 2010. This legislation does not provide for any guidance for non-exempted projects in the interim period between the passage of SB 97 and the adoption of guidelines by the OPR.

[1] Executive Order S-3-05 establishes greenhouse gas emission reduction targets for California.

As directed by SB 97, the Natural Resources Agency adopted Amendments to the CEQA Guidelines for greenhouse gas emissions on December 30, 2009. On February 16, 2010, the Office of Administrative Law approved the Amendments, and filed them with the Secretary of State for inclusion in the California Code of Regulations. The Amendments became effective on March 18, 2010. Proposed changes to the guidelines included new questions in Appendix G regarding Greenhouse Gas Emissions and major changes to the Transportation/Traffic checklist questions (Appendix A-3, CEQA Guidelines changes).

Senate Bill 375. SB 375 was signed into law on October 1, 2008. SB 375 provides emissions-reduction goals around which regions can plan, integrating disjointed planning activities, and provides incentives for local governments and developers to follow new conscientiously planned growth patterns.

Senate Bill 1078 (SB 1078), Senate Bill 107 (SB 107), Executive Order S-14-08, and Senate Bill X1-2 (SB X1-2). Established in 2002 SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. Established in 2006, SB 107 (Chapter 464, Statutes of 2006) accelerated this requirement to the year 2010. In November 2008 Governor Schwarzenegger signed Executive Order S-14-08, which expanded the State's renewable energy standard from 20 percent to 33 percent by the year 2020. In an effort to codify the 33 percent by 2020 goal, SB X1-2 was signed by Governor Edmund G. Brown Jr. in April 2011 preempting the California Air Resources Boards' 33 percent Renewable Electricity Standard which applies to all electricity retailers in the State including publicly owned utilities (POUs), investor-owned utilities, electricity service providers, and community choice aggregators. All of these entities must adopt the new goals of 20 percent of retails sales from renewables by the end of 2013, 25 percent by the end of 2016, and the 33 percent requirement being met by the end of 2020.

4.3.2.3 Regional Regulations

As stated above, SB 375 took effect in 2009 and required regional municipal planning organizations to develop regional land use plans that demonstrate how the regions will achieve compliance with the GHG reduction goals of AB 32. Cities located within these regions are then required, in turn, to update their General Plans in accordance with the regional plans. Non-compliance with SB 375 will result in transportation funds being withheld from the regional and/or local agency. To date, the regional municipal planning organization for Riverside County (the Western Riverside Council of Governments, or WRCOG) has not adopted a regional plan that is in compliance with SB 375.

4.3.2.4 City of Moreno Valley General Plan Policies

Although the City of Moreno Valley General Plan does not include any specific GHG or climate change policies or goals, a number of the goals, objectives, policies, and programs identified in the air quality (Chapter 6 – Safety) and energy (Chapter 7 – Conservation) elements will result in an indirect reduction in GHG emissions through reductions in vehicle trips, vehicle miles traveled, and energy use. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Air Quality Chapter:

Objective 6.6: Promote land use patterns that reduce daily automotive trips and reduce trip distance for work, shopping, school, and recreation.

> **Policy 6.6.1:** Provide sites for new neighborhood commercial facilities within close proximity to the residential areas they serve.

Policy 6.6.2: Provide multi-family residential development sites in close proximity to neighborhood commercial centers in order to encourage pedestrian instead of vehicular travel.

Policy 6.6.3: Locate neighborhood parks in close proximity to the appropriate concentration of residents in order to encourage pedestrian and bicycle travel to local recreation areas.

Objective 6.7: Reduce mobile and stationary source air pollution emissions.

Policy 6.7.1: Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.

Policy 6.7.2: Encourage the financing and construction of park-and-ride facilities.

Policy 6.7.3: Encourage express transit service from Moreno Valley to the greater metropolitan areas of Riverside, San Bernardino, Orange, and Los Angeles Counties.

Policy 6.7.4: Locate heavy industrial and extraction facilities away from residential areas and sensitive receptors.

Policy 6.7.5: Require grading activities to comply with the South Coast Air Quality Management District's (SCAQMD) Rule 403 regarding the control of fugitive dust.

Policy 6.7.6: Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.

Conservation Chapter

Energy Objective 7.5: Encourage efficient use of energy resources.

Policy 7.5.1: Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand.

Policy 7.5.2: Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles.

Policy 7.5.3: Locate areas planned for commercial, industrial and multiple family density residential development within areas of high transit potential and access.

Policy 7.5.4: Encourage efficient energy usage in all city public buildings.

Policy 7.5.5: Encourage the use of solar power and other renewable energy systems.

4.3.3 Methodology

Bearing in mind that CEQA does not require "perfection" but instead "adequacy, completeness, and a good faith effort at full disclosure," the analysis is based on methodologies and information available at the time this EIR was prepared. Estimation of GHG emissions in the future does not account for changes in technology that may reduce such emissions; therefore, the estimates are based on past performance and represent a scenario that is worse than that which is likely to be encountered. Additionally, as explained in greater detail below, many uncertainties exist regarding the precise relationship between specific levels of GHG emissions and the ultimate impact on global climate. Significant uncertainties also exist regarding the reduction potential of mitigation strategies. Thus,

while information is presented below to assist the public and the City's decision-makers in understanding the project's potential contribution to global climate change impacts, the information available to the City is not sufficiently detailed to allow a direct comparison between particular project characteristics and particular climate change impacts, nor between any particular proposed mitigation measure and any reduction in climate change impacts.

The recommended approach for GHG analysis included in the State of California Office of Planning and Research's (OPR's) June 2008 release is to: (1) identify and quantify GHG emissions, (2) assess the significance of the impact on climate change, and (3) if significant, identify alternatives and/ or mitigation measures to reduce the impact below a level of significance.[1] Neither the CEQA statute nor Guidelines prescribe quantitative thresholds of significance or a particular methodology for performing an impact analysis; as with most environmental topics, significance criteria are left to the judgment and discretion of the lead agency.

The June 2008 OPR guidance provides some additional direction regarding planning documents as follows: "CEQA can be a more effective tool for GHG emissions analysis and mitigation if it is supported and supplemented by sound development policies and practices that will reduce GHG emissions on a broad planning scale and that can provide the basis for a programmatic approach to project-specific CEQA analysis and mitigation. For local government lead agencies, adoption of general plan policies and certification of general plan EIRs that analyze broad jurisdiction-wide impacts of GHG emissions can be part of an effective strategy for addressing cumulative impacts and for streamlining later project-specific CEQA reviews."

Pursuant to SB 97, the OPR is in the process of developing guidelines for analysis of the effects of GHG emissions. As part of this process, the OPR has asked CARB technical staff to recommend Statewide interim thresholds of significance for GHGs. The CARB released a preliminary draft staff proposal in October 2008 that included initial suggestions for significance criteria related to industrial, commercial, and residential projects.

In March 2010, *CEQA Guidelines* amendments were adopted and include the following direction regarding determination of significant impacts from GHG emissions (Section 15064.4):

(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in Section 15064. A lead agency should make a good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

   (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; or

   (2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency may consider the following when assessing the significance of impacts from greenhouse gas emissions on the environment:

   (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.

   (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

[1] State of California, 2008. Governor's Office of Planning and Research. *CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review*. June 19.

(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

CEQA Guidelines Section 15064(b) provides that the "determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, states that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting."

On February 3, 2011 the SCAQMD released the California Emissions Estimator Model (CalEEMod) Emissions Inventory Model. The purpose of this new model is to more accurately calculate air quality and GHG emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. The latest version of CalEEMod was utilized to calculate GHG emissions from the following source categories: construction, area, energy, mobile, waste, and water.

In addition, on September 28, 2010, the SCAQMD proposed the following draft-tiered interim GHG significance threshold for development projects:

Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA. If the project qualifies for an exemption, no further action is required. If the project does not qualify for an exemption, then it would move to the next tier.

Tier 2 consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing consistency determination requirements in CEQA Guidelines Sections 15064(h)(3), 15125(d), or 15152(a). The GHG reduction plan must, at a minimum, comply with AB 32 GHG reduction goals; include an emissions inventory agreed upon by either ARB or the SCAQMD, have been analyzed under CEQA and have a certified Final CEQA document, and have monitoring and enforcement components. If the proposed project is consistent with the qualifying local GHG reduction plan, it is not significant for GHG emissions. If the project is not consistent with a local GHG reduction plan, there is no approved plan, or the GHG reduction plan does not include all of the components described above, the project would move to Tier 3.

Tier 3 establishes a screening significance threshold level to determine significance using a 90 percent GHG emission capture rate. The 90 percent capture rate GHG significance screening level in Tier 3 for stationary sources was derived using the following methodology. Using the SCAQMD's Annual Emission Reporting (AER) Program, the reported annual natural gas consumption for 1,297 permitted facilities for 2006 through 2007 was compiled and the facilities were rank-ordered to estimate the 90th percentile of the cumulative natural gas usage for all permitted facilities. Approximately 10 percent of facilities evaluated comprise more than 90 percent of the total natural gas consumption, which corresponds to 10,000 metric tons of CO_2 equivalent emissions per year ($MTCO_2e/yr$) (the majority of combustion emissions comprise CO_2). SCAQMD suggested the following GHG screening thresholds: Industrial (when SCAQMD is the Lead Agency): 10,000 tpy CO_2e; Residential: 3,500 tpy CO_2e; Commercial: 1,400 tpy CO_2e; Mixed-use: 3,000 tpy CO_2e. If a project's GHG emissions exceed the GHG screening threshold, the project would move to Tier 4.

Tier 4 establishes a decision tree approach that includes compliance options for projects that have incorporated design features into the project and/or implement GHG mitigation measures. For 2020, the Efficiency Target (2020 Targets) are as follows:

- 4.8 mt CO_2e per SP for project level threshold (land use emissions only) and total residual emissions not to exceed 25,000 million tons per year (mty) CO_2e
- 6.6 mt CO_2e per SP for plan level threshold (all sectors)

For 2035, the Efficiency Target (2035 Targets) are as follows:

- 3.0 mt CO_2e per SP for project level threshold
- 4.1 mt CO_2e per SP for plan level threshold

If a project fails to meet any of these emissions efficiency targets, the project would move to Tier 5.

Tier 5 would require projects that implement off-site GHG mitigation that includes purchasing offsets to reduce GHG emission impacts to purchase sufficient offsets for the life of the project (30 years) to reduce GHG emissions to less than the applicable GHG screening threshold level.

This analysis analyzes whether the project's GHG emissions should be considered cumulatively significant based on the following:

- Hinder attainment of the State's goals of reducing GHG emissions to 1990 levels by 2020, as stated in the Global Warming Solutions Act of 2006. A project may be considered to help attainment of the State's goals by being consistent with an adopted State wide 2020 GHG emissions limit or the plans, programs, and regulations adopted to implement the Global Warming Solutions Act of 2006.
- Fail to achieve increased energy efficiency or reduce overall GHG emissions from an existing facility.
- Significantly increase the consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.

The analysis uses compliance with AB 32, considered a "previously approved mitigation program," as set forth in the CEQA Guidelines §15064(h)(3), to determine if the project's incremental contribution of GHGs is a cumulatively considerable contribution to global climate change. The OPR's proposed draft amendment to Section 15064.7 of the CEQA Guidelines reinforces the use of this approach. CEQA Guideline Section 15064(h)(3) states three main conditions that a plan must meet to be sufficient for use as a basis for determining significance of GHG emissions. The plan must:

1. Be "a previously approved plan or mitigation program";
2. Provide "specific requirements that will avoid or substantially lessen the cumulative problem"; and
3. Be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.

AB 32 meets conditions one and three provided above. Accordingly, in addition to determining whether the project's GHG emissions exceed the SCAQMD's interim industrial section stationary source threshold, to determine the significance of the project GHG emission impact on climate change, consistency or inconsistency with the reduction targets in AB 32 is also evaluated. To do so, project features that implement specific reduction measures identified in the rules and regulations that implement AB 32 were evaluated.

4.3.4 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, climate change/greenhouse gas emissions impacts would occur if the proposed project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
- Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Global climate change may result in significant adverse effects to the environment that will be experienced worldwide, with some specific effects observed in California. AB 32 requires statewide GHG emissions reductions to 1990 levels by 2020. Although these statewide reductions are now mandated by law, no generally applicable GHG emission threshold has yet been established.

State CEQA Guidelines Section 15064(b) provides that "…the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, that an "iron clad definition of significant effect is not always possible because the significance of an activity may vary with the setting." The *State CEQA Guidelines* further indicate that even when thresholds are established, they may include "identifiable quantitative, qualitative or performance level of a particular environmental effect" (*State CEQA Guidelines*, Section 15064.7).

Some policymakers and regulators suggest that a zero emissions threshold would be appropriate when evaluating GHGs and their potential effect on climate change. Such a rule appears inconsistent with the State's approach to mitigation of climate change impacts. AB 32 does not prohibit all new GHG emissions; rather, it requires a reduction in Statewide emissions to a given level. Thus, AB 32 recognizes that GHG emissions will continue to occur; increases will result from certain activities, but reductions must occur elsewhere.

Individual projects incrementally contribute toward the potential for global climate change on a cumulative basis in concert with all other past, present, and probable future projects. While individual projects are unlikely to measurably affect global climate change, each of these projects incrementally contributes toward the potential for global climate change on a cumulative basis, in concert with all other past, present, and probable future projects. This analysis analyzes whether the project's emissions should be considered cumulatively significant.

In order to evaluate the significance of a proposed project's environmental impacts related to GHG emissions, it is necessary to identify quantitative or qualitative thresholds which, if exceeded, would constitute a finding of significance. As previously described, while project-related GHG emissions can be estimated the direct impact of such emissions on climate change and global warming cannot be determined on the basis of available science. There is no evidence at this time that the proposed project would directly affect global climate change. SCAQMD has adopted a quantitative GHG emission significance threshold to assess direct impacts from industrial projects where SCAQMD is the lead agency. SCAQMD and other air quality agencies agree that GHG and climate change should be assessed as a potentially significant cumulative impact rather than a project-specific impact. SCAQMD is considering the adoption of a numeric plan-level efficiency target of 6.6 MTCO$_2$E per service population.

Currently, there is no adopted threshold of significance for determining the cumulative significance of a project's GHG emissions on global climate change. In the most recent IPCC Assessment Report (IPCC 2007b, Synthesis Report), the IPCC acknowledges that man-made warming and sea level rise would continue for centuries due to the time scales associated with climate processes and feedback even if GHG concentration were to be stabilized. The IPCC further found that both past and future man-made CO_2 emissions will continue to contribute to warming and sea level rise for more than a

millennium, due to the time scales required for the removal of CO_2 from the atmosphere. Furthermore, the IPCC assessment noted that the definition of what is a dangerous man-made interference with the climate system and, consequently, the limits to be set for policy purposes are complex tasks that can only be partially based on science, as such definitions inherently involve normative judgments (IPCC 2007b – Working Group III).

Based on the information presented above, for the purpose of this analysis implementation of the proposed project may have a significant adverse impact on GHG emissions if it would result in any of the following:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment based on any applicable threshold of significance.
- Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

4.3.5 Less than Significant Impacts

The following impacts were determined to be less than significant. For each of the following issues either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards and policies would reduce potential impacts to a less than significant level.

4.3.5.1 Greenhouse Gas Plan, Policy, Regulation Consistency

Threshold	Would the proposed project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

The CAT and the CARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "Report to Governor Schwarzenegger and the Legislature," the CARB's 2007 "Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California," and the CARB's "Climate Change Proposed Scoping Plan: a Framework for Change."

The reports identify strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05 and AB 32 (i.e., 29 percent below existing "business as usual" emissions) that are applicable to proposed project. Table 4.3.B presents the applicable Recommended Actions (qualitative measures) identified to date by CARB in its Climate Change Proposed Scoping Plan and whether or not the proposed project is consistent with the applicable Recommended Actions.

Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
T-1	Transportation	Pavley I and II – Light-Duty Vehicle GHG Standards	Yes No	
T-2	Transportation	Low Carbon Fuel Standard (Discrete Early Action)	Yes No	
T-3	Transportation	Regional Transportation-Related GHG Targets	Yes No	
T-4	Transportation	Vehicle Efficiency Measures	Yes	No
T-5	Transportation	Ship Electrification at Ports (Discrete Early Action)	No No	

Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
T-6	Transportation	Goods-movement Efficiency Measures	No	No
T-7	Transportation	Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure – Aerodynamic Efficiency (Discrete Early Action)	No	No
T-8	Transportation	Medium and Heavy-Duty Vehicle Hybridization	No	No
T-9	Transportation	High Speed Rail	No	No
E-1	Electricity and Natural Gas	Increased Utility Energy Efficiency Programs. More Stringent Building and Appliance Standards	Yes	No
E-2	Electricity and Natural Gas	Increased Combined Heat and Power Use by 30,000 GWh	No	No
E-3	Electricity and Natural Gas	Renewable Portfolio Standard	No	No
E-4	Electricity and Natural Gas	Million Solar Roofs	No	No
CR-1	Electricity and Natural Gas	Energy Efficiency	No	No
CR-2	Electricity and Natural Gas	Solar Water Heating	No	No
GB-1	Green Buildings	Green Buildings	Yes	No
W-1	Water	Water Use Efficiency	Yes	No
W-2	Water	Water Recycling	No	No
W-3	Water	Water System Energy Efficiency	No	No
W-4	Water	Reuse Urban Runoff	No	No
W-5	Water	Increase Renewable Energy Production	No	No
W-6	Water	Public Goods Charge (Water)	No	No
I-1	Industry	Energy Efficiency and Co=Benefits Audits for Large Industrial Sources	No	No
I-2	Industry	Oil and Gas Extraction GHG Emission Reduction	No	No
I-3	Industry	GHG Leak Reduction from Oil and Gas Transmission	No	No
I-4	Industry	Refinery Flare Recovery Process Improvements	No	No
I-5	Industry	Removal of Methane Exemption from Existing Refinery Regulations	No	No
RW-1	Recycling and Waste Management	Landfill Methane Control (Discrete Early Action)	No	No
RW-2	Recycling and Waste Management	Additional Reduction in Landfill Methane – Capture Improvements	No	No

Table 4.3.B: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
RW-3	Recycling and Waste Management	High Recycling/Zero Waste	No No	
F-1	Forestry	Sustainable Forest Target	No	No
H-1	High Global Warming Potential Gases	Motor Vehicle Air Conditioning Systems (Discrete Early Action)	No	No
H-2	High Global Warming Potential Gases	SF_6 Limits in Non-Utility and Non-Semiconductor Manufacturing (Discrete Early Action)	No No	
H-3	High Global Warming Potential Gases	Reduction in Perfluorocarbons in Semiconductor Manufacturing (Discrete Early Action)	No No	
H-4	High Global Warming Potential Gases	Limit High GWP Use in Consumer Products (Discrete Early Action, Adopted June 2008)	No No	
H-5	High Global Warming Potential Gases	High GWP Reduction from Mobile Sources No		No
H-6	High Global Warming Potential Gases	High GWP Reductions from Stationary Sources	No	No
H-7	High Global Warming Potential Gases	Mitigation Fee on High GWP Gases	No No	
A-1	Agriculture	Methane Capture at Large Dairies	No	No

Source: LSA Associates, Inc., December 2011.

As identified in Table 4.3.B, of the 39 Recommended Actions, the applicable Recommended Actions are those that are within the Transportation, Electricity and Natural Gas, Green Buildings, and Water sectors.

Applicable Recommended Actions in the Transportation sector include Actions T-1 through T-4. Action T-1 involves improvements to light-duty vehicle technology for the purposes of reducing GHG emissions through focusing on legislating improved controls for vehicle manufacturers. This Action would not generally be considered applicable to the proposed project; however, vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action. Action T-2 involves implementation of a low carbon fuel standard. In order to reduce the carbon intensity of transportation fuels, CARB is developing a Low Carbon Fuel Standard (LCFS), which would reduce the carbon intensity of California's transportation fuels by at least ten percent by 2020 as called for by Governor Schwarzenegger in Executive Order S-01-07. While implementation of this standard is not within the purview of a development project, a land use such as that proposed under the proposed project would be a substantial consumer of fuels for its vehicle fleet. Vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action.

Action T-3 addresses regional transportation targets for reducing GHG emissions. The intent of the proposed project is to reduce vehicle miles travelled within the region by reducing trip lengths and providing a sustainable community. The actions associated with implementation of the proposed project would allow for warehousing uses to be clustered around other industrial and commercial

uses and would encourage a reduction of vehicle miles traveled within the City. Action T-4 concerns vehicle efficiency measures such as the promotion of sustainable tire practices. CARB is pursuing a regulation to ensure that tires are properly inflated when vehicles are serviced. In addition, the California Energy Commission in consultation with the California Integrated Waste Management Board is developing an efficient tire program focusing first on data gathering and outreach, then on potential adoption of minimum fuel-efficient tire standards, and on the development of consumer information requirements for replacing tires. While implementation of this standard is not within the purview of a development project, a land use such as that proposed under the proposed project would be a contributor of vehicle miles travelled. Vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this Action.

Applicable Recommended Actions in the Energy and Natural Gas sector includes Action E-1. Action E-1, together with Action GB-1 (Green Building), aims to reduce electricity demand by increased efficiency of Utility Energy Programs and adoption of more stringent building and appliance standards. Elements of this action include encouraging construction of zero net energy (ZNE) buildings and implementation of passive solar design. In addition to employing on-site electricity generation, a ZNE building must either replace natural gas with renewable energy for space and water heating, or compensate for natural gas use by generating surplus electricity for sale on the State's electricity grid. The proposed project is required to comply with the 2008 Title 24 Energy Efficiency Standards and applicable Green Building Standards; therefore, the proposed project would not conflict with these Actions.

Applicable Recommended Actions in the Water sector includes Action W-1. Action W-1, Water Use Efficiency, involves the reduction in the energy consumption used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. The proposed project would install water-efficient fixtures and appliances and would not conflict with this Action.

GHG emissions reduction strategies were also set forth in the 2006 Climate Action Team (CAT) Report, and the strategies included in the CAT Report that apply to the project are contained in Table 4.3.C, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. The strategies listed in Table 4.3.C are addressed as either part of the project, required mitigation measures, or requirements under local or State ordinances.

Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
Mandatory Code	
California Green Building Code. The Cal Green Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG emissions from the Business as Usual Scenario (California Building Code). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.	**Compliant.** The project would be required to adhere to the nonresidential mandatory measures as required by the Cal Green Code.
Energy Efficiency Measures	
Energy Efficiency. Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned	**Compliant with Mitigation Incorporated.** The proposed project will comply with the updated Title 24 standards, including the new 2010 California Building Code (CBC), for building construction if any building interior improvements are required. In addition, the project would be required to comply with the requirements of Minimization Measure GCC-1,

Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
utilities).	identified later, including measures to incorporate energy efficient building design features.
Renewables Portfolio Standard. Achieve a 33 percent renewable energy mix statewide.	
Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	
Water Conservation and Efficiency Measures	
Water Use Efficiency. Continue efficiency programs and use cleaner energy sources to move and treat water. Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	**Compliant with Mitigation Incorporated.** The project would be required to comply with the requirements of Minimization Measure GCC-1, identified later, including measures to increase water use efficiency.
Solid Waste Reduction Measures	
Increase Waste Diversion, Composting, and Commercial Recycling, and Move Toward Zero-Waste. Increase waste diversion from landfills beyond the 50 percent mandate to provide for additional recovery of recyclable materials. Composting and commercial recycling could have substantial GHG reduction benefits. In the long term, zero waste policies that would require manufacturers to design products to be fully recyclable may be necessary.	**Compliant with Mitigation Incorporated.** Data available from the California Integrated Waste Management Board (CIWMB) indicates that the City of Moreno Valley has not achieved the 50 percent diversion rate. The proposed project would be required to comply with Mitigation Measure **4.3.6.1B**, identified later, including measures to increase solid waste diversion and recycling.
Transportation and Motor Vehicle Measures	
Vehicle Climate Change Standards. AB 1493 (Pavley) required the State to develop and adopt regulations that achieve the maximum feasible and cost effective reduction of GHG emissions from passenger vehicles and light-duty trucks. Regulations were adopted by the ARB in September 2004.	**Compliant.** The project does not involve the manufacture of vehicles. However, vehicles that are purchased and used within the project site would comply with any vehicle and fuel standards that the ARB adopts.
Light-Duty Vehicle Efficiency Measures. Implement additional measures that could reduce light-duty GHG emissions. For example, measures to ensure that tires are properly inflated can both reduce GHG emissions and improve fuel efficiency.	
Adopt Heavy- and Medium-Duty Fuel and Engine Efficiency Measures. Regulations to require retrofits to improve the fuel efficiency of heavy-duty trucks that could include devices that reduce aerodynamic drag and rolling resistance. This measure could also include hybridization and increased engine efficiency of vehicles.	
Low Carbon Fuel Standard. ARB identified this measure as a Discrete Early Action Measure. This measure would reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020.	
Regional Transportation-Related Greenhouse Gas Targets. Develop regional GHG emissions reduction targets for passenger vehicles. Local governments will play a significant role in the regional planning process to reach passenger vehicle GHG emissions reduction	**Compliant.** Specific regional emission targets for transportation emissions do not directly apply to this project; regional GHG reduction target development is outside the scope of this project. The project will comply with any plans developed by the City.

Table 4.3.C: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
targets. Local governments have the ability to directly influence both the siting and design of new residential and commercial developments in a way that reduces GHGs associated with vehicle travel.	
Measures to Reduce High Global Warming Potential (GWP) Gases. ARB has identified Discrete Early Action measures to reduce GHG emissions from the refrigerants used in car air conditioners, semiconductor manufacturing, and consumer products. ARB has also identified potential reduction opportunities for future commercial and industrial refrigeration, changing the refrigerants used in auto air conditioning systems, and ensuring that existing car air conditioning systems do not leak.	**Compliant.** New products used or serviced on the project site (after implementation of the reduction of GHG gases) would comply with future ARB rules and regulations.

Source: LSA Associates, Inc., December 2011.
AB = Assembly Bill
ARB = California Air Resources Board
GHG = greenhouse gas

As previously identified, implementation of the proposed project could result in the development an approximately 1,616,133 square foot distribution warehouse. The proposed project includes a variety of physical attributes and operational programs that would generally contribute to a reduction in operational-source pollutant emissions including GHG emissions. As identified in Table 4.3.C, future development that would occur under the proposed project would be consistent with greenhouse gas emission reduction strategies and policies. The project would implement appropriate GHG reduction strategies and would ensure that it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. In addition, the project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the project. Therefore, the proposed project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions. Impacts are considered less than significant.

4.3.6 Significant Impacts

The following impact was determined to be potentially significant and mitigation measures have been recommended to reduce the significance of the identified impact.

4.3.6.1 Greenhouse Gas Emissions

Impact 4.3.6.1: *Implementation of the proposed project may have the potential to emit GHG emissions in excess of interim thresholds.*

Threshold	Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Future development that could occur within the proposed project site could generate GHG emissions during construction and operation activities. It is anticipated that the majority of energy consumption (and associated generation of GHG emissions) would occur during the project's operation (as opposed to its construction). Typically, more than 80 percent of the total energy consumption takes place during the use of buildings and less than 20 percent is consumed during construction.[1] As of

[1] United Nations Environment Programme (UNEP), 2007. *Buildings and Climate Change: Status, Challenges and Opportunities*, Paris, France.

yet, there is no study that quantitatively assesses all of the GHG emissions associated with each phase of the construction and use of an individual development.

The following activities are associated with the proposed project and could directly or indirectly contribute to the generation of GHG emissions:

- **Removal of Vegetation:** The net removal of vegetation for construction results in a loss of the carbon sequestration in plants. However, planting of additional vegetation would result in additional carbon sequestration and would lower the carbon footprint of the project.
- **Construction Activities:** During construction of the project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment.
- **Gas, Electric, and Water Use:** Natural gas use results in the emissions of two GHGs: CH_4 (the major component of natural gas) and CO_2 from the combustion of natural gas. Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California's water conveyance system is energy-intensive. Preliminary estimates indicate that the total energy used to pump and treat this water exceeds 6.5 percent of the total electricity used in the State per year.[1]
- **Solid Waste Disposal:** Solid waste generated by the project could contribute to GHG emissions in a variety of ways. Landfilling and other methods of disposal use energy for transporting and managing the waste, and they produce additional GHGs to varying degrees. Landfilling, the most common waste management practice, results in the release of CH_4 from the anaerobic decomposition of organic materials. CH_4 is 25 times more potent than CO_2. However, landfill CH_4 can also be a source of energy. In addition, many materials in landfills do not decompose fully, and the carbon that remains is sequestered in the landfill and not released into the atmosphere.
- **Motor Vehicle Use:** Transportation associated with the proposed project would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips.

The proposed project was analyzed for the potential construction of the project's proposed land uses, water, sewer, and drainage infrastructure, and roadways. Implementation of the proposed project would result in the development of a 1,616,133 square foot distribution warehouse building. Table 4.3.D provides the GHG emissions that could be generated during construction activities on the project site.

Table 4.3.D: Short-Term Regional GHG Construction Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day					
	Bio-CO_2	NBio-CO_2	Total -CO_2	CH_4	N_2O	CO_2e
Site Preparation	0	56,000	56,000	2.4	0	56,000
Grading	0	38,000	38,000	1.9	0	38,000
Building Construction	0	19,000	19,000	1.1	0	19,000
Architectural Coating	0	3,100	3,100	0.51	0	3,100
Paving 0		1,700	1,700	0.12	0	1,700

Bio-CO_2 = biologically generated CO_2
CH_4 = methane
CO_2 = carbon dioxide
Source: LSA Associates, Inc., December 2011.
NBio-CO_2 = non-biologically generated CO_2
CO_2e = carbon dioxide equivalent
N_2O = nitrous oxide

[1] California Energy Commission (CEC), 2004. *Water Energy Use in California* (online information sheet) Sacramento, CA, August 24. Website: energy.ca.gov/pier/iaw/industry/water.html. Accessed July 24, 2007.

GHG emissions that could be generated on the proposed project site would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related vehicular trips and stationary source emissions, such as natural gas used for heating. Preliminary guidance from OPR and recent letters from the Attorney General critical of CEQA documents that have taken different approaches indicate that lead agencies should calculate, or estimate, emissions from vehicular traffic, energy consumption, water conveyance and treatment, waste generation, and construction activities. The calculation presented below in Table 4.3.E, includes operational emissions in terms of CO_2 and annual carbon dioxide equivalent (CO_2e) GHG emissions from increased energy consumption, water usage, solid waste disposal, and estimated GHG emissions from vehicular traffic that could result from the development of the project site. Calculations and model run sheets for greenhouse gas emissions are provided in Appendix D of this EIR.

Table 4.3.E: Long-Term Regional GHG Operational Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day					
	Bio-CO_2	NBio-CO_2	Total - CO_2	CH_4	N_2O	CO_2e
Construction emissions amortized over 30 years	0	95 95		0.0063	0	95
Area 0		0	0	0	0	0
Energy 0		1,500	1,500 0.06		0.03	1,500
Mobile 0		34,000	34,000	1.1	0	34,000
Waste 3,500		0	3,500	210	0	7,900
Water 0		63	63	0.25	0.01	71
Total Project Emissions	**3,500**	**35,658**	**39,158**	**211.47**	**0.04**	**43,566**

Bio-CO_2 = biologically generated CO_2
CH_4 = methane
CO_2 = carbon dioxide
NBio-CO_2 = non-biologically generated CO_2
CO_2e = carbon dioxide equivalent
N_2O = nitrous oxide
Source: LSA Associates, Inc., July 2011.

As identified in Table 4.3.E, the proposed project would produce approximately 44,000 metric tpy of CO_2e, which is 0.044 MM TCO_2e/yr. This includes the short-term construction emissions amortized over 30 years, as directed by the SCAQMD. As a comparison, the existing emissions from the entire Southern California Association of Governments (SCAG) region are estimated to be approximately 176.79 $MMTCO_2e$/yr and approximately 478 $MMTCO_2e$/yr for the entire State.

Area sources of GHG emissions include carpet systems, resilient flooring, composite wood, consumer products, and landscaping. The project would not result in measurably increased GHG emissions from area sources due to the anticipated light use of consumer products and landscaping.

Buildings represent 39 percent of the United States' primary energy usage and 70 percent of electricity consumption. The proposed project would increase the demand for electricity and natural gas due to the increased building area. The project would indirectly result in increased GHG emissions from off-site electricity generation at power plants and on-site natural gas consumption (1,500 metric tons of CO_2e/year).

Mobile sources (vehicle trips and associated miles traveled) are the largest source of GHG emissions in California and represent approximately 38 percent of annual CO_2 emissions generated in the State. Like most land use development projects, vehicle miles traveled (VMT) is the most direct indicator of CO_2 emissions from the proposed project, and associated CO_2 emissions function as the best indicator of total GHG emissions. The emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and federal governments and are outside the control of the City.

The proposed project would also generate solid waste during the operation phase of the project. The project would indirectly result in increased GHG emissions from solid waste treatment at treatment plants (7,900 metric tons of CO_2e/year).

Water-related energy use consumes 19 percent of California's electricity every year. Energy use and related GHG emissions are based on electricity used for water supply and conveyance, water treatment, water distribution, and wastewater treatment (1.3 metric tons of CO_2e/year). The project would comply with provisions of the California Green Building Code and would install water efficient fixtures such that it would experience reduction of indoor potable water use by 20 percent from what is required in the California Buildings Standards Code. In addition, the outdoor water use would be monitored by irrigation controls as prescribed in the Cal Green Building Code. The project would indirectly result in increased GHG emissions from water transport and treatment (71 metric tons of CO_2e/year).

The project will comply with existing State and federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which will reduce the project's electricity demand compared to older buildings. The warehouse building will be built in compliance with the new 2010 California Building Code (CBC) to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices.

Comparing the proposed project to the SCAQMD tiered interim GHG significance criteria; it is not exempt as described in Tier 1. Considering the Tier 2 criteria, the levels of GHG emissions shown in Table 4.3.E, at approximately 0.009 percent of the State GHG emissions, are unlikely to result in GHG emission levels that would substantially conflict with implementation of the GHG reduction goals under AB 32 or other State regulations. The CAT and the ARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "*Report to Governor Schwarzenegger and the Legislature*," ARB's 2007 "*Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California,*" and ARB's "*Climate Change Proposed Scoping Plan: a Framework for Change.*"

The reports identify strategies to reduce California's emissions to the levels proposed in EO S-3-05 and AB 32 that are applicable to the proposed project. The Proposed Scoping Plan is the most recent document, and the strategies included in the Scoping Plan that apply to the project are contained in Table 4.3.C, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. Thus, this project complies with Tier 2 of the SCAQMD tiered interim GHG significance thresholds.

With implementation of these strategies/measures, the project's contribution to cumulative GHG emissions would be reduced. In order to ensure that the proposed project complies with and would not conflict with or impede the implementation of reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor, **Mitigation Measures 4.3.6.1A** through **4.3.6.1C** will be implemented. Many of the individual elements of this measure are already included as part of the proposed project or are required as part of project specific mitigation measures.

Mitigation Measures. Previously referenced **Mitigation Measures 4.2.6.3A** and **4.2.6.3B** were introduced to reduce project air pollution emissions. These measures will also reduce the project's greenhouse gas emissions. To ensure that the proposed project's emissions of GHG are reduced to a less than significant level, the following additional mitigation measures shall be implemented.

4.3.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans

as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows shall utilize window treatments for efficient energy conservation.
- Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.
- Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, water heating) shall be commissioned by the Commissioning Authority.
- Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- Use locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- Use "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following:
  - Increase insulation such that heat transfer and thermal bridging is minimized.
  - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
  - Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.

4.3.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:

- The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment.
- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows.
- Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
  - Install drought tolerant plants for landscaping.
  - Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.
  - Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.
- Provide employee education about reducing waste and available recycling services.

Level of Significance After Mitigation. The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant and less than cumulatively considerable because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.

4.3.7 Cumulative Impacts

Given the findings of AB 32, of SB 97, and the requirements of CEQA, the Lead Agency must determine whether a project will or will not have a cumulatively considerable contribution. Due to the lack of guidance for determining the significance of cumulative impacts to climate change from projects, and out of an overabundance of caution, the project has been evaluated to determine whether emissions of greenhouse gases have been minimized to the extent feasible with current technology and measures.

While it is not possible to determine whether the project individually will have a significant impact on global warming or climate change, it will contribute to cumulative GHG emissions in California. Cumulatively, the build out of the proposed project would contribute approximately 0.044 metric tons of CO_2e per year, which is 0.009 percent of California's existing total emissions for carbon dioxide, methane, and nitrous oxide (478 metric tons of CO_2e per year). The mitigation measures discussed above will likely reduce the project's emissions of greenhouse gases; however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of *CEQA Guidelines* Sections 15065(a)(3) and 15130. The CARB is currently in the process of designing

regulations to monitor, limit, and ultimately reduce California GHG emissions but there are as yet no adopted standards for assessing the significance of cumulative impacts from projects.

Cumulatively, the emissions from electricity production would comprise approximately 3.4 percent of the project's total CO_2e emissions. Water usage and solid waste disposal emissions comprise approximately 18 percent of the project's total CO_2e emissions while the emissions from vehicle exhaust would comprise approximately 77 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO_2e emissions are primarily associated with building systems. The proposed project is required to comply with existing State and Federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy efficient than older buildings.

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.

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4.4 NOISE

This analysis is intended to satisfy the City's requirements for a project-specific noise impact analysis by examining the short-term and long-term noise impacts of the proposed project on sensitive uses adjacent to the proposed project site and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. This includes the potential for the proposed project to result in impacts associated with a substantial temporary and/or permanent increase in ambient noise levels in the vicinity of the project area; exposure of people to excessive noise levels, groundborne vibration, or groundborne noise levels. The analysis contained in this section is based on a comprehensive *Noise Impact Analysis* contained in Appendix E (LSA Associates, Inc., December 2011), which examines existing ambient noise conditions and project-related impacts.

4.4.1 Existing Setting

4.4.1.1 Background

Characteristics of Sound. Noise is usually defined as unwanted sound; it consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep. To the human ear, sound has two significant characteristics: pitch and loudness. Pitch is generally an annoyance, while loudness can affect our ability to hear. The analysis of a project's noise impact defines the noise environment of the project area in terms of sound intensity and its effect on adjacent sensitive land uses.

Measurement of Sound. There are many ways to rate sound for various time periods. An appropriate rating of ambient noise[1] affecting humans accounts for the annoying effects of sound by penalizing noises that occur during quiet periods of time, such as late night/early morning, through weighted averaging metric. Single-event or peak noises are measured by a simple peak noise measurement. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} and community noise equivalent level (CNEL) or the day-night average level (L_{dn}) based on A-weighted decibels (dBA). CNEL is the time varying noise over a 24-hour period, with a five dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and a 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening hours. CNEL and L_{dn} are within one dBA of each other and are normally exchangeable.

Other noise rating scales of importance when assessing the annoyance factor include the maximum noise level (L_{max}), which is the highest exponential time averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak operating conditions and addresses the annoying aspects of intermittent noise. It is often used together with another noise scale, or noise standards in terms of percentile noise levels, in noise ordinances for enforcement purposes. For example, the L_{10} noise level represents the noise level exceeded 10 percent of the time during a stated period. The L_{50} noise level represents the median noise level. Half the time the noise level exceeds this level, and half the time it is less than this level. The L_{90} noise level represents the noise level exceeded 90 percent of the time and is considered the background noise level during a monitoring period. For a relatively constant noise source, the L_{eq} and L_{50} are approximately the same. Table 4.4.A defines noise measurements that are typically used in noise analyses.

[1] Ambient noise is the totality of noise in a given place and time; usually a composite of sounds from varying sources at varying distances. Ambient sounds generally range from 30 dBA (very quiet) to 100 dBA (very loud).

Table 4.4.A: Noise Measurement Definitions

Unit of Measurement		Description
dB	Decibel	Units for measuring the volume of sound, decibels are measured on a logarithmic scale, representing points on a sharply rising curve. For example, 10 decibels are 10 times more intense than one decibel and 20 decibels are 100 times more intense. A 10-decibel increase in sound level is perceived by the human ear as a doubling of the loudness of the sound.
dBA	A-Weighted Decibel	A sound pressure level that has been weighted to quantitatively reduce the effect of the high and low frequency noise. It was designed to approximate the response of the human ear to sound.
CNEL	Community Noise Equivalent Level	The CNEL value represents noise as measured by an A-weighted sound level. The metric includes a 4.8-decibel penalty during relaxation hours (7 p.m. to 10 p.m.) and a 10-decibel penalty for sleeping hours (10 p.m. to 7 a.m.). CNEL is similar to L_{dn} (which does not include the evening penalty).
L_{dn}	Day-Night Average Noise	The 24-hour average sound level, expressed in a single decibel rating, for the period from midnight to midnight obtained after the addition of a 10.0-decibel penalty to sound levels for the periods between 10 p.m. and 7 a.m.
L_{eq}	Equivalent Noise Level	Total sound energy of time-varying noise over a sample period.
L_{01}, L_{10}, L_{25}, L_{50}, L_{90}	Percentile Noise Exceedance Levels	The fast A-weighted noise levels that are equaled or exceeded by a fluctuating sound level 1 percent, 10 percent, 25 percent, 50 percent, and 90 percent of a stated time period.
L_{max}	Maximum Noise Level	L_{max} is the highest exponential time-averaged sound level that occurs during a stated time period. It reflects peak operating conditions and addresses the annoying aspects of intermittent noise.

Sound levels are generated from a source and their decibel level decreases as the distance from that source increases. Table 4.4.B describes attenuation levels of various types of noise sources.

Table 4.4.B: Attenuation Levels and Type of Noise Sources

Decrease in Sound for Each Doubling of Distance	Type of Noise Source	Description/Example
6.0 decibels	Single-point source	Stationary equipment
4.5 decibels	Line source	Highway traffic or railroad operations in a relatively flat environment with absorptive vegetation
3.0 decibels	Line source	Highway traffic or railroad operations in a hard site environment

Source: LSA Associates, Inc., *Noise Analysis*, *Moreno Valley Eucalyptus*, June 2008.

Definition of Noise. Noise impacts can be described in three categories:

- Audible (3.0 dB or greater);
- Potentially audible (between 1.0 and 3.0 dB); and
- Inaudible (less than 1.0 dB).

Audible noises are increases in noise levels noticeable to humans and generally refer to a change of 3.0 dB or greater, because this level has been found to be barely perceptible in exterior environments. Potentially audible refers to a change in the noise level between 1.0 and 3.0 dB, which is noticeable only in laboratory environments. Changes in noise levels of less than 1.0 dB are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are

considered potentially significant. Therefore, a 3 dBA increase in long-term noise levels above existing ambient noise levels is used as a threshold of significant change in this noise analysis.

Fundamentals of Groundborne Vibration. Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable. However, without the effects associated with the shaking of a building, there is less adverse reaction. Building vibration may be perceived by the occupants as motion of building surfaces, rattling of items on shelves or hanging on walls, or as a low-frequency rumbling noise. Building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during construction or mining. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by up to 10 decibels. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with groundborne vibration and noise from these sources are usually localized to within about 100 feet of the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet, as described in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment (FTA, May 2006). When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible.

Factors that influence groundborne vibration and noise include the following:

- Vibration Source: vehicle suspension, wheel types and condition, track/roadway surface, track support system, speed, transit structure, and depth of vibration source.
- Vibration Path: soil type, rock layers, soil layering, depth to water table, and frost depth.
- Vibration Receiver: foundation type, building construction, and acoustical absorption.

Among the factors listed above, there are significant differences in the vibration characteristics when the source is underground versus at ground surface. In addition, soil conditions are known to have a strong influence on the levels of groundborne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock. Vibration propagation is more efficient in stiff clay soils than in loose sandy soils, and shallow rock seems to concentrate the vibration energy close to the surface and can result in groundborne vibration problems at a great distance from the track. Factors such as layering of the soil and depth to water table can have significant effects on the propagation of groundborne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils.

4.4.1.2 Sensitive Land Uses in the Project Vicinity

Certain land uses are considered more sensitive to noise than others. Examples include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project boundary. There are also residential uses approximately 0.77 mile (mi) southwest of the project site on the south side of Harley Knox/Oleander Avenue between Heacock Street and Patterson Avenue.

Existing Noise Environment. The project site is currently vacant land. The primary existing noise sources in the project area are transportation facilities. Primary transportation noise sources include vehicular traffic along Indian Street and Perris Boulevard. Aircraft operations from March Air Reserve

Base to the northwest of the project site contribute to high intermittent single-event noise levels. Based on the *Citizen's Brochure for the 452nd Air Mobility Wing Air Installation Compatible Use Zone Study* (AICUZ) for the March Air Reserve Base (August 2005), the project site is located outside of the 60 dBA CNEL noise contour from March Air Reserve Base.

Existing Traffic Noise Modeling. To document the existing environment, the Federal Highway Administration (FHWA) highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry[1] to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The noise impact analysis was conducted using the existing traffic volumes provided in the *Traffic Study* prepared for the proposed project (LSA Associates, Inc., December 2011). In addition, unlike the urban area where the ground is filled with pavement, the project site is located in a rural/suburban area where there is vacant land around the project vicinity. Empirical data show that such environment is best analyzed with the soft site propagation for noise. The traffic noise modeling in this noise study uses 4.5 dBA per doubling of the distance for the soft site sound propagation from a line source. The modeled 24-hour CNEL levels are identified in Table 4.4.C. The resultant noise levels are weighted and summed over 24-hour periods to determine the CNEL values. The primary existing noise sources in the project area are transportation facilities. Dominant noise sources at the project site are vehicle traffic from Indian Street and Perris Boulevard. Traffic noise in the project vicinity ranges from low (Nandina Avenue) to moderate (Indian Street and Oleander Avenue) to high (Perris Boulevard). As shown in Table 4.4.C, existing traffic noise along these roadway segments range from low to moderate to high.

Table 4.4.C: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	13,800	54	111	237	68.4
Perris Blvd. between Iris Ave. and Krameria Ave.	15,400	58	119	255	68.8
Perris Blvd. between Krameria Ave. and Nandina Ave.	15,200	57	118	253	68.8
Perris Blvd. between Nandina Ave. and Grove View Rd.	15,000	57	117	251	68.7
Perris Blvd. between Grove View Rd. and Oleander Ave.	15,500	58	120	256	68.9
Indian Ave. between Nandina Ave. and Grove View Rd.	5,600	< 50	51	109	64.4
Indian Ave. between Grove View Rd. and Oleander Ave.	5,600	< 50	51	109	64.4
Oleander Ave. west of I-15 Ramps	6,000	< 50	63	136	65.8
Oleander Ave. between I-15 Ramps and Indian Ave.	9,200	< 50	84	181	67.7
Oleander Ave. between Indian Ave. and Perris Blvd.	4,400	< 50	52	111	64.5

[1] Roadway geometry is defined as the lane configuration (number of through lanes and turn lanes) of two intersecting roads.

Table 4.4.C: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Nandina Ave. between Indian Ave. and Perris Blvd.	590	< 50	< 50	< 50	54.6

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis,* City of Moreno Valley. LSA Associates, Inc. December 2011.

4.4.2 Existing Policies and Regulations

The applicable noise standards governing the project site are the criteria in the City of Moreno Valley General Plan Noise Element and Municipal Code (Noise Ordinance). The City's Noise Element of the General Plan is based on the County of Riverside Land Use Compatibility Chart for Community Noise and is adopted by reference. In addition, standards identified in the *California Noise Insulation Standards*[1] and the *State of California Vehicular Code*[2] are included below. The following sections list the General Plan policies and State standards relevant to noise for the proposed project.

4.4.2.1 City of Moreno Valley General Plan Policies

Chapter 9 of the *City of Moreno Valley General Plan*[3] defines goals, objectives, policies, and action items related to noise conditions in the City. The specific policies related to noise that are relevant to the proposed project are as follows:

Objective 2.5 Promote a mix of industrial uses which provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley with the establishment of industrial activities that have good access to the regional transportation system, accommodate the personal needs of workers and business visitors; and which meets the service needs of local businesses.

Policy 2.5.3 Screen manufacturing and industrial uses where necessary to reduce glare, noise, dust, vibrations and unsightly views.

Objective 6.3 Provide noise compatible land use relationships by establishing noise standards utilized for design and siting purposes.

Policy 6.3.6 Building shall be limited in areas of sensitive receptors.

Objective 6.4 Review noise issues during the planning process and require noise attenuation measures to minimize acoustic impacts to existing and future surrounding land uses.

Policy 6.4.1 Site, landscape and architectural design features shall be encouraged to mitigate noise impacts for new developments, with a preference for noise barriers that avoid freeway sound barrier walls.

Objective 6.5 Minimize noise impacts from significant noise generators such as, but not limited to, motor vehicles, trains, aircraft, commercial, industrial, construction, and other activities.

1 California Code of Regulations, Title 24, Part 2, §3501, *California Noise Insulation Standards.*
2 Governor's Office of Planning and Research, *State of California General Plan Guidelines*, October 2003, pages 249 and 250.
3 *City of Moreno Valley General Plan*, City of Moreno Valley, adopted by City Council Resolution No. 2006-83, July 11, 2006.

Policy 6.5.1 New commercial and industrial activities (including the placement of mechanical equipment) shall be evaluated and designed to mitigate noise impacts on adjacent uses.

Policy 6.5.2 Construction activities shall be operated in a manner that limits noise impacts on surrounding uses.

The City's General Plan, Section 6.4, states that acceptable residential exterior noise standards are within 60–65 dBA CNEL, and acceptable residential interior noise standard is 45 dBA CNEL.

Moreno Valley Municipal Code. The *Moreno Valley Municipal Code*[1] describes the noise standards within the City. It states that noise will be measured with a sound level meter that meets the standards of the American National Standards Institute (ANSI) Section I.4-1983. All measurements of sound will be made by qualified officials of the City who are designated by the City Manager or designee to operate the apparatus used to make the measurements.

In addition, the following standards are listed in the *Moreno Valley Municipal Code* in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

The City's Municipal Code, Section 8.14.040.E, specifies the hours of any construction within the City to occur only as follows: Monday through Friday (except for holidays that occur on weekdays), 6:00 a.m. to 8:00 p.m.; weekends and holidays (as observed by the City and described in Chapter 2.55 of the Municipal Code), 7:00 a.m. to 8:00 p.m., unless written approval is obtained from the City building official or City engineer. According to the City's Municipal Code ordinance 8.21.050, grading permit requirements, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

The City's Municipal Code, Section 9.10.140, specifies that all commercial and industrial uses shall be operated so that noise created by any loudspeaker, bells, gongs, buzzers, or other noise attenuation or attracting devices shall not exceed 55 dBA at any one time beyond the boundaries of the property.

Chapter 11.80.030 of the City's Municipal Code also states:

> *Based on statistics from the Center for Disease Control and Prevention and the National Institute for Occupational Safety and Health, Table 1 and Table 1-A specify sound level limits which, if exceeded, will have a high probability of producing permanent hearing loss in anyone in the area where the sound levels are being exceeded. No sound shall be permitted within the City which exceeds the parameters set forth in Table 11.80.030-1* [Table 4.4.D] *and 11.80.030-1-A* [Table 4.4.E] *of this chapter.*
>
> *No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any nonimpulsive sound which exceeds the limits set forth for the source land use category (as defined in Section 11.80.020) in Table 11.80.030-2* [Table 4.4.F] *when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance.*

[1] *Moreno Valley Municipal Code*, City of Moreno Valley, current through Ordinance 761 and the February 2008 code supplement.

The following uses and activities shall be exempt from the sound level regulations except the maximum sound levels provided in Tables 11.80.030-1 [Table 4.4.D] *and 11.80.030-1A* [Table 4.4.E]*:*

1. *Sounds resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of an emergency.*
2. *Sounds resulting from emergency work as defined in Section 11.80.020.*
3. *Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations and air traffic control instruction used pursuant to and within the duly adopted federal air regulations; and any aircraft operating under technical difficulties in any kind of distress, under emergency orders or air traffic control, or being operated pursuant to and subsequent to the declaration of an emergency under federal air regulations.*
4. *All sounds coming from the normal operations of interstate motor and rail carriers, to the extent that local regulation of sound levels of such vehicles has been preempted by the Noise Control Act of 1972 (42 U.S.C. § 4901 et seq.) or other applicable federal laws or regulations.*
5. *Sounds from the operation of motor vehicles, to the extent they are regulated by the California Vehicle Code.*
6. *Any constitutionally protected noncommercial speech or expression conducted within or upon any public right-of-way, public space or other publicly owned property constituting an open or a designated public forum in compliance with any applicable reasonable time, place and manner restriction on such speech or expression or otherwise pursuant to legal authority.*
7. *Sounds produced at otherwise lawful and permitted city-sponsored events, organized sporting events, school assemblies, school playground activities, by permitted fireworks, and by permitted parades on public right-of-way, public space, or other publicly owned property.*
8. *An event for which a temporary use permit or special event permit has been issued under other provisions of this code, where the provision of Section 11.80.010 are met, the permit granted expressly grants an exemption from specific standards contained in this chapter, and the permittee and all persons under the permitttee's reasonable control actually comply with all conditions of such permit. Violation of any condition of such permit related to sound or sound equipment shall be in violation of this chapter and punishable as such.*

Table 4.4.D: Maximum Continuous Sound Levels*

Duration Per Day Continuous Hours	Sound Level (dBA)
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.5	110
0.25	115

* When the daily sound exposure is composed of two or more periods of sound exposure at different levels, the combined effect of all such periods shall constitute a violation of this section if the sum of the percentage of allowed period of sound exposure at each level exceeds 100 percent.

Source: Chapter 11.80.030 Table 11.80.030-1, City of Moreno Valley Municipal Code, City of Moreno Valley.

Table 4.4.E: Maximum Impulsive Sound Levels

Number of Repetitions Per 24-Hour Period	Sound Level (dBA)
1	145
10	135
100	125

Source: Chapter 11.80.030 Table 11.80.030-1A, City of Moreno Valley Municipal Code, City of Moreno Valley.

Table 4.4.F: Maximum Sound Levels (in dBA) for Source Land Uses

Residential		Commercial	
Daytime	Nighttime	Daytime	Nighttime
60	55	65	60

Source: Chapter 11.80.030 Table 11.80.030-2, City of Moreno Valley Municipal Code, City of Moreno Valley.

4.4.2.2 State of California Vehicular Code

Recent studies have shown that the most objectionable feature of traffic noise is the sound produced by vehicles equipped with illegal or faulty exhaust systems. In addition, such vehicles are often operated in a manner that causes tire squeal and excessively loud exhaust noise. A number of California State vehicle noise regulations can be enforced by local authorities as well as the California Highway Patrol. These include § 23130, § 23130.5, § 27150, and § 38275 of the California Vehicle Code, as well as excessive speed laws, which may be applied to curtail traffic noise:

- § 23130 and § 23130.5 establish maximum noise emission limits for the operation of all motor vehicles at any time under any conditions of grade, load, acceleration, or deceleration.
- § 27150 requires motor vehicles to be equipped with an adequate muffler to prevent excessive noise.
- § 38275 requires off-highway motor vehicles to be equipped with an adequate muffler to prevent excessive noise.

The California Highway Patrol and the Department of Health Services (through local health departments) are available to aid local authorities in code enforcement and training pursuant to proper vehicle sound level measurements.

4.4.3 Methodology

Evaluation of noise impacts associated with the proposed project includes the following:

- Determination of the short-term construction noise impacts on off-site noise-sensitive uses;
- Determination of the long-term noise impacts, including vehicular traffic and stationary noise sources, on on-site and off-site noise-sensitive uses; and
- Determination of the required mitigation measures to reduce long-term noise impacts from all sources.

The proposed project includes the construction and operation of an approximately 1.6 million square-foot distribution warehouse. The noise analysis considers the noise effects of the warehouse distribution development on the existing residential development (sensitive receptors) in the vicinity of the proposed project site. The applicable noise standards governing the project site are the criteria in the City of Moreno Valley's *Noise Element of the General Plan* and *Municipal Code*.

4.4.4 Thresholds of Significance

A project would have a significant effect on the environment related to noise if it would substantially increase the ambient noise levels for adjoining areas or if it would conflict with adopted environmental plans and goals of the community in which it is located.

The applicable noise standards governing the project site are the criteria that are contained within the Noise Element of the *City of Moreno Valley General Plan* and the *Moreno Valley Municipal Code*. For this project, a noise impact is considered significant if the project would result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the *City of Moreno Valley General Plan*, *Moreno Valley Municipal Code*, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;
- A substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels; and/or
- For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The standards within the *City of Moreno Valley General Plan* and *Moreno Valley Municipal Code* determine the acceptable noise environment for proposed project and its vicinity. The standards are as follows:

- Ensure through the design review process that exterior noise levels at commercial and industrial areas do not exceed 75 dBA CNEL.
- Consider the following uses noise-sensitive and discourage them in areas where exterior noise levels exceed 65 dBA CNEL unless measures are implemented that reduce the noise exposure below this level: single- and multiple-family residential uses, group homes, hospitals, schools and other learning institutions, and parks and open space areas where quiet is a basis for use.

4.4.5 No Impact/Less than Significant Impacts

The following impacts have been identified as having a less than significant impact or no impact on the environment with implementation of the proposed project.

4.4.5.1 Airport Noise Impacts

Threshold	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, results in exposure of people residing or working in the project area to excessive noise levels. For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The nearest airport is the March Air Reserve Base, which is located approximately 0.75 mile northwest of the project site. The proposed project is not identified as being within the noise or safety

contours delineated for the March Air Reserve Base Airport.[1] While the proposed project is located within two miles of a public airport, the proposed project would not have the potential to expose people working on the project site to excessive noise levels from airport operations as the project site is located outside of the noise and safety contours of March Air Reserve Base. A less than significant impact would occur with implementation of the proposed project. Additionally, the proposed project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue would occur and no mitigation is required.

4.4.5.2 Groundborne Vibration Impacts

Threshold:	Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable but without the accompanying effects (e.g., shaking of a building). Groundborne vibration is measured in terms of the velocity of the vibration oscillations. When groundborne vibration exceeds 0.1 inch per second (in/sec), it is generally perceived as annoying to building occupants. The degree of annoyance is dependent upon type of land use, individual sensitivity to vibration, and the frequency of the vibration events. Typically, vibration levels must exceed 0.2 in/sec before building damage occurs. Problems with groundborne vibration and noise are usually localized to areas within about 100 feet from the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet.

The project site is not located near steel-wheeled trains. Additionally, roadways in the project area are either paved or would be paved and would not result in traffic driving over rough roads. Construction activities for the project site do not include blasting or pile driving. The primary vibratory source during the construction of the proposed project would be large bulldozers. Based on published data, typical bulldozer activities generate an approximate vibration level of 0.089 in/sec at a distance of 25 feet. At the distance of the nearest residence to the project boundary (approximately 1,000 feet) the estimated vibration level would not be discernable. While heavy-duty earthmoving equipment would be used during the construction phase of the project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs. Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required.

4.4.5.3 Long-Term Traffic Noise Impacts

Threshold	Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Only audible changes in existing ambient or background noise levels are considered potentially significant. It takes doubling of the traffic volume to have a 3 dB increase in traffic noise. Therefore, a 3 dBA increase in long-term noise levels above existing ambient noise levels is used as a threshold of significant change in this noise analysis.

The FHWA highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions. The noise impact analysis was conducted using the future traffic

[1] *Figure 5.4-1 March Reserve Air Base Noise Impact Area*, City of Moreno Valley General Plan EIR, July 2006.

volumes provided in the *Traffic Study* (LSA Associates, Inc., December 2011). In addition, unlike the urban area where the ground is filled with pavement, the project site is located in a rural/suburban area where there is vacant land around the project vicinity. Empirical data show that such environment is best analyzed with the soft site propagation for noise. The traffic noise modeling in this noise study uses 4.5 dBA per doubling of the distance for the soft site sound propagation from a line source. The future Year (2013) with and without project scenarios average daily traffic (ADT) volumes on roadway segments in the project vicinity were used to conduct the traffic noise modeling. The existing ADT volumes in the area were taken from the *Traffic Study* prepared for the proposed project. The modeled 24-hour CNEL levels are presented in Tables 4.4.G and 4.4.H for the Opening (2013) Year scenarios. Standard vehicle mix for Southern California streets was used in this analysis. Background traffic volumes at study area intersections for Year 2013 Without Project Traffic scenario represent the existing (2008) conditions plus the ambient growth that is expected to occur by the time the proposed project is built. Ambient growth considers increasing the existing (2008) volumes by 10.4 percent (or 2% per year compounded over five years). Traffic volumes for the Opening Year (2013) With Project Traffic scenario considers the addition of traffic generated by the proposed project to the Year 2013 Without Project conditions. Traffic volumes for the Opening Year (2013) Cumulative Without Project Traffic scenario were developed from information concerning approved and pending projects in the project vicinity obtained from the City of Moreno Valley and added to the Year 2013 Without Project Traffic volumes. Traffic volumes for the Opening Year (2013) Cumulative With Project Traffic scenario considers the addition of traffic generated by the proposed project to the Year 2013 Cumulative Without Project Traffic volumes. Noise levels presented in Tables 4.4.G and 4.4.H represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn.

Table 4.4.G: Year 2013 Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,200	88	186	399	71.8
Perris Blvd. between Iris Ave. and Krameria Ave.	34,600	96	203	437	72.4
Perris Blvd. between Krameria Ave. and Nandina Ave.	35,400	97	206	443	72.5
Perris Blvd. between Nandina Ave. and Grove View Rd.	35,500	97	207	444	72.5
Perris Blvd. between Grove View Rd. and Oleander Ave.	36,000	98	209	448	72.5
Indian Ave. between Nandina Ave. and Grove View Rd.	11,800	< 50	83	179	67.6
Indian Ave. between Grove View Rd. and Oleander Ave.	11,800	< 50	83	179	67.6
Oleander Ave. west of I-15 Ramps	8,400	< 50	79	170	67.3
Oleander Ave. between I-15 Ramps and Indian Ave.	25,900	78	167	360	72.2

Table 4.4.G: Year 2013 Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Oleander Ave. between Indian Ave. and Perris Blvd.	18,200	62	132	285	70.6
Nandina Ave. between Indian Ave. and Perris Blvd.	2,900	< 50	< 50	70	61.5

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA= A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis*, City of Moreno Valley. LSA Associates, Inc. December 2011.

Table 4.4.H: Year 2013 With Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane	Increase CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,800	89	188	404	71.8	0.0
Perris Blvd. between Iris Ave. and Krameria Ave.	35,300	97	206	443	72.4	0.0
Perris Blvd. between Krameria Ave. and Nandina Ave.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Nandina Ave. and Grove View Rd.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Grove View Rd. and Oleander Ave.	36,600	99	211	453	72.6	0.1
Indian Ave. between Nandina Ave. and Grove View Rd.	13,000	< 50	89	191	68.0	0.4
Indian Ave. between Grove View Rd. and Oleander Ave.	13,900	< 50	93	200	68.3	0.7
Oleander Ave. west of I-15 Ramps	8,500	< 50	80	172	67.3	0.0
Oleander Ave. between I-15 Ramps and Indian Ave.	27,500	81	174	375	72.4	0.2
Oleander Ave. between Indian Ave. and Perris Blvd.	18,200	62	132	285	70.6	0.0
Nandina Ave. between Indian Ave. and Perris Blvd.	3,500	< 50	< 50	80	62.3	0.8

Table 4.4.H: Year 2013 With Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane	Increase CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Perris Blvd. between Gentian Ave. and Iris Ave.	30,800	89	188	404	71.8	0.0
Perris Blvd. between Iris Ave. and Krameria Ave.	35,300	97	206	443	72.4	0.0
Perris Blvd. between Krameria Ave. and Nandina Ave.	36,100	98	209	449	72.5	0.0
Perris Blvd. between Nandina Ave. and Grove View Rd.	36,100	98	209	449	72.5	0.0

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA= A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis,* City of Moreno Valley. LSA Associates, Inc. December 2011.

As presented in Table 4.4.G (2013 with Project), project-related traffic noise level increases would be 0.8 dBA or less along all roadway segments analyzed. Noise level increases within this range are small and are not perceptible by the human ear. Therefore, no significant traffic noise impacts would occur to off-site land uses with implementation of the proposed project. Table 4.4.G also shows that the proposed warehouse distribution center uses are not impacted by the 75 dBA CNEL noise contour from Indian Street (within 50 feet of the roadway centerline), Oleander Avenue (within 50 feet of the roadway centerline), or Perris Boulevard (98 feet from the roadway centerline). Therefore, noise levels at the on-site uses are below the City's 75 dBA CNEL noise standard for industrial uses. No significant noise impacts to on-site industrial uses would occur and no mitigation measures are required.

4.4.5.4 Long-Term Operational Noise Impacts

Threshold:	Would the project cause exposure of persons to or generation of noise levels in excess of standards established in the *City of Moreno Valley General Plan, Moreno Valley Municipal Code*, or applicable standards of other agencies?

Potential long-term stationary noise impacts would primarily be associated with operations at the proposed warehouse distribution center. The proposed on-site warehouse distribution center would generate noise from truck delivery, loading/unloading activities at the loading areas, and other noise-producing activities within the parking lot. These activities are potential point sources of noise that could affect noise-sensitive receptors adjacent to the loading areas and parking lots, such as the existing residential uses to the north of the project site.

The project site is adjacent to Perris Boulevard to the east, Indian Street to the west, Grove View Road to the north and the Perris Valley Storm Drain Lateral B forms the southern boundary of the project site. Other warehouse distribution uses are located on adjacent properties to the west, north, and east. The remaining parcels adjacent to the project site are vacant. The nearest existing sensitive receptors in the vicinity of the project site are rural residential uses located along Nandina Avenue approximately 1,000 feet north of the project boundary. There are also nonconforming residential

dwelling units within commercial and industrial uses on property zoned for commercial or industrial uses approximately 0.5 mile southwest of the project site on the south side of Oleander Avenue between Heacock Street and Patterson Avenue.

As indicated in the project's site plan (Figure 1.2), the proposed warehouse distribution use has loading docks on the north and south sides of the building, approximately 1,000 feet from the existing residences to the north. Noise associated with loading/unloading activities would potentially affect these existing residential uses. Other on-site, noise-producing activities may include traffic and activity within the parking lot (load talking, horn blowing, vehicle door slamming, truck idling, etc.).

As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dBA reduction in the noise level for each doubling of distance from a single-point source of noise, such as an idling truck, to the noise-sensitive receptor of concern. Although individual activity may generate relatively high and intermittent noise, when added to the typically lower ambient noise and averaged over a longer period of time, the cumulative noise level would be much lower and would be considered a less than significant impact.

Based on the preliminary site plan, the shortest distance (approximately 1,000 feet) from the existing residences to the nearest loading/unloading areas on the project site would result in a 26 dBA[1] noise attenuation (compared to the levels at 50 feet).

Truck Delivery and Loading and Unloading Noise. Delivery trucks for the proposed on-site warehouse distribution uses would result in a maximum noise similar to noise readings from loading and unloading activities for other warehouse distribution projects, which generates a noise level of approximately 75 dBA L_{max} at 50 feet and is used in this analysis. Based on the foregoing discussion, distance divergence of 1,000 feet provides 26 dBA noise attenuation; thus, loading/unloading noise at the proposed uses would be reduced to below 49 dBA L_{max}[2] at ground level of the nearest existing residences north of the project site. Based on the City's Municipal Code, Chapter 11.80.030, when measured at 200 feet or more from the real property line of the source of the sound (if the sound occurs on privately owned property as is the case here), the exterior noise standard is 60 dBA L_{max} during the day (8:00 a.m. to 10:00 p.m.) and 55 dBA L_{max} during the night (10:01 p.m. to 7:59 a.m.) for residential uses. This level of maximum noise levels is below the City's residential exterior noise standards of 60 dBA L_{max} during the day (8:00 a.m. to 10:00 p.m.) and the 55 dBA L_{max} standard during the night (10:01 p.m. to 7:59 a.m.). Although the typical truck unloading process takes an average of 15 to 20 minutes, this maximum intermittent noise level occurs in a much shorter period of time and would amount to less than a few minutes. This level of noise would be below the most stringent noise standard (55 dBA maximum noise standard at any time). Therefore, noise associated with loading and unloading activities at the loading areas associated with the proposed warehouse distribution uses would not result in noise levels exceeding the noise standards at the nearest residences to the north. Loading/unloading activities would not result in a significant noise impact at the nearest existing off-site residential uses and no mitigation is required.

Parking Lot Activity. Representative parking lot activities, such as conversing, doors slamming, engine startup, and slow-moving vehicles would generate approximately 60 to 70 dBA L_{max} at 50 feet. This level of noise is lower than that of the truck delivery and loading/unloading activities. With the noise attenuation effect from distance divergence (26 dBA noise attenuation) to the proposed on-site

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1 Based on the sound pressure level equation of L = 20 Log (Distance / Reference Distance); where L is the sound level (in dBA), the value of 20 is 20 µPa (Pascal) root mean squared or 20 units of pressure (usually considered the threshold of hearing), multiplied by the logarithm of the distance divided by the reference distance, thus (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02).

2 75 dBA L_{max} – 26 dBA L_{max} = 49 dBA L_{max}.

warehouse buildings, noise levels in the parking lots of the proposed warehouse distribution uses would be below 44 dBA L_{max} and would not be significant; therefore, no mitigation is required.

Heating, Ventilating, and Air Conditioning Equipment Noise. The proposed project would have rooftop heating, ventilating, and air conditioning (HVAC) equipment, as well as ground floor garbage compactors. Although no final design is available at this time for the type and location of the rooftop mechanical units, based on noise measurements conducted at a similar use, rooftop HVAC units generate noise levels of approximately 62 dBA at 50 feet. The closest noise-sensitive land uses are existing residences which are located approximately 1,000 feet to the north from the nearest potential on-site rooftop HVAC equipment location. With the effect of distance divergence, noise generated by HVAC equipment would be reduced by 26 dBA[1] at the closest residences when compared with the noise level measured at 50 feet. Additionally, the roof edge (parapet) creates a noise barrier that reduces noise levels from rooftop HVAC units by an additional 3 to 5 dBA or more for ground floor receptors. Because of the attenuation achieved, nearest residences located to the north of the project site would be exposed to an exterior noise level of 33 dBA L_{max}[2] or lower. This range of noise levels is substantially lower than traffic noise on roadways in the project vicinity and the truck movement and loading/unloading noise. Therefore, because the City's exterior noise standard of 60 dBA L_{dn}/CNEL for HVAC equipment in residential district (Planning and Zoning Code, Chapter 9.03.040) would not be exceeded at the nearest sensitive noise receptors, no significant noise impact resulting from the operation of rooftop HVAC equipment would occur and no mitigation is required.

Garbage Compactor Noise. Garbage compactors generate approximately 70 dBA L_{max} at 6 feet. It is assumed that two garbage compactors would be located at the loading docks on the north side of the proposed buildings nearest to the existing residences. These compactors would be located approximately 1,000 feet from the nearest residences located to the north of the project site. This distance provides approximately 44 dBA[3] in noise attenuation when compared to noise levels measured at 6 feet. With the effect of distance divergence, noise generated by garbage compactors would be reduced to 26 dBA L_{max}[4] or lower at the closest residences. Because the City's exterior noise standard of 60 dBA L_{max} during the day and 55 dBA L_{max} during the night would not be exceeded, no significant noise impacts from the on-site garbage compactors would occur. In the absence of any significant impact, no mitigation is required.

Other Potential On-Site Operational Noise Sources. It is anticipated that the proposed uses would have some sort of speaker system at the truck loading docks. As stated previously, the closest loading docks to the residential areas to the north are approximately 1,000 feet from these existing residences to the north. Typical loud speakers generate a sound level of 75 dBA L_{max} at 50 feet. With the distance attenuation of 26 dBA the speaker noise at the nearest residences will be at or below 49 dBA L_{max}[5]. This range of maximum noise levels is lower than the City's nighttime exterior noise standards of 55 dBA L_{max}[6] standard. Therefore, noise associated with loading dock speakers at the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast and no mitigation measures are required.

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1 log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02)

2 HVAC equipment generates a noise level of approximately 62 dBA L_{max} at 50 feet. Accounting for distance divergence (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02) and shielding (minimum of 3 dBA), 62 dBA L_{max} – 26 dBA L_{max} – 3 dBA L_{max} = 33 dBA L_{max}.

3 log [1,000 ft ÷ 6 ft] = 2.222; 2.222 × 20 = 44.44.

4 Garbage compactors generate a noise level of approximately 70 dBA L_{max} at 6 feet. Accounting for distance divergence (log [1,000 ft ÷ 6 ft] = 2.222; 2.222 × 20 = 44.44), 70 dBA L_{max} – 44 dBA L_{max} = 26 dBA L_{max}.

5 75 dBA L_{max} – 26 dBA L_{max}= 49 dBA L_{max}.

6 *Chapter 11.80.030 City of Moreno Valley Municipal Code*, City of Moreno Valley.

Interior Noise. The typical maximum allowable interior noise levels for residential uses are 45 dBA between 10:01 p.m. and 7:59 a.m. and 50 dBA between 8:00 a.m. and 10:00 p.m.[1] Typical southern California homes with windows open would achieve up to 12 dBA in exterior to interior noise reduction. When windows are closed, the noise attenuation increases to 24 dBA. Additionally, distance divergence of 1,000 feet provides 26 dBA of noise attenuation. Interior noise levels at the nearest residential homes to the north, attributable to loading/unloading activities from the nearest on-site loading areas, would be reduced to 37 dBA L_{max} with windows open[2] and to 25 dBA L_{max} with windows closed.[3] This range of noise level is compatible with or lower than typical household activity noise. Therefore, no significant interior noise impacts for the nearest sensitive receptors would occur and no mitigation is required.

4.4.6 Significant Impacts

4.4.6.1 Short-Term Construction Noise Impacts

Impact 4.4.6.1. *Noise levels from grading and other construction activities for the proposed project may range up to 65 dBA at the closest residences north of the project site for very limited times when construction occurs near the project's boundary. Construction-related noise impacts from the proposed project would be potentially significant.*

Threshold:	Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Two types of short-term noise impacts could occur during the construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. There would be a relatively high single-event noise exposure potential at a maximum level of 87 dBA L_{max} with trucks passing at 50 feet. However, the projected construction traffic would be small when compared with the existing traffic volumes on Indian Avenue, Perris Boulevard, and other affected streets. Furthermore, the proposed project's truck traffic will not travel on roadways adjacent to the existing residences as Nandina Avenue does not provide access to the project site. Therefore, short-term construction-related worker commutes and equipment transport noise impacts would be less than significant and no mitigation is required.

The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the project site. Construction is completed in discrete steps, each of which has its own mix of equipment, and consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site, and therefore, the noise levels surrounding the site as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 4.4.I lists typical construction equipment noise levels recommended for noise-impact assessments, based on a distance of 50 feet between the equipment and a noise receptor. Typical noise levels range up to 91 dBA L_{max} at 50 feet during the noisiest construction phases. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction

1 *Model Community Noise Control Ordinance*, State of California, Department of Health, Office of Noise Control, 1977.

2 The loudest noise-generating use would come from loading/unloading activities. As previously identified, loading/unloading activities generate a noise level of approximately 75 dBA L_{max} at 50 feet. Accounting for distance divergence (log [1,000 ft ÷ 50 ft] = 1.301; 1.301 × 20 = 26.02); 75 dBA L_{max} – 26 dBA L_{max} – 12 dBA L_{max} = 37 dBA L_{max}.

3 75 dBA L_{max} – 26 dBA L_{max} – 24 dBA L_{max} = 25 dBA L_{max}.

equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings.

Table 4.4.I: Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Range of Maximum Sound Levels Measured (dBA at 50 feet)	Suggested Maximum Sound Levels for Analysis (dBA at 50 feet)
Pile Drivers, 12,000 to 18,000 ft-lb/blow	81 to 96	93
Rock Drills	83 to 99	96
Jack Hammers	75 to 85	82
Pneumatic Tools	78 to 88	85
Pumps	74 to 84	80
Dozers	77 to 90	85
Tractors	83 to 91	80
Scrapers	83 to 94	87
Haul Trucks	79 to 86	88
Cranes	71 to 87	82
Portable Generators	75 to 82	80
Rollers	77 to 82	80
Front-End Loaders	77 to 90	86
Hydraulic Backhoe	81 to 90	86
Hydraulic Excavators	81 to 90	86
Graders	79 to 89	86
Air Compressors	76 to 89	86
Trucks	81 to 87	86

Source: Noise Control for Buildings and Manufacturing Plants, Bolt, Beranek & Newman, 1987

Construction of the proposed project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. Based on the information in Table 4.4.I, the maximum noise level generated by each scraper on the proposed project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA L_{max} at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations to the project site are existing residences approximately 1,000 feet to the north. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 65 dBA L_{max}, generated by construction activities on the project site. The ambient noise associated with vehicular traffic and industrial uses in the project area would mask the majority of the construction noise from the project site. No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on Sundays and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to

reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

Mitigation Measures. The following measures would reduce short-term construction-related noise impacts associated with the proposed project:

4.4.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

4.4.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.

4.4.6.1C The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest to the project site during all project construction.

4.4.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7:00 a.m. and 6:00 p.m. weekdays and 8:00 a.m. to 4:00 p.m. on weekends and holidays.

Level of Significance after Mitigation. With adherence to the City's designated construction hours and with implementation of the proposed mitigation measures, potential short-term construction noise impacts would be reduced below the level of significance.

4.4.7 Cumulative Impacts

The cumulative area for noise impacts is the City of Moreno Valley. Cumulative projects are identified in Chapter 2.0, Table 2.A and Figure 2.1. Implementation of the proposed project would result in the introduction of new noise sources and levels. Construction crew commutes and the transport of construction equipment, materials, and fill to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. Secondary sources of noise would include noise generated during excavation, grading, and building erection on the project site. The net increase in project site noise levels generated by these activities and other sources has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance. Although it is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, it is unlikely that adjacent properties will be developed at the same time as the proposed project. However, in the unlikely event that adjacent properties are developed at the same time as the proposed project, implementation of the stated mitigation measures would render the cumulative impacts of the proposed project to less than significant levels. The noise analysis contained in this section also provides an assessment of on-site operational noise level impacts onto adjacent sensitive uses, both existing and future. Additionally, on-site operational noises are individual noise occurrences and are not additive in nature.

Cumulative traffic volumes were developed from the addition of traffic generated by approved and pending projects to opening year with project traffic volumes. Cumulative noise impacts associated with roadway noise have been addressed based on the cumulative traffic volumes. The increases over existing traffic volumes are attributable to cumulative development projects in the project vicinity and region. As indicated, the cumulative roadway noise (with project) assessment concludes that

noise levels along all roadway segments analyzed would not exceed baseline noise levels by 3 dBA or more. Comparing cumulative noise levels that would occur both with and without the project, the proposed project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. As indicated, the future roadway noise assessment concludes that there will be no significant roadway noise impacts associated with cumulative project conditions. Therefore, there are no projects that would, in combination with the proposed project, produce significant noise impacts to sensitive land uses from on-site operational noise. Thus, no significant cumulative noise impacts would occur after implementation of the proposed mitigation measures.

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4.5 TRANSPORTATION AND TRAFFIC

This section analyzes the potential traffic and circulation impacts of the proposed project based on the *Traffic Study*,[1] which is included in its entirety as Appendix G to this EIR. This section examines the project's traffic impacts on the existing baseline and opening year (2013) cumulative traffic scenarios.

4.5.1 Existing Setting

4.5.1.1 Existing Traffic Controls and Intersection Geometrics

An inventory of the existing study area street system was conducted by LSA Associates, Inc. Existing study area locations are illustrated in Figure 4.5.1 and consist of 6 project driveways, and 12 off-site intersections (for a total of 18 study area intersections), and 6 adjacent roadway segments. The northern driveway on Perris Boulevard will be for emergency access only and therefore has not been evaluated in this analysis. In the project vicinity, existing Perris Boulevard is a divided six-lane arterial roadway and Indian Street is a divided major arterial roadway. In addition, for informational purposes and disclosure to California Department of Transportation (Caltrans), the 7 freeway segments along Interstate 215 (I-215) in the project vicinity were analyzed.

Study area intersections include the following:

- I-215 Southbound Ramps/Harley Knox Boulevard;
- I-215 Northbound Ramps/Harley Knox Boulevard;
- Indian Street/Nandina Avenue;
- Indian Street/Grove View Road;
- Indian Street/North Project Driveway;
- Indian Street/South Project Driveway;
- Indian Street/Harley Knox Boulevard;
- Perris Boulevard/Gentian Avenue;
- Perris Boulevard/Iris Avenue;
- Perris Boulevard/Krameria Avenue;
- Perris Boulevard/Nandina Avenue;
- Perris Boulevard/Grove View Road-Globe Street;
- Perris Boulevard/North Project Driveway;
- Perris Boulevard/South Project Driveway;
- Perris Boulevard/Harley Knox Boulevard;
- West Project Driveway/Grove View Road;
- Main Project Driveway/Grove View Road; and
- East Project Driveway/Grove View Road.

[1] *Traffic Study, VIP Moreno Valley, City of Moreno Valley, Riverside County, California*, prepared for Vogel Engineers, Inc., LSA Associates, Inc., April 2012.

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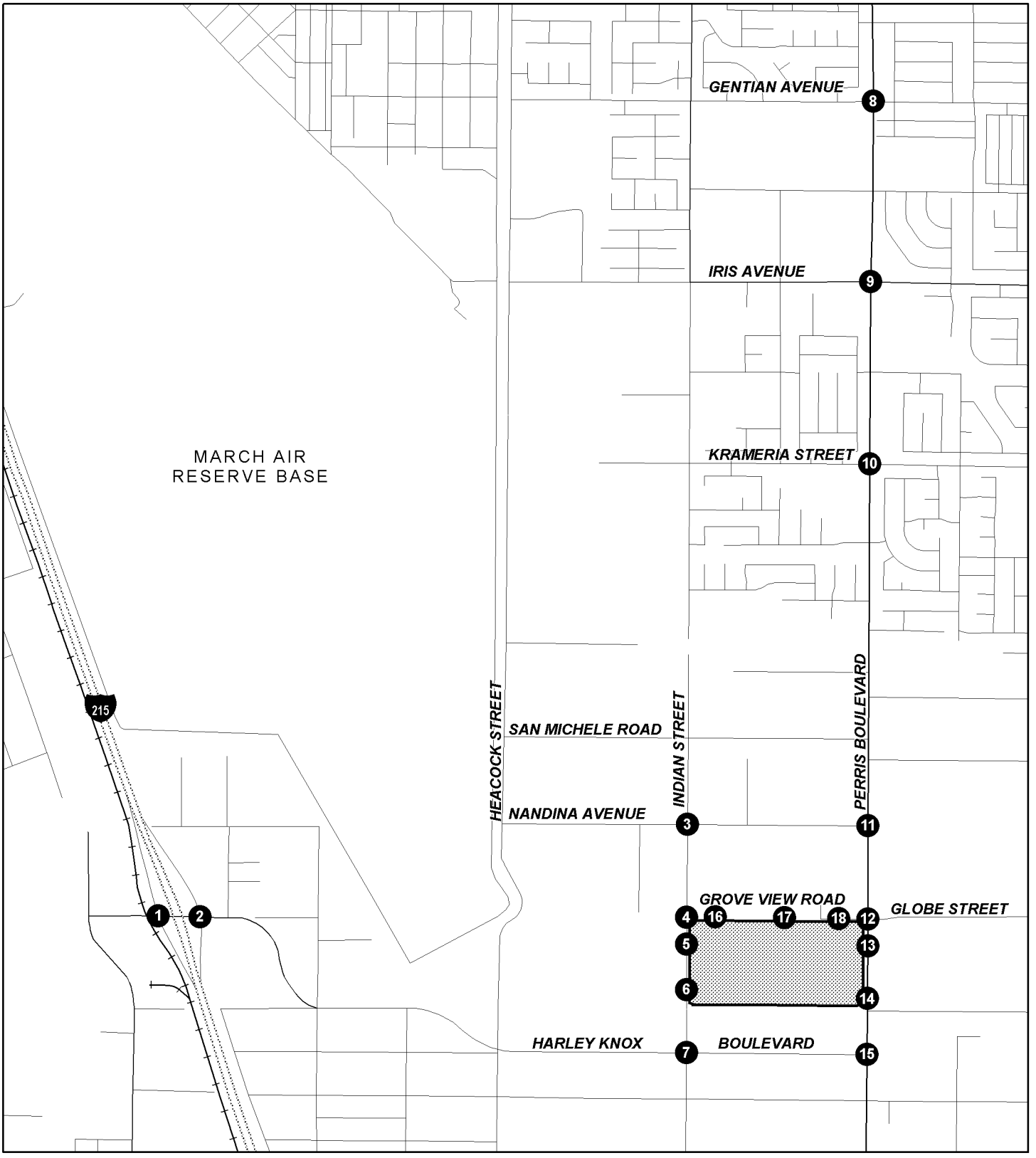

LSA

FIGURE 4.5.1

N

0 1,000 2,000
FEET

Project Location

Study Area Intersections

SOURCE: Thomas Bros., 2009

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VIP Moreno Valley
Environmental Impact Report

Study Area Intersections

Item No. E.2

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Study area roadway segments include the following:

- Nandina Avenue west of Indian Avenue;
- Harley Knox Boulevard west of Indian Avenue;
- Indian Street north of Grove View Road;
- Indian Street south of the south project driveway;
- Perris Boulevard north of Grove View Road; and
- Perris Boulevard south of the south project driveway.

Study area freeway segments include the following:

- Freeway segment north of Harley Knox Boulevard;
- Harley Knox Boulevard On-Ramp (merge area) at Northbound I-215;
- Freeway segment between Harley Knox Boulevard Ramps;
- Harley Knox Boulevard Off-Ramp (diverge area) at Northbound I-215;
- Freeway segment south of Harley Knox Boulevard;
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215; and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215.

4.5.1.2 Existing Baseline Traffic Volumes

Existing traffic conditions for the study area intersections are based on a.m. and p.m. peak hour intersection turning movement counts collected by Counts Unlimited, Inc. in December 2007, with the exception of the intersection of Perris Boulevard/South Project Driveway. The intersection of Perris Boulevard/South Project Driveway was counted in May 2009 to document traffic from the Ross distribution center driveway, and was adjusted to reflect year 2007 conditions by matching the south leg approach and departure volumes with the north leg of Perris Boulevard/Harley Knox Boulevard. Count sheets are contained in the Traffic Study, included as Appendix G of this EIR. Since it has been four years since the 2007 counts, traffic counts were conducted for 3 locations near the project in 2011. However, since the 2011 counts were found to be lower than the 2007 counts due to reduced vehicular travel arguably caused by the current economic conditions, the 2007 counts were maintained to present a conservative approach for existing baseline traffic conditions. A comparison of the 2007 counts to the 2011 counts is included in Appendix G of this EIR.

Existing daily traffic volumes for the 6 study area roadway segments are based on daily counts collected by Counts Unlimited, Inc. in June 2009. For the 7 freeway segments, existing freeway segment bidirectional volumes are derived from the Annual Average Daily Traffic (AADT) volume data published by Caltrans in 2009.

Vehicle classification counts were conducted at the intersections of I-215 Southbound Ramps/Harley Knox Boulevard, I-215 Northbound Ramps/Harley Knox Boulevard, Indian Street/Nandina Avenue, Indian Street /Harley Knox Boulevard, Perris Boulevard/Gentian Avenue, Perris Boulevard/South Project Driveway, and Perris Boulevard/Harley Knox Boulevard. Based on recommendation from the City of Moreno Valley, Passenger Car Equivalent (PCE) volumes at these locations were computed using a PCE factor of 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with 4 or more axles. The percentage of trucks at intersections where classification counts were not conducted was determined based on percentage of trucks and average truck PCE at the nearest intersection with

classification counts. Detailed volume development worksheets are included in the Traffic Study (Appendix G).

The peak hour volumes for freeway segments are derived from a percentage of the bidirectional AADT known as the K factor multiplied by the percentage of peak hour travel in the peak direction known as the D factor. Based on Caltrans data, 7.9 percent (K factor) of AADT occurs in the a.m. peak hour with 63.3 percent (D factor) of the total traffic traveling southbound and 36.7 percent in the northbound direction. In addition, 7.4 percent of AADT occurs in the p.m. peak hour with 56.3 percent of the total traffic traveling southbound and 43.7 percent in the northbound direction.

4.5.1.3 Existing Intersection Levels of Service

Traffic Level of Service Definitions. Level of service (LOS) will be referred to frequently in this section. Roadway operations and the relationship between capacity and traffic volumes are generally expressed in LOS, which are defined using the letter grades A through F (Table 4.5.A) and reflect the reality that conditions rapidly deteriorate as traffic approaches a thoroughfare's absolute capacity.

LOS was used in the traffic study to determine adequate operation of each of the study intersections. These intersections were selected based on the City of Moreno Valley Public Works Department staff recommendations. The distribution of project trips was developed in consultation with City staff by examining the location of the proposed project trips in relation to the surrounding residential areas, as well as the regional roadway network, which follows current practice. The freeway segments on I-215 are under the jurisdiction of Caltrans; all study intersections on Harley Knox Boulevard are under the jurisdiction of the City of Perris; and all other study intersections are under the jurisdiction of the City of Moreno Valley.

Table 4.5.A: Traffic Level of Service (LOS) Definitions

LOS	Description
A	No approach phase is fully utilized by traffic and no vehicle waits longer than one red indication. The approach appears quite open, turns are made easily, and nearly all drivers find freedom of operation.
B	This service level represents stable operation, where an occasional approach phase is fully utilized and a substantial number approach full use. Many drivers begin to feel restricted within platoons of vehicles.
C	This level still represents stable operating conditions. Occasionally drivers may have to wait through more than one red signal indication, and backups may develop behind turning vehicles. Most drivers feel somewhat restricted, but not objectionably so.
D	This level encompasses a zone of increasing restriction approaching instability at the intersection. Delays to approaching vehicles may be substantial during short peaks within the peak period; however, enough cycles with lower demand occur to permit periodic clearance of developing queues, thus preventing excessive backups.
E	Capacity occurs at the upper end of this service level. It represents the most vehicles that any particular intersection approach can accommodate. Full utilization of every signal cycle is seldom attained no matter how great the demand.
F	This level describes forced flow operations at low speeds, where volumes exceed capacity. These conditions usually result from queues of vehicles backing up from a restriction downstream. Speeds are reduced substantially and stoppages may occur for short or long periods of time due to the congestion. In the extreme case, both speed and volume can drop to zero.

Source: *Highway Capacity Manual*, *Special Report 209*, Transportation Research Board, Washington, DC, 1985.

4.5.1.4 Level of Service Standards

Intersections on Harley Knox Boulevard are under the jurisdiction of the City of Perris, and all other study intersections are under the jurisdiction of the City of Moreno Valley. The City of Moreno Valley's

standard for peak hour intersection LOS and roadway segment LOS is either LOS C or LOS D, depending on the LOS defined for that roadway in the General Plan Circulation Element. The standard of LOS D applies to all City intersections and roadways analyzed in the traffic study conducted for the proposed project. The intersection and roadway level of service standard for the City of Perris is D. Caltrans considers acceptable LOS to be between LOS C and LOS D for all intersections under its jurisdiction; therefore, all signalized ramp terminus intersections on I-15 must operate with a weighted average delay of 45 seconds or less (representing the midpoint of the delay range for LOS D). If project traffic contributes to an existing or cumulative unsatisfactory LOS, it is considered a significant cumulative impact. Therefore, recommendation of circulation improvements is required for all intersections operating at LOS E or F. Any intersection operating below the relevant jurisdiction's level of service is considered an impact requiring mitigation. Table 4.5.B summarizes the level of service criteria for unsignalized and signalized intersections.

Table 4.5.B: Level of Service Criteria for Unsignalized and Signalized Intersections

Level of Service	Unsignalized Intersection Average Delay per Vehicle (seconds)	Signalized Intersection Average Delay per Vehicle (seconds)
A <	_ 10	≤ 10
B	> 10 and ≤ 15	> 10 and ≤ 20
C	> 15 and ≤ 25	> 20 and ≤ 35
D	> 25 and ≤ 35	> 35 and ≤ 55
E	> 35 and ≤ 50	> 55 and ≤ 80
F	> 50	> 80

Source: Transportation Research Board, *2000 Highway Capacity Manual*, *Intersection Level of Service Criteria*, December 2000.

As previously stated, the freeway segments on I-215 are under the jurisdiction of Caltrans. The level of service standard for freeway segments is LOS E. Any freeway segment operating below the level of service standard E is considered an impact requiring mitigation.

4.5.1.5 Baseline and Cumulative Traffic Scenarios

Existing baseline and cumulative peak hour traffic operations have been evaluated for both the a.m. and p.m. peak hours of traffic at the study area intersections. A level of service analysis was conducted to evaluate existing baseline and cumulative a.m. and p.m. peak hour traffic operations at the study area intersections. LOS is discussed in the following paragraphs for these two traffic analysis scenarios against which project impacts are compared:

- Existing setting baseline without the project; and,
- Opening year (2013) cumulative without the project.

Existing Setting Baseline. Existing traffic volumes at study area intersections are based on peak hour intersection turn movement counts. An intersection level of service analysis was conducted for existing conditions to determine current circulation system performance. As identified in Table 4.5.C, all study area intersections are currently operating at a satisfactory level of service (LOS D) or better.

A roadway segment level of service analysis was conducted for existing without project conditions to determine current roadway performance. Table 4.5.C summarizes the level of service analysis results. As shown in Table 4.5.C, the following roadway segments operate at unsatisfactory levels of service:

- Perris Boulevard north of Grove View Road (southbound); and

- Perris Boulevard south of South Project Driveway (northbound and southbound).

Table 4.5.C also summarizes the existing without project levels of service for freeway segments and ramp merge/diverge areas. As shown in Table 4.5.C, the following freeway segments and ramp merge/diverge areas operate at unsatisfactory levels of service:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

Opening Year (2013) Cumulative Without the Project. For the opening year (2013) cumulative scenario, information concerning approved and pending projects in the project vicinity was obtained from the City of Moreno Valley, City of Perris, County of Riverside, and March JPA and added to the year 2013 traffic volumes. From this information, 44 projects were identified that would interact with the proposed project and have potential impacts at the study intersections under year 2013 conditions. Trip generation for the approved and pending projects were calculated based on the rates published in the ITE *Trip Generation,* 8th Edition. As identified in Table 4.5.C, the following nine intersections were forecast to operate at unsatisfactory levels of service in opening year 2013 cumulative without the project:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

A roadway segment level of service analysis was conducted for the year 2013 cumulative without project conditions to determine projected roadway performance. Table 4.5.C summarizes the level of service analysis results. As shown in Table 4.5.C, the following three roadway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Table 4.5.C also summarizes the year 2013 cumulative without project levels of service for freeway segments and ramp merge/diverge areas and shows that the following freeway segments and ramp merge/diverge areas are projected to operate at unsatisfactory levels of service:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

Table 4.5.C: Baseline and Cumulative Levels of Service Without Project

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing		Opening Year (2013) Cumulative	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	C	B	**F**	**F**
Indian Street/Nandina Avenue	Signal	C	C	C	D
Indian Street/Grove View Road	TWSC	B	B	B	B
Indian Street/North Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Indian Street/South Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Indian Street/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Perris Boulevard/Gentian Avenue	Signal	B	C	**F**	**F**
Perris Boulevard/Iris Avenue	Signal	**D**	**C**	**F**	**F**
Perris Boulevard/Krameria Avenue	Signal	C	**C**	**F**	**F**
Perris Boulevard/Nandina Avenue	Signal	B	B	**F**	**F**
Perris Boulevard/Grove View Road	Signal	B	B	**F**	**F**
Perris Boulevard/North Project Driveway	TWSC	*Future Intersection*		*Future Intersection*	
Perris Boulevard/South Project Driveway	Signal	A	A	**F**	**F**
Perris Boulevard/Harley Knox Boulevard	Signal	**B**	**B**	**F**	**F**
West Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
Center Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
East Project Driveway/Grove View Road	TWSC	*Future Intersection*		*Future Intersection*	
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	A	B	F	F
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	A	A	E	F
Perris Boulevard north of Grove View Road	NA	A	F C		F
Perris Boulevard south of South Project Driveway	NA	F	F	F	F

Table 4.5.C: Baseline and Cumulative Levels of Service Without Project

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing		Opening Year (2013) Cumulative	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	B	C	C
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F E	
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F D		F F	
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F D		F D	
South of Harley Knox Boulevard	Basic	D	D	F	D

Shaded = Exceeds LOS standard; TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California,* LSA Associates, Inc., April 2012, Appendix G of this EIR.

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4.5.2 Existing Policies and Regulations

The City of Moreno Valley's current General Plan was approved in July 2006. Goals and policies extracted from the Circulation Element are included in the current General Plan. The specific policies and recommendations of implementation of the General Plan that are relevant to the proposed project are as follows:

Circulation Element

Objective 5.1 Create a safe, efficient, and neighborhood-friendly street system.

Policy 5.1.1 Plan access and circulation of each development project to accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.

Policy 5.1.2 Plan the circulation system to reduce conflicts between vehicular, pedestrian and bicycle traffic.

Policy 5.1.3 Require adequate off-street parking for all developments.

Policy 5.1.4 Driveway placement shall be designed for safety and to enhance circulation wherever possible.

Policy 5.1.5 Incorporate American Disability Act (ADA) and Title 24 requirements in roadway improvements as appropriate.

Policy 5.1.6 Design new developments to provide opportunity for access and circulation to future adjacent developments.

Objective 5.3 Maintain Level of Service (LOS) C on roadway links, wherever possible, and LOS D in the vicinity of SR 60 and high employment centers.

Policy 5.3.1 Obtain right-of-way and construct roadways in accordance with the designation shown on the General Plan Circulation Element Map and the City street improvement standards.

Policy 5.3.5 Ensure that new development pays a fair-share cost to provide local and regional transportation improvements and to mitigate cumulative traffic impacts. For this purpose, require new developments to participate in Transportation Uniform Mitigation Fee (TUMF), the Development Impact Fee Program (DIF), and any other applicable transportation fee programs and benefit assessment districts.

Policy 5.3.6 Where new developments would increase traffic flows beyond the LOS C (or LOS D, where applicable), require appropriate and feasible mitigation measures as a condition of approval. Such measures may include extra right-of-way and improvements to accommodate left-turn and right-turn lanes at intersections, or other improvements.

Policy 5.3.7 Provide consideration to projects that have overriding regional or local benefits that would be desirable even though the LOS standards cannot be met. These projects would be required to analyze traffic impacts and mitigate such impacts to the extent that it is deemed feasible.

Objective 5.5 Maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways.

Policy 5.5.3 Prohibit points of access from conflicting with other existing or planned access points. Require points of access to roadways to be separated sufficiently to maintain capacity, efficiency, and safety of the traffic flow.

Policy 5.5.4 Wherever possible, minimize the frequency of access points along streets by the consolidation of access points between adjacent properties on all circulation element streets, excluding collectors.

Policy 5.5.5 Design streets and intersections in accordance with the Moreno Valley Municipal Code.

Policy 5.5.8 Whenever possible, require private and public land developments to provide on-site and off-site improvements necessary to mitigate any development-generated circulation impacts. A review of each proposed land development project shall be undertaken to identify project impacts to the circulation system. The City may require developers to provide traffic impact studies prepared by qualified professionals to identify the impacts of a development.

Policy 5.5.9 Design curves and grades to permit safe movement of vehicular traffic per applicable Caltrans and Moreno Valley standards.

Policy 5.5.10 Provide adequate sight distances for safe vehicular movement at all intersections and driveways.

Objective 5.8 Encourage development of an efficient public transportation system for the entire community.

Policy 5.8.4 Ensure that all new developments make adequate provision for bus stops and turnout areas for both public transit and school bus service.

Objective 5.11 Eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians.

Policy 5.11.2 Driveways shall be designed to avoid conflicts with pedestrian and bicycle travel.

Program 5-1 Periodically review current traffic volumes, traffic collision data, and the pattern of urban development to coordinate, program, and as necessary revise the planning and prioritization of road improvements.

Program 5-6 Conduct studies of specified arterial segments to determine if any additional improvements will be needed to maintain an acceptable LOS at General Plan build-out. Generally, these segments will be studied as new developments are proposed in their vicinity. Measures will be identified that are consistent with the Circulation Element designation of these roadway segments, such as additional turn lanes at intersections, signal optimization by coordination and enhanced phasing, and travel demand management measures. The study of specified arterial segments will be required to identify measures to maintain an acceptable LOS at General Plan build-out for at least one of the reasons discussed below:

(a) Segments will need improvement, but their ultimate volumes slightly exceed design capabilities.

(b) Segments will need improvements but require inter-jurisdictional coordination.

(c) Segments would require significant encroachment on existing adjacent development if built out to their Circulation Element designations.

Program 5-13 Implement Transportation Demand Management (TDM) strategies that reduce congestion in the peak travel hours. Examples include carpooling, telecommuting, and flexible work hours.

City of Moreno Valley Development Impact Fee Program

The City of Moreno Valley has a development impact fee (DIF) program that is used to collect fees from new residential, commercial, and industrial development for funding roadways and intersections to accommodate City growth as identified in the City's General Plan Circulation Element. The City of Moreno Valley updated its DIF program in February 2008 in response to the City's General Plan update, which occurred in 2006. Adoption of the updated DIF program has been deferred. The DIF program was updated to include new roadway segments and intersections necessary to accommodate future growth and to ensure that the identified street improvements would operate at or above the City's LOS performance threshold. The DIF program includes facilities that are not part of improvements identified and covered by the TUMF program. Therefore, the pairing of regional and local fee programs provides a more comprehensive funding and implementation plan to ensure an adequate circulation system. Under the City's DIF program, the City may grant to developers a credit against specific components of fees when those developers construct certain improvements identified in the list of improvements funded by the DIF program.

After the City's DIF fees are collected, they are placed in a separate account. The timing to use the DIF fees is established through periodic capital improvement programs, which are overseen by the City's Public Works Department. The City's DIF program establishes a mechanism to fund design and construction of General Plan roadways. The City uses citywide traffic counts, traffic trends, and a review of traffic accidents to determine the timing of the improvements listed in its capital improvement facilities list. The City also uses these data to prioritize the timing of improvements listed on the facilities list.

Transportation Uniform Mitigation Fee Program

The Transportation Uniform Mitigation Fee (TUMF) program, which is administered by the Western Riverside Council of Governments (WRCOG), is based upon a regional Nexus Study completed in early 2003 and updated in 2006. The update addresses major changes in right-of-way acquisition and improvement cost factors. The TUMF identifies a network of roadways needed to accommodate growth through 2030. This program ensures that development pays its fair share and that funding is in place for construction of facilities needed to maintain the requisite levels of service and is critical to mobility in the region. The TUMF is implemented in every jurisdiction in Western Riverside County.

TUMF fees are imposed on new residential, industrial, and commercial development through application of the TUMF fee ordinance and fees are generally collected at the building permit stage. After the TUMF fees are collected, they are placed in a separate interest-bearing account pursuant to the requirements of Government Code sections 66000 et seq. The TUMF funds both local and regional projects. Local projects receive about 48 percent of all funds, are programmed into five localized zones, and fund the construction of localized projects that are proposed by the affected local jurisdictions within each zone.

4.5.3 Methodology

Evaluation of traffic and circulation impacts associated with the proposed project includes the following:

4.5.3.1 Project Trip Generation

The project trip generation is based on the City of Moreno Valley trip rates for High-Cube warehousing as derived from the NAIOP trip generation study (2006). Based on discussion with the City, the vehicle splits for Truck Terminal from the City of Fontana's *Truck Trip Generation Study* were used to convert project trips into PCE trips.

Table 4.5.D shows the calculation of the project trip generation. As shown in Table 4.5.D, the project is expected to generate 327 PCE trips in the a.m. peak hour, 388 PCE trips in the p.m. peak hour, and 5,052 daily PCE trips.

Table 4.5.D: Project Trip Generation

Vehicle Type	A.M. Peak Hour			P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Passenger Cars	45	37	82	23	74	97	1,256
Truck Trips (total raw trucks)	50	45	95	74	39	113	1,475
2-axle (PCE)	8	9	17	12	8	20	249
3-axle (PCE)	22	26	48	38	20	58	760
4+-axle (PCE)	87	93	180	141	72	213	2,787
Total Trips (PCE)[1]	**162**	**165**	**327**	**214**	**174**	**388**	**5,052**

Notes: PCE = Passenger Car Equivalent.
Total a.m. peak hour, p.m. peak hour and daily rates from modified NAIOP rates for High-Cube Warehousing as approved by the City of Moreno Valley.
All trip generation rates converted to car and truck trips using vehicle mix and enter/exit splits for Truck Terminal from Fontana Truck Trip Generation Study.
Truck trips converted to PCEs based on the SANBAG PCE values.
[1] Total Trips (PCE) = Passenger Cars + PCE Truck Trips.

The concept of PCEs accounts for the larger impact of trucks on traffic operations. It does so by assigning each type of truck a PCE factor that represents the number of passenger vehicles that could travel through an intersection in the same time that a particular type of truck could. PCE volumes for study area locations were computed using a PCE factor of 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with 4 or more axles, which are values recommended by the City of Moreno Valley. For example, in this report, trucks with four or more axles have been assigned a PCE factor of 3.0, indicating that three passenger vehicles could travel through an intersection in the same amount of time required for a single truck with four or more axles; therefore, the impacts and mitigations identified in this EIR incorporate the impact of trucks on intersection operations.

4.5.3.2 Trip Distribution and Assignment

Trip distribution patterns were estimated by examining the location of the project in relation to the regional roadway network and adjoining land uses and through consultation with City staff. Trip distribution was developed separately for passenger vehicles and trucks. Trip distribution for roadway segments was developed using a similar methodology.

The project trip generation was applied to the trip distribution patterns for the proposed project to develop trip assignments for new project trips. Trip assignment for roadway segments was developed by applying the project daily trip generation to the roadway segment distribution.

4.5.4 Thresholds of Significance

In the Initial Study[1] for this project, it was concluded that the proposed project could create potentially significant traffic impacts associated with the following CEQA traffic impact thresholds of significance if the project would:

- *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit.*

  (A significant traffic impact would occur if the project would cause a decrease from a standard LOS to a less than standard LOS at a study intersection based on a peak hour analysis.)

  - City of Moreno Valley LOS C or LOS D, depending on the LOS defined for that roadway in the General Plan Circulation Element, and
  - California Department of Transportation LOS standard is LOS D.
- *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.*
- *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.*

The Initial Study also concluded that the project would not impact or would create a less than significant impact associated with the following CEQA traffic impact thresholds:

- *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*
- *Result in inadequate emergency access.*
- *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease performance or safety of such facilities.*

4.5.5 No Impact/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.5.5.1 Design Features or Incompatible Uses

Threshold	Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway

[1] *Initial Study, VIP Moreno Valley, City of Moreno Valley, Riverside County, California*, prepared by LSA Associates, Inc., July 25, 2011 (see Appendix A).

improvements in and around the project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as in corporate design standards tailored specifically to site access requirements.

The final design of all roadways and intersections within the project site access would be reviewed by a licensed professional civil engineer to ensure adequate safety when traveling to and from the project site. The proposed project does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City of Moreno Valley consistent with the City's Circulation Element Objectives 5.1 (create a safe, efficient, and neighborhood-friendly street system), 5.5 (maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways), and 5.11 (eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians) and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required.

4.5.5.2 Inadequate Emergency Access

Threshold	Would the proposed project result in inadequate emergency access?

The developers of the proposed project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Construction activities, which may temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. The proposed project design would be submitted to and approved by the City's Fire and Police Departments prior the issuance of building permits. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required.

4.5.5.3 Alternative Transportation

Threshold	Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The Riverside Transit Agency (RTA) has numerous bus routes that serve the City of Moreno Valley and bus service in the project area is via Route 19. Route 19 provides service along Perris Boulevard and provides a bus stop along Perris Boulevard north of Lateral B of the Perris Valley Storm Drain adjacent to the project site, at the intersection of Perris Boulevard and Nandina Avenue approximately one quarter mile north of the site, at the intersection of Perris Boulevard and E. Nance Street approximately one quarter mile south of the project site, at the intersection of Perris Boulevard and Markham Street approximately one half mile south of the project site, and at the intersection of Perris Boulevard and Ramona Expressway, approximately 1.0 mile south of the project site. RTA provides service along Perris Boulevard and provides service directly to the project site. The City also provides a multi-use trail system as part of the City's Master Plan of Trails. These trails provide for recreational and non-motorized travel throughout the City. The City's *Master Plan of Trails Map*[1] does not identify any existing or proposed trails in the vicinity of the project site.

The design of the proposed project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation, including but not limited to pedestrian pathways and sidewalks consistent with the City's Circulation Element Objective 5.8 (encourage development of an efficient public transportation system for the entire community). Through the City's project review process, policies, plans, and/or programs supporting alternative

[1] *Master Plan Trails Map*, City of Moreno Valley, print date October 26, 2010.

transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur as a result of the proposed project and no mitigation is required.

4.5.5.4 Air Traffic Patterns

Threshold	Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Airport facilities within the vicinity of the project site include the March Air Field, which is part of the March Air Reserve Base (MARB). The proposed project site is located approximately 0.75 mile east of March Air Field. The MARB encompasses approximately 6,500 acres of the Air Force Reserve's 452nd Air Mobility Wing, which provides host base support for numerous tenant active military units. It is also the home of 4th Air Force and multiple units of the California Air National Guard. When March Air Force Base (March AFB) was converted from an active duty base to a Reserve Base in 1996, the decision resulted in approximately 4,400 acres of property and facilities being declared surplus and available for disposal actions, as well as joint use of the airfield. With the realignment of March AFB, the MARB Redevelopment Project Area was established. The MARB Redevelopment Project Area includes the entire 6,500-acre former active duty base area, and approximately 450 acres adjacent to the base in the industrial area of the City of Moreno Valley.

To implement the MARB Redevelopment Project Area and to facilitate the transition of a portion of the MARB from military to civilian uses, the March Joint Powers Authority (March JPA), consisting of the County of Riverside and the Cities of Moreno Valley, Perris, and Riverside, was formed. The March JPA along with the U.S. Air Force pursued the establishment of March Air Field as a joint use airport.

The Air Force defines a "joint use airport" as one where the facilities which are owned and operated by the Air Force are made available for use by civil aviation. A joint use agreement between these parties was executed May 7, 1997, along with land leases for over 300 acres as the civilian airport name March Inland Port (MIP). Under the agreement, the civilian (March JPA) and the military (AFRC) entities share essential aviation facilities such as the control towers and runways, as well as maintenance of facilities, under this joint use arrangement. Under the provisions of the Joint Use Agreement, the MIP is the civilian facility that is managed and operated by the MIP Airport Authority (MIPAA). The MIP includes air cargo operations such as the March Global Port, a 350-acre commercial air cargo and distribution center.

The Department of the Defense (Air Force) completed an Air Installation Compatible Use Zone (AICUZ) study for MARB in 1998. The AICUZ study was designed and is intended to aid in the development of compatible land uses in non-government areas surrounding military airfields to protect public safety and health. The study established three zones based on potential crash patterns: a Clear Zone and two Accident Potential Zones (APZ). The Clear Zone reaches from along the extended runway centerline to a distance of 3,000 feet, APZ 1 extends from 3,000 feet to 8,000 feet, and APZ II extends from 8,000 feet to 15,000 feet. According to the AICUZ, outside of the Clear Zone and APZs "the risk of aircraft accidents is not significant enough to warrant special consideration in land use planning." The proposed project site is not located within a Clear Zone, APZ 1, or APZ 2 for MARB as designated by the Air Force 2005 AICUZ Study.

In addition to the AICUZ, Airport Influence Area boundaries around MARB have been adopted by County of Riverside Airport Land Use Commission (ALUC) in its Airport Land Use Plan (ALUP). The project site is approximately 0.75 mile east of the March Air Field and is entirely within Airport Influence Area II. As part of the standard process for development within Airport Influence Areas for MARB, proposed projects are required to be reviewed by the ALUC for consistency with the ALUP.

As a standard condition imposed during ALUC reviews, developments located within the boundaries of Influence Area III are required to provide avigation easements. To ensure consistency with the ALUC recommendations is maintained, avigation easements will be required as part of a condition of approval for the project site. Development that would occur within Airport Influence II of MIP would not include any features that would alter air traffic patterns or the level of air traffic at the MIP; therefore, a less than significant air traffic safety impact would occur and no mitigation is required.

4.5.6 Significant Impacts

4.5.6.1 Existing Plus Project Intersection, Roadway Segment, and Freeway Segment Impacts.

Threshold	Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Impact 4.5.6.1: *Two roadway segments and three freeway segments are forecast to exceed satisfactory levels of service in the existing plus project conditions creating a significant impact.*

The existing plus project levels of service for the study area intersections are summarized in Table 4.5.E. All study area intersections operate at a satisfactory level of service. No intersection level of service impacts would occur and no mitigation is required.

The existing plus project levels of service for the study area roadway segments are also summarized in Table 4.5.E. As shown in Table 4.5.E, the following roadway segments are projected to operate at unsatisfactory levels of service:

- Perris Boulevard north of Grove View Road (southbound); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

This is a significant impact and mitigation is required. It should be noted that these roadway segments also operate at unsatisfactory levels of service under existing without project conditions.

The existing plus project levels of service for the study area freeway segments are also summarized in Table 4.5.E. As shown in Table 4.5.E, the following freeway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. peak hour); and
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour).

This is a significant impact and mitigation is required. It should be noted that these two freeway segments also operate at unsatisfactory levels of service under existing without project conditions.

Mitigation Measures. To ensure existing plus project local traffic impacts are reduced to a less than significant level, the following mitigation measures shall be implemented.

4.5.6.1A. Prior to the issuance of building permits, the project applicant shall participate in the City of Moreno Valley Development Impact (DIF) Fee Program and pay the project's fair share for local circulation improvements as outlined in the VIP Moreno Valley Project Traffic Study. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the City of Moreno Valley Development Impact Fee Program.

4.5.6.1B. Prior to the issuance of building permits, the project applicant shall participate in the County of Riverside Transportation Uniform Mitigation Fee (TUMF) Program and pay the project's fair share for regional circulation improvements. The City shall ensure that the intersection and street improvements outlined in the VIP Moreno Valley Project Traffic Study will be constructed pursuant to the timeframe established by the County of Riverside TUMF Program.,

Level of Significant After Mitigation. As identified in Table 4.5.E, all study intersections are forecast to operate at acceptable levels of service in the existing plus project scenario. The two deficient roadway segments on Perris Boulevard were previously identified as deficient in the pre-project scenario; therefore, the project contributes to these existing deficiencies. Payment of the City's DIF and transportation TUMF fees as set forth in **Mitigation Measures 4.5.6.1A** and **4.5.6.1A** will provide full and complete mitigation of the project's impact on the local and regional roadway and intersection circulation system. The improvements to Perris Boulevard identified in the traffic study prepared for the project are consistent with the City's General Plan and are included in the County's TUMF program. A portion of the City's DIF is allocated toward funding improvements to the City's transportation system and the specific improvements are based on the General Plan Circulation Element. For these reasons, the project's impacts to affected roadway segments will be mitigated through payment of the City's DIF and the County's TUMF.

The City is currently in the process of implementing a Capital Improvement Project to widen Perris Boulevard from Cactus Avenue south to city limits. The improvement project will widen Perris Boulevard to a six-lane street section, consistent with the General Plan. Construction is scheduled to start in the summer of 2012 and end in May 2013. The widening will encompass the improvements defined in the project traffic study for two segments of Perris Boulevard. The resultant levels of service with implementation of the identified improvements are presented in Table 4.5.F.

Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with the two freeway segments (Harley Knox Boulevard Southbound I-215 Off-Ramp diverge area; and Harley Knox Boulevard Southbound I-215 On-Ramp merge area) would remain significant and unavoidable until such improvements are constructed.

4.5.6.2 Opening Year 2013 Cumulative With Project Conditions Intersection, Roadway Segment, and Freeway Segment Impacts

Impact 4.5.6.2: *Eleven intersections, four roadway segments, and four freeway segments are forecast to exceed satisfactory levels of service in the year 2013 cumulative plus project conditions, creating a significant impact.*

Table 4.5.E: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Indian Street/Nandina Avenue	Signal	C	C	C	D
Indian Street/Grove View Road	TWSC	B	B	B	C
Indian Street/North Project Driveway	TWSC	B B		C	C
Indian Street/South Project Driveway	TWSC	B	C	D	**E**
Indian Street/Harley Knox Boulevard	Signal	C	C	**F**	**F**
Perris Boulevard/Gentian Avenue	Signal	B	C	**F**	**F**
Perris Boulevard/Iris Avenue	Signal	D	C	F	F
Perris Boulevard/Krameria Avenue	Signal	C	C	**F**	**F**
Perris Boulevard/Nandina Avenue	Signal	B	B	**F**	**F**
Perris Boulevard/Grove View Road	Signal	B	B	**F**	**F**
Perris Boulevard/North Project Driveway	TWSC	A	A	A	A
Perris Boulevard/South Project Driveway	Signal	B	A	**F**	**F**
Perris Boulevard/Harley Knox Boulevard	Signal	B	B	**F**	**F**
West Project Driveway/Grove View Road	TWSC	A	A	A	A
Center Project Driveway/Grove View Road	TWSC	A	A	A	A
East Project Driveway/Grove View Road	TWSC	A	A	A	A
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	B	D	F	F
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	B	B	F	F
Perris Boulevard north of Grove View Road	NA	A	F C		F
Perris Boulevard south of South Project Driveway	NA	F	F	F	F

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Table 4.5.E: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	C	C	C
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F E	
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F D		F F	
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F D		F D	
South of Harley Knox Boulevard	Basic	E	D	F	D

Shaded = Exceeds LOS standard; **Bold** = Queue exceeds the available storage capacity (based on the 95th percentile queue length); TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California*, LSA Associates, Inc., April 2012, Appendix G of this EIR.

Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Study Area Intersections					
I-215 Southbound Ramps/Harley Knox Boulevard	Signal	NA	NA	C	D
I-215 Northbound Ramps/Harley Knox Boulevard	Signal	NA	NA	C	C
Indian Street/Nandina Avenue	Signal	NA	NA	C	D
Indian Street/Grove View Road	TWSC	NA	NA	B	C

Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Indian Street/North Project Driveway	TWSC	NA NA		C	C
Indian Street/South Project Driveway	TWSC	NA	NA	C	C
Indian Street/Harley Knox Boulevard	Signal	NA	NA	D	D
Perris Boulevard/Gentian Avenue	Signal	NA	NA	B	B
Perris Boulevard/Iris Avenue	Signal	NA	NA	D	D
Perris Boulevard/Krameria Avenue	Signal	NA	NA	D	D
Perris Boulevard/Nandina Avenue	Signal	NA	NA	C	C
Perris Boulevard/Grove View Road	Signal	NA	NA	A	B
Perris Boulevard/North Project Driveway	TWSC	NA	NA	A	A
Perris Boulevard/South Project Driveway	Signal	NA	NA	A	A
Perris Boulevard/Harley Knox Boulevard	Signal	NA	NA	D	D
West Project Driveway/Grove View Road	TWSC	NA	NA	A	A
Center Project Driveway/Grove View Road	TWSC	NA	NA	A	A
East Project Driveway/Grove View Road	TWSC	NA	NA	A A	
Study Area Roadway Segments					
Nandina Avenue west of Indian Street	NA	A	A	A	A
Harley Knox Boulevard west of Indian Street	NA	B	D	D	E
Indian Street north of Grove View Road	NA	A	A	D	D
Indian Street south of South Project Driveway	NA	B	B	B	B
Perris Boulevard north of Grove View Road	NA	A	A	C	C
Perris Boulevard south of South Project Driveway	NA	A	A	D	D
Study Area Freeway Segments and Ramps					
I-215 Northbound					
North of Harley Knox Boulevard	Basic	C	C	C	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane Off	C	C	D	D
Between Harley Knox Boulevard Ramps	Basic	B	C	C	C

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Table 4.5.F: Existing Plus Project and Year 2013 Cumulative Plus Project Levels of Service With Mitigation

Location	Traffic Control/Type	Level of Service (LOS)			
		Existing Plus Project		Opening Year (2013) Cumulative Plus Project	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane On	C	C	D	D
South of Harley Knox Boulevard	Basic	C	C	C	D
I-215 Southbound					
North of Harley Knox Boulevard	Basic	E	D	F E	
Harley Knox Boulevard Off-Ramp (diverge area)	1 Lane Off	F D		F F	
Between Harley Knox Boulevard Ramps	Basic	E	D	E	D
Harley Knox Boulevard On-Ramp (merge area)	1 Lane On	F D		F D	
South of Harley Knox Boulevard	Basic	E	D	F	D

Shaded = Exceeds LOS standard; **Bold** = Queue exceeds the available storage capacity (based on the 95th percentile queue length); TWSC = Two Way Stop Control
Source: *Traffic Study, VIP Moreno Valley, City of Moreno Valley, City of Moreno Valley, Riverside County, California*, LSA Associates, Inc., April 2012, Appendix G of this EIR.

Threshold	Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Opening year (2013) cumulative with project conditions considers the addition of traffic generated by the proposed project to opening year (2013) cumulative without project conditions. As previously noted, the opening year (2013) cumulative scenario was developed using traffic volumes that would be generated by approved and pending projects in the project vicinity and year 2013 traffic volumes. Additionally, projects currently included in the City's CIP and planned for construction by 2013 have been considered as complete. An intersection LOS analysis was conducted to determine opening year (2013) cumulative intersection performance. As identified in Table 4.5.E, the addition of project traffic to the opening year (2013) cumulative scenario would result in conditions exceeding the established LOS standard at the following intersections:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

This is a significant impact and mitigation is required. It is important to note that ten of the eleven intersections also operate at unsatisfactory levels of service under year 2013 cumulative without project conditions. The unsatisfactory level of service at the Indian Street/South Project Driveway intersection is considered to be a project-specific impact.

A roadway segment level of service analysis was conducted for the year 2013 cumulative with project condition to determine projected roadway performance. Table 4.5.E summarizes the level of service analysis results. As shown in Table 4.5.E, the following four roadway segments are projected to operate at unsatisfactory levels of service:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and

- Perris Boulevard south of South Project Driveway (northbound and southbound).

This is a significant impact and mitigation is required. It is important to note that these roadway segments also operate at unsatisfactory levels of service under year 2013 cumulative without project conditions.

Previously referenced Table 4.5.E summarizes the year 2013 cumulative with project levels of service for freeway segments and ramp merge/diverge areas. As shown in Table 4.5.E, the following freeway segments and ramp merge/diverge areas operate at unsatisfactory levels of service:

- Freeway segment north of Harley Knox Boulevard (a.m. peak hour);
- Harley Knox Boulevard Off-Ramp (diverge area) at Southbound I-215 (a.m. and p.m. peak hours);
- Harley Knox Boulevard On-Ramp (merge area) at Southbound I-215 (a.m. peak hour); and
- Freeway segment south of Harley Knox Boulevard (a.m. peak hour).

This is a significant impact and mitigation is required. It should be noted that these freeway segments also operate at unsatisfactory levels of service under year 2013 without project conditions.

Mitigation Measures. To ensure cumulative plus project traffic impacts are reduced to a less than significant level, previously referenced **Mitigation Measures 4.5.6.1A** and **4.5.6.1B** and the following mitigation measure shall be implemented.

4.5.6.2A. Prior to the issuance of occupancy permits, the project applicant shall have constructed the site access roadway improvements outlined below.

- Indian Street /South Project Driveway: Restripe to convert center turn lane on Indian Street to a two-way left-turn lane. This location does not meet a peak hour signal warrant. This is a site-adjacent improvement to be constructed by the project applicant.

Level of Significance After Mitigation. As described in detail in Section 4.5.1.4, the level of service performance standards used in this EIR are as follows:

- Freeway mainline lanes: LOS E.
- Harley Knox Boulevard intersections with the I-215 ramps: mid LOS D.
- All other intersections and roadway segments: LOS D.

Based in these performance standards, a significant project-specific traffic impact would occur if the project would cause a decrease from a standard LOS to a less than standard LOS based on a study area intersection, roadway segment, freeway mainline lane, or freeway merge/diverge analysis. A significant cumulative traffic impact would occur if the project contributes traffic toward those facilities operating at less than standard LOS in the pre-project condition. As described above in the preceding discussion, all of the intersection, roadway, and freeway mainline traffic impacts identified for the year 2013 cumulative with project condition were also affected in the year 2013 cumulative without project condition. For this reason, all of the impacts identified for the 2013 cumulative with project scenario are cumulative in nature.

The following intersection and roadway improvements were identified in the traffic study performed for the proposed project in order to maintain or improve the operational level of service of the street

system in the vicinity of the project site. The list shows the incremental improvement at each intersection or roadway segment required to mitigate the cumulative impacts. It is anticipated that the improvements required to maintain or to improve the level of service operations of transportation facilities affected by the project will be constructed through the City's DIF as supplemented by the County's TUMF program. The project will participate with these programs as part of previously referenced **Mitigation Measures 4.5.6.1A** and **4.5.6.1B**. The list of improvements is as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard: Restripe the left-most westbound through lane as a left-turn lane. Restripe the off-ramp to provide two left-turn lanes and a shared through/right-turn lane. This improvement is part of the TUMF program.
- I-215 Northbound Ramps/Harley Knox Boulevard: Restripe the northbound shared through/left-turn lane as a shared left-turn/through/right-turn lane. Add an eastbound free right-turn lane. This improvement is part of the TUMF program.
- Indian Street/Harley Knox Boulevard: Add an eastbound through lane. Provide overlap phasing for the southbound right-turn lane. These improvements are consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.
- Perris Boulevard/Gentian Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Iris Avenue: Add a second westbound left-turn lane and an eastbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Krameria Avenue: Add two southbound through lanes, an northbound through lane, and a northbound right-turn lane. These improvements are consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Nandina Avenue: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/Grove View Road: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of the City DIF and County TUMF programs.
- Perris Boulevard/South Project Driveway: Add a southbound through lane. This improvement is consistent with the City of Moreno Valley's General Plan Circulation Element. This improvement is part of City DIF and TUMF programs.
- Perris Boulevard/Harley Knox Boulevard: Add two southbound through lanes, one northbound through lane, a second eastbound left-turn lane, and overlap phasing for the southbound right-turn lane. These improvements are part of the TUMF program.
- Harley Knox Boulevard west of Indian Street: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Perris General Plan Circulation Element. This improvement is part of the TUMF program.
- Indian Street south of South Project Driveway: Widen to a four-lane Undivided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City of Moreno Valley DIF and TUMF programs.
- Perris Boulevard north of Grove View Road: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley General Plan Circulation Element. This improvement is part of the City's DIF and TUMF programs.

- Perris Boulevard south of South Project Driveway: Widen to a six-lane Divided Arterial. This improvement is consistent with the City of Moreno Valley and City of Perris General Plan Circulation Elements. This improvement is part of the City of Moreno Valley DIF and County TUMF programs.

With implementation of the above mitigation measures, all intersections and roadway segments would operate at the applicable performance standard or better during peak hours for 2013 cumulative with project conditions as shown in Table 4.5.F, resulting in a less than significant impact.

With implementation of **Mitigation Measures 4.5.6.1A** and **4.5.6.1B**, the project will contribute toward future roadway improvements to maintain the City of Moreno Valley and Perris LOS standards on city arterials and collectors. Because the CMP LOS standard is LOS E (and in some cases LOS F for intersections already at LOS F when the CMP network was adopted), the project will contribute toward maintenance of intersection LOS exceeding the CMP LOS standard. Therefore, the project will be consistent with the CMP.

Improvements to the four affected freeway mainline segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

4.5.7 Cumulative Impacts

Cumulative impacts refer to incremental effects of an individual project when viewed in connection with the effects of past projects, current projects, and probable future projects. Cumulative projects are identified in Chapter 2, Table 2.A and Figure 2.1. Cumulative impacts associated with traffic volumes are determined based on a sum of existing traffic volumes, projected growth from an ambient growth rate, and traffic volumes from approved and pending projects in the area, and project traffic. Cumulative analysis forecasts that, with the development of the proposed project and the cumulative projects, eleven intersections would require improvements in order to maintain the City's LOS standard of D. Those intersections are as follows:

- I-215 Southbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- I-215 Northbound Ramps/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Indian Street/South Project Driveway (p.m. peak hour);
- Indian Street/Harley Knox Boulevard (a.m. and p.m. peak hours);
- Perris Boulevard/Gentian Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Iris Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Krameria Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Nandina Avenue (a.m. and p.m. peak hours);
- Perris Boulevard/Grove View Road (a.m. and p.m. peak hours);
- Perris Boulevard/South Project Driveway (a.m. and p.m. peak hours); and
- Perris Boulevard/Harley Knox Boulevard (a.m. and p.m. peak hours).

Additionally, with the development of the proposed project and the cumulative projects, four roadway segments would require improvements in order to maintain the City's LOS standard of D. Those roadway segments are as follows:

- Harley Knox Boulevard west of Indian Street (eastbound and westbound);
- Indian Street south of South Project Driveway (northbound and southbound);
- Perris Boulevard north of Grove View Road (southbound only); and
- Perris Boulevard south of South Project Driveway (northbound and southbound).

Although the suggested improvements are consistent with the City's General Plan, the project will be responsible for contributing its fair share toward the funding of the future improvements via payment of the City's DIF and County TUMF programs. The affected intersections and roadways are covered by either the City's DIF or County TUMF programs. As part of its Capital Improvement program, the City determines the timing of necessary roadway improvements based on periodic review of citywide traffic counts, traffic trends, and a review of traffic accidents.

Because TUMF provides a mechanism for collecting fees from all development projects in the area that would contribute traffic to the existing roadway network, fees for the improvements to the impacted freeway intersections would be collected. Therefore, it is anticipated that since these freeway intersection improvements are programmed into the TUMF program, such improvements would be constructed in the future, the future improvements would accommodate future year traffic levels analyzed in the future year traffic scenario (Opening Year 2013 Cumulative Plus Project), resulting in a less than significant cumulative impact.

Access improvements to the project site are the responsibility of the project applicant and would be constructed during site development. These improvements would be constructed at the following study area intersections: Indian Street/Grove View Road; Indian Street/ North Project Driveway; Indian Street /South Project Driveway; Perris Boulevard/North Project Driveway; West Project Driveway/Grove View Road; Center Project Driveway/Grove View Road; and East Project Driveway Grove View Road. Because these improvements would be constructed prior to the project opening and would function at a satisfactory level of service under the cumulative scenario (refer to Table 4.5.E), no significant cumulative impact would occur at these intersections.

Improvements to the four affected freeway mainline segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

5.0 ADDITIONAL TOPICS REQUIRED BY CEQA

Section 15126 of the *CEQA Guidelines* requires that all aspects of a project must be considered when evaluating its impacts on the environment, including planning, acquisition, development, and operation. As part of this analysis, the EIR must also identify (1) significant environmental effects of the proposed project, (2) significant environmental effects that cannot be avoided if the proposed project is implemented, (3) significant irreversible environmental changes that would result from implementation of the proposed project, and (4) growth inducing impact of the proposed project.

5.1 SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

Table 5.A illustrates the significant unavoidable impacts anticipated to result from the proposed project, even with implementation of the project-specific mitigation measures identified in the Section 4.0 analysis.

Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Agricultural Resources	Conversion of State Designated Farmland	No mechanism for the mitigation of impacts to Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Therefore, impacts associated with the conversion of farmland remain significant and unavoidable.
Agricultural Resources	Conversion to a Non-agricultural Use	No feasible mitigation is available to mitigate for the direct impacts associated with the conversion of land previously utilized for agricultural uses. Therefore, impacts associated with the conversion of farmland to a non-agricultural use remain significant and unavoidable.
Agricultural Resources	Cumulative Agricultural Resources	The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the conversion of agricultural lands to non-agricultural uses. Therefore, cumulative impacts to agricultural resources would remain significant and unavoidable.
Air Quality	Construction Air Pollutant Emissions	Construction activities would result in exceedance of SCAQMD threshold for ROG, NOx, and $PM_{2.5}$. Even after application of mitigation measures, estimated air pollutant emissions during construction activities would remain significant and unavoidable for ROG, NOx, and $PM_{2.5}$.
Air Quality	Operational Air Pollutant Emissions	Operational activities would result in exceedance of SCAQMD thresholds for ROG, NOx, CO, and PM_{10}. No feasible mitigation is available. Estimated air pollutant emissions during operation of the project will remain significant and unavoidable for ROG, NOx, CO, and PM_{10}.
Air Quality	Cumulative Pollutant Air Emissions	The Basin is in nonattainment for PM_{10} and ozone at the present time. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the existing nonattainment status. Therefore, the proposed project would exacerbate nonattainment of air quality standards within the SCAQMD and contribute to adverse cumulative air quality impacts.

Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Greenhouse Gas Emissions and Climate Change	Cumulative GHG Emissions	The proposed project will produce greenhouse gases (GHG) during construction and operation of the proposed warehouse and related truck trips. Given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.
Transportation	Existing Year (2007) with Project Level of Service	Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.
Transportation	Opening Year (2013) Cumulative with Project Level of Service	Improvements to affected freeway segments are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, cumulative impacts associated with these identified freeway segments would remain significant and unavoidable until such improvements are constructed.

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE CAUSED BY THE PROPOSED PROJECT SHOULD IT BE IMPLEMENTED

Section 15126(c) of the *CEQA Guidelines* mandates that the EIR must address any significant irreversible environmental changes which would be involved in the proposed action should it be implemented. An impact would fall into this category if it resulted in any of the following:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or
- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Determining whether the proposed project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The project site is generally fallow agricultural land with the site historically used for sod farming operations. However, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the proposed project would permanently alter the site by converting predominantly agricultural uses to urban uses. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the proposed project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is justified in supporting the City's planned use of the site and is not expected to negatively impact the availability of these resources.

In addition, this industrial warehouse project, in concert with the other built or approved industrial warehouse projects, will fundamentally change the character and land use pattern of this portion of the City. Many of the project-specific impacts are addressed, as outlined above, but the change in the use of the land from agricultural to industrial represents a substantial irreversible change for this area. However, this is an intended change a verified by the City's General Plan land use designations and zoning for the area.

5.3 GROWTH INDUCEMENT

CEQA Guidelines, Section 15126.2(d) requires the *discussion of the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.* Examples of growth inducing actions include establishing a major new employment opportunity. Projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively, would also be considered growth inducing. The potential for growth inducement from a project is evaluated in four ways according to CEQA Guidelines Section 15126.2(d):

Would the proposed project induce substantial population growth in the area?

The extent to which the new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. Construction of the proposed project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the project area; therefore, construction of the proposed project will not generate a permanent increase in population within the project area. As previously identified, the proposed project is expected to employ 646 people.

The California Department of Finance (DOF) estimates the City's current (2011) population at 195,216 persons.[1] SCAG projections estimate the population of the City, western Riverside County (Western Riverside Council of Governments [WRCOG]), and southern California (Southern California Association of Governments [SCAG]) will continue to grow. SCAG projects the City's population will grow to 206,657 persons by the year 2015 and 258,350 persons by the year 2035 (Table 5.B).

Table 5.B: Population, Housing, and Employment Forecasts

	2015	2025	2035
Population			
City of Moreno Valley	206,657	234,410	258,350
WRCOG	1,918,962 2,262,9	92 2,550,8	67
SCAG 20,46	5,830	22,395,121 24,05	7,286
Households			
City of Moreno Valley	55,407	64,699	72,977
WRCOG 609,2	19	727,622	828,547
SCAG 6,474,0	74	7,156,645 7,710,7	22
Employment			
City of Moreno Valley	49,414	71,359	91,642
WRCOG 691,2	60	901,163	1,098,233
SCAG 8,811,4	06	9,546,773 10,28	7,125

Source: SCAG Comments on the NOP for Vogel Industrial Park Moreno Valley Project [120110103], letter dated September 7, 2011.

[1] State of California, Department of Finance, *E-5 Population Estimates for Cities, Counties and the State, 2010-2011, with 2010 Benchmark.* Sacramento, California, May 2011.

The jobs-to-housing ratio measures the extent to which job opportunities in a given geographic area are sufficient to meet the employment needs of area residents. This ratio identifies the number of jobs available in a given region compared to the number of housing units in the same region. For example, a region with a jobs-to-housing factor of 1.5 would indicate that 1.5 jobs exist for every housing unit within that region. The standard used for comparison is the jobs-to-housing ratio of the SCAG region, which is 1.36 jobs for every household. This standard is used because most residents of the region are employed somewhere in the SCAG region. A City or sub-region with a jobs-to-housing ratio lower than the overall standard would be considered a "jobs poor" area, indicating that many of the residents must commute to places of employment outside the sub-area. The current and potential jobs/housing ratios for the City, WRCOG, and SCAG are identified in Table 5.C.

Table 5.C: Projected Future Jobs/Housing Ratios

	2015 Jobs/Housing Ratio	2035 Jobs/Housing Ratio
City 0.89		1.25
Riverside County	1.13	1.32
SCAG 1.36		1.33

The 2015 projected jobs-to-housing ratios for the City, sub-region, and region are 0.89, 1.13, and 1.36, respectively. The 2035 future jobs-to-housing ratios for the City, sub-region, and region are 1.25, 1.32, and 1.33, respectively. These ratios indicate that both Western Riverside County and the City of Moreno Valley are "jobs poor" because the jobs-to-housing ratios are below the Southern California region (as defined by SCAG). Given the fact that the City and the WRCOG are considered to be jobs-poor regions, and the City is currently experiencing high rates of unemployment, it is expected that the short-term construction jobs and long-term jobs created by the proposed project will be filled by current local residents. Therefore, there would be little migration to the area and, consequently, little effect on local population size. Because of the population of the City and the employment base, even if a large number of people were to relocate to the area because of employment opportunities created within the project area, no significant effect on the size of the local population would occur.

Would the proposed project have an effect on undeveloped land that may not be designated on any general plan for urban development, but would nonetheless experience increased growth pressure due to the presence of the project?

The area surrounding the project site is governed by the City of Moreno Valley General Plan and the area is guided by Specific Plan 208. Specific Plan 208 guides land use within the project area to ensure that new development and redevelopment is implemented consistent with the land use policies, controls, and standards contained in Specific Plan 208. Any development of remaining undeveloped land adjacent to the project site would require its own discretionary approvals and is not reliant on the proposed project. However, development of the project site may lead to indirect growth in the Specific Plan area by making available the extension of infrastructure such as water, sewer, drainage, etc. This growth has been planned for and is guided by Specific Plan 208.

Would the proposed project substantially alter the planned location distribution, density, or growth rate of the population of an area?

The proposed project would occur within an area currently designated for industrial uses. The proposed project would not require a General Plan Amendment nor does it require a change in the underlying zoning designation. In addition, the project reflects the City of Moreno Valley's vision for the area and is consistent with Specific Plan 208. Land uses surrounding the project site would be in conformance with the City's General Plan and Specific Plan 208. Impacts to population and housing

are less than significant; see Section 13 *Population and Housing* of the Initial Study (Appendix A of this EIR).

Would the proposed project have an affect by removing constraints, thereby facilitating the construction of previously approved projects?

The proposed project would not eliminate a constraint for development of an approved project within the City of Moreno Valley. There are no projects in the City of Moreno Valley or surrounding cities that have been approved but are conditioned or dependent on additional improvements at the project site. Specific Plan 208 guides land uses surrounding the project site to ensure compatibility between existing operations and adjacent surrounding development. Additionally, the proposed project would not add capacity to urban services or infrastructure that would be utilized by other project proponents in the surrounding area.

Would the proposed project influence redevelopment of areas at a higher intensity than already exists?

The proposed project would not result in any significant pressure to redevelop the area around the project site at a higher density. As previously stated, the development of remaining undeveloped land adjacent to the project site is independent and not reliant on the proposed project. Therefore, implementation of the proposed project would not result in redevelopment of adjacent lands at a higher intensity than already prescribed in the City of Moreno Valley's General Plan and Specific Plan 208.

5.4 CONSISTENCY WITH LOCAL AND REGIONAL PLANS

Section 15125 (d) of the CEQA Guidelines requires EIRs to "…discuss any inconsistencies between the proposed project and applicable general plans and regional plans." The objective of such a discussion is to find ways to modify the project, if warranted, to reduce any identified inconsistencies with relevant plans and policies. Pursuant to Section 15125 (d), the following discussion includes an evaluation of the consistency of the proposed project with the goals and policies of relevant adopted local and regional plans.

Regional Plans

South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan. The California Air Resources Board (CARB) coordinates and oversees both State and federal air quality control programs. The CARB's primary functions include establishing and updating the California ambient air quality standards, monitoring existing air quality, controlling emissions from mobile sources, and developing the State Implementation Plan (SIP). The SIP is the state's overall air quality control strategy for both mobile and stationary sources. Control programs for these sources are carried out at the regional or county level.

As identified in Section 4.2 (Air Quality) of this EIR, the project site is located within the SCAQMD. The SCAQMD encompasses Orange County and the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County and is responsible for air pollution control programs and regulations within the air basin. The current regional air quality plan is the 2007 Air Quality Management Plan (AQMP) adopted by the SCAQMD on June 1, 2007. The 2007 AQMP employs the most up-to-date science and analytical tools and incorporates a comprehensive strategy aimed at controlling pollution from all sources, including stationary sources, on-road and off-road mobile sources, and area sources. The 2007 AQMP also updates the attainment demonstration for the standards for ozone and PM_{10}, and proposes attainment demonstration with a more focused control of sulfur oxides, directly-emitted $PM_{2.5}$, nitrogen oxides, and volatile organic compounds by 2015.

Section 4.2 (Air Quality) of the EIR examines the proposed project's consistency with the adopted AQMP. The development scenario proposed is within the scope of what would be allowed under the current General Plan land use designation (General Industrial and Specific Plan) and is consistent with the uses permitted under the proposed General Industrial zoning designation. Implementation of the proposed project would not require a General Plan Amendment and Zone Change that would change the General Plan designations and zoning designations of the project site. Since the proposed project would not require a General Plan Amendment, the project has been considered in preparation of the General Plan and therefore is consistent with the AQMP.

Southern California Association of Governments (SCAG), Regional Comprehensive Plan (RCP), Regional Transportation Plan (RTP), and Compass Growth Vision (Compass). The SCAG (the designated metropolitan planning organization [MPO] for the Counties of Ventura, Orange, San Bernardino, Riverside, Imperial, and Los Angeles) is federally mandated to develop plans for transportation, growth management, hazardous waste management, and air quality. With its members and other regional planning entities, SCAG has prepared the 2008 Regional Comprehensive Plan (RCP) to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the region. The RCP is a major advisory plan prepared by the SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance.

The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. It also includes goals and outcomes to measure progress toward a more sustainable region. The RCP includes nine chapters, each based on specific areas of planning or resource management. Each of the nine chapters contains goals, policies, implementation, and strategies to achieve the SCAG's overall goals of improving the standard of living for all; improving the quality of life for all; and enhancing equity and access to government. Local governments are required to use the RCP as the basis for their own plans and are required to discuss the consistency of projects of "regional significance" with the RCP.

Regional Comprehensive Plan. The RCP's overall goal is to reinvigorate the region's economy, avoid social and economic inequities and the geographical dislocation of communities, and to maintain the region's quality of life. The document is described as a regional policy framework for future land use decisions in the SCAG area that respects the need for strong local control, but that also recognizes the importance of regional comprehensive planning for issues of regional significance. The RCP is laid out much like a General Plan and organizes recommended policies into nine chapters. The highlight of each chapter is the regional strategy that addresses the RCP's vision for that resource area. As such, each chapter includes three levels of recommendations for the region:

- **Goals.** Each goal will help define how sustainability is defined for that resource area.
- **Outcomes.** These focus on quantitative targets that define progress toward meeting the RCP's Goals. Where possible, they are clearly defined (e.g., a 20% reduction in greenhouse gas emissions from 2007 levels), capable of being monitored with existing or reasonably foreseeable resources, and have a strong link to sustainability goals.
- **Action Plan.** This critical part of the RCP lays out a comprehensive implementation strategy that recommends how the region can systematically move to meet the RCP's quantitative Outcomes and achieve its Goals, Guiding Principles, and Vision. Each Action Plan contains:
    - **Constrained Policies.** This includes a series of recommended near-term, feasible policies that stakeholders should consider for implementation. For example, the RCP calls on the

SCAG to adopt policies that reflect its role as a planning agency, council of governments, and metropolitan planning organization. The RCP also recommends voluntary policies for consideration by local governments and other key stakeholders.

- **Strategic Initiatives.** This encompasses longer-term strategies that require significant effort to implement but are necessary to achieve the RCP's desired Goals and Outcomes. For example, identifying technological breakthroughs that can reduce air pollution from the transportation sector requires both commitment and time. Most of these initiatives are not constrained and will require political will, enabling legislation, new funding sources, and other key developments to become a reality. In most cases, this tier of strategies is the key to achieving the region's sustainability Goals and Outcomes.

Other policies contained within the 2008 RCP were either not applicable to the proposed project or are directed at the SCAG and actions that the SCAG would undertake at the regional level that would not pertain directly to the proposed project. Policies within the 2008 RCP that are applicable to the proposed project were identified and are discussed below.

Land Use and Housing Chapter

Goal *Focusing growth in existing and emerging centers and along major transportation corridors.*

Consistent. The proposed project site is currently underdeveloped and consists of undeveloped land. Regional access to the City and project area is provided from I-215, which runs north-south. In addition, Perris Boulevard, which is adjacent to the project site, is a fully-paved road with existing water and sewage facilities. The development of the proposed project would occur in an area where commercial, residential, and industrial development already exists, is under construction, or has been previously approved. The existing roadway system and infrastructure surrounding the project site will be utilized to the maximum extent possible. As required, the proposed project will install improvements and/or pay necessary fees to facilitate the continuation of satisfactory operation. The proposed project is consistent with this SCAG policy in that it exists along a major transportation corridor of the City and will be connecting to the existing utilities underlying Perris Boulevard.

Goal *Targeting growth in housing, employment and commercial development within walking distance of existing and planned transit stations.*

Consistent. The proposed project would comply with all City development policies, standards, and programs pertaining to supporting alternative modes of transportation included in the General Plan Circulation Element. In addition, the proposed project is located within an urbanizing area of the City. As provided in the inventory of cumulative projects (Table 2.A and Figure 2.1), the approved and planned development in the project area includes residential, commercial, and industrial uses. As such, the project site is in an area which is developing with projects that have already been approved and constructed, or in the various stages of the planning process. Because the project site is located adjacent to existing RTA routes, the proposed project would be accessible to existing transit systems. Future bus stops will be located per RTA recommendations in the proximity of the project site. As the project site is located in an area where commercial, residential, and industrial uses are planned or approved, and because the project site is readily accessible from I-215 and from existing RTA bus routes, the proposed project would be consistent with this SCAG Policy.

Policy LU-6.2 *Developers and local governments should integrate green building measures into project design and zoning such as those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program.*

Consistent. Table 4.3.C of the Climate Change and Greenhouse Gas Emissions Section summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. In addition, the proposed project will pursue the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. This is anticipated to be achieved with

the incorporation of Green Building concepts and the project is expected to reach the LEED "Certified" rating. Therefore, the proposed project is consistent with this SCAG policy.

Open Space and Habitat Chapter

Policy OSC-8 *Local governments should encourage patterns of urban development and land use, which reduce costs on infrastructure and make better use of existing facilities.*

Consistent. The proposed project will be developed in areas that are presently served by various existing water, sewer, storm drainage, electrical, natural gas, and transportation services. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The supply of electricity and natural gas is demand-responsive and the project proponent would be required to meet the service requirements of these utility providers. By maximizing the use of existing facilities, the costs of expanding infrastructure would be minimized. Because the proposed project would be located in close proximity to existing industrial, commercial and residential structures requiring a similar type of infrastructure, it is consistent with this growth management policy.

Water Chapter

Policy WA-11 *Developers and local governments should encourage urban development and land uses to make greater use of existing and upgraded facilities prior to incurring new infrastructure costs.*

Consistent. Existing industrial development is located in the immediate vicinity of the project site where infrastructure for water, sewer, storm drainage, electrical, natural gas, and transportation facilities currently exist. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The availability of this infrastructure would reduce the cost to public agencies that would provide services to the project area. The proposed project would be developed in an area where such infrastructure is accessible. Furthermore, the project applicant would pay all applicable development fees for the necessary infrastructure and public service improvements, including those associated with water, sewer, drainage, roadways, fire, and police; therefore, the proposed project is consistent with this policy.

Energy Chapter

Policy EN-9 *Local governments should include energy analyses in environmental documentation and general plans with the goal of conserving energy through the wise and efficient use of energy. For any identified energy impacts, appropriate mitigation measures should be developed and monitored. The SCAG recommends the use of Appendix F, Energy Conservation, of the California Environmental Quality Act.*

Consistent. An analysis of energy use has been provided in Section 4.3 (Climate Change and Greenhouse Gas Emissions) of this EIR. The analysis includes strategies that have the goal of conserving energy and efficient energy usage. Therefore, the proposed project is consistent with this policy.

Policy EN-10 *Developers and local governments should integrate green building measures into project design and zoning such as those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program. Energy-saving measures that should be explored for new and remodeled buildings include:*

- *Using energy-efficient materials in building design, construction, rehabilitation, and retrofit.*
- *Encouraging new development to exceed Title 24 energy efficiency requirements.*
- *Developing Cool Communities measures including tree planting and light-colored roofs. These measures focus on reducing ambient heat, which reduces energy consumption related to air conditioning and other cooling equipment.*
- *Utilizing efficient commercial/residential space and water heaters. This could include the advertisement of existing and/or development of additional incentives for energy-efficient appliance purchases to reduce excess energy use and save money. Federal tax incentives are provided online at http://www.energystar.gov/index.cfm?c=Products.pr_tax_credits.*
- *Encouraging landscaping that requires no additional irrigation; utilizing native, drought-tolerant plants can reduce water usage up to 60 percent compared to traditional lawns.*
- *Encouraging combined heating and cooling (CHC), also known as cogeneration, in all buildings.*
- *Encouraging neighborhood energy systems, which allow communities to generate their own electricity.*
- *Orienting streets and buildings for best solar access.*
- *Encouraging buildings to obtain at least 20 percent of their electric load from renewable energy.*

Consistent. The strategies listed in Section 4.2 and Section 4.3 of this EIR are considered to be air pollution and greenhouse gas emission reduction strategies, which include green building measures. These strategies are either part of the project, required mitigation measures, or requirements under local or State ordinances. Since the project would implement these strategies into project design and operation, the project would be consistent with this SCAG policy.

Solid Waste Chapter

Policy SW-14 *Developers and local governments should integrate green building measures into project design and zoning including, but not limited to, those identified in the U.S. Green Building Council's Leadership in Energy and Environmental Design, Energy Star Homes, Green Point Rated Homes, and the California Green Builder Program. Construction reduction measures to be explored for new and remodeled buildings include:*

- *Reuse and minimization of construction and demolition (C&D) debris and diversion of C&D waste from landfills to recycling facilities.*
- *An ordinance that requires the inclusion of a waste management plan that promotes maximum C&D diversion.*
- *Source reduction through (1) use of building materials that are more durable and easier to repair and maintain, (2) design to generate less scrap material through dimensional planning, (3) increased recycled content, (4) use of reclaimed building materials, and (5) use of structural materials in a dual role as finish material (e.g., stained concrete flooring, unfinished ceilings).*
- *Reuse of existing building structure and shell in renovation projects.*

Building lifetime waste reduction measures that should be explored for new and remodeled buildings include:

- *Development of indoor recycling program and space;*
- *Design for deconstruction; and*
- *Design for flexibility through use of moveable walls, raised floors, modular furniture, moveable task lighting, and other reusable components.*

Consistent. The strategies listed in Section 4.2 and 4.3 of this EIR are considered to be air pollution and greenhouse gas emission reduction strategies, which include green building measures. These strategies are either part of the project, required mitigation measures, or requirements under local or State ordinances. With implementation of these strategies/measures, the project would be consistent with this SCAG policy.

Transportation Chapter

Goal *A more efficient transportation system that reduces and better manages vehicle activity.*

Consistent. The proposed project would result in the development of employment opportunities in close proximity to housing. In addition, the project proposes sidewalks and landscaping treatments to provide for pedestrian access throughout the project site. The type of uses proposed and their proximity to each other allow for increased pedestrian and bicycle activity, limiting the need for vehicle travel. Therefore, this project is consistent with this transportation goal.

Security and Emergency Preparedness Chapter

Goal *Ensure transportation safety, security, and reliability for all people and goods in the region.*

Consistent. The proposed project is consistent with this goal in that the proposed project would be required to adhere to the City of Moreno Valley's General Plan. The General Plan contains goals and policies which aim to provide adequate and reliable transportation facilities. The goals and policies identified in the City's General Plan resemble those of the RCP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Since the proposed project is consistent with the General Plan, the proposed project is consistent with this policy.

Economy Chapter

Goal *Enable business to be profitable and competitive (locally, regionally, nationally, and internationally).*

Consistent. The proposed project would add to the City's portfolio of industrial services. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.

Goal *Promote sustained economic health through diversifying the region's economy, strengthening local self-reliance and expanding competitiveness.*

Consistent. As previously stated, the proposed project would add to the City's portfolio of industrial services, which would enable the City to be more self-reliant through the provision of goods and services to residents within the City. Through the addition of the proposed project, the City would also expand its economic competitiveness with other areas in the region. Therefore, the proposed project is consistent with this policy.

Goal *Ensure a healthy, flourishing economy that provides sufficient employment opportunities to decrease poverty and meet the basic needs of all the people who participate in our economy by promoting education and workforce training policies that give residents an opportunity to compete for the full range of jobs available with good wages and benefits.*

Consistent. The proposed project is a warehousing project which would provide additional employment opportunities in the community. In addition, the proposed project would meet the basic needs of those who participate in the economy through the use of training in the workforce. Therefore, the proposed project is consistent with this policy.

Outcome *Increase job growth to add three million jobs to the regional economy by 2035.*

Consistent. The proposed project would result in additional jobs in the City, which would contribute to job growth in the regional economy. Therefore, the proposed project is consistent with this policy.

Outcome *Increase the region's economic vitality and attractiveness by focusing housing and job additions in urban centers, employment centers, and transportation corridors, such that there will be a minimum of 35 percent of the region's household growth and 32 percent of employment growth in these areas from their levels in 2005 by 2035.*

Consistent. As previously identified, development of the proposed on-site uses would increase the number of jobs in the City by approximately 646 positions. The SCAG regional forecasts indicate an increase in employment in the City of Moreno Valley from approximately 50,432 jobs in 2010 to 55,407 jobs in 2015. A similar job trend forecast is predicted for western Riverside County from approximately 588,523 jobs in 2010 to 609,219 jobs in 2015. Compared to the broader SCAG region, the City is "jobs poor." A city or sub-region with a jobs-to-housing ratio lower than the overall standard would be considered a "jobs poor" area, indicating that many of the residents must commute to places of employment outside the sub-area. Since the proposed project would add jobs to a "jobs poor" region, the proposed project would increase the region's economic vitality and attractiveness by job additions in urban centers and along transportation corridors. Therefore, the proposed project is consistent with this SCAG policy.

Regional Transportation Plan (RTP). SCAG is currently in the process of preparing the 2012 RTP. Therefore, the most recent RTP adopted by SCAG is the 2008 RTP. The 2008 RTP, adopted by the SCAG in May 2008, contains a set of existing socioeconomic projections used as the basis for the SCAG's transportation planning efforts. They include projections of population, housing, and employment at the regional, county, sub-regional, jurisdictional, Census tract, and transportation analysis zone levels. The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections. Goals established within the RTP include the following:

- Maximize mobility and accessibility for all people and goods in the region (discussed in Section 4.5: Traffic and Circulation);
- Ensure travel safety and reliability for all people and goods in the region (discussed in Section 4.5: Traffic and Circulation);
- Preserve and ensure a sustainable regional transportation system (discussed in Section 4.5: Traffic and Circulation);
- Maximize the productivity of our transportation system (discussed in Section 4.5: Traffic and Circulation);
- Protect the environment, improve air quality, and promote energy efficiency (discussed in Section 4.2: Air Quality);

- Encourage land use and growth patterns that complement our transportation investments and improve the cost-effectiveness of expenditures (discussed in Section 4.5: Traffic and Transportation); and
- Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies (discussed in Section 4.5: Traffic and Transportation).

The proposed project is consistent with the RTP such that the proposed project would be required to adhere to the City of Moreno Valley's General Plan. The General Plan contains goals and policies that aim to minimize traffic congestion, provide adequate transportation facilities, and require development to pay its share of costs. The goals and policies identified in the City's General Plan resemble those of the RTP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Furthermore, the project shall be consistent with the General Plan and, since the General Plan shall be consistent with the RTP, it is reasonable to infer that the project is consistent with policies set forth in the RTP.

Compass Growth Vision. The Compass Growth Vision plan provides a framework for local and regional decision-making regarding growth, transportation, land use, and economic development. The framework includes principles and a specific set of strategies intended to achieve and improve a quality of life that promotes and sustains for future generations the region's mobility, livability, and prosperity. The main objective of the Compass Growth Vision is to manage the forecast growth while improving future living conditions for all people within the SCAG area, including live, work, and play activities. The following discussion includes the principles within the Compass Growth Vision plan and their association to the proposed project.

- ***Principle 1:*** Improve mobility for all residents.
- ***Principle 2:*** Foster livability in all communities.
- ***Principle 3:*** Enable prosperity for all people.
- ***Principle 4:*** Promote sustainability for future generations.

The proposed project is consistent with the four principles identified above. The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. The proposed project supports the prosperity for all people by providing employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area that is already developed with urban uses and where existing infrastructure (freeway, sewer, electrical, water, etc.) is accessible. During the construction of the project and as needed throughout the process, necessary utility and roadway improvements will be installed or extended to the project site from adjacent existing facilities. The utility and roadway improvements will facilitate future growth in the surrounding area. The development of the proposed project is consistent with the land use vision for the site and will augment existing services available in the City and region.

6.0 ALTERNATIVES

6.1 INTRODUCTION

An EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment. In compliance with *CEQA Guidelines* Section 15126.6(a), this Draft EIR must also describe "a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (*CEQA Guidelines* Section 15126.6(b)). The discussion of project alternatives must "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." An EIR must evaluate a "No Project" alternative in order to allow decision-makers to compare the effect of approving the project to the effect of not approving the project.

The City, acting as the CEQA Lead Agency, is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. The range of alternatives addressed in an EIR is governed by a "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. Of the alternatives considered, the EIR need examine in detail only those the Lead Agency determines could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. Per *CEQA Guidelines* Section 15364, "feasible" has been defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

6.1.1 Summary of the Proposed Project

The proposed project consists of the development of approximately 1,616,133 square feet of warehouse distribution uses, necessary parking, and associated site improvements on an approximately 71-acre site. The proposed Project would consist of one building which would be constructed with 264 vertical-lift dock-high roll up doors on the long (north and south) sides of the building to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. Parking at the warehouse will be provided for 368 truck trucks and trailers as well as 589 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. The proposed Project is consistent with the General Plan designation of Business Park/Light Industrial and zoning for the site of industrial/business park uses which is governed by Specific Plan (SP) 208 (Moreno Valley Industrial Area Plan).

Access to the proposed Project site will be provided via two driveways on Indian Street, three driveways on Grove View Road, and two driveways on Perris Boulevard. The northern driveway on Perris Boulevard will be for passenger vehicle and emergency access only. The southern driveway on Perris Boulevard will align with the existing signalized intersection at the Ross Distribution Warehouse entrance. The north Project driveway on Indian Street will be for passenger vehicle and emergency access only; all other driveways will be used by both passenger vehicles and trucks. The proposed Project is anticipated to be constructed by the year 2013.

The proposed Project will function as a trucking distribution hub for several types of items. Goods imported from the ports of California as well as other locations will be delivered via truck to the proposed distribution centers and distributed via truck to both in and out of state locations, thus benefiting both local and interstate commerce.

Within the past two years, the proposed Project site has received approximately 80,000 cubic yards of fill as part of an approved stockpile permit previously issued by the City. Due to the Project site's topography and drainage requirements, approximately 220,000 additional cubic yards of fill will be required. Analysis of the proposed Project's impacts is based on 220,000 cubic yards of imported fill required to complete the Project. It is reasonable to estimate that the fill may be obtained from a site located within 10 miles of the proposed Project in order to reduce import hauling costs, consistent with typical soil import/export hauling distances for projects in Moreno Valley.

In addition to construction of required street frontage improvements on Indian Street, Perris Boulevard, and Grove View Road, the Project includes construction of necessary infrastructure to provide water, sewer, phone, cable, natural gas, and electricity service. Drainage will be handled by a system of on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features.

Site and building design attributes for the proposed Project will incorporate many sustainability and Green Building concepts. Green Building is the practice of increasing building efficiency through site planning, water and energy management, material use, control of indoor air quality and the use of innovative design concepts. These practices help to improve building operational efficiency, conserve water, reduce waste, and lessen the heat island effect of development.

6.1.2 Project Objectives

The purpose of the proposed project is to provide a new facility that specializes in warehouse distribution services. Upon development, the proposed project will achieve the following:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources;

- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

6.1.3 Summary of Proposed Project Significant Impacts

The analysis provided in Section 4.0 determined that, despite the implementation of mitigation measures, significant environmental impacts would result from the construction and operation of the proposed on-site uses. To satisfactorily provide the CEQA-mandated alternatives analysis, the alternatives considered must reduce any of the following project-related significant impact(s):

- Conversion of agricultural land and agricultural uses to urban land and urban uses;
- Emissions of NO_X and PM_{10} during construction operations;
- Long-term emissions of ROG, NO_X, CO, and PM_{10} resulting from increased vehicular trips and operation of the proposed on-site uses;
- Project contributions to cumulatively considerable greenhouse gas emissions;
- Impacts to level of service at roadway segments and freeway segments in the existing plus project condition (2007); and,
- Impacts to level of service at intersections, roadway segments, and freeway segments in the cumulative opening year (2013).

6.2 ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD FOR ANALYSIS

In determining an appropriate range of alternatives to be evaluated in the EIR, three possible alternatives were considered and rejected because they could not accomplish the basic objectives of the project as listed above or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated project objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the proposed project is to provide for and expand employment and revenue opportunities within the City of Moreno Valley. The proposed project would expand employment options in a location that is convenient to existing and future City residents and augment the City's economic base. The following three development scenarios were considered and rejected as potential alternatives to implementation of the proposed project:

- No Build Alternative;
- Residential Alternative; and
- Mixed Commercial/Residential Alternative.

Based on Section 15126.6 of the *CEQA Guidelines*, the following alternatives were rejected based on the criteria of not feasibly attaining most of the basic objectives of the project while reducing or

avoiding any of the significant effects of the proposed project. The reason or reasons for not selecting each of the rejected alternatives are discussed below.

6.2.1 No Build Alternative

Under the No Build Alternative, no development would take place within the project limits. No ground-disturbing activities would take place, nor would any form of structure or facility be erected. Impacts associated with this alternative, when compared to the proposed project, would not occur. In the absence of development, no impacts would occur and this alternative would be the environmentally superior alternative. However, disallowing development of the site, as suggested by this alternative, would not fulfill the primary objectives of the proposed project. Retention of the project site in its current condition would not expand employment opportunities to residents of the City. Retaining the site in its current undeveloped condition would not generate the revenue (e.g., property tax) that could augment the City's current revenue stream. Therefore, the No Build Alternative was rejected from further consideration in the EIR.

6.2.2 Residential Alternative

The Residential Alternative consists of the development of the 71-acre project site with approximately 355 single-family units[1] based on the City's R5 zone. The R5 zone was utilized as this is the zoning designation of the nearest residential uses to the north along Perris Boulevard north of the Perris Valley Storm Drain channel. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial (BP) General Plan designation and Industrial Area Plan (SP208I) zoning designation to a residential R5 designation. Furthermore, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. Since the Residential Alternative consists only of residential uses, employment-generating opportunities would not occur aside from temporary construction work, which would be filled predominantly by those already residing in the area. The project's full potential to utilize the area's close proximity to various freeways and transportation corridors would not be realized as only residential uses would occur under the Residential Alternative. Additionally, the development of the entire 71-acre project site under this alternative would result in the placement of the residential uses adjacent to a major transportation corridor alongside SP208I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site. A discussion of existing zoning for the entire project has been analyzed under Alternative 1: No Project.

6.2.3 Mixed Commercial/Residential Alternative

The Mixed Commercial/Residential Alternative would include the development of the 71-acre project site with approximately 690,000 square feet[2] of Community Commercial[3] uses and 532 multiple-family units.[4] A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the project site from its existing Business Park/Light Industrial

[1] Based on assumption that the site is rezoned R5, which allows up to 5 dwelling units per acre; 71 acres × 5 dwelling units per acre = 355 dwelling units.

[2] The City's Municipal Code does not identify maximum lot coverage for Community Commercial uses; therefore, this figure assumes an approximately 25 percent lot coverage which is representative of similarly sized commercial uses in the region.

[3] Community Commercial zones allow for the development of a variety of business, retail, personal, and related or similar services.

[4] Based on assumption that half of the site is rezoned R15, which allows up to 15 dwelling units per acre; 35.5 acres × 15 dwelling units per acre = 532 dwelling units.

(BP) General Plan designation and SP208 Industrial/Business Park zoning designation to a residential designation and commercial designation. Additionally, a Specific Plan Amendment would be required to remove the project site from the underlying Industrial Specific Plan 208. These land use changes would produce additional environmental impacts not created by the proposed project. While the commercial component of this Alternative would utilize the project site's close proximity to nearby transportation corridors, the development of the remainder of the site with residential uses would not provide the varied employment and service uses and revenue associated with the proposed project. The development of approximately half of the project site under this alternative with residential uses would result in the placement of the residential uses adjacent to a major transportation corridor alongside SP208 Industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. The residential component of this alternative would produce demand for public services that would exceed the amount of municipal revenues it would generate, and there would be little to no employment opportunities created. Therefore, the mixed commercial/residential alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed project. The employment opportunities and economic benefits derived from the proposed project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City objectives for development of the project site.

6.3 ALTERNATIVES ANALYSIS

Table 6.A summarizes the four alternatives have been identified and evaluated to provide decision-makers with a reasonable range of alternatives that would eliminate or reduce the impacts of the project. Factors considered in selecting the alternatives include site suitability, availability of infrastructure, other plans or regulatory limitations, economic viability, and whether the project proponent can reasonably acquire, control, or otherwise have access to the alternative site. An EIR need not consider an alternative whose impact cannot be reasonably ascertained and whose implementation is remote or speculative. In accordance with *CEQA Guidelines*, the alternatives considered in this EIR include those that 1) could accomplish most of the basic objectives of the project, 2) are reasonably feasible given the nature of the project and surrounding land uses, and 3) could avoid or substantially lessen one or more of the significant effects of the project.

Table 6.A: Summary of Analyzed Alternatives

Project Alternative	Alternative Description
Alternative 1 (No Project)	No change in General Plan designation or zoning of project site would occur. The project site would be developed with existing zoning resulting in the construction of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial on 8 acres.
Alternative 2 (Reduced Intensity)	Total warehouse uses would be reduced to 1,212,100 square feet on 71 acres.
Alternative 3 (Commercial Center [Mixed Retail/Office])	General Plan and zoning designations for the site would be amended to accommodate the business and professional offices. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.

Table 6.A: Summary of Analyzed Alternatives

Project Alternative	Alternative Description
Alternative 4 (Off-Site)	Warehouse distribution uses consisting of 1,616,133 square feet on 70.3 acres bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.3 miles northwest of the project site. No zone change or General Plan Amendment would be required. The applicant does not have control of this property.

Source: LSA Associates, Inc. 2011

Figure 6.1 illustrates the development scenarios have been identified as potential alternatives to implementation of the proposed project.

6.3.1 Environmental Impact Issues that are Generally Similar to the Proposed Project

Eight of the seventeen environmental issues for all the alternatives considered would result in a similar level of impact when compared to the project. Rather than repeat a discussion of these non-significant impacts under each alternative, a summary of these impacts is analyzed below.

- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Mineral Resources
- Recreation

The level of impact associated with these topics would be similar if developed as proposed by the project or if developed with any of the alternatives. Where impacts related to any of these issues do differ among project alternatives, an appropriate discussion is provided for the respective alternative.

6.3.1.1 Agriculture and Forestry Resources

Development of any of the alternatives, with the exception of the Off-Site Alternative, would have similar agricultural- and forestry-related impacts. Section 4.1 of the EIR concluded that there are no forest resources located within the City limits. As such, no impacts to forest resources would occur with implementation of any of the alternatives, including the Off-Site Alternative. The Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. No property within the City limits is located within a Williamson Act contract area. As such, no impacts related to Williamson Act land would occur with implementation of any of the alternatives, including the Off-Site Alternative. As identified in Sections 4.1.6.1 and 4.1.6.2 of the EIR, the development of the project site with urban uses would result in the conversion of State-designated Farmland (Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance). Because no feasible mitigation measure is available to fully mitigate for the loss of State-designated Farmland, impacts associated with development of any of the on-site alternatives would remain significant and unavoidable. Therefore, compared with the proposed project, all on-site alternatives would have a significant and unavoidable impact on agricultural resources. A separate discussion for State-Designated Farmland impacts at the off-site location is provided in Section 6.3.2.4.

LSA

FIGURE 6.1

Proposed Project Location

Alternate Site

N

0 750 1,500

FEET

VIP Moreno Valley
Environmental Impact Report

SOURCE: Thomas Bros., 2009

I:\VOG1001\Reports\EIR\fig6-1_AlternateSite.mxd (12/30/11)

Alternative Site Location

Item No. E.2

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6.3.1.2 Biological Resources

All build alternatives would require site development resulting in the grading of the entire project site. No plant species listed by the State and/or Federal government as endangered or threatened was identified on-site during the field reconnaissance. Based on the *General Habitat Assessment* [1] prepared for the proposed project site, no evidence of a natural stream course, riparian area, or vernal pool was observed during the field reconnaissance. No impacts to endangered or threatened species would occur with implementation of all on-site alternatives. No impacts to riparian habitat, other sensitive natural communities[2], or federally-protected wetlands would occur with implementation of all on-site alternatives.[3]

While the project site is located within the Western Riverside County MSHCP, the project site is not within any MSHCP criteria cell or habitat linkage. [4] Furthermore, the project site is not located within an MSHCP mammal or amphibian survey area. The project site is within the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) Fee Area, but is not within a Stephen's Kangaroo Rat Core Area. Focused surveys for SKR are not required for this project because the project lies within the SKR Fee Area; therefore, under the SKR HCP, only payment of a local mitigation fee is required.

The *General Habitat Assessment* concluded that the project site lacks suitable habitat to support special status plant species and no special status plant species observed on-site. However, the proposed project has the potential to affect one non-listed sensitive species, the burrowing owl. Burrowing owls or their sign (pellets, fecal material, or prey remains) were not observed during the habitat assessment surveys (February 2007) or focused surveys (August 2009) conducted on site.[5] Due to intensive disking that had occurred on site, only a few marginally suitable potential burrows were identified. Although burrowing owl is known to occur on land that has been disturbed, it tends to avoid heavily disked areas because potential burrows occlude/collapse. However, burrowing owls, and other native bird species protected under the Migratory Bird Treaty Act (MBTA), are very mobile and opportunistic species that can occupy a site. Adherence to identified **Mitigation Measures BIO-1** through **BIO-4** (refer to Section 2.5.2) would reduce impacts to a less than significant level. As was identified for the proposed project, these alternatives would produce less than significant impacts to biological resources with the adherence to identified mitigation measures. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.3 Cultural Resources

Development of any of the identified build alternatives, including the off-site alternative, would result in extensive ground-disturbing activities affecting the entire project site and off-site location, and similar paleontological impacts would be anticipated when compared to the proposed project. The *Phase I Cultural Resources Assessment and Paleontological Records Review*[6] prepared for the proposed project concluded that while the site contains a historic site and historic isolate, which were recorded and evaluated in accordance with CEQA, these historic resources were determined to be less than significant. The report also concluded that the project site has a low probability for containing archaeological resources and due to the disturbed nature of the site, impacts to archaeological resources would be less than significant. While no such resources have previously

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1 *General Habitat Assessment*, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., August 1, 2010.

2 *Focused Surveys for Selected Criteria Area and Narrow Endemic Plant Species*, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 9, 2009.

3 *Jurisdictional Survey and MSHCP Riparian/Riverine/Vernal Pools Evaluation*, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 1, 2009.

4 *Western Riverside County Multiple Species Habitat Conservation Plan, Volume I, Part I*, Dudek & Associates, June 17, 2003.

5 *Focused Western Burrowing Owl Survey*, 71± Site (APNs: 316-210-071, -073, -075, -076), Moreno Valley, Riverside County California, Ecological Sciences, Inc., November 11, 2009.

6 *Phase I Cultural Resources Assessment and Paleontological Records Review Perris Boulevard Project, Moreno Valley, Riverside County, California*, Michael Brandman Associates, March 22, 2007.

been detected within the project limits, activities undertaken for all alternatives (as with the proposed project) could encounter previously undetected paleontological resources. Adherence to the paleontological **Mitigation Measure CUL-1** (refer to Section 2.5.3) identified for the proposed project in the Initial Study (Appendix A of this EIR) would reduce impacts to less than significant. Compared with the proposed project, no greater impact would occur with any of the build alternatives.

6.3.1.4 Geology and Soils

Development of any of the on-site build alternatives would have similar geologic and soil-related impacts. The project site is not located in the vicinity of an active fault. Like all of southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. However, the maximum credible earthquake event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2. This earthquake event is less than or equal to design levels as defined by the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Development of the proposed project site would be required to adhere to UBC, the California Building Code, and City design and engineering standards. Impacts associated with this issue would be considered less than significant. The geotechnical analysis prepared for the proposed project concluded that the project site is not susceptible to seismic-related ground failure including liquefaction and landslides. Potential soil erosion impacts that may occur with development on the project site would be less than significant as all development within the City is required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, and prepare an SWPPP, construction and operational, impacts associated with soil erosion hazards are less than significant.

The geotechnical analysis prepared for the proposed project[1] did indicate that on-site soils are potentially unstable. Adherence to **Mitigation Measure GEO-1** (refer to Section 2.5.4) would reduce impacts related to unstable soils to a less than significant level. Additionally, the geotechnical analysis also determined the presence of expansive soils on-site. Adherence to **Mitigation Measure GEO-2** (refer to Section 2.5.4) would reduce impacts related to expansive soils to a less than significant level. Compared with the proposed project, no greater impact would occur with any of the on-site build alternatives. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.5 Hazards/Hazardous Materials

Development of the any of the on-site build alternatives would still result in the on-site handling of hazardous substances, both during project construction and operation. It is assumed that, like any current use, these substances would continue to be applied in accordance with applicable local, state, and federal standards. There are no existing or proposed schools within a quarter mile of the proposed project site and the site is not identified on the DTSC's hazardous materials sites[2]. Air traffic related hazards would not occur at the proposed project site as the project site is not located within the safety hazard zones of March Air Reserve Base. Furthermore, the project site is not located within a Fire Hazard Area or within an area susceptible to wildfires identified by the City of Moreno Valley. With the adherence to existing hazardous materials regulations, impacts associated with hazards and hazardous materials under any of the on-site build alternatives would remain less than significant. A separate discussion for the off-site location is provided in Section 6.3.2.4.

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1 *Geotechnical Engineering Investigation Proposed Industrial Development Southwest Corner of Perris Boulevard and Grove View Road Moreno Valley, California*, NorCal Engineering, March 7, 2007.

2 *Phase I Environmental for the Evaluation of Potentially Hazardous Materials*, Centec Engineering, February 23, 2007.

6.3.1.6 Hydrology and Water Quality

As with the proposed project, the development of any of the on-site alternatives would require the modification of the existing on-site pattern of drainage and would require the installation of drainage improvements that may include on-site collection/routing pipes, landscaped swales, sand filters, and paved landscape features[1]. While the extent of the impermeable surfaces (parking area) required under each alternative is reduced from that required for the proposed project, the environmental impact of these improvements would be similar. All local, state, and federal policies and regulations pertaining to surface water and groundwater resources would remain in effect under these alternatives. Sedimentation and erosion from any on-site development has the potential to affect water quality. Similar to the proposed project, the construction of any on-site use would be required to follow applicable NPDES requirements, including the preparation of and adherence to a SWPPP and BMPs.[2] These requirements have been incorporated as **Mitigation Measures HYD-01** through **HYD-03** (refer to Section 2.5.6). As with the proposed project, runoff from paved surfaces, especially during a "first-flush" event, may be contaminated by a mixture of sediment, debris, and other contaminants. A standard condition with any such development would be preparation and implementation of a Water Quality Management Plan, which would effectively mitigate post-construction water quality impacts from the developed area. This requirement has been incorporated as **Mitigation Measure HYD-04** (refer to Section 2.5.6). All on-site alternatives would not interfere with groundwater recharge as the project site is not identified as a groundwater recharge area. To reduce the on-site flows to below or equal to pre-development conditions, the anticipated on-site flows would be routed to the water quality features such as vegetated swales, clarifiers, and sand filters to reduce flows leaving the site to pre-development flow rates. This requirement to reduce on-site flows to below or equal to pre-development conditions is incorporated as **Mitigation Measure HYD-05** (refer to Section 2.5.6). The project site is not located within a flood zone and the project site is not susceptible to mudslides, tsunamis, seiches, or flooding as a result of dam or levee failure. Similar to the proposed project, potential impacts related to hydrology and water quality would be less than significant for all on-site alternatives. A separate discussion for the off-site location is provided in Section 6.3.2.4.

6.3.1.7 Mineral Resources

The City of Moreno Valley General Plan does not identify the project site as a locally important mineral resource recovery site as there are no identified Mineral Resource Zones located with the City of Moreno Valley. Development of the project site or off-site location with any build alternatives would not result in the loss of or reduce the availability of mineral resources or the resource base from which they would be derived. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

6.3.1.8 Recreation

As with the proposed project, none of the build alternatives would include a residential component and potential jobs generated by the build alternatives would be filled predominantly by people already residing in the City because Moreno Valley is jobs poor. Therefore, there would be no increase in existing population and no increase in demand for park and recreation facilities resulting from development of Alternatives 2, 3, and 4. Because no increase in demand for recreational facilities would occur, impacts associated with recreation for any of the build alternatives would be similar in magnitude as the proposed project. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

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1 *Preliminary Hydrology Report and Hydraulic Analysis for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., March 27, 2009.

2 *Preliminary Water Quality Management Plan, for PA09-0004 VIP Moreno Valley, SWC Perris Boulevard and Grove View Road*, Robert A. Bebensee, R.C.E., July 24, 2009.

6.3.2 Description and Impact Analysis of Alternatives

The following discussion compares the impacts of each alternative with the impacts of the proposed project, as detailed in Section 4.0 of this EIR. A conclusion is provided as to whether each alternative would result in one of the following:

- Reduction or elimination of the impact;
- A greater impact than the project;
- The same impact as the project; or
- A new impact in addition to the impacts of the proposed project impacts.

6.3.2.1 Alternative 1: No Project

Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The project site is currently zoned Industrial Specific Plan 208 (SP208 I). The project site is currently designated by the General Plan for Business Park/Light Industrial (BP). Given the goals and objectives of the City of Moreno Valley, it is highly reasonable in the event the proposed project were not approved, the site would be developed with some type of business park and/or industrial use. For analysis purposes, it is assumed that the No Project Alternative would result in the development of approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. The commercial service component of this alternative would be located along the frontage of Perris Boulevard while the industrial warehouse uses would occupy the remaining portion of the site.

Impact Analysis. Nine environmental issues would have impacts similar to those identified for the proposed project. These include the following:

- Aesthetics
- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Land Use;
- Mineral Resources; and
- Recreation.

Impacts associated with these topics would be similar to the proposed project because development of the site under the No Project Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Air Quality. The No Project Alternative would require site grading and construction similar to that required of the proposed project. As identified in Section 4.2 of this EIR, short-term construction emission impacts associated with construction activities on the project site were mitigated to a less than significant impact with the exception of NO_X and PM_{10}. Since the No Project Alternative would require that the same amount of land be graded, the alternative would require similar grading and construction activities on site. Therefore, it is reasonable to anticipate that short-term construction

emission impacts would also be less than significant for all criteria pollutants, with the exception of NO_X and PM_{10}, under this alternative. Air quality impacts associated with NO_X and PM_{10} would significant and unavoidable with this alternative, similar to what was identified for the proposed project.

Under the No Project Alternative, the site would be developed with 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. Based on these land uses, the No Project Alternative would generate approximately 6,738 daily vehicle trips and 572 p.m. peak hour trips (see Table 6.B).

The volume of each operational pollutant emitted during operation of this alternative would be correspondingly increased due to an increase of total daily vehicle trips. However, the traffic increase under the proposed project did not contribute to CO concentrations in excess of the state or federal standards. It is anticipated that this alternative would not exceed the state or federal one-hour and eight-hour standards. Because no CO hot spots would occur, the alternative would not have a significant impact on local air quality for CO. The long-term air quality impacts resulting from this alternative would still contribute criteria pollutants to an air basin that is in nonattainment for these criteria pollutants, similar to the proposed project. As identified in Table 6.B, long-term operational air pollutant emissions associated with the No Project Alternative would exceed SCAQMD emissions thresholds for CO, ROC, and NO_X, and reduced to less than significant for PM_{10}, and $PM_{2.5}$.

Table 6.B: Alternative 1 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 1	596	112	593	0.8	85	22
Net Change	-234	-31	-397	-0.7	-85	-20
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 1 exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**No**	**No**

Source: LSA Associates, Inc., October 2011.

When compared with the proposed project, air quality impacts associated with the No Project Alternative would be correspondingly increased in magnitude. Similar to the proposed project, the generation of these emissions would still result in a cumulative contribution of air pollutants in a nonattainment basin; therefore, impacts remain significant and unavoidable.

Hazards and Hazardous Materials. Development of the No Project Alternative would still result in the on-site handling of hazardous substances, both during project construction and operation. It is reasonable to assume that, like any current use, these substances would continue to be applied in accordance with applicable local, state, and federal standards. However, the No Project Alternative would result in the development of commercial service uses, which may include but is not limited to, gas stations and food service uses. These types of uses use and transport additional potentially hazardous materials not accounted for in the analysis of the proposed project. Because the No Project Alternative results in the development of commercial service uses, impacts associated with the transport or use of hazardous materials or potential upsets or accidents would be increased in magnitude due to the increased quantities of hazardous materials that would be present on site. However, with the adherence to existing hazardous materials regulations, impacts associated with hazards and hazardous materials under the No Project Alternative would remain less than significant.

Noise. The No Project Alternative would result in the construction of warehouse distribution and commercial service uses. As identified in Section 4.4 of this EIR, short-term construction noise impacts associated with the development of the project site were mitigated to a less than significant impact. Since the No Project Alternative would require similar site development during construction, short-term construction noise impacts would also be less than significant and similar in magnitude compared to the proposed project. The increase in project-related traffic under the No Project Alternative would result in an incremental increase in traffic noise. When compared to the proposed project, noise impacts associated with the No Project Alternative would be increased in magnitude. However, impacts would remain less than significant as some noise would still be generated under this alternative.

Population and Housing. The No Project Alternative would result in the development of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres. Construction of the development envisioned under this alternative would create temporary construction jobs; however, these jobs would be likely filled by people already residing within the City. Utilizing an employment factor of one employee for every 629 square feet of service space,[1] the No Project Alternative is anticipated to generate approximately 286 commercial service jobs.[2] an employment factor of one employee for every 2,500 square feet of warehousing space,[3] the No Project Alternative is anticipated to generate approximately 568 warehousing jobs.[4] While additional jobs would be generated by the introduction of commercial service uses (addition of 286 jobs), the reduction in warehousing space would result in less warehousing jobs as the proposed project (reduction of 78). When this alternative is compared to the proposed project, the number of new jobs in the City would be a 32 percent increase over the proposed project.

The No Project Alternative would result in a greater amount of jobs created due to the development of commercial service uses. However, a large influx of new residents to the City is not anticipated due to the nature of the jobs generated by this alternative. The project would not directly affect population growth as compared with new residential development, because it is not creating homes. While the proposed project would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Population and housing impacts under this alternative would be similar in magnitude when compared to the proposed project. Therefore, impacts associated with this issue would remain less than significant.

Public Services. The No Project Alternative would result in the development of 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres within the project site. Similar to the proposed project, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be similar in magnitude as no residential uses (impacts to schools and parks) are proposed under this alternative. Like the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

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1 *Table IIB Average Number Employee per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc, October 2001.
2 Utilizing 1 employee/629 square feet of service use × 180,000 square feet of service use = 286 jobs.
3 *Table IIB Average Number Employee per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc, October 2001.
4 1 employee/2,500 square feet of warehousing use × 1,420,000 square feet of service use = 568 jobs.

Traffic. As indicated in Table 6.C, the No Project Alternative would generate approximately 6,738 daily vehicle trips and 572 p.m. peak hour trips. Compared to the proposed project, the No Project Alternative, which assumes development of existing zoning uses, would result in an increase of 33.4 percent of daily traffic trips. It is reasonable to assume that an increase of 33.4 percent in traffic trips would increase traffic on local roadways and intersections The increase in traffic may cause an existing intersection or roadway segment to operate at a deficient LOS. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and can not be guaranteed to be in place when development under Alternative 1 would become operational. Therefore, when compared to the proposed project, traffic impacts would be greater due to the additional trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Table 6.C: Comparison of Average Daily and P.M. Peak Hour Trips

Type of Development	PM Peak Hour	Average Daily Trips
Proposed Project	388	5,052
Alternative 1 (No Project)	572	6,738
Alternative 2 (Reduced Intensity)	291	3,791
Alternative 3 (Commercial Center)	2,113	18,065
Alternative 4 (Off-Site Location)	388 5,052	

Source: *ITE Trip Generation Handbook, 7th Edition*, LSA Associates, Inc., October 2011.

Utilities and Service Systems. Existing utility infrastructure for stormwater and wastewater is present in adjacent roadways or parcels. Like the proposed project, the applicant would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCFCWCD. As indicated in Table 6.D, the No Project Alternative would generate approximately 109,420 gallons of wastewater per day, which is approximately 73.5 percent more than the amount of wastewater that would be generated by the proposed project. However, similar to the proposed project, development under this alternative would be required to pay infrastructure fees and obtain approval from the wastewater treatment provider that would ensure there is excess capacity for the wastewater that would be generated by the proposed development. Therefore, impacts related to waste water and wastewater treatment would remain less than significant when compared to the proposed project.

Table 6.D: Comparison of Average Wastewater Generation

Type of Development	Gallons per day (gpd)
Proposed Project	63,070
Alternative 1 (No Project)	109,420
Alternative 2 (Reduced Intensity)	47,260
Alternative 3 (Commercial Center)	456,000
Alternative 4 (Off-Site Location)	63,070

Wastewater Factor Source: *Sewage Generation Rates*, Draft CEQA Thresholds Guide, 2006.

The development of the service commercial and industrial warehouse uses associated with this alternative would also require the installation of water supply infrastructure to serve the project site. As indicated in Table 6.E, the No Project Alternative would require approximately 31,020 gallons of water per day, which is a 37.7 percent reduction than what would be required by the proposed project. When compared to the proposed project, water usage demands would be reduced in magnitude. As identified for the proposed project, EMWD has indicated that it has water available to

serve the proposed project[1]. Therefore, it is reasonable to conclude that water would be available for development proposed for the No Project Alternative.

Like the proposed project, the No Project Alternative would also generate solid waste. As identified in Table 6.F, this alternative would generate 805 tons of solid waste per year, which is 89.9 percent more than what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be increased in magnitude. However, similar to the proposed project, development under the No Project Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant.

Table 6.E: Comparison of Average Water Use

Type of Development	Gallons per day (gpd)
Proposed Project	49,805
Alternative 1 (No Project)	31,020
Alternative 2 (Reduced Intensity)	37,354
Alternative 3 (Commercial Center)	140,000
Alternative 4 (Off-Site Location)	49,805

Water Use Factor Source: *Water Supply Assessment* Eastern Municipal Water District, January 20, 2010.

Table 6.F: Comparison of Average Solid Waste Generation

Type of Development	Tons per year (tons/yr)
Proposed Project	424
Alternative 1 (No Project)	805
Alternative 2 (Reduced Intensity)	319
Alternative 3 (Commercial Center)	3,648
Alternative 4 (Off-Site Location)	424

Solid Waste Factor Source: *Estimated Solid Waste Generation Rates*, California Integrated Waste Management Board, http://www.ciwmb.ca.gov/WASTECHAR/WasteGenRates/Commercial.htm, website accessed October 4, 2011.

Global Climate Change. GHG emissions associated with the No Project Alternative are correspondingly increased as the No Project Alternative would increase the number of daily trips made to the site. In addition, the No Project Alternative would decrease the amount of water utilized and wastewater generated. As identified in Table 6.G, the No Project Alternative would generate 20,600 tons of carbon (CO_2), 0.77 ton of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent[2] (Tg/yr CO_2 Eq.) for the No Project Alternative would be 0.02 Tg/yr CO_2 Eq., which is approximately 33 percent less than what was identified for the proposed project.

Table 6.G: Comparison of Greenhouse Gas Emissions

Alternatives	Greenhouse Gas Emissions (tons/yr)			Total CO_2 equivalent (Tg/yr CO_2 Eq.)*
	CO_2	CH_4	N_2O	
Proposed Project	39,000	1.3	0.004	0.03
Alternative 1 (No Project)	20,600	0	0.77	0.004	0.02

[1] *Water Supply Assessment for City of Moreno Valley Plot Plan Application PA09-004*, Eastern Municipal Water District, January 20, 2010.

[2] Carbon dioxide equivalent (CO_2 Eq.) is an internationally accepted measure that expresses the amount of other greenhouse gases (e.g., methane and nitrous oxide) in terms of the amount of carbon dioxide (CO_2). The CO_2 Eq. measure is used as a way to measure the warming potential of a greenhouse gas as compared to CO_2, which has the highest global warming potential.

Table 6.G: Comparison of Greenhouse Gas Emissions

Alternatives	Greenhouse Gas Emissions (tons/yr)			Total CO_2 equivalent (Tg/yr CO_2 Eq.)*
	CO_2	CH_4	N_2O	
Alternative 2 (Reduced Intensity)	12,200	0.45	0.004	0.01
Alternative 3 (Commercial Center)	49,000	1.9	0.005	0.04
Alternative 4 (Off-Site Location)	39,000	1.3	0.004	0.03

* Tg/yr CO_2 Eq. = teragrams or one million metric tons per year; this denotation is the standard metric unit utilized worldwide.
Source: LSA Associates, Inc. October 2011 and Greenhouse Gas Emissions and Global Climate Change Study, LSA Associates, Inc., August 2011 (Appendix E).

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, air quality operational emissions, and increased traffic operations on local roadways and at local intersections. Because this alternative would have a greater amount of traffic, the amount of operational emissions would be greater in magnitude. Because there are no feasible mitigation measures to reduce the cumulative impacts associated with long-term operational air pollutant emissions and increased traffic, long-term air quality and traffic impacts would remain significant and unavoidable. The No Project Alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable.

Conclusion. Under the No Project Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be greater than the proposed project and would remain significant and unavoidable. Under this alternative, population and housing impacts would be similar in magnitude as no residential uses are proposed and the associated increases in employment are accounted for in the City General Plan and other applicable local and regional plans.

The development of the No Project Alternative would have similar demands on public services and recreation facilities. The payment of fees and adherence to development requirements would reduce these impacts to a less than significant level. Water supply is expected to be available as water demand is reduced and water demand was determined to be available for the proposed project. Because of the increase in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater that what was identified for the proposed project; therefore, long-term traffic impacts would remain significant and unavoidable. Although traffic-related noise would be greater in magnitude, noise impacts would be similarly mitigated like the proposed project and would remain less than significant. Under this alternative, many of the proposed project objectives would be met as warehouse uses would be built. Development of this alternative would provide new employment opportunities for residents of Moreno Valley.

6.3.2.2 Alternative 2: Reduced Intensity

With the intent of avoiding or substantially reducing significant impacts created by the project traffic, air quality, and noise, the City has considered a Reduced Intensity Warehouse Alternative. This alternative includes one warehouse building covering approximately 1,212,100 square feet. Under this alternative, the proposed warehouse uses would represent a net decrease of approximately 25 percent compared to the proposed project. The existing BP General Plan designation and SP208 I zoning would be retained.

Impact Analysis. Nine environmental issues would have similar impacts as for the proposed project. These include the following:

- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use;
- Mineral Resources; and
- Recreation.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Reduced Intensity Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Aesthetics. The proposed project site is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Proposed development envisioned under the Reduced Intensity Alternative would be consistent with development envisioned in the General Plan and Specific Plan 208. The project site is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity. The City's General Plan identifies major scenic resources as being visible from SR-60 and the development of the project site would not affect views of these major scenic resources. In addition, the project site does not contain rock outcroppings, historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Similar to the proposed project, prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. Development that may occur on the project site would be required to adhere to City requirements for site development, similar to the proposed project. Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The installation of on-site lighting to accommodate nighttime activities and for safety purposes would be required for this alternative, similar to the proposed project. Development of the warehouse uses envisioned under this alternative would be required to comply with design standards, such as lighting, setbacks, building height, lot dimensions, and maximum lot coverage contained in the City of Moreno Valley Municipal Code. While the total amount of square footage is reduced under the Reduced Intensity Alternative, site development would occur in a similar manner as the proposed project and would be required to adhere to the underlying development standards. Therefore, impacts associated with aesthetics for the Reduced Intensity Alternative are similar in magnitude to what was identified for the proposed project. Like the proposed project, impacts associated with this issue would be less than significant.

Air Quality. Because the amount of land to be graded with Alternative 2 would be equal to that of the proposed project, a similar mix of equipment as the proposed project would operate during earthmoving activities. The entire site will be graded and require import of soil to raise the building for drainage purposes. Therefore, construction emissions from the development of Alternative 2 would be similar to the proposed project, which is significant and unavoidable for NO_X and PM_{10}. Under this alternative, average daily traffic volumes would be reduced by 25 percent in comparison with the proposed project. As indicated in Table 6.H, the volume of each operational pollutant emitted during

operation of this alternative would be correspondingly reduced. However, unlike the proposed project, operational emissions for CO, and PM_{10} would not exceed daily SCAQMD thresholds. NOx and ROC operational emissions will exceed daily SCAQMD thresholds which is similar to the proposed project. Application of Leadership in Energy and Environmental Design (LEED) standards and green building design principles could reduce emissions from building operations such as heating and cooling; however, such standards and principles would not reduce emissions to below SCAQMD thresholds.

Table 6.H: Alternative 2 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 2	323	69	333	0.5	50	13
Net Change	-507	-74	-657	-1.0	-120	-29
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 2 exceeds thresholds?	**No**	**Yes**	**Yes**	**No**	**No**	**No**

Source: LSA Associates, Inc., August 2011.

Although operational air quality emissions would be reduced when compared to the proposed project during operations only, impacts would remain significant and unavoidable as there are no feasible mitigation measures identified that would reduce emissions to below the SCAQMD threshold for ROC and NO_X.

Noise. Under the proposed project, construction-related noise impacts were reduced to a less than significant level through the implementation of mitigation measures. Under this alternative, a similar amount of land would be disturbed; therefore, noise impacts associated with the construction of this alternative would be similar to those identified under the proposed project. With the implementation of mitigation identified for the proposed project, the short-term construction-related noise impacts associated with this alternative would remain less than significant, as identified for the proposed project. As with the proposed project, Alternative 2 would have truck deliveries and noise that would be generated during loading/unloading, trash compacting, and truck movements. Additionally, there would be noise associated with parking lot activities. These operational-related noise impacts associated with this alternative would remain less than significant, as identified for the proposed project.

The reduction in project-related traffic under this alternative would result in a decrease in long-term traffic noise due to a reduction of daily traffic trips to the project site. Under the proposed project, the increase in future traffic noise along local roadway segments would not increase beyond the threshold of perception. Under this alternative, future increases in traffic-related noise would not be above the threshold of perception due to a decreased contribution of future traffic volumes. When compared to the proposed project, this alternative's contribution to future traffic noise would be reduced, thereby reducing overall mobile source noise impacts within the area. When compared to the proposed project, operational noise associated with the Reduced Intensity Alternative would result in a less than significant impact, as identified for the proposed project.

Population and Housing. This alternative would result in the development of 1,212,100 square feet of warehouse uses. Utilizing an employment factor of one employee for every 2,500 square feet of warehouse space,[1] the Reduced Intensity Alternative is anticipated to generate approximately 485

[1] Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.

employment opportunities.[1] Since warehouse jobs do not require skills that would require a specialized workforce that may not reside in the City, it is anticipated that these warehouse jobs would be filled predominately by persons already residing in the area. Therefore, no population increase would occur with the development of these warehouse jobs. When this alternative is compared to the proposed project, the number of new jobs would be 25 percent less than the proposed project. Similar to the proposed project, impacts related to population and housing would remain less than significant as this alternative would continue the existing development trend envisioned by the City.

Public Services. Compared to the proposed project, this alternative would result in a reduction of approximately 25 percent of proposed warehouse uses as compared to the proposed project. Similar to the proposed project, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be similar in magnitude as no residential uses (impacts to schools and parks) are proposed under this alternative. Like the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

Traffic. Based on trip generation rates published in *ITE Trip Generation Handbook, 7th Edition*, this alternative would generate approximately 3,791 daily vehicle trips, which is approximately 25 percent less than what was identified for the proposed project. With a 25 percent reduction in daily trips, it is reasonable to conclude that traffic volumes on local roadways and intersections would be reduced under this alternative. Although the volume of traffic is reduced under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under Alternative 2 would become operational. Therefore, when compared to the proposed project, traffic impacts would be lessened due to the reduced trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Utilities and Service Systems. Existing utility infrastructure for storm water and waste water are present in adjacent roadways or parcels. Like the proposed project, development under this alternative would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCF CWCD. As indicated in previously identified Table 6.D, this alternative would generate approximately 47,260 gallons of wastewater per day, which is a 25 percent decrease in wastewater than would be generated by the proposed project. When compared to the proposed project, this alternative's demands on waste water treatment and capacity at existing wastewater treatment facilities would be reduced in magnitude. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

[1] 1 employee/2,500 square feet of warehouse use × 1,212,100 square feet of warehouse use = 485 warehouse jobs.

The development of the warehouse uses associated with this alternative would also require the installation of water supply infrastructure. However, as previously indicated in Table 6.E, this alternative would require approximately 37,354 gallons of water per day, which is an approximately 25 percent decrease from that required by the proposed project. When compared to the proposed project, water usage demands would be reduced. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor that water is available to serve the development. Since this alternative would utilize less water than the proposed project and since water supply for the proposed project is available, it is reasonable to conclude that if this alternative was built instead of the proposed project, adequate water would be available. Therefore, impacts related to water usage and water treatment/conveyance facilities would remain less than significant, similar to the proposed project.

Like the proposed project, the Reduced Intensity Alternative would also generate solid waste. As previously identified in Table 6.F, this alternative would generate 319 tons of solid waste per year, which is an approximately 25 percent decrease to what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be reduced in magnitude. However, similar to the proposed project, development under the Reduced Intensity Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts would remain less than significant.

Global Climate Change. GHG emissions under this alternative are correspondingly reduced as traffic trips are reduced. As previously identified in Table 6.G, this alternative would generate 12,200 tons of carbon (CO_2), 0.45 ton of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.01 Tg/yr CO_2 Eq., which is 67 percent less than the 0.03 Tg/yr CO_2 Eq. that would result from the operation of the proposed project.

Cumulative Impacts. Similar to the proposed project, the Reduced Intensity Alternative would contribute to the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. Although the amount of operational air pollutant emissions and traffic would be reduced in magnitude, because there are no feasible mitigation measures to reduce long-term air pollutant operational emissions and increased traffic, cumulative impacts would remain significant and unavoidable.

As with the proposed project, the Reduced Intensity Alternative would also be consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs to reduce GHGs, the Reduced Intensity Alternative GHG emission contribution would result in a cumulative impact regarding global climate change. The cumulative impacts of the Reduced Intensity Alternative as with the proposed project on global climate change are considered to be significant and unavoidable.

This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable.

Conclusion. Under the Reduced Intensity Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the project but would remain significant and unavoidable. The decrease in warehouse uses would result in a reduction of permanent jobs that

would be created. This alternative would have a reduced demand on public services and utilities and service systems. However, similar to the proposed project, the payment of fees and adherence to utility requirements would reduce these impacts to a less than significant level.

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed project; however, long-term traffic impacts would remain significant and unavoidable. Construction-related noise would be similarly mitigated like the proposed project and would remain less than significant. Water use for this alternative would be less than the proposed project and would generate less wastewater and solid waste. Under this alternative, the proposed project objectives are met and warehouse uses would still be built, but on a smaller scale.

6.3.2.3 Alternative 3: Commercial Center (Mixed Commercial/Office)

The Commercial Center Alternative would result in the development of commercial service and office uses on the project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.[1]

Impact Analysis. Eight environmental issues would have similar impacts as for the proposed project. These include the following:

- Agriculture and Forestry Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning; and,
- Mineral Resources.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Commercial Center Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be discussed separately.

Aesthetics. The proposed project site is not within a scenic vista identified by the City's General Plan or Specific Plan 208. Proposed development envisioned under the Commercial Center Alternative would be consistent with development permitted for the site in the General Plan and Specific Plan 208. The project site is not located along a state scenic highway, nor are any state scenic highways located in the project vicinity. The City's General Plan identifies major scenic resources as being visible from SR-60 and the development of the project site would not affect views of the se major

[1] Square footage is based on a 50 percent development of the project site.

scenic resources. In addition, the project site does not contain rock outcroppings, historic buildings of significance, or other features that have been identified as scenic resources by either the City or State. The site does contain several ornamental trees (Eucalyptus, pine, and Peruvian pepper). Similar to the proposed project, prior to development of the site, the developer will be required to replace all mature trees 4 inches in diameter or greater in accordance with the City's tree removal replacement policy. Development that may occur on the project site would be required to adhere to City requirements for site development, similar to the proposed project. Although the visual characteristic of the project site would change, there would be no demonstrable negative aesthetic effect to the existing visual character or quality of the project site or its surroundings. The installation of on-site lighting to accommodate nighttime activities and for safety purposes would be required for this alternative, similar to the proposed project. Development of the warehouse uses envisioned under this alternative would be required to comply with design standards, such as lighting, setbacks, building height, lot dimensions, and maximum lot coverage contained in the City of Moreno Valley Municipal Code. While the visual character of the development proposed under the Commercial Center Alternative would differ from that of the proposed project, the development that may occur would be required to adhere to site development standards in accordance with the underlying land use designation. It is expected that the visual character of the Commercial Center Alternative would be compatible with existing and future adjacent development. Therefore, impacts associated with aesthetics for the Commercial Center Alternative are similar in magnitude to what was identified for the proposed project. Like the proposed project, impacts associated with this issue would be less than significant.

Air Quality. Since the amount of land to be developed under this alternative would equal that developed under the proposed project, it is reasonable that a similar mix of equipment would operate during earthmoving and construction activities. As with the proposed project, peak daily construction emissions would be similar, which is significant and unavoidable for NO_X and PM_{10}. Although SCAQMD regulations and project-specific mitigation measures would reduce the amount of construction emissions, impacts associated with construction emissions for NO_X and PM_{10} remain significant and unavoidable.

As previously identified in Table 6.C, the Commercial Center Alternative would generate approximately 18,065 daily vehicle trips, which is more than the trips associated with the proposed project. Because the total number of trips is increased, the volume of each operational pollutants emitted during operation of this alternative would also be correspondingly increased. As indicated in Table 6.I, operational emissions would continue to exceed SCAQMD significance thresholds for ROG, NO_X, CO, and PM_{10} as identified for the proposed project.

Table 6.I: Alternative 3 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 3	1,368	218	1,391	1.9	201	51
Net Change	+537	+75	+401	+0.4	+31	+9
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 3 exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**No**

Source: LSA Associates, Inc., October 2011

When this alternative is compared to the proposed project, impacts to air quality would be increased in magnitude. The volume of pollutants emitted would be increased and the long-term air quality impacts resulting from this alternative, as with the proposed project, would continue to be significant and unavoidable.

Noise. The extent and duration of construction activities for this alternative are anticipated to be similar to those of the proposed project. Therefore, construction noise resulting from the construction of this mix of uses would be generally similar to the proposed project. Development of this alternative would require the implementation of mitigation measures to reduce construction noise impacts to a less than significant level. Compared with the proposed project, the short-term noise impacts resulting from project construction and stationary noise impacts associated with the operation of the commercial/office uses would be similar and remain less than significant with mitigation incorporated.

The increase in project-related traffic for this alternative would result in an incremental increase in traffic noise. This alternative's contribution to future traffic noise would result in more trips on the road, which increases the overall mobile source noise impact as compared to the proposed project. Parking lot noise and mechanical ventilation noise would still occur under this alternative and noise from the loading docks would still be present as the alternative includes a commercial component. However, the uses envisioned under this alternative would increase the number (i.e., more commercial/office buildings) and extent of noise sources but would still have noise approaching levels identified for the proposed project. When compared to the proposed project, operational noise impacts would be similar.

Population and Housing. The Commercial Center Alternative would result in the development of approximately 760,000 square feet of commercial service uses and 760,000 square feet of office uses. Commercial service jobs are likely to be filled by persons already residing in the area. However, unlike commercial jobs, which can often be filled by most working adults, office jobs under this alternative may require the employment of persons in specialized fields, which may not include persons already living in the area. Persons from outside of the area may be required to relocate to Moreno Valley to fill positions for office uses, resulting in a population increase in the City. To analyze a worst-case scenario, it is assumed that 50 percent of the office jobs would be filled by people who are not living in the area. Utilizing employment factors of one employee for every 629 square feet of commercial use[1] and one employee for every 481 square feet of office uses, this alternative would create up to 2,788 jobs (1,208 commercial jobs and 1,580 office jobs).

When this alternative is compared to the proposed project, the number of new residents would be greater than that identified for the proposed project as the proposed project would not result in population growth. However, this alternative would not directly affect population growth as compared with new residential development, because it is not creating homes. While development under this alternative would generate employment opportunities, the jobs created are not expected to induce substantial growth in the City or region over and above the growth anticipated by the City's General Plan and the SCAG's regional growth forecasts. Infrastructure, including roads, sewers, water, and electricity, already exists around the project site. Impacts related to population and housing would remain less than significant as this alternative would continue the existing development trend envisioned by the City.

Public Services. As discussed above, the Commercial Center Alternative could result in population increase within the City. Because of the population increase associated with this alternative that would occur within the project limits, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be greater in magnitude than what was identified for the proposed project. However, similar to the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project,

[1] *Table IIB, Average Number of Employees per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc., October 2001.

impacts associated with public services would remain less than significant with the payment of development impact fees.

Recreation. As previously discussed, the Commercial Center Alternative could result in population increase within the City. Because of the population increase associated with this alternative that would occur within the project limits, demands on recreational facilities would be greater in magnitude than what was identified for the proposed project. However, similar to the proposed project, development under this alternative would require payment of development impact fees for recreation facilities. The payment of development impact fees would offset any impacts to these recreational facilities that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with recreation would remain less than significant with the payment of development impact fees.

Traffic. As identified in Table 6.C, this alternative would generate approximately 18,065 daily vehicle trips. In comparison to the proposed project, this alternative would result in a 257.6 percent increase in daily traffic. With an increase in daily traffic, an increase in volumes on nearby roads and intersections would occur and be greater in magnitude when compared to the proposed project. With the increase in traffic under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under this alternative would become operational. Therefore, when compared to the proposed project, traffic impacts would be greater due to the additional trip generation. However, the resulting impact significance would be similar and would remain significant and unavoidable until the improvements are in place.

Utilities and Service Systems. Similar to the proposed project, development under the Commercial Center Alternative would connect to existing utility infrastructure subject to the terms and conditions of the City, EMWD, and RCFCWCD. As indicated in previously identified Table 6.D, this alternative would generate approximately 456,000 gallons of wastewater per day, which is a 623.0 percent increase over what the proposed project would generate. When compared to the proposed project, wastewater treatment demand would be increased in magnitude as more wastewater would be generated under this alternative. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

The development of the commercial and office uses associated with this alternative would also require the installation of water supply infrastructure to serve the project site. The Water Supply Assessment indicated that adequate water supply exists and is forecast to be available in the future to accommodate the proposed project. As previously indicated in Table 6.E, the Commercial Center Alternative would require approximately 140,000 gallons of water per day, which is 181.1 percent greater than what would be required by the proposed project. When compared to the proposed project, therefore, water usage demands for this Alternative would be greater. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor (EMWD) that water is available to serve the development. In the event that the amount of water required for this alternative is available, impacts associated with this issue would be less than significant. However, in the event that water is not available for the alternative, a new and significant impact associated with this issue would occur.

Like the proposed project, the Commercial Center Alternative would also generate solid waste. As previously identified in Table 6.F, this alternative would generate 3,648 tons of solid waste per year, which is 760.4 percent more than what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be increased in magnitude. However, similar to the proposed project, development under the Commercial Center Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant.

Global Climate Change. GHG emissions are correspondingly increased as the Commercial Center Alternative would increase the number of daily trips made to the site. As previously identified in Table 6.G, the Commercial Center Alternative would generate 49,000 tons of carbon (CO_2), 1.9 tons of methane (CH_4), and 0.005 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.04 Tg/yr CO_2 Eq., which is approximately 33 percent more than what was identified for the proposed project.

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic levels would be greater when compared to the proposed project. In addition, there are no mitigation measures that would reduce long-term air quality operational impacts to below SCAQMD threshold standard and no mitigation measures that would reduce impacts associated with increased traffic in the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable like the proposed project.

Conclusion. Under the Commercial Center Alternative, impacts related to short-term construction emissions would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude when compared to the project and would remain significant and unavoidable. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the proposed project. Long-term traffic impacts would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the proposed project and would remain less than significant.

This alternative would result in the development of office uses that would generate permanent jobs, which may require workers who are not current residents of the City. The proposed office uses would increase the total number of people that would be added to the City's population. This alternative would have greater demands on public services and recreation. However, the payment of fees would reduce these impacts to a less than significant level. This alternative would increase the amount of water utilized and increase the amount of wastewater and solid waste that would be generated on site. Similar to the proposed project, adherence to wastewater and solid waste requirements would reduce these impacts to a less than significant level. In the event that water is not available for development envisioned under this alternative, impacts to water resources would be significant and avoidable. Under this alternative, some of the proposed project objectives are not met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley.

6.3.2.4 Alternative 4: Off-Site Location

This alternative would result in the same intensity of development of approximately 1,616,133 square feet of warehouse uses on approximately 70.3 acres. The alternative project site identified by the City is bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.0 miles northwest of the project site and is within the same Industrial Area Specific Plan as the proposed project. This alternative off-site property is not owned or under the control of the applicant. The off-site location is currently zoned SP 208 I and is designated BP in the City's General Plan, identical to the proposed project, as properties within the existing Specific Plan 208 area within the City is planned for industrial development and contains properties comparable in size. The Specific Plan 208 area provides for business park, mixed use, light industry, and heavy industry districts on approximately 1,500 acres in southwestern Moreno Valley. Since the proposed uses are consistent with the uses identified for the off-site location, no zone change or General Plan Amendment would be required. Development of this site would not require soil import, inherently reducing impacts form air pollution emissions during construction.

Impact Analysis. Nine environmental issues would have similar impacts as the proposed project. These include the following:

- Cultural Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Land Use and Planning;
- Mineral Resources
- Population and Housing;
- Public Services;
- Recreation; and
- Utilities and Service Systems.

Impacts associated with these topics would be similar to the proposed project because development of the site under the Off-site Alternative would result in a similar footprint of development with no additional demand to services from residential uses. For this reason, impacts to these land-oriented impact topics would be similar resulting in the same level of impact.

The remaining environmental issues would, in some cases, result in similar impacts, but would be different enough to be analyzed separately under this alternative.

Aesthetics. The Off-Site Location Alternative would consist of similar warehouse structures and uses as the proposed project, just on a different project site. With the off-site location, surrounding views would include similar industrial uses, March Air Reserve Base, single-family residential uses, and vacant land. Under this alternative, development of the project site would still be required to comply with design standards contained in the City's Development Code such as setbacks, building height, lot dimensions, and maximum lot size. No significant visual resource has been identified within the limits of the alternative project site. Similar to the proposed project, this alternative would change the existing character of the site, replacing the current open space with developed uses. Like the proposed project, the warehouse uses would still require the installation and operation of parking and building lighting. Adherence to the City's lighting standards would reduce the significance of any impact associated with the generation of light or glare to a less than significant level. This alternative site is not identified as being within an area that would have scenic resources. Development of the alternative would result in a less than significant impact on aesthetics, similar to that identified for the proposed project.

Agriculture and Forestry Resources. Development of the off-site location would include the development of 70.3 acres with warehousing uses. As identified by the California Department of Conservation Farmland Mapping and Monitoring Program, the off-site location is identified as Farmland of Local Importance.[1] Similar to the proposed project, the off-site location is not under a Williamson Act contract. The total amount of farmland that would be converted to urban uses under the Off-Site Location Alternative would be similar when compared to the amount of farmland that would be converted under the proposed project. Similar to the proposed project, the off-site location is located in an area that has been developed with urban uses and is still in the process of developing with more urban uses. Unlike the proposed project, development that may occur on the off-site location would only result in the conversion of Farmland of Local Importance while the proposed project would result in the conversion of Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Therefore, the potential for additional agricultural lands to be converted to urban uses would be similar in magnitude when compared to the proposed project. Since there are no mitigation measures to fully mitigate for the loss of farmland to urban development, impacts remain significant and avoidable, similar to the proposed project.

Air Quality. Under the Off-Site Location Alternative, the total amount of land to be graded would be approximately the same as the off-site location consists of approximately 70.3 acres. It is anticipated that a similar mix of equipment would operate during earthmoving and construction activities on the project site. Therefore, construction emissions from the development of Alternative 4 would be similar to the proposed project, which is significant and unavoidable for NO_X and PM_{10}. Although SCAQMD regulations and project-specific mitigation measures would reduce the amount of construction emissions, impacts associated with construction emissions for NO_X and PM_{10} remain significant and unavoidable.

Implementation of the Off-Site Alternative would result in the development of the same amount of warehouse space (1,616,133 square feet) as the proposed project. Since the Off-Site Location Alternative would have the same amount of square footage as the proposed project, it is reasonable to conclude that the Off-Site Location Alternative would generate the same amount of traffic. As previously indicated in Table 6.C, this alternative would generate approximately 5,052 daily vehicle trips. As identified in Table 6.J, the volume of each operational pollutant emitted during operation of this alternative would be similar to that identified for the proposed project.

Table 6.J: Alternative 4 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NOx	SOx	PM_{10}	$PM_{2.5}$
Proposed Project	830	143	990	1.5	170	42
Alternative 5	830	143	990	1.5	170	42
Net Change	0	0	0	0	0	0
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Alt. 4 exceeds thresholds?	**No**	**Yes**	**Yes**	**No**	**Yes**	**No**

Source: LSA Associates, Inc., October 2011.

Although the off-site location would be located on a different site, CO hot spot conditions are anticipated to be similar to the proposed project as the off-site location is in close proximity to the project site. Because traffic associated with this alternative would be similar to what was identified for the proposed project, CO concentrations at local intersections would not be anticipated to exceed the state or federal one-hour and eight-hour standards. No CO hot spots would occur, and the proposed project would not have a significant impact on local air quality for CO. When the Off-Site Location

[1] *Farmland Mapping and Monitoring Program 2008*, California Department of Conservation Division of Land Resources, ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/riv08_west.pdf, website accessed October 5, 2011.

Alternative is compared to the proposed project, impacts to air quality would be similar. Although the volume of pollutants emitted would be similar during the operational phase of the project, the long-term air quality impacts resulting from this alternative would still contribute criteria pollutants to a non-attainment air basin. Therefore, long-term air quality impacts associated with this alternative would continue to be significant and unavoidable, similar to the proposed project.

Biological Resources. The Off-Site Location Alternative would require site development in a similar manner as would be required for the proposed project. Although no site-specific surveys have been conducted for the off-site location, it is anticipated that biological communities present at the off-site location would be similar to biological communities present at the proposed project location. However, the potential exists for sensitive species to be present at the off-site location. While the presence of sensitive species on the alternative site cannot be confirmed without a biological survey, if sensitive species were absent from the Off-Site Location Alternative project site, biological resource impacts would be similar to the proposed project. However, if sensitive species are present at the off-site location, impacts to biological resources resulting from development of this alternative would be mitigated based on existing biological protocols or surveys that are required for such species. As identified for the proposed project, mitigation to address potential impacts to the sensitive species would also be required. When compared to the proposed project, this alternative would result in a similar impact on biological resources.

Hazards and Hazardous Materials. The off-site location is not identified on a list of hazardous waste generators or hazardous waste handlers.[1] While the presence of hazardous materials cannot be confirmed for the off-site location without a site-specific survey, because the off-site location has been utilized for agricultural production and because of the surrounding vacant land, it is anticipated that hazards materials that could be found on site would be similar to what was identified for the proposed project. Because this alternative includes warehouse uses similar to the proposed project, development under this alternative would still result in the on-site handling of hazardous substances, both during project construction and during operations.

The off-site location would be located within the MARB Safety Zone Area 2.[2] MARB Safety Zone Area 2 limits residential development to one dwelling unit per 2.5 acres and allows agricultural, industrial, and commercial uses. Although the off-site location is within MARB Safety Zone Area 2, the type of development that would occur under this alternative would be consistent with the development allowed in Safety Zone Area 2. Therefore, airport hazards associated with this alternative would be less than significant. The off-site location is located approximately one mile from an existing school (El Potrero Elementary School to the east). However, because the same regulations and standards associated with hazards and hazardous materials would apply under this alternative, impacts associated with the Off-Site Location Alternative would remain less than significant; similar to what was identified for the proposed project.

Noise. The nearest sensitive receptors to the off-site location would be an existing single family residential development across Iris Avenue, immediately adjacent to the northeast of the off-site location's northeastern boundary. The distance between the off-site location and the nearest sensitive receptor is closer than the distance between the proposed project site boundary and its nearest sensitive receptor is adjacent. Although the type of noise generated by the construction of the Off-Site Location Alternative is anticipated to similar to that of the proposed project, the noise experienced at the closest sensitive receptor would be increased due to a closer distance. No significant noise-

[1] *EnviroStor Database*, Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public/, website accessed September 30, 2011.

[2] *March Air Reserve Base Safety Zone Map*, http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf, website accessed September 30, 2011.

related impact was identified with the construction or operation of the proposed project. Noise generated from construction operations, parking lots, loading areas, truck deliveries, and building machinery with this alternative would be increased to that identified for the proposed project. Traffic related noise is anticipated to be similar to the proposed project as the Off-Site Location Alternative would generate the same amount of daily vehicle trips. When compared to the proposed project, noise impacts would be greater in magnitude and would remain less than significant with mitigation.

Traffic. As identified in Table 6.C, this alternative would generate approximately 5,052 daily trips which is the same number that would occur with the proposed project. With the level of traffic remaining the same, volumes on nearby roads and intersections would be similar in magnitude when compared to the proposed project. However, despite the volume of traffic remaining the same, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under the Off-Site Location Alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain freeway segments and the I-215/Harley Knox Interchange improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under this alternative would become operational. Therefore, when compared to the proposed project, traffic-related impacts would be the same ad the proposed project and would remain significant and unavoidable.

Global Climate Change. GHG emissions are the same as the proposed project as the Off-Site Alternative is the proposed project on a nearby site in the City. As previously identified in Table 6.G, the Off-Site Location Alternative would generate 39,000 tons of carbon (CO_2), 1.3 tons of methane (CH_4), and 0.004 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.03 Tg/yr CO_2 Eq., which is the same amount that the proposed project would generate.

Cumulative Impacts. Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic generated by the Off-Site Location Alternative would be similar to the proposed project, only on a different site. Similar to the proposed project, there are no mitigation measures that would reduce long-term air quality operational impacts to below SCAQMD threshold standard. Additionally, there are no mitigation measures that would reduce impacts associated with increased traffic in the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the alternative site, resulting in a loss of farmland. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable similar to the proposed project.

Conclusion. With the Off-Site Location Alternative, impacts related to air quality and traffic impacts would be similar to those identified with the proposed project. Short-term construction and long-term air quality operational impacts under this alternative would remain significant and unavoidable and would result in similar conditions as identified for the proposed project. Additionally, due to adjacent sensitive receptors, potential impacts to these receptors would be greater in magnitude when compared to the proposed project. Similarly, noise impacts would be greater in magnitude due to the adjacent sensitive receptors. Operational traffic would result in increased traffic on existing roadways and may impact existing intersection's level of service within the area. This alternative would require

the same amount of water as the proposed project and would generate the same amount of wastewater and solid waste when compared to the proposed project. Similar to the proposed project, adherence to utility requirements would reduce these impacts to a less than significant level.

6.4 COMPARISON OF PROJECT ALTERNATIVES

The following discussion compares the impacts of each alternative with the impacts of the proposed project, as detailed in Section 4.0 of this EIR. Table 6.K compares the impacts of the alternatives with those of the proposed project. This table identifies whether the alternative results in (1) a reduction of the impact; (2) a greater impact than the project; or (3) the same impact as the project.

Table 6.K: Comparison of Alternatives to the Proposed Project

Environmental Issue	Proposed Project	Alternative 1: No Project	Alternative 2: Reduced Intensity	Alternative 3: Commercial Center	Alternative4: Off-Site Location
Aesthetics LTS		=	=	=	=
Agricultural Resources	SIG =		=	=	← SIG
Air Quality	SIG	→ SIG	← SIG	→ SIG	=
Biological Resources	LTS/mit	=	=	=	=
Cultural Resources	LTS/mit	=	=	=	=
Geology and Soils	LTS.mit	=	=	=	=
Global Climate Change	SIG	← SIG	← SIG	→ SIG	=
Hazards and Hazardous Materials	LTS/mit =		=	=	=
Hydrology and Water Quality	LTS/mit =		=	=	=
Land Use and Planning	LTS	=	=	=	=
Mineral Resources	NI	=	=	=	=
Noise LTS/mit		=	=	=	→
Population and Housing	LTS =		=	=	=
Public Services	LTS	=	=	→	=
Recreation and Parks	LTS =		=	=	=
Transportation and Traffic	SIG	→SIG	← SIG	→ SIG	=
Utilities and Service Systems	LTS =		=	=	=

Proposed Project
NI: No Impact
LTS: Less than Significant Impact
LTS/mit: Less than Significant Impact with Mitigation
SIG: Significant Impact with or without Mitigation
Project Alternatives
= Compared with the proposed project, no change in the significance of impact will occur.
→ Compared with the proposed project, the significance of the impact is increased.
← Compared with the proposed project, the significance of the impact is reduced.
+ Compared with the proposed project, a new impact has been identified.
←SIG Compared with the proposed project, the volume or extent of the impact is reduced, yet still significant.

6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

As detailed in Table 6.K, Alternative 2 (Reduced Intensity Alternative) reduces the severity of project-related air quality impacts. Though reduced, long-term air quality impacts would remain significant after mitigation for this alternative for NOx. In a similar manner, Alternative 2 would reduce the volume of daily traffic trips when compared to the proposed project; however, such impacts would remain significant and unavoidable until roadway improvements are completed. And, Alternative 2 would reduce the quantity of greenhouse gas emission when compared to the proposed project; however, impacts to Global Climate Change would remain significant and unavoidable. While Alternative 4 reduces impacts associated with the proposed project related to agricultural resources, impacts would still remain significant. Additionally, Alternative 4 would result in greater impacts related to air quality, hazards and hazardous materials, and noise. Impacts related to air quality would remain significant similar to the proposed project; however, impacts related to hazards and hazardous materials and noise would remain less than significant and less than significant with mitigation, respectively. The remaining environmental issues would ultimately be similar to the proposed project through adherence to existing standards and mitigation measures.

CEQA (*CEQA Guidelines Section 15126.6 (e[2])*) requires that the environmentally superior alternative be identified in the EIR. Based on the analysis in this section and the summary contained in Table 6.K, Alternative 2, the Reduced Intensity Alternative, is the environmentally superior alternative. The amount of development under this alternative would be reduced when compared to the proposed project; however, the Alternative 2 would not satisfy several of the project objectives shown in Table 6.L.

Table 6.L: Comparison of Alternative 2 to the Proposed Project Objectives

Project Objectives	Reasons Why Alternative 2 Satisfies the Project Objectives
Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities	**Meets Objective**
Encourage industrial development attractive and productive uses while minimizing conflicts with the surrounding existing uses	**Meets Objective**
Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors.	**Meets Objective**
Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner.	**Meets Objective**
Encourage new development consistent with the capacity and municipal service capabilities.	**Meets Objective**
Provide a high density, high-quality large-scale industrial development to provide jobs for residents at a variety of income levels.	**Does not meet objective.**
Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale.	**Meets Objective**
Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County	**Meets Objective**
Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources	**Does not meet objective**
Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site.	**Meets Objective**
Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements.	**Meets Objective**

Table 6.L: Comparison of Alternative 2 to the Proposed Project Objectives

Project Objectives	Reasons Why Alternative 2 Satisfies the Project Objectives
Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead.	**Meets Objective**
Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.	**Meets Objective**

Because the Reduced Intensity Alternative allows the development of warehouse uses and the provision of new employment opportunities, it meets many of the City's stated project objectives, while at the same time reduces the impacts associated with the proposed project. Therefore, the Reduced Intensity Alternative has been determined to be the environmentally superior alternative. However, because of the location of the Alternative site and the lower industrial density, the Alternative fails to meet several objectives related to location and density efficiencies.

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8.0 LIST OF PREPARERS

8.1 CITY OF MORENO VALLEY

[TO BE PROVIDED]

8.2 LSA ASSOCIATES, INC.

8.2.1 Environmental Impact Report

Lynn Calvert-Hayes, AICP..... Principal in Charge
Ray Hussey, AICP..... Associate (Project Manager)
Kelly Czechowski..... Senior Environmental Planner
David Atwater ..... Environmental Planner
Steven Dong ..... Technical Editor
Nancy Hasegawa..... Word Processor
Margaret Gooding .....Graphics/GIS Specialist
Lori Ufondu ..... Document Production

8.2.2 Traffic Study

Meghan Macias ..... Principal in Charge
Sandipan Bhattacharjee ..... Associate
Robert Aguirre ..... Transportation Planner

8.2.3 Air Quality Analysis

Tony Chung, Ph.D. ..... Principal in Charge
Ronald Brugger..... Senior Air Quality Specialist

8.2.4 Greenhouse Gas Emissions Study

Tony Chung, Ph.D. ..... Principal in Charge
Ronald Brugger..... Senior Air Quality Specialist

8.2.6 Noise Impact Analysis

Tony Chung, Ph.D. .....Principal

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9.0 ACRONYMS AND ABBREVIATIONS

µg/m^3	micrograms per cubic meter
AADT	Annual Average Daily Traffic
AAQS	ambient air quality standards
AB Assembly	Bill
ADT Average	Daily Traffic
AER	Annual Emission Reporting
AFV	alternative fuel vehicle
AFY acre-fe	et per year
AICUZ	Air Installation Compatible Use Zone
ALUC	Airport Land Use Commission
ALUP	Airport Land Use Plan
ANSI	American National Standards Institute
APN	Assessor's Parcel Number
APZ	Accident Potential Zone
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
Basin	South Coast Air Basin
BMPs	Best Management Practices
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFÉ	Corporate Average Fuel Economy
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CAPS	Criteria Area Plant Species
CARB	California Air Resources Board
CAT	Climate Action Team
CBSC	California Building Standards Commission
CCAA	California Clean Air Act
CDC	California Department of Conservation
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA California	Endangered Species Act
CFCP	California Farmland Conservancy Program
CFCs Chlo	rofluorocarbons
CH_4 methane	
CNEL	Community Noise Equivalent Level
CO carbon	monoxide
CO_2E	carbon dioxide equivalent
CRA	California Resource Agency

dBA A-wei	ghted decibels
DIF	Development Impact Fee
DOF	Department of Finance
DTSC	Department of Toxic Substance Control
EIR	Environmental Impact Report
EMWD	Eastern Municipal Water District
EPA	U.S. Environmental Protection Agency
EPAct	Energy Policy Act
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
ft Feet	
FTA	Federal Transit Administration
F-WQMP	Final Water Quality Management Plan
GHG gree	nhouse gas
gpd	gallons per day
GWP Global	Warming Potential
HCP	Habitat Conservation Plan
HFCs Hydroflu	orocarbons
HI Ha	zard Indices
HVAC	Heating, Ventilating, And Air Conditioning
I-215 Inters	tate 215
IPCC	Intergovernmental Panel on Climate Change
IS Initial	Study
JPA J	oint Powers Authority
LCC Land	Capability Classification
L_{dn}	Day-Night Average Noise Level
LE Land	Evaluation
LEED	Leadership in Energy and Environmental Design
L_{eq}	Equivalent Continuous Sound Level
LESA	Land Evaluation and Site Assessment
L_{max}	Maximum Noise Level
LOS	Level of Service
LSA	LSA Associates, Inc.
LST	Local Significance Threshold
MARB	March Air Reserve Base
MBTA	Migratory Bird Treaty Act
MCE	maximum credible earthquake
MEI	Maximum Exposed Individual
Metropolitan Metrop	olitan Water District
mg/m^3	milligrams per cubic meter
mgd	million gallons per day

MICR	Maximum Individual Cancer Risk
MIP	March Inland Port
MIPAA	MIP Airport Authority
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
mpg	miles per gallon
mph	miles per hour
MPO	Metropolitan Planning Organization
MRZ	Mineral Resource Zone
MSHCP	Western Riverside County Multiple Species Habitat Conservation Plan
mty	million tons per year
MVPD	Moreno Valley Police Department
MVRWRF	Moreno Valley Regional Water Reclamation Facility
MVUSD	Moreno Valley Unified School District
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NEPS	Narrow Endemic Plant Species
NFMA	National Forest Management Act of 1976
NHTSA	National Highway Traffic and Safety Administration
NO_2	Nitrogen dioxide
NOI	Notice of Intent
NOP	Notice of Preparation
NO_X	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
O_3	Ozone
OMB	Office of Management and Budget
OPR	Office of Planning and Research
Pb	Lead
PCE	Passenger Car Equivalent
PFCs	Perfluorocarbons
PM	Particulate Matter
PM_{10}	Particulate matter with a diameter of 10 microns or less
$PM_{2.5}$	Fine particulate matter less than 2.5 microns in diameter
POU	Publicly Owned Utility
ppb	parts per billion
ppm	parts per million
P-WQMP	Preliminary Water Quality Management Plan
RCP	reinforced concrete pipe
RCP	Regional Comprehensive Plan
RCPG	Regional Comprehensive Plan and Guide
ROC	reactive organic compounds
ROG	reactive organic gases
RPA	Resources Planning Act of 1974

RTA	Riverside Transit Agency
RTP	Regional Transportation Plan
RUWMP	Regional Urban Water Master Plan
RWQCB	Regional Water Quality Control Board
SA Site	Assessment
SB Senate	Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SF_6 s	ulfur hexafluoride
SIP	State Implementation Plan
SKR	Stephens' Kangaroo Rat
SKR HCP	Stephens' Kangaroo Rat Habitat Conservation Plan
SO_2 Sulfur	dioxide
SO_X sulfur	oxides
SP Spec	ific Plan
SR-60	State Route 60
SRA	Source Receptor Area
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
T-BACT	Best Available Control Technology for Toxics
TDM	Transportation Demand Management
TPM	Tentative Parcel Map
tpy	tons per year
TUMF	Transportation Uniform Mitigation Fee
UBC	Uniform Building Code
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USFS	United States Forest Service
VMT	Vehicle Miles Traveled
VOC	volatile organic compounds
WDID	Waste Discharge Identification Number
WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WSA	Water Supply Assessment
ZNE Zero	Net Energy
ZOI	Zone of Influence

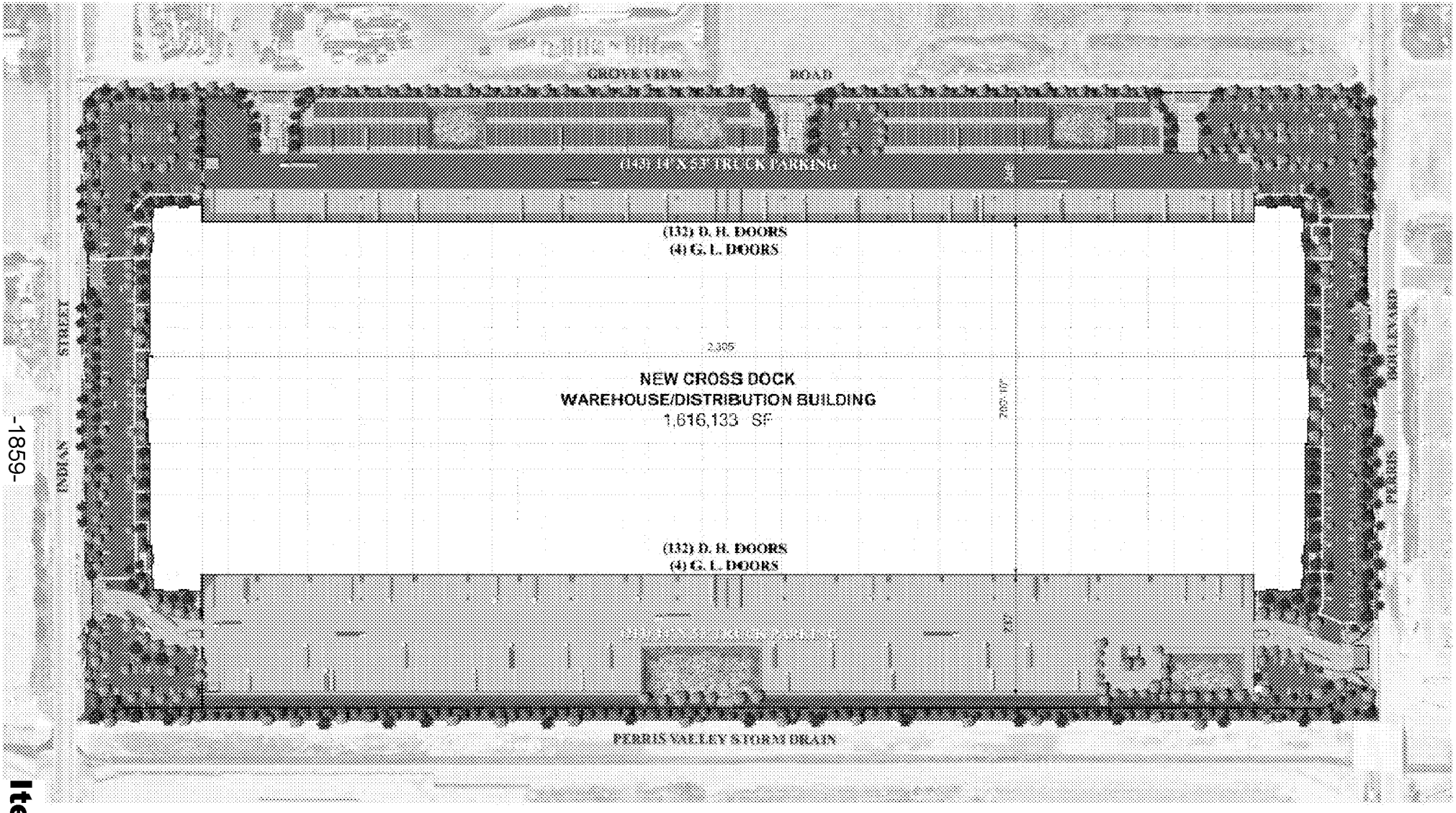
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ROAD
HIGH CUBE TRUCK PARKING
(132) D. H. DOORS
(4) G. L. DOORS
2,385'
NEW CROSS DOCK
WAREHOUSE/DISTRIBUTION BUILDING
1,616,133 SF
205'-10"
(132) D. H. DOORS
(4) G. L. DOORS
PERRIS VALLEY STORM DRAIN
EVANS
STREET
ORANGE TREE
STREET

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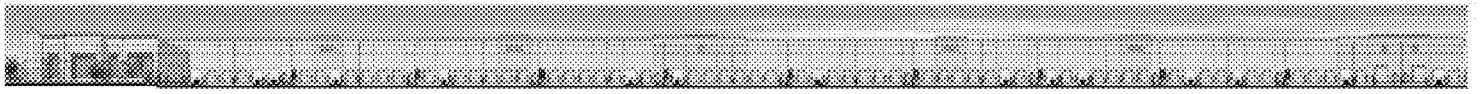

SOUTH ELEVATION (WEST SIDE)

SOUTH ELEVATION (EAST SIDE)

NORTH ELEVATION (EAST SIDE)

NORTH ELEVATION (WEST SIDE)

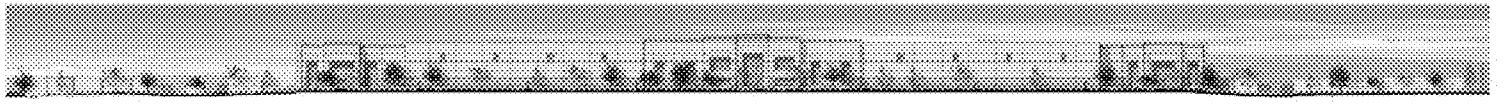

EAST ELEVATION

WEST ELEVATION

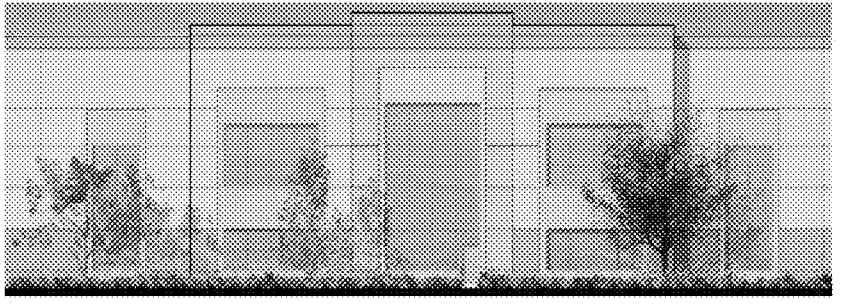

ENLARGED PARTIAL EAST ELEVATION

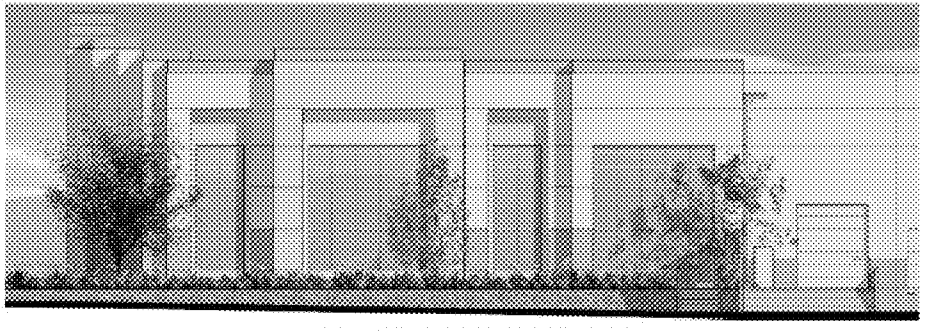

ENLARGED PARTIAL NORTH ELEVATION

VTP MORENO VALLEY

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VIP MORENO VALLEY

PERRIS BLVD. AND INDIAN STREET
MORENO VALLEY, CALIFORNIA
RKZ JOB # 06-28 JUNE 18, 2012

1" INSULATED DUAL PANE GLAZING
(AT OFFICE VISION WINDOWS ONLY)

EXTERIOR PANE:
1/4" THICK PILKINGTON EVERGREEN – LOW-E #2
INTERIOR PANE:
1/4" THICK CLEAR

CLEAR ANODIZED ALUMINUM FRAME

A DUNN EDWARDS – DE6143
"ALMOND LATTE"

B DUNN EDWARDS – DE6145
"ROCKY RIDGE"

C DUNN EDWARDS – DE6172
"BUNGALOW TAUPE"

VOGEL ENGINEERS, INC.
900 PASEO TESORO, WALNUT, CALIFORNIA 91789-2791
TEL (909) 598-7088 FAX (909) 598-2791

EXTERIOR COLOR BOARD

rkz architects, inc.

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MV00180515

ATTACHMENT 10

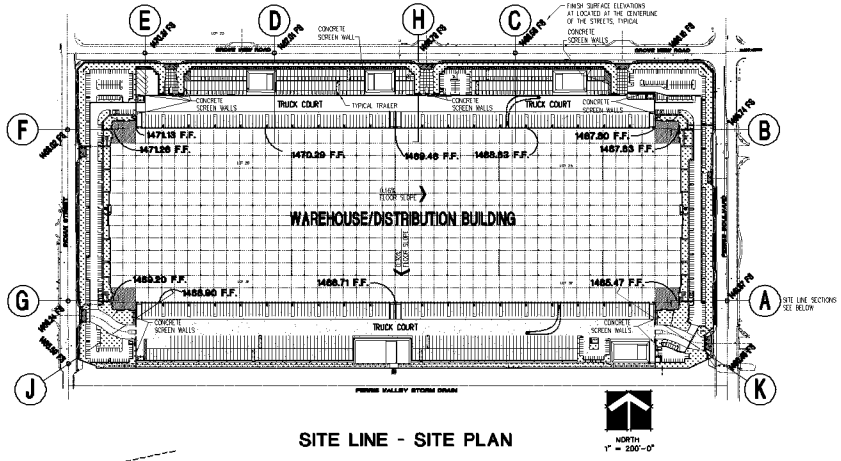

SITE LINE - SITE PLAN

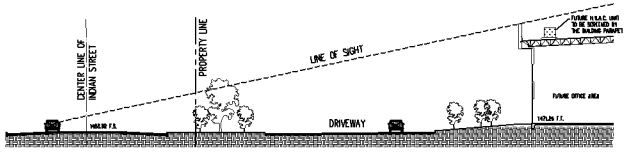

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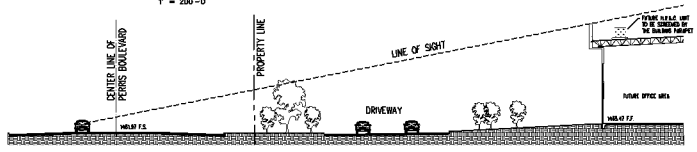

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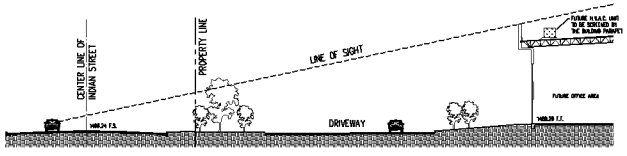

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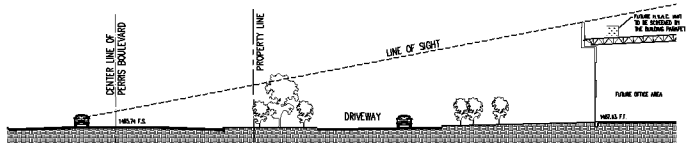

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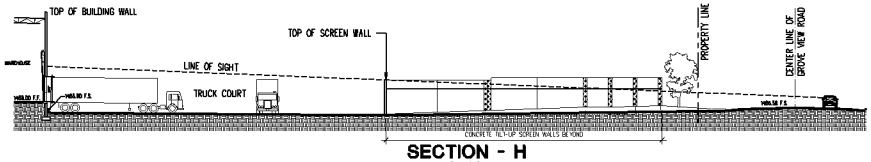

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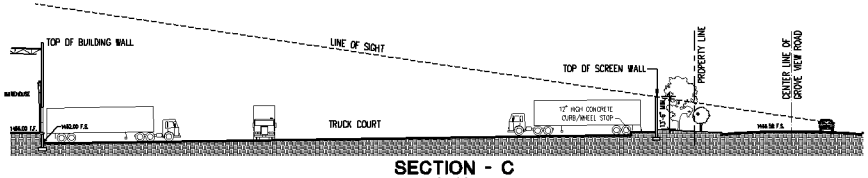

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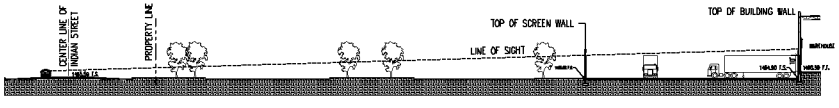

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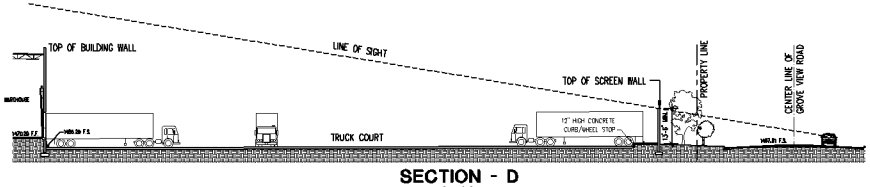

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SCALE : 1" = 20'-0"

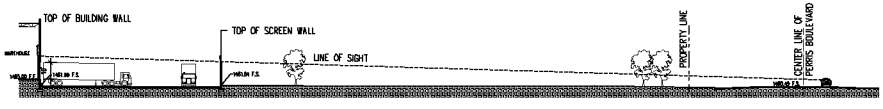

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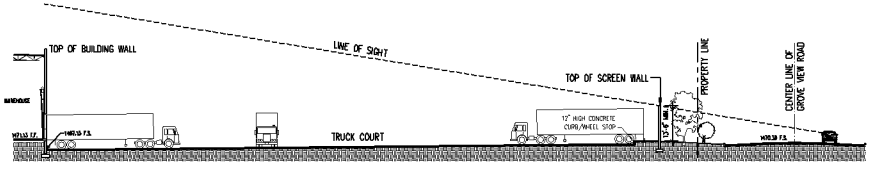

SECTION - E
SCALE : 1" = 20'-0"

rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH. 714.731.1140 FAX: 714.731.1080
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
17777 PERRIS BOULEVARD
17700 INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26
SHEET NAME
SITE LINE
SITE PLAN &
SECTIONS
SHEET NO.
A-7
OF SHEETS
PROJECT #PA09-0004 & PA09-0012

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MV00180517

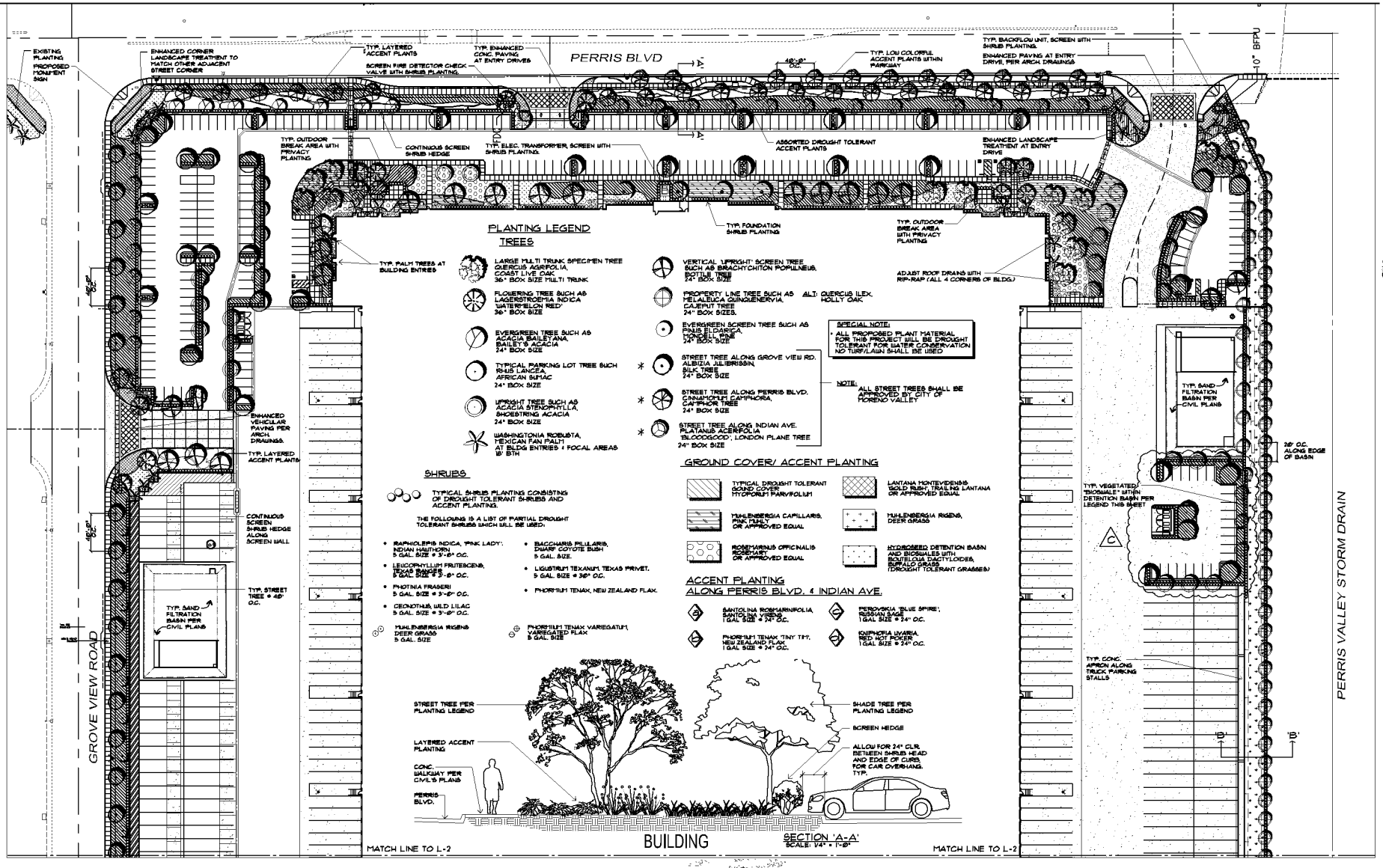

PLANTING LEGEND

TREES

- LARGE MULTI TRUNK SPECIMEN TREE — QUERCUS AGRIFOLIA, COAST LIVE OAK — 36" BOX SIZE MULTI TRUNK
- FLOWERING TREE SUCH AS LAGERSTROEMIA INDICA 'WATERMELON RED' — 36" BOX SIZE
- EVERGREEN TREE SUCH AS ACACIA BAILEYANA, BAILEY'S ACACIA — 24" BOX SIZE
- TYPICAL PARKING LOT TREE SUCH RHUS LANCEA, AFRICAN SUMAC — 24" BOX SIZE
- UPRIGHT TREE SUCH AS ACACIA STENOPHYLLA, SHOESTRING ACACIA — 24" BOX SIZE
- WASHINGTONIA ROBUSTA, 'MEXICAN FAN PALM' AT BLDG ENTRIES + FOCAL AREAS — 18' BTH
- VERTICAL 'UPRIGHT' SCREEN TREE SUCH AS BRACHYCHITON POPULNEUS, BOTTLE TREE — 24" BOX SIZE
- PROPERTY LINE TREE SUCH AS MELALEUCA QUINQUENERVIA, CAJEPUT TREE — 24" BOX SIZES. ALT: QUERCUS ILEX, HOLLY OAK
- EVERGREEN SCREEN TREE SUCH AS PINUS ELDARICA, CANARY PINE — 24" BOX SIZE
- STREET TREE ALONG GROVE VIEW RD. ALBIZIA JULIBRISSIN, SILK TREE — 24" BOX SIZE
- STREET TREE ALONG PERRIS BLVD. CINNAMOMUM CAMPHORA, CAMPHOR TREE — 24" BOX SIZE
- STREET TREE ALONG INDIAN AVE. PLATANUS ACERFOLIA 'BLOODGOOD', LONDON PLANE TREE — 24" BOX SIZE

NOTE: ALL STREET TREES SHALL BE APPROVED BY CITY OF MORENO VALLEY

SPECIAL NOTE:
- ALL PROPOSED PLANT MATERIAL FOR THIS PROJECT WILL BE DROUGHT TOLERANT FOR WATER CONSERVATION. NO TURF/LAWN SHALL BE USED

SHRUBS

TYPICAL SHRUB PLANTING CONSISTING OF DROUGHT TOLERANT SHRUBS AND ACCENT PLANTING.

THE FOLLOWING IS A LIST OF PARTIAL DROUGHT TOLERANT SHRUBS WHICH WILL BE USED:

- RAPHIOLEPIS INDICA, 'PINK LADY', INDIAN HAWTHORN — 5 GAL. SIZE @ 3'-0" O.C.
- LEUCOPHYLLUM FRUTESCENS, TEXAS RANGER — 5 GAL. SIZE @ 3'-0" O.C.
- PHOTINIA FRASERI — 5 GAL. SIZE @ 3'-0" O.C.
- CEONOTHUS, WILD LILAC — 5 GAL. SIZE @ 3'-0" O.C.
- MUHLENBERGIA RIGENS, DEER GRASS — 5 GAL. SIZE
- BACCHARIS PILULARIS, DWARF COYOTE BUSH — 5 GAL. SIZE.
- LIGUSTRUM TEXANUM, TEXAS PRIVET. — 5 GAL. SIZE @ 36" O.C.
- PHORMIUM TENAX, NEW ZEALAND FLAX.
- PHORMIUM TENAX VARIEGATUM, VARIEGATED FLAX — 5 GAL. SIZE

GROUND COVER/ ACCENT PLANTING

- TYPICAL DROUGHT TOLERANT GOUND COVER HYPOPUM PARVIFOLIUM
- MUHLENBERGIA CAPILLARIS, 'PINK MULY', OR APPROVED EQUAL
- ROSEMARINUS OFFICINALIS ROSEMARY, OR APPROVED EQUAL
- LANTANA MONTEVIDENSIS 'GOLD RUSH', TRAILING LANTANA OR APPROVED EQUAL
- MUHLENBERGIA RIGENS, DEER GRASS
- HYDROSEED DETENTION BASIN AND BIOSWALES WITH BOUTELOUA DACTYLOIDES, BUFFALO GRASS. (DROUGHT TOLERANT GRASSES)

ACCENT PLANTING ALONG PERRIS BLVD. & INDIAN AVE.

- SANTOLINA ROSMARINIFOLIA, SANTOLINA VIRENS — 1 GAL. SIZE @ 24" O.C.
- PHORMIUM TENAX 'TINY TIM', NEW ZEALAND FLAX — 1 GAL. SIZE @ 24" O.C.
- PEROVSKIA 'BLUE SPIRE', RUSSIAN SAGE — 1 GAL. SIZE @ 24" O.C.
- EUPHORBIA WARIA, RED HOT POKER — 1 GAL. SIZE @ 24" O.C.

WATER CONSERVATION STATEMENT

THE IRRIGATION SYSTEM WILL BE DESIGNED UTILIZING 'STATE OF THE ART' IRRIGATION EQUIPMENT SUCH AS 'MULTIPLE START TIMES FOR CONTROLLERS, 'RAIN SHUT OFF' DEVICE + CONTROLLERS, PRESSURE REGULATING MASTER VALVE + LOW FLOW IRRIGATION SPRAY/ROTOR + BUBBLER HEADS UTILIZING PVC SCREENS THROUGHOUT.

THIS LANDSCAPE DESIGN GROUPS PLANTS WITH SIMILAR WATER NEEDS TOGETHER INTO TWO DISTINCT HYDROZONES OF LOW/MODERATE AND HIGH AREAS. THE HIGH WATER USE HYDROZONES ARE COMPRISED OF TURF AND ANNUAL COLOR AND ARE LIMITED WITHIN THE OVERALL SQUARE FOOTAGE OF THE SITE. THE LOW HYDROZONE, WHICH IS MADE UP OF DROUGHT TOLERANT PLANT SPECIES COMPRISES OVER 75% OF THE TOTAL LANDSCAPE AREA. THE IRRIGATION SYSTEM HAS BEEN DESIGNED TO GROUP SIMILAR HYDROZONES WITHIN THE SAME IRRIGATION VALVE. IN ADDITION A MINIMUM OF 2" LAYER OF MULCH IS USED OVER THE ENTIRE SHRUB AREAS TO RETAIN SOIL MOISTURE.

THE PROJECT WILL BE DESIGNED WITH LOW ROTOR/OR BUBBLER IRRIGATION SYSTEMS WHENEVER POSSIBLE

- ALL IRRIGATION SHALL COMPLY WITH EASTERN MUNICIPAL WATER DISTRICT. (E.M.W.D.)

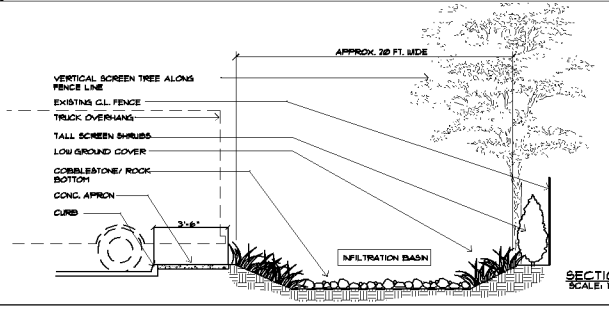

NORTH

0' 40' 80' 120' 160'
SCALE: 1" = 40'-0"

DIG ALERT
DIAL TOLL FREE
1-800-227-2600
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

ARCHITECTURE LAND PLANNING
rkz
RKZ, INC.
3000 BON AVENUE SUITE 110
TUSTIN, CALIFORNIA 92780
714/ 731-1140 FAX: 714/ 731-1090
www.rkzinc.com

SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
P.O. BOX 817
LAKE ELSINORE, CA 92532
TEL: 909-257-8015
FAX: 909-257-8014
REGISTERED LANDSCAPE ARCHITECT
NO. 2078
SIGNATURE
DATE
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91785-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA.

1-26-09
UP DATED 6-2-09
UP DATED 7-14-09
2-25-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-04-08 LR
JOB NO. 06-28
SHEET NAME
CONCEPTUAL LANDSCAPE PLAN
SHEET NO.
L-1
OF SHEETS
PROJECT # P07-050

Item No. E.2

MV00180518

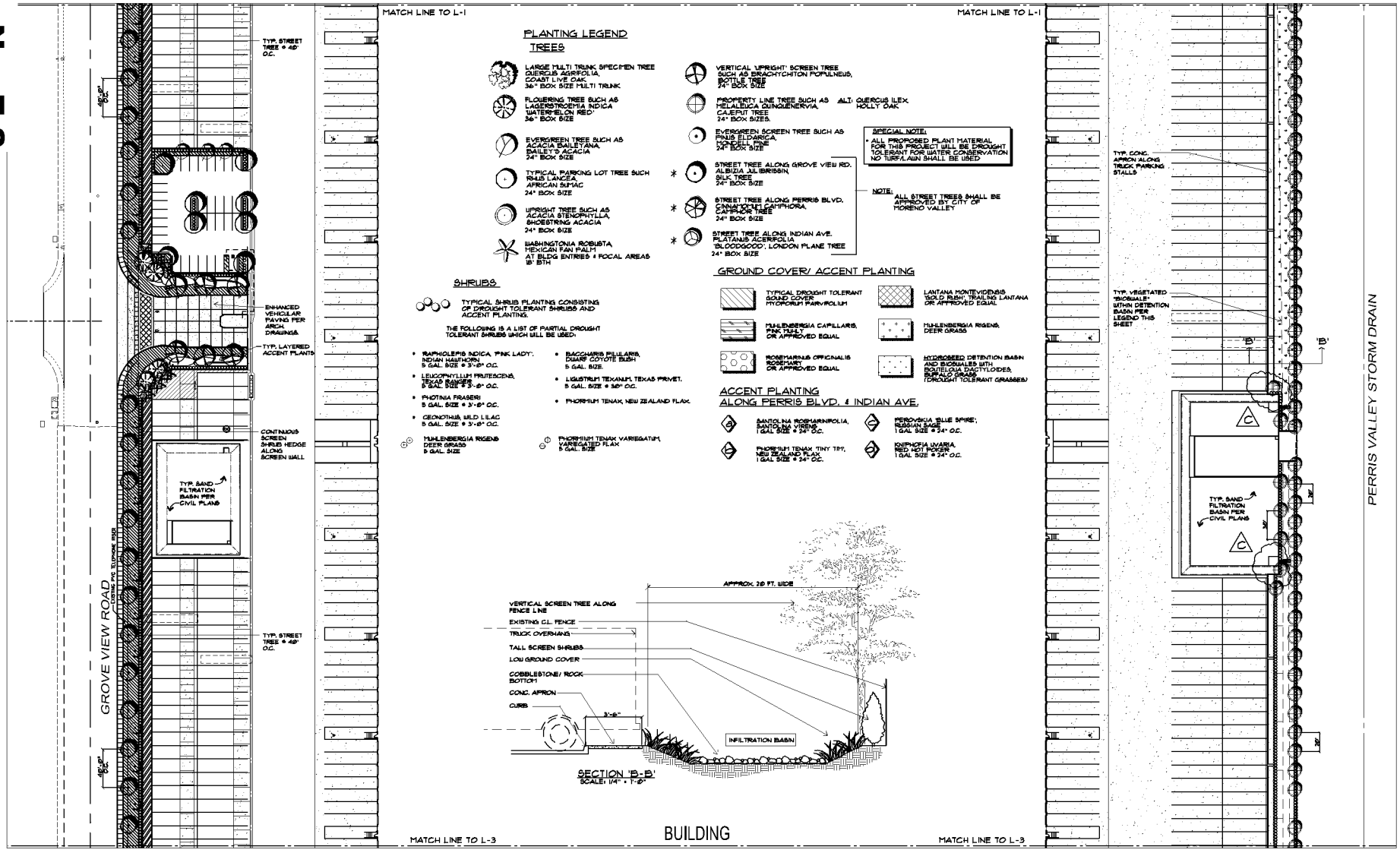

WATER CONSERVATION STATEMENT

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THE PROJECT WILL BE DESIGNED WITH LOW ROTORIOR BUBBLER IRRIGATION SYSTEMS WHENEVER POSSIBLE

• ALL IRRIGATION SHALL COMPLY WITH EASTERN MUNICIPAL WATER DISTRICT. (E.M.W.D.)

DIG ALERT
DIAL TOLL FREE
1-800-227-2600
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

RKZ, INC.
3000 DOW AVENUE SUITE 110
TUSTIN, CALIFORNIA 92780
714/ 731-1140 FAX: 714/ 731-1090
www.rkzinc.com

SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
P.O. BOX 2157
LAKE ARROWHEAD, CA 92352
TEL: 909-337-8855
FAX: 909-337-8884

REGISTERED LANDSCAPE ARCHITECT
NO. 2078
SIGNATURE
DATE
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91785-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

1-26-09
UP DATED 5-0-09
UP DATED 7-14-09
12-09-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-04-08 LR
JOB NO. 06-28
SHEET NAME
CONCEPTUAL LANDSCAPE PLAN
SHEET NO.
L-2
OF SHEETS
PROJECT # P07-050

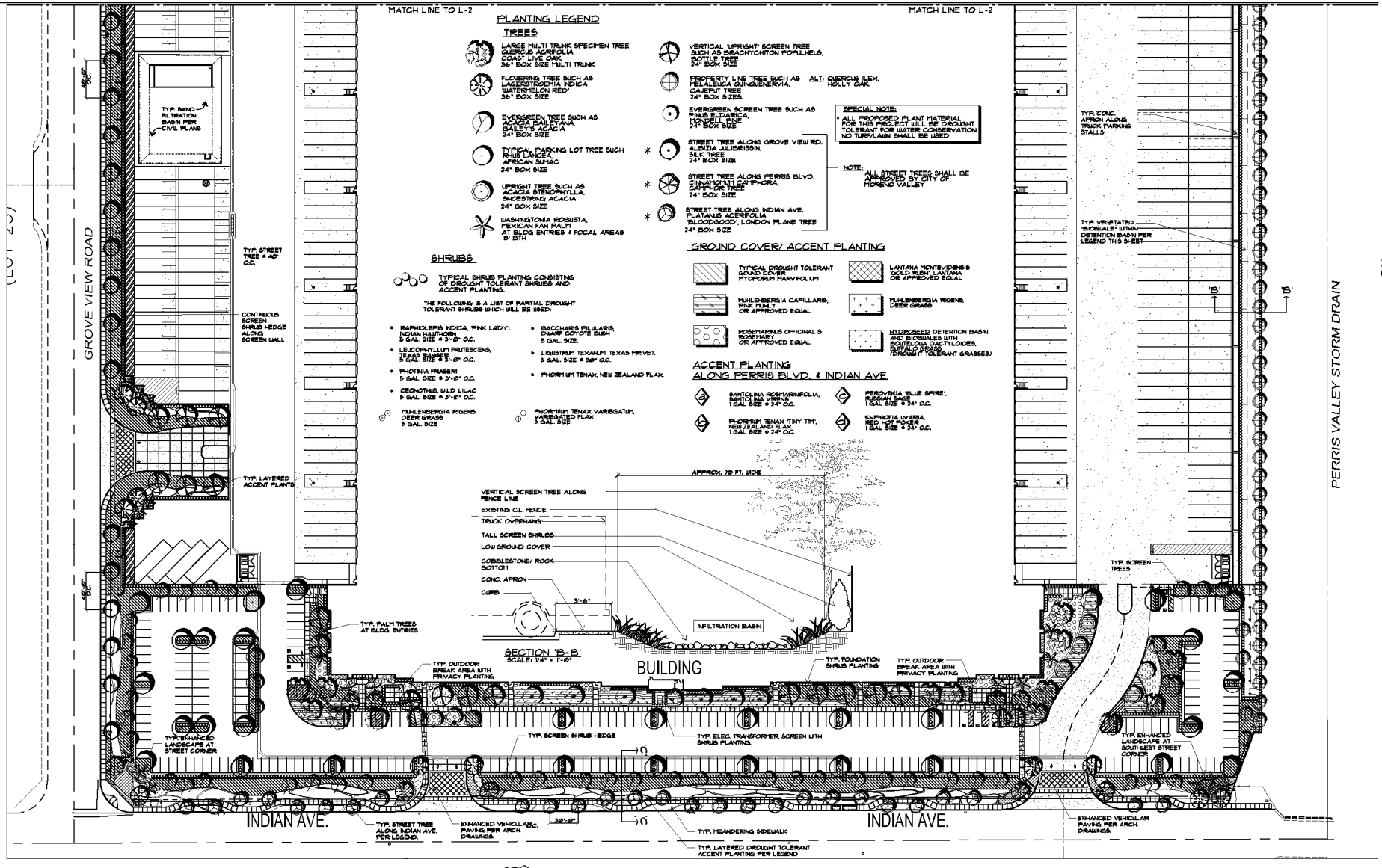

WATER CONSERVATION STATEMENT

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THE PROJECT WILL BE DESIGNED WITH LOW ROTOR/OR BUBBLER IRRIGATION SYSTEMS WHENEVER POSSIBLE

* ALL IRRIGATION SHALL COMPLY WITH EASTERN MUNICIPAL WATER DISTRICT. (E.M.W.D.)

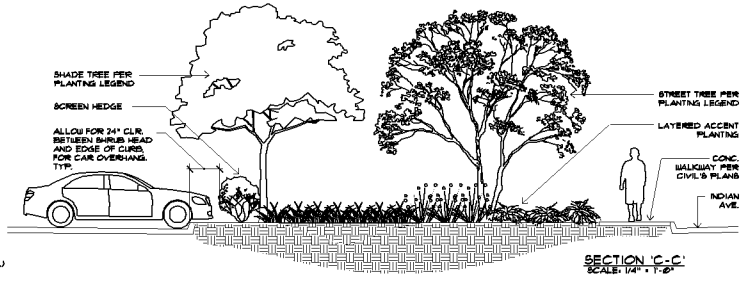

SECTION 'C-C'
SCALE: 1/4" = 1'-0"

DIG ALERT
DIAL TOLL FREE
1-800-227-2600
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

ARCHITECTURE URBAN PLANNING
rkz
RKZ, INC.
3000 DOW AVENUE, SUITE 110
TUSTIN, CALIFORNIA 92780
714/ 731-1160 FAX: 714/ 731-1580
www.rkzinc.com

SCOTT PETERSON LANDSCAPE ARCHITECT, INC.
P.O. BOX 254
LAKE ELSINORE, CA 92532
TEL: 909-537-0186
FAX: 909-537-0884
REGISTERED LANDSCAPE ARCHITECT
NO. 2078
SIGNATURE
DATE
STATE OF CALIFORNIA

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
XXXXX & XXXXX PERRIS BOULEVARD
XXXXX & XXXXX INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

1-28-09
UP DATED 5-12-09
UP DATED 6-02-09
7-09-09 PLANNING DEPT.

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 12-01-08 LR
JOB NO. 08-28
SHEET NAME
CONCEPTUAL LANDSCAPE PLAN
SHEET NO.
L-3
OF SHEETS
PROJECT # PD7-050

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MV00180521

TENTATIVE PARCEL MAP NO. 36162

ATTACHMENT 12

TPM 36162

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SECTION 31, TOWNSHIP 3 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN

BEING A SUBDIVISION OF LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

ACCESSOR'S PARCEL NUMBERS 316-210-071, 073, 075 & 076

DATE OF PREPARATION:
MAY, 2009

NUMBER OF PARCELS:
1 PARCEL

AREA:
80.80 ACRES GROSS
71.11 ACRES NET
(NET ACRES EXCLUDES PROPOSED OFFERS OF DEDICATION FOR STREET RIGHT-OF-WAY)

ZONING :
THE PROJECT SITE IS LOCATED WITHIN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP #208). THE MAJORITY OF THE PROJECT SITE IS ZONED INDUSTRIAL (I) WITH THE NORTHEAST AND SOUTHEAST CORNERS OF THE SITE BEING ZONED INDUSTRIAL SUPPORT AREAS (ISA). DEVELOPMENT OF THE PROPOSED WAREHOUSE DISTRIBUTION FACILITY IS PERMITTED WITHIN BOTH THE I AND ISA ZONES.
(EXISTING AND PROPOSED)

EXISTING USE:
VACANT

PROPOSED USE:
WAREHOUSE/DISTRIBUTION FACILITY

OWNER AND APPLICANT :
VOGEL ENGINEERS, INC., A CALIFORNIA CORPORATION
ATTENTION: WILLIAM D. VOGEL
300 PASEO TESORO
WALNUT, CA 91789
(909) 598-7065

MAP PREPARED BY :
ROBERT A. BEBENSEE, R.C.E.
R.C.E. NO 22877
453 NORTH CENTRAL AVENUE
UPLAND, CA 91786
(909) 946-1122

FLOOD ZONE:
THE PROPERTY INDICATED HEREON LIES WITHIN FLOOD ZONE "X" (SHADED) AS STATED BY FLOOD INSURANCE RATE MAP, MAP NO. 06065C1430G, PANEL 1430 OF 3805, EFFECTIVE DATE AUGUST 28, 2008. PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, WHICH RECITES ZONE "X" (SHADED) AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

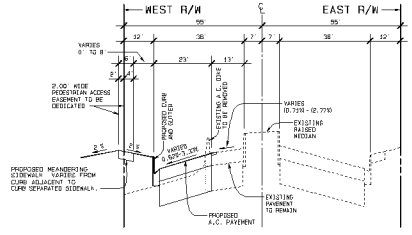

TYPICAL SECTION
PERRIS BOULEVARD
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

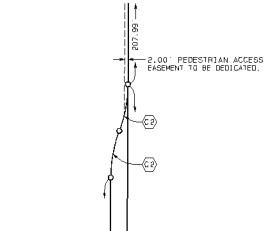

VICINITY MAP
NO SCALE

UTILITY COMPANIES	EMERGENCY NU
THE GAS COMPANY	1-800-427
SO. CALIF. EDISON	1-800-684
MORENO VALLEY ELECTRIC UTILITY	1-877-811
VERIZON TELEPHONE (COMMERCIAL)	1-800-483
TIME WARNER CABLE	(888) 892
CITY OF MORENO VALLEY	(951) 413
EASTERN MUNICIPAL WATER DIST.	(951) 928
WASTE MANAGEMENT OF THE INLAND VALLEY	(800) 423

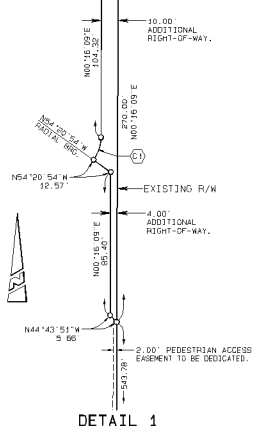

DETAIL 1
SCALE 1" = 30'

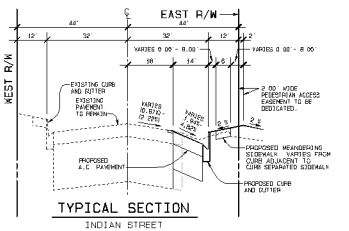

TYPICAL SECTION
INDIAN STREET
LOT 31 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

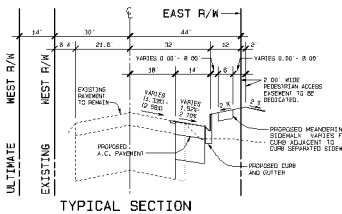

TYPICAL SECTION
INDIAN STREET
LOT 26 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

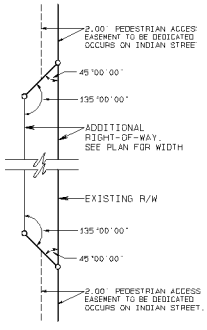

GENERAL DETAIL
NO SCALE

BASIS OF BEARING AND NOTES

THE CENTERLINE OF GROVE VIEW ROAD WAS TAKEN AS HAVING A BEARING OF N89°30'47"W PER PARCEL MAP NO. 32961, RECORDED IN BOOK 217 OF PARCEL MAPS, PAGES 98 AND 99, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

● INDICATES MONUMENT FOUND AS NOTED.
○ INDICATES MONUMENT TO BE SET.
( ) INDICATES RECORD INFORMATION PER M.B. 8/21.
< > INDICATES RECORD INFORMATION PER INST. NO. 2006-0592780, O.R.
[ ] INDICATES RECORD INFORMATION PER P.M.B. 217/98-99.
{ } INDICATES RECORD INFORMATION PER P.M.B. 226/54-57.
R.C.F.C.& W.C.D. INDICATES RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT.
8"S INDICATES EXISTING SEWER LINE
24" SD INDICATES EXISTING STORM DRAIN LINE
10" W INDICATES EXISTING WATER LINE
—(483)— INDICATES EXISTING CONTOUR ELEVATION

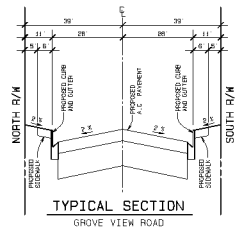

TYPICAL SECTION
GROVE VIEW ROAD
LOT 26 FRONTAGE
CURRENTLY UNDER CONSTRUCTION
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

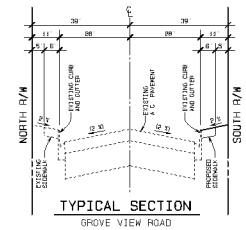

TYPICAL SECTION
GROVE VIEW ROAD
LOT 25 FRONTAGE
SCALES :
HORIZONTAL : 1" = 20'
VERTICAL : 1" = 2'

EASEMENTS

1 — INDICATES 30' WIDE EASEMENT FOR CONSTRUCTION AND MAINTAINING A TEMPORARY DRAINAGE FACILITY PURPOSES GRANTED TO MORENO VALLEY DISPOSAL, INC. IN DOCUMENT ENTITLED "GRANT OF EASEMENT AND MAINTENANCE AGREEMENT", RECORDED JUNE 19, 1989 AS INSTRUMENT NO. 1989-261780, O.R.

2 — INDICATES CENTERLINE OF EASEMENT, WIDTH UNDISCLOSED, FOR POLE LINES, CONDUITS, UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES GRANTED TO CALIFORNIA ELECTRIC POWER COMPANY IN DOCUMENT RECORDED APRIL 7, 1955 IN BOOK 1719, PAGE 200, O.R.

3 — INDICATES 25' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR PUBLIC HIGHWAY PURPOSES, INCLUDING PUBLIC UTILITY AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "EASEMENT DEED" RECORDED NOVEMBER 22, 2005 AS INSTRUMENT NO. 2005-0969613, O.R.

4 — INDICATES 25' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR PUBLIC HIGHWAY PURPOSES, INCLUDING PUBLIC UTILITY AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "EASEMENT DEED" RECORDED NOVEMBER 22, 2005 AS INSTRUMENT NO. 2005-0969614, O.R.

5 — INDICATES 14' WIDE PERPETUAL EASEMENT AND RIGHT OF WAY FOR HIGHWAY PURPOSES, UTILITIES AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "OFFER OF DEDICATION" RECORDED JANUARY 24, 2006 AS INSTRUMENT NO. 2006-0052906, O.R.

6 — INDICATES PERPETUAL EASEMENT AND RIGHT OF WAY FOR HIGHWAY PURPOSES, UTILITIES AND PUBLIC SERVICE FACILITIES GRANTED TO THE CITY OF MORENO VALLEY IN DOCUMENT ENTITLED "GRANT OF EASEMENT" RECORDED AUGUST 11, 2008 AS INSTRUMENT NO. 2008-0592780, O.R.

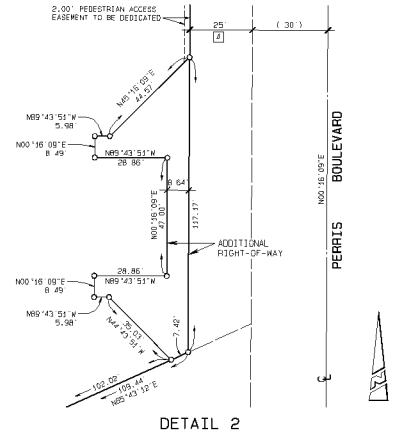

DETAIL 2
SCALE : 1" = 20'

REVIEW BY CITY STAFF		
OFFICE	INITIAL	DATE
PRINCIPAL ENGINEER		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
PARKS AND RECREATION		
LAND DEVELOPMENT		

BENCH MARK
RIVERSIDE COUNTY FLOOD CONTROL BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED RIV CO SURVEYOR M-31 WEST APRIL 1986 FLUSH AT S.E. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF LIMB LOCATED AT THE CROSSING OF PERRIS BLVD AND RIV CO FLOOD CONTROL CHANNEL, BEARING LATERAL "A" 41 FT. WEST OF THE CENTERLINE OF PERRIS BLVD AND 4.5 FT. EAST OF CONCRETE BRIDGE BARRIER. ELEVATION. 1474.614

MARK	DATE	INITIAL	DESCRIPTION	REC	APPR	DATE
		E.O.R.	REVISION			

ENGINEER OF RECORD'S SEAL
REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 Exp 12-31-09 CIVIL STATE OF CALIFORNIA

PREPARED BY.
ROBERT A. BEBENSEE, R.C.E.
453 North Central Avenue
Upland CA 91786
(909) 946-1122

ROBERT A. BEBENSEE
R.C.E #22877 EXP. 12/31/2009
DATE

SHEET 1 NO. 2

PLOT DATE 05-07-09 JOB NO. 08-9005

Item No. E.2

-1871-

MV00180522

TENTATIVE PARCEL MAP NO. 36162

TPM 36162

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SECTION 31, TOWNSHIP 3 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN

BEING A SUBDIVISION OF LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

ACCESSOR'S PARCEL NUMBERS 316-210-071, 073, 075 & 076

DEMOLITION NOTE:
EXISTING ON-SITE STRUCTURES/FEATURES, TREES, EXCLUSIVE OF PROPERTY LINE FENCING AND GROVE VIEW ROAD ELECTRICAL STRUCTURES AND CONDUITS TO BE REMOVED FROM THE SITE TO AN AUTHORIZED DISPOSAL AREA.

EASEMENTS	RECORDATION INFORMATION
1	INST. NO 1989-201780, O.R
2	BOOK 1719, PAGE 200, O.R.
3	INST. NO. 2005-0969613, O.R.
4	INST NO. 2005-0969614, O.R.
5	INST. NO. 2006-0052906, O.R.
6	INST. NO. 2006-0592780, O.R.

SEE SHEET 1 OF 2 FOR PLOTTED EASEMENT DESCRIPTIONS.

LINE DATA

LINE	BEARING	DISTANCE	DESCRIPTION
L1	N89°51'12"W	124.95	RECORD PER INST. NO. 2004-0139951, O.R.
L2	N89°31'09"W	124.95	FIELD CALCULATED
L3	N65°43'11"E	136.93	RECORD PER INST. NO. 2004-0139951, O.R.
L4	N65°43'12"E	136.93	FIELD CALCULATED
L5	S00°16'09"W	57.35	RECORD PER INST. NO. 2004-0139951, O.R.
L6	S00°16'09"W	57.35	FIELD CALCULATED
L7	N00°17'54"E	43.02	RECORD PER INST. NO. 2004-0198595, O.R.
L8	N00°17'48"E	43.02	FIELD CALCULATED
L9	S89°05'00"E	99.10	RECORD PER INST. NO. 2004-0198595, O.R.
L10	S89°05'00"E	99.10	FIELD CALCULATED
L11	S00°28'47"W	8.42	RECORD PER INST. NO. 2004-0198595, O.R.
L12	S00°28'51"W	8.42	FIELD CALCULATED
L13	N89°31'12"W	92.72	RECORD PER INST. NO. 2004-0198595, O.R.
L14	N89°31'09"W	92.72	FIELD CALCULATED
L15	S00°16'30"W	213.41	RECORD PER INST. NO. 2006-0592780, O.R.
L16	S00°16'09"W	213.41	FIELD CALCULATED
L17	N89°43'30"W	25.00	RECORD PER INST. NO. 2006-0592780, O.R.
L18	N89°43'51"W	25.00'	FIELD CALCULATED

LINE DATA

LINE	BEARING	DISTANCE	DESCRIPTION
L10	N00°16'30"E	235.64	RECORD PER INST. NO. 2006-0592780, O.R.
L11	N00°16'09"E	195.65	FIELD CALCULATED
L12	N43°52'20"W	54.35	RECORD PER INST. NO. 2006-0592780, O.R.
L13	N43°52'20"W	54.35	FIELD CALCULATED
L14	S44°38'49"W	34.41	RECORD PER INST. NO. 2006-0592780, O.R.
L15	S44°38'14"W	34.41	FIELD CALCULATED
L16	N00°17'23"E	63.89	RECORD PER INST. NO. 2006-0592780, O.R.
L17	N00°17'48"E	63.89	FIELD CALCULATED
L18	N45°16'09"E	44.57	
L19	N89°43'51"W	5.98	
L20	N00°16'09"E	6.49	
L21	N89°43'51"W	5.98	
L22	N00°16'09"E	35.03	
L23	N89°43'12"E	7.42	
L24	N00°16'09"E	502.02	
L25	N89°43'51"W	28.86	
L26	N00°16'09"E	47.00	
L27	N89°43'51"W	28.86	
L28	N00°16'09"E	8.49	

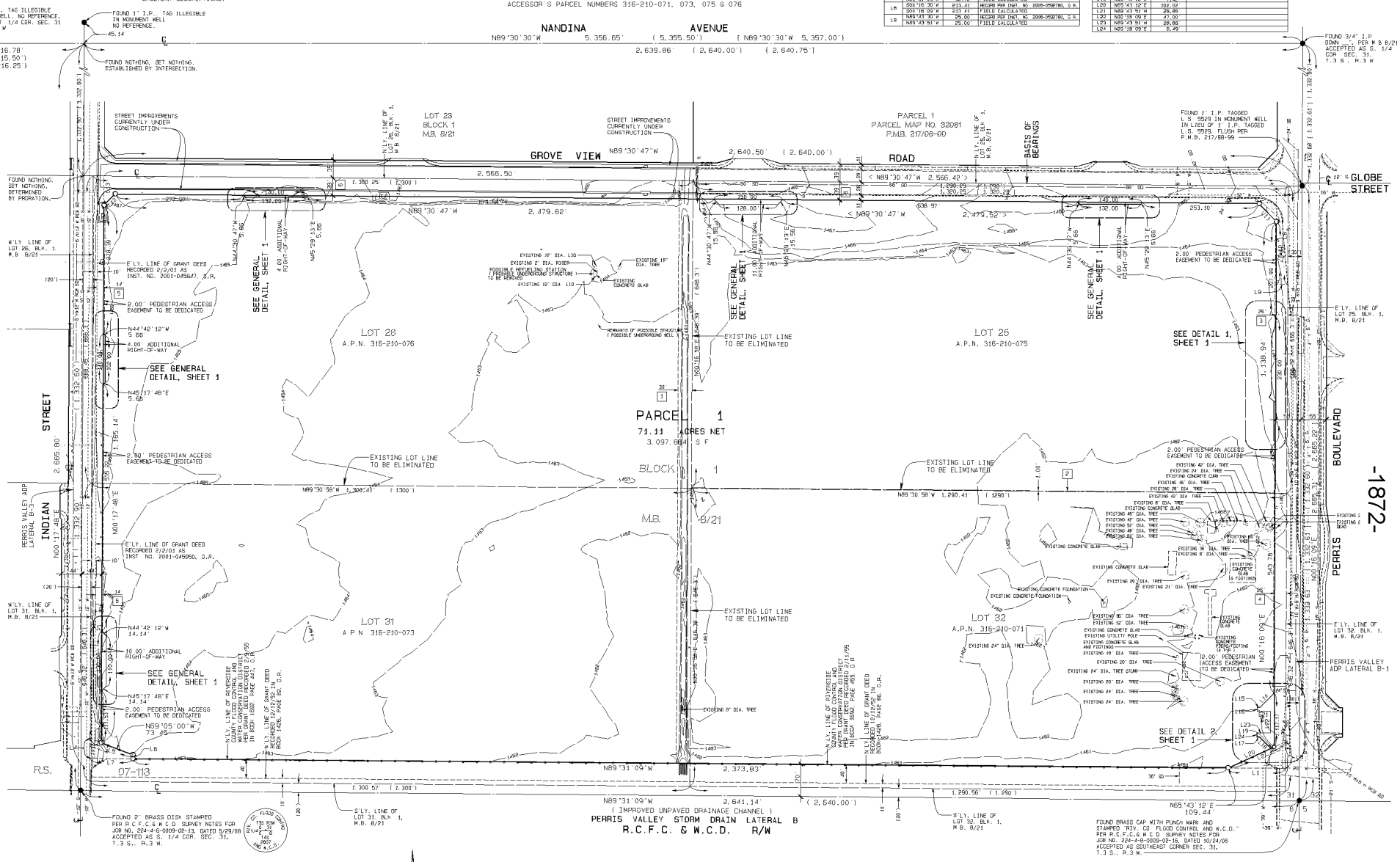

CURVE DATA

	Δ	R	L	T	DESCRIPTION
C1	75°22'57"	23.00	14.20	7.34	FIELD CALCULATED
C2	20°21'51"	80.00'	28.43'	14.37'	FIELD CALCULATED

REVIEW BY CITY STAFF	INITIAL	DATE
OFFICE		
PRINCIPAL ENGINEER		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
PARKS AND RECREATION		
LAND DEVELOPMENT		

BENCH MARK
RIVERSIDE COUNTY FLOOD CONTROL BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED R.I.V. CO. SURVEYOR M-31 HEIGHT APRIL 1966 FLUSH AT S.E. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF LIMB LOCATED AT THE CROSSING OF PERRIS BLVD. AND R.I.V. CO. FLOOD CONTROL CHANNEL PERRIS LATERAL "A" 41 FT. WEST OF THE CENTERLINE OF PERRIS BLVD. AND 4.5 FT. EAST OF CONCRETE BRIDGE BARRIER. ELEVATION. 1474.614

MARK	DATE	INITIAL	DESCRIPTION	REC	APPR	DATE
		E.O.R.	REVISION			

ENGINEER OF RECORD'S SEAL
ROBERT A. BEBENSEE No. 72877 REGISTERED PROFESSIONAL ENGINEER CIVIL STATE OF CALIFORNIA
EXP. 12-31-09

PREPARED BY:
ROBERT A. BEBENSEE, R.C.E.
453 North Central Avenue
Upland CA 91786
(909) 946-1122

ROBERT A. BEBENSEE
R.C.E. #72877 EXP. 12/31/2009
DATE

SHEET 2 OF 2

PLOT DATE 05-07-09 JOB NO. 08-9005

-1872-

MV00180523

ATTACHMENT 13

DATE OF PREPARATION:
DECEMBER, 2009

LEGAL DESCRIPTION:
LOTS 25, 26, 31 AND 32 OF BLOCK 1 OF RIVERSIDE ALFALFA ACRES AS PER MAP RECORDED IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA

ACCESSOR'S PARCEL NUMBERS:
316-210-071, 073, 075 & 076

AREA:
80.80 ACRES GROSS
71.11 ACRES NET
(NET ACRES EXCLUDES PROPOSED OFFERS OF DEDICATION FOR STREET RIGHT-OF-WAY)

ZONING :
THE PROJECT SITE IS LOCATED WITHIN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP #208). THE MAJORITY OF THE PROJECT SITE IS ZONED INDUSTRIAL (I) WITH THE NORTHEAST AND SOUTHEAST CORNERS OF THE SITE BEING ZONED INDUSTRIAL SUPPORT AREAS (ISA). DEVELOPMENT OF THE PROPOSED WAREHOUSE DISTRIBUTION FACILITY IS PERMITTED WITHIN BOTH THE I AND ISA ZONES.
(EXISTING AND PROPOSED)

EXISTING USE:
VACANT

PROPOSED USE:
WAREHOUSE/DISTRIBUTION FACILITY

OWNER AND APPLICANT :
VOGEL ENGINEERS, INC., A CALIFORNIA CORPORATION
ATTENTION: WILLIAM D. VOGEL
300 PASEO TESORO
WALNUT, CA. 91789
(909) 598-7065

MAP PREPARED BY :
ROBERT A. BEBENSEE, R.C.E
R.C.E. NO. 22877, EXP. 12-31-11
453 NORTH CENTRAL AVENUE
UPLAND, CA 91786
(909) 946-1122

FLOOD ZONE:
THE PROPERTY INDICATED HEREON LIES WITHIN FLOOD ZONE "X" (SHADED) AS STATED BY FLOOD INSURANCE RATE MAP, MAP NO. 06065C1305G, PANEL 1430 OF 3805, EFFECTIVE DATE AUGUST 28, 2008. PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, WHICH RECITES ZONE "X" (SHADED) AS AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE" AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD

AUTOMOBILE PARKING NOTES:
1. AUTOMOBILE PARKING STALLS TO BE 9 FEET WIDE AND 18 FEET MINIMUM LONG. PAVED.
2. 12" WIDE CONCRETE STEP TO BE CONSTRUCTED AT PARKING STALLS PARALLEL AND ADJACENT TO LANDSCAPE AREAS.

TRAILER PARKING NOTES:
1. TRAILER PARKING STALLS TO BE 14 FEET WIDE AND 53 FEET LONG.
2. SECONDARY TRAILER PARKING STALLS TO HAVE 8 FEET OVERHANG.

SURFACE STORAGE/SAND FILTER FACILITY NOTE:
SURFACE STORAGE/SAND FILTER FACILITIES SIZED TO HOLD AND PROCESS BMP VOLUMES.

BENCH MARK:
RIVERSIDE COUNTY FLOOD CONTROL
BENCH MARK NO. M-31
3-1/4" ALUMINUM DISK STAMPED RIV. CO. SURVEYOR M-31 RESET APRIL 1996. FLUSH AT S.W. COR. OF BRIDGE ON TOP OF SIDEWALK NEAR FACE OF CURB LOCATED AT THE CROSSING OF PERRIS BLVD. AND RIV. CO. FLOOD CONTROL CHANNEL (PERRIS LATERAL "A") 43 FEET WEST OF THE CENTERLINE OF PERRIS BOULEVARD AND 4.5 FEET EAST OF CONCRETE BRIDGE BARRIER
ELEVATION = 1474.674

LEGEND

A.C	ASPHALT CONCRETE	SD	STORM DRAIN
B.M.	BOTTOM OF RISER	S.D MH	STORM DRAIN MANHOLE
B.V.C.	BEGIN VERTICAL CURVE	S.L.P.B	STREET LIGHT PULL BOX
C.F	CURB FACE	S. MH.	SANITARY SEWER MANHOLE
CML/CMC	CEMENT MORTAR LINED/ CEMENT MORTAR COATED	T.B.M.	TEMPORARY BENCH MARK
D.S.	DOWN SPOUT	T.C.	TOP OF CURB
E.G.	EXISTING GRADE	T.C.B.	TOP CATCH BASIN
EMWD	EASTERN MUNICIPAL WATER DISTRICT	T.CO.	TOP OF CLEANOUT
E.V.C.	END VERTICAL CURVE	T.D.	TOP OF A.C. DIKE
F.D.C	FIRE DEPARTMENT CONNECTION	T.G.	TOP OF GRATE
F.F.	FINISH FLOOR	T.L.	TOP OF LANDING
F.G.	FINISH GRADE	T.MW.	TOP OF HEADWALL
F.H.	FIRE HYDRANT	T.M.H.	TOP OF MANHOLE
FL	FLOW LINE	T.R	TOP OF RISER
F.S.	FINISH SURFACE	TRANS.	Indicates TRANSFORMER PAD LOCATION PER ARCHITECTURAL PLANS
F.W.	Indicates ON-SITE FIRE WATER LINE.	T.S	TOP OF STEP
G.B	GRADE BREAK	T.W.	TOP OF WALL
H.G.L.	HYDRAULIC GRADE LINE	W.M.	WATER METER
H.P.	HIGH POINT	W.V.	WATER VALVE
I.C.B.	IRRIGATION CONTROL BOX		EXISTING DECIDUOUS TREE
I.C.V.	IRRIGATION CONTROL VALVE		EXISTING EVERGREEN TREE
INV	INVERT		EXISTING PALM TREE
LAT.	LATERAL		EXISTING STREET LIGHT
MVU	MORENO VALLEY ELECTRIC UTILITY		PROPOSED STREET LIGHT
N.P.A.T.	NO PARKING AT ANY TIME SIGN	—1460—	Indicates EXISTING CONTOUR ELEVATION
P.A.	PLANTER AREA	—1460—	Indicates PROPOSED CONTOUR ELEVATION
P.C.C	PORTLAND CONCRETE CEMENT		Indicates CUT/FILL DAYLIGHT LINE
P.I	POINT OF INTERSECTION	(XX.XX)	Indicates EXISTING ELEVATION
P.I.V.	POST INDICATOR VALVE	—8" G—	Indicates EXISTING GAS MAIN
PL	PROPERTY LINE	—16" S—	Indicates EXISTING SEWER MAIN
P.L.L.	PARKING LOT LIGHT	—24" SD—	Indicates EXISTING STORM DRAIN LINE
R.D	ROOF DRAIN	—4" T—	Indicates EXISTING TELEPHONE LINE
RCB	REINFORCED CONCRETE BOX	—39" W—	Indicates EXISTING WATER MAIN
R.C.F.C. & W.C.D.	RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT		
R/W	RIGHT OF WAY		
S.C.O	SEWER CLEANOUT		

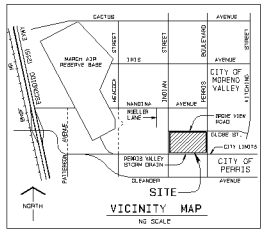

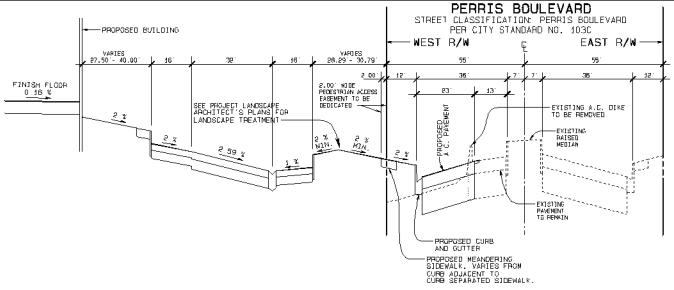

SECTION A

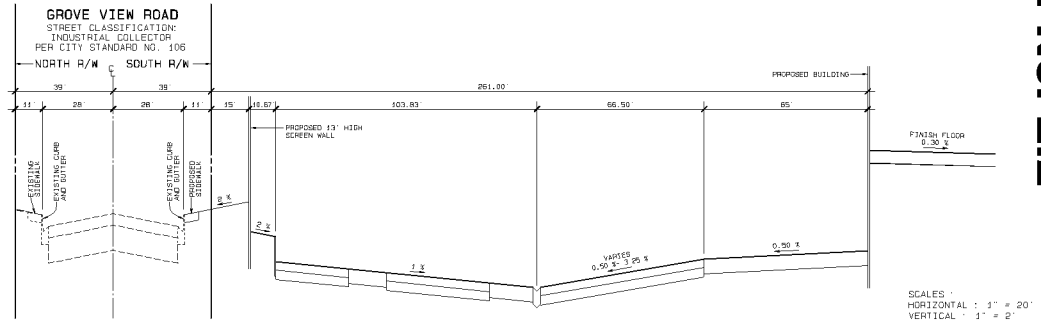

SECTION B

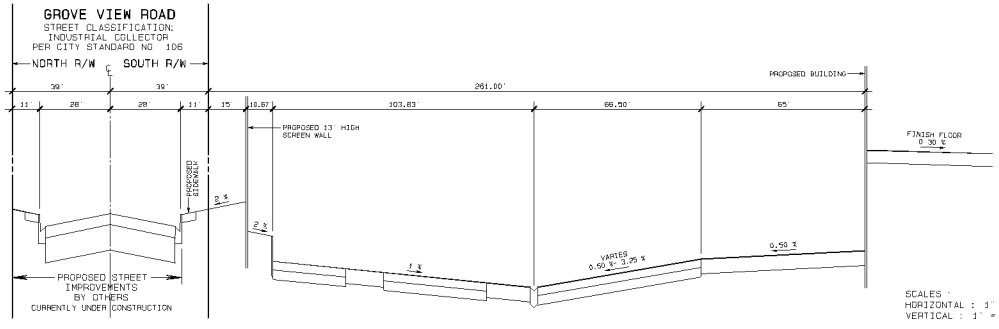

SECTION C

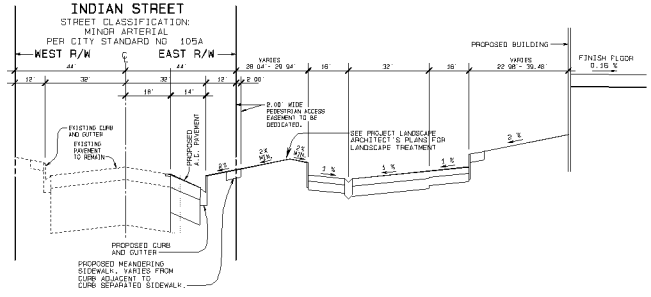

SECTION D

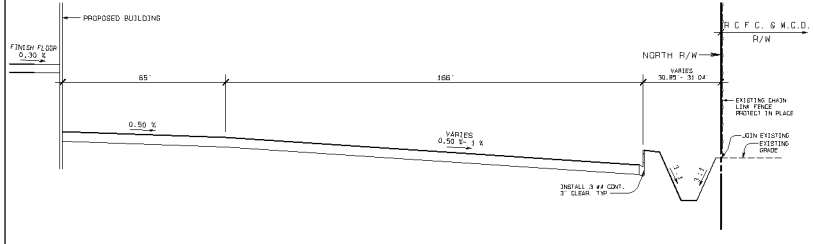

SECTION E

DEMOLITION NOTE:
EXISTING ON-SITE STRUCTURES/FEATURES, TREES, EXCLUSIVE OF PROPERTY LINE FENCING AND GROVE VIEW ROAD ELECTRICAL STRUCTURES AND CONDUITS TO BE REMOVED FROM THE SITE TO AN AUTHORIZED DISPOSAL AREA. FIELD LOCATED ELECTRICAL VAULTS, ADJACENT TO PERRIS BOULEVARD AND INDIAN STREET, TO REMAIN AND BE PROTECTED DURING CONSTRUCTION.

MINIMUM GRAIDIENTS:
A.C. PAVEMENT: 1%
P.C.C.: 0.50%

EARTHWORK QUANTITY ESTIMATE:
CUT- 45,951 CU. YDS. FILL- 342,815 CU. YDS.

THE ABOVE QUANTITIES DO NOT REFLECT ANY SHRINKAGE, SWELLING, SUBSIDENCE, OVER EXCAVATION OR ANY SPECIAL CONDITIONS THAT MAY BE SPECIFIED IN THE PRELIMINARY SOILS REPORT AND ARE FOR REFERENCE AND FEE PURPOSES ONLY. SINCE THE ENGINEER CANNOT CONTROL THAT EXACT METHOD OR MEANS USED BY THE CONTRACTOR DURING GRADING OPERATIONS, NOR CAN THE ENGINEER GUARANTEE THE EXACT SOIL CONDITION OVER THE ENTIRE SITE, THE ENGINEER ASSUMES NO RESPONSIBILITY FOR FINAL EARTHWORK QUANTITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING HIS OWN EARTHWORK QUANTITIES FOR BIDDING, CONTRACT, AND CONSTRUCTION PURPOSES. IF IT APPEARS THERE WILL BE AN EXCESS OR SHORTAGE OF MATERIAL, THE CONTRACTOR MAY NOTIFY THE ENGINEER TO DETERMINE IF POSSIBLE GRADE ADJUSTMENTS CAN BE MADE TO ALLEVIATE SAID MATERIAL EXCESS OR SHORTAGE.

UTILITY COMPANIES	EMERGENCY NUMBERS
THE GAS COMPANY	1-800-427-2200
SO. CALIF. EDISON	1-800-684-8123
MORENO VALLEY ELECTRIC UTILITY	1-877-811-8700
VERIZON TELEPHONE (COMMERCIAL)	1-800-483-5000
TIME WARNER CABLE	(888) 892-2253
CITY OF MORENO VALLEY	(951) 413-3110
EASTERN MUNICIPAL WATER DIST.	(951) 928-3777
WASTE MANAGEMENT OF THE INLAND VALLEY	(800) 423-9986

SHEET INDEX

SHEET 1 OF 5 TITLE SHEET - TYPICAL SECTIONS
SHEET 2-5 OF 5 CONCEPTUAL GRADING PLAN

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp 12-31-11) CIVIL STATE OF CALIFORNIA

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09				
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, R.C.E. 453 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	R.C.E. 22877 Robert A. Bebensee Exp. 12-31-11	SHEET 1 OF 5
DATE	FILE NO.	

Item No. E.2

-1873-

MV00180524

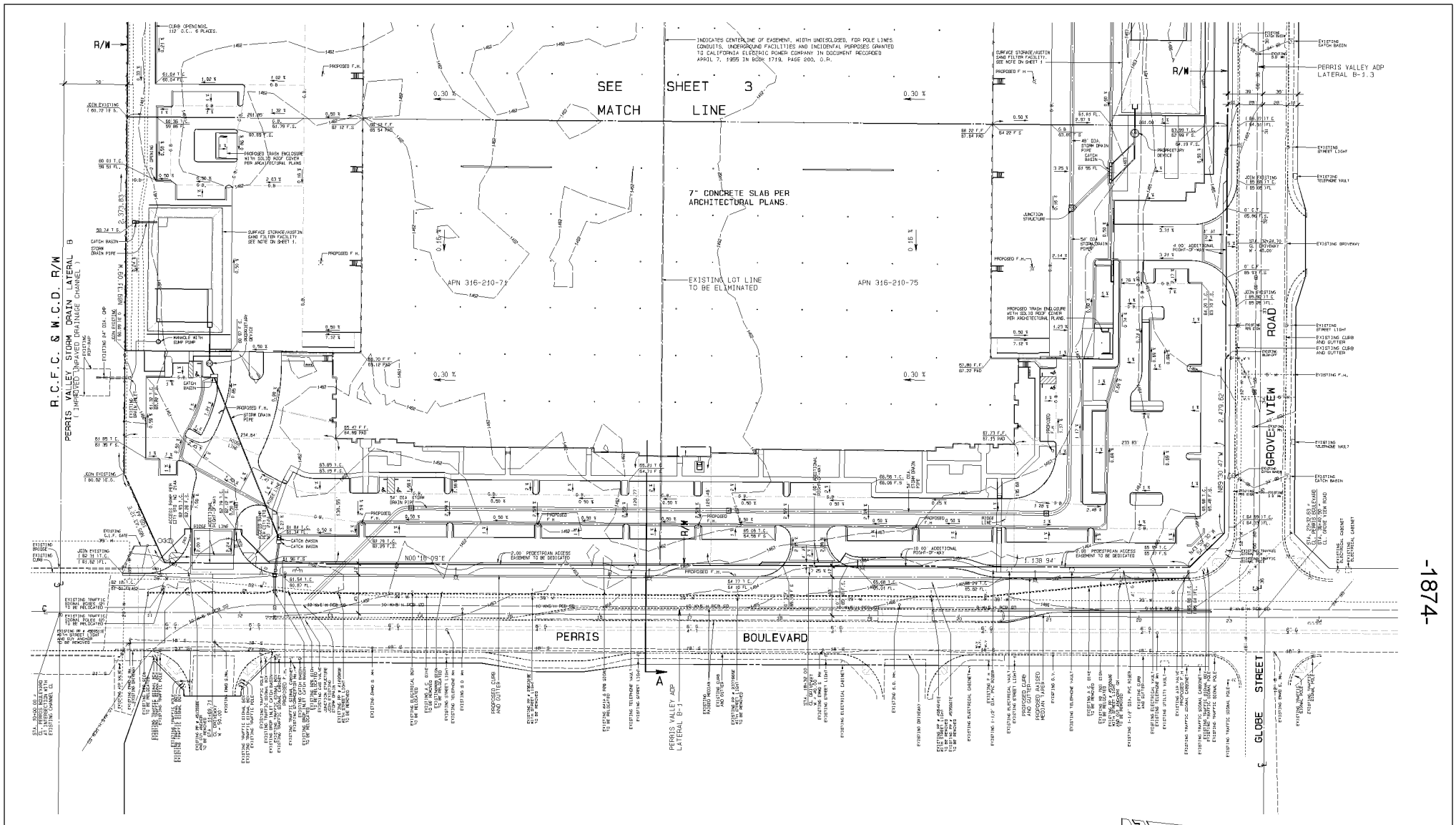

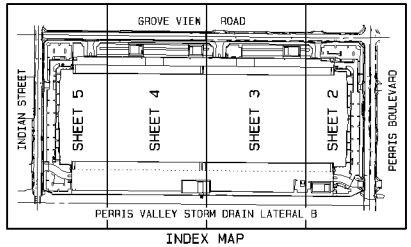

INDEX MAP

SCALE : 1" = 300'

GRAPHIC SCALE 1" = 40'

40 20 0 40 80 120

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09				
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. 253 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	R.C.E. 22877 Exp. 12-31-11 Robert A. Bebensee	SHEET 2 OF 5
DATE	FILE NO.	

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (Exp. 12-31-11) CIVIL STATE OF CALIFORNIA

-1874-

MV00180525

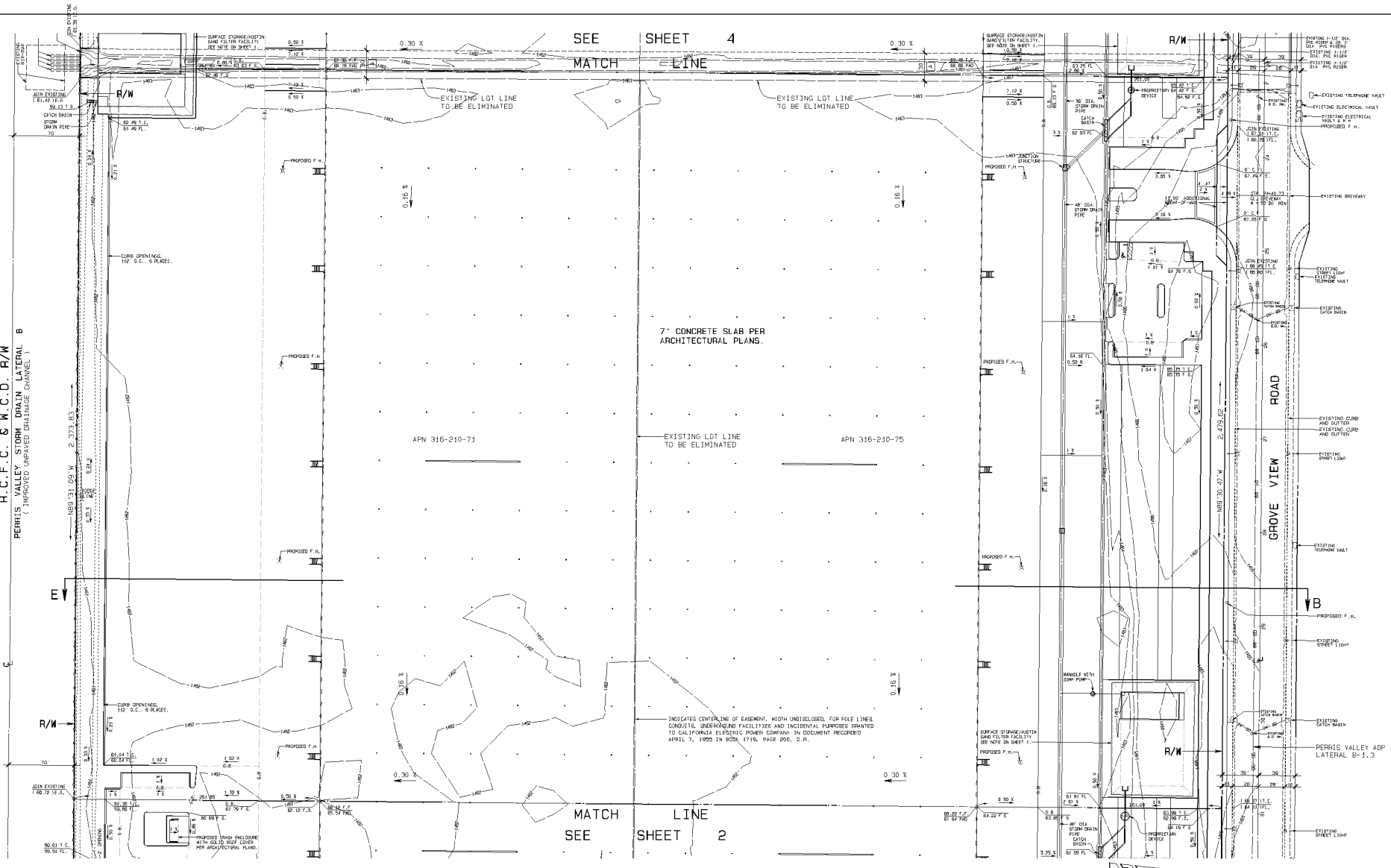

EASEMENTS

A — INDICATES 30' WIDE EASEMENT FOR CONSTRUCTION AND MAINTAINING A TEMPORARY DRAINAGE FACILITY PURPOSES GRANTED TO MORENO VALLEY DISPOSAL, INC. IN DOCUMENT ENTITLED "GRANT OF EASEMENT AND MAINTENANCE AGREEMENT", RECORDED JUNE 19, 1989 AS INSTRUMENT NO. 1989-201760, O.R.

THE EASEMENT GRANTED HEREUNDER SHALL CONTINUE IN EFFECT UNTIL SUCH TIME AS GRANTEE SHALL BE ABLE TO DISCHARGE STORM WATER FROM GRANTEE'S PROPERTY INTO A STORM DRAIN THAT IS PART OF THE PUBLIC STORM DRAIN SYSTEM CONSTRUCTED TO SERVE THE AREA IN WHICH GRANTEE'S PROPERTY IS LOCATED. AT SUCH TIME AND UPON REQUEST OF GRANTOR, THIS EASEMENT SHALL AUTOMATICALLY TERMINATE, AND GRANTEE COVENANTS AND AGREES TO REMOVE THE FACILITY AND ALL OTHER IMPROVEMENTS PLACED BY GRANTEE IN THE EASEMENT AREA AND TO REPAIR AND RESTORE THE EASEMENT AREA, AS FAR AS PRACTICABLE, TO ITS CONDITION EXISTING AS OF THE DATE OF THIS AGREEMENT, AND TO QUITCLAIM ITS RIGHTS UNDER THIS AGREEMENT.

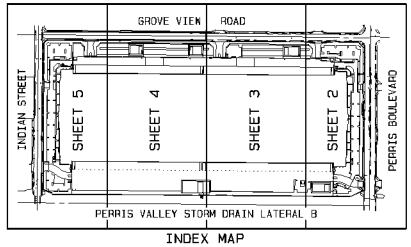

INDEX MAP

SCALE : 1" = 300'

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09				
		REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. 453 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	Robert A. Bebensee R.C.E. 22877 Exp. 12-31-12	SHEET 3 OF 5
DATE	FILE NO.	

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 Exp. 12-31-12 CIVIL STATE OF CALIFORNIA

MV00180526

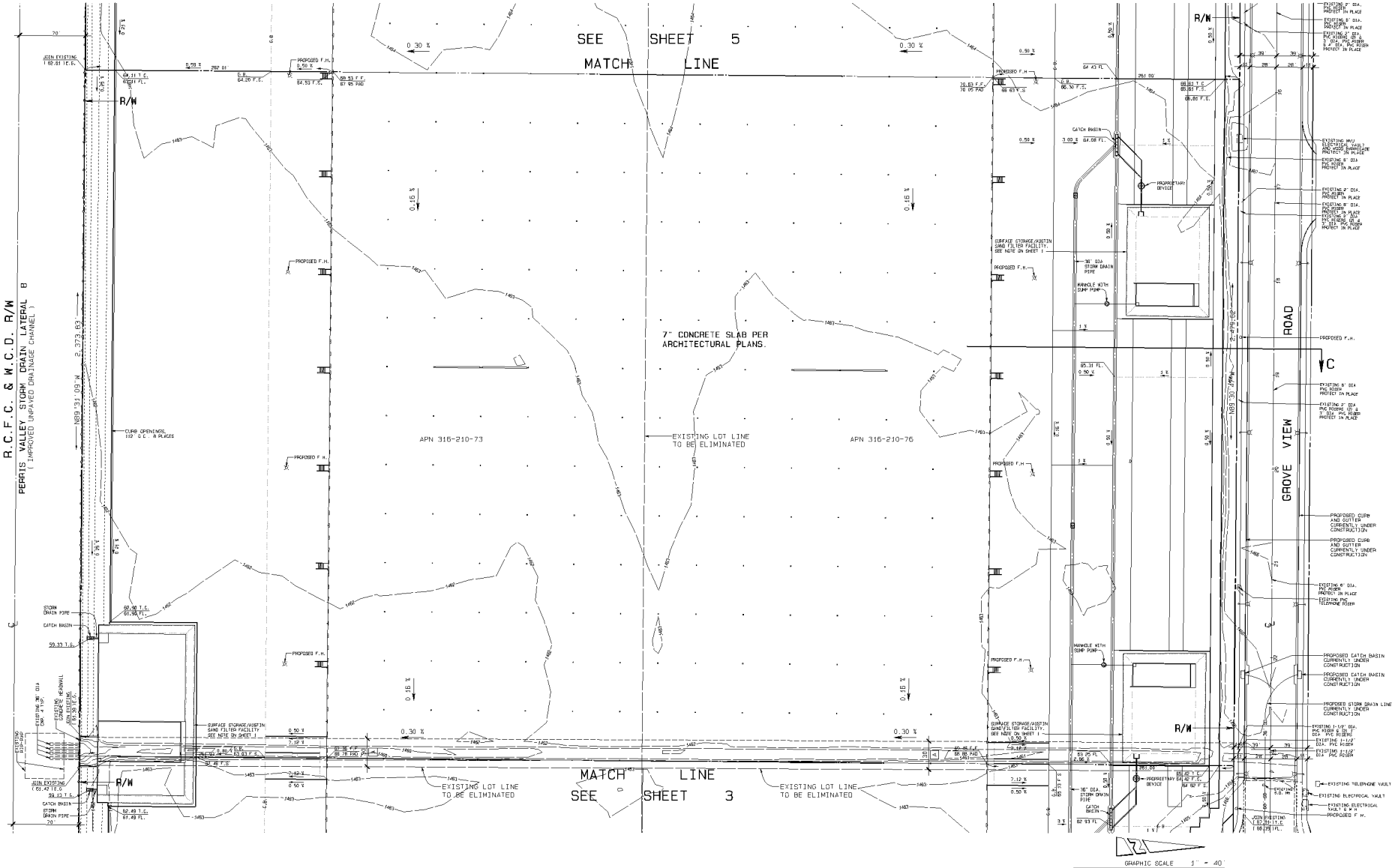

EASEMENTS

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THE EASEMENT GRANTED HEREUNDER SHALL CONTINUE IN EFFECT UNTIL SUCH TIME AS GRANTEE SHALL BE ABLE TO DISCHARGE STORM WATER FROM GRANTEE'S PROPERTY INTO A STORM DRAIN THAT IS PART OF THE PUBLIC STORM DRAIN SYSTEM CONSTRUCTED TO SERVE THE AREA IN WHICH GRANTEE'S PROPERTY IS LOCATED. AT SUCH TIME AND UPON REQUEST OF GRANTOR, THIS EASEMENT SHALL AUTOMATICALLY TERMINATE, AND GRANTEE COVENANTS AND AGREES TO REMOVE THE FACILITY AND ALL OTHER IMPROVEMENTS PLACED BY GRANTEE IN THE EASEMENT AREA AND TO REPAIR AND RESTORE THE EASEMENT AREA, AS FAR AS PRACTICABLE, TO ITS CONDITION EXISTING AS OF THE DATE OF THIS AGREEMENT, AND TO QUITCLAIM ITS RIGHTS UNDER THIS AGREEMENT.

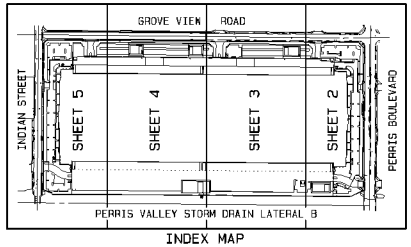

INDEX MAP
SCALE : 1" = 300'

REGISTERED PROFESSIONAL ENGINEER ROBERT A. BEBENSEE No. 22877 (exp 12-31-11) CIVIL STATE OF CALIFORNIA

MARK	DESCRIPTION	INITIAL	DATE	INITIAL	DATE
	NOT FOR CONSTRUCTION FOR PLAN REVIEW ONLY 12/22/09	REVISED		APPROVED	

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN

LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004

DESIGN R.A.B.	ROBERT A. BEBENSEE, P.E. C.E. #53 North Central Avenue Upland, CA 91786 (909) 946-1122	PLOT DATE 12-22-09
DRAWN R.P.B.		JOB NO. 061606
CHECKED	Robert A. Bebensee R.C.E. 22877 Exp. 12-31-11	SHEET 4 OF 5
DATE	FILE NO.	

-1876-

MV00180527

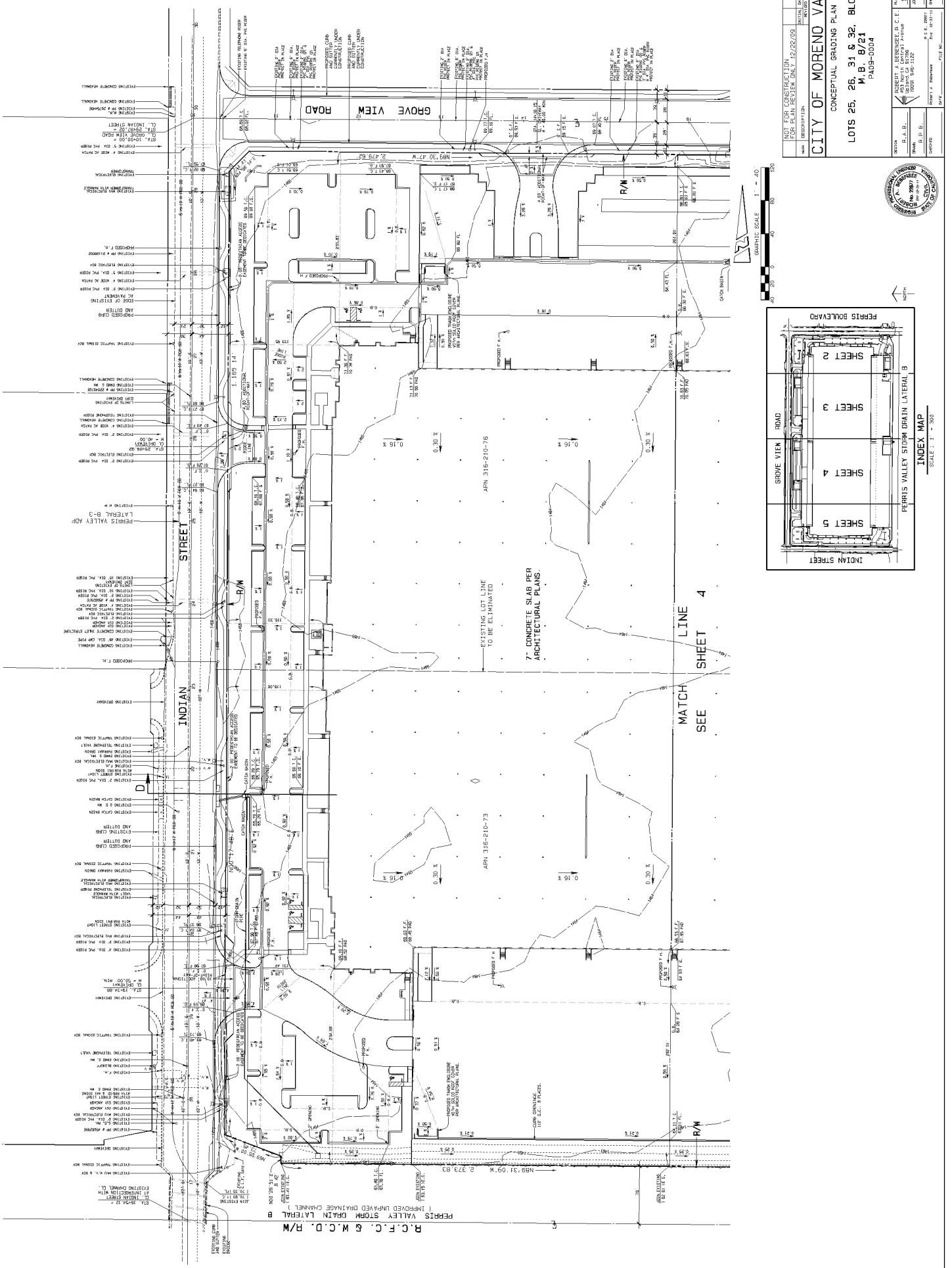
NOT FOR CONSTRUCTION
FOR PLANNING REVIEW ONLY 12/22/09
CITY OF MORENO VALLEY
CONCEPTUAL GRADING PLAN
LOTS 25, 26, 31 & 32, BLOCK 1
M.B. 8/21
PA09-0004
GROVE VIEW ROAD
INDIAN STREET
PERRIS VALLEY STORM DRAIN LATERAL B
R.C.F.C. & W.C.D. R/W
MATCH LINE SEE SHEET 4
7" CONCRETE SLAB PER ARCHITECTURAL PLANS.
EXISTING LOT LINE TO BE ELIMINATED
APN 316-210-76
APN 316-210-73
INDEX MAP
SCALE : 1" = 300'
SHEET 2
SHEET 3
SHEET 4
SHEET 5
PERRIS BOULEVARD
GRAPHIC SCALE 1" = 40'

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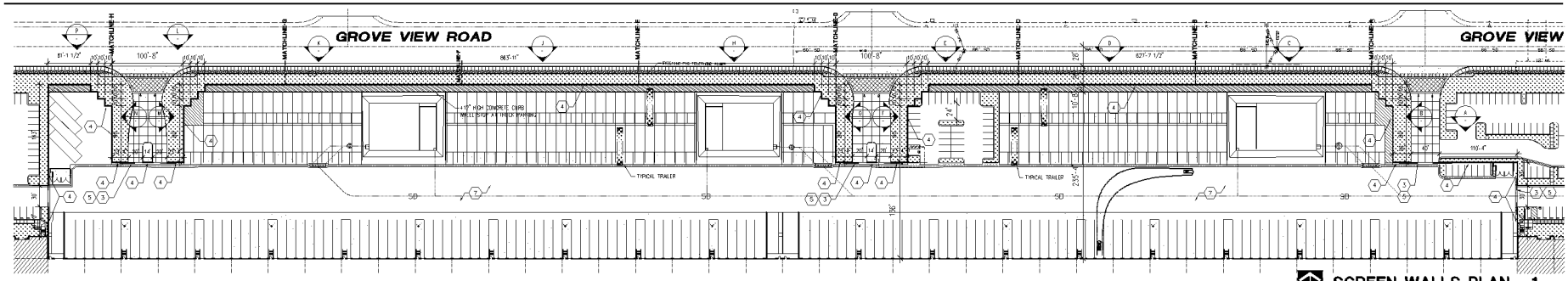

SCREEN WALLS PLAN - 1

SCALE: 1" = 60'-0"

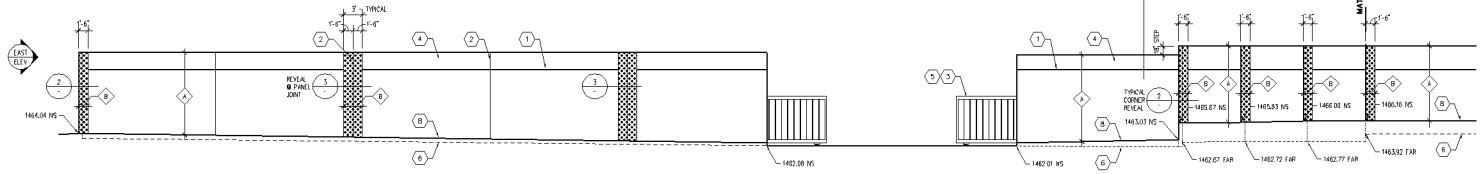

ELEVATION - A

SCALE 1/8" = 1'-0"

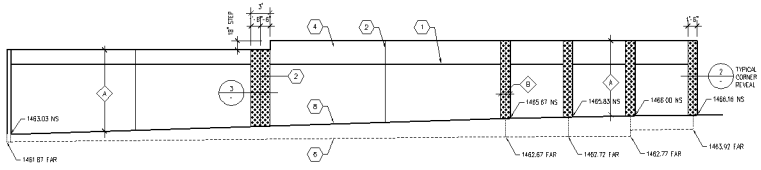

ELEVATION - B

SCALE 1/8" = 1'-0"

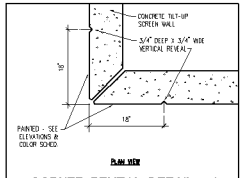

CORNER REVEAL DETAIL - 2

N.T.S.

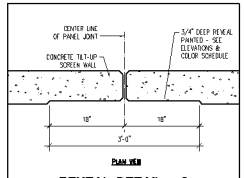

REVEAL DETAIL - 3

N.T.S.

KEYNOTES:

1. 2 IN. WIDE X 3/4 IN. DEEP REVEAL. PAINTED; TYPICAL
2. PANEL JOINT
3. TUBULAR STEEL ROLLING GATES – SEE SEE NOTE BELOW
4. CONCRETE TILT UP SCREEN WALL, HEIGHTS VARY DUE TO GRADES – REFER TO CIVIL PLANS
5. GATE IN OPEN POSITION
6. FAR-SIDE (FAR) GRADE OR FINISH SURFACE – SEE CE-PLANS
7. A.C. PAVING – SEE CE- PLANS
8. NEAR-SIDE (NS) GRADE OR FINISH SURFACE – SEE CE-PLANS

EXTERIOR COLORS:

- A DUNN EDWARDS #DE6143 "ALMOND LATTE" ..... (FIELD)
- B DUNN EDWARDS #DE6145 "ROCKY RIDGE" (BASE / CAP)

GATES AND FENCES NOTES:

- 8-FOOT HIGH MINIMUM STEEL ROLLING GATES AND ITS HARDWARE, MANUALLY OR ELECTRICALLY OPERATED SHALL BE DESIGNED TO WITHSTAND 90 MPH WIND LOADS IN THE OPEN AND CLOSED POSITION.
- THE STEEL ROLLING GATES CONTRACTOR SHALL SUBMIT SHOP DRAWINGS AND STRUCTURAL CALCULATIONS SIGNED BY A LICENSED CALIFORNIA STRUCTURAL ENGINEER FOR THE ENTIRE GATE OPERATION, TO THE APPROVAL OF THE BUILDING, FIRE AND PLANNING DEPARTMENTS AND OBTAIN THE REQUIRED PERMIT PRIOR TO START ANY WORK IN THE FIELD.
- PROVIDE FIRE DEPT. APPROVED 'KNOX-LOCKS' AS REQUIRED.
- THESE SAME NOTES APPLY TO THE TUBULAR STEEL AND CHAIN-LINK FENCES.
- ROLLING GATES TO BE ELECTRICALLY OPERATED AT LOCATIONS WHERE THE CITY REQUIRES THEM TO BE SELF CLOSING.
- RKZ INC. IS NOT RESPONSIBLE IN ANY WAY FOR THE GATES, AND FENCES DESIGN AND CONSTRUCTION AND OPERATION. INFORMATION FOUND TO HAVE EFFECT ON THESE CONSTRUCTION DOCUMENTS SHALL BE CONSIDERED CONCEPTUAL ONLY.

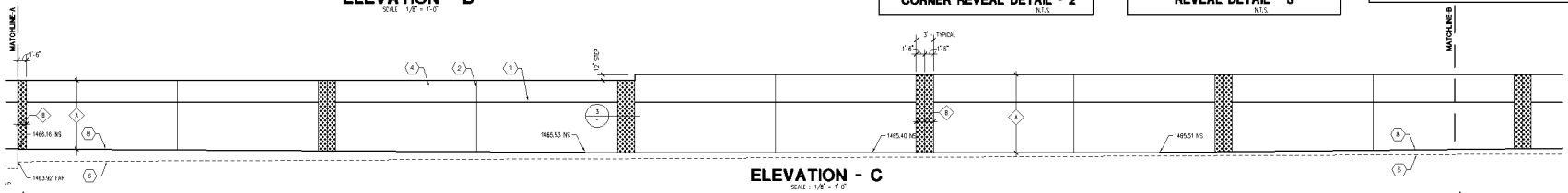

ELEVATION - C

SCALE : 1/8" = 1'-0"

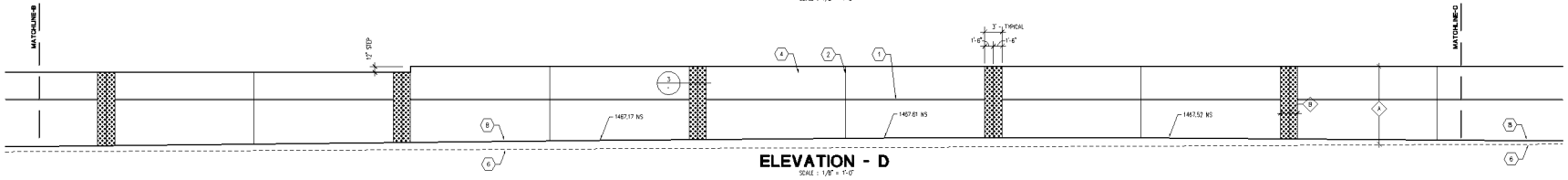

ELEVATION - D

SCALE : 1/8" = 1'-0"

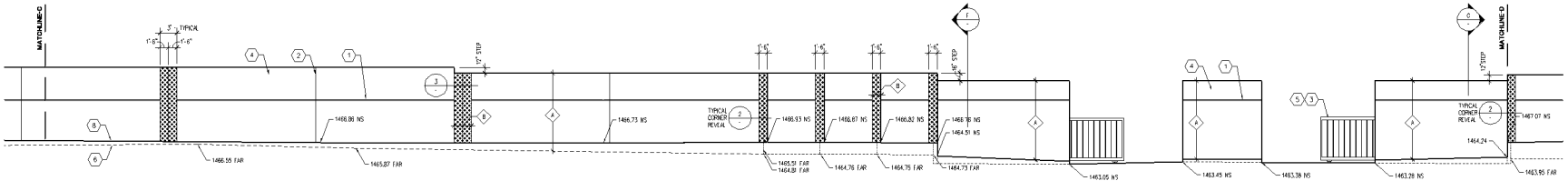

ELEVATION - E

SCALE : 1/8" = 1'-0"

rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH. 714.731.1140 FAX: 714.731.1080
www.rkzinc.com

OWNER/DEVELOPER:
VOGEL ENGINEERS, INC.
300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
FAX: 909 598-2917

VIP MORENO VALLEY
17777 PERRIS BOULEVARD
17700 INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26
SHEET NAME
SCREEN WALL PLANS AND ELEVATIONS
SHEET NO.
A-5
OF SHEETS
PROJECT #PA09-0004 & PA09-0012

08-26A5.dwg / 07.02.12 / 15:37

-1879-

Item No. E.2

MV00180530

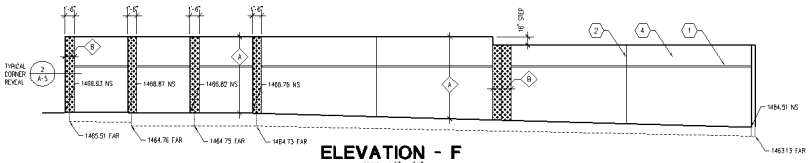

ELEVATION - F
SCALE : 1/8" = 1'-0"

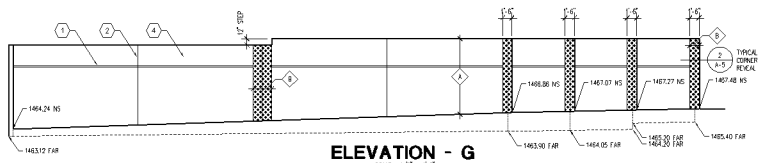

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SCALE : 1/8" = 1'-0"

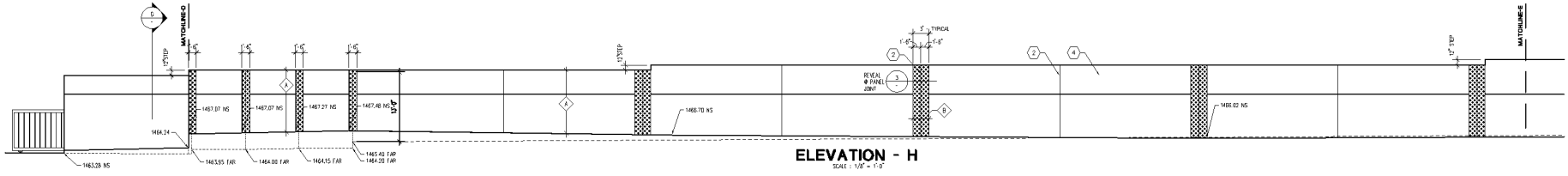

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SCALE : 1/8" = 1'-0"

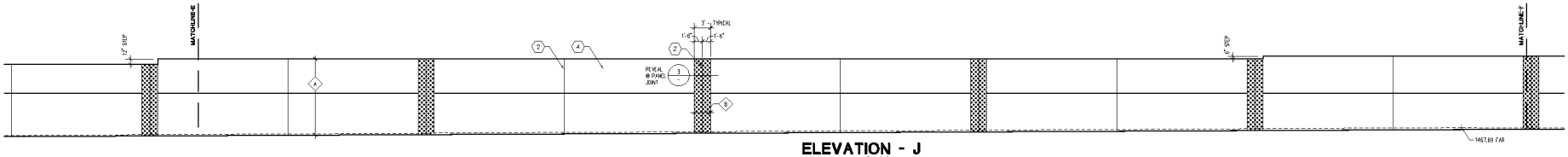

ELEVATION - J
SCALE : 1/8" = 1'-0"

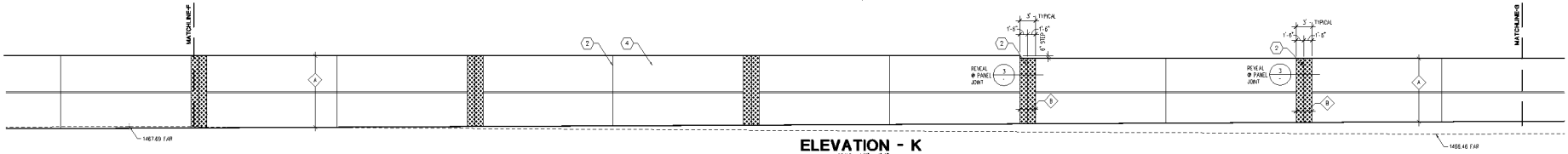

ELEVATION - K
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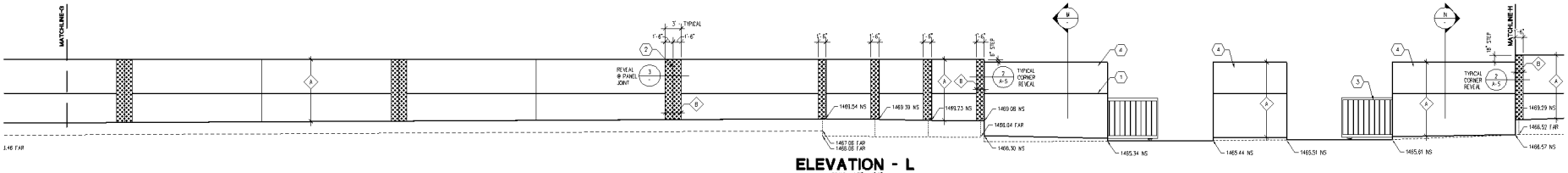

ELEVATION - L
SCALE : 1/8" = 1'-0"

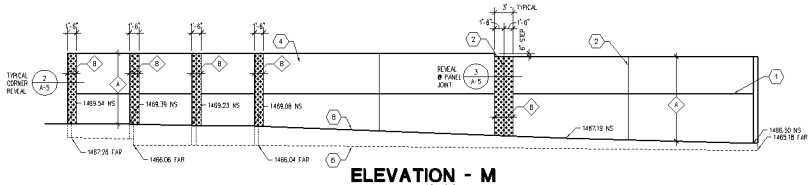

ELEVATION - M
SCALE : 1/8" = 1'-0"

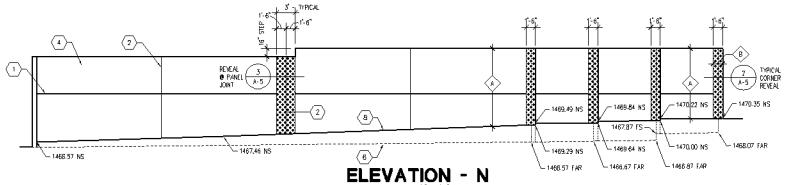

ELEVATION - N
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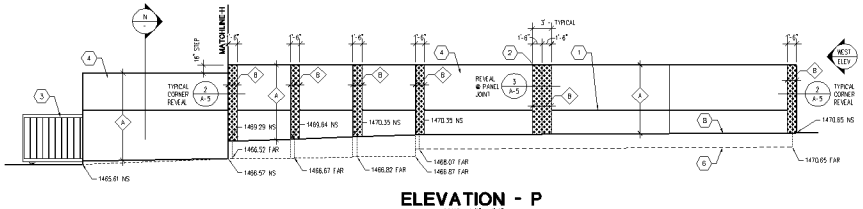

ELEVATION - P
SCALE : 1/8" = 1'-0"

EXTERIOR COLORS:	KEYNOTES:
A DUNN EDWARDS #DE6143 "ALMOND LATTE" (FIELD)	1 2 IN WIDE X 3/4 IN. DEEP REVEAL, PAINTED TYPICAL
B DUNN EDWARDS #DE6145 "ROCKY RIDGE" (BASE / CAP)	2 PANEL JOINT
	3 TUBULAR STEEL ROLLING GATES
	4 CONCRETE TILT UP SCREEN WALL, HEIGHTS VARY DUE TO GRADES
	5 GATE IN OPEN POSITION
	6 FAR-SIDE GRADE OR FINISH SURFACE - SEE CE-PLANS
	7 A.C. PAVING - SEE CE- PLANS
	8 NEAR-SIDE GRADE OR FINISH SURFACE - SEE CE-PLANS

rkz architects, inc.
3002 DOW AVENUE SUITE 225
TUSTIN, CALIFORNIA 92780
PH. 714.731.1140 FAX: 714.731.1080
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OWNER/DEVELOPER:
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300 PASEO TESORO
WALNUT, CA 91789-2791
PHONE: 909 598-7065
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VIP MORENO VALLEY
17777 PERRIS BOULEVARD
17700 INDIAN STREET
MORENO VALLEY CALIFORNIA 92551

VIP
VOGEL INDUSTRIAL PARK
MORENO VALLEY CA

REVISIONS
CONSTR.
BID
PLAN CHECK
DRAWN 10-16-08
JOB NO. 08-26

SHEET NAME
SCREEN WALL PLANS AND ELEVATIONS

SHEET NO.
A-6
OF SHEETS

08-26A5Z.dwg / 07.02.12 / 15:38

PROJECT #PA09-0004 & PA09-0012

MV00180531

VIP Moreno Valley Project

Legend

- Highways
- Parcels
- Roads
- March Installation Area
- Waterbodies
- Sphere of Influence
- Ortho Photography

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside

Powered By GeoSmart.net

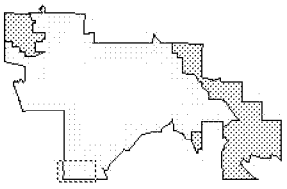

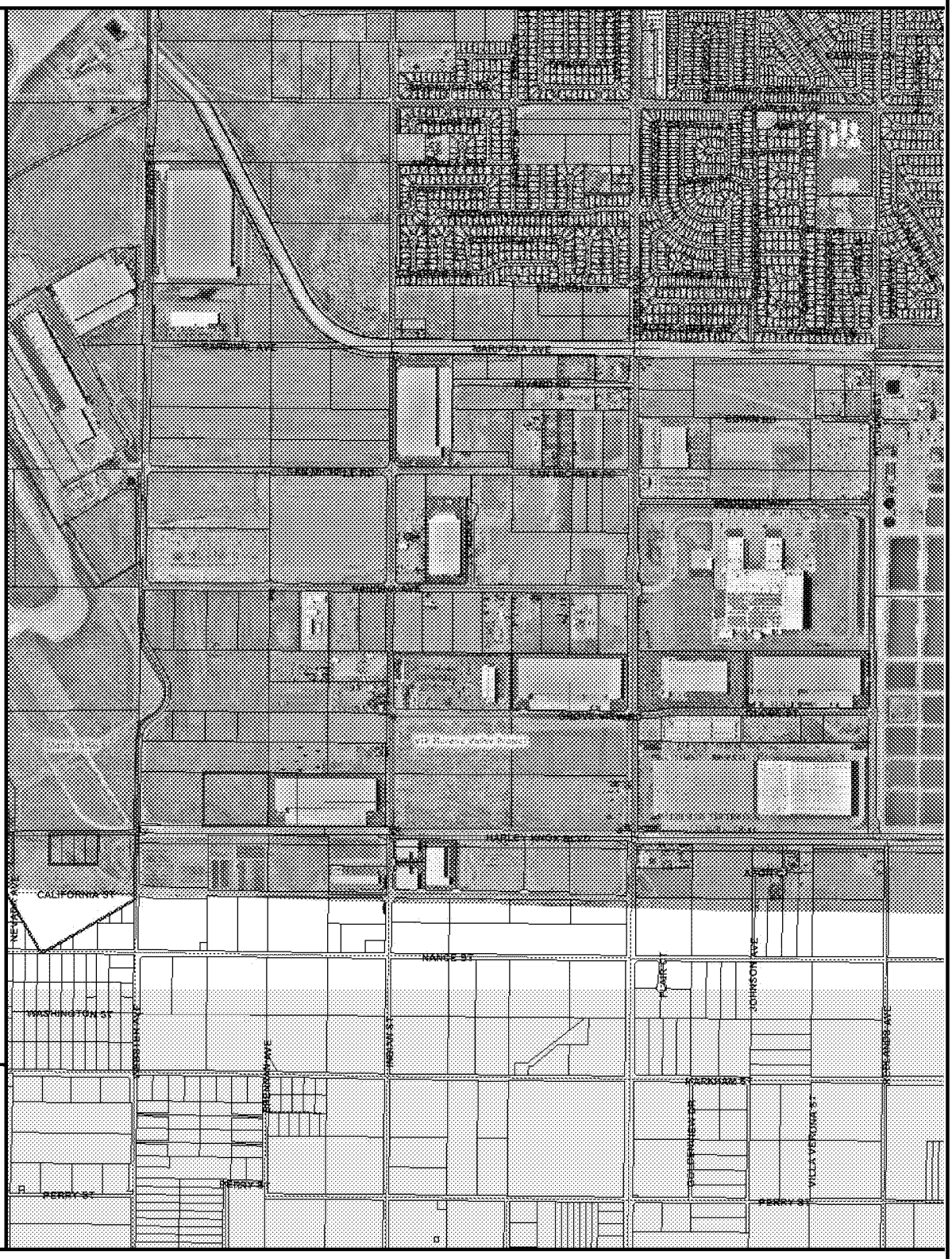

City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

N

0 700 1400 2800ft

Printed 2:32:23 PM

MORENO VALLEY
WHERE DREAMS SOAR

Item No. E.2

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MV00180533

SAN GORGONIO CHAPTER

4079 Mission Inn Avenue
Riverside, CA 92501
(951) 684-6203 Fax (951) 684-6172
Membership/Outings (951) 686-6112

Regional Groups Serving Riverside and San Bernardino Counties:
Big Bear, Los Serranos, Mojave, Moreno Valley, Mountains, Tahquitz.

Moreno Valley Planning Commissioners, July 11, 2012

Re: VIP Final EIR

The Sierra Club appreciates this opportunity to express some additional concerns about the VIP warehouse Final EIR. When is this City going to require these projects to also write everything in Spanish to allow many who feel disenfranchised within our community to participate in the public review process? Based on our last census this needs to be done and this includes notices as well as holding meetings in which all feel they can participate in their language as is done with the MVUSD. (http://topics.nytimes.com/top/news/science/topics/globalwarming/index.html) provides several links as well as articles of which are now all part of the public record and shows we are all responsible for this last year of record heat in the US. This is even more true for decision makers like yourselves which approve projects that you know will have a detrimental impact on our region and the climate. The other thing I wish Moreno Valley decision makers would realize is that warehouse jobs or any jobs within 1,500 feet of warehousing is going to jeopardize the health of the worker. You might be better to encourage a family member to begin smoking than to begin breathing in toxic diesel truck emissions for 8 hours each day as a warehouse worker. The City should make a condition of approval that all employees of the VIP warehouse sign a letter-- written in English/Spanish-- warning them of the potential health hazards of working so near toxic diesel pollution.

You should require all warehouses to have their roofs covered with solar and at the very least built to a standard which would support future installation of solar panels. Allowing projects to simply say they will purchase renewable energy is not being a responsible decision maker. They are beginning to cover important areas of our desert with industrial solar farms and transmission lines because we are not requiring

warehouses to install these panels. They could supply more energy than they need and sell it back to Edison for a profit.

The Sierra Club does not believe Greenhouse Gas emissions and Climate Change have been reduced to "less than significant".(p159) This is especially true because of all the "Encourage the use" phrases used throughout this section as well as "who will consider the following" and "where feasible". These and other less than genuine phrases used throughout the VIP Final EIR try to give the impression that they are going to do something, but in reality there are no teeth in these phrases to require anything.

The City of Moreno Valley needs to replace the phrase of exceeding "the 2008 California Building Codes (CBC) Title 24 energy standard" with exceeding the "current" California Building Codes Title 24 energy standards "at time of construction". The 2010 edition of the California Building Standard Code (Title 24) became effective January 1, 2011. The three year cycle of California building efficiency Standards have already gone through public hearings in the first half of 2012 and we will soon have the 2013 California Building Energy Efficiency Standards. These are the standards in which they need to exceed by 20% and not those which will be four or five years old at the time of construction. Have you ever checked with our city to see who has the expertise to validate that these standards have been exceeded by 20% and checked their efforts on previous projects.

The Planning Commission needs to read or hopefully reread the concerns and suggestions in the letters submitted by Ray Johnson and George Hague to the VIP's Draft EIR. Then require more of their suggestions of this massive warehouse project to help reduce the environmental and health impacts on Moreno Valley as well as the region. Suggestion like requiring Tier III construction equipment instead of Tier II as this developer wishes to use. It is time this city works to protect the air quality we all breath and of which we have no choice. Smart Way carriers of 1.25 needs to be the goal of 90% for long haul trips carried by Smart Way if this project is serious about reducing its environmental impacts instead of the lower 1.00.

The Justin Adam Ag report fails to analyze the impacts of losing Ag lands on Raptor foraging. We live in a world renown valley for its 25 species of raptors. Every time we lose lands like these we impact these special

animals. His report also failed to analyze the impacts of importing foods on Green House Gas, Global Warming and Air Quality instead of us buying locally raised crops. The loss of these Prime farmlands must be mitigated as should the other important farmlands. James Adams Ag report does point out that occupations in the Agricultural areas in the Inland Empire ranks fifth out of seven categories for the number of workers employed (Figure 4.6). It therefore is still an important area of employment. It always bother me when studies present graphs like those in figure 4.5 which may have correct information, but uses the bar graph to distort the significance of 15,000 acre feet.

The Sierra Club believes significantly more needs to be required of this project to make it have less of an impact on both the environment and health of those in the Moreno Valley region. The direct, indirect and cumulative impacts can be further reduced with the proper conditions of approval. Even the County of Riverside would require this project to build a Silver LEED certified building. When is the City of Moreno Valley going to rise to the needs of its residents. Last Fall the City of Riverside approved a warehouse with a Gold LEED certified building only a few miles from this site along Alessandro Blvd.

Please keep the Sierra Club informed of all future meetings and documents related to the VIP Moreno Valley warehouse project by emailing me at the address which sent you this letter and/or mailing me at the address below.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley, CA 92555

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Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Carl T. Sedlack, Esq. Retired

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

July 12, 2012

Moreno Valley Planning Commission
14177 Frederick Street
Moreno Valley, CA 92553
Facsimile: (951) 413-3210

VIA FACSIMILE AND US MAIL

RE: Vogel Industrial Park (VIP) Moreno Valley Project: July 12, 2012 Public Hearing Item 1, P11-090, PA09-0004, and PA09-0022, TPM 36162

Greetings Planning Commissioners:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Liveable Moreno Valley we hereby submit these comments on the VIP Moreno Valley Project, Plot Plan and Tentative Parcel Map for development of a 1.6 million square foot warehouse facility on 80 acres. (PA09-0004, PA09-0012, TPM No. 36162) Johnson & Sedlack hereby incorporates all comments previously submitted on behalf of Sierra Club and Residents for a Liveable Moreno Valley concerning this project.

We respectfully ask that you disapprove this project. As discussed in the comment letter submitted June 1, 2012, the EIR is inadequate as it fails to comply with the requirements of CEQA by inadequately analyzing impacts pertaining to, at least, air quality, aesthetics, biology, cultural resources, geology, hydrology, GHGs, and transportation, among others. The EIR fails to adopt all feasible mitigation measures and ensure that mitigation measures are fully enforceable through permit conditions, agreements, and/or othe legally biding instruments. (State CEQA Guidelines § 15126.4(a)(2)). Despite extensive commentatry that not all feasible mitigation was adopted and that mitigation was vague, uncertain, and unenforceable, the FEIR fails to make needed changes to these measures.

The Final EIR (FEIR) fails to make ***any*** substantive changes despite extensive commentary received that, at least, several of the studies in the Draft EIR (DEIR) were outdated or inadequate. Additionally, the FEIR, Mitigation Monitoring and Reporting Program, Resolutions (including Mitigation Monitoring Program and Conditions of Approval) before the Planning Commission do not accurately reflect the alleged changes in wording of mitigation measures as stated in the Responses to Comments. The conclusions and findings expressed in the FEIR made

based upon the assumption that these changes are incorporated are therefore wrong and not based on the project. Should the Planning Commission determine to approve the project in spite of these extensive comments in opposition to the project and detailing deficiencies with the EIR, it is inappropriate to approve the project so where the FEIR does not accurately discuss, evaluate, and mitigate the project as it is presented for approval.

Having failed to make any substantive or substantial changes in the FEIR, the comments previously submitted by all commenters remain valid and the FEIR continues to fail as an informational document and fails to inform the public and decisionmakers of the real impacts of this project. The Final EIR is also very conclusory and fails to provide the analysis and examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. The Responses to Comments also often allege facts which are not supported by any evidence in the record. Generally, the findings are not supported by substantial evidence in the record and, as stated above, are not based on the project and mitigation measures as being submitted for consideration before this commission.

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. This project's Mitigation Monitoring and Reporting Program lists many feasible mitigation measures but fails to require the implementation of these measures or drafts such mitigation in an utterly unenforceable manner. This is unacceptable and misleading to the public and decisionmakers as to the extent of mitigation required of this project.

This project fails to make adequate findings, *based on substantial evidence* that the environmentally superior alternative is infeasible. In fact, the environmentally superior alternative satisfies most, if not all project objectives and significant reduces project impacts, particularly with regards to air quality in an area known to have some of the worst air quality in the nation. At the least, the environmentally superior alternative must be implemented in lieu of the project.

Findings

The findings required under CEQA cannot be made with respect to this project. Not all significant effects of the project have been eliminated or substantially lessened.

Statement of Overriding Considerations

CEQA Guidelines § 15093 (b) provides that when the agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR, but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The decision to approve a project in spite of significant environment impacts requires the decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks. (Guidelines § 15093(a).) However, the Statement of

Overriding Considerations ("SOC") shall be supported by **substantial evidence** in the record. (Id.) In *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1222, the court said: "Whereas the [mitigation and feasibility] findings … typically focus on the feasibility of specific proposed alternatives and mitigation measures, the statement of overriding considerations focuses on the larger, more general reasons for approving the project, such as the need to create new jobs, provide housing, generate taxes, and the like."

Substantial evidence in the record does not support the adoption of a statement of overriding considerations given the immense environmental harm expected with the project balanced with minimal economic benefits. The EIR finds that the project would, "add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community." This potential is countered by recent industrial/ distribution projects within Moreno Valley which have utterly failed to create the promised jobs. On the other hand, this project will have massive and detrimental impacts to, *at least*, air quality, traffic, agriculture, and greenhouse gas emissions. These enormous detriments cannot be outweighed by the promise of jobs which are uncertain, unlikely, and few. A Statement of Overriding Considerations is not supported for this project.

Cumulative Impacts

Response to Comment E-10 acknowledged that the World Logistics Project was only considered in determining certain cumulative impacts, not all cumulative impacts. Those impacts which for which the World Logistics Project was apparently not considered include, but are not limited to: traffic off of the highway mainline, noise, aesthetics, biology, and hydrology/water quality, among others. The EIR fails as an informational document by failing to consider cumulative impacts from the World Logistics Project in each of these areas of the EIR.

Aesthetics

The project improperly segments approvals by failing to consider potential environmental impacts from the project's signs in the EIR. Instead, the staff report states that, "signs will be reviewed and approved under (sic) separate administrative permit." (*See also,* Condition of Approval P20 for PA 09-0004) Hence, by failing to consider the whole of the project including signage, the EIR fails to comply with CEQA.

In prior comments, we noted that the EIR fails to discuss lighting impacts on nighttime views. In the response to comments, the FEIR still fails to respond to or discuss this potential effect, instead re-stating the conclusions of the Draft EIR.

Agricultural Resources

The Response to Comments states that the purchase of agricultural conservation easements is economically infeasible on the basis that the "General Plan does not include any agricultural designations; therefore mitigation for the loss of [it] is not required" and because it would not replace or provide new farmland. This does not demonstrate economic infeasibility of this mitigation measure.

Comments E-7 and E-8 recommend mitigation for agricultural impacts in the form of donating to the Riverside Land Conservancy or San Jacinto Basin Resource Conservation District. The responses to these comments does not find such mitigation to be infeasible but instead generally fins other mitigation measures not recommended by the commenter to be infeasible. As the EIR does not find these measures specifically to be infeasible, the measures must be deemed feasible and incorporated as mitigation for the project's significant agricultural impacts. Furthermore, the responses to the comments were unresponsive to the comments made.

Air Quality

The project will result in extensive and unavoidable impacts to air quality during construction and operation.

The Final EIR states that many of the mitigation measures recommended by Johnson & Sedlack in its previous comments are "included" or have been "incorporated" into the mitigation required of the project in the EIR. First, these measures are not enforceable or required of the project. Instead, they are to be *considered*, *written on signs,* or listed as one of several alternatives that may or may not even relate to the actual mitigation required of the project. The FEIR therefore fails as an informational document by misleading the public and decision-makers as to the extent of mitigation incorporated into the project. The FEIR also fails by failing to incorporate all feasible mitigation and/or failing to find such measures to be infeasible. Some examples of these instances, though not all by far, are listed below.

Furthermore, the mitigation measures stated to be added or changed in the FEIR have not all been so amended in the FEIR, Resolutions, or Mitigation Monitoring and Reporting Program, for the project. The FEIR does not accurately reflect project impacts if these Resolutions are passed approving the project where they do not represent the project as evaluated in the FEIR.

Mitigation measure 4.2.6.1D regarding cessation of all clearing, grading, earthmoving, or excavation activities states that verification will only occur during grading. Verification should occur during grading and construction.

Mitigation measure 4.2.6.1H states that the contractor shall *during smog season* not allow construction equipment to be left idling for more than five minutes. The EIR fails to show that it is infeasible to so limit idling year round, particularly where existing air quality in the project vicinity generally exceeds state and federal air quality standards for Ozone, Coarse Particulate Matter (PM10), and Fine Particulate Matter (PM2.5). Not all feasible mitigation has been required to reduce air quality impacts.

MM 4.2.6.1K does not require any mitigation, only that "construction specifications and bid documents" include "notations." The statements in the Response to Comments at pages 63-69 that measures are already included within this mitigation measures are therefore false as such measures are not required to be applied to/ incorporated into project construction and are unenforceable, contrary to the statement at Response to Comment D-37.

MM 4.2.6.1L does not provide any requirement for the community liaison to respond promptly or in a timely manner. This must be required to ensure that construction related air quality issues are timely resolved.

Mitigation Measure 4.2.6.1M only requires the posting of signs but does not require compliance with the measures delineated on the signs. The measure is illusory. Recommended mitigation measure 24, at FEIR response to comments page 66, is not included in the EIR or mitigation required of this project.

MM 4.2.6.1R states that measures "should" be taken. Such language makes the measure unenforceable, and the mandatory "shall" must replace "should" in this measure.

MM 4.2.6.3A lists many feasible mitigation measures but fails to *require* the implementation of those measures or find that requiring the implementation of each of the listed measures is infeasible. Instead, the measure requires only that the project exceed Title 24 requirements by 20%. Many of the listed alternatives would not even be used in determining Title 24 compliance, as they relate to mobile emissions and not building emissions, and are therefore illusory mitigation. By failing to require all feasible mitigation and failing to accurately detail the mitigation required of the project, the EIR fails. The FEIR, Mitigation Monitoring and Reporting Program detailed in the FEIR, and the Resolutions also fail to make the changes stated to be made to this mitigation measure in the response to comments. The Statement "Any combination of design features including but not limited to the following list may be used…" has not been replaces as stated in the FEIR and responses to comments. The EIR fails as an informational document by claiming to have made these changes where, in fact, they have not been made.

The response to comments at p. 64-65, concerning the recommended mitigation measure 13, fails to provide evidence supporting a finding of infeasibility for limiting the simultaneous disturbance of the site to 5 acres per day. The threshold of significance for emissions from grading including dust and vehicular emissions are measured based on lbs/day, so while emissions may not necessarily be reduced, they may in fact be reduced *below a level of significance* by prolonging the grading period. These numerical thresholds do not account of whether there are "sensitive receptors located in close proximity to the project site that would be affected by the dust" as air quality impacts effect more than just nearby residences. The FEIR fails by not incorporating this feasible mitigation measures where it may significantly reduce or avoid some construction air quality impacts based on the thresholds adopted for determining the significance of such impacts.

Recommended mitigation measure 23, at page 66 of the FEIR is not included as stated. The project rather only requires that CARB certified Tier II or better equipment be utilized "where feasible" not that only CARB certified equipment be used for construction activities. The FEIR thus falsely states that this recommendation is included in the project.

The Response to comments states that the project has the potential to reduce VMT. An EIR, however, is intended to evaluate a worst cast, not a best case, scenario of project effects. Regardless of potential reductions which are "virtually impossible to calculate."

As stated in Response to Comment D-38, **mobile source emissions exceed the threshold of significance by up to 1,700%,** yet the EIR makes only a miniscule attempt at mitigation that is almost entirely directed at reducing emissions from the building/stationary sources.

The changes stated to be made in the response to comment section of the FEIR, such as the change stated at Response to Comment D-38, D-39, D-42, D-43, etc. concerning Mitigation Measure 4.2.6.3A has not been incorporated into the Mitigation Monitoring Plan of the Resolution being presented to the City. The FEIR therefore fails as an informational document by stating that changes have been made to the project but failing to actually making those changes.

Response to Comment D-39 is unresponsive to the comment made. The comment noted that the incorporation of measures related to mobile emissions will not aid in reduction of emissions 20% below Title 24 standards, and are therefore illusory measures that will not be used and will not achieve the stated result. The response that the City has no control over vehicle emissions does not respond to this comment made.

Response to Comment D-45 still does not respond to or make the changes requested in Johnson & Sedlack's previous letter that each of the measures listed at MM 4.2.6.3A be specifically required for the project, but only that the project demonstrate that Title 24 Energy Efficiency Standards be exceeded by a minimum of 20%. It is false to state that the suggested mitigation measures at Response to Comment D-45 are included as mitigation where they are not actually and specifically required for the project. Many, as commented at D-45, are not even alternatives that may be used to meet or exceed Title 24 standards.

Response to Comment D-45 also states that recommended mitigation 22-23 have been incorporated, but not so. MM 4.3.6.1B requires only that, "The landscaping plan shall be prepared by a registered landscape architect who will *consider*" the recommended mitigation, not that the measures actually be required of and incorporated into the project. MM 4.3.6.1B is vague and unenforceable, and the FEIR is deceiving by stating that these measures have been incorporated into the project.

Response to Comment E-4 states that building the roof to accommodate solar panels has been required as project mitigation. Not so, as MM 4.2.6.3A only requires that the project surpass 2008 Title 24 standards by 20% however achieved. The mitigation has not been incorporated in a manner that ensures that it is fully enforceable and will actually be implemented as a condition of development as required by CEQA. Comment E-5 notes that this "cafeteria list of mitigations" shows that more can be done to mitigate for project impacts to air quality. The response to Comment E-5 does not respond to the comment made.

Response to Comment E-6 does not respond to the comment made and does not find infeasible the suggested mitigation to require 90% of off-road construction equipment to meet Tier III standards. This mitigation must be incorporated as it is not determined by the FEIR to be infeasible.

Response to Comment E-16 states that the mitigation suggested is required. Again, this is false and mitigation measure 4.2.6.1K requires only that "notations" be made in documents, and 4.2.6.3A requires only that the project exceed Title 24 by 20%.

Biological Impacts

Response to Comment E-21 is unresponsive to the comment made and does not state whether the site will or will not be disked prior to the burrowing owl surveys.

Cultural Resources

Response to Comment D-49 is unresponsive to the comment made. Johnson & Sedlack asked over what portion of the project site reaching the maximum excavation depth would result in no further monitoring? 100% of the project site? Or only 1% of the project site? If no fossils are found upon reaching maximum excavation depth over only a small portion of the project site and monitoring is then discontinued, it is possible or even likely that fossils may still be found and harmed across the remainder of the project site at less than the maximum excavation depth. MM Cul-1 is vague in this way. The measure must clarify that monitoring may be discontinued only once the maximum excavation depth is reached in 100% of the area to be excavated across the project site. Cul-1 remains unaltered in the Mitigation Monitoring Program at Resolution 2012-16 and the Conditions of Approval at Resolution 2012-17, despite changes alleged in the FEIR.

Geology and Soils

MM Geo-1 defers mitigation and evaluation of project impacts as, "the above measure may be modified by the Final Geotechnical or Soils Report." It is therefore not demonstrated that the required mitigation will reduce impacts to a level below significance; further mitigation may be needed.

MM Geo-2 is deferred, vague, and unenforceable. Specifically, such mitigation requires that the project proponent "inform" engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the geotechnical analysis and that such guidelines "shall be implemented…in the applicable design guidelines." The Expansive Soil Guidelines must be directly included and implemented in the project's grading plans to ensure implementation and enforceability.

GHGs

Johnson & Sedlack reiterates its comments that the project will have significant individual impacts to GHGs, not merely cumulative impacts, for the reasons previously stated.

Response to Comment E-3 is unresponsive to the comment made that LEED Gold certification should be required in order to mitigate for project effects. The EIR fails to find infeasible requiring LEED Gold certification as a mitigation measure.

Responses to Comments E-49- E51 state that many mitigation measures are incorporated or included in the project mitigation measures. This is untrue where such measures including 4.2.6.3A fail to require that each of the listed measures actually be required of the project; 4.3.6.1A merely requires compliance with the law that the project comply with Title 24; 4.3.6.1B requires only *encouragement* which is utterly unenforceable; 4.2.6.1K requires only "notations"; etc. The measures recommended by the Comments have not been incorporated into the project in a certain and enforceable manner as required by CEQA.

Response to Comment E-54 finds carbon offsets to be infeasible but fails to state a valid reason for that finding. Bases for finding mitigation infeasible include that specific economic, legal, social, technological, or other considerations make infeasible such mitigation. (State CEQA Guidelines § 15091) Here, the EIR finds carbon offsets to be infeasible not because of any of these considerations but because they have not previously been required and because they require a well performing program. This does not demonstrate that carbon offsets are *infeasible,* that is, not capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, legal, social, and technological factors. (State CEQA Guidelines § 15364) As the FEIR fails to demonstrate that carbon offsets are infeasible pursuant to CEQA, they must be required as mitigation measures for the project.

Response to Comment E-54 goes further to suggest that GHGs can never be reduced or mitigated. This is contrary to CEQA which specifically provides for mitigating the effects of GHG emission. (*See,* State CEQA Guidelines § 15126.4 (c).) The response goes far beyond the limits of CEQA as well by claiming that any energy consumption reduced by this project through the purchase of carbon offsets will somehow result in increased energy consumption and GHG emissions overseas in developing countries such as China or sub-Saharan Africa. These claims are also unsupported by *any evidence* in the EIR and are *highly speculative,* to say the least. Again, as any finding of infeasibility with regards to the purchase of carbon offsets is not based on fact or the CEQA definition of feasible, this mitigation measure must be required of the project.

Hydrology and Water Quality

Condition of approval LD7 defers mitigation by requiring that a drainage study be prepared and submitted. Condition LD37 requires that the hydrology study come to a specific conclusion that the 10-year storm flow be contained within the curb and a 100-year storm flow be **contained within the street**, or additional facilities may be needed. In other words, LD 37 requires that hydrological impacts be evaluated after project approval and potentially that additional mitigation measures will be needed to reduce impacts. Furthermore, LD 37 contemplates the use of the street for drainage purposes. Allowing for the flooding of the street for project-related drainage is a potentially significant drainage impact that was wrongly not considered, disclosed, or evaluated in the EIR.

Even with the change in wording allegedly made at MM Hyd-5, the measure improperly defers mitigation and evaluation by deferring the preparation of a drainage report.

Noise

MM 4.9.6.1D is vague as it requires that the contractor limit construction related activities that would result in "high" noise levels without defining what level would be considered "high". Furthermore, as mentioned in previous letters, limiting the hours of construction will not mitigate for impacts from noise during those hours.

Response to Comment D-65 states that the EIR did not use a 3dBA increase as a threshold of significance. This is contradicted by the response and EIR which each demonstrate that the EIR looked to whether a 3 dB increase occurred.

With regards to Response to Comment D-68 concerning the use of "hard site" versus "soft site" scenarios, while increases in noise may not change, exceedences of the City's noise standards may be increased/ significant if the hard site scenario is instead utilized.

Response to Comment D-69 claims that an increase in trucks from the project, around a 3.25 to 7.5 percent increase in cumulative traffic volumes along area roadways, would not affect the findings of the noise impact analysis even though the analysis does not consider higher truck percentage of vehicle mix. This conclusion is unsupported by either the response or the record.

Response to Comment D-70 is unresponsive to the comment made, which states that the noise impact is significant where noise levels exceed noise standards and the project would result in a further exceedence of that standard and an increase in ambient noise where such noise is significant. Johnson & Sedlack also restates its prior comment that the proper measure of noise impacts is taken at the property line.

Response to comment D-74 is misleading as it insinuates that no sensitive receptors will be impacted by project construction. Furthermore, whether or not 1987 documents concerning noise provide a "conservative" estimate of noise levels, noise impacts as stated in the EIR are highly likely to be incorrect as the relied upon numbers are far outdated. The EIR fails as an informational document.

As the EIR's noise analysis remains flawed and impacts must therefore be considered potentially significant, the mitigation measures suggested at comment D-76 must be implemented for the project.

Public Services

Condition of Approval F2 states that the City has granted a 50% reduction in fire flow for the use of fire sprinklers throughout the facility. There is no explanation of why this variance was

granted or evidence supporting a conclusion that this will not impact public safety. The EIR thus fails as an informational document.

Transportation

Response to Comment E-12 is unresponsive to the comment made that the project fails to mandate that only the "primary truck route" of Harley Knox Boulevard to the west be used so that trucks will not pass by a school. While this may be the primary truck route, the EIR does not claim or show that it is the only truck route which may be used. Comment E-12 asks for details on how the project will enforce use of only the Harley Knox Boulevard to the west truck route in order to avoid passing by schools. The EIR fails to do this, and therefore fails to provide needed information to the public and decisionmakers. Furthermore, a condition or mitigation measure must be placed on the project to require that only the "primary truck route" be utilized as this was apparently the only route evaluated by the EIR.

Response to Comment E-18 is unresponsive to the comment made. The table showing average trip lengths does not show the routes which trucks will be taking from the facility on local roadways to get to further away destinations so that the public and decisionmakers are informed of the impacts to local streets. Comments E-18 and E-19 also do not respond to the issue that future impacts beyond 2013(the first year) must be evaluated in the EIR.

As stated at Response to Comment E-20, the EIR does not consider impacts to SR-60, despite the fact that around 10% of truck trips are expected to use this highway. The EIR fails as an informational document by failing to evaluate these impacts. Furthermore, the FEIR again fails to make any substantive changes or undertake any real evaluation as requested by commenters.

Comments F-3 and F-4 by the Department of Transportation state that year 2007 AADT volume data should be used b y the EIR to keep consistency with traffic volume projections, yet the FEIR fails to make this change, relying instead on 2009 projections for some, 2007 for others. It is unclear from the response whether the 2009 CALTRANS AADT volume data represents a worst- case scenario over the 2007 data. Accordingly, by failing to use the 2007 data as recommended by CALTRANS, the EIR fails to provide accurate and consistent information.

Alternatives

With regards to Response to Comment D-92-95, Response to Comment D-92 incorrectly restates the comment made. The Response also creates an entirely new project object of clustered development in a highly dense form without urban sprawl—this objective is *none* of the actual project objectives. Pursuant to the project objectives as written in the EIR, the reduced intensity alternative satisfies most project objectives and reduces project impacts. If any project is approved, the reduced intensity alternative is superior and less environmentally damaging when compared to the project as proposed.

Likewise, Response to Comment D-59 states that the reduced intensity alternative does not meet the objective to "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources…" because "reduced-intensity development patterns are in concepts diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development." Again, this conclusory statement fails to apply the project objective above on its own. Would the reduced intensity alternative be near efficient access points? Yes. Are there many "clustered" warehouses including the reduced intensity form of this project near those points, or planned to be near those points? Yes. Nevertheless, a project alternative need only "feasibly obtain most of the basic objectives to the project" which this alternative plainly does. (State CEQA Guidelines § 15126.6) As this alternative is feasible, will significantly reduce project impacts, and will obtain most of the basic project objectives, it must be approved in lieu of the proposed project if approval is granted.

Desired Actions

For the above reasons and those previously submitted, we respectfully ask that you deny the project and deny certification of the FEIR.

Thank you for your consideration of the above comments.

Sincerely,

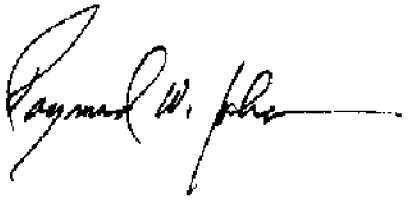

Raymond W. Johnson
JOHNSON & SEDLACK

Copies to: John C. Terrell, Planning Official; e-mail: johnt@moval.org
Jeff Bradshaw, Planner; e-mail: JeffreyB@moval.org

RAYMOND W. JOHNSON, Esq. AICP
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:

- Sierra Club
- San Bernardino Valley Audubon Society
- Sea & Sage Audubon Society
- San Bernardino County Audubon Society
- Center for Community Action and Environmental Justice
- Endangered Habitats League
- Rural Canyons Conservation Fund
- California Native Plant Society
- California Oak Foundation
- Citizens for Responsible Growth in San Marcos
- Union for a River Greenbelt Environment
- Citizens to Enforce CEQA
- Friends of Riverside's Hills
- De Luz 2000
- Save Walker Basin
- Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment

financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.
Lee's Summit, MO 6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO 9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.
Project Coordinator 6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

LSA

LSA ASSOCIATES, INC.
1500 IOWA AVENUE, SUITE 200
RIVERSIDE, CALIFORNIA 92507

951.781.9310 TEL
951.781.4277 FAX

BERKELEY
CARLSBAD
FORT COLLINS

FRESNO
IRVINE
PALM SPRINGS

PT. RICHMOND
ROCKLIN
SAN LUIS OBISPO
SOUTH SAN FRANCISCO

MEMORANDUM

DATE: September 10, 2012

TO: Jeffrey Bradshaw, Associate Planner

FROM: Ray Hussey, Project Manager

SUBJECT: VIP Moreno Valley Project EIR

In advance of the scheduled Planning Commission meeting on July 12, 2012 to consider certification of the EIR for the VIP Moreno Valley Project, two letters providing commentary on the Final EIR where submitted to the City. Attachments to this memo provide additional responses to each of the following letters:

- Sierra Club, July 11, 2012 (Letter A)
- Johnson & Sedlack, July 12, 2012 (Letter B)

As part of the responses to these additional letters received, the developer voluntarily agrees to implement the following measures on the project, if approved by the City Council:

1. *The developer voluntarily agrees to remove that language "encourage" from Mitigation Measure 4.2.6.1B. If approved by the City Council the mitigation measure would read as follows:*

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project:

- ~~Encourage~~ Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- ~~Encourage~~ Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:

- Increase insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will ~~consider~~ include the following:
  - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.
  - Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.
  - Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.
- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

2. *The developer voluntarily agrees to use Tier III rather than Tier II construction equipment. If approved by the City Council, Mitigation Measure 4.2.6.1.C will read as follows:*

4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier ~~II~~ III Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

3. *The developer voluntarily agrees to remove "during smog season" from Mitigation Measure 4.2.6.1.H. If approved by the City Council, the mitigation measure will read as follows:*

4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications ~~and during smog season (May through October)~~ by not allowing construction equipment to be left idling for more than five minutes (per California law).

4. *The developer voluntarily agrees to revise Mitigation Measure 4.2.6.1K. If approved by the City Council the mitigation measure would read as follows:*

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following requirements ~~notations:~~

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;

- Lunch vendor services shall be permitted on site during construction to minimize the need for offsite vehicle trips;
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
- Suspend use of all construction equipment operations during second stage smog alerts.

5. *The developer voluntarily agrees to revise Mitigation Measure 4.2.6.1L to include a response by a liaison within one business day instead of two. If approved by the City Council the mitigation measure would read as follows:*

4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues within ~~2 days~~ one business day.

6. *The developer agrees to amend Mitigation Measure 4.2.6.1M if the City Council approves the modification as follows:*

4.2.6.1M ~~All project entrances shall be posted with signs which state:~~ The construction contractor shall require the following:

- Truck drivers shall turn off engines when not in use, and
- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes~~; and~~.

4.2.6.1M(1) All project entrances shall be posted with signs that include the requirements in Mitigation Measure 4.2.6.1M and the following:

- Telephone numbers of the building facilities manager and CARB, to report violations.

7. *The developer voluntarily agrees to implement the following measures that were included in the list under Mitigation Measure 4.2.6.3A to reduce mobile emissions:*

- Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
- Provide on-site showers (one for males and one for females). Provide lockers for employees.
- Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.
- Provide at least two electric vehicle charging stations. Locations and

configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.

- Provision of preferential parking for EV and CNG vehicles.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.

8. *The developer voluntarily agrees to eliminate "activities that would result in high noise levels to" from Mitigation Measure 4.4.6.1D. If approved by the City Council the mitigation measure would read as follows:*

4.4.6.1D During all project site construction activities, the construction contractor shall limit all construction-~~related activities that would result in high noise levels to~~ between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

Attachment A: Letter from Sierra Club, July 11, 2012 and Responses (Letter A)
Attachment B: Letter from Johnson & Sedlack, July 12, 2012 and Responses (Letter B)

Letter A

SAN GORGONIO CHAPTER

4079 Mission Inn Avenue
Riverside, CA 92501
(951) 684-6203 Fax (951) 684-6172
Membership/Outings (951) 686-6112

Regional Groups Serving Riverside and San Bernardino Counties:
Big Bear, Los Serranos, Mojave, Moreno Valley, Mountains, Tahquitz.

Moreno Valley Planning Commissioners, July 11, 2012

Re: VIP Final EIR

The Sierra Club appreciates this opportunity to express some additional concerns about the VIP warehouse Final EIR. When is this City going to require these projects to also write everything in Spanish to allow many who feel disenfranchised within our community to participate in the public review process? Based on our last census this needs to be done and this includes notices as well as holding meetings in which all feel they can participate in their language as is done with the MVUSD. (http://topics.nytimes.com/top/news/science/topics/globalwarming/index.html) provides several links as well as articles of which are now all part of the public record and shows we are all responsible for this last year of record heat in the US. This is even more true for decision makers like yourselves which approve projects that you know will have a detrimental impact on our region and the climate. The other thing I wish Moreno Valley decision makers would realize is that warehouse jobs or any jobs within 1,500 feet of warehousing is going to jeopardize the health of the worker. You might be better to encourage a family member to begin smoking than to begin breathing in toxic diesel truck emissions for 8 hours each day as a warehouse worker. The City should make a condition of approval that all employees of the VIP warehouse sign a letter-- written in English/Spanish-- warning them of the potential health hazards of working so near toxic diesel pollution. 1 2 3

You should require all warehouses to have their roofs covered with solar and at the very least built to a standard which would support future installation of solar panels. Allowing projects to simply say they will purchase renewable energy is not being a responsible decision maker. They are beginning to cover important areas of our desert with industrial solar farms and transmission lines because we are not requiring 4

warehouses to install these panels. They could supply more energy than they need and sell it back to Edison for a profit. 4

The Sierra Club does not believe Greenhouse Gas emissions and Climate Change have been reduced to "less than significnt".(p159) This is especially true because of all the "Encourage the use" phrases used throughout this section as well as "who will consider the following" and "where feasible". These and other less than genuine phrases used throughout the VIP Final EIR try to give the impression that they are going to do something, but in reality there are no teeth in these phrases to require anything. 5

The City of Moreno Valley needs to replace the phrase of exceeding "the 2008 California Building Codes (CBC) Title 24 energy standard" with exceeding the "current" California Building Codes Title 24 energy standards "at time of construction". The 2010 edition of the California Building Standard Code (Title 24) became effective January 1, 2011. The three year cycle of California building efficency Standards have already gone through public hearings in the firs half of 2012 and we will soon have the 2013 California Building Energy Efficency Standards. These are the standards in which they need to exceed by 20% and not those which will be four or fiv years old at the time of construction. Have you ever checked with our city to see who has the expertise to validate that these standards have been exceeded by 20% and checked their efforts on previous projects. 6 7

The Planning Commission needs to read or hopefully reread the concerns and suggestions in the letters submitted by Ray Johnson and George Hague to the VIP's Draft EIR. Then require more of their suggestions of this massive warehouse project to help reduce the environmental and health impacts on Moreno Valley as well as the region. Suggestion like requiring Tier III construction equipment instead of Tier II as this developer wishes to use. It is time this city works to protect the air quality we all breath and of which we have no choice. Smart Way carriers of 1.25 needs to be the goal of 90% for long haul trips carried by Smart Way if this project is serious about reducing its environmental impacts instead of the lower 1.00. 8 9

The Justin Adam Ag report fails to analyze the impacts of losing Ag lands on Raptor foraging. We live in a world renown valley for its 25 species of raptors. Every time we lose lands like these we impact these special 10

animals. His report also failed to analyze the impacts of importing foods on Green House Gas, Global Warming and Air Quality instead of us buying locally raised crops. The loss of these Prime farmlands must be mitigated as should the other important farmlands. James Adams Ag report does point out that occupations in the Agricultural areas in the Inland Empire ranks fith out of seven categories for the number of workers employed (Figure 4.6). It therefore is still an important area of employment. It always bother me when studies present graphs like those in fiure 4.5 which may have correct information, but uses the bar graph to distort the significnce of 15,000 acre feet. 10

The Sierra Club believes significntly more needs to be required of this project to make it have less of an impact on both the environment and health of those in the Moreno Valley region. The direct, indirect and cumulative impacts can be further reduced with the proper conditions of approval. Even the County of Riverside would require this project to build a Silver LEED certifid building. When is the City of Moreno Valley going to rise to the needs of its residents. Last Fall the City of Riverside approved a warehouse with a Gold LEED certifid building only a few miles from this site along Alessandro Blvd. 11

Please keep the Sierra Club informed of all future meetings and documents related to the VIP Moreno Valley warehouse project by emailing me at the address which sent you this letter and/or mailing me at the address below. 12

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley, CA 92555

Response to Letter A
Sierra Club
Dated July 11, 2012

Response to Comment A-1. The commentor is correct in stating that a large segment of the population of Moreno Valley is Hispanic or Latino. However, because a person is Hispanic or Latino does not automatically mean that they only speak Spanish. There is no legal requirement to translate the environmental documents or the notices into other languages. It is not the policy of the City to require project applicants to incur the added expense of having project environmental documents or public notices translated into Spanish. The City is also not required to incur the expense of providing a Spanish translator at public meetings. The commenter is free to provide a Spanish translator at its costs.

Response to Comment A-2. The document that appears at the referenced hyperlink has been modified since the submission of the July 11, 2012 and is no longer in the form that it was when this letter was submitted. Therefore, it is not part of the Administrative Record. The Draft and Final EIR analyzes the effects of the project on greenhouse gas emissions and global climate change (Section 4.3 of the Draft EIR and responses to Letters D and E in the Final EIR). The City is addressing the effects of the proposed project on greenhouse gas emissions and global climate change and has provided mitigation measures to reduce the effects of the proposed project to the extent feasible. Please refer to the Final EIR Responses to Comments D-8, D-21, D-34 (table with mitigation measures related to air quality and greenhouse gas emissions), D-35, D-45 (table with mitigation measures related to air quality and greenhouse gas emissions), D-55, D-56, E-2, E-3, E-4, E-6, E-9, E-16, E-23 – E-38, E-42 – E-47, E-51 (table with mitigation measures related to air quality and greenhouse gas emissions), and E-54.

Response to Comment A-3. The issue of the health of the workers was responded to in Response to Comment E-15 in the Final EIR (page 116). A *Health Risk Assessment (HRA) VIP Moreno Valley*, LSA Associates, Inc., March 2012 was prepared for the proposed project and included in Appendix D-2 to the Draft EIR. The HRA examined the short-term and long-term potential health effects from project-related emissions of toxic air pollutants (TAP) in the exhaust of diesel-powered delivery trucks on existing surrounding sensitive receptors, including single- and multifamily residences. The California Air Resources Board (CARB) defines "sensitive" land uses, as homes, medical facilities, daycare centers, schools, and playgrounds. Onsite workers will be protected by the requirements established by the Occupational Safety and Health Administration (OSHA) and are not considered sensitive receptors in accordance to the (CARB).. Disclosures that must be made to workers are governed by state law and state regulations. Such notices and disclosure are a matter of statewide concern, and it is not appropriate for individual local agencies to attempt to override those state requirements or to adopt regulations that differ or conflict with the state rules and regulations. Therefore, it is not necessary for the City to put a condition of approval on the project to require VIP to have the employees sign a letter warning them of the potential health hazards of working in the vicinity of diesel pollution.

Response to Comment A-4. In Response to Comment D-45 the following mitigation measure was added to the Final EIR Errata (page 153) for Mitigation Measure (MM) 4.2.6.3A that requires solar panels or other source of renewable energy source on-site as one tool the developer may use to reduce energy use onsite (*Note: What is being shown is a portion of MM 4.2.6.3A and not the entire measure):*

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. Any combination of the following design features may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- "Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs."

In addition during the Planning Commission public hearing on July 12, 2012, the hearing the commenter did not attend, the developer agreed to build the roof of the building to support future solar panels and the Planning Commission added this as a condition of approval.

It is not true that the developer can sell energy back to Edison for a profit. Edison has met its obligation to produce electricity from clean sources and has now suspended the program where a commercial or industrial building can sell energy back to Edison from a clean source such as solar.

Response to Comment A-5. As discussed in the Draft EIR, Section 4.3.6.1 Greenhouse Gas Emissions and Climate Change, page 4.3-26 and Response to Comment D-8, "project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable." The project by itself would not cause climate change to occur. However, in the cumulative context, it would be cumulatively significant after mitigation.

Moreover, there were additional changes made to MM 4.2.6.3A as indicated in Response to Comment A-4 above and during the Planning Commission public hearing on July 12, 2012, the developer agreed to build the project to LEED Silver and to build the roof to support future solar panels to further reduce the significant effects of greenhouse gas emissions. In addition, Response to Comments D-34, D-45, and E-51 provides an explanation to the suggested mitigation measures from Johnson and Sedlack and Sierra Club as to whether the suggested mitigation is feasible, is already incorporated in the mitigation measures or has been included in the Final EIR and adopted by the Planning Commission on July 12, 2012. The commenter fails to provide any additional feasible mitigation measures that could reduce the project's cumulative impact on greenhouse gas emissions to less than significant.

The phases "encourage" and "where feasible" are found in MM 4.2.6.1B and MM 4.2.6.1K. The developer does not agree to remove the "where feasible" from MM 4.2.6.1B and MM 4.2.6.1K but does voluntarily agree to remove the "encourage" language so MM 4.2.6.1B. If the City Council agrees MM 4.3.6.1B would read as follows:

4.3.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- ~~Encourage~~ Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- ~~Encourage~~ Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment where feasible. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) 2008 Title 24 energy standard by 20%, including, but not limited to, any combination of the following:
  - Increase insulation such that heat transfer and thermal bridging is minimized.

- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will consider the following:
  - Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.
  - Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.
- Install electrical outlets on the exterior walls of the warehouse/office building (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.

Response to Comment A-6. MM 4.2.6.3A in the Draft EIR prescribes a performance standard requiring a 20% improvement in energy efficiency over and above the 2008 California Building Code (CBC) for the building and lists design tools and features that can be included in the building's design to obtain this improvement in energy efficiency[1]. California's building codes on energy efficiency are approximately 50% more efficient than the national average. California's building efficiency standards are updated on an approximately three-year cycle. The most recent (2010) update increased energy efficiency standards in residential buildings by 20% compared to the 2008 standards[2]. The 2010 CBC did not change energy efficiencies for nonresidential buildings so the 2008 CBC energy standards are still in effect. New 2013 energy standards have been adopted by the State which will be effective on January 1, 2014 that would require that commercial/industrial buildings achieve a percentage of over 20% above the 2008 Title 24 standard for nonresidential construction. Through the adoption of MM 4.2.6.3A, this project is required to meet 2014 requirements now and not wait until 2014. MM 4.2.6.3A adopted by the Planning Commission reads as follows: *"Any combination of the following design features may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent."* With implementation of this measure, the building will meet the 20% performance standard which will render greenhouse gas emissions impacts to a less than significant level on a project-specific basis.

Response to Comment A-7. The Planning Department will coordinate with the Building Department for the enforcement of this measure. The Building Department has retained an expert on energy efficiency and CBC Title 24 through a services contract. That expert will be responsible for performing the technical review the developer's energy efficiency plans to ensure the 20% reduction is achieved.

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1 http://www.energy.ca.gov/title24/2013standards/ accessed August 30, 2012.

2 http://www.calchamber.com/GovernmentRelations/IssueReports/Documents/2012-Reports/GreenBuilding_2012.pdf, accessed August 30, 2012.

Response to Comment A-8. The Planning Commission was provided the responses to all comments made on the Draft EIR for their consideration prior to the Planning Commission public hearing on July 12, 2012. The Planning Commission also considered the mitigation measures that were suggested by Johnson and Sedlack and Sierra Club in comments D-34, D-45, and E-51. In adopted Planning Commission Resolution Nos. 2012-16 and 2012-17, the members of the Planning Commission confirmed that they had read and considered the comments on the Draft EIR and the responses thereto, and also confirmed that the FEIR reflected their independent judgment. Reasons for incorporating or not incorporating the suggested mitigation measures were provided in Response to Comments D-34, D-45, and E-51 in the Final EIR. All feasible mitigation measures are in the Mitigation Monitoring and Reporting Plan provided in Section 4.0 in the Final EIR and a revised version was provided to the Planning Commission before their hearing on July 12, 2012. The revised version along with the agreement by the developer to build the roof to hold solar panels and to design the building to achieve LEED Silver are also included in the Conditions of Approval from the July 12, 2012 meeting.

As indicated in Response to Comment D-36, Draft EIR Section 4.2 Air Quality indicated the analysis of construction shows that there will be exceedances of ROG, NO_X and PM_{10}. Tier III applies to equipment produced from 2006 to 2008. As of 2012, equipment produced since 2006 are becoming more readily available. Tier II specifications result in a substantial reduction in PM_{10} and $PM_{2.5}$ (62.5% to 72.5%, depending on horsepower) over Tier I equipment, which is the basis of the mitigation measure. Tier III specifications are identical to Tier II for PM_{10} and $PM_{2.5}$, thus requiring this more stringent mitigation would have no benefit to the reduction in PM_{10} and $PM_{2.5}$ and was not required. However, the developer voluntarily agrees to use Tier III instead of Tier II construction equipment.

Response to Comment A-9. The EPA's Smartway Transport Partner program previously calculated a fleet composite score that in turn was translated into a Shipper Index Factor (SIF). The previous rating of 1.0 SIF was considered "very good," with 0.75 considered "average." Although the program is changing the way in which the ratings are calculated, the previous rating system will be translated to the new system should the proposed project select to implement the SmartWay 1.0 provisions contained in Mitigation Measure 4.2.6.3A. If so, then the project's truck fleet emissions will be improved to a "very good" rating level, which would be a demonstrable improvement over existing (or average) fleet emissions levels.

Response to Comment A-10. The Justin Adam of Chang & Adams Consulting report (Appendix C of the Final EIR) was not intended to analyze how the loss of agricultural land effects raptor foraging. Nor was the report intended to study the effects of importing food on greenhouse gas emission, global climate change, and air quality. The project site was a sod farm prior to August 2005 and has not been farmed since. The fact that the site was taken out of sod production seven years ago did not affect food production in the area. The report assessed the economic and market trends affecting agriculture in the western Inland Empire. The proposed project will have no impact on the number of agricultural workers who are employed in the area since no such workers are employed on this site. Nor are there any agricultural sites that will likely be converted to non-agricultural uses as a result of this project. The commenter states the graph (Figure 4.5) in the report distorts the significance of the 15,000 acre feet. This is incorrect. [Insert explanation of how there is no distortion in the graph.].

Moreover, the City has anticipated the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The City of Moreno Valley has determined that steps to preserve agricultural land are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly. All of these factors result in an inability to make farming profitable. Furthermore, reestablishing agricultural uses at this site would be contrary to the City's vision (as stated in its General Plan) for the project site.

In regards to raptor forging habitat, that is a biological resources topic not an agricultural topic. The Initial Study (Appendix A to the Draft EIR) contained a Biological Habitat Assessment prepared by Ecological Sciences (August 1, 2010) page 17 of that report states "*In summary, the existing degraded condition of*

the site is the direct consequence of recurring anthropocentric disturbances (agriculture/adjacent construction) that has resulted in low biological diversity (e.g., dominance of non-native species), absence of special-status plant communities, and overall low potential for special-status species to utilize or reside within areas proposed for direct impacts. The loss of currently degraded agricultural habitats would not be expected to substantially affect special-status resources, jeopardize the continued existence of listed species (or special-status species), nor directly impact designated critical habitat (e.g., recent stockpiling activities). Site development would also not be expected to substantially alter the diversity of plants or wildlife in the area or cause a population of plant or wildlife species to drop below self-sustaining levels because of current degraded site conditions." In addition, as stated above, the project site has not been farmed since August 2005 (Draft EIR page 4.1-10).

Response to Comment A-11. It is the commenter's opinion that the City needs to require "significantly more" of the project to have a less of an impact on the environment and health of those within the Moreno Valley region. The Draft and Final EIR analysis the effects of the proposed project on the physical changes to the environment and mitigates to the extent feasible the significant effects of the proposed project on biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, noise, transportation. The projects effects on the conversion of State Designated Farmland, the cumulative effect of the conversion of agricultural lands to non-agricultural uses, short-term construction and long-term operational air quality impacts, cumulative greenhouse gas emissions, and transportation existing year 2007 and opening year 2013 effects were all determined and to be significant and unavoidable after the implementation of feasible mitigation measures. The Planning Commission in its public hearing on July 12, 2012 adopted a statement of overriding considerations that make findings that the specific economic, legal, social technological, or other considerations, outweigh the significant unavoidable effects of the proposed project.

The commenter suggests that the project should be required to obtain a LEED Gold rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions impacts. The commenter is correct in stating there is a warehouse in the City of Riverside that is required to be built per LEED Gold standards. In a settlement agreement between conservation groups and the developer of the Alessandro Business Center project (industrial warehouse project) in the City of Riverside the building will be LEED Gold certified.[3] During the Planning Commission public hearing on July 12, 2012, the developer agreed to build the project to the LEED Silver standards. Many green, energy-saving, sustainable upgrades required to achieve this standard have been added to the project including cool roofing, increased insulation, high-efficiency mechanical systems, low-consumption plumbing fixtures, concrete paving in lieu of asphalt, enhanced landscape/irrigation systems, stormwater filtration systems, LEED monitoring, commissioning, fees and processing costs. The inclusion of these features will result in approximately 55 points required to achieve the LEED silver award of 51 points minimum. The cost to design, construct and administrate the work to meet this standard will exceed $1,250,000 for this project. Adding further features in attempt to receive LEED Gold certification would result in a significant increase in the design and construction cost of the project. These additional costs would be passed onto the ultimate tenant or purchaser of the project resulting in a less competitive and economically-viable project. Therefore, the specific green building features that are part of the LEED rating equation will be incorporated to reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions.

Response to Comment A-12. The City has included the Sierra Club on its mailing list for all future notices and documents regarding this project.

[3] http://www.biologicaldiversity.org/news/press_releases/2011/allesandro-09-20-2011.html, accessed September 5, 2012.

Letter B

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Carl T. Sedlack, Esq. Retired

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

July 12, 2012

Moreno Valley Planning Commission
14177 Frederick Street
Moreno Valley, CA 92553
Facsimile: (951) 413-3210

VIA FACSIMILE AND US MAIL

RE: Vogel Industrial Park (VIP) Moreno Valley Project: July 12, 2012 Public Hearing Item 1, P11-090, PA09-0004, and PA09-0022, TPM 36162

Greetings Planning Commissioners:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Liveable Moreno Valley we hereby submit these comments on the VIP Moreno Valley Project, Plot Plan and Tentative Parcel Map for development of a 1.6 million square foot warehouse facility on 80 acres. (PA09-0004, PA09-0012, TPM No. 36162) Johnson & Sedlack hereby incorporates all comments previously submitted on behalf of Sierra Club and Residents for a Liveable Moreno Valley concerning this project. 1

We respectfully ask that you disapprove this project. As discussed in the comment letter submitted June 1, 2012, the EIR is inadequate as it fails to comply with the requirements of CEQA by inadequately analyzing impacts pertaining to, at least, air quality, aesthetics, biology, cultural resources, geology, hydrology, GHGs, and transportation, among others. The EIR fails to adopt all feasible mitigation measures and ensure that mitigation measures are fully enforceable through permit conditions, agreements, and/or othe legally biding instruments. (State CEQA Guidelines § 15126.4(a)(2)). Despite extensive commentatry that not all feasible mitigation was adopted and that mitigation was vague, uncertain, and unenforceable, the FEIR fails to make needed changes to these measures. 2

The Final EIR (FEIR) fails to make ***any*** substantive changes despite extensive commentary received that, at least, several of the studies in the Draft EIR (DEIR) were outdated or inadequate. Additionally, the FEIR, Mitigation Monitoring and Reporting Program, Resolutions (including Mitigation Monitoring Program and Conditions of Approval) before the Planning Commission do not accurately reflect the alleged changes in wording of mitigation measures as stated in the Responses to Comments. The conclusions and findings expressed in the FEIR made 3

based upon the assumption that these changes are incorporated are therefore wrong and not based on the project. Should the Planning Commission determine to approve the project in spite of these extensive comments in opposition to the project and detailing deficiencies with the EIR, it is inappropriate to approve the project so where the FEIR does not accurately discuss, evaluate, and mitigate the project as it is presented for approval. 3

Having failed to make any substantive or substantial changes in the FEIR, the comments previously submitted by all commenters remain valid and the FEIR continues to fail as an informational document and fails to inform the public and decisionmakers of the real impacts of this project. The Final EIR is also very conclusory and fails to provide the analysis and examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. The Responses to Comments also often allege facts which are not supported by any evidence in the record. Generally, the findings are not supported by substantial evidence in the record and, as stated above, are not based on the project and mitigation measures as being submitted for consideration before this commission. 4

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. This project's Mitigation Monitoring and Reporting Program lists many feasible mitigation measures but fails to require the implementation of these measures or drafts such mitigation in an utterly unenforceable manner. This is unacceptable and misleading to the public and decisionmakers as to the extent of mitigation required of this project. 5

This project fails to make adequate findings, *based on substantial evidence* that the environmentally superior alternative is infeasible. In fact, the environmentally superior alternative satisfies most, if not all project objectives and significant reduces project impacts, particularly with regards to air quality in an area known to have some of the worst air quality in the nation. At the least, the environmentally superior alternative must be implemented in lieu of the project. 6

Findings

The findings required under CEQA cannot be made with respect to this project. Not all significant effects of the project have been eliminated or substantially lessened. 7

Statement of Overriding Considerations

CEQA Guidelines § 15093 (b) provides that when the agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR, but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The decision to approve a project in spite of significant environment impacts requires the decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks. (Guidelines § 15093(a).) However, the Statement of 8

Overriding Considerations ("SOC") shall be supported by **substantial evidence** in the record. (Id.) In *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1222, the court said: "Whereas the [mitigation and feasibility] findings … typically focus on the feasibility of specific proposed alternatives and mitigation measures, the statement of overriding considerations focuses on the larger, more general reasons for approving the project, such as the need to create new jobs, provide housing, generate taxes, and the like." 8

Substantial evidence in the record does not support the adoption of a statement of overriding considerations given the immense environmental harm expected with the project balanced with minimal economic benefits. The EIR finds that the project would, "add jobs resulting from the development of the industrial uses to the City, with the potential to minimize the VMT traveled within the project site and community." This potential is countered by recent industrial/ distribution projects within Moreno Valley which have utterly failed to create the promised jobs. On the other hand, this project will have massive and detrimental impacts to, *at least*, air quality, traffic, agriculture, and greenhouse gas emissions. These enormous detriments cannot be outweighed by the promise of jobs which are uncertain, unlikely, and few. A Statement of Overriding Considerations is not supported for this project.

Cumulative Impacts

Response to Comment E-10 acknowledged that the World Logistics Project was only considered in determining certain cumulative impacts, not all cumulative impacts. Those impacts which for which the World Logistics Project was apparently not considered include, but are not limited to: traffic off of the highway mainline, noise, aesthetics, biology, and hydrology/water quality, among others. The EIR fails as an informational document by failing to consider cumulative impacts from the World Logistics Project in each of these areas of the EIR. 9

Aesthetics

The project improperly segments approvals by failing to consider potential environmental impacts from the project's signs in the EIR. Instead, the staff report states that, "signs will be reviewed and approved under (sic) separate administrative permit." (*See also,* Condition of Approval P20 for PA 09-0004) Hence, by failing to consider the whole of the project including signage, the EIR fails to comply with CEQA. 10

In prior comments, we noted that the EIR fails to discuss lighting impacts on nighttime views. In the response to comments, the FEIR still fails to respond to or discuss this potential effect, instead re-stating the conclusions of the Draft EIR. 11

Agricultural Resources

The Response to Comments states that the purchase of agricultural conservation easements is economically infeasible on the basis that the "General Plan does not include any agricultural designations; therefore mitigation for the loss of [it] is not required" and because it would not replace or provide new farmland. This does not demonstrate economic infeasibility of this mitigation measure. 12

Comments E-7 and E-8 recommend mitigation for agricultural impacts in the form of donating to the Riverside Land Conservancy or San Jacinto Basin Resource Conservation District. The responses to these comments does not find such mitigation to be infeasible but instead generally fins other mitigation measures not recommended by the commenter to be infeasible. As the EIR does not find these measures specifically to be infeasible, the measures must be deemed feasible and incorporated as mitigation for the project's significant agricultural impacts. Furthermore, the responses to the comments were unresponsive to the comments made. 12

Air Quality

The project will result in extensive and unavoidable impacts to air quality during construction and operation. 13

The Final EIR states that many of the mitigation measures recommended by Johnson & Sedlack in its previous comments are "included" or have been "incorporated" into the mitigation required of the project in the EIR. First, these measures are not enforceable or required of the project. Instead, they are to be *considered*, *written on signs,* or listed as one of several alternatives that may or may not even relate to the actual mitigation required of the project. The FEIR therefore fails as an informational document by misleading the public and decision-makers as to the extent of mitigation incorporated into the project. The FEIR also fails by failing to incorporate all feasible mitigation and/or failing to find such measures to be infeasible. Some examples of these instances, though not all by far, are listed below. 14

Furthermore, the mitigation measures stated to be added or changed in the FEIR have not all been so amended in the FEIR, Resolutions, or Mitigation Monitoring and Reporting Program, for the project. The FEIR does not accurately reflect project impacts if these Resolutions are passed approving the project where they do not represent the project as evaluated in the FEIR. 15

Mitigation measure 4.2.6.1D regarding cessation of all clearing, grading, earthmoving, or excavation activities states that verification will only occur during grading. Verification should occur during grading and construction. 16

Mitigation measure 4.2.6.1H states that the contractor shall *during smog season* not allow construction equipment to be left idling for more than five minutes. The EIR fails to show that it is infeasible to so limit idling year round, particularly where existing air quality in the project vicinity generally exceeds state and federal air quality standards for Ozone, Coarse Particulate Matter (PM10), and Fine Particulate Matter (PM2.5). Not all feasible mitigation has been required to reduce air quality impacts. 17

MM 4.2.6.1K does not require any mitigation, only that "construction specifications and bid documents" include "notations." The statements in the Response to Comments at pages 63-69 that measures are already included within this mitigation measures are therefore false as such measures are not required to be applied to/ incorporated into project construction and are unenforceable, contrary to the statement at Response to Comment D-37. 18

MM 4.2.6.1L does not provide any requirement for the community liaison to respond promptly or in a timely manner. This must be required to ensure that construction related air quality issues are timely resolved. 19

Mitigation Measure 4.2.6.1M only requires the posting of signs but does not require compliance with the measures delineated on the signs. The measure is illusory. Recommended mitigation measure 24, at FEIR response to comments page 66, is not included in the EIR or mitigation required of this project. 20

MM 4.2.6.1R states that measures "should" be taken. Such language makes the measure unenforceable, and the mandatory "shall" must replace "should" in this measure. 21

MM 4.2.6.3A lists many feasible mitigation measures but fails to *require* the implementation of those measures or find that requiring the implementation of each of the listed measures is infeasible. Instead, the measure requires only that the project exceed Title 24 requirements by 20%. Many of the listed alternatives would not even be used in determining Title 24 compliance, as they relate to mobile emissions and not building emissions, and are therefore illusory mitigation. By failing to require all feasible mitigation and failing to accurately detail the mitigation required of the project, the EIR fails. The FEIR, Mitigation Monitoring and Reporting Program detailed in the FEIR, and the Resolutions also fail to make the changes stated to be made to this mitigation measure in the response to comments. The Statement "Any combination of design features including but not limited to the following list may be used…" has not been replaces as stated in the FEIR and responses to comments. The EIR fails as an informational document by claiming to have made these changes where, in fact, they have not been made. 22

The response to comments at p. 64-65, concerning the recommended mitigation measure 13, fails to provide evidence supporting a finding of infeasibility for limiting the simultaneous disturbance of the site to 5 acres per day. The threshold of significance for emissions from grading including dust and vehicular emissions are measured based on lbs/day, so while emissions may not necessarily be reduced, they may in fact be reduced *below a level of significance* by prolonging the grading period. These numerical thresholds do not account of whether there are "sensitive receptors located in close proximity to the project site that would be affected by the dust" as air quality impacts effect more than just nearby residences. The FEIR fails by not incorporating this feasible mitigation measures where it may significantly reduce or avoid some construction air quality impacts based on the thresholds adopted for determining the significance of such impacts. 23

Recommended mitigation measure 23, at page 66 of the FEIR is not included as stated. The project rather only requires that CARB certified Tier II or better equipment be utilized "where feasible" not that only CARB certified equipment be used for construction activities. The FEIR thus falsely states that this recommendation is included in the project. 24

The Response to comments states that the project has the potential to reduce VMT. An EIR, however, is intended to evaluate a worst cast, not a best case, scenario of project effects. Regardless of potential reductions which are "virtually impossible to calculate." 25

As stated in Response to Comment D-38, **mobile source emissions exceed the threshold of significance by up to 1,700%,** yet the EIR makes only a miniscule attempt at mitigation that is almost entirely directed at reducing emissions from the building/stationary sources. 26

The changes stated to be made in the response to comment section of the FEIR, such as the change stated at Response to Comment D-38, D-39, D-42, D-43, etc. concerning Mitigation Measure 4.2.6.3A has not been incorporated into the Mitigation Monitoring Plan of the Resolution being presented to the City. The FEIR therefore fails as an informational document by stating that changes have been made to the project but failing to actually making those changes. 27

Response to Comment D-39 is unresponsive to the comment made. The comment noted that the incorporation of measures related to mobile emissions will not aid in reduction of emissions 20% below Title 24 standards, and are therefore illusory measures that will not be used and will not achieve the stated result. The response that the City has no control over vehicle emissions does not respond to this comment made. 28

Response to Comment D-45 still does not respond to or make the changes requested in Johnson & Sedlack's previous letter that each of the measures listed at MM 4.2.6.3A be specifically required for the project, but only that the project demonstrate that Title 24 Energy Efficiency Standards be exceeded by a minimum of 20%. It is false to state that the suggested mitigation measures at Response to Comment D-45 are included as mitigation where they are not actually and specifically required for the project. Many, as commented at D-45, are not even alternatives that may be used to meet or exceed Title 24 standards. 29

Response to Comment D-45 also states that recommended mitigation 22-23 have been incorporated, but not so. MM 4.3.6.1B requires only that, "The landscaping plan shall be prepared by a registered landscape architect who will *consider*" the recommended mitigation, not that the measures actually be required of and incorporated into the project. MM 4.3.6.1B is vague and unenforceable, and the FEIR is deceiving by stating that these measures have been incorporated into the project. 30

Response to Comment E-4 states that building the roof to accommodate solar panels has been required as project mitigation. Not so, as MM 4.2.6.3A only requires that the project surpass 2008 Title 24 standards by 20% however achieved. The mitigation has not been incorporated in a manner that ensures that it is fully enforceable and will actually be implemented as a condition of development as required by CEQA. Comment E-5 notes that this "cafeteria list of mitigations" shows that more can be done to mitigate for project impacts to air quality. The response to Comment E-5 does not respond to the comment made. 31

Response to Comment E-6 does not respond to the comment made and does not find infeasible the suggested mitigation to require 90% of off-road construction equipment to meet Tier III standards. This mitigation must be incorporated as it is not determined by the FEIR to be infeasible. 32

Response to Comment E-16 states that the mitigation suggested is required. Again, this is false and mitigation measure 4.2.6.1K requires only that "notations" be made in documents, and 4.2.6.3A requires only that the project exceed Title 24 by 20%. 33

Biological Impacts

Response to Comment E-21 is unresponsive to the comment made and does not state whether the site will or will not be disked prior to the burrowing owl surveys. 34

Cultural Resources

Response to Comment D-49 is unresponsive to the comment made. Johnson & Sedlack asked over what portion of the project site reaching the maximum excavation depth would result in no further monitoring? 100% of the project site? Or only 1% of the project site? If no fossils are found upon reaching maximum excavation depth over only a small portion of the project site and monitoring is then discontinued, it is possible or even likely that fossils may still be found and harmed across the remainder of the project site at less than the maximum excavation depth. MM Cul-1 is vague in this way. The measure must clarify that monitoring may be discontinued only once the maximum excavation depth is reached in 100% of the area to be excavated across the project site. Cul-1 remains unaltered in the Mitigation Monitoring Program at Resolution 2012-16 and the Conditions of Approval at Resolution 2012-17, despite changes alleged in the FEIR. 35

Geology and Soils

MM Geo-1 defers mitigation and evaluation of project impacts as, "the above measure may be modified by the Final Geotechnical or Soils Report." It is therefore not demonstrated that the required mitigation will reduce impacts to a level below significance; further mitigation may be needed. 36

MM Geo-2 is deferred, vague, and unenforceable. Specifically, such mitigation requires that the project proponent "inform" engineers, architects, owner, maintenance personnel, and other interested parties of the Expansive Soil Guidelines provided in the geotechnical analysis and that such guidelines "shall be implemented…in the applicable design guidelines." The Expansive Soil Guidelines must be directly included and implemented in the project's grading plans to ensure implementation and enforceability. 37

GHGs

Johnson & Sedlack reiterates its comments that the project will have significant individual impacts to GHGs, not merely cumulative impacts, for the reasons previously stated. 38

Response to Comment E-3 is unresponsive to the comment made that LEED Gold certification should be required in order to mitigate for project effects. The EIR fails to find infeasible requiring LEED Gold certification as a mitigation measure. 39

Responses to Comments E-49- E51 state that many mitigation measures are incorporated or included in the project mitigation measures. This is untrue where such measures including 4.2.6.3A fail to require that each of the listed measures actually be required of the project; 4.3.6.1A merely requires compliance with the law that the project comply with Title 24; 4.3.6.1B requires only *encouragement* which is utterly unenforceable; 4.2.6.1K requires only "notations"; etc. The measures recommended by the Comments have not been incorporated into the project in a certain and enforceable manner as required by CEQA. 40

Response to Comment E-54 finds carbon offsets to be infeasible but fails to state a valid reason for that finding. Bases for finding mitigation infeasible include that specific economic, legal, social, technological, or other considerations make infeasible such mitigation. (State CEQA Guidelines § 15091) Here, the EIR finds carbon offsets to be infeasible not because of any of these considerations but because they have not previously been required and because they require a well performing program. This does not demonstrate that carbon offsets are *infeasible,* that is, not capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, legal, social, and technological factors. (State CEQA Guidelines § 15364) As the FEIR fails to demonstrate that carbon offsets are infeasible pursuant to CEQA, they must be required as mitigation measures for the project. 41

Response to Comment E-54 goes further to suggest that GHGs can never be reduced or mitigated. This is contrary to CEQA which specifically provides for mitigating the effects of GHG emission. (*See,* State CEQA Guidelines § 15126.4 (c).) The response goes far beyond the limits of CEQA as well by claiming that any energy consumption reduced by this project through the purchase of carbon offsets will somehow result in increased energy consumption and GHG emissions overseas in developing countries such as China or sub-Saharan Africa. These claims are also unsupported by *any evidence* in the EIR and are *highly speculative,* to say the least. Again, as any finding of infeasibility with regards to the purchase of carbon offsets is not based on fact or the CEQA definition of feasible, this mitigation measure must be required of the project. 42

Hydrology and Water Quality

Condition of approval LD7 defers mitigation by requiring that a drainage study be prepared and submitted. Condition LD37 requires that the hydrology study come to a specific conclusion that the 10-year storm flow be contained within the curb and a 100-year storm flow be **contained within the street**, or additional facilities may be needed. In other words, LD 37 requires that hydrological impacts be evaluated after project approval and potentially that additional mitigation measures will be needed to reduce impacts. Furthermore, LD 37 contemplates the use of the street for drainage purposes. Allowing for the flooding of the street for project-related drainage is a potentially significant drainage impact that was wrongly not considered, disclosed, or evaluated in the EIR. 43

Even with the change in wording allegedly made at MM Hyd-5, the measure improperly defers mitigation and evaluation by deferring the preparation of a drainage report. 43

Noise

MM 4.9.6.1D is vague as it requires that the contractor limit construction related activities that would result in "high" noise levels without defining what level would be considered "high". Furthermore, as mentioned in previous letters, limiting the hours of construction will not mitigate for impacts from noise during those hours. 44

Response to Comment D-65 states that the EIR did not use a 3dBA increase as a threshold of significance. This is contradicted by the response and EIR which each demonstrate that the EIR looked to whether a 3 dB increase occurred. 45

With regards to Response to Comment D-68 concerning the use of "hard site" versus "soft site" scenarios, while increases in noise may not change, exceedences of the City's noise standards may be increased/ significant if the hard site scenario is instead utilized. 46

Response to Comment D-69 claims that an increase in trucks from the project, around a 3.25 to 7.5 percent increase in cumulative traffic volumes along area roadways, would not affect the findings of the noise impact analysis even though the analysis does not consider higher truck percentage of vehicle mix. This conclusion is unsupported by either the response or the record. 47

Response to Comment D-70 is unresponsive to the comment made, which states that the noise impact is significant where noise levels exceed noise standards and the project would result in a further exceedence of that standard and an increase in ambient noise where such noise is significant. Johnson & Sedlack also restates its prior comment that the proper measure of noise impacts is taken at the property line. 48

Response to comment D-74 is misleading as it insinuates that no sensitive receptors will be impacted by project construction. 49 Furthermore, whether or not 1987 documents concerning noise provide a "conservative" estimate of noise levels, noise impacts as stated in the EIR are highly likely to be incorrect as the relied upon numbers are far outdated. The EIR fails as an informational document. 50

As the EIR's noise analysis remains flawed and impacts must therefore be considered potentially significant, the mitigation measures suggested at comment D-76 must be implemented for the project. 51

Public Services

Condition of Approval F2 states that the City has granted a 50% reduction in fire flow for the use of fire sprinklers throughout the facility. There is no explanation of why this variance was 52

granted or evidence supporting a conclusion that this will not impact public safety. The EIR thus fails as an informational document. 52

Transportation

Response to Comment E-12 is unresponsive to the comment made that the project fails to mandate that only the "primary truck route" of Harley Knox Boulevard to the west be used so that trucks will not pass by a school. While this may be the primary truck route, the EIR does not claim or show that it is the only truck route which may be used. Comment E-12 asks for details on how the project will enforce use of only the Harley Knox Boulevard to the west truck route in order to avoid passing by schools. The EIR fails to do this, and therefore fails to provide needed information to the public and decisionmakers. Furthermore, a condition or mitigation measure must be placed on the project to require that only the "primary truck route" be utilized as this was apparently the only route evaluated by the EIR. 53

Response to Comment E-18 is unresponsive to the comment made. The table showing average trip lengths does not show the routes which trucks will be taking from the facility on local roadways to get to further away destinations so that the public and decisionmakers are informed of the impacts to local streets. Comments E-18 and E-19 also do not respond to the issue that future impacts beyond 2013(the first year) must be evaluated in the EIR. 54

As stated at Response to Comment E-20, the EIR does not consider impacts to SR-60, despite the fact that around 10% of truck trips are expected to use this highway. The EIR fails as an informational document by failing to evaluate these impacts. Furthermore, the FEIR again fails to make any substantive changes or undertake any real evaluation as requested by commenters. 55

Comments F-3 and F-4 by the Department of Transportation state that year 2007 AADT volume data should be used b y the EIR to keep consistency with traffic volume projections, yet the FEIR fails to make this change, relying instead on 2009 projections for some, 2007 for others. It is unclear from the response whether the 2009 CALTRANS AADT volume data represents a worst- case scenario over the 2007 data. Accordingly, by failing to use the 2007 data as recommended by CALTRANS, the EIR fails to provide accurate and consistent information. 56

Alternatives

With regards to Response to Comment D-92-95, Response to Comment D-92 incorrectly restates the comment made. The Response also creates an entirely new project object of clustered development in a highly dense form without urban sprawl—this objective is *none* of the actual project objectives. Pursuant to the project objectives as written in the EIR, the reduced intensity alternative satisfies most project objectives and reduces project impacts. If any project is approved, the reduced intensity alternative is superior and less environmentally damaging when compared to the project as proposed. 57

Likewise, Response to Comment D-59 states that the reduced intensity alternative does not meet the objective to "Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources…" because "reduced-intensity development patterns are in concepts diametrically opposite of the highly dense form of development patterns that are characteristic of clustered development." Again, this conclusory statement fails to apply the project objective above on its own. Would the reduced intensity alternative be near efficient access points? Yes. Are there many "clustered" warehouses including the reduced intensity form of this project near those points, or planned to be near those points? Yes. Nevertheless, a project alternative need only "feasibly obtain most of the basic objectives to the project" which this alternative plainly does. (State CEQA Guidelines § 15126.6) As this alternative is feasible, will significantly reduce project impacts, and will obtain most of the basic project objectives, it must be approved in lieu of the proposed project if approval is granted. 57

Desired Actions

For the above reasons and those previously submitted, we respectfully ask that you deny the project and deny certification of the FEIR. 58

Thank you for your consideration of the above comments.

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

Copies to: John C. Terrell, Planning Official; e-mail: johnt@moval.org
Jeff Bradshaw, Planner; e-mail: JeffreyB@moval.org

Letter B

RAYMOND W. JOHNSON, Esq. AICP
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:

- Sierra Club
- San Bernardino Valley Audubon Society
- Sea & Sage Audubon Society
- San Bernardino County Audubon Society
- Center for Community Action and Environmental Justice
- Endangered Habitats League
- Rural Canyons Conservation Fund
- California Native Plant Society
- California Oak Foundation
- Citizens for Responsible Growth in San Marcos
- Union for a River Greenbelt Environment
- Citizens to Enforce CEQA
- Friends of Riverside's Hills
- De Luz 2000
- Save Walker Basin
- Elsinore Murrieta Anza Resource Conservation District

Education:

B. A. Economics and Political Science, Kansas State University 1970
Masters of Community and Regional Planning, Kansas State University, 1974
Additional graduate studies in Economics at the University of Missouri at Kansas City
J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment

financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.
Lee's Summit, MO 6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO 9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.
Project Coordinator 6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

Response to Letter B
Johnson & Sedlack
Letter Dated July 12, 2012

Response to Comment B-1. The commenter has accurately summarized the general aspects of the proposed project. The commenter's comments on the Draft EIR (DEIR) in his letter dated June 1, 2012 was responded to in the FEIR. The comment letters on the DEIR and the City's responses were provided to City's decision makers for their consideration in approving the proposed project.

Response to Comment B-2. The comment requesting that the Planning Commissioners disapprove the project was been provided to them for their consideration. The Planning Commission unanimously rejected the request. The commenter's opinions on the quality of the environmental assessment that was done will be forwarded to the City Council Members for their consideration. The City disagrees with the commenter's generalized assertions regarding the adequacy of the VIP Moreno Valley Draft EIR.

Response to Comment B-3. The commenter's statement that there were no substantive changes made to the FEIR based upon the comments received is incorrect. The changes requested by the commenter in his letter dated June 1, 2012. Response to Comment D-24, D-55, and E-51 were either made to the FEIR or were determined to be infeasible or not required and a reason was provided in the responses to those comments.

There was one change required to the Responses to Comments that were identified as errors by the commenter. This was included in Response to Comment E-9 where the Mitigation Monitoring and Reporting Plan (MMRP) was edited for the Planning Commission meeting to delete the following wording from Mitigation Measure (MM) 4.2.6. 3A "Lease/purchase documents shall identify that tenants are encouraged to promote the following" but was left in the Response to E-9.

The Planning Commission and public were provided an updated MMRP at the public hearing on July 12, 2012, which the commenter did not attend. The changes requested by the commenter were included in the MMRP. During that meeting the changes to the MMRP were discussed by the environmental consultant and included in the public hearing minutes. This is the MMRP that was adopted by the Planning Commission on July 12, 2012.

The City is not in agreement that there were numerous comments in opposition to the proposed project. The comment letters received on the DEIR did not state direct opposition to the project. The letters from the commenter and Sierra Club asked for clarifications, additional analysis, expressed disagreement with the findings in the DEIR and requested that additional mitigation measures be considered. The commenter's letter of July 12, 2012 states direct opposition to the approval of the proposed project. It is the City's opinion the FEIR does address the comment letters received by the commenting agencies and individuals. It also contains additional clarifications, substantial evidence as to the findings, and revised and new mitigation measures.

Response to Comment B-4. Regarding the comment that no changes were made to the FEIR in response to the comments received on the Draft EIR, please see response to comment B-3. This comment is general in nature and therefore does not specifically identify which portions of the FEIR "fail as an informational document" and are "conclusory and fails to provide the analysis and examination required by CEQA." Based on the detailed responses to comment provided in the FEIR and the following detailed responses to the comments made in commenter's letter, the City disagrees with the general assertions made by the commenter.

Response to Comment B-5. The City disagrees the MMRP contains mitigation that is unenforceable. The commenter's statement "the project's MMRP lists many feasible mitigation measures but fails to require implementation of these measures or drafts such mitigation in an utterly unenforceable manner" is a generalization with no specific examples. The MMRP includes a list of the individual mitigation

measures included in the Draft and FEIRs, at what stage of the development process they will be implemented, when they are to be implemented, by whom, and who is the party responsible to make certain the mitigation measure is enforced.

Response to Comment B-6. As stated in the FEIR, Response to Comment D-92, the same commenter incorrectly asserted that the environmentally superior alternative meets most project objectives and must be approved instead of the proposed project. As stated in the FEIR, the environmentally superior alternative (reduced density) will result in reduced air pollution and greenhouse gas (GHG) emissions but the significance of these impacts remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project. The significant and unavoidable project impacts associated with GHG emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. The significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold). The Reduced Intensity Alternative would, to some degree, realize the Project Objectives as follows:

- Create employment-generating opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage industrial development as attractive and productive uses while minimizing conflicts with the surrounding existing uses;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a high-quality large-scale industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide an industrial warehouse facility that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster industrial warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce associated air pollutant emissions from vehicle sources;
- Implement the City's General Plan Industrial/Business Park Land Use designations that are applicable to the site;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersections or road segments.

However, because the scale of the development would be diminished under the Reduced Density Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term

construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project.

The applicant is selling the property at a price that reflects the current market value for similar industrial-zoned properties in this region. The value of warehouse/industrial property is typically based on an assumed minimum building coverage (FAR) of 50%. The subject project FAR (51.5%) supports the seller's price for the land while meeting the minimum return on investment required to finance the development. The economic viability of the reduced density alternate has been studied which assumes a 25% reduction in FAR or approximately 404,033 square feet. This would result in a 38.6% FAR for the Reduced Density Alternative. The financial analysis for the reduced density project demonstrates that the project is not economically feasible. The estimated net proceeds after costs drop 73% when compared with the original project. Further, the Internal Rate of Return (IRR), commonly used as a metric to finance the real estate, plunges by nearly 60% for the less-dense alternative. This financial analysis demonstrates that the reduced density project alternative is not economically viable when industry standard development costs and minimum thresholds for financing are analyzed.

Response to Comment B-7. As stated in the Findings, all feasible mitigation has been applied to all significant and unavoidable impacts to the extent possible as limited by economic, legal, social, technological, or other considerations. Even so, certain impacts associated with air quality, GHG emissions, and traffic cannot be fully mitigated. In accordance with CEQA Guidelines Section 15093, a Statement of Overriding Considerations has been prepared that document the City's determination that the project's benefits outweigh its significant and unavoidable impacts.

Response to Comment B-8. The commenter does not specifically identify which "recent industrial/distribution projects within Moreno Valley" have allegedly failed to create the "promised jobs." The City assumes that comment refers to the "Skechers" warehouse project in eastern Moreno Valley (see Table A below). That project resulted in many workers transferring from existing warehousing in Ontario rather than creating "new" jobs, and the level of local job growth was not as high as had been initially expected mainly due to economic conditions at the time the project opened. It is not appropriate to assume this project will simply relocate jobs rather than create jobs. It is clear this project will require construction workers during the construction phase, and new permanent workers during operation. It also will generate revenues to the City from property and other taxes. Unfortunately, the exact number of employees cannot be known at this time since a specific end user has not yet been identified. CEQA only requires a level of analysis appropriate for the timing of the review based on information on the project that is available at the time the CEQA analysis is conducted. It is not possible to know, and it is overly speculative to require this project to precisely estimate its actual employment. For example, the following Table A compares projected employment for several warehouse projects recently proposed in and around the proposed project area. Table A demonstrates that acceptable employment generation rates range widely, in this case from 1 employee per 1,030 square feet up to 1 employee per 3,033 feet. The proposed Vogel DEIR used a mid-range of 1 employee per 2,500 square feet. This is reasonable especially considering the end user is not known at this time. It is therefore appropriate for the EIR and the findings to state the project will increase local employment without being specific as to the exact number of employees expected.

Table A: Employment Estimates for Recent Local Warehouse Projects

Source/Project (Jurisdiction)	Source Info (employee/square foot)	Square Feet	Number of Employees
Stratford Ranch[1] (City of Perris)	1: 2,500	1,712,880	685
Skechers[2] (City of Moreno Valley)	1:3,033	1,820,000	600
John Husing Logistics Report[3] (City of Moreno Valley)	1:2,000	NA	NA

Vogel Industrial Projec[4] (City of Moreno Valley)	1:2,500	1,616,133	646
West Ridge Commerce Center[5] (City of Moreno Valley)	1:1,030 937,2	60	900

[1] Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.
[2] Actual data from City of Moreno Valley Planning Department and Highland Fairview
[3] 2003 study by U.S. Energy Information Agency (see slide 25) shipping and distribution centers increase by 5% making it 1 employee/ 2000 sq ft
[4] Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008. 2,500 square feet per employee is an average of the Inland Empire rates.
[5] Based on approximately one job per 1,030 square feet of development, per Riverside County General Plan Appendix E, Buildout Assumptions and Methodology Page 6, Light Industrial employment multiplier.
NA = not applicable

The EIR identifies the expected impacts of the project relative to air quality, greenhouse gases, traffic, agriculture, etc. and those impacts were evaluated against the identified thresholds of significance identified in the DEIR. The commenter includes the commenter's opinion regarding the scope of these impacts. It will be up to the discretion of the City Council to determine if the anticipated benefits of the project outweigh the identified impacts.

Response to Comment B-9. The commenter claims that the EIR fails as an informational document due to an allegation that the cumulative impact analysis of local traffic, aesthetics, biology, and hydrology/water quality did not take into consideration the World Logistics Center project. The CEQA Guidelines Section 15355(b) states *"The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects."* Given the fact that the World Logistics Center was not a "*reasonably foreseeable probable future projects*" when the Notice of Preparation of issued for this project, it was not required to be addressed at all. Specifically, the Notice of Preparation for this project was distributed to the public on August 26, 2011. The applications were filed with the City for the World Logistics Center on March 19, 2012 and deemed complete on April 18, 2012. The Notice of Completion was filed for this EIR on April 20, 2012. Given this, the City would have been justified in omitting any discussion of the World Logistics Center.

Nonetheless, in an effort to provide as much information as possible to the public and the decision makers regarding potential cumulative impacts, the City did include a discussion of the impacts of the World Logistics Center for the topic areas where there would be a potential for a significant impact. These included air quality, greenhouse gas emissions, and traffic on the I-215 mainline. For other topics, given the nature of the two projects and the geographic distance between the projects (9.2 miles), no potential for the additive effects of impacts were identified.

As previously explained in the Final EIR, Response to Comment E-10, the cumulative impact analysis of local traffic, aesthetics, biology, and hydrology/water quality did not take into consideration the World Logistics Center project. The primary reason for this exclusion is the distance and separation between the two projects, which will result in little to no intermingling of certain cumulative effects on the environment. Specific responses to this allegation are as follows:

- Local traffic will not overlap because the two logistics centers truck traffic will be concentrated on the highway system and not local roadways. The two projects are not located in the same generally area and are separated by over 9 miles. The Mount Russell Range and Bernasconi Hills are also between the two sites. Therefore, because of the distance between the two projects and the topography there will not be a cumulative impact on aesthetics.

- Although the two projects are separated by geography and distance the biological resources are similar with a greater diversity of resources on the World Logistics Center site than the proposed Project site. The proposed Project was found to have a less than significant impact on biological resources including raptor foraging habitat. The Project's cumulative impact from the loss of

foraging habitat for raptors was determined to be less than significant. Both projects are subject to the requirements of the Western Riverside MSHCP. Compliance with the MSHCP mitigates the projects cumulative impacts on endangered and threatened species and species covered by the MSHCP.

- Again because of the distance between the two projects and the presence of the mountain ranges there will be no mixing of potential noise sources. Therefore, there will be no cumulative noise impacts.

- Because of the distance and separation of the sites from each other, the two projects will drain into two separate hydrologic areas. The proposed Project drains to the Perris drainage channel while the World Logistics Center drains to the south east in Mystic Lake. For these reasons, the cumulative impacts from the two projects will not intermingle. In addition, because the two projects are required to implement the most up to date Best Management Practices (BMPs), cumulative impacts on water quality would be less than significant.

Response to Comment B-10. Because a tenant has not yet been identified, it is not possible to formulate that sign program at this juncture. However, this does not mean that there is any project piecemealing. Page 3-4 of the Initial Study attached to the Notice of Preparation (DEIR Appendix A) states that…"the City's Municipal Code (Section 19.05 and Table 9.05.040-8) establishes the number, location, height, and style of signage permitted within industrial zones. The submittal and approval of signs are required for all development in the City; therefore, it is reasonable to conclude that any on-site signs are internally compatible and consistent with the City's current signage standards. Adherence to City requirements would result in a less than significant level." The extent of the project signage would be on the building or at most a monument close to the building, or smaller signage at distance away from the building to direct customers and deliveries to the actual building itself. The project is not adjacent to a freeway so signage would be limited to that consistent with the City's Municipal Code (i.e., not a billboard or other massive regional signage). The commenter has submitted no evidence suggesting that project specific signage would be a significant aesthetic impact. Therefore, the commenter's statement is not supported by facts in the record.

Response to Comment B-11. In Response to Comment D-12 states, as noted in the DEIR, " *project-related lighting impacts were determined to be less than significant because all development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses."* Therefore, impacts associated with night lighting and nighttime views are less than significant and no mitigation is required.

Response to Comment B-12. In Response to Comment D-16 the response does state that the purchase of agricultural conservation easements is " *economically infeasible" "[b]ased on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. The site has been planned for industrial uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required.*[¶]*An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See Fourth District Court of Appeal, Cherry Valley Pass Acres and Neighbors v. City of Beaumont (2010) 190 Cal.App.4th 316 (Cherry Valley)."* (See FEIR, p. 57, emph. add.) The commenter failed to provide the complete response to the comment which included the ruling by the Fourth District Court of Appeal quoted above. In discussion with Gail Egenes, Executive Director of

the Riverside Land Conservancy, the agency does not have any established program to purchase agricultural easements or lands. Also, in consultation with the National Conservation Easement Database, Riverside County does not have any established agricultural easements.[1]

Also refer to Response to Comment A-10.

Response to Comment B-13. The commenter is correct in stating there will be significant and unavoidable impacts to air quality during construction and operations of the proposed project. It is the commenter's opinion that the impacts are "extensive." As required by CEQA, the EIR categorizes the impacts by comparison to established thresholds of significance.

Response to Comment B-14. As stated in Response to Comment B-5, the MMRP includes a list of the individual mitigation measures included in the Draft and FEIRs, at what stage of the development process they will be implemented, when they are to be implemented, by whom and who is the party who is responsible to make certain the mitigation measure is enforced.

Response to Comment B-15. The Planning Commission and interested members of the public were provided an updated MMRP at the public hearing on July 12, 2012. The commenter did not attend the meeting, but the updated MMRP has been sent to the commenter. The changes that were requested by the commenter were included in the MMRP. During that meeting, the changes to the MMRP were discussed by the environmental consultant and included in the public hearing minutes. The revised and updated MMRP is the MMRP that was adopted by the Planning Commission on July 12, 2012.

Response to Comment B-16. The language the commenter is requesting to be added to the MMRP for Mitigation Measure 4.2.6.1D *"verification during grading and construction"* was added to the MMRP that was updated and provided to the Planning Commission at its public hearing on July 12, 2012. This is the MMRP that was adopted by the Planning Commission.

Response to Comment B-17. The developer has voluntarily agrees to remove "*during smog season*" from MM 4.2.6.1.H. If approved by the City Council, the mitigation measure will read as follows:

4.2.6.1H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications ~~and during smog season (May through October)~~ by not allowing construction equipment to be left idling for more than five minutes (per California law).

Response to Comment B-18. It is clearly understood in the construction industry that if there is a notation on grading plans, bid documents, and construction plans those notations are to be implemented; however, to make it clearer that the specifications are to be implemented the developer voluntarily agrees to revise MM 4.2.6.1K as follows, if the City Council agrees:

4.2.6.1K Grading plans, construction specifications and bid documents shall also include the following requirements ~~notations:~~

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;

[1] http://nced.conservationregistry.org/browse/map, accessed September 4, 2012.

- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;
- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel-powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be permitted onsite during construction to minimize the need for offsite vehicle trips;
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.
- Suspend use of all construction equipment operations during second stage smog alerts.

Response to Comment B-19. The Planning Commission was provided an updated MMRP at its public hearing on July 12, 2012, which the commenter did not attend. The updated MMRP included the change requested by the commenter to include a timeframe for the community liaison to respond promptly or in a timely manner was included in the MMRP. During that meeting the changes to the MMRP were discussed by the environmental consultant and included in the public hearing minutes. This is the MMRP that was adopted by the Planning Commission on July 12, 2012.

The mitigation measure adopted by the Planning Commission required the construction relations officer/community liaison to respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues within 2 days; however, if the City Council agrees, the developer voluntarily agrees to revise MM 4.2.6.1L to include a response within one business day as follows:

4.2.6.1L Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues within ~~2 days~~ <u>one business day.</u>

Response to Comment B-20. The developer voluntarily agrees to amend MM 4.2.6.1M if the City Council approves the modification as follows:

4.2.6.1M ~~All project entrances shall be posted with signs which state:~~ <u>The construction contractor shall require the following:</u>

- Truck drivers shall turn off engines when not in use<u>, and</u>

- Diesel delivery trucks servicing the project shall not idle for more than three (3) minutes~~; and~~.

4.2.6.1M(1) All project entrances shall be posted with signs that include the requirements in Mitigation Measure 4.2.6.1M and the following:

- Telephone numbers of the building facilities manager and CARB, to report violations.

Response to Comment B-21. The Planning Commission was provided an updated MMRP at its public hearing on July 12, 2012, which the commenter did not attend. The updated MMRP included the change requested by the commenter to replace "should" with "shall". During that meeting the changes to the MMRP were discussed by the environmental consultant and included in the public hearing minutes. This is the MMRP that was adopted by the Planning Commission on July 12, 2012. In addition the developer agrees to amend Mitigation Measure 4.2.6.1M as indicated above in Response to Comment B-20.

Response to Comment B-22. The Planning Commission was provided an updated MMRP at its public hearing on July 12, 2012, which the commenter did not attend; where the changes to MM 4.2.6.3A as indicated below and adopted by the Planning Commission. (*Note only a portion of MM 4.2.6.3A is shown below.)* In addition the errata to the FEIR indicates this change to Response to Comments E-4, E-9, and E-16 the findings for the City Council and the DEIR Errata (Section 3 or the FEIR).

4.2.6.3A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City. The following ~~Any~~ combination of design features~~, including but not limited to the following list,~~ may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: *[Note the rest of the measure is not shown].*

The developer voluntarily agrees to implement the following design features to increase energy efficiency to meet or exceed the 2008 Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent:

- Increase insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate ENERGY STAR or better rated windows in the office area, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Use interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards as deemed acceptable by the City.
- Use automatic devices to turn off lights when they are not needed.

- To the extent that they are compatible with landscaping guidelines established by the City, use shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings at the project site.
- Use paint and a surface color palette for the project emphasizing light and off-white colors which reflect heat away from the buildings.
- Install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.
- Reduce energy demand associated with potable water conveyance~~, the project shall implement~~ using the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.

MM 4.2.6.3A above prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 California Building Code [CBC]) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. New energy standards have been adopted by the State which will be effective on January 1, 2014 that would require that commercial/industrial buildings achieve a percentage of over 20% above the 2008 Title 24 standard. So the project is required to meet 2013 requirements prior to the January 2014 requirement date. Specifying that the project will meet the 2013 standards rather than the adopted 2010 standards assures that the project will meet or exceed all energy efficiency standards at the time of project construction completion. California's building efficiency standards are updated on an approximately three-year cycle. Thus, it is anticipated that even by the time construction is completed, the energy efficiency of the project will meet or exceed all adopted or even proposed standards.

Response to Comment B-23. The construction emissions analysis conducted using the CalEEMod model determined that with the multiple passes over the site there would be the equivalent of a total of 105 acres disturbed. The analysis assumed that there would be 24 days of site preparation and 42 days of grading, thus the average number of acres disturbed over the combination of site preparation and grading is 1.6 acres per day, which is less than 5 acres per day. These are the assumptions that resulted in the approximately 330 lbs/day of fugitive PM_{10} emissions. Thus, the analysis already assumes a daily disturbed area much smaller than 5 acres and even with grading an average of 1.6 acres per day, fugitive PM_{10} emissions more than twice the threshold.

Response to Comment B-24. The commenter is incorrect MM 4.2.6.1C does not state "were feasible". The measure adopted by the Planning Commission states the following:

4.2.6.1C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

In addition, the developer voluntarily agrees to use Tier III equipment during construction instead of Tier II.

Response to Comment B-25. Although these measures do not relate the developer also voluntarily agrees to implement the following measures that were included in the list under MM 4.2.6.3A to reduce mobile emissions:

- Provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements.
- Provide on-site showers (one for males and one for females). Provide lockers for employees.
- Provide preferential parking for carpools, vanpools or other alternative fuel vehicles. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, delineate preferential parking for carpools and vanpools on the project site plan.
- Provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, delineate stub outs for charging stations on the project building plans.
- Provision of preferential parking for EV and CNG vehicles.
- Provide a display case or kiosk displaying transportation information including the RTA bus schedule in a prominent area accessible to employees.

The applicant has agreed to include the requested bicycle storage, on-site showers, Transportation Management Assn. Plan (TMA), preferential parking for carpools, vanpools and EV's and alternate fuel vehicles, plus two (2) EV charging stations as part of the required mitigation under MM 4.2.6.3A. These measures will provide practical, reasonable and effective mitigation for the reduction of vehicular emission but not energy efficiency. Additional suggested measures that apply to the building operation are problematic when considering implementation and enforcement. These requested measures would dictate the types of vehicles used by the future tenant, reduced hours of operation (less than 40 hours/week), method for goods transport, charging employees a fee to park single-occupancy vehicles and dictating the type of gardening equipment used at the facility. This speculative project is not being built for a specific user. The project will likely be sold to a corporate user driven by real estate cost, operational cost, and transport efficiency. The implementation of these measures will have a negative economic impact on each of these categories. If these additional measures were implemented, the result would be more expensive and less competitive operating cost as compared with other projects that are not burdened with these restrictions. Requiring these operational measures could dramatically affect the economic leasing and sales potential for this project resulting in a higher likelihood of vacancy (and income loss) over an extended period of time. These additional measures would be difficult, if not impossible, to enforce as there is no agency that monitors industrial operations to the degree necessary to enforce these additional operational mitigation measures.

Response to Comment B-26. The tailpipe emissions from the mobile sources are controlled at the state and federal level. Due to the nature of this project, there is very little that can be done to reduce the emission from mobile sources. The developer has agreed to take the steps outlined in the Response to Comment B-25, above. Thus, the EIR includes all feasible mitigation measures, as applicable. Other suggested measures are not feasible for the reasons stated above.

Response to Comment B-27. Refer to Response to Comment B-22. Changes were made to Mitigation Measure 4.2.6.3A as proposed in Response to Comments D-38, D-42, D-43, and D-44. There were no changes to the DEIR proposed in Response to Comment D-39.

Response to Comment B-28. The developer has agreed to implement the measures indicated in Response to Comment B-25 to reduce mobile emissions. These measures will be implemented separate from the list proposed in Mitigation Measure 4.2.6.3A. The remaining mobile source emission measures listed in 4.2.6.3A are infeasible to impose at this point in time as explained above in Response to Comment B-25.

Response to Comment B-29. Refer to Response to Comment B-22.

Response to Comment B-30. The developer voluntarily agrees to revise Mitigation Measure 4.3.6.1B to delete "consider" with "include" as follows if the City Council concurs with the requested change:

- Provide a landscape and development plan for the project that takes advantage of shade, prevailing

winds, and landscaping. The landscaping plan shall be prepared by a registered landscape architect who will ~~consider~~ include the following:

- Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.
- Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.

Response to Comment B-31. At the July 12, 2012 Planning Commission hearing, the developer agreed to build the roof so that it could accommodate solar panels in the future, and to design the building to achieve LEED Silver standards. These concessions are included in the Conditions of Approval from the July 12, 2012 meeting. Not all the mitigation measures suggested by the commenter in Comment E-51 were carried into the FEIR. Therefore, the Table on page 126 in Response to Comment E-51 identifies all of the GHG reduction measures suggested for inclusion by the commenter and then specifies whether the measure was already included in the EIR, whether it would be added mitigation as part of the FEIR, or whether it was not be included due to infeasibility and an explanation as to why the measure was infeasible.

Response to Comment B-32. Response to Comment E-6 should have read "*The air quality analysis of construction shows that there will be exceedances of ROG, NO_X and PM_{10}. Tier III applies to equipment produced from 2006 to 2008. As of 2012, equipment produced since 2006 are becoming more readily available, but not to the extent that requiring their use is considered feasible mitigation. Tier II specifications result in a substantial reduction in PM_{10} and $PM_{2.5}$ (62.5% to 72.5%, depending on horsepower) over Tier I equipment, which is the basis of the mitigation measure. Tier III specifications are identical to Tier II for PM_{10} and $PM_{2.5}$, thus requiring this more stringent mitigation would have no benefit to the reduction in PM_{10} and $PM_{2.5}$ and was not required.* The developer voluntarily agrees to use Tier III equipment as requested by the commenter. However, it should be noted Tier III specifications are identical to Tier II for the reduction of PM_{10} and $PM_{2.5}$; therefore it was not reasonable to require more stringent measures if the result in reduction of PM_{10} and $PM_{2.5}$ will be the same.

Response to Comment B-33. Refer to Response to Comment B-18 regarding proposed changes to Mitigation Measure 4.2.6.1 K. Mitigation Measure 4.2.3.6A requires prescribes a performance standard requiring a 20% improvement in energy efficiency (over and above the 2008 California Building Code [CBC]) for the building and lists suggested measures that can be included in the building's design to obtain this improvement in energy efficiency. California's building codes on energy efficiency are approximately 50% more efficient than the national average. California's building efficiency standards are updated on an approximately three-year cycle. The most recent (2010) update increased energy efficiency standards in residential buildings by 20% compared to the 2008 standards[2]. The 2010 CBC did not change energy efficiencies for nonresidential buildings so the 2008 CBC energy standards are still in effect. New 2013 energy standards have been adopted by the State which will be effective on January 1, 2014 that would require that commercial/industrial buildings achieve a percentage of over 20% above the 2008 Title 24 standard for nonresidential construction. Through the adoption of MM 4.2.6.3A, this project is required to meet 2013 requirements now and not wait until 2014.

Response to Comment B-34. The site will not be disked prior to burrowing owl surveys. Also, Response to Comment E-21 includes a detailed response to the referenced comment. The commenter has not identified any portion of the comment that has not been addressed in the response.

Response to Comment B-35. The entire site (100% of the area disturbed) will be monitored by a paleontologist when disturbance reaches 4 feet below ground surface. Because of the type of geology onsite, the strata that could contain fossils is not found in the first 4 feet of soil. There is nothing in the mitigation measure that states only a portion of the project site will be monitored. The portion of the

[2] http://www.calchamber.com/GovernmentRelations/IssueReports/Documents/2012-Reports/GreenBuilding_2012.pdf, accessed August 30, 2012.

mitigation measure that stated monitoring would be discontinued was deleted as indicted on page 78 in Response to Comment D-49. The Planning Commission was provided an updated MMRP at its public hearing on July 12, 2012, which the commenter did not attend. The updated MMRP includes the changes to Mitigation Measure CUL-1 as indicated in Response to Comment D-49. These changes were adopted by the Planning Commission.

Response to Comment B-36. Mitigation Measure Geo-1 does not defer mitigation. The mitigation is provided to reduce the potential effects of an unstable soil as identified in Section 2.5.4 (page 2-15) of the DEIR. Mitigation Measure Geo-1 provides a mechanism to determine the specific design of the mitigation because it requires more specific information to be provided at the time the building foundation is actually designed. The determination of the potential significance of this impact was evaluated and made in the DEIR, and Mitigation Measure Geo-1 is designed to use the most accurate and available engineering information when the foundation is actually designed. It is not accurate to state that the significance of the impact could change based on more specific engineering design information that will be available at a later date. The project geotechnical consultant concluded that the potential impacts related to soils constraints could be effectively mitigated by the application of appropriate building design techniques. This conclusion would not be altered by more specific foundation design data but would actually make the results of the mitigation measure more assured.

Response to Comment B-37. Mitigation Measure Geo-2 is not deferred, vague, or unenforceable. The City's standard Conditions of Approval will require that the Expansive Soil Guidelines be included in the project's grading plans, which will ensure implementation and enforceability as required by the commenter. In addition the Mitigation Monitoring and Reporting Plan adopted by the Planning Commission on July 12, 2012, provide a mechanism for the City to enforce the mitigation measure. Specifically, the City may not issue a grading permit until this the measure is fully implemented.

Response to Comment B-38. The commenter opines that the proposed project will have significant individual impacts to GHGs not merely cumulative impacts. Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions alone would contribute to global climate change and how global climate change may impact the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. Project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant and less than significant on a project specific basis because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed. However, project-related GHG emissions and their contribution to global climate change impacts are considered to be cumulatively considerable. (DEIR Section 4.3.6.1 Greenhouse Gas Emissions, Page 4.3-26)

Response to Comment B-39. Requiring LEED Gold certification is not a feasible requirement because LEED certifications can only be applied for not purchased. Specifying the project features that would minimize the climate change impacts is all that the EIR can reasonably do. In addition, the developer in the Planning Commission hearing on July 12, 2012 agreed to design the project to LEED Silver standards. Many green, energy-saving, sustainable upgrades required to achieve this standard have been added to the project including cool roofing, increased insulation, high-efficiency mechanical systems, low-consumption plumbing fixtures, concrete paving in lieu of asphalt, enhanced landscape/irrigation systems, stormwater filtration systems, LEED monitoring, commissioning, fees and processing costs. The inclusion of these features will result in approx. 55 points required to achieve the LEED silver award of 51 points minimum. The cost to design, construct and administrate the work to meet this standard will exceed $1,250,000 for this project. Adding further features in attempt to receive LEED Gold certification would result in a significant increase in the design and construction cost of the project. These additional costs would be passed onto the ultimate tenant or purchaser of the project resulting in a less competitive and economically-viable project.

Response to Comment B-40. The requirement specified in Mitigation Measure 4.2.6.3 A is that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Since achieving this could be accomplished by many different combinations of project features, the bullet list of project features that would increase energy efficiency are not intended as an absolute list of measure to be implemented, but rather as examples of features that could assist in achieving the benchmark. The Commenter's comments regarding the wording of certain mitigation measures have been addressed above.

Response to Comment B-41. The reason carbon offsets are infeasible is that the carbon offset program is still in the development phases and it is unclear when it will be providing benefits, much less how this project could participate. This was explained in detail in Response to Comment E-54.

Response to Comment B-42. The nature of global climate change impacts is unlike all traditional environmental impacts. The traditional environmental impact analysis examines the project affects locally, meaning within a mile or two of the project site, or regionally, meaning within 50 to 100 miles of the project site. However, global climate change literally means global effects. Thus, while this EIR examines what the project effect on the local greenhouse generation might be, no one knows how this will combine with all the other world-wide changes, both increases and decreases, of GHG emissions to affect global climate. The Response sets forth facts demonstrating that carbon offset programs have not been sufficiently established to serve as a feasible mitigation measures.

Response to Comment B-43. A preliminary drainage study along with conceptual, preliminary grading plans are prepared during the environmental review and entitlement stage. It would not be practical, nor is it common practice, that final engineering plans and drainage studies be performed in the planning/environmental stages of a project. Preliminary drainage studies focus on identifying hydrology and water quality related impacts along with design parameters. Final drainage studies further examine hydraulics (analyzing street capacities and sizing storm drain pipes, etc.) using the design parameters established in the preliminary drainage studies.

Condition LD37 does not require that the hydrology study come to a specific conclusion, but rather establishes the design criteria where the 10-year storm flow shall be contained within street curbs and the 100-year storm flow shall be contained within the street right-of-way (the word right-of-way was omitted from the comment letter, but appears in the condition of approval). This is a standard requirement and design practice for streets to accommodate 100-year storm flows within street right-of-way. Condition LD37 is an acceptable, standard design practice which is consistent with the Riverside County Flood Control District Hydrology Manual.

Condition LD37 does not imply that additional mitigation measures may be required resulting from the final drainage study analysis, but rather that different drainage facilities/conveyance systems may be required to convey project flows. A street is designed not only to provide for vehicle transportation, but to convey storm water. By definition, a street is an open channel and a conveyor of storm water. If the street does not have enough capacity to carry 100-year storm flows, subsurface drainage improvements (catch basins and storm drains) are required. The City's additional requirement is to have one lane in each direction (inner lanes) on arterial streets without being underwater or flooded during 100-year storm events. When this criteria cannot be achieved, underground storm drain pipes are required to help carry the 100-year storm runoff.

Response to Comment B-44. As stated under existing conditions, land uses immediately adjacent to the project site are designated as commercial and industrial. The nearest existing sensitive receptors are rural residential units located approximately 1,000 feet to the north along Nandina Avenue, and residential uses approximately 0.77 mile southwest of the project site on the south side of Harley Knox/Oleander Avenue between Heacock Street and Patterson Avenue. The nearest residential units would be exposed to short term, intermittent, maximum noise level reaching 65 dBA Lmax, generated by construction activities on the project site.

The following standards are listed in the Moreno Valley Municipal Code in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

The City's Municipal Code, Section 8.14.040.E, specifies the hours of any construction within the City to occur only as follows: Monday through Friday (except for holidays that occur on weekdays), 6:00 a.m. to 8:00 p.m.; weekends and holidays (as observed by the City and described in Chapter 2.55 of the Municipal Code), 7:00 a.m. to 8:00 p.m., unless written approval is obtained from the City building official or City engineer. According to the City's Municipal Code Ordinance 8.21.050, grading permit requirements, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

The City's Municipal Code, Section 9.10.140, specifies that all commercial and industrial uses shall be operated so that noise created by any loudspeaker, bells, gongs, buzzers, or other noise attenuation or attracting devices shall not exceed 55 dBA at any one time beyond the boundaries of the property.

None of the sensitive land uses in the project vicinity would be exposed to "high" construction noise (above 65 dBA) from the project site. Since no significant construction noise impacts would occur, compliance with the City's construction hour regulation is sufficient for the project to be considered to have a "less than significant" construction noise impact.

For clarification purposes the developer agrees to amend MM 4.9.6.1D, if the City Council agrees as follows:

4.9.6.1D During all project site construction activities, the construction contractor shall limit all construction ~~related activities that would result in high noise levels~~ to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer. For grading activity, the hours are limited to between 7 am and 6 pm weekdays and 8 am to 4 pm on weekends and holidays.

Response to Comment B-45. The 3 dBA increase was not listed in the Thresholds of Significance section of the noise study. It was mentioned under the Measurement of Sound section to identify as the beginning of an "audible" noise level change. In the Long-Term Traffic Noise Impact section, it was stated that "It takes doubling of the traffic volume to have a 3 dB increase in traffic noise." and "project-related traffic noise level increases would be 0.8 dBA or less along all roadway segments analyzed. This range of noise level changes is small and is not perceptible by the human ear. Therefore, no significant traffic noise impacts would occur on off-site land uses from implementation of the proposed project." Therefore, the noise impact study identified that project-related traffic noise level increases would be small and considered less than significant, because all increases would be less than the audible change. There is no such statement in the technical noise impact study report. Again, our responses pointed out that we did not use 3 dBA as a threshold. It is used only to describe that, to result in such an increase, the sound source would need to generate two times the sound volume (energy).

Response to Comment B-46. Since the proposed project, an industrial warehouse, is not a noise-sensitive land use, the use of hard-site in the traffic noise modeling would not affect the conclusion that the proposed project would be significantly impacted by traffic noise. For off-site land uses, the only determining factor is whether project-related traffic noise level increase would significantly impact these land uses. As shown in the noise study, project-related traffic noise level increases would be 0.8 dBA or less, which is small and not perceptible by the human ear. No land uses in the project's immediate vicinity would experience traffic noise level exceeding the City's noise standard for commercial or industrial land uses as a result of the proposed project. The proposed project is not responsible for any off-site sensitive land uses that are more than 1,000 feet away and are already exposed traffic noise exceeding the City's

land use noise standards. Please see Response to Comment B-48, which pointed out that the City's Municipal Code on the noise standards as "restricts noise levels above 55 dBA at night and 60 dBA during the day in residential areas, when measured at a distance of 200 feet or more from the real property line of the source of the sound…" The residences closest to the project site are more than 1,000 feet from the site and are at a distance "more than 200 feet" from the site; therefore, the existing residence would not be subject to noise levels that exceed the City's Municipal Code.

Response to Comment B-47. Please refer to the Response to Comment B-46 for the reason that no significant traffic noise impacts would occur on the proposed project and land uses in the immediate vicinity of the project site. Similar to the hard site/soft site scenarios, the increase in the truck percentage in the vehicle mix would proportionally increase the traffic noise in the project vicinity, but would not result in any significant traffic noise impacts as discussed in the Response to Comment B-46 above. The analysis factored in that half of the project-related vehicle trips are trucks, but the 1,365 daily trucks would be a percentage of the total (existing or future projected) trucks on roadways used by the project trucks. Given that there needs to be a doubling in truck volumes to add 3 dBA to the existing roadway noise, a (small, or less than 50 percent) percentage increase in truck volumes would add less than 1 dBA to the total traffic noise level. Therefore, it would not be perceptible by the human ear in an outdoor environment.

Response to Comment B-48. Please refer to the responses to comments D-46 and D-47 for the reason that no significant (operational) noise impacts would occur as a result of the proposed project. In addition, the City's Municipal Code, Table 11.80.030-2, Maximum Sound Levels for Source Land Uses states, "restricts noise levels above 55 dBA at night and 60 dBA during the day ***in residential areas***, when measured at a distance of 200 ft or more from the real property line of the source of the sound if the sound occurs on privately owned property, …" (Emph. added.) Therefore, it is clear that the City's Municipal Code specifically indicates that measurement of the source noise levels would be "*at a distance of 200 ft or more from the real property line of the source of the sound*". It is important to keep in mind that this project is not located in a residential area. For this project, the nearest residential area is a distance of 1,000 feet or more from the project (sound source) site. Evaluating the noise level at the nearest residential uses meets the City's definition specified in the Municipal Code. The project is compliance with all City Code requirements.

Response to Comment B-49. The nearest existing sensitive receptors are rural residential units located approximately 1,000 feet to the north along Nandina Avenue, and residential uses approximately 0.77 mile southwest of the project site on the south side of Harley Knox/Oleander Avenue between Heacock Street and Patterson Avenue. The nearest residential units would be exposed to short term, intermittent, maximum noise level reaching 65 dBA Lmax, generated by construction activities on the project site. None of the sensitive land uses in the project vicinity would be exposed to "high" construction noise (above 65 dBA) from the project site. Since no significant construction noise impacts would occur, compliance with the City's construction hour regulation is sufficient for the project to be considered to have a "less than significant" construction noise impact.

Response to Comment B-50. Even though the source handbook was published in 1987, many of the later journals and papers continue to reference the same resources that were used in the 1987 handbook. There are no government adopted construction equipment noise levels for use by the general public. The FHWA Highway Traffic Noise Construction Noise Handbook, which includes noise emission levels for several construction equipment was taken from the EPA Report – EPA 550/9-76-004. This report was published in 1976. The same document also cited FTA Transit Noise and Vibration Guidance Handbook on construction equipment noise, and it referenced back to the EPA Report as well. In the reference section of the Highway Traffic Noise manual, Special Report – Measurement, Prediction, and Mitigation, all references listed are dated from 1971 to 1976 which are older than the 1987 handbook that was used. Since the U.S. EPA has not conducted addition research or provided updated noise emission levels for off-road equipment, noise levels identified in the 1987 handbook are considered the most conservative and reliable noise emission levels by the industry.

Response to Comment B-51. Please refer to the Responses to Comments B-44 through B-50 for the reasons that the proposed project would not result in any significant noise impacts. Therefore, compliance with the City's Municipal Code construction hours would be sufficient for the project to have a "less than significant" noise impacts.

Response to Comment B-52. Carlos Rodriguez with the Moreno Valley Fire Department stated Appendix B of the Fire Code allows local fire departments to reduce standard fire flow volumes to fire hydrants serving a building by up to 75 % if that building has sprinklers. They looked at the project plans and determined a 50% reduction would be appropriate and would still provide an adequate level of fire protection. The Project has been designed with sprinklers so the reduction in fire flow volumes is appropriate.

Response to Comment B-53. The TIA does not claim that Harley Knox Boulevard is the only truck route that will be used by the project. Trucks are also likely to use Ramona Expressway, Heacock Street, and Perris Boulevard, and the TIA analyzes those streets with trucks from the project included in the project trips. Harley Knox Boulevard is referred to as the "primary truck route" because approximately 60 percent of project trucks are anticipated to use Harley Knox Boulevard. Figures 1 and 2 are attached to the responses which show the City's designated truck routes (Figure 1) and the truck routes and percentages of trucks that will use those routes as analyzed in the project TIA.

Response to Comment B-54. The project traffic study discusses impacts of the project vehicles routing. As stated in FEIR, Response to Comments E-18 and E-19, the TIA prepared for the project and included in the DEIR analyzed the proposed project's impacts to area roadways. It should be pointed out that the DEIR is a summary of the TIA, which is factually a part of the EIR administrative record. In addition, Table 4.5.D in the DEIR clearly presents the estimated number of trucks projected from the proposed project. Figures 8 and 9 in the TIA show the passenger vehicle distribution and truck distribution, respectively, for the proposed project's passenger cars and trucks. Due to the fact that this information is readily available in the DEIR appendices, commenter's allegation that such specific information/data regarding the exact number of project added trucks is not presented in the EIR is incorrect.

The CEQA Guidelines Section 15355(b) states *"The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects."* CEQA does not require that certain years be analyzed, provided other closely related past, present, and reasonably foreseeable probable future projects are considered. Although the EIR analysis of traffic impacts uses a "year 2013" time horizon in reference to the 2013 cumulative analysis, year 2013 is simply a naming convention. The analysis has met the cumulative requirements set forth by CEQA by considering other closely related past, present, and reasonably foreseeable probable future projects and therefore provides an adequate cumulative analysis of cumulative traffic impacts.

Response to Comment B-55. Caltrans Traffic Study Preparation Guidelines require analysis of freeways if a project adds more than 100 two-way peak hour trips on their facilities. The comment asserts that 10 percent of project trucks using the SR-60 could create impacts. This allegation is incorrect. The following discussion explains why the impacts to SR-60 are considered less than significant.

The project trip generation is 113 trucks during the p.m. peak hour, and would mean that the project would add, on an average, less than 14 trucks during the peak hour on SR-60. Existing traffic volumes on the SR 60 is approximately 9,000 vehicles during the peak hour, with approximately 11 percent trucks. This translates 990 trucks on the SR-60 during the peak hour under existing conditions. The project is forecast to add 14 trucks, or less than 1.5 percent to the truck traffic on the SR -60. Furthermore, if the total project traffic is considered, the project is likely to add about 40 Passenger Car Equivalency (PCE) trips to the SR-60. Compared to the existing PCE volume of 10,500 on the SR-60, the percentage change to traffic volumes due to this project is 0.4 percent. In addition, it is worth noting that Caltrans in their Draft EIR comment letter did not comment on any inadequacy of the traffic study scope of work.

Response to Comment B-56. The traffic volumes on the I-215 did not change significantly between 2007 and 2009. In 2009, the AADT was 124,000 whereas in 2007 it was 125,000. Therefore, changing the analysis year from 2009 to 2007 would not change the findings of the analysis.

Response to Comment B-57. The commenter's original Comment D-92 states that where "there is an environmentally superior alternative that significantly decreases the significant impacts of the Project then that Alternative must be approved rather than the Project..." As stated in the FEIR, Response to Comment D-92, the significant and unavoidable project impacts associated with GHG emissions and traffic cannot be reduced to less than significant through reduction in the size of the project as envisioned by the Reduced Intensity Alternative. Although the significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold), such a reduction in the size of the project would be unreasonable. As such, the environmentally superior alternative (Alternative 2 Reduced Intensity Alternative) does not significantly decrease the significant air quality impacts of the project. The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. Also refer to Response to Comment B-6.

Response to Comment B-58. The commenter's request to deny the project and deny certification of the FEIR was provided to the Planning Commission for their consideration at their July 12, 2012 public hearing on the project. The Commission unanimously rejected the requests.

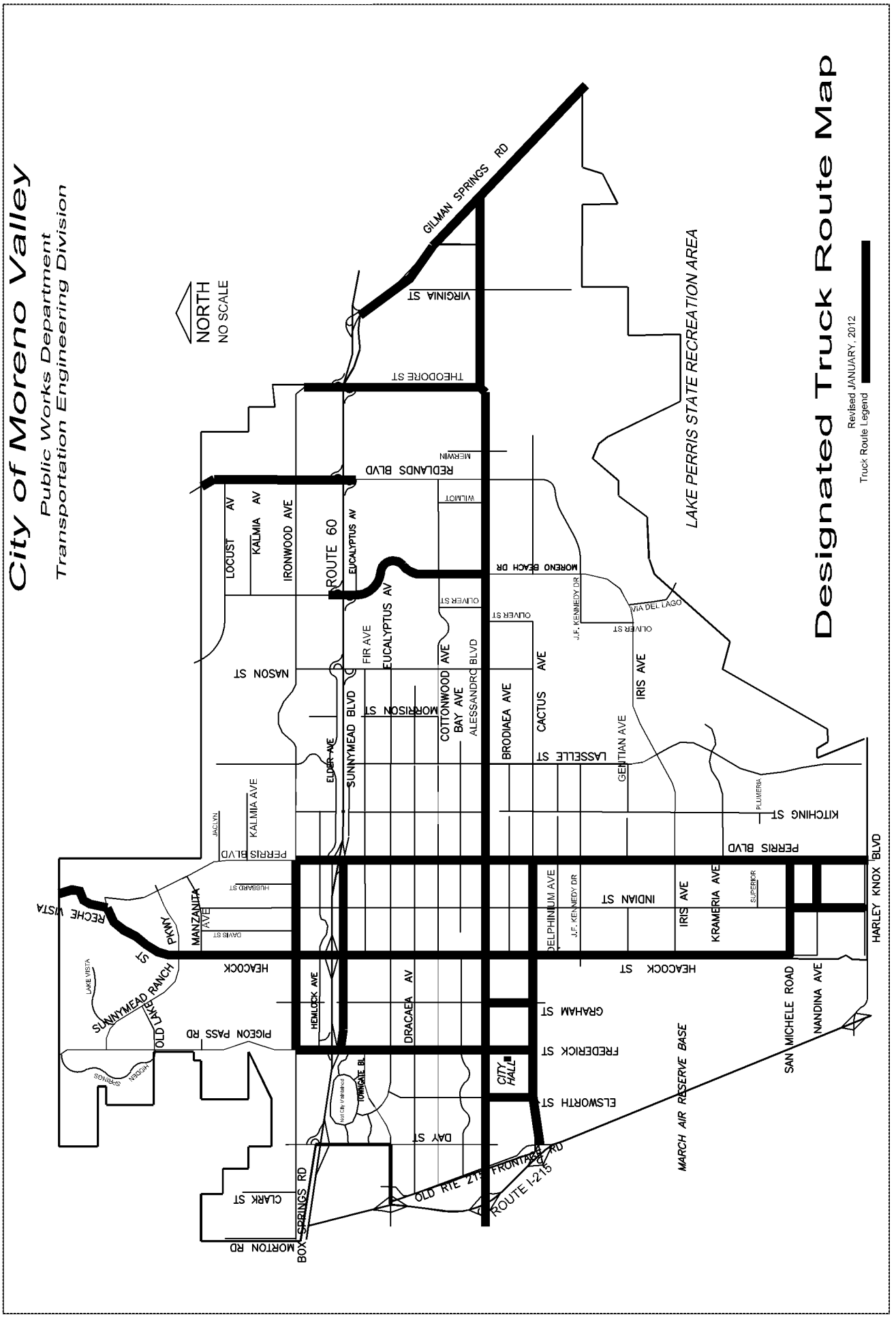

FIGURE 1

VIP Moreno Valley

City of Moreno Valley Truck Routes

LSA

SOURCE: City of Moreno Valley, 2012

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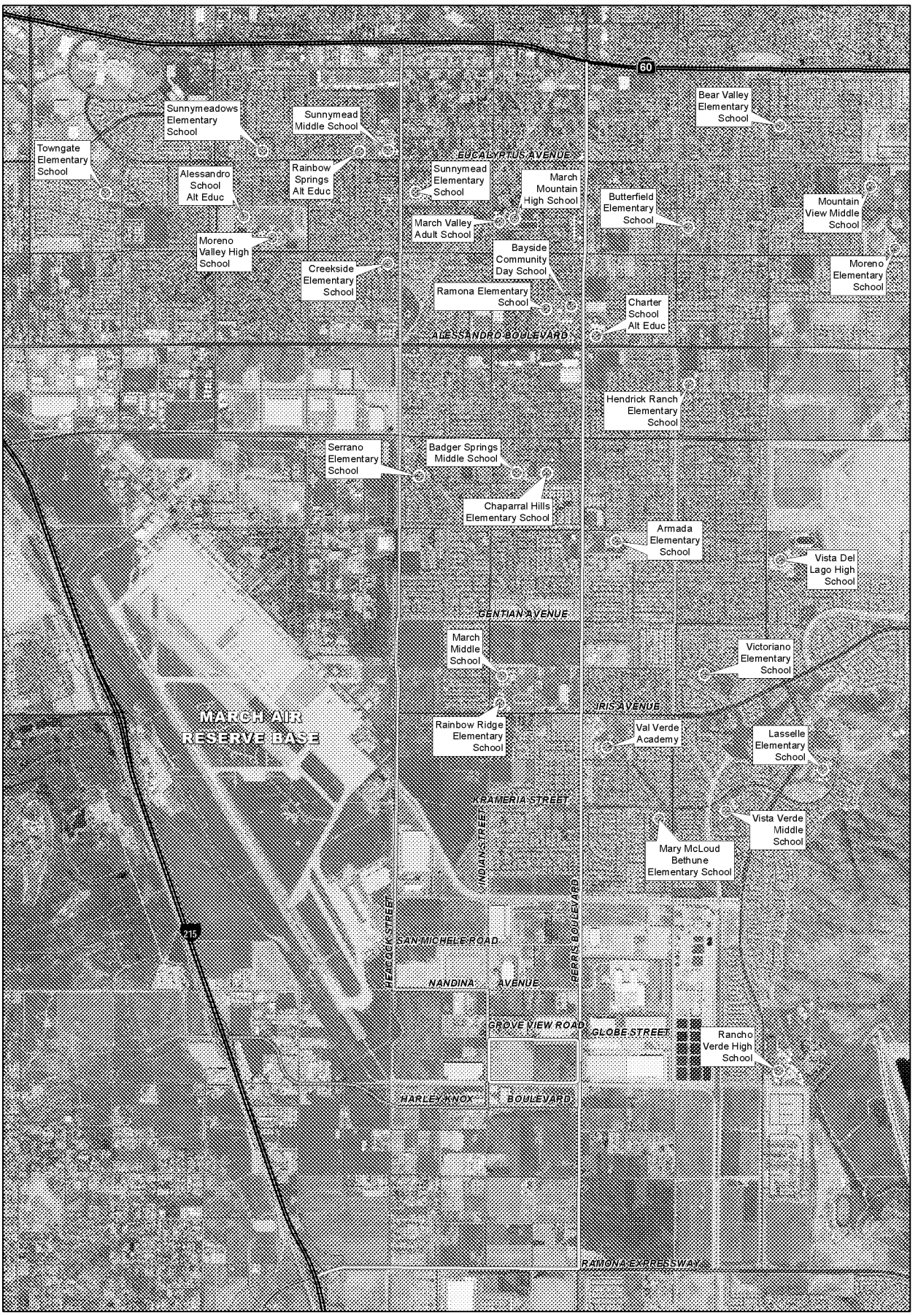

LSA

FIGURE 2

Project Location

Schools

Truck Trips

10%

15%

60%

N

0 1,300 2,600

VIP Moreno Valley

Truck Routes Analyzed in the Traffic Study

2011, Val Verde Unified School District, 2012; Moreno Valley rict, 2012.

.mxd (09/11/12)

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.
Carl T. Sedlack, Esq. Retired

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

July 25, 2012

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CITY OF MORENO VALLEY
Planning Division

City Council
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552
Fax (951) 413-3210

VIA FACSIMILE AND US MAIL

RE: Appeal of the Planning Commission Decisions Approving Vogel Industrial Park (VIP) Moreno Valley Project: July 12, 2012 Public Hearing Item 1, P11-090, PA09-0004, and PA09-0022, TPM 36162, and all associated approvals.

Greetings City Council:

By this letter, Residents for a Livable Moreno Valley and Sierra Club hereby appeal the Planning Commission decisions approving the VIP Moreno Valley Project, PA09-0004, PA09-0012, TPM No. 36162, and all associated approvals taken on July 12, 2012.

The basis for the appeal is that the environmental review undertaken for the project was procedurally and substantively inadequate. The EIR is inadequate as it fails to comply with the requirements of CEQA by inadequately analyzing impacts pertaining to, at least, agriculture, air quality, aesthetics, biology, cultural resources, geology, hydrology, GHGs, and transportation, among others. The EIR fails to adopt all feasible mitigation measures and ensure that mitigation measures are fully enforceable through permit conditions, agreements, and/or other legally binding instruments. (State CEQA Guidelines § 15126.4(a)(2)). Despite extensive commentary that not all feasible mitigation was adopted and that mitigation was vague, uncertain, and unenforceable, the FEIR fails to make needed changes to these measures. The findings made by the City and statement of overriding considerations adopted for the project are also unsupported by the record.

In addition to these grounds for appeal, Residents for a Livable Moreno Valley and Sierra Club hereby incorporate all comments previously made concerning this project and ask that they additionally be considered as the bases for this appeal.

Thank you in advance for your consideration of this appeal and please advise me of the hearing date for the appeal upon its being scheduled.

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

size of the lot; so that would be about 70 percent of open space. Now of course people put in pools and they do other things, but let's say even 50 percent of a residential lot would be open space; it would be grass or dirt or something you know, but it wouldn't be rooftop.

I don't think you are going to have anywhere near 50 percent open space in what Highland Fairview is proposing down there and I think maybe you need to look at that in perspective. I personally would prefer homes down there. I think we as residents need to stop just saying no, no, no, to warehousing. We need to give you a plan that we think would work better in that area and I think you need to have mixed use. I agree with warehousing or some type of commercial against the freeway. I think putting homes against the freeway is a mistake, but I also think that turning that entire area into a warehouse only area is wrong because then you are almost encircling the City of Moreno Valley on two sides by that type of development. So I'm looking at maybe we offer another alternative to what Highland Fairview is proposing and I know it is going to come before you okay at some point in time. Thank you very much.

CHAIR VAN NATTA – Thank you for your comments. Are there any other members of the public who had comments at this time? If not I'm going to close the Public Comments Section here and we will move on to our first Agenda item.

NON-PUBLIC HEARING ITEMS

PUBLIC HEARING ITEMS

1. Case Number: P11-090
PA09-0004
PA09-0022

Case Planner: Jeff Bradshaw

CHAIR VAN NATTA – Our Case Planner is Jeff Bradshaw. Would you like to give us an overview please?

PLANNING OFFICIAL TERELL – Jeff is on vacation today, so Chris Ormsby who has been working with Jeff in a supervisory manner will be taking care of the report today.

CHAIR VAN NATTA – Okay, Mr. Ormsby please; thank you.

SENIOR PLANNER ORMSBY – Thank you Chair Van Natta and members of the Planning Commission. The Staff has distributed several documents and letters for your consideration. I just wanted to go over those before I present.

You should each have a hard copy of the Facts, Findings and Statement of Overriding Considerations. You should have also received a copy of that earlier in the week as well. I believe that was my email. In addition, a memo has been provided dated July 12th, with regards to revised Special Districts Conditions. There are also two others; one from the Sierra Club San Gorgonio Chapter, dated July 11th, 2012 which was emailed earlier today and also we provided the hard copy and then also a letter from Johnson and Sedlack, dated July 12th, which was distributed this evening and finally there is a modified Mitigation and Monitoring Program which has also been distributed. Towards the end of my presentation, I will have Lynn Calvert-Hayes, Principal with LSA Consultants who prepared the EIR, provide some comments on the modifications to the Mitigation Monitoring Program that was distributed this evening and possibly comments on a least one of the other letters that were distributed as well. So, let me go ahead and provide the presentation of the project itself.

The proposed project is a 1,616,313 square foot warehouse distribution building. The building will include a total of approximately 44,000 square feet of business office space for the management of the warehouse. It is located on 80 acres and is located on the south side of Grove View Road southerly to the City Limits. The project is located between Perris Boulevard and bounded by Indian Street to the west. In addition to the Plot Plan, there is a Tentative Parcel Map 36162 which combines the four existing parcels into one single 80 acre parcel and that can be seen on the exhibit on the far right on the board.

An Environmental Impact Report was prepared for the project. The Draft EIR was circulated for a 45 day period from April 20th, 2012 and ended on June 4th, 2012. The Draft EIR was also sent to all required State and local agencies; also was presented to the City's Environmental and Historical Preservation Board and provided to other interested parties. Eight comments letters were provided during the 45 day review period. There were two additional letters received after that period. The response to comments prepared by the consultant, included all 10 letters, which have been incorporated into the Final EIR and in addition to that, of course the two letters that were provided tonight. With regard to availability of the documents as with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

So with that, then Staff would recommend the Planning Commission take the following actions; Approve Resolution No. 2012-16 and certify the EIR for VIP Moreno Valley Project completed consistent with California Environmental Quality Act and to Approve Resolution No. 2012-17, approving Plot Plan PA09-0004 and Tentative Parcel Map 36162 subject to the attached conditions of approval included as Exhibits A and B and before we actually turn it back over to the Planning Commission, we'd like to invite Lynn Calvert-Hayes with LSA, the Environmental Consulting firm to provide some comments.

SPEAKER CALVERT-HAYES – Good evening. Thank you for having me here today. It is a pleasure on this nice steamy day. It is nice and cool in here though. I had provided you with a Mitigation Monitoring Plan that was updated for today and we found in going through the letters from Johnson and Sedlack and from the Sierra Club that some of the mitigation measures that were in the errata in the final did not make it appropriately into the Mitigation Monitoring Plan and there were just a couple of them.

The first one is on page 2 and what I did so that you can see the changes; the new language is double underlined and anything that is being deleted is struck out; so on page 2, under the monitoring frequency for the first mitigation measure, we added "during construction" and then I believe the next one is on page 17; excuse me it is on page 10. This is mitigation measure 4.2.6.3a. It starts on page 9 and follows on page 10. There was language struck out in that mitigation measure in consistency for the errata for the Final EIR. On page 17, the mitigation measure for cultural resources; cultural resource CUL1; there is language in the middle of that first paragraph that has been struck out. It was in response to comments to the original Johnson and Sedlack letter and it was also in the errata. I believe that was about it. Please bear with me, this is pretty long. Yeah, I think that was it. Yes, it was just the mitigation measures that were changed to be consistent with what is in the Final EIR. We also received this… the City received two letters; one from Johnson and Sedlack early this afternoon by email and also one from the Sierra Club and the gist of the letter is responding to the responses the City made on the original letter sent on the Draft EIR and at this point in time the Applicant would like to take additional time to respond to these letters in writing so that we can have the appropriate information in the public record, so we ask at this time if we could do that as far as the public record is concerned. Is that okay?

PLANNING OFFICIAL TERELL – I'm not quite sure I understand. Did they want to continue the Hearing or …

SPEAKER CALVERT-HAYES – I think it is going to have to take that to be able to respond to these. There are comments in not so much in the Sierra Club letter, but in the Johnson and Sedlack letter they are asking for changes to the mitigation measures and since we didn't have time today because of the timeframe, the Applicant is not comfortable making those changes without talking about it.

PLANNING OFFICIAL TERELL – Okay, well what we would normally do is go through… we've obviously given the Staff Report. We have the Public Hearing… well actually first of all the Applicant can come forward and make their presentation and then we have the Public Hearing and then at the time the Applicant comes up they can put that formal request on the record and then the Planning Commission can consider that after the close of the Public Hearing.

SPEAKER CALVERT-HAYES – We also have with us today Ron Brugger who is also with LSA that prepared the Air Quality Greenhouse Gas Emissions and Health Risk Assessment and Tony Chung who prepared the Noise Analysis and Sandipan Bhattacharjee who prepared the Traffic Study, so if you have any questions please feel free to bring those people to help you answer.

CHAIR VAN NATTA – Do we go to the Public Hearing?

PLANNING OFFICIAL TERELL – Well at this time it is just to see if the Commission has any questions of Staff and that would extend to the environmental team; if you had any particular questions in advance of hearing the public testimony, otherwise you can go to the Public Hearing.

CHAIR VAN NATTA - Is everybody okay with going forward to the Public Hearing? Does anybody have any questions prior to that?

VICE CHAIR SALAS – I have one. This is allowed by right; isn't this area zoned for this out there?

SENIOR PLANNER ORMSBY – That's correct. It is consistent with the General Plan, zoning, and Specific Plan.

VICE CHAIR SALAS – Okay, thank you.

CHAIR VAN NATTA – Okay at this time I am going to open up… Oh, you had a question also?

COMMISSIONER OWINGS – I do… if I could direct it to the Staff. John would it be appropriate at this point to ask the Applicant in terms of we've all seen and read the Sierra Club letter dated July11th. Would it be appropriate at this point to ask questions of the IR Consultants to specific topics in that letter?

PLANNING OFFICIAL TERELL – Yes of the environmental team; that would be appropriate. We wouldn't be asking the Applicant, but yes the…

COMMISSIONER OWINGS – So I think it would be appropriate for us to do some questioning at this point prior to hearing the Applicant.

CHAIR VAN NATTA – Right, okay. If you have questions prior to the Public Comment, go ahead.

COMMISSIONER OWINGS – Excuse me was your name Lynn?

SPEAKER CALVERT-HAYES – Yes

COMMISSIONER OWINGS – My name is Tom Owings. How are you?

SPEAKER CALVERT-HAYES – I'm great

COMMISSIONER OWINGS - Have you had an opportunity to review the Sierra Club letter of July 11th?

SPEAKER CALVERT-HAYES – Yes, yes I have

COMMISSIONER OWINGS – Do you feel comfortable answering questions?

SPEAKER CALVERT-HAYES – I can try; if not we do have our technical experts here if you need them to answer.

COMMISSIONER OWINGS – Do you have it in front of you right now?

SPEAKER CALVERT-HAYES – Yes I do

COMMISSIONER OWINGS – I intended to ask these same questions of the Sierra Club if they have a representative here, so I don't know who is going to speak on their behalf, but in terms of paragraph one, I just wanted to go through it in terms of paragraph by paragraph, so if we could just look at paragraph one there is a comment there in terms of the EIR in terms of Spanish language versions etc. Do you have a comment in response to the Sierra Club's criticism in paragraph one of the City's failure to write everything in Spanish to allow many who feel disenfranchised within our community to participate in public review process, quote unquote?

SPEAKER CALVERT-HAYES – Well you know that is up to the City as to what their policies are. It is not required by CEQA or by the State of California, but it is a City by City policy.

COMMISSIONER OWINGS – In that same paragraph, the Sierra Club quotes a New York Times article. Have you had an opportunity to review that article?

SPEAKER CALVERT-HAYES – No

COMMISSIONER OWINGS – "In paragraph two; you should require all warehouses to have their roofs covered with solar or at least built to standard which would support future installation of solar panels" (quoting from July 11th Sierra Club letter). Do you have any idea what would add to the cost of the development of this particular project?

SPEAKER CALVERT-HAYES – No I don't, but I'm sure the Applicant can answer that question for you.

COMMISSIONER OWINGS – It goes on to say that it would be in the Applicant's best interest to do that because he could sell the power to the Edison Company.

Could I ask you can you think of any reason that if it was in the benefit of the Applicant that they wouldn't do it if it was financially in their best interest; is there any reason you can think of that they would not do it?

SPEAKER CALVERT-HAYES – I can't answer that. Again that is a question for the Applicant.

COMMISSIONER OWINGS – But from your experience in this realm, can you think of any reason why an Applicant theoretically would not avail himself of benefits that would be in his financial best interest?

SPEAKER CALVERT-HAYES – I would assume that if it is in his financial best interest; yes, but you know when you are building a building, there are certain cost parameters, so I'm sure they have their economics that they have to follow.

COMMISSIONER OWINGS – Moving on to paragraph three, "the Sierra Club does not believe the greenhouse gas emissions and climate change have been reduced to less that significant" (quoting from letter). Can you comment on that?

SPEAKER CALVERT-HAYES – Well the Draft EIR and also the Final in responding to all the comments; there is mitigation in the EIR; the Draft as well as there is revised mitigation in the Final that the City has determined that yes it mitigates the impacts of the project to less than significant for greenhouse gas emissions and global climate change, however cumulatively there is a significant and unavoidable effect.

COMMISSIONER OWINGS – On paragraph four, "the City of Moreno Valley needs to replace the phrase exceeding 'the 2008 California Buildings Codes, Title 24 Energy Standard' with exceeding the current California Building Codes, Title 24 Energy Standards 'at time of construction'" (quoting from letter). Do you have any comment on that first of all and then second of all, is it the City's priority on which standard to use during the course of this EIR and what are the differences between the two standards; 2010 and 2008 and are they in your opinion material differences?

SPEAKER CALVERT-HAYES – I will bring Ron Brugger forward to answer that question for you. He is the greenhouse gas emissions technical expert and he can explain to you what the differences are to the extent feasible.

COMMISSIONER OWINGS – Thank you

SPEAKER BRUGGER – Good evening Commissioners. My name is Ron Brugger. I am not an expert on Title 24 differences but I can speak about the fact… the first sentence in that paragraph talking about references to the 2008 building code in particular is a hold over. I mean in general, the section specifies that 2010 building codes would be complied with and this reference to 2008 is an

error, so it should be 2010… it should be; in fact the language as suggested, not even mention the year but use current, is probably a good recommendation, so that part of that is probably a good recommendation to make.

COMMISSIONER OWINGS – So in your opinion, is this a point that needs to be addressed or has it already been addressed.

SPEAKER BRUGGER – It's a point that needs to be addressed. As far as I know it hasn't. This one reference; there are other references in the document to the building code compliance. It does not say 2008, so this is just …

COMMISSIONER OWINGS – It was my understanding from your testimony that the 2010 edition is the standard by which you are comparing. Is that correct or did I misunderstand?

SPEAKER BRUGGER – No 2010 is certainly the current standard and it is what the project will have to comply with.

COMMISSIONER OWINGS – So in effect, this is a concern by the Sierra Club that is not a concern.

SPEAKER BRUGGER – I would say that is a good way to put it; yes.

COMMISSIONER OWINGS – Thank you. Paragraph 5, "The Planning Commission needs to read or hopefully re-read concerns and suggestions in the letters submitted by Ray Johnson and George Hague to the VIP Draft EIR. Then require more of their suggestions of this massive warehouse project" (quoting from letter). So in that particular paragraph; paragraph 5, can you please comment.

SPEAKER CALVERT-HAYES – I'm not exactly sure what the question is. The letters that were submitted by Sierra Club and by Ray Johnson are contained in the Final EIR and the response to comments that are lettered D and E and as you can see in the Final EIR, the responses were quite robust and hefty.

COMMISSIONER OWINGS – Specifically here at the end of this paragraph, it says "It is the time the City works to protect the air quality we all breathe and of which we all have no choice. Smartway Carriers of 1.25 needs to be the goal of 90 percent for long haul trips carried by Smartway if this project is serious about reducing its environmental impacts instead of the lower 1.00" (quoting from letter). Could you comment on that criticism?

SPEAKER CALVERT-HAYES – There is a mitigation measure in the document. I don't have it in front of me. There is mitigation in the document for Smart Way and I'm not sure without pulling out that mitigation measure whether or not it

reduces or it meets the 1.25 or 1 and I'm not sure why they are asking for a higher number. They don't justify why they are asking for it.

COMMISSIONER OWINGS – In your opinion without getting into too much detail, but is it your opinion or could you offer an opinion as to when it says we need to work to protect the quality of air we breathe of which we have no choice. Would the standard that you are currently meeting in the EIR protect the air we breathe sufficiently?

SPEAKER CALVERT-HAYES – Well the mitigation; the Applicant is implementing mitigation that is reducing the effects of air quality and of course for operational air emissions the issue is the type of fuel we use and until that is changed, then you know we are going to have additional air quality emissions.

COMMISSIONER OWINGS – Could you briefly describe the mitigation the Applicant is going to provide?

SPEAKER CALVERT-HAYES – Well there is mitigation in the document for construction emissions especially during grading to reduce the particulate emissions. There is mitigation that is in the document that not only reduces air quality but also reduces greenhouse gas emissions for the actual construction materials that are used in the building and the type of building that is built, as well as requiring that the trucks are cleaner and they follow certain truck routes that are closer to the freeways than going through residential neighborhoods and by schools and so forth, so there is adequate mitigation in the document to reduce air quality effects.

COMMISSIONER OWINGS – Again in going back to paragraph 5, would it fair to say that this paragraph mainly involves the construction period of the project; this comment?

SPEAKER CALVERT-HAYES – No I would assume they are talking about air quality during construction, operation of the building and the air quality emissions that are affected by the vehicles.

COMMISSIONER OWINGS – The only suggestion that they offer is to require tier three construction equipment instead of tier 2 as the developer wishes to use. Would that sentence not indicate that this paragraph is focusing on the construction period?

SPEAKER CALVERT-HAYES – It could; yes.

COMMISSIONER OWINGS – And would that then; would it be fair to say that the concern of the Sierra Club here is a temporary concern; that after construction it would no longer be a valid concern?

SPEAKER CALVERT-HAYES – I don't know. I don't want to… well the last sentence is talking about the trips that have to do with the trips the trucks are taking, so that is more of an operational effect; it could be both.

COMMISSIONER OWINGS – It could be both…and the mitigation that you described earlier addresses both.

SPEAKER CALVERT-HAYES – Yes

COMMISSIONER OWINGS - Okay moving on to paragraph six, here "The Justin Adams AG report fails to analyze the impacts of losing agriculture land on raptor foraging" (quoting from letter). To the best of your knowledge, were there any crops being raised on this land?

SPEAKER CALVERT-HAYES – No, this particular parcel has been fallow since August of 2005. It was used as a sod farm. They were farming sod prior to that point. I don't know what the actual history is beyond that point, but no.

COMMISSIONER OWINGS – But to your knowledge, in recent times there have been no agricultural use.

SPEAKER CALVERT-HAYES – No there is no agricultural since 2005

COMMISSIONER OWINGS – So was there any attempt to ascertain the effects of raptor foraging?

SPEAKER CALVERT-HAYES – Well the study that was done had to do with the effects of losing ag-lands and not… the loss of ag-lands for raptor foraging has to do with a biological effect and not the effect of losing the production of ag-land and that is what those two studies are that are in the appendices to the Final EIR.

COMMISSIONER OWINGS – So could you comment on the criticism that is offered by the Sierra Club in paragraph 6? Is it valid or not valid?

SPEAKER CALVERT-HAYES – I don't think it is valid as far as that ag-report having to discuss that effect; that is a biological effect.

COMMISSIONER OWINGS – It goes on in paragraph six to say that the report fails to analyze the impacts of importing food on greenhouse gases, global warming and air quality (paraphrasing from July 11 Sierra Club letter). Do you think there is a significant impact to the greenhouse gas effect for the required importing of food from land that was fallow from 2005?

SPEAKER CALVERT-HAYES – No, especially since what was being farmed on that site was sod; it wasn't food… it wasn't a food product for human beings.

COMMISSIONER OWINGS – You know it goes on in that paragraph to say it is therefore still an important area of employment? Do you have any idea how many people were employed in growing sod?

SPEAKER CALVERT-HAYES – No I don't

COMMISSIONER OWINGS – Do you believe it to be a large number or small number?

SPEAKER CALVERT-HAYES – I wouldn't think it be large

COMMISSIONER OWINGS – Okay, going on to paragraph seven…I believe they need to insert a word in the first sentence. I think there is a typo there. "The Sierra Club believes significantly more needs to be required…; more of what I'm not sure for this project to make it have less of an impact on… I guess it is correct grammatically on both the environment and the health of those in the Moreno Valley region. The direct impact and cumulative impacts can be further reduced with proper conditions of approval. Do you have any idea what those proper conditions of approval would be?

SPEAKER CALVERT-HAYES – No they don't state what they are.

COMMISSIONER OWINGS – It goes on to say that in a letter that I just saw from the law firm, it talks about gold LEED certification, but in this letter it talks about silver LEED certification. From your experience isn't it impossible to build a silver LEED certified building? Isn't it that you build a lead certified to the standards of LEED certification and then one year later the building would be certified, but isn't it technically impossible to build a LEED certified building?

SPEAKER CALVERT-HAYES – It is my understanding that building a LEED certified that is greater than just the standard lead certification for warehouses is difficult because of what is being asked.

COMMISSIONER OWINGS – But isn't it the procedure in LEED certification that you build it to their building specifications and then a year later it is certified.

SPEAKER CALVERT-HAYES – I'm not sure to be honest with you.

COMMISSIONER OWINGS – It is impossible to predict whether you will get certification; correct?

SPEAKER CALVERT-HAYES – Correct

COMMISSIONER OWINGS – Thank you. When is Moreno Valley going to raise the needs of its residents? Last fall the City of Riverside approved a warehouse

with a gold LEED certified building. Isn't that an incorrect statement? It has not been certified as gold has it?

SPEAKER CALVERT-HAYES – As far as I know that is correct.

COMMISSIONER OWINGS – Thank you. So, thank you very much, that concludes my questions.

SPEAKER CALVERT-HAYES – Thank you.

CHAIR VAN NATTA – If I may I just have kind of a general question for the greenhouse expert; if he would come back forward. Tell me your name again please.

SPEAKER CALVERT-HAYES – It is Ron Brugger

CHAIR VAN NATTA – I'm not nearly as technical as some of the other Commissioners on this panel, but I just have a general question that comes to mind. If you have an 80 acre site and you build a single 1.6 million square foot building on it or you put 6 houses per acre, so you would have 480 homes and 960 cars coming and going at about 2,000 people living there, which project is going to have more impact on the environment?

SPEAKER BRUGGER – Are you asking which will have more of an impact on greenhouse gases? I mean that part of the impact?

CHAIR VAN NATTA – Yes

SPEAKER BRUGGER – It is not a very straightforward… there are a lot of factors that go into the greenhouse gas emissions. One of them is the energy required to keep the building either heated or environmentally heated or cooled, whatever is required and with a large warehouse that certainly takes a lot of energy, but with a large number of homes, each one of them being a separate island if you will and with the summers or whatever, a lot of air conditioning is required, so probably a lot more energy will be required for keeping; what is the number; 480 homes…

CHAIR VAN NATTA – If you are figuring at six houses per acre.

SPEAKER BRUGGER – Okay, then typical warehouses are typically not kept that cool; maybe the office space, but not the entire warehouse and I speak of energy… when you are generally talking about greenhouse gas emissions one of the very direct correlations is how much energy is required by a project. Energy translates very directly to greenhouse gas emissions or CO 2 emissions, so they are often used interchangeably when you are talking about greenhouse gas impacts.

CHAIR VAN NATTA – It might just be an urban legend, but somebody told me that 80 acres of dairy farm actually creates more greenhouse gas

SPEAKER BRUGGER – There would be a lot of methane. Yeah, well it is not zero.

CHAIR VAN NATTA – Anything is going to have an impact right

SPEAKER BRUGGER – It is one of the tricky things with a greenhouse gas analysis. Almost everything emits CO 2 or it is a product of just biological and energy uses biological processing, so trying to say there is and I don't know of an example of something that would produce zero greenhouse gas emissions or greenhouse gas…

CHAIR VAN NATTA – Unless we just simply don't develop it at all

SPEAKER BRUGGER – Yeah, but if you have plant life…

CHAIR VAN NATTA – Even that does

SPEAKER BRUGGER – Yeah I mean that just the nature of plants effects… now you can argue that it is maybe absorbing CO 2 and may have a positive effect on greenhouse gas emission and that it has a net reduction in an area perhaps, but…

CHAIR VAN NATTA – But just in the comparison between 480 homes versus a single warehouse, it wouldn't be very clear to say that oh absolutely the warehouse is going to be a lot more damaging to the environment; create a lot more greenhouse gas and is something… just a big difference between the two

SPEAKER BRUGGER – You know most of the time a large industrial warehouse facility does wind up; when I do an analysis and total everything up, more greenhouse gas emissions come from a large warehouse than an equivalent if you will sized residential, but it is not 10 times or a 100 times, it is maybe 2 times or 3 times or so. It is generally more but not a huge amount.

CHAIR VAN NATTA – And that is why we are looking for mitigation on those items to keep it as low as possible.

SPEAKER BRUGGER – Well that is the other tricky part about greenhouse gas impacts, is it is the classic cumulative effect. It is very difficult to say any one individual project is going to have a significant impact on global climate, which is the question. So is a large warehouse or a large residential development or a large retail shopping center; any one of those, that is what everybody is wrestling with; you know State, Federal, Cities or whatever, so that is the challenge is how

is any one project going to have a significant impact on this huge cumulative global or certainly very regional situation.

CHAIR VAN NATTA – Okay, alright, thank you. It was just a point of curiosity there. Thank you very much.

COMMISSIONER OWINGS – Madam Chairman, if I could just while you are in this vein of questioning. Looking at the and I know you haven't had the opportunity to look at it because neither have I, but the Johnson and Sedlack, Attorney at Law letter; page 3, cumulative impacts as you were just discussing them… Response to comment E10, acknowledges that the World Logistics Project was only considered in determining which certain cumulative impacts; not all cumulative impacts. Those impacts for which the World Logistics Project was apparently not considered include, but are not limited to: traffic off the highway main line, noise, aesthetics, biology, hydrology/water quality, among others. The EIR fails as an informational document by failing to consider cumulative impacts from the World Logistic Project in each of these areas of the EIR (quoting from the Johnson and Sedlack letter, July 12).

I think my question to you is three-fold. Number one, could you please address the criticism that was made in this paragraph; number two, is it proper to use the cumulative effects of the World Logistic Project if the project has not been approved and may not be approved. We have an applicant now we should be fair to and they are first in line and is it proper to consider a project that hasn't even been approved in those cumulative effects; and number three, could you address the very last part of this sentence which says, the EIR fails as an informational document by failing to consider cumulative impacts from the world logistics project in each of these areas.

SPEAKER BRUGGER – Do you want to get that one? It is more of a general EIR question.

SPEAKER CALVERT-HAYES – Yeah, okay, first of all when we went through the Initial Study we found that some of the impacts were either less than significant or were mitigated to less than significant with mitigation and those were biology, cultural resources, hydrology which is drainage. The EIR did look at the cumulative effects of all the projects that were listed in Section 2 of the document; of the Draft EIR. There was a table and there was also a map that showed all the cumulative projects and the World Logistics Center was one of them. It is a foreseeable project, even though it is not approved or it hasn't gone through its approval process yet, but according to CEQA you need to look at all projects, including possible cumulative effects of other projects combined with the particular project that you are studying, so when you have already determined that the effects are less than significant, it is not going to be a cumulative effect just because you have another big project in the area, because

what you are analyzing is the project at hand. You are not analyzing all the effects of the World Logistics Center, so I believe that comment is a bit skewed.

COMMISSIONER OWINGS – Well let me ask further for my own information. How can you ascertain what the cumulative impacts of a project such as the world logistics project, when you don't know what the mitigation that will be required from them to build the plant nor do you know what the conditions of approval will be imposed by this body or the City Council.

SPEAKER CALVERT-HAYES – That is true, but one of the things that you can analyze is okay; we know this big warehouse project is potentially coming in. Yes it is going to affect air quality and greenhouse gas emissions and there will be truck traffic on the freeways and those were all looked at in combination with this particular project and you are determining whether this project has a cumulative effect on the environment and not the other projects.

COMMISSIONER OWINGS – Isn't it true though that when the World Logistics Project submits its EIR or EIS, it will have to determine what the cumulative effects of your project and its project are and so therefore there will be additional mitigation; potentially there would be additional mitigation passed on to the world logistics project.

SPEAKER CALVERT-HAYES – I can't say if there would be additional mitigation.

COMMISSIONER OWINGS – The proper question would be isn't that a potential possibility?

SPEAKER CALVERT-HAYES – It is a possibility. One of the other things that you need to take into consideration is will this project be built by the time the World Logistics Center is analyzed. If it is, it becomes the baseline. It doesn't become part of the cumulative because it has already been built, so if is not built yet, then yes, it will be part of the cumulative discussion.

COMMISSIONER OWINGS – The chances are this building may be built; probably be built prior to the World Logistics Center. Is that correct?

SPEAKER CALVERT-HAYES – Possibly

COMMISSIONER OWINGS – What do you think the odds are?

SPEAKER CALVERT-HAYES – I don't know. You'll have to ask the Applicant on that one.

COMMISSIONER OWINGS – Okay

SPEAKER CALVERT-HAYES – Not a fair question

CHAIR VAN NATTA – Do we have any other questions here before we go to public comments? Okay then I am going to open the hearing to comments from the public for agenda item number one.

ASSISTANT CITY ATTORNEY BRYANT – You might want to call the Applicant forward first.

CHAIR VAN NATTA – I'm sorry. I'm getting ahead of myself here.

PLANNING OFFICIAL TERELL – It is appropriate to open the Public Hearing and then the first speaker is the Applicant.

CHAIR VAN NATTA – Oh okay; alright, then the Applicant

APPLICANT RUSSELL – Good evening. My name is Patrick Russell. I'm with Sares-Regis Group, representing Vogel Engineers, the Applicant. There are a couple of items I wanted to mention. First of all we are going to build a sustainable designed project and it would be our intent to pursue LEED certification and if possible a silver certification. At this point in time it is not clear whether or not we would be able to achieve silver but we are making the commitment to a certified level.

The other item that I wanted to mention is that we will be providing a strengthened roof that would be able to accept future application of a solar array if and when that was chosen by the tenant for the building. There is also a correction I'd like make to Lynn's errata and that was on page 10 and it is under the mitigation measure 4.2.6.3a. The strikeout that Lynn was referencing is nearly correct, but the word any should not have a strike through and the purpose for that is that this list of items, the intent was to achieve 20 percent reduction as per Title 24 requirements and it was to service a menu of choices, not to be specific that the entire combination of items listed below would be included in the project, it would was for the applicant's engineers and the applicant to decide how we could achieve that 20 percent, so therefore I would like to make that correction and that is really all I had to say. I'm available for any questions that you may have.

PLANNING OFFICIAL TERELL – If you might, did you want to formally request a continuance or do you want to address that when you have your opportunity at the end of the other comments?

APPLICANT RUSSELL – Yeah I would like to address that at the end. I think that would be most appropriate.

PLANNING OFFICIAL TERELL – By the way, that particular wording change would be acceptable to Staff because we've always read that to be a menu because if you did everything, you probably would well exceed the 20 percent.

CHAIR VAN NATTA – Okay

VICE CHAIR SALAS – Do you have a tenant for this building?

APPLICANT RUSSELL – We currently do not have a tenant, although I can say that we have some very strong interest in the building and they are a very reputable Fortune 500 type of firms.

VICE CHAIR SALAS – Well do you plan on building this building without a tenant?

APPLICANT RUSSELL – Yes

VICE CHAIR SALAS – So you are going to go ahead and go with construction?

APPLICANT RUSSELL – And there is a very good possibility that we might have a tenant by the time we go to construction. At this point in time we don't have a commitment from a tenant. Well pretty much all of the time you are not going to get a commitment from a tenant until you have an entitled project.

VICE CHAIR SALAS – Okay

CHAIR VAN NATTA – Are there any other questions?

COMMISSIONER OWINGS – Hi, how are you doing?

APPLICANT RUSSELL – I'm doing well, thanks

COMMISSIONER OWINGS – Thanks for coming Patrick. Patrick, the other day I was reading the Press Enterprise and I freely admit that on occasion I do read the Press Enterprise and it had a small article in it that said that the type of warehouses that you are proposing are in short supply and high demand. Do you agree with that assessment?

APPLICANT RUSSELL – Yes I do

COMMISSIONER OWINGS – Which I find to be interesting since their headline articles do not seem to suggest that, but this small article in the middle said the occupancy rate was almost zero. Is that correct?

APPLICANT RUSSELL – That's correct

COMMISSIONER OWINGS – Okay, so when you say you are going to make the structure of the roof able to take on solar panels, was that something that was originally always planned or is that something that you did in response to the Sierra Club criticism?

APPLICANT RUSSELL – It is in response to the letters that we received; the criticisms from the Sierra Club as well as Johnson and Sedlack letters.

COMMISSIONER OWINGS – Just in general, wouldn't you think that would be a good thing to adopt in future projects though to be able to have the option to do solar panels if in the future those types of things became economically feasible?

APPLICANT RUSSELL – Yes I do and one thing that I should make clear is that Edison at this point in time has met their requirement for renewable energy.

COMMISSIONER OWINGS – Well that was my second question to you, so go ahead.

APPLICANT RUSSELL – And they have engaged in a number of power purchase contracts with large users such as these types of buildings and at this point in time have met their State mandated requirements for that.

COMMISSIONER OWINGS – Because I have heard that they are not interested in purchasing the power and are doing… Is that a correct statement?

APPLICANT RUSSELL – That is correct; yes and at some point in the future there will be probably more opportunity, but at this point in time, Edison isn't interested in extending any more power purchase agreements.

COMMISSIONER OWINGS – Could you enlighten us along with the public as to what the cost of the power that is sold to Edison is and how it affects ratepayers of Edison the purchase of that power?

APPLICANT RUSSELL – I'm sorry, could you repeat the question.

COMMISSIONER OWINGS – Could enlighten us as to the cost or the price that Edison pays to the solar provider; the solar panel electric producer for the electricity and how it compares to what they could buy from other sources and what effect does that purchase of this alternate energy have on the overall ratepayers of Edison; just in general.

APPLICANT RUSSELL – Well it really depends. First of all, the rate they pay the producers often times are base rate as far below that what the return would be required.

COMMISSIONER OWINGS – So in other words, they are paying more for the solar produced power than they would from a coal fired plant or a natural gas plant? So, the difference between that is a loss. Where is that loss made up?

APPLICANT RUSSELL – Ultimately the ratepayers pay it

COMMISSIONER OWINGS – So the person who puts the solar on his roof, might end up actually paying himself back or paying Edison for the electricity he is purchasing?

APPLICANT RUSSELL – That's possible.

COMMISSIONER OWINGS – And then the rest of the ratepayers would make up the difference.

APPLICANT RUSSELL – Correct.

COMMISSIONER OWINGS – Okay, alright, so then you mentioned the LEED certification. Could you please enlighten as to how LEED certification comes about. It has been my understanding that you build a building to certain specifications and if you're lucky they will certify it.

APPLICANT RUSSELL – That's correct. We design a building with certain components that are sustainable; green; energy reducing; water saving and it is a very rigorous list of items that you have to provide in order to be LEED certified even at the most basic level. Furthermore, there are steps during construction that are quite rigorous and need to be documented during the period of construction, which on a project like this could take up to a year. Following the completion of construction, there is a commissioning process as well as a validation process that takes place with the US Green Building Council who administrates the LEED certification and that process can take six months or perhaps longer depending how diligent that your LEED Consultant is, so it would be difficult to say upon occupancy a project would be LEED certified or would have received an award. We may get there someday but we are not at this point in time and as probably everybody knows the USGBC is inundated with applications, so what we found is it is taking more time and not less time to get those certifications completed.

COMMISSIONER OWINGS – So if I understand your testimony correctly, what you said earlier is that it is your intent to build this building to LEED silver certification standards. Is that correct?

APPLICANT RUSSELL – It is our intent and if we are looking for a shall you know the shall would be that we shall build it to a certified standard.

COMMISSIONER OWINGS – So I'm still unclear whether you are going to build it the standard or not.

APPLICANT RUSSELL – Okay, well we would build it to a LEED certified standard.

COMMISSIONER OWINGS – And hope that it would be certified as a silver building

APPLICANT RUSSELL – Correct.

COMMISSIONER OWINGS – So even if it were not certified, we would get the effect and benefits of all the extra money that you've spent to build it to their standard.

APPLICANT RUSSELL – Absolutely.

COMMISIONER OWINGS – So the certification is really just kind of icing on the cake. It is really a diploma on the wall.

APPLICANT RUSSELL – Yes and it has long term benefits you know for both the user and the environment.

COMMISSIONER OWINGS – But in terms of its benefits to the environment, the certification on the wall doesn't do anything, it is just building it to the standard; correct?

APPLICANT RUSSELL – That's correct.

COMMISSIONER OWINGS – So while we are on the topic of Leed certification, it has been rumored that the Sketchers building has not been certified because it has been rumored that the reason it has not been certified… Are you familiar with Sketchers laying the proper foundation?

APPLICANT RUSSELL – Yes.

COMMISSIONER OWINGS – Alright, so the reason it has not been certified is that they've never certified a building that large, so they are not quite sure how to. Have you heard anything to that nature and could you corroborate that statement.

APPLICANT RUSSELL – I have not read that information but I would imagine it would be very difficult because it is a first.

COMMISSIONER OWINGS – Well your building is nearly as big

APPLICANT RUSSELL – Correct.

COMMISSIONER OWINGS – So it appears that you would anticipate the same difficulties in becoming certified.

APPLICANT RUSSELL – Yes but typically once USGBC runs through the process, it becomes much smoother the next time around.

COMMISSIONER OWINGS – So you are saying once they do Sketchers, they'll get faster

APPLICANT RUSSELL – Well we are not pursuing gold first of all, which is a very high bar to achieve, especially for an industrial building and my hesitancy in committing to silver is that USGBC continues to change their requirements over time.

COMMISSIONER OWINGS – So it is somewhat of an elusive target.

APPLICANT RUSSELL – It is.

COMMISSIONER OWINGS – Alright and you've had an opportunity to kind of glance at this original letter that was sent to us by I think George Hague, representing the Sierra Club on July 11th.

APPLICANT RUSSELL – Yes.

COMMISSIONER OWINGS – Do you have any overall comments concerning that letter that you would like to make the Commission aware of?

APPLICANT RUSSELL – Why I think that we took the letter seriously and gave all of the comments a lot of consideration and we adjusted our responses and mitigation to address those concerns.

COMMISSIONER OWINGS – Has the Sierra Club had an opportunity to discuss your changes with you or is this the first time they are aware of those changes?

APPLICANT RUSSELL – They have had the opportunity to review our responses to their letter as well as the modified mitigation monitoring program and response to comments in the EIR.

COMMISSIONER OWINGS – In their response; have they responded to you?

APPLICANT RUSSELL – Just several hours ago we received a second letter.

COMMISSIONER OWINGS – And that would be the letter dated July 12th?

APPLICANT RUSSELL – Correct.

COMMISSIONER OWINGS – Some folks would say that no matter what you do you are going to end up being sued by the Sierra Club. Is that a statement that you would agree or disagree with, no matter what you do or say to mitigate this project?

APPLICANT RUSSELL – Well I would consider that to be an opinion and…

COMMISSIONER OWINGS – Is it an opinion that you share?

APPLICANT RUSSELL – You know I'd prefer not to comment

COMMISSIONER OWINGS – I understand. Thank you.

CHAIR VAN NATTA – Okay Commissioner Giba you had a question?

COMMISSIONER GIBA – I'm going to shift just a little bit. I went out to the site; the area and they are doing a lot of the construction work right now, but the traffic in that area is horrendous. I mean I tried to go down Harley Knox to get back on the freeway and there are trucks going every which way because there is a lot of not just construction but a lot of warehouses and additional facilities out there. I'm curious that is 1.6. I mean I've been out to Sketchers. I've been to that site and that's a huge facility. Question number one, about how many trucks do you expect to be docking and leaving and coming into that facility on a daily basis.

APPLICANT RUSSELL – I'm going to defer to our traffic engineer, to get the correct information.

SPEAKER BHATTACHARJEE – Good evening. My name is Sandipan Bhattacharjee. I prepared the Traffic Study for this project. The forecast trip generation for the project is based on rates that are based on statistics and for this current project it is forecast to generate about 2700 daily trips of which about 177 are during the am peak hours and about 210 are during pm peaks hour and of 2731 daily trips about 1256 are passenger cars and the rest are trucks.

COMMISSIONER GIBA – Is that considered a pretty high volume?

SPEAKER BHATTACHARJEE – No

COMMISSIONER GIBA – Again it depends on who is going to be inside of the facility and when you do…

SPEAKER BHATTACHARJEE – Yes, well… so the type of building, because of its size and because of the way warehouses operate the trip generation is significantly lower than a traditional warehouse and if you want a comparison for example, the 210 peak hour trips in the pm peak hour, that is generated by about the same number of single family homes, so it is about… so when earlier I was

hearing the testimony and it forecast the number of houses based on the roof area and so in terms of traffic, this project will generate the same amount as about 210 single family homes.

COMMISSIONER GIBA – In the current study that we have in our documentation that we received, the facts and findings indicated that that can be a severe problem in that area would the 1-215 ramps at Harley Knox; the ramps, boulevards; Perris Boulevard and so there is a potential for good congestion over a long extended period of time and as I would suspect when that goes into place is there a flow pattern to this? In other words I've seen the entrance off of Perris. There is an entrance off of Indian. There is an entrance off of Grove View. Yeah, is there a movement pattern for that trucking like in and out so that they are not just coming at all those sites and leaving at all those sites or is there any…

SPEAKER BHATTACHARJEE – Yes there is and so on page 3 of the Planning Commission Staff Report that you have access as discussed, so the northern drive on Perris will be for passenger vehicles and emergency vehicles only.

PLANNING OFFICIAL TERELL – I think the actual flow of the trucks will obviously depend on the particular tenant of this, but the closest access to the freeway is from Harley Knox exit, so it is anticipated the most trucks would go that way. I don't know if Sandipan you had a particular percentage distribution of truck trips included in the study.

SPEAKER BHATTACHARJEE – I do

PLANNING OFFICIAL TERELL – There is an assumption but the reality is trucks and passenger cars too are going to take the quickest or most direct route.

SPEAKER BHATTACHARJEE – It is about 30 percent of the project passenger vehicles will be using the ramps at Harley Knox and about 60 percent of the trucks will be using the ramps at Harley Knox.

COMMISSIONER GIBA – I guess what I'm trying to determine is that over the period of time that we build this out and we have those and we are right next door to Perris; the City of Perris, which we don't control what they are going to be doing and as stated in the document we don't have control over certain areas of the freeway changes and corrections. I'm trying to understand how much of an impact these additional trucks will have; not just the cars themselves on Perris Boulevard which is a major throughway for a lot of people and all the other warehousing, distribution and facilities in that same region over a period of time; I mean long term if this is going to end up being a real difficult situation for everybody especially since we are in the middle of constructing a lot of these streets now. I understand that and it should be about a year at least.

SPEAKER BHATTACHARJEE – The Perris Boulevard corridor is included and Riverside County TUMF; the Transportation Uniform Mitigation and as development comes in more funds will be generated and eventually it will be built to General Plan standards. Each City has their own plan. That is what the TUMF does. That is how the TUMF projects are formulated.

PLANNING OFFICIAL TERELL – Just by way of information, Perris Boulevard; the section of Perris Boulevard in the City of Moreno Valley and I believe it also extends to Perris Boulevard in the City of Perris are currently funded TUMF projects and actually the contract in the Moreno Valley portion has been issued already, so any widening that needs to occur in the City of Moreno Valley in this area actually going all the way up to Cactus I believe, is going to be in place within the next year.

COMMISSIONER GIBA – So we'll have that in place before this is fully occupied at that point.

PLANNING OFFICIAL TERELL – Correct… I don't know Sandipan if also if I understand Commissioner Giba's question, if 60 percent of the trucks and 30 percent of the cars are using the off ramps at Harley Knox, is there any estimate of what percentage of the traffic at that intersection is caused by this project?

SPEAKER BHATTACHARJEE –– I can roughly round the numbers in my head

APPLICANT RUSSELL – It was also noted that Harley Knox is to be widened to a six lane divided arterial through the use of TUMF funds consistent with the City of Perris Circulation Element.

PLANNING OFFICIAL TERELL – Yeah, typically for regional improvements and I can defer to Michael Lloyd who may be able to add on to this, the payment of fees for the regional financing system for TUMF is one of the major ways for a project to address its cumulative; its share of the cumulative impacts, because I'm sure you could understand that if the first project has to pay for everything, the first project never gets built, so that is why we are really fortunate in Western Riverside County and they have similar programs elsewhere, but to have the TUMF program which really builds that funding to generally match other funds to build the infrastructure so both economic development as well as traffic congestion relief can occur relatively close together. Obviously, there is never a perfect system.

SPEAKER BHATTACHARJEE – It is about 2 percent.

COMMISSIONER GIBA – That was my concern. Thank you very much.

COMMISSIONER OWINGS – Chairman, if we could follow up while we are on the Perris Boulevard/Harley Knox truck route. If you look at page 10 of the

lawyer letter… page 10 of today's lawyer letter; Johnson and Sedlack… under transportation, apparently the EIR response to comment E12 was unresponsive in the author's opinion and he goes on to say the project fails to mandate that only the primary truck route of Harley Knox Boulevard to the west be used so the trucks will not pass by a school. Can you comment on that? Apparently there must be a school on some other…

SPEAKER BHATTACHARJEE – The trip distribution or how the trucks are going is based on the distances to the interchanges and I mean some trucks from this project will go to other warehouses in the City and some will be regional trucks, so if they are trying to go to the freeway it is likely they will try to stay off of the City streets as much as they can and Harley Knox is the nearest freeway interchange, so that is why they were routed there.

COMMISSIONER OWINGS – If you look at that page; it is page 10 under that same paragraph, it says while this may be the primary truck route, the EIR does not claim or show that this is the only truck route which may be used. Is it possible to address this?

PLANNING OFFICIAL TERELL – Can I take a run at that? The City has adopted truck routes. Trucks aren't allowed on roads other than designed truck routes. I mean not that they don't go there, but basically they could get… there is enforcement if they move off of those streets and those streets I won't say that there are no schools on those streets, but I was kind of racking my brain and I asked Michael Lloyd and I couldn't think of any of those streets. Perris Boulevard is an example; I don't believe there are any schools on Perris Boulevard south of the freeway. Generally we don't have schools on truck routes. They are heavily commercial areas usually. Cactus Avenue, west of Heacock is one. Heacock as you know is also a truck route. There may be and that is the one place there might be a school is on Heacock, but generally those are meant to be in areas where people expect to have a lot of traffic and therefore commercial centers; access to the freeway; so if I understand the concern, direct the trucks along a street that has no schools and therefore everything is fine. Under State law, trucks have the right to use a designated truck route, so that would really be…but if that were be a direction to anybody it would be direction to the City Council to not have any designated truck routes where there are any schools and then that would be a policy decision of the City Council.

COMMISSIONER OWINGS – Well John if you read their comment, I think Mr. Johnson's concern goes somewhat beyond that. While this may be the primary truck route and I believe he is referring to Harley Knox Boulevard, the EIR does not claim or show that it will be the only truck route, so is he saying are there alternative truck routes.

PLANNING OFFICIAL TERELL – Yes, there are truck routes and I believe and I might have Michael add on to this. There is a requirement under State law to have a reasonable system of truck routes to allow access through a community; not actually to a community, but through a community and there are truck routes in various portions of the community. The only truck route and I don't know if that would even be reasonable that only one truck route which happens to be in the City of Perris for trucks to access the freeway from the City of Moreno Valley.

COMMISSIONER OWINGS – He goes on to say the project will enforce use of only… he asks for details on how the project will enforce use of only the Harley Knox Boulevard to the west truck routes in order to avoid passing by schools, so this would suggest that there are no schools on Harley Knox Boulevard but that other alternate routes may have schools.

PLANNING OFFICIAL TERELL – That is correct, they may, but they are still designated truck routes and they are still not… well they are certainly not feasible monitoring system, but legally trucks have the right to use a designated truck route, so this project's trucks would be able to use a designated truck route just like any other project's trucks. I wouldn't see that as an issue related to this project, it is an issue related to the designation of truck routes.

COMMISSIONER OWINGS – Every project that uses trucks

PLANNING OFFICIAL TERELL – Right, but the designation of truck routes is done by the City Council and it is done pursuant to State law, so you can't restrict some projects from using some truck routes and not others.

COMMISSIONER OWINGS – Mr. Johnson goes on to say, furthermore condition or mitigation measures must be placed on the project to require that only the primary truck route be utilized as this was apparently the only route evaluated by the EIR, so I guess that is a dual question to you John and to the EIR folks.

PLANNING OFFICIAL TERELL – No I believe that's a question of what was evaluated. Obviously only 60 percent of the trucks are going on Harley Knox. I would suspect that is not a correct statement.

SPEAKER BHATTACHARJEE – Right and so in traffic, when we evaluate… the purpose of the documents to evaluate if a project is likely to have a significant impact on any facility... If you are adding let us say two trucks a day to an interchange, that is not a significant impact. The total peak hour trip generation for the project was about 280 and 40 percent of that number let us say; the rest of the 60 percent using Harley Knox the rest of them. Even if we said the trip generation is 300, that is 40 percent of 300 is about 120 vehicles and those are being distributed towards other warehouses and other freeways and considering the directions that we have, we evaluated north on Perris. We evaluated all intersections to north of Iris and the number of trips that we had at those

intersections in working with Transportation Staff, we evaluated every intersection where the project had a significant number of trips and so I think we have analyzed all the potential impacts that could be caused from traffic from this project.

COMMISSIONER OWINGS – Could you specifically address the statement, furthermore condition or mitigations measures must be placed on the project to require that only the primary truck route be utilized as this was apparently the only route evaluated by the EIR. Is that a correct statement?

SPEAKER BHATTACHARJEE – That is not a correct statement. That is the primary truck route but we also have trucks going on Perris.

COMMISSIONER OWINGS – Thank you. You know Madam Chairman if I could speak to the Applicant Patrick. I just needed a clarification. I thought your last comment kind of made me unclear, so I just want to go over this again. Would you have a problem if this Commission made as a condition of approval that you would have the structural integrity in the roof for the solar panels and the building would be built to silver LEED certification requirements?

APPLICANT RUSSELL – My intent was that the roof be capable of supporting solar panels in future.

COMMISSIONER OWINGS – So you would not have a problem if this was made a condition of approval?

APPLICANT RUSSELL – No

COMMISSIONER OWINGS – No problem?

APPLICANT RUSSELL – And the condition I would prefer because of the reasons I discussed earlier is that it be a LEED certified building and we will attempt to achieve silver certification.

COMMISSIONER OWINGS – Could we say and I understand your concerns that the LEED silver certification requirements might change by the time you get around to building the building, but would you be willing to agree to a stipulation that says as a condition of approval that you would build the building to LEED silver certification requirements as they are now.

PLANNING OFFICIAL TERELL – Yeah if I can intercede a little bit… Because LEED is not a government agency; it is basically a private group that… there are other firms that also do certifications, but I would recommend for your consideration Patrick, that if there were a condition, it would be that it be built to LEED certification standards…be determined to be eligible for LEED certification rather than necessarily…

COMMISSIONER OWINGS – That is exactly where I hit it. I don't care about the diploma on the wall as long as the building is built to the specifications.

PLANNING OFFICIAL TERELL – And then I guess the idea is your familiarity with consultants you have used for that, could they put that as; base that on a moment in time; the 2012 LEED certification eligibility standards rather than whatever LEED considers…

COMMISSIONER OWINGS – So if we change it from here on out, we don't really care. We just want to know as of today if you were to build it today and it was built to silver LEED specifications, would you object to that as a condition of approval?

APPLICANT RUSSELL – No I would not.

COMMISSIONER OWINGS – So you know, when we get to discussions and deliberations, I will certainly suggest to the Commission that those two items be made a condition of approval.

APPLICANT RUSSELL – Okay

COMMISSIONER OWINGS – Thank you

APPLICANT RUSSELL – Thank you

CHAIR VAN NATTA – Do we have any other questions from the Commissioners? Do we have any members of the public who wish to comment? Is this the proper time to ask for a…

PLANNING OFFICIAL TERELL – Yes, I don't believe we received any slips, but there may be somebody who would like to speak.

CHAIR VAN NATTA – I see no slips here. I would especially appreciate it if there would… Is there any representative from the Sierra Club in the audience? They found it important enough to write us a couple of letters. I would have liked to have been able to discuss further with them. Were you part of writing this letter? Alright then, any other members of the public that wish to address…

SPEAKER CALVERT-HAYES – Can I make a clarification before you close the Public Hearing? There was a question on schools; how close the schools were.

CHAIR VAN NATTA – That would be great

SPEAKER CALVERT-HAYES – If you look in your EIR; the Draft EIR in section 3, which is the project description, there is a map and it is on page 3-4. It is a color map and the project is shown in the yellow block between Grove and Perris

Boulevard. If you follow the Perris Valley Storm Drain, there is a little block adjacent to Green in a housing development; that is an Elementary School and there is I believe a High School further to east, so the closest schools are actually to the north and east of the project and the trucks wouldn't be travelling by those schools at all, they would have no reason to.

PLANNING OFFICIAL TERELL – Yeah I believe both… is that on Indian?

SPEAKER CALVERT-HAYES – Yeah, I'm not sure. It doesn't have the roads on here

PLANNING OFFICIAL TERELL – The closest schools that I'm aware of are over at Indian and Iris and neither of those streets is a truck route.

SPEAKER CALVERT-HAYES – Not a truck route; correct

PLANNING OFFICIAL TERELL – And then to the east there on Lasselle

SPEAKER CALVERT-HAYES – On Lasselle… the High School

PLANNING OFFICIAL TERELL – And I don't believe Lasselle is a truck route either

SPEAKER CALVERT-HAYES – They are about a mile away from the project and I just wanted to clarify for the public record that the trucks wouldn't be passing by those schools. Thank you.

CHAIR VAN NATTA – Okay, we have a Speaker Slip…Sue Gilchrist

SPEAKER GILCHRIST – I kind of feel obligated to come up and say something, but I would like it to be known that Mr. Russell did make some substantial concessions when he said that the building would be… what was the term… it would be eligible for silver LEED certification. I think that's a great way to head, as far as the City is concerned. Unfortunately the building is only a small part of the problem. It is the trucks and it is the emissions from the use of that building that are substantial. Once the building is up, the building doesn't create any nitrous oxide or anything else, it is the use of the building that does and that depends on the type of tenant that they get on it, but I do think what he did was a substantial move in the right direction and I hope that the Council, when they see this understand that you are serious about improving the type of building that is constructed in Moreno Valley. My neighbor has solar panels on her home and she is actually getting a rebate from Edison. She hasn't had an electric bill in quite a while, but there are so many little ways of getting tax deferments and all sorts of little ways of getting the solar put on there at a lower cost, but I think that is an excellent step in the right direction, to get the roofing and to get the building built so that it will absorb the stress of the solar panels and it is kind of

interesting, if solar energy is more expensive for Edison to purchase, why are they building the solar arrays out in the desert? Why would they want to be building and I don't remember, is it Green Pace or Street Spot or something like out in the desert, if that is a more expensive way of getting electricity.

COMMISSIONER OWINGS – Sue, I'm no expert at this…

SPEAKER GILCHRIST – I'm not either

COMMISSIONER OWINGS – But I do deal with the City of Riverside Utility Department and by law, they are required to buy so much energy from alternative sites, so they are very profitable to sell the electricity to the utilities like the City of Riverside Utility Department. It is not purchasing it, but selling it at a high price, so that is why the citizens of the City; citizens of Riverside will expect an increase in their electric bill at some point in the future. The City of Riverside was very foresightful and purchased a lot of alternate energy at lower prices, but right now there is a bidding war for this type of energy so that all City and other utilities can meet the statutory requirements.

SPEAKER GILCHRIST – This is way beyond what I know

COMMISSIONER OWINGS – So if you wouldn't mind, I appreciate your comment and I would like to give you a comment of my own that maybe you can pass on to the people who run the Sierra Club. When the Sierra Club litigates every project, it really weakens and diminishes their impact, when they offer an opinion… if you let me finish. When you read these lawyer letters, they could just save 400,000 trees and just write us a single page letter that says ditto. You know it diminishes their method. I find your input to be very useful, but you know, you need to pick the battles that are important and you cannot take a snow grove at any cost across the board approach or sooner or later people stop listening to you and that are my only comment. This letter by the lawyer representing the…

SPEAKER GILCHRIST – I know Ray

COMMISSIONER OWINGS – We all know that they make… he is the one that is going to make them the most money out of every suit filed and it makes it difficult from a City. You know our Commission; we are here in the City to not only oversee and look at Planning, but to promote business. That is what a Planning Commission does; development; growth, so when you say that you can have progress without growth, that is just impossible. Progress equals growth and the Sierra Club seems to have this across the board against every bit of growth and you know when you are negotiating in good faith; two parties negotiating in good faith…

CHAIR VAN NATTA – I'm sorry to interrupt you, but I think we have a point at the end where you can have comments, but right now we are looking for comments from the public.

COMMISSIONER OWINGS – Well let me just finish Madam Chairman. When you negotiate in good faith, it has to be good faith.

SPEAKER GILCHRIST – Okay, my comment in response to yours is that let's say the Sierra Club is on well my left hand okay and the developer is on the right hand. You have to have a balance, because the developer would like to take the cheapest route possible. The Sierra Club would like to have things mitigated as much as possible, but somewhere in middle, you get a compromise, but without the Sierra Club, the compromise would be toward the developers end. You have to have both, so if you understand at all times where the Sierra Club and my left hand always is, then that would be fine; they wouldn't have to make these statements, because you are going to hear from Highland Fairview and they are going to be over here, so you have to come up with a middle ground, but if you start in the middle, then your decisions are going to be closer to where the developer is. Do you understand what I'm saying? You've got to have a balance.

COMMISSIONER OWINGS – I do

SPEAKER GILCHRIST – And as long as you understand where the Sierra Club and the environmental issues are placed and you will always consider that.

CHAIR VAN NATTA – I would like to limit both of you to try to get us back to where we are because we have an agenda item here and we would like to speak to this agenda item. Okay, other public comments? I'll close that portion of the Hearing then and I believe we had a motion coming from the Applicant.

PLANNING OFFICIAL TERELL – At this point in time it would be required to ask the Applicant if they anything more to say or response to the comments that they received.

CHAIR VAN NATTA – Okay

APPLICANT RUSSELL – I would just like to thank you for the consideration of our project and I think that if you review the mitigation monitoring program for this project, the mitigation is considerable. Despite the comments that were received in the letters and the additional mitigations requested, many of which we have adopted, including those discussed tonight, that I do feel that we are going a considerable distance to offset those and I appreciate your consideration of that as well as the approval tonight. Thank you.

CHAIR VAN NATTA – I believe at some point someone said something about wanting to table this for some additional…

PLANNING OFFICIAL TERELL – Well I think there was some discussion at the beginning that the Applicant may want time to respond specifically to the letters received today, but based on the Applicant's most recent comment, I believe they think and I won't speak for them but they are not asking for a continuance, based on where we are now in the hearing.

CHAIR VAN NATTA – Based on where we are now, did you still want that continuance or shall we go ahead with our discussion and debate?

APPLICANT RUSSELL – Based on the dialogue that we've had tonight, which has been extensive, I think that we have responded to the comments within the letters, so I would request that we not continue.

CHAIR VAN NATTA – Okay, alright, so then at this point we will go onto to our Commissioner's debate and who would like to go first.

VICE CHAIR SALAS – I'll go first. I agree with Commissioner Owings. I think that being able to support solar is a must; the silver/gold or to be a silver LEED is also a good point for us. The project is being put in a place where we want it to be and consistent with the General Plan. It is allowed by right, so I have no problem with it as long as we put those two conditions on the conditions of approval for him to do that.

CHAIR VAN NATTA - Okay

COMMISSIONER GIBA – After listening through everything we have, I'm glad to see it will take a little while for them to build the facility because my concerns are the traffic and the other mitigations are dependent upon timing as far as I'm concerned. There is so much going on in that area if that begins and that goes on too soon, so if this gets spread out a little bit over time, some of those street problems will be taken care of; all the mitigation factors on Perris Boulevard. There is an access to Ramona Expressway down Perris; there is the Harley Knox and all those conditions are taken care of. I think will probably make it okay in that area. It is designed for that. There is nothing much out there except the warehousing type facilities. There is very little housing in those locations. It is close to the freeway and we are close to Perris and Perris will be doing what they want to do as well and we can't control that, but what we can control is what we do within our own City limits.

CHAIR VAN NATTA – Thank you Commissioner Giba. Are there any other comments? Before somebody makes a motion, I do have a comment; just I'm giving everybody the opportunity to go first. I think from looking at this there was a very concerted effort to respond very clearly and very positively to the

comments that were made to the report initially. I appreciate the fact that you want to build this to LEED certified standards, but I think as Mr. Terell pointed out it is not a government document that we can look at and say if you do this, this, this and this you are going to be certified. It is kind of a moving target. It is kind of like when my dad asked me well are you going to go get an A on that test and I said well I'm going to try my best and I studied hard and I'm going to do everything right, but there is only so much that you can do if you are going to be judged by somebody who changes the rules, so I support the idea that we can condition this upon the roof and structure being built to accommodate future solar panels and that we can condition it upon it being built to LEED certified standards.

I don't think we can condition it upon saying it is going to be built to silver standards or it is going to be built to gold standards because that can be somewhat of a elusive target, but to say that it is to be built to LEED certified standards, I think would be sufficient and then if they can achieve that level that would be great.

PLANNING OFFICIAL TERELL – And just so I can… if you added a condition like that, what we would expect is we would expect a report from their LEED consultant that we would review and agree with that would clearly demonstrate that they had met that standard. It is a point system and there are points for this and points for that and that is why you have to kind of get at the end before you know where your points are. Some of them are for energy efficiency; some of them are for water saving; some of them are for using low emitting paint; low voc emitting paint, so it is a collection of things. I've seen them before and I think we would readily be able to look at that as meeting a condition and then you have to decide yourself what level you want and then the Applicant can…you can have a discussion with…

COMMISSIONER OWINGS – John, I think that is possible isn't it for the Staff and the Applicant to work this condition of approval out.

PLANNING OFFICIAL TERELL – We can work out the wording as long as I guess you are in agreement that it is the certified standard or silver standard or whatever it is.

COMMISSIONER OWINGS – It is the silver standard but it is as a moment in time of now as we speak.

PLANNING OFFICIAL TERELL - Okay, because I understand the Applicant agreeing to the silver standard as the point system stands today.

COMMISSIONER OWINGS – Yes and the Applicant is willing to do it so I see no reason why we shouldn't be willing to do it, so I would move Madam Chairman to:

1. **APPROVE** Resolution No. 2012-16 and thereby: **CERTIFY** that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and,
2. **APPROVE** Resolution No. 2012-17 and thereby: **APPROVE** PA09-0004 Plot Plan and PA09-0012 Tentative Parcel Map 36162, subject to the attached Conditions of Approval included as Exhibits A and B and the Conditions of Approval as discussed in this meeting in which Staff will prepare with the Applicant.

CHAIR VAN NATTA – Did you want to specify in that just what was discussed in the meeting, but specify in that motion about the two items.

COMMISSIONER OWINGS – We can add that the items were to build the building structurally so that it can at a later time be solar panel equipped on the roof and two, which it is built to LEED silver certification as of 2012.

CHAIR VAN NATTA – Okay, I have a motion.

VICE CHAIR SALAS – Okay I have a motion and a second. All in favor?

Opposed – 0

Motion carries 7 – 0

PLANNING OFFICIAL TERELL –Yes this item shall become… this action shall become final unless appealed to the City Council within 15 days.

CHAIR VAN NATTA – Okay, thank you and now we'll go to our second case number.

2. Case Number: PA11-0013
Modify specific sections of the Municipal Code necessary to adopt Reach Codes

Case Planner: Mark Gross

CHAIR VAN NATTA – Case PA11-0013 and who do we have as… okay Mark is here; okay. Mark Gross is our Case Planner. Would you like to give us an overview please?

SENIOR PLANNER GROSS – Yes good evening Chair Van Natta and members of the Planning Commission. I'm Mark Gross, Senior Planner here again to

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MV00180637

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: GENERAL PLAN AMENDMENT TO MODIFY THE CIRCULATION PLAN FOR NASON STREET BETWEEN ALESSANDRO BOULEVARD AND FIR AVENUE (PA12-0026)

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing to consider the action taken by the Planning Commission on August 23, 2012, recommending approval of a General Plan Amendment (PA12-0026) (Project), and subsequent to the public hearing:

1. **APPROVE** City Council Resolution No. 2012-79 thereby adopting a Negative Declaration for PA12-0026 in that the project will not result in significant environmental impacts, and approving the General Plan Amendment (PA12-0026), based on the findings in the City Council Resolution.

ADVISORY BOARD/COMMISSION DECISION

The Planning Commission approved Planning Commission Resolution No. 2012-22 by a 6-0 vote during the August 23, 2012 Planning Commission meeting, recommending that the City Council adopt a Negative Declaration and approve the General Plan Amendment.

BACKGROUND

With the adoption of Resolution 2006-84 on July 11, 2006, the City Council of Moreno Valley approved the 2006 General Plan Update. Within the approved General Plan is the City's Circulation Plan. The City's Circulation Plan serves the purpose of identifying the routes and classifications for the City's street system consistent with the General Plan's Circulation Element Goals, Objectives, Policies, and Programs.

The CIP approved project consists of approximately 9,200 linear feet of ultimate width street improvements along Nason Street from Cactus Avenue to Fir Avenue. City staff and the design consultant thoroughly examined the City's Circulation Plan within the project area by conducting traffic analysis projections and alignment studies. City staff and the design consultant concurred through the analysis that a revision to the City's Circulation Plan is necessary.

The proposed revision to the City's Circulation Plan is the classification of Nason Street from Alessandro Boulevard to Dracaea Avenue (currently Arterial with 100 foot right of way and 76 foot roadway width) and Nason Street from Dracaea Avenue to Fir Avenue (currently 4-Lane Divided Arterial with 110 foot right of way and 86 foot roadway width) to 4-Lane Divided Arterial, Augmented Parkway with 120 foot right of way and 86 foot roadway width on the Circulation Element.

DISCUSSION

The Nason Street Improvement Project proposes to construct improvements along Nason Street from Fir Avenue to Cactus Avenue. The General Plan currently shows a variety of designations for Nason Street (within the project area), including a Divided Arterial from Fir Avenue to Dracaea Avenue, an Arterial from Dracaea Avenue to Alessandro Boulevard, and a Divided Major Arterial (with a reduced cross-section) from Alessandro Boulevard to Cactus Avenue. A Traffic Analysis was completed in May 2012 to determine the improvements necessary to achieve acceptable Levels of Service for General Plan Buildout conditions and provide design year recommendations for the study area. This study also evaluated side street access regarding potential median openings within the study area along Nason Street.

Nason Street improvements evaluated in traffic analysis only extended from Fir Avenue to Cactus Avenue since Nason Street currently terminates approximately 1,300' south of Cactus Avenue. The City, however, is currently constructing Improvements that extend Nason Street towards the south and will connect to Iris Avenue by summer 2013. It is anticipated that traffic volumes along Nason Street will increase by approximately 10,000 vehicles per day (VPD) once this connection is completed. This will increase daily traffic volumes along the corridor in the project area to in excess of 20,000 VPD. Based on the findings of the analysis it was recommended that the overall Nason Street corridor within the project limits be constructed as a four lane divided roadway.

The Public Works Department recommends that the City's General Plan be amended such that the Circulation Plan shows Nason Street within the project limits be classified as an Arterial (100 feet right of way and 76 feet curb to curb width modified as necessary for turn lanes, existing constraints, etc.).

ENVIRONMENTAL

An Initial Study has been completed for the project. Based upon the Initial Study, this project will not result in the potential for a significant impact on the environment. Therefore, the adoption of a Negative Declaration is recommended.

ALTERNATIVES

1. By motion authorize the recommended actions as presented in this staff report. *This action would facilitate the construction of much needed improvements.*

2. Do not authorize the recommended actions as presented in this staff report. *This action would delay the construction of much needed improvements.*

FISCAL IMPACT

Modifying the Circulation Plan and Circulation Exhibit through the General Plan Amendment, does not impact the General Fund. The City of Moreno Valley will fund the design and construction with the proceeds from the California Communities Gas Tax Revenue Certificates of Participation (COPS), Series 2011B (TRIP – Total Road Improvement Program) in the amount of $15 Million. There is no fiscal impact to the City's General Fund.

A portion of the overall segment (Nason Street from Alessandro Boulevard to Fir Avenue) is eligible for approximately $10 million of Transportation Uniform Mitigation Fee (TUMF) reimbursement. The City can seek reimbursement of TUMF funds in the future as funds become available.

ESTIMATED PROJECT COSTS:

Preliminary Engineering and Environmental Costs	$550,000
Design and Design Management Costs	$700,000
Right of Way	1,450,000
Utility Relocation Costs*	$2,300,000
Construction and Construction Management Costs	$10,000,000
Total Estimated Project Costs	$15,000,000

*An additional $850,000 of separate SCE Rule 20A funds is also estimated for Utility Relocation

ANTICIPATED PROJECT SCHEDULE

Preliminary Engineering and Environmental Clearance Complete	November 2012
All Resource Agencies' Permits Obtained	November 2012
PS&E Complete	June 2013
Right of Way Acquisition and Utility Relocation Work Complete	June 2015
Advertise and Award of Construction	October 2015
Complete Construction	January 2017

CITY COUNCIL GOALS

The proposed changes to the Circulation Plan and Circulation Exhibit through the General Plan Amendment would enhance the following goals:

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this General Plan Amendment.

ATTACHMENTS

Attachment A – Public Hearing Notice
Attachment B – Resolution for General Plan Amendment
Attachment C – Initial Study
Attachment D – Planning Commission Staff Report dated August 23, 2012 (excluding exhibits)
Attachment E – Planning Commission Minutes for Item #2 from August 23, 2012 Meeting

Prepared By:
Lorenz R. Gonzales
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director / Assistant City Engineer

Concurred By:
John Terrell
Planning Division Manager / Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00180643

NOTICE OF CITY COUNCIL PUBLIC HEARING

FOR AN AMENDMENT (PA12-0026) TO THE CITY OF MORENO VALLEY GENERAL PLAN TO MODIFY THE CITY'S CIRCULATION PLAN

The amendment is a proposal by the Public Works Department to modify the City's Circulation Plan to classify Nason Street from Alessandro Boulevard to Fir Avenue as a 4-Lane Divided Arterial, Augmented Parkway.

The City Council may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Adoption of a Negative Declaration is recommended.

Any person interested in the proposed project may contact Larry Gonzales, Senior Engineer, P.E. at (951) 413-3136, or the Community and Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday); City Hall is closed on Fridays.

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, September 25, 2012
6:30 P.M.
City Council Chamber
14177 Frederick Street.
Moreno Valley, CA 92552-0805

ATTACHMENT "A"

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MV00180645

RESOLUTION NO. 2012-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA12-0026) TO MODIFY THE CITY CIRCULATION PLAN AND CIRCULATION EXHIBIT, RESPECTIVELY

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan which proposes revisions to the City's Circulation Plan and Circulation Exhibit, respectively.

WHEREAS, the project will not have a significant effect on the environment and a Negative Declaration is made;

WHEREAS, on August 23, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA12-0026). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA12-0026) to the City Council, and;

WHEREAS, on September 25, 2012 the City Council of the City of Moreno Valley held a public hearing to consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA12-0026:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. **Conformance with General Plan Policies** – The proposed General Plan Amendment is consistent with the General Plan, and its goals, objectives, policies, and programs.

   FACTS: The adoption of the proposed General Plan Amendment for the Circulation Plan will enhance the safety and

efficiency of the City's street system, meet applicable levels of service standards, and provide efficient circulation.

2. **Health, Safety and Welfare –** The proposed General Plan Amendment will not be detrimental to the public health, safety or welfare.

   FACTS: The proposed amendment to the Circulation Plan would not be detrimental to the public health, safety or welfare. Based on preparation of an Initial Study, the proposed General Plan Amendment does not have the potential to cause a significant impact on the environment.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2012-79, thereby adopting a Negative Declaration for PA12-0026, and approving the General Plan Amendment (PA12-0026) as shown on the attachments included as Exhibit A and Exhibit B, respectively.

APPROVED AND ADOPTED this 25th day of September, 2012.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibits: Exhibit "A" Proposed Modification to the Circulation Plan (Figure 9-1)
Exhibit "B" Proposed Modified Cross-Section to Figure 9-3 (4-Lane Divided Arterial, Augmented Parkway)

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2012-79 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 25th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00180649

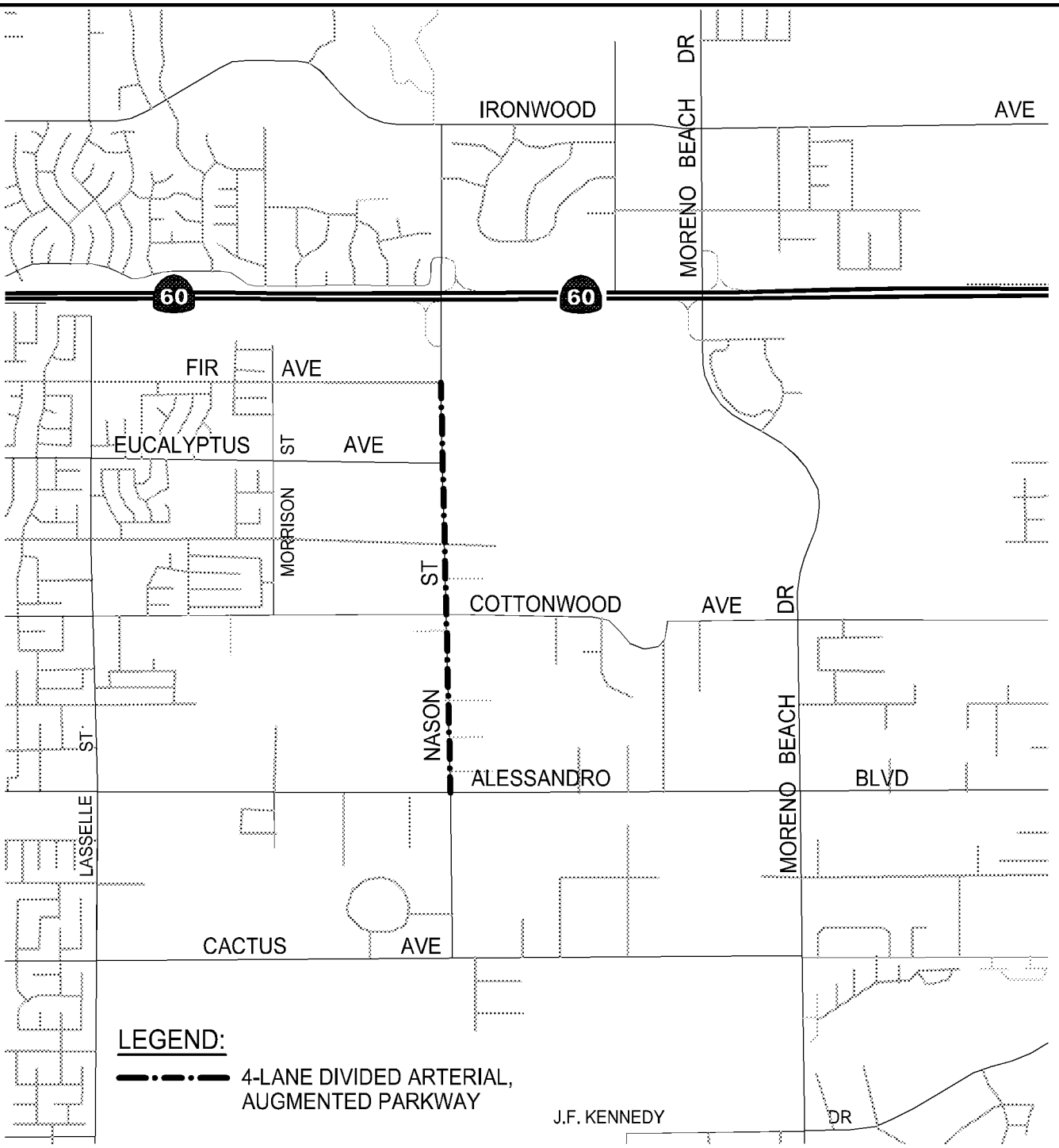

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

EXHIBIT "A"

PROPOSED MODIFICATION TO THE CIRCULATION PLAN (FIGURE 9-1)

Item No. E.3

MV00180650

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MV00180651

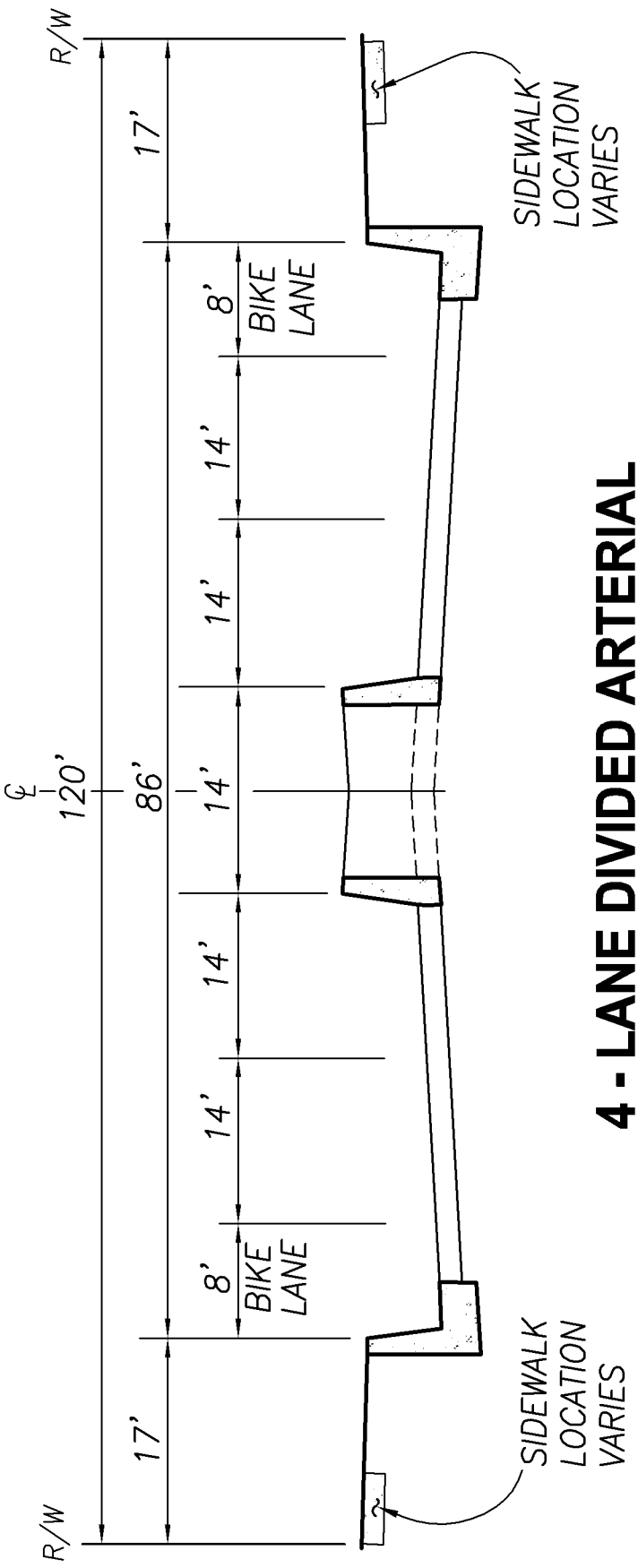

4 - LANE DIVIDED ARTERIAL
AUGMENTED PARKWAY

EXHIBIT "B"

PROPOSED MODIFIED CROSS-SECTION
TO FIGURE 9-3

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MV00180653

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1. Project Title: Nason Street (PA12-0026; General Plan Amendment)

2. Lead Agency Name and Address: City of Moreno Valley, 14177 Frederick St. Moreno Valley, CA

3. Contact Person and Phone Number: Chris Ormsby, AICP, Senior Planner (951) 413-3229

   Project Location: The proposal is located on Nason Street between Fir Avenue and Alessandro Boulevard

4. Project Sponsor's Name and Address: City of Moreno Valley

5. General Plan Designation: The existing General Plan Amendment for properties between Alessandro Boulevard and Fir Avenue include residential designations (R2, R3, R5, and R10), Public, and Residential/Office.

6. Zoning: The existing zoning for properties between Alessandro Boulevard and Dracaea Avenue include RA2, R3, R5, R10, Public, and Office.

7. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

   The proposal is the modification of the Circulation Plan of the General Plan (Figure 9-1) to modify the segment of Nason Street from Alessandro Blvd to Fir Avenue to be as follows: a 4-lane Divided Arterial, Augmented Parkway with 120' right-of-way and 86 feet of roadway width. Currently, the segment from Alessandro Boulevard to Dracaea Avenue is designated as a 100 foot right-of-way and 76 foot roadway width. The segment from Dracaea Avenue to Fir Avenue is 110 foot right-of-way and 86 foot roadway width. After the proposed change, the segment will match the designation to the immediate north.

   The proposed change to the Circulation Plan of the General Plan could not have any direct physical impacts it itself as it is a policy change. Therefore, the Initial Study will consider any potential indirect impacts that would result from the implementation of the change in the designation.

8. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

   The area is surrounded by mix of developed and undeveloped properties which is primarily single-family residential.

9. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement). None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Chris Ormsby

Signature

July 18, 2012

Date

Chris Ormsby, AICP, Senior Planner

Printed Name

For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
Regarding potential indirect impacts of the General Plan Amendment, there would be no potential impacts. The construction of the roadway under the proposed cross-section would have similar impacts to constructing it under the existing cross-section. The site is generally flat, and constructing the roadway would have no potential adverse impact on a scenic vista.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
The proposal would have no direct impact on scenic resources since it is limited to a policy change to the General Plan. The indirect impact of a wider cross-section would not damage scenic resources. There are currently no scenic resources in the proposed alignment of the street.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
Upon completion of construction, the project would have no potential to impact existing visual character or quality of the site or its surroundings. The additional right-of-way for the segment would not have the potential to substantially degrade the existing visual character or quality of the site and its surroundings, because the proposed change will match the segment to the north, and will be minimal enough in scope to have no potential impacts.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
The change in the Circulation Plan of the General Plan would be not expected to have any impact on the location or installation of street lights. Therefore, there is no potential for a significant impact.				
II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The site is in an area that is zoned primarily for residential and public uses. It is not adjacent to designated farmland. Even if there was adjacent farmland, there would not be expected to be any potential indirect impacts associated with the General Plan Amendment.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The proposed Nason St. alignment is not designated for agricultural use, or a Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
The policy change itself would have no direct impact on the existing environment. Regarding indirect impacts, there is no farming within the general area that might be indirectly impacted by construction of the proposed alignment of Nason Street. Therefore, there is no potential impact.				
III. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
The proposed alignment is consistent with the existing alignment of Nason Street to the north. The proposed cross-section for Nason Street is a minor change from the existing cross-section in that it doesn't provide for additional lanes of traffic. In addition, the proposed General Plan Amendment does not modify planned land uses for this area. No direct or indirect impacts are anticipated.				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
The proposal would not contribute to an existing or projected air quality violation. The alignment is consistent with the alignment of Nason Street north of Fir Avenue. The modified alignment will ultimately be wider than the existing segment, but would have no impact on the existing land use designations for the area. Therefore, the proposal would not result in the potential to violate an air quality standard.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
There is no possibility of direct impacts regarding air quality standards that would contribute substantially to an existing or project air quality violation. The modified alignment will have no impact on the existing land use designations for the area. Therefore, the proposal would not have an indirect impact on the environment as land use patterns would develop in a similar manner to that which would be currently expected with the existing alignment.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
Since the proposal is a policy change to the General Plan, there is no possible exposure of sensitive receptors to substantial pollutant concentrations. Regarding indirect impacts from future construction of the Nason Street improvements, the potential impacts during construction of the proposed cross-section will be very similar to the impacts that would result from construction of the existing cross-section. Therefore, there is no potential for an indirect significant impact.				
e) Create objectionable odors affecting a substantial number of people?			X	
Regarding indirect impacts, the construction of the proposed cross-section would not result in creation of odors that would differ from construction under the current cross-section for Nason Street. Therefore, there is no potential for a significant impact related to odors.				
IV. **BIOLOGICAL RESOURCES.** Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
The proposal does not involve any direct impact on biological resources. With regard to indirect impacts, the modification of the alignment, would not be expected to disturb more land area than would have been anticipated under the prior Circulation Plan designation. Much of the project site area has been developed or has been disturbed. With regard to Multi-species Habitat Conservation Plan (MSHCP) consistency, the report generator identified the project study area as having potential to support burrowing owl only. (Western Riverside County-Regional Conservation Authority, http://www.wrc-rca.org/report_generation.asp) Bonterra Consultants prepared a Habitat Assessment Survey on June 13, 2012 related to the street improvement project. No owls were identified. Burrow studies are being prepared as part of the environmental review for the street improvement project. The project study area is not within a criteria cell.				
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?				X
Based on the Project Summary Memorandum dated May 2012, there is no riparian vegetation on the site that will be directly or indirectly impacted. The project will not have an effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by State Fish and Game or U.S. Fish and Wildlife Service.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
Based on the Project Summary Memorandum dated July 2012, there is no evidence of wetlands as defined by Section 404 of the Clean Water Act. There is a bridge at the southerly drainage of the project area. However, the drainage channel is already fully improved and has no existing vegetation. Therefore, it is not expected that future Heacock Street improvements would have the potential for a significant impact in the vicinity of the bridge.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
There would be no potential for a direct or indirect impact on the movement of any resident or migratory fish or wildlife species. As mentioned previously, there are no known species that the proposal would impact. Bonterra Consultants prepared a Habitat Assessment Survey on June 13, 2012 related to the street improvement project. No owls were identified. Burrow studies are being prepared as part of the environmental review for the street improvement project.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
The proposal will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?			X	
The proposal is located within the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) and the Multi-species Habitat Conservation Plan (MSHCP). The project is not within a reserve area of the SKR HCP. The project is located with the Multi-species Habitat Conservation Plan. The project is not within a criteria area of the MSHCP. Bonterra Consultants prepared a Habitat Assessment Survey on June 13, 2012 related to the street improvement project. No owls were identified. Burrow studies are being prepared as part of the environmental review for the street improvement project. The project study area is not within a criteria cell. The proposal is not in conflict with an adopted Habitat Conservation Plan.				
V. **CULTURAL RESOURCES.** Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
The General Plan Amendment proposal involves no potential direct impact on historical resources. A Cultural Resources report (June 21, 2012) was prepared by BonTerra Consultants. No potentially significant historical structures were identified within the project limits.				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X	
A Cultural Resources report (June 21, 2012) was prepared by BonTerra Consultants. The potential impacts on archaeological resources under the proposed cross-section would be expected to be similar to the impacts that would result from construction of Nason Street under the current cross-section.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
There are no known paleontological resources within the project area, or in close proximity to the project area. (City of Moreno Valley General Plan EIR, 2006) .				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
There are no known human remains within the project area.				
VI. **GEOLOGY AND SOILS.** Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
There would be no potential direct or indirect impacts related to rupture of earthquake faults. The site is not located within an area delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The proposed project does not include any above ground structures so ground shaking would have no potential impact on the project.				
(ii) Strong seismic ground shaking?				X
The project area would be subject to ground shaking. The proposed project does not include any above ground structures so ground shaking would have no potential impact on the project.				
(iii) Seismic-related ground failure, including liquefaction?				X
The project site area is not identified as having a potential for seismic-related ground failure, such as liquefaction. (General Plan EIR, 2006) Furthermore, there are no structures proposed.				
(iv) Landslides?				X
The site is generally flat. There is no potential for landslides within the project area.				
(b) Result in substantial soil erosion or the loss of topsoil?			X	
The site is generally flat. The anticipated impacts of constructing the proposed cross-section would be similar to the impacts resulting from the construction under the current General Plan Amendment. The proposal would not result in substantial soil erosion or the loss of top soil.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
The General Plan Amendment and future street construction under the General Plan Amendment involves no structures. The proposal is not located on a geologic unit, or soil that is unstable.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
The General Plan Amendment and future street construction under the General Plan Amendment will not involve the construction of any buildings. The project will not create any increased risk to life or property related to construction on expansive soils.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
The proposed General Plan Amendment and future street project would not involve the construction or use of septic tanks or alternative waste water disposal systems. Therefore, there is no potential for a significant impact on the environment due to soils that are incapable of supporting the use of septic tank systems or alternative disposal systems.				
VII. **GREENHOUSE GAS EMISSIONS.** Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
Regarding greenhouse gas emissions, it is not expected that the General Plan Amendment would have any potential impacts either directly or indirectly. When compared to development under the current Circulation Plan of the General Plan, impacts of constructing Nason Street would be expected to be similar. Therefore, there would be no potential for a significant impact on the environment.				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X
There would not be any potential for the project to conflict with any applicable plan, policy or regulation concerning GHG emissions.				
VIII. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X
The proposed General Plan Amendment occurs within an area that is primarily residential. It will not affect, in any way, the potential for hazardous materials to be transported along Nason Street. Therefore, the proposal is not expected to create a significant hazard to the public or the environment related to the transport of hazardous materials.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
No direct or indirect impacts are expected. Based on considering the type of materials involved in the construction of the Nason Street project, there is no potential for a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
The General Plan Amendment will not in itself result directly in any construction or use of property that might emit hazardous emissions. Therefore, there is no potential for the proposal to emit hazardous emissions.				
.) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
There are no sites within the project area on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
The proposal is not located within an airport land use plan.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
The proposal is not within the vicinity of a private airstrip.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposal would not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan. No mitigation measures will be required.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The project would not result in any risk of loss involving wildland fires as the project is not adjacent to areas subject to wildland fires. (City of Moreno Valley, General Plan, 2006)				
IX. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
The proposal as designed will not violate any water quality standards or waste discharge requirements. The design of the project will be in compliance with City standards.				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
The proposal will have no effect on groundwater supplies or interfere substantially with groundwater recharge.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
The proposal would involve a change in cross-section for Nason Street between Alessandro Boulevard and Fir Avenue. It would not substantially alter the existing drainage pattern.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X
The proposal will not alter the existing drainage pattern of the site or area.				
e) Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
Development under the proposed cross-section would not create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.				
f) Otherwise substantially degrade water quality?				X
The proposal would not have any direct or indirect impact on water quality.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
The proposal will not involve the construction of any buildings. The project study area is not within a 100-year floodplain. (FEMA Map panel, 06065C1430G)				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
The proposal would not involve the construction of any structures. The project study area is not within a 100-year floodplain. (FEMA Map panel, 06065C1430G).				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
The proposal will not expose people or structures to a significant risk of loss, injury or death involving flooding.				
j) Inundation by seiche, tsunami, or mudflow?				X
The project area would not be subject to seiche, tsunami, or mudflow.				
X. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X
The proposal is a General Plan Amendment to modify the cross-section for Nason between Alessandro Boulevard and Fir Ave. The proposed modifications increase the width of the cross-section slightly, but are consistent with the existing designated cross-section north of Dracaea Avenue. The proposal would not in any way physically divide an established community.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The proposal will involve a change to the Circulation Plan of the General Plan. This change would not result in any conflict with the existing General Plan.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
The project is not within a reserve area under the SKR HCP or a criteria area under the WRC-MSHCP. Therefore, the project could not be in conflict with an applicable habitat conservation plan.				
XI. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
The proposal would have no potential to result in the loss of availability of a mineral resource that would be of value to the region and the residents of the state.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
The proposal would not result in the loss of availability of a locally-important mineral resource recovery site delineated on the General Plan or other land use plan.				
XII. **NOISE.** Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
The proposed cross-section is not expected to result in placing vehicles closer to the residences than improvements under the proposed cross-section. Therefore, potential impacts would be less than significant.				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
There would be no exposure of people to excessive groundborne vibration or noise level as an indirect result of change in the cross-section for Nason Street.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposal will not result in an increase in permanent ambient noise levels compared to that which would be expected for development under the existing cross-section for this segment of street.				
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
The General Plan Amendment proposal would not be expected to result in any increase in ambient noise levels in the vicinity above levels existing without the proposal.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
The project is not located within an airport land use plan, or within two miles of a public airport.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
There is no private airstrip within several miles of the project site.				
XIII. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
The area between Alessandro Boulevard and Fir Avenue is already partially developed. The minor change to the cross-section would not in any way induce population growth in the area.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
The proposal will not have any direct impact on existing housing as it is a policy change. The proposal will not displace substantial numbers of existing residences.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	
The proposal will not displace substantial numbers of people requiring replacement housing elsewhere.				
XIV. **PUBLIC SERVICES.** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?				X
The proposal would have no long-term impact on fire protection. The modification of the cross-section wouldn't affect fire protection services.				
b) Police protection?			X	
The proposal would have no long-term impact on fire protection. The modification of the cross-section wouldn't affect fire protection services.				
c) Schools?				X
The project would have no potential for a direct or indirect impact on school facilities.				
d) Parks?				X
The proposal would not have the potential for a direct or indirect impact on parks facilities.				
e) Other public facilities?				X
There would be no impact on other public facilities.				
XV. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
The proposal would have no potential direct or indirect impact on existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
The proposal would have no potential direct or indirect impact on recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.				
XVI. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
A traffic report (May 10, 2012) was prepared by Urban Crossroads. The report concluded that the Nason Street corridor within the project limits should be improved with a four lane divided roadway. The proposed General Plan Amendment is consistent with the findings included in the report.				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
As identified in the traffic study, the proposal would have no direct or indirect potential conflict with an applicable congestion management plan.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
The proposal would not result in a change in air traffic patterns that results in safety risks.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
The modification of the General Plan cross-section would not increase hazards due to a design feature. The construction of the roadway under the proposed cross-section with a divided roadway would likely improve traffic conditions and reduce traffic hazards as discussed in the traffic report (Urban Crossroads, May 10, 2012).				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in inadequate emergency access?			X	
There would be no direct impact on emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The proposal will not provide any impediment to public transit, bicycle, or pedestrian facilities. The proposed General Plan Amendment will be consistent with the bikeway plan of the General Plan.				
XVII. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
The General Plan Amendment would have no direct or indirect impact that would result in exceeding wastewater treatment requirements. The development and construction of the street itself would be required to be designed to satisfy all of the Regional Waster Quality Control Board's requirements.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The proposal would not establish a need for new water or wastewater treatment facilities.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
As an indirect impact related to the construction of the Nason Street improvements, the proposal may involve the alteration of a storm drain facility. These improvements would not result in the potential to cause a significant impact on the environment.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
The General Plan Amendment will not involve establishing a use that would require water supplies.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
The General Plan Amendment will not create a need for wastewater treatment facilities. Therefore, there could no impact.				
f)) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
Upon construction, the Nason Street improvements would not generate any need for solid waste disposal.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The construction of the proposed cross-section for Nason Street would be required to comply with all federal, state, and local statues and regulations related to solid waste.				
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
The proposed General Plan Amendment does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The General Plan Amendment would not have a cumulative direct impact on the environment as the policy action involves no physical impacts. The potential impacts of constructing the proposed cross-section for Nason Street would be nearly identical to constructing Nason Street under the existing General Plan cross-section.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
The proposed General Plan Amendment is limited to the modification of the designation of Nason Street for the segment from Alessandro Boulevard and Fir Avenue. The potential environmental impacts associated with the construction of roadway improvements under the proposed modification to the Circulation Plan would be nearly identical to the impacts that would result from construction of the existing cross-section. As provided for in the above discussion in the Initial Study, the General Plan Amendment does not have the potential for substantial adverse effects on human beings either directly or indirectly.				

PLANNING COMMISSION
STAFF REPORT

Case:	**PA12-0026 (General Plan Amendment)**
Date:	August 23, 2012
Applicant:	City of Moreno Valley, Public Works Department
Representative:	Ahmad R. Ansari, P.E. Public Works Director/City Engineer
Location:	The project is located on Nason Street between Alessandro Boulevard and Fir Avenue
Proposal:	The proposal is the modification of the Circulation Plan of the City's General Plan to amend the cross-section for Nason Street between Alessandro Boulevard and Fir Avenue
Recommendation:	Approval

SUMMARY

The City of Moreno Valley Public Works Department is requesting a modification to the City's Circulation Plan. The existing cross-section identifies this segment of Nason Street as a 4-lane arterial with a 100 foot right of way and a 76 foot roadway width between Alessandro Boulevard and Dracaea Avenue, and a 4-lane divided arterial with a 110 foot right of way and 86 foot wide roadway width between Dracaea Avenue and Fir Avenue. The proposed modification is for a 4-lane divided arterial with a 120 foot right of way and an 86 foot roadway width.

Attachment D

PROJECT DESCRIPTION

With the adoption of Resolution 2006-84 on July 11, 2006, the City Council of Moreno Valley approved the 2006 General Plan Update. Within the approved General Plan is the City's Circulation Plan. The City's Circulation Plan serves the purpose of identifying the routes and classifications for the City's street system consistent with the General Plan's Circulation Element Goals, Objectives, Policies, and Programs.

The City Council authorized the addition of the Nason Street Project from Cactus Avenue to Fir Avenue in the FY 2011-12 CIP and the appropriation of up to $15 million in California Communities Gas Tax Revenue Certificates of Participation (COPS), Series 2011B (TRIP – Total Road Improvement Program) monies for the project. On July 26, 2011, the City Council adopted Resolution No. 2011-81 approving the sale, execution, and delivery of not more than $20 million in principal amount of COPS monies. These improvements are integral elements of the Economic Development Action Plan focused on building a medical corridor to facilitate and attract development and create jobs for Moreno Valley residents.

The CIP approved project consists of approximately 9,200 linear feet of ultimate width street improvements along Nason Street from Cactus Avenue to Fir Avenue. City staff and the design consultant thoroughly examined the City's Circulation Plan within the project area by conducting traffic analysis projections and alignment studies. City staff and the design consultant concurred through the analysis that a revision to the City's Circulation Plan is necessary.

The proposed revision to the City's Circulation Plan is the classification of Nason Street from Alessandro Boulevard to Dracaea Avenue (currently Arterial with 100 foot right of way and 76 foot roadway width) and Nason Street from Dracaea Avenue to Fir Avenue (currently 4-Lane Divided Arterial with 110 foot right of way and 86 foot roadway width) to 4-Lane Divided Arterial, Augmented Parkway with 120 foot right of way and 86 foot roadway width on the Circulation Element.

ANALYSIS

The Nason Street Improvement Project proposes to construct improvements along Nason Street from Alessandro Boulevard to Fir Avenue. The General Plan currently shows a variety of designations for Nason Street within the project area, including a Divided Arterial from Fir Avenue to Dracaea Avenue, an Arterial from Dracaea Avenue to Alessandro Boulevard, and a Divided Major Arterial (with a reduced cross-section) from Alessandro Boulevard to Cactus Avenue. A Traffic Analysis was completed in May 2012 to determine the improvements necessary to achieve acceptable Levels of Service for General Plan Buildout conditions and provide design year recommendations for the study area. This study also evaluated side street access regarding potential median openings within the study area along Nason Street.

Nason Street improvements evaluated in the traffic analysis only extended from Fir Avenue to Cactus Avenue since Nason Street currently terminates approximately 1,300 foot south of Cactus Avenue. However, the City is currently constructing improvements that extend Nason Street towards the south and will connect to Iris Avenue within the next year. It is anticipated that traffic volumes along Nason Street will increase by approximately 10,000 vehicles per day (VPD) once this connection is completed. This will increase daily traffic volumes along the corridor in the project area to in excess of 20,000 VPD. Based on the findings of the analysis it was recommended that the overall Nason Street corridor within the project limits be constructed as a four lane divided roadway.

REVIEW PROCESS

In June 2012, the proposed alignment, including the traffic study, was presented to City Departments and a Public Information meeting was held on June 27th to obtain input from residents and business owners affected by the project. A meeting was also held in March 2012 with Valley View High School staff in order to receive any comments or concerns they may have. Comments from City Departments, affected residents, the high school, and business owners focused on access during construction, individual property concerns such as tree removal and driveway access, potential restrictions on turning, and potential increased speeds once the widening was completed. These issues will be resolved during the design process. Thus far the overall responses and comments have been very positive.

ENVIRONMENTAL

An Initial Study has been completed for the project. Based upon the Initial Study, this project will not result in the potential for a significant impact on the environment. Therefore, the adoption of a Negative Declaration is recommended.

NOTIFICATION

The public hearing notice for the proposed General Plan Amendment was posted at City Hall and published in the local newspaper on August 1, 2012.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

APPROVE Planning Commission Resolution No. 2012-22, recommending that the City Council adopt a Negative Declaration and approve PA12-0026, a General Plan Amendment to revise the City Circulation Plan.

Prepared by:	Approved by:
Lorenz R. Gonzales Senior Engineer, P.E.	John C. Terell, AICP Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2012-22
3. Initial Study

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MV00180669

DUMMY MINUTES FROM 8/23/12 PLANNING COMMISSION MEETING

ATTACHMENT E

-2019-

Item No. E.3

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MV00180671

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

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MV00180673

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: September 25, 2012

TITLE: **UPDATE OF ECONOMIC DEVELOPMENT ACTION PLAN**

RECOMMENDED ACTION

Staff recommends that the City Council review the update of the Economic Development Action Plan.

BACKGROUND

The City of Moreno Valley is focused on improving the community's jobs to housing balance, along with enhancing the City's economic condition and financial resources, as well as the overall quality of life within the community. During the past 18 months the City has undertaken a number of key initiatives including:

- March 22, 2011—An Economic Development Plan—Areas of Opportunity was created to provide a long-term framework to help shape economic development in Moreno Valley within the 12 designated Areas of Opportunity in the community.

- April 26, 2011—A 2-year Economic Development Action Plan was adopted to target 5 key areas within the Areas of Opportunity that had the potential for creating the most effective economic development benefits during a short period of time. Included in the Economic Development Action Plan was the strategic decision of re-sequencing a number of Capital Improvement Projects aimed at helping facilitate the economic development activities within the five targeted areas of the Economic Development Action Plan.

- June 14, 2011—The City Council adopted Prioritized Goals and an Action Plan through a Goal Setting Workshop including 1) Job Development, 2) Focus on Further Development of the Medical Corridor and Health Services, 3) Maximize

Transportation and Infrastructure Opportunities, 4) Economic and Tax base Development and 5) Enhance the City's Image.

- July 26, 2011—The City Council approved Action Steps to Make Moreno Valley a 'Best Place to Do Business'.

The adoption of a 2-year Economic Development Action Plan provided focus in producing quick results in job creation and momentum towards addressing Moreno Valley's jobs to housing imbalance. An established Action Plan helps create energy towards achieving measurable results in economic development activities within a short timeframe. The Economic Development Action Plan works in conjunction with the Economic Development Plan-Areas of Opportunity, along with the Action Steps to Make Moreno Valley a Best Place. The 2-year ED Action Plan creates a solid foundation for the City of Moreno Valley to build upon in creating much needed jobs in the community and enhancing the overall quality of life for residents and businesses.

The 2-year Economic Development Action Plan focuses on job creation in two targeted business sectors:

- Logistics & Distribution
- Medical & Healthcare

The selection of the these two specific business sectors for job growth is supported by Moreno Valley's demographic make-up, along with business growth opportunities in the Inland Region for these business sector categories.

The approved Economic Development Action Plan contains a number of key initiatives and objectives to be pursued in five geographic areas:

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- East Moreno Valley-Rancho Belago
- City Center

DISCUSSION

Significant progress has been attained with many of the objectives in all five of the geographic areas contained in the Economic Development Action Plan. To keep the City Council and general public informed about results with the Economic Development Action Plan, an 18-month update has been formulated and illustrated with the attached PowerPoint presentation.

With the success of the 2-year Economic Development Action Plan, staff is already working on formulating a new 3-year Economic Development Action Plan that will take

over in April 2013 and build upon the momentum established with the many successful economic development efforts underway in Moreno Valley.

ATTACHMENTS/EXHIBITS

Attachment A - Economic Development Action Plan Update September 2012

Prepared By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00180677

ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

September 2012

Item No. G.2

-2027-

MV00180678

Accomplishments to Advance Economic Development

- Identification of Economic Development Areas of Opportunity
- Approval of Economic Development Action Plan
- Reforming of City Council Economic Development Subcommittee
- State Certification of Updated City Housing Element recognizing need to address jobs to housing imbalance
- Approval of Action Steps to make Moreno Valley a "Best Place to do Business"

MV00180679

Accomplishments to Advance Economic Development

- City Council adopted the Prioritized Goals and Action Plan from City Council Goal Setting workshop
- Combining Planning, Building & Safety, and Land Development with Economic Development to create the Community & Economic Development Department
- Collaborating with major Developers on advancing projects
- Conducting quarterly Developer Workshop aimed at making Moreno Valley a Best Place to do Business
- Pursuing update of the DIF program

Major Objectives for Economic Development Action Plan

- Create jobs locally and improve City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

MV00180681

Economic Development Action Plan

Focusing on 5 Geographic Areas

- TownGate
- Centerpointe Business Park
- South Moreno Valley Industrial Area
- Eastern Moreno Valley – Rancho Belago
- City Center

Action Plan
Areas of Opportunity

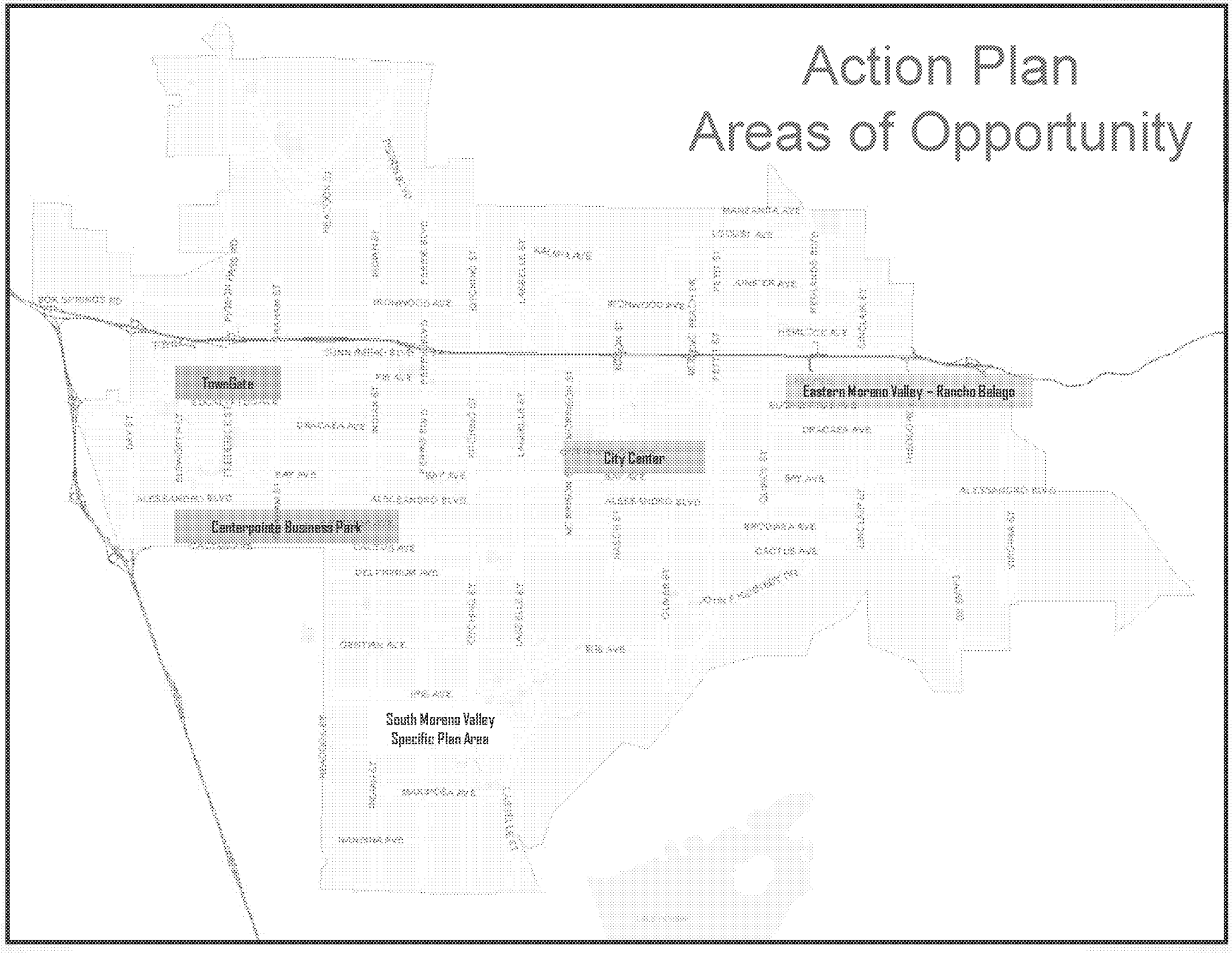

-2032-

Key Initiatives of Action Plan

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area
- Advance the development of projects in the Centerpointe Business Park
- Facilitate the development of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in Eastern Moreno Valley - Rancho Belago area
- Re-sequence and fast-track Capital Improvement Projects in the City Center Area

TownGate

- Worked with Fritz Duda Co. on openings for Five Guys Burgers & Fries, Panera Bread, Anna's Linens, TJ Maxx/HomeGoods Superstore
- New projects coming to TownGate include Miguel's Jr., Chipotle and 24-Hour Fitness Sport
- Negotiations underway with three other users for TownGate Center
- Completed new 80-foot sign for TownGate Center & Plaza along SR 60 to improve new tenant promotion
- Worked with CW Capital – new owner of the Moreno Valley Mall on 10 openings including Rue 21, Body Basics and Round 1 Entertainment Center
- Moreno Valley Mall has created exciting conceptual plans for expansion and repositioning of 1.25 million s.f. regional mall
- Negotiations underway with several users for Moreno Valley Mall

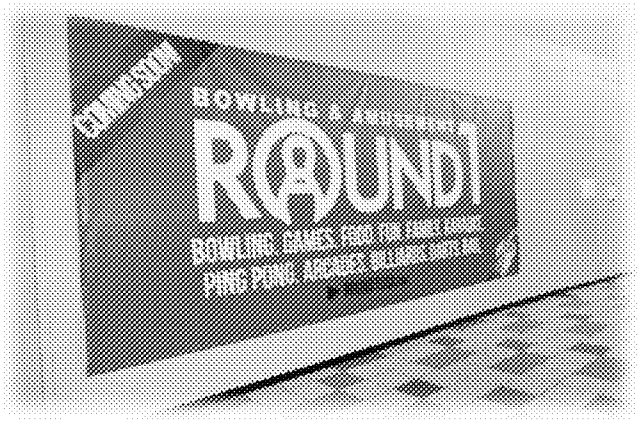

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Centerpointe Business Park

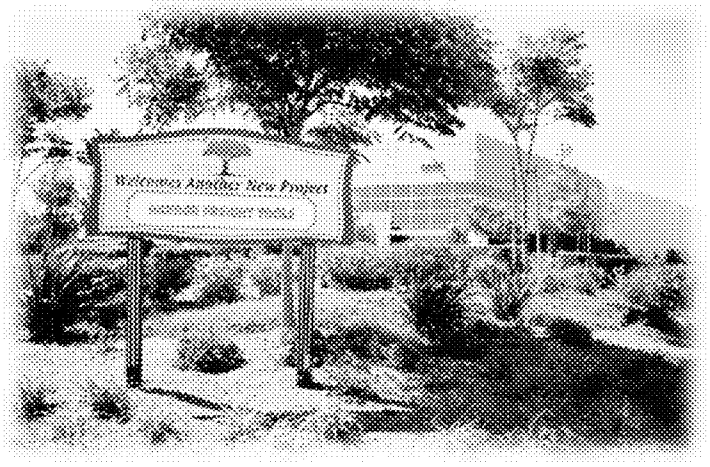

- Harbor Freight Tools
  - Opened new 779,016 s.f. Distribution Center in November 2011
  - Working on a expansion to add 507,720 s.f.
- USAA Real Estate/Overton Moore Properties
  - Under construction with a new 519,760 s.f. industrial building at Centerpointe Logistics Center.
- Ridge Property Trust
  - Working on Harbor Freight Tools expansion
  - Processing plans for additional 770,000 s.f. at Centerpointe Business Park

HARBOR FREIGHT TOOLS
Quality Tools at Ridiculously Low Prices

Item No. G.2

-2035-

MV00180686

South Moreno Valley Industrial Area

- First Inland Logistics Center
  - First Industrial Realty Trust Inc.
  - 691,960 s.f. building completed and leased by Harbor Freight Tools
- Nandina Distribution Center
  - IDS Real Estate Group
  - 1.18 million s.f. total
  - 769,320 s.f. to be completed Fall 2012
  - 413,598 s.f. ready to start construction
- iHerb expansion
  - Added another 160,000 s.f.
  - Increased workforce by 200 employees
- I-215 Logistics Center
  - Trammell Crow Company
  - Construction underway with 1.25 million s.f. building
  - Negotiations underway with users
- Inland Empire Global Logistics Center
  - Panattoni Development Company
  - Approved 1.5 million s.f. building
  - Negotiations underway with major user
- Sares-Regis/Vogel Development
  - Approved 1.6 million s.f. building; under appeal by Sierra Club
  - Negotiations underway with two potential users

-2036-

Eastern Moreno Valley – Rancho Belago

- Skechers USA full operations by October 2011 with workforce of 600

SKECHERS

- Westridge Commerce Center approved 937,000 s.f. building to begin speculative construction in Fall 2012

RIDGE PROPERTY TRUST

- Working with Highland Fairview on EIR and Specific Plan for 41 million s.f. World Logistics Center

hf

- Prologis is underway with EIR preparation of 2,268,000 s.f. industrial business park

PROLOGIS

Item No. G.2

MV00180688

City Center
Re-sequencing of CIP Projects

- Construction of SR 60/ Nason Improvements
  - New ramps completed
  - New Bridge to start Fall 2012
- Installation of new SR 60 southerly ramps at Moreno Beach plus extension of Eucalyptus connecting with Moreno Beach
  - Construction contract awarded 8/28/12

- Improvements on Cactus Ave. between Lasselle St. and Nason St.
  - Under construction with target completion Summer 2013
- Extension of Nason St. southerly to connect Cactus Ave. with Iris Ave.
  - Under construction with target completion Fall 2013
- Eliminate choke pointes on Nason St. between SR60 and Cactus Ave.
  - Project to be funded by California Communities bonds
  - Design and right-of-way acquisition underway

MV00180689

City Center
Healthcare and Education

- Advance the development of the City's medical overlay zone
  - Marketing Highland Fairview's development of a new major medical, health and wellness campus on 200 acres of the Aqua Bella property
  - New CIP projects will help assist development of medical overlay area

  - Kaiser Permanente's 75,000 s.f. expansion to open Fall 2012 with 167 new jobs
  - RCRMC underway with expansion plans

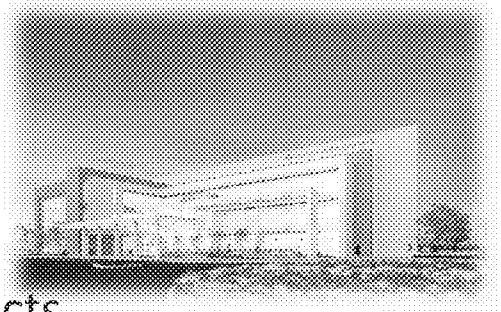

- Enhance educational opportunities
  - Moreno Valley College underway with expansion projects
  - RCRMC will be teaching hospital of new UCR Medical School

MV00180690

City Center

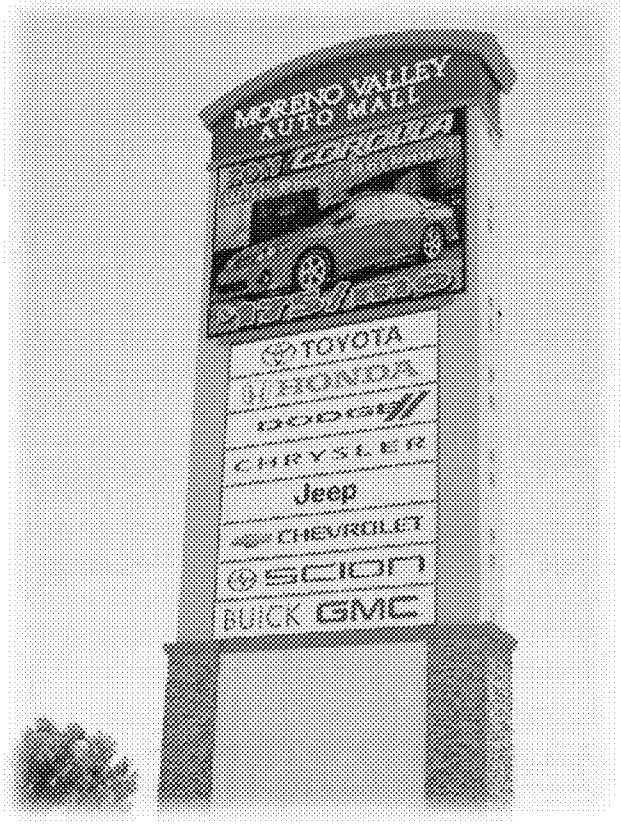

- Moreno Valley Auto Mall
  - Volkswagen of Moreno Valley opened fall 2011
  - Moss Bros. Auto Group underway with $8 million in improvements to dealerships
  - New freeway sign and corner features installed at MV Auto Mall
  - Discussions on-going for other new dealerships
- Re-occupancy of the three closed anchor spaces at Moreno Beach Plaza II
  - Reuse contingent on connecting Eucalyptus to Moreno Beach
  - LA Fitness underway with plans to reuse former Circuit City and Staples spaces, with new sport club concept
  - Negotiations underway for final anchor building and pad development
- Strengthen sales at Stoneridge Towne Centre and Moreno Beach Plaza
  - Adopted electric rate incentive for anchor uses
  - Working towards completion of SR60 improvement projects at Nason and Moreno Beach

MV00180691

Job Creation #1 Goal
New Jobs in 5 ED Action Plan Areas

2011

Distribution/Manufacturing	859
Office/Healthcare	132
Automobile Dealership	57
Retail/Restaurant	302
Total Jobs – 2011	**1,350**

2012

Distribution/Manufacturing	528
Office/Healthcare	167
Automobile Dealerships	20
Retail/Restaurant	265
Total Jobs – 2012	**980**

Total New Jobs 2011/12 in ED Action Plan Area 2,330

MV00180692

Job Creation #1 Goal

2011

Distribution/Manufacturing	
Harbor Freight Tools DC	45
iHerb	98
Modular Metal Fabricating	21
Philips Electronics	134
Ross Stores DC (expansion)	300
Serta Mattress	57
Supreme Truck Bodies	35
Walgreens	44
Subtotal	894
Office/Healthcare	
RCRMC	132
Social Security Admin. (expansion)	79
Subtotal	211
Automobile Dealership	
Moss Bros. Auto Group	57
Subtotal	57
Retail/Restaurant	
Buffalo Wild Wings	110
Five Guys Burgers	62
Rue 21	60
Panera Bread	70
Subtotal	302
Total Jobs – 2011	**1,464**

2012

Distribution/Manufacturing	
Harbor Freight Tools DC	385
Harmon Kardon (expansion)	21
i-Herb (expansion)	122
Subtotal	528
Office/Healthcare	
Kaiser Permanente (expansion) (coming 11/12)	167
Subtotal	167
Automobile Dealerships	
Moss Bros. Auto Group	20
Subtotal	20
Retail/Restaurant	
Chipotle (coming 10/12)	60
Dollar General	40
Dollar Tree (coming 10/12)	30
Family Dollar	30
Harbor Freight Tools Store	35
Round 1 (coming 9/12)	60
S Bar & Grill	25
Universal Strike	30
TJ Maxx/HomeGoods	145
Subtotal	425
Total Jobs – 2012	**1,140**

Total New Jobs 2011/12 in Moreno Valley 2,604

MV00180693

Next Steps

- Complete DIF Update
- Facilitate SR60-East Overlay Study to determine Highest & Best Land Uses
- Assist negotiations for users for new industrial buildings
- Market development opportunities for Medical Overlay Zone
- Explore financing opportunities for more CIP projects to assist in economic development activities
- Adopt new 3-year Economic Development Action Plan in April 2013

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MV00180695

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RH
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: September 25, 2012

TITLE: UPDATE ON AB 32 AND THE CAP-AND-TRADE PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the update.

BACKGROUND

Assembly Bill 32 (AB32), known as the Global Warming Solutions Act, was signed by the Governor in 2006 and calls for a reduction in the emissions that contribute to global warming to 1990 levels by the year 2020. This means a reduction in greenhouse gas emissions of about 15% from current levels. The California Air Resources Board (CARB) is the agency responsible for developing and implementing the programs to meet this target.

The Climate Change Scoping Plan was approved by CARB in December 2008, and is essentially the blueprint of how the state will meet the goals as defined in AB 32. The key strategies in the Scoping Plan include the following:

- Cap-and-Trade Program
- Pavley Standards – reduces 30% of vehicle greenhouse gas emissions by 2016
- Low Carbon Fuel Standard – decreases carbon intensive vehicle fuels 10% by 2020
- SB 375 – changes the way cities are planned, developed, and built through better land-use planning
- Renewable Portfolio Standard – 33% renewable energy by 2020
    - Million Solar Roofs Program
    - Increase use of solar hot water heating
- Energy efficiency
    - Improve appliance efficiency standards
    - Green buildings

- Water efficiency
- Audit of the largest industrial sources to identify greenhouse gas reduction opportunities
- Regulations on refinery flaring and fugitive emissions
- Capture refrigerants and other high global warming potential gases already in use
- Reduce future impact through leak-resistant equipment
- Encourage more efficient agricultural equipment, fuel use and water use
- Reduce emissions from manure digesters at dairies
- Reduce methane emissions from landfills
- Move toward high recycling and zero waste

DISCUSSION

The Cap-and-Trade compliance obligation will begin on January 1, 2013, and applies to the major sources of greenhouse gas emissions such as electricity generators, refineries, cement production facilities, glass manufacturing facilities, and food processing plants. Natural gas, propane, and transportation fuel distributors will be subject to the Cap-and-Trade Program beginning in 2015. There are two parts to cap-and-trade; the first part, the cap, places a limit on the total amount of greenhouse gas emissions a facility can release into the atmosphere. This cap declines over time, forcing those subject to cap-and-trade to reduce greenhouse gas emissions. The second part, the trade, is a market based mechanism whereby an entity subject to AB 32 regulations can buy emissions allowances to meet its compliance obligation. An allowance is a permit to emit one metric ton of a carbon dioxide equivalent greenhouse gas emission. An entity's annual compliance obligation is the number of allowances it must surrender to CARB to be allowed to emit greenhouse gas emissions, and is 30% of the reported and verified greenhouse gas emissions from the previous year. Some entities will be allocated free allowances, and will have to buy additional allowances at auction to meet their compliance obligation.

Some of the key dates for the Cap-and-Trade Program include the following:

1. Program registration	January 2012
2. User/account registration	September 2012
3. Allowances issued	September 2012
4. Auction registration deadline	October 2012
5. First auction	November 2012
6. 2013 auctions	February, May, August, November

Each auction is anticipated to last approximately three hours, and will consist of a single round of sealed bids, with a minimum auction reserve price. Each seller will receive the same bid price at the conclusion of the auction, which will be equal to or greater than the auction reserve price. Every December 1, the auction reserve price for the following calendar year will be announced. The auction reserve price for allowances auctioned in 2012 and 2013 is set at $10.00 per allowance and will increase by no less than 5% each year through 2020.

As an electric utility retail provider, Moreno Valley Utility (MVU) is required to annually report greenhouse gas emissions associated with purchases of electricity and facilities that contain certain gases. MVU has been reporting its greenhouse gas emissions since 2009. MVU will also be allocated a number of allowances by CARB to be sold in the auctions that will occur quarterly each year. However, because MVU does not generate electricity, nor import any electricity, MVU does not have a compliance obligation, meaning MVU is not required to surrender any allowances to CARB. As a result, MVU will not have to purchase any allowances at auction, and will be able to use the revenues received from the sale of the allowances to benefit ratepayers. No later than June 2014, each utility that receives revenues from the sale of allowances will be required to report to CARB how the funds were spent. A public process will be required to determine how the funds received will be used to benefit ratepayers; some examples include using the funds to purchase renewable energy to help meet the utility's Renewable Portfolio Standard, to provide direct rebates to customers, and to implement additional energy efficiency programs. Staff anticipates that an AB32 compliance policy will be brought before Council within the next six months.

FISCAL IMPACT

MVU has been allocated a total of 312,567 allowances through 2020. It is anticipated that MVU will receive a total minimum of approximately $3,577,084 through 2020 to be spent on various programs for the ratepayers.

Prepared By
Jeannette Olko
Electric Utility Division Manager

Department Head Approval
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00180699

MORENO VALLEY
WHERE DREAMS SOAR

Department Update:

Human Resources

September 25, 2012

Item No. G.4.1

MV00180700

Your HR Team

Brigette Montgomery

Kim Schmitz

Liliana Alvarado

Your Facilities Team

Lisa Morgan

Alice Rod

Mayra Robledo

Adam Patino

Rix Skonberg

Daphne McKinney

Frank Kim

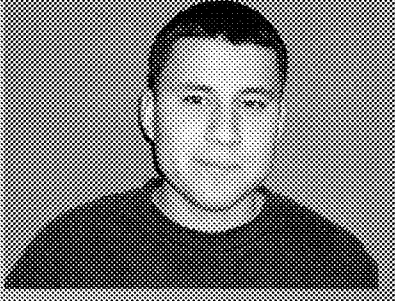
Javier Ponce

Hector Gomez

Item No. G.4.1

Human Resources

Item No. G.4.1

MV00180703

Core Functions

- Recruitment and Staffing
- Classification & Compensation
- Employee Relations
- Training
- Benefits
- Workers' Compensation
- Regulatory Compliance

Recent Results

- Pension Reform: Tier III CalPERS Contract Amendments
- 3-year MOUs with Employee Associations
- Comprehensive MOUs with MVMA, MVCME
- Electronically searchable MOUs
- 27 Recruitments (FY 11-12)
  - 13 more Recruitments since 7/1

- All Recruitments/Applications now online
- Enhanced Volunteer recruitment
  - Volunteer openings now featured on City's Job listing
- Completed Health Needs Assessment with Employee Associations
- Re-Tooled Employee Service Milestone program

- Partnered with Departments to:
  - Transfer 3 employees to preclude layoff
  - Recall 3 laid off employees (Fire, FASD)
- Compliance with new PERS rules affecting retirees on temp assignment
- Expanded specialized legal support (while reducing costs)
- Created Internship opportunities for RCC/MoVal College Kinesiology students

MV00180707

MotiVate MVS

Quarterly Report

Motivation Technology

Pairs Consulting

Item No. G.4.1

Wellness Objectives

- Invest in our employees
- Create comprehensive, holistic program offerings
- Address 4 key components

Home

Health

Work

Life

Program Activities

- Programs build on employee ideas/requests…several led by our employees
- Website for quick access to all program info & activities
- Lunch & Learns:
  - Mortgage Loan Refinancing, Modifications
  - Financial Planning
- City Relay for Life team
- Run-Walk-Jog Group

- Early Detection Health Screenings, with service packages uniquely created for Moreno Valley employees and their families
- Fitness Challenge (MoVal Movers)
- Line Dancing/Aerobics
- Participation in RivCo's employee Education Fair
- On-site information sessions for Cal State Northridge's MPA program
- *Lunch & A Movie* programs
- College Tuition Funding information

- Interview Skills Workshops (w/Toastmasters)
- Self-Defense class
- Zumba class
- CalPERS Retirement Planning Seminar
- Employee Resource Directory
- Family Movie Night (w/Parks)
- FAFSA Workshop (w/MVUSD)
- Car rental discount program
- Costco membership incentives
- Speedway event tickets
- *More coming soon!!!*

Facilities Division

Item No. G.4.1

MV00180713

Recent Results

- Replaced City Hall HVAC System (secured grant funding)
- Completed more than 2,000 work orders last fiscal year
- Collaborated on Fire Station 99 project
- City Hall Parking Lot rehabilitation
- City Hall Lobby renovation
- Earned GOLD status in SCE's Energy Leader Partnership Program

Recent Results

- Lighting retrofits (grant funded)
  - City Hall
  - Senior Center
  - Library
  - FS 6
  - FS 48
  - FS 65
- Solar Film installation at City Hall (grant funded)

On the Horizon

Item No. G.4.1

HR Activities

- ERP: Human Resources module goes live in January
- Pension Reform: collective bargaining, new employees
- MOU re-openers
- Training programs
- Succession Planning/Preparation
- Workers' Comp Program Audit

MV00180717

Facilities Activities

- City Hall Improvement/Rehabilitation
- In-Field Automation
- Roll Out: "It's My Building" program for designated point-of-contact
- Emergency Power for CRC
- Multi-Year Facilities Maintenance Plan
- Annex 1 Renovation
- Public Safety Bldg Lobby Upgrades (Access and Security)

Proudly Serving Those Who Serve Moreno Valley Residents

MORENO VALLEY

WHERE DREAMS SOAR

Human Resources Department

ORDINANCE NO. 853

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 1.10.080 OF CHAPTER 1.10 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE COLLECTION OF CIVIL FINES AND PENALTIES.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Section 1.10.80 of Chapter 1.10 of Title 1 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

"1.10.080 Civil fines—Amount and penalties.

A. The maximum amount of a civil fine for violating particular provisions of this code shall be set forth in a schedule of civil fines adopted by resolution of the city council. The schedule may include escalating civil fine amounts for repeat code violations occurring within specified periods of time. A fine amount, not to exceed those set forth by resolution, may be imposed or reduced at the discretion of the citing officer or the city attorney.

B. Where no civil fine amount is specified by resolution of the city council, civil fines shall be in accordance with those specified in Section 1.01.230 of this code.

C. A late payment penalty shall be imposed for civil fines not paid within thirty (30) calendar days of their due date. The amount of the late payment penalty shall be one hundred (100) percent of the total amount of the civil fine owed.

D. In addition to any civil fine and/or late payment penalty, a hearing officer shall also assess administrative costs against the responsible person when it finds that a violation has occurred or that compliance has not been achieved within the time specified in the civil citation and any granted extensions thereof. Administrative costs may include any and all costs incurred by the city in connection with the matter including, but not limited to, costs of investigation, staffing costs incurred in preparation for an administrative hearing and for the administrative hearing itself, and costs for all reinspections of the property related to the violation(s).

E. Unless otherwise prohibited by law or regulation, all civil fines and administrative costs imposed pursuant to the provisions of this chapter shall accrue simple interest at the rate of eight percent (8%) annually until the civil fine or administrative costs, including interest thereon, is paid in full. Interest shall begin to accrue thirty (30) calendar days after the due date for the civil fine or

administrative costs and continue until the civil fine or administrative costs, including interest thereon, is paid in full."

SECTION 2. EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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MV00180723

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
September 25, 2012

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:31 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

Mayor Richard A. Stewart announced the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem William H. Batey II.

INVOCATION

Pastor Diane Gardner, Beautiful Women of God - Diane Gardner Ministries

ROLL CALL

Council:

Richard A. Stewart	Mayor
William H. Batey II	Mayor Pro Tem
Jesse L. Molina	Council Member
Robin N. Hastings	Council Member
Marcelo Co	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Cynthia Fortune	Financial Operations Division Manager

Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Joel Ontiveros	Police Chief
Abdul Ahmad	Fire Chief
Ahmad Ansari	Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Human Resources Director
Mike McCarty	Parks & Community Services Director
Michele Patterson	Assistant to the City Manager

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, MORENO VALLEY HOUSING AUTHORITY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (A3 and A10) and Pete Bleckert (A3 and A5).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 APPROVAL OF PAYMENT REGISTER FOR JULY, 2012 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2012-74, approving the Payment Register for the month of July, 2012 in the amount of $13,987,791.35.

Resolution No. 2012-74

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Payment Register for the Month of July, 2012.

A.4 PA06-0021 (PM 34577) – INDUSTRIAL – ACCEPT FINAL MAP, AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF HEACOCK STREET AND

MV00192694

CARDINAL AVENUE, DEVELOPER: I-215 LOGISTICS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, NEWPORT BEACH, CA 92660 (Report of: Community & Economic Development Department)

Recommendation:

1. Approve Parcel Map 34577, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

2. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA06-0021(PM 34577);

3. Authorize the Mayor to execute the agreement;

4. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.5 FIRST AMENDMENT TO AGREEMENT WITH DMC DESIGN GROUP FOR MORENO TOWNSITE AREA STORM DRAIN AND MISCELLANEOUS STREET IMPROVEMENTS BETWEEN ALESSANDRO BOULEVARD AND DRAINAGE FACILITY LINE F - PROJECT NO. 801 0011 70 77-2001 (Report of: Public Works Department/CPD)

Recommendation:

1. Approve the First Amendment to Agreement for Professional Consultant Services with DMC Design Group to revise and complete the design for the Moreno Townsite Area Storm Drain and Miscellaneous Street Improvements;

2. Authorize the City Manager or his designee to continue negotiating the cost proposal and then execute said Amendment to Agreement for Professional Consultant Services with DMC Design Group, subject to approval of the City Attorney; and

3. Authorize an increase in the Purchase Order to DMC Design Group in the amount of up to but not to exceed $57,820 once the final cost negotiations are concluded and the amendment to agreement has been signed by all parties.

A.6 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO GLOBAL POWER GROUP, INC. FOR THE EMERGENCY OPERATIONS

MV00192695

CENTER FAMILY CARE CENTER GENERATOR PROJECT - PROJECT NO. 803 0016 70 77 (Report of: Public Works Department/CPD)

Recommendation:

1. Award the construction contract to Global Power Group, Inc. (GPG), 12060 Woodside Avenue, Lakeside, CA 92040, the lowest responsible bidder, for Emergency Operations Center Family Care Center Generator project;

2. Authorize the City Manager to execute a contract with GPG;

3. Authorize the issuance of a Purchase Order for $386,811.70 ($351,647.00 bid plus 10% contingency of $35,164.70) to GPG when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with GPG, up to but not to exceed the Purchase Order's total contingency amount of $35,164.70, subject to the approval of the City Attorney; and

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines that all contract requirements and punch-list items are completed by GPG, accept the improvements into the City's maintained system, and release the retention to Contractor if no claims have been filed against the project.

A.7 APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION GEOTECHNICAL SERVICES WITH NINYO & MOORE FOR MORENO BEACH INTERCHANGE IMPROVEMENTS PHASE 1 - PROJECT NO. 801 0038 70 77-4821 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the "Agreement for Professional Consultant Services" with Ninyo & Moore (Ninyo & Moore), 11650 Mission Park Drive, Suite 101, Rancho Cucamonga, CA 91730, to provide professional geotechnical and materials testing services during construction of the SR-60/Moreno Beach Interchange Improvements Phase 1 project for a total agreement amount not to exceed $109,110;

2. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds

MV00192696

only after Oversight Board approval;

3. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with Ninyo & Moore; and

4. Authorize the issuance of a Purchase Order totaling $109,110 to Ninyo & Moore when the contract has been signed by all parties.

A.8 APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION SURVEY SERVICES WITH COORY ENGINEERING FOR MORENO BEACH INTERCHANGE IMPROVEMENTS PHASE 1 - PROJECT NO. 801 0038 70 77-4821 (FORMERLY PROJECT NO. 07-41570024) (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the "Agreement for Professional Consultant Services" with Coory Engineering (Coory), 1718 N. Neville Street, Orange, CA 92865, to provide professional survey services during construction of the SR-60/Moreno Beach Interchange Improvements Phase 1 project for a total agreement amount not to exceed $100,805;

2. That the City Council Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after Oversight Board approval;

3. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with Coory; and

4. Authorize the issuance of a Purchase Order totaling $100,805 to Coory when the contract has been signed by all parties.

A.9 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of September 5-18, 2012.

A.10 BIENNIAL UPDATE TO THE PUBLIC RIGHT OF WAY ACCESS AMERICANS WITH DISABILITIES ACT TRANSITION PLAN (Report of: Public Works Department/CPD)

Recommendation:

MV00192697

Receive and file this Biennial Update on Public Right of Way Access Americans with Disabilities Act Transition Plan.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 11, 2012 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

Motion to Approve as amended to include the wording, "sole proprietorship hereinafter described as consultant," in Item A8 by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

E. PUBLIC HEARINGS

MV00192698

E.1 A PUBLIC HEARING REGARDING PA08-0033 (GENERAL PLAN AMENDMENT), PA08-0034 (CHANGE OF ZONE) AND PA08-0035 (CUP) FOR A SMOG INSPECTION STATION AND TIRE SALES COMMERCIAL BUSINESS AT 22184 ALESSANDRO BOULEVARD. THE PROPOSED GENERAL PLAN AMENDMENT WILL CHANGE THE LAND USE DESIGNATION OF A 0.54 ACRE PORTION OF A PARCEL LOCATED AT 22184 ALESSANDRO BOULEVARD FROM RESIDENTIAL/OFFICE (R/O) TO COMMERCIAL (C). THE CHANGE OF ZONE WILL CHANGE THE ZONING OF THE PARCEL FROM OFFICE COMMERCIAL (OC) TO COMMUNITY COMMERCIAL (CC). THE APPLICANT IS SOCRATES URENA (Report of: Community & Economic Development Department)

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

Recommendation: That the City Council:

1. Conduct a public hearing for General Plan Amendment PA08-0033, Change of Zone PA08-0034 and Conditional Use Permit PA08-0035 and subsequent to the public hearing:

   ADOPT a Negative Declaration for PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) in that this project will not result in significant environmental impacts);

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

2. ADOPT City Council Resolution No. 2012-75 thereby APPROVING General Plan Amendment PA08-0033, based on the findings in the City Council Resolution;

   Resolution No. 2012-75

   A Resolution of the City Council of the City of Moreno Valley, California, approving an Amendment to the General Plan Land Use Element (PA08-0033) to change the Land Use Designation of a 0.54 acre portion of a parcel located at 22184 Alessandro Boulevard (portion of Assessor's Parcel Number 291-190-025) from Residential/Office (R/O) to Commercial (C)

MV00192699

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

3. INTRODUCE Ordinance No. 854 thereby APPROVING Zone Change PA08-0034, based on the findings in the City Council Ordinance; and

   Ordinance No. 854

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA08-0034 (Zone Change) to change the Land Use District for approximately 0.54 acres of 22184 Alessandro Boulevard (portion of Assessor Parcel Number 291-190-025) from Office Commercial (OC) to Community Commercial (CC)

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

4. ADOPT City Council Resolution No. 2012-76 thereby APPROVING Conditional Use Permit PA08-0035 for a Smog Inspection Station and Tire Sales commercial business at 22184 Alessandro Boulevard, based on the findings in the Resolution, and the conditions of approval to the resolution as Exhibit A.

   Resolution No. 2012-76

   A Resolution of the City Council of the City of Moreno Valley, California, Approving Conditional Use Permit (PA08-0035) for the conversion of an existing Single Family Residence into Smog Inspection Station and Tire Sales Commercial Business at 22184 Alessandro Boulevard (APN: 291-190-025)

Motion to Approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

E.2 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION'S JULY 12, 2012, APPROVAL OF PLOT PLAN PA09-0004 AND TENTATIVE PARCEL MAP NO. 36162 (PA09-0012) AND THE RELATED ENVIRONMENTAL IMPACT REPORT FOR THE VIP MORENO VALLEY PROJECT. THE PROJECT PROPOSES A 1,616,133 SQUARE

MV00192700

FOOT WAREHOUSE DISTRIBUTION BUILDING ON APPROXIMATELY 80 ACRES. THE BUILDING INCLUDES 268 DOCK HIGH DOORS AND 44,000 SQUARE FEET OF OFFICE AREA. THE MAP WOULD COMBINE FOUR EXISTING PARCELS INTO A SINGLE PARCEL. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF GROVE VIEW ROAD BETWEEN PERRIS BOULEVARD AND INDIAN STREET AT THE CITY'S SOUTHERN BOUNDARY, IN THE MORENO VALLEY INDUSTRIAL AREA PLAN (SP 208). THE APPLICANT IS VOGEL ENGINEERS, INC. THE APPELLANT IS JOHNSON & SEDLACK ATTORNEYS AT LAW ON BEHALF OF RESIDENTS FOR A LIVABLE MORENO VALLEY AND THE SIERRA CLUB (Report of: Community & Economic Development Department)

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Susan Gilchrist (oppose) and Pete Bleckert (support).

Recommendation: That the City Council:

1. Conduct a public hearing for Environmental Impact Report (P11-020), Plot Plan PA09-0004, and Tentative Parcel Map 36362 (PA09-0012) and subsequent to the public hearing:

   APPROVE Resolution No. 2012-77 and CERTIFY that the Environmental Impact Report (EIR) for the VIP Moreno Valley Project has been completed in compliance with the California Environmental Quality Act; and

   Resolution No. 2012-77

   A Resolution of the City Council of the City of Moreno Valley, California, certifying the Final Environmental Impact Report (P11-020), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the VIP Moreno Valley Project, generally located in the Moreno Valley Industrial Area Plan (SP 208), on the South side of Grove View Road between Perris Boulevard and Indian Street at the City's southern boundary.

Motion to Approve as amended per the changes referenced in attachment 18 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

2. APPROVE Resolution No. 2012-78 and APPROVE Plot Plan PA09-0004 and Tentative Parcel Map 36162 (PA09-0012), subject to the

MV00192701

attached conditions of approval included as Exhibits A and B.

Resolution No. 2012-78

A Resolution of the City Council of the City of Moreno Valley, California, for approval of Plot Plan PA09-0004 for development of a 1,616,133 square foot Warehouse Distribution Facility on 80 acres located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 and PA09-0012 (Tentative Parcel Map No. 36162) to combine four parcels into a single parcel.

Motion to Approve as amended per the changes referenced in attachment 18 by m/Mayor Pro Tem William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

E.3 GENERAL PLAN AMENDMENT TO MODIFY THE CIRCULATION PLAN FOR NASON STREET BETWEEN ALESSANDRO BOULEVARD AND FIR AVENUE (PA12-0026) - (Report of: Public Works Department/CPD)

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder (oppose) and Tom Jerele, Sr. (support).

Recommendation:

1. Conduct a public hearing to consider the action taken by the Planning Commission on August 23, 2012, recommending approval of a General Plan Amendment (PA12-0026) (Project); and subsequent to the public hearing; and

2. APPROVE City Council Resolution No. 2012-79 thereby adopting a Negative Declaration for PA12-0026 in that the project will not result in significant environmental impacts, and approving the General Plan Amendment (PA12-0026), based on the findings in the City Council Resolution.

Resolution No. 2012-79

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA12-0026) to Modify the City Circulation Plan and Circulation Exhibit, Respectively

MV00192702

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

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

None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

Mayor Richard A. Stewart

The lawsuit has been settled on the land by the bomb dump enabling March to build a park and to develop the Center for Biological Diversity. March was added to the Military Airport's Assistance program. Through this program March can get financial money for development at the airport.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Ramon Trujillo

1. Complimented Council Member Co and staff
2. No traffic control at Palm Middle School

Deanna Reeder

1. Elections

Sue Gilchrist

1. Elections
2. Calzona Appaloosa Club
3. Thanked police and Code Enforcement
4. Air quality, trucking and warehousing

MV00192703

Vince Lauro

1. Campaigning for District 5 City Council
2. Crime

Michael Geller

1. Grants for animal shelters

Kenny Bell

1. Board of Supervisors
2. Jobs

Tom Jerele, Sr.

1. Concerns about dog adoption issue
2. Job projections
3. Flood control
4. Council Member Co is very responsive on issues
5. Council Member Molina returns all calls
6. 4th of July Committee

AGENDA ORDER

G.2 UPDATE OF ECONOMIC DEVELOPMENT ACTION PLAN (Report of: Community & Economic Development Department)

Not for Council action.

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Deanna Reeder (oppose) and Tom Jerele, Sr. (support).

Recommendation: That the City Council:
Review the update of the Economic Development Action Plan.

G.3 UPDATE ON AB 32 AND THE CAP AND TRADE PROGRAM (Report of: Public Works Department/EU)

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

Recommendation: That the City Council:
Receive and file the update.

MV00192704

Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem William H. Batey II

Approved by a vote of 5-0.

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

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

G.4.1 Human Resources Department Update - Report by: Human Resources Director Tom DeSantis, Human Resources Director

Continued to October 9, 2012.

G.5 CITY ATTORNEY'S REPORT (Informational Oral Presentation - not for Council action)

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

City Attorney Robert L. Hansen

At the September 11 City Council meeting City Council was asked to disband the July 4 Advisory Committee. Council was advised the July 4th Advisory Committee was established as an ad hoc or temporary advisory committee; and, therefore, ceased to exist following the July 4th events. LaDonna Jempson sent an email suggesting the July 4th Advisory Committee was established by City Council as a permanent or standing committee. Standing resident advisory bodies are usually established by ordinance, and are called either boards or commissions. The July 4th resident advisory body was established by City Council resolution and was called a committee. Other than the July 4th Advisory Committee, the City has no other standing or permanent resident advisory committees. After reviewing Resolution 2011-82 to determine whether the July 4th Advisory Committee was established as a temporary or permanent committee, it appears it was City Council's intent to make the July 4th Advisory Committee permanent and not temporary. Consequently, the July 4th Advisory Committee did not cease to exist following the July 4th events and will continue to exist until dissolved by an action of City Council. City Council gave clear indication to staff to bring this matter back to establish an advisory board similar to other advisory boards established by ordinance of the City Council. Therefore, when this matter is brought back to City Council for consideration, it will include a recommendation for the City Council to rescind Resolution 2011-82 and introduce an ordinance establishing a July 4th Advisory Board with members

MV00192705

appointed by City Council pursuant to how other boards have been established in the city.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

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

H.2.1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 1.10.080 OF CHAPTER 1.10 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE COLLECTION OF CIVIL FINES AND PENALTIES (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 11, 2012, BY A 5-0 VOTE) (Report of: City Attorney)

Recommendation: That the City Council:
Adopt Ordinance No. 853 that would clarify the method by which interest is calculated on delinquent civil citations.

Ordinance No. 853

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 1.10.080 of Chapter 1.10 of the City of Moreno Valley Municipal Code Relating to the Collection of Civil Fines and Penalties

Motion to approve by m/Mayor Pro Tem William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Mayor Pro Tem William H. Batey, II

1. October signals the start of the holiday season. October 6 is Adopt

MV00192706

a pet in the park at Community Park. October 13 is Artober Fest at the Conference and Recreation Center. October 25 the movie Monster House will be shown in the gym at the Conference and Recreation Center. October 26 starts the Haunted House at the banquet facility at the golf course. November 17 is the spelling bee at the Conference and Recreation Center.

Council Member Marcelo Co

1. Candidates running for City Council will be offered a workshop to understand the functions of city government.

2. People are concerned with jobs. Businesses should be able to choose who they want to hire, and encourage the businesses to hire local. There should be cooperation between the city and schools regarding the future work force.

3. At the time Skechers was looking to hire, there was no recession. Once the building was built, there was a deep recession.

4. This election is a very important election, and people should study the issues.

Council Member Jesse L. Molina

1. There was a projection for 2,500 jobs, but the 2,500 jobs weren't promised.

2. The City has no authority to impose any conditions on businesses doing hiring.

3. Thanked the Public Works Department for the work they did on Ironwood and at St. Christopher's.

4. Moreno Valley is trying to bring jobs. People tend to move where they work, and they spend where they work.

Council Member Robin N. Hastings

1. Requested a second to put pet adoptions on a Study Session to see what types of grants are available for the animal shelter. Animals are sent to the Yucaipa shelter, which is a no kill shelter. Council Member Marcelo Co seconded.

2. Attended the second annual Mr. Eagle contest at Valley View High School, which is a talent show for high school boys. It is one of the ways the school is keeping kids involved and motivated in

MV00192707

extracurricular activities.

3. Attended the installation of officers for the Moreno Valley Optimists. There was a commemoration for Laura Froehlich who was one of the founding members.

4. Regarding the Economic Development Action Plan, when at all possible, the city wants to see the medical corridor moving forward. Kaiser is talking about adding another building. Riverside County Regional Medical Center is expanding their trauma center. There are some potential projects going on along that corridor for additional assisted living facilities.

5. Thanked staff that went out and responded to flooding issues on the east end. Residents are extremely pleased with how quickly Public Works assisted with the clean up and how they are moving forward with taking care of some of the Code issues.

6. Regarding the warehousing approvals and commitments, anyone who says they are going to or not going to do something, they have made a predisposition, which means they are not able to vote on the actual project. To make a decision before you have seen a project, or seen the impacts, or seen the mitigation would be less than forthcoming on the part of anyone who wants to represent their community.

7. The Liberty Quarry hearing was today at the Board of Supervisors meeting. There was a 3-2 vote, and it was approved for fast tracking.

Mayor Richard A. Stewart

1. Moreno Valley provides animal services to the City of Perris.

2. A statement was made about giving away air quality, and projects shouldn't be approved. If the projects aren't approved, they will go to Perris or Riverside, and the air quality will probably not be much different, and those cities will have the jobs, not Moreno Valley. It is short-sighted not to take advantage of the businesses and the jobs that can be brought in for Moreno Valley citizens.

3. One of the speakers is focused on Benzeevi, and it doesn't seem to matter what it is.

4. Crossword Church has held campaign forums in the past. Will check with Bishop Sykes to see if there will be one this year. Haven't heard if the Chamber will have a campaign forum this year.

MV00192708

5. October 26 is the Mayor's Dinner which is Frankie and Mia's Wedding. It's a fundraiser that will be shared between the Boy Scouts and Laura Froehlich's charity, Troop Comfort.

6. Tomorrow at 10:30 a.m. the Commissioner of the California Highway Patrol and the Director of the Office of Traffic Safety will be here to present the Moreno Valley Police Department Traffic team with the 1st place award in the Law Enforcement Challenge for the State of California for like sized agencies and the second place award nation-wide for like sized agencies. In addition, he will be presenting awards to two of our motor officers who have earned high praise from the Office of Traffic Safety and California Highway Patrol. One motor officer arrested more DUI drivers than any other officer in the State of California during the year 2011.

CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

MV00192709

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:33 p.m. by unanimous informal consent.

Submitted by:

_____
City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor for the Community
Redevelopment Agency of the City of Moreno Valley
Secretary, Moreno Valley Housing Authority
Secretary, Board of Library Trustees

Approved by:

_____
Mayor Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, City as Successor for the Community
Redevelopment Agency of the City of Moreno Valley
Chairperson, Moreno Valley Housing Authority
Chairperson, Board of Library Trustees

MV00192710

CITY CLERK
MORENO VALLEY
RECEIVED

08 FEB 21 PM 1:50

APPROVALS	
CITY ATTORNEY	RDH
FINANCE DIRECTOR	SMC
CITY MANAGER	RM

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: February 26, 2008

TITLE: A public hearing on the following land use proposals:

General Plan Amendment (PA05-0107) to amend the Land Use Element from Commercial to Business Park/Industrial and to amend the Circulation Element to designate a portion of Old 215 Frontage Road as a Minor Arterial, Zone Change (PA05-0106) from Community Commercial (CC) and Industrial to Business Park, Tentative Parcel Map No. 33152 (PA05-0108), and a Master Plot Plan (PA05-0105) for a business park development consisting of 16 buildings on approximately 19 acres located near the southeast corner of Alessandro Boulevard and Old 215 Frontage Road.

Applicant: Andland Properties, LLC

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **CONDUCT** a public hearing;

2. **ADOPT** a Mitigated Negative Declaration and Mitigation Monitoring Program for applications PA05-0108 (Tentative Parcel Map No. 33152), PA05-0108 (Master Plot Plan), PA05-0106 (Zone Change) and PA05-0107 (General Plan Amendment) As designed and conditoned, the applications, individually and cumulatively, will not result in a significant effect on the environment;

COUNCIL AGENDA ITEM NO. E1.

3. **APPROVE** Resolution No. 2008-22 approving PA05-0107, thereby establishing General Plan Land Use and Circulation Element designations as described in the Resolution, and as depicted on resolution attachments Exhibit A and Exhibit B;

4. **INTRODUCE** Ordinance No. 769 approving Zone Change (PA05-0106) from Community Commercial (CC) and Industrial to Business Park for approximately 16 acres located generally southeast of Alessandro Boulevard and Old 215 Frontage Road, based on the findings in the ordinance, and as depicted on ordinance attachment Exhibit A; and

5. **APPROVE** Resolution No. 2008-23 approving Tentative Parcel Map No. 33152 (PA05-0108) and Master Plot Plan (PA05-0105) to allow development of a 19-acre business park and to create two parcels for future development, subject to a General Plan Amendment and Zone Change, and based on the findings in the resolution, and the conditions of approval attached to the resolution as Exhibit A.

PROJECT DESCRIPTION

The General Pan amendment actions proposed by this project constitute the first amendment to the Land Use Element and the Circulation Element for calendar year 2008.

Advisory Committee Action

The Planning Commission, at its February 7, 2008 meeting approved Planning Commission Resolution No. 2008-02, recommending by a unanimous vote (6-0, one Commissioner was absent) that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for PA05-0107 (General Plan Amendment), PA05-0106 (Zone Change), PA05-0108 (Tentative Parcel Map No. 33152), and PA05-0105 (Master Plot Plan for a Business Park Development) pursuant to the California Environmental Quality Act (CEQA), and approve the project as described above.

Background

The project consists of four applications, which are being processed concurrently—a General Plan amendment and zone change involving both the Land Use and Circulation elements, a master plot plan for a 19-acre business park development, and a tentative parcel map to subdivide the site into six parcels (two for future development).

The project site is approximately 25 acres in area and is located generally south of Alessandro Boulevard and east of Old 215 Frontage Road. The site has been operated as a construction equipment auction yard for the past several years.

Land Use Changes

The existing General Plan land use designations for the project site are Commercial and Business Park/Industrial. The applicant proposes a change for the portion within the Commercial designation to place the entire site within the Business Park/Industrial designation. The proposed Circulation Element amendment would designate Old 215 frontage Road between Alessandro Boulevard and Cactus Avenue as a Minor Arterial (88-foot right-of-way, 64-foot curb-to curb improvement width, providing two travel lanes in each direction). The proposed Minor Arterial designation is based upon traffic volumes predicted in the project-specific traffic study and reflects the recommendation of the Public Works Department Transportation Engineering Division.

The existing zoning for the project site is Community Commercial and Industrial. The proposed change would eliminate the Community Commercial district, establishing the Business Park district within the proposed business park limits and retaining the Industrial designation for the two future development parcels.

The General Plan establishes a mix of designated land uses that is directed at providing a balance among various uses at build-out. The General Plan (page 2-5) acknowledges designation of "more than enough commercial land to accommodate the needs of the population at build-out." At adoption, the General Plan designated approximately 1,675 acres of land for commercial use to serve a projected build-out population of approximately 305,000. General plan amendments since the July 2006 adoption of the current General Plan have involved removal of approximately 60 acres from commercial designations. The additional 6 acres for the subject amendment would bring the total to approximately 66 acres, or about 4 percent of the total commercial acreage designated at the time of plan adoption in 2006. Considering the remaining commercial land inventory and the competing objectives for this location for uses that are compatible with the flight operations at March Air Reserve Base/March Inland Port, the proposed amendment on its own or in combination with previously approved amendments, will not significantly affect the City-wide balance of land uses at build-out.

Analysis of the proposed project included consideration of the effects of aircraft operations at nearby March Air Reserve Base/March Inland Port upon the proposed development, as well as potential impacts of the proposed business park use upon the circulation system, and remaining non-conforming residential uses in the immediate surrounding area. As designed and conditioned, the proposed project is compatible with its proposed setting, would not adversely affect nearby residential uses, and would not unduly burden the circulation system. Project design features and conditions contributing to this finding include requirements restricting uses, buildings and activities on the site, requirements for advisory notices regarding aircraft operations and hazards, design elements to attenuate noise in office areas, conditions requiring control of dust and paint applications during construction, and conditions requiring specific road improvements and payment of established impact fees.

Based upon the information presented above, the proposed change in land use is compatible with existing land uses and would not conflict with the goals, objectives, policies or programs of the General Plan.

Tentative Tract Map

Tentative Parcel Map 33152 proposes to divide the approximately 25-acre site into six parcels. Parcels 1 through 4 are the site of the business park development that is the subject of the accompanying master plot plan application (PA05-0105). Parcels 5 and 6 are to be developed separately and are the subject of pending applications for a relocated concrete batch plant (PA06-0179) and a self-storage facility (PA06-0180). These applications are currently under staff review and will be scheduled for Planning Commission consideration once all preliminary requirements have been completed.

The proposed subdivision design incorporates the east half of the existing right-of-way for Old 215 Frontage Road into the developable limits of Parcels 1, 3, 5 and 6, realigning Old 215 Frontage Road as a Minor Arterial within the west half of the existing right-of-way. The project conditions of approval acknowledge the related right-of-way vacation and require transition of the new road alignment to the intersection with Alessandro Boulevard on the north, as well as to the existing Old 215 Frontage Road improvements to the south.

Master Plot Plan

Plot Plan application PA05-0105 establishes the basic site layout and architectural design criteria for a business park development on about 19 acres. Individual plot plan approvals will be required for each building or group of buildings as development proceeds.

Access for the proposed development is provided along private drives such that each building benefits from access to Old 215 Frontage Road, Alessandro Boulevard and Day Street. The proposed layout places three larger buildings on the western portion of the project site (Buildings 1, 2, and 7); and thirteen smaller buildings on the eastern portion of the project site (Buildings 3 through 6 and 8 through 16). Buildings 1, 2 and 7 would each have one or two loading docks that would accommodate a single semi-truck. While the smaller buildings are designed without docks, Buildings 12 through 16 include individual service yards to accommodate smaller trucks.

Discussion

A public hearing for the project was conducted on February 7, 2008. The applicant's representative spoke in favor of the project during the public hearing. While no other speakers participated in the public hearing, letters were received from one interested citizens and one public agency. Copies of the letters are attached (Attachment 8). A statement of the nature of the comments and associated responses is included in the Planning Commission minutes. Subsequent to the Planning Commission hearing, a

letter was received from the Native American Heritage Commission. This letter addresses consultation procedures that were completed in the normal course of staff review and suggests involvement of Native American representatives as necessary to monitor grading activity, which is addressed in the recommended conditions of approval (Condition P12).

Following the pubic hearing, the Planning Commissioners discussed the project, with subjects of discussion including extension of the General Plan and zoning actions to additional parcels along the Alessandro Boulevard frontage, enhancement of architectural design in interior courtyards, structural standards for Old 215 Frontage Road in light of the proposed batch plant relocation to one of the future development parcels, and options to enhance the remaining Alessandro Boulevard properties in the interim. The Commissioners each acknowledged the quality of the design and architecture, and thanked the applicant for considering the gateway location of the site. The recommended conditions of approval presented for Council consideration (Attachment 4, Exhibit A) reflect a minor modification to Condition P6 to address Planning Commission direction to enhance interior architectural treatments.

Subject to approval of the General Plan amendment and zone change, and as conditioned, the proposed project complies with all applicable City policies and regulations and would be compatible with surrounding land uses.

ALTERNATIVES

1. The City Council could deny the project. If denial of a project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Notice of the City Council public hearing for this project appeared in the *Press Enterprise* newspaper on February 15, 2008. In addition, notification of the project was posted at the site and mailed to property owners within 300 feet of the site. As of the date of completion of the City Council staff report, there was no additional public response to the noticing for the City Council public hearing.

ATTACHMENTS

1. Proposed Resolution for General Plan Amendment
2. Public Hearing Notice
3. Proposed Ordinance for Zone Change
4. Proposed Resolution for Tentative Parcel Map 33152 and Master Plot Plan
5. Planning Commission Staff Report dated February 7, 2008 (excluding exhibits)
6. Draft Planning Commission Minutes for February 7, 2008
7. Negative Declaration/Initial Study (including Aerial Photograph)/Mitigation Monitoring Program
8. Comment Letters
9. Reduced Copy of Site Plan

Kathleen Dale

Prepared By:
Kathleen Dale
Associate Planner

John C. Terell

Concurred By:
John C. Terell, AICP
Planning Official

Department Head Approval:
Kyle Kollar
Community Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2008-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT (PA05-0107) TO CHANGE THE LAND USE DESIGNATION FROM COMMERCIAL TO BUSINESS PARK/INDUSTRIAL FOR THE APPROXIMATELY 6 NET ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 297-120-002, 003, 011, 012 AND 016, LOCATED NEAR THE SOUTHEAST CORNER OF ALESSANDRO BOULEVARD AND OLD 215 FRONTAGE ROAD, AND APPROVING AN AMENDMENT TO THE GENERAL PLAN CIRCULATION ELEMENT (PA05-0107) TO DESIGNATE OLD 215 FRONTAGE ROAD BETWEEN ALESSANDRO BOULEVARD AND CACTUS AVENUE AS A MINOR ARTERIAL, AS DESCRIBED IN THE RESOLUTION, AND THE REVISED GENERAL PLAN MAPS ATTACHED TO THE RESOLUTION AS EXHIBITS A AND B.

WHEREAS, the applicant, Andland Properties, LLC has filed an application for approval of PA05-0107, requesting amendments to the General Plan Land Use and Circulation Elements. The requested amendment to the Land Use Element changes about 6 acres of Commercial land use to 6 acres of Business Park/Industrial land use as described in the title of this resolution and the attached Exhibit A. The requested amendment to the Circulation Element designates Old 215 frontage Road between Alessandro Boulevard and Cactus Avenue as a Minor Arterial as described in the title of this resolution and the attached Exhibit B. This General Plan Amendment is being processed concurrently with a Zone Change (PA05-0106), Tentative Parcel Map 33152 (PA05-0108), and a plot plan (PA05-0105) for the proposed development of a 19 acre business park and two future development parcels. The project site is located southeast of Alessandro Boulevard and old 215 Frontage Road.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA05-0107 as described above and a Mitigated Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is

no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on February 7, 2008, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA05-0107). At said meeting, the Planning Commission recommended approval of General Plan Amendment PA05-0107 to the City Council, and;

WHEREAS, on February 26, 2008, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

Section 3

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA05-0107:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed General Plan Amendment application to change the land use designation for a portion of the project site from Commercial to Business Park/Industrial is consistent with the General Plan in that the proposed business park use is compatible with the surrounding pattern of development, both existing and proposed. More importantly, the proposed Business Park/Industrial designation is more compatible with City and regional land use policies related to aircraft operations at March Air Reserve Base/March Inland Port.

   The proposed General Plan Amendment to designate Old 215 Frontage Road between Alessandro Boulevard and Day Street as a Minor Arterial is supported by analysis of future traffic volumes in a project-specific traffic study that was reviewed and approved by the City Transportation Engineering Division.

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A traffic study for the proposed project has been reviewed and approved by the Transportation Engineering Division, and no unacceptable service levels or other negative impacts to the City's circulation system have been identified, subject to conditions requiring completion of adjoining street improvements, establishment of particular lane configurations for the Alessandro Boulevard/Day Street intersection, establishment of specific access controls for project access drives, and payment of established Development Impact Fees and Transportation Uniform Mitigation Fees. Therefore, as designed and conditioned, the proposed project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. The project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: As noted above, the proposed General Plan Amendment will establish a land use designation that is more compatible with land use policies related to aircraft operations at March Air Reserve Base/March Inland Port and will establish a Circulation Element road segment at a designated improvement width supported by detailed traffic analysis. Project conditions of approval and established City regulations and procedures provide a mechanism to review future buildings and uses within the business park to ensure consistency with land use restrictions related to the site's location within an Accidental Potential Zone associated with aircraft operations at March Air Reserve Base/March Inland Port. An initial study of the potential environmental impacts of the amendments has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration has been considered and prepared, and there is no evidence that the proposed land use or circulation changes will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Redevelopment Plan – The proposed general plan amendment conforms to applicable provisions of the City's redevelopment plan.

   FACT: This subject property is within the boundaries of the City of Moreno Valley Redevelopment Project Area. By virtue of conformance with all applicable provisions of the City of Moreno Valley General Plan and Municipal Code, as amended, the project

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is also in conformance with applicable provisions of the redevelopment plan.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2008-_____ approving PA05-0107, thereby establishing General Plan Land Use and Circulation Element designations as described in the Resolution, and the revised General Plan maps attached to the Resolution as Exhibits A and B.

APPROVED AND ADOPTED this _____ day of _____ 2008.

_____
William H. Batey, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00215714

IN THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA

GENERAL PLAN

FOR TENTATIVE PARCEL MAP NO. 33152

FEBRUARY, 2007

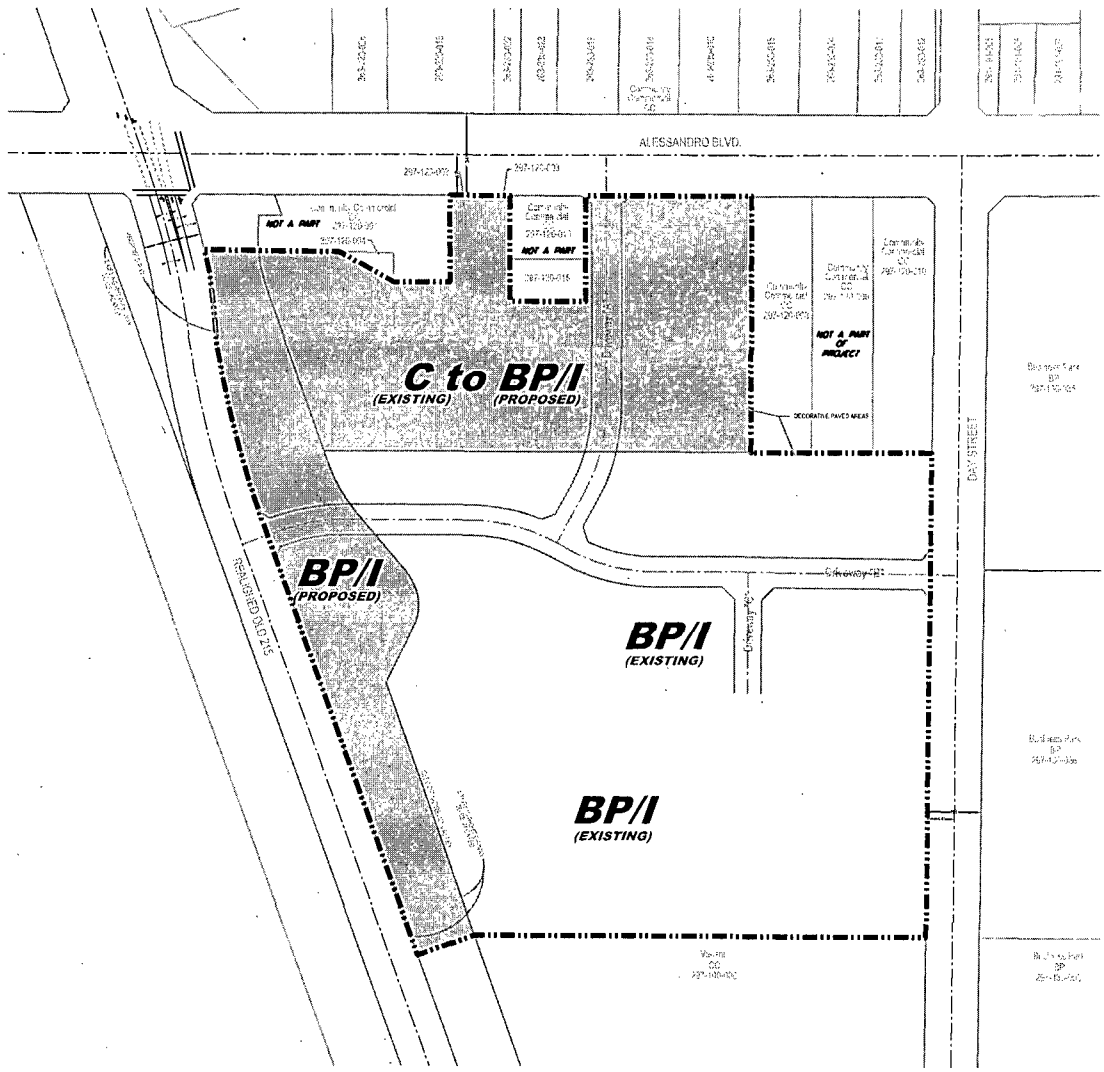

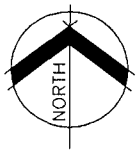

0 150' 300' 600'

SCALE: 1" = 300'

OWNER/DEVELOPER:
ANDLAND PROPERTIES LLC
22629 FELBAR AVENUE
TORRANCE, CA 90505
(310) 892-3013
(310) 326-7095 FAX

ENGINEER / REP.
STANTEC
22690 CACTUS AVE. SUITE 300
MORENO VALLEY, CA 92553
(951) 697-8300
(951) 653-5308 FAX

Plotted: 1/22/2007 11:24:15 AM By: mhanna DWG: P:\31943.00\Dwg\prpx0024-generalplan-current.dwg

EXHIBIT A

EXHIBIT B

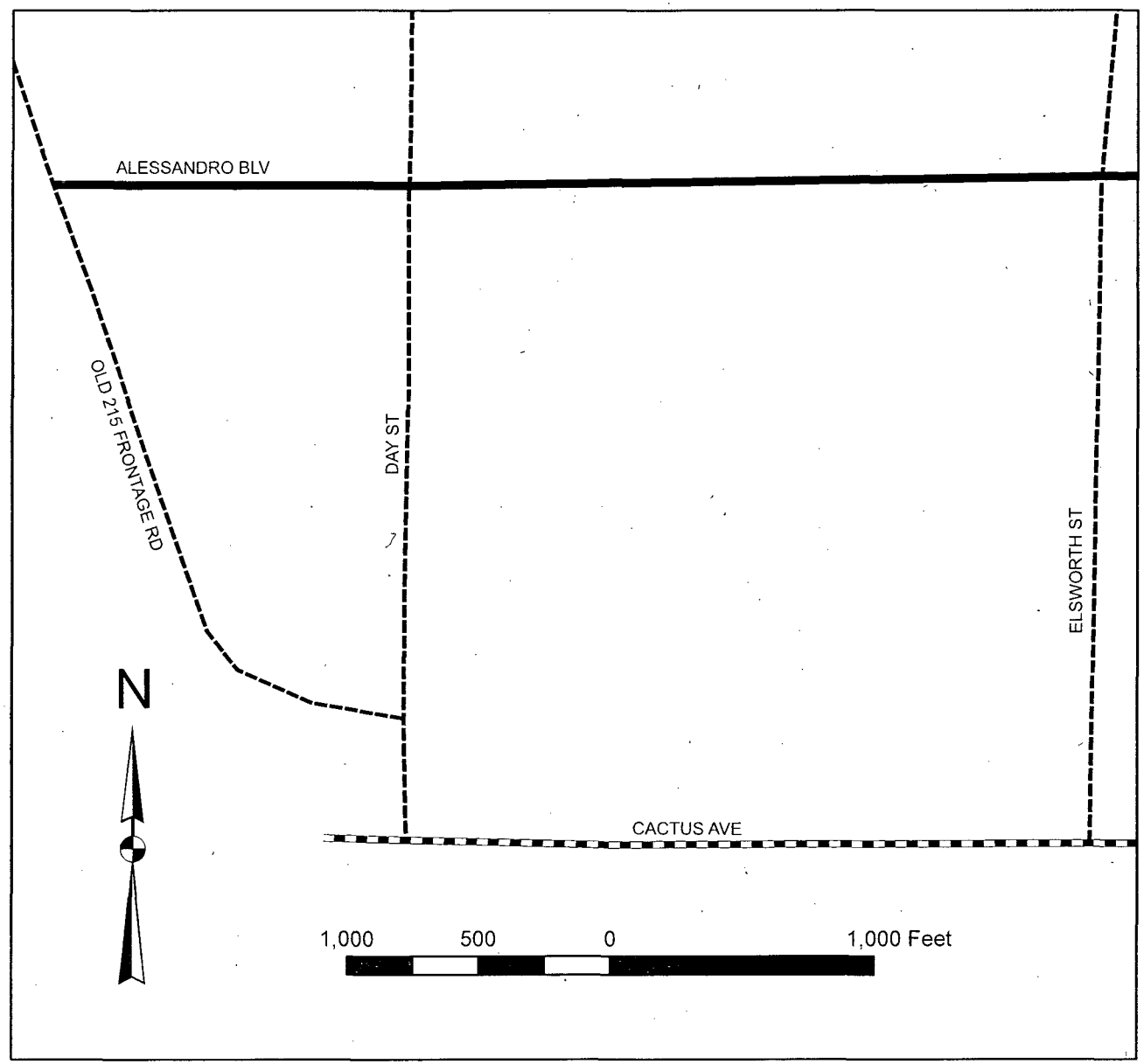

EXHIBIT:
REVISED CIRCULATION ELEMENT

Legend

- Divided Major Arterial
- Divided Major Arterial - Reduced
- Divided Arterial - 6 lane
- Divided Arterial - 4 lane
- Arterial
- Minor Arterial
- Minor Arterial - Pigeon Pass
- Industrial Collector

Notice of
PUBLIC HEARING

This may affect your property. Please read.
Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: **PA05-0105 (Master Plot Plan)**
PA05-0106 (Zone Change)
PA05-0107 (General Plan Amendment)
PA05-0108 (Tentative Parcel Map 33152)

APPLICANT: Andland Properties, LLC

OWNER: Andland Properties, LLC

REPRESENTATIVE: VISTA Community Planners

LOCATION: Generally south of Alessandro Boulevard and east of Old 215 Frontage Road

PROPOSAL: Tentative Parcel Map 33152 is a proposed division of approximately 25 acres into six parcels for industrial and warehouse uses. The proposed master plot plan would establish a business park development of 16 buildings with office, industrial, and warehouse space on the approximately 19 acres consisting of Parcels 1 through 4 of TPM 33152. Three larger buildings are proposed on the western portion of the project site, with 13 smaller buildings on the eastern portion. The larger buildings would have single truck loading bays for semi-trucks or smaller trucks. Total building area is 253,740 square feet; individual buildings range from 6,000 square feet to 42,776 square feet. The proposed General Plan Amendment would change both the Land Use and Circulation elements. The Land Use Element amendment would eliminate the existing Commercial land use designation for approximately 6 acres closest to Alessandro Boulevard, placing the entire site within the Business Park/Industrial land use designation. The Circulation Element amendment would add Old 215 Frontage Road south of Alessandro Boulevard to the Circulation Element roadway system as a Minor Arterial. The Zone Change involves the approximately 19 acres corresponding to the Master Plot Plan, eliminating the existing Community Commercial and Industrial land use districts and placing the proposed development within the Business Park district. The existing Air Installation Compatibility Use Zone overlay district designation for the site will remain unchanged.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

COUNCIL DISTRICT: 5

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday; 8 a.m. to 5 p.m. on Friday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal. If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

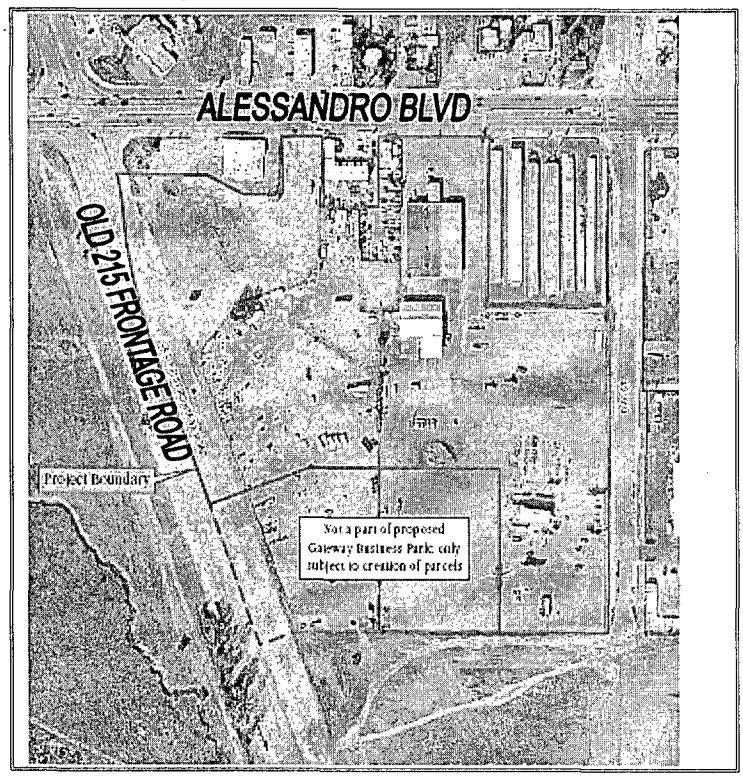

LOCATION **N ↑**

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, CA 92553

DATE AND TIME: **February 26, 2008** at 6:30 PM

CONTACT PLANNER: **Kathleen Dale**

PHONE: **951.413.3228**

ATTACHMENT 2

ORDINANCE NO. 769

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA05-0106 (ZONE CHANGE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 6 ACRES CONSISTING OF ASSESSOR PARCEL NUMBERS 297-012-002, 003, 011, 012, AND 016 FROM THE COMMUNITY COMMERCIAL LAND USE DISTRICT TO THE BUSINESS PARK LAND USE DISTRICT AND TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 10 ACRES CONSISTING OF A PORTION OF ASSESSOR PARCEL NUMBER 297-100-007 FROM THE INDUSTRIAL LAND USE DISTRICT TO THE BUSINESS PARK LAND USE DISTRICT

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 94 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA05-0106). The existing AICUZ Overlay District designation is not altered by this action.

1.4. An Initial Study has been completed for PA05-0106 (Zone Change) and related development applications (PA05-0105 and PA05-0108). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Mitigated Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 94 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on February 26, 2008, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The proposed application to change the existing land use districts for a portion of the site from Community Commercial and Industrial to Business Park is consistent with the existing and requested Business Park/Industrial General Plan designation and remains compatible with the adjoining commercial and industrial designations as well as the existing and developing pattern of commercial and industrial uses in this area. For the portion of the site presently designated for Community Commercial use, the proposed Business Park district is more compatible with City and regional land use policies related to aircraft operations at March Air Reserve Base/March Inland Port.

A traffic study for the proposed project has been reviewed and approved by the Transportation Engineering Division, and no unacceptable service levels or other negative impacts to the City's circulation system have been identified, subject to conditions requiring completion of adjoining street improvements, establishment of particular lane configurations for the Alessandro Boulevard/Day Street intersection, establishment of specific access controls for project access drives, and payment of established Development Impact Fees and Transportation Uniform Mitigation Fees. Therefore, as designed and conditioned, the proposed project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. The project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: As noted above, the proposed zone change will establish a land use district that is more compatible with land use policies related to aircraft operations at March Air Reserve Base/March Inland Port. Project conditions of approval and established City regulations and procedures provide a mechanism to review future buildings and uses within the business park to ensure consistency with land use restrictions related to the site's location within an Accidental Potential Zone associated with aircraft operations at March Air Reserve Base/March Inland Port. An initial study of the potential environmental impacts of the amendments has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration has been considered and prepared, and there is no evidence that the proposed land use or circulation changes will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

FACT: With the recommended conditions of approval, the proposed development meets applicable requirements of the City's Municipal Code and other regulations pertinent to a change of zone. With the proposed zone change, the proposed business park development will be located within a compatible zone in accordance with Municipal Code Section 9.02.020. As proposed, the zone change from Community Commercial and Industrial to Business Park is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Community Commercial and Industrial to Business Park for the approximately 16 acres located south of Alessandro Boulevard and east of Old 215 Frontage Road, subject to the revised zoning designations depicted in the attached Exhibit A. The existing AICUZ Overlay District designation is not altered by this action.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 26th day of February 2008.

_____
William H. Batey, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

IN THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA

CHANGE OF ZONE

FOR TENTATIVE PARCEL MAP NO. 33152

FEBRUARY, 2007

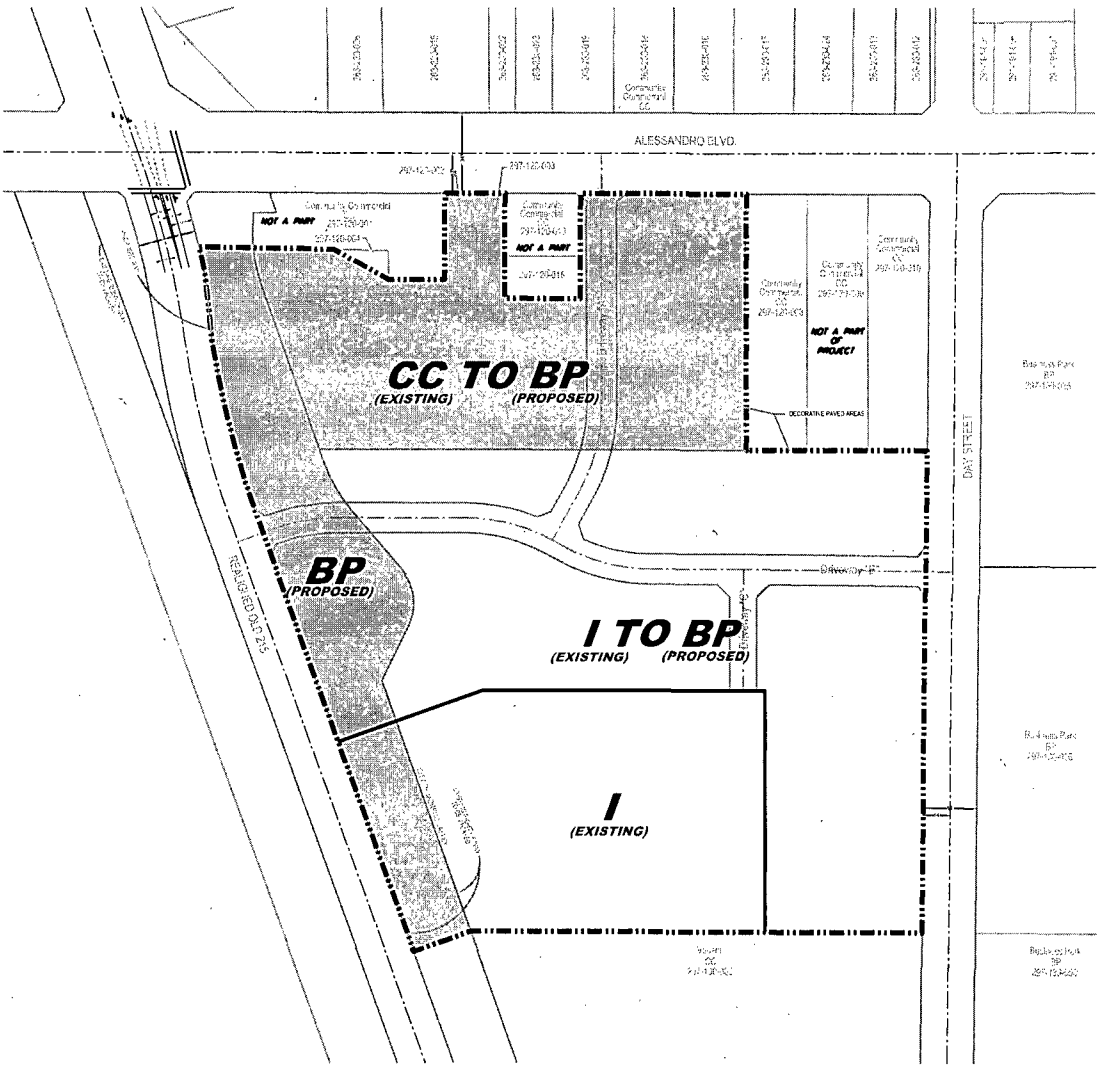

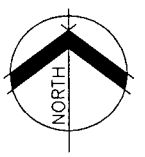

SCALE: 1" = 300'

OWNER/DEVELOPER:
ANDLAND PROPERTIES LLC
22629 FELBAR AVENUE
TORRANCE, CA 90505
(310) 892-3013
(310) 326-7095 FAX

ENGINEER / REP.
STANTEC
22690 CACTUS AVE. SUITE 300
MORENO VALLEY, CA 92553
(951) 697-8300
(951) 653-5308 FAX

Plotted: 1/22/2007 11:25:58 AM By: mmanna DWG: P:\3194300\Dwg\prpx0025-changeofzone-current.dwg

EXHIBIT A

RESOLUTION NO. 2008-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY APPROVING APPLICATION NUMBERS PA05-0105 (MASTER PLOT PLAN) AND PA05-0108 (TENTATIVE PARCEL MAP NUMBER 33152) TO ALLOW DEVELOPMENT OF A 19-ACRE BUSINESS PARK AND TO CREATE TWO FUTURE DEVELOPMENT PARCELS, INVOLVING APPROXIMATELY 25 ACRES SOUTH OF ALESSANDRO BOULEVARD, EAST OF OLD 215 FRONTAGE ROAD (ASSESSOR'S PARCEL NUMBERS 297-100-007 AND 297-120-002, 003,. 011, 012 AND 016)

WHEREAS, the applicant, Andland Properties, LLC, has filed an application for approval of Tentative Parcel Map 33152 (PA05-0108) and a master plot plan (PA05-0105) for proposed subdivision of an approximately 25-acre site and development of an approximately 19-acre portion thereof. These applications are being processed concurrently with a General Plan Amendment (PA05-0107) and Zone Change (PA57-0106);

WHEREAS, on February 7, 2008, the Planning Commission of the City of Moreno Valley held a public hearing to consider the subject applications and the environmental documentation prepared for the project. At said meeting, the Planning Commission recommended approval of the subject applications to the City Council;

WHEREAS, on February 26, 2008, the City Council of the City of Moreno Valley held a public hearing to consider the subject applications and the environmental documentation prepared for the project;

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, all of the facts set forth in this Resolution are true and correct.

ATTACHMENT 4

MV00215723

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

Section 1 – Tentative Parcel Map 33152 (PA05-0108)

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map would create six parcels ranging in area from approximately 2.6 acres to 5.6 acres. The area and configuration of each parcel, as well as site access, are consistent with the intent of the Business Park and Industrial land use districts that would be established with adoption of the concurrent General Plan Amendment (PA05-0107) and Change of Zone (PA05-0106). As designed and conditioned, the proposal is consistent with existing goals, objectives, policies and programs of the General Plan. The proposed land division is not within a specific plan area.

2. That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The area and configuration of each proposed parcel, as well as site access, is consistent with the intent of the Business Park and Industrial land use districts that would be established with adoption of the concurrent General Plan Amendment and Change of Zone. Project conditions of approval and established City regulations and procedures provide a mechanism to review future buildings and uses within the business park to ensure consistency with land use restrictions related to the site's location within an Accidental Potential Zone associated with aircraft operations at March Air Reserve Base/March Inland Port. The proposed land division, as conditioned, includes various infrastructure improvements, consistent with General Plan policy requiring that infrastructure improvements needed to support the project are available at the time they are needed. The proposed land division is not within a specific plan area.

3. That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is essentially level and enjoys excellent access with frontage on three arterials and ready access to the regional transportation network. Surrounding properties south of Alessandro Boulevard are planned and zoned for commercial and industrial uses, with much of the area already developed or under construction. Remaining non-conforming residential uses to

the north across Alessandro Boulevard are well separated from the site by the 134-foot street right-of-way. Project conditions of approval and established City regulations and procedures provide a mechanism to review future buildings and uses within the business park to ensure consistency with land use restrictions related to the site's location within an Accidental Potential Zone associated with aircraft operations at March Air Reserve Base/March Inland Port. There are no conditions on the site or in the surrounding area that make the site unsuitable for the proposed land division and subsequent development with business park uses.

4. That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is essentially level and is bordered on three sides by arterials. Surrounding properties south of Alessandro Boulevard are planned and zoned for commercial and industrial uses, with much of the area already developed or under construction. Remaining non-conforming residential uses to the north across Alessandro Boulevard are well separated from the site by the 134-foot right-of-way. Project conditions of approval and established City regulations and procedures provide a mechanism to review future buildings and uses within the business park to ensure consistency with land use restrictions related to the site's location within an Accidental Potential Zone associated with aircraft operations at March Air Reserve Base/March Inland Port. There are no conditions on the site or in the surrounding area that make the site unsuitable for the proposed land division and subsequent development with business park uses.

5. That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

   FACT: An initial study of the potential environmental impacts associated with the project has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration has been considered and prepared, concluding that as designed and conditioned, the proposed subdivision would not result in significant environmental impacts, including impacts to fish and wildlife resources.

6. That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems;

   FACT: Eastern Municipal Water District will provide water and sewer services to the subdivision. Identified hazardous conditions associated with former use of the property are of comparatively limited scale and can be addressed with standard remediation practices. The conditions of approval require evidence of successful remediation prior to any site disturbance. Project conditions of

approval and established City regulations and procedures provide a mechanism to review future buildings and uses within the business park to ensure consistency with land use restrictions related to the site's location within an Accidental Potential Zone associated with aircraft operations at March Air Reserve Base/March Inland Port. There is no reasonable basis to suspect that the proposed land division would cause serious public health problems.

7. That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision;

FACT: The proposed land division perpetuates existing perimeter access along Alessandro Boulevard and Day Street. The proposed vacation, designation, and realignment of Old 215 Frontage Road have been evaluated in a traffic study; the revised improvements as proposed, and conditioned, have been determined to provide for acceptable level of service.

8. That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of the proposed land division would not preclude ability to incorporate design elements including solar access for passive heating or placement of shade trees and other vegetation for cooling in conjunction with future development.

9. That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The subject site is not designated for residential uses and the proposed uses do not substantially alter the housing demand anticipated to be generated by development under the General Plan.

Section 2 – Master Plot Plan (PA05-0105)

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. The proposed approvals are consistent with the goals, objectives, policies and programs of the General Plan.

FACT: The proposed approvals would allow establishment of a business park. With adoption of the concurrent General Plan Amendment (PA05-0107) and Change of Zone (PA05-0106), as designed and conditioned, the proposed

MV00215726

development is consistent with existing goals, objectives, policies and programs of the General Plan.

2. The proposed project complies with all applicable zoning and other regulations.

   FACT: The area and configuration of each proposed parcel, as well as site access, is consistent with the intent of the requested Business Park and Industrial land use districts. The proposed development project has been evaluated against applicable zoning and other regulations and has been determined to meet all applicable requirements.

3. The proposed project will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

   FACT: Eastern Municipal Water District will provide water and sewer services to the subdivision. Identified hazardous conditions associated with former use of the property are of comparatively limited scale and can be addressed with standard remediation practices. The conditions of approval require evidence of successful remediation prior to any site disturbance. Project conditions of approval and established City regulations and procedures provide a mechanism to review future buildings and uses within the business park to ensure consistency with land use restrictions related to the site's location within an Accidental Potential Zone associated with aircraft operations at March Air Reserve Base/March Inland Port. There is no reasonable basis to suspect that the proposed land division would cause serious public health problems.

4. The project conforms with any applicable provisions of the City's redevelopment plan.

   FACT: This subject property is within the boundaries of the City of Moreno Valley Redevelopment Project Area. By virtue of conformance with all applicable provisions of the City of Moreno Valley General Plan and Municipal Code, as amended, the project is also in conformance with applicable provisions of the redevelopment plan.

5. The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: The project site is within a developed and developing sector of the City, bordered on three sides by arterials and with ready access to the regional transportation network. Surrounding properties south of Alessandro Boulevard are planned and zoned for commercial and industrial uses, with much of the area already developed or under construction. Remaining non-conforming residential uses to the north across Alessandro Boulevard are well separated from the site by the 134-foot street right-of-way. Project conditions of approval and established City regulations and procedures provide a mechanism to review

future buildings and uses within the business park to ensure consistency with land use restrictions related to the site's location within an Accidental Potential Zone associated with aircraft operations at March Air Reserve Base/March Inland Port. There are no conditions on the site or in the surrounding area that present the potential for substantial land use conflicts.

Section 3 - Fees, Dedications, Reservations, and Other Exactions

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA05-0105 and PA05-0108, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or

service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2008-___ adopting a Mitigated Negative Declaration and associated Mitigation Monitoring Program for PA05-0108 (Tentative Parcel Map 33152) and PA05-0105 (Master Plot Plan for a 19-acre Business Park Development) in that the applications, as designed and conditioned, will not result in significant environmental impacts, and approve PA05-0108 (Tentative Parcel Map 33152) and PA05-0105 (Master Plot Plan for a 19-acre Business Park Development), subject to the conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this 26th day of February 2008.

_____
William H. Batey, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00215730

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PA05-0105 (Master Plot Plan for Business Park)
PA05-0108 (Tentative Parcel Map 33152)
Assessor's Parcel Numbers: 297-100-007; 297-120-002, 003, 011, 012, and 016

Approval Date: **February 26, 2008**
Expiration Date: **February 26, 2011**

The conditions of approval include requirements from the following:

Planning (P), including School District (S), Post Office (PO), Building (B)
Fire Prevention Bureau (F)
Public Works, Land Development (LD)
Public Works, Special Districts (SD)
Public Works, Transportation Engineering (TE)
Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. **Conditions marked with "**" reflect modifications by the Planning Commission on February 7, 2008.**

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

General Conditions

P1. Tentative Parcel Map No. 33152 (PA05-0108) is approved for the subdivision of approximately 25 acres into 6 parcels.

P2. Parcels 1 through 4 of Tentative Parcel Map 33152 are approved for development with a 16 building business park, in accordance with the approved master plot plan (PA05-0105). A change or modification shall require separate approval.

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp – Landscape Requirements
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

EXHIBIT A

P3. Tentative Parcel Map 33152 shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P4. The master plot plan approval for PA05-0105 shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P5. The site shall be developed in accordance with the approved plans on file in the Community Development Department – Planning Division, the Municipal Code regulations, the General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official or designee. (MC 9.14.020)

****P6. Development of Parcels 1 through 4 shall be subject to individual plot plan reviews to ensure compliance with general Municipal Code development standards and the following specific provisions, including requirements associated with project site location within the aircraft overflight area for March ARB/March Inland Port:**

a. Plot plan reviews shall be required for initial construction of individual buildings, and subsequent occupancy changes involving a change of use.

b. Overall, the business park area shall be developed with a split of uses consisting of 45% warehousing, 40% manufacturing, and 15% office.

c. Use of buildings shall be subject to provisions of the AICUZ Overlay Zone, as it may be amended. Uses involving the following characteristics shall be prohibited:

- **assembly uses and high patronage services such as theaters, churches, schools, auditoriums, motels, banks, department stores, supermarkets, drug stores, service stations, restaurants, public assembly uses (such as amphitheaters, outdoor music shells sports stadiums, and auction rooms), conference rooms with a capacity exceeding 100 persons, and occupancies exceeding one person per 100 square feet of building area.**
- **critical facilities, including major utility exchanges, radio or television studios, hospitals, and nursing homes.**

- lighting that would direct a steady light toward aircraft.
- lighting that would direct flashing light of colors associated with airport operations (red, green, white, or amber) toward aircraft.
- generate smoke or water vapor, attract large concentrations of birds, or otherwise affect safe air navigation.
- generate electrical interference that may be detrimental to operation of aircraft or aircraft instrumentation.
- above-ground storage of explosive or flammable materials.

d. Building design shall not exceed one story in height (24 feet maximum). For improvements exceeding 24 feet in height, documentation to demonstrate compliance with airfield clearance surfaces shall be provided as part of any plot plan approval processes involving building construction or modification. Use of construction equipment or construction of improvements encroaching into protected airspace shall be subject to required Federal Aviation Administration clearances prior to issuance of building permits.

e. Building materials shall be non-reflective.

f. Uses involving combustible materials, highly flammable materials, chemicals, or explosives shall be subject to review by March ARB officials.

g. Prior to issuance of building permits, the applicant shall provide certification by a qualified acoustical specialist documenting building design features to achieve a 45 decibel (CNEL) maximum interior noise level for office areas. Prior to occupancy release, the acoustical specialist shall provide certification of installation of attenuating design features.

h. Prior to occupancy release, avigation easement (s) shall be executed in favor of the Department of the Air Force and March Joint Powers Authority.

i. All potential purchasers and tenants shall be provided notice consistent with that recommended by the Riverside County Airport Land Use Commission (letter dated November 7, 2007).

** j. Building elevations facing interior plazas shall include architectural enhancements to break the vertical wall planes.

P7. Development of Parcels 5 and 6 of Tentative Parcel Map 33152 shall be subject to separate review and approval in accordance with provisions of Municipal Code Chapter 9.02.

P8. No barbed wire or razor wire shall be used for the facility, unless otherwise approved by the Planning Division.

P9. Mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. The applicant shall submit the mitigation monitoring fee, as provided by City Ordinance, to the Planning Division within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P10. The Community Development Director and the City Engineer may allow improvements to be completed in stages (phasing) provided that the improvements necessary to adequately serve or mitigate the impacts of each phase of development are completed prior to issuance of a Certificate of Occupancy for that phase. (MC 9.08.220)

P11. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Community Development Department – Planning Division. (MC 9.12.020)

P12. (GP) If historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person with appropriate expertise shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed necessary and feasible by the Community Development Director before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains might be those of a Native American, the California Native American Heritage Commission and Morongo Band of Mission Indians shall be notified and appropriate measures provided by State law shall be implemented. (DG, CEQA)

P13. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P14. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris, by the developer or the developer's successor-in-interest. (MC 9.02.030)

<u>Prior to Map Recordation</u>

P15. (R) Prior to final map recordation, the developer shall submit deed restrictions, easements, and/or Covenants, Conditions and Restrictions for

Planning Division review and approval which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approvals.

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for joint access and maintenance of all common amenities. The approved documents shall contain a provision, which provides that they may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

P16. Prior to recordation of the parcel map, or issuance of building permits, whichever occurs first, the existing outdoor advertising displays shall be removed. (MC 9.12.080B.2)

P17. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intents and purposes of the subdivision approval. (MC 9.14.080)

Prior to Approval of Grading Plans

P18. Prior to approval of grading plans, the plans shall reflect dust control measures required under South Coast Air Quality Management District rules 401 and 403 (as detailed in DKS report dated December 28, 2007).

P19. (GP) Prior to approval of any grading plans, the applicant shall provide certification of completion of remediation measures as recommended in the Phase I site investigation (Stantec Consulting, December 2006 and April 2007). The certification shall be prepared in writing by a qualified hazardous materials specialist and shall be provided to the Planning Division and the Public Works Department - Land Development Division. (Ord, CEQA)

P20. (GP) Prior to approval of any grading plans, the developer shall comply with the provisions of any applicable City ordinances and resolutions, which have been established as mitigation for the Stephens' kangaroo rat (SKR). Mitigation may include payment of the SKR mitigation fee prior to issuance of a grading permit(s). (Ord)

P21. Prior to approval of precise grading plans, final median enhancement/landscape/irrigation plans shall be submitted to the Community

Development Department – Planning Division and Public Works Department - Special Districts Division for review and approval by each division. Timing of installation shall be determined by Public Works Department - Special Districts Division.

P22. Decorative pedestrian pathways across circulation aisles shall be provided throughout the development to connect buildings with open spaces, parking and the public right-of-way. The pathways shall be shown on the precise grading plan.

P23. Prior to approval of precise grading plans, plans for any security gate system shall be submitted to the Community Development Department – Planning Division for review and approval.

P24. Prior to the approval of precise grading plans, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. (MC 9.08.080, DG)

P25. Prior to approval of precise grading plans, final landscape and irrigation plans, including street trees, shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees.

P26. Prior to approval of precise grading plans, the developer shall submit wall/fence plans to Planning for review and approval. (MC 9.08.070)

P27. Prior to approval of precise grading plans, the location of required trash receptacle enclosures shall be approved by the Community Development Department – Planning Division. The design shall comply with City standards and be architecturally integrated with the project. (MC 9.08.150, DG)

P28. Prior to approval of precise grading plans, all site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.

<u>Prior to Issuance of Building Permits</u>

P29. Prior to issuance of building permits, building plans shall reflect use of qualifying "super-compliant" VOC-type architectural coatings as certified by the South Coast Air Quality Management District. The contractor or architect shall provide written certification of use of qualifying products during construction. Appropriate documentation shall be on file prior to occupancy release.

P30. Prior to issuance of building permits, the applicant shall provide certification by a qualified acoustical specialist documenting building design features to achieve a 45 decibel (CNEL) maximum interior noise level for office areas. The acoustical specialist shall also provide certification of installation of attenuating design features prior to issuance of certificate of occupancy.

P31. (BP) Prior to issuance of building permits, the Community Development Department – Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and backflow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); backflow preventers shall be screened by landscaping that will provide complete screening upon maturity. (DG)

P32. (BP) Prior to issuance of building permits, screening details for roof top equipment shall be submitted for Community Development Department – Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. (DG)

P33. (BP) Prior to issuance of building permits, two copies of a detailed, computer generated, point-by-point lighting plan, including exterior building, parking lot, and landscaping lighting shall be submitted to the Community Development Department – Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles beyond the property line. **Lighting shall conform to provisions noted in Condition P6 and shall also be subject to review by officials operating the airfield at March ARB/March Inland Port.** (MC 9.08.100, DG)

P34. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable fees, including but not limited to Development Impact Fees (DIF), Transportation Uniform Mitigation Fees (TUMF), Multiple Species Habitat Conservation Plan (MSHCP) fees, and park in-lieu fees. (Ord)

Prior to Occupancy Release

P35. Prior to occupancy release, all landscaping and irrigation, including street trees and slope plantings, shall be installed per the approved plans on file in the Community Development Department – Planning Division. (MC 9.080.070, Ldscp)

P36. (CO) Prior occupancy release, all required and proposed fences and walls shall be constructed per the approved plans on file in the Community Development Department – Planning Division. (MC 9.080.070, Ldscp)

Building and Safety Division

B1. The site shall be developed in compliance with all current model codes to include: Uniform Building Code (UBC), Uniform Plumbing Code (UPC), Uniform Mechanical Code (UMC), National Electrical Code (NEC), as well as Title 24 and ADA and all other applicable State and Federal codes. (Ord, State and Federal codes)

B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes as well. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time.

B3. Waste Management Plan Submittal Requirements. Prior to permit issuance, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official), in a form prescribed by that official, as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

Standard Conditions

The following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy and use and Uniform Building Code (UBC), California Fire Code (CFC), and related codes which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per UFC Appendix III.A, Table A-III-A-1. The developer shall provide or show there exists a water system capable of delivering 3000 GPM for 3-hour duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. (CFC 903.3, Appendix III.A) **A reduction of 50% (1500 GPM) has been granted for fire flow demand letter ONLY and does not apply to the duration. All other uses for the fire flow, including but not limited to spacing and number of hydrants, shall conform to the stated fire flow of 3000 GPM with a 3 hr duration. CFC 2001 Appendix III-A.

F3. A combination of on-site and off-site super fire hydrants (6 x 4 x 2 x 2 ½) shall be located not less than 25 feet nor more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system.

F4. Maximum cul-de-sac length shall not exceed 660 feet. The Fire Chief based on City street standards shall determine minimum turning radius on any cul-de-sac and fire apparatus manufacture specification. (CFC 902.2.2.2.3)

F5. (BP) Prior to issuance of building permits, the developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage.

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department vehicle access road (all weather surface) for 80,000 lbs to be provided prior to construction (CFC 8704.2 & 902.2.2.2.2)

F7. Prior to construction and issuance of building permits fire apparatus access roads shall have an unobstructed width of not less the twenty –four (24) feet and an unobstructed vertical clearance of not less the thirteen (13) feet six- (6) inches (CFC 902.2.2.2.1)

F8. Prior to construction roads, driveways and private roads shall not exceed 12 percent grade (CFC 902.2.2.4, 902.2.2.6)

F9. If construction is phased, each phase shall provide an approved access and fire protection prior to any building construction. (CFC 8704 & 902.2.2)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access, based on street standards approved by the Public Works Director and the Fire Prevention Bureau.

F11. Prior to building construction, dead end roadways and streets, which have not been completed, shall have a turnaround capable of accommodating fire apparatus. (CFC 902.2.2.4)

F12. (BP) Prior to the issuance of building permits, the developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. (BP) Prior to issuance of building permits, the developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall be: signed by a registered civil engineer; contain a Fire Prevention Bureau approval signature block; and conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow standards. After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants shall be installed and made serviceable prior to and during the time of construction accepted by the Moreno Valley Fire Department. (CFC 8704.3, 901.1.1.1, 901.3 and National Fire Protection Association 24 sec. 1-4.1)

Existing fire hydrants on public streets are allowed to be considered as available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 8704.3, 901.1.1.1, 901.3, Appendix IIIB and National Fire Protection Association 24 sec. 1-4.1)

F14. (CO) Prior to issuance of a Certificate of Occupancy or building final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 901.4.3)

F15. (CO) Prior to issuance of a Certificate of Occupancy or building final, all commercial buildings shall display street numbers in a prominent location on the street side and any rear access. The numerals shall be minimum twelve (12) inches in height for buildings and six (6) inches for suite identification on a contrasting background. Unobstructed lighting of the address (es) shall be by means approved by the Fire Prevention Bureau and Police Department. In strip centers, businesses shall post the name of the business on the rear door(s). (CFC 901.4.4)

F16. (CO) Prior to issuance of Certificate of Occupancy or building final, based on square footage and type of construction, occupancy or use, the developer shall install a fire sprinkler system. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Article 10, UBC Chapter 9)

F17. (CO) Prior to issuance of Certificate of Occupancy or building final, based on a requirement for monitoring the sprinkler system, occupancy or use, the developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Article 10)

F18. (CO) Prior to the issuance of a Certificate of Occupancy or building final, a "Knox-Box" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electrical and be provided with Knox access for emergency access for firefighting personnel. (CFC 902.4)

F19. Prior to issuance of Certificate of Occupancy, Environmental Health Approval is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities.

F20. Prior to issuance of Certificate of Occupancy or Building final a simple plot plan and a simple floor plan, each as an electronic file of the .DWG format must be submitted to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

Special Conditions

F21. 51014.6. (a) Effective January 1, 1987, no person, other than the pipeline operator, shall do any of the following with respect to any pipeline easement:
(1) Build, erect, or create a structure or improvement within the pipeline easement or permit the building, erection, or creation thereof.
(2) Build, erect, or create a structure, fence, wall, or obstruction adjacent to any pipeline easement which would prevent complete and unimpaired surface access to the easement, or permit the building, erection, or creation thereof.
(b) No shrubbery or shielding shall be installed on the pipeline easement which would impair aerial observation of the pipeline easement. This subdivision does not prevent the vegetation of any landscape disturbed within a pipeline easement as a result of constructing the pipeline and does not prevent the holder of the underlying fee interest or the holder's tenant from planting and harvesting seasonal agricultural crops on a pipeline easement.
(c) This section does not prohibit a pipeline operator from performing any necessary activities within a pipeline easement, including, but not limited to, the construction, replacement, relocation, repair, or operation of the pipeline

PUBLIC WORKS DEPARTMENT

Land Development Division

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities,

streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
b. Observance of working hours as stipulated on permits issued by the Public Works Department.
c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) Drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110)

LD10. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD11. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for

plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD12. (G) Upon approval of the tentative map or plot plan by the Planning Commission, the Developer shall submit the approved tentative map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD13. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD14. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
c. A grading permit shall be obtained from the Public Works Department – Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.
d. All improvement plans are substantially complete and approved by the City Engineer and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)
e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD15. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD16. (GPA) Prior to approval of the grading plans for projects that will result in soil disturbance of one or more acres of land, the developer shall obtain the WQMP number from the City's Land Development Division and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act)

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department – at 951.413.3110

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department - at 951.413.3110

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer.

LD20. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD21. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD22. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fee.

LD23. (GPA/MA) Prior to the later of either grading or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading is proposed to take place outside of the project boundaries.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

<u>Prior to Map Approval or Recordation</u>

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.

LD31. (MR) Prior to recordation of the map, if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)

LD32. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. The City of Moreno Valley established a Municipally Owned Utility pursuant to Resolution No. 2002-46 to provide the authority to implement utility charges necessary to provide, but not limited to, storm water utilities services for the required continuous operation, maintenance, monitoring, system evaluations and enhancements, remediation and/or replacement. This project has been identified to benefit from the City's Municipally Owned Utility. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley Storm Water rate schedule that is in place at the time of recordation. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

1. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Rate Schedule and pay all associated costs with the ballot process; or
2. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Rate Schedule.

The developer must notify Special Districts Division of intent to record final map 70 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD34. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD35. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD36. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD37. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD38. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project, as applicable:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.
b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)
c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)
d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer. (MC 9.14.020)
e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD39. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD40. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD41. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD42. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall be not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD43. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD44. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD45. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD46. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD47. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD48. (BP) Prior to issuance of building permits, if the project involves a subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD49. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD50. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling
c. The vendor(s) that the applicant proposes to use to haul the materials
d. Facility(s) the materials will be hauled to, and their expected diversion rates
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

LD51. (BP) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.

LD52. (BP) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of building permits. The fees are

subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD54. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements, as applicable

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.
b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
c. City-owned utilities.
d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
e. Under grounding of existing and proposed utility lines less than 115,000 volts.
f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD55. (CO) Prior to issuance of certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD56. (CO) Prior to the issuance of an occupancy permit or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Special Conditions

LD57. Prior to parcel map approval, the map shall show the following:

a. A 14' street right-of-way dedication on the west side of Day Street along this project's east frontage to ensure a centerline to west right-of-way of 44' for a Minor Arterial, City Standard 105A.

b. The appropriate dedication or vacation, as necessary, of street right-of-way on the south side of Alessandro Boulevard along this project's north frontage to ensure a centerline to south right-of-way of 67'for a Divided Major Arterial, City standard 101A.
c. The appropriate dedication, vacation, or quitclaim, as necessary, of street right-of-way on the east side of Old 215 Frontage Road along this project's west frontage to ensure a centerline to east right-of-way of 44' for a Minor Arterial, City Standard 105A.
d. A 4' pedestrian right-of-way dedication behind any driveway approach at all private street/public street intersections per City Standard 118C on Old 215 Frontage Road (except where the intersecting drive is greater than 40' in width), Alessandro Boulevard and Day Street, as necessary.

LD58. Prior to issuance of building permits, this project shall cause the quitclaim of all existing easements and/or street vacations, especially any easements which may lie in that area between the existing and proposed Old 215 Frontage Road east right-of-way, as directed by the City Engineer. This shall include, but not be limited to any existing road easements and/or fee right-of-way, any existing easement(s) for the existing high pressure gas lines, and any other existing utility easements. All utilities shall be relocated into the proposed public right-of-way or to a location as agreed upon by the developer, the easement holder and the City Engineer, as necessary, prior to quitclaim. All new easements shall be granted prior to utility relocations and quitclaims of existing easements and/or street vacations. All utility locations shall be done at no expense to the City. If it is agreed upon by the developer, the easement holder and the City Engineer that any existing utilities may remain in their current location, and no existing utility easement exists, the developer shall grant to the utility owner a utility easement.

LD59. Prior to parcel map approval, a recorded copy of a reciprocal access agreement between parcels shall be submitted to the City for review and approval.

LD60. Prior to parcel map approval, the map shall show any easement(s) traversing the property, as necessary, within Lot B as shown on Tentative Parcel Map 33152. This easement(s) purpose may include, but not be limited to, any existing fuel line, natural gas line, or other.

LD61. Prior to parcel map approval, written permission must be obtained from off-site property owner(s) for any off-site grading and easements. All on-site and off-site easements shall be shown on the parcel map.

** LD62. Prior to final parcel map approval and partial vacation of Old 215 Frontage Road to the benefit of the Developer, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement in form and substance acceptable to the City Engineer and the City Attorney, and posting security in the form of cash or letters of credit acceptable to the City Engineer and the City Attorney. The Developer acknowledges that the City has no obligation to proceed with the partial vacation of Old 215 Frontage Road, and will not proceed absent said agreement and security. The improvements on Old 215 Frontage Road shall be completed within twelve (12) months of the project approval date or the City shall have the right to foreclose on the security to complete any remaining work (City Engineer may extend the twelve (12) month period if the project experiences delays due to weather or other unforeseen conditions). All other improvements shall be completed in accordance with a Construction Phasing Plan to be reviewed and approved by the City. If a Construction Phasing Plan is not submitted, then all other improvements shall be constructed at a timing as determined by the City Engineer.

a. Old 215 Frontage Road, Minor Arterial, City Standard 105A (88' RW / 64' CC) shall be constructed to half-width plus an additional 18' west of the centerline, along the entire project's west frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, curb returns, driveway approaches, drainage structures, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities including the relocation of existing utilities located within the existing road easement, as may be required.
b. Day Street, Minor Arterial, City Standard 105A (88' RW / 64' C-C) shall be constructed to half-width plus an additional 18' west of the centerline, along the entire project's east frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.
c. Alessandro Boulevard, Divided Arterial, City Standard 101A (134' RW / 110' C-C) shall be constructed to half-width plus an additional 23' north of the centerline. Any missing, damaged, or substandard improvements shall be installed, repaired or replaced, as required by the City Engineer. Improvements may consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, median improvements, driveway approaches and pedestrian ramps. Existing improvements that meet current City and/or ADA standards, are not damaged and are constructed in the ultimate location, may not need to be replaced. The

final determination for replacement will be determined by the City Engineer.

d. Private Streets, Lots A and B, Modified Minor Local Street, Modified City Standard 108C (36' C-C) shall be constructed to full-width. The street section at/near the Old 215 Frontage Road entrance/exit shall be 44' curb-to-curb or as determined by the City's Transportation Engineering Division. The Old 215 Frontage Road/Private Street Lot B intersection shall be built per a street intersection design and not a driveway approach design. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, curb returns drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.
e. Private Street, Lot C (30' C-C) shall be constructed to full-width. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.
f. Driveway approaches shall be constructed per City Standard No. 118C at all driveway or private street entrances less than 40' wide, curb-to-curb. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches, including at the private street entrances, up to a maximum width of 40' wide, curb-to-curb. No decorative pavers shall be placed within the public right-of-way.
g. Any driveway or project private street entrance greater that 40' wide, curb-to-curb, shall be constructed per a street intersection design.
h. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of a lesser width of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser width than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the current City requirements and to the limits as listed above.

LD63. Prior to parcel map approval, the applicant shall schedule a walk through with a Public Works Inspector to inspect existing improvements within public right-of-way along project frontage, on Alessandro Boulevard. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements including handicap access ramps that do not meet current City standards. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

LD64. Prior to any improvement plan approval, the plans shall show a storm drain manhole at/near this project's property line where any proposed on-site private storm drain leaves the site and becomes a public storm drain.

LD65. Prior to rough grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for offsite construction including easements.

LD66. Prior to rough grading plan approval, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD67. Prior to precise grading plan approval, the grading plans shall show dual bin trash enclosures, one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627, modified to include a fully covered, solid roof.

LD68. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov)

LD69. Prior to issuance of occupancy permits, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground, unless a request of waiver is formally submitted to the City Engineer per procedures specified in Section 9.14.030C of the City Municipal Code, in which case the developer shall pay an in-lieu fee.

LD70. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document;

"Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: site design BMPs; source control BMPs; treatment control BMPs; operation and maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD71. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Pathogens (Bacteria and Viruses).
b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD72. The Applicant will ensure that the Pollutants of Concern are accurately listed in the first submittal of the F-WQMP.

LD73. The Applicant has proposed to incorporate the use of an underground manufactured infiltration device, known as StormChamber™. Final design details of the StormChamber™ must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that significantly more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD74. The proposed underground infiltration system may be subject to current or future regulation and permitting by the U.S. Environmental Protection Agency (EPA), the State of California State Water Resource Control Board, or the California Regional Water Quality Control Board. The Applicant is responsible for compliance with all applicable regulations and permit requirements. At a minimum, the Applicant shall include in the F-WQMP a copy of the EPA document, "Inventory of Injection Wells" (EPA Form 7520-16), along with proof of filing of said inventory document with the EPA.

LD75. The Applicant shall show that flow from the driveways and parking areas are periodically directed to curb cuts or other types of inlets that flow to the vegetated swales shown on the WQMP Site Plan.

LD76. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

Special Districts Division

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA05-0105**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zone A (Parks & Recreation) and shall be subject to the annual Zone A charge for operations and capital improvements. Parcels not included in the Edgemont Community Services District shall be incorporated into the Moreno Valley Community Services Districts Zone C (Arterial Street Lighting) and shall be subject to the annual Zone C charge for operations and capital improvements.

SD-2. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD-3. The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD-4. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD-5. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD-6. (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Alessandro Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 70 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD-7. *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 70 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD-8. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit

zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD-9. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD-10. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD-11. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for the **1st building** for this project.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA05-0108**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-12. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zone A (Parks & Recreation) and shall be subject to the annual Zone A charge for operations and capital

improvements. Parcels not included in the Edgemont Community Services District shall be incorporated into the Moreno Valley Community Services Districts Zone C (Arterial Street Lighting) and shall be subject to the annual Zone C charge for operations and capital improvements.

SD-13. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD-14. The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD-15. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Map Recordation

SD-16. (R) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD-17. (R) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Alessandro Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 70 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD-18. *Commercial* (R) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts of intent to record final map 70 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code)

SD-19. (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

Prior to Building Permit Issuance

SD-20. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD-21. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of

its electrical energization.

SD-22. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for the **1st building** for this project.

SD-23. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit, in a form acceptable to Special Districts, the current list of all Assessor's Parcel Numbers assigned to the recorded map.

Please forward to:
City of Moreno Valley
Special Districts
14325 Frederick Street – Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

Transportation Engineering Division

General Conditions

TE1. Driveways shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code – Design Guidelines and City of Moreno Valley Standard No. 118C for commercial driveway approach. Driveways wider than City standards (maximum of 40 feet) shall be constructed as an intersection, including any necessary signing and markings, as determined by the City Traffic Engineer.

TE2. Sight distance at all proposed streets and driveways shall conform to City of Moreno Valley Standard No. 125 & 126 at the time of preparation of final grading, landscape, and street improvement plans.

TE3. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider. Signing and Striping Plans shall be prepared for all streets (including General Local Street, Short Local Street, Minor Local Street, and Hillside Residential Street) to include provisions for Street Sweeping during construction activity. Street Sweeping signs coordinated with City of Moreno Valley Street Sweeping schedules shall be included in the Signing and Striping Plans, or as approved by the City Engineer.

TE4. During construction activity, developer is responsible for regularly scheduled street sweeping per approved street sweeping schedule. Failure to provide regularly scheduled street sweeping during construction activity at the approved times shall

result in re-inspection fees (amounts to be determined by City Engineer) and/or project suspension until street sweeping is provided.

TE5. Prior to final approval of the street improvement plans, the developer shall submit to the City a contract between the developer and a street sweeping company for sweeping the streets during the warranty period, for the day shown on the posted street sweeping signage. The contract shall include a contact person and phone number for said contact person.

TE6. Prior to the sign-off of final inspection of the street improvements, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE7. Prior to the commencement of construction activity, construction traffic control plans prepared by a Registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.

TE8. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

Prior to Map Recordation

****TE9. (R) The site plan shall be modified to flare the last 100 feet of drive aisle leading to Old 215 to provide a two-lane egress. The lane widths shall be 16-foot right-turn lane, 12-foot left-turn egress lane (for future use as per TE15c), and 16-foot ingress lane.**

Prior to Building Permit

TE10. (BP) Prior to issuance of building permits, traffic signal plans shall be prepared by a registered civil engineer and submitted to the City for the intersections of Old 215 Frontage Road/Alessandro Boulevard and Day Street/Alessandro Boulevard.

TE11. (BP) Prior to issuance of building permits, the project applicant shall pay appropriate DIF and TUMF.

Prior to Certificate of Occupancy or Building Final

TE12. (CO) Prior to the issuance of Certificates of Occupancy, traffic signal modifications shall be installed and fully operational per the approved plans at

the intersections of Old 215 Frontage Road/Alessandro Boulevard and Day Street/Alessandro Boulevard.

TE13. (CO) Prior to the issuance of Certificates of Occupancy, the intersection of Old 215 Frontage Road Street (NS) at Alessandro Boulevard (EW) shall be modified to include the following geometrics:

Northbound: One left turn lane, one through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes, one free right turn lane
Eastbound: One left turn lane, one through lane, one shared through/right turn lane
Westbound: One left turn lane, two through lanes, one right turn lane

TE14. (CO) Prior to the issuance of Certificates of Occupancy, the intersection of Day Street (NS) at Alessandro Boulevard (EW) shall be modified to include the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One left turn lane, two through lanes, one shared through/right turn lane
Westbound: One left turn lane, two through lanes, one shared through/right turn lane

TE15. (CO) Prior to issuance of Certificates of Occupancy, project access shall be as follows:

a) Alessandro Boulevard access: Right-in, right-out
b) Day Street access: Full access permitted
c) Old 215 Frontage Road access: Full access permitted, except left turns from the driveway onto Old 215 Frontage Road shall be positively restricted until the completion of the Day Street connection to Cactus Avenue. The applicant may choose to undertake a project to complete the connection in order to have the turning restriction removed.

Special Condition

**TE16. Condition LD 62 shall apply for the following roadways:

a) Old 215 Frontage Road is classified as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Any modifications or improvements undertaken by this project shall be consistent with the City's standard for this facility.

b) **Day Street is classified as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Any modifications or improvements undertaken by this project shall be consistent with the City's standard for this facility.**
c) **Alessandro Boulevard is classified as a Divided Major Arterial (134'RW/110'CC) per City Standard Plan No. 101A. Any modifications or improvements undertaken by this project shall be consistent with the City's standard for this facility.**

POLICE DEPARTMENT

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

PD4. Addresses are to be in plain view, visible from the street and visible at night.

PD5. All exterior doors are to clearly marked with an address or suite number.

PD6. All rear exterior doors should have an overhead, low sodium light, or comparable.

PD7. The exterior of the building should have high-pressure sodium lights and/or metal halide lights installed and strategically placed throughout the exterior of the building.

The parking lots should have adequate lighting to insure a safe environment for customers and employees.

PD8. Landscape cover should not exceed 3 feet in height in the parking lot.

PD9. Shrubbery near the exterior of the building should not exceed 4 feet in height and should be planted so as to retain visibility of the front of the building and walkways.

PD10. Trees which exceed 20 feet in height should be maintained to provide 7 feet of clearance between ground level and the bottom of the canopy. This is so that patrons or employees can view the whole parking lot while parking their vehicles in the parking lot.

PD11. No loitering signs shall be posted in plain view throughout the site.

PD12. A monument address is to be located in front of the main entrance.

PLANNING COMMISSION STAFF REPORT

Case:	PA05-0105 – Master Plot Plan PA05-0106 – Zone Change PA05-0107 – General Plan Amendment PA05-0108 – Tentative Parcel Map 33152
Date:	February 7, 2008
Applicant:	Andland Properties, LLC
Representatives:	VISTA Community Planners Stantec Consulting, Inc.
Location:	Generally south of Alessandro Boulevard and east of Old 215 Frontage Road
Proposal:	Divide approximately 25 acres into six parcels for future business park and industrial development and establish a business park development of 16 buildings on an approximately 19-acre portion of the site. The proposed business park buildings range in size from approximately 6,000 square feet to 43,000 square feet, with a total building area of about 250,000 square feet. The proposed General Plan Amendment involves changes to both the Land Use and Circulation elements. The Land Use Element amendment would place the entire site within the Business Park/Industrial land use designation. The Circulation Element amendment would add Old 215 Frontage Road south of Alessandro Boulevard to the Circulation Element roadway system as a Minor Arterial. The Zone Change involves the approximately 19 acre business park development, eliminating the existing Community Commercial and Industrial land use districts and placing the proposed development within the Business Park district. The existing Air Installation Compatibility Use Zone (AICUZ) overlay district designation for the entire 25-acre site will remain unchanged, as will the existing Industrial land use district for the 6-acre portion of the parcel map limits that are not part of the proposed business park.
Redevelopment Area:	Yes
Recommendation:	Approval

ATTACHMENT 5

SUMMARY

Andland Properties, LLC proposes a General Plan amendment, zone change, tentative parcel map, and master plot plan to allow establishment of a mixed-use development on approximately 25 acres located generally south of Alessandro Boulevard and east of Old 215 Frontage Road. The proposed business park development would occupy four of the six parcels to be created under Tentative parcel Map 33152, establishing a complex of 16 buildings for a variety of office, warehouse and industrial uses consistent with the requested Business Park and AICUZ overlay land use districts. The two remaining parcels would retain the existing Industrial land use designation, with future development subject to separate entitlement reviews.

PROJECT DESCRIPTION

Project

This project includes four applications — a zone change, General Plan amendment, tentative parcel map, and a master plot plan — related to a proposed mixed-use development project for approximately 25 acres generally southeast of Alessandro Boulevard and Old 215 Frontage Road (Assessor's Parcel Numbers 297-100-007; 297-120-002, 003, 011, 012, and 016).

The design and quality of development for the proposed business park are reflective of the location at a major City entrance. The proposed business park uses are consistent with the type and intensity of use envisioned under the requested Business Park/Industrial land use designation, the requested Business Park land use district, and the existing AICUZ Overlay land use district.

Land Use Changes

General Plan Amendment

The proposed General Plan amendment includes changes to both the Land Use Element and the Circulation Element. The Circulation Element amendment would designate Old 215 Frontage Road between Alessandro Boulevard and Day Street as a Minor Arterial (88-foot right-of-way, 64-foot curb-to curb improvement width, providing two travel lanes in each direction). The proposed Minor Arterial designation is based upon traffic volumes predicted in the project-specific traffic study and reflects the recommendation of the Public Works Department Transportation Engineering Division.

The proposed Land Use Element amendment would place the entire project site in the Business Park/Industrial Land use designation by removing the existing Commercial designation for an approximately six-acre portion of the site closest to Alessandro Boulevard. The Business Park/Industrial designation is the single industrial land use designation available under the Land Use Element. Because the project site is located within Accident Potential Zone 1 as designated in the U.S. Department of Defense Air

Installation Compatible Use Zone (AICUZ) report for March Air Reserve Base (MARB), the permissible range of uses is restricted by the provisions of Safety Element Policy 6.16.4, which acknowledges the City's commitment to development consistent with AICUZ provisions. Finally, the exhibit for the proposed Land Use Element amendment (Attachment 4, Exhibit A) also reflects extension of the Business Park/Industrial land use designation to lands that are currently within the Old 215 Frontage Road right-of-way. This aspect of the amendment will be enacted administratively with the right-of-way vacation process.

The uses allowed under the proposed Business Park/Industrial designation are generally less intense than those permitted under the existing Community Commercial designation, particularly in terms of the numbers of workers and customers on the site at any given time. In this respect, the proposed amendment enhances compatibility with General Plan Safety Element objectives related to operations at nearby March ARB.

With respect to the reduction of commercial acreage, the General Plan establishes a mix of designated land uses that is directed at providing a balance among various uses at build-out. The General Plan (page 2-5) acknowledges designation of "more than enough commercial land to accommodate the needs of the population at build-out." At adoption, the General Plan designated approximately 1,675 acres of land for commercial use to serve a projected build-out population of approximately 305,000. General Plan amendments since the July 2006 adoption of the current General Plan have involved removal of approximately 60 acres from commercial designations. The additional 6 acres for the subject amendment would bring the total to approximately 66 acres, or just less than 4 percent of the total commercial acreage designated at the time of plan adoption in 2006. Considering the remaining commercial land inventory and the competing objectives for uses that are compatible with the flight operations at March Air Reserve Base/March Inland Port, the proposed amendment on its own or in combination with previously approved amendments, will not significantly affect the City-wide balance of land uses at build-out.

Zone Change

The boundaries of the proposed zone change correspond to the limits of the proposed master plot plan and would replace the existing Community Commercial and Industrial land use districts with a single district of Business Park. The existing Industrial designation would be retained for parcels 5 and 6 of the proposed parcel map. The proposed zone change exhibit (Attachment 4, Exhibit B) also reflects extension of adjacent zoning patterns to lands that are currently within the Old 215 Frontage Road right-of-way. This aspect of the zone change will be enacted administratively with the right-of-way vacation process.

The proposed zone change would create a mixed zoning pattern along the Alessandro Boulevard frontage, with the existing Community Commercial land use district retained for three properties occupying the Alessandro Boulevard frontage between the Old Frontage Road and Day Street that are not under the Applicant's control. These

properties are developed with a grocery store (currently vacant), an auto repair and towing business, and a self-storage business, all with non-conforming status. The proposed project layout provides for future coordinated development with the two smaller commercially-designated properties. The third property has frontage on both Alessandro Boulevard and Day Street and is of adequate area to be developed independently.

The uses allowed under the proposed Business Park designation are generally less intense than those permitted under the existing Community Commercial designation, particularly in terms of the numbers of workers and customers on the site at any given time. The proposed zone change enhances compatibility with the AICUZ overlay district which also applies to this site.

Tentative Parcel Map

Tentative Parcel Map 33152 proposes to divide the approximately 25-acre site into six parcels. Parcels 1 through 4 are the site of the business park development that is the subject of the accompanying master plot plan application (PA05-0105). Parcels 5 and 6 are to be developed separately and are the subject of pending applications for a relocated concrete batch plant (PA06-0179) and a self-storage facility (PA06-0180). These applications are currently under staff review and will be scheduled for Planning Commission consideration once all preliminary requirements have been completed.

The proposed parcel sizes and configurations for Parcels 1 through 4 individually meet the minimum Municipal Code requirements for site area, width and depth for the proposed Business Park designation. While each parcel has frontage on the adjoining arterials, the project design includes new internal driveways (Lots A, B and C) for enhanced access and circulation. The project conditions of approval acknowledge the intent for joint access and require recordation of reciprocal access easements and agreements in conjunction with recordation of the parcel map.

The boundaries of proposed Parcels 1, 3, 5, 6, and Lot B include land that is currently within the public right-of-way of Old 215 Frontage Road. The extensive improvements and right-of way at this location are relics of former alignments of Interstate 215 and State Highway 395. The proposed project design will incorporate the east half of the existing right-of-way into the development limits, realigning Old 215 Frontage Road as a Minor Arterial within the west half of the existing right-of-way. The project conditions of approval acknowledge the related right-of-way vacation and require transition of the new road alignment to the intersection with Alessandro Boulevard on the north, as well as to the existing Old 215 Frontage Road improvements to the south.

Master Plot Plan

The master plot plan establishes the basic site layout and architectural design criteria for the proposed business park development. As development proceeds, individual plot plan approvals will be required for each building or group of buildings, providing for review in the context of the master plot plan and detailed Municipal Code site

development standards, such as parking and landscaping. Subsequent plot plan reviews will also involve consideration of specific intended uses, providing a mechanism to implement conditions of approval related to AICUZ Overlay district land use restrictions and the mix of warehousing (45%), manufacturing (40%), and office (15%) occupancies the applicant assured in their application to the Airport Land Use Commission.

The proposed layout places three larger buildings on the western portion of the project site (Buildings 1, 2, and 7); and thirteen smaller buildings on the eastern portion of the project site (Buildings 3 through 6 and 8 through 16). Building 1, 2 and 7 would each have one or two loading docks that would accommodate a single semi-truck. While the smaller buildings are designed without docks, Buildings 12 through 16 include individual service yards to accommodate smaller trucks.

Site

The project site is currently leased to businesses that store and auction tractors and other construction vehicles. Existing structures are limited to steel buildings in the north-central portion of the property. The existing improvements and businesses will be removed to accommodate the proposed development.

Two billboards are located on the site, one along the Old 215 Frontage Road frontage and the other along the Alessandro Boulevard frontage. In accordance with Municipal Code Section 9.12.080.B.2, the recommended conditions of approval require removal of the existing billboards prior to recordation of the parcel map or issuance of any building permits, whichever occurs first.

Figure 3 in the initial study (Attachment 6) provides a recent aerial photograph of the project site and adjoining areas.

Surrounding Area

The surrounding area is characterized by a mixture of commercial and non-conforming residential uses to the north along Alessandro Boulevard, with light manufacturing and warehouse uses to the east across Day Street. The area extending south to Cactus Avenue is vacant, as is the land to the west across Old 215 Frontage Road. March Air Reserve Base is located approximately 0.3 of a mile to the south of the project site, south of Cactus Avenue.

Access/Parking

Access for the proposed development is provided along private drives such that each building benefits from access to Old 215 Frontage Road, Alessandro Boulevard and Day Street. This integrated design enhances access to the individual buildings and throughout the site.

One driveway is proposed on each street frontage. The primary driveway on Old 215 Frontage Road is the west end of the east-west private drive that extends through to Day Street. A north-south oriented drive connects the east-west drive to Alessandro Boulevard. The median on Alessandro Boulevard will restrict traffic movements at the Alessandro Boulevard driveway to right turns. Traffic movements at the Day Street access point will be unrestricted. At Old 215 Frontage Road, left turns for exiting traffic will be temporarily restricted, pending the extension of Day Street through to Cactus Avenue.

Pedestrian paths along the street frontages, internal drives and across the parking areas provide for defined paths of travel around and within the site.

For the master plot plan review, parking requirements are evaluated on the basis of occupancies at 80 percent manufacturing use and 20 percent office use. For the 253,740 square feet of building area proposed, this results in a total parking requirement of 609 spaces. The plan as proposed provides 613 spaces. It is anticipated that the parking inventory as proposed will provide sufficient flexibility for a range of future tenants.

Architectural Design/Landscaping

Typical for this type of development, the entire project is designed in a contemporary style using tilt-up concrete construction. The dominant wall colors are brown and beige earth tones. A variety of details are utilized to enhance elevations throughout the project, including curving walls, angled walls, steps in wall plane, steps in wall height, windows, metal awnings, metal cornices, and slate tile detailing.

Buildings 1 and 7 frame the main project entrance from Old 215 Frontage Road. The primary building entrances are on symmetrically curving walls oriented toward the entrance drive. Slate tile is applied on lower portions of the walls in areas that are visible from the internal drive, Old 215 Frontage Road and Alessandro Boulevard. Angled wall elements and vertical and horizontal score lines also provide variation in wall surfaces. While Buildings 1 and 7 are the most prominent in terms of visibility from public areas, the architectural design provides a consistent level of treatment throughout the site.

The conceptual landscape plan illustrates a finished condition that will be aesthetically pleasing from the entire perimeter of the site and throughout the interior of the site. The concept incorporates landscape and hardscape entry plazas for Buildings 1 and 7 at the primary project entrance and for Buildings 2 and 5 at the major internal intersection. The landscape palette includes groundcover, shrubs and trees, with limited use of turf. Enhanced landscaping is provided at entry drives, along the street frontages and at focal points at building entrances and along the internal drives. Courtyards incorporating hardscape and landscape treatments are provided in spaces between Buildings 1 and 2, 3 through 6, 8 and 9, and 10 and 11. Water quality treatment and drainage are addressed with an underground detention chamber, eliminating the need for surface basins that typically compromise the landscape

design. Detailed landscape and irrigation plans will be reviewed as part of the standard City plan check process prior to issuance of permits for construction.

REVIEW PROCESS

The subject applications were submitted in June 2005 and were first reviewed by the Project Review Staff Committee (PRSC) in November 2005, following supplemental submittals that were necessary to deem the initial applications complete. Subsequent PRSC reviews occurred in September 2006 and November 2006, with the intervening time since the November 2006 review focused upon resolution of supporting studies related to drainage, water quality, and air quality. The extended timeframe between the first two PRSC reviews reflects a substantial change in the project design to reserve Parcels 5 and 6 for a City redevelopment project to relocate the concrete batch plant currently operating in the Towngate area. As noted above under discussion of the Tentative Parcel Map, the applications for the plant relocation and a related self-storage project are currently in process and will be subject to separate Planning Commission review.

With the involvement of a General Plan Amendment, this project was subject to the tribal consultation provisions of Government Code Section 65352.3 (also referred to as SB 18). In conjunction with City's standard PRSC routing procedures, project information was sent to the California Native American Heritage Commission and local tribal representatives for the Cahuilla, Cabazon, Ramona, Los Coyotes, Pala, Pauma, Soboba, Pechanga, Santa Rosa, San Luis Rey, Augustine, Rincon Morongo, San Manuel, and Serrano tribes. Only the Morongo tribe responded, requesting notification if any unexpected cultural resources are encountered during grading.

Also related to the involvement of a General Plan Amendment, this project was subject to review by the Riverside County Airport Land Use Commission (ALUC). On October 11, 2007, the ALUC found the proposed project consistent with the adopted airport land use plan for the airport influence area of March Air Reserve Base, subject to conditions related to noise attenuation, an avigation easement and specific land use restrictions. The ALUC conditions are reflected in adopted City Municipal Code provisions or have been incorporated as recommended conditions of approval for this project.

ENVIRONMENTAL

An initial study (Attachment 6) was prepared to support the recommend environmental finding that a mitigated negative declaration (Attachment 5) is appropriate for this project. Issues of special discussion in the initial study are air quality, hazards, land use planning, and traffic. All project impacts are less than significant when considering the project location, the nature of the proposed project, project design features, conditions of approval, and standard City requirements that are governed by

established programs and procedures. The following summarizes the discussion of focus issues from the initial study:

- Air Quality – for the grading and architectural coatings subphases of the construction phase, the air quality assessment determined that mitigation measures are required to keep regional emission of particulates and volatile organic compounds (VOCs) below the respective significance thresholds. Typical dust control measures and verification of use of super-compliant architectural coatings are addressed in the recommended conditions of approval and will be implemented in the course of standard City plan check and inspection procedures.
- Hazards and Land Use Planning – the project site is located within an area subject to hazards related to operation of the airfield at March Air Reserve Base/March Inland Port. To ensure that development of the proposed business park is compatible with land use policies directed at reducing the risk of hazard, the project conditions of approval include numerous requirements restricting uses, buildings and activities on the site and requiring advisory notices regarding aircraft operations and hazards. Standard City plan check and permit issuance procedures, together with special procedures detailed in the project Mitigation Monitoring and Reporting Program will provide the framework for implementation of conditions directed at addressing aircraft-related hazards.
- Traffic – project-generated traffic is projected to contribute to reduced operation levels at three intersections along Alessandro Boulevard (I-215, Old 215 Frontage Road, and Day Street). The Transportation Engineering Division has identified the improvements necessary to achieve acceptable traffic operations. Project conditions of approval require completion of specific improvements for the Day Street/Alessandro Boulevard intersection to mitigate project-level impacts and payment of Development Impact Fees and Transportation Uniform Mitigation Fees to address the project's contribution to cumulative impacts at the Alessandro Boulevard intersections with I-215 and Old 215 Frontage Road.

The initial study has been made available for a 30-day public review period ending on February 5, 2008, including State Clearinghouse submittal and direct mailing to potentially affected servicing agencies, responsible agencies, and trustee agencies. No comments were received as of the date of publication of this report. Any comments received by close of the review period will be addressed at the Planning Commission hearing.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Coordination with outside agencies included transmittal of materials for the initial Project Review Staff Committee transmittal to all potentially affected reviewing agencies and service entities, as well as follow-up coordination with agencies requesting further involvement as a result of the initial contact. The following summarizes responses received as a result of consultation with outside agencies.

Agency	Response Date	Comments
March Joint Powers Authority	October 9, 2007	Requested submittal of project for Airport Land Use Commission review, conveyance of an avigation easement, and coordination with March ARB officials as related to AICUZ provisions for land use compatibility, noise attenuation, and air space encroachments.
Department of the Air Force, Air Force Reserve Command	September 27, 2006	Advised of applicable AICUZ provisions, including land use intensity, building coverage, noise attenuation, height restrictions, restrictions on lighting and use of reflective materials, and coordination regarding combustible materials, flammable materials, chemicals or explosives.
California Department of Transportation	October 29, 2007	Requested copy of traffic impact study.
Riverside County Flood Control and Water Conservation District	December 15, 2005	No master drainage plan facilities or other facilities of regional interest involved; project subject to West End Moreno Area Drainage Plan fees.
Morongo Band of Mission Indians	October 25, 2005	E-mail correspondence noting resources not expected, but requesting standard requirement to call in tribal representatives if resources encountered during grading.
Southern California Edison	October 20, 2005	Project will not unreasonably interfere with easements and/or facilities.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

APPROVE Resolution No. 2008-02, and thereby **RECOMMEND** that the City Council:

1. **ADOPT** a Mitigated Negative Declaration for PA05-0105 (Master Plot Plan), PA05-0106 (Zone Change), PA05-0107 (General Plan Amendment), and PA05-0108 (Tentative Parcel Map 33152) in that this project, as designed and conditioned, will not result in significant environmental impacts;
2. **APPROVE** PA05-0106 (Zone Change) and PA05-0107 (General Plan Amendment) as shown on the attachments included as Exhibits A, B and C; and
3. **APPROVE** PA05-0105 (Master Plot Plan) and PA05-0108 (Tentative Parcel Map 33152), subject to the conditions of approval included as Exhibit D.

Prepared by:

Kathleen Dale
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Existing General Plan Land Use Exhibit
3. Existing Zoning Exhibit
4. Planning Commission Resolution No. 2008-02 with Conditions of Approval
5. Negative Declaration
6. Initial Study, including Aerial Photograph
7. Mitigation Monitoring and Reporting Program
8. Reduced Tentative Parcel Map Exhibit
9. Reduced Master Plot Plan Exhibit
10. Reduced Architectural Elevations

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PA05-0105	**Master Plot Plan**
PA05-0106	**Change of Zone**
PA05-0107	**General Plan Amendment**
PA05-0108	**Tentative Parcel Map No. 33152**

CHAIR DOZIER - Before we start Item 710, I need to....

COMMISSIONER DEJONG – Same thing...

CHAIR DOZIER – Same thing...

COMMISSIONER DE JONG – I'd like to disclose that I met with the Applicant prior to tonight's meeting

COMMISSIONER GELLER – I also did

CHAIR DOZIER – As did I... Okay, alright... Staff Report please

ASSOCIATE PLANNER DALE – Good evening Chair and members of the Commission. I'm Kathleen Dale, Planner for the project. This project includes four Applications...a Zone Change, General Plan Amendment, Tentative Parcel Map and a Master Plot Plan, that are all related to a proposed mixed use development for about 25 acres generally southeast of Alessandro Boulevard and Old 215 Frontage Road. The project site is currently leased to businesses that store and auction tractors and other construction vehicles. The existing improvements and businesses will be removed to accommodate the proposed development. The surrounding area is characterized by a mixture of commercial and non-conforming residential uses to the north along Alessandro Boulevard, light manufacturing and warehouse uses to the east across Day Street and vacant land to the west and the south. March Air Reserve is about three-tenths of a mile to the south and the project is within the Accident Potential Zone 1 that is designated under the Air Installation Compatible Use Zone Study for the Base.

The proposed General Plan Amendment includes changes to both the Land Use and Circulation elements. The Circulation Element amendment would designate Old 215 Frontage Road between Alessandro Boulevard and Day Street as a Minor Arterial with an 88 foot right-of-way providing two travel lanes in each direction. The proposed Minor Arterial designation is based upon the traffic volumes from the project Traffic Study and reflects the recommendation of the Public Works Department, Transportation Engineering Division.

The proposed Land Use Element amendment would place the entire project site in the Business Park industrial land use designation by removing six acres from the Commercial designation. Because the project site is located within the Accident Potential Zone, the permissible range and intensity of uses at this location are also restricted by provisions of the Safety Element that implement guidance from the Air Installation Compatible Use Zone Study for the Base. The elimination of the commercially designated property as proposed would bring the total commercial acreage reduction since adoption of the General Plan to about 66 acres or about four percent of the 1,675 acres that were designated for commercial use at the time of Plan adoption in 2006.

For the Zone Change, the boundaries correspond to the limits of the Master Plot Plan and would replace the existing Community Commercial and Industrial Land use districts with a single district of Business Park. The existing Industrial designation would be retained for the balance of the site and there is an AICUZ Overlay Zone also that applies to the entire site and that would remain in place.

The proposed Zone Change would create a mixed zoning pattern along Alessandro Boulevard frontage, between the Old 215 Frontage Road and Day Street, with the existing Community Commercial zoning being retained for three properties that are not under the Applicant's control. These properties are currently developed with a grocery store that is vacant, an auto repair and towing business and a self-storage business, all that are of non-conforming status. The proposed project layout does accommodate future coordinated development of the two smaller properties with this project and then the third property is located at the corner of Alessandro Boulevard and Day and has adequate configuration and access to be redeveloped independently.

The Tentative Parcel Map proposes to divide the site into six parcels. Parcels 1 through 4 are the site of the Business Park development that is the subject of the Master Plot Plan before you tonight. Parcels 5 and 6 are to be developed separately and are the subject of pending applications for a relocated concrete batch plant and a self-storage facility that are currently under staff review and will be scheduled for Planning Commission consideration once all preliminary requirements have been completed.

Project design incorporates the east half of the existing right of way for Old 215 Frontage Road into the development limits and realigns the road that will be retained as a minor arterial within the west half of the existing right-of-way. The project Conditions of Approval acknowledge the related right-of-way vacation and require transition of the new road alignment to the intersection with Alessandro Boulevard on the north, as well as to Old 215 Frontage Road improvements to the south.

The Master Plot Plan that is before you establishes the site layout and also architectural design criteria for the proposed business park development. As

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development proceeds, plot plan approvals will be required for each building or group of buildings. The subsequent plot plan reviews will provide a means to confirm consistency with the approved Master Plot Plan and also an opportunity to evaluate detailed site plans for compliance with Municipal Code site development standards such as parking and landscaping. The subsequent reviews will provide a mechanism also to confirm that specific uses conform to the provisions of the AICUZ Overlay District and also the proportional mix of warehousing, manufacturing and office uses that are stipulated in the recommended Conditions of Approval.

The circulation design for the Master Plot Plan area establishes internal drives that allow access throughout the site from any of the three exterior access points on Old 215 Frontage Road, Alessandro Boulevard or Day Street. There are walking paths on the street frontages, along the internal drives, and across the parking areas to define pedestrian routes around and within the site.

The architectural style is contemporary. Proposed primary wall colors for the tilt-up concrete buildings are brown and beige earth tones and the design incorporates a number of details to enhance elevations throughout the project including curving walls, angled walls, steps in wall plane, steps in wall height, metal awnings, windows, metal cornices and slate tile detailing.

The conceptual landscape plan illustrates a finished condition that will be aesthetically pleasing from the entire perimeter of the site and throughout the interior of the site. Enhanced landscaping and plaza features are provided at entry drives, along the street frontages and at focal points at both building entrances and along the internal drives. Courtyards with both hardscape and landscape treatments are indicated between buildings. For this project, the water quality treatment and drainage design use an underground system and that eliminates the need for the surface basins that we're seeing in a lot of the other projects and that often compromise the landscape design.

An initial study was prepared to support the recommended environmental finding that a Mitigated Negative Declaration is appropriate for this project and that recommendation means that all project impacts are less than significant when considering the project location, the nature of the project, the project design, the Conditions of Approval and standard City requirements.

There are three issues in the initial study that are dealt with at a little higher level of detail and that involved recommendations for mitigation measures. Those are air quality; the initial study recognizes the need for mitigation measures for construction phase emissions for dust from grading and for volatile organic compound emissions from painting; typical dust control measures and a requirement for verification of use of super compliant paints are addressed in the recommended Conditions of Approval. Then with respect to hazards and land use planning, the initial study deals with the project site location within an area

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that is subject to hazards related to the air field at March Air Reserve Base and to ensure that development of the business park is compatible with land use policies that are directed at reducing the risk of that hazard. The project Conditions of Approval include numerous requirements that restrict uses, restrict design aspects for the buildings and activities on the site and that require advisory notices regarding aircraft operations and hazards.

I wanted to also note here that the project was reviewed by the Riverside County Airport Land Use Commission and was determined to be consistent with the Airport Land Use Plan for March Air Reserve Base subject to a number of conditions that are reflected in the recommended Conditions of Approval that are before you tonight.

And then finally, with regard to traffic, the project traffic study indicated that project generated traffic would contribute to reduced operation levels at three intersections along Alessandro Boulevard and that's at the Interstate 215 ramps at Old 215 Frontage Road and at Day Street and the Transportation Engineering Division with the Applicant's consultant, identified the improvements that are necessary to provide acceptable traffic operations and this includes specific improvements for the Day Street/Alessandro Boulevard intersection that are reflected in the Conditions of Approval and also the standard requirement for payment of development impact fees and the TUMF fees.

With the recommendation for a Mitigated Negative Declaration, staff has also prepared a Mitigation Monitoring and Reporting Program that details the method and timing for implementation of each mitigation measure and that was included in your Staff Report.

Public notice for this hearing was sent to property owners of record within 300 feet of the site. It was posted on the site and also published in the local newspaper. The initial study was also made available for a 30-day public review period that ended on the 5th. We received some comment information from Mr. George Hague that was provided to you. It's a packet of supplemental information about diesel emissions and I wanted to just in response to that material reiterate information that is in the staff report and the environmental record, including the health risk assessment which did look at diesel emissions from the proposed project and which determined that the projected risk levels are less than one-tenth of the thresholds that are recommended by the South Coast Air Quality Management District. These results reflect the Business Park nature of this project and the limited involvement of dock areas as opposed to the distribution warehouses that are the subject of the materials that were submitted to you and involve a much more significant level of trucking activity.

We also received a comment letter from the City of Riverside, which you also received a copy of this evening. The City's letter raises points related to aesthetics, redevelopment issues and traffic. Staff feels that the treatment of

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aesthetic impacts in the initial study as circulated and presented for your review adequately documents the determinations of no impact and less than significant impact and this is based on the existing conditions, the proposed design and established City programs and procedures for project implementation.

Also as noted earlier, Staff did look at opportunities to integrate the out parcels along Alessandro Boulevard in the future and feel that they can either be integrated or redeveloped independently and on that basis feel that the City of Riverside suggestion that the project would impede the ability for meaningful redevelopment is unfounded and then finally to the City of Riverside comments about the traffic impacts, they did receive a copy of the full traffic study with the initial study that was sent to them and the Transportation Engineering Division has reviewed the comments that they made and concluded that there is no basis to alter the findings or recommended Conditions as presented for your consideration in the staff report.

In the course of the staff review and the public review period, we also coordinated with representatives from March Air Reserve Base, March Joint Powers Authority, CalTrans, Riverside County Flood Control and the Morongo Band of Mission Indians and input from all of these agencies is reflected either in the project design or in the recommended Conditions of Approval.

You should have in front of you three memoranda; one from the Land Development Division, one from the Transportation Engineering Division and one from Fire Prevention Bureau with proposed revisions to the Conditions of Approval. The representatives are all here if you have questions. These revisions clarify the fire flow requirements in Condition F2, modify Condition L62 to add timing provisions for the Old 215 Frontage Road improvements, and re-structure the Transportation series of conditions to coordinate with the Land Development conditions related to road improvements.

And with that, Staff is recommending that the Planning Commission take action to recommend that the City Council adopt a Mitigated Negative Declaration for the project and approve the requested development applications, subject to the Conditions of Approval as revised. Thank you.

CHAIR DOZIER – Thank you Kathleen. Do we have any questions of Staff on this Item?

VICE CHAIR MERKT – Yes, Riverside's letter to you brought up some issues that I was curious about and just as I got here one of my fellow Commissioners said that the Applicant has attempted to obtain ownership of each of those three parcels and was unable to do so. Is that correct information?

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ASSOCIATE PLANNER DALE – I think I heard about third or fourth hand that that may be the case. You might want to confirm that with them when they speak.

VICE CHAIR MERKT – Okay, I just wanted to check with you first. I can check with them afterwards. In addition, two questions or three questions...what is the zoning beneath parcels 4, 5, and 6? In other words, the land that would I guess go down to Old 215 to where it sort of connects with Day Street; what is the current zoning on that, both in General Plan and the Zoning Ordinance?

ASSOCIATE PLANNER DALE – I'm just look at my copy of the exhibits here in the Staff Report. I'm pretty certain that the General Plan designation is Business Park/Industrial and the zoning is Industrial with the AICUZ Overlay Zone applying to a good portion of it.

VICE CHAIR MERKT – Yeah, that's what my guess would have been... okay and then what is the situation on the west side of Old 215? It apparently is in Riverside County. Is that within our sphere of influence? Is that an area that we might possibly annex or what is the status of that?

PLANNING OFFICIAL TERELL – That piece of property is part of the former March Air Force Base and most of that property is owned by LNR, which is also dealing with the Meridian Business Park on the west side of the freeway. At this point in time, none of that is in anybody's sphere of influence and the discussions on how it might be divided up or annexed in the future have not been broached yet. It makes sense that it would eventually be in the City of Moreno Valley should those discussions occur but there hasn't been any decision on that yet.

VICE CHAIR MERKT – Yeah I was thinking that it made a lot of sense to have the east side...we do have that chunk up by the 60 and the 215 that is Riverside, but I don't know how many times we want to do that down the 215 as it goes south.

PLANNING OFFICIAL TERELL – Yeah, I don't know that we want to do that again and the zoning as I recall in the General Plan for the Base; the JPA; the Joint Powers Authority; it is a Business Park zone, similar to what we are proposing for this site.

VICE CHAIR MERKT – And then the final thing is that even though those parcels could not be integrated into this project as it currently stands, is there a way to perhaps change the zoning and the General Plan so that if we are going to change the other area all around it, that we change those two parcels or three parcels the same way that we are changing the current parcels and these six parcels so that we have a block rather than Community Commercial or Commercial, then Business Park, then Community Commercial/Commercial and then sort of hop scotching along there and since they are non-conforming, you

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know it really doesn't seem to make a lot of sense to be chopping this up like this and then coming back later on if they are going to be integrated into it and have to do spot zoning.

PLANNING OFFICIAL TERELL – I think certainly that's possible. It's not possible within the framework of what's before you tonight, but there is certainly the possibility to do that in the future should we choose to go forward.

VICE CHAIR MERKT – Could City Council do that if we approve this tonight and then they added those items, because it's just one of those things that has a zig-zag line for no particular reason and since it's non-conforming to what it currently is, changing the zone really wouldn't change anything anyway as far as I can tell.

PLANNING OFFICIAL TERELL – In order to do that, the City Council would have to provide direction to Staff to do a separate General Plan Amendment, and Zone Change.

VICE CHAIR MERKT – So basically you're saying it can't be done at this current point in time, but that might be something that you might consider in the future?

PLANNING OFFICIAL TERELL – Yes, I think certainly it's something that we would consider in the future. I don't think I need to say anymore, but yes it would be something we would consider in the future.

VICE CHAIR MERKT – Okay, thank you very much.

CHAIR DOZIER – Any other questions for Staff?

COMMISSIONER RIECHERS – I didn't check the table, but why is the tow yard non-conforming? I would have thought that that would have been a conforming use.

PLANNING OFFICIAL TERELL – Well basically it's non-conforming relative to its development standards. I don't believe it's non-conforming relative to the use. A major auto repair which is what that is, is permitted with a Conditional Use Permit in the Commercial zone, so it's conditionally permitted. Obviously it's been there so long, it didn't get a CUP whenever it was established, but it is non-conforming relative to setbacks, design, parking and a lot of other things.

COMMISSIONER RIECHERS – Okay, okay and the same would be true if it were re-zoned to BP?

PLANNING OFFICIAL TERELL – It is a non-conforming development, yes.

COMMISSIONER RIECHERS – Right, okay, thank you

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PLANNING OFFICIAL TERELL – Actually to follow-up on that, I believe in the Business Park zone it would be non-conforming as to the use because Business Park does not permit auto repair.

CHAIR DOZIER – Seeing no other questions, we'll open Public Testimony and ask the Applicant forward.

APPLICANT – Chair Dozier and Commissioners; good evening, Wes Alston with PDSG, representing the owner.

CHAIR DOZIER – Could you give your address?

APPLICANT – 12246 Heacock, Moreno Valley, California, 92557. Anyway, I'd like to thank Staff for all their hard work on this project. It's gone through a lot of public hearings already and this is kind of a culmination of it to get it off to City Council and get it approved. It was originally approved, or not approved, but a proclamation was done for the annexation for the west side of the property. It did go to LAFCO and that was approved, which added property and added the section to the west side of the property that encompasses the Old 215. It's been to the Airport Land Use Commission and was conditionally approved and those conditions are incorporated into our conditions here tonight. We feel that this is a gateway piece. We tried to bring in architecture that would enhance the gateway into the City. We believe we were successful with that. We concur with all the conditions and the amended conditions that were presented tonight and we're basically looking for your approval and recommendation to the City Council for approval. We have a whole cadre of experts here. If you have any questions, we're prepared to answer any of your questions. We think the presentation by Kathy covered all the points and we're just looking to move this thing forward to City Council with your approval.

CHAIR DOZIER – Any questions of the Applicant on this item?

VICE CHAIR MERKT – Just the same question that I asked Kathleen to confirm that you attempted to obtain those three parcels and were unsuccessful.

APPLICANT – Yeah numerous times, the owners tried to obtain those properties and incorporate them into this, but they were unsuccessful.

VICE CHAIR MERKT – It's a shame

APPLICANT – It is a shame

VICE CHAIR MERKT – Okay, thank you

COMMISSIONER RIECHERS – I very much appreciate your architectural enhancements at your entrance along Day Street and at your internal circulation

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point. I think that's a very nice treatment and a very nice element. I'm wondering if you gave any consideration to providing perhaps a scaled down version of that same treatment to the Day Street entrance and if that would be feasible or possible?

APPLICANT – Well you know, the focus originally was from the Riverside side looking into Moreno Valley and at this point I don't know if we can incorporate those features. It would probably reduce our parking and reduce our landscaping.

COMMISSIONER RIECHERS – I know it would reduce landscaping for sure and probably parking for sure too

APPLICANT – Parking for sure...

COMMISSIONER RIECHERS – Yeah

APPLICANT – We tried to get in the center feature and at the exterior feature on the west end.

COMMISSIONER RIECHERS – Okay, thank you

COMMISSIONER SPRINGER – I have a question about the pink changes from Traffic and I just wanted to ask Mark Sambito or excuse me, Michael... TE16, the special condition and my question surrounds a, b and c, the last sentence in each of those paragraphs. It reads the same in each of those three sub-sections...any modifications or improvements undertaken by this project shall be consistent with the City standard for this facility. Where I'm running into challenges is exactly what is the City standard for this facility, because after these Conditions are approved and they go to build and then they find out that they have got to completely rebuild a street and other fun stuff like that, that's usually when I get a phone call; one of those friendly phone calls that you guys get on a consistent basis and my question is for the record, is what are the City standards for this facility with respect to the traffic issues? I'm referring to page 2 of the special pink slip, TE16 a, b and c, last sentence in each of those sections.

SENIOR TRAFFIC ENGINEER LLOYD – The intent of the special condition was worded to piggyback off of Land Development's Condition 62, where they define the specific improvements in terms of lane widths, curbs and sidewalks and those types of features, where we provided guidance on the classification of the facility, such as a minor arterial in the case of the Old 215 Frontage Road, as well as Day Street and then Alessandro being a divided major arterial. So we added the last sentence that you referred to in terms of any modifications or improvements shall be consistent with the City standard. That reference is to the City standard plan number that applies to the classification.

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COMMISSIONER SPRINGER – So I should be talking to Land Development then?

SENIOR TRAFFIC ENGINEER LLOYD – For specific information in terms of we should have "x" amount of feet of pavement on the ground for this project.

COMMISSIONER SPRINGER – I'll take that monkey off of your back and put it over to Mark's back. Do you know where I'm going with this?

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO – Exactly

COMMISSIONER SPRINGER – Fire away... You weren't listening, okay...

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO – I was listening. I was just waiting for the commentary.

COMMISSIONER SPRINGER – I know its boring sitting where you sit because you hear us all the time...

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO – No, no...

COMMISSIONER SPRINGER – But the question I should say is exactly what is the City standard for this facility that they are going to be experiencing when they go to submit construction plans?

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO – Yeah and I appreciate the opportunity to respond to that because it will help add some clarity to it.

COMMISSIONER SPRINGER – I appreciate your appreciation of that opportunity

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO – Thank you

APPLICANT – We appreciate it also Mark

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO – The standard that we hold the developer to is the current City standards as far as what the pavement thicknesses are related to the street section, so if we are talking about pavement thicknesses specifically, which is typically where our telephone calls come from, we do have a Section h as part of our amended LD62 Condition, where we give the developer the opportunity, if there are some existing pavement sections there, to core those pavement sections and verify that either they meet, exceed or are inadequate to our current standard as we have them each of our ...

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COMMISSIONER SPRINGER – And that would be spelled out in no uncertain terms to them?

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO – Yes, Section h of this Condition of Approval LD62 on the purple page specifically addresses that and says just that, that if the pavement is found to be adequate, they need not do any remove and replacement of that.

COMMISSIONER SPRINGER – Do they know what adequate is?

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO – Yes they should because those pavement sections are called out in our current City standards, which are both available on our website and at the front counter.

COMMISSIONER SPRINGER – Well I know they are called out, but the question is many of these roads, some built under the City's control and others with the County oftentimes the Applicant doesn't know until they core that street and find out that it is woefully inadequate and you're going to have to rebuild the whole street. So that was the real issue that I wanted to get to and so the Applicant is aware of that potential and I think Mark detailed it pretty well.

APPLICANT – Yeah, we're aware of that, that we may have to core those sections and bring those sections up to current standards.

COMMISSIONER SPRINGER – And those are pretty significant sections

APPLICANT – Those are pretty significant sections, especially Alessandro

COMMISSIONER SPRINGER – Okay, good, thank you very much

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO – You're welcome

CHAIR DOZIER – Are there any other questions?

COMMISSIONER DE JONG – In reviewing the building, I really like the angled walls and I really like the tiles and the colors and the way that the surfaces pop forward and back but looking especially on the view at the buildings 3 and 4 plaza where we're looking down between the buildings there, to me and my fellow Commissioners need to concur with this, but I think it needs a little something like some awnings or some overhangs down there just to break up the expanse of looking down those walls and I don't want to use the word stark, but there I did, but other than that I really like it and I'd like to hear some feedback on that from my Commissioners up here. Thank you, but we're not debating right now.

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CHAIR DOZIER – Yeah, we're not debating right now. Are there any other questions?

COMMISSIONER DE JONG – I guess maybe since I'm addressing Mr. Alston, how would you as a client feel about that?

APPLICANT – Well we did bring a section of the awnings that probably demonstrates that better than was on the drawings that you are seeing on here because they are kind of hidden by the trees and everything, so we can bring that out and show that to you. I think John might have some comments on that also.

PLANNING OFFICIAL TERELL – Well later... I was just wondering when you have no more questions or comments for the Applicant, the City's Economic Development Director, Barry Foster had asked for an opportunity to speak to you also.

CHAIR DOZIER – Are there any other questions of the Applicant?

DEPUTY CITY ATTORNEY BRYANT – Excuse me Chair... if I may inquire to the Applicant if he has specifically read LD52 on the purple sheet, dated February 7th, 2008 from Clement Jimenez to Chair Dozier and members of the Planning Commission?

APPLICANT – Yes we have

DEPUTY CITY ATTORNEY BRYANT – And do you accept those Conditions?

APPLICANT – Yes we have

DEPUTY CITY ATTORNEY BRYANT – Thank you

CHAIR DOZIER – Okay, seeing no more questions we'll ask Barry Foster to approach the podium. Please give your name and address for the record.

ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My name is Barry Foster. I am the City's Economic Development Director. I live in Riverside even though I spend most of my time here. On behalf of the Redevelopment Agency and the Economic Development Department I would urge you to support the Gateway Project. It will assist in the redevelopment of a very blighted area and a key gateway to the community. The project makes a lot of sense for the marketplace and it is also consistent with the development standards for the flight path for March Air Field. The Parcel Map for the project also provides for the relocation of Robertson's Ready-mix which is a very important project for the Redevelopment Agency and again I urge your support of the project.

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CHAIR DOZIER – Thank you. I don't have any other Speaker Slips, so with that let's close Public Testimony and open Commissioner Debate.

COMMISSIONER GELLER – Like I say, this area, I think to say that it needs redevelopment is somewhat of an understatement. It's only said that the rest of the buildings on Alessandro couldn't be dealt with at the same time, but first off the moving of Robertson's Ready-mix is an important component. It really is out of place where it is at this point in time and that land will be far better used to expand the Towngate Center. I think this project fits the area and seems consistent with everything that it should be consistent with; the proposed Change of Zone and the change of the General Plan I think is perfectly justified. I'm more than satisfied with the architecture and design of the buildings. I think if they are built the way they look here, I think they'll look very nice in the context of the area and where it's going. This isn't a truck distribution center, so whether those are or aren't valid issues, they have nothing to do with this particular project. Anyway I think it's a great project and I think it will be a vast improvement for that area and I think we should support in its present form. Thank you.

COMMISSIONER RIECHERS – While the parcel for the Robertson's move is not really even under consideration tonight it is overall in the broader sense a part of this project and my question now relates to that move. Given that the entrance for that parcel will be off of the Old 215 which we are now re-designating as a Minor Arterial, my question is are the design standards for a Minor Arterial in terms of such aspects as depth of pavement, depth of underlayment and things like that, any different than they would be for a Major Arterial or a more major street?

SENIOR ENGINEER LAND DEVELOPMENT JIMENEZ – Clement Jimenez with Land Development Division. The pavement thicknesses are based off of the roadway classification and so they would be different for a major arterial than for a Minor Arterial. It is one of our City standards that's available on the website and its really based on the traffic index for a particular street, so the greater use, the bigger the street, the bigger traffic index you are going to have and then the pavement thickness would be larger as well.

COMMISSIONER RIECHERS – I'm just thinking what has happened to Day Street in the vicinity of the current Robertson's plant. I don't know if that was built to current standards or not; quite probably not, but certainly that is not an acceptable street anywhere in the vicinity of the current plant.

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO - If I could add Commissioner Riechers if I may, you're absolutely right. Part of the reason that we're so adamant in Land Development about making sure that developers are responsible for the frontage of their property including the pavement sections, are examples just like that and we have them throughout the City unfortunately, having a lot of County roads that may not have been updated as they should

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have as development came in. We do have some spots that we have a bit higher maintenance responsibility. As Clement Jimenez had mentioned, we do have the minimum pavement sections provided here in the standards and they are based on classification and our value and basically your traffic index. We still require the developer to provide the soils verification that the section that we call out as the minimum is adequate. If he has a substandard sub-base or soil that he is building upon then he will have to build something a little larger than what our minimum is, but if he has absolutely perfect soil he still has to build to the minimum that our standard shows. Does that help?

PLANNING OFFICIAL TERELL – Yeah just to point out something... this section is actually not being redesignated a Minor Arterial. Currently it's basically under the County designation. It's not on the City's Circulation Element, so this General Plan is just actually adding it in and using the same classification that was established with the General Plan Update at the south end of the Old 215 and the north end of the Old 215, so it's just filling the link based on the ultimate traffic that would be on this street with the build-out of the General Plan.

COMMISSIONER RIECHERS – Okay, well then I guess my ultimate question is, are Transportation and Land Development both confident that Minor Arterial standards will stand up to the extensive and heavy traffic of a ready-mix batch plant and all of the dozens, if not hundreds of both ready-mix and belly dump trucks, which go in and out of there daily?

PRINCIPAL ENGINEER LAND DEVELOPMENT SAMBITO – Commissioner Riechers it is fair to assume that if the soils report clearly indicates the type of material that they are working with and they've designed accordingly to our minimum standards or greater depending on what the pavement design shows, so we have every expectation that it would hold up, based on the traffic index for that road.

COMMISSIONER RIECHERS – Okay, thank you

CHAIR DOZIER – Anybody else...we're still in Commissioner Debate?

COMMISSIONER DE JONG – Well I like the location. This is a perfect location for a "Gateway" project, hence the name. I like the architecture as I mentioned before. I like the angled walls. I like everything about it. I like the tile on it. The landscaping throughout the site is good. I like the meandering roads that they have done. I had mentioned before about the awning or the overhang. I hear there are enhanced elevations that show that. I'd like to see that, but I'm definitely for the project. Again I'm also sorry that the development couldn't extend all the way to Alessandro, but maybe in the future, but this is a welcome change in an area that is certainly crying out for it.

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PLANNING OFFICIAL TERELL – Yeah, relative to the awnings, the Applicant had mentioned yesterday that it had come up and certainly when staff looks at approving the final building plans here, the Planning Commission could provide direction and a condition of approval if you have consensus on that, but in those courtyard areas I would say it makes sense maybe to have some trellis work that would connect the two buildings and provide a little bit more as you said of breaking up that area a little bit more.

COMMISSIONER DE JONG – I would definitely agree with that.

PLANNING OFFICIAL TERELL – We probably would be looking at that anyways, but if there was some consensus to do that or something else on the part of the Planning Commission we could certainly add that in as a Condition of Approval.

COMMISSIONER DE JONG – Alright, well I for one would like to see that CUP...

COMMISSIONER RIECHERS – I would concur

VICE CHAIR MERKT – I would concur

COMMISSIONER DE JONG – Good, thank you

PLANNING OFFICIAL TERELL – Yeah, the only one that has to concur in addition to that would be the Applicant

APPLICANT – And we concur also

COMMISSIONER DE JONG – Excellent, thank you

CHAIR DOZIER – Good

COMMISSIONER SPRINGER – I too support the project. I think it's been a long time coming. It would not be appropriate not to comment about the gentleman that put this assemblage together some time ago, which is Leonard and Rose White; Leonard being the husband and Rose is his wife and they assembled this site some time ago and Leonard had some wonderful plans and I think this typifies the type of project that Leonard would like to see here and I think my hat is off to the owners, because it certainly reflects that; it's beautiful, so to that end, I not only support the project but I think the ownership has gone above and beyond in designing a project in a difficult area that is going to be long enjoyed by all of us here in the City.

VICE CHAIR MERKT – I think Mr. Foster stated it very well. This is definitely something that we need, but for those three parcels up there, I think it would be almost a perfect project and I suspect that as soon as this is built, the value of

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those three parcels will go up and the owners will probably then wish to sell it and then it will be added to this to complete that southern part of the entrance to our City and as such will be a real improvement over what it is now, because it is a problem. Also one of the things that this is going to do and we haven't really spoken about it much, we are going to complete Day Street all the way down to Cactus. I assume there is some sort of a system for integrating the Old 215 and Day Street down there, so that they get properly to Cactus and this provides people in the City another way perhaps another entrance onto the 215, so that also could be a benefit and I suspect a lot of Robertson's traffic will be going out to the south rather than to the north, which might alleviate some of the problems as it certainly is up where there present plant is up by Day Street, so I think this will improve the City's flow and there just is no reason to deny this. It is absolutely what this area needs, so I'm going to be in support of it.

CHAIR DOZIER – Great I think we have a consensus here. Thank very much for investing in Moreno Valley. It's a good project and we need it and I hope the City is really thinking about some façade program for at least temporarily blinding the blights that are out in front of this project. It can work wonders you know, but we appreciate the project and what it will do, at least that's the beginning for cleaning up that area and someone mentioned to me that our Moreno Valley signs out front; when I went past those signs and I thought that was really nice, those are really nice monument signs and then I looked at everything behind the signs and I said but God, either we pick the signs up and move them someplace else or we improve the entrance way, so I'll call for a motion.

COMMISSIONER RIECHERS – I'll make a motion

CHAIR DOZIER – Okay

COMMISSIONER RIECHERS – I'd like to move that the Planning Commission **APPROVE** Resolution No. 2008-02 and thereby **RECOMMEND** that the City Council;

1. **ADOPT** a Mitigated Negative Declaration for PA05-0105 Master Plot Plan, PA05-0106 Zone Change, PA05-0107 General Plan Amendment and PA05-0108 Tentative Parcel Map No. 33152 in that this project as designed and Conditioned will not result in significant environmental impacts; and,
2. **APPROVE** PA05-0106 Zone Change and PA05-0107 General Plan Amendment as shown on the attachments, included as Exhibits A, B and C; and,
3. **APPROVE** PA05-0105 Master Plot Plan and PA05-0108 Tentative Parcel Map No. 33152, subject to the Conditions of Approval as amended, included as Exhibit D.

COMMISSIONER GELLER – Second

CHAIR DOZIER – It's been properly moved and seconded. All in favor?

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Opposed – 0

Motion carries 6 – 0 (with one absent, Commissioner Marzoeki)

CHAIR DOZIER – Staff wrap up please

PLANNING OFFICIAL TERELL – Yes these items shall be forwarded to the City Council for final review and action.

COMMISSIONER DE JONG – Thank you, good luck

CHAIR DOZIER – Moving on to Item 800, Other Business

800 OTHER BUSINESS

810 Approval of Minutes December 20th, 2007

COMMISSIONER GELLER – Move approval

VICE CHAIR MERKT – Second

CHAIR DOZIER – It's been moved and seconded. All in favor?

Opposed – 0

Motion carries 6 – 0 (with one absent, Commissioner Marzoeki)

CHAIR DOZIER – Moving on to Item 820, Staff Comments

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NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBER: PA05-0105 (Master Plot Plan), PA05-0106 (Zone Change), PA05-0107 (General Plan Amendment), PA05-0108 (Tentative Parcel Map 33152)	
PROJECT APPLICANT:	Andland Properties, LLC Contact: Clarke Ashton
TELEPHONE NUMBER:	(310) 892-23013
PROJECT LOCATION: South side of Alessandro Boulevard, east of Old 215 Frontage Road	
PROJECT DESCRIPTION: Proposed land division to divide approximately 25 acres into six parcels for future business park and industrial development and master plot plan to establish a business park development of 16 buildings (approximately 250,000 square feet of total building area) on an approximately 19-acre portion of the site. The proposed project includes a General Plan Amendment and Change of Zone to amend the currently designated land uses and a General Plan Amendment to amend the Circulation Element to designate Old 215 Frontage Road as a Minor Arterial.	

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

[ ] The proposed project will not have a significant effect on the environment.

[X] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project design features, conditions of approval and standard City requirements described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) at the City of Moreno Valley, Community Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY: Kathleen Dale Associate Planner	DATE: January 24, 2008

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED: February 26, 2008	BY: City Council

ATTACHMENT 7

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1. **Project Title:**	Gateway Business Park, PA05-0105 (Master Plot Plan), PA05-0106 (Change of Zone), PA05-0107 (General Plan Amendment), PA05-0108 (Tentative Parcel Map No. 33152)
2. **Lead Agency Name and Address:**	City of Moreno Valley, Community Development Department 14177 Fredrick Street Moreno Valley, California 92552-0805
3. **Contact Person and Phone Number:**	Kathleen Dale, Associate Planner (951) 413-3228
4. **Project Location:**	East Old 215 Frontage Road, south of Alessandro Boulevard, and west of Day Street
5. **Project Sponsor's Name and Address:**	Andland Properties, LLC (Contact: Clarke Ashton) 22629 Felbar Avenue Torrance, California 90505
6. **General Plan Designation:**	Commercial and Business Park/Industrial (Proposed – Business Park/Industrial)
7. **Zoning:**	Community Commercial and Industrial (Proposed – Business Park and Industrial) with Air Installation Compatibility Zone (AICUZ) Overlay District (No proposed change)

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8. Description of the Project:

Project Location and Setting

The project site for the Gateway Business Park (proposed project) is located in the western portion of the City of Moreno Valley (City). Regional access to the project site is provided via Interstate 215 (I-215) located approximately 1,200 feet to the west and State Route 60 (SR-60) located approximately 1.5 miles to the north. The project site is shown in its regional setting in Figure 1, Regional Location Map, and in its local setting in Figure 2, Local Vicinity Map.

The 25.3-acre project site consists of two areas: 19.48 acres which comprise the development area for the proposed project (Parcels 1 through 4 and Lots A through C) and are the subject of all of the requested discretionary approvals; and 5.82 acres which comprise the two southwestern parcels (Parcels 5 and 6) and are not proposed for development as a part of the proposed project, but are the subject of the requested discretionary approvals related to the creation of parcels under the tentative parcel map. The future development of this latter area (Parcels 5 and 6) is to be addressed in a separate development proposal and considered as a part of separate discretionary actions.

The majority of the project site consists of undeveloped land with some steel buildings on the north-central portion of the property. This portion of the project site is currently used by two tenants as a construction vehicle storage area and auction site. The two tenants occupy the project site on a monthly rental basis and will be responsible for the relocation of their businesses to another location prior to construction of the proposed project. The western most portion of the project site consists of the northbound travel lanes of the Old 215 Frontage Road and the adjacent shoulder area. Figure 3, Aerial Photograph of Project Site, indicates the existing conditions on the project site.

When the application for the proposed project was filed, the western most portion of the project site was located within an unincorporated area of Riverside County (County). On July 12, 2007, the Riverside County Local Agency Formation Commission (LAFCO) approved annexation of land adjacent to and in the vicinity of the project site into the City. As a result, approximately 2.47 acres of the development area for the proposed project, consisting of the northbound travel lanes and adjacent shoulder area of Old 215 Frontage Road and a small area to the west of the road were incorporated into the City's jurisdictional boundaries. In addition, approximately 0.8 of an acre adjacent to Parcels 5 and 6 was incorporated into the City's jurisdictional boundaries. The City will vacate these two areas, which total approximately 3.27 acres, to the adjacent property owners which are represented by the project applicant for the proposed project.

Project Objectives

The project applicant, Andland Properties, LLC, has identified to following objectives related to the implementation of the proposed project:

- To develop 19.48 acres of the project site consistent with the City's General Plan "Business Park/Industrial" land use designation and the "Business Park" zoning designation.
- To meet the demand for business park and industrial park land uses in the City of Moreno Valley and the surrounding area.
- To provide development with business park and industrial uses that provide employment opportunities within proximity to the regional transportation system.
- To develop a business park with land uses at a land use intensity that would be consistent with the recommendations of the March Air Reserve Base Air Installation Compatible Use Zone (AICUZ) Study and the City's AICUZ Overlay District zoning.
- To create a business park with an overall architectural design that results in a well organized, aesthetically pleasing, and high quality development that can serve as a gateway to the City.
- To develop an identification program for the business park through the use of signage, lighting, fences and walls, landscaping, and hardscape that enhances the on-site circulation system and expresses the design characteristics of the proposed project.

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- To provide an off-site vehicular and pedestrian circulation system along the project frontage that is consistent with the City's General Plan.
- To provide infrastructure to meet the capacity needs of the proposed project.
- To provide on-site water quality treatment facilities consistent with local, regional, State and federal regulatory requirements.

Project Characteristics

The proposed project would provide for the construction of a business park development consisting of 16 buildings with office, industrial, and warehouse space and associated parking areas organized along private commercial driveways that serve as the internal circulation system. The proposed project would provide: a mix of business park uses consisting of clustered office space with attached warehousing and/or manufacturing components in three larger buildings on the western portion of the project site (Buildings 1, 2, and 7); and industrial park uses consisting of small businesses with warehousing and/or manufacturing components with supporting "front" office space in 13 smaller buildings on the eastern portion of the project site (Buildings 3 through 6 and 8 through 16). Single truck loading bays for semi-trucks or smaller trucks would be provided for each of the three business park buildings. Single truck loading zones for smaller trucks (no semi-trucks) would be provided for the 13 smaller buildings in the industrial park portion of the proposed project. Within the parking areas for the buildings, the proposed project provides a total of 613 parking spaces. Figure 4, Conceptual Site Plan, provides the site plan for the proposed project. The table provided below provides a statistical summary of the land uses for the proposed project.

Gateway Business Park
Statistical Summary

Land Use	Building No.	Size (Square Feet)
Business Park	Building 1	42,776
	Building 2	34,000
	Building 7	42,635
Subtotal		119,411 S.F.
Industrial Park	Building 3	17,250
	Building 4	15,525
	Building 5	20,504
	Building 6	12,950
	Building 8	8,100
	Building 9	8,100
	Building 10	9,000
	Building 11	9,900
	Building 12	6,000
	Building 13	6,000
	Building 14	7,000
	Building 15	7,000
	Building 16	7,000
Subtotal		134,329 S.F.
Total		**253,740 S.F**

Source: Nadel Retail, March 2007.

Figure 4, Conceptual Site Plan, indicates the access points and circulation system for the proposed project. The vehicular access to the proposed project would be provided by four new private commercial driveways from the adjacent public roadways. Project Driveway "A" would connect to Alessandro Boulevard to the north via a right-turn in/out only access. Project Driveway "B" would bisect the project site and connect Day Street to the east and Old 215 Frontage Road to the west with full unsignalized access. In addition, an additional driveway in the southeastern portion of the project site would provide full unsignalized access to Day Street.

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The on-site circulation system, consisting of two-lane private commercial driveways, would provide access to parking areas for the individual buildings. Private commercial driveways A and B would consist of a 50-foot right-of-way (36 feet curb-to-curb). Private commercial driveway C would consist of a 40-foot right-of-way (30 feet curb-to-curb). The proposed project would provide enhanced landscape areas at the project entrances and around the perimeter along Old 215 Frontage Road and Day Street, and landscaping around the buildings and along the private commercial driveways. The landscaping would comply with the City's requirements regarding landscape materials and irrigation. The proposed project would provide for fences and walls along portions of the perimeter of development. The signage would consist of monuments at the access points to the business park.

The proposed project would include the construction of an on-site storm drain system consisting of curbs, gutters, and a storm water treatment facility consisting of an underground detention system. The proposed project's drainage improvements would regulate runoff so that there would be no net increase from the existing condition in the rate and volume of storm water runoff leaving the project site.

The proposed project would include the off-site improvement of Old 215 Frontage Road to a Minor Arterial. This would include the removal of the northbound lanes and the improvement of the southbound lanes to a two-way four lane roadway with an 88-foot right-of-way (64 feet curb-to-curb).

The proposed project would result in the extension of off-site water and sewer lines onto the project site. A water line would be extended to the project site from an existing 12-inch water line in Alessandro Boulevard. This water line would be constructed in the road right-of-way. In addition, a sewer line would be extended to the project site from an existing 12-inch sewer line in Alessandro Boulevard. The sewer line would also be constructed in the road right-of-way.

The proposed project would involve demolition, ground clearing, and construction activities for the individual building pads, off-site roadway improvements, on-site circulation system, on-site storm drainage system and underground detention chamber, and the placement of infrastructure and utility lines to and on the project site. The proposed grading would not significantly change the existing topography on the project site.

Construction of the proposed project is anticipated to start in Spring 2008, with complete buildout and occupancy anticipated to occur by 2011. Project construction is expected to commence immediately following the procurement of all requisite development and building permits.

Discretionary Entitlements Requested by Applicant

The project applicant, Andland Properties, LLC, requests the approval of the following discretionary entitlements from the City:

- General Plan Amendment to change the Land Use Element designations to place the entire site in the Business Park/Industrial (BP/I) designation.
- General Plan Circulation Element Amendment to designate Old 215 Frontage Road as a Minor Arterial (88-foot right-of-way with 64 feet curb-to-curb).
- Zone Change from Community Commercial (CC) and Industrial (I) to Business Park (BP) on the portion of the site corresponding to the Master Plot Plan.
- Tentative Parcel Map No. 33152 to allow for the subdivision of the project site into six legal parcels and three lots.
- Master Plot Plan to define the building, circulation and parking layout for the proposed project.

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Discretionary Actions and Approvals Required From City

The implementation of the proposed project would require the approval of the following discretionary actions or permits:

City of Moreno Valley Planning Commission

- Review and make a recommendation to the City of Moreno Valley City Council related to adoption of the Mitigated Negative Declaration.
- Review and make a recommendation to the City of Moreno Valley City Council regarding the approval of the General Plan Land Use Element Amendment and Circulation Element Amendment.
- Review and make a recommendation to the City of Moreno Valley City Council regarding the Zone Change.
- Review and make a recommendation to the City of Moreno Valley City Council regarding approval of the Tentative Parcel Map.
- Review and make a recommendation to the City of Moreno Valley City Council regarding approval of the Master Plot Plan.

City of Moreno Valley City Council

- Adoption of the Mitigated Negative Declaration.
- Adoption by resolution the General Plan Land Use Element Amendment and Circulation Element Amendment.
- Adoption by ordinance the Zone Change.
- Approval of Tentative Parcel Map.
- Approval of the Master Plot Plan.
- Approval of vacation of excess public right-of-way along the Old 215 Frontage Road.

9. Surrounding Land Uses and Setting:

The land uses surrounding the project site consist of: roadway (Alessandro Boulevard), commercial uses, and residential units to the north; roadway (Day Street) and light manufacturing to the east; vacant land and Cactus Avenue to the south; and roadways (southbound lane of Old 215 Frontage Road and Interstate 215) and vacant land to the west. March Air Reserve Base is located approximately 0.3 of a mile to the south of the project site, south of Cactus Avenue. Figure 3, Aerial Photograph of Project Site, provides an aerial photograph of the project site and vicinity.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

Eastern Municipal Water District
Edgemont Community Services District

11. Supporting Documentation Used in Preparation of Initial Study:

The following technical documents were used in the preparation of this Initial Study. These documents are available for review at Moreno Valley City Hall, 14177 Fredrick Street, Moreno Valley, California 92552-0805; please ask for the Planning Division for assistance.

C.H.J., Incorporated, *Geotechnical Investigation Proposed 18± Acre Commercial/Industrial – Type Structure Development Southeast of Old Highway 215 and Alessandro Boulevard, Moreno Valley, California*, March 4, 2004.

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C.H.J., Incorporated, *Geotechnical Investigation Proposed 4± Acre Commercial/Industrial – Type Structure Development Southeast Corner of Old Highway 215 and Alessandro Boulevard, Moreno Valley, California*, March 4, 2004.

Department of the Air Force Air Force Reserve Command, Air Installation Compatibility Use Zone Study for March Air Reserve Base, August 2005.

DKS Associates, *Air Quality Impact Analysis, Gateway Business Park, City of Moreno Valley*, December 28, 2007.

DKS Associates, *Noise Impact Analysis, Gateway Business Park, City of Moreno Valley*, December 28, 2007.

DKS Associates, *Traffic Impact Analysis, Gateway Business Park, City of Moreno Valley*, March 19, 2007.

PCR Services Corporation, *Results of a Burrowing Owl (Athene Cunicularia) Habitat Assessment for the Gateway Business Park Project Site Located in the City of Moreno Valley, Riverside County, California, Gateway Business Park, City of Moreno Valley, Riverside County, California*, April 7, 2006.

Riverside County Airport Land Use Commission, *Letter regarding Airport Land Use Commission (ALUC) Development Review, File No: ZAP1038MA07, Related File No: PA05-106, PA05-107 and PA05-108 APN: 297-100-007; 297-120-002; 297-120-003; 297-120-011; 297-120-012; 297-120-016*, November 7, 2007.

Stantec Consulting, Inc., *Preliminary Hydrology and Hydraulics Study for Tentative Parcel Map No. 33152 in the City of Moreno Valley*, December 27, 2007.

Stantec Consulting, Inc., *Phase 1 Environmental Site Assessment, Gateway Business Park 25.47 Gross Acres at the SE Corner of Old 215 Frontage Road and Alessandro Boulevard in the City of Moreno Valley and Unincorporated Riverside County, California*, December 14, 2006.

Stantec Consulting, Inc., *Letter regarding Phase 1 Environmental Site Assessment, Gateway Business Park 25.47 Gross Acres at the SE Corner of Old 215 Frontage Road and Alessandro Boulevard in the City of Moreno Valley and Unincorporated Riverside County, California*, April 25, 2007.

Stantec Consulting, Inc., *Letter regarding PA05-0108 – Gateway Business Park – TPM 33152*, January 2, 2008.

Stantec Consulting, Inc., *Preliminary Project Specific Water Quality Management Plan for Gateway Business Park Tentative Parcel Map No. 33152, Moreno Valley, California, Case No. PA05-0105, PA05-0106, PA05-0107, and PA05-108*, August 27, 2007.

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Hazards & Hazardous Materials		Public Services
	Agricultural Resources		Hydrology/Water Quality		Recreation
	Air Quality		Land Use/Planning		Transportation/Traffic
	Biological Resources		Mineral Resources		Utilities/Service Systems
	Cultural Resources		Noise		Mandatory Findings of Significance
	Geology/Soils		Population/Housing		

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Kathleen Dale, Associate Planner

January 4, 2008
Date

This document was prepared with the assistance of VISTA Community Planners. The initial study and supporting technical studies have been independently reviewed and analyzed by City of Moreno Valley staff and reflect the independent judgment of the City of Moreno Valley.

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EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

1. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
There are no scenic vistas on or in the vicinity of the project site. The project site has been highly disturbed by previous grading and construction vehicle storage activities. The majority of the project site consists of undeveloped land with some metal-sided structures and stored tractors and other construction vehicles. The western portion of the project site consists of the northbound lanes of Old 215 Frontage Road. The areas adjacent to the project site are developed with roadways, commercial uses (retail market, automotive repair, and self storage facility), residential uses, industrial uses, and light manufacturing uses. The adjacent areas that are vacant are often used for the illegal disposal of solid waste, including oversized items. Development of the proposed project would not have an adverse effect on a scenic vista.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
The segment of Interstate 215 (I-215) to the west of the project site is not designated as a state scenic highway and there are no scenic resources on the project site. Therefore, development of the proposed project would not damage scenic resources within a state scenic highway.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
Development of the proposed project would result in the construction of a business park consisting of 16 buildings with office, light industrial, and warehouse space and associated parking areas organized along private commercial driveways. In addition to compatible architectural design characteristics, the proposed project would provide landscape areas along the on-site commercial driveways, within the common open space, at the project entrances, and around the project perimeter. The proposed project would also provide perimeter fences and walls, signage, and lighting that would unify the design characteristics of the business park development. The proposed project will provide for redevelopment of an underutilized site in an area characterized by older commercial development at a primary entrance to the City. Upon completion, the business park will have an integrated architectural design and landscaped condition that represents an enhanced visual character compatible with City redevelopment objectives and newer development in the larger surrounding area. Based on this, the proposed project would not substantially degrade the existing visual character or quality of the project site and its surroundings.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
The proposed project would introduce various sources of light to provide for safety and security within parking areas and around the buildings. There will be additional sources of glare from vehicles and building materials. Although lighting would occur within the proposed project, it would be typical of other business park, industrial park, and commercial developments in the vicinity of the project site and elsewhere within the City. The proposed project would comply with the Municipal Code requirements related to light and glare to reduce the effects of night lighting and glare on Palomar Observatory and overflight activities from March Air Reserve Base (ARB). This would include shielding of light fixtures, restrictions on the intensity of exterior lighting, and the use of low reflection building materials. Therefore, the proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.				

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
2. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the official farmland maps (California Department of Conservation, 2004).				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The project site is not zoned for an agricultural use, nor is it under a Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
There are no agricultural uses on the project site or in the surrounding area. Considering existing conditions in the project vicinity, the proposed project does not present the potential for changes in the environment that would result in conversion of Farmland to a non-agricultural use.				
3. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
An Air Quality Impact Analysis, dated December 28, 2007, was prepared by DKS Associates for the proposed project. The following responses are summarized from the Air Quality Impact Analysis which is available for review at the City's Planning Division. The project site is located within the South Coast Air Basin (Basin). The South Coast Air Quality Management District (SCAQMD) is principally responsible for comprehensive air pollution control in the Basin. The SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. The most recent version of the AQMP was adopted in June 2007. The Air Quality Impact Analysis provides a detailed discussion of the regulatory setting for the Basin and the SCAQMD AQMP. The proposed project would generate pollutant emissions from construction activities consisting of: demolition; site preparation and grading; and construction of the proposed project including travel by construction workers to and from the project site, delivery and hauling of construction materials to and from the project site, fuel combustion by on-site construction equipment, and the application of architectural coatings and other building materials. In addition, the on-going operation of the proposed project as a business park with office, light industrial, and warehouse space would generate pollutant emissions from: stationary sources due to regional off-site power generation facilities; and mobile sources associated with vehicular traffic to and from the project site. According to the analysis of short-term construction-related emissions and on-going long-term operations-related emissions in the Air Quality Impact Analysis, the proposed project would not contribute to the exceedance of any air pollutant concentration standards. In addition, the proposed project does not propose any trip generating land uses that would be inconsistent with the City's General Plan Land Use Element or a land use that would generate considerable air pollutant emissions. Therefore, the proposed project would not conflict with or obstruct the implementation of the SCAQMD AQMP.				

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.		X		

The South Coast Air Basin is in non-attainment status for the following criteria pollutants: ozone, carbon monoxide (CO), and particulate matter ($PM_{2.5}$ and PM_{10}). The proposed project will contribute emissions of criteria pollutants during both the construction and operation phases. Pollutants will be emitted by construction equipment and fugitive dust will be generated during site preparation and construction activities. Long-term operational emissions generated by the proposed project will be primarily from motor vehicles, with additional sources including natural gas appliances, landscape maintenance equipment, architectural coatings, and off-site generation of electricity.

The project-level air quality assessment evaluated project emissions for both the construction and operation phases and considered both regional and localized thresholds as recommended by SCAQMD. Analysis of emissions for the construction phase considered criteria pollutant emissions (VOC, NO_x, CO, SO_x, PM_{10} and $PM_{2.5}$). For the grading and architectural coatings subphases of the construction period, the air quality assessment determined that mitigation measures are required to keep regional emissions of particulates (PM_{10} and $PM_{2.5}$) and VOCs below the respective significance thresholds. Measures to reduce particulate emissions during the grading operation include typical dust control measures (frequent watering of disturbed surfaces, watering of imported fill as it is unloaded, application of soil stabilizers, establishment of ground cover on exposed surfaces, covering of stockpiles, and reduced vehicle speeds on unpaved surfaces) that are also governed by SCAQMD Rules 401 and 403. Use of "super-compliant" VOC architectural coatings is required to reduce construction-period regional emissions of VOC. The project conditions of approval include requirements to reflect the dust control measures on the project grading plans and to provide evidence of use of super-compliant architectural coatings. Established City procedures for plan check, permit issuance, and construction inspection ensure implementation in accordance with the approved design and conditions of approval.

For localized impacts during the construction phase, the analysis evaluated PM_{10} emissions, which have the most stringent local standard. The maximum off-site concentration was projected at 10.14 $\mu g/m^3$, below the applicable threshold of 10.4 $\mu g/m^3$.

For the operation phase, the air quality analysis considered regional criteria pollutant emissions, localized criteria pollutant emissions, CO hot spots, and diesel particulate emissions. Estimated emissions of criteria pollutants from all operations sources are below the SCAQMD recommended thresholds for both regional emissions and localized pollutant levels.

The CO hot spot analysis considered cumulative traffic operation conditions projected in the project-specific traffic analysis. Scenarios considered circulation system conditions both with and without a through connection on Day Street between Alessandro Boulevard and Cactus Avenue. Evaluating traffic volumes for the evening peak period, for all scenarios, the project resulted in a maximum increase of 0.1 ppm in projected CO concentrations, with none of the concentrations exceeding approximately 60% of the respective 1-hour or 8-hour standards.

Due to the existing residential uses along the Alessandro Boulevard frontage, the air quality analysis included consideration of the potential health risk related to operation of diesel trucks at the proposed business park. The modeling predicted cancer risks of 0.2 per million to 1.0 per million at the 7 residential receptor locations remaining along the Alessandro Boulevard frontage from Old 215 Frontage Road to just east of Day Street. These estimated risk levels are well below the SCAQMD significance threshold of 10 per million.

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
The South Coast Air Basin is in non-attainment status for ozone, carbon monoxide (CO), and particulate matter ($PM_{2.5}$ and PM_{10}). CEQA Section 21100 (e) addresses evaluation of cumulative effects, allowing the use of approved land use documents in a cumulative impact analysis. CEQA Guidelines Section 15064 (h)(3) further stipulates that for an impact involving a resource that is addressed by an approved plan or mitigation program, the lead agency may determine that a project's incremental contribution is not cumulatively considerable if the project complies with the adopted plan or program. In addressing cumulative effects for air quality, the AQMP is the most appropriate document to use because the AQMP sets forth a comprehensive program that will lead the air basin, including the project area, into compliance with all federal and state air quality standards. The AQMP compliance program includes control measures and related emission reduction estimates based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Since the proposed General Plan amendment and zone change represent a less intense scenario when compared to the underlying assumptions of the most recent AQMP and the project, as conditioned, would not generate significant pollutant levels on an individual basis, it is appropriate to conclude that the proposed project would not result in a cumulatively considerable increase in criteria pollutant emissions for which the basin is in non-attainment status.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
Sensitive receptors that may be exposed to pollutants from the proposed project consist of residents in non-conforming residential units located along the Alessandro Boulevard frontage from Old 215 Frontage Road to just east of Day Street. As summarized in 3. b), and detailed in the project-specific air quality analysis, development of the proposed project would not expose sensitive receptors to substantial pollutant concentrations.				
e) Create objectionable odors affecting a substantial number of people?				X
Objectionable odors are not currently noticeable on the project site. Although some construction activities would utilize materials that produce odors that would have the potential to have a localized effect on a short-term basis, the emission of objectionable odors that would affect a substantial number of people would not be anticipated. In addition, considering the nature of the proposed uses and the limited extent of residential uses in the project area, on-going operation of the proposed business park would not have the potential to result in objectionable odors that would affect a substantial number of people.				
4. **BIOLOGICAL RESOURCES**. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
The project site has been highly disturbed by previous grading activities and construction vehicle storage activities. Figure 3 provides an aerial photograph of the existing conditions on the project site. A habitat assessment of the potential for burrowing owls to occur on the project site was conducted in accordance with the provisions of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Burrowing Owl Habitat Assessment concluded that the project site and a 150-meter buffer zone surrounding the project site did not exhibit potentially suitable habitat for the burrowing owl and that no further burrowing owl surveys were required.				

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?				X
The project site has been highly disturbed by previous grading activities and construction vehicle storage activities. The site does not support riparian habitat or other sensitive natural communities.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
The majority of the project site has been highly disturbed by previous grading activities and construction vehicle storage activities; no wetlands occur on the project site. Project design incorporates on-site drainage improvements that will moderate downstream discharges in a manner that will not exceed current discharge rates or volumes and that will also provide improved quality of site discharges. As a result of these project features, the proposed project would not be anticipated to adversely affect any downstream resources.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
The majority of the project site has been highly disturbed by previous grading activities and construction vehicle storage activities. The project site does not support habitat resources providing for wildlife movement or nursery functions.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
There are no trees or other protected resources on the project site.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X
The project site is within the Reche Canyon/Badlands Area Plan of the Western Riverside County Multiple-species Habitat Conservation Plan (MSHCP). The project site is outside the plan Criteria Area, does not support protected riparian resources, and is not within the special survey areas designated under the plan for narrow endemic plants, small mammals, or amphibians. The conformance of the proposed project to the MSHCP provisions for burrowing owl is addressed under item 4. a), above. In addition, the proposed project will comply with the standard City conditions of approval which provides for the collection of MSHCP fees prior to issuance of building permits. These fees provide for general support of MSHCP conservation and management programs. The project site is also within the plan area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Plan implementation is at a stage where all reserve lands have been acquired. Project obligations under this plan are now limited to a simple fee payment that funds long-term reserve management. The proposed project will comply with the standard City condition of approval which requires payment of SKR fees prior to issuance of grading permits.				
5. **CULTURAL RESOURCES**. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
The project site has been highly disturbed by previous grading and construction vehicle storage activities. Based on a review of aerial photographs dating 1938 to 2006 and the type of structures currently on-site, it was determined that there are no historical resources on the project site.				

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X	
The project site has been highly disturbed by previous grading and construction vehicle storage activities. General Plan EIR Figure 5.10-2 indicates that the project site is not within a sensitive area for cultural resources. Consistent with the City's standard early coordination process for Senate Bill 18 (SB18), the City notified 13 local tribes (Cahuilla, Cabazon, Ramona, Los Coyotes, Pala, Pauma, Soboba, Santa Rosa, San Luis Rey, Augustine, Rincon, Pechanga, and Morongo) of the proposed project. The only response to the notification was from the Morongo tribe. As a result of their response (e-mail from Britt Wilson dated October 24, 2005), the proposed project will comply with a standard series of City conditions that provide for monitoring of grading and "stop work" provisions in the event resources are uncovered during grading.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
The project site has been highly disturbed by previous grading and construction vehicle storage activities. General Plan EIR Figure 5.10-3 indicates that the project site is not within a sensitive area for paleontological resources. In addition, there are no unique geologic features on the project site. Therefore, it is not anticipated that the development of the proposed project would directly or indirectly destroy a unique paleontological resource or site or a unique geologic feature.				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
There is no reasonable basis to suspect that project activities will disturb human remains.				
6. **GEOLOGY AND SOILS**. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
Two geotechnical investigations, dated March 2004, were prepared by C.H.J., Incorporated to address the existing geology and soil conditions on the project site. The following responses are summarized from the geotechnical investigations, which are available for review at the City's Planning Division. According to the geotechnical investigations, the project site does not lie within or immediately adjacent to an Alquist-Priolo Earthquake Fault Zone. In addition, no active faults are indicated on the project site or in the immediate vicinity in the published geologic maps. Further, no evidence of active faulting on the project site or in the immediate vicinity was observed during the geologic field reconnaissance and review of aerial photographs conducted for the geotechnical investigations.				
(ii) Strong seismic ground shaking?			X	
According to the geotechnical investigations, the project site be subject to strong seismic ground shaking. The San Jacinto fault zone, a system of northwest-trending, right-lateral, strike-slip faults, consists of two parallel main strands that cross the San Jacinto Valley to the east of the project site. The eastern trace or the Claremont Fault is the closest fault to the project site. Due to its proximity, which is approximately 7 miles to the northeast, and the potential maximum movement magnitude during an earthquake event, the Claremont Fault would have the potential to cause strong seismic ground shaking at the project site. In addition, the Elsinore Fault, located approximately 15 miles to the southwest, and the San Andreas fault zone, located approximately 16 miles to the northeast, would have the potential to cause strong seismic ground shaking at the project site. Standard building code regulations require investigation of ground shaking hazards and incorporation of known engineering practices into the project design to address any				

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
ground shaking hazards identified in the geotechnical investigations. Established City procedures for plan check, permit issuance, and building inspection ensure incorporation of recommended design features in the project design and construction.				
(iii) Seismic-related ground failure, including liquefaction?			X	
According to the geotechnical investigations, the project site would not be subject to seismic-related ground failure, including liquefaction during a seismic event on a fault in the region. This conclusion is based on the density of soils and depth of the groundwater in the project area.				
(iv) Landslides?				X
The project site is relatively level and is not located in an area subject to landslides.				
(b) Result in substantial soil erosion or the loss of topsoil?			X	
The proposed project has the potential to result in erosion of exposed soils during construction activities as a result of both wind and rain. Established regulatory programs of the South Coast Air Quality Management District (SCAQMD) and the California Regional Water Quality Control Board (RWQCB) require implementation of known best management practices during construction. The Stormwater Pollution Prevention Plan required for compliance with RWQCB regulations details the applicable measures, the location of application, the timing of application, and responsibility for monitoring and maintenance of erosion control measures. Established City programs for grading permit issuance and construction inspection ensure that erosion control plans are implemented during construction. Once completed, the buildings, paving, and landscaping for the proposed project that would occupy the project site would establish a condition presenting negligible potential for soil erosion.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
According to the geotechnical investigations, the project site is not located on a geologic unit that is unstable, or that would become unstable as a result of the proposed project. The geotechnical investigations did, however, identify areas of unconsolidated fill that require removal, or overexcavation and recompaction as part of site preparation. With the incorporation of this recommendation from the geotechnical investigations, the proposed project would not be subject to unstable soil conditions on the project site. Established City procedures for plan check, permit issuance, and building inspection ensure incorporation of these recommendations in project design and construction.				
(d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
According to the geotechnical investigations, the soil on the project site is generally granular and considered to be non-expansive. As provided for in the conditions of approval, the project applicant must provide a soils and geologic report to City Public Works Department prior to issuance of grading permits. In the unanticipated event the report identifies expansive soils, known engineering design practices will be recommended to alleviate the potential for substantial risks to life or property. Established City plan check and permit procedures provide for incorporation of engineering recommendations in project design and construction.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
The proposed project would be connected to the regional sewer system (Edgemont Community Services District is the service provider with treatment provided under contract at the City of Riverside regional facilities). Septic tanks or an alternative waste disposal system would not be required.				

MV00215810

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

7. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	
The proposed project would not create a significant hazard to the public related to use, transport or disposal of hazardous materials. Although construction activities and on-going maintenance of the landscaping, parking areas, and structures would include the use of hazardous materials such as gasoline, diesel fuel, herbicides, and solvents, the use of these materials would be typical for the project setting, would occur consistent with local, state, and federal requirements, and would pose a low risk of hazard.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?			X	
A Phase 1 Environmental Site Assessment (Phase 1), dated December 14, 2006, and an Addendum to the Phase 1 Environmental Site Assessment (Addendum), dated April 25, 2007, were prepared by Stantec Consulting, Inc. The following response is summarized from these documents, which are available for review at the City's Planning Division. The site evaluation and records search identified four aspects of the site requiring further evaluation as to potential for hazardous contamination: three leaking underground storage tanks (LUSTs), former use by the military, contaminated groundwater at March Air Reserve Base, and areas of soil staining. Potential for contamination associated with the LUSTs was eliminated as a concern based upon distance from the project site, topography constraints between the LUSTs and the project site, and remediation of two of the sites in conjunction with site redevelopment. Staff at March ARB were contacted regarding historic photographic evidence indicating use of a portion of the site by the military. Base officials were not able to identify any previous use and based on this, the site assessment concluded that there were no previous uses associated with March Air Force Base that would have caused contamination on the project site and no further investigation would be required. As to groundwater contamination in the vicinity of March ARB, the groundwater gradient in the project area slopes to the south, supporting a finding that the presence of contaminated groundwater on the project site would not be likely and no further investigation would be required. Finally, the site investigation identified limited areas of stained soils in the western portion of the project site, attributed to construction vehicle equipment parking in conjunction with the existing auction use. The extent of the soil staining is estimated to be less than 800 square feet, with remediation expected to entail removal of a limited number of 55-gallon drums of contaminated soil. Standard City requirements require investigation of soil conditions prior to the issuance of grading permits. Remediation would involve the removal and proper disposal of contaminated soil in conformance with Riverside County Health Department guidelines. Established City procedures for plan check and permit issuance ensure submittal of evidence of site remediation prior to initiation of grading.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
There are no existing schools within one-quarter mile of the project site.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
The project site is not listed as a hazardous materials site pursuant to Government Code Section 65962.5.				

MV00215811

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?		X		

The airfield at March ARB is operated as a joint-use airport used by military aircraft and civilian aircraft (March Joint Powers Authority, March Inland Port) and is located approximately 0.3 of a mile to the south of the project site. To promote the development of compatible land uses in the surrounding area, the Department of Defense has prepared an Air Installation Compatibility Use Zone (AICUZ) Study for March ARB. The AICUZ Study, dated August 2005, describes the location of runway clear zones, aircraft accident potential zones, and noise contours. Based on these influences, land use compatibility recommendations are provided for the area that surrounds March ARB. The project site is within the AICUZ – defined Accident Potential Zone I (APZ I), a reflection of the project location off the north end of the runway. The main objective of the AICUZ land use guidelines for APZ I is to restrict land uses involving substantial concentrations of people. General categories of acceptable land uses include industrial/manufacturing, transportation, communications and utilities, wholesale trade, open space, recreation, and agriculture.

The City of Moreno Valley has established an AICUZ Overlay Zone that reflects the recommendations of the Department of Defense AICUZ study and that provides a mechanism to ensure that uses established within the AICUZ-defined accident potential zones are consistent with AICUZ recommendations. The project site is currently within the AICUZ Overlay Zone and this aspect of the site zoning would not be altered by the proposed change of zone request. Considering the type and size of buildings proposed under the requested master plot plan, and the use restrictions established by the AICUZ overlay zoning, the type and intensity of uses that may be established within the proposed project would be compatible with AICUZ guidelines and would not constitute a substantial safety hazard.

The project site is also within the planning area of the 1984 Riverside County Airport Land Use Plan (RCALUP) for March Air Force Base (now March ARB/March Inland Port). On October 11, 2007, the Riverside County Land Use Commission (ALUC) found that the requested entitlements for the proposed project were consistent with the 1984 RCALUP, subject to specific conditions that were defined in a letter to the City dated November 7, 2007. A copy of this letter is available for review at the City's Planning Division. The key aspects of the conditions defined by the ALUC consist of: the conveyance of an avigation easement by the landowner to March ARB/March Inland Port Airport; incorporation of noise attenuation measures into the office areas of the proposed buildings to achieve interior noise levels at or below 45 CNEL; prohibition on uses that provide night lighting or glare, or result in smoke, water vapor, or electrical interference that could affect safe air navigation within the project area; prohibition on land uses that allow for the assemblage of a high concentration of people; prohibition on structures greater than one story in height; prohibition on the aboveground storage of explosive or flammable materials (except in accordance with the quantities permitted in the Airport Zone B1); provision of a notice to all potential purchasers and tenants that due to the proximity of the airport, the property may be subject to "annoyances or inconveniences" associated with the airport operations; and on an overall basis, a split of land uses consisting of 45 percent warehousing, 40 percent manufacturing, and 15 percent office. The ALUC also noted in their findings that the determination of consistency for the plot plan (which has lot coverage that exceeds 20 percent) was "guided by the availability of open space for emergency landings in Old Interstate 215 [Old 215 Frontage Road] and the area west of Old Interstate 215." Provisions for implementation of the various restrictions recommended by the ALUC are in place as part of standard conditions of approval, special conditions of approval for this project, and established plan check and permit issuance procedures.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X

The project site is not located within the vicinity of a private airport. Refer to Response 7. e), above, for a discussion of the civilian use of March ARB/March Inland Port Airport.

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The City provides emergency response and evacuation plans for the project site and vicinity. Access to the proposed project would be provided via Alessandro Boulevard, Day Street, and Old 215 Frontage Road. The City's project review process includes routing of project plans to City Fire and Police representatives for consideration of emergency access requirements before development proposals are presented for decision-making body consideration. Access and circulation aspects of the proposed project design meet City standards for required emergency vehicle access and emergency egress of building occupants. Established City procedures for plan check, permit issuance, and construction inspection, ensure project implementation is consistent with the approved design. Development of the proposed project would not impair the ability of the City to implement its emergency response plan or utilize emergency evacuation routes.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The project site is not located within or adjacent to an area subject to wildland fires.				
8. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
Both project construction activities and on-going project operations are subject to established regulatory programs directed at avoiding violations of water quality standards and waste discharge requirements. Project construction activities are subject to implementation of known best management practices as detailed in the required Storm Water Pollution Prevention Plan (SWPPP). The SWPPP details the applicable measures, the location and timing of application, and responsibility for monitoring and maintenance. Established City programs for grading permit issuance and construction inspection would ensure that the SWPPP best management practices are implemented during construction and that erosion impacts during project construction are less than significant. For the operations phase of the proposed project, compliance with water quality standards is addressed through the water quality features and best management practices incorporated into the project design. The approved preliminary design of the water quality features for the proposed project consists of an on-site storm drainage system that would collect street flows in catch basins in the private commercial driveways and convey the runoff to a storm drain pipe that discharges into an underground detention chamber system located in the northwestern portion of the project site. The underground detention chamber would provide for the detention and infiltration of storm flows and water quality treatment. Established City programs for plan check, permit issuance and conditions of approval and established City programs provide for ongoing maintenance of the water quality features.				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
Eastern Municipal Water District (EMWD) will provide water to the proposed project. EMWD sources of supply consist of a combination of local groundwater resources and imported surface water. Existing water supplies are adequate to serve the proposed project (letter dated April 6, 2007). Although the proposed project would cover a majority of the site with impervious surfaces, the landscaped areas and the proposed stormwater drainage system and underground detention chamber would provide for percolation of runoff and provide a means for continued groundwater recharge.				

MV00215813

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
The proposed project would alter on-site drainage patterns through the construction of catch basins, storm drains and an underground detention chamber. The site does not support any stream or river features, and the design of the on-site storm drain improvements provides for delivery of site discharges to the existing downstream discharge point at rates that are moderated so as not to exceed current discharge rates. Accordingly, the project does not present the potential to alter the course of a stream or river or result in substantial erosion or siltation on-site or off-site. Project conditions of approval and established City procedures for plan check, permit issuance, and construction inspection ensure that improvements are implemented in accordance with the approved design.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X
The proposed project would alter on-site drainage patterns through the construction of catch basins, storm drains and an underground detention chamber. The site does not support any stream or river features, and the design of the on-site storm drain improvements provides for on-site detention of runoff and moderation of discharges so as not to exceed current discharge rates. Accordingly, the project does not present the potential to alter the course of a stream or river or result in flooding on-site or off-site. Project conditions of approval and established City procedures for plan check, permit issuance, and construction inspection ensure that improvements are implemented in accordance with the approved design.				
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
The increase in impervious surface area due to construction of buildings and paved surfaces would increase the rate and amount of runoff from the project site. Project design includes construction of catch basins, storm drains and an underground detention chamber that have been designed to convey and detain projected runoff volumes, with discharges at the downstream discharge point moderated so as not to exceed existing volumes. As a result of these project features, the proposed project would not create or contribute runoff water which would exceed the capacity of the downstream stormwater drainage system or provide additional sources of polluted runoff to the downstream stormwater drainage system.				
f) Otherwise substantially degrade water quality?				X
Established programs and project features that would protect water quality are discussed in responses 6. b) and 8. a), above. The location of the project site and the proposed land uses do not present the potential for conditions that would otherwise substantially degrade water quality, including downstream riparian resources in Sycamore Canyon.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
The project site and surrounding area is not located within a 100-year flood hazard area (Flood Insurance Rate Map Panel 065074 0020B).				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
The project site and surrounding area is not located within a 100-year flood hazard area (Flood Insurance Rate Map Panel 065074 0020B).				

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
The project site and surrounding area is not located within a 100-year flood hazard area (Flood Insurance Rate Map Panel 065074 0020B). The project site is not located in an area subject to flood inundation due to the failure of a levee or dam.				
j) Inundation by seiche, tsunami, or mudflow?				X
The environmental factors presenting the risk of these hazards are not present on the project site.				
9. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X
The development of the proposed project would result in the construction of a business park with on-site circulation, parking, and common open space. Access to the proposed project would be provided via Alessandro Boulevard, Day Street, and Old 215 Frontage Road. Although the proposed project would result in the development of a partially vacant site, there will be no changes to the physical layout of land uses or the circulation system that present the potential to physically divide an established community.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	

The development of the proposed project is governed by a number of land use plans, policies, or regulations, including the City of Moreno Valley General Plan, the City of Moreno Valley Municipal Code, the 2005 March Air Reserve Base (March ARB) Air Installation Compatibility Use Zone (AICUZ) Study, and the 1984 Riverside County Airport Land Use Plan (RCALUP). In addition, the project site is located within the six-county region which comprises the Southern California Association of Governments (SCAG) planning area. Further, the proposed project is located within the South Coast Air Basin (Basin) and is, therefore, within the jurisdiction of the SCAQMD. The Air Quality Management Plan (AQMP), which was adopted by SCAG and the SCAQMD, establishes an air pollutant control program to achieve the attainment of state and federal air quality standards in the Basin.

Refer to Response 7. e) for a discussion project consistency with the March ARB AICUZ Study and the RCALUP. Refer to Response 11. a) for a discussion project conformance to noise issues addressed in the March ARB AICUZ Study. Refer to Response 3. a) for a discussion of the proposed project related to the SCAQMD AQMP. The following provides a discussion of the City's land use plans, policies, and regulations.

The project applicant is requesting an array of discretionary actions by the City of Moreno Valley to facilitate development of the proposed business park. With the approval of the General Plan Amendment and zone change, the proposed project would be consistent with the BP/I General Plan land use designation and BP zoning designation for the project site. The land use designation change from Commercial to BP/I for the Alessandro Boulevard frontage portion of the site and the zone change from Community Commercial and Industrial to Business Park represent an overall reduction in land use intensity.

With respect to broader General Plan policies:

- The proposed project provides land uses promoting the rational utilization of an underdeveloped property that would not conflict with existing and planned land uses in the project vicinity. The proposed light industrial uses would contribute to a sound and diversified economic base and employment opportunities for the citizens of the community. Further, the proposed project would establish industrial activities at a location with excellent access to the regional transportation system, avoiding adverse impacts on sensitive land uses.
- The proposed architectural and landscape elements represent an enhancement of existing conditions in a manner that is compatible with newer development in the larger surrounding area. The overall design of the

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

proposed project responds to the "gateway status" of the project location in the vicinity of the intersection of Alessandro Boulevard and Interstate 215.

- The proposed project would provide a safe, efficient, environmentally sound, and integrated vehicular circulation system consistent with the City's General Plan Circulation Element. The proposed access and internal circulation system accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles. Consistent with the requirements of the City, the proposed master plot plan provides off-street parking meeting Municipal Code standards.
- The proposed land uses are compatible with the noise safety recommendations for uses in the vicinity of the joint-use airport at March ARB. Interior noise levels for the proposed buildings on the project site would not exceed levels recommended in the March ARB AICUZ Study and stipulated in City General Plan.

The proposed project would be compatible with the City's Air Installation Compatibility Zone (AICUZ) Overlay District zoning. The intent of the AICUZ Overlay District is to recognize and implement the guidelines contained in the Department of Defense AICUZ Study for March Air Reserve Base. In recognition of the site's location within the AICUZ Accident Potential Zone (APZ) I, the conditions of approval for the master plot plan reflect land use restrictions consistent with the AICUZ Overlay Zone (Municipal Code Section 9.07.060). In general, future occupancy of the buildings on the project site will be screened to avoid uses which: concentrate large numbers of people; are noise sensitive; create hazards to aircraft operations; pose special health and safety hazards in the event of an aircraft accident; or involve public facilities and utilities that, if disrupted, would have an adverse effect on a large number of people. The conditions of approval for this project, together with established City procedures for plan check, permit issuance, and construction inspection provide a mechanism to ensure implementation of the AICUZ Overlay Zone requirements.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

The project site is within the plan area for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The project site is outside the plan Criteria Area, does not support protected riparian resources, and is not within the special survey areas designated under the plan for narrow endemic plants, small mammals, or amphibians. Project conformance to MSHCP provisions for burrowing owl is addressed under item 4. a), above. Standard City conditions of approval provide for collection of MSHCP fees prior to issuance of building permits. These fees provide for general support of MSHCP conservation and management programs.

The project site is also within the plan area for the Stephens' Kangaroo Rat Habitat Conservation Plan. Plan implementation is at a stage where all reserve lands have been acquired. Project obligations under this plan are now limited to a simple fee payment that funds long-term reserve management. Payment of SKR fees is a standard City condition of approval and must be complied with prior to issuance of grading permits.

10. **MINERAL RESOURCES.** Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

(a and b) The project site and surrounding area are not designated as a locally-important mineral recovery site in the City of Moreno Valley General Plan, or specific plans, or other land use plans. There are no designated mineral resources, active mines, or active mineral recovery programs at the site or in the surrounding area.

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

11. **NOISE.** Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	

A Noise Impact Analysis, dated December 28, 2007, was prepared by DKS Associates for the proposed project. The following responses are summarized from the Noise Impact Analysis which is available for review at the City's Planning Division. In addition, the March ARB AICUZ, which was used in the preparation of some of the following responses, is available for review at the City's Planning Division.

The project site is subject to noise standards promulgated by the City of Moreno Valley, the Department of Defense, and the Riverside County Airport Land Use Commission (ALUC). These standards address both impacts of the proposed project upon sensitive receptors in the project area and impacts upon the project due to proximity to the airfield at March ARB/March Inland Port. A detailed discussion of the noise standards that are applicable to the project site and the proposed project is provided in the Noise Impact Analysis. The most stringent applicable noise standard has been used as the basis for evaluation of impact significance.

Noise measurements conducted as part of the project-specific Noise Impact Analysis identified existing noise levels during the afternoon peak traffic period ranging from 55.6 to 64.9 A-weighted decibels (dBA) Leq. These levels are generally within 2 dBA of the corresponding CNEL values, which are the basis for the City, AICUZ and ALUC standards.

Noise impacts from the proposed project would have the potential to occur as a result of vehicle traffic on-site and on roads in the project vicinity. The maximum projected noise levels of 70.2 CNEL within 100 feet of the centerline of Cactus Avenue is well below levels that would require special treatment to meet interior noise levels for non-residential uses. Accordingly, the evaluation of potential impacts to the surrounding areas as a result of the project focuses upon the existing, non-conforming residential uses along Alessandro Boulevard. The Noise Impact Analysis evaluated conditions for the projected opening year (2011), both with and without the extension of Day Street between Alessandro Boulevard and Cactus Avenue. For the analyzed road segments with residential receptors, the maximum modeled increase in noise levels due to project activities is 0.2 decibels. This increase is well below the 3 decibel increase that is considered "perceivable". Considering the limited project-related increase in noise levels and the fact that project-related noise does not cause in any new exceedances of the 65 CNEL exterior standard for road segments with adjoining residential uses, potential project impacts upon the surrounding area are less than significant.

Office space within the proposed business park is also considered a sensitive receptor. Accordingly, the Noise Impact Analysis evaluated projected noise levels, considering the combined effect of traffic on adjoining roadways and aircraft flying from March ARB. Projected exterior noise levels from the combination of sources are 70 CNEL at the nearest potential office space to Alessandro Boulevard and 66 CNEL at the nearest office space to Old 215 Frontage Road. Considering the 25 to 30 decibel noise reduction provided by the proposed tilt-up construction, noise levels within future office spaces on the project site are not expected to exceed the 45 CNEL standard recommended by the ALUC (or the 50 CNEL City standard).

See item 11, d), below, regarding construction-period noise.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	

Construction activities can produce vibration that may be felt by adjacent uses. The primary sources of vibration during construction would be from bulldozers, backhoes, crawler tractors, and scrapers. The closest potential vibration-sensitive land use includes the existing single-family units approximately 180 feet north of the project site. The Noise Impact Analysis concluded that, the vibration levels caused by a large bulldozer operating on the project site during construction of the proposed project, would be around 0.005 PPV or 69.9 VdB at the nearest residential unit. This vibration level would be well below the 75.5 VdB threshold of annoyance. Therefore, the short-term construction-related vibration impacts from the proposed project would be less than significant.

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The development of the proposed project would result in permanent increases in the existing ambient noise levels due to addition of vehicle traffic on the roadways in the project vicinity. Based upon the project-specific noise impact analysis, future noise levels at the nearest residential receptors would increase by no more than 0.2 decibels, which is well below the 3 decibels threshold that is the lower limit of any perceived increase. The projected noise levels also remain below levels that allow attainment of the 50 CNEL interior standard for office areas within the proposed project (considering attenuation levels achieved by the proposed tilt-up concrete construction).				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The development of the proposed project would result in temporary increases in existing ambient noise levels due to construction activities including demolition, ground clearing and excavation, grading, and construction of infrastructure, roads, and structures. Project construction is not anticipated to involve any construction activities that would create unusually high noise levels such as pile driving or excessive pavement breaking The project conditions of approval reflect standard City Municipal Code provisions for limits on construction hours (grading activities are allowed between the hours of 7:00 A.M. and 8:00 P.M.; general construction is allowed between the hours of 6:00 A.M. and 8:00 P.M. weekdays or 7:00 A.M. and 8:00 P.M. for weekends or national holidays). Established City procedures for plan check, permit issuance, and construction inspection, ensure project implementation consistent with the conditions of approval. The business park nature of the proposed development and the intensity of uses that is permitted under the Business Park and AICUZ Overlay zoning districts would not involve activities presenting the potential for substantial periodic increases in noise levels for the on-going project operation phase.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
March ARB is located approximately 0.3 of a mile to the south of the project site. Refer to Response 7. e), above, for a discussion of the location of the project site within the area of overflight for March ARB and, therefore, the March ARB AICUZ Study. Refer to Response 11. a), above, for a discussion of the potential noise impacts upon the proposed business park due to overflight from March ARB.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
The project site is not located within the vicinity of a private airstrip.				
12. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
The proposed General Plan Amendment and Zone Change represent an overall reduction in land use intensity for the project site (six acres redesignated from commercial to business park; industrial zoning category changed from general industrial to business park). On a City-wide basis, the proposed land use changes and ultimate development of the site with the proposed business park represent an inconsequential change to the balance of land uses that was established with adoption of the General Plan in 2006. The project site is at an infill location and would not result in extension of new roadways or other infrastructure that present the potential for growth inducement.				

MV00215818

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
There are no existing residential units on the project site. The proposed project does not involve any improvements that would necessitate removal of existing housing in the surrounding area.				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
There are no existing residential units on the project site. The proposed project does not involve any improvements that would necessitate displacement of existing residents in the surrounding area.				
13. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?				X
e) Other public facilities?				X
(a-e) The various City departments and responsible outside agencies have participated in the project review process and have determined that the proposed project will not result in substantial adverse physical impacts associated with the provision of public services for the project site. Standard conditions of approval include City Development Impact Fees and Moreno Valley Unified School District (MVUSD) fees to address individual and cumulative impacts of development upon public services. Established City and MVUSD plan check and permit issuance procedures ensure payment of fees prior to issuance of building permits.				
14. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
The project site is not within an area identified for future parkland acquisitions (General Plan Figure 4-2). The City's development impact fees for non-residential construction include components for City-wide park construction and operation at a rate that has been determined to be commensurate with the burden upon such facilities as a result of the proposed project.				

MV00215819

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

15. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	

A Traffic Impact Analysis, dated March 19, 2007, was prepared by DKS Associates for the proposed project. The following responses are summarized from the Traffic Impact Analysis which is available for review at the City's Planning Division.

The Traffic Impact Analysis evaluated a study area defined by thirteen intersections:

- I-215 southbound ramps/Alessandro Boulevard
- I-215 southbound ramps/Cactus Avenue
- I-215 northbound ramps/Alessandro Boulevard
- Old 215 Frontage Road/Alessandro Boulevard
- Project Driveway A/Alessandro Boulevard (proposed)
- Day Street/Bay Avenue
- Day Street/Alessandro Boulevard
- Day Street/Project Driveway B (proposed)
- Day Street/Old 215 Frontage Road
- Day Street/Southerly Project Driveway (proposed)
- Elsworth Street/Alessandro Boulevard
- Old 215 Frontage Road/Project Driveway B (proposed)
- Old 215 Frontage Road – I-215 northbound ramps/Cactus Avenue

The evaluation of existing conditions included collection of morning and evening peak traffic counts (data collected in November 2005 and updated in September and October 2006). Under existing conditions, project area roadways operate at acceptable level of service (LOS), with the exception of the Alessandro Boulevard at the I-215 northbound ramp (LOS E in the evening peak, where D is considered acceptable).

Evaluation of project impacts utilized projected trip generation rates based upon an assumed land use mix of 119,411 square feet of business park use (at 12.76 trips per thousand square feet) and 134,329 square feet of industrial use (at 6.96 trips per thousand square feet). Assumed trip generation is a total of 2,459 trips per day, with 1,299 trips attributed to passenger cars, 688 trips attributed to 2-axle trucks, 411 trips attributed to 3-axle trucks, and 61 trips attributed to 4-axle or larger trucks.

Project trips were distributed to the local road network and impact analysis was conducted for various scenarios representing the projected 2011 opening year and the cumulative condition at General Plan buildout (2025). Circulation system configuration for the opening year scenarios included alternatives with and without the connection of Day Street between Alessandro Boulevard and Day Street.

For the opening year baseline condition without the project, two intersections are projected to operate at unacceptable levels of service:

- I-215 northbound ramps/Alessandro Boulevard (A.M. peak hour, LOS F; P.M. peak hour, LOS E)
- Old 215 Frontage Road/Alessandro Boulevard (A.M. peak hour, LOS F without Day Street Extension, LOE E with Day Street Extension)

With the addition of project traffic to the opening year scenarios, one additional intersection is projected to operate at an unacceptable level of service, depending upon the configuration of Day Street:

- Day Street/Alessandro Boulevard (with Day Street extension to Cactus; A.M. peak hour, LOS E)
- Old 215 Frontage Road/Project Driveway B (without Day Street extension to Cactus; A.M. peak hour, LOS E). The reduced level of service at this intersection is attributed to a limited number of vehicles making left turns out of the project onto Old 215 Frontage Road. Because the peak hour signal warrants are not met at this location and other access locations are available, this impact is not considered significant.

For the General Plan Buildout scenario, two intersections are projected to operate at unacceptable levels of service during the peak periods:

MV00215820

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

- Old 215 Frontage Road/Alessandro Boulevard (LOS F for both A.M and P.M peaks)
- Day Street/Alessandro Boulevard (A.M. peak hour LOS E; P.M. peak hour, LOS F)

Based upon the detailed traffic analysis and the summary of impacted intersections above, the proposed project presents the potential for significant project-level traffic impacts at Day Street and Alessandro Boulevard. The project also contributes to cumulative impacts at the following intersections: Alessandro Boulevard/I-215 northbound ramp, Old 215 Frontage Road/Alessandro Boulevard, and Day Street/Alessandro Boulevard.

Project conditions of approval identify specific lane configurations for the Day Street/Alessandro Boulevard intersection that must be completed prior to project occupancy. These improvements would be completed in accordance with established City programs to administer such conditions of approval and would provide for operation at an acceptable level of service, thereby mitigating project-level impacts to below a level of significance.

For the project contribution to cumulative impacts, the traffic impact analysis identifies the following specific improvements to achieve satisfactory levels of service:

- Alessandro Boulevard/I-215 northbound ramp – restripe the existing northbound shared left-through right lane into a shared through and left-turn lane, and change the defacto right lane into a free right turn lane on the westbound approach on Alessandro Boulevard.
- Old 215 Frontage Road/Alessandro Boulevard – add a second (dual) left turn lane on the eastbound approach on Alessandro Boulevard (alternate approach would provide dual left turn lanes, one through lane and one through plus right turn lane) for plus project only; add a second (dual) left turn lane on both the northbound and southbound approaches on Old 215 Frontage Road for the Buildout scenario.
- Day Street/Alessandro Boulevard – add a third through lane on the westbound approach for plus project only; also add a second (dual) through lane on the northbound approach on Alessandro Boulevard and a right turn lane on the southbound approach on Day Street for the Buildout scenario.

Payment of the City's Development Impact Fees and the regional Transportation Uniform Mitigation Fee provide a means to fund these improvements for cumulatively-impacts intersections and are deemed to reduce the project's contribution to cumulative impacts to below a level of significance. Established City procedures for plan check and permit issuance ensure collection of fees prior to building permit issuance or occupancy.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	

Based on the conclusions of the Traffic Impact Analysis, as summarized in Response 15. a), above, with implementation of the conditioned roadway improvements and standard fee payments, area roadways would operate at acceptable levels of service.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X

The proposed project would not change air traffic patterns.

d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X

The proposed project will establish new driveways on Alessandro Boulevard, Day Street and Old 215 Frontage Road. Based upon queuing analysis conducted as part of the project-specific traffic impact analysis, the project conditions of approval stipulate the improvements to be completed at each driveway, including any turn movement restrictions, to provide for safe intersection operations. Established City procedures for plan check and permit issuance ensure implementation of recommended improvements prior to building permit issuance or occupancy.

MV00215821

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in inadequate emergency access?				X
The proposed project as designed and conditioned is consistent with City standards. The proposed project will be readily accessible for emergency access.				
f) Result in inadequate parking capacity?				X
The proposed project is a business park development that would establish a total of 253,740 square feet of building space. The requested Business Park zoning allows a range of uses with varying parking requirements; the specific businesses to be operated on the site are not known at this time and may vary over the life of the project. City policy for this type of project is to establish an initial parking inventory based upon use of 20% of the building space for office uses (one space per 250 square feet) and 80% of the space for manufacturing uses (one space per 500 square feet). This results in a generally conservative parking inventory that provides reasonable flexibility in the future mix of uses within the development. Applying the noted parking rates to the proposed building area yields a parking requirement of 609 spaces; the proposed master plot plan provides 613 spaces. Project conditions of approval and established City procedures for plan check, permit issuance, and construction inspection would ensure that initial improvements are constructed in accordance with the approved plans and also provide a mechanism for ongoing evaluation of parking supply as specific uses occupy the building space.				
g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
The proposed project would not conflict with adopted policies or programs supporting alternative transportation, including bicycle use and transit facilities. The project site is proximate to existing bus routes along Alessandro Boulevard and is also within approximately 0.5 of a mile from a proposed Metrolink Station. Municipal Code standards (Section 9.11.060) require installation of bicycle parking facilities as part of the project improvements.				
16. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
The project site lies at the border of the service boundaries between Edgemont Community Services District (ECSD) and Eastern Municipal Water District. Treatment facilities for both agencies have adequate treatment capacity for the limited demand generated by the proposed business park development.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
Eastern Municipal Waster District (EMWD) will provide water service to the proposed project for domestic use and fire flow. EMWD has provided a letter indicating ability to serve. As discussed in Response 16. a), available wastewater treatment facilities have adequate treatment capacity for the proposed development.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The proposed project would provide an on-site storm drainage collection system, including an underground detention chamber. The on-site system has been designed such that discharges at the downstream limit of the project would not exceed the capacity of the existing downstream facilities. As a result of these project features, the proposed project would not require construction of new storm water drainage facilities which could cause significant environmental effects.				

MV00215822

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
EMWD has provided a letter indicating ability to serve.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
The project site is within an area with existing wastewater infrastructure and treatment capacity. The development of the proposed project would result in an increase in the demand for wastewater conveyance and treatment capacity. The two wastewater treatment providers potentially providing service to the site, Eastern Municipal Water District and Edgemont Community Services District, have provided letters indicating ability to serve.				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
According to the General Plan Draft EIR, the proposed project will be served by a landfill in the Badlands with sufficient permitted capacity to accommodate the project's solid waste disposal needs.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The project does not conflict with federal, state, and local statues and regulations related to solid waste. Waste collection services in the City of Moreno Valley incorporate waste reduction provisions directed at compliance with State waste stream diversion regulations.				
17. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
The proposed project provides for the development of a business park on an infill site within an urbanized area. The project site has been highly disturbed by previous grading and on-site vehicle storage activities. The proposed project, as conditioned, is consistent with the provisions of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The project site is not known to contain important archaeological or historical resources. Project conditions of approval address the possibility of resources being encountered during project construction.				

MV00215823

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?			X	

The proposed project would result in the development of a business park with office, industrial, light manufacturing, and warehousing uses that would be at an intensity and scale that is consistent with the General Plan land use and zoning designations for the project site as amended by the requested discretionary actions. The proposed project would not disturb sensitive resources or exceed the capacity of service systems, and would be consistent with applicable local, regional, and State environmental programs.

The project-specific traffic analysis for the proposed development determined that the proposed project would result in an incremental contribution to traffic-related cumulative impacts at three intersections within the study area. With the standard Development Impact Fee and Transportation Uniform Mitigation Fee payments, the cumulative impact to these intersections would be reduced to a less than significant level.

The issue of a project's contribution of greenhouse gases and the connection to global warming has become a controversial aspect of the CEQA documentation process. Recognizing that the proposed project's emissions of criteria air pollutants are below recommended South Coast Air Quality Management District thresholds, the proposed project would not represent a cumulatively considerable contribution to pollutant emissions contributing to this phenomenon

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

The development of the proposed project would provide a business park on an infill site in an urbanized area.

Analysis of the proposed project included consideration of traffic, air and noise impacts on surrounding properties resulting from both the construction phase and on-going operation of the proposed business park development. The analysis supports a determination that the proposed project, as designed and conditioned, does not present the potential for cause substantial adverse effects on human beings, either directly or indirectly.

Impacts of the project setting upon future occupants of the proposed business park, specifically as related to location in proximity to March Air Reserve Base/March Inland Port, have also been considered. As conditioned to restrict future building occupancies to comply with the Department of Defense Air Installation Compatible Use Zone (AICUZ) Study and the City's AICUZ Overlay Zone (Municipal Code Section 9.07.060), the proposed project would not expose human beings to substantial adverse effects.

MV00215824

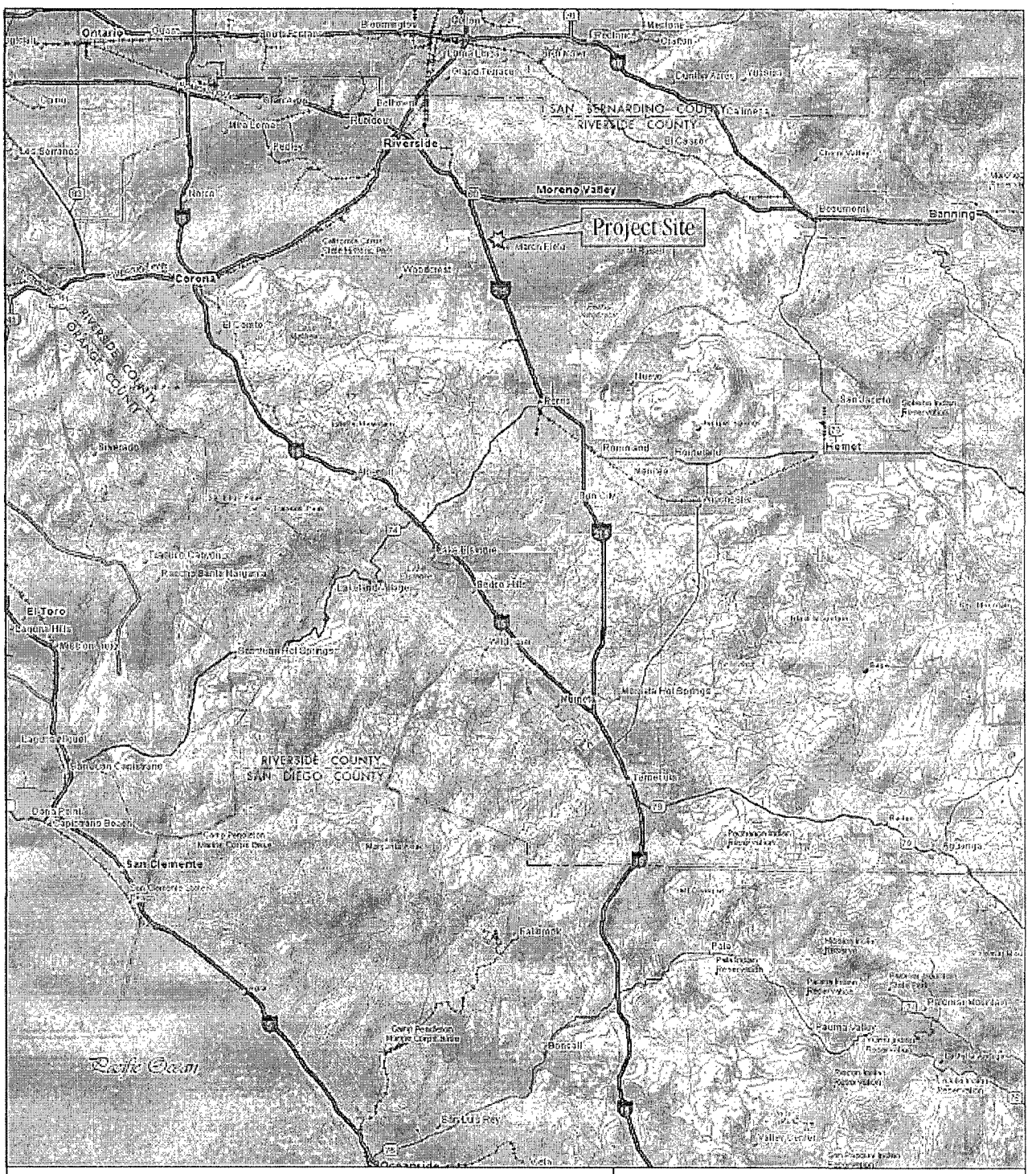

Regional Location Map

GATEWAY BUSINESS PARK

CITY OF MORENO VALLEY

VISTA

2.5 5 10

SCALE IN MILES

Figure 1

MV00215825

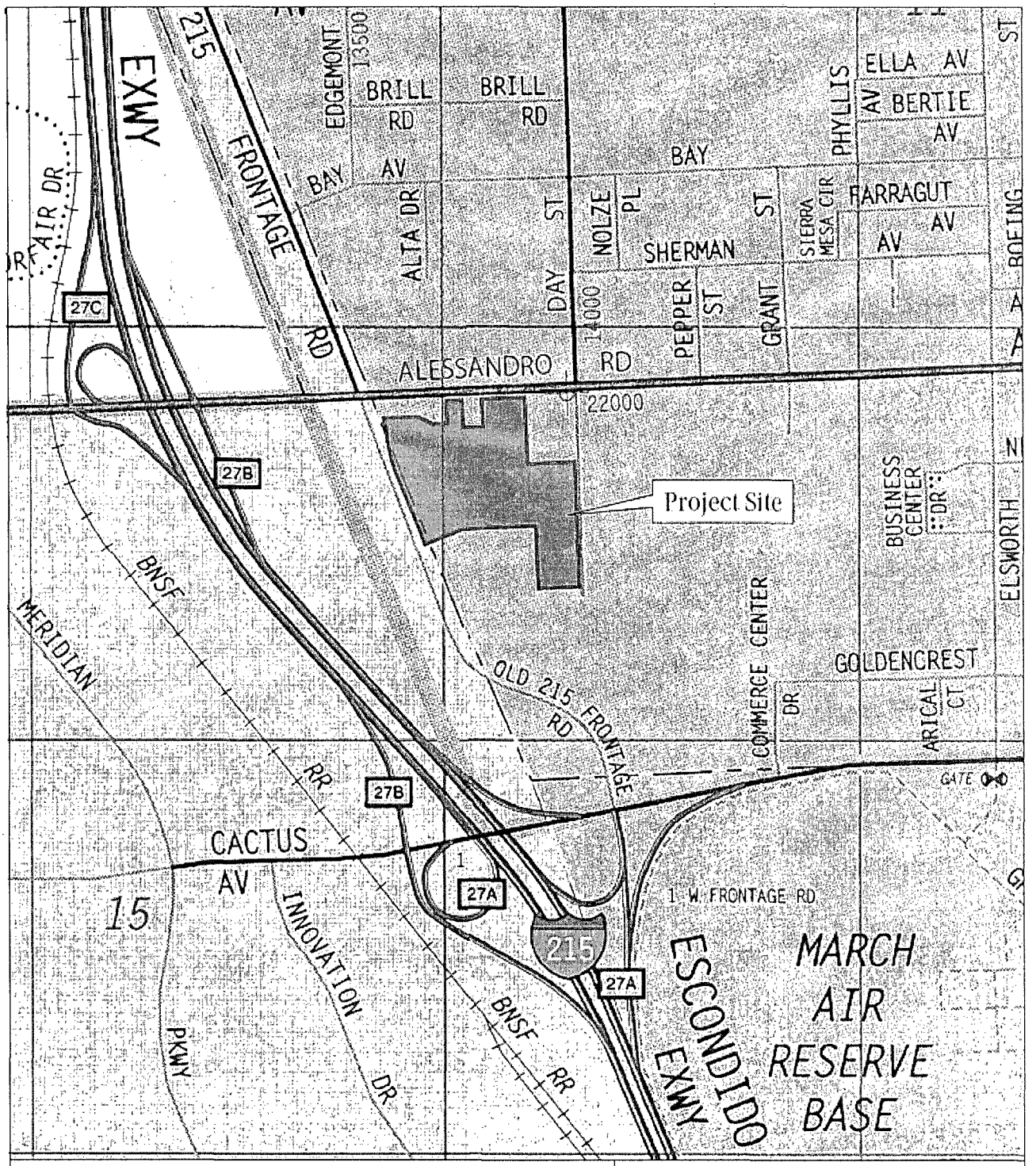

Local Vicinity Map

GATEWAY BUSINESS PARK

CITY OF MORENO VALLEY

VISTA

300 600 1200

SCALE IN FEET

Figure 2

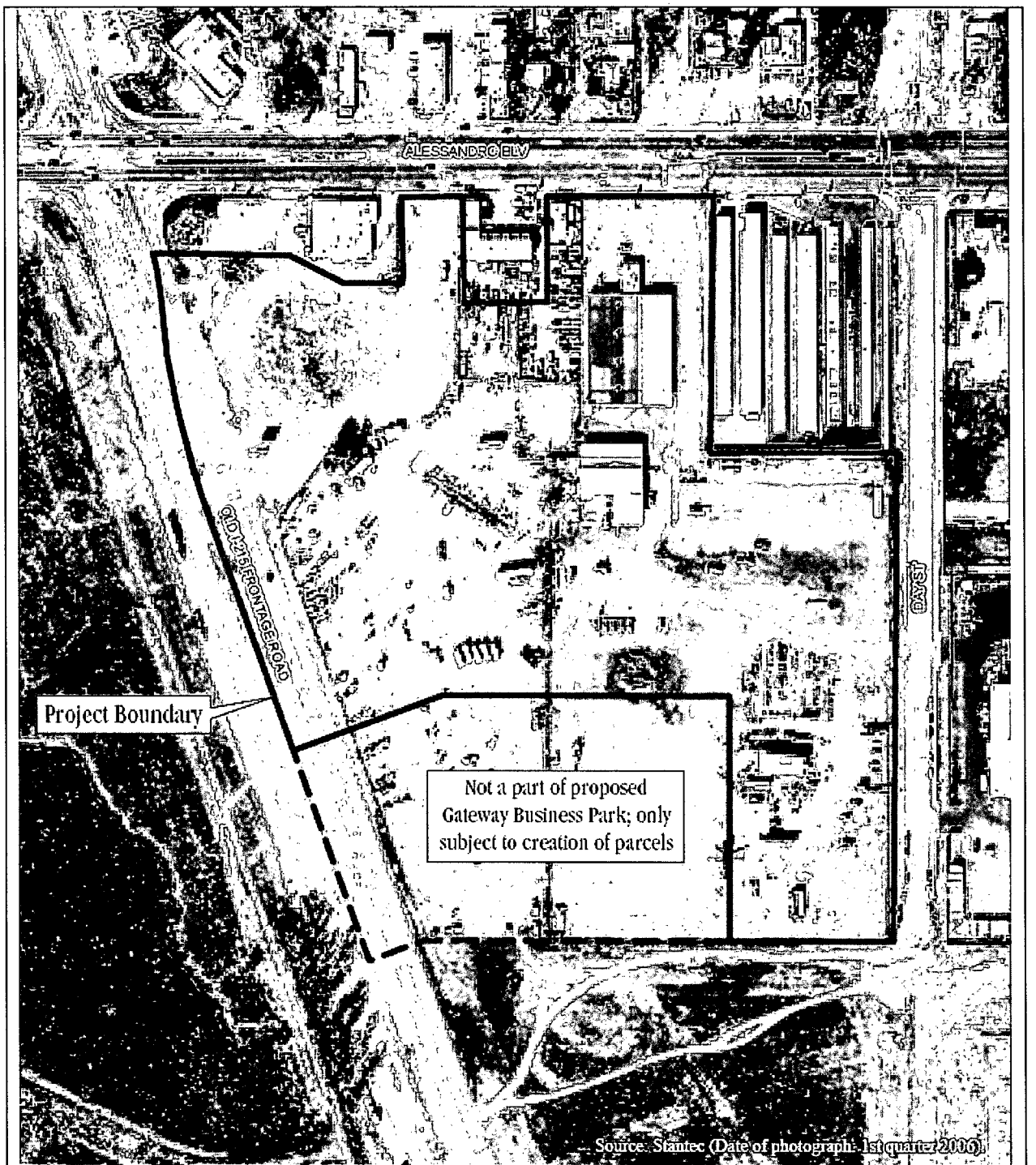

Aerial Photograph of Project Site

GATEWAY BUSINESS PARK

CITY OF MORENO VALLEY

VISTA

75 150 300

SCALE IN FEET

Figure 3

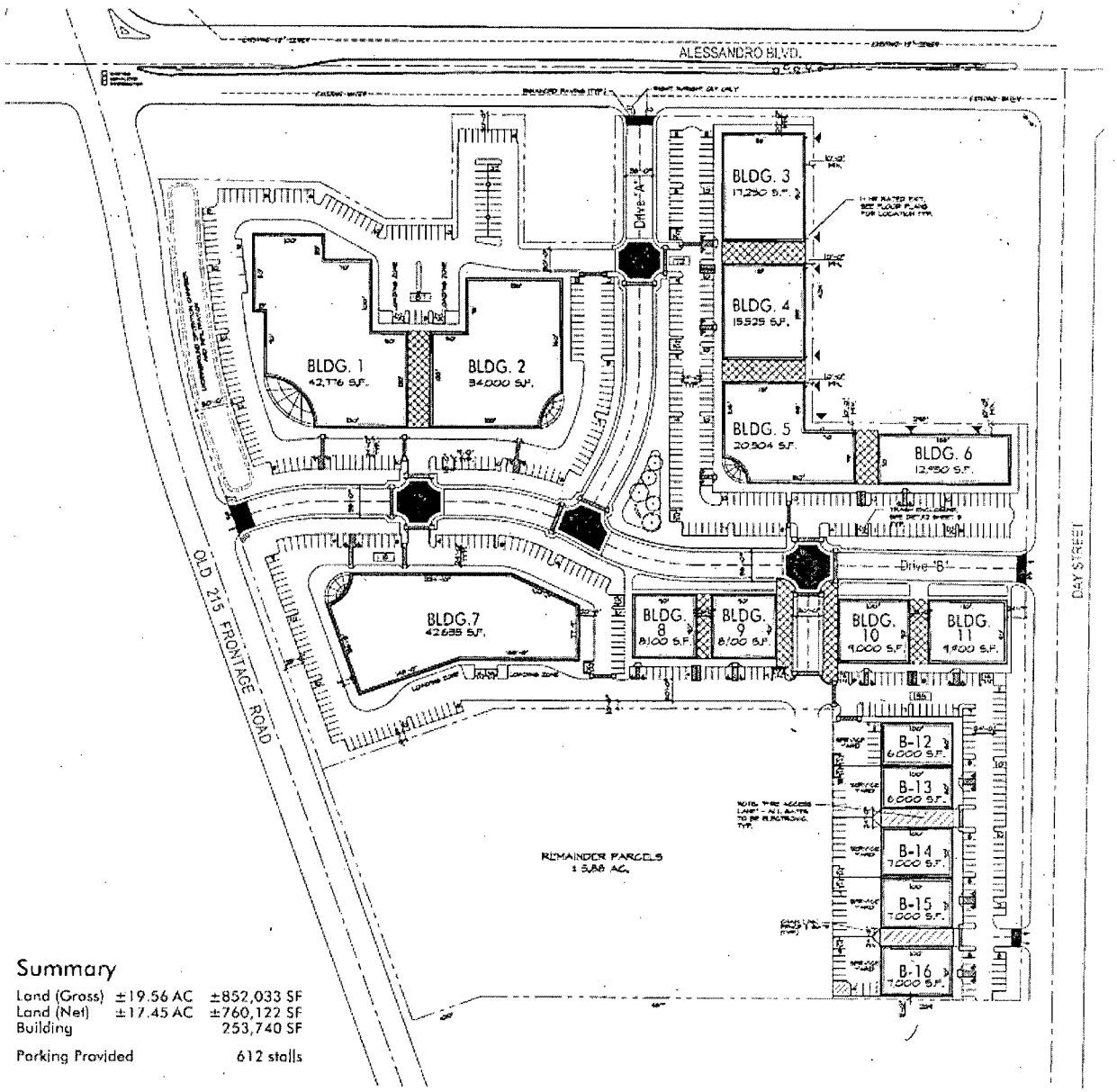

Summary

Land (Gross)	±19.56 AC	±852,033 SF
Land (Net)	±17.45 AC	±760,122 SF
Building		253,740 SF
Parking Provided		612 stalls

Source: Nadel Retail Architects, March 2007

Conceptual Site Plan

GATEWAY BUSINESS PARK
CITY OF MORENO VALLEY

VISTA

75 150 300
SCALE IN FEET

Figure 4

City of Moreno Valley

MITIGATION MONITORING & REPORTING PROGRAM

Project Nos. PA05-0105 & PA05-0108

Tentative Parcel Map 33152 and Master Plot Plan for Business Park

Alessandro Boulevard at Old 215 Frontage Road

January 2008

MITIGATION MONITORING PROGRAM
for PA05-0105/0108

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
Air Quality	**MM Air 1**: Prior to approval of grading plans, the plans shall reflect dust control measures required under South Coast Air Quality Management District rules 401 and 403 (as detailed in DKS report dated December 28, 2007)	1. Prior to approval of grading plan (verify notes on plans)	1. Planning	1. Grading plan sign-off	
		2. During construction	2. Applicant, contractor, Land Development Inspector	2. Pre-construction meeting, site inspections	
Air Quality	**MM Air 2:** The air quality assessment for this project assumed use of "super-compliant" VOC-type architectural coatings. Building plans shall reflect use of qualifying products as certified by the South Coast Air Quality Management District. Prior to the issuance of Certificates of Occupancy or building final, the applicant shall provide evidence that architectural coating applications were completed with qualifying "super-compliant" VOC products.	1. Prior to issuance of building permits (verify notes on plans)	1. Planning	1. Building permit roster sign-off	
		2. During Construction	2. Planning (with letters from applicant's contractor and architect)	2. Periodic certifications as coatings are applied	
		3. Prior to occupancy release	3. Planning (with letters from applicant's contractor and architect)	3. Occupancy roster sign-off	

MITIGATION MONITORING PROGRAM
for PA05-0105/0108

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
Hazards	**MM Hazards 1:** (GP) Prior to approval of any grading plans, the applicant shall provide certification of completion of remediation measures as recommended in the Phase I site investigation (Stantec Consulting, December 2006 and April 2007). The certification shall be prepared in writing by a qualified hazardous materials specialist and shall be provided to the Planning Division and the Public Works Department - Land Development Division.	1. Prior to approval of grading plans	1. Planning (with letter from applicant's specialist)	1. Grading plan sign-off	
Hazards and Land Use	**MM Hazard/Land Use 1:** Development of Parcels 1 through 4 shall be subject to individual plot plan reviews to ensure compliance with general Municipal Code development standards and the following specific provisions associated with project site location within the aircraft overflight area for March ARB/March Inland Port: a. Plot plan reviews shall be required for initial construction of individual buildings, and subsequent occupancy changes.	1. Immediately following project approval	1. Planning (Identify site on GIS PUD layer and attach notices to assessor parcel records in Permits Plus to provide alert of special requirements)	1. Data entries	
		2. Prior to approval of building permit or occupancy	2 Planning (process plot plans)	2. Approval records	

MITIGATION MONITORING PROGRAM
for PA05-0105/0108

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
	b. Overall, the business park area shall be developed with a split of uses consisting of 45% warehousing, 40% manufacturing, and 15% office	1. Upon project approval	1. Planning (Establish inventory of buildings and tenants as part of mitigation monitoring program record)	1. Applicant payment of Mitigation Monitoring Program fee, creation and filing of inventory forms	
		2. Prior to approval of building permit or occupancy	2. Planning (Maintain cumulative statistics as part of mitigation monitoring program records to document ongoing conformance)	2. Building permit or occupancy roster sign-off	

MITIGATION MONITORING PROGRAM
for PA05-0105/0108

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
	c. Use of buildings shall be subject to provisions of the AICUZ Overlay Zone, as it may be amended. Uses involving the following characteristics shall be prohibited: • assembly uses and high patronage services such as theaters, churches, schools, auditoriums, motels, banks, department stores, supermarkets, drug stores, service stations, restaurants, public assembly uses (such as amphitheaters, outdoor music shells sports stadiums, and auction rooms), conference rooms with a capacity exceeding 100 persons, and occupancies exceeding one person per 100 square feet of building area. • critical facilities, including major utility exchanges, radio or television studios, hospitals, and nursing homes. • lighting that would direct a steady light toward aircraft. • lighting that would direct flashing light of colors associated with airport operations (red, green, white, or amber) toward aircraft. • generate smoke or water vapor, attract large concentrations of birds, or otherwise affect safe air navigation. • generate electrical interference that may be detrimental to operation of aircraft or aircraft instrumentation. • above-ground storage of explosive or flammable materials.	1. Prior to approval of building permit or occupancy	1. Planning (consider criteria in review of plot plans, building plans and site inspections)	1. Building permit or occupancy roster sign-off	

MITIGATION MONITORING PROGRAM
for PA05-0105/0108

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
	d. Building design shall not exceed one story in height (24 feet maximum). Documentation to demonstrate compliance with airfield clearance surfaces shall be provided as part of any plot plan approval processes involving building construction or modification. Use of construction equipment or construction of improvements encroaching into protected airspace shall be subject to required Federal Aviation Administration clearances prior to issuance of building permits. e. Building materials shall be non-reflective.	1. Prior to approval of building permit or occupancy	1. Planning (consider criteria in review of plot plans, building plans and site inspections)	1. Building permit or occupancy roster sign-off	
	f. Uses involving combustible materials, highly flammable materials, chemicals, or explosives shall be subject to review by March ARB officials.	1. Prior to approval of building permit or occupancy	1. Planning (consider criteria in review of plot plans, building plans and site inspections; with input from with March ARB)	1. Building permit or occupancy roster sign-off	

MV00215834

MITIGATION MONITORING PROGRAM
for PA05-0105/0108

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
	g. Prior to issuance of building permits, the applicant shall provide certification by a qualified acoustical specialist documenting building design features to achieve a 45 decibel (CNEL) maximum interior noise level for office areas. Prior to occupancy release, the acoustical specialist shall provide certification of installation of attenuating design features.	1. Prior to issuance of building permits (verify plans reflect design elements)	1. Planning, with assistance from applicant's architect or acoustical engineer	1. Building permit roster sign-off	
		2. Prior to certificate of occupancy (verify construction per plans)	2. Planning, with input from City Building Inspector and applicant's architect or acoustical engineer	2. Prior to occupancy roster sign-off	
	h. Prior to occupancy release, avigation easement (s) shall be executed in favor of the Department of the Air Force and March Joint Powers Authority. i. All potential purchasers and tenants shall be provided notice consistent with that recommended by the Riverside County Airport Land Use Commission (letter dated November 7, 2007).	1. Prior to occupancy release	1. Planning (applicant to submit evidence of notice/ recordation)	1. Building permit or occupancy roster sign-off	

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

RECEIVED
FEB 11 2008
CITY OF MORENO VALLEY

February 5, 2008

Ms. Kathleen Dale
CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, CA 92663

Re: SCH#2008011012; CEQA Notice of Completion; proposed Mitigated Negative Declaration the Gateway Business Park; PA05-0105; Tentative Parcel Map 33152; City of Moreno Valley; Riverside County, California

Dear Ms. Dale:

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur.. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ http://www.ohp.parks.ca.gov. The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

√ Contact the Native American Heritage Commission (NAHC) for:

  * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section; .

- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

√ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contacts
Riverside County
February 5, 2008

Cahuilla Band of Indians
Anthony Madrigal, Jr., Chairperson
P.O. Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
(951) 763-2631

(951) 763-2632 Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resource Center
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 308-9295 Ext 8106
(951) 676-2768
(951) 506-9491 Fax

Ramona Band of Mission Indians
Joseph Hamilton, vice chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

San Manuel Band of Mission Indians
Henry Duro, Chairperson
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

Soboba Band of Mission Indians
Chairperson
P.O. Box 487 Luiseno
San Jacinto , CA 92581
varres@soboba-nsn.gov
(951) 654-2765
(951) 654-4198 - Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 609 Cahuilla
Hemet , CA 92546
srtribaloffice@aol.com
(951) 658-5311
(951) 658-6733 Fax

Morongo Band of Mission Indians
Cultural Resources-Project Manager
49750 Seminole Drive Cahuilla
Cabazon , CA 92230 Serrano
britt_wilson@morongo.org
(951) 755-5206
(951) 755-5200/323-0822-cell
(951) 922-8146 Fax

Morongo Band of Mission Indians
Robert Martin, Chairperson
11581 Potrero Road Cahuilla
Banning , CA 92220 Serrano
(951) 849-8807
(951) 755-5200
(951) 922-8146 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2008011012; cEQA Notice of Completion; Mitigated Negtative Declaration for the Gateway Business Park; PA05-0105; Tentative Parcel Map 33152; City of Moreno Valley; Riverside County, california.

Native American Contacts
Riverside County
February 5, 2008

Serrano Nation of Indians
Goldie Walker
6588 Valaria Drive Serrano
Highland , CA 92346
(909) 862-9883

Soboba Band of Luiseno Indians
Harold Arres, Cultural Resources Manager
P.O. Box 487 Luiseno
San Jacinto , CA 92581
harres@soboba-nsn.gov
(951) 654-2765
FAX: (951) 654-4198

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

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For the Public Record. # 710

2-7-08

Air Pollution

- Issue primarily in Western Riverside County
- Riverside County is first in the nation for asthma, heart disease, respiratory ailments
- Inland Empire has worst air quality in California
- Mira Loma area has the highest levels of particulate pollution in the US (SCAQMD, Multiple Air Toxics Exposure Study II, Mar 2000)
- Diesel particulates are 71% of the major pollutants contributing to cancer risk in the South Coast Air Basin (SCAQMD, Multiple Air Toxics Exposure Study II, Mar 2000)
  - The largest source of diesel emissions in the South Coast Air Basin is the goods movement industry

Study + Think

CAMBRIDGE SYSTEMATICS

Estimated Risk of Cancer from Airborne Toxics: All Emission Sources

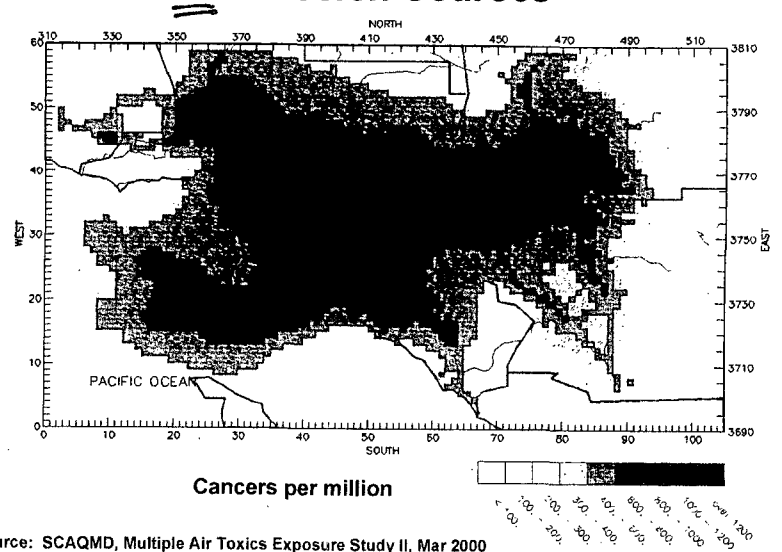

Source: SCAQMD, Multiple Air Toxics Exposure Study II, Mar 2000

CAMBRIDGE SYSTEMATICS

Major Sources of Diesel Emissions (SCAG Region)

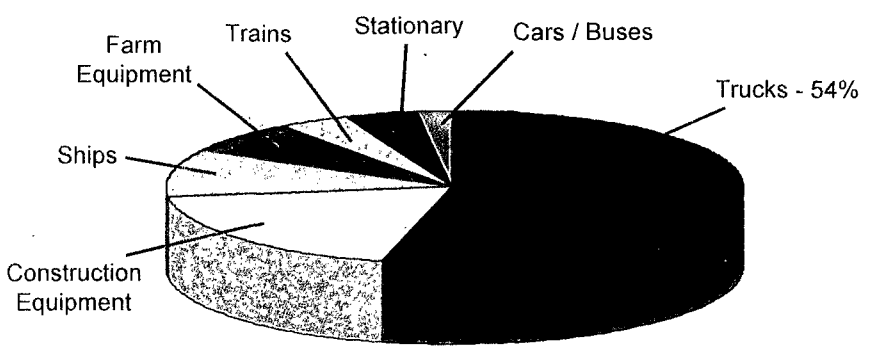

Source: California Air Resources Board

CAMBRIDGE SYSTEMATICS

Estimated Risk of Cancer from Airborne Toxics: Excluding Diesel

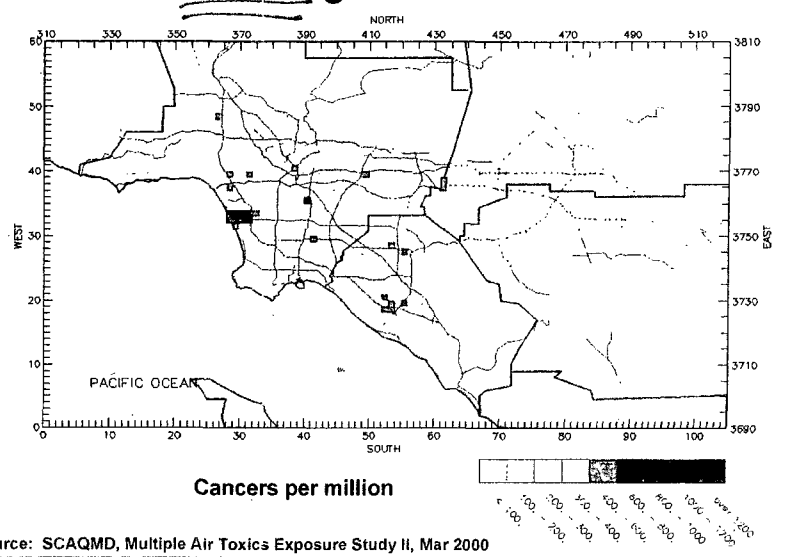

Source: SCAQMD, Multiple Air Toxics Exposure Study II, Mar 2000

CAMBRIDGE SYSTEMATICS

MV00215840

Center for Community Action and Environmental Justice

Centro de Acción Comunitaria y Justicia

Mailing Address: PO Box 33124, Riverside, CA 92519 Office Location: 7701 Mission Blvd. Riverside, CA 92509

Phone: 951-360-8451 Fax: 951-360-5950 http://www.ccaej.org

Please read concerning the health impacts to children

Testimony by Penny J. Newman
Executive Director,
Center for Community Action and Environmental Justice

October 10, 2007

Field Briefing the Senate Environment and Public Works Committee on Air Pollution Challenges for California's Inland Empire

Chairwoman Boxer, Honorable Members of the committee, I thank you for the opportunity to address this committee on this important issues.

My name is Penny Newman, Executive Director for the Center for Community Action and Environmental Justice. CCAEJ is one of the oldest and most accomplished environmental justice organizations in the nation having begun our work in 1978 as a small neighborhood group fighting for the cleanup of California's top priority Superfund site, the Stringfellow Acid Pits. We will be celebrating our 30 years of working with communities of the Inland Valleys to improve the health, quality of life, and well-being of all our families.

Southern California is facing a critical health crisis. One that we can't inoculate against, change our habits like stop smoking, or exercise more to improve. The health threat comes from the vary activity that we depend upon to keep us alive—breathing.

- Southern California air quality remains the worst in the nation, posing a major health concern for almost 17 million residents in the region.
- The state Air Resource Board estimates that air pollution (PM 2.5) in the South Coast Air Basin is responsible annually for up to 5,400 premature deaths, 2,400 hospitalizations, and 980,000 lost work days.
- 140,000 Children in Southern California have asthma and respiratory problems largely due to air pollution.
- Over 70% of the airborne cancer risk in Southern California is directly attributed to diesel fueled engines in the basin.

Prompted by these startling statistics, Southern California Association of Governments (SCAG) and South Coast Air Quality Management District (SCAQMD) have called upon Governor Arnold Schwarzenegger and President George Bush to issue a State of Emergency for the area.

For the communities of the Inland Valleys these statistics have special significance. Geologic and meteorologic factors make our area the center of the accumulation of this pollution. As coastal winds blow pollution from the Los Angeles and Orange county areas it is trapped by our surrounding mountains where it sits and bakes creating a toxic brew of pollution. As a result San Bernardino has the highest levels of ozone pollution in the nation. Riverside County holds the record for having the highest levels of Particulate matter pollution known as PM_{10} (Particulate Matter 10 microns or less). While the health risk on a region wide basis is unacceptable, the most severe impacts are concentrated in those communities closest to the sources.

It is in this setting that the decisions to make the movement of goods with its reliance on heavily polluting ships, trucks, and trains, the economic engine for southern California has been made. The rapid growth and convenient location to freeways, airports or rail lines make the Inland Valleys of Riverside and San Bernardino Counties prime locations for industrial facilities, warehouses and distribution centers-- without regard to the incompatibility with existing communities. Also ignored is the health threat posed to local residents. Planning strategies and the drive for economic growth have led local agencies to disregard existing problems such as air pollution, traffic congestion, water contamination or consideration of the rural nature or life styles of existing neighborhoods affected by their decisions. The outcome of poor public policies and lack of appropriate planning has created a situation where homes are next to polluting industries; where diesel trucks crowd residential streets threatening the safety of our children; where neighbors can't use their backyards because of overwhelming noise or odors. This concentration of truck and rail activity has also resulted in the area being designated as a diesel "hot spot" by the South Coast Air Quality Management District (SCAQMD) with a cancer risk of over 1500 in a million. The result is an overall deterioration of the air, water, and quality of life— dramatically affecting the health and lives of local residents.

While we often look at the impacts on a regional basis, health researchers have demonstrated that a higher health risk is experienced the closer one gets to the diesel source. The concentration of diesel dependant facilities in communities already at risk disregards this fact. Economic development strategies and local land use decisions influence the levels of pollution to which specific communities are exposed, too often resulting in disproportionate levels of risk for low-income neighborhoods and Communities of Color. Increases in community exposure can lead to increased rates of disease and negative impacts on public health. More than 45 studies conducted by various investigators between 1967 and 1993 examined the role of race and income level in exposure to environmental hazards, and found disparate impacts in the great majority of cases studied (87 percent and 74 percent, respectively).

One such heavily impacted community is the unincorporated community of Mira Loma in Riverside County.

Mira Loma has the highest levels of particulate pollution in the nation.[1]

Mira Loma has the 4th worst particulate pollution in the world only after Jakarta, Indonesia; Calcutta, India; and Bangkok, Thailand[2]

In recent years, environmental health researchers have firmly established the linkage between air pollution exposure and a range of negative health outcomes, including slowed lung growth rates in children (Gauderman et al Cohort C, Cohort D papers), exacerbation of existing respiratory disease (McConnell et al EHP bronchitis/asthmatic paper), increased absences from school due to respiratory illness (Gilliland et al CHS absences paper), and increased mortality. Both gaseous and particulate pollutants have been implicated in health investigations, with increasing attention being focused recently on the toxicity of particulate pollution, both for the physical size and chemical nature of the particles inhaled each day. The California Air Resources Board estimates that more than 2400 people die prematurely due directly to air pollution from the movement of products and goods.

The impact of air pollution on children's respiratory health, in particular asthma, is a significant problem in Southern California. A recent survey in California found that nearly 700,000 children ages 6-17 suffer from asthma symptoms; one in five African-American children in California has been diagnosed with asthma. (CHIS) That same survey finds that in Southern California, the highest asthma symptom prevalence in children ages 0-17 is found in San Bernardino County (13.9%), (CHIS). Air pollution is a significant problem for the target communities of the Inland Valley.

The findings from the USC Children's Health Study demonstrating the affects of air pollution upon lung function are particularly frightening for our area. The Study found *that Mira Loma children had the weakest lung function and slowest lung growth of all children studied in southern California.*

Another analysis that drew upon data from the same USC Children's Health Study, ranked children living in Mira Loma as the most likely to develop asthma, other respiratory diseases *and* have stunted lung growth. The study found that children living within 500 meters of a freeway (approximately a third of a mile) have substantial deficits in lung function by the time they reach age 18. Of all children studied

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[1] South Coast Air Quality Management District, "Multiple Air Toxics Exposure Study in the South Coast Air Basin" (MATES II Study), March 2000.

[2] World Health Organization, as cited by California Public Interest Research Group, CalPIRG, Citizens' Agenda, Vo. 13, No. 3; pg 4, Fall 1997. (The industrialization of China has now created many communities with high levels of PM pollution. While our levels have not gone down, levels in a number of communities in China have risen.

throughout southern California, children in Mira Loma and Riverside had the poorest lung function, and as a result the greatest risk for developing respiratory and cardiovascular diseases later in life.

But disease risk caused by particulate matter pollution is not limited to children. A recent study by the University of Washington found that women over the age of 50 living in highly polluted areas around the United States (including Mira Loma and Riverside) have more than double the chance of developing heart disease and dying from it, compared with women living in cleaner air regions. Again, the study found a strong correlation between particulate pollution and heart disease.

While the science in clear; the documentation of pollution levels is substantial; and suggested solutions have been proposed—local officials continue to place industrial warehouses, truck terminals and railyards next to the homes, schools and parks of these communities ignoring the severe health impacts those decisions inflict upon the families in the area. Inland Valley officials are looking to the Goods Movement as the economic hope for the future. As a result, rail yards, intermodal facilities and trucks have multiplied bringing the pollution closer to existing homes and schools. Adding insult to injury, BNSF Rail road has put forward an offer to buy the neighborhood's only park, so that the facility can expand.

Suggested actions that would lessen the impact are routinely ignored. For example, it has been recognized that by providing a buffer zone of 1,000-1,500 feet between a diesel source (road, warehouse, railyard) and homes, schools, and parks, we reduce the health risk where people live. Yet, there are currently proposals being approved that place these polluting facilities directly next to the fence lines of homes. While SCAG has acknowledged the severity of the health crisis in its call for a State of Emergency, it is considering an Inland Port facility in Mira Loma.

The Union Pacific rail road auto distribution facility in Mira Loma, is located next to Jurupa Valley High School. Separating the railyard from the athletic field of the school is the street the hundreds of trucks use to pick up their load each day. This close proximity to the diesel spewing trucks creates a high health risk for the students. A simple action of closing this southern gate and using the northern gate would reduce significantly the pollution these students are exposed to. Yet, Union Pacific has refused to implement this small mitigation, because it would be inconvenient to its tenants It is puzzling to me why a corporation would not take easy measures that they know would reduce its impact upon the health of the children of our community.

The anticipated three-to five fold increase in the movement of goods through southern California will compound further adverse health outcomes. Solutions being offered by officials at the ports pose greater increase in the deadly diesel pollution for Inland Valley communities. One solution offered to address port pollution is to utilize rail instead of trucks with the assumption that trucks pollute more than locomotives per

number of containers hauled. Again what is overlooked is that containers would be transported on an expanded rail system while more containers would be still be_hauled by an expanded trucking system, the widened freeways. The goal is to maximize both rail and truck transportation modes in order to handle the anticipated expansion of the freight hauling industry.

For the Inland Valleys the promotion of an expanded rail system is particularly troublesome since it depends on the development of an "Inland Port." Since there isn't room at the ports to sort and distribute the containers of goods, the goods would be directly moved from the ships to the rail cars and hauled to the Inland Port. Here the goods would be sorted and thousands of trucks would converge to pick up loads for distribution. One of the leading locations under consideration is at the Space Center in Mira Loma.

To expand an industry that is currently killing people without addressing the current health crisis is criminal. The message to residents is clear— the health and well being of our families does not count; our neighborhoods are expendable.

Many promises are being made to address pollution associated with the expansion of Goods Movement, but there is little reason to believe any of it. Responsibility for action is passed from one jurisdiction to another. Local government points to the state for responsibility; the state points to federal government, and in turn they point back to local government and sanctity of local land use decisions. With all the finger pointing NO ONE is doing anything to address this critical situation. U.S. Environmental Protection Agency is nowhere in the discussions. The National Environmental Justice Advisory Committee was recently asked to prepare recommendations regarding how to address the health crisis surrounding the Goods Movement. Not one community person from southern California has been appointed to this study committee, even though I personally have volunteered and traveled to Washington DC for the first face-to-face meeting at my own expense. It is difficult to understand how comprehensive recommendations can arise from the committee if the major geographic area hit hardest by this industry has no voice. Clearly the recommendations will have little credibility if those most directly and most significantly impacted are silenced from the discussions.

Since the trucking, railroad and shipping industries are primarily regulated by federal rules, the federal government holds special importance and must step in to address this growing problem. Instead we are engaged in a hectic discussion on how to increase the movement of goods by 3-5 fold. Our communities will not survive that onslaught.

While ignorance regarding the health implications of exposure to diesel exhaust could be claimed many years ago, the emerging scientific information brought forth by the South Coast AQMD, researchers at USC and UCLA and the hundreds of other

scientific studies generated on diesel, clearly show the horrific health impacts from constant, high levels of diesel exhaust. And yet, the federal government is absent and state agencies appear impotent. Local government seems hypnotized by the promise of jobs and economic growth and ignores the deadly consequences. In many cases local government directly benefits financially from the destruction of our targeted communities. Just as federal intervention was necessary to correct the violations of civil rights occurring in the 1960's, intervention is warranted to correct the immoral land use decisions being made in southern California. If our communities are to survive, such intervention is demanded.

Let's be very clear—the continuing practice of placing these polluting facilities in low-income communities of color is institutional racism in its most obvious form. On behalf of the target communities, struggling families and sick children of our area, we appeal to you, Senator Boxer to begin the process of correcting this deadly injustice.

Thank you.

THE PRESS-ENTERPRISE
THURSDAY, January 24, 2008

Projects' water supply in doubt

NO GUARANTEE: An Inland agency deli deciding whether it can serve nine major developments.

BY JENNIFER BOWLES AND DAN LEE
THE PRESS-ENTERPRISE

In a sign of mounting water woes, two more developers in western Riverside County have to worry whether they will have the basic essential of water for their projects.

Eastern Municipal Water District offic , having already postponed a decision on whether they can supply water to seven developments, said Wednesday they cannot yet guarantee water to a proposed warehouse in Moreno Valley and a $300 million hotel and retail complex in Murrieta. The 61-acre project known as the Golden Triangle between Interstates 15 and 215 is considered Murrieta's most important undeveloped piece of land.

IN MAIN NEWS
■ Some California growers pass on farming and sell water. A6

"I empathize with them," said John Potts, executive vice president of the Garrett Group of Temecula, which is developing the property. "I'm not sure if it's simply because they have no choice and can't guarantee the supply or if it's done to move the political process to get a solution."

Ongoing drought and a recent court-ordered reduction in water deliveries from the Sacramento Delta to protect a threatened fish species have prompted Southern California's guardians of water supply to begin thinking twice about the

CONTINUED FROM A1

future and insisting that new developments implement water-saving features. They may even consider charging higher water rates for new projects than for existing homes and commercial buildings.

"It's a new paradigm. It's not water saying, 'We're here for you,' but 'You have to do this for us,'" said Randy Record, an Eastern board member. The Perris-based agency put off at least until March the decision on the nine major developments, which puts those projects on hold.

Earlier this month, Metropolitan Water District, which supplies many local water districts such as Eastern, cut deliveries by 30 percent to farmers across the region, including in Riverside County. Local water agencies have pleaded with residents to conserve.

Inland leaders will convene Feb. 1 in Cabazon to discuss the water crisis and spread the word to city officials and planners so they can better deal with developers.

"We ought to be telling them, 'Sir, we're giving you the water you need, not necessarily the water you want. You have to save 30 to 40 percent,'" Riverside County Supervisor Marion Ashley said. "It's just common sense not to waste water."

Ashley and others say the situation underscores the need for a new water bond that would finance a project to funnel water around the delta so it doesn't harm the fish and can ensure reliability. Gov. Schwarzenegger has proposed a multi-billion-dollar bond that also would fund new or expanded reservoirs, although talks with legislators are on hold until the state's $14.5 billion budget gap is closed.

WATER: Eastern Municipal Water District has postponed certifying that it can serve nine industrial and residential projects because of the current water crisis. Eight are in the Moreno Valley, Perris and Lakeview areas, and the ninth (not shown) is in Murrieta.

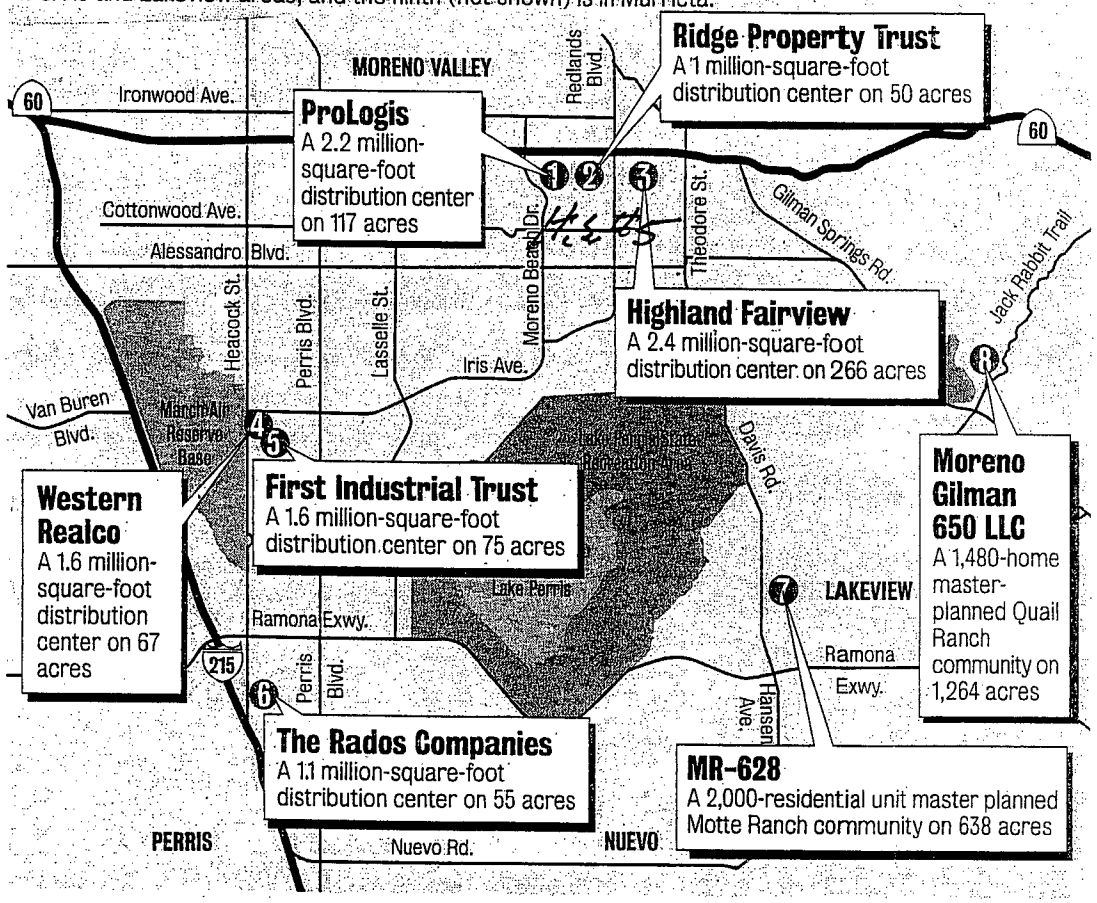

ALBERT CORONA/THE PRESS-ENTERPRISE

"If we don't have a water bond, all bets are off," Ashley said. "If they don't solve this water crisis, it will affect our economy in a slow downward spiral."

Next month, the Metropolitan board will discuss how to divvy up supplies if the drought and other problems continue.

WATER, GROWTH AND JOBS

Meanwhile, the developer of a proposed 1.1 million-square-foot distribution center in Perris near Interstate 215 is conducting necessary environmental studies, as company officials hope Eastern will eventually sign off on a so-called will-serve letter.

Under state law, major developments must get such letters that promise them water for the next 20 years.

"If it can't, it would derail it," said Les Brown, of Orange County-based Rados Companies.

State Sen. Sheila Kuehl, D-Los Angeles, who authored the 2001 bill requiring will-serve letters, said she believes it's the first time in the state that the law has had such an effect.

Some fear placing such major projects in limbo — two housing developments, six warehouses and the hotel/retail complex — could hurt the Inland economy.

Although it is coming as the housing industry is in a slump, the lack of water will hinder the industry's ability to recover fully, said Inland economist John Husing.

One of the most notable

WATER: Inland agency not being able to guarantee supply would 'derail' projects, developer says

projects on hold is a distribution center for which shoe company Skechers USA Inc. has signed an 11-year, $100 million lease.

"Everyone is concerned with resolving the issue so there will be no delay," said Iddo Benzeevi, president of the center's developer, Highland Fairview.

The company hopes to begin construction by year's end, with the warehouse ready for Skechers next year. That project is expected to generate 1,000 jobs.

Penny Newman, though, questioned whether those kinds of jobs benefit the Inland region. The executive director of the Center for Community Action and Environmental Justice, she said warehouse jobs are generally low-paying, and some companies contract out the work. In addition, diesel-spewing trucks pull into warehouses with their goods, worsening already bad air pollution, Newman said.

"Given the amount of pollution brought into the community, the tradeoff is just not worth it," she said.

Newman applauded Eastern for holding back on its will-serve letters while water agencies are asking residents to conserve.

"It's a little hard to keep telling residents you have to conserve water when they just keep allowing more development," she said.

SUPPLY WOES

Although the Colorado River is in the grips of an eight-year drought, the main driver of the supply uncertainty is in Northern California. A judge there ordered water deliveries cut by about 30 percent beginning in late December to protect a fish threatened with extinction. The Delta smelt is chewed to death by the large pumps in the Sacramento Delta that send the water to Southern California.

Some Inland areas have abundant groundwater supplies, but others like those served by Eastern rely heavily on imported water, in particular from Northern California.

Record, the Eastern board member, said the agency will consider what happens over the next few months with the Delta and a possible bond before the agency's board will sign off on the will-serve letters. It may also consider raising water prices for new development, he said.

Eastern will also look to the next move by Southern California's largest urban water supplier. The board of Metropolitan Water District will consider on Feb. 12 whether to adopt a three-year plan that lays out how future cuts will be made across Southern California, a move that would affect western Riverside County.

The agency came up with a formula that considers the number of conservation measures an area has adopted and recent growth figures to keep it fair, officials said.

Jeff Kightlinger, Metropolitan's general manager, said it was important to plan ahead before the crisis hit full swing.

Meanwhile, developers of some Inland projects plan to use drought-tolerant landscaping or recycled water outdoors, since 75 percent of the water needed by a warehouse goes to landscaping.

That way, Brown said, "You don't have vast amounts of lawn area that are flying in the face of local conditions."

Reach Jennifer Bowles at 951-368-9548 or jbowles@PE.com, or view her blog at www.PE.com/blogs/environment

Reach Dan Lee at 951-368-9284 or dlee@PE.com

Warehouses aka distribution centers are surrounding Moreno Valley.

your actions could make us the next Mira Loma.

THE PRESS-ENTERPRISE

THURSDAY JANUARY 24, 2008

CITY OF RIVERSIDE

Community Development Department
Planning Division

RECEIVED
FEB 0 1 2008
CITY OF MORENO VALLEY

January 24, 2008

Kathleen Dale
Community Development Department – Planning Division
Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

SUBJECT: Review of PA05-0105-Master Plot Plan, PA05-0106-Zone Change, PA05-0107-General Plan Amendment and PA05-0108-Tentative Parcel Map 33152 - Gateway Business Park

Dear Ms. Dale:

Thank you for the opportunity to comment on the above noted project, a proposed Tentative Parcel Map to subdivide approximately 25 acres into six parcels for industrial and warehouse uses, a Master Plot Plan for 16 buildings with office, industrial, and warehouse space totaling 253,740 square feet, a General Plan Amendment to change both the Land Use and Circulation elements and a Zone Change to Business Park. The project is located generally south of Alessandro Boulevard and east of Old 215 Frontage Road and is in close proximity to the City of Riverside. The City has reviewed the proposed project and offers the following comments on the project:

- The project is located at a gateway area to the City of Riverside and will be highly visible from Alessandro Boulevard, as well as visible from the I-215 Freeway. As such the City encourages a high-quality development designed to fully consider aesthetic impacts to views from the gateway areas, specifically the I-215 Freeway and Alessandro Boulevard. Design considerations including setbacks, building articulation and variation, and enhanced landscape treatment are recommended along areas that are visible frontages. Aesthetic impacts need to be fully evaluated and appropriately mitigated in the environmental Initial Study/Mitigated Negative Declaration.

- The City notes that the project, as proposed, completely surrounds but does not include or integrate the smaller existing commercially developed properties that front onto Alessandro Boulevard. The City of Riverside encourages the City of Moreno Valley to fully explore opportunities to incorporate these properties into the proposed development

(through redevelopment efforts, if necessary) as this would take advantage of an opportunity to re-develop underutilized parcels, address aesthetic concerns and alleviate blighted conditions along Alessandro Boulevard. Furthermore, more comprehensive development to incorporate the other properties could potentially improve traffic along Alessandro Boulevard by consolidating multiple driveways into a single access to serve development along Alessandro Boulevard frontage from the Old I-215 to Day Street. The project, as proposed, will impede the ability to provide for any meaningful development/re-development of the smaller frontage parcels in the future, so as to provide for an attractive, unified image along Alessandro Boulevard.

- The City's Public Works Department provides the following comments related to traffic based on the limited traffic analysis information provided in the Environmental Initial Study, absent the full traffic impact analysis prepared by DKS Associates:

  - The driveway spacing needs to conform to the City of Moreno Valley standards.

  - It's not clear in the document how many trips would be generated by the project during morning and evening peak hours. The traffic analysis section of the environmental Initial Study should reflect this.

  - The Build-out Year Analysis should be based on the traffic volumes which are consistent with the traffic models prepared by all 3 agencies viz. Riverside County, City of Moreno Valley, and the City of Riverside.

  - The City supports the extension of Day Street to Cactus Avenue which would help regional N/S circulation.

  - The project proponent should be conditioned for the following additional improvements:

    - Old 215/Alessandro
      - EB – 2 left turn lanes, 3 thru lanes
      - WB – 1 left turn lane, 3 thru lanes
      - Traffic Signal – Reconstruct

    - Alessandro Blvd. from Elsworth Street to Day Street
      - 3 lanes each direction

    - Alessandro – From Day to Old 215
      - 3 lanes each direction

    - Alessandro – From Old 215 to I-215 NB Ramps
      - 3 Lanes each direction with WB Right turn lane onto the Ramp

- Please provide to the City of Riverside full-size plans (site plan, elevations, and preliminary landscape plans) at such time when they are available, providing adequate time for City of Riverside further review and comment prior to any public hearings.

Once again, we thank you for allowing us this opportunity to comment, and look forward to a continued dialog regarding this project. Please contact Doug Darnell at (951) 826-5219 or by e-mail at ddarnell@riversideca.gov should you have any questions regarding this letter.

Sincerely,

Ken Gutierrez, AICP
Planning Director

c: Ronald Loveridge, Mayor
Riverside City Council Members
Brad Hudson, City Manager
Michael Beck, Assistant City Manager
Scott Barber, Community Development Director
Siobhan Foster, Public Works Director
Tom Boyd, Deputy Public Works Director/City Engineer
Steve Libring, Traffic Engineer
Andland Properties, LLC, Clarke Ashton, 22629 Felbar Ave. Torrance, CA 90505

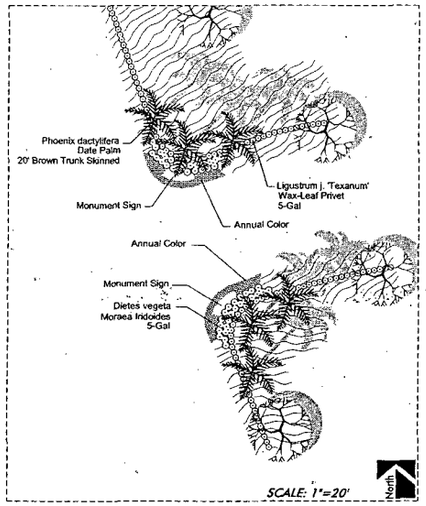

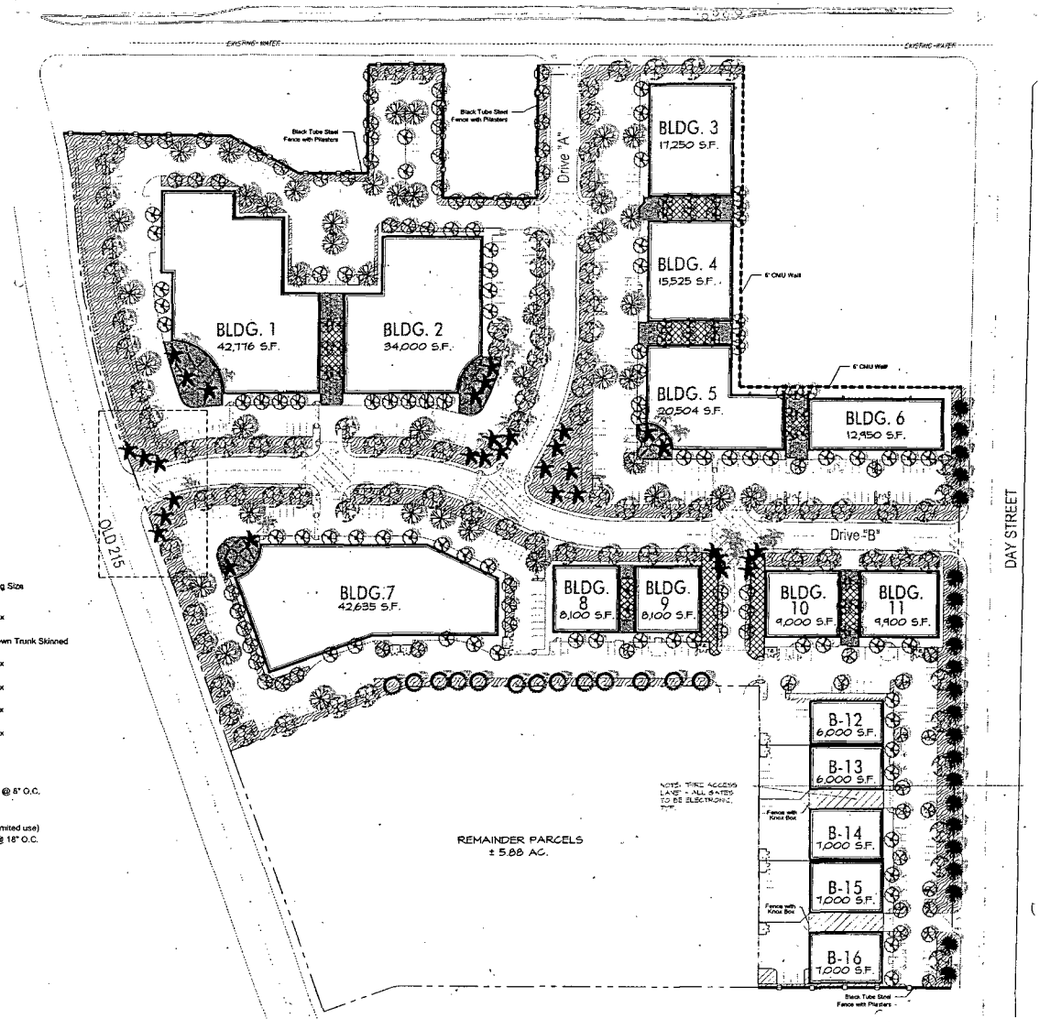

North

60

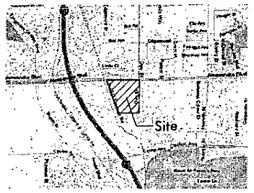

Vicinity Map
Not to Scale

ALL BUILDINGS, IMPROVEMENTS, THEIR OCCUPANTS AND THE USES AS SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO MODIFICATION AT THE OWNERS DISCRETION WITHOUT NOTICE.

THIS PRELIMINARY SITE PLAN IS BASED ON INFORMATION FURNISHED TO NADEL RETAIL ARCHITECTS LLP AND IS SUBJECT TO VERIFICATION BY LEGALS, SURVEYS AND GOVERNING AGENCIES ETC. THIS EXHIBIT IS NOT NECESSARILY A REPRESENTATION AS TO IDENTITY, TYPE, SIZE, LOCATION, TIMING OR OCCUPANCY OF ANY BUILDING WITHIN THIS CENTER.

Conceptual Planting Legend

Symbol	Scientific Name	Common Name	Planting Size
	Pinus canariensis	Canary Island Pine	24"-Box
	Phoenix dactylifera	Date Palm	20' Brown Trunk Skinned
	Pinus eldarica	Mondell Pine	24"-Box
	Platanus acerifolia 'Columbia'	London Plane Tree	24"-Box
	Pyrus calleryana 'Capital'	Capital Pear	24"-Box
	Cinnamomum camphora	Camphor Tree	24"-Box
	Dietes vegeta	Moraea Iridoides	5-Gal
	Gazania Mitsuwa	Gazania	FLATS @ 6" O.C.
	Hemerocallis app.	Yellow Day Lily	5-Gal
	Ligustrum j. 'Texanum'	Wax-Leaf Privet	5-Gal
	Medallion Fescue Turf	Hybrid Fescue Lawn	SOD (limited use)
	Myoporum p. 'Putah Creek'	Prostrate Myoporum	1-Gal @ 18" O.C.
	Parthenocissus tricuspidata	Boston Ivy	5-Gal
	Phormium cvs.	Flax Cultivars	5-Gal
	Trachelospermum asiaticum	Yellow Star Jasmine	5-Gal
	Xylosma c. 'Compacta'	Dwarf Xylosma	5-Gal

Ironsmith Treegrate - 46" Square

Ironsmith Treegrate - 60" Round

Black Tube Steel Fence with Pilasters. See Sheet 3 Detail 6

6' CMU Wall. See Sheet 3 Detail 3

PRELIMINARY LANDSCAPE PLAN Tentative Parcel Map #33152

Gateway Business Park
SEC Old 215 & Alessandro Blvd.
Moreno Valley, California

ANDLAND PROPERTIES, LLC
22629 Felbar Avenue
Torrance, Ca. 90505

DATE: 09.18.06
NADEL JOB#: 06380

NADEL RETAIL ARCHITECTS, LLP
3080 BRISTOL ST. SUITE 500
COSTA MESA, CA 92626
T.714.540.5000 F.714.755.3013
WWW.NADELARC.COM

2
PA05-0105-8

NADEL RETAIL

ATTACHMENT 9

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND THE SAME MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. COPYRIGHT NADEL RETAIL ARCHITECTS, LLP. ALL RIGHTS RESERVED

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MORENO VALLEY

CITY CLERK
MORENO VALLEY
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03 DEC -2 PM 3:55

APPROVALS	
CITY ATTORNEY	RBH
FINANCE DIRECTOR	SMC
CITY MANAGER	BDM

Report to City Council

TO: Chairman and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Linda B. Guillis, Community and Economic Development Director

AGENDA DATE: December 9, 2003

TITLE: THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY'S FISCAL YEAR 2002-2003 ANNUAL REPORT TO THE STATE CONTROLLER AND RESOLUTION FOR THE LOW AND MODERATE INCOME HOUSING FUND

RECOMMENDED ACTION

1. Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley accept the Redevelopment Agency's Annual Report for fiscal year 2002-2003 and authorize its submittal to the California State Controller.

2. Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution No. RDA 2003-06, verifying the establishment and appropriate use of the Low and Moderate Income Housing Fund in accordance with Section 33334.3 (d) of the Health and Safety Code.

BACKGROUND

The Redevelopment Agency's Annual Report to the State Controller's Office is due each year by December 31, 2003. However, the Agency must submit the report for review and acceptance by the Agency Board prior to filing it with the State. Section 33080.1 of the California State Health and Safety Code states that "every redevelopment agency shall present an annual report to its legislative body within six months of the end of the agency's fiscal year."

The Agency is also required to demonstrate the establishment and use of its Low and Moderate Income Housing Fund, to which it must allocate 20% of its gross tax increment revenue. "The moneys in the Low and Moderate Income Housing Fund shall

RDA AGENDA ITEM NO. C2.

be used to increase, improve, and preserve the supply of low and moderate income housing within the territorial jurisdiction of the agency," in accordance with Section 33334.3 (c) of the Health and Safety Code. In addition, the Agency must annually find that the planning and general administrative activities and expenses are necessary for the production, improvement or preservation of low and moderate income housing in compliance with Section 33334.3 (d). During fiscal year 2002-2003, these funds were used to pay for staffing and administrative overhead costs.

DISCUSSION

The Annual Report is a packet that includes the following documents:

1. *Annual Report of Fiscal Year 2002-2003 Financial Transactions (including Summary of Activities and Achievements)*

2. *Housing and Community Development Annual Report of Housing Activity of Community Redevelopment Agencies (HCD)*

The *Annual Report of Financial Transactions* is a fiscal statement containing information on outstanding indebtedness of each project area, the amount of tax increment revenues generated in each project area, the amount of tax increment paid to taxing agencies and a report of the Agency's financial transactions.

The *Summary of Activities and Achievements* is part of the *Annual Report of Financial Transactions* and contains a narrative summary of the Agency's activities and achievements throughout the last fiscal year. The document includes a list of currently funded and completed capital projects, active housing programs and projects and economic development activities.

The *Housing and Community Development Annual Report of Housing Activity of Community Redevelopment Agencies (HCD)* provides specific information on the Agency's housing activities for FY 02/03 as they relate to the Low and Moderate Income Housing Fund, including excess surplus and housing assistance issues.

Acceptance and authorization of the transmittal of the Annual Report to the State Controller, and adoption of the Low and Moderate Income Housing Fund Resolution will certify the Agency's compliance with State Redevelopment laws.

ALTERNATIVES

1. Review and accept the Annual Report for fiscal year 2002-2003 and approve its transmittal to the California State Controller, and adopt Resolution No. RDA 2003- 06 for the Low and Moderate Income Housing Fund. **Staff recommends this alternative.** *This alternative will fulfill the Agency's compliance requirements with State Redevelopment laws.*

2. Do not review and accept the Annual Report and do not approve its submittal to the California State Controller; do not adopt Resolution No. RDA 2003- 06 for

the Low and Moderate Income Housing Fund. **Staff does not recommend this alternative.** *This alternative will result in noncompliance with State Redevelopment laws.*

FISCAL IMPACT

There are no budget/fiscal impacts resulting from the submittal and acceptance of the Redevelopment Agency's Annual Report for fiscal year 2002-2003 and the adoption of the Low and Moderate Income Housing Fund resolution.

STAFF RECOMMENDATION

1. Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley review and accept the Redevelopment Agency's Annual Report for fiscal year 2002-2003 and authorize its submittal to the California State Controller.

2. Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution No. RDA 2003-06, verifying that the Low and Moderate Income Housing Fund has been established and is reported as a separate fund in the Agency's financial statements.

ATTACHMENTS/EXHIBITS

ATTACHMENT 1 – Annual Report for fiscal year 2002-2003
ATTACHMENT 2 – Resolution No. RDA 2003-06

Prepared By
Mandana Khatibshahidi
Redevelopment Management Analyst

Linda B. Guillis

Department Head Approval
Linda B. Guillis
Community and Economic Development Director

Concurred By
Mitch Slagerman
Redevelopment Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\NeighborPres\STAFF\MandanaK\AnnualReport\FY0203\SR0203.doc

Community Redevelopment Agency Of the City of Moreno Valley

ANNUAL REPORT TO THE STATE CONTROLLER

FISCAL YEAR 2002-2003

1. Financial Transactions Report (including Summary of Activities and Achievements), and Statement of Indebtedness

2. Housing and Community Development Annual Report of Housing Activity of Community Redevelopment Agencies (HCD)

December 9, 2003

ATTACHMENT 1

REDEVELOPMENT AGENCIES
FINANCIAL TRANSACTIONS REPORT
COVER PAGE

Moreno Valley Redevelopment Agency

Fiscal Year **2003** ID Number: **13983356400**

Submitted by:

Signature

REDEVELOPMENT MANAGER
Title

MITCH SLAGERMAN
Name (Please Print)

12/1/03
Date

Per Health and Safety Code section 33080, this report is due within six months after the end of the fiscal year. The report is to include two (2) copies of the agency's component unit audited financial statements, and the report on the Status and Use of the Low and Moderate Income Housing Fund (HCD report). To meet the filing requirements, all portions must be received by the California State Controller's Office.

To file electronically:

1. Complete all forms as necessary.
2. Transmit the completed output file using a File Transfer Protocol (FTP) program or via diskette.
3. Sign this cover page and mail to either address below with 2 audits and the HCD report.

Report will not be considered filed until receipt of this signed cover page.

To file a paper report:

1. Complete all forms as necessary.
2. Sign this cover page, and mail complete report to either address below with 2 audits and the HCD report.

Mailing Address:

State Controller's Office
Division of Accounting and Reporting
Local Government Reporting Section
P. O. Box 942850
Sacramento, CA 94250

Express Mailing Address:

State Controller's Office
Division of Accounting and Reporting
Local Government Reporting Section
3301 C Street, Suite 700
Sacramento, CA 95816

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

General Information

Fiscal Year 2003

Members of the Governing Body

	Last Name	First Name	Middle Initial
Chairperson	Batey, II	William	H
Member	Flickinger	Bonnie	
Member	Stewart	Richard	A
Member	West	Frank	
Member	White	Charles	R
Member			
Member			
Member			
Member			
Member			

Mailing Address

Street 1	P.O. Box 88005				
Street 2					
City	Moreno Valley	State	CA	Zip	92552-0805
Phone	(909) 413-3450	☐ Is Address Changed?			

Agency Officials

	Last Name	First Name	Middle Initial	Phone
Executive Director	Rogers	Gene		(909) 413-3020
Fiscal Officer	Chapman	Steven	M	(909) 413-3074
Secretary	Reed	Alice		(909) 413-3001

	Report Prepared By	Independent Auditor
Firm Name		Lance, Soll, & Lunghard CPAs, LLP
Last	Manning	Kikuchi
First	Kimberly	Richard
Middle Initial	A	
Street	203 North Brea Blvd Ste 203	203 North Brea Blvd Ste 203
City	Brea	Brea
State	CA	CA
Zip Code	92821-4056	92821-4056
Phone	(714) 672-0022	(714) 672-0022

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Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Achievement Information (Unaudited)

Fiscal Year 2003

Indicate Only Those Achievements Completed During the Fiscal Year of this Report as a Direct Result of the Activities of the Redevelopment Agency.

Please provide a description of the agency's activities/accomplishments during the past year.

(Please be specific, as this information will be the basis for possible inclusion in the publication.)

Activity Report

Community Redevelopment Agency
Of the City of Moreno Valley

ANNUAL REPORT TO THE STATE CONTROLLER

FISCAL YEAR 2002-2003

1.☐Financial Transactions Report (including Summary of Activities and Achievements)

2.☐Housing and Community Development Annual Report of Housing Activity of Community Redevelopment Agencies (HCD)

Enter the amount of square footage completed this year by building type and segregated by new or rehabilitated construction.

Square Footage Completed

	New Construction	Rehabilitated
Commercial Buildings	826,903	
Industrial Buildings	4,120,989	
Public Buildings		
Other Buildings		
Total Square Footage	4,947,892	0

Enter the Number of Jobs Created from the Activities of the Agency: 2,575

Types Completed: E

A=Utilities B=Recreation C=Landscaping D=Sewer/ Storm E=Streets/ Roads F=Bus/Transit

MV00215859

December 9, 2003

Administration

Objective: To manage and coordinate the activities of the City's Redevelopment Plan and provide programs and projects which improve the physical, social and economic conditions in the Redevelopment Project Area.

A.□Funded Capital Projects In Progress:

1.□Alessandro Boulevard Improvements (Grant Street to Elsworth Street): The project calls for the construction of missing sidewalk segments to join existing sidewalk improvements on Postal Avenue, Back Way and Perris Boulevard, which all have existing curb and gutter. The improvements will additionally provide street widening to four lanes with acceleration and deceleration lanes, curb and gutter, striping plans and other ancillary enhancements. The project will directly benefit 15 parcels fronting the boulevard on the Grant to Elsworth segment.

2.□Aqueduct Bikeway Landscaping: The design phase concluded in October 2003 and the project is ready to move into the construction phase. The project consists of landscaping and lighting adjacent to a Class I bicycle lane within the 100 foot wide California Aqueduct Easement, from Cottonwood Avenue to 400 feet north of Pan Am Boulevard. The total length of the project is approximately ¼ mile, encompassing an area of approximately 11,300 square meters (2.8 acres).

3.□Pepper Street Improvements: The design phase of the Pepper Street project is RDA funded with an anticipated completion date of March 2004. CDBG funds will be used for the construction of the project. The improvements will span from Alessandro Boulevard to Sherman Avenue and include access ramps, sidewalks, curb and gutter, retaining walls and/or curbs, drainage improvements, and driveways; Asphalt Concrete (AC) pavement and base, signing and striping, right-of-way plats, removal/replacement and/or relocation of existing trees, mailboxes, utilities, and any other item necessary to adequately complete the intended improvements. The project will directly benefit 15 parcels fronting the street.

4.□Storm Drain Line "LL" Improvements: The project will be the construction of storm

MV00215860

drain improvements on Dracaea Avenue and Old 215-Frontage Road. The improvements will provide flood protection for existing and future development in the west end area of the City. Construction will consist of reinforced concrete pipe (RCP), earthen trapezoidal channel, manholes, catch basins and rehabilitation of an existing 30-inch culvert draining the area south of Dracaea Avenue and west of the Edgemont Channel.

5.□Sunnymead Boulevard Street Improvements: The Redevelopment Agency has allocated $2.5 million for the design and improvement of Sunnymead Boulevard, the designated future "downtown" of Moreno Valley, which is part of the Agency's upcoming revitalization effort (Sunnymead Specific Plan). The boulevard will serve as the gateway and commercial focal point of the community by integrating residential, commercial, office, and recreational elements. The improvements (from Frederick Street to Perris Boulevard) will include street/right of way upgrades, landscape and hardscape and various forms of signage. The design phase for the street improvements portion of the project began in November 2003.

B.□Completed Capital Projects:

1.□Alessandro Entryway Improvements: Construction for street improvements on Alessandro Boulevard was completed in March 2003 and the Notice of Completion was recorded in July 2003, while the retention of funds was released in August. The project provided for infrastructure enhancements to the westerly entryway of the City at Alessandro Boulevard, between Old Interstate-215 and Day Street, which also serves as the gateway to the Centerpointe Industrial Area and the Civic Center Complex. The improvements include landscape medians at each end of the boulevard, a center turning lane, and the construction of missing sidewalks, curb and gutter, and driveway approaches. The project directly benefited 22 parcels fronting the boulevard.

2.□Atwood Avenue Street Improvements (Phase I and II): The construction of both phases of the Atwood Avenue Street Improvements project was completed in 2003. RDA funds were used for the design of the project as well as a portion of the construction phase. CDBG funds were also used for the construction phases. This project is divided into two phases: Phase I is the portion of the street between Heacock Street and Indian Street and Phase II is the portion of the street between Indian Street and Perris Boulevard. The project constructed the missing improvements on Atwood Avenue and provided for two lanes (one in each direction), curb and gutter, sidewalk, catch basins, and parking on both sides of the street. The improvements benefited 125 parcels in the project area.

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3.□Dracaea Avenue Street Improvements: The construction phase of the Dracaea Avenue Street Improvements project was completed in 2003. The construction of the street improvements was financed with both RDA and CDBG funds and included the portion between Heacock Street and Perris Boulevard. The project will provided missing improvements on Dracaea Avenue, including two lanes (one in each direction), curb and gutter, sidewalk, catch basins, and parking on both sides of the street. The improvements benefited 99 parcels in the project area.

Housing

Objective: To develop and implement housing programs and projects, resulting in the improvement and expansion of the City's affordable housing opportunities that relate specifically to the Redevelopment Area. Program results are described in the Housing and Community Development Annual Report of Housing Activity of Community Redevelopment Agencies (HCD) for fiscal year ended June 30, 2003. Program descriptions are listed below.

A.□Development Projects

1.□Cooperative Services Incorporated (CSI): The City entered into a Disposition and Development Agreement with Cooperative Services Incorporated, a non-profit developer, to construct and operate a 70-unit senior citizen's housing complex within the Redevelopment Project Area. Rent rates for the housing units will address the needs of very low-income senior citizens. HUD money was used to finance the project with contributions from the City's HOME funds and Redevelopment Agency's housing set aside funds in December 2002. Construction is proceeding well and began immediately following loan funding. The project is expected to be complete in December 2003.

2.□Cottonwood Place Phase II: Palm Desert Development Company (PDDC) applied for and received an allocation of tax credits to construct the second phase of the low and moderate-income apartment project. The second phase will add 61 units to the existing 108-unit complex. The City will make a $762,000 loan to the project using RDA housing set aside funds. Construction will begin in November 2003.

3.□Riverside Housing Development Corporation (RHDC): Riverside Housing Development Corporation, in partnership with the Redevelopment Agency, is completing rehabilitation of a 4-unit complex on Bay Avenue. The RDA provided $228,000 in acquisition costs and $182,000 in rehabilitation and construction costs for the project using housing set aside funds. The project was completed in September

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2003 and will add 4 units to the existing 8 units that RHDC owns and operates in the neighborhood. The Redevelopment Agency is currently preparing an agreement for RHDC to become its second Community Housing Development Organization (CHDO). This partnership will increase the positive influence that RHDC has in the neighborhood while leveraging City resources.

4.□Habitat for Humanity: Habitat for Humanity became the City's first CHDO through an Affordable Housing Agreement. Three homes for low-income families were constructed on three infill lots in the Eastgate neighborhood of the City. The City is providing a total of $225,000 in HOME funds for the acquisition and site development costs associated with the construction of the three homes. The three sites have been graded and the construction of one house has been completed. The grand opening was held September 4, 2003. The other two homes are anticipated to be completed in early 2004.

5.□Exterior Beautification Program (Hildegarde Street): The Exterior Beautification Program is an exterior beautification program that initiated with Hildegarde Street located in the eastern portion of the City. Hildegarde is a block long cul-de-sac within the City's Focused Neighborhoods area. Property owners and residents along the street were contacted regarding the new program and an informative community meeting was held in September 2002, at which residents expressed a strong desire for participation. The program was funded with $99,998 from proceeds of the HUD Dollar Home Sales program. The Redevelopment Agency contracted with a general contractor to perform various maintenance, repair, painting and landscaping on the single-family homes on the street. The project was completed on schedule and within budget. The revitalized neighborhood is a source of pride for area residents and Staff will be searching for other neighborhoods in which to duplicate this successful project.

B.□Perennial Housing Programs

1.□Homebuyer Assistance Program (HAP): The HAP provides up to $20,000 towards down payment assistance to income-eligible people trying to purchase a home.

2.□Homeowner Assistance for Minor Rehabilitation (HAMR): The HAMR provides a $7,500 maximum loan to a homeowner in need of minor home repairs for items as fencing, front yard landscaping, or a new roof. The loan is financed at a 3% to 5% annual interest rate; payments are amortized, or spread equally over ten years and are approximately $71 to $78 per month. The loan would become immediately due and payable upon sale, refinance, or lease of the property.

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Administration

Objective: To manage and coordinate the activities of the City's Redevelopment Plan and provide programs and projects which improve the physical, social and economic conditions in the Redevelopment Project Area.

A. Funded Capital Projects In Progress:

1. Alessandro Boulevard Improvements (Grant Street to Elsworth Street): The project calls for the construction of missing sidewalk segments to join existing sidewalk improvements on Postal Avenue, Back Way and Perris Boulevard, which all have existing curb and gutter. The improvements will additionally provide street widening to four lanes with acceleration and deceleration lanes, curb and gutter, striping plans and other ancillary enhancements. The project will directly benefit 15 parcels fronting the boulevard on the Grant to Elsworth segment.

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MV00215864

(from Frederick Street to Perris Boulevard) will include street/right of way upgrades, landscape and hardscape and various forms of signage. The design phase for the street improvements portion of the project began in November 2003.

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MV00215865

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2. Cottonwood Place Phase II: Palm Desert Development Company (PDDC) applied for and received an allocation of tax credits to construct the second phase of the low and moderate-income apartment project. The second phase will add 61 units to the existing 108-unit complex. The City will make a $762,000 loan to the project using RDA housing set aside funds. Construction will begin in November 2003.

3. Riverside Housing Development Corporation (RHDC): Riverside Housing Development Corporation, in partnership with the Redevelopment Agency, is completing rehabilitation of a 4-unit complex on Bay Avenue. The RDA provided $228,000 in acquisition costs and $182,000 in rehabilitation and construction costs for the project using housing set aside funds. The project was completed in September 2003 and will add 4 units to the existing 8 units that RHDC owns and operates in the neighborhood. The Redevelopment Agency is currently preparing an agreement for RHDC to become its second Community Housing Development Organization (CHDO). This partnership will increase the positive influence that RHDC has in the neighborhood while leveraging City resources.

4. Habitat for Humanity: Habitat for Humanity became the City's first CHDO through an Affordable Housing Agreement. Three homes for low-income families were constructed on three infill lots in the Eastgate neighborhood of the City. The City is providing a total of $225,000 in HOME funds for the acquisition and site development costs associated with the construction of the three homes. The three sites have been graded and the construction of one house has been completed. The grand opening was held September 4, 2003. The other two homes are anticipated to be completed in early 2004.

5. Exterior Beautification Program (Hildegarde Street): The Exterior Beautification Program is an exterior beautification program that initiated with Hildegarde Street located in the eastern portion of the City. Hildegarde is a block long cul-de-sac within the City's Focused Neighborhoods area. Property owners and residents along the street were contacted regarding the new program and an informative community meeting was held in September 2002, at which residents expressed a strong desire for participation. The program was funded with $99,998 from proceeds of the HUD Dollar Home Sales program. The Redevelopment Agency contracted with a general contractor to perform various maintenance, repair, painting and landscaping on the single-family homes on the street. The project was completed on schedule and within budget. The revitalized neighborhood is a source of pride for area residents and Staff will be searching for other neighborhoods in which to duplicate this successful project.

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3.□Home Improvement Loan Program (HILP): The HILP provides a $15,000 maximum loan with a 3% annual interest rate. Payment and interest is deferred for 20 years, or until the owner sells and/or ceases to occupy the property. This program is designed for homeowners who have equity in the property to provide collateral for the loan, and require multiple repairs and improvements, such as the upgrade of existing electrical and plumbing, roof replacement, and other interior and exterior repairs.

4.□Mobile Home Grant Program (MHG): A $10,000 maximum grant amount is available for owner-occupied mobile homes that are located in an established Moreno Valley mobile home park that rents the space to the owner/occupant. Homeowners do not pay back the grant. Eligible improvements include health and safety items, roofing, flooring and exterior paint.

5.□Homebuyer Education and Counseling: Staff referred 6 program applicants and potential applicants to credit and homeowner counseling sessions during 2003.

Economic Development – Marketing

Objective: To facilitate economic growth through promotion of the City, business attraction, and business expansion/retention efforts. In FY 02/03, the Redevelopment Agency funded 60% of each salary for the staff assigned to Economic Development. Salary participation by the Redevelopment Agency enabled administration of the following programs/activities:

1.□Development of promotional materials that provide economic and demographic information about the City, including the Project Area.

a.□Community Conditions Report
b.□Inland Empire Economic Partnership Fact Book
c.□Book of Lists
d.□2002 Semi-Annual Economic Development report
e.□Demographic summary for the Library grant application
f.□Sales Tax worksheets/charts that track growth in retail sales and sales tax leakage
g.□Aerial photo, table, and demographic report handouts that depict Moreno Valley's population & housing growth

2.□Participation in the following trade shows to promote the City/Project Area:

a.□MD&M (Medical Design and Manufacturing)

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b.□ICSC (International Council of Shopping Centers)

c.□Other – occasional miscellaneous trade shows

3.□Membership in the Inland Empire Economic Partnership (IEEP), a non-profit regional economic development corporation that provides national/international marketing and serves as a clearinghouse for site selectors seeking locations for their business clients.

4.□Response to 93 leads/inquiries about business opportunities Citywide, including the Project Area.

5.□Provision of ombudsman services to the following businesses that committed to Moreno Valley location/expansion:

COMPANY□LOCATED INSIDEPROJECT AREA□SQUARE FEET□# OF JOBS
INDUSTRIAL□□□
Walgreens Distribution Center□NO□730,000 □200 – 600
Porvene Doors□YES□69,589□75
Aurora Modular□NO□120,000□250-400
Thor California□YES□64,000□125
Industrial Developments International Distribution Center□NO□1,337,400□200-600
ProLogis Distribution Center□NO□1,600,000□200-600
Serta Mattress□YES□200,000□200
RETAIL/COMMERCIAL□□□
Lowe's Home Improvement Warehouse□YES□163,849□150
Circuit City□YES□33,900□Unknown
Fiesta Foods□NO□60,000□Unknown
Home Depot□NO□102,513□150
Moreno Beach Plaza: Wal-Mart□YES□377,000□Unknown
Lakeside Plaza□NO□89,641□Unknown

6.□Limited marketing campaign in fiscal year 02/03: selection of a new campaign consultant was postponed due to budget uncertainties. Marketing was pursued through various Business Press and Press Enterprise publications that promoted Moreno Valley, including the Project Area.

MV00215868

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Audit Information

Fiscal Year 2003

Was the Report Prepared from Audited Financial Data, and Did You Submit a Copy of the Audit?	Yes
Indicate Financial Audit Opinion	Qualified
If Financial Audit is not yet Completed, What is the Expected Completion Date?	
If the Audit Opinion was Other than Unqualified, State Briefly the Reason Given	Agency declined to include the management's discussion and analysis.
Was a Compliance Audit Performed in Accordance with Health and Safety Code Section 33080.1 and the State Controller's Guidelines for Compliance Audits, and Did You Submit a Copy of the Audit?	Yes
Indicate Compliance Audit Opinion	Unqualified
If Compliance Audit is not yet Completed, What is the Expected Completion Date?	

If compliance opinion includes exceptions, state the areas of non-compliance, and describe the agency's efforts to correct.

MV00215869

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Project Area Report

Fiscal Year 2003 **Project Area Name** **Moreno Valley Redevelopment Project Area**

Please Provide a Brief Description of the Activities for this Project Area During the Reporting Year.

Activity Report

Forwarded from Prior Year ?	Yes
Enter Code for Type of Project Area Report	P

P = Standard Project Area Report
A = Administrative Fund
L = Low and Moderate Income Housing Fund
M = Mortgage Revenue Bond Program
O = Other Miscellaneous Funds or Programs
S = Proposed (Survey) Project Area

Does the Plan Include Tax Increment Provisions?	Yes
Date Project Area was Established *(MM-DD-YY)*	12/19/1987
Most Recent Date Project Area was Amended	
Did this Amendment Add New Territory?	
Most Recent Date Project Area was Merged	
Will this Project Area be Carried Forward to Next Year?	Yes

Established Time Limit :

Repayment of Indebtedness *(Year Only)*	2037
Effectiveness of Plan *(Year Only)*	2027
New Indebtedness *(Year Only)*	2007
Size of Project Area in Acres	4,626
Percentage of Land Vacant at the Inception of the Project Area *Health and Safety Code Section 33320.1 (xx.x%)*	20.0
Percentage of Land Developed at the Inception of the Project Area *Health and Safety Code Section 33320.1 (xx.x%)*	80.0
Objectives of the Project Area as Set Forth in the Project Area Plan *(Enter the Appropriate Code(s) in Sequence as Shown)*	RICPO

R = Residential I = Industrial C = Commercial P = Public O = Other

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Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Assessed Valuation Data

Fiscal Year **2003**

Project Area Name	Moreno Valley Redevelopment Project Area
Frozen Base Assessed Valuation	568,836,168
Increment Assessed Valuation	572,722,269
Total Assessed Valuation	1,141,558,437

MV00215871

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Pass-Through / School District Assistance

Fiscal Year 2003

Project Area Name Moreno Valley Redevelopment Project Area

Amounts Paid To Taxing Agencies Pursuant To:	Tax Increment Pass Through Detail				Other Payments	
	H & S Code Section 33401	H & S Code Section 33676	H & S Code Section 33607	Total	H & S Code Section 33445	H & S Code Section 33445.5
County				$0		
Cities				$0		
School Districts				$0		
Community College Districts				$0		
Special Districts				$0		
Total Paid to Taxing Agencies	$0	$0	$0	$0	$0	$0
Net Amount to Agency				$6,078,769		
Gross Tax Increment Generated				6,078,769		

MV00215872

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Summary of the Statement of Indebtedness - Project Area

Fiscal Year 2003

Project Area Name	Moreno Valley Redevelopment Project Area
Tax Allocation Bond Debt	
Revenue Bonds	2,700,000
Other Long Term Debt	19,382,836
City/County Debt	75,119,749
Low and Moderate Income Housing Fund	35,746,698
Other	45,922,420
Total	$178,871,703
Available Revenues	4,112,197
Net Tax Increment Requirements	$174,759,506

MV00215873

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Agency Long-Term Debt

Fiscal Year 2003

Project Area Name Moreno Valley Redevelopment Project Area

Forward from Prior Year	Yes
Bond Type	City/County Debt
Year of Authorization	1987
Principal Amount Authorized	1,267,077
Principal Amount Issued	1,267,077
Purpose of Issue	Operations
Maturity Date Beginning Year	1987
Maturity Date Ending Year	2032
Principal Amount Unmatured Beginning of Fiscal Year	$967,077
Adjustment Made During Year	
Adjustment Explanation	
Interest Added to Principal	
Principal Amount Issued During Fiscal Year	
Principal Amount Matured During Fiscal Year	100,000
Principal Amount Defeased During Fiscal Year	
Principal Amount Unmatured End of Fiscal Year	$867,077
Principal Amount In Default	
Interest In Default	

Bond Types Allowed:

Tax Allocation Bonds; Revenue Bonds; Certificates of Participation; Tax Allocation Notes; Financing Authority Bonds; City/County Debt; US;State; Loans; Lease Obligations; Notes; Deferred Pass-Throughs; Deferred Compensation; Other

MV00215874

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Agency Long-Term Debt

Fiscal Year 2003

Project Area Name Moreno Valley Redevelopment Project Area

Forward from Prior Year	Yes
Bond Type	Other
Year of Authorization	1987
Principal Amount Authorized	15,462,131
Principal Amount Issued	15,462,131
Purpose of Issue	Development
Maturity Date Beginning Year	1987
Maturity Date Ending Year	2015
Principal Amount Unmatured Beginning of Fiscal Year	$15,462,131
Adjustment Made During Year	
Adjustment Explanation	
Interest Added to Principal	
Principal Amount Issued During Fiscal Year	
Principal Amount Matured During Fiscal Year	
Principal Amount Defeased During Fiscal Year	
Principal Amount Unmatured End of Fiscal Year	$15,462,131
Principal Amount In Default	
Interest In Default	

Bond Types Allowed:

Tax Allocation Bonds; Revenue Bonds; Certificates of Participation; Tax Allocation Notes; Financing Authority Bonds; City/County Debt; US;State; Loans; Lease Obligations; Notes; Deferred Pass-Throughs; Deferred Compensation; Other

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Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Agency Long-Term Debt

Fiscal Year 2003

Project Area Name Moreno Valley Redevelopment Project Area

Forward from Prior Year	
Bond Type	Other
Year of Authorization	1987
Principal Amount Authorized	4,831,827
Principal Amount Issued	4,831,827
Purpose of Issue	Development - accrued interest
Maturity Date Beginning Year	2003
Maturity Date Ending Year	2010
Principal Amount Unmatured Beginning of Fiscal Year	
Adjustment Made During Year	3,631,158
Adjustment Explanation	not recorded in prior years
Interest Added to Principal	1,200,669
Principal Amount Issued During Fiscal Year	
Principal Amount Matured During Fiscal Year	911,122
Principal Amount Defeased During Fiscal Year	
Principal Amount Unmatured End of Fiscal Year	$3,920,705
Principal Amount In Default	
Interest In Default	

Bond Types Allowed:

Tax Allocation Bonds; Revenue Bonds; Certificates of Participation; Tax Allocation Notes; Financing Authority Bonds; City/County Debt; US;State; Loans; Lease Obligations; Notes; Deferred Pass-Throughs; Deferred Compensation; Other

MV00215876

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Statement of Income and Expenditures - Revenues

Fiscal Year 2003

Project Area Name Moreno Valley Redevelopment Project Area

	Capital Project Funds	Debt Service Funds	Low/Moderate Income Housing Funds	Special Revenue/Other Funds	Total
Tax Increment Gross *(Include All Apportionments)*	4,863,015		1,215,754		$6,078,769
Special Supplemental Subvention					$0
Property Assessments					$0
Sales and Use Tax	95,195				$95,195
Transient Occupancy Tax					$0
Interest Income	196,972		244,469		$441,441
Rental Income					$0
Lease Income					$0
Sale of Real Estate					$0
Gain on Land Held for Resale					$0
Federal Grants					$0
Grants from Other Agencies					$0
Bond Administrative Fees					$0
Other Revenues	6,105		81,463		$87,568
Total Revenues	$5,161,287	$0	$1,541,686	$0	$6,702,973

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Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Statement of Income and Expenditures - Expenditures

Fiscal Year 2003

Project Area Name Moreno Valley Redevelopment Project Area

	Capital Project Funds	Debt Service Funds	Low/Moderate Income Housing	Special Revenue/Other	Total
Administration Costs	724,538		2,020,969		$2,745,507
Professional Services	30,910		24,867		$55,777
Planning, Survey, and Design					$0
Real Estate Purchases					$0
Acquisition Expense					$0
Operation of Acquired Property					$0
Relocation Costs					$0
Relocation Payments					$0
Site Clearance Costs					$0
Project Improvement / Construction Costs	708,850				$708,850
Disposal Costs					$0
Loss on Disposition of Land Held for Resale					$0

MV00215878

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Statement of Income and Expenditures - Expenditures

Fiscal Year 2003

Project Area Name Moreno Valley Redevelopment Project Area

	Capital Project Funds	Debt Service Funds	Low/Moderate Income Housing	Special Revenue/Other	Total
Decline in Value of Land Held for Resale					$0
Rehabilitation Costs					$0
Rehabilitation Grants					$0
Interest Expense	1,221,481				$1,221,481
Fixed Asset Acquisitions					$0
Subsidies to Low and Moderate Income Housing					$0
Debt Issuance Costs					$0
Other Expenditures Including Pass-Through Payment(s)	2,157,899				$2,157,899
Debt Principal Payments:					
Tax Allocation Bonds and Notes					$0
Revenue Bonds, Certificates of Participation, Financing Authority Bonds					$0
City/County Advances and Loans	100,000				$100,000
All Other Long-Term Debt	911,122				$911,122
Total Expenditures	$5,854,800	$0	$2,045,836	$0	$7,900,636
Excess (Deficiency) Revenues over (under) Expenditures	($693,513)	$0	($504,150)	$0	($1,197,663)

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Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Statement of Income and Expenditures - Other Financing Sources

Fiscal Year 2003

Project Area Name Moreno Valley Redevelopment Project Area

	Capital Project Funds	Debt Service Funds	Low/Moderate Income Housing	Special Revenue/Other	Total
Proceeds of Long-Term Debt	1,200,669				$1,200,669
Proceeds of Refunding Bonds					$0
Payment to Refunded Bond Escrow Agent					$0
Advances from City/County					$0
Sale of Fixed Assets					$0
Miscellaneous Financing Sources (Uses)					$0
Operating Transfers In					$0
Tax Increment Transfers In					$0
Operating Transfers Out					$0
Tax Increment Transfers Out					$0
(To the Low and Moderate Income Housing Fund)					
Total Other Financing Sources (Uses)	$1,200,669	$0	$0	$0	$1,200,669

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Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Statement of Income and Expenditures - Other Financing Sources

Fiscal Year 2003

Project Area Name Moreno Valley Redevelopment Project Area

	Capital Project Funds	Debt Service Funds	Low/Moderate Income Housing	Special Revenue/Other	Total
Excess (Deficiency) of Revenues and Other Financing Sources over Expenditures and Other Financing Uses	$507,156	$0	($504,150)	$0	$3,006
Equity, Beginning of Period	$5,135,973	$0	$11,338,185	$0	$16,474,158
Prior Period Adjustments					$0
Residual Equity Transfers					$0

Other(Specify)	A	B	C	D	E
Total					

Refresh

Other Total					
Equity, End of Period	$5,643,129	$0	$10,834,035	$0	$16,477,164

MV00215881

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Balance Sheet - Assets and Other Debits

Fiscal Year 2003	Capital Projects Funds	Debt Service Funds	Low/Moderate Income Housing Funds	Special Revenue/Other Funds	General Long-Term Debt	General Fixed Assets	Total
Assets and Other Debits							
Cash and Imprest Cash	5,341,458		6,980,160				$12,321,618
Cash with Fiscal Agent							$0
Tax Increments Receivable							$0
Accounts Receivable	2,157		1,005				$3,162
Accrued Interest Receivable	44,819		126,115				$170,934
Loans Receivable	245,695		3,949,009				$4,194,704
Contracts Receivable							$0
Lease Payments Receivable							$0
Unearned Finance Charge							$0
Due from Capital Projects Fund							$0
Due from Debt Service Fund							$0
Due from Low/Moderate Income Housing Fund							$0
Due from Special Revenue/Other Funds							$0

MV00215882

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Balance Sheet - Assets and Other Debits

Fiscal Year 2003	Capital Projects Funds	Debt Service Funds	Low/Moderate Income Housing Funds	Special Revenue/Other Funds	General Long-Term Debt	General Fixed Assets	Total
Investments							$0
Other Assets	227,759						$227,759
Investments: Land Held for Resale							$0
Allowance for Decline In Value of Land Held for Resale							$0
Fixed Assets: Land, Structures, and Improvements						6,631,144	$6,631,144
Equipment							$0
Amount Available In Debt Service Fund							$0
Amount to be Provided for Payment of Long-Term Debt					20,249,913		$20,249,913
Total Assets and Other Debits *(Must Equal Total Liabilities, Other Credits, and Equities)*	$5,861,888	$0	$11,056,289	$0	$20,249,913	$6,631,144	$43,799,234

MV00215883

Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Balance Sheet - Liabilities and Other Credits

Fiscal Year 2003	Capital Projects Funds	Debt Service Funds	Low/Moderate Income Housing Funds	Special Revenue/Other Funds	General Long-Term Debt	General Fixed Assets	Total
Liabilities and Other Credits							
Accounts Payable	110,715		30,478				$141,193
Interest Payable							$0
Tax Anticipation Notes Payable							$0
Loans Payable							$0
Other Liabilities	108,044		191,776				$299,820
Due to Capital Projects Fund							$0
Due to Debt Service Fund							$0
Due to Low/Moderate Income Housing Fund							$0
Due to Special Revenue/Other Funds							$0
Tax Allocation Bonds Payable							$0
Lease Revenue, Certificates of Participation Payable, Financing Authority Bonds							$0
All Other Long-Term Debt					20,249,913		$20,249,913
Total Liabilities and Other Credits	$218,759	$0	$222,254	$0	$20,249,913		$20,690,926

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Moreno Valley Redevelopment Agency

Redevelopment Agencies Financial Transactions Report

Balance Sheet - Liabilities and Other Credits

Fiscal Year 2003	Capital Projects Funds	Debt Service Funds	Low/Moderate Income Housing Funds	Special Revenue/Other Funds	General Long-Term Debt	General Fixed Assets	Total
Equities							
Investment In General Fixed Assets						6,631,144	$6,631,144
Fund Balance Reserved	229,691		3,949,009				$4,178,700
Fund Balance Unreserved-Designated	4,546,361		6,885,026				$11,431,387
Fund Balance Unreserved-Undesignated	867,077						$867,077
Total Equities	$5,643,129	$0	$10,834,035	$0		$6,631,144	$23,108,308
Total Liabilities, Other Credits, and Equities	$5,861,888	$0	$11,056,289	$0	$20,249,913	$6,631,144	$43,799,234

MV00215885

Supplemental to the Annual Report of Community Redevelopment Agencies
For the Fiscal Year Ended June 30, 2003

Redevelopment Agency ID Number:	**13983356400**
Name of Redevelopment Agency:	**Redevelopment Agency Of The City Of Moreno Valley**

The U. S. Bureau of the Census requests the following information about the fiscal activities of your government for the 2002-2003 fiscal year (defined from July 1, 2002 through June 30, 2003). Governments furnishing this information will no longer receive U. S. Bureau of the Census Form F-32, Survey of Local Government Finances. If you have any questions, please contact:

U. S. Bureau of the Census
Jeffrey Little
1-800-242-4523

A. Personnel Expenditures

Report your government's total expenditure for salaries and wages during the year, including amounts paid on force account construction projects.

ZØØ	None

B. Mortgage Revenue Bond Interest Payments

Report your government's total amount of interest paid on mortgage revenue bonds during the year.

U2Ø	Unknown

US Bureau of Census - Revised 7/2003

STATEMENT OF INDEBTEDNESS - CONSOLIDATED
FILED FOR THE 2002-03 TAX YEAR

Cover Page

Name of Redevelopment Agenc Moreno Valley Redevelopment Agency

Name of Project Area Moreno Valley Redevelopment Agency

Balances Carried Forward From:		Line	Current: Total Outstanding Debt	Current: Principal/Interest Due During Tax Year
Fiscal Period - Totals	(From Form A, Page 1 Totals)	(1)	$178,871,703	$7,225,048
(Optional) Post Fiscal Period - Totals	(From Form B Totals)	(2)		
Grand Totals		(3)	178,871,703	7,225,048
Available Revenues From Calculation of Available Revenues, Line 7		(4)	4,112,197	
Net Requirement		(5)	$174,759,505	

Consolidate on this form all of the data contained on Form A and B (including supplemental pages). Form A is to include all indebtedness entered into as of June 30 of the Fiscal Year. Form B may be filed at the option of the agency, and is to include indebtedness entered into post June 30 of the Fiscal Year, pursuant to Health and Safety Code Section 33675(c)(2). This is optional for each agency and is not a requirement for filing the Statement of Indebtedness. The Reconciliation Statement is to include indebtedness from Form A only.

Certification of Chief Financial Officer:
Pursuant to Section 33675 (b) of the Health and Safety Code, I hereby certify that the above is a true and accurate statement of Indebtedness for the above named agency.

Steve Chapman — Name

Director of Finance — Title

Signature

9/22/2003 — Date

STATEMENT OF INDEBTEDNESS - CONSOLIDATED

FILED FOR THE 2002-03 TAX YEAR

Form A

Name of Redevelopment Agency: Moreno Valley Redevelopment Agency

Name of Project Area: Moreno Valley Redevelopment Agency

For Indebtedness Entered into as of June 30, 2003

Debt Identification	Original Data					Current	
	Date	Principal	Term	Interest Rate	Total Interest	Total Outstanding Debt	Principal/Interest Due During Tax Year
(A) Towngate Bond Refinancing	FY 1993-94	$22,700,000	12/01/2021	Various	$10,108,017	$25,636,623	$1,911,394
(B) Towngate Improvement Bond	FY 1993-94	5,000,000	10/01/2023	Various	4,325,844	8,385,578	405,265
(C) Auto Mall Notes Payable	FY 1989-90	392,017	Various	Avg LAIF rate		228,794	
(D) Price Club Acquisition Notes	FY 1991-92	2,462,131	07/01/2012	8.00%	4,530,325	3,210,538	258,169
(E) Towngate Mall Acquisition Notes	FY 1992-93	13,000,000	Unlimited	7.25%	18,850,000	16,172,298	942,500
(F) Inter-Fund Advance (City)	FY 1987-88	10,467,462	Unlimited	Avg LAIF rate		867,077	120,812
(G) Inter-Fund Advance (RDA)	FY 2000-01	2,195,031	N/A	N/A			2,195,031
(H) Housing Set-Aside	FY 2000-01	36,941,404	N/A	N/A		35,746,698	1,194,706
(I) SB2557 County Apportionent	FY 2000-01	47,172	N/A	N/A			47,172
(J) Koll OPA Obligations	FY 1990-91	3,250,000	N/A	N/A		193,338	
(K) Public Safety Building Bond	FY 1997-98	3,450,000	11/01/2022	N/A		2,700,000	150,000
(L) Riverside County Passthrough	FY 1987-88	75,000,000	Unlimited	N/A		74,252,672	
(M) Auto Mall Bond	FY 1999-00	8,075,000	Various	Avg LAIF rate	5,670,729	11,478,087	$1,003,113
Totals Fiscal Year Indebtedness						$178,871,703	$7,225,048

Purpose of Indebtedness:

(A) Cost of Infrastruture Improvements
(B) Cost of Infrastruture Improvements
(C) Cost of Infrastruture Improvements
(D) Cost of Infrastruture Improvements
(E) Cost of Infrastruture Improvements
(F) Cost of Infrastruture Improvements
(G) Operating and Capital Projects
(H) Housing Set-Aside for Low and Moderate Income
(I) Senate Bill Apportionment (J) Pledge to Capital Project
(K) Cost of Infrastruture Improvements (O) Cost of Infrastructure Improvements
(K) Cost of Infrastruture Improvements (L) Cost of Infrastructure Improvements
(M) Cost of Capital Project

RECONCILIATION STATEMENT -- CHANGES IN INDEBTEDNESS

Name of Redevelopment Agency: Moreno Valley Redevelopment Agency

Name of Project Area: Moreno Valley Redevelopment Agency

Tax Year: 2002-2003

Reconciliation Dates: From July 1, 2002 to June 30, 2003

Debt Identification			A	B	C	D	E	F
SOI, page and line:		Brief	Outstanding Debt	Adjustments		Amounts Paid Against Indebtedness, from:		Remaining
Prior Yr	Current Yr	Description	All Beginning Indebtedness	Increases (Attach Explanation)	Decrease (Attach Explanation	Tax Increment	Other Funds	Balance (A+B-C-D-E)
Pg 1 Line A	Pg 1 Line A	Towngate Bond Refinancing	$27,548,017			$1,734,140	$177,254	$25,636,623
Pg 1 Line B	Pg 1 Line B	Towngate Improvement Bond	8,790,843				405,265	8,385,578
Pg 1 Line C	Pg 1 Line C	Auto Mall Notes Payable	297,966	945,120			1,014,292	228,794
Pg 1 Line D	Pg 1 Line D	Price Club Acquisition Notes	3,227,109	258,169			274,740	3,210,538
Pg 1 Line E	Pg 1 Line E	Towngate Mall Acquisition Notes	15,866,180	942,500			636,382	16,172,298
Pg 1 Line F	Pg 1 Line F	Inter-Fund Advance (City)	967,077	20,812		120,812		867,077
Pg 1 Line G	Pg 1 Line G	Inter-Fund Advance (RDA)	2,195,031			2,195,031		
Pg 1 Line H	Pg 1 Line H	Housing Set-Aside	36,941,404			1,194,706		35,746,698
Pg 1 Line I	Pg 1 Line I	SB 2557 County Apportionment	47,172			47,172		
Pg 1 Line J	Pg 1 Line J	Koll OPA Obligations	193,338					193,338
Pg 1 Line K	Pg 1 Line K	Public Safety Building Bond	2,850,000			150,000		2,700,000
Pg 1 Line L	Pg 1 Line L	Riverside County Passthrough	74,252,672					74,252,672
Pg 1 Line M	Pg 1 Line M	Auto Mall Bond	12,481,200			114,766	888,347	11,478,087
TOTAL-THIS PAGE			$185,658,008	$2,166,600	$0	$5,556,626	$3,396,280	$178,871,703
GRAND TOTALS			$185,658,008	$2,166,600	$0	$5,556,626	$3,396,280	$178,871,703

NOTE:
Line C - Sales Tax Collected
Line D - Interest accrued
Line E - Interest accrued
Line F - Interest accrued

CALCULATION OF AVAILABLE REVENUES

AGENCY NAME Moreno Valley Redevelopment Agency

PROJECT AREA Moreno Valley Redevelopment Agency

TAX YEAR 2002-2003

RECONCILIATION DATES: JULY 1, 2002 TO JUNE 30, 2003

1.	Beginning Balance, Available Revenues	$3,163,078
	Adjustment made after SOI filed	36,735
2.	Tax Increment Received - Gross All Tax Increment Revenues, to include any Tax Increment passed through to other local taxing agencies.	6,078,769
3.	All other Available Revenues Received (See Instructions)	141,783
4.	Revenues from any other source, included in Column E of the Reconciliation Statement, but not included in (1-3) above	3,396,280
5.	Sum of Lines 1 through 4	12,816,644
6.	Total amounts paid against indebtedness in previous year. (D + E on Reconciliation Statement)	8,704,447
7.	Available Revenues, End of Year (5-6) **FORWARD THIS AMOUNT TO STATEMENT OF INDEBTEDNESS, COVER PAGE, LINE 4**	$4,112,197

NOTES

**** Beginning balance is re-stated in order to establish the correct amount.**

Tax Increment Revenues:

The only amount(s) to be excluded as Tax Increment Revenue are any amounts passed through to other local taxing agencies pursuant to Health and Safety Code Section 33676. Tax Increment Revenue set-aside in the Low and Moderate Income Housing Fund will be washed in the above calculation, and therefor omitted from Available Revenues at year end.

Item 4. above:

This represents any payments from any source other than Tax Increment OR available revenues. For instance, an agency funds a project with a bond issue. The previous SOI included a Disposition Development Agreement (DDA) which was fully satisfied with these bond proceeds. The DDA would be shown on the Reconciliation Statement as fully repaid under the "other" column (Col E), but with funds that were neither Tax Increment, nor "Available Revenues" as defined. The amounts used to satisfy this DDA would be included on line 4 above in order to accurately determine ending "Available Revenues".

Community Redevelopment Agency of the City of Moreno Valley

HOUSING AND COMMUNITY DEVELOPMENT ANNUAL REPORT OF HOUSING ACTIVITIES

Fiscal Year 2002-2003

HCD REPORT OF REDEVELOPMENT AGENCY HOUSING ACTIVITY FOR
FY ENDING: 06 / 30 / 2003

Agency Name and Address:
City of Moreno Valley
P.O. Box 88005/14177 Frederick Street
Moreno Valley, CA 92552-0805

County of Jurisdiction:
Riverside County

Health & Safety Code Section 33080.1 requires agencies to annually report on their Low & Moderate Income Housing Fund and housing activities for the Department of Housing and Community Development (HCD) to annually report on agencies' activities in accordance with Section 33080.6. Section 33080.3 specifies agencies must send this form, HCD Schedules, and an Audit report to the State Controller

Please answer each question below. Your answers determine which HCD SCHEDULES must be completed in order for the agency to fulfill the statutory requirement to report LMIHF housing activity and fund balances for the reporting period.

1. Check one of the items below to identify the Agency's status at the end of the reporting period:
   - ☐ New (Agency formation occurred during reporting year. No financial transactions were completed).
   - ☒ Active (Financial and/or housing transactions occurred during the reporting year)
   - ☐ Inactive (No financial and/or housing transactions occurred during the reporting year). ONLY COMPLETE ITEM 7
   - ☐ Dismantled (Agency adopted an ordinance to dissolve itself). ONLY COMPLETE ITEM 7
2. How many adopted project areas did the agency have during the reporting period? 1
   How many project areas were merged during the reporting period? 0
   If the agency has one or more adopted project areas, complete SCHEDULE HCD-A for ***each project area***.
   If the agency has no adopted project areas, DO NOT complete SCHEDULE HCD-A.
3. Within an area outside of any adopted redevelopment project area(s): (a) did the agency destroy or remove any dwelling units or displace any households over the reporting period, (b) does the agency intend to displace any households over the next reporting period, (c) did the agency permit the sale of any owner-occupied unit prior to the expiration of land use controls over the reporting period, and/or (d) did the agency execute a contract or agreement for the construction of any affordable units over the next two years?
   - ☐ Yes (any question). Complete SCHEDULE HCD-B.
   - ☒ No (all questions). DO NOT complete SCHEDULE HCD-B.
4. Did the agency have any funds in the Low & Moderate Income Housing Fund during the reporting period?
   - ☒ Yes. Complete SCHEDULE HCD-C.
   - ☐ No. DO NOT complete SCHEDULE HCD-C.
5. During the reporting period, were housing units completed within a project area and/or assisted by the agency outside a project area?
   - ☒ Yes. Complete all applicable HCD SCHEDULES D1-D7 for ***each housing project completed*** and HCD SCHEDULE E.
   - ☐ No. DO NOT complete HCD SCHEDULES D1-D7 or HCD SCHEDULE E.
6. Indicate whether HCD financial and housing activity information has been reported using method A and/or B checked below:
   - ☐ A. Forms. All required HCD SCHEDULES A, B, C, D1-D7, and E are attached.
   - ☒ B. On-line (*http://www.hcd.ca.gov/rda/*) "Lock Report" date: _____. HCD SCHEDULES not required.
     (*lock* date is shown under *"Admin" Area and "Report Change History"*)
7. To the best of my knowledge: (a) the representations made above and (b) agency information reported are correct.

12/2/03
Date

Signature of Authorized Agency Representative

Redevelopment Manager
Title

(909) 413-3455
Telephone Number

IF NOT REQUIRED TO REPORT, SUBMIT ONLY THIS PAGE.

IF REQUIRED TO REPORT, SUBMIT THIS PAGE AND:
APPLICABLE HCD FORMS (SCHEDULES A-E) and/or PROOF OF ELECTRONIC REPORTING

SUBMIT THIS AND ALL OTHER FORMS WITH A COPY OF THE AUDIT REPORT TO THE STATE CONTROLLER:
Division of Accounting and Reporting
Local Government Reporting Section
P.O. Box 942850, Sacramento, CA 94250

SCHEDULE HCD-A
Inside Project Area Activity

for Fiscal Year that Ended 06 / 30 /03

Agency Name: City of Moreno Valley Project Area Name: Moreno Valley

Preparer's Name, Title: Mitch Slagerman Redevelopment Manager Preparer's E-Mail Address: mitchs@moval.org

Preparer's Telephone No: (909) 413-3455 Preparer's Facsimile No: (909) 413-3459

GENERAL INFORMATION

1. Project Area Information

   a. 1. Year 1st plan for project area was adopted: 1987
      2. Year that plan was last amended (if applicable): N/A
      3. Was plan amended after 2001 to extend time limits per Senate Bill 211 (Chapter 741, Statutes of 2001)? Yes__ No X
      4. Current expiration of plan: 12 / 29 / 2027 (mo day yr)

   b. If project area name has changed, give previous name(s) or number: N/A

   c. Year(s) of any mergers of the project area: N/A, ____, ____, ____
      Identify former project areas that merged: N/A

   d. Year(s) project area plan was amended involving real property that either:
      (1) Added property to plan: N/A, ____, ____, ____
      (2) Removed property from plan: N/A, ____, ____, ____

2. Affordable Housing Replacement and/or Inclusionary or Production Requirements (Section 33413).

   Pre-1976 project areas not subsequently amended after 1975: Pursuant to Section 33413(d), only Section 33413(a) replacement requirements apply to dwelling units destroyed or removed after 1995. The Agency can choose to apply all or part of Section 33413 to a project area plan adopted before 1976. If the agency has elected to apply all or part of Section 33413, provide the date of the resolution and the applicable Section 33413 requirements addressed in the scope of the resolution.

   Date: N/A / ____ / ____ (mo day yr) Resolution Scope (applicable Section 33413 requirements): N/A

   Post-1975 project areas and geographic areas added by amendment after 1975 to pre-1976 project areas: Both replacement and inclusionary or production requirements of Section 33413 apply.

NOTE:

Amounts to report on HCD-A lines 3a(1), 3b-3f, and 3i. can be taken from what is reported to the State Controller's Office (SCO) on the Statement of Income and Expenditures as part of the Redevelopment Agency's Financial Transactions Report, except for the reclassifying of Transfers-In from Internal Funds and the reporting of Other Sources as discussed below:

Transfers-In from other internal funds: Report the amount of transferred funds on applicable HCD-A, lines 3a-j. For example, report the amount transferred from the Debt Service Fund to the Housing Fund for the deposit of the required set-aside percentage/amount by reporting gross tax increment on HCD-A, Line 3a(1) and report the Housing Fund's share of expenditures for debt service on HCD-C, Line 4c. Do not report "net" funds transferred from the Debt Service Fund on HCD-A, Line 3a(3) when reporting debt service expenditures on HCD-C, Line 4c.

Other Sources: Non-GAAP (Generally Acceptable Accounting Principles) revenues such as from land sales for those agencies using the Land Held for Resale method to record land sales should be reported on HCD-A Line 3d. Housing fund receipts for the repayment of loan principal should be included on HCD-A Line 3h.

MV00215893

Agency Name: City of Moreno Valley Project Area Name: Moreno Valley

Project Area Housing Fund Revenues and Other Sources

3. Report all revenues and other sources of funds from this project area which accrued to the Housing Fund over the reporting year. Any income related to agency-assisted housing located outside the project area(s) should be reported as "Other Revenue" on Line 3j. (of this Schedule A), if this project area is named as beneficiary in the authorizing resolution. Any other revenue sources not reported on lines 3a.-3i., should also be reported on Line 3j.

   Enter on Line 3a(1) the full 100% of gross Tax Increment allocated prior to applicable pass through of funds and deductions for fees (refer to Sections 33401, 33446, & 33676). Compute the required minimum percentage (%) of gross Tax Increment and enter the amount on Line 3a(2)(A) or 3a(2)(B). Next, report the amount of Tax Increment set-aside before any exemption and/or deferral (if amount set-aside is less than required minimum (%), explain the difference). If any amount of Tax Increment was exempted or deferred, in addition to completing lines 3a(4) and/or 3a(5), complete Line 4 and/or Line 5. To determine the amount of Tax Increment deposited to the Housing Fund [Line 3a(6)], subtract allowable amounts exempted [Line 3a(4)] or deferred [Line 3a(5)] from the actual amount allocated to the Housing Fund [Line 3a(3)].

   a. Tax Increment:
      (1) 100% of Gross Allocation: $ 6,078,769
      (2) Calculate only 1 set-aside amount: either (A) or (B) below:
         (A) 20% required by 33334.2 (Line 3a(1) x 20%): $ 1,215,754
         (B) 30% required by 33333.10(g) (Line 3a(1) x 30%): $ _____
         (Senate Bill 211, Chapter 741, Statutes of 2001)
      (3) Amount of set-aside (Line 3a(2)) allocated to Housing Fund $ 1,215,754 *
         * If, pursuant to Section 33334.3(i), less than the minimum % of Gross Tax Increment (see 3a(2) above) is being allocated from this project area, identify the project area(s) contributing the difference. Explain any other reason(s):
         _____
         _____
         _____
      (4) Amount Exempted [Health & Safety Code Section 33334.2] (if there is an amount exempted, also complete question #4, next page): ($ _____)
      (5) Amount Deferred [Health & Safety Code Section 33334.6] (if there is an amount deferred, also complete question #5, next page): ($ _____)
      (6) Total deposit to the Housing Fund [result of Line 3a(3) through 3a(5)]: $ 244,469

   b. Interest Income: $ 696,261
   c. Rental/Lease Income (*combine amounts separately reported to the SCO*): $ _____
   d. Sale of Real Estate: $ _____
   e. Grants (*combine amounts separately reported to the SCO*): $ _____
   f. Bond Administrative Fees: $ _____
   g. Deferral Repayments (also complete Line 5c(2) on the next page): $ _____
   h. Loan Repayments: $ _____
   i. Debt Proceeds: $ _____
   j. Other Revenue(s) [Explain and identify amount(s)]:
      _____ $ _____
      _____ $ _____
      _____ $ _____ $ 81,463
   k. Total Project Area Receipts Deposited to Housing Fund (add lines 3a(6). through 3j.): $ 2,237,947

MV00215894

Agency Name: City of Moreno Valley Project Area Name: Moreno Valley

Exemption(s)

4. a. If an exemption was claimed on Page 2, Line 3a(4) to deposit less than the required amount, complete the following information:

Check only one of the Health and Safety Code Sections below providing a basis for the exemption:

☐ Section 33334.2(a)(1): No need in community to increase/improve supply of lower or moderate income housing.

☐ Section 33334.2(a)(2): Less than the minimum set-aside % (20% or 30%) is sufficient to meet the need.

☐ Section 33334.2(a)(3): Community is making substantial effort equivalent in value to minimum set-aside % (20% or 30%) and has specific contractual obligations incurred before May 1, 1991 requiring continued use of this funding.

Note: Pursuant to Section 33334.2(a)(3)(C), this exemption expired on June 30, 1993 but contracts entered into prior to May 1, 1991 may not be subject to the exemption sunset.

☐ Other: Specify code section and reason(s): _____

b. For any exemption claimed on Page 2, Line 3a(4) and/or Line 4a above, identify:

Date that initial (1st) finding was adopted: ___/___/___ (mo day yr) Resolution # _____ Date sent to HCD: ___/___/___ (mo day yr)

Adoption date of reporting year finding: ___/___/___ (mo day yr) Resolution # _____ Date sent to HCD: ___/___/___ (mo day yr)

Deferral(s)

5. a. Specify the authority for deferring any set-aside on Line 3a(5). Check only one Health and Safety Code Section boxes:

☐ Section 33334.6(d): Applicable to project areas approved before 1986 in which the required resolution was sent to HCD before September 1986 regarding needing tax increment to meet existing obligations. Existing obligations can include those incurred after 1985, if net proceeds were used to refinance pre-1986 listed obligations.

Note: The deferral previously authorized by Section 33334.6(e) expired. It was only allowable in each fiscal year prior to July 1, 1996 with certain restrictions.

☐ Other: Specify code Section and reason:

b. For any deferral claimed on Page 2, Line 3a(5) and/or Line 5a above, identify:

Date that initial (1st) finding was adopted: ___/___/___ (mo day yr) Resolution # _____ Date sent to HCD: ___/___/___ (mo day yr)

Adoption date of reporting year finding: ___/___/___ (mo day yr) Resolution # _____ Date sent to HCD: ___/___/___ (mo day yr)

c. A deferred set-aside pursuant to Section 33334.6(d) constitutes indebtedness to the Housing Fund. Summarize the amount(s) of set-aside deferred over the reporting year and cumulatively as of the end of the reporting year:

Fiscal Year	Amount Deferred This Reporting FY	Amount of Prior Deferrals Repaid During Reporting FY	Cumulative Amount Deferred (Net of Any Amount(s) Repaid)
(1) Last Reporting FY			$
(2) This Reporting FY	$	$	$ * *

** The cumulative amount of deferred set-aside should also be shown on HCD-C, Line 8a.*

If the prior FY cumulative deferral shown above differs from what was reported on the last HCD report (HCD-A and HCD-C), indicate the amount of difference and the reason:

Difference: $_____ Reason(s): _____

Agency Name: City of Moreno Valley Project Area Name: Moreno Valley

Deferral(s) (continued)

5.

d. Section 33334.6(g) requires any agency which defers set-asides to adopt a plan to eliminate the deficit in subsequent years. If this agency has deferred set-asides, has it adopted such a plan? Yes ☐ No ☐

If yes, by what date is the deficit to be eliminated? ____/____/____ (mo day yr)

If yes, when was the original plan adopted for the claimed deferral? ____/____/____ (mo day yr)

Identify Resolution # _____ Date Resolution sent to HCD ____/____/____ (mo day yr)

When was the last amended plan adopted for the claimed deferral? ____/____/____ (mo day yr)

Identify Resolution # _____ Date Resolution sent to HCD ____/____/____ (mo day yr)

Actual Project Area Households Displaced and Units and Bedrooms Lost Over Reporting Year:

6. a. **Redevelopment Project Activity.** Pursuant to Sections 33080.4(a)(1) and (a)(3), report by income category the number of elderly and nonelderly households permanently displaced and the number of units and bedrooms removed or destroyed, over the reporting year, (refer to Section 33413 for unit and bedroom replacement requirements).

	Number of Households/Units/Bedrooms				
Project Activity	**VL**	**L**	**M**	**AM**	**Total**
Households Permanently Displaced - Elderly					
Households Permanently Displaced - Non Elderly					
Households Permanently Displaced -Total					
Units Lost (Removed or Destroyed) and Required to be Replaced					
Bedrooms Lost (Removed or Destroyed) and Required to be Replaced					
Above Moderate Units Lost That Agency is Not Required to Replace					
Above Moderate Bedrooms Lost That Agency is Not Required to Replace					

b. **Other Activity.** Pursuant to Sections 33080.4(a)(1) and (a)(3) based on activities other than the destruction or removal of dwelling units and bedrooms reported on Line 6a, report by income category the number of elderly and nonelderly households permanently displaced over the reporting year:

	Number of Households				
Other Activity	**VL**	**L**	**M**	**AM**	**Total**
Households Permanently Displaced - Elderly					
Households Permanently Displaced - Non Elderly					
Households Permanently Displaced - Total					

c. As required in Section 33413.5, identify, over the reporting year, each replacement housing plan required to be adopted before the permanent displacement, destruction, and/or removal of dwelling units and bedrooms impacting the households reported on lines 6a. and 6b.

Date ____/____/____ (mo day yr) Name of Agency Custodian _____

Date ____/____/____ (mo day yr) Name of Agency Custodian _____

Please attach a separate sheet of paper listing any additional housing plans adopted.

Agency Name: City of Moreno Valley Project Area Name: Moreno Valley

Estimated Project Area Households to be Permanently Displaced Over Current Fiscal Year:

7. a. As required in Section 33080.4(a)(2) for a redevelopment project of the agency, estimate, over the current fiscal year, the number of elderly and nonelderly households, by income category, expected to be permanently displaced. (Note: actual displacements will be reported for the next reporting year on Line 6).

	Number of Households				
Project Activity	**VL**	**L**	**M**	**AM**	**Total**
Households Permanently Displaced - Elderly					
Households Permanently Displaced - Non Elderly					
Households Permanently Displaced - Total					

b. As required in Section 33413.5, for the current fiscal year, identify each replacement housing plan required to be adopted before the permanent displacement, destruction, and/or removal of dwelling units and bedrooms impacting the households reported in 7a.

Date ____/____/____ (mo day yr) Name of Agency Custodian _____

Date ____/____/____ (mo day yr) Name of Agency Custodian _____

Please attach a separate sheet of paper listing any additional housing plans adopted.

Units Developed Inside the Project Area to Fulfill Requirements of Other Project Area(s)

8. Pursuant to Section 33413(b)(2)(A)(v), agencies may choose one or more project areas to fulfill another project area's requirement to construct new or substantially rehabilitate dwelling units, provided the agency conducts a public hearing and finds, based on substantial evidence, that the aggregation of dwelling units in one or more project areas will not cause or exacerbate racial, ethnic, or economic segregation.

Were any dwelling units in this project area developed to partially or completely satisfy another project area's requirement to construct new or substantially rehabilitate dwelling units?

☐ No.

☐ Yes. Date initial finding was adopted? ____/____/____ (mo day yr) Resolution # _____ Date sent to HCD: ____/____/____ (mo day yr)

	Number of Dwelling Units			
Name of Other Project Area(s)	**VL**	**L**	**M**	**Total**

Agency Name: City of Moreno Valley Project Area Name: Moreno Valley

Sales of Owner-Occupied Units Inside the Project Area Prior to the Expiration of Land Use Controls

9. Section 33413(c)(2)(A) specifies that pursuant to an adopted program, which includes but is not limited to an equity sharing program, agencies may permit the sale of owner-occupied units prior to the expiration of the period of the land use controls established by the agency. Agencies must deposit sale proceeds into the Low and Moderate Income Housing Fund and within three (3) years from the date the unit was sold, expend funds to make another unit equal in affordability, at the same income level, to the unit sold.

   a. Sales. Did the agency permit the sale of any owner-occupied units during the reporting year?

   ☐No

   ☐Yes

$	← Total Proceeds From Sales Over Reporting Year	Number of Units			
SALES		VL	L	M	Total
Units Sold Over Reporting Year					

   b. Equal Units. Were reporting year funds spent to make units equal in affordability to units sold over the last three reporting years?

   ☐No

   ☐Yes

$	← Total Proceeds From Sales Over Reporting Year	Number of Units			
SALES		VL	L	M	Total
Units Made Equal This Reporting Yr to Units Sold Over This Reporting Yr					
Units Made Equal This Reporting Yr to Units Sold One Reporting Yr Ago					
Units Made Equal This Reporting Yr to Units Sold Two Reporting Yrs Ago					
Units Made Equal This Reporting Yr to Units Sold Three Reporting Yrs Ago					

Affordable Units to be Constructed Inside the Project Area Within Two Years

10. Pursuant to Section 33080.4(a)(10), report the number of very low, low, and moderate income units to be financed by any federal, state, local, or private source in order for construction to be completed within two years from the date of the agreement or contract executed over the reporting year. Identify the project and/or contractor, date of the executed agreement or contract, and estimated completion date. Specify the amount reported as an encumbrance on HCD-C, Line 6a. and/or any applicable amount designated on HCD-C, Line 7a. such as for capital outlay or budgeted funds intended to be encumbered for project use within two years from the reporting year's agreement or contract date.

DO NOT REPORT ANY UNITS ON THIS SCHEDULE A THAT ARE REPORTED ON OTHER HCD-As, B, OR Ds.

Col A Name of Project and/or Contractor	Col B Agreement Execution Date	Col C Estimated Completion Date (w/in 2 yrs of Col B)	Col D Sch C Amount Encumbered [Line 6a]	Col E Sch C Amount Designated [Line 7a]	VL	L	M	Total
CSI	4/23/02	06/04	$1,534,950	$ 1,534,950	69			69
			$	$				
			$	$				

Please attach a separate sheet of paper to list additional information.

SCHEDULE HCD-B

Outside Project Area Activity

for Fiscal Year Ended 06 / 30 / 03

Agency Name: City of Moreno Valley Project Name: Moreno Valley

Preparer's Name, Title: Mitch Slagerman Redevelopment Manager Preparer's E-Mail Address: mitchs@moval.org

Preparer's Telephone No: (909) 413-3455 Preparer's Facsimile No: (909) 413-3459

Actual Households Displaced and Units and Bedrooms Lost Outside of Project Area(s) Over Reporting Year

1. a. **Redevelopment Project Activity.** Pursuant to Sections 33080.4(a)(1) and (a)(3), report by income category the number of elderly and nonelderly households permanently displaced and the number of units and bedrooms removed or destroyed, over the reporting year, (refer to Section 33413 for unit and bedroom replacement requirements).

	Number of Households/Units/Bedrooms				
Activity	**VL**	**L**	**M**	**AM**	**Total**
Households Permanently Displaced – Elderly					
Households Permanently Displaced - Non Elderly					
Households Permanently Displaced – Total					
Units Lost (Removed or Destroyed) and Required to be Replaced					
Bedrooms Lost (Removed or Destroyed) and Required to be Replaced					
Above Moderate Units Lost That Agency is Not Required to Replace					
Above Moderate Bedrooms Lost That Agency is Not Required to Replace					

b. **Other Activity.** Pursuant to Sections 33080.4(a)(1) and (a)(3) based on activities other than the destruction or removal of dwelling units and bedrooms reported on Line 1a, report by income category the number of elderly and nonelderly households permanently displaced over the reporting year.

	Number of Households				
Activity	**VL**	**L**	**M**	**AM**	**Total**
Households Permanently Displaced - Elderly					
Households Permanently Displaced - Non Elderly					
Households Permanently Displaced – Total					

c. As required in Section 33413.5, identify, over the reporting year, each replacement housing plan required to be adopted before the permanent displacement, destruction, and/or removal of dwelling units and/or bedrooms impacting the households reported on lines 1a. and 1b.

Date ____/____/____ (mo day yr) Name of Agency Custodian _____

Date ____/____/____ (mo day yr) Name of Agency Custodian _____

Please attach a separate sheet of paper listing any additional housing plans adopted.

Agency Name: City of Moreno Valley

HCD B (Outside Project Area)

Estimated Households Outside of Project Area(s) to be Permanently Displaced Over Current Fiscal Year:

2. a. As required in Section 33080.4(a)(2) for a redevelopment project of the agency, estimate, over the current fiscal year, the number of elderly and nonelderly households, by income category, expected to be permanently displaced. (Note: actual displacements will be reported for the next reporting year on Line 1).

Estimated Permanent Displacements — **Number of Households**

Activity	VL	L	M	AM	Total
Households Permanently Displaced - Elderly					
Households Permanently Displaced - Non Elderly					
Households Permanently Displaced - Total					

b. As required in Section 33413.5, for the current fiscal year, identify each replacement housing plan required to be adopted before the permanent displacement, destruction, and/or removal of dwelling units and bedrooms impacting the households reported on 2a.

Date ____/____/____ (mo day yr) Name of Agency Custodian _____

Date ____/____/____ (mo day yr) Name of Agency Custodian _____

Please attach a separate sheet of paper listing any additional housing plans adopted.

Sales of Owner-Occupied Units Outside of Project Area(s) Prior to the Expiration of Land Use Controls

3. Section 33413(c)(2)(A) specifies that pursuant to an adopted program, which includes but is not limited to an equity sharing program, agencies may permit the sale of owner-occupied units prior to the expiration of the period of the land use controls established by the agency. Agencies must deposit sale proceeds into the Low and Moderate Income Housing Fund and within three (3) years from the date the unit was sold, expend funds to make another unit equal in affordability, at the same income level, as the unit sold.

a. Sales. Did the agency permit the sale of any owner-occupied units during the reporting year?

☐No

☐Yes $ ← **Total Proceeds From Sales Over Reporting Year**

Income Level	VL	L	M	Total
Units Sold Over Current Reporting Year				

(Number of Units)

b. Equal Units. Were reporting year funds spent to make units equal in affordability to units sold over the last three reporting years?

☐No

☐Yes $ ← **Total Proceeds From Sales Over Reporting Year**

Income Level	VL	L	M	Total
Units Made Equal This Reporting Yr to Units Sold Over This Reporting Yr				
Units Made Equal This Reporting Yr to Units Sold One Reporting Yr Ago				
Units Made Equal This Reporting Yr to Units Sold Two Reporting Yrs Ago				
Units Made Equal This Reporting Yr to Units Sold Three Reporting Yrs Ago				

(Number of Units)

Affordable Units to be Constructed Outside of Project Area(s) Within Two Years From Date of Agreement or Contract

4. Pursuant to Section 33080.4(a)(10), report the number of very low, low, and moderate income units to be financed by any federal, state, local, or private source in order for construction to be completed within two years from the date of the agreement or contract executed over the reporting year. Identify the project and/or contractor, date of the executed agreement or contract, and estimated completion date. Specify the amount reported as an encumbrance on HCD-C, Line 6a. and/or any applicable amount designated on HCD-C, Line 7a. such as for capital outlay or budgeted funds intended to be encumbered for project use within two years from the reporting year's agreement or contract date.

DO NOT REPORT ANY UNITS SHOWN ON SCHEDULES HCD As OR Ds.

Col A Name of Project and/or Contractor	Col B Agreement Execution Date	Col C Estimated Completion Date (w/in 2 yrs of Col B)	Col D Sch C Amount Encumbered [Line 6a]	Col E Sch C Amount Designated [Line 7a]	VL	L	M	Total
			$	$				
			$	$				
			$	$				

Please attach a separate sheet of paper to list additional information.

MV00215900

SCHEDULE HCD-C

Agency-wide Activity

for Fiscal Year Ended 06 / 30 / 2003

Agency Name: City of Moreno Valley County: Riverside

Preparer's Name, Title: Mitch Slagerman, Redevelopment Manager Preparer's E-Mail Address: mitch@moval.org

Preparer's Telephone No: (909) 413-3455 Preparer's Facsimile No: (909) 413-3210

Low & Moderate Income Housing Funds

Report on the "status and use of the agency's Low and Moderate Income Housing Fund." Most information reported here should be based on information reported to the State Controller.

1. **Beginning Balance** (Use "**Net Resources Available**" from last fiscal year report to HCD) $ 6,692,915

   a. If Beginning Balance requires adjustment(s), identify the reason and amount for each adjustment: Use < $ > for negative amounts or amounts to be subtracted

   _____ $_____

   _____ $_____

   _____ $_____

   b. **Total Adjustment(s)** (indicate whether positive or <negative>) $_____

   c. Adjusted Beginning Balance [Beginning Balance plus + or minus <-> Total Adjustment(s)] $ 6,692,915

2. **Project Area(s) Receipts and Housing Fund Revenues**

   a. All Project Areas. Total Deposits [Sum of amount(s) from Line 3k.,HCD-A(s)] $ 1,215,754

   b. Other revenues not reported on Schedule HCD-A(s) [Identify source(s) and amount(s)]:

   Interest Income $244,469

   Loan Repayments $696,261

   Misc. Revenues $ 81,463

   c. **Total Housing Fund Revenues** $ 2,237,947

3. **Total Resources** (Line 1c. + Line 2a + Line 2c.) $ 8,930,862

NOTES:

Many amounts to report as Expenditures and Other Uses (beginning on the next page) should be taken from amounts reported
to the State Controller's Office (SCO). Review the SCO's Redevelopment Agencies Financial Transactions Report.

Housing Fund "transfers-out" to other internal Agency funds: Report the specific use of all transferred funds on applicable lines 4a.-k of Schedule C. For example, transfers from the Housing Fund to the Debt Service Fund for the repayment of principal and interest of debt proceeds deposited to the Housing Fund should be reported on the applicable item comprising HCD-C Line 4c, providing tax increment (gross and deposit amounts) were reported on Sch-As. External transfers out of the Agency should be reported on HCD-C Line 4j (e.g.: transfer of excess surplus to the County Housing Authority).

Other Uses: Non-GAAP (Generally Accepted Accounting Principles) recording of expenditures such as land purchases for agencies using the Land Held for Resale method to record land purchases should be reported on HCD-C Line 4a(1). Funds spent resulting in loans to the Housing Fund should be included in HCD-C lines 4b., 4f., 4g., 4h., and 4i as appropriate.

The statutory cite pertaining to Community Redevelopment Law (CRL) is provided for preparers to review to determine the appropriateness of Low and Moderate Income Housing Fund (LMIHF) expenditures and other uses. HCD does not represent that line items identifying any expenditures and other uses are allowable. CRL is accessible on the Internet [website: http://www.leginfo.ca.gov/ *(California Law)]* ***beginning with Section 33000 of the Health and Safety Code.***

Agency Name: City of Moreno Valley

4. Expenditures and Other Uses

a. Acquisition of Property & Building Sites [33334.2(e)(1)] & Housing [33334.2(e)(6)]:

(1) Land Assets *(Investment – Land Held for Resale)* *		$	
(2) Housing Assets *(Fixed Asset)* *		$	
(3) Acquisition Expense		$	
(4) Operation of Acquired Property		$	
(5) Relocation Costs		$	
(6) Relocation Payments		$	
(7) Site Clearance Costs		$	
(8) Disposal Costs		$	
(9) Other [Explain and identify amount(s)]:			
	$		
	$		
	$	$	
(10) **Subtotal Property/Building Sites/Housing Acquisition** (Sum of Lines 1 – 9)			$

* *Reported to SCO as part of Assets and Other Debts*

b. Subsidies from Low and Moderate Income Housing Fund (LMIHF):

(1) 1st Time Homebuyer Down Payment Assistance		$	
(2) Rental Subsidies		$	
(3) Purchase of Affordability Covenants [33413(b)2(B)]		$	
(4) Other [Explain and identify amount(s)]:			
	$		
	$		
	$	$	
(5) **Subtotal Subsidies from LMIHF** (Sum of Lines 1 – 4)			$

c. Debt Service [33334.2(e)(9)]. Report LMIHF's share of debt service. If paid from Debt Service Fund, ensure "gross" tax increment is reported on HCD-A(s) Line 3a(1).

(1) Debt Principal Payments			
(a) Tax Allocation, Bonds & Notes		$	
(b) Revenue Bonds & Certificates of Participation		$	
(c) City/County Advances & Loans		$	
(d) U. S. State & Other Long–Term Debt		$	
(2) Interest Expense		$	
(3) Debt Issuance Costs		$	
(4) Other [Explain and identify amount(s)]:			
	$		
	$		
	$	$	
(5) **Subtotal Debt Service** (Sum of Lines 1 – 4)			$

d. Planning and Administration Costs [33334.3(e)(1)]:

(1) Administration Costs		$1,278,297	
(2) Professional Services (non project specific)		$ 24,867	
(3) Planning/Survey/Design (non project specific)		$	
(4) Indirect Nonprofit Costs [33334.3(e)(1)(B)]		$	
(5) Other [Explain and identify amount(s)]:			
	$		
	$		
	$	$	
(6) **Subtotal Planning and Administration** (Sum of Lines 1 – 5)			$ 1,303,164

Agency Name: City of Moreno Valley

4. **Expenditures and Other Uses** (continued)

e.	On/Off-Site Improvements [33334.2(e)(2)] *Complete item 13*		$ 390,706
f.	Housing Construction [33334.2(e)(5)]		$
g.	Housing Rehabilitation [33334.2(e)(7)]		$ 351,966
h.	Maintenance of Mobilehome Parks [33334.2(e)(10)]		$
i.	Preservation of At-Risk Units [33334.2(e)(11)]		$
j.	Transfers Out of Agency		
	(1) For Transit village Development Plan (33334.19)	$	
	(2) Excess Surplus [33334.12(a)(1)(A)]	$	
	(3) Other (specify code section authorizing transfer and amount)		
	A. Section _____ $		
	B. Section _____ $		
	Other Transfers Subtotal	$	
	(4) **Subtotal Transfers Out of Agency** (Sum of j(1) through j(3))		$
k.	Other Expenditures and Uses [Explain and identify amount(s)]:		
		$	
		$	
		$	
	Subtotal Other Expenditures and Uses	$	
l.	**Total Expenditures and Other Uses** (Sum of lines 4a.-k.)		$ 2,045,836

5. **Net Resources Available** [End of Reporting Fiscal Year]
[Page 1, Line 3, Total Resources minus Total Expenditures and Other Uses on Line 4.l.] $ 6,885,026

6. **Encumbrances and Unencumbered Balance**

a.	**Encumbrances.** Amount of Line 5 reserved for future payment of legal contract(s) or agreement(s). See Section 33334.12(g)(2) for definition. *Refer to item 10 on Sch-A(s) and item 4 on Sch-B.*	$
b.	**Unencumbered Balance** (Line 5 minus Line 6a). Also enter on Page 4, Line 11a.	$ 6,885,026

7. **Designated/Undesignated Amount of Available Funds**

A	**Designated** Amount of Line 6b. budgeted/planned to use near-term *Refer to item 10 on Sch-A(s) and item 4 on Sch-B*	$
b.	**Undesignated** Amount of Line 6b. not yet budgeted/planned to use	$

8. **Other Housing Fund Assets** (not included as part of Line 5)

a.	Indebtedness from Deferrals of Tax Increment (Sec. 33334.6) [refer to Sch-A(s), Line 5c (2)].	$
b.	Value of Land Purchased with Housing Funds and Held for Development of Affordable Housing. *Complete Sch-C item 14.*	$
c.	Loans Receivable for Housing Activities	$3,949,009
d.	Residual Receipt Loans (periodic/fluctuating payments)	$
e.	ERAF Loans Receivable (all years) (Sec. 33681)	$
f.	Other Assets [Explain and identify amount(s)]:	
		$
		$
g.	**Total Other Housing Fund Assets** (Sum of lines 8a.-f.)	$ 3,949,009

9. **TOTAL FUND EQUITY** [Line 5 (Net Resources Available) +8g (Total Other Housing Fund Assets] $10,834,035

Compare Line 9 to the below amount reported to the SCO (Balance Sheet of Redevelopment Agencies Financial Transactions Report. [Explain differences and identify amount(s)]:		
	$	
	$	$
ENTER LOW-MOD FUND TOTAL EQUITIES (BALANCE SHEET) REPORTED TO SCO		$10,834,035

MV00215903

Agency Name: City of Moreno Valley

Excess Surplus Information

Pursuant to Section 33080.7 and Section 33334.12(g)(1), report on Excess Surplus that is required to be determined on the first day of a fiscal year. Excess Surplus exists when the Adjusted Balance exceeds the greater of: (1) $1,000,000 or (2) the aggregate amount of tax increment deposited to the Housing Fund during the prior four fiscal years. Section 33334.12(g)(3)(A) and (B) provide that the Unencumbered Balance can be adjusted for: (1) any remaining revenue generated in the reporting year from unspent debt proceeds and (2) if the land was disposed of during the reporting year to develop affordable housing, the difference between the fair market value of land and the value received.

The Unencumbered Balance is calculated by subtracting encumbrances from Net Resources Available. "Encumbrances" are funds reserved and committed pursuant to a legally enforceable contract or agreement for expenditure for authorized redevelopment housing activities [Section 33334.12(g)(2)].

For Excess Surplus calculation purposes, carry over the prior year's HCD Schedule C Adjusted Balance as the Adjusted Balance on the first day of the reporting fiscal year. Determine which is larger: (1) $1 million or (2) the total of tax increment deposited over the prior four years. Subtract the largest amount from the Adjusted Balance and, if positive, report the amount as Excess Surplus.

10. **Excess Surplus**:
Complete Columns 2, 3, 4, & 5 to calculate Excess Surplus for the reporting year. Columns 6 and 7 track prior years' Excess Surplus.

Column 1 4 Prior and Current Reporting Years	Column 2 Total Tax Increment Deposits to Housing Fund	Column 3 Sum of Tax Increment Deposits Over Prior Four FYs	Column 4 Current Reporting Year 1st Day Adjusted Balance	Column 5 Current Reporting Year 1st Day Excess Surplus Balances	Column 6 Amount Expended/Encumbered Against FY Balance of Excess Surplus as of **End of Reporting Year**	Column 7 Remaining Excess Surplus for Each Fiscal Year as of **End of Reporting Year**
4 Rpt Yrs Ago FY 98/99	$ 924,615			$	$	$
3 Rpt Yrs Ago FY 99/00	$ 928,426			$	$	$
2 Rpt Yrs Ago FY 00/01	$ 910,258			$	$	$
1 Rpt Yr Ago FY 01/02	$1,078,099			$	$	$
CURRENT Reporting Year FY 02/03		Sum of Column 2 $ 3,841,398	Last Year's Sch C Adjusted Balance $2,548,353	Col 4 minus: larger of Col 3 or $1mm (report positive $) $	$	$

11. **Reporting Year Ending Unencumbered Balance and Adjusted Balance**:
   a. **Unencumbered Balance** (End of Year) [Page 3, Line 6b] $6,885,026
   b. If eligible, adjust the Unencumbered Balance for:
      (1) **Debt Proceeds** [33334.12(g)(3)(B)]:
      Identify unspent debt proceeds and related income remaining at end of reporting year $ _____
      (2) **Land Conveyance Losses** [(33334.12(g)(3)(A))]:
      Identify reporting year losses from sales/grants/leases of land acquired with low-mod funds, if 49% or more of new or rehabilitated units will be affordable to lower-income households $ _____

12. **Adjusted Balance** (for next year's determination of Excess Surplus) [Line 11a minus sum of 11b(1) and 11b(2)] $ 6,885,026

Note: Do not enter Adjusted Balance in Col 4. It is to be reported as next year's 1st day amount to determine Excess Surplus

   a. If there is remaining Excess Surplus from what was determined on the first day of the reporting year, describe the agency's plan (as specified in Section 33334.10) for transferring, encumbering, or expending excess surplus:

   _____

   _____

   _____

   b. If the plan described in 12a. was adopted, enter the plan adoption date: ____/____/____ (mo day yr)

MV00215904

Agency Name: City of Moreno Valley

Miscellaneous Uses of Funds

13. If an amount is reported in 4e., pursuant to Section 33080.4(a)(6), report the total number of very low-, low-, and moderate-income households that directly benefited from expenditures for onsite/offsite improvements which resulted in either new construction, rehabilitation, or the elimination of health and safety hazards. (Note: If Line 4e of this schedule does not show expenditures for improvements, no units should be reported here.)

Income Level	Households Constructed	Households Rehabilitated	Households Benefiting from Elimination of Health and Safety Hazard	Duration of Deed Restriction
Very Low	4			55 years
Low	35			55 years
Moderate				

14. If the agency is holding land for future housing development (refer to Line 8b), summarize the acreage (round to tenths, do not report square footage), zoning, date of purchase, and the anticipated start date for the housing development.

Site Name/Location*	No. of Acres	Zoning	Purchase Date	Estimated Date Available	Comments
FIR	.92	R5-15	9/14/92	9/14/02	
MYERS	1.37	R5-15	11/28/94	11/28/04	
EUCALYPTUS AVENUE	.87	R5-15	8/23/95	8/23/05	
ATWOOD/ATWOOD	.91/.88	R5-15	8/23/95 7/28/95	8/23/05 7/28/05	
COTTONWOOD/INDIAN	8.62	R-5	1/26/94	1/26/04	
JOHN F. KENNEDY	.20	R-5	7/2/01	7/2/2011	

Please attach a separate sheet of paper listing any additional sites not reported above.

15. Section 33334.13 requires agencies which have used the Housing Fund to assist mortgagors in a homeownership mortgage revenue bond program, or home financing program described in that Section, to provide the following information:

    a. Has your agency used the authority related to definitions of income or family size adjustment factors provided in Section 33334.13(a)?

    Yes ☐ No ☐ Not Applicable ☒

    b. Has the agency complied with requirements in Section 33334.13(b) related to assistance for very low-income households equal to twice that provided for above moderate-income households?

    Yes ☐ No ☐ Not Applicable ☒

Agency Name: City of Moreno Valley

16. Did the Agency use non-LMIHF funds as matching funds for the Federal HOME or HOPE program during the reporting period?

YES ☐ NO ☒

If yes, please indicate the amount of non-LMIHF funds that were used for either HOME or HOPE program support.

HOME $_____ HOPE $_____

17. Pursuant to Section 33080.4(a)(11), the agency shall maintain adequate records to identify the date and amount of all LMIHF deposits and withdrawals during the reporting period. To satisfy this requirement, the Agency should keep and make available upon request any and all deposit and withdrawal information. DO NOT SUBMIT RECORDS OF DEPOSITS/WITHDRAWALS.

Has your agency made any deposits to or withdrawals from the LMIHF? Yes ☐ No ☒

If yes, identify the document(s) describing the agency's deposits and withdrawals by listing for each document, the following (attach additional pages of similar information as necessary):

Name of document: General Ledger - Year Ended as of 6/30/2003
Date of document: 6 / 30 / 2003
mo day yr
Name of Agency Custodian (person): City of Moreno Valley
Custodian's telephone number: (909) 413-3455
Place where record can be accessed: City of Moreno Valley

Name of document: _____
Date of document: ___/___/___
mo day yr
Name of Agency Custodian (person): _____
Custodian's telephone number: _____
Place where record can be accessed: _____

18. **Use of Other (non Low-Mod Funds) Redevelopment Funds for Housing**

Please briefly describe the use of any non-LMIHF redevelopment funds (i.e., contributions from the other 80% of tax increment revenue) to construct, improve, assist, or preserve housing in the community.

N/A

19. **Suggestions/Resource Needs**

Please provide suggestions to simplify and improve future agency reporting and identify any training, information, and/or other resources, etc. that would help your agency to more quickly and effectively use its housing or other funds to increase, improve, and preserve affordable housing?

20. **Annual Monitoring Reports of Previously Completed Affordable Housing Projects/Programs (H&SC 33418)**

Were all Annual Monitoring Reports received for all prior years' affordable housing projects/programs?: Yes ☐ No ☐

Agency Name: City of Moreno Valley

21. **Project Achievement and HCD Director's Award for Housing Excellence**

Project achievement information is optional but can serve important purposes: Agencies' achievements can inform others of successful redevelopment projects and provide instructive information for additional successful projects. Achievements will be included in HCD's Annual Report of Housing Activities of California Redevelopment Agencies to assist other local agencies in developing effective and efficient programs to address local housing needs.

In addition, HCD selects various projects to receive the Director's Award for Housing Excellence. Projects are selected based on criteria such as local affordable housing need(s) met, resources utilized, barriers overcome, and project innovation/complexity, etc.

Project achievement information should only be submitted for one affordable residential project that was completed within the reporting year as evidenced by a Certificate of Occupancy. The project must not have been previously reported as an achievement.

To publish agencies' achievements in a standard format, please complete information for each underlined category below addressing suggested topics in a narrative format that does not exceed two pages (see example, next page). In addition to submitting information with other HCD forms to the State Controller, please submit achievement information on a 3.5 inch diskette and identify the software type and version. For convenience, the diskette can be separately mailed to: HCD Policy Division, 1800 3rd Street, Sacramento, CA 95814 or data can be emailed by attaching the file and sending it to: atorrens@hcd.ca.gov or rlevy@hcd.ca.gov.

AGENCY INFORMATION

- Project Type (Choose one of the categories below and one kind of assistance representing the primary project type):

New/Additional Units (Previously Unoccupied/Uninhabitable):
- New Construction to own
- New Construction to rent
- Rehabilitation to own
- Rehabilitation to rent
- Adaptive Re-use
- Mixed Use Infill
- Mobilehomes/Manufactured Homes
- Mortgage Assistance
- Transitional Housing
- Other (describe)

Existing Units (Previously Occupied)
- Rehabilitation of Owner-Occupied
- Rehabilitation of Tenant-Occupied
- Acquisition and Rehabilitation to Own
- Acquisition and Rehabilitation to Rent
- Mobilehomes/Manufactured Homes
- Payment Assistance for Owner or Renter
- Transitional Housing
- Other (describe)

- Agency Name:
- Agency Contact and Telephone Number for the Project:

DESCRIPTION

- Project Name
- Clientele served [owner, renter, income group, special need (e.g. large family or disabled), etc.]
- Number and type of units and location, density, and size of project relative to other projects, etc.
- Degree of affordability/assistance rendered to families by project, etc.
- Uniqueness (land use, design features, additional services/amenities provided, funding sources/collaboration, before/after project conversion such as re-use, mixed use, etc.)
- Cost (acquisition, clean-up, infrastructure, conversion, development, etc.)

HISTORY

- Timeframe from planning to opening
- Barriers/resistance (legal/financial/community, etc.) that were overcome
- Problems and creative solutions found
- Lessons learned and/or recommendations for undertaking a similar project

AGENCY ROLE AND ACHIEVEMENT

- Degree of involvement with concept, design, approval, financing, construction, operation, and cost, etc.
- Specific agency and/or community goals and objectives met, etc.

Agency Name: _____

ACHIEVEMENT EXAMPLE

Project Type: NEW CONSTRUCTION- OWNER OCCUPIED

_____ Redevelopment Agency
Contact: Name (Area Code) Telephone #

Project/Program Name: _____ Project or Program

Description
During the reporting year, construction of 12 homes was completed. _____ Enterprises, which specializes in community self-help projects, was the developer, assisting 12 families in the construction of their new homes. The homes took 10 months to build. The families' work on the homes was converted into "sweat equity" valued at $15,000. The first mortgage was from CHFA. Families were also given an affordable second mortgage. The second and third mortgage loans were funded by LMIHF and HOME funds.

History
The _____(City or County) of_____ struggled for several years over what to do about the _____ area. The _____ tried to encourage development in the area by rezoning a large portion of the area for multi-family use, and twice attempted to create improvement districts. None of these efforts were successful and the area continued to deteriorate, sparking growing concern among city officials and residents. At the point that the Redevelopment Agency became involved, there was significant ill will between the residents of the _____ and the (City or County). The _____ introduced the project in _____ with discussions of how the Agency could become involved in improving the blighted residential neighborhood centering on _____. This area is in the core area of town and was developed with disproportionately narrow, deep lots, based on a subdivision plat laid in 1950. Residents built their homes on the street frontages of _____ and _____ leaving large back-lot areas that were landlocked and unsuitable for development, having no access to either avenue. The Agency worked with 24 property owners to purchase portions of their properties. Over several years, the Agency purchased enough property to complete a tract map creating access and lots for building. Other non-profits have created an additional twelve affordable homes.

Agency Role
The Agency played the central role. The _____ Project is a classic example of successful redevelopment. All elements of blight were present: irregular, land-locked parcels without access; numerous property owners; development that lagged behind that of the surrounding municipal property; high development cost due to need for installation of street improvements, utilities, a storm drain system, and undergrounding of a flood control creek; and a low-income neighborhood in which property sale prices would not support high development costs. The Agency determined that the best development for the area would be single-family owner-occupied homes. The Agency bonded its tax increment to fund the off-site improvements. A tract map was completed providing for the installation of the street improvements, utilities, storm drainage, and the undergrounding of _____ Creek. These improvements cost the Agency approximately $1.5 million. In lieu of using the eminent domain process, the Agency negotiated with 22 property owners to purchase portions of their property, allowing for access to the landlocked parcels. This helped foster trust and good will during the course of the negotiations. The Project got underway once sufficient property was purchased.

MV00215908

SCHEDULE HCD-D1
GENERAL PROJECT/PROGRAM INFORMATION

For each different Project/Program (area/name/agy or nonagy dev/rental or owner), complete a D1 and applicable D2-D7.

Examples:
1: 25 minor rehab (Nonagy Dev): Area 1: 15 Owner; Area 2: 6 Rental; & Outside: 4 Rental. Complete 3 D-1s & 3 D-5s.
2: 20 sub rehab (nonrestricted): Area 3: 4 Agy Dev. Rentals; 16 Nonagy Dev. Rentals. Complete 2 D-1s & 2 D-5s.
3: 15 sub rehab (restricted): Area 4: 15 Nonagy Dev, Owner. Complete 1 D-1 & 1 D-3.
4: 10 new (Outside). 2 Agy Dev (restricted Rental), 8 Nonagy Dev (nonrestricted Owner) Complete 2 D-1s, 1 D-4, & 1 D-5.

Name of Redevelopment Agency: City of Moreno Valley
Identify Project Area or specify "Outside": Moreno Valley (Inside Project Area)
General Title of Housing Project/Program: Homebuyer Assistance Program
Project/Program Address (optional): Citywide

Street: Citywide **City:** Moreno Valley **ZIP:**

Owner Name (optional):

Total Project/Program Units: # 1 **Restricted Units:** # 0 **Unrestricted Units:** # 1

For projects/programs with no RDA assistance, do not complete any of below or any of HCD D2-D6. Only complete HCD-D7.

Was this a federally assisted multi-family rental project [Gov't Code Section 65863.10(a)(3)]? ☐ YES ☐ NO

Number of units occupied by ineligible households (e.g. ineligible income/# of residents in unit) at FY end # 0

Number of bedrooms occupied by ineligible persons (e.g. ineligible income/# of residents in unit) at FY end # 0

Number of units restricted for special needs: *(number must not exceed "Total Project Units")* # 0

Number of units restricted that are serving one or more Special Needs: # 0 ☐ Check, if data not available

(Note: A unit may serve multiple "Special Needs" below. Sum of all the below can exceed the "Number of Units" above)

#	DISABLED (Mental)	#	FARMWORKER (Permanent)	#	TRANSITIONAL HOUSING
#	DISABLED (Physical)	#	FEMALE HEAD OF HOUSHOLD	# 1	ELDERLY
#	FARMWORKER (Migrant)	#	LARGE FAMILY (4 or more Bedrooms)	#	EMERGENCY SHELTERS *(allowable use only with "Other Housing Units Provided - Without LMIHF" Sch-D6)*

Affordability and/or Special Need Use Restriction Term (enter day/month/year using digits, e.g. 07/01/2002):

	Replacement Housing Units	Inclusionary Housing Units	Other Housing Units Provided	
			With LMIHF	Without LMIHF
Restriction Start Date				
Restriction End Date				

Funding Sources:

Redevelopment Funds:	$ 20,000.00
Federal Funds	$
State Funds:	$
Other Local Funds:	$
Private Funds:	$
Owner's Equity:	$
TCAC/Federal Award:	$
TCAC/State Award:	$
Total Development/Purchase Cost:	$ 20,000.00

Check all appropriate form(s) below that will be used to identify all of this Project's/Program's Units:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☒ With LMIHF (Sch HCD-D5)
☐ Without LMIHF (Sch HCD-D6)
☐ No Agency Assistance (Sch HCD-D7)

SCHEDULE HCD-D1
GENERAL PROJECT/PROGRAM INFORMATION

For each different Project/Program (area/name/agy or nonagy dev/rental or owner), complete a D1 and applicable D2-D7.

Examples:
1: 25 minor rehab (Nonagy Dev): Area 1: 15 Owner; Area 2: 6 Rental; & Outside: 4 Rental. Complete 3 D-1s & 3 D-5s.
2: 20 sub rehab (nonrestricted): Area 3: 4 Agy Dev. Rentals; 16 Nonagy Dev. Rentals. Complete 2 D-1s & 2 D-5s.
3: 15 sub rehab (restricted): Area 4: 15 Nonagy Dev, Owner. Complete 1 D-1 & 1 D-3.
4: 10 new (Outside). 2 Agy Dev (restricted Rental), 8 Nonagy Dev (nonrestricted Owner) Complete 2 D-1s, 1 D-4, & 1 D-5.

Name of Redevelopment Agency: City of Moreno Valley
Identify Project Area or specify "Outside": Outside Project Area
General Title of Housing Project/Program: Homebuyer Assistance Program
Project/Program Address (optional): Citywide

Street: Citywide **City:** Moreno Valley **ZIP:**

Owner Name (optional):

Total Project/Program Units: # 5 **Restricted Units:** # 0 **Unrestricted Units:** # 5

For projects/programs with no RDA assistance, do not complete any of below or any of HCD D2-D6. Only complete HCD-D7.

Was this a federally assisted multi-family rental project [Gov't Code Section 65863.10(a)(3)]? ☐ YES ☐ NO

Number of units occupied by ineligible households (e.g. ineligible income/# of residents in unit) at FY end # 0

Number of bedrooms occupied by ineligible persons (e.g. ineligible income/# of residents in unit) at FY end # 0

Number of units restricted for special needs: *(number must not exceed "Total Project Units")* # 0

Number of units restricted that are serving one or more Special Needs: #_____ ☐ Check, if data not available

(Note: A unit may serve multiple "Special Needs" below. Sum of all the below can exceed the "Number of Units" above)

# DISABLED (Mental)	# FARMWORKER (Permanent)	# TRANSITIONAL HOUSING
# DISABLED (Physical)	# 4 FEMALE HEAD OF HOUSHOLD	# 1 ELDERLY
# FARMWORKER (Migrant)	# LARGE FAMILY (4 or more Bedrooms)	# EMERGENCY SHELTERS *(allowable use only with "Other Housing Units Provided - Without LMIHF" Sch-D6)*

Affordability and/or Special Need Use Restriction Term (enter day/month/year using digits, e.g. 07/01/2002):

	Replacement Housing Units	Inclusionary Housing Units	Other Housing Units Provided	
			With LMIHF	Without LMIHF
Restriction Start Date				
Restriction End Date				

Funding Sources:

Redevelopment Funds:	$ 68,000.00
Federal Funds	$ 19,800.00
State Funds:	$
Other Local Funds:	$
Private Funds:	$
Owner's Equity:	$
TCAC/Federal Award:	$
TCAC/State Award:	$
Total Development/Purchase Cost:	$ 87,800.00

Check all appropriate form(s) below that will be used to identify all of this Project's/Program's Units:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☒ With LMIHF (Sch HCD-D5)
☒ Without LMIHF (Sch HCD-D6)
☐ No Agency Assistance (Sch HCD-D7)

SCHEDULE HCD-D1
GENERAL PROJECT/PROGRAM INFORMATION

For each different Project/Program (area/name/agy or nonagy dev/rental or owner), complete a D1 and applicable D2-D7.

Examples:
1: 25 minor rehab (Nonagy Dev): Area 1: 15 Owner; Area 2: 6 Rental; & Outside: 4 Rental. Complete 3 D-1s & 3 D-5s.
2: 20 sub rehab (nonrestricted): Area 3: 4 Agy Dev. Rentals; 16 Nonagy Dev. Rentals. Complete 2 D-1s & 2 D-5s.
3: 15 sub rehab (restricted): Area 4: 15 Nonagy Dev, Owner. Complete 1 D-1 & 1 D-3.
4: 10 new (Outside). 2 Agy Dev (restricted Rental), 8 Nonagy Dev (nonrestricted Owner) Complete 2 D-1s, 1 D-4, & 1 D-5.

Name of Redevelopment Agency: City of Moreno Valley
Identify Project Area or specify "Outside": Outside Project Area
General Title of Housing Project/Program: Homeowners Assistance for Minor Rehabilitation
Project/Program Address (optional): Citywide

Street: Citywide **City:** Moreno Valley **ZIP:**

Owner Name (optional):

Total Project/Program Units: # 1 **Restricted Units:** # 0 **Unrestricted Units:** # 1

For projects/programs with no RDA assistance, do not complete any of below or any of HCD D2-D6. Only complete HCD-D7.

Was this a federally assisted multi-family rental project [Gov't Code Section 65863.10(a)(3)]? ☐ YES ☒ NO

Number of units occupied by ineligible households (e.g. ineligible income/# of residents in unit) at FY end # 0

Number of bedrooms occupied by ineligible persons (e.g. ineligible income/# of residents in unit) at FY end # 0

Number of units restricted for special needs: *(number must not exceed "Total Project Units")* # 0

Number of units restricted that are serving one or more Special Needs: # 0 ☐ Check, if data not available

(Note: A unit may serve multiple "Special Needs" below. Sum of all the below can exceed the "Number of Units" above)

# DISABLED (Mental)	# FARMWORKER (Permanent)	# TRANSITIONAL HOUSING
# DISABLED (Physical)	# 1 FEMALE HEAD OF HOUSHOLD	# ELDERLY
# FARMWORKER (Migrant)	# LARGE FAMILY (4 or more Bedrooms)	# EMERGENCY SHELTERS *(allowable use only with "Other Housing Units Provided - Without LMIHF" Sch-D6)*

Affordability and/or Special Need Use Restriction Term (enter day/month/year using digits, e.g. 07/01/2002):

	Replacement Housing Units	Inclusionary Housing Units	Other Housing Units Provided	
			With LMIHF	Without LMIHF
Restriction Start Date				
Restriction End Date				

Funding Sources:

Redevelopment Funds:	$ 7,500.00
Federal Funds	$
State Funds:	$
Other Local Funds:	$
Private Funds:	$
Owner's Equity:	$
TCAC/Federal Award:	$
TCAC/State Award:	$
Total Development/Purchase Cost:	$ 7,500.00

Check all appropriate form(s) below that will be used to identify all of this Project's/Program's Units:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☒ With LMIHF (Sch HCD-D5)
☐ Without LMIHF (Sch HCD-D6)
☐ No Agency Assistance (Sch HCD-D7)

SCHEDULE HCD-D1
GENERAL PROJECT/PROGRAM INFORMATION

For each different Project/Program (area/name/agy or nonagy dev/rental or owner), complete a D1 and applicable D2-D7.

Examples:
1: 25 minor rehab (Nonagy Dev): Area 1: 15 Owner; Area 2: 6 Rental; & Outside: 4 Rental. Complete 3 D-1s & 3 D-5s.
2: 20 sub rehab (nonrestricted): Area 3: 4 Agy Dev. Rentals; 16 Nonagy Dev. Rentals. Complete 2 D-1s & 2 D-5s.
3: 15 sub rehab (restricted): Area 4: 15 Nonagy Dev, Owner. Complete 1 D-1 & 1 D-3.
4: 10 new (Outside). 2 Agy Dev (restricted Rental), 8 Nonagy Dev (nonrestricted Owner) Complete 2 D-1s, 1 D-4, & 1 D-5.

Name of Redevelopment Agency: City of Moreno Valley
Identify Project Area or specify "Outside": Outside Project Area
General Title of Housing Project/Program: Home Improvement Loan Program
Project/Program Address (optional): Citywide

Street:	**City:**	**ZIP:**
Citywide	Moreno Valley	

Owner Name (optional):

Total Project/Program Units: # 2 **Restricted Units:** # 0 **Unrestricted Units:** # 2

For projects/programs with no RDA assistance, do not complete any of below or any of HCD D2-D6. Only complete HCD-D7.

Was this a federally assisted multi-family rental project [Gov't Code Section 65863.10(a)(3)]? ☐ YES ☐ NO

Number of units occupied by ineligible households (e.g. ineligible income/# of residents in unit) at FY end #

Number of bedrooms occupied by ineligible persons (e.g. ineligible income/# of residents in unit) at FY end #

Number of units restricted for special needs: *(number must not exceed "Total Project Units")* #

Number of units restricted that are serving one or more Special Needs: #_____ ☐ Check, if data not available

(Note: A unit may serve multiple "Special Needs" below. Sum of all the below can exceed the "Number of Units" above)

# DISABLED (Mental)	# FARMWORKER (Permanent)	# TRANSITIONAL HOUSING
# DISABLED (Physical)	# FEMALE HEAD OF HOUSHOLD	# ELDERLY
# FARMWORKER (Migrant)	# LARGE FAMILY (4 or more Bedrooms)	# EMERGENCY SHELTERS *(allowable use only with "Other Housing Units Provided - Without LMIHF" Sch-D6)*

Affordability and/or Special Need Use Restriction Term (enter day/month/year using digits, e.g. 07/01/2002):

	Replacement Housing Units	Inclusionary Housing Units	Other Housing Units Provided	
			With LMIHF	Without LMIHF
Restriction Start Date				
Restriction End Date				

Funding Sources:

Redevelopment Funds:	$
Federal Funds	$ 26,734.00
State Funds:	$
Other Local Funds:	$
Private Funds:	$
Owner's Equity:	$
TCAC/Federal Award:	$
TCAC/State Award:	$
Total Development/Purchase Cost:	$ 26,734.00

Check all appropriate form(s) below that will be used to identify all of this Project's/Program's Units:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☐ With LMIHF (Sch HCD-D5)
☒ Without LMIHF (Sch HCD-D6)
☐ No Agency Assistance (Sch HCD-D7)

SCHEDULE HCD-D1
GENERAL PROJECT/PROGRAM INFORMATION

For each different Project/Program (area/name/agy or nonagy dev/rental or owner), complete a D1 and applicable D2-D7.

Examples:
1: 25 minor rehab (Nonagy Dev): Area 1: 15 Owner; Area 2: 6 Rental; & Outside: 4 Rental. Complete 3 D-1s & 3 D-5s.
2: 20 sub rehab (nonrestricted): Area 3: 4 Agy Dev. Rentals; 16 Nonagy Dev. Rentals. Complete 2 D-1s & 2 D-5s.
3: 15 sub rehab (restricted): Area 4: 15 Nonagy Dev, Owner. Complete 1 D-1 & 1 D-3.
4: 10 new (Outside). 2 Agy Dev (restricted Rental), 8 Nonagy Dev (nonrestricted Owner) Complete 2 D-1s, 1 D-4, & 1 D-5.

Name of Redevelopment Agency: City of Moreno Valley
Identify Project Area or specify "Outside": Inside Project Area
General Title of Housing Project/Program: Mobilehome Grant Program
Project/Program Address (optional): Citywide

Street: Citywide **City:** Moreno Valley **ZIP:**

Owner Name (optional):

Total Project/Program Units: # 1 **Restricted Units:** # 0 **Unrestricted Units:** # 1

For projects/programs with no RDA assistance, do not complete any of below or any of HCD D2-D6. Only complete HCD-D7.

Was this a federally assisted multi-family rental project [Gov't Code Section 65863.10(a)(3)]? ☐ YES ☐ NO

Number of units occupied by ineligible households (e.g. ineligible income/# of residents in unit) at FY end #

Number of bedrooms occupied by ineligible persons (e.g. ineligible income/# of residents in unit) at FY end #

Number of units restricted for special needs: *(number must not exceed "Total Project Units")* #

Number of units restricted that are serving one or more Special Needs: #_____ ☐ Check, if data not available

(Note: A unit may serve multiple "Special Needs" below. Sum of all the below can exceed the "Number of Units" above)

# DISABLED (Mental)	# FARMWORKER (Permanent)	# TRANSITIONAL HOUSING
# 1 DISABLED (Physical)	# 1 FEMALE HEAD OF HOUSHOLD	# ELDERLY
# FARMWORKER (Migrant)	# LARGE FAMILY (4 or more Bedrooms)	# EMERGENCY SHELTERS *(allowable use only with "Other Housing Units Provided - Without LMIHF" Sch-D6)*

Affordability and/or Special Need Use Restriction Term (enter day/month/year using digits, e.g. 07/01/2002):

	Replacement Housing Units	Inclusionary Housing Units	Other Housing Units Provided	
			With LMIHF	Without LMIHF
Restriction Start Date				
Restriction End Date				

Funding Sources:

Redevelopment Funds:	$
Federal Funds	$ 9,851.00
State Funds:	$
Other Local Funds:	$
Private Funds:	$
Owner's Equity:	$
TCAC/Federal Award:	$
TCAC/State Award:	$
Total Development/Purchase Cost:	$ 9,851.00

Check all appropriate form(s) below that will be used to identify all of this Project's/Program's Units:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☐ With LMIHF (Sch HCD-D5)
☒ Without LMIHF (Sch HCD-D6)
☐ No Agency Assistance (Sch HCD-D7)

SCHEDULE HCD-D1
GENERAL PROJECT/PROGRAM INFORMATION

For each different Project/Program (area/name/agy or nonagy dev/rental or owner), complete a D1 and applicable D2-D7.

Examples:
1: 25 minor rehab (Nonagy Dev): Area 1: 15 Owner; Area 2: 6 Rental; & Outside: 4 Rental. Complete 3 D-1s & 3 D-5s.
2: 20 sub rehab (nonrestricted): Area 3: 4 Agy Dev. Rentals; 16 Nonagy Dev. Rentals. Complete 2 D-1s & 2 D-5s.
3: 15 sub rehab (restricted): Area 4: 15 Nonagy Dev, Owner. Complete 1 D-1 & 1 D-3.
4: 10 new (Outside). 2 Agy Dev (restricted Rental), 8 Nonagy Dev (nonrestricted Owner) Complete 2 D-1s, 1 D-4, & 1 D-5.

Name of Redevelopment Agency: City of Moreno Valley
Identify Project Area or specify "Outside": Outside Project Area
General Title of Housing Project/Program: Mobilehome Grant Program
Project/Program Address (optional): Citywide

Street:	City:	ZIP:
Citywide	Moreno Valley	

Owner Name (optional):

Total Project/Program Units: # 9 **Restricted Units:** # 0 **Unrestricted Units:** # 9

For projects/programs with no RDA assistance, do not complete any of below or any of HCD D2-D6. Only complete HCD-D7.

Was this a federally assisted multi-family rental project [Gov't Code Section 65863.10(a)(3)]? ☐ YES ☐ NO

Number of units occupied by ineligible households (e.g. ineligible income/# of residents in unit) at FY end #

Number of bedrooms occupied by ineligible persons (e.g. ineligible income/# of residents in unit) at FY end #

Number of units restricted for special needs: *(number must not exceed "Total Project Units")* #

Number of units restricted that are serving one or more Special Needs: #_____ ☐ Check, if data not available

(Note: A unit may serve multiple "Special Needs" below. Sum of all the below can exceed the "Number of Units" above)

# 1	DISABLED (Mental)	#	FARMWORKER (Permanent)	#	TRANSITIONAL HOUSING
#	DISABLED (Physical)	# 6	FEMALE HEAD OF HOUSHOLD	# 9	ELDERLY
#	FARMWORKER (Migrant)	#	LARGE FAMILY (4 or more Bedrooms)	#	EMERGENCY SHELTERS *(allowable use only with "Other Housing Units Provided - Without LMIHF" Sch-D6)*

Affordability and/or Special Need Use Restriction Term (enter day/month/year using digits, e.g. 07/01/2002):

	Replacement Housing Units	Inclusionary Housing Units	Other Housing Units Provided	
			With LMIHF	Without LMIHF
Restriction Start Date				
Restriction End Date				

Funding Sources:

Redevelopment Funds:	$
Federal Funds	$ 80,214.00
State Funds:	$
Other Local Funds:	$
Private Funds:	$
Owner's Equity:	$
TCAC/Federal Award:	$
TCAC/State Award:	$
Total Development/Purchase Cost:	$ 80,214.00

Check all appropriate form(s) below that will be used to identify all of this Project's/Program's Units:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☐ With LMIHF (Sch HCD-D5)
☒ Without LMIHF (Sch HCD-D6)
☐ No Agency Assistance (Sch HCD-D7)

SCHEDULE HCD-D1
GENERAL PROJECT/PROGRAM INFORMATION

For each different Project/Program (area/name/agy or nonagy dev/rental or owner), complete a D1 and applicable D2-D7.

Examples:
1: 25 minor rehab (Nonagy Dev): Area 1: 15 Owner; Area 2: 6 Rental; & Outside: 4 Rental. Complete 3 D-1s & 3 D-5s.
2: 20 sub rehab (nonrestricted): Area 3: 4 Agy Dev. Rentals; 16 Nonagy Dev. Rentals. Complete 2 D-1s & 2 D-5s.
3: 15 sub rehab (restricted): Area 4: 15 Nonagy Dev, Owner. Complete 1 D-1 & 1 D-3.
4: 10 new (Outside). 2 Agy Dev (restricted Rental), 8 Nonagy Dev (nonrestricted Owner) Complete 2 D-1s, 1 D-4, & 1 D-5.

Name of Redevelopment Agency: City of Moreno Valley
Identify Project Area or specify "Outside": Inside
General Title of Housing Project/Program: Revitalization Program
Project/Program Address (optional): Citywide

Street: Citywide **City:** Moreno Valley **ZIP:**

Owner Name (optional):

Total Project/Program Units: # 16 **Restricted Units:** # **Unrestricted Units:** #

For projects/programs with no RDA assistance, do not complete any of below or any of HCD D2-D6. Only complete HCD-D7.

Was this a federally assisted multi-family rental project [Gov't Code Section 65863.10(a)(3)]? ☐ YES ☐ NO

Number of units occupied by ineligible households (e.g. ineligible income/# of residents in unit) at FY end #

Number of bedrooms occupied by ineligible persons (e.g. ineligible income/# of residents in unit) at FY end #

Number of units restricted for special needs: *(number must not exceed "Total Project Units")* #

Number of units restricted that are serving one or more Special Needs: # ☐ Check, if data not available

(Note: A unit may serve multiple "Special Needs" below. Sum of all the below can exceed the "Number of Units" above)

#	DISABLED (Mental)	#	FARMWORKER (Permanent)	#	TRANSITIONAL HOUSING
# 1	DISABLED (Physical)	# 3	FEMALE HEAD OF HOUSHOLD	# 0	ELDERLY
#	FARMWORKER (Migrant)	# 3	LARGE FAMILY (4 or more Bedrooms)	#	EMERGENCY SHELTERS *(allowable use only with "Other Housing Units Provided - Without LMIHF" Sch-D6)*

Affordability and/or Special Need Use Restriction Term (enter day/month/year using digits, e.g. 07/01/2002):

	Replacement Housing Units	Inclusionary Housing Units	Other Housing Units Provided	
			With LMIHF	Without LMIHF
Restriction Start Date				
Restriction End Date				

Funding Sources:

Redevelopment Funds:	$
Federal Funds	$
State Funds:	$
Other Local Funds:	$
Private Funds:	$ 2,098,100
Owner's Equity:	$
TCAC/Federal Award:	$
TCAC/State Award:	$
Total Development/Purchase Cost:	$ 2,098,100

Check all appropriate form(s) below that will be used to identify all of this Project's/Program's Units:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☐ With LMIHF (Sch HCD-D5)
☐ Without LMIHF (Sch HCD-D6)
☐ No Agency Assistance (Sch HCD-D7)

SCHEDULE HCD-D1
GENERAL PROJECT/PROGRAM INFORMATION

For each different Project/Program (area/name/agy or nonagy dev/rental or owner), complete a D1 and applicable D2-D7.

Examples:
1: 25 minor rehab (Nonagy Dev): Area 1: 15 Owner; Area 2: 6 Rental; & Outside: 4 Rental. Complete 3 D-1s & 3 D-5s.
2: 20 sub rehab (nonrestricted): Area 3: 4 Agy Dev. Rentals; 16 Nonagy Dev. Rentals. Complete 2 D-1s & 2 D-5s.
3: 15 sub rehab (restricted): Area 4: 15 Nonagy Dev, Owner. Complete 1 D-1 & 1 D-3.
4: 10 new (Outside). 2 Agy Dev (restricted Rental), 8 Nonagy Dev (nonrestricted Owner) Complete 2 D-1s, 1 D-4, & 1 D-5.

Name of Redevelopment Agency: City of Moreno Valley
Identify Project Area or specify "Outside": Outside
General Title of Housing Project/Program: Revitalization Program
Project/Program Address (optional): Citywide

Street: Citywide **City:** Moreno Valley **ZIP:**

Owner Name (optional):

Total Project/Program Units: # 10 **Restricted Units:** # **Unrestricted Units:** #

For projects/programs with no RDA assistance, do not complete any of below or any of HCD D2-D6. Only complete HCD-D7.

Was this a federally assisted multi-family rental project [Gov't Code Section 65863.10(a)(3)]? ☐ YES ☒ NO

Number of units occupied by ineligible households (e.g. ineligible income/# of residents in unit) at FY end #

Number of bedrooms occupied by ineligible persons (e.g. ineligible income/# of residents in unit) at FY end #

Number of units restricted for special needs: *(number must not exceed "Total Project Units")* #

Number of units restricted that are serving one or more Special Needs: # ☐ Check, if data not available

(Note: A unit may serve multiple "Special Needs" below. Sum of all the below can exceed the "Number of Units" above)

#	DISABLED (Mental)	#	FARMWORKER (Permanent)	#	TRANSITIONAL HOUSING
# 0	DISABLED (Physical)	# 2	FEMALE HEAD OF HOUSHOLD	# 0	ELDERLY
#	FARMWORKER (Migrant)	# 1	LARGE FAMILY (4 or more Bedrooms)	#	EMERGENCY SHELTERS *(allowable use only with "Other Housing Units Provided - Without LMIHF" Sch-D6)*

Affordability and/or Special Need Use Restriction Term (enter day/month/year using digits, e.g. 07/01/2002):

	Replacement Housing Units	Inclusionary Housing Units	Other Housing Units Provided	
			With LMIHF	Without LMIHF
Restriction Start Date				
Restriction End Date				

Funding Sources:

Redevelopment Funds:	$
Federal Funds	$
State Funds:	$
Other Local Funds:	$
Private Funds:	$ 1,515,100
Owner's Equity:	$
TCAC/Federal Award:	$
TCAC/State Award:	$
Total Development/Purchase Cost:	$ 1,515,100

Check all appropriate form(s) below that will be used to identify all of this Project's/Program's Units:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☐ With LMIHF (Sch HCD-D5)
☐ Without LMIHF (Sch HCD-D6)
☐ No Agency Assistance (Sch HCD-D7)

SCHEDULE HCD-D2
REPLACEMENT HOUSING UNITS
(units not claimed on Schedule D-5,6,7)

(restricted units that fulfill requirement to replace previously destroyed or removed units)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": _____

Affordable Housing Project Name: _____

Check only one:
☐ Inside Project Area ☐ Outside Project Area

Check only one. If both apply, complete a separate form for each (with another Sch D-1):
☐ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch D-1):
☐ Rental ☐ Owner-Occupied

Enter the number of restricted replacement units and bedrooms for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction:**

Elderly Units					Non Elderly Units					Total Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

Count of Bedrooms (e.g.: 1 elderly, low, 2 bdrm unit and 4 nonelderly, low, 2 bdrm units = 10 low (2 bdrms x 5)

1 Bedroom Unit (1 x # of units)					2 Bedroom Unit (2 x # of units)				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

3 Bedroom Unit (3 x # of units)					4 or more Bedroom Unit (4 x # of units)				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

TOTAL (sum of all unit Bedrooms)

VLOW	LOW	MOD	TOTAL	INELG.

B. **Substantial Rehabilitation (Post 93/AB 1290 definition: increased value, inclusive of land, is >25%):**

Elderly Units					Non Elderly Units					Total Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

Count of Bedrooms (e.g.: 1 elderly, mod, 1 bdrm unit and 2 nonelderly, mod, 1 bdrm units = 3 mod (1 bdrms x 3)

1 Bedroom Unit (1 x # of units)					2 Bedroom Unit (2 x # of units)				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

3 Bedroom Unit (3 x # of units)					4 or more Bedroom Unit (4 x # of units)				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

TOTAL (sum of all unit Bedrooms)

VLOW	LOW	MOD	TOTAL	INELG.

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Agency Name: City of Moreno Valley Housing Project Name: _____

SCHEDULE HCD-D2
REPLACEMENT HOUSING UNITS (continued)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

C. **Non-Substantial Rehabilitation (fulfills Pre 94 Replacement Obligation):**

Elderly Units					Non Elderly Units					Total Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

Count of Bedrooms (e.g.: 3 nonelderly, vlow, 3 bdrm units and 4 nonelderly 4 bdrm units TOTAL 25 bdrms)

1 Bedroom Unit (1 x # of units)					2 Bedroom Unit (2 x # of units)				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

3 Bedroom Unit (3 x # of units)					4 or more Bedroom Unit (4 x # of units)				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

TOTAL (sum of all unit Bedrooms)				
VLOW	LOW	MOD	TOTAL	INELG.

TOTAL UNITS (Add only TOTAL of all "Total Elderly / Non Elderly Units" not bedrooms): _____

If TOTAL UNITS is less than "Total Project Units" on HCD Sch D1, report the remaining units as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

Inclusionary Units
- ☐ Inside Project Area (Sch HCD-D3)
- ☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
- ☐ With LMIHF (Sch HCD-D5)
- ☐ Without LMIHF (Sch HCD-D6)
- ☐ No Assistance (Sch HCD-D7)

Identify the number of Replacement Units which also have been counted as Inclusionary Units:

Elderly Units					Non Elderly Units					Total Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

SCHEDULE HCD-D3

INCLUSIONARY HOUSING UNITS (INSIDE PROJECT AREA)

(units not claimed on Schedule D-4,5,6,7)

(units with required affordability restrictions that agency or community controls)

Agency: City of Moreno Valley

Redevelopment Project Area Name: _____

Affordable Housing Project Name: _____

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ Rental ☐ Owner-Occupied

Enter the number of units for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	**TOTAL**	INELG.	VLOW	LOW	MOD	**TOTAL**	INELG.	VLOW	LOW	MOD	**TOTAL**	INELG.

Of Total, identify the number aggregated from other project areas (see HCD-A(s), Item 8): ☐

B. **Substantial Rehabilitation (Post-93/AB 1290 Definition of Value >25%: Credit for Obligations Since 1994):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	**TOTAL**	INELG.

Of Total, identify the number aggregated from other project areas (see HCD-A(s), Item 8): ☐

C. **Other/Substantial Rehabilitation (Pre-94/AB 1290 Definition: Credit for Obligations Between 1976 and 1994):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	**TOTAL**	INELG.

D. **Acquisition of Covenants (Post-93/AB 1290 Reform: Only Multi-Family for Vlow & Low & Other Restrictions):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	**TOTAL**	INELG.

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): ☐

If TOTAL UNITS is less than "Total Project Units" on HCD Schedule D1, report the remaining units as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

☐ Replacement Housing Units (Sch HCD-D2)

☐ Inclusionary Units (Outside Project Area) (Sch HCD-D4)

Other Housing Units Provided:

☐ With LMIHF (Sch HCD-D5)

☐ Without LMIHF (Sch HCD-D6)

☐ No Assistance (Sch HCD-D7)

Identify the number of Inclusionary Units which also have been counted as Replacement Units:

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

SCHEDULE HCD-D4

INCLUSIONARY HOUSING UNITS (OUTSIDE ALL PROJECT AREAS)

(units not claimed on Schedule D-3,5,6,7)

(units with required affordability restrictions that agency or community controls)

Agency: City of Moreno Valley

Project Area: OUTSIDE

Affordable Housing Project Name: _____

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ Rental ☐ Owner-Occupied

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ One-to-One Credit (units do not fulfill any project area obligation)

☐ Two-to-One Credit (2 units required to fulfill 1 obligation of any project area)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

Enter the number of units for each applicable activity below:

A. **New Construction:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

Of Total, identify the number aggregated from other project areas (see HCD-A(s), Item 8): ☐

B. **Substantial Rehabilitation: (Post-93/AB 1290 Definition of Value >25%: Credit for Obligations Since 1994):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

Of Total, identify the number aggregated from other project areas (see HCD-A(s), Item 8): ☐

C. **Other/Substantial Rehabilitation: (Pre-94/AB 1290 Definition: Credit for Obligations Between 1976 and 1994):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

D. **Acquisition of Covenants (Post-93/AB 1290 Reform: Only Multi-Family for Vlow & Low & Other Restrictions):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): ☐

If TOTAL UNITS is less than "Total Project/Program Units" on HCD Schedule D1, report the remaining units as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

☐ Replacement Housing Units (Sch HCD-D2)

☐ Inclusionary Units (Inside Project Area) (Sch HCD-D3)

Other Housing Units Provided:

☐ With LMIHF (Sch HCD-D5)

☐ Without LMIHF (Sch HCD-D6)

☐ No Assistance (Sch HCD-D7)

Identify the number of Inclusionary Units which also have been counted as Replacement Units:

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

SCHEDULE HCD-D5

OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITH LMIHF)

(units not claimed on Schedule D-2,3,4,6,7)

(lack minimum replacement or inclusionary restrictions and/or not controlled by agency or community)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": Moreno Valley (Inside Project Area)

Affordable Housing Project Name: Homebuyer Assistance Program

Check only one:
[X] Inside Project Area [ ] Outside Project Area

Check only one. If both apply, complete a separate form for each (with another Sch-D1):
[X] Agency Developed [ ] Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):
[ ] Rental [X] Owner-Occupied

Enter the number of units for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction Units (non replacement/non inclusionary):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

B. **Substantial Rehabilitation Units (value increase with land > 25% (non replacement/non inclusionary):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

C. **Non-Substantial Rehabilitation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

D. **Acquisition of Units Only (non acquisition of affordability covenants for inclusionary credit):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

E. **Mobilehome Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

F. **Mobilehome Park Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

See Page Two

Agency Name: City of Moreno Valley

Housing Project Name: Homebuyer Assistance Program (Inside Project Area)

SCHEDULE HCD-D5
OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITH LMIHF) (continued)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

G. **Preservation (H&S 33334.2(e)(11) Threat of Public Assisted/Subsidized Rentals Converted to Market):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

H. **Subsidy (other than any activity already reported on this form):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

I. **Other Assistance:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.
1			1	0						1			1	0

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): 1

If TOTAL UNITS is less than "Total Project Units" shown on HCD Schedule D1, report the remainder as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☐ Without LMIHF (Sch HCD-D6)
☐ No Assistance (Sch HCD-D7)

SCHEDULE HCD-D5

OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITH LMIHF)

(units not claimed on Schedule D-2,3,4,6,7)

(lack minimum replacement or inclusionary restrictions and/or not controlled by agency or community)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": Outside Project Area

Affordable Housing Project Name: Homebuyer Assistance Program

Check only one:

☐ Inside Project Area ☒ Outside Project Area

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☒ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ Rental ☒ Owner-Occupied

Enter the number of units for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction Units (non replacement/non inclusionary):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

B. **Substantial Rehabilitation Units (value increase with land > 25% (non replacement/non inclusionary):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

C. **Non-Substantial Rehabilitation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

D. **Acquisition of Units Only (non acquisition of affordability covenants for inclusionary credit):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

E. **Mobilehome Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

F. **Mobilehome Park Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

See Page Two

Agency Name: City of Moreno Valley

Housing Project Name: Homebuyer Assistance Program (Outside Project Area)

SCHEDULE HCD-D5
OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITH LMIHF) (continued)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

G. **Preservation (H&S 33334.2(e)(11) Threat of Public Assisted/Subsidized Rentals Converted to Market):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

H. **Subsidy (other than any activity already reported on this form):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

I. **Other Assistance:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.
							4	4	0	1		4	4	0

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): 4

If TOTAL UNITS is less than "Total Project Units" shown on HCD Schedule D1, report the remainder as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

- ☐ Replacement Housing Units (Sch HCD-D2)
- Inclusionary Units:
  - ☐ Inside Project Area (Sch HCD-D3)
  - ☐ Outside Project Area (Sch HCD-D4)
- Other Housing Units Provided:
  - ☒ Without LMIHF (Sch HCD-D6)
  - ☐ No Assistance (Sch HCD-D7)

SCHEDULE HCD-D5

OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITH LMIHF)

(units not claimed on Schedule D-2,3,4,6,7)

(lack minimum replacement or inclusionary restrictions and/or not controlled by agency or community)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": Outside Project Area

Affordable Housing Project Name: Homeowners Assistance for Minor Rehabilitation

Check only one:
☐ Inside Project Area ☒ Outside Project Area

Check only one. If both apply, complete a separate form for each (with another Sch-D1):
☒ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):
☐ Rental ☒ Owner-Occupied

Enter the number of units for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction Units (non replacement/non inclusionary):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

B. **Substantial Rehabilitation Units (value increase with land > 25% (non replacement/non inclusionary):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

C. **Non-Substantial Rehabilitation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.
							1	1				1	1	

D. **Acquisition of Units Only (non acquisition of affordability covenants for inclusionary credit):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

E. **Mobilehome Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

F. **Mobilehome Park Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

Agency Name: City of Moreno Valley

Housing Project Name: Homeowners Assistance for Minor Rehabilitation (Outside Project Area)

SCHEDULE HCD-D5
OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITH LMIHF) (continued)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

G. **Preservation (H&S 33334.2(e)(11) Threat of Public Assisted/Subsidized Rentals Converted to Market):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

H. **Subsidy (other than any activity already reported on this form):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

I. **Other Assistance:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): 1

If TOTAL UNITS is less than "Total Project Units" shown on HCD Schedule D1, report the remainder as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

- ☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
- ☐ Inside Project Area (Sch HCD-D3)
- ☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
- ☐ Without LMIHF (Sch HCD-D6)
- ☐ No Assistance (Sch HCD-D7)

SCHEDULE HCD-D5

OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITH LMIHF)

(units not claimed on Schedule D-2,3,4,6,7)

(lack minimum replacement or inclusionary restrictions and/or not controlled by agency or community)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": Inside

Affordable Housing Project Name: Revitalization Program

Check only one:
☐ Inside Project Area ☒ Outside Project Area

Check only one. If both apply, complete a separate form for each (with another Sch-D1):
☒ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):
☐ Rental ☒ Owner-Occupied

Enter the number of units for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction Units (non replacement/non inclusionary):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

B. **Substantial Rehabilitation Units (value increase with land > 25% (non replacement/non inclusionary):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.
						5	11	16			5	11	16	

C. **Non-Substantial Rehabilitation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

D. **Acquisition of Units Only (non acquisition of affordability covenants for inclusionary credit):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

E. **Mobilehome Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

F. **Mobilehome Park Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

Agency Name: City of Moreno Valley Housing Project Name: Revitalization Program

SCHEDULE HCD-D5
OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITH LMIHF) (continued)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

G. **Preservation (H&S 33334.2(e)(11) Threat of Public Assisted/Subsidized Rentals Converted to Market):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

H. **Subsidy (other than any activity already reported on this form):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

I. **Other Assistance:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): 16

If TOTAL UNITS is less than "Total Project Units" shown on HCD Schedule D1, report the remainder as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☐ Without LMIHF (Sch HCD-D6)
☐ No Assistance (Sch HCD-D7)

SCHEDULE HCD-D5

OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITH LMIHF)

(units not claimed on Schedule D-2,3,4,6,7)

(lack minimum replacement or inclusionary restrictions and/or not controlled by agency or community)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": Outside

Affordable Housing Project Name: Revitalization Program

Check only one:
☐ Inside Project Area ☒ Outside Project Area

Check only one. If both apply, complete a separate form for each (with another Sch-D1):
☒ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):
☐ Rental ☒ Owner-Occupied

Enter the number of units for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction Units (non replacement/non inclusionary):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

B. **Substantial Rehabilitation Units (value increase with land > 25% (non replacement/non inclusionary):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.
					0	5	5	10	0	0	5	5	10	0

C. **Non-Substantial Rehabilitation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

D. **Acquisition of Units Only (non acquisition of affordability covenants for inclusionary credit):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

E. **Mobilehome Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

F. **Mobilehome Park Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

Agency Name: City of Moreno Valley Housing Project Name: Revitalization Program

SCHEDULE HCD-D5
OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITH LMIHF) (continued)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

G. **Preservation (H&S 33334.2(e)(11) Threat of Public Assisted/Subsidized Rentals Converted to Market):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

H. **Subsidy (other than any activity already reported on this form):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

I. **Other Assistance:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.	VLOW	LOW	MOD	TOTAL	INELG.

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): 10

If TOTAL UNITS is less than "Total Project Units" shown on HCD Schedule D1, report the remainder as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

- ☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
- ☐ Inside Project Area (Sch HCD-D3)
- ☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
- ☐ Without LMIHF (Sch HCD-D6)
- ☐ No Assistance (Sch HCD-D7)

SCHEDULE HCD-D6

OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITHOUT LMIHF)

(units not claimed on Schedule D-2,3,4,5,7)

(units without minimum affordability restrictions and/or units that agency or community does not control)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": Outside Project Area

Affordable Housing Project Name: Homebuyer Assistance Program

Check only one:

☐ Inside Project Area ☒ Outside Project Area

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☒ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ Rental ☒ Owner-Occupied

Enter the number of units for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

B. **Substantial Rehabilitation Units (increased value, inclusive of land, is > 25%):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

C. **Other Non-Substantial Rehabilitation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

D. **Acquisition Only:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

E. **Mobilehome Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

F. **Mobilehome Park Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

See Page Two

Agency Name: City of Moreno Valley Housing Project Name: Homebuyer Assistance Program

SCHEDULE HCD-D6
OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITHOUT LMIHF) (continued)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

G. **Preservation (H&S 33334.2(e)(11) Threat of Public Assisted/Subsidized Rentals Converted to Market):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

H. **Preservation "Replacements" (H&S 33334.3(h) Equal "Non-LMIHF" Replacements of Preservation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

I. **Rental Replacement (H&S 33334.3(f)(1)(A) Equal "Non-LMIHF" Replacements of Rental Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

J. **Subsidy (other than any activity already reported on this form):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

K. **Other Assistance:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL
1				1						1				1

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): 1

If TOTAL UNITS is less than "Total Project Units" shown on HCD Schedule D1, report the remainder as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

- ☐ Replacement Housing Units (Sch HCD-D2)
- Inclusionary Units:
  - ☐ Inside Project Area (Sch HCD-D3)
  - ☐ Outside Project Area (Sch HCD-D4)
- Other Housing Units Provided:
  - ☒ With LMIHF (Sch HCD-D5)
  - ☐ No Assistance (Sch HCD-D7)

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SCHEDULE HCD-D6

OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITHOUT LMIHF)

(units not claimed on Schedule D-2,3,4,5,7)

(units without minimum affordability restrictions and/or units that agency or community does not control)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": Outside Project Area

Affordable Housing Project Name: Home Improvement Loan Program

Check only one:
☐ Inside Project Area ☒ Outside Project Area

Check only one. If both apply, complete a separate form for each (with another Sch-D1):
☒ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):
☐ Rental ☒ Owner-Occupied

Enter the number of units for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

B. **Substantial Rehabilitation Units (increased value, inclusive of land, is > 25%):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

C. **Other Non-Substantial Rehabilitation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL
	1			1			1		1		1	1		2

D. **Acquisition Only:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

E. **Mobilehome Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

F. **Mobilehome Park Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

Agency Name: City of Moreno Valley Housing Project Name: Home Improvement Loan Program

SCHEDULE HCD-D6
OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITHOUT LMIHF) (continued)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

G. **Preservation (H&S 33334.2(e)(11) Threat of Public Assisted/Subsidized Rentals Converted to Market):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

H. **Preservation "Replacements" (H&S 33334.3(h) Equal "Non-LMIHF" Replacements of Preservation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

I. **Rental Replacement (H&S 33334.3(f)(1)(A) Equal "Non-LMIHF" Replacements of Rental Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

J. **Subsidy (other than any activity already reported on this form):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

K. **Other Assistance:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): 2

If TOTAL UNITS is less than "Total Project Units" shown on HCD Schedule D1, report the remainder as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

- ☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
- ☐ Inside Project Area (Sch HCD-D3)
- ☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
- ☐ With LMIHF (Sch HCD-D5)
- ☐ No Assistance (Sch HCD-D7)

SCHEDULE HCD-D6

OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITHOUT LMIHF)

(units not claimed on Schedule D-2,3,4,5,7)

(units without minimum affordability restrictions and/or units that agency or community does not control)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": City of Moreno Valley (Inside Project Area)

Affordable Housing Project Name: Mobilehome Grant Program

Check only one:

☒ Inside Project Area ☐ Outside Project Area

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ Rental ☐ Owner-Occupied

Enter the number of units for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

B. **Substantial Rehabilitation Units (increased value, inclusive of land, is > 25%):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

C. **Other Non-Substantial Rehabilitation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

D. **Acquisition Only:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

E. **Mobilehome Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL
					1				1	1				1

F. **Mobilehome Park Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

Agency Name: City of Moreno Valley Housing Project Name: Mobilehome Grant Program

SCHEDULE HCD-D6
OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITHOUT LMIHF) (continued)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

G. **Preservation (H&S 33334.2(e)(11) Threat of Public Assisted/Subsidized Rentals Converted to Market):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

H. **Preservation "Replacements" (H&S 33334.3(h) Equal "Non-LMIHF" Replacements of Preservation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

I. **Rental Replacement (H&S 33334.3(f)(1)(A) Equal "Non-LMIHF" Replacements of Rental Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

J. **Subsidy (other than any activity already reported on this form):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

K. **Other Assistance:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): 1

If TOTAL UNITS is less than "Total Project Units" shown on HCD Schedule D1, report the remainder as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

- ☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
- ☐ Inside Project Area (Sch HCD-D3)
- ☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
- ☐ With LMIHF (Sch HCD-D5)
- ☐ No Assistance (Sch HCD-D7)

SCHEDULE HCD-D6

OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITHOUT LMIHF)

(units not claimed on Schedule D-2,3,4,5,7)

(units without minimum affordability restrictions and/or units that agency or community does not control)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": City of Moreno Valley (Outside Project Area)

Affordable Housing Project Name: Mobilehome Grant Program

Check only one:

☐ Inside Project Area ☒ Outside Project Area

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ Agency Developed ☐ Non-Agency Developed

Check only one. If both apply, complete a separate form for each (with another Sch-D1):

☐ Rental ☐ Owner-Occupied

Enter the number of units for each applicable activity below:

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

A. **New Construction Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

B. **Substantial Rehabilitation Units (increased value, inclusive of land, is > 25%):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

C. **Other Non-Substantial Rehabilitation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

D. **Acquisition Only:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

E. **Mobilehome Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL
6	3			9										9

F. **Mobilehome Park Owner / Resident:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

Agency Name: City of Moreno Valley

Housing Project Name: Mobilehome Grant Program

SCHEDULE HCD-D6
OTHER HOUSING UNITS PROVIDED (AGENCY ASSISTANCE WITHOUT LMIHF) (continued)

Note: "INELG" refers to a household that is no longer eligible but still a temporary resident and part of the total

G. **Preservation (H&S 33334.2(e)(11) Threat of Public Assisted/Subsidized Rentals Converted to Market):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

H. **Preservation "Replacements" (H&S 33334.3(h) Equal "Non-LMIHF" Replacements of Preservation Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

I. **Rental Replacement (H&S 33334.3(f)(1)(A) Equal "Non-LMIHF" Replacements of Rental Units:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

J. **Subsidy (other than any activity already reported on this form):**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

K. **Other Assistance:**

Elderly Units					Non Elderly Units					TOTAL Elderly & Non Elderly Units				
VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL	VLOW	LOW	MOD	*AMOD*	TOTAL

TOTAL UNITS (Add only TOTAL of all "TOTAL Elderly / Non Elderly Units"): 9

If TOTAL UNITS is less than "Total Project Units" shown on HCD Schedule D1, report the remainder as instructed below.

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

- ☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
- ☐ Inside Project Area (Sch HCD-D3)
- ☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
- ☐ With LMIHF (Sch HCD-D5)
- ☐ No Assistance (Sch HCD-D7)

SCHEDULE HCD-E

CALCULATION OF INCREASE IN AGENCY'S INCLUSIONARY OBLIGATION BASED ON SPECIFIED HOUSING ACTIVITY DURING THE REPORTING YEAR

Agency: City of Moreno Valley

Name of Project or Area (if applicable, list "Outside" or "Summary": Inside

Complete this form to report activity separately by project or area or to summarize activity for the year. Report all new construction and/or substantial rehabilitation units from Forms D2 through D7 that were: (a) developed by the agency and/or (b) developed only in a project area by a nonagency person or entity.

PART I [H&SC Section 33413(b)(1)] **AGENCY DEVELOPED UNITS DURING THE REPORTING YEAR** **BOTH INSIDE AND OUTSIDE OF A PROJECT AREA**	
1. New Units Developed by the Agency	0
2. Substantially Rehabilitated Units Developed by the Agency	26
3. Subtotal - Baseline of Agency Developed Units (add lines 1 & 2)	26
4. Subtotal of Increased Inclusionary Obligation (Line 3 x 30%) *(see Notes 1 and 2 below)*	7.8
5. Very-Low Inclusionary Obligation Increase Units (Line 4 x 50%)	3.9
PART II [H&SC Section 33413(b)(2)] **NONAGENCY DEVELOPED UNITS DURING THE REPORTING YEAR** **ONLY INSIDE A PROJECT AREA**	
6. New Units Developed by Any Nonagency Person or Entity	169
7. Substantially Rehabilitated Units Developed by Any Nonagency Person or Entity	0
8. Subtotal - Baseline of Nonagency Developed Units (add lines 6 & 7)	169
9. Subtotal of Increased Inclusionary Obligation (Line 8 x 15%) *(see Notes 1 and 2 below)*	25.4
10. Very-Low Inclusionary Obligation Increase (Line 9 x 40%)	10.14
PART III REPORTING YEAR TOTALS	
11. Total Increase in Inclusionary Obligation (add lines 4 and 9)	33.2
12. Very-Low Inclusionary Obligation Increase (add lines 5 and 10) ***(Line 12 is a subset of Line 11)***	14.04

****

NOTES:

1. ***Section 33413(b)(1), (2), and (4) require agencies to ensure that applicable percentages (30% or 15%) of all (market-rate and affordable) "new and substantially rehabilitated dwelling units" are made available at affordable housing cost within 10-year planning periods. Market-rate units: units not assisted with low-mod funds and jurisdiction does not control affordability restrictions. Affordable units: units generally restricted for the longest feasible time beyond the redevelopment plan's land use controls and jurisdiction controls affordability restrictions. Agency developed units: market-rate units can not exceed 70 percent and affordable units must be at least 30 percent; however, all units assisted with low-mod funds must be affordable. Nonagency developed (project area) units: market-rate units can not exceed 85 percent and affordable units must be at least 15 percent.***
2. ***Production requirements may be met on a project-by-project basis or in aggregate within each 10-year planning period. The percentage of affordable units relative to total units required within each 10-year planning period may be calculated as follows:***

$$\textit{AFFORDABLE units} = \frac{\textit{Market-rate} \times (.30 \text{ or } .15)}{(.70 \text{ or } .85)} \qquad \textit{TOTAL units} = \frac{\textit{Market-rate}}{(.70 \text{ or } .85)} \text{ or } \frac{\textit{Affordable}}{(.30 \text{ or } .15)}$$

SCHEDULE HCD-D7

HOUSING UNITS PROVIDED (NO AGENCY ASSISTANCE)

(units not claimed on Schedule D-2,3,4,5,6)

Agency: City of Moreno Valley

Redevelopment Project Area Name, or "Outside": _____

Housing Project Name: _____

NOTE: On this form, only report UNITS NOT REPORTED on HCD-D2 through HCD-D6 for project/program units that have not received any agency assistance. Agency assistance includes either financial assistance (LMIHF or other agency funds) or nonfinancial assistance (design, planning, etc.) provided by agency staff. In some cases, of the total units reported on HCD D1, a portion of units in the same project/program may be agency assisted (reported on HCD-D2 through HCD-D6) whereas other units may be unassisted by the agency (reported on HCD-D7).

The intent of this form is to: (1) reconcile any difference between total project/program units reported on HCD-D1 compared to the sum of all the project's/program's units reported on HCD-D2 through HCD-D6, and (2) account for other (nonassisted) housing units provided inside a project area that increases the agency's inclusionary obligation. Reporting nonagency assisted projects outside a project area is optional, if units do not make-up any part of total units reported on HCD-D1.

HCD-D7 Reporting Examples

Example 1 (reporting partial units): A new 100 unit project was built (reported on HCD-D1, Inside or Outside a project area). Fifty (50) units received agency assistance [30 affordable LMIHF units (reported on either HCD-D2, D3, D4, or D5) and 20 above moderate units were funded with other agency funds (reported on HCD-D6)]. The remaining 50 (privately financed and developed market-rate units) must be reported on HCD-D7 to make up the difference between 100 reported on D1 and 50 reported on D2-D6).

Example 2 (reporting all units): Inside a project area a condemned, historic property was substantially rehabilitated (multi-family or single-family), funded by tax credits and other private financing without any agency assistance.

Check whether Inside or Outside Project Area in completing applicable information below:

☐ Inside Project Area

Enter the number for each applicable activity:

New Construction Units: ☐

Substantial Rehabilitation Units: ☐

Total Units: ☐

If the agency did not provide any assistance to any part of the inside Project Area project, provide:

Building Permit Number:_____ **Permit Date:** ____/____/____ (mo day yr)

☐ Outside Project Area

Enter the number for each applicable activity:

New Construction Units: ☐

Substantial Rehabilitation Units: ☐

Total Units: ☐

Check all appropriate form(s) listed below that will be used to identify remaining Project Units to be reported:

☐ Replacement Housing Units (Sch HCD-D2)

Inclusionary Units:
☐ Inside Project Area (Sch HCD-D3)
☐ Outside Project Area (Sch HCD-D4)

Other Housing Units Provided:
☐ With LMIHF (Sch HCD-D5)
☐ Without LMIHF (Sch HCD-D6)

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rett
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Financial & Administrative Services Director

AGENDA DATE: September 22, 2009

TITLE: APPROVAL OF CHECK REGISTER FOR JULY, 2009

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2009-92, approving the Check Register for the month of July, 2009 in the amount of $24,334,280.12.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2009- 92
Check Register for Month of July, 2009

Prepared By:
Domilena R. Gonzales
Principal Accountant

Department Head Approval:
Steve Elam
Financial & Administrative Services Director

Concurred By:
Cynthia Fortune
Acting Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2009-92

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY, CALIFORNIA,
APPROVING THE CHECK REGISTER
FOR THE MONTH OF JULY, 2009

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period July 1, 2009 through July 31, 2009, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period July 1, 2009 through July 31, 2009, in the total amount of $24,334,280.12 is approved.

APPROVED AND ADOPTED this 22nd day of September, 2009.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00215943

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

MV00215944

City of Moreno Valley

Check Register

For Period 7/1/2009 through 7/31/2009

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER					
ACCELA					
	7/9/2009	196043	43,172.10		
				PERMITS PLUS MAINT 07/01/09 - 06/30/10	43,172.10
	7/23/2009	196393	47,878.75		
				MAINT FEES FOR VARIOUS APPLICATIONS	47,878.75
	Vendor Total		**91,050.85**		
FYTD for ACCELA			**91,050.85**		
AEI-CASC ENGINEERING					
	7/30/2009	196526	57,936.84		
				BOX SPRINGS RD IMPRVMNT PROJ	57,936.84
	Vendor Total		**57,936.84**		
FYTD for AEI-CASC ENGINEERING			**58,972.84**		
ALBERT A. WEBB ASSOCIATES					
	7/2/2009	195942	46,245.92		
				EDGEMONT WATER MP UPDATE SVCS	36,220.45
				EDGEMONT WATER MP UPDATE SVCS	10,025.47
	Vendor Total		**46,245.92**		
FYTD for ALBERT A. WEBB ASSOCIATES			**72,616.90**		

City of Moreno Valley

Check Register

For Period 7/1/2009 through 7/31/2009

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.					
	7/9/2009	196058	39,908.03		
				MAY'09 LNDSCP MAINT>CITY HALL	992.56
				MAY'09 LNDSCP MNT>VET MEM	250.00
				MAY'09 LNDSCP MNT>ANNX #1	300.00
				JUN'09 LNDSCP MNT>AQDCT A	850.50
				JUN'09 LNDSCP MNT>AQDCT B	735.00
				JUN'09 LNDSCP MNT>N AQDCT	525.00
				JUN'09 LNDSCP MNT>SR CTR	262.50
				JUN'09 LNDSCP MNT>EDSN/OLD	1,785.00
				JUN'09 LNDSCP MNT>PAN AM SECT	600.00
				JUN'09 LNDSCP MNT>E-4	15,496.00
				JUN'09 LNDSCP MNT>E-4A	364.00
				JUN'09 LNDSCP MNT>E-1	7,249.49
				JUN'09 LNDSCP MNT>E-1A	608.81
				JUN'09 LNDSCP MNT>ANML SHLTR	520.00
				JUN'09 LNDSCP MNT>CRC	1,900.00
				JUN'09 LNDSCP MNT>FIRE STNS	2,300.00
				JUN'09 LNDSCP MNT>LIBRARY	520.00
				JUN'09 LNDSCP MNT>PSB	1,047.58
				JUN'09 LNDSCP MNT>STARS	300.00
				JUN'09 LNDSCP MNT>BAY-JFK	1,900.00
				IRRIGATION RPRS>E-4	132.69
				IRRIGATION RPRS>E-4	55.90
				IRRIGATION RPRS>E-4	648.00
				IRRIGATION RPRS>E-4	85.00
				JUN'09 LNDSCP MNT>UTILITY	480.00
	Vendor Total		**39,908.03**		
FYTD for BEMUS LANDSCAPE, INC.			**42,890.59**		
BOYLE ENGINEERING CORPORATION					
	7/23/2009	196409	50,219.70		
				PERRIS BLVD WIDENING PROJ SVCS	27,766.20
				PERRIS BLVD WIDENING PROJ SVCS	22,453.50
	Vendor Total		**50,219.70**		
FYTD for BOYLE ENGINEERING CORPORATION			**53,002.80**		
CALPERS					
	7/30/2009	196537	111,845.12		
				ARC PMT LESS RET MED PAYOUTS	135,916.67
				ARC PMT LESS RET MED PAYOUTS	-24,071.55
	Vendor Total		**111,845.12**		
FYTD for CALPERS			**111,845.12**		
COLLIE COURT DEVELOPMENT, LLC					
	7/9/2009	196073	111,200.00		
				RELEASE OF DEPOSIT	111,200.00
	Vendor Total		**111,200.00**		
FYTD for COLLIE COURT DEVELOPMENT, LLC			**111,200.00**		

City of Moreno Valley

Check Register

For Period 7/1/2009 through 7/31/2009

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT					
	7/2/2009	195961	33,752.40		
				RECLAIMED WATER	338.24
				WATER UTILITY	110.82
				WATER UTILITY	1,110.87
				WATER UTILITY	441.96
				WATER UTILITY	12,099.03
				WATER UTILITY	3,424.09
				WATER UTILITY	484.92
				WATER UTILITY	8,150.05
				WATER UTILITY	3,283.77
				WATER UTILITY	3,348.90
				WATER UTILITY	38.27
				WATER UTILITY	291.77
				WATER UTILITY	133.57
				WATER UTILITY	428.87
				WATER UTILITY	67.27
	7/9/2009	196088	29,472.33		
				WATER UTILITY	1,381.82
				WATER UTILITY	38.40
				WATER UTILITY	7,003.03
				WATER UTILITY	10,797.28
				WATER UTILITY	6,634.82
				WATER UTILITY	1,414.53
				WATER UTILITY	659.35
				WATER UTILITY	518.33
				WATER UTILITY	242.13
				WATER UTILITY	143.41
				WATER UTILITY	53.93
				WATER UTILITY	384.43
				WATER UTILITY	140.63
				WATER UTILITY	60.24
	7/16/2009	196285	58,507.68		
				WATER UTILITY	1,106.41
				WATER UTILITY	351.65
				WATER UTILITY	1,567.00
				WATER UTILITY	759.90
				WATER UTILITY	105.47
				WATER UTILITY	19,983.81
				WATER UTILITY	3,782.75
				WATER UTILITY	1,298.32
				WATER UTILITY	5,424.93
				WATER UTILITY	3,154.07
				WATER UTILITY	4,391.66
				WATER UTILITY	6,163.42
				WATER UTILITY	1,898.50
				WATER UTILITY	53.49
				WATER UTILITY	982.92
				WATER UTILITY	1,937.70
				WATER UTILITY	599.39
				WATER UTILITY	213.10
				WATER UTILITY	262.37
				WATER UTILITY	127.22
				WATER UTILITY	1,753.49

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER UTILITY	941.41
			WATER UTILITY	189.71
			WATER UTILITY	377.19
			WATER UTILITY	400.74
			WATER UTILITY	344.25
			WATER UTILITY	336.81
7/30/2009	196553	38,771.90		
			WATER UTILITY	16.07
			WATER UTILITY	134.84
			WATER UTILITY	1,196.97
			WATER UTILITY	497.71
			WATER UTILITY	14,369.28
			WATER UTILITY	1,456.44
			WATER UTILITY	661.74
			WATER UTILITY	10,959.74
			WATER UTILITY	3,643.55
			WATER UTILITY	4,777.26
			WATER UTILITY	61.83
			WATER UTILITY	348.10
			WATER UTILITY	136.80
			WATER UTILITY	443.79
			WATER UTILITY	67.78
Vendor Total		**160,504.31**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**167,110.94**		

EMPLOYMENT DEVELOPMENT DEPARTMENT

7/3/2009	2444	43,113.55		
			DEP STATE INC TAX W/H 07/03/09	43,113.55
7/17/2009	2453	41,960.41		
			DEP STATE INC TAX W/H 07/17/09	41,960.41
7/31/2009	2463	30,294.69		
			DEP STATE INC TAX W/H 07/31/09	30,294.69
Vendor Total		**115,368.65**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**115,368.65**		

City of Moreno Valley

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For Period 7/1/2009 through 7/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC				
7/2/2009	195963	76,401.48		
			MAY'09 FEES>1ST INDSTRL CMRCL	48.79
			MAY'09 FEES>O'REILLY AUTOMOTIV	4,472.44
			MAY'09 PROF SRVCS>ALERE PROP	1,196.78
			CIRC#5 PHASE1 SUBST (RITE AID)	6,031.75
			PERRIS BLVD 12K FEEDER WORK	60.99
			ENG/DESIGN STUDY FOR CIP PROJS	2,220.73
			CIRC#5 PHASE II INSTALL. WORK	9,566.33
			GLOBE 12KV INTERCONN >LASSELLE	8,648.86
			LASSELLE ST 12KV CIRCUIT WORK	8,174.79
			GLOBE TO INDIAN 12KV CIRC WORK	3,704.41
			GLOBE TO INDIAN 12KV CIRC WORK	852.80
			NEWHOPE ST LIGHTS (ADJ TO PSB)	31,422.81
7/16/2009	196287	102,990.13		
			DISTRIBUTION CHARGES	90,825.19
			SPECIAL CHARGES	5,206.10
			BAD DEBT	-2,343.35
			SPCL CHRGS>4/6/09	552.19
			JUL'09 CABNT LSE-LASSELLE	6.47
			JUL'09 CABNT LSE-LASSELLE	1,243.53
			JUL'09 CABNT LSE-GRAHAM	29.67
			JUL'09 CABNT LSE-GRAHAM	1,220.33
			JUL'09 CABNT LSE-KITCHING	35.52
			JUL'09 CABNT LSE-KITCHING	1,214.48
			JUL'09 CABNT LSE-COTTONWOOD	98.05
			JUL'09 CABNT LSE-COTTONWOOD	1,151.95
			JUL'09 CABNT LSE-FREDERICK	47.14
			JUL'09 CABNT LSE-FREDERICK	1,202.86
			JUL'09 CABNT LSE-INDIAN AVE	130.78
			JUL'09 CABNT LSE-INDIAN AVE	1,119.22
			JUL'09 CABNT LSE-IRIS AVE	146.80
			JUL'09 CABNT LSE-IRIS AVE	1,103.20
7/23/2009	196427	25,948.19		
			PERRIS BLVD 12K FEEDER WORK	1,468.96
			ENG/DESIGN FOR CITY (CIP) PROJ	2,010.67
			TEMP CONSTR POWER FAC FOR EOC	1,641.31
			CIRC#5 PHASE 2 CABLE/EQUP INST	5,845.81
			GLOBE 12KV CHANNEL CRSSNG WORK	1,033.80
			LASSELLE ST 12KV CIRC TIE WORK	4,719.52
			GLOBE TO INDIAN 12KV CIRC TIE	299.33
			GLOBE TO INDIAN 12KV CIRC TIE	859.75
			GROVE VIEW RD ST. LIGHT INSTAL	4,457.40
			WASTE MGMT TRANSFER STAT. WORK	523.82
			O'REILLY AUTO DISTR CTR WORK	212.76
			O'REILLY AUTO DISTR CTR WORK	2,543.06
			METER CHGS-THE WATER SHOP	332.00
7/30/2009	196556	113,779.23		
			DIST/SPCL CHRGS:4/6/09-5/8/09	109,138.98
			DIST/SPCL CHRGS:4/6/09-5/8/09	6,977.00
			DIST/SPCL CHRGS:4/6/09-5/8/09	-2,634.50
			DIST/SPCL CHRGS:4/6/09-5/8/09	297.75

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	319,119.03		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		319,119.03		
ENVIRONMENTAL CONSTRUCTION, INC.				
7/2/2009	195964	460,459.47		
			SUNNYMEAD BLVD REVIT PROJ SVCS	460,459.47
	Vendor Total	460,459.47		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		460,459.47		
EXCEL LANDSCAPE, INC				
7/2/2009	195967	64,278.32		
			MAY'09 LNDSCP MAINT>E-3	24,988.00
			JUN'09 LNDSCP MAINT>E-3	24,988.00
			MAY'09 LNDSCP MAINT>E-3A	1,491.00
			JUN'09 LNDSCP MAINT>E-3A	1,491.00
			JUN'09 LNDSCP MAINT>E-7	2,640.41
			JUN'09 LNDSCP MAINT>E-8	1,057.15
			JUN'09 LNDSCP MAINT>E-8	429.96
			JUN'09 LNDSCP MAINT>E-15	1,059.76
			JUN'09 LNDSCP MAINT>E-14	3,426.80
			JUN'09 LNDSCP MAINT>WQF/09	1,514.00
			JUN'09 LNDSCP MAINT>WQF/09	645.00
			JUN'09 LNDSCP MAINT>WQF/09	465.00
			MISC LNDSCP MAINT>E-8	82.24
	Vendor Total	64,278.32		
FYTD for EXCEL LANDSCAPE, INC		64,723.52		
FULBRIGHT & JAWORSKI, L.L.P.				
7/2/2009	195975	49,844.52		
			MAY'09 LGL SRVCS>UTILITIES	49,844.52
7/30/2009	196563	30,180.24		
			LEGAL SERVICES /UTILITY-JUN'09	30,180.24
	Vendor Total	80,024.76		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		80,024.76		
HAITBRINK ASPHALT PAVING, INC.				
7/16/2009	196297	53,555.02		
			EUCALYPTUS/KITCHING ST IMPRV.	52,937.91
			EUCALYPTUS/KITCHING ST IMPRV.	617.11
	Vendor Total	53,555.02		
FYTD for HAITBRINK ASPHALT PAVING, INC.		53,555.02		
HARDY & HARPER, INC.				
7/30/2009	196571	348,604.80		
			ANNL PAVEMNT RESURF. PRGM SVCS	348,604.80
	Vendor Total	348,604.80		
FYTD for HARDY & HARPER, INC.		348,604.80		

City of Moreno Valley

Check Register

For Period 7/1/2009 through 7/31/2009

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HARRIS & ASSOCIATES, INC.					
	7/9/2009	196119	30,135.30		
				SUNNYMD BLVD EMWD PIPELINE SVC	438.02
				SUNNYMEAD BLVD REVIT PROJ SVCS	177.78
				SUNNYMEAD BLVD REVIT PROJ SVCS	654.70
				SUNNYMEAD BLVD REVIT PROJ SVCS	28,864.80
	Vendor Total		**30,135.30**		
FYTD for HARRIS & ASSOCIATES, INC.			**31,197.80**		
HEERY INTERNATIONAL, INC.					
	7/30/2009	196573	63,004.00		
				NEW MAIN LIBRARY PROJ. SVCS	63,004.00
	Vendor Total		**63,004.00**		
FYTD for HEERY INTERNATIONAL, INC.			**63,004.00**		

City of Moreno Valley

Check Register

For Period 7/1/2009 through 7/31/2009

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INLAND EMPIRE PROPERTY SERVICE, INC					
	7/16/2009	196306	34,112.00		
				NUISANCE ABATEMENT	256.00
				NUISANCE ABATEMENT	975.00
				NUISANCE ABATEMENT	250.00
				NUISANCE ABATEMENT	2,500.00
				NUISANCE ABATEMENT	252.00
				WEED ABATEMENT CONTRACT SVCS	270.00
				WEED ABATEMENT CONTRACT SVCS	517.18
				WEED ABATEMENT CONTRACT SVCS	219.04
				WEED ABATEMENT CONTRACT SVCS	260.92
				WEED ABATEMENT CONTRACT SVCS	158.00
				WEED ABATEMENT CONTRACT SVCS	351.22
				WEED ABATEMENT CONTRACT SVCS	156.00
				WEED ABATEMENT CONTRACT SVCS	249.00
				WEED ABATEMENT CONTRACT SVCS	193.82
				WEED ABATEMENT CONTRACT SVCS	237.22
				WEED ABATEMENT CONTRACT SVCS	137.50
				WEED ABATEMENT CONTRACT SVCS	127.00
				WEED ABATEMENT CONTRACT SVCS	530.00
				WEED ABATEMENT CONTRACT SVCS	159.82
				WEED ABATEMENT CONTRACT SVCS	341.72
				WEED ABATEMENT CONTRACT SVCS	153.00
				WEED ABATEMENT CONTRACT SVCS	152.00
				WEED ABATEMENT CONTRACT SVCS	472.60
				WEED ABATEMENT CONTRACT SVCS	161.30
				WEED ABATEMENT CONTRACT SVCS	270.00
				WEED ABATEMENT CONTRACT SVCS	272.00
				WEED ABATEMENT CONTRACT SVCS	214.00
				WEED ABATEMENT CONTRACT SVCS	94.00
				WEED ABATEMENT CONTRACT SVCS	94.00
				WEED ABATEMENT CONTRACT SVCS	291.16
				WEED ABATEMENT CONTRACT SVCS	439.00
				WEED ABATEMENT CONTRACT SVCS	654.00
				WEED ABATEMENT CONTRACT SVCS	199.54
				WEED ABATEMENT CONTRACT SVCS	199.54
				WEED ABATEMENT CONTRACT SVCS	282.00
				WEED ABATEMENT CONTRACT SVCS	125.00
				WEED ABATEMENT CONTRACT SVCS	335.94
				WEED ABATEMENT CONTRACT SVCS	109.64
				WEED ABATEMENT CONTRACT SVCS	109.64
				WEED ABATEMENT CONTRACT SVCS	148.08
				WEED ABATEMENT CONTRACT SVCS	437.00
				WEED ABATEMENT CONTRACT SVCS	328.02
				WEED ABATEMENT CONTRACT SVCS	328.02
				WEED ABATEMENT CONTRACT SVCS	192.96
				WEED ABATEMENT CONTRACT SVCS	62.00
				WEED ABATEMENT CONTRACT SVCS	443.40
				WEED ABATEMENT CONTRACT SVCS	1,008.98
				WEED ABATEMENT CONTRACT SVCS	62.00
				WEED ABATEMENT CONTRACT SVCS	625.25
				WEED ABATEMENT CONTRACT SVCS	625.73
				WEED ABATEMENT CONTRACT SVCS	457.23
				WEED ABATEMENT CONTRACT SVCS	480.67
				WEED ABATEMENT CONTRACT SVCS	1,568.22

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WEED ABATEMENT CONTRACT SVCS	215.90
			WEED ABATEMENT CONTRACT SVCS	410.00
			WEED ABATEMENT CONTRACT SVCS	178.74
			WEED ABATEMENT CONTRACT SVCS	543.57
			WEED ABTMNT>263210047	271.17
			WEED ABTMNT>263190019	5,200.00
			WEED ABTMNT>488220014	631.47
			WEED ABTMNT>263210031	571.24
			WEED ABTMNT>263190017	170.75
			WEED ABTMNT>488220005	655.00
			WEED ABTMNT>478174021	94.00
			WEED ABTMNT>478174020	94.00
			WEED ABTMNT>488220001	810.00
			WEED ABTMNT>478120015	120.00
			WEED ABTMNT>478120016	120.00
			WEED ABTMNT>478120023	120.00
			WEED ABTMNT>478120024	120.00
			WEED ABTMNT>478110006	316.46
			WEED ABTMNT>478110007	200.78
			WEED ABTMNT>486310005	876.13
			WEED ABTMNT>478120005	224.84
			WEED ABTMNT>263200011	296.67
			WEED ABTMNT>485032001	490.20
			WEED ABTMNT>479170033	414.80
			WEED ABTMNT>486290029	695.66
			WEED ABTMNT>488200021	204.72
			WEED ABTMNT>478166031	180.54
			WEED ABTMNT>478060008	254.00
			WEED ABTMNT>484030022	94.00
	Vendor Total	**34,112.00**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**37,499.14**		

INTERNAL REVENUE SERVICE

7/3/2009	2443	159,390.91		
			DEP FED TAX W/H 07/03/09	159,390.91
7/17/2009	2452	155,165.65		
			DEP FED TAX W/H 07/17/09	155,165.65
7/31/2009	2462	116,647.36		
			DEP FED TAX W/H 07/31/09	116,647.36
	Vendor Total	**431,203.92**		
FYTD for INTERNAL REVENUE SERVICE		**433,203.92**		

City of Moreno Valley

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For Period 7/1/2009 through 7/31/2009

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KOA CORPORATION					
	7/9/2009	196135	36,627.50		
				RECHE VISTA DR REALIGNMNT PROJ	24,627.50
				RECHE VISTA DR REALIGNMNT PROJ	12,000.00
	7/30/2009	196581	32,058.72		
				RECHE VISTA DR REALIGNMNT PROJ	4,737.51
				RECHE VISTA DR REALIGNMNT PROJ	6,993.71
				RECHE VISTA DR REALIGNMNT PROJ	20,327.50
	Vendor Total		**68,686.22**		
FYTD for KOA CORPORATION			**73,813.32**		
LIM & NASCIMENTO ENGINEERING CORP.					
	7/30/2009	196582	37,094.46		
				PERRIS BLVD WIDENING-RAMONA XP	37,094.46
	Vendor Total		**37,094.46**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**42,760.46**		
MCDONOUGH, HOLLAND & ALLEN					
	7/16/2009	196313	25,548.99		
				CNTY LITIG.>JUN'08	823.76
				CNTY LITIG.>JUL'08	6,839.04
				CNTY LITIG.>AUG'08	3,799.53
				CNTY LITIG.>SEPT'08	3,750.79
				CNTY LITIG.>JAN'09	1,135.87
				CNTY LITIG.>FEB'09	251.16
				CNTY LITIG.>MAR'09	921.64
				CNTY LITIG.>MAY'09	33.00
				MVUSD LITIG.>MAY'09	7,202.12
				GENERAL BUS.>MAY'09	53.04
				MVUSD LITIG.>MAY'09	739.04
	Vendor Total		**25,548.99**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**28,727.75**		
MORENO VALLEY CHEVROLET					
	7/23/2009	196461	36,898.00		
				REIMB. OF SPCL TAXES	36,898.00
	Vendor Total		**36,898.00**		
FYTD for MORENO VALLEY CHEVROLET			**36,898.00**		
MORENO VALLEY PONTIAC/GMC/BUICK					
	7/23/2009	196464	30,309.00		
				REIMB. OF SPCL TAXES	30,309.00
	Vendor Total		**30,309.00**		
FYTD for MORENO VALLEY PONTIAC/GMC/BUICK			**30,309.00**		

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For Period 7/1/2009 through 7/31/2009

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY					
	7/23/2009	196465	81,411.38		
				ELECTRICITY CHARGES	117.32
				ELECTRICITY CHARGES	1,746.30
				ELECTRICITY CHARGES	165.90
				ELECTRICITY CHARGES	1,602.67
				ELECTRICITY CHARGES	21,086.49
				ELECTRICITY CHARGES	17,865.91
				ELECTRICITY CHARGES	5,574.66
				ELECTRICITY CHARGES	11,699.07
				ELECTRICITY CHARGES	1,667.38
				ELECTRICITY CHARGES	3,260.61
				ELECTRICITY CHARGES	10,262.85
				ELECTRICITY CHARGES	5,523.43
				ELECTRICITY CHARGES	209.06
				ELECTRICITY CHARGES	133.35
				ELECTRICITY CHARGES	84.48
				ELECTRICITY CHARGES	63.36
				ELECTRICITY CHARGES	63.83
				ELECTRICITY CHARGES	155.19
				ELECTRICITY CHARGES	129.52
	Vendor Total		**81,411.38**		
FYTD for MORENO VALLEY UTILITY			**81,411.38**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MUNITEMPS					
	7/16/2009	196327	26,600.19		
				TEMP SRVCS>4/12 HENDERSON	1,793.60
				TEMP SRVCS>4/26 HENDERSON	1,793.60
				TEMP SRVCS>5/10 HENDERSON	1,793.60
				TEMP SRVCS>5/24 HENDERSON	1,793.60
				TEMP SRVCS>6/7 HENDERSON	1,810.42
				TEMP SRVCS>6/21 HENDERSON	1,793.60
				TEMP SRVCS>3/29 O'MALLEY	387.27
				TEMP SRVCS>3/29 SIMS	357.19
				TEMP SRVCS>4/12-O'MALLEY	351.34
				TEMP SRVCS>4/12-SIMS	326.13
				TEMP SRVCS>4/12-HUDSON	310.60
				TEMP SRVCS>4/12-BELL	330.01
				TEMP SRVCS>4/26-O'MALLEY	1,081.97
				TEMP SRVCS>4/26-SIMS	462.02
				TEMP SRVCS>4/26-HUDSON	621.20
				TEMP SRVCS>4/26-BELL	660.02
				TEMP SRVCS>5/10-O'MALLEY	1,185.78
				TEMP SRVCS>5/10-SIMS	826.97
				TEMP SRVCS>5/10-HUDSON	559.09
				TEMP SRVCS>5/10-BELL	660.02
				TEMP SRVCS>5/24-O'MALLEY	1,189.77
				TEMP SRVCS>5/24-SIMS	364.95
				TEMP SRVCS>5/24-HUDSON	718.26
				TEMP SRVCS>5/24-BELL	702.73
				TEMP SRVCS>6/7-BELL	636.73
				TEMP SRVCS>6/7-HUDSON	784.26
				TEMP SRVCS>6/7-O'MALLEY	1,054.02
				TEMP SRVCS>6/7-SIMS	757.09
				TEMP SRVCS>6/21-O'MALLEY	830.44
				TEMP SRVCS>6/21-HUDSON	275.66
				TEMP SRVCS>6/21-BELL	388.25
	Vendor Total		**26,600.19**		
FYTD for MUNITEMPS			**37,015.23**		
NATIONWIDE RETIREMENT SOLUTIONS					
	7/17/2009	2449	25,212.16		
				DEF COMP 457 & 401(A) 071/7/09	25,212.16
	7/3/2009	2440	25,432.66		
				DEF COMP 457 & 401(A) 07/03/09	25,432.66
	Vendor Total		**50,644.82**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**55,944.21**		
NORRIS-REPKE, INC.					
	7/9/2009	196175	39,324.00		
				PROF STAFFING SVCS-VARIOUS PRJ	16,820.00
				PROF STAFFING SVCS-VARIOUS PRJ	22,504.00
	Vendor Total		**39,324.00**		
FYTD for NORRIS-REPKE, INC.			**39,829.00**		

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PARSONS TRANSPORTATION GROUP, INC.					
	7/9/2009	196177	147,550.47		
				SR-60/NASON ST OVRCRSSNG PROJ	147,550.47
	Vendor Total		**147,550.47**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**147,550.47**		
PB AMERICAS, INC.					
	7/30/2009	196601	88,835.51		
				SR-60/NASON ST INTERCHG IMPRV	37,792.84
				SR-60/NASON ST INTERCHG PROJ	51,042.67
	Vendor Total		**88,835.51**		
FYTD for PB AMERICAS, INC.			**88,835.51**		
PERMA					
	7/30/2009	196602	84,262.99		
				PROP. PRGRM INS. PREM.	84,262.99
	Vendor Total		**84,262.99**		
FYTD for PERMA			**84,262.99**		
PERS HEALTH INSURANCE					
	7/8/2009	90706	209,164.98		
				EMPL HEALTH INS 07/08/09	209,164.98
	Vendor Total		**209,164.98**		
FYTD for PERS HEALTH INSURANCE			**209,164.98**		
PERS RETIREMENT					
	7/24/2009	2456	234,284.08		
				PERS RETIREMENT 07/24/09	234,284.08
	7/10/2009	2446	254,022.72		
				PERS RETIREMENT 07/10/09	254,022.72
	Vendor Total		**488,306.80**		
FYTD for PERS RETIREMENT			**488,306.80**		
PERVO PAINT CO.					
	7/16/2009	196337	29,724.96		
				MISC. PAINT AND SUPPLIES	6,934.51
				MISC. PAINT AND SUPPLIES	22,790.45
	Vendor Total		**29,724.96**		
FYTD for PERVO PAINT CO.			**29,724.96**		
PITRE & TEUNISSE, INC.					
	7/30/2009	196607	400,000.00		
				SETTLEMENT RE: TOVEY SCHULTZ	400,000.00
	Vendor Total		**400,000.00**		
FYTD for PITRE & TEUNISSE, INC.			**400,000.00**		

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PRICE FAMILY CHARITABLE TRUST				
7/23/2009	196479	79,991.00		
			SALES TAX REIMB.	79,991.00
Vendor Total		**79,991.00**		
FYTD for PRICE FAMILY CHARITABLE TRUST		**79,991.00**		
PROACTIVE ENGINEERING CONSULTANTS, INC.				
7/16/2009	196340	35,227.50		
			KITCHING ST IMPRV PROJ SVCS	35,227.50
7/30/2009	196611	65,427.25		
			CACTUS AVE WIDENING PROJ-STG 1	25,223.25
			CACTUS AVE WIDENING PROJ-STG 2	40,204.00
Vendor Total		**100,654.75**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.		**100,654.75**		
RIALTO CONSTRUCTION, INC.				
7/30/2009	196616	77,707.03		
			AQUEDCT BIKEWAY-INDIAN TO FAY	77,707.03
Vendor Total		**77,707.03**		
FYTD for RIALTO CONSTRUCTION, INC.		**77,707.03**		
RIVERSIDE COUNTY SHERIFF				
7/9/2009	196197	84,189.49		
			MAR-MAY'09 JAIL ACCESS FEES	84,189.49
7/30/2009	196625	32,201.51		
			JUN'09 JAIL ACCESS FEE	32,201.51
7/15/2009	90704	2,612,473.33		
			CONTRACT LAW ENF BILL #11	2,612,473.33
7/23/2009	90714	3,119,659.39		
			CONTRACT LAW ENF BILL #12	3,119,659.39
Vendor Total		**5,848,523.72**		
FYTD for RIVERSIDE COUNTY SHERIFF		**5,852,406.50**		
RIVERSIDE COUNTY SHERIFF'S DEPT.				
7/16/2009	196349	315,460.00		
			ANNL RMS/CLETS>FY0809	315,460.00
Vendor Total		**315,460.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**315,460.00**		
RIVERSIDE TRANSIT AGENCY				
7/23/2009	196492	28,075.00		
			U-PASS PROGRAM WITH RCC	28,075.00
Vendor Total		**28,075.00**		
FYTD for RIVERSIDE TRANSIT AGENCY		**28,075.00**		

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RLZ ENGINEERING					
	7/16/2009	196351	26,856.50		
				PROF STAFFING SVCS-VARIOUS PRJ	26,856.50
	Vendor Total		**26,856.50**		
FYTD for RLZ ENGINEERING			**26,856.50**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	7/30/2009	196627	35,899.81		
				PUB SAFETY BLDG CONVERSION PRJ	35,899.81
	Vendor Total		**35,899.81**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**35,899.81**		
SEMPRA ENERGY SOLUTIONS					
	7/23/2009	196494	701,135.35		
				JUN'09 POWER PURCHASE	701,135.35
	Vendor Total		**701,135.35**		
FYTD for SEMPRA ENERGY SOLUTIONS			**701,135.35**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	7/16/2009	196360	140,151.00		
				ELECTRICITY CHARGES	41.94
				ELECTRICITY CHARGES	365.58
				ELECTRICITY CHARGES	39.04
				ELECTRICITY CHARGES	983.32
				ELECTRICITY CHARGES	1,721.62
				ELECTRICITY CHARGES	1,399.17
				ELECTRICITY CHARGES	492.42
				ELECTRICITY CHARGES	848.69
				ELECTRICITY CHARGES	1,366.82
				ELECTRICITY CHARGES	1,732.18
				ELECTRICITY CHARGES	94,804.30
				ELECTRICITY CHARGES	35,584.03
				ELECTRICITY CHARGES	356.46
				ELECTRICITY CHARGES	136.20
				ELECTRICITY CHARGES	18.56
				ELECTRICITY CHARGES	21.67
				ELECTRICITY CHARGES	60.40
				ELECTRICITY CHARGES	74.41
				ELECTRICITY CHARGES	104.19
	7/23/2009	196501	39,222.25		
				ELECTRICITY CHARGES	163.54
				ELECTRICITY CHARGES	4,986.45
				ELECTRICITY CHARGES	127.66
				ELECTRICITY CHARGES	3,778.78
				ELECTRICITY CHARGES	19.03
				ELECTRICITY CHARGES	5,116.01
				ELECTRICITY CHARGES	1,137.61
				ELECTRICITY CHARGES	3,911.11
				ELECTRICITY CHARGES	2,233.70
				ELECTRICITY CHARGES	1,999.44
				ELECTRICITY CHARGES	218.97
				ELECTRICITY CHARGES	3,605.33
				ELECTRICITY CHARGES	678.17
				ELECTRICITY CHARGES	2,304.40
				ELECTRICITY CHARGES	20.48
				ELECTRICITY CHARGES	401.08
				ELECTRICITY CHARGES	3,896.44
				ELECTRICITY CHARGES	1,550.55
				ELECTRICITY CHARGES	282.23
				ELECTRICITY CHARGES	390.29
				ELECTRICITY CHARGES	416.45
				ELECTRICITY CHARGES	254.28
				ELECTRICITY CHARGES	145.55
				ELECTRICITY CHARGES	22.73
				ELECTRICITY CHARGES	1,561.97
	7/30/2009	196633	36,064.72		
				WDAT CHARGES: FREDERICK 06/09	2,386.62
				WDAT CHARGES: IRIS 06/09	2,625.22
				NON-PTO WHEELING CHRGS	1,672.91
				WDAT CHARGES: SUBSTATN 06/09	14,038.67
				WDAT CHARGES: NANDINA 06/09	2,647.31
				WDAT CHARGES: GLOBE 06/09	8,966.34

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WDAT CHARGES: GRAHAM 06/09	3,727.65
7/30/2009	196634	2,010,115.06		
			REPLCMNT OF EXISTING FAC-EB 60	1,005,057.53
			REPLCMNT OF EXISTING FAC-EB 60	1,005,057.53
	Vendor Total	**2,225,553.03**		
FYTD for SOUTHERN CALIFORNIA EDISON		**2,257,119.57**		
STANDARD INSURANCE CO				
7/16/2009	196363	30,179.53		
			LIFE & DISABILITY INSURANCE	12,582.80
			LIFE & DISABILITY INSURANCE	19,617.04
			LIFE & DISABILITY INSURANCE	-2,020.31
	Vendor Total	**30,179.53**		
FYTD for STANDARD INSURANCE CO		**31,768.98**		
SUKUT CONSTRUCTION, INC.				
7/2/2009	196026	376,715.24		
			PIGEON PASS RD ST IMPRV PROJ	308,323.52
			PIGEON PASS RD ST IMPRV PROJ	68,391.72
7/9/2009	90709	34,726.45		
			RETENTION PYMT- PROJ06-41570324	34,726.45
	Vendor Total	**411,441.69**		
FYTD for SUKUT CONSTRUCTION, INC.		**419,040.77**		
T.Y. LIN INTERNATIONAL				
7/30/2009	196644	27,036.93		
			GRAHAM ST OVERCRSSNG/SR-60 PRJ	5,000.00
			GRAHAM ST OVERCRSSNG/SR-60 PRJ	22,036.93
	Vendor Total	**27,036.93**		
FYTD for T.Y. LIN INTERNATIONAL		**27,036.93**		
TCM GROUP				
7/2/2009	196027	81,775.07		
			SR-60/NASON ST INTERCHNG PROJ.	81,775.07
7/16/2009	196370	63,835.63		
			SR-60/NASON ST INTERCHG IMPRV.	47,229.88
			SR-60/NASON ST INTERCHG IMPRV.	16,605.75
	Vendor Total	**145,610.70**		
FYTD for TCM GROUP		**145,610.70**		
TYNER PAVING COMPANY				
7/30/2009	196646	145,262.61		
			IRIS AVE IMPRVMNTS PROJ.	113,304.73
			IRIS AVE IMPRVMNTS PROJ.	31,957.88
	Vendor Total	**145,262.61**		
FYTD for TYNER PAVING COMPANY		**145,262.61**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
U.S. BANK/CALCARDS					
	7/9/2009	90710	125,786.95		
				CALCARD PYMT CYCLE END 07/07/09	125,786.95
	7/30/2009	90715	141,712.11		
				CALCARD PYMT CYCLE END 07/30/09	141,712.11
	Vendor Total		**267,499.06**		
FYTD for U.S. BANK/CALCARDS			**267,499.06**		
UNION BANK OF CALIFORNIA					
	7/9/2009	90707	51,162.16		
				RETENTION PYMT - PROJ04-89280221	51,162.16
	Vendor Total		**51,162.16**		
FYTD for UNION BANK OF CALIFORNIA			**52,218.16**		
UNION BANK OF CALIFORNIA NA					
	7/1/2009	90702	1,000,000.00		
				FNMA 4% MAT 07/01/14	1,000,000.00
	7/9/2009	90703	1,000,000.00		
				FHLB STPUP 2.5% MAT 07/09/14	1,000,000.00
	7/16/2009	90713	1,001,916.67		
				FFCB 3% MAT 12/23/13	1,001,916.67
	7/23/2009	90711	1,000,000.00		
				FHLMC 2.4% MAT 07/23/13	1,000,000.00
	7/28/2009	90712	1,000,000.00		
				FNMA 3% MAT 07/28/14	1,000,000.00
	7/2/2009	90705	999,531.25		
				FHLMC 3.4% MAT 07/02/14	999,531.25
	Vendor Total		**6,001,447.92**		
FYTD for UNION BANK OF CALIFORNIA NA			**6,001,447.92**		
VA CONSULTING, INC.					
	7/30/2009	196651	35,580.95		
				HEACOCK ST BRIDGE REPLCMNT PRJ	4,232.45
				AUTO MALL STREET UPGRADES PROJ	3,030.00
				AUTO MALL STREET UPGRADES PROJ	28,318.50
	Vendor Total		**35,580.95**		
FYTD for VA CONSULTING, INC.			**43,445.13**		

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VULCAN MATERIALS CO, INC.					
	7/16/2009	196384	26,454.07		
				ASPHALTIC CONCRETE & EMULSION	8,481.43
				ASPHALTIC CONCRETE & EMULSION	6,790.11
				ASPHALTIC CONCRETE & EMULSION	463.06
				ASPHALTIC CONCRETE & EMULSION	10,127.87
				ASPHALTIC CONCRETE & EMULSION	162.91
				ASPHALTIC CONCRETE & EMULSION	100.26
				ASPHALTIC CONCRETE & EMULSION	131.59
				ASPHALTIC CONCRETE & EMULSION	196.84
	Vendor Total		**26,454.07**		
FYTD for VULCAN MATERIALS CO, INC.			**36,098.98**		
WELLS FARGO CORPORATE TRUST					
	7/28/2009	90716	1,148,808.45		
				2007 TABS DEBT SVC PYMT	1,148,808.45
	Vendor Total		**1,148,808.45**		
FYTD for WELLS FARGO CORPORATE TRUST			**1,150,185.68**		
WHEELER PAVING, INC.					
	7/16/2009	196388	361,012.50		
				LASSELLE ST WIDENING PROJ SVCS	36,488.92
				LASSELLE ST WIDENING PROJ SVCS	324,523.58
	Vendor Total		**361,012.50**		
FYTD for WHEELER PAVING, INC.			**361,012.50**		
WINZLER & KELLY CONSULTING ENGINEERS					
	7/16/2009	196389	221,456.23		
				IRONWOOD AVE WIDENING PROJ.	51,428.79
				IRONWOOD AVE WIDENING PROJ.	103,147.76
				IRONWOOD AVE WIDENING PROJ.	51,148.73
				IRONWOOD AVE WIDENING PROJ.	15,730.95
	Vendor Total		**221,456.23**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**221,456.23**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.					
	7/16/2009	196390	201,812.00		
				TUMF FEES COLL. 6/1-6/30/09	201,812.00
	7/30/2009	196663	25,413.00		
				FY09/10 WRCOG MEMBERSHIP DUES	25,413.00
	Vendor Total		**227,225.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**230,675.00**		
	Subtotal		**23,053,172.80**		

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CHECKS LESS THAN $25,000					
NIELSEN LLC, CLARITAS					
	7/2/2009	195939	2,935.00		
				SITEREPORTS.COM LICENSE FEE	2,935.00
	Vendor Total		**2,935.00**		
FYTD for NIELSEN LLC, CLARITAS			**2,935.00**		
4IMPRINT					
	7/2/2009	195940	4,807.00		
				TAGLESS T-SHIRTS	2,760.00
				TAGLESS T-SHIRTS	240.00
				SCREEN CHARGE	360.00
				COLOR RUN CHARGE	437.50
				SCREEN CHARGE	40.00
				COLOR RUN CHARGE	700.00
				DISCOUNT	-106.26
				SHIPPING	375.76
				SALES TAX	262.52
				SALES TAX - ACCRUAL	-262.52
	Vendor Total		**4,807.00**		
FYTD for 4IMPRINT			**4,807.00**		
ACOSTA, ERNESTO/VERONICA					
	7/9/2009	196044	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ACOSTA, ERNESTO/VERONICA			**20.00**		
ADAMS, MARK L.					
	7/9/2009	196045	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**318.73**		
ADLERHORST INTERNATIONAL INC.					
	7/16/2009	196257	600.00		
				BASIC HANDLERS COURSE	300.00
				BASIC HANDLERS COURSE	300.00
	Vendor Total		**600.00**		
FYTD for ADLERHORST INTERNATIONAL INC.			**600.00**		
ADMINSURE					
	7/16/2009	196258	2,600.00		
				JUL'09 WKRS COMP CLMS ADMIN.	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**2,600.00**		

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ADVANCE REFRIGERATION & ICE SYSTEMS, INC				
7/9/2009	196046	275.36		
			COOLER REPAIR AT ANML SHLTR	275.36
7/16/2009	196259	1,395.00		
			REPAIR PUPPY COOLER AT THE AS	1,395.00
Vendor Total		**1,670.36**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**1,670.36**		
ADVANCED ELECTRIC				
7/23/2009	196394	970.00		
			INSTALL BREAKER & WIRE @ CRC	490.00
			CARD READER REPAIR-PSB GATE#2	404.00
			CARD READER REPAIR-PSB GATE#2	76.00
Vendor Total		**970.00**		
FYTD for ADVANCED ELECTRIC		**970.00**		
AEI-CASC ENGINEERING				
7/2/2009	195941	1,036.00		
			MAY'09 PLAN CK SRVCS	1,036.00
Vendor Total		**1,036.00**		
FYTD for AEI-CASC ENGINEERING		**58,972.84**		
ALBERT A. WEBB ASSOCIATES				
7/23/2009	196395	11,476.69		
			EDGEMONT WATER MSTR PLAN SVCS	11,476.69
7/30/2009	196527	14,894.29		
			EDGEMONT WATER MSTR PLAN SVCS	14,894.29
Vendor Total		**26,370.98**		
FYTD for ALBERT A. WEBB ASSOCIATES		**72,616.90**		
ALLIANZ LIFE INSURANCE CO				
7/9/2009	196047	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**75.00**		
ALTERNATIVES TO DOMESTIC VIOLENCE				
7/30/2009	196528	1,713.95		
			CDBG EXP. REIMB.	1,713.95
Vendor Total		**1,713.95**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**1,713.95**		

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AMEC EARTH & ENVIRONMENTAL, INC.				
7/23/2009	196396	1,405.00		
			AQUEDUCT BIKEWAY IMPRV PROJ	1,405.00
Vendor Total		**1,405.00**		
FYTD for AMEC EARTH & ENVIRONMENTAL, INC.		**1,405.00**		
AMERICAN FORENSIC NURSES				
7/16/2009	196260	727.50		
			BLOOD DRAWS & ANALYSES	26.00
			CHP BLOOD DRAWS	109.00
			MV BLOOD DRAWS	592.50
7/23/2009	196397	569.50		
			MV BLOOD DRAWS	479.50
			CHP BLOOD DRAWS	90.00
7/30/2009	196529	180.00		
			BLOOD DRAWS & ANALYSES	180.00
Vendor Total		**1,477.00**		
FYTD for AMERICAN FORENSIC NURSES		**1,477.00**		
AMERICAN PAYROLL ASSOCIATION				
7/9/2009	196048	195.00		
			MBR:SANDRA CONTRERAS	195.00
Vendor Total		**195.00**		
FYTD for AMERICAN PAYROLL ASSOCIATION		**195.00**		
AMERICAN ROTARY BROOM CO.				
7/9/2009	196049	1,209.76		
			STREET SWEEPER KITS	223.58
			STREET SWEEPER KITS	986.18
Vendor Total		**1,209.76**		
FYTD for AMERICAN ROTARY BROOM CO.		**1,209.76**		
AMERIMARK DIRECT				
7/2/2009	195943	100.89		
			STICKERS	100.89
			STICKERS	7.74
			STICKERS	-7.74
Vendor Total		**100.89**		
FYTD for AMERIMARK DIRECT		**100.89**		
AMTECH ELEVATOR SERVICES				
7/9/2009	196050	118.37		
			JUN'09 ELEV. MAINT>CITY HALL	118.37
Vendor Total		**118.37**		
FYTD for AMTECH ELEVATOR SERVICES		**118.37**		

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ANDREWS, DANETA & RICHARD				
7/16/2009	196261	52.00		
			ANML LICENSE FEE RFND	52.00
Vendor Total		**52.00**		
FYTD for ANDREWS, DANETA & RICHARD		**52.00**		
ANIMAL EMERGENCY CLINIC, INC.				
7/30/2009	196530	707.00		
			EMERG. VET SERVICES	412.00
			EMERG. VET SERVICES	75.00
			EMERG. VET SERVICES	75.00
			EMERG. VET SERVICES	75.00
			EMERG. VET SERVICES	70.00
Vendor Total		**707.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**707.00**		
ANIMAL HEALTH AND SANITARY SUPPLY				
7/9/2009	196051	2,518.39		
			CLEANING SUPPLIES FOR AS	2,518.39
7/30/2009	196531	1,119.65		
			ANIMAL SVCS CLEANING SUPPLIES	1,119.65
Vendor Total		**3,638.04**		
FYTD for ANIMAL HEALTH AND SANITARY SUPPLY		**3,638.04**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
7/23/2009	196398	1,790.00		
			JUN'09 PEST CTRL-PARKS	665.00
			JUN'09 PEST CTRL-AQUEDUCTS ETC	255.00
			JUN'09 PEST CTRL-MARCH FLD	330.00
			JUN'09 PEST CTRL-MRCH PAL BLDG	100.00
			JUN'09 PEST CTRL-CFD #1	160.00
			JUN'09 PEST CTRL-CTTNWD GOLF	180.00
			JUN'09 PEST CTRL-STARS BLDG	100.00
Vendor Total		**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**1,790.00**		
APPELHOF, KRISTINA				
7/2/2009	195944	75.00		
			RFND-SPAY/NEUTER DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for APPELHOF, KRISTINA		**75.00**		

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APWA-AMERICAN PUBLIC WORKS ASSOCIATION				
7/2/2009	195945	2,288.32		
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
			MEMBERSHIP RENEWAL	143.02
Vendor Total		**2,288.32**		
FYTD for APWA-AMERICAN PUBLIC WORKS ASSOCIATION		**2,288.32**		
ARCHIVE MANAGEMENT SERVICE				
7/16/2009	196262	1,596.36		
			OFF-SITE STORAGE	1,596.36
Vendor Total		**1,596.36**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**1,596.36**		

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ARROWHEAD WATER					
	7/9/2009	196052	140.77		
				WTR PURIF>6/8/09 FS#91	25.00
				WTR PURIF>6/8/09 FS#65	25.00
				WTR PURIF>6/8/09 FS#58	15.77
				WTR PURIF>6/8/09 FS#48	25.00
				WTR PURIF>6/8/09 FS#2	25.00
				WTR PURIF>6/8/09 FS#6	25.00
	7/16/2009	196263	175.00		
				WATER PURIFICATION UNIT	50.00
				WATER PURIFICATION UNIT	25.00
				WATER PURIFICATION UNIT	25.00
				WATER PURIFICATION UNIT	25.00
				WATER PURIFICATION UNIT	25.00
				WATER PURIFICATION UNIT	25.00
	7/23/2009	196399	340.78		
				WATER PURIF 6/9-7/8-CITY HALL	125.01
				WATER PURIF 6/9-7/8-CITY YARD	25.00
				WATER PURIF 6/9-7/8-TRANS TRLR	25.00
				WTR PURIF>7/8-LIBRARY	25.00
				WTR PURIF>7/8-FS #6	25.00
				WTR PURIF>7/8-FS #48	25.00
				WTR PURIF>7/8-FS #2	25.00
				WTR PURIF>7/8-FS #58	15.77
				WTR PURIF>7/8-FS #91	25.00
				WTR PURIF>7/8-FS #65	25.00
	Vendor Total		**656.55**		
FYTD for ARROWHEAD WATER			**656.55**		
ARZATE, AURORA					
	7/2/2009	195946	80.00		
				RFND-PICNIC SHLTR FEE	80.00
	Vendor Total		**80.00**		
FYTD for ARZATE, AURORA			**80.00**		
ASHTON, CLARKE / ANDLAND PROPERTIES					
	7/16/2009	196264	358.64		
				REFUND DEPOSIT BALANCE	358.64
	Vendor Total		**358.64**		
FYTD for ASHTON, CLARKE / ANDLAND PROPERTIES			**358.64**		
ASW ENGINEERING MANAGEMENT CONSULTANTS					
	7/9/2009	196053	4,469.34		
				PRELIM. ENRGY ASSMNT>4/14/09	4,469.34
	Vendor Total		**4,469.34**		
FYTD for ASW ENGINEERING MANAGEMENT CONSULTANTS			**4,469.34**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AT&T MOBILITY					
	7/16/2009	196265	91.38		
				MCC CELL SRVC>6/6/09	91.38
	7/30/2009	196532	92.20		
				MCC CELLULAR SVC 6/7/09-7/6/09	92.20
	Vendor Total		**183.58**		
FYTD for AT&T MOBILITY			**183.58**		
AT&T/MCI					
	7/16/2009	196266	183.68		
				PHONE SERVICES	183.68
	Vendor Total		**183.68**		
FYTD for AT&T/MCI			**183.68**		
AV GRAPHICS, INC.					
	7/23/2009	196400	2,185.61		
				ADMIN CITATION BOOKS	2,126.06
				ARTWORK CHARGE	40.00
				ADDITIONAL SALES TAX	19.55
	Vendor Total		**2,185.61**		
FYTD for AV GRAPHICS, INC.			**2,185.61**		
B & T WORKS, INC.					
	7/30/2009	196533	18,450.00		
				COMM PARK WATER IMPRVMNTS PROJ	18,450.00
	Vendor Total		**18,450.00**		
FYTD for B & T WORKS, INC.			**18,450.00**		
BACHER, GRACE					
	7/9/2009	196054	303.60		
				JULY'09 RETIREE MED BENEFIT	303.60
	Vendor Total		**303.60**		
FYTD for BACHER, GRACE			**303.60**		
BANKS, CHARLES W., JR.					
	7/16/2009	196267	403.00		
				RFND-W/D OF APP 50%	217.50
				RFND-W/D OF APP 50%	58.00
				RFND-W/D OF APP 50%	82.00
				RFND-W/D OF APP 50%	45.50
	Vendor Total		**403.00**		
FYTD for BANKS, CHARLES W., JR.			**403.00**		

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BANNING VETERINARY HOSPITAL					
	7/23/2009	196401	54.00		
				VET FEES FOR K-9 "LEX"	54.00
	Vendor Total		**54.00**		
FYTD for BANNING VETERINARY HOSPITAL			**54.00**		
BARNES, DARLENE					
	7/9/2009	196055	110.82		
				JUNE'09 RETIREE MED BENEFIT	110.82
	Vendor Total		**110.82**		
FYTD for BARNES, DARLENE			**110.82**		
BARRAGAN, MIGUEL					
	7/23/2009	196402	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARRAGAN, MIGUEL			**20.00**		
BASIC BACKFLOW					
	7/23/2009	196403	30.00		
				BACKFLOW TESTING>6/25	30.00
	Vendor Total		**30.00**		
FYTD for BASIC BACKFLOW			**30.00**		
BATES LEATHERS					
	7/30/2009	196534	5,611.50		
				POLICE JACKETS FOR MOTOR UNITS	5,611.50
	Vendor Total		**5,611.50**		
FYTD for BATES LEATHERS			**5,611.50**		
BEAN, JAMES & CATALINA					
	7/23/2009	196404	2,622.00		
				TRUST FUND REFUND	2,622.00
	Vendor Total		**2,622.00**		
FYTD for BEAN, JAMES & CATALINA			**2,622.00**		
BEAZER HOMES					
	7/2/2009	195947	30.00		
				RFND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for BEAZER HOMES			**30.00**		

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BEEGLE JEANETTE					
	7/23/2009	196405	95.00		
				RFND-RABIES/SPAY/NEUTER FEES	20.00
				RFND-RABIES/SPAY/NEUTER FEES	75.00
	Vendor Total		**95.00**		
FYTD for BEEGLE JEANETTE			**95.00**		
BELL, ORROCK & WATASE, INC					
	7/16/2009	196268	4,355.31		
				LEGAL DEFENSE SERVICES	404.95
				LEGAL DEFENSE SERVICES	792.05
				LEGAL DEFENSE SERVICES	3,158.31
	Vendor Total		**4,355.31**		
FYTD for BELL, ORROCK & WATASE, INC			**4,355.31**		
BELUSO, STEPHEN					
	7/9/2009	196056	150.00		
				MV UTILITY REFUND	150.00
	Vendor Total		**150.00**		
FYTD for BELUSO, STEPHEN			**150.00**		
BEMUS LANDSCAPE, INC.					
	7/16/2009	196269	2,982.56		
				LANDSCAPE MAINTENANCE	480.00
				LANDSCAPE MAINTENANCE	480.00
				LANDSCAPE MAINTENANCE	480.00
				LANDSCAPE MAINT @ CITY HALL	992.56
				LANDSCAPE MAINT @ VETERANS	250.00
				LANDSCAPE MAINT @ ANNEX #1	300.00
	Vendor Total		**2,982.56**		
FYTD for BEMUS LANDSCAPE, INC.			**42,890.59**		
BENESYST, INC.					
	7/2/2009	195948	255.05		
				JULY'09 FLEX ADMIN SRVCS	255.05
	7/23/2009	196406	255.05		
				AUG'09-FSA & DEP CARE	255.05
	Vendor Total		**510.10**		
FYTD for BENESYST, INC.			**510.10**		
BERG & ASSOCIATES, INC.					
	7/23/2009	196407	13,729.39		
				PIGEON PASS RD IMPRV PROJ SVCS	12,710.92
				PIGEON PASS RD IMPRV PROJ SVCS	1,018.47
	Vendor Total		**13,729.39**		
FYTD for BERG & ASSOCIATES, INC.			**13,729.39**		

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BIO-TOX LABORATORIES					
	7/16/2009	196270	3,013.45		
				TOXICOLOGY TESTS	51.76
				TOXICOLOGY TESTS	1,698.29
				TOXICOLOGY TESTS	1,263.40
	7/30/2009	196535	2,048.66		
				TOXICOLOGY TESTING	1,418.66
				TOXICOLOGY TESTING	630.00
	Vendor Total		**5,062.11**		
FYTD for BIO-TOX LABORATORIES			**5,062.11**		
BLAIR, CHERYL					
	7/2/2009	195949	486.00		
				BELLY DNCNG CLASS-18 PARTICIPANTS	486.00
	Vendor Total		**486.00**		
FYTD for BLAIR, CHERYL			**486.00**		
BLUE SHIELD OF CALIFORNIA					
	7/23/2009	196408	1,053.87		
				HLTH INS>J01001762-9	812.21
				HLTH INS>J03201829-9	241.66
	Vendor Total		**1,053.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**1,053.87**		
BOYLE ENGINEERING CORPORATION					
	7/2/2009	195950	1,803.21		
				TR 33684 PLN CK SRVCS>6/5/09	642.75
				TR 33436 PLN CK SRVCS>6/5/09	1,160.46
	7/16/2009	196271	979.89		
				PLAN CK SRVCS>PM33637	979.89
	Vendor Total		**2,783.10**		
FYTD for BOYLE ENGINEERING CORPORATION			**53,002.80**		
BREWER, ERIC					
	7/9/2009	196059	200.00		
				PER DIEM-GANG VIOLENCE CONF.	200.00
	Vendor Total		**200.00**		
FYTD for BREWER, ERIC			**200.00**		

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BULLER, LINDA					
	7/23/2009	196410	0.00		
				RFND CPR FEES	30.00
				RFND CPR FEES	-30.00
	7/23/2009	196524	30.00		
				RFND CPR FEES	30.00
	Vendor Total		**30.00**		
FYTD for BULLER, LINDA			**30.00**		
BURKE, WILLIAMS & SORENSEN, LLP.					
	7/2/2009	195951	360.00		
				MAY'09 LGL FEES-RE:JENNY INVESTMENT GRP	360.00
	Vendor Total		**360.00**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**360.00**		
BUSINESS FACILITIES					
	7/9/2009	196060	4,920.00		
				JUN'09 ADVERTISING	4,920.00
	Vendor Total		**4,920.00**		
FYTD for BUSINESS FACILITIES			**4,920.00**		
C.R. GANN DEMOLITION, INC.					
	7/9/2009	196061	8,954.00		
				DEMO. SRVCS>11692 HEACOCK	3,300.00
				DEMO. SRVCS>11692 HEACOCK	5,654.00
	Vendor Total		**8,954.00**		
FYTD for C.R. GANN DEMOLITION, INC.			**8,954.00**		
CAIN, GREGORY					
	7/9/2009	196062	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**318.73**		
CAIRNS, SUSAN					
	7/9/2009	196063	337.43		
				NOTARY COMM RENEWAL EXPENSES	337.43
	Vendor Total		**337.43**		
FYTD for CAIRNS, SUSAN			**337.43**		

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CALAVERAS STANDARD MATERIALS					
	7/16/2009	196272	1,217.73		
				PORTLAND CEMENT FOR PROM PROJ.	407.45
				PORTLAND CEMENT FOR PROM PROJ.	810.28
	7/23/2009	196411	822.69		
				PORTLAND CEMENT FOR PROM PROJS	443.59
				PORTLAND CEMENT FOR PROM PROJS	379.10
	7/30/2009	196536	1,232.15		
				PORTLAND CEMENT FOR PROM PROJS	766.03
				PORTLAND CEMENT FOR PROM PROJS	466.12
	Vendor Total		**3,272.57**		
FYTD for CALAVERAS STANDARD MATERIALS			**3,272.57**		
CALIFORNIA AGRI-CONTROL, INC.					
	7/2/2009	195952	1,532.67		
				JUN'09 LNDSCP RDNT CNTRL	268.58
				JUN'09 LNDSCP RDNT CNTRL	161.14
				JUN'09 LNDSCP RDNT CNTRL	35.81
				JUN'09 LNDSCP RDNT CNTRL	35.80
				JUN'09 LNDSCP RDNT CNTRL	537.16
				JUN'09 LNDSCP RDNT CNTRL	134.29
				JUN'09 LNDSCP RDNT CNTRL	134.29
				JUN'09 LNDSCP RDNT CNTRL	10.74
				JUN'09 LNDSCP RDNT CNTRL	42.97
				JUN'09 LNDSCP RDNT CNTRL	10.74
				JUN'09 LNDSCP RDNT CNTRL	161.15
	Vendor Total		**1,532.67**		
FYTD for CALIFORNIA AGRI-CONTROL, INC.			**1,532.67**		
CALIFORNIA BUILDING STANDARDS COMMISSION					
	7/9/2009	196064	515.70		
				FEES COLLECTED>JUN'09	515.70
	Vendor Total		**515.70**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION			**515.70**		
CALIFORNIA MUNICIPAL UTILITIES ASSOC.					
	7/16/2009	196273	2,919.00		
				09/10 ELEC UT MBRSHP DUES	2,919.00
	Vendor Total		**2,919.00**		
FYTD for CALIFORNIA MUNICIPAL UTILITIES ASSOC.			**2,919.00**		

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CANON BUSINESS SOLUTIONS, INC.				
7/30/2009	196538	7,527.35		
			APR-JUN'09 COPIER SRVCS	6,047.60
			APR-JUN'09 COPIER SRVCS	874.10
			APR-JUN'09 COPIER SRVCS	605.65
	Vendor Total	**7,527.35**		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**7,527.35**		
CANON FINANCIAL SERVICES, INC.				
7/23/2009	196412	7,590.68		
			COPIER LEASE>JUN'09	6,172.47
			COPIER LEASE>JUN'09	1,258.42
			COPIER LEASE>JUN'09	159.79
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**7,590.68**		
CASKAN, PATRICIA				
7/30/2009	196539	0.00		
			FULL & FINAL SETTLEMENT-3/1/09	470.00
			FULL & FINAL SETTLEMENT-3/1/09	-470.00
	Vendor Total	**0.00**		
FYTD for CASKAN, PATRICIA		**0.00**		
CASKEY, DEBRA C.				
7/9/2009	196065	318.73		
			JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for CASKEY, DEBRA C.		**318.73**		
CATALINE, CHERYL				
7/30/2009	196540	750.00		
			RENTAL DEPOSIT REFUND-REC CTR	750.00
	Vendor Total	**750.00**		
FYTD for CATALINE, CHERYL		**750.00**		
CAVENAUGH & ASSOCIATES				
7/9/2009	196066	998.00		
			D.U.I. SEMINAR 7/13-7/17/09	499.00
			D.U.I. SEMINAR 7/13-7/17/09	499.00
	Vendor Total	**998.00**		
FYTD for CAVENAUGH & ASSOCIATES		**998.00**		

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CHAMBERS GROUP, INC.					
	7/2/2009	195953	673.50		
				FEB'09 PROF SRVCS>PROLOGIS EIR	673.50
	Vendor Total		**673.50**		
FYTD for CHAMBERS GROUP, INC.			**673.50**		
CHANCY, CHIZURU					
	7/16/2009	196274	187.20		
				HAWAIIAN DANCE CONTRACT CLASS	140.40
				HAWAIIAN DANCE CONTRACT CLASS	46.80
	Vendor Total		**187.20**		
FYTD for CHANCY, CHIZURU			**187.20**		
CHAPMAN, STEVE					
	7/9/2009	196067	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**318.73**		
CHAPPELL, ISAAC					
	7/9/2009	196068	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**318.73**		
CHERRY VALLEY FEED					
	7/23/2009	196413	258.77		
				MISC. FOOD FOR K-9 "MAX"	101.13
				MISC. FOOD FOR K-9 "LEX"	63.06
				MISC. FOOD FOR K-9 "BLUE"	94.58
	Vendor Total		**258.77**		
FYTD for CHERRY VALLEY FEED			**258.77**		
CHICHOV, VITALI					
	7/23/2009	196414	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for CHICHOV, VITALI			**75.00**		
CHOICE POINT BUSINESS AND GOVERNMENT					
	7/16/2009	196275	500.00		
				AUTO TRACT SERVICES	500.00
	Vendor Total		**500.00**		
FYTD for CHOICE POINT BUSINESS AND GOVERNMENT			**500.00**		

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CHRISTIAN, OWEN					
	7/9/2009	196069	240.44		
				JULY'09 RETIREE MED BENEFIT	240.44
	Vendor Total		**240.44**		
FYTD for CHRISTIAN, OWEN			**240.44**		
CITY OF MORENO VALLEY VEBA TRUST					
	7/9/2009	196070	4,337.50		
				EXEMPT VEBA	4,337.50
	Vendor Total		**4,337.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST			**4,337.50**		
CITY OF NORCO					
	7/2/2009	195954	225.00		
				ATND:HASTINGS/BATEY	45.00
				ATND:HASTINGS/BATEY	45.00
				ATND:ADAMS/DAWSON/HARTMANN	135.00
	Vendor Total		**225.00**		
FYTD for CITY OF NORCO			**225.00**		
CITY OF RIVERSIDE					
	7/23/2009	196415	519.45		
				TRAFFIC SIGNAL COSTS	519.45
	Vendor Total		**519.45**		
FYTD for CITY OF RIVERSIDE			**519.45**		
CLARK, ANNIE A.					
	7/9/2009	196071	118.00		
				PER DIEM-MMASC CONF.	118.00
	Vendor Total		**118.00**		
FYTD for CLARK, ANNIE A.			**118.00**		
CME CHURCH					
	7/30/2009	196541	200.00		
				RENTAL DEPOSIT REFUND-REC CTR	200.00
	Vendor Total		**200.00**		
FYTD for CME CHURCH			**200.00**		
CODY, LEE					
	7/9/2009	196072	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for CODY, LEE			**75.00**		

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COLE, ELAINE					
	7/30/2009	196542	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for COLE, ELAINE			**75.00**		
COLONIAL SUPPLEMENTAL INSURANCE					
	7/9/2009	196074	7,526.74		
				SUPPLEMENTAL INSURANCE	7,526.74
	Vendor Total		**7,526.74**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**7,526.74**		
COLOR TECH					
	7/30/2009	196543	259.91		
				#10 WINDOW ENVELOPES FOR SDA	259.91
	Vendor Total		**259.91**		
FYTD for COLOR TECH			**259.91**		
COMMUNITY HEALTH CHARITIES					
	7/9/2009	196075	385.00		
				CHC CONTRIBUTIONS	385.00
	7/23/2009	196416	340.00		
				CHC CONTRIBUTIONS	340.00
	Vendor Total		**725.00**		
FYTD for COMMUNITY HEALTH CHARITIES			**725.00**		
COMPETITIVE STRIDE					
	7/30/2009	196544	527.98		
				SUPPLIES-1ST ANNL IDOL CONTEST	127.98
				MISC. TROPHIES-7/4/09	400.00
	Vendor Total		**527.98**		
FYTD for COMPETITIVE STRIDE			**527.98**		
COOPER, CARLY					
	7/23/2009	196417	587.72		
				CITATION REFUND	587.72
	Vendor Total		**587.72**		
FYTD for COOPER, CARLY			**587.72**		
CORRALES, MARIA					
	7/9/2009	196076	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for CORRALES, MARIA			**20.00**		

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COSTCO					
	7/9/2009	196077	234.47		
				MISC. SUPPLIES>PARKS	63.33
				MISC. SUPPLIES>PARKS	17.24
				MISC. SUPPLIES>PARKS	153.90
	Vendor Total		**234.47**		
FYTD for COSTCO			**234.47**		
COUNSELING TEAM, THE					
	7/16/2009	196276	1,250.00		
				EMPLOYEE COUNSELING SERVICES	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**1,250.00**		
COUNTRY SQUIRE ESTATES					
	7/16/2009	196277	29.17		
				RFND UT USER TAXES-EXMPT RESID	29.17
	Vendor Total		**29.17**		
FYTD for COUNTRY SQUIRE ESTATES			**29.17**		
COUNTY OF RIVERSIDE AUDITOR					
	7/2/2009	195955	12,122.00		
				PRKNG CNTRL FEES CLLCTD	9,190.00
				DSBLD PRKNG VIOL FEES CLLCTD	2,932.00
	Vendor Total		**12,122.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**12,122.00**		
COUNTY OF RIVERSIDE, AUDITOR- CONTROLLER					
	7/23/2009	196418	11,005.28		
				LAFCO FY10 FEES	11,005.28
	Vendor Total		**11,005.28**		
FYTD for COUNTY OF RIVERSIDE, AUDITOR-CONTROLLER			**11,005.28**		
CREATIVE PROMOTIONAL IDEAS					
	7/2/2009	195956	4,368.90		
				MARKET BAGS	3,741.00
				SHIPPING	627.90
	Vendor Total		**4,368.90**		
FYTD for CREATIVE PROMOTIONAL IDEAS			**4,368.90**		
CRITICAL SOLUTIONS					
	7/2/2009	195957	3,500.00		
				PUB SAFETY BLDG CONVERSION PRJ	3,500.00
	Vendor Total		**3,500.00**		
FYTD for CRITICAL SOLUTIONS			**3,500.00**		

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CTAI PACIFIC GREENSCAPE					
	7/9/2009	196078	7,291.61		
				JUN'09 LNDSCP MNT>DSG1-W	7,274.85
				IRRIGATION RPRS>TR30967	16.76
	Vendor Total		**7,291.61**		
FYTD for CTAI PACIFIC GREENSCAPE			**7,291.61**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH					
	7/30/2009	196545	4,907.26		
				VECTOR ABATEMENT SVCS	4,907.26
	Vendor Total		**4,907.26**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			**4,907.26**		
D & D SERVICES DBA D & D DISPOSAL, INC.					
	7/30/2009	196546	895.00		
				JUN'09 DISPOSAL SRVCS	745.00
				XTRA PICK-UP ON 6/13/09	150.00
	Vendor Total		**895.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**895.00**		
D H TAD LOWREY & GAYLE A LOWREY					
	7/2/2009	195958	2,813.25		
				BOND HOLDER PMT	1,681.12
				BOND HOLDER PMT	1,132.13
	Vendor Total		**2,813.25**		
FYTD for D H TAD LOWREY & GAYLE A LOWREY			**2,813.25**		
DALE, KATHLEEN					
	7/9/2009	196079	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**318.73**		
DATA TICKET, INC.					
	7/2/2009	195959	14,490.67		
				APR'09 PRKNG TCKT PRCSSNG	14,490.67
	7/30/2009	196547	315.00		
				APR'09 MAINT/SUPPORT	105.00
				MAY'09 MAINT/SUPPORT	105.00
				JUN'09 MAINT/SUPPORT	105.00
	Vendor Total		**14,805.67**		
FYTD for DATA TICKET, INC.			**14,805.67**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DATAQUICK CORPORATE HEADQUARTERS				
7/30/2009	196548	430.50		
			ON-LINE SOFTWARE SUBSCRIPTION	12.00
			JUN'09 ONLINE SRVCS	300.00
			JUN'09 ONLINE SRVCS	118.50
	Vendor Total	**430.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**430.50**		
DAVID EVANS & ASSOCIATES, INC.				
7/9/2009	196080	496.90		
			SUNNYMEAD BLVD REVIT PROJ SVCS	496.90
	Vendor Total	**496.90**		
FYTD for DAVID EVANS & ASSOCIATES, INC.		**496.90**		
DEBINAIRE COMPANY				
7/16/2009	196278	119.63		
			BOILER INSPECTION	21.44
			BOILER INSPECTION	98.19
	Vendor Total	**119.63**		
FYTD for DEBINAIRE COMPANY		**119.63**		
DELAMAR ENTERPRISES				
7/23/2009	196419	17.11		
			RFND-BUS. LIC. OVRPMT	17.11
	Vendor Total	**17.11**		
FYTD for DELAMAR ENTERPRISES		**17.11**		
DELTA DENTAL				
7/16/2009	196279	11,503.10		
			EMPLOYEE DENTAL INSURANCE	11,503.10
	Vendor Total	**11,503.10**		
FYTD for DELTA DENTAL		**11,503.10**		

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DELTACARE USA					
	7/9/2009	196081	0.00		
				EMPLOYEE DENTAL INSURANCE	6,788.65
				EMPLOYEE DENTAL INSURANCE	206.50
				EMPLOYEE DENTAL INSURANCE	11,393.70
				EMPLOYEE DENTAL INSURANCE	109.40
				EMPLOYEE DENTAL INSURANCE	-6,788.65
				EMPLOYEE DENTAL INSURANCE	-206.50
				EMPLOYEE DENTAL INSURANCE	-11,393.70
				EMPLOYEE DENTAL INSURANCE	-109.40
	7/16/2009	196280	6,995.15		
				EMPLOYEE DENTAL INSURANCE	6,788.65
				EMPLOYEE DENTAL INSURANCE	206.50
	Vendor Total		**6,995.15**		
FYTD for DELTACARE USA			**6,995.15**		
DEPARTMENT ISSUE, INC.					
	7/23/2009	196420	838.65		
				MISC. UNIFORM PURCHASES	838.65
	Vendor Total		**838.65**		
FYTD for DEPARTMENT ISSUE, INC.			**838.65**		
DEPARTMENT OF CONSERVATION					
	7/9/2009	196082	751.78		
				SMI FEES FOR QTR>6/30/09	791.35
				SMI FEES FOR QTR>6/30/09	-39.57
	Vendor Total		**751.78**		
FYTD for DEPARTMENT OF CONSERVATION			**751.78**		
DESIGN WORKS					
	7/9/2009	196083	172.91		
				AWARD SHIRTS FOR PARKS	172.91
	7/30/2009	196549	1,587.37		
				T-SHIRTS FOR SUMMER BASKETBALL	1,587.37
	Vendor Total		**1,760.28**		
FYTD for DESIGN WORKS			**1,760.28**		
DIAZ, ANDREW					
	7/9/2009	196084	50.00		
				CITATION REFUND	50.00
	Vendor Total		**50.00**		
FYTD for DIAZ, ANDREW			**50.00**		

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DIEDERICHS & ELCONIN					
	7/30/2009	196550	8,625.00		
				JAN-JUN'09 LGL SRVCS	7,550.00
				JAN-JUN'09 LGL SRVCS	1,075.00
	Vendor Total		**8,625.00**		
FYTD for DIEDERICHS & ELCONIN			**8,625.00**		
DIZON, ELSIE					
	7/23/2009	196421	251.94		
				CITATION REFUND	251.94
	Vendor Total		**251.94**		
FYTD for DIZON, ELSIE			**251.94**		
DMC DESIGN GROUP, INC					
	7/16/2009	196281	22,518.44		
				ALESSANDRO IMPRV-WCL>FREDERICK	22,518.44
	Vendor Total		**22,518.44**		
FYTD for DMC DESIGN GROUP, INC			**22,518.44**		
DONAHUE APPRAISAL ASSOCIATES					
	7/16/2009	196282	4,900.00		
				APPRAISAL SERVICES	4,900.00
	Vendor Total		**4,900.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**4,900.00**		
DORHAM, JOANNA N.					
	7/16/2009	196283	149.49		
				JUN'09 PREMIUM REIMB.	149.49
	Vendor Total		**149.49**		
FYTD for DORHAM, JOANNA N.			**149.49**		
DORY, ALLEEN F.					
	7/9/2009	196085	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for DORY, ALLEEN F.			**318.73**		
DOWNEY, MITCH					
	7/30/2009	196551	147.00		
				PER DIEM-THREAT MGMT CONF.	147.00
	Vendor Total		**147.00**		
FYTD for DOWNEY, MITCH			**147.00**		

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DUDLEY, KISAH					
	7/23/2009	196422	115.00		
				REFUND-RAB & S/N DEPOSIT	20.00
				REFUND-RAB & S/N DEPOSIT	75.00
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**115.00**		
FYTD for DUDLEY, KISAH			**115.00**		
DURAN, BLANCA					
	7/9/2009	196086	84.00		
				FOLKLORIC DNC-4 PARTICIPANTS	84.00
	Vendor Total		**84.00**		
FYTD for DURAN, BLANCA			**84.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	7/2/2009	195960	1,791.26		
				BACKFLOW TESTING>AREA D	350.00
				RPLC BACKFLOW @TR 20579	702.82
				RPLC BACKFLOW IN E-2	738.44
	7/9/2009	196087	528.03		
				WTR HEATER RPR>FS #91	528.03
	7/23/2009	196423	375.09		
				PLUMBING REPAIRS-PSB BKNG AREA	340.09
				BACKFLOW TESTING E-12	35.00
	7/30/2009	196552	1,035.56		
				REINSTALL BACKFLOW-ZONE M	755.56
				BACKFLOW TESTING E-16	65.80
				BACKFLOW TESTING	35.00
				BACKFLOW TESTING	35.00
				BACKFLOW TESTING	4.20
				BACKFLOW TESTING	105.00
				BACKFLOW TESTING	35.00
	Vendor Total		**3,729.94**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**3,729.94**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT					
	7/23/2009	196424	6,606.63		
				WATER UTILITY-SUBSTN. LANDSC.	104.03
				WATER UTILITY	135.95
				WATER UTILITY	722.54
				WATER UTILITY	300.40
				WATER UTILITY	2,058.83
				WATER UTILITY	534.16
				WATER UTILITY	1,544.90
				WATER UTILITY	295.11
				WATER UTILITY	281.08
				WATER UTILITY	75.36
				WATER UTILITY	554.27
	Vendor Total		**6,606.63**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**167,110.94**		
EDFUND					
	7/9/2009	196089	310.58		
				GARNISHMENT	107.15
				GARNISHMENT	203.43
	7/23/2009	196425	299.94		
				GARNISHMENT	96.44
				GARNISHMENT	203.50
	Vendor Total		**610.52**		
FYTD for EDFUND			**610.52**		
EDGELANE MOBILE PARK					
	7/2/2009	195962	8.36		
				RFND UT USER TAXES-EXMPT RESID	8.36
	Vendor Total		**8.36**		
FYTD for EDGELANE MOBILE PARK			**8.36**		
EGGERSTEN, ANNE					
	7/9/2009	196090	303.60		
				JULY'09 RETIREE MED BENEFIT	303.60
	7/16/2009	196286	401.42		
				SEP'08 RETIREE MED BNFT	401.42
	Vendor Total		**705.02**		
FYTD for EGGERSTEN, ANNE			**705.02**		
ELESCO-CORPORATE					
	7/30/2009	196554	4,115.21		
				BATTERIES RPLCMNT	4,084.50
				BATTERIES RPLCMNT	30.71
	Vendor Total		**4,115.21**		
FYTD for ELESCO-CORPORATE			**4,115.21**		

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ELITE ELECTRIC					
	7/23/2009	196426	40.63		
				RFND-BUS. LIC. OVRPMT	40.63
	Vendor Total		**40.63**		
FYTD for ELITE ELECTRIC			**40.63**		
ELROD FENCE COMPANY					
	7/30/2009	196555	5,579.00		
				PSB PARKING LOT EXPANSION PROJ	5,579.00
	Vendor Total		**5,579.00**		
FYTD for ELROD FENCE COMPANY			**5,579.00**		
EMERY MATERIALS, INC.					
	7/9/2009	196091	126.00		
				CONCRETE DISPOSAL	126.00
	Vendor Total		**126.00**		
FYTD for EMERY MATERIALS, INC.			**126.00**		
EMPIRE SPORTS					
	7/9/2009	196092	2,312.30		
				SHIRTS FOR KIDS CAMP	2,312.30
	Vendor Total		**2,312.30**		
FYTD for EMPIRE SPORTS			**2,312.30**		
ENVIRONMENTAL & REGULATORY SPECIALST,INC					
	7/9/2009	196093	870.00		
				MAY'09 PROF SRVCS>HABITAT MITI	580.00
				MAY'09 PROF SRVCS>MITIG. MNTRN	290.00
	7/23/2009	196428	4,560.00		
				JUN09 POORMANS RES HABITAT SVC	4,560.00
	Vendor Total		**5,430.00**		
FYTD for ENVIRONMENTAL & REGULATORY SPECIALST,INC			**5,430.00**		
ENVIRONMENTAL KLEAN-UP					
	7/30/2009	196557	605.00		
				NUISANCE ABATEMENT	605.00
	Vendor Total		**605.00**		
FYTD for ENVIRONMENTAL KLEAN-UP			**605.00**		
EPLER, PETER					
	7/2/2009	195965	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for EPLER, PETER			**75.00**		

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ERDODI, MICHAEL					
	7/9/2009	196094	10.00		
				RFND-ANML LICENSE FEE	10.00
	Vendor Total		**10.00**		
FYTD for ERDODI, MICHAEL			**10.00**		
ESTRADA, MARITZA					
	7/16/2009	196288	300.00		
				RFND RNT DEP>6/27/09	300.00
	Vendor Total		**300.00**		
FYTD for ESTRADA, MARITZA			**300.00**		
EVANS ENGRAVING & AWARDS					
	7/2/2009	195966	243.60		
				RET PLQ FOR P. BECKNER	30.45
				RET PLQ FOR H. LINDO	30.45
				RET PLQ FOR E. HOUSER	30.45
				RET PLQ FOR C. RAPP	30.45
				RET PLQ FOR T. STREICH	30.45
				RET PLQ FOR B. LANGENDORF	30.45
				RET PLQ FOR R. NELSON	30.45
				RET PLQ FOR L. MORGAN	30.45
	7/9/2009	196095	91.35		
				PLQ FOR S. SHELDON	30.45
				PLQ FOR S. MAXINOSKI	30.45
				PLQ FOR ROSALYN CARTER	30.45
	7/16/2009	196289	152.25		
				PLAQUE "F" FOR 5 CDD STAFF	152.25
	7/23/2009	196429	143.56		
				PLAQUE "F" FOR ART HIGGS	30.45
				2"x9" DARK WOODGRAIN	10.88
				MAGNETIC NAME PLATE	10.88
				PLAQUES FOR RETIRING STAFF	91.35
	7/30/2009	196558	60.90		
				PLQ FOR CHARLES KOBL	30.45
				PLQ FOR JOSIE LAFATA	30.45
	Vendor Total		**691.66**		
FYTD for EVANS ENGRAVING & AWARDS			**691.66**		
EWING IRRIGATION PRODUCTS, INC.					
	7/9/2009	196096	3,061.86		
				BFEDSS-8442 STNLESS STEEL CAGE	2,756.81
				BFEDSS-8442 STNLESS STEEL CAGE	305.05
	Vendor Total		**3,061.86**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**3,061.86**		

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EXCEL LANDSCAPE, INC					
	7/9/2009	196097	85.00		
				LNDSCPNG SRVCS>E-15	85.00
	7/23/2009	196430	10.20		
				IRRIGATION REPAIRS IN E-8	10.20
	7/30/2009	196559	350.00		
				PLANTS FOR ZONE E-3	350.00
	Vendor Total		**445.20**		
FYTD for EXCEL LANDSCAPE, INC			**64,723.52**		
FAIR HOUSING COUNCIL OF RIV CO, INC.					
	7/2/2009	195968	3,405.30		
				CDBG REIMB>FAIR HOUSING	3,405.30
	Vendor Total		**3,405.30**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**3,405.30**		
FALCON FUELS					
	7/9/2009	196098	11,991.61		
				FUEL PURCHASE	3,303.39
				FUEL PURCHASE	5,603.19
				FUEL PURCHASE	3,085.03
	7/23/2009	196431	4,899.31		
				PURCHASE OF FUEL	4,899.31
	Vendor Total		**16,890.92**		
FYTD for FALCON FUELS			**16,890.92**		
FAST SIGNS					
	7/30/2009	196560	1,460.52		
				MAGNETS FOR 7/4/09 PARADE	1,460.52
	Vendor Total		**1,460.52**		
FYTD for FAST SIGNS			**1,460.52**		
FAVARO, GINA					
	7/2/2009	195969	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	7/30/2009	196561	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**95.00**		
FYTD for FAVARO, GINA			**95.00**		
FEDERAL EXPRESS					
	7/9/2009	196099	7.56		
				EXPRESS SHIPPING	7.56
	Vendor Total		**7.56**		
FYTD for FEDERAL EXPRESS			**7.56**		

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FEENSTRA, JOHN					
	7/9/2009	196100	361.25		
				JULY'09 RETIREE MED BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**361.25**		
FERGUSON, SANDY					
	7/2/2009	195970	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for FERGUSON, SANDY			**20.00**		
FILARSKY & WATT, LLP					
	7/16/2009	196290	4,446.00		
				MISCELLANEOUS LEGAL FEES	478.00
				JUN'09 PROF. SRVCS	3,968.00
	Vendor Total		**4,446.00**		
FYTD for FILARSKY & WATT, LLP			**4,446.00**		
FIRST AMERICAN CORE LOGIC, INC.					
	7/2/2009	195971	170.00		
				MAY'09 PROP INFO SRVCS	170.00
	7/30/2009	196562	170.00		
				JUN'09 ONLINE SRVCS	170.00
	Vendor Total		**340.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**340.00**		
FIRST CHOICE SERVICES					
	7/2/2009	195972	58.76		
				COFFEE SRVCS>SPCL DIST	58.76
	7/9/2009	196101	670.36		
				COFFEE SRVCS>BRKRM	180.53
				COFFEE SRVCS>CTY MGR AREA	116.10
				COFFEE SRVCS>PW AREA	222.64
				COFFEE SRVCS>CNCL CHMBRS	128.32
				COFFEE SRVCS>CNCL ALCV	22.77
	7/16/2009	196291	211.29		
				COFFEE/CONDIMENTS SERVICES	121.52
				COFFEE SRVC>CITY YARD	33.01
				COFFEE SRVCS>CTY YARD	56.76
	Vendor Total		**940.41**		
FYTD for FIRST CHOICE SERVICES			**940.41**		

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FISHER, IRENE					
	7/23/2009	196432	1,293.00		
				CITATION REFUND	1,293.00
	Vendor Total		**1,293.00**		
FYTD for FISHER, IRENE			**1,293.00**		
FITNESS 19 CA 155 11C					
	7/23/2009	196433	295.00		
				GYM MEMBERSHIP DEDUCTIONS	295.00
	Vendor Total		**295.00**		
FYTD for FITNESS 19 CA 155 11C			**295.00**		
FRANCE PUBLICATIONS, INC					
	7/2/2009	195973	1,895.95		
				JUN'09 ADVRTSNG	1,895.95
	Vendor Total		**1,895.95**		
FYTD for FRANCE PUBLICATIONS, INC			**1,895.95**		
FRANCHISE TAX BOARD					
	7/9/2009	196102	50.00		
				GARNISHMENT	50.00
	7/9/2009	196103	43.59		
				GARNISHMENT	43.59
	7/23/2009	196434	33.22		
				GARNISHMENT	33.22
	7/23/2009	196435	50.00		
				GARNISHMENT	50.00
	Vendor Total		**176.81**		
FYTD for FRANCHISE TAX BOARD			**176.81**		
FRIENDS OF THE SENIOR CENTER					
	7/2/2009	195974	10,000.00		
				FEB-MAR'09 SR VAN ASSISTANCE	10,000.00
	Vendor Total		**10,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER			**10,000.00**		
FULLER, NORMA DENISE					
	7/9/2009	196104	1,599.65		
				CNSLTNG SRVCS>6/23/09	1,599.65
	Vendor Total		**1,599.65**		
FYTD for FULLER, NORMA DENISE			**1,599.65**		

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GALLEGOS, JUAN					
	7/9/2009	196105	200.00		
				DEP RFND-6/27 @TWNGTE	200.00
	Vendor Total		**200.00**		
FYTD for GALLEGOS, JUAN			**200.00**		
GALLS INC., INLAND UNIFORM					
	7/16/2009	196292	117.02		
				UNIFORM>K WILSON	117.02
	Vendor Total		**117.02**		
FYTD for GALLS INC., INLAND UNIFORM			**117.02**		
GASTON, RICHARD					
	7/9/2009	196106	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**318.73**		
GENERAL SECURITY SERVICES, INC.					
	7/9/2009	196107	3,083.34		
				SEC SRVCS>6/13/09	1,418.95
				SEC SRVCS>6/20/09	1,418.95
				SEC SRVCS>6/13-SR CTR	245.44
	7/16/2009	196293	2,224.30		
				SECURITY SERVICES	1,541.67
				SECURITY SERVICES	276.12
				SEC SRVCS>6/13-CRC	92.04
				SEC SRVCS>6/20-SR CTR	222.43
				SEC SRVCS>6/20-TWNGTE	92.04
	7/23/2009	196436	122.72		
				SEC SRVCS>6/27-TWNGTE	122.72
	7/30/2009	196564	613.60		
				SEC SVCS: 6/27/09-SENIOR CTR	245.44
				SECURITY SVCS- 6/27/09 REC CTR	368.16
	Vendor Total		**6,043.96**		
FYTD for GENERAL SECURITY SERVICES, INC.			**6,043.96**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP					
	7/30/2009	196565	24,038.30		
				LEGAL SVCS RE: COMM PARK	1,082.31
				MAY'09 LGL SRVCS	22,955.99
	Vendor Total		**24,038.30**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			**24,038.30**		

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GIBSON, TRAVIS					
	7/30/2009	196566	100.00		
				REFUND-ADULT SOFTBLL TOURNAMNT	100.00
	Vendor Total		**100.00**		
FYTD for GIBSON, TRAVIS			**100.00**		
GILES, GREG					
	7/2/2009	195976	850.00		
				AUDITING SVCS FOR ASES GRANT	850.00
	7/16/2009	196294	850.00		
				AUDITING SVCS FOR ASES GRANT	850.00
	7/30/2009	196567	807.50		
				AUDITING SVCS FOR ASES GRANT	807.50
	Vendor Total		**2,507.50**		
FYTD for GILES, GREG			**2,507.50**		
GLOVER, LORNA					
	7/23/2009	196437	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for GLOVER, LORNA			**20.00**		
GOD'S HELPING HAND					
	7/30/2009	196568	1,249.88		
				CDBG EXP. REIMB.	416.68
				CDBG EXP. REIMB.	416.68
				CDBG EXP. REIMB.	416.52
	Vendor Total		**1,249.88**		
FYTD for GOD'S HELPING HAND			**1,249.88**		
GONZALEZ, DANIELA & RAUDEL					
	7/23/2009	196438	2,500.00		
				TRUST FUND REFUND	2,500.00
	Vendor Total		**2,500.00**		
FYTD for GONZALEZ, DANIELA & RAUDEL			**2,500.00**		
GOZDECKI, DAN					
	7/2/2009	195977	540.00		
				KUNG FU-10 PARTICIPANTS	270.00
				KUNG FU-10 PARTICIPANTS	270.00
	Vendor Total		**540.00**		
FYTD for GOZDECKI, DAN			**540.00**		

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GRAPHIC SOLUTIONS LTD.					
	7/9/2009	196108	1,132.50		
				SUNNYMEAD BLVD SIGN PROJ SVCS	1,132.50
	7/23/2009	196439	1,373.75		
				SUNNYMD BLVD REVIT SIGN PROJ.	1,373.75
	Vendor Total		**2,506.25**		
FYTD for GRAPHIC SOLUTIONS LTD.			**2,506.25**		
GREAT PYRENEES RESCUE					
	7/23/2009	196440	75.00		
				RFND-SPAY/NEUTER DEP	75.00
	Vendor Total		**75.00**		
FYTD for GREAT PYRENEES RESCUE			**75.00**		
GRIFFIN, MARLENE C					
	7/9/2009	196109	303.60		
				JULY'09 RETIREE MED BENEFIT	303.60
	Vendor Total		**303.60**		
FYTD for GRIFFIN, MARLENE C			**303.60**		
GRUBB & ELLIS MANAGEMENT SVCS					
	7/16/2009	196295	36.60		
				BUS. L.IC. OVRPMT RFND	36.60
	Vendor Total		**36.60**		
FYTD for GRUBB & ELLIS MANAGEMENT SVCS			**36.60**		
GUERRERO, GABRIEL					
	7/30/2009	196569	75.00		
				SECURITY DEPOSIT REFUND	75.00
	Vendor Total		**75.00**		
FYTD for GUERRERO, GABRIEL			**75.00**		
GUIDA SURVEYING, INC.					
	7/30/2009	196570	5,175.70		
				IRIS AVE IMPRVMNTS PROJ.	5,175.70
	Vendor Total		**5,175.70**		
FYTD for GUIDA SURVEYING, INC.			**5,175.70**		
GUILLIS, LINDA B.					
	7/9/2009	196110	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**318.73**		

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GUMMERSON, CHRISTY					
	7/9/2009	196111	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for GUMMERSON, CHRISTY			**20.00**		
GUMPERT, BRIAN					
	7/16/2009	196296	387.55		
				JUN'09 PREMIUM REIMB.	387.55
	Vendor Total		**387.55**		
FYTD for GUMPERT, BRIAN			**387.55**		
GUTIERREZ, ROBERT					
	7/9/2009	196112	217.99		
				PROFESSIONAL DEVELOPMENT	217.99
	7/23/2009	196441	299.99		
				PROFESSIONAL DEVELOPMENT	299.99
	Vendor Total		**517.98**		
FYTD for GUTIERREZ, ROBERT			**517.98**		
GUZMAN'S CART SERVICE					
	7/9/2009	196113	4,049.00		
				JUN'09 CART RTRVL SRVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**4,049.00**		
HALLENBECK, AARON					
	7/9/2009	196114	320.00		
				PER DIEM-D.U.I. TRNG CLASS	320.00
	Vendor Total		**320.00**		
FYTD for HALLENBECK, AARON			**320.00**		
HAMLIN, WILLIAM R.					
	7/9/2009	196115	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**318.73**		
HANES, MARTIN D.					
	7/9/2009	196116	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**318.73**		

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HARDING, JOHN S.					
	7/9/2009	196117	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**318.73**		
HARRIS & ASSOCIATES, INC.					
	7/9/2009	196118	1,062.50		
				MAY'09 AUDIT SRVCS-CFD#5	1,062.50
	Vendor Total		**1,062.50**		
FYTD for HARRIS & ASSOCIATES, INC.			**31,197.80**		
HARRIS, EDWARD					
	7/23/2009	196442	581.00		
				CITATION REFUND	581.00
	Vendor Total		**581.00**		
FYTD for HARRIS, EDWARD			**581.00**		
HARTH, DAN & DIANNA					
	7/23/2009	196443	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for HARTH, DAN & DIANNA			**20.00**		
HATFIELD, CHARLES					
	7/9/2009	196120	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**318.73**		
HDL SOFTWARE LLC					
	7/23/2009	196444	13,000.00		
				INSTALL BUS. LIC WEB	13,000.00
	Vendor Total		**13,000.00**		
FYTD for HDL SOFTWARE LLC			**13,000.00**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES					
	7/30/2009	196572	3,318.51		
				SALES TX CONSLTNG & AUDIT SVCS	70.00
				SALES TX CONSLTNG & AUDIT SVCS	1,696.76
				SALES TX CONSLTNG & AUDIT SVCS	721.75
				SALES TX CONSLTNG & AUDIT SVCS	405.00
				SALES TX CONSLTNG & AUDIT SVCS	425.00
	Vendor Total		**3,318.51**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**3,318.51**		

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HEFFLEY, ROSS W.					
	7/9/2009	196121	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**318.73**		
HEISS, KAREN					
	7/9/2009	196122	60.00		
				RFND-ANML SRVC FEES	30.00
				RFND-ANML SRVC FEES	10.00
				RFND-ANML SRVC FEES	10.00
				RFND-ANML SRVC FEES	10.00
	Vendor Total		**60.00**		
FYTD for HEISS, KAREN			**60.00**		
HENKENIUS, LINDSEY					
	7/16/2009	196298	1,170.00		
				KIDSTAR PERFORMING ARTS	1,014.00
				KIDSTAR PERFORMING ARTS	156.00
	Vendor Total		**1,170.00**		
FYTD for HENKENIUS, LINDSEY			**1,170.00**		
HERNANDEZ, JOSE T.					
	7/16/2009	196299	50.00		
				CITATION REFUND	50.00
	Vendor Total		**50.00**		
FYTD for HERNANDEZ, JOSE T.			**50.00**		
HERRERA, MARIO					
	7/9/2009	196123	200.00		
				PER DIEM-GANG VIOLENCE CONF.	200.00
	Vendor Total		**200.00**		
FYTD for HERRERA, MARIO			**200.00**		
HERRICK, ROBERT D.					
	7/9/2009	196124	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**318.73**		
HESLIN, MICHAEL K.					
	7/2/2009	195978	447.70		
				TRAVEL EXP.-ESRI INT'L UC	95.70
				TRAVEL EXP.-ESRI INT'L UC	352.00
	Vendor Total		**447.70**		
FYTD for HESLIN, MICHAEL K.			**447.70**		

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HIGGS, DEBRA					
	7/16/2009	196300	36.00		
				OIL PAINTING CONTRACT CLASS	36.00
	Vendor Total		**36.00**		
FYTD for HIGGS, DEBRA			**36.00**		
HOLT, DARLENE					
	7/30/2009	196574	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for HOLT, DARLENE			**20.00**		
HOUSER, EDITH E.					
	7/9/2009	196125	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**318.73**		
HURST, JOYCE					
	7/16/2009	196301	77.00		
				RFND-DOG TRNG REGIST.	77.00
	Vendor Total		**77.00**		
FYTD for HURST, JOYCE			**77.00**		
ICMA RETIREMENT CORP 457					
	7/2/2009	2442	12,168.82		
				DEF COMP 457 07/02/09	12,168.82
	7/15/2009	2451	11,964.95		
				DEF COMP 457/07/15/09	11,964.95
	7/31/2009	2461	250.00		
				DEF COMP 457 07/31/09	250.00
	Vendor Total		**24,383.77**		
FYTD for ICMA RETIREMENT CORP 457			**24,383.77**		
IL SORRENTO MOBILE HOME PARK					
	7/2/2009	195979	0.00		
				RFND UT USER TAXES-EXMPT RESID	105.50
				RFND UT USER TAXES-EXMPT RESID	-105.50
	Vendor Total		**0.00**		
FYTD for IL SORRENTO MOBILE HOME PARK			**0.00**		

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IL SORRENTO MOBILE PARK				
7/16/2009	196302	105.50		
			RFND UT USER TAXES-EXMPT RESID	105.50
Vendor Total		**105.50**		
FYTD for IL SORRENTO MOBILE PARK		**105.50**		
ING USA ANNUITY & LIFE INSURANCE CO.				
7/9/2009	196126	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**475.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST				
7/30/2009	196575	1,802.06		
			NUISANCE ABATEMENT SVCS	1,226.94
			NSNC ABTMNT-11692 HEACOCK	575.12
Vendor Total		**1,802.06**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST		**1,802.06**		
INLAND EMPIRE PROPERTY SERVICE, INC				
7/9/2009	196127	1,779.00		
			VEGIT. RMVL>EQSTRN CTR	900.00
			WEED ABTMNT SRVCS	879.00
7/30/2009	196576	1,608.14		
			WEED ABATEMENT/APN#291-191-001	126.00
			WEED ABATEMENT/APN#291-191-002	108.50
			WEED ABATEMENT/APN#291-191-003	182.91
			WEED ABATEMENT/APN#291-191-005	108.50
			WEED ABATEMENT/APN#291-191-006	94.00
			WEED ABATEMENT/APN#291-191-007	168.41
			WEED ABATEMENT/APN#291-191-008	243.91
			WEED ABATEMENT/APN#291-191-011	182.91
			WEED ABATEMENT/APN#291-191-012	124.00
			WEED ABATEMENT/APN#297-220-010	94.00
			WEED ABATEMENT/APN#297-220-001	94.00
			HALT PRGRM SRVCS	81.00
Vendor Total		**3,387.14**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**37,499.14**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER				
7/30/2009	196577	10,000.00		
			APR-JUN'09 CNSLNG SRVCS	10,000.00
Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**10,000.00**		

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INLAND PETROLEUM EQUIPMENT & REPAIR, INC				
7/23/2009	196445	250.01		
			RPR DIESEL FUEL>FS #6	250.01
Vendor Total		**250.01**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**250.01**		
INTERNAL REVENUE SERVICE				
7/1/2009	2445	2,000.00		
			2ND QTR MEDICARE TAX DEPOSIT	2,000.00
Vendor Total		**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**433,203.92**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION				
7/2/2009	195980	1,113.68		
			JUN'09 OFFSITE STORAGE	1,113.68
7/23/2009	196446	1,115.50		
			OFFSITE DATA TAPE STORAGE	1,115.50
Vendor Total		**2,229.18**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**2,229.18**		
IRVING ENTERTAINMENT ENTERPRISES				
7/9/2009	196128	100.00		
			MBL STG DEPOSIT RFND	100.00
Vendor Total		**100.00**		
FYTD for IRVING ENTERTAINMENT ENTERPRISES		**100.00**		
ISS SWEEPING, INC.				
7/23/2009	196447	2,503.50		
			JUN'09 STREET SWEEPING SVCS	1,783.50
			JUN'09 STREET SWPNG-AUTO MALL	720.00
Vendor Total		**2,503.50**		
FYTD for ISS SWEEPING, INC.		**2,503.50**		
J.D.H. CONTRACTING				
7/23/2009	196448	4,470.84		
			CRC MENS/WOMENS SHOWER REPAIRS	3,242.00
			MISC. WORK FOR PD @MALL	1,228.84
7/30/2009	196578	475.00		
			REPAIR COUNTERS-CRC	475.00
Vendor Total		**4,945.84**		
FYTD for J.D.H. CONTRACTING		**4,945.84**		

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JACKSON, JERAMY					
	7/23/2009	196449	533.50		
				TUITION REIMBURSEMENT	533.50
	Vendor Total		**533.50**		
FYTD for JACKSON, JERAMY			**533.50**		
JARRETT, STEPHEN M.					
	7/2/2009	195981	261.43		
				TRAVEL EXP.-ESRI INT'L UC	101.43
				TRAVEL EXP.-ESRI INT'L UC	160.00
	Vendor Total		**261.43**		
FYTD for JARRETT, STEPHEN M.			**261.43**		
JDEDGE SOFTWARE, LLC					
	7/16/2009	196307	1,147.50		
				CNSLTNG SRVCS>6/22-6/30	1,147.50
	Vendor Total		**1,147.50**		
FYTD for JDEDGE SOFTWARE, LLC			**1,147.50**		
JOBS AVAILABLE, INC.					
	7/9/2009	196129	245.00		
				EMPLYMNT ADVERTISING	245.00
	Vendor Total		**245.00**		
FYTD for JOBS AVAILABLE, INC.			**245.00**		
JOHNSON, MICHELLE					
	7/16/2009	196308	40.00		
				RABIES DEP REFUND	20.00
				RABIES DEP REFUND	20.00
	Vendor Total		**40.00**		
FYTD for JOHNSON, MICHELLE			**40.00**		
JOHNSON, YOLANDA					
	7/23/2009	196450	300.00		
				CELEBRITY JUDGE	300.00
	Vendor Total		**300.00**		
FYTD for JOHNSON, YOLANDA			**300.00**		
JONES, SUSAN					
	7/9/2009	196130	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**318.73**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JTB SUPPLY CO., INC.				
7/16/2009	196309	337.26		
			FLUSH HAND HOLE CVRS	337.26
7/23/2009	196451	886.57		
			MODULE 12-50 BATTERY BACK-UP	679.69
			TRAFFIC SIGNAL PARTS/SUPPLIES	206.88
	Vendor Total	**1,223.83**		
FYTD for JTB SUPPLY CO., INC.		**1,223.83**		
K. HOVNANIAN HOMES				
7/2/2009	195982	30.00		
			RFND-FALSE ALARM FEE	30.00
	Vendor Total	**30.00**		
FYTD for K. HOVNANIAN HOMES		**30.00**		
KANE, BALLMER & BERKMAN				
7/30/2009	196579	343.19		
			JUN'09 LGL SRVCS-HSG	343.19
	Vendor Total	**343.19**		
FYTD for KANE, BALLMER & BERKMAN		**343.19**		
KASHEFIPOUR, HOSSEIN				
7/9/2009	196131	337.70		
			MILEAGE REIMBURSEMENT	64.90
			MILEAGE REIMBURSEMENT	85.80
			MILEAGE REIMBURSEMENT	47.30
			MILEAGE REIMBURSEMENT	51.15
			MILEAGE REIMBURSEMENT	88.55
	Vendor Total	**337.70**		
FYTD for KASHEFIPOUR, HOSSEIN		**337.70**		
KAYACHITH, METKEO				
7/9/2009	196132	57.00		
			PROCESSING FEE RFND	57.00
	Vendor Total	**57.00**		
FYTD for KAYACHITH, METKEO		**57.00**		
KDM MERIDIAN, INC.				
7/9/2009	196133	5,565.00		
			SUNNYMEAD BLVD REVIT PROJ SVCS	5,565.00
	Vendor Total	**5,565.00**		
FYTD for KDM MERIDIAN, INC.		**5,565.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KELL, JANELLE					
	7/7/2009	196038	500.00		
				IDOL CONTEST WINNER/18-34 CAT.	500.00
	Vendor Total		**500.00**		
FYTD for KELL, JANELLE			**500.00**		
KHAN, SHAFIQUL					
	7/23/2009	196452	296.00		
				CITATION REFUND	296.00
	Vendor Total		**296.00**		
FYTD for KHAN, SHAFIQUL			**296.00**		
KING, PATRICIA A.					
	7/9/2009	196134	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**318.73**		
KLAMATH BAY					
	7/30/2009	196580	3,890.15		
				PROMO. ITEMS -PD COMM SVCS DEP	2,222.10
				PROMO. ITEMS -PD COMM SVCS DEP	1,250.00
				PROMO. ITEMS -PD TRAFFC DEPT	418.05
	Vendor Total		**3,890.15**		
FYTD for KLAMATH BAY			**3,890.15**		
KOA CORPORATION					
	7/23/2009	196453	5,127.10		
				PERRIS BLVD WIDENING AT SR-60	5,127.10
	Vendor Total		**5,127.10**		
FYTD for KOA CORPORATION			**73,813.32**		
KOLB, CHARLES E.					
	7/9/2009	196136	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**318.73**		
KOSER, MATTHEW					
	7/9/2009	196137	320.00		
				PER DIEM-D.U.I. TRNG CLASS	320.00
	Vendor Total		**320.00**		
FYTD for KOSER, MATTHEW			**320.00**		

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KYLE, GARY M.					
	7/9/2009	196138	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**318.73**		
LAFATA, JOSEPHINE					
	7/9/2009	196139	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LAFATA, JOSEPHINE			**318.73**		
LANDLOGIC, LLC					
	7/9/2009	196140	3,278.00		
				SFTWR LIC. FEE>5/30/10	3,278.00
	Vendor Total		**3,278.00**		
FYTD for LANDLOGIC, LLC			**3,278.00**		
LAWN TECH EQUIPMENT					
	7/9/2009	196141	1,359.16		
				HANDTOOLS	1,359.16
	Vendor Total		**1,359.16**		
FYTD for LAWN TECH EQUIPMENT			**1,359.16**		
LAWYERS TITLE INC					
	7/23/2009	196454	900.00		
				PRELIM RPT 488-090-011 AUTO ML	450.00
				TITLE/LITIG. GUARANTEE-ODUFALU	450.00
	Vendor Total		**900.00**		
FYTD for LAWYERS TITLE INC			**900.00**		
LEWIS, CAROLYN S.					
	7/9/2009	196142	315.49		
				JULY'09 RETIREE MED BENEFIT	315.49
	Vendor Total		**315.49**		
FYTD for LEWIS, CAROLYN S.			**315.49**		
LIM & NASCIMENTO ENGINEERING CORP.					
	7/30/2009	196583	5,666.00		
				IRONWOOD AVE-HEACOCK TO PERRIS	5,666.00
	Vendor Total		**5,666.00**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**42,760.46**		

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LLANOS, ADRIANA					
	7/2/2009	195983	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LLANOS, ADRIANA			**75.00**		
LOGAN, CHARLES					
	7/9/2009	196143	248.11		
				JULY'09 RETIREE MED BENEFIT	248.11
	Vendor Total		**248.11**		
FYTD for LOGAN, CHARLES			**248.11**		
LOR GEOTECHNICAL GROUP, INC.					
	7/9/2009	196144	7,430.00		
				SUNNYMEAD BLVD REVIT PROJ SVCS	5,142.00
				SUNNYMEAD BLVD REVIT PROJ SVCS	2,288.00
	7/30/2009	196584	680.00		
				SHEILA ST SIDEWALK & PARK PROJ	680.00
	Vendor Total		**8,110.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**8,110.00**		
LOZANO, CLARA					
	7/16/2009	196310	60.00		
				ANML LICENSE FEE RFND	60.00
	Vendor Total		**60.00**		
FYTD for LOZANO, CLARA			**60.00**		
LUERA, DAVID					
	7/9/2009	196145	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LUERA, DAVID			**50.00**		
LUMLEY, ROBERT C.					
	7/9/2009	196146	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**318.73**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LUTHERAN SOCIAL SERVICES OF SO. CALI F.				
7/2/2009	195984	2,499.00		
			CDBG EXPENSE REIMB.	2,499.00
7/30/2009	196585	2,503.00		
			CDBG FUNDED SVCS FY08-09	2,503.00
	Vendor Total	**5,002.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.		**5,002.00**		
MARCH JOINT POWERS AUTHORITY				
7/2/2009	195985	5.29		
			APR'09 GAS CHRGS>BLDG 823	4.32
			APR'09 GAS CHRGS>BLDG 938	0.97
7/9/2009	196147	2.51		
			MAY'09 GAS CHRGS>BLDG 823	2.51
7/23/2009	196455	0.56		
			MAY'09 GAS CHGS-BLDG 938	0.56
	Vendor Total	**8.36**		
FYTD for MARCH JOINT POWERS AUTHORITY		**8.36**		
MARTIAL ARTS INTERNATIONAL, USKO				
7/16/2009	196311	56.00		
			KICKBOXING-1 PARTICIPANT	56.00
	Vendor Total	**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**56.00**		
MARTIN, CINDY				
7/7/2009	196039	500.00		
			IDOL CONTEST WINNER/35-UP CAT.	500.00
	Vendor Total	**500.00**		
FYTD for MARTIN, CINDY		**500.00**		
MARTIN, MICHAEL				
7/9/2009	196148	75.00		
			RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for MARTIN, MICHAEL		**75.00**		
MARTIN, PAUL				
7/23/2009	196456	330.05		
			CITATION REFUND	330.05
	Vendor Total	**330.05**		
FYTD for MARTIN, PAUL		**330.05**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MARVEL, ELISA O.					
	7/9/2009	196149	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MARVEL, ELISA O.			**75.00**		
MATHIS, NOLAN					
	7/9/2009	196150	288.60		
				MAY'09 RETIREE MED BENEFIT	288.60
	Vendor Total		**288.60**		
FYTD for MATHIS, NOLAN			**288.60**		
MATTEI, MIA					
	7/7/2009	196040	500.00		
				IDOL CONTEST WINNER/14-17 CAT.	500.00
	Vendor Total		**500.00**		
FYTD for MATTEI, MIA			**500.00**		
MAXINOSKI, SUE A.					
	7/9/2009	196151	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**318.73**		
MCALLISTER, GERALD					
	7/16/2009	196312	52.36		
				IMPL. ENERGY EFFIC. PROJ CLASS	52.36
	Vendor Total		**52.36**		
FYTD for MCALLISTER, GERALD			**52.36**		
MCCARTHY & BERLIN, LLP					
	7/23/2009	196457	4,767.10		
				LEGAL SERVICES-MAR'09	4,767.10
	7/30/2009	196586	1,074.00		
				LEGAL SERVICES /UTILITY-JUN'09	1,074.00
	Vendor Total		**5,841.10**		
FYTD for MCCARTHY & BERLIN, LLP			**5,841.10**		
MCCARTY, MICHAEL					
	7/9/2009	196152	400.00		
				PER ADMIN. PLCY 5.19	400.00
	Vendor Total		**400.00**		
FYTD for MCCARTY, MICHAEL			**400.00**		

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MCCOWN, TAUNYA					
	7/23/2009	196458	88.00		
				REFUND-VARIOUS A/C FEES	22.00
				REFUND-VARIOUS A/C FEES	15.00
				REFUND-VARIOUS A/C FEES	15.00
				REFUND-VARIOUS A/C FEES	36.00
	Vendor Total		**88.00**		
FYTD for MCCOWN, TAUNYA			**88.00**		
MCDONALD PARTNERS, INC.					
	7/2/2009	195986	1,625.00		
				MAY'09 CNSLTNG SRVCS>UTILITIES	1,625.00
	Vendor Total		**1,625.00**		
FYTD for MCDONALD PARTNERS, INC.			**1,625.00**		
MCDONOUGH, HOLLAND & ALLEN					
	7/2/2009	195987	3,178.76		
				APR'09 LGL SRVCS>MVUSD	3,178.76
	Vendor Total		**3,178.76**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**28,727.75**		
MCI					
	7/16/2009	196314	1,320.52		
				JUL'09 VERIZON INTERNET SVC.	1,320.52
	7/23/2009	196459	1,328.73		
				VERIZON INTERNET CONNECTION	1,328.73
	Vendor Total		**2,649.25**		
FYTD for MCI			**2,649.25**		
MCI WORLDCOM					
	7/23/2009	196460	1,081.48		
				JUL'09 DATA SRVCS	1,081.48
	Vendor Total		**1,081.48**		
FYTD for MCI WORLDCOM			**1,081.48**		
MEDEIROS, STEPHANY					
	7/9/2009	196153	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MEDEIROS, STEPHANY			**75.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MELAD & ASSOCIATES					
	7/9/2009	196154	1,452.39		
				PLAN CHECK SRVCS	1,452.39
	7/30/2009	196587	900.00		
				JUN'09 PLAN CK SRVCS	900.00
	Vendor Total		**2,352.39**		
FYTD for MELAD & ASSOCIATES			**2,352.39**		
MELINE, RENE					
	7/9/2009	196155	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MELINE, RENE			**75.00**		
MENDONCA, MELEISA					
	7/2/2009	195988	170.00		
				RFND-CAMP REGIST.	170.00
	Vendor Total		**170.00**		
FYTD for MENDONCA, MELEISA			**170.00**		
MENGISTU, YESHIALEM					
	7/2/2009	195989	83.05		
				MILEAGE REIMBURSEMENT	83.05
	Vendor Total		**83.05**		
FYTD for MENGISTU, YESHIALEM			**83.05**		
MERITAGE HOMES OF CA, INC.					
	7/16/2009	196315	1,099.38		
				RFND BUS. LIC. OVRPMT	1,099.38
	Vendor Total		**1,099.38**		
FYTD for MERITAGE HOMES OF CA, INC.			**1,099.38**		
MESSIN, LOUIS					
	7/9/2009	196156	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**318.73**		
METZ, RANDALL					
	7/30/2009	196588	15.00		
				SO CAL FPO MO. MEETING & MEAL	15.00
	Vendor Total		**15.00**		
FYTD for METZ, RANDALL			**15.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MILES, ROBERT					
	7/9/2009	196157	240.44		
				JULY'09 RETIREE MED BENEFIT	240.44
	Vendor Total		**240.44**		
FYTD for MILES, ROBERT			**240.44**		
MILLER, CINDY A.					
	7/9/2009	196158	254.72		
				CANDY FOR PARADE	127.36
				CANDY FOR PARADE	127.36
	Vendor Total		**254.72**		
FYTD for MILLER, CINDY A.			**254.72**		
MILLER, ELAINE					
	7/16/2009	196316	75.00		
				SPAY/NEUTER DEPOSIT REFUND	75.00
	Vendor Total		**75.00**		
FYTD for MILLER, ELAINE			**75.00**		
MINARD, MARK E.					
	7/9/2009	196159	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**318.73**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MISSION LINEN SUPPLY, INC.					
	7/16/2009	196320	1,821.79		
				UNIFORM SUPPLY/LAUNDERING SVCS	18.52
				UNIFORM SUPPLY/LAUNDERING SVCS	18.52
				UNIFORM SUPPLY/LAUNDERING SVCS	18.52
				UNIFORM SUPPLY/LAUNDERING SVCS	18.52
				UNIFORM SUPPLY/LAUNDERING SVCS	18.52
				UNIFORM SUPPLY/LAUNDERING SVCS	57.09
				UNIFORM SUPPLY/LAUNDERING SVCS	57.29
				UNIFORM SUPPLY/LAUNDERING SVCS	57.90
				UNIFORM SUPPLY/LAUNDERING SVCS	57.09
				UNIFORM SUPPLY/LAUNDERING SVCS	57.09
				UNIFORM SUPPLY/LAUNDERING SVCS	13.68
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	15.09
				UNIFORM SUPPLY/LAUNDERING SVCS	14.09
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	25.98
				UNIFORM SUPPLY/LAUNDERING SVCS	25.98
				UNIFORM SUPPLY/LAUNDERING SVCS	25.98
				UNIFORM SUPPLY/LAUNDERING SVCS	25.98
				UNIFORM SUPPLY/LAUNDERING SVCS	25.98
				UNIFORM SUPPLY/LAUNDERING SVCS	8.99
				UNIFORM SUPPLY/LAUNDERING SVCS	8.99
				UNIFORM SUPPLY/LAUNDERING SVCS	9.19
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	17.98
				UNIFORM SUPPLY/LAUNDERING SVCS	17.98
				UNIFORM SUPPLY/LAUNDERING SVCS	17.98
				UNIFORM SUPPLY/LAUNDERING SVCS	17.98
				UNIFORM SUPPLY/LAUNDERING SVCS	17.98
				UNIFORM SUPPLY/LAUNDERING SVCS	4.08
				UNIFORM SUPPLY/LAUNDERING SVCS	4.08
				UNIFORM SUPPLY/LAUNDERING SVCS	4.08
				UNIFORM SUPPLY/LAUNDERING SVCS	4.08
				UNIFORM SUPPLY/LAUNDERING SVCS	4.08
				UNIFORM SUPPLY/LAUNDERING SVCS	46.07
				UNIFORM SUPPLY/LAUNDERING SVCS	49.25
				UNIFORM SUPPLY/LAUNDERING SVCS	47.07
				UNIFORM SUPPLY/LAUNDERING SVCS	49.25
				UNIFORM SUPPLY/LAUNDERING SVCS	13.00
				UNIFORM SUPPLY/LAUNDERING SVCS	33.07
				UNIFORM SUPPLY/LAUNDERING SVCS	82.34
				UNIFORM SUPPLY/LAUNDERING SVCS	82.34
				UNIFORM SUPPLY/LAUNDERING SVCS	82.34
				UNIFORM SUPPLY/LAUNDERING SVCS	82.54
				UNIFORM SUPPLY/LAUNDERING SVCS	82.34
				UNIFORM SUPPLY/LAUNDERING SVCS	14.65
				UNIFORM SUPPLY/LAUNDERING SVCS	14.65
				UNIFORM SUPPLY/LAUNDERING SVCS	14.65
				UNIFORM SUPPLY/LAUNDERING SVCS	14.65

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM SUPPLY/LAUNDERING SVCS	14.65
			UNIFORM SUPPLY/LAUNDERING SVCS	8.99
			UNIFORM SUPPLY/LAUNDERING SVCS	8.99
			UNIFORM SUPPLY/LAUNDERING SVCS	8.99
			UNIFORM SUPPLY/LAUNDERING SVCS	8.99
			UNIFORM SUPPLY/LAUNDERING SVCS	8.99
			UNIFORM SUPPLY/LAUNDERING SVCS	10.25
			UNIFORM SUPPLY/LAUNDERING SVCS	10.25
			UNIFORM SUPPLY/LAUNDERING SVCS	10.25
			UNIFORM SUPPLY/LAUNDERING SVCS	10.25
			UNIFORM SUPPLY/LAUNDERING SVCS	10.25
			UNIFORM SUPPLY/LAUNDERING SVCS	40.22
			UNIFORM SUPPLY/LAUNDERING SVCS	1.84
			UNIFORM SUPPLY/LAUNDERING SVCS	38.38
			UNIFORM SUPPLY/LAUNDERING SVCS	40.22
			UNIFORM SUPPLY/LAUNDERING SVCS	40.22
			UNIFORM SUPPLY/LAUNDERING SVCS	40.22
			UNIFORM SUPPLY/LAUNDERING SVCS	8.99
			UNIFORM SUPPLY/LAUNDERING SVCS	8.99
	Vendor Total	**1,821.79**		
FYTD for MISSION LINEN SUPPLY, INC.		**1,821.79**		
MOELLER, DONNA M.				
7/2/2009	195990	115.82		
			NGHBRHD CLEAN-UP EXPENSES	115.82
	Vendor Total	**115.82**		
FYTD for MOELLER, DONNA M.		**115.82**		
MOLLICA, MIKE				
7/9/2009	196160	401.42		
			JULY'09 RETIREE MED BENEFIT	401.42
	Vendor Total	**401.42**		
FYTD for MOLLICA, MIKE		**401.42**		
MOORE, AIRAM				
7/7/2009	196041	500.00		
			IDOL CONTEST WINNER/5-9 CAT.	500.00
	Vendor Total	**500.00**		
FYTD for MOORE, AIRAM		**500.00**		
MORA, PATRICIA A.				
7/9/2009	196161	318.73		
			JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for MORA, PATRICIA A.		**318.73**		

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MORALES, OSCAR					
	7/16/2009	196321	178.00		
				REFUND CofO PERMIT	178.00
	Vendor Total		**178.00**		
FYTD for MORALES, OSCAR			**178.00**		
MORENO VALLEY BOWL					
	7/9/2009	196162	560.00		
				BOWLING-5 PARTICIPANTS	200.00
				BOWLING-9 PARTICIPANTS	360.00
	Vendor Total		**560.00**		
FYTD for MORENO VALLEY BOWL			**560.00**		
MORENO VALLEY CHAMBER OF COMMERCE					
	7/16/2009	196322	210.00		
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
				6/19 "WAKE-UP" MTG>14 ATTND	15.00
	Vendor Total		**210.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**210.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.					
	7/31/2009	2460	1,615.00		
				MVCEA DUES 07/31/09	1,615.00
	7/17/2009	2450	1,615.00		
				MVCEA DUES 07/17/09	1,615.00
	7/3/2009	2441	1,699.00		
				MVCEA DUES 07/03/09	1,699.00
	Vendor Total		**4,929.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**4,929.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY GATEWAY, LLC				
7/30/2009	196589	21,093.43		
			AUG'09 RENT-FAC ANNX	2,458.97
			AUG'09 RENT-TECH SRVC ANNX	5,475.90
			AUG'09 RENT-SPCL DIST	13,158.56
	Vendor Total	**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC		**21,093.43**		
MORENO VALLEY HISPANIC CHAMBER OF COMMER				
7/23/2009	196463	270.00		
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
			ADELANTE MTGS>6/5/09	10.00
	Vendor Total	**270.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER OF COMMER		**270.00**		
MORENO VALLEY TOW & RADIATOR				
7/9/2009	196163	450.00		
			TOWED SWEEPER FOR REPAIR	450.00
7/16/2009	196323	520.00		
			TOWING SRVC FOR P.D.	372.50
			TOWING SRVCS FOR P.D.	147.50
	Vendor Total	**970.00**		
FYTD for MORENO VALLEY TOW & RADIATOR		**970.00**		

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MORENO VALLEY UNIFIED SCHOOL DISTRICT					
	7/9/2009	196164	100.00		
				MOBILE STAGE RENTAL DEPOSIT RFND	100.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT			**100.00**		
MORENO, MARIO					
	7/9/2009	196165	200.00		
				PER DIEM-GANG VIOLENCE CONF.	200.00
	Vendor Total		**200.00**		
FYTD for MORENO, MARIO			**200.00**		
MORGAN, LISA A.					
	7/9/2009	196166	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**318.73**		
MORRIS, MARI					
	7/9/2009	196167	95.00		
				DEP RFND-RABIES/SPAY/NEUTER	20.00
				DEP RFND-RABIES/SPAY/NEUTER	75.00
	Vendor Total		**95.00**		
FYTD for MORRIS, MARI			**95.00**		
MOSCROP, JEANETTE					
	7/30/2009	196590	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MOSCROP, JEANETTE			**75.00**		
MOTEL 7/ HEMANSHU PATEL					
	7/16/2009	196324	50.00		
				REFUND-PARKING CIT. ERROR	50.00
	Vendor Total		**50.00**		
FYTD for MOTEL 7/ HEMANSHU PATEL			**50.00**		
MR. CLEAN, INC.					
	7/16/2009	196325	428.00		
				PRESSURE WASH>6/21	303.00
				PRESSURE WASH>6/21	125.00
	7/30/2009	196591	477.41		
				GYM FLOOR MAINT.	477.41
	Vendor Total		**905.41**		
FYTD for MR. CLEAN, INC.			**905.41**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MUNITEMPS					
	7/9/2009	196168	10,415.04		
				TEMP SRVC>4/12 MUNOZ	966.97
				TEMP SRVC>4/12 MEDINA	953.53
				TEMP SRVC>4/26-MUNOZ	913.25
				TEMP SRVC>4/26-MEDINA	731.94
				TEMP SRVC>5/10-MUNOZ	946.82
				TEMP SRVC>5/10-MEDINA	812.52
				TEMP SRVC>5/24-MUNOZ	886.39
				TEMP SRVC>5/24-MEDINA	825.95
				TEMP SRVC>6/7-MEDINA	893.10
				TEMP SRVC>6/7-MUNOZ	805.81
				TEMP SRVC>6/21-MUNOZ	183.14
				TEMP SRVC>6/21-MEDINA	792.37
				TEMP SRVC>6/21-MUNOZ	703.25
	Vendor Total		**10,415.04**		
FYTD for MUNITEMPS			**37,015.23**		
NAIOP-NATIONAL ASSOC OF INDUSTRIAL & OFF					
	7/9/2009	196169	3,256.00		
				ADVERTISING IN DEV. MAG	3,256.00
	Vendor Total		**3,256.00**		
FYTD for NAIOP-NATIONAL ASSOC OF INDUSTRIAL & OFF			**3,256.00**		
NATIONAL NOTARY ASSOCIATION					
	7/16/2009	196328	52.00		
				1YR MBRSHP>N BURDINE	52.00
	Vendor Total		**52.00**		
FYTD for NATIONAL NOTARY ASSOCIATION			**52.00**		
NATIONWIDE RETIREMENT SOLUTIONS					
	7/2/2009	2439	2,116.36		
				PST DEF COMP FOR FICA 07/02/09	2,116.36
	7/29/2009	2458	782.74		
				PST DEF COMP FOR FICA 07/29/09	782.74
	7/31/2009	2459	1,293.48		
				DEF COMP 457 & 407(A) 07/31/09	1,293.48
	7/17/2009	2448	1,106.81		
				PST DEF COMP FOR FICA 07/17/09	1,106.81
	Vendor Total		**5,299.39**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**55,944.21**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NAVARRETE, ROBERT					
	7/9/2009	196170	200.00		
				PER DIEM-GANG VIOLENCE CONF.	200.00
	Vendor Total		**200.00**		
FYTD for NAVARRETE, ROBERT			**200.00**		
NAVARRO, HERIBERTO					
	7/2/2009	195991	300.00		
				RFND-ANML SRVC CITATION	300.00
	Vendor Total		**300.00**		
FYTD for NAVARRO, HERIBERTO			**300.00**		
NELSON, ROBERT					
	7/9/2009	196171	303.60		
				JULY'09 RETIREE MED BENEFIT	303.60
	Vendor Total		**303.60**		
FYTD for NELSON, ROBERT			**303.60**		
NELSON, RUTH L.					
	7/9/2009	196172	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**318.73**		
NEUSTAEDTER, CRAIG S					
	7/9/2009	196173	318.73		
				JULY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**318.73**		
NEW HORIZON MOBILE HOME PARK					
	7/2/2009	195992	6.61		
				RFND UT USER TAXES-EXMPT RESID	6.61
	Vendor Total		**6.61**		
FYTD for NEW HORIZON MOBILE HOME PARK			**6.61**		
NEW WEST SIGNAL					
	7/16/2009	196329	7,600.00		
				TRAFFIC SIGNAL	7,600.00
	Vendor Total		**7,600.00**		
FYTD for NEW WEST SIGNAL			**7,600.00**		

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NEWPORT GRADING, INC.					
	7/30/2009	196592	5,752.00		
				RPLCD DMG GUARDRAIL	5,752.00
	Vendor Total		**5,752.00**		
FYTD for NEWPORT GRADING, INC.			**5,752.00**		
NFPA/NATIONAL FIRE PROTECTION ASSO					
	7/30/2009	196593	150.00		
				MBR-RANDALL METZ	150.00
	Vendor Total		**150.00**		
FYTD for NFPA/NATIONAL FIRE PROTECTION ASSO			**150.00**		
NGUYEN, QUANG					
	7/16/2009	196330	134.75		
				MILEAGE REIMBURSEMENT	134.75
	Vendor Total		**134.75**		
FYTD for NGUYEN, QUANG			**134.75**		
NIEBURGER, JUDITH A.					
	7/9/2009	196174	401.42		
				JULY'09 RETIREE MED BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**401.42**		
NINYO & MOORE GEOTECHNICAL					
	7/16/2009	196331	3,133.75		
				PSB PARKING LOT EXPANSION PROJ	1,885.00
				PSB PARKING LOT EXPANSION PROJ	168.75
				PSB PARKING LOT EXPANSION PROJ	1,080.00
	Vendor Total		**3,133.75**		
FYTD for NINYO & MOORE GEOTECHNICAL			**3,133.75**		
NOLLAR, JANICE					
	7/2/2009	195993	261.42		
				TRAVEL EXP.-ESRI INT'L UC	101.42
				TRAVEL EXP.-ESRI INT'L UC	160.00
	Vendor Total		**261.42**		
FYTD for NOLLAR, JANICE			**261.42**		
NORRIS-REPKE, INC.					
	7/23/2009	196466	505.00		
				IRIS AVE STREET IMPRV PROJ.	505.00
	Vendor Total		**505.00**		
FYTD for NORRIS-REPKE, INC.			**39,829.00**		

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OCB REPROGRAPHICS					
	7/16/2009	196332	2,215.47		
				REPROGRAPHICS-PAVEMNT RESURF.	966.14
				REPROGRAPHICS-PAVEMNT RESURF.	170.41
				REPROGRAPHICS-IRIS AVE PROJ.	160.57
				REPROGRAPHICS-INDIAN BASIN PRJ	42.58
				REPROGRAPHICS-SR-60/NASON PROJ	177.48
				REPROGRAPHICS SRVC	152.20
				REPROGRAPHICS SRVC	384.11
				REPROGRAPHICS SRVC	45.01
				REPROGRAPHICS SRVC	45.02
				REPROGRAPHICS SRVC	71.95
	7/23/2009	196467	751.79		
				REPROGRAPHICS-SUNNYMD BL IRRIG	472.57
				REPROGRPHCS-PERRIS BL WIDENING	279.22
	Vendor Total		**2,967.26**		
FYTD for OCB REPROGRAPHICS			**2,967.26**		
OMNIS, INC.					
	7/23/2009	196468	830.00		
				TR. SIG @ SR-60 & REDLANDS BL.	830.00
	Vendor Total		**830.00**		
FYTD for OMNIS, INC.			**830.00**		
OPERATION SAFEHOUSE, INC.					
	7/2/2009	195994	719.62		
				CDBG EXPENSE REIMB.	719.62
	7/30/2009	196594	689.32		
				CDBG EXP. REIMB.	689.32
	Vendor Total		**1,408.94**		
FYTD for OPERATION SAFEHOUSE, INC.			**1,408.94**		
ORACLE USA, INC.					
	7/9/2009	196176	22,199.26		
				SOFTWARE UPDATE/SPPRT	21,234.87
				SOFTWARE UPDATE/SPPRT	964.39
	Vendor Total		**22,199.26**		
FYTD for ORACLE USA, INC.			**22,199.26**		
OROSCO, DAVID & ROSARIO, AMANDA					
	7/16/2009	196333	95.00		
				ANIMAL SVCS. REFUND	20.00
				ANIMAL SVCS. REFUND	75.00
	Vendor Total		**95.00**		
FYTD for OROSCO, DAVID & ROSARIO, AMANDA			**95.00**		

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OVERLAND PACIFIC & CUTLER, INC.					
	7/16/2009	196334	487.50		
				ALESSANDRO/DAY ST RELOC. SVCS.	487.50
	7/23/2009	196469	5,670.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	5,670.00
	7/30/2009	196595	22,367.00		
				SR-60/NASON INTERCHG PROJ SVCS	2,292.25
				SR-60/NASON INTERCHG PROJ SVCS	3,108.25
				SR-60/NASON INTERCHG PROJ SVCS	16,966.50
	7/30/2009	196596	7,350.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	7,350.00
	Vendor Total		**35,874.50**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**35,874.50**		
P&D CONSULTANTS, INC.					
	7/30/2009	196597	6,500.00		
				UNITY COURT PROJ DESIGN SVCS	6,500.00
	Vendor Total		**6,500.00**		
FYTD for P&D CONSULTANTS, INC.			**6,500.00**		
PACIFIC GREEN HORTICULTURAL SVC					
	7/2/2009	195995	1,090.00		
				PESTICIDE TRTMNT>DSG-2	145.00
				PESTICIDE TRTMNT>E-3	945.00
	7/16/2009	196335	1,635.65		
				JUN'09 LNDSCP MAINT	217.01
				JUN'09 LNDSCP MAINT	80.57
				JUN'09 LNDSCP MAINT	471.08
				JUN'09 LNDSCP MAINT	866.99
	Vendor Total		**2,725.65**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**2,725.65**		
PACIFIC SAFETY COUNCIL					
	7/23/2009	196470	8.70		
				TRAINING VIDEO: TRAFFIC CONTRL	8.70
	7/30/2009	196598	2,895.00		
				10 HR CONSTRUCTN SAFETY PROGRM	2,773.26
				CONST. SFTY TRNG-6/8/09	121.74
	Vendor Total		**2,903.70**		
FYTD for PACIFIC SAFETY COUNCIL			**2,903.70**		
PAEZ, JUAN & MARIA					
	7/2/2009	195996	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PAEZ, JUAN & MARIA			**20.00**		

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PAINTING BY ZEB BODE					
	7/23/2009	196471	550.00		
				PAINTING FOR PD	550.00
	7/30/2009	196599	1,250.00		
				MV MALL PD OFFICE PAINTING SVC	1,250.00
	Vendor Total		**1,800.00**		
FYTD for PAINTING BY ZEB BODE			**1,800.00**		
PALMER, AMARANDA					
	7/30/2009	196600	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for PALMER, AMARANDA			**75.00**		
PARRA-TOVAR, BRENDA					
	7/23/2009	196472	100.00		
				CITATION REFUND	100.00
	Vendor Total		**100.00**		
FYTD for PARRA-TOVAR, BRENDA			**100.00**		
PARTS PLUS OF MORENO VALLEY, INC.					
	7/9/2009	196178	1,000.01		
				MISC. VEHICLE PARTS	354.43
				MISC. VEHICLE PARTS	12.03
				MISC. VEHICLE PARTS	12.03
				MISC. VEHICLE PARTS	14.05
				MISC. VEHICLE PARTS	531.68
				MISC. VEHICLE PARTS	222.11
				MISC. VEHICLE PARTS	10.48
				MISC. VEHICLE PARTS	5.24
				CRDT FOR INV M240188	-162.04
	7/23/2009	196473	156.16		
				AUTOMOTIVE REPAIR PARTS	14.05
				AUTOMOTIVE REPAIR PARTS	142.11
	Vendor Total		**1,156.17**		
FYTD for PARTS PLUS OF MORENO VALLEY, INC.			**1,156.17**		
PATTERSON, ALFREY					
	7/9/2009	196179	315.49		
				JUL'09 RET MED BNFT	315.49
	Vendor Total		**315.49**		
FYTD for PATTERSON, ALFREY			**315.49**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PBS & J					
	7/2/2009	195997	1,675.00		
				MAY'09 PM 33152-1 RVW	630.00
				SHEILA ST PARK PROJ. SVCS	1,045.00
	7/16/2009	196336	490.00		
				MV PRELIM WQMPR>5/31	490.00
	Vendor Total		**2,165.00**		
FYTD for PBS & J			**2,165.00**		
PEARSON, MATTHEW					
	7/23/2009	196474	997.50		
				AUDIO SVCS FOR JULY 4TH EVENT	997.50
	Vendor Total		**997.50**		
FYTD for PEARSON, MATTHEW			**997.50**		
PEDLEY SQUARE VETERINARY CLINIC					
	7/2/2009	195998	11,131.00		
				VET & EMERG. SRVCS	4,947.00
				VET & EMERG. SRVCS	6,184.00
	Vendor Total		**11,131.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**11,131.00**		
PEREZ, WILLIAM					
	7/9/2009	196180	300.00		
				RNTL DEP REFUND	300.00
	Vendor Total		**300.00**		
FYTD for PEREZ, WILLIAM			**300.00**		
PERRY, NORMA					
	7/9/2009	196181	318.73		
				JUL'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**318.73**		
PERS LONG TERM CARE PROGRAM					
	7/9/2009	196182	648.76		
				LONG TERM CARE INS 07/09/09	648.76
	7/23/2009	196475	551.37		
				LONG TERM CARE INS 07/23/09	551.37
	Vendor Total		**1,200.13**		
FYTD for PERS LONG TERM CARE PROGRAM			**1,200.13**		

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PETTY CASH - FINANCE					
	7/30/2009	196606	1,447.98		
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	8.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	9.38
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	21.74
				PETTY CASH FUND REPLENISHMENT	29.19
				PETTY CASH FUND REPLENISHMENT	29.19
				PETTY CASH FUND REPLENISHMENT	12.10
				PETTY CASH FUND REPLENISHMENT	5.90
				PETTY CASH FUND REPLENISHMENT	7.00
				PETTY CASH FUND REPLENISHMENT	6.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	6.40
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	3.75
				PETTY CASH FUND REPLENISHMENT	54.75
				PETTY CASH FUND REPLENISHMENT	28.05
				PETTY CASH FUND REPLENISHMENT	8.58
				PETTY CASH FUND REPLENISHMENT	-0.10
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	5.70
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	11.83
				PETTY CASH FUND REPLENISHMENT	40.98
				PETTY CASH FUND REPLENISHMENT	11.00
				PETTY CASH FUND REPLENISHMENT	31.71
				PETTY CASH FUND REPLENISHMENT	30.00
				PETTY CASH FUND REPLENISHMENT	12.50
				PETTY CASH FUND REPLENISHMENT	3.50
				PETTY CASH FUND REPLENISHMENT	15.50
				PETTY CASH FUND REPLENISHMENT	45.00
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	87.45
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	14.13
				PETTY CASH FUND REPLENISHMENT	56.10
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	23.63
				PETTY CASH FUND REPLENISHMENT	9.98
				PETTY CASH FUND REPLENISHMENT	71.50
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	12.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	12.95
			PETTY CASH FUND REPLENISHMENT	8.68
			PETTY CASH FUND REPLENISHMENT	3.80
			PETTY CASH FUND REPLENISHMENT	21.14
			PETTY CASH FUND REPLENISHMENT	15.01
			PETTY CASH FUND REPLENISHMENT	51.70
			PETTY CASH FUND REPLENISHMENT	66.55
			PETTY CASH FUND REPLENISHMENT	5.00
			PETTY CASH FUND REPLENISHMENT	52.80
			PETTY CASH FUND REPLENISHMENT	70.95
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	23.10
			PETTY CASH FUND REPLENISHMENT	1.50
			PETTY CASH FUND REPLENISHMENT	84.36
	Vendor Total	**1,447.98**		
FYTD for PETTY CASH - FINANCE		**1,447.98**		
PIONTKOWSKI, BRAD				
7/23/2009	196476	75.00		
			REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for PIONTKOWSKI, BRAD		**75.00**		
PLATA, DON				
7/9/2009	196183	200.00		
			PER DIEM-GANG VIOLENCE CONF.	200.00
	Vendor Total	**200.00**		
FYTD for PLATA, DON		**200.00**		
PLAZA HAND CAR WASH				
7/30/2009	196608	518.50		
			CITY VEHICLE CAR WASHES	196.00
			CITY VEHICLE CAR WASHES	322.50
	Vendor Total	**518.50**		
FYTD for PLAZA HAND CAR WASH		**518.50**		
PLUMMER, TED				
7/2/2009	195999	468.00		
			DEP-7/4/09 SOUND SYST.	200.00
			FNL PMT-7/4/09 SOUND SYST.	425.00
			FTB W/H-VEHICLE REGIST.	-157.00
	Vendor Total	**468.00**		
FYTD for PLUMMER, TED		**468.00**		

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POIEMA LANDSCAPE, INC.				
7/16/2009	196338	2,110.00		
			JUN'09 LNDSCP MAINT>E-12	2,110.00
7/23/2009	196477	758.00		
			JUN'09 LANDSC MAINT-SUNNYMD BL	758.00
	Vendor Total	**2,868.00**		
FYTD for POIEMA LANDSCAPE, INC.		**2,868.00**		
POTTERS HOUSE CHRISTIAN CHURCH				
7/30/2009	196609	117.42		
			REFUND-BUS LIC FEES DUP PAYMNT	57.00
			REFUND-BUS LIC FEES DUP PAYMNT	57.00
			REFUND-BUS LIC FEES DUP PAYMNT	3.42
	Vendor Total	**117.42**		
FYTD for POTTERS HOUSE CHRISTIAN CHURCH		**117.42**		
POUK & STEINLE, INC.				
7/23/2009	196478	3,392.82		
			LASSELLE ST/BAY AVE TS & IMPRV	3,392.82
	Vendor Total	**3,392.82**		
FYTD for POUK & STEINLE, INC.		**3,392.82**		
PRECIADO, MARIA				
7/30/2009	196610	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for PRECIADO, MARIA		**20.00**		
PRESS ENTERPRISE				
7/16/2009	196339	259.00		
			EMPLYMNT ADVERTISING	259.00
	Vendor Total	**259.00**		
FYTD for PRESS ENTERPRISE		**259.00**		
PRICE, GEORGE E.				
7/9/2009	196184	318.73		
			JUL'09 RET MED BNFT	318.73
	Vendor Total	**318.73**		
FYTD for PRICE, GEORGE E.		**318.73**		
PRITCHARD, ROBERT				
7/23/2009	196480	100.00		
			MV IDOL CONTEST	100.00
	Vendor Total	**100.00**		
FYTD for PRITCHARD, ROBERT		**100.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PRORIDER, INC.					
	7/23/2009	196481	783.00		
				BIKE HELMETS	783.00
				BIKE HELMETS	68.51
				BIKE HELMETS	-68.51
	Vendor Total		**783.00**		
FYTD for PRORIDER, INC.			**783.00**		
PSOMAS					
	7/16/2009	196341	16,830.00		
				LASSELLE ST WIDENING-JFK>ALESS	14,295.00
				LASSELLE ST WIDENING-JFK>ALESS	2,535.00
	7/23/2009	196482	1,840.00		
				KITCHING/EUCALYPTUS IMPRV PROJ	1,840.00
	Vendor Total		**18,670.00**		
FYTD for PSOMAS			**18,670.00**		
PULLIAM, TRENT D.					
	7/9/2009	196185	318.73		
				JUL'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**318.73**		
QUALITY PLAYING CARDS, INC.					
	7/16/2009	196342	1,360.00		
				SHIPPING	145.00
				RECYCLED PLAYING CARDS	1,215.00
				RECYCLED PLAYING CARDS	106.32
				RECYCLED PLAYING CARDS	-106.32
	Vendor Total		**1,360.00**		
FYTD for QUALITY PLAYING CARDS, INC.			**1,360.00**		
R & S OVERHEAD DOORS, INC.					
	7/9/2009	196186	1,038.00		
				RMV/INSTALL DOOR AT FS #58	396.00
				INSTLLD DETECTOR @PSB	642.00
	7/23/2009	196483	685.00		
				BOTTOM TUBE REPAIR-PSB GATE 3	685.00
	Vendor Total		**1,723.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**1,723.00**		
RABAGO, MALIA					
	7/9/2009	196187	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for RABAGO, MALIA			**50.00**		

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RADAR SHOP, THE					
	7/30/2009	196612	382.46		
				RECERTIFIED PRO-LASER 3	130.00
				RECERTIFIED PRO-LASER 3	252.46
	Vendor Total		**382.46**		
FYTD for RADAR SHOP, THE			**382.46**		
RALLY MANAGEMENT SERVICES, LLC					
	7/9/2009	196188	1,716.64		
				TEMP SRVC>6/14 ANML SRVCS	958.72
				TEMP SRVC>6/21 ANML SRVCS	757.92
	7/16/2009	196343	114.90		
				TEMP SRVCS>6/21/09-STARS	114.90
	7/23/2009	196484	261.28		
				TEMP SVCS >6/28/09-STARS PRGM	261.28
	7/30/2009	196613	1,279.60		
				TEMP SRVCS-STARS	30.64
				TEMP SRVCS-ANML SRVCS	932.80
				TEMP SRVCS-ANML SRVCS	13.77
				TEMP SRVCS-ANML SRVCS	302.39
	Vendor Total		**3,372.42**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**3,372.42**		
RAMIREZ, RAFAEL & GIOBANY					
	7/23/2009	196485	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for RAMIREZ, RAFAEL & GIOBANY			**20.00**		
RANGEL, JUAN					
	7/30/2009	196614	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for RANGEL, JUAN			**20.00**		
RANGEL, PATRICIA					
	7/9/2009	196189	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for RANGEL, PATRICIA			**50.00**		
REDBOX AUTOMATED RETAIL, LLC					
	7/2/2009	196000	259.00		
				RFND-BUS. LIC. OVRPMT	259.00
	Vendor Total		**259.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**259.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
REDFLEX TRAFFIC SYSTEMS, INC.					
	7/2/2009	196001	12,420.00		
				MAY'09 RED LGHT PHOTO ENF PGM	12,420.00
	7/23/2009	196486	12,420.00		
				JUN'09 RED LIGHT PHOTO ENF PGM	12,420.00
	Vendor Total		**24,840.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**24,840.00**		
REFLEX CORP.					
	7/2/2009	196002	119.50		
				NET STOCK BOX BALANCE	119.50
	Vendor Total		**119.50**		
FYTD for REFLEX CORP.			**119.50**		
REVENUE EXPERTS, INC.					
	7/2/2009	196003	4,540.63		
				APR'09 CITATION PRCSNG>ANML SR	2,539.85
				MAY'09 CITATION PRCSNG>ANML SR	2,000.78
	7/9/2009	196190	6,639.05		
				MAR'09 CIT PRCSSNG-POLICE	2,724.95
				MAR'09 CIT PRCSSNG-POLICE	1,102.92
				APR'09 CIT PRCSSNG-POLICE	2,811.18
	7/16/2009	196344	5,789.15		
				MAY'09 CIT PRCSS>POLICE	5,585.90
				MAY'09 CIT PRCSSNG>POLICE	203.25
	7/23/2009	196487	2,435.03		
				APR'09 CITATION PROC-B&S DEPT	1,734.28
				APR'09 CITATION PROC-B&S DEPT	484.46
				MAY'09 CITATION PROC-B&S DEPT	216.29
	7/30/2009	196615	6,205.57		
				ADMIN CITATION PROCESSING	1,067.14
				ADMIN CITATION PROCESSING	1,664.72
				CITATION PROCESSING	2,486.00
				JUN'09 CIT PRCSNG-ANML SRVCS	456.86
				JUN'09 CIT PRCSNG-BLDG/SFTY	530.85
	Vendor Total		**25,609.43**		
FYTD for REVENUE EXPERTS, INC.			**25,609.43**		
REYES, JOSEPH J.					
	7/2/2009	196004	729.88		
				RFND-ADMIN CITATION/ANML SRVCS	503.88
				RFND-ADMIN CITATION/ANML SRVCS	226.00
	Vendor Total		**729.88**		
FYTD for REYES, JOSEPH J.			**729.88**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RINKS, TODD & CAROL				
7/9/2009	196191	95.00		
			DEP RFND-RABIES/SPAY/NEUTER	20.00
			DEP RFND-RABIES/SPAY/NEUTER	75.00
Vendor Total		**95.00**		
FYTD for RINKS, TODD & CAROL		**95.00**		
RISICA, NICOLE				
7/16/2009	196345	75.00		
			SPAY/NEUTER DEPOSIT REFUND	75.00
Vendor Total		**75.00**		
FYTD for RISICA, NICOLE		**75.00**		
RIV CO FLOOD CONTROL & WATER CONSERVATN				
7/2/2009	196005	4,000.00		
			SR-60/NASON ST INTERCHNG PROJ.	4,000.00
7/9/2009	196192	3,294.40		
			KITCHING ST IMPRV PRJ PLAN CK	159.89
			KITCHING ST IMPRV PRJ PLAN CK	3,134.51
7/23/2009	196488	640.09		
			MAY'09 KITCHING ST PLAN CK FEE	640.09
7/30/2009	196617	209.20		
			JUN'09 KITCHING ST PLAN CK FEE	209.20
Vendor Total		**8,143.69**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**8,143.69**		
RIVERSIDE AREA RAPE CRISIS CENTER				
7/30/2009	196618	1,398.31		
			CDBG EXP. REIMB.	673.51
			CDBG EXP. REIMB.	724.80
Vendor Total		**1,398.31**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER		**1,398.31**		
RIVERSIDE COUNTY CLERK				
7/30/2009	196619	2,057.00		
			FEES-CACTUS AVE IMPRVMNT PROJ	1,028.50
			FEES-CACTUS AVE IMPRVMNT PROJ	1,028.50
Vendor Total		**2,057.00**		
FYTD for RIVERSIDE COUNTY CLERK		**2,057.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY CLERK/RECORDER				
7/9/2009	196193	52.15		
			MAY'09 RECORDATION RQSTS	52.15
7/23/2009	196489	13.00		
			LIEN RLS>CASE #FW09-0189	13.00
7/23/2009	196490	52.15		
			JUN'09 RECORDATION REQUESTS	52.15
7/30/2009	196620	13.00		
			PROCESS LIEN RELEASE/FW09-0408	13.00
7/30/2009	196621	13.00		
			PROCESS LIEN RELEASE/FW09-0569	13.00
7/30/2009	196622	13.00		
			PROCESS LIEN RELEASE/FW09-0668	13.00
7/30/2009	196623	13.00		
			PROCESS LIEN RELEASE/FW09-0769	13.00
	Vendor Total	**169.30**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**169.30**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH				
7/2/2009	196006	50.00		
			MAY'09 RABIES EXAM	50.00
7/30/2009	196624	50.00		
			6/18/09 RABIES TESTING	50.00
	Vendor Total	**100.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**100.00**		
RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY				
7/9/2009	196194	500.00		
			BUS. FACILITIES MAG ADVERTISIN	500.00
	Vendor Total	**500.00**		
FYTD for RIVERSIDE COUNTY ECONOMIC DEV'T. AGENCY		**500.00**		
RIVERSIDE COUNTY HABITAT CONSERVATION				
7/9/2009	196195	103.75		
			K-RAT FEE>JUN'09	103.75
	Vendor Total	**103.75**		
FYTD for RIVERSIDE COUNTY HABITAT CONSERVATION		**103.75**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
7/2/2009	196007	379.98		
			JUN'09 RADIO LEASE/MAINT.	274.44
			JUN'09 VPN CONNECTION	105.54
7/9/2009	196196	1,785.84		
			MAY'09 RADIO SRVC FOR POLICE	1,785.84
7/16/2009	196346	1,785.84		
			JUN'09 RADIO MAINT>POLICE	1,785.84
	Vendor Total	**3,951.66**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**3,951.66**		
RIVERSIDE COUNTY SHERIFF				
7/16/2009	196347	3,882.78		
			MAY'09 BOOKING FEES	3,882.78
	Vendor Total	**3,882.78**		
FYTD for RIVERSIDE COUNTY SHERIFF		**5,852,406.50**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
7/2/2009	196008	438.00		
			SEP22-25/BICYCLE PATROL COURSE	219.00
			SEP22-25/BICYCLE PATROL COURSE	219.00
7/9/2009	196198	642.00		
			REGISTR-BICYCLE PATROL COURSE	219.00
			JAN25-FEB5, 2010-T.C. RECONSTR	423.00
	Vendor Total	**1,080.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**1,080.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
7/9/2009	196199	423.81		
			GARNISHMENT	423.81
7/23/2009	196491	216.55		
			GARNISHMENT	216.55
	Vendor Total	**640.36**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**640.36**		
RIVERSIDE COUNTY SHERIFF MV				
7/16/2009	196348	6,541.72		
			EXTRA DUTY>5/19- 5/31/09	5,478.12
			CK PT DISPATCH>6/5 & 6/13	1,063.60
	Vendor Total	**6,541.72**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**6,541.72**		

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RIVERSIDE COUNTY TREASURER - REFUNDS				
7/16/2009	196350	30.00		
			FALSE ALARM REFUND-DUP. PYMT	30.00
Vendor Total		**30.00**		
FYTD for RIVERSIDE COUNTY TREASURER - REFUNDS		**30.00**		
RIVERSIDE FIRE EQUIPMENT				
7/9/2009	196200	35.00		
			FIRE EXTING. MAINT-POLICE	35.00
Vendor Total		**35.00**		
FYTD for RIVERSIDE FIRE EQUIPMENT		**35.00**		
ROBERT'S FINE ARTS & FRAMING				
7/9/2009	196201	80.00		
			FRAMING OF PHOTOS	80.00
Vendor Total		**80.00**		
FYTD for ROBERT'S FINE ARTS & FRAMING		**80.00**		
RODGERS, CHARLENE				
7/30/2009	196626	57.00		
			REFUND-JUNIOR SPUDBALL REGIS	57.00
Vendor Total		**57.00**		
FYTD for RODGERS, CHARLENE		**57.00**		
RODRIGUEZ, AUTUMN EARLE				
7/16/2009	196352	100.00		
			7/4/09 JUDGING SRVC>MV IDOL	100.00
Vendor Total		**100.00**		
FYTD for RODRIGUEZ, AUTUMN EARLE		**100.00**		
ROGERS, EUGENE				
7/9/2009	196202	318.73		
			JUL'09 RET MED BNFT	318.73
Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE		**318.73**		
ROGERS, KIANNA				
7/16/2009	196353	150.70		
			MILEAGE REIMBURSEMENT	107.25
			MILEAGE REIMBURSEMENT	43.45
Vendor Total		**150.70**		
FYTD for ROGERS, KIANNA		**150.70**		

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ROSS, DAVID T.					
	7/9/2009	196203	318.73		
				JUL'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**318.73**		
ROSSON, LOUIS A.					
	7/9/2009	196204	318.73		
				JUL'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for ROSSON, LOUIS A.			**318.73**		
RUIZ, MIGUEL					
	7/16/2009	196354	1,705.22		
				REFUND PERMIT FEE-80%	1,334.14
				REFUND PERMIT FEE-80%	167.80
				REFUND PERMIT FEE-80%	94.40
				REFUND PERMIT FEE-80%	108.88
	Vendor Total		**1,705.22**		
FYTD for RUIZ, MIGUEL			**1,705.22**		
RUSSO, JOHN					
	7/9/2009	196205	318.73		
				JUL'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**318.73**		

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RYMAX ELECTRIC, INC.					
	7/2/2009	196009	1,539.90		
				APR'09 NIGHT SURVEY>E-1	125.00
				APR'09 NIGHT SURVEY>E-1	125.00
				APR'09 NIGHT SURVEY>E-1	125.00
				APR'09 NIGHT SURVEY>E-1	125.00
				MAY'09 NIGHT SURVEY>E-1	125.00
				MAY'09 NIGHT SURVEY>E-2	125.00
				MAY'09 NIGHT SURVEY>E-3	125.00
				MAY'09 NIGHT SURVEY>E-7	125.00
				APR'09 NIGHT SURVEY>ZN M	125.00
				MAY'09 NIGHT SURVEY>ZN M	125.00
				APR'09 LIGHTING MAINT>E-1	289.90
	7/16/2009	196355	2,205.52		
				PALM FLOOD LIGHT REPAIRS IN E7	294.58
				PALM FLOOD LIGHT REPAIRS IN E1	1,285.94
				JUN'09 LIGHTING MAINT-ZONE E-1	125.00
				JUN'09 LIGHTING MAINT-ZONE E-2	125.00
				JUN'09 LIGHTING MAINT-ZONE E-3	125.00
				JUN'09 LIGHTING MAINT-ZONE E-7	125.00
				JUN'09 LIGHTING MAINT-ZONE M	125.00
	7/30/2009	196628	309.74		
				JUNE REPAIRS FOR ZONE E1	79.90
				JUNE REPAIRS FOR ZONE E7	229.84
	Vendor Total		**4,055.16**		
FYTD for RYMAX ELECTRIC, INC.			**4,055.16**		
SA ASSOCIATES					
	7/9/2009	196206	12,900.00		
				PROF STAFFING SVCS-VARIOUS PRJ	12,900.00
	Vendor Total		**12,900.00**		
FYTD for SA ASSOCIATES			**12,900.00**		
SABINE & MORRISON					
	7/2/2009	196010	375.00		
				PROF. LGL SRVCS	375.00
	Vendor Total		**375.00**		
FYTD for SABINE & MORRISON			**375.00**		

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SABRE LIGHTING AND SIGNS					
	7/2/2009	196011	2,083.29		
				SIGNS>UTILITIES	419.00
				SIGNS>UTILITIES	30.00
				SIGNS>UTILITIES	800.00
				SIGNS>UTILITIES	325.00
				SIGNS>UTILITIES	250.00
					150.00
					109.29
	Vendor Total		**2,083.29**		
FYTD for SABRE LIGHTING AND SIGNS			**2,083.29**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP					
	7/23/2009	196493	128.70		
				FIRE EXTINGUISHER SVC/PARTS	68.70
				FIRE EXTINGUISHER SVC.	60.00
	Vendor Total		**128.70**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**128.70**		
SAN BERNARDINO CO. SHERIFF DEPT					
	7/9/2009	196207	550.00		
				POLYGRAPH SRVCS	550.00
	Vendor Total		**550.00**		
FYTD for SAN BERNARDINO CO. SHERIFF DEPT			**550.00**		
SAN BERNARDINO COUNTY SUPERINTENDENT					
	7/30/2009	196629	420.00		
				AFTERSCHOOL UNIV. 6/25-6/27/09	420.00
	Vendor Total		**420.00**		
FYTD for SAN BERNARDINO COUNTY SUPERINTENDENT			**420.00**		
SAT/HUMAN RESOURCES					
	7/2/2009	196012	665.86		
				WRKMNS COMP LGL SRVCS>6/17/09	665.86
	Vendor Total		**665.86**		
FYTD for SAT/HUMAN RESOURCES			**665.86**		
SC SIGNS					
	7/2/2009	196013	2,100.00		
				PUBLIC HEARING SIGNS	945.00
				PUBLIC HEARING SIGNS	1,155.00
	Vendor Total		**2,100.00**		
FYTD for SC SIGNS			**2,100.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SCAG/SOUTHERN CALIF ASSO OF GOVTS					
	7/2/2009	196014	15,222.00		
				FY09/10 MBRSHP DUES	15,222.00
	Vendor Total		**15,222.00**		
FYTD for SCAG/SOUTHERN CALIF ASSO OF GOVTS			**15,222.00**		
SECURITY LOCK & KEY					
	7/2/2009	196015	141.81		
				COMBO CHANGE/TRIP CHARGE	52.50
				DUPLICATE KEYS>PD	11.31
				NUSNC ABTMNT>14218 TOBY CT	78.00
	Vendor Total		**141.81**		
FYTD for SECURITY LOCK & KEY			**141.81**		
SENA, ANDRE					
	7/23/2009	196495	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SENA, ANDRE			**20.00**		
SEVER, CARRIE					
	7/23/2009	196496	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SEVER, CARRIE			**20.00**		
SEYLAZ, THOMAS					
	7/9/2009	196208	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SEYLAZ, THOMAS			**75.00**		
SHAH, JAGDISH					
	7/9/2009	196209	22,200.00		
				PROF STAFFING SVCS-VARIOUS PRJ	22,200.00
	Vendor Total		**22,200.00**		
FYTD for SHAH, JAGDISH			**22,200.00**		
SHARRETT, SHARON K.					
	7/9/2009	196210	179.16		
				JUL'09 RET MED BNFT	179.16
	Vendor Total		**179.16**		
FYTD for SHARRETT, SHARON K.			**179.16**		

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SHELDON, STUART H.					
	7/9/2009	196211	318.73		
				JUL'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**318.73**		
SHELL OIL CO.					
	7/16/2009	196356	359.33		
				FUEL PURCHASE	20.00
				FUEL PURCHASES	339.33
	7/23/2009	196497	279.59		
				FUEL PURCHASE	14.54
				FUEL PURCHASE	23.62
				FUEL PURCHASES	241.43
	Vendor Total		**638.92**		
FYTD for SHELL OIL CO.			**638.92**		
SIMPSON, LOUIS					
	7/23/2009	196498	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SIMPSON, LOUIS			**50.00**		
SINGER & COFFIN, APC					
	7/16/2009	196357	1,850.25		
				LEGAL SVCS-SR60/NASON INTERCHG	1,572.95
				LEGAL SVCS-SR60/NASON INTERCHG	277.30
	7/30/2009	196630	6,725.00		
				LEGAL SVCS RE: SR60/NASON ST.	6,725.00
	Vendor Total		**8,575.25**		
FYTD for SINGER & COFFIN, APC			**8,575.25**		
SINGLETON-DECUIR, JANISHEIA					
	7/16/2009	196358	54.45		
				MILEAGE REIMBURSEMENT	54.45
	Vendor Total		**54.45**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**54.45**		
SKILES, VICTORA					
	7/9/2009	196212	124.80		
				RFND PICNIC SHLTR DEP	124.80
	Vendor Total		**124.80**		
FYTD for SKILES, VICTORA			**124.80**		

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SKONBERG, HEATHER ALLISON					
	7/2/2009	196016	1,800.00		
				CNSLTNG SRVCS>6/17/09	1,800.00
	Vendor Total		**1,800.00**		
FYTD for SKONBERG, HEATHER ALLISON			**1,800.00**		
SKY TRAILS MOBILE VILLAGE					
	7/2/2009	196017	18.63		
				RFND UT USER TAXES-EXMPT RESID	18.63
	Vendor Total		**18.63**		
FYTD for SKY TRAILS MOBILE VILLAGE			**18.63**		
SKYTERRA, LP					
	7/9/2009	196213	37.38		
				EMERG. OP. PHONES	37.38
	Vendor Total		**37.38**		
FYTD for SKYTERRA, LP			**37.38**		
SLAGERMAN, SUSAN A.					
	7/9/2009	196214	318.73		
				JUN'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**318.73**		
SLONIKER, VANESSA					
	7/30/2009	196631	147.00		
				PER DIEM-THREAT MGMT CONF.	147.00
	Vendor Total		**147.00**		
FYTD for SLONIKER, VANESSA			**147.00**		
SMITH, RITA					
	7/2/2009	196018	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SMITH, RITA			**50.00**		
SO. CALIF SCHOOL OF MUSIC					
	7/9/2009	196215	918.00		
				PIANO-16 PARTICIPANTS	432.00
				PIANO-8 PARTICIPANTS	216.00
				PIANO-10 PARTICIPANTS	270.00
	Vendor Total		**918.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**918.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOLAR INTEGRATED TECHNOLOGIES, INC.					
	7/30/2009	196632	7,891.87		
				ROOF RPRS-FS #48	7,891.87
	Vendor Total		**7,891.87**		
FYTD for SOLAR INTEGRATED TECHNOLOGIES, INC.			**7,891.87**		
SOLARES, ARNULFO					
	7/2/2009	196019	1,528.00		
				RFND-ADMIN CITATION/ANML SRVCS	1,528.00
	Vendor Total		**1,528.00**		
FYTD for SOLARES, ARNULFO			**1,528.00**		
SOSA, JORGE					
	7/9/2009	196216	375.00		
				KOBUDO-3 PARTICIPANTS	63.00
				NINPO-1 PARTICIPANT	24.00
				KARATEDO-8 PARTICIPANTS	288.00
	Vendor Total		**375.00**		
FYTD for SOSA, JORGE			**375.00**		
SOUTH COAST AIR QUALITY MGMT DISTRICT					
	7/9/2009	196217	195.69		
				EMISSIONS FEES>LAST FY	109.00
				ANNUAL OPERATING FEES	86.69
	7/23/2009	196499	402.21		
				FLAT FEE FOR EMISS.-CITY HALL	109.00
				ANNUAL OPERATING FEE	293.21
	Vendor Total		**597.90**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT			**597.90**		

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SOUTHERN CALIFORNIA EDISON					
	7/2/2009	196020	3,436.36		
				ELECTRICITY CHARGES	40.96
				ELECTRICITY CHARGES	1,156.84
				ELECTRICITY CHARGES	438.69
				ELECTRICITY CHARGES	319.99
				ELECTRICITY CHARGES	744.04
				ELECTRICITY CHARGES	295.03
				ELECTRICITY CHARGES	251.25
				ELECTRICITY CHARGES	80.02
				ELECTRICITY CHARGES	70.94
				ELECTRICITY CHARGES	38.60
	7/2/2009	196021	3,811.46		
				IFA CHARGES>6/1/09	274.78
				IFA CHARGES-SUBSTATION	3,536.68
	7/9/2009	196218	4,043.40		
				ELECTRICITY CHARGES	60.64
				ELECTRICITY CHARGES	99.49
				ELECTRICITY CHARGES	18.56
				ELECTRICITY CHARGES	1,231.96
				ELECTRICITY CHARGES	166.15
				ELECTRICITY CHARGES	867.28
				ELECTRICITY CHARGES	371.40
				ELECTRICITY CHARGES	20.01
				ELECTRICITY CHARGES	886.03
				ELECTRICITY CHARGES	127.78
				ELECTRICITY CHARGES	138.25
				ELECTRICITY CHARGES	55.85
	7/16/2009	196359	15,640.18		
				IFA CHRGS-SUBSTATION	14,146.73
				IFA CHRGS	1,099.13
				ELECTRICITY CHARGES	394.32
	7/30/2009	196635	4,635.14		
				ELECTRICITY CHARGES	39.04
				ELECTRICITY CHARGES	1,483.56
				ELECTRICITY CHARGES	473.62
				ELECTRICITY CHARGES	196.33
				ELECTRICITY CHARGES	445.93
				ELECTRICITY CHARGES	1,324.05
				ELECTRICITY CHARGES	268.98
				ELECTRICITY CHARGES	246.72
				ELECTRICITY CHARGES	83.10
				ELECTRICITY CHARGES	73.81
	Vendor Total		**31,566.54**		
FYTD for SOUTHERN CALIFORNIA EDISON			**2,257,119.57**		

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SOUTHERN CALIFORNIA GAS CO.					
	7/16/2009	196361	3,509.52		
				GAS CHARGES	795.62
				GAS CHARGES	1,543.54
				GAS CHARGES	9.53
				GAS CHARGES	23.05
				GAS CHARGES	409.95
				GAS CHARGES	64.26
				GAS CHARGES	14.03
				GAS CHARGES	184.39
				GAS CHARGES	67.11
				GAS CHARGES	100.90
				GAS CHARGES	48.15
				GAS CHARGES	92.97
				GAS CHARGES	51.05
				GAS CHARGES	86.92
				GAS CHARGES	18.05
	Vendor Total		**3,509.52**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**3,509.52**		
SOUTHWEST HEALTHCARE SYSTEM					
	7/30/2009	196636	900.00		
				FORENSIC RAPE EXAM-5/3/09	900.00
	Vendor Total		**900.00**		
FYTD for SOUTHWEST HEALTHCARE SYSTEM			**900.00**		
SPARKLETTS					
	7/2/2009	196022	11.90		
				WTR SRVC>5/21/09 SNNYMD ELEM	0.88
				WTR SRVC>5/21/09 SNNYMD ELEM	11.02
	Vendor Total		**11.90**		
FYTD for SPARKLETTS			**11.90**		
SPECK, GARY B.					
	7/9/2009	196219	318.73		
				JUL'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**318.73**		
SPENCER, MARTHA					
	7/9/2009	196220	240.44		
				JUL'09 RET MED BNFT	240.44
	Vendor Total		**240.44**		
FYTD for SPENCER, MARTHA			**240.44**		

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SPORTS INNOVATORS					
	7/2/2009	196023	2,270.00		
				SPORTS OFFICIALS SVCS 6/1>6/28	1,077.50
				SPORTS OFFICIALS SVCS 6/1>6/28	832.50
				FIELD PREP. SVCS 6/1>6/28/09	360.00
	7/30/2009	196637	75.00		
				6/29 SOFTBALL OFFICIALS SVCS	75.00
	Vendor Total		**2,345.00**		
FYTD for SPORTS INNOVATORS			**2,345.00**		
SPRINT/NEXTEL					
	7/16/2009	196362	82.76		
				GTF PH CHRGS>6/16/09	82.76
	Vendor Total		**82.76**		
FYTD for SPRINT/NEXTEL			**82.76**		
STANDARD INSURANCE CO					
	7/9/2009	196221	1,589.45		
				SUPPLEMENTAL INSURANCE	1,589.45
	Vendor Total		**1,589.45**		
FYTD for STANDARD INSURANCE CO			**31,768.98**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC					
	7/23/2009	196502	161.12		
				SECURITY SYSTEMS AT PARKS	161.12
	7/30/2009	196638	1,348.00		
				RPLCD PWR SUPPLY-CRC	1,348.00
	Vendor Total		**1,509.12**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**1,509.12**		
STATE BOARD OF EQUALIZATION					
	7/29/2009	200906	11,014.00		
				SALES & USE TAX	11,014.00
	Vendor Total		**11,014.00**		
FYTD for STATE BOARD OF EQUALIZATION			**11,014.00**		
STATE CONTROLLER'S OFFICE					
	7/9/2009	196222	2,500.00		
				ANNUAL STREET RPRT FY07/08	2,500.00
	Vendor Total		**2,500.00**		
FYTD for STATE CONTROLLER'S OFFICE			**2,500.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE DISBURSEMENT UNIT					
	7/23/2009	2447	2,294.98		
				CHILD SUPPORT W/H 07/23/09	2,294.98
	7/9/2009	2438	2,174.96		
				CHILD SUPPORT W/H 07/09/09	2,174.96
	Vendor Total		**4,469.94**		
FYTD for STATE DISBURSEMENT UNIT			**4,469.94**		
STATE OF CALIF/DEPT OF INDUSTRIAL					
	7/30/2009	196639	105.00		
				INSPECT ELEVATOR AT CITY HALL	105.00
	Vendor Total		**105.00**		
FYTD for STATE OF CALIF/DEPT OF INDUSTRIAL			**105.00**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF					
	7/9/2009	196223	125.00		
				MBR: LORENZ R GONZALES	125.00
	Vendor Total		**125.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF			**125.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE					
	7/9/2009	196224	576.00		
				MAY'09 FINGERPRINTING>B/L	224.00
				MAY'09 FINGERPRINTING>HR	192.00
				MAY'09 FINGERPRINTING>EMRG OP	160.00
	7/30/2009	196640	7,480.00		
				FINGERPRINTING SVCS-MAY'09	3,109.00
				FINGERPRINTNG SVCS-MAR'09/ADDL	192.00
				FINGERPRINTNG SVCS-JUNE'09	2,884.00
				MAY'09 BLD ALCHL ANLYS	1,295.00
	Vendor Total		**8,056.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE			**8,056.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV					
	7/9/2009	196225	332.83		
				MVU RFND>17395 KENTUCKY DERBY	44.06
				MVU RFND>27715 E TRAILRIDGE WY	288.77
	Vendor Total		**332.83**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			**332.83**		
STEER N STEIN OF MORENO VALLEY					
	7/23/2009	196503	120.00		
				RFND>FALSE ALARM OVRPMT	120.00
	Vendor Total		**120.00**		
FYTD for STEER N STEIN OF MORENO VALLEY			**120.00**		

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STEIN, BRAD					
	7/16/2009	196364	132.55		
				MILEAGE REIMBURSEMENT	87.45
				MILEAGE REIMBURSEMENT	45.10
	Vendor Total		**132.55**		
FYTD for STEIN, BRAD			**132.55**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN					
	7/16/2009	196365	3,638.72		
				JUN'09 DICTATION/TRANSCR. SVC	3,638.72
	Vendor Total		**3,638.72**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN			**3,638.72**		
STERICYCLE (BFI)					
	7/30/2009	196641	442.43		
				MEDICAL WASTE HAULING-JULY'09	442.43
	Vendor Total		**442.43**		
FYTD for STERICYCLE (BFI)			**442.43**		
STEVENS, JASON					
	7/30/2009	196643	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for STEVENS, JASON			**20.00**		
STEVE'S LANDSCAPING & WEED ABATEMENT					
	7/16/2009	196366	2,887.00		
				NSNCE ABTMNT: 12082 CHAMPLAIN	239.00
				NSNCE ABTMNT: 13725 SYLMAR ST.	104.00
				NSNC ABTMT: 16070 RNCHODELLAGO	258.00
				NSNCE ABTMNT: 13536 ROCK CREST	1,040.00
				NSNCE ABTMT: 14230 VINCENTE DR	236.00
				NSNCE ABTMT: 14458 RIO BRAVO	181.00
				NSNCE ABTMT: 25660 LILY CT.	236.00
				NSNCE ABTMT:11565 STEEPLECHASE	593.00
	7/23/2009	196504	859.00		
				NSNCE ABTMNT-11247 LASSELLE ST	238.00
				NSNCE ABTMNT-13920 WALNUT CT.	237.00
				NSNCE ABTMNT-15595 GRANADA DR.	384.00
	7/30/2009	196642	1,372.00		
				NSNC ABTMNT-25328 JUANITA	450.00
				NSNC ABTMNT-16716 WAR CLOUD	237.00
				NSNC ABTMNT-15761 PATRICIA ST	298.00
				NSNC ABTMNT-15783 PATRICIA ST	387.00
	Vendor Total		**5,118.00**		
FYTD for STEVE'S LANDSCAPING & WEED ABATEMENT			**5,118.00**		

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STEWART TITLE OF CALIFORNIA					
	7/16/2009	196367	450.00		
				TITLE RPT/APN 296-060-005	450.00
	Vendor Total		**450.00**		
FYTD for STEWART TITLE OF CALIFORNIA			**450.00**		
STEWART, CLIFFORD					
	7/9/2009	196226	248.11		
				JUL'09 RET MED BNFT	248.11
	Vendor Total		**248.11**		
FYTD for STEWART, CLIFFORD			**248.11**		
STOP THE VIOLENCE FOUNDATION					
	7/2/2009	196024	244.85		
				DEP RFND-6/17 @C&RC	244.85
	Vendor Total		**244.85**		
FYTD for STOP THE VIOLENCE FOUNDATION			**244.85**		
STRADLING, YOCCA, CARLSON & RAUTH					
	7/16/2009	196368	9,263.09		
				MAY'09 LGL SVC>FAMILY SVC ASSC	201.00
				MAY'09 LGL SVCS>OAKWOOD HSG	325.00
				MAY'09 LGL SVCS>PERRIS ISLE	1,300.00
				MAY'09 LGL SVCS>RANCHO DORADO	6,481.04
				PROF SRVCS>SPCL TAX	57.00
				MAY'09 LGL SRVC>RNCH DORADO	899.05
	Vendor Total		**9,263.09**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**9,263.09**		
STRICKLER II, JOHN W.					
	7/9/2009	196227	318.73		
				JUL'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**318.73**		
STUCKEY, HARRIETTE					
	7/2/2009	196025	184.80		
				LINE DNCNG-2 PARTICIPANTS	33.60
				LINE DNCNG-8 PARTICIPANTS	151.20
	Vendor Total		**184.80**		
FYTD for STUCKEY, HARRIETTE			**184.80**		

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SUKUT CONSTRUCTION, INC.					
	7/9/2009	90708	7,599.08		
				RETENTION PYMT- PROJ06-41570324	7,599.08
	Vendor Total		**7,599.08**		
FYTD for SUKUT CONSTRUCTION, INC.			**419,040.77**		
SUNNYMEAD ACE HARDWARE					
	7/9/2009	196228	152.69		
				MISC. HARDWARE-FIRE	27.99
				MISC. HARDWARE-FIRE	17.74
				MISC. HARDWARE-FIRE	7.78
				MISC. HARDWARE-POLICE	15.21
				MISC. HARDWARE-POLICE	48.67
				MISC. HARDWARE-POLICE	9.23
				MISC. HARDWARE-POLICE	26.07
	7/16/2009	196369	44.91		
				MISC. HARDWARE SUPPLIES-PD	13.00
				MISC. HARDWARE SUPPLIES-PD	15.95
				MISC. HARDWARE SUPPLIES-PD	15.96
	Vendor Total		**197.60**		
FYTD for SUNNYMEAD ACE HARDWARE			**197.60**		
SYMPRO, INC.					
	7/23/2009	196505	5,985.00		
				FIRM LICENSE	5,985.00
	Vendor Total		**5,985.00**		
FYTD for SYMPRO, INC.			**5,985.00**		
TAHER, ROBERT					
	7/9/2009	196229	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for TAHER, ROBERT			**75.00**		
TEK TIME SYSTEMS, LLC					
	7/23/2009	196506	225.78		
				TIME CLOCK REPAIR	225.78
	Vendor Total		**225.78**		
FYTD for TEK TIME SYSTEMS, LLC			**225.78**		
THE CORNERSTONE GROUP					
	7/23/2009	196507	10.47		
				RFND-BUS. LIC. OVRPMT	10.47
	Vendor Total		**10.47**		
FYTD for THE CORNERSTONE GROUP			**10.47**		

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THE ROTARY CLUB OF MORENO VALLEY				
7/9/2009	196230	482.00		
			DEP RFND-6/19 @CRC	482.00
Vendor Total		**482.00**		
FYTD for THE ROTARY CLUB OF MORENO VALLEY		**482.00**		
THERMAL-COOL INC.				
7/9/2009	196231	358.80		
			PUPPY COOLER REPAIR/RECHARGE	358.80
7/23/2009	196508	2,052.61		
			HVAC REPAIRS-CITY HALL	1,687.44
			A/C UNIT#2 REPAIRS-CITY HALL	127.50
			EMERG REPAIR>SR CTR	105.00
			RECALIB. THERM.	132.67
Vendor Total		**2,411.41**		
FYTD for THERMAL-COOL INC.		**2,411.41**		
TORRES, AMY				
7/9/2009	196232	750.00		
			DEP RFND>6/27 @CRC	750.00
Vendor Total		**750.00**		
FYTD for TORRES, AMY		**750.00**		
TRI-CITY LINEN SUPPLY, INC.				
7/2/2009	196028	25.00		
			LINEN RENTAL FOR CONF/RECR CTR	25.00
7/9/2009	196233	25.00		
			LINEN RENTAL FOR CONF/RECR CTR	25.00
7/30/2009	196645	71.85		
			LINEN RENTAL-7/18/09	71.85
Vendor Total		**121.85**		
FYTD for TRI-CITY LINEN SUPPLY, INC.		**121.85**		
TROPICAL PLAZA NURSERY, INC.				
7/9/2009	196234	15,782.99		
			JUN'09 LANDSC. MAINT./E-2	13,422.58
			JUN'09 LANDSC. MAINT./E-16	2,195.49
			JUN'09 IRRIGATION REPAIRS/E-2	164.92
Vendor Total		**15,782.99**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**15,782.99**		
TUNTLAND, JAMES				
7/9/2009	196235	248.11		
			JUL'09 RET MED BNFT	248.11
Vendor Total		**248.11**		
FYTD for TUNTLAND, JAMES		**248.11**		

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TWIN GRAPHICS					
	7/9/2009	196236	2,472.98		
				VEH. GRAPHICS FOR PATROL UNITS	371.41
				VEH. GRAPHICS FOR PATROL UNITS	865.08
				VEH. GRAPHICS FOR PATROL UNITS	1,236.49
	7/16/2009	196371	824.33		
				VEH. GRAPHICS FOR PATROL UNITS	824.33
	Vendor Total		**3,297.31**		
FYTD for TWIN GRAPHICS			**3,297.31**		
U.S. HEALTHWORKS MEDICAL GROUP					
	7/9/2009	196237	183.00		
				DOT/DMV EXAM FOR D. SRENA	37.00
				BASIC PHYSICAL EXAM - H. BOWIE	33.00
				PRE-EMPLYMNT & DOT/DMV EXAMS	113.00
	7/30/2009	196647	96.00		
				PRE-PLACEMENT D/S & PHYSICALS	59.00
				DOT/DMV EXAM CASE#130-042189	37.00
	Vendor Total		**279.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**279.00**		
U.S. POSTAL SERVICE					
	7/30/2009	196648	8,000.00		
				RECREATION GUIDE MAILING	4,000.00
				RECREATION GUIDE MAILING	4,000.00
	Vendor Total		**8,000.00**		
FYTD for U.S. POSTAL SERVICE			**8,000.00**		
UBALDO SERRANO					
	7/23/2009	196509	115.86		
				RFND-BUS. LIC. OVRPMT	115.86
	Vendor Total		**115.86**		
FYTD for UBALDO SERRANO			**115.86**		

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UNDERGROUND SERVICE ALERT				
7/9/2009	196238	744.00		
			MAY'09 DIGALERT TICKETS	186.00
			MAY'09 DIGALERT TICKETS	186.00
			MAY'09 DIGALERT TICKETS	186.00
			MAY'09 DIGALERT TICKETS	186.00
7/16/2009	196372	678.00		
			JUNE'09 DIGALERT TICKETS	105.49
			JUNE'09 DIGALERT TICKETS	64.01
			JUNE'09 DIGALERT TICKETS	105.51
			JUNE'09 DIGALERT TICKETS	63.99
			JUNE'09 DIGALERT TICKETS	105.51
			JUNE'09 DIGALERT TICKETS	63.99
			JUNE'09 DIGALERT TICKETS	105.49
			JUNE'09 DIGALERT TICKETS	64.01
Vendor Total		**1,422.00**		
FYTD for UNDERGROUND SERVICE ALERT		**1,422.00**		
UNION BANK OF CALIFORNIA				
7/2/2009	196029	424.00		
			MAY'09 INVSTMNT SAFEKEEP SVCS	424.00
7/23/2009	196510	632.00		
			JUN'09 INVSTMNT SAFEKEEP SVCS	632.00
Vendor Total		**1,056.00**		
FYTD for UNION BANK OF CALIFORNIA		**52,218.16**		
UNITED POWER GENERATION, INC.				
7/16/2009	196373	775.05		
			EMERG GENERATOR REPAIR-FS #48	775.05
Vendor Total		**775.05**		
FYTD for UNITED POWER GENERATION, INC.		**775.05**		
UNITED SITE SERVICES OF CA, INC.				
7/9/2009	196239	204.94		
			FENCE RENTAL @ SHELTER >6/17	107.39
			PORTABLE TOILET SVC-CITY YARD	97.55
7/16/2009	196374	77.33		
			PORTABLE TOILET-GOLF COURSE	27.50
			PORTABLE TOILET-GOLF COURSE	49.83
7/30/2009	196649	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
Vendor Total		**389.66**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**389.66**		

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UNITED WAY OF INLAND VALLEYS					
	7/9/2009	196240	978.61		
				U W CONTRIBUTIONS	978.61
	7/23/2009	196511	913.61		
				U W CONTRIBUTIONS	913.61
	Vendor Total		**1,892.22**		
FYTD for UNITED WAY OF INLAND VALLEYS			**1,892.22**		
URBAN CROSSROADS, INC.					
	7/30/2009	196650	1,785.00		
				TRAFFIC MODEL UPDATE ENG. SVCS	1,785.00
	Vendor Total		**1,785.00**		
FYTD for URBAN CROSSROADS, INC.			**1,785.00**		
URIGUIZU, CESAR					
	7/23/2009	196512	800.00		
				CITATION REFUND	400.00
				CITATION REFUND	400.00
	Vendor Total		**800.00**		
FYTD for URIGUIZU, CESAR			**800.00**		
UTAH PACIFIC CONSTRUCTION					
	7/2/2009	196030	1,500.00		
				RELEASE OF DEPOSIT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for UTAH PACIFIC CONSTRUCTION			**1,500.00**		
VA CONSULTING, INC.					
	7/23/2009	196513	7,864.18		
				AUTO MALL IMPRV PROJ SVCS.	7,864.18
	Vendor Total		**7,864.18**		
FYTD for VA CONSULTING, INC.			**43,445.13**		

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VACATE PEST ELIMINATION COMPANY				
7/9/2009	196241	420.00		
			PEST CONTROL SVCS-CITY YARD	115.00
			PEST CONTROL SVCS-CONF/REC CTR	305.00
7/16/2009	196375	1,130.00		
			JUN'09 PEST CTRL-28020 BAY AVE	45.00
			JUN'09 PEST CTRL-CITY HALL	75.00
			JUN'09 PEST CTRL-FS #2	45.00
			JUN'09 PEST CTRL-FS #6	45.00
			JUN'09 PEST CTRL-FS #48	45.00
			JUN'09 PEST CTRL-FS #65	45.00
			JUN'09 PEST CTRL-FS #91	45.00
			JUN'09 PEST CTRL-FS #58	45.00
			JUN'09 PEST CTRL-PRO SHOP	22.50
			JUN'09 PEST CTRL-MVTV ANNEX	22.50
			JUN'09 PEST CTRL-TOWN GATE C/C	45.00
			JUN'09 PEST CTRL-LIBRARY	55.00
			JUN'09 PEST CTRL-SENIOR CTR	55.00
			JUN'09 PEST CTRL-ANIMAL SHELTR	115.00
			JUN'09 PEST CTRL-ANNEX BLDG #1	55.00
			JUN'09 PEST CTRL-MARCH HOBBY	45.00
			JUN'09 PEST CTRL-MARCH FLD PRK	45.00
			JUN'09 PEST CTRL-CITY YARD	30.00
			JUN'09 PEST CTRL-CITY YARD	85.00
			JUN'09 PEST CTRL-TRANS TRAILER	45.00
			JUN'09 PEST CTRL-ASES @ MARCH	45.00
			JUN'09 PEST CTRL-P.S.B.	75.00
	Vendor Total	**1,550.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**1,550.00**		
VAL VERDE UNIFIED SCHOOL DISTRICT				
7/2/2009	196031	290.00		
			RFND PBLC FUNDS-MARCH MDL SCH	290.00
7/16/2009	196376	390.07		
			RAINBOW RIDGE POWER LINE	390.07
7/23/2009	196525	1,300.00		
			4TH OF JULY XL T-SHIRTS	1,300.00
			4TH OF JULY XL T-SHIRTS	113.75
			4TH OF JULY XL T-SHIRTS	-113.75
	Vendor Total	**1,980.07**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT		**1,980.07**		

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VALI COOPER & ASSOCIATES, INC.				
7/16/2009	196377	19,763.75		
			PROF STAFFING SVCS-VARIOUS PRJ	19,763.75
7/30/2009	196652	20,397.50		
			PROF STAFFING SVCS-VARIOUS PRJ	20,397.50
	Vendor Total	**40,161.25**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**40,161.25**		
VALLEJO, OFELIA				
7/16/2009	196378	253.30		
			REFUND-CHILDS PLACE PGRM	253.30
	Vendor Total	**253.30**		
FYTD for VALLEJO, OFELIA		**253.30**		
VANDER HAWK CONSULTING, LLC				
7/30/2009	196653	5,625.00		
			ANNL PAVEMENT MGMT PRGM SVCS.	1,600.00
			ANNL PAVEMENT MGMT UPDATE SVCS	4,025.00
	Vendor Total	**5,625.00**		
FYTD for VANDER HAWK CONSULTING, LLC		**5,625.00**		
VAS ASSOCIATES, INC.				
7/9/2009	196242	21,875.00		
			PROF STAFFING SVCS-VARIOUS PRJ	21,875.00
	Vendor Total	**21,875.00**		
FYTD for VAS ASSOCIATES, INC.		**21,875.00**		
VAUGHAN, CODY M.				
7/2/2009	196032	1,404.00		
			RFND-ADMIN CITATION/ANML SRVCS	1,404.00
	Vendor Total	**1,404.00**		
FYTD for VAUGHAN, CODY M.		**1,404.00**		
VEHICLE REGISTRATION COLLECTIONS				
7/9/2009	196243	157.00		
			W/H ORDER>T. PLUMMER	157.00
	Vendor Total	**157.00**		
FYTD for VEHICLE REGISTRATION COLLECTIONS		**157.00**		
VERIZON				
7/23/2009	196515	1,620.59		
			BACKBONE CHRGS	1,620.59
	Vendor Total	**1,620.59**		
FYTD for VERIZON		**1,620.59**		

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VERIZON CALIFORNIA					
	7/2/2009	196033	70.03		
				PH CHRGS-SR CTR	70.03
	7/16/2009	196380	8,652.58		
				TELEPHONE CHARGES	159.51
				TELEPHONE CHARGES	201.85
				TELEPHONE CHARGES	160.94
				TELEPHONE CHARGES	522.21
				TELEPHONE CHARGES	219.27
				TELEPHONE CHARGES	211.65
				TELEPHONE CHARGES	217.12
				TELEPHONE CHARGES	185.29
				TELEPHONE CHARGES	68.41
				TELEPHONE CHARGES	218.31
				TELEPHONE CHARGES	143.88
				TELEPHONE CHARGES	335.83
				TELEPHONE CHARGES	114.58
				TELEPHONE CHARGES	431.92
				TELEPHONE CHARGES	326.45
				TELEPHONE CHARGES	123.84
				TELEPHONE CHARGES	70.06
				TELEPHONE CHARGES	287.51
				TELEPHONE CHARGES	21.30
				TELEPHONE CHARGES	136.89
				TELEPHONE CHARGES	279.40
				TELEPHONE CHARGES	11.23
				TELEPHONE CHARGES	11.23
				TELEPHONE CHARGES	45.34
				TELEPHONE CHARGES	27.64
				TELEPHONE CHARGES	52.31
				TELEPHONE CHARGES	22.67
				TELEPHONE CHARGES	22.67
				TELEPHONE CHARGES	22.67
				TELEPHONE CHARGES	150.41
				TELEPHONE CHARGES	79.13
				TELEPHONE CHARGES	41.02
				TELEPHONE CHARGES	64.22
				TELEPHONE CHARGES	145.45
				TELEPHONE CHARGES	56.46
				TELEPHONE CHARGES	22.07
				TELEPHONE CHARGES	78.62
				TELEPHONE CHARGES	3,358.10
				TELEPHONE CHARGES	5.12
	7/23/2009	196516	292.90		
				PH CHRGS>CITY YARD	75.42
				PH CHRGS>CRC	70.03
				PH CHRGS>CITY HALL	75.42
				PH CHRGS>GOLF CRS	72.03
	7/30/2009	196654	410.73		
				PHONE EXP-PD MALL/CLOSING BILL	270.37
				PH CHRGS-SR CNTR	70.18
				PH CHRGS-ANML SHLTR	70.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	9,426.24		
FYTD for VERIZON CALIFORNIA		9,426.24		
VICTOR MEDICAL CO				
7/30/2009	196655	2,525.56		
			ANIMAL MEDICAL SUPPLIES	1,432.62
			ANIMAL MEDICAL SUPPLIES	1,092.94
	Vendor Total	2,525.56		
FYTD for VICTOR MEDICAL CO		2,525.56		
VIGIL, ERNEST				
7/9/2009	196244	318.73		
			JUL'09 RET MED BNFT	318.73
	Vendor Total	318.73		
FYTD for VIGIL, ERNEST		318.73		
VILLAGE NURSERIES WHOLESALE, LLC				
7/9/2009	196245	384.16		
			PLANTS/TREES FOR PARKS DIV.	384.16
	Vendor Total	384.16		
FYTD for VILLAGE NURSERIES WHOLESALE, LLC		384.16		
VILLANUEVA, MICHAEL				
7/16/2009	196381	75.00		
			SPAY/NEUTER DEPOSIT REFUND	75.00
	Vendor Total	75.00		
FYTD for VILLANUEVA, MICHAEL		75.00		
VIP HOME CARE, LLC				
7/16/2009	196382	30.00		
			REFUND FALSE ALARM PYMT.	30.00
	Vendor Total	30.00		
FYTD for VIP HOME CARE, LLC		30.00		
VISION SERVICE PLAN				
7/9/2009	196246	4,424.37		
			EMPLOYEE VISION INSURANCE	4,424.37
	Vendor Total	4,424.37		
FYTD for VISION SERVICE PLAN		4,424.37		

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VISTA PAINT CORPORATION					
	7/9/2009	196247	823.78		
				GRAFFITI RMVL PAINT & SUPPLIES	324.58
				GRAFFITI RMVL PAINT & SUPPLIES	499.20
	Vendor Total		**823.78**		
FYTD for VISTA PAINT CORPORATION			**823.78**		
VOYAGER FLEET SYSTEM, INC.					
	7/16/2009	196383	1,347.73		
				CNG FUEL	1,347.73
	Vendor Total		**1,347.73**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**1,347.73**		
VULCAN MATERIALS CO, INC.					
	7/30/2009	196656	9,644.91		
				ASPHALTIC CONCRETE & EMULSION	196.19
				ASPHALTIC CONCRETE & EMULSION	195.54
				ASPHALTIC CONCRETE & EMULSION	9,253.18
	Vendor Total		**9,644.91**		
FYTD for VULCAN MATERIALS CO, INC.			**36,098.98**		
WAGGONER JR., GLENN C.					
	7/9/2009	196248	318.73		
				JUL'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**318.73**		
WAGNER, GARY D.					
	7/9/2009	196249	318.73		
				JUL'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**318.73**		
WAGONER, ROBERT					
	7/9/2009	196250	332.00		
				JUL'09 RET MED BNFT	166.00
				JUN'09 RET MED BNFT	166.00
	Vendor Total		**332.00**		
FYTD for WAGONER, ROBERT			**332.00**		
WAGY, CARYLON					
	7/16/2009	196385	318.73		
				JUN'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**318.73**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	7/9/2009	196251	70.04		
				ROLL-OFF BIN RENTAL-JUN'09	70.04
	7/23/2009	196517	485.92		
				TRASH SRVC>13942 DAY	361.83
				TRASH SRVC>22105 SHERMAN	124.09
	7/30/2009	196657	50.65		
				STORAGE BOX RENTAL/REMOVAL	50.65
	Vendor Total		**606.61**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**606.61**		
WEISS, TERESA ROSE					
	7/7/2009	196042	500.00		
				IDOL CONTEST WINNER/10-13 CAT.	500.00
	Vendor Total		**500.00**		
FYTD for WEISS, TERESA ROSE			**500.00**		
WELLS FARGO BANK					
	7/30/2009	196658	2,000.00		
				'05 LRB ANNUAL TRUSTEE FEE	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**2,000.00**		
WELLS FARGO CORPORATE TRUST					
	7/1/2009	90701	1,377.23		
				INT VAR RATE BOND 07/01/09	1,377.23
	Vendor Total		**1,377.23**		
FYTD for WELLS FARGO CORPORATE TRUST			**1,150,185.68**		
WEST GROUP					
	7/16/2009	196386	819.30		
				LEGAL PUBLICATIONS	635.18
				JUNE'09 ON-LINE SERVICE	184.12
	Vendor Total		**819.30**		
FYTD for WEST GROUP			**819.30**		
WESTERN EMULSIONS, INC.					
	7/16/2009	196387	6,058.95		
				SS-1H OIL FOR RECYCLING PROJ.	5,931.45
				SS-1H OIL FOR RECYCLING PROJ.	127.50
	7/30/2009	196659	9,636.04		
				SS1H OIL FOR RECYCLING PROJS.	9,636.04
	Vendor Total		**15,694.99**		
FYTD for WESTERN EMULSIONS, INC.			**15,694.99**		

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WESTERN MUNICIPAL WATER DISTRICT				
7/30/2009	196660	1,659.81		
			WATER UTILITY	1,613.22
			WATER UTILITY	46.59
Vendor Total		**1,659.81**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**1,659.81**		
WESTERN PACIFIC HOUSING				
7/2/2009	196034	3,675.00		
			RFND-BUS. LIC. OVRPMT	3,675.00
Vendor Total		**3,675.00**		
FYTD for WESTERN PACIFIC HOUSING		**3,675.00**		
WHEELER, GERALD				
7/9/2009	196252	100.80		
			YTH GOLF CLINIC-4 PARTICIPANTS	100.80
Vendor Total		**100.80**		
FYTD for WHEELER, GERALD		**100.80**		
WHITE, STEPHEN				
7/2/2009	196035	20.00		
			RFND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for WHITE, STEPHEN		**20.00**		
WIELIN, RONALD A.				
7/9/2009	196253	318.73		
			JUL'09 RET MED BNFT	318.73
Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.		**318.73**		
WILLDAN AND ASSOCIATES				
7/2/2009	196036	3,720.85		
			BLDG & SAFETY PLAN CHECK SVCS	3,720.85
7/30/2009	196661	9,805.01		
			BLDG OFFICIAL SVCS-G. KYLE	2,376.00
			PLAN CHECK SVCS-B&S DEPT	7,429.01
Vendor Total		**13,525.86**		
FYTD for WILLDAN AND ASSOCIATES		**13,525.86**		

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WILLDAN FINANCIAL SERVICES					
	7/2/2009	196037	1,250.00		
				FINAL ARBITRAGE CALCULATION	1,250.00
	7/23/2009	196518	845.00		
				PROF SRVCS>CFD #7	845.00
	7/30/2009	196662	1,000.00		
				EVENT NOTICE SVCS-AMBAC DWNGRD	250.00
				EVENT NOTICE SVCS-AMBAC DWNGRD	250.00
				EVENT NOTICE SVCS-AMBAC DWNGRD	250.00
				EVENT NOTICE SVCS-AMBAC DWNGRD	250.00
	Vendor Total		**3,095.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**3,095.00**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.					
	7/23/2009	196519	3,450.00		
				ELECT CNSLT 08/09 COST	3,450.00
	Vendor Total		**3,450.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**230,675.00**		
WRCRCA					
	7/9/2009	196254	1,722.00		
				RESIDENTIAL MSHCP FEES	1,722.00
	Vendor Total		**1,722.00**		
FYTD for WRCRCA			**1,722.00**		
WURM'S JANITORIAL SERVICES, INC.					
	7/23/2009	196520	240.00		
				6/20 & 6/27 CLEANING>TWNGTE	240.00
	7/30/2009	196664	3,026.85		
				JUN'09 SPCL CLNG-CRC	1,775.00
				JUN'09 SPCL CLNG-CRC	535.00
				JUN'09 JANITRL SVCS-MARCH FLD	716.85
	Vendor Total		**3,266.85**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**3,266.85**		

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XEROX					
	7/9/2009	196255	1,128.14		
				MAY'09 COPIER LSE/EXC COPIES	377.53
				MAY'09 COPIER LSE/EXC COPIES	750.61
	7/16/2009	196391	757.13		
				JUN'09 COPIER LEASE-BASE CHG	397.79
				JUN'09 COPIER LEASE-BASE CHG	359.34
	7/30/2009	196665	1,527.98		
				JUN'09 COPIER LEASE/COPIES	1,130.05
				JUN'09 COPIER LEASE/COPIES	397.93
	Vendor Total		**3,413.25**		
FYTD for XEROX			**3,413.25**		
XEROX CAPITAL SERVICES, LLC					
	7/30/2009	196666	2,971.23		
				JUN'09 COPIER LEASE/COPIES	2,971.23
	Vendor Total		**2,971.23**		
FYTD for XEROX CAPITAL SERVICES, LLC			**2,971.23**		
YANEZ, ALDO					
	7/16/2009	196392	50.00		
				RFND-MISC. ANML FEES	30.00
				RFND-MISC. ANML FEES	10.00
				RFND-MISC. ANML FEES	10.00
	Vendor Total		**50.00**		
FYTD for YANEZ, ALDO			**50.00**		
ZAPPARDO, ANTHONY					
	7/23/2009	196521	100.00		
				FILMING OF MV IDOL CONTEST 7/4	100.00
	Vendor Total		**100.00**		
FYTD for ZAPPARDO, ANTHONY			**100.00**		
ZAVALA, LUZ					
	7/23/2009	196522	100.00		
				CITATION REFUND	100.00
	Vendor Total		**100.00**		
FYTD for ZAVALA, LUZ			**100.00**		

City of Moreno Valley

Check Register

For Period 7/1/2009 through 7/31/2009

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ZUMAR INDUSTRIES, INC.					
	7/9/2009	196256	2,392.50		
				SIGN & HARDWARE PRODUCTS	2,392.50
	7/23/2009	196523	12,408.10		
				SIGNS & HARDWARE PURCHASE	9,526.50
				MISC. SIGNS	2,881.60
	Vendor Total		**14,800.60**		
FYTD for ZUMAR INDUSTRIES, INC.			**14,800.60**		

Subtotal	**1,281,107.32**
GRAND TOTAL	**24,334,280.12**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 11, 2010

TITLE: A public hearing for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and Plot Plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements. The project site is located adjacent to and south of Highway 60 along future Eucalyptus Avenue (Fir Avenue) between Redlands Boulevard and Theodore Street. The applicant is Highland Fairview Properties.

RECOMMENDED ACTION

The City Council shall conduct a public hearing to:

1. **RECOGNIZE** that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. **APPROVE** Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions;

3. **RECOMMEND** that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

ADVISORY BOARD RECOMMENDATIONS

On March 24, 2010, the Recreational Trails Board conducted a meeting and revisited the multi-use trail issue at the request of the applicant to modify the trail or have the City acquire the trail easement and complete all required trail improvements. At said meeting, the Board recommended that the City Council deny the applicant's request to modify conditions to either modify or remove the trail from the project or have the City acquire the trail easement and install trail improvements.

BACKGROUND

On February 10, 2009, the City Council, approved Highland Fairview Properties request for Tentative Parcel Map No. 35629 to subdivide a 158 gross acre site (265.3 acres with offsite improvements and drainage) into four buildable parcels and two parcels dedicated for future freeway improvement purposes, and a first phase plot plan for a 1,820,000 square foot distribution warehouse on approximately 83 acres. The Highland Fairview Corporate Park project includes approximately 2,620,000 square feet of industrial and commercial building area in three phases on four parcels.

On April 14, 2009, Highland Fairview submitted a written request to the City Council to consider approximately five different issues of project approval and modify approximately 56 conditions of approval related to the issues.

On May 14, 2009, three applications were submitted to the Planning Division requesting modifications of conditions. The first application (PA09-0013) included a General Plan Amendment to cover the request for the possible removal or modification of a required multi-use trail on future Eucalyptus Avenue. The second and third applications included all other requests to modify conditions of approval for both the Plot Plan (P09-038) and the Tentative Parcel Map (P09-039).

On June 10, 2009, the proposed modifications of conditions for the Corporate Park Project were provided to the Project Review Staff Committee (PRSC) for review. Based on this review, staff suggested that non-General Plan related conditions of approval could go to City Council for review separately and ahead of General Plan related

conditions of approval. Pursuant to the City's Municipal Code, all General Plan changes must go to the Planning Commission for a recommendation prior to consideration by the City Council. The non-General Plan related conditions include the item on required Highway 60 landscape, the multi-use trail if it was not requested to be modified/removed and the modification to Land Development and Transportation conditions of approval that address dedication and improvement of public improvements. In addition, staff asked Highland Fairview to provide a letter to staff that clarified the policy issues related to requests.

On September 3, 2009, a letter was provided by Highland Fairview Properties that modified the specific issues and conditions of approval that were requested to be revised. Staff conducted meetings with Highland Fairview staff to discuss items that were requested to be modified.

In October of 2009, the applicant requested in e-mail correspondence that staff not move forward with the modifications of conditions while other more pressing items related to ongoing project litigation proceedings were being worked out.

In a letter dated February 8, 2010, the applicant requested that the item be reinstated for review and further modified the original request to reduce the issues related to the project approval down to three items as follows:

- Remove the right of way landscape requirement along Highway 60.
- Eliminate or modify conditions of approval related to a required General Plan Multi-Use Trail along future Eucalyptus Avenue
- Modify various conditions of approval related to the dedication and improvement of public improvements

DISCUSSION

The following is a summary of items and issues regarding the applicant's request to modify various project approved conditions of approval:

Remove the right of way landscape requirement along Highway 60.

The applicant is seeking relief from a particular condition of approval within the map and plot plan that requires landscaping within the improved areas of the Caltrans right-of-way adjacent to Highway 60.

In the early 1990's, the City adopted the Highway 60 Corridor Specific Plan which included design criteria for landscaping and other improvements in the freeway right-of-way. While the land use portion of that Plan was later rescinded by the City, the freeway design criteria were retained. The Moreno Valley Mall and a few other commercial projects were required to install freeway landscaping in advance of the adoption of the 60 Corridor Plan and a few residential projects have been conditioned to

install or participate in freeway landscaping with varying levels of implementation. Freeway landscaping was installed by Caltrans in the mid-1990's consistent with the Plan. Some of this landscaping has thrived while others have suffered over the intervening years. In recent years, the Moreno Beach Plaza and Stoneridge Centre projects were not conditioned to provide freeway landscaping given the existence of City directed/funded interchange projects covering their frontage areas. Also of note are two proposed warehouse industrial projects in close proximity to the project, Prologis and Ridge Realty. Each has been advised of the likely imposition of a requirement to participate in freeway landscaping. The three projects combined represent approximately two miles of the City's freeway frontage.

In the case of landscape along Highway 60, staff does not have the authority to eliminate the condition because it derives from an adopted City policy document, the "Highway 60 Corridor Specific Plan". Staff is seeking policy direction from City Council as to whether or not to retain or modify this condition of approval. An alternative that the Planning Division has offered to Highland Fairview is the placement of interim landscape of seasonal wildflower ground cover with temporary irrigation in the right of way area in lieu of typical trees/shrubs and permanent irrigation. An erosion control hydroseed mix and temporary irrigation to establish the ground cover has been suggested by Highland Fairview as a less costly alternative, which is acceptable to Planning. During the summer months when wildflowers die out, maintenance would need to be provided by the property owner to remove weeds and dried out vegetation prior to the next growing season. The map and plot plan conditions of approval for Highway 60 landscape have been modified to reflect an erosion control landscape palette along Highway 60 without permanent irrigation. All right of way parcels will include the erosion control hydroseed mix, including the two large parcels in between Highway 60 and Parcels 2, 3, and 4.

Eliminate or modify a required General Plan Multi-Use Trail along future Eucalyptus Avenue.

The applicant has requested that several conditions of approval be modified related to the dedication and improvement of the multi-use trails on the project site.

Two specific changes to the Master Plan of Trails were proposed by the applicant and approved by City Council with the approval of the Highland Fairview Corporate Park project (including Skechers) in February of 2009. The first included the elimination of a multi-use trail over Highway 60 that was contingent on the feasibility of a freeway bridge. This trail link was originally designated to run along the Sinclair Street alignment, which was proposed to link to a required trail on the south side of Fir Avenue (future Eucalyptus Avenue) between Sinclair Street and Redlands Boulevard. The second change was the applicant's request to move a planned multi-use trail from the south to the north side of future Eucalyptus Avenue to provide one continuous trail on the north side of Eucalyptus Avenue from Quincy Street to Theodore Street.

Highland Fairview Properties have stated in their most recent letter of February 8, 2010 that there is a lack of nexus between the project and the requirement of providing the multi-use trail. Staff believes that there is a viable nexus given the trail's designation in the adopted General Plan multi-use trail plan. The trail provides a linkage with the overall General Plan trail system between Quincy and Theodore Streets. With the elimination of the Sinclair Street overcrossing trail, the extension of the trail along Eucalyptus Avenue east to Theodore Street provides connection to the trail crossing on Theodore Street. A multi-use trail provides for many uses, including horseback riding, walking paths for pedestrians, jogging paths for exercise, and bicycling.

The applicant requests that if the trails are constructed, the City acquire the easement and provide all improvements and on-going maintenance related to the trail. It is not common practice of the City to acquire an easement for a required General Plan multi-use trail or pay for trail improvements. All private developers are currently responsible for dedicating an easement and paying for the improvements to construct multi-use trails as a condition of their project approval. As in all cases, the City will maintain the required trail once it is improved by the developer and accepted by the City for maintenance.

The Recreational Trails Board reviewed proposed changes to the trail system on two separate occasions prior to project approval in February 2009 and concurred with the applicant's request to remove the Sinclair Street trail extension over Highway 60, change the location of the trail from the south side to the north side of future Eucalyptus Avenue and mitigate the trail elimination over Highway 60 by extending the trail from former Sinclair Street to Theodore Street. Based on review of the most recent proposal by the Trails Board at their meeting on March 24, 2010, the Board considered and recommended that the City Council deny the applicant's request to modify conditions and reiterated its support for the approved trail conditions.

An alternative approach that was suggested to Highland Fairview Properties was to look at the timing of when the trail would need to be provided. As per project conditions of approval, the trail is required for each phase of development as it is being completed. The trail would be required for the Phase 1 of the Skechers building but would not be required for Phase 2 and 3 until those phases are constructed. An alternative approach to consider would be the deferral of the entire trail development until Phase 2. This would provide a full segment of the trail at one time instead of in pieces. Some type of security may be required for this approach.

An additional alternative to providing a trail on the north side of the future Eucalyptus Avenue would be to change the trail location back to its original General Plan designation along the south side of future Eucalyptus Avenue in the buffer area approved for the Highland Fairview Corporate Park project. If this approach is recommended, it would require a General Plan Amendment to change the Master Plan of Trails Map and further study and possible modification of the approved Environmental Impact Report (EIR) for the project. The General Plan amendment also would need to be sent back to the Recreational Trails Board and the Planning Commission for review

and recommendation to the City Council. The Tentative Parcel Map south boundary, currently at the south Eucalyptus Avenue right of way, may need to be adjusted to the south to include the trail.

Modify various conditions of approval Related to the dedication and improvement of public improvements

The applicant has requested that all pertinent conditions of approval requiring the dedication and improvement of public facilities be modified to only require fair-share contribution by the project for the dedication and improvement of all public infrastructures. They further requested that improvement credits and reimbursement agreements be developed and entered into between the City and the project proponent for any amount the project contributes in excess of its pro-rata share for such improvements. This request primarily includes Land Development and Transportation Division's conditions of approval.

Municipal Code Section 9.14.100 clearly states that developments are required to construct full half-width street improvements plus one lane in the opposite direction along the project frontage. The developer's request to only be financially responsible for its "fair share" is not in keeping with the intent of the Municipal Code. All perimeter streets associated with the project are Development Impact Fee (DIF) program streets for which the developer may be eligible to receive credits and reimbursements for those ultimate, qualifying improvements. The DIF program spreads the cost of arterial street and traffic signal improvements City wide such that there is a nexus between the trips generated by a project (the impact on the City wide system of arterial streets and traffic signals) and the cost of transportation improvements needed to mitigate the impact. That nexus translates into development impact fees paid by the developer. Highland Fairview is not conditioned to construct ultimate improvements on Redlands Boulevard nor Theodore Street; only along Eucalyptus Avenue. Therefore, the developer is eligible for credits and reimbursements for qualifying improvements on Eucalyptus Avenue only. The Land Development Division does not support additional reimbursements be given to the developer beyond that which the developer is eligible to receive through the DIF program.

The developer may choose to pursue reimbursement for other public improvements not covered by the DIF program (i.e. sewer/water and master storm drain), and may contact Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District respectively for any available reimbursements for the over-sizing of certain utilities associated with the construction of trunk sewer lines, water main lines, reclaimed water lines and flood control facilities.

The Land Development Division, based on a memorandum submitted as part of the Project Review Staff Committee (PRSC) minutes provided to Highland Fairview on June 10, 2009, indicated that originally approved Public Work's conditions of approval for both the tentative parcel map and plot plan meet the requirements of the City's Municipal Code. Furthermore, the existing project conditions of approval as approved

previously meet the nexus requirement of the law because the street improvements conditioned are consistent with the EIR. The requested changes would require a separate nexus study from the approved City-wide nexus study for the DIF program and would not be equitable to other developers nor provide a viable funding program for the City-wide circulation system. Therefore, both the Land Development and Transportation Divisions do not support Highland Fairview's proposal to modify or make additions to wording of certain, specified Public Works conditions of approval.

The Land Development and Transportation Divisions have included a synopsis of the applicant's request to modify conditions of approval and the City's response to these proposed modifications in a memorandum format. Since the request by the applicant to amend project conditions is extensive in nature, for Council's information, this document is attached to the staff report to highlight the City's approach to each condition being requested for modification.

ALTERNATIVES

1. Consider the proposed amendments to approved project conditions of approval, and approve all modified condition language as included in Exhibits A and B to the attached resolutions.

2. Consider the proposed amendments to approved project conditions of approval, and deny or amend modified condition language as included in Exhibits A and B to the attached resolutions.

3. Consider the proposed amendments to approved project conditions of approval included in the attached applicant request letter dated February 8, 2010, and include additional amendments to conditions not included within the attached resolutions.

4. Refer the proposed amendments to the Planning Commission for further review. Recommendation of any location changes to the required multi-use trail would require a General Plan amendment to be forwarded to the Recreational Trails Board and the Planning Commission for review and consideration prior to a final decision by the City Council.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Based on review of the various applicant requested project condition modifications for the Highland Fairview Corporate Park/Skechers project, the Land Development and Planning Divisions have agreed to modify a few of the approved conditions related to Highway 60 landscape and the multi-use trail, only to clarify the developer's responsibility to dedicate an easement and construct the trail,. The Highway 60 Corridor Specific Plan requires that landscape be provided in the entire Highway 60 freeway right of way area adjacent to the site. A compromise to typical landscape and irrigation required within Highway 60 Corridor Specific Plan standards would be an allowance of an interim hydroseed mix planted, maintained to provide both an appealing visual landscape and erosion control mechanism along the freeway until such time that the parcels are transferred over to the City or Caltrans. The Trails Board has recommended that all conditions of approval regarding the multi-use trail not be modified, with the applicant to provide the easement and provide related trail improvements as is required with all other private projects.

NOTIFICATION

Notice of the project was provided to property owners within 300 feet of the project and to the general public through local newspaper publishing and on-site sign postings.

ATTACHMENTS

1. Public Hearing Notice
2 Letter dated February 8, 2010, from Highland Fairview Properties requesting modification of project approved conditions.
3. Internal Land Development memorandum dated February 11, 2010 on various proposed conditions of approval.
4. Letter dated March 18, 2010, from Highland Fairview Properties regarding proposed hydroseed landscape for Highway 60 right of way areas.
5. Internal Transportation Division memorandum dated April 19, 2010 on various proposed conditions of approval.
6. Letter dated April 22, 2010, from Michael Brandman Associates regarding an environmental analysis of modification of project conditions.
7. Approved Highland Fairview Corporate Park - Planning, Land Development and Parks Map Conditions of Approval.
8. Approved Highland Fairview Corporate Park - Planning, Land Development and Parks Plot Plan Conditions of Approval
9. Modification of Conditions Resolution – Tentative Parcel Map, with attached modified conditions of approval included within Exhibits A through B.
10. Modification of Conditions Resolution – Plot Plan, with attached modified conditions of approval, included within Exhibits A and B

Prepared By:
Mark Gross, AICP, Senior Planner

Department Head Approval:
Kyle A. Kollar, Interim CDD Director

Concurred By:
John C. Terell, AICP, Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held at a regular meeting of the City Council of the City of Moreno Valley on the following item(s):

CASE: P09-038 and P09-039 (Modification of Project Conditions of Approval)

APPLICANT: Highland Fairview Properties

OWNER: Highland Fairview Properties

REPRESENTATIVE: Wayne Peterson

LOCATION: North side of future Eucalyptus Ave. (Fir Ave.), east of Redlands Blvd., west of Theodore St. and south of Highway 60.

PROPOSAL: A public hearing for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and plot plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements.

ENVIRONMENTAL DETERMINATION: An Environmental Impact Report (P07-157), including a Statement of Overriding Considerations and Mitigation Monitoring Program was originally certified and approved for the project. Pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines).

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council or City Clerk at, or prior to, the Public Hearing.

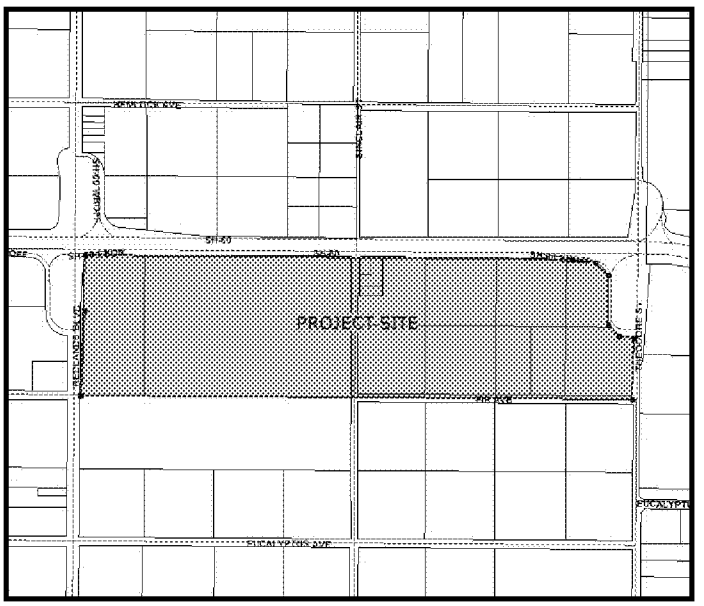

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: May 11, 2010 at 6:30 PM
CONTACT PLANNER: Mark Gross
PHONE: (951) 413-3215

ATTACHMENT 1

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

February 8, 2010

Mark Gross
Senior Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552

SUBJECT: Highland Fairview Corporate Park – Proposed Revisions to Conditions of Approval

Dear Mark:

In May 2009, Highland Fairview officially submitted a request (PA09-0013) to modify certain Conditions of Approval which were imposed on the Highland Fairview Corporate Park project. Highland Fairview would like to hereby modify our previous application to request changes to conditions relating to the following three important issues:

1. **SR60 Landscaping**
   Existing Condition: Condition of Approval P14 on Tentative Parcel Map TPM 35629 (Resolution 2009-10) requires the preparation and processing of plans for the installation of landscaping and irrigation within the SR60 right-of-way adjacent to the project site in compliance with the SR60 Design Manual.

   Requested Action: Highland Fairview requests the removal of this condition.

   Justification: This condition has been inconsistently applied along SR60 within the city. In those instances where it has been applied, it has provided only marginal landscaping that struggles from sparse installation, little or no maintenance and inadequate irrigation. Over the years, the City's SR60 Design Manual has been arbitrarily applied and inconsistently enforced, resulting in a haphazard landscape treatment along SR60 throughout the City. Today, the freeway frontage is a random mixture of sparse, struggling landscaping, mixed with long stretches of barren, unmaintained land. Clearly there has not been a consistent application of the SR60 Design Manual criteria. In addition, and perhaps most importantly, Caltrans staff has indicated informally that they will not allow such improvements in the freeway right-of-way nor will they commit to any maintenance whatsoever.

ATTACHMENT 2

However, to the great benefit to the motoring public and the City, the approved HFCP project includes a high level of landscape treatment along SR60 that has never been seen in Moreno Valley. Millions of dollars are being spent to create an attractive edge to the project which will feature trees, shrubs and ground cover that has been designed to work in concert with the architecture of the future buildings to create a pleasant experience for the motoring public as they pass by the Highland Fairview Corporate Park site. This project landscaping will produce an edge treatment for SR60 far beyond that which was envisioned in the Design Manual.

The condition should be deleted.

2. **Multi-Use Trails**
   Existing Condition: Several conditions imposed on the TPM and the Plot Plan require the dedication and improvement of multi-use trails on the project site.

   Requested Action: Delete and/or modify all trail-related conditions to require that: 1) the project reserve the necessary land for potential future multi-use trails, 2) site grading provide for the future multi-use trails, 3) the multi-use trail areas be landscaped and maintained in a manner consistent with immediately adjacent areas until such time as the City purchases the land and constructs the multi-use trails, and 4) the on-going maintenance of the multi-use trails, when built, be borne by the City for the benefit of the public.

   Justification: There is a complete lack of nexus between the project and the requirement to dedicate and improve multi-use trails on the project site. The project creates absolutely no demand for these trails, therefore there is no nexus. The trails can be accommodated in the project design but the impacted land (or appropriate easements) should be acquired by the City, the trails should be constructed by the City and the trails should be maintained by the City. Further, there should be a sunset clause in the conditions such that if the City does not acquire the impacted land or easements within five years of the recordation of the Final Map for the project, the City's option to acquire the land or easements will expire.

3. **Dedication and Improvement of Public Improvements**
   Existing Conditions: The project approval contains dozens of conditions requiring the dedication and improvement of public facilities (streets, parkways, trails, etc.) far in excess of the demand which the project creates for such facilities.

   Requested Action: Modify all related conditions to require a fair-share contribution by the project for the dedication and improvement of all public infrastructure improvements. Improvement credits and Reimbursement Agreements should be entered into between the City and HF for any amount contributed in excess of its actual pro-rata share of such improvements.

Justification: These conditions fail to meet the requirement for a direct nexus between the project and required public improvements as required by law. Such conditions impose an unjust and decidedly unequal burden on some projects while other projects and the city benefit unfairly at the expense of one taxpayer.

Attached is a list of the conditions which are related to the changes requested above. Other conditions may be impacted as a result of our detailed discussions with staff.

We look forward to discussing these issues with staff, the Planning Commission and the City Council at the earliest possible opportunity. If questions arise during the City's review of this request, please do not hesitate to contact me directly.

Sincerely,

Iddo Benzeevi
President and CEO

Requested Changes to Conditions of Approval for TPM 35629
City Council Resolution 2009-10

SR 60 Landscaping

a) Delete Condition P14

Multi-Use Trails

a) Modify Condition LD68(b) to add: "Said multi-use trail easement shall be labeled 'future,' and is contingent upon City acquisition of said easement from the landowner."
b) Modify Condition LD68(c) to add, "The City will maintain all multi-use trails."
c) Modify Condition LD70(a)(viii) to add, "The future trail area shall be designed and graded with the project and shall be landscaped consistent with adjacent land. The City may acquire an easement for a multi-use trail from the property owner and construct and maintain a multi-use trail."
d) Modify Condition LD91 to add "(optional)" after the words "multi-use trail."
e) The entire set of Conditions of Approval from the Parks and Community Services Department needs to be re-written to differentiate between bike trails and multi-use trails. Future multi-use trails will be graded with the project. Easements for the multi-use trails will be acquired from the landowner by the City. The City shall be responsible for the construction and the maintenance of the multi-use trails.

Dedication and Improvement of Public Improvements

a) Modify Conditions LD2, LD4, LD27, LD46, LD65, LD66, LD68, LD70, LD78, LD90, LD91, LD93, TE17, TE18 and the Parks and Community Services Department conditions to add, "All dedications and improvements to public infrastructure shall be on a fair-share basis. The value of required dedications and/or improvements beyond the project's fair-share obligation shall be established as a credit against which the Subdivider may draw to offset other public infrastructure dedication and/or improvement obligations."

Requested Changes to Conditions of Approval for Plot Plan PA07-0091
City Council Resolution 2009-11

SR 60 Landscaping

a) Delete Condition P10

Multi-Use Trails

a) The entire set of Conditions of Approval from Parks and Community Services Department needs to be re-written to differentiate between bike trails and multi-use trails. Future multi-use trails will be graded with the project. Easements for the multi-use trails will be acquired by the City from the landowner. The City shall be responsible for the construction and the maintenance of the multi-use trails.

Dedication and Improvements of Public Infrastructure

a) Modify Condition PD80, PD81, PD82, PD83, PD84, PD85, LD43, LD44, LD66, TE3, TE11, TE13, TE14, TE15 TE18, and the Parks and Community Services Department conditions to add "All dedications and improvements to public infrastructure shall be on a fair-share basis. The value of required dedications and/or improvements beyond the project's fair-share obligation shall be established as a credit against which the Subdivider may draw to offset other public infrastructure dedications and/or improvements."

CITY OF MORENO VALLEY
Public Works Department
Land Development

MEMORANDUM

To: Mark Gross, Case Planner

From: Clement Jimenez, Senior Engineer, 951.413.3121, clementj@moval.org

Date: February 11, 2010

Subject: PA09-0013; Second Review Comments

Project Information

Case Number:	PA09-0013	Related Case No:	PA07-0088 thru PA07-0091, P07-157 and P08-057
APN:	488-350-001 through 002 and 488-360-001 through 012		
Case Type:	GPA, Amended PP and Amended TM 35629 (Modification of Conditions)		
Environmental:	EIR		
Applicant:	Highland Fairview		
Owner:	Highland Fairview		
Representative:	Wayne Peterson		
Location:	N side of Eucalyptus, E of Redlands, W of Theodore and S of Highway 60		
Proposal:	A request to modify conditions of approval from the recently approved Highland Fairview Corporate Park Project and Tentative Parcel Map (PA07-0090) as well as Plot Plan (PA07-0091) to cover such items as the removal of Highway 60 landscape, removing a required multi-use trail along the project frontage and the modification of conditions related to the dedication and improvement of public improvements. A General Plan Amendment is required for removal of any multi-use trail.		

The following is the Land Development Division's response to Highland Fairview's letter dated February 8, 2010 addressed to Mark Gross, Senior Planner. Highland Fairview's letter states that some conditions, including some of those from Land Development, "fail to meet the requirements for a direct nexus between the project and required public improvements as required by law":

The Land Development Division is confident that the conditions of approval for both the tentative parcel map and plot plan meet the requirements of the City's Municipal Code. Furthermore, the conditions of approval as approved meet the nexus requirement of the law because the street improvements conditioned are consistent with the EIR Traffic Study and the Subdivision Map Act.

ATTACHMENT 3

Therefore, the Land Development Division does not support Highland Fairview's proposal to modify or make additions to wording of certain, specified Land Development conditions of approval.

Municipal Code Section 9.14.100 clearly states that developments are required to construct full half-width street improvements plus one lane in the opposite direction along the project frontage. The developer's request to only be financially responsible for his "fair share" is not in keeping with the intent of the Municipal Code. This would also create a significant amount of additional effort to determine and split associated costs, which are subjective and open to interpretation by all parties involved. All perimeter streets associated with the project are Development Impact Fee (DIF) program streets for which the developer may be eligible to receive credits and reimbursements for those ultimate, qualifying improvements. The Developer is not conditioned to construct ultimate improvements on Redlands Boulevard nor Theodore Street; only along Eucalyptus Avenue. It is important to note that the developer chose to create the tentative parcel map such that the entire width of Eucalyptus Avenue lies within the tentative parcel map boundary, that is to say that the south right-of-way line of Eucalyptus Avenue coincides with the south map boundary. Therefore, the developer was conditioned to construct full-width improvements on Eucalyptus Avenue. The developer is eligible for credits and reimbursements for qualifying improvements on Eucalyptus Avenue. The Land Development Division does not support additional reimbursements be given to the developer beyond that which the developer is eligible to receive through the DIF program.

However, the developer may choose to pursue reimbursement for other public improvements not covered by the DIF program (i.e. sewer/water and master storm drain), and suggests the developer contact Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District respectively for any reimbursements available for the over-sizing of certain utilities associated with the construction of trunk sewer lines, water main lines, reclaimed water lines and flood control facilities.

For completeness, the following is a list of Land Development conditions of approval that Highland Fairview has requested to revise:

TPM 35629

SR 60 Landscaping

(a) P14: Land Development defers the response to this item to the Panning Division. Please note that COA LD65 and LD66 require that the developer establish and maintain a minimal level of landscaping sufficient to achieve adequate erosion and sediment control, and slope stabilization.

Multi-Use Trails

(a) LD68(b): The Land Development Division conditions of approval pertaining to the multi-use trail are consistent with Section 66475.1 of the Subdivision Map Act and the Parks and Community Services Department conditions of approval. Land Development does not recommend revising the conditions of approval to reference the trail as "future" unless otherwise agreed to by the Parks and Community Services Department. It is important to note that the 20-foot wide easement area includes a multi-use trail and sidewalk. Regardless of the disposition of the trail, an easement will be required for the sidewalk which is to be constructed by the developer and maintained by the City.

(b) LD68(c): The Land Development Division agrees to the requested additional language to include the statement "The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c), with the

concurrence of the Parks and Community Services Department.

(c) LD70(a)(viii): The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

(d) LD91: The Land Development Division does not agree with the addition of the word "optional" after the word "trail", as construction of the trail is not optional, unless the Condition of Approval is otherwise revised by the Parks and Community Services Department.

(e) All Parks COAs: The Land Development Division feels that the approved conditions of approval are consistent with Section 66475.1 of the Subdivision Map Act, but will yield to the direction provided by the Parks and Community Services Department on the matter of differentiating between bike trail and multi-use trail. The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including a multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail consistent with the conditions of approval from the Parks and Community Services Department. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

Dedication and Improvement of Public Improvements

(a) LD2, LD4, LD27, LD46, LD65, LD66, LD68, LD70, LD78, LD90, LD91, LD93, TE17, TE18 and All Parks COAs: The noted conditions of approval pertaining to the dedication necessary for roadway and public trails are consistent with Sections 66475 and 66479 of the Subdivision Map Act, the City of Moreno Valley Municipal Code, General Plan Circulation Element and the typical conditions placed upon any development frontage within the City. Land Development does not recommend modifying these conditions of approval.

<u>Plot Plan PA07-0091</u>

SR 60 Landscaping

(a) P10: Land Development defers the response to this item to the Panning Division. Please note that COA for TPM 35629 LD65 and LD66 require that the developer establish and maintain a minimal level of landscaping sufficient to achieve adequate erosion and sediment control, and slope stabilization.

Multi-Use Trails

(a) All Parks COAs: The Land Development Division feels that the approved conditions of approval are consistent with Section 66475.1 of the Subdivision Map Act, but will yield to the direction provided by the Parks and Community Services Department on the matter of differentiating between bike trail and multi-use trail. The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the

trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

Dedication and Improvement of Public Improvements

(a) LD43, LD44, LD66, TE3, TE11, TE13, TE14, TE15, TE18 and All Parks COAs: The noted conditions of approval pertaining to the dedication necessary for roadway and public trails is consistent with Sections 66475 and 66479 of the Subdivision Map Act, the City of Moreno Valley Municipal Code, General Plan Circulation Element and the typical conditions placed upon any development frontage within the City. Land Development does not recommend modifying these conditions of approval.

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

March 18, 2010

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92553

SUBJECT: Highland Fairview Corporate Park – TPM 35629, Condition P14

Dear John,

When Brian and I met with you and Mark Gross on February 17th to discuss a Lot Line Adjustment proposal for the Highland Fairview Corporate Park (HFCP) project, we also discussed the proposed landscaping along the future SR60 right-of-way (TPM Condition P14). We discussed the details of the grading of the future right-of-way and Caltrans' refusal to allow any landscaping, irrigation or maintenance within its right-of-way. We discussed the concept of installing a decorative, low-maintenance hydroseeded landscape treatment within the future dedication area and Highland Fairview (HF) agreed to present a proposal along those lines to satisfy the intent of Condition P14.

Attached for your review is an exhibit that illustrates the location of the future freeway dedication area in relation to existing SR60 and the future HFCP project. The exhibit also includes a typical section indicating post-grading elevations and the area to be hydroseeded.

Also attached is information from S & S Seeds, Inc., a California seed supplier that specializes in native plants materials for landscape and erosion control purposes. HF proposes to apply the "Southwest Desert Wildflower Seed Mix" to the future dedication area, resulting in "bright, showy, spring flowers that will re-seed year after year, with or without irrigation." We are confident that this proposal meets the intent of TPM Condition P14 and would request your concurrence.

Thank you for your continued assistance.

Sincerely,

Wayne

Wayne Peterson
Vice President, Community Planning

ATTACHMENT 4

About S&S Seeds, Inc
S&S Services
Newsletter
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Wildflower/Shrub Mixes
Reclamation/Erosion
Grass (Native & Turf)
Ground Cover Mixes
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Welcome to SSSeeds.com!

S&S Seeds, Inc.
P.O. Box 1275
Carpinteria, CA
93014-1275

(805) 684-0436
(805) 684-2798 fax

We are a wholesale company providing wildflower, grass and California native plant seeds for Reclamation, Erosion Control and Landscape projects.

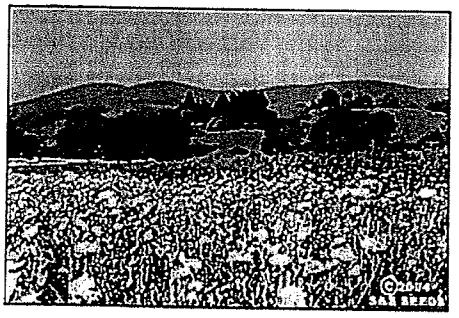

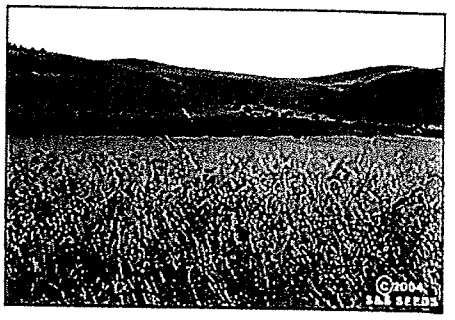

Site specific or regional mixes are available. Our professional staff can work with you in order to provide the best possible seed mix for your site.

Wholesale seeds for:

- Reclamation, Erosion Control and Landscaping
- Wildflowers, Grasses, Native California Plants
- Trees, Shrubs and Ground Covers

Download our complete **Seed Selection Guide** now. (Adobe pdf, 3.5 MB)

Get a Seeding design from the Experts. We specialize in custom seed mixes for any project. Please submit the SEED MIX DESIGN CRITERIA form and our Professional Staff will get back to you with a customized mix for the site specific needs of your project.

We are now a distributor of Terra Novo, Inc.'s **EARTHGUARD®** and **ULTRATACK™** soil erosion control products

Greenfix America® Erosion Control Blankets
We are now a distributor for Greenfix America! Their products are designed to meet a complex variety of erosion control and vegetation problems. For slope protection, channel lining, reclamation, turf reinforcement and specialized landscaping, Greenfix America has a product that provides the solutions.

View product information and technical data for the Green Spec line of rolled erosion control products.

Looking for a plant with specific characteristics? Check out the S & S Seeds Online Plant Database.

Click here for our upcoming trade show schedule!

Seed Mixes: Wildflowers | Turfgrasses | Reclamation / Erosion

MV00216082

About S&S Seeds, Inc
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Grass (Native & Turf)
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Plant Database
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Wildflowers

S&S Seeds, Inc.
P.O. Box 1275
Carpinteria, CA
93014-1275

(805) 684-0436
(805) 684-2798 fax

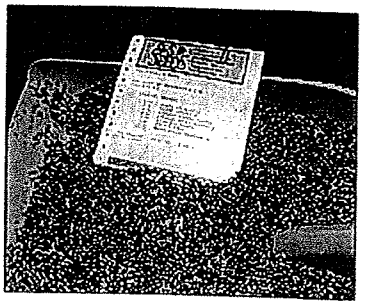

Get a Seeding design from the Experts. We specialize in custom seed mixes for any project. Please submit the SEED MIX DESIGN CRITERIA form and our Professional Staff will get back to you with a customized mix for the site specific needs of your project.

For all projects over 2 acres our Professional Staff will review your soils reports, microclimates and water requirements, bringing our 30+ YEARS of EXPERIENCE to bear to complete your project perfectly. Let S&S Consultancy Services take care of all your growing problems.

View details on S&S Services available.

Ornamental, Flowering, Ground Cover & Shrubs Mix

A mixture of annual and perennial species well adapted to coastal and coastal inland conditions. Will provide many months of spring color with or without irrigation. Grows 2' - 3' tall.

California Native Seed Mix

A mixture of annual and perennial wildflowers and native shrubs. May be used for irrigated or non-irrigated sites. Will flower most of the year when irrigated. Grows 2' - 3' tall with shrubs up to 4' tall.

Intermountain Wildflower Seed Mix

A mixture of annual and perennial species. Can be used by itself or in conjunction with grasses and shrubs. Best in full sun or light. Grows 2' - 3' tall.

Low Profile Seed Mix

A mixture of low growing annual and perennial flowers. Will provide bright spring color in non-irrigated settings or flower color year round when irrigated. Grows 1' - 2' tall.

Shady Wildflower Seed Mix

A mixture of annual and perennial wildflowers which provides bright spring colr in shady or partially sunny sites. Flowering will be nearly continuous if irrigated. Grows 2' - 3' tall.

Southwest Desert Wildflower Seed Mix

A hardy mixture of annual species. Will grow bright, showy, spring flowers that will reseed year after year, with or without irrigation. Grows 1' - 2' tall.

Seed Mixes: Wildflowers | Turfgrasses | Reclamation / Erosion

Other Products | New! Erosion Control Blankets

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S&S Seeds, Inc.
6155 Carpinteria Ave
P.O. Box 1275
Carpinteria, CA 93014 US
info@ssseeds.com
Tel: 805-684-0436
Fax: 805-684-2798

Displaying product **1 of 1**

«Back

Southwest Desert Wildflower Mix

Southwest Desert Wildflower Mix

This hardy mixture of 12 annual species will provide bright, showy spring flowers that will reseeds year after year, with or without irrigation. Numerous perennial species are available to add to this mixture, if desired.

Mix contains:

- *Castilleja exserta* (Owl's Clover)
- *Centaurea cyanus Dwarf* (Corn Flower)
- *Clarkia amoena* (Farewell to Spring)
- *Dimorphotheca sinuata* (Africa Daisy)
- *Eschscholzia californica* (California Poppy)
- *Lasthenia californica* (Dwarf Goldfields)
- *Layia platyglossa* (Tidytips)
- *Linum grandiflorum rubrum* (Scarlet Flax)
- *Lupinus bicolor* (Pigmy-leaved Lupine)
- *Nemophila menziesii* (Baby Blue Eyes)
- *Papaver rhoeas* (Flanders Poppy)
- *Phacelia campanularia* (California Bluebells)

Seeding rate: 20 lbs per acre

Height range: 12-24 inches

Price is for one pound.

Product ID: sou_des_wil

1

Price: $ 45.00

Catalog Front Page View Cart

Contact Information
S&S Seeds, Inc.
6155 Carpinteria Ave
Carpinteria, CA 93013 US
info@ssseeds.com

Customer Care
S&S Seeds, Inc.
P.O. Box 1275
Carpinteria, CA 93014 US
info@ssseeds.com

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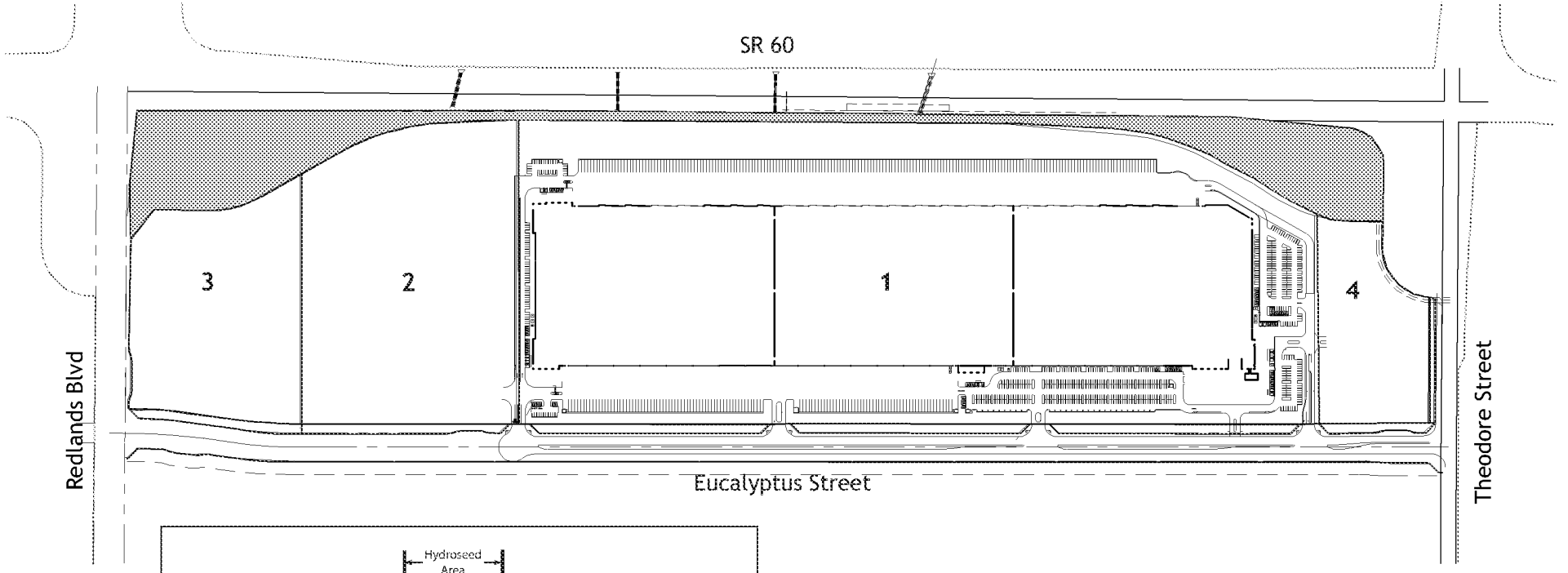

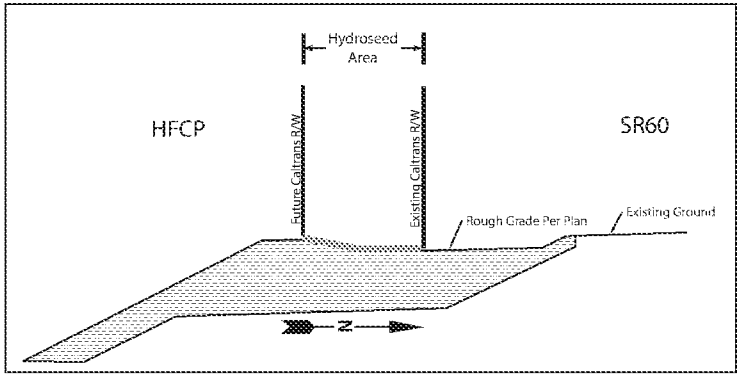

Hydro Seed Notes:

- Proposed seed to provide a mix of flowers, require no irrigation and regenerate each year.
- Proposed application rate per acre:
  - 2000 lb fiber mulch
  - 400 lb commercial fertilizer
  - 180 lb binder
  - 25 lb low profile wild flowers

Not to scale
March 5, 2010

Caltrans Right-of-Way Landscape Exhibit

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

P:/Highland Fairview Corporate Park/Design/HF Work/Caltrans Right-of-Way Landscape Exhibit

MV00216085

MORENO VALLEY
WHERE DREAMS SOAR

Public Works
Transportation Engineering Division

MEMORANDUM

To: Mark Gross, Senior Planner

From: Michael Lloyd, Senior Engineer

Date: April 19, 2010

Subject: **Review Comments for PA09-0013 – Request to Revise Conditions of Approval for Project PA07-0088 through 0091, P07-157, and P08-057.**

Transportation Engineering Division - Review Comments

Per the April 19, 2010 meeting with Highland Fairview regarding the conditions of approval for PA07-0088 through 0091, P07-157, and P08-057, the Transportation Engineering Division has reviewed the request to add "fair share" language to conditions P80 through P85. As you are aware, conditions P80 through P85 are the Mitigation Measures MM TT-1 through MM TT(C)-3 from the EIR. The following is our response to each condition:

- P80: MM TT-1 was included in the EIR to mitigate the direct impacts of additional truck traffic due to Phase 1 of the proposed project. A "fair share" contribution in substitution of the project applicant constructing the turn lane additions would contradict the findings of the EIR and not satisfy the intent of the mitigation measure.
- P81: MM TT-2 addresses future phase impacts at the SR-60 interchanges with Theodore Street and Redlands Boulevard. Both the mitigation measure and the condition specifically states "the project applicant shall contribute to the costs of the interim intersection improvements…said contribution shall be on a fair-share basis."
- P82: MM TT-3 addresses the intersection of Redlands Boulevard at Eucalyptus Avenue. The improvements required shall be determined based upon the findings of the supplemental traffic study identified in MM TT-2. The improvements that will be necessary at the Redlands Boulevard and Eucalyptus Avenue intersection are a direct result of the project and are therefore mitigation to a direct impact. A "fair share" contribution in substitution of the project applicant constructing the intersection improvements would contradict the findings of the EIR and not satisfy the intent of the mitigation measure.
- P83: MM TT(C)-1 is a repeat of MM TT-1.

MV00216086

- P84: MM TT (C)-2 addresses cumulative impacts along Redlands Boulevard. The condition states "the project shall participate on a fair share basis."
- P85: MM TT(C)-3 addresses cumulative impacts at the SR-60 ramps to/from Redlands Boulevard and Theodore Street. The condition states "the developer shall contribute to the costs on a fair share basis."

Therefore, it is the Transportation Engineering Division's recommendation that conditions P80 through P85 **not** be modified. Conditions P81, P84, and P85 already contain fair share language as appropriate. Conditions P80, P82, and P83 are a result of direct impacts due to the project, and a fair share contribution in place of the applicant providing the specified improvements would contradict the findings of the EIR and not satisfy the intent of the mitigation measures.

Michael Brandman Associates

Fresno
559.497.0310

Irvine
714.508.4100

Palm Springs
760.322.8847

Sacramento
916.447.1100

San Bernardino
909.884.2255

San Ramon
925.830.2733

April 22, 2010

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Subject: **Highland Fairview Corporate Park – CEQA Evaluation of Proposed Revisions to Conditions of Approval**

Dear Mr. Terell:

Michael Brandman Associates (MBA) has reviewed Highland Fairview's request to delete or revise various Conditions of Approval as applied to the Highland Fairview Corporate Park project. Pursuant to the City's request, we offer the following comments regarding the implications of this request with respect to the certified EIR for Highland Fairview Corporate Park.

SR60 Landscaping

Condition of Approval P14 on Tentative Parcel Map TPM 35629 (Resolution 2009-10) requires the preparation and processing of plans for the installation of landscaping and irrigation within the SR60 right-of-way adjacent to the project site in compliance with the SR60 Design Manual. Highland Fairview has requested the deletion of this condition for reasons cited in their February 8, 2010 letter to the City.

To reduce the project impact on scenic vistas and visual character, the EIR included the following mitigation measure:

Mitigation Measure MM A-2.

> *Enhanced architectural and landscaping treatment shall be utilized along the building frontage with State Route (SR) 60 to minimize or soften views of long expanses of the upper elevations of buildings. Examples of alternate treatment measures may include, but not be limited to the following:*
> *- Use of color; or*
> *- Texture variation; or*
> *- Roof line variation.*

The EIR at Exhibits 5.1-10 and 5.1-11 included view sections and elevations to illustrate conceptual treatments that would effectively implement MM A-2. MM A-2 does not require installation of landscaping consistent with the "State Highway 60 Corridor Design Manual". The removal of Condition of Approval P14 on TPM 35629 would not raise any substantial new scenic or visual issues and would not conflict with the EIR. Once implemented by the City through the adopted Mitigation Monitoring Program, on-site landscaping included with the project will satisfy MM A-2. No changes to the EIR are needed.

ATTACHMENT 6

Multi-Use Trails

Several conditions imposed on the TPM and the Plot Plan requires the dedication and improvement of multi-use trails on the project site. Highland Fairview has requested that those conditions be modified to require the project to set aside the land and do the grading for the trails, and have the City install and maintain the actual trail improvements. Highland Fairview has requested this change for reasons cited in their February 8, 2010 letter to the City. The EIR references the provision of a multi-use trail on the project site in two locations as follows:

1) The EIR at Project Design Features for Green Building Section 3.3.4 (page 3-26) references a multi-use trail as follows:

- "The project's circulation system will include a multi-use trail on the northern portion of the future Eucalyptus Avenue."

2) The EIR in Land Use and Planning, Project Impacts Section 5.9.4 (p.5.9-17, last paragraph), references this same multi-use trail as a design feature to offset impacts as follows:

> "To offset the removal of the Sinclair Avenue crossing segment from the Master Plan of Trails, the proposed project includes as a design feature a multi-use trail along the north side of new Eucalyptus Avenue from Redlands Boulevard to Theodore Street."

The analysis that follows in the EIR relies upon the implementation of this trail to establish consistency with the adopted Master Plan of Trails. Highland Fairview's proposed change has to do with responsibility for the physical construction of the trail and its on-going maintenance, and the proposed change would not have an impact on the physical environment in that the land area for the trail would still be dedicated and graded by Highland Fairview. Provided that this trail is ultimately built, no conflict with the findings of the EIR is apparent.

Other Dedications and Public Improvements

It is our understanding that Highland Fairview also requests modifications to various conditions requiring dedication and improvement of public facilities (streets, parkways, trails, etc.). The request involves modifying such conditions to require a fair-share contribution by the project for dedication and improvement of public infrastructure. Provided that the language in EIR Traffic Mitigation Measures MM TT-1 through MM TT-3, and MM TT(C)-1 through MM TT(C)-3, does not change with respect to improvement responsibilities, we see no inconsistencies with the EIR associated with Highland Fairview's request. As there are no other infrastructure provision mitigation measures in the EIR and Mitigation Monitoring Program, the identification of responsibility for other public improvements is moot and falls back to the Conditions of Approval completely. No changes to the EIR are needed.

In summary, MBA concludes that the certified EIR remains adequate for the overall project and the proposed changes to the conditions that apply to SR 60 landscaping, multi-use trails and all proposed changes related to dedications and improvements conditions.

If you have any questions in this regard, please contact me directly at 714.508.4100.

Sincerely,

Thomas F. Holm, AICP, Principal/Vice President Environmental Services
Michael Brandman Associates
220 Commerce, Suite 200
Irvine, CA 92602

TFH:jwi
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CITY OF MORENO VALLEY
FINAL CONDITIONS OF APPROVAL
FOR
TENTATIVE PARCEL MAP No. 35629
Case No: PA07-0090 - To include P08-057 (Phasing Plan)
A.P.N.: 488-350-001 through 002 and 488-360-001 through 012.

Approval Date: **February 10, 2009**
Expiration Date: **February 10, 2112**

The following conditions are attached for the following departments:

_x_ Planning (P), including School District (S), Post Office (PO), Building (B)
_x_ Fire Prevention Bureau (F)
_x_ Public Works, Land Development (LD)
_x_ Public Works, Special Districts (SD)
_x_ Public Works – Transportation (TE)
_x_ Parks & Community Services (PCS)
_x_ Police (PD)
_x_ Moreno Valley Utilities
___ Other (Specify or Delete)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply). All conditions identified as Advisory restate existing codes, ordinances, regulations or policies that apply to the project.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code. (Advisory)

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

ATTACHMENT 7

P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080) (Advisory)

P3. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020) (Advisory)

P4. A drought tolerant, low water using landscape palette shall be utilized throughout the site.

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030) (Advisory)

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030) (Advisory)

P7. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval. (Advisory)

PRIOR TO GRADING

P8. (GP) Prior to approval of any grading permit, the developer shall submit a tree plan to the Planning Division for review and approval. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the landscape/irrigtion plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director or designee. (GP Objective 4.4, 4.5, DG)

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord) (Advisory)

P10. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG) (Advisory)

P11. Prior to approval of a precise grading plan, landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees. (Advisory)

P12. ((GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area. (Advisory)

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.
(GP Objective 23.3, DG, CEQA).

P13. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P14. **(GP) Prior to issuance of grading permits, the developer shall submit final landscape and irrigation plans within the State Highway 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval. (MC 9.14.100)**

P15. **A qualified archaeologist and or tribal monitors from any affected Native American Indian tribes shall be present during grading to evaluate and recommend appropriate actions for any archaeological deposits exposed by construction activity. The monitoring archaeologist shall be empowered to halt grading in the vicinity of an exposed archaeological deposit until that deposit can be fully evaluated. The consultant (i.e. archaeologist) shall consult with any and all affected Native American Indian tribes in the area on any Treatment Plan prepared for the project.**

P16. **(GP) Prior to the issuance of precise grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.**

P17. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for all fences and walls required or proposed on site, included, but not limited to the 11 foot screening wall along the perimeter of the site including pilasters and caps, or alternative design as approved by the Community Development Director. (MC 9.08.070)**

P18. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an Property Owners Association (POA) or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

PRIOR TO RECORDATION OF FINAL MAP

P19. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080) (Advisory)

P20. (R) Prior to recordation of the final map, final median enhancement/landscape/irrigation plans shall be reviewed and approved by the Planning Division, and Public Works Department - Special Districts Administration for review and approval by each division. (GP - Circulation Master Plan)

P21. (R) Prior to final map recordation any required trail easements shall be provided. (Advisory)

P22. (R) Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:

a. The document to convey title
b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for general maintenance of the site, joint access to proposed parcels, open space use restrictions, conservation easements, guest parking, feeder trails, water quality basins, lighting, landscaping and common area use. The approved documents shall also contain a provision, which provides that they may not be terminated and/or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

In addition, the following deed restrictions and disclosures shall be included within the document and grant deed of the properties:

- **The developer shall promote the use of native plants and trees and drought tolerant species to the extent feasible.**

- **(R) All lots designated for open space and or detention basins, shall be included as an easement to or transfer title to; and maintained by a Property Owners Association (POA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite POA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.**

- **Maintenance of any and all common facilities.**

PRIOR TO BUILDING PERMIT

P23. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P24. (BP) Prior to issuance of building permits for applicable lettered lots, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

OTHER CONDITIONS NOT TIED TO GRADING, BUILDING OR OCCUPANCY

P25. Three building phases are included under Tentative Parcel Map No. 35629, while a plot plan (PA07-0091) has been included for Phase 1. All development under Phases 2 and 3 (Parcels 2, 3 and 4) would require additional plot plan review and approval from the Planning Commission.

Building and Safety Division

B-1 The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal (Advisory)

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA07-0088 Change of Zone
PA07-0089 General Plan Amendment
PA07-0090 Tentative Parcel Map No. 35629
APN 488-350-001, 002 and APN 488360-001 thru -012

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010) (Advisory)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (Advisory)

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040) (Advisory)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a

good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition per the Subdivision Map Act. (GC 66462.5) (Advisory)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit. (Advisory)

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions. (Advisory)

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110) (Advisory)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are

allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer. (Advisory)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110) (Advisory)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction. (Advisory)

LD11. (G) Upon approval of the tentative parcel map by the Planning Commission, the Developer shall submit the approved tentative parcel map on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) The grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD13. (GPA) Grading plans shall comply with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

(Advisory)

LD14. (GPA) Prior to grading plan approval, the developer shall select treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer. (Advisory)

LD15. (GPA, IP) Prior to approval of the grading plans or improvement plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act) (Advisory)

LD16. (GPA) Prior to the rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall:

a. Submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

   i. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
   ii. Incorporates Source Control BMPs and provides a detailed description of their implementation;

   iii. Incorporates Treatment Control BMPs and provides information regarding design considerations;

   iv. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

   v. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

b. Record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP. A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

(Advisory)

LD17. (GPA) Prior to rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. (Advisory)

LD18. (GPA) Prior to rough grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading permit issuance, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the City's Storm Water Program Manager on compact disk(s) in Microsoft Word format. The developer is required to bring the SWPPP to the grading pre-construction meeting. (Advisory)

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay any applicable remaining grading plan check fee. (Advisory)

LD21. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer. (Advisory)

LD22. (GP) Prior to the issuance of a grading permit, the developer shall submit a letter of permission to grade for a specific duration recorded against each offsite parcel and an easement for slope purposes at final map recordation. (Advisory)

LD23. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD24. (GP) Prior to issuance of a grading permit, the following securities shall be submitted to the City:

a. Security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project (MC 8.21.070)

b. Erosion control security as a guarantee of the completion and maintenance of the erosion control systems required as a condition of approval of the project. The amount of the security shall be equal to one hundred (100) percent of the total estimated cost of the

erosion control system(s). The permittee's estimate of such cost shall be based on the established unit costs available form the city and shall be subject to the review and approval of the city engineer. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the city engineer. The remainder of the erosion control security shall be subject to the approval of the City Engineer and City Attorney, and consist of one or more of the following:

i. Cash deposit;
ii. Bond
iii. Certificate of Deposit
iv. Letter of Credit, in City format, from one or more local financial institution(s) subject to regulation by the state or federal government. (MC 8.21.150)

(Advisory)

LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees. (Advisory)

Prior to Map Approval or Recordation

LD26. (MA) Prior to approval of the final map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. (Advisory)

LD27. (MA) Prior to approval of the final map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer. (Advisory)

LD28. (MA) Prior to approval of the final map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A Public Improvement Agreement (PIA) will be required to be executed. (Advisory)

LD29. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.

i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

(Advisory)

LD30. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public works Department. (Advisory)

Prior to Improvement Plan Approval or Construction Permit

LD31. (IPA) Improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD32. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210) (Advisory)

LD33. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. Securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements. (Advisory)

LD34. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer per City Standard No. 706A. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.
(Advisory)

LD35. (IPA) Improvement plans, including design plan and profile information, shall be based upon a centerline profile, extending beyond the project boundaries approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries. (Advisory)

LD36. (IPA) Improvement plans, shall reflect the City's moratorium on trench repair pavement cuts on any streets less than three years old or on slurry sealed streets less than one year old unless specifically approved by the City Engineer. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer. (Advisory)

LD37. (IPA) Drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110) (Advisory)

LD38. (IPA) If the project's hydrology study proposes to use any portion of a public street right-of-way to accommodate storm flows, said study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow will be contained within the street right-of-way. On major streets (Minor Arterial or larger), at least one lane in each direction shall remain open and not be used to carry surface flows. When any of these criteria is exceeded, additional drainage facilities shall be installed as approved by the Public Works Department Land Development Division. (MC 9.14.110) (Advisory)

LD39. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. (Advisory)

LD40. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100) (Advisory)

LD41. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. (Advisory)

LD42. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

LD43. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees. (Advisory)

Prior to Building Permit

LD44. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) per City code and Land Development Division requirements. (AB939, MC 8.80) (Advisory)

Prior to Certificate of Occupancy

LD45. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees. (Advisory)

LD46. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, unless otherwise approved by the City Engineer, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

(Advisory)

LD47. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130) (Advisory)

LD48. (CO) Prior to issuance of a certificate of occupancy or building final, the Developer must comply with the following:

a. Any required water quality basins, associated treatment control BMPs, and associated hardware per the approved civil drawing must be

constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack.

b. An Engineer's Line and Grade Certification shall be provided to the City.

c. Said facilities shall pass a flow test per City test procedures. (Advisory)

LD49. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board. (Advisory)

Prior to Acceptance of Streets into the City Maintained Road System

LD50. (AOS) Aggregate slurry, per Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of street(s) into the City maintained road system at the discretion of the City Engineer. (Advisory)

SPECIAL CONDITIONS

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD51. (RGPA) Prior to rough grading plan approval, the developer shall obtain written concurrence from Riverside County Flood Control and Water Conservation District (RCFC&WCD) for any proposed modifications to the Moreno Area Drainage Plan as well as for the acceptance of a small new additional tributary area resulting from the project's proposed grading.

LD52. (RGPA) Prior to rough grading plan approval, it shall be clearly demonstrated on the final drainage study that the potential increased rate of runoff resulting from the development of this site is mitigated. During identified storm events peak flow rates and velocity leaving the site in the developed condition shall be no larger than that of the pre-developed condition. The following shall be analyzed in the final drainage study: 1, 3, 6 and 24-hour storm duration for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures or other mitigation, beyond those shown on the tentative parcel map and preliminary drainage study, may be required and shall include those into the design and construction of appropriate drainage facilities.

LD53. (RGPA) Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. Emergency overflow area elevations shall be a minimum of 1' below the proposed building pad elevation in close proximity. This may include, but not be limited to, an emergency spillway in the basin and an emergency

overflow at any sump catch basin location. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD54. (RGPA) Prior to rough grading plan approval, all easements, existing, proposed, temporary, and those to be quitclaimed shall be shown on the plan complete with type of easement, easement width, as applicable, instrument number and date of recordation. Copies of the existing easement documents shall be submitted to the City (upon request) for review and approval. Those easements to be quitclaimed shall be coordinated with the appropriate easement holder, including but not limited to, those associated with the electrical utility lines traversing Parcel 1 and the water line running along the entire map's north boundary adjacent to SR-60 and its on-/off-ramps, as shown and labeled on the tentative parcel map. The above referenced water line shall be relocated outside the existing and ultimate SR-60 right-of-way and preferably within Eucalyptus Avenue.

LD55. (RGPA) Not withstanding what is shown on the tentative parcel map and grading plan, no grading on Caltrans property shall be permitted without an encroachment permit.

LD56. (RGPA) Prior to rough grading plan approval, the plan shall show a minimum 15-foot wide maintenance access road from a public street to Parcels G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) to provide maintenance access to these parcels until such time that the City accepts the dedication. Surrounding grading shall not prohibit runoff from leaving these parcels.

LD57. (PGPA) Prior to precise grading plan approval, the precise grading plan shall be consistent with the rough grading plan and approved plot plan, in terms of, but not limited to, pad and grade elevations, proposed water quality treatment control best management practices and locations including detention and infiltration basins, proposed building, parking lot, landscape area, slope, and project entrance locations. (Advisory)

LD58. (PGPA) Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show any driveway approach up to 40' in width to be constructed per City Standard Plan 118C, Option 2, modified. The driveways shall have a minimum radius of 50' if the entrance is to accommodate truck traffic, 35' otherwise, and transition from an 8" curb height to a 0" curb height at the conventional right-of-way 12' behind the curb line, or as approved by the City Engineer. There shall be a 4-foot wide pedestrian sidewalk area at 2% maximum cross slope behind the conventional right-of-way. A 4-foot pedestrian right-of-way dedication shall be made on PM 35629. Any entrance greater than 40' in width shall be designed as a street intersection. (Advisory)

LD59. (IPA) If it is necessary to adjust the boundary of Parcel G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) resulting in the need for additional right-of-way for highway and

road purposes, it shall be dedicated to the City at no cost to the City. If it is necessary to adjust the boundary resulting in excess right-of-way not needed for highway and road purposes, the City and the developer shall pursue the appropriate mechanism to transfer or convey public property back to the developer.

LD60. (IPA) Prior to improvement plan approval, the plans shall show redwood headers, or other pavement edge treatment as approved by the City Engineer, at all edge-of-pavement locations in the public right-of-way. If redwood header board is approved, the redwood header shall be installed per the City Standard, using a nominal minimum of 2" wide by 6" deep board. This shall include, but not be limited to, the following locations:

a. Along the frontage of Parcels 1, 2 and 4 of PM 35629, south side of Eucalyptus Avenue, south edge of the east bound travel lane to be constructed in Phase 1.

b. Along the frontage of Parcel 4 of PM 35629, east side of Theodore Street, east edge of the northbound travel lane to be constructed in Phase 2.

c. Along the frontage of Parcel 3 of PM 35629, west side of Redlands Boulevard, west edge of the southbound travel lane to be constructed in Phase 3.

d. Along the frontage of Parcel 3 of PM 35629, south side of Eucalyptus Avenue, south edge of the eastbound travel lane to be constructed in Phase 3.

e. At proposed pavement transitions at edge of pavement.

f. As required by the City Public Works Inspector(s).

LD61. (IPA) Storm drain improvement plans shall show the connection of the proposed private storm drain system to the proposed public storm drain system at the public street right-of-way. A storm drain manhole shall be placed at the right-of-way to mark the beginning of the publicly maintained portion of this storm drain.

LD62. (IPA) Prior to commencing any work within Caltrans right-of-way, the developer shall obtain an encroachment permit from Caltrans. Work within Caltrans right-of-way may include that work associated with storm drain connections to existing freeway culverts, water line removal, water line extension from north of the freeway including jack and bore operation, power pole relocation and/or undergrounding, and any grading.

LD63. (IPA) Prior to approval of improvement plans, the developer shall secure any off-site easements from the off-site property owner(s). This includes but is not limited to the drainage easement for the proposed spreading basin south of the project, the slope easement along the south side of Eucalyptus Avenue, the drainage easement for the culvert outlet across

Eucalyptus Avenue near Theodore Street, the utility easement for the temporary overhead electrical lines, and any others that may be necessary for the construction and maintenance of offsite utility and infrastructure improvements.

LD64. (IPA) Prior to approval of improvement plans for any master drainage plan facilities, a right-of-entry agreement shall be executed with Riverside County Flood Control and Water Conservation District (RCFC&WCD) for said facilities.

LD65. (MA) Prior to parcel map approval, the map shall show a varying width lettered parcel along the project's north boundary and adjacent to SR-60, shown as Parcel G on the tentative parcel map, to be irrevocably offered for dedication to the City for highway and road purposes. Until such time the City accepts the irrevocable offer of dedication for the lettered parcel, the developer shall keep the parcel clear of permanent and/or temporary improvements, features, and obstructions, including but not limited to, those resulting from grading or water quality treatment. Minimal level of landscaping sufficient to achieve adequate erosion and sediment control consisting of native plants or other plant material as approved by the Planning Division shall be planted and maintained by the developer. Existing utilities shall be relocated outside of the dedicated parcel as conditioned hereon. New utilities shall not be placed within the dedicated parcel without City Engineer approval except for extension of existing storm drain culverts and proposed water line from north of the SR-60 in the Sinclair Street alignment. If permanent or temporary improvements, features, plant material, hardscape, or obstructions are placed within the dedicated parcel, without prior City approval, the developer shall pay any and all costs associated with the removal and restoration to conform to the approved grading plans.

LD66. (MA) Prior to parcel map approval, the map shall show an irrevocable offer of dedication to the City for highway and road purposes, identified as Parcel 5 and Parcel 6 on the tentative parcel map (Parcels 5 and 6 to be shown as lettered parcels on the final parcel map) for an eastbound on-ramp at the Redlands Boulevard interchange and an eastbound off-ramp at the Theodore Street interchange, respectively. The map shall reflect Parcels 5 and 6 as lettered parcels prior to map approval. Until such time the City accepts the irrevocable offer of dedication for the lettered parcel, the parcel shall be kept clear of permanent and temporary improvements, features, and obstructions, including but not limited to, those resulting from grading or water quality treatment, other than those needed to conform to the grades and improvements shown on the approved tentative parcel map. Minimal level of landscaping sufficient to achieve adequate erosion and sediment control consisting of native plants or other plant material as approved by the Planning Division shall be planted and maintained by the developer as conditioned hereon. Existing utilities shall be relocated outside of the dedicated parcel. New utilities shall not be placed within the dedicated parcel without prior City Engineer approval. If permanent or temporary improvements, features, plant material, hardscape, or obstructions are placed within the dedicated

parcel, the developer shall pay any and all costs associated with the removal and restoration to conform to the approved grading plan.

LD67. (MA) Prior to parcel map approval, if the developer proposes to grade the site such that a slope is created for future freeway on- and/or off-ramp improvements within Parcels G, 5 and/or 6 (Parcels 5 and 6 to be shown as lettered parcels on the final parcel map), the developer shall obtain City approval such that the slope will coordinate closely with the future ramp improvements. It may be required that the developer grant a construction easement to the City, ultimately to Caltrans, at no cost to the City or Caltrans, in the future to facilitate the interchange improvements in order to make any necessary adjustments to the slope, drainage, and related features located within and/or outside of Parcels G, 5 and/or 6. In no event shall the exercise of this easement disrupt any existing development or damage any site improvements.

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels.

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD69. (MA) Prior to parcel map approval, a reciprocal access agreement between adjacent development parcels shall be submitted to the City for review and approval processing for concurrent recording with the final parcel map. Alternatively, the reciprocal access among parcels can be established in the covenants, conditions, and restrictions (CCRs) if any, and recorded concurrent with the map.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be

completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

   i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

   ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

   iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

   iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

   v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

   vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

   vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above.

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

LD71. (BP) The developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer.

LD72. (BP) Prior to issuance of a building permit, final line and grade certification shall be provided by the licensed engineer of record stating the building pad is in substantial conformance with the approved grading plan. For Parcel 1, the developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer. The relocation and/or abandonment of existing utilities and quitclaim of existing easements shall be coordinated with the sequencing of the Parcel 1 development such that these do not interfere or encumber the particular building area being developed at any given time.

LD73. (BP) Prior to building permit issuance this project shall cause the quitclaim of all existing easements, especially those easements underneath proposed building footprints shall be quitclaimed. This shall include, but not be limited to, the water line easement and power line easement. All utilities shall be relocated, as necessary, prior to quitclaiming the easements. All new easements shall be granted prior to utility relocations and quitclaims of existing easements.

LD74. (BP) Prior to building permit issuance, the developer shall remove, or cause the removal, of any sign or other structure, as applicable, on the project site, including that portion within Parcels G, 5 and 6, as shown on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered parcels on the final parcel map), to be dedicated to the City for the future freeway expansion, unless other arrangements are made with and approved by the City Engineer. The developer shall record easements for, provide access to, etc. any sign or structure that might remain, as approved by the City Engineer.

LD75. (BP) Prior to building permit issuance, the developer shall submit to the City a recorded agreement pertaining to the maintenance of and access to the temporary spreading basin to be constructed on the land south and adjacent to this project map, identified as APN# 488-350-002.

LD76. (BP) Prior to building permit issuance of the proposed building in Phase 1, the developer shall submit to the City for review and approval all

required off-site (outside of the map boundary) easements, including but not limited to, a roadway slope easement along the south side of Eucalyptus Avenue, drainage easements at low points along the south side of Eucalyptus Avenue where rip rap and other drainage improvements are proposed, a drainage easement for the culvert headwall, rip rap and grading on the south side of Eucalyptus Avenue, just west of Theodore Street, an easement for any work outside of the Sinclair Street right-of-way north of SR-60 for work associated with the construction of the water line. These easements shall record prior to occupancy, after the City has reviewed and approved them prior to building permit issuance.

LD77. (CO) Prior to occupancy for the proposed building in Phase 1, the developer shall obtain an encroachment permit from Caltrans and complete the following jack and bore operation for the installation of a proposed water line underneath SR-60 to be located within Sinclair Street right-of-way north of the freeway. The developer shall apply Caltrans crossing requirements to the portion of the water line that will lie within Parcel G of the tentative parcel map.

LD78. (CO) Prior to occupancy of the proposed building in Phase 1, the parcel map shall record along with all the offers of dedication for right-of-way and easements made on the map.

LD79. (CO) Prior to occupancy of the proposed building in Phase 1, all overhead utility lines less than 115,000 volts fronting or within the entire map boundary shall be placed underground per Section 9.14.030C of the City Municipal Code except those along the west side of Theodore Street, the terminus of the facility over SR-60 at Sinclair Street, and the interim service from Redlands Boulevard and Dracaea Avenue northerly to the project site.

LD80. (CO) Prior to occupancy of the proposed building in Phase 1, existing utilities shall be relocated outside of Parcels G, 5, and 6, as identified on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered lots on the final parcel map), being offered for dedication for highway and road purposes.

LD81. (CO) Prior to occupancy of the proposed building in Phase 1, the developer shall bring overhead electrical service to the building from the nearest source identified by the developer to be located on the west side of Redlands Boulevard near Dracaea Avenue. This will require the developer to bore under Redlands Boulevard to the east side of Redlands Boulevard.

LD82. (CO) Prior to occupancy of any buildings, a cooperative (tri-party) agreement among the developer, the City and RCFC&WCD regarding the operation and maintenance of said facilities shall be executed.

LD83. (RGPA) In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method per ASTM D3385 shall be

utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included as an amendment to the Final WQMP prior to issuance of the first occupancy. (Advisory)

LD84. (RGPA) The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA07-0090 - Highlands -Parcel 1 of TPM 35629 Logistics Building. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to rough grading plan approval. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation. (Advisory)

LD85. (RGPA) The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project pollutants of concern include: sediment/turbidity, nutrients, organic compounds, oxygen demanding substances, and pathogens. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs. (Advisory)

LD86. (RGPA) Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate the use of combined detention and infiltration basins with underdrain systems. Final design details of these detention and infiltration systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP Guidance Document. (Advisory)

LD87. (RGPA) The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD88. (GP) The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

(Advisory)

Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629

In the future, when planning applications for development of Parcels 2 and 4 are submitted to the City, additional conditions of approval for on-site development of those parcels will be added to these special conditions of approval associated with off-site and perimeter infrastructure improvements that apply to the development of Parcels 2 and 4.

LD89. (PPA) Prior to approval of a plot plan for any project on Parcel 4 of PM 35629, proposed pad and site elevations shall be coordinated with the most current design available for the Theodore Street interchange improvement plans. The plot plan shall show the proposed relocation corridor within the future right-of-way of Theodore Street for the overhead electrical power poles along Theodore Street for overhead utility lines larger than 115,000 volts.

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. In addition, the following improvements shall be provided within the 20-foot wide open space Parcel F shown on the tentative parcel map: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. In addition, the following improvements shall be constructed

within a minimum 20-foot wide multi-use trail and pedestrian access easement: a 6-foot wide sidewalk directly behind the proposed right-of-way, followed by a 4-foot wide landscaped area behind sidewalk, and then a 10-foot wide multi-use trail.

Phase 3 – Development Associated with Parcel 3 of PM 35629

In the future, when a planning application for development of Parcel 3 is submitted to the City, additional conditions of approval for on-site development of that parcel will be added to these special conditions of approval associated with off-site and perimeter infrastructure improvements that apply to the development of Parcel 3.

LD92. (PPA) Prior to approval of a plot plan for any project on Parcel 3 of PM 35629, proposed pad and site elevations shall be coordinated with the most current available Redlands Boulevard interchange improvement plans.

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities. In addition, the following improvements shall be provided within an 18-foot wide bike trail and pedestrian access easement: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
Case No. PA07-0091 Tentative Parcel Map

PARKS AND COMMUNITY SERVICES DEPARTMENT

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0090 (Map).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the Community Services district (CSD) shall be located along the west side of Theodore Street. The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued will be returned to the developer.

As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the CSD shall be located along the north side of Eucalyptus Street (currently Fir Avenue), within the development. Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director, an in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and

modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

CITY OF MORENO VALLEY
FINAL CONDITIONS OF APPROVAL
PLOT PLAN (PA07-0091)
APN: 488-350-001 through 002 and 488-360-001 through 012.

APPROVAL DATE: **February 10, 2009**
EXPIRATION DATE: **February 10, 2012**

_x_ **Planning (P), including School District (S), Post Office (PO), Building (B)**
_x_ **Fire Prevention Bureau (F)**
_x_ **Public Works, Land Development (LD)**
_x_ **Public Works, Special Districts (SD)**
_x_ **Public Works – Transportation Engineering (TE)**
_x_ **Parks & Community Services (PCS)**
_x_ **Police (PD)**
_x_ **Moreno Valley Utilities**
___ **Other (Specify or Delete)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. All conditions identified as Advisory restate existing codes, ordinances, regulations or policies that apply to the project.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230) (Advisory)

P2. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of

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Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation
WP - Water Improvement Plans
GP - Grading Permits
BP - Building Permits
CO - Certificate of Occupancy or building final
P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan
Ord - Ordinance
Res - Resolution
MC - Municipal Code
DG - Design Guidelines
UFC - Uniform Fire Code
SBM - Subdivision Map Act
CEQA - California Environmental Quality Act
Ldscp - Landscape Development Guidelines and Specs
UBC - Uniform Building Code

ATTACHMENT 8

the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020) (Advisory)

P3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030) (Advisory)

P4. **A drought tolerant, low water using landscape palette shall be utilized throughout the project.**

P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030) (Advisory)

P6. **Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Community Development Department - Planning Division. (MC 9.12.020)**

P7. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be consistent with this approval. (Advisory)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the landscape/irrigation plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P9. **(GP) Prior to approval of any precise grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.**

P10. **(GP) Prior to approval of any grading permits, the developer shall submit final landscape and irrigation plans within the State Highway 60 right-of-way**

adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Community Development Department - Planning Division for review and approval. (MC 9.14.100)

P11. **(GP) Prior to the issuance of any grading permits and prior to any physical disturbance of any natural drainage course, for any area determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P12. **(GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)**

P13. **(GP) Decorative pedestrian pathways shall be shown on the precise grading plan. (Advisory) (GP Objective 46.8, DG)**

P14. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for all fences and walls required or proposed on site, included, but not limited to the 11 foot screening wall along the perimeter of the site including pilasters and caps or alternative design as approved by the Community Development Director. (MC 9.08.070)

P15. (GP) Prior to approval of a precise grading plan, final landscaping and irrigation plans shall be submitted to the Community Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along all public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.

D. Drought tolerant landscape shall be provided.

E. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.

F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**

G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).

H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. Landscaping on three sides of all trash enclosures shall be provided.

J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**

K. A minimum size of 36" box mature trees shall be placed along the freeway or northern elevations of the building.

L. Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to achieve the overall 40 foot spacing requirement .

M. Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.

PRIOR TO BUILDING PERMITS

P16. (BP) Prior to issuance of building permits, the Community Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas

meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG) (Advisory)

P17. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG) (Advisory)

P18. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) (Advisory)

P19. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord) (Advisory)

P20. (P) Prior to issuance of building permits, final landscaping and irrigation plans shall be approved by the Planning Division prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along all public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12

parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)

C. All diamond planters shall be included at an interval of one per 3 parking stalls.

D. Drought tolerant landscape shall be provided.

E. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.

F. Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.

G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).

H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. Landscaping on three sides of all trash enclosures shall be provided.

J. Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.

K. A minimum size of 36" box mature trees shall be placed along the freeway or northern elevations of the building.

L. Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be possible for areas outside of the line of sight. An alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas.

M. Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.

P21. Prior to the issuance of building permits, landscape and irrigation plans for common areas maintained by the Property Owner's Association shall be submitted to the Community Development Department – Planning Division. All landscape plans shall be approved prior to the release of any building permits for the site. The plans shall be prepared in accordance with the City's

Landscape Development Guidelines. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix w/irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins.

P22. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community Development Director.

P23. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community Development Director. (MC 9.08.070)

P24. (BP) Prior to issuance of a building permit for Phase 1, proof of a driveway reciprocal access easement between Parcels 1 and 4 shall be provided to the Public Works and Community Development Department.

P25. (BP) Downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community Development Director. This item shall be noted on the final plot plan drawings.

P26. (BP) Prior to the issuance of building permits, evidence of a reciprocal access easement agreement for Parcel 4, including the maintenance of trees and other landscape materials would be required.

P27. (BP) Prior to the issuance of building permits, a full elevation set, including the northeast focal point of the building adjacent to Highway 60 and Theodore Street, shall be submitted. Said elevations shall be reviewed and approved by the Planning Commission prior to the release of any building permits.

P28. (BP) Prior to the issuance of building permits, the precise grade or final landscape plans shall include decorative paving at all driveway locations.

PRIOR TO CERTIFICATE OF OCCUPANCY

P29. (CO) Prior to issuance of Certificates of Occupancy or building final, all required landscaping, buildings, lighting, parking lot improvements including, but limited to paving and striping, and irrigation shall be installed for the required phase. (DC 9.03.040) (Advisory)

P30. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed and installed for the required phase according to the approved plans on file in the Community Development Department – Planning Division. (MC 9.080.070) (Advisory).

P31. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, all required landscaping and irrigation, including basins, shall be reviewed by the Community Development Department - Planning Division. The landscaping shall be installed for the required phase in accordance with the City's Landscape Standards the approved landscape plans, and conditions of approval included in the grading and building sections above. (Advisory)

P32. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 right of way.

OTHER CONDITIONS NOT TIED TO GRADING, BUILDING OR OCCUPANCY

P33. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA) (Advisory)

P34. Three building phases are included under Tentative Parcel Map No. 35629, while a plot plan (PA07-0091) has been included for Phase 1. All development under Phases 2 and 3 (Parcels 2, 3 and 4) would require submittal of separate plot plans and review and approval from the Planning Commission.

MITIGATION MEASURES

P35. MM A-1 - During project construction, the construction site manager or supervisor shall ensure that construction lighting shall be limited to lighting within the work area and light trespass shall be avoided though directional lighting, shielding, and other similar control measures.

P36. MM A-2. Enhanced architectural and landscaping treatment shall be utilized along the building frontage with State Route (SR) 60 to minimize or soften

views of long expanses of the upper elevations of buildings. Examples of alternative treatment measures may include, but not be limited to the following:

- Use of color; or
- Texture variation; or
- Roof line variation.

P37. MM AQ-1. Prior to construction of the project, the project applicant shall comply with SCAQMD Rule 403 by providing a Fugitive Dust Control Plan that describes the application of best management practices to control fugitive dust during construction. Best management practices shall include:

- Application of water on disturbed soils a minimum of three times per day;
- Covering haul vehicles;
- Replanting disturbed areas as soon as practical;
- Restricting vehicle speeds on unpaved roads to 15 mph;
- Suspension of all grading activities during high wind speeds in excess of 25 mph.
- A Large Operation notification shall be submitted to the SCAQMD prior to construction.
- Project applicant to designate a person(s) to monitor the dust control program and to order increased watering, as necessary.
- Post a sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.
- Complete all roadways, driveways, sidewalks, etc. as soon as possible; building pads should be developed as soon as possible after grading unless seeding, polymer, water, landscaping, soil binders, or similar means are applied within five working days after grading completion to minimize fugitive dust.
- Street sweeping shall be accomplished as needed to remove soil transport to adjacent areas; sweeping shall require use of equipment certified under SCAQMD Rule 1186.1.

P38. MM AQ-2. The project applicant shall meet CARB standards by assuring use of lowest emission construction equipment reasonably available for use on this project. The construction fleet average shall meet or exceed Tier II level and the applicant shall provide incentives in the bidding process in selecting construction contractors that propose the lowest-emission construction equipment (i.e., high pressure injectors; smaller engine sizes; electric equipment; gasoline powered equipment with catalytic converters; and alternatively fueled construction equipment).

The applicant shall also provide incentives in the bidding process in selecting

grading and construction contractors that propose the use of equipment using Level III diesel particulate filters.

P39. MM AQ-3. During project construction, construction equipment shall be properly maintained in accordance with manufacturer's specifications; maintenance shall include proper tuning and timing of engines. During maintenance, precautions shall be taken to ensure that fuel is not leaked onto the ground. Equipment maintenance records and equipment design specification data sheets shall be kept onsite during construction and subject to inspection by the SCAQMD.

P40. MM AQ-4. During project construction, the project applicant shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of five (5) minutes.

P41. MM AQ-5. Prior to issuance of a grading permit, the project applicant shall provide a traffic control plan to the City of Moreno Valley that will describe in detail safe detours around the project construction site with temporary traffic control (e.g., flag person) during construction-related truck hauling activities, as required by the City. Construction activities that affect traffic flow on the arterial system shall be minimized by scheduling such activities to off-peak hours. Construction truck travel shall be routed to minimize travel on congested streets and near to sensitive receptor areas. Construction traffic shall gain access to the project site via Theodore Street and Eucalyptus Avenue to the greatest extent possible to minimize traffic and dust along Redlands Boulevard. The traffic control plan is primarily intended as a safety measure but also can minimize traffic congestion and delays that increase idling and acceleration emissions. The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart J, Developing and Implementing Traffic Management Plans for Work Zones.

P42. MM AQ-6. All paints shall be low VOC paints and applied using either high volume low-pressure (HVLP) spray equipment or by hand application. For a list of low VOC paints, refer to the website www.aqmd.gov/prdas/brochures/paintguide.html.

P43. MM AQ-7A. Construction Phases. Prior to the issuance of grading permits, the developer shall provide documentation to the City of Moreno Valley indicating that construction workers will be encouraged to carpool to the greatest extent practical, including providing information on park and ride programs available to workers. The project shall also provide for lunch

services onsite during construction to minimize the need for offsite vehicle trips. Workers shall be informed in writing and a letter placed on file at the City of Moreno Valley documenting the efforts to encourage carpooling.

P44. MM AQ-7B. Occupancy. Prior to the issuance of occupancy permits, the project applicant shall provide documentation to the City of Moreno Valley indicating that tenant workers will be encouraged to carpool to the greatest extent practical including providing information on park and ride programs available to employees. Employees shall be informed in writing and a letter placed on file at the City of Moreno Valley documenting the efforts to encourage carpooling.

P45. MM AQ-8. During project construction, onsite electrical hook-ups shall be provided for electric construction tools including saws, drills and compressors, to minimize the need for diesel powered electric generators.

P46. MM AQ-9. During construction, rumble or bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads, or wash off trucks or any equipment leaving the site with each trip.

P47. MM-AQ-10. Offsite construction improvements shall be limited to an 8-hour day during daylight hours.

P48. Operations- MM AQ-11. All project entrances shall be posted with signs which state:

a) Diesel trucks servicing the project shall not idle for more than 3 minutes; and

b) Telephone numbers of the building facilities manager and the California Air Resources Board to report violations.

P49. MM AQ-12. Electricity shall be provided in the loading dock areas for transportation refrigeration units visiting the site, if any.

P50. MM AQ-13. A deed restricted area to the south of the project property line, precluding the establishment of sensitive receptors, is required. The documents necessary to execute the deed restriction shall be submitted to the City of Moreno Valley prior to the issuance of a building permit. Prior to the issuance of a Certificate of Occupancy, the area depicted on Exhibit 5.3-1 'Proposed Buffer Area' from the southern property line of the project between Redlands Boulevard and Theodore Street shall be deed-restricted in a manner

acceptable to the City of Moreno Valley to preclude the establishment of sensitive receptors including residences, hospitals, convalescent homes, day-care centers, and schools within this area.

P51. MM AQ-14. Electrical hookups shall be provided for transport refrigeration units within the Commercial component (Phases II and III) to eliminate the need for idling of diesel-powered transport refrigeration units.

P52. MM AQ-15. The project applicant shall include in all new lease documents the requirement that the tenants shall utilize only trucks using refrigeration units capable of utilizing electrical hook-ups for deliveries to the tenant.

P53. MM AQ-16. The project applicant shall encourage its tenants to do the following: have a compressed workweek schedule for its employees; include electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; require or provide incentives to use California Air Resources Board certified particulate filters that meet level III requirements; use "clean" trucks, such as 2007 or newer model year or 2010 compliant; use electric yard trucks; use trucks with a SmartWay 1.25 rating; and electrify auxiliary power units. The applicant shall provide documentation of its efforts to the satisfaction of the City.

P54. MM AQ-17. The project shall be designed such that the check-in point for trucks is inside the facility property to ensure that there are no trucks queuing outside the facility.

P55. MM AQ-18. Food services shall be provided onsite.

P56. MM AQ-19. Prior to the Issuance of Occupancy Permits, written evidence shall be provided to the Planning and Transportation Engineering Divisions that the project applicant shall include in all new lease documents the requirement that the tenant shall provide employees with incentives for carpooling or impose a parking fee.

P57. MM AQ-20. The property owners association shall maximize use of electrical equipment for landscape maintenance.

P58. MM AQ-21. Prior to the issuance of a certificate of occupancy for Phase 3, traffic signals, including interconnect hardware installed, or paid for, in whole or in part, by the project applicant shall be synchronized by the applicant, to the satisfaction of the City Engineer.

P59. MM BR-1. To avoid impacts to nesting birds covered under the MBTA, vegetation removal activities involving established perennial vegetation located in the urban/developed plant community shall be avoided during avian nesting season (February 15 through August 31). If the nesting season cannot be avoided, a nesting bird survey shall be provided no more than thirty (30) days prior to vegetation removal activities. If no active nests are observed, construction activity may proceed with no further monitoring. If active nests are observed, a biological monitor shall be present during any construction activity within the vicinity of the nest. Construction activity may encroach within the vicinity of the nesting birds at the discretion of the biological monitor. Construction activity may proceed once the nestlings have fledged the nest.

P60. MM BR-2. (GP) Prior to issuance of a grading permit, the applicant shall pay the mandatory mitigation fee for the SKRHCP. The mitigation fee is a per/acre fee based on the entire property footprint and is used to purchase land that contains occupied Stephens' kangaroo rat habitat for the purpose of conserving a large core population.

P61. MM BR-3. (GP) A pre-construction clearance survey for burrowing owl shall be provided. The pre-construction survey shall be conducted by a qualified biologist no more than thirty (30) days prior to any grading or ground disturbing activities.

If construction is to be initiated during the breeding season (February 1 through August 31) and burrowing owl is determined to occupy any portion of the study area during the 30-day pre-construction survey, consultation with the CDFG and USFWS shall take place and no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. No disturbance to active burrows shall occur without appropriate permitting through the MBTA and/or CDFG.

If active burrowing owl burrows are detected outside the breeding season (September through January), or within the breeding season but owls are not nesting or in the process of nesting, passive relocation may be conducted following consultation with the CDFG and USFWS. Construction activity may occur within 500 feet of the active nests at the discretion of the biological monitor.

P62. MM BR-4. (GP) Prior to issuance of a building permit, the applicant shall pay the mandatory mitigation fee for the MSHCP. The mitigation fee is a per unit fee based on the residential development and a per square feet fee based on commercial or industrial development. This will satisfy mitigation required

for Impact 5.4-5 and 5.4-6.

P63. MM CR-1. (GP) Prior to the issuance of a grading permit, a City-approved Project Archaeologist shall be retained to initiate and supervise cultural resource mitigation-monitoring during project-related earthmoving in all areas of the project, subject to certain constraints found in MM CR-2.

P64. MM CR-2. Project-related archaeological monitoring shall include the following constraints:

1. All construction-related earthmoving shall be monitored to a depth of ten (10) feet below grade by the Project Archaeologist or his/her designated representative;
2. Once 50 percent of the earth to be moved has been examined by the Project Archaeologist, the Project Archaeologist may, at his or her discretion, terminate monitoring if and only if no buried cultural resources have been detected;
3. If buried cultural resources are detected during monitoring, monitoring must continue until 100 percent of virgin earth within the study area has been disturbed and inspected by the Project Archaeologist or his/her designated representative.
4. Grading shall cease in the area of a cultural artifact or potential cultural artifact as delineated by the Project Archaeologist or his/her designated representative. Grading should continue in other areas of the site while particular find are investigated; and
5. If cultural artifacts are uncovered during grading, they shall be examined by a professional archaeologist subject to MM CR-3, and decisions shall be made as to mitigation, treatment and/or disposition in consultation with the culturally affiliated Tribe(s), as determined by the City. A mitigation-monitoring report must accompany the artifacts.

P65. MM CR-3. Should buried prehistoric cultural resources be encountered during monitoring, the resources shall be evaluated for significance in consultation with the culturally affiliated Tribe(s), as determined by the City, following CEQA Guidelines prior to continuance of grading in the area.

P66. MM CR-4. The City of Moreno Valley shall designate culturally affiliated Tribe(s) to monitor the project. Qualified representatives of the Tribal Group(s) shall be granted access to the project site to monitor all activities

monitored by the Project Archaeologist.

P67. MM CR-5. (GP) Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the project, subject to certain constraints found below:

1. Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place.
2. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
3. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens, and,
4. Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

P68. MM CR-6. Although considered unlikely, there is always the possibility that ground-disturbing activities may uncover previously unknown human remains. Should this occur, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed.

In the event of an accidental discovery or recognition of any human remains, California Health & Safety Code 7050.5 and California Public Resource Code (PRC) Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until a determination as to disposition and treatment is made. The Riverside County Coroner shall be contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the NAHC within 24 hours to allow the NAHC to identify the person or persons it believes to be the "most likely descendant" (MLD) of the deceased Native American. The MLD may make recommendations and enter into consultation with the

landowner, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

P69. The project will be subject to the City's Grading Ordinance and all applicable California Building Codes. MM GEO-1. During excavation and grading activities a qualified engineering geologist shall observe the in-grading excavation to confirm the absence of any fault features within the building site. If any currently unknown fault features are observed, such features shall be evaluated by the geologist and, if determined necessary, remediation measures or other measures as appropriate shall be implemented to address such features in accordance with applicable City and State requirements. The geologist's record of observations shall be summarized in a final report to be submitted to the City at the conclusion of excavation/grading activities.

P70. MM HH-1. The fire protection system shall be designed per National Fire Protection Agency (NFPA) 13 to provide an Early Suppression Fast Response (ESFR) sprinkler system protection. Temperature rating of sprinkler heads to be per the Fire Department's requirements.

P71. MM HH-2. A complete on-site fire protection underground system shall be provided per NFPA 24 and specific requirements of the local authorities. This system shall include hydrants, sectional valves, backflow prevention, and Fire Department connections.

P72. MM HH-3. Riser assemblies shall include mechanical alarm valves. System control valves shall either be riser mounted with wall post extensions or exterior post indicator valves as required by the local authority. All required devices for central station alarm system interface shall be provided.

P73. MM HH-4. System design, material, and installation shall comply with NFPA 13 and the other previous NFPA standards. It shall also comply with CBC and UFC standards. Approvals will also be obtained from the owner's insurance authority.

P74. MM LU-1. A deed restricted area to the south of the project property line, precluding the establishment of sensitive receptors, is required. The documents necessary to execute the deed restriction shall be submitted to the City of Moreno Valley prior to the issuance of a building permit. Prior to the issuance of a Certificate of Occupancy, the area depicted on Exhibit 5.3-1 'Proposed Buffer Area' from the southern property line of the project between Redlands Boulevard and Theodore Street shall be deed-restricted in a manner

acceptable to the City of Moreno Valley to preclude the establishment of sensitive receptors including residences, hospitals, convalescent homes, day-care centers, and schools within this area. (MM AQ-13)

P75. MM N-1. No Construction Vehicles on Redlands Boulevard south of Future Eucalyptus Avenue. Other than construction vehicles necessary for identified offsite improvements within Redlands Boulevard, no construction vehicles shall be allowed in the vicinity of any residences on Redlands Boulevard south of existing Fir/future Eucalyptus Avenue. The prohibition for construction traffic shall apply to all phases of the proposed project.

*P76. MM N-2. No nighttime grading or construction within 1,200 Feet of Residences south of Future Eucalyptus Avenue. City grading hours are from 7 a.m. to 8 p.m., Monday through Friday. No grading or construction activities shall occur at night (8 p.m. to 7 a.m.) within 1,200 feet from any noise-sensitive land uses (i.e. occupied residences including yard areas, schools, etc.) located south of SR-60 (Exhibit 5.11-6 shows the current location of occupied residences). Prior to the issuance of a grading permit, the project applicant shall submit a Noise Reduction Compliance Plan (NRCP) to the City as part of the grading permit submittal showing the limits of nighttime construction based on the location of occupied residential dwellings and their associated parcels, and other noise sensitive uses. The limits of nighttime grading or construction shall be shown on the NRCP and grading plan submitted to the City.

The limits of construction allowed at night shall be staked or posted on site, and contractors will be provided with a copy of the plan showing the limits of nighttime construction.

In the event any new residential units or other noise sensitive land uses are built and occupied in the vicinity of the project site prior to completion of Phase 1 construction, nighttime construction and grading activities shall be prohibited within 1,200 feet of such residences. Compliance shall be demonstrated through a modification of the NRCP.

With the implementation of this mitigation measure, the loudest noise level that would be experienced at any developed residential parcel would be less than 55 dBA (Leq) during the nighttime, and this level would be consistent with the limits established in the City's Noise Ordinance. Compliance with these standards during Phase 1 construction of the project should be assured through the Noise Reduction Compliance Plan (NRCP) and periodic monitoring of noise levels at developed residential parcels within 1,200 feet of the project site.

P77. MM N-3. Daytime Construction Noise. City grading hours are from 7 a.m. to 8 p.m., Monday through Friday. If project site grading activities must occur within 560 feet of noise-sensitive land uses during the daytime (7 a.m. to 8 p.m.), then temporary sound barriers of sufficient height and density to reduce daytime noise levels to 60 dBA (Leq) or less shall be placed between the grading activities and the noise-sensitive land uses. Prior to the issuance of a grading permit, the developer shall submit a NRCP to the City as part of the grading permit submittal showing the limits of daytime construction based on the 560 foot setback in relation to the location of occupied residential dwellings and their associated parcels and other noises sensitive uses.

In the event any new residential units or other noise sensitive land uses are built and occupied in the vicinity of the project site prior to completion of Phase 1 construction, the NRCP shall be modified to show a the revised new 560 foot setback for day time construction and grading activities in relation to the new residences.

With the implementation of this mitigation measure the loudest noise level that would be experienced at any developed residential parcel would be less than 60 dBA (Leq) during the daytime, and these levels would be consistent with the limits established in the City's Noise Ordinance. Compliance with these standards during Phase 1 construction of the project should be assured through the NRCP and periodic monitoring of noise levels at developed residential parcels within 560 feet of the project site. This mitigation measure does not apply to off-site construction.

P78. MM N-4. Require Equipment Maintenance. All construction equipment shall be maintained in good working order and fitted with the appropriate silencers, mufflers or acoustic covers where applicable.

P79. MM N-5. Locate Material Stockpiles 1,200 Feet from Residences south of the Freeway. Material stockpiles shall be located at least 1,200 feet from residences south of future Eucalyptus Avenue along Theodore Street and Redlands Boulevard. Remotely locating the stockpiles reduces the noise at the residences from equipment traveling to and from the stockpiles and the noise that is sometimes associated with handling of material.

P80. MM TT-1. (CO)Prior to issuance of Certificate of Occupancy for Phase 1, turn lanes shall be improved along Theodore Street at SR-60 and at Eucalyptus Avenue. In addition, minor pavement shall be added to the Eastbound and West bound State Route 60 Freeway ramp intersections with Theodore Street

to accommodate truck turning movements. These proposed improvements should enhance safety and improve mobility between the freeway and Eucalyptus Avenue.

P81. MM TT-2. Concurrent with the submittal of the plot plan for Phase 3 of the proposed project, the project applicant shall submit a supplemental traffic study assessing the project's contribution to the traffic impacts at the Redlands Boulevard intersection with SR-60 ramps, as well as Theodore Street at SR-60. Approval of the supplemental traffic study must occur prior to the approval of entitlements for the Phase 3 Plot Plan. The project applicant shall contribute to the costs of the interim intersection improvements required to provide adequate capacity for all phases of the project. Said contribution shall be on a fair-share basis considering the buildout of adjacent areas. Payment of such costs shall be provided prior to the issuance of a building permit for Phase 3. If the timing of Phase 3 of the project precedes the planned interim improvements, the project shall be required to construct interim improvements needed to provide adequate capacity to serve the project.

P82. MM TT-3. The project applicant shall construct the easterly leg of the intersection located at Redlands Boulevard and Eucalyptus Avenue at the ultimate design required to provide adequate capacity for all phases of the project and buildout of the adjacent areas. The design tentatively consists of a dedicated westbound left turn lane, two westbound through lanes and a dedicated westbound right turn lane. Final geometrics shall be determined after receiving the supplemental traffic study identified in MM TT 2. Construction of required improvements shall be completed prior to the issuance of occupancy permits for Phase 3 of the project.

P83. MM TT(C)-1. (CO) Prior to issuance of certificate of occupancy for Phase 1 of the project, turn lanes shall be provided along Theodore Street at SR-60 and at Eucalyptus Avenue. In addition, minor pavement shall be added to the Eastbound and West bound State Route 60 Freeway ramp intersections with Theodore Street to accommodate truck turning movements These proposed improvements should enhance safety and improve mobility between the freeway and Eucalyptus Avenue.

P84. MM TT(C)-2. The short-range analysis shows project impacts at the Redlands Boulevard interchange and at the Redlands Boulevard/Eucalyptus Avenue intersection. At the interchange, improvements are planned and the project shall participate on a fair share basis if private funding is needed. If the timing of Phase 3 of the project precedes the planned interchange

improvements, the project shall contribute to interim improvement to provide adequate capacity until the ultimate improvements are completed. These interim improvements include additions of left and right turn lanes at Redlands Boulevard, SR 60 Ramps, and Eucalyptus Avenue. The interim improvements would be the shared responsibility of the proposed project and cumulative projects. Fair share participation and/or contribution to interim improvements, as applicable, shall be required prior to the issuance of a building permit for Phase 3 of the project

P85. MM TT(C)-3. At the time of the submittal of the plot plan for Phase 3 of the proposed project, the applicant shall submit a supplemental traffic study assessing the project's contribution to the impacts at the Redlands Boulevard intersection with SR-60 ramps, as well as Theodore Street at SR-60. The developer shall contribute to the costs on a fair share basis of the intersection improvements required to provide adequate capacity for all phases of the project and buildout of the adjacent areas. If the timing of Phase 3 of the project precedes the planned improvements, the project shall be required to construct interim improvements to provide adequate capacity until the ultimate improvements are completed.

P86. MM W-1. Prior to issuance of a Precise Grading Permit, Planting and Irrigation Plans shall be submitted for review and prior to the issuance of a building permit, approved by the City. Such plans shall contain the following components:

- The plans shall incorporate water conservation principles as detailed in the Moreno Valley Municipal Code § 9.17.030 Landscape and irrigation design standards.
- Plant types shall be grouped together according to their water, soil, sun and shade requirements and in relationship to the buildings. Plants with different water needs shall be irrigated separately.
- Plans shall be designed in accordance with soil tests to determine appropriate specifications of soil amendments and to facilitate selection of water-efficient plant species suitable for the site. Soil amendments such as compost shall be provided to improve water-holding capacity of soil, where soil conditions warrant.
- All exposed surfaces of non-turf areas within the developed landscape area shall be mulched with a minimum three inch (3") layer of material, except in areas with groundcover planted from flats where mulch depth shall be one and one half inches (1.5").
- Turf areas shall be limited to public gathering areas and used in compliance with City approved water budget formula(s) and specifications.

- All irrigation systems shall be designed to prevent runoff, over-spray, low head drainage (occurs where sprinkler systems are installed in sloped areas) and other similar conditions where water flows offsite on to adjacent property, non-irrigated areas, walk, roadways, or structures. Irrigation systems shall be designed, constructed, managed, and maintained to achieve as high an overall efficiency as possible.
- Landscaped areas shall be provided with a) smart irrigation controllers which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions; b) rain-sensing devices to prevent irrigation during rainy weather; c) anti-drain check valves installed at strategic points to minimize or prevent low-head drainage; and d) pressure regulators when the static water pressure exceeds the maximum recommended operating pressure of the irrigation system.
- The planting areas shall be grouped in relation to moisture control zones based on similarity of water requirements (i.e., turf separate from shrub and groundcover, full sun exposure areas separate from shade areas; top of slope separate from toe of slope).

P87. MM GCC-1. The project shall be designed to meet applicable 2008 Title 24 energy efficiency requirements, or any more stringent requirements that may be adopted prior to the issuance of building permits for the project.

P88. MM GCC-2. All buildings shall be designed with "cool roofs" using products certified by the Cool Roof Rating Council, and exposed roof surfaces shall use "cool paints."

P89. MM GCC-3. The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, to meet the project's Phase 1 office electricity needs.

P90. MM GCC-4. The design and operation of the project shall use ENERGY STAR-qualified energy efficient products for heating and cooling systems, and for built-in appliances and lighting.

P91. MM GCC-5. To reduce vehicle miles traveled and emissions associated with trucks and vehicles, the following measures shall be implemented to the satisfaction of the Community Development Director, Public Works Director, Building Official and Transportation Division Manager:

a) Onsite secure, weather-protected bicycle storage parking shall be provided. Onsite showers (one for males and one for females) and lockers for employees shall be provided in each building. Onsite convenient bicycle parking shall be provided for retail customers.

b) Any traffic lights installed as part of this project shall use Light Emitting Diodes.

c) Pedestrian and bicycle connections shall be provided to surrounding areas consistent with the Existing General Plan.

d) A Transportation Management Association (TMA) shall be established for the project by the applicant. The TMA shall coordinate its efforts with other TMAs in the City and encourage and coordinate carpooling by occupants of the project. The TMA shall advertise its services to the building occupants. The TMA shall offer transit or other incentives to the employees to reduce greenhouse gas emissions. A shuttle shall be provided during any one hour period where the number of employees using public transit exceeds 20 during the period. The TMA shall distribute public transportation information to its employees. The TMA shall provide electronic message board space for coordinating rides. Within two months after project completion, the TMA shall submit a plan to the City that outlines the measures the TMA has implemented and contact information.

e) There shall be preferential parking for carpools, vanpools, and alternatively fueled vehicles.

P92. MM GCC-6. The project shall provide a minimum of two electric vehicle-charging stations.

P93. MM GCC-7. During onsite construction phases of mass grading, fine grading, and building (excluding asphalt paving, trenching, and offsite improvements), off-road construction equipment shall use biodiesel fuel (a minimum of B20, or 20 percent of biodiesel). Construction equipment exempt from this measure include those with warranties that would be voided if B20 biodiesel fuel is used. Prior to issuance of grading permits, the applicant shall provide documentation to the City that verifies that certain equipment are exempt; that a biodiesel supply has been secured; and that the construction contractor is aware that the use of biodiesel is required.

P94 .MM GCC-8. Prior to issuance of a grading permit, the project shall have in place a City-approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during project construction. A

similar Plan shall be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during on-going operation of the warehouse and office portions of the project. The Plans shall include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.

P95. MM GCC-9. The project shall be certifiable under Leadership in Energy and Environmental Design (LEED). The project shall obtain the following credits from the LEED for New Construction & Major Renovations, version 2.2 (or equivalent): Sustainable Sites Credit 7.1: Heat Island Effect, Non-Roof; LEED Energy & Atmosphere Credit 1, Optimize Energy Performance, in part through installing skylights and utilizing energy efficient lighting. Demonstration of certifiability shall be provided to the satisfaction of the City, prior to the issuance of building permits.

P96. MM GCC-10. The project shall be designed to accommodate trucks utilizing "SmartWay Truck Efficiency" emission reduction features. Trailer tails (extenders) are incompatible with loading docks and are exempt from this measure.

P97. MM GCC-11. Every truck that enters the site with a gross vehicle weight rating over 10,000 pounds shall have an Engine Certification Label. If it does not have the label, it shall be prohibited from entering the project site.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING.

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building

occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required. (Advisory)

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process. (Advisory)

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project. (Advisory)

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes. (Advisory)

*** Modified by the City Council at their meeting on 2/10/09**

Markg/2007/PA07-0088 thorough PA07-0091

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA07-0088 Change of Zone
PA07-0089 General Plan Amendment
PA07-0091 Plot Plan
APN 488-350-001, 002 and APN 488360-001 thru -012

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010) (Advisory)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (Advisory)

LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040) (Advisory)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a

good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition per the Subdivision Map Act. (GC 66462.5) (Advisory)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit. (Advisory)

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
(Advisory)

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110) (Advisory)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are

allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer. (Advisory)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110) (Advisory)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction. (Advisory)

LD11. (G) Upon approval of the plot plan by the Planning Commission, the Developer shall submit the approved plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) The grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD13. (GPA) Grading plans shall comply with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site. (Advisory)

LD14. (GPA) Prior to grading plan approval, the developer shall select treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer. (Advisory)

LD15. (GPA, IP) Prior to approval of the grading plans or improvement plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act) (Advisory)

LD16. (GPA) Prior to the rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall:

a. Submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

   i. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
   ii. Incorporates Source Control BMPs and provides a detailed description of their implementation;

   iii. Incorporates Treatment Control BMPs and provides information regarding design considerations;

   iv. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

   v. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

b. Record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP. A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

(Advisory)

LD17. (GPA) Prior to rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. (Advisory)

LD18. (GPA) Prior to rough grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan. (Advisory)

LD19. (GPA) Prior to grading permit issuance, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the City's Storm Water Program Manager on compact disk(s) in Microsoft Word format. The developer is required to bring the SWPPP to the grading pre-construction meeting. (Advisory)

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay any applicable remaining grading plan check fee. (Advisory)

LD21. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer. (Advisory)

LD22. (GP) Prior to the issuance of a grading permit, the developer shall submit a letter of permission to grade for a specific duration recorded against each offsite parcel and an easement for slope purposes at final map recordation. (Advisory)

LD23. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD24. (GP) Prior to issuance of a grading permit, the following securities shall be submitted to the City:

a. Security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project (MC 8.21.070)

b. Erosion control security as a guarantee of the completion and maintenance of the erosion control systems required as a condition of approval of the project. The amount of the security shall be equal to one hundred (100) percent of the total estimated cost of the

erosion control system(s). The permittee's estimate of such cost shall be based on the established unit costs available form the city and shall be subject to the review and approval of the city engineer. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the city engineer. The remainder of the erosion control security shall be subject to the approval of the City Engineer and City Attorney, and consist of one or more of the following:

i. Cash deposit;
ii. Bond
iii. Certificate of Deposit
iv. Letter of Credit, in City format, from one or more local financial institution(s) subject to regulation by the state or federal government. (MC 8.21.150)

(Advisory)

LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees. (Advisory)

Prior to Improvement Plan Approval or Construction Permit

LD26. (IPA) Improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD27. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210) (Advisory)

LD28. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. Securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements. (Advisory)

LD29. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer per City Standard No. 706A. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

(Advisory)

LD30. (IPA) Improvement plans, including design plan and profile information, shall be based upon a centerline profile, extending beyond the project boundaries approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries. (Advisory)

LD31. (IPA) Improvement plans, shall reflect the City's moratorium on trench repair pavement cuts on any streets less than three years old or on slurry sealed streets less than one year old unless specifically approved by the City Engineer. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer. (Advisory)

LD32. (IPA) Drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110) (Advisory)

LD33. (IPA) If the project's hydrology study proposes to use any portion of a public street right-of-way to accommodate storm flows, said study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow will be contained within the street right-of-way. On major streets (Minor Arterial or larger), at least one lane in each direction shall remain open and not be used to carry surface flows. When any of these criteria is exceeded, additional drainage facilities shall be installed as approved by the Public Works Department Land Development Division. (MC 9.14.110) (Advisory)

LD34. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. (Advisory)

LD35. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100) (Advisory)

LD36. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. (Advisory)

LD37. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

LD38. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees. (Advisory)

Prior to Building Permit

LD39. (BP) The developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer. (Advisory)

LD40. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) per City code and Land Development Division requirements. (AB939, MC 8.80) (Advisory)

LD41. (BP) Prior to issuance of a building permit, Parcel Map 35629 shall record.

Prior to Certificate of Occupancy

LD42. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD43. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, unless otherwise approved by the City Engineer, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

(Advisory)

LD44. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130) (Advisory)

LD45. (CO) Prior to issuance of a certificate of occupancy or building final, the Developer must comply with the following:

a. Any required water quality basins, associated treatment control BMPs, and associated hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack.

b. An Engineer's Line and Grade Certification shall be provided to the City.

c. Said facilities shall pass a flow test per City test procedures. (Advisory)

LD46. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board. (Advisory)

Prior to Acceptance of Streets into the City Maintained Road System

LD47. (AOS) Aggregate slurry, per Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance street(s) into the City maintained road system at the discretion of the City Engineer. (Advisory)

SPECIAL CONDITIONS

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD48. (RGPA) Prior to rough grading plan approval, the developer shall obtain written concurrence from Riverside County Flood Control and Water Conservation District (RCFC&WCD) for any proposed modifications to the Moreno Area Drainage Plan as well as for the acceptance of a small new additional tributary area resulting from the project's proposed grading.

LD49. (RGPA) Prior to rough grading plan approval, it shall be clearly demonstrated on the final drainage study that the potential increased rate of runoff resulting from the development of this site is mitigated. During identified storm events peak flow rates and velocity leaving the site in the developed condition shall be no larger than that of the pre-developed condition. The following shall be analyzed in the final drainage study: 1, 3, 6 and 24-hour storm duration for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures or other

mitigation, beyond those shown on the tentative parcel map and preliminary drainage study, may be required and shall include those into the design and construction of appropriate drainage facilities.

LD50. (RGPA) Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. Emergency overflow area elevations shall be a minimum of 1' below the proposed building pad elevation in close proximity. This may include, but not be limited to, an emergency spillway in the basin and an emergency overflow at any sump catch basin location. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD51. (RGPA) Prior to rough grading plan approval, all easements, existing, proposed, temporary, and those to be quitclaimed shall be shown on the plan complete with type of easement, easement width, as applicable, instrument number and date of recordation. Copies of the existing easement documents shall be submitted to the City (upon request) for review. Those easements to be quitclaimed shall be coordinated with the appropriate easement holder, including but not limited to, those associated with the electrical utility lines traversing Parcel 1 and the water line running along the entire map's north boundary adjacent to SR-60 and its on-/off-ramps, as shown and labeled on the tentative parcel map. The above referenced water line shall be relocated outside the existing and ultimate SR-60 right-of-way and preferably within Eucalyptus Avenue.

LD52. (RGPA) Not withstanding what is shown on the tentative parcel map and grading plan, no grading on Caltrans property shall be permitted without an encroachment permit.

LD53. (RGPA) Prior to rough grading plan approval, the plan shall show a minimum 15-foot wide maintenance access road from a public street to all graded areas resulting from the grading associated with the project.

LD54. (PGPA) Prior to precise grading plan approval, the precise grading plan shall be consistent with the rough grading plan and approved plot plan, in terms of, but not limited to, pad and grade elevations, proposed water quality treatment control best management practices and locations including detention and infiltration basins, proposed building, parking lot, landscape area, slope, and project entrance locations. (Advisory)

LD55. (PGPA) Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show any driveway approach up to 40' in width to be constructed per City Standard Plan 118C, Option 2, modified. The driveways shall have a minimum radius of 50' if the entrance is to accommodate truck traffic, 35' otherwise, and transition from an 8" curb height to a 0" curb height at the conventional right-of-way 12' behind the curb line, or as approved by the City Engineer. There shall be a 4-foot wide pedestrian sidewalk area at 2% maximum cross slope behind the conventional right-of-way. A 4-foot pedestrian right-of-way dedication

shall be made on PM 35629. Any entrance greater than 40' in width shall be designed as a street intersection. (Advisory)

LD56. (IPA) If it is necessary to adjust the boundary of Parcel G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) resulting in the need for additional right-of-way for highway and road purposes, it shall be dedicated to the City at no cost to the City. If it is necessary to adjust the boundary resulting in excess right-of-way not needed for highway and road purposes, the City and the developer shall pursue the appropriate mechanism to transfer or convey public property back to the developer.

LD57. (IPA) Prior to improvement plan approval, the plans shall show redwood headers, or other pavement edge treatment as approved by the City Engineer, at all edge-of-pavement locations in the public right-of-way. If redwood header board is approved, the redwood header shall be installed per the City Standard, using a nominal minimum of 2" wide by 6" deep board. This shall include, but not be limited to, the following locations:

a. Along the frontage of Parcels 1, 2 and 4 of PM 35629, south side of Eucalyptus Avenue, south edge of the east bound travel lane to be constructed in Phase 1.

LD58. (IPA) Storm drain improvement plans shall show the connection of the proposed private storm drain system to the proposed public storm drain system at the public street right-of-way. A storm drain manhole shall be placed at the right-of-way to mark the beginning of the publicly maintained portion of this storm drain.

LD59. (IP) Prior to commencing any work within Caltrans right-of-way, the developer shall obtain an encroachment permit from Caltrans. Work within Caltrans right-of-way may include that work associated with storm drain connections to existing freeway culverts, water line removal, water line extension from north of the freeway including jack and bore operation, power pole relocation and/or undergrounding, and any grading.

LD60. (IP) Prior to approval of improvement plans, the developer shall secure any off-site easements from the off-site property owner(s). This includes but is not limited to the drainage easement for the proposed spreading basin south of the project, the slope easement along the south side of Eucalyptus Avenue, the drainage easement for the culvert outlet across Eucalyptus Avenue near Theodore Street, the utility easement for the temporary overhead electrical lines, and any others that may be necessary for the construction and maintenance of offsite utility and infrastructure improvements.

LD61. (BP) Prior to issuance of a building permit, final line and grade certification shall be provided by the licensed engineer of record stating the building pad is in substantial conformance with the approved grading plan. For Parcel 1, the developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction

sequencing as approved by the City Engineer. The relocation and/or abandonment of existing utilities and quitclaim of existing easements shall be coordinated with the sequencing of the Parcel 1 development such that these do not interfere or encumber the particular building area being developed at any given time.

LD62. (BP) Prior to building permit issuance this project shall cause the quitclaim of all existing easements, especially those easements underneath proposed building footprints shall be quitclaimed. This shall include, but not be limited to, the water line easement and power line easement. All utilities shall be relocated, as necessary, prior to quitclaiming the easements. All new easements shall be granted prior to utility relocations and quitclaims of existing easements.

LD63. (BP) Prior to building permit issuance, the developer shall remove, or cause the removal, of any sign or other structure, as applicable, on the project site, including that portion within Parcels G, 5 and 6, as shown on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered parcels on the final parcel map), to be dedicated to the City for the future freeway expansion, unless other arrangements are made with and approved by the City Engineer. The developer shall record easements for, provide access to, etc. any sign or structure that might remain, as approved by the City Engineer.

LD64. (BP) Prior to building permit issuance, the developer shall submit to the City a recorded agreement pertaining to the maintenance of and access to the temporary spreading basin to be constructed on the land south and adjacent to this project map, identified as APN# 488-350-002.

LD65. (BP) Prior to building permit issuance of the proposed building in Phase 1, the developer shall submit to the City for review and approval all required off-site (outside of the map boundary) easements, including but not limited to, a roadway slope easement along the south side of Eucalyptus Avenue, drainage easements at low points along the south side of Eucalyptus Avenue where rip rap and other drainage improvements are proposed, a drainage easement for the culvert headwall, rip rap and grading on the south side of Eucalyptus Avenue, just west of Theodore Street, an easement for any work outside of the Sinclair Street right-of-way north of SR-60 for work associated with the construction of the water line. These easements shall record prior to occupancy, after the City has reviewed and approved them prior to building permit issuance.

LD66. (BP) Prior to issuance of a building permit, PM 35629 shall record along with all the offers of dedication for right-of-way and easements made on the map. Alternatively, offers of dedication for right-of-way and easements may record by separate instrument.

LD67. (CO) Prior to occupancy for the proposed building in Phase 1, the developer shall obtain an encroachment permit from Caltrans and complete the following jack and bore operation for the installation of a

proposed water line underneath SR-60 to be located within Sinclair Street right-of-way north of the freeway. The developer shall apply Caltrans crossing requirements to the portion of the water line that will lie within Parcel G of the tentative parcel map.

LD68. (CO) Prior to occupancy of the proposed building in Phase 1, all overhead utility lines less than 115,000 volts fronting or within the entire map boundary shall be placed underground per Section 9.14.030C of the City Municipal Code except those along the west side of Theodore Street, the terminus of the facility over SR-60 at Sinclair Street, and the interim service from Redlands Boulevard and Dracaea Avenue northerly to the project site.

LD69. (CO) Prior to occupancy of the proposed building in Phase 1, existing utilities shall be relocated outside of Parcels G, 5, and 6, as identified on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered lots on the final parcel map), being offered for dedication for highway and road purposes.

LD70. (CO) Prior to occupancy of the proposed building in Phase 1, the developer shall bring overhead electrical service to the building from the nearest source identified by the developer to be located on the west side of Redlands Boulevard near Dracaea Avenue. This will require the developer to bore under Redlands Boulevard to the east side of Redlands Boulevard.

LD71. (RGPA) In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method per ASTM D3385 shall be utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included as an amendment to the Final WQMP prior to issuance of the first occupancy. (Advisory)

LD72. (RGPA) The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA07-0090 - Highlands -Parcel 1 of TPM 35629 Logistics Building. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to rough grading plan approval. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation. (Advisory)

LD73. (RGPA) The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project pollutants of concern include: sediment/turbidity, nutrients,

organic compounds, oxygen demanding substances, and pathogens. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs. (Advisory)

LD74. (RGPA) Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate the use of combined detention and infiltration basins with underdrain systems. Final design details of these detention and infiltration systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP Guidance Document. (Advisory)

LD75. (RGPA) The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD76. (GP) The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;
c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

(Advisory)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
Case No. PA07-0091 Plot Plan

PARKS AND COMMUNITY SERVICES DEPARTMENT

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the Community Services district (CSD) shall be located along the west side of Theodore Street. The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued will be returned to the developer.

As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the CSD shall be located along the north side of Eucalyptus Street (currently Fir Avenue), within the development. Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director, an in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and

modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

RESOLUTION NO. 2010-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA RECOMMENDING APPROVAL OF MODIFICATIONS OF VARIOUS CONDITIONS OF APPROVAL (P09-038) FOR PA07-0090 (TENTATIVE PARCEL MAP NO. 35629) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had filed an application for Tentative Parcel Map No. 35629 consisting of three building phases and the subdivision of a 158 acre site (265.3 acres including offsite improvements and drainage), with a first phase (Parcel 1) of 1,820,000 square foot warehouse industrial building, a second phase (Parcels 2 and 4) to include a 600,000 square foot warehouse industrial building (Parcel 2) and an 80,000 square foot commercial/retail component (Parcel 4), and a third phase to include a 120,000 square foot retail/commercial component (Parcel 3). The project included four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) The project site is located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60, between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the applicant's request for the abovementioned project;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and construction of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

ATTACHMENT 9

MV00216163

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting May 11, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: Tentative Parcel Map No. 35629 was approved on February 10, 2009 to subdivide a 158-acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) for industrial and commercial/retail development. The map was consistent with a proposed General Pan amendment to eliminate a General Plan designated multi-use trail (Sinclair extension) through the center of the property, move and extend the proposed General Plan trail along future Eucalyptus Avenue (Fir Avenue) from the south side of the street to the north side of the street from Quincy Street to

Theodore Street, modify the General Plan circulation plan to change the designation of future Eucalyptus Avenue (Fir Avenue), from an arterial to a divided arterial, and the adjustment of small portions of the land between proposed Parcels 2 and 3.

The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, timing and responsibility of the required multi-use trail and modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. The modified project conditions of approval for the approved land division are physically suitable for the type of development and proposed density of development.

FACT: The proposed subdivision was designed in accordance with the City Zoning Ordinance and the State Subdivision Map Act and complied with the Specific Plan and Map Act in that all lots meet the minimum buildable size, all lots upon which development will take place will provide access to and from dedicated public streets and all lots conform to development standards within the Municipal Code. All proposed modification of approved project conditions would not change the approved land division.

3. Health, Safety and Welfare – The proposed modification of original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing and responsibility of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. The proposed modification of conditions for the originally approved project will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division.

   FACT: The City Engineer originally placed conditions of approval for Tentative Parcel Map No. 35629 regarding various project improvements, while proposed project modification of conditions would not conflict with any easements.

5. The proposed modification of conditions for the originally approved project is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems.

   FACT: Pursuant to the California Environmental Quality Act (CEQA) guidelines, an Environmental Impact Report (EIR) was certified for the original Highland Fairview Corporate project while findings and a Statement of Overriding Considerations was also approved for said project. A Mitigation Monitoring Program was also approved, which had and will ensure the completion of required mitigation measures for the project.

   The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, timing and responsibility of a multi-use trail and modification to various Land Development conditions of approval for dedication and improvement of public improvements is consistent with the original EIR. The proposed modification of project conditions would not be detrimental to the public health safety or welfare or cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems and are within the scope of the previous certified project Environmental Impact Report.

6. The effect of the proposed housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The originally approved map met the intent of the General Plan with the approved General Plan Amendment (PA08-0089). The map approval provided for a variety of industrial and commercial/retail land uses, supporting the economic base of the City. Proximity to existing residential and commercial land use allows for contiguous development and infrastructure. The proposed modification of project conditions will not exceed the planned density or the associated public service demand as envisioned by the Moreno Valley General Plan and will not exceed a threshold, which would create potential significant impacts to fiscal resources.

7. The proposed modification of conditions for the originally approved project design and subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The proposed modification of project conditions of approval will not affect size, configuration and orientation of the lots in this land division and will allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

8. The proposed modification to original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The proposed project site is not located in a redevelopment area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF),Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities

in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future).. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0090, and the modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-_____, **APPROVING** P09-038 for the modification of various project conditions of approval for the originally approved project tentative map PA07-0090 (Tentative Tract Map No. 35629) consisting of a 158 acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes for warehouse industrial, retail, and freeway dedication purposes, while the proposed condition modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibits A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

MV00216170

Exhibit A

P09-038

Modification of Conditions of Approval for PA07-0090 Tentative Parcel Map No. 35629-(Strikeout/Underline Version)

Land Development Division modified conditions of approval

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels. <u>The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.</u>

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. <u>The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and</u>

acceptance of all improvements, with the exception of the landscaping per LD68(c).

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Exhibit B

P09-038

Modification of Conditions of Approval for PA07-0090, Tentative Parcel Map No. 35629 (Clean Copy Version)

<u>Land Development Division modified conditions of approval</u>

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and

acceptance of all improvements, with the exception of the landscaping per LD68(c).

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

RESOLUTION NO. 2010-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA APPROVING VARIOUS MODIFICATION OF PROJECT CONDITIONS OF APPROVAL (P09-039) FOR PA07-0091 (PLOT PLAN) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had originally filed an application for the approval of PA07-0091 (Plot Plan) consisting of an approximately 1,820,000 square foot warehouse industrial building, with ancillary commercial/retail and office uses, on an approximately 83 acre parcel located generally north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the application;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

ATTACHMENT 10

MV00216181

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to the City Council during the meeting on May 11, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project was approved for an approximate 1,820,000 square foot warehouse industrial building on Parcel 1 (Phase 1) with related commercial/retail and office uses. The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, timing and responsibility of the required multi-use trail and modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. **Conformance with Zoning Regulations** – The proposed modification of the original project conditions of approval complies with all applicable zoning and other regulations.

   FACT:. The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, possible timing and responsibility of an easement and construction of a required multi-use trail along the project frontage and modification of various Public Works conditions of approval for dedication and improvement of public improvements is consistent with current zoning of LI (Light Industrial) at the site.

3. **Health, Safety and Welfare –** The proposed modification of the original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing and responsibility of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. **Location, Design and Operation –** The modification of the original project conditions of approval will be compatible with existing and planned land uses in the vicinity.

FACT: Surrounding land uses include primarily Highway 60 to the north, vacant commercial land uses to the west along Highway 60, vacant business park uses to the east along Highway 60 and scattered built and vacant R3 (Residential 3) single-family residential properties to the east, southwest and south of the site. The location, design and operation of the original project as well as the proposed modification of project conditions will be compatible with existing and planned land uses in the general vicinity and with design of the plot plan and architecture of the buildings.

5. The proposed modification of original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The project site does not reside in a redevelopment area or within the designated plan area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future). The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0091 (Master Plot Plan) and modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it

revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-____, **APPROVING** P09-039 amending various conditions of approval of PA07-0091 (Plot Plan) for an originally approved 1,820,000 square foot industrial warehouse building with minor interior ancillary commercial/retail and office uses, while the proposed modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibit A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

Exhibit A

P09-039

Modification of Conditions of Approval for PA07-0090, Plot Plan- (Strikeout/Underline Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Exhibit B

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan (Clean Copy Version)

<u>Planning Division modified conditions of approval</u>

P10. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

CITY OF MORENO VALLEY
Community Development Department
Planning Division

MEMORANDUM

To: Mayor and City Council

From: Mark Gross, AICP, Senior Planner via John Terell, AICP, Planning Official

Date: May 10, 2010

Subject: Additional attachment for Item E2 on the May 11, 2010 City Council Meeting Agenda

The Planning Division is providing a draft copy of the Recreational Trails Board meeting minutes for March 24, 2010. Please include as an additional attachment to the staff report under separate cover for Item E2 on the May 11, 2010 City Council meeting agenda.

If you should have any questions on the attached document, please contact Mark Gross at Extension 3215.

Approved by: Kyle A. Kollar, Interim Community Development Director

MG

Attachment

Markg/2009/P09-038-039/ CC Memo to include Trails Board Minutes

MINUTES
CITY OF MORENO VALLEY
RECREATIONAL TRAILS BOARD
REGULAR MEETING – 7:00 P.M.
March 24, 2010

CALL TO ORDER

The regular meeting of the City of Moreno Valley Recreational Trails Board was called to order by Chair Nelson at 7:00 p.m. on March 24, 2010 at the Moreno Valley Conference and Recreation Center, 14075 Frederick Street, Moreno Valley, California.

ROLL CALL

Present: Gilbert Brooks
Jennifer Chandler *
Jackie LeSan
Radene Ramos Hiers
Kim Nelson, Chairperson

Absent: Margie Breitkreuz
Brenda Jackson, Vice Chairperson

Staff: Steve Kupsak
Mark Gross
Tony Hetherman
Kathy Savala

Applicant: Iddo Benzeevi
Wayne Peterson
Jerry Stephens

**Arrived at 7:05 p.m.*

A. CONSENT CALENDAR

A1. ADOPTION OF RECREATIONAL TRAILS BOARD MEETING MINUTES OF JANUARY 27, 2010
Recommendation: The Recreational Trails Board adopts the meeting minutes and receives the report for file.

Motion by Board Member LeSan, seconded by Board Member Hiers that the Board receive and file report A1. Call for the vote: 4 Ayes, 0 Noes, 3 Absent.

B. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION FOR SEPARATE ACTION

A2. PARKS AND COMMUNITY SERVICES DIRECTOR'S REPORT

Recommendation: The Recreational Trails Board receives the report for file.

Board Member LeSan requested information about the monopine at the Cottonwood Equestrian Station Cell Tower.

Motion by Board Member LeSan, seconded by Board Member Hiers that the Board receive and file report A2. Call for the vote: 4 Ayes, 0 Noes, 3 Absent.

C. DISCUSSION CALENDAR

C1. HIGHLAND FAIRVIEW – PROPOSED REVISIONS TO CONDITIONS OF APPROVAL
Recommendation: The Recreational Trails Board receives the report for file.

Iddo Benzeevi, Applicant, discussed his firm's request that several conditions of approval related to the dedication and improvement of the multi-use trail on the Highland Fairview project site be deleted or modified. Mr. Benzeevi discussed his justification that there is no nexus between the project and the requirement to dedicate and improve multi-use trails on the project site, and does not feel his firm should be responsible for the financial commitment to build the trails citing the current economic climate.

The Board questioned Mr. Benzeevi regarding why he wanted them to change their recommendation to City Council.

The Board reached consensus to uphold their recommendation of January 23, 2008 and recommend City Council deny modification of the approved conditions of approval to remove the multi-use trail or make it a responsibility of the City to acquire the trail easement and construct trail improvements.

Motion by Board Member Chandler, seconded by Board Member LeSan that the Board recommend City Council deny the request to modify approved conditions of approval. Call for the vote: 5 Ayes, 0 Noes, 2 Absent.

MV00216191

PUBLIC COMMENTS

None.

CLOSING COMMENTS

Staff

Steve Kupsak introduced new Board Member Vivian Johnswhye-Brock.

Mr. Kupsak discussed:

- The public's continuing use of Moreno Valley Equestrian Center and the Dog Park.
- The trails grant and advised it was still being reviewed.
- Meeting the new Park Superintendent at Lake Perris.

Board

Board Member Brooks said he was injured and might not be able to participate in the Hike to the Top on March 27, 2010.

The Board brought the following items to staff's attention:

- MVEC - there is no water to the area above the arena so a valve must be shut off somewhere.
- MVEC - Sue Gilchrest is no longer volunteering but they will be happy to volunteer.
- MVEC - There is erosion in the vicinity of the concrete culvert area just east of the arena near the entry to the large concrete pipe.
- MVEC - When entry gate off of Locust is closed, vehicles hauling horse trailers do not have an advanced notice. Backing up or turning around is a bit of an issue. Posting a sign during closures may help in letting the drivers know to use the Redlands Boulevard entry.

ADJOURNMENT

The meeting was unanimously adjourned at 7:58 p.m. to the next regular meeting of May 26, 2010 at 7:00 p.m. at the Conference and Recreation Center.

Submitted by:	Submitted by:	Submitted by:
Steve Kupsak Parks Maintenance Division Manager	Kathy Savala Recording Secretary	Kim Nelson Chairperson

MV00216192

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: August 24, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR PUBLIC IMPROVEMENTS ASSOCIATED WITH PHASE 2 & 3 OF THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Real Property Deeds of Trust as Securities for the public improvements associated with Phase 2 & 3 of the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required Phase 2 & 3 public improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. The Conditions of Approval for Tract Map 35629 require that the developer provide surety for the required public improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required public improvements. The developer has requested to enter into a Public Improvement Agreement for combined Phases 2 and 3 and provide the City with real property Deeds of Trust having a total valuation equal to or greater than 2.5 times the estimated value of all remaining public improvements. Said Deeds of Trust shall be in position of first priority and the City shall never be placed in a subordinate position.

The developer has completed and submitted a Public Improvement Agreement and securities for the Phase 2 & 3 public improvements. The developer has provided City staff with a separate Deed of Trust for Parcels 2, 3 and 4 of Parcel Map 35629 as noted within the agreement and agrees to perform and complete all of the required public improvements within twenty-four (24) months from the date the Plot Plan associated with each Phase 2 & 3 parcel is approved. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe. The public improvements are within Redlands Boulevard, Theodore Street, State Route 60, and Eucalyptus Avenue. The improvements include but are not limited to: asphalt concrete, curb, gutter, sidewalk, driveway approaches, wheelchair ramp, signage, traffic signal and traffic signal modifications, bus turnout, street lights, water quality basins, storm drain, water, and sewer.

After the approval of the Plot Plan for each parcel including identification of the public improvements required to serve said parcel, and prior to the issuance of any building permits for that parcel, Developers shall replace the current Public Improvement Agreement and deed of trust with good and sufficient security for the public

improvements and labor and materials for each parcel in the amount prescribed by City ordinances and regulations.

Accompanying the agreement is a current property appraisal and a deed of trust for each of the three (3) parcels, to secure Developers'obligation in the estimated amount of two million nine hundred thousand dollars ($2,900,000.00) for the construction of the public improvements required for the development of Parcels 2, 3 and 4 of Parcel Map 35629.

Given the present economy as well as the size and uniqueness of the project, allowing the use of a separate Public Improvement Agreement and use of real property as security for Phase 2 & 3 seems appropriate.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map for Site and Parcel Identification
Exhibit "B" - Agreement for Public Improvements
Exhibit "C" - Self-Contained Appraisal Report Dated July 30, 2010
Exhibit "D" - Deed of Trust for Parcel 2
Exhibit "E" - Deed of Trust for Parcel 3
Exhibit "F" - Deed of Trust for Parcel 4

Prepared By
Mark W. Sambito, P.E. .
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\8-24-10 - PA07-0090 - PM 35629 - Phase 2-3 Agree and Security.doc

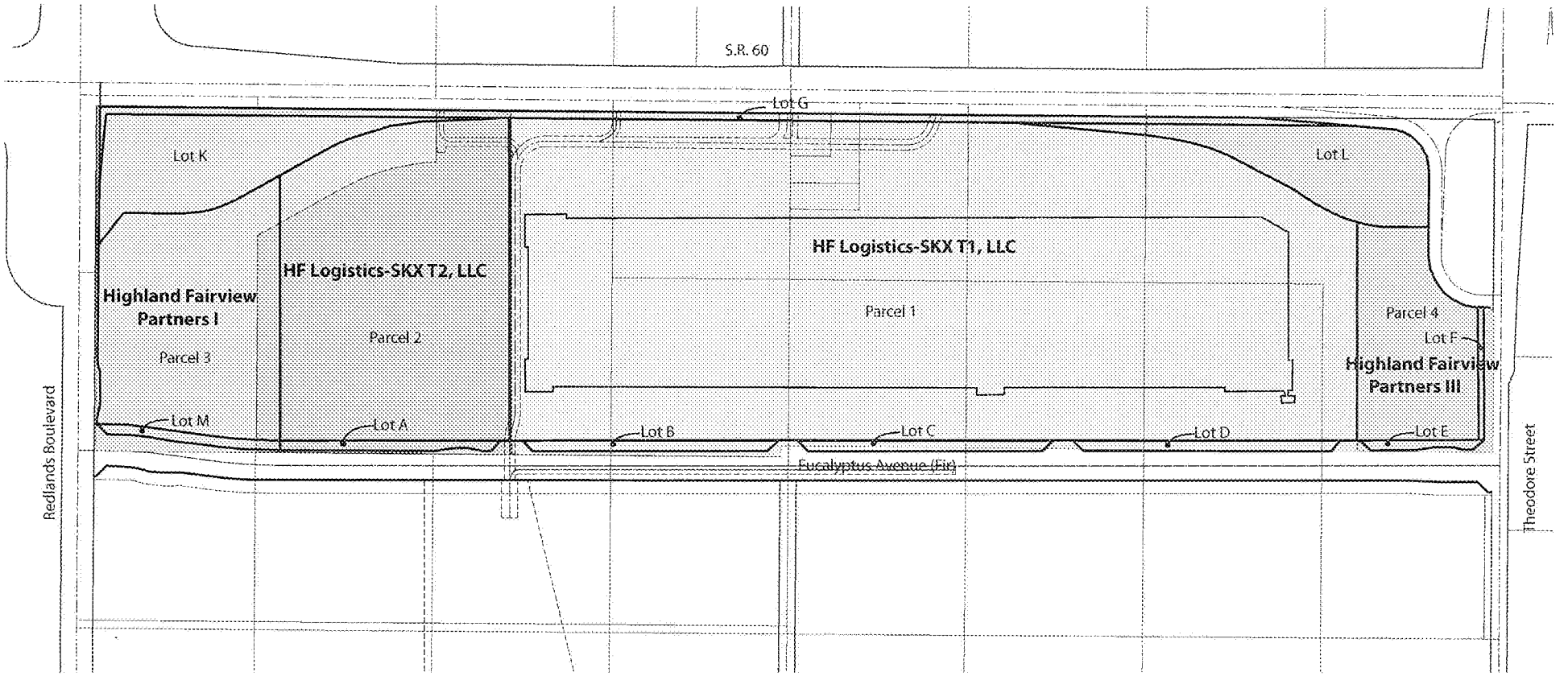

City of Moreno Valley
Public Works - Land Development

Highland Fairview Corporate Park - TPM 35629 Ownership Exhibit

PA07-0090
Vicinity Map

Exhibit "A"

MV00216197

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR THE PHASE 2 AND 3 PUBLIC IMPROVEMENTS FOR PROJECT NO. PA07-0090 PARCEL MAP 35629

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF Logistics-SKX T2, LLC, Highland Fairview Partners I, and Highland Fairview Partners III**, hereinafter called Developers, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date the Plot Plan associated with each parcel is approved, to perform and complete in a good and workmanlike manner, all of the required improvements for that Plot Plan (Parcels 2, 3 and/or 4 of Parcel Map 35629) in accordance with those improvement plans which will have been approved by the City Engineer, and will be on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all estimated costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code. Developers shall also complete any offsite public improvements required for each parcel at such time as the City acquires an interest in the land which will permit the public improvements to be made and Developers waive the 120 day time limitation set forth in Section 66462.5, Government Code. The total cost of the required public improvements for Phase 2 and 3 (Parcels 2, 3 and 4 of Parcel Map 35629) is estimated to be **TWO MILLION NINE HUNDRED THOUSAND AND NO/100 Dollars ($2,900,000.00).**

SECOND: Developers agree to pay to the City the actual cost of such inspection of the public works and public improvements as may be required by the City Engineer. Developers further agree that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required public improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developers and that, upon entry of judgment, such costs, expenses, and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the public improvements for Phases 2 and 3 (Parcels 2, 3 or 4 of Parcel Map 35629) prior to the completion or approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developers, their agents or employees, in the performance of the work, and all of said liabilities are assumed by Developers. Developers agree to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developers, their agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: Developers hereby grant to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the public improvements. This permission shall terminate in the event that the Developers have completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developers agree at all times, up to the completion and acceptance of the public improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the public improvements, and to protect the traveling public from such defective or dangerous conditions. Developers shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. Developers' obligation under this provision shall be secured by the deed of trust securing performance of this Agreement.

SIXTH: Developers, their agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If Developers, or their agents or employees, neglect, refuse, or fail to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if Developers violate, neglect, refuse, or fail to perform satisfactorily any of the provisions of the plans and specifications, they shall be in default of this Agreement and notice in writing of such default shall be served upon them. Whereupon, the City Engineer shall unilaterally have the ability to foreclose on the deed of trust securing Developers' obligations under this Agreement. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of Developers because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon Developers, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Developers hereby provide the City with a deed of trust for each Parcel 2, 3 and 4 of Parcel Map 35629, in the form of Exhibit "A" to secure Developers'obligation for the amount of **TWO MILLION NINE HUNDRED THOUSAND AND NO/100 Dollars ($2,900,000.00)** for the construction of the public improvements required for the development of Parcels 2, 3 and 4 of Parcel Map 35629. After the approval of the Plot Plan for each parcel including identification of the public improvements required to serve each parcel and prior to the issuance of any building permits for that parcel, Developers shall replace the current Public Improvement Agreement and deed of trust with good and sufficient security for the public improvements and labor and materials for each parcel in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developers agree to renew or increase each and every security within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Developers reserve the right to substitute the security in accordance with the City of Moreno Valley Municipal Code at any time during the term of this Agreement subject to the approval of the City Engineer. Notwithstanding any other provision herein, if Developers fail to take such action as is necessary to comply with said notice, they shall be in default of this Agreement unless all required public improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developers of the insufficiency of the security. Upon the provision of such security for each parcel, the lien created by the deed of trust shall be released as to that parcel and the City shall execute all documents to reconvey its interest in that parcel to Developers. Said Deeds of Trust shall be in position of first priority and the City shall never be placed in a subordinate position.

NINTH: It is further agreed by and between the parties hereto, that, in the event it is deemed necessary to extend the time of completion of the work on Parcels 2, 3 and 4 of Parcel Map 35629, contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon Developers' request, and such extensions shall in no way affect the validity of this Agreement or release the security. Developers further agree to maintain the aforesaid security in full force and effect after the provision during the term of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that, if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developers:

HF Logistics-SKX, T2, LLC,
Highland Fairview Partners I,
Highland Fairview Partners III
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developers have affixed their names, addresses.

Date approved by the City: _____

HF LOGISTICS-SKX, T2, LLC
(OWNER OF PARCEL 2)

By: Ido Ronzen

Its: President + CEO

By: _____

Its: _____

HIGHLAND FAIRVIEW PARTNERS I, LLC
(OWNER OF PARCEL 3)

By: Ido Ronzen

Its: President + CEO

By: _____

Its: _____

HIGHLAND FAIRVIEW PARTNERS III, LLC
(OWNER OF PARCEL 4)

By: Ido Ronzen

Its: President + CEO

By: _____

Its: _____

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPERS MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPERS ; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 8/5/10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Ildo Bergamo (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

LORINNE J. PHILLIPS
COMM #1868955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 8, 2013

Signature: Lorinne J. Phillips (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agmt for Pr. 243 Publicingrossi

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Ildo Bergamo	Signer's Name: _____
☒ Corporate Officer — Title(s): CEO & COO	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
Top of thumb here	Top of thumb here

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RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

This space for Recorder's use only.

SHORT FORM DEED OF TRUST

This Deed of Trust made August __, 2010, HF Logistics-SKX T2, LLC, herein called TRUSTOR, whose address is 14225 Corporate Way, Moreno Valley, CA 92553,

FIRST AMERICAN TITLE INSURANCE COMPANY, a California Corporation, herein called TRUSTEE, and the City of Moreno Valley, herein called BENEFICIARY,

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Riverside County, California, described as:

Parcel 2 of Parcel Map 35629.

For the purpose of securing TRUSTOR's obligations under that certain Public Improvements Agreement and Security Agreement dated _____, 2010. To Protect the Security of This Deed of Trust, TRUSTOR Agrees:

This Deed of Trust shall be in position of first priority and the City shall never be placed in a subordinate position.

To keep said property in good condition and repair, to pay when due all claims for labor performed and materials furnished, to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon, not to commit or permit waste thereof, not to commit, suffer, or permit any act upon said property in violation of law.

To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of BENEFICIARY or TRUSTEE and to pay all costs and expenses, including cost of evidence of title and attorneys fees in a reasonable sum, in any such action or proceeding in which the BENEFICIARY or TRUSTEE may appear, and in any suit brought by BENEFICIARY to foreclose this Deed.

To pay, at least ten days before delinquency, all taxes and assessments affecting said property, all encumbrances, charges and liens on said property or any part thereof which appear to be prior or superior hereto, and all costs, fees and expenses of this Trust. Should TRUSTOR fail to do any act as herein provided or in the Public Improvements Agreement and Security Agreement, then BENEFICIARY or TRUSTEE, but without obligation to do so and without notice to or demand upon TRUSTOR and without releasing TRUSTOR from any obligation hereof, may made or do the same in such manner and

EXHIBIT "A"

to such extent as either may deem necessary to protect the security thereof, BENEFICIARY or TRUSTEE being authorized to enter upon said property for such purposes, appear in and defend any action purporting to affect the security thereof or the right or powers of BENEFICIARY or TRUSTEE, pay, purchase, contest or compromise any encumbrance, charge, or lien which in the judgment of either appears to be prior or superior hereto, and, in exercising any such powers, pay necessary expenses, employ counsel and pay reasonable attorneys fees.

That upon default by TRUSTOR in performance of any agreement secured hereby, BENEFICIARY may declare all sums and obligations secured hereby immediately due and payable by delivery to TRUSTEE by written declaration of default and demand for sale and of written notice of default and of election to cause to be sold said property. After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of default having been given as then required by law, TRUSTEE, without demand on TRUSTOR, shall sell said property.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

Signature of Trustor

HF LOGISTICS-SKX T2, LLC
(Owner of Parcel 2)

By: _____
Iddo Benzeevi, President & CEO

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 6-5-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Adolfo Bengazar (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1868955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
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CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

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SHORT FORM DEED OF TRUST

This Deed of Trust made August __, 2010, Highland Fairview Partners I, herein called TRUSTOR, whose address is 14225 Corporate Way, Moreno Valley, CA 92553,

FIRST AMERICAN TITLE INSURANCE COMPANY, a California Corporation, herein called TRUSTEE, and the City of Moreno Valley, herein called BENEFICIARY,

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Riverside County, California, described as:

Parcel 3 of Parcel Map 35629.

For the purpose of securing TRUSTOR's obligations under that certain Public Improvements Agreement and Security Agreement dated _____, 2010. To Protect the Security of This Deed of Trust, TRUSTOR Agrees:

This Deed of Trust shall be in position of first priority and the City shall never be placed in a subordinate position.

To keep said property in good condition and repair, to pay when due all claims for labor performed and materials furnished, to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon, not to commit or permit waste thereof, not to commit, suffer, or permit any act upon said property in violation of law.

To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of BENEFICIARY or TRUSTEE and to pay all costs and expenses, including cost of evidence of title and attorneys fees in a reasonable sum, in any such action or proceeding in which the BENEFICIARY or TRUSTEE may appear, and in any suit brought by BENEFICIARY to foreclose this Deed.

To pay, at least ten days before delinquency, all taxes and assessments affecting said property, all encumbrances, charges and liens on said property or any part thereof which appear to be prior or superior hereto, and all costs, fees and expenses of this Trust. Should TRUSTOR fail to do any act as herein provided or in the Public Improvements Agreement and Security Agreement, then BENEFICIARY or TRUSTEE, but without obligation to do so and without notice to or demand upon TRUSTOR and without releasing TRUSTOR from any obligation hereof, may made or do the same in such manner and to such extent as either may deem necessary to protect the security thereof, BENEFICIARY or TRUSTEE being authorized to enter upon said property for such purposes, appear in and defend any action purporting to affect the security thereof or the right or powers of BENEFICIARY or TRUSTEE, pay,

purchase, contest or compromise any encumbrance, charge, or lien which in the judgment of either appears to be prior or superior hereto, and, in exercising any such powers, pay necessary expenses, employ counsel and pay reasonable attorneys fees.

That upon default by TRUSTOR in performance of any agreement secured hereby, BENEFICIARY may declare all sums and obligations secured hereby immediately due and payable by delivery to TRUSTEE by written declaration of default and demand for sale and of written notice of default and of election to cause to be sold said property. After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of default having been given as then required by law, TRUSTEE, without demand on TRUSTOR, shall sell said property.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

Signature of Trustor

HIGHLAND FAIRVIEW PARTNERS I
(Owner of Parcel 3)

By: _____
Iddo Benzeevi, President & CEO

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 1-5-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Adda Benzaquen (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s),~~ or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1868965
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
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City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

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SHORT FORM DEED OF TRUST

This Deed of Trust made August __, 2010, Highland Fairview Partners III, herein called TRUSTOR, whose address is 14225 Corporate Way, Moreno Valley, CA 92553,

FIRST AMERICAN TITLE INSURANCE COMPANY, a California Corporation, herein called TRUSTEE, and the City of Moreno Valley, herein called BENEFICIARY,

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Riverside County, California, described as:

Parcel 4 of Parcel Map 35629.

For the purpose of securing TRUSTOR's obligations under that certain Public Improvements Agreement and Security Agreement dated _____, 2010.To Protect the Security of This Deed of Trust, TRUSTOR Agrees:

This Deed of Trust shall be in position of first priority and the City shall never be placed in a subordinate position.

To keep said property in good condition and repair, to pay when due all claims for labor performed and materials furnished, to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon, not to commit or permit waste thereof, not to commit, suffer, or permit any act upon said property in violation of law.

To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of BENEFICIARY or TRUSTEE and to pay all costs and expenses, including cost of evidence of title and attorneys fees in a reasonable sum, in any such action or proceeding in which the BENEFICIARY or TRUSTEE may appear, and in any suit brought by BENEFICIARY to foreclose this Deed.

To pay, at least ten days before delinquency, all taxes and assessments affecting said property, all encumbrances, charges and liens on said property or any part thereof which appear to be prior or superior hereto, and all costs, fees and expenses of this Trust. Should TRUSTOR fail to do any act as herein provided or in the Public Improvements Agreement and Security Agreement, then BENEFICIARY or TRUSTEE, but without obligation to do so and without notice to or demand upon TRUSTOR and without releasing TRUSTOR from any obligation hereof, may made or do the same in such manner and to such extent as either may deem necessary to protect the security thereof, BENEFICIARY or TRUSTEE being authorized to enter upon said property for such purposes, appear in and defend any action

purporting to affect the security thereof or the right or powers of BENEFICIARY or TRUSTEE, pay, purchase, contest or compromise any encumbrance, charge, or lien which in the judgment of either appears to be prior or superior hereto, and, in exercising any such powers, pay necessary expenses, employ counsel and pay reasonable attorneys fees.

That upon default by TRUSTOR in performance of any agreement secured hereby, BENEFICIARY may declare all sums and obligations secured hereby immediately due and payable by delivery to TRUSTEE by written declaration of default and demand for sale and of written notice of default and of election to cause to be sold said property. After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of default having been given as then required by law, TRUSTEE, without demand on TRUSTOR, shall sell said property.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

Signature of Trustor

HIGHLAND FAIRVIEW PARTNERS III
(Owner of Parcel 4)

By: _____
Iddo Benzeevi, President & CEO

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 6-5-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Adda Bengzon (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

LORINNE J. PHILLIPS
COMM #1868955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
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HIGHLAND FAIRVIEW CORPORATE PARK - PARCELS 2-4
South of 60 Freeway between Redlands Boulevard & Theodore Street
Moreno Valley, Riverside County, CA 92555
CBRE File No. 10-242NB-0862

Self-Contained Appraisal Report

Prepared For:

Mr. Iddo Benveezi
HIGHLAND FAIRVIEW
14225 Corporate Way
Moreno Valley, CA 92553

VALUATION & ADVISORY SERVICES

CBRE
CB RICHARD ELLIS

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Exhibit "C"

CBRE
CB RICHARD ELLIS

3501 Jamboree Road, Suite 100
Newport Beach, CA 92660

www.cbre.com

July 30, 2010

Mr. Iddo Benveezi
HIGHLAND FAIRVIEW
14225 Corporate Way
Moreno Valley, CA 92553

RE: Appraisal of Highland Fairview Corporate Park - Parcels 2-4
South of 60 Freeway between Redlands Boulevard & Theodore Street
Moreno Valley, Riverside County, CA 92555
CBRE File No 10-242NB-0862

Dear Mr. Benveezi:

At your request and authorization, CB Richard Ellis (CBRE) has prepared an appraisal of the market value of the referenced property. Our analysis is presented in the following Self-Contained Appraisal Report.

The subject consists of three individual parcels to be located along the south side of the 60 Freeway, between Redlands Boulevard and Theodore Street in the Rancho Belago district of the city of Moreno Valley in Riverside County, California. The parcel map is scheduled to be recorded on August 24, 2010. The sites are situated adjacent an 82.6 acre site that is being improved with a 1,820,457 square foot industrial distribution facility to be leased to Skechers USA, Inc. for a 20-year term commencing upon completion, estimated to be in March 2011. Parcel 4 is a commercial-zoned site of 7.2 net acres. Parcel 3 is a commercial site of 12.9 net acres and Parcel 2 is zoned for light industrial use and contains 22.4 net acres.

Based on the analysis contained in the following report, the market value of the subject is concluded as follows:

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MARKET VALUE CONCLUSION			
Appraisal Premise	**Interest Appraised**	**Date of Value**	**Value Conclusion**
Market Value As-Is			
Parcel 2 (22.4 acres)	Fee Simple Estate	July 27, 2010	$3,370,000
Parcel 3 (12.9 acres)	Fee Simple Estate	July 27, 2010	$3,630,000
Parcel 4 (7.2 acres)	Fee Simple Estate	July 27, 2010	$2,020,000
Upon Completion of Street Improvements			
Parcel 2 (22.4 acres)	Fee Simple Estate	March 1, 2011	$5,850,000
Parcel 3 (12.9 acres)	Fee Simple Estate	March 1, 2011	$5,060,000
Parcel 4 (7.2 acres)	Fee Simple Estate	March 1, 2011	$2,820,000
Compiled by CBRE			

Data, information, and calculations leading to the value conclusion are incorporated in the report following this letter. The report, in its entirety, including all assumptions and limiting conditions, is an integral part of, and inseparable from, this letter.

The following appraisal sets forth the most pertinent data gathered, the techniques employed, and the reasoning leading to the opinion of value. The analyses, opinions and conclusions were developed based on, and this report has been prepared in conformance with, our interpretation of the guidelines and recommendations set forth in the Uniform Standards of Professional Appraisal Practice (USPAP), the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute. It also conforms to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) and Title XI Regulations.

The report is for the sole use of the client; however, client may provide only complete, final copies of the appraisal report in its entirety (but not component parts) to third parties who shall review such reports in connection with loan underwriting or securitization efforts. The appraiser is not required to explain or testify as to appraisal results other than to respond to the client for routine and customary questions. Please note that our consent to allow an appraisal report prepared by CBRE or portions of such report, to become part of or be referenced in any public offering, the granting of such consent will be at our sole discretion and, if given, will be on condition that we will be provided with an Indemnification Agreement and/or Non-Reliance letter, in a form and content satisfactory to us, by a party satisfactory to us. We do consent to your submission of the reports to rating agencies, loan participants or your auditors in its entirety (but not component parts) without the need to provide us with an Indemnification Agreement and/or Non-Reliance letter.

CBRE
CB RICHARD ELLIS

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CBRE hereby expressly grants to Client the right to copy this report and distribute it to other parties in the transaction for which this report has been prepared, including employees of Client, other lenders in the transaction, and the borrower, if any. It has been a pleasure to assist you in this assignment. If you have any questions concerning the analysis, or if CBRE can be of further service, please contact us.

Respectfully submitted,

CBRE - VALUATION & ADVISORY SERVICES

William K. Bebernes, MAI
First Vice President
California State Certification No. AG003287
Phone: (949) 725-8413
Fax: (949) 725-8440
Email: William.Bebernes@CBRE.com

CBRE
CB RICHARD ELLIS

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CERTIFICATION OF THE APPRAISAL

We certify to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial and unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in or bias with respect to the property that is the subject of this report and have no personal interest in or bias with respect to the parties involved with this assignment.
4. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
5. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
6. This appraisal assignment was not based upon a requested minimum valuation, a specific valuation, or the approval of a loan.
7. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice of The Appraisal Foundation and the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute, as well as the requirements of the State of CA relating to review by its duly authorized representatives. This report also conforms to the requirements of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA).
8. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
9. William K. Bebernes, MAI has completed the requirements of the continuing education program of the Appraisal Institute.
10. William K. Bebernes, MAI has made a personal inspection of the property that is the subject of this report.
11. No one provided significant real property appraisal assistance to the persons signing this report.
12. William K. Bebernes, MAI has extensive experience in the appraisal/review of similar property types.
13. William K. Bebernes, MAI is currently certified in the state where the subject is located.
14. Valuation & Advisory Services operates as an independent economic entity within CBRE. Although employees of other CBRE divisions may be contacted as a part of our routine market research investigations, absolute client confidentiality and privacy are maintained at all times with regard to this assignment without conflict of interest.
15. William K. Bebernes, MAI has not provided real estate appraisal services on this property within the three years prior to accepting this assignment.

William K. Bebernes, MAI
California State Certification No. AG003287

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MV00216216

SUBJECT PHOTOGRAPHS

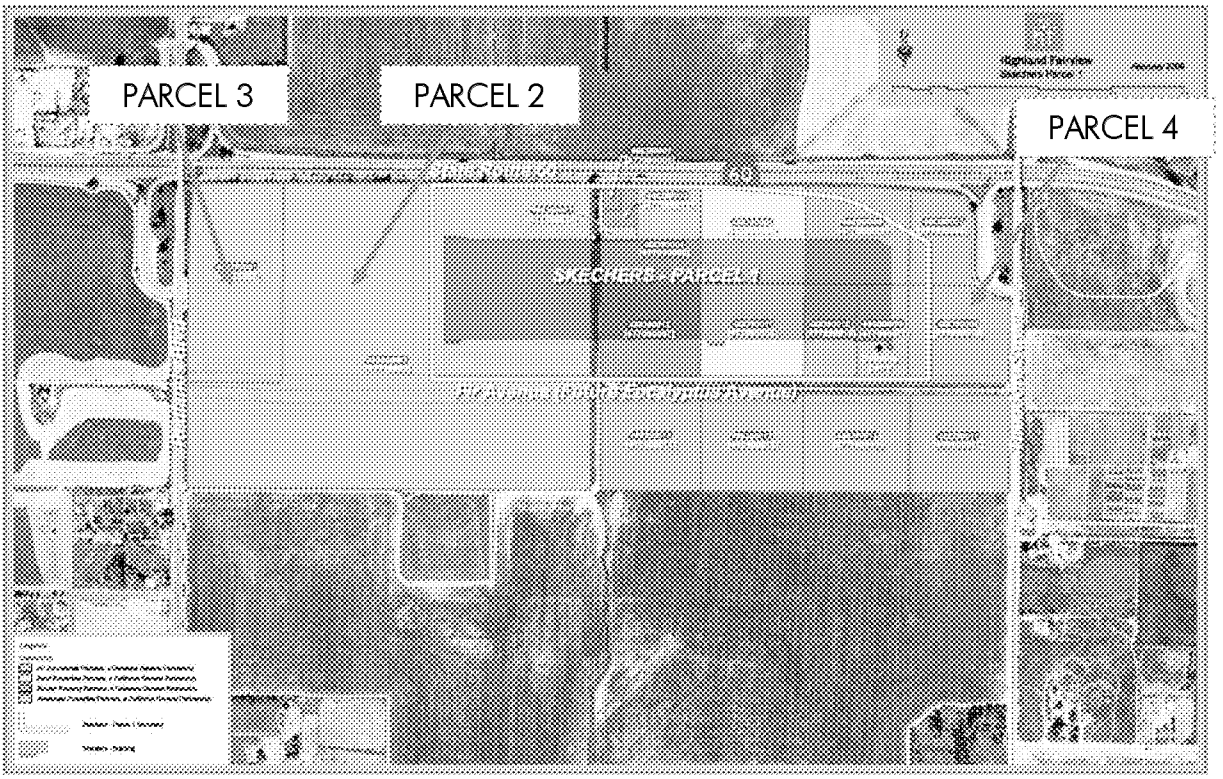

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MV00216217

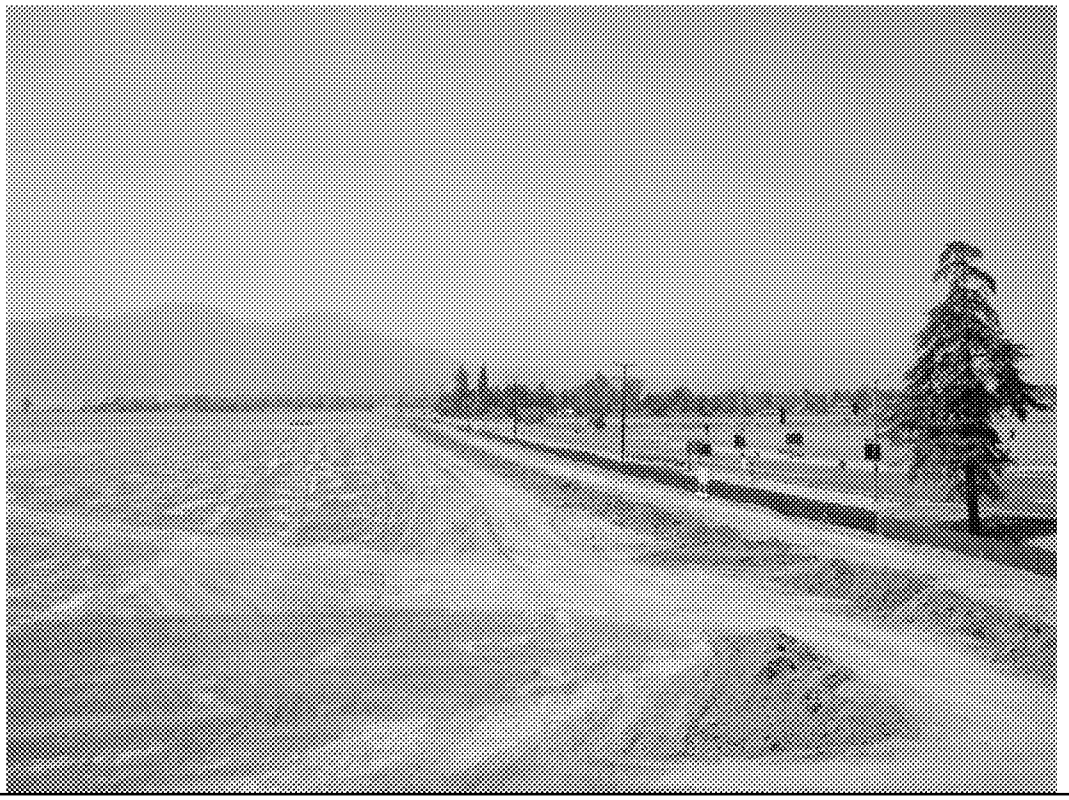

VIEW OF SUBJECT FROM EAST

VIEW OF PARCELS 2 & 3 FROM SOUTHEAST

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MV00216218

SUMMARY OF SALIENT FACTS

Property Name	Highland Fairview Corporate Park - Parcels 2-4	
Location	South of 60 Freeway between Redlands Boulevard & Theodore Street, Moreno Valley, Riverside County, CA 92555	
Assessor's Parcel Number	Multiple	
Highest and Best Use		
As If Vacant	Industrial - Commercial	
As Improved	N/A	
Property Rights Appraised	Fee Simple Estate	
Land Area - Net		
Parcel 2	22.40 AC	975,744 SF
Parcel 3	12.90 AC	561,924 SF
Parcel 4	7.20 AC	313,632 SF
Estimated Exposure Time	6 Months	

CONCLUDED MARKET VALUE

Appraisal Premise	Interest Appraised	Date of Value	Value
Market Value As-Is			
Parcel 2 (22.4 acres)	Fee Simple Estate	July 27, 2010	$3,370,000
Parcel 3 (12.9 acres)	Fee Simple Estate	July 27, 2010	$3,630,000
Parcel 4 (7.2 acres)	Fee Simple Estate	July 27, 2010	$2,020,000
Upon Completion of Street Improvements			
Parcel 2 (22.4 acres)	Fee Simple Estate	March 1, 2011	$5,850,000
Parcel 3 (12.9 acres)	Fee Simple Estate	March 1, 2011	$5,060,000
Parcel 4 (7.2 acres)	Fee Simple Estate	March 1, 2011	$2,820,000

Compiled by CBRE

SPECIAL ASSUMPTIONS

1. The gross and net site areas used in this report are based on figures from Tentative Parcel Map No. 35629, which is included in the Addenda and information provided by the owners. It is our understanding that this map will be recorded on August 24, 2010.

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MV00216219

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B Additional Subject Photographs
C Comparable Land Sales - Commercial
D Comparable Land Sales - Industrial
E Tentative Tract Map
F Land Improvement Costs
G Qualifications

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MV00216220

INTRODUCTION

PROPERTY IDENTIFICATION

The subject consists of three individual parcels to be located along the south side of the 60 Freeway, between Redlands Boulevard and Theodore Street in the Rancho Belago district of the city of Moreno Valley in Riverside County, California. The parcel map is scheduled to be recorded on August 24, 2010. The sites situated adjacent an 82.6 acre site that is being improved with a 1,820,457 square foot industrial distribution facility to be leased to Skechers USA, Inc. for a 20-year term commencing upon completion, estimated to be in March 2011. Parcel 4 is a commercial-zoned site of 7.2 net acres. Parcel 3 is a commercial site of 12.9 net acres and Parcel 2 is zoned for light industrial use and contains 22.4 net acres.

OWNERSHIP AND PROPERTY HISTORY

According to our review of public records and information provided by the owners, title to the parcels that are included in this report is currently vested in entities that are affiliates of Highland Fairview, the developer of the Skechers building. Parcels 2 and 3 are owned by Westcoast Properties Partners, a California General Partnership. Parcel 4 is owned by HF Educational Partners, a Delaware General Partnership. The sites have been under the current ownership for several years.

PREMISE OF THE APPRAISAL

The following table illustrates the various dates associated with the valuation of the subject, the valuation premises and the rights appraised for each premise/date:

PREMISE OF THE APPRAISAL		
Item	Date	Interest Appraised
Date of Report:	July 30, 2010	
Date of Inspection:	July 27, 2010	
Date of Value As Is:	July 27, 2010	Fee Simple Estate
Compiled by CBRE		

PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to estimate the market value of the subject property. The current economic definition of market value agreed upon by agencies that regulate federal financial institutions in the U.S. (and used herein) is as follows:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and

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assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their own best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. [1]

TERMS AND DEFINITIONS

The Glossary of Terms in the Addenda provides definitions for additional terms that are, and may be used in this appraisal.

INTENDED USE AND USER OF REPORT

This report is intended for use by the client for internal purposes.

SCOPE OF WORK

The scope of the assignment relates to the extent and manner in which research is conducted, data is gathered and analysis is applied, all based upon the following problem-identifying factors stated elsewhere in this report:

- Client
- Intended use
- Intended user
- Type of opinion
- Effective date of opinion
- Relevant characteristics about the subject
- Assignment conditions

This appraisal of the subject has been presented in the form of a Self-Contained Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of USPAP. That is, this report incorporates, to the fullest extent possible, practical explanation of the data, reasoning and analysis that were used to develop the opinion of value. This report also includes thorough descriptions of the subject and the market for the property type. CBRE completed the following steps for this assignment:

[1] Office of Comptroller of the Currency (OCC), 12 CFR Part 34, Subpart C – Appraisals, 34.42 (g); Office of Thrift Supervision (OTS), 12 CFR 564.2 (g); Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 4th ed. (Chicago: Appraisal Institute, 2002), 177-178. This is also compatible with the RTC, FDIC, FRS and NCUA definitions of market value as well as the example referenced in the *Uniform Standards of Professional Appraisal Practice (USPAP)*.

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Extent to Which the Property is Identified

CBRE collected the relevant information about the subject from the owner (or representatives), public records and through an inspection of the subject. The property was legally identified through its postal address, assessor's records, legal description and title report.

Extent to Which the Property is Inspected

CBRE inspected the subject, as well as its surrounding environs on the effective date of appraisal.

Type and Extent of the Data Researched

CBRE reviewed the micro and/or macro market environments with respect to physical and economic factors relevant to the valuation process. This process included interviews with regional and/or local market participants, available published data, and other various resources. CBRE also conducted regional and/or local research with respect to applicable tax data, zoning requirements, flood zone status, demographics, income and expense data, and comparable listing and sale information.

Type and Extent of Analysis Applied

CBRE analyzed the data gathered through the use of appropriate and accepted appraisal methodology to arrive at a probable value indication via each applicable approach to value. Approaches to value used include cost, sales and income. The steps required to complete each approach are discussed in the methodology section. CBRE then correlated and reconciled the results into a reasonable and defensible value conclusion, as defined herein. A reasonable exposure time and marketing time associated with the value estimate presented has also been concluded.

EXPOSURE/MARKETING TIME

Current appraisal guidelines require an estimate of a reasonable time period in which the subject could be brought to market and sold. This reasonable time frame can either be examined historically or prospectively. In a historical analysis, this is referred to as exposure time. Exposure time always precedes the date of value, with the underlying premise being the time a property would have been on the market prior to the date of value, such that it would sell at its appraised value as of the date of value. On a prospective basis, the term marketing time is most often used. The exposure/marketing time is a function of price, time, and use. It is not an isolated estimate of time alone.

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EXPOSURE TIME INFORMATION		
	Exposure Time (Months)	
Investment Type	Range	Average
Comparable Sales Data	3.0 - 28.0	6.8
CBRE Warehouse/Distribution		
Class A	3.0 - 12.0	5.5
Class B	4.0 - 12.0	7.8
Class C	4.0 - 12.0	7.6
Korpacz Warehouse		
National Data	3.0 - 18.0	9.3
Local Market Professionals	3.0 - 9.0	6.0
CBRE Estimate	**6 Months**	
Source: CBRE National Investor Survey & Korpacz Real Estate Investor Survey		

CBRE has concluded an exposure/marketing time of 6 months to be reasonable for the subject. This exposure/marketing time reflects current economic conditions, current real estate investment market conditions, the terms and availability of financing for real estate acquisitions, and property and market-specific factors. It assumes that the subject is (or has been) actively and professionally marketed. The marketing/exposure time would apply to all valuation premises included in this report.

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AREA ANALYSIS

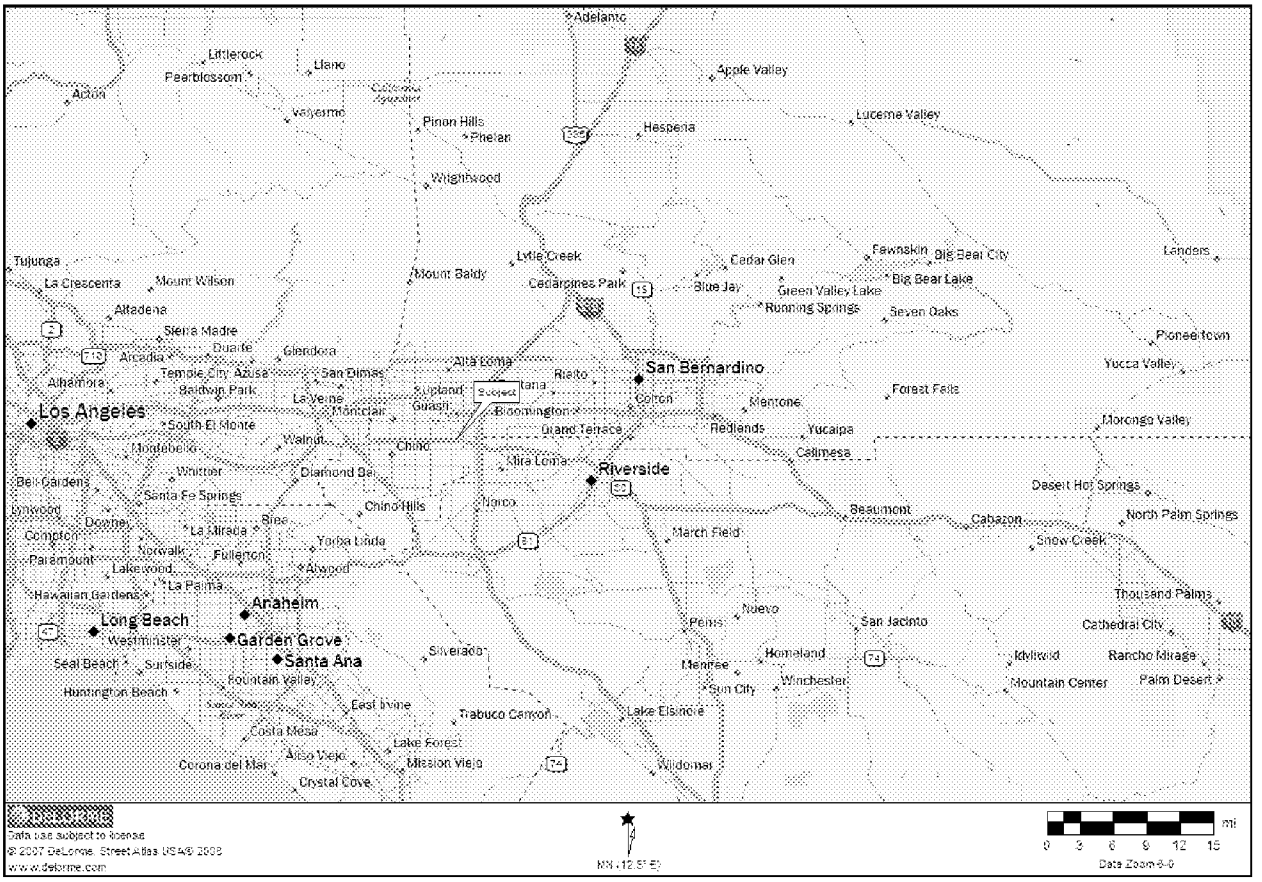

REGIONAL (COUNTY) INFLUENCES

Location

The subject is located in the Rancho Belago district of the city of Moreno Valley within Riverside County, California. The San Bernardino/Riverside County area (Inland Empire) is located in the southern portion of the state. A regional map indicating the location of the subject is presented on the previous page.

Population/Demographics

The Inland Empire represents approximately 11 percent of California's population. The population of the Inland Empire is estimated by Claritas to be 4,216,852 for 2009. The county's population is expected to reach approximately 4,808,880 by the year 2014 for an annual growth rate of 2.66 percent.

Demographic statistics for the Inland Empire are shown in the following table.

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SELECTED METROPOLITAN DEMOGRAPHICS			
	Riverside County	San Bernardino County	Total Inland Empire
Population			
2014 Projection	2,513,707	2,295,173	4,808,880
2009 Estimate	2,149,382	2,067,470	4,216,852
2000 Census	1,545,387	1,709,434	3,254,821
1990 Census	1,170,413	1,418,380	2,588,793
2009 - 2014 % Change	17.0%	11.0%	14.0%
2000 - 2009 % Change	39.1%	20.9%	29.6%
1990 - 2000 % Change	32.0%	20.5%	25.7%
Households			
2014 Projection	677,480	792,521	1,470,001
2009 Estimate	617,191	684,200	1,301,391
2000 Census	528,594	506,218	1,034,812
1990 Census	464,737	402,067	866,804
2009 - 2014 % Change	9.8%	15.8%	13.0%
2000 - 2009 % Change	16.8%	35.2%	25.8%
1990 - 2000 % Change	13.7%	25.9%	19.4%
2009 Median Household Income	$55,504	$57,241	$56,373
2009 Average Household Income	$70,589	$74,896	$72,743
Source: Claritas			

The population increases in San Bernardino and Riverside counties were primarily due to a spillover from Los Angeles and Orange counties. However, more recent and projected growth is attributed to an internal expansion and diversification of the counties' employment base. This development of employment opportunities has enabled the individual counties to develop as quasi-independent economic centers. This is reflected in regional economic data, which indicates that the Inland Empire has been leading the region in terms of new job creation.

Education

College campuses in San Bernardino County include Cal State University San Bernardino, Chaffey College, Loma Linda University, and University of Redlands. Major colleges in Riverside County include the University of California Riverside, which is building a satellite campus in the Coachella Valley, California State University in Palm Desert, College of the Desert, and Riverside Community College.

Economic Forces

General Economic Overview

California has historically been the dominant economic state in the Western United States. Trends in the state have typically mirrored the nation, although it has generally followed, versus led, the

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economic cycles. The State of California, Southern California region, and Los Angeles County economies are all expected to contract in 2010. Strong growth is not projected until 2011 or later. The future impact on commercial and residential real estate is unknown, which is impacting current investment decisions. Specific locations within the region are experiencing varying levels of decline and these adverse economic conditions have been considered.

Development in the Inland Empire reflects a continuing suburbanization of the Southern California region. It has occurred as a direct result of increasing urbanization and associated high business costs (including real estate) in Los Angeles and Orange counties. Large-scale growth in the Inland Empire began in the 1970s as the area developed as a series of affordable housing communities serving the adjoining employment centers. The construction of housing was facilitated by low land costs and pro-growth local governments. The increased population base supported growth in retail trade and services.

The expanding population and economic base in the Southern California region, coupled with a lack of developable land, also resulted in significant new industrial development in the Inland Empire. This development consists primarily of warehouse/distribution buildings, with limited manufacturing. Development of warehouse/distribution buildings in the Inland Empire is attractive due to its good transportation infrastructure (both vehicular and rail) and its central location relative to serving the Southern California region and the western United States. Similar to residential land uses, new industrial development was also facilitated by low land costs and pro-growth local governments.

Historical Inland Empire Employment

In order to determine economic trends in the Inland Empire, we reviewed employment estimates published by the State of California Employment Development Department (EDD). A summary of historical average annual employment figures in the Inland Empire, by sector for 1990 through 2009, is shown in the table on the following pages.

In 2005 the Employment Development Department (EDD) began implementing a new labor force data methodology. The revised methodology includes new time-series estimating models, improved estimation of new and reentrants into the labor force, and newly-defined Metropolitan Statistical Areas (MSAs).

Employment in the Inland Empire has steadily increased, reflecting a compound annual job growth rate of 2.22 percent over the past 19 years (31,915 new jobs per year). Employment growth has occurred continually despite recessionary periods experienced by the Southern California region in the 1990's and the early 2000 years. The Inland Empire's improving employment is reflective of its consistent economic development and increases in population.

Over the last 19 years, employment sectors that noticeably outperformed total employment growth include: Trade, Transportation and Utilities at 5.6 percent and Professional and Business Services at

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3.8 percent per year. Total farm, mining and federal government have shown slight decreases. More recently, the Construction sector within Goods Producing has dropped 33.6 percent from 2008 and the overall Goods Producing Industry has declined 24.9 percent. The decrease in employment within this industry is a reflection of the continued decline in residential and commercial expansion in the Inland Empire region. Overall employment in the Inland Empire showed a moderate decline from the previous year, with a decrease in 49,100 jobs year-over-year.

HISTORICAL EMPLOYMENT TRENDS
Riverside - San Bernardino Metropolitan Statistical Area

Title	1990	2000	2008	2009	2008 % of Total	2009 % of Total	Annual Growth 2008-2009 Total	Annual Growth 2008-2009 %	Compounded Annual Growth 1990-2009 Avg.	Compounded Annual Growth 1990-2009 %
Civilian Labor Force	1,172,400	1,419,400	1,827,900	1,778,800	-				-	-
Civilian Employment	1,097,900	1,347,500	1,662,400	1,530,400	-				-	-
Civilian Unemployment	74,500	71,900	165,500	248,400	-				-	-
Change in Total Employment	-	37.4%	-2.2%	-7.6%	-				-	-
Total, All Industries	735,200	1,010,100	1,257,100	1,161,100	100.0%	100.0%	-96,000	-7.6%	22,416	2.4%
Total Farm	22,600	21,700	14,800	16,300	1.2%	1.4%	1,500	10.1%	-332	-1.7%
Total Nonfarm	712,600	988,400	1,242,300	1,144,800	98.8%	98.6%	-97,500	-7.8%	22,747	2.5%
Goods Producing	138,000	201,500	210,700	158,200	16.8%	13.6%	-52,500	-24.9%	1,063	0.7%
Mining	1,400	1,300	1,400	900	0.1%	0.1%	-500	-35.7%	-26	-2.3%
Construction	58,800	80,100	98,300	65,300	7.8%	5.6%	-33,000	-33.6%	342	0.6%
Manufacturing	77,900	120,100	111,000	92,000	8.8%	7.9%	-19,000	-17.1%	742	0.9%
Service Providing	574,600	786,900	1,031,600	986,600	82.1%	85.0%	-45,000	-4.4%	21,684	2.9%
Transportation & Public Utilities	24,000	46,400	67,700	67,700	5.4%	5.8%	0	0.0%	2,300	5.6%
Wholesale Trade	24,400	38,300	56,100	51,400	4.5%	4.4%	-4,700	-8.4%	1,421	4.0%
Retail Trade	99,200	127,400	168,800	159,000	13.4%	13.7%	-9,800	-5.8%	3,147	2.5%
Finance & Insurance	21,300	20,600	28,500	26,000	2.3%	2.2%	-2,500	-8.8%	247	1.1%
Real Estate and Rental and Leasing	11,700	14,200	18,200	17,300	1.4%	1.5%	-900	-4.9%	295	2.1%
Professional and Business Services	62,800	97,000	146,300	128,300	11.6%	11.0%	-18,000	-12.3%	3,447	3.8%
Government	150,200	192,100	227,200	226,600	18.1%	19.5%	-600	-0.3%	4,021	2.2%
Federal Government	21,600	18,200	20,500	19,800	1.6%	1.7%	-700	-3.4%	-95	-0.5%
State Government	18,900	24,600	28,200	29,900	2.2%	2.6%	1,700	6.0%	579	2.4%
Local Government	109,700	149,300	178,500	176,900	14.2%	15.2%	-1,600	-0.9%	3,537	2.5%

Source: California Employment Development Department

County Employment

The Riverside-San Bernardino MSA unemployment rate was 14.4 percent in June 2010, up from the revised 13.9 percent in May 2010 and above the estimate of 13.6 percent in June 2009. This compares to the State's average of 12.2 percent and the national rate 9.6 percent. Year-over total non-farm employment in Riverside and San Bernardino counties declined by 32,200 jobs from 1,138,800 in June 2009 to 1,106,600 in June 2010, a growth rate of -2.8 percent. Construction, retail, manufacturing, financial activities and trade, transportation and utilities had the greatest decline in employment over the past year.

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In addition to the growing pool of available workers, the SMSA has a wide range of skill levels coming from the influx of homebuyers. The following table outlines the profile of the work force by employment sector.

RIVERSIDE - SAN BERNARDINO MSA
WORK FORCE
JUNE 2010

Industry	Number Employed (in thousands)	Percent Employed
All Industries	1,127.3	100.0
Total Agriculture	20.7	1.8
Non-Agriculture Industries	1,106.6	98.2
Goods Producing	145.3	12.9
Mining	1.2	0.1
Construction	58.8	5.2
Manufacturing – Total	85.3	7.6
Nondurable Goods	29.0	2.6
Durable Goods	56.3	5.0
Service Providing – Total	961.3	85.3
Trade Transportation and Utilities	262.9	23.3
Information	14.4	1.3
Financial Activities	41.8	3.7
Professional and Business Services	124.8	11.1
Education and Health Services	132.1	11.7
Leisure and Hospitality	119.9	10.6
Other Services	36.3	3.2
Government	229.1	20.3

Source: California EDD

The most influential aspect of the above breakdown is that it illustrates the diversity in the regional labor force. The entire Los Angeles metropolitan area, including the Inland Empire, has a very diverse economic makeup that has buffered Southern California's economy from cyclical fluctuations in particular industries such as defense and energy. The impact of this is a relatively strong real estate investment market, from local, national, and international concerns. The economic makeup developing in the subject's region is following a similar pattern.

For the long term, Riverside and San Bernardino Counties will continue to be bedroom communities and an exporter of employees. The area's attractive climate and surroundings are expected to continue to attract home price conscious employees and retirees alike.

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Unemployment Trends

The following table summarizes the average annual unemployment rates for the Inland Empire from 1990.

INLAND EMPIRE UNEMPLOYMENT RATES 1990 - JUNE 2010

Year	Unemployment Rate
1990	6.4%
1991	9.1%
1992	10.7%
1993	11.0%
1994	9.6%
1995	8.6%
1996	7.9%
1997	7.0%
1998	6.1%
1999	5.2%
2000	5.1%
2001	5.3%
2002	6.3%
2003	6.4%
2004	5.9%
2005	5.3%
2006	4.9%
2007	5.9%
2008	10.3%
2009	14.1%
June 2010	14.4%

Source: California Employment Development Department

As shown, the unemployment rate increased between 1990 and 1993 due to a recession. The unemployment rate declined from 1994 to 1999 as the regional economy expanded. It increased moderately in 2002, and maintained that level in 2003, due to lingering effects of the national recession as well as continued growth in the labor force. It declined significantly in 2004, and maintained the same level in 2005. Unemployment decreased to 4.9 percent in 2006, and rose to 5.9 percent in 2007. In 2008, the unemployment rate rose significantly to 10.3 percent and again in 2009 to 14.1 percent due to a slowing economy. As of June 2010, the unemployment rate has continued to increase to a rate of 14.4 percent.

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Largest Employers

A list of the largest employers in the Inland Empire, compiled by the Inland Empire Business Journal in the 2010 Book of Lists and CB Richard Ellis, Inc. is presented in the two following tables.

MAJOR EMPLOYERS
Riverside County

NO.	NAME OF COMPANY	EMPLOYEES LOCAL	EMPLOYEES TOTAL	TYPE OF ORGANIZATION
1	County of Riverside	18,456	18,456	County Government
2	March Aire Reserve Base	8,600	8,600	Military
3	U.C. Riverside	7,321	7,321	University
4	Stater Bros. Markets	6,900	19,000	Grocery/Retailer
5	Wal-Mart Stores, Inc	6,550	1,900,000	Retail
6	Riverside Unified School District	5,099	5,099	Education
7	Abbott Vascular	4,500	65,000	Health Care
8	Pechanga Resort and Casino	4,000	4,000	Casino/Resort
9	Kaiser Permanente Riverside Medical Center	3,600	149,000	Health Care
10	Temecula Valley Unified School District	2,752	2,752	Education
11	City of Riverside	2,700	2,700	City Government
12	Hemet Unified School District	2,590	2,590	Education
13	Riverside County Regional Medical Center	2,400	N/A	Health Care
14	Eisenhower Medical Center	2,223	2,223	Health Care
15	Morongo Casino, Resort and Spa	2,148	2,148	Casino/Resort
16	Palm Springs Unified School District	2,135	2,135	Education
17	Alvord Unified School District	2,100	2,100	Education
18	Desert Regional Medical Center	1,900	N/A	Health Care
19	Riverside County Office of Education	1,800	1,800	Education
20	Murrieta Valley Unified School District	1,777	1,900	Education

*Based on ranking of total local employees in Inland Empire as included in the Book of Lists
Source: The Business Press, 2010 Book of Lists

MAJOR EMPLOYERS
San Bernardino County

NO.	NAME OF COMPANY	EMPLOYEES LOCAL	EMPLOYEES TOTAL	TYPE OF ORGANIZATION
1	County of San Bernardino	18,000	18,000	County Government
2	U.S. Marine Corps Air Ground Combat Center	12,486	12,486	Military
3	U.S. Army, Fort Irwin & National Training Center	10,000	10,000	Military
4	San Bernardino City Unified School District	7,722	7,722	Education
5	Stater Bros. Markets	6,900	19,000	Grocery/Retailer
6	Wal-Mart Stores, Inc.	6,125	1,900,000	Retail
7	Kasier Permanente	5,808	5,808	Health Care
8	UPS	4,990	407,200	Parcel Shipment
9	Fontana Unified School District	4,808	4,808	Education
10	Target Corporation	4,800	350,000	Retail
11	Colton Joint Unified School District	3,737	3,737	Education
12	San Manuel Band of Mission Indians	3,691	3,691	Casino/Resort
13	Loma Linda University	3,000	3,000	University
14	Chino Valley Unified School District	2,815	2,815	Education
15	Cardenas Markets, Inc.	2,500	2,500	Grocery/Retailer
16	VA Loma Linda Healthcare System	2,268	2,436	Health Care
17	Ontario-Montclair School District	2,239	2,239	Education
18	Arrowhead Regional Medical Center	2,231	3,100	Health Care
19	Marine Corps Logistics Base	2,200	2,200	Military
20	University of Redlands	2,128	2,128	University

*Based on ranking of total local employees in Inland Empire as included in the Book of Lists
Source: The Business Press, 2010 Book of Lists

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Environmental Forces

Land Use/Development Trends

The Inland Empire originally developed as a residential bedroom community serving employment centers in Los Angeles and Orange counties. As a result, most early development paralleled the San Bernardino, Pomona, and Corona freeways. Residents were drawn to the area by the availability of affordable housing. With the existing network of freeways serving the Southern California region, access to most employment centers was easily facilitated. The western portion of San Bernardino County was the first area to experience significant residential development. This included the cities and communities of Montclair, Upland, Chino, and Ontario. With the rapid expansion of the Southern California economy in the 1980s, residential development in the Inland Empire continued its expansion along existing freeways. Residential development followed an easterly path, to the cities of Rancho Cucamonga and Fontana. More significantly, increased development occurred along the Riverside Freeway in the cities and communities of Corona, La Sierra, Arlington, and Moreno Valley. To a lesser extent, residential development moved northward along the Ontario Freeway to the cities of Victorville, Apple Valley, and Hesperia in the High Desert region and farther eastward in the Low Desert region near Palm Springs and Cathedral City. Provided in the following pages is a more detailed discussion of the housing, retail, industrial and office land uses in this region.

County Housing

The single most likely factor that will continue to fuel the population growth in Riverside and San Bernardino Counties is its housing affordability compared to other nearby counties. The following table compares San Bernardino and Riverside Counties with neighboring counties for the median price and number sold for all homes, and the percentage changes, as of June 2010.

	NO. SOLD – ALL HOMES			MEDIAN PRICE - ALL HOMES		
	June 2009	June 2010	Percent Change	June 2009	June 2010	Percent Change
Los Angeles	7,636	7,849	2.80%	$320,000	$335,000	4.70%
Orange	2,958	3,423	15.70%	$418,000	$445,000	6.50%
San Diego	3,692	3,885	5.20%	$314,250	$335,500	6.80%
Riverside	4,694	4,645	-1.00%	$185,000	$210,000	13.50%
San Bernardino	3,438	3,179	-7.50%	$140,000	$160,000	14.30%
Ventura	844	890	5.50%	$365,000	$384,000	5.20%
Southern California	23,262	23,871	2.60%	$265,000	$300,000	13.20%

Source: DataQuick
Complied by: CB Richard Ellis, Inc.

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The totals for home sales include new and resale houses and condominiums. The price changes reflect shifts in market mix as well as changes in price. The reported median prices have been rounded to the nearest thousand and do not always correspond to the precise percentage change.

The data in the table above reflects an upward trend in sales volume in Southern California with an upward trend in home prices. According to DataQuick, a total of 23,871 homes were sold in Southern California during June, an increase of 2.60 percent from the year before, and the median price was $300,000, a 13.50 percent increase from last year.

Sales in Riverside County accounted for 19.46 percent of all southland sales. San Bernardino accounted for 13.32 percent of all southland sales. The median price paid for a home in Riverside County increased 13.50 percent to $210,000 and sales volume decreased by 1.00 percent to 4,645 units sold, compared to 4,694 units sold one year ago. The median price paid for a home in San Bernardino County was $160,000, up 14.30 percent from June 2009. Sales volume in San Bernardino County decreased by 7.50 percent to 3,179 units sold, compared to 3,438 units sold one year ago.

The table indicates that the Counties of San Bernardino and Riverside, collectively referred to as the Inland Empire, offer the most affordable housing in the Southern California area. These figures show that the primary reason San Bernardino and Riverside Counties receive demand from commuters that work in nearby counties is the lower cost of housing, even after considering commuting costs.

Building Permits

Presented in the following chart is a summary of total building permits from 1995 through 2009 (single-family and multi-family).

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BUILDING PERMITS - SINGLE-FAMILY

Period	Los Angeles County	Orange County	Riverside County	San Bernardino County	Ventura County	San Diego County	Six-County Total Permits
1995	5,400	5,663	6,803	3,852	1,954	4,736	28,408
1996	5,370	7,070	7,021	4,703	2,130	5,816	32,110
1997	6,788	8,219	8,678	5,124	2,071	8,338	39,218
1998	6,887	7,366	10,758	5,602	2,811	9,160	42,584
1999	7,858	7,686	12,659	6,593	3,662	9,993	48,451
2000	8,417	6,794	13,630	5,865	2,995	9,167	46,868
2001	8,184	5,925	16,556	6,825	3,157	9,312	49,959
2002	8,217	6,423	20,591	9,179	2,228	9,749	56,387
2003	10,217	5,565	25,137	10,820	2,342	9,455	63,536
2004	11,752	4,395	29,478	13,991	1,721	9,555	70,892
2005	11,911	4,058	29,994	15,305	2,593	7,904	71,765
2006	10,097	3,735	20,692	12,599	1,560	4,753	53,436
2007	7,509	2,182	9,763	6,239	736	3,503	29,932
2008	3,539	1,295	3,815	1,981	354	2,352	13,336
2009	2,095	1,335	3,386	1,430	209	1,785	10,240
Percent Change 2008 to 2009	-40.80%	3.09%	-11.25%	-27.81%	-40.96%	-24.11%	-23.22%
Average	7,616	5,181	14,597	7,341	2,035	7,039	43,808

Source: Real Estate and Construction Report

BUILDING PERMITS - MULTI-FAMILY

Period	Los Angeles County	Orange County	Riverside County	San Bernardino County	Ventura County	San Diego County	Six-County Total Permits
1995	3,005	2,637	143	101	212	1,872	7,970
1996	3,237	3,137	478	311	223	1,052	8,438
1997	3,636	4,032	1,106	469	245	3,064	12,552
1998	4,805	2,735	1,735	511	371	3,013	13,170
1999	6,525	4,662	1,920	479	780	6,434	20,800
2000	8,654	5,573	1,780	715	976	6,760	24,458
2001	10,069	2,721	2,458	1,702	289	6,326	23,565
2002	11,147	5,597	2,073	1,437	279	5,989	26,522
2003	11,096	3,746	5,224	1,820	1,293	8,859	32,038
2004	15,183	4,927	4,748	4,479	882	7,751	37,970
2005	13,736	3,148	4,140	1,379	1,923	7,354	31,680
2006	16,251	4,636	4,519	1,273	901	6,024	33,604
2007	12,854	4,890	2,690	1,765	1,111	3,942	27,252
2008	10,165	1,864	2,104	1,201	488	2,802	18,624
2009	3,515	842	802	1,063	132	1,204	7,558
Percent Change 2008 to 2009	-65.42%	-54.83%	-61.88%	-11.49%	-72.95%	-57.03%	-59.42%
Average	8,925	3,676	2,395	1,247	674	4,830	21,747

Source: Real Estate and Construction Report

Total single-family building permits generally increased on an annual basis from 1995 through 2005 (they only declined in 2000), and then dropped precipitously in 2006 thru 2009. The year end figure for 2009 was 85 percent below the 2005 peak.

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Trends in multi-family building permits have fluctuated significantly. However, there has been a general upward trend from less than 10,000 units in the early time frame (1995 and 1996) versus 20,000 units or more from 1999 to 2007. Total multi-family permits have declined significantly within the last two years as the year end 2009 figure was 80 percent below 2004 peak.

Transportation

A well-integrated freeway system serves as the basis for surface transportation in the Inland Empire and Southern California region. The primary freeway serving the region is the San Bernardino Freeway (Interstate 10), a transcontinental highway connecting Los Angeles to the rest of the nation. Additional freeways include the Ontario Freeway (Interstate 15), connecting San Diego County and the Nevada State Line; Interstate 215, a north-south business loop connecting the San Bernardino and Ontario freeways; the Pomona Freeway (State Route 60), connecting the cities of Los Angeles and Riverside; the Moreno Freeway (State Route 60), an extension of the Pomona Freeway running between Riverside and Banning; and the Corona Expressway (State Route 71), connecting the Riverside Freeway (State Route 91), the Pomona Freeway (State Route 60), the San Bernardino Freeway (Interstate 10), and the Foothill Freeway (Interstate 210). The Foothill (210) Freeway now extends east from the city of La Verne to the 30 Freeway in the city of San Bernardino.

The Mid County Parkway project is a proposed 32-mile transportation corridor designed to relieve local and regional traffic congestion in the San Jacinto, Perris and Corona areas, and surrounding communities. The Mid County Parkway project began in 2004 with meetings and studies to analyze project impacts and to identify possible routes. The preferred route is known as Alternative 9, also called the Far South Alternative. This proposed route extends from Cajalco Road in Corona to Highway 79 in San Jacinto. The majority of this route parallels south of the Cajalco Expressway between I-15 and I-215 and then overlays the current Ramona Expressway route from I-215 to San Jacinto. Study findings on Alternative 9 and other Mid County Parkway alternatives were presented in a Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) which was circulated for public review in early 2008.

Citing environmental concerns, opposition from residents and more pressing priorities, the Riverside County Transportation Commission's staff is proposing to scale back by half the 32-mile, $3 billion Mid-County Parkway. Rather than connecting San Jacinto and Corona, the shorter route will go no farther than San Jacinto-to-Interstate 215. The decision is also based on Riverside County improving Cajalco Road, which the County has wished to widen to four lanes from Perris to Corona and straighten so the curvy road is safer.

The Inland Empire is served by the Santa Fe and Southern Pacific railroads. These railroads act primarily in a freight hauling capacity, providing access between the ports of Los Angeles and Long Beach and the Inland Empire. Via the existing network of national rail lines, freight can be moved throughout the entire country.

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Passenger rail service is available via MetroLink, a rail service that serves Southern California. Union Station in downtown Los Angeles is the hub. Service extends through the San Gabriel Valley and the western Inland Empire to the city of San Bernardino on the east. Stations serving the Inland Empire include Claremont, Montclair, Rancho Cucamonga, Rialto, and San Bernardino. Another MetroLink line extends east to the city of Riverside, with stops in the City of Industry, Ontario, and Riverside.

Ontario International Airport

A primary catalyst of growth in the Inland Empire is the Ontario International Airport. In 1998, a major expansion and renovation was completed. The airport now includes two passenger terminals with 35 gates that total 530,000 square feet (eight times larger than the former facility). It has a capacity to serve 10 million passengers annually, with plans for expansion to a third terminal when this threshold is achieved in consecutive years. Parking was increased by 4,900 spaces to the current level of 13,968 stalls. In 2009, 4.8 million passengers used the airport and 390,932 tons of air freight was shipped, which both numbers were down significantly from the numbers posted in 2007 and again in 2008. A summary of historical statistics for the airport are summarized in the following table.

ONTARIO INTERNATIONAL AIRPORT
PASSENGER AND AIR FREIGHT VOLUMES
1987-2009

	Passengers					
Year	**Departures**	**Arrivals**	**Total**	**Percent Change**	**Freight (Tons)**	**Percent Change**
1987	2,292,606	2,282,391	4,574,997		218,196	
1988	2,409,598	2,388,634	4,798,232	4.9%	286,411	31.3%
1989	2,661,026	2,638,237	5,299,263	10.4%	284,988	-0.5%
1990	2,717,968	2,702,367	5,420,335	2.3%	272,638	-4.3%
1991	2,906,405	2,885,413	5,791,818	6.9%	282,558	3.6%
1992	3,067,671	3,053,952	6,121,623	5.7%	306,973	8.6%
1993	3,105,181	3,086,854	6,192,035	1.2%	353,302	15.1%
1994	3,200,836	3,185,164	6,386,000	3.1%	379,911	7.5%
1995	3,210,582	3,194,515	6,405,097	0.3%	386,953	1.9%
1996	3,132,803	3,120,035	6,252,838	-2.4%	437,139	13.0%
1997	3,153,825	3,147,037	6,300,862	0.8%	461,747	5.6%
1998	3,212,487	3,222,371	6,434,858	2.1%	454,231	-1.6%
1999	3,268,661	3,309,344	6,578,005	2.2%	488,774	7.6%
2000	3,396,764	3,360,634	6,757,398	2.7%	511,758	4.7%
2001	3,354,400	3,348,000	6,702,400	-0.8%	462,758	-9.6%
2002	3,262,300	3,285,577	6,547,877	-2.3%	547,461	18.3%
2003	3,285,577	3,262,300	6,547,877	0.0%	571,892	4.5%
2004	3,462,361	3,473,352	6,935,713	5.9%	605,211	5.8%
2005	3,611,978	3,601,550	7,213,528	4.0%	575,369	-4.9%
2006	3,533,858	3,516,046	7,049,904	-2.3%	544,600	-5.3%
2007	3,607,184	3,599,966	7,207,150	2.2%	532,865	-2.2%
2008	3,112,112	3,120,649	6,232,761	-13.5%	481,284	-9.7%
2009	2,444,643	2,442,052	4,886,695	-21.6%	390,932	-18.8%
Compound Annual Growth 1987-2009				0.3%		2.7%

Source: Ontario International Airport

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As a result of the increasing regional population base, limited growth or a reduction in flights at other regional airports, and increased commercial and industrial development, both passenger and freight volume have increased significantly since 1987. Passenger volume declined in 2000 and 2001 due to the events of September 11, 2001. Passenger volume significantly increased in 2004, following three years of negative to limited growth. The 5.9 percent increase in passenger growth from 2003 also represents the largest increase in 13 years. The 2.3 percent decrease in 2006 was the first year of decreased passenger volume in four years. However, the largest decrease came in 2009 due to market conditions. The amount of annual freight volume, however, rose by 2.7 percent. Since 1987, the annual rate of growth in freight volume has generally outperformed the rate of growth in passenger volume. This reflects the Ontario Airport's growing appeal as a distribution center. Despite being overshadowed by Los Angeles International Airport, Ontario International Airport is ranked among the 100 busiest in the world. Ontario International Airport is currently served by 12 passenger airlines and 11 airfreight carriers. The United Parcel Service (UPS) operates a regional freight hub at the Ontario International Airport. The hub ships cargo weighing more than 150 pounds to cities across North America.

The city of Los Angeles and the Federal Aviation Administration (FAA) are projecting significant growth in demand for the Ontario airport, predicting that regional passenger demand will double, and air cargo demand will triple by 2030. The agencies are preparing a joint Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) for the proposed expansion of the Ontario Airport to guide the development of the airport through 2030.

Governmental Forces

Recreation and Culture

The Inland Empire region has extensive public recreational facilities. There are numerous public golf courses and country clubs, with additional facilities planned and under construction. Also, the resort communities in Big Bear and Lake Arrowhead provide nature trails, hiking, snow skiing, water skiing, and many other outdoor activities. The low desert region (centered around Palm Springs) has several retirement and weekend resort communities.

One significant public facility is the Diamond Valley Lake, a 260-billion-gallon lake located just south of the city of Hemet. This facility was constructed by the Metropolitan Water District to double Southern California's surface water retention and provide six months worth of emergency storage. Camping, hiking, fishing and other outdoor activities are permitted at the lake.

Real Estate Taxes

In 1978, the residents of California voiced their opposition to increasing taxes through the legislative process. This major consumer "tax revolt" culminated in the passage of Proposition 13, also known as

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the Jarvis-Gann Initiative, which was later made into law under the provisions of Article XIIIA of the California Tax and Revenue Code. In essence, Proposition 13 determined a maximum tax rate of one percent of market value plus an increment for pre-existing bonded indebtedness. The maximum allowable increase on property assessments, and hence taxes, was set at two percent per year, except when a property sells or undergoes major construction.

CONCLUSION

California has historically been the dominant economic state in the western United States. Trends in the state have typically mirrored the nation, although it has generally followed, versus led, the economic cycles. The state of California, Southern California region, and Inland Empire economies all contracted in 2009. Resumed growth is not projected until 2011, or later. Specific locations within the region are experiencing varying levels of decline, and these adverse economic conditions have been considered in this analysis.

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NEIGHBORHOOD ANALYSIS

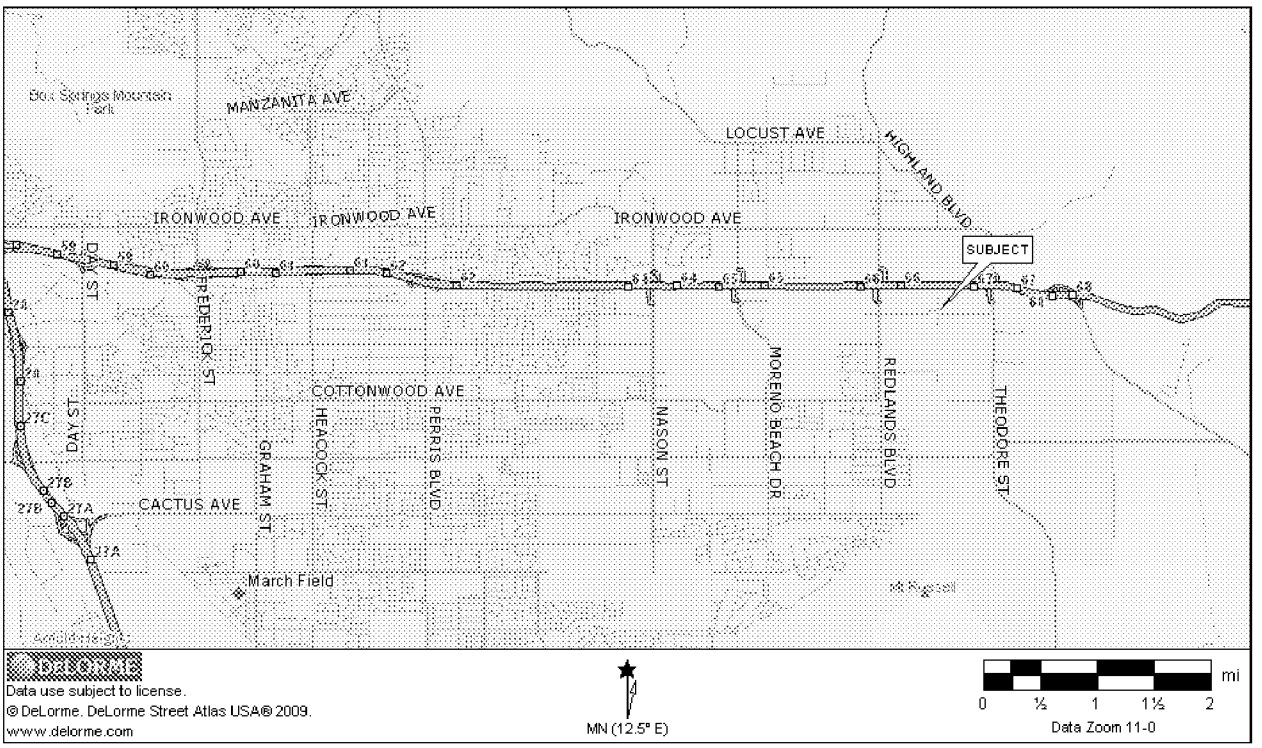

LOCATION

The neighborhood is located in the city of Moreno Valley. The city of Moreno Valley is located in the northwest portion of Riverside County. The city of Moreno Valley and the subject's immediate surroundings are discussed below. Please reference the subject's location in the surrounding neighborhood on the accompanying page.

CITY OF MORENO VALLEY

The city of Moreno Valley, located in the northwestern section of Riverside County, was incorporated in December of 1984. The city totals 50 square miles and is generally located at the juncture of the Moreno Valley Freeway (State Highway 60) and the Escondido Expressway (Interstate 215). The city is bordered by unincorporated portions of Riverside County on the north and east, by the Lake Perris State Recreational Area and the city of Perris to the south, and by the March Air Base Reserve and the city of Riverside to the west.

Government

Moreno Valley is a general law city. It is governed by a city council that is comprised of five elected officials. Public schools within the city are controlled by two separate districts: Moreno Valley Unified School District and the Val Verde Unified School District. Police services are provided by a contract between the city and Riverside County Sheriff's Department. Fire services are provided by the

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Riverside County Fire Department through a contract with the California Department of Forestry. The city of Moreno Valley governs development/land use controls.

Transportation

Two freeways provide regional access to Moreno Valley: the Escondido Expressway (Interstate 215) and the Moreno Valley Freeway (Highway 60). Interstate 215 is a major north/south freeway that links the city to the San Bernardino Freeway (Interstate 10) to the north and to the Corona Freeway (Interstate 15) to the south. State Highway 60 runs through the northern portion of the city in an east/west direction. This freeway provides access to San Bernardino and Los Angeles Counties to the west, and to the Interstate 10 freeway to the east.

The city is also serviced by rail with freight stops within Moreno Valley. The Ontario International Airport provides commercial air transportation approximately 20 miles to the northwest.

RANCHO BELAGO

The subject property is located within the Rancho Belago district within the city of Moreno Valley. This district is located in the eastern portion of the city, with the following map depicting the general boundaries.

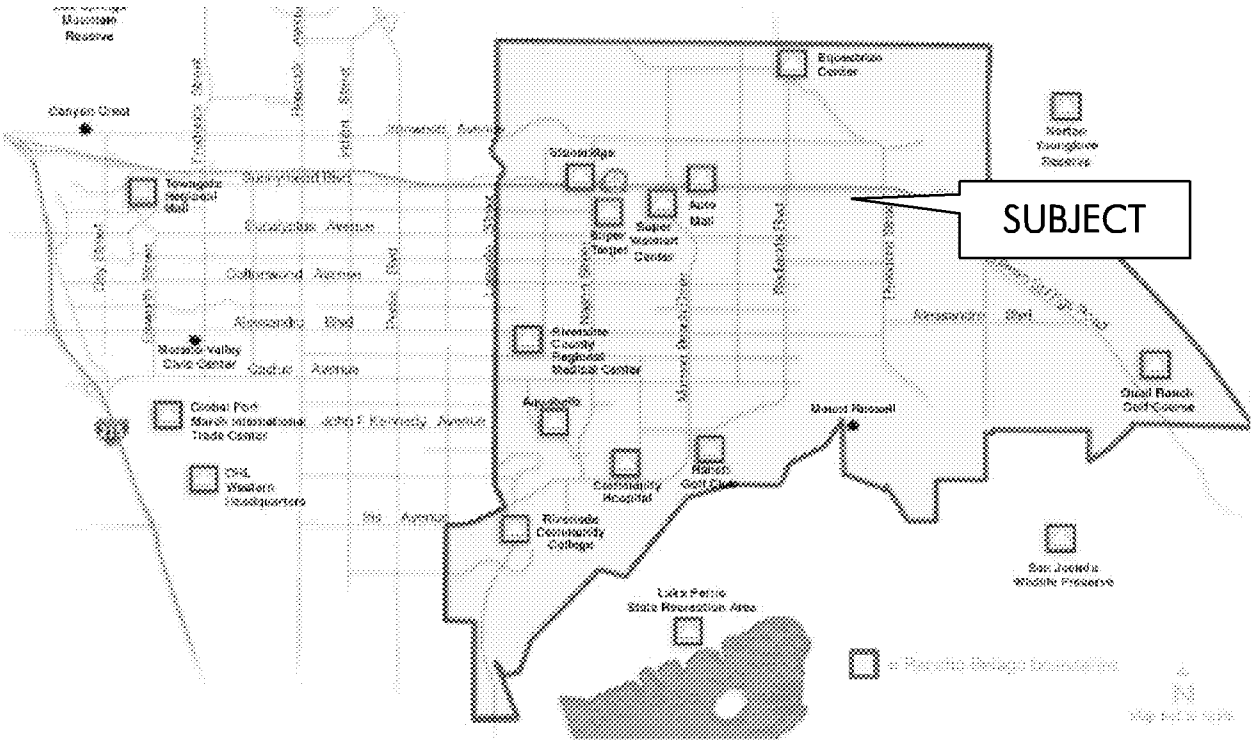

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Rancho Belago includes a current population of about 30,000 within 10,000 households. Included in the boundaries are the Riverside County Regional Medical Center, Moreno Valley Community Hospital, Moreno Valley Ranch Golf Club, Moreno Valley Auto Mall, and Stoneridge Towne Centre, which includes Super Target, Best Buy, Kohls and Wal-Mart.

IMMEDIATE SURROUNDINGS

The subject is located on the south side of the 60 Freeway, between Redlands Boulevard and Theodore Avenue in the eastern portion of the city. The immediate surrounding area is largely undeveloped, with the nearest housing development about one-half mile to the southwest across Redlands Boulevard. Scattered individual homes and vacant land are located to the east of Theodore Avenue. Across the freeway to the north is vacant land. Super Target, Wal-Mart and Kohls are located along the south side of the freeway within two miles to the west, adjacent to the Moreno Valley Auto Mall.

The subject parcels are located on the west and east sides of the Skechers distribution facility, which will be the largest building of its kind in the Inland Empire upon its completion in early 2011. The parcels are situated near the Redlands Boulevard and Theodore Street exits that will provide access to this facility

Access

The subject sites will have excellent access from the freeway at the Theodore Avenue and Redlands Boulevard exits. The 60 Freeway intersects the 215 Freeway within 8 miles to the west and connects with Interstate 10 in Beaumont within 10 miles to the east. Alessandro Boulevard is a major east-west route through the city that runs about one mile south of the subject, providing access to central Moreno Valley. Gilman Springs Road connects the area with San Jacinto and Hemet, within 15 miles to the southeast.

DEMOGRAPHICS

Selected neighborhood demographics in a one-, three-, and five-mile radius from the subject are shown in the following table:

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SELECTED NEIGHBORHOOD DEMOGRAPHICS

	Radius 1.0	Radius 3.0	Radius 5.0
Population			
2014 Population	1,020	16,207	96,227
2009 Population	781	12,794	80,567
2000 Population	334	6,589	53,623
1990 Population	234	5,092	44,790
Growth 2009 - 2014	30.60%	26.68%	19.44%
Growth 2000 - 2009	133.83%	94.17%	50.25%
Growth 1990 - 2000	42.74%	29.40%	19.72%
Households			
2014 Households	297	4,844	25,445
2009 Households	228	3,834	21,543
2000 Households	99	1,959	14,656
1990 Households	69	1,496	12,906
Growth 2009 - 2014	30.26%	26.34%	18.11%
Growth 2000 - 2009	130.30%	95.71%	46.99%
Growth 1990 - 2000	43.48%	30.95%	13.56%
Income			
2009 Median HH Inc	$80,210	$78,491	$63,312
2009 Estimated Average Household Income	$97,085	$94,622	$73,167
2009 Estimated Per Capita Income	$28,861	$28,033	$19,711

Source: CBRE

CONCLUSION

The subject parcel locations along the freeway will provide excellent accessibility and exposure for the sites. The commercial zoned parcels are located at the freeway exits surrounding the new Skechers facility. As shown above, the surrounding Rancho Belago district has substantially higher income levels than the entire Riverside County and Inland Empire figures. The master-planned area surrounding the subject is expected to experience significant growth over the next five years.

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MARKET ANALYSIS

The subject parcels include commercial and light industrial zones that could accommodate a variety of retail, office or business park type properties. The following sections include a general overview of the Inland Empire trends from the second quarter CBRE MarketView reports.

Industrial Trends

Prior to becoming a bedroom community, the Inland Empire housed only large, relatively undesirable, manufacturing plants such as Kaiser Steel. In the 1980s, large warehouse/distribution buildings dominated new industrial development. Most of this new construction occurred near the intersection of the San Bernardino and Ontario Freeways, just east of the Ontario International Airport. These trends continued in the second half of the 1990's and into the 2000's as a substantial amount of distribution space has been completed since 1995. The Inland Empire was able to meet this demand due to the availability of relatively inexpensive land and the area's excellent air freight and surface access (both vehicular and rail). Its location in the eastern section of development in the Southern California region also allowed for both good regional and national access.

Based on statistics in the second quarter 2010 Market View, prepared by CB Richard Ellis, Inc., the Inland Empire Industrial Market consists of two distinct markets: Inland Empire East and Inland Empire West. The Inland Empire East region is the smaller of the two submarkets, containing 156,374,580 square feet and accounting for 39.32% of the industrial space in the Inland Empire region. Combined the two markets contain 397,667,625 square feet. The growth of the industrial base for the Inland Empire region has generally been on an upward trend over the last three years. The rapid growth of the industrial market is due to the substantial availability of vacant land in the Inland Empire, the lower land prices relative to Los Angeles County, improving distribution systems out of the ports of Los Angeles and Long Beach, as well as the region's proximity to the Ontario International Airport. The Inland Empire region currently has 243,000 square feet of space under construction.

As of the second quarter 2010, approximately 29,268,084 square feet was vacant, indicating a vacancy rate of 7.40%. As the vacancy rate decreased from the previous quarter, net absorption showed a positive 3,564,516 square feet of vacant space was absorbed. The availability rate, which includes space available for sale/lease that is not vacant, is at 15.70%, decreasing from 15.90% the previous quarter. The second quarter 2010 gross lease and sale activity totaled approximately 8.10 million square feet, which is up from the 6.83 million square feet from the previous quarter. Year end gross activity figures for the past seven years were 23.4, 19.8, 28.7, 32.5, 34.8, 32.5, and 26.9 million square feet, for 2009, 2008, 2007, 2006, 2005, 2004, and 2003, respectively.

The Inland Empire Market Trends Forecast from the CBRE-EA Summer 2010 Outlook includes historical trends and projections for 2010 and beyond. The underlying source data is from the first quarter of 2010.

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INLAND EMPIRE INDUSTRIAL MARKET						
Year	Stock (SF x 1000)	Completions (SF x 1000)	Vacancy Rate (%)	Net Absorption (SF x 1,000)	TWR Rent Index ($/SF/Mo)	TWR Rent Inflation (%)
1990	191,273	14,888	17.7%	6,906	$0.33	-5.7%
1991	196,046	4,773	17.3%	4,778	$0.31	-5.8%
1992	198,773	2,727	15.8%	5,131	$0.31	-1.6%
1993	200,095	1,322	13.0%	6,838	$0.31	-0.3%
1994	201,299	1,204	10.7%	5,641	$0.31	-0.8%
1995	208,666	7,367	9.0%	10,089	$0.31	1.6%
1996	215,138	6,472	9.0%	5,916	$0.32	4.3%
1997	225,009	9,871	8.6%	9,763	$0.36	9.5%
1998	234,694	9,685	8.9%	8,208	$0.38	7.7%
1999	250,640	15,946	9.3%	13,404	$0.42	10.0%
2000	272,764	22,124	8.2%	23,123	$0.47	11.9%
2001	292,347	19,583	10.9%	10,099	$0.47	0.0%
2002	307,337	14,990	9.9%	16,262	$0.44	-6.9%
2003	320,216	12,879	8.3%	16,740	$0.45	2.7%
2004	336,451	16,235	6.9%	19,724	$0.47	5.2%
2005	354,760	18,309	6.0%	20,210	$0.51	8.6%
2006	387,204	32,444	7.7%	23,719	$0.58	12.8%
2007	407,697	20,493	9.2%	12,776	$0.62	6.9%
2008	434,096	26,399	14.8%	(230)	$0.56	-9.7%
2009	438,138	4,042	15.8%	(920)	$0.42	-25.1%
2010	*440,176*	*2,038*	*15.9%*	*1,476*	*$0.37*	*-12.7%*
2011	*443,568*	*3,393*	*15.4%*	*5,155*	*$0.38*	*2.5%*
2012	*445,658*	*2,089*	*14.1%*	*7,330*	*$0.42*	*10.9%*
2013	*448,252*	*2,595*	*12.7%*	*8,551*	*$0.47*	*12.0%*
2014	*452,796*	*4,544*	*11.7%*	*8,291*	*$0.51*	*10.2%*
2015	*459,761*	*6,965*	*11.4%*	*7,848*	*$0.55*	*7.6%*

Source: TWR Outlook Summer 2010

Statistics from the CBRE – MarketView reports from 2nd quarter 2010 are summarized in the following chart.

Submarket	Rentable Area	Vacancy Rate %	Net Absorption SF	Under Construction SF	Average Asking Lease Rate	Availability Rate %
Inland Empire East	156,374,580	11.1%	820,996	190,000	$0.33	18.7%
Inland Empire West	241,293,045	4.9%	2,743,520	53,000	$0.35	13.5%
Market Total	**397,667,625**	**7.4%**	**3,564,516**	**243,000**	**$0.34**	**15.7%**

As indicated above, the Inland Empire West submarket features a significantly lower vacancy rate than the Inland Empire East submarket. This is the result of the Inland Empire West submarket including the cities of Ontario, Rancho Cucamonga, Fontana, Mira Loma and Chino, which are the closest to Los Angeles County and the Ports of Los Angeles and are therefore more desirable in the market.

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The overall Inland Empire vacancy rate decreased to 7.4%, denoting a 13% decline from the first quarter's rate of 8.5%. Both the Inland Empire East and West recorded lowered vacancy levels. The Inland Empire East submarket vacancy decreased from 12.2% in the previous quarter to 11.1% this quarter. In the Inland Empire West submarket, the vacancy rate now stands at 4.9%, representing a 20% decline from 6.1% recorded in the first quarter 2010.

The overall Inland Empire availability rate experienced a minimal decline of less than 2% this quarter, dropping to a rate of 15.7%. The Inland Empire East availability rate decreased to 18.7%, while the availability rate in the Inland Empire West increased from 13.3% in the previous quarter to 13.8% this quarter.

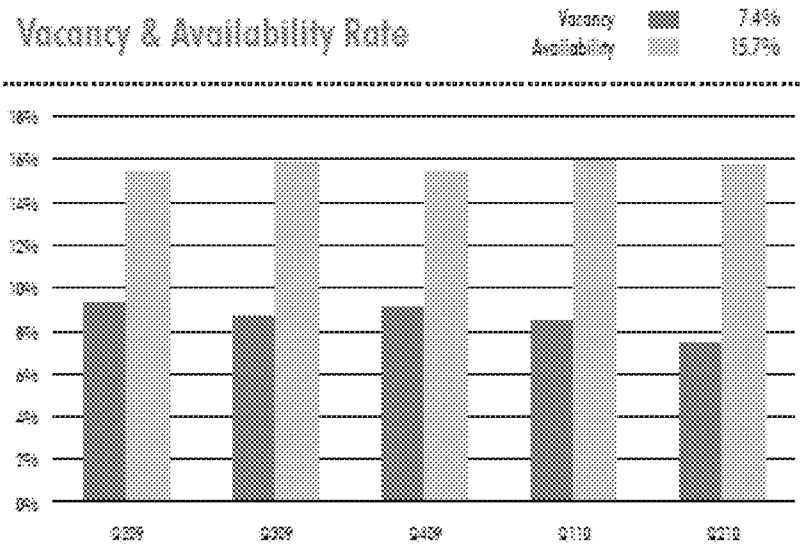

Retail Trends

The Inland Empire retail market continues to struggle while the rest of Nation is experiencing a "recovery". Over the past year, the Inland Empire region faced one of the worst-ever economic crisis due to the high volume of foreclosures and plummeting home values. Moving forward into the second quarter of 2010, optimism can be felt as signs of increased trade volumes and improvements in the housing market are being witnessed. As with the first quarter, news of improved home values coupled with reports of employment growth appear to be evidence that while the region's economy is on a slow, steady path to a full recovery, the worst is officially behind us.

Quick Stats

	Current	Change from last Yr.	Change from last Qtr.
Vacancy	11.7%	↓	↑
Lease Rates	$2.12	↓	↔
Net Absorption*	(36,811)	↑	↓
Construction	0 SF	↓	↓

* The arrows are trend indicators over the specified time period and do not represent a positive or negative value. (e.g., absorption could be negative, but still represent a positive trend over a specified period.)

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Hot Topics

- New housing incentives for buyers and lenders are expected to help decrease the number of foreclosure reporting's and help the region's housing economy to stabilize.
- Overall unemployment rate continues to decrease. Second quarter 2010 ends with a rate of 13.9 percent in the Inland Empire.
- Average asking lease rates remained stable for the third quarter in a row and ended with a rate of $2.12 per square foot per month.

According to the U.S. Commerce Department, total retail sales in the month of May saw a 1.2% decline over April – still, this represents a 6.3% year-over-year increase. Despite the drop of sales from the prior month, retail sales in some sectors did report slight increases, including furniture and home furnishing stores which increased 1.0% since the month of April, and represent a 4.6% year-over-year increase. Sporting goods, hobby, book and music stores sales also experienced increases of just under 1.0% and 3.3% unadjusted over last year. Finally, electronics and appliance stores sales increased 0.6% seasonally adjusted from last month, and 4.6% percent unadjusted over last year. Consumer confidence experienced a sharp decline in June according to the Conference Board Consumer Confidence Index. The index now stands at 52.9, down from 62.7 recorded the month prior.

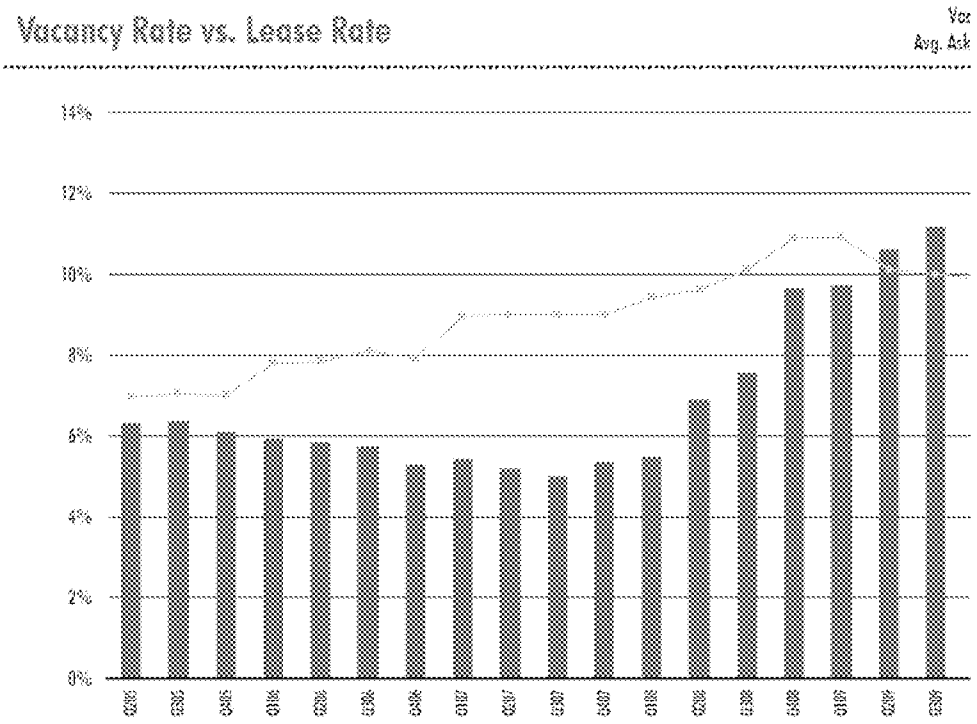

The Inland Empire retail market experienced a slight increase to the overall vacancy rate which currently stands at 11.7 percent. The rise in vacancy can be attributed to declining demand by retailers which resulted in a relatively flat 36,811 square feet of negative net absorption. As expected, this figure reflects the continued closure of stores and space being put back on the market. Average

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asking retail lease rates, however, remained stable for the third quarter in a row. The quarter closed with a high average asking lease rate of $2.12 per square foot per month and the low average asking lease rate posting $1.68 per square foot per month.

Construction of new retail centers in the Inland Empire remains non-existent. A steady trend of positive momentum in the local economy must be achieved before developers move forward with plans for new centers. There has been only one new property added to the Inland Empire's retail inventory this year, while all formerly active development projects have been halted indefinitely.

Market Statistics

Submarket	Building SF	Vacancy Rate %	Net Absorption SF	Under Construction SF	Avg. High Asking NNN $/PSF/MTH
EAST END	31,271,412	21.3%	(105,388)	-----	$1.91
HIGH DESERT	7,248,523	6.8%	(340)	-----	$2.18
LOW DESERT	14,240,891	8.8%	69,241	-----	$2.11
SO. RIV COUNTY	16,724,737	7.7%	(23,917)	-----	$2.19
WEST END	36,389,566	7.3%	23,593	-----	$2.28
Inland Empire Total	**105,875,129**	**11.7%**	**(36,811)**	-----	**$2.12**

Office Trends

Based on statistics in the CB Richard Ellis, Inc. – second quarter 2010 Market View, the Inland Empire office market totals 24,474,375 square feet in 687 buildings. As of the second quarter of 2010, approximately 5,814,585 square feet was vacant, indicating a vacancy rate of 23.80%, which is slightly lower than the 24.00% in the first quarter of 2010, and higher than one year ago. Inland Empire East experienced negative net absorption while the West submarket experienced positive net absorption levels for a combined result of negative 4,782 square feet.

The average asking rental rate is $1.80 per square foot per month, full service gross. This rate is nine cents lower than the previous quarter. Over the past eight years, the Inland Empire office market average asking lease rate has risen 23.29% from $1.46 per square foot during the third quarter of 2001.

The largest office markets are in the cities of Riverside and San Bernardino, with 6.53 and 4.23 million square feet, respectively. These are the two most mature markets; however, they have evolved to be in somewhat secondary locations with regards to tenants relocating from Los Angeles County due to more outlying locations. Specifically, Riverside is closer to the Orange County office markets, while Ontario and Rancho Cucamonga are closer to Los Angeles County. Ontario has a predominantly Class A base, while Rancho Cucamonga has primarily Class B office space.

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The city of Moreno Valley includes 21 office buildings totaling 629,064 square feet. As of the second quarter of 2010, the vacancy rate was 7.0% with an availability rate of 10.8%. Year-to-date net absorption was a negative 14,262 square feet.

Conclusions

The subject property consists of three parcels located along the 60 Freeway in Moreno Valley, adjacent to a large distribution facility under construction for Skechers. Parcels 3 and 4 are zoned for commercial use and located at the freeway off-ramps. These properties will benefit from the traffic generated by the new Skechers facility and infra-structure being completed in the neighborhood, including renovation of the freeway ramps and completion of Eucalyptus Avenue between Redlands Boulevard and Theodore Avenue. Parcel 2 is zoned for light industrial use and has good freeway access and exposure for the potential expansion of the Skechers project or other future business park related development.

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PLAT MAP

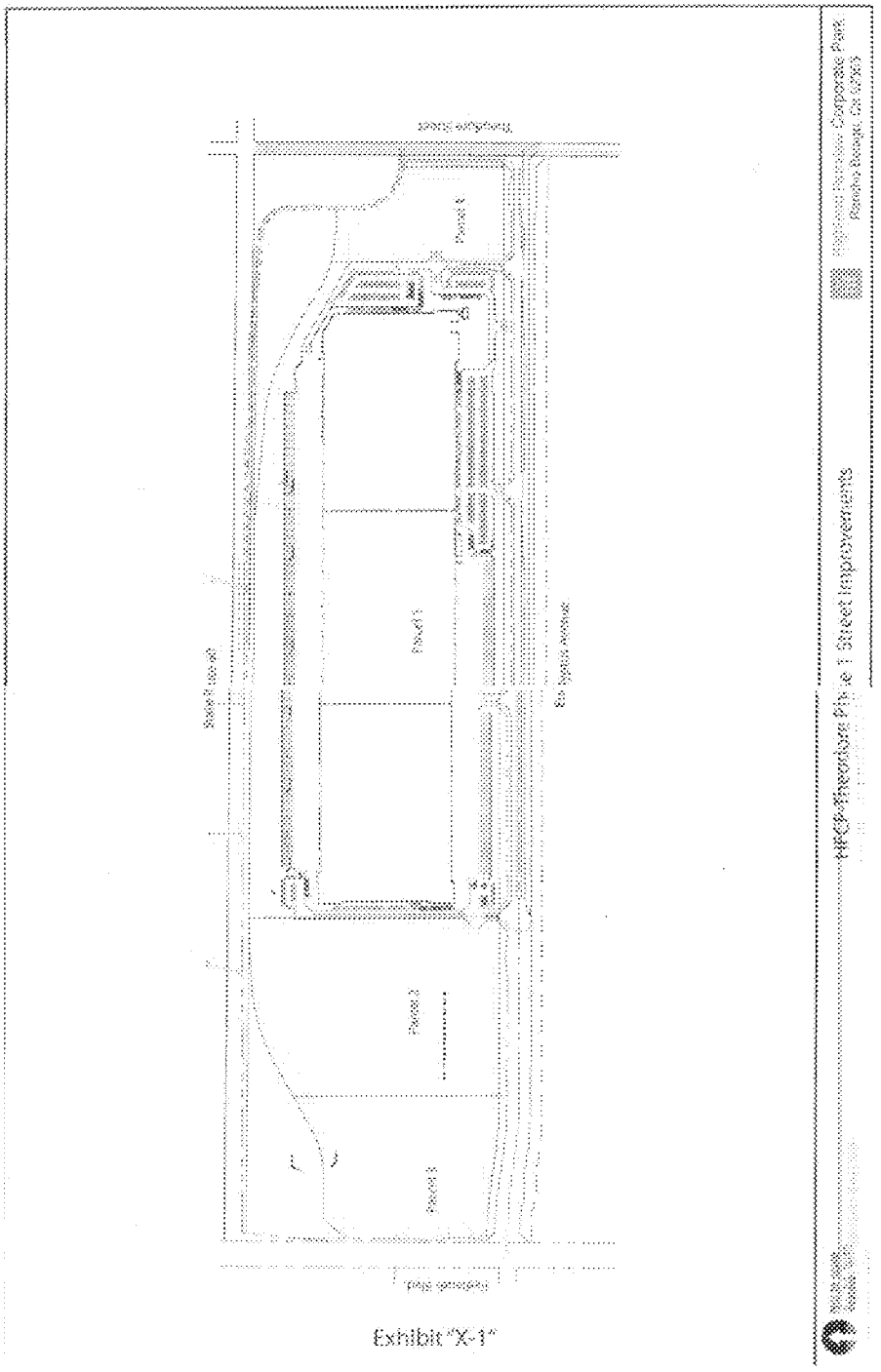

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SITE ANALYSIS

The following chart summarizes the salient characteristics of the subject site.

SITE SUMMARY		
Physical Description		
Site Areas - Gross		
Parcel 2	24.33 Acres	1,059,815 Sq. Ft.
Parcel 3	13.87 Acres	604,177 Sq. Ft.
Parcel 4	7.70 Acres	335,412 Sq. Ft.
Site Areas - Net		
Parcel 2	22.40 Acres	975,744 Sq. Ft.
Parcel 3	12.90 Acres	561,924 Sq. Ft.
Parcel 4	7.20 Acres	313,632 Sq. Ft.
Primary Road Frontage	Eucalyptus Avenue	
Secondary Road Frontage	Redlands Boulevard	
Additional Road Frontage	Theodore Avenue	± 513 Feet
Excess Land Area	None	
Surplus Land Area	None	
Zoning District	CC - Parcels 3 and 4	
	IL - Parcel 2	
Flood Map Panel No. & Date	06065C 0070G	28-Aug-08
Flood Zone	Zone X	

Source: Various sources compiled by CBRE

LAND AREAS

The gross site areas were obtained from Tentative Parcel Map No. 35629, which is included in the Addenda. Based on a review of the site plan, the difference between the gross and net areas is based on detention basins and a maintenance access road along the north property line and street dedications.

ASSESSOR'S PARCEL NUMBER

Parcel 2 is currently a portion of APN No. 488-350-002. Parcel 3 is currently included within APN No. 488-350-001. Parcel 4 is currently a portion of APN Nos. 488-360-007 and 488-360-008.

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SHAPE AND FRONTAGE

The site are irregular and have frontage along the adjacent streets. All of the parcels will have frontage along Eucalyptus Avenue. Parcels 2 and 3 will also have frontage along the new east-bound freeway onramp from Redlands Boulevard to the 60 Freeway. Parcel 4 will have frontage along the exit ramp for eastbound traffic to Theodore Avenue.

TOPOGRAPHY AND DRAINAGE

Parcels 2 and 3 have been graded to level "blue-top" pads. Parcel 4 is currently used for construction trailers for the Skechers facility and is generally level. This site will be finished graded upon completion of the building construction.

Storm drains are currently under construction between the Skechers parcel and Parcel 2. The completion of the site improvements are assumed to cure any drainage problems.

SOILS

A soil analysis for the site has not been provided for the preparation of this appraisal. In the absence of a soil report, it is a specific assumption that the site has adequate soils to support the highest and best use.

EASEMENTS AND ENCROACHMENTS

We have not reviewed a current title report for the subject property. The Tentative Parcel Map No. 35629 listed several easements impacting the subject and surrounding parcels. These include easements for pole lines, conduits, underground facilities, and utilities. We assume that the subject is not impacted by easements that would negatively impact the value. It is recommended that the client obtain a qualified legal opinion with regards to the reports before making a business decision with regards to the subject property.

COVENANTS, CONDITIONS AND RESTRICTIONS

There are no known covenants, conditions and restrictions impacting the site that are considered to affect the marketability or highest and best use, other than zoning restrictions.

UTILITIES AND SERVICES

The site is within the jurisdiction of the City of Moreno Valley and is provided all municipal services, including police, fire and garbage collection. All utilities are available to the site in adequate quality and quantity to service the highest and best use.

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FLOOD ZONE

According to flood hazard maps published by the Federal Emergency Management Agency (FEMA), the site is within Zone X as indicated on the indicated Community Map Panel No. 06065C0770G, August 28, 2008.

FEMA Zone X: Areas determined to be outside the 500-year flood plain.

ENVIRONMENTAL ISSUES

CB Richard Ellis, Inc. has not observed, yet is not qualified to detect, the existence of potentially hazardous material or underground storage tanks, which may be present on or near the site. The existence of hazardous materials or underground storage tanks may have an affect on the value of the property. For this appraisal, CB Richard Ellis, Inc. has specifically assumed that the property is not affected by any hazardous materials and/or underground storage tanks that may be present on or near the property.

EARTHQUAKE

All properties in California are subject to some degree of seismic risk. The Alquist-Priolo Special Studies Zone Act of 1972 was enacted by the State of California to regulate development near active earthquake faults. The Act required the State Geologist to delineate "special studies zones" along known active faults in California. Cities and Counties affected by the identified zones must limit certain development projects within the zones unless geologic investigation demonstrates that the sites are not threatened by surface displacement from future faulting.

According to "Fault-Rupture Hazard Zones in California" published in 1992 by the California Department of Conservation, Department of Mines and Geology, the subject is not within an area affected by the Alquist-Priolo Special Studies Zone Act. Related development limitations, therefore, do not apply.

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ZONING

The following chart summarizes the subject's zoning requirements.

ZONING SUMMARY - PARCEL 2	
Current Zoning	LI (Light Industrial)
Specific Plan	Yes
Specific Plan Land Use	Light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis
Zoning Change	Not likely
Source: Planning & Zoning Dept.	

ZONING SUMMARY - PARCELS 3 & 4	
Current Zoning	CC (Community Commercial)
Specific Plan	Yes
Specific Plan Land Use	To provide for the general shopping needs of area residents and workers with a variety of business, retail, personal and related or similar services
Zoning Change	Not likely
Source: Planning & Zoning Dept.	

ANALYSIS AND CONCLUSION

Additional information may be obtained from the appropriate governmental authority.

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TAX AND ASSESSMENT DATA

In California, privately held real property is typically assessed at 100% of full cash value (which is interpreted to mean market value of the fee simple estate) as determined by the County Assessor. Generally, a reassessment occurs only when a property is sold (or transferred) or when new construction occurs (as differentiated from replacing existing construction). In the case of long-term ground leases, the general rule is that a reassessment is made at the time of assigning or terminating a lease where the remaining term is more than 35 years. For reassessment purposes, the lease term includes all options to extend. Assessments for properties that were acquired before the tax year 1975-1976 were stabilized as of the tax year 1975-1976. Property taxes are limited by state law to 1% of the assessed value plus voter-approved obligations and special assessments. If no sale (or transfer) occurs or no new building takes place, assessments may not increase by more than 2% annually. Taxes are payable in two equal installments, which become delinquent after December 10 and April 10, respectively.

The following table summarizes the most recent assessments and taxes for the parcels that include the subject sites.

2000-2010 ASSESSMENTS & TAXES

Parcel No.	Assessments	Tax Rate	Taxes on Value	Sp. Assessments	Total Taxes	Eff. Tax Rate
488-350-001	$1,081,997	1.04765%	$11,336	$347	$11,683	1.080%
488-350-002	6,054,778	1.04765%	63,433	1,467	64,900	1.072%
488-360-007	957,208	1.04765%	10,028	144	10,172	1.063%
488-360-008	1,636,381	1.04765%	17,144	177	17,321	1.058%

Source: Riverside County Assessor

CONCLUSION

For purposes of this analysis we are assuming any outstanding property tax liability has been paid and CBRE assumes that all taxes are current. If the subject sold for the value estimate in this report, a reassessment at that value would most likely occur, with tax increases limited to two percent annually thereafter until the property is sold again. The consequences of this reassessment have been considered in the appropriate valuation sections.

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HIGHEST AND BEST USE

In appraisal practice, the concept of highest and best use represents the premise upon which value is based. The four criteria the highest and best use must meet are:

- legal permissibility;
- physical possibility;
- financial feasibility; and
- maximum profitability.

The highest and best use analysis of the subject is discussed on the following pages. This analysis incorporates the information presented in the Market Analysis section, as well as any unique characteristics of the subject described previously.

AS VACANT

Legal Permissibility

The legally permissible uses were discussed in the Site Analysis and Zoning Sections.

Physical Possibility

The subject parcels are adequately served by utilities, and have adequate shapes and sizes, sufficient access, etc., to be separately developable sites. There are no known physical reasons why the subject sites would not support any legally probable development.

Financial Feasibility

The determination of financial feasibility is dependent primarily on the relationship of supply and demand for the legally probable land uses versus the cost to create the uses. Development of new industrial and retail properties has occurred in the past few years. However, many proposed developments are no longer moving forward due to inadequate construction financing and market conditions (increasing vacancy, declining effective rental rates, higher cap rates, etc.). The adjacent building under construction is a build-to-suit for Skechers, who will contribute a significant capital investment. However, the completion of this project will enhance the marketability of the subject parcels for potential complementary commercial or industrial uses.

Maximum Profitability

The final test of highest and best use of the site as if vacant is that the use be maximally productive, yielding the highest return to the land. In the case of the subject parcels as if vacant, the analysis has indicated that future development of commercial properties on Parcels 3 and 4 and an industrial project on Parcel 2 would be most appropriate.

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CONCLUSION: HIGHEST AND BEST USE AS VACANT

Based on the information presented above and upon information contained in the market and neighborhood analysis, we conclude that the highest and best use of the subject parcels would be to hold for future retail and industrial development when economic conditions improve.

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APPRAISAL METHODOLOGY

In appraisal practice, an approach to value is included or omitted based on its applicability to the property type being valued and the quality and quantity of information available.

COST APPROACH

The cost approach is based on the proposition that the informed purchaser would pay no more for the subject than the cost to produce a substitute property with equivalent utility. This approach is particularly applicable when the property being appraised involves relatively new improvements that represent the highest and best use of the land, or when it is improved with relatively unique or specialized improvements for which there exist few sales or leases of comparable properties.

SALES COMPARISON APPROACH

The sales comparison approach utilizes sales of comparable properties, adjusted for differences, to indicate a value for the subject. Valuation is typically accomplished using physical units of comparison such as price per square foot, price per unit, price per floor, etc., or economic units of comparison such as gross rent multiplier. Adjustments are applied to the physical units of comparison derived from the comparable sale. The unit of comparison chosen for the subject is then used to yield a total value. Economic units of comparison are not adjusted, but rather analyzed as to relevant differences, with the final estimate derived based on the general comparisons.

INCOME CAPITALIZATION APPROACH

The income capitalization approach reflects the subject's income-producing capabilities. This approach is based on the assumption that value is created by the expectation of benefits to be derived in the future. Specifically estimated is the amount an investor would be willing to pay to receive an income stream plus reversion value from a property over a period of time. The two common valuation techniques associated with the income capitalization approach are direct capitalization and the discounted cash flow (DCF) analysis.

METHODOLOGY APPLICABLE TO THE SUBJECT

In valuing the subject, only the sales comparison approach to land value has been used.

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LAND VALUE

PARCEL 2 - INDUSTRIAL

The following location map and table of sales summarizes the comparable data used in the valuation of Parcel 2. A detailed description of each transaction is included in the Addenda.

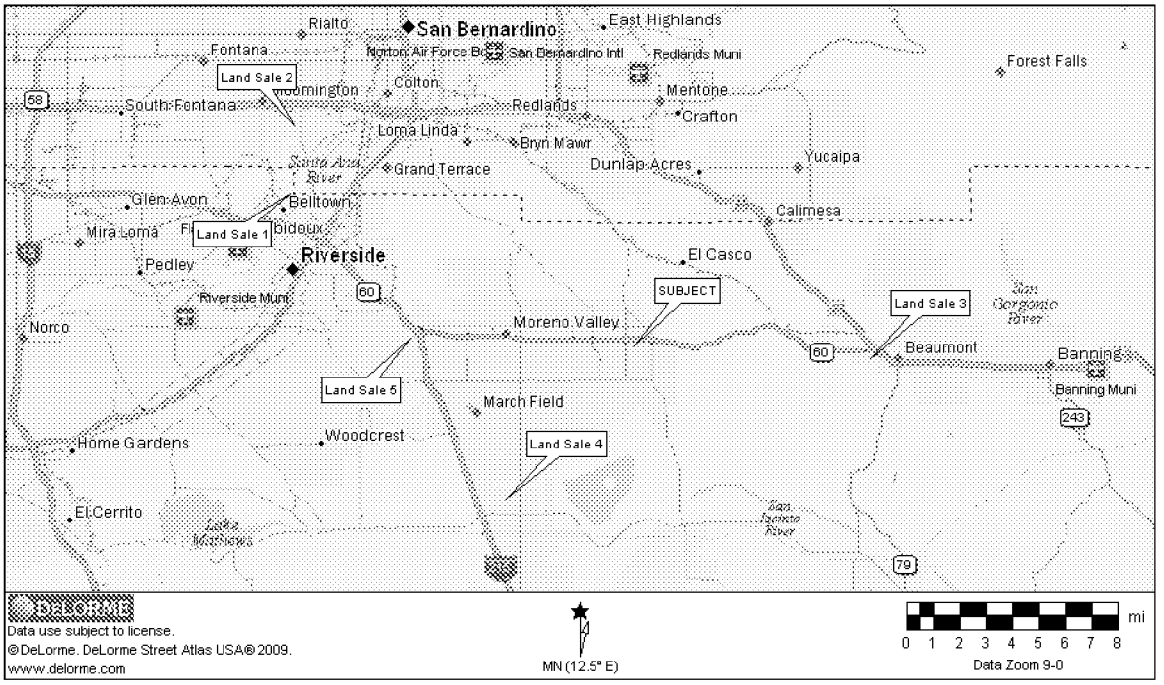

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SUMMARY OF COMPARABLE INDUSTRIAL LAND SALES

No.	Property Location	Transaction Type	Transaction Date	Zoning	Adjusted Sale Price [1]	Size (Acres)	Price Per SF
1	5425 Wilson Street, Unincorp. Riverside, CA	Sale	Apr-10	M-H	$4,976,861	18.73	$6.10
2	NWC Santa Ana Avenue and Willow Avenue, Rialto, CA	Sale	Jan-10	Industrial	$6,450,000	17.78	$8.33
3	NWC 4th & Nicholas, Beaumont, CA	Sale	Mar-10	Light Industrial	$35,108,000	132.13	$6.10
4	Btwn Markham/Nance, W. of Indian Avenue, Perris, CA	Listing	Jul-10	Industrial	$4,392,000	19.08	$5.28
5	SEC Sycamore Canyon Blvd. & Box Springs Blvd., Riverside, CA	Listing	Jul-10	Industrial	$2,103,948	8.05	$6.00
Subject	Parcel 2	---	---	LI (Light Industrial)	---	22.40	---

[1] Transaction amount adjusted for cash equivalency and/or development costs (where applicable)
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Land Sale One

This is the April 2010 sale of an 18.73-acre, rectangular shaped site located on the north side of Wilson Street, between Auga Mansa Road on the west and Brown Avenue on the east, in an unincorporated portion of Riverside County north of the city of Riverside. It was sold by Fleetwood Motors Homes of California, which was in bankruptcy proceedings. The topography is level and all utilities are available to the site. A user acquired the site for $4,976,861, or $6.10 per square foot.

This comparable is inferior to the subject in location based on its secondary street exposure and inferior accessibility. This site is similar to Parcel 2 in size and shape.

Land Sale Two

This represents a 17.78-acre site located at the northwest corner of Santa Ana Avenue and Willow Avenue in the city of Rialto. It is situated approximately one mile south of the 10 Freeway. Surrounding uses primarily consist of industrial development. The site is rectangular in shape, has a level topography at street grade, and has all utilities available. The property previously sold in August 2009 for $4,338,000 or $5.60 per square foot. The buyer is an adjacent property owner. The property was previously purchased for $11,995,764, or $16.50 per square foot in October 2007, which included the onsite/offsite cost estimate of $1,817,540. The seller had entitled the property for a single tenant cross dock facility; however, the entitlements had no value to the buyer who will build a truck terminal on the site.

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This comparable is judged to be slightly inferior to the subject in location, with inferior exposure and accessibility. This property is similar to Parcel 2 in size and shape.

Land Sale Three

This is the sale of a 132 net acre finished site located at the northwest corner of 4th Street and Nicholas Road in the city of Beaumont, Riverside County. The site is situated adjacent south of the 60 Freeway, one half mile west of Beaumont Avenue. On-and off-ramps are available to the 10 Freeway at Beaumont Avenue. The 10 and 60 Freeway interchange is situated immediately north of the subject, one-half mile west of Beaumont Avenue. The site is fully improved and entitled for development. The streets are in and utilities are to the site. In approximately October 2009 Winco agreed to purchase the site from Prologis. The buyer will build a warehouse/distribution to their specifications on the site.

This comparable is judged to be similar to the subject in location, with freeway exposure near the intersection of Interstate 10 and the 60 Freeway versus its inferior access from the freeway. An upward adjustment is made for the subject's smaller size.

Land Sale Four

This is the listing of a 19.08-acre industrial site located between Markham and Nance Streets, just west of Indian Avenue, in the north and west of the intersection of Perris Boulevard and the Ramona Expressway in Perris. This comparable is located just east of Interstate 215. Surrounding uses consist of vacant land, industrial, agriculture and rural residential. The area is zoned for industrial development. The site is rectangular in shape, has a generally level topography, and utilities are near the site. It should be noted that Nance Street to the north is not fully built-out and the buyer may be required to pay for additional infrastructure. The site is listed for $4,392,000, or $5.28 per square foot. The site was purchased for $3,900,000, or $4.69 per square foot in December 2006 and $1,908,000, or $2.30 in July 2005.

This comparable is adjusted downward for its listing status. An upward adjustment is made for the subject's superior location with freeway exposure and superior access.

Land Sale Five

This is an 8.05-acre site located on the southeast corner of Sycamore Canyon Boulevard and Box Springs Boulevard, in the east part of the city of Riverside. This comparable is located west of Interstate 215. Surrounding uses consist of vacant land, recently built industrial buildings and a car dealership. The site is rectangular in shape, has a generally level topography, all curbs and gutters in place and all utilities are stubbed to the site. The broker indicated that he originally had this site on

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the market for $13.00/SF. However, given the slowdown in the market this site would most likely sell between $2.50-$3.00/SF in today's market.

This comparable is judged to be slightly inferior to the subject in location. Downward adjustments are made for smaller size and superior street improvements.

SUMMARY OF ADJUSTMENTS

The following table summarizes the adjustments warranted when comparing each sale to the subject.

LAND SALES ADJUSTMENT GRID - PARCEL 2

Comparable Number	1	2	3	4	5
Transaction Type	Sale	Sale	Sale	Listing	Listing
Transaction Date	Apr-10	Jan-10	Mar-10	Jul-10	Jul-10
Zoning	M-H	Industrial	Light Industrial	Industrial	Industrial
Adjusted Sale Price [1]	$4,976,861	$6,450,000	$35,108,000	$4,392,000	$2,103,948
Size (Acres)	18.73	17.78	132.13	19.08	8.05
Size (SF)	815,879	774,666	5,755,410	831,125	350,658
Price Per Acre	$265,716	$362,688	$265,716	$230,189	$261,360
Price ($ PSF)	$6.10	$8.33	$6.10	$5.28	$6.00
Property Rights Conveyed	0%	0%	0%	0%	0%
Financing Terms [1]	0%	0%	0%	0%	0%
Conditions of Sale	0%	0%	0%	-20%	-20%
Market Conditions (Time)	0%	0%	0%	0%	0%
Subtotal	$6.10	$8.33	$6.10	$4.23	$4.80
Size	0%	0%	10%	0%	-5%
Shape	0%	0%	0%	0%	0%
Frontage	0%	0%	0%	0%	0%
Topography	0%	0%	0%	0%	0%
Location	10%	5%	0%	20%	10%
Zoning/Density	0%	0%	0%	0%	0%
Utilities	0%	0%	0%	0%	0%
Highest & Best Use	0%	0%	0%	0%	0%
Total Other Adjustments	10%	5%	10%	20%	5%
Value Indication for Subject	$6.71	$8.74	$6.71	$5.07	$5.04

[1] Transaction amount adjusted for cash equivalency and/or development costs (where applicable)
Compiled by CBRE

CONCLUSION – PARCEL 2

Our interviews with area brokers indicates that no interest from developers exists for vacant land in the Inland Empire East based on the falling rental rates, availability of existing product and lack of feasibility in new speculative developments. However, the completion of the adjacent Skechers building and infrastructure surrounding the subject parcels should enhance the marketability of Parcel

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2 for future industrial development. Considering the good freeway exposure and accessibility of the subject, and the current market conditions in the Inland Empire East, we have estimated a vacant land value of $6 per square foot for Parcel 2 upon completion of the street improvements.

The "as-is" value is calculated by deducting the remaining land improvement costs to create finished parcels. The following chart summarizes the allocation of the remaining costs, which are detailed in the Addenda.

ALLOCATION OF REMAINING LAND IMPROVEMENT COSTS	
Total Costs - Parcels 2-4	$8,427,536
Costs Incurred	4,143,993
Remaining Costs	$4,283,543
Profit (10%)	428,354
Total	$4,711,897
Total Acres	42.5
Per Acre	$110,868
Allocation Based on Net Site Area	
Parcel 2 (22.4 acres)	$2,483,447
Parcel 3 (12.9 acres)	$1,430,199
Parcel 4 (7.2 acres)	$798,251

Compiled by CBRE

CONCLUDED LAND VALUE - PARCEL 2				
$ PSF		Subject SF		Total
$6.00	x	975,744	=	$5,854,464
Indicated Value - Finished Site:				**$5,850,000**
Less: Remaining Land Improvement Costs				2,483,447
"As Is" Value				$3,366,553
Rounded				**$3,370,000**

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PARCELS 3 & 4 - COMMERCIAL

The following location map and table of sales summarizes the comparable data used in the valuation of Parcels 3 and 4. A detailed description of each transaction is included in the Addenda.

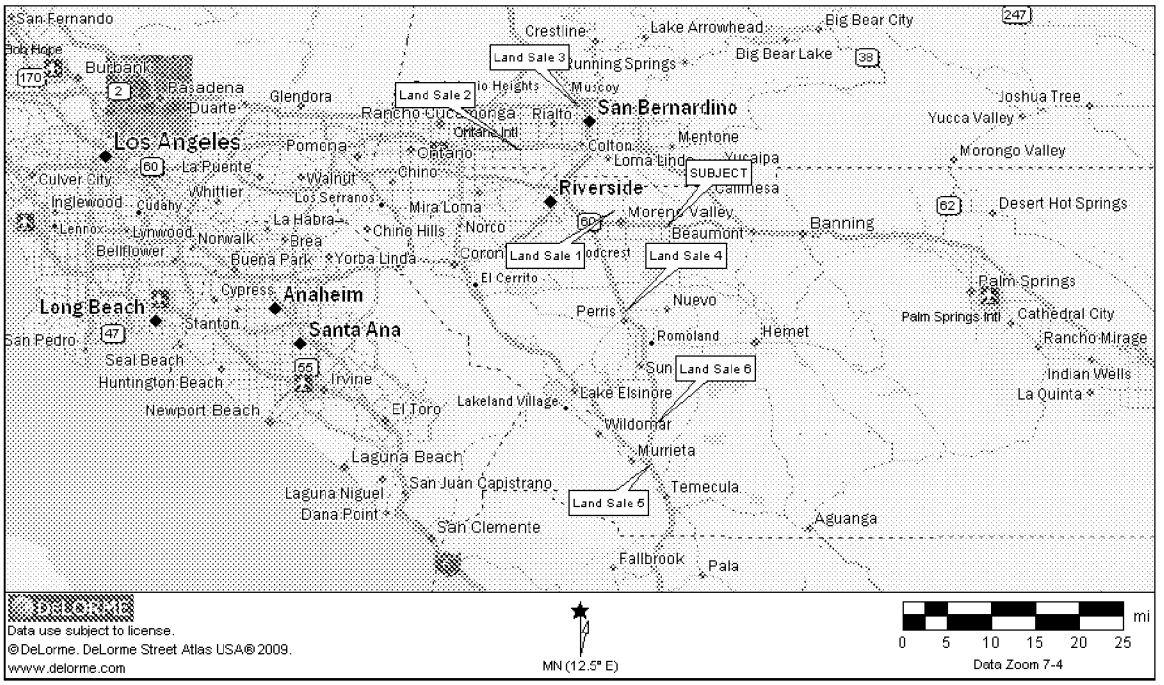

SUMMARY OF COMPARABLE COMMERCIAL LAND SALES

No.	Property Location	Transaction Type	Transaction Date	Zoning	Adjusted Sale Price [1]	Size (Acres)	Price Per SF
1	N/S Village Road, W/O Sunnymead Ranch Pk, Moreno Valley, CA	Sale	Jul-09	C-24	$600,000	2.31	$5.96
2	SWC Slover Ave & Sierra Ave, Fontana, CA	Sale	Aug-09	C-1	$1,500,000	2.02	$17.05
3	2120 Medical Center Drive, San Bernardino, CA	Sale	Nov-09	C0-1 commercial	$1,050,000	2.19	$11.01
4	SEC 215 Freeway & Nuevo Road, Perris, CA	Listing	Jun-10	Commercial	$3,415,100	7.84	$10.00
5	E/S of Monroe Avenue North of Fig Street, Murrieta, CA	Sale	Jun-09	MU-2	$6,225,000	10.55	$13.55
6	34965 Walt Road, Murrieta, CA	Sale	Apr-09	Commercial	$1,002,054	2.16	$10.65
Subject	Parcels 3 & 4	---	---	CC (Commercial)	---	12.9 & 7.2	---

[1] Transaction amount adjusted for cash equivalency and/or development costs (where applicable)
Compiled by CBRE

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Analysis of Land Sales

The adjustment grid used in this section is based on the average size of the two subject parcels (10 acres). Both of the subject parcels have similar accessibility and exposure from the adjacent freeway, surrounding the Skechers site.

Land Sale One

This is a 2.31-acre commercially zoned pad in the Lakeshore Village Marketplace retail center at the southwest corner of Sunnymead Ranch Road and Village Road in the city of Moreno Valley. The buyer owns the adjacent Lakeshore Village Marketplace and purchased the site for future expansion opportunities. This site does not have frontage to Sunnymead Ranch Road, which is the center's primary arterial. There are no entitlements on the site. The property sold for $600,000, or $5.96 per square foot. The property sold in May 2007 for $1,550,000, or $15.40 per square foot, indicating a 61.3% decline in value.

This comparable is adjusted downward for its date of sale in mid-2009 and its comparatively smaller size. A large upward adjustment is made for the subject's superior location along the freeway and street frontage.

Land Sale Two

This is the sale of a 2.52-acre (2.02-net-acre) commercial parcel on the southwest corner of Slover Avenue and Sierra Avenue in Fontana. The rectangular site is generally level and has all utilities available. The site is zoned commercial and was in raw condition at the time of sale. The site is encumbered by a deed restriction, which obligates a .50-acre public access drive and that the property can only be utilized as a service station. The buyer stated that this had no impact on the purchase price, as he has the ability to change or remove the restriction, but the .50 acres has been deducted from the 2.52 gross acres. The buyer contacted the seller directly and purchased the site in August 2009 for $1,500,000, or $17.05 per square foot of usable land area, with the intention of constructing a service station. The buyer reported that site improvements, including curbs, gutters, street lights, landscaping, and internal street access, totaled approximately $300,000, but were not included in the purchase price.

This comparable is adjusted downward for its smaller size, superior location and date of sale.

Land Sale Three

This is the sale of a 2.19-acre commercial site located on the west side of Medical Center Drive just south of Highland Avenue in the city of San Bernardino. Surrounding uses are a mix of residential and warehouse industrial, with the Community Hospital located less than 1/2 mile to the south. The

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Foothill (I-210) Freeway is located 1/4 mile to the northwest. The site is zoned commercial office, is irregularly shaped, but has good street frontage. The property was listed at $975,000, or $10.22 per square foot. Therefore, the purchase price was 8% above the listing price. According to the broker, the buyer intends to develop a medical office building.

This comparable is adjusted downward for its smaller size and slightly superior location in relation to the subject parcels. Upward adjustments are made for its inferior street frontage and shape.

Land Sale Four

This is a 7.84-acre commercial site located in a larger development at the southeast corner of the 215 Freeway and Nuevo Road in the city of Perris. Surrounding uses include the developed portion of the center adjacent east with tenants such as Big Lots, Big 5, and Stater Bros. There is a Food 4 Less grocery anchored center adjacent north, and significant residential development south and east, including a high school. Development west of the freeway is more spread out, which includes some partially completed single family housing tracts. The site is irregular in shape, has a generally level topography, and all utilities are available. The site is bank-owned and was auctioned off in mid 2009, with the winning bid opening escrow in late 2009. According to sources familiar with the transaction, the asking price was $10.00 per square foot, and the winning bid and subsequent escrow (which was below the advertised asking price) was recently cancelled.

This comparable is adjusted upward for its conditions of sale based on the motivations of the seller, which is offset by the winning bid being below the asking price. The subject location along the freeway in Moreno Valley is superior to this property. The subject sites also have superior street frontage.

Land Sale Five

This represents a 10.55-acre site located along the east side of Monroe Avenue north of Fig Street in the city of Murrieta. It is situated adjacent west of the 15/215 Freeway interchange. The property is irregular in shape, has a level topography, and was purchased for the purpose of constructing a private education center on the site. The land sold raw for $4,500,555 but required approximately $1,725,000 in off-site and site finishing costs. The total investment in the finished site was thus $6,225,000 or $13.55 per square foot. The escrow took one year to close and the market value dropped significantly since the agreed price was negotiated.

This comparable is adjusted downward for market conditions based on the long escrow price. This site is also slightly superior to the subject in location based on its surrounding demographics, despite its inferior accessibility from the freeway. The subject sites have superior corner street frontage.

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Land Sale Six

This site is located along the eastern side of Interstate Highway 215 at the southwest corner of Joan Dunn Lane and Walt Road in the city of Murrieta, Riverside County, CA. The site was vacant at the time of acquisition and was acquired as a portion of an assemblage by the buyers for future hospital development. The proposed hospital is to contain 106 beds with 2 procedure rooms, 12 labor and delivery beds and a full service emergency center.

This comparable is adjusted downward for market conditions and its comparatively smaller size. This site is also slightly superior to the subject in location based on its surrounding demographics, despite its inferior accessibility from the freeway.

SUMMARY OF ADJUSTMENTS

The following table summarizes the adjustments warranted when comparing each sale to the subject.

LAND SALES ADJUSTMENT GRID - PARCELS 3 & 4

Comparable Number	1	2	3	4	5	6
Transaction Type	Sale	Sale	Sale	Listing	Sale	Sale
Transaction Date	Jul-09	Aug-09	Nov-09	Jun-10	Jun-09	Apr-09
Zoning	C-24	C-1	C0-1 commercial	Commercial	MU-2	Commercial
Adjusted Sale Price [1]	$600,000	$1,500,000	$1,050,000	$3,415,100	$6,225,000	$1,002,054
Size (Acres)	2.31	2.02	2.19	7.84	10.55	2.16
Size (SF)	100,624	87,991	95,396	341,510	459,558	94,090
Price ($ PSF)	$5.96	$17.05	$11.01	$10.00	$13.55	$10.65
Property Rights Conveyed	0%	0%	0%	0%	0%	0%
Financing Terms [1]	0%	0%	0%	0%	0%	0%
Conditions of Sale	0%	0%	0%	0%	0%	0%
Market Conditions	-5%	-5%	0%	0%	-20%	-10%
Subtotal	$5.66	$16.19	$11.01	$10.00	$10.84	$9.58
Size	-5%	-5%	-5%	0%	0%	-5%
Shape	0%	0%	5%	0%	0%	0%
Frontage	15%	0%	10%	10%	5%	0%
Topography	0%	0%	0%	0%	0%	0%
Location	25%	-15%	-10%	5%	-10%	-10%
Zoning/Density	0%	0%	0%	0%	0%	0%
Utilities	0%	0%	0%	0%	0%	0%
Highest & Best Use	0%	0%	0%	0%	0%	0%
Total Other Adjustments	35%	-20%	0%	15%	-5%	-15%
Value Indication for Subject	$7.65	$12.96	$11.01	$11.50	$10.29	$8.15

[1] Transaction amount adjusted for cash equivalency and/or development costs (where applicable)
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CONCLUSION – PARCELS 3 & 4

These parcels have good accessibility and exposure from the adjacent freeway and will benefit from the completion of the adjacent Skechers building and street improvements. However, few commercial

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land sales have occurred in the surrounding market in the last year based on the economic conditions. Considering the good freeway exposure and accessibility of the subject, and the current market conditions in the Inland Empire East, we have estimated a vacant land value of $9 per square foot for Parcels 3 and 4 upon completion of the street improvements. Although Parcel 4 is slightly smaller and located adjacent to the Skechers main entrance, Parcel 3 is situated at Redlands Boulevard, which is closer to the existing major retail developments to the west and should have higher traffic counts upon completion of the interchange and Skechers improvements.

The "as-is" value is calculated by deducting the remaining land improvement costs to create finished parcels. The following chart summarizes the allocation of the remaining costs, which are detailed in the Addenda.

ALLOCATION OF REMAINING LAND IMPROVEMENT COSTS	
Total Costs - Parcels 2-4	$8,427,536
Costs Incurred	4,143,993
Remaining Costs	$4,283,543
Profit (10%)	428,354
Total	$4,711,897
Total Acres	42.5
Per Acre	$110,868
Allocation Based on Net Site Area	
Parcel 2 (22.4 acres)	$2,483,447
Parcel 3 (12.9 acres)	$1,430,199
Parcel 4 (7.2 acres)	$798,251
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CONCLUDED LAND VALUE - PARCEL 3				
$ PSF		Subject SF		Total
$9.00	x	561,924	=	$5,057,316
Indicated Value - Finished Site:				**$5,060,000**
Less: Remaining Land Improvement Costs				1,430,199
"As Is" Value				$3,629,801
Rounded				**$3,630,000**
Compiled by CBRE				

CONCLUDED LAND VALUE - PARCEL 4				
$ PSF		Subject SF		Total
$9.00	x	313,632	=	$2,822,688
Indicated Value - Finished Site:				**$2,820,000**
Less: Remaining Land Improvement Costs				798,251
"As Is" Value				$2,021,749
Rounded				**$2,020,000**
Compiled by CBRE				

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ASSUMPTIONS AND LIMITING CONDITIONS

1. Unless otherwise specifically noted in the body of the report, it is assumed that title to the property or properties appraised is clear and marketable and that there are no recorded or unrecorded matters or exceptions to title that would adversely affect marketability or value. CBRE is not aware of any title defects nor has it been advised of any unless such is specifically noted in the report. CBRE, however, has not examined title and makes no representations relative to the condition thereof. Documents dealing with liens, encumbrances, easements, deed restrictions, clouds and other conditions that may affect the quality of title have not been reviewed. Insurance against financial loss resulting in claims that may arise out of defects in the subject's title should be sought from a qualified title company that issues or insures title to real property.
2. Unless otherwise specifically noted in the body of this report, it is assumed: that the existing improvements on the property or properties being appraised are structurally sound, seismically safe and code conforming; that all building systems (mechanical/electrical, HVAC, elevator, plumbing, etc.) are in good working order with no major deferred maintenance or repair required; that the roof and exterior are in good condition and free from intrusion by the elements; that the property or properties have been engineered in such a manner that the improvements, as currently constituted, conform to all applicable local, state, and federal building codes and ordinances. CBRE professionals are not engineers and are not competent to judge matters of an engineering nature. CBRE has not retained independent structural, mechanical, electrical, or civil engineers in connection with this appraisal and, therefore, makes no representations relative to the condition of improvements. Unless otherwise specifically noted in the body of the report: no problems were brought to the attention of CBRE by ownership or management; CBRE inspected less than 100% of the entire interior and exterior portions of the improvements; and CBRE was not furnished any engineering studies by the owners or by the party requesting this appraisal. If questions in these areas are critical to the decision process of the reader, the advice of competent engineering consultants should be obtained and relied upon. It is specifically assumed that any knowledgeable and prudent purchaser would, as a precondition to closing a sale, obtain a satisfactory engineering report relative to the structural integrity of the property and the integrity of building systems. Structural problems and/or building system problems may not be visually detectable. If engineering consultants retained should report negative factors of a material nature, or if such are later discovered, relative to the condition of improvements, such information could have a substantial negative impact on the conclusions reported in this appraisal. Accordingly, if negative findings are reported by engineering consultants, CBRE reserves the right to amend the appraisal conclusions reported herein.
3. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property was not observed by the appraisers. CBRE has no knowledge of the existence of such materials on or in the property. CBRE, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea formaldehyde foam insulation, contaminated groundwater or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

   We have inspected, as thoroughly as possible by observation, the land; however, it was impossible to personally inspect conditions beneath the soil. Therefore, no representation is made as to these matters unless specifically considered in the appraisal.
4. All furnishings, equipment and business operations, except as specifically stated and typically considered as part of real property, have been disregarded with only real property being considered in the report unless otherwise stated. Any existing or proposed improvements, on or off-site, as well as any alterations or repairs considered, are assumed to be completed in a workmanlike manner according to standard practices based upon the information submitted to CBRE This report may be subject to amendment upon re-inspection of the subject subsequent to repairs, modifications, alterations and completed new construction. Any estimate of Market Value is as of the date indicated; based upon the information, conditions and projected levels of operation.
5. It is assumed that all factual data furnished by the client, property owner, owner's representative, or persons designated by the client or owner to supply said data are accurate and correct unless otherwise specifically noted in the appraisal report. Unless otherwise specifically noted in the appraisal report, CBRE has no reason to believe that any of the data furnished contain any material error. Information and data referred to in this paragraph include, without being limited to, numerical street addresses, lot and block numbers, Assessor's Parcel Numbers, land dimensions, square footage area of the land, dimensions of the improvements, gross building areas, net rentable areas, usable areas, unit count, room count, rent schedules, income data, historical operating expenses, budgets, and related data. Any material error in any of the above data could have a substantial impact on the conclusions reported. Thus, CBRE reserves the right to amend conclusions reported if made aware of any such error. Accordingly, the client-addressee should carefully review all assumptions, data, relevant calculations, and conclusions within 30 days after the date of delivery of this report and should immediately notify CBRE of any questions or errors.

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6. The date of value to which any of the conclusions and opinions expressed in this report apply, is set forth in the Letter of Transmittal. Further, that the dollar amount of any value opinion herein rendered is based upon the purchasing power of the American Dollar on that date. This appraisal is based on market conditions existing as of the date of this appraisal. Under the terms of the engagement, we will have no obligation to revise this report to reflect events or conditions which occur subsequent to the date of the appraisal. However, CBRE will be available to discuss the necessity for revision resulting from changes in economic or market factors affecting the subject.
7. CBRE assumes no private deed restrictions, limiting the use of the subject in any way.
8. Unless otherwise noted in the body of the report, it is assumed that there are no mineral deposit or subsurface rights of value involved in this appraisal, whether they be gas, liquid, or solid. Nor are the rights associated with extraction or exploration of such elements considered unless otherwise stated in this appraisal report. Unless otherwise stated it is also assumed that there are no air or development rights of value that may be transferred.
9. CBRE is not aware of any contemplated public initiatives, governmental development controls, or rent controls that would significantly affect the value of the subject.
10. The estimate of Market Value, which may be defined within the body of this report, is subject to change with market fluctuations over time. Market value is highly related to exposure, time promotion effort, terms, motivation, and conclusions surrounding the offering. The value estimate(s) consider the productivity and relative attractiveness of the property, both physically and economically, on the open market.
11. Any cash flows included in the analysis are forecasts of estimated future operating characteristics are predicated on the information and assumptions contained within the report. Any projections of income, expenses and economic conditions utilized in this report are not predictions of the future. Rather, they are estimates of current market expectations of future income and expenses. The achievement of the financial projections will be affected by fluctuating economic conditions and is dependent upon other future occurrences that cannot be assured. Actual results may vary from the projections considered herein. CBRE does not warrant these forecasts will occur. Projections may be affected by circumstances beyond the current realm of knowledge or control of CBRE
12. Unless specifically set forth in the body of the report, nothing contained herein shall be construed to represent any direct or indirect recommendation of CBRE to buy, sell, or hold the properties at the value stated. Such decisions involve substantial investment strategy questions and must be specifically addressed in consultation form.
13. Also, unless otherwise noted in the body of this report, it is assumed that no changes in the present zoning ordinances or regulations governing use, density, or shape are being considered. The property is appraised assuming that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, nor national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report is based, unless otherwise stated.
14. This study may not be duplicated in whole or in part without the specific written consent of CBRE nor may this report or copies hereof be transmitted to third parties without said consent, which consent CBRE reserves the right to deny. Exempt from this restriction is duplication for the internal use of the client-addressee and/or transmission to attorneys, accountants, or advisors of the client-addressee. Also exempt from this restriction is transmission of the report to any court, governmental authority, or regulatory agency having jurisdiction over the party/parties for whom this appraisal was prepared, provided that this report and/or its contents shall not be published, in whole or in part, in any public document without the express written consent of CBRE which consent CBRE reserves the right to deny. Finally, this report shall not be advertised to the public or otherwise used to induce a third party to purchase the property or to make a "sale" or "offer for sale" of any "security", as such terms are defined and used in the Securities Act of 1933, as amended. Any third party, not covered by the exemptions herein, who may possess this report, is advised that they should rely on their own independently secured advice for any decision in connection with this property. CBRE shall have no accountability or responsibility to any such third party.
15. Any value estimate provided in the report applies to the entire property, and any pro ration or division of the title into fractional interests will invalidate the value estimate, unless such pro ration or division of interests has been set forth in the report.
16. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. Component values for land and/or buildings are not intended to be used in conjunction with any other property or appraisal and are invalid if so used.
17. The maps, plats, sketches, graphs, photographs and exhibits included in this report are for illustration purposes only and are to be utilized only to assist in visualizing matters discussed within this report. Except as specifically stated, data relative to size or area of the subject and comparable properties has been obtained from sources deemed accurate and reliable. None of the exhibits are to be removed, reproduced, or used apart from this report.
18. No opinion is intended to be expressed on matters which may require legal expertise or specialized investigation or knowledge beyond that customarily employed by real estate appraisers. Values and opinions expressed presume that

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environmental and other governmental restrictions/conditions by applicable agencies have been met, including but not limited to seismic hazards, flight patterns, decibel levels/noise envelopes, fire hazards, hillside ordinances, density, allowable uses, building codes, permits, licenses, etc. No survey, engineering study or architectural analysis has been made known to CBRE unless otherwise stated within the body of this report. If the Consultant has not been supplied with a termite inspection, survey or occupancy permit, no responsibility or representation is assumed or made for any costs associated with obtaining same or for any deficiencies discovered before or after they are obtained. No representation or warranty is made concerning obtaining these items. CBRE assumes no responsibility for any costs or consequences arising due to the need, or the lack of need, for flood hazard insurance. An agent for the Federal Flood Insurance Program should be contacted to determine the actual need for Flood Hazard Insurance.

19. Acceptance and/or use of this report constitutes full acceptance of the Contingent and Limiting Conditions and special assumptions set forth in this report. It is the responsibility of the Client, or client's designees, to read in full, comprehend and thus become aware of the aforementioned contingencies and limiting conditions. Neither the Appraiser nor CBRE assumes responsibility for any situation arising out of the Client's failure to become familiar with and understand the same. The Client is advised to retain experts in areas that fall outside the scope of the real estate appraisal/consulting profession if so desired.
20. CBRE assumes that the subject analyzed herein will be under prudent and competent management and ownership; neither inefficient or super-efficient.
21. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined and considered in the appraisal report.
22. No survey of the boundaries of the property was undertaken. All areas and dimensions furnished are presumed to be correct. It is further assumed that no encroachments to the realty exist.
23. The Americans with Disabilities Act (ADA) became effective January 26, 1992. Notwithstanding any discussion of possible readily achievable barrier removal construction items in this report, CBRE has not made a specific compliance survey and analysis of this property to determine whether it is in conformance with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the ADA. If so, this fact could have a negative effect on the value estimated herein. Since CBRE has no specific information relating to this issue, nor is CBRE qualified to make such an assessment, the effect of any possible non-compliance with the requirements of the ADA was not considered in estimating the value of the subject.
24. Client shall not indemnify Appraiser or hold Appraiser harmless unless and only to the extent that the Client misrepresents, distorts, or provides incomplete or inaccurate appraisal results to others, which acts of the Client approximately result in damage to Appraiser. Notwithstanding the foregoing, Appraiser shall have no obligation under this Section with respect to any loss that is caused solely by the active negligence or willful misconduct of a Client and is not contributed to by any act or omission (including any failure to perform any duty imposed by law) by Appraiser. Client shall indemnify and hold Appraiser harmless from any claims, expenses, judgments or other items or costs arising as a result of the Client's failure or the failure of any of the Client's agents to provide a complete copy of the appraisal report to any third party. In the event of any litigation between the parties, the prevailing party to such litigation shall be entitled to recover, from the other, reasonable attorney fees and costs.
25. The report is for the sole use of the client; however, client may provide only complete, final copies of the appraisal report in its entirety (but not component parts) to third parties who shall review such reports in connection with loan underwriting or securitization efforts. Appraiser is not required to explain or testify as to appraisal results other than to respond to the client for routine and customary questions. Please note that our consent to allow an appraisal report prepared by CBRE or portions of such report, to become part of or be referenced in any public offering, the granting of such consent will be at our sole discretion and, if given, will be on condition that we will be provided with an Indemnification Agreement and/or Non-Reliance letter, in a form and content satisfactory to us, by a party satisfactory to us. We do consent to your submission of the reports to rating agencies, loan participants or your auditors in its entirety (but not component parts) without the need to provide us with an Indemnification Agreement and/or Non-Reliance letter.
26. As part of the client's requested scope of work, an estimate of insurable value is provided herein. CBRE has followed traditional appraisal standards to develop a reasonable calculation based upon industry practices and industry accepted publications such as the Marshal Valuation Service handbook. The methodology employed is a derivation of the cost approach which is primarily used as an academic exercise to help support the market value estimate and therefore is not reliable for Insurable Value estimates. Actual construction costs and related estimates can vary greatly from this estimate.

    This analysis should not be relied upon to determine proper insurance coverage which can only be properly estimated by consultants considered experts in cost estimation and insurance underwriting. It is provided to aid the client/reader/user as part of their overall decision making process and no representations or warranties are made by

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CBRE regarding the accuracy of this estimate and it is strongly recommend that other sources be utilized to develop any estimate of insurable value.

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ADDENDA

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ADDENDUM A

GLOSSARY OF TERMS

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assessed value Assessed value applies in ad valorem taxation and refers to the value of a property according to the tax rolls. Assessed value may not conform to market value, but it is usually calculated in relation to a market value base. †

cash equivalency The procedure in which the sale prices of comparable properties sold with atypical financing are adjusted to reflect typical market terms.

contract rent The actual rental income specified in a lease. ‡

disposition value The most probable price which a specified interest in real property is likely to bring under all of the following conditions: 1) Consummation of a sale will occur within a limited future marketing period specified by the client; 2) The actual market conditions currently prevailing are those to which the appraised property interest is subject; 3) The buyer and seller is each acting prudently and knowledgeably; 4) The seller is under compulsion to sell; 5) The buyer is typically motivated; 6) Both parties are acting in what they consider their best interests; 7) An adequate marketing effort will be made in the limited time allowed for the completion of a sale; 8) Payment will be made in cash in U.S. dollars or in terms of financial arrangements comparable thereto; and 9) The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.‡

effective rent The rental rate net of financial concessions such as periods of no rent during the lease term; may be calculated on a discounted basis, reflecting the time value of money, or on a simple, straight-line basis. ‡

excess land In regard to an improved site, the land not needed to serve or support the existing improvement. In regard to a vacant site or a site considered as though vacant, the land not needed to accommodate the site's primary highest and best use. Such land may be separated from the larger site and have its own highest and best use, or it may allow for future expansion of the existing or anticipated improvement. *See also* surplus land. ‡

extraordinary assumption An assumption directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property such as market conditions or trends; or about the integrity of data used in an analysis. *See also* hypothetical condition. ‡

fee simple estate Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. ‡

floor area ratio (FAR) The relationship between the above-ground floor area of a building, as described by the building code, and the area of the plot on which it stands; in planning and zoning, often expressed as a decimal, e.g., a ratio of 2.0 indicates that the permissible floor area of a building is twice the total land area; also called *building-to-land ratio*. ‡

full service lease A lease in which rent covers all operating expenses. Typically, full service leases are combined with an *expense stop*, the expense level covered by the contract lease payment. Increases in expenses above the expense stop level are passed through to the tenant and are known as *expense pass-throughs*.

going concern value Going concern value is the value of a proven property operation. It includes the incremental value associated with the business concern, which is distinct from the value of the real estate only. Going concern value includes an intangible enhancement of the value of an operating business enterprise which is produced by the assemblage of the land, building, labor, equipment, and marketing operation. This process creates an economically viable business that is expected to continue. Going concern value refers to the total value of a property, including both real property and intangible personal property attributed to the business value. †

gross building area (GBA) The total floor area of a building, including below-grade space but excluding unenclosed areas, measured from the exterior of the walls. Gross building area for office buildings is computed by measuring to the outside finished surface of permanent outer building walls without any deductions. All enclosed floors of the building including basements, mechanical equipment floors, penthouses, and the like are included in the measurement. Parking spaces and parking garages are excluded. ‡

hypothetical condition That which is contrary to what exists but is supposed for the purpose of analysis. Hypothetical conditions assume conditions contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis. *See also* extraordinary assumption. ‡

investment value Investment value is the value of an investment to a particular investor based on his or her investment requirements. In contrast to market value, investment value is value to an individual, not value in the marketplace. Investment value reflects the subjective relationship between a particular investor and a given investment. When measured in dollars, investment value is the price an investor would pay for an investment in light of its perceived capacity to satisfy his or her desires,

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needs, or investment goals. To estimate investment value, specific investment criteria must be known. Criteria to evaluate a real estate investment are not necessarily set down by the individual investor; they may be established by an expert on real estate and its value, that is, an appraiser. †

leased fee
See leased fee estate

leased fee estate An ownership interest held by a landlord with the right of use and occupancy conveyed by lease to others. The rights of the lessor (the leased fee owner) and the leased fee are specified by contract terms contained within the lease.‡

leasehold
See leasehold estate

leasehold estate The interest held by the lessee (the tenant or renter) through a lease conveying the rights of use and occupancy for a stated term under certain conditions.‡

liquidation value The most probable price which a specified interest in real property is likely to bring under all of the following conditions: 1) Consummation of a sale will occur within a severely limited future marketing period specified by the client; 2) The actual market conditions currently prevailing are those to which the appraised property interest is subject; 3) The buyer is acting prudently and knowledgeably; 4) The seller is under extreme compulsion to sell; 5) The buyer is typically motivated; 6) The buyer is acting in what he or she considers his or her best interests; 7) A limited marketing effort and time will be allowed for the completion of a sale; 8) Payment will be made in cash in U.S. dollars or in terms of financial arrangements comparable thereto; and 9) The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. ‡

market rent The most probable rent that a property should bring in a competitive and open market reflecting all conditions and restrictions of the specified lease agreement including term, rental adjustment and revaluation, permitted uses, use restrictions, and expense obligations; the lessee and lessor each acting prudently and knowledgeably, and assuming consummation of a lease contract as of a specified date and the passing of the leasehold from lessor to lessee under conditions whereby: 1) lessee and lessor are typically motivated; 2) both parties are well informed or well advised, and acting in what they consider their best interests; 3) a reasonable time is allowed for exposure in the open market; 4) the rent payment is made in terms of cash in U.S. dollars and is expressed as an amount per time period consistent with the payment schedule of the lease contract; and 5) the rental amount represents the normal consideration for the property leased unaffected by special fees or concessions granted by anyone associated with the transaction. ‡

market value Market value is one of the central concepts of the appraisal practice. Market value is differentiated from other types of value in that it is created by the collective patterns of the market. Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: 1) A reasonable time is allowed for exposure in the open market; 2) Both parties are well informed or well advised, and acting in what they consider their own best interests; 3) Buyer and seller are typically motivated; 4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and 5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.§

marketing period The time it takes an interest in real property to sell on the market subsequent to the date of an appraisal. ‡

net lease Lease in which all or some of the operating expenses are paid directly by the tenant. The landlord never takes possession of the expense payment. In a *Triple Net Lease* all operating expenses are the responsibility of the tenant, including property taxes, insurance, interior maintenance, and other miscellaneous expenses. However, management fees and exterior maintenance are often the responsibility of the lessor in a triple net lease. A *modified net lease* is one in which some expenses are paid separately by the tenant and some are included in the rent.

net rentable area (NRA) 1) The area on which rent is computed. 2) The Rentable Area of a floor shall be computed by measuring to the inside finished surface of the dominant portion of the permanent outer building walls, excluding any major vertical penetrations of the floor. No deductions shall be made for columns and projections necessary to the building. Include space such as mechanical room, janitorial room, restrooms, and lobby of the floor. *

occupancy rate The relationship or ratio between the income received from the rented units in a property and the income that would be received if all the units were occupied.‡

prospective value opinion A forecast of the value expected at a specified future date. A prospective value opinion is most frequently sought in connection with real estate projects that are proposed, under construction, or under conversion to a new us, or those that have not

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achieved sellout or a stabilized level of long-term occupancy at the time the appraisal report is written. ‡

reasonable exposure time The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective opinion based upon an analysis of past events assuming a competitive and open market. ††

rent
See
full service lease
net lease
market rent
contract, coupon, face, or nominal rent
effective rent

shell rent The typical rent paid for retail, office, or industrial tenant space based on minimal "shell" interior finishes (called plain vanilla finish in some areas). Usually the landlord delivers the main building shell space or some minimum level of interior build-out, and the tenant completes the interior finish, which can include wall, ceiling, and floor finishes; mechanical systems, interior electric, and plumbing. Typically these are long-term leases with tenants paying all or most property expenses. ‡

surplus land Land not necessary to support the highest and best use of the existing improvement but, because of physical limitations, building placement, or neighborhood norms, cannot be sold off separately. Such land may or may not contribute positively to value and may or may not accommodate future expansion of an existing or anticipated improvement. *See also* excess land. ‡

usable area 1) The area actually used by individual tenants. 2) The Usable Area of an office building is computed by measuring to the finished surface of the office side of corridor and other permanent walls, to the center of partitions that separate the office from adjoining usable areas, and to the inside finished surface of the dominant portion of the permanent outer building walls. Excludes areas such as mechanical rooms, janitorial room, restrooms, lobby, and any major vertical penetrations of a multi-tenant floor. *

use value Use value is a concept based on the productivity of an economic good. Use value is the value a specific property has for a specific use. Use value focuses on the value the real estate contributes to the enterprise of which it is a part, without regard to the property's highest and best use or the monetary amount that might be realized upon its sale. †

value indication An opinion of value derived through application of the appraisal process. ‡

---

† *The Appraisal of Real Estate*, Thirteenth Edition, Appraisal Institute, 2008.

‡ *The Dictionary of Real Estate Appraisal*, Fourth Edition, Appraisal Institute, 2002.

§ Office of Comptroller of the Currency (OCC), 12 CFR Part 34, Subpart C – Appraisals, 34.42 (g); Office of Thrift Supervision (OTS), 12 CFR 564.2 (g); Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 4th ed. (Chicago: Appraisal Institute, 2002), 177-178. This is also compatible with the RTC, FDIC, FRS and NCUA definitions of market value as well as the example referenced in the *Uniform Standards of Professional Appraisal Practice (USPAP)*.

* 2000 BOMA Experience Exchange Report, Income/Expense Analysis for Office Buildings (Building Owners and Managers Association, 2000)

†† *Statement on Appraisal Standard No. 6*, Appraisal Standards Board of The Appraisal Foundation, September 16, 1993, revised June 15, 2004.

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ADDENDUM B

ADDITIONAL SUBJECT PHOTOGRAPHS

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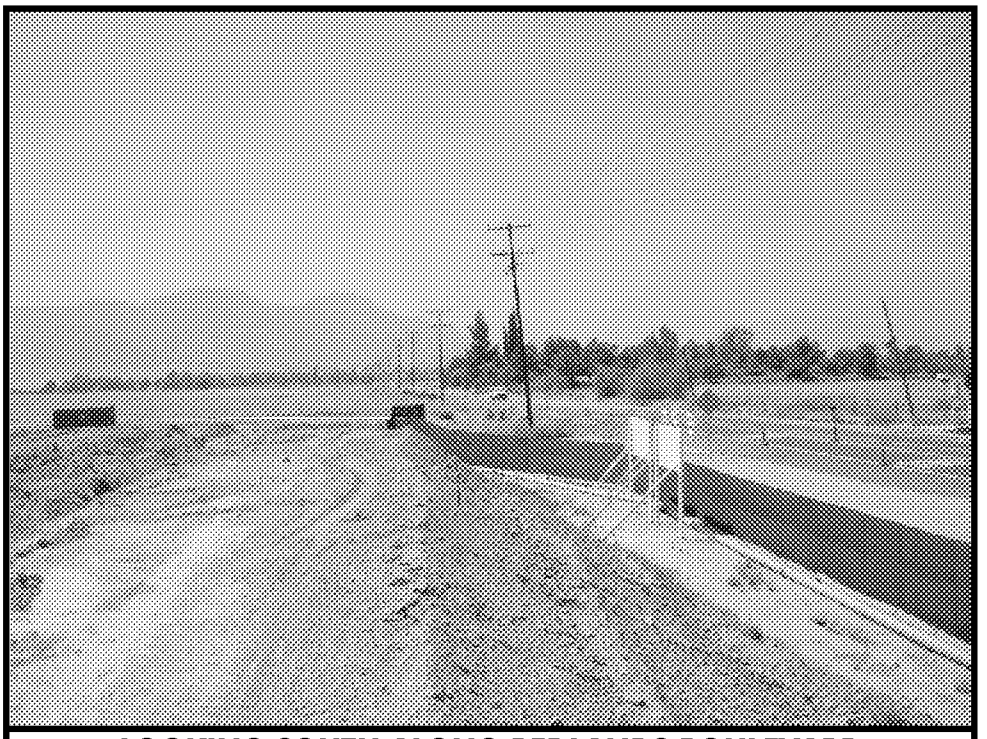

LOOKING SOUTH ALONG REDLANDS BOULEVARD

VIEW OF PARCEL 2 FROM SOUTHWEST

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LOOKING NORTH ALONG REDLANDS BOULEVARD

LOOKING NORTH ALONG THEODORE AVENUE

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VIEW OF PARCEL 4 FROM THEODORE AVENUE

STORM DRAIN UNDER CONSTRUCTION

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ADDENDUM C

COMPARABLE LAND SALES - INDUSTRIAL

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Fleetwood Motor Homes of Calif. Inc. Excess

Location Data

Location:	5425 Wilson Street Unincorp. Riverside,CA 92509
County:	Riverside
Assessor's Parcel No:	175-180-013;175-190-021,-025
Atlas Ref:	645-G6

Physical Data

Type:	Industrial	
Land Area:	Gross	Usable
Acres:	18.7300	18.7300
Square Feet:	815,879	815,879

Topography:	Level, At Street Grade
Shape:	Rectangular
Utilities:	All to site
Zoning:	M-H
Allowable Bldg Area:	N/A
Floor Area Ratio:	N/A
No. of units:	N/A
Max FAR:	N/A
Frontage:	N. side of Wilson St. - 1470';

Analysis

Use At Sale:	Vacant Land
Proposed Use or Dev.	Industrial
Price Per Acre:	$265,716
Price Per SF of Land:	$6.10
Price Per Unit:	N/A
Price Per SF of Bldg:	N/A

Sale Data

Transaction Type:	Sale
Date:	4/2010
Marketing Time:	9 months
Grantor:	Fleetwood Motor Homes of Calif
Grantee:	Crst Van Expedited Inc.
Document No.:	0188648
Sale Price:	$4,976,861
Financing:	Cash to Seller
Cash Eq.Price:	$4,976,861
Onsite/Offsite Costs:	$0
Adj. Sale Price:	$4,976,861
Verification:	Confidential

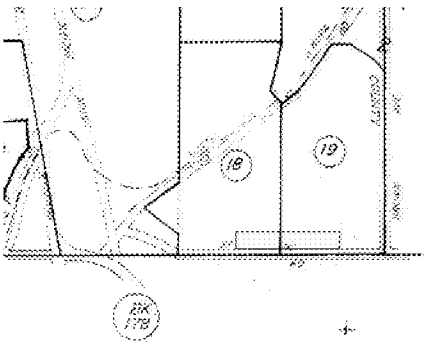

MAP INDEX

Comments

This is the April 2010 sale of an 18.73-acre, rectangular shaped site located on the north side of Wilson Street, between Auga Mansa Road on the west and Brown Avenue on the east, in an unincorporated portion of Riverside County north of the city of Riverside. It was sold by Fleetwood Motors Homes of California, which was in bankruptcy proceedings. The topography is level and all utilities are available to the site. A user acquired the site for $4,976,861, or $6.10 per square foot.

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NWC Santa Ana & Willow Dominion Re-Sale

Location Data

Location:	**NWC Santa Ana Avenue and Willow Rialto,CA 92316**
County:	**San Bernardino**
Assessor's Parcel No:	**0258-031-10 & 11**
Atlas Ref:	**645-G1**

Physical Data

Type:	**Industrial**	
Land Area:	**Gross**	**Usable**
Acres:	**17.7839**	**17.7839**
Square Feet:	**774,666**	**774,666**
Topography:	**Level, At Street Grade**	
Shape:	**Rectangular**	
Utilities:	**All to Site**	
Zoning:	**Industrial**	
Allowable Bldg Area:	**N/A**	
Floor Area Ratio:	**N/A**	
No. of units:	**N/A**	
Max FAR:		
Frontage:	**1024 ft - Santa Ana Avenue; 411 ft - Willow Avenue, 616 ft - Lilac**	

Analysis

Use At Sale:	**Vacant**
Proposed Use or Dev.	**Industrial**
Price Per Acre:	**$362,687**
Price Per SF of Land:	**$8.33**
Price Per Unit:	**N/A**
Price Per SF of Bldg:	**N/A**

Sale Data

Transaction Type:	**Sale**
Date:	**1/2010**
Marketing Time:	**N/A**
Grantor:	**CRST Van Expidted, Inc. (CRST**
Grantee:	**STRETCH ACQUISITIONS LLC**
Document No.:	**8691**
Sale Price:	**$6,450,000**
Financing:	**Cash to Seller**
Cash Eq.Price:	**$6,450,000**
Onsite/Offsite Costs:	**$0**
Adj. Sale Price:	**$6,450,000**
Verification:	**Broker: Tal Siglar 909-980-1234 & Public Record**

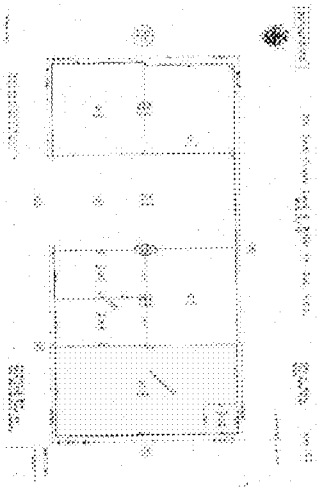

Comments

This represents a 17.78-acre site located at the northwest corner of Santa Ana Avenue and Willow Avenue in the city of Rialto. It is situated approximately one mile south of the 10 Freeway. Surrounding uses primarily consist of industrial development. The site is rectangular in shape, has a level topography at street grade, and has all utilities available. The property previously sold in August 2009 for $4,338,000 or $5.60 per square foot. The buyer is an adjacent property owner. The property was previously purchased for $11,995,764, or $16.50 per square foot in October 2007, which included the onsite/offsite cost estimate of $1,817,540. The seller had entitled the property for a single tenant cross dock facility; however, the entitlements had no value to the buyer who will build a truck terminal on the site. The October 2007 sale to August 2009 sales price implies a 57.4 percent decline in the value over the approximate two-year period.

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Winco Beaumont

Location Data

Location:	**NWC 4th & Nicholas**
	Beaumont,CA 92223
County:	**Riverside**
Assessor's Parcel No:	**421-060-006,7**
Atlas Ref:	**720 F3**

Physical Data

Type:	**Industrial**	
Land Area:	**Gross**	**Usable**
Acres:	**157.3100**	**132.1260**
Square Feet:	**6,852,424**	**5,755,410**
Topography:	**Level, At Street Grade**	
Shape:	**Irregular**	
Utilities:	**All to site**	
Zoning:	**Light Industrial**	
Allowable Bldg Area:	**N/A**	
Floor Area Ratio:	**N/A**	
No. of units:	**N/A**	
Max FAR:		
Frontage:	**N/A;**	

Analysis

Use At Sale:	**Vacant Land**
Proposed Use or Dev.	**Build to suit warehouse**
Price Per Acre:	**$265,716**
Price Per SF of Land:	**$6.10**
Price Per Unit:	**N/A**
Price Per SF of Bldg:	**N/A**

Sale Data

Transaction Type:	**Sale**
Date:	**3/2010**
Marketing Time:	**N/A**
Grantor:	**Fourth and B, LLC (Prologis)**
Grantee:	**High Desert Partners LLC (Winco)**
Document No.:	**0127844**
Sale Price:	**$35,108,000**
Financing:	**Cash to Seller**
Cash Eq.Price:	**$35,108,000**
Onsite/Offsite Costs:	**$0**
Adj. Sale Price:	**$35,108,000**
Verification:	**Cushman & Wakefield: Chuck Belden 909-980-7788**

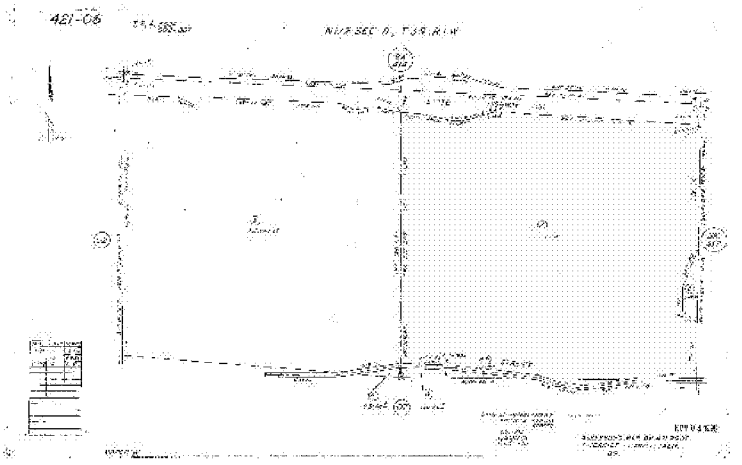

Comments

This is the sale of a 132 net acre finished site located at the northwest corner of 4th Street and Nicholas Road in the city of Beaumont, Riverside County. The site is situated adjacent south of the 60 Freeway, one half mile west of Beaumont Avenue. On-and off-ramps are available to the 10 Freeway at Beaumont Avenue. The 10 and 60 Freeway interchange is situated immediately north of the subject, one-half mile west of Beaumont Avenue. The site is fully improved and entitled for development. The streets are in and utilities are to the site. In approximately October 2009 Winco agreed to purchase the site from Prologis, reportedly took a loss based on their cost basis of $2.25 per square foot of site area. The buyer will build a warehouse/distribution to their specifications on the site.

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Listing - General Industrial (Heavy Use)

Location Data

Location:	**Btwn Markham/Nance, W. of Indian Perris,CA 92571**
County:	**Riverside**
Assessor's Parcel No:	**302-030-003, 006**
Atlas Ref:	**747-G7**

Physical Data

Type:	**Industrial**	
Land Area:	**Gross**	**Usable**
Acres:	**19.0800**	**19.0800**
Square Feet:	**831,125**	**831,125**

Topography:	**Generally Level**
Shape:	**Rectangular**
Utilities:	**Some to the site**
Zoning:	**Industrial**
Allowable Bldg Area:	**N/A**
Floor Area Ratio:	**N/A**
No. of units:	**N/A**
Max FAR:	
Frontage:	**600' Markham Street; 600' Nance Street**

Analysis

Use At Sale:	**Vacant Land**
Proposed Use or Dev.	**Industrial**
Price Per Acre:	**$230,188**
Price Per SF of Land:	**$5.28**
Price Per Unit:	**N/A**
Price Per SF of Bldg:	**N/A**

Sale Data

Transaction Type:	**Listing**
Date:	**7/2010**
Marketing Time:	**2 months**
Grantor:	**Doka USA**
Grantee:	**TBD**
Document No.:	**N/A**
Sale Price:	**$4,392,000**
Financing:	**Not Available**
Cash Eq.Price:	**$4,392,000**
Onsite/Offsite Costs:	**$0**
Adj. Sale Price:	**$4,392,000**
Verification:	**Herrick Johnson - Broker**

Comments

This is the listing of a a 19.08-acre industrial site located between Markham and Nance Streets, just west of Indian Avenue, in the north and west of the intersection of Perris Boulevard and the Ramona Expressway in Perris. This comparable is located just east of Interstate 215. Surrounding uses consist of vacant land, industrial, agriculture and rural residential. The area is zoned for industrial development. The site is rectangular in shape, has a generally level topography, and utilities are near the site. It should be noted that Nance Street to the north is not fully built-out and the buyer may be required to pay for additional infrastructure. The site is listed for $4,392,000, or $5.28 per square foot. The site was purchased for $3,900,000, or $4.69 per square foot in December 2006 and $1,908,000, or $2.30 in July 2005.

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Listing - Industrial Site

Location Data

Location:	**SEC Sycamore Canyon Blvd. & Box Riverside,CA 92507**
County:	**Riverside**
Assessor's Parcel No:	**263-020-053**
Atlas Ref:	**716-H2**

Physical Data

Type:	**Industrial**	
Land Area:	**Gross**	**Usable**
Acres:	**8.0500**	**8.0500**
Square Feet:	**350,658**	**350,658**
Topography:	**Generally Level**	
Shape:	**Rectangular**	
Utilities:	**All to the site**	
Zoning:	**Industrial**	
Allowable Bldg Area:	**N/A**	
Floor Area Ratio:	**N/A**	
No. of units:	**N/A**	
Max FAR:		
Frontage:	**Sycamore Canyon Boulevard; Box Springs Boulevard**	

Analysis

Use At Sale:	**Vacant Land**
Proposed Use or Dev.	**Industrial**
Price Per Acre:	**$261,360**
Price Per SF of Land:	**$6.00**
Price Per Unit:	**N/A**
Price Per SF of Bldg:	**N/A**

Sale Data

Transaction Type:	**Listing**
Date:	**7/2010**
Marketing Time:	**18 months**
Grantor:	**N/A**
Grantee:	**N/A**
Document No.:	**N/A**
Sale Price:	**$2,103,948**
Financing:	**Not Available**
Cash Eq.Price:	**$2,103,948**
Onsite/Offsite Costs:	**$0**
Adj. Sale Price:	**$2,103,948**
Verification:	**Erik Wanland - Broker**

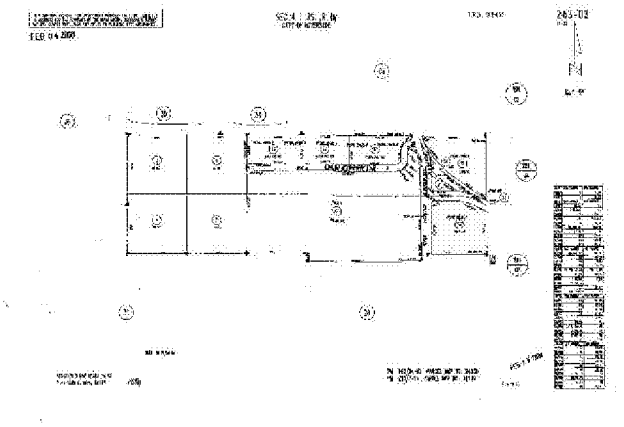

Comments

This is an 8.05-acre site located on the southeast corner of Sycamore Canyon Boulevard and Box Springs Boulevard, in the east part of the city of Riverside. This comparable is located west of Interstate 215. Surrounding uses consist of vacant land, recently built industrial buildings and a car dealership. The site is rectangular in shape, has a generally level topography, all curbs and gutters in place and all utilities are stubbed to the site. The broker indicated that he originally had this site on the market for $13.00/SF. However, given the slowdown in the market this site would most likely sell between $2.50-$3.00/SF in today's market.

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ADDENDUM D

COMPARABLE LAND SALES – COMMERCIAL

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2.31-Acre Commercial Site

Location Data

Location:	**N/S Village Road, W/O Sunnymead Moreno Valley,CA 92557**
County:	**Riverside**
Assessor's Parcel No:	**260-460-006**
Atlas Ref:	**687-D5**

Physical Data

Type:	**Retail/Commercial**	
Land Area:	**Gross**	**Usable**
Acres:	**2.3100**	**2.3100**
Square Feet:	**100,624**	**100,624**
Topography:	**Hilly**	
Shape:	**Irregular**	
Utilities:	**All to Site**	
Zoning:	**C-24**	
Allowable Bldg Area:	**N/A**	
Floor Area Ratio:	**N/A**	
No. of units:	**N/A**	
Max FAR:	**N/A**	
Frontage:	**Village Road;**	

Analysis

Use At Sale:	**Vacant Land**
Proposed Use or Dev.	**Hold for future retail**
Price Per Acre:	**$259,740**
Price Per SF of Land:	**$5.96**
Price Per Unit:	**N/A**
Price Per SF of Bldg:	**N/A**

Sale Data

Transaction Type:	**Sale**
Date:	**7/2009**
Marketing Time:	**N/A**
Grantor:	**SVH Moreno Valley LLC**
Grantee:	**ADR/Preferred Business**
Document No.:	**0392094**
Sale Price:	**$600,000**
Financing:	**Cash to Seller**
Cash Eq.Price:	**$600,000**
Onsite/Offsite Costs:	**$0**
Adj. Sale Price:	**$600,000**
Verification:	**Katherine Hunt - Lee & Assoc - 951-276-3645**

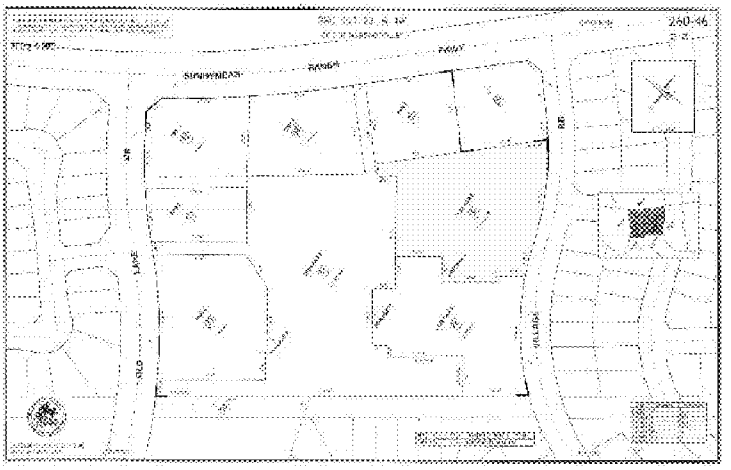

Comments

This is a 2.31-acre commercially zoned pad in the Lakeshore Village Marketplace retail center at the southwest corner of Sunnymead Ranch Road and Village Road in the city of Moreno Valley. The buyer owns the adjacent Lakeshore Village Marketplace and purchased the site for future expansion opportunities. This site does not have frontage to Sunnymead Ranch Road, which is the center's primary arterial. There are no entitlements on the site. The property sold for $600,000, or $5.96 per square foot. The property sold in May 2007 for $1,550,000, or $15.40 per square foot, indicating a 61.3 percent decline in value.

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Commercial Site

Location Data

Location:	**SWC Slover Ave & Sierra Ave Fontana,CA 92335**
County:	**San Bernardino**
Assessor's Parcel No:	**0255-041-26**
Atlas Ref:	**604-J7**

Physical Data

Type:	**Retail/Commercial**	
Land Area:	**Gross**	**Usable**
Acres:	**2.5200**	**2.0200**
Square Feet:	**109,771**	**87,991**
Topography:	**Generally Level**	
Shape:	**Rectangular**	
Utilities:	**All Available**	
Zoning:	**C-1**	
Allowable Bldg Area:	**N/A**	
Floor Area Ratio:	**N/A**	
No. of units:	**N/A**	
Max FAR:		
Frontage:	**Slover Avenue - 446 Feet; Sierra Avenue - 244 Feet**	

Sale Data

Transaction Type:	**Sale**
Date:	**8/2009**
Marketing Time:	**9 months**
Grantor:	**Sierra Center South Fontana, LLC**
Grantee:	**Sierra Corner LLC**
Document No.:	**0435296**
Sale Price:	**$1,500,000**
Financing:	**Cash to Seller**
Cash Eq.Price:	**$1,500,000**
Onsite/Offsite Costs:	**$0**
Adj. Sale Price:	**$1,500,000**
Verification:	**Grant Deed, Buyer**

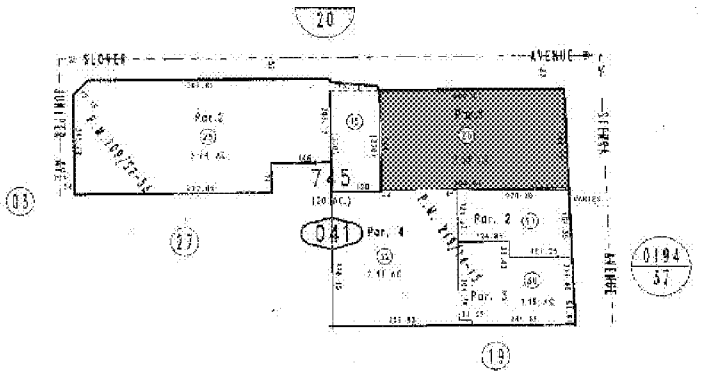

Analysis

Use At Sale:	**Raw Land**
Proposed Use or Dev.	**Commercial Development**
Price Per Acre:	**$742,574**
Price Per SF of Land:	**$17.05**
Price Per Unit:	**N/A**
Price Per SF of Bldg:	**N/A**

Comments

This is the sale of a 2.52-acre (2.02-net-acre) commercial parcel on the southwest corner of Slover Avenue and Sierra Avenue in Fontana. The rectangular site is generally level and has all utilities available. The site is zoned commercial and was in raw condition at the time of sale. The site is encumbered by a deed restriction, which obligates a 0.50-acre public access drive and that the property can only be utilized as a service station. The buyer stated that this had no impact on the purchase price, as he has the ability to change or remove the restriction, but the 0.50 acres has been deducted from the 2.52 gross acres. The buyer contacted the seller directly and purchased the site in August 2009 for $1,500,000, or $17.05 per square foot of usable land area, with the intention of constructing a service station. The buyer reported that site improvements, including curbs, gutters, street lights, landscaping, and internal street access, totaled approximately $300,000, but were not included in the purchase price.

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Med-Office Development Site

Location Data

Location:	**2120 Medical Center Drive**
	San Bernardino,CA 92411
County:	**San Bernardino**
Assessor's Parcel No:	**0143-191-63**
Atlas Ref:	**576-C4**

Physical Data

Type:	**Retail/Commercial**	
Land Area:	**Gross**	**Usable**
Acres:	**2.1900**	**2.1900**
Square Feet:	**95,396**	**95,396**
Topography:	**Level, At Street Grade**	
Shape:	**Rectangular**	
Utilities:	**All to site**	
Zoning:	**C0-1 commercial**	
Allowable Bldg Area:	**N/A**	
Floor Area Ratio:	**N/A**	
No. of units:	**N/A**	
Max FAR:		
Frontage:	**305' Medical Center Dr.;**	

Analysis

Use At Sale:	**Vacant land**
Proposed Use or Dev.	**Medical Office**
Price Per Acre:	**$479,452**
Price Per SF of Land:	**$11.01**
Price Per Unit:	**N/A**
Price Per SF of Bldg:	**N/A**

Sale Data

Transaction Type:	**Sale**
Date:	**11/2009**
Marketing Time:	**20 months**
Grantor:	**John S Edmunds**
Grantee:	**Redevelopment Agency of San**
Document No.:	**523322**
Sale Price:	**$1,050,000**
Financing:	**Cash to Seller**
Cash Eq.Price:	**$1,050,000**
Onsite/Offsite Costs:	**$0**
Adj. Sale Price:	**$1,050,000**
Verification:	**Broker, Shiva Monify @ Sperry - 310 500-3329**

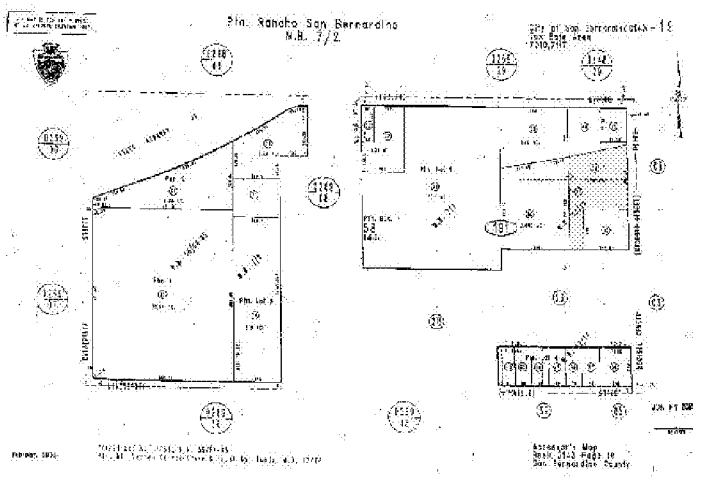

Comments

This is the sale of a 2.19-acre commercial site located on the west side of Medical Center Drive just south of Highland Avenue in the city of San Bernardino. Surrounding uses are a mix of residential and warehouse industrial, with the Community Hospital located less than 1/2 mile to the south. The Foothill (I-210) Freeway is located 1/4 mile to the northwest. The site is zoned commercial office, is irregularly shaped, but has good street frontage.
The property was listed at $975,000, or $10.22 per square foot. Therefore, the purchase price was 8% above the listing price. According to the broker, the buyer intends to develop a medical office building.

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Nuevo Crossing - Failed Escrow

Location Data

Location:	**SEC 215 Freeway & Nuevo Road Perris,CA 92571**
County:	**Riverside**
Assessor's Parcel No:	**311-050-002/037**
Atlas Ref:	**777-G7**

Physical Data

Type:	**Retail/Commercial**	
Land Area:	**Gross**	**Usable**
Acres:	**7.8400**	**7.8400**
Square Feet:	**341,510**	**341,510**
Topography:		
Shape:	**Irregular**	
Utilities:	**All to Site**	
Zoning:	**Commercial**	
Allowable Bldg Area:	**N/A**	
Floor Area Ratio:	**N/A**	
No. of units:	**N/A**	
Max FAR:		
Frontage:	**215 Freeway; Nuevo**	

Analysis

Use At Sale:	**Entitled/Proposed Retail**
Proposed Use or Dev.	**Future Retail Development**
Price Per Acre:	**$435,599**
Price Per SF of Land:	**$10.00**
Price Per Unit:	**N/A**
Price Per SF of Bldg:	**N/A**

Sale Data

Transaction Type:	**Listing**
Date:	**6/2010**
Marketing Time:	**12 months**
Grantor:	**Nuevo South FSB (Bank Owned)**
Grantee:	**N/A**
Document No.:	**N/A**
Sale Price:	**$3,415,100**
Financing:	**Cash to Seller**
Cash Eq.Price:	**$3,415,100**
Onsite/Offsite Costs:	**$0**
Adj. Sale Price:	**$3,415,100**
Verification:	**Confidential**

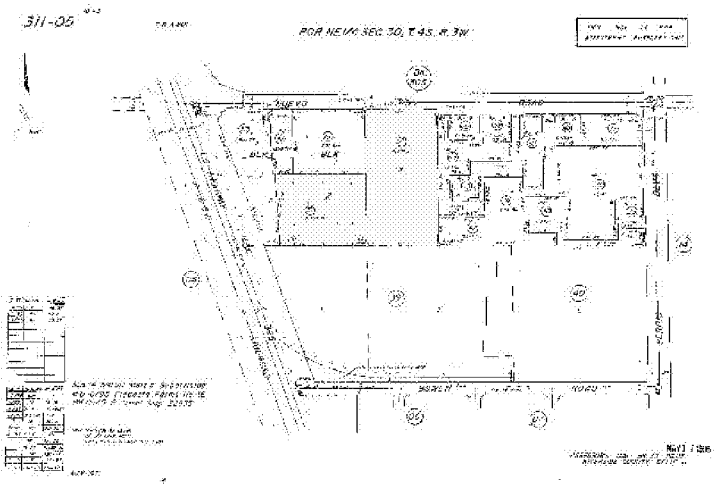

Comments

This is a 7.84-acre commercial site located in a larger development at the southeast corner of the 215 Freeway and Nuevo Road in the city of Perris. Surrounding uses include the developed portion of the center adjacent east with tenants such as Big Lots, Big 5, and Stater Bros. There is a Food 4 Less grocery anchored center adjacent north, and significant residential development south and east, including a high school. Development west of the freeway is more spread out, which includes some partially completed single family housing tracts. The site is irregular in shape, has a generally level topography, and all utilities are available. The site is bank owned and was auctioned off in mid 2009, with the winning bid opening escrow in late 2009. According to sources familiar with the transaction, the asking price was $10.00 per square foot, and the winning bid and subsequent escrow (which was below the advertised asking price) was recently cancelled.

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Vacant Murrieta Land

Location Data

Location:	**E/S of Monroe Avenue**
	Murrieta,CA 92562
County:	**Riverside**
Assessor's Parcel No:	**910-020-014**
Atlas Ref:	**928-D7**

Physical Data

Type:	**Retail/Commercial**	
Land Area:	**Gross**	**Usable**
Acres:	**10.5500**	**10.5500**
Square Feet:	**459,558**	**459,558**
Topography:	**Level, At Street Grade**	
Shape:	**Irregular**	
Utilities:	**All to site**	
Zoning:	**MU-2**	
Allowable Bldg Area:	**N/A**	
Floor Area Ratio:	**N/A**	
No. of units:	**N/A**	
Max FAR:		
Frontage:	**N/A;**	

Analysis

Use At Sale:	**Vacant land**
Proposed Use or Dev.	**Private Education Center**
Price Per Acre:	**$590,047**
Price Per SF of Land:	**$13.55**
Price Per Unit:	**N/A**
Price Per SF of Bldg:	**N/A**

Sale Data

Transaction Type:	**Sale**
Date:	**6/2009**
Marketing Time:	**N/A**
Grantor:	**RSC &C, LLC**
Grantee:	**Murrieta Education Center, LLC**
Document No.:	**0316279**
Sale Price:	**$4,500,000**
Financing:	**Cash to Seller**
Cash Eq.Price:	**$4,500,000**
Onsite/Offsite Costs:	**$1,725,000**
Adj. Sale Price:	**$6,225,000**
Verification:	**Broker, Fred Grimes-G&E**
	951.491.6300

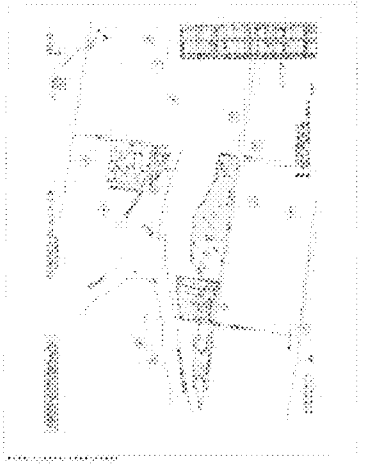

Comments

This represents a 10.55-acre site located along the east side of Monroe Avenue north of Fig Street in the city of Murrieta. It is situated adjacent west of the 15/215 Freeway interchange. The property is irregular in shape, has a level topography It was purchased for the purpose of constructing a private education center on the site. The land sold raw for $4,500,555 but required approximately $1,725,000 in off-site and site finishing costs. The total investment in the finished site was thus $6,225,000 or $13.55 per square foot. The escrow took one year to close and the market value dropped significantly since the agreed price was negotiated.

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Physician's Hospital Site

Location Data

Location:	34965 Walt Road Murrieta,CA 92563
County:	Riverside
Assessor's Parcel No:	384-240-006
Atlas Ref:	898 F4

Physical Data

Type:	Retail/Commercial	
Land Area:	Gross	Usable
Acres:	2.1600	2.1600
Square Feet:	94,090	94,090
Topography:	Level, At Street Grade	
Shape:	Rectangular	
Utilities:	All to Site	
Zoning:	Commercial	
Allowable Bldg Area:	N/A	
Floor Area Ratio:	N/A	
No. of units:	N/A	
Max FAR:		
Frontage:	Walt Road; Joan Dunn Lane	

Sale Data

Transaction Type:	Sale
Date:	4/2009
Marketing Time:	3 months
Grantor:	Mark E. & Marcelina A. Balden
Grantee:	Physicians Hospital of Murrieta,
Document No.:	164266
Sale Price:	$1,002,054
Financing:	Not Available
Cash Eq.Price:	$1,002,054
Onsite/Offsite Costs:	$0
Adj. Sale Price:	$1,002,054
Verification:	Costar, Public Records, broker, Fred Grimes G&E 951-491-6300

Analysis

Use At Sale:	Vacant
Proposed Use or Dev.	Hospital
Price Per Acre:	$463,913
Price Per SF of Land:	$10.65
Price Per Unit:	N/A
Price Per SF of Bldg:	N/A

Comments

This site is located along the eastern side of Interstate Highway 215 at the southwest corner of Joan Dunn Lane and Walt Road in the city of Murrieta, Riverside County, CA. The site was vacant at the time of acquisition and was acquired as a portion of an assemblage by the buyers for future hospital development. The proposed hospital is to contain 106 beds with 2 procedure rooms, 12 labor and delivery beds and a full service emergency center.

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ADDENDUM E

TENTATIVE PARCEL MAP

© 2010 CB Richard Ellis, Inc.

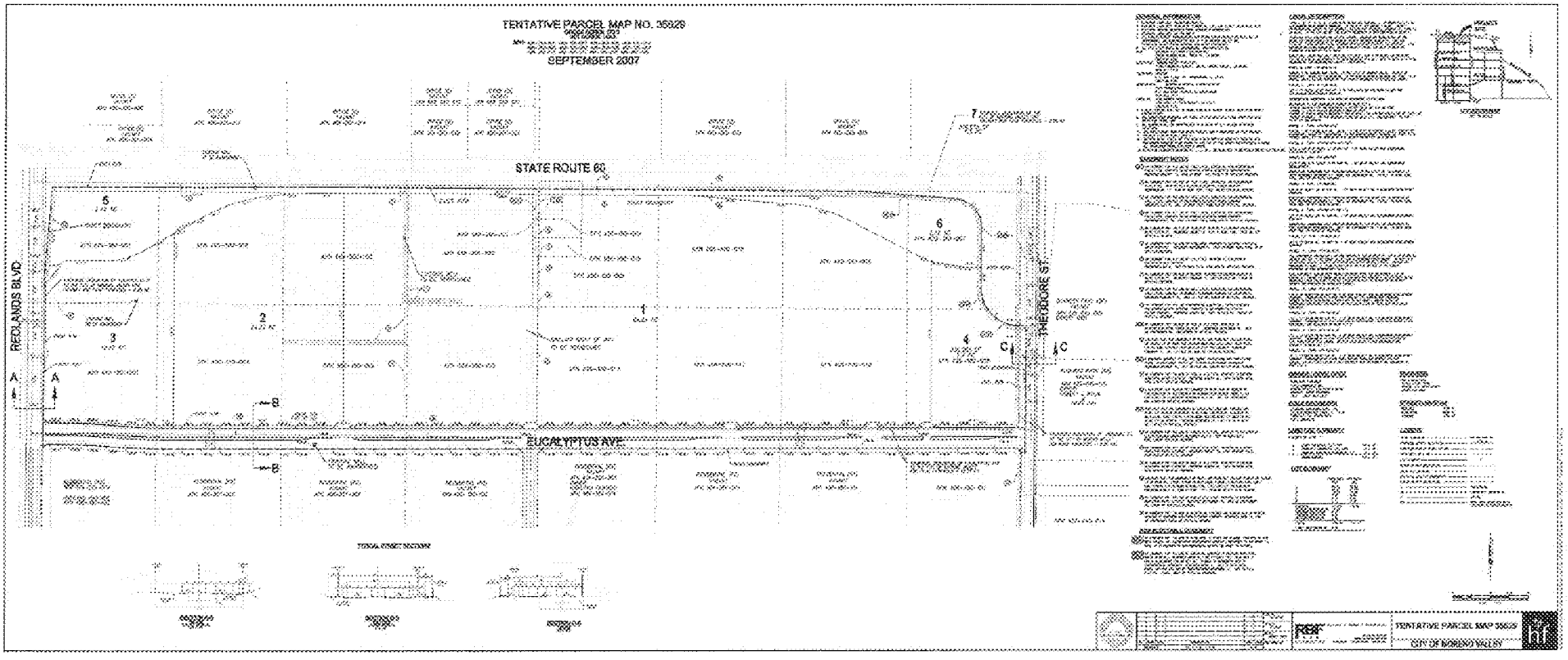

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MV00216296

ADDENDUM F

LAND IMPROVEMENT COSTS

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HFCP Land Improvement Costs

		Parcel 1	Parcels 2 - 4	Total
Parcel Acreage		83	42	125
Infrastructure Costs				
	Avg. Cost per Acre			
Hard Costs				
Site Clearing	*3,432*	283,456	145,692	429,149
Rough Grading	*21,314*	1,760,289	904,762	2,665,051
Sewer	*6,436*	531,573	273,220	804,793
Domestic Water	*9,392*	775,656	398,675	1,174,331
Recycled Water	*2,203*	181,928	93,508	275,436
Storm Drain	*28,561*	2,358,823	1,212,399	3,571,222
Streets	*24,031*	1,984,757	1,020,135	3,004,891
Walls	*1,023*	84,457	43,409	127,866
Dry Utilities	*20,696*	1,709,311	878,560	2,587,870
Landscape	*19,405*	1,602,677	823,752	2,426,429
Repair & Replace	*424*	34,985	17,982	52,967
Subtotal	*136,916*	11,307,911	5,812,094	17,120,005
Soft Costs and Contingency				
Engineering & Design (25%)	*34,229*	2,826,978	1,453,023	4,280,001
Fees (10%)	*13,692*	1,130,791	581,209	1,712,001
Contingency (10%)	*13,692*	1,130,791	581,209	1,712,001
Subtotal	*61,612*	5,088,560	2,615,442	7,704,002
Total	*198,529*	16,396,471	8,427,536	24,824,007
*Incurred thru 8/24/10 **		*8,062,482*	*4,143,993*	*12,206,474*
Cash Outlays				
Total		20,099,590	4,724,418	24,824,007

* 100% of site clearing and rough grading, 67% of sewer, 50% of domestic water, 75% of storm drain, 28% of dry utilities, 83% of engineering design and 62% of fees. All work required for occupancy of the Skechers building will be completed by March 2011.

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ADDENDUM G

QUALIFICATIONS

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QUALIFICATIONS OF WILLIAM K. BEBERNES, MAI
FIRST VICE PRESIDENT

CB RICHARD ELLIS
Valuation & Advisory Services
3501 Jamboree Road, Suite 100
Newport Beach, California 92660-2940
(949) 725-8413
william.bebernes@cbre.com

GENERAL EDUCATION

Bachelor of Science, Accounting - San Diego State University, San Diego 1977

REAL ESTATE EDUCATION

All required courses for the MAI designation
Attended numerous seminars sponsored by the Appraisal Institute

PROFESSIONAL ASSOCIATIONS

Member, Appraisal Institute (MAI)
California OREA General Certification No. AG003287

EMPLOYMENT

CB Richard Ellis, Inc. - Appraisal 1986-Present
Senior Real Estate Analyst

Lloyds Bank California - Senior Appraiser, Income Properties 1985

Bank of America - Senior Appraiser 1983-1985

Lewis Homes California
Financial Analyst, Cost Accountant 1980-1983

PROFESSIONAL EXPERIENCE

Appraisal and consulting experience includes the following types of properties:

Office buildings	Shopping centers
Industrial buildings	Hotels
Golf courses	Land – all types
Apartment projects	Special purpose properties

Qualified as an expert witness

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STATE OF CALIFORNIA

Business, Transportation & Housing Agency

OFFICE OF REAL ESTATE APPRAISERS

REAL ESTATE APPRAISER LICENSE

OREA APPRAISER IDENTIFICATION NUMBER AG003287

WILLIAM K. BEBERNES

has successfully met the requirements for a license as a general real estate appraiser in the State of California and is, therefore, entitled to use the title "Certified General Real Estate Appraiser".

This license has been issued in accordance with the provisions of the Real Estate Appraisers' Licensing and Certification Law.

OFFICE OF REAL ESTATE APPRAISERS

Bob Clark

Date Issued: June 17, 2010

Date Expires: June 16, 2012

Audit No. 126203

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THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO SEE. SAFE AND VERIFY FIRST.

MV00216301

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

This space for Recorder's use only.

SHORT FORM DEED OF TRUST

This Deed of Trust made August __, 2010, HF Logistics-SKX T2, LLC, herein called TRUSTOR, whose address is 14225 Corporate Way, Moreno Valley, CA 92553,

FIRST AMERICAN TITLE INSURANCE COMPANY, a California Corporation, herein called TRUSTEE, and the City of Moreno Valley, herein called BENEFICIARY,

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Riverside County, California, described as:

Parcel 2 of Parcel Map 35629.

For the purpose of securing TRUSTOR's obligations under that certain Public Improvements Agreement and Security Agreement dated _____, 2010. To Protect the Security of This Deed of Trust, TRUSTOR Agrees:

This Deed of Trust shall be in position of first priority and the City shall never be placed in a subordinate position.

To keep said property in good condition and repair, to pay when due all claims for labor performed and materials furnished, to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon, not to commit or permit waste thereof, not to commit, suffer, or permit any act upon said property in violation of law.

To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of BENEFICIARY or TRUSTEE and to pay all costs and expenses, including cost of evidence of title and attorneys fees in a reasonable sum, in any such action or proceeding in which the BENEFICIARY or TRUSTEE may appear, and in any suit brought by BENEFICIARY to foreclose this Deed.

To pay, at least ten days before delinquency, all taxes and assessments affecting said property, all encumbrances, charges and liens on said property or any part thereof which appear to be prior or superior hereto, and all costs, fees and expenses of this Trust. Should TRUSTOR fail to do any act as herein provided or in the Public Improvements Agreement and Security Agreement, then BENEFICIARY or TRUSTEE, but without obligation to do so and without notice to or demand upon TRUSTOR and without releasing TRUSTOR from any obligation hereof, may made or do the same in such manner and

EXHIBIT "D"

to such extent as either may deem necessary to protect the security thereof, BENEFICIARY or TRUSTEE being authorized to enter upon said property for such purposes, appear in and defend any action purporting to affect the security thereof or the right or powers of BENEFICIARY or TRUSTEE, pay, purchase, contest or compromise any encumbrance, charge, or lien which in the judgment of either appears to be prior or superior hereto, and, in exercising any such powers, pay necessary expenses, employ counsel and pay reasonable attorneys fees.

That upon default by TRUSTOR in performance of any agreement secured hereby, BENEFICIARY may declare all sums and obligations secured hereby immediately due and payable by delivery to TRUSTEE by written declaration of default and demand for sale and of written notice of default and of election to cause to be sold said property. After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of default having been given as then required by law, TRUSTEE, without demand on TRUSTOR, shall sell said property.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

Signature of Trustor

HF LOGISTICS-SKX T2, LLC
(Owner of Parcel 2)

By: _____
Iddo Benzeevi, President & CEO

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 6-5-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Adda Bergasa (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

LORINNE J. PHILLIPS
COMM #1868953
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
Top of thumb here	Top of thumb here

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RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

This space for Recorder's use only.

SHORT FORM DEED OF TRUST

This Deed of Trust made August __, 2010, Highland Fairview Partners I, herein called TRUSTOR, whose address is 14225 Corporate Way, Moreno Valley, CA 92553,

FIRST AMERICAN TITLE INSURANCE COMPANY, a California Corporation, herein called TRUSTEE, and the City of Moreno Valley, herein called BENEFICIARY,

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Riverside County, California, described as:

Parcel 3 of Parcel Map 35629.

For the purpose of securing TRUSTOR's obligations under that certain Public Improvements Agreement and Security Agreement dated _____, 2010. To Protect the Security of This Deed of Trust, TRUSTOR Agrees:

This Deed of Trust shall be in position of first priority and the City shall never be placed in a subordinate position.

To keep said property in good condition and repair, to pay when due all claims for labor performed and materials furnished, to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon, not to commit or permit waste thereof, not to commit, suffer, or permit any act upon said property in violation of law.

To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of BENEFICIARY or TRUSTEE and to pay all costs and expenses, including cost of evidence of title and attorneys fees in a reasonable sum, in any such action or proceeding in which the BENEFICIARY or TRUSTEE may appear, and in any suit brought by BENEFICIARY to foreclose this Deed.

To pay, at least ten days before delinquency, all taxes and assessments affecting said property, all encumbrances, charges and liens on said property or any part thereof which appear to be prior or superior hereto, and all costs, fees and expenses of this Trust. Should TRUSTOR fail to do any act as herein provided or in the Public Improvements Agreement and Security Agreement, then BENEFICIARY or TRUSTEE, but without obligation to do so and without notice to or demand upon TRUSTOR and without releasing TRUSTOR from any obligation hereof, may made or do the same in such manner and to such extent as either may deem necessary to protect the security thereof, BENEFICIARY or TRUSTEE being authorized to enter upon said property for such purposes, appear in and defend any action purporting to affect the security thereof or the right or powers of BENEFICIARY or TRUSTEE, pay,

Exhibit "E"

purchase, contest or compromise any encumbrance, charge, or lien which in the judgment of either appears to be prior or superior hereto, and, in exercising any such powers, pay necessary expenses, employ counsel and pay reasonable attorneys fees.

That upon default by TRUSTOR in performance of any agreement secured hereby, BENEFICIARY may declare all sums and obligations secured hereby immediately due and payable by delivery to TRUSTEE by written declaration of default and demand for sale and of written notice of default and of election to cause to be sold said property. After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of default having been given as then required by law, TRUSTEE, without demand on TRUSTOR, shall sell said property.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

Signature of Trustor

HIGHLAND FAIRVIEW PARTNERS I
(Owner of Parcel 3)

By: _____
Iddo Benzeevi, President & CEO

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 1-5-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Adda Benzaquen (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s),~~ or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

LORINNE J. PHILLIPS
COMM #1888965
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
Top of thumb here	Top of thumb here

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RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

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SHORT FORM DEED OF TRUST

This Deed of Trust made August __, 2010, Highland Fairview Partners III, herein called TRUSTOR, whose address is 14225 Corporate Way, Moreno Valley, CA 92553,

FIRST AMERICAN TITLE INSURANCE COMPANY, a California Corporation, herein called TRUSTEE, and the City of Moreno Valley, herein called BENEFICIARY,

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Riverside County, California, described as:

Parcel 4 of Parcel Map 35629.

For the purpose of securing TRUSTOR's obligations under that certain Public Improvements Agreement and Security Agreement dated _____, 2010.To Protect the Security of This Deed of Trust, TRUSTOR Agrees:

This Deed of Trust shall be in position of first priority and the City shall never be placed in a subordinate position.

To keep said property in good condition and repair, to pay when due all claims for labor performed and materials furnished, to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon, not to commit or permit waste thereof, not to commit, suffer, or permit any act upon said property in violation of law.

To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of BENEFICIARY or TRUSTEE and to pay all costs and expenses, including cost of evidence of title and attorneys fees in a reasonable sum, in any such action or proceeding in which the BENEFICIARY or TRUSTEE may appear, and in any suit brought by BENEFICIARY to foreclose this Deed.

To pay, at least ten days before delinquency, all taxes and assessments affecting said property, all encumbrances, charges and liens on said property or any part thereof which appear to be prior or superior hereto, and all costs, fees and expenses of this Trust. Should TRUSTOR fail to do any act as herein provided or in the Public Improvements Agreement and Security Agreement, then BENEFICIARY or TRUSTEE, but without obligation to do so and without notice to or demand upon TRUSTOR and without releasing TRUSTOR from any obligation hereof, may made or do the same in such manner and to such extent as either may deem necessary to protect the security thereof, BENEFICIARY or TRUSTEE being authorized to enter upon said property for such purposes, appear in and defend any action

Exhibit "F"

purporting to affect the security thereof or the right or powers of BENEFICIARY or TRUSTEE, pay, purchase, contest or compromise any encumbrance, charge, or lien which in the judgment of either appears to be prior or superior hereto, and, in exercising any such powers, pay necessary expenses, employ counsel and pay reasonable attorneys fees.

That upon default by TRUSTOR in performance of any agreement secured hereby, BENEFICIARY may declare all sums and obligations secured hereby immediately due and payable by delivery to TRUSTEE by written declaration of default and demand for sale and of written notice of default and of election to cause to be sold said property. After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of default having been given as then required by law, TRUSTEE, without demand on TRUSTOR, shall sell said property.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

Signature of Trustor

HIGHLAND FAIRVIEW PARTNERS III
(Owner of Parcel 4)

By: _____
Iddo Benzeevi, President & CEO

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 6-5-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Adolfo Bengzon (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

LORINNE J. PHILLIPS
COMM #1868955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
Top of thumb here	Top of thumb here

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: March 22, 2011

TITLE: ECONOMIC DEVELOPMENT PLAN—AREAS OF OPPORTUNITY

RECOMMENDED ACTION

Staff recommends the City Council:

Review and provide staff with direction on the development of a new Economic Development Plan—Areas of Opportunity.

BACKGROUND

The City of Moreno Valley is poised for future growth. With the economy starting to realize some improvement, now is the opportune time to evaluate ways that Moreno Valley can best plan for advancing economic development in the short and near term. The creation of an Economic Development Plan with established Areas of Opportunity in the community for producing major employment hubs, successful retail centers and redevelopment possibilities is aimed at providing a roadmap for Moreno Valley to become a major business development area in Southern California.

Over the years, Moreno Valley has experienced significant growth. Incorporated in December 1984, Moreno Valley has experienced a 379% increase in population in just 26 years. However, the City's jobs to housing ratio is not properly balanced. The need to create more employment opportunities should be made a priority in creating a well rounded community with a strong economic foundation. Adding new logistic and distribution centers will not only create new jobs for residents, but also provide a positive economic stimulus to the existing business community. Furthermore, Moreno Valley should seek to enhance its commercial retail/restaurant make-up and move to improve the City's per capita sales tax revenue stream. Making Moreno Valley a great place to live, work, shop, dine and visit--will improve the overall economic health of the community.

DISCUSSION

Moreno Valley has a strategic location in the Inland Region and is in the path of growth. During the past decade or so, Moreno Valley has experienced strong residential development from many quality home builders. Now it will be important for the City to provide ways for new commercial, office and industrial development to happen in the community. Understanding Moreno Valley's strengths and weaknesses, along with pursuing a balanced mix of residential and business development will be key in planning how Moreno Valley attracts development opportunities in the new global economy.

Ensuring the proper land uses are in place, along with embracing a business friendly environment will help ensure that developers and businesses select Moreno Valley as a place to do business. With the right attitude and proper Economic Development Plan—Moreno Valley can be the future of not only Southern California but also compete to be a major place to be in the new global economy.

The formulation of an effective Economic Development Plan should pursue opportunities for the short and mid-term, as well as consider opportunities throughout the community. As part of the adoption of the Housing Element, staff recommended that the City Council consider opportunities to rezone areas of the community that could facilitate new business development, as well as specifically address the jobs to housing imbalance. The following ten geographic business areas represent specific Areas of Opportunity in Moreno Valley to be considered for incorporating into an Economic Development Plan.

- Eastern Moreno Valley-Rancho Belago (including Highland Fairview Corporate Park-Skechers USA, WestRidge Commerce Center, Prologis, and Moreno Highlands)
- City Center (including a Nason, Moreno Beach and Lasselle loop--with Stoneridge Towne Centre, Moreno Beach Plaza, Moreno Valley Auto Mall, proposed Moreno Beach Marketplace-Lowes Center, Moreno Marketplace-Stater Bros. Center, Moreno Valley Ranch Golf Club, Riverside County Regional Medical Center, Aqua Bella, Kaiser-Moreno Valley Community Hospital, Lakeside Plaza & Terrace, Moreno Valley College, the proposed Winco Center and the City's 60-acre property at NWC of Alessandro/Nason)
- South Moreno Valley Industrial Specific Plan Area
- March LifeCare
- Centerpointe Business Park
- Alessandro Boulevard
- Sunnymead Boulevard
- Festival-Ironwood
- Sunnymead Ranch-Lakeshore Village Marketplace
- TownGate (including the Moreno Valley Mall and five surrounding commercial centers-TownGate Center, TownGate Plaza, TownGate Crossing, TownGate Promenade, and TownGate Square)
- Canyon Springs Plaza and proposed TownGate Highlands
- Edgemont Area

At the March 22 City Council meeting, a PowerPoint presentation will visually outline the Areas of Opportunity. Included with the presentation will be an illustration of the importance of linking the City's Capital Improvement Plan (CIP) and the City's Traffic Circulation Plan to a new Economic Development Plan. Ensuring that revenues to be used for the CIP are focused on advancing the City's Economic Development Plan and its Areas of Opportunity shall provide for a more strategic approach to planning for new public improvements that benefits economic development in the community. As part of this approach to the CIP, staff is recommending advancing the planning of a number of public improvement projects related to the City Center area--including work on SR60/Nason, SR60/Moreno Beach, pursuing the connection of Eucalyptus Avenue to Moreno Beach Drive, along with the connection of Nason Street, from Cactus Avenue to Iris Avenue to provide a much needed north and south arterial thoroughfare from SR60 to Iris Avenue.

After introducing the major components of the Economic Development Plan-Areas of Opportunities, staff recommends that the Economic Development Council Subcommittee (Council Members Co and Molina) work with the City Manager and Community & Economic Development Director, along with a number of developers to further advance the specifics of the Economic Development Plan. Included with this effort will be evaluating many rezoning and redevelopment opportunities, all aimed at furthering the City's economic development efforts. As part of this process, the City shall pursue a 'modified' General Plan process that will include a focused 'Plan' review that will evaluate the highest and best uses for the many areas included with the Areas of Opportunities.

FISCAL IMPACT

There is NO established fiscal impact at time. As the Economic Development Plan-Areas of Opportunity is further refined a budget shall be established for undertaking planning activities.

Prepared By:
Barry Foster
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

City of Moreno Valley
Community & Economic Development Department

MEMORANDUM

To: Mayor and City Council

From: Barry Foster, Community & Economic Development Director

Date: March 22, 2011

Subject: City Council Regular Meeting Agenda of March 22, 2011, Item G.6 - ECONOMIC DEVELOPMENT PLAN—AREAS OF OPPORTUNITY (POWERPOINT TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Community & Economic Development Department)

cc: Agenda packet distribution list

Attached is the PowerPoint Presentation for the above-mentioned subject item.

Economic Development Plan

Areas of Opportunity

March 2011

MV00216315

Issues to Consider

- Economy
- Unemployment
- Jobs/Housing Balance
- Appropriate Land Uses – Highest and best zoning

MV00216316

First Steps

- Reformation of the Economic Development Council Subcommittee
- Housing Element
- Developer's Workshop
- Enhance effectiveness of the Planning/Entitlement process
- Work with major developers on advancing projects

MV00216317

Economic Development Plan

Areas of Opportunity

- **Eastern Moreno Valley-Rancho Belago** (including Highland Fairview Corporate Park-Skechers USA, WestRidge Commerce Center, Prologis, and Moreno Highlands)
- **City Center** (including a Nason, Moreno Beach and Lasselle loop--with Stoneridge Towne Centre, Moreno Beach Plaza, Moreno Valley Auto Mall, proposed Moreno Beach Marketplace-Lowes Center, Moreno Marketplace-Stater Bros. Center, Moreno Valley Ranch Golf Club, Riverside County Regional Medical Center, Aqua Bella, Kaiser-Moreno Valley Community Hospital, Lakeside Plaza & Terrace, Moreno Valley College, the proposed Winco Center and the City's 60-acre property at NWC of Alessandro/Nason)
- **South Moreno Valley Industrial Specific Plan Area**
- **March LifeCare**
- **Centerpointe Business Park**
- **Alessandro Boulevard**
- **Sunnymead Boulevard**
- **Festival-Ironwood**
- **Sunnymead Ranch-Lakeshore Village Marketplace**
- **TownGate** (including the Moreno Valley Mall and five surrounding commercial centers-TownGate Center, TownGate Plaza, TownGate Crossing, TownGate Promenade, and TownGate Square)
- **Canyon Springs Plaza** and proposed **TownGate Highlands**
- **Edgemont Area**

MV00216318

Areas of Opportunity

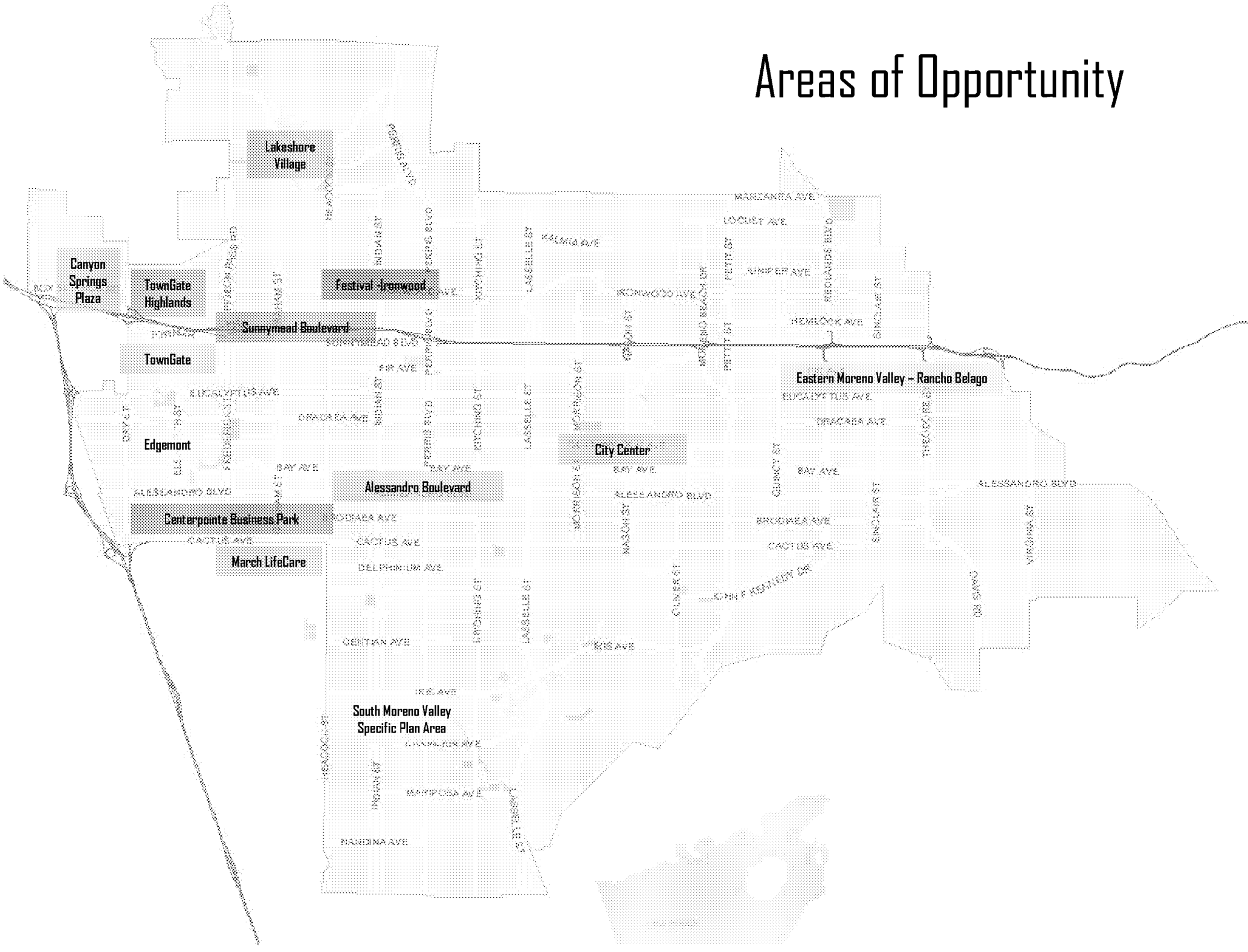

MV00216319

Capital Improvement Plan
Projects Underway

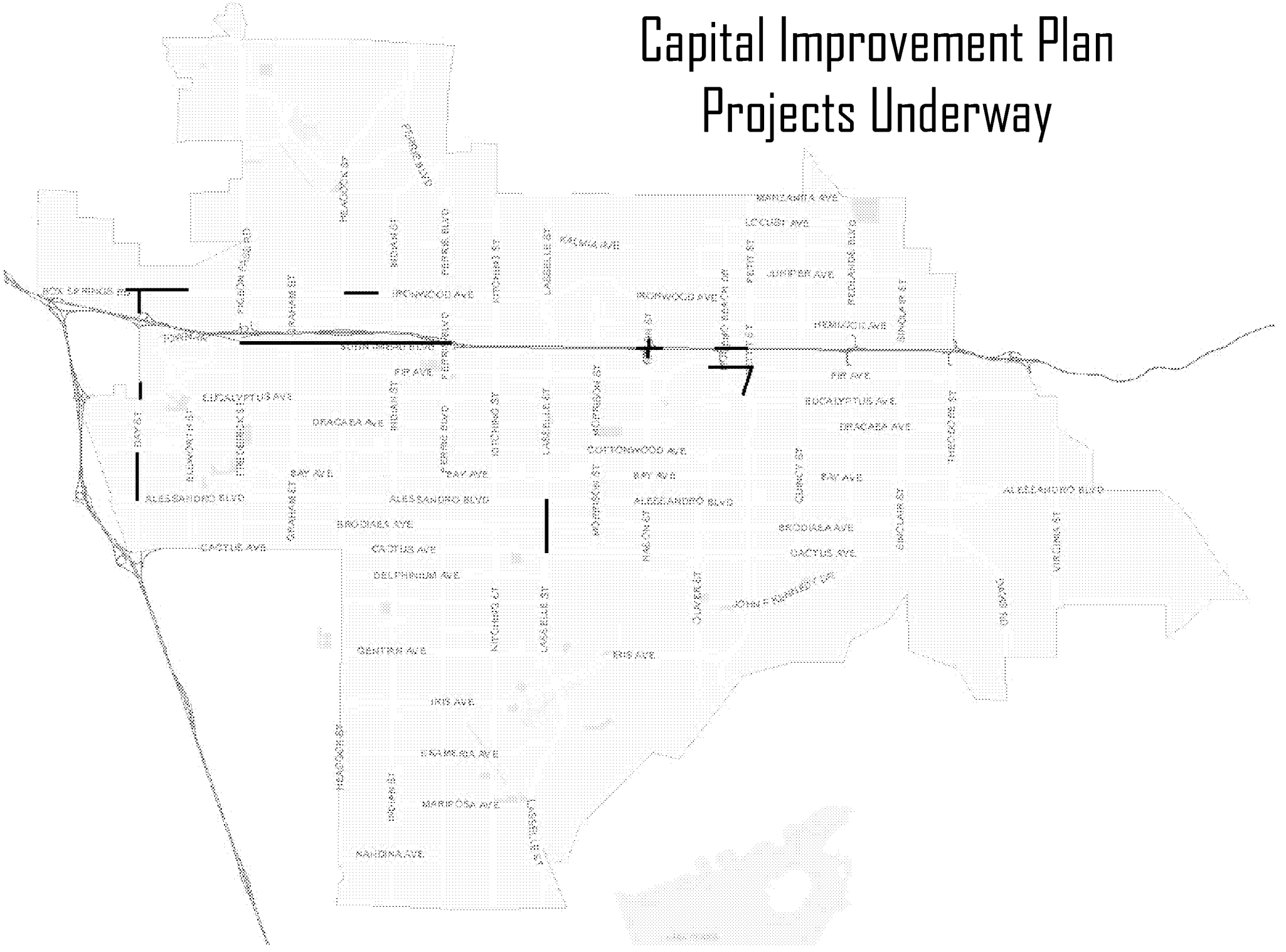

MV00216320

City Center

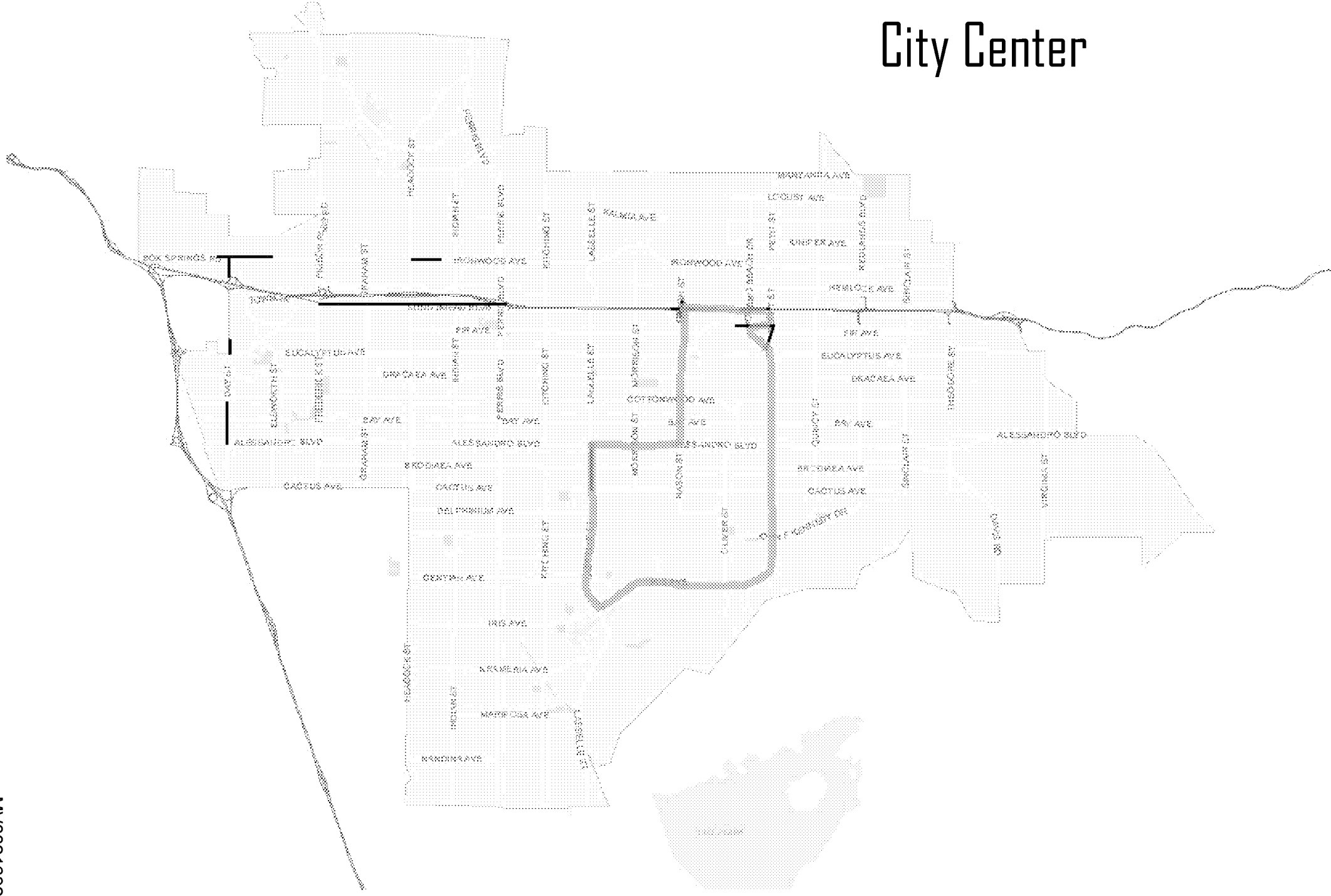

MV00216321

City Center

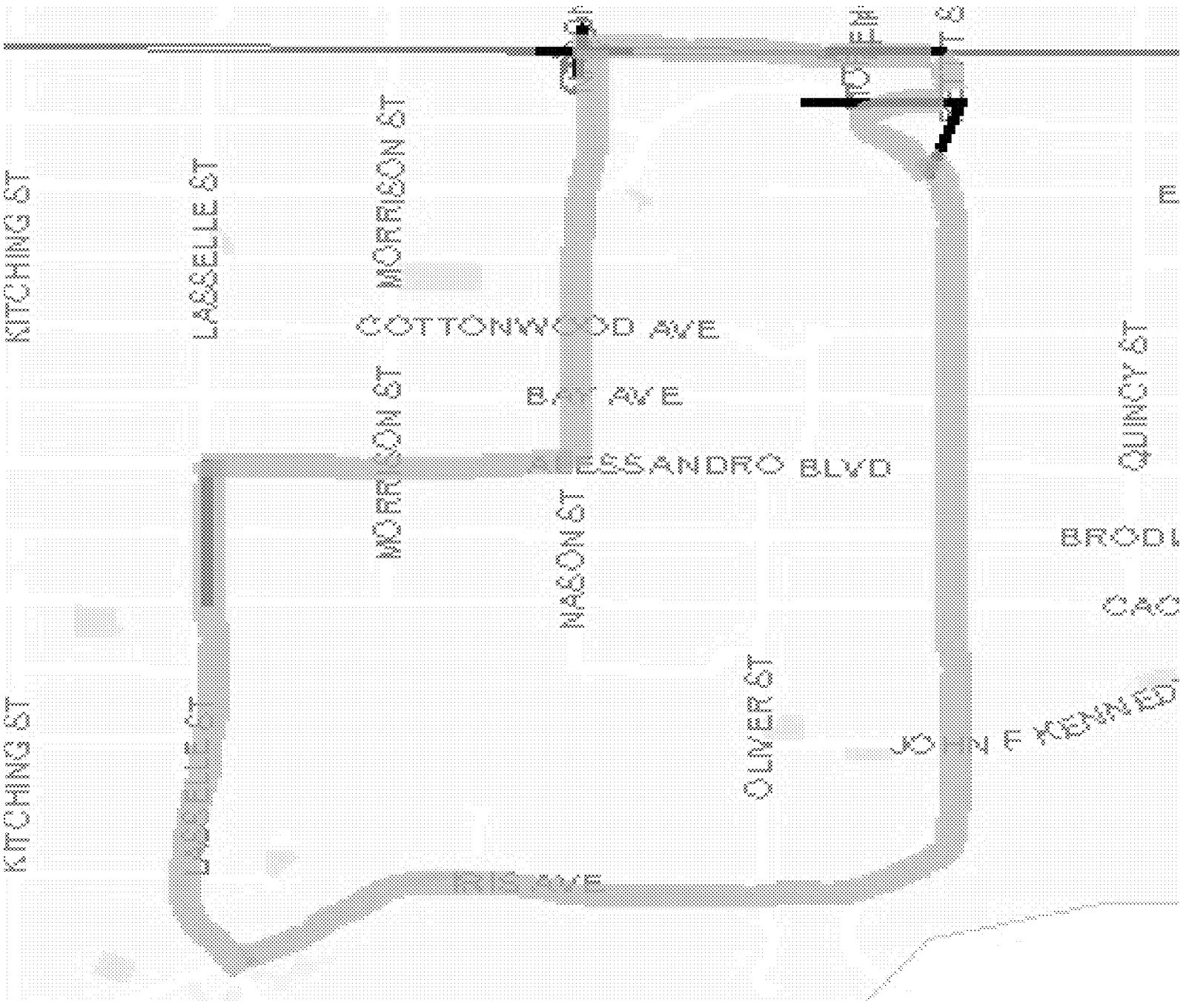

MV00216322

City Center Priority CIP Projects

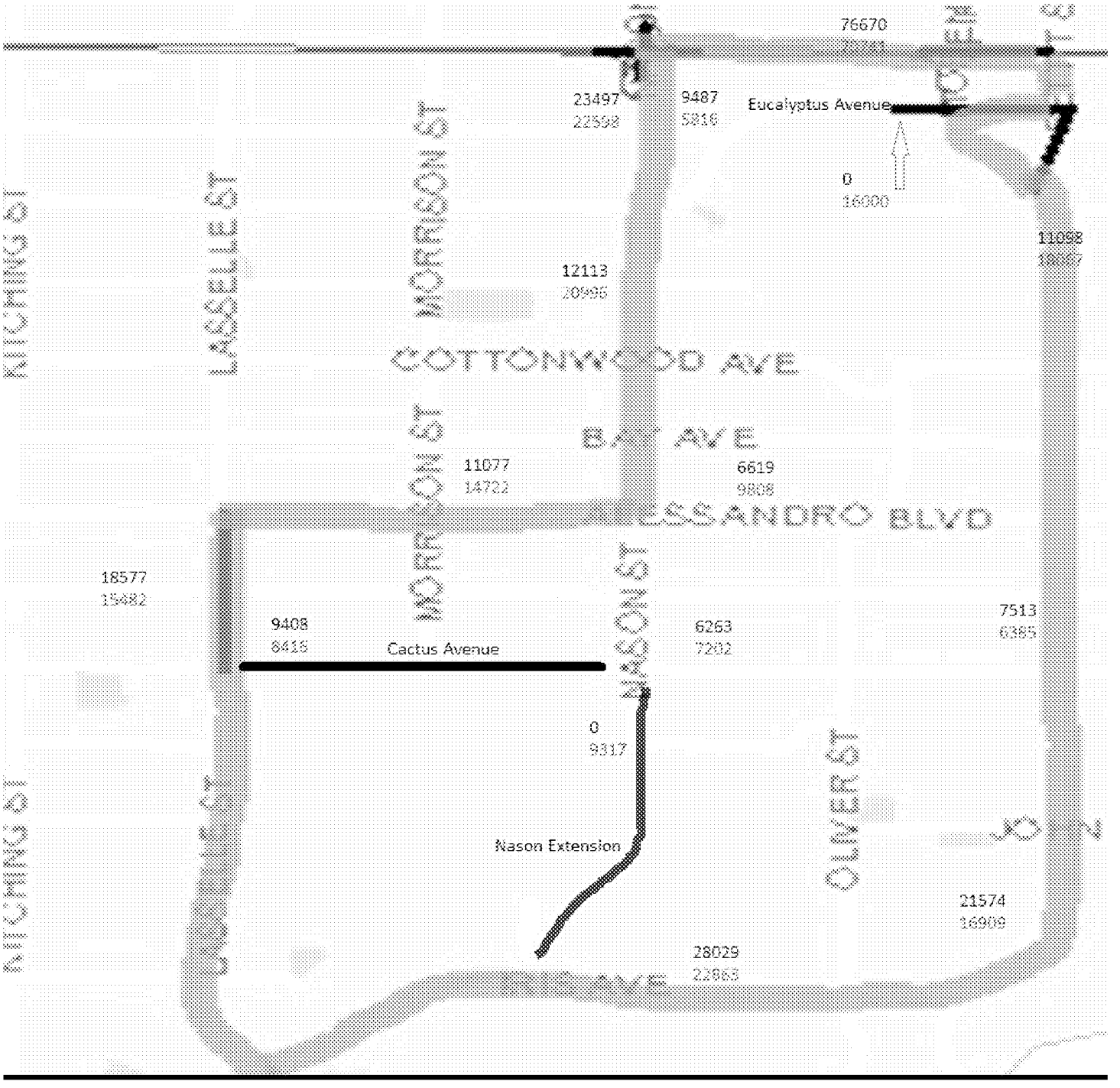

MV00216323

Next Steps

- Designate Areas of Opportunity
- Refer Economic Development Plan Areas of Opportunity to Economic Development Council Subcommittee for further study
- Tie the CIP to the Economic Development Plan and establish projects in City Center area as a priority
- Work with major developers on advancing projects in Areas of Opportunity, including exploring appropriate land uses.

MV00216324

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 26, 2011

TITLE: ECONOMIC DEVELOPMENT ACTION PLAN

RECOMMENDED ACTION

Staff recommends the City Council:

1. Review and provide direction on an Economic Development Action Plan.
2. Consider the sequencing and funding of Capital Improvement Program projects.

BACKGROUND

The City of Moreno Valley is looking at ways to best assist the future development of the community. With the economy starting to improve, now is the right time to seize the opportunity to evaluate ways that Moreno Valley can best plan for advancing economic development. On March 22, staff introduced an Economic Development Plan with established Areas of Opportunity in the community aimed at producing major employment hubs, successful retail centers and redevelopment possibilities with a goal of making Moreno Valley a major business development area in Southern California.

The focus of the Economic Development Plan-Areas of Opportunity is toward creating a well-rounded community with a strong economic foundation. Creating new jobs in the community, along with providing a positive economic stimulus to existing businesses, must be major priority for the City. Furthermore, Moreno Valley should seek ways to enhance its commercial retail/restaurant make-up and move to improve the City's per capita sales tax revenue stream. Making Moreno Valley a great place to live, work, do business, shop, eat and visit is the ultimate economic development objective. The twelve recommended Areas of Opportunity include the following locations:

- Eastern Moreno Valley-Rancho Belago (including Highland Fairview Corporate Park-Skechers USA, WestRidge Commerce Center, Prologis, and Moreno Highlands)
- City Center (including a Nason, Moreno Beach and Lasselle loop--with Stoneridge Towne Centre, Moreno Beach Plaza, Moreno Valley Auto Mall, proposed Moreno Beach Marketplace-Lowes Center, Moreno Marketplace-Stater Bros. Center, Moreno Valley Ranch Golf Club, Riverside County Regional Medical Center, Aqua Bella, Kaiser-Moreno Valley Community Hospital, Lakeside Plaza & Terrace, Moreno Valley College, the proposed Winco Center and the City's 60-acre property at NWC of Alessandro/Nason)
- South Moreno Valley Industrial Specific Plan Area
- March LifeCare
- Centerpointe Business Park
- Alessandro Boulevard
- Sunnymead Boulevard
- Festival-Ironwood
- Sunnymead Ranch-Lakeshore Village Marketplace
- TownGate (including the Moreno Valley Mall and five surrounding commercial centers-TownGate Center, TownGate Plaza, TownGate Crossing, TownGate Promenade, and TownGate Square)
- Canyon Springs Plaza and proposed TownGate Highlands
- Edgemont Area

DISCUSSION

The formulation of the Economic Development Plan-Areas of Opportunity establishes a broad framework with a diverse number of economic development opportunities, including both short term and longer term possibilities. To fully capitalize on near-term opportunities, staff is recommending the implementation of an Economic Development Action Plan focusing on several key initiatives within five of the Areas of Opportunity--to be pursued within a short-term, 2-year time frame. The focus of this Action Plan would be to:

- Collaborate with the Fritz Duda Company and CW Capital towards enhancing retail and restaurant development in the TownGate area, including pursuing new users for vacant big-box retail space in TownGate Center and the Moreno Valley Mall.
- Advance the development on several projects in the Centerpointe Business Park area.
- Facilitate the development of a number of approved and entitled projects in the South Moreno Valley Industrial Specific Plan Area.
- Capitalize on the opening of Skechers USA and begin to re-evaluate land uses in eastern Moreno Valley, in conjunction with the expiration of the Moreno Highlands Specific Plan and supporting Development Agreement.

- Re-sequence and fast-track three Capital Improvement Projects in the City Center area—1) SR60 south ramps and extension of Eucalyptus to connect with Moreno Beach, 2) installation of ultimate improvements on Cactus Avenue, between Lasselle and Nason and 3) the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue, along with pursuing the idea of repositioning part of the Aqua Bella area to expand the City's established medical office overlay zone.

Moreno Valley has a strategic location in the Inland Region and is clearly in the path of growth. Since incorporation as a city, Moreno Valley has experienced strong residential development from many quality home builders. Now is an important time for the City to broaden its economic base by pursuing ways for new commercial retail, office and industrial development to happen in the community. The five specified areas of opportunity focused within the proposed Economic Development Action Plan were selected because of location and potential for realizing success in the near-term development marketplace, along with adherence with the following economic development objectives:

- Create jobs locally and address the City's high unemployment rate.
- Address the community's jobs to housing imbalance.
- Strengthen and broaden the local economic foundation by attracting quality businesses.
- Enhance City revenue generation from sources such as Sales Tax, Property Tax, Transient Occupancy Tax, and Utility Tax, with an overall goal of improving the quality of life in Moreno Valley.

TownGate

The master planned 590-acre TownGate area, including the Moreno Valley Mall along with five popular community shopping centers is a major component of Moreno Valley's retail environment. In 2010, the retail areas of TownGate produced more than $2.84 million in sales tax revenue for the City of Moreno Valley, which represented 26% of all the sales tax revenue generated for the City. The ownership of the Moreno Valley Mall at TownGate, a 1.25 million square foot regional mall, was recently assumed by CW Capital. City staff is working closely with CW Capital and their development partners (Cushman & Wakefield and Spinoso Real Estate Group) on plans to upgrade, expand and reposition the Mall property, which anchors the TownGate area. Additionally, City staff is working in collaborative partnership with the Fritz Duda Company in pursuing national retailers and restaurants to occupy vacant spaces in TownGate properties. Recent success in attracting Burlington Coat Factory, Buffalo Wild Wings, Five Guys Burgers and Panera Bread have lead to furthering negotiations with several other major retailers and restaurants for TownGate locations. The use of the CDBG Business Incentive program and purchasing operating covenants will be important tools in finalizing these potential users. The relocation of the Robertson's Ready-Mix operation out of TownGate will also present additional development opportunities in TownGate Square.

Centerpointe Business Park

The Centerpointe Business Park area has attracted a number of quality businesses that have produced many employment opportunities in the community. Frazee Paint, Minka Group, ResMed, Serta Mattress, United Natural Foods Inc., and the U.S. Postal Service all have opened major facilities in the Centerpointe Business Park. By this August, Harbor Freight Tools will be fully operational in a new Distribution Center (DC) at the NW corner of Cactus Avenue and Graham Street that will eventually employ up to 400 people. Both Ridge Property Trust and Overton Moore Properties (OMP) are pursuing additional development opportunities in the short term for the Centerpointe Business Park. Recently OMP re-started the plan check process for a new 519,760 S.F. industrial building to be situated at the NW corner of Cactus Avenue and Frederick Street. All of these projects are aimed at attracting new logistic and distribution users that will create new jobs in the community.

South Moreno Valley Industrial Specific Plan Area

During the last development cycle, the South Moreno Valley Industrial Specific Plan Area was a catalyst for producing development opportunities for a number of major employers including Cardinal International Inc., El Dorado Stone Corporation, Harmon Kardon International Industries, iHerb Inc., Lowe's Company Inc., Masonite International Corporation, O'Reilly Automotive Inc., Philips Electronics Corporation, Ross Stores Inc. and Walgreens Company. Recently, a number of leading industrial developers have reinstituted the processing of construction plans for approved and entitled projects in the South Industrial Area. Assisting in the development of new speculative industrial development projects in this area of Moreno Valley will be an important tool for the City in creating new employment opportunities in logistics/distribution. With a vacancy rate of just 3.4% for industrial buildings, Moreno Valley needs developers to initiate new construction projects. Presently five buildings with a total of 3.6 million square feet are in plan check with construction drawings. Four other projects with 3.5 million square feet are approved and entitled, but at this time do not have active development plans being processed. One of these large projects is in escrow to be purchased by a major-national developer who desires to move forward with development of the project. Another two sizeable projects with a total of 3.1 million square feet have Environmental Impact Reviews in progress.

Eastern Moreno Valley-Rancho Belago Area

The eastern area of Moreno Valley, including the Ranch Belago area, has a significant amount of undeveloped property. Much of this area is included in the Moreno Highlands Specific Plan, which is set to expire in 2012. Considering that the Specific Plan will soon expire, the idea of evaluating the highest and best land uses in the eastern area of the community makes great sense. With the opening of the Skechers USA facility coming soon many other potential users have expressed interest in development opportunities in the eastern Moreno Valley-Rancho Belago area. The existing Moreno Highlands Specific Plan actually includes established land uses that could support approximately 8 million square feet of new industrial and business park development—the question is proper location and product type, consistent with the ongoing development marketplace.

With the Moreno Highlands Specific Plan expiring all of this can and should be re-evaluated.

With a goal of producing more jobs in Moreno Valley, the City should consider the appropriate percentage of land area in the community to be zoned for industrial and business park development. Presently, Moreno Valley has a low percentage of land area zoned for industrial and business park uses, as compared to other nearby cities. The following represents a survey of other Inland Region cities and the percentage of property they have zoned for industrial and business park use:

Chino 17.1%
Corona 11.4%
Fontana 17.0%
Ontario 25.3%
Perris 21.7%
Rancho Cucamonga 15.3%
Riverside 15.2%
San Bernardino 18.0%
Moreno Valley 9.0%

The logistics and distribution industry is rapidly evolving to better react to the global marketplace. Large sale projects such as Skechers, are the future of logistics and distribution. The workforce to operate and maintain sophisticated and costly material handling systems demands a better trained and highly skilled worker. With significant undeveloped land holdings and easy access to SR60, the eastern Moreno Valley area is primed for more logistic and distribution development.

City Center

The City Center area is strategically situated at the geographic center of Moreno Valley. The City Center area includes major medical facilities, the community college, the Auto Mall, several shopping centers and a large amount of the newer housing developments in the community.

To improve traffic circulation in the area, and strengthen economic development efforts, City staff is recommending the re-sequencing of several projects from the Capital Improvement Program (CIP), including the following three projects:

- Installation of the new SR60 southerly ramps, along with the extension of Eucalyptus Avenue to connect with Moreno Beach Drive.
- Installation of the ultimate improvements on Cactus Avenue between Lasselle Street and Nason Street.
- Provide for the extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue.

All of these improvements are part of the City's approved Circulation Plan and contained in the City's 2010/11 Capital Improvement Program. However, the projects

are presently either unfunded or only partially funded. The Economic Development Action Plan proposes to re-sequence the order of CIP projects to pursue the funding and construction of these projects in the short-term to assist economic development efforts and better leverage towards future revenue opportunities for the City by strengthening existing shopping centers (Stoneridge Towne Center, Moreno Beach Plaza, and the Auto Mall) and major employers (Riverside County Regional Medical Center, Kaiser's Community Hospital and Moreno Valley College). Additionally, the completion of these three CIP projects will significantly enhance the traffic flow in the central area of the community which will assist both the business community and residents with easier commutes.

Currently, major improvements are underway at SR60 and Nason to significantly improve this freeway interchange. The construction of the new ramps and bridge is targeted for completion by summer 2013. Pursing the installation of the southerly ramps at SR60 and Moreno Beach and the connection of Eucalyptus to Moreno Beach, in conjunction with the Nason interchange project, will significantly enhance the future traffic circulation in this area. Additionally, it will assist with the convenient ingress and egress to Stoneridge Towne Centre, Moreno Beach Plaza and the Moreno Valley Auto Mall.

The other two CIP projects will install the ultimate street improvements to connect Nason Street, from Cactus to Iris and upgrade Cactus Avenue from Lasselle to Nason. These improvement projects will greatly improve access to Moreno Valley College and the two medical centers in the community, along with enhancing the traffic flow in the central area of the community. Traffic modeling by the City's transportation professionals illustrates that undertaking these improvements on Cactus and Nason will greatly reduce traffic loads on Iris, Moreno Beach, Lasselle and Alessandro—thereby better managing traffic flow in this area of the community. Additionally, providing the connection of Nason from Cactus to Iris creates much easier commutes from the residential areas in Moreno Valley Ranch and the southerly section of the community to shop and dine in Stoneridge Towne Centre, Moreno Beach Plaza and the Moreno Valley Auto Mall.

Sales have finally increased at the Moreno Valley Auto Mall. Work is underway for the installation of the new freeway sign, along with other improvements at the Auto Mall. Enhancing access to the Auto Mall with these three CIP projects will be a strategic investment in growing sales tax revenue at the Auto Mall.

Stoneridge Towne Centre and Moreno Beach Plaza are major retail centers. While being attractive and nicely designed retail areas, both of these centers have struggled somewhat since opening because of the economic downturn and the collapse of the new housing development market, along with inefficiencies in traffic flow in getting to and from these shopping centers. Together, both of these shopping centers produced $1,428,000 in sales tax revenue in 2010 for the City of Moreno Valley. However, the sales performance of these two shopping centers was significantly below what they should have produced if one compares them with the California or Riverside County

averages of what these types of retail centers should produce with the tenant mix and user lineups they have assembled. Together the two shopping centers sales production was 17.9% less than the statewide average and 15.9% off the Riverside County average. This represented a $582,000 loss in potential sales tax revenue for Moreno Valley in 2010 if sales performance of these two shopping centers had just achieved the State of California average. This loss in sales revenue is even greater considering that three of the anchor stores in Moreno Beach Plaza—Phase II are vacant after Circuit City went out of business two years ago and Staples and Petsmart chose not to open their new stores.

Clearly, these two shopping centers and their anchor tenants (Walmart, Super Target, Kohl's, Best Buy, and Office Max) are underperforming. Rumors have surfaced from time to time that some of these anchor stores may close because of depressed sales performance. On average, the five operating anchor stores in the two shopping centers range from 16.6% to 48.4% below the average of what these store types should produce in sales performance when compared to the statewide average. Collectively, the five anchor stores produced $43 million in sales in 2010, but this was 29.3% below what the statewide average was for these same stores. This represented a $430,000 loss in potential sales tax revenue for Moreno Valley as compared to the statewide average. Even more troubling would be the devastating effect it would be for one or more of these anchor stores to close and the subsequent negative impact it would have on the shopping centers. An objective of this Action Plan is not only keeping all the anchor stores open, but also move to enhance their sales performance.

Interest has recently materialized for the possible re-occupancy of the three closed anchor spaces in Moreno Beach Plaza II. However, any reuse of these spaces will be contingent on first connecting Eucalyptus to Moreno Beach, along with plans to enhance traffic circulation and expand daytime population—i.e. establish more businesses and create job production in the eastern area of the City.

Moreno Valley College is well underway with four construction projects totaling $88 million that will greatly expand and upgrade the City's community college. Moreno Valley College's student population exceeds 10,000. Furthermore, both Kaiser Permanente's Community Hospital (Kaiser) and Riverside County Regional Medical Center (RCRMC) are working on plans to expand these major medical facilities. In fact, Kaiser Permanente expects to bring the development of a new 75,000 S.F. building before the Planning Commission in June, with a start of construction expected by late summer. Executive management from Moreno Valley College, Kaiser, and RCRMC all fully express support for the idea of pursuing the CIP projects and the goal of improving traffic flow in the City Center area.

In 2007, the City adopted a medical overlay zone that includes area on Iris Avenue—from the Kaiser Community Hospital area and down Nason Street to the RCRMC area. Presently, Highland Fairview is evaluating the possibility of other land uses for part of the Aqua Bella area—including the idea of developing a major health and medical related campus on approximately 200 acres of the undeveloped land on the eastern

side of a newly installed Nason Street. This proposed development concept, which would include a world-class master planned health care campus would provide a link between the existing two hospitals and further advance the City's planning concept of creating a medical corridor in this section of the community. As Americans live longer (it is expected that 20% of Americans will be over the age of 65 by 2050) and the population continues to grow in the Inland Region, the need will escalate for more medical and health related services in this area. The vision of creating a medical and health services corridor in this of the community makes great sense, particularly considering that major institutions such as RCRMC, Kaiser Permanente and Moreno Valley College are already situated in this area of the community.

There is a clear need for education, training and research/development in the health and medical fields. Allied Health is one of the most rapidly growing professions in the U.S. and especially in Southern California. According to the U.S. Bureau of Labor Statistics---17 of the top 30 fastest growing occupations in the U.S. are in the health related professions. The California Wellness Foundation, estimates that by 2030, almost 1 million health care workers will be needed in California. Having Moreno Valley College, with its Allied Health Sciences programs, along with the fact that RCRMC will be the major teaching hospital for the new UC-Riverside medical school, provides even more momentum to consider repositioning part of the undeveloped land at Aqua Bella for health and medical related uses. Constructing the Nason and Cactus improvements would clearly help advance the planning and marketing efforts for an expansion of the medical overlay corridor. Producing more health and medical related facilities will create more jobs and employment opportunities in Moreno Valley, along with helping improve retail and restaurant sales in the shopping centers in the City Center area.

Staff has discussed the idea of advancing the construction of the three CIP projects in the City Center area with many of the stakeholders in this area--including Moreno Valley College, RCRMC, Kaiser Permanente, Highland Fairview, Stoneridge Towne Centre-Weingarten Realty, Moreno Beach Plaza I-Pacific Retail Partners, Moreno Beach Plaza II-Merlone Greier Partners, and the Moreno Valley Auto Mall-Moss Bros. Auto Group. All are fully supportive and enthusiastic about the idea of pursuing these three CIP projects in the short-term. Ten of the Top 20 Sales Tax Producers in the City are contained in this area and 22% of the entire City's sales tax revenue in 2010 was produced in Stoneridge Towne Centre, Moreno Beach Plaza and the Moreno Valley Auto Mall. The City Center area also includes a number of the major employers in the community--including eight of the top 50 major employers in Moreno Valley. Presently these eight major employers provide nearly 5,000 employment opportunities in Moreno Valley. Strengthening all these businesses should be an objective of the City's economic development efforts.

ALTERNATIVES

Staff recommends that the City Council approve the Economic Development Action Plan including the following actions:

1. Adoption of the five initiatives as proposed in the Economic Development Action Plan.
2. Approve the re-sequencing as proposed for Capital Improvement Program projects.

Other alternatives the City Council may consider is rejecting the proposed Economic Development Action Plan and the re-sequencing of CIP projects or provide direction on other economic development efforts to be included in formulating a short-term Action Plan.

FISCAL IMPACT

The funding and construction of the three projects will be accomplished through the Capital Improvement Program.

SR60/Moreno Beach-South Ramps

The cost for this project is estimated at $10.5 million and will be funded though a combination of sources including 1) $2.5 million of proceeds from the 2007 RDA Bond Issuance that was recently shifted to the City, 2) estimated savings in the amount of $7 million from the SR60/Nason ramps and bridge projects, and 3) a proposed Developer contribution of $1 million from the owner of the Moreno Beach Plaza-Phase II, in conjunction with a reimbursement agreement to be tied to future tenants sales tax performance.

Cactus Avenue and Nason Street Improvements

The total cost for these two projects is estimated at $23.3 million. To achieve an 'economies of scale' and reduce overall costs, it is suggested to construct the projects together as one large scale project or through a design build process—with a goal of saving at least 10% in construction costs. An estimated $6 million of the costs for the projects involves installing storm water infrastructure that is part of Riverside County's Master Planned Flood Control System. Moreno Valley through its Redevelopment Agency (RDA) has accumulated $5.42 million in tax increment pass through revenues that in accordance with a Cooperative Agreement (executed in 1988) between Riverside County and Moreno Valley's RDA must be used for County Flood Control master planned projects—such as the construction of Line I and Line J that should be constructed as part of the Cactus and Nason street improvement projects. By FY 2011/12 the amount of tax increment generated for this use is estimated to grow to $5,997,000 and be sufficient to construct these storm water improvements. Another potential funding source for the Cactus Avenue project is a $1 million California SLLP grant. To properly fund the remaining cost of the two projects, it is recommended that the City Council, through the CIP process, consider re-sequencing the timing of the

funding of several other CIP projects, including the delaying and/or borrowing of existing funding from several sources, including borrowing $4 million in DIF Library funds, along with pushing back the timing of several projects—Reche Vista Alignment ($3.1 million), Corporate Yard ($2.5 million), Heacock Channel improvements ($1.3 million), and Kitching Street ($2.5 million). These four projects would remain in the CIP, but would be funded at a future time if the re-sequencing of CIP projects is supported by the City Council.

SUMMARY

Advancing economic development efforts should be a major goal for the City of Moreno Valley. Previously City staff had presented City Council with an Economic Development Plan-Areas of Opportunity. The formulation of an Economic Development Action Plan with five key initiatives is envisioned as a roadmap to guiding the City's short term economic development efforts. Included with the Action Plan is the re-sequencing of Capital Improvement Projects to better assist in economic development efforts. Investing in CIP Projects that enhance economic development through job creation and revenue generation will improve the economic condition of the City, along with enhancing the quality of life in Moreno Valley.

ATTACHMENTS/EXHIBITS

Attachment A—Economic Development Action Plan—Opportunity Areas
Attachment B—PowerPoint – Economic Development Action Plan

Prepared By/Department Head Approval:
Barry Foster
Community & Economic Development Director

Concurred By:
Henry Garcia
City Manager

Concurred By:
Chris Vogt
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Action Plan
Areas of Opportunity

Attachment A

ECONOMIC DEVELOPMENT ACTION PLAN

April 2011

Attachment B

MORENO VALLEY
WHERE DREAMS SOAR

MV00216336

Recent Economic Development Actions

- Reformation of Economic Development Council Subcommittee
- Housing Element
- Developer's Workshop
- Proposed an Economic Development Plan – Areas of Opportunity
- Working to enhance development services process
- Collaborating with a number of major Developers on advancing projects
- Studying ways to make Moreno Valley a "Best Place to do Business"

Attachment B

MV00216337

Economic Development Plan

Areas of Opportunity

Eastern Moreno Valley-Rancho Belago
City Center
South Moreno Valley Industrial Specific Plan Area
March LifeCare
Centerpointe Business Park
Alessandro Boulevard
Sunnymead Boulevard
Festival-Ironwood
Sunnymead Ranch-Lakeshore Village Marketplace
TownGate Canyon Springs Plaza
Proposed TownGate Highlands
Edgemont Area

Attachment B

MV00216338

Objectives for Economic Development

- Create jobs locally and address City's high unemployment rate
- Address the Community's jobs to housing imbalance
- Strengthen and broaden the local economic foundation by attracting quality businesses
- Enhance City revenue generation from sources such as sales tax, property tax, transient occupancy tax, and utility tax – all aimed at improving quality of life in Moreno Valley

MV00216339

Economic Development Action Plan

Focusing on key initiatives to be provided in 2 years

TownGate

Centerpointe Business Park

South Moreno Valley Industrial Area

Eastern Moreno Valley – Rancho Belago

City Center

Attachment B

MV00216340

Action Plan
Areas of Opportunity

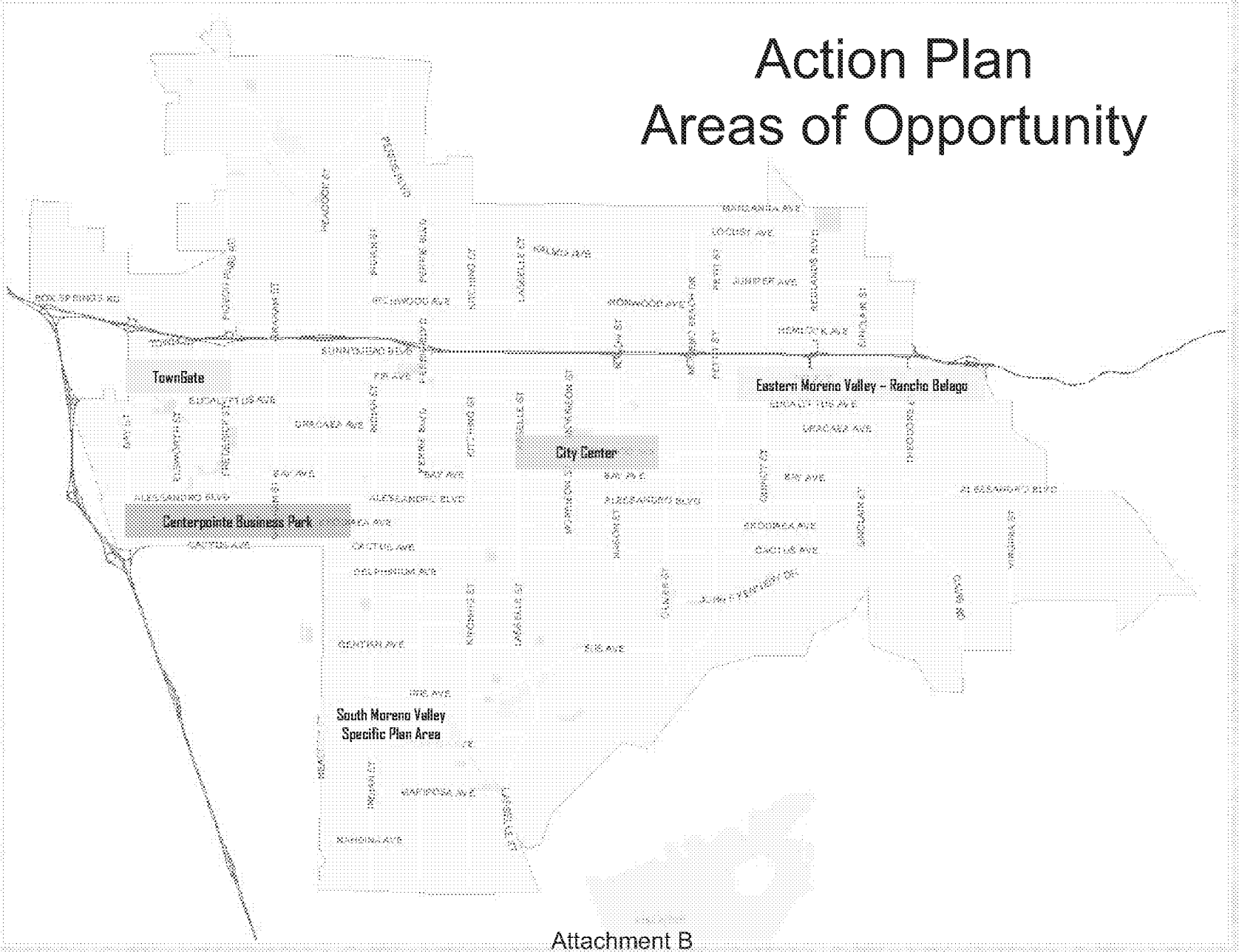

Attachment B

MV00216341

TownGate

- Major retail area that produced $2.84 million in sales tax in 2010 (26.19% of City total)
- New owner of Moreno Valley Mall
- Recent success with Sports Authority, Burlington Coat Factory, Buffalo Wild Wings and two hotels
- Negotiations ongoing with several major retailers and restaurants for TownGate locations

MV00216342

Centerpointe Business Park

- Major Business Park location primed to produce more employment opportunities – already home to six major corporations
- Several approved and entitled projects being considered for starting construction in short-term

Attachment B

MV00216343

South Moreno Valley Industrial Area

- Significant job center in community with 10 major corporations already here.
- Prospects for short-term construction developments is excellent with 3.6 million s.f. in building plan check, 3.5 million s.f. approved/entitled, 3.1 million s.f. ongoing with EIR's

MV00216344

Eastern Moreno Valley – Rancho Belago

- Prime area of Community with large undeveloped areas.
- Skechers USA opening has generated interest by other prospective corporate users.
- Nearly 20-year old Moreno Highlands Specific Plan to expire in 2012
- Highest and Best land uses should be evaluated to address City's jobs to housing imbalance

MV00216345

Survey of Inland Region Industrial/Business Park Zoning

- Ontario 25.3%
- Perris 21.7%
- San Bernardino 18.0%
- Chino 17.1%
- Fontana 17.0%
- Rancho Cucamonga 15.3%
- Riverside 15.2%
- Corona 11.4%
- Moreno Valley 9.0%

Attachment B

MV00216346

City Center

Why City Center?

- Geographic center of Moreno Valley
- Home to Moreno Valley College, Riverside County Regional Medical Center, Kaiser Community Hospital, Stoneridge Towne Center, Moreno Beach Plaza, and Moreno Valley Auto Mall
- Contains large amount of newer housing developments of major developers such as American Richmond Homes, Beazer Homes, DR Horton, Pacific Community and Young Homes

MV00216347

Re-sequence CIP Projects

- Installation of new SR60 southerly ramps at Moreno Beach, including extension of Eucalyptus to connect with Moreno Beach
- Improvements on Cactus Avenue between Lasselle Street to Nason Street
- Extension of Nason Street southerly to connect Cactus Avenue with Iris Avenue

MV00216348

Re-sequencing of CIP Projects
Provides the Following Benefits:

- Builds improvements identified in City's Circulation Plan
- Improves traffic circulation in center of the City
- Enhances Economic Development efforts
- Assists major stakeholders in the community – RCRMC, Kaiser Community Hospital, Moreno Valley College, Stoneridge Towne Centre, Moreno Beach Plaza and the Moreno Valley Auto Mall.

Attachment B

MV00216349

Stoneridge Towne Centre, Moreno Beach Plaza and the Auto Mall

- Major Sales Tax Producers for the City
- Potential for significant increased sales tax revenue
- Closing of any anchor use would be devastating
- Need to stabilize and enhance effectiveness of major anchor uses must be a priority

Attachment B

MV00216350

Moreno Valley College, RCRMC and Kaiser Community Hospital

- Major institutions focused on Health & Medical Field
- Expansion plans in the works for all three institutions
- Allied health industry is one of the rapidly growing professions in the U.S.
- CIP projects greatly enhance the area and fully supported by three institutions

Attachment B

MV00216351

Highland Fairview

- City & Highland Fairview working together on plan to reposition part of Aqua Bella to develop world-class medical and health related campus
- Expand City's established overlay zone for medical office corridor
- Development of more medical and health related uses would compliment two hospitals and Community College's Allied Health Services focus

Attachment B

MV00216352

Fiscal Impact of CIP Re-sequencing

SR/60 Moreno Beach

Estimated cost of $10.5 million funded through:

1. $2.5 million of RDA Bond proceeds
2. Savings of $7 million from SR60/Nason Project
3. Proposed $1 million Developer contribution

Cactus and Nason Improvements

Established cost of $23.3 million funded through:

1. Estimated 10% savings by constructing projects together
2. $6 million funded by RDA pass-through targeted for Flood Control projects
3. $1 million funded from California's SLLP Grant
4. Borrowing funding from five CIP projects to generate $13.4 million

Attachment B

MV00216353

Economic Development Strategy Next Steps

- Approve Economic Development Action Plan
- Re-sequence CIP projects
- Strive to enhance Development Services Process
- Work with major developers on advancing projects
- Make Moreno Valley a “Best Place to do Business”

Attachment B

MV00216354